

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8267



Planning Commission Final Agenda

Monday, September 23, 2024

5:30 PM

City Hall Room 219

Planning Commission Members

Andrew Brink, Chair

Mary McGetrick, Vice Chair

Brad Payne, Secretary

Matthew Cabe

Nick Castin

Jimm Garlock

Fred Gulley

Mary Madden

Nick Werner

Senior Assistant City Attorney Blake Pennington

Call to Order**Roll Call****Consent****1. MINUTES:**

Approval of the minutes from the September 9, 2024 Planning Commission. - Mirinda Hopkins, Development Coordinator

2. ADM-2024-0044: Administrative Item (S. DUNCAN AVE & W. 15TH ST/DUNCAN CLUSTER, 561):

Submitted by CRAFTON TULL for property located at S. DUNCAN AVE & W. 15TH ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY – TWENTY-FOUR UNITS PER ACRE and contains approximately 3.16 acres. The request is for an extension to an approved large scale development. - Gretchen Harrison, Senior Planner

3. VAR-2024-0039: Planning Commission Variance (N. FUTRALL DR & N. MARINONI DR/HYATT STUDIO HOTEL, 441):

Submitted by JORGENSEN & ASSOCIATES for property located at N. FUTRALL DR & N. MARINONI DR. The property is zoned UT, URBAN THOROUGHFARE and contains approximately 3.00 acres. The request is for a variance to building design standards and cross access requirements. - Donna Wonsower, Planner

Unfinished Business**4. LSD-2024-0011: Large Scale Development (SOUTHEAST OF S. NELSON HACKETT BLVD & E. SOUTH ST/URBAN LOFTS AT NELSON HACKETT, 523):**

Submitted by DEVELOPMENT CONSULTANTS INC for property located SOUTHEAST OF S. NELSON HACKETT BLVD & E. SOUTH ST. The property is zoned DG, DOWNTOWN GENERAL and contains approximately 1.28 acres. The request is for a 138-unit multi-family residential development with associated parking.

PLANNING COMMISSION VOTED TO RECONSIDER THIS ITEM AT THE AUGUST 26, 2024 MEETING AND TABLED UNTIL THE SEPTEMBER 23, 2024 MEETING. - Donna Wonsower, Planner

New Business**5. LSD-2024-0020: Large Scale Development (2837 N. DEANE SOLOMON**

RD/UNDERWOOD PARK, 246):

Submitted by ECOLOGICAL DESIGN GROUP for property located at 2837 N. DEANE SOLOMON RD. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 34.59 acres. The request is for new park facilities, including a pavilion, sport courts, water play amenities, and associated parking.

APPLICANT HAS REQUESTED TO TABLE UNTIL THE OCTOBER 14, 2024 PLANNING COMMISSION MEETING. - Donna Wonsower, Planner

6. LSD-2024-0013: Large Scale Development (3360 N. GREGG AVE/MAVERIK, 211):

Submitted by OZARK CIVIL ENGINEERING for property located at 3360 N. GREGG AVE. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 2.37 acres. The request is for a 5,637-square-foot convenience store and fueling station with associated parking.

APPLICANT HAS REQUESTED TO TABLE THIS ITEM UNTIL THE DECEMBER 9, 2024 PLANNING COMMISSION MEETING. - Kylee Cole, Planner

7. CUP-2024-0036: Conditional Use Permit (986 N. MEADOWLANDS DR/MEADOWLANDS CHILDCARE CENTER, 439):

Submitted by JORGENSEN & ASSICATES for property located at 986 N. MEADOWLANDS DR. The property is zoned R-O, RESIDENTIAL-OFFICE and contains approximately 1.86 acres. The request is to use the property as a childcare facility.

- Donna Wonsower, Planner

8. LSD-2024-0026: Large Scale Development (986 N. MEADOWLANDS DR/MEADOWLANDS CHILD CARE, 439):

Submitted by JORGENSEN & ASSOCIATES for property located at 986 N. MEADOWLANDS DR. The property is zoned R-O, RESIDENTIAL-OFFICE and contains approximately 1.86 acres. The request is for a 10,984-square-foot childcare facility and associated parking. - Donna Wonsower, Planner

9. CUP-2024-0031: Conditional Use Permit (2380 N. JANE AVE, UNIT 130/5 DOGS INVESTMENTS LLC, 329):

Submitted by CARCAMO INVESTMENTS for property located at 2380 N. JANE AVE, UNIT 130. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 0.41 acres. The request is for a temporary storage building. - Kylee Cole, Planner

10. CUP-2024-0038: Conditional Use Permit (1153 W. DEANE ST/AKD RENTALS

LLC, 365):

Submitted by DONNY DRUMMONDS for property located at 1153 W. DEANE ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.18 acres. The request is for a duplex in single-family zoning.

- Gretchen Harrison, Senior Planner

11. CUP-2024-0039: Conditional Use Permit (969 N. RUSH DR/GINDER, 446):

Submitted by THE GRINDER GROUP for property located at 969 N. RUSH DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.30 acres. The request is to use the property as a short-term rental. - Donna Wonsower, Planner

12. CUP-2024-0040: Conditional Use Permit (4201 N. SHILOH DR/DO PORTUGAL CIRCUS, 135):

Submitted by BILL MENDOZA for property located at 4201 N. SHILOH DR. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 82.69 acres. The request is for a temporary circus in the parking lot. - Gretchen Harrison, Senior Planner

13. CUP-2024-0041: Conditional Use Permit (4240 W. WEDINGTON DR/O'REILLY AUTOMOTIVE STORES INC, 400):

Submitted by BUDDY D. WEBB ARCHITECTS for property located at 4240 W. WEDINGTON DR. The property is zoned CS, COMMUNITY SERVICES and contains approximately 1.19 acres. The request is for an auto parts store in CS zoning. - Gretchen Harrison, Senior Planner

14. RZN-2024-0040: Rezoning (2400 E. TOWNSHIP ST/TOWNSHIP BAPTIST CHURCH, 292):

Submitted by MATT POE ARCHITECT PLLC for property located at 2400 E. TOWNSHIP ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 1.20 acres. The request is to rezone the property to NS-G, NEIGHBORHOOD SERVICES-GENERAL. - Kylee Cole, Planner

15. PZD-2024-0006: Planned Zoning District (1875 W. HASKELL HTS/THE STATION AT FAYETTEVILLE, 520):

Submitted by CRAFTON TULL for property located at 1875 W. HASKELL HTS. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 34.86 acres. The request is to rezone the property to a PLANNED ZONING DISTRICT. - Gretchen Harrison, Senior Planner

Items Administratively Approved by Staff**16. LSP-2024-0021: Lot Split (1413 N. FLORENE ST/HAKAFA ENTERPRISES LLC, 401):**

Submitted by ODYSSEY ENGINEERING LLC for property located at 1413 N. FLORENE ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.33 acres. The request is to split the property into three lots containing 0.10, 0.10 and 0.12 acres. - Donna Wonsower, Planner

Agenda Session Items**Announcements****Adjournment****NOTICE TO MEMBERS OF THE AUDIENCE**

All interested parties may appear and be heard at the public hearings. If you wish to address the Planning Commission on an agenda item, please queue behind the podium when the Chair asks for public comment. Once the Chair recognizes you, go to the podium and give your name and address. Address your comments to the Chair, who is the presiding officer. The Chair will direct your comments to the appropriate appointed official, staff, or others for response. Please keep your comments brief, to the point, and relevant to the agenda item being considered so that everyone has a chance to speak.

Interpreters of TDD, Telecommunications Device for the Deaf, are available for all public hearings, 72 hour notice is required. For further information or to request an interpreter, please call 575-8330.

As a courtesy please turn off all cell phones and pagers.

(pg. 1) Planning Commission Monday, 09/09/2024							
Time: 5:30 PM							
Staff : ☒ Melissa Evans ☐ John Scott ☐ Jessie Masters ☒ Gretchen Harrison ☒ Donna Wonsower ☒ Kylee Cole							
☒ Britin Bostick ☒ Josh Boccaccio ☒ Melissa Boyd ☒ Fire Marshal/Clint Price ☐ Chris Brown ☐ Alan Pugh							
	Roll Call	1) Minutes (08/26/2024)	2) LSD-2024-0004 (KIDDER TOWNHOMES)	3) LSD-2024-0012 (DRAKE FIELD HANGARS)	4) LSD-2024-0022 (FAYETTEVILLE VETERINARY CARE)	5) RZN-2024-0036 (WEBB)	6) PPL-2024-0004 (STAGE STATION)
Payne	0						
Castin	1	1	1	1	1	1	1
Gulley	1	1	1	1	1	1	1
Cabe	1	1	1	1	1	1	1
Werner	0						
Garlock	1	1	1	1	1	0	1
Madden	1	1	1	1	1	1	1
McGetrick	1	1	1	1	1	1	1
Brink	1	1	1	1	1	0	1
Agenda		Consent	Consent	Consent	Consent	Old	Old
Motion By		Garlock	Garlock	Garlock	Garlock	Madden	Brink
Motion 2nd		Cabe	Cabe	Cabe	Cabe	Cabe	Cabe
Vote		7-0-0	7-0-0	7-0-0	7-0-0	5-2-0	7-0-0
Action		Approve	Approve	Approve	Approve	Forward	Approve
Time		5:34 PM	5:34 PM	5:34 PM	5:34 PM	5:53 PM	6:38 PM
Motion Detail						With a recommendation of approval.	With all conditions as recommended by staff and in favor of all variances.
Public Comment		0	0	0	0	1	10

(pg. 2) Planning Commission		Monday, 09/09/2024				
	7) ADM-2024-0042 (TABA20 LLC)	8) VAR-2024-0038 (BOM- FAYETTEVILLE LLC)	9) CUP-2024-0034 (PAGLIANI)	10) CUP-2024-0035 (JOYCE STREET CHILDCARE)	11) LSD-2024-0024 (JOYCE ST CHILD CARE)	12) CUP-2024-0037 (FELLOWSHIP BIBLE CHURCH)
Payne						
Castin	1	1	1	1	1	1
Gulley	1	1	1	1	1	1
Cabe	0	1	1	1	1	1
Werner						
Garlock	0	1	1	1	1	1
Madden	1	1	1	1	1	1
McGetrick	1	1	1	Recused	Recused	1
Brink	1	1	1	1	1	1
Agenda	New	New	New	New	New	New
Motion By	McGetrick	Garlock	Garlock	Garlock	Brink	Cabe
Motion 2nd	Gulley	Cabe	Castin	Brink	Madden	Garlock
Vote	5-2-0	7-0-0	7-0-0	6-0-1	6-0-1	7-0-0
Action	Approve	Approve	Approve	Approve	Approve	Table
Time	7:48 PM	7:55 PM	8:07 PM	8:23 PM	8:24 PM	8:26 PM
Motion Detail	With all conditions as recommended by staff.	With all conditions as recommended by staff.	With all conditions as recommended by staff.	With all conditions as recommended by staff.	With all conditions as recommended by staff.	Until the October 14, 2024 Planning Commission Meeting.
Public Comment	0	0	0	0	0	0

(pg. 3) Planning Commission			Monday, 09/09/2024			
	13) RZN-2024-0039 (SKOKOS FAMILY)	14) RZN-2024-0038 (71B CORRIDOR)				
Payne						
Castin	1	1				
Gulley	1	1				
Cabe	1	1				
Werner						
Garlock	0	1				
Madden	0	1				
McGetrick	1	1				
Brink	1	1				
Agenda	New	New				
Motion By	Brink	Cabe				
Motion 2nd	McGetrick	Garlock				
Vote	5-2-0	7-0-0				
Action	Forward	Forward				
Time	8:37 PM	9:36 PM				
Motion Detail	With a recommendation of approval.	With a recommendation of approval.				
Public Comment	0	9				



TO: Fayetteville Planning Commission

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: September 23, 2024

SUBJECT: **ADM-2024-0044: Administrative Item (NW OF S. DUNCAN AVE. & W. 15TH ST./DUNCAN AVENUE CLUSTER DEVELOPMENT, 561):**
Submitted by CRAFTON TULL for property located NW OF S. DUNCAN AVE. & W. 15TH ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE and contains approximately 3.16 acres. The request is to extend an approved large scale development.

RECOMMENDATION:

Staff recommends approval of **ADM-2024-0044**.

RECOMMENDED MOTION:

*"I move to approve **ADM-2024-0044** with conditions as recommended by staff."*

BACKGROUND:

The subject property is in south Fayetteville on the west side of Duncan Avenue approximately 250 feet north of 15th Street. The property contains 3.16 acres, is zoned RMF-24, Residential Multi-Family - 24 Units per Acre, and is currently undeveloped. From at least the mid-1960s until 2018, the property operated as a mobile home park with approximately 55 units. In 2018, the Planning Commission denied a Conditional Use Permit request to use the property as an RV park. On November 14, 2022, a large scale development (LSD-2022-0023) was approved by the Planning Commission which allowed the property to be developed with a 39-unit cluster housing development. In February 2024, the Planning Commission approved a one-year extension to extend the project's approval to November 13, 2024. Surrounding land use and zoning is depicted in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
South	Residential	RMF-24, Residential Multi-Family, 24 Units per Acre C-2, Thoroughfare Commercial
West	Industrial	RMF-24, Residential Multi-Family, 24 Units per Acre I-2, General Industrial
East	Residential	RMF-24, Residential Multi-Family, 24 Units per Acre

Request: The applicant requests a one-year extension to LSD-2022-0023. The large scale development originally received its approval on November 14, 2022, then a one-year extension was approved earlier this year, and now a second one is being requested. Should this request be approved, the project's approval would be extended to November 14, 2025.

Public Comment: Staff received one inquiry from a neighbor who did not express their support or opposition to the applicant's request, though they did express concerns about the slow pace of construction.

DISCUSSION:

Staff supports the applicant's request to extend their large scale development approval until November 14, 2025. The request was received before November 14, 2024, which is the applicant's deadline to request a second one-year extension from the Planning Commission. The applicant's request letter speaks to how they secured their grading permit last year and are actively working towards securing building permits. Staff finds that the applicant has demonstrated a good faith effort to complete the work and therefore recommends approval.

RECOMMENDATION: Staff recommends approval of ADM-2024-0044 with the following conditions.

Conditions of Approval:

1. A one-year extension for LSD-2022-0023 will expire on November 14, 2025;
2. All other conditions of the associated large scale development (LSD-2022-0023) not affected by this extension shall remain in effect; and
3. Approval of this extension does not represent approval of other development issues that have not been fully reviewed at this stage, nor does it represent development entitlement or approval for any associated plan.

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>September 23, 2024</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- LSD-2022-0023 Conditions of Approval
- LSD-2022-0023 Site Exhibit
- Applicant Request Letter
- One Mile Map
- Close-up Map
- Current Land Use Map

LSD-2022-0023 Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends no right-of-way dedication;*

Planning Commission voted in favor of this.

2. **Planning Commission determination of street improvements.** *Staff recommends six-foot sidewalk along the property's Duncan Avenue frontage;*

Planning Commission voted in favor of this.

3. **Planning Commission determination of a variance to UDC §164.22(G)(2): Building Orientation.** *Staff is supportive of this variance request;*

Planning Commission voted in favor of this.

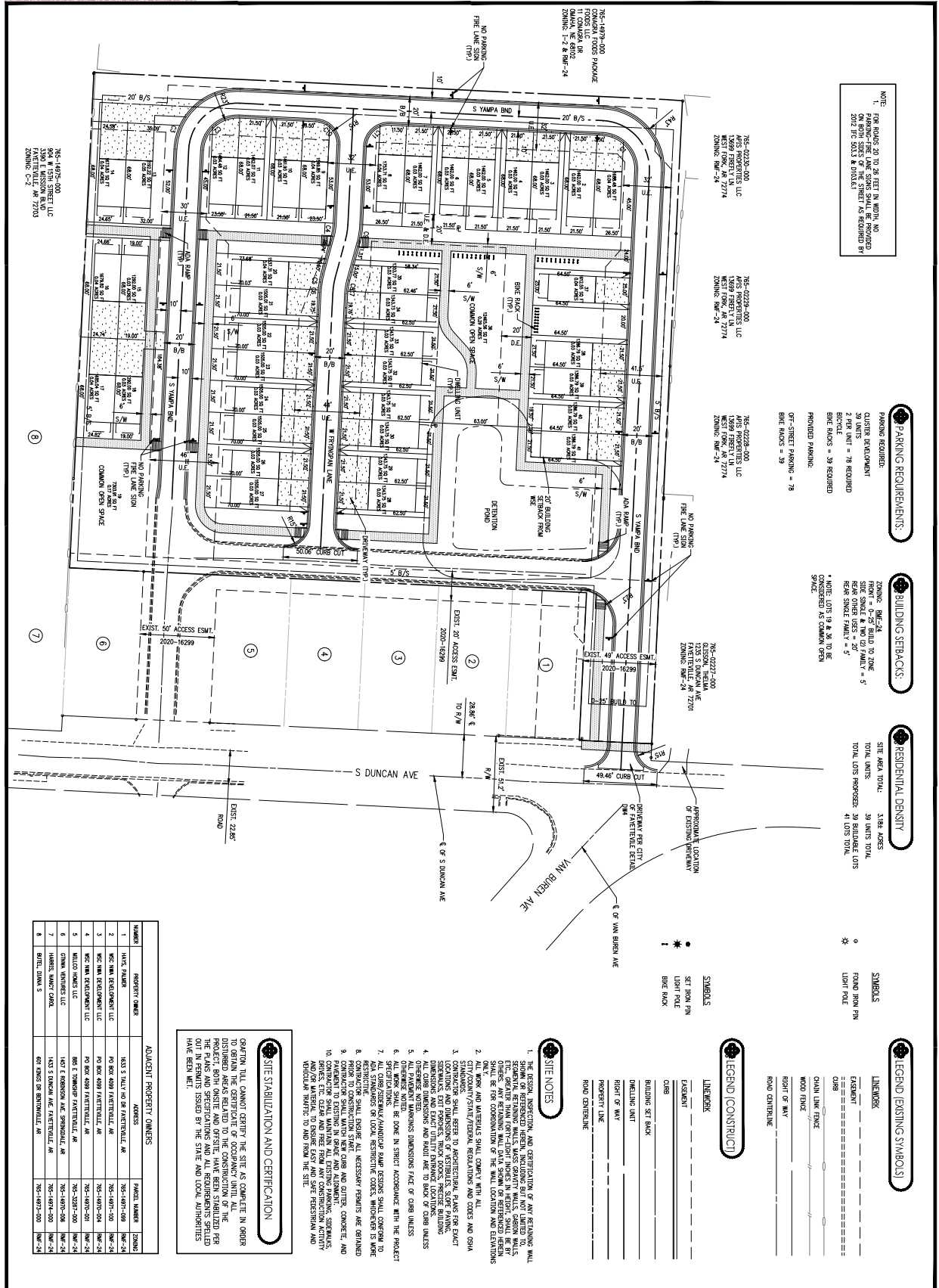
4. **Planning Commission determination of a variance to UDC §166.08(F)(2)(c): Access Management – Residential Links.** *Staff is supportive of this variance request, recommending that the driveway be shifted farther south so that the radius return does not cross the side property line to avoid conflicts with the adjacent driveway to the north;*

Planning Commission voted in favor of this.

5. Fees in-lieu of parkland dedication shall be paid prior to the issuance of building permits;
6. Since the build-to requirement is not being met, an administrative build-to zone exemption and/or a Board of Adjustment variance must be granted for this project prior to the issuance of building permits;
7. All common open space shall be improved for passive or active recreational use. A condominium association, homeowner's association, or similar mechanism to maintain the common amenities shall be established prior to the issuance of building permits. The City of Fayetteville does not enforce these private agreements, but will require that an agreement be in place prior to issuing building permits;
8. All remaining comments from the Planning Division shall be addressed, including:
 - a. Update open space calculation to reflect the current number of units (300 sq.ft./unit x 39 units = 11,700 sq.ft.). Make sure provided common open space and site coverage totals are still accurate.
 - b. Each bicycle rack should have at least 3 ft x 8 ft of clear space, paved or unpaved, beside the rack to ensure that it can support two bicycles. Right now, the space for bicycle parking spaces appear to overlap with each other and/or sidewalks.
9. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto;
10. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance;
11. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks Electric, SWEPCO, and Cox Communications);

LSD-2022-0023 Conditions of Approval:

12. All mechanical/utility equipment (roof and ground mounted) shall be screened using materials that are compatible with and incorporated into the structure. A note shall be clearly placed on the plat and all construction documents indicating this requirement;
13. Trash enclosures shall be screened on three sides with materials complimentary to and compatible with the principle structure. Containers may also be screened from view of the street by the principal structure or vegetation. Elevations of the proposed dumpster enclosure shall be submitted to the Planning and Solid Waste Divisions for review prior to building permit;
14. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;
15. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements;
16. All exterior lights shall comply with the City lighting ordinance. Manufacturer's cut-sheets are required for review and approval prior to issuance of a building permit;
17. All freestanding and wall signs shall comply with ordinance specifications for location, size, type, number, etc. Any proposed signs shall be permitted by a separate sign permit application prior to installation;
18. Large scale development shall be valid for one calendar year;
19. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit. The coordinator has noted that a separate street name is required;
20. Prior to building permit, a cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy; and
21. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
 - c. Exterior lighting package must be provided to the Planning Division;
 - d. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - e. Project Disk with all final revisions; and
 - f. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.





August 23, 2024

Ms. Gretchen Harrison
Senior Planner – City of Fayetteville
125 W Mountain St, Fayetteville, AR 72701

RE: LSD Extension Request 2
LSD-2022-0023
South Duncan Cluster

Dear Ms. Harrison,

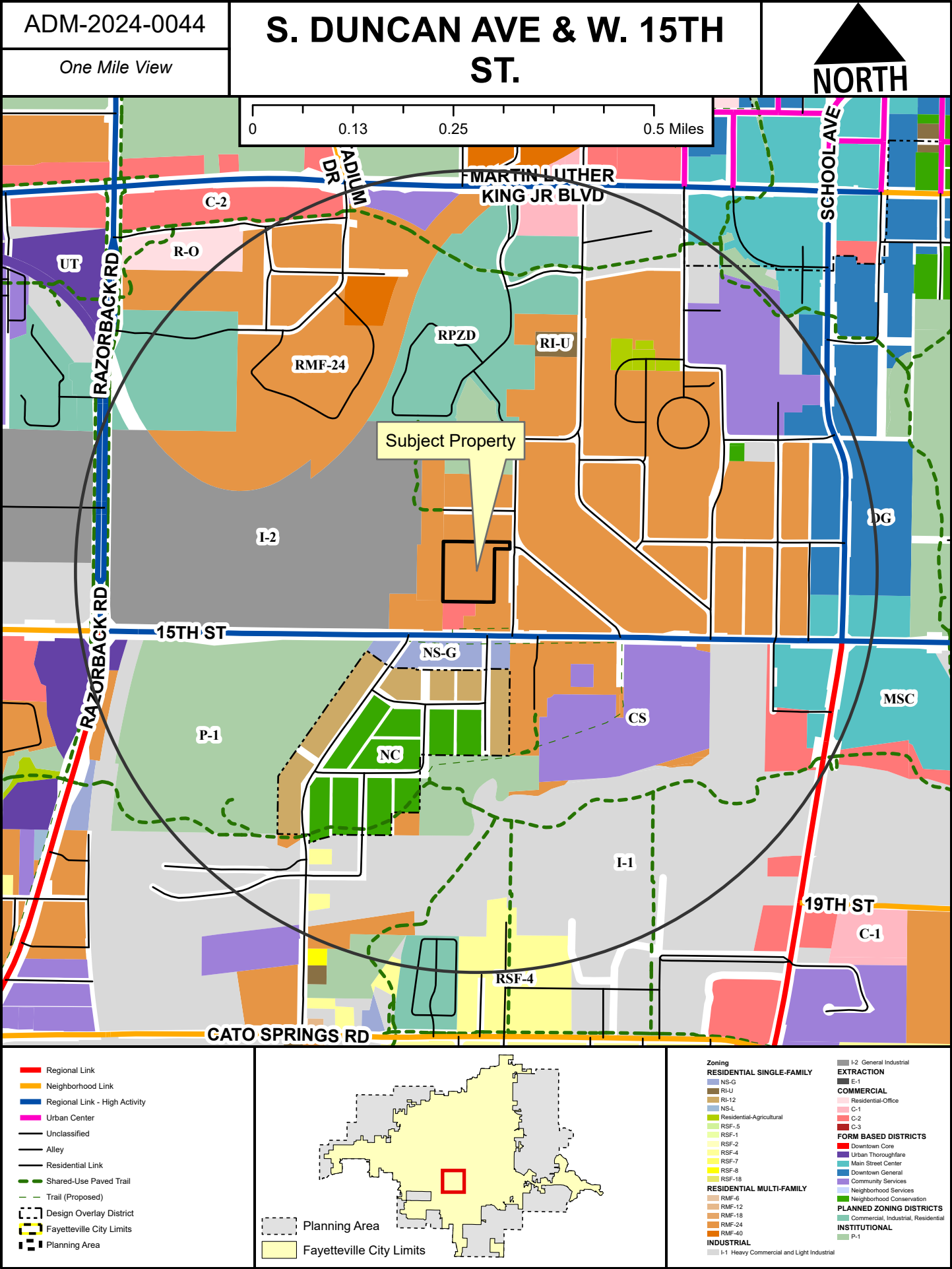
South Duncan Cluster, located S Duncan Ave and S Van Buren Ave, was approved at Planning Commission on November 14, 2022. As the Large-Scale Development permit expires on November 14, 2024, an extension is requested for an additional year until November 14, 2025.

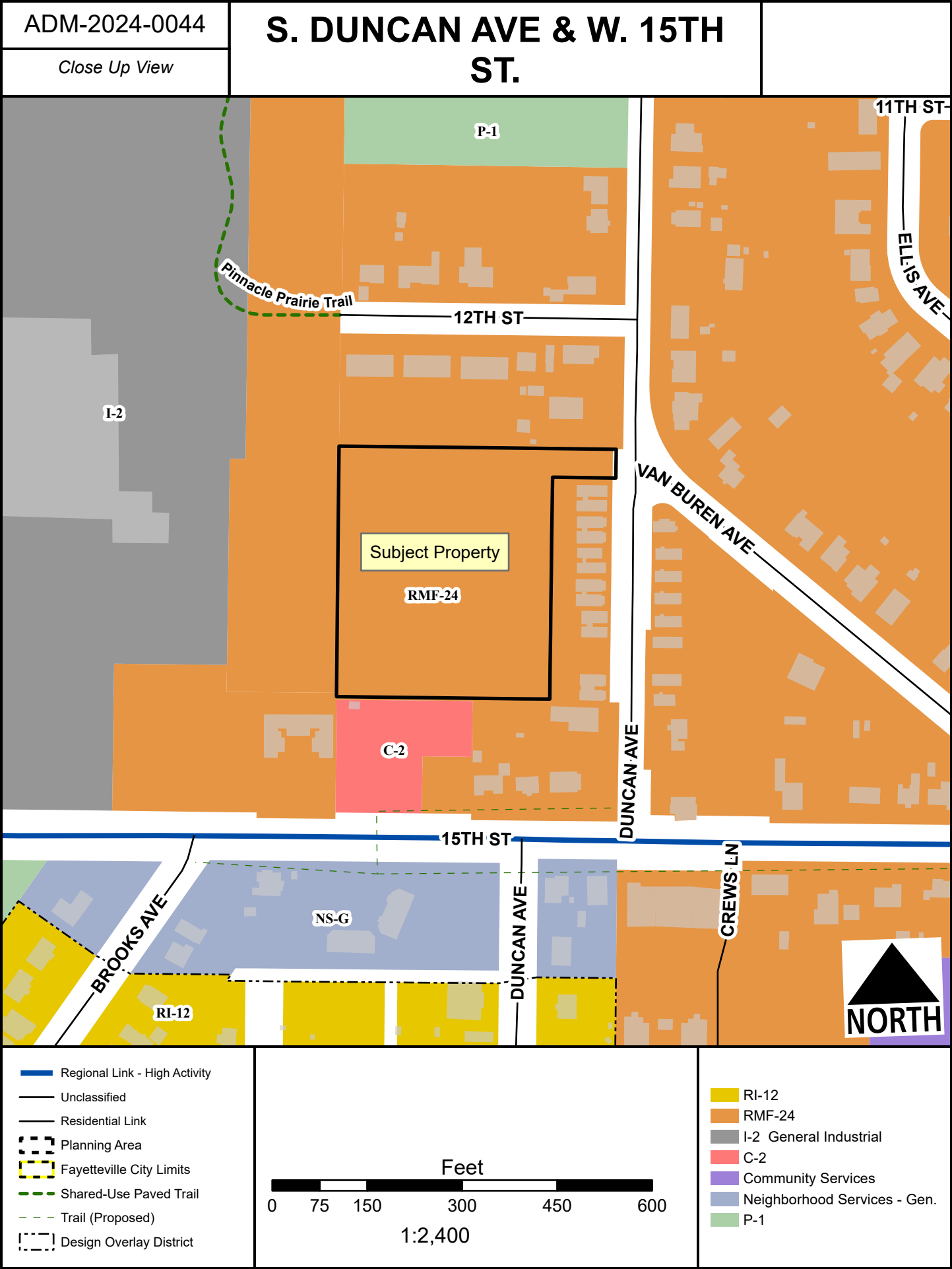
The development was given a grading permit in February 2023, GRD 2022-0118. The development is still under construction and nearly complete. Many unforeseen construction issues caused delays, preventing us from closing out the grading permit and obtaining building permits. This request is to allow more time for the development to finish construction and acquire building permits.

Thank you for your consideration and please let me know if you have any questions.

Caroline Gardner, P.E.

Project Engineer





ADM-2024-0044

S. DUNCAN AVE & W. 15TH ST.

Current Land Use



- Regional Link - High Activity
- Unclassified
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits
- Design Overlay District



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Donna Wonsower, Planner

MEETING DATE: September 23, 2024

SUBJECT: **VAR-2024-0039: Planning Commission Variance (N. FUTRALL DR. & N. MARINONI DR./HYATT STUDIO HOTEL, 441):** Submitted by JORGENSEN & ASSOCIATES for property located at N. FUTRALL DR. & N. MARINONI DR. The property is zoned UT, URBAN THOROUGHFARE and contains approximately 3.00 acres. The request is for a variance to building design standards.

RECOMMENDATION:

Staff recommends approval of **VAR-2024-0039** based on the findings herein.

RECOMMENDED MOTION:

*"I move to approve **VAR-2024-0039**, determining:*

- In favor of a variance to UDC §166.24(D)(1),*
- In favor of a variance to UDC §166.24(D)(5)(a),*
- In favor of a variance to UDC §166.24(D)(7)(a)(i),*
- In favor of a variance to UDC §166.24(D)(7)(a)(ii),*
- In favor of a variance to UDC §166.24(D)(7)(b)(i),*
- In favor of a variance to UDC §166.25(D), and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located just east of I-49 and south of Cross Church on the east side of Futrall Drive. It contains one parcel totaling 3.00 acres which is undeveloped and zoned UT, Urban Thoroughfare. In September 2023, a large site improvement plan was approved which allowed for the extension of Marinoni Drive from where it currently terminates at its intersection with McMillan Drive to Futrall Drive, just north of the subject property (LSIP-2022-0010). Once that street extension is completed, the subject property will become a corner lot with frontage along Futrall Drive to the west and McMillan Drive to the north. Another large site improvement plan, which would allow the property to be developed with a hotel and associated parking, is currently in review (LSIP-2024-0011). Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Undeveloped	UT, Urban Thoroughfare
South	Undeveloped	UT, Urban Thoroughfare
East	Undeveloped	UT, Urban Thoroughfare
West	I-49 Multi-Family Residential	N/A RMF-24, Residential Multi-Family – 24 Units per Acre

Request: The applicant is requesting six variances from the Unified Development Code in association with a large site improvement plan that is currently in review (LSIP-2024-0011). Each variance is described further below alongside staff's recommendations.

Public Comment: To date, staff has received no public comment on this item.

DISCUSSION:

Variance #1: §166.24(D)(1), Nonresidential Design Standards – Building Mass, Scale, and Articulation. Structures shall not exceed 200 feet in length adjacent to the street within the build-to zone. The applicant is requesting a variance from this requirement to build a structure with a length of 248.79 feet within the build-to zone, citing the potential loss of rooms and associated revenue as a financial hardship.

Staff recommendation: Staff recommends in favor of this variance, finding that a hotel use is not conducive to development which is split across multiple buildings and that the additional length along N. Futrall is necessary in order to meet minimum buildable street frontage requirements of the Urban Thoroughfare zoning district. Additionally, the façade exceeding maximum frontage requirements fronts ARDOT right-of-way that exceeds 300 feet in width, with approximately 65 of frontage along N. Marinoni Dr. Given the building is located more than 50 feet back from the edge of N. Futrall, staff finds the impact of a large building on the public streetscape will be minimal.

Variance #2: §166.24(D)(5)(a), Nonresidential Design Standards – Building Mass, Scale, and Articulation. Building facades located within a build-to zone shall incorporate changes in plane with a depth of at least 24 inches, either horizontally or vertically at intervals not less than 10 feet and not more than 40 feet. The applicant requests a variance to this requirement to construct the central section of the building abutting the proposed yoga at 47 feet wide.

Staff recommendation: Staff recommends in favor of this variance. The applicant cites structural concerns, and staff notes that the proposed variance is less than 10 feet. Staff finds that the proposed variation in materials in this section meets the intent of this section of code “to produce a visually interesting and high-quality development that responds to the needs of pedestrians, cyclists and vehicular traffic.” Staff recommends a condition that the final architectural plans shall provide substantially similar variation in materials to those included in the packet.

Variance #3: §166.24(D)(7)(a)(i), Nonresidential Design Standards – Entryways. Multiple entryways are encouraged for all structures; however, a building entrance shall occur at a minimum of every 100 feet of building façade length that is within the build-to zone. The applicant is requesting a variance to install one entrance along the building's west façade, at an interval of one every 125 feet.

Staff recommendation. Staff recommends in favor of this variance. Due to the nature of a hotel use, staff finds that the applicant has particular interest in providing limited entries in order to maintain security and business operations. Additionally, as the ground level floor consists primarily of guest rooms, staff finds that additional entries along the Futrall façade are not feasible. The applicant has provided an entry in roughly the center of the structure at their fitness center, and additional entries on both the both and south façade. All entries are proposed to include landscaped planters, canopies where able, seating and other features intended to increase the prominence of the entries. Staff recommends a condition that entries shall be provided along the north and south facades as shown on the plans.

Variance #4: §166.24(D)(7)(a)(ii), Nonresidential Design Standards – Entryways. Each primary entrance shall be made visible and prominent by using special architectural treatment that signifies the entrances, such as large entry doors, porches, or protruding or recessed entrances. The applicant is requesting a variance to provide an entryway that is not prominent along the building's west façade.

Staff recommendation: Staff recommends in favor of this variance. This portion of the building is approximately one foot from an existing utility easement, limiting potential for the applicant to provide a covered porch, awning or other protrusions that meet the letter of this section; however, staff finds that the increased glazing and proposed yoga patio area serve to increase prominence of this entry. Additionally, the applicant notes that seating, planters, and material variation are provided to increase visual interest. Staff recommends a condition that final plans shall substantially comply with the provided plans and letter.

Variance #5: §166.24(D)(7)(b)(i), Nonresidential Design Standards – Glazing. A building façade located within the build-to zone shall be glazed no less than 50% of the first or ground floor at the pedestrian level between 2 and 12 feet above the sidewalk. The applicant is requesting a variance to provide 4% glazing on the ground floor of the building's north façade and 38% glazing on the ground floor of the building's west façade.

Staff recommendation: Staff recommends in favor of this variance. While the proposed development is a commercial use, staff finds that the building is primarily composed of guest rooms along the N. Futrell façade and that additional glazing could intrude on users of the facility by increasing potential for light trespass from the adjacent road in rooms intended for sleeping. Further, a large portion of the northern façade includes internal staircases or guest rooms. Staff recommends a condition that public art, green facades, or additional material variation shall be provided along the northern façade to meet the intent to provide visually interesting and high-quality developments.

Variance #6: §166.25(D)(2), Commercial, Office, and Mixed Use Design and Development Standards – Cross Access. Cross access shall be required to adjacent developed and undeveloped properties. The applicant is requesting a variance to not provide cross access to the adjacent property to the south.

Staff recommendation: Staff recommends in favor of this variance. Nearly the entire southern property line is encumbered by a retaining wall ranging from approximately 1 foot at the eastern edge up to nearly 10 feet near the western edge. The proposed development to the south is a large multi-family apartment complex, which was not required to provide cross access to the north due to its residential use. Given this lack of cross access to connect to and the extensive topography, staff finds that cross access to the south is not feasible. No added conditions are recommended.

RECOMMENDATION: Staff recommends approval of VAR-2024-0039 with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of a variance to §166.24(D)(1), Nonresidential Design Standards – Building Mass, Scale, and Articulation.** *Staff recommends approval of this variance for the reasons stated above.*
2. **Planning Commission determination of a variance to §166.24(D)(5)(a), Nonresidential Design Standards – Building Mass, Scale, and Articulation.** *Staff recommends approval of this variance with the following condition:*

- a. Final architectural plans shall provide substantially similar variation in materials to those included in the packet.
3. **Planning Commission determination of a variance to §166.24(D)(7)(a)(i), Nonresidential Design Standards – Entryways.** *Staff recommends approval of this variance with the following condition:*
 - a. Entries shall be provided along the north and south facades as shown on the plans.
4. **Planning Commission determination of a variance to §166.24(D)(7)(a)(ii), Nonresidential Design Standards – Entryways.** *Staff recommends approval of this variance with the following condition:*
 - a. Final architectural and civil plans shall substantially align with provided plans, including indicated increase in glazing, patio area, seating, planters, and material variation.
5. **Planning Commission determination of a variance to §166.25(7)(b)(i), Nonresidential Design Standards – Glazing.** *Staff recommends approval of this variance with the following condition:*
 - a. Public art, green facades, or additional material variation shall be provided along the northern façade
6. **Planning Commission determination of a variance to §166.25(D)(2), Commercial, Office, and Mixed Use Design and Development Standards – Cross Access.** *Staff recommends approval of this request for the reasons stated above.*
7. Approval of this item does not constitute approval of the associated large site improvement plan. Review and approval of the large site improvement plan shall be required in accordance with city code.

Planning Commission Action: ☐ Approved ☐ Tabled ☐ Denied

Meeting Date: September 23, 2024

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

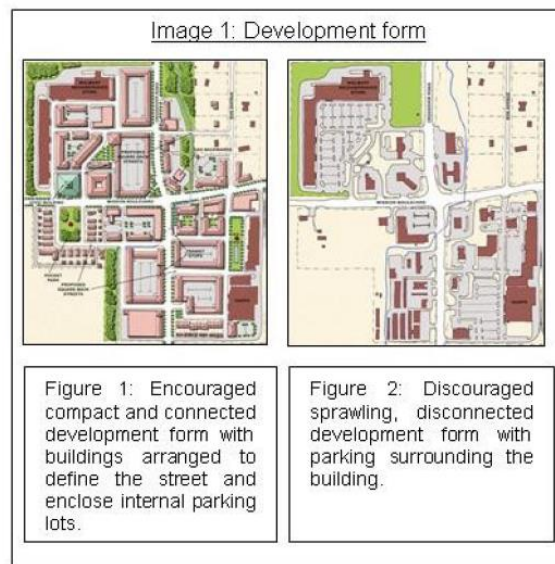
None

ATTACHMENTS:

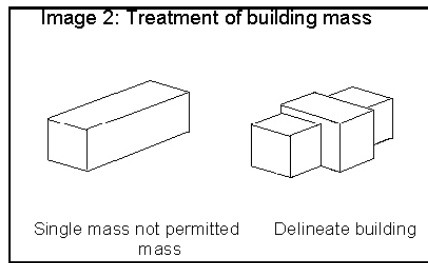
- Unified Development Code:
 - §166.24 Nonresidential Design Standards
 - §166.25 Commercial, Office and Mixed Use Design and Development Standards
- Applicant Request Letter
- Building Elevations
- Site Plan
- One Mile Map
- Close-Up Map
- Current Land Use Map

166.24 Nonresidential Design Standards

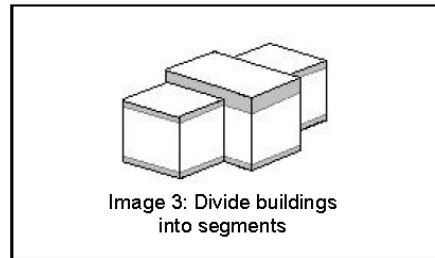
- (A) *Purpose.* It is the intent of these standards to provide the methods and means by which designers and developers may achieve the city's adopted goals to produce quality development and to manage growth within the City of Fayetteville. These regulations complement the city's urban zoning districts and those districts that allow development in urban form, with site and architectural design regulations to produce a visually interesting and high quality development that responds to the needs of pedestrians, cyclists and vehicular traffic.
- (B) *Applicability.* These design standards shall apply to all non-residential development located in urban or form-based zoning districts that require a build-to zone, as well as non-residential development in conventional districts when built in an urban form allowing administrative approval, with the exception of those districts located within the Downtown Master Plan boundary. In addition to the city's Commercial Design and Development Standards, the standards apply when either new development occurs or expansion of 25% or more of the existing nonresidential building square footage occurs. All sides of a building that are visible from the public right-of-way shall be subject to design review.
- (C) *General Intent.* The following shall apply to all developments:
- (1) Developments with multiple buildings should be arranged to enclose and define space in the public realm (see Image 1).



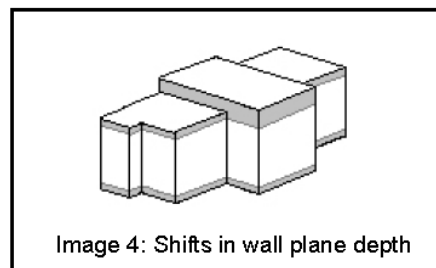
- (2) Multiple buildings located on the same lot should be articulated distinctly and separately so as to not provide an identical building on the same lot.
 - (3) New construction should show respect for horizontal articulation established by existing buildings within the immediate area.
 - (4) Application of building material and façade articulation of the building wall should encourage design, reinforce rhythm, increase visual impact, and create pedestrian interest.
- (D) *Building Mass, Scale, and Articulation.* The following regulations shall apply to break down the mass of large structures:
- (1) Structures shall not exceed 200 feet in length adjacent to the street, within a build-to-zone.
 - (2) The mass of a building exceeding 100 feet in length shall be delineated into no more than 40-foot-wide segments utilizing changes in height and depth of the wall plane of no less than 24 inches.



- (3) No less than 70% of the building length shall be broken into a minimum of two (2) horizontal shifts in material, texture, and/or wall plane to provide distinction between segments (see Image 3)
- (a) The middle segment shall be of greater height than the bottom and top segments.

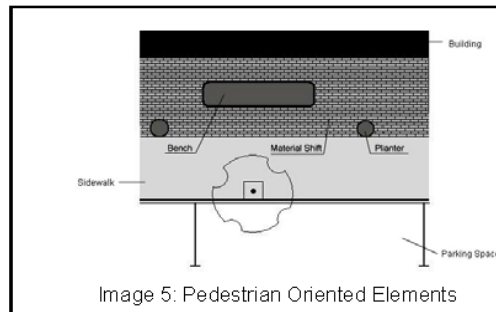


- (4) Buildings shall be constructed with high quality building materials. The following materials shall be prohibited:
- (a) Untreated Concrete Masonry Unit (CMU)
 - (b) Wood fiber board
 - (c) Unfinished pressure treated wood
 - (d) Exterior Insulation Finish System (EIFS)
 - (e) Vinyl siding
 - (f) Reflective glass
- (5) Building façades located within a build-to zone shall incorporate the following:
- (a) Changes in plane with a depth of at least 24 inches, either horizontally or vertically at intervals not less than 10 feet and not more than 40 feet; and
 - (b) Changes in color, texture, and material, either horizontally or vertically, at intervals of not less than 10 feet and not more than 40 feet.



- (6) Building façades located outside of the build-to zone and that are visible from a public right-of-way shall consist of the following:
- (a) Changes in plane with a depth of at least 24 inches, either horizontally or vertically; and
 - (b) Changes in color, texture, and material, either horizontally or vertically.
- (7) *Fenestration.* Fenestration patterns should encourage design, reinforce rhythm, and create shadows. The following shall be met to satisfy the fenestration requirements for a principal façade:
- (a) Entryways. A primary entrance for buildings located in a build-to zone shall face the public street. When a structure is not in a build-to zone, the primary entrance shall be well-defined from access drives, sidewalks, and/or major parking areas.
 - (i) Multiple entryways are encouraged for all structures; however, a building entrance shall occur at a minimum of every 100 feet of building façade length that is within the build-to zone.

- (ii) Each primary entrance shall be made visible and prominent by using special architectural treatment that signifies the entrances, such as large entry doors, porches, or protruding or recessed entrances.
- (b) Glazing. In order to create a proportion of solids to voids and pedestrian interest the following standards shall apply:
 - (i) A building façade located within the build-to zone shall be glazed no less than 50% of the first or ground floor at the pedestrian level between 2 and 12 feet above the sidewalk.
 - (ii) A building façade located outside of a build-to zone shall be glazed no less than 30% of the first or ground floor at the pedestrian level between 2 and 12 feet above the Finished Floor Elevation (FFE).
 - (iii) Glazing above the first story shall not exceed 80% of the total building wall area.
- (E) *Pedestrian Oriented Elements*. Developments that are subject to these standards shall meet and should exceed the basic needs of pedestrian accessibility and contribute to a unique sense of place and community. The following requirements are intended to define and articulate space at the street level in order to encourage the use and function for active and/or passive social interaction.
 - (1) Buildings exceeding 50 feet in length or width within the build-to zone shall incorporate spatially defining building elements and/or landscaping at a minimum separation of 100 feet of façade length in order to create public or semi-private space, such as a courtyard, garden, patio, etc.
 - (2) Each public space shall include seating opportunities, such as table and chairs or benches, and a combination of at least of two (2) of the following elements:
 - (a) Planters;
 - (b) A planting bed;
 - (c) Public art;
 - (d) A water feature;
 - (e) A shift in pavement material between the public right-of-way and the structure;
 - (f) A covering for seating, such as a canopy, awning, arcade, or portico spanning the width of the building; or
 - (g) Other elements approved by the Zoning and Development Administrator that are not included in other sections of the design standards and meet the intent of this requirement.



- (F) *Variances*. An applicant may request approval from the Planning Commission of a variance from the minimum requirements where unique circumstances existing and the effect will not adversely impact adjoining or neighboring properties. The applicant shall provide notification to adjacent property owners prior to the date of the meeting.

(Ord. No. 5312, 4-20-10; Ord. No. 5519, 8-21-12; Ord. No. 5859 , §1(Exh. A), 3-15-16; Ord. No. 6164 , §10, 4-2-19)

166.25 Commercial, Office and Mixed Use Design And Development Standards

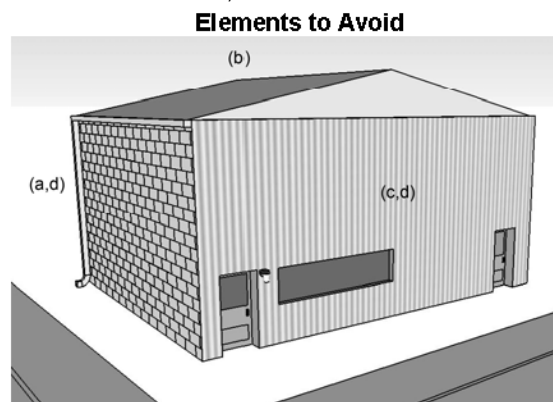
(A) *Purposes.*

- (1) To protect and enhance Fayetteville's appearance, identity, and natural and economic vitality.
- (2) To address environmental concerns which include, but are not limited to, soil erosion, vegetation preservation, and drainage.
- (3) To protect and preserve the scenic resources distributed throughout the city which have contributed greatly to its economic development, by attracting tourists, permanent part-time residents, new industries, and cultural facilities.
- (4) To preserve the quality of life and integrate the different zones and uses in a compatible manner.
- (5) To address the issues of traffic, safety, and crime prevention.
- (6) To preserve property values of surrounding property.
- (7) To provide good civic design and arrangement.

(B) *Applicability.* These design and development standards apply to commercial developments, office developments, small scale production, those parts of a planned zoning district or other mixed use developments with commercial and office elements and to industrial developments within the I-540 Overlay District.

(C) *Building Exterior Appearance and Design Standards.* The following exterior development standards and design element guidelines shall be followed:

- (1) The elements to avoid or minimize include:
 - (a) Unpainted concrete precision block walls;
 - (b) Square "boxlike" structures;
 - (c) Metal siding which dominates the principal facade;
 - (d) Large blank, unarticulated wall surfaces;



- (2) A development which contains more than one (1) building should incorporate a recurring, unifying, and identifiable theme for the entire development site, without replicating the building multiple times.
- (3) A development should provide compatibility and transition between adjoining developments.
- (4) All structures shall be architecturally designed to have front facades facing all adjacent street and highway rights-of-way, and shall include at least one prominent entry-way on the principal façade(s).
- (5) All buildings should be constructed of wood, masonry, or other similar durable material.

(D) *Site Development and Design Standards.*

- (1) *Site Coverage.* A maximum of 80% of the development site may be covered by the ground floor of any structure, parking lots, sidewalks, and private streets and drives or any other impermeable surface. Properties located within the Downtown Master Plan boundary are exempt from this requirement.

(2) *Cross Access.* Cross access shall be required to adjacent developed and undeveloped properties.

- (3) Mechanical and utility equipment and refuse containers shall be screened if visible from the highway/street right-of-way or from residential property as set forth below:

(a) *Mechanical and Utility Equipment.*

- (i) All mechanical and utility equipment located on the wall and/or on the ground shall be screened with vegetation, by incorporating screening into the structure, or by utilizing paint schemes that complement the building and screen the equipment.
 - (ii) All roof mounted utilities and mechanical equipment shall be screened by incorporating screening into the principal structure utilizing materials and colors compatible with the supporting building.
- (b) *Recycling and Trash Containers.* Adequate space and screening shall be provided for the placement of recycling and trash containers in commercial, office, and mixed-use developments.
 - (i) Commercial, office, and mixed-use developments are required to provide adequate space for the placement of two (2) front-end load dumpsters, easily accessible for collection services. The minimum free and clear dimensional requirements for placing two (2) front-end load dumpsters in an enclosure is 24 feet wide and 12 feet deep. The Recycling and Trash Collection Division Director may exercise discretion in approving the dimensional size of the required enclosure if the applicant can demonstrate that a smaller enclosure is adequate for the development's anticipated needs due to the nature of the proposed business, the modest size or scale of the development or site access, or if they have the ability to share trash and recycling enclosure facilities with adjoining or nearby properties that have additional trash and recycling storage capacity.
 - (ii) Recycling and trash containers shall be screened by enclosures with materials that are compatible with and complementary to the principal structure, with access to the refuse containers not visible from the street. Containers may be screened from view by the principal structure; by a permanent walled or fenced enclosure; or with appropriate vegetation, planted at a density and size sufficient to be view obscuring immediately from the date of planting; so long as the screening is maintained and loose trash does not litter the ground or become an environmental nuisance.
- (4) Outdoor storage of material and equipment shall be screened if visible from the highway/street right-of-way or from residential property as set forth below:
 - (a) At the expense of the owner or lessee of the property, and in all zones, the following uses shall be completely surrounded by a view obscuring fence or by view obscuring vegetation, or a combination of the two, of sufficient height to prevent the view of the premises from vehicular and pedestrian traffic on adjacent streets: outdoor storage yards, including but not limited to, auto salvage yards, scrap metal yards, used furniture yard and garbage dumps.
 - (b) Where vegetation is used to meet the requirements of this subsection, the vegetation shall be planted at a density sufficient to become view obscuring within two years from the date of planting. If vegetation planted under this subsection does not become view-obscuring within two years, a view-obscuring fence shall be installed.
 - (c) *Exceptions:* The outdoor display of materials or equipment solely for sale or lease, such as automobiles, seasonal garden supplies, etc. shall not be required to be screened as set forth in subsection (a) above.
- (5) *Non-Residential Uses Adjacent to Residential Uses.* The Planning Commission or Planning Division may require non-residential uses, including parking lots associated with said uses, to be screened from adjacent residential uses, as set forth below:
 - (a) A buffer strip, fence, or screen wall that is required shall be constructed and maintained on the zoning lot containing or proposed to contain such use, in accordance with provisions of this chapter.
 - (b) *Buffer Strip.* The purpose of the buffer strip is to provide separation and enclosure of uses. The landscaped buffer strip shall consist of a strip of land at least 8 feet wide adequately landscaped with approval of the Urban Forester, entirely on the zoning lot which is required to provide the buffer strip, and so located as to serve as an effective buffer between the use required to provide the buffer strip and other property for whose protection the buffer strip is required. The buffer strip should extend along the full length of the boundary separating the zoning lot from such other property, or from the street, as the case may be.
 - (c) *Fence Required.* The purpose of the fence is to enclose uses. Required fences shall not be less than 6 feet high, constructed of good, substantial material, of first-class workmanship, and so erected as to resist wind pressure, ensure public safety, and present a neat, attractive uniform appearance.
 - (d) *Screen Required.* The purpose of the screen is to conceal uses. Screening shall mean a view obscuring fence, view obscuring berm, view obscuring architectural treatment, or view obscuring vegetation, or combination thereof, of sufficient height to prevent the view of the screened items from vehicular and pedestrian traffic on adjacent streets, and from residential property. Vegetation shall be planted at a density sufficient to become view obscuring within two (2) years from the date of planting.
- (6) *Mini-Storage.* At the expense of the owner of the property, all storage units and storage yards for mini-storage created under Use Unit 38 shall be required to be screened by view obscuring vegetation when the storage yards or the storage units have common property lines with any residential use or zone and when they have frontage on any public street. Vegetation used for screening purposes shall be planted at a density sufficient to become view obscuring within two (2) years from the date of planting and it shall be the responsibility of the property owner to maintain the screening throughout the life of the use of the property as mini-storage.

(E) *Design Review.*

- (1) *Submittals.* The following drawings, information, and plans shall be submitted to the Planning Commission or Planning Division for design review and approval with the associated development application, when applicable;
 - (a) *Elevations.* Color rendered elevation drawings of all building facades and a description of external building materials. Labels and dimensions, where applicable, shall accompany changes in texture, plane, material or color.
 - (b) *Materials Sample.* A sample of exterior materials to be used for the proposed structure that indicates texture, color and type of materials.
 - (c) *Landscaping.* Proposed landscaping to be used as screening shall be shown on the tree preservation plan and landscape plan.
- (2) *Build Out.* Upon approval of a development, or issuance of a building permit, build-out of the project shall conform to the drawings, information, and plans approved.
 - (a) *Amendments.* Amendments to the drawings, information, and plans shall be submitted to the Planning Division. Amendments which are determined to be insignificant or minor may be approved by the Planning Division. Significant amendment shall be approved by the Planning Commission when approval was given through the large scale development process, or by the Planning Division when approval was given through the building permit process.
 - (b) *Review.* Amendments shall be considered using the same standards as the initial design approval.
 - (c) *Noncompliance.* Failure to build-out the project according to the approved drawings, information, and plans, or approved amendments thereto, shall render the large scale development approval, or the building permit approval void.

(F) *Variances.* (See Chapter 156.)

(Ord. No. 5526, 9-18-12; Ord. No. 5735, 1-20-15; Ord. No. 6091 , §1, 9-18-18; Ord. No. 6667 , §1, 6-6-23)



Attn: Planning Commission

To Whom it may concern,

We would like to request a set of variances for our proposed Hyatt Studio Hotel on Parcel #765-13732-011 on Marinoni Dr & North Futrall Dr in Fayetteville, AR 72701.

The Proposed Hyatt Studio is a 4-story wood framed hotel with 122 guestrooms. There is a large patio on the entry side of the hotel with BBQ grills, fire pit, seating and a metal and wood trellis providing shade and lighting. The entries on either side of the hotel at the exit stairs and the end of the corridors have canopies similar in design to the large patio trellis along with landscaping, seating and gathering space.

The principal façade, at the back of the hotel, has an entrance in the middle of the building by the fitness center for the hotel. This entry point has a small patio for yoga and exterior exercise with landscaping and access to the trail connecting the surrounding properties. In accordance with 166.25 (D)(2) the patios from all the pedestrian entrances connect to sidewalks to coordinate with the city trail and other city sidewalks.

We have adapted the prototype design for Hyatt Studios to meet Fayetteville's UDC. In compliance with section 166.24 of the UDC we have delineated the building in 40-foot-wide segments at 3ft to 4 ft depth changes. The principal façade had more than half of the façade in the build to zone following the intent of the code. The materials on the façades have 2 horizontal changes in material creating a top, middle and bottom segments. We added the canopies and architectural features at all entries where we were able. All of this is shown on the site plan and the building elevations.

While working with the design and the UDC we encountered a few items that we would like to request variances on due to the nature of the hotel and the hardship it would bring our Owner in trying to comply.

The first item we would like to request a variance for is 166.24 (D)(1) Structure shall not exceed 200 feet in length adjacent to street in build to zone. The proposed hotel is 250 feet long. To shorten the hotel to 200 feet or less would result in a loss of 16-20 guestrooms. This is not in our Owner's best interest and would result in financial hardship in terms of building cost, but also long-term loss of profit due to less available rooms to rent. We would like to request a variance to stay 250 feet long.

We also need a minor variance for a segment of our building based on 166.24(D)(2). We have done our best to have the design of the building be able to delineate every 40 feet, but due to structural concerns for the elevator and code mandates from 2017 ANSI A117.1 the center segment of the façade needs to be about 47 feet wide. We have accommodated this variance request by breaking up the exterior façade visually, so it looks like there is further delineation, despite our inability to do so.

The next item we would like to request a variance for is 166.24(D)(7)(A)(i) a building entrance shall occur at a minimum of every 100 feet of building façade length that is in the build to zone. The principal façade is composed mostly of guestrooms on the first floor, not allowing for additional entrances beyond the one by the fitness center in the center of the proposed hotel. This item relates to the first variance request because as the building length increases, the distance between the entry in

the center of the building and the entry at the South and North ends increases to 125 feet apart. All of these entries have architectural features marking them as entry points with landscaped planters, canopies where able, seating and other minor space making features. The only way we can comply with the ordinance is to remove guestrooms for additional entry points, that is why we are asking for a variance on this item to help avoid long-term loss of profit due to less available rooms to rent.

A minor addition to this variance request would be regarding 166.24(D)(7)(A)(ii) and making the entry on the principal façade prominent through architectural features. There is a utility easement that extends 20 feet into our property. While ensuring that our principal façade has the delineation, depth changes and required frontage in the build to zone, it only leaves about 2 feet from face of the proposed hotel to the utility easement. This allows us to create patio spaces, add landscaping and emphasis via exterior materials, but prevents the construction of any canopy or built structure that would further emphasize this pedestrian entry. At the solo entrance on the principal façade we have designed a yoga patio in front of the fitness room, seating, planters with multiple types of plants for privacy and looks and design the exterior façade to highlight this space based on material break up. We have done all we could to make this entry prominent via architectural features without building into the utility easement. We ask for understanding and acceptance of this design constraint and approval of the design as presented.

Additionally, we would like to request a variance for is 166.24(D)(7)(b) glazing. Due to the nature of the proposed hotel, we do not have a large amount of glazing on the first level of the building. We have increased the size of the guestroom windows to the largest allowable size per the brand, and all the public space on the first floor has floor to ceiling storefront. Even with these design changes we only reach 38% glazing on the principal façades instead of the code request of more than 50%. To achieve 50% glazing on the first level principal façade side we would have to replace guestrooms with public spaces. This would result in financial hardship in terms of building cost but also long-term loss of profit due to less available rooms to rent. On the sides of the building where the hotel stairs, the guestroom cabinets, and kitchenettes are, we have less glazing than required for the whole façade. There are large windows at either end of the corridors and the entry doors are full glazing, but due to program layout we are unable to provide more windows and glazing in these areas. Based on this explanation we would like to request a variance to have less glazing than is required in the development code.

Our final request for variance is 166.25(D) (2) Cross Access. The site has extreme grading changes between the neighbors and our proposed hotel. To accommodate the grade change, civil has proposed a 3 foot plus retaining wall. This retaining wall is necessary for the drainage of the site and structure of the building. But the retaining wall limits our ability to provide cross access to the neighboring properties. We can accommodate the trail path that the city wants but accessible sidewalks are not achievable based on the property without a huge financial burden to our client. The final location and connection of the trail path will be coordinated in field by the contractor based on the site conditions of the apartments next door and the final grading of the site. Based on this explanation we ask for a variance to not have cross access via sidewalks and just cross access via the trail.

Overall, our variance request complies with UDC 156. We are unable to meet the letter of the development code due to the building program and altering the hotel program would increase construction cost for the Owner and loss of future income due to less guestrooms available to rent. We have done our due diligence in adapting the building design and program to meet the spirit of the development code. Any additional changes would strain the proposed hotel's ability to operate effectively.

Variance Request Breakdown:

Request 1

166.24 (D)(1) Structures shall not exceed 200 feet in length adjacent to the street within a build-to-zone.
MAYSE RESPONSE: WE REQUEST VARIANCE FOR THE BUILDING LENGTH DUE TO CONSTRUCTION COST AND LOSS OF POTENTIAL INCOME THAT A SHORTER BUILDING WOULD BRING TO THE OWNER.

Request 2

166.24(D)(5) Building façades located within a build-to zone (a)Changes in plane with a depth of at least 24 inches, either horizontally or vertically at intervals not less than 10 feet and not more than 40 feet;
MAYSE RESPONSE: WE HAVE ADJUSTED THE DESIGN TO REFLECT THIS REGULATION. WE STILL REQUEST A MINOR VARIANCE FOR THIS BASED ON STRUCTURAL DESIGN NEEDS AND ADA CODE DESIGN NEEDS. FURTHER DESIGN CHANGE WOULD RESULT IN A LARGER CONSTRUCTION COST AND LOSS OF POTENTIAL INCOME TO OWNER.

Request 3

166.24(D)(7) Fenestration (A) Entryways (i) Multiple entryways are encouraged for all structures; however, a building entrance shall occur at a minimum of every 100 feet of building façade length that is within the build-to zone.
MAYSE RESPONSE: ENTRY ADDED IN CENTER OF PRINCIPAL FACADE, ASK FOR VARIANCE ON MULTIPLE ENTRANCES ON PRINCIPAL FACADE DUE TO EGRESS ENTRIES AT END OF CORRIDORS AND VARIANCE REQUEST FOR EXTENDED LENGTH OF BUILDING. ENTRY/EXITS EVERY 125 FEET OF BUILDING. FURTHER DESIGN CHANGE WOULD RESULT IN A LARGER CONSTRUCTION COST AND LOSS OF POTENTIAL INCOME TO OWNER.

Request 4

166.24(D)(7) Fenestration (A) (ii) Each primary entrance shall be made visible and prominent by using special architectural treatment that signifies the entrances, such as large entry doors, porches, or protruding or recessed entrances.
MAYSE RESPONSE: PRINCIPAL FACADE ENTRY WILL HAVE PATIO SPACE, PLANTERS AND EMPHASIS VIA THE EXTERIOR MATERIALS TO BE MADE PROMINENT ON FACADE, CANOPY AND OTHER FEATURES CANNOT BE PROVIDED DUE TO EASEMENT. UNABLE TO FUFILL THIS CODE ITEM WHILE STAYING IN COMPLIANCE WITH UTILITY EASEMENT REQUIREMENTS.

Request 5

166.24(D)(7)(b) Glazing (i) A building façade located within the build-to zone shall be glazed no less than 50% of the first or ground floor at the pedestrian level between 2 and 12 feet above the sidewalk.
MAYSE RESPONSE: EXTERIOR DESIGN HAS BEEN UPDATED TO COMPLY BUT STILL SHORT OF THIS GOAL, WE REQUEST A VARIANCE FOR THE DIFFERENCE. REFER TO THE TABLE UNDER EACH ELEVATION FOR A BREAK DOWN OF MATERIAL/DESIGN. FURTHER DESIGN CHANGE WOULD RESULT IN A LARGER CONSTRUCTION COST AND LOSS OF POTENTIAL INCOME TO OWNER.
166.24(D)(7)(b) Glazing (ii) A building façade located outside of a build-to zone shall be glazed no less than 30% of the first or ground floor at the pedestrian level between 2 and 12 feet above the Finished Floor Elevation (FFE).
MAYSE RESPONSE: EXTERIOR DESIGN HAS BEEN UPDATED TO COMPLY BUT STILL SHORT OF THIS GOAL, WE REQUEST A VARIANCE FOR THE DIFFERENCE. REFER TO THE TABLE UNDER EACH ELEVATION FOR A BREAK DOWN OF MATERIAL/DESIGN. FURTHER DESIGN CHANGE WOULD RESULT IN LARGER CONSTRUCTION COST AND LOSS OF POTENTIAL INCOME TO OWNER.

Request 6

166.25(D)Site Development and Design Standards (2) Cross Access. Cross Access shall be required to adjacent developed and undeveloped properties

MAYSE RESPONSE: THE APARTMENTS TO THE SOUTH ARE CURRENTLY UNDER CONSTRUCTION. DUE TO THE GRADING DIFFERENCES BETWEEN THE SITES AND THE RETAINING WALL BEING BUILT WE ASK FOR A VARIANCE FOR A PEDESTRIAN PATH CONNECTING THE HOTEL AND APARTMENTS. THE TRAIL CONNECTS THE PROPERTIES AND THE SIDEWALKS FROM THE HOTEL ENTRIES CONNECT TO THE TRAIL.

1 ARCHITECTURAL SITE PLAN



date 9/4/2024 8:51:22 AM
job no. 24007
sheet title
ARCHITECTURAL SITE PLAN
sheet no.
VA0.1

NO.	DESCRIPTION	DATE
1	ARCHITECTURAL SITE PLAN	9/4/2024

OWN PROPERTIES LLC
P.O. BOX 1221
NEW BOSTON, TX 75060

HYATT
studios



HYATT STUDIO
FAYETTEVILLE
PARCEL# 765-13722-011
MANNOVA DRIVE, FAYETTEVILLE, AR 72701

Engineer:

09/04/24

Planning Commission
September 23, 2024
AR-2024-0039 (HYATT STUDIO HO)

SEAL

Ronald K Smith, AIA
Architect

1486 OGDEN AVE
FAYETTEVILLE, AR 72701
FAYETTEVILLE, AR 72701

0.1 = 911.5



		CONCEPT	
		GUEST ROOM	
		TYPE MATRIX	
1ST FL. LOCK	1	1	1
2ND FL. LOCK	2	2	2
3RD FL. LOCK	3	3	3
4TH FL. LOCK	4	4	4
TOTAL	10	10	10

SEAL:

Planning Commission
September 23, 2024

Engin

**HYATT STUDIO
FAYETTEVILLE**
PARCEL# 765-13732-011
MARINONI DR & NORTH FUTRALL
FAYETTEVILLE, AR 72701



DPN PROPERTIES LLC
P.O. BOX 1221
NEW BOSTON, TX 75577

VAO.2

$\sigma_{\text{rel}} = 1.5 - 1.7$ 

1ST FLOOR	13	0	13	0	26
2ND FLOOR	13	2	16	1	32
3RD FLOOR	13	1	17	1	32
4TH FLOOR	13	1	17	1	32
TOTAL	52	4	68	3	127

SEAL:

Planning Commission
September 23, 2024

Ronald K Smith AIA,
Architect

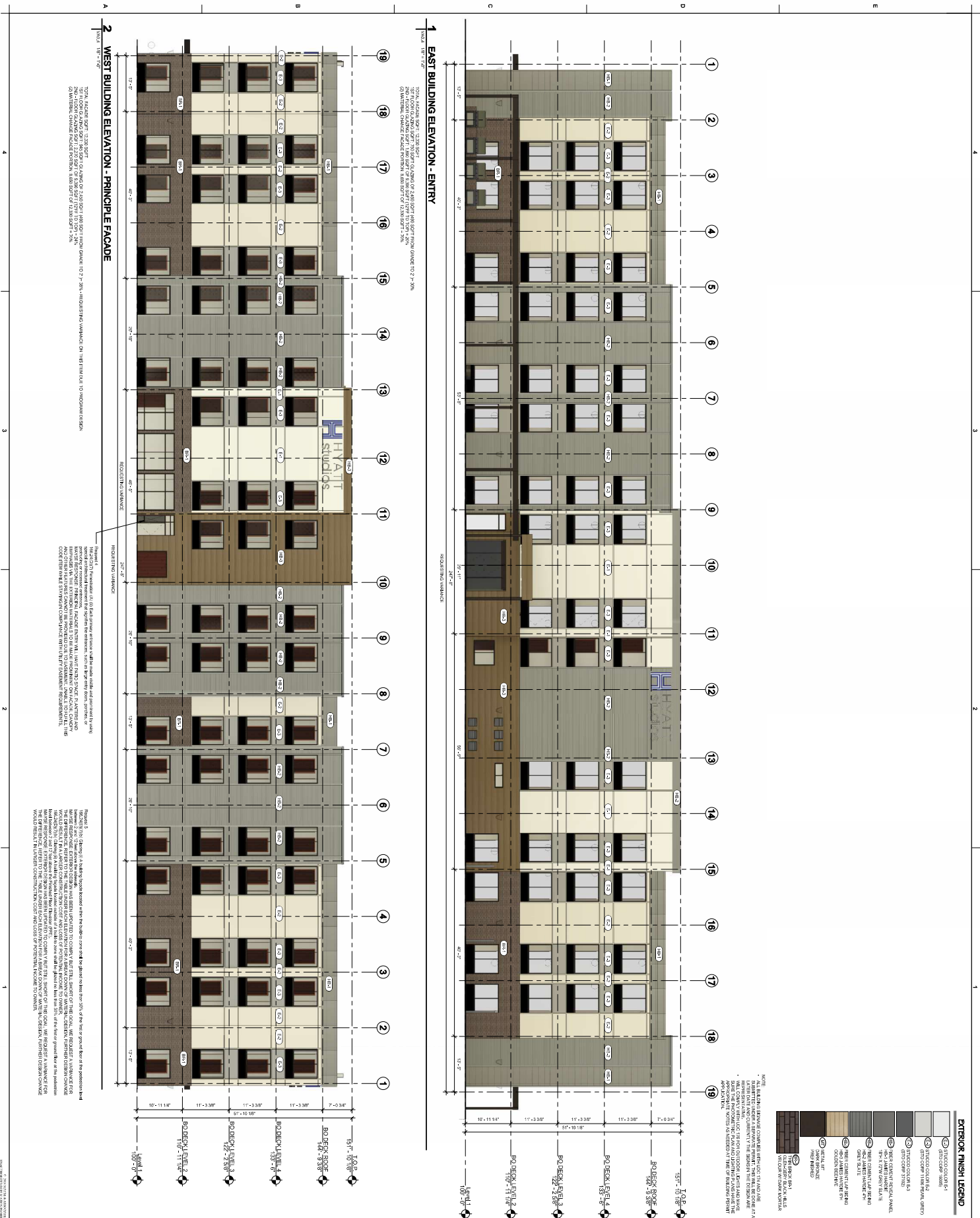
**HYATT STUDIO
FAYETTEVILLE**
PARCEL# 765-13732-011
MARINONI DR & NORTH FLUTALL
FAYETTEVILLE, AR 72701

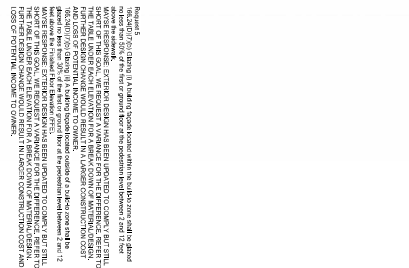
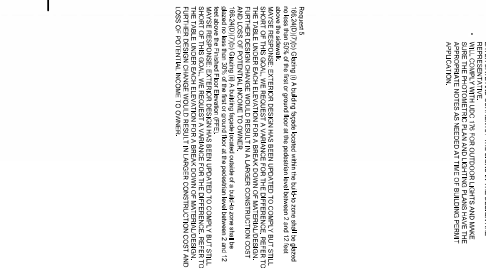


DPN PROPERTIES LLC
P.O. BOX 1221
NEW BOSTON, TX 75570

[illegible]

VAO.3





sheet no.

VA0.5

1450 OLIVER RD.
DALLAS, TEXAS 75201
PHONE: (972) 299-0300 FAX: (972) 299-0301

Architect

SEAL: _____

09/04/2024

Planning Commission
September 23, 2024

1046

Engineer: _____

**HYATT STUI
FAYETTEVILLE
PARCEL# 765-13732-
MARINONI DR & NORTH FU
FAYETTEVILLE, AR 72**

HYATT
studios

DPN PROPERTIES LLC
P.O. BOX 1221
NEW BOSTON, TX 75570

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DATE: 9/4/2024 8:53:16 AM
JOB NO. 24007
A

EXTERIOR ELEVATIONS

sheet no.

VA0.5

1. CONTRACTOR SHALL COVER THE LOCATION OF ALL UTILITIES PRIOR TO STARTING ANY WORK. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE LOCATION OF ALL UTILITIES PRIOR TO STARTING ANY WORK.

1. CHAIRMAN SHALL COMPILE THE DRAFT AND, AT THE REQUEST OF THE BOARD, MAY BE COMMANDED BY THE BOARD TO PREPARE A REPORT ON THE DRAFTING OF THE BY-LAWS.
2. ALL PAGES SHALL BE REVIEWED, APPROVED AND REFINED BY THE BOARD.
3. MEMBERS OF THE BOARD SHALL BE REQUIRED TO SIGN THE BY-LAWS.
4. THE BY-LAWS SHALL BE REVISITED PERIODICALLY BY THE BOARD.
5. ALL PAGES SHALL BE COMBINED INTO ONE DRAFT AND SUBMITTED TO THE BOARD FOR REVIEW.
6. ALL BY-LAWS SHALL BE REVIEWED BY THE BOARD AND, IF A MAJOR CHANGE IS REQUIRED, SHALL BE REVISITED BY THE BOARD.
7. ALL BY-LAWS SHALL BE REVIEWED BY THE BOARD AND, IF A MAJOR CHANGE IS REQUIRED, SHALL BE REVISITED BY THE BOARD.
8. ALL BY-LAWS SHALL BE REVIEWED BY THE BOARD AND, IF A MAJOR CHANGE IS REQUIRED, SHALL BE REVISITED BY THE BOARD.

1. ALL TREES AND NATURAL AREAS SPANNING THIS PLAN TO BE PRESERVED SHALL BE CONSTRUCTED WITH TEMPORARY FENCING

2. PROTECTIVE FENCE SHALL BE ERECTED ACCORDING TO CITY OF FAIRMONT STANDARDS FOR PROTECTIVE FENCING.
3. PROTECTIVE FENCE SHALL BE ERECTED UPON TO THE CROWN OF ANY TREE REMOVED BY ANY TREE REMOVAL CONTRACTOR. ALL CONES OF PROTECTIVE FENCING SHALL BE MAINTAINED THROUGHOUT THE PROJECT.
4. EXISTING AND REMAINING CURB AND SIDEWALK SHALL BE INSTALLED ON GRADE BASED ON A SURVEY OF THE EXISTING CURB AND SIDEWALK. THE EXISTING CURB AND SIDEWALK SHALL BE MAINTAINED THROUGHOUT THE PROJECT.
5. PROTECTIVE FENCE SHALL SURROUND THE SET OF ROAD CUTS AND SHALL BE LOCATED AT THE DISTANCE FROM THE ROAD CUTS PROTECTIVE FENCES SHALL FOLLOW THE DITCH OR CONSTRUCTION DITCH TO MAINTAIN THE EXISTING.
6. ALL CONSTRUCTION IN THE ROAD AND ADJACENT ROAD VERTICAL CURVE OR SURFACE OF CONSTRUCTION SHALL BE MAINTAINED THROUGHOUT THE PROJECT.

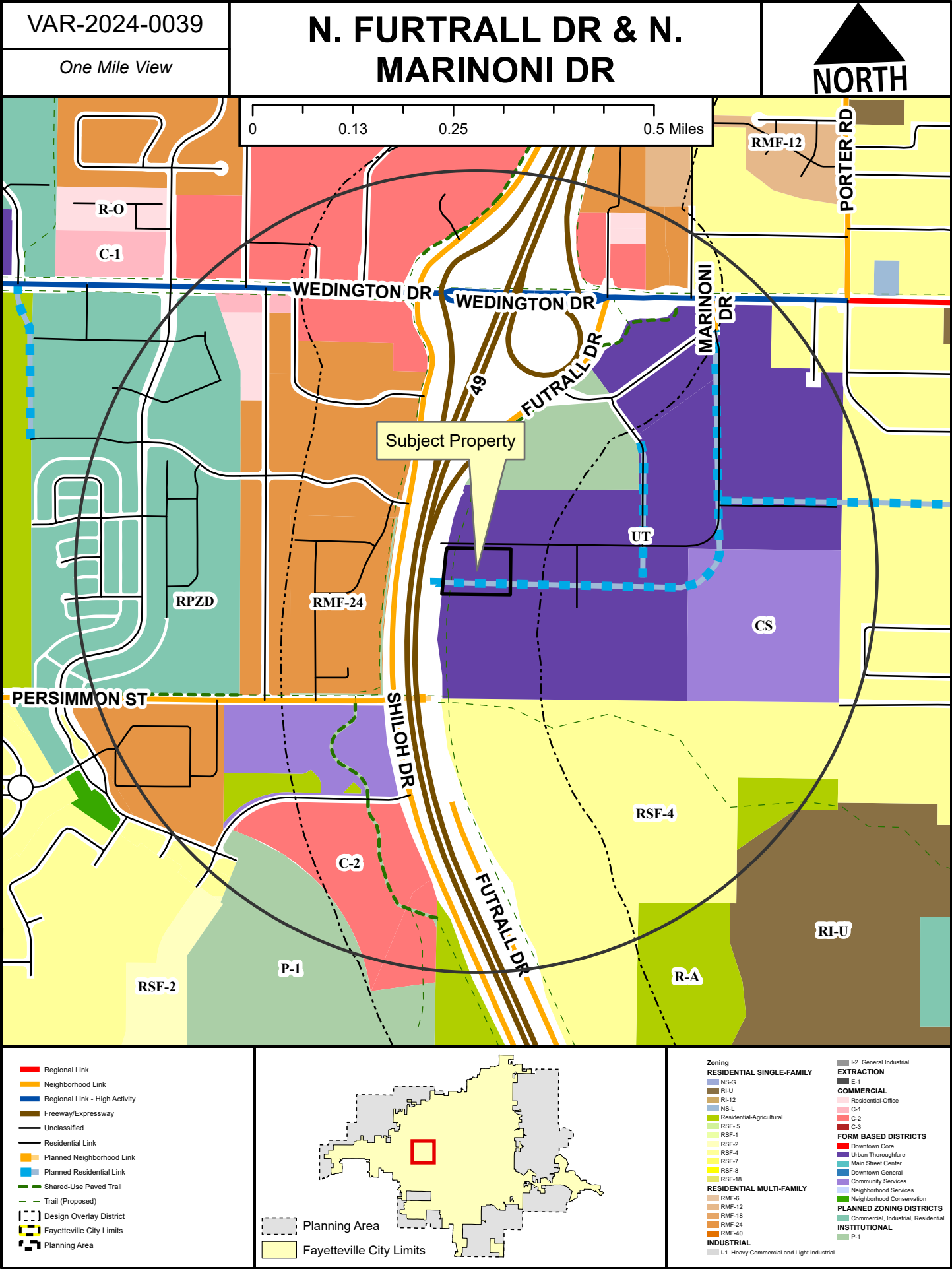
in other activities detrimental to tools such as chemical storage, concrete repair

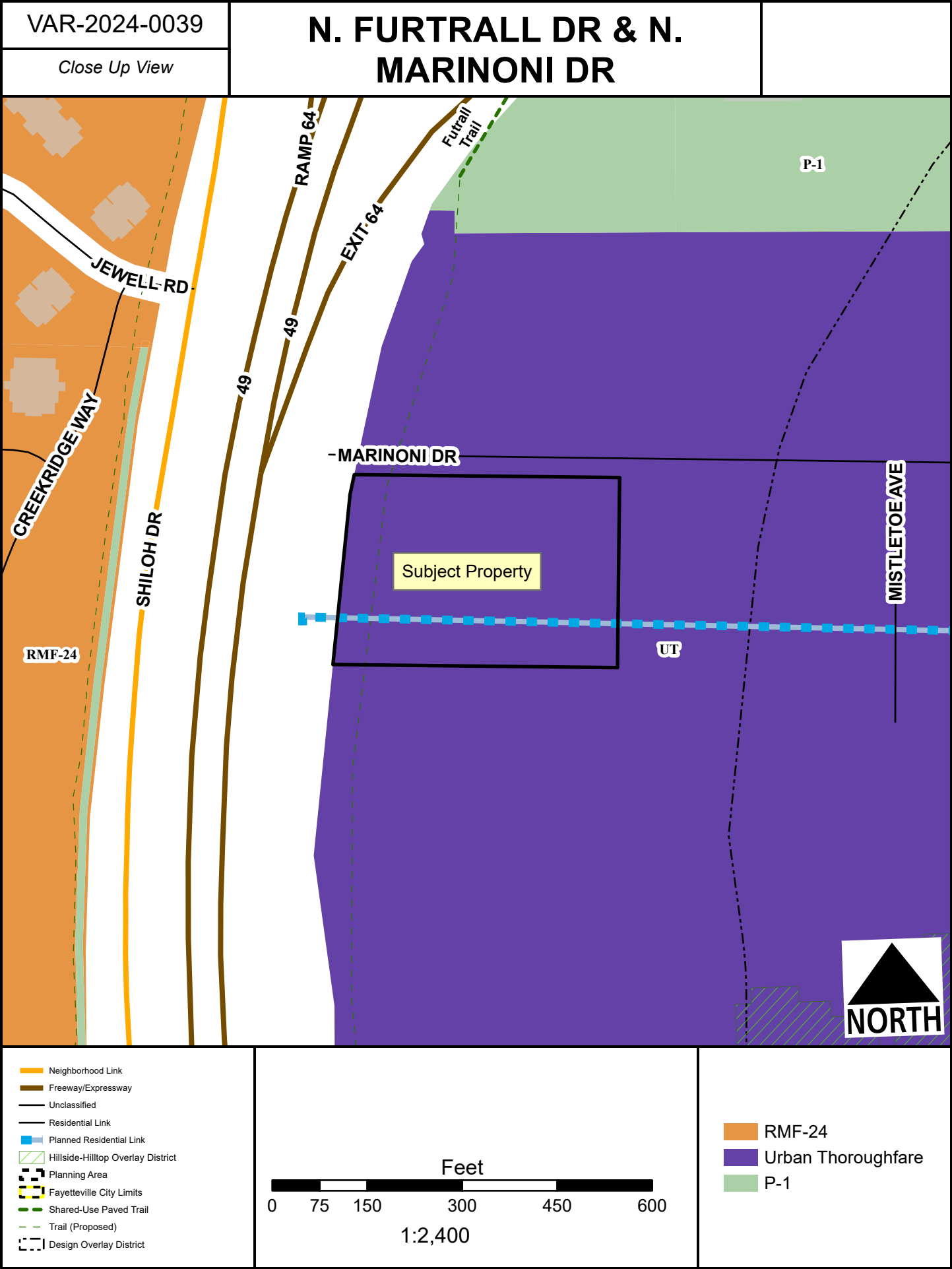
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PLANT LIST (STORMWATER)		
4	BALD PINEPRESS <i>Taxodium distichum</i>	848 239 CAL.
14	YUCCA <i>Yucca sp.</i>	3 CAL.
22	MAINTENANCE <i>Arundo donax</i>	1 CAL.

[illegible]





VAR-2024-0039

Current Land Use

N. FURTRALL DR & N. MARINONI DR



- Neighborhood Link
- Freeway/Expressway
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits
- Design Overlay District



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Donna Wonsower, Planner
Melissa Boyd, Staff Engineer
Melissa Evans, Urban Forester

MEETING: September 23, 2024

SUBJECT: **LSD-2024-0011: Large Scale Development (SOUTHEAST OF S. NELSON HACKETT BLVD & E. SOUTH ST/URBAN LOFTS AT NELSON HACKETT, 523):** Submitted by DEVELOPMENT CONSULTANTS INC for property located SOUTHEAST OF S. NELSON HACKETT BLVD. The property is zoned DG, DOWNTOWN GENERAL and contains approximately 1.28 acres. The request is for a 163-unit multi-family residential development and associated parking.

RECOMMENDATION:

Staff recommends approval of **LSD-2024-0011** with conditions.

RECOMMENDED MOTION:

*"I move to approve **LSD-2024-0011**, determining"*

- *In favor of variance to §166.11(A), Conformance to Plans and Regulations;*
- *In favor of variance to §166.05(F), Access Management;*
- *In favor of variance to §166.21(E)(1), Dumpster Location;*
- *In favor of variance to §172.04(C)(4): Parking Lot Location Standards;*
- *In favor of recommended right-of-way dedication,*
- *In favor of recommended street improvements, and*
- *In favor of all other conditions as recommended by staff."*

AUGUST 12, 2024 PLANNING COMMISSION MEETING:

At the August 12 Planning Commission meeting, the Planning Commission voted to deny the overall project, citing traffic safety concerns. Extensive public comment was also provided, which is summarized in the report. After a request to reconsider by the applicant, the Commission voted to reconsider the item on August 26 and tabled the item to the September 23 Planning Commission meeting to provide time for the applicant to renotify the surrounding properties. In the intervening weeks, updated plans were provided which reduced the total number of units from 163 to 138, removed two variance requests, addressed inconsistencies in tree mitigation calculations, and updated parking calculations. A bike wash and work stand was also added at the northwest pedestrian entry near the proposed bike racks. The request for reconsideration also includes a commitment to reserve 15% of the units for those within a designated AMI and well as multiple steps intended to encourage car-free renters.

BACKGROUND:

The subject area contains one 1.28-acre parcel which is bound by W. South St. to the north, S. Nelson Hackett Blvd. to the west, W. 4th St. to the south, and S. Block Ave. to the east. The parcel received its current zoning designation in 2006 with the implementation of the Downtown Master Plan (ORD 4930). The parcel was previously developed with four residential structures, each of

which contained four residential dwelling units. These fourplexes were demolished in 2022 and the site is currently undeveloped. The property is within the Downtown Master Plan area and 71B Corridor Plan. Surrounding land uses and zoning are depicted in *Table 1*.

**Table 1:
Surrounding Land Uses and Zoning**

Direction	Land Use	Zoning
North	Retail, Mixed-Density Residential	DG, Downtown General
South	Single-Family Residential	DG, Downtown General
East	Single-Family Residential	NC, Neighborhood Conservation RSF-18, Residential Single Family, 18 Units per Acre
West	Single-family Residential	DG, Downtown General

Proposal: The applicant requests large scale development approval to develop the subject property with two multifamily structures totaling 138 residential units. Four variances have been requested with this project.

Variance #1: §166.11(A), Conformance to Plans and Regulations. All projects shall conform to the official plans and regulations that make up the City's Master Street Plan.

S. Nelson Hackett Blvd. is an Urban Center Street, which typically requires two ten-foot drive lanes, two eight-foot parking lanes, two four-foot furniture zones and an eight-foot sidewalk on each side of the street. The applicant has proposed a street section in line with administratively approvable design elements, with the exception of a proposed ten-foot slip lane between the drive lanes and parallel parking.

- a. *Staff recommendation: Staff recommends in favor of the variance. The stated intent of the slip lane is to provide additional area for vehicles utilizing on-street parking to safely maneuver while entering or exiting the parallel parking spots. Given the curve and slope of S. Nelson Hackett Blvd., staff finds that this slip lane will serve the public benefit by improving safety. Fayetteville Police recommend that the proposed parallel parking along Nelson Hackett shall be well-lit, and staff recommends a modified curb shall be installed between the travel and buffer lanes, and the buffer lane shall be constructed out of stamped colored concrete (similar to roundabout truck aprons) to create a visual and tactile change in material between the travel and parking lanes. The exact stamp pattern and colored concrete may be submitted to Engineering for approval with the grading permit. Should the Planning Commission choose to specify an exact stamp pattern and concrete color, staff recommends it match what was installed at the Porter/Deane/Stephen Carr roundabout.*

Variance #2 §166.08(F): Access Management. Per ordinance, properties that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification, e.g., residential and neighborhood links. In a case where the streets have the same classification, access shall be from the lower volume street, or as determined by the City Engineer. The proposal includes one driveway onto S. Block Ave. and one driveway onto W. 4th St. approximately mid-block.

Staff recommendation: Staff recommends in favor of the variance with no added conditions. The ordinance is intended to promote safety by reducing the number of driveways onto higher classification streets. All adjacent streets are designated as Urban Centers with S. Nelson Hackett as the highest traffic street. Per the applicant's letter, two entries are required to meet the fire code and that both entries could not be located on S. Block Ave. while still meeting separation

requirements. Given this, staff finds driveways on two separate streets to be necessary.

Variance #3 §166.21(E)(1): Dumpster Location. Per the Downtown Design Overlay District regulations, dumpsters may only be located within the rear yard of a parcel. The dumpster is currently proposed along the southern property line adjacent to E. 4th St.

Staff recommendation: Staff recommends in favor of the variance. The parcel is bounded on all sides by a public street, meaning that there are effectively no rear yards in which an exterior dumpster could be placed. However, staff finds that the intent of the ordinance is still being met. S. Nelson Hackett Blvd. and W. South St. are functioning as the principal facades, with an additional building located at the corner of E. 4th St. and S. Block Ave. Staff finds that the proposed location is largely screened by adjacent buildings to the east and west and that impact is likely to be minimal. Staff recommends a condition that the dumpster screening enclosure shall be constructed of high-quality materials such as the proposed CMU with a brick façade and with either vegetative screening or public art to minimize visual impact from the south.

Variance #4 §172.04(C)(4): Parking Lot Location Standards. In urban zoning districts, a drive-thru lane, parking lot drive aisle, or parking spaces are not permitted to be located in the front yard directly between a building and the Master Street Plan right-of-way. The proposal includes a parking lot with access from S. Block Ave. and E. 4th St., with portions located between the building and ROW.

Staff recommendation: Staff recommends in favor of the variance. As noted in the applicant's request letter, the parcel has frontage on four sides meaning that there are effectively no rear or side setbacks. The parking is not visible from either E. Nelson Hackett Blvd. or W. South St., the two principal facades. A large portion of the parking lot is also screened from both S. Block Ave. and E. 4th St. by the second residential building. Staff finds that the parking within the build-to-zone is meeting screening requirements of §172.04(C)(1) and that fully locating all parking behind a building façade is not practical given the site's shape and topography changes.

Right-of-Way to be Dedicated: The subject property currently has street frontage along S. Nelson Hackett Blvd., W. South St., S. Block Ave., and W. 4th St., all of which are designated as Urban Center Streets with typical right-of-way dedication of 30.5 feet from centerline. Per a right-of-way determination by the Zoning and Development Administrator, forty-six feet of dedication shall be required for S. Nelson Hackett Blvd. The remaining three streets were each determined to require 26.5 feet of right-of-way from the centerline.

Street Improvements: All adjacent streets are Urban Center. The Zoning and Development Administrator completed a right-of-way determination on July 2, 2024, for several alternative design elements that may be administratively approved. These requirements are described below.

- S. Nelson Hackett Blvd: The applicant proposes for the existing turn lane and ten-foot drive to remain. A portion of the road is proposed to be widened to accommodate a ten-foot slip lane and eight-foot parallel parking lane with 0.5-foot curb. A four-foot furniture zone and eight-foot sidewalk are proposed following the curb. As the ten-foot slip lane is not an administratively approvable item, a variance to §166.11(A), Conformance to Plans and Regulations has been requested with this application.

- W. South St., S. Block Ave., and W. 4th St.: The remaining three streets are proposed to include a 10-foot drive lane, 8-foot parallel parking lane with bump-outs, 0.5-foot curb, and eight-foot sidewalk including three-foot deep urban tree wells. The typical furniture zone requirement was permitted to be administratively removed along these streets.

Access Management/Connectivity: Staff has determined that the proposed development is compliant with the City's access management and connectivity standards with the exception of the above variance request. Memos have been provided from Solid Waste and the Fire Marshall's office indicating no concerns with access as designed. Further, the police have requested proposed parking on Nelson Hackett be well-lit for public safety but have otherwise indicated that they do not see substantial issues arising from the proposed development.

Design Standards: Staff finds the proposed development is substantially in compliance with §166.21 Downtown Design Overlay District, §166.22 Parking Garages, §166.23 Urban Residential Design Standards, and 172.04 Parking Lot Design Standards except where variances are specifically requested above. Final plans will be reviewed with grading and building permits.

Parking Design and Number of Spaces: Reductions in proposed parking counts as described in §172.05(A)(2) are by-right per ordinance and are not subject to discretionary approval. Based on proximity to multiple transit stops, the proposed development is within the area where a 15% reduction of the required number of spaces may be taken, which would reduce the total number of required vehicle spaces from 138 (one per bedroom) to 117. The applicant does not propose to utilize this full reduction. Rather, they propose to shift a total of 9 spaces from full vehicle spaces to motorcycle/ scooter spots, and an additional 12 from vehicle to bicycle racks. Accounting for motorcycle/scooter spaces and bicycle racks required in other sections of the code, a total of 137 total bicycle or vehicle spaces are proposed with the development. This total is only one space fewer than the number of bedrooms proposed

As noted above, the proposal is within allowances permitted by right which are not subject to discretionary approval. However, staff further analyzed similar large multifamily apartments and their density and parking structures in order to provide a comparison given extensive public concern. Based on this analysis, staff finds that the proposal not only meets required parking minimums, but also exceeds the typical parking of other large apartment complexes.

Development	Bedroom Count per Acre	Percent Parked (Vehicle, Motorcycle / Scooter, and Bike Racks)
Urban Lofts at Nelson Hackett	108	99% (86% auto)
Atmosphere Apartments	188	85% (60% auto)
Cardinal Apartments	174	88% (81% auto)
Academy at Frisco Apartments (When Considering Residential Only, Project also includes 8,000 sf of commercial)	227	103% (93% auto)
Gather Dickson	256	103% (59% Auto spaces)

The applicant's request to reconsider the proposal also includes multiple steps the applicant intends to utilize to encourage car-free renting, including providing a discount on rent for those who do not require a parking spot, stating in the leases that tenants are expected to utilize on-site parking rather than the surrounding neighborhoods, and providing a designated drop-off zone on Nelson Hackett for rideshare pick-up and drop-off.

Water and Sewer System: The applicant is proposing to install a fire hydrant, fire lines, and water meters to provide domestic service and fire protection to the development, and to install a new sanitary sewer main in E 4th St to provide sanitary sewer service to the development.

Parkland dedication or fee in-lieu: The Parks and Recreation Advisory Board (PRAB) reviewed this proposal at a meeting held on March 7, 2022. The Parks and Recreation Advisory Board recommended fee-in-lieu of parkland dedication. Final park fees shall be determined and paid prior to the issuance of any building permits. Based on current information, fees for 138 new multifamily residential units minus the previous 16 multifamily units previously located on site would result in a fee of \$116,144.

Tree Preservation:

Canopy minimum requirement: 10.0%

Existing Canopy: 48.0%

Preserved canopy: 5.0%

Mitigation required: 56 two-inch caliper trees

While a large number of trees are proposed to be removed, staff finds that most of these would be heavily impacted by any street improvements which comply with the master street plan or required construction of any buildings within the build-to-zone. Tree preservation is proposed in the southwest corner of the property that will also serve as a communal outdoor space. 43 on-site mitigation trees and 10 off-site mitigation trees are proposed. Green facades and green roofs are also proposed on the site, which may take the place of an additional 3 mitigation trees.

Public Comment: Staff has received substantial comments on this proposal, with the majority expressing opposition. Several members of the public have provided both multiple written and verbal comments. Six people spoke at Subdivision Committee and 18 spoke at the August 12 Planning Commission meeting. Including written comments received before and after the August 12 Planning Commission meeting, staff has received 53 written comments from 37 unique individuals. Comments opposed to the development generally cited include increased traffic danger and congestion, insufficient or dangerous parking, conflicts with the existing neighborhood character, a high number of children and walkers, inadequate existing infrastructure, opposition to small “efficiency” units, and incompatible density. Comments in support have cited the need for more affordable housing in the city, previous multifamily use of the property, a thoughtful approach and transition, good design, and high-quality materials.

RECOMMENDATION: Staff recommends approval of **LSD-2024-0011** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of variance to §166.11(A), Conformance to Plans and Regulations.** *Staff recommends approval of the requested variance with the following conditions:*
 - a. Proposed parallel parking along Nelson Hackett shall be well-lit.
 - b. Modified curb shall be installed between the travel and buffer lanes, and the buffer lane shall be constructed out of stamped colored concrete (similar to roundabout truck aprons) to create a visual and tactile change in material between the travel and parking lanes. The exact stamp pattern and colored concrete may be submitted to Engineering for approval with the grading permit. Should the Planning Commission choose to specify an exact stamp pattern and

concrete color, staff recommends it match what was installed at the Porter/Deane/Stephen Carr roundabout.

Subdivision Committee recommended in favor.

2. **Planning Commission determination of variance to §166.08(F): Access Management.** *Staff recommends approval of the requested variance with no added conditions.*

Subdivision Committee recommended in favor.

3. **Planning Commission determination of variance §166.21(E)(1): Dumpster Location.** *Staff recommends approval of the requested variance with the following conditions:*
- The dumpster screening enclosure shall be constructed of high-quality materials such as the proposed CMU with a brick façade and with either vegetative screening or public art to minimize visual impact from the south.*

Subdivision Committee recommended in favor.

4. **Planning Commission determination of variance to §172.04(C)(4): Parking Lot Location Standards.** *Staff recommends approval of the requested variance with no added conditions:*

Subdivision Committee recommended in favor.

5. **Planning Commission determination of right-of-way dedication.** *Staff recommends right-of-way dedication in the following amounts.:*
- Forty-six feet (46') of right-of-way dedication for N. Nelson Hackett Blvd from street centerline.
 - Twenty-six and a half feet (26.5') of right-of-way dedication for E. South St. from street centerline.
 - Twenty-six and a half feet (26.5') of right-of-way dedication for S. Block Ave. from street centerline.
 - Twenty-six and a half feet (26.5') of right-of-way dedication for W. 4th St. from street centerline.

Subdivision Committee recommended in favor.

6. **Planning Commission determination of street improvements.** *Staff recommends street improvements as described below:*
- S. Nelson Hackett Blvd: 5.5-foot left turn lane (half), 10-foot drive lane, 10-foot alternative slip lane, 8-foot parallel parking lane, 0.5-foot curb, 4-foot furniture zone, and 8-foot sidewalk
 - W. South St., S. Block Ave., and W. 4th St.: 10-foot drive lane, 8-foot parallel parking lane, 0.5-foot curb, 0-foot furniture zone, and 8-foot sidewalk

Subdivision Committee recommended in favor.

7. Parks fees shall be determined and paid prior to building permit issuance. Based on current information, fees for 138 new multifamily residential units would be required in the amount of \$139,944.

8. Remaining comments from Planning shall be addressed, including:
 - a. Extend screening wall around parking's east side within 4th St. build-to-zone.
9. Conditions of approval from Engineering, Fire, and Urban Forestry are included in the official conditions of approval, attached hereto;
 - a. Address remaining plan comments
 - b. Provide domestic flow demands and fire flow calculations to ensure water meters and fire lines are sized appropriately.
 - c. Retaining walls over 4 feet in height shall be designed by a professional engineer licensed in Arkansas. Safety railings are required for the retaining wall proposed along S. Nelson Hackett Blvd. Limits of wall construction must be shown on plans. Geogrid cannot be in right-of-way.
 - d. Existing curb inlets to be converted to grate inlets must perform how existing curb inlets function- spread, depth, capture, etc. Include calculations in drainage report.

Standard Conditions of Approval:

10. Impact fees for fire, police, water, and sewer shall be paid in accordance with city ordinance;
11. Technical Plat Review and Subdivision Committee comments (to include written staff comments provided to the applicant or their representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks Electric, SWEPCO, and Cox Communications);
12. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements;
13. Large scale development approval shall be valid for one year;
14. Prior to building permit, a cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy; and
15. Prior to the issuance of a building permit, the following is required:
 - a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include any tree preservation areas and all utility and access easements;
 - c. Exterior lighting package must be provided to the Planning Division;
 - d. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - e. Project Disk with all final revisions; and
 - f. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all

improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.

PLANNING COMMISSION ACTION: ☐ Approved ☐ Tabled ☐ Denied

Meeting Date: September 23, 2024

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Staff Memos
 - Legal Memo
 - Engineering Memo
 - Urban Forestry Memo
 - Parks Memo
 - Parking District Process
 - Solid Waste Comments
 - Fire Marshal Comments
 - Police Comments
 - Curb Widening Exhibit
- Applicant Exhibits
 - Reconsideration Request Letter
 - Variance Request Letter
 - Traffic Study
 - Renderings
 - Architectural Elevations
 - Site Plans
- Public Comments
- One Mile Map
- Close-Up Map
- Current Land Use Map



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Senior Assistant City Attorney

Hannah Hungate
Assistant City Attorney

Stacy Barnes
Paralegal

TO: **Planning Commission**

FROM: **Blake Pennington**, Senior Assistant City Attorney

DATE: **September 19, 2024**

RE: **Approval/Denial of LSDs/PPLs and Variances**

I sent a memo in July (attached) about the approval/denial criteria for large scale developments and preliminary plats. It did not get into how variances might play a role in the consideration of a development so I wanted to provide that context.

Variances must be considered based on the standards set forth in § 156.03, which governs development, parking and loading variances:

If the provisions of Development, Chapter 166, or Parking and Loading, Chapter 172 are **shown by the developer to cause undue hardship as they apply to this proposed development (including, but not limited to financial, environmental, or regulatory) and that the situation is unique to the subject property**, the City Planning Commission may grant a variance, on a temporary or permanent basis, to the development from such provision, so that substantial justice may be done and the public interest secured; provided that the variation will not have the effect of nullifying the intent and purpose of the development or parking and loading regulations.

At next Monday's meeting you are reconsidering the Urban Lofts at Nelson Hackett project. The applicant now requests four variances instead of six:

1. Variance # 1 – Slip Lane: With this variance, the Planning Commission is not considering the parallel parking proposed for the project. You are considering only the slip lane between the driving lane and the parking spaces. If you do not grant the variance, the project would still be authorized by the UDC to construct parallel parking but it would be immediately adjacent to the driving lane. Whether the slip lane variance

- is approved or not, the parking itself should be considered within the standard for approval/denial of a large scale development.
2. Variance #2 – Access Management: With respect to the access management variance, our office has consistently opined that a property owner has a constitutional right to access any street abutting its property. Here the applicant is requesting a second point of access to a public street which should be granted.
 3. Variance #3 – Dumpster Location: I think any developer of this property could establish a hardship since there is no “rear yard” in which to place a dumpster; however, the Planning Commission certainly has the authority to approve conditions that ensure the intent of the requirement is met, including placement and screening.
 4. Variance #4 – Parking Lot Location Standards: The project proposes to extend the parking lot into the build-to-zone because the applicant wishes to provide more parking for residents. The Planning Commission could potentially consider this a self-imposed hardship; however, if this variance is not granted, I understand the applicant could revise its parking plan by simply removing those spaces from the plan. This would remove the build-to-zone encroachment and nullify the need for a variance but could also lead to more off-site parking.

Just because a project requires variances doesn't mean it should be denied. The UDC provides for variances because it recognizes that certain project sites may present challenges others do not. As stated above, those challenges can include, but are not limited to, financial, environmental, or regulatory hardships. However, even if some variances are denied, it does not mean the entire project can be denied.

Conclusion

If the Planning Commission intends to deny a variance, you should clearly state why it did not meet the standards set forth in Chapter 156.

If the Planning Commission intends to deny a preliminary plat or large scale development, you should clearly state which of the six reasons set forth in § 166.02(C)(2)(a) led to the denial. As stated in the July memo, “if a proposed Large Scale Development or Preliminary Plat meets the minimum standards of the Unified Development Code, it must be approved even if every Commissioner believes it is a terrible development unanimously opposed by the neighbors.”



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Senior Assistant City Attorney

Hannah Hungate
Assistant City Attorney

Stacy Barnes
Paralegal

TO: **Planning Commissioners**

FROM: **Blake Pennington**, Senior Assistant City Attorney

DATE: **July 8, 2024**

RE: **Approval/Rejection of Large Scale Developments/Preliminary Plats**

The Planning Commission can be faced with strong neighborhood opposition to a Large Scale Development (LSD) or Preliminary Plat with compelling arguments that the proposal is incompatible with the existing neighborhood, too dense, likely to devalue adjoining homes, etc. These types of arguments may not be considered when determining whether to approve or reject a Preliminary Plat or LSD. **The Planning Commission must follow the dictates of the Unified Development Code (enacted by the City Council).**

The Arkansas Supreme Court has clearly held:

"When a subdivision ordinance specifies minimum standards to which a preliminary plat must conform, it is arbitrary as a matter of law to deny approval of a plat that meets those standards."

Richardson v. City of Little Rock Planning Commission, 295 Ark. 189, 747 S.W. 2d 116, 117 (1988).

The City Council has enacted those minimum standards in the Unified Development Code. When it comes to denial of a large scale development or preliminary plat, you may only consider the six factors set forth in § 166.02(C)(2)(a):

(a) Reasons For Denial. The Subdivision Committee or Planning Commission may refuse to approve a large scale development, preliminary plat or concurrent plat for any of the following reasons:

(i) The plat or development plan is not submitted in accordance with the requirements of this chapter.

(ii) The proposed development would violate a city ordinance, a state statute, or a federal statute.

(iii) The developer refuses to dedicate the street right-of-way, utility easements or drainage easements required by this chapter.

(iv) The proposed development would create or compound a dangerous traffic condition. For the purpose of this section, a dangerous traffic condition shall be construed to mean a traffic condition in which the risk of accidents involving motor vehicles is significant due to factors such as, but not limited to, high traffic volume, topography, or the nature of the traffic pattern.

(v) City water and sewer is not readily available to the property within the large scale development, preliminary plat, or concurrent plat and the developer has made no provision for extending such service to the development.

(vi) The developer refused to comply with ordinance requirements or conditions of approval for on-site and off-site improvements.

Any objection or reason to deny a Large Scale Development or Preliminary Plat must be included within those six stated reasons to be valid. If a proposed Large Scale Development or Preliminary Plat meets the minimum standards of the Unified Development Code, **it must be approved even if every Commissioner believes it is a terrible development unanimously opposed by the neighbors.**

Although the City Council has clear authority to amend the UDC and change the factors that could be considered beyond the six currently enacted by the City Council, until such an amendment occurs you **must** obey the current Code of Ordinances.

"A city simply cannot pass procedural ordinances they expect to be followed by their residents and then conveniently ignore them themselves. **A legislative body must substantially comply with its own procedural policies.**" Potocki v. City of Fort Smith, 279 Ark. 19, 648 S.W. 2d 462, (1983). (emphasis added)



TO: Donna Wonsower, Planner

FROM: Melissa Boyd, Staff Engineer

DATE: September 17, 2024

SUBJECT: **Planning Commission Engineering Comments for
LSD-2024-0011 Urban Lofts at Nelson Hackett**

Water: The applicant is proposing to install a fire hydrant, fire lines, and water meters to provide domestic service and fire protection to the development.

Sewer: The applicant is proposing to install a new sanitary sewer main in W 4th St to provide sanitary sewer service to the development.

Streets: The applicant is proposing to widen S Nelson Hackett Blvd, W South St, S Block Ave, and W 4th St along the project's frontage to provide on-street parking. The applicant has also requested two City Engineer determinations. The first request is to install a portion of a retaining wall within right-of-way at the south end of the sidewalk improvements along S Nelson Hackett Blvd. The second request is for on-street parking spaces to encroach within sight triangles on W South St, S Block Ave, and W 4th St. Both requests as shown on the exhibits included with the request dated July 3, 2024, have been approved by the City Engineer.

On-street parallel parking along S Nelson Hackett Blvd will include a buffer lane between the travel and parking lanes to allow vehicles to safely exit and re-enter traffic. Staff recommends a condition be added that a modified curb be installed between the travel and buffer lanes, and for the buffer lane to be constructed out of stamped colored concrete, similar to roundabout truck aprons, to create a visual and tactile change in material between the travel and parking lanes. The exact stamp pattern and concrete color may be submitted to Engineering for approval with the grading permit. Should the Planning Commission choose to specify an exact stamp pattern and concrete color, staff recommends it match what was installed at the Porter/Deane/Stephen Carr roundabout.

Drainage: This development is required to meet the 4 Minimum Standards for water quality, channel protection, overbank flood protection, and extreme flood protection of the Drainage Criteria Manual. The drainage report is still being reviewed for compliance with these requirements.

Plan Comments:

1. Provide domestic flow demands and fire flow calculations to ensure water meters and fire lines are sized appropriately.
2. Retaining walls over 4 feet in height shall be designed by a professional engineer licensed in Arkansas. Safety railings are required for the retaining wall proposed along S. Nelson Hackett Blvd. Limits of wall construction must be shown on plans. Geogrid cannot be in right-of-way.

3. Existing curb inlets to be converted to grate inlets must perform how existing curb inlets function- spread, depth, capture, etc. Include calculations in drainage report.
4. Address comments on plans and drainage report.

Standard Comments:

1. All designs are subject to the City's latest design criteria (water, sewer, streets and drainage). Review for plat approval is not approval of public improvements, and all proposed improvements are subject to further review at the time construction plans are submitted.
2. Any damage to the existing public street due to construction shall be repaired/replaced at the owner/developers expense
3. All public sidewalks, curb ramps, curb & gutter, and driveway aprons along this project frontage must meet ADA guidelines and be free of damage. Any existing infrastructure that does not conform to ADA guidelines or is otherwise damaged must be removed and replaced to correct the issue. Coordinate with the engineering department for inspection of existing facilities to determine compliance.
4. Water and sewer impact fees will apply for the additional impact to the system. The fees will be based on the proposed meter size and will be charged at the time of meter set.
5. Note, the following portions of all projects will typically not be reviewed by the Engineering Division until time of construction-level review (unless specifically requested at plat review):
 - Storm Sewer pipe/inlet sizing, gutter spread, profiles, or utility conflicts
 - Sanitary Sewer pipe sizing, profiles, or utility conflicts
 - Waterline fittings, callouts, or utility conflicts
 - Street profiles
 - Fine grading/spot elevations



URBAN FORESTRY
LANDSCAPE PLAN COMMENTS

To: Allen Young, Development Consultants, Inc.

From: Melissa Evans, Urban Forester
Donna Wonsower, Planner

CC: Donna Wonsower, Planner

Meeting Date: September 23, 2024

Subject: LSD-2024-0011: S. Nelson Hackett & W. 4th St. (Urban Lofts at Nelson Hackett) 523

1. General Landscape Plan Checklist		Yes	No	N/A
a.	Irrigation (notes either automatic or hose bib 100' o.c.) <i>UDC Chapter 177.03C7g, 177.04B3a</i>	X		
b.	Species of plant material identified <i>UDC Chapter 177.03C7d,e</i>	X		
c.	Size of plant material (minimum size 2" caliper for trees and 3 gal. shrubs) <i>UDC Chapter 177.03C7b,c</i>	X		
d.	Soil amendments notes include that soil is amended and sod removed <i>UDC Chapter 177.03C6b</i>	X		
e.	Mulch notes indicate organic mulching around trees and within landscape beds <i>UDC Chapter 177.03C6c,d</i>	X		
f.	LSD, LSIP, and Subdivisions (PPL & FPL) plans stamped by a licensed Landscape Architect, others by Landscape Designer <i>UDC Chapter 177.03B</i>	X		
g.	Planting bed contained by edging <i>UDC Chapter 177.03C6f</i>	X		
h.	Planting details according to Fayetteville's Landscape Manual <i>UDC Chapter 177.03C6g</i>	X		
i.	Provide information about 3-Year Maintenance plan. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. <i>UDC Chapter 177.05 A2g</i>			X
2. Parking Lot Requirements		Yes	No	N/A
a.	Side and Rear Property Lines (5' Wide Landscape Area) <i>UDC Chapter 177D1</i>			X
b.	Wheel Stops/Curbs <i>UDC Chapter 177.04B1</i>	Yes		

- | | | | | |
|---|--|---|--|---|
| c. Narrow Tree Lawn (8' min. width, 37.5' length)
<i>UDC Chapter 177.04C</i> | | | | X |
| d. Tree Island (8' min. width, 18.7' min length, 150 square feet)
<i>UDC Chapter 177.04C</i> | | X | | |
| e. Placement of Trees (either side at entrances and exits)
<i>UDC Chapter 177.04C2</i> | | X | | |

3. Perimeter Landscaping Requirements

Yes No N/A

- | | | | | |
|---|---|--|--|---|
| a. Front Property Line (15' wide landscape) and 5' on sides and rear.
<i>UDC Chapter 177.04D2a</i> | | | | X |
| b. Shade trees planted on south and west sides of parking lots
<i>UDC Chapter 177.04D2e</i> | X | | | |
| c. Screening of parking lot from adjacent residential properties. | X | | | |

4. Street Tree Planting Requirements

Yes No N/A

- | | | | | |
|--|---|--|--|---|
| a. Residential Subdivisions
1 Large Shade Species Tree per Lot
<i>UDC Chapter 177.05B1a</i> | | | | X |
| b. Non-Residential Subdivisions
1 Large Species Shade Tree every 30' (planted in greenspace)
<i>UDC Chapter 177.05B2a</i> | | | | X |
| c. Urban Tree Well – Urban Streetscapes
Trees every 30' (8' sidewalk)
<i>UDC Chapter 177.05B3a-f</i> | X | | | |
| d. Structural Soil – Urban Tree Wells
Include a note and/or detail of structural soil on Landscape Plan
<i>UDC Chapter 177.05B3a-f</i> | X | | | |
| e. Residential Subdivisions
Timing of planting indicated on plans
<i>UDC Chapter 177.05A4</i> | | | | X |
| f. Residential Subdivisions
Written description for method of tracking planting
<i>UDC Chapter 177.05A4e</i> | | | | X |



URBAN FORESTRY
TREE PRESERVATION COMMENTS

To: Allen Young, Development Consultants, Inc.

