

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8267



Planning Commission Tentative Agenda

Thursday, October 24, 2024

4:30 PM

City Hall Room 111

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 October 14, 2024 Planning Commission. -
Mirinda Hopkins, Development Coordinator

2. ADM-2024-0047: Administrative Item (3766 N. INVESTMENT DR/TWIN CREEK III, 172):

Submitted by CRAFTON TULL for property located at 3766 N. INVESTMENT DR. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL and contains approximately 3.05 acres. The request is for an extension to an approved Large Scale Development. - Kylee Cole, Long Range & Preservation Planner

3. CCP-2024-0009: Concurrent Plat (3202 S. BLACK OAK RD/RIVERSIDE VILLAGE PH 2.1, 683):

Submitted by CRAFTON TULL for property located at 3202 S. BLACK OAK RD. The property is zoned RPZD, REISIDENTIAL PLANNED ZONING DISTRICT and contains approximately 37.93 acres. The request is for the concurrent plat of 47 residential lots.
- Gretchen Harrison, Senior Planner

Unfinished Business**4. 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.

THIS ITEM WAS TABLED AT THE SEPTEMBER 23, 2024, AND THE OCTOBER 14, 2024 PLANNING COMMISSION MEETINGS. - Gretchen Harrison, Senior Planner

5. RZN-2024-0047: Rezoning (653 N. GENEVIEVE AVE/FINELINE DEVELOPMENT LLC, 436):

Submitted by WATKINS, BOYER, GRAY, & CURRY PLLC for property located at 653 N. GENEVIEVE AVE. The property is zoned R-A, RESIDENTIAL

AGRICULTURAL and contains approximately 1.60 acres. The request is to rezone the property to RMF-6, RESIDENTIAL MULTI-FAMILY, SIX UNITS PER ACRE.

THIS ITEM WAS TABLED AT THE OCTOBER 14, 2024 PLANNING COMMISSION MEETING. - Donna Wonsower, Planner

New Business

6. VAR-2024-0043: Planning Commission Variance (3089 E. MISSION BLVD/NWA PEDIATRIC DENTISTRY, 372):

Submitted by OLSSON for property located at 3089 E. MISSION BLVD. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 0.96 acres. The request is for a variance to parking requirements.

THIS ITEM HAS BEN WITHDRAWN BY STAFF FOR LACK OF PUBLIC NOTIFICATION. - Donna Wonsower, Planner

7. PPL-2024-0008: Preliminary Plat (209 S. RUPPLE RD/SLOANBROOKE COTTAGES, 517):

Submitted by JORGENSEN & ASSOCIATES for property located at 209 S. RUPPLE RD. The property is zoned CS, COMMUNITY SERVICES, and NC, NEIGHBORHOOD CONSERVATION and contains approximately 8.76 acres. The request is for the preliminary plat of 37 residential lots. - Gretchen Harrison, Senior Planner

8. CUP-2024-0042: Conditional Use Permit (1825 N. WOODLAND AVE/ELLISON, 367):

Submitted by KAYE AND THOMAS ELLISON for property located at 1825 N. WOODLAND AVE. 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

9. CUP-2024-0043: Conditional Use Permit (2157 N. VANDERGRIF DR/FAYETTEVILLE PUBLIC SCHOOLS, 372):

Submitted by SMITH COMMUNICATIONS LLC for property located at 2157 N. VANDERGRIF DR. The property is zoned P-1, INSTITUTIONAL and contains approximately 0.09 acres. The request is for a new wireless communications facility. - Donna Wonsower, Planner

10. CUP-2024-0044: Conditional Use Permit (2992 N. OAK BAILEY DR/OAK BAILEY CLUSTER DEVELOPMENT, 254 & 255):

Submitted by COMMUNITY BY DESIGN for property located at 2992 N. OAK BAILEY DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY,

FOUR UNITS PER ACRE and contains approximately 2.67 acres. The request is for a cluster housing development with 18 residential units.

- Donna Wonsower, Planner

11. RZN-2024-0050: Rezoning (610 S. HAPPY HOLLOW RD./HONEYCUTT, 526):

Submitted by DEVELOPMENT CONSULTANTS INC. for property located at 610 S. HAPPY HOLLOW RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 1.41 acres. The request is to rezone the property to RSF-18, RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE. - Britin Bostick, Long Range Planning/Special Projects Manager

12. RZN-2024-0051: Rezoning (W. MARTIN LUTHER KING JR. BLVD & S. SMOKEHOUSE TRL/D&B OF NORTHWEST ARKANSAS LLC, 595):

Submitted by GAVIN SMITH CIVIL ENGINEERING for property located at W. MARTIN LUTHER KING JR. BLVD & S. SMOKEHOUSE TRL. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 4.49 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

- Britin Bostick, Long Range Planning/Special Projects Manager

13. RZN-2024-0052: Rezoning (2406 N. OLD WIRE RD/GULLEY PARK PETS CLINIC, 292):

Submitted by CHRIS STRETZ for property located at 2406 N. OLD WIRE RD. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 0.50 acres. The request is to rezone the property to NS-G, NEIGHBORHOOD SERVICES-GENERAL.

- Kylee Cole, Long Range & Preservation Planner

Items Administratively Approved by Staff

14. LSP-2024-0035: Lot Split (3572 S. SCHOOL AVE/PURSLEY, 717):

Submitted by ATLAS PLS for property located at 3572 S. SCHOOL AVE. The property is zoned I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contains approximately 1.71 acres. The request is to split a parcel into two lots containing 0.72 and 0.99 acres. - Kylee Cole, Long Range & Preservation 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, 10/14/2024							
Time: 5:30 PM							
Staff : ☐ Willa Thomason ☐ John Scott ☐ Jessie Masters ☒ Gretchen Harrison ☒ Donna Wonsower ☐ Wesley Frank ☒ Melissa Evans ☒ Kylee Cole							
☒ Britin Bostick ☐ Josh Boccaccio ☒ Melissa Boyd ☒ Fire Marshal/Clint Price ☐ Chris Brown ☒ Alan Pugh							
	Roll Call	1) Minutes (09/23/2024)	2) VAC-2024-0018 (UNIVERSITY BAPTIST CHURCH)	3) VAC-2024-0020 (SOUTH DUNCAN LLC)	4) LSD-2024-0020 (UNDERWOOD PARK)	5) PZD-2024-0006 (THE STATION @ FAYETTEVILLE)	6) CUP-2024-0037 (FELLOWSHIP BIBLE CHURCH OF NWA)
Gulley	1	1	1	1	1	1	1
Cabe	1	1	1	1	1	Abstain	1
Werner	1	1	1	1	1	1	1
Garlock	1	1	1	1	1	1	1
Madden	1	1	1	1	1	1	1
McGetrick	1	1	1	1	1	1	1
Brink	1	1	1	1	1	1	1
Payne	1	1	1	1	1	1	1
Castin	1	1	1	1	1	1	1
Agenda		Consent	Consent	Consent	Old	Old	Old
Action		Approve	Approve	Approve	Table	Table	Approve
Motion By		Castin	Castin	Castin	Payne	Werner	Payne
Motion 2nd		Gulley	Gulley	Gulley	Werner	Garlock	Castin
Vote		9-0-0	9-0-0	9-0-0	9-0-0	8-0-1	9-0-0
Time		5:33 PM	5:33 PM	5:33 PM	5:34 PM	5:46 PM	5:52 PM
Motion Detail					Until the November 12, 2024 Planning Commission Meeting.	Until the October 28, 2024 Planning Commission Meeting.	With all conditions as recommended by staff.
Public Comment					0	3	0

(pg. 2) Planning Commission		Monday, 10/14/2024				
	7) VAR-2024-0041 (PAGLIANI)	8) VAR-2024-0040 (MURILLO)	9) VAR-2024-0042 (HENDRIX)	10) CCP-2024-0007 (NAZAR DEVELOPMENT)	11) RZN-2024-0042 (ANDONA PROPERTIES)	12) RZN-2024-0043 (SCHWARTING)
Gulley		1	1	1	1	1
Cabe		1	1	1	1	1
Werner		1	1	1	1	1
Garlock		1	1	1	1	1
Madden		1	1	1	1	1
McGetrick		1	1	1	1	
Brink		1	1	1	1	1
Payne		1	1	1	1	1
Castin		1	1	1	1	1
Agenda	New	New	New	New	New	New
Action	Withdrawn	Deny	Table	Approve	Forward	Forward
Motion By		Garlock	Garlock	Garlock	Castin	Garlock
Motion 2nd		Gulley	Payne	Werner	Madden	Cabe
Vote		9-0-0	9-0-0	9-0-0	9-0-0	8-0-0
Time		6:01 PM	6:04 PM	6:09 PM	6:14 PM	6:24 PM
Motion Detail			Table indefinitely.	With all conditions as recommended by staff.	With a recommendation of approval.	With a recommendation of approval.
Public Comment		0	0	0	0	0

(pg. 3) Planning Commission		Monday, 10/14/2024				
	13) RZN-2024-0044 (ARNOLD)	14) RZN-2024-0045 (KJJ INVESTMENT GROUP)	15) RZN-2024-0046 (SCOTT)	16) RZN-2024-0047 (FINELINE DEVELOPMENT)	17) RZN-2024-0048 (MEADOWLAND HEIGHTS)	18) RZN-20024-0049 (CONRAD)
Gulley	1	1	1	1	1	1
Cabe	1	1	1	0	1	1
Werner	1	1	1	1	0	1
Garlock	1	1	1	1	0	1
Madden	1	1	1	1	0	1
McGetrick	1	1	1	1	1	1
Brink	1	1	1	1	1	1
Payne	1	1	1	0	1	1
Castin	1	1	1	0	1	1
Agenda	New	New	New	New	New	New
Action	Forward	Forward	Forward	Table	Forward	Forward
Motion By	Werner	Payne	Payne	Brink	Payne	Werner
Motion 2nd	Payne	Brink	Castin	McGetrick	Cabe	Gulley
Vote	9-0-0	9-0-0	9-0-0	6-3-0	6-3-0	9-0-0
Time	6:29 PM	6:32 PM	6:35 PM	6:55 PM	7:03 PM	7:33 PM
Motion Detail	With a recommendation of approval.	With a recommendation of approval.	With a recommendation of approval.	Until the October 28, 2024 Planning Commission Meeting.	With a recommendation of approval.	With a recommendation of approval.
Public Comment	0	0	0	0	0	3

(pg. 4) Planning Commission			Monday, 10/14/2024			
	19) ANX-2024-0001 (FOXTAIL MEADOWS)	20) PZD-2024-0005 (FOXTAIL MEADOWS)				
Gulley	1	0				
Cabe	0	0				
Werner	1	0				
Garlock	0	0				
Madden	1	1				
McGetrick	1	1				
Brink	1	1				
Payne	1	0				
Castin	1	1				
Agenda	New	New				
Action	Forward	Forward				
Motion By	Castin	Payne				
Motion 2nd	Werner	Madden				
Vote	7-2-0	4-5-0				
Time	7:46 PM	9:05 PM				
Motion Detail	With a recommendation of approval.	With a recommendation of approval.				



TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: October 28, 2024

SUBJECT: **ADM-2024-0047: Administrative Item (3766 & 3759 N. INVESTMENT DR./TWIN CREEKS III, 172):** Submitted by CRAFTON TULL for property located at 3766 N. INVESTMENT DR. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL and contains approximately 3.05 acres. The request is for an extension to an approved Large Scale Development.

RECOMMENDATION:

Staff recommends approval of **ADM-2024-0047**.

RECOMMENDED MOTION:

*"I move to approve **ADM-2024-0047** with conditions as recommended by staff."*

BACKGROUND:

The subject property is in north Fayetteville, about ¼ mile northeast of the intersection of W. Van Asche Drive and N. Gregg Avenue. The site contains two parcels totaling approximately 3.05 acres and is zoned C-1, Neighborhood Commercial. City of Fayetteville property and a segment of the Scull Creek Trail adjoin the subject property to the west. Some vegetation and varied topography is present on the western edge of the site. The entirety of the site falls within a FEMA Floodplain Zone AE. On November 14, 2022, a large scale development (LSD-2022-0024) was approved by the Planning Commission which allowed the property to be developed with two retail buildings totaling 6,690 and 7,897 square feet and associated parking. In September 2023, the applicant received a one-year administrative extension which will expire on November 14, 2024. Surrounding land use and zoning is depicted in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Undeveloped	Urban Neighborhood 1, City of Johnson
South	Commercial	C-1, Neighborhood Commercial
West	Undeveloped/Razorback Greenway	C-1, Neighborhood Commercial
East	Commercial	C-1, Neighborhood Commercial

Request: The applicant requests a one-year extension to LSD-2022-0024. The large scale development originally received its approval on November 14, 2022 and a one-year administrative extension in September 2023. Now the applicant is requesting Planning Commission approval of a one-year project extension. Should this request be approved, the project's approval would be extended to November 14, 2025.

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

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 one-year extension from the Planning Commission. The applicant's request letter speaks to how they secured their grading permit are actively under construction on the western lot (Lot 19A-4) and working towards securing building permit for the eastern lot (Lot 19A-5). 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-2024-0047 with the following conditions.

Conditions of Approval:

1. A one-year extension for LSD-2022-0024 will expire on November 14, 2025;
2. All other conditions of the associated large scale development (LSD-2022-0024) 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>October 28, 2024</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- LSD-2022-0024 Conditions of Approval
- LSD-2022-0024 Site Exhibit
- Applicant Request Letter
- One Mile Map
- Close-up Map
- Current Land Use Map

LSD-2022-0024 Conditions of Approval

RECOMMENDATION: Staff recommends approval of **LSD-2022-0024**, subject to the following conditions:

Conditions of Approval:

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

Subdivision Committee recommended in favor of staff's recommendation.

2. **Planning Commission determination of street improvements.** *Staff recommends an 8-foot concrete trail is constructed within a 10-foot access easement which bisects the two subject properties. The trail connection shall connect the Mud Creek trail from the north to the internal sidewalks serving the larger subdivision to the south. The trail shall comply with City of Fayetteville trail development standards and shall include a bollards and signs to prohibit vehicular access to the trail;*

Subdivision Committee recommended in favor of staff's recommendation.

3. **Planning Commission determination of a variance of Fayetteville Unified Development Code §168.10(U)(1) – Provisions for Flood Hazard Reduction.** *Staff recommends approval of the requested variance for the reasons outlined above;*

Subdivision Committee did not make a recommendation on the variance.

4. All comments from Planning staff must be addressed including:
 - a. Please add dimensions to proposed bike racks.
 - b. Revise the dimensions of the solid waste enclosure to a minimum of 24'x12', or as specified by the Recycling & Trash Collection division.
5. Drainage comments shall be addressed to the satisfaction of the Engineering division prior to grading permit submittal.
6. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto;

Standard conditions of approval:

7. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance;
8. 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);
9. 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;

10. 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;
11. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;
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. 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;
14. 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;
15. Large scale development shall be valid for one calendar year;
16. 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;
17. 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
18. 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.





September 18, 2024

Ms. Jessie Masters, AICP
Development Review Manager
125 W Mountain St, Fayetteville, AR 72701

RE: LSD Extension Request 2
LSD-2022-0024
Twin Creeks III Lots 19A-4 and 19A-5

Dear Ms. Masters,

The Large-Scale Development Plan for Twin Creeks III Lots 19A-4 and 19A-5, located at 3759 & 3766 N. Investment Drive, was approved at Planning Commission on November 14, 2022. As the approval expires on November 14, 2024, an extension is requested for an additional year until November 14, 2025.

The development was given a grading permit. The development is still under construction and Lot 19A-4 has pulled its building permit. Lot 19A-5 changed owners and they need more time obtaining a building permit for this lot. This request is to allow more time for the development to finish construction and acquire a building permit for Lot 19A-5.

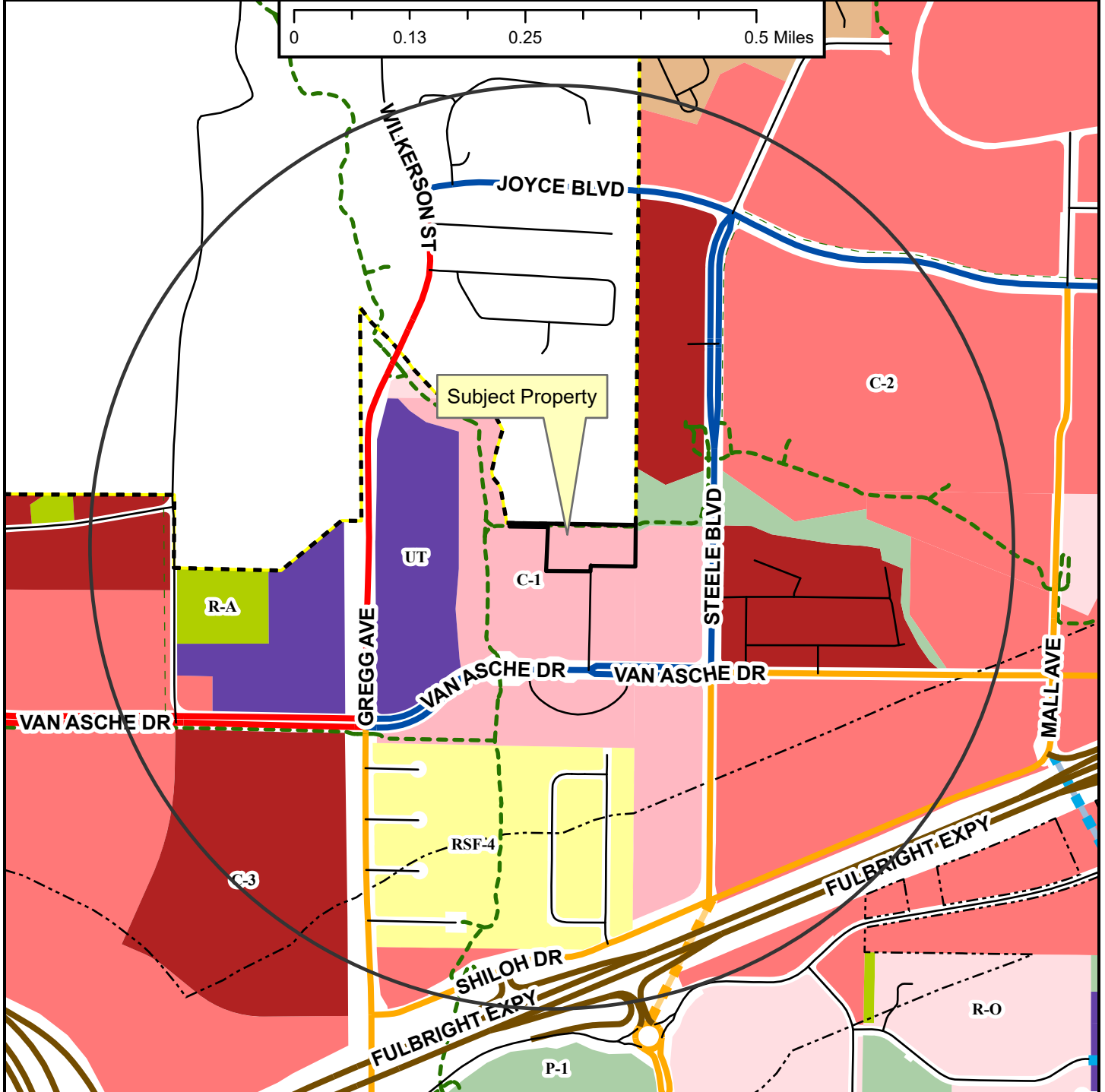
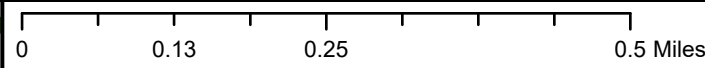
Thank you for your consideration and please let me know if you have any questions.

Connor Threet, P.E.
Project Manager

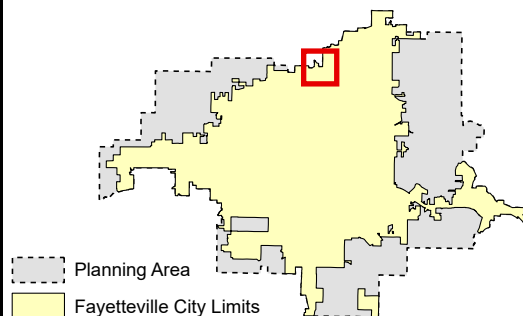
ADM-2024-0047

3766 N. INVESTMENT DR

One Mile View



- 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

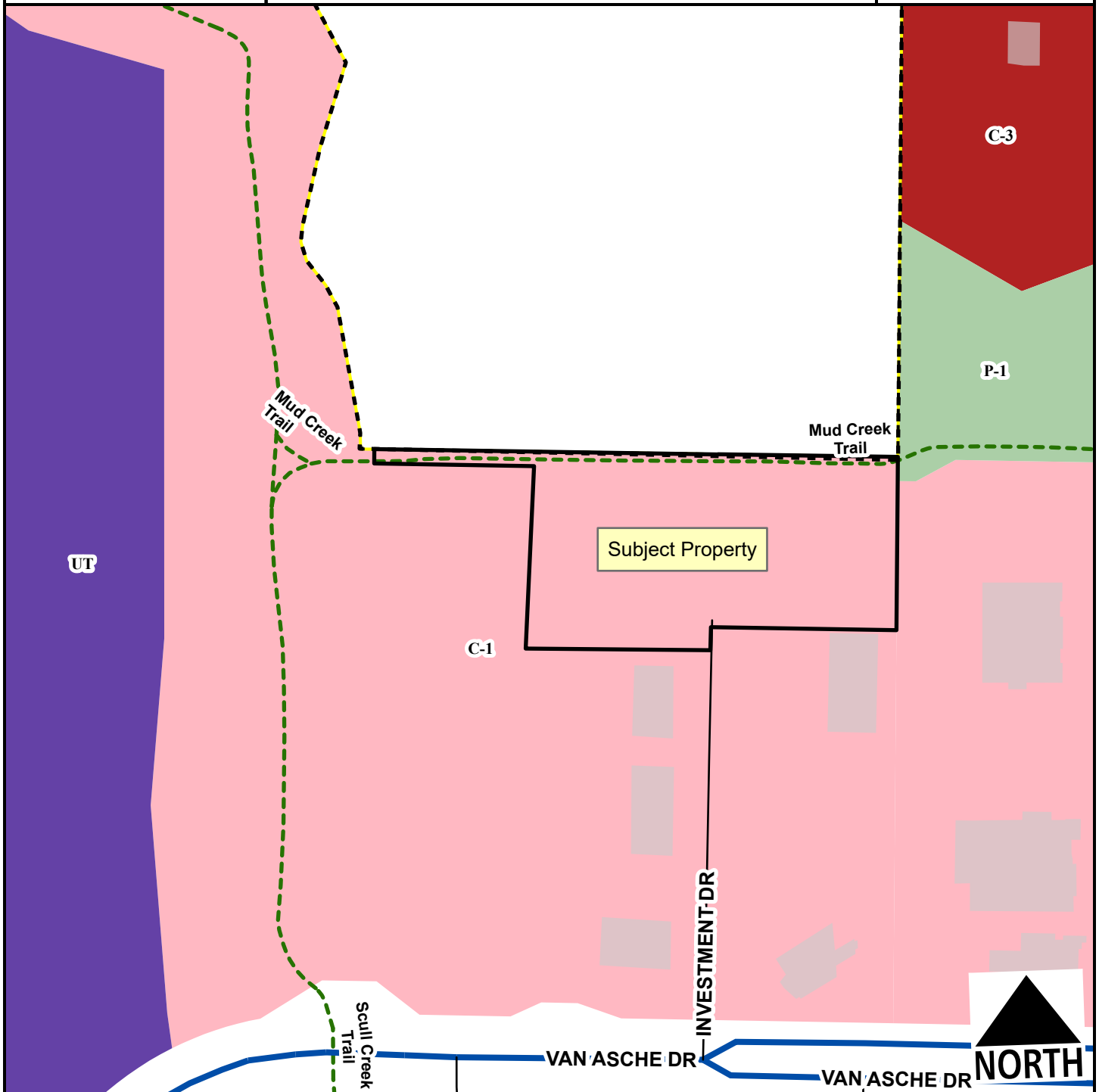


- | | |
|--|--|
| <p>Zoning</p> <p>RESIDENTIAL SINGLE-FAMILY</p> <ul style="list-style-type: none"> NS-G RH-U RH-12 NS-L Residential-Agricultural RSF-5 RSF-1 RSF-2 RSF-4 RSF-7 RSF-8 RSF-18 <p>RESIDENTIAL MULTI-FAMILY</p> <ul style="list-style-type: none"> RMF-6 RMF-12 RMF-13 RMF-24 RMF-40 <p>INDUSTRIAL</p> <ul style="list-style-type: none"> I-1 Heavy Commercial and Light Industrial | <ul style="list-style-type: none"> I-2 General Industrial <p>EXTRACTION</p> <ul style="list-style-type: none"> E-1 <p>COMMERCIAL</p> <ul style="list-style-type: none"> Residential-Office C-1 C-2 C-3 <p>FORM BASED DISTRICTS</p> <ul style="list-style-type: none"> Downtown Core Urban Thoroughfare Main Street Center Downtown General Community Services Neighborhood Services Neighborhood Conservation <p>PLANNED ZONING DISTRICTS</p> <ul style="list-style-type: none"> Commercial, Industrial, Residential INSTITUTIONAL P-1 |
|--|--|

ADM-2024-0047

3766 N. INVESTMENT DR

Close Up View



- Regional Link - High Activity
- Unclassified
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail

Feet

0 75 150 300 450 600

1:2,400

- C-1
- C-3
- Urban Thoroughfare
- P-1

ADM-2024-0047

3766 N. INVESTMENT DR

Current Land Use



- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Fayetteville Planning Commission

FROM: Gretchen Harrison, Senior Planner
Melissa Boyd, Staff Engineer
Melissa Evans, Park Planner II

MEETING: October 28, 2024

SUBJECT: **CCP-2024-0009: Concurrent Plat (3202 S. BLACK OAK RD./RIVERSIDE VILLAGE PH. 2.1, 683):** Submitted by CRAFTON TULL for property located at 3202 S. BLACK OAK RD. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 37.93 acres. The request is for the concurrent plat of 47 residential lots.

