



## Legislation Details (With Text)

**File #:** 18-416      **Version:** 2      **Name:** P18-28F  
**Type:** Consent      **Status:** Agenda Ready  
**File created:** 8/29/2018      **In control:** City Council Regular Meeting  
**On agenda:** 9/24/2018      **Final action:**  
**Title:** P18-28F - Rezoning of property from MR-5 (Mixed Residential) to OI/CZ (Office and Institutional/Conditional Zoning), located at 6590 Cliffdale Road (Tax Map Number 9497-96-6108) near the intersection of Cliffdale and Bunce roads, containing approximately 1.27 acres and being the property of BOXWELL, DEW EVANS & WIFE.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. P18-28F Zoning Map, 2. P18-28F Land Use Plan Map, 3. Conditional Rezoning Application, 4. Site, Surrounding & Conceptual, 5. P18 28F Site Layout, 6. P18 28F Office Elevation

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Members of City Council

**THRU:** Jay Reinstein - Assistant City Manager  
Gerald Newton, AICP - Development Services Director

**FROM:** Taurus L. Freeman - Planning & Zoning Division Manager

**DATE:** September 24, 2018

**RE:**  
P18-28F - Rezoning of property from MR-5 (Mixed Residential) to OI/CZ (Office and Institutional/Conditional Zoning), located at 6590 Cliffdale Road (Tax Map Number 9497-96-6108) near the intersection of Cliffdale and Bunce roads, containing approximately 1.27 acres and being the property of BOXWELL, DEW EVANS & WIFE.

**COUNCIL DISTRICT(S):**  
9

### Relationship To Strategic Plan:

Strategic Plan 2024: Goal III: High Quality Built Environment

To manage the City's future growth and support strategic land use policy by supporting quality development.

### Executive Summary:

The applicant is requesting to rezone the property located at 6590 Cliffdale Road, from MR-5 to

OI/CZ to allow for a mixed-use development for multi-family residential and office uses.

**Background:**

Currently, there is a one-story, single-family residential home located on the lot. The structure is 1,280 square feet, and was built in 1945. This property was part of the annexations that occurred in 1996.

The applicant is proposing to relocate the existing structure to another site, and erect a multi-story, 12 unit building totaling 14,424 square feet: lower level - 2,404 sq. ft.; 1st floor - 2,404 sq. ft.; and 2nd floor - 4,808 sq. ft. Also included is an office building, which is approximately 4,600 sq. ft.

According to the development plan, the 12 unit apartment plan has units on the main floor, on the upper floor and on the lower level. All the units will be approximately 1,200 square feet of living area with two (2) bedrooms and two (2) baths. There will be covered parking for 12 vehicles. The main roof pitch will be 5:12 and the secondary pitch is 10:12. All ceiling inside the units are proposed at nine-feet (9'). Another structure will be located on the property for offices.

Applicant: Drew Boxwell

Requested Action: MR-5 to OI/CZ

Property Address: 6590 Clifdale Road

Council District: 9

Status of Property: Single-Family Residence

Size: 1.27 acres +/-

Adjoining Land Use & Zoning:

North: MR-5 Mixed Residential

South: SF-6 Single Family

West: SF-6 Single Family

East: MR-5 Mixed Residential

Letters Mailed: 93

Land Use Plan: Medium-Density Residential

**Issues/Analysis:**

The Office and Institutional District is established and intended to accommodate a mix of small-scale, low-intensity professional and business offices and institutions, together with limited personal service and support retail uses, single-family detached, single-family attached, and multi-family residential uses in close proximity to one another, subject to design and compatibility standards.

The district is generally near residential neighborhoods and often serves as a buffer or transition between neighborhoods and more intense business districts. In many cases, OI districts are evolving from land that was once primarily residential in character, and as such, office and institutional uses should be configured for consistency with surrounding residential uses in physical design, scale, and character.

This property is currently used as a single-family detached residential unit. It is completely surrounded by residential districts. The closest commercially zoned property is approximately 200-feet to the east, which is the location of a beauty salon/barbershop and massage therapist.

The mixed-uses by the proposed change would be appropriate in the immediate area due to the surrounding land uses and the previously approved rezoning in the area.

In Staff's opinion, the proposed general commercial development would be in accordance with the Future Land Use Plan of the City of Fayetteville. Additionally, Staff feels that the proposed land use of the property would not have any negative impacts on the surrounding public schools, streets, water supply, sanitary sewers, and other public services and utilities.

Upon review, the proposed rezoning and the proposed development would not negatively affect the public health, safety, morals, or general welfare of the surrounding residents based on the surrounding commercial and residential land uses.

**Conditions of Approval:**

1. Limit the development to a maximum of 13 total units for the entire site. Some units will be used as flexible space for either residential or office use.
2. As part of this flexible space, the site will consist of no more than 12 residential units.
3. As part of this flexible space, the site will consist of no more than 3 office units.
4. Parking will be located in both the front and rear of the site.
5. There will be only one driveway to the property.

Staff recommends APPROVAL of a rezoning to OI/CZ based on:

- The conditions listed above.
- The proposal fits with other development in the adjacent area.
- The property will accommodate a mix of uses needed in the community.
- Strategic Plan 2024: Goal III: High Quality Built Environment; To manage the City's future growth and support strategic land use policy by supporting quality development.
- The City's Unified Development Ordinance (UDO) states that OI zoning is an appropriate district to be used as a transition area between commercial and residentially zoned areas.

**Budget Impact:**

This action would result in an increase in City services which would be offset by the increased tax revenue collected for this proposed project.

**Options:**

- 1) Approval of the rezoning to OI/CZ with conditions as listed above. (Recommended)
- 2) Approval of the rezoning with additional conditions.
- 3) Denial of the rezoning.

**Recommended Action:**

The recommended action to the City Council is to APPROVE the requested rezoning from MR-5 to OI/CZ, as recommended by the Zoning Commission and Staff. The amendment is consistent with applicable plans due to the following:

1. Strategic Plan 2023 Goals & Objectives: Goal III and IV - desirable place to live, work and recreate with thriving neighborhoods and a high quality of life for all residents;
2. the request is compatible with the surrounding land uses; and
3. the proposed zoning is reasonable and in the public interest because the proposed zoning does fit with the character of the development in this area.

**Attachments:**

Zoning Map

Land Use Plan Map

Application

Conceptual Elevations

Site Photos