From: Melissa Evans, Urban Forester
Donna Wonsower, Planner

CC: Donna Wonsower, Planner

Meeting Date: September 23, 2024

Subject: LSD-2024-0011: S. Nelson Hackett & W. 4th St. (Urban Lofts at Nelson Hackett) 523

1. Submittal Requirements	Yes	No	N/A
Initial Review with the Urban Forester		X	
Site Analysis Map Submitted (if justification is needed)	X		
Site Analysis Written Report Submitted (justification is needed)	X		
Complete Tree Preservation Plan Submitted	X		
Tree Mitigation Table on Plans	X		
Tree Preservation Wavier Submitted (only use if no trees onsite or near P/L)			X
2. Tree Preservation Calculations			

Tree Preservation Calculations <u>Square Feet</u>		
	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	55,186	100%
<i>Zoning Designation * Select Below with drop down arrow</i>		
Downtown General	5,519	10%
<i>HHOD * Select Below with Drop Down Arrow</i>		
No	0	0%
Total Canopy for Minimum Preservation Requirements	5,519	10.0%
Existing Tree Canopy * Minus Right of Way and Easements	26,500	48.0%
Tree Canopy Preserved	2,752	5.0%
Tree Canopy Removed *On Site	23,748	43.0%
Tree Canopy Removed *Off Site	9,508	
Tree Canopy Removed Total	33,256	60.3%
Removed Below Minimum	2,767	
Mitigation Requirements	12,275	

3. Mitigation Requirements		Canopy below requirement	Number of 2" caliper trees to be planted	
High Priority		12,275	56	
Low Priority				
Total Mitigation Trees Required		12,275	56	
4. Mitigation Type		Yes	No	N/A
On-Site Mitigation		X		
Off-Site Mitigation		X		
Tree Escrow (See Conditions of Approval)				X
5. Tree Preservation Plan Checklist		Tech Plat	Subdivision Committee	Planning Commission
<i>UDC Chapter 167.04H1 and 167.04L1</i>				
a. 5 year Aerial Check on Existing Trees		Yes		
b. Property Boundary		Yes		
c. Natural Features (100ft beyond limits of disturbance)		Yes		
d. Existing Topography and Proposed Grading		Yes		
e. Soil Types		Yes		
f. Significant Trees		Yes		
g. Groupings of Trees		N/A		
h. Table Inventory List (species, size, health, priority)		Yes		
i. All Existing and Proposed Utilities		Yes		
j. All Existing and Proposed Utility Easements and ROW's		Yes		
k. All Streams (with approximate center line)		N/A		
l. Floodplains and floodways		N/A		
m. Existing Street, Sidewalk or Bike Path ROW		Yes		
n. Submitted Site Analysis Plan (if required)		Yes		
o. Shows ALL Proposed Site Improvements		Yes		
p. Delineates trees/canopy to be preserved and removed		Yes		
q. Tree Preservation Easement/s shown for LSD, LSIP and Commercial PPL projects		Yes		
Tree Protection Methods				
a. Tree Protection Fencing		Yes		
b. Limits of Root Pruning		Yes		
c. Traffic flow on work site		Yes		
d. Location of material storage		No		
e. Location of concrete wash out		Yes		
f. Location of construction entrance/exit		Yes		

6. Site Analysis Report (if required)	Yes	No	N/A
UDC Chapter 167.04H4			
a. Provide graphic examples of multiple options used to minimize removal of existing canopy	X		
b. Submitted Analysis Statement – Note the process, iterations, and approaches to preserve canopy.	X		
7. Review Status (See Comments)	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved	7/16/24	8/01/24	8/12/24 9/23/24
Approved			
Tabled	5/15/24		
Denied			
Appeal Process: A final administrative determination by the Urban Forester may be appealed in accordance with Chapter 155 of the Unified Development Code.			
Comments			
1. Address items above marked “No” and all Redlines provided.			



CITY OF
FAYETTEVILLE
ARKANSAS

TO: Planning Division

FROM: Zach Foster, Parks Planning

DATE: September 9, 2024

SUBJECT: Parks & Recreation Technical Plat Review Comments

PRAB Meeting Date: March 7, 2022

Project Title: Urban Lofts at Nelson Hackett

Project Number: LSD-2024-0011

Project Location: NW of S Block Ave and W 4th St

Plat Page: 523

Park Quadrant: SE

Billing Name & Address: Osment Investments LLC, 204 SE 6th St, STE 102
Bentonville, AR 72712

☐ Land Dedication

☒ Fee-in-Lieu

☐ Combination

FEE-IN-LIEU

Single Family: _____ units x \$1,089 per unit = \$ 0

Multi Family: 122 units x \$952 per unit = \$116,144

**TOTAL
Fees**

\$116,144

SUMMARY:

- Project proposes 0 SF units and 138 MF units.
- The project will be charged for 122 MF units since there were 16 MF units previously on site.
- The final amount of fee-in-lieu and/or land dedication needed to satisfy Parkland Dedication requirements will be determined after Planning Commission's approval of this project.
- Current fee-in-lieu and/or land dedication rates will be applied regardless of when project was approved by PRAB.
- Prior to final receipt by the city, all fees must be paid and any deeds for parkland dedication property must be:
 - Approved by the City's Land Agent in the Engineering Division.
 - Recorded at the Washington County Courthouse.
- Each additional housing unit that is constructed in Fayetteville places an increased demand on the Parks and Recreation system. The money collected as part of this project will be used to fund future park acquisitions and improvements for this park quadrant.

Wonsower, Donna

From: Clay, Justin
Sent: Friday, August 9, 2024 8:13 AM
To: Masters, Jessica
Cc: Wonsower, Donna; Curth, Jonathan; Brown, Chris
Subject: Re: Planning Commission - Monday, August 12 - Establishing Neighborhood Parking District

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jessie,

Thanks for passing this along. There's no process per se. City Council approval is required to establish or alter any paid parking boundaries and the area in question would require a new district to be established, the regulations of which would ultimately be determined/approved by City Council.

The only neighborhood district that has been established (Wilson Park area) was a result of a Council Member bringing it forward followed by several months of meetings with neighbors and Council members to fine-tune the details.

There is no turn-key approach. We (or someone) based on input from the neighbors would have to determine:

1. who is eligible to receive parking permits and how many per residence;
2. what is the cost for residential permits;
3. what will the parking rates be for non-permit holders;
4. are residents of the new development eligible for permits, and if not, why not; and
5. what additional staff resources are necessary to administer and enforce the program

If we do go down this road my recommendation would be to make any of the regulated parking "mixed-use" meaning anyone can park there with either a residential permit or by paying a parking rate. Experience has shown that making certain on-street spaces exclusive for residential permit-holders only has resulted in low utilization.

Lastly, is there a tool to require a parking impact study for this type of development? If it is perceived that the development is going to create a parking problem are there other tools or variance denials that can be used to mitigate?

Sorry, I know that's a bit of rambling, but those are my initial thoughts – I'm not sure if any of it's helpful but please let me know what additional info or clarification I can provide.

Thanks,

Justin Clay

Parking Manager

Parking Management Division

City of Fayetteville, Arkansas

jclay@fayetteville-ar.gov

T 479.575.8277

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Good Afternoon

There was a great deal of concern at the previous Planning Commission meeting regarding I SD-2024-0011 on

SCREEN	0.5
STARTING POINT	0.5
TO TARGET	0.5
TOTAL	1.5



09/10/2024

From: Captain Jason Hood

To: Donna Wonsower

Title: Urban Lofts

Project: LSD-2024-0011

Subject: Fire Apparatus Access Roads

Donna,

The Fire Marshal's Office has reviewed the Large-Scale Development (LSD) plans for the Urban Lofts. The site is located at the corner of Nelson Hackett BLVD and West South Street. After our review we have found the project meets and exceeds the minimum requirements for Fire Apparatus Access Roads set forth by the Arkansas Fire Prevention Code (AFPC) 2021 edition.

Regards,

Captain Jason Hood
Fayetteville Fire Marshal's Office

Wonsower, Donna

From: Dawson, Greg
Sent: Monday, September 16, 2024 3:51 PM
To: Wonsower, Donna
Subject: RE: LSD-2024-0011 Access Concerns

Donna,

Thank you, and yes this is accurate. The 10 feet of slip lane eases our worries of vehicles traveling into the parking area. Having additional lighting will also be beneficial.

Greg

From: Wonsower, Donna <dwonsower@fayetteville-ar.gov>
Sent: Monday, September 16, 2024 9:39 AM
To: Dawson, Greg <gdawson@fayetteville-ar.gov>
Subject: RE: LSD-2024-0011 Access Concerns

Good Morning,

I am working up the Planning Commission report for this project over the next few days and wanted to confirm that I am representing police comments accurately. Could you please confirm the below:

- No issues with access to the apartments themselves
- Only major concern for the proposed development is the proposed on-street parking along W. Nelson Hackett Blvd., though this concern was lessened after determining that the proposed slip lane is 10 feet in width. Police recommend that this area is well-lit to ensure that anyone utilizing this area is fully visible.

Let me know if I've misstated anything. Thank you!

Best Regards,

Donna Wonsower, AICP

Planner, Development Services

479-575-8358

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



The Fayetteville Planning department is currently short-staffed. Please allow a minimum of 3-5 days for staff review and response to emails.

STAFF EXHIBIT: CURB WIDENING

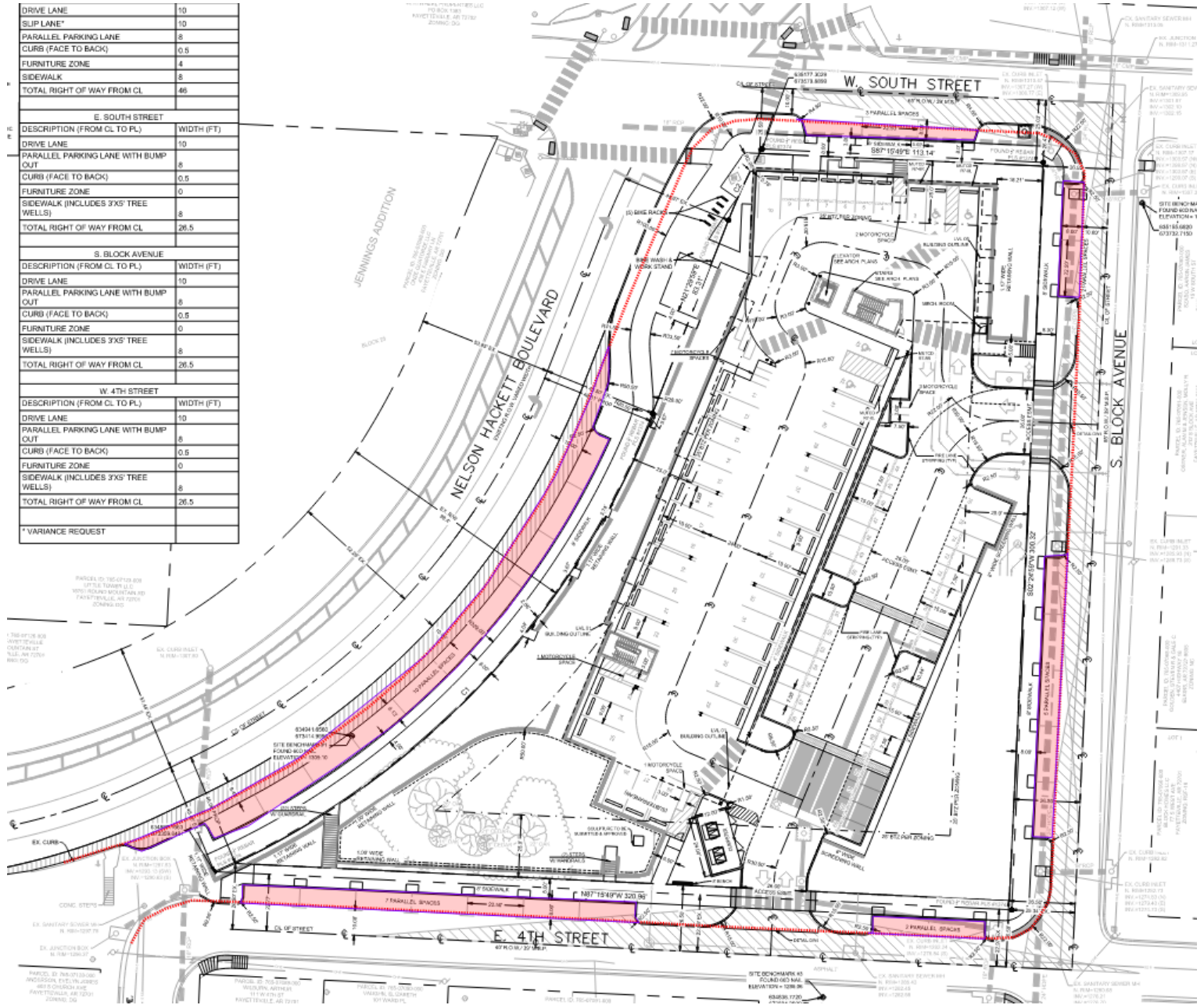
DRIVE LANE	10
SLIP LANE*	10
PARALLEL PARKING LANE	8
CURB (FACE TO BACK)	0.5
FURNITURE ZONE	4
SIDEWALK	8
TOTAL RIGHT OF WAY FROM CL	48

E. SOUTH STREET	
DESCRIPTION (FROM CL TO PL)	WIDTH (FT)
DRIVE LANE	10
PARALLEL PARKING LANE WITH BUMP OUT	8
CURB (FACE TO BACK)	0.5
FURNITURE ZONE	0
SIDEWALK (INCLUDES 3'X5' TREE WELLS)	8
TOTAL RIGHT OF WAY FROM CL	26.5

S. BLOCK AVENUE	
DESCRIPTION (FROM CL TO PL)	WIDTH (FT)
DRIVE LANE	10
PARALLEL PARKING LANE WITH BUMP OUT	8
CURB (FACE TO BACK)	0.5
FURNITURE ZONE	0
SIDEWALK (INCLUDES 3'X5' TREE WELLS)	8
TOTAL RIGHT OF WAY FROM CL	26.5

W. 4TH STREET	
DESCRIPTION (FROM CL TO PL)	WIDTH (FT)
DRIVE LANE	10
PARALLEL PARKING LANE WITH BUMP OUT	8
CURB (FACE TO BACK)	0.5
FURNITURE ZONE	0
SIDEWALK (INCLUDES 3'X5' TREE WELLS)	8
TOTAL RIGHT OF WAY FROM CL	26.5

* VARIANCE REQUEST



Proposed Widening

URBANLOFT Co.

August 22, 2024

Mr. Chairman,

We respectfully request that the Planning Commission reconsider our application for a Large Scale Development. We listened carefully to comments from commissioners and members of the public at the previous meeting, and are keen to present a few significant changes to the application in light of what we heard:

1. **A unit reduction of nearly 20%, from 163 total to 138 total.** It's important to point out that we are proposing more affordable 1-bed units. If we were instead proposing more expensive 2-bed units, the total units would be 69, or if we had chosen to follow the student housing model that is common in Fayetteville with 4-bed units, we would only have 35 units. Not only are our units more affordable, they're also more flexible, being appropriate for a wide variety of renters including young professionals, divorcees, retirees, and seasonal occupants (such as healthcare providers). In fact, we have seen that these customer segments are common in similar developments completed by this team, including in other college towns.
2. **A commitment to reserve up to 15 percent of the units for individuals making no more than a designated amount of AMI.** This commitment, which is unprecedented in terms of market-rate developments in this area as far as we're aware, is possible because providing housing for this segment of the population has been a goal of ours from day one. We feel strongly enough about this to put it in writing and invite you to make it a condition of approval. We are still working through these details and look forward to the opportunity to present these to the commission.
3. **A commitment to fully managed parking that encourages car-free renters.** A careful survey of our existing properties has revealed that on-site parking utilization hovers around 65% in our walkable developments, with many of our renters choosing other modes of transportation. Even though our project fully meets the city's requirements for parking, we will further encourage use of alternative transportation by:
 1. Providing a discount on monthly rent for renters who do not require a parking spot.
 2. Clearly stating in our lease agreements that renters should not plan to use on-street parking in the area as an alternative to our on-site accommodations.
 3. Providing a designated drop-off zone for ride sharing to be located on Nelson Hackett (away from neighborhood streets).

While none of these compromises are required by code, we are eager to offer them as a show of good faith in support of our earnest hope to be good neighbors. We have also made every effort to reduce or

215 Union St, STE 400
Jonesboro, AR 72401

870.240.8008

<https://www.theurbanloftco.com/>

Planning Commission
September 23, 2024

URBANLOFT Co.

eliminate variances from this project; what we are left with is a short list of items where conflicting codes and / or site constraints have created hardships that are unavoidable. We thank City Staff for their favorable recommendations with regard to these variances and the project as a whole. We also did not note any specific objections to these variances from Planning Commissioners.

For years, City leadership has pointed out that creating infill housing in downtown and along 71B is critical to meeting Fayetteville's housing needs now and in the future. Indeed, this property has been zoned for this kind of development for well over a decade. Commission's consideration of this development comes amid a push by the city to rezone much of 71B for similar development patterns – an effort that is supported by a great deal of citizen input. We ask you to please consider re-hearing this project, which we believe will be a catalyst for the revitalization of the 71B corridor and instrumental in bringing more workforce housing units to Fayetteville.

Should the commission agree to re-hear the application, we would like to further request that the item be tabled to the next meeting to allow us sufficient time to notify members of the public.

Sincerely,



Andrew Berner
Managing Partner

215 Union St, STE 400
Jonesboro, AR 72401

870.240.8008

<https://www.theurbanloftco.com/>

Planning Commission
September 23, 2024

16 September 2024

City of Fayetteville

Planning Commission
125 W. Mountain Street
Fayetteville, AR 72701
479.575.8267

LSD Number: 2024-0011
DCI Job Number: 2023-196
Project Name: Urban Lofts at Nelson Hackett
Owner: The Dallas Collection, LLC
215 Union St. STE 400
Jonesboro, AR 72401

Project Narrative:

The Urban Lofts at Nelson Hackett Multi-Family development is located at 309 S Block Ave, Parcel 765-07087-000, and consists of approximately 1.25 acres. This parcel fronts four streets, Nelson Hackett for approximately 376', W. South Street for approximately 113', S Block Ave for approximately 300', and E 4th Street for approximately 321'. The project is a multifamily development consisting of 138 micro-loft units contained in two buildings: a four-story structure with basement level parking and a three-story structure.

Variance Request:

On behalf of the owner, DCI is requesting variances to the following sections of the Unified Development Code.

1. Variance to UDC Section 166.08.F. Code requires properties fronted by more than one public street to place access off the lowest functional classification or volume of traffic. Fire Code requires buildings in excess of 3 stories or 30' to have two separate approved entries. As this site is fronted by streets on all four sides with Downtown General classification, the lowest volume streets were chosen for the fire access. Additionally, the Access Management Standards (UDC 166.08.F) require curb cut separations of 100' for Neighborhood Links (the closest street section to Downtown General) from all intersections and other curb cuts. It is not possible to achieve two curb cuts on S. Block Street that would both be 100' from an intersection and one another as S. Block Street has a total distance of 327 linear feet fronting this property. Similarly, E. 4th Street is only 320 linear feet in frontage, which would not allow for two entries that meet the above criteria. Therefore, the site requires the two fire apparatus entries to be located on separate streets.
2. Variance to UDC Section 166.11, Conformance to Plans and Regulations, for Van Buren Ave. Code requires the development to conform to the official plans and regulations that make up the Comprehensive Land Use Plan including the Master Street Plan. The Master Street Plan requires Nelson Hackett BLVD to provide an 8' parallel parking lane adjacent to the traveled way. DCI is

Engineering • Planning • Land Surveying • Landscape Architecture

- requesting a variance to the Master Street Plan on the owner's behalf to allow the construction of a slip lane, providing additional room for northbound traffic on Nelson Hackett to decelerate and safely maneuver into the parallel parking spaces. Requiring strict adherence to the Master Street Plan would require users to access their vehicles immediately adjacent to the traveled way of Nelson Hackett, which had an average daily traffic of 1,000 vehicles per day in 2023 (latest data).
3. Variance to UDC Section 166.21.E.1. Code requires trash dumpsters to be in the rear yard of a development that is located within the Downtown Design Overlay District. As this site is fronted by streets on all four sides, no "rear" yard exists. The dumpster location has been placed such that it is on the "rear" side of the primary building, hidden from view of Nelson Hackett and W South Street, which are considered the primary streets for this development.
 4. Variance to UDC Section 172.04.C.4. Code requires all parking lots in urban zones to be located behind or on the side of a building. DCI is requesting a variance for portions of the parking lot adjacent to Block Ave. With this property being surrounded by streets and designed to be an intense, dense urban project, all usable space not being utilized for buildings or required green space is being utilized for parking. Portions of the parking lot are located behind the "front" of the building fronting Nelson, but are visible from Block Ave. Requiring all parking to be behind a building would require more building space or the removal of parking below allowable limits.

Thank you for your consideration and we look forward to working with the City moving forward.

Sincerely,



Chase Henrichs, P.E.
ChaseH@DCIUS.PRO
479.444.7880
Development Consultants



MEMORANDUM

August 23, 2024

TO: Development Consultants Inc.

FROM: Nathan Becknell, P.E., PTOE, PTP

SUBJECT: Nelson Hackett Multi-Family
Traffic Impact Review

LOCATION: Nelson Hackett Boulevard - 4th Street to South Street
Fayetteville, Arkansas



INTRODUCTION

Traffic Engineering Consultants, Inc. (TEC) was retained by Development Consultants Inc. (DCI) to conduct a traffic impact review on the proposed Nelson Hackett Multi-Family development. The proposed development is located east of Nelson Hackett Boulevard from 4th Street to South Street in Fayetteville, Arkansas as shown in **Figure 1** in the attachments.

The proposed multi-family development would include two mid-rise buildings with 138 dwelling units as shown in **Figure 2** in the attachments. Access to the development is proposed via drives at both 4th Street and Block Avenue. Additional access is proposed via on-street parking on the east curb line of Nelson Hackett Boulevard, the south curb line of South Street, the west curb line of Block Avenue, and the north curb line of 4th Street. Nelson Hackett Boulevard is a three-lane, with side-path, generally north/south “downtown/urban street” with a posted speed limit of 35 mph and has an approximate average daily traffic (ADT) of 19,000 vehicles per day (vpd). 4th Street, South Street, and Block Avenue are two-lane “downtown/urban streets” with an unposted speed limit of 20 mph. Historical ADT data and master street plan section information is included in the attachments.

SITE GENERATED TRAFFIC

To determine the effects a new development will have on an existing street system, the new or additional traffic must be projected. The latest edition of the *Trip Generation Manual*, published by the Institute of Transportation Engineers, was used to determine the amount of traffic the development is expected to generate. The report is a nationally accepted reference which provides trip rates for determining the traffic expected to be generated by different land use types.

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Oklahoma City, OK | Tulsa, OK | Fayetteville, AR | Little Rock, AR
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Planning Commission

September 23, 2024

Available information was utilized regarding the anticipated land use to determine the site generated traffic. The *Multifamily Housing (Mid-Rise)* with 4-10 floors land use category was selected as the most applicable to determine the trip generation of the proposed development. The resulting traffic volumes projected to be generated by the proposed development once completed are indicated in **Table 1**.

TABLE 1
Projected Site Generated Trips

Building Type (Land Use)	ITE Land Use Code	Approximate Gross Floor Area or Other	Average Weekday Vehicle Trips			Average AM Peak Hour Directional Distribution		Average AM Peak Hour Directional Trips (vph)		Average PM Peak Hour Directional Distribution		Average PM Peak Hour Directional Trips (vph)		
			Per	Day	Per Peak Hour of Adjacent Street Traffic									
					One Hour Between 7am & 9am									One Hour Between 4pm & 6pm
					(vpd)	(vph)	(vph)	IN	OUT	IN	OUT	IN	OUT	IN
Trip Rate* Multifamily Housing (Mid-Rise)	221	(Dwelling Units) 138	4.43 612	0.36 49	0.39 54	23%	77%	11	38	61%	39%	33	21	

* Trip Rates from "TRIP GENERATION MANUAL", 11th Ed., Institute of Transportation Engineers.

The proposed development would be expected to generate 612 vehicle trips per day with 49 trips occurring during the a.m. peak hour and 54 trips occurring during the p.m. peak hour. The City of Fayetteville minimum street standards are silent for study threshold requirements for the downtown/urban street section. Typically, a full traffic impact analysis is recommended for any development along a residential link which generates 100 or more vehicle trips during a peak hour or a regional link which generates 200 or more vehicle trips during a peak hour. It is assumed 4th Street, South Street, and Block Avenue behave similar to residential links and Nelson Hackett Boulevard behaves similar to a regional link for study requirement purposes. The proposed development would be expected to generate less than the minimum recommendation for all neighboring streets, therefore, a full traffic impact analysis was not conducted.

PARKING

The proposed site plan includes a combination of on-site parking and on-street parking to satisfy the minimum vehicle parking demands of the development. The City of Fayetteville master street plan classifies Nelson Hackett Boulevard as a "downtown/urban street," which is a section allowing for more access and non-vehicular considerations. The roadway has recently transitioned from a more vehicular service section to partially implement the latest city master street plan section. Recent modifications include reallocation of lanes from four primary vehicle lanes to three with the addition of exclusive bicycle facilities. The "downtown/urban street" section desires on-street parking along Nelson Hackett Boulevard that does not currently exist. The following information is a summary of considerations for safety and function with on-street parking at the south/east curb line of Nelson Hackett Boulevard along the site.

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Literature Summary

NACTO *Urban Street Design Guide*

Design Controls – Design Speed – “On-street parking narrows the street and slows traffic by creating friction for moving vehicles.”

AASHTO *Policy on Geometric Design of Highways and Streets (Green Book)*

2.5.1 – “The principal advantages of controlling access are the preservation of improvement of service and the reduction of crash frequency and severity.”

2.5.5 and Figures 2-7/2-8 - The inclusion of a two-way left-turn lane compared with an undivided section has a reduced crash rate for all rates of access management.

3.2.1 – “The designer should provide sight distance of sufficient length that drivers can control the operation of their vehicles to avoid striking an unexpected object in the traveled way.”

4.20 – “On-street parking generally decreases through-traffic capacity, impedes traffic flow, and increases crash potential... However, within urban areas... located on arterial highway routes, on-street parking should be considered in order to accommodate existing and developing land uses. Often, adequate off-street parking facilities are not available. Therefore, the designer should consider on-street parking so that the proposed street or highway improvements will be compatible with the land use.”

4.20 – “When a proposed roadway improvement is to include on-street parking, parallel parking should be considered. Under certain circumstances, (front-in/back-out) angle parking is an allowable form of street parking.”

4.20 – “Where diagonal parking exists or is planned, consideration may be given to back-in/head-out diagonal parking because of the improved visibility for the driver to see vehicular and bicycle traffic when existing the parking space. In addition, back-in/head-out diagonal parking is usually a simpler maneuver than parallel parking.”

7.3.3.7 – “Where parking is needed to contribute to an urban context or where adequate off-street parking facilities are not available or practical, parallel or angle parking may be considered on lower-speed arterials as long as the capacity provided by the through lanes for motor vehicles and bicycles is considered. However, parking is highly undesirable on higher speed roadways (50 mph and above) and generally not used on facilities in the 40- to 45 mph range.”

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AASHTO Highway Safety Manual

12.7.1/13.11.2.1 – Crash Modification Factor (CMF) for On-Street Parking – CMF for three-lane with turn lane 1.465 for parallel parking and 3.428 for front-in/back-out angle parking. The base condition being an absence of on-street parking. A value over one indicates an anticipated increase in crashes. Note: The CMF clearinghouse provided similar results and did not include CMF data for back-in/head-out diagonal parking.

FHWA Highway Performance Monitoring System Field Manual

Signalized Intersection Approach Capacity Adjustment for Parking for one lane in group and 6 parking maneuvers per hour (two-way streets with parking on one side) is 0.87. This value indicates slight reduction in capacity due to parking near a signalized approach.

FHWA Road Diet Informational Guide

3.3.5 – “The FHWA advises that roadways with ADT of 20,000 vpd or less may be good candidates for a Road Diet...”

Stopping Sight Distance

To determine stopping sight distance as recommended by the AASHTO *Policy on Geometric Design of Highways and Streets (Green Book)*, 24-hour volumes and speeds were collected during a typical mid-week day with mild weather and while school was in session in February 2024 on Nelson Hackett Boulevard between 4th Street and South Street. Based on the traffic data collected, the Nelson Hackett Boulevard ADT is 16,000 vpd (Note: ARDOT 2022 ADT measured at 19,000 vpd) and the 85th percentile speed is 38.1 mph for northbound traffic and 39.0 mph for southbound traffic. Detailed printouts of all the traffic count data are included in the appendix.

For speeds of 38.1 mph and an uphill grade of 5.5% the *Green Book* recommends a stopping sight distance of 262-feet. The proposed parking along the south/east curb of Nelson Hackett Boulevard should be checked for adequate vehicle stopping sight distance to enhance safety.

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SUMMARY

The proposed Nelson Hackett Multi-Family development would be expected to generate 54 additional trips during the typical weekday peak hour periods. The traffic generated by the proposed development would have negligible effects on the surrounding intersections and roadways during the weekday peak periods. Based on these factors, no additional traffic related issues are anticipated as a result of the proposed development.

The City of Fayetteville “downtown/urban street” master street plan section desires on-street parking along Nelson Hackett Boulevard that does not currently exist. The existing vehicle speeds and volumes present on the corridor are less than the common thresholds for safety and capacity as found in literature by NACTO, AASHTO, and FHWA. On-street parking would be considered typically compatible with the proposed land use and urban context. Back-in/head-out diagonal parking would be considered an acceptable alternative to parallel parking. A minimum stopping sight distance of 262-feet shall be provided for northbound traffic.

Additionally, for “downtown/urban street” sections surrounding the development that behave similar to residential links, the City of Fayetteville master street plan desires a street section as shown in the proposed site plan and recommended by traffic safety literature. The proposed development does not create or compound a dangerous traffic condition on the existing low-volume streets surrounding the development and is in keeping with the requirements and ideals of the City of Fayetteville master street plan.

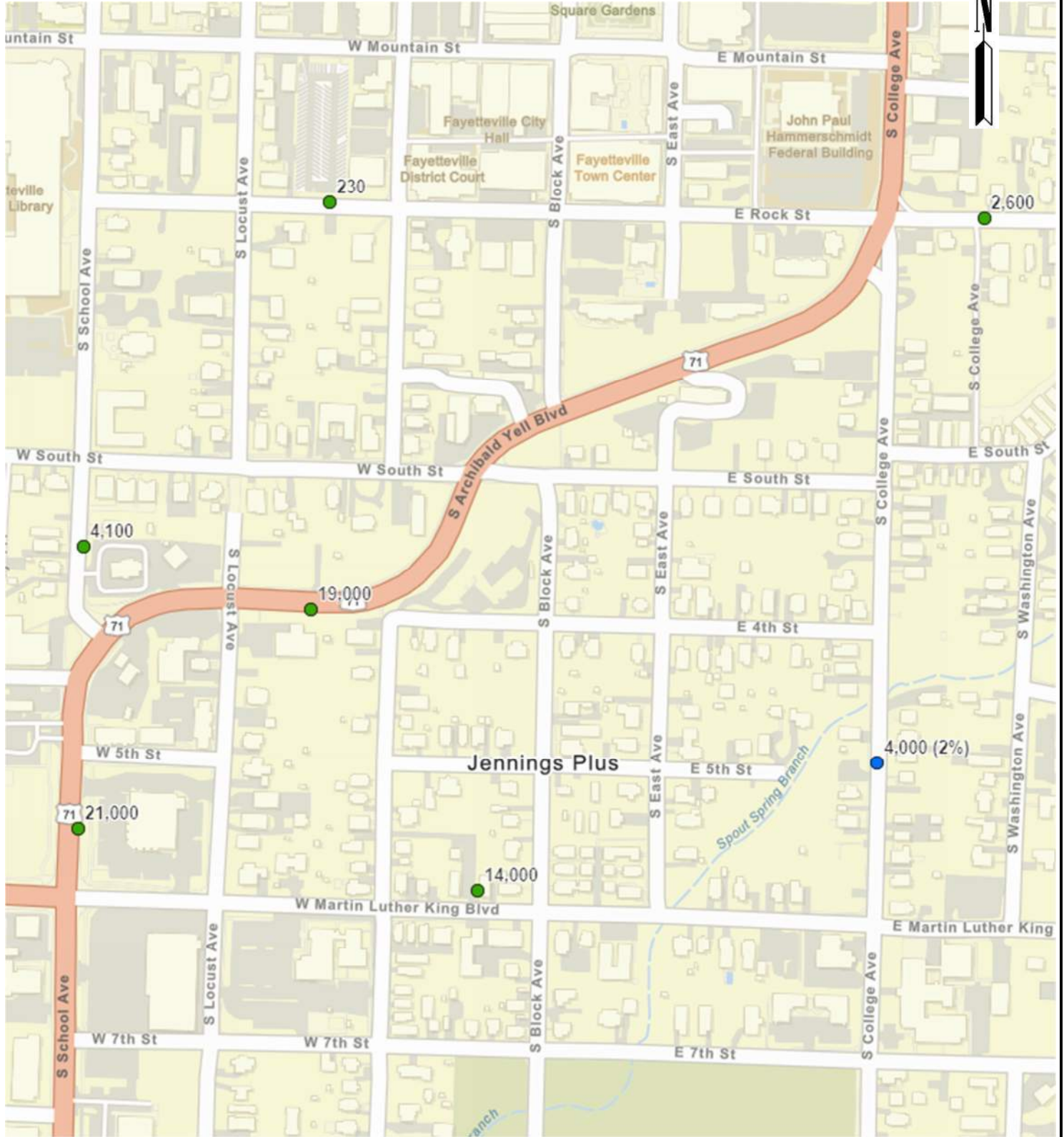
Traffic Engineering Consultants, Inc.

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ATTACHMENTS



FIGURE 1. Project Location Map
Nelson Hackett Multi-Family
Fayetteville, Arkansas



2022 ADT—Nelson Hackett Blvd

Fayetteville, Arkansas

Planning Commission

September 23, 2024

Downtown/Urban Street

Design Service Volume: Varies - Desired Operating Speed: 20-25 mph

The downtown (or urban) street section is intended to be used in Fayetteville's downtown core. Wide sidewalks, with separated furnishing/tree zones will be the standard. On-street parking is desirable and low-speed design should be encouraged to allow for maximum pedestrian comfort and utilization. Sight-lines at intersections should be protected from obstructions. Ideally, bicycles should be able to intermix with traffic safely and on-street protected bike facilities considered where traffic volumes or speeds exceed thresholds for all ages and abilities. Storm drainage infrastructure should have adequate depth or be offset to avoid conflicts with street tree plantings. Low-Impact Development (LID) features in green spaces are recommended best practices to incorporate alternative stormwater treatment techniques.

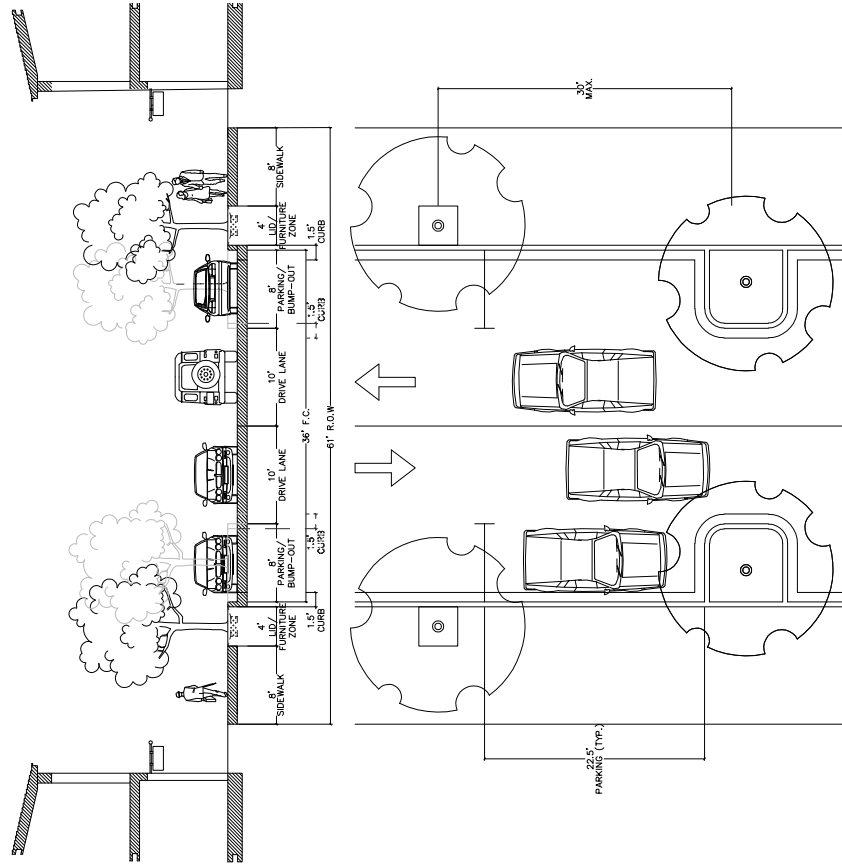


Figure 12.10 - Downtown/Urban Street

As determined by city staff, additional roadway elements may be required and include:

- An additional 2-ft frontage zone where buildings abut right-of-way. This may be accomplished with setbacks or additional right-of-way.
- If known or planned transit route, increase lane widths to 11-ft.

Alternative design elements may be approved administratively and include:

- Removal of the 8-ft parking lane or lanes to reduce the right-of-way by 16-ft will be considered when adequate parking is provided elsewhere.
- Sidewalk widths may be reduced to a minimum of 6-ft.
- Furniture zone may be reduced to 3-ft when determined appropriate by the Zoning and Development Administrator.
- Where bump-outs are used, the 4-ft furniture zone may be removed. Street trees may be planted behind sidewalk to meet requirements.
- Angled parking may be used with an additional amount of right-of-way as determined by the Zoning and Development Administrator. (79-ft Right-of-Way)

Example section (left) with parking on both sides.

Minimum Right-of-Way: 39-feet
Maximum Right-of-Way: 63-feet



	A	B	C	D	E	F	G	H
1		The Traffic Group, Inc.						
2		(800) 583-8411						
3		www.trafficgroup.com						
4								
5								
6				Station Name: 2024-0155				
7				Site ID:110000000155				
8				Station Num:000000101481				
9				Description: Nelson Hacket Blvd. btw Locust Ave. and W. South St.				
10				County: Washington				
11				Start Date/Time:02-01-2024 00:00				
12				End Date/Time:02-01-2024 23:59				
13								
14		Mean Speed	Standard Deviation	Total Vehicles	Sample Size	15th Percentile	50th Percentile	85th Percentile
15	Lane 1 (North)	33.56 MPH	4.05	7750	7750	30.08 MPH	33.41 MPH	38.13 MPH
16	Lane 2 (South)	34.51 MPH	4.08	8272	8272	30.66 MPH	34.55 MPH	38.95 MPH
17								

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R		
1				Station Name: 2024-0155																
2				Site ID:110000000155																
3				Station Num:000000101481																
4				Description: Nelson Hacket Blvd. btw Locust Ave. and W. South St.																
5				County: Washington																
6				Start Date/Time:02-01-2024 00:00																
7				End Date/Time:02-01-2024 23:59																
8																				
9																				
10	00:00		0	1	1	4	3	0	0	0	0	0	0	0	0	0	9	32.50		
11	00:15		0	0	1	1	3	1	1	0	0	0	0	0	0	0	6	35.83		
12	00:30		0	0	0	4	1	0	1	0	0	0	0	0	0	0	6	35.83		
13	00:45		1	1	1	0	2	0	0	0	0	0	0	0	0	0	5	27.00		
14	01:00		0	0	0	1	3	0	0	0	0	0	0	0	0	0	4	36.25		
15	01:15		0	0	0	1	1	0	0	0	0	0	0	0	0	0	2	35.00		
16	01:30		0	0	2	2	3	0	0	0	0	0	0	0	0	0	7	33.21		
17	01:45		0	0	2	6	1	1	0	0	0	0	0	0	0	0	10	33.00		
18	02:00		0	0	5	1	7	0	0	0	0	0	0	0	0	0	13	33.27		
19	02:15		0	0	0	2	0	0	0	0	0	0	0	0	0	0	2	32.50		
20	02:30		0	0	0	2	0	0	0	0	0	0	0	0	0	0	2	32.50		
21	02:45		0	0	0	3	2	0	0	0	0	0	0	0	0	0	5	34.50		
22	03:00		0	0	1	3	1	1	0	0	0	0	0	0	0	0	6	34.17		
23	03:15		0	0	1	3	0	0	0	0	0	0	0	0	0	0	4	31.25		
24	03:30		0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	37.50		
25	03:45		0	0	2	3	0	0	0	0	0	0	0	0	0	0	5	30.50		
26	04:00		0	1	3	5	5	2	0	0	0	0	0	0	0	0	16	33.75		
27	04:15		0	0	1	6	3	1	0	0	0	0	0	0	0	0	11	34.32		
28	04:30		0	0	0	4	2	0	1	0	0	0	0	0	0	0	7	36.07		
29	04:45		0	0	3	4	1	2	0	0	0	0	0	0	0	0	10	33.50		
30	05:00		0	0	0	7	3	0	0	0	0	0	0	0	0	0	10	34.00		
31	05:15		0	0	2	3	3	0	0	0	0	0	0	0	0	0	8	33.13		
32	05:30		0	0	5	7	6	1	0	0	0	0	0	0	0	0	19	33.29		
33	05:45		0	1	4	10	7	3	1	0	0	0	0	0	0	0	26	34.42		
34	06:00		0	1	0	18	11	2	0	0	0	0	0	0	0	0	32	34.53		
35	06:15		0	0	5	19	17	2	0	0	0	0	0	0	0	0	43	34.36		
36	06:30		0	2	8	35	27	4	0	0	0	0	0	0	0	0	76	34.01		
37	06:45		0	4	6	29	30	4	0	0	0	0	0	0	0	0	73	34.14		
38	07:00		0	0	4	32	47	2	0	0	0	0	0	0	0	0	85	35.26		
39	07:15		1	1	15	72	43	3	0	0	0	0	0	0	0	0	135	33.52		
40	07:30		0	3	21	85	39	3	0	0	0	0	0	0	0	0	151	33.10		
41	07:45		0	0	31	79	50	5	0	0	0	0	0	0	0	0	165	33.38		
42	08:00		1	0	12	73	49	7	0	0	0	0	0	0	0	0	142	34.14		
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44	08:30		0	5	19	59	23	8	1	0	0	0	0	0	0	0	115	33.07		
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46	09:00		1	0	4	52	27	4	0	0	0	0	0	0	0	0	88	34.01		
47	09:15		0	0	13	48	34	5	0	0	0	0	0	0	0	0	100	34.05		
48	09:30		1	1	18	55	26	8	0	0	0	0	0	0	0	0	109	33.30		
49	09:45		0	1	30	67	25	5	0	0	0	0	0	0	0	0	128	32.62		
50	10:00		1	1	9	64	32	9	1	0	0	0	0	0	0	0	117	34.10		
51	10:15		2	8	9	59	34	2	0	0	0	0	0	0	0	0	114	32.68		
52	10:30		0	3	29	58	31	2	2	0	0	0	0	0	0	0	125	32.74		
53	10:45		0	4	11	69	33	13	0	0	0	0	0	0	0	0	130	34.04		
54	11:00		0	1	14	74	55	5	0	0	0	0	0	0	0	0	149	34.14		
55	11:15		0	7	13	77	29	3	0	0	0	0	0	0	0	0	129	32.81		
56	11:30		0	2	8	54	46	6	1	0	0	0	0	0	0	0	117	34.59		
57	11:45		0	1	22	42	4	0	0	0	0	0	0	0	0	0	142	33.42		
58	12:00		0	2	14	73	44	2	1	1	0	0	0	0	0	0	137	33.85		
59	12:15		0	2	14	79	44	6	0	0	0	0	0	0	0	0	145	33.81		
60	12:30		0	2	13	66	52	8	0	0	0	0	0	0	0	0	141	34.31		
61	12:45		0	0	20	76	51	4	1	0	0	0	0	0	0	0	152	33.88		
62	13:00		1	2	17	72	51	5	0	1	0	0	0	0	0	0	149	33.83		
63	13:15		0	2	27	59	27	8	0	0	0	0	0	0	0	0	123	32.99		
64	13:30		0	2	13	72	45	3	0	0	0	0	0	0	0	0	135	33.76		
65	13:45		0	1	29	65	52	5	0	0	0	0	0	0	0	0	152	33.52		
66	14:00		0	2	19	91	34	6	0	0	0	0	0	0	0	0	152	33.26		
67	14:15		0	0	21	73	26	1	0	0	0	0	0	0	0	0	121	32.79		
68	14:30		0	1	22	60	48	6	0	0	0	0	0	0	0	0	137	33.81		
69	14:45		1	3	10	65	41	5	0	0	0	0	0	0	0	0	125	33.72		
70	15:00		0	2	16	82	55	2	0	0	0	0	0	0	0	0	157	33.74		
71	15:15		0	3	13	77	36	1	1	0	0	0	0	0	0	0	131	33.34		
72	15:30		2	2	16	96	42	6	0	1	0	0	0	0	0	0	165	33.38		
73	15:45		0	0	10	99	57	9	1	0	0	0	0	0	0	0	176	34.43		
74	16:00		1	2	18	74	40	6	0	0	0	0	0	0	0	0	141	33.40		
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76	16:30		0	1	16	90	30	8	1	0	0	0	0	0	0	0	146	33.56		
77	16:45		0	0	15	71	44	5	0	0	0	0	0	0	0	0	135	33.94		
78	17:00		1	0	14	77	43	8	0	0	0	0	0	0	0	0	143	33.92		
79	17:15		0	1	23	84	33	6	0	0	0	0	0	0	0	0	147	33.18		
80	17:30		0	1	23	84	33	5	0	0	0	0	0	0	0	0	146	33.12		
81	17:45		0	0	37	58	21	2	0	0	0	0	0	0	0	0	118	31.99		
82	18:00		1	8	12	60	27	4	0	1	0	0	0	0	0	0	113	32.79		
83	18:15		0	5	20	55	31	2	0	0	0	0	0	0	0	0	113	32.72		
84	18:30		0	3	11	62	35	3	0	0	0	0	0	0	0	0	114	33.55		
85	18:45		0	0	8	55	33	1	0	0	0	0	0	0	0	0	97	33.89		
86	19:00		0	0	13	55	20	1	0	0	0	0	0	0	0	0	89	33.01		
87	19:15		0	0	11	44	16	3	0	0	0	0	0	0	0	0	74	33.24		
88	19:30		0	0	11	45	15	4	0	0	0	0	0	0	0	0	75	33.30		
89	19:45		0	1	20	54	11	1	0	0	0	0	0	0	0	0	87	31.98		
90	20:00		0	0	10	39	27	1	0											

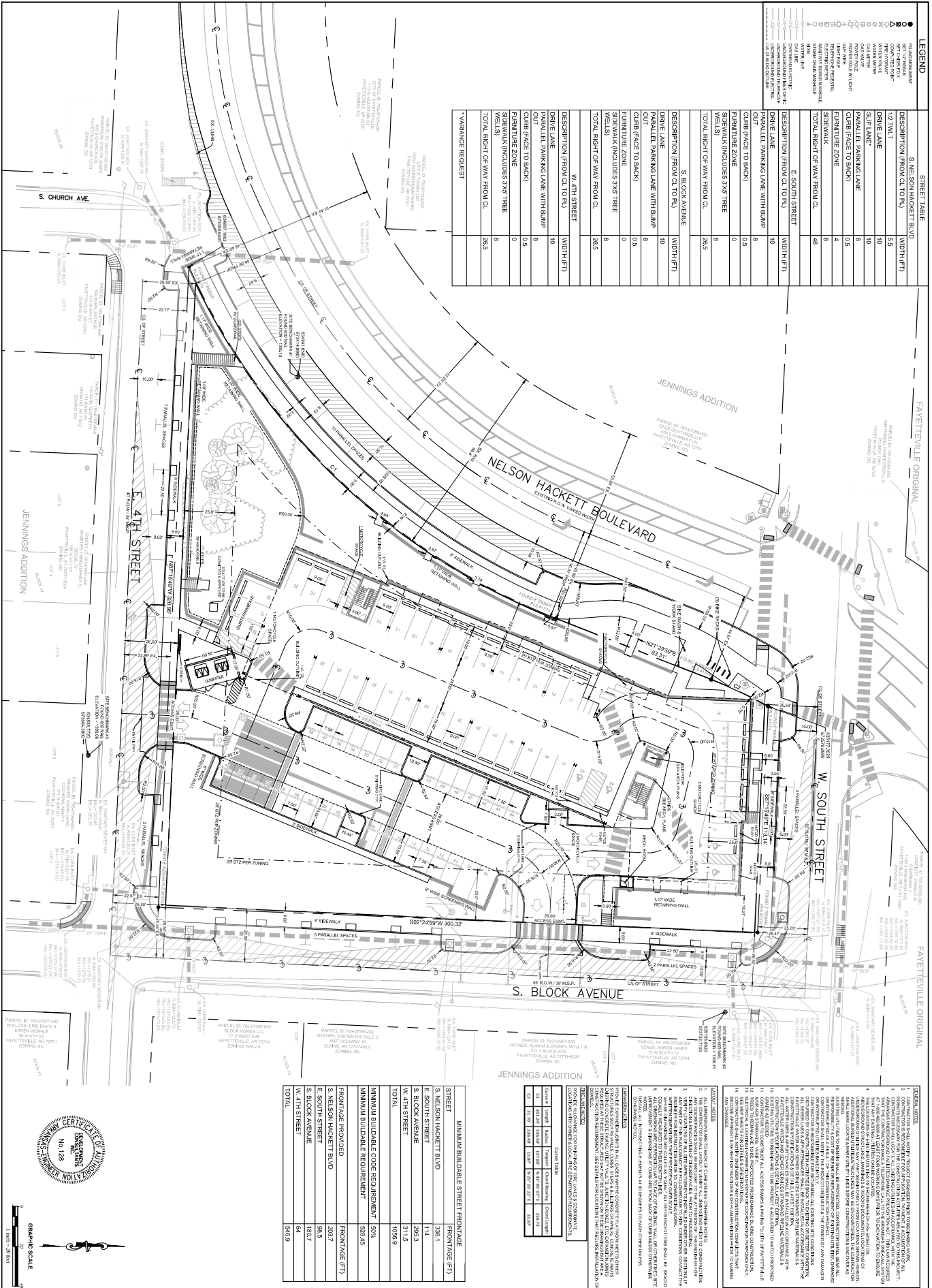












DEVELOPMENT

CONSULTANTS

INCORPORATED

URBAN LOFTS AT NELSON HACKETT

FAYETTEVILLE, ARKANSAS

SITE PLAN LVL 00

Planning Commission

September 23, 2024

LSD-2024-0011 (URBAN LOFTS AT NELSON HACKETT)

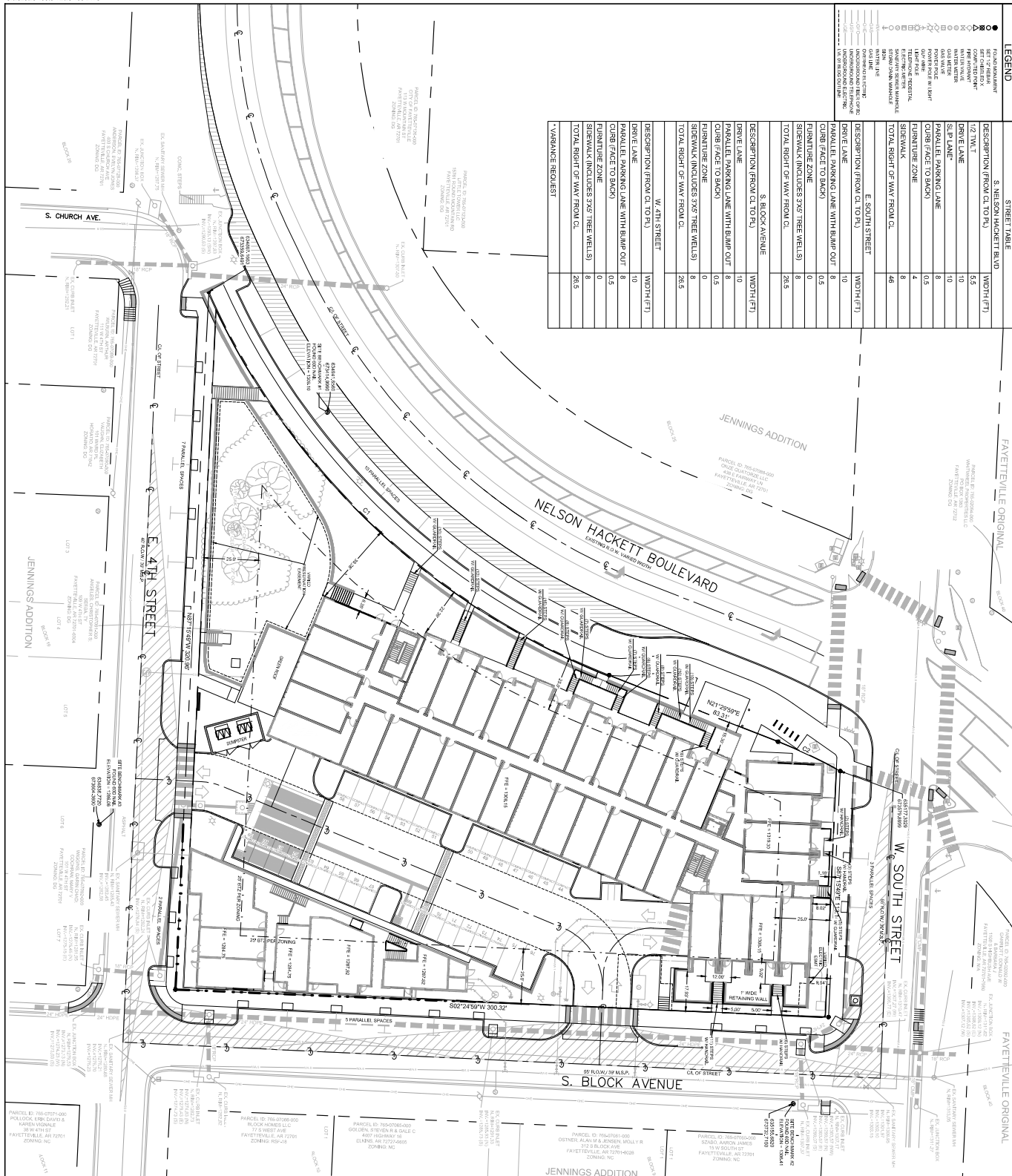
C2.01

23-196

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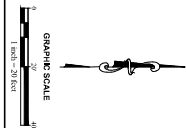
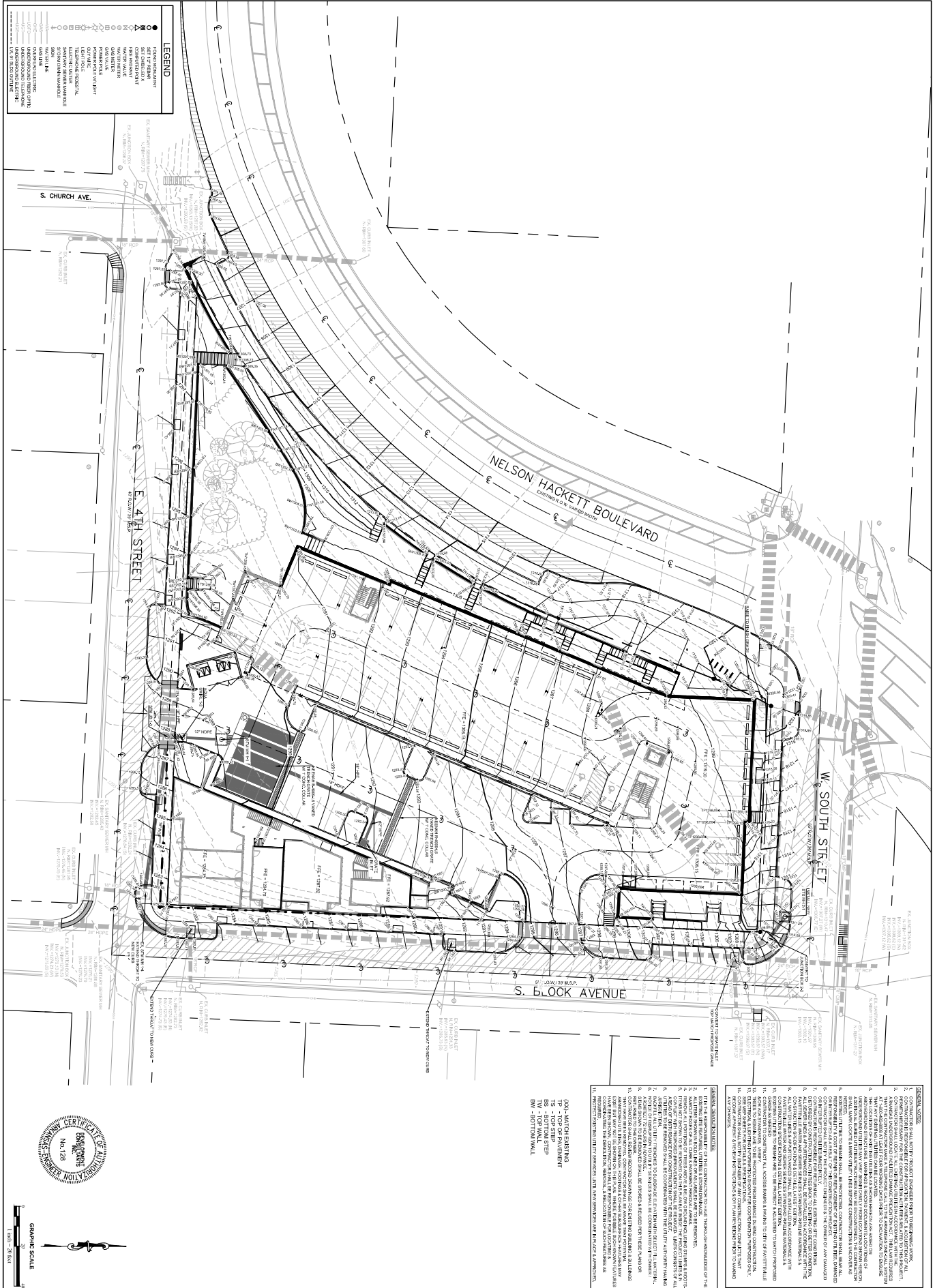
[illegible]

DESCRIPTION FROM LOT TO PL	WIDTH (FT)
8. BLOCK VENEUE	
DRIVE LANE	10
PARKING, PARKING LANE WITH BUMP OUT	8
CURB (FACED TO BACK)	0.5
DRIVE LANE	0
CURB (FACED TO BACK)	0
SIDEWALK (INCLUDES 3'x6" TREE WELLS)	8
2.2. RIGHT OF WAY FROM CL	26.5
W. 4TH STREET	
DESCRIPTION FROM LOT TO PL	WIDTH (FT)
DRIVE LANE	10
PARKING, PARKING LANE WITH BUMP OUT	8
CURB (FACED TO BACK)	0.5
DRIVE LANE	0
SIDEWALK (INCLUDES 3'x6" TREE WELLS)	8
2.2. RIGHT OF WAY FROM CL	26.5
VARIANCE REQUEST	

[illegible]

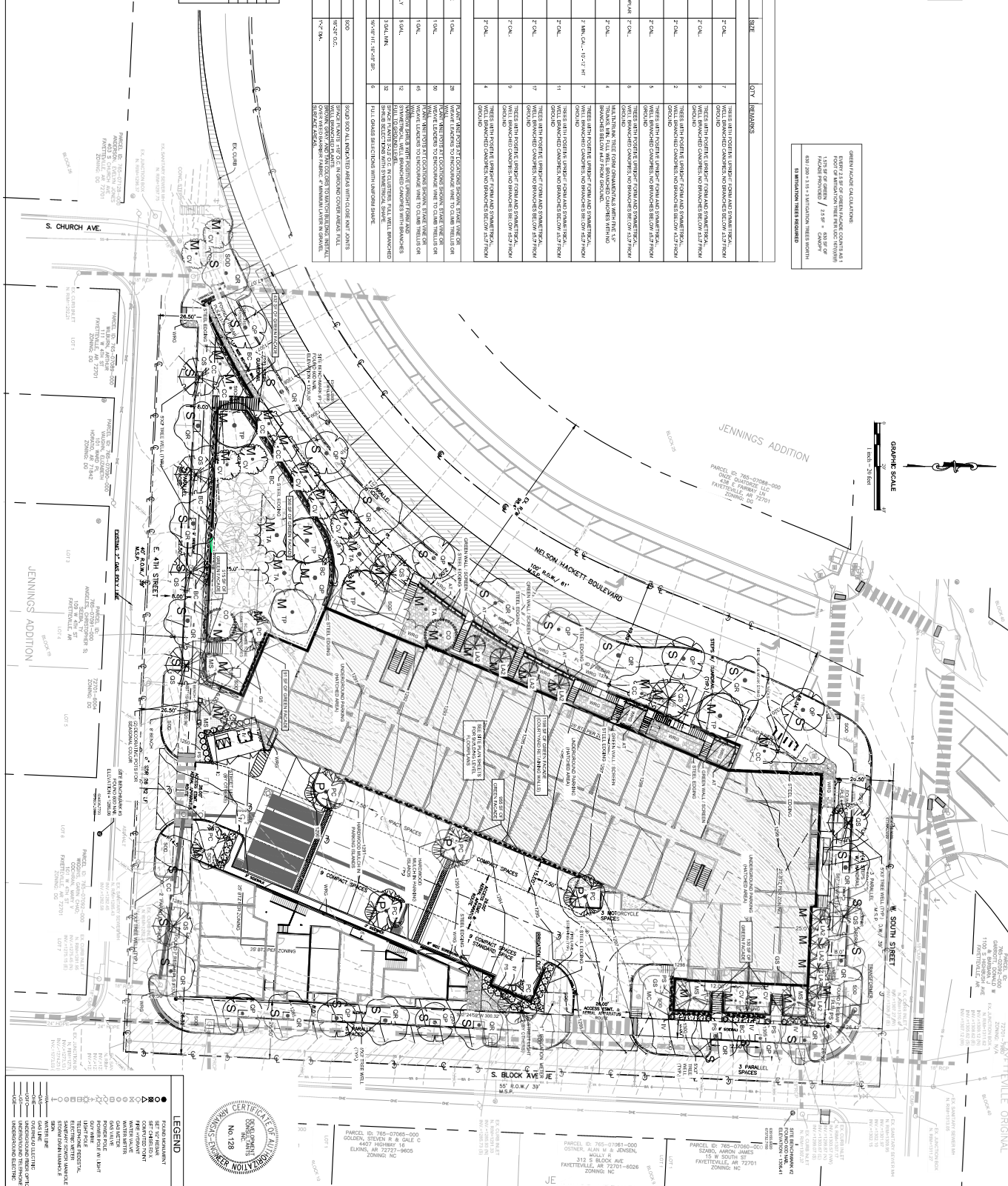
MINIMUM BUILD-OUT STREET FRONTAGE	
STREET	FRONTAGE (F')
S. NELSON HACKETT BLVD	336.1
E. SOUTH STREET	114
S. BLOCK AVENUE	205.3
W. 4TH STREET	311.5
TOTAL	1056.9
MINIMUM BUILD-OUT CODE REQUIREMENT	
MINIMUM BUILD-OUT REQUIREMENT	50% 528.45
FRONTAGE PROVIDED	
S. NELSON HACKETT BLVD	263.7
E. SOUTH STREET	96.5
S. BLOCK AVENUE	160.7
W. 4TH STREET	64
TOTAL	546.9

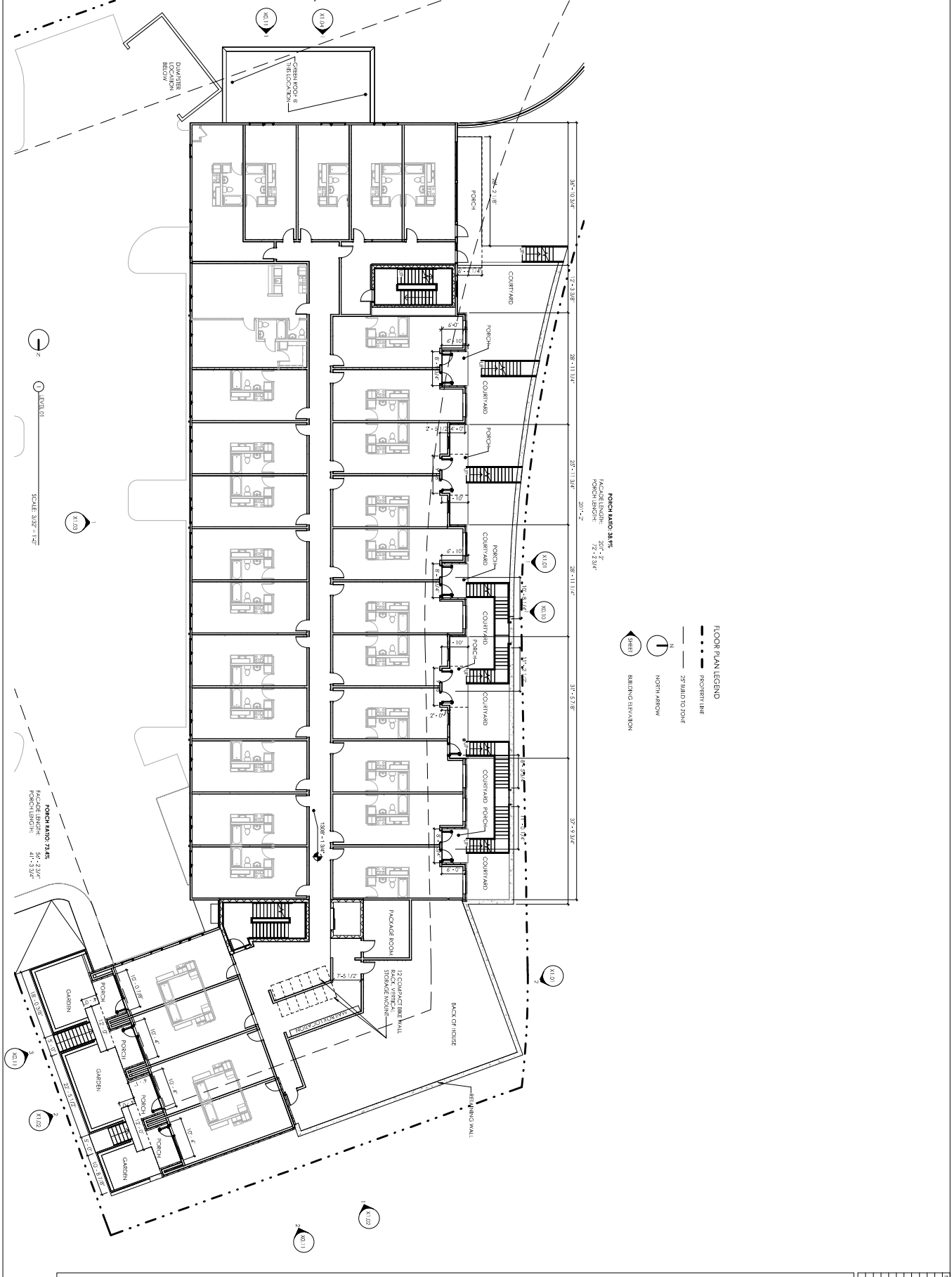




[illegible]

GREEN/FACADE CALCULATIONS:
 EVERY 2.5 SF OF GREEN FACADE COUNTS AS 1
 FOOT OF MITIGATION TREE PER LDC 16M10(P)(9)
 1,575 SF OF GREEN / 2.5 sf = 630 SF OF
 FACADE PROVIDED CANOPY
 630 / 200 = 3.15 = 3 MITIGATION TREES WORTH
 53 MITIGATION TREES REQUIRED





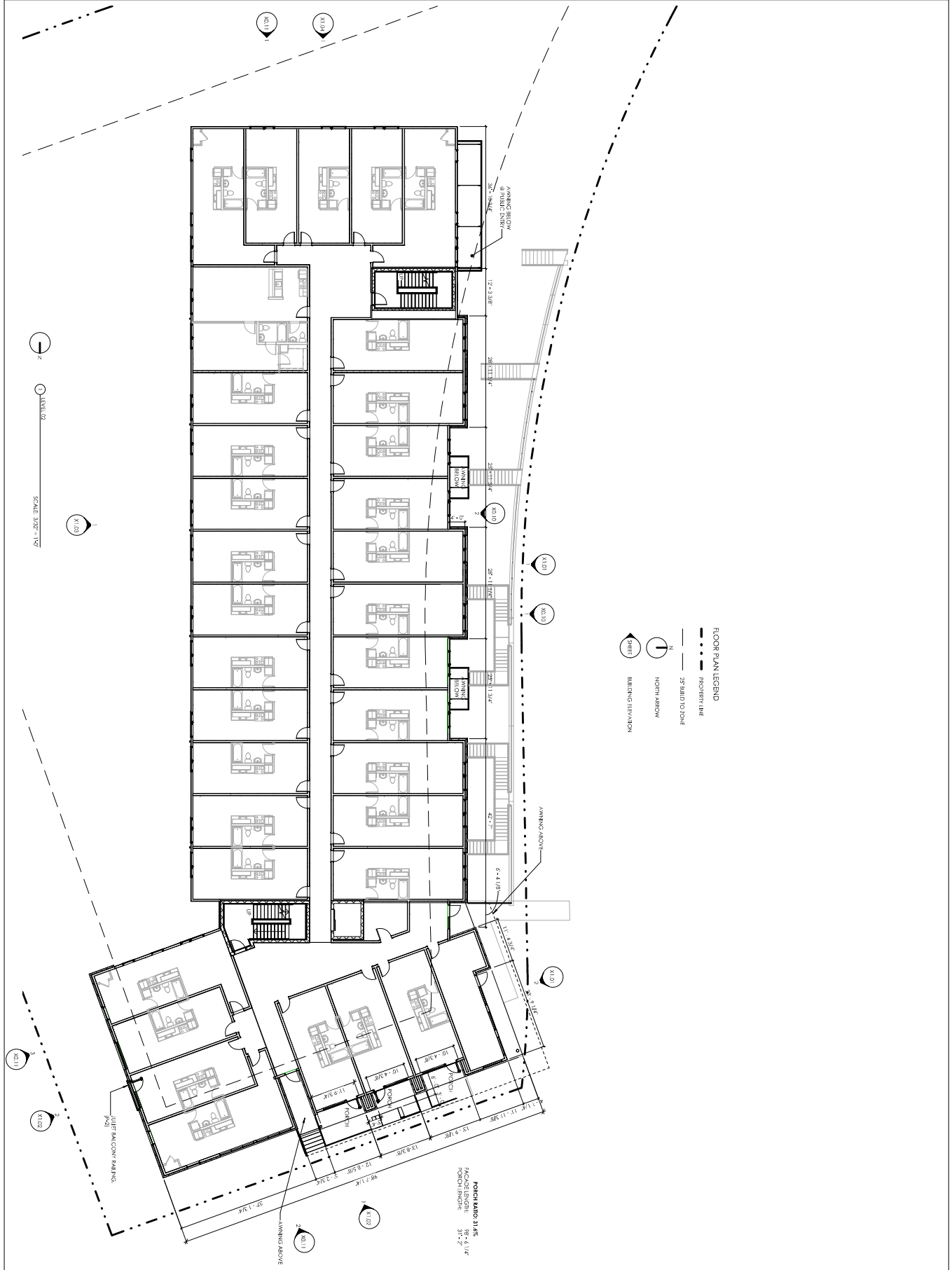
A1.11

CITY SUBMISSION 05
09.03.2024
23.12
FIRST FLOOR PLAN

URBAN LOFTS @ NELSON HACKETT

NOT FOR
CONSTRUCTION

Planning Commission
September 23, 2024



A1.12

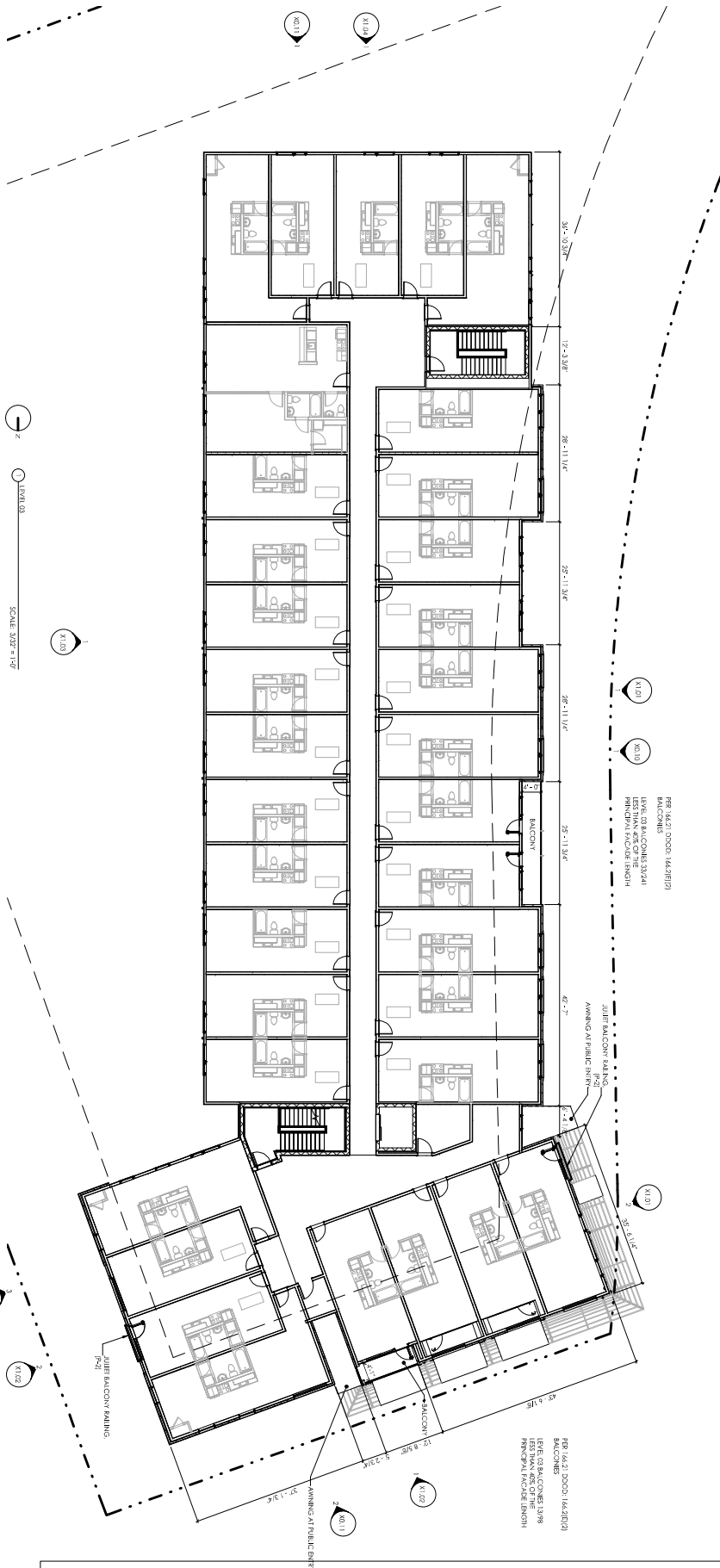
CITY SUBMISSION 05
23.12
09.03.2024
SECOND FLOOR PLAN

URBAN LOFTS @ NELSON HACKETT

NOT FOR
CONSTRUCTION

Planning Commission
September 23, 2024

arch+craft architects
1017 COLLEGE AVENUE
SUITE 100
VANCOUVER, BC
V6E 1A7
604.681.3324



FLOOR PLAN LEGEND
- - - - - PROPERTY LINE
- - - - - 2' BUILD TO ZONE
N
NORTH ARROW
BUILDING ELEVATION
SHEET

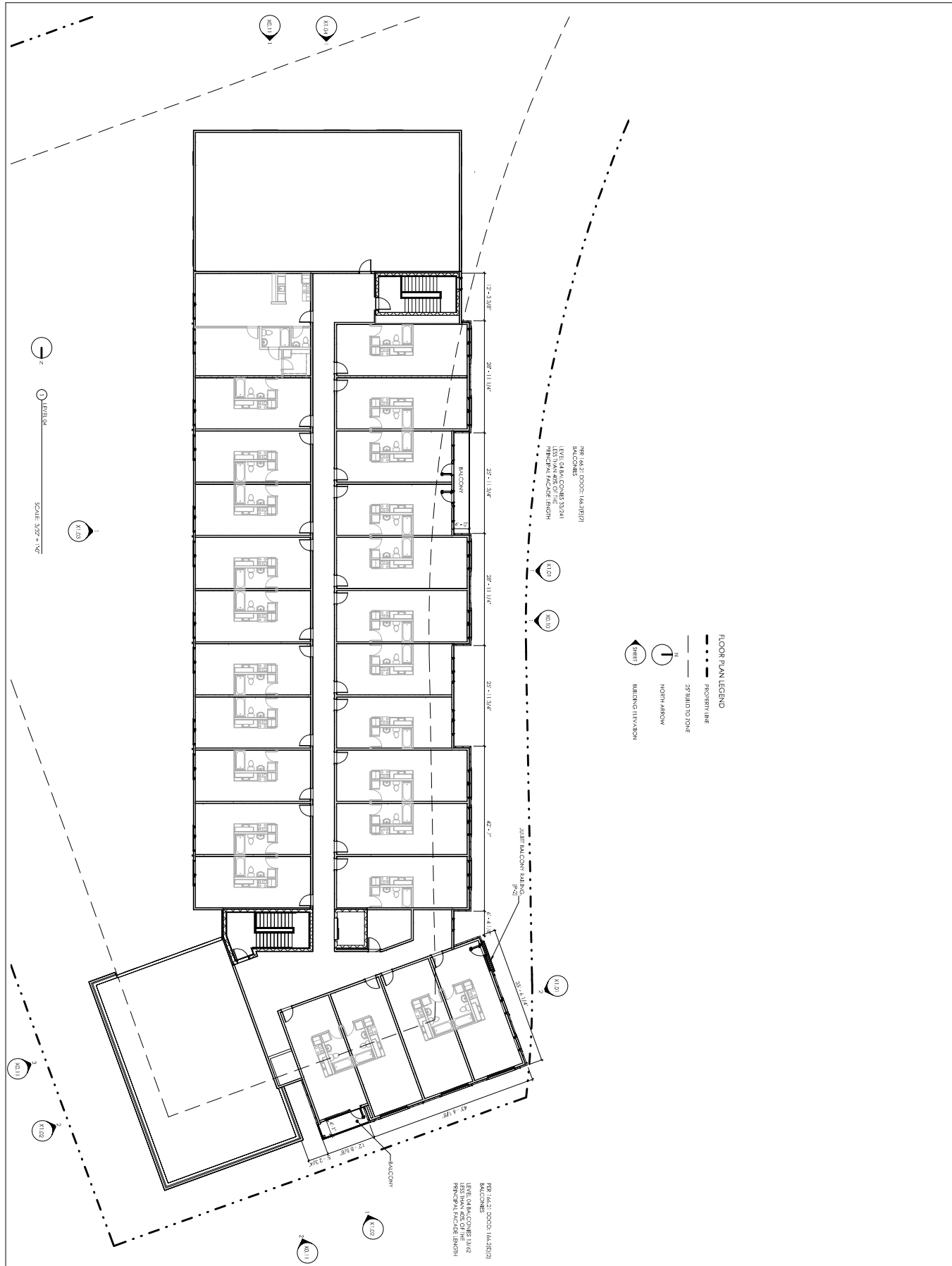
CITY SUBMISSION 05
23.12
09.03.2024
THIRD FLOOR PLAN

URBAN LOFTS @ NELSON HACKETT

A1.13

NOT FOR
CONSTRUCTION

Planning Commission
September 23, 2024



NOT FOR
CONSTRU

Planning Commission
September 23, 2024

LSD-2024-0011 (URBAN LOFTS AT NELSON HACKETT) Page 98 of 492

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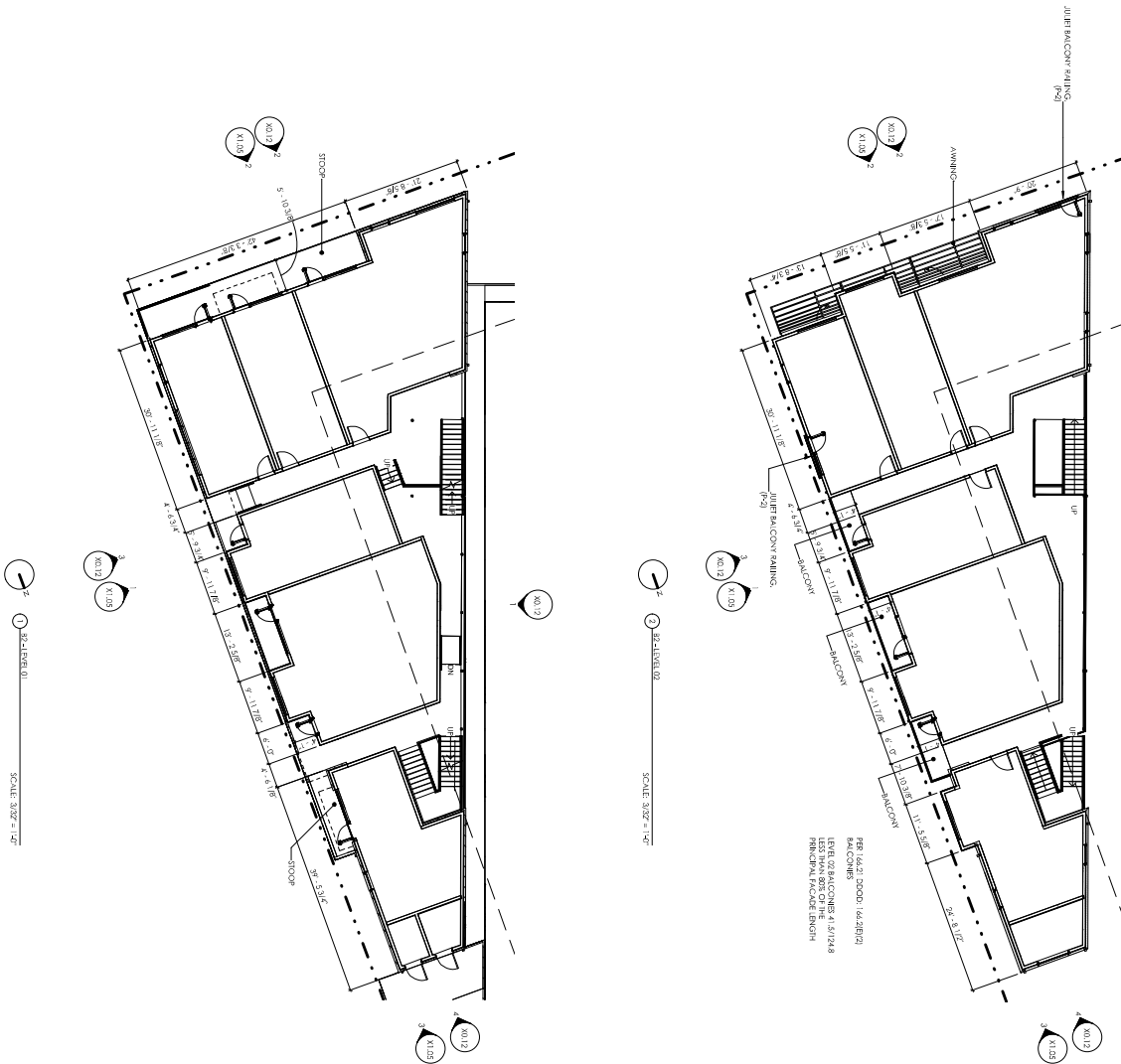
URBAN LOFTS @ NELSON HACKETT

CITY SUBMISSION 05
23.12
09.03.2024
FOURTH FLOOR PLAN

A1.14

Commission
r 23, 2024
Page 0

FLOOR PLAN LEGEND
- - - - - PROPERTY LINE
- - - - - 25' BUILD TO ZONE
N
NORTH ARROW
BUILDING ELEVATION



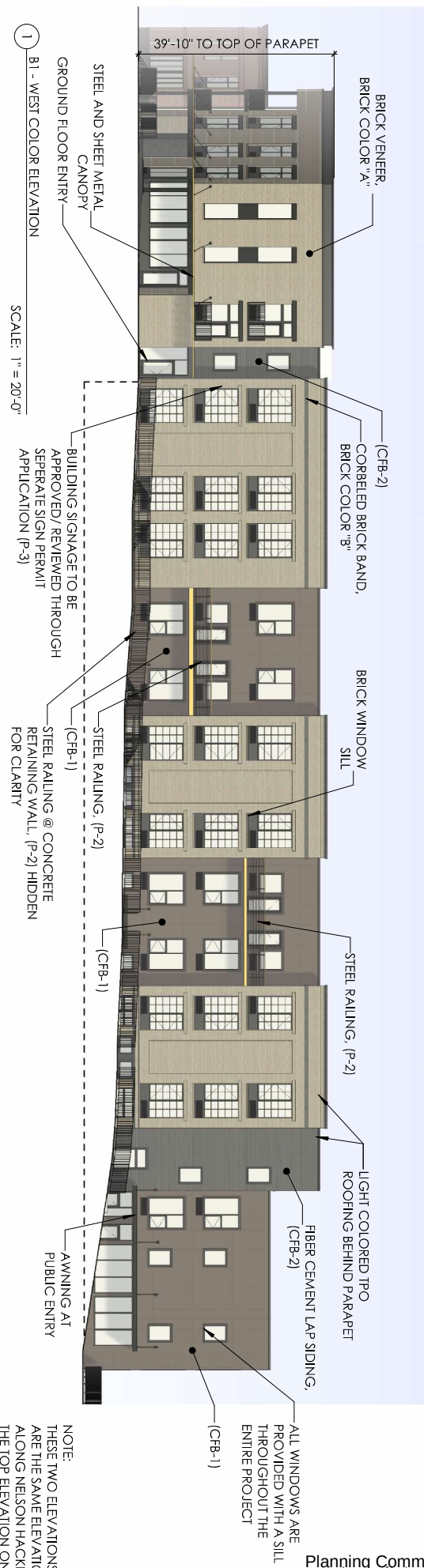
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CITY SUBMISSION 05
23.12
09.03.2024
B2 - FLOOR PLANS

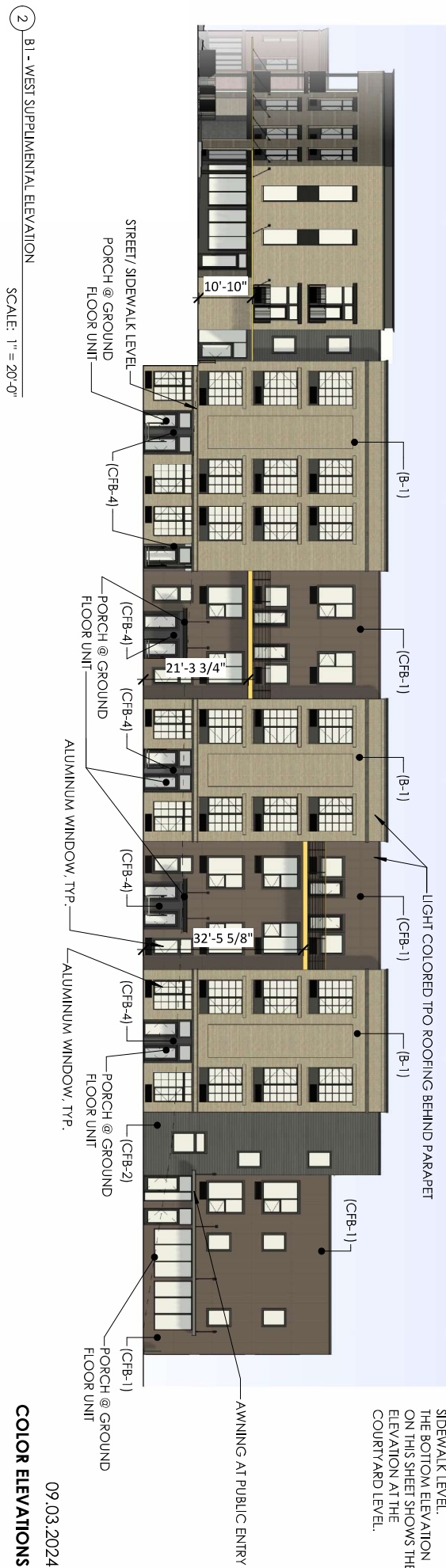
URBAN LOFTS @ NELSON HACKETT

NOT FOR
CONSTRUCTION

Planning Commission
September 23, 2024



Planning Commission
 September 23, 2024
 T NELSON HACKLEY
 Page 100 of 492
 Page 58 of 151



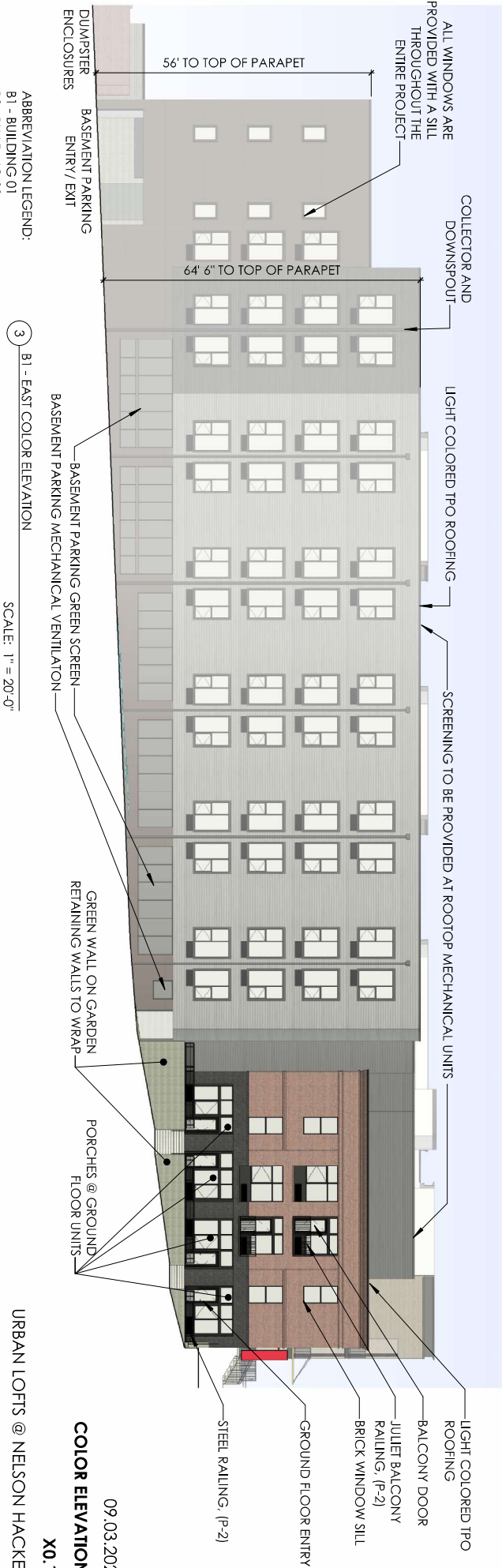
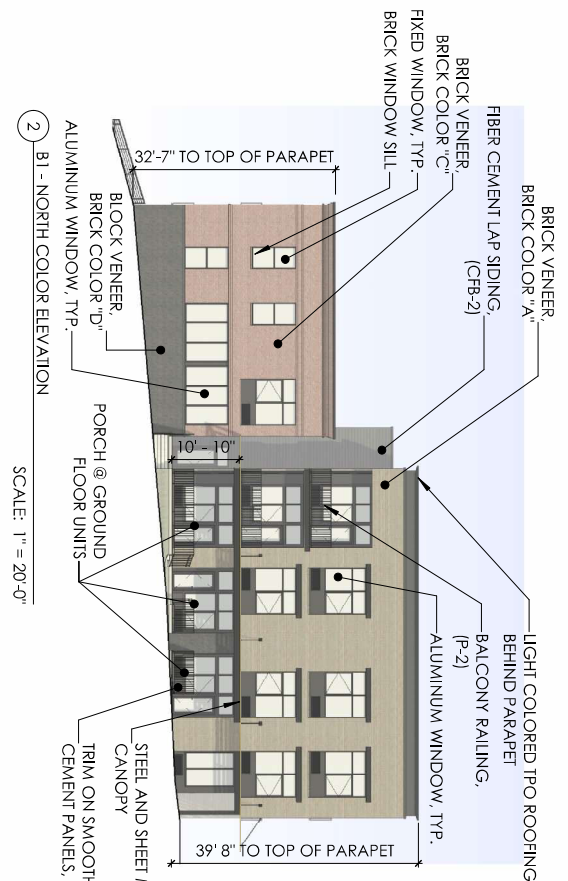
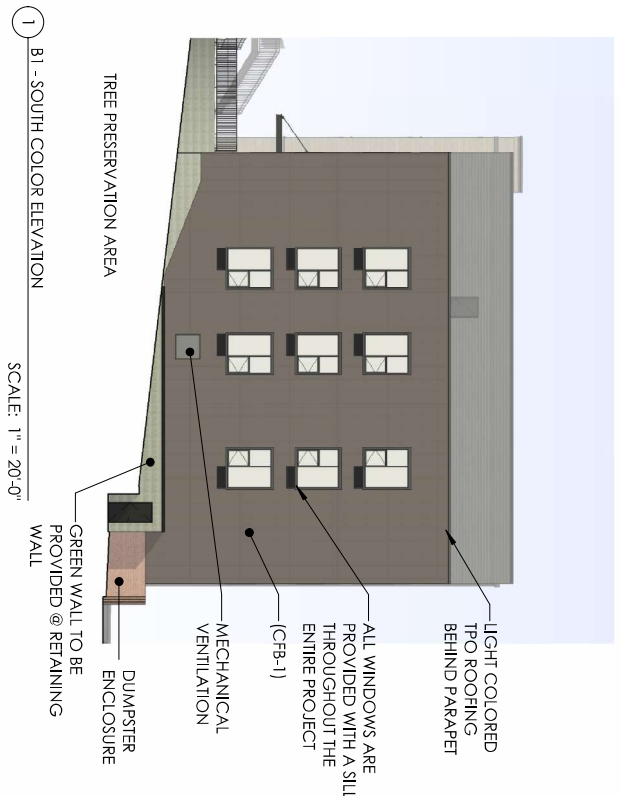
ABBREVIATION LEGEND:
B1 - BUILDING 01
B2 - BUILDING 02

URBAN LOFTS @ NELSON HACKETT

COLOR ELEVATIONS

09.03.2024

X0.10



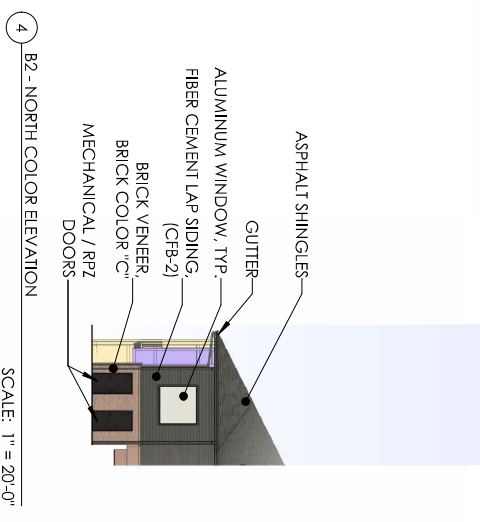
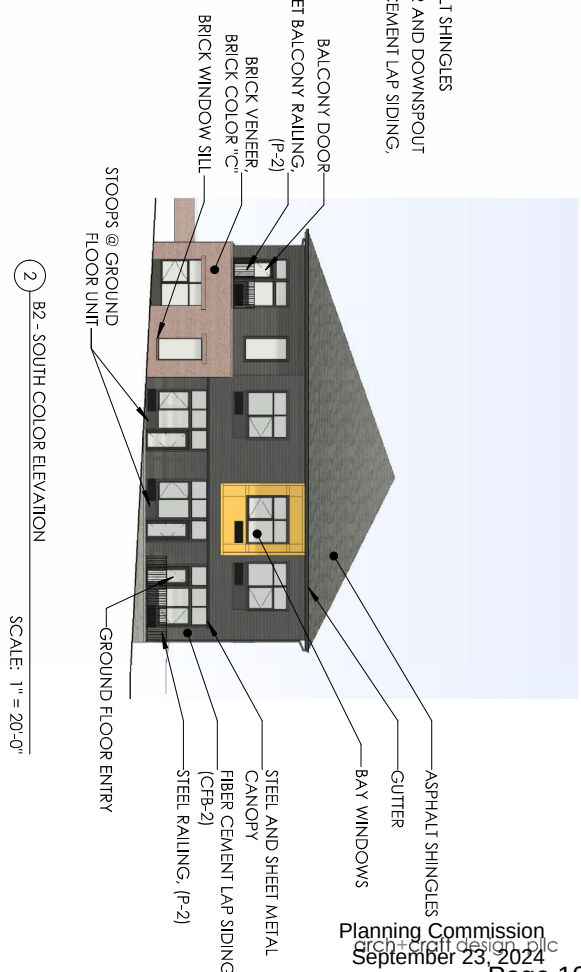
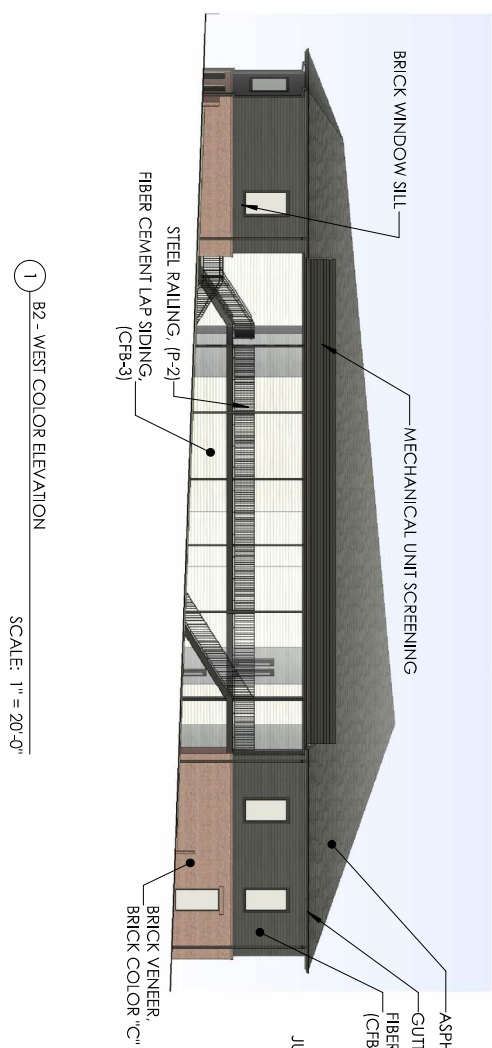
ABBREVIATION LEGEND:
B1 - BUILDING 01
B2 - BUILDING 02

3 B1 - EAST COLOR ELEVATION

SCALE: 1" = 20'-0"

URBAN LOFTS @ NELSON HACKETT

09.03.2024
COLOR ELEVATIONS
X0.11



ABBREVIATION LEGEND:
B1 - BUILDING 01
B2 - BUILDING 02

09.03.2024

COLOR ELEVATIONS

X0.12

URBAN LOFTS @ NELSON HACKETT



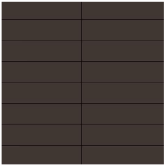
B-1
BRICK
DOVE GRAY, BRICK TYPE "A"
BANDING, HEADER, SILL



B-2
BRICK
SLATE GRAY, BRICK TYPE "B"
BANDING, HEADER, SILL



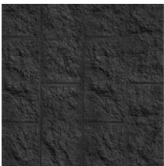
B-3
BRICK
VILLAGE, BRICK TYPE "C"
BANDING, HEADER, SILL



CFB-1
FIBER CEMENT PANEL
VERTICAL PATTERN
PANEL COLOR - PA944



C-1
CAST-IN-PLACE
CONCRETE STEPS



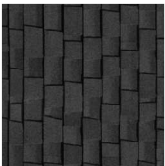
B-4
BLOCK
SPLIT-FACE CMU



CFB-2
FIBER CEMENT LAP SIDING



P-2
GREEN SCREEN
@ SELECTED CONCRETE
RETAINING WALLS



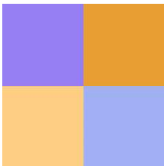
AS-1
ASPHALT SHINGLE ROOFING
SLATE GRAY



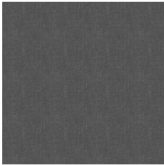
CFB-3
FIBER CEMENT LAP SIDING



P-2
METAL RAILINGS AND TRIM
MISC. METALS
ALUMINUM WINDOWS
SHERWIN WILLIAMS
IRON ORE SW7069



P-4
ACCENT COLORS



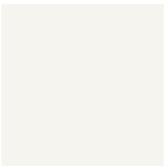
CFB-4
FIBER CEMENT PANEL w/ TRIM
SOLID GRAY



P-3
ACCENT COLOR 01
SHERWIN WILLIAMS
NUGGET SW6697



CFB-5
FIBER CEMENT LAP SIDING
LIGHT GRAY



TPO -1
LIGHT COLORED TPO

Wonsower, Donna

From: Alan Ostner <alan@drainagedoctornwa.com>
Sent: Monday, September 16, 2024 3:20 PM
To: Wonsower, Donna
Subject: Re: Urban Lofts

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks for the review Donna. I'm amazed the giant pit in the ground next to the soon-to-be point of pride for Fayetteville Nelson Hackett meets downtown design standards. Seems like a real design drawback to me, promoting folks to feel uneasy and making pedestrians not want to go near it and all the fire-rated safety stairs they are putting there.

Best,

Alan Ostner, ASLA, PLA
DRAINAGE DOCTOR NWA, PLLC
Licensed Landscape Architect
Ark. LA License #5204
Ark. Contractor's Lic. #0428970724
BSA Scoutmaster
Member: Ark. Better Business Bureau
Member: Ark. Master Gardeners
Member: Ark. Native Plant Society Education Committee
C: 479.387.7900
W: www.drainagedoctornwa.com
E: alan@drainagedoctornwa.com

I reply to texts and emails from 7am-7pm M-F and 7am-noon Saturdays

On Mon, Sep 16, 2024 at 3:02 PM Wonsower, Donna <dwonsower@fayetteville-ar.gov> wrote:

Alan,

Based on a review of the plans, several units were combined to make larger units (16 -> 8) and one floor of the southeast building was removed entirely. Updated renderings are still in progress and I anticipate receiving those prior to agenda session on Thursday.

Best Regards,

Donna Wonsower, AICP

Planner, Development Services

Wonsower, Donna

From: Alan Ostner <alan@drainagedoctornwa.com>
Sent: Wednesday, September 18, 2024 12:23 PM
To: Alan Ostner; Wonsower, Donna
Subject: Vote against Urban Lofts

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Fayetteville Planning Commissioners,

I am writing today to request you **vote against the Urban Lofts proposal** LSD 2024-011 as it is currently being presented. There are many traffic dangers to this project as well as a long list of exceptions to Fayetteville's own development codes. It's way too much of a good thing.

1) National Highway data Bureau of Transportation Statistics shows 6 vehicle trips per day is the average for NWA from a residence. Even with the reduced project size to 138, this equals an average of 828 added vehicle trips per day from this project on our historic, narrow streets! Our streets are already crowded, with lots of kids, elderly walking pets, visitors trying to park, cars attempting to not block each other's mailboxes & trash cans on pickup day, etc. Common sense tells us **this is compounding a dangerous traffic situation** and is grounds for voting no.

2) What's with the **pit in the ground along Nelson Hackett** for this project? I'm stunned this pit meets the thorough, careful Downtown Fayetteville Design code. Huge efforts are going into making Nelson Hackett more prominent and safer with the recent Road Diet (reducing from 4 lanes to 3), and the awesome stoplight at South street intersection, and future trees and nice sidewalks planned. Now a pit in the ground along this project frontage? Folks will feel nervous and uncertain walking along there not sure of what's going on down there. Completely opposite of the beautiful streetscape with street-level shops we have all seen drawn up by the city vision over the last 20 years. This pit is a poor addition to the neighborhood and Nelson Hackett Drive. It pulls the neighborhood and the town down instead of bringing us up.

3) The mountain matters. This project is well-suited for a flat site, clearly seen by the pit needed to make the steep lot "flat" for the buildings. This **project does not respond or adapt to the steep site** at all, only creates more problems attempting to fight the mountain they are choosing to develop on. The long list of variances, which do not require approval, are proof that they are attempting to put too much on this site. Many other projects would fit nicely here at a lower 60 units per acre density: condos, townhomes, triplexes. These would still provide the much-needed increase in housing.

4) The **lack of 100 parking spots** for the project will be an enormous problem and traffic danger to this fragile neighborhood. Many of us don't have driveways and park on the street even today! We will be swamped with folks constantly looking for on-street parking. This isn't Boston or NYC. It's truly fantasy-land to think folks will rent the Urban Loft units without having a car.

5) Where is the buffer zoning? The DG zoning for Urban Lofts at 106 units per acre is massive! The established neighborhood is zoned NC at 10 units per acre. Good planning places a buffer between intensive uses and residential uses. Keep the Urban Lofts project to 40-60 units and it will all work safely.

We can all have it both ways, with multi-family and keeping the neighborhood intact. **Since there's no buffer zoning this project needs to be the buffer.** Ask the developer to lower the scale of Urban Lofts to prevent a traffic disaster.

6) This project is **killing the goose that laid the golden egg!** This neighborhood is experiencing a complete revival, thanks in part to the City's vision with the 2008 Walker Plan. That plan gave us the Neighborhood Conservation zoning and was the rocket that got us all headed in the right direction. Many folks are using gentle density, one property at a time, to revive this area. It's working! The Urban Lofts project will run out the folks who have worked hard to make this place special. Vote against this project to keep the success going.

Thanks for your time and efforts on this important city board.

Best,

Alan Ostner, ASLA, PLA
DRAINAGE DOCTOR NWA, PLLC
Licensed Landscape Architect
Ark. LA License #5204
Ark. Contractor's Lic. #0428970724
BSA Scoutmaster
Member: Ark. Better Business Bureau
Member: Ark. Master Gardeners
Member: Ark. Native Plant Society Education Committee
C: 479.387.7900
W: www.drainagedoctornwa.com
E: alan@drainagedoctornwa.com

I reply to texts and emails from 7am-7pm M-F and 7am-noon Saturdays

Wonsower, Donna

From: Cynthia King <cmeking1966@gmail.com>
Sent: Sunday, August 11, 2024 9:58 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Project #LSD-2024-0011

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission:

We have resided in South Fayetteville, one block from LSD-2024-0011, for the last 24 years and have serious concerns regarding the project.

Over the years, we have witnessed bottlenecks created by cars parked on both sides of the streets which, on more than one occasion, have caused great difficulty for residents, garbage- and firetrucks and emergency personnel trying to reach their destinations. We are a neighborhood with active families who have small children who often play on or near these streets. The addition of at least 163 new residents with their vehicles increases the likelihood of cases of traffic endangerment in an area zoned as Neighborhood Conservation.

We are looking to the Planning Commission to support desirable development in our neighborhood and throughout the city, aligned with the values of livability, walkability, and a focus on arts, culture, and entertainment, as the Fayetteville Master Plan outlines. The scale and design of the proposed apartment complex make it unsuitable for this location. And while we understand the need for more housing in our growing city, the safety of Fayetteville's citizens and their right to a high quality of life should not be sacrificed.

Sincerely,
Cindy King and Jared Pebworth

Wonsower, Donna

From: Erik Pollock <epolloc@gmail.com>
Sent: Wednesday, September 18, 2024 1:37 PM
To: Wonsower, Donna
Subject: Fwd: 4th and block development

Follow Up Flag: Follow up
Flag Status: Flagged

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----- Forwarded message -----

From: Erik Pollock <epolloc@gmail.com>
Date: Sun, Sep 15, 2024 at 4:00 PM
Subject: 4th and block development
To: <brad.payne@fayetteville-ar.gov>

Dear Sir,

There is a large high density development planned for the corner of 4th and Block streets. The proposal would be for 140-170 units. While there is hope to develop the site, the neighborhood lacks the infrastructure to safely accommodate such a development.

The lack of parking by the proposed development will cause a significant spill over into the surrounding community. Parking which is already stressed by current infill. The community has become a near model for Fayetteville. On my block alone, 2 houses have been razed and 5 houses have been built; proving that the infill policies are working.

However, the addition of 150 units with only 50% parking will radically change that. The current dog, child and person walkable neighborhood will likely be transformed into a commuter zone with a hellscape of parking.

The developer has asked for several variances. Firstly, the parking spot count includes spaces that already exist. The proposed parking on 4th and block are used regularly and would not be "invented" by the proposed development. Second, the proposed development is not within 1/4 mile of any public transportation. Yes if I could fly to the bus stop; it is, but if I could fly why do I need a bus? Thirdly, the suggestion that providing a bike or scooter parking is in any way a substitute for car parking is incorrect. Arkansas motor vehicle registrations per licensed driver is ~1.5

In short, this is the wrong development in the wrong place. I urge you to reject the proposal for safety, community development and civic pride

Erik Pollock
38 w 4th st

Wonsower, Donna

From: Franklin Evarts <fevarts56@gmail.com>
Sent: Wednesday, September 18, 2024 10:36 AM
To: Wonsower, Donna
Subject: Urban Loft Project

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Donna,

My wife Louise and I live at 11 West South street, about 100 yards from the proposed Urban Lofts project. We have lived in our home for 40 years. We remain very concerned about the size of the project. On the street parking and pedestrian safety remain big concerns for us. There is a lot of pedestrian traffic on our street , bikes, parents walking with young children and people just strolling. Many of the homes in our wonderful little neighborhood have no driveways,(like our home), and on the street parking is our only choice. A development this size will severely tax these older small streets.

I am also concerned about the strain on the old infrastructure in this part of town. The city has repaired leaks in the water/ sewer mains on West South at least 3 times in the past year or so. We are not against development of this property. It's just the size of the proposal. It just doesn't fit. Thank you very much for your time and service to Fayetteville and your consideration of our concerns,

Franklin Evarts and Dr. Louise Rozier

Wonsower, Donna

From: Franklin Evarts <fevarts56@gmail.com>

Sent: Wednesday, August 7, 2024 9:34 PM

To: Planning Shared <planning@fayetteville-ar.gov>; Mayor <Mayor@fayetteville-ar.gov>

Subject: Large scale apartment project on South Block street. LSD 2024-001.

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

City of Fayetteville Planning Commission,

My name is Franklin Evarts. My wife Louise and I have lived at 11, West South Street for nearly 40 years. In this time we have seen many changes, and quite a bit of new development and growth in our neighborhood, the majority of it being good and well thought out. Twenty years ago there were hardly any children around and a good percentage of the properties were rentals. Now there are many families buying properties because of the unique eclectic, friendly, diverse qualities of our little neighborhood. There are families walking with strollers and many kids playing in the streets. We are firstly concerned about safety, especially for the neighborhood children and then our own personal property. The apartment proposal is much too large as is. South street, which the development will border, was the main thoroughfare from Nelson Hackett and South College while all the traffic calming work was being done and there was so much traffic, and cars constantly were traveling way too fast. That was temporary. Many of the homes on South street have no driveways so street parking is our only choice; this makes the street even more narrow. When there are cars parked across from each other only one car can pass through at a time. I am very concerned about the safety of the pedestrians especially kids that are always on the street. There is a sidewalk on only one side of the street, and we are very concerned about such a large increase in traffic and potential overflow parking. We worry about the infrastructure of the neighborhood. The water main lines and sewage lines are repeatedly being repaired. The streets are too small and narrow to accommodate a large influx of new traffic. We understand that neighborhoods change. The proposed development is much too large and will negatively change our and many of our neighbors lives dramatically. Louise and I want to go on record to say we are not against safe, thought out, practical development.

Please consider these concerns when making your decision.

Thank you very much for your time and work for the city.

Sincerely,

Franklin Evarts and Louise Rozier

Wonsower, Donna

From: Planning Shared
Sent: Thursday, August 1, 2024 8:29 AM
To: Wonsower, Donna
Subject: FW: Multi Family Development at 309 S. Block Ave. LSD-2024-011

Importance: High

For you

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



CITY OF
FAYETTEVILLE
ARKANSAS

From: Schuyler Schwarting <schuylerschwarting@gmail.com>
Sent: Wednesday, July 31, 2024 11:08 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Multi Family Development at 309 S. Block Ave. LSD-2024-011

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission and Subdivision Board Members,

I live 1 block from this proposed project (160' away) and object to the size and density of it. The proposal of this many units, 162, on this small of a lot, 1.24 acres, is crazy for our family oriented neighborhood. With the possibility of 2 tenants to a unit, this development could add an additional 324 cars to our small neighborhood streets because the entrance to these units is through our neighborhood. Also, we do not feel there is enough parking on this small lot to accommodate this many units when adding potential roommates and visiting friends. This will most definitely overflow to the neighboring streets.

Our neighborhood is full of families with small children and very active residents, enjoying strolling and playing in their front yards and street. Adding this many cars would completely disrupt the quality of life and would work against what our neighborhood strives to be.

We do not want campus dorm sized residential apartments in our neighborhood. These units are as small as 318 SF, about the size of a hotel room. To put it into context, the smallest type of apartments according to [apartments.com](#) are about 500 - 600 SF. These are about half that size. Studio and efficiency apartments are usually located in very high-density downtown locations like New York City and LA not in a South Fayetteville neighborhood of single-family homes and families. You may also

find this type of development where there is a successful mass transit system to rely on, for tenants who do not have cars. This does not fit.

This proposal does not meet the Unified Development Code Chapter 161.28(E) Setbacks. 25' Build To Zone (BTZ). It encroaches on 3 of the 4 sides. The 25' setback is the requirement that the building's street facing facade must be located at a set distance from the property line.

I urge the Commission to reject this proposal due to the fact:

1) the application does not comply with the zoning and development requirements of the Unified Development Code including:

a) setback requirements, density of the buildable area, required parking and compounding a dangerous traffic condition.

The proposed development would create or compound a dangerous traffic condition in which the risks of accidents involving motor vehicles is significant due to the high traffic volume and nature of the traffic pattern.

We aim to preserve and protect the health, safety, and general welfare of our neighborhood, preserve and enhance the natural beauty of our streets, and create an attractive, environmentally sound and healthy landscape for our neighbors. That is why we have regulations for the design, establishment and maintenance of spaces impacted by developmental practices.

Sincerely,
Schuyler and Kelley Schwarting
324 S. East Ave.
Fayetteville, AR 72701
schuylerschwarting@gmail.com

Wonsower, Donna

From: Planning Shared
Sent: Thursday, August 8, 2024 1:54 PM
To: Wonsower, Donna
Subject: FW: LSD-2024-0011 Planning Commission Meeting Aug 12, 2024

Follow Up Flag: Follow up
Flag Status: Flagged

Yours

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Schuyler Schwarting <schuylerschwarting@gmail.com>
Sent: Thursday, August 8, 2024 1:32 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: LSD-2024-0011 Planning Commission Meeting Aug 12, 2024

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URBAN LOFTS at NELSON HACKETT

309 South Block Ave. Fayetteville, AR. Project # LSD-2024-0011

Dear Donna Wonsower, AICP,

I live 1 block from this proposed project (160' away) and object to the size and density of it. The proposal of 163 units on 1.24 acres, which is very dense at 131 units/acre, is crazy for our family-oriented neighborhood. These are not lofts but micro-units. With the possibility of 2 tenants to a unit, this development could add an additional 326 cars to our small neighborhood streets because the entrance to these micro units is through our neighborhood. The proposed development would create or compound a dangerous traffic condition in which the risks of accidents involving motor vehicles is significant because of the high traffic volume and nature of the traffic pattern.

Due to the work on Nelson Hackett and E. Rock St, where there are now no turns from the south or going south, all residents living on Rock St, Mill Ave, S. Willow Ave, S Walker Rd, S Barton Ave wanting to travel to or from the Southwest now must traverse through this neighborhood on South St. right next to this proposed

development. Also, just down the street at 439 S. Church a new zoning was approved to add 12 more units. Hopefully they will have driveways and their own parking.

Also, there is not enough parking on this small lot to accommodate this many units when adding potential roommates and visiting friends. With 163 units and the potential for 326 residents and only 104 car spots. WOW! In fact, out of the 104 car spots, there are only 63 that are standard sized parking spots, 34 standard sized parking spots on site and 28 left on the street. That is not very many for 163 units if statistics are accurate.

SUV's, overwhelmingly, are the #1 car type sold in the United States. 2 of 3 vehicles sold last year were SUV's. These types of vehicles will not fit in a compact space. This will most definitely overflow to the neighboring streets. At the South Yard Lofts down the street on S School Ave, they all have assigned parking spaces.

Our neighborhood is full of families with small children and very active residents, who enjoy daily strolls and playing in their front yards and streets. Adding this many cars would completely disrupt the quality of life and would work against what our neighborhood strives to be.

We do not want campus dorm sized residential apartments in our neighborhood. These units are as small as 318 SF, about the size of a hotel room. To put it into context, the smallest type of apartments according to [apartments.com](https://www.apartments.com) are about 500 - 600 SF. These are almost half that size. Studio and efficiency apartments are usually located in very high-density downtown locations like New York City and LA, not in a South Fayetteville neighborhood of single-family homes and families. You may also find this type of development where there is a successful mass transit system to rely on, for tenants who do not have cars. This does not fit.