RECOMMENDATION:

Staff recommends approval of **CCP-2024-0009** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CCP-2024-0009**, recommending:*

- 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."*

BACKGROUND:

The subject property is located in south Fayetteville on the east side of Black Oak Road just within city limits. The property contains approximately 37.93 acres and was annexed in late 2021. Following the property's annexation, it was rezoned to a residential planned zoning district (Ord. 6511). There is ongoing construction on site for the second phase of a residential subdivision, Riverside Village, which received large scale development approval from the Planning Commission on July 24, 2023 (LSD-2023-0008). A one-year extension to that approval has also granted administratively which extended the project's approval to July 24, 2025. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RPZD, Residential Planned Zoning District
South	Undeveloped	AG/SF-1, Agricultural/Single-Family Residential, One Unit per Acre (Washington County)
East	Undeveloped	RPZD, Residential Planned Zoning District
West	Rural Residential; Single-Family Residential	AG/SF-1, Agricultural/Single-Family Residential, One Unit per Acre (Washington County); RPZD, Residential Planned Zoning District

Proposal: The request is for the concurrent plat of 47 residential lots and one lot reserved for future development. No variances are being requested with this proposal.

Water and Sewer System: New eight-inch water lines and sewer mains are being installed to serve the proposed lots.

Right-of-way to be dedicated:

Internal Streets (Meramec, Murray, Ouachita, War Eagle): These streets are designated as Residential Link Streets. Planning Commission required right-of-way dedication in the amount of 52 feet along those streets with the original large scale development, in line with typical Master Street Plan standards.

Alley 4: Right-of-way dedication in the amount of 38.5 feet was required by the Planning Commission along Alley 4 to accommodate planned improvements which vary from typical Master Street Plan requirements.

Street Improvements: Staff does not recommend any additional street improvements with this request. As part of the associated large scale development, Planning Commission required typical Master Street Plan improvements along internal streets and atypical improvements along Alley 4. Approved improvements along the alley include two 10-foot-wide drive lanes, one 7.5-foot-wide parking lane, and a 6.5-foot-wide sidewalk at the back of curb.

Tree Preservation:

Canopy minimum requirement: 25%

Existing canopy: 49.7%

Preserved canopy: 27.7%

Mitigation required: None

Parkland Fees: N/A; parkland dedication requirements were met with the initial large scale development. The applicant is required to dedicate 1.08 acres to meet the parkland dedication requirement for Phase 2.1.

Public Comment: Staff has received one inquiry about this item but no comments in favor or opposition to it.

RECOMMENDATION: Staff recommends approval of CCP-2024-0009 with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Right-of-way to be dedicated with this concurrent plat in alignment with large scale development approval.*

Subdivision Committee recommended approval.

2. **Planning Commission determination of street improvements.** *No additional street improvements are required.*

Subdivision Committee recommended approval.

Standard Conditions of Approval:

3. All lots shall be labeled with addresses as approved by the 911 Coordinator on the concurrent plat (if applicable).

4. Plat Review and Subdivision 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, SWEPCO, Cox Communication).
5. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) 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.

<u>Planning Commission Action:</u>	☐ Approved	☐ Tabled	☐ Denied
---	--	--	--

Meeting Date: October 28, 2024

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Engineering Memo
- Urban Forestry Memos
- Parks Memo
- Applicant Cover Letter
- Site Plan
- One Mile Map
- Close-Up Map
- Current Land Use Map



TO: Gretchen Harrison, Senior Planner

FROM: Melissa Boyd, Staff Engineer

DATE: October 14, 2024

SUBJECT: Subdivision Committee Engineering Comments for
CCP-2024-0009 Riverside Village Phase 2.1

Engineering cannot sign the plat until the water lines, sewer lines, and streets in this area have been installed and accepted. Infrastructure is being installed under GRD-2023-0070.

Water: New 8" water lines are being installed to serve the proposed lots.

Sewer: New 8" sewer mains are being installed to serve the proposed lots.

Streets: Residential link streets are being installed this area. Unless otherwise required, sidewalk will be installed during individual home construction.

Drainage: Storm drain is being installed with the street construction in this area that will convey runoff to a detention pond that was constructed with a previous phase of Riverside Village, meeting the four Minimum Standards of Fayetteville's Drainage Criteria Manual.



URBAN FORESTRY TREE PRESERVATION COMMENTS

To: Morgan Dulin, E.I., Crafton Tull

From: Melissa Evans, Urban Forestry

CC: Gretchen Harrison, Senior Planner

Meeting Date: October 17, 2024

Subject: CCP-2024-0009: Riverside Village Ph 2.1: 3202 S. Black Oak Rd., 683

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		
	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	2,799,722	100%
Zoning Designation * Select Below with drop down arrow		
PZD, Planned Zoning District	699,931	25%
HHOD * Select Below with Drop Down Arrow		
No	0	0%
Total Canopy for Minimum Preservation Requirements	699,931	25.0%
Existing Tree Canopy * Minus Right of Way and Easements	1,390,930	49.7%
Tree Canopy Preserved	776,502	27.7%
Tree Canopy Removed *On Site	614,428	21.9%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	614,428	21.9%
Removed Below Minimum	0	
Mitigation Requirements	0	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority		
Low Priority		
Total Mitigation Trees Required*	0	0

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</i>	Tech Plat	Subdivision Committee	Plan/?ning Commission
a. 5 year Aerial Check on Existing Trees	Yes	Yes	
b. Property Boundary	Yes	Yes	
c. Natural Features (100ft beyond limits of disturbance)	Yes	Yes	
d. Existing Topography and Proposed Grading	Yes	Yes	
e. Soil Types	Yes	Yes	
f. Significant Trees	Yes	Yes	
g. Groupings of Trees	Yes	Yes	
h. Table Inventory List (species, size, health, priority)	Yes	Yes	
i. All Existing and Proposed Utilities	Yes	Yes	
j. All Existing and Proposed Utility Easements and ROW's	Yes	Yes	
k. All Streams (with approximate center line)	Yes	Yes	
l. Floodplains and floodways	Yes	Yes	
m. Existing Street, Sidewalk or Bike Path ROW	Yes	Yes	
n. Submitted Site Analysis Plan (if required)	N/A	N/A	
o. Shows ALL Proposed Site Improvements	N/A	N/A	
p. Delineates trees/canopy to be preserved and removed	Yes	Yes	

Tree Protection Methods

a. Tree Protection Fencing	Yes	Yes
b. Limits of Root Pruning	Yes	Yes
c. Traffic flow on work site	Yes	Yes
d. Location of material storage	N/A	N/A
e. Location of concrete wash out	Yes	Yes
f. Location of construction entrance/exit	Yes	Yes

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	9-27-24	10-14-24	
	Approved			
	Tabled			
	Denied			
Comments				
1.	Address items above marked “No” and all Redlines provided.			



URBAN FORESTRY LANDSCAPE PLAN COMMENTS

To: Morgan Dulin, E.I., Crafton Tull
From: Melissa Evans, Urban Forestry
CC: Gretchen Harrison, Senior Planner
Meeting Date: October 17, 2024
Subject: CCP-2024-0009: Riverside Village Ph 2.1: 3202 S. Black Oak Rd., 683

1. General Landscape Plan Checklist	Yes	No	N/A
a. Irrigation (notes either automatic or hose bib 100' o.c.) <i>UDC Chapter 177.03A7g, 177.04B3a</i>	X		
b. Species of plant material identified <i>UDC Chapter 177.03A7d,e</i>	X		
c. Size of plant material (minimum size 2" caliper for trees and 3 gal. shrubs) <i>UDC Chapter 177.03A7b,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 and Subdivisions 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 A2e</i>	X		

2. Parking Lot Requirements	1 Tree : 12 Parking Spaces	Yes	No	N/A
a. Wheel Stops/Curbs <i>UDC Chapter 177.04B1</i>				X
b. Narrow Tree Lawn (8' min. width, 37.5' length) <i>UDC Chapter 177.04C</i>				X

- | | | | | |
|----|--|--|--|---|
| c. | Tree Island (8' min. width, 18.7' min length OR 150 square feet)
<i>UDC Chapter 177.04C</i> | | | X |
| d. | 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. | Side and Rear Property Lines (5' wide landscaped area)
<i>UDC Chapter 177.04D2a</i> | | | X |
| b. | Front Property Line (15' wide landscape)
<i>UDC Chapter 177.04C2a</i> | | | X |
| c. | Shade trees planted on south and west sides of parking lots
<i>UDC Chapter 177.04D2e</i> | | | X |
| d. | 50% Evergreen shrubs if parking lot adjacent to ROW
<i>UDC Chapter 177.04D4a</i> | | | X |

4. Street Tree Planting Requirements

Yes No N/A

- | | | | | |
|----|---|---|---|---|
| a. | Residential Subdivisions
1 Large Shade Species Tree per Lot
<i>UDC Chapter 177.05</i> | X | | |
| b. | Non-Residential Subdivisions
1 Large Species Shade Tree every 30' (planted in greenspace)
<i>UDC Chapter 177.05</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 | |

5. Landscape Requirement Totals		Amount
Mitigation Trees		0
Parking Lot Trees		2 (in another phase?)
Street Trees		1 per house lot (149 Lot Trees) + 1/30 LF along common area lots (42 Street Trees)
Detention Pond – Large Trees (1 Tree/3,000 square feet)		17
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)		67
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)		101

6. Review Status (See Comments)	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved	9/27/2024	10/14/2024	
Approved			
Tabled			
Denied			

Comments
1. Address items above marked “No” and all Redlines provided.
2. Landscape Plans will be required for the lots as they develop.
3. Are the common area trees and shrubs planted (if any for this phase)?



CITY OF
FAYETTEVILLE
ARKANSAS

TO: Planning Division

FROM: Zach Foster, Parks Planning

DATE: October 2, 2024

SUBJECT: Parks & Recreation Technical Plat Review Comments

PRAB Meeting Date: October 4, 2021

Project Title: Riverside Village (Phase 2.1)

Project Number: CCP-2024-0009

Project Location: 2936 S Black Oak Rd

Plat Page: 682

Park Quadrant: SE

Billing Name & Address: Don Draper, NWA LD, LLC, 4058 N College Ave, Ste 300, Box 9
Fayetteville, AR 72703

☒ Land Dedication ☐ Fee-in-Lieu ☐ Combination

LAND DEDICATION					TOTAL Acres
Single Family:	<u>47</u>	units	x 0.023	acres per unit = <u>1.08</u>	acres
Multi Family:	<u> </u>	units	x 0.020	acres per unit = <u>0.00</u>	acres
					1.08

FEE-IN-LIEU					TOTAL Fees
Single Family:	<u> </u>	units	x \$1,089	per unit = <u>\$ 0</u>	
Multi Family:	<u> </u>	units	x \$952	per unit = <u>\$ 0</u>	
					\$ 0

- SUMMARY:
- Project proposes 47 SF units and 0 MF units.
 - The 10/5/2021 Parks Board meeting approved land dedication for this project.
 - Developer must dedicate 1.08 acres to meet the PLD requirements of Phase 2.1
 - For Phase 1, the developer submitted an 8.62 acre deed that contained 6.18 acres of contained donated park land and 2.44ac of land dedication to meet Parkland Dedication Requirements for Phase 1 (Deed# 2023-00023649). The 2.44ac land dedication was equal to 106 single-family lots.

- Phase 1.1 (CCP-2023-0007) created 81 single-family lots (equal to 1.86ac).
 - Phase 1.2 (CCP-2024-0001) will create 25 single-family lots (equal to 0.58ac).
- Fees are assessed for the additional lot(s) created and are due upon project's approval.
- Current fee-in-lieu and/or land dedication rates will be applied regardless of when project was approved by PRAB. All fees must be paid prior to final receipt by the city.
- 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.

ASSOCIATED PROJECTS:

- LSD-2022-0008 Phase 1
- LSD-2023-0008 Phase 2
- CCP-2023-0007 Phase 1.1
- CCP-2024-0001 Phase 1.2



September 18, 2024

City of Fayetteville
Planning Staff
125 W. Mountain Street
Fayetteville, AR 72701

RE: Riverside Village Phase 2.1
CTA Job No. 21108402

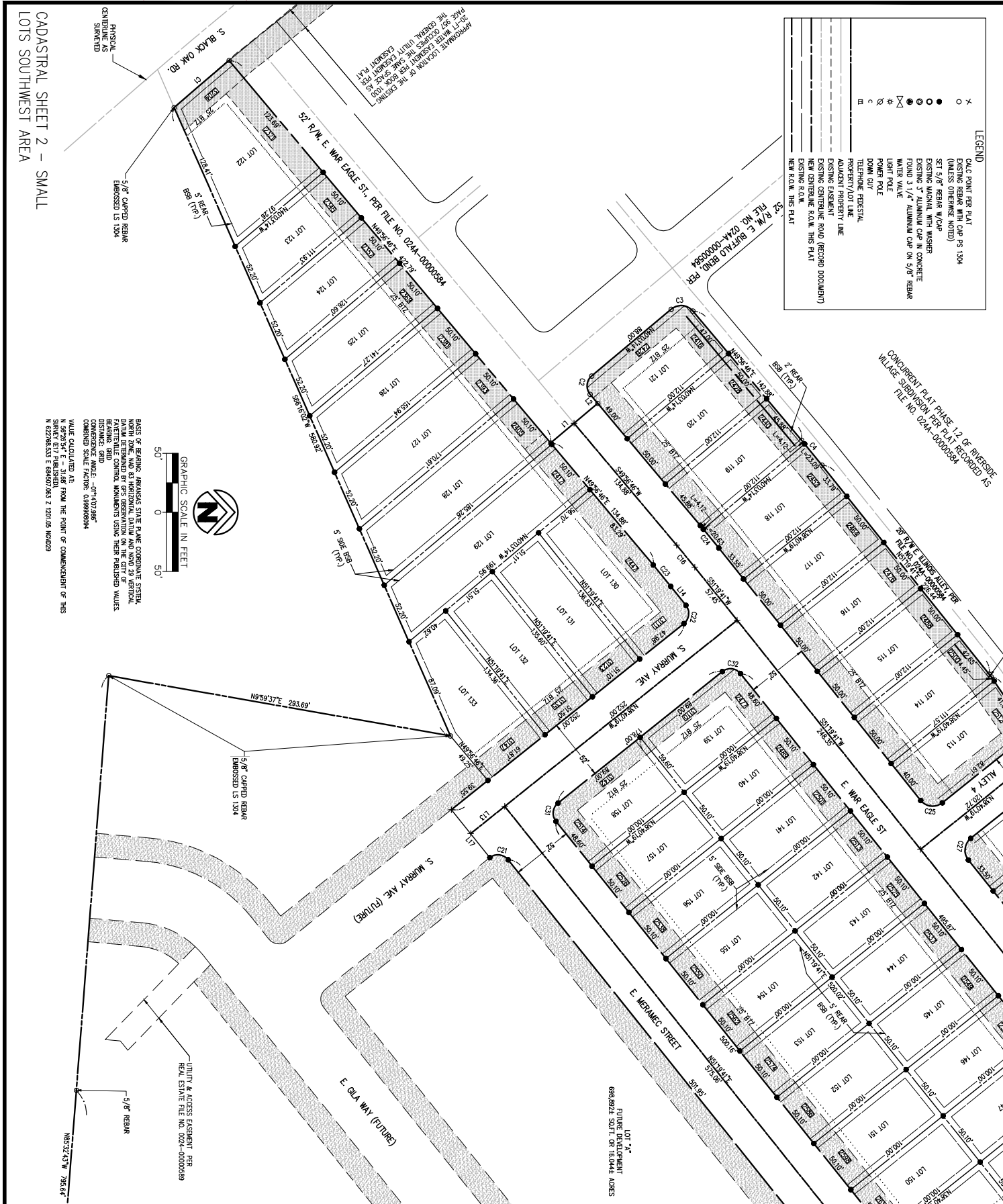
To whom it may concern,

This submittal is for a concurrent plat for a portion of Riverside Village Phase 2. The development is a single-family residential subdivision. The total area of the site is approximately 94 acres and includes 106 residential lots in Phase 1 and 128 lots in Phase 2. The lots in Phase 1 have all be platted. This concurrent plat includes the first 47 lots in Phase 2. All public infrastructure pertaining to these lots has been installed including public streets, utility extensions, and drainage improvements.

Should you have any questions, or require any additional information, please contact us at your convenience.

Sincerely,

Morgan Dulin, E.I.
Project Engineer



CRIVE TABLE				
CRIVE #	LENGTH	POUNDS	DELTA	CRIVE DIRECTION
C1	61.68	286.50	11.53	40°D 28° 46"W
C2	172.88	11.00	9000.00	14.53
C3	20.42	13.00	9000.00	18.38
C4	21.21	118.00	122.55	N65° 38' 13"E
C5	2.91	40.00	410.29	N63° 24' 55"E
C6	19.42	13.00	85.91	S61° 55' 05"E
C7	20.47	13.00	9000.00	17.70
C8	23.47	80.00	18.45	N60° 42' 33"E
C9	20.57	13.00	9079.15	S64° 34' 57"E
C10	17.01	276.00	1559.16	S27° 14' 58"E
C11	67.28	224.00	1172.34	N68° 38' 19"W
C12	66.07	164.00	6000.00	N69° 11' 23"E
C13	60.07	105.00	3273.13	S24° 43' 38"E
C14	238.49	176.00	8715.53	S39° 11' 55"W

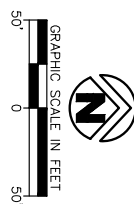
CLIMVE TABLE					
CLIMVE #	LENGTH	RADIUS	DELTA	CLIMVE DIRECTION	CLIMVE LENGTH
C15	20.99	250.00	446.98	S37.38 E53.71	20.99
C16	24.12	1000.00	1722.95	S50.38 S1.17	24.12
C17	7.92	224.00	2701.34	S46.15 E23.12	7.92
C18	13.00	13.00	9124.00	S92.15E 15.12E	13.00
C19	20.15	13.00	9122.55	S5.38 S13.17	18.61
C20	17.00	11.00	8637.00	S64.21 W1.17	15.37
C21	17.00	11.00	9000.00	S5.46 W1.17	15.36
C22	17.25	11.00	9000.00	N63.40 E19.17	15.56
C23	23.69	974.00	1222.55	S50.38 S15.17	23.69
C24	20.42	1026.00	1722.95	S50.38 S1.17	20.42
C25	20.42	13.00	9000.00	N6.19 E1.15	18.35
C26	19.47	13.00	8634.00	S51.35 O5.17	17.00
C27	20.42	13.00	9000.00	N63.40 E19.17	18.36
C28	16.62	11.00	8634.17	N42.02 S32.15	15.06

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH
C29	17.01'	8837'05"	N44° 21' 47"W	15.37'
C30	17.54'	9122'55"	N5° 38' 13"E	15.47'
C31	17.28'	9000'00"	S83° 40' 10"E	15.56'
C32	17.28'	9000'00"	S6° 19' 41"W	15.56'

WALTE CALCULATED AT:
N 56°26'58" E - 3168' FROM THE POINT OF COMMENCEMENT OF THIS
SURVEY; E71°10'58" N
0.022661333 E 06605' / 0603 7 1201 05 NO7029