The site is going from 16 units and 48% tree canopy to 163 units and 5% tree canopy. You should not justify the removal of this many large trees (50) by saying the development would have killed the trees anyway. (5) over 30", (12) 20-29", (19) 10-19", (13) 5-10".

Previous impervious cover for this site was 19% and they are proposing 79% impervious cover which will lead to increased storm run-off and taxing of our storm inlets. The storm inlets have a tendency to fill with leaves and debris with some inlets growing vegetation and small trees out of them. Having more cars on the street will reduce the efficiency of the street sweeper who tries to maintain our streets and drainage issues.

I urge the Commission to reject this proposal due to the fact:

- 1) It does not meet the Downtown Master Plan Strategies 3, 4, 5 or 6.
- 2) The plans do not reflect the correct number of parking spots.
 - a) On Block Ave, it shows 3 on street parallel spots where there are only 2.
 - b) The plans show 39 Compact Spaces where there are only 37 spaces.
- 3) This site is not eligible for parking space reductions of 40 spaces because:
 - a) They are further than 0.25 miles from the bus stop. They are 0.3 miles uphill with a 100' elevation ascent. Over an 11-minute walk on a small sidewalk for a bus that stops there once per hour. 24 spaces should not be reduced and should be added back.
 - b) Increased bicycle racks inside the apartments does not qualify for a reduction of 16 parking spaces.
- 4) It would create and increase traffic danger and congestion due to its increased density.
- 5) It would alter the population density and thereby undesirably increase the load on public services including water and sewer services on our old lines. We are already having to adjust our water usage along Huntsville Rd due to the City experiencing increased demand resulting in reduced or no water pressure for some customers. An ordinance was just approved that includes a 6 month moratorium on new water service connections.

6) the application does not comply with the development requirements of the Unified Development Code including:

- a) density of the buildable area, required parking and
- b) compounding a dangerous traffic condition.

Once the units are decreased to match the parking availability, we request:

- 1) if the AC units are on the roof, I urge the Commission to request siding to block these units.
- 2) Only have the construction equipment access off of Nelson Hackett and South St.
- 3) The variance requested in UDC Chapter 166.21(E)(1). Dumpsters, we request approval with conditions 1) that this dumpster only gets serviced during normal wake periods meeting the Quiet Hours ordinance and 2) that the dumpster is sized appropriately to only be serviced once per week.
- 4) Upgrade the old water line in the neighborhood that has broken over 10 times in the past couple of years and is currently leaking.
- 5) Repair the sink holes where the leaks have occurred.
- 6) Off-site tree mitigation, plant all of the tree caliper inches on this site with larger diameter trees.
- 7) The ability to have more reviews and comments from our neighborhood.

We aim to preserve and protect the health, safety, and general welfare of our neighborhood, preserve and enhance the natural beauty of our streets, and create an attractive, environmentally sound and healthy landscape for our neighbors. That is why we have regulations for the design, establishment and maintenance of spaces impacted by developmental practices.

We are in favor of some form of SMART development on this site but not without enough parking.

Sincerely,

Schuyler and Kelley Schwarting

324 S. East Ave.

Fayetteville, AR 72701

schuylerschwarting@gmail.com

Wonsower, Donna

From: Planning Shared
Sent: Thursday, August 8, 2024 2:24 PM
To: Wonsower, Donna
Subject: FW: 309 South Block Avenue LSD-2024-011

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Kelley Schwarting <adorned@me.com>
Sent: Thursday, August 8, 2024 1:58 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Cc: Mayor <Mayor@fayetteville-ar.gov>
Subject: 309 South Block Avenue LSD-2024-011

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City Of Fayetteville
Donna Wonsower
planning@fayetteville-ar.gov

First let me say, myself and many of the neighbors were excited to have a new development on this property. We were told it would be 3 - 4 story multi family, 60-80 units with a wine bar and retail on the street level. A beautiful entry to the neighborhood.

This was perfectly in line with the City's Downtown Master plan and a vision for healthy, happy living. More housing where people could live comfortably and work inner city.

We assumed they would be nice units and the residents would have amenities like a pool, weight room and common areas to congregate.

I've surveyed young professionals in our area about living in micro units with no amenities and it was a resounding NO, a cuss word with NO and it sounds like a prison. This is just a few of their comments, all were negative.

Lets call it what it is, STUDENT HOUSING. Dormitory micro sized units 300-400 sqft no private bedrooms. 163 units and only 106 car spaces. Leaving 57+ (57 units without spaces on site PLUS guest) cars to fill the neighborhood driving around looking for street parking. Crowding our already busy streets, as many neighbors park on the street hindering assessable roads for Fire, Ambulances, Trash pick up, mailboxes and street and gutter cleaning.

It will be dangerous for the many kids we have who play in the streets.

It's not the infill Fayetteville desperately needs. It's student housing without the support of the University of Arkansas for busy traffic times like move in and move out, parent weekends, football games, etc.

The developer is trying to maximize his dollar without taking into consideration the surrounding landowners of single family homes. We are being adversely affected.

I ask the City to have the developer reduce the number of units and at a minimum match parking spaces to units/bedrooms.

I ask that the address of the property be changed to Nelson Hackett so all deliveries, Ubers drivers, Veorides, pick up/drop offs, waiting areas be done at the front of the property instead of through the neighborhood.

I ask the City do a traffic / parking study to the immediate 5 streets for the overflow parking and guest.

I ask the City to change the immediate 5 streets (Block, South, East, 4th and 5th) to no parking on one side for emergency vehicle access, mail delivery and trash pick up.

I ask the City to notify all residents of street cleaning days so cars can be moved so our drainage areas stay clear.

I ask the City to give all single family housing Resident Reserve Parking like was implemented in the Wilson Neighborhood, prior to street parking becoming a problem.

I also ask the City evaluate our failing infrastructure, water lines and sewer for needed upgrades on all streets before allowing a huge development that will further tax our system.

We understand we live on the edge of downtown of a thriving city. We welcome thoughtful infill and development for residents. We hope the City will hear our concerns so we can grow Fayetteville in a positive way.

Kelley Schwarting
324 S East Ave

Wonsower, Donna

From: Planning Shared
Sent: Tuesday, September 17, 2024 4:15 PM
To: Wonsower, Donna
Subject: FW: 309 S Block LSD 2024-011

Follow Up Flag: Follow up
Flag Status: Flagged

For you

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Kelley Schwarting <adorned@me.com>
Sent: Tuesday, September 17, 2024 4:03 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Fwd: 309 S Block LSD 2024-011

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Donna,

At the last Planning meeting regarding this project we discussed how we love our unique neighborhood. We are wonderfully located on the cusp of Downtown General and The Walker Park Neighborhood.

Our residents include homeowners and renters. Our residents are local artist who paint murals in town, teachers at Fayetteville Public Schools, Professors at the University, retired people, ballet dancers, Healthcare workers from Washington Regional and University students who have moved away from the campus lifestyle to continue their education while having a family and start their careers in Fayetteville. We also have so many KIDS. Kids of all ages, who play together on our streets.

This group of out of state developers does not see our neighborhood as a cohesive friendly place to live and work in Fayetteville.

Builder Jetton Berner, founder of University Lofts was quoted in [TalkBuisness.net](#) article titled the 'Wild, Wild West' of Northwest Arkansas stating "University Lofts is something we're really excited about right now." "We took the idea from the city of Detroit Revolution." "We believe students are looking for their own micro space units."

His mission statement is to develop all inclusive housing options in college towns. Student Housing.

One of the partners was interviewed in the Arkansas Business journal and he touted how this is a brilliant business model targeted at students.

We are not Detroit. Detroit has a vast and free mass transit system.

We are not the Wild Wild West! We are beautiful thriving town and a growing University Campus.

It is concerning how they recently rebranded University Lofts into Urban Lofts. It is concerning how they have left the property and neighborhood sidewalks in disarray after tearing down the 16 units that were originally on the site. It is concerning that the true owners are not listed on the Rezoning application.

University housing does not help with “affordable housing.” It artificially inflates housing cost.

There is plenty of open undeveloped land that the university owns, that is already on or close to the transit route to build more student housing, we should not look to a private developers to solve that problem.

Several articles over the past month have stated the University intends to build more student housing. They have identified and approved areas **North** of campus. Areas where they can easily expand the Razorback transit, areas where they can offer students on campus amenities, parking and food services.

The Fay Jones School is working on and exploring how to build affordable housing. Let’s use the University to our advantage instead of adversely affecting our neighborhood to solve the student housing problem. See Affordable Housing pdf attached.

On Sept. 12, 2024 listed on Zillow Fayetteville has 477 rentals available ranging from \$600-3500 per month and 381 houses for sale ranging from \$139k-4.7m. We do not have a housing crisis. We have an affordability problem.

This student apartment building is not the infill Fayetteville desperately needs. It’s student housing without the support of the University of Arkansas and University Police for busy traffic times like move in and move out, parent weekends, football games, parking violations, etc.

The developer is trying to maximize his dollar without taking into consideration the surrounding landowners of single family homes. **We are are being adversely affected.**

Please consider this property as part of our single family neighborhood. More density is expected but not to the detriment of our established neighborhood. It does not fit into the Downtown Master Plan nor the Walker Park Neighborhood plan. See attached Diversity of Housing pdf from the Walker Park Plan. This plan envisions owner occupied attached housing as a buffer between the commercial corridors and nodes and the predominately single-family nature of the interior of the neighborhood.

I ask if this project is approved as I asked before:

I ask the City do a traffic / parking study to the immediate 5 streets for the overflow parking and guest.

I ask the City to change the immediate 5 streets (Block, South, East, 4th and 5th) to no parking on one side for emergency vehicle access, mail delivery and trash pick up.

I ask the City to notify all residents of street cleaning days so cars can be moved so our drainage areas stay clear.

I ask the City to give all single family housing “Resident Reserve Parking” like was implemented in the Wilson Neighborhood, prior to street parking becoming a problem.

I ask the City to police the area for parking violations so the residents don’t have to be burdened by complaining to authorities.

I also ask the City evaluate our failing infrastructure, water lines and sewer for needed upgrades on all streets before allowing a huge development that will further tax our system.

In addition, with the increase in traffic I ask the city to provide safe school bus shelters within our neighborhood.

Thank you for not approving this project the first time.

Once again, thank you for your time.

Kelley Schwarting

Wonsower, Donna

From: Planning Shared
Sent: Wednesday, September 18, 2024 8:23 AM
To: Wonsower, Donna
Subject: FW: Urban University Lofts LSD2024011

For you

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Schuyler Schwarting <schuylerschwarting@gmail.com>
Sent: Tuesday, September 17, 2024 7:41 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Urban University Lofts LSD2024011

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Wonsower,

I live 1 block from this proposed Urban Lofts project and OBJECT to the size and density of it. The proposed 138 units on this small of a lot equates to 115 units per acre where all of the other lots in this great family oriented neighborhood are only 4 - 10 units/ acre.

With the possibility of 2 tenants to a unit, and potential of visiting friends and family, this development could add an additional 276 cars to our small neighborhood streets because the only entrances to this project is through our neighborhood.

We do not feel there is enough parking on this small lot to accommodate this many units. This will most definitely overflow to the neighboring streets.

There are only 36 Standard sized parking spots and 37 compact (non SUV)spaces. The rest are either ADA, motorcycle or On-Street spaces in which they would be taking the spaces in the street that are already being used by the existing homes in the neighborhood. By using the on-street

parking to try and satisfy the parking requirements, it would create a mad scramble for the existing homes to park close to their homes. Our neighborhood is full of families with small children and very active residents, enjoying strolling and playing in their front yards and street. Adding this many cars would completely disrupt the quality of life and would work against what our neighborhood strives to be.

We do not want campus dorm sized residential apartments in our neighborhood. These units are as small as 318 SF, about the size of a hotel room. To put it into context, the smallest type of apartments according to [apartments.com](https://www.apartments.com) are about 500 - 600 SF. These are about half that size. Studio and efficiency apartments are usually located in very high-density downtown locations like New York City and LA not in a South Fayetteville neighborhood of single-family homes and families. You may also find this type of development where there is a successful mass transit system to rely on, for tenants who do not have cars. This does not fit.

I urge the Commission to reject this proposal again due to the fact:

1) the application does not comply with the Downtown Master Plan:

Master Plan Strategy #3 - create smart parking sustainable and efficient that enhances since of place.

Master Plan Strategy #4 - Develop smart rules that outperform current zoning & attract Desirable Development.

Master Plan Strategy #5 - create a series of interconnected special places.

Master Plan Strategy #6 - develop the experience-based economy of the downtown by expanding the focus on arts, culture and entertainment.

2) Does not meet the goals of the Walker Park Neighborhood Master Plan. We are already adding 1-4 units of infill to some empty lots but 111 units/acre is way too dense into our neighborhood. It would be different if it was only accessed from Nelson Hackett like what is being zoned up on N. College but this is only accessible through our neighborhood.

3) the site is not eligible for a parking discount due to the fact that it is greater than the required distance from a bus stop to qualify and over a 100' elevation rise and only picks up once per hour.

4) it is not eligible for a parking space discount for adding bike racks inside the units. Also, bike racks are not allowed in the halls or under the stairs.

5) density of the buildable area, not enough required parking and compounding a dangerous traffic condition.

6) this neighborhood already has issues with our old leaking water mains and by adding so many units will only exasperate the water lines and adding to more leaks.

7) the site is removing a number of heritage trees (50) going from 48% tree canopy covered to 5%. You should not justify this massive removal by saying the development would have killed them anyway.

8) on-street parking on South St. is too close to the curve on the intersection of Nelson Hackett. Also, parking on Nelson Hackett at a dangerous curve is a site line issue.

9) the developers cover letter states that the current owners will benefit and no other landowners will be affected. This is not true. We will be adversely affected.

10) previous impervious cover was 19% and they are planning 79%. With the added street parking proposed, the streets will not be able to be adequately cleaned of leaves and debris which will cause more flooding potential.

11) with the change to Nelson Hackett and Rock St intersection, we now see more traffic traversing through the neighborhood and this will only make it worse.

The proposed development would create or compound a dangerous traffic condition in which the risks of accidents involving motor vehicles is significant due to the high traffic volume and nature of the traffic pattern.

We aim to preserve and protect the health, safety, and general welfare of our neighborhood, preserve and enhance the natural beauty of our streets, and create an attractive, environmentally sound and healthy landscape for our neighbors.

Please vote NO to this development.

Sincerely,
S. Schwarting
324 S. East Ave

Wonsower, Donna

From: Planning Shared
Sent: Thursday, August 8, 2024 4:12 PM
To: Wonsower, Donna
Subject: FW: Project at the corner of Block and South St.

Follow Up Flag: Follow up
Flag Status: Flagged

LSD-2024-0011

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267

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CITY OF
FAYETTEVILLE
ARKANSAS

From: Joann Southern <joannsouthern40@icloud.com>
Sent: Thursday, August 8, 2024 3:54 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Project at the corner of Block and South St.

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I do not want 163 units on block Street. The traffic is bad enough already without 163 more people and their vehicles! I'm 84 years old and have lived here most of my life. This is not the Fayetteville I grew up with.

Thank you

Joann Southern



Wonsower, Donna

From: Alison Taylor <a.n.taylor838@gmail.com>
Sent: Wednesday, September 18, 2024 4:56 PM
To: Wonsower, Donna
Subject: Urban lofts project

Follow Up Flag: Follow up
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Dear Planning Commission Members,

I am a current resident of south Fayetteville living on South street. I'm writing out of concern for the proposed project to build hundreds of micro unit apartments at the end of our street. This project would not only increase traffic and street congestion on our already overcrowded neighborhood street, but would also make the neighborhood unsafe for pedestrians and children. There is already limited space due to few driveways and garages in our neighborhood forcing residents to utilize street parking and no where near the needed spots to account for the 100 extra cars trying to find parking on our streets because of inadequate parking by the developer. I fear for the safety of all the children playing outside with the increased traffic. What I love about this neighborhood is the walkability and connectedness we have as neighbors. Every day our kids are riding bikes and walking to the creek without fear of being hit by a car. This neighborhood was not designed to handle this much traffic and I plead you to consider the consequences of this large development in a small quaint neighborhood. I'm all for affordable housing, but not at the cost of creating a traffic and safety hazard for a very functional and thriving neighborhood.

Thanks for your time and consideration,

Alison Taylor
7 W South St

Wonsower, Donna

From: Courtney Thomas <clthomas07@gmail.com>
Sent: Wednesday, September 18, 2024 5:00 PM
To: Wonsower, Donna
Subject: comment on Urban Lofts development

Follow Up Flag: Follow up
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Dear Donna,

My name is Courtney Thomas, and I live at 48 E. South Street in Fayetteville. I'm reaching out regarding the proposed Urban Lofts development at South x Nelson Hackett.

In short, I love living in this neighborhood for a number of reasons:

- its walkability to downtown Fayetteville (cafes, restaurants, etc) and open spaces (like Walker Park)
- There is a diversity of age ranges/life stages in our neighborhood -- older couples, younger couples, families, young professionals, etc. I know many of my neighbors and have positive relationships with them.
- The streets are relatively quiet, and I enjoy frequent walks through the neighborhood and feel safe doing so. I observe kids and families frequently riding bikes, playing basketball, and otherwise playing and enjoying time outside in the neighborhood. Plenty of folks walk their dogs and spend time riding bikes and walking in the neighborhood.

This neighborhood shines as a walkable, family-oriented neighborhood, and I would love to see it develop in a way that maintains this character as a place where folks who want to invest in the community and contribute to the character want to live. I have serious doubts that the currently proposed Urban Lofts development aligns with this character.

I also have serious traffic safety concerns caused by 100 or so cars that will have nowhere to park except on our old, narrow streets that were not designed for this. I also have concerns about traffic safety problems caused by an additional 800 or more vehicle trips per day throughout our neighborhood.

Thank you for your time.

Best,
Courtney

Courtney Thomas

Wonsower, Donna

From: Jan Townsley <jan.townsley@gmail.com>
Sent: Wednesday, September 18, 2024 1:42 PM
To: Wonsower, Donna
Subject: Urban Loft

Follow Up Flag: Follow up
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CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm writing to share my thoughts on the Urban Loft project being proposed between Nelson Hacket and the South Square neighborhood.

I'd like to thank the Planning Commission for denying the variances requested by the Urban Loft project and would like to reiterate a couple of the reasons why this is the wrong location for this development project. It all comes down to parking. If you haven't already, please take the opportunity to drive or take a walk through the adjacent neighborhood. The streets are narrow. Parking is already a challenge with driveways, mailboxes, and trash pick-up requirements. Urban Loft should not be permitted to rely on the neighborhood streets for their substantial overflow parking needs. It will cause a very significant problem that won't have any good solutions going forward. Public transportation, as it currently exists, shouldn't be counted on to take the place of a car. This continues to be either the wrong project or the wrong-size project for this piece of land.

This parcel can be developed without creating an unimaginable parking problem and this needs to remain a requirement. Thanks so much for your forward thinking on this project.

Appreciatively,

Jan Townsley
301 S. West Ave.

Wonsower, Donna

From: R Vendetti <rvendetti@hotmail.com>
Sent: Wednesday, September 18, 2024 3:10 PM
To: Wonsower, Donna
Subject: South St Apartments

Follow Up Flag: Follow up
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Dear Planning Commission Members,

As a resident of east South Street I wanted to express my concern over the number of units planned at the end of the street and the impact that this apartment complex will have on **(i) traffic, (ii) parking and (iii) street safety for our children, not stated in order of importance**. East South Street, when I moved here, had no children, but now, on this small street of 14 homes, has six kids under the age of 10...at times we have had 14 children living here! The increased volume of cars resulting from this development must be addressed in terms of street safety for the children and residents.

While traffic flow/volume is a concern, so is parking.

At present, the College and South Street intersection of east South Street receives upwards of *eight* overflow vehicles nightly just from residents and their visitors in just *two of the* small homes that are closest to the College and east South intersection. Although those homes were built with driveways, the private parking did not accurately account for the number of actual inhabitants, overnight guests, or out of town visitors. This overflow at the end of this small street results from just 2 single family "small homes". I cannot imagine what 150+ apartment unit will do to the street parking situation on these narrow roads already experiencing limited parking on evenings when there are Razorback games or finals. Additionally, we have small business on our street that receives up to 10 vehicles during hours of operation. Not to mention the occasional overflow from game days and Crisis Brewing.

The City likely has made assumptions about what percentage of no-vehicle households would occupy the apartment building at the end of east South Street, but based on observation alone, it is clear that students in off-campus housing, and non-student renters, have cars and quite honestly need them because there is no easy access to public transportation.

Neighbors discuss "parking is as if we live in Chicago or Brooklyn" yet we don't, we moved into a small residential street in a college town, we invested in this street and have often been overlooked (where were our street lights and where are our speed bumps?). We endured detour traffic and fast speeds down our narrow street without consideration of residential safety. No speed bumps were put down, cars raced to the end of the street, and the traffic noise and congestion was notable. Noting the small and narrow streets, how can the City accommodate a 150+- unit building with only ~75% parking spaces, when real-life in Fayetteville informs us that we will likely have, at least, an average of 300+ vehicles seeking parking between 2-car

residents and their visitors. *Permit a housing complex, clearly Fayetteville is growing, but then require that the complex accommodates for real life parking scenarios to include the fact that so many of these apartments, in spite of their size, will house more than 1 individual and will be more than 1 car households with family and friends visiting.*

Also, sincerely and seriously sit back and imagine 150 cars trying to find parking on your neighborhood street and honestly indicate if that causes undue and unfair stress. (And be sure to note as you imagine this, that our neighborhood is small and cramped, not nearly as expansive as some of the newer neighborhoods.) In recent years, the trend for "tiny homes" has hit our neighborhood and we have seen that just that little shift has impacted quality of life in the neighborhood. Imagining even 20 more cars on east South Street is stressful for me -I imagine a chaotic street zipping with cars, needing to be ever vigilant with opening car doors, and crossing the streets, and delays up and down the street because the street is too narrow to accommodate parked cars and vehicles traveling in both directions, walking a few blocks with groceries and children just to get from the place where we could park our car to the house. We also have elderly persons on the street - are they expected to walk blocks to their home because they couldn't find parking on the street near their home? The idea of building apartments and not accommodating for parking seems irresponsible and is beckoning an unsafe and chaotic environment in our small neighborhood. I also expect that it will impact our resale value as we become known as the neighborhood without convenient parking. It just seems as if the Planning Commission is not making the best decision for those of us who have made our homes here and need to maintain our homes here.

All of the above addresses concerns over parking, but there are also concerns over noise pollution, traffic flow, air pollution that 800 +/- one way drives up and down the street will have on our safety, health and quality of life.

Another concern, of course, is providing for the safety of our children and residents – not only in terms of traffic safety, but also the increased safety that growing our small street population **sixfold**, from 25 to 150+ people, will require!

Respectfully,
R Vendetti
Resident of E South Street

Wonsower, Donna

From: Wonsower, Donna
Sent: Friday, September 13, 2024 1:20 PM
To: Tony
Subject: RE: Urban Lofts Project

Good Evening,

The planning commission has only voted to reconsider the proposal at this point. The project was tabled at the August 26 Planning Commission in order to provide time for the applicant to re-notify the public for the September 23 Planning Commission meeting. I have reviewed the new notifications and have confirmed that the applicant has met all public notification requirements for the new meeting, The commissioners will re-discuss the proposal and any changes at that September 23 meeting.

I will save your email and ensure that it is included in the packet for their consideration at that meeting.

Best Regards,

Donna Wonsower, AICP

Planner, Development Services

479-575-8358

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



The Fayetteville Planning department is currently short-staffed. Please allow a minimum of 3-5 days for staff review and response to emails.

From: Tony <twappel@gmail.com>
Sent: Friday, September 13, 2024 12:58 PM
To: Wonsower, Donna <dwonsower@fayetteville-ar.gov>
Subject: Urban Lofts Project

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

September 13, 2024

Dear Donna,

This email pertains to LSD 2024-11, the proposed Urban Lofts housing project at the intersection of Nelson Hackett Boulevard, Block Avenue, 4th Street, and South Street being re-visited by the Fayetteville Planning Commission. I continue to oppose this project as it now stands.

1. I understand this topic was brought up again in a previous planning commission meeting and many commissioners had a change of heart. Why weren't the neighbors advised of this meeting? There are most likely rules that allow this, but I believe that when something of this magnitude is discussed, the affected neighbors should be notified of such a meeting!
2. I understand that the developer provided the Planning Commission with slick marketing material showcasing their projects in Jonesboro, Conway and Russellville. They appear to be nice communities. However, after looking at street views online, none of the existing complexes appear to adjoin established neighborhoods. They appear to be communities in and of themselves.
3. I understand the developer has reduced the number of proposed units. However, this reduction will not address the serious parking inadequacies and will not eliminate the very dangerous parking and traffic problems on nearby streets. During the first planning commission meeting, one of the commissioners said she would not support this project until Fayetteville established a parking management program. Has one been enacted since the last meeting? If not, why the sudden change of heart?
4. I have lived on South Street since 1997 and have witnessed the awesome re-birth of this neighborhood! With this re-birth, there has become more and more traffic. I have considered installing a functional driveway on my property so that I could park my car off of the street. Unfortunately, when there were cars parked on the street, it was EXTREMELY DANGEROUS for me to pull onto the street because the parked cars blocked my view of oncoming traffic. Having even more cars parked on South Street because Urban Lofts will not provide adequate parking for its tenants will make this situation even more dangerous.
5. I do not oppose apartments at this location, as Fayette Village was a neighbor for many years and parking was never a problem. Yes Fayetteville could use more housing, BUT a project of this magnitude at this location is not the right fit.
6. Please suggest that the developer reduce the size of their project so that the number of units matches the number of ON-SITE parking spaces.

Thank you!

Tony Wappel
11 E South Street

Wonsower, Donna

From: Planning Shared
Sent: Thursday, August 8, 2024 9:14 AM
To: Wonsower, Donna
Subject: FW: LSD 2023-011 Project at 309 S Block

For you

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Tony <twappel@gmail.com>
Sent: Thursday, August 8, 2024 9:09 AM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: LSD 2023-011 Project at 309 S Block

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Donna Wonsower
Fayetteville Planning Department

Good Morning Donna,

I hope this email finds you well.

This email pertains to the proposed large micro unit housing project proposed for the corner of Nelson Hackett Boulevard and South Street. I am opposed to the plan as it now stands.

There will be way too much traffic and too many parked cars on South Street. I have lived on South Street since 1997. As this street has many restored older homes that do not have driveways, we have had to park on the street. On at least 2 occasions since 1997, my car has been hit by oncoming traffic. I have tried parking off the street in an area of my yard that could be developed into a driveway, but when cars are parked on the street (most of the time even now), I cannot see oncoming traffic until I am off of my driveway space and in the street. This is an EXTREMELY DANGEROUS situation in which I feel like I could be hit anytime I pulled into the street. Having even more parked cars on South Street will make situations like this even more dangerous.

Also, since I have lived here, there have been 2 neighbors who have had heart attacks. One neighbor died and because of too many cars parked on the street, I could not get to my house for nearly an hour; the fire truck, ambulance, police, and coroner vehicles were blocking access, as they were parked in the middle of the street.

All of the excess cars that will have to park on an already busy South Street because there is no room at the nearby apartment complex parking lot will make it even more difficult for emergency vehicles to go down South Street.

One other concern related to excess traffic is that we have many more children living on the street. Too many cars parked on the street will obscure the view of these children.

There are many other issues with this proposed project, including very old water lines (that continue to break and flood our yards and houses) that will not support this project.

I do not oppose an apartment complex, as Fayette Village was our neighbor for many years and parking was never a problem. Yes, Fayetteville could use more housing, BUT a project of this magnitude at this location will prove to be a big mistake.

Please consider suggesting that the developer reduce the size of their project so that the number of units matches the number of ON-SITE parking spots.

Thank you.

Tony Wappel
11 E South Street

Sent from my iPhone

Wonsower, Donna

From: SALLY WATSON <sallymariewatson@gmail.com>
Sent: Wednesday, September 18, 2024 2:05 PM
To: Cabe, Matthew; Payne, Brad; marymcgetrick@fayetteville-ar.gov; Madden, Mary; Werner, Nick; Brink, Andrew; Gulley, Fred; Garlock, Jimm; Castin, Nick
Cc: Wonsower, Donna
Subject: Proposed Urban Lofts 72701

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Planning Commission Members,

My name is Sally Watson and I live at 37 E South St, Fayetteville AR 72701. I moved to Fayetteville in 2016 and bought an old home in this cute neighborhood. Children play together all the time on these blocks, just like when I was a kid. We walk our dogs twice a day around the neighborhood and many others do the same.

There is a developer trying to put in a complex that will simply have too many people for the size of these roads. There will not even be a dedicated onsite parking space for each unit. That's insane, there will be at least one car per unit without a doubt. Myself and others in our neighborhood have legitimate concerns about the safety of this development plan.

1-Chaos and traffic safety problems caused by 100 or so cars that will have nowhere to park except on our old, narrow streets that were not designed for this level of traffic. Already it is difficult for city service vehicles and delivery vehicles to squeeze by if there are cars parked on both sides of our street. And my street is the widest in the neighborhood! Some streets you can only park on one side and that is very limited as you cannot block mailboxes or driveways.

2-Chaos and traffic safety problems caused by an additional 800 or more vehicle trips per day throughout our neighborhood. Like I stated above this is a very well lived neighborhood. Children play, people walk everyday. If we have 800 plus more trips through this neighborhood we will without a doubt put children at risk, cause delays in essential services, and congest tiny streets that cannot handle that level of traffic. It will without a doubt create a serious safety hazard.

Please take the concerns of myself and my neighbors into account when considering this development. This neighborhood can handle modest infill, but the proposed level is insane. Whatever ends up being built needs to have at a minimum one on site parking spot per unit. Minimum. Our streets will still be filled with visitors and second cars for the units. But they can't build a giant complex without providing enough in site parking for the residents. I appreciate your time and attention.

Sincerely,
Sally Watson

Wonsower, Donna

From: Bruce Welsh <bwelsh01@gmail.com>
Sent: Thursday, August 8, 2024 12:23 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: 309 S. Block Avenue LSD-2024-011

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Dear Ms. Wonsower:

I'm writing out of concern that the construction project at 309 S. Block Avenue will negatively impact emergency fire and ambulance services, trash/recycling pick-up, mail delivery, street cleaning/repair, water and sewer infrastructure, existing resident street parking, traffic flow, and overall traffic safety in the south Fayetteville neighborhood near the project. The project, for many reasons, appears to fall short of meeting the criteria of Fayetteville's Downtown Master Plan.

I expect to see the above-stated concerns addressed in detail by the City Planning Commission at the upcoming Monday meeting. Thank you.

Sincerely,
Bruce L. Welsh, DDS
50 East 5th Street
Fayetteville, AR 72701

Wonsower, Donna

From: Bruce Welsh <bwelsh01@gmail.com>
Sent: Wednesday, September 18, 2024 1:33 PM
To: Wonsower, Donna
Subject: Urban Lofts

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Wonsower:

I'm writing in regard to the Urban Lofts project in south Fayetteville. The developers want to build 163 very small studio apartments, but only provide about 60 on-site parking spaces. I'm concerned that the apartment complex will create at least two very serious traffic and safety hazards.

1- At least 100 cars will have no place to park except on already crowded narrow neighborhood streets.

2- There will be at least 800 additional vehicle trips per day (Federal transportation data) on these older, narrow streets that were never designed for that much traffic.

The apartments will have no vehicle access to Nelson Hackett, only to Block Avenue and Fourth Street, and both streets are old and narrow. The additional traffic flow will adversely impact traffic safety in this residential family-oriented neighborhood.

If 800 more vehicle trips per day are added to these already overcrowded streets, children, pets, pedestrians, bicyclists, and, of course, automobiles will all be in increased danger.

Through the Walker Park Neighborhood Master Plan, adopted in 2008, the city has been nurturing and protecting our neighborhood for at least 16 years now.

As they had hoped, our neighborhood has blossomed into a very desirable place to live.

Gentle density and the organic approach in the Walker Plan have allowed individual properties to develop over time, promoting the overall success of housing in our town. *All this success could be lost with the Urban Lofts project on this site in this neighborhood.*

I hope the commission will consider the negative impact of this project on the safety and health of one of Fayetteville's most desirable neighborhoods.

Sincerely,
Bruce L. Welsh, DDS
50 E. Fifth St.
Fayetteville, AR 72701

Wonsower, Donna

From: Planning Shared
Sent: Friday, August 9, 2024 8:17 AM
To: Wonsower, Donna
Subject: FW: 309 S Block Ave / LSD-2024-011 Project Meeting

LSD-2024-0011

From: Richard Berquist <berquist@mac.com>
Sent: Thursday, August 8, 2024 6:32 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Cc: Gina Berquist <ginaberquist@mac.com>; Marriah Berquist <marriahcorrinne08@gmail.com>
Subject: 309 S Block Ave / LSD-2024-011 Project Meeting

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planner Donna Wonsower ... this communication is in regard to the 163 unit Large Scale Development at 309 S Block, awaiting approval by the Planning Commission.

I was unable to attend the first meeting of the City Council about this project but I most definitely wish my comments to be heard.

We have owned the property at 33 E 4th Street since 1982. We are two blocks away from the development, on a street most certainly will become a thoroughfare to the 163 units. Our family has lived in that house since then and still does. My wife's parents retired their in the early nineties and have since passed on. My wife and I lived there with our first daughter. My wife's disabled brother lived there until his passing. Currently, our daughter and 3 young grandchildren live there. Their ages are 12, 8 and 6 years old.

This place has been a true neighborhood for my family and our many neighbors. This neighborhood includes a very diverse group of people of all ages; professionals, working class, students and retired citizens of Fayetteville, i.e., educators, artists, musicians, dance and martial art instructors, bankers, city employees, craftsman and tradesman, University of Arkansas staff etc.

We believe that this Large Scale Development, as described in the plans, in our neighborhood will not be an improvement or enhancement in any way. Quite the contrary, we believe it will introduce many unnecessary problems. The FIRST and PRIMARY problem my family has with this project is TRAFFIC SAFETY. The likelihood of an enormous increase in traffic puts my three granddaughters and their many friends at great risk. With 300-400 sq ft units, this 163 unit dormitory-like housing will most likely attract student tenants and their friends and acquaintances without benefit of University oversight.

The increase in traffic will be very threatening to the children in this neighborhood. They are accustomed and habituated to living with, traveling thru, playing in and accommodating a neighborhood with far fewer cars than will arrive with the construction of this 163 unit development... by a factor of at least 4. And the addition, to this neighborhood, of so many new young drivers will add another dimension of risk as well.

Also, Emergency, Fire and Ambulance services will be impacted gravely, as will other services like Trash Pick-up, Street Cleaning and Mail Delivery. And much additional street parking will be required to accommodate a doubling or tripling of street side parking. Then consider the increase in toilet / sewer services on a very old City Sewer system. That would be a tripling or more of sewer capacity. ...

In summary, I can not think of single benefit this dormitory-like project will bring to this neighborhood. But it is very clear to me and my other neighbors that GREAT TRAFFIC RISK will arrive in our neighborhood with the arrival of this 163 micro efficiency Large Scale Development.

Thank you for your consideration. I hope to see you on Monday.

Richard and Gina Berquist

Wonsower, Donna

From: Richard Berquist <berquist@mac.com>
Sent: Wednesday, September 18, 2024 2:12 PM
To: Wonsower, Donna
Subject: 309 S Block Ave / LSD-2024-011 Project Meeting

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members ... this communication is in regard to the Large Scale Development proposal at 309 S Block Street which we are ABSOLUTELY OPPOSED to.

We have owned the property at 33 E 4th Street since 1982. We are two blocks away from the proposed development, on one of three streets that most certainly will become thoroughfares to this project. Our family has lived in that house since then and still does. My wife's parents retired there in the early nineties and have since passed on. My wife and I lived there with our first daughter. My wife's disabled brother lived there until his passing. Currently, our daughter and 3 young grandchildren live there. Their ages are now 13, 8 and 6 years old.

This 'South of the Square' part of the City has been a true neighborhood for my family and our many neighbors. This neighborhood includes a very diverse group of people; educators, artists, musicians, child care professionals, bankers, city employees, craftsman and tradesman, University of Arkansas staff etc.

We believe that this Large Scale Development in our neighborhood will NOT be an improvement or enhancement in any way whatsoever and will make NO CONTRIBUTION to the quality of life we enjoy. Quite the contrary, we believe it will introduce many unnecessary and dangerous problems. The FIRST and FORMOST problem my family has with this project is

TRAFFIC SAFETY. The likelihood of an ENORMOUS INCREASE IN TRAFFIC puts my three granddaughters and their many friends at great risk. This dormitory-like housing will certainly attract student tenants and their friends and acquaintances without benefit of University oversight. There are currently about 30 elementary age children and younger who reside here who have no familiarity with the kind of traffic this project most certainly will produce in their neighborhood. This will be absolutely overwhelming and dangerous to these children.

They are accustomed and habituated to living with, traveling thru, playing in and accommodating a neighborhood with far fewer cars than will arrive with the construction of this 163 bed development... by a factor of at least 8. And the addition, to this neighborhood, of so many new YOUNG COLLEGE AGE DRIVERS will add another dimension of risk as well.

Also, Emergency, Fire and Ambulance services will be impacted gravely, as will other services like Trash Pick-up, Street Cleaning and Mail Delivery as flood of street side parking occurs. Then consider the increase in toilet / sewer services on a very old City Sewer system. That would be a tripling or more of sewer capacity for this vintage neighborhood.

In summary, I can not think of single benefit this dormitory-like project will bring to this neighborhood. But it is very clear to me and my other neighbors that GREAT TRAFFIC RISK will arrive in our neighborhood with the arrival of this 163 bed Large Scale Development.

Thank you for your consideration in this matter. I hope to see you on Monday, Sept 23.

Richard and Gina Berquist

Wonsower, Donna

From: Bayard Blain <bayardguitars@gmail.com>
Sent: Wednesday, September 18, 2024 2:46 PM
To: Wonsower, Donna
Subject: Urban lofts development

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello planning commission members. My name is Bayard Blain, resident of 19 East 4th street Fayetteville, since 2011. I have 3 children who have grown up here and we've watched a rough neighborhood become a great place for kids and families. This development poses serious concerns with safety and parking and congestion in our neighborhood. The lack of proposed necessary parking would compromise everything our neighborhood is valued for. 4th street is already problematic in that it's narrower than East and south streets so people have learned we only park on one side or emergency vehicles and mail trucks can't come on through, imagine adding a 100 cars trying to find parking as well. The proposed 800 vehicle trips a day don't factor in cars going in circles looking for parking and creating further problems. We know some kind of development will happen, but everyone in the neighborhood is against this, that I know of, except one person with financial ties. We who live here would like to see a development that incorporates obvious parking needs for residents and doesn't try to maximize their profit margin by compromising the safety and flow of our neighborhood. This project would be a parasite on our neighborhood, taking everything like location and safety and downtown accessibility to later charge accordingly for that, while expecting the neighborhood to absorb their development excess. This project takes from us here and gives us back nothing. Let's please not let Fayetteville development be ruled by greedy parties looking to profit off the good name of our town.

Thanks

Bayard Blain
Owner operator of Bayard Guitars
19 E4th st
Fayetteville AR
72701
4792005074

I am expressing my concern with the development plans for the Urban Lofts apartment complex. While I did not submit comment the first time this issue went before the Planning Commission, I am moved to share my thoughts after hearing the developers will be allowed to have their proposal reconsidered. **I oppose this development and ask the Commission to again vote down the proposal.**

It is my opinion that this development, while scraping by the letter of the law via multiple variances, poses a threat to the neighborhood due to the traffic/parking problems generated by the extreme density and inadequate vehicular accommodation. We have already expressed a target of ~50 units (using the current single-bedroom model) is welcomed by the neighborhood, and could fully accommodate all parking.

Background

I am a resident at 24 E 5th St., along with my wife and 3-month-old child. My wife has lived in this neighborhood on-and-off since birth and has had such a pleasant experience that we chose to raise our family here. We know of at least once family with young children on (literally) every single street and know this because we walk the entirety, including past this development property, each week. It is highly likely we will run across at least a half dozen others walking on any given day – we feel safe walking our families day and night and are a connected community.

Existing Parking/Traffic Issues

There are *already* negative parking and traffic concerns that affect us daily.

- High speed traffic cuts across E/W South St, as those outside the neighborhood cut through. There is already spillover parking on E. South St from new developments on S. College Ave (see attachment 1). These small homes *have* parking (just as the Urban Lofts will, to a degree), but the residents instead choose to park in our neighborhood out of convenience.
- Periodic events at Crisis Brewing Co. results in parking on both sides of the street, covering the entire extent of South St, much of 4th St, and both Block Ave and East Ave all the way to 5th St.

Street Width and Concerns Regarding Emergency/Delivery Vehicles

Neighbors have expressed concern over emergency and delivery vehicles being restricted by parking. If the Urban Lofts cannot fully accommodate all vehicles, these concerns are likely to be recurring reality.

Today, I parked on W 4th St/S Block St and took a picture of my vehicle parked across another. A UPS driver was unable to pull his vehicle between, so got out to ask me to move. But what if I wasn't there? What if it was an ambulance or fire truck?

The street is 20 feet in width. I measured the two vehicles at 75" in width. This left only 90" between the vehicles- too small for large vehicles to pass between! (See attachments 2-4).

(For reference, the approximate widths of large vehicles that would be unable to traverse:

- Ambulance: 98" (common Braun Type I & III on Ford chassis)
- Fire Truck: range from 96"-120"
- UPS box truck: 95.5")

Developer's Letter

The developer has submitted a letter to the Commission stating three "compromises as a show of good faith in support of our earnest hope to be good neighbors." I feel their points lack merit and are intended only as an empty gesture that attempts to placate Commissioner and resident concerns:

- The developer claims "it's important to point out that we are proposing more affordable 1-bed units." However, their single-bedroom units at their Jonesboro and Russellville complexes range from ~\$1,250 - \$1,900 a month. Do you consider that "affordable?" There are numerous entire *houses* in the neighborhood with lower rents.
 - They make a point on flexibility of their 1-bed vs 2- and 4- bed unit types, but this is a **red herring**, distracting from the concerns stated by neighbors.
- Point 3 claims "a commitment to fully manage parking that encourages car-free renters," but provides no details. "Compromises" include:
 - "Providing a discount on monthly rent for renters who do not require a parking spot."
 - i. Reality: This only encourages people to street park, instead of pay for garage use.
 - ii. Indeed, savvy renters can simply get a discount on rent by claiming to not require a spot, and simply park on our streets for free, without enforcement.
 - "Clearly stating in our lease agreements that renters should not plan to use on-street parking in the area as an alternative to our on-site accommodations."

- i. Reality: They will ask renters to make a “scout’s honor” promise, which is entirely unenforceable.
- There is no accounting for Guest parking. I have not heard this mentioned, but it can be presumed any of the ~~163~~138 residents’ guests will street park.

The developer concludes “*we would like to further request that the item be tabled to the next meeting to allow us sufficient time to notify members of the public.*” As a member of the public and this neighborhood, I can definitively state I have *not* been notified by the developers of their request to re-hear the application, nor of this public meeting, counter to their claim of offering these “in good faith.”

In Conclusion:

We are a young family that currently rent and hope to buy a home but cannot yet afford it. Due to high prices in Fayetteville, we *support* infill, including in our neighborhood! It is already happening, with townhomes on small lots already replacing single family homes on larger lots. We are *not* opposed to a larger development on the lot in question, but feel the density is far too high and brings a host of problems.

As stated in the first meeting, reducing the development to a target density of ~50 units (assuming the same single-bedroom model) is our goal.

Sincerely,

Johnie M Cagle





Wonsower, Donna

From: Wonsower, Donna
Sent: Wednesday, August 7, 2024 2:53 PM
To: Roselyn Cicerone
Cc: Horton, Andrew; Boyd, Melissa
Subject: RE: Parking Examples (LSD-2024-0011)

Good Afternoon,

I recommend reaching out to engineering and/or the fire marshal's office for any questions specific to fire access or street turning (copied here). Both have reviewed the request for compliance with street standards and fire access and would be better equipped to discuss how the proposed development may impact adjacent streets. What I can say is that the development appears to be meeting ordinances and that, if approved, the plans will also go through a more detailed review by all departments with grading permit.

Best Regards,

Donna Wonsower, AICP
Planner, Development Services



479-575-8358

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Roselyn Cicerone <ciceroner@gmail.com>
Sent: Wednesday, August 7, 2024 2:47 PM
To: Wonsower, Donna <dwonsower@fayetteville-ar.gov>
Subject: Re: Parking Examples

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

None of these examples are as extreme as what you're proposing for this project. None of them are relying on narrow neighborhood streets for overflow. Your proposed fix for the streets doesn't actually add parking. As it is, it's questionable as to whether a fire truck could get through these streets without wiping out a parked car.

On Tue, Aug 6, 2024 at 5:17 PM Wonsower, Donna <dwonsower@fayetteville-ar.gov> wrote:

Good Afternoon,

Please see below for some examples of other large multi-family developments. Please note that parking counts for multifamily dwellings are calculated by bedrooms, not the number of units. I have used that metric below for a more direct comparison. The proposed development on Nelson Hackett has 163 bedrooms on 1.3 acres, or roughly 125 bedrooms per acre.

Examples

- Atmosphere Apartments
 - 640 bedrooms on 3.41 acres (~188 bedrooms per acre)
 - 382 vehicle spaces + 42 motorcycle + 120 bike racks
- Cardinal Apartments
 - 480 bedrooms on 2.75 acres (~174 bedrooms per acre)
 - 391 parking spaces + 33 motorcycle spaces + 100 bike racks
- The Academy at Frisco Apartments
 - 673 Bedrooms on 2.96 acres (~227 bedrooms per acre)
 - 625 vehicle spaces + 72 motorcycle/scooter
 - Plus 8,800 square feet of commercial space

Each of these examples includes a parking garage, as does the proposed developmetn on Nelson Hackett. Please feel free to contact me with any questions.

Best Regards,

Donna Wonsower, AICP

Planner, Development Services



479-575-8358

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



Wonsower, Donna

From: Katherine Cloud <katherinecloud@gmail.com>
Sent: Wednesday, September 18, 2024 4:14 PM
To: Wonsower, Donna
Subject: Regarding Urban Lofts on Nelson Hackett

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members,

My name is Katherine Cloud and I live at 62 E. 5th St.

I have lived in this neighborhood since 2014. The best part of this neighborhood is that it is a safe neighborhood.

While I am in favor of increased housing and new builds in this neighborhood, I am extremely concerned about the proposed plans for the apartment complex in our neighborhood.

While I have a number of concerns, the most important is safety.

The streets in our neighborhood are narrow and can handle very few additional vehicles parking on the street. The streets are so narrow that only one side of the street can be used for parking. In the rare case that cars are parked on both sides it is dangerous for drivers and especially delivery and service vehicles to get through. The street parking is further limited by the driveways. If a car parks on the opposite side of the street from a driveway, the driveway is effectively blocked, as there is not enough space for the homeowner to back out of their driveway with someone parked across from the driveway. Additionally, space must be left between the corner stop signs and the cars parked, or it creates hazardous blind spots at the intersection, which can cause a traffic jam or accidents with only a few cars. The reason we are making it work now is that we know our neighbors and are considerate of these issues. There is very little space available for additional cars to park on the street due to the factors mentioned above. The proposal is about 100 parking spaces short. There are no places for these additional cars to park.

Additionally, this is a quiet residential neighborhood. The additional traffic of so many new vehicles including the residents and their visitors and guests will effectively make our narrow streets into busy thoroughfares. With the blind spots, and the street parking, service vehicles, and delivery trucks, this many additional cars will create safety issues.

While I support growth and new housing in this area, in this neighborhood, the scale of the project is poorly planned, with far too many units and a serious lack of parking.

Variances can and should be granted for reasonable requests. However these requested variances are not reasonable nor necessary. There are a number of reasonable plans that could be proposed for this property without the need for so many variances, without creating safety issues. There is no valid reason to grant these variances when the developers could simply propose a plan that fits within current city ordinances.

Please consider the safety of this historic neighborhood and vote against these variances.

Sincerely,

Katherine Cloud

Wonsower, Donna

From: Matthew B. Day <matthewd@uark.edu>
Sent: Wednesday, September 18, 2024 4:39 PM
To: Wonsower, Donna
Subject: Urban Lofts project on Nelson Hackett

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members,

Hi, I am Matthew Day. I live in the house that my wife and I own on South Block Avenue just north of MLK. I am writing because I am concerned about the planned Urban Lofts project at the corner where Nelson Hackett, South street, and Block Avenue come together. The parking and traffic on the street is already problematic and the planned development would make it worse. Often people park on both sides of the street, and visibility is not good, and there isn't enough room for two-way traffic. The planned development would make this worse. I commute by bicycle and on foot, and increased traffic on Block Ave would make this more dangerous (I was already in a back brace for three months this year due to an accident while commuting in the neighborhood). The sidewalks are overgrown and unreliable, so people often walk in the street here, and increased traffic would certainly result in injuries. I haven't heard about any plans from the city to improve the streets or sidewalks in this neighborhood, and if this development goes forward as is, this will be an urgent need. Don't allow these developers to dump a huge load of traffic and parking on a street system that can barely handle the current load.

Best regards,

Matt Day

(p.s. Hi Donna! I hope you are doing well.)

--

Matthew Day
Associate Professor
Department of Mathematical Sciences
University of Arkansas

Wonsower, Donna

From: Planning Shared
Sent: Thursday, August 8, 2024 8:33 AM
To: Wonsower, Donna
Subject: FW: Large scale apartment project on South Block street. LSD 2024-001.

Concerning LSD-2024-0011?

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Franklin Evarts <fevarts56@gmail.com>
Sent: Wednesday, August 7, 2024 9:34 PM
To: Planning Shared <planning@fayetteville-ar.gov>; Mayor <Mayor@fayetteville-ar.gov>
Subject: Large scale apartment project on South Block street. LSD 2024-001.

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

City of Fayetteville Planning Commission,

My name is Franklin Evarts. My wife Louise and I have lived at 11, West South Street for nearly 40 years. In this time we have seen many changes, and quite a bit of new development and growth in our neighborhood, the majority of it being good and well thought out. Twenty years ago there were hardly any children around and a good percentage of the properties were rentals. Now there are many families buying properties because of the unique eclectic, friendly, diverse qualities of our little neighborhood. There are families walking with strollers and many kids playing in the streets. We are firstly concerned about safety, especially for the neighborhood children and then our own personal property. The apartment proposal is much too large as is. South street, which the development will border, was the main thoroughfare from Nelson Hackett and South College while all the traffic calming work was being done and there was so much traffic, and cars constantly were traveling way too fast. That was temporary. Many of the homes on South street have no driveways so street parking is our only choice; this makes the street even more narrow. When there are cars parked across from each other only one car can pass through at a time. I am very concerned about the safety of the pedestrians especially kids that are always on the street. There is a sidewalk on only one side of the street, and we are very concerned about such a large increase in traffic and potential overflow parking. We worry about the infrastructure of the neighborhood. The water main lines and sewage lines are repeatedly being repaired. The streets are too small and narrow to accommodate a large influx of new traffic. We understand that neighborhoods

change. The proposed development is much too large and will negatively change our and many of our neighbors lives dramatically. Louise and I want to go on record to say we are not against safe, thought out, practical development.

Please consider these concerns when making your decision.

Thank you very much for your time and work for the city.

Sincerely,
Franklin Evarts and Louise Rozier

Wonsower, Donna

From: darlene graf <grafhouse7@gmail.com>
Sent: Thursday, September 12, 2024 6:31 PM
To: Wonsower, Donna
Subject: Re: Nelson Hackett micro efficiency lofts

Follow Up Flag: Follow up
Flag Status: Flagged

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My main concern about this project is it's "non-consolidated" housing--meaning each separate unit (of 163) has a separate impact on parking and traffic. As a neighbor right up the street on South, I don't think the logistics of this fare well. Very short sighted.

Sincerely,
Darlene Graf
7 E. South St., 72701

On Thu, Aug 8, 2024 at 9:32 AM Wonsower, Donna <dwonsower@fayetteville-ar.gov> wrote:

Good Morning,

I have saved your email to the project folder and will ensure that it is included in the Planning Commission packet for the commissioners' review.

Best Regards,

Donna Wonsower, AICP

Planner, Development Services



479-575-8358

Wonsower, Donna

From: darlene graf <grafhouse7@gmail.com>
Sent: Wednesday, August 7, 2024 11:14 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Nelson Hackett micro efficiency lofts

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello, I am writing in regards to this proposed project that borders Nelson Hackett, Block, 4th, and South St.

I live on South Street. I am concerned about the size of this project and the influx of traffic thereof and lack of consideration for adequate parking.

Where will that many residents (163 apartments) park their cars? The proposed plan for parking is minimal leaving the residents of these streets having to navigate the overspill of apartment parking. This will also affect the swift movement of emergency vehicles when needed and trash pick-up, postal delivery: cars blocking every available curb space.

I am also concerned about infrastructure: mainly water. Will the city be proactive in replacing the old pipes with newer ones that could sustain the stress of that much more added use?

The pipes in front of my house have broken twice in the last two years, flooding my crawlspace.

The size of this project, without measured thought into the logistics of parking and traffic safety, is very short sighted. This needs to be addressed or this addition will be detrimental to the function/safety of our neighborhood.

Sincerely, Darlene Graf (7 E. South St.)

Wonsower, Donna

From: Planning Shared
Sent: Thursday, August 8, 2024 4:58 PM
To: Wonsower, Donna
Subject: FW: Property LSD-2024-011/Donna Wonsower

Follow Up Flag: Follow up
Flag Status: Flagged

For you

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Deborah Griffin <marigoldpgtc@gmail.com>
Sent: Thursday, August 8, 2024 4:54 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Property LSD-2024-011/Donna Wonsower

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Fayetteville Arkansas Planning Commission Members

I am writing in reference to a proposed development (LSD 2024-011) in my neighborhood, located one block from my home. I am **strongly opposed** to this! This development offers only monetary gain for the property owner. It in no way fits into our neighborhood. 163 micro units, 106 parking spaces (not all for cars) in NO way fulfills the need for housing. It only services the University's students and does not benefit our neighborhood. In fact, it adversely affects our neighborhood and does not meet the Downtown Master Plan's objectives. This neighborhood is old...the infrastructure is old. We have narrow streets and when cars are parked on both sides of the street (which this development would necessitate) emergency vehicles, fire trucks and ambulances cannot pass, putting us all at risk. Our neighborhood has older people and children, lots pets....the increased traffic would pose a danger to us all! With all those cars parked in our streets, the residents would lose space for visitors, or an extra vehicle, and mail service, trash and recycling pick up, street cleaning would be next to impossible.

Our neighborhood needs homes for residents not just for students. I do not understand why the trend in development favors only students. There is a loss of quality, beauty and neighborliness in the

development trends in this town. The housing of University students is the University's issue if they are not going to cap enrollment each year. Please don't let this trend to provide student housing ruin our city. Older people who want to be in town and downsize and young families who have jobs here, and people with lower income levels have no where to go because the current building trends do not provide appropriate housing for them! The infrastructure needs to be updated and addressed to meet the city's increasing population....a population that does not just consist of students. Our city is greatly impacted by the increasing number of cars on our streets.

We do have rental houses in our neighborhood that are rented by students and they benefit by having a neighborhood where we know each other if only to wave because we recognize each other. It fosters good will and a positive quality of life for all. The proposed development would diminish our quality of life. There has already been a code change of a property to RI-U just a block or so from this proposed development. That is going to change things dramatically....we DO NOT NEED this 163 unit "dormitory" with no parking to further ruin our neighborhood. I ask you to please consider the people of this neighborhood. Please do not allow this development!

Thank you.

Sincerely,

Deborah Griffin, M.Ed., L.P.C.

Wonsower, Donna

From: Planning Shared
Sent: Friday, August 9, 2024 8:17 AM
To: Wonsower, Donna
Subject: FW: comments re: 309 S Block Avenue proposed project

LSD-2024-0011

From: Gwyn Hill <gahill7777@gmail.com>
Sent: Thursday, August 8, 2024 7:42 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: comments re: 309 S Block Avenue proposed project

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear planning committee,

I am a Fayetteville resident living near the proposed building at 309 S Block Ave and I am very concerned about the project. The proposal shows that there are 162 units but only 106 parking spaces, which means there aren't even enough spaces for all the people who live there, let alone any visitors they might have. I live only a block away, at 108 W 5th St., and my house doesn't have a driveway, so I have to rely on street parking. If residents from this new building don't have enough spaces for their cars in their parking lot, they will park in the street and I may not have a place to park my car in front of my own home if I get home late in the evening. The streets are also very narrow and I am worried about traffic safety and the safety of the neighborhood children. My next door neighbors both have kids who skateboard and play ball in the street because they are used to very little street traffic, and they aren't used to having so many cars around. Our street currently has very few cars that drive by and these kids have gotten used to being able to play in the street. I am worried that they will still go out there to play even with increased traffic because they have been able to do so for their whole lives and it's habit for them, but they won't be as safe anymore. There are also several places with lots of shrub overgrowth that grows right up to the edge of the street and creates blind corners and the increase in traffic with so many new residents will make these blind corners much more dangerous. This project should be scaled back so that there is room for more parking on site and there are at least as many parking spaces as there are units, if not more, to account for visitors to the building. This will also lead to less overflow parking and traffic into the neighboring streets.

Thank you for taking time to listen to my concerns!

Warmly,
Gwyn Hill
108 W 5th St.

Wonsower, Donna

From: Masters, Jessica
Sent: Monday, August 12, 2024 3:23 PM
To: Wonsower, Donna
Subject: FW: LSD 2024-011 Public Comment In Support

LSD-2024-0011. Can you please respond and file away in the project records?

Thank you!

Jessie

Jessie Masters, AICP
Development Review Manager
City of Fayetteville, Arkansas
(479) 575-8239
www.fayetteville-ar.gov
Website | Facebook | Twitter | Instagram | YouTube

-----Original Message-----

From: Casey Hoffman <cmbrewe@gmail.com>
Sent: Monday, August 12, 2024 3:18 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Cc: Masters, Jessica <jmasters@fayetteville-ar.gov>
Subject: LSD 2024-011 Public Comment In Support

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I'm a resident at 3 E 4th Street and am in favor of LSD 2024-011 scheduled for the Planning Commission meeting today, 8/12/24.

Our city is in desperate need for more non single-family housing types, especially within walking distance to services and goods. This site is an excellent location for multi-family housing as it is close to downtown and other civic resources such as the Fayetteville Public Library and Razorback Greenway trail system.

The number of units and parking ratio is not a concern for me. The surrounding streets have a lot of on-street parking already available and it would be encouraging to see more of the on-street parking utilized. It's become apparent that when cars are parked along the narrow streets of 4th and East, traffic speeds go down and the street is safer for kids to play (and they do!).

If during a declared housing crisis, we can't put apartments directly on highway 71B, inside of the downtown masterplan, where exactly can we put them?

I look forward to welcoming more neighbors to the Jennings Plus neighborhood, Casey Brewer Hoffman

Wonsower, Donna

From: ron@fayettevilledoordocor.com
Sent: Tuesday, September 17, 2024 4:12 PM
To: Wonsower, Donna
Subject: Urban Lofts project on Nelson Hackett

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Wonsower,

As concerned residents of the South Square neighborhood we are asking you to require the developer to dramatically scale back the Urban Lofts project on Nelson Hackett!

The developers sent a letter saying that they have made changes to the project, **but please don't allow yourself to be fooled.**

None of the things mentioned in the letter will do anything to fix the multiple traffic safety issues that the project will create.

The developers say that they have reduced the number of units from 163 to 138, but a look at the recently resubmitted plans clearly shows that they have just combined some units together, but the number of bedrooms has only been reduced by a very few (8). Therefore, **the number of cars the residents will bring to the apartments are still almost the same.**

The recently resubmitted plans unfortunately show **no increase in on-site parking**. This means that there will still be at least **100 cars that will have nowhere to park** except on the narrow, older streets that already have cars parking on them. Current residents often have trouble finding parking that's not blocking driveways, trash carts, recycle bins, mailboxes, etc.

There will still be 155 bedrooms, but only about 60 on-site parking spaces!

Furthermore, there will still be at least **800 additional vehicle trips per day** (Federal transportation data) on these narrow, older streets that were never designed for that much traffic.

In their letter the developers say that they will commit some of their units to low-income residents. **This is meaningless and unenforceable.** At the 8/26 Planning Commission meeting the City Attorney clearly stated that this is illegal; she said that Arkansas state law will prevent this from being enforced.

In the letter the developers also say that they have a plan to manage parking. Except for the designated ride sharing drop-off zone, the other points are **also meaningless and unenforceable.**

Everyone in our neighborhood is very concerned about how this project is being forced upon us.

The project site is zoned Downtown General, but because of the site's steep slope and the curve on Nelson Hackett the apartments will face and adversely interact with the fragile neighborhood instead of facing the primary street as is best practice in Downtown General projects.

A careful look at the plans shows that **there is a 12' to 6' deep and 24' to 8' wide pit right next to the sidewalk** that is next to Nelson Hackett. **This is not only a dangerous traffic hazard but it's also ugly!** Moreover, this **excessively deep and wide pit** works against the city's future plans to make Nelson Hackett attractive, safe, and inviting.

The apartments will have no access to Nelson Hackett- only to Block Avenue and Fourth street, and both streets are old and narrow. And all the Urban Loft's residents on-street cars and traffic mean that residents, delivery vehicles, fire trucks, and ambulances will have difficulty getting through the streets which will further compound the traffic hazard.

It's just common sense that if you overpack the streets with parked cars and then add 800 more vehicle trips per day to these overcrowded streets children, pets, pedestrians, bicyclists, and of course car drivers will all be in danger.

Also, the South Square neighborhood is already doing its share to help with Fayetteville's housing shortage. As an older house is removed, it's being replaced with two, three, or four new houses (which puts additional parking and traffic pressure on the old, narrow streets).

The Urban Lofts apartments density will be much more than 100 units per acre and will be right next to our neighborhood that is almost exclusively no more than 10 units per acre. There is no buffer zone (as is best practice).

Most of the Urban Lofts residents will not stay there for very long. These apartments will be like an extended stay hotel and/or a student dormitory. **All the units are furnished and nearly all are hotel room size.**

The project needs to be dramatically scaled back to less than 60 units. This would allow a minimum of at least one full size on-site parking space for each bedroom of each unit.

The Urban Loft Company is a chain, they already have four similar complexes. Two in Jonesboro, one in Russellville, and one in Conway. **All four of their existing complexes are in settings completely different than the one that they have chosen in Fayetteville. They are all on flat land, all have plenty of room for all their residents to park on-site, and all are in nearly empty areas.**

Look at theurbanloftco.com to see what the developers want to force into our neighborhood. Check out Google Maps and look at where each project is and what is **(and isn't!)** around it. Google Street View will give an even better look.

The city has been nurturing and protecting our neighborhood for at least 16 years now (Walker Park Neighborhood Master Plan, adopted in 2008). **As they had hoped, our neighborhood has blossomed into a very desirable place to live!** Gentle density and an organic approach in the Walker Plan have allowed individual properties to develop over time promoting the overall success of housing in our town. **All this success will be lost with the Urban Lofts project on this site in this neighborhood.** We've got a lot to lose if these out-of-town developers are allowed to take advantage of us and force their project into our fragile neighborhood.

My wife and I have lived in and owned property in the South Square neighborhood for 30 years. Our daughter, son-in-law, and our granddaughter live in a house that we own at 24 E. Fifth Street. We have many friends in that neighborhood that have a lot invested there.

Please stand with the neighborhood and require the developer to dramatically scale back the Urban Lofts project on Nelson Hackett!

I would be glad to provide more information or answer any questions that you have. I really appreciate you taking the time to read this and would welcome an opportunity to speak or text with you. **I'd really like to meet you at the project site and show you why this special neighborhood deserves your support!**

Sincerely,
Ron Hollinghead
479-236-0842

Wonsower, Donna

From: Planning Shared
Sent: Thursday, August 8, 2024 5:27 PM
To: Wonsower, Donna
Subject: FW: Please take the time to reconsider the Urban Lofts apartments on Nelson Hackett!

LSD-2024-0011

From: ron@fayettevilledoordoctor.com <ron@fayettevilledoordoctor.com>
Sent: Thursday, August 8, 2024 4:59 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Please take the time to reconsider the Urban Lofts apartments on Nelson Hackett!

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,
My name is Ron Hollingshead and I'm writing on behalf of my daughter, son-in-law, and their infant daughter who live in the house that we own at 24 E. Fifth Street. I'm also speaking on behalf of the many neighbors who are also concerned about this project.

Before it's too late, please take another (and much more careful look) at the plans for the Urban Lofts project on Nelson Hackett Boulevard before this Monday's Planning Commission meeting.

Be sure to consider the harmful effects that a project of this size will have on the surrounding fragile neighborhood.

The Fayetteville Planning Department, including Donna Wonsower, who is the planner for this project, needs to ask more questions and reconsider the approval of this LSD.

We request that for several safety and health reasons **the development needs to be scaled back or modified so that there is at least 1 on-site full-size parking space for each bedroom of each unit.** (This can't include compact parking spaces, motorcycle parking spaces, on street parking spaces, nor waivers for bicycle parking/racks, or for bus stops that are more than a quarter mile away)

Please look again at the plans- they contain many problems with parking.

Everyone who lives in that neighborhood knows this development would be a terrible mistake. We all agree that the city needs more affordable housing, but let's not sacrifice a functioning, cohesive, desirable, and affordable neighborhood in the process.

In its current form this project is certain to create serious ongoing safety, traffic, and health issues. The city and its residents will be forced to deal with these problems over and over.

This is because the project is at least 100 parking spaces short of what it needs.

The housing lots and streets in this old neighborhood were never designed for that much on street parking.

There isn't any way that the neighborhood can accommodate an additional 100 or more cars parking on the street.

It's already not easy to find on street parking in the neighborhood. This is because residents are already using a lot of the on-street parking spots, and there are so many driveways and other curb cuts that there aren't many additional on street spots left.

We ask that both the city staff and the Planning Commissioners put the project on hold until the neighborhood's concerns can be investigated and addressed.

We also ask that both the city staff and the Planning Commission go visit the neighborhood and see where these additional 100 plus vehicles parking on the street can fit without causing these problems:

***Safety- too many vehicles (especially newer pickups and SUV's) parked on both sides of narrow streets will make it impossible for our large fire trucks to get where they need to go.**

***Safety- ambulances may not be able to get where they need to go**

***Safety-driveways may often be blocked which prevents people from leaving home and may also contribute to accidents**

***Safety- streets clogged with cars will contribute to pedestrian, bicycle, and pet accidents**

***Safety-how will streets be cleaned?**

***Health-is the existing water and sewer infrastructure up to this new load?**

***Health- How will the garbage truck be able to reach its carts if most of them are blocked by parked cars?**

***Health- Collecting recycled materials will be much more difficult**

Also- mail carriers won't be able to reach the mailboxes

My wife, Martha and I have lived in and owned property in this neighborhood for 30 years now. My two children grew up there and now my baby granddaughter is growing up there. We've watched it change and improve into an affordable place where people are happy and eager to live.

Let's not risk ruining it with a development that isn't appropriate. I remember that many years ago one of the developers of this project got his start in that very neighborhood by building nice and appropriate housing there. That housing was helpful in getting this neighborhood onto the right path.

We're grateful for what he did then and are hoping that he can see that if this project is modified properly everyone can benefit.

Thanks for taking the time to consider this,

Ron Hollingshead

479-236-0842

Wonsower, Donna

From: Sandy Hubbard <sandyhub111@gmail.com>
Sent: Sunday, August 11, 2024 5:08 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Project number LSD-2024-011

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To The Fayetteville Planning Committee:

I'm a fan of Fayetteville, including South Fayetteville... aka "Tin Cup" ... A special and unique area.

As a longtime homeowner, as well as a Graduate of the UofA, along with my three sons, I would request you vote against Project number LSD-2024-011. I go there often, and have several friends living and owning property in South Fayetteville.

Project number LSD-2024-011

is ill advised and inappropriate for this quiet and established neighborhood for those living there. Consider the impact on the infrastructure, traffic, parking and so much more...

The developer is trying to maximize his dollar without taking into consideration the huge change this will bring to surrounding landowners of single family homes in this quiet neighborhood.

Please reconsider where this type of housing for students should be built. **This project, placed in this neighborhood, is unfair and a bad idea.**

There are always solutions to be found.

Thank you for your time...

Sandra Hubbard

Sent from my iPhone
Sandra Hubbard
1923 N. Woodland Avenue
Fayetteville, AR 72703

UTube Channel... sandra hubbard
www.sandrahubbard.Utube.com
www.thelostyear.com

Wonsower, Donna

From: Jack, Ted
Sent: Monday, July 15, 2024 3:00 PM
To: Masters, Jessica
Cc: Boyd, Melissa; Wonsower, Donna
Subject: RE: Objection!

Follow Up Flag: Follow up
Flag Status: Completed

Ok. Note there is also a lot of vertical change.
Ted

From: Masters, Jessica <jmasters@fayetteville-ar.gov>
Sent: Monday, July 15, 2024 2:53 PM
To: Jack, Ted <tjack@fayetteville-ar.gov>
Cc: Boyd, Melissa <mboyd@fayetteville-ar.gov>; Wonsower, Donna <dwonsower@fayetteville-ar.gov>
Subject: RE: Objection!

Ted,

Thank you for the input! I have copied Donna Wonsower and Melissa Boyd who are reviewing this project. I know there have been conversations regarding site lines at this location with respect to parallel parking. At the end of the day, if it is meeting Engineering standards, it is likely approvable.

Jessie

Jessie Masters, AICP

Development Review Manager
City of Fayetteville, Arkansas
(479) 575-8239

www.fayetteville-ar.gov

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Jack, Ted <tjack@fayetteville-ar.gov>
Sent: Monday, July 15, 2024 2:51 PM
To: Masters, Jessica <jmasters@fayetteville-ar.gov>
Subject: Objection!

Hi Jessie,

I was looking at the site plan for the lofts at Nelson Hacket. I go through that intersection frequently and think it is a bad idea to put the three parallel parking spaces where I indicate below. There is a lot going on at that intersection with drivers having to pay attention. Someone trying to park and then getting out of the car seems dangerous for all parties.

Thanks,

Ted

Wonsower, Donna

From: Planning Shared
Sent: Friday, August 9, 2024 1:14 PM
To: Wonsower, Donna
Subject: FW: University Lofts. Opposition to the planned development on Nelson Hackett and Block stre

LSD-2024-0011

From: Molly R. Jensen <MJensen@walton.uark.edu>
Sent: Friday, August 9, 2024 12:10 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: University Lofts. Opposition to the planned development on Nelson Hackett and Block stre

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello planning commission

My name is Molly Jensen. I live at 312 S. Block Ave. directly across from the planned development named "University lofts." I am a long term resident of Fayetteville. In over 35 years I have always lived within walking distance of downtown.

I am writing today to let you know that I am an opposition to this development. There are huge traffic, safety, and health safety concerns that are not being addressed in the current plans and variances and approvals.

1-There are not enough parking spaces for every "loft" to have its own parking spot. Every apartment complex that I have viewed within a mile radius of this one has a single parking spot assigned for every bedroom. If you were to walk the neighborhood you would we have maybe 60 offstreet parking spots 20 to 30 of which are filled by current residence. That leaves approximately 30 spots for residence of the new development. This lack of parking will cause residents to have to cross Nelson Hackett Mlk and or college Street all of which have no on street parking. We are a very heavy neighborhood and this is an incredible safety issue. We don't have any stop signs nor speed bumps

2- according to the cities own plan, as you create wide sidewalks and bump outs you will cut that parking in half. I do not believe that anyone has taken this into account in the approvals.

3- what plans has the city taken to address the lack of infrastructure? How will trash and recycling be picked up with so much street parking. How will mail be delivered. I'm not sure anyone has walked through the neighborhood and noticed that block Street has no less than 10 patches where the Watermain breaks on a regular basis.

With 160+ tiny units you were going to literally quadruple the draw on the water and sewage in this neighborhood.

4. I am extremely concerned and would like to know or see the marketing research that was done concerning who the resident will be. This is clearly focused on college students or more importantly transient. Fayetteville residence I am truly disappointed in the short sightedness of staff and planning commission putting such an inappropriately dense housing, touching a fantastic and special neighbor .

5 - I think the neighborhood needs to have resident reserved parking.

I am not opposed to appropriate development, but I have yet to speak to anyone in the profession of planning architecture and housing that thinks 160 tiny unit efficiency apartment units would be appropriate for this location.

I urge Planning commission to table this and ask for a more appropriate development to be put forth for this downtown area.

Regards
M

Molly Jensen

Associate Professor

Marketing Department Sam M. Walton College of Business

University of Arkansas

[575-5503](tel:575-5503)

mjensen@uark.edu

Wonsower, Donna

From: Molly R. Jensen <MJensen@walton.uark.edu>
Sent: Wednesday, September 18, 2024 2:23 PM
To: Wonsower, Donna
Subject: Urban Lofts and South Square neighborhood development issues

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members:

My name is Molly Jensen, I live at 312 S Block. I have owned this property for 24 years and have lived here for 20 years following renovation. This neighborhood is very special. We bought our house so we could send our kids to Jefferson elementary school. When we bought our house and moved in with our 4-year-old son there were no other children in the neighborhood. Within just a few years there were several dozen children. Our neighborhood is so sought after as it is, I receive daily requests to purchase my house. Many days, like yesterday, I got two offers in the mail. We have all worked hard to maintain our houses and we are all very proud of our little hamlet. Our little neighborhood is so special and safe.

This will radically change if the Urban Lofts is approved. How will it change:

- Traffic safety and chaos. As one of the first neighborhoods built after the original town plat, our streets are very narrow and many of the properties here are so narrow they do not have driveways. Adding cars for over 100 apartments that will be dumped into our neighborhood would be irresponsible and cause many safety issues for the children in our neighborhood.
- Traffic safety issues are caused by all the cars that are not given appropriate parking within the complex. With over 100 apartments we are looking at up to 200 extra cars in the old neighborhood. This increased traffic will cause Health and Safety issues. How will our sewers handle the increase? Our water has failed at least twice this year already. how will our trash be picked up? How will emergency vehicles get through our streets?
- Traffic Safety - our little roads are not built for the number of cars traveling through our neighborhood each day. As a downtown general development, the apartment traffic should flow INTO DOWNTOWN GENERAL zoned areas. Not into our neighborhood conservation zoned neighborhood.
- Traffic safety and personal safety of new potential residents: There are easily 40 cars parked on our streets at night from current residents. As a consequence, Urban Loft residents (and current residents) will have to cross Highway 62, Nelson Hackett or College to find a parking spot outside our neighborhood increasing the chances of pedestrian/car accidents as well as personal safety concerns.

I am opposed to the current Urban Lofts design because it is INAPPROPRIATE for this site. Look at the other 4 projects this company has built - they are all on flat land WITH parking for all residents on site. This Fayetteville site calls for an appropriate project, something that would encourage neighborhood growth and interaction. One project will not solve our housing crisis, and our

neighborhood should not pay the price for Fayetteville trying to do so. Let's find a project that will enhance the neighborhood, increase everyone's property values, make the developers some money and be proud of their project.

With all the legal vicariances, they are trying to pour 10 gallons of sand into a 5-gallon bucket. An appropriate project would not require so much need to bend/break our current building standards. Please build on this site, just build something appropriate.

Regards,
M

Molly Jensen
Associate Professor
Marketing Department Sam M. Walton College of Business
University of Arkansas
575-5503
mjensen@uark.edu

Wonsower, Donna

From: cjmemphis@juno.com
Sent: Wednesday, September 18, 2024 3:16 PM
To: Wonsower, Donna
Subject: Fw: Urban Lofts at Nelson Hackett

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Wonsower -

Please find below an email I sent to the Planning Commission and the two Ward 1 council members yesterday.

Thank you!
Carole Jones

----- Forwarded Message -----

Dear Planning Commissioners:

I am writing to you regarding the proposed Urban Lofts at Nelson Hackett. I am a Ward 1 Fayetteville resident. I have lived in Ward 1 since 1998. I am opposed to the proposed development for the following reasons:

The density seems too dense for the surrounding area.

The expected traffic from the proposed density seems as if it would overwhelm the surrounding streets and neighborhood. It also seems as though there would be some potential safety concerns since the proposed project is located along the curve at Nelson Hackett Blvd. Has a traffic study been performed?

The site is rather steep, making drainage and runoff a concern.

The existing water and sewer infrastructure may not be adequate.

The proposed on-site parking is of particular concern. I feel as though the idea of less parking is a good concept; however, continuing to allow residential developments to utilize off-site parking is a bad idea. This is still Arkansas, and almost everybody has a car! Our public transportation system is unsafe and unreliable. The last time I rode the bus, I had a very unsettling experience. I ride a bicycle for at least 50% of the trips I make, which is far more than most people I know. Yet I still own a car and must use a car for many trips. I believe that less parking for most commercial developments makes sense. I just do not like the idea of existing, single-family neighborhoods having to subsidize and accommodate dense residential housing.

I realize there is a housing shortage in Fayetteville. I am not opposed to new development or dense development or infill. I just feel as though this is not an appropriate location for this type of development. Less density at this site may make more sense.

Thank you for your consideration of my concerns.

Best,
Carole Jones, PE
2203 S Emma Ave
Fayetteville 72701

September 18, 2024

Dear Planning Commission Members:

I am writing in regard to LSD-2024-0011 (Urban Lofts). My husband, Jared Pebworth, and I have lived at 105 W Fifth Street just shy of 25 years. We have raised two children there (and are still raising one), and we enjoy our yard where we have kicked the soccer ball, grown countless gardens, picked a few apples and pears from our trees, and listened to the catbirds.

Yet what has been a small, quiet neighborhood, largely for working- and middle-class families, finds itself in danger of being completely altered due to the proposed LSD-2024-0011. Our streets are narrow, some homes lack driveways, and over the years, we have witnessed several occasions where emergency and utility vehicles have not been able to pass, because cars were parked on both sides of the road. When we first moved to our home, there were very few children nearby. Now we can count close to two dozen within a couple of blocks. They ride bikes and scooters, play soccer and street hockey, walk their dogs. Some are just learning to walk in their yards and on the sidewalks.

The Urban Lofts project, even with its small reduction in units, would cause chaos and traffic safety problems, endangering residents and their children. Many of us chose this area in the first place for the increasingly rare experience of quiet roads, kind neighbors, walkability, and, in some places, a tree canopy. The hundred or so extra cars owned and driven by the revolving population of renters at Urban Lofts will flood our already crowded streets, causing up to an additional 800 or more vehicle trips per day. Our neighborhood is not the place for this type of large-scale development. Though there may indeed be areas of 71B that could benefit from “revitalization,” as Urban Lofts states in its letter of August 22, 2024 to the Planning Commission, our neighborhood is the very definition of vital. We work, we raise families, we take care of our homes and our neighbors, we pay our water and gas bills, along with our property taxes. We **live** here.

Though additional “workforce units,” again from said letter, may be a legitimate concern, a development of that design and scale is not appropriate for the proposed site. Many neighbors and supporters attended and spoke at the last meeting where this project was discussed at length and the Planning Commission unanimously voted the project down 7-0. In that moment, all of you agreed to protect the integrity of one of Fayetteville’s oldest and most authentic neighborhoods. If you allow this development to be built among our homes, you will negatively impact our immediate environment and our quality of life. And our neighborhood will never be the same again.

Sincerely,

Cindy King and Jared Pebworth

Wonsower, Donna

From: Curth, Jonathan
Sent: Monday, September 16, 2024 9:11 AM
To: Wonsower, Donna
Subject: FW: Developers from Jonesboro

Donna,

Please see the below regarding LSD-2024-0011 and include it in the packet for next week's PC as appropriate.

Thanks,

Jonathan Curth, AICP

Development Services Director
Development Services Department
City of Fayetteville, Arkansas
jcurth@fayetteville-ar.gov
479.575.8308

[Website](#) | [Facebook](#) | [Twitter](#) | [Youtube](#)

From: Marian Kunetka <mk923514@icloud.com>
Sent: Sunday, September 15, 2024 6:57 PM
To: Mayor <Mayor@fayetteville-ar.gov>
Subject: Developers from Jonesboro

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Please help save a Walker Park neighborhood with single family homes

Shared with Public

Developers from Jonesboro purchased an acre of land south of south st and east of Hackett road, location just north of MLK blvd. They want to build 167 apartments and only have parking for 100 cars, This is an old neighborhood with mostly old single family homes. We went to the last planning commission meeting, 35 residents testified regarding the narrow streets. Residents are concerned about heavy traffic which would happen with 67 cars parked on the narrow streets. There are many families living there with small children. The planning commission voted the project down. The developers have appealed their decision and will bring the project once again to the commission. I spoke with Fire Marshall Jeremy Ashley re what is required by the fire department for these small streets. Fire apparatus access roads cannot be less than 20 ft, exclusive of shoulders and curbs.

Marshal Ashley has seen the proposed plans and informed the developer that they would have to widen South st and 4th street in order for permission to on street parking. This would create hazards for the streets. The residents would accept the apartment complex but only if there is adequate parking on there grounds. I have not contacted water and sewer people as yet, which I intend to do. Any assistance you would be able to offer would be greatly appreciated, Marian Kunetka, 706 south College ave, Fay 72701 - phone 847-644-6510 (kunetka@uark.edu).

Wonsower, Donna

From: Marian E. Kunetka <kunetka@uark.edu>
Sent: Wednesday, September 18, 2024 1:13 PM
To: Wonsower, Donna
Subject: Loft Apartments / south of South st & east of Nelson Hackett

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I write regarding the Jonesboro developer who wants to build 167 loft apartments on property south of South street and east of Nelson Hackett blvd in the Walker Park neighborhood. He only plans to provide 100 parking places for this development and is requesting a code variance to allow on street parking for the remainder of the vehicles. I would imagine that there will be more than one resident per loft, which would add to the number of cars associated with this development.

This is an old established neighborhood, the majority of the homes are single family dwellings with many young children who play outside during good weather. On street parking for this many cars and trucks would be dangerous to to the current neighbors. This would not be required if the developer would provide adequate parking on the site. This could be accomplished by lowering the number of apartments to equal the parking spaces provided.

Please consider voting for established citizens and require on site parking.

Marian Kunetka
706 south college ave
fayetteville, AR 72701
847-644-6510

Wonsower, Donna

From: Rebecca LaTourette <berekki@gmail.com>
Sent: Monday, August 12, 2024 10:06 AM
To: Wonsower, Donna
Subject: Urban Lofts at Nelson Hackett LSD 2024-0011

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Donna and planning staff,

I'm writing to express a few concerns and observations about this proposed project.

I have long been aware of which parcels are zoned DG and expected that large scale development would happen there. It is my hope that the planning commission be realistic about the actual traffic and parking impact that this development will have.

I manage rental property in this neighborhood and know that all but one of my tenants drive to work, school and grocery shopping.

They walk for recreation. Similar developments in the area have resulted in an increased burden on neighborhood street parking.

When the parking rent is separate from the unit rent, some residents opt to save money by parking on the street. There is insufficient bus service to this area to ease the car burden.

The infrastructure for utilities is insufficient. Particularly stormwater runoff and sanitary sewer.

Parking on Nelson Hackett potentially creates a traffic hazard.

This neighborhood has many properties zoned NC but it seems they are easily converted to higher density. This creates insecurity and unpredictable growth patterns.

The other minor thing I noticed in the plans is that a parcel that I own across Nelson Hackett is incorrectly identified as being fully owned by the city of Fayetteville. They only own a tiny portion of that parcel #765-07125-000 which of course would be ideal for more parking or road expansion in the future.

Best regards,
Rebecca LaTourette
479-445-7294

Wonsower, Donna

From: Corey Lamb <corey.n.lamb@gmail.com>
Sent: Wednesday, September 18, 2024 5:30 PM
To: Wonsower, Donna

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Planning Commission Members,

I have heard a lot about the new development at the intersection of South & Nelson Hackett. It is very nearby my home at 7 E 5th St. I have mixed feelings about what I know. It seems to me there is to be 160 units with only 60 parking spaces. I hope this to not be true. I am very happy to support development in downtown and want to see a thriving city, but I do not like the parking disparity. I believe there needs to be a greater requirement on the builder to provide adequate parking for this new development either by lowering the number of units or increasing the amount of parking. I think exploring a basement parking garage that could house 200+ cars would make the most sense if the development wants to maintain 160 units. I personally would also love to see retail/commercial property on the ground level to give us restaurants, bars, coffee shops, and similar businesses to help us grow and give value back to the community and neighborhood I live in.

I hope these thoughts reach you in time.

Corey Lamb - He/Him
501.802.0727
corey.n.lamb@gmail.com

Wonsower, Donna

From: Rebecca LaTourette <berekki@gmail.com>
Sent: Wednesday, September 18, 2024 3:32 PM
To: Wonsower, Donna
Subject: LSD -2024-0011, Nelson Hackett and E South St

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Donna and planning staff,

I'm contacting you to express my continuing concerns about the size of the proposed development and the inevitable huge increase in traffic, parking issues and pressure on insufficient infrastructure in the neighborhood. I own multiple lots, also zoned DG on the opposite side of Nelson Hackett Blvd. The trend that I am observing is increasing density without realistic planning for the cars and infrastructure in these areas. It also seems quite unfair to the folks on that side of the boulevard who bought into the concept of neighborhood conservation only to see many properties rezoned for infill which compounds the problems since everyone has at least one car.

Additionally, I ask that you consider the high probability of other denser uses of surrounding properties on the East side of Nelson Hackett. There are multiple properties zoned DG or for infill. Will they be turned down in the future because the area can't handle anymore density? Will you make Nelson Hackett 4 or 5 lanes to handle the traffic? Who pays for the new, wider streets, water and sewer upgrades for an entire neighborhood?

The increased traffic is the biggest concern. Most folks have at least one car and they like to drive. As much as I would love to see my tenants walk to work, the store and school, they do not. It will take significant investment in public transportation to make some of the areas we have designated for high density have less vehicle impact on the historic old core of Fayetteville. It will also have to be economically painful to jump in a car to drive 3 to 5 blocks.

I will continue to watch as this town explodes with development. It's sad to think that the eventual economically best use of my property may be a giant, unattractive parking garage.

Best regards,
Rebecca LaTourette
479-445-7294

Wonsower, Donna

From: Ed Levi <edlevibeas@gmail.com>
Sent: Wednesday, September 18, 2024 1:50 PM
To: Wonsower, Donna
Subject: Letter to planning commissioners against the Urban Loft variance

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners,

This is in relation to the proposed plan of the **Urban Loft Company** for their housing project at the corner of Nelson Hackett and South Street in the Walker Park area.

Although I understand there is a need for an increased supply of more residential possibilities in Fayetteville, what Urban Loft is considering will do more damage than good. As a nearby resident, I find that what they are proposing is totally contrary to the benefit of the immediate area and the city as a whole for several reasons.

But, first of all, I must say that all requested variances presented to your commission should be studied and looked at with fine tooth combs. Plans and ordinances were put in place because they were thought to be in accordance with the desires of the people to make Fayetteville the wonderful city it is. Asking for exceptions is exactly what Variances are asking; to change the earlier plans or ordinances that were deemed to be appropriate. Therefore, variances should be seen as inappropriate except in very special circumstances.

In this particular situation, there are several reasons to object to this proposal beside the fact that only marginal adjustments have been offered after the first and unanimous refusal. Here are just a couple that should be enough to decline this request for a variance:

- 1) The lack of the parking places for an additional 100 vehicles is going to more than become troublesome for the neighborhood and surrounding neighborhoods as well as for the proposed new residents. There's a reason for the ordinance that requires a ratio for parking places per bedrooms.
- 2) The proposed construction will necessitate the destruction of some beautiful trees that should be protected. Fayetteville loves its trees and cutting any big ones does more than adding to the heat sink cities have become. Trees do more than add shade and beauty but they also sequester carbon dioxide. Cutting them not only stops them from absorbing carbon dioxide but it causes them to release the CO2 they've absorbed. The regulations to replace old, stately trees with young ones will not make up the difference for decades. Clearly this is not the time to be adding to climate change.

I respectfully request that you vote to deny this request for a variance.

Ed Levi, resident of downtown Fayetteville

Sent from my iPhone

Wonsower, Donna

From: Shawn Morris <shdmorris@gmail.com>
Sent: Thursday, August 8, 2024 7:48 AM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: 309 S Block Ave LSD-2024-011 Project Concern

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

My name is Shawn Morris, I live at 114 W 5th Street, Fayetteville, AR 72701. I'm reaching out to voice my concerns about the 309 S Block Ave LSD-2024-011 Project.

I love Fayetteville and my neighborhood and I'm excited to see all the new construction that is happening in the region. I believe we need to build more houses in greater density to keep up with demand and keep prices affordable. However, the decisions we make to achieve this need to be smart and thoughtful. The proposed project off of Nelson Hackett is neither.

The builders are trying to fit too many units on too small of a lot leading to my concerns about parking, traffic, and trash. Fayetteville is still a car-dependent city and that is not changing any time soon which means every resident will have a car and that will spill onto multiple streets in the neighborhood. Additionally, our neighborhood already has a rat/mouse problem and the amount of waste that would be generated on the plot will exacerbate the issue.

I would welcome a project that is downsized, but as it stands today it is too many units and will have a negative impact on the neighborhood. I'm excited to attend the planning commission meeting on this topic on 8/12.

Thanks

Shawn Morris

Wonsower, Donna

From: Planning Shared
Sent: Thursday, August 8, 2024 12:57 PM
To: Wonsower, Donna
Subject: FW: 309 S Block Ave LSD-2024-001 Project Meeting

Follow Up Flag: Follow up
Flag Status: Completed

Also for you

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267
Website | Facebook | Twitter | Instagram | YouTube

-----Original Message-----

From: Karen Mueller <karen@karenmueller.net>
Sent: Thursday, August 8, 2024 12:14 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: 309 S Block Ave LSD-2024-001 Project Meeting

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm writing about the project planned at Block Street/Nelson Hackett/4th Street.

I live at 321 S. East Ave, one block west of Block Street. I bought my house almost 10 years ago. I'm a retired nurse and plan to live here until I die.

My neighborhood is a diverse, family-friendly place. I walk my dog at least 2 times a day and know many of the neighbors. People are frequently out and about walking dogs, jogging or walking. And there are a number of young children who play in the streets. There are two basketball hoops up and the children use them a lot.

I love this neighborhood and am horrified with the plan and how it will change the lives of everyone who lives here. I've spoken to many of the neighbors and none of them are in favor of this plan.

The number of units is shocking, knowing that traffic already is a big problem in our neighborhood. Cars racing up my street and Block Street frequently is very scary! I have to be careful with my dog, even though she is on a leash. And of course there are cats in the neighborhood that are at risk of being hit or run over.

Parking is also a problem. Some residents don't even have a driveway and need to park on the street. When Crisis Brewery has an event, every street is crowded and neighbors sometimes have no place to park. Adding 163 units (and people and probably cars) doesn't make sense!

I understand that there are only 106 total car parking spaces and overflow would be on our already busy streets. It sometimes is already a problem going down some streets where cars are parked on both sides. We have to think of safety - what if an ambulance needs to get through? And it will be harder for trash pickup and street cleaning.

Another problem is we have frequent water line breaks because of old pipes. Some of my neighbors have had flooding because of this. Right now there is a patch at the intersection of S. East Ave and 4th St. The patch has sunk, creating a fairly large hole that everyone has to drive around.

Because the planned units are so small, the population will probably be students or temporary people looking for something more appropriate and the turnover will be constant. I believe the units will degrade over time and this will affect or property values. Why not build fewer luxury apartments or small homes where folks will want to STAY and become part of our wonderful neighborhood? Or build fewer decent-sized apartments with retail underneath such as a coffee house, a wine bar, etc. that neighbors would enjoy going to?

Of course they will take down most of the old trees (we will miss that shade). I don't understand why this is not a priority when we are worried about climate change and everything that goes along with diverse nature.

All in all, I hope the planning folks take a better look at this and do what they would want in their OWN neighborhoods, which is a change in plan with fewer, larger apartments or small houses.

Thank you,
Karen Mueller

Wonsower, Donna

From: Karen Mueller <karen@karenmueller.net>
Sent: Wednesday, September 18, 2024 6:24 AM
To: Wonsower, Donna
Subject: Urban Lofts at Nelson Hackett

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Karen Mueller, and I'm writing to express my deep concerns (horror actually) about the proposed plan at South Street, Block Street and Nelson Hackett.

I live at 321 S. East Avenue, one block east of Block Avenue. I've lived in our neighborhood almost 10 years and it's the best neighborhood I've ever lived in. I'm 76 years old, a retired nurse, and plan to live in my house until I die.

The neighborhood is very diverse with folks of all ages. I know many of the neighbors because I usually walk my dog twice a day which enables me to meet and greet folks. I'm also a gardener so am outside frequently and can chat with folks who are walking by. We have many young children who play in the streets which is a joy.

I am very disturbed by the plan to build 163 units on the street behind me. That means **AT LEAST 163** more people on that **ONE BLOCK** behind me. It would entirely change the character and health of our neighborhood.

Traffic safety is already an issue. Cars frequently race up my street which is dangerous to people and pets.

Our streets are narrow and sometimes hard to get through. When Crisis Brewery has special events, cars fill the neighborhood, and some folks are unable to park in front of their homes during these events. Some residents don't even have a driveway.

Another problem is water pipe breaks which happen frequently. Some people have suffered flooding. I imagine with 163 more people, the water and sewer systems would be overloaded.

The loss of most of the trees on that block will devastate the park-like atmosphere and contribute to climate change.

I suggest that you please take a short 20-minute walk through the neighborhood and then imagine what it would be like for you if you lived here, with what is proposed.

I would rather have a reasonable number of homes or luxury apartments (perhaps above a coffee shop or wine bar or small store) with a bit of nature, places where people would want to stay instead of moving on.

I'm afraid that the proposed plan would devastate our wonderful neighborhood!

Thank you,

Karen Mueller

Wonsower, Donna

From: Phoebe Ostner <postner54@gmail.com>
Sent: Wednesday, September 18, 2024 2:21 PM
To: Wonsower, Donna

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear planning commission members,

My name is Phoebe Ostner and I live at 312 S. Block, directly across the street from the proposed apartment complex. I was raised in this neighborhood and deeply cherish its unique, homely, sense of place. The reason south Fayetteville is important is that it preserves the essence of old-town Fayetteville. It is not particularly affluent or picture perfect, but it is walkable, neighborly, quiet, and community oriented. I believe we are an example of what makes people want to move to Fayetteville in the first place. We must preserve our hometown in this way.

Being a part of the downtown, we are not equipped to host a hundred or more cars from these apartments that are left to park on our old, narrow streets. Similarly, the traffic associated with housing of this proposed magnitude (800+ vehicle trips daily) poses safety concerns for everyone in the neighborhood, especially our young children who feel safe in our streets as they are now.

Please consider my perspective and
thank you for your time.

Phoebe Ostner

Wonsower, Donna

From: Planning Shared
Sent: Friday, August 9, 2024 1:20 PM
To: Wonsower, Donna
Subject: FW: Urban Lofts on Nelson Hackett, LSD 2024-011

LSD-2024-0011

From: Alan Ostner <alan@drainagedoctornwa.com>
Sent: Friday, August 9, 2024 1:18 PM
To: Planning Shared <planning@fayetteville-ar.gov>; Alan Ostner <alan@drainagedoctornwa.com>
Cc: Mayor <Mayor@fayetteville-ar.gov>; Bob Stafford <robert.s@bluestarbiz.com>
Subject: Urban Lofts on Nelson Hackett, LSD 2024-011

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Planning Commissioners and Staff,

I am writing to voice disagreement over the proposed Urban Lofts, LSD 2024-011. I live nearby at 312 South Block. The traffic danger of putting 162 units on 1.3 acres is severe in this location. That comes to 124 units per acre! The neighborhood is functioning great at 10 units per acre, well double the 4 units per acre in the sprawl-prone suburbs. These are small, narrow, neighborhood streets that cannot handle that type of traffic. We currently have small children, elderly, pet walkers, and even folks from other neighborhoods safely and happily walking these streets. This is a neighborhood experiencing a rebirth of sorts. This scale of development will hamper and cause a detrimental effect to our quality of life and degrade the neighborhood. 162 units estimating 20% significant others or roommates (a common attribute anywhere) could equal 200 neighbors. Even with the Planning Staff's hopes and dreams of only 80% of them bringing cars, that comes to 160 vehicles trying to drive, park, go places, all the things we do. There will be around 80 parking spaces provided which means over 100 folks will be fanning out all over the surrounding city blocks to park on our already crowded streets. This neighborhood should be held up as a symbol of success! Not punished for being located close to a major roadway! My wife and I are more than happy to welcome a neighboring complex that might be 40 units per acre, 50, or even 60 units per acre. Do many other neighbors show up to the Planning Commission welcoming that density? I doubt it. This is a density of 124 units per acre!

Please: use your discretion as granted to you by the Ark. State Legislature on any Large Scale Development: vote to table this proposal out of traffic danger. Request that the development team come up with a compromise: a lower density proposal that will add to the neighborhood, not take away from it.

Best,

Alan Ostner, ASLA, PLA
DRAINAGE DOCTOR NWA, PLLC
Licensed Landscape Architect
Ark. LA License #5204
Ark. Contractor's Lic. #0428970724
BSA Scoutmaster

Member: Ark. Better Business Bureau
Member: Ark. Master Gardeners
Member: Ark. Native Plant Society Education Committee
C: 479.387.7900
W: www.drainagedoctornwa.com
E: alan@drainagedoctornwa.com

I reply to texts and emails from 7am-7pm M-F and 7am-noon Saturdays

Planning Commission
September 23, 2024

Wonsower, Donna

From: Planning Shared
Sent: Friday, September 20, 2024 11:06 AM
To: Wonsower, Donna
Subject: FW: LSD-2024-0011 - Urban Lofts at Nelson Hackett
Attachments: Resized_20220628_084206.jpeg

For you

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Scott Hill <razorbackscott@gmail.com>
Sent: Friday, September 20, 2024 10:49 AM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: LSD-2024-0011 - Urban Lofts at Nelson Hackett

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am writing to express my support for the modified plans submitted for the Urban Lofts at Nelson Hackett.

The city just created a new zoning category called Urban Corridor which will allow up to 8 stories of development along College Avenue and other side streets if those properties are re-zoned accordingly.

This project is very small and respectful of the neighborhood by comparison, with the maximum height being 4 stories, and stepping down to 2 stories across the street from single family homes. There is no such consideration currently being given to single family homes in the new UC zoning proposed for much of 71B.

The project also shows good design, high-quality materials being used, and will serve as a bridge between South Fayetteville and downtown.

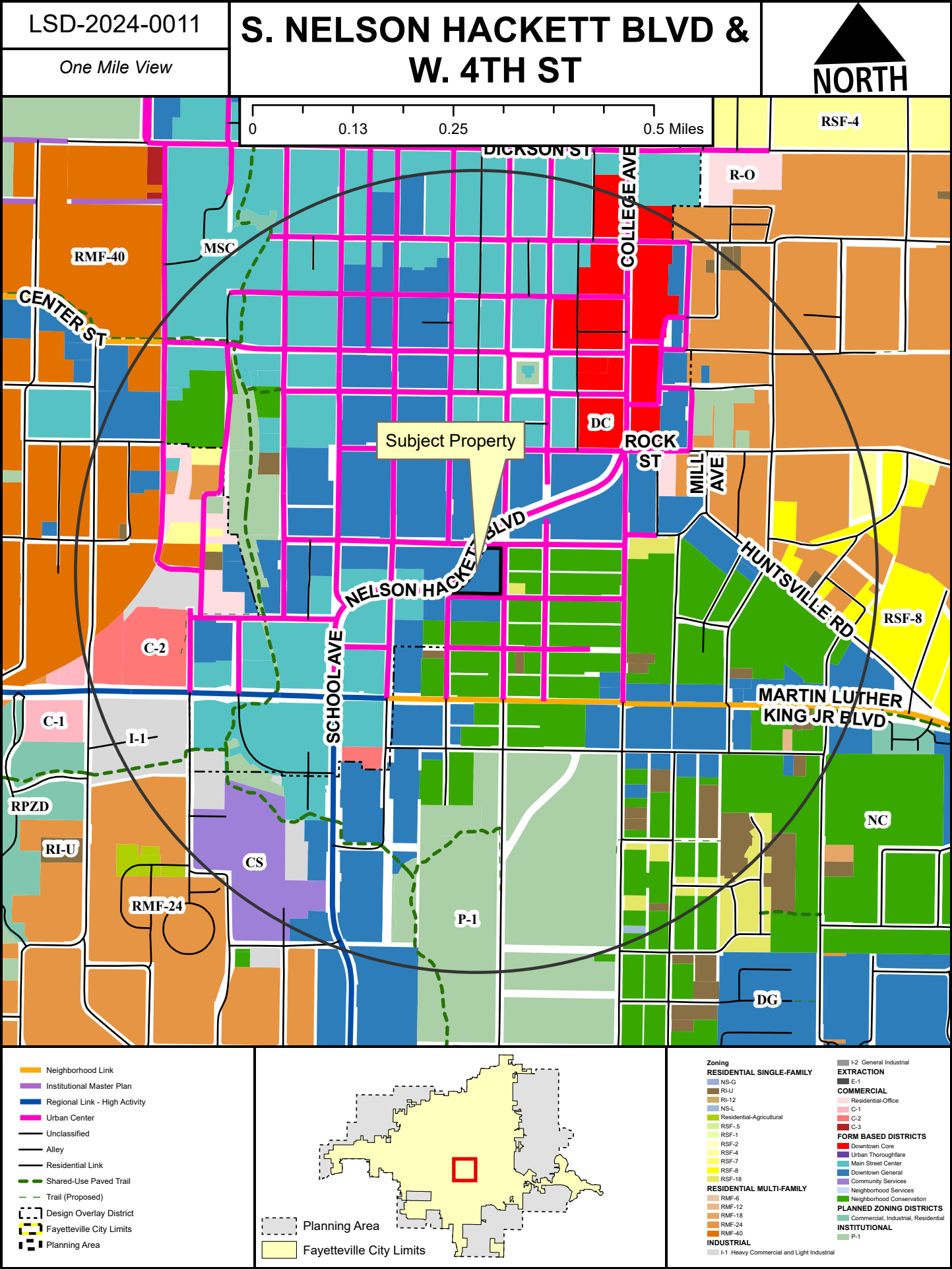
Finally, the property had been used as multi-family for the prior 50 years. My oldest brother and his wife lived there in the mid 1990s while they were attending graduate school, and the apartments were in bad

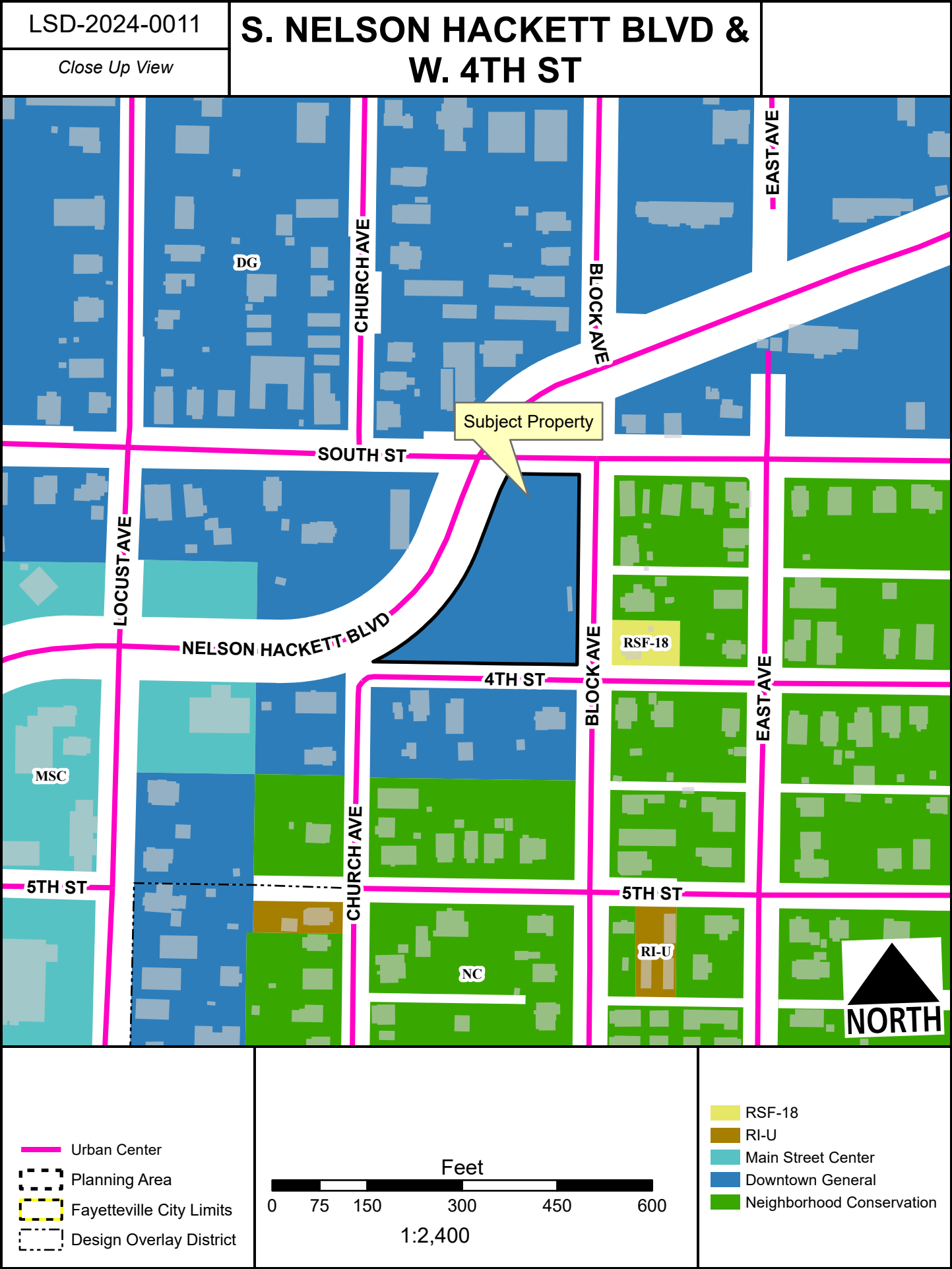
shape then. I've attached a picture I took last year of the condition of the property as I drove through. I took this picture to send to my brother to show him what happened to where he used to live.

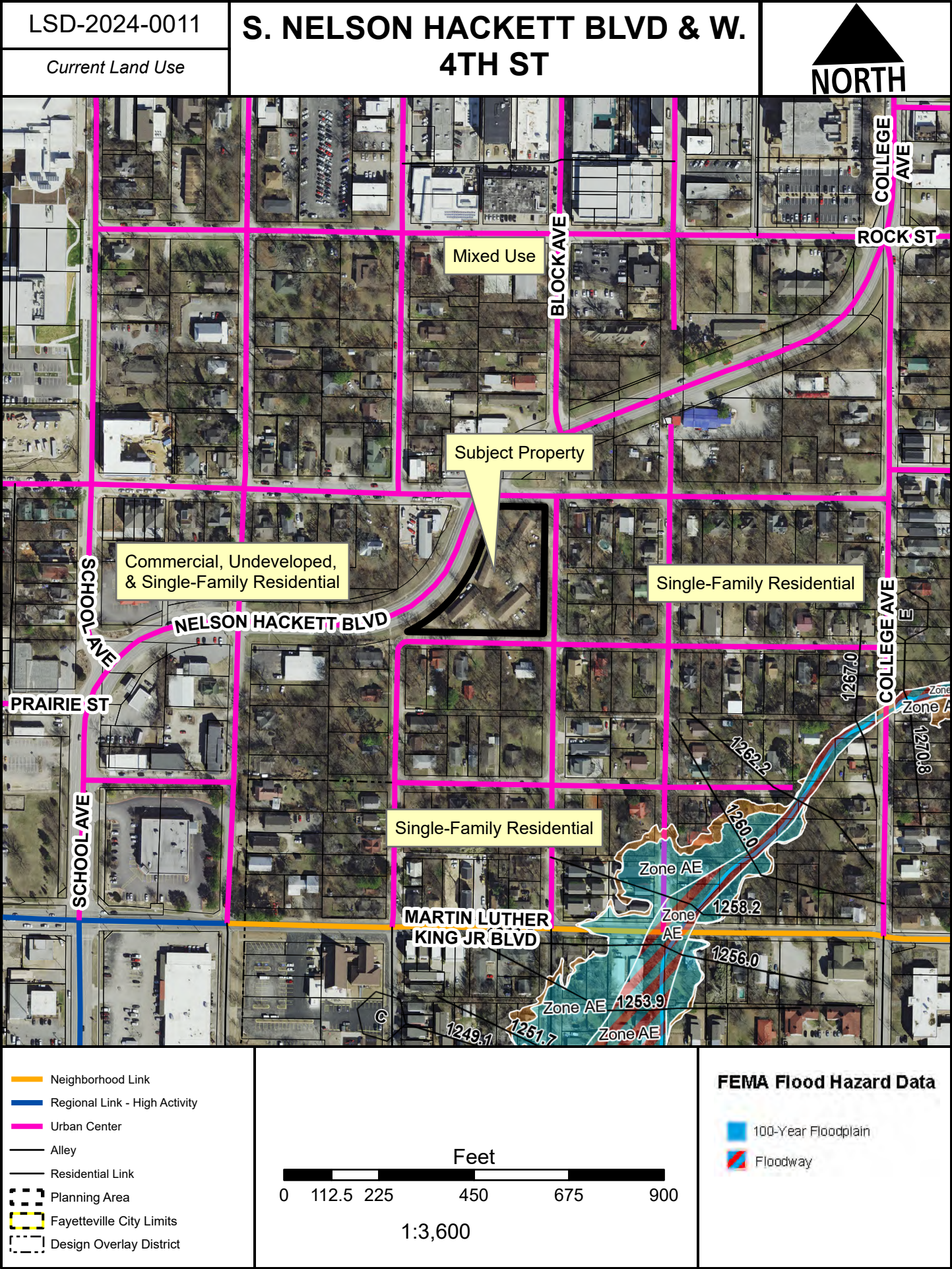
If this were proposed in my neighborhood, I would support it whole-heartedly and encourage my neighbors to do the same. Four stories with a step-down to two stories is a thoughtful way to address infill along 71 B where it is located near existing neighborhoods.

Thank you,











TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Donna Wonsower, Planner

MEETING DATE: September 23, 2024

SUBJECT: **LSD-2024-0020: Large Scale Development (2837 N. DEANE SOLOMON RD./UNDERWOOD PARK, 246):** Submitted by ECOLOGICAL DESIGN GROUP for property located at 2837 N. DEANE SOLOMON RD. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 34.59 acres. The request is for new park facilities, including a pavilion, sports courts, water play amenities, and associated parking.

RECOMMENDATION:

Staff recommends tabling **LSD-2024-0020** to the next scheduled Planning Commission meeting, at the applicant's request.

RECOMMENDED MOTION:

*"I move to table **LSD-2024-0020** to the October 14, 2024 Planning Commission meeting."*

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>September 23, 2024</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			



TO: Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Kylee Cole, Planner
Josh Boccaccio, Engineering Development Review Manager
Melissa Evans, Urban Forester
Donna Wonsower, Planner

MEETING: September 23, 2024

SUBJECT: **LSD-2024-0013: Large Scale Development (3360 N. GREGG AVE/MAVERIK, 211):** Submitted by OZARK CIVIL ENGINEERING for property located at 3360 N. GREGG AVE. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 2.37 acres. The request is for a 5,637-square-foot convenience store and fueling station with associated parking.

September 23, 2024 Planning Commission Meeting:

The applicant has requested to table to December 9, 2024 Planning Commission Meeting.

RECOMMENDED MOTION:

"I move to table LSD-2024-0013 to the December 9, 2024 Planning Commission Meeting."



TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Donna Wonsower, Planner

MEETING DATE: September 23, 2024

SUBJECT: **CUP-2024-0036: Conditional Use Permit (986 N. MEADOWLANDS DR/MEADOWLANDS CHILDCARE CENTER, 439):** Submitted by JORGENSEN & ASSOICATES for property located at 986 N. MEADOWLANDS DR. The property is zoned R-O, RESIDENTIAL OFFICE and contains approximately 1.86 acres. The request is for a childcare facility.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0036** with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0036** with conditions, determining:*

- In favor of compatibility with adjacent properties, and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is in west Fayetteville along W. Wedington Dr., at the southeast corner of the intersection with N. Meadowlands Dr. The property is currently undeveloped with few existing trees. The property is zoned R-O, Residential Office and is part of the Wedington Corridor Master Plan area. A large-scale development application and associated variances (LSD-2024-0026) is also scheduled for the September 23 Planning Commission agenda. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Undeveloped	CS, Community Services
South	Two-Family Dwellings	RI-12, Residential Intermediate Urban
East	Undeveloped	R-O, Residential Office
West	Undeveloped	R-O, Residential Office

Proposal: The applicant requests a conditional use permit to develop a childcare facility in the R-O, Residential Office zoning district. This use would be classified as Use Unit 4: Cultural and Recreational Facilities, which is a conditional use in the R-O zoning district. The applicant has described the business as follows:

- Business will occur in approximately 10,984-square-foot commercial childcare facility, associated parking, and exterior playgrounds*
- Parking: 45 vehicle spaces*

- *Number of employees: 25*
- *Number of customers: 167 children*
- *Hours of operation:*
 - *6:00 a.m. to 7:00 p.m., Monday through Friday*
- *Drop off times between 6:00 am – 9:30 am*
- *Pickup times between 4:00 pm – 7:00 pm.*
- *Outdoor lighting: Lighting such as wall sconces on the building and parking lot light poles. The lighting plans will comply with City of Fayetteville code ordinances.*
- *Noise: Some noise associated with pickups and deliveries, as well as children playing outside*
- *Screening: Per city ordinances*
- *Trash: Proposed dumpster and associated enclosure at SW corner of property*
- *Ingress/Egress: Shared access through two driveways on to N. Meadowlands Dr.*

City Plan 2040 Future Land Use Designation: City Neighborhood Area

Public Comment: Staff has not received any public comment at this time.

RECOMMENDATION: Staff recommends approval of **CUP-2024-0036**, with the following conditions:

Conditions of Approval:

- 1. Planning Commission determination of compatibility for a childcare facility in R-O zoning.** *Staff finds the proposed use to be compatible with adjacent properties for the reasons outlined above.*
- 2. This conditional use permit is limited as described in the applicant's request letter. This conditional use permit is transferable to a different business or property owner. The following specifications apply:**
 - Size of the business: Approximately 10,984 square feet
 - Hours of operation:
 - Monday - Friday, 6:00 a.m. - 7:00 p.m.
 - Number of children: Up to 167
 - Parking: 45 vehicle spaces within new parking lot
 - Number of employees: Maximum of 25 on site
- 3. A business license shall be obtained for the proposed business at this location prior to building permit approval;**
- 4. Any future expansion or change in the use shall require Planning Commission approval;**
- 5. Trash collection shall be coordinated with the City's Trash and Recycling Division;**
- 6. Signs shall be limited to those permitted by UDC Chapter 174, Signs. Any proposed signage shall be reviewed for compliance with the underlying zoning district and shall be permitted by a separate sign permit prior to installation; and**
- 7. Approval of this conditional use permit does not constitute approval of any associated building plans or permits. The applicant shall coordinate with the City's Building Safety**

and Engineering Divisions to ensure that all proposed building and site renovations are meeting applicable permitting requirements.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>September 23, 2024</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.
2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

C. Procedures. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: **The applicant has submitted a written application requesting conditional use approval for Use Unit 4: Cultural and Recreational Facilities in R-O zoning.**

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

Finding: **The applicant has paid the required filing fee.**

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:

(a.) That it is empowered under the section of this chapter described in

the application to grant the conditional use;

Finding: The Planning Commission is empowered under Unified Development Code §161.20 to grant the requested conditional use permit.