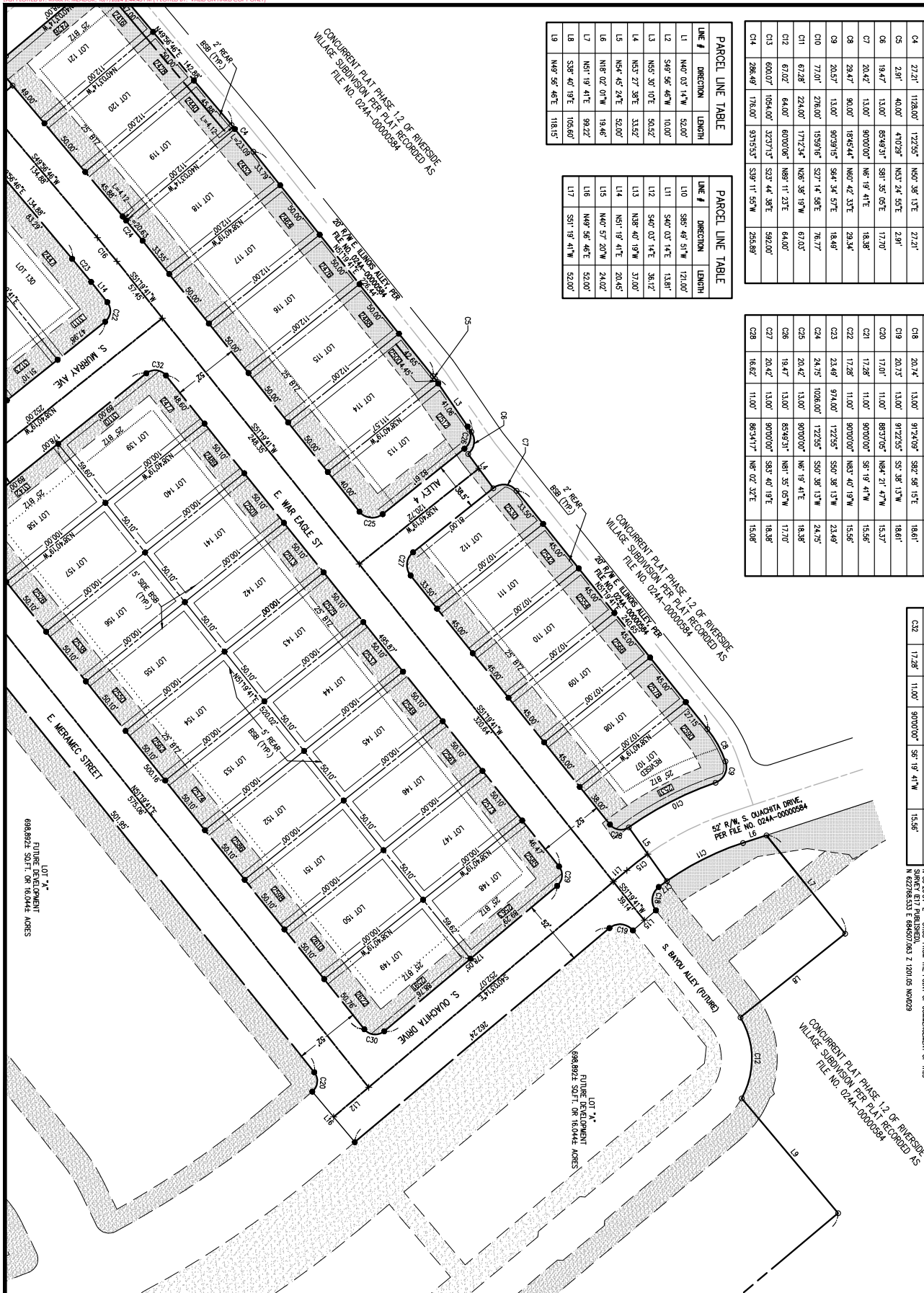
DISTANCE: GRID
CONVERGENCE ANGLE: -0°11'47.86"
CONV. SCALE FACTOR: 0.999908094

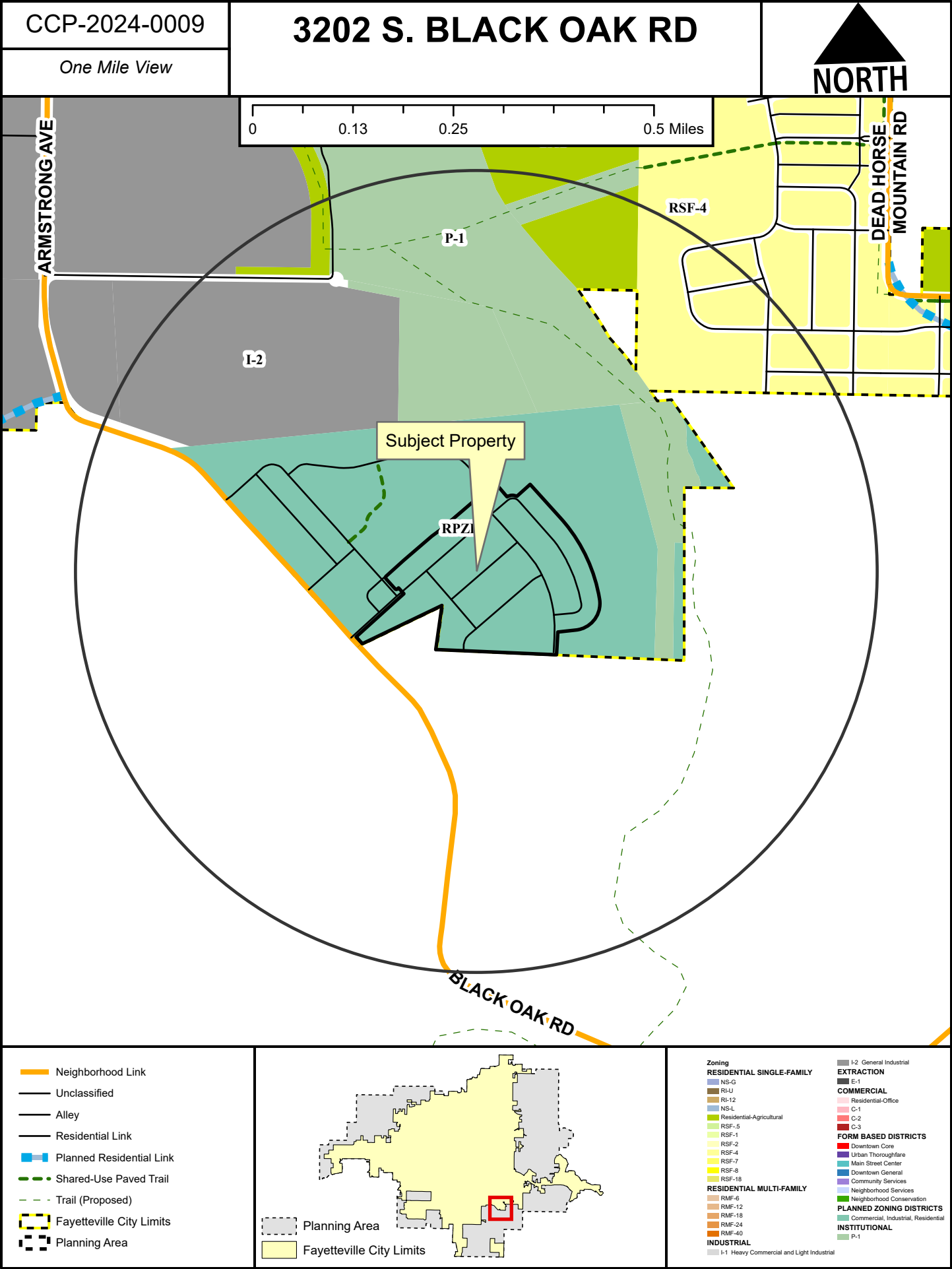
BEARING: GRID
BASIS OF BEARING: MAGNETIC STATE FIRM COORDINATE SYSTEM,
NORTH ZONE, AND 68 HORIZONTAL DATUM AND NOT 29 ° CRITICAL
ANGLE OF OBSERVATION
FACILITY CONTROL MONUMENTS USING THEIR PUBLISHED WALESTES

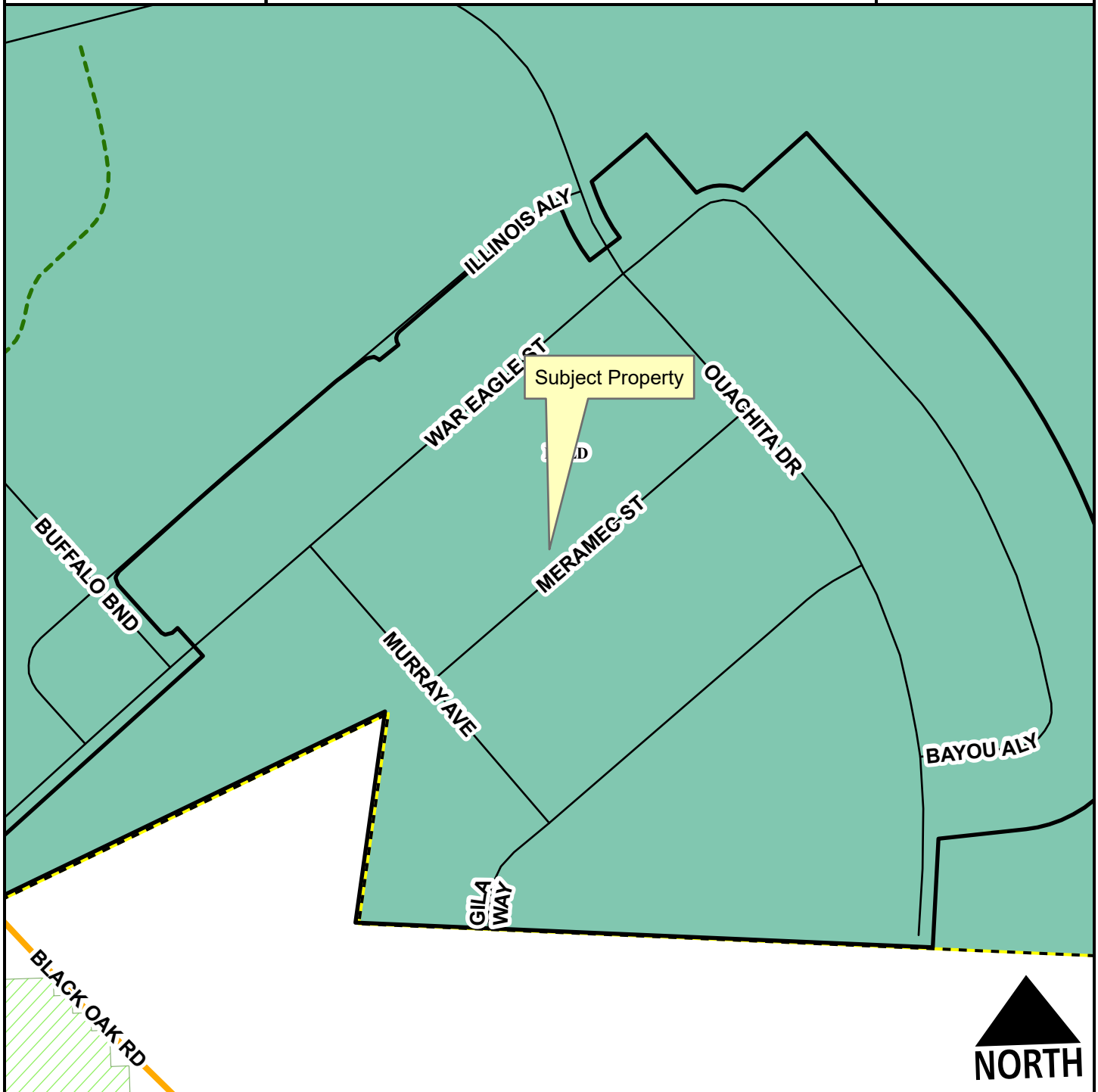


PARCEL LINE TABLE			PARCEL LINE TABLE		
LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH
L1	N40.03.14"W	52.00'	L10	S85.49.51"W	121.00'
L2	S49.56.46"W	10.00'	L11	S40.03.14"E	13.81'
L3	N65.30.10"E	56.52'	L12	S40.03.14"E	36.12'
L4	N53.27.38"E	33.52'	L13	N38.40.19"W	20.45'
L5	N64.45.24"E	52.00'	L14	N51.19.41"E	31.65'
L6	N18.02.01"W	19.46'	L15	N40.57.20"W	24.02'
L7	N51.19.41"E	99.22'	L16	N49.56.46"E	52.00'
L8	S38.40.19"E	106.60'	L17	S19.41.41"E	52.00'
L9	N49.56.46"E	118.35'			

PARCEL LINE TABLE		
LINE #	DIRECTION	LENGTH
L10	S85° 49' 51"W	121.00'
L11	S40° 03' 14"E	13.81'
L12	S40° 03' 14"E	36.12'
L13	N38° 40' 19"W	37.00'
L14	N51° 19' 41"E	20.45'
L15	N40° 57' 20"W	24.02'
L16	N49° 56' 46"E	52.00'
L17	S51° 19' 41"W	52.00'







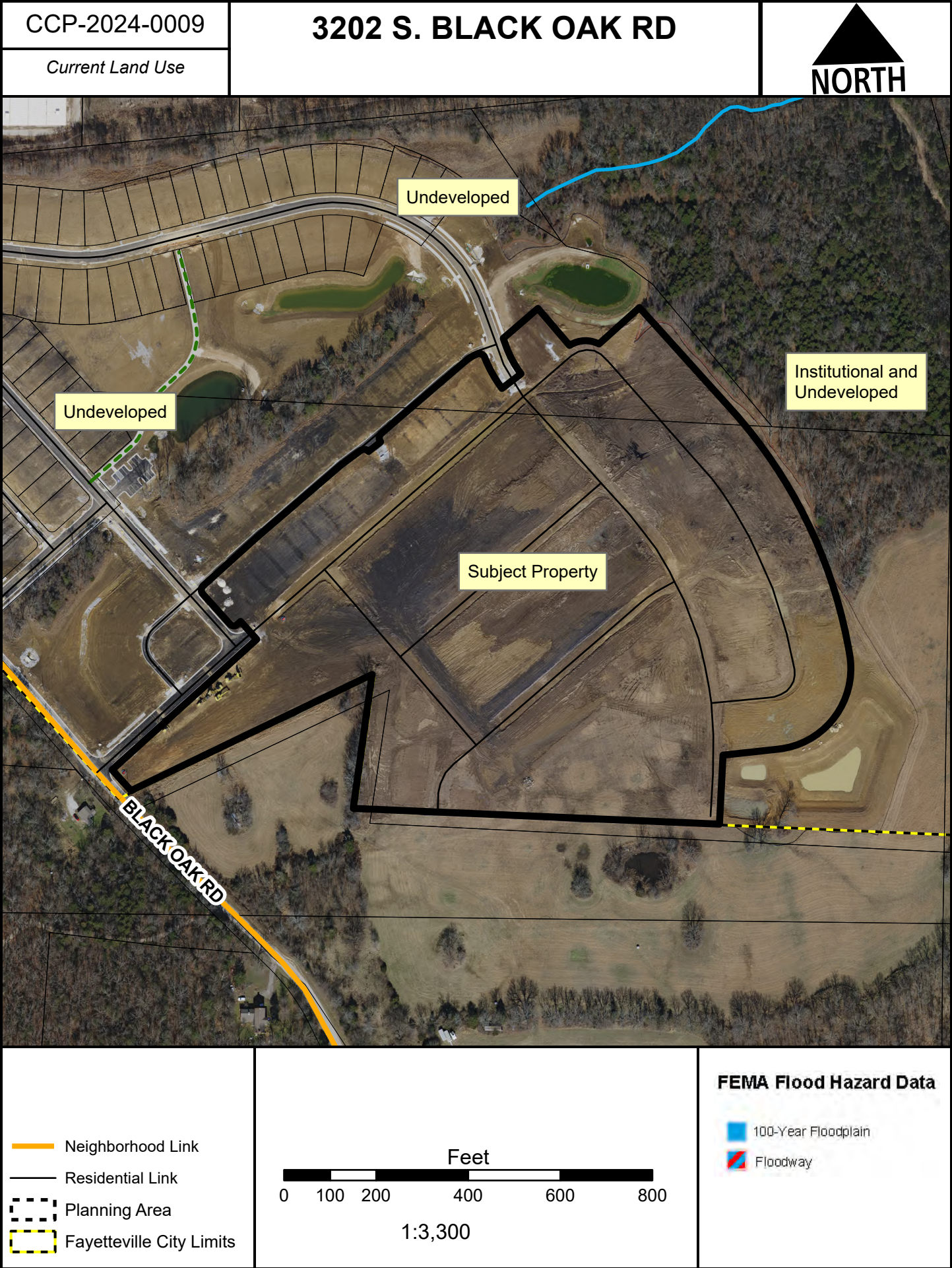
- Neighborhood Link
- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail

Feet

0 75 150 300 450 600

1:2,400

Commercial, Industrial, Residential





TO: Fayetteville Planning Commission

FROM: Gretchen Harrison, Senior Planner

MEETING: October 28, 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**."*

SEPTEMBER 23, 2024 PLANNING COMMISSION MEETING:

At the September 23, 2024 Planning Commission meeting, this item was tabled until October 14 to provide additional time for the applicant to address comments from staff, commissioners, and members of the public. Seven members of the public spoke at the meeting on September 23, expressing their opposition to the applicant's request.

OCTOBER 14, 2024 PLANNING COMMISSION MEETING:

At the October 14, 2024 Planning Commission meeting, this item was tabled until October 28 at the applicant's request to allow time for them to address feedback from two public input sessions and one workshop with the Planning Commission. Three members of the public spoke at the meeting on October 14, sharing their ongoing concerns about the applicant's request.

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 – 24.26 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 – 10.60 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 about this request include its potential to adversely affect traffic safety and congestion, incompatibility with surrounding neighborhoods, and significant impact on a steep, wooded hillside. 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 south and Nettleship Street to the southeast. Both streets are unimproved near the property. Any street improvements required in this area would be determined at the time of development proposal. The applicant has shown an intent to provide a private connection between Sang Avenue to the north and south with a fire gate at the north end to restrict access north on Sang Avenue to emergency personnel. An additional driveway is proposed at the intersection of Nettleship Street and Cross Avenue to the southeast.

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 find that the applicant's request is incompatible with the surrounding area. The proposed PZD would enable a significantly more intense level of residential development when compared to the property's current zoning, which staff believe does not align with the character of nearby properties or the natural environment. The applicant argues that the PZD would facilitate compact

development and thereby better preserve nature than the existing RSF-4 zoning, which allows only single-family dwellings at a density of four units per acre, and two-family dwellings at a density of seven units per acre as a conditional use. The current zoning requires just two parking spaces per unit for single- and two-family dwellings, with a maximum of three unrelated occupants per unit. In contrast, the proposed PZD would permit multi-family dwellings by right, which require one parking space per bedroom and allow up to five unrelated tenants per unit. This change could lead to a development that accommodates twice as many tenants and nearly three times the amount of parking when compared to what is permitted under the property's current zoning.

Additionally, all established city zoning districts that permit multi-family dwellings by right require a build-to zone of 0 to 25 feet, while the proposed PZD allows for a 15-foot front setback. Further, most multi-family zoning districts include a minimum buildable street frontage requirement, while there is none proposed with this PZD. The property currently has limited street frontage along Nettleship Street, with access planned via Nettleship and North and South Sang Avenues. A private street is proposed to connect North Sang Avenue to South Sang Avenue with a gated entry at North Sang to restrict access there to emergency personnel only. Given the proposed site layout, setbacks, and lack of minimum buildable street frontage requirement, staff find that the proposed PZD has the potential to allow for multi-family residential development that does not prioritize pedestrians or enhance the public realm. While the property is in close proximity to bus stops and trails, and sidewalks are shown throughout the site with a trail connection to the Markham Hill Nature Trail and North Sang Avenue, the PZD seems to be primarily designed to accommodate a dense, auto-oriented development.

Land Use Plan Analysis: Staff find the proposed planned zoning district to be somewhat consistent with the City's adopted land use plans. City Plan 2040's Future Land Use Map designates the property as Residential Neighborhood and those areas are intended to support a wide variety of housing types in walkable neighborhoods. The property also has a moderate infill score of 5-8 which indicates that it is a suitable location for smaller scale infill development.

Additionally, City Plan 2040 lays out six goals which staff find the PZD to be somewhat aligned with:

1. We will make appropriate infill and revitalization our highest priority
2. We will discourage suburban sprawl
3. We will make compact, complete, and connected development the standard
4. We will grow a livable transportation network
5. We will assemble an enduring green network
6. We will create opportunities for attainable housing

When compared to the property's current zoning, the proposed PZD would permit a wider range of residential uses, generally aligning with Goals 1, 2, 4, and 6 of City Plan 2040 by allowing for denser residential development

near the University of Arkansas, transit routes, and existing public infrastructure. However, staff finds that the scale of development allowed by the PZD may be inappropriate given the property's location along a steep, wooded hillside and its proximity to a lower-density single-family neighborhood. While development would be concentrated in the center of the property, with much of the perimeter and western area designated for tree preservation, staff find that the proposed PZD may not fully align with Goals 3 and 5 of City Plan 2040. Goal 3 encourages a compact, gridded street network, yet all roads included in the associated development, including the connection on Sang Avenue, are intended to remain private with gated access limiting connectivity to North Sang Avenue. Additionally, the conceptual plan does not appear to adequately address the site's specific topography. Staff recommend a more tailored approach to better align the project's design and proposed zoning regulations with the City's goals of promoting compact, connected development that enhances the public realm while preserving natural features.

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. While the property is in close proximity to the University of Arkansas and has a moderate infill score, staff finds that the proposed zoning regulations and associated planned development are not compatible with the surrounding area and do not adequately address the site's specific topography.

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 increase traffic danger and/or congestion. As proposed, the property would be developed with a multi-family residential development that would have two main points of access on Nettleship Street and South Sang Avenue, with a third driveway to North Sang Avenue with access there limited to emergency personnel only by a fire gate. The applicant provided a revised traffic study with their resubmittal, 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. Between 2019 and 2023, three traffic crashes with no apparent injury were reported at the intersection of Nettleship Street and Cross Avenue.

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 could undesirably increase the load on public services. Based on the number of units and bedrooms proposed, improvements would likely be needed to ensure adequate capacity in the City's sewer system and pressure in the City's water system. Any utility 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 offer flexibility in the variety of housing types and the density of development permitted on site. However, it also poses significant concerns regarding compliance with many city ordinances and goals, as it would substantially impact the subject property

and its surroundings. A large portion of the site is slated to be disturbed, with tree preservation limited to the perimeter and the western quarter of the property. In terms of future land use plans, the proposed PZD would result in a development that offers limited connectivity for both vehicles and pedestrians, with few enhancements aimed at the public realm. While the site has a moderate infill score and is near public infrastructure, transit stops, and nonresidential uses, staff finds that the proposed zoning regulations and planned development do little to protect or enhance the site's natural features, potentially adversely affecting 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. All city zoning districts that allow multi-family dwellings by right require a 0 to 25-foot build-to zone. Consider changing this 15-foot front setback to 0-25-foot build-to zone to better align with current zoning regulations and future land use goals. The property currently only has buildable frontage along Nettleship Street, and it looks like the proposed location of the clubhouse may conflict with a gas line based on the conceptual plan and survey provided.
 - b. Most city zoning districts that allow multi-family dwellings by right also have a minimum buildable street frontage requirement. Consider establishing a minimum buildable street frontage requirement to ensure traditional town form along all public streets.
 - c. A rezoning from a single-family district to a PZD would increase the number of unrelated persons allowed to live in a single unit based on the city's definition of "family" in UDC §151.01. Under RSF-4 zoning, no more than 3 unrelated persons can occupy a single unit, and that number can be increased to 5 with a PZD by City Council. City Council may add proper safeguards for the surrounding neighborhood such as applying the parking requirements of UDC §172.11 (even though this is a multifamily PZD), requiring that each 5-person unit be placed within a freestanding structure of not more than 2 stories and be buffered from other residential districts outside the PZD. The City Council should also consider whether a PZD with one or more 5 unrelated person structures would cause unreasonable traffic into an adjoining residential neighborhood before approving the PZD. I'm concerned that, while the unit density tied to the proposed PZD is generally consistent with the property's current zoning, the PZD would be far more permissive in terms of bedroom counts which results in having more occupants, parking areas, and traffic on this site, which further impacts its natural features and has the potential to adversely affect surrounding properties. I've provided a table in my markups in EnerGov to illustrate the different unit/bedroom/parking counts allowed/required under the current zoning and the proposed PZD.
 - d. Providing a connection to South Sang does help support the project's alignment with Goal 3 of City Plan 2040 by providing more than one point of access to this site, but I still have concerns about the lack of public streets proposed with this project. Goal 3 is intended to encourage a compact, gridded street pattern, and the Sang connection shown now is proposed to be private with a gated entry limiting access to the north. Planning's preference would be that the connection be

improved as a public street in order to enhance connectivity in the city's public street network and better align the project with this future land use goal.

- e. If the Sang connection will remain private, with the understanding that the city could acquire that land and make the street public at some point in the future, I would recommend designing the site as if it were a public street. See comments above about build-to zone/minimum buildable street frontage requirement. The City's urban residential design standards (UDC 166.23) have heightened requirements for sides of buildings facing public streets (a prominent entryway, pedestrian connection from it to the sidewalk, and required architectural features).
 - f. Consider providing a direct trail connection along the Sang connection to align with what's shown on the City's active transportation plan.
 - g. Based on the contours and overall layout, it seems that the conceptual plan doesn't fully take into account the specific topography of this site. A more tailored approach may be needed to better align the project's design with the unique characteristics of this property. I understand that you're working with difficult site constraints, but it would be helpful if the plan could more clearly reflect the existing land contours to ensure that it's responding to its natural character rather than significantly altering it.
- 2. Parkland dedication must be reviewed by PRAB with the associated development;
 - 3. Comments from Urban Forestry shall be included in the conditions of approval, which are attached herein; 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 28, 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: Willa Thomason, Urban Forester

MEETING DATE: October 28, 2024

SUBJECT: **PZD-2024-0006: THE STATION:** 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, however, tree preservation needs to be 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 prevent tree loss and die-back on adjacent properties with trees. Without that buffer, 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 and south sides of the property as well.

Two Stormwater Management Areas are in areas that show trees to be preserved. Please minimize those areas 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 comply with Ch. 177.



October 21st, 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

Ms. Harrison,

Included with this letter is a revised PZD Booklet which is submitted in anticipation of the October 28th Planning Commission. There are several changes associated with this resubmittal, which includes:

- A Reduction in Planning Area 1, max allowable units, bedroom count, and parking count
- An increased buffer along the northern and eastern boundaries
- A connection between S Sang Ave and N Sang Ave
- A fire gate added to restrict N Sang Ave access to emergency personnel
- A Drainage Memo aimed to address how drainage collection would be accommodated with the current site design

These adjustments resulted from further collaboration with staff, the public, and Planning Commission- which included two town hall meetings with surrounding landowners, a planning commission workshop meeting, and an individual meeting with Fire Safety and Engineering. The expectation is that the new design will result in less impact on neighboring properties, will allow for more tree preservation, better fire response times, and better connectivity within the development.

We appreciate your efforts in helping this project progress and look forward to further collaboration.