(b.) That the granting of the conditional use will not adversely affect the public interest.

Finding: The requested conditional use is along a major corridor, and the R-O zoning district is intended to provide for “offices ... together with community facilities, restaurants and compatible residential uses.” Staff finds that granting the requested conditional use is unlikely to adversely affect the public interest since the proposal is compatible in size, scale, and appearance with surrounding neighborhoods and also serves to provide necessary services to the surrounding residents.

(c.) The Planning Commission shall certify:

(1.) Compliance with the specific rules governing individual conditional uses; and

Finding: There are specific rules governing childcare establishments, as follows:

§163.05. CHILD CARE; NURSERY SCHOOL

A. Minimum Lot Area. Contain a minimum lot area of 250 square feet per child.

Finding: The applicant is permitted to care for up to 167 children per state licensure, which would require 41,750 square feet. The subject parcel exceeds this requirement with a size of 1.85 acres (approximately 80,586 square feet).

B. Minimum Outdoor Play Space. Provide a minimum outdoor play space of 75 square feet per child, calculated on the basis of the number of children occupying the outdoor play space at one (1) time.

Finding: The applicant is permitted to care for up to 167 children per state licensure, which would require 12,525 square feet of outdoor play space. The applicant currently proposes 12,017 square feet, which would allow up to 160 children to play outdoors at one time. However, staff notes that the proposed fence between the building façade and W. Wedington right-of-way is subject to UDC 164.09(B)(c), which states that “Fences located in front of the principal façade of a building may be solid up to 30 inches in height. Any part of a fence which exceeds 30 inches in height shall not obstruct the view of the principal façade from the right-of-way.” As details for the proposed fencing have not been provided, staff is unable to determine if this fencing meets this requirement. IF the fencing is found not to comply, it will either need to be relocated or a variance will need to be requested. However, as this portion comprises a relatively small area of the outdoor play space, staff finds it is unlikely to substantially impact compliance with this use unit.

- C. **Number of Children.** In an RSF zone, a child care facility may be approved as a conditional use of no more than ten (10) children, or the number of children approved by the state's licensing board, whichever is fewer.

Finding: N/A

§163.02. AUTHORITY; CONDITIONS; PROCEDURES. (continued)

(2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

(a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

Finding: Vehicular ingress and egress to the property is provided by way of two driveways proposed onto N. Meadowlands Dr. The proposed driveways on N. Meadowlands Dr. meet separation requirements for a Residential Link (minimum of 50 feet from adjacent driveways and intersections). One traffic issue was identified at the Meadowlands/ Wedington intersection with six accidents between 2017-2021; however, staff notes all accidents were relatively minor with no apparent injuries. Staff finds the proposed use in unlikely to worsen this condition given that no driveways are proposed directly onto W. Wedington Dr. and that the applicant has indicated drop-off and pick-up times will be spread over multiple hours. Parents will be required to park and walk their children inside the facility, which will likely alleviate potential issues with vehicle queuing. Sidewalk is currently present along both N. Meadowlands Dr. and W. Wedington Dr., and the installation of a 10 foot trail will be required along W. Wedington Dr. in order to comply with master trail plan requirements.

(b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

Finding: The applicant has indicated up to 45 parking spaces within a proposed parking lot. Childcare centers have a maximum parking ratio of “1 per employee plus on-site loading and unloading spaces at a rate of 1 per 10 children accommodated.” With 25 employees, 167 children and a by right increase of 15%, the parking maximum is 48 spaces. The applicant has indicated that all parents must park and enter the building in order to sign in their children and that curbside drop-offs shall not be permitted. Staff finds that the proposal is unlikely to lead to negative traffic impacts given the number of parking spaces and extended drop-off/pick-up times.

- (c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading;

Finding: As proposed, the applicant will utilize a dumpster for recycling and trash collection. The Recycling and Trash Collection Division has reviewed the large-scale development plans and indicates no concerns with the proposed collection method and access.

- (d.) Utilities, with reference to locations, availability, and compatibility;

Finding: There is an existing 8" water line that the development has proposed to connect to for domestic service. There is an existing 6" sanitary sewer main that runs along the east and south property lines of this development. This 6" line eventually connects to sewer that flows to Lift Station 22 (LS-22) located at 630 N Double Springs Rd. LS-22 does not have capacity to properly convey existing wet-weather flows, causing surcharging in the gravity system upstream of this station. The 2021 Sewer Master Plan recommended capacity upgrades to LS-22 by 2030. Currently, the City does not have a specific timeline, or funds identified for these upgrades. If desired, the upgrades can be developer-led with a potential cost share by the city, subject to City Council approval. Engineering recommends a condition with the large-scale development that a letter from the Arkansas Department of Health is required indicating approval of the capacity of LS-22 prior to the City granting occupancy permits for this development.

- (e.) Screening and buffering with reference to type, dimensions, and character;

Finding: As a condition of approval, staff recommends that utility equipment and trash be screened from adjacent residential properties and the street by plantings, walls, architectural elements, and/or fencing, to align with UDC §166.25(D)(3).

- (f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: Any signage will be subject to Unified Development Code Chapter 174, Signs, and all regulations therein.

- (g.) Required yards and other open space;

Finding: The large-scale development plans appear to comply with the setback regulations of the underlying R-O zoning district. Any additions or alterations to the building beyond the proposed development plans would be subject to subsequent permitting and may require amending this conditional use permit.

- (h.) General compatibility with adjacent properties and other properties in the district; and

Finding: Staff finds the proposed use to be compatible with surrounding properties. Based on the information provided by the applicant, the proposed childcare facility is unlikely to generate or worsen traffic hazards. The proposed facility is located close to a major intersection and is compatible in size, scale, and appearance with surrounding neighborhoods while providing necessary services to the surrounding residents.

- (i.) General compatibility with the goals and intent of the city's adopted land-use, transportation, and other strategic plans.

Finding: Staff finds the proposed use to be compatible with the goals and intent of the City's adopted plans. The City Plan 2040 Future Land Use Map designates the property as City Neighborhood Area, which "supports the widest spectrum of uses" and calls for commercial uses to be "located at street intersections and along major corridors." Staff further finds that childcare facilities are an essential service with a high demand and that adding this service furthers city goals for complete neighborhoods.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.20 District R-O, Residential Office
 - §163.15 Child Care; Nursery School
- Staff Exhibit: Wedington Corridor Master Plan
- Request Letter
- Site Plan
- Building Elevations
- One Mile Map
- Close-Up Map
- Current Land Use Map

161.20 District R-O, Residential Office

(A) *Purpose.* The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses. The intent of this district is to allow administrative approval if the developer decides to use urban form, in compliance with the build-to zone and minimum buildable street frontage as specified herein.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 25	Offices, studios, and related services
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 11	Manufactured home park*
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities*
Unit 42	Clean technologies
Unit 45	Small scale production

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and Area Regulations.* (Per dwelling unit for residential structures)

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single-family	60 feet
Two (2) family	60 feet
Three (3) or more	90 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 square feet
Townhouses:	
Development	10,000 square feet
Individual lot	2,500 square feet
Single-family	6,000 square feet
Two (2) family	6,500 square feet
Three (3) or more	8,000 square feet
Fraternity or Sorority	1 acre

(3) *Land Area Per Dwelling Unit.*

Manufactured home	3,000 square feet
Townhouses & apartments:	
No bedroom	1,000 square feet
One bedroom	1,000 square feet
Two (2) or more bedrooms	1,200 square feet
Fraternity or Sorority	500 square feet per resident

(E) *Setback Regulations.*

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Front, in the Hillside Overlay District	15 feet
Side	10 feet
Side, when contiguous to a residential district	15 feet
Side, in the Hillside Overlay District	8 feet
Rear, without easement or alley	25 feet
Rear, from center line of public alley	10 feet
Rear, in the Hillside Overlay District	15 feet

Urban Form Setback Regulations:

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line
Side	5 feet
Side-zero lot line*	A setback of less than 5 feet (zero lot line) is permitted on one (1) interior side, provided a maintenance agreement is filed.** The remaining side setback(s) shall be 10 feet
Rear	None
Rear when contiguous to a single family residential district	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	5 stories
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If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) *Urban form minimum buildable street frontage:* 50% of the lot width.

(Code No. 1965, App. A., Art. 5(x); Ord. No. 2414, 2-7-78; Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.041; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4726, 7-19-05; Ord. No. 4943, 11-07-06; Ord. No. 5079, 11-20-07; Ord. No. 5195, 11-6-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5735 1-20-15; Ord. No. 5800, §1(Exh. A), 10-6-15; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §§5, 7—9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6164, §§1, 2, 3, 4-2-19; Ord. No. 6245, §2, 10-15-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

Editor's note(s)—Ord. No. 6710, §1, adopted November 21, 2023, determines that Ordinance 6427 (Sunset Clause) and Ord. No. 6625 (extending Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on December 31, 2024, unless prior to that date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

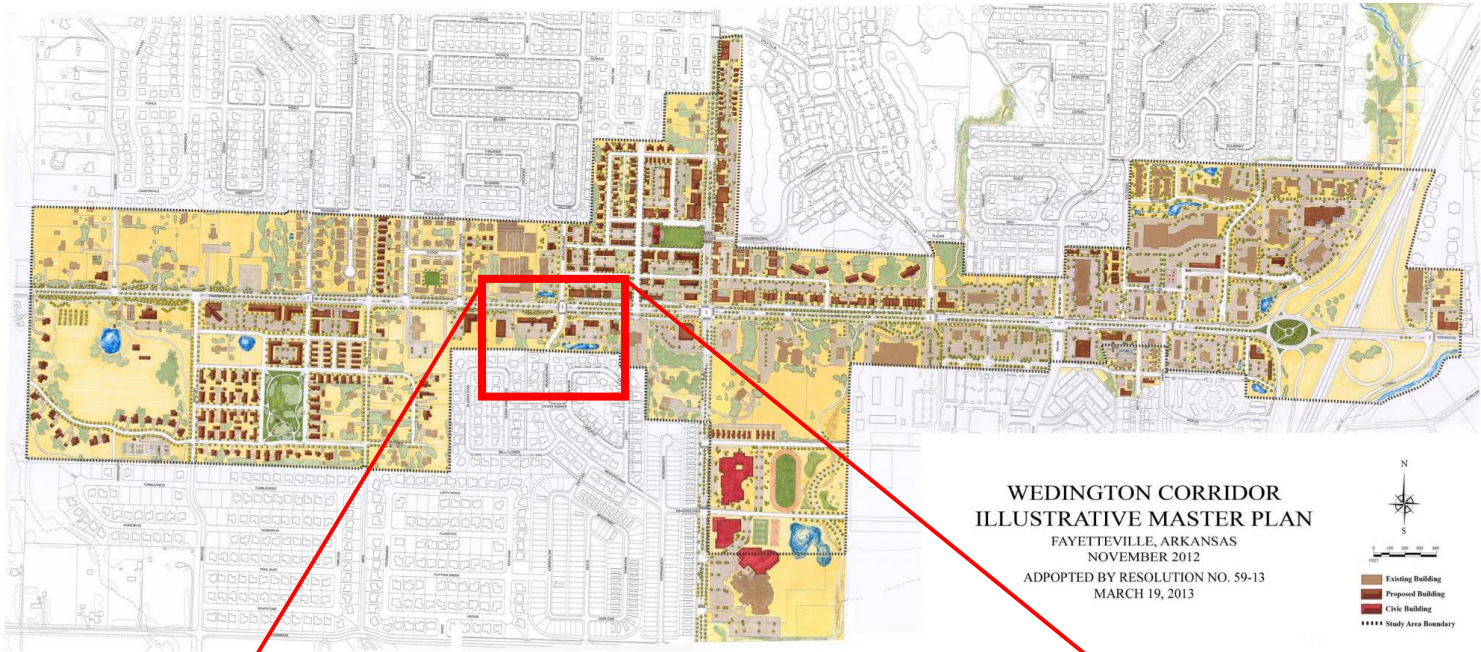
163.05 Child Care; Nursery School

All such establishments, other than Registered Child Care Family Homes authorized pursuant to Section 164.24 of the Unified Development Code, shall be located on lots which:

- (A) *Minimum Lot Area.* Contain a minimum lot area of 250 square feet per child.
- (B) *Minimum Outdoor Play Space.* Provide a minimum outdoor play space of 75 square feet per child, calculated on the basis of the number of children occupying the outdoor play space at one (1) time.
- (C) *Number of Children.* In an RSF zone, a child care facility may be approved as a conditional use of no more than ten (10) children, or the number of children approved by the state's licensing board, whichever is fewer.

(Code 1965, App. A., Art. 7 (7); Ord. No. 1747, 6-29-70; Ord. No. 2604, 2-19-80; Code 1991, §160.082; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4489, 6-3-03; Ord. No. 6440, §3, 5-18-21; Ord. No. 6689, §2, 10-3-23)

Staff Exhibit: Wedington Corridor Plan Excerpts



Daniel Harris
Development Manager
dan@814cre.com
C: (248) 514-9120

July 30, 2024

Via Email

City of Fayetteville
Development Services Building
125 West Mountain Street
Fayetteville, AR 72701

Re: N Meadowlands Childcare Center Conditional Use Permit Application Description

Dear Planning Staff and Planning Commissioners,

We appreciate your availability in reviewing the requested Conditional Use Permit application for a new childcare center proposed on a vacant site at 986 N Meadowlands Dr. This address was derived from City GIS and has not been confirmed to be our building address. The lot PIN is 765-19659-000. Below is a complete description of the request per the Conditional Use Permit Checklist:

- a) The proposed building is a single story, slab on grade structure that is 10,910 sqft. There is not an existing building on the vacant site currently.
- b) Color elevations of the building are included in this submittal.
- c) We are proposing a total of 43 parking spaces on the site.
- d) This request is related to a non-residential, business use
 - a. Hours of operation are intended to be from 6:00am to 7:00pm, Monday through Friday. There are no overnight or weekend hours proposed.
 - b. Number of employees: 25
 - c. Number of children: Up to 167 children per State of Arkansas Licensing
- e) There will be outdoor lighting provided such as wall sconces on the building and parking lot light poles. The lighting plans will comply with City of Fayetteville code ordinances.
- f) There will be standard noise associated with refuse pick up and typical business operation deliveries. Additional noise from children playing outside during the day is to be expected as well.
- g) The lot we are intending to construct the day care is zoned R-O. The adjacent property to the East is vacant, zoned R-O. To the South the property is zoned RI-12. To the West, we face N Meadowlands Dr ROW with a R-O zoning on the opposite side of N Meadowlands Dr. To the North, we abut W Wedington Dr ROW with CS zoning on the opposite side of W Wedington. Screening and buffering will be included per City code ordinances. HVAC units are located in the rear of the building within the playground screened by 3 ft fences.
- h) Trash and refuse receptacles are located towards the South of the site. The enclosure may be visible from N Meadowlands, however it will be buffered through landscaping.
- i) Ingress and egress is proposed using two new driveway approaches on N Meadowlands. Morning traffic is typically spread out between 6:00am and 9:30am for drop off. Afternoon traffic is typically spread out between 4:00pm and 7:00pm.

- j) In general, childcare is a compatible use when compared to adjacent properties and other properties along N Meadowlands and W Wedington. The childcare would be a convenient location for residents to utilize the family centric nature of a childcare.

Sincerely,

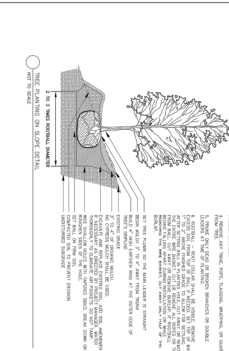


Daniel Harris
Development Manager
814 CRE, LLC

WASHINGTON, D.C. FILE #89-10041

OWEN
2801 JEFFERSON
PORTLAND, ORE 97205
INVESTMENT ADVISOR
C-98-13-99120

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DATE: 06/11/2024 TIME: 11:30 AM PROJECT: #2024-0097 FILE PATH: \\C:\Users\jacobr\OneDrive\Documents\2024\06\2024-0097 SCALE: 1" = 30' 1" = 30'	 	SHEET TITLE LANDSCAPE PLAN SHEET NUMBER L44
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Project:

Issued for:

Planning Commission
September 23, 2024

EXTERIOR FINISH LEGEND			
LOCATION	FINISH/PAINT	DESCRIPTION AND COLOR	
ROOF			
ASPHALT SHINGLES	GRAY	TYPE: TABBERNE-FOR COLOR: BROWN/COPPER	
SOFFIT PANELS	IF BUILDING EXTERIORS	TYPE: SOFFIT PANEL, VINYL COLOR: QUARRY GRAY	
ENTRY FLOORS	GRAY	TYPE: METAL PLATE COLOR: CUSTOM VINYL COATED, PURPLE	
WALL			
HORIZONTAL LAP SIDING	JAUNE HABRE	TYPE: HORIZONTAL LAP SIDING, SMOOTH COLOR: BLENCH ROAD	
BRICK TBM	JAUNE HABRE	COLOR: BLENCH ROAD	
BRICK BASE	ALABAMA BRICK	TYPE: STANDARD BRICKING BRICK COLOR: CORE	
METAL CHIMNEY	MARS	TYPE: CEMENT OR BRICK SURFACE CHIMNEY COLOR: CUSTOM VINYL COATED, PURPLE	
WALL COVER		TYPE: METAL COLOR: CUSTOM VINYL COATED TO MATCH BRICK TBM	
WINDOW FRAME/DOOR FRAME/AND DOORS		COLOR: MEDIUM BROWN MATCHED	
WALL CORNER		TYPE: WALL CORNER COLOR: DARK BROWN	
ENTRY FILLERS		TYPE: RESINANT COLOR 41 AND 44/RED	
ALABAMA TBM		COLOR: CUSTOM, BLENCH	
SHRUB BOLLARDS		TYPE: STAINLESS COLOR: CUSTOM, GREEN	

6 WEST ELEVATION
A 101 SCALE: 1/8"=1'-0"

5 EAST ELEVATION
A 101 SCALE: 1/8"=1'-0"

4 NORTH ELEVATION
A 101 SCALE: 1/8"=1'-0"

3 WEST ELEVATION
A 101 SCALE: 1/8"=1'-0"

2 EAST ELEVATION
A 101 SCALE: 1/8"=1'-0"

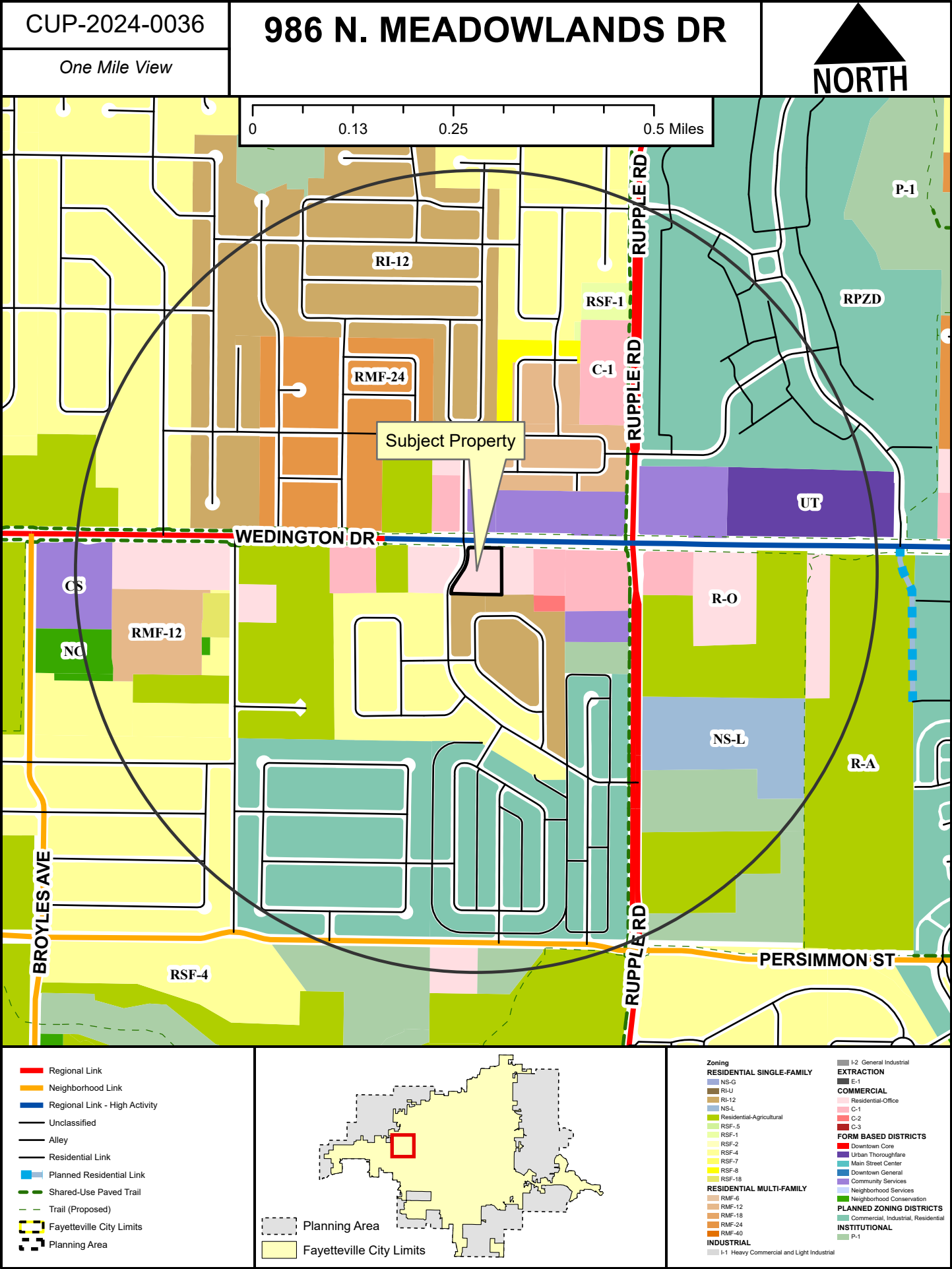
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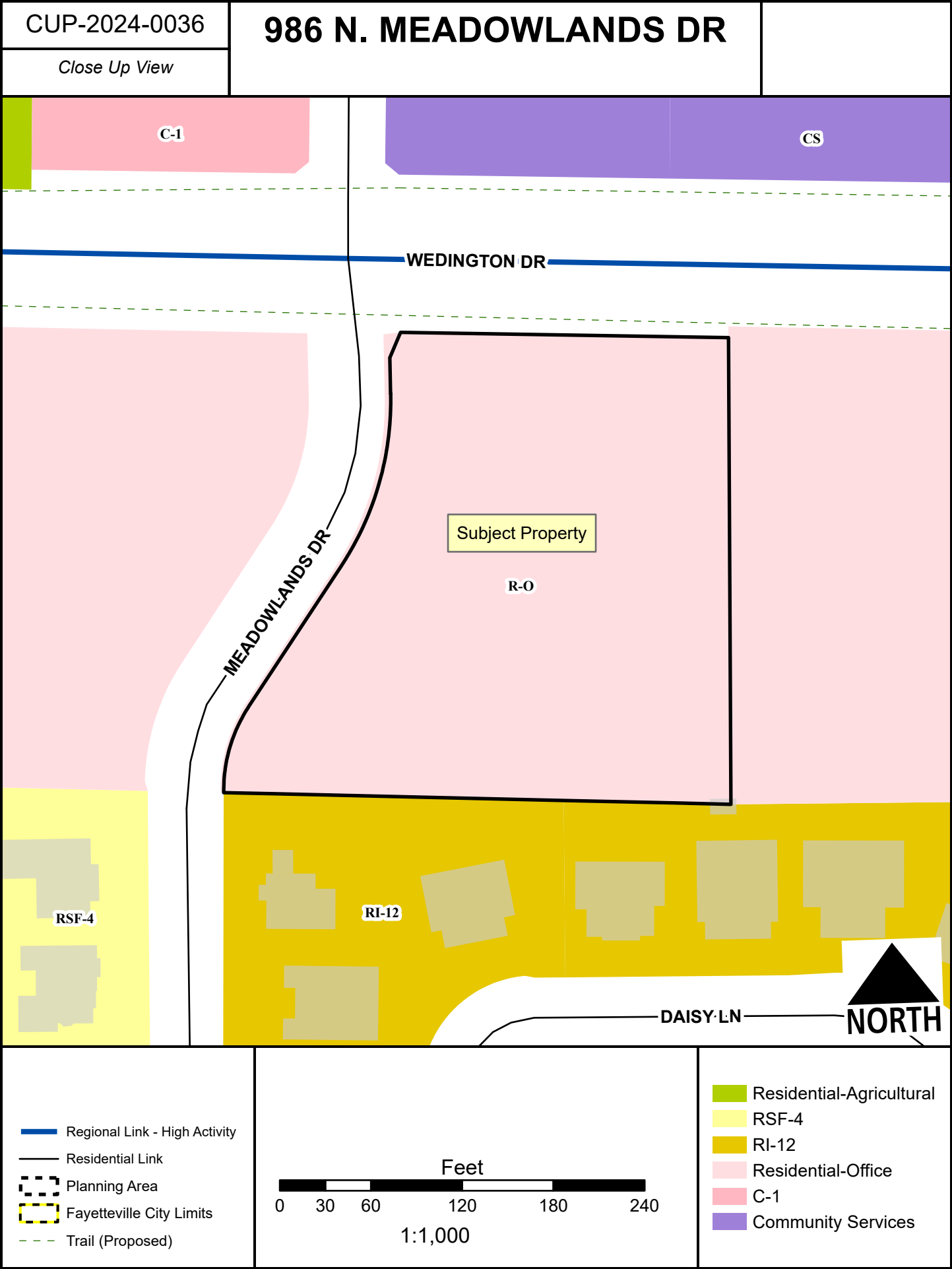
com engineering
CONSULTANTS, INC.
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CHICAGO, IL 60658
www.com-engineering.com

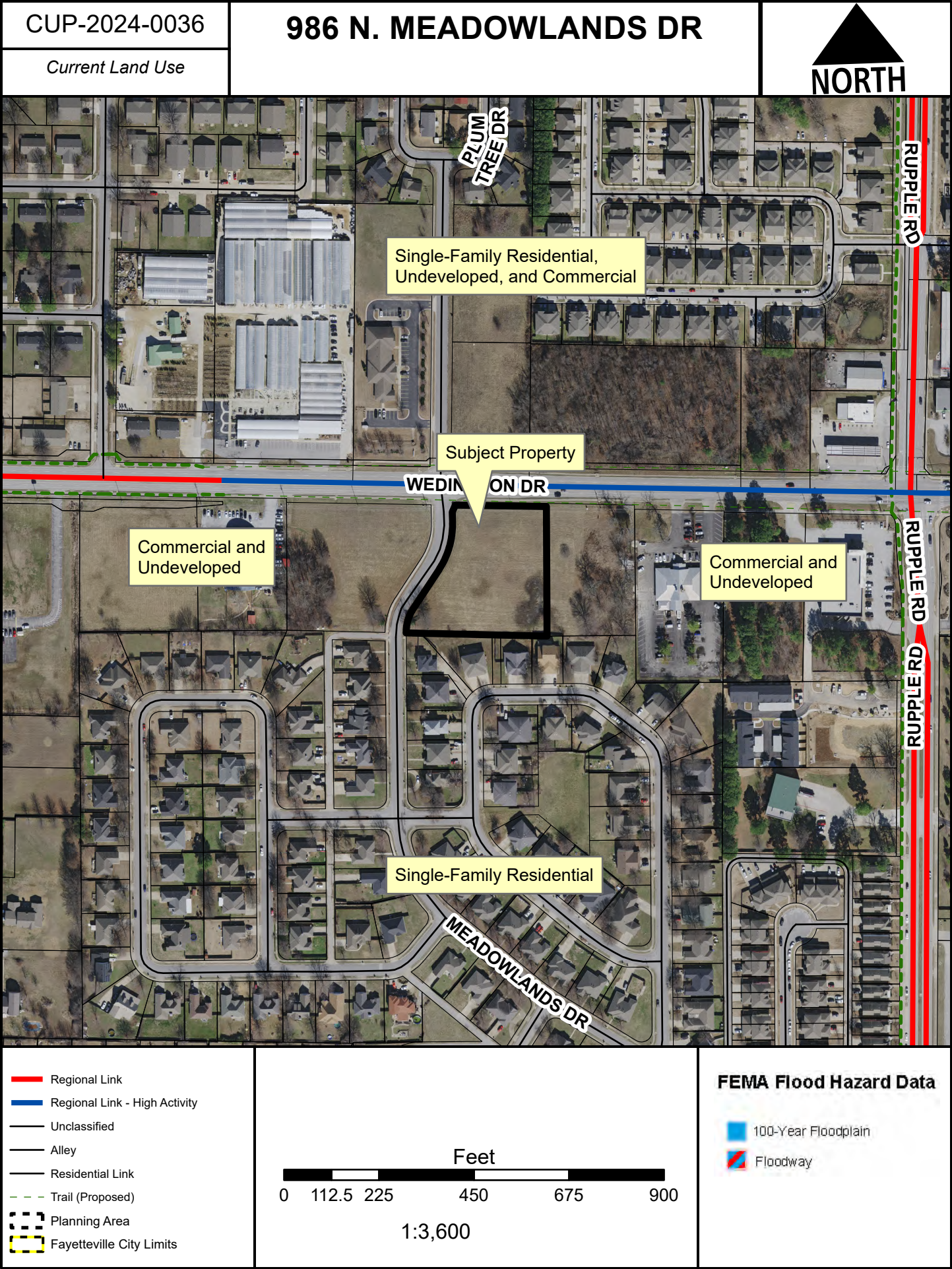
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1000 N. WILSON ROAD
CHICAGO, IL 60658

WSP USA
300 N. LAKE STREET
CHICAGO, IL 60602

Sheet No.
A 201









TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Donna Wonsower, Planner
Melissa Boyd, Staff Engineer
Melissa Evans, Urban Forester

MEETING: September 23, 2024

SUBJECT: **LSD-2024-0026: Large Scale Development (986 N. MEADOWLANDS DR./MEADOWLANDS CHILD CARE, 439):** Submitted by JORGENSEN & ASSOICATES for property located at 986 N. MEADOWLANDS DR. The property is zoned R-O, RESIDENTIAL OFFICE and contains approximately 1.86 acres. The request is for a 10,984-square-foot childcare center and associated parking

RECOMMENDATION:

Staff recommends **LSD-2024-0026** is tabled to the October 14, 2024 Planning Commission meeting.

RECOMMENDED MOTION:

"I move to table LSD-2024-0026 to the October 14, 2024 Planning Commission."

If the Commission votes to approve, staff recommends the following motion:

*"I move to approve **LSD-2024-0026**, finding:*

- In partial favor of a variance to §166.25(D)(2), Cross Access;*
- In denial of a variance to §166.25(D)(3)(b)(ii), Recycling and Trash Containers;*
- In favor of the recommended street improvements;*
- In favor of the recommended right-of-way dedication and;*
- All other conditions as recommended by staff."*

BACKGROUND:

The subject property is in north Fayetteville along W. Wedington Dr., at the southeast corner of the intersection with N. Meadowlands Dr. The property is currently undeveloped with few existing trees. The property is zoned R-O, Residential Office and is part of the Wedington Corridor Master Plan. A conditional use permit for the proposed childcare use (CUP-2024-0036) is also scheduled for the September 23 Planning Commission agenda. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1: Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Undeveloped	CS, Community Services
South	Two-Family Dwellings	RI-12, Residential Intermediate, 12 Units per Acre
East	Undeveloped	R-O, Residential Office
West	Undeveloped	R-O, Residential Office

Proposal: The applicant requests Large Scale Development approval to develop the subject property with a 10,984-square-foot childcare facility and associated parking. Two variances have been requested.

Variance #1: §166.25(D)(2), Cross Access. Cross access shall be required to adjacent developed and undeveloped properties.

The parcel is bound to the north by W. Wedington Dr., a public high-activity regional link, and E. Meadowlands Dr., a residential link to the west. No cross access has been proposed. The applicant cites the unknown nature of potential development to the east and potential risks associated if that parcel is developed with an auto-oriented use. They also cite the developed neighborhood to the south.

- a. *Staff recommendation: Staff recommends partial approval of the applicant's request. Staff finds that the neighborhood to the south has been fully developed and that cross access here would not be feasible. However, staff recommends that cross access shall be provided to the east, either through a full driveway or an access easement to ensure future connectivity shall remain possible. The Wedington Corridor Master Plan indicates a shared driveway connection along the southern side of this and several adjacent properties, and staff finds removing this access runs counter to both the Wedington Corridor Master Plan and the intent of the cross-access requirements to provide multiple routes of travel. Further, staff finds that the undeveloped property to the east does not constitute a site-specific hardship.*

Variance #2: §166.25(D)(3)(b)(ii), Recycling and Trash Containers. Recycling and trash containers shall be screened by enclosures with materials that are compatible with and complementary to the principal structure, with access to the refuse containers not visible from the street.

A dumpster is proposed in the southeast corner of the property, with the access visible from N. Meadowlands Dr. The applicant notes that they intend to provide screening and additional landscaping.

- a. *Staff recommendation: Staff recommends denial of the applicant's request. The dumpster was previously located south of the proposed parking lot with minimal visible access from the public right-of-way. While staff finds the previous location could be supportable for the requested variance, the revised plans have relocated the dumpster to the east side of the parking lot where access would be fully visible from the right-of-way. Further, no dumpster enclosure details have been provided, so staff is unable to evaluate whether the proposal will comply with screening and material requirements. Additionally, while the applicant notes that landscaping will screen the dumpster, staff finds that such screening could not feasibly be placed between the dumpster access and the right-of-way without blocking access to the dumpster for Solid Waste. No site-specific hardship is provided, and staff finds the current location of the dumpster does not align with the intent of the ordinance to minimize visual impact of trash and recycling services.*

Right-of-Way to be Dedicated: The overall property has frontage along W. Wedington Dr., a regional high-activity link which typically requires 46' of dedication from centerline, and N. Meadowlands Dr., which typically requires 26' of dedication from centerline. As W. Wedington Dr. currently exceeds master street plan requirements, no additional right-of-way dedication is recommended for this street. N. Meadowlands Dr. currently has right-of-way of 25 feet from centerline, and staff recommends that right-of-way be dedicated up to 26 feet from centerline per master street plan requirements.

Street Improvements: W. Wedington Dr., a high-activity regional link, currently holds an existing 5' asphalt trail with a variable width greenspace, which staff recommends be removed and reconstructed in line with master street and trail plan requirements for a 10-foot trail. N. Meadowlands Dr., a residential link, currently holds a 5-foot sidewalk and variable width green space constructed in 2019. Residential links typically require a 6-foot sidewalk; however, given the recent construction of the sidewalk, staff recommends that it remain, and that the applicant pay a fee-in-lieu rather than widening the sidewalk one additional foot. For 327 linear feet of sidewalk and \$5 per square foot, a fee-in-lieu of \$1,635 would be required. Streetlights and street trees are recommended for both frontages as well, with street trees along W. Wedington Dr. to be located outside of ARDOT right-of-way. Staff also recommends that any portion of sidewalk along N. Meadowlands Dr. outside of the right-of-way shall either be included within an access easement or additional right-of-way dedication in order to ensure access.

Access Management/Connectivity: Staff has determined that the project currently meets driveway separation standards through two proposed driveway connections on N. Meadowlands Dr. Staff finds a variance to cross access requirements is necessary as no cross access is proposed to either the east or south.

Design Standards: Staff finds the design is substantially compliant with §166.25 – Commercial, Office, and Mixed-Use Design Standards and §172.04 Parking Lot Design Standards with the exception of the variances described above. The applicant has requested an administrative reduction of throat length requirements with the most recent resubmittal, which staff has not had time to evaluate.

Water and Sewer System: There is an existing 8" water line that the development has proposed to connect to for domestic service. There is an existing 6" sanitary sewer main that runs along the east and south property lines of this development. This 6" line eventually connects to sewer that flows to Lift Station 22 (LS-22), located at 630 N Double Springs Rd. LS-22 does not have capacity to properly convey existing wet-weather flows, causing surcharging in the gravity system upstream of this station. The 2021 Sewer Master Plan recommended capacity upgrades to LS-22 by 2030. Currently, the City does not have a specific timeline, or funds identified for these upgrades. If desired, the upgrades can be developer-led with a potential cost share by the city, subject to City Council approval. Prior to the City granting occupancy permits for this development, a letter from the Arkansas Department of Health is required indicating approval of the capacity of LS-22.

Parkland dedication or fee in-lieu: Commercial developments are not subject to parkland dedication.

Tree Preservation:

Canopy minimum requirement: 20%

Existing canopy: 4.3%

Preserved canopy: 1.2%

Mitigation required: Eight 2-inch caliper trees

Public Comment: Staff has not received any public comment on the item to date.

RECOMMENDATION: Staff recommends tabling **LSD-2024-0026** to the October 3, 2024 Subdivision Committee meeting. If approved, staff recommends the following conditions:

Conditions of Approval:

1. **Planning Commission determination of variance to §166.25(D)(2), Cross Access.** *Staff recommends approval of the requested variance with conditions.*

- a. Cross access shall be required to the east. This may be provided with an access easement or full connection.

Subdivision Committee had no recommendation.

2. **Planning Commission determination of variance §166.25(D)(3)(b)(ii), Recycling and Trash Containers.** *Staff recommends denial of the requested variance. If approved, staff recommends the following condition:*

- a. The dumpster shall be relocated to its previous location.
 - b. Recycling and trash enclosure shall be fully gated and secured.

Subdivision Committee had no recommendation.

3. **Planning Commission determination of right-of-way dedication.** *Staff recommends right-of-way dedication per the below:*

- a. W. Wedington Dr: No additional right-of-way dedication
 - b. N. Meadowlands Dr: right-of-way dedication of 26 feet from center line

4. **Planning Commission determination of street improvements.** *Staff recommends the following street improvements:*

- a. W. Wedington Dr: 10' trail at property line, streetlights, and street trees
 - b. N. Meadowlands Dr: Sidewalk fee-in-lieu of \$1,635, streetlights, and street trees.
 - c. Any portion of sidewalk along N. Meadowlands Dr. outside of the right-of-way shall either be included within an access easement or additional right-of-way dedication.

5. All comments from Planning staff must be addressed prior to Planning Commission including:

- a. Provide details for dumpster enclosure and proposed fencing prior to Planning Commission.
 - b. Provide details for proposed fence.
 - c. Add note to plans stating whether 2-foot landscape overhang is utilized for 17-foot long parking spaces.
 - d. Update building elevations to accurately reflect cardinal directions of each façade.
 - e. Address all other comments issued through the Energov portal.

6. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto, and including:

- f. Add required evergreen parking lot screening and parking lot trees.
 - g. Review species selection for water tolerance. All plants must have a specific species selected.
 - h. Add additional plant species for variety.
 - i. Add missing information from tree preservation and landscape plans.
 - j. Add missing soil compaction prevention detail.
 - k. Landscape plan must be signed and stamped by a registered landscape architect.

Standard conditions of approval:

1. Development review comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks Electric, SWEPCO, and Cox Communications);
2. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, and tree preservation. The information submitted for the development review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements;
3. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit;
4. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
 - c. Exterior lighting package must be provided to the Planning Division;
 - d. A cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy;
 - e. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - f. Project Disk with all final revisions; and
 - g. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.

Planning Commission Action: ☐ Denied ☐ Tabled ☐ Approved

Meeting Date: September 23, 2024

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

Attachments:

- Staff Exhibits
 - Engineering Memo
 - Urban Forestry Memo
 - Wedington Corridor Plan Excerpts
- Applicant Exhibits
 - Request Letter
 - Site Plan Excerpts
 - Elevations
- One Mile Map
- Close Up Map
- Current Land Use Map



TO: Donna Wonsower, Planner

FROM: Josh Boccaccio, Engineering Development Review Manager

DATE: September 13, 2024

SUBJECT: **Subdivision Committee Engineering Comments for
LSD-2024-0026**

Water: There is an existing 8" water line that the development has proposed to connect to for domestic service.

Sewer: There is an existing 6" sanitary sewer main that runs along the east and south property lines of this development. This 6" line eventually connects to sewer that flows to Lift Station 22 (LS-22), located at 630 N Double Springs Rd. LS-22 does not have capacity to properly convey existing wet-weather flows, causing surcharging in the gravity system upstream of this station. The 2021 Sewer Master Plan recommended capacity upgrades to LS-22 by 2030. Currently, the City does not have a specific timeline, or funds identified for these upgrades. If desired, the upgrades can be developer-led with a potential cost share by the city, subject to City Council approval.

Prior to the City granting occupancy permits for this development, a letter from the Arkansas Department of Health is required indicating approval of the capacity of LS-22.

Drainage: This development is adding more than 10,000 square feet of impervious area and is required to meet the 4 Minimum Standards outlined in the Drainage Criteria Manual. The applicant is proposing to meet these standards through the use of a bio-retention facility combined with a detention pond. Staff will continue to review the drainage design through grading permit.

There is a known drainage issue in which this development may be able to alleviate. Staff will work with the developer to determine what is feasible.

Standard Comments:

1. All designs are subject to the City's latest design criteria (water, sewer, streets and drainage). Review for plat approval is not approval of public improvements, and all proposed improvements are subject to further review at the time construction plans are submitted.
2. Any damage to the existing public street due to construction shall be repaired/replaced at the owner/developers expense
3. All public sidewalks, curb ramps, curb & gutter, and driveway aprons along this project frontage must meet ADA guidelines and be free of damage. Any existing infrastructure that does not conform to ADA guidelines or is otherwise damaged must be removed and replaced to correct the issue. Coordinate with the engineering department for inspection of existing facilities to determine compliance.

4. Water and sewer impact fees will apply for the additional impact to the system. The fees will be based on the proposed meter size and will be charged at the time of meter set.
5. Note, the following portions of all projects will typically not be reviewed by the Engineering Division until time of construction-level review (unless specifically requested at plat review):
 - Storm Sewer pipe/inlet sizing, gutter spread, profiles, or utility conflicts
 - Sanitary Sewer pipe sizing, profiles, or utility conflicts
 - Waterline fittings, callouts, or utility conflicts
 - Street profiles
 - Fine grading/spot elevations



URBAN FORESTRY
LANDSCAPE PLAN COMMENTS

To: Blake Jorgensen, Jorgensen & Associates, blake@jorgensenassoc.com

From: Melissa Evans, Urban Forester
Donna Wonsower, Planner

CC: Donna Wonsower, Planner

Meeting Date: September 23, 2024

Subject: LSD-2024-0024 986 N. Meadowlands Dr. (Meadowlands Childcare) 439

1. General Landscape Plan Checklist	Yes	No	N/A
a. Irrigation (notes either automatic or hose bib 100' o.c.) <i>UDC Chapter 177.03C7g, 177.04B3a</i>	X		
b. Species of plant material identified See comments <i>UDC Chapter 177.03C7d,e</i>	X		
c. Size of plant material (minimum size 2" caliper for trees and 3 gal. shrubs) <i>UDC Chapter 177.03C7b,c</i>	X		
d. Soil amendments notes include that soil is amended and sod removed <i>UDC Chapter 177.03C6b</i>	X		
e. Mulch notes indicate organic mulching around trees and within landscape beds <i>UDC Chapter 177.03C6c,d</i>	X		
f. LSD, LSIP, and Subdivisions (PPL & FPL) plans stamped by a licensed Landscape Architect, others by Landscape Designer <i>UDC Chapter 177.03B</i>		X	
g. Planting bed contained by edging. <i>UDC Chapter 177.03C6f</i>		X	
h. Planting details according to Fayetteville's Landscape Manual <i>UDC Chapter 177.03C6g</i>	X		
i. Provide information about 3-Year Maintenance plan. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. <i>UDC Chapter 177.05 A2g</i>	X		

2. Parking Lot Requirements		1 Tree : 12 Parking Spaces	Yes	No	N/A
a.	Side and Rear Property Lines (5' Wide Landscape Area) <i>UDC Chapter 177D1</i>		X		
b.	Wheel Stops/Curbs <i>UDC Chapter 177.04B1</i>	Yes			
c.	Narrow Tree Lawn (8' min. width, 37.5' length) <i>UDC Chapter 177.04C</i>				X
d.	Tree Island (8' min. width, 18.7' min length, 150 square feet) <i>UDC Chapter 177.04C</i>			X	
e.	Placement of Trees (either side at entrances and exits) <i>UDC Chapter 177.04C2</i>		X		
3. Perimeter Landscaping Requirements			Yes	No	N/A
a.	Front Property Line (15' wide landscape) and 5' on sides and rear. <i>UDC Chapter 177.04D2a</i>		X		
b.	Shade trees planted on south and west sides of parking lots <i>UDC Chapter 177.04D2e</i>			X	
c.	Screening of parking lot from adjacent residential properties.			X	
4. Street Tree Planting Requirements			Yes	No	N/A
a.	Residential Subdivisions 1 Large Shade Species Tree per Lot <i>UDC Chapter 177.05B1a</i>				X
b.	Non-Residential Subdivisions 1 Large Species Shade Tree every 30' (planted in greenspace) <i>UDC Chapter 177.05B2a</i> See comments on species selection		X		
c.	Urban Tree Well – Urban Streetscapes Trees every 30' (8' sidewalk) <i>UDC Chapter 177.05B3a-f</i>				X
d.	Structural Soil – Urban Tree Wells Include a note and/or detail of structural soil on Landscape Plan <i>UDC Chapter 177.05B3a-f</i>				X
e.	Residential Subdivisions Timing of planting indicated on plans <i>UDC Chapter 177.05A4</i>				X
f.	Residential Subdivisions Written description for method of tracking planting <i>UDC Chapter 177.05A4e</i>				x

5. Landscape Requirement Totals	Amount
Mitigation Trees.	NA
Parking Lot Trees	4 Required, 0 Provided
Street Trees	18 Required, 18 Provided
Detention Pond – Large Trees (1 Tree/3,000 square feet)	2 Required, 2 Provided
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	10 Required, 10 Provided
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)	14 Required, 14 Provided

6. Review Status (See Comments)	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved	8-28-24		
Approved			
Tabled		9-12-24	9-23-24
Denied			

Appeal Process: A final administrative determination by the Urban Forester may be appealed in accordance with Chapter 155 of the Unified Development Code.

Comments
1. Address items above marked “No” and all Redlines provided. Urban Forestry recommends project is tabled at Subdivision Committee due to number of unaddressed comments.
2. Street trees are required to be large shade canopy trees unless beneath overhead power lines or in aerial apparatus route
3. Provide required parking lot trees at 1 per 12 spaces.
4. Provide parking lot screening.
5. Tree islands do not meet minimum size requirements.
6. Provide additional species variety. Generally, one species should not compose more than 20% of trees, shrubs or grasses
7. ARDOT does not typically permit street trees within their ROW. Confirm with ARDOT and relocate outside of right-of-way if not permitted.

Urban Forestry recommends project is tabled at Planning Commission due to substantial non-compliance with landscape standards.



URBAN FORESTRY
TREE PRESERVATION COMMENTS

To: Blake Jorgensen, Jorgensen & Associates, blake@jorgensenassoc.com

From: Melissa Evans, Urban Forester
Donna Wonsower, Planner

CC: Donna Wonsower, Planner

Meeting Date: September 23, 2024

Subject: LSD-2024-0024 986 N. Meadowlands Dr. (Meadowlands Childcare) 439

1. Submittal Requirements	Yes	No	N/A
Initial Review with the Urban Forester		X	
Site Analysis Map Submitted (if justification is needed)			X
Site Analysis Written Report Submitted (justification is needed)			X
Complete Tree Preservation Plan Submitted		X	
Tree Mitigation Table on Plans			
Tree Preservation Wavier Submitted (only use if no trees onsite or near P/L)			X
2. Tree Preservation Calculations			

Tree Preservation Calculations <u>Square Feet</u>		
*UPDATE TO REFELCT SITE CONDITIONS	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	55,664	100%
<i>Zoning Designation * Select Below with drop down arrow</i>		
C-1, Neighborhood Commercial	11,133	20%
<i>HHOD * Select Below with Drop Down Arrow</i>		
No	0	0%
Total Canopy for Minimum Preservation Requirements	11,133	20.0%
Existing Tree Canopy * Minus Right of Way and Easements.	1,098	2.0%
Tree Canopy Preserved.	0	0.0%
Tree Canopy Removed *On Site	1,098	2.0%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	1,098	2.0%
Removed Below Minimum	11,133	
Mitigation Requirements	1,098	

**Table must be provided, even if no trees are
proposed to be removed**

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority	NA	NA
Low Priority		
Total Mitigation Trees Required	NA	NA

4. Mitigation Type	Yes	No	N/A
On-Site Mitigation			X
Off-Site Mitigation			X
Tree Escrow (See Conditions of Approval)			X

5. Tree Preservation Plan Checklist <i>UDC Chapter 167.04H1 and 167.04L1</i>	Tech Plat	Subdivision Committee	Planning Commission
a. 5 year Aerial Check on Existing Trees	Yes		
b. Property Boundary	Yes		
c. Natural Features (100ft beyond limits of disturbance)	No		
d. Existing Topography and Proposed Grading	No		
e. Soil Types	No		
f. Significant Trees	Yes		
g. Groupings of Trees	N/A		
h. Table Inventory List (species, size, health, priority)	No		
i. All Existing and Proposed Utilities	Yes		
j. All Existing and Proposed Utility Easements and ROW's	Yes		
k. All Streams (with approximate center line)	N/A		
l. Floodplains and floodways	N/A		
m. Existing Street, Sidewalk or Bike Path ROW	Yes		
n. Submitted Site Analysis Plan (if required)	N/A		
o. Shows ALL Proposed Site Improvements	Yes		
p. Delineates trees/canopy to be preserved and removed	Yes		
q. Tree Preservation Easement/s shown for LSD, LSIP and Commercial PPL projects	N/A		

Tree Protection Methods	
a. Tree Protection Fencing	Yes
b. Limits of Root Pruning	N/A
c. Traffic flow on work site	N/A
d. Location of material storage	N/A

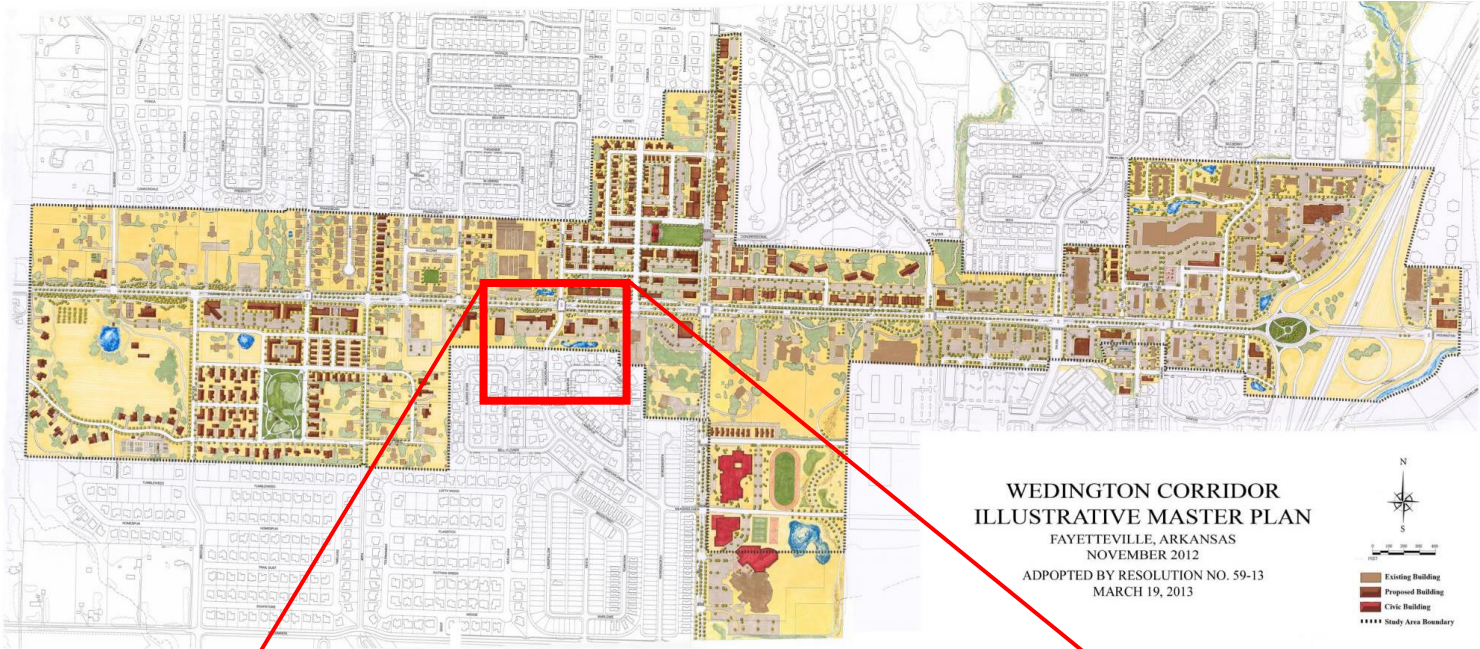
- e. Location of concrete wash out **No**
- f. Location of construction entrance/exit **No**

6. Site Analysis Report (if required)		Yes	No	N/A
<i>UDC Chapter 167.04H4</i>				
a.	Provide graphic examples of multiple options used to minimize removal of existing canopy			X
b.	Submitted Analysis Statement – Note the process, iterations, and approaches to preserve canopy.			X
7. Review Status (See Comments)		Tech Plat	Subdivision Committee	Planning Commission
	Conditionally Approved	8-28-24		
	Approved			
	Tabled		9-12-24	9-23-24
	Denied			

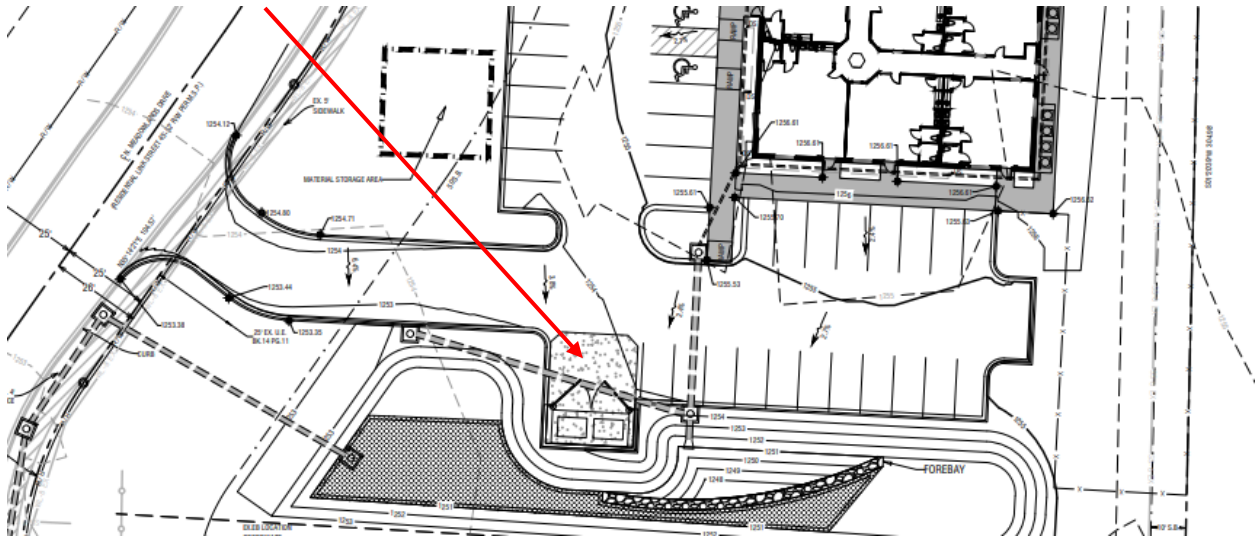
Appeal Process: A final administrative determination by the Urban Forester may be appealed in accordance with Chapter 155 of the Unified Development Code.

Comments	
1.	Address items above marked “No” and all Redlines provided. Urban Forestry recommends project is tabled at Subdivision Committee due to number of unaddressed comments.
2.	No trees are proposed to be removed; however tree preservation calculations are still required as there are existing trees on site. Please include with resubmittal.
3.	Provide missing information. Tree preservation is not complete.

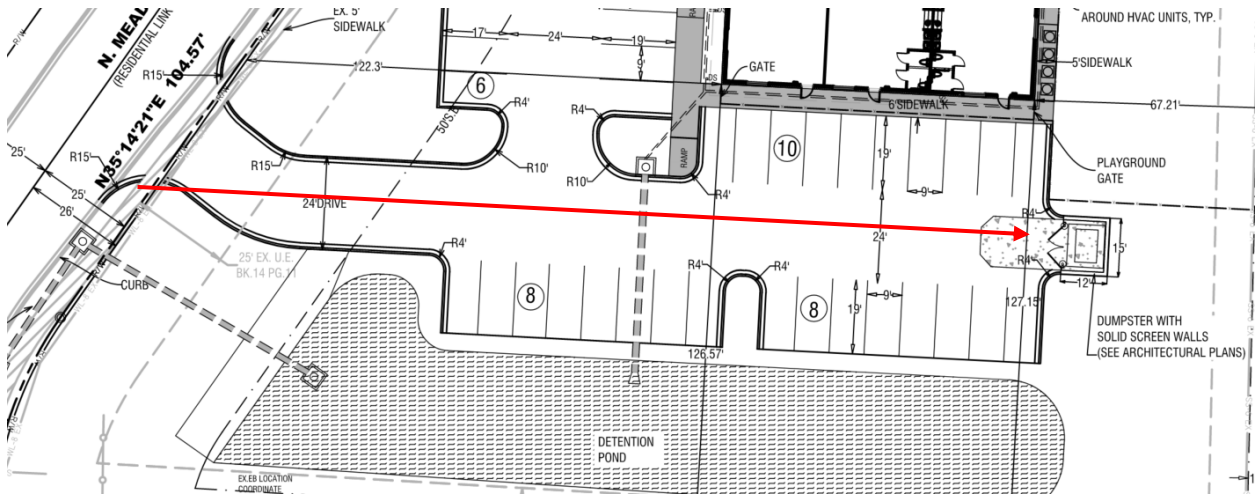
Staff Exhibit: Wedington Corridor Plan Excerpts



Staff Exhibit: Trash and Recycling Location



Previous Location



Proposed Location



JORGENSEN
+ASSOCIATES
Civil Engineering · Surveying

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
www.jorgensenassoc.com
Established 1985

City of Fayetteville
Planning and Development Services
113 W Mountain Street
Fayetteville, AR 72701

J+A Job #2024066
COF Job # LSD-2024-0026

Re: Meadowlands Child Care Center

Please accept this request for a variance to section code 166.25(D)(2). We aren't providing cross access to the south and east. The property to the south is already developed and a stub-out wouldn't serve any purpose. To the east, we are hopeful that a stub out wouldn't be required because our client doesn't know the end user of this property. The fear would be that a very high traffic-oriented development would be built there and the increased traffic into our site would introduce the increased risk of vehicular accidents with our use being child-care. We hope that these reasons are sufficient for Planning Commission to grant a variance.

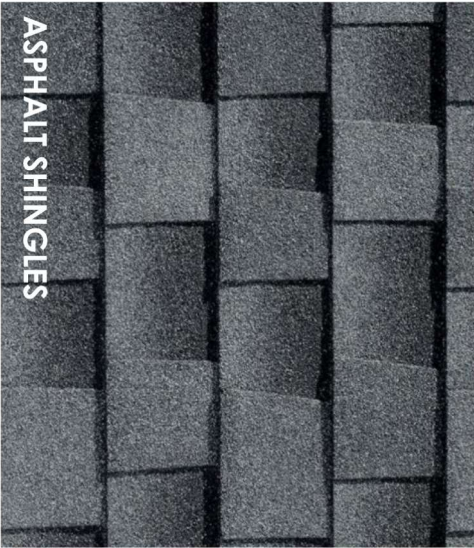
We are also being asked to request a variance for UDC 166.25(3)(b)(ii): this refers to the location of our dumpster. While we are screening the dumpster and landscaping in the greenspace, planning is stating we need a variance.

We would additionally like to request a variance from Planning & Engineering so that the northern most drive be allowed to have a reduced throat length. Our goal is to maximize the playground area since the back portion is made up of an existing utility easement, so moving the project as far as we can west to make this playground area bigger causes us to need a reduced throat length.

Thanks for your time and thoughts on this matter



Blake Jorgensen, PE



ASPHALT SHINGLES



WINDOWS



HORIZONTAL LAP SIDING



BRICK

EXTERIOR FINISH LEGEND

MATERIAL	MANUFACTURER	DESCRIPTION AND COLOR
ROOF		
ASPHALT SHINGLES	GAF	STYLE: TIMBERLINE HDZ COLOR: BIRCHWOOD
SOFFIT PANELS	LP BUILDING SOLUTIONS	STYLE: SOFFIT PANELS, VENTED COLOR: QUARRY GRAY
ENTRY FASCIA	GAF	STYLE: METAL FASCIA COLOR: MEDIUM BRONZE ANODIZED
WALL		
HORIZONTAL LAP SIDING	LP BUILDING SOLUTIONS	STYLE: 8" HLP SMARTSIDE, SMOOTH TEXTURE COLOR: QUARRY GRAY
SIDING TRIM	LP BUILDING SOLUTIONS	STYLE: 6" SMOOTH TEXTURE ACCENT COLOR: TUNDRA GRAY
BRICK BASE	ALABAMA BRICK	STYLE: STANDARD, RUNNING BOND COLOR: CORTEZ
METAL CANOPY	MAPES	STYLE: CANTILEVER BRACKET SUPPORT CANOPES COLOR: MEDIUM BRONZE ANODIZED
WALL LOUVER		STYLE: METAL COLOR: CUSTOM KYNAR COATED TUNDRA GRAY

EIGHT



Project:

Issued for:

Planning Commission
September 23, 2024

EXTERIOR FINISH LEGEND		
FINISH	MANUFACTURER	DESCRIPTION AND COLOR
ROOF		
ASPHALT SHINGLES	GAF	THE TABBERNE-FOR COLOR: BIRCHWOOD
SOFFIT PANELS	IF BUILDING SOLUTIONS	THE SOFFIT PANEL, VERBO COLOR: QUARRY GRAY
ENTRY FLOORS	GAF	THE METAL DECKA COLOR: CUSTOM VINYL COMB, PURPLE
WALL		
HORIZONTAL LAP SIDING	JAMES HARDIE	THE JAMES HARK LAY BRICK, SMOOTH COLOR: WHITE ROAD
BRICK TBM	JAMES HARDIE	COLOR: BROWN FAVOR
BRICK BASE	ALABAMA BRICK	THE STANBROOK BRICKING BRICK COLOR: COREZ
METAL CHIMNEY	MAHRS	THE CANTIER OF BRICKS SUPER CHIMNEY COLOR: CUSTOM VINYL COMB, PURPLE
WALL COVER		THE METAL COLOR: CUSTOM VINYL COMB TO MATCH BRICK TBM
WINDOW FRAME, DOOR FRAME, AND DOORS		COLOR: MEDIUM BROWN ANCHORED
WALL SCOFF		THE WALL SCOFFING COLOR: DARK BROWN
ENTRY FILLERS		THE INSULATION COLOR 41 AND 41980
ALUMINUM TIRE COLARS		THE INSULATION COLOR 41 AND 41980
SHRUB BOLLARDS		THE 3/4" SQUARE COLOR: CUSTOM, GREEN

6 NORTH ELEVATION
SCALE: 1/8"=1'-0"

5 SOUTH ELEVATION
SCALE: 1/8"=1'-0"

4 EAST ELEVATION
SCALE: 1/8"=1'-0"

3 NORTH ELEVATION
SCALE: 1/8"=1'-0"

2 SOUTH ELEVATION
SCALE: 1/8"=1'-0"

1 WEST ELEVATION
SCALE: 1/8"=1'-0"

Sheet No.
A 201

Job No.

WSP USA
3100 South
State Street
Chicago, IL 60602

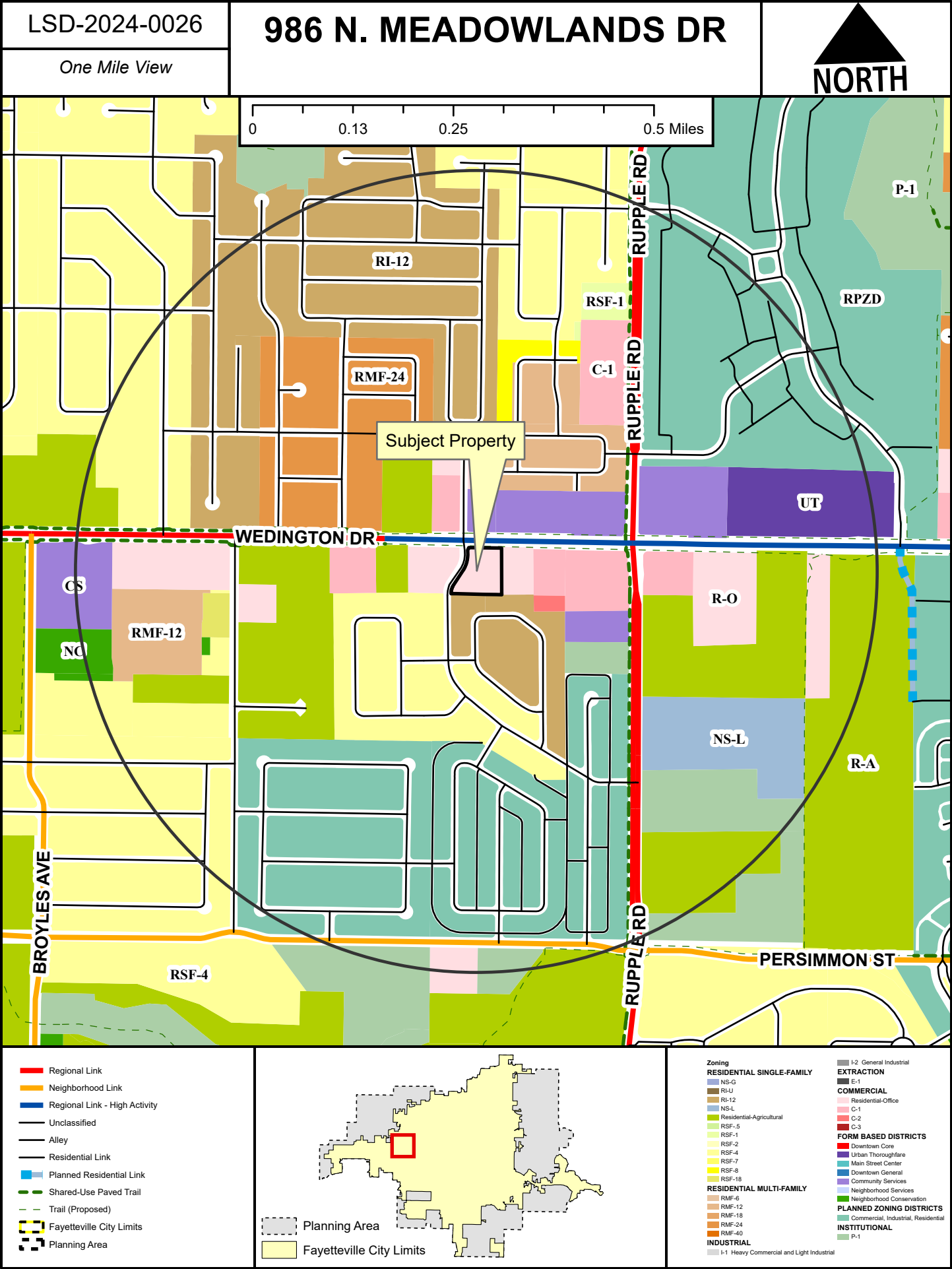
com engineering
Consultants, Inc.
1000 North
State Street
Chicago, IL 60610

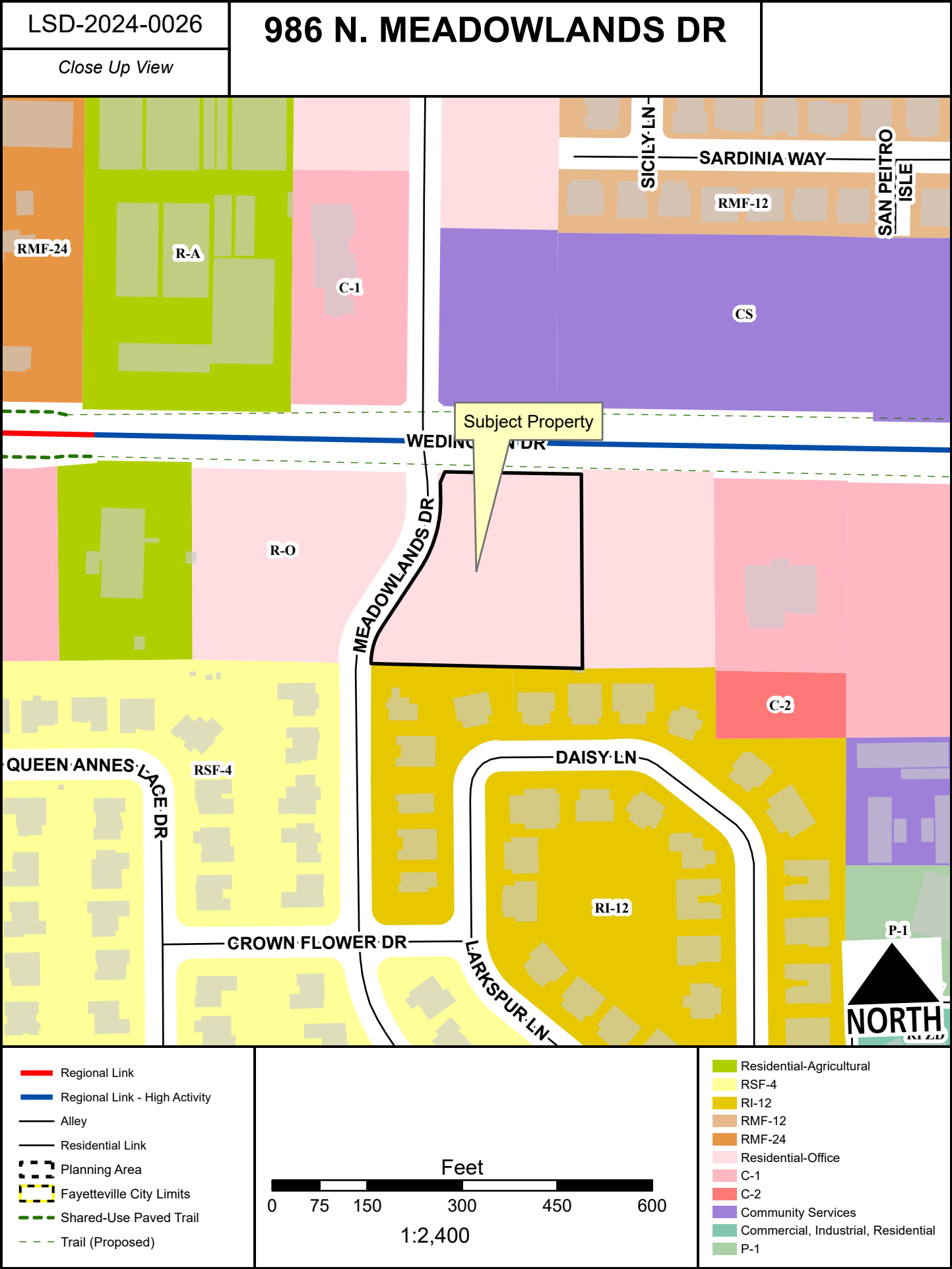
FormSurfaces
Design Group
1000 North
State Street
Chicago, IL 60610

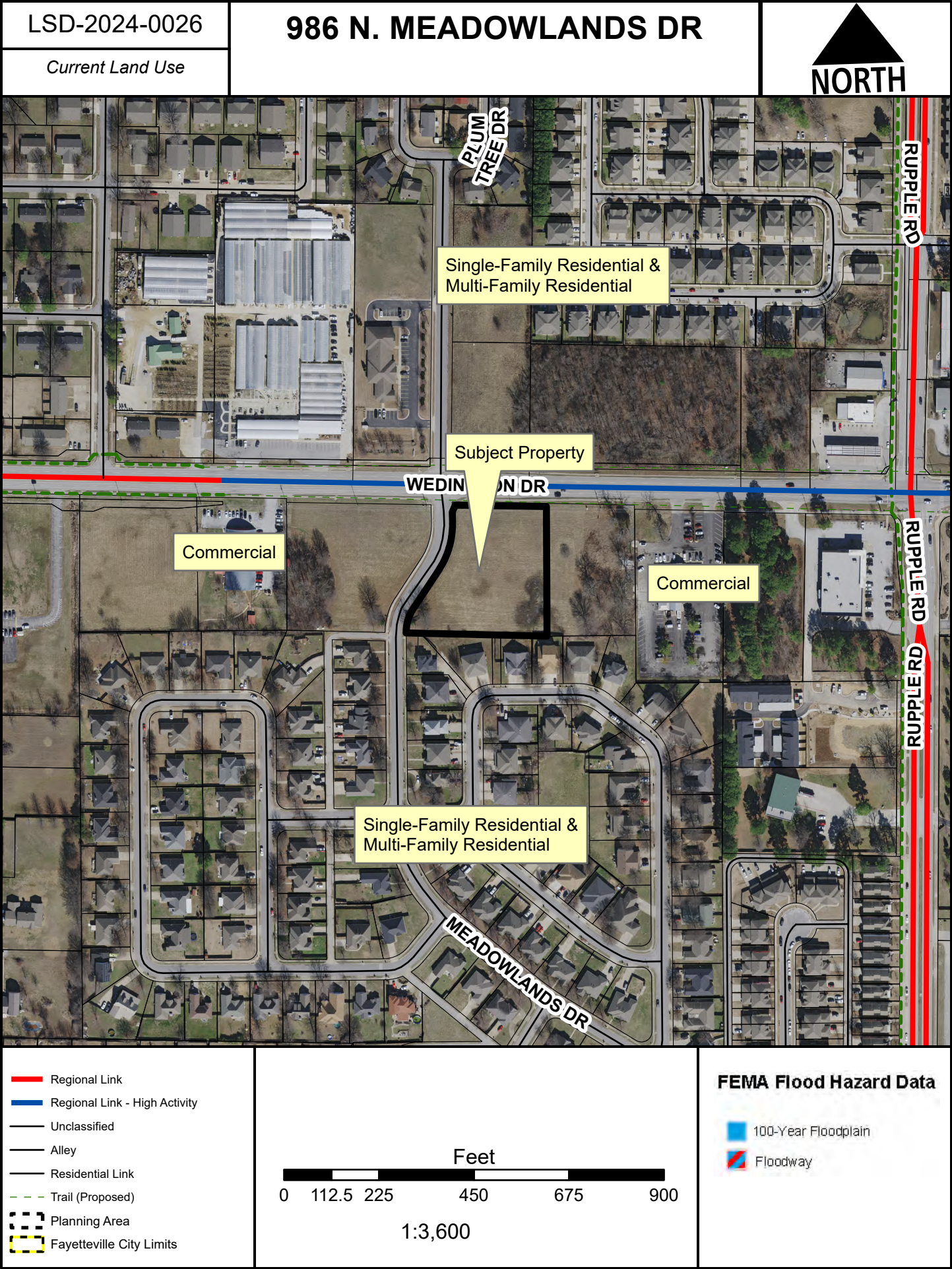
Project Consultant:

EIGHT
818 South
State Street
Suite 100
Chicago, IL 60602

Subject:
EXTERIOR
ELEVATIONS
Project Owner:









TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: September 23, 2024

SUBJECT: **CUP-2024-0031: Conditional Use Permit (2380 N. JANE AVE, UNIT 130/STELLAR PARTY RENTALS, 329):** Submitted by CARCAMO INVESTMENTS for property located at 2380 N. JANE AVE, UNIT 130. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 0.41 acres. The request is for a temporary storage building.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0031**.

RECOMMENDED MOTION:

"I move to approve **CUP-2024-0031**, determining:

- In favor of compatibility for a temporary storage building; and
- In favor of all other conditions as recommended by staff."

BACKGROUND:

The subject property is approximately 260 feet east of the intersection of E. Township St. and N. College Ave. The 0.41-acre property is zoned C-2, Thoroughfare Commercial and is developed with an approximately 6,000-square-foot commercial building. This property is within the 71B Corridor Plan area and lies within the area currently under consideration to rezoning to the new Urban Corridor zoning district. Surrounding land uses and zoning are provided in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Commercial (CVS)	C-2, Thoroughfare Commercial
South	Commercial	C-2, Thoroughfare Commercial
East	Single-Family Residential	NC, Neighborhood Conservation
West	Commercial (Gas Station)	C-2, Thoroughfare Commercial

City Plan 2040 Future Land Use Designation: City Neighborhood Area

Request: The applicant requests a conditional use permit to add a temporary storage container on the site. Temporary commercial storage facilities are classified as Use Unit 2, which is a conditional use in all zoning districts. The following specifications were included with the request:

- Size of the container: Approximately 40 ft long x 8 ft wide x 8 ft 6 in high
- Length of placement: 12 months
- Screening: Shimmer panels (see applicant exhibit)

Public Comment: To date, staff has received no public comment on this item.

RECOMMENDATION: Staff recommends approving **CUP-2024-0031**, with the following conditions of approval:

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds the proposed temporary storage container to be compatible with the surrounding neighborhood and the City's long-range plans for the area;*
2. **This conditional use permit is limited to the use for Stellar Party Rentals as described in the applicant's request letter. The following specifications apply:**
 - Size of the container: Approximately 40 ft long x 8 ft wide x 8 ft 6 in high
 - Screening: Shimmer panels (see applicant exhibit)
3. **As a temporary use, the conditional use permit shall expire in six months. If needed, the applicant shall apply for an extension of the conditional use permit before the expiration of the current permit (set to expire February 26, 2025).**
 - a. At this six month reapplication/review, the Planning Commission and staff shall evaluate the effectiveness and condition of the shimmer panel screening.
4. **A Miscellaneous building permit for a storage container exceeding 80 square feet is required, and the applicant shall apply for the permit within 10 business days of Planning Commission approval of the Conditional Use Permit;**
5. **At all times appropriate fire access around the building must be maintained;**
6. **The applicant shall coordinate with solid waste to ensure that service is maintained to the existing dumpster;**
7. **Compliance with relevant design standards will be reviewed for at the time of building permit;**
8. **Approval of this conditional use permit does not ensure approval of a building permit;**
9. **Any future expansion or change in the use shall require Planning Commission approval; and**
10. **Signs shall be limited to those permitted by UDC §174. Any proposed signage shall be reviewed for compliance with the underlying zoning district and shall be permitted by a separate sign permit prior to installation.**

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>September 23, 2024</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.
2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

C. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: **The applicant has submitted a written application requesting a conditional use permit for Use Unit 2 in the C-2 zoning district.**

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

Finding: **The applicant has paid the required filing fee.**

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:

(a.) That it is empowered under the section of this chapter described in the application to grant the conditional use; and

Finding: The Planning Commission is empowered under Unified Development Code §161.23 to grant the requested conditional use permit.

(b.) That the granting of the conditional use will not adversely affect the public interest.

Finding: Staff finds that granting the requested conditional use is unlikely to adversely affect the public interest. The C-2 zoning district is designed primarily to encourage the functional grouping of commercial uses along thoroughfares. As a temporary use, the storage container is unlikely to have adverse affects on the public realm due to being largely shielded from view from the highly trafficked public right-of-way by existing buildings. The storage container will be visible from N. Jane Ave., which is a Residential Link Street, but affects will be limited as the street terminates in a cul-de-sac and is mostly limited to local-only traffic.

(c.) The Planning Commission shall certify:

(1.) Compliance with the specific rules governing individual conditional uses; and

Finding: There are no specific rules governing this use.

(2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

(a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

Finding: Per the submitted site plan, access to the property is via N. Jane Ave., a Residential Link Street. Appropriate fire access appears to be maintained according to the site plan, and would be verified at building permit.

(b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

Finding: No changes to existing parking or loading areas is proposed.

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading,

Finding: **Applicant to coordinate with waste services to verify service vehicle access.**

(d.) Utilities, with reference to locations, availability, and compatibility;

Finding: **The property has access to City water and sewer. No changes to utility services are proposed.**

(e.) Screening and buffering with reference to type, dimensions, and character;

Finding: **The subject property is surrounded by commercial properties to the north, south, and west. The property is separated by mature trees and vegetation from the residential properties to the east. Staff recommends that the applicant apply for extension of the conditional use permit after six months to provide an opportunity to review the effectiveness and condition of the proposed shimmer panel screening.**

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: **Any proposed signage will be subject to UDC §174 and all the regulations therein.**

(g.) Required yards and other open space; and

Finding: **The existing commercial structure on the property appears to meet build-to-zone requirements for the urban form development option in the C-2 zoning district. No permanent additions or alterations to the principal structure are proposed.**

(h.) General compatibility with adjacent properties and other property in the district.

Finding: **Staff finds that the proposed temporary storage container is compatible with adjacent properties. The property is located near commercially zoned properties to the north, south, and west. The container will be located between two existing commercial buildings and unlikely to be visible from the public right-of-way along N. College Ave. or E. Township St. The applicant is proposing to screen the front of the storage container that would be visible from N. Jane Ave.**

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code
 - §161.23 – District C-2, Thoroughfare Commercial
- Applicant Exhibits

- Request Letter
- Site Plan
- One Mile Map
- Close-Up Map
- Current Land Use Map

161.23 District C-2, Thoroughfare Commercial

(A) *Purpose.* The Thoroughfare Commercial District is designed especially to encourage the functional grouping of these commercial enterprises catering primarily to highway travelers. The intent of this district is to allow administrative approval if the developer decides to use urban form, in compliance with the build-to zone and minimum buildable street frontage as specified herein.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 13	Eating places
Unit 14	Hotel, motel, and amusement facilities
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 19	Commercial recreation, small sites
Unit 20	Commercial recreation, large sites
Unit 25	Offices, studios, and related services
Unit 33	Adult live entertainment club or bar
Unit 34	Liquor store
Unit 40	Sidewalk Cafes
Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 21	Warehousing and wholesale
Unit 28	Center for collecting recyclable materials
Unit 29	Dance Halls
Unit 32	Sexually oriented business
Unit 35	Outdoor music establishments
Unit 36	Wireless communications facilities
Unit 38	Mini-storage units
Unit 42	Clean technologies
Unit 43	Animal boarding and training

(C) *Density.* None.

(D) *Bulk and Area Regulations.* None.

(E) *Setback Regulations.*

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Side	None

Side, when contiguous to a residential district	15 feet
Rear	20 feet

Urban Form Setback Regulations:

Front	A build-to zone that is located between 10 feet and a line 25 feet from the front property line
Side and rear	None
Side or rear, when contiguous to a single-family residential district	15 feet

(F) *Building Height Regulations.*

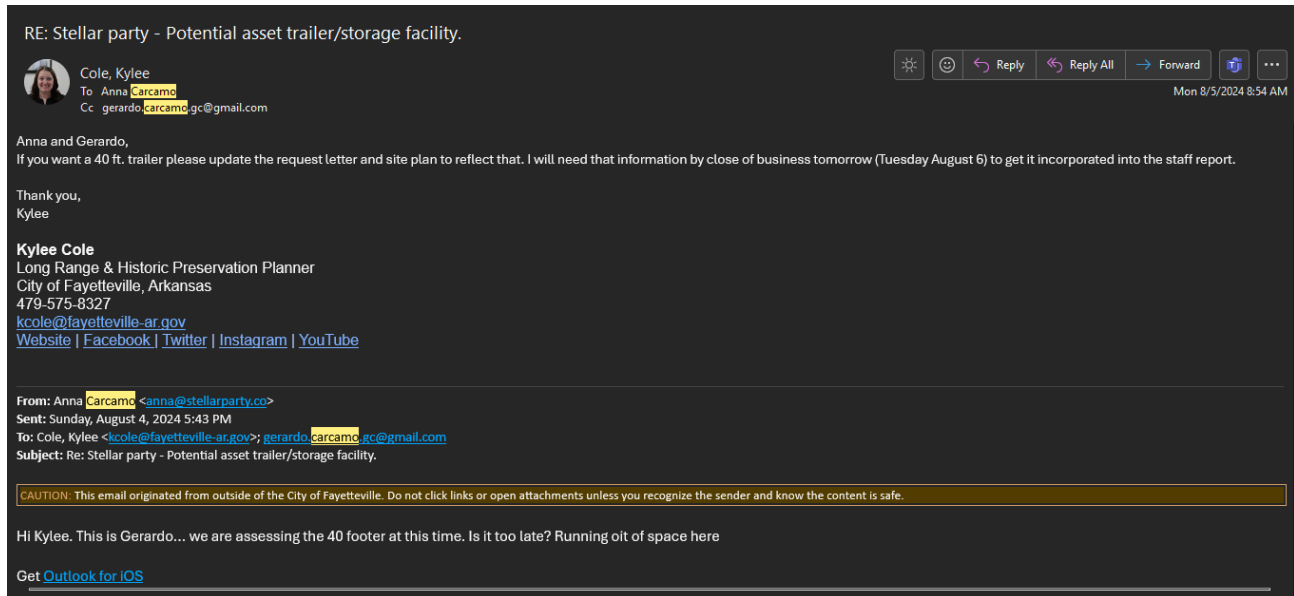
Building Height Maximum	6 stories*
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* If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from side boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

- (G) *Building Area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.
- (H) Urban form minimum buildable street frontage: 50% of the lot width.

Hello.

Requesting to the city of Fayetteville an opportunity to assess to place a temporary hogbox, 20 x 8 ground level structure right next to property 455 N Jean St Fayetteville, AR 72703. Stellar Party will be placing shimmer panels to help with aesthetics and container is not as visible. The actual property address 2380 N Jane Ave Suite, Fayetteville, AR 72703. Our goal is to have the container for at least 12 months. We will work with solid waste to move the dumpster right close to the shed for easy access and pick up. Property landowner has giving us permission as well.



The applicant confirmed they want a 40 ft. trailer on the site. KC



Applicant modified their request for a 8x8x40' trailer. KC 8.5.23.

A 20' CONTAINER WAS PLACED THIS WEEK 7/30 - 8X8X20'

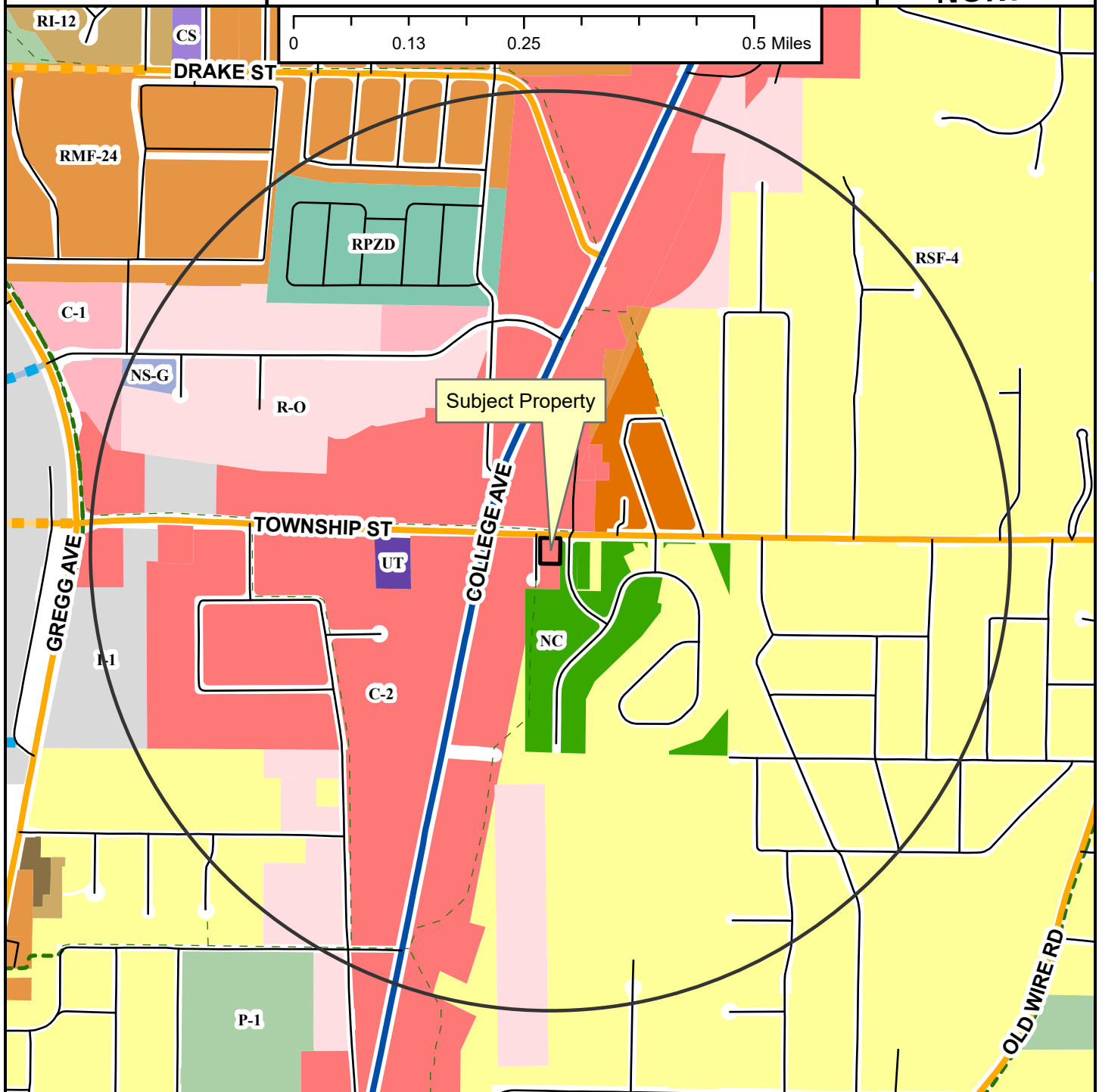
Scaled and dimensioned by staff for clarity. KC 7.30.24

Amended by staff to reflect updated size request. KC 8.19.24

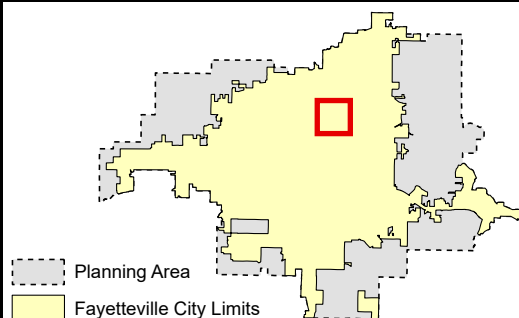
CUP-2024-0031

2380 N. JANE AVE, UNIT 130

One Mile View



-  Neighborhood Link
-  Regional Link - High Activity
-  Unclassified
-  Residential Link
-  Planned Neighborhood Link
-  Planned Residential Link
-  Shared-Use Paved Trail
-  Trail (Proposed)
-  Fayetteville City Limits
-  Planning Area

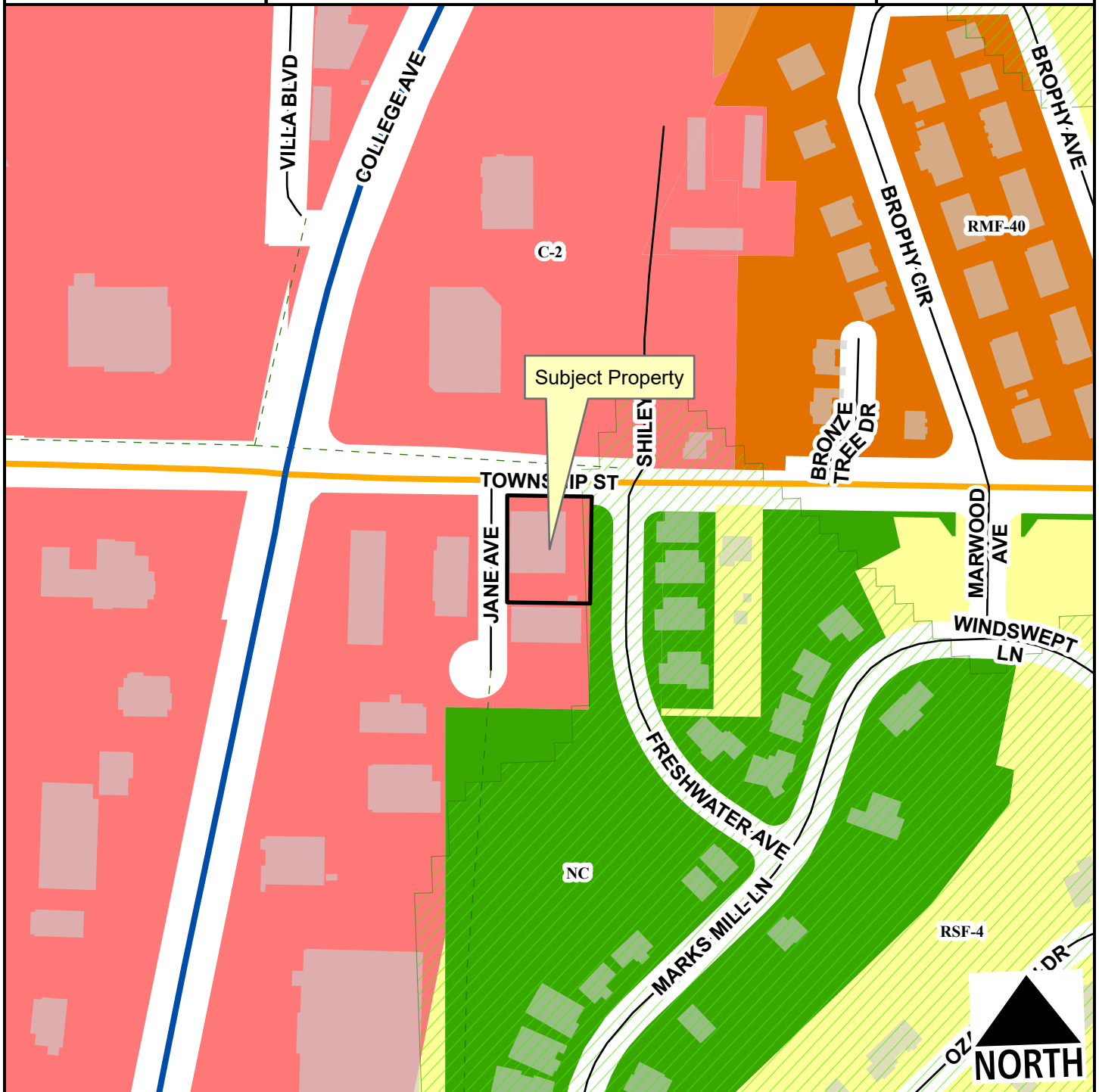


-
- Zoning**
- I-2 General Industrial
 - E-1 Commercial
 - I-1 Heavy Commercial and Light Industrial
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
 - RI-U
 - RI-12
 - NS-L
 - Residential-Agricultural
 - RSF-5
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
- COMMERCIAL**
- Residential-Office
 - C-1
 - C-2
 - C-3
- FORM BASED DISTRICTS**
- Downtown Core
 - Urban Thoroughfare
 - Main Street Center
 - Downtown General
 - Community Services
 - Neighborhood Services
 - Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
- Commercial, Industrial, Residential
- INSTITUTIONAL**
- P-1

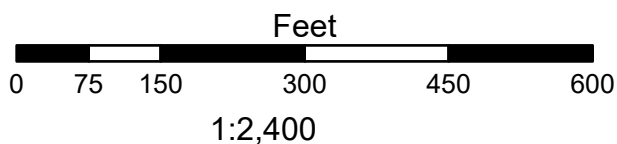
CUP-2024-0031

2380 N. JANE AVE, UNIT 130

Close Up View



- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)



- RSF-4
- RMF-24
- RMF-40
- C-2
- Neighborhood Conservation

CUP-2024-0031

2380 N. JANE AVE, UNIT 130

Current Land Use



- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Fayetteville Planning Commission

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: September 23, 2024

SUBJECT: **CUP-2024-0038: Conditional Use Permit (1153 W. DEANE ST./DRUMMONDS, 365):** Submitted by DONNY DRUMMONDS for property located at 1153 W. DEANE ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.18 acres. The request is for a duplex in single-family zoning.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0038** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0038**, determining:*

- In favor of compatibility with adjacent properties and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located on the south side of Deane Street about 300 feet west of the street's intersection with Garland Avenue. The property contains about 0.18 acres and is currently developed with a single-family home which Washington County records indicate was built in 1955. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
South	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre

City Plan 2040 Future Land Use Designation: **Residential Neighborhood Area**

Proposal: The applicant requests approval of a conditional use permit to allow for the development of a two-family dwelling on the subject property. Two-family dwellings (Use Unit 9) are a conditional use in the underlying RSF-4 zoning district. A site plan and building floor plans and elevations have been provided, though the project would be fully reviewed for compliance with the City's development standards at the time of permit submittal.

Public Comment: To date, staff has received no public comment on this item.

RECOMMENDATION: Staff recommends approval of **CUP-2024-0038** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds that the proposed use to be compatible based on the findings contained herein;*
2. All outdoor lighting on site must comply the requirements of Unified Development Code Chapter 176, Outdoor Lighting; and
3. Approval of this conditional use permit does not constitute approval of any associated development plans or permits. Review and approval of development plans and permits shall be required in accordance with city code.

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>September 23, 2024</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.
2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

C. Procedures. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: **The applicant has submitted a written application requesting a conditional use permit for a two-family dwelling (Use Unit 9) in RSF-4 zoning.**

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

Finding: The applicant has paid the required filing fee.

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:
 - (a.) That it is empowered under the section of this chapter described in the application to grant the conditional use; and

Finding: The Planning Commission is empowered under Unified Development Code §161.07 to grant the requested conditional use.

- (b.) That the granting of the conditional use will not adversely affect the public interest.

Finding: Staff finds that granting the requested conditional use is not likely to adversely affect the public interest. Two-family dwellings are subject to compliance with heightened access and design standards when compared to single-family dwellings. Driveways serving two-family dwellings along Neighborhood Link Streets like Deane Street are required to be located at least 100 feet away from adjacent curb cuts and intersections. The development would also be subject to compliance with the City's urban residential design standards as outlined in UDC §166.23, and parking design standards as outlined in UDC §172.11.

- (c.) The Planning Commission shall certify:
 - (1.) Compliance with the specific rules governing individual conditional uses; and

Finding: There are no specific rules governing the requested conditional use.

- (2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:
 - (a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

Finding: The subject property has frontage and a driveway is proposed along Deane Street, which is a Neighborhood Link Street. A sidewalk is also proposed along the property's frontage to accommodate pedestrian access. Any additional street improvements required along the property's frontage would be determined at the time of development review.

- (b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special

exception on adjoining properties and properties generally in the district;

Finding: Based on the applicant's submittal, there would be space to park up to eight vehicles on site with four spaces in a driveway and four spaces in attached garages. The development is subject to compliance with the City's standards for two-family dwellings in single-family zoning districts as described in UDC Chapter 172, Parking and Loading.

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading;

Finding: The applicant has indicated that they intend to utilize residential trash cart services and that containers will be stored in the garage or backyard when not placed at the curb for pick-up. Two-family structures are subject to compliance with the City's Urban Residential Design Standards, as outlined in UDC §166.23, which require screening of trash and recycling facilities.

(d.) Utilities, with reference to locations, availability, and compatibility;

Finding: The subject property has access to public water and sewer. Public water mains are present along Deane Street to the north and a public sewer main is present on properties to the south. Any necessary improvements or upgrades for utilities would be determined at the time of development review.

(e.) Screening and buffering with reference to type, dimensions, and character;

Finding: Staff is not recommending additional screening for the proposed conditional use. The City's Urban Residential Design Standards would require that trash and recycling containers and mechanical and utility equipment be screened from view of the street.

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: Any proposed signage will be subject to permitting and compliance with Unified Development Code Chapter 174, Signs.

(g.) Required yards and other open space;

Finding: Staff finds that the existing development appears to meet the setback requirements associated with the underlying zoning district based on the site plan and building plans provided. Compliance with setback and landscaping requirements would be determined at the time of development review.

- (h.) General compatibility with adjacent properties and other property in the district; and

Finding: Staff finds the requested conditional use to be compatible with adjacent properties. The property is in close proximity to public infrastructure and other multi-family residential developments. Staff finds the applicant's request to be suitable since it would allow for a slight increase in residential density in an area where it is needed.

- (i.) General compatibility with the goals and intent of the city's adopted land-use, transportation, and other strategic plans.

Finding: Staff finds the requested conditional use to be compatible with the goals and intent of the City's adopted plans. City Plan 2040 designates the property as Residential Neighborhood Area with an infill score of 7. Allowing the development of a two-family dwelling on this property would be aligned with the goals of City Plan 2040 since it would encourage a wider range of housing types in an area that is appropriate for infill.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.07 District RSF-4, Residential Single-Family – Four (4) Units Per Acre
 - Applicant Request Letter
 - Site Plan
 - Building Elevations
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
-

161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings

Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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- (G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

AKD Rentals LLC is proposing demolition of the existing house located at 1153 W Deane Str and the Construction of a 3884 square foot duplex on the site.

- a) Each side of the duplex will be 1942 square feet with a 2 car garage.
- b) Color elevations are included with the site plan in the file named:
1153_deane_2024-070 DONNY DRUMMONDS PLANS (7.17.24).pdf
- c) There will be 4 garage spaces and 4 drive way spaces for parking.
- d) N/A
- e) 4 exterior light
- f) Do not know
- g) Privacy fence in the backyards
- h) Trash cans to be stored in the garage or back yard
- i) Driveway connecting to Deane Str
- j) Current local properties contain renters and families.

PARCEL #765-05207-000:

THE WEST 30 FEET OF LOT 5 AND ALL OF LOT 6, EVERETT ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON PLAT OF SAID ADDITION FILED IN BOOK 1, PAGE 185, O FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SAID LOT 6, SAID POINT ALSO BEING LOCATED ON THE SOUTHERN RIGHT OF WAY OF WEST DEANE STREET, AND RUNNING ALONG SAID RIGHT OF WAY S87°10'34"E 89.60 FEET; THENCE LEAVING SAID RIGHT OF WAY S02°49'26"W 136.00 FEET; THENCE N87°10'34"W 89.60 FEET; THENCE N02°49'26"E 136.00 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.28 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

The site plan is included in file: 1153_deane_2024-070 DONNY DRUMMONDS PLANS (7.17.24).pdf

The floor plans are included in the file: 1153_deane_2024-070 DONNY DRUMMONDS PLANS (7.17.24).pdf

actDataScout.com/Map/Index?countyId=5143

actDataScout

Real Property - Personal Property - Business Personal - Tax Records - Land Records - Marriage Records

Back EagleView Imagery Sales Stats Google Location Search

Real Estate Parcels

765-05206-000

Show Detailed Report

Parcel ID: 765-05206-000

RPID: 39656

Owner: SULLINS, KELLY J

Owner Address: 1145 W Deane St Fayetteville AR 72703-1506

CAMA Acreage: 0

Parcel Address: 1145 W DEANE ST

Partial Legal: WEST HALF LOT 4 EAST HALF LOT 5

Total Value: 119600

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actDataScout

Real Property - Personal Property - Business Personal - Tax Records - Land Records - Marriage Records

Back EagleView Imagery Sales Stats Google Location Search

Real Estate Parcels

765-05208-000

Show Detailed Report

Parcel ID: 765-05208-000

RPID: 39658

Owner: RICHARDSON, NOLAN III & KIMBERLY, NR FAMILY TRUST

Owner Address: 4057 N HUGHMONT RD FAYETTEVILLE AR 72704

CAMA Acreage: 0

Parcel Address: 1205 W DEANE ST

Partial Legal:

Total Value: 158450

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actDataScout

Real Property - Personal Property - Business Personal - Tax Records - Land Records - Marriage Records

Back EagleView Imagery Sales Stats Google Location Search

Real Estate Parcels

765-05208-000

Show Detailed Report

Parcel ID: 765-05208-000

RPID: 39858

Owner: RICHARDSON, NOLAN III & KIMBERLY, NR FAMILY TRUST

Owner Address: 4057 N HUGHMONT RD FAYETTEVILLE AR 72704

CAMA Acreage: 0

Parcel Address: 1205 W DEANE ST

Partial Legal: 1205 W DEANE ST

Total Value: 158450

actDataScout.com/Map/Index?countyId=5143

actDataScout

Real Property - Personal Property - Business Personal - Tax Records - Land Records - Marriage Records

Back EagleView Imagery Sales Stats Google Location Search

Real Estate Parcels

765-10546-000

Show Detailed Report

Parcel ID: 765-10546-000

RPID: 45385

Owner: RAMSEY, CAROL J

Owner Address: PO BOX 1665 FAYETTEVILLE AR 72702

CAMA Acreage: 0.2

Parcel Address: 1754 N JANICE AVE

Partial Legal: PT LOT 20 SE SE 5-16-30 FURTHER DESCRIBED IN 2021-27319 AS: A part of Lot numbered Twenty (20) to Rudolph Subdivision and a part of the Southeast Quarter

actDataScout.com/Map/index?countyId=5143

actDataScout

Real Property - Personal Property - Business Personal - Tax Records - Land Records - Marriage Records

Back EagleView Imagery Sales Stats

Google Location Search

Real Estate Parcels

765-05207-000

Show Detailed Report

Parcel ID

765-05207-000

RPID

39857

Owner

AKD RENTALS LLC

Owner Address

1750 BROMPTON PL SPRINGDALE AR 72764

CAMA Acreage

0

Parcel Address

1153 W DEANE ST

Partial Legal

WEST HALF LOT 5 ALL LOT 6

Total Value

166650

Calculated GIS Area

actDataScout.com/Map/index?countyId=5143

actDataScout

Real Property - Personal Property - Business Personal - Tax Records - Land Records - Marriage Records

Back EagleView Imagery Sales Stats

Google Location Search

Real Estate Parcels

765-10547-000

Show Detailed Report

Parcel ID

765-10547-000

RPID

45386

Owner

GIBSON, JERRY DWAYNE & DONNA LYNN

Owner Address

241 IRELAND ST SPRINGDALE AR 72762

CAMA Acreage

0.39

Parcel Address

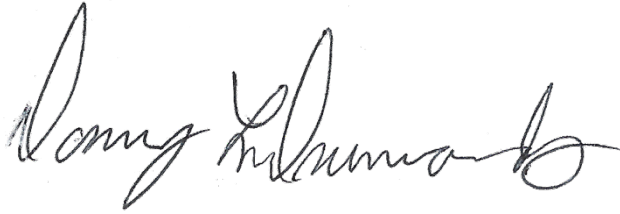
1753 N JANICE AVE

Partial Legal

PT LOT 21 SE SE 5-16-30 FURTHER DESCRIBED AS: LOT 21 OF RUDOLPH S/D, LESS & EXCEPT DESCRIBED FROM 2022-39130 AS:

6) Waiting to hear back to notify the public.

7) I, Donny L Drummonds, authorize this hearing.

A handwritten signature in black ink, appearing to read "Donny L Drummonds", with a stylized flourish at the end.

NOTES:

1. PARCEL #765-05207-000
2. CURRENT ZONING: RSF-4
3. ROTATION BASED ON ARKANSAS STATE PLANE, NORTH ZONE, NAD83
4. BOUNDARY BASED ON:
1. WARRANTY DEED, FILE #2016-00013890
5. PER GRAPHIC PLOTTING ONLY, THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE "X" AS SHOWN ON FEMA FIRM PANEL #05143002086 BEARING AN EFFECTIVE DATE OF 1/25/2024 AND IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE.

ZONING & SETBACKS:

ZONED: RSF-4

SETBACKS:

FRONT: 15'
SIDE: 5'
REAR: 15'

PARCEL #765-05207-000:

THE WEST 30 FEET OF LOT 5 AND PART OF LOT 6, EVERETT ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON PLAT OF SAID ADDITION FILED IN BOOK 1, PAGE 185, 0 FILE IN THE OFFICE OF THE CIRCUIT CLERK, AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, COMMENCING AT THE NORTHWEST CORNER OF THE SAID LOT 6, SAID POINT ALSO BEING LOCATED ON THE SOUTHERN RIGHT OF WAY OF WEST DEANE STREET, AND RUNNING S02°49'26"W 9.55 FEET TO THE POINT OF BEGINNING, AND RUNNING ALONG S02°49'26"W 89.60 FEET, THENCE S02°49'26"W 126.63 FEET, THENCE N02°10'34"W 89.60 FEET, THENCE N02°49'26"E 126.45 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.26 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

RIGHT OF WAY DEDICATION:

A PART OF THE WEST 30 FEET OF LOT 5 AND PART OF LOT 6, EVERETT ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON PLAT OF SAID ADDITION FILED IN BOOK 1, PAGE 185, 0 FILE IN THE OFFICE OF THE CIRCUIT CLERK, AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SAID LOT 6, SAID POINT ALSO BEING LOCATED ON THE EXISTING SOUTHERN RIGHT OF WAY OF WEST DEANE STREET, AND RUNNING ALONG SAID RIGHT OF WAY S02°49'26"E 89.60 FEET, THENCE LEAVING SAID RIGHT OF WAY S02°49'26"W 9.55 FEET, THENCE N02°10'34"W 89.60 FEET, THENCE N02°49'26"E 126.63 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.02 ACRES, OR 848 SQUARE FEET, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHT OF WAYS OF RECORD.

SPOT ELEVATION ABBREVIATIONS:

BAC: BACK OF CURB ELEVATION
SW: SIDEWALK ELEVATION
BF: BUILDING FOOTING ELEVATION AT FINISHED GRADE

LEGEND	
●	FOUND MONUMENT AS NOTED
○	SET IRON PIN WITH CAP
×	CALCULATED POINT
W	WATER VALVE
⊕	FIRE HYDRANT
⊕	POWER POLE
⊕	UTILITY VAULT
⊕	AC UNIT ON PAD
⊕	WATER METER
⊕	SEWER MANHOLE
— PL —	PROPERTY LINE
— PL —	ADJOINING PROPERTY LINE
— R/W —	RIGHT OF WAY
— R/W —	BUILDING SETBACK
— R/W —	CENTERLINE OF ROAD
— R/W —	EXISTING OVERHEAD ELECTRIC



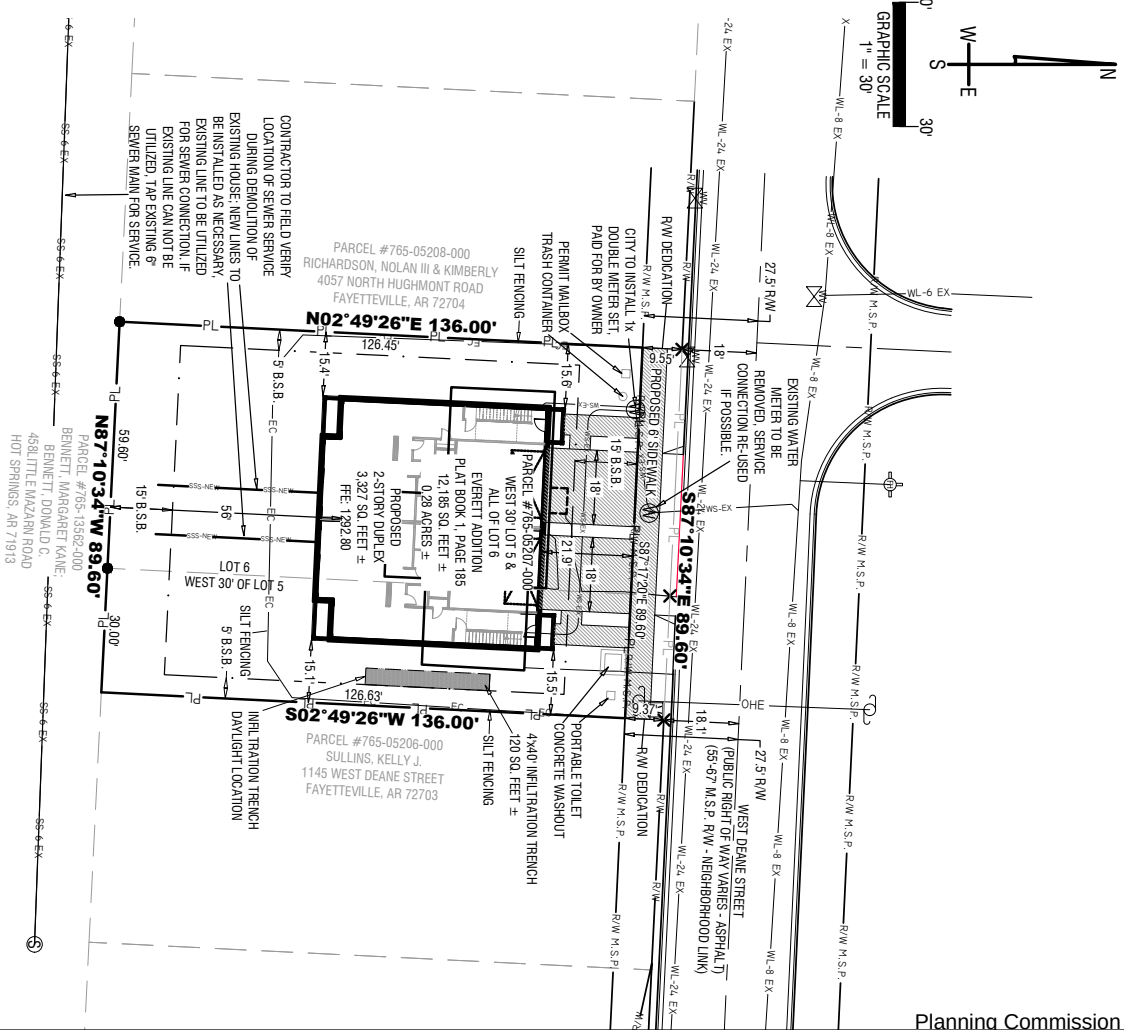
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Established 1985

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Office: 479.442.9127
www.jorgensenassoc.com



PROJECT TITLE: DRUMMOND SURVEY
LOCATION: FAYETTEVILLE, AR
SHEET TITLE: SITE PLAN
DRAWN BY: JH
SHEET SCALE: 1" = 30'
DATE: 7/18/2024
PROJECT FILE: Z\LUTS2024070

SHEET # 1



1. PARCEL #765-05207-000

2. CURRENT ZONING: RSF-4

3. ROTATION BASED ON ARKANSAS STATE PLANE, NORTH ZONE, NAD83

4. BOUNDARY BASED ON:

5. PER GRAPHIC PLOTTING ONLY, THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE "X" AS SHOWN ON FEMA FIRM PANEL #05143C0208G BEARING AN EFFECTIVE DATE OF 1/25/2024 AND IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE

ZONE: RSF-2

SETBACKS:

SIDE: 5'

REAR: 15

PARCEL #765-05207-000:

THE WEST 30.00 FEET OF LAND AND PART OF LOT 16, EXEMPT ADDED TO THE CITY OF FAIRMONT, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON PLAT OF LOT ADDITION FILED IN BOOK 1, PAGE 185, O.F.L. IN THE OFFICE OF THE CIRCUIT CLERK, AND EX OFFICIO RECORDS OF WASHINGTON COUNTY, ARKANSAS, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SAID LOT 16, SAID PLAT ALSO BEING LOCATED ON THE SOUTHERN RIGHT-OF-WAY OF WEST DEER STREET, AND RUNNING S02°49'29"E 9.55 FEET TO THE POINT OF BEGINNING, AND RUNNING ALONG SAID RIGHT-OF-WAY S87°17'22"E 88.60 FEET; THENCE S02°49'29"E 126.65 FEET; THENCE N67°10'34"W 39.50 FEET; THENCE N02°49'26"E 126.45 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.28 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS OF RECORD.