Sincerely,

Conlee Hale, P.E.
Crafton Tull

October 21st, 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

October 28, 2024

PZD-2024-0006 (THE STATION AT FAYETTEVILLE)

Page 12 of 139



Table of Contents

A) Current Ownership	3
B) Project Summary	3
C) General Project Concept	3
D) Proposed Planning Areas	6
E) Proposed Zoning Standards	6
F) Zoning Charts	9
G) Analysis of Site Characteristics	10
H) Recreational Facilities	10
I) Reason for Rezone Request	10
J) Relation to Existing and Surrounding properties	11
K) Compliance with Fayetteville Comprehensive Land Use Plan	11
L) Traffic Study	14
M) Impacts on City Services	14
N) Conceptual Description of Development Standards	14
O) Proposals Intent/Purpose	16

Appendix A: Master Plan Sheet Set

Appendix B: Building Elevations

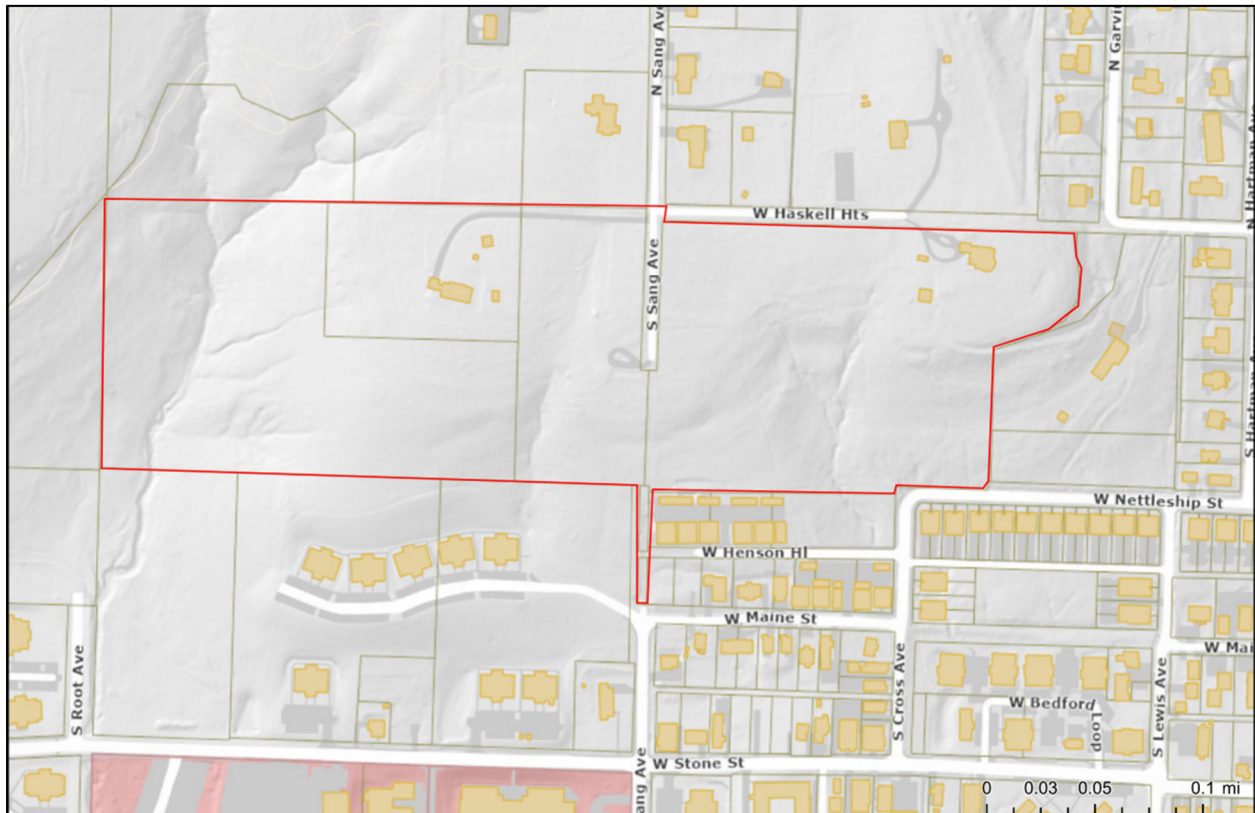
Appendix C: Traffic Report

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 three connections: one at the southeast corner of the property at the intersection of W Nettleship St & S Cross Ave, a second to S Sang Ave, and a third to N Sang Ave. There will be a private drive connection between S Sang & N Sang Ave, but a fire gate would be placed on the northern edge of the site to restrict egress and ingress from N Sang Ave to emergency personnel only. To meet fire access requirements, pavement widening on N Sang Ave would be completed with this project.

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 preserving canopy where feasible.

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.

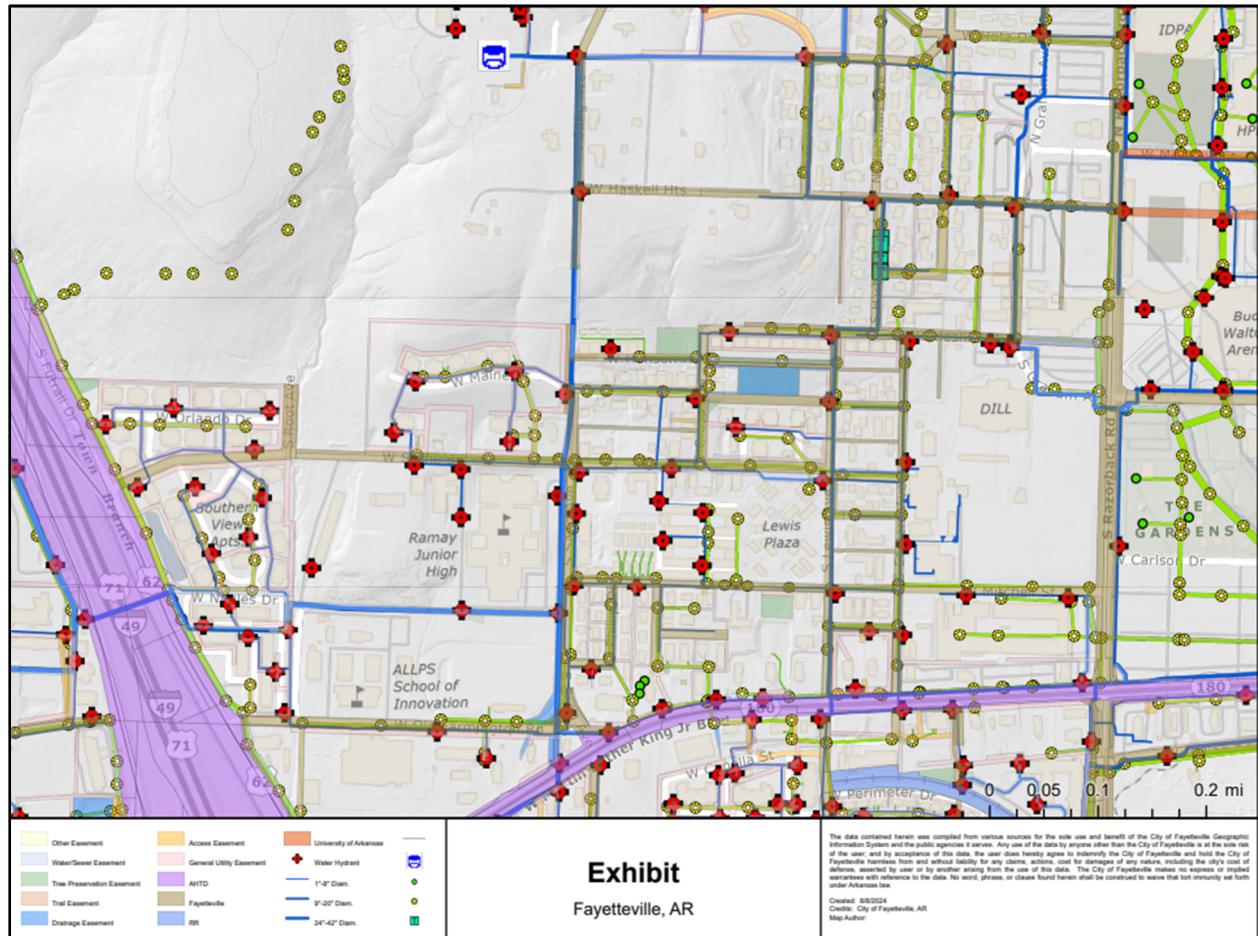
For water service, an 8" water line extending from the northern end of the site to the 8" water line on the south side of Nettleship is planned. Additional water lines will branch off this main line to provide circulation throughout the property. Taps into the existing on-site 24" water line are not 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 = 242 units | 24.26 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- 3 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	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



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.

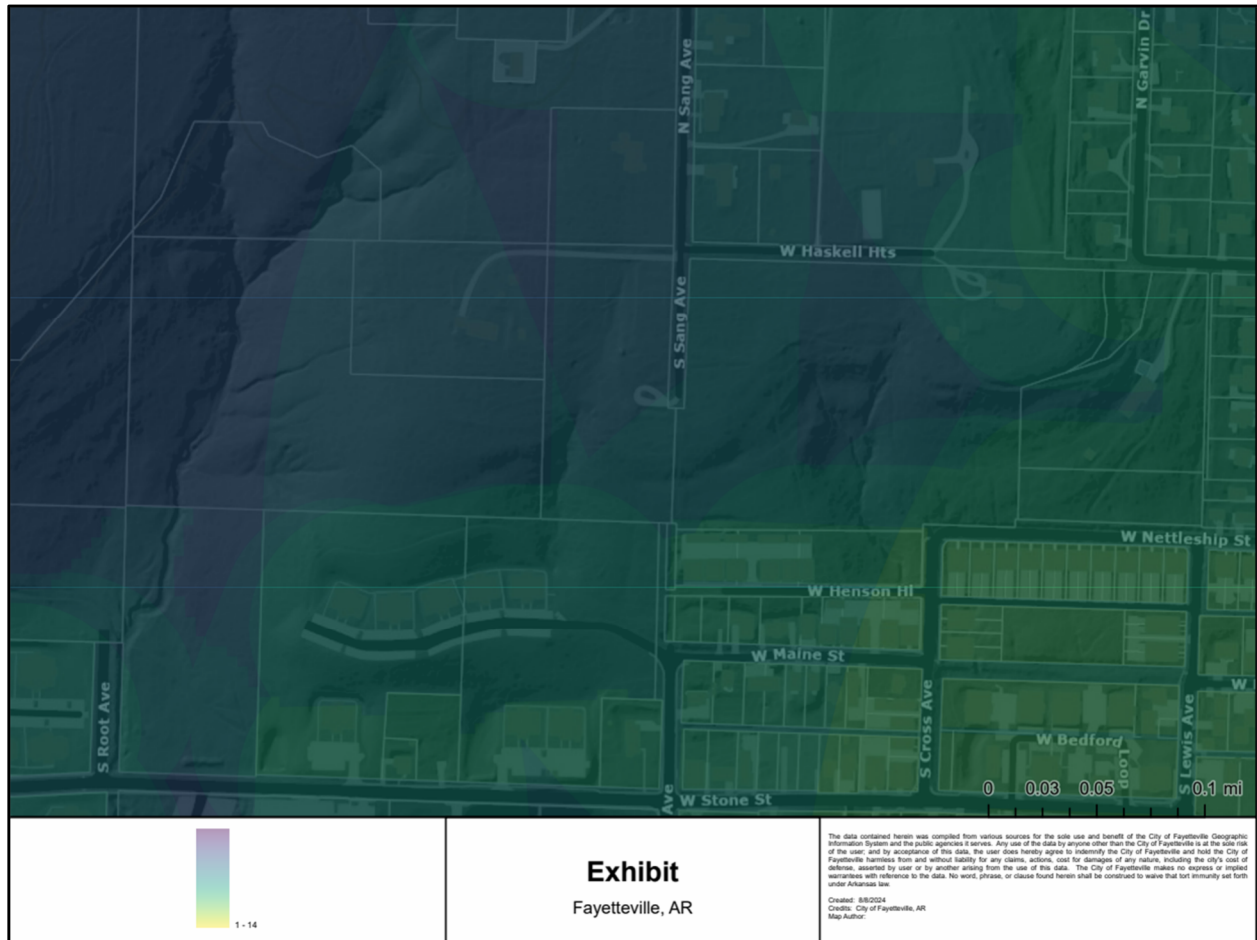
Fayetteville’s Future Land Use Plan designates this area as a Residential Neighborhood, which calls for a wide variety of housing options that are appropriate for the scale and context of the area. We believe the proposed development aligns with this land use designation, as it includes a variety of 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 S Sang Ave, as well as a connection 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 Sang 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.

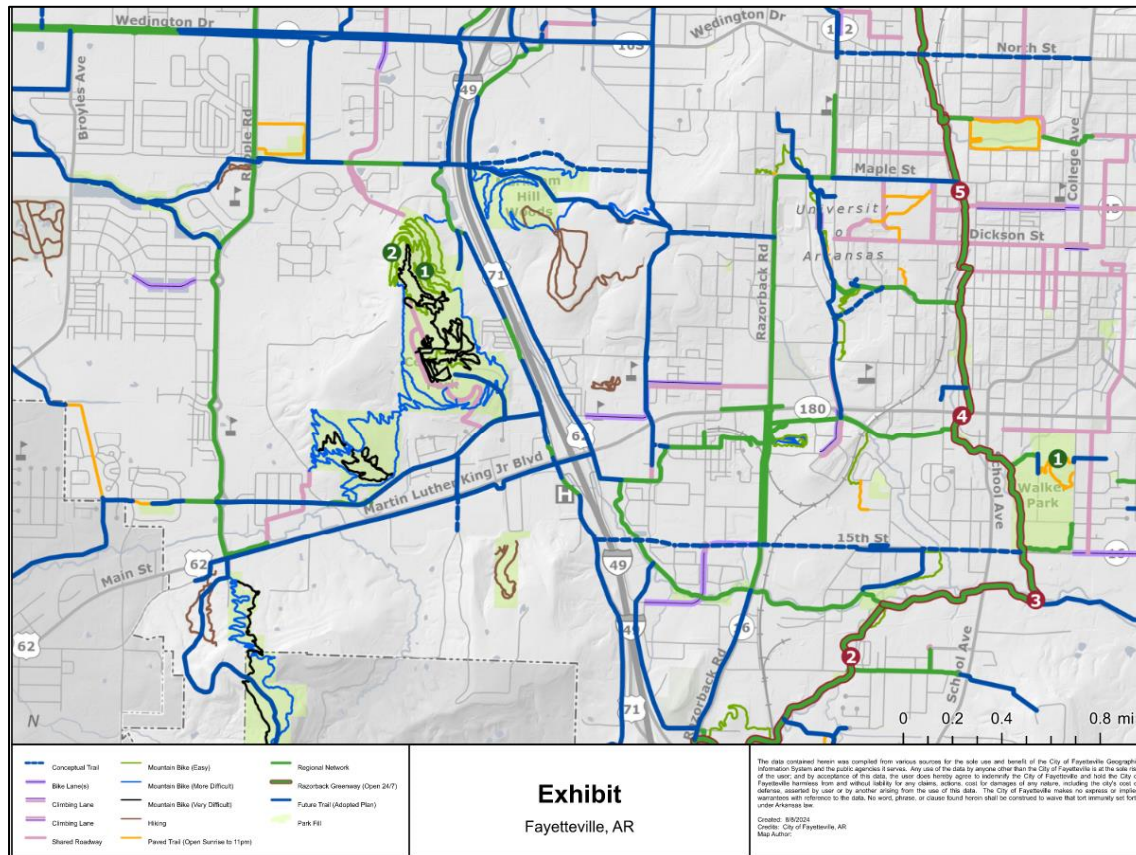
This development will encourage walking, bicycling, and public transit use by featuring interconnected streets and sidewalks, providing a connection to Markham Hill's natural trail network, and by being within 1/3 of a mile from two UARK transit bus stops—one on W Stone St and another on S Graham Ave.

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 S Sang Ave 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

October 28, 2024

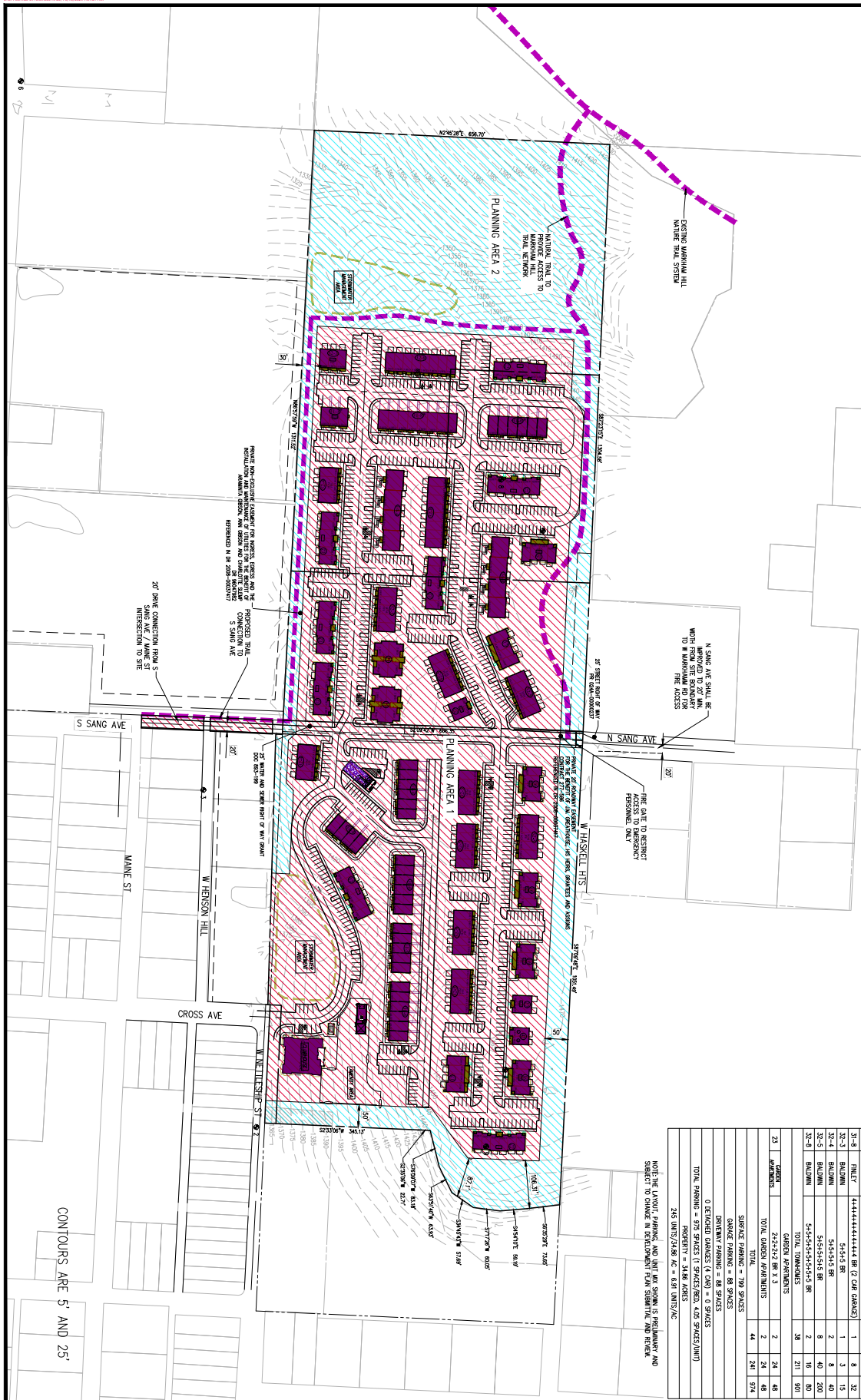
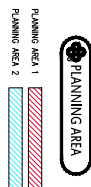
PZD-2024-0006 (THE STATION AT FAYETTEVILLE)

Page 28 of 139

THE STATION AT FAYETTEVILLE

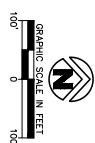
PZD REZONING

LAND USE	RESIDENTIAL DENSITY	ACRES	%
RESIDENTIAL	10 UNITS/ACRE	24.26	69.5%
NON-RESIDENTIAL	0 UNITS/ACRE	10.60	30.5%



BUILDING TYPE	DESCRIPTION	UNIT MAX	BUILDINGS	UNITS	BEDS
27	TALHOGE	COITAGE - DUEK & ATTACHED DUPLEX	2	4	20
42	000000	545 8R	1	2	5
		TOTAL COITAGE	3	6	25
		TOWNHOMES			
12	COITAGEHST	44444444 8R	8	48	192
16	WILSON	344444 8R	2	8	32
17	LUMBER	444444 8R	2	20	70
31-3	FINLEY	44444 8R (2 CAR GARAGE)	8	32	88
31-4	FINLEY	44444 8R (2 CAR GARAGE)	1	4	16
31-5	FINLEY	44444444 8R (2 CAR GARAGE)	1	5	20
31-6	FINLEY	44444444 8R (2 CAR GARAGE)	4	24	86
31-8	FINLEY	44444444 8R (2 CAR GARAGE)	1	8	32
	BUILDING	54545 8R	1	3	15
32-4	BUILDING	54545 8R	2	8	40
32-5	BUILDING	54545 8R	2	8	40
32-6	BUILDING	54545 8R	2	16	80
	BUILDING	54545 8R	3	16	80
		CORPUS APARTMENTS			
23	GRADY	242424 8R x 3	2	24	48
		TOTAL CORPUS APARTMENTS	2	24	48
		TOTAL	44	241	974
		SURFACE PARKING = 789 SPACES			
		GRADY PARKING = 88 SPACES			
		DETACHED PARKING = 86 SPACES			
		0 DETACHED GARAGES (3 CAR) = 0 SPACES			
		TOTAL PARKING = 975 SPACES (789 SURFACE, 88 SPACES, 0 SPACES)			
		PROPERTY = 3.46 ACRES			
		245 UNITS/2.94 AC = 83.0 UNITS/AC			

NOTE: THE LAYOUT, PARKING, AND UNIT MIX SHOWN IS PRELIMINARY AND SUBJECT TO CHANGE IN DEVELOPMENT PLAN SUBMITTAL AND REVIEW.



Planning Commission
October 28, 2024

APPENDIX B: BUILDING ELEVATIONS



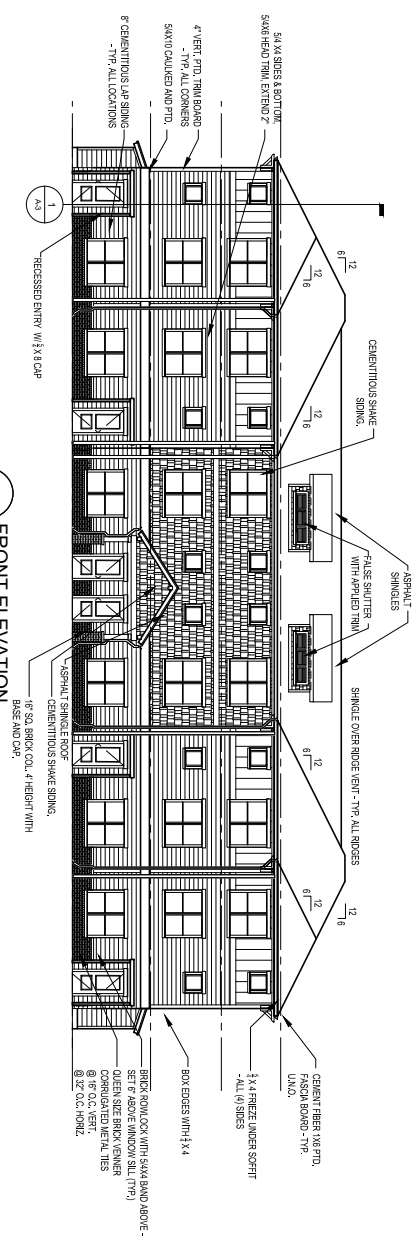
Crafton Tull

Planning Commission

October 28, 2024

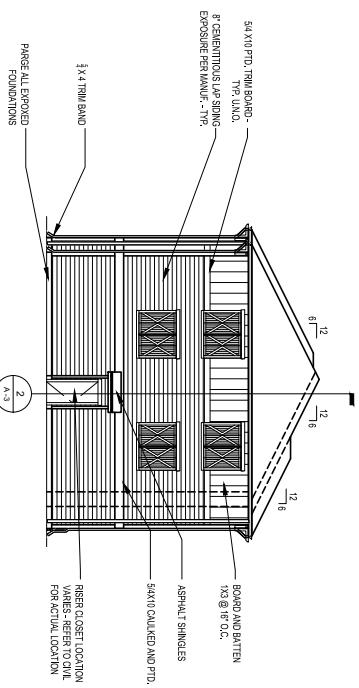
PZD-2024-0006 (THE STATION AT FAYETTEVILLE)

Page 33 of 139

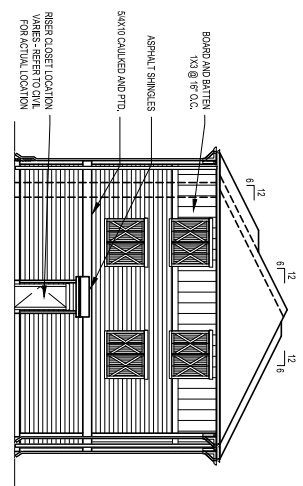


1 FRONT ELEVATION
1/8" = 1'-0"

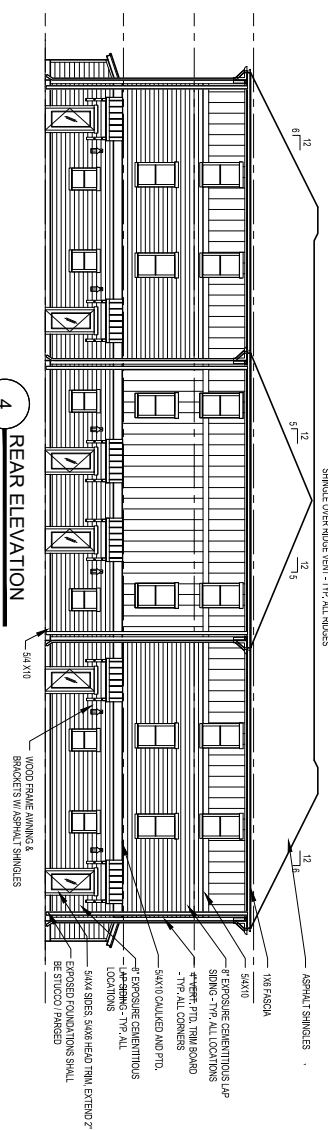
APPLIES TO BUILDINGS 4, 22, 44, & 54



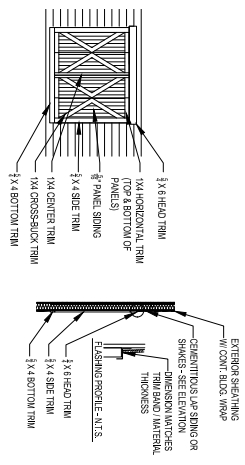
2 SIDE ELEVATION
1/8" = 1'-0"



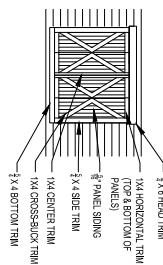
3 SIDE ELEVATION
1/8" = 1'-0"



4 REAR ELEVATION
1/8" = 1'-0"



SECTION
N.T.S.