RIGHT OF WAY DEDICATION

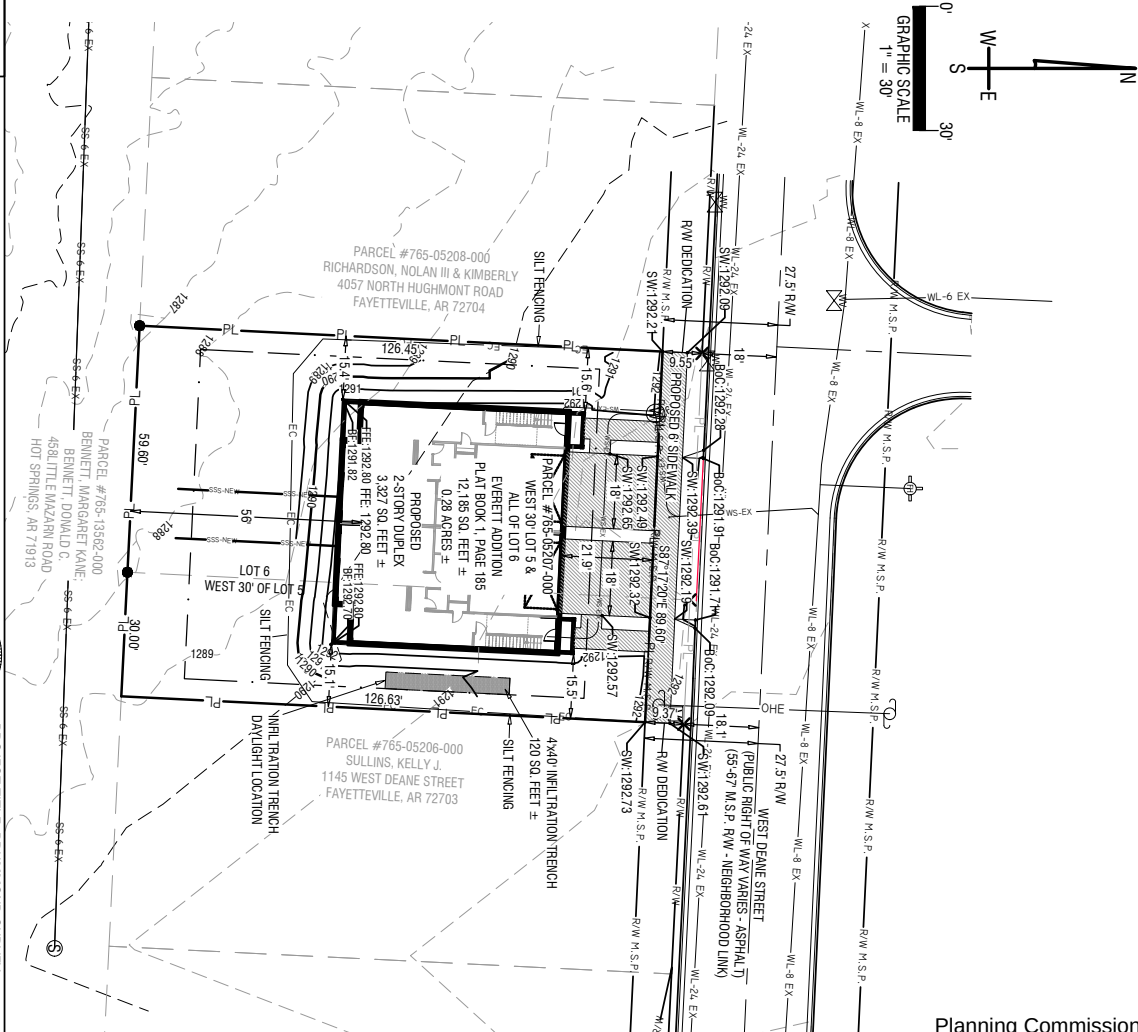
A PART OF THE WEST 102 OF LOT 5 AND PART OF LOT 6, EXEPTED ADDITION TO THE CITY OF FAINTELEIGH, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON PLAT OF SAID ADDITION FILED IN BOOK 1, PAGE 185, OF THE OFFICE OF THE CIRCUIT CLERK AND EXCETOED RECORDER OF WASHINGTON COUNTY, ARKANSAS, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SAID LOT 6, SAID POINT ALSO BEING LOCATED ON THE EXISTING SOUTHERN RIGHT OF WAY OF WEST DIXIE STREET, AND RUNNING ALONG SAID RIGHT OF WAY S87°10'34"E 88.60 FEET, THENCE LEAVING SAID RIGHT OF WAY S25°42'29"W 93.37 FEET, THENCE BY "T" JUMP 88.60 FEET AND 93.55 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 1,002 ACRES, OR 848 SQUARE FEET, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHT OF

SPOT ELEVATION ABBREVIATIONS:

BOC: BACK OF CURB ELEVATION

BF: BUILDING FOOTING ELEVATION AT FINISHED GRADE

[illegible]

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Established 1985



PROJECT TITLE: DRUMMOND SURVEY
LOCATION: FAYETTEVILLE, AR
SHEET TITLE: SITE PLAN
DRAWN BY: JH
SHEET SCALE: 1" = 30'
DATE: 7/6/2024
PROJECT FILE: Z:\LOTS\2024070

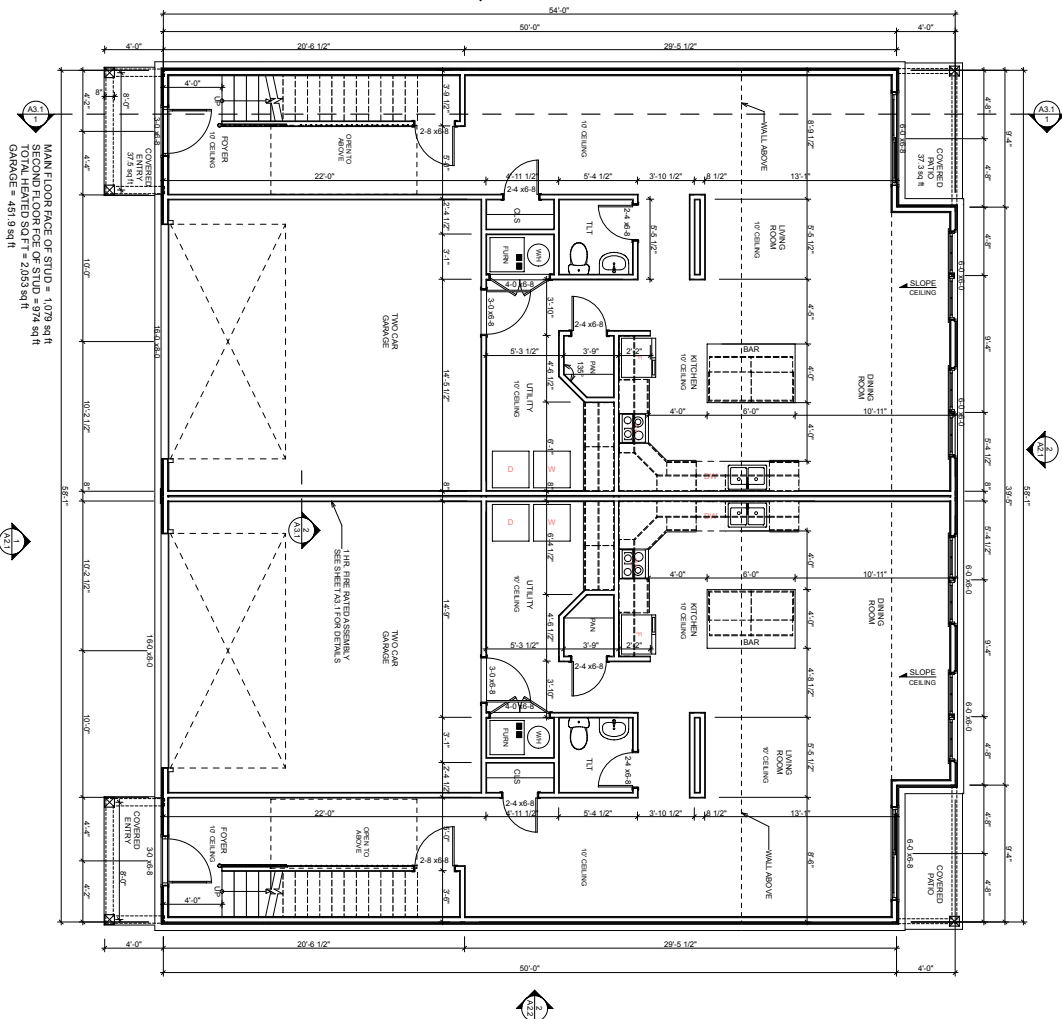
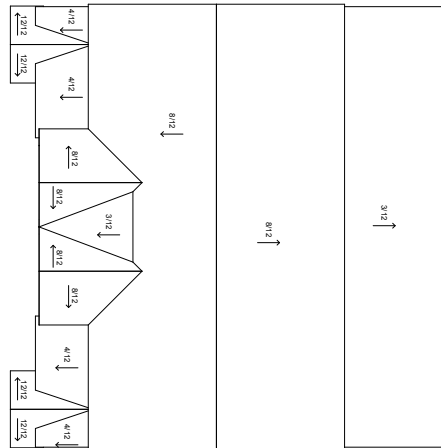
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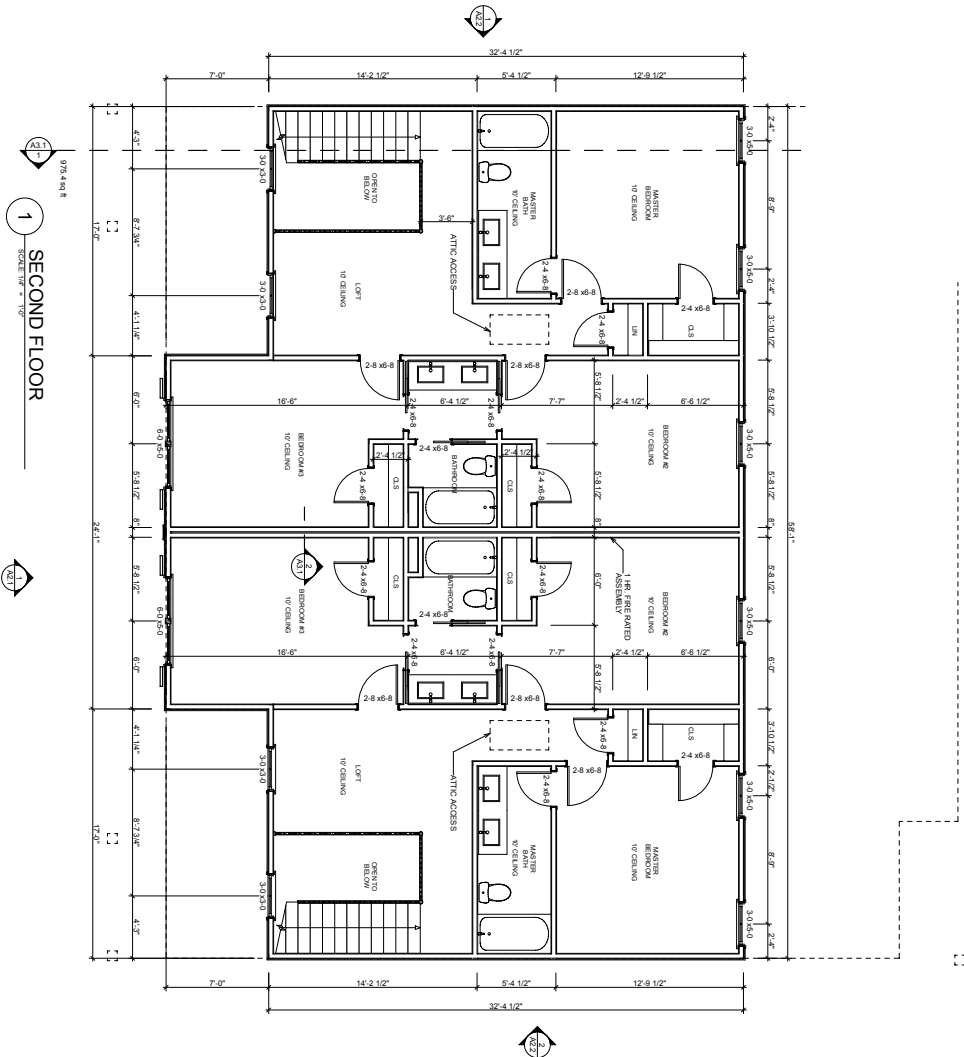
Planning Commission

September 23, 2024

CUP-2024-0038 (AKD RENTALS LLC) Page 263 of 492

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1 SECOND FLOOR



SHEET
A1.2

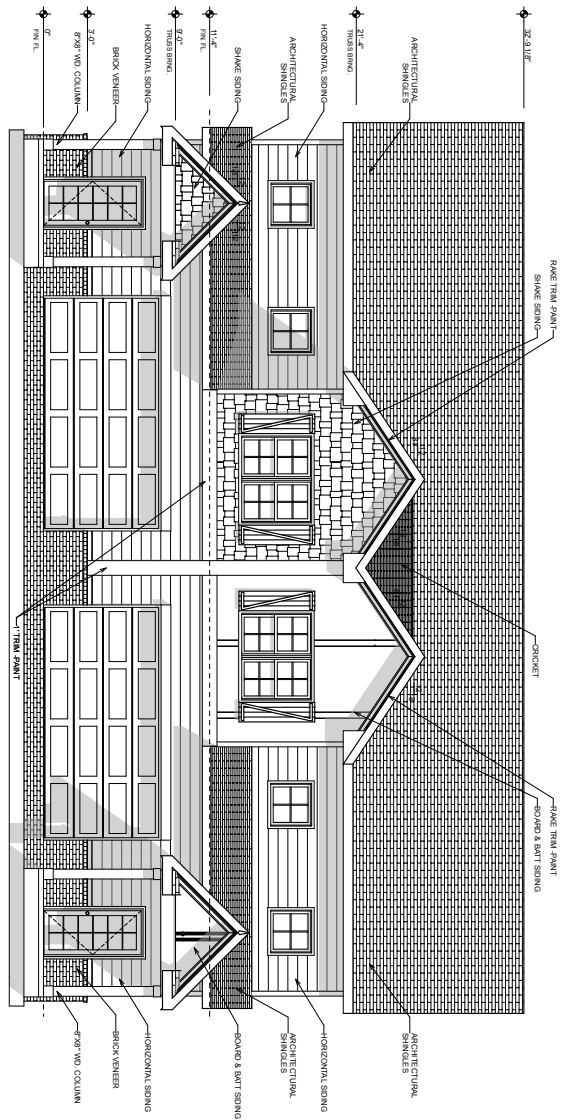
SECOND FLOOR

REVISIONS

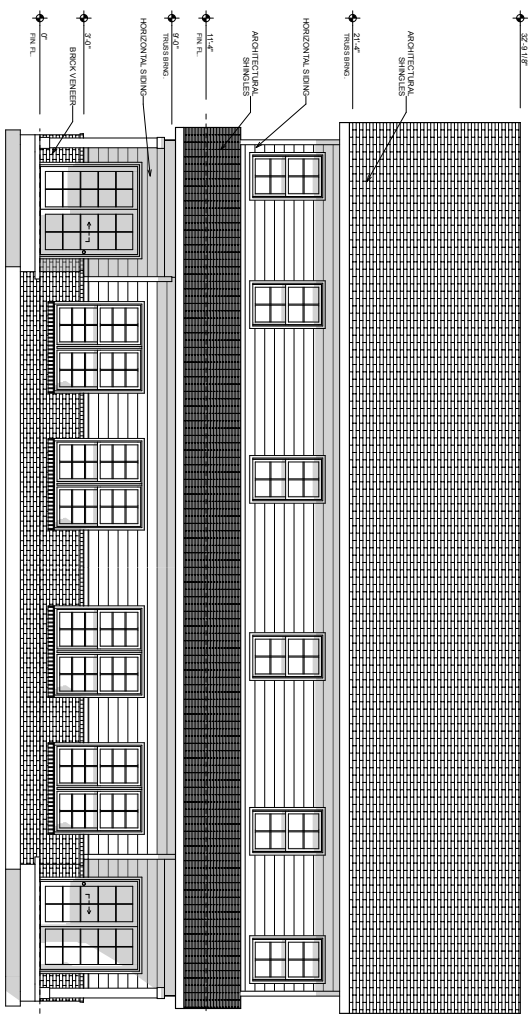
JOB NO.
2402
ISSUE DATE
09.12.2024

Drummonds Duplex - The Stanley
ARKANSAS

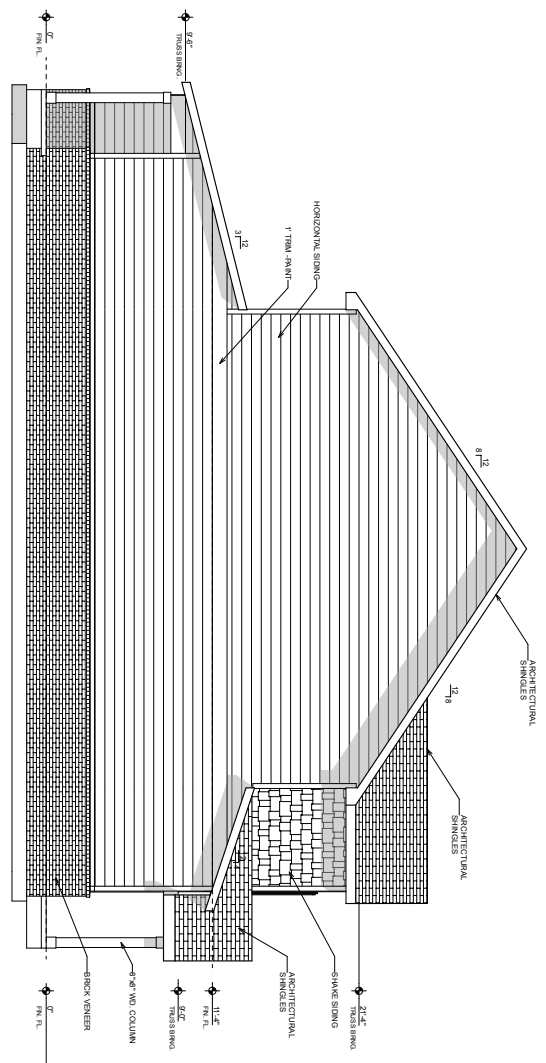
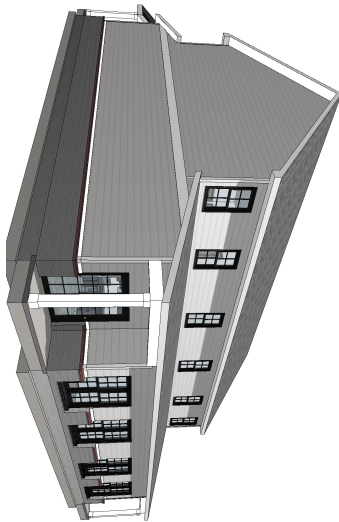
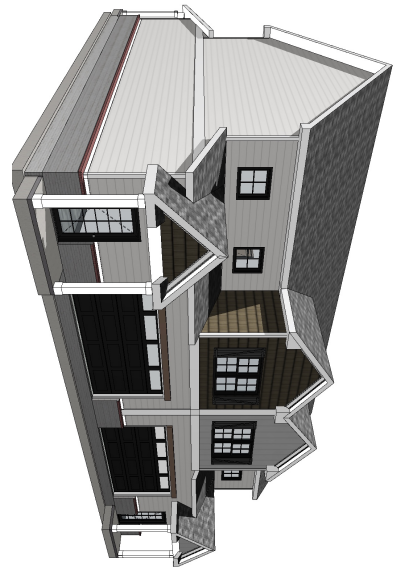
FOR CONSTRUCTION SET
CAD DIMENSIONS
Design Drafting Service
Planning Commission
September 23, 2024



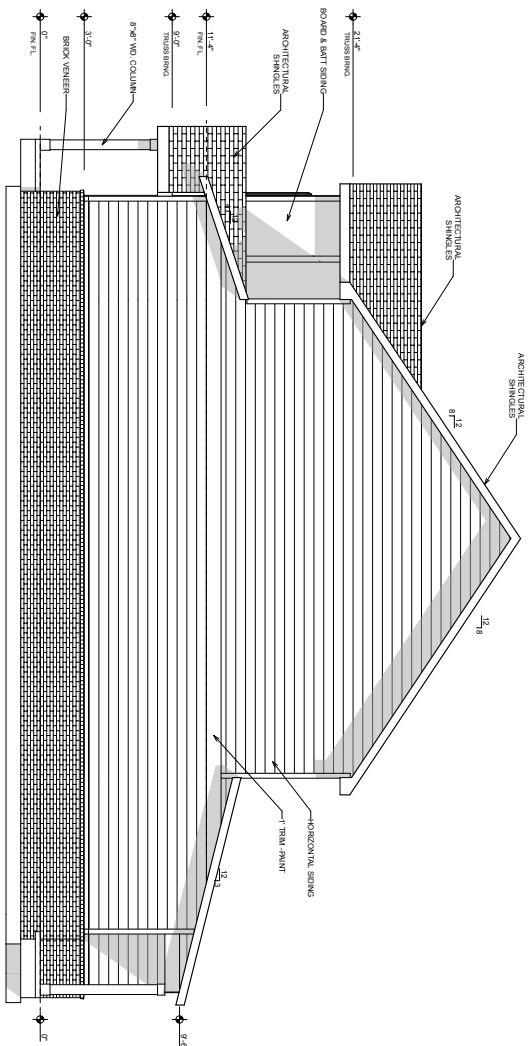
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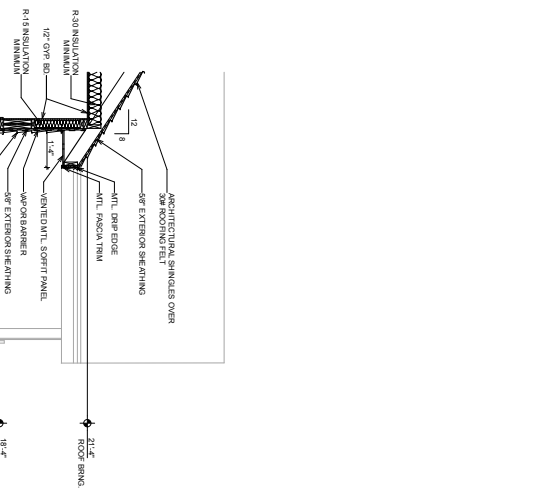


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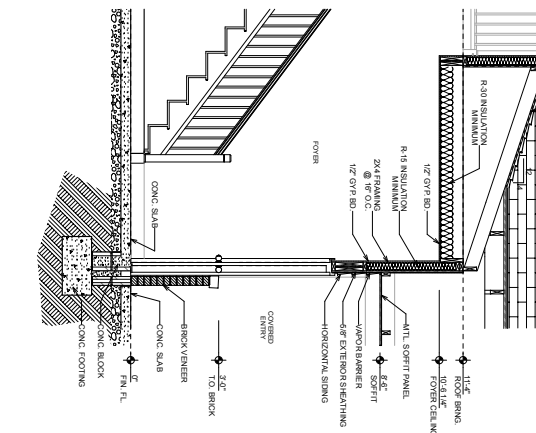


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1 NORTH
SCALE: 1/4" = 1'-0"

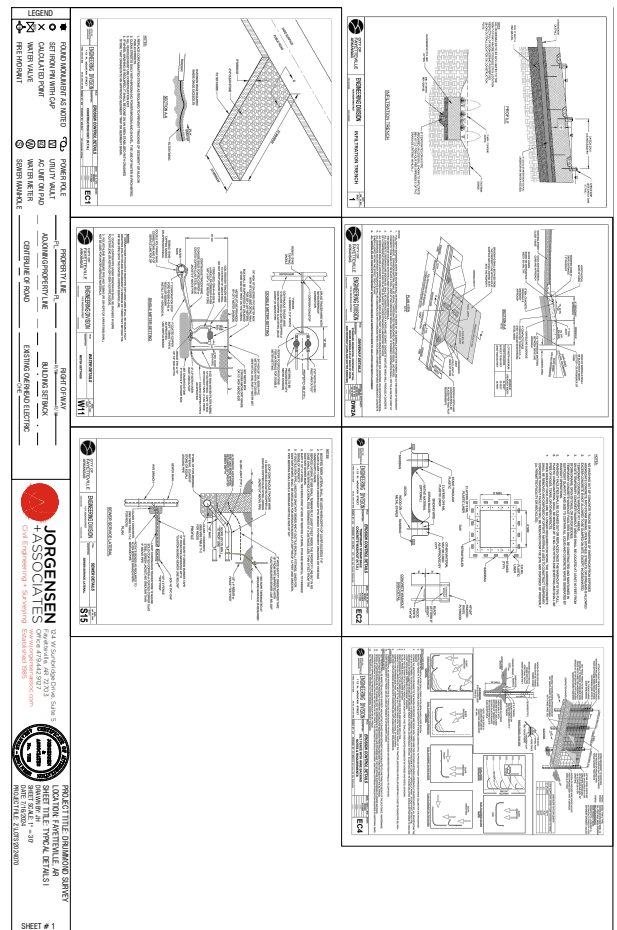


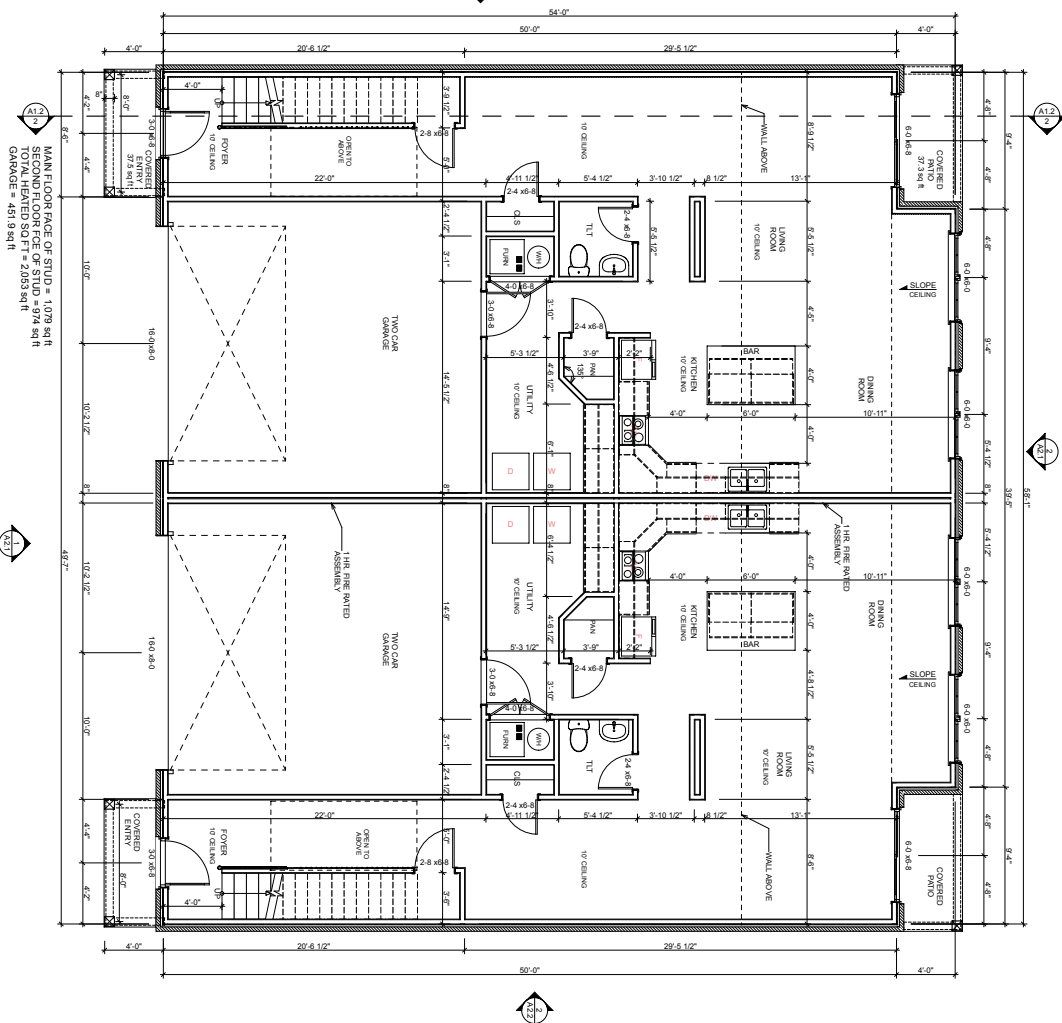
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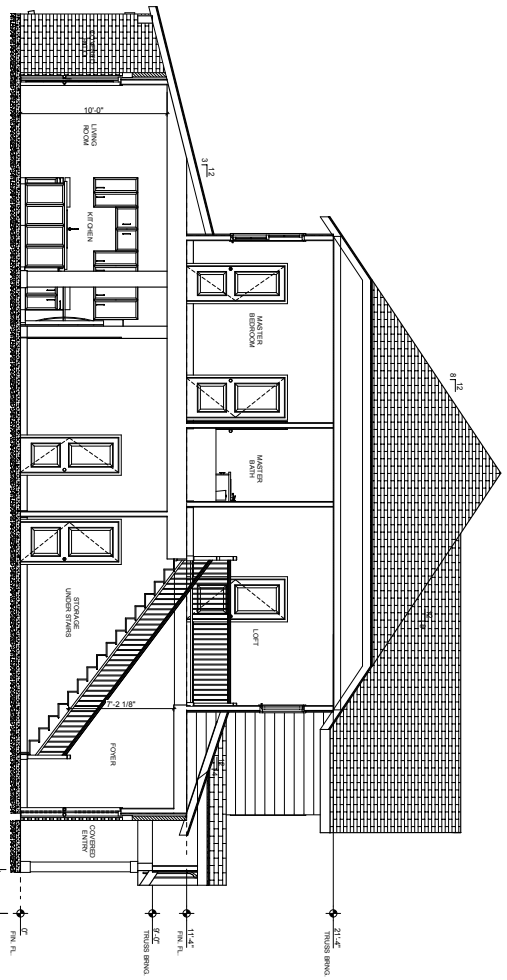


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WALL S
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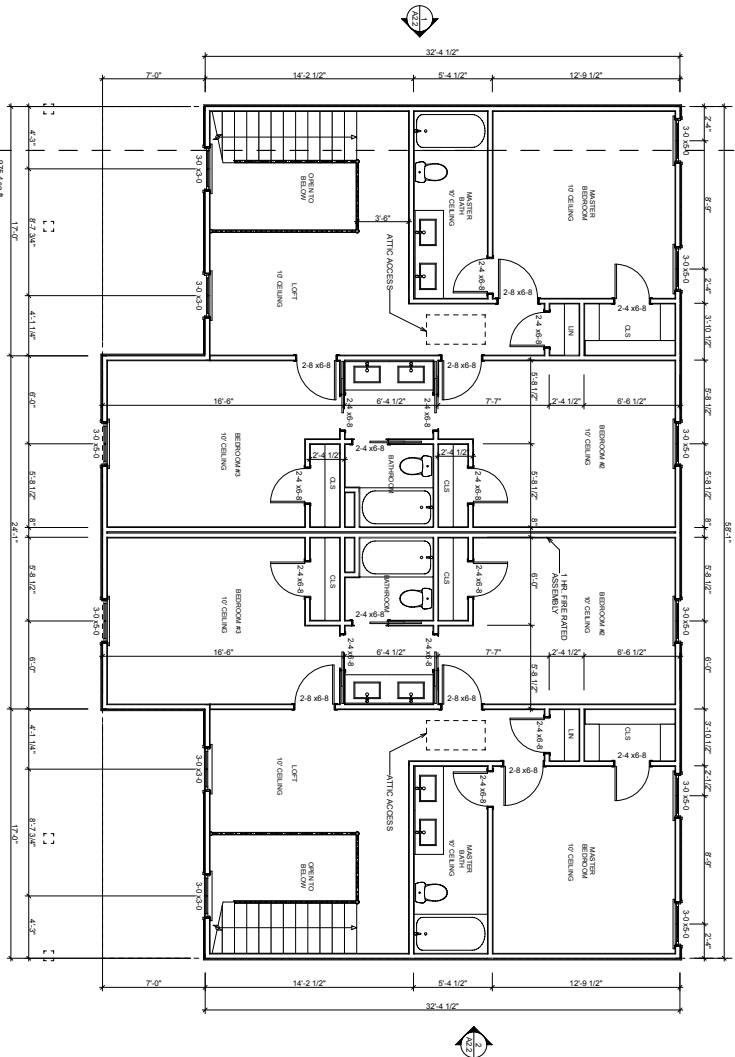
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2 NORTH/SOUTH SECTION
SCALE 1/4" = 1'-0"



1 SECOND FLOOR
SCALE 1/4" = 1'-0"

Drummonds Duplex - The Stanley
ARKANSAS

JOB NO.
2402
ISSUE DATE
08.15.2024

REVISIONS

SHEET
CONTENTS
SECOND FLOOR

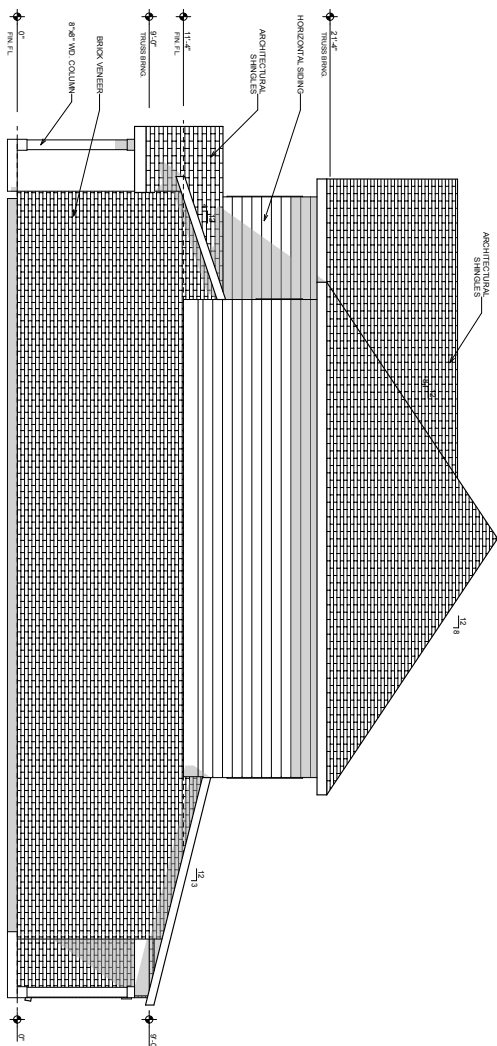
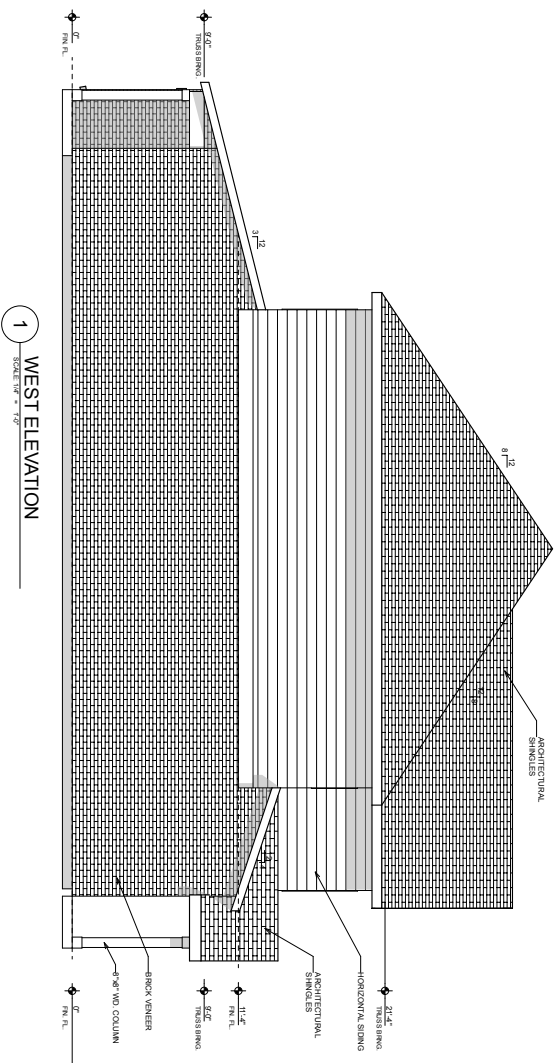
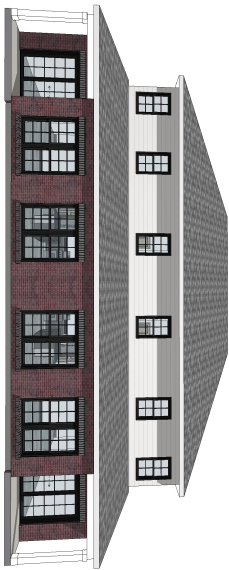
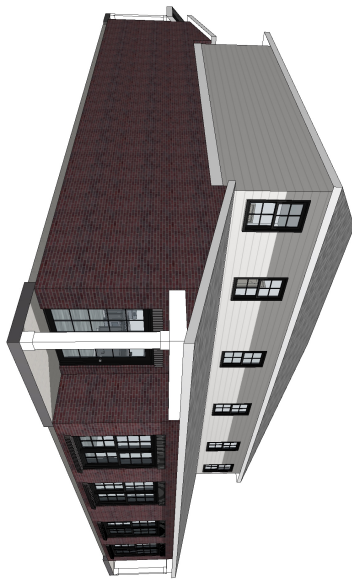
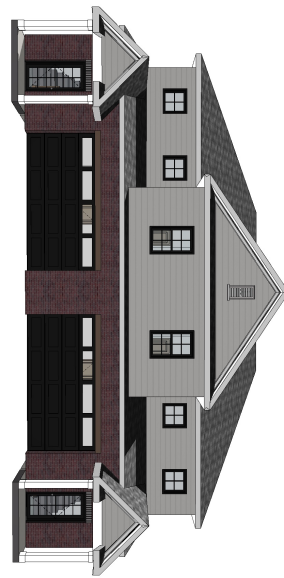
SHEET
A1.2



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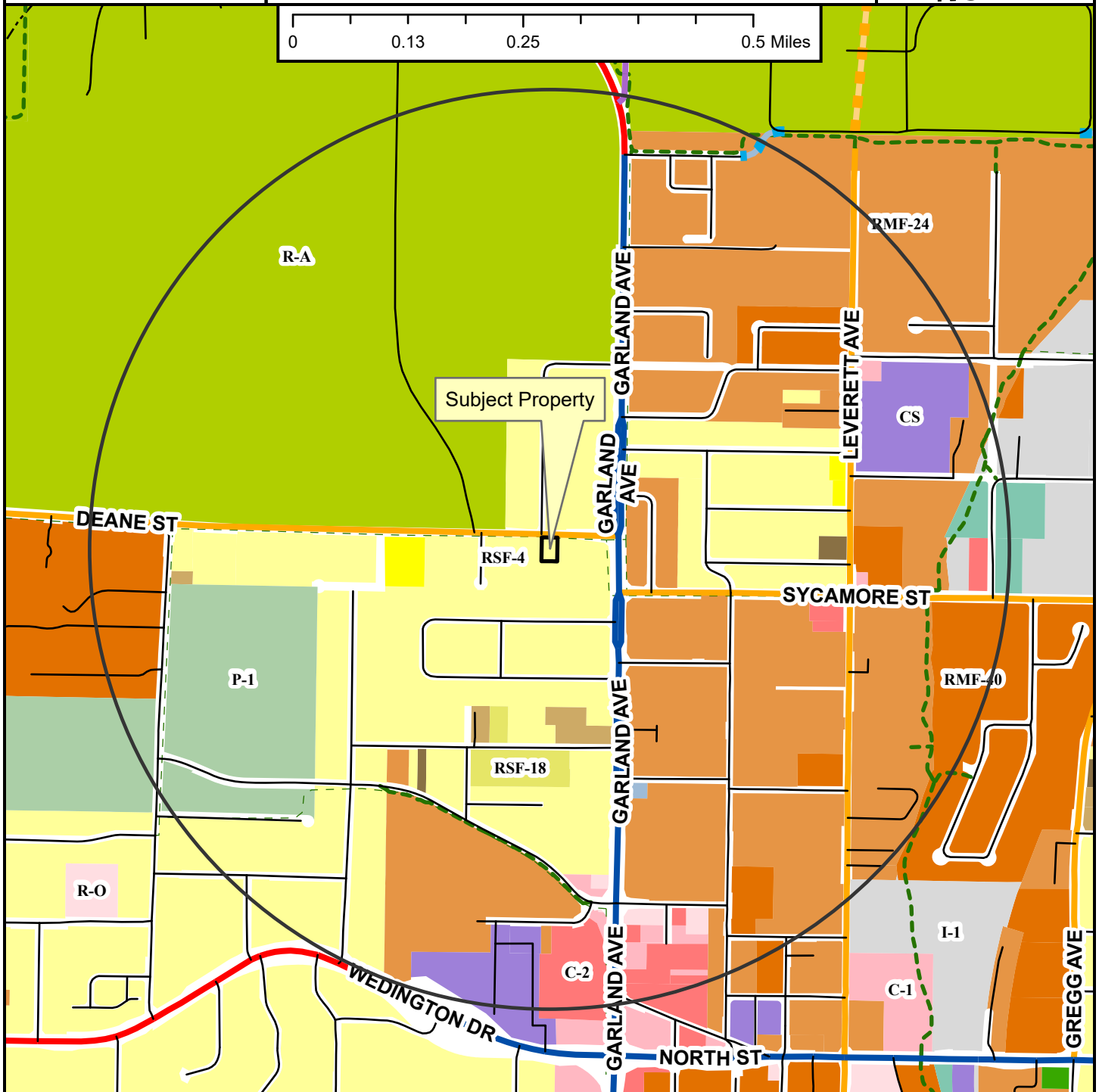
CUP-2024-0038

1153 W. DEANE ST

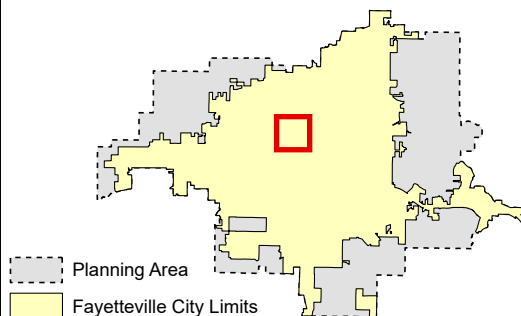
One Mile View



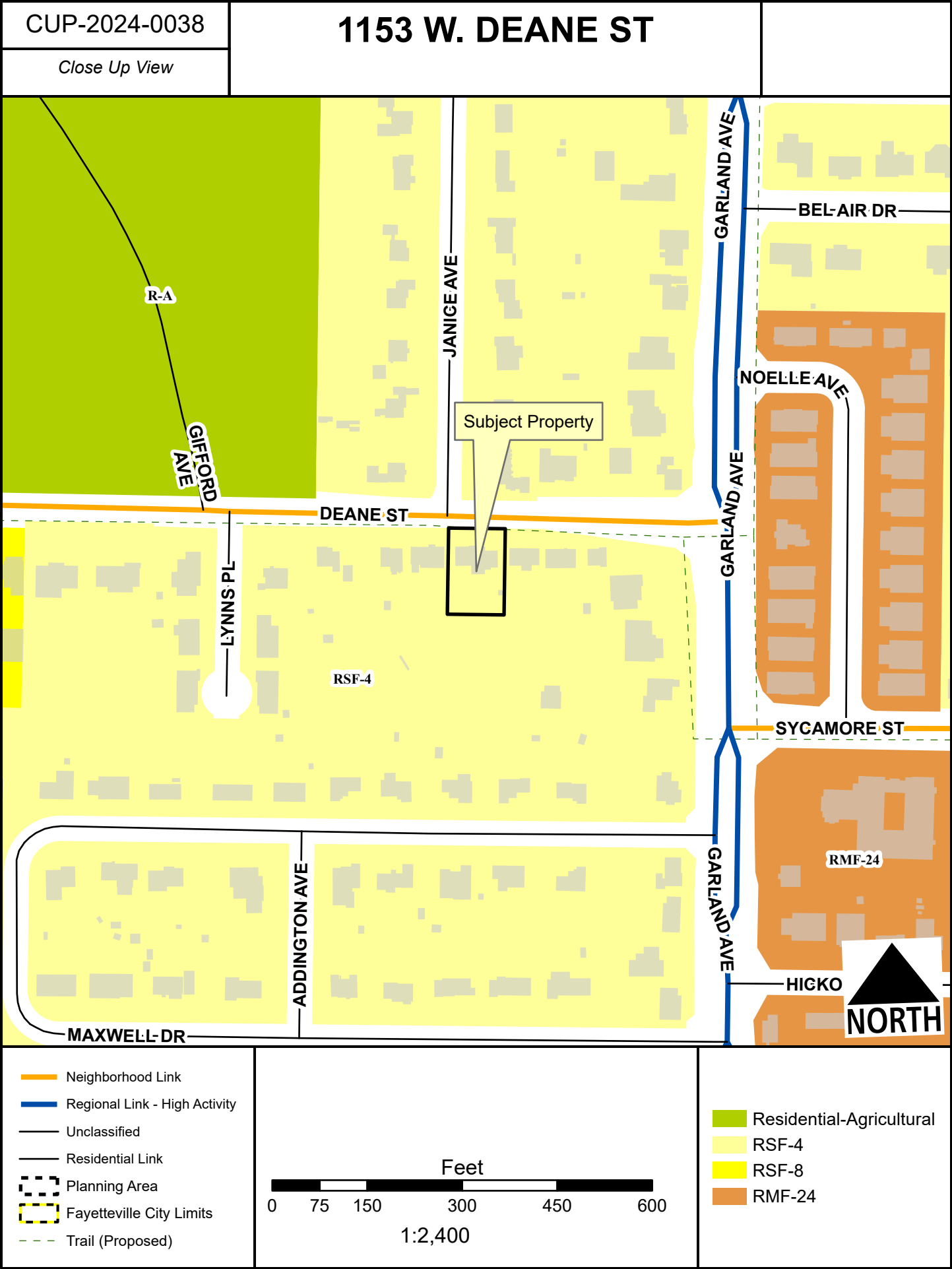
0 0.13 0.25 0.5 Miles



- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



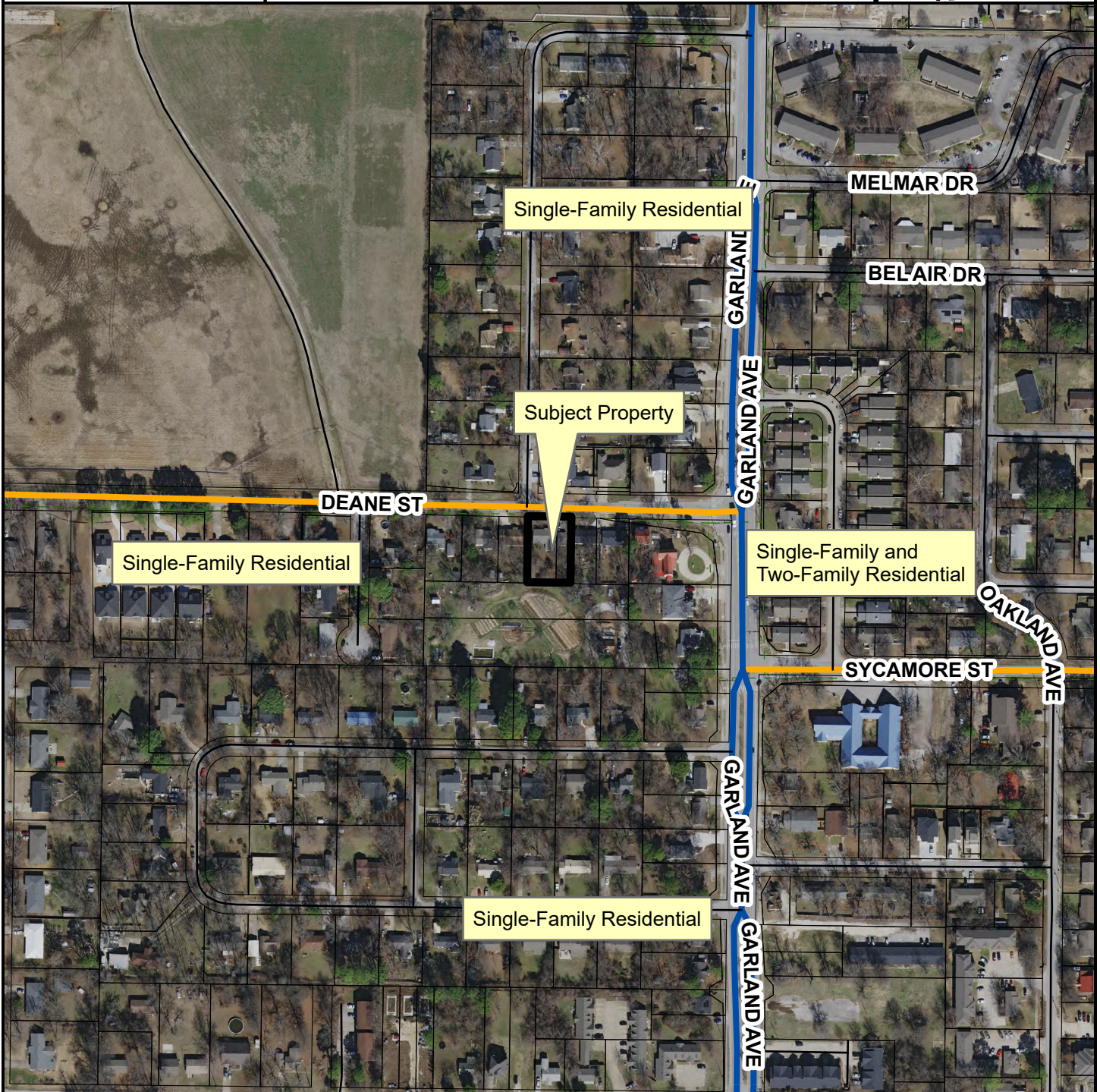
- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
- RH-U
- RSF-1
- RSF-2
- RSF-3
- RSF-4
- RSF-5
- RSF-6
- RSF-7
- RSF-8
- RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
- RMF-12
- RMF-13
- RMF-24
- RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial
- EXTRACTION**
- E-1
- COMMERCIAL**
- Residential-Office
- C-1
- C-2
- C-3
- FORM BASED DISTRICTS**
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
- Commercial, Industrial, Residential
- P-1



CUP-2024-0038

1153 W. DEANE ST

Current Land Use



- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Donna Wonsower, Planner

MEETING DATE: September 23, 2024

SUBJECT: **CUP-2024-0039: Conditional Use Permit (969 N RUSH DR/GRINDER, 446):** Submitted by THE GRINDER GROUP for property located at 969 N. RUSH DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.30 acres. The request is to use the residence as a short-term rental.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0039** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0039**, determining:*

- In favor of compatibility with adjacent properties, and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located in north Fayetteville approximately 400 feet southwest of the intersection of E. North St. and E. Mission Blvd. The property is zoned RSF-4 and is not part of any zoning overlays. It totals approximately 0.30 acres and has been developed with a 1,844 square foot, three-bedroom single-family structure built in 1945 per the Washington County Assessor. The property also contains a detached garage structure. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 20, 2022, the City Council amended the ordinance to enact new requirements for short-term rentals, and on July 6, 2023, City Council amended the Type 2 short-term rental density cap requirements from 2% city-wide, to 475 total. On March 19, 2024, the City Council amended the ordinance to add additional considerations for conditional use approval. This report reflects those new changes for consideration. Surrounding land use and zoning are depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
South	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
East	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
West	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre

City Plan 2040 Future Land Use Designation: **Residential Neighborhood.**

Proposal: The applicant requests conditional use permit approval to use the property as a Type 2 short-term rental, which are those not occupied by a permanent resident. Type 2 short-term rentals are subject to density limitations, including a citywide cap of 475 units, and restrictions on the number of units that may be used as a short-term rental in multi-family dwelling complexes.

Public Comment: Staff has received two public comments opposing this request, citing the density of existing short-term rentals in the neighborhood and ongoing issues with trash at the existing rentals.

RECOMMENDATION: Staff recommends approval of **CUP-2024-0039** with the following conditions;

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds the proposed short-term rental to be compatible with the neighborhood based on the findings in this report;*
2. Approval of the conditional use permit does not ensure approval of a business license application. The applicant must still be able to comply with all other applicable requirements in the development code.
3. Per §166.20, Expiration of Approved Plans and Permits, a business license must be obtained within 1 year of conditional use permit approval.
4. Per ordinance, the number of occupants is limited to a maximum of two people per bedroom, plus two, for the entire unit when the property is operated as a short-term rental.
5. Special events including, but not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars are prohibited from occurring in the short-term rental.
6. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.
7. All trash receptacles shall be screened from view of the right-of-way.
8. All outdoor lighting shall meet requirements as outlined in §176, Outdoor Lighting.
9. Any signage shall meet the requirements as outlined in §174, Signage.
10. Per Business Regulations §120.02(A), the owners of only short-term rentals shall be required to designate and register their landlord's representative into the Landlord's Representative Registry.

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>September 23, 2024</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.
2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

C. Procedures. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: The applicant has submitted a written application requesting a conditional use permit for a Type 2 short-term rental in the RSF-4 zoning district.

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

Finding: The applicant has paid the required filing fee.

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:

(a.) That it is empowered under the section of this chapter described in the application to grant the conditional use; and

Finding: The Planning Commission is empowered under Unified Development Code §118.01(E)(2) to grant the requested conditional use permit.

(b.) That the granting of the conditional use will not adversely affect the public interest.

Finding: Staff finds that granting the requested conditional use is unlikely to adversely affect the public interest given the applicable business license requirements, including a required building safety inspection, and applicable density caps on Type 2 short-term rentals.

(c.) The Planning Commission shall certify:

(1.) Compliance with the specific rules governing individual conditional uses; and

Finding: There are specific rules governing Short-Term Rentals, as follows:

§163.18 - SHORT-TERM RENTALS

A. Residential Zoning Districts. Type 2 short-term rentals may be permitted as a conditional use in the following residential zoning districts: R-A, RSF-.5, RSF-1, RSF-2, RSF-4, RSF-7, RSF-8, RSF-18, RI-12, RI-U, RMF-6, RMF-12, RMF-18, RMF-24, RMF-40, NC. Short term rentals may be permitted by right or by conditional use in planned zoning districts subject to the zoning regulations enacted by the City Council for each district. Short-term rentals in non-residential zoning districts, mixed use zoning districts, or other zoning districts not listed above are not required to apply for a conditional use permit.

Finding: The request is to operate a Type 2 Short-Term Rental, Use Unit 46, in RSF-4 zoning, which requires a conditional use permit.

B. Occupancy. Maximum of two (2) people per bedroom, plus two (2), for the entire unit when operated as a short-term rental.

Finding: Occupancy is limited as described in UDC §163.18(A)(3). Occupancy limitations are confirmed by the applicant during licensing. Per the application, the structure has three bedrooms, which would limit the guest count to eight.

C. Parking. Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.

Finding: Staff recommends parking is limited as described in UDC §163.18(A)(4). For single-family structures parking is required to be provided at a rate of two vehicle spaces per dwelling unit. According to the applicant the main dwelling unit has three bedrooms, with up to four parking spaces permitted outside by ordinance. The detached garage will not be available for parking per the applicant.

D. Special events are not permitted in a short-term rental. Example of special events include, but are not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars.

Finding: The application letter suggests the property will comply with the City's regulations for a short-term rental. As a condition of approval, staff recommends a prohibition on special events.

E. Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

Finding: The application is for use of the property at 969 N. Rush Dr. Staff recommends a condition confirming that no recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

- F. Exceptions.** Exceptions to the short-term rental standards, except proposals that would exceed the city-wide density maximum, may be granted by the Planning Commission as a conditional use permit.

Finding: Type 2 short-term rentals are subject to a citywide density cap at 475 business licenses. As of August 26, 2023, the City had issued 469 Type 2 short-term rental licenses with an additional five in review. Granting a CUP for this location would entitle the applicant to apply for a business license, but does not guarantee its approval. No exceptions are being requested.

- G.** Short-term rentals must comply with all applicable codes under City Code §118.01 and successfully obtain a business license prior to operation.

Finding: This short-term rental would be subject to all codes in Business Regulations §118.01 that apply to Type 2 short-term rentals in residential zoning districts. Applicable business licensing requirements will be reviewed by staff and confirmed by the applicant at the time of licensing.

- H.** Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:

1. Adequate parking infrastructure;
2. Adequate adjoining or nearby streets for on-street parking;
3. Frequency or concentration of nearby licensed Type 2 short-term rentals; and
4. Prior zoning or code violations; and
5. Proximity to public or private K-12 schools when the proposed property is within 1,000 feet of the school boundary line.

Finding: Staff finds there is likely adequate parking infrastructure to support the use of the property as a short-term rental. Up to four vehicles spaces are available within the existing driveway. Per the applicant, the detached garage will be for storage only. N. Rush Dr. does not have sufficient width to support on-street parking. No zoning or other code violations were found for this property, and the property is not within 1,000 feet of a K-12 school. City business license records indicate eight (8) other units within a quarter-mile radius of the property have an active Type 2 short-term rental business licenses (approximately 2.8% of the residences). These properties are spread relatively evenly within this radius with no apparent clusters. Staff finds that the area could likely support an additional short-term rental.

§163.02. AUTHORITY; CONDITIONS; PROCEDURES. (continued)

(2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

(a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

Finding: An existing driveway is available to accommodate vehicular ingress and egress. The property has frontage along N. Rush Dr, a partially improved street with no existing sidewalks and no available on-street parking. Based on the number of on-site parking spaces available, staff does not anticipate an adverse impact on the surrounding streets.

(b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

Finding: A total of four off-street parking spaces are available in an existing driveway, which falls within the maximum permitted by ordinance. The existing garage is to be used for storage only per the applicant.

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading,

Finding: The applicant proposes typical residential trash cart service rather than dumpster service. Staff recommends storage of the containers should be screened from public view when not at the curb for residential pick-up.

(d.) Utilities, with reference to locations, availability, and compatibility;

Finding: Utilities are currently available to the site, and the use as a short-term rental is not anticipated to impact the provision of utilities.

(e.) Screening and buffering with reference to type, dimensions, and character;

Finding: Staff recommends that residential carts be screened so that they are not visible from the public right-of-way.

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: Any proposed signage will be subject to Unified Development Code section 174 – Signs, and all the regulations therein.

(g.) Required yards and other open space; and

Finding: Based on the applicant's submittal, the structure is meeting relevant setbacks.

(h.) General compatibility with adjacent properties and other property in the district.

Finding: Staff finds the use to be compatible with the surrounding properties. The property is surrounded by primarily residential uses and there are eight other licensed Type 2 short-term rentals within a quarter mile radius. There appears to be adequate parking to accommodate the number of permitted guests and staff does not anticipate any adverse impacts with this request.

(i.) General compatibility with the goals and intent of the city's adopted land-use, transportation, and other strategic plans.

Finding: Staff finds the proposed use to be somewhat incompatible with the City's adopted land use, transportation, and other strategic plans since short-term rentals do not clearly support any of the goals identified in those plans. However, there are safeguards in place that limit how short-term rentals operate to ensure that the City can still meet those goals, including a citywide density cap of 475 units and restrictions on the number of units that may be used as a short-term rental in multi-family dwelling complexes.

BUDGET/STAFF IMPACT:

None

Attachments:

- Business Regulations
 - §118.01 Applicability
- Unified Development Code
 - §163.18 Type 2 Short-Term Rentals in Residential Zoning Districts
 - §161.07 District RSF-4, Residential Single-Family – Four (4) Units Per Acre
- Applicant Request Letter
- Site Plans
- Building Floor Plan
- Elevations
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map
- STRs Within ¼ Mile Map

118.01 Applicability

(A) *General Businesses.*

- (1) All businesses, institutions, corporations, LLCs, LLPs, partnerships, non-profit associations or corporations, sole proprietorships or other non-governmental entities with a physical address or which operates either a legally permitted home occupation or a short-term rental within the Fayetteville city limits shall be required to file for the City of Fayetteville Business Registry and License. A covered business or entity with multiple physical addresses in Fayetteville must obtain a separate business license for each such business address.
- (2) In addition, any person or non-governmental entity who has or should have a sales tax permit and operates out of a physical address within Fayetteville shall be required to file for the City of Fayetteville Business Registry and License.
- (3) In addition, any person or non-governmental entity who is engaged in any trade or occupation which requires federal or state licenses and who operates out of a physical address within Fayetteville shall be required to file for the City of Fayetteville Business Registry and License.

(B) *Religious Entities.* Churches and other religious institutions are exempt from this chapter unless they are performing functions like daycare that must be licensed by the state or that generate revenue upon which state sales or use taxes must be paid. The city business license shall not be required for the religious entity but only for those functions that require a state license or upon which state sales or use taxes must be paid.

(C) *Minors Exempt.* No individual under eighteen (18) years of age shall be required to register or obtain a business license. Minors are prohibited from leasing, advertising, managing or any other activity involved in STRs unless they are an emancipated minor.

(D) *Individual Landlords Renting Less Than Three (3) Dwelling Units Exempt.* An individual landlord, not operating as a corporation, LLC, LLP, or other business entity, who rents out less than three (3) dwelling units, and no commercial, industrial, or institutional unit, site or building shall be exempt from this chapter. However, a landlord that operates a short-term residential rental shall not be exempt and must apply for and obtain a business license for each individual short-term rental.

(E) *Short-Term Rentals.* A residential dwelling unit, portion of a dwelling unit, or bedroom within a residential dwelling unit, leased and/or rented to a guest(s), for a period of less than thirty (30) consecutive days.

- (1) *Short-Term Rental, Type 1.* A short-term rental where the principal use of the property remains as a full-time residence. The occupants or owner rent their primary residence as a short-term rental. A copy of the Homestead Tax Credit or long-term lease agreement for the subject property is required to be classified as a Type 1 rental. The occupant or owner must occupy the residence for nine (9) months of the year. Accessory dwelling units (ADUs) as defined in Unified Development Code Chapter 151 shall be considered a Type 1 short-term rental.
- (2) *Short-Term Rental, Type 2.* A short-term rental that is not occupied by a permanent resident. The owner lists this property full-time as a short-term rental and has no intention of having permanent residents living in the property. A conditional use permit is required for a Type 2 short-term rental in a residential zoning district prior to the city issuing a business license.
- (3) *License Required.* No dwelling unit in the city shall be used as a short-term rental unless:
 - (a) The owner of the dwelling unit or operator of the short-term rental possess a valid and current business license for the dwelling unit, and fully complies with all legal requirements and duties imposed herein with respect to each and every short-term rental; and
 - (b) The owner has designated an agent, where said agent fully complies with all legal requirements and duties imposed herein with respect to every short-term rental. The owner may serve as their own agent.
 - (c) The owner of the dwelling unit or operator of the short-term rental provides proof of a valid and current homeowners insurance rider policy which fully covers each unit when operated as short-term rental unit.
- (4) A separate business license shall be required for each dwelling unit used as a short-term rental.
- (5) Any change in ownership requires a new or amended business license.
- (6) If any required contact information changes for the associated business license, the person to whom the license was issued shall immediately notify the Development Services Department in writing.

- (7) *License Application.* The application for a business license shall include at minimum, the following information from applicants:
- (a) The property owner's information including legal name, mailing address, immediate contact phone number, and immediate contact E-mail address.
 - (b) Information for the dwelling unit subject to the application, inclusive of the physical street address assigned by the city.
 - (c) The type and total number of dwelling units located on the lot of record containing the dwelling unit subject to the application.
 - (d) If the owner is not their own agent, the owner designated agent's information including legal name, mailing address, immediate contact phone number and immediate contact E-mail address.
 - (e) Documentation of approval of a life safety and egress inspection by the City Building Safety Division for the dwelling unit subject to the application.
 - (f) Proof of application for remittance of hotel, motel and restaurant tax to the City of Fayetteville, and verification that all sales, use, and hotel, motel and restaurant taxes are current.
 - (g) Any additional data as deemed necessary or desirable for permit approval by the Development Services Director.
- (8) *License Renewals.* Business licenses for short-term rentals shall be renewed in accordance with Chapter 118 of the Business Regulations (Business Registry and Licenses).
- (9) *Legal Duties of License Holders.* An owner possessing a short-term rental license shall comply at all times with the following requirements:
- (a) *Occupancy.* Short-term rentals shall be subject to, and may not exceed, the occupancy limits approved with the business license.
 - (b) *Advertisements.* A short-term rental shall not be advertised if it violates occupancy, density, safety, and any of the other provisions of the Fayetteville Code. No short-term rental unit shall be advertised prior to having obtained a business license and the business license number shall be included in the advertisement listing.
 - (c) *Information and Posting.* Business licensees shall provide to guests and post conspicuously in the common area of the short-term rental unit the city phone number to report a safety complaint.
- (10) *Owner or Agent Accessibility.* The property owner shall ensure that they or a designated agent are available at all times during guest occupancy, including nights and weekends, in order to facilitate compliance with this section. For the purposes of these regulations, "availability" means that the owner or agent is accessible by telephone, and, able to be physically present at the short-term rental within three (3) hours of being contacted.
- (11) *Guest Records.* The owner shall maintain summary guest registration records, which shall contain the actual dates of occupancy, total number of guests per party per stay, and the rate(s) charged, but shall not contain any personally identifiable information about guests. Such records shall be maintained for three (3) years and shall be provided to the city upon request.
- (12) *Health and Safety.* The owner shall ensure that each dwelling unit governed by this section complies with the applicable provisions of the Unified Development Code Chapter 173, Building Regulations.
- (13) *Criminal Activity.* The owner shall timely report any known or reasonably suspected criminal activity by a guest to the Fayetteville Police Department within twelve (12) hours maximum.
- (14) *Taxes and Fees.* Except for those instances in which a hosting platform bears the responsibility for collecting and remitting taxes and fees applicable to short-term rentals, the property owner shall timely remit in full Fayetteville Hotel, Motel and Restaurant tax and other applicable local, state, and federal taxes and city fees owed in connection with any short-term rental. The failure of a hosting platform to collect and remit taxes and fees shall not relieve an owner of the obligation to pay taxes and fees owed pursuant to this section.
- (15) *Authorization to Occupy, Use, and Operate.* Authorization to operate a short-term rental may be granted by the Development Services Director through the issuance of a City of Fayetteville Business Registry and License (Business License).
- (16) *Density For Type 2 Short-Term Rentals.* A city-wide density cap of four hundred seventy-five (475) dwelling units may be Type 2 rentals. A conditional use permit may not permit:

- (a) More Type 2 short-term rentals than what is allowed by the city-wide density cap.
 - (b) More than 10% or a single unit whichever is greater; of total dwelling units as Type 2 rentals within a multi-family dwelling complex.
 - (c) Individual 2-, 3- and 4-family buildings that are owned by the same person or entity and are not a part of a multi-family complex shall have no more than one (1) Type 2 short-term rental unit per building complex.
 - (d) Where attached residential units are held separately through condominium association, horizontal property regime, fee simple, or similar ownership structure, no cap shall be applied to buildings with attached residential dwellings. Structures of attached residential dwellings where applicants seek more than 10% of total units for licensing as Type 2 rentals shall be evaluated by the Building Safety Director and/or Fire Marshal for adequate fire protection as defined by the adopted Arkansas Fire Prevention Code. Where inadequate fire protection is identified, improvements may be required prior to issuance of a business license.
- (17) *Suspension and Revocation.* If the Development Services Director has reason to believe that any of the grounds specified in §118.03(A) of the Fayetteville Code exist, or that any rental unit was rented for less than one (1) full night, or to more than one (1) part of guests for the same period of time, or otherwise failed to comply with all terms and conditions of this section, the Development Services Director may suspend or revoke the short-term rental's business license pursuant to the procedures detailed in §118.03 and in §118.04 of the Fayetteville Code.
- (18) Short-term rentals must comply with the Unified Development Code including the regulations contained in §163.18 and §164.26 and must successfully obtain a business license prior to operation.
- (Ord. No. 5347, 9-7-10; Ord. No. 6427, §§1(Exh. A), 2, 4-20-21; Ord. No. 6505, §1(Exh. A), 11-16-21; Ord. No. 6521, §§1, 2, 1-18-22; Ord. No. 6537, §1(Exh. A), 2-15-22; Ord. No. 6630, §1(Exh. A), 12-20-22; Ord. No. 6672, §1, 7-6-23)
- Editor's note(s)—Ord. No. 6710, §1, adopted November 21, 2023, determines that Ordinance 6427 (Sunset Clause) and Ord. No. 6625 (extending Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on December 31, 2024, unless prior to that date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

- (A) *Residential Zoning Districts.* Type 2 short-term rentals may be permitted as a conditional use in the following residential zoning districts:
- (1) R-A
 - (2) RSF-.5
 - (3) RSF-1
 - (4) RSF-2
 - (5) RSF-4
 - (6) RSF-7
 - (7) RSF-8
 - (8) RSF-18
 - (9) RI-12
 - (10) RI-U
 - (11) RMF-6
 - (12) RMF-12
 - (13) RMF-18
 - (14) RMF-24
 - (15) RMF-40
 - (16) NC

Short-term rentals may be permitted by right or by conditional use in planned zoning districts subject to the zoning regulations enacted by the City Council for each district.

Short-term rentals in non-residential zoning districts, mixed use zoning districts, or other zoning districts not listed above are not required to apply for a conditional use permit.

- (B) *Occupancy.* Maximum of two (2) people per bedroom, plus two (2), for the entire unit when operated as a short-term rental.

- (C) *Parking.* Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.
- (D) Special events are not permitted in a short-term rental. Example of special events include, but are not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars.
- (E) Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.
- (F) *Exceptions.* Exceptions to the short-term rental standards, except proposals that would exceed the city-wide density maximum, may be granted by the Planning Commission as a conditional use permit.
- (G) Short-term rentals must comply with all applicable codes under City Code §118.01 and successfully obtain a business license prior to operation.
- (H) Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:
 - (1) Adequate parking infrastructure;
 - (2) Adequate adjoining or nearby streets for on-street parking;
 - (3) Frequency or concentration of nearby licensed Type 2 short-term rentals;
 - (4) Prior zoning or code violations; and
 - (5) Proximity to public or private K-12 schools when the proposed property is within 1,000 feet of the school boundary line.

(Ord. No. 6630, §5(Exh. B), 12-20-22; Ord. No. 6726, §1, 3-19-24)

Editor's note(s)—Ord. No. 6630, §5(Exh. B), adopted December 20-2022, repealed the former §163.18, and enacted a new §163.18 as set out herein. The former §163.18 pertained to similar subject matter and derived from Ord. No. 6427, §§1(Exh. E), 2, adopted April 20, 2021; Ord. No. 6505, §2(Exh. B), adopted November 16, 2021; Ord. No. 6537, §2(Exh. B), adopted February 15, 2022.

Editor's note(s)—Ord. No. 6710, §1, adopted November 21, 2023, determines that Ordinance 6427 (Sunset Clause) and Ord. No. 6625 (extending Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on December 31, 2024, unless prior to that date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Building Area*. On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §8, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6245, §2, 10-15-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

Editor's note(s)—Ord. No. 6625, §1 adopted December 6, 2022, "determines that Section 2 of Ordinance 6427 (Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on December 31, 2023, unless prior to that date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section."

1. Request Letter

Complete written description of this request (what is proposed by the applicant) to include:

This request is for a Conditional Use Permit for a Short Term Rental of 969 N Rush Drive. Our intention is to occupy the 2nd home part time and let our relatives stay there while they visit. We estimate that for about 100 days of the year, we would rent it out nightly, with a 2-night minimum, to pre-screened adults for travel nurses, visiting professionals, or people visiting Fayetteville for university functions, football games, and local events.

- a) The home is 1,844 sq ft, according to county records. It has 3 bedrooms (2 have beds and one has a pull-out couch.) There is currently no plan to change the square footage nor plans to significantly change any part of the home.
- (b) All sides of the home are Cedar colored wood shingles
- (c) There are spaces to park 5 vehicles in the driveway, although, don't expect more than 3 max at a time
- (d) There is an LED porch light and a motion light in the front and led string lights on the back deck
- (e) All guests will have to agree to the posted rules before booking, which include a noise ordinance between the hours of 10p and 7a. Neighbors will have our contact info in case of any issue and guests who do not abide by the rules they agree to, may be asked to leave.
- (f) Property is buffered by trees surrounding left, right, and back sides, as well as outbuildings on the right
- (g) A city trash can and 2 recycling bins will be on the right side of the home, next to the air conditioner, as they have since we bought the property over 15 years ago.
- (h) Cars will be parked only in the driveway and egress/ingress from the property will be from Rush Dr. There are 2 points of egress/ingress from Rush drive to Old Wire Rd and Prospect.
- (i) We've known most of the neighbors for years since we lived there and discussed the proposed use as a short term rental with them before we applied. All adjacent neighbors were positive and agreed with the proposed use. We have used it as a long term rental in the past and live locally, so the neighbors know how well we take manage the property and tenants.

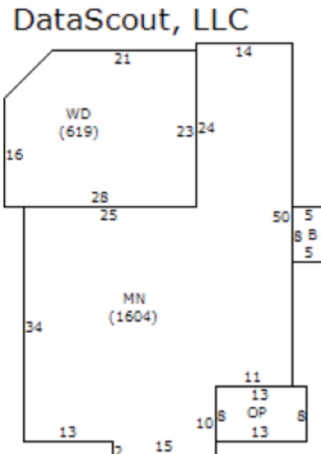
2. Legal Description

Lot 13, Block A in Maple Park Addition, to the City of Fayetteville, Arkansas, as designated on the revised plat of said Addition on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

3. Site Plan

No significant changes or additions to the property, structures, or floorplan.

Residential Card 1 Sketch



Base Structure

Item	Label	Description	Area
A	MN	Main Living Area	1604
B	OP	Porch, open	40
C	OP	Porch, open	104
D	WD	Wood deck	620
E	1+	1+, Upper Level	240

4. Preliminary Floor Plan

No significant changes or additions to the property, structures, or floorplan

5. County Parcel Map

(Clockwise from upper left of subject property)

Stewart Calhoun Rose & Elizabeth Brooks Tolley: Parcel #765-07374-000 | 545 E North St, Fayetteville, AR 72701

Alec S Burgess: Parcel #765-07373-000 | 555 E North St, Fayetteville, AR 72701

Rush Drive Entrepreneurs, LLC: Parcel #765-07762-000 | PO BOX 4485 Fayetteville, AR 72702

Robert H Hudgens JR & Laura Hanby Hudgens: Parcel #765-07765-000 | 6 N Springfield St, Berryville, AR 72616

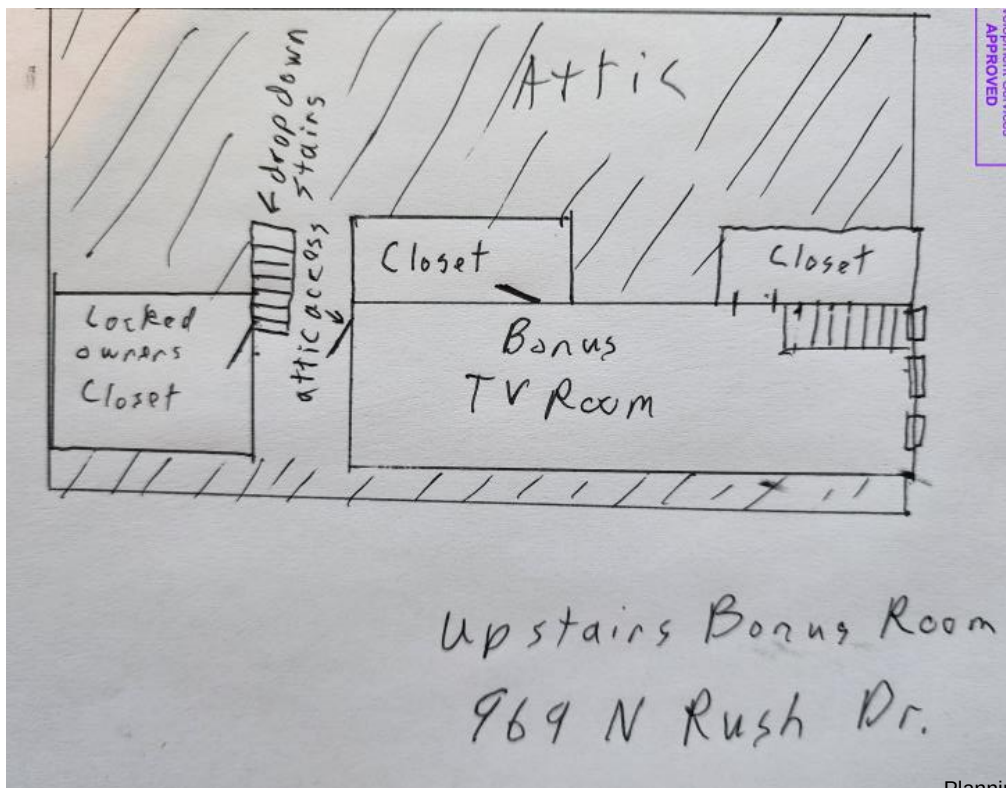
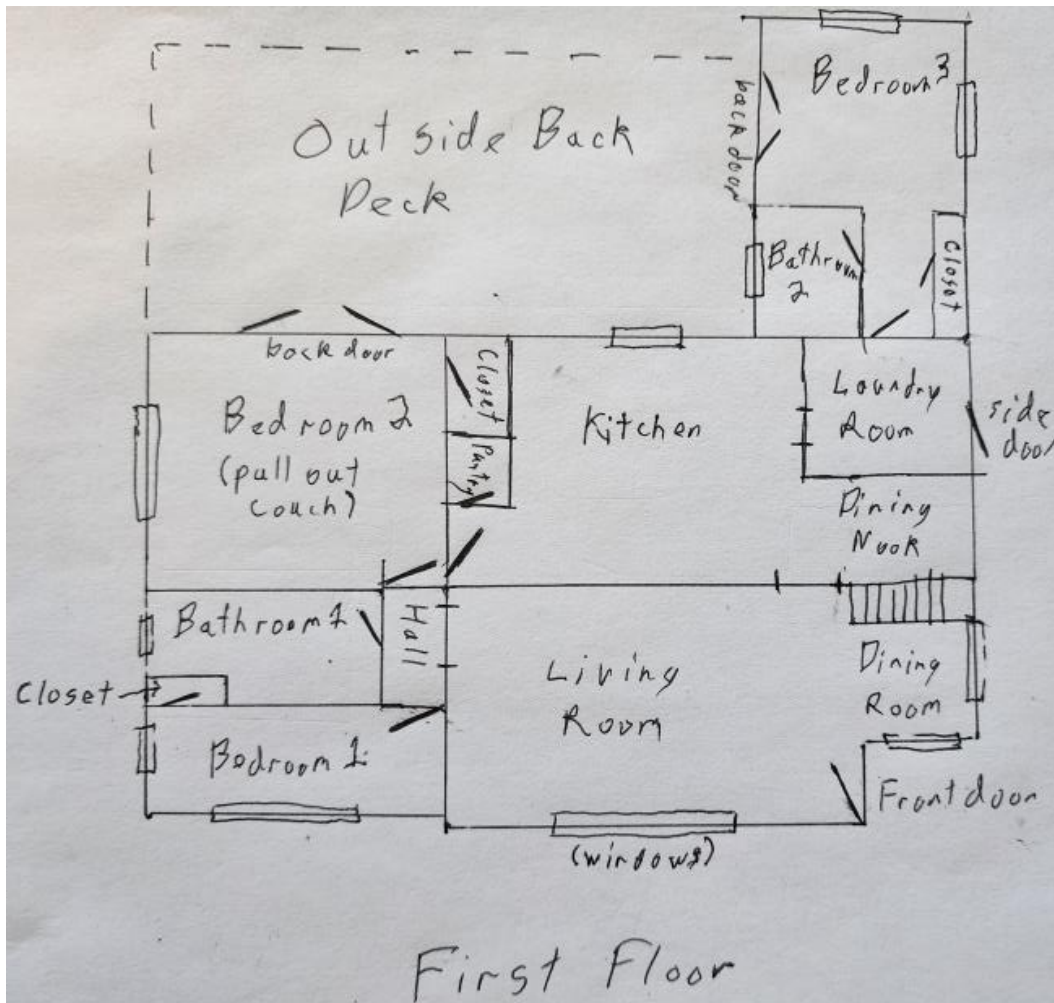
Tena, Nolin: Parcel #765-07760-000 | 967 N Rush Dr, Fayetteville, AR 72701



SITE PLAN



FLOOR PLAN



ELEVATIONS

969 N Rush Drive Elevations



FRONT of home

Driveway can accommodate 3 vehicles and gravel area in front can accommodate 1. Trash cans are kept on right side of home by the AC



RIGHT side of home



Back of home



LEFT side of home

Wonsower, Donna

From: Planning Shared
Sent: Monday, September 9, 2024 4:12 PM
To: Wonsower, Donna
Subject: FW: Scheduled for the September 23, 2024 meeting...

Concerning CUP-2024-0039

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: dk reece <dkreece@hotmail.com>
Sent: Monday, September 9, 2024 3:12 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Scheduled for the September 23, 2024 meeting...

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

969 North Rush Drive has submitted an application to be a short term rental property.

It is our understanding as stated on your web site that the city has reached its cap on short term rentals already.

Are we to assume this permit is for wanting to be added to the wait list? Permit application states for UA game & events - with 19 varsity teams there are at least 200 sporting events on campus each year. Potential for a lot

of nights of rental on our short street of 21 homes. We already have 2 short term rental properties currently active. 969 is located on the short end of the street with a curve involved. We are also a street that is heavily traveled as a cut through from Mission to Prospect both with automobiles and bikes; especially bicycles with the

ongoing trail system being constructed. We do not think it is a good idea to add another property to the short term market on our street.

David & Kathy Reece 914 N Rush Dr Fayetteville AR

Wonsower, Donna

From: Planning Shared
Sent: Monday, September 16, 2024 8:55 AM
To: Wonsower, Donna
Subject: FW: Short-Term Rental at 969 N Rush Drive

Follow Up Flag: Follow up
Flag Status: Flagged

Concerning CUP-2024-0039

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



**CITY OF
FAYETTEVILLE
ARKANSAS**

From: Cecelia K. Thompson <cthoms@uark.edu>
Sent: Sunday, September 15, 2024 9:16 AM
To: Planning Shared <planning@fayetteville-ar.gov>
Cc: Dale E. Thompson <thomp@uark.edu>
Subject: Short-Term Rental at 969 N Rush Drive

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

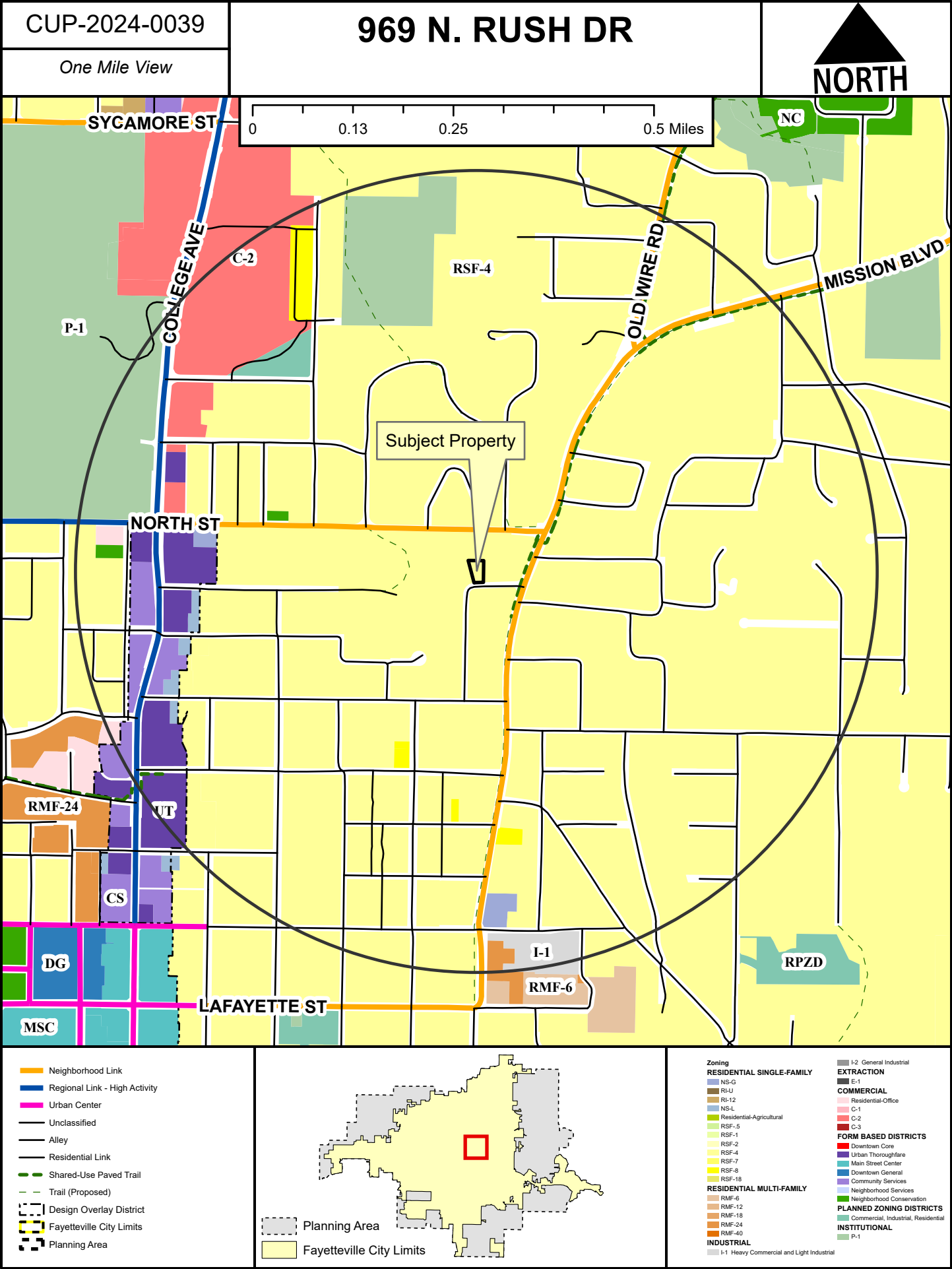
We are responding to the request for a short-term rental at 969 N Rush Drive. We are property owners and owner-occupants at 906 N Rush Drive.

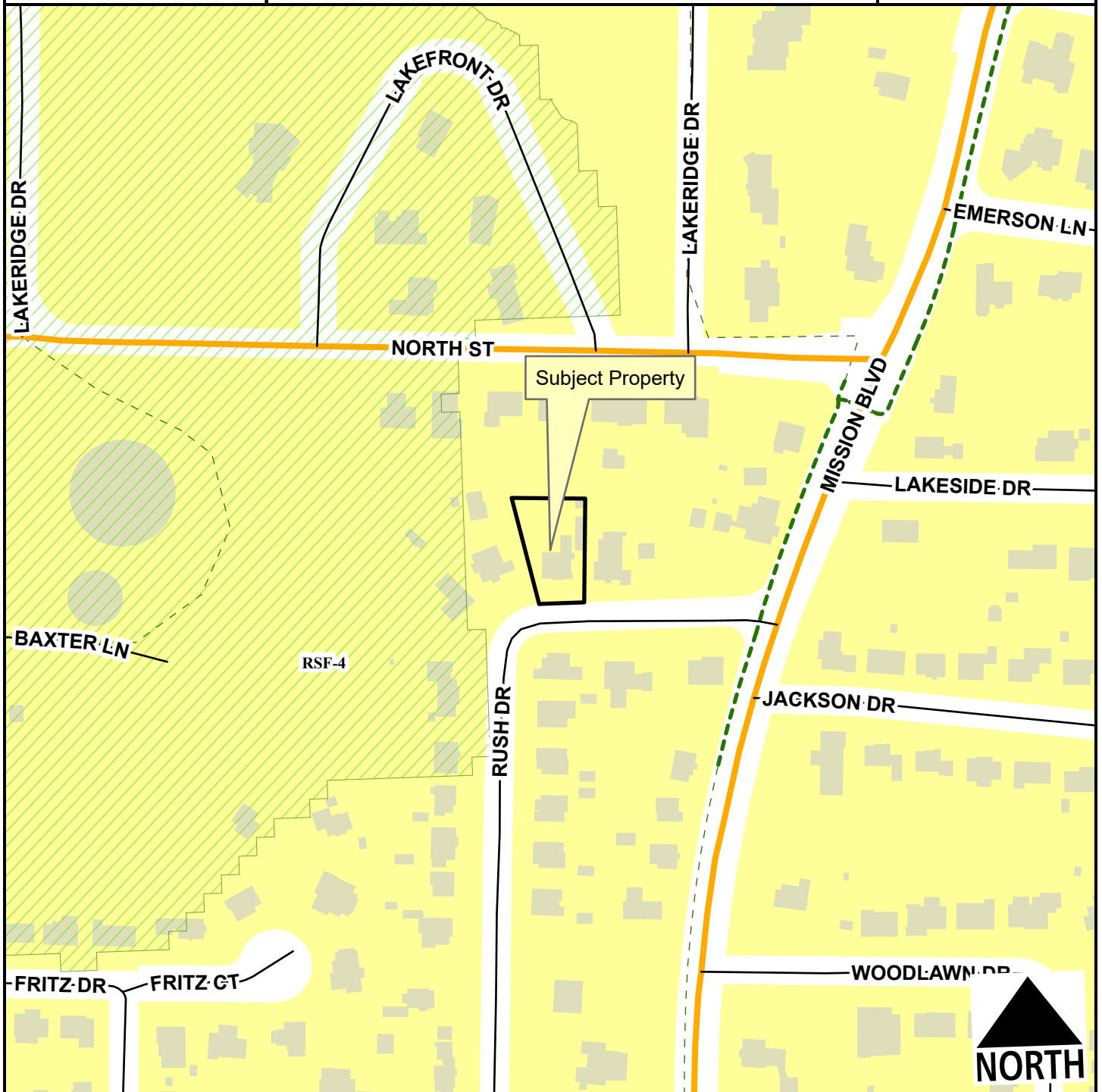
There are at least 6 short-term rentals within a two-block radius of our property. Most of the properties create problems for our neighborhood. The most pressing problem is parking. Our street is a narrow road with no shoulders, gutters or sidewalks. There are frequent bikers that ride in the street and pedestrians that walk in the street. Any vehicle that parks on the street blocks traffic and reduces visibility for walkers and bikers. The location of 969 N Rush Drive is on a narrow, curved section of the street with low visibility. We often have temporary parking on the street by the letter carrier, delivery trucks, yard maintenance, and pest control vehicles. They block the right of way temporarily and create problems especially for large city vehicles such as recycle, yard waste and garbage trucks. When short term rentals have a single driveway, such as the one at 969 N Rush Drive, the temporary occupants often park on the street overnight and during the day. That would be a serious obstruction for our road.

Most of short-term rentals near us do not maintain their property adequately. One is well maintained, but the other 5 are often untended. Sections of the yards are often weed infested. One property even had weeds growing in their gutters. Fallen limbs lay in the yards for weeks. Overflowing garbage cans sit outside the structure for days. When garbage is picked up, the cans often lay in the yard, ditch, or street until someone in the neighborhood finally moves it onto the property.

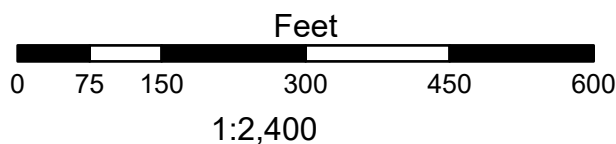
We have no major objection to the concept of short-term rentals if they are in an appropriate location and well maintained. However, we believe that the location of this property and the number of existing short-term rentals in this neighborhood should be considered before approving this permit.

Dale and Cecelia Thompson





- Neighborhood Link
- Residential Link
- ▨ Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- - - Shared-Use Paved Trail
- - - Trail (Proposed)



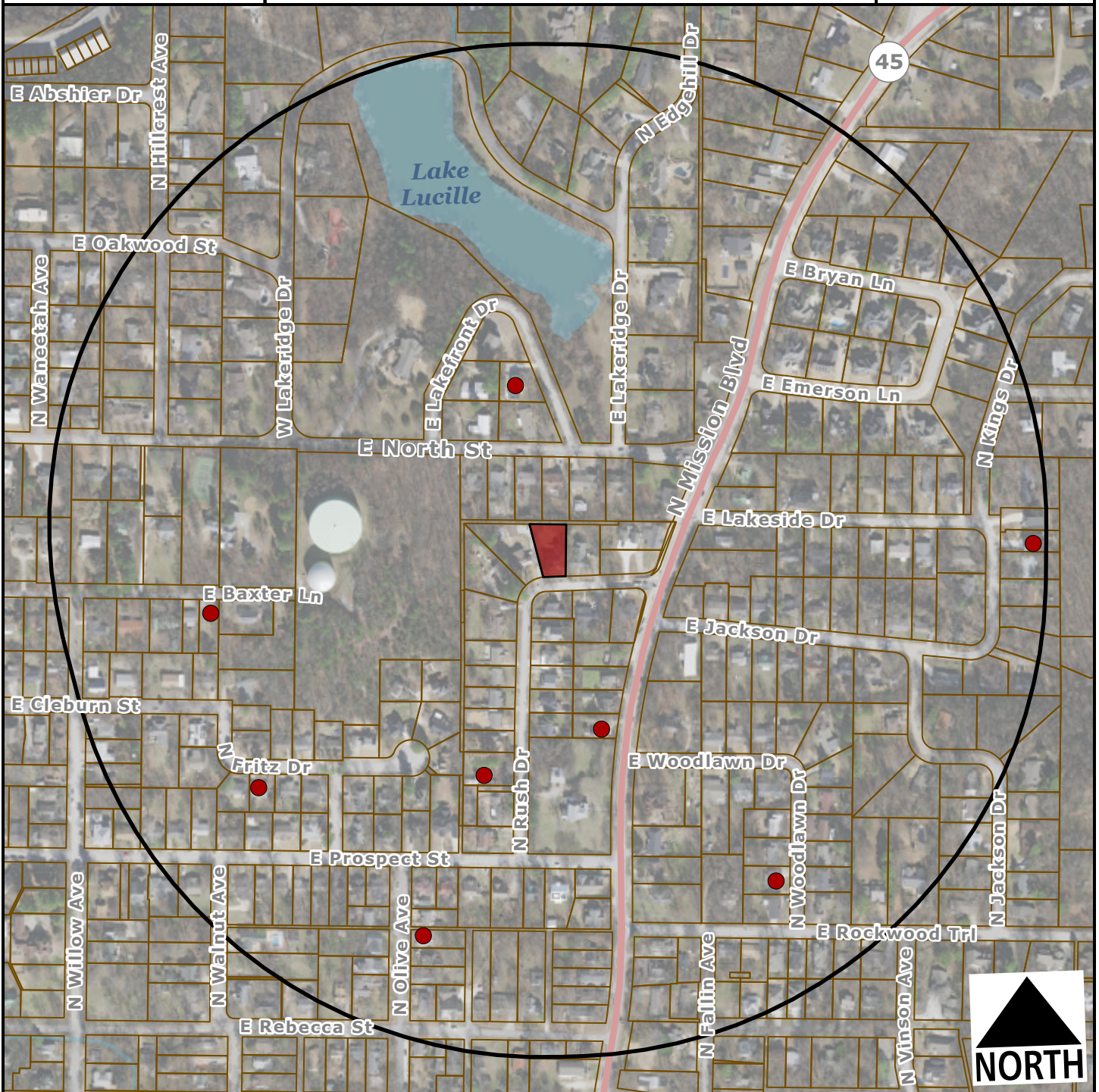
RSF-4



CUP-2024-0039

969 N. RUSH DR

STRs Within 1/4 Mile



-  Subject Property
-  Short Term Rental, Type 2



Within 1/4 Mile

Type 2 STRs: 8

Occupiable
Residential
Addresses
(Estimated
Housing Units): 280



TO: Fayetteville Planning Commission

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: September 23, 2024

SUBJECT: **CUP-2024-0040: Conditional Use Permit (4201 N. SHILOH DR./DO PORTUGAL CIRCUS, 135):** Submitted by BILL MENDOZA for property located at 4201 N. SHILOH DR. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 82.69 acres. The request is for a temporary circus in the parking lot.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0040** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0040**, determining:*

- In favor of compatibility with adjacent properties, and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is the site of the Northwest Arkansas Mall. The property is zoned C-2, Thoroughfare Commercial and is located within the 71B Corridor Plan study area. According to Washington County records, the mall was initially constructed in 1972 and underwent a major renovation and expansion during the 1990s. The parking lot of the mall has hosted various temporary events over the years, including outdoor concerts and carnivals. The area under consideration with this request is confined to the parking lot on the southeast side of the mall. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Northwest Arkansas Mall	C-2, Thoroughfare Commercial
South	Commercial	CS, Community Services
East	Commercial	C-2, Thoroughfare Commercial
West	Northwest Arkansas Mall	C-2, Thoroughfare Commercial

City Plan 2040 Future Land Use Designation: **Urban Center Area**

Proposal: The applicant requests approval to operate a circus on the property on the following dates this year: October 25-28, October 31-November 4, and November 7-10. The circus will be located at the southeast side of the mall property and will encompass an area of 396 feet by 231 feet. Temporary circus events are classified as Use Unit 2: City-wide Uses by Conditional Use Permit, which is a conditional use in the underlying C-2 zoning district.

Public Comment: To date, staff has not received any public comment regarding this request.

RECOMMENDATION: Staff recommends approval of **CUP-2024-0040** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility for a temporary circus in C-2 zoning.** *Staff finds the proposed circus to be compatible for the reasons outlined in this report;*
2. Hours of operation shall be limited to the following times this year:
 - October 25-28, 2:00 p.m. – 11:00 p.m.
 - October 31-November 4, 2:00 p.m. – 11:00 p.m.
 - November 7-10, 2:00 p.m. – 11:00 p.m.
3. The circus shall comply with the City's noise ordinance as enforced by the Police Department. All noise shall be subject to the commercial regulations outlined below:
 - a. No person shall operate or cause to be operated, or permit, contract or allow to be operated on premises on public or private property any identifiable source of sound in such a manner as to create a sound level within the use districts in Table 2 below which exceeds the maximum noise levels as set forth in Table 2 as measured at any point on the boundary of the property from which the sound or noise was emanating. Except between the hours of 10:00 p.m. and 1:00 a.m., a complaint under this section must be brought by a property owner or leaseholder affected by excessive noise on their property.

**Table 2:
Noise Limitations by Land Use Category**

Use Districts	Maximum Time	Noise Levels
All residential zones	7:00 a.m. to 11:00 p.m.	60 dB(A)
All residential zones	11:00 p.m. to 7:00 a.m.	55 dB(A)
All commercial zones	7:00 a.m. to 11:00 p.m.	75 dB(A)
All commercial zones	11:00 p.m. to 7:00 a.m.	70 dB(A)
All industrial zones	7:00 a.m. to 11:00 p.m.	80 dB(A)
All industrial zones	11:00 p.m. to 7:00 a.m.	75 dB(A)

4. Trash collection shall be coordinated with the City's Recycling and Trash Collection Division;
5. Any signage associated with the proposed use shall comply with UDC Chapter 174, Signs, and all regulations therein;
6. Any outdoor lighting associated with the proposed use shall comply with UDC Chapter 176, Outdoor Lighting; and
7. Approval of this conditional use permit will expire one year from the date of approval in accordance with UDC §166.20, Expiration of Approved Plans and Permits.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>September 23, 2024</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.
2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

C. Procedures. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: The applicant has submitted a written application requesting conditional use approval for a temporary circus (Use Unit 2) in C-2 zoning.

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

Finding: The applicant has paid the required filing fee.

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:
 - (a.) That it is empowered under the section of this chapter described in the application to grant the conditional use;

Finding: The Planning Commission is empowered under Unified Development Code §161.23 to grant the requested conditional use permit.

(b.) That the granting of the conditional use will not adversely affect the public interest;

Finding: Staff finds that granting the requested conditional use is not likely to adversely affect the public interest. The temporary circus is proposed to be located at the Northwest Arkansas Mall on a large site with an abundance of parking. The property is located next to 71B/College Avenue, which is classified as a Regional High-Activity Link Street, and far away from residential areas. Additional traffic will be generated by the proposed use and additional noise may be generated. The applicant has indicated that performances will end by no later than 10:00 p.m. each night, so no late night noise would be generated by the proposed use. The nearest residences are about 2,000 to the west on the other side of the mall, and 800 feet to the east on the other side of 71B/College Avenue.

(c.) The Planning Commission shall certify:

(1.) Compliance with the specific rules governing individual conditional uses; and

Finding: There are specific rules governing circuses in Unified Development Code §163.04, Carnival, Circus, Amusement Park or Similar Temporary Open-Air Enterprise.

§163.04 CARNIVAL, CIRCUS, AMUSEMENT PARK OR SIMILAR TEMPORARY OPEN-AIR ENTERPRISE.

A. Location of Structure. Any carnival, circus, amusement park, tent revival, or similar temporary open-air enterprise shall be so located that no facilities are nearer than 500 feet to any occupied dwelling. Adequate off-street parking, access controls, lighting and utility connections shall be provided.

Finding: The closest occupied dwelling is over 800 feet away from the site of the proposed circus. The applicant has indicated that the circus tent holds about 1,000 occupants and staff finds that there is adequate parking available on site to accommodate them. The applicant is also coordinating with the City's Fire Marshal's office to ensure that the circus is set up in a way that complies with fire code.

B. Temporary Use Permit. All such enterprises shall obtain a temporary occupancy permit which shall be valid for not more than seven (7) days and shall not be granted for more than three (3) such periods for the same location within any ninety (90) day period.

The proposed circus would operate for no more than five days at a time and no more than three times this year.

§163.02. AUTHORITY; CONDITIONS; PROCEDURES. (continued)

(2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

(a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

Finding: The mall property has four separate entrances with access onto 71B/College Avenue, Mall Avenue, and Steele Boulevard. Staff finds that there is sufficient ingress and egress to the property to support the existing use of the property as a mall and the proposed circus.

(b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

Finding: The mall property has a large parking area with more than 4,000 spaces which could easily serve the mall and the proposed circus. Based on the site plan provided, the circus would use approximately 100 spaces for their operation.

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading,

Finding: The applicant has indicated that they have a plan for collecting trash generated by circus events. Staff recommends a condition requiring that the applicant coordinate the City's Recycling and Trash Collection Division to coordinate trash pick-up.

(d.) Utilities, with reference to locations, availability, and compatibility;

Finding: No connections to city water or sewer are proposed with the associated temporary use.

(e.) Screening and buffering with reference to type, dimensions, and character;

Finding: Screening is not required for this use and given it's temporary nature, staff is not recommending that any be required as part of this conditional use permit.

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: All signage shall be reviewed separately in accordance with UDC Chapter 174, Signs.

(g.) Required yards and other open space; and

Finding: No permanent structures are proposed with this conditional use permit. As proposed, the circus tent would be located in the center of a parking lot and set back from public streets.

(h.) General compatibility with adjacent properties and other properties in the district.

Finding: Staff finds that the applicant's request for a temporary circus is appropriate and compatible with adjacent properties. The circus would set up on the southeast side of the property, more than 800 feet away from the nearest residences, and it would be subject to compliance with the City's regulations for noise, lighting, and signage.

(i) General compatibility with the goals and intent of the city's adopted land-use, transportation, and other strategic plans.

Finding: The goals outlined in City Plan 2040 are intended to guide more permanent land uses and development. Given the temporary nature of the proposed use, staff find that it does not directly support the stated goals in City Plan 2040 and it would not adversely impact the City's ability to achieve those goals.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Applicant Request Letters
- Applicant Exhibits
- One Mile Map
- Close-Up Map
- Current Land Use Map

Do Portugal Circus

55 Cove Circle Brownsville, Texas 78521

August 8, 2024

City of Fayetteville
113 W Mountain ST
Fayetteville, AR 72701

Chair of Planning Commission

Do Portugal Circus is at this moment this letter respectfully requesting a permit for a Circus family tent show to be hosted at the Northwest Mall 4201 N Shiloh Dr. Fayetteville, AR 72703 from October 25 through November 10, 2024.

We are a family circus tent show presenting world-renowned performers so that entire families can come together and enjoy an unforgettable up-front circus experience.

Respectfully,

Bill Mendoza

GENERAL CIRCUS INFORMATION

Do Portugal Circus

Company address

55 Cove Circle
Brownsville, Texas 78521

Owner contact

Yani Portugal Alvarez

Mobil: 956 – 203 – 8195

Email: doportugalentertainment@gmail.com

Event circus Promoter

Bill Mendoza

Mobil: 559 – 943 – 5027

Email: primeevents65@gmail.com

Do Portugal Family Circus Entertainment

Summary - Informative

Do Portugal circus is a family owned and operated European style Big Top Traveling Circus. The performances are one hour and 45 minutes, with a 15 minutes intermission for patrons to indulge at the candy concession food tent.

The Portugal Family is committed to provide enchanting and delightful high quality wholesome family entertainment to the American public in a safe and pleasant setting. State- of the art lighting and sound system combined with theatrical and special effects are copied and intertwine with superb artistry to produce a tapestry of awe, amazement wonder and admiration that spellbinds the senses and emotions of the audience. There are no animals or exotics of any kind in the show, neither or performing or for exhibition it is definitely a high quality circus delivering a world-class performance.

The two-hour performance is presented I a European / Latin Style, combined the best circus elements of both continents. The performance takes place in a one-ring stage with the audience at a comfortable distance. This yields an amazing first-class performance. The spectators can better appreciate the show, and the players can enjoy the audience's undivided attention. Theatrical style, lighting, and a modern sound system provide an exuberant and vivacious circus experience. live Jugglers, clowns, dare devils, contortionist, and a whole array of world class performers live are the acts presented under the big top circus family tent show.

It is in no manner a carnival. We do not offer any games of chance, mechanical rides, freak shows, or exhibition of any kind. WE are a wholesome family entertainment serving the community by fostering the continuity of age-old family tradition, yet in doing so we present it with a modern and unique professional touch.

Circuses are indubitably, a cultural event, but more so a wonderful and delightful experience that brings families together for two hours of solid fun and excitement creating starry-eye memories that will be cherished throughout a lifetime. We have the ability to capture the hearts and imagination of the young and old alike, casting a magical spell over the spectators leaving them with eyes wide open and often mouths wide open as well, as the audience watch in awe and disbelief the incredible and daring feats of the young men and women who fly over the air in great elegance, gracefulness and incredible ease like flying birds in a spectacular flight.

Our circus is professionally managed and directed by executives that have work in the entertainment industry for more thirty years. WE provide a quality, world-class, family entertainment service to enhance the life and lift the spirits of the community creating a delightful sentiment and leaving an unforgettable lasting impression.

Do Portugal circus

Trash and Recycling Plan

Do Portugal circus does not hire or contract with any outside vendors or temporary staff employees. Our staff is made up of family members that travels with the circus show and are currently trained on proper sanitary clean up procedures protocol. Our staff members are prepping and cleaning throughout the day during the days of shows. As all are present one hour before each show begins and stay until the end of shows are over with then clean up resumes until completion.

As opposed to a carnival where customer Patrons wander all over the event property grounds purchased and consumes food items throughout their stay, a circus limits the areas in which the public travels, therefore the major portion of the clean up will be in a limited area.

Our staff continuously cleans up the circus entrance area throughout the time the show is open to the public so trash does not remain on the ground. Trash is clean up after each performance in side the tent and once each day the trash will be picked up in the vehicles parking lot area which is expected to be minimal since most people consume items early inside the show and are unlikely to bring trash back to their vehicles upon leaving the event site location.

Several trash cans and recycle bins are available for public use in the circus perimeters. However, due to the nature of our operation most patrons buy their food snacks products from our candy concession tent and take them immediately in to the main big top circus tent for consumption while being delighted by our world renowned circus performers. Patrons normally let their trash fall through the grand stand bucket seats where we clean up after each show. For this reason almost all of the concession trash remains inside the circus big top. Making this impossible from blowing around outside the event property grounds.

Since soft drinks and bottle water are serve to our patrons the left overs are cleaned up along with appropriate paper products are recycle into bins and transported to an appropriate recycling facility in the city of our event stay.



ELEMENTS OF SUMMARY

Do Portugal Circus # 2 LLC DBA Do Portugal Circus
55 Cove Circle Brownsville, Texas 78521

EVENT PLACEMENT LOCATION

4201 N Shiloh Dr. Fayetteville, Arkansas 72703
Northwest Arkansas Mall – Arkansas

EVENT DATED OPERATIONS

Circus Arrival Date: October 21, 2024

Circus Assembly Dates: October 22, 23, 24, 25.

Event Shows Dates: October 25, 26, 27, 28.

Note: that there are no shows on October 29, 30th

Shows resume: October 31 – November 1, 2, 3, 4th

Note: there are no shows on November 5, 6th

Shows resume: on November 7, 8, 9, 10th

Dismantle on November 11 and Departure on November 12, 2024

SHOWTIMES CIRCUS SCHEDULE

Friday, October 25, opening night one show at 7:30 pm

Saturday, October 26, shows 2:00 pm, 5:00 pm and 8:00 pm

Sunday, October 27 Shows at 2:00 pm and 5:00 pm

Monday, October 28 one show at 7:30 pm

Thursday, October 31, one show at 7:30 pm

Friday, November 1, one show at 7:30 pm

Saturday, November 2, shows 2:00 pm 5:00 pm, and 8:00 pm

Sunday, November 3, shows at 2:00 pm, 5:00 pm

Monday, November 4, one show at 7:30 pm

Thursday, November 7, one show at 7:30 pm

Friday, November 8 one show at 7:30 pm

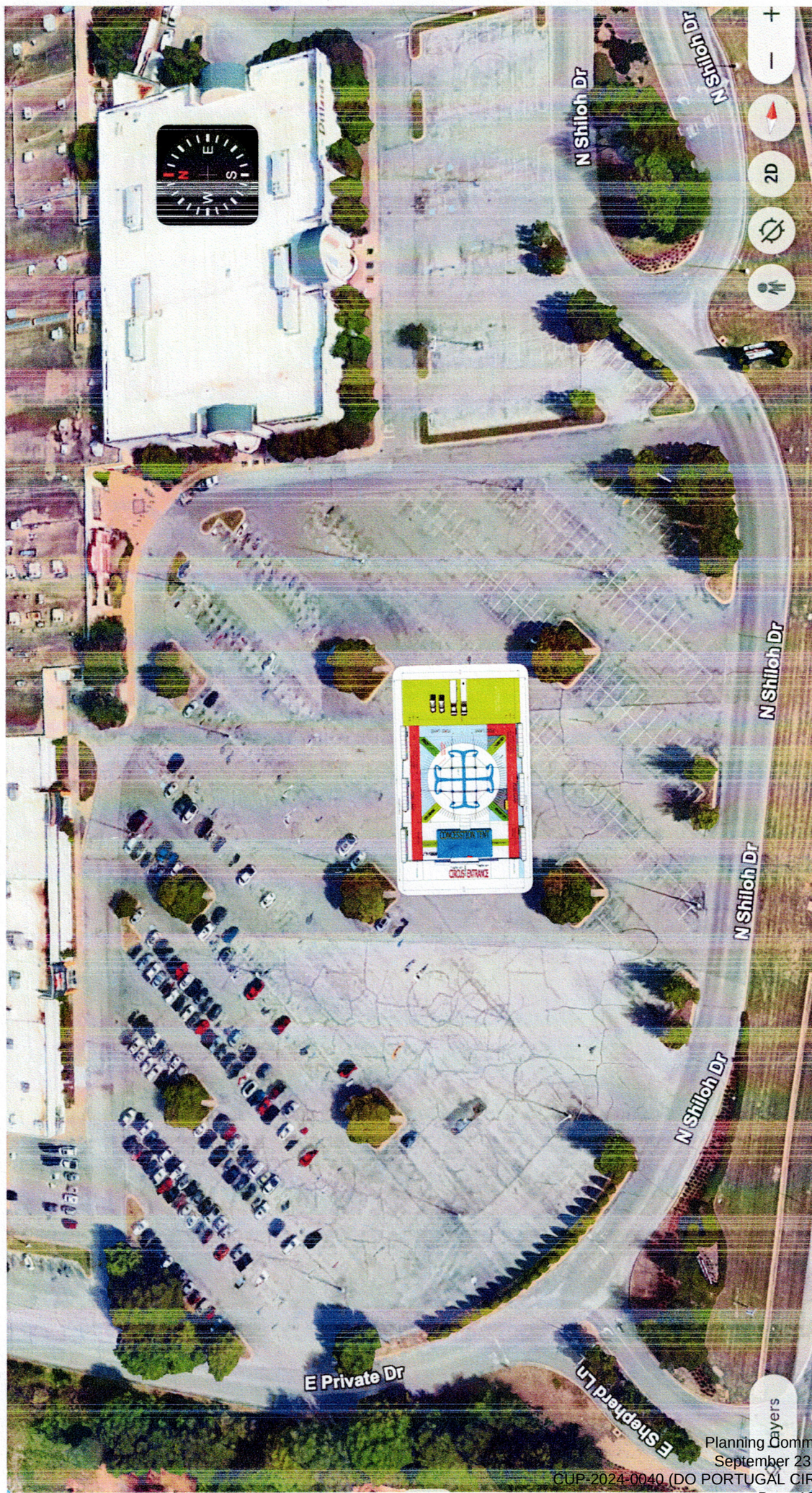
Saturday, November 9, shows 2:00 pm, 5:00 pm and 8:00 pm

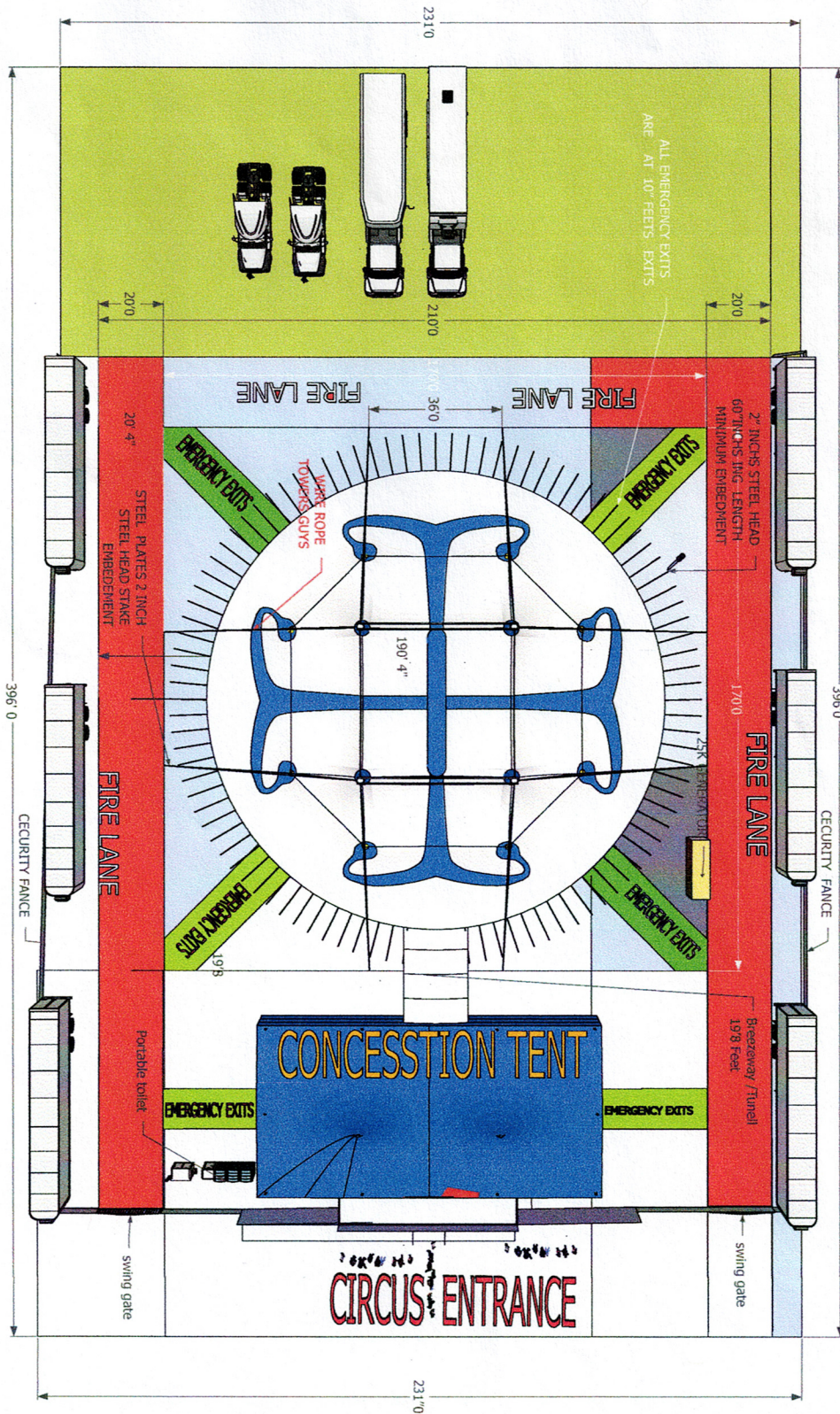
Sunday, November 10, two shows 2:00 pm and 5:00 pm

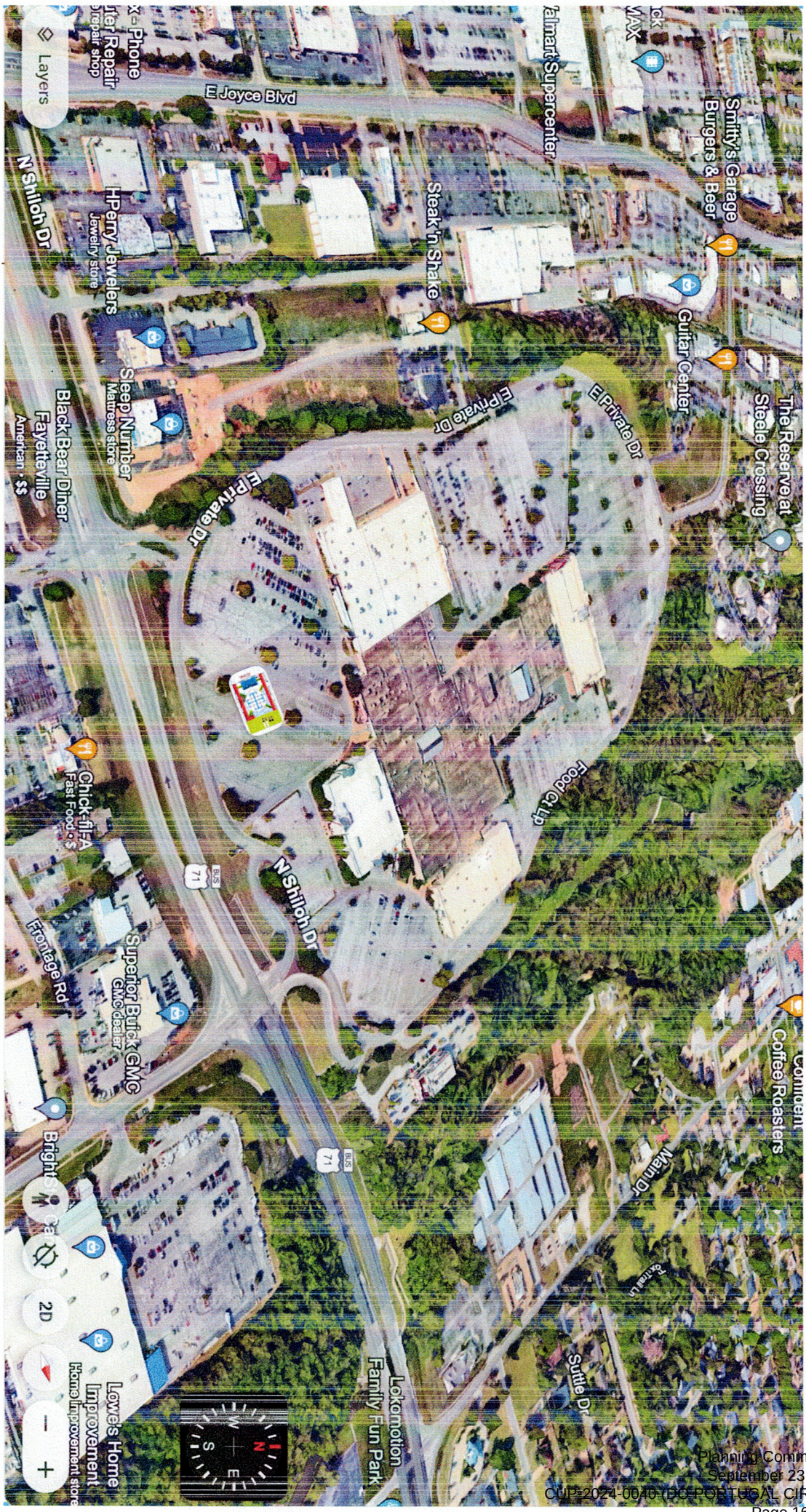
EVENT CIRCUS CONTACT

Bill Mendoza Cell: 978 – 235 - 3939

Email: mendozabilly65@gmail.com







Layers

Phone

Repair

shop

HPerry Jewelers

Sleep Number

Black Bear Diner

Fayetteville

American

Fast Food

Chick-fil-A

Superior Buick GMC

GMC dealer

Bright

2D

Home Improvement

store

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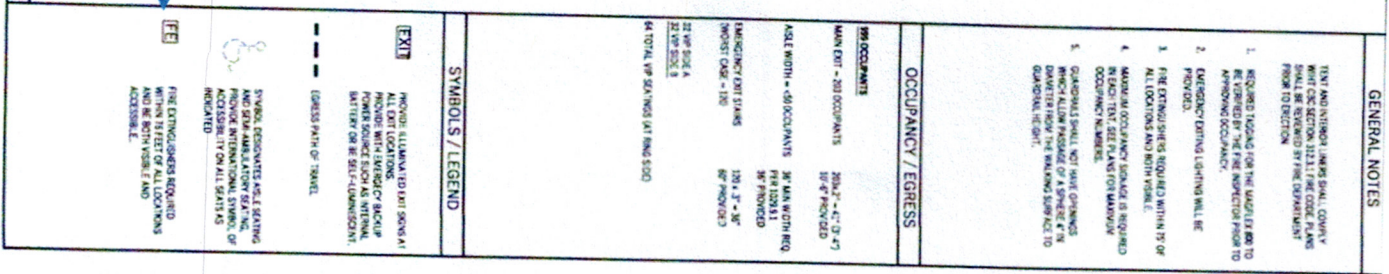
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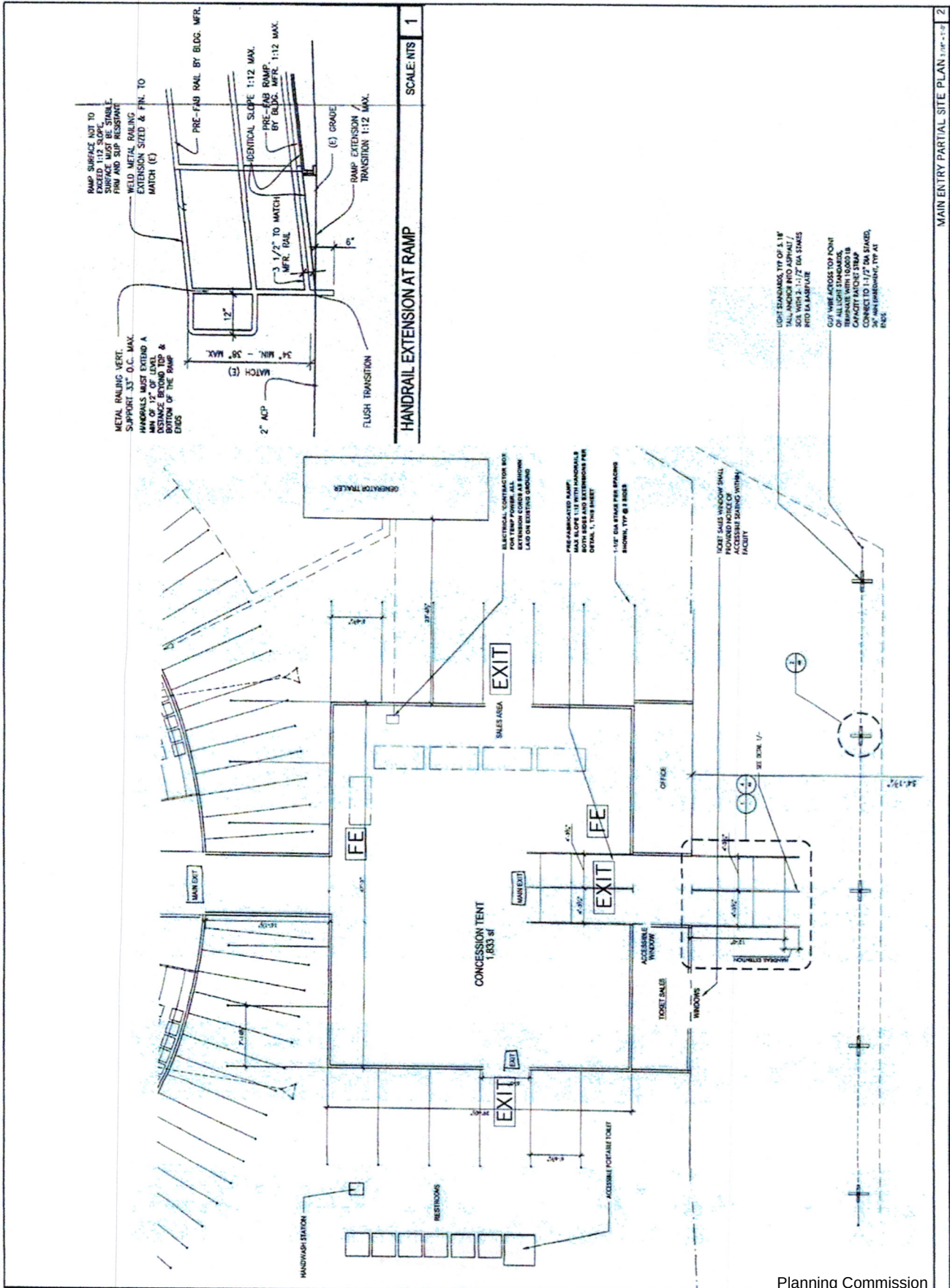
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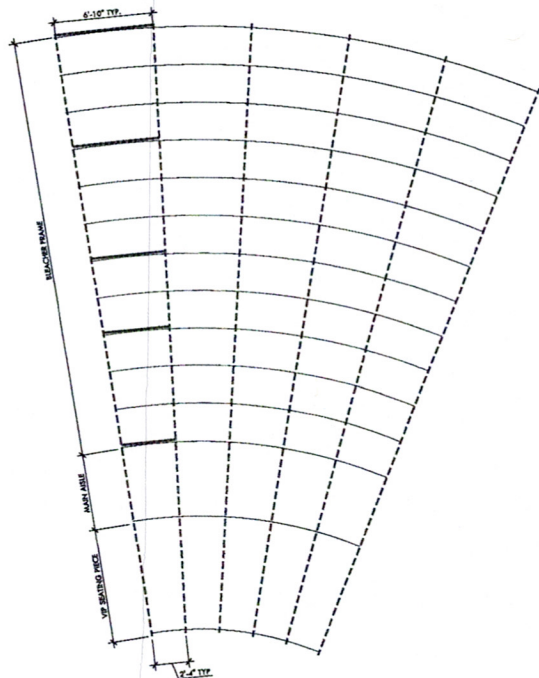
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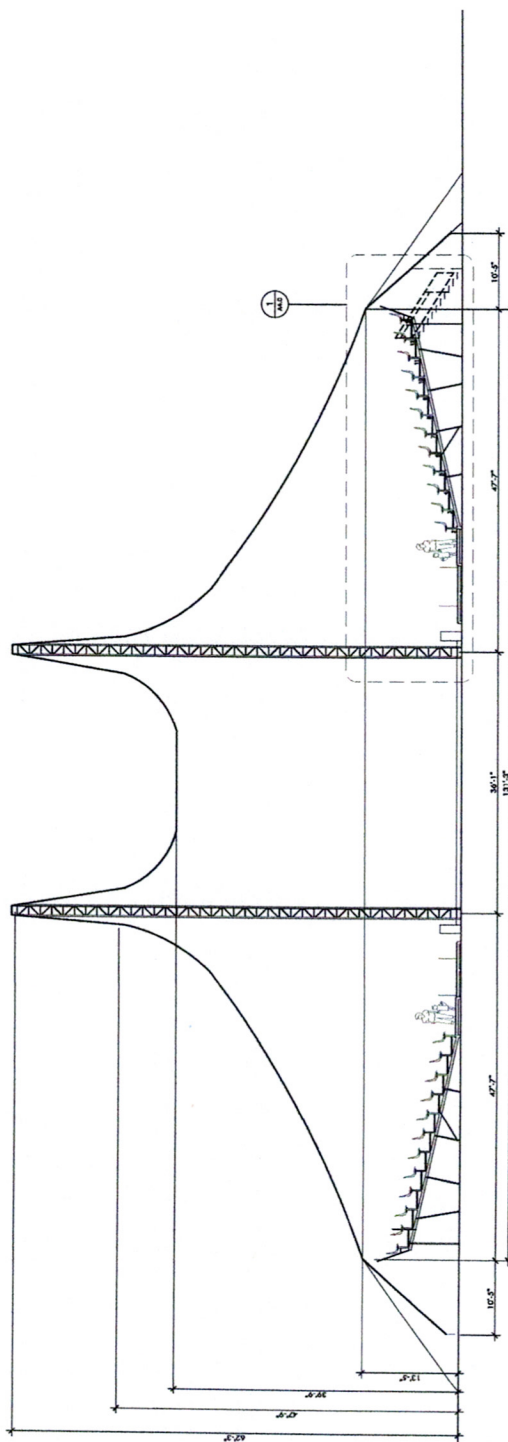






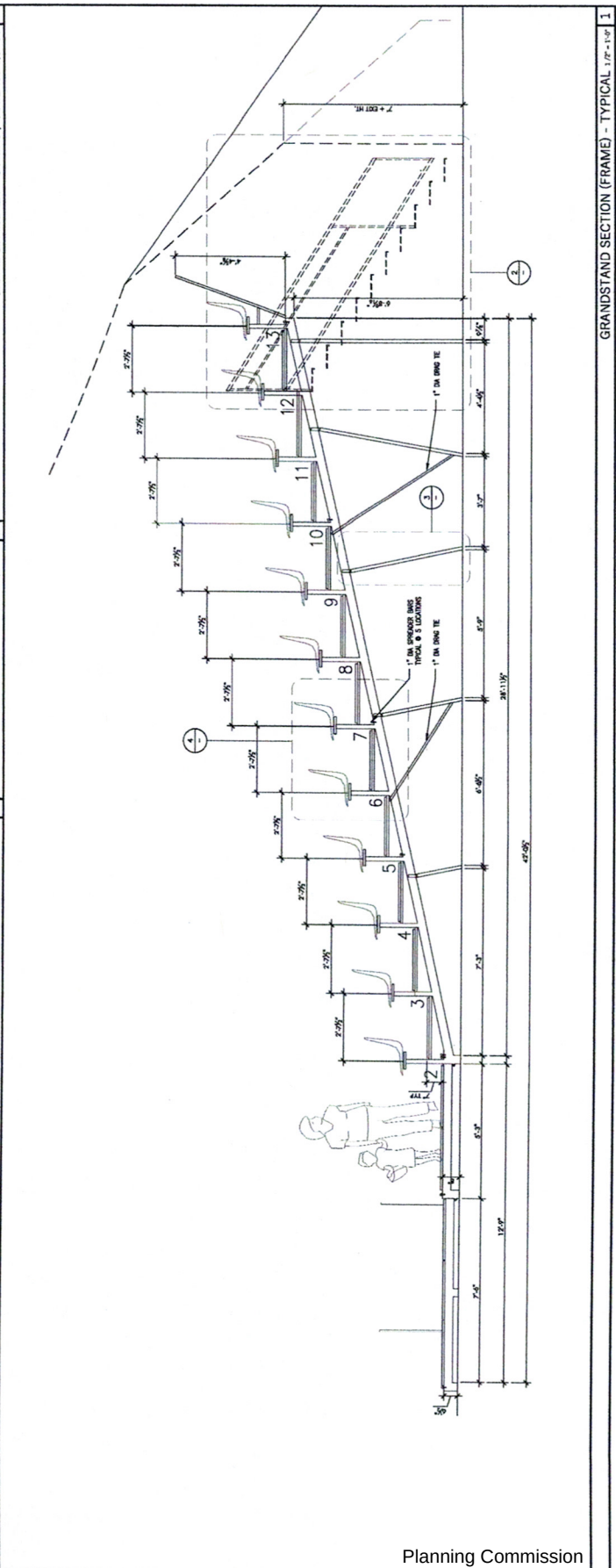
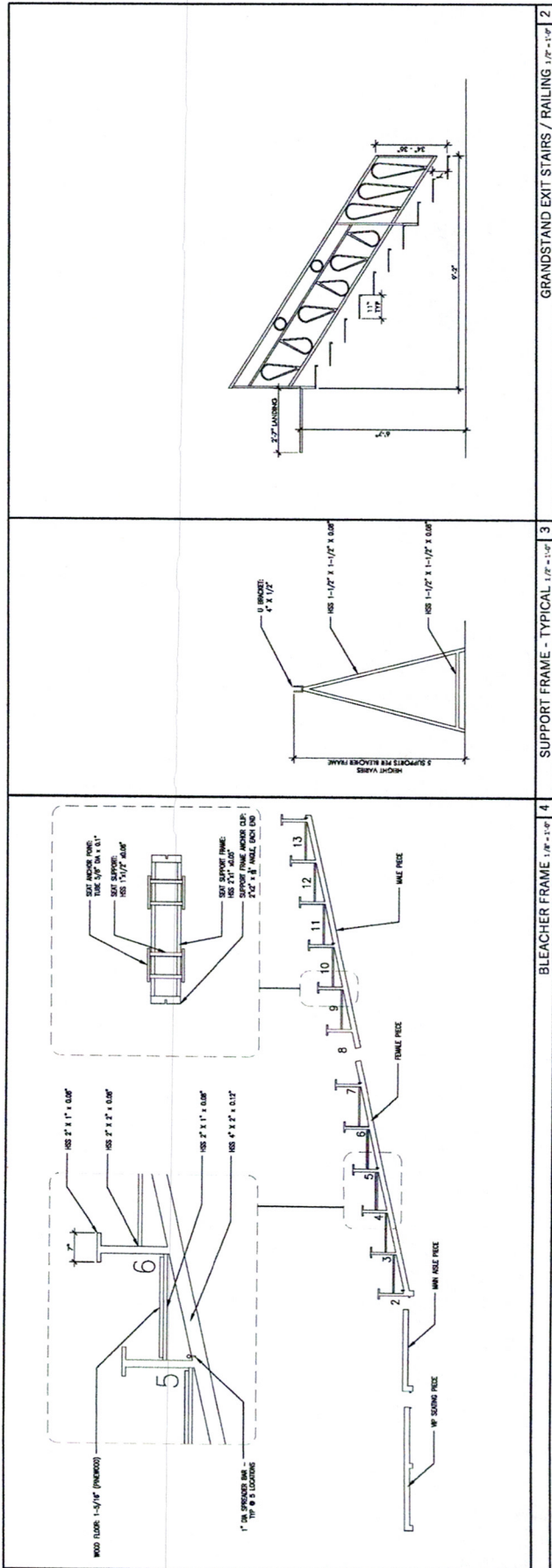


PARTIAL PLAN AT GRANDSTAND	1/8" = 1'-0"
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MAIN TENT - SECTION ,	1
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NO.	DATE	REVISIONS
1	01/20/2024	ISSUED FOR PERMIT
2	01/20/2024	REVISED PER COMMENTS
3	01/20/2024	REVISED PER COMMENTS
4	01/20/2024	REVISED PER COMMENTS
5	01/20/2024	REVISED PER COMMENTS
6	01/20/2024	REVISED PER COMMENTS
7	01/20/2024	REVISED PER COMMENTS
8	01/20/2024	REVISED PER COMMENTS
9	01/20/2024	REVISED PER COMMENTS
10	01/20/2024	REVISED PER COMMENTS
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12	01/20/2024	REVISED PER COMMENTS
13	01/20/2024	REVISED PER COMMENTS



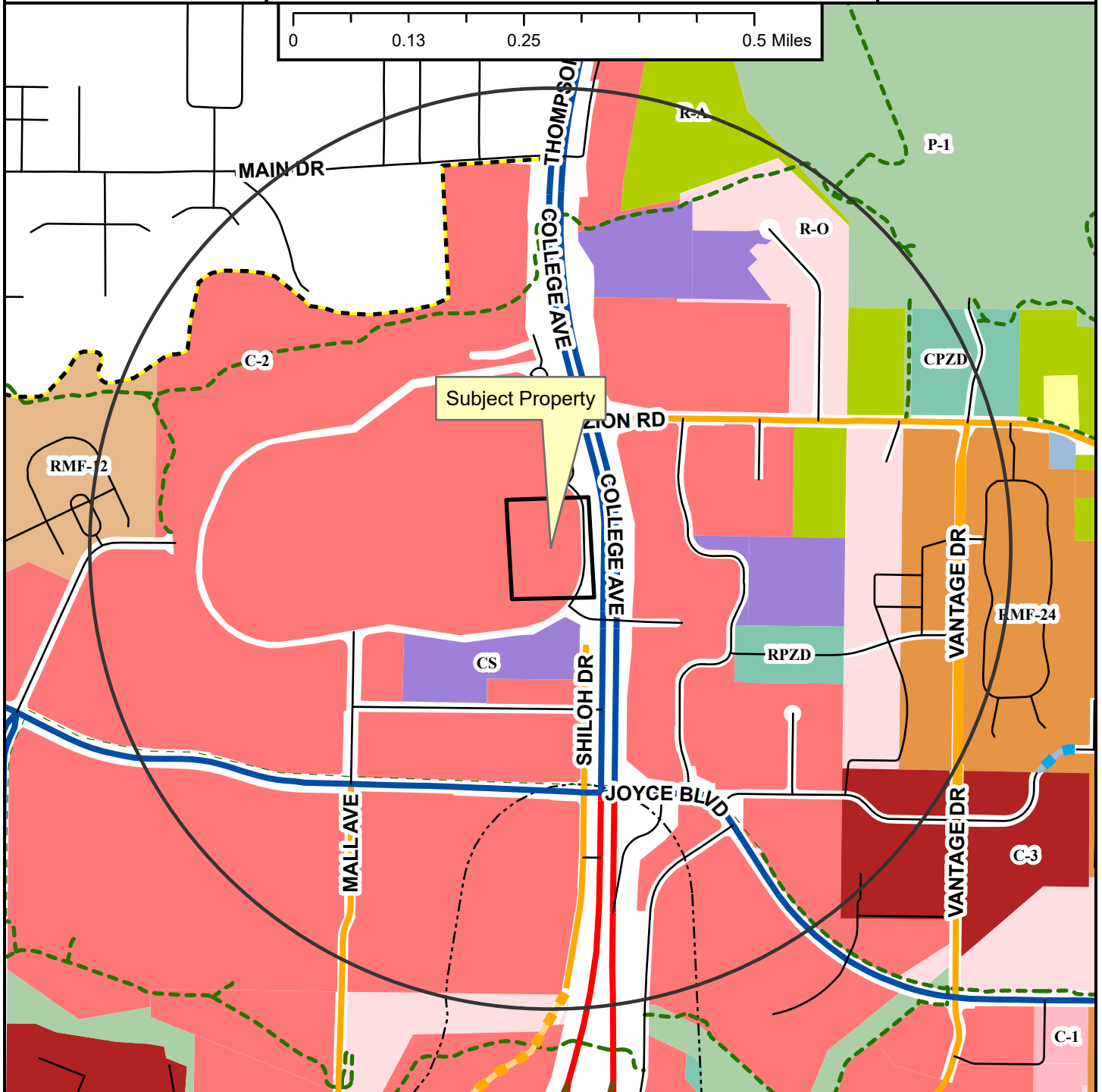
CUP-2024-0040

4201 N. SHILOH DR UNIT 1535

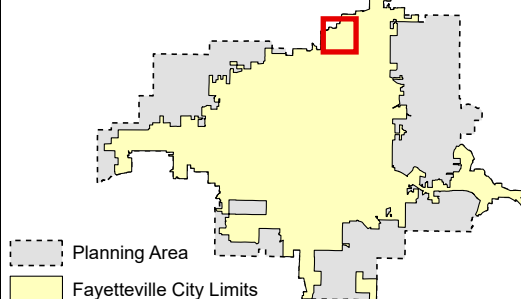
One Mile View



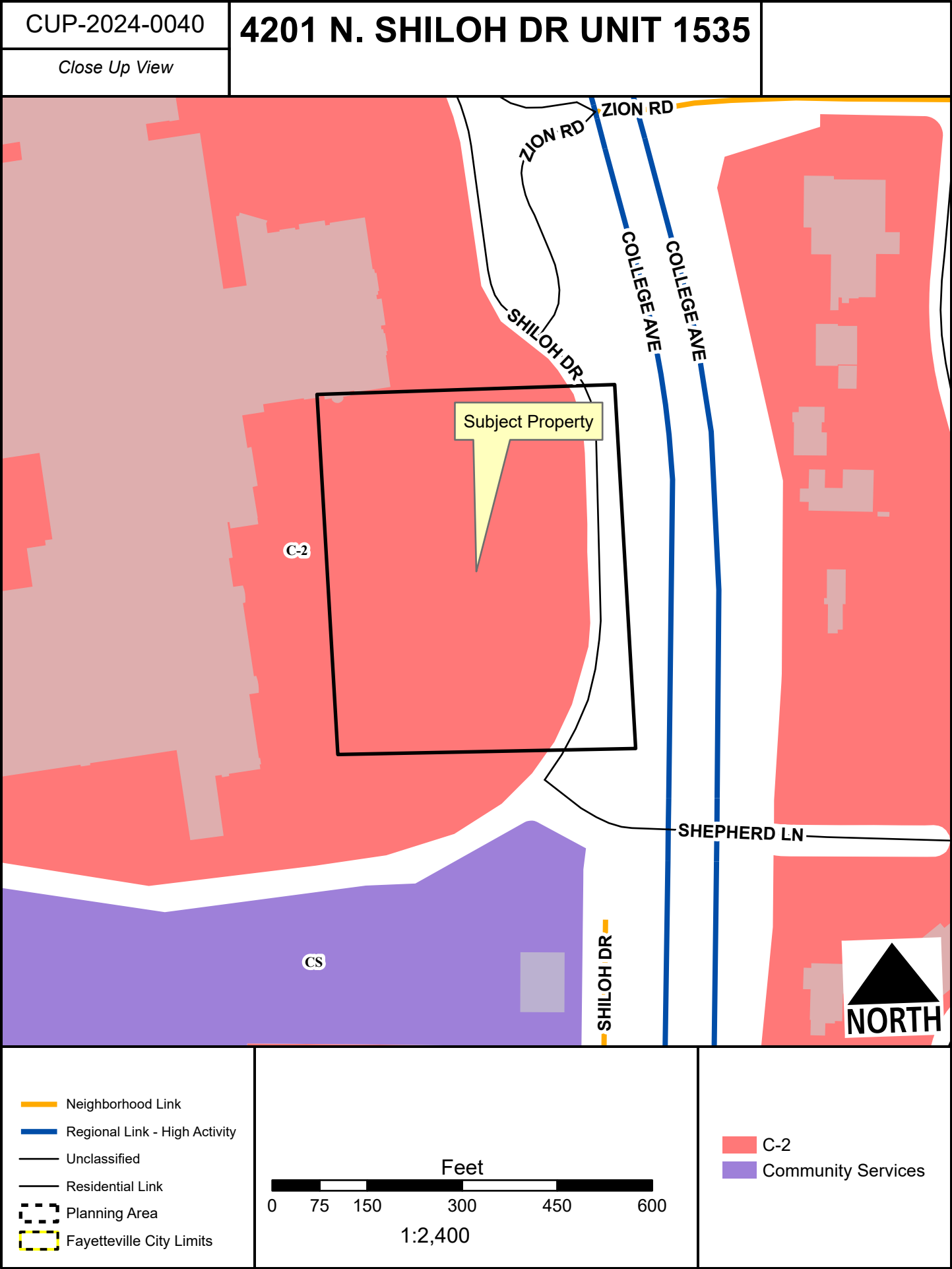
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- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



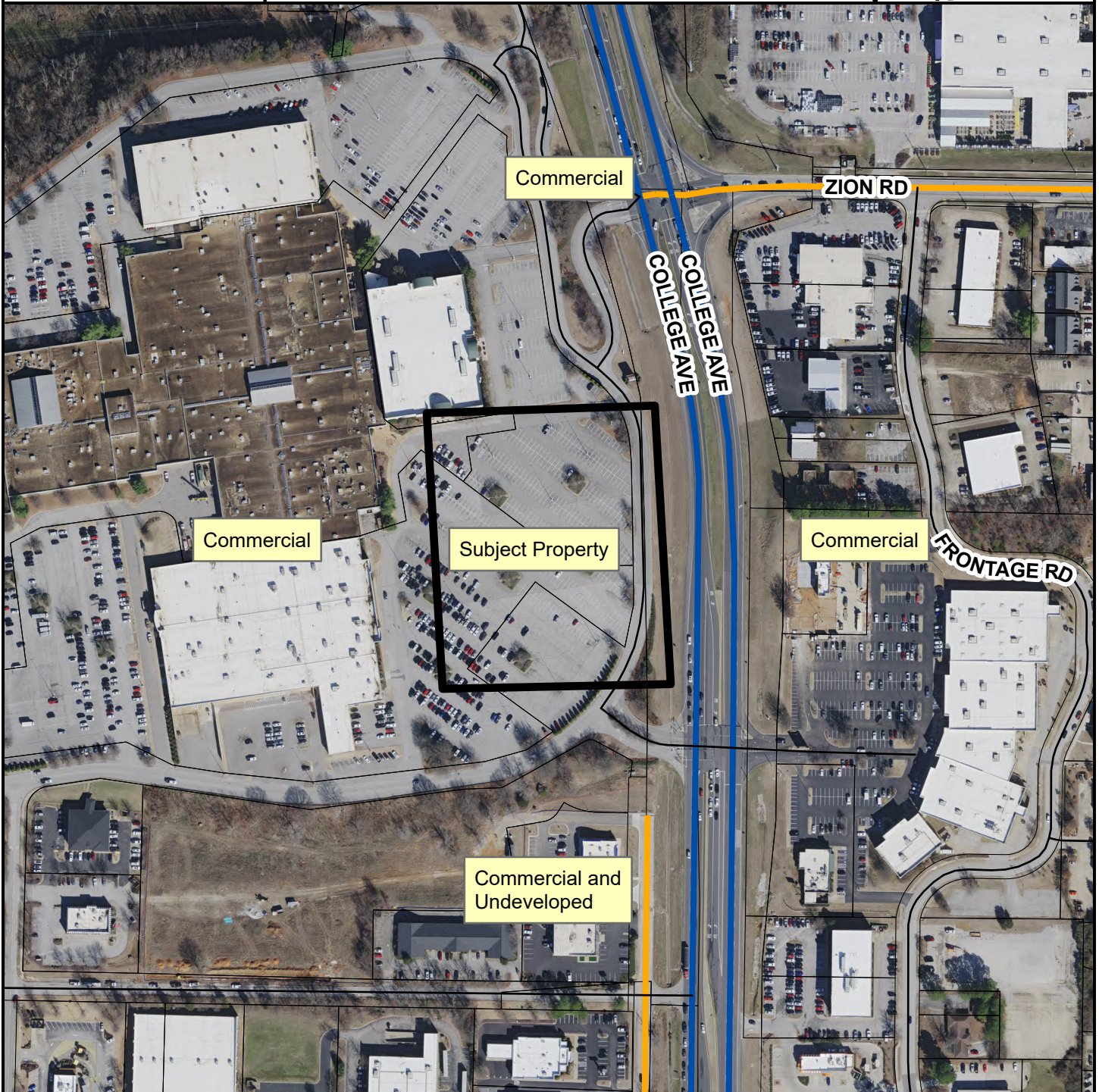
- | | |
|---|-------------------------------------|
| Zoning | EXTRACTION |
| RESIDENTIAL SINGLE-FAMILY | E-1 |
| NS-G | COMMERCIAL |
| RH-U | Residential-Office |
| RI-12 | C-1 |
| NS-L | C-2 |
| Residential-Agricultural | C-3 |
| RSF-5 | FORM BASED DISTRICTS |
| RSF-1 | Downtown Core |
| RSF-2 | Urban Thoroughfare |
| RSF-4 | Main Street Center |
| RSF-7 | Downtown General |
| RSF-8 | Community Services |
| RSF-18 | Neighborhood Services |
| RESIDENTIAL MULTI-FAMILY | Neighborhood Conservation |
| RMF-6 | PLANNED ZONING DISTRICTS |
| RMF-12 | Commercial, Industrial, Residential |
| RMF-13 | INSTITUTIONAL |
| RMF-24 | P-1 |
| RMF-40 | |
| INDUSTRIAL | |
| I-1 Heavy Commercial and Light Industrial | |
| | I-2 General Industrial |



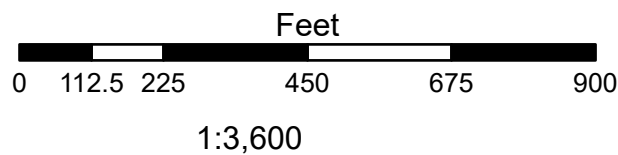
CUP-2024-0040

4201 N. SHILOH DR UNIT 1535

Current Land Use



- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Fayetteville Planning Commission

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: September 23, 2024

SUBJECT: **CUP-2024-0041: Conditional Use Permit (4240 W. WEDINGTON DR./O'REILLY AUTOMOTIVE STORES INC, 400):** Submitted by BUDDY D. WEBB ARCHITECTS for property located at 4240 W. WEDINGTON DR. The property is zoned CS, COMMUNITY SERVICES and contains approximately 1.19 acres. The request is for an auto parts store in CS zoning.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0041** with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0041** with conditions, determining:*

- In favor of compatibility with adjacent properties,*
- In favor of a variance to UDC §166.08(F)(2)(a), and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located at the northeast corner of Wedington Drive and Meadowlands Drive, approximately 1,000 feet west of the intersection of Wedington Drive and Ruppel Road. The property is currently undeveloped and zoned CS, Community Services. In 2019, a conditional use permit (CUP 19-6718) and large site improvement plan (LSIP 19-6717) were approved to allow for the development of an O'Reilly Auto Parts store on the subject property. The conditional use permit for that project expired in 2021 though the large site improvement plan does not expire. The applicant submitted a request for a major modification to their large site improvement plan earlier this year, and staff notified them at that time that a new conditional use permit would need to be requested since the one that was approved previously expired, since all permits and approvals necessary for the project were not obtained within that approval period. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Undeveloped	R-O, Residential-Office
South	Undeveloped	R-O, Residential-Office
East	Undeveloped	CS, Community Service
West	Professional Offices	C-1, Neighborhood Commercial

City Plan 2040 Future Land Use Designation: **City Neighborhood Area** within the **Wedington Corridor Plan** study area.

Proposal: The applicant requests a conditional use permit to operate an automotive parts store (Use Unit 17) on the subject property. Use Unit 17: Transportation, Trades, and Services, is a conditional use in the underlying CS zoning district. A development submittal is concurrently under review administratively as a large site improvement plan. The applicant has described the business as follows:

- *Approximately 7,700-square-foot building*
- *Number of employees: 10-15*
- *Number of customers: 200 per day with peak hours between 3:00 PM to 6:00 PM*
- *Hours of operation:*
 - *Monday-Sunday: 7:30 AM to 10:00 PM*

One variance from the Unified Development Code has been requested with this application which is described below alongside staff's recommendation:

Variance #1: §166.08(F)(2)(a), Access Management – Separation for Nonresidential Development on Regional High Activity Links. Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway. The applicant is requesting a variance to provide a curb cut along a Regional High-Activity Link Street, Wedington Drive, which would be located about 135 feet away from the street's intersection with a Residential Link Street, Meadowlands Drive. A curb cut is also proposed along Meadowlands Drive to serve this development.

Staff recommendation: Staff is supportive of this requested variance. The applicant indicated that the driveway is proposed to allow customers and delivery trucks to have easier access to the parking lot and through the site. Staff recommends a condition requiring that access on that driveway be limited to right-in/right-out online with 15-foot drive lanes, unless otherwise required by the Arkansas Department of Transportation, due to the presence of an existing left turn lane along the property's Wedington frontage.

Public Comment: Staff received one item of public comment from a member of the public who shared concerns about the proposal for an automotive-focused business adversely affecting the safety of the trail along Wedington.

RECOMMENDATION: Staff recommends approval of **CUP-2024-0041** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility with adjacent properties.** *Staff finds the proposed automotive parts store to be compatible with the allowed residential and nonresidential uses permitted on adjacent developed and undeveloped properties.*
2. **Planning Commission determination of a variance to UDC §166.08(F)(2)(a), Access Management.** *Staff recommends approval of this variance with the following condition:*
 - a) The driveway on Wedington Drive shall be limited to right-in/right-out only with 15-foot drive lanes, unless otherwise required by the Arkansas Department of Transportation.

3. This conditional use permit is limited to use for O'Reilly Auto Parts as described herein, including developing the site to be generally consistent with the provided site plan and elevations. This conditional use permit is non-transferrable to a different business.
4. The conditional use permit is limited to the business as outlined in the applicant's request letter. The following specifications apply:
- a) Size of the business: Approximately 7,700 square feet
 - b) Hours of operation: 7:30 AM to 10:00 PM (Monday through Sunday)
 - c) Parking: 31 spaces permitted; staff recommends an allowance to vary this within the by-right increase allowed by code without requiring an amendment to this conditional use permit.
 - d) Number of employees: 10-15
 - e) Customers: Approximately 200 daily
5. Approval of this conditional use permit does not constitute approval of any associated plans or permits. Those must be granted separately; and
6. Approval of this conditional use permit will expire one year from the date of approval in accordance with UDC §166.20, Expiration of Approved Plans and Permits.

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date: <u>September 23, 2024</u>	☐ Tabled	☐ Approved	☐ Denied		
Motion:					
Second:					
Vote:					

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

- B. Authority; Conditions.** The Planning Commission shall:
- 1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.
 - 2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
 - 3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
 - 4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.
- C. Procedures.** A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: The applicant has submitted a written application requesting conditional use approval of an automotive parts store in CS zoning. A conditional use permit was granted for the project in 2019 though it expired in 2021. A large site improvement plan for the project was also approved in 2019 and it remains unexpired, though a major modification to that approval is currently under review by city staff.

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

Finding: The applicant has paid the required filing fee.

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:

(a.) That it is empowered under the section of this chapter described in the application to grant the conditional use;

Finding: The Planning Commission is empowered under Unified Development Code §166.22 to grant the requested conditional use permit.

(b.) That the granting of the conditional use will not adversely affect the public interest;

Finding: Staff finds that granting the requested conditional use permit will not adversely affect the public interest. While an automotive parts store, with its associated deliveries, extended hours, and parking lot repairs, may be inappropriate in closer proximity to residential areas, the subject property is situated along a major thoroughfare that serves both adjacent residents and customers beyond Fayetteville's city limits. Despite its automotive focus, the applicant's efforts to respect the City's goals for urban form and walkability help ensure the business will complement the streetscape along Wedington Drive.

(c.) The Planning Commission shall certify:

- (1.) Compliance with the specific rules governing individual conditional uses; and

Finding: There are not specific rules governing this conditional use.

- (2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

(a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience,

traffic flow and control and access in case of fire or catastrophe;

Finding: No existing curb cuts exist on the property. Ingress and egress is proposed through two curb cuts with one on Wedington Drive and the other on Meadowlands Drive. Cross access is also accommodated with stub outs to the adjacent properties to the north and east. Sidewalks are also proposed along the property's frontage to accommodate pedestrian access to the site. A variance is being requested to allow for the driveway on Wedington Drive and staff is recommending a condition that access there be limited to right-in/right-out only, as described further above.

(b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

Finding: Parking and site access are currently under review as part of the associated major modification to the large site improvement plan for this project. As noted above, two driveways are proposed to accommodate vehicular access to the site with one on Wedington Drive and the other on Meadowlands Drive. 31 parking spaces are permitted based the square footage of the proposed structure and the allowances outlined in code, however, 32 spaces are proposed. One additional parking space would be permitted based on the allowance for a 15% by-right increase. Staff finds that the parking and access features proposed are adequate to serve the development without adversely impacting neighboring properties or traffic on adjacent streets.

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading,

Finding: Solid waste and recycling services are being reviewed through the large site improvement plan process. A dumpster is currently proposed at the northeast corner of the parking lot with an enclosure that would screen it from view of the right-of-way and adjacent properties. Adequacy of those facilities will be determined by staff prior to building permit issuance.

(d.) Utilities, with reference to locations, availability, and compatibility;

Finding: Water and sewer are currently available to the site. Capacity and connection details are being considered through the ongoing development review.

(e.) Screening and buffering with reference to type, dimensions, and character;

Finding: Landscaping screening and buffering is required in accordance with UDC Chapter 177, Landscape Regulations. Since the property is not directly adjacent to any residential uses, staff does not recommend any additional screening beyond what is required by city code.

- (f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: All signage shall be reviewed separately in accordance with UDC Chapter 174, Signs.

- (g.) Required yards and other open space; and

Finding: The proposed structure complies with the setback requirements associated with the CS zoning district. The property's build-to zone is encumbered by utility easements and existing utilities, and an exemption was previously granted as part of the associated large site improvement plan which allowed the structure to be located as proposed outside of the build-to zone.

- (h.) General compatibility with adjacent properties and other properties in the district.

Finding: The subject property is located along Wedington Drive near several undeveloped properties and an existing office. Despite the proposed use's proximity to residential areas to the north, staff finds the distance to be an adequate safeguard from adverse impacts to those neighborhoods. Further, the high volume of vehicular traffic along Wedington Drive makes this site compatible and ideal for serving the needs of those who frequently travel along it.

- (i) General compatibility with the goals and intent of the city's adopted land-use, transportation, and other strategic plans.

Finding: Staff finds that the proposed use may support several of the goals in City Plan 2040 since it would allow a service to be provided in an area where it is not currently provided, in close proximity to residential areas and other nonresidential uses, and along a major transportation corridor. The nearest auto parts business is currently located about two miles away on Martin Luther King Jr Boulevard. However, a permit to build another one about a block east of the subject property, northwest of the intersection of Wedington Drive and Golf Club Drive, is also in review.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.22, CS Community Services
- Applicant Request Letter
- Variance Request Letter
- Site Plan
- Building Elevations

- Wedington Corridor Illustrated Plan
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map

161.22 Community Services

(A) *Purpose.* The Community Services District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas and is intended to provide for adaptable mixed use centers located along commercial corridors that connect denser development nodes. There is a mixture of residential and commercial uses in a traditional urban form with buildings addressing the street. For the purposes of Chapter 96: Noise Control, the Community Services district is a commercial zone. The intent of this zoning district is to provide standards that enable development to be approved administratively.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 15	Neighborhood Shopping goods
Unit 24	Home occupations
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 40	Sidewalk Cafes
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Dwelling	18 feet
All others	None

(2) *Lot Area Minimum.* None.

(E) *Setback regulations.*

Front:	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.
Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	5 stories
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(G) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800, §1(Exh. A), 10-6-15; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §§5, 7—9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6223, §1, 9-3-19; Ord. No. 6409 §1, 2-2-21; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21; Ord. No. 6497, §1, 10-19-21)



July 23, 2024

Attn: City of Fayetteville Planning Staff
Development Services – Planning / Zoning
125 West Mountain Street
Fayetteville, AR 72701

Re: Proposed O'Reilly Auto Parts Store
Highway 16 & Meadowlands Drive
Fayetteville, AR

To Whom It May Concern:

On behalf of O'Reilly Automotive Stores, Inc., we are proposing the construction of a new O'Reilly Auto Parts store (approximately 7,734 square feet gross building area, with approximately 3,326 square feet of retail / public area) with off-street parking to accommodate 32 automobiles, 2 motorcycles and 4 bicycles. The store plans to operate daily from 7:30 am to 10 pm and will have 10 to 15 employees on the clock at any given time. O'Reilly estimates that they will have an average of 200 customers at this location per day and that their peak hours will be between 3 pm and 6 pm. We are proposing two driveway access points onto the site (one drive to be located off Meadowlands Drive and one to be located off Wedington Drive) and two public access points from the site into the building.

The main building entry has been provided along the side of the building that faces Wedington Drive. A secondary entrance has been provided on the side of the building that faces Meadowlands Drive. Pedestrian-related features, as well as foundation landscaping, have been provided on both street-facing sides of the building.

A three-tone color scheme, using multiple material types, is being proposed for the building exterior to break up the main building wall into more of a human scale and to provide visual (textural) interest along each facade. A red accent portal with O'Reilly signage has been proposed at each building entry as well as on the parking-lot-facing side of the building. Architectural pilasters have been added to break up the overall box-like building façade. Additional glazing has also been added on all sides of the building. We are proposing transparent glazing at the entries and within the main showroom area (public areas) and opaque spandrel glazing (color to match transparent glazing) in the parts storage areas. All building parapets have been raised to ensure that the roof-mounted HVAC equipment is screened from view from each property line.

A masonry refuse enclosure will be provided on site, matching the building in color and texture, for storage and screening of all dumpsters from the parking lot as well as the street. Masonry wing-walls are also proposed on each side of the building to help screen the parking areas from the streets. The wing-walls will also be designed to match the building in color and texture.

All proposed building and site lighting will be positioned and shielded so as not to allow light levels

over 0.5-footcandles to spill over onto the adjacent properties to the north and east.

The proposed building use and business is not anticipated to produce any above average levels of noise from the screen rooftop HVAC and typical vehicular traffic from customers.

The following is additional information, required as part of the conditional use application, as it applies to the Proposed O'Reilly Auto Parts Store:

Record Description:

A part of the SW 1/4, of the NE 1/4, of Section 12, T-16-N, R-31-W, Washington County, Arkansas, being more particularly described as follows, to-wit: beginning at a point which is N 87°08'38" W, 894.00 feet and S 02°48'33" W, 965.45 feet from the NE corner of the SW 1/4, of the NE 1/4, of said forty acre tract and running thence S 02°47'36" W, 281.79 feet to a found iron pin located in the northern right-of-way of Arkansas Highway #16; thence along said right-of-way N 86°58'21" W, 178.30 feet to a set iron pin, N 42°21'12" W, 9.72 feet to a set iron pin, located in the eastern right-of-way of Meadowlands Drive; thence along said right-of-way, N 02°39'53" E, 274.84 feet to a set iron pin; thence S 87°00'42" E, 185.81 feet to the point of beginning, containing 1.20 acres, more or less.

As Surveyed Description:

Tract "c" survey plat document #2008-00004140:

a part of the southwest quarter of the northeast quarter of section 12, township 16 north, range 31 west, Washington county, Fayetteville, Arkansas, being more particularly described as follows:

Commencing at the northeast corner of said forty acre tract, said point being a found railroad spike and running, thence north 87°08'38" west 894.00 feet, thence south 02°48'33" west 660.82 feet to a found 1/2" rebar, thence south 02°48'33" west 324.63 feet to the point of beginning, said point being a found 1/2" rebar, and running, thence south 02°45'36" west 281.79 feet to a found 1/2" rebar, thence north 87°00'19" west 178.30 feet to a set 1/2" rebar, thence north 42°23'12" west 9.72 feet to a point of the east right-of-way line of north meadowlands drive, said point being set 1/2" rebar, thence along said right-of-way north 02°37'53" east 274.84 feet to a set 1/2" rebar, thence leaving said right-of-way south 87°02'39" east a distance of 185.81 feet to the point of beginning. containing 1.199 acres more or less. subject to easements and right-of-ways of record.

Please feel free to contact our office if additional information or clarifications are required. Thank you.

Respectfully,
Buddy D. Webb - Architect-Consultant



Rachel H. Vering, NCARB, AIA, CSI
Principal Architect

attachment

Cc: Wes Potts, Athenia Agee
file



Buddy D. Webb, NCARB, AIA

Architect - Consultant

3057 East Cairo Street
Springfield, MO 65802
(417) 877-1385 Phone
(417) 877-9736 Fax

July 23, 2024

Attn: City of Fayetteville Planning Staff
Development Services – Planning / Zoning
125 West Mountain Street
Fayetteville, AR 72701

Re: Driveway Variance Request
Proposed O'Reilly Auto Parts Store
Highway 16 & Meadowlands Drive
Fayetteville, AR

To Whom It May Concern:

On behalf of O'Reilly Automotive Stores, Inc., we would like to request a Planning Commission variance to UDC §166.08(F)(2)(a) for a second driveway access off of Wedington Drive (AR Highway 16). We are proposing a right-in, right-out only driveway, that will meet AR-DOT standards, off of Wedington Drive to allow better flow of vehicular traffic on and off the site.

This additional driveway will allow both O'Reilly's customers and delivery trucks to have safer and easier access to the parking lot. It will also help to better distribute the traffic flow onto and off of Wedington Drive.

Please feel free to contact our office if additional information or clarifications are required. Thank you.

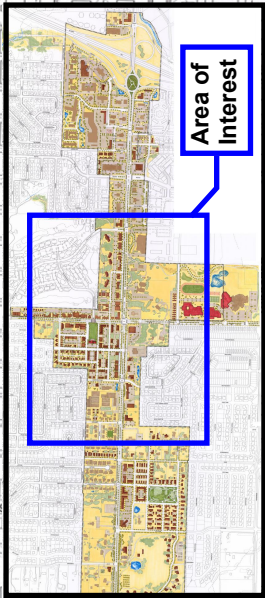
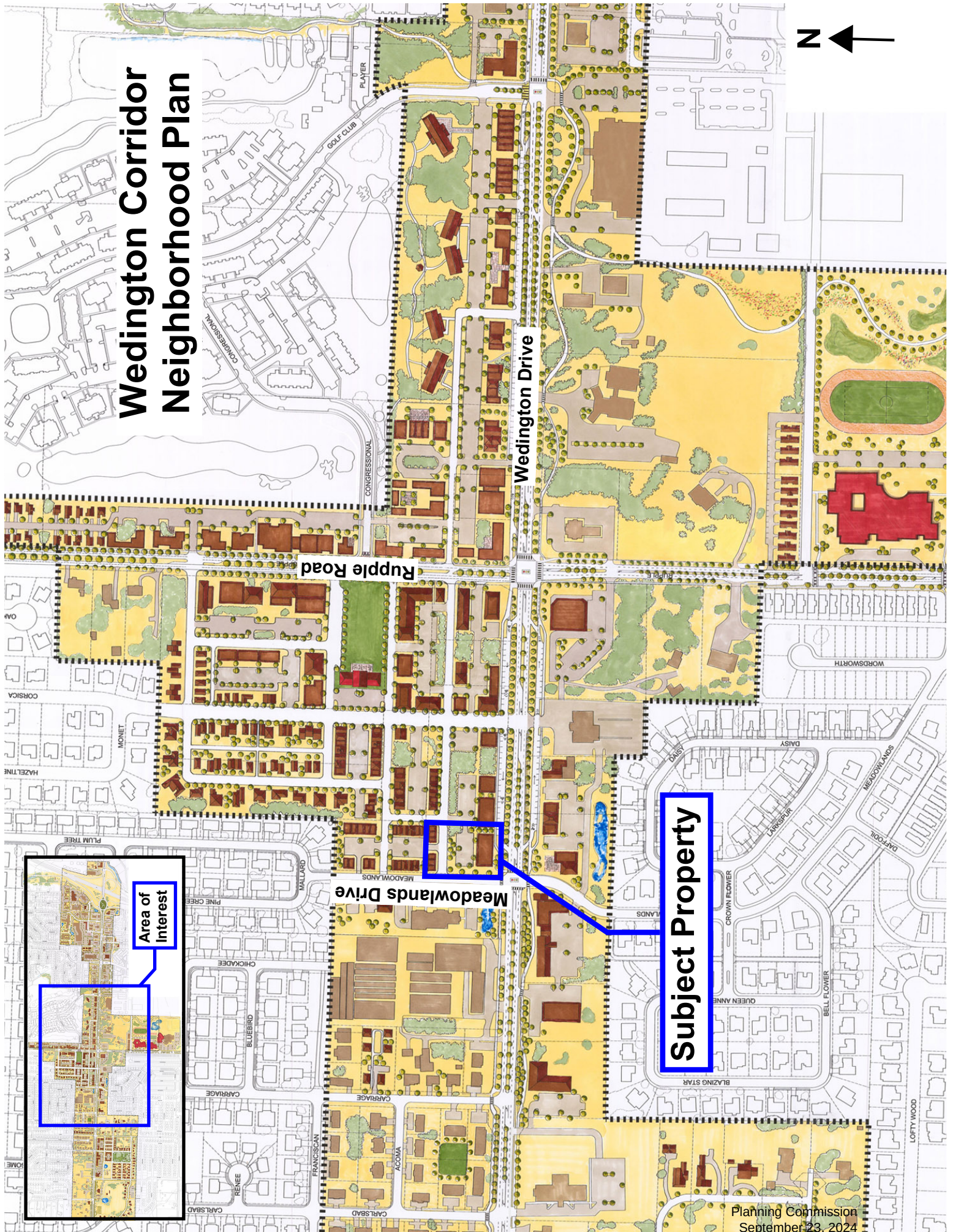
Respectfully,
Buddy D. Webb - Architect-Consultant

Rachel H. Vering, NCARB, AIA, CSI
Principal Architect

attachment

Cc: Wes Potts, Athenia Agee
file

Wedington Corridor Neighborhood Plan



Area of
Interest

Subject Property

From: Erik Lentz <erik.lentz@gmail.com>
Sent: Tuesday, September 3, 2024 3:55 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: CUP-2024-0041 (4240 W. WEDINGTON DR)

CUP-2024-0041 (4240 W. WEDINGTON DR)

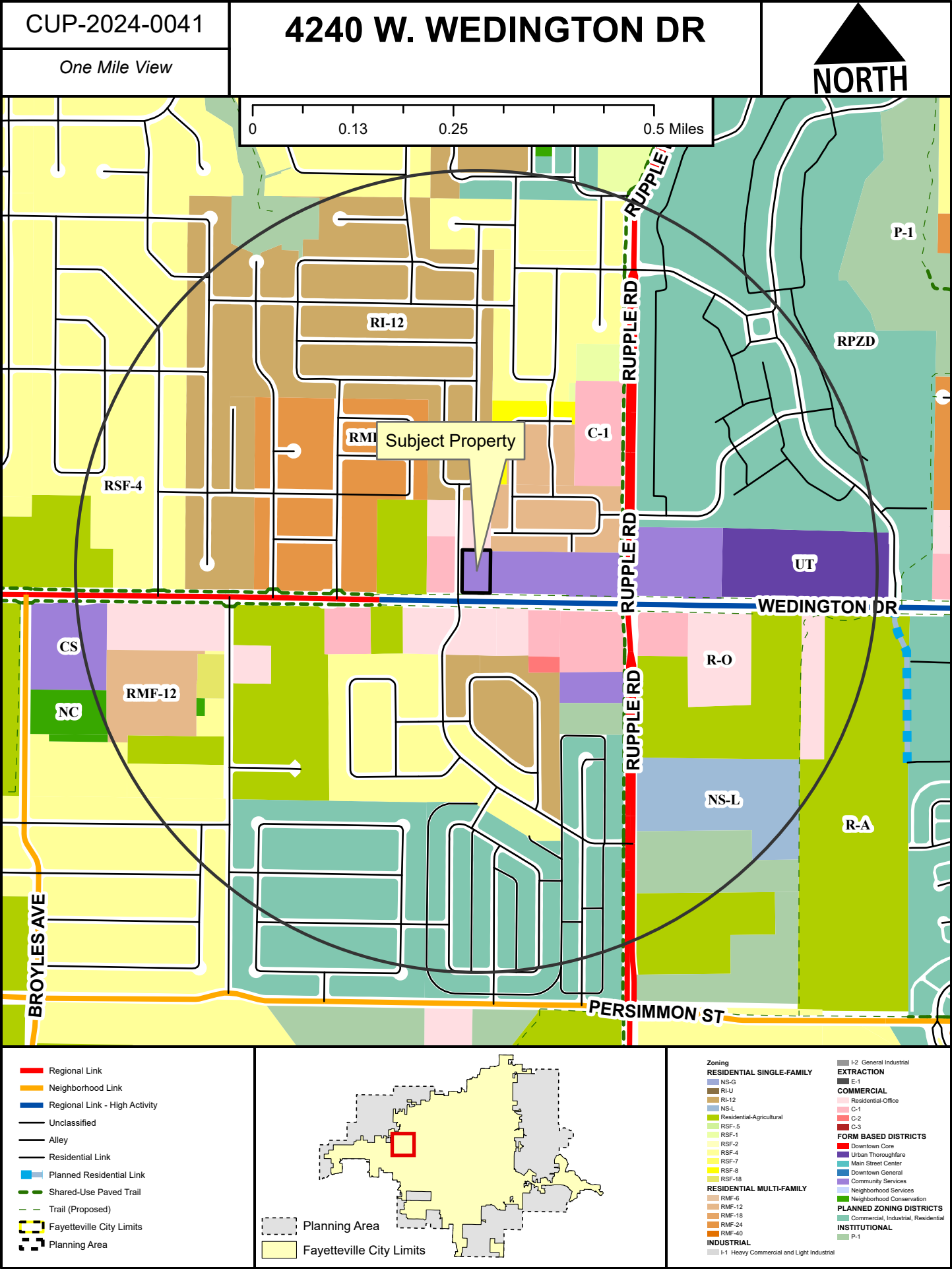
I would like to submit public feedback for the above proposed development.

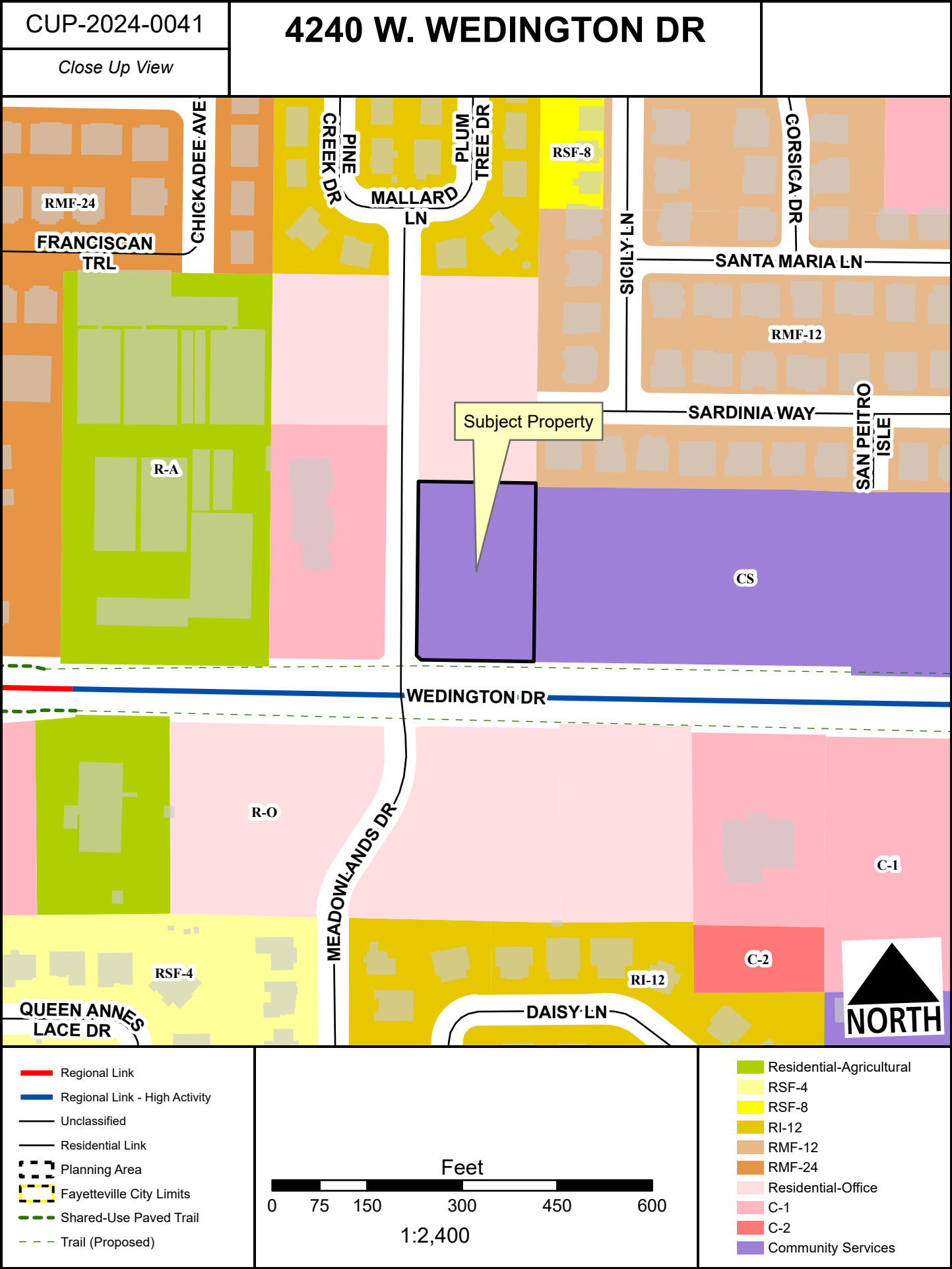
The proposed development at this property is an automotive-focused business, which can expect an increase in vehicle ingress and egress over the crosswalk at Meadowlands. With the city's efforts to increase the pedestrian/cycling friendliness of Wedington, and the city's designation of this north side sidewalk of Wedington as part of the city's trail network, I'm concerned this development is at odds with these efforts. With Meadowlands potentially becoming a driveway for a vehicular-focused business, would pedestrians feel safe using this section of city-designated trail?

Thanks for reading,

Erik Lentz

1343 N Caddo Ave, Fayetteville, AR 72704









TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: September 23, 2024

SUBJECT: **RZN-2024-0040: Rezoning (2400 E. TOWNSHIP ST. /TOWNSHIP BAPTIST CHURCH, 292):** Submitted by MATT POE ARCHITECT PLLC for property located at 2400 E. TOWNSHIP ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 1.20 acres. The request is to rezone the property to NS-G, NEIGHBORHOOD SERVICES-GENERAL.

RECOMMENDATION:

Staff recommend forwarding **RZN-2024-0040** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0040** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in east Fayetteville, approximately 0.28 miles east of the intersection of E. Township St. and N. Old Wire Rd. The property is zoned RSF-4, Residential Single-Family, Four Units Per Acre, and contains approximately 1.20 acres. It is currently developed with the Township Baptist Church. Surrounding land uses and zoning are listed in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	P-1, Institutional	Gulley Park
South	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre

Request: The request is to rezone the subject property from RSF-4, Residential Single-Family, Four Units per Acre to NS-G, Neighborhood Services – General.

Public Comment: To date, staff has received no public comment on this item.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The property has frontage along E. Township St., a partially improved Neighborhood Link Street with asphalt paving, curb and gutter, and sidewalk along the north side. Any street improvements required in these areas would be determined at the time of development proposal.

Water: Public water is available to the subject area. An existing 36-inch water main bisects the eastern side of the property. An existing 8-inch water main is present along the north side of E. Township St.

Sewer: Sanitary sewer is available to the subject area. An existing 6-inch sewer main is present along the south side of E. Township St. Based on the City's 2030 Sewer Master Plan, there is known surcharging during wet weather downstream of the 6" sewer main that is present along Township. Any capacity issues will have to be addressed prior to occupancy or final plat of a development.

Drainage: No portion of the subject property lies within the Hillside/Hilltop Overlay District or a FEMA-designated floodplain and no protected streams or hydric soils are present. Any improvements or requirements for drainage would be determined at the time of development submittal.

Fire: Station 5, located at 2979 N. Crossover Rd., protects this site. The property is located approximately 1.4 miles from the fire station with an anticipated drive time of approximately 3 minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the city limits, the Fayetteville Fire Department has a response time goal of six minutes for an engine and eight minutes for a ladder truck. Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development.

Police: The Police Department did not comment on this request.

Tree Preservation:

The current zoning district of RSF-4, requires **25% minimum canopy preservation**. The proposed zoning district of NS-G, Neighborhood Services - General, requires **20% minimum canopy preservation**.

CITY PLAN 2040 FUTURE LAND USE PLAN: City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **Residential Neighborhood**.

Residential Neighborhood areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhoods. This designation recognizes the existing conventional subdivision developments that may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range of **5** for this site with a weighted score of **4.5**. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 5, 2979 N. Crossover Rd.)
- Near Sewer Main (6-inch main, E. Township St.)
- Near Water Main (36-inch main; 6-inch main, E. Township St)
- Near City Park (Gulley Park)
- Near Paved Trail (E. Township St. Bike Lane)

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: ***Land Use Compatibility:*** Staff finds the proposed rezoning from RSF-4 to NS-G to be compatible with the surrounding area. The subject property is adjacent to RSF-4-zoned single-family properties to the east, west, and south. To the north is Gulley Park. A rezoning to NS-G would allow for a wider variety of medium intensity commercial and residential uses than those permitted under the property's current zoning designation. Specifically, a rezoning to NS-G would permit the development of a greater variety of dwellings, including the by-right development of two-, three- and four-family dwellings. NS-G would also provide opportunities for small-scale commercial use. Staff finds the requested rezoning to be compatible with surrounding land use.

Land Use Plan Analysis: Staff finds the proposed rezoning to be consistent with the City's adopted land use plans, including its Future Land Use Map designation as Residential Neighborhood area and is within a Tier Three Center (intersection of N. Old Missouri Rd. and N. Old Wire Rd.). Staff finds that a rezoning to NS-G would support those designations as both Residential Neighborhood Areas and Tier Three Centers exist to provide a mix of commercial and residential uses of varying scale. The property has a relatively low infill score, with access to trails, parks, and public utilities that may make it appropriate for moderate density infill development. Staff finds that the requested rezoning could allow for the creation of missing middle housing and meets City Goals 1 (appropriate infill), 2 (discourage urban sprawl), 3 (compact, complete, and connected development), and 6 (opportunities for attainable housing).

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: Staff finds that there is sufficient justification to rezone the property from RSF-4 to NS-G since the rezoning would be consistent with the property's future land use designation and supports several goals of City Plan 2040.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: A rezoning from RSF-4 to NS-G does have the potential to slightly increase traffic danger and congestion due to a minor increase in density and/or intensity of use, however the size of the parcel will limit the density on the site. Access management will be reviewed at the time of development.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: The proposed rezoning has the potential to slightly alter the population density since it would allow for more intense residential development. However, the property currently has access to public streets, water, and sewers, and any necessary improvements would be determined at the time of development. Fayetteville Public Schools did not comment on this request.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

RECOMMENDATION: Planning staff recommend forwarding RZN-2024-0040 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>September 23, 2024</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.07 RSF-4, Residential Single-Family, Four Units per Acre
 - §161.19 Neighborhood Services - General
- Request Letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
-------------------------	-----------

(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

161.19 NS-G, Neighborhood Services - General

(A) *Purpose.* The Neighborhood Services, General district is designed to serve as a mixed use area of medium intensity. Neighborhood Services, General promotes a walkable, pedestrian-oriented neighborhood development form with sustainable and complementary neighborhood businesses that are compatible in scale, aesthetics, and use with surrounding land uses. For the purpose of Chapter 96: Noise Control the Neighborhood Services district is a residential zone.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12b	General business
Unit 24	Home occupations
Unit 40	Sidewalk cafes
Unit 41	Accessory dwelling units
Unit 44	Cluster housing development
Unit 46	Short-term rentals

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 13	Eating places
Unit 16	Shopping goods
Unit 19	Commercial recreation, small sites
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 36	Wireless communication facilities
Unit 45	Small scale production

(C) *Density.* Eighteen (18) or less per acre.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

All dwellings	35 feet
All other uses	None

(2) *Lot Area Minimum.*

Single-family	4,000 square feet
Two (2) family or more	3,000 square feet per dwelling unit
All other uses	None

(E) *Setback regulations.*

Front	Side	Side-Zero Lot Line*	Rear	Rear when contiguous to a single-family residential district
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	5 feet	A setback of less than 5 feet (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side setback(s) shall be 10 feet.	None	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
-------------------------	-----------

(G) *Minimum Buildable Street Frontage.* 50% of the lot width

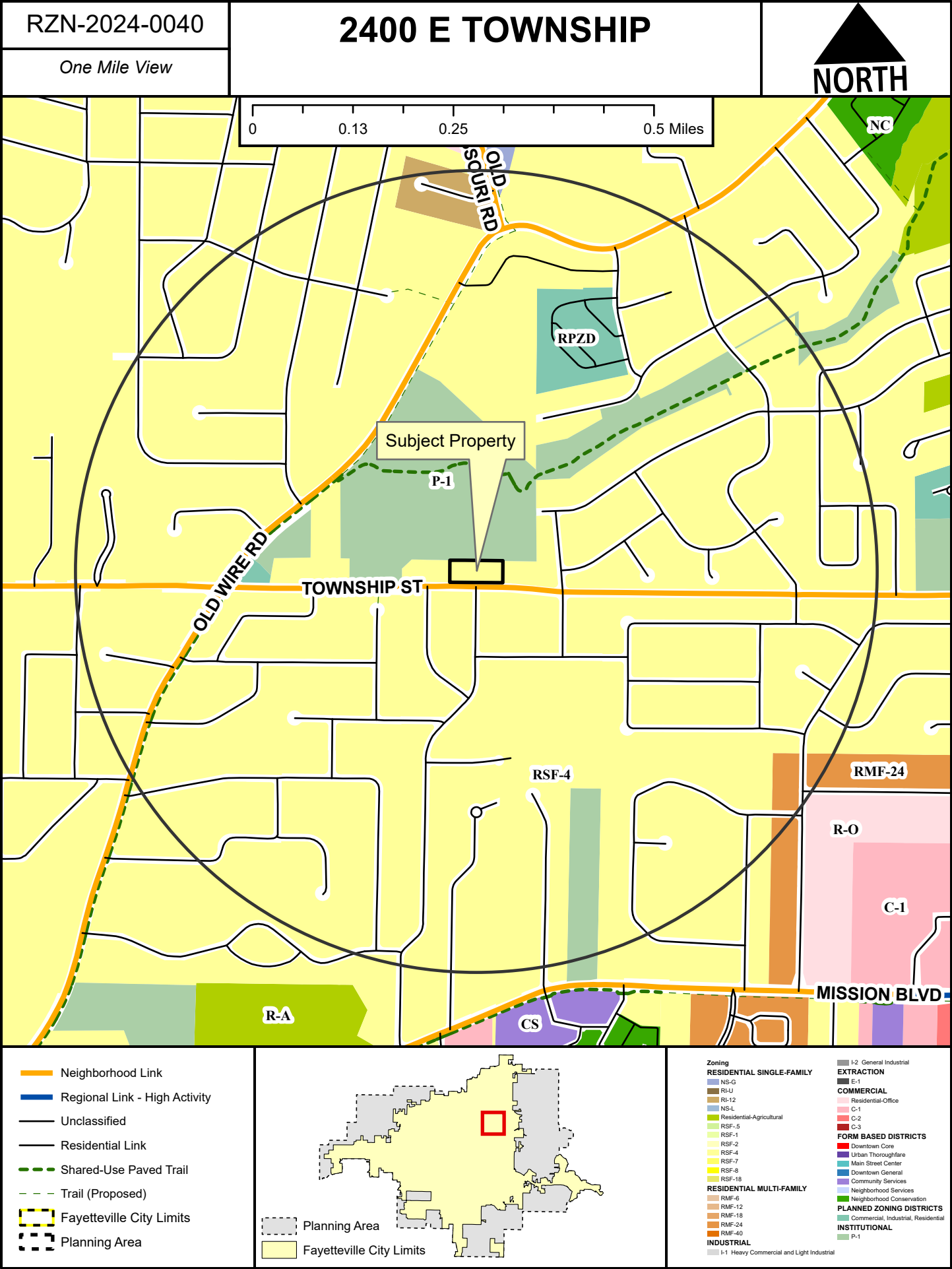
Cameron Clark

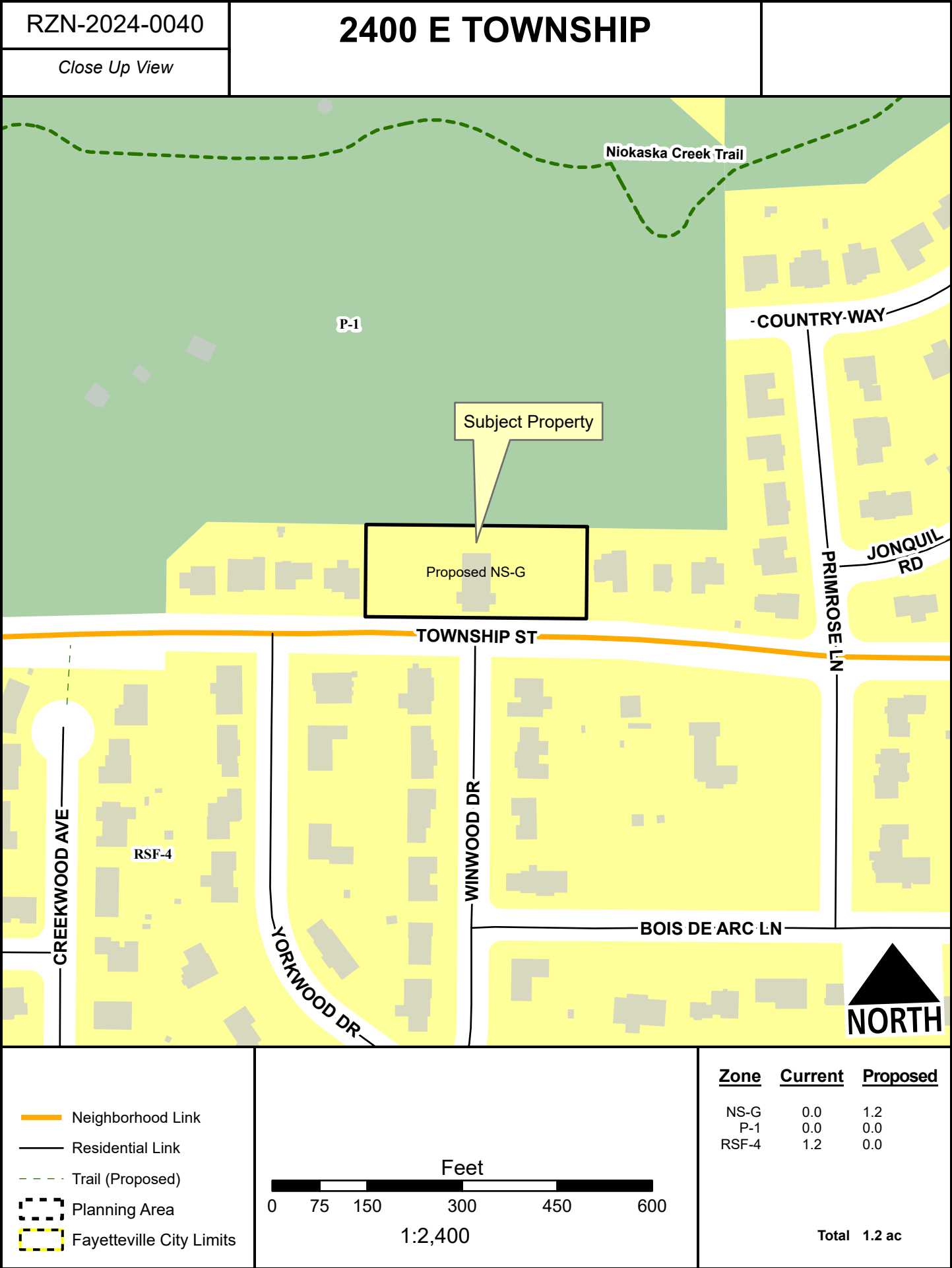
August 9, 2024

Request for Rezone- 2400 E Township St.

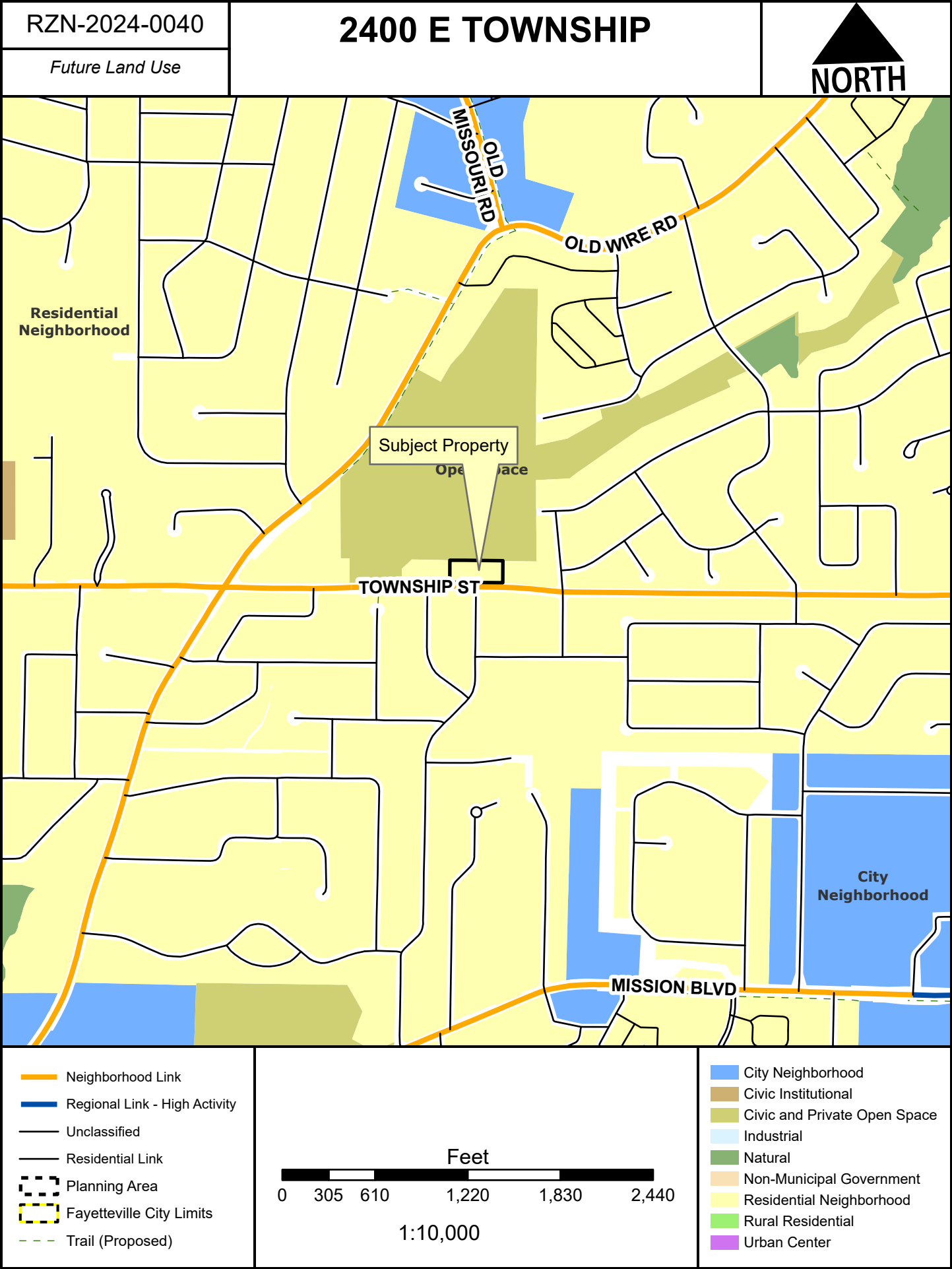
Purpose. The Neighborhood Services, General district is designed to serve as a mixed use area of medium intensity. Neighborhood Services, General promotes a walkable, pedestrian-oriented neighborhood development form with sustainable and complementary neighborhood businesses that are compatible in scale, aesthetics, and use with surrounding land uses. For the purpose of Chapter 96: Noise Control the Neighborhood Services district is a residential zone.

We are requesting a rezone for the parcel at 2400 E Township St. from RSF-4 to NS-G, Neighborhood Services General. We are hoping to obtain a rezone to revitalize the property into a space that will provide useful services to the surrounding community.











TO: Fayetteville Planning Commission

FROM: Gretchen Harrison, Senior Planner

MEETING: September 23, 2024

SUBJECT: **PZD-2024-0006: Planned Zoning District (1875 W. HASKELL HTS./THE STATION AT FAYETTEVILLE, 520):** Submitted by CRAFTON TULL for property located at 1875 W. HASKELL HTS. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 34.86 acres. The request is to rezone the property to a PLANNED ZONING DISTRICT.

RECOMMENDATION:
Staff recommends denial of **PZD-2024-0006**.

RECOMMENDED MOTION:
“I move to deny **PZD-2024-0006**.”

BACKGROUND:

The subject property is located on the south side of Markham Hill about a quarter of a mile south of the intersection of Sang Avenue and Markham Road. The property consists of six parcels which are located in RSF-4 zoning and total 34.86 acres. Two single-family dwellings exist on site including one house believed to have been built in 1901 for Charles N. Haskell, the first governor of Oklahoma and the namesake of the Haskell Heights neighborhood. The property is otherwise undeveloped and largely covered by mature tree canopy. The majority of the property is located within the Hillside/Hilltop Overlay District and contains grades steeper than 20%. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential Undeveloped	RSF-4, Residential Single-Family, Four Units per Acre RI-U, Residential Intermediate-Urban R-A, Residential-Agricultural
South	Multi-Family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
East	Single-Family Residential Undeveloped	RSF-4, Residential Single-Family, Four Units per Acre
West	Undeveloped	R-A, Residential-Agricultural

Proposal: The applicant requests to rezone the property to a Residential Planned Zoning District with two planning areas, as described below:

- **Planning Area #1 – 25.15 acres:** The intention of this area is to provide multi-family dwellings at a maximum density of 10 units per acre. The allowable uses are similar to those allowed in other multi-family zoning districts.
- **Planning Area #2 – 9.71 acres:** This planning area is intended to encompass all of the detention, drainage features, natural areas, and recreational features. This area is

designed to permit and encourage the minimum amount of development, protect natural features, and encompass all common and recreational areas for the development.

Public Comment: Staff has received public comment from several individuals who have expressed their opposition to this request. Common concerns include the demolition of a historic home on the property, destruction of a wooded hillside, impacts on traffic safety and congestion, and incompatibility with surrounding neighborhoods. All public comment received in writing is attached to this report.

INFRASTRUCTURE:

Streets: The subject property has access to two public streets: Sang Avenue to the north and Nettleship Street to the southeast. Both streets are unimproved near the property. Any street improvements required in the area would be determined at the time of development proposal.

Water: Public water is available to the site. There is an existing 24-inch main that bisects the site into east and west portions. There is also an eight-inch main along Nettleship and Sang. Connections to the 24-inch main shall be limited or avoided during development.

Sewer: Sanitary sewer is near the site and an off-site extension would be required to tie into the existing sanitary sewer system. There are existing six-inch sewer mains downstream of this site. Based on the number of units proposed for this development, improvements will likely be needed to ensure adequate capacity in the sewer system. Any capacity issues will have to be addressed prior to occupancy or final plat of a development.

Drainage: No portion of the subject property lies within a FEMA floodplain and there are no protected streams or hydric soils on site. The majority of the property does, however, lie within the Hillside/Hilltop Overlay District. Additional restrictions will apply at the time of development. Engineered footing designs will be required at the time of building permit submittal, as well as grading, erosion control and abbreviated tree preservation plans. Any additional improvements or requirements for drainage will be determined at time of development.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 2, located at 708 N. Garland Ave., protects this site. The property is located approximately 1.1 miles from the fire station with an anticipated drive time of approximately six minutes using existing streets. The anticipated response time would be 8.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

Police: The Police Department did not comment on this request.

Tree Preservation:

The proposed RPZD, Residential Planned Zoning District and the current zoning district, RSF-4, Residential Single-Family, Four Units per Acre, require **25% minimum canopy preservation with 30% in the Hillside/Hilltop Overlay**

District.

CITY PLAN 2040 FUTURE LAND USE PLAN: City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **Residential Neighborhood Area**.

Residential Neighborhood Areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhoods. This designation recognizes the existing conventional subdivision developments that may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range of **5-8** for this site with a weighted score of **9.5** at the highest level. Elements contributing to the highest score include the following:

- Adequate Fire Response (Station #2, 708 N. Garland Ave.)
- Near Sewer Main (6" main, Nettleship Street)
- New Water Main (8" main, Nettleship Street & Sang Avenue)
- Near Public School (Ramay Junior High School)
- Near U of A Campus
- Near City Park (Markham Hill Woods)
- Near Paved Trail (Razorback Road)
- Near Razorback Bus Stop (Routes 44 and 48)

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: ***Land Use Compatibility:*** On the balance of considerations, staff finds the applicant's request to be incompatible with the surrounding area. As proposed, the planned zoning district would allow for a residential density of 10 units per acre, and the planned development is shown to contain a density of about 7 units per acre with roughly 29 bedrooms per acre. With regard to land use and density allowances, the planned zoning district would allow for development that generally serves as an incremental transition between lower-density single-family zoning to the north (RSF-4) and higher-density multi-family zoning to the south (RMF-24). However, the majority of the property contains grades in excess of 20% and most of the site is located within the Hillside/Hilltop Overlay District. Staff finds that the proposed planned zoning district and subsequent development have the potential to adversely impact adjacent properties since it would significantly impact the character of the site and allow for development that would be somewhat out of character with adjacent properties.

Land Use Plan Analysis: Staff finds that the proposed planned zoning district is not consistent with the City's adopted land use plans. While the site has a moderate infill score range of 5-8 and is located near transit stops, the University of Arkansas, and other nonresidential uses, the site is located on a steep hillside that is largely covered by mature tree canopy. Also, while the planned development would provide a private connection between Sang

Avenue to the north and Nettleship to the south, no public street extensions or connections are proposed. Trail connections are shown to the Markham Hill trails to the north and Sang Avenue to the south, though there is limited connectivity provided through the site and to adjacent properties.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: Staff finds that the proposed rezoning is not justified at this time. The planned zoning district would allow for development that would significantly alter the shape and character of the hillside in a manner that staff finds to be inconsistent with the City's future land use plans, and in a way that has the potential to adversely impact surrounding properties.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: The planned zoning district has the potential to impact traffic danger and/or congestion. As proposed, the property would be developed with a multi-family residential development that would have two points of access with one driveway on Sang Avenue to the north and another on Nettleship Street to the south. No public streets are proposed to be constructed or extended on site. The applicant provided a traffic study with their PZD submittal, though it has not been fully evaluated at this time. The traffic study would be fully reviewed, and any necessary street improvements would be determined, at the time of development review.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: The proposed PZD has the potential to alter the population density in a way that has the potential to undesirably increase the load on public services. Based on the number of units proposed, improvements would likely be needed to ensure adequate capacity in the City's sewer system. Any capacity issues would have to be addressed prior to occupancy. Fayetteville Public Schools did not comment on this request.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:

- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
- b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

§ 161.35. Planned Zoning Districts (PZD)

(B) *Purpose.* The intent of the Planned Zoning District is to permit and encourage comprehensively planned zoning and developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or mixed-use planned development and to permit the concurrent processing of zoning and development. The City Council may consider any of the following factors in review of a Planned Zoning District application.

- (1) *Flexibility.* Providing for flexibility in the distribution of land uses, in the density of development and in other matters typically regulated in zoning districts.
- (2) *Compatibility.* Providing for compatibility with the surrounding land uses.
- (3) *Harmony.* Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community.
- (4) *Variety.* Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities.
- (5) *No negative impact.* Does not have a negative effect upon the future development of the area;
- (6) *Coordination.* Permit coordination and planning of the land surrounding the PZD and cooperation between the city and private developers in the urbanization of new lands and in the renewal of existing deteriorating areas.
- (7) *Open space.* Provision of more usable and suitably located open space, recreation areas and other common facilities that would not otherwise be required under conventional land development regulations.
- (8) *Natural features.* Maximum enhancement and minimal disruption of existing natural features and amenities.
- (9) *Future Land Use Plan.* Comprehensive and innovative planning and design of mixed use yet harmonious developments consistent with the guiding policies of the Future Land Use Plan.
- (10) *Special Features.* Better utilization of sites characterized by special features of geographic location, topography, size or shape.
- (11) *Recognized zoning consideration.* Whether any other recognized zoning consideration would be violated in this PZD.

Findings: Staff finds that the proposed PZD would provide flexibility with regard to the variety of housing types and the density of development permitted on site. However, staff finds that the PZD would allow for development that would run afoul with many of the tenets of this ordinance since it would significantly impact the subject property and those around it. A large portion of the site is proposed to be disturbed, and tree preservation is only proposed along the perimeter of the property and the far west side of the site. With regard to future land use plans, the planned zoning district would allow for a development provides limited connectivity for vehicles and pedestrians and provides few improvements that are oriented towards the public realm. While the site does have a moderate infill score and is in close proximity to public infrastructure, transit stops, and nonresidential uses, staff finds that the proposed zoning regulations and planned development do little to protect or enhance the natural features on site and could adversely impact surrounding properties.

RECOMMENDATION: Staff recommends denial of **PZD-2024-0006**. Should the Planning Commission choose to forward it to City Council, staff recommends the following conditions:

Conditions of Approval:

1. Revise the PZD booklet and plans to address the following comments from staff which have also been provided through the EnerGov portal:
 - a. Are you clearing trees all the way to the property line? A 30' wide tree buffer is needed along property lines to protect the neighbor's trees from dying due to exposure and grading/construction.
 - b. Clarify if trees will be preserved along the right-of-way to provide a buffer.
 - c. The proposed natural trail should be a mulch soft surface trail to not damage tree roots.
 - d. Make sure building height regulations correspond with setback regulations. The height regulations currently limit the height of buildings within 0-10 feet from the front property line but the front setback is 15 feet, so no buildings could really be constructed within 10 feet of the front property line.
 - i. All established multi-family/mixed-use zoning districts include a build-to zone and most include a minimum buildable street frontage requirement. Consider changing 15-foot front setback back to a BTZ to better align with those districts. The topography is challenging across the site, and it's unclear to me why the clubhouse or another building could not be built closer to the front property line and/or occupy more of the property's frontage.
 - e. Is the acreage noted in the density regulations for planning area one (24.82) a reference to the size of that planning area? The exhibit provided notes that that area includes 25.15 acres. Clarify why this # is included or what the size of that planning area is.
 - f. Due to the size of the complex, lack of road connections, response time to all buildings, and the length of dead end roads, the Fire Marshal's office would only recommend approval of this plan if all buildings and units were sprinkled with the appropriate sprinkler systems.
 2. Parkland dedication must be reviewed by PRAB with the associated development;
 3. Any proposed lots without frontage shall provide adequate access for water, sewer, and emergency services; and
 4. Proposed fire apparatus access roads shall meet requirements as stated by all applicable fire codes.
-

Planning Commission Action: ☐ Forwarded ☐ Tabled ☐ Denied

Meeting Date: September 23, 2024

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Urban Forestry Memo
- Applicant Request Letter
- PZD Booklet
- Public Comment
- One Mile Map
- Close Up Map
- Current Land Use Map
- Future Land Use Map



Urban Forestry Memo

TO: Conlee Hale, P.E., Crafton Tull

THRU: Gretchen Harrison, Senior Planner

FROM: Melissa Evans, Urban Forester

MEETING DATE: September 18, 2024

SUBJECT: **PZD-2024-0006: PARK HOTEL:** Submitted by CRAFTON TULL for property located at 1875 W. Haskell Hts. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY and contains approximately 34.86 acres. The request is for the property to be zoned PZD, PLANNED ZONING DISTRICT.

RECOMMENDATION:

Urban Forestry Staff recommends approval of PZD-2024-0006 since tree preservation has been looked at more carefully. The applicant states that, "The preservation will adhere to the 25% minimum canopy requirement, or 30% for sections within the HHOD, as outlined in UDC Chapter 167." However, it also says that if the canopy falls short of the requirement, then it will be mitigated in accordance with Ch. 167.

Since the site is heavily forested, it is highly recommended that as many trees be preserved as possible to meet the minimum requirement for preservation. The buildings, parking, utilities, and other infrastructure elements should be designed around the trees. Preserved trees should be placed in Tree Preservation Easements. Based on rough calculations, it seems like the minimum percentage is achievable if the grading does not extend into the tree preservation areas.

Trees at the edges of the property need to be preserved in a minimum of 30' wide areas to help prevent tree loss and die-back on adjacent properties with trees. It is likely that many of the trees on the edges will decline and die. Many of the preservation areas along the property lines have been widened to accommodate tree preservation, and this needs to be considered on the east side of the property as well.

Two Stormwater Management Areas are located in areas that show trees to be preserved. Please minimize those areas so as to preserve as much tree canopy as possible.

Chapter 177 Landscape Regulations must be met also, including street trees along public or private streets and parking lot trees. The PZD booklet states that the project will be in compliance with Ch. 177.



August 14th, 2024

City of Fayetteville
City Planning Division
125 W Mountain Street
Fayetteville, AR 72701

Re: The Station at Fayetteville PZD Rezoning Request
Crafton Tull Job No. 24301901

To Whom It May Concern,

On behalf of the owners and developer, I am requesting the Planning Commission and City Council's consideration for the rezoning of a 34.86-acre property, which includes the following Washington County Parcels: 765-14585-000, 765-14584-000, 765-14585-001, 765-14582-000, 765-11946-100, and 765-11945-1000. The property is currently zoned RSF-4, and we are requesting that it be rezoned to a Residential Planned Zoning District (RPZD).

Included with this letter are the following documents:

- Property Owner Authorization from both property owners (Felicia Ann Farris and Monticello Investments, LLC)
- A legal description of the property to be rezoned
- A PZD Booklet containing all the information required by Fayetteville's PZD Checklist

Please refer to the PZD Booklet for further details regarding this rezoning request. Should any additional information be required to process this request, please do not hesitate to contact me.

Sincerely,

Conlee Hale, P.E.
Crafton Tull

September 4th, 2024

THE STATION AT FAYETTEVILLE PLANNED ZONING DISTRICT BOOKLET

Submitted to:

City of Fayetteville
125 W. Mountain St
Fayetteville, AR 72701

Developer:

LCD Acquisitions, LLC
315 Oconee Street
Athens, GA 30601

Owner:

Felicia Ann Farris
2215 Haskell Heights
Fayetteville, AR 72701

and

Monticello Investments, LLC
310 W Emma Avenue
Springdale, AR 72764

CT JOB NO. 24301900



Crafton Tull

Prepared by:  **Crafton Tull**

300 N College Ave, Suite 317 | Fayetteville, AR 72701 | 479-455-2207 | www.craftontull.com

Planning Commission

September 23, 2024

PZD-2024-0006 (THE STATION AT FAYETTEVILLE) Page 367 of 492

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Appendix A: Master Plan Sheet Set

Appendix B: Building Elevations

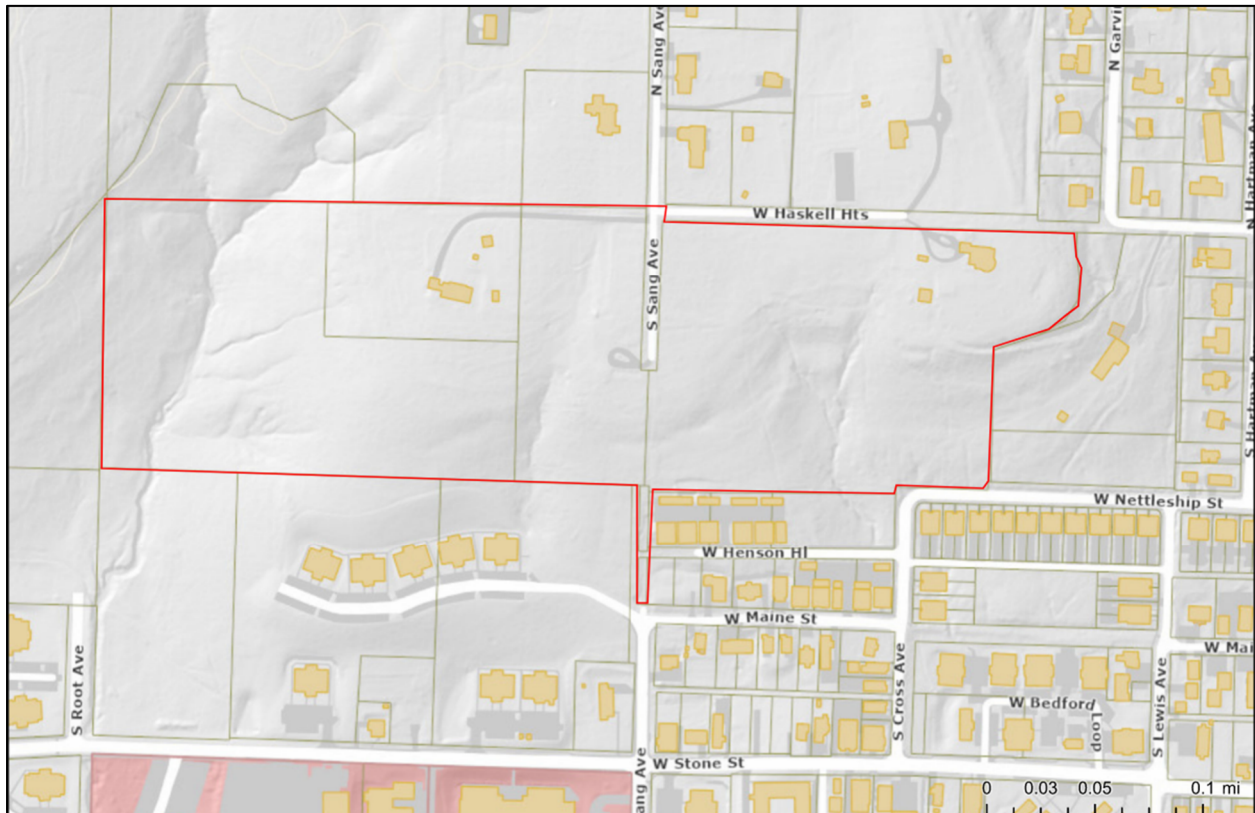
Appendix C: Traffic Report

Appendix D: ALTA Survey



A) Current Ownership:

The 34.86-acre property is currently owned by Felicia Ann Farris & Monticello Investments, LLC. The developer is LCD Acquisitions, LLC and is being represented by Crafton Tull & Associates. The property contains Washington County Parcel Numbers 765-14585-000, 765-14584-000, 765-14585-001, 765-14582-000, 765-11946-100, and 765-11945-100, and is situated between S Sang Ave and N Sang Ave, approximately 0.5 miles west of Bud Walton Arena. Please see the exhibit below.



B) Project Summary:

The proposed project involves developing multi-family townhomes and apartment housing. Various building types will be offered to meet diverse housing needs. The development plan concentrates the built areas in the center of the property to maximize the preservation of natural features along the perimeter.

C) General Project Concept:

1) The street layout will include a connection at the southeast corner of the property to W Nettleship St and another at the north-central end of the property to N Sang Ave. To meet fire access requirements for multi-family developments with more than 200 units, pavement widening on N Sang Ave will be completed to ensure two separate fire access entry points.

No public streets will be dedicated within this site, as private drive aisles will exclusively handle traffic circulation. This approach aligns with Fayetteville's Master Street Plan, which does not call for any street extensions or connections within the site.



Currently, there are no plans to subdivide the site. The lot layout will either involve a lot combination to consolidate the entire site into one lot or a lot line adjustment to modify existing lines so that proposed structures are not bisected by them.

2) A site and master plan is attached to this booklet as Appendix A.

3) There are no buffer areas located on this site.

4) Tree preservation will primarily occur along the perimeter of the development and the western quarter of the property. The preservation will adhere to the 25% minimum canopy requirement, or 30% for sections within the HHOD, as outlined in UDC Chapter 167. Tree preservation areas and the amount of canopy to be preserved will be detailed in the development plans. If the existing canopy falls short of this requirement, the necessary percentage will be preserved or mitigated in accordance with UDC Chapter 167. Tree preservation will be a priority in Planning Area 2, with common spaces and drainage designed around it.

5) The stormwater management plan likely includes two detention ponds: one in the southeast corner and another in the southwest corner of the development. These are noted on the site plan. The drainage report accompanying the development plans will provide details on the proposed stormwater system and its compliance with water quality requirements. Where feasible, these ponds will drain directly into the two defined swales within the site.

6) Portions of Planning Area 2 will remain undisturbed to preserve tree canopy and existing ground cover. This will serve as somewhat of a natural buffer between the proposed development and the existing adjacent subdivisions.

7) The known on-site utilities include: a 24" water main running north-south across the central portion of the site, an 8" water line parallel to the 24" water main that enters from the north and terminates with a fire hydrant in the north-central portion of the site, a gas line running southwest to northeast in the southeast corner, and two overhead electric lines serving the existing houses on site.

Nearby access to water and sewer connections includes: an 8" water line along the south side of W Nettleship St, a 6" sewer line along the north side of W Nettleship St, and both an 8" water line and an 8" sewer line along the north side of W Maine St. These utilities offer offsite connection possibilities via existing dedicated easements and/or right-of-way.

Additionally, the development will consider connecting to an 8" sewer main along the south side of W Orlando Dr, which leads into a 21" sewer line along the east side of S Futrall Dr. This connection would require offsite easement procurement.

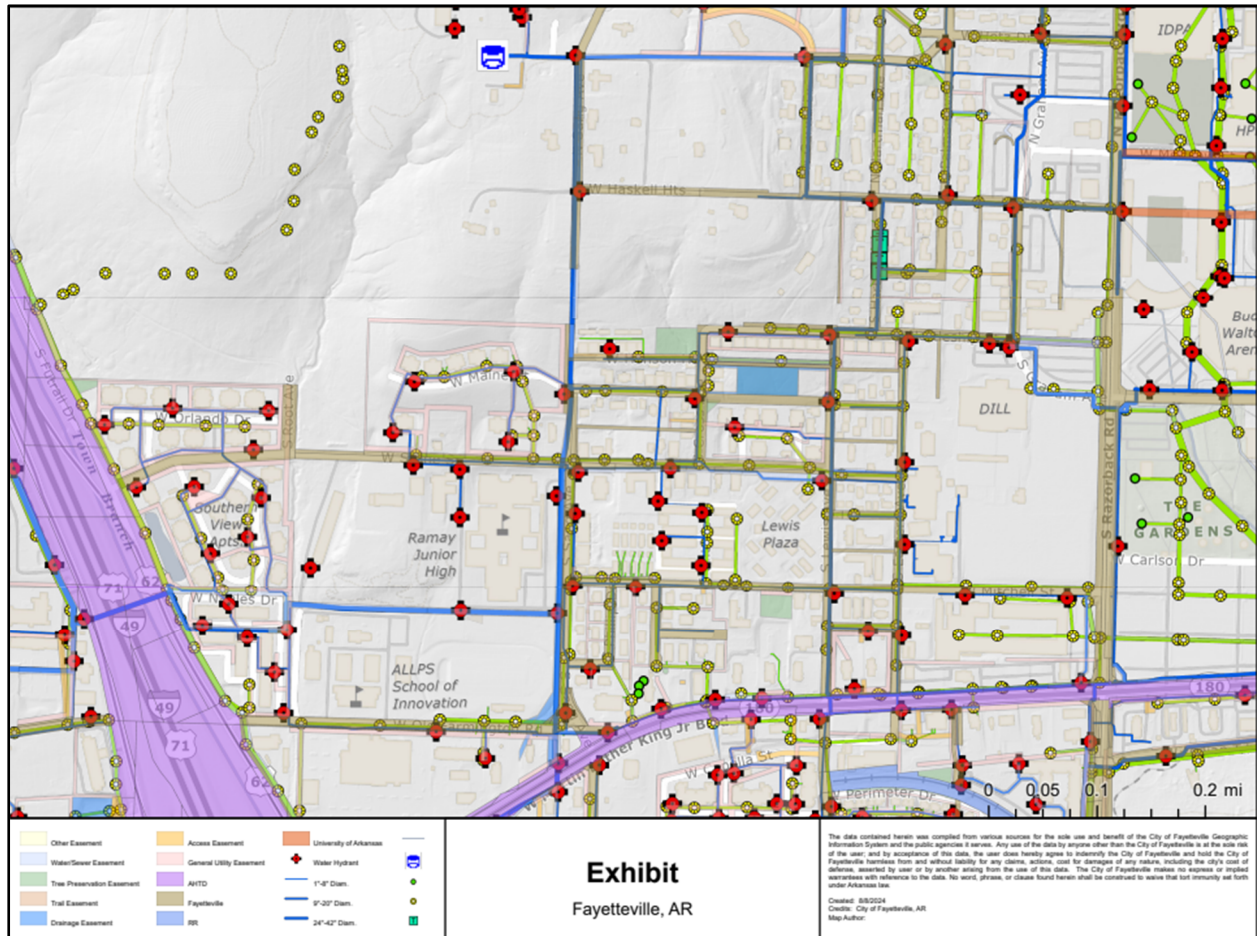
For water service, an 8" water line extending from the northern end of the site to the 8" water line on the south side of Nettleship is planned. Additional water lines will branch off this main line to provide circulation throughout the property. Taps into the existing on-site 24" water line are not planned.

The sewer system is expected to be split along a natural high point near the midpoint of the site. The eastern half of the site will likely drain to either the 6" sewer line on the north side of Nettleship or the 8" sewer line on the north side of W Henson Hill. The western half may either drain to the 8" sewer line on the south side of W Orlando Dr (with offsite easement procurement) or be pumped east to connect



with the sewer lines along Nettleship or W Henson Hill. Sewer design, including possible upsizing of existing downstream lines, will be determined by a sewer study conducted with the development plans to assess capacity under existing and proposed conditions.

See exhibit below showing water and sewer utilities within the vicinity of the property.



8) Base architectural design standards for the buildings shall be similar in nature and character to those in Appendix B. These standards will conform to the Urban Residential Design Standards (UDC 166.23).

9) Example building elevations are included in Appendix B.



D) Proposed Planning Areas:

Proposed planning areas for this development will include:

Planning Area 1 (Multi-Family Dwellings) – This area will encompass any spaces where multi-family dwellings are proposed.

Planning Area 2 (Non-Residential Uses) – This area will encompass all the detention, drainage features, forested areas, natural areas, and recreational features. This zoning district is designed to permit and encourage the minimum amount of development, protect natural features, and encompass all common and recreational areas for the development.

E) Proposed Zoning Standards:

Planning Area 1 – Multi-Family Residential Zoning District

(a) Purpose. This zoning district is designed to permit and encourage the development of a variety of dwelling types in a medium density land use.

(b) Uses.

- | | |
|----------------------------------|---|
| 1. Permitted uses by Use Unit: | Unit 1: City-wide uses by right
Unit 8: Single-family dwellings
Unit 9: Two (2) family dwellings
Unit 10: Three (3) and four (4) family dwellings
Unit 26: Multi-family dwellings
Unit 41: Accessory Dwelling Units
Unit 44: Cluster Housing Development
Unit 46: Short-Term Rentals |
| 2. Conditional uses by Use Unit: | Unit 2: City-wide uses by conditional use permit
Unit 3: Public protection and utility facilities
Unit 4: Cultural and recreational facilities
Unit 5: Government facilities
Unit 12a: Limited business
Unit 24: Home occupations
Unit 25: Professional offices
Unit 36: Wireless communication facilities |

c) Density. 10 units/acre Maximum (Max. allowable units = 248 units | 24.82 acres * 10 units/acre)

d) Bulk and Area Regulations.

1) Lot width minimum:

Single-Family	35 feet
Two (2) Family	35 feet
Multi-Family	70 feet
Professional offices	100 feet

2) Lot area minimum:

Townhouse – individual lot	2,000 sq ft
Single-Family	3,000 sq ft
Two (2) Family	4,000 sq ft



Multi-Family	7,000 sq ft
Professional offices	1 acre

e) Setback Requirements.

Front	Side (Single and Two Family)	Side Other Uses	Rear Single Family	Rear Other Uses
15 feet	5 feet	8 feet	15 feet	25 feet

f) Building Height Regulations- 2/3 stories*

*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of three (3) stories.

If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary adjacent to a single-family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

g) Building Area.

The area occupied by all buildings shall not exceed 50% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

h) Minimum Buildable Street Frontage.

Single-Family	None
Other Uses	None

i) Landscaping: Compliance with Unified Development Code (UDC) Chapter 177

j) Parking: Compliance with Unified Development Code (UDC) Chapter 172

k) Architectural Design Standards: Base architectural design standards for homes are included in Appendix B. Architectural design standards shall be in accordance with Urban Residential Design Standards (UDC 166.23).

l) Signage: Compliance with Unified Development Code (UDC) Chapter 174



Planning Area 2 – Non-residential Zoning District:

(a) Permitted uses by Use Unit:

Unit 1: City-wide uses by right

b) Conditional uses by Use Unit:

Unit 2: City-wide uses by conditional use permit

Unit 3: Public protection and utility facilities

c) Residential Density and/ or Nonresidential Intensity: 0 units/acre Maximum

d) Bulk and area regulations.

Lot Width Minimum	None
Lot Area Minimum	None

e) Setback Requirements.

Front	Side	Rear
20 feet	10 feet	25 feet

f) Building Height Regulations- 2 stories

g) Building area- Less than 40% of lot area

h) Landscaping: Landscaping shall be consistent with chapter 177 of the Unified Development Code.

i) Parking: Parking shall be associated with proposed use and will conform to Chapter 172 in the UDC.

j) Architectural Design Standards: Architectural design standards shall conform to building and development requirements within UDC.

k) Signage: Signage is allowed within this Planning Area but shall be applied for by separate permit.

*By right, common mailbox units shall be allowed within Planning Area 2.

**Accessory uses shall conform to UDC 164.02, Accessory Structures and Uses.



F) Zoning Chart:

Planning Area 1 (Residential Zoning District):

Below is a chart comparing Planning Area 1 (Residential Zoning District) within this PZD versus City of Fayetteville current RSF-4 zoning of the property:

Regulation	RSF-4	Proposed PZD Planning Area 1
Uses	Permitted uses: Unit 1, Unit 8, Unit 41, Unit 46 Conditional uses: Unit 2, Unit 3, Unit 4, Unit 5, Unit 9, Unit 12a, Unit 24, Unit 36, Unit 44	Permitted uses: Unit 1, Unit 8, Unit 9, Unit 10, Unit 26, Unit 41, Unit 44, Unit 46 Conditional uses: Unit 2, Unit 3, Unit 4, Unit 5, Unit 12a, Unit 24, Unit 25, Unit 36
Front Setback	15'	15'
Side Setback (Single- and Two-Family)	5'	5'
Side Setback Other Uses	5'	8'
Rear Setback Single- Family	15'	15'
Rear Setback Other Uses	15'	25'
Density	4 units/acre single-family 7 units/acre two-family	10 units/acre
Minimum Lot Width	70' single-family 80' two-family	35' single-family 35' two-family 70' multi-family 100' professional offices
Minimum Lot Area	8,000 sqft single family 6,000 sqft two family	3,000 sqft single-family 4,000 sqft two-family 2,000 sqft townhouse – individual lot 7,000 sqft multi-family 43,560 sqft professional offices
Maximum height	3 stories	2/3 stories*
Building area	Less than 40% of lot area	Less than 50% of lot area
Minimum Buildable Street Frontage	None	None single-family None other uses

*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of three (3) stories.

If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.



Planning Area 2 (Non-residential Zoning District):

Below is a chart comparing Planning Area 2 (Non-residential Zoning District) within this PZD versus City of Fayetteville current RSF-4 zoning of the property:

Regulation	RSF-4	Proposed PZD Planning Area 2
Uses	Permitted uses: Unit 1, Unit 8, Unit 41, Unit 46 Conditional uses: Unit 2, Unit 3, Unit 4, Unit 5, Unit 9, Unit 12a, Unit 24, Unit 36, Unit 44	Permitted uses: Unit 1 Conditional uses: Unit 2, Unit 3
Front Setback	15'	20'
Side Setback	5'	10'
Rear Setback	15'	25'
Density	4 units/acre single-family 7 units/acre two-family	0 units/acre
Minimum Lot Width	70' single family 80' two family	None
Minimum Lot Area	8,000 sqft single family 6,000 sqft two family	None
Maximum height	3 stories	2 stories
Building area	Less than 40% of lot area	Less than 40% of the lot area

*By right, common mailbox units shall be allowed within Planning Area 2.

**Accessory uses shall conform to UDC 164.02, Accessory Structures and Uses.

G) Analysis of Site Characteristics:

The existing site contains two single-family houses with associated structures: one house is situated in the northeast corner, and the other is located in the west-central part of the property. The remainder of the site is undeveloped and heavily forested. The site features significant topographic relief, particularly in the western quarter and southeast corner. There are no known sensitive areas, natural resource areas, environmentally hazardous areas, nor natural or manmade hazards on this site.

H) Recreational Facilities:

The future development of this property will include an on-site clubhouse and amenity area offering a variety of recreational options, such as a swimming pool, grilling stations, outdoor seating, a computer lab, and a dog park, among other amenities. Additionally, a large undeveloped natural area in the western quarter of the site will adjoin the Markham Hill natural trail system. A future connection to this trail system will facilitate access to both the preserved natural areas on-site and the Markham Hill Loop, which in turn connects to the Oak Loop, Pine Loop, and Fayetteville Traverse trails. Pedestrian and vehicular circulation throughout the site will be prioritized to ensure easy access to all recreational facilities.

I) Reason for Rezone Request:

The current zoning for the site is RSF-4, which permits the construction of single- and two-family houses at a density of 4 units and 7 units per acre respectively. Allowing the density requested with this rezoning will place the overall site density at 7 units/acre which matches the two-family density allowed by the current zoning. However, the use of compact development is more effective to preserve nature in this residentially zoned area than the existing zoning, which would also provide a natural barrier to nearby single-family areas while increasing connectivity with the Markham Hill trails. We believe that



the PZD rezoning offers the best path forward to collaborate with the city and the community in creating a development that is well-suited to the area.

J) Relation to Existing and Surrounding Properties:

The chosen density for the rezoning is designed with the surrounding properties in mind by providing a transition between the higher-density developments to the south (RMF-24 / RMF-18) and the lower-density developments to the north and east (RSF-4). The proposed residential structures will be similar to the multi-story townhomes located south of the site (see 27 – Talmadge for example), and their placement will ensure a generous separation from the established single-family neighborhoods to the north.

A traffic study, included in Appendix C, has concluded that the level of service for the surrounding streets and intersections will not be adversely affected by this development.

Signage onsite is expected to be minimal and will conform to UDC standards.

K) Compliance with Fayetteville’s Comprehensive Land Use Plan.