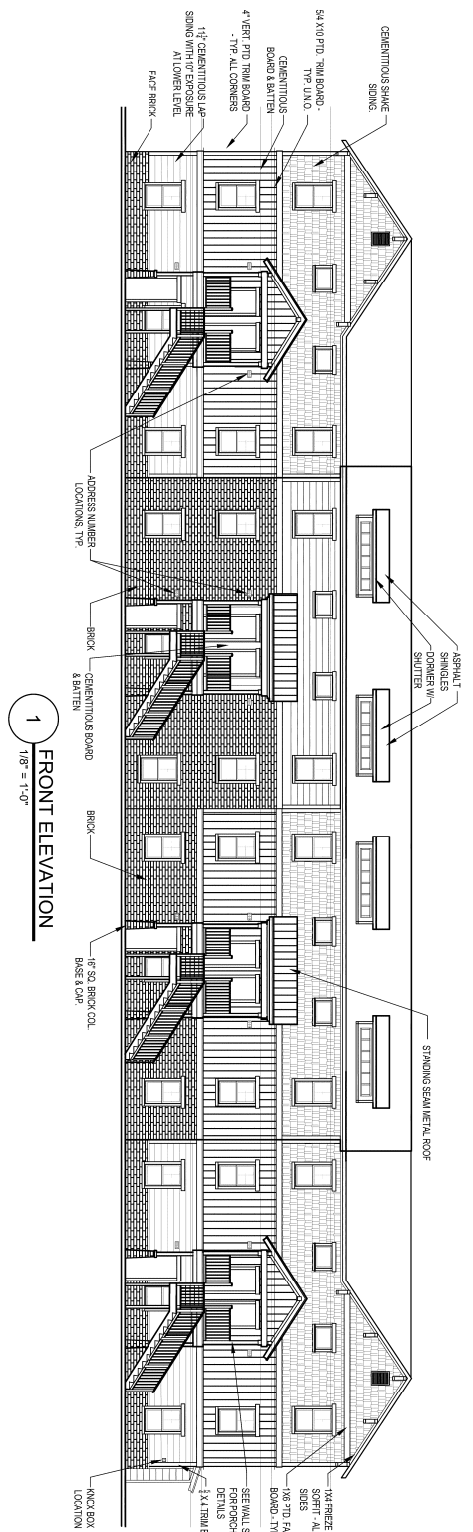
ELEVATION
N.T.S.

- FAUX SHUTTERS**
- ALL SHUTTERS ARE FIRE-RESISTANT PRODUCTS
 - GOS SHEATHING 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.

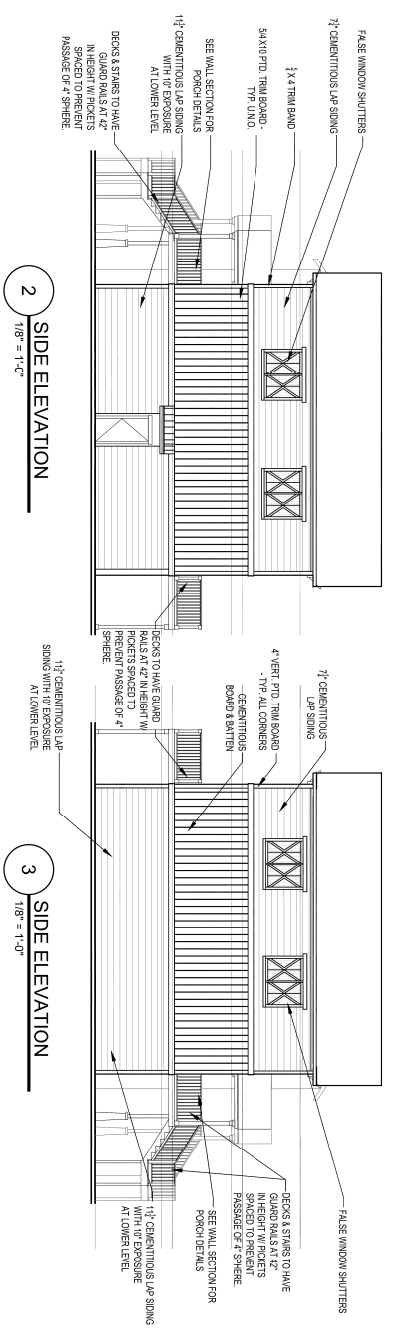
5 FAUX SHUTTER DETAILS
N.T.S.

- EXTERIOR SIDING/TRIM NOTES**
1. ALL EXTERIOR SIDING/TRIM COMPONENTS TO BE NON-BOT. CEMENT-FIBER TYPE.
 2. CORNER BOARDS TO BE 54 X 4 S4X PANELED.
 3. SIDING PLACED ON FRONT & REAR ELEVATIONS.
 4. WINDOW AND DOOR TRIM TO BE 54X SIDES & BOTTOM. HEAD TRIM TO BE 54X EXTENDED 2".
 5. RACKED TO BE 1/4 X 1/4 IN. EXPOSED PLASING (4-1/2" CONTRACTOR) - 15871 WITH 1/4" GROUND.
 6. FRIDGE BOARDS TO BE 54X.
 7. SPACERS TO BE 5/16" PANELS PERMANENT AT EYES, 1/4" BATTENS 1/2" O.C. BE 5/16" 1/4" PANELED WITH 1/4" BATTEN AT JOINTS & PERIMETER.
 8. PORCH CEILING TO BE 5/16" WIDE PANELS WITH 1/4" BATTEN AT JOINTS & PERIMETER.
 9. CORNER BRACKETS TO BE USED AT ALL LOCATIONS COORDINATE WITH GENERAL CONTRACTOR FOR THE FOLLOWING DETAILS
 10. -SELECTIVE SET OF TRIM BOARDS TO WARP -SPECIFIC DESIGN OF BRACKETS AT GABLES & MIS. LOCATIONS. ALL BRACKETS ARE P.T. -4824X PARCH ROOF DETAILS.

12 COVERHURST
1 ELEVATION PAGE

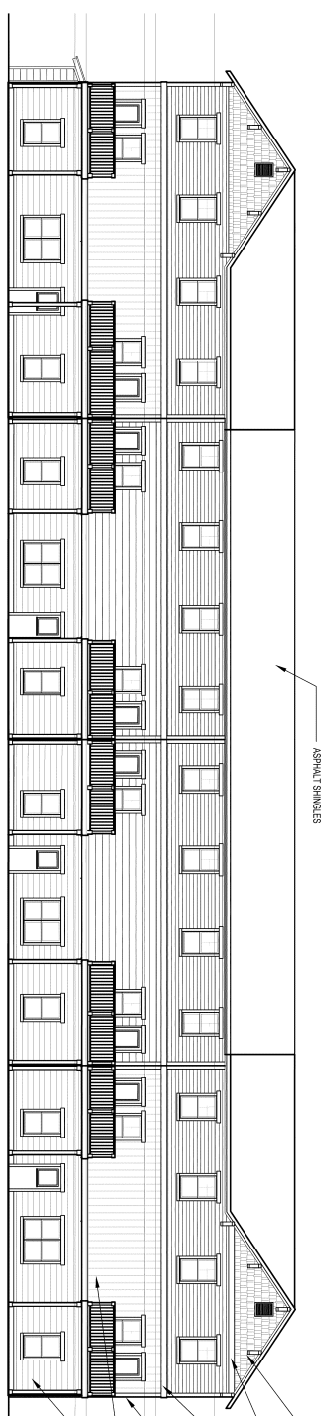


1 FRONT ELEVATION
1/8" = 1'-0"

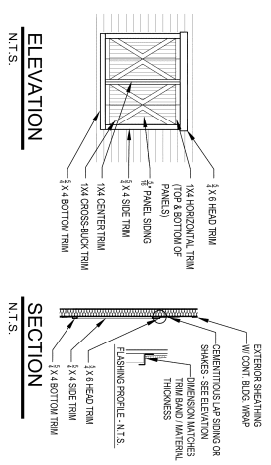


2 SIDE ELEVATION
1/8" = 1'-0"

3 SIDE ELEVATION
1/8" = 1'-0"



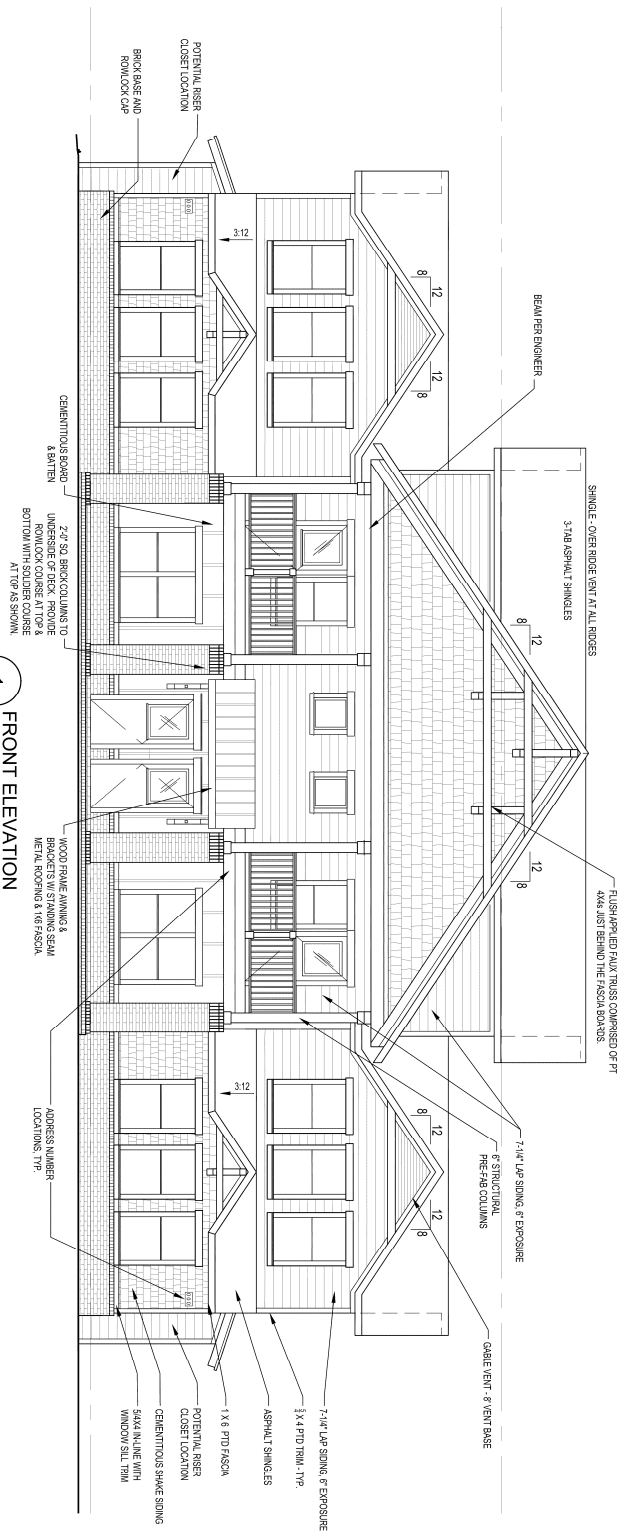
4 REAR ELEVATION
1/8" = 1'-0"



SECTION
N.T.S.

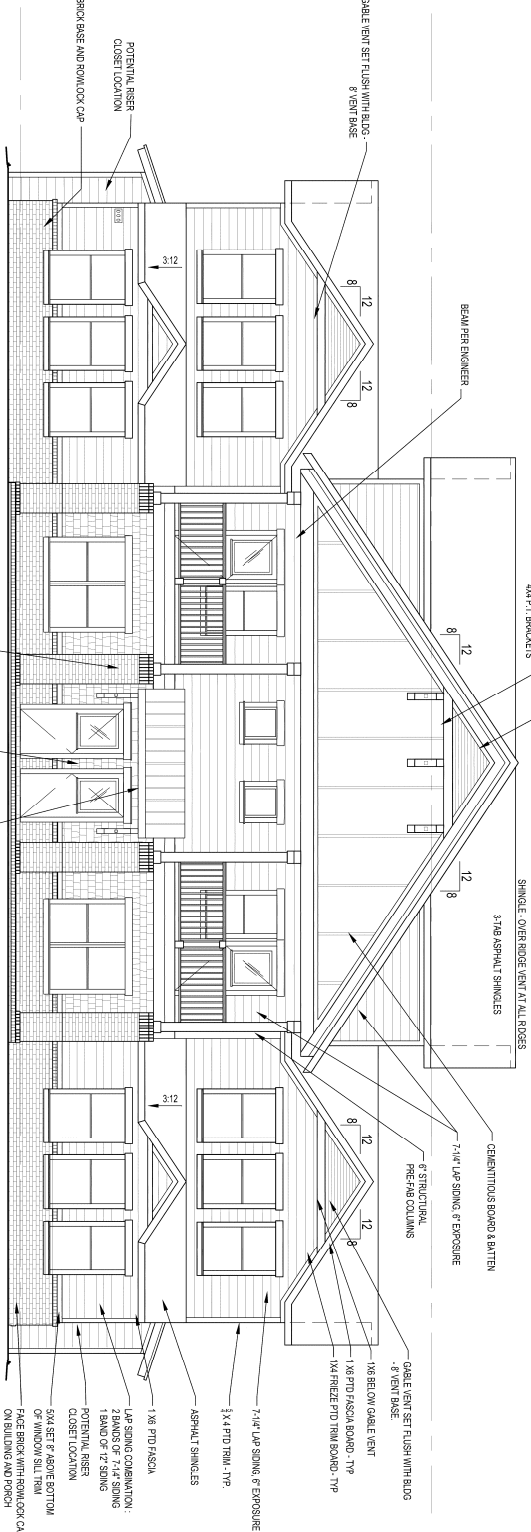
- ELEVATION**
N.T.S.
- FAUX SHUTTERS
 - ALL MATERIALS ARE ALURA FIBER-CEMENT PRODUCTS BY PLATON USA
 - OSB SHEATHING IS CONTINUOUS, THERE ARE NO OPENINGS
 - MATERIALS ARE CONTINUOUS BEHIND ALL FAUX SHUTTER MATERIAL
 - 2-FLASHING IS PLACED OVER HEAD TRIM AND TILED BEHIND SIDING ABOVE
 - ALL JOINTS ARE CAULKED, AND THE ENTIRE ASSEMBLY IS PAINTED TO MATCH EXISTING TRIM/PAIN FOR THE BUILDING PER DECORATION

FAUX SHUTTER DETAILS
N.T.S.

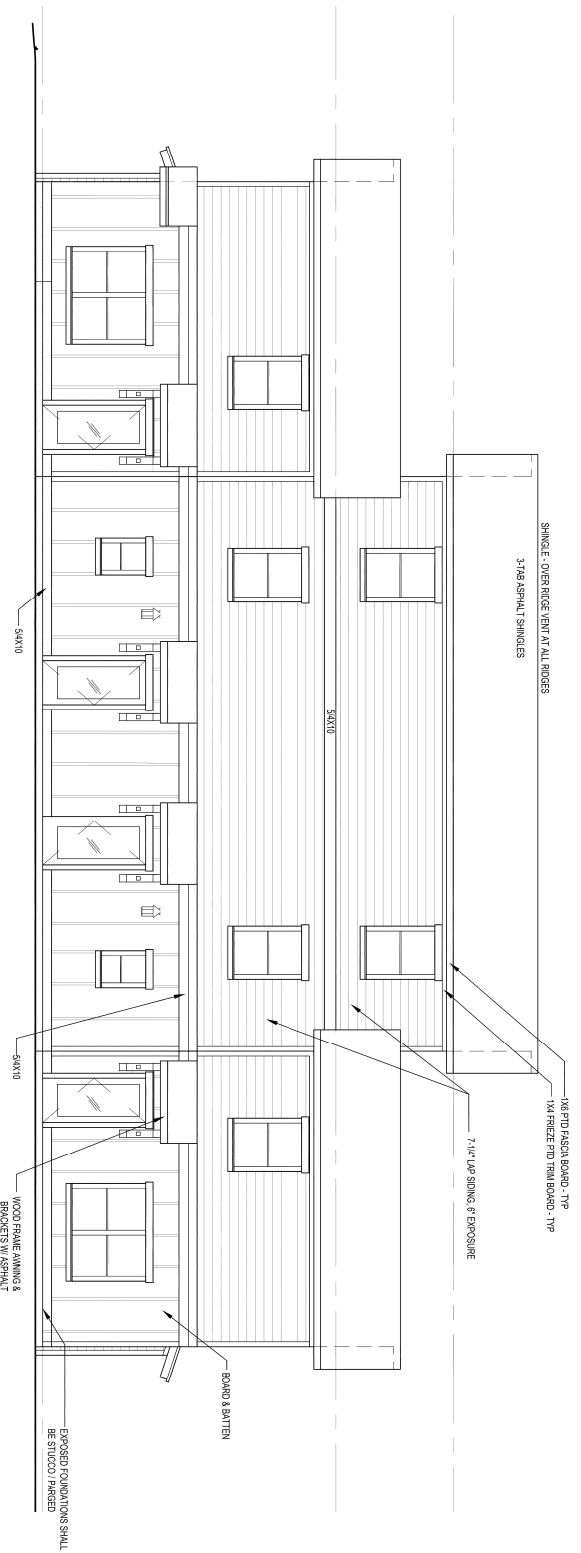


1
1/4" = 1'-0"
FRONT ELEVATION
VARIATION A

SEE SHEET A.2.2 FOR ADDITIONAL OVERLAPPING
POTENTIAL RISER, CEMENTITIOUS BOARD, ETC.
EXTENDING DOWN, UP, ETC.

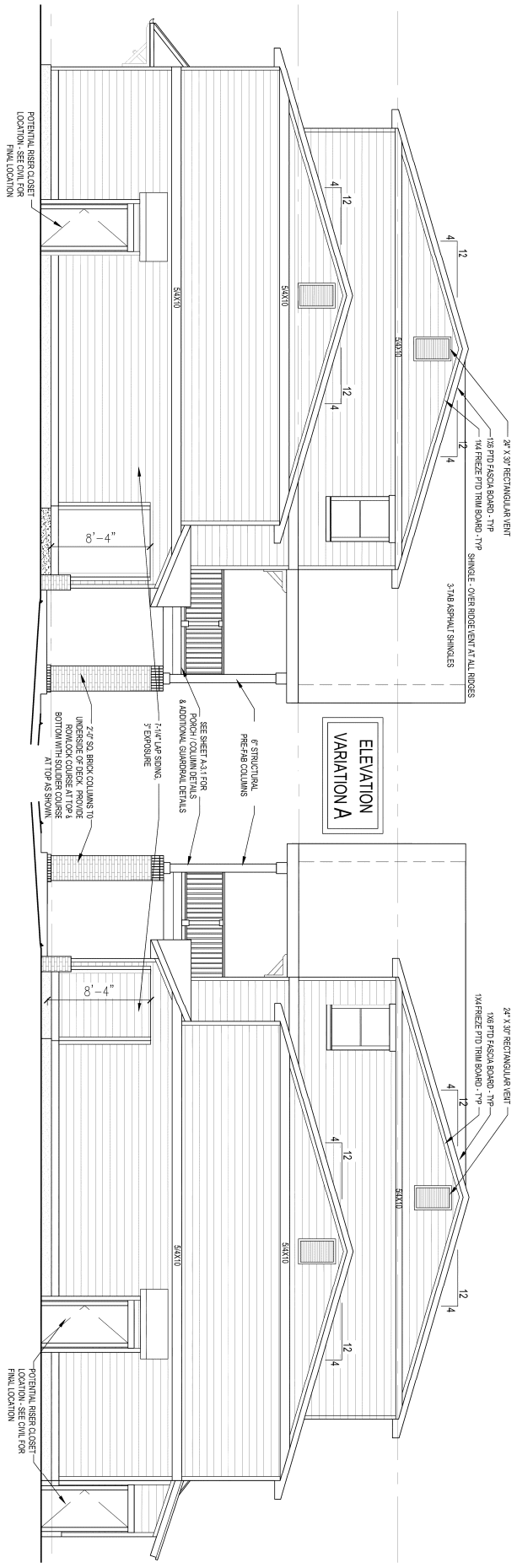


2
1/4" = 1'-0"
FRONT ELEVATION
VARIATION B



1 REAR ELEVATION
1/4" = 1'-0" VARIATION A

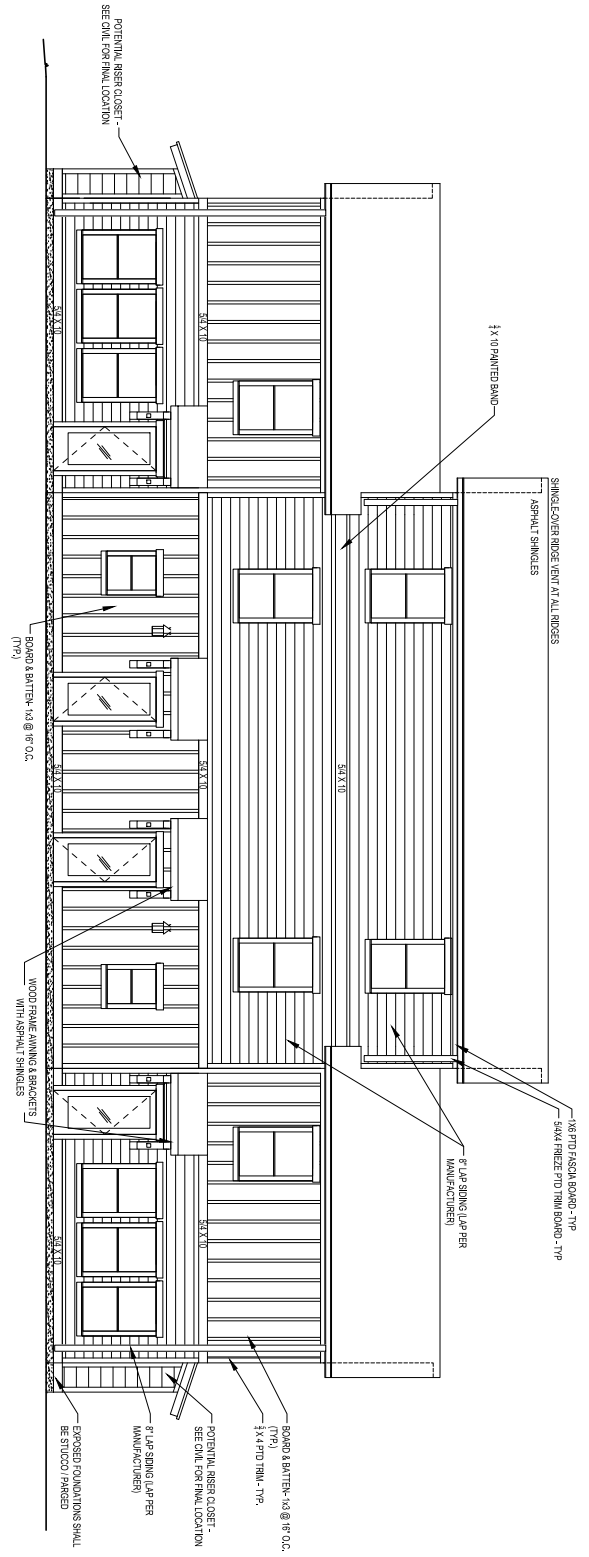
SEE SHEET A4.2 FOR ADDITIONAL OVERSIGHT
PROJECT NOTES & DETAILS FOR
EXTERIOR SIDING, TRIM ETC.