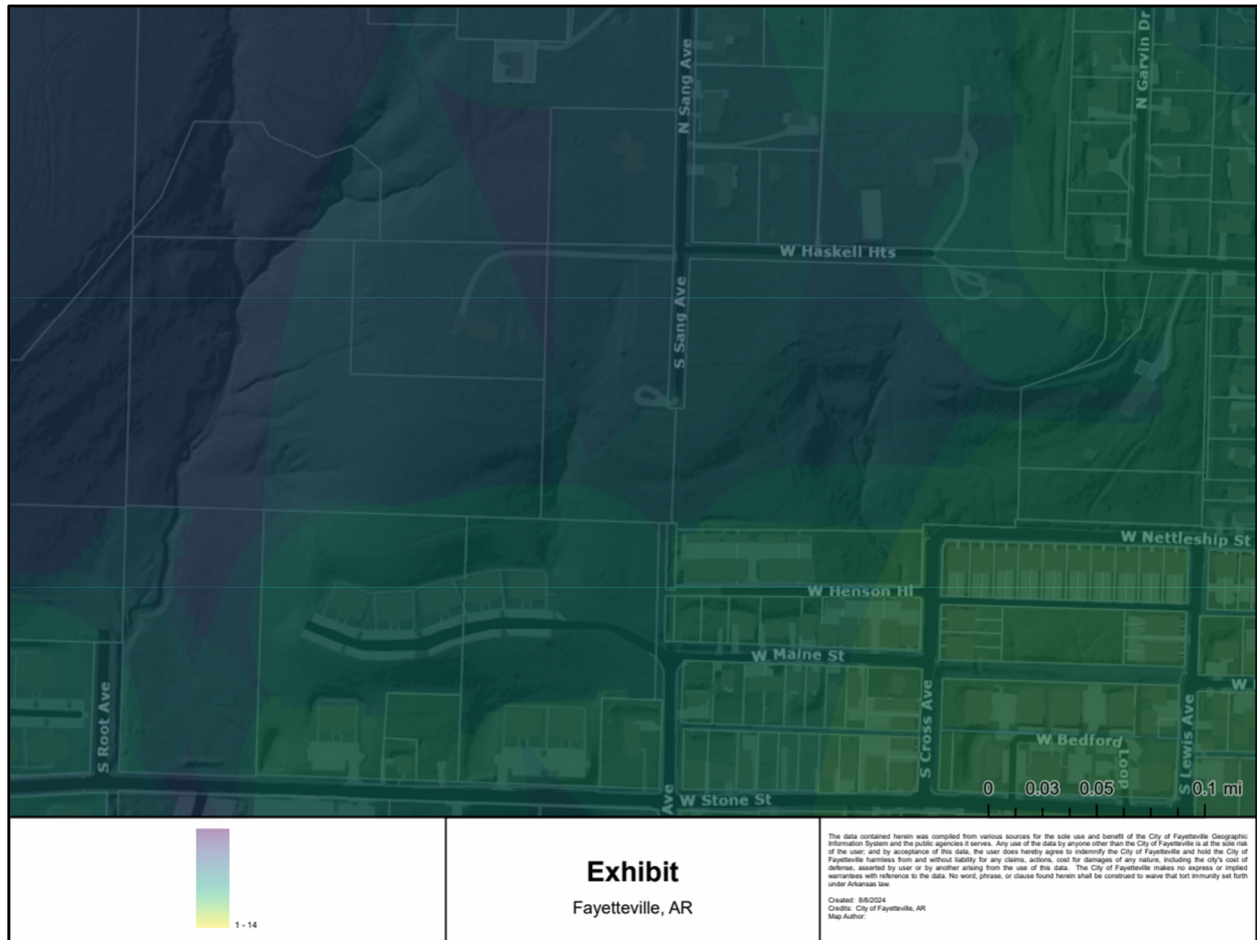
Fayetteville’s Future Land Use Plan designates this area as a Residential Neighborhood, which calls for a wide variety of housing options that are appropriate for the scale and context of the area. We believe the proposed development aligns with this land use designation, as it includes a variety of housing options, such as duplex cottages, multi-family townhomes, and garden apartments, which are suitable for the location as described in Section J.

A grid development pattern is utilized where feasible, but it is restricted by the site’s topography. The layout has been designed with this topography in mind to ensure that fire access drives maintain manageable slopes. Connectivity is also provided where feasible- a trail connection will be made to S Sang Ave and N Sang Ave, a natural trail connection to the Markham Hill natural trail network will be provided, and street connections will be made to the south at S Cross Ave/W Nettleship St and to the north at N Sang Ave. Additional connectivity is restricted due to a lack of existing right-of-way, extreme topographic relief, existing developed land, and limited future access potential.

Below are the six 2040 City Plan goals and how this development aligns with them:

Goal 1: We will make appropriate infill and revitalization our highest priority.

This development is centrally located in Fayetteville, just 0.5 miles from the University of Arkansas campus, Ramay Junior High School, and I-49. The surrounding properties to the south and north are already developed, with high-density development characterizing nearly all areas south and east of the site. The portions of the site to be developed fall within infill prioritization scores of 6-8 (see exhibit below). All of this indicates that this development qualifies as appropriate infill.



Goal 2: We will discourage suburban sprawl.

This development is near a highly-developed portion of Fayetteville. A variety of recreation, commercial, civic, employment, and educational facilities are closely situated to the site- in addition to the most significant thoroughfare for the entire Northwest Arkansas region in I-49 and one of the most significant thoroughfares in Fayetteville in Martin Luther King Jr Blvd. As mentioned above, this site is located in a very lively portion of Fayetteville that is highly characterized by infill rather than sprawl.

Goal 3: We will make compact, complete, and connected development the standard.

This development meets this goal by concentrating the buildings towards the center of the site, providing pedestrian circulation throughout, ensuring access to nearby trails and open spaces, and offering a variety of housing types. Access to S Sang Ave, N Sange Ave, Markham Hill natural trail network, S Cross Ave, and W Nettleship St will allow pedestrians, cyclists, and vehicles various means of access to the site and the nearby amenities.

Goal 4: We will grow a livable transportation network.

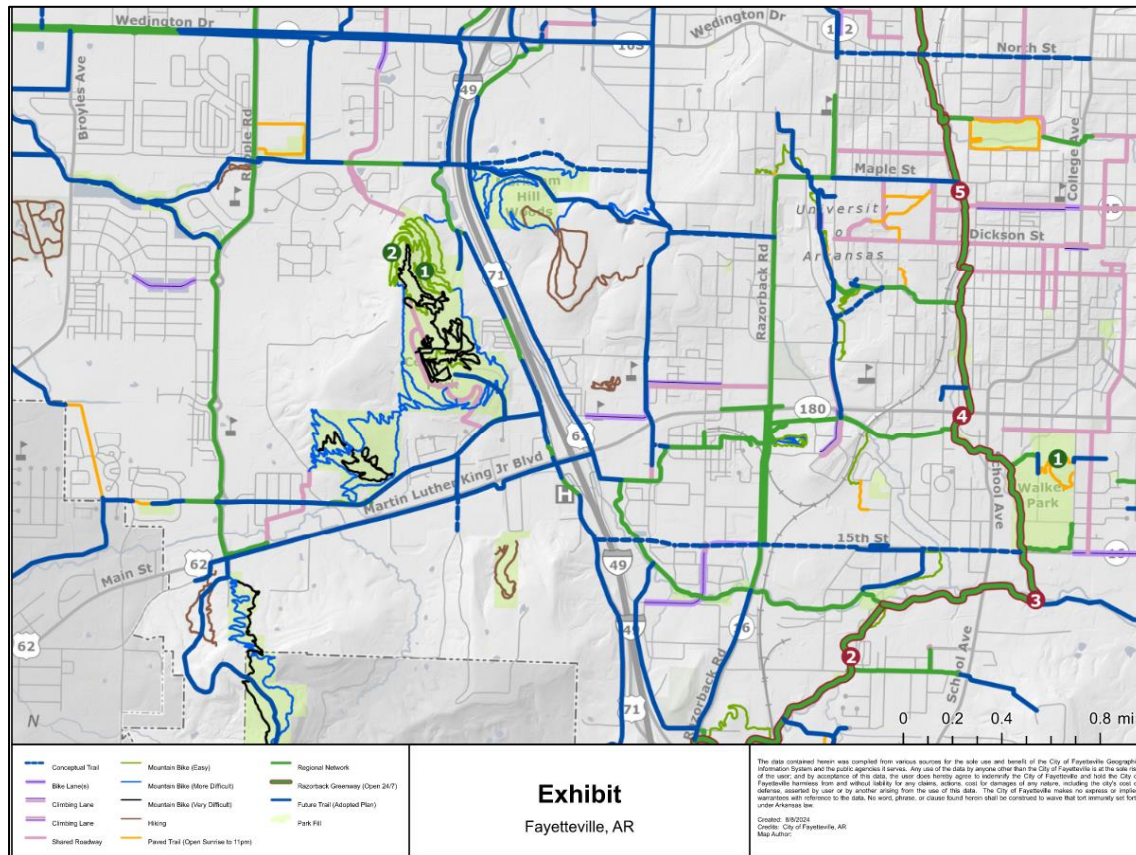
This development will encourage walking, bicycling, and public transit use by featuring interconnected streets and sidewalks, providing a connection to Markham Hill's natural trail network, and by being within 1/3 of a mile from two UARK transit bus stops—one on W Stone St and another on S Graham Ave.

Access to the city's trail network is facilitated by the sidepath along S Razorback Rd, which can be reached via a 0.5-mile route (east on W Nettleship St, then southeast down Graham Ave). The sidepath



along S Razorback Rd offers direct access to Douglas Street's on-street bicycle facilities, Mitchell Street's on-street bicycle facilities, the Tsa-La-Gi Trail, and the Town Branch Trail. All connections, except the Mitchell Street link, provide direct access to the Razorback Greenway. Additionally, future planned trail connections will provide access to the Razorback Greenway via an extension of the Razorback Rd trail, the Razorback Greenway via a W Maple Street cycle track, and the Oak Ridge Trail via an extension to W Maple Street.

See exhibit below.



Goal 5: We will assemble an enduring green network.

This development will meet this goal by preserving natural areas around much of the perimeter of the development and the western quarter of the site that abuts Markham Hill. This will ensure a contiguous forested area that will be accessible through a connection to the existing Markham Hill Natural Trail Network. Permanent tree preservation easements that will be dedicated with the development as part of the LSD process will help ensure that the preserved natural areas stay preserved. Additionally, the more stringent tree canopy preservation requirements for PZD zoning and the Hillside Hilltop Overlay district will help protect larger portions of the onsite tree canopy.

Goal 6: We will create opportunities for attainable housing:

This goal will be met by giving the developer the opportunity to create a development with a mix of housing sizes and types that can be offered at varied price points.



L) Traffic Study

A traffic study is included with this booklet as Appendix C.

M) Impact of City Services

An 8" water main will be extended throughout the site to serve all residential structures, and an 8" gravity sanitary sewer main will be extended to provide sewer service. Initial discussions with City staff indicated that water pressures and flows should not be a concern; however, a sewer study will be required with the development plans to assess any potential capacity issues within the surrounding sewer network. Multiple sewer connection points are potentially available, as detailed further in Section C(7).

Emergency services will have access to the development from the south via Nettleship or from the north via N Sang Ave. Fire Station 6 is located less than a mile south of the development, and the new Public Safety Campus is a few miles to the north. Fire hydrants and dumpsters will be strategically placed throughout the development to ensure ease of access.

N) Conceptual Description of Development Standards

The proposed PZD will set forth development standards and conditions aimed at encouraging harmonious development, ensuring continuity in development, enhancing the appeal and practicality of the area as a residential space, overall, elevating the community.

1) Screening and Landscaping:

Landscaping for this development will comply with Chapter 177. Residential structures will feature consistent foundations and high-quality design at the front and throughout the development. Building elevations are included in Appendix B. Efforts will be made to preserve perimeter vegetation where possible, but additional vegetative screening and/or fences will be installed around the perimeter as required by the UDC.

2) Traffic and Circulation:

All residential units and amenity spaces will be accessible by vehicles, bikes, and pedestrians from the entrances to the site. However, the site's topography limits the feasibility of many potential north-south connections between drive aisles. Given the relatively low traffic generated onsite, the restricted opportunities for additional traffic loading, and the availability of various transportation methods, it is not anticipated that this limited onsite circulation will lead to adverse traffic conditions.

A traffic report is included in Appendix C of this booklet.

3) Parking Standards:

Parking standards will meet UDC requirements for Parking Lot Design Standards (Chapter 172). Some parking will be available in garages and driveways for specific residential dwellings.

4) Perimeter Treatment:

As mentioned throughout, the intention of the development is to preserve vegetation along the perimeter of the development and to cluster structures towards the center of the site to provide somewhat of a natural perimeter buffer from the northern property line. If mitigation trees become required through the development process, it is likely that the trees will be placed along the perimeter of the development to provide additional screening.



5) Sidewalks:

Sidewalks will be provided throughout the development to ensure accessibility and circulation.

6) Streetlights:

Streetlights will be of a uniform type throughout the development. All streetlights will be full cut-off fixtures to appropriately illuminate all public areas. They will comply with Ozark Electric Cooperative standards and meet UDC code 166.04(B)(4)(g).

7) Water:

Public water mains will be constructed throughout the site to provide water services and fire line connections for each structure. The water mains will adhere to Fayetteville 2022 Water and Sewer Specifications, using 8" AWWA C900 PVC, DR14 material. Water services, including meters, service lines, and fire lines, will follow these same specifications.

8) Sewer:

Public sewer mains will be constructed throughout the site, providing sewer services for all structures. The sewer mains will comply with Fayetteville 2022 Water and Sewer Specifications, using 8" PVC SDR 26. Sewer services, including service lines, will follow these same specifications.

9) Street and Drainage

All water quality requirements will be met onsite. See Section C(5) for more information on the proposed stormwater detention and drainage systems.

No public streets are planned to be built or dedicated within this development; the only anticipated public street improvement is pavement widening along N Sang Ave. Private drive aisles will manage onsite traffic circulation. See Section C(1) for more details on the proposed street improvements for this development.

10) Construction of Nonresidential Facilities:

Intended as a part of this development is the construction of a clubhouse to serve residents. This clubhouse will include the leasing office as well as various amenities- see section H for more information.

11) Tree Preservation:

Tree preservation plans and landscape plans will be required and submitted once development begins on a large-scale development application. The intent is to preserve trees where possible in Planning Area 2. A permanent tree preservation easement will be dedicated with the large-scale development process.

Planning Area 1 will have minimal to no preservation. Any required mitigation is likely to be placed in Planning Area 2.

12) Architectural design standards:

Architectural design standards have been attached to this application as Appendix B. Residential buildings will be consistent with the style and look of examples set in Appendix B.



13) Propose signage:

Signage within the development is expected to be minimal. All signage shall meet the requirements as set forth in UDC Section 174.

14) View Protection:

Screening as required by 166.23(C)(5) will be provided within the development to ensure adequate view protection from the right-of-way.

15) Covenants, trust, and homeowner association:

No covenants, trusts, or homeowner associations are intended with this development at this time.

O) PZD Intent/Purpose

The intent of this Proposed PZD is to create a residential neighborhood that conforms to the City of Fayetteville's Six Goals outlined in the 2040 City Plan. The proposed PZD wishes to expand the existing infrastructure, while creating a livable, harmonious, and vibrant community compatible to surrounding uses.

APPENDIX A: MASTER PLAN



Crafton Tull

Planning Commission

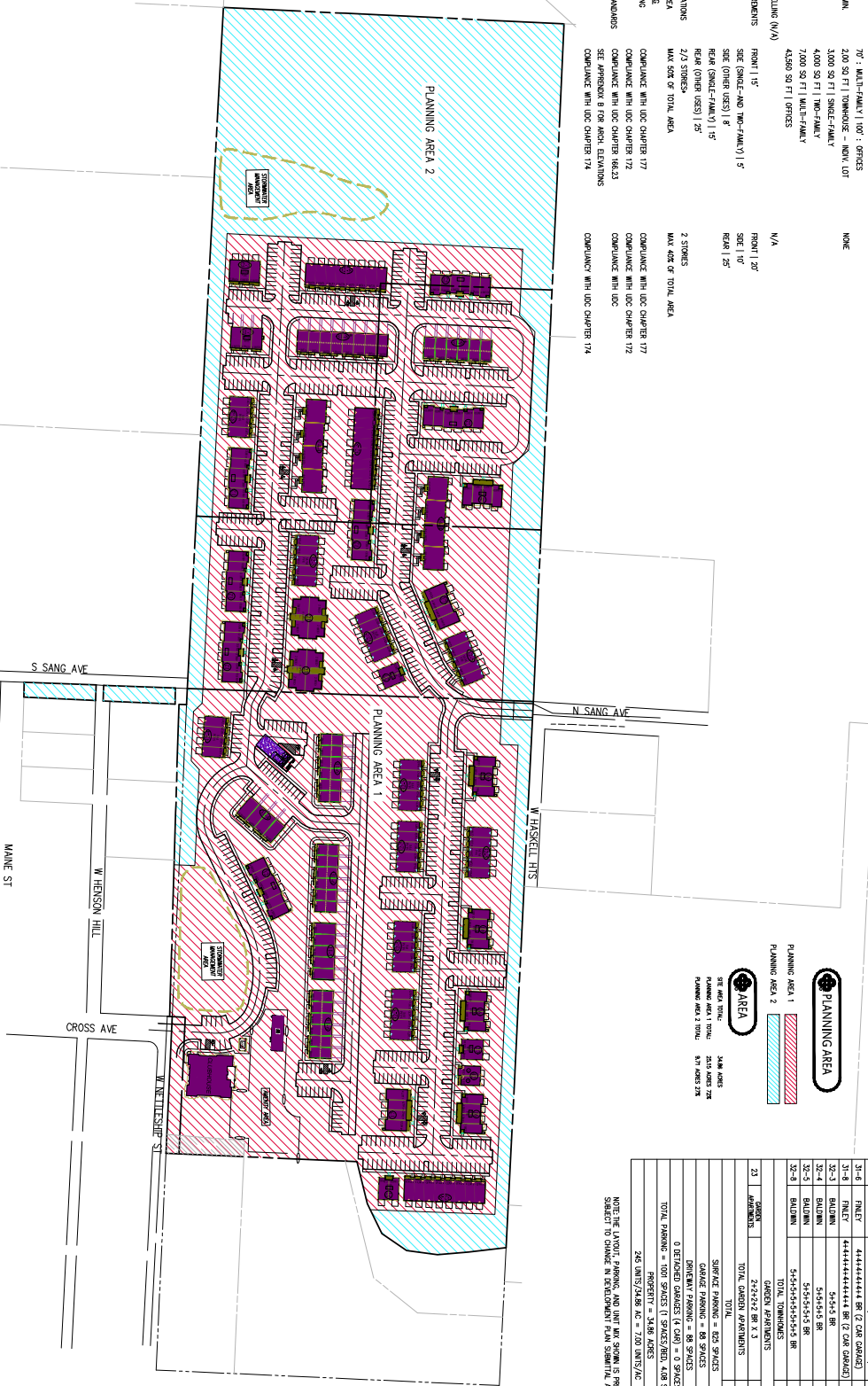
September 23, 2024

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PLANNING AREA - RESIDENTIAL	PLANNING AREA 2 NON-RESIDENTIAL
1	1
2	2
3	3
4	4
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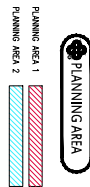
	LAND USE DESIGNATION	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(A) PERMITTED USES	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(B) CONDITIONAL USES	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(C) RESIDENTIAL DENSITY	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(D) LOT WITH MAX. AREA AND REGULATIONS	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(E) LOT AREA MAX.	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(F) LAND AREA PER DWELLING (N/A)	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(G) SETBACK REQUIREMENTS	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(H) HEIGHT REGULATIONS	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(I) BUILDING AREA	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(J) PARKING	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(K) APPLIC. DESIGN STANDARDS	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3
(L) SIGNAGE	RESIDENTIAL DENSITY 10 UNITS/ACRE MAX. (BAY SHOWN)	UNITS: 1 UNITS: 1 UNITS: 2 AND 3



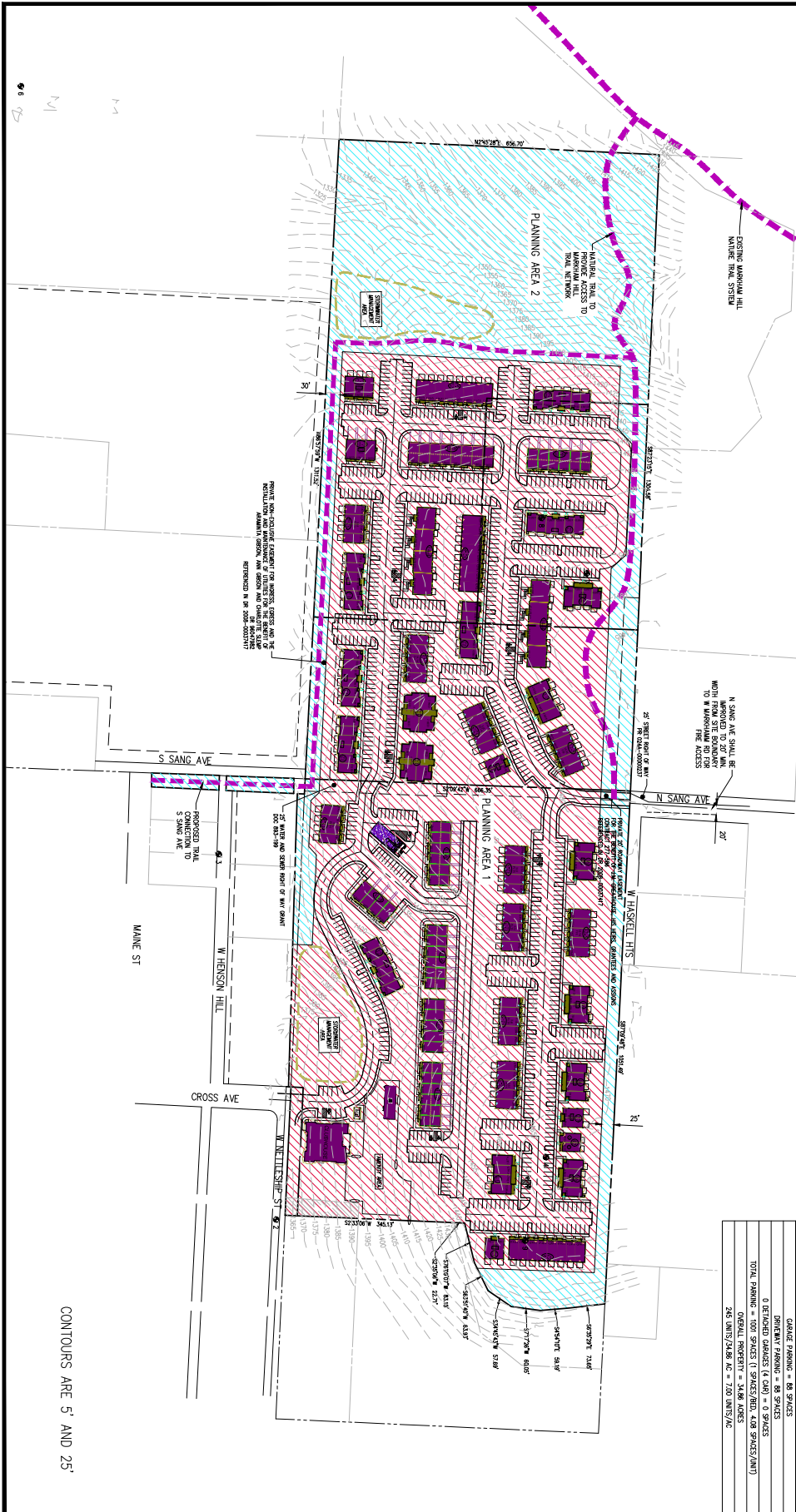
BUILDING TYPE		DESCRIPTION	UNIT MIX		BUILDING UNITS		BEDS	
		COTTAGE - DETACH & ATTACHED DUPLEX	DETACH	ATTACHED DUPLEX	1	2	3	4
27	TOWNHOUSE	5+1-8R	3	6	30	50	48	48
42	DOORMAN	TOTAL COTTAGE	4	8	5	5		
12	CONDO/STAP	TOWNHOMES	2	2	24	348		
14	WOODWORK	4+4+4+4+4+8 R	7	4	42	144		
16	WILDFIRE	3+4+4+4+3-8R	5	20	70	216		
17	LUXURY	4+4+4+4+3-8R	2	8	32	96		
31-3	FINLEY	4+4+4+1-8R (2 CAR GARAGE)	1	4	16	48		
31-3	FINLEY	4+4+4+1-8R (1 CAR GARAGE)	1	3	12	36		
31-3	FINLEY	4+4+4+4+4+8R (2 CAR GARAGE)	1	5	20	60		
31-3	FINLEY	4+4+4+4+4+8R (1 CAR GARAGE)	4	24	96	288		
31-3	FINLEY	4+4+4+4+4+8R (2 CAR GARAGE)	1	8	32	96		
32-3	BOULDER	5+5+1-8R	1	3	15	45		
32-3	BOULDER	5+5+5+1-8R	2	8	40	120		
32-3	BOULDER	5+5+5+5+1-8R	6	40	200	600		
32-3	BOULDER	5+5+5+5+5+8R	3	24	120	360		
		TOTAL	30	210	870			
		DETACH APARTMENTS	2	2	24	48		
23	DETACH APARTMENTS	2+2+2+2+8R x 3	2	24	48	48		
		TOTAL	44	244	900			
		DETACH APARTMENTS - 802 SPACES						
		DETACH APARTMENTS - 88 SPACES						
		DETACH APARTMENTS - 88 SPACES						
		0 DETACHED COTTAGES (3 COTTAGES) & 0 SPACES						
		TOTAL PARKING = 1000 SPACES (1000 SPACES) (UNIT)						
		PROPERTY - 3446 ACRES						
		245 UNITS/2456 AC = 100 UNITS/AC						

NOTE: THE LAYOUT, PARKING, AND UNIT MIX SHOWN IS PRELIMINARY AND SUBJECT TO CHANGE IN DEVELOPMENT PLAN SUBMITTAL AND REVIEW.

THE STATION AT FAYETTEVILLE PZD REZONING



LAND USE	RESIDENTIAL DENSITY	ACRES	%
RESIDENTIAL	10 UNITS/ACRE	25.15	72.5%
NON-RESIDENTIAL	0 UNITS/ACRE	9.71	27.5%



BUILDING TYPE	DESCRIPTION	BUILDINGS	UNITS	RECS
23	TOWNHOUSE	525 BR	3	30
42	TOWNHOUSE	525 BR	2	30
42	TOWNHOUSE	TOTAL TOWNHOUSE	4	60
12	WOODHART	44444444 BR	7	42
16	WILDFIRE	344443 BR	5	20
17	LUMBER	444444 BR	2	8
31-3	FINLEY	44444 BR (2 CAR GARAGE)	1	3
31-4	FINLEY	44444 BR (2 CAR GARAGE)	1	4
31-5	FINLEY	4444444 BR (2 CAR GARAGE)	1	5
31-6	FINLEY	44444444 BR (2 CAR GARAGE)	4	24
31-7	FINLEY	444444444 BR (2 CAR GARAGE)	1	8
32-4	BALTIM	5454545 BR	2	8
32-5	BALTIM	5454545 BR	6	40
32-6	BALTIM	54545454545 BR	3	24
32-7	BALTIM	54545454545 BR	3	24
32-8	BALTIM	54545454545 BR	3	24
32-9	BALTIM	54545454545 BR	3	24
32-10	BALTIM	54545454545 BR	3	24
32-11	BALTIM	54545454545 BR	3	24
32-12	BALTIM	54545454545 BR	3	24
32-13	BALTIM	54545454545 BR	3	24
32-14	BALTIM	54545454545 BR	3	24
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32-44	BALTIM	54545454545 BR	3	24
32-45	BALTIM	54545454545 BR	3	24
32-46	BALTIM	54545454545 BR	3	24
32-47	BALTIM	54545454545 BR	3	24
32-48	BALTIM	54545454545 BR	3	24
32-49	BALTIM	54545454545 BR	3	24
32-50	BALTIM	54545454545 BR	3	24
32-51	BALTIM	54545454545 BR	3	24
32-52	BALTIM	54545454545 BR	3	24
32-53	BALTIM	54545454545 BR	3	24
32-54	BALTIM	54545454545 BR	3	24
32-55	BALTIM	54545454545 BR	3	24
32-56	BALTIM	54545454545 BR	3	24
32-57	BALTIM	54545454545 BR	3	24
32-58	BALTIM	54545454545 BR	3	24
32-59	BALTIM	54545454545 BR	3	24
32-60	BALTIM	54545454545 BR	3	24
32-61	BALTIM	54545454545 BR	3	24
32-62	BALTIM	54545454545 BR	3	24
32-63	BALTIM	54545454545 BR	3	24
32-64	BALTIM	54545454545 BR	3	24
32-65	BALTIM	54545454545 BR	3	24
32-66	BALTIM	54545454545 BR	3	24
32-67	BALTIM	54545454545 BR	3	24
32-68	BALTIM	54545454545 BR	3	24
32-69	BALTIM	54545454545 BR	3	24
32-70	BALTIM	54545454545 BR	3	24
32-71	BALTIM	54545454545 BR	3	24
32-72	BALTIM	54545454545 BR	3	24
32-73	BALTIM	54545454545 BR	3	24
32-74	BALTIM	54545454545 BR	3	24
32-75	BALTIM	54545454545 BR	3	24
32-76	BALTIM	54545454545 BR	3	24
32-77	BALTIM	54545454545 BR	3	24
32-78	BALTIM	54545454545 BR	3	24
32-79	BALTIM	54545454545 BR	3	24
32-80	BALTIM	54545454545 BR	3	24
32-81	BALTIM	54545454545 BR	3	24
32-82	BALTIM	54545454545 BR	3	24
32-83	BALTIM	54545454545 BR	3	24
32-84	BALTIM	54545454545 BR	3	24
32-85	BALTIM	54545454545 BR	3	24
32-86	BALTIM	54545454545 BR	3	24
32-87	BALTIM	54545454545 BR	3	24
32-88	BALTIM	54545454545 BR	3	24
32-89	BALTIM	54545454545 BR	3	24
32-90	BALTIM	54545454545 BR	3	24
32-91	BALTIM	54545454545 BR	3	24
32-92	BALTIM	54545454545 BR	3	24
32-93	BALTIM	54545454545 BR	3	24
32-94	BALTIM	54545454545 BR	3	24
32-95	BALTIM	54545454545 BR	3	24
32-96	BALTIM	54545454545 BR	3	24
32-97	BALTIM	54545454545 BR	3	24
32-98	BALTIM	54545454545 BR	3	24
32-99	BALTIM	54545454545 BR	3	24
32-100	BALTIM	54545454545 BR	3	24

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Crafton
Planning Commission
September 23, 2024

THE STATION AT FAYETTEVILLE
PZD REZONING
FAYETTEVILLE, AR

GRAPHIC SCALE IN FEET
100' 0 100'

PRELIMINARY
PLANS
C-004

MASTER PLAN

THE STATION AT FAYETTEVILLE
PZD REZONING
FAYETTEVILLE, AR

PRELIMINARY
PLANS
C-004

APPENDIX B: BUILDING ELEVATIONS



Crafton Tull

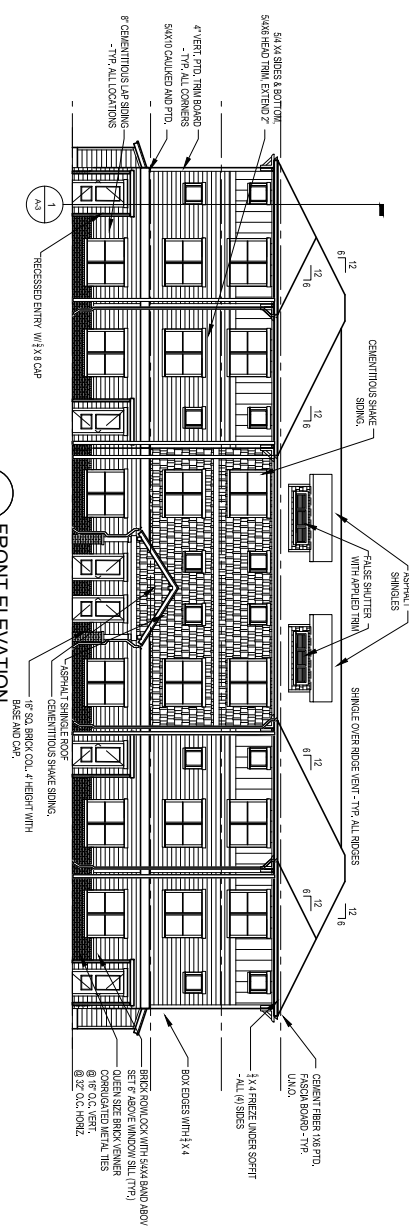
Planning Commission

September 23, 2024

PZD-2024-0006 (THE STATION AT FAYETTEVILLE)

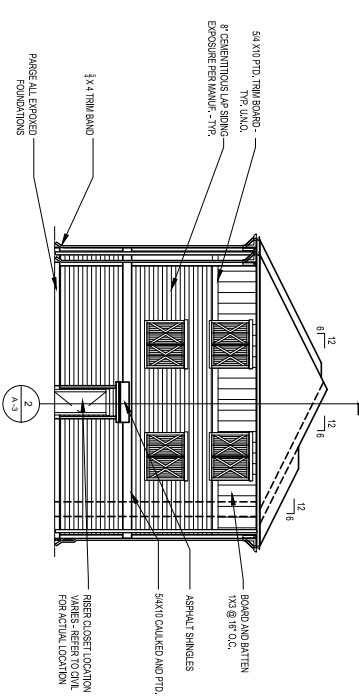
Page 31 of 135

Page 388 of 492

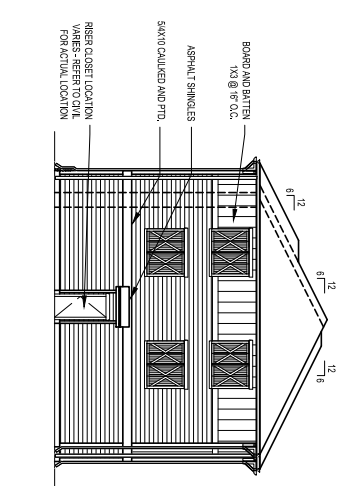


1 FRONT ELEVATION
1/8" = 1'-0"

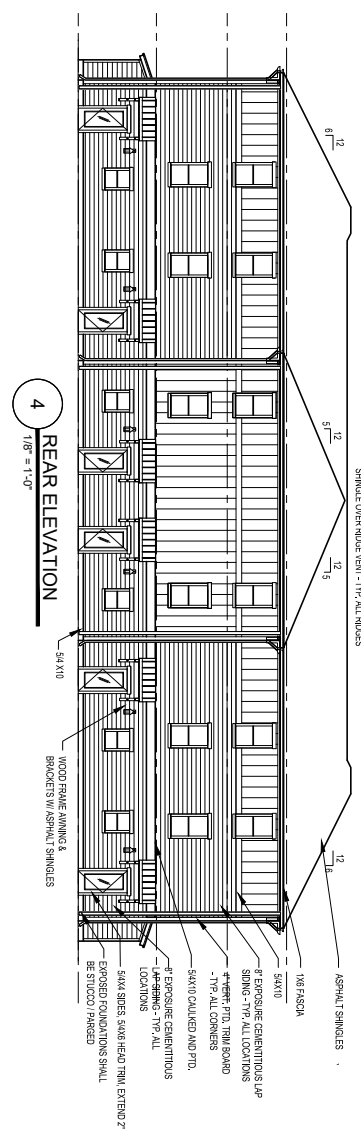
APPLIES TO BUILDINGS 4, 22, 44, & 54



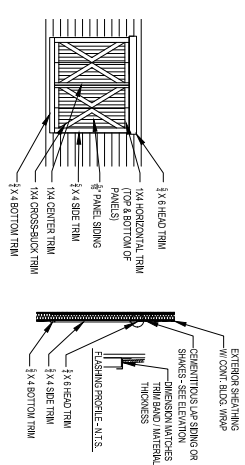
2 SIDE ELEVATION
1/8" = 1'-0"



3 SIDE ELEVATION
1/8" = 1'-0"



4 REAR ELEVATION
1/8" = 1'-0"



ELEVATION
N.T.S.

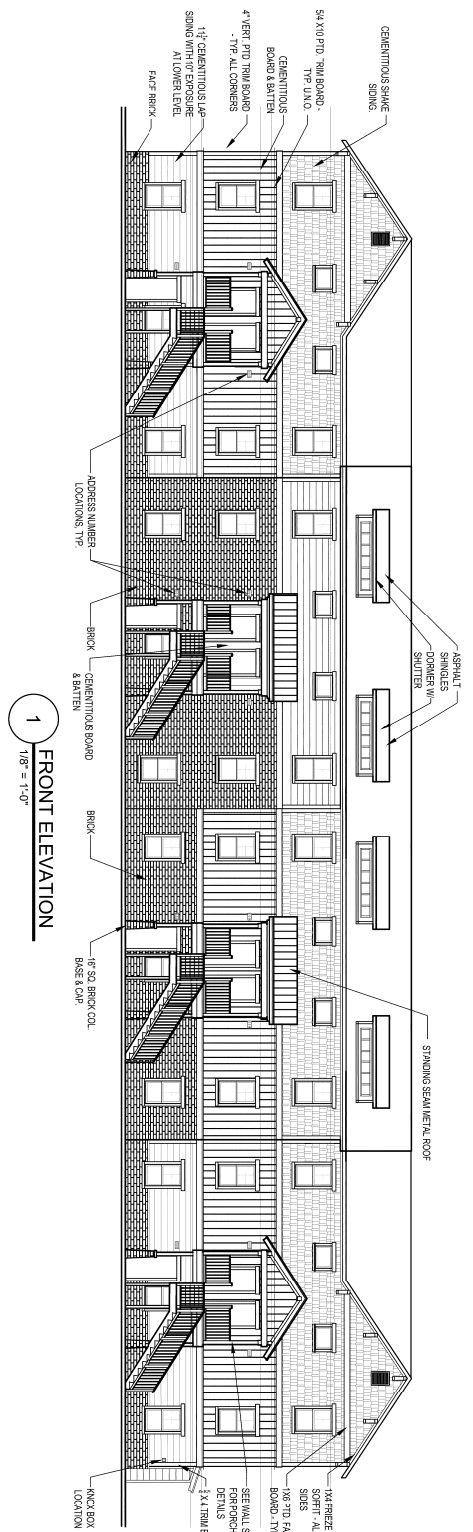
SECTION
N.T.S.

- FAUX SHUTTERS**
- FAUX SHUTTERS ARE FIRE-RESISTANT PRODUCTS
 - GOSB SPEAKING IS CONTINUOUS, THERE ARE NO OPENINGS
 - BUILDING WRAP IS CONTINUOUS BEHIND ALL FAUX SHUTTER MATERIALS
 - SHUTTERS ARE PLACED OVER HEAD TRIM AND TUCKED BEHIND SIDING ABOVE
 - ALL JOINTS ARE CAULKED, AND THE ENTIRE ASSEMBLY IS PAINTED TO MATCH EXTERIOR TRIM PAINT FOR THE BUILDING PER DECORATOR.

5 FAUX SHUTTER DETAILS
N.T.S.

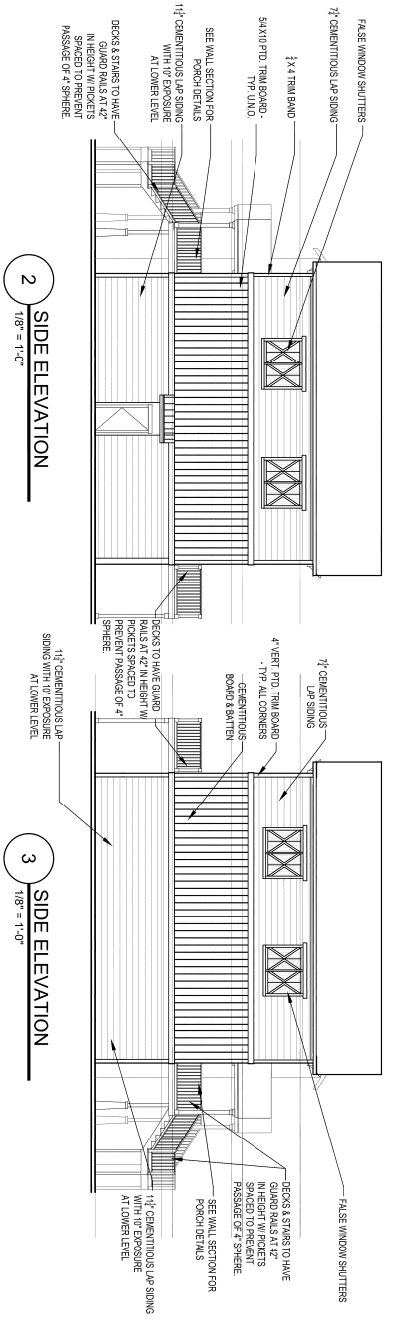
- EXTERIOR SIDING TRIM NOTES**
1. ALL EXTERIOR SIDING/TRIM COMPONENTS TO BE NON-ROT, CEMENT-FIBER TYPE.
 2. CORNER BOARDS TO BE 5/4 X 6 SAWN PAVED.
 3. SIDING PLACED ON FRONT & REAR ELEVATIONS.
 4. WINDOW AND DOOR TRIM TO BE 5/4 X SIDES & BOTTOM.
 5. HEAD TRIM TO BE 1x6, WITH EXPOSED SHINGLES (4-1/2\"/>

12 COVERHURST
1 ELEVATION PAGE



1
1/8" = 1'-0"

FRONT ELEVATION

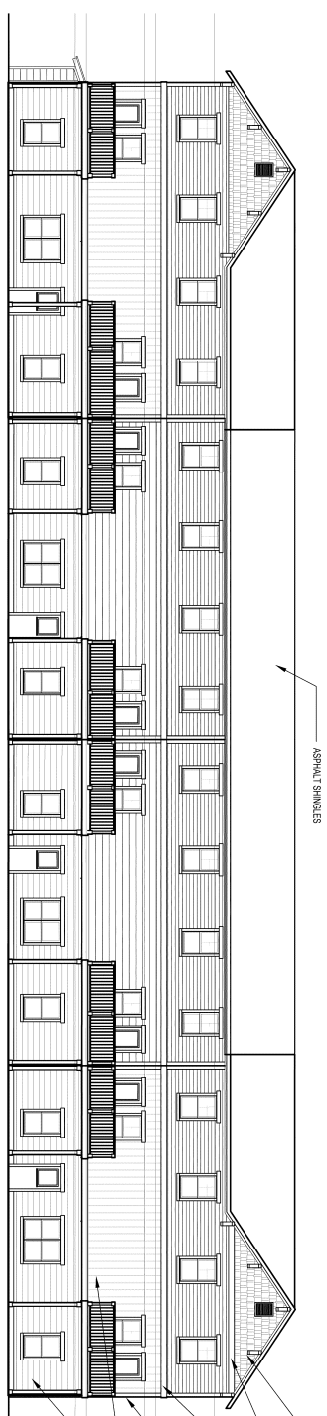


2
1/8" = 1'-0"

SIDE ELEVATION

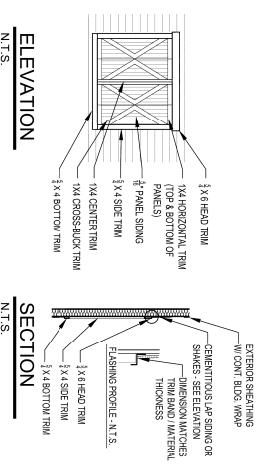
3
1/8" = 1'-0"

SIDE ELEVATION



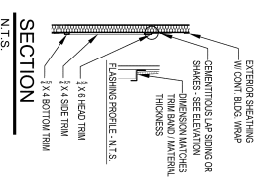
4
1/8" = 1'-0"

REAR ELEVATION



ELEVATION

N.T.S.



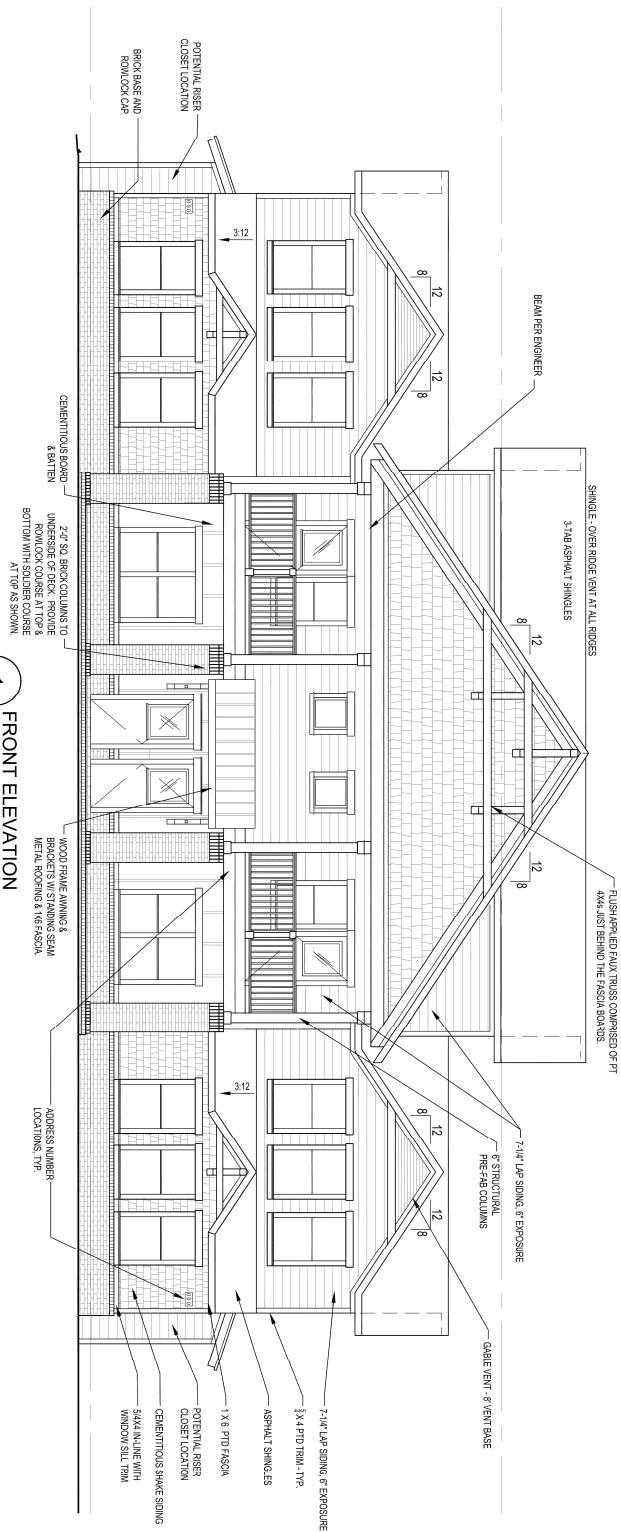
SECTION

N.T.S.

FAUX SHUTTER DETAILS

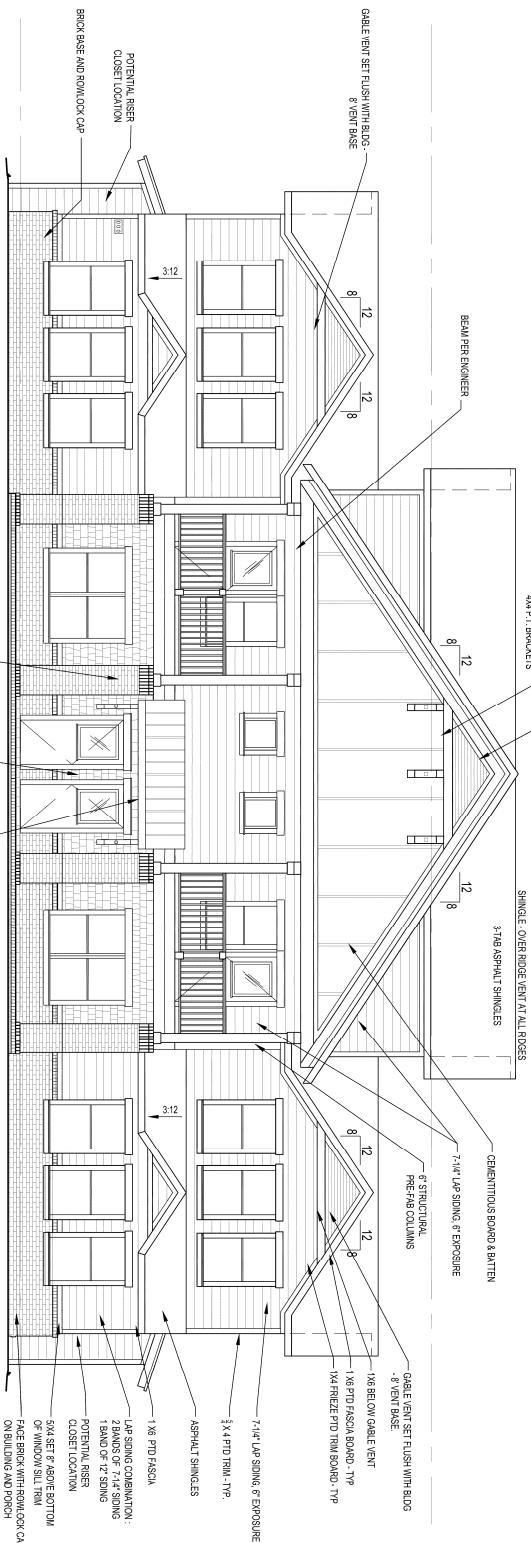
N.T.S.

- ALL MATERIALS ARE ALUMA FIBER-CEMENT PRODUCTS BY PLATON USA.
- OSB SHEATHING IS CONTINUOUS, THERE ARE NO OPENINGS.
 - ALL SHUTTERING IS CONTINUOUS BEHIND ALL FAUX SHUTTER MATERIAL.
 - 2-FLASHING IS PLACED OVER HEAD TRIM AND TILED BEHIND SIDING ABOVE.
 - ALL JOINTS ARE CAULKED, AND THE ENTIRE ASSEMBLY IS PAINTED TO MATCH EXISTING TRIM/PART FOR THE BUILDING PER DECORATION.



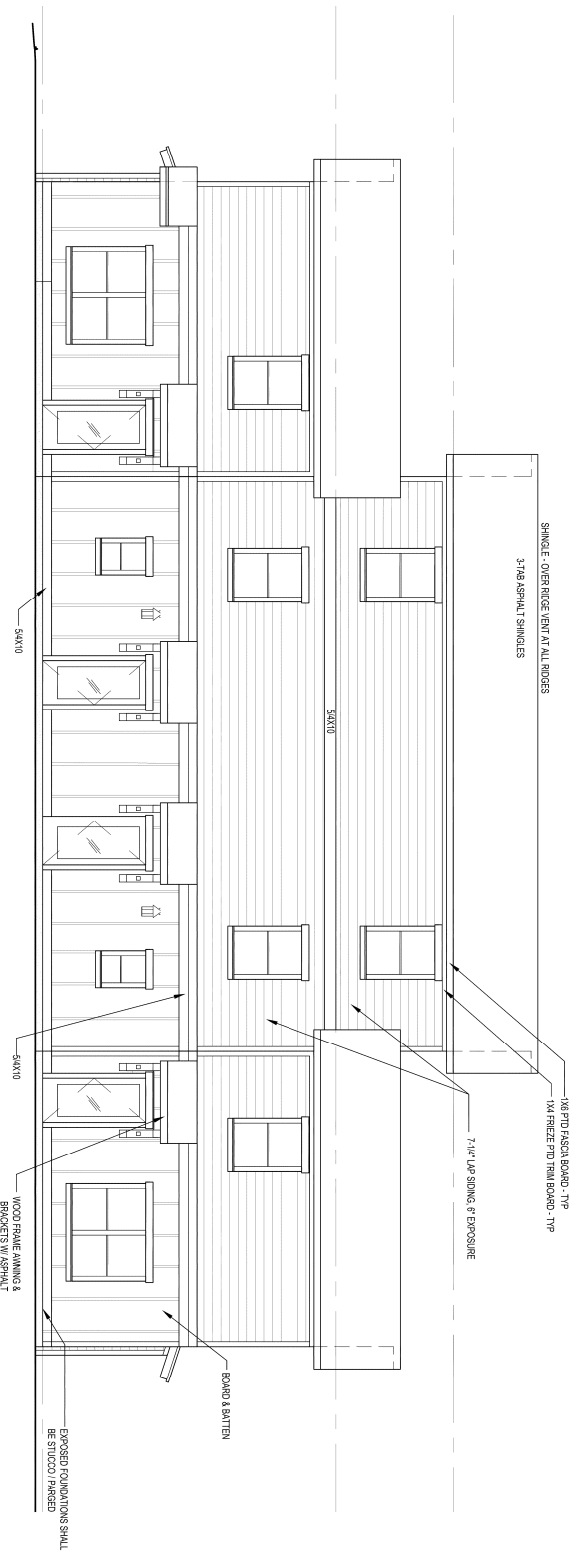
1
1/4" = 1'-0"
FRONT ELEVATION
VARIATION A

SEE SHEET A.2.2 FOR ADDITIONAL OVERLAP, C. P. EXTERIOR WALLS, TERRACE, PORCH, ETC.



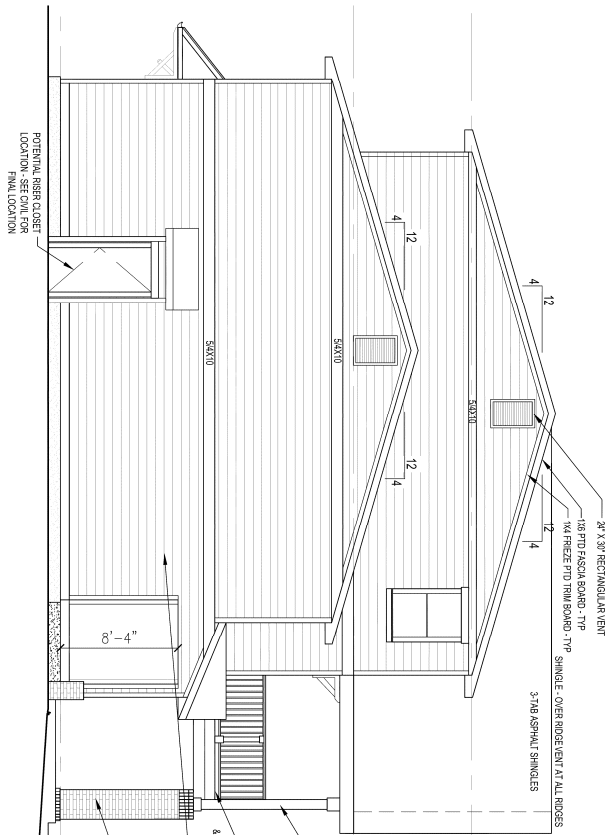
2
1/4" = 1'-0"
FRONT ELEVATION
VARIATION B

16 MILLEDGE
3 ELEVATION PAGES

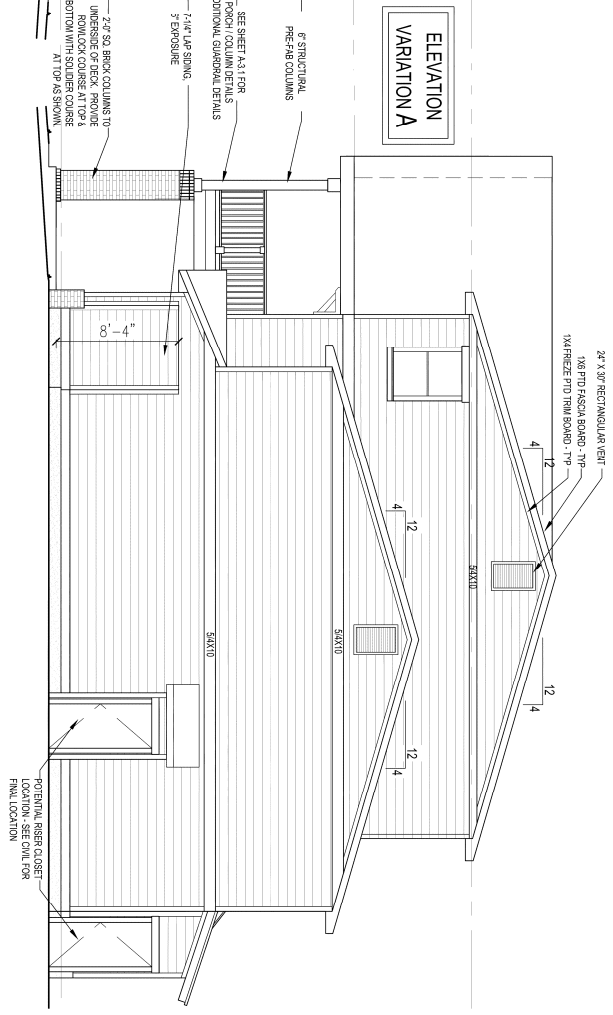


1 REAR ELEVATION
1/4" = 1'-0" VARIATION A

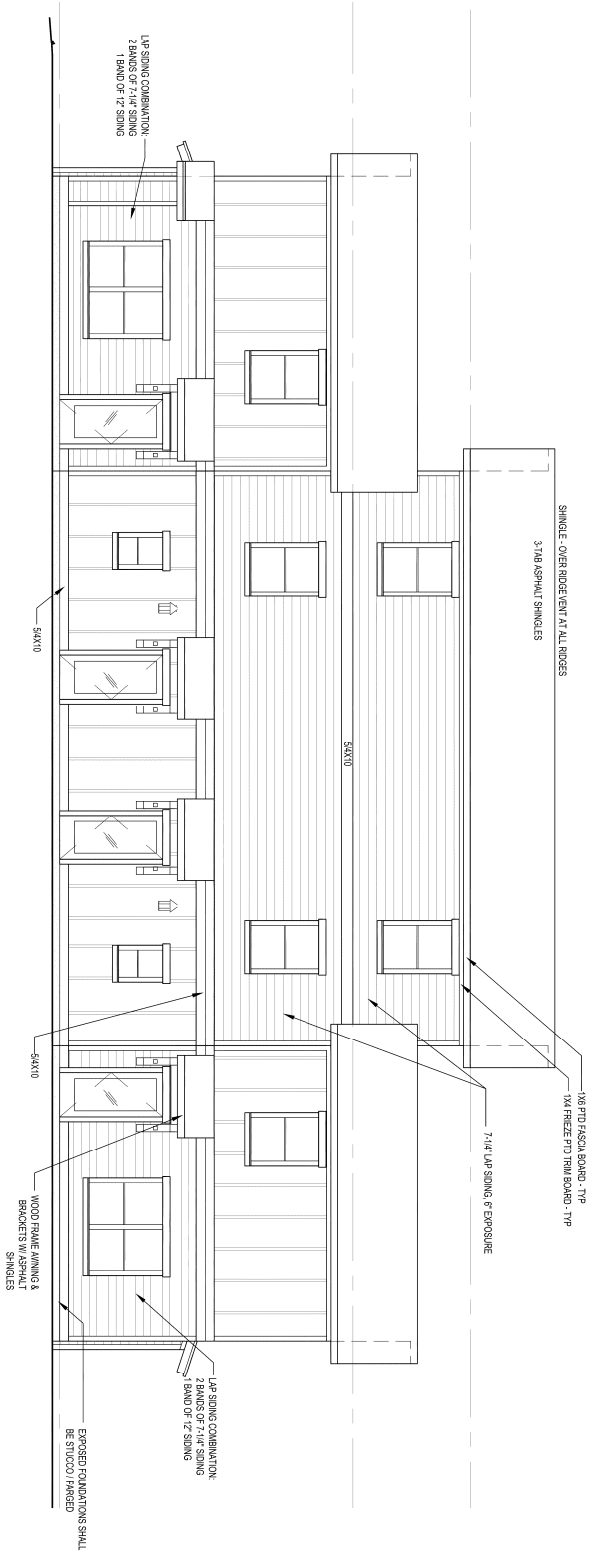
SEE SHEET A4.2 FOR ADDITIONAL OVERROD C PROJECT NOTES & DETAILS FOR EXTERIOR SIDING, TRIM ETC.



2 SIDE ELEVATION
1/4" = 1'-0" VARIATION B

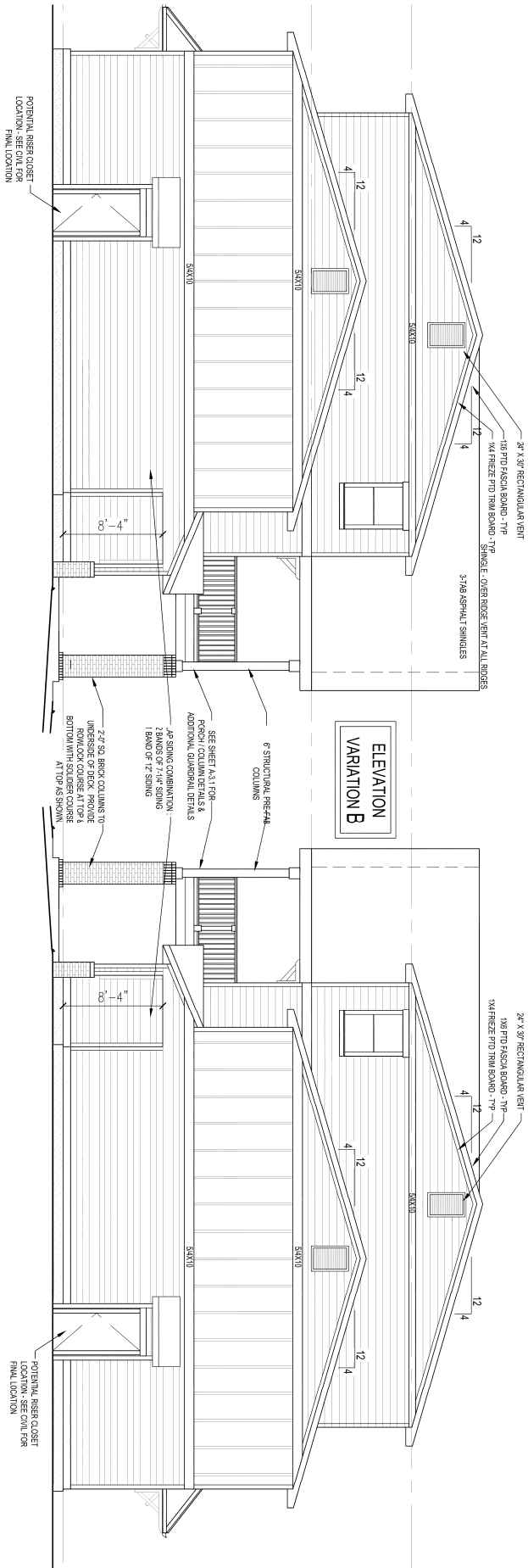


3 SIDE ELEVATION
1/4" = 1'-0" VARIATION A



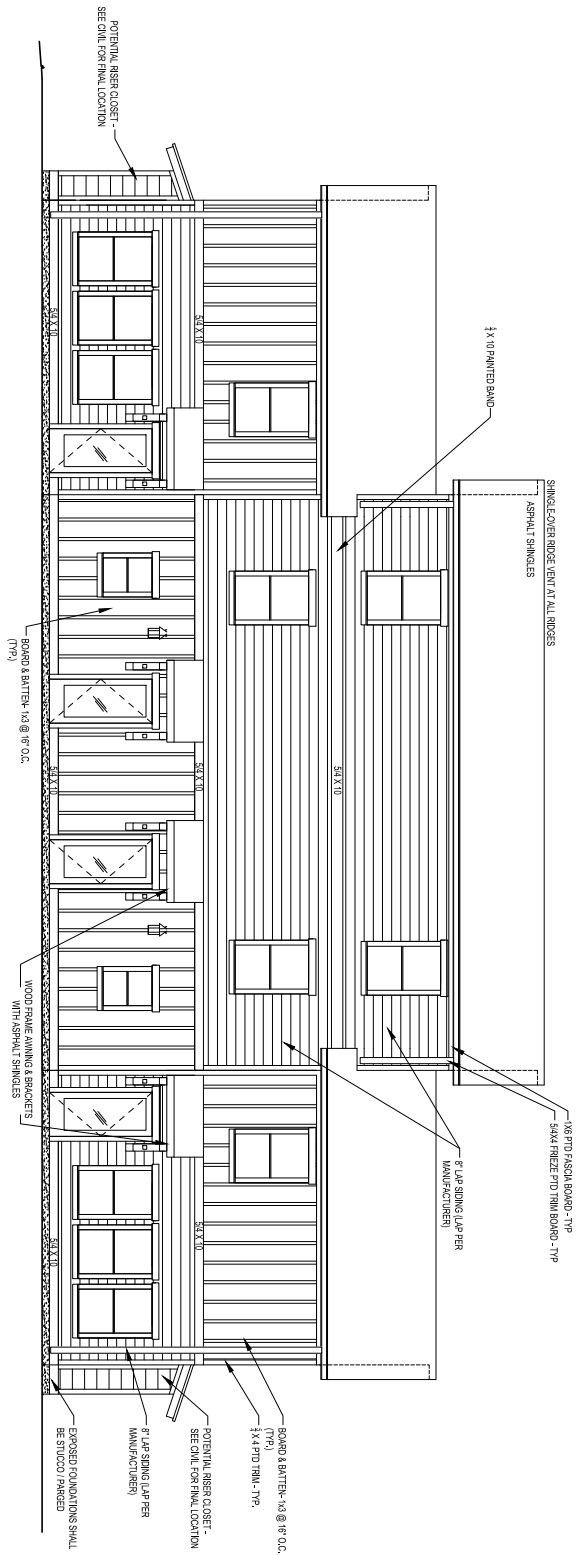
1 REAR ELEVATION
1/4" = 1'-0" VARIATION B

SEE SHEET A4.2 FOR ADDITIONAL OVERROD C
PROJECT NOTES & DETAILS FOR
EXTERIOR SIDING, TRIM, ETC.

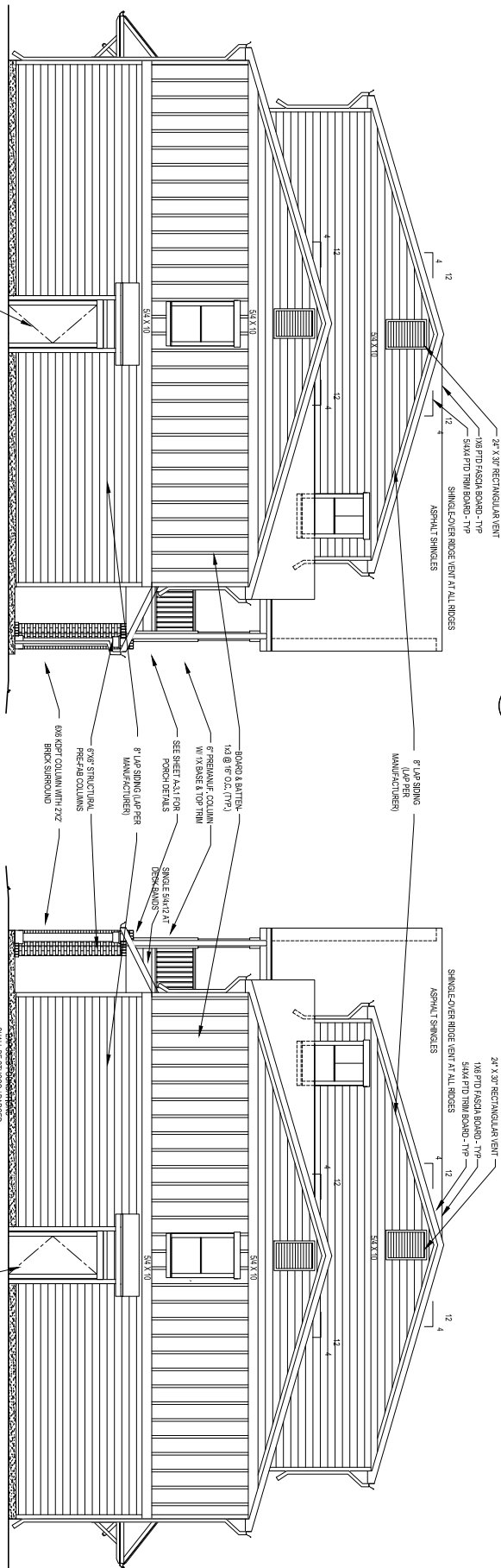


2 SIDE ELEVATION
1/4" = 1'-0" VARIATION B

3 SIDE ELEVATION
1/4" = 1'-0" VARIATION B

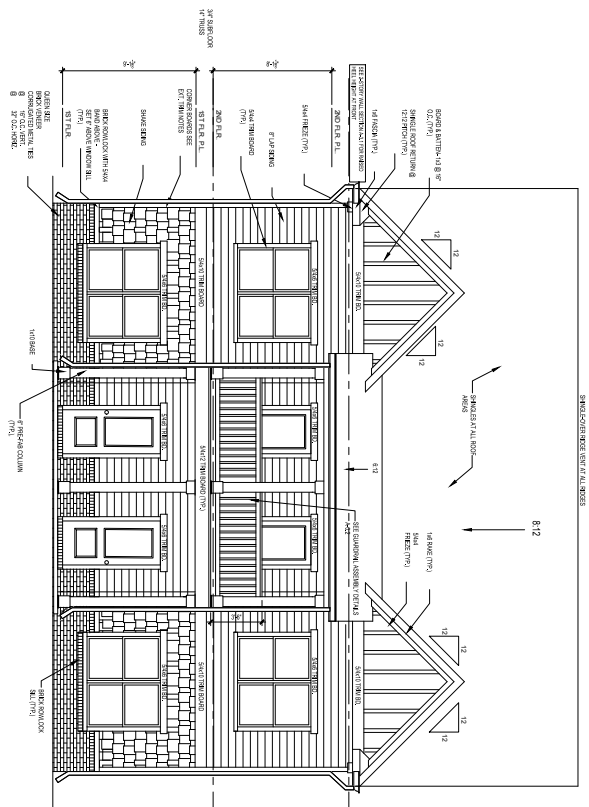


1
REAR ELEVATION
1/4" = 1'-0"



2
SIDE ELEVATION
1/4" = 1'-0"
VARIATION B

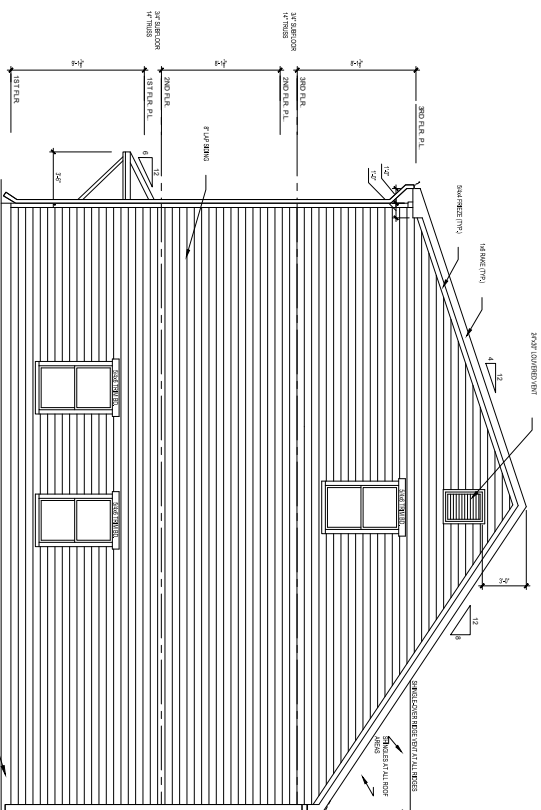
3
SIDE ELEVATION
1/4" = 1'-0"
VARIATION B



FRONT ELEVATION - A

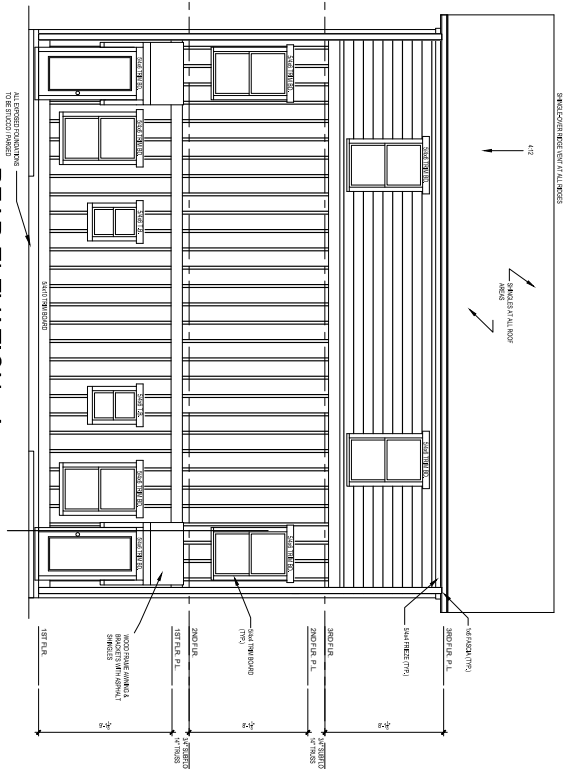
SCALE: 1/4" = 1'-0"

VARIATION USED ON BUILDINGS: 1, 10, 47



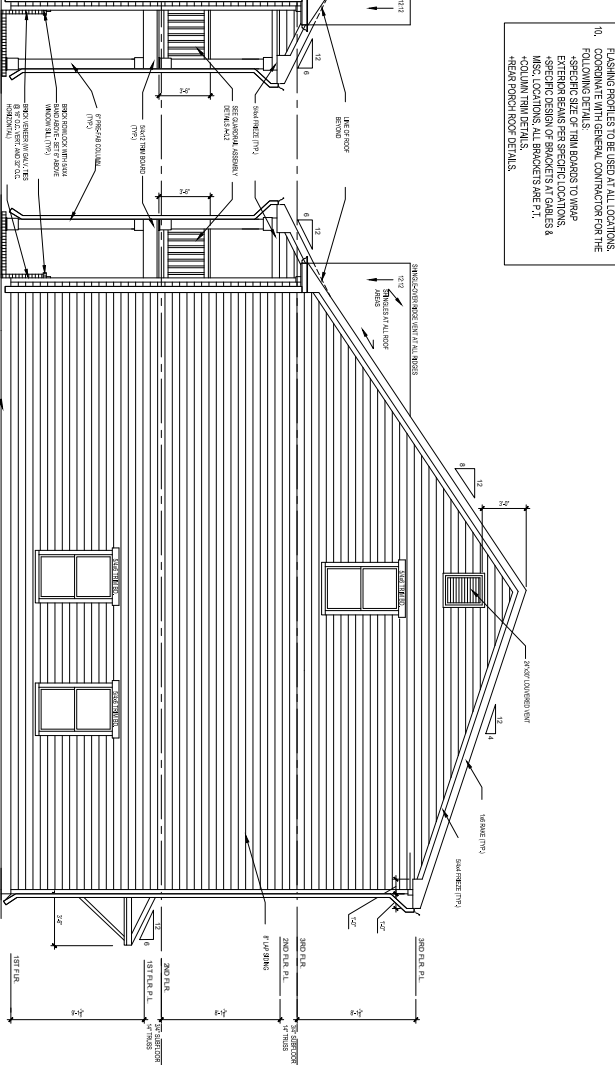
LEFT ELEVATION - A

SCALE: 1/4" = 1'-0"



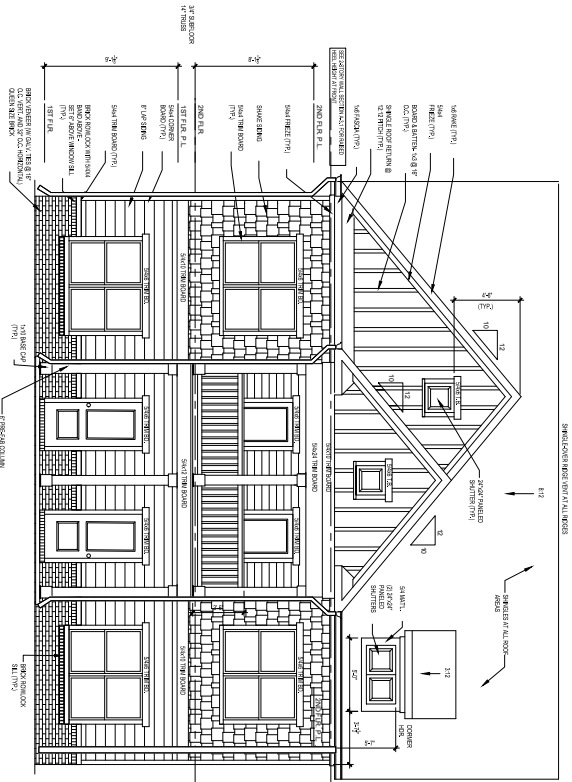
REAR ELEVATION - A

SCALE: 1/4" = 1'-0"



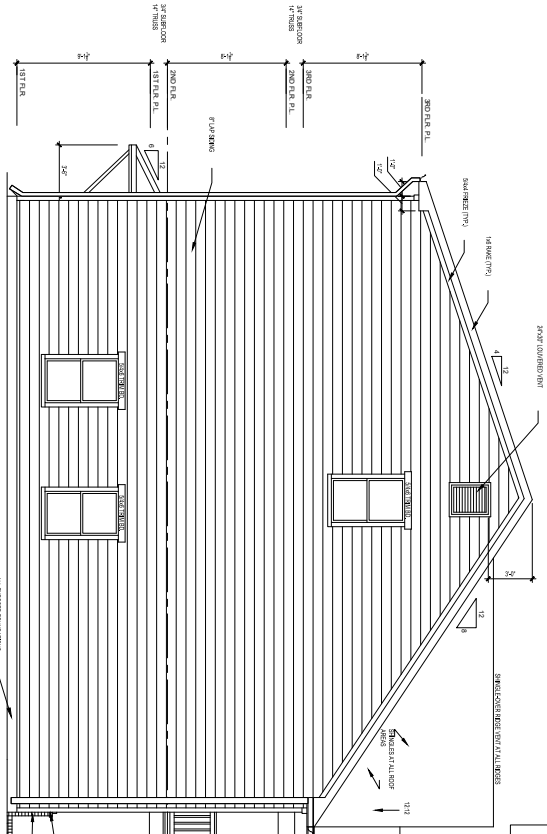
RIGHT ELEVATION - A

SCALE: 1/4" = 1'-0"



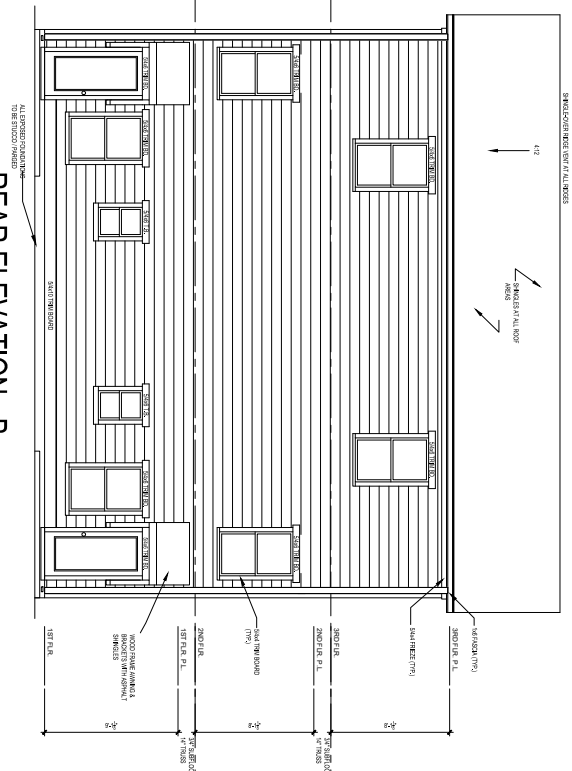
FRONT ELEVATION - B

VARIATION USED ON BUILDINGS: 8, 43, 56



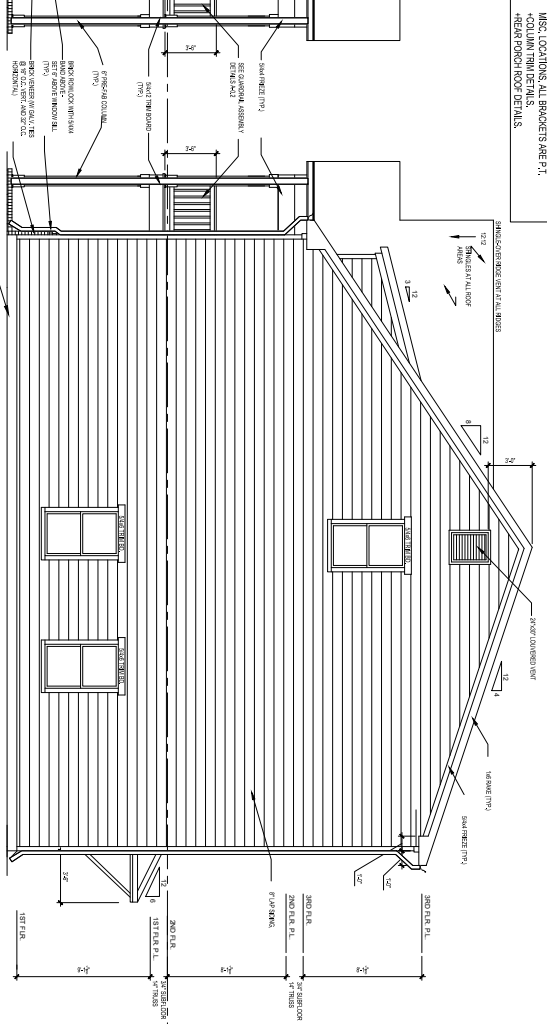
LEFT ELEVATION - B

SCALE: 1/4" = 1'-0"



REAR ELEVATION - B

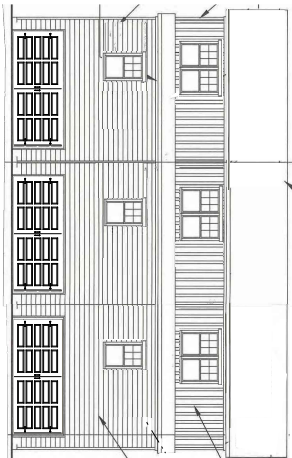
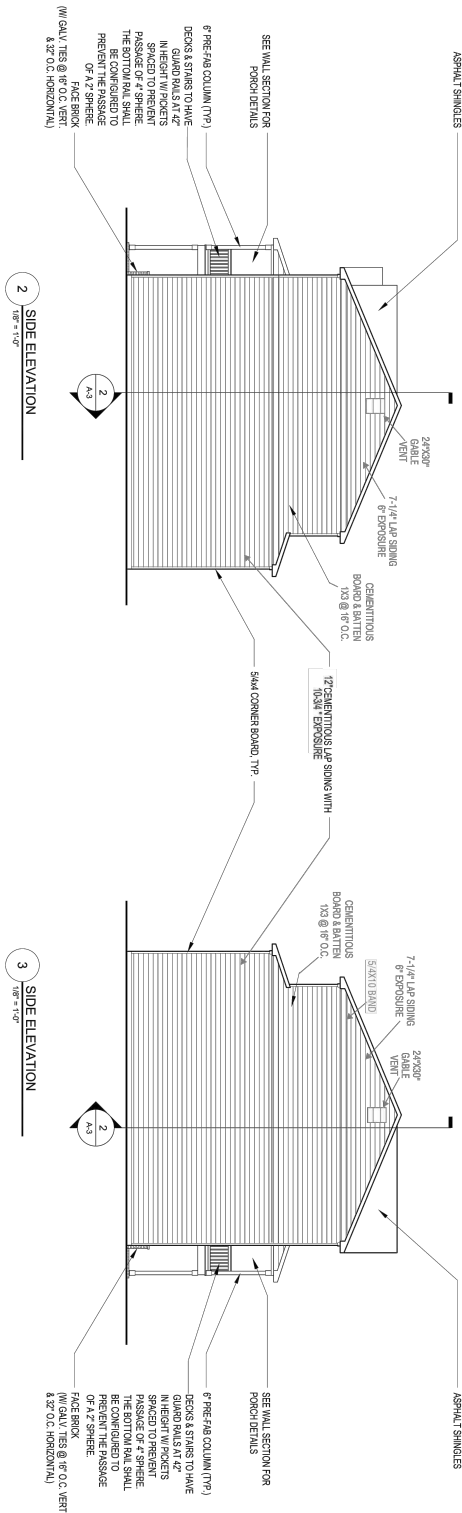
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION - B

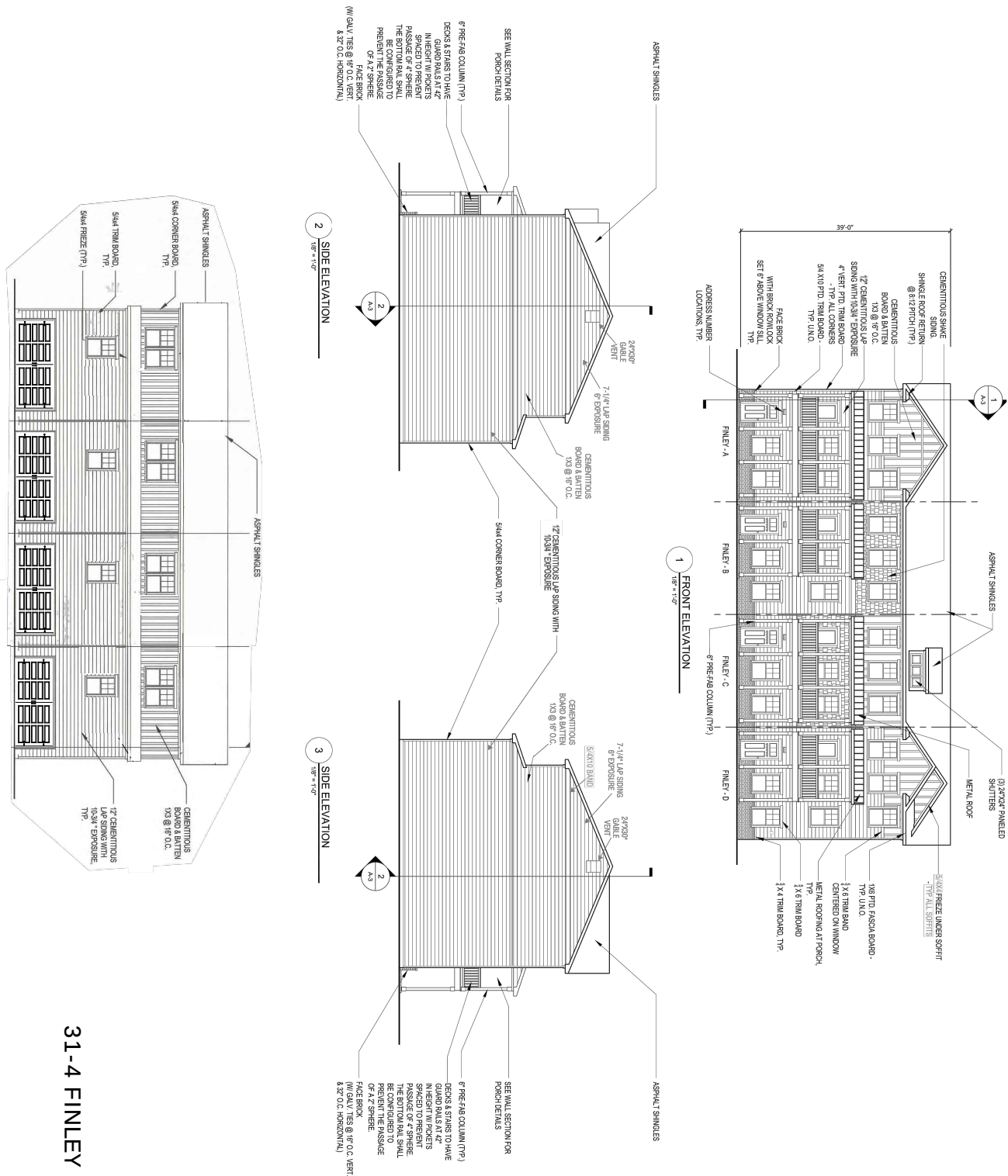
SCALE: 1/4" = 1'-0"

- EXTERIOR FINISHES, MATERIALS, COMPONENTS TO BE USED ON THIS PROJECT:
1. EXTERIOR WALLS: 1/2" THICK CONCRETE BLOCK WITH 1/2" THICK EXTERIOR FINISHES.
 2. ROOFING: 1/2" THICK ASPHALT/FLUTE SHINGLES.
 3. FLOORING: 1/2" THICK LAMINATE FLOORING.
 4. CEILING: 1/2" THICK DRYWALL.
 5. PAINT: EXTERIOR PAINT.
 6. WINDOWS: 1/2" THICK ALUMINUM WINDOWS.
 7. DOORS: 1/2" THICK WOOD DOORS.
 8. TRIM: 1/2" THICK WOOD TRIM.
 9. LIGHTING: 1/2" THICK LED LIGHTING.
 10. VENTILATION: 1/2" THICK VENTILATION SYSTEMS.

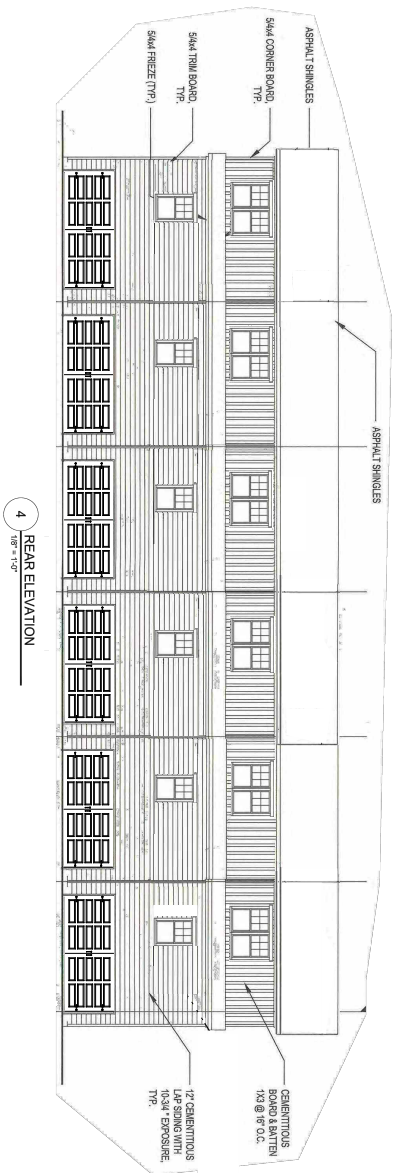
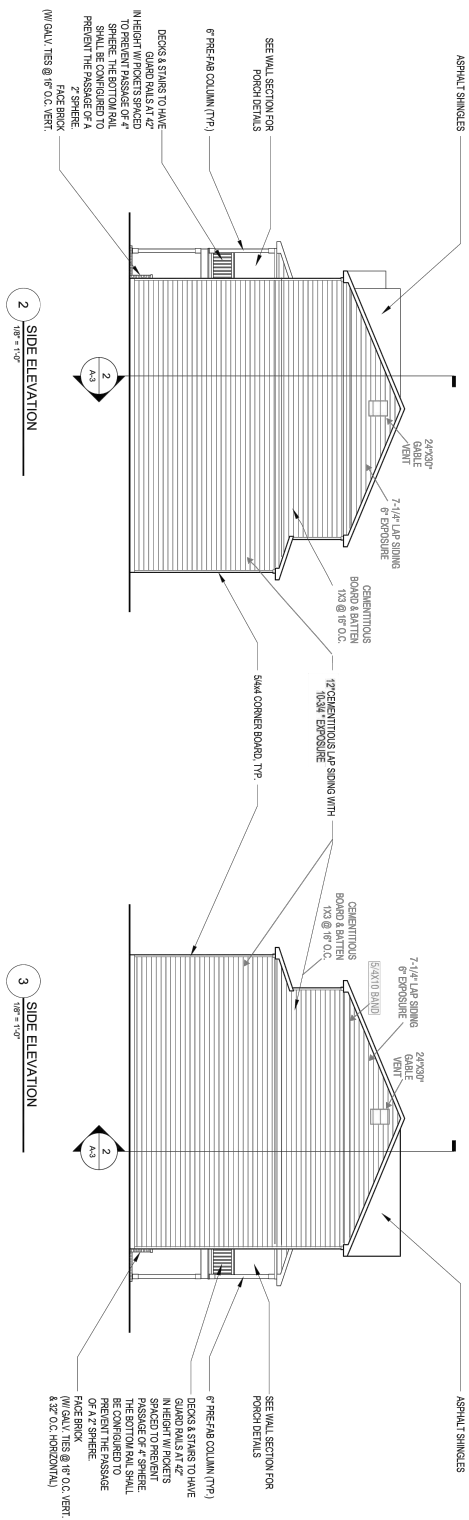
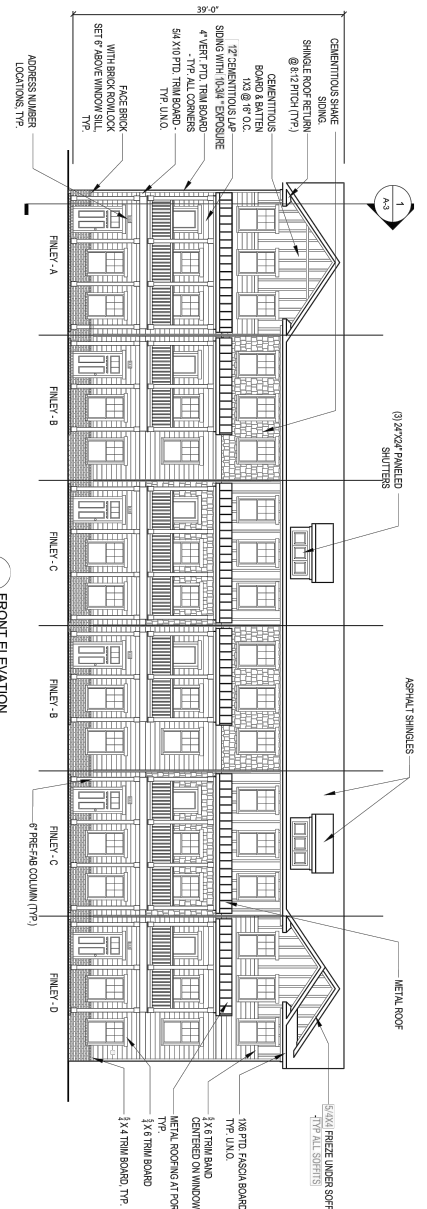


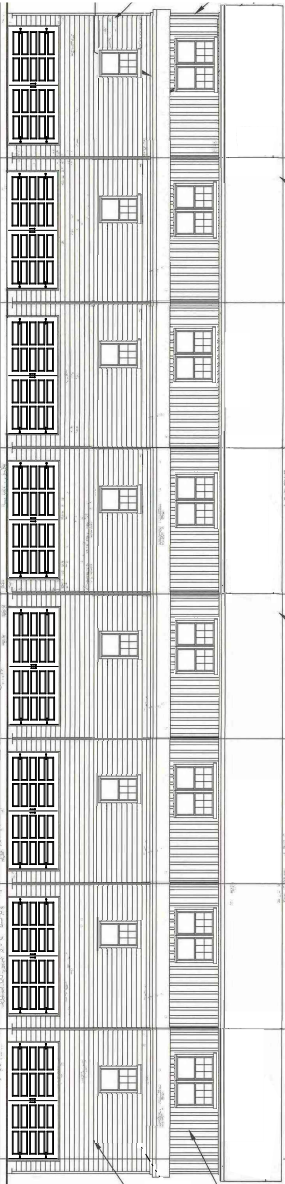
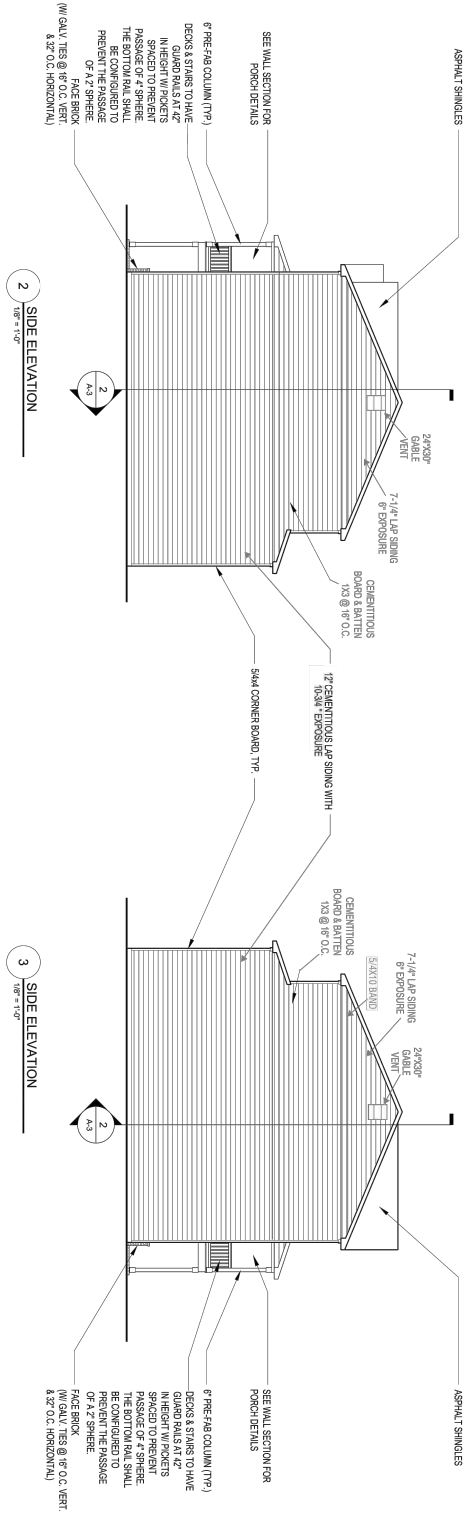
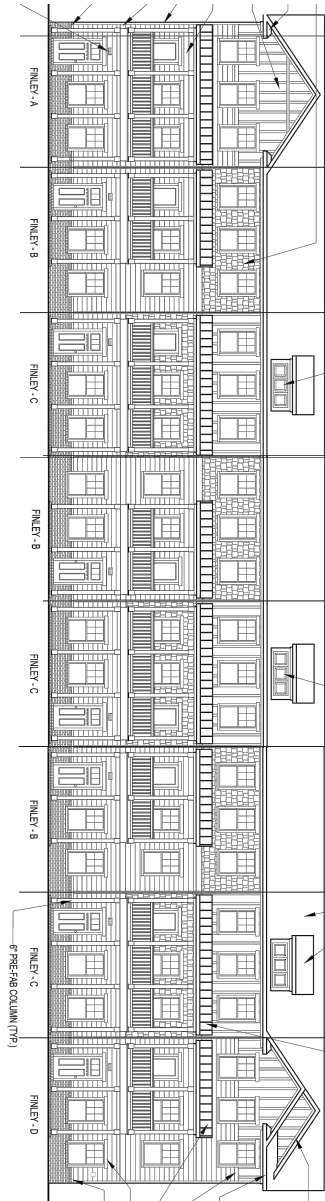
31-3 FINLEY

31 FINLEY
5 ELEVATION PAGES



31-4 FINLEY





31-8 FINLEY

APPENDIX C: TRAFFIC REPORT



Crafton Tull

Planning Commission
September 23, 2024

Traffic Study

The Station at Fayetteville

prepared for:

LCD Acquisitions, LLC

2215 Haskell Heights

Fayetteville, Arkansas



Mark Nichols

Project No.: P-2243



PETERS & ASSOCIATES
ENGINEERS, INC.

• CIVIL & TRAFFIC ENGINEERING •

5507 Ranch Drive - Suite 209
Little Rock, Arkansas 72223 (501) 868-3999

August 13, 2024

Planning Commission

September 23, 2024

PZD-2024-0006 (THE STATION AT FAYETTEVILLE) Page 410 of 492

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Existing Traffic Conditions	5
Trip Generation & Site Traffic Projections	8
Traffic Volume Assignments	10
Capacity and Level of Service	14
Auxiliary Turn Lane Analysis	19
Pedesrian Provisions	19
Findings and Conclusions	20
APPENDIX	
Site Plan	
Trip Generation Data	
Vehicle Turning Movement Count Data	
Capacity and Level of Service Calculations	



INTRODUCTION

Peters & Associates Engineers, Inc., has conducted a traffic engineering study relating to a proposed approximate 245-unit multi-family residential development (The Station at Fayetteville). The Station at Fayetteville residential site is proposed to consist of housing for approximately 1,000 tenants, primarily accommodating University of Arkansas students. The site is located along S. Sang Avenue, just north of Nettleship Street and Cross Street in Fayetteville, Arkansas. Access to the site is proposed to be constructed as a northern extension of Cross Avenue at Nettleship Drive (Drive A to serve as the north leg at this intersection). The site is not planned to have any connection to/from the north except for emergency vehicle use entry/exit only via N. Sang Avenue. The primary focus of this report is to assess traffic operational characteristics of the study intersections and access drive intersections proposed to serve the site. A reduced copy of the site plan is included in the Appendix for reference. The scope of work included in this traffic study was discussed and agreed upon by City of Fayetteville officials.

This is a report of methodology and findings relating to a traffic engineering study undertaken to:

- Evaluate existing traffic conditions at the study intersections.
- Determine projected vehicular traffic volumes entering and exiting the proposed development at the study intersections.
- Identify the effects on traffic operations for existing traffic in combination with site-generated traffic associated with the site development with five years background traffic volume growth.
- Evaluate existing and projected traffic operations for the study intersections and make recommendations for mitigative improvements which may be necessary and appropriate for acceptable traffic operations.



Traffic Study

In the following sections of this traffic study report are traffic data, study methods, findings and recommendations. The study is technical in nature. Analysis techniques employed are those most commonly used in the traffic engineering profession for traffic impact analysis. Certain data and calculations relative to traffic operational analysis are referenced in the report. Complete calculations and data are included in the Appendix of the report.



THE SITE

The proposed development is within the city limits of Fayetteville in Washington County, Arkansas. The Station at Fayetteville residential site is proposed to consist of housing for approximately 1,000 tenants, primarily accommodating University of Arkansas students. The site is located along Sang Avenue, just north of Nettleship Street and Cross Street in Fayetteville, Arkansas. The proposed development site location and vicinity are shown on Figures 1 and 2, which follow.

Access to the site is proposed to be constructed as a northern extension of Cross Avenue at Nettleship Drive (Drive A to serve as the north leg at this intersection). The site is not planned to have any connection to/from the north except for emergency vehicle use entry/exit only via N. Sang Avenue.

Per the City of Fayetteville 2040 Master Street Plan, the roadways in the immediate vicinity of the site (Stone Street, S. Sang Avenue, Cross Avenue and Nettleship Street) are each classified as a Neighborhood Link Street with a design service volume of up to 6,000 vehicles per day and a desired operating speed of 25-30 miles per hour.



Traffic Study



PETERS & ASSOCIATES
ENGINEERS, INC.

EXISTING TRAFFIC CONDITIONS

Traffic count data collected as a part of this study include AM and PM peak hours vehicle turning movement counts at the following intersections (while local schools were in session):

- Sang Avenue and Stone Street.
- Cross Avenue and Stone Street.
- Nettleship Street and Graham Avenue.

The AM and PM peak hours vehicle turning movement counts made as a part of this study are shown on Figure 3A, "Existing Traffic Volumes - AM Peak Hour," and Figure 3B, "Existing Traffic Volumes - PM Peak Hour." The peak hours vehicle turning movement count data for these intersections are presented in more detail in the Appendix of this report.



Traffic Study

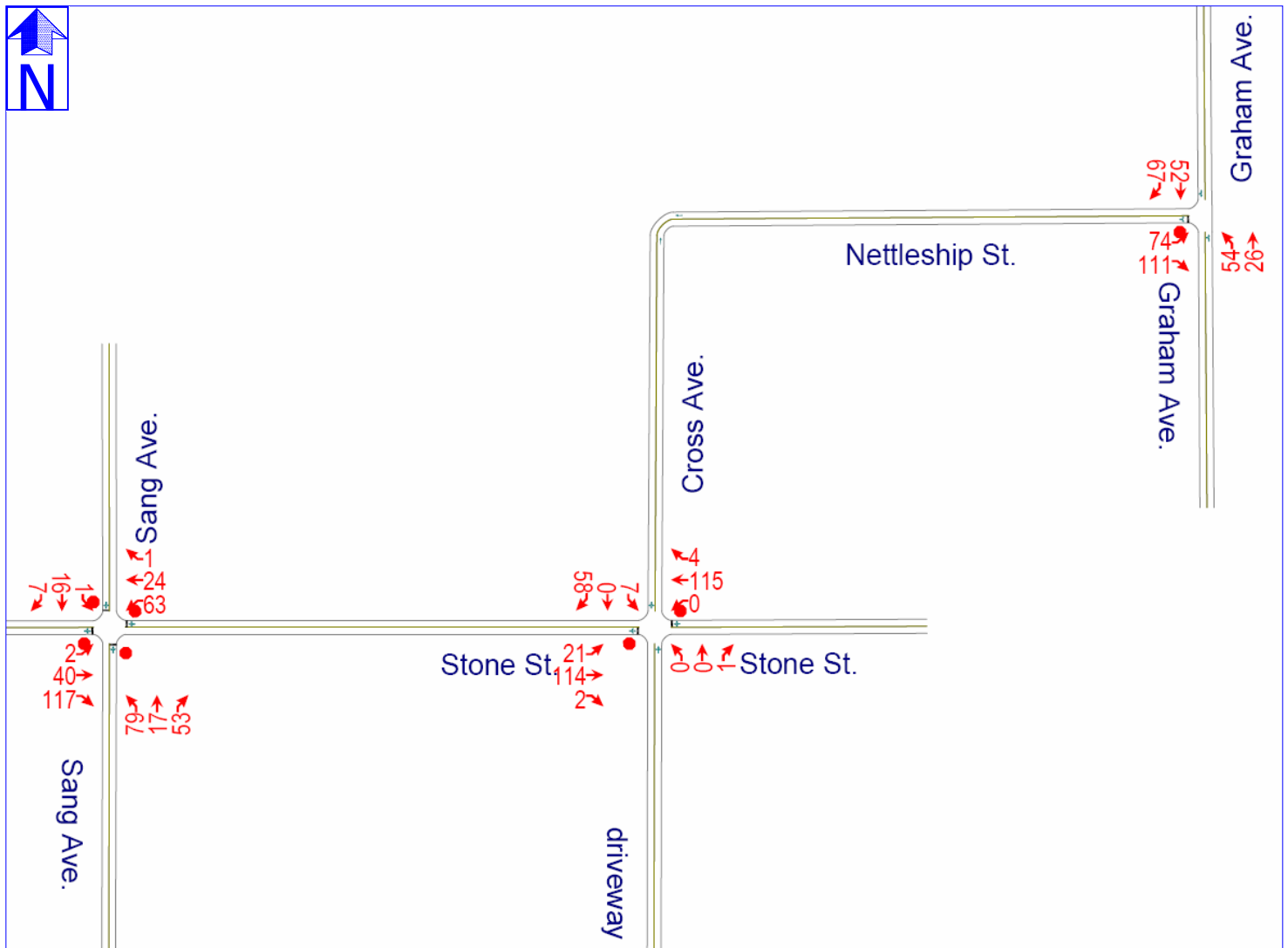


Figure 3A
Existing Traffic Volumes - AM Peak Hour



PETERS & ASSOCIATES
ENGINEERS, INC.

Traffic Study

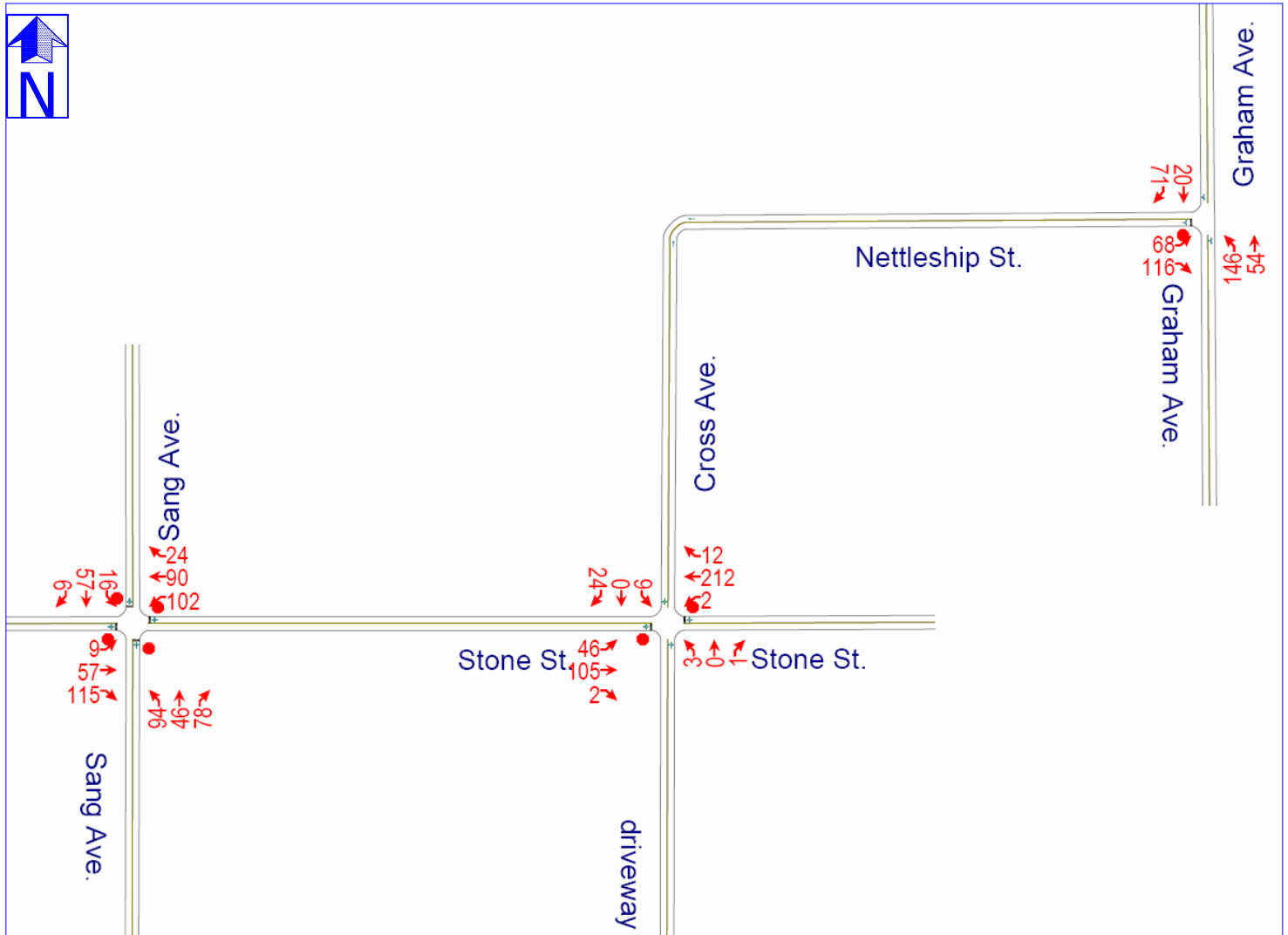


Figure 3B
Existing Traffic Volumes - PM Peak Hour



PETERS & ASSOCIATES
ENGINEERS, INC.

TRIP GENERATION and SITE TRAFFIC PROJECTIONS

The Trip Generation, an Informational Report, published by the Institute of Transportation Engineers (ITE) and The Trip Generation Manual 11th Edition, 2022, were utilized in calculating the magnitude of traffic volumes expected to be generated by the proposed multi-family residential units on this site. These are reliable sources for this information and are commonly used in the traffic engineering profession. The new ITE land use code 225 (Off Campus Student Housing) has been used as a part of this study to estimate trip generation. The data associated with ITE land use code 225 has already been adjusted for the vehicular traffic volume reduction that can be expected to be associated with student walking / biking and campus transit. Since the site is so close to the University of Arkansas, this ITE land use code (225) seems to be the most reliable for this development. Per City's request, the calculations include number of residents as opposed to number of units.

Using the selected trip generation rates, calculations were made as a part of this study to provide a reliable estimate of traffic volumes that can be expected to be associated with the proposed development. These calculations entail applying the appropriate trip-generation rates to the land use proposed for the development. Results of these calculations are summarized on Table 1, "Summary of Trip Generation."

PROPOSED LAND USE	APPROXIMATE SIZE	ITE CODE	24-HOUR TWO-WAY WEEKDAY VOLUME	AM PEAK HOUR VOLUME		TYPICAL PM PEAK HOUR VOLUME	
				ENTER	EXIT	ENTER	EXIT
Off-Campus Residetal Student Apartments	1000 Persons	225	3,136	39	63	108	109
TOTAL ENTERING + EXITING				102		217	
ITE Code 225 Note: Reductions already included in Off-Campus Student Apartments.							
Table 1 – Summary of Trip-Generation							



Traffic Study

These calculations indicate that approximately 3,136 vehicle trips (combined in and out) per average weekday are projected to be generated by the proposed land use on this site. Of this total, approximately 102 vehicle trips are estimated during the traffic conditions of the AM peak hour and approximately 217 vehicle trips are estimated during the traffic conditions of the PM peak hour.

Residential traffic, as will be the traffic associated with this site, ordinarily does contribute to the adjacent street traffic conditions during the on-street AM peak traffic hour and the PM peak traffic hour. Accordingly, the AM and PM peak traffic periods of the adjacent street at the site are the traffic operating conditions which have warranted primary traffic analysis as a part of this study as agreed upon with City officials.



TRAFFIC VOLUME ASSIGNMENTS

Once projected traffic was estimated for the site, directional distributions were made to reflect the percent of anticipated vehicle movements at the study intersections. Vehicle trip distribution was developed based on current traffic counts and expected travel patterns to and from the proposed development. Directional distribution percentages used in this study are shown on Figure 4, "Directional Distribution - Site Traffic."



Figure 4
Directional Distribution - Site Traffic

The directional distribution percentages for site traffic have been equated to percentage turns for each movement at the study intersections. The site-generated traffic volumes result from applying the directional distribution percentages to the corresponding projected site-generated traffic volumes summarized on Table 1, "Summary of Trip-Generation." The site-generated traffic volumes and corresponding existing background traffic volumes plus five-year background growth with a compounded growth rate of two percent per year have been combined and the results are depicted on Figure 5A, "Projected Future 5-Year Traffic Volumes - AM Peak Hour," and Figure 5B, "Projected Future 5-Year Traffic Volumes - PM Peak Hour."

Traffic volumes shown on Figures 3A, 3B, 5A and 5B are the values used in capacity and level of service calculations conducted as a part of this study. The effect of existing background traffic (i.e. the adjacent street non-site traffic which exists) and projected traffic associated with the site development as well as background traffic growth and has thus been accounted for in this analysis.





Figure 5A
Projected Future 5-Year Traffic Volumes
AM Peak Hour



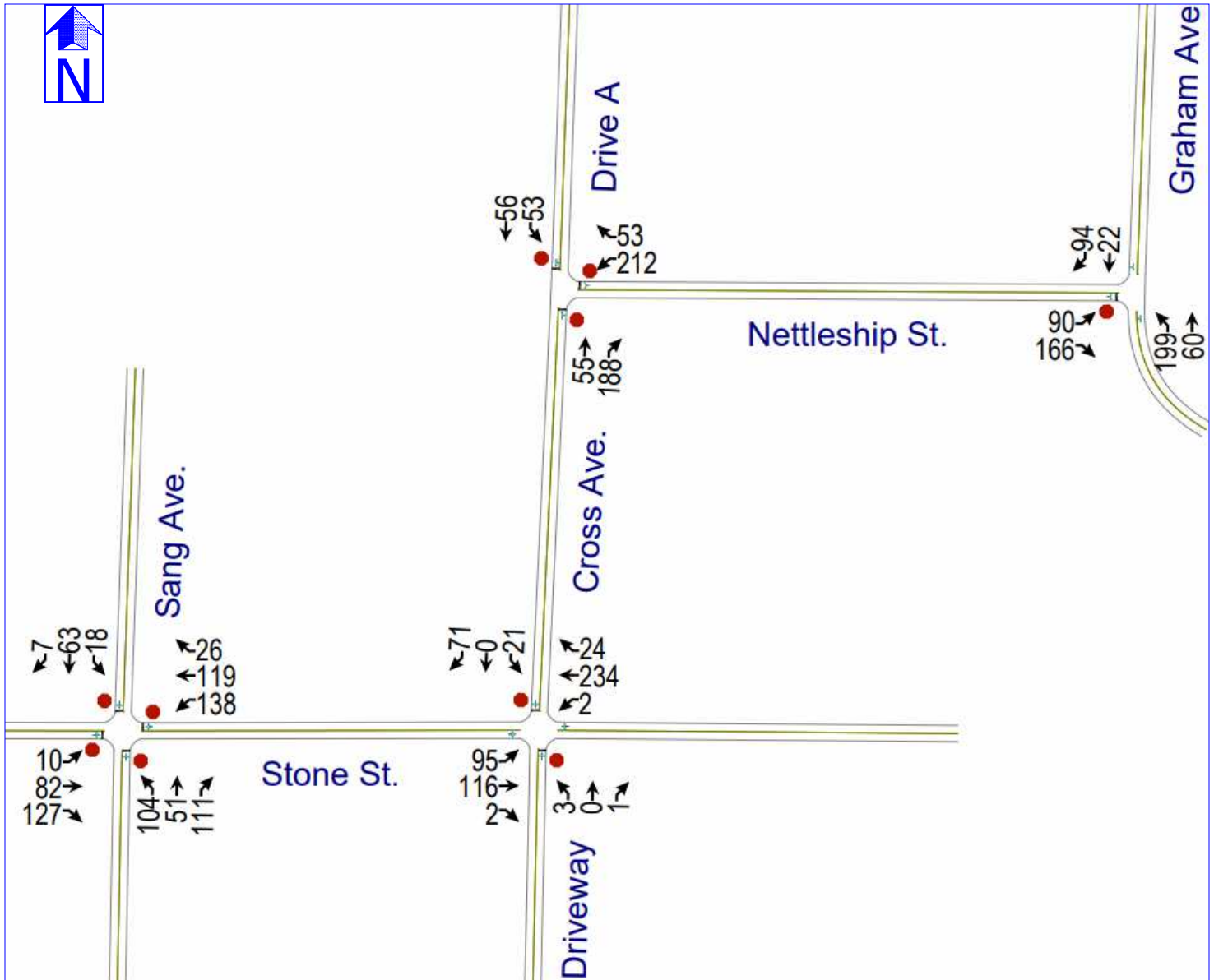


Figure 5B
Projected Future 5-Year Traffic Volumes
PM Peak Hour

CAPACITY and LEVEL OF SERVICE

Generally, the "capacity" of a street is a measure of its ability to accommodate a certain magnitude of moving vehicles. It is a rate as opposed to a quantity, measured in terms of vehicles per hour. More specifically, street capacity refers to the maximum number of vehicles that a street element (e.g. an intersection) can be expected to accommodate in a given time period under the prevailing roadway and traffic conditions.

Traffic operational analysis for the study intersections were evaluated based on the methodologies outlined in the Highway Capacity Manual, 2010 Edition, published by the Transportation Research Board. The operating conditions at an intersection are graded by the "level of service" experienced by drivers. Level of service (LOS) describes the quality of traffic operating conditions and is rated from "A" to "F". LOS "A" represents the most desirable condition with free-flow movement of traffic with minimal delays. LOS "F" generally indicates severely congested conditions with excessive delays to motorists. Intermediate grades of B, C, D, and E reflect incremental increases in the average delay per stopped vehicle. Delay is measured in seconds per vehicle. The table below shows the upper limit of delay associated with each level of service for signalized and un-signalized intersections.

Intersection Level of Service Delay Thresholds

Level of Service

(LOS)	Signalized	Un-Signalized
A	< 10 Seconds	< 10 Seconds
B	< 20 Seconds	< 15 Seconds
C	< 35 Seconds	< 25 Seconds
D	< 55 Seconds	< 35 Seconds
E	< 80 Seconds	< 50 Seconds
F	≥ 80 Seconds	≥ 50 Seconds



The LOS rating deemed acceptable varies by community, facility type and traffic control device. Typically, LOS "D" is the desirable goal for movements at un-signalized intersections that must yield to other movements; however, a LOS "E" or "F" is often accepted for low to moderate traffic volumes where the installation of a traffic signal is not warranted by the conditions at the intersection or the location is deemed undesirable for signalization for other reasons. Other reasons may include the close proximity of an existing traffic signal or the presence of a convenient alternative route. For signalized intersections, level of service and average delay relate to all vehicles using the intersection. LOS "D" is the typical desirable standard for signalized intersections. The study intersections were evaluated using the Synchro analysis software package based on Highway Capacity Manual methods. This computer program has been proven to be reliable when used to analyze capacity and levels of traffic service under various operating conditions. Detailed results for all capacity calculations are included in the Appendix. The adjacent street weekday AM and PM peak traffic periods were used for these calculations. Factors included in the analysis are as follows:

- Existing traffic volumes and patterns.
- Pedestrian traffic.
- Directional distribution of projected traffic volumes.
- Existing and proposed intersection geometry (including elements such as turn lanes, curb radii, etc.).
- Existing background traffic volumes and projected site-generated volumes for projected traffic conditions.
- Background traffic growth.
- Existing and proposed traffic control and lane geometry.



CAPACITY ANALYSIS

Level of Service Analysis Results

Existing Traffic Conditions

Capacity and level of service analysis was performed for existing traffic volumes, lane geometry and traffic control for the AM and PM peak hours for the following study intersections:

- Sang Avenue and Stone Street.
- Cross Avenue and Stone Street.
- Nettleship Street and Graham Avenue.

As indicated in Table 2, "Level of Service Summary – Existing Traffic Conditions," all vehicle movements at the study intersections currently operate at what calculates as a LOS "B" or better for existing traffic conditions for the AM and PM peak hours.

Traffic volumes used for this analysis are shown on Figure 3A, "Existing Traffic Volumes - AM Peak Hour," and Figure 3B, "Existing Traffic Volumes - PM Peak Hour."



Projected 5-Year Traffic Conditions

Capacity and LOS analysis was performed for projected traffic conditions for full build-out of the proposed residential off campus student housing development plus five-year background traffic volume growth for the AM and PM peak hours for the following intersections:

- Sang Avenue and Stone Street.
- Cross Avenue and Stone Street.
- Nettleship Street and Graham Avenue.
- Nettleship Street and Cross Avenue / Drive A.

Traffic volumes and intersection lane geometry used for analysis of projected traffic conditions are shown on Figure 5A, "Projected Future 5-Year Traffic Volumes - AM Peak Hour," and Figure 5B, "Projected Future 5-Year Traffic Volumes - PM Peak Hour." The operating conditions projected to exist at the study intersections are summarized in Table 3, "Level of Service Summary - Projected 5-Year Traffic Conditions."

As indicated in Table 3, all vehicle movements at the study intersections are expected to continue to operate at what calculates as LOS "B" or better for these projected traffic conditions for the AM and PM peak hours. Furthermore, the average seconds delay per vehicle are expected to be acceptable levels during the AM and PM peak hours for these projected traffic conditions at each of the study intersections with minimal increases compared to existing conditions.





EXISTING TRAFFIC CONDITIONS		Traffic Control	PEAK HOUR - LEVEL OF SERVICE												Overall Intersection	Avg. Control Delay Seconds / Vehicle
INTERSECTION	PEAK HR		Eastbound Left-Turn	Eastbound Thru	Eastbound Right-Turn	Westbound Left-Turn	Westbound Thru	Westbound Right-Turn	Northbound Left-Turn	Northbound Thru	Northbound Right-Turn	Southbound Left-Turn	Southbound Thru	Southbound Right-Turn		
Sang Avenue and Stone Street	AM	4-WAY "STOP" SIGN	A	A		A	A		A	A			A		A	8.3
	PM					B	B			B			A		B	10.1
Cross Avenue and Stone Street	AM	2-WAY "STOP" SIGN	B	B		B	B			A			A		n/a	8.4
	PM		B	B		B	B			A			A		n/a	10.7
Nettleship Street and Graham Avenue	AM	1-WAY "STOP" SIGN	B		B					A				A	n/a	6.4
	PM		B		B					A				A	n/a	7.1

Table 2 - Level of Service Summary - Existing Traffic Conditions

PROJECTED 5-YEAR TRAFFIC CONDITIONS		Traffic Control	PEAK HOUR - LEVEL OF SERVICE												Overall Intersection	Avg. Control Delay Seconds / Vehicle
INTERSECTION	PEAK HR		Eastbound Left-Turn	Eastbound Thru	Eastbound Right-Turn	Westbound Left-Turn	Westbound Thru	Westbound Right-Turn	Northbound Left-Turn	Northbound Thru	Northbound Right-Turn	Southbound Left-Turn	Southbound Thru	Southbound Right-Turn		
Sang Avenue and Stone Street	AM	4-WAY "STOP" SIGN	A	A		A	A		A	A			A		A	8.8
	PM		B	B		B	B		B	B			B		B	12.1
Cross Avenue and Stone Street	AM	2-WAY "STOP" SIGN	A	A		A	A		A	A			A		n/a	3.3
	PM		B	B		B	B		A	A			A		n/a	3.4
Nettleship Street and Graham Avenue	AM	1-WAY "STOP" SIGN	B		B				A	A			A		n/a	6.9
	PM		B		B				A	A			A		n/a	8.3
Nettleship Street and Cross Avenue / Drive A	AM	3-WAY "STOP" SIGN				A		A		A			A		A	8.5
	PM					B		B		A			A		A	10.0

Table 3 - Level of Service Summary - Projected 5-Year Traffic Conditions

AUXILIARY TURN LANE ANALYSIS

Typically, an assessment of the need for an auxiliary right and/or left-turn lanes are included for projected traffic conditions. However, with the favorable capacity and LOS results (all vehicle movements at the study intersections are expected to continue to operate at what calculates as LOS "B" or better) for projected traffic conditions, turn lane analysis does not seem necessary for this study.

PEDESTRIAN PROVISIONS

Per City of Fayetteville Minimum Street Standards, a traffic engineering study must include pedestrian / bicycle evaluations per City of Fayetteville Minimum Street Standards Chapter 7.5. Sidewalks should be included from the site to tie into existing nearby sidewalks. Additionally, the installation of a crosswalk should be considered for the intersection of Nettleship Street and Cross Avenue to coincide with the construction of the north leg of this intersection.



FINDINGS and CONCLUSIONS

Findings of this study are summarized as follows:

- Capacity and level of service analysis was performed for existing traffic volumes, lane geometry and traffic control for the AM and PM peak hours for the study intersections. All vehicle movements at the study intersections currently operate at what calculates as a LOS "B" or better for existing traffic conditions for the AM and PM peak hours.
- Approximately 3,136 vehicle trips (combined in and out) per average weekday are projected to be generated by the proposed land use on this site. Of this total, approximately 102 vehicle trips are estimated during the traffic conditions of the AM peak hour and approximately 217 vehicle trips are estimated during the traffic conditions of the PM peak hour.
- Capacity and LOS analysis was performed for projected traffic conditions for full build-out of the proposed residential off campus student housing development plus five-year background traffic volume growth for the AM and PM peak hours for the study intersections. All vehicle movements at the study intersections are expected to continue to operate at what calculates as LOS "B" or better for these projected traffic conditions for the AM and PM peak hours. Furthermore, the average seconds delay per vehicle are expected to be acceptable levels during the AM and PM peak hours for these projected traffic conditions at each of the study intersections with minimal increases compared to existing conditions.
- Per City of Fayetteville Minimum Street Standards, a traffic engineering study must include pedestrian / bicycle evaluations per City of Fayetteville Minimum Street Standards Chapter 7.5. Sidewalks should be included from the site to tie into existing nearby sidewalks. Additionally, the installation of a crosswalk should be considered for the intersection of Nettle-ship Street and Cross Avenue to coincide with the construction of the north leg of this intersection.



Traffic Study

The conclusion of traffic operational findings associated with this study is that additional traffic expected to be generated by the proposed approximate 1,000 tenant off-campus student housing residential development can be accommodated by the existing adjacent roadways and proposed access to the site, without discernable impact on traffic flow in the vicinity.

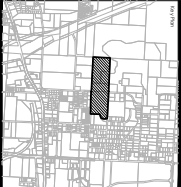


APPENDIX



PETERS & ASSOCIATES
ENGINEERS, INC.





024-0006 (THE STATION AT FAYETTE) - PLANS 43

Trip-Generation Data



PETERS & ASSOCIATES
ENGINEERS, INC.

ITE TRIP-GENERATION 11TH EDITION
The Station at Fayetteville
Approximate 1,000 Beds in Off-Campus Student Apartments Land-Use (ITE 225)
8/12/2024
P2243

Weekday Daily Volume

<u>DATA STATISTICS</u>
Land Use:
Off-Campus Student Apartment (Low-Rise) - Adjacent to Campus (225) Click for Description and Data Plots
Independent Variable:
Bedrooms
Time Period:
Weekday
Setting/Location:
General Urban/Suburban
Trip Type:
Vehicle
Number of Studies:
7
Avg. Num. of Bedrooms:
621
Average Rate:
3.57
Range of Rates:
2.52 - 5.30
Standard Deviation:
0.88
Fitted Curve Equation:
$\ln(T) = 0.75 \ln(X) + 2.87$
R²:
0.90
Directional Distribution:
50% entering, 50% exiting
Calculated Trip Ends:
Average Rate: 3570 (Total), 1785 (Entry), 1785 (Exit)
Fitted Curve: 3136 (Total), 1568 (Entry), 1568 (Exit)

Weekday AM Peak Hour
of Adjacent Street

Directional Distribution:
38% entering, 62% exiting
Calculated Trip Ends:
Average Rate: 120 (Total), 46 (Entry), 74 (Exit)
Fitted Curve: 102 (Total), 39 (Entry), 63 (Exit)

Weekday PM Peak Hour
of Adjacent Street

Directional Distribution:
50% entering, 50% exiting
Calculated Trip Ends:
Average Rate: 240 (Total), 120 (Entry), 120 (Exit)
Fitted Curve: 217 (Total), 108 (Entry), 109 (Exit)

Vehicle Turning Movement Count Data



PETERS & ASSOCIATES
ENGINEERS, INC.

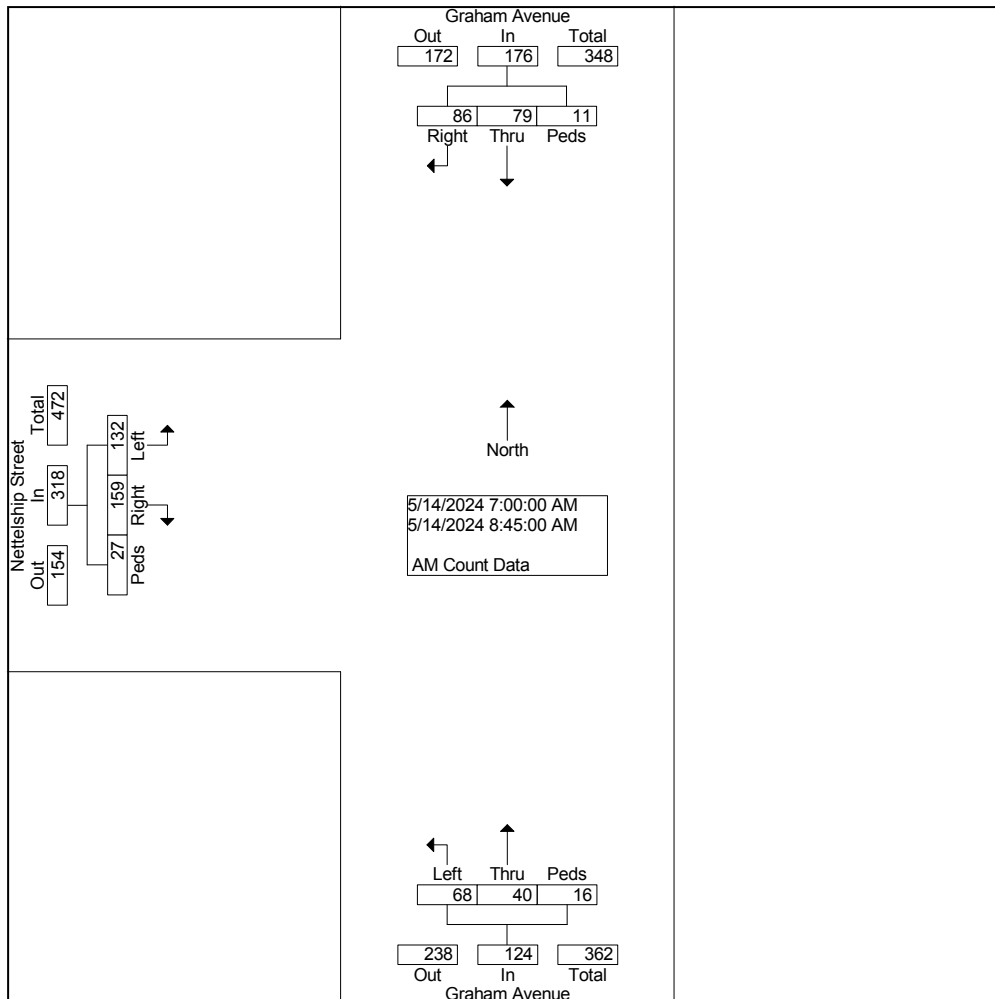
Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

AM Hour Turning Movement Count Data
Nettleship Street & Graham Avenue
Fayetteville, Arkansas
P-2243

File Name : AM GR NE
Site Code : 00000000
Start Date : 05/14/2024
Page No : 1

Groups Printed- AM Count Data

	Graham Avenue From North				Graham Avenue From South				Nettleship Street From West				
Start Time	Right	Thru	Peds	App. Total	Thru	Left	Peds	App. Total	Right	Left	Peds	App. Total	Int. Total
Factor	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		
07:00 AM	2	4	2	8	2	2	3	7	4	12	1	17	32
07:15 AM	4	4	1	9	2	4	2	8	14	18	2	34	51
07:30 AM	12	12	1	25	8	6	4	18	34	20	3	57	100
07:45 AM	24	12	1	37	4	8	2	14	25	24	4	53	104
Total	42	32	5	79	16	20	11	47	77	74	10	161	287
08:00 AM	12	20	1	33	6	30	1	37	28	10	4	42	112
08:15 AM	14	8	2	24	8	10	2	20	24	20	5	49	93
08:30 AM	10	9	2	21	6	4	1	11	14	16	4	34	66
08:45 AM	8	10	1	19	4	4	1	9	16	12	4	32	60
Total	44	47	6	97	24	48	5	77	82	58	17	157	331
Grand Total	86	79	11	176	40	68	16	124	159	132	27	318	618
Apprch %	48.9	44.9	6.3		32.3	54.8	12.9		50.0	41.5	8.5		
Total %	13.9	12.8	1.8	28.5	6.5	11.0	2.6	20.1	25.7	21.4	4.4	51.5	

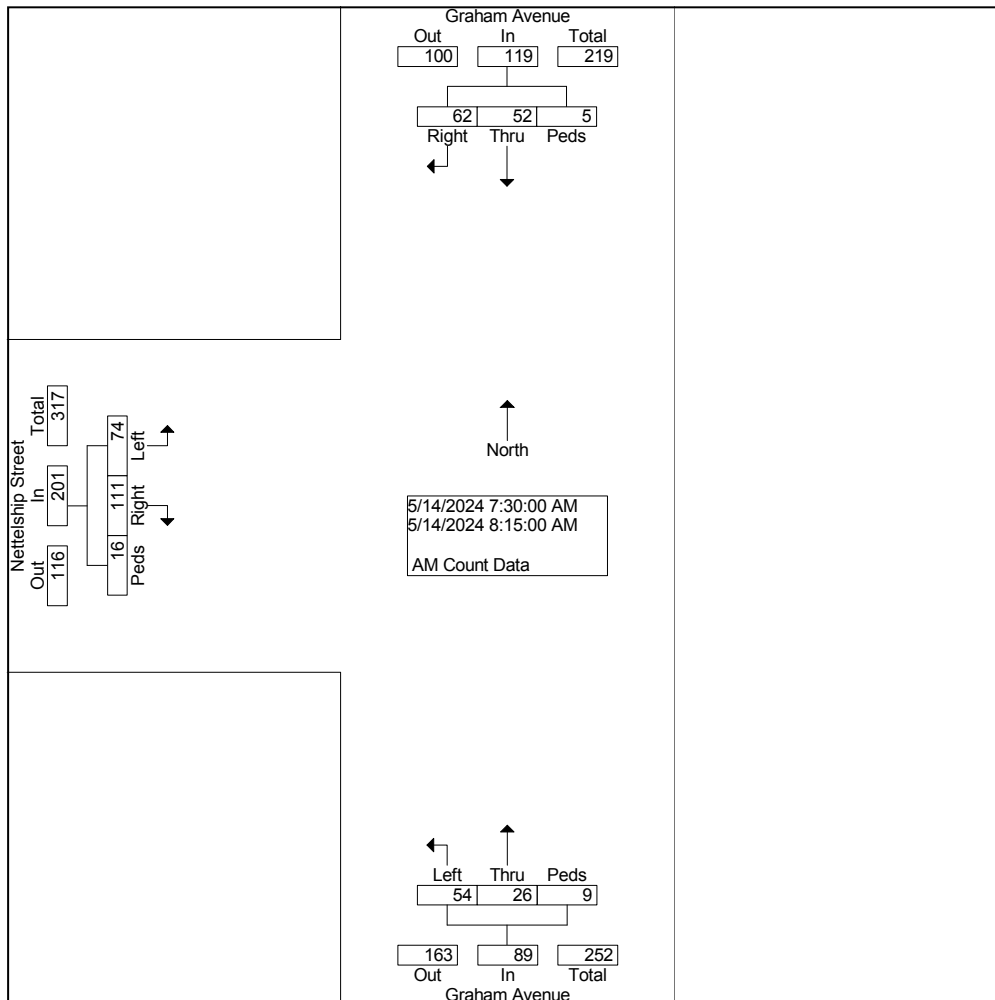


Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

AM Hour Turning Movement Count Data
Nettleship Street & Graham Avenue
Fayetteville, Arkansas
P-2243

File Name : AM GR NE
Site Code : 00000000
Start Date : 05/14/2024
Page No : 2

	Graham Avenue From North				Graham Avenue From South				Nettleship Street From West				
Start Time	Right	Thru	Peds	App. Total	Thru	Left	Peds	App. Total	Right	Left	Peds	App. Total	Int. Total
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1													
Intersection	07:30 AM												
Volume	62	52	5	119	26	54	9	89	111	74	16	201	409
Percent	52.1	43.7	4.2		29.2	60.7	10.1		55.2	36.8	8.0		
08:00 Volume	12	20	1	33	6	30	1	37	28	10	4	42	112
Peak Factor													0.913
High Int.	07:45 AM				08:00 AM				07:30 AM				
Volume	24	12	1	37	6	30	1	37	34	20	3	57	
Peak Factor				0.804				0.601				0.882	



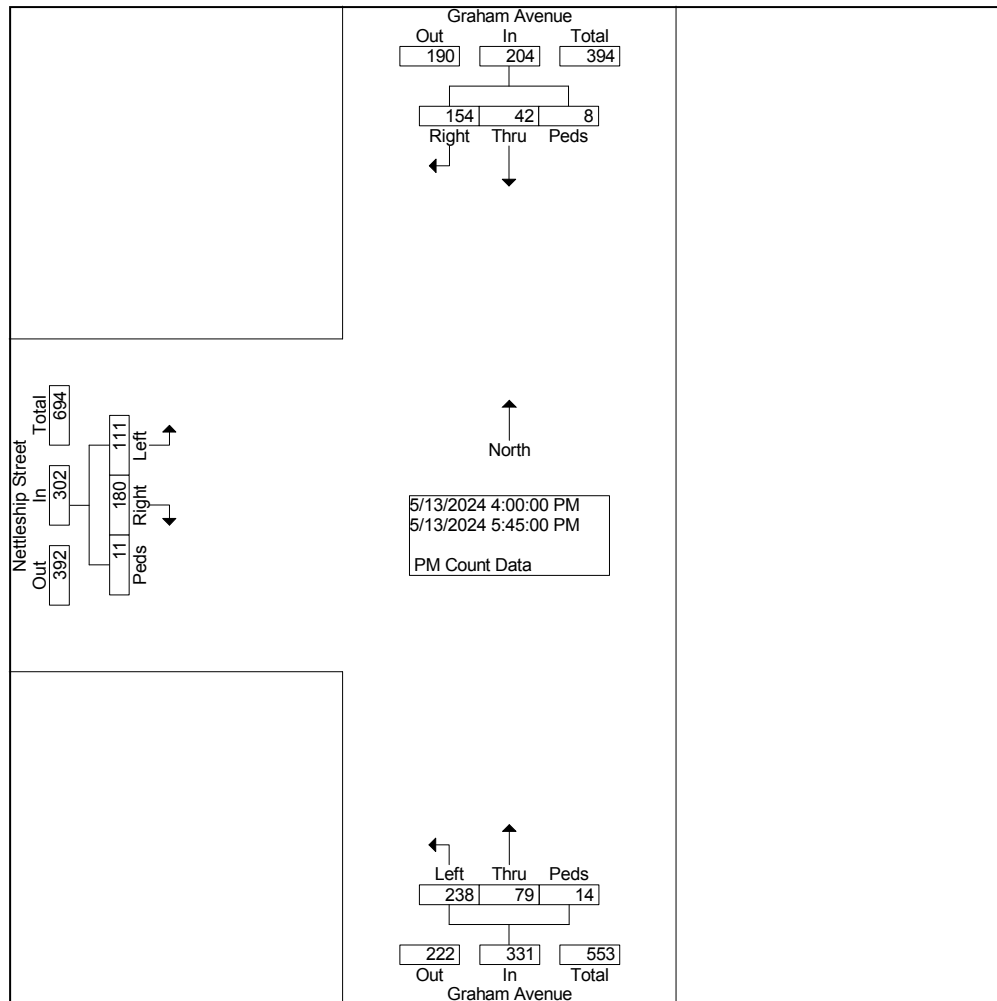
Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

PM Hour Turning Movement Count Data
Graham Avenue and Nettleship Street
Fayetteville, Ar
P2243

File Name : PM GR NE
Site Code : 00000000
Start Date : 05/13/2024
Page No : 1

Groups Printed- PM Count Data

	Graham Avenue From North				Graham Avenue From South				Nettleship Street From West				
Start Time	Right	Thru	Peds	App. Total	Thru	Left	Peds	App. Total	Right	Left	Peds	App. Total	Int. Total
Factor	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		
04:00 PM	20	10	1	31	12	45	2	59	38	24	2	64	154
04:15 PM	20	2	1	23	24	31	1	56	42	20	1	63	142
04:30 PM	16	4	1	21	9	38	2	49	24	14	2	40	110
04:45 PM	10	4	2	16	9	32	1	42	12	10	1	23	81
Total	66	20	5	91	54	146	6	206	116	68	6	190	487
05:00 PM	22	4	1	27	4	40	1	45	18	11	2	31	103
05:15 PM	22	5	1	28	12	24	2	38	16	14	1	31	97
05:30 PM	26	6	0	32	3	16	3	22	18	10	1	29	83
05:45 PM	18	7	1	26	6	12	2	20	12	8	1	21	67
Total	88	22	3	113	25	92	8	125	64	43	5	112	350
Grand Total	154	42	8	204	79	238	14	331	180	111	11	302	837
Apprch %	75.5	20.6	3.9		23.9	71.9	4.2		59.6	36.8	3.6		
Total %	18.4	5.0	1.0	24.4	9.4	28.4	1.7	39.5	21.5	13.3	1.3	36.1	

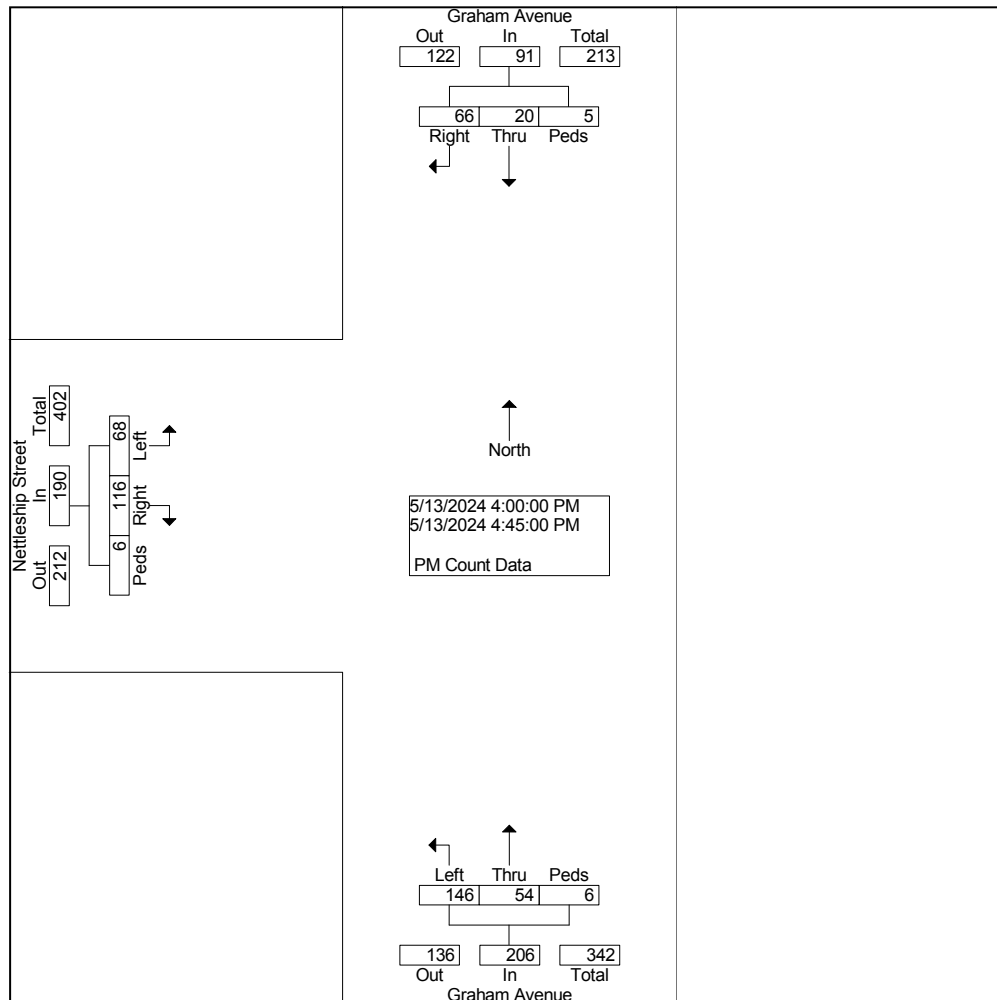


Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

PM Hour Turning Movement Count Data
Graham Avenue and Nettleship Street
Fayetteville, Ar
P2243

File Name : PM GR NE
Site Code : 00000000
Start Date : 05/13/2024
Page No : 2

	Graham Avenue From North				Graham Avenue From South				Nettleship Street From West				
Start Time	Right	Thru	Peds	App. Total	Thru	Left	Peds	App. Total	Right	Left	Peds	App. Total	Int. Total
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1													
Intersection	04:00 PM												
Volume	66	20	5	91	54	146	6	206	116	68	6	190	487
Percent	72.5	22.0	5.5		26.2	70.9	2.9		61.1	35.8	3.2		
04:00 Volume	20	10	1	31	12	45	2	59	38	24	2	64	154
Peak Factor													0.791
High Int.	04:00 PM				04:00 PM				04:00 PM				
Volume	20	10	1	31	12	45	2	59	38	24	2	64	
Peak Factor				0.734				0.873				0.742	



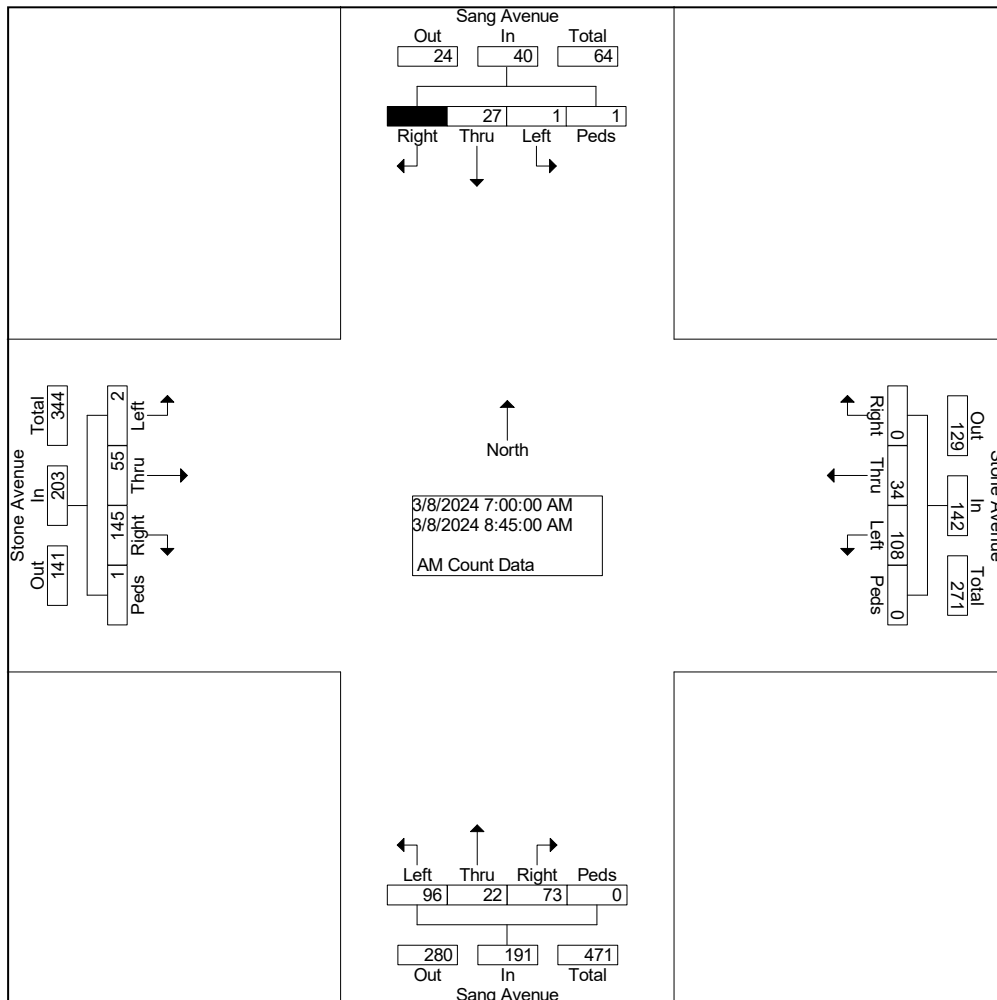
Peters & Associates Engineers, Inc.
Peak Hours Turning Movement Count Data

AM Hour Turning Movement Count Data
Stone Street & Sang Street
Fayetteville, Arkansas
P-2243

File Name : AM SA ST
Site Code : 00000000
Start Date : 03/08/2024
Page No : 1

Groups Printed- AM Count Data

	Sang Avenue From North					Stone Avenue From East					Sang Avenue From South					Stone Avenue From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		
07:00 AM	1	3	1	0	5	0	1	4	0	5	0	3	4	0	7	6	3	0	0	9	26
07:15 AM	1	1	0	0	2	0	3	16	0	19	12	2	7	0	21	9	5	0	0	14	56
07:30 AM	0	1	0	0	1	0	10	17	0	27	15	3	12	0	30	20	12	0	0	32	90
07:45 AM	0	3	0	1	4	0	4	21	0	25	10	4	17	0	31	28	10	0	1	39	99
Total	2	8	1	1	12	0	18	58	0	76	37	12	40	0	89	63	30	0	1	94	271
08:00 AM	5	11	0	0	16	0	6	23	0	29	19	6	34	0	59	50	11	1	0	62	166
08:15 AM	1	1	0	0	2	0	4	2	0	6	9	4	16	0	29	19	7	1	0	27	64
08:30 AM	0	2	0	0	2	0	6	5	0	11	2	0	0	0	2	10	1	0	0	11	26
08:45 AM	3	5	0	0	8	0	0	20	0	20	6	0	6	0	12	3	6	0	0	9	49
Total	9	19	0	0	28	0	16	50	0	66	36	10	56	0	102	82	25	2	0	109	305
Grand Total	11	27	1	1	40	0	34	108	0	142	73	22	96	0	191	145	55	2	1	203	576
Apprch %	27.5	67.5	2.5	2.5		0.0	23.9	76.1	0.0		38.2	11.5	50.3	0.0		71.4	27.1	1.0	0.5		
Total %	1.9	4.7	0.2	0.2	6.9	0.0	5.9	18.8	0.0	24.7	12.7	3.8	16.7	0.0	33.2	25.2	9.5	0.3	0.2	35.2	

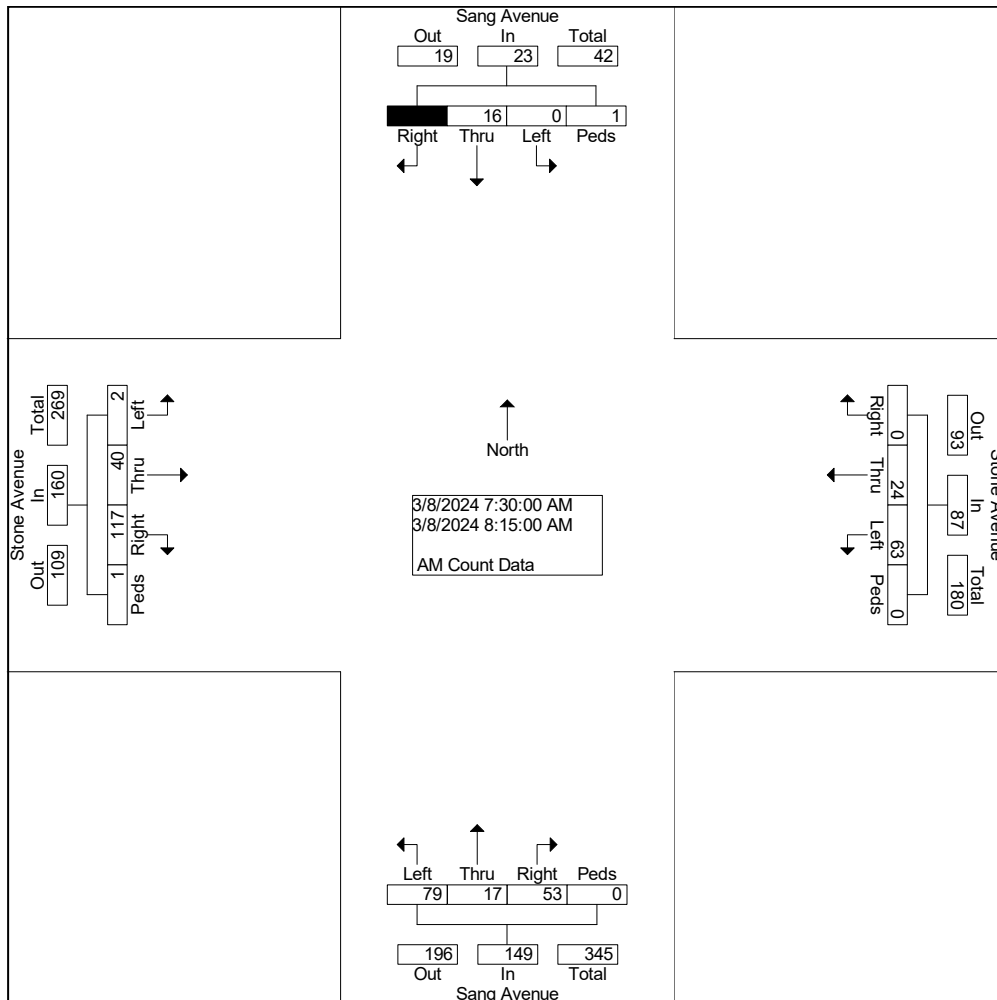


Peters & Associates Engineers, Inc.
Peak Hours Turning Movement Count Data

AM Hour Turning Movement Count Data
Stone Street & Sang Street
Fayetteville, Arkansas
P-2243

File Name : AM SA ST
Site Code : 00000000
Start Date : 03/08/2024
Page No : 2

	Sang Avenue From North					Stone Avenue From East					Sang Avenue From South					Stone Avenue From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Intersection	07:30 AM																				
Volume	6	16	0	1	23	0	24	63	0	87	53	17	79	0	149	117	40	2	1	160	419
Percent	26.1	69.6	0.0	4.3		0.0	27.6	72.4	0.0		35.6	11.4	53.0	0.0		73.1	25.0	1.3	0.6		
08:00																					
Volume	5	11	0	0	16	0	6	23	0	29	19	6	34	0	59	50	11	1	0	62	166
Peak Factor																					0.631
High Int.	08:00 AM					08:00 AM					08:00 AM					08:00 AM					
Volume	5	11	0	0	16	0	6	23	0	29	19	6	34	0	59	50	11	1	0	62	
Peak Factor	0.359					0.750					0.631					0.645					



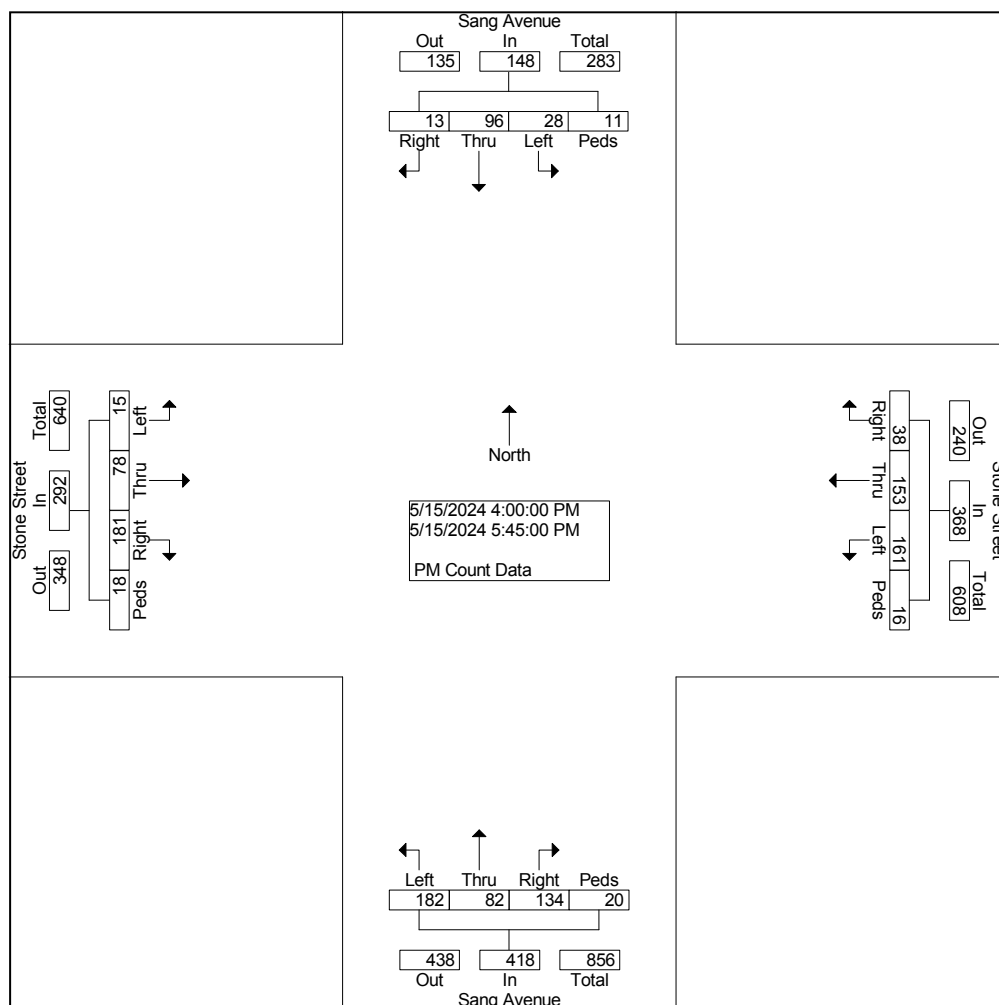
Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

PM Hour Turning Movement Count Data
Stone Street & Sang Avenue
Fayetteville, Arkansas
P-2243

File Name : PM SA ST
Site Code : 00000000
Start Date : 05/15/2024
Page No : 1

Groups Printed- PM Count Data

	Sang Avenue From North					Stone Street From East					Sang Avenue From South					Stone Street From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		
04:00 PM	1	22	5	2	30	10	26	42	4	82	29	8	16	4	57	35	20	2	8	65	234
04:15 PM	2	14	4	2	22	5	34	26	3	68	24	14	18	3	59	41	25	2	4	72	221
04:30 PM	2	12	3	3	20	5	12	14	0	31	13	12	32	5	62	21	8	1	3	33	146
04:45 PM	1	9	4	2	16	4	18	20	3	45	12	12	28	3	55	18	4	4	2	28	144
Total	6	57	16	9	88	24	90	102	10	226	78	46	94	15	233	115	57	9	17	198	745
05:00 PM	1	10	4	0	15	5	20	20	3	48	16	18	32	2	68	20	4	3	1	28	159
05:15 PM	2	10	3	1	16	3	14	19	0	36	14	4	18	2	38	18	6	2	0	26	116
05:30 PM	2	10	4	1	17	3	16	12	3	34	20	8	22	1	51	16	6	1	0	23	125
05:45 PM	2	9	1	0	12	3	13	8	0	24	6	6	16	0	28	12	5	0	0	17	81
Total	7	39	12	2	60	14	63	59	6	142	56	36	88	5	185	66	21	6	1	94	481
Grand Total	13	96	28	11	148	38	153	161	16	368	134	82	182	20	418	181	78	15	18	292	1226
Apprch %	8.8	64.9	18.9	7.4		10.3	41.6	43.8	4.3		32.1	19.6	43.5	4.8		62.0	26.7	5.1	6.2		
Total %	1.1	7.8	2.3	0.9	12.1	3.1	12.5	13.1	1.3	30.0	10.9	6.7	14.8	1.6	34.1	14.8	6.4	1.2	1.5	23.8	

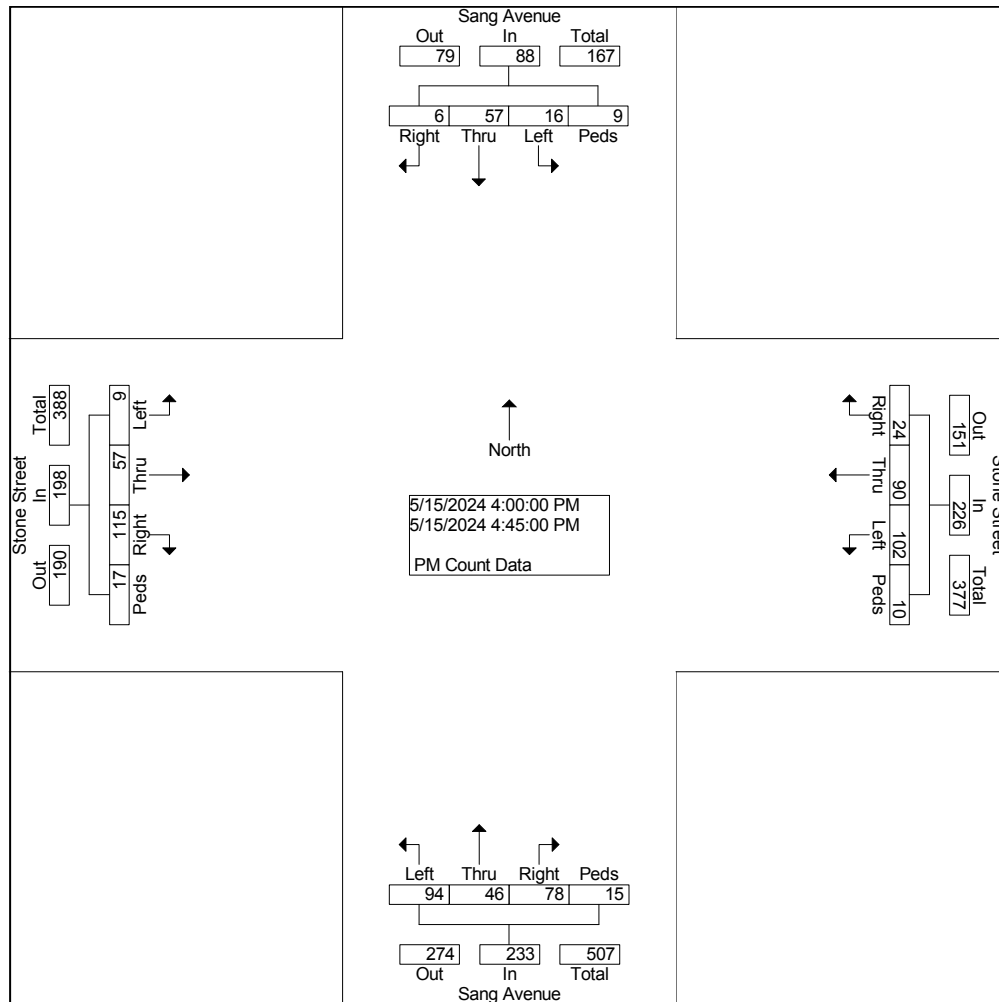


Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

PM Hour Turning Movement Count Data
Stone Street & Sang Avenue
Fayetteville, Arkansas
P-2243

File Name : PM SA ST
Site Code : 00000000
Start Date : 05/15/2024
Page No : 2

	Sang Avenue From North					Stone Street From East					Sang Avenue From South					Stone Street From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Intersection	04:00 PM																				
Volume	6	57	16	9	88	24	90	102	10	226	78	46	94	15	233	115	57	9	17	198	745
Percent	6.8	64.8	18.2	10.2		10.6	39.8	45.1	4.4		33.5	19.7	40.3	6.4		58.1	28.8	4.5	8.6		
04:00	1	22	5	2	30	10	26	42	4	82	29	8	16	4	57	35	20	2	8	65	234
Volume																					
Peak Factor																					0.796
High Int.	04:00 PM					04:00 PM					04:30 PM					04:15 PM					
Volume	1	22	5	2	30	10	26	42	4	82	13	12	32	5	62	41	25	2	4	72	
Peak Factor					0.733					0.689					0.940					0.688	



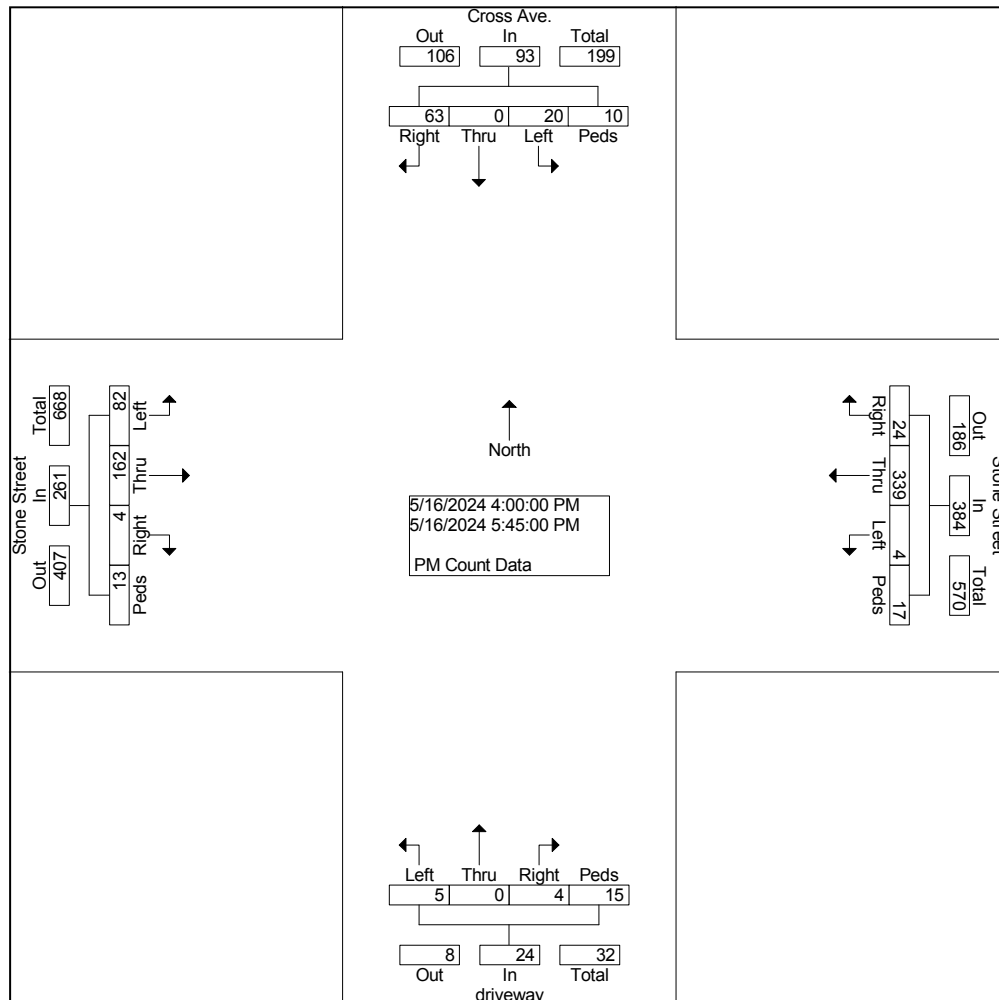
Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

PM Hour Turning Movement Count Data
Stone Street & Cross Avenue
Fayetteville, Arkansas
P-2243

File Name : PM CR ST
Site Code : 00000000
Start Date : 05/16/2024
Page No : 1

Groups Printed- PM Count Data

	Cross Ave. From North					Stone Street From East					driveway From South					Stone Street From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		
04:00 PM	8	0	2	1	11	3	78	1	2	84	0	0	1	0	1	0	40	14	4	58	154
04:15 PM	10	0	2	2	14	2	66	0	2	70	0	0	1	3	4	1	41	12	3	57	145
04:30 PM	2	0	3	3	8	3	27	1	3	34	1	0	0	4	5	0	12	12	3	27	74
04:45 PM	4	0	2	2	8	4	41	0	3	48	0	0	1	3	4	1	12	8	2	23	83
Total	24	0	9	8	41	12	212	2	10	236	1	0	3	10	14	2	105	46	12	165	456
05:00 PM	12	0	4	0	16	4	40	1	3	48	1	0	1	2	4	0	14	9	1	24	92
05:15 PM	9	0	3	1	13	3	36	0	1	40	1	0	0	2	3	1	12	12	0	25	81
05:30 PM	10	0	2	1	13	2	31	1	3	37	1	0	1	1	3	0	23	7	0	30	83
05:45 PM	8	0	2	0	10	3	20	0	0	23	0	0	0	0	0	1	8	8	0	17	50
Total	39	0	11	2	52	12	127	2	7	148	3	0	2	5	10	2	57	36	1	96	306
Grand Total	63	0	20	10	93	24	339	4	17	384	4	0	5	15	24	4	162	82	13	261	762
Apprch %	67.7	0.0	21.5	10.8		6.3	88.3	1.0	4.4		16.7	0.0	20.8	62.5		1.5	62.1	31.4	5.0		
Total %	8.3	0.0	2.6	1.3	12.2	3.1	44.5	0.5	2.2	50.4	0.5	0.0	0.7	2.0	3.1	0.5	21.3	10.8	1.7	34.3	

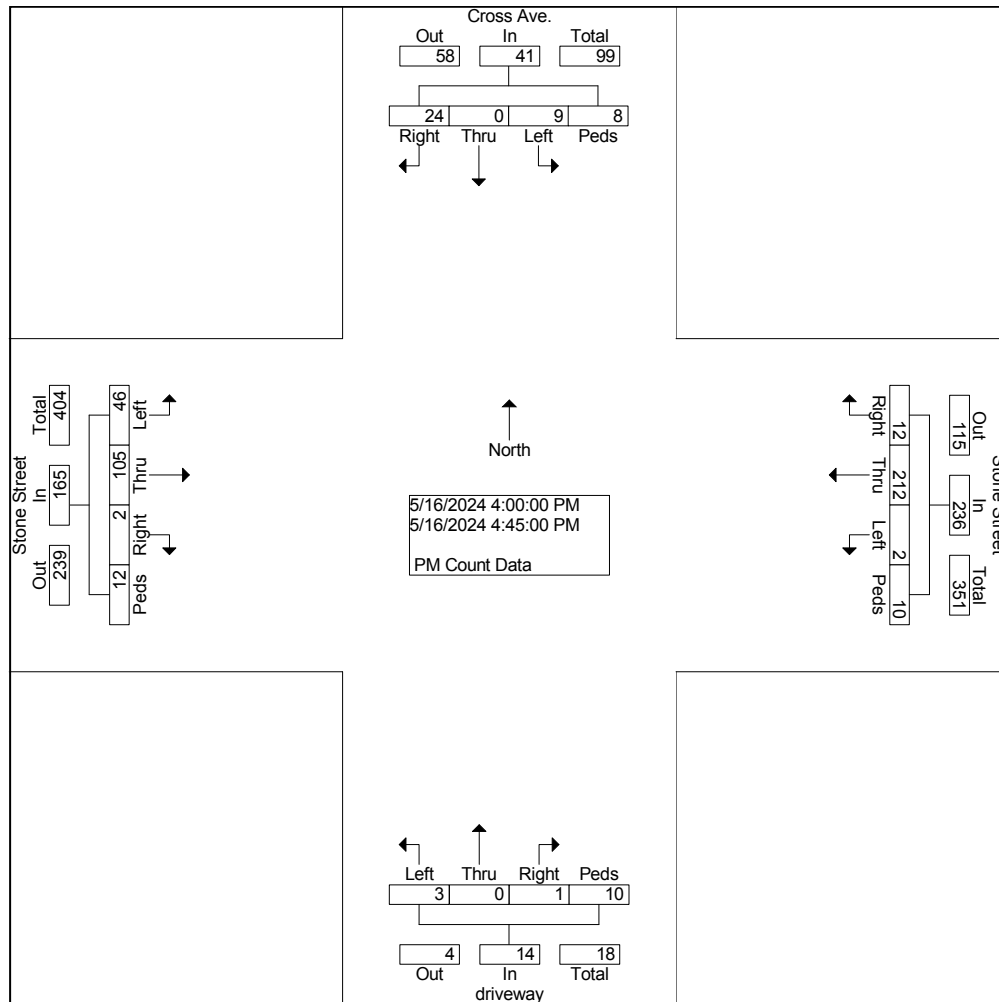


Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

PM Hour Turning Movement Count Data
Stone Street & Cross Avenue
Fayetteville, Arkansas
P-2243

File Name : PM CR ST
Site Code : 00000000
Start Date : 05/16/2024
Page No : 2

	Cross Ave. From North					Stone Street From East					driveway From South					Stone Street From West					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Intersection	04:00 PM																				
Volume	24	0	9	8	41	12	212	2	10	236	1	0	3	10	14	2	105	46	12	165	456
Percent	58.5	0.0	22.0	19.5		5.1	89.8	0.8	4.2		7.1	0.0	21.4	71.4		1.2	63.6	27.9	7.3		
04:00																					
Volume	8	0	2	1	11	3	78	1	2	84	0	0	1	0	1	0	40	14	4	58	154
Peak Factor																					0.740
High Int.	04:15 PM					04:00 PM					04:30 PM					04:00 PM					
Volume	10	0	2	2	14	3	78	1	2	84	1	0	0	4	5	0	40	14	4	58	
Peak Factor	0.732					0.702					0.700					0.711					



Cross Avenue and Stone Street
Fayetteville AR
Tuesday, May 14, 2024

Time	Southbound Cross Avenue					Westbound Stone Street					Northbound driveway					Eastbound Stone Street					VEHICLE TOTAL
	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings Approach Total	
12:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Cross Avenue and Stone Street
Fayetteville AR
Tuesday, May 14, 2024

Time	Southbound Cross Avenue					Westbound Stone Street					Northbound driveway					Eastbound Stone Street					VEHICLE TOTAL
	U Turns	Left Turns	Straight Through	Right Turns	Vehicle Crosswalk Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Vehicle Crosswalk Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Vehicle Crosswalk Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Vehicle Crosswalk Approach Total	
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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PZD-2024-0006 (THE STATION AT FAYETTEVILLE)

**Cross Avenue and Stone Street
Fayetteville AR
Tuesday, May 14, 2024**

Time	Westbound						Southbound						Northbound						Eastbound						VEHICLE TOTAL
	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	
12:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Peak Hour Total	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000

Time	Southbound					Westbound					Northbound					Eastbound					VEHICLE TOTAL
	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total			
4:00 PM	0	2	0	20	1	22	0	0	33	2	0	35	0	10	56	1	1	67	124		
4:15 PM	0	2	0	24	1	26	0	0	25	1	0	26	0	8	28	0	1	36	88		
4:30 PM	0	2	0	6	1	8	0	0	27	1	0	28	0	1	12	1	0	14	50		
4:45 PM	0	1	0	8	1	9	0	0	30	0	0	30	0	2	18	0	1	20	59		
Peak Hour Total	0	7	0	58	4	65	0	0	115	4	0	119	0	24	114	2	3	137	321		
PHF	0.000	0.875	0.000	0.604	1.000	0.625	0.000	0.000	0.871	0.500	0.000	0.890	0.000	0.525	0.509	0.500	0.750	0.517	0.647		

Total Vehicles On Leg		187	
Vehicles Entering 141 Intersection		Vehicles Exiting 46	
Cars	122	0	19
Heavy	0	0	0
Total	122	0	19



Total Vehicles on Leg	Eastbound		
	Cars	Heavy	Total
Vehicles Entering Intersection 211	6	0	6
Vehicles Exiting Intersection 315	0	0	0
	38	0	38
	164	4	168
	5	0	5



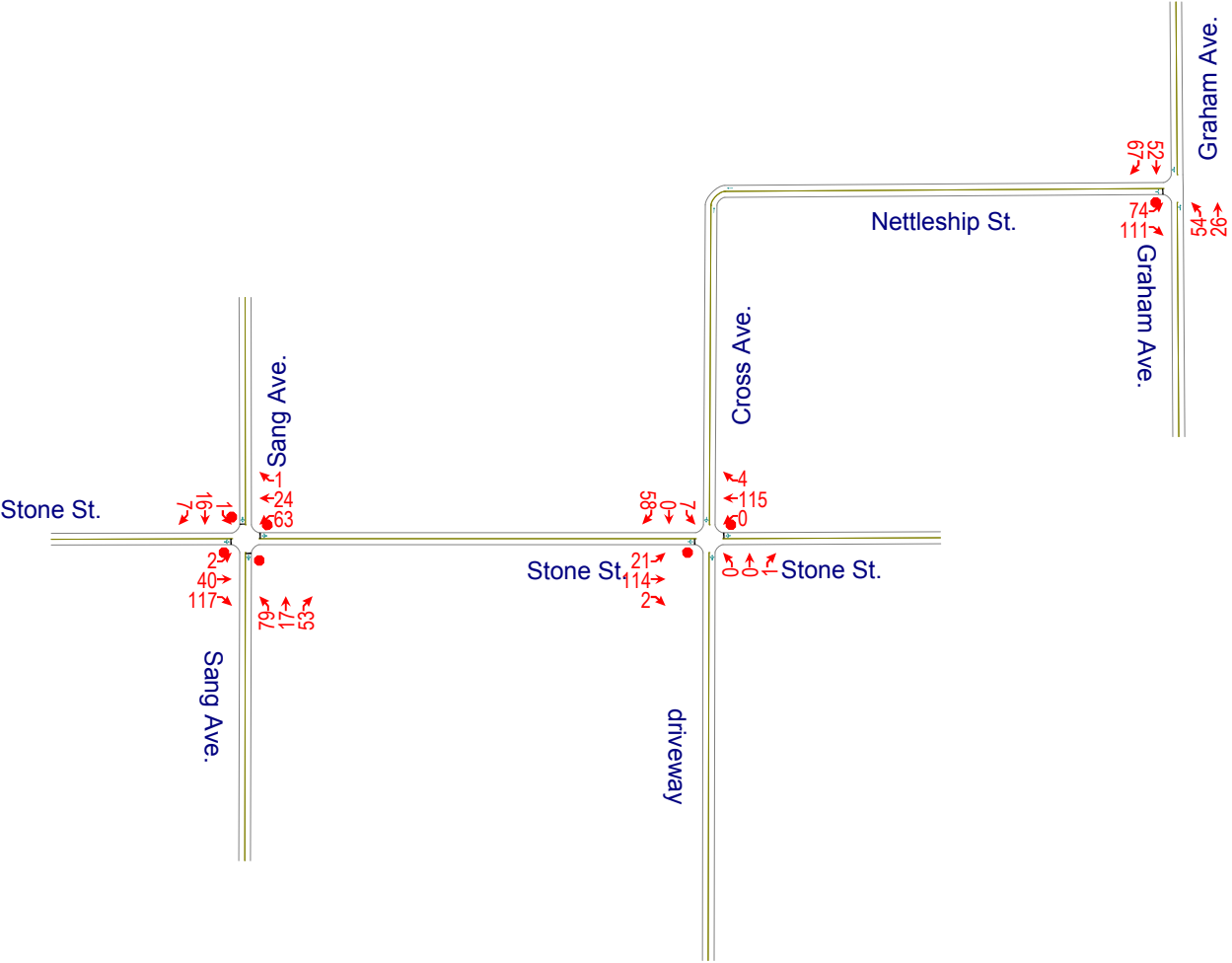
Cars	Heavy	Total	Westbound		Total Vehicles on Leg 386
			Vehicles Entering Intersection 199	Vehicles Exiting Intersection 187	
7	0	7	176	15	191
1	0	1	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0

Cars	Heavy	Total	Northbound		Total Vehicles on Leg 9
			Vehicles Entering Intersection 3	Vehicles Exiting Intersection 6	
3	0	3	2	1	3
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0

Capacity & Level of Service Calculations



PETERS & ASSOCIATES
ENGINEERS, INC.



HCM Unsignalized Intersection Capacity Analysis

3: driveway/Cross Ave. & Stone St.

6/5/2024

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	21	114	2	0	115	4	0	0	1	7	0	58
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	23	124	2	0	125	4	0	0	1	8	0	63
Pedestrians		3			4			3			4	
Lane Width (ft)		12.0			12.0			12.0			12.0	
Walking Speed (ft/s)		4.0			4.0			4.0			4.0	
Percent Blockage		0			0			0			0	
Right turn flare (veh)												
Median type								None			None	
Median storage veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	121	55	38	118	86	9	66			5		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	121	55	38	118	86	9	66			5		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	97	85	100	100	84	100	100			100		
cM capacity (veh/h)	738	828	1029	747	796	1066	1532			1611		
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total	149	129	1	71								
Volume Left	23	0	0	8								
Volume Right	2	4	1	63								
cSH	815	803	1532	1611								
Volume to Capacity	0.18	0.16	0.00	0.00								
Queue Length 95th (ft)	17	14	0	0								
Control Delay (s)	10.4	10.3	0.0	0.8								
Lane LOS	B	B		A								
Approach Delay (s)	10.4	10.3	0.0	0.8								
Approach LOS	B	B										
Intersection Summary												
Average Delay			8.4									
Intersection Capacity Utilization			32.7%		ICU Level of Service				A			
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis

5: Sang Ave. & Stone St.

6/5/2024

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Volume (vph)	2	40	117	63	24	1	79	17	53	1	16	7
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	2	43	127	68	26	1	86	18	58	1	17	8
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total (vph)	173	96	162	26								
Volume Left (vph)	2	68	86	1								
Volume Right (vph)	127	1	58	8								
Hadj (s)	-0.40	0.17	-0.07	-0.13								
Departure Headway (s)	4.1	4.7	4.5	4.6								
Degree Utilization, x	0.19	0.12	0.20	0.03								
Capacity (veh/h)	846	721	762	724								
Control Delay (s)	8.0	8.4	8.6	7.7								
Approach Delay (s)	8.0	8.4	8.6	7.7								
Approach LOS	A	A	A	A								
Intersection Summary												
Delay				8.3								
Level of Service				A								
Intersection Capacity Utilization				42.1%	ICU Level of Service				A			
Analysis Period (min)				15								

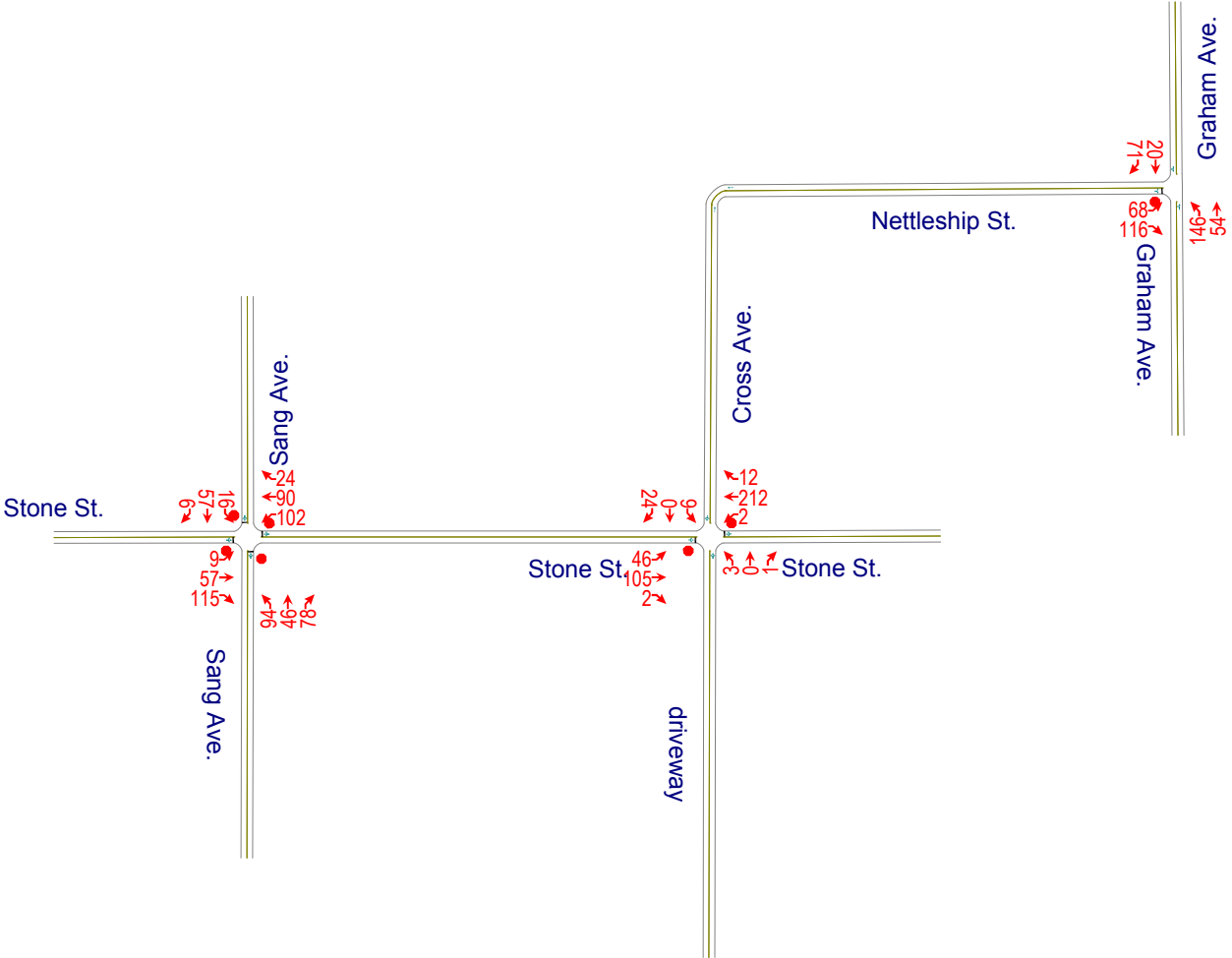
HCM Unsignalized Intersection Capacity Analysis

9: Graham Ave. & Nettleship St.

6/5/2024



Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Volume (veh/h)	74	111	54	26	52	67
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	80	121	59	28	57	73
Pedestrians	16			9	5	
Lane Width (ft)	12.0			12.0	12.0	
Walking Speed (ft/s)	4.0			4.0	4.0	
Percent Blockage	1			1	0	
Right turn flare (veh)						
Median type				None	None	
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	260	118	145			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	260	118	145			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	88	87	96			
cM capacity (veh/h)	687	915	1418			
Direction, Lane #	EB 1	NB 1	SB 1			
Volume Total	201	87	129			
Volume Left	80	59	0			
Volume Right	121	0	73			
cSH	807	1418	1700			
Volume to Capacity	0.25	0.04	0.08			
Queue Length 95th (ft)	25	3	0			
Control Delay (s)	10.9	5.3	0.0			
Lane LOS	B	A				
Approach Delay (s)	10.9	5.3	0.0			
Approach LOS	B					
Intersection Summary						
Average Delay			6.4			
Intersection Capacity Utilization			30.7%	ICU Level of Service	A	
Analysis Period (min)			15			



HCM Unsignalized Intersection Capacity Analysis

3: driveway/Cross Ave. & Stone St.

6/5/2024

																				
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR								
Lane Configurations																				
Volume (veh/h)	46	105	2	2	212	12	3	0	1	9	0	24								
Sign Control		Stop			Stop			Free			Free									
Grade		0%			0%			0%			0%									
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92								
Hourly flow rate (vph)	50	114	2	2	230	13	3	0	1	10	0	26								
Pedestrians		12			10			10			8									
Lane Width (ft)		12.0			12.0			12.0			12.0									
Walking Speed (ft/s)		4.0			4.0			4.0			4.0									
Percent Blockage		1			1			1			1									
Right turn flare (veh)																				
Median type								None			None									
Median storage (veh)																				
Upstream signal (ft)																				
pX, platoon unblocked																				
vC, conflicting volume	188	62	35	119	75	19	38			11										
vC1, stage 1 conf vol																				
vC2, stage 2 conf vol																				
vCu, unblocked vol	188	62	35	119	75	19	38			11										
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1										
tC, 2 stage (s)																				
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2										
p0 queue free %	91	86	100	100	71	99	100			99										
cM capacity (veh/h)	571	807	1019	735	794	1044	1556			1595										
Direction, Lane #	EB 1	WB 1	NB 1	SB 1																
Volume Total	166	246	4	36																
Volume Left	50	2	3	10																
Volume Right	2	13	1	26																
cSH	719	804	1556	1595																
Volume to Capacity	0.23	0.31	0.00	0.01																
Queue Length 95th (ft)	22	32	0	0																
Control Delay (s)	11.5	11.4	5.5	2.0																
Lane LOS	B	B	A	A																
Approach Delay (s)	11.5	11.4	5.5	2.0																
Approach LOS	B	B																		
Intersection Summary																				
Average Delay			10.7																	
Intersection Capacity Utilization			39.9%	ICU Level of Service						A										
Analysis Period (min)			15																	

HCM Unsignalized Intersection Capacity Analysis

5: Sang Ave. & Stone St.

6/5/2024

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Volume (vph)	9	57	115	102	90	24	94	46	78	16	57	6
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	10	62	125	111	98	26	102	50	85	17	62	7
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total (vph)	197	235	237	86								
Volume Left (vph)	10	111	102	17								
Volume Right (vph)	125	26	85	7								
Hadj (s)	-0.34	0.06	-0.09	0.03								
Departure Headway (s)	4.8	5.1	5.0	5.4								
Degree Utilization, x	0.26	0.33	0.33	0.13								
Capacity (veh/h)	693	659	654	594								
Control Delay (s)	9.5	10.6	10.5	9.2								
Approach Delay (s)	9.5	10.6	10.5	9.2								
Approach LOS	A	B	B	A								
Intersection Summary												
Delay				10.1								
Level of Service				B								
Intersection Capacity Utilization				56.1%	ICU Level of Service				B			
Analysis Period (min)				15								

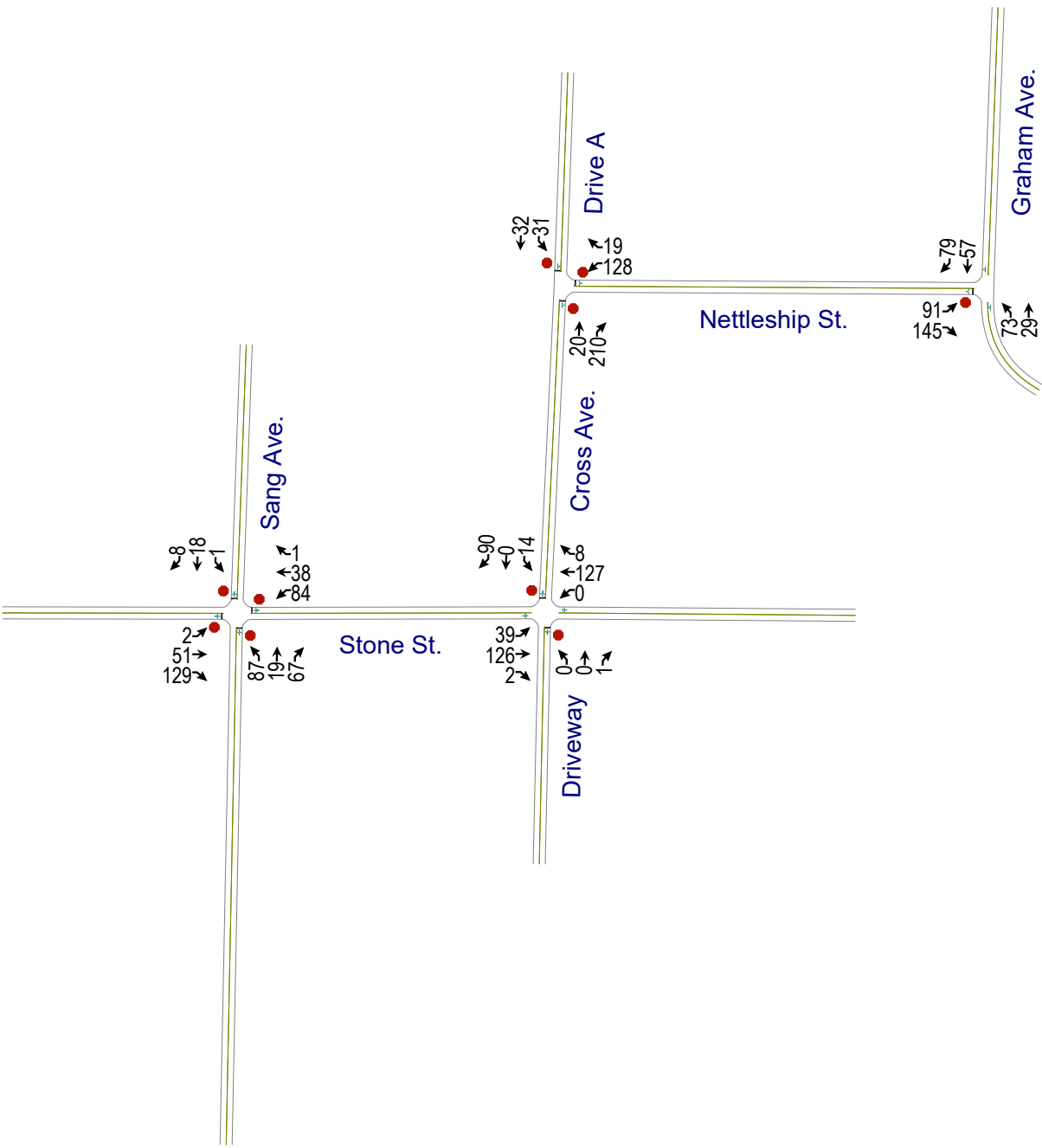
HCM Unsignalized Intersection Capacity Analysis

9: Graham Ave. & Nettleship St.

6/5/2024



Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Volume (veh/h)	68	116	146	54	20	71
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	74	126	159	59	22	77
Pedestrians	6			5	5	
Lane Width (ft)	12.0			12.0	12.0	
Walking Speed (ft/s)	4.0			4.0	4.0	
Percent Blockage	0			0	0	
Right turn flare (veh)						
Median type				None	None	
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	447	71	105			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	447	71	105			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	85	87	89			
cM capacity (veh/h)	503	982	1479			
Direction, Lane #	EB 1	NB 1	SB 1			
Volume Total	200	217	99			
Volume Left	74	159	0			
Volume Right	126	0	77			
cSH	726	1479	1700			
Volume to Capacity	0.28	0.11	0.06			
Queue Length 95th (ft)	28	9	0			
Control Delay (s)	11.8	5.9	0.0			
Lane LOS	B	A				
Approach Delay (s)	11.8	5.9	0.0			
Approach LOS	B					
Intersection Summary						
Average Delay			7.1			
Intersection Capacity Utilization			37.5%	ICU Level of Service		A
Analysis Period (min)			15			

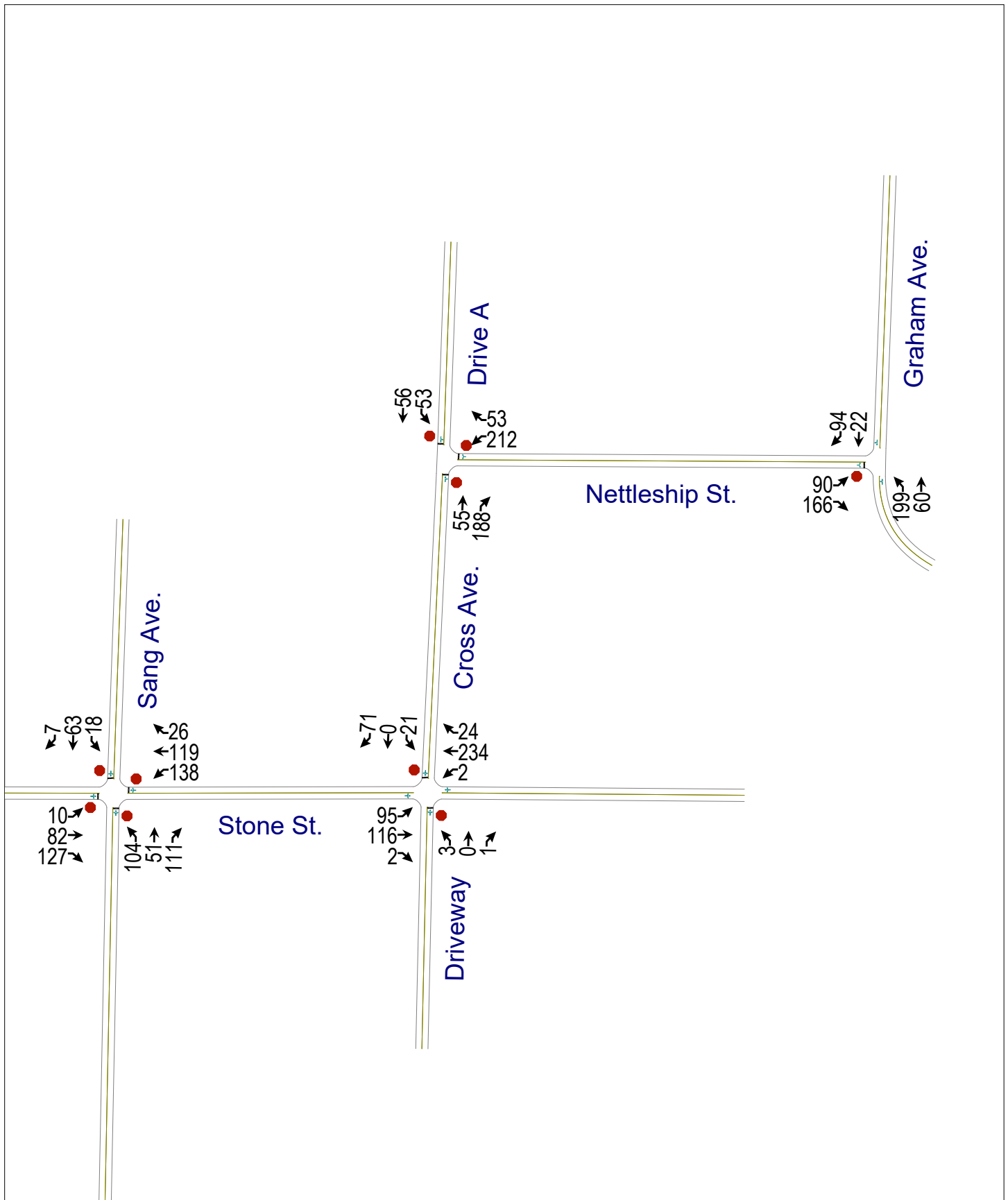


Intersection												
Intersection Delay, s/veh	8.8											
Intersection LOS	A											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Traffic Vol, veh/h	2	51	129	84	38	1	87	19	67	1	18	8
Future Vol, veh/h	2	51	129	84	38	1	87	19	67	1	18	8
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	2	55	140	91	41	1	95	21	73	1	20	9
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0
Approach	EB			WB			NB			SB		
Opposing Approach	WB			EB			SB			NB		
Opposing Lanes	1			1			1			1		
Conflicting Approach Left	SB			NB			EB			WB		
Conflicting Lanes Left	1			1			1			1		
Conflicting Approach Right	NB			SB			WB			EB		
Conflicting Lanes Right	1			1			1			1		
HCM Control Delay	8.5			8.9			9.1			8		
HCM LOS	A			A			A			A		
Lane	NBLn1	EBLn1	WBLn1	SBLn1								
Vol Left, %	50%	1%	68%	4%								
Vol Thru, %	11%	28%	31%	67%								
Vol Right, %	39%	71%	1%	30%								
Sign Control	Stop	Stop	Stop	Stop								
Traffic Vol by Lane	173	182	123	27								
LT Vol	87	2	84	1								
Through Vol	19	51	38	18								
RT Vol	67	129	1	8								
Lane Flow Rate	188	198	134	29								
Geometry Grp	1	1	1	1								
Degree of Util (X)	0.239	0.23	0.178	0.039								
Departure Headway (Hd)	4.578	4.188	4.792	4.739								
Convergence, Y/N	Yes	Yes	Yes	Yes								
Cap	782	857	747	753								
Service Time	2.614	2.218	2.827	2.785								
HCM Lane V/C Ratio	0.24	0.231	0.179	0.039								
HCM Control Delay	9.1	8.5	8.9	8								
HCM Lane LOS	A	A	A	A								
HCM 95th-tile Q	0.9	0.9	0.6	0.1								

Intersection												
Int Delay, s/veh	3.3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	39	126	2	0	127	8	0	0	1	14	0	90
Future Vol, veh/h	39	126	2	0	127	8	0	0	1	14	0	90
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	42	137	2	0	138	9	0	0	1	15	0	98
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	147	0	0	139	0	0	414	369	138	366	366	143
Stage 1	-	-	-	-	-	-	222	222	-	143	143	-
Stage 2	-	-	-	-	-	-	192	147	-	223	223	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1435	-	-	1445	-	-	549	560	910	590	562	905
Stage 1	-	-	-	-	-	-	780	720	-	860	779	-
Stage 2	-	-	-	-	-	-	810	775	-	780	719	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1435	-	-	1445	-	-	478	542	910	575	544	905
Mov Cap-2 Maneuver	-	-	-	-	-	-	478	542	-	575	544	-
Stage 1	-	-	-	-	-	-	755	697	-	832	779	-
Stage 2	-	-	-	-	-	-	722	775	-	754	696	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	1.8			0			9			10		
HCM LOS							A			B		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	910	1435	-	-	1445	-	-	840				
HCM Lane V/C Ratio	0.001	0.03	-	-	-	-	-	0.135				
HCM Control Delay (s)	9	7.6	0	-	0	-	-	10				
HCM Lane LOS	A	A	A	-	A	-	-	B				
HCM 95th %tile Q(veh)	0	0.1	-	-	0	-	-	0.5				

Intersection						
Intersection Delay, s/veh	8.5					
Intersection LOS	A					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	128	19	20	210	31	32
Future Vol, veh/h	128	19	20	210	31	32
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	139	21	22	228	34	35
Number of Lanes	1	0	1	0	0	1
Approach	WB		NB		SB	
Opposing Approach			SB		NB	
Opposing Lanes	0		1		1	
Conflicting Approach Left	NB				WB	
Conflicting Lanes Left	1		0		1	
Conflicting Approach Right	SB		WB			
Conflicting Lanes Right	1		1		0	
HCM Control Delay	8.9		8.3		8.1	
HCM LOS	A		A		A	
Lane	NBLn1	WBLn1	SBLn1			
Vol Left, %	0%	87%	49%			
Vol Thru, %	9%	0%	51%			
Vol Right, %	91%	13%	0%			
Sign Control	Stop	Stop	Stop			
Traffic Vol by Lane	230	147	63			
LT Vol	0	128	31			
Through Vol	20	0	32			
RT Vol	210	19	0			
Lane Flow Rate	250	160	68			
Geometry Grp	1	1	1			
Degree of Util (X)	0.268	0.208	0.089			
Departure Headway (Hd)	3.863	4.688	4.671			
Convergence, Y/N	Yes	Yes	Yes			
Cap	933	767	768			
Service Time	1.876	2.712	2.69			
HCM Lane V/C Ratio	0.268	0.209	0.089			
HCM Control Delay	8.3	8.9	8.1			
HCM Lane LOS	A	A	A			
HCM 95th-tile Q	1.1	0.8	0.3			

Intersection						
Int Delay, s/veh	6.9					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	91	145	73	29	57	79
Future Vol, veh/h	91	145	73	29	57	79
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	99	158	79	32	62	86
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	295	105	148	0	-	0
Stage 1	105	-	-	-	-	-
Stage 2	190	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	696	949	1434	-	-	-
Stage 1	919	-	-	-	-	-
Stage 2	842	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	657	949	1434	-	-	-
Mov Cap-2 Maneuver	657	-	-	-	-	-
Stage 1	868	-	-	-	-	-
Stage 2	842	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	11.5	5.5		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1434	-	810	-	-	
HCM Lane V/C Ratio	0.055	-	0.317	-	-	
HCM Control Delay (s)	7.7	0	11.5	-	-	
HCM Lane LOS	A	A	B	-	-	
HCM 95th %tile Q(veh)	0.2	-	1.4	-	-	



Intersection												
Intersection Delay, s/veh	12.1											
Intersection LOS	B											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Traffic Vol, veh/h	10	82	127	138	119	26	104	51	111	18	63	7
Future Vol, veh/h	10	82	127	138	119	26	104	51	111	18	63	7
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	11	89	138	150	129	28	113	55	121	20	68	8
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0
Approach	EB	WB			NB			SB				
Opposing Approach	WB	EB			SB			NB				
Opposing Lanes	1	1			1			1				
Conflicting Approach Left	SB	NB			EB			WB				
Conflicting Lanes Left	1	1			1			1				
Conflicting Approach Right	NB	SB			WB			EB				
Conflicting Lanes Right	1	1			1			1				
HCM Control Delay	10.9	13.2			12.5			10.1				
HCM LOS	B	B			B			B				
Lane	NBLn1	EBLn1	WBLn1	SBLn1								
Vol Left, %	39%	5%	49%	20%								
Vol Thru, %	19%	37%	42%	72%								
Vol Right, %	42%	58%	9%	8%								
Sign Control	Stop	Stop	Stop	Stop								
Traffic Vol by Lane	266	219	283	88								
LT Vol	104	10	138	18								
Through Vol	51	82	119	63								
RT Vol	111	127	26	7								
Lane Flow Rate	289	238	308	96								
Geometry Grp	1	1	1	1								
Degree of Util (X)	0.433	0.343	0.465	0.157								
Departure Headway (Hd)	5.395	5.187	5.437	5.918								
Convergence, Y/N	Yes	Yes	Yes	Yes								
Cap	665	690	661	604								
Service Time	3.443	3.237	3.483	3.981								
HCM Lane V/C Ratio	0.435	0.345	0.466	0.159								
HCM Control Delay	12.5	10.9	13.2	10.1								
HCM Lane LOS	B	B	B	B								
HCM 95th-tile Q	2.2	1.5	2.5	0.6								

Intersection												
Int Delay, s/veh	3.4											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	95	116	2	2	234	24	3	0	1	21	0	71
Future Vol, veh/h	95	116	2	2	234	24	3	0	1	21	0	71
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	103	126	2	2	254	26	3	0	1	23	0	77
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	280	0	0	128	0	0	643	617	127	605	605	267
Stage 1	-	-	-	-	-	-	333	333	-	271	271	-
Stage 2	-	-	-	-	-	-	310	284	-	334	334	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1283	-	-	1458	-	-	386	405	923	410	412	772
Stage 1	-	-	-	-	-	-	681	644	-	735	685	-
Stage 2	-	-	-	-	-	-	700	676	-	680	643	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1283	-	-	1458	-	-	324	369	923	382	376	772
Mov Cap-2 Maneuver	-	-	-	-	-	-	324	369	-	382	376	-
Stage 1	-	-	-	-	-	-	622	589	-	672	684	-
Stage 2	-	-	-	-	-	-	629	675	-	621	588	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	3.6			0.1			14.4			11.8		
HCM LOS							B			B		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	387	1283	-	-	1458	-	-	626				
HCM Lane V/C Ratio	0.011	0.08	-	-	0.001	-	-	0.16				
HCM Control Delay (s)	14.4	8.1	0	-	7.5	0	-	11.8				
HCM Lane LOS	B	A	A	-	A	A	-	B				
HCM 95th %tile Q(veh)	0	0.3	-	-	0	-	-	0.6				

Intersection						
Intersection Delay, s/veh	10					
Intersection LOS	A					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	212	53	55	188	53	56
Future Vol, veh/h	212	53	55	188	53	56
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	230	58	60	204	58	61
Number of Lanes	1	0	1	0	0	1
Approach	WB		NB		SB	
Opposing Approach			SB		NB	
Opposing Lanes	0		1		1	
Conflicting Approach Left	NB				WB	
Conflicting Lanes Left	1		0		1	
Conflicting Approach Right	SB		WB			
Conflicting Lanes Right	1		1		0	
HCM Control Delay	10.9		9.4		9.1	
HCM LOS	B		A		A	
Lane	NBLn1	WBLn1	SBLn1			
Vol Left, %	0%	80%	49%			
Vol Thru, %	23%	0%	51%			
Vol Right, %	77%	20%	0%			
Sign Control	Stop	Stop	Stop			
Traffic Vol by Lane	243	265	109			
LT Vol	0	212	53			
Through Vol	55	0	56			
RT Vol	188	53	0			
Lane Flow Rate	264	288	118			
Geometry Grp	1	1	1			
Degree of Util (X)	0.319	0.387	0.166			
Departure Headway (Hd)	4.351	4.833	5.058			
Convergence, Y/N	Yes	Yes	Yes			
Cap	824	740	706			
Service Time	2.395	2.886	3.114			
HCM Lane V/C Ratio	0.32	0.389	0.167			
HCM Control Delay	9.4	10.9	9.1			
HCM Lane LOS	A	B	A			
HCM 95th-tile Q	1.4	1.8	0.6			

Intersection						
Int Delay, s/veh	8.3					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	90	166	199	60	22	94
Future Vol, veh/h	90	166	199	60	22	94
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	98	180	216	65	24	102
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	572	75	126	0	-	0
Stage 1	75	-	-	-	-	-
Stage 2	497	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	482	986	1460	-	-	-
Stage 1	948	-	-	-	-	-
Stage 2	611	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	408	986	1460	-	-	-
Mov Cap-2 Maneuver	408	-	-	-	-	-
Stage 1	802	-	-	-	-	-
Stage 2	611	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	14.4	6.1		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1460	-	658	-	-	
HCM Lane V/C Ratio	0.148	-	0.423	-	-	
HCM Control Delay (s)	7.9	0	14.4	-	-	
HCM Lane LOS	A	A	B	-	-	
HCM 95th %tile Q(veh)	0.5	-	2.1	-	-	



PETERS & ASSOCIATES
ENGINEERS, INC.

• CIVIL & TRAFFIC ENGINEERING •

5507 Ranch Drive - Suite 209
Little Rock, Arkansas 72223 (501) 868-3999

APPENDIX D: ALTA SURVEY



Crafton Tull

Planning Commission
September 23, 2024

GRAPHIC SCALE IN FEET

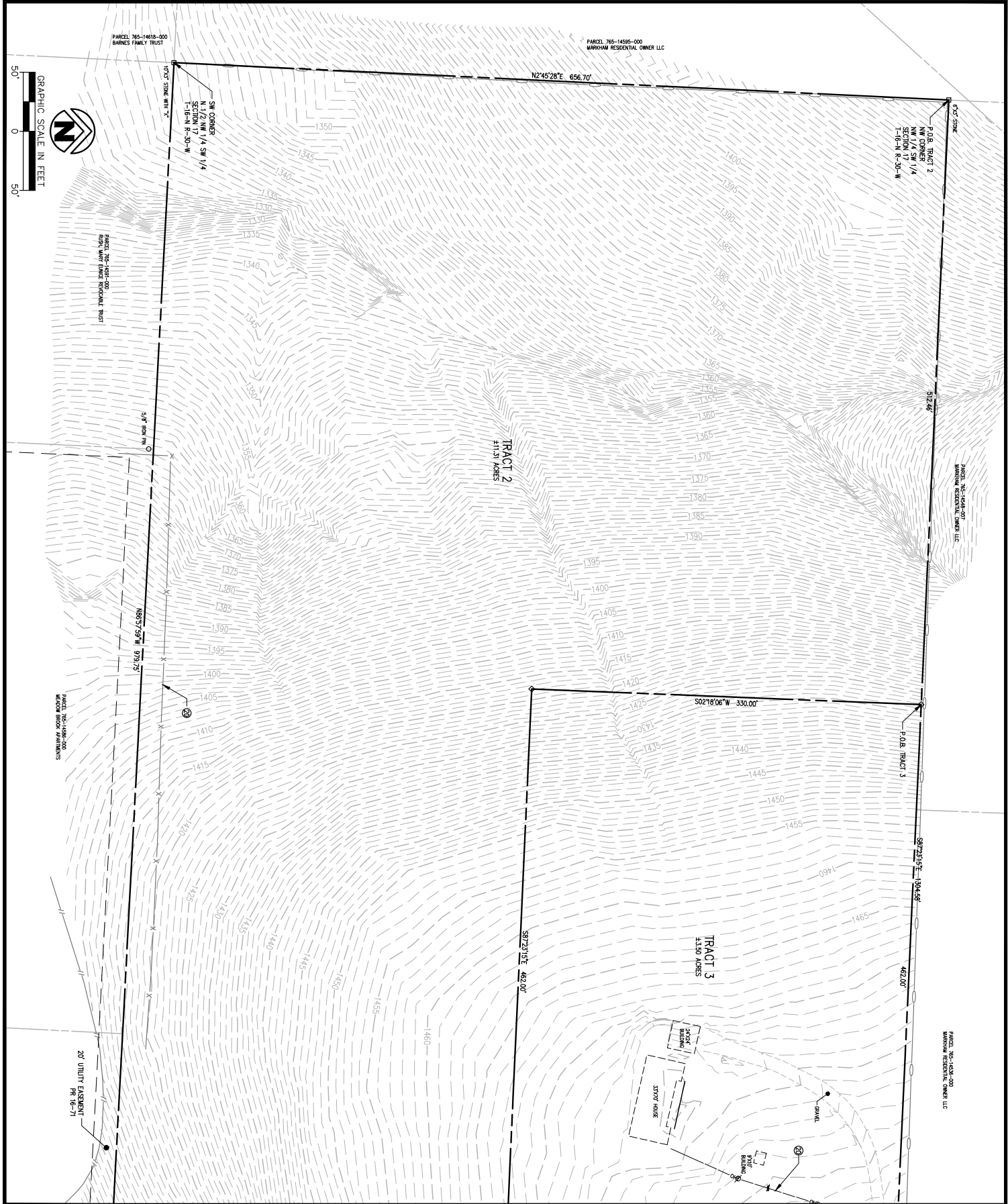
50' 0 50'

LEGEND

- FOUND STONE
- FOUND STONE

STATE PLAT CODE:
500-16N-30W-0-17-300-72-1460

Planning Commission
September 23, 2024



SHEET NO.: 3 OF 6		DATE: 07/01/2024 PROJECT NO.: 240190 CONTACT: K. MCINTOSH		A/T/NSPS LAND TITLE SURVEY PART N 1/2 SW 1/4 SECTION 17 T-16-N R-30-W		PREPARED FOR: LCD ACQUISITIONS, LLC		FAYETTEVILLE ARKANSAS	
DISCUSSION:		CRAFTON TULL		STATE PLAT CODE: 500-16N-30W-0-17-300-72-1460		RECORD INFORMATION		Planning Commission September 23, 2024	
DATE:		CRAFTON TULL		SEAL		RECORD INFORMATION		Page 119 of 135	

[END OF BOOKLET]



Crafton Tull

Planning Commission
September 23, 2024

William and Joyce Feldman
16 North Sang Avenue
Fayetteville, AR 72701
(wfeldman@uark..edu)

Planning Commision
Fayetteville, AR

Subject: PZD-2024-0006

Dear Planning Commission members,

We are writing to you to express our concerns with this PZD request.

1. It is stated with regard to Drive A: "The site is not planned to have any connection to the north except for emergency vehicle use entry/exit only via N. Sang Ave." There is no indication as to how this would be enforced. The sketches provided seem to facilitate a convenient ingress and egress for the property as well as pass through to connect south and north of the proposed development. It is difficult to imagine that simply stating this is an emergency entrance/exit would be in any way effective in controlling traffic on North Sang- this portion of North Sang from the proposed development in question to Markham is narrow, hilly with significant curves and is indeed dangerous even with limited traffic.
Over a period of many years and presently City officials have reiterated that an extension of North Sang down the Hill to South Sang should not be considered.
2. Natural features: This will destroy a natural wooded hillside that is a significant natural feature and amenity to Fayetteville.
3. Compatibility: This is incompatible with the neighborhood north of this proposed development.
4. Traffic and safety: This will significantly increase traffic in the area of Ramay Jr. High which will create a hindrance to transportation to and from the school for students and their families as well a physical danger for students walking and playing in the area.
5. Noise: This vast number of residents and visitors would most certainly create a noisy environment for the surrounding neighborhood.

Sincerely,
William and Joyce Feldman

From: Jack Otten <razrbakfan@gmail.com>
Sent: Wednesday, September 18, 2024 10:33 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: RPZD 1875 Haskell Heights

I received notification of this project as, we are property owners to the east of the project (2014 Maine St).

I am going to be out of town traveling on the day it goes before the planning commission so I will not be able to hear about the proposal specifics etc.

I can say that I am opposed to this project simply due to the number of requested units (248). I would, however, reconsider my position if Sang Ave was extended north to alleviate traffic and provide different access points to the property in question. I would also want to understand where access would be on the south side of the property, if any.

Is there somewhere on line where I can view the proposal and see the plans?

Thank you
Jack Otten
Overlook Ventures LLC

From: t1tlott@gmail.com <t1tlott@gmail.com>
Sent: Friday, September 20, 2024 11:32 AM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: PZD-2024-0006 (1875 W. HASKELL HTS)

September 20, 2024

TO: Planning Commission

City of Fayetteville

RE: PZD-2024-0006 (1875 W. HASKELL HTS)

This proposed PZD presents several issues that do not seem to be in compliance with applicable provisions of UDC §161.35. Attached for reference is a memorandum from the city attorney's office regarding the requirements for a PZD and the factors that the PC may consider for a PZD ("Memo").

Compatibility. §161.35(B)(2) provides "for compatibility with the surrounding land uses." The Memo states that compatibility with neighboring parcels is the primary rezoning consideration. This PZD filing claims compatibility as a "transition" from the higher density developments to the south compared to the lower density developments to the north and east. Booklet pg. 11. It is not a transition when the PZD is denser when the actual land used for units is considered and much of the land not used for units is located at the far west end of the project on highly sloped land that is unbuildable. The RSF-4 lands to the north and east are large areas and very incompatible with the density of the PZD.

Density. The PZD does not meet the density requirements of §161.35(C)(3) which relates to the incompatibility with much of the neighboring parcels. The filing claims at Booklet pg. 10 that the density of the PZD matches the density allowed under the current zoning. That is incorrect. The current zoning for the PZD site is RSF-4 under which four single dwelling units are allowed by right. The booklet treats RSF-4 as if it automatically allows two-family density of 7 units/acre. The UDC states that developers would need a conditional use permit to build the maximum number of two-family dwellings per acre (or ANY two-family dwellings) in an RSF-4 zoning district. Therefore it is not exactly accurate, and in fact misleading, to claim that the RSF-4 district allows seven units per acre since that density is not allowed as a matter of right. The difference is 140 units for the 35 acres versus 245 units. That is a significant impact on the adjacent properties versus the PZD site as noted in §161.35(C)(3)(e).

Another issue regarding density is the compacting of the building units under the PZD to deal with the terrain issues of the 35 acres. The PZD pushes the units into multi-story buildings tightly fit between layers of private drives which is the result of the steep terrain. 245 units (even if allowed via a CUP) would be much more spread out under another zoning district and would not likely be achievable with the requirements of other zoning districts and the terrain of the site. The PZD is an attempt to create the desired density in a smaller footprint than would be otherwise achievable. The grade of the PZD site is a significant factor in pushing the proposed density. The elevation of the PZD site drops 104 feet from north to south [666 feet] or a 15.6% grade overall but much worse in reality as a good part of the land on the upper one-half or so is relatively level. The PZD booklet

underscores the steepness on pages 10 and 11 by characterizing the land as having “significant topographic relief” and “extreme topographic relief.” Finally, please view the grades shown on the ALTA surveys which further illustrate the difficult site conditions that have pushed the applicant to the PZD solution.

Traffic Safety. Traffic safety is a factor that is to be considered in any rezoning request. The PZD Booklet at page 11 states that the traffic study concludes that surrounding streets and intersections will not be adversely affected. Analyzing the traffic study would take expertise but some effects of parking for 1001 automobiles seem obvious to anyone. The traffic study on Booklet pg. 49 states that it only considered counts South of the project – via the Nettleship access. The effect on N. Sang was not considered. The street layout on Master Plan page C-004 does not limit access from the PZD site to N. Sang Avenue. In fact, the applicant will be required to widen N. Sang from the PZD site to Markham Street to a minimum of 20 foot width. As you should be aware, N. Sang is being connected across the Pratt Place Inn development from Markham Street to the intersection of N. Sang and W. Halsell Rd. The result will be a direct connection from the North side of the PZD site all the way to Wedington Drive. As those of us who have been living in the Markham Hill area for decades know, the traffic will go where it wishes. The result will be a portion of the 1001 cars accessing N. Sang whenever a resident of the PZD units wants to go North to Bentonville or East over to College Avenue, etc. The implied requirement that the PZD occupants will have to wind their way through the internal street maze onto Nettleship, then to Cross, then to S. Sang, then MLK to get to I-49 for heading North belies reality.

Fire Protection. With respect to fire protection and emergency access to the PZD site, the Booklet at pg. 45 states that the site is not planned to have any connection to the North except for emergency vehicle use only via N. Sang. This further supports the PZD position that traffic, homes and residents north of the PZD site will not be affected by the density of the project and the cars going in and out of the 1001 parking spaces. Absent a gate or other restriction device, that result is unlikely. As stated above, a great number of the residents will use N. Sang whenever their route takes them North.

At the August 28, 2024, Tech Plat Review meeting the fire department representative stated that additional connectivity of the private roads “will be required” to provide quicker response time for fire protection. See attached Page 21 from the initial PZD booklet. The revised PZD booklet dated September 4, 2024, makes no mention of such connectivity. Appendix D of the 2021 Arkansas Fire Prevention Code covers Fire Apparatus Access Roads. There are provisions for required access and minimums. This issue needs further consideration before any approval of the PZD.

The area for the PZD is shown in the staff report as approximately 14 acres. Yet the PZD booklet shows the area for the PZD to be 34.86 acres. This needs to be clarified.

Tom Overbey

479-871-2180

T1TLOTT@gmail.com

From: Laura Carver <lcarver123@aol.com>
Sent: Thursday, September 19, 2024 9:42 PM
To: Harrison, Gretchen <gharrison@fayetteville-ar.gov>
Subject: Crafton Tull - Felicia Farris

Dear Gretchen Harrison,

Having reviewed the rezoning application for Crafton Tull project on the property owned by Felicia Farris, I want to express my concerns and disapproval of the request. I am the property owner (Davlind LLC) of 15 and 41 North Sang.

- Approximately 5 years ago a proposal was put forth to connect North Sang to South Sang. The issue was the terrain, too steep of a decent for a fire truck and engineering drainage would be a problem. The proposal was denied. North Sang remains a dead-end street at Hassell Heights.
- The Traffic Study does not include the traffic that currently travels on Specialized fire access road on the north perimeter of 41 North Sang. While I attended the Planning Meeting that indicated the road would only be a secondary fire access, it understandably is being used for construction truck access. I was informed that eventually this road will be used by hotel guests and homeowners in a future housing development on the west side on 15 and 41 North Sang. This traffic is not accounted for in the study.
- Traffic on MLK is already at maximum. The Chick-fil-a corner is dangerous as cars stop and line out into the street and there is nowhere for through traffic to go. Adding the possible 1000 cars twice a day would be incredibly dangerous. The plan states 1000 beds. Can there be more than 1 person in a bed, adding more cars and traffic? What about guests? What about party parking?
- The City of Fayetteville has a strict tree canopy policy and tree removal will lead flooding downhill. Retention ponds will not be sufficient.
- The University of Arkansas is addressing the student housing issue. The apartment complex may be redundant. The North Sang Street is residential, and student housing is not compatible with existing homes. The existing RSF-4 zoning is appropriate for families and that would provide a backyard instead of a parking lot.

Thank you in advance for your support.

Laura Carver

From: Marsha Scott <marsha@scottyandura.com>
Sent: Friday, September 20, 2024 1:29 PM
To: planning@fayetteville-ar.gov <planning@fayetteville-ar.gov>
Cc: Harrison, Gretchen <gharrison@fayetteville-ar.gov>
Subject: PZD-2024-0006 (1875 W Haskell Heights)

To All Planning Commissioners:

I live at 48 N. Sang. I am one of the parcels at the top of Markham Hill. We are currently surrounded by forested lands, the new SRG development to the West and a very old neighborhood of single family homes - University Heights - and now this proposed new and dense multi-use development to the South. While others have addressed Compatibility, Tree Preservation, Density, Traffic Safety and Fire Protection concerns, I want to focus on run-off and water pressure.

Even though N. Sang is at the top of the hill, the land is very uneven and run-off and water pressure are serious concerns. We are all currently on septic systems and need auxiliary pumps in order to run irrigation systems and have adequate shower pressure. Each of us has also done extensive work placing french drains and various natural elements to staunch the runoff that frequently occurs on a hillside.

Residents are now confronted with major new run-off issues occurring because of the many new developments on Markham Hill. New hard surfaces where ground was previously rocky and uneven providing natural water barriers, along with a very wide access road which leveled all the trees and natural berms along N. Sang have resulted in myself and neighbors having sandbags stacked all along the front of our homes. While developers and the City staff are working with us to mitigate or correct this on-going problem, it is important that you take notice and take steps to not replicate the issue with this new PZD request on land that is much steeper than the top of Markham Hill.

The proposed zoning change to the south of me (PZD-2024-0006) is on land that is very steep, densely forested and currently providing a natural barrier to traffic and noise coming from the Nettleship to MLK developments while also providing a gradual diminishment of extreme runoff from the top of Markham Hill. Just observe the very large boulders at the base of the proposed development along Nettleship Road to see the effects of steep grade and water. It does not take an expert to understand what will happen when all the natural barriers and trees are removed.

And one side note that we residents are seeing and experiencing for the first time: The various holding ponds where before only natural streams existed have brought a new annoyance to Markham Hill - mosquitoes. So along with sandbags we now have these irritating pests which will only increase in numbers as more holding ponds are anticipated by the developers.

Please deny this current request for rezoning at 1875 W. Haskell Heights.

Sincerely,
Marsha Scott
48 N Sang

From: Charles Joseph Leflar <CLeflar@walton.uark.edu>

Sent: Friday, September 20, 2024 1:29 PM

To: Planning Shared <planning@fayetteville-ar.gov>; Brink, Andrew <andrew.brink@fayetteville-ar.gov>; Payne, Brad <brad.payne@fayetteville-ar.gov>; Gulley, Fred <fred.gulley@fayetteville-ar.gov>; Garlock, Jimm <jimm.garlock@fayetteville-ar.gov>; Madden, Mary <mary.madden@fayetteville-ar.gov>; McGetrick, Mary <mary.mcgetrick@fayetteville-ar.gov>; Cabe, Matthew <matthew.cabe@fayetteville-ar.gov>; Castin, Nick <nick.castin@fayetteville-ar.gov>; Werner, Nick <nick.werner@fayetteville-ar.gov>

Subject: Letter from neighbor of PZD-2024-0006 (1875 W. HASKELL HTS)

September 20, 2024

Re: PZD-2024-0006 (1875 W. HASKELL HTS)

Dear Commissioners,

The referenced proposed development is adjacent to my property to my west for a considerable distance, the entire way from Center St. to Nettleship Drive. The curved nature of the property line results in an even longer distance. My parents purchased this property in 1956 and built the house where I now live, and I have lived here most of my life and, thus, have personal knowledge of the topography, traffic patterns and development to date.

I would like to make several points about why I think that the current plan for the development is not a realistic one.

First, I have concerns about the traffic from the development. I understand that the primary entrance and exit would be at the end of Nettleship Drive. It is likely that many of the residents will be students who travel back and forth on Nettleship towards the University of Arkansas. While this street is a two-lane street, it is a narrow one with a deep ditch to the north and a sidewalk on the south side. However, I invite the Commissioners to drive along Nettleship at various times of the day and notice that the cars parked on the south side turn Nettleship into a one-lane street for much of the time. I drive on Nettleship frequently and it is normal for cars to have to stop to let opposing traffic go around the parked vehicles. Were the development to increase traffic by hundreds of cars then this would be an even greater problem than it is now. It is worth noting that the students who live in the somewhat new townhouses in the 1700 block of Nettleship generally drive to campus, rather than walking, as I have observed daily. Any expectation that students residing in the new development will walk to campus is probably unrealistic.

In addition to Nettleship, some traffic may continue south in front of Ramey Junior high and access MLK at the stoplight by the McDonalds restaurant. This could well prove hazardous to the students walking to and from Ramey and crossing the street nearby. In addition, MLK is already somewhat backed up with traffic during rush hours and this problem will only increase as the traffic west on US 62 increases and the proposed construction at the MLK underpass begins soon.

The other way to leave the potential development is to the north. Traffic taking this route towards the University campus will likely head east on Markham Road. During reasonably busy traffic times, there is so much traffic on Razorback Road that turning left off of Markham is already quite difficult. Keep in

mind that this intersection is just south of Razorback Stadium with all of the traffic that is generated there.

The developers invited me to meet with them and discuss their project on Monday, September 16th. In the interest of open communications, I was glad to accept. During this meeting I expressed these traffic-related concerns to them. I was so surprised by their reply that I wrote it down so that I would not misquote it, "The City will have to deal with the traffic from the development." As a taxpayer, I do not think it appropriate that they shift the funding for any needed street improvements to Fayetteville taxpayers since they are the ones profiting from this project.

Second, I would like to address the planned use of the land. Every bit of this project has been single family land since before I was born in 1953. The land to the west is forested. All of the land to the north (the long border) is single family dwellings, including one just built this last year. Recent development in the area on Markham Rd. and Center St. are all single-family dwellings. All of the land adjacent to the project to the east is single family dwellings. Only some of the land to the south, uphill from Ramey Jr. High, is higher density and that is relatively recent. To claim that the land use proposed here is congruent with current land usage is not correct, and I certainly could use stronger language than to just say "not correct."

Third, I hope that the Commissioners will look deeper into the issues related to the high-capacity natural gas transmission pipeline which enters the development property at the end of Nettleship Drive and then curves to the east and exits the property near the proposed clubhouse/office. This is not a small feeder pipeline such as would provide natural gas to a few thousand homes, but rather a large capacity transmission line. Building a high-density development on top of such a utility might be something which warrants further study.

Lastly, I would like to mention the severe land slopes on much of the property. Looking at the property design sketches which have been made public, I have some concerns about water runoff. I understand that they have submitted a plan concerning this, but I am not confident that it is adequate for the occasional large rainfalls we get in the Spring and early Summer. For example, please look on the plans at the most north-easterly parking lot that they have planned, the one which almost abuts the interior corner of my property. The land at the southern end of this parking lot sits on a slope approaching 45 degrees. Water draining off this lot would run onto the old buggy road that climbs Markham Hill and which was built by Governor Haskell of Oklahoma when he built the white house where Dean Gurdon Nichols of Arts and Science used to live. The water from this large parking lot would drain onto the buggy road and then directly down to run into my house. I would like to invite the Commissioners to come to my house at their convenience and I would be delighted to walk them up the hill so that they can see this for themselves.

I would be very happy to answer any questions you might have, and I appreciate your time reading my input.

Sincerely,

Dr. Charles JF Leflar

Professor Emeritus of Accounting

1717 W. Center St.

Fayetteville, AR 72701