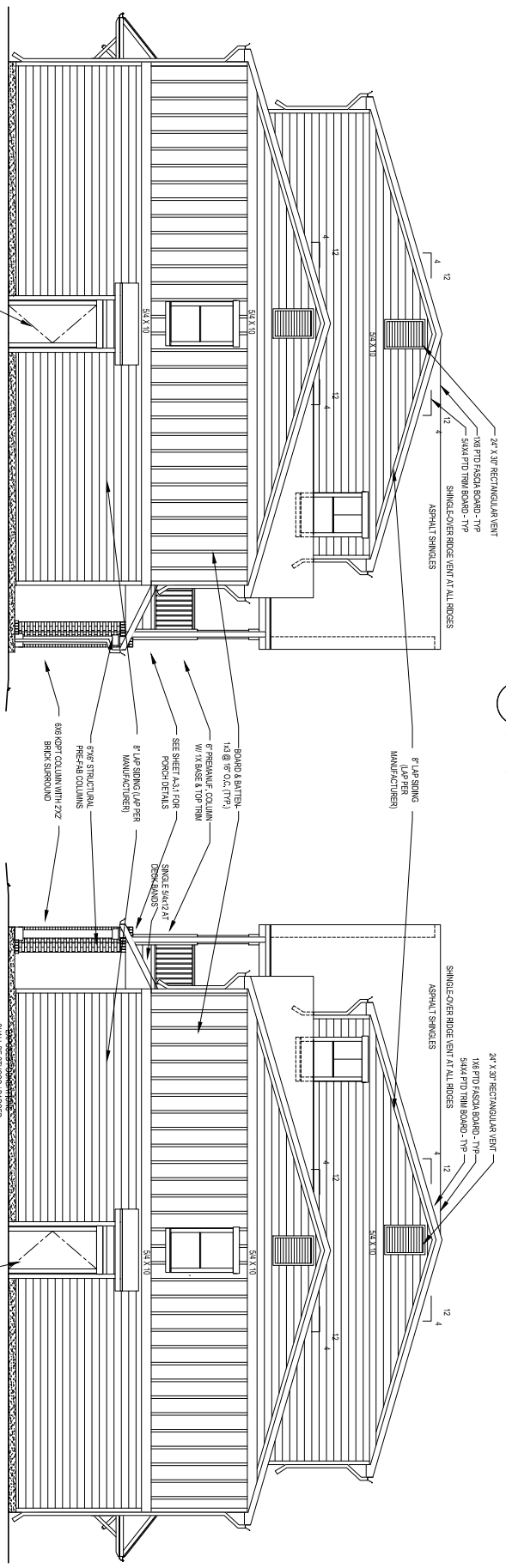
2 SIDE ELEVATION
1/4" = 1'-0" VARIATION B

3 SIDE ELEVATION
1/4" = 1'-0" VARIATION A



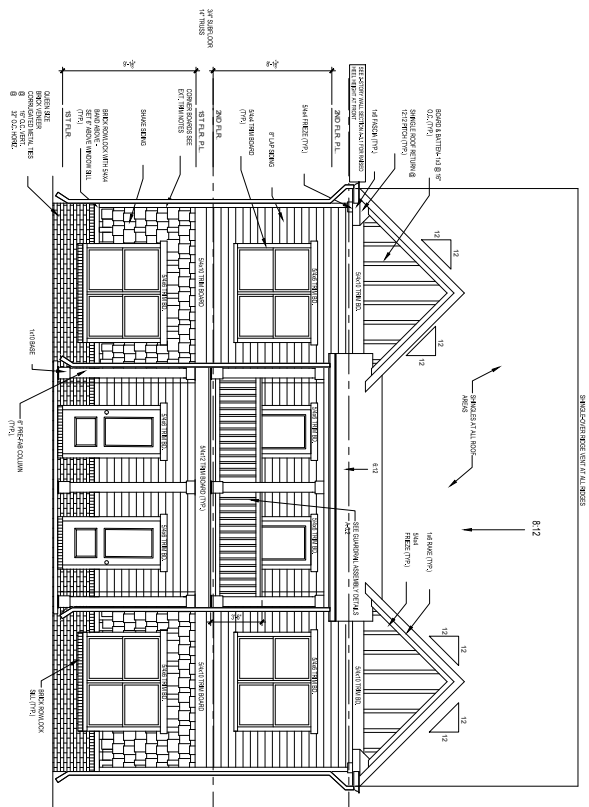


1
REAR ELEVATION
1/4" = 1'-0"



2
SIDE ELEVATION
1/4" = 1'-0"
VARIATION B

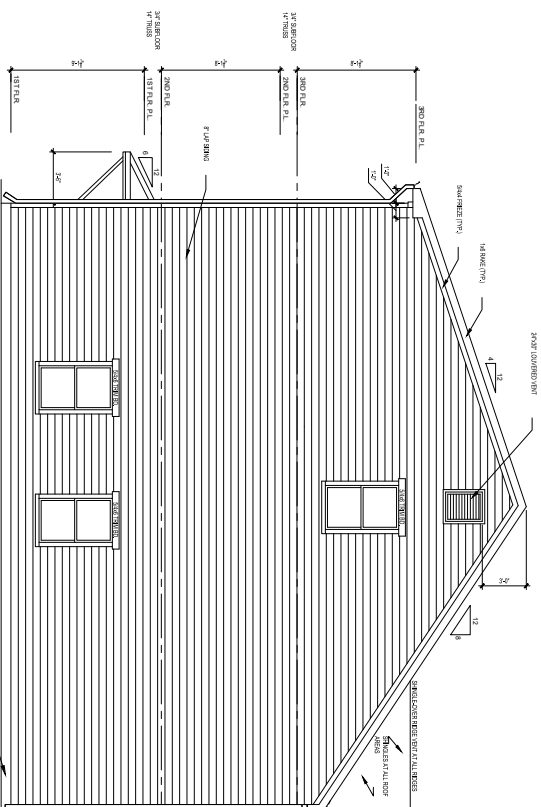
3
SIDE ELEVATION
1/4" = 1'-0"
VARIATION B



FRONT ELEVATION - A

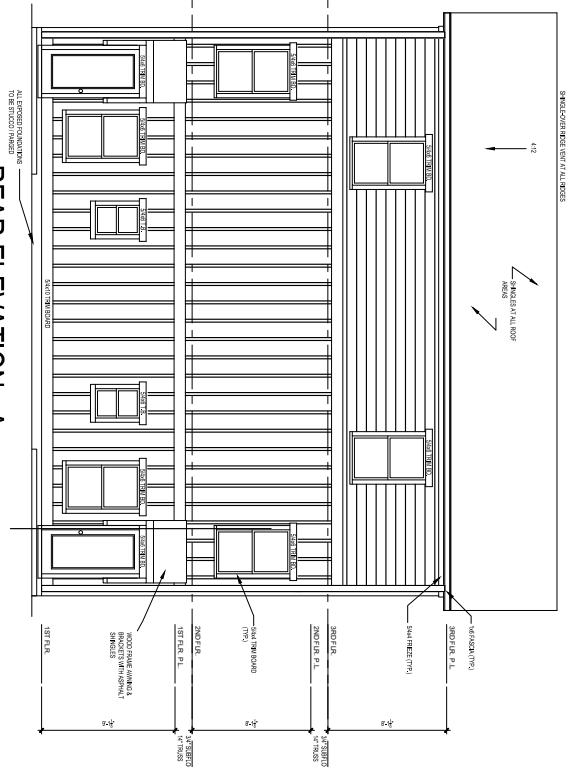
SCALE: 1/4" = 1'-0"

VARIATION USED ON BUILDINGS: 1, 10, 47



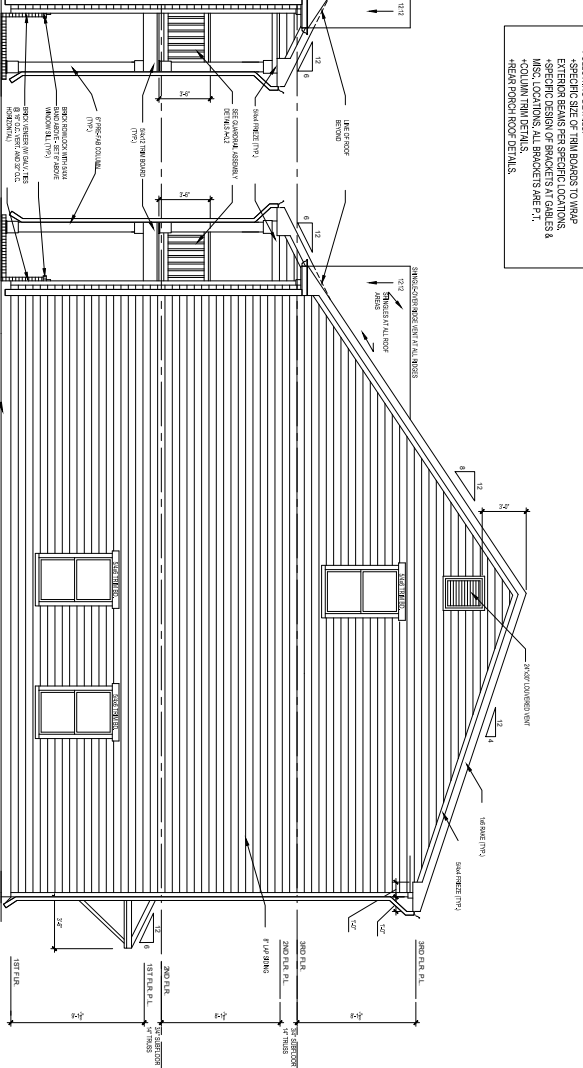
LEFT ELEVATION - A

SCALE: 1/4" = 1'-0"



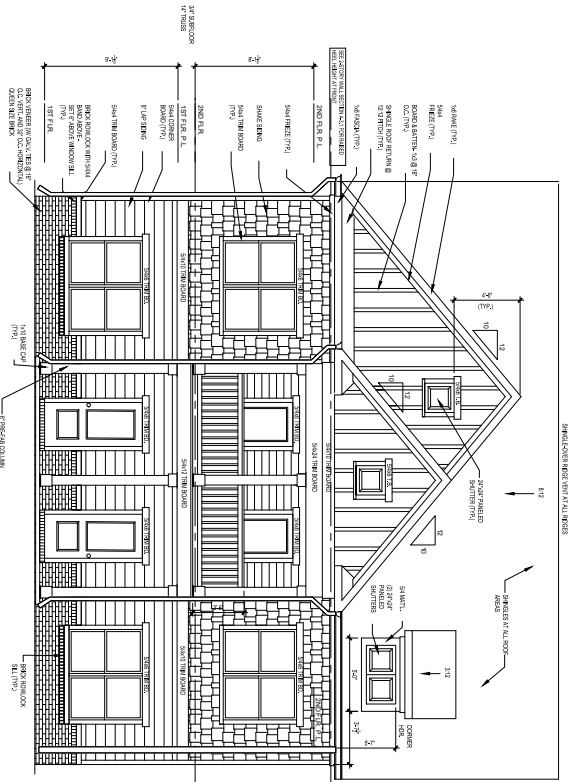
REAR ELEVATION - A

SCALE: 1/4" = 1'-0"



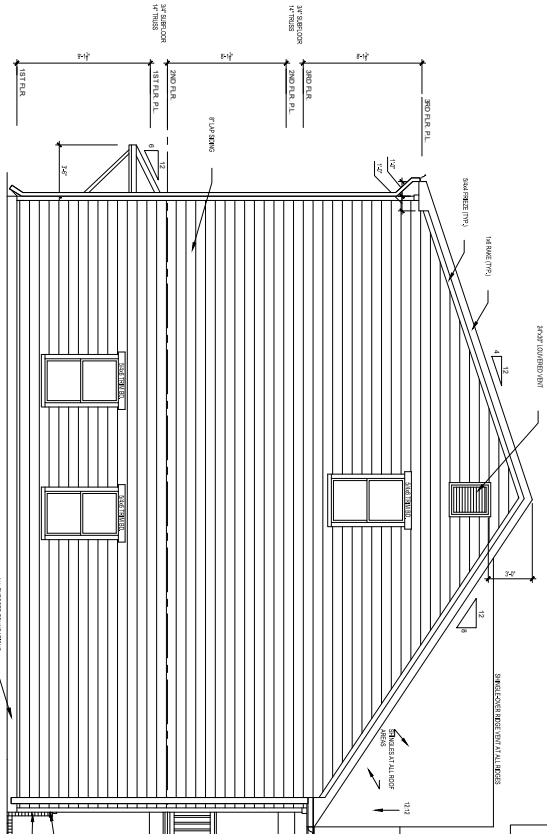
RIGHT ELEVATION - A

SCALE: 1/4" = 1'-0"



FRONT ELEVATION - B

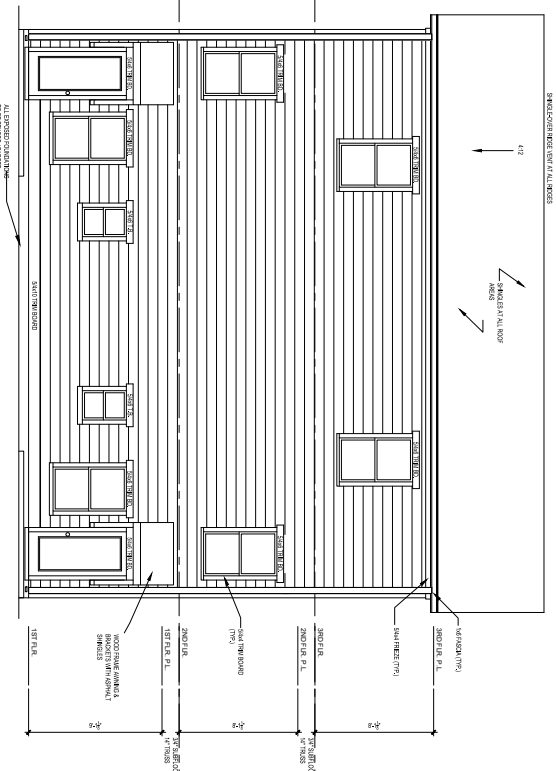
VARIATION USED ON BUILDINGS: 8, 43, 56



LEFT ELEVATION - B

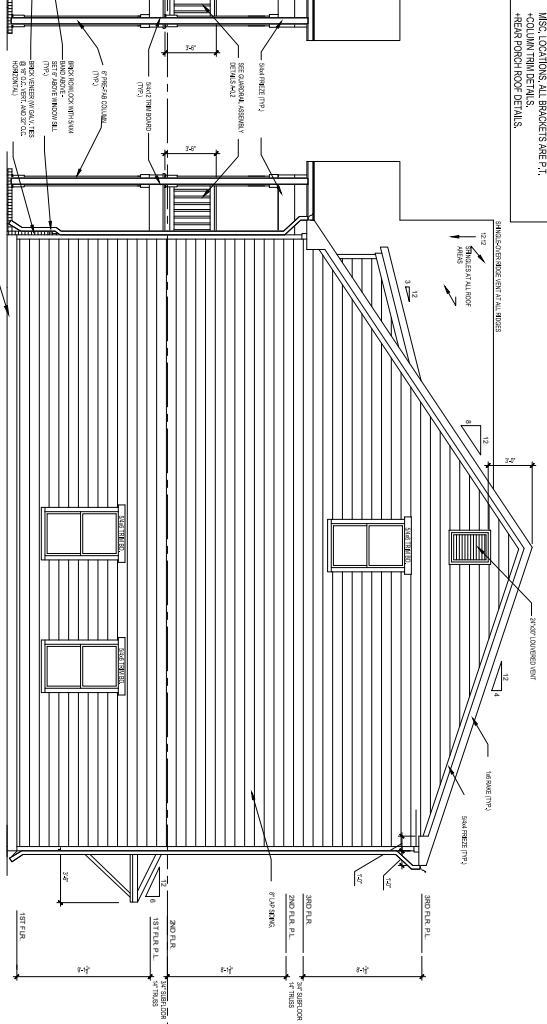
SCALE: 1/4" = 1'-0"

- EXTERIOR FINISHES, TRIM NOTES:
1. NO. 1000 CORNER BOARDS TO BE 2X4X8, 8X8 PANELED WITH SHANK PLACED ON FRONT ELEVATION CORNERS.
 2. TOGETHER TO ONE-HALF INCH SHANK PLACED ON FRONT ELEVATION CORNERS.
 3. BOTTOM HEAD TRIM TO BE 2X4X8 EXTENDED 2" WIDE.
 4. FLASHING TO BE 1X6 WITH DWP FLASHING 1-1/2" WIDE.
 5. FLASHING TO BE 1X6 WITH DWP FLASHING 1-1/2" WIDE.
 6. BOARD BATTEN TO BE 2X4X8, 8X8 PANELED WITH SHANK PLACED ON FRONT ELEVATION CORNERS.
 7. BOARD BATTEN TO BE 2X4X8, 8X8 PANELED WITH SHANK PLACED ON FRONT ELEVATION CORNERS.
 8. BOARD BATTEN TO BE 2X4X8, 8X8 PANELED WITH SHANK PLACED ON FRONT ELEVATION CORNERS.
 9. BOARD BATTEN TO BE 2X4X8, 8X8 PANELED WITH SHANK PLACED ON FRONT ELEVATION CORNERS.
 10. BOARD BATTEN TO BE 2X4X8, 8X8 PANELED WITH SHANK PLACED ON FRONT ELEVATION CORNERS.



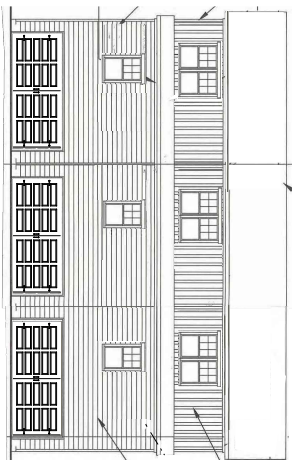
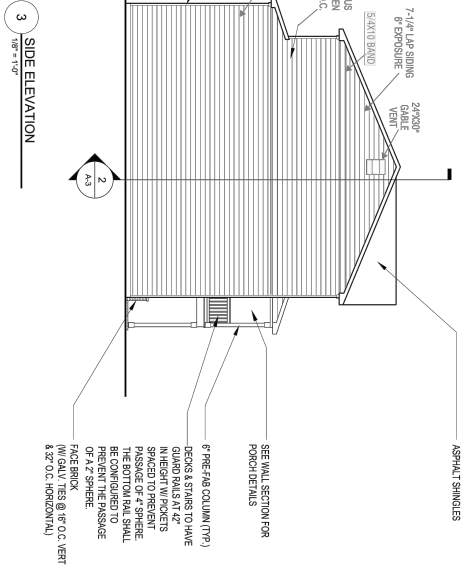
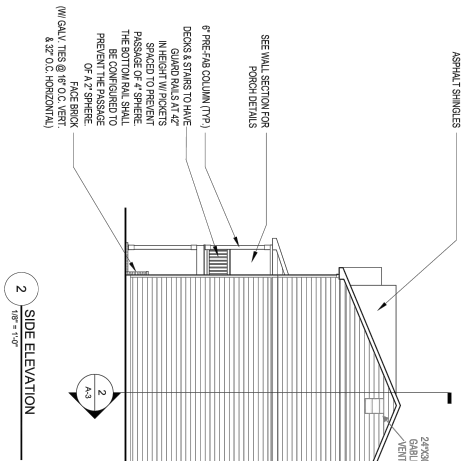
REAR ELEVATION - B

SCALE: 1/4" = 1'-0"



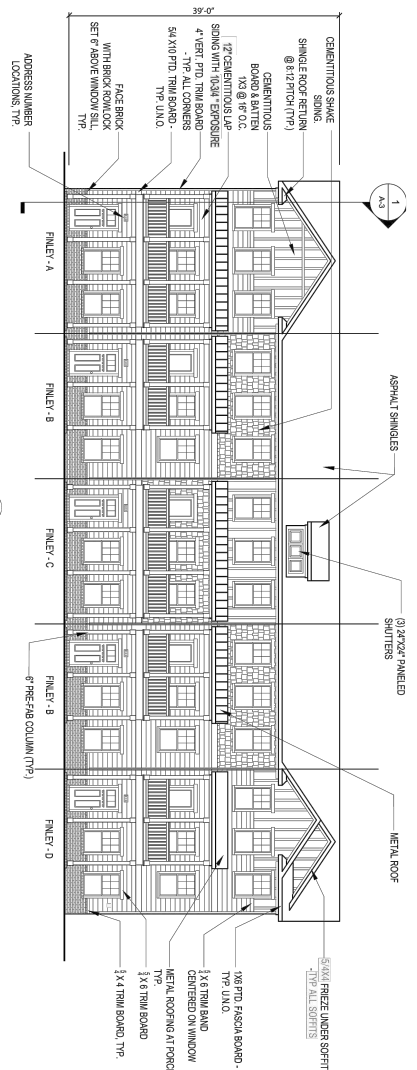
RIGHT ELEVATION - B

SCALE: 1/4" = 1'-0"

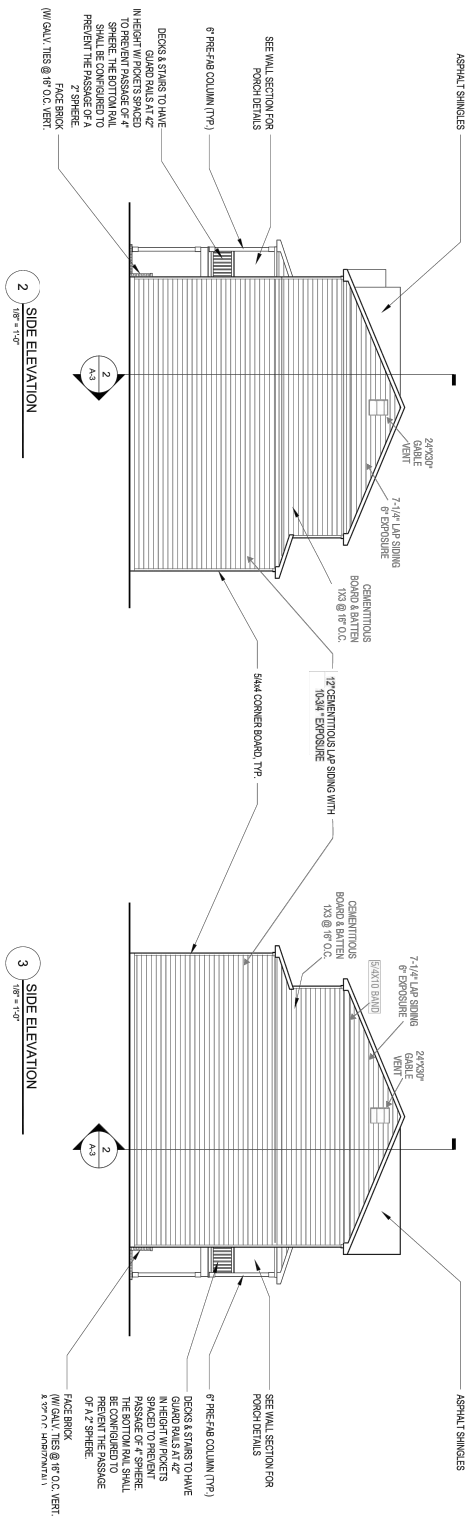


31-3 FINLEY

31 FINLEY
5 ELEVATION PAGES



1
FRONT ELEVATION
10' 0" = 1" = 0'



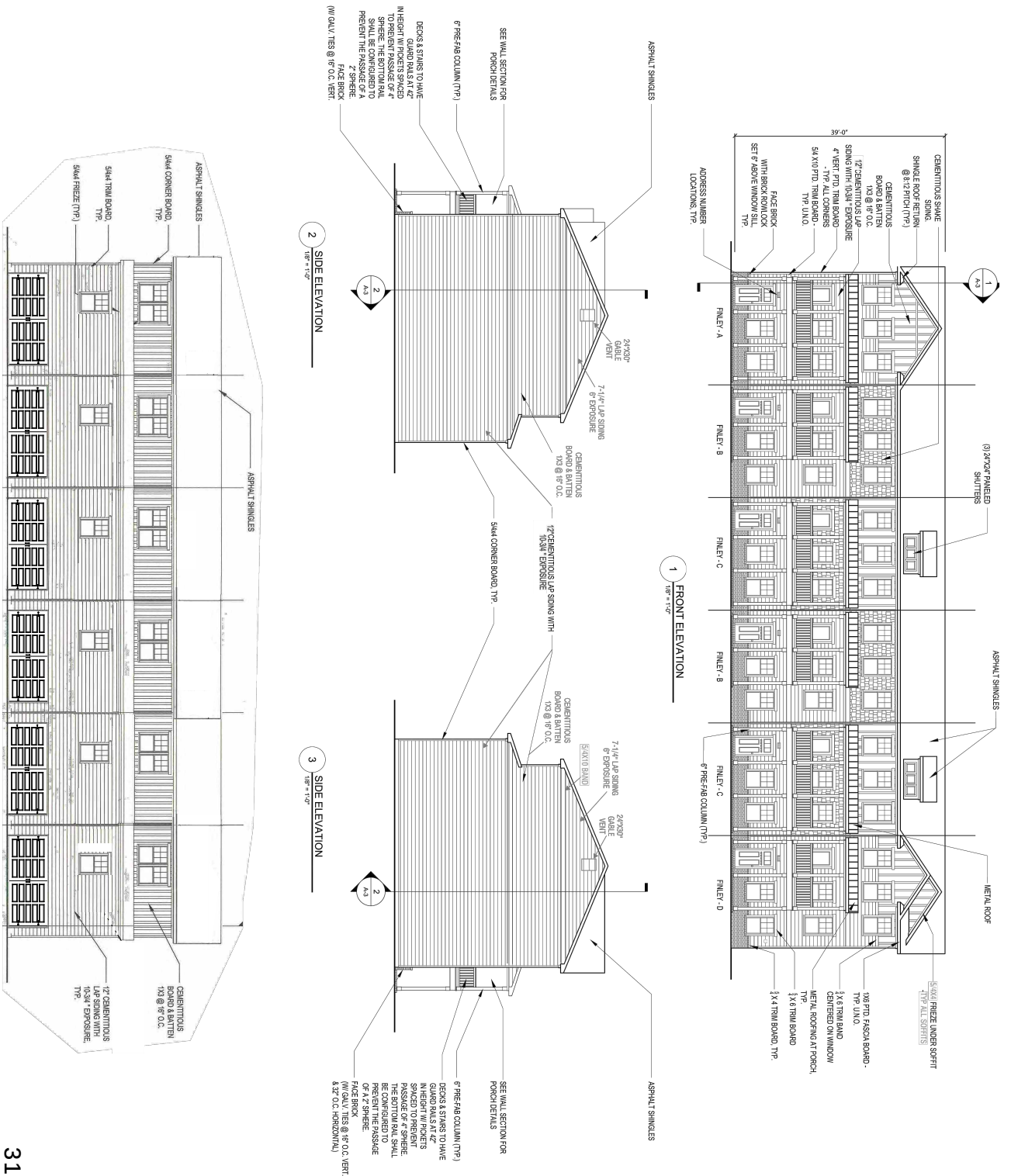
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SIDE ELEVATION
10' 0" = 1" = 0'

3
SIDE ELEVATION
10' 0" = 1" = 0'

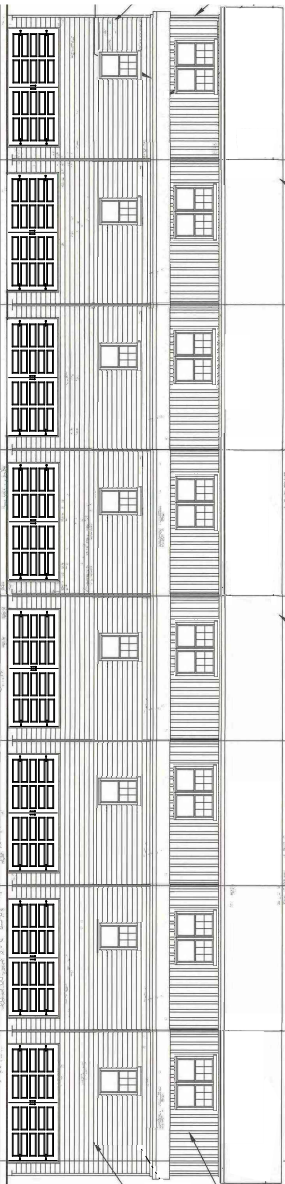
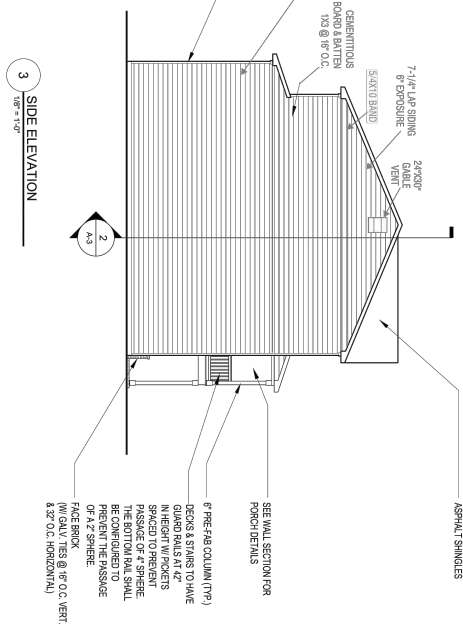
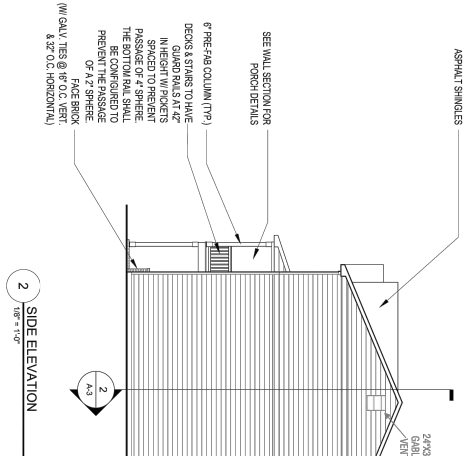
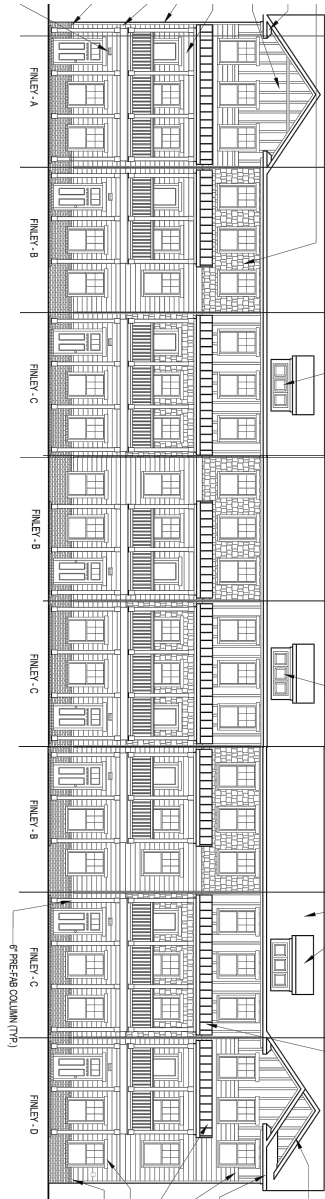


4
REAR ELEVATION
10' 0" = 1" = 0'

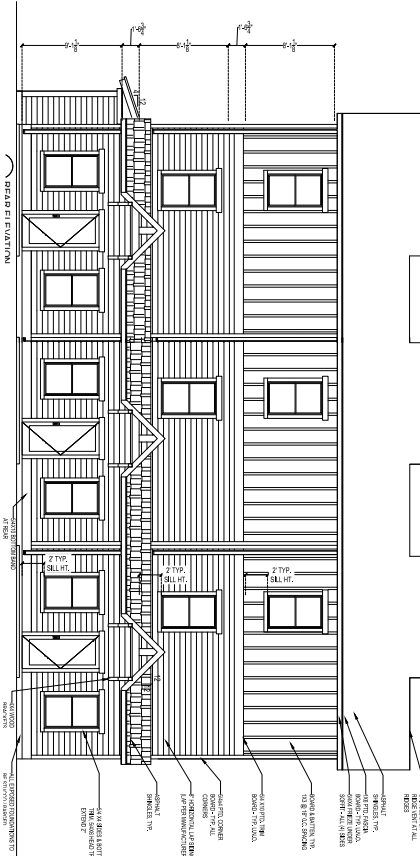
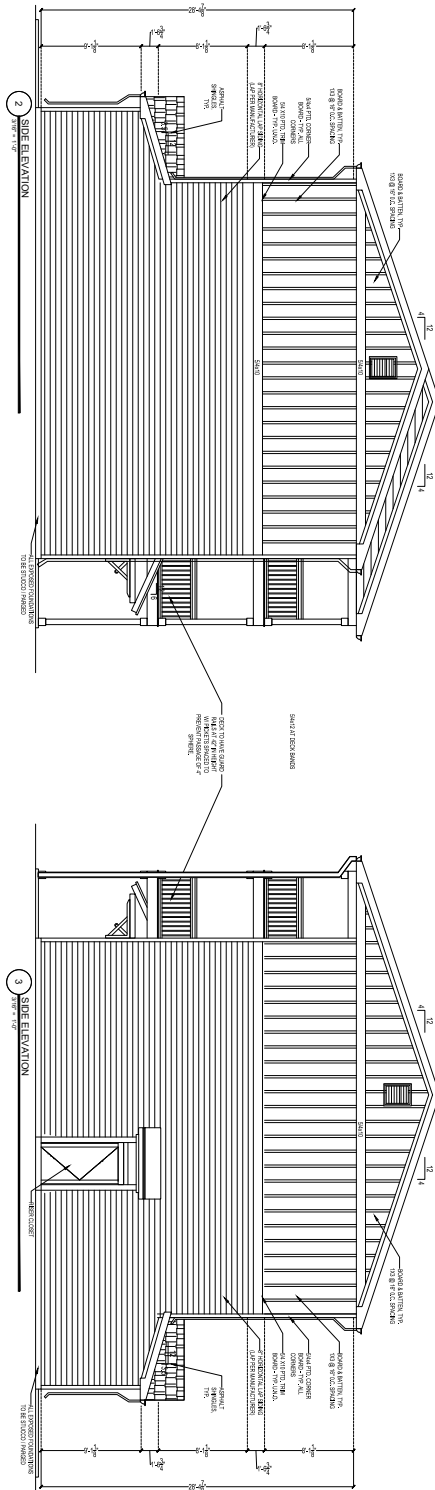
31-5 FINLEY



31-6 FINLEY



31-8 FINLEY



APPENDIX C: TRAFFIC REPORT



Crafton Tull

Planning Commission

October 28, 2024

PZD-2024-0006 (THE STATION AT FAYETTEVILLE)

Page 54 of 139

Traffic Study

The Station at Fayetteville

prepared for:

LCD Acquisitions, LLC

2215 Haskell Heights

Fayetteville, Arkansas



Mark Nichols

Project No.: P-2243



PETERS & ASSOCIATES
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August 13, 2024

Planning Commission

October 28, 2024

PZD-2024-0006 (THE STATION AT FAYETTEVILLE)

Page 55 of 139

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
Introduction	1
The Site	3
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

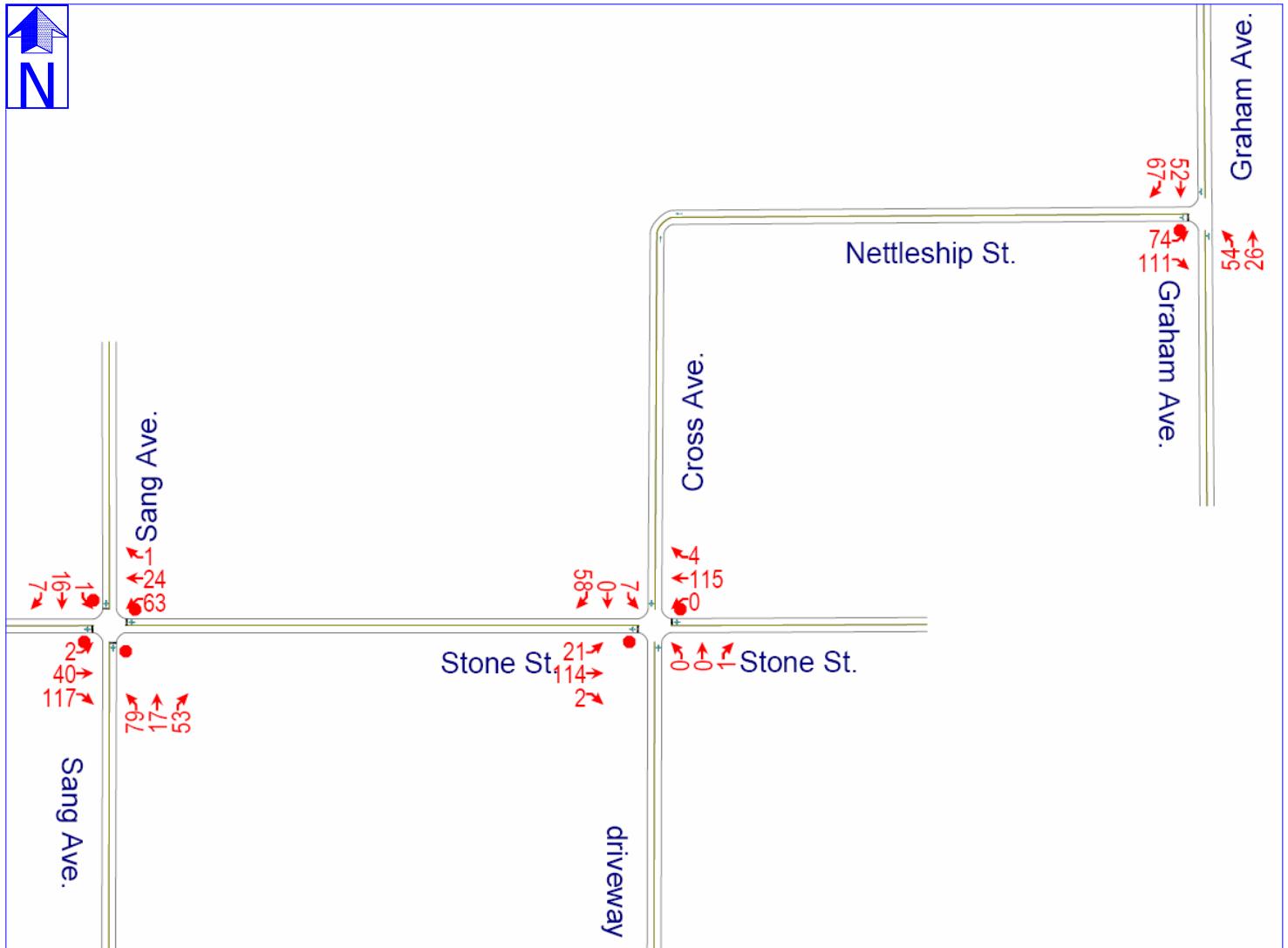


Figure 3A
Existing Traffic Volumes - AM Peak Hour

Traffic Study

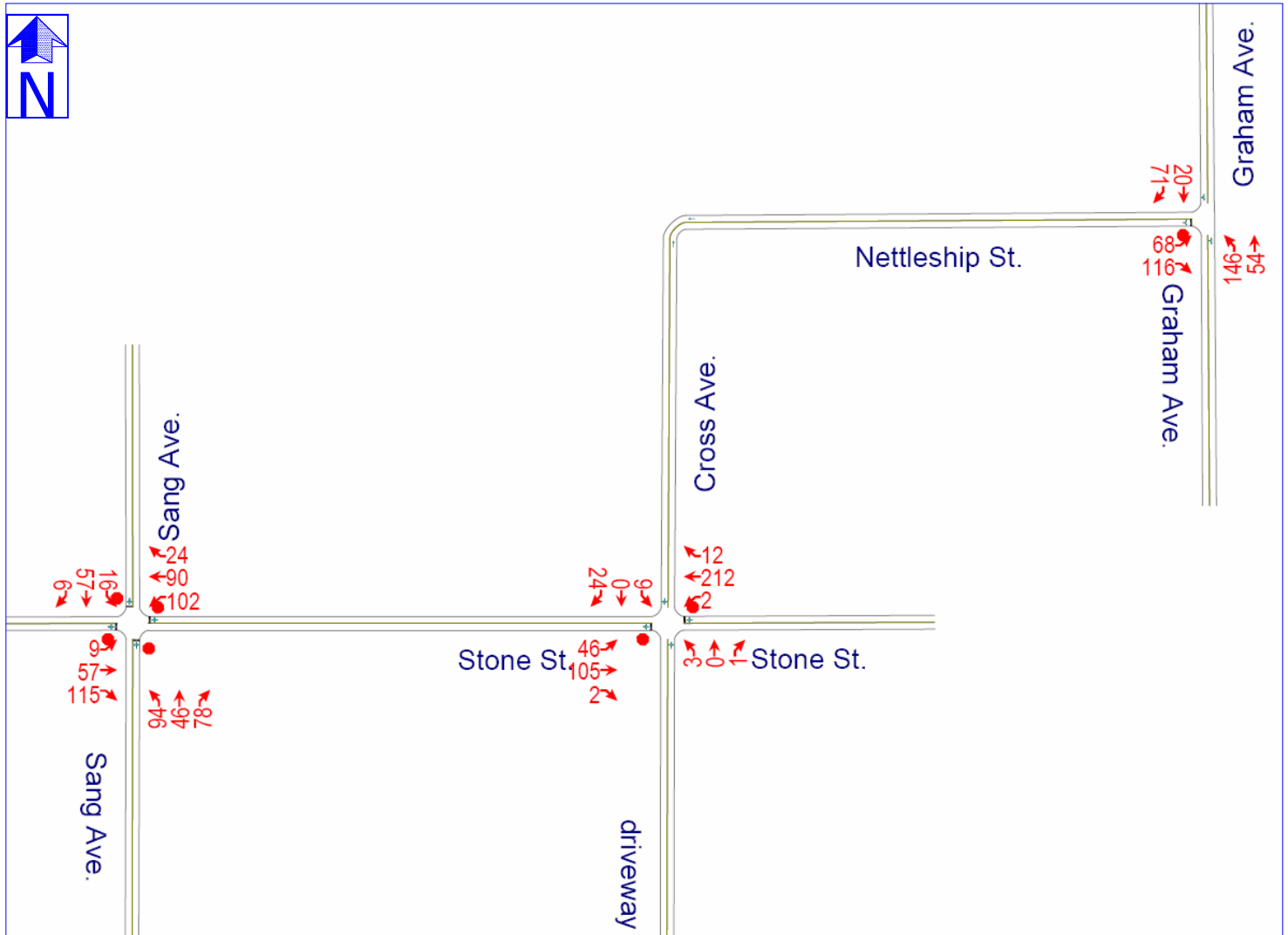


Figure 3B
Existing Traffic Volumes - PM Peak Hour



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 Residential 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

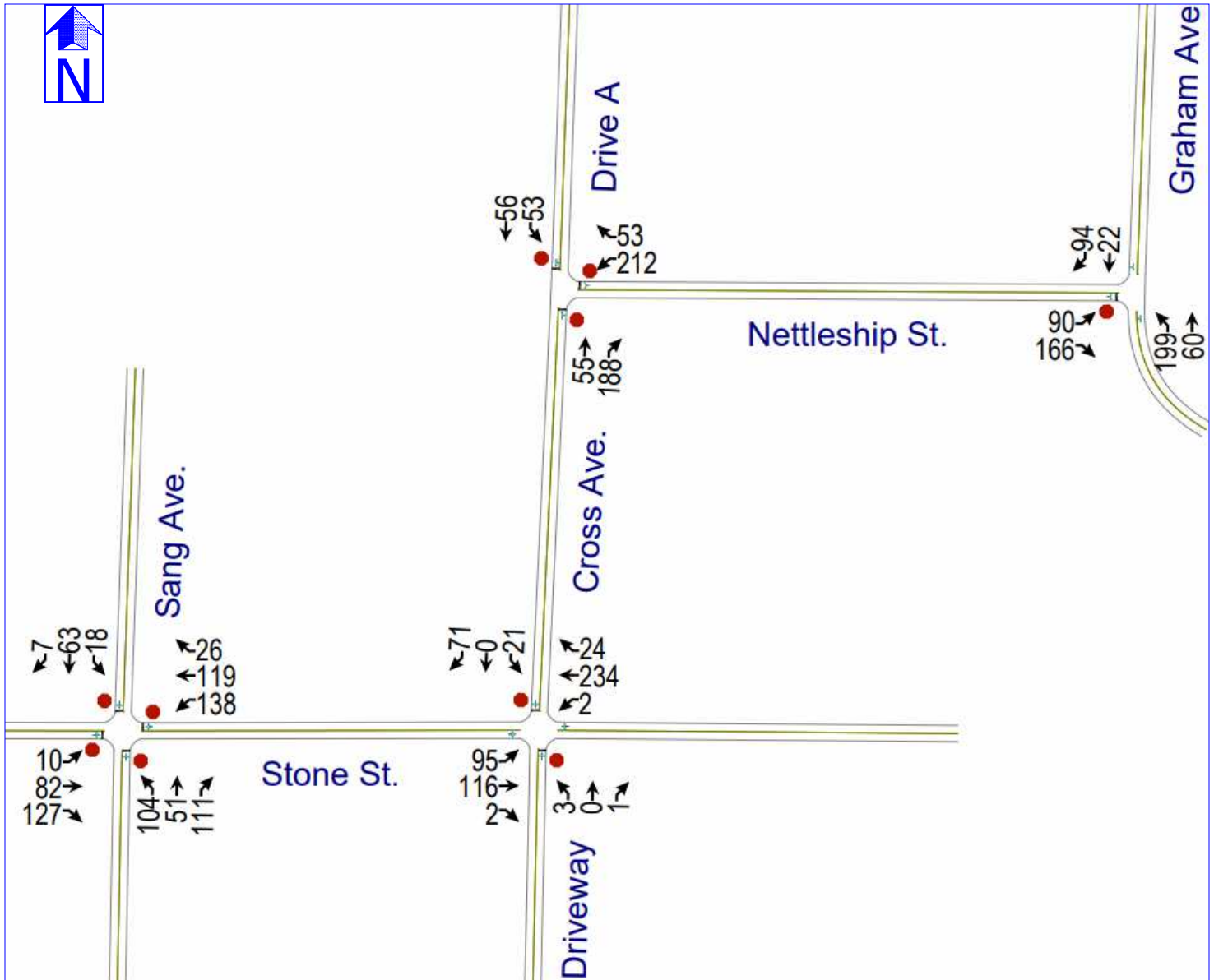


Figure 5B
Projected Future 5-Year Traffic Volumes
PM Peak Hour

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							A					n/a	6.4
	PM		B							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	8.8
	PM		B			B	B			B			B		B	12.1
Cross Avenue and Stone Street	AM	2-WAY "STOP" SIGN	A			A	A			A			A		n/a	3.3
	PM		B			B	B			A			A		n/a	3.4
Nettleship Street and Graham Avenue	AM	1-WAY "STOP" SIGN	B		B					A					n/a	6.9
	PM		B		B					A					n/a	8.3
Nettleship Street and Cross Avenue / Drive A	AM	3-WAY "STOP" SIGN				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

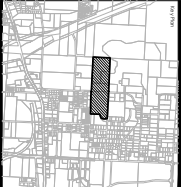


PETERS & ASSOCIATES
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Site Plan



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ENGINEERS, INC.



Trip-Generation Data



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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

DATA STATISTICS

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



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ENGINEERS, INC.

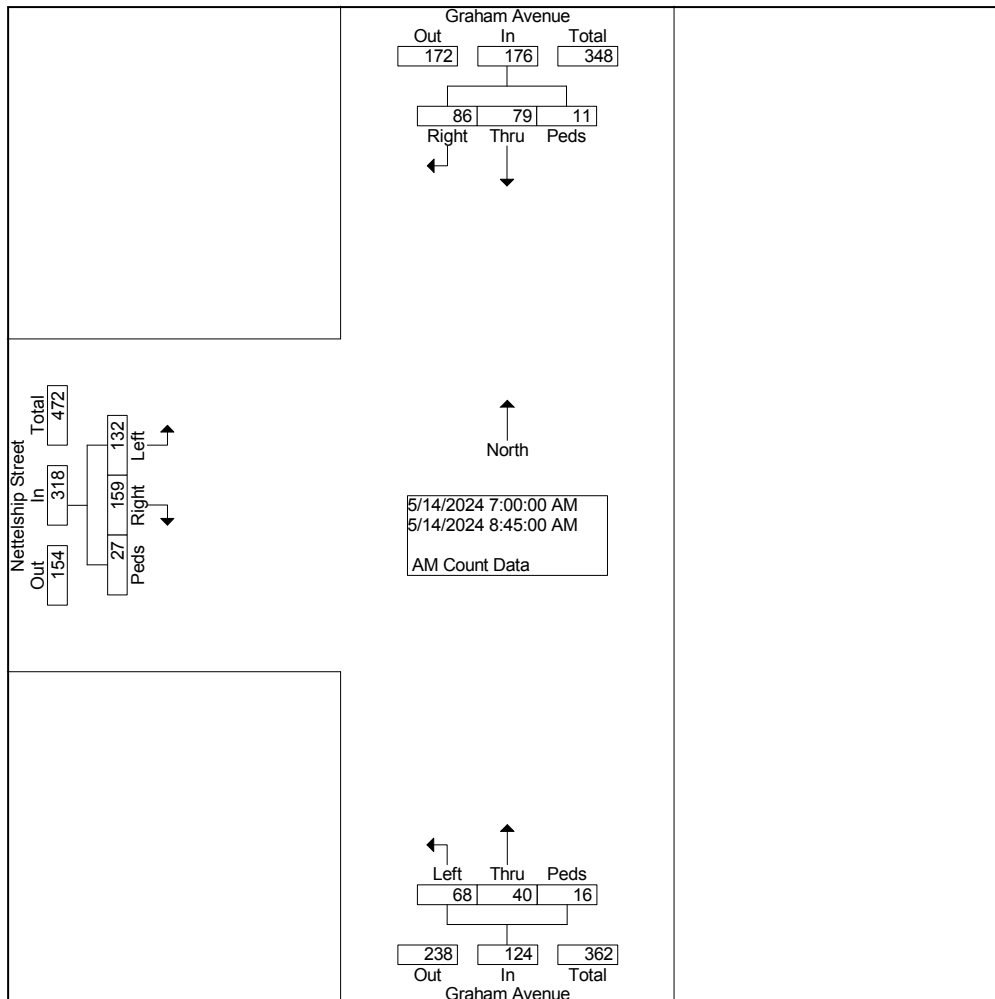
Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

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	

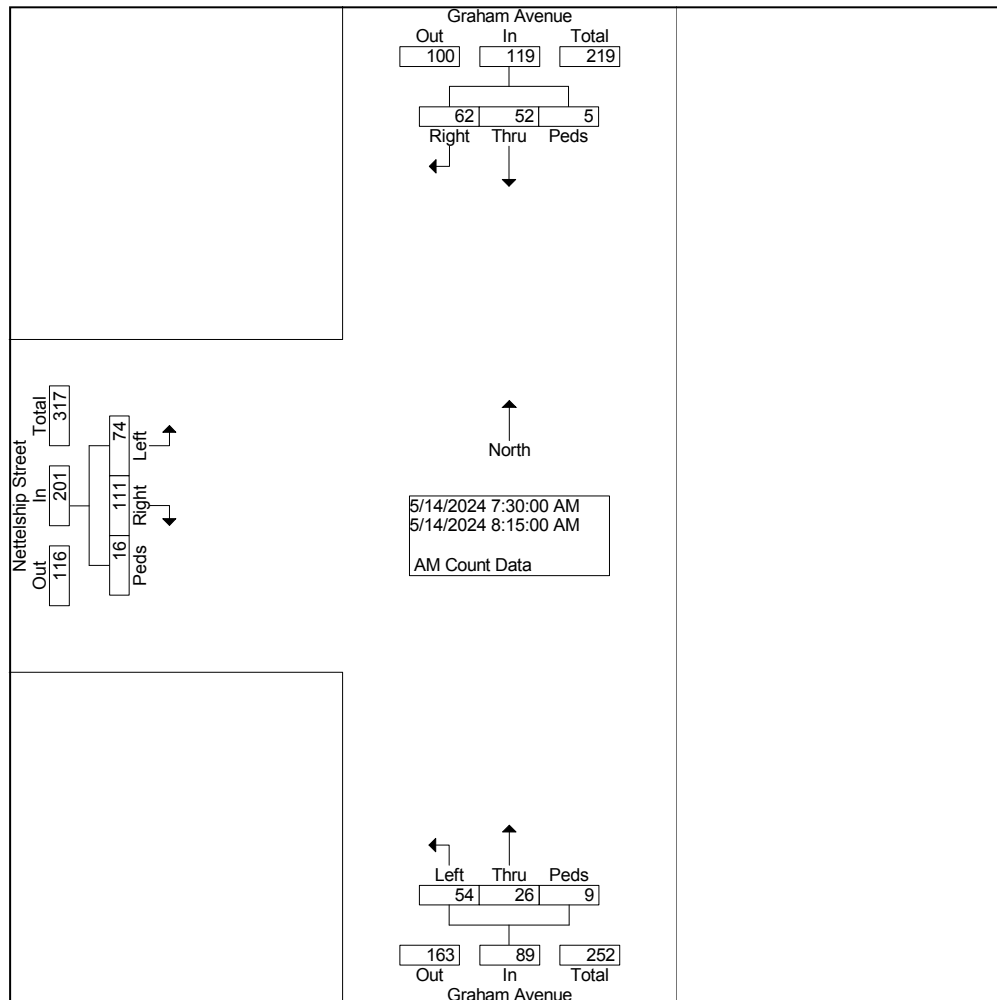


Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

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	



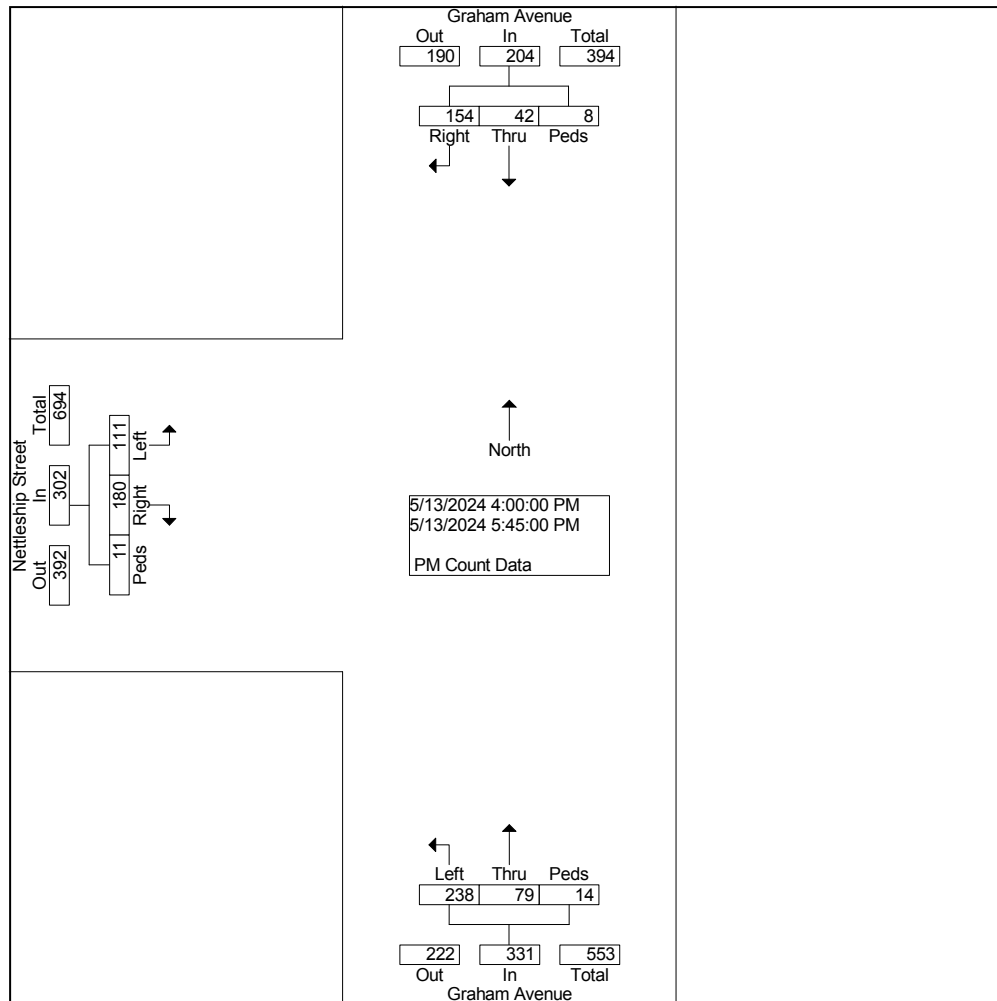
Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

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	

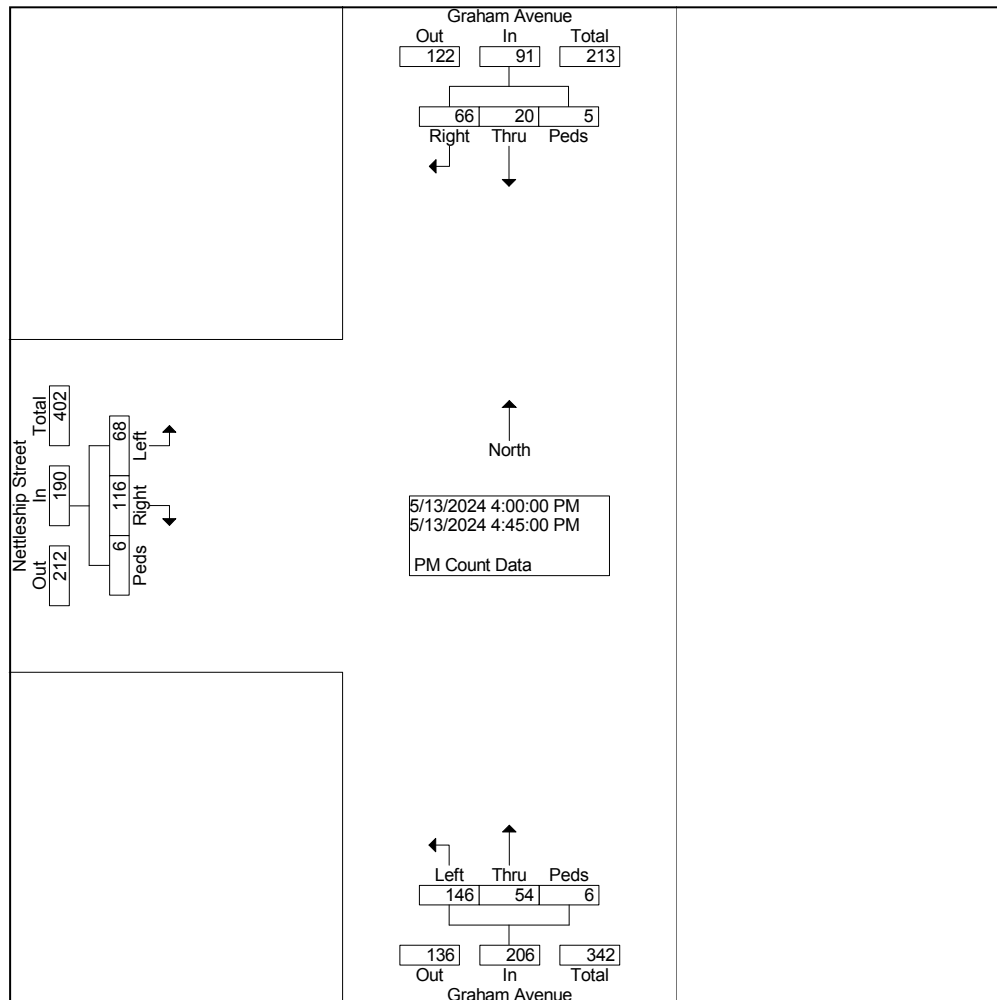


Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

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				



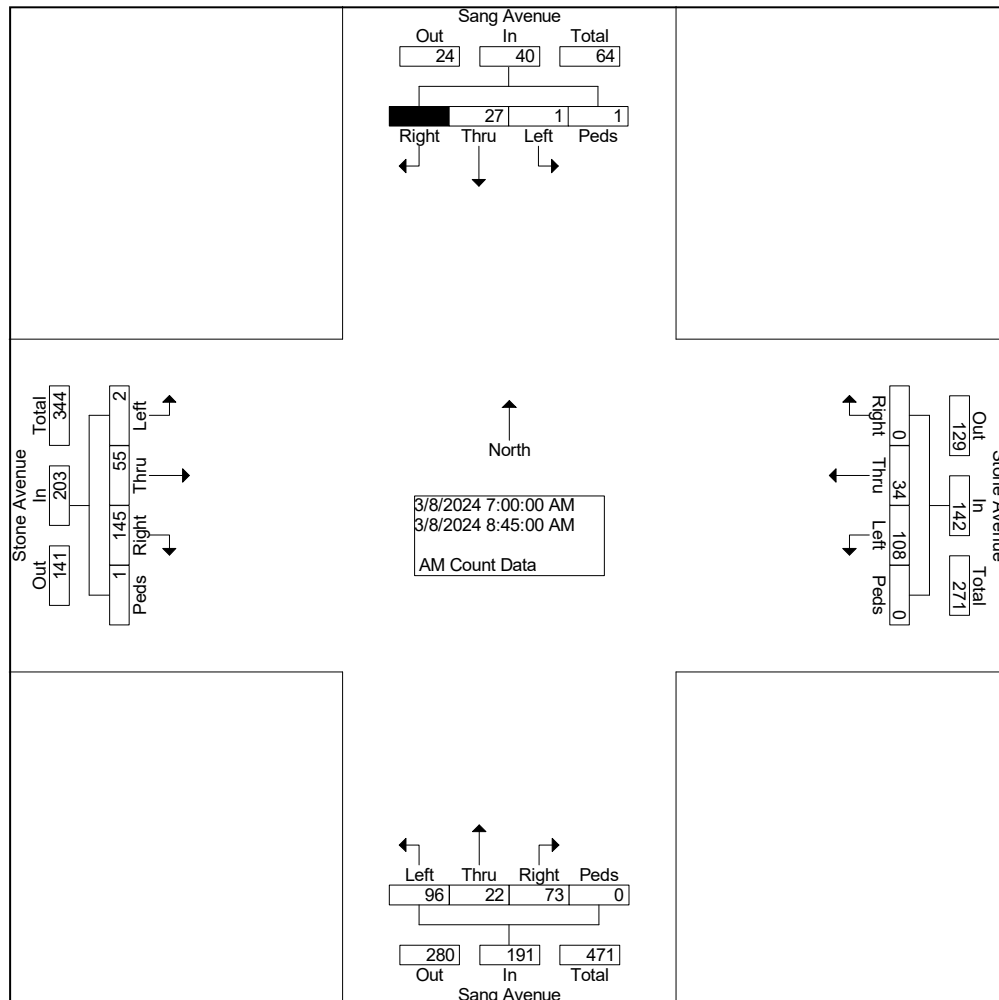
Peters & Associates Engineers, Inc.
Peak Hours Turning Movement Count Data

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	

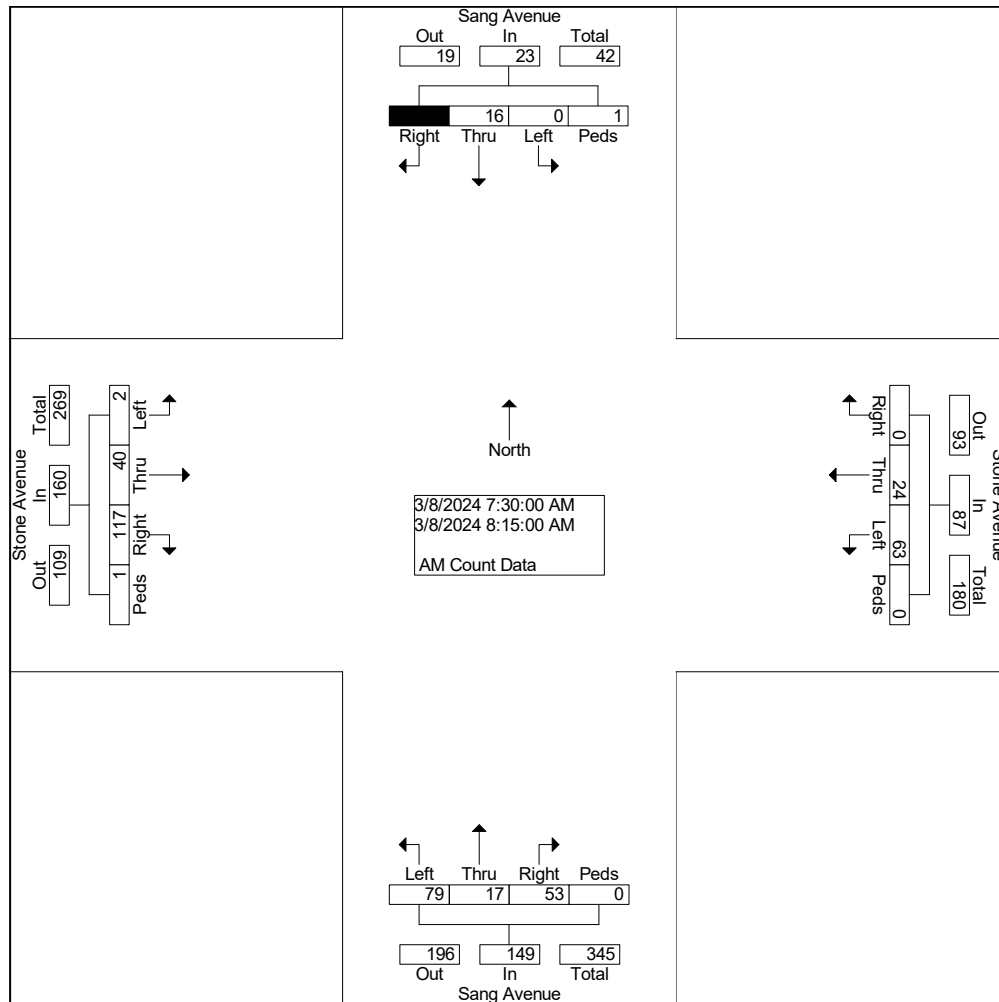


Peters & Associates Engineers, Inc.
Peak Hours Turning Movement Count Data

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																					
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					



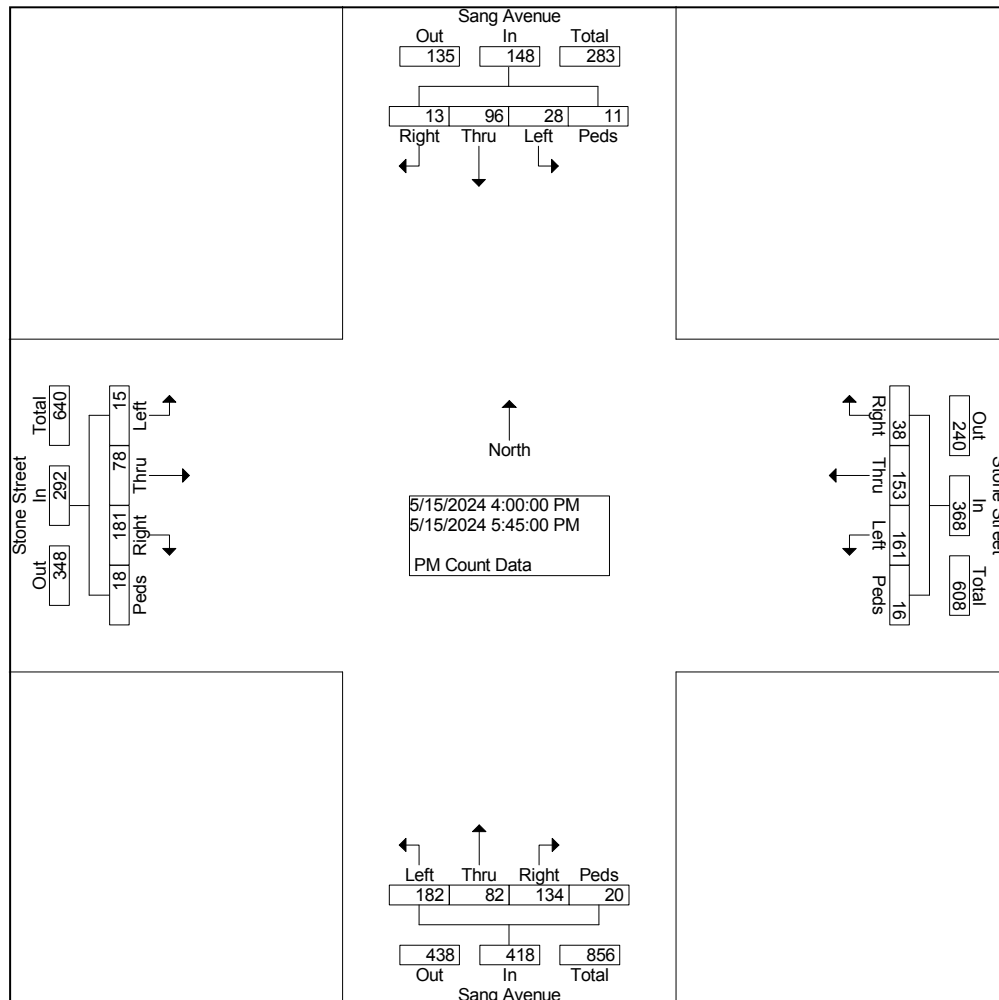
Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

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	

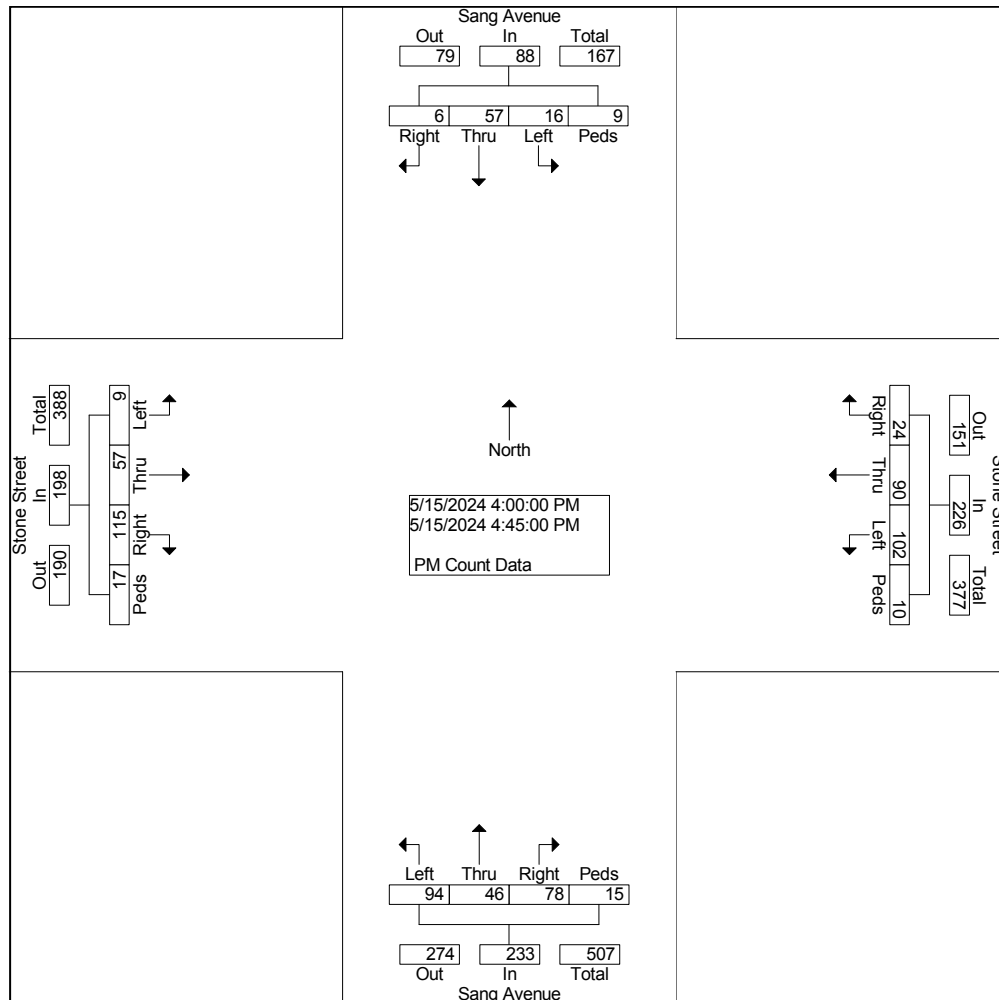


Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

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	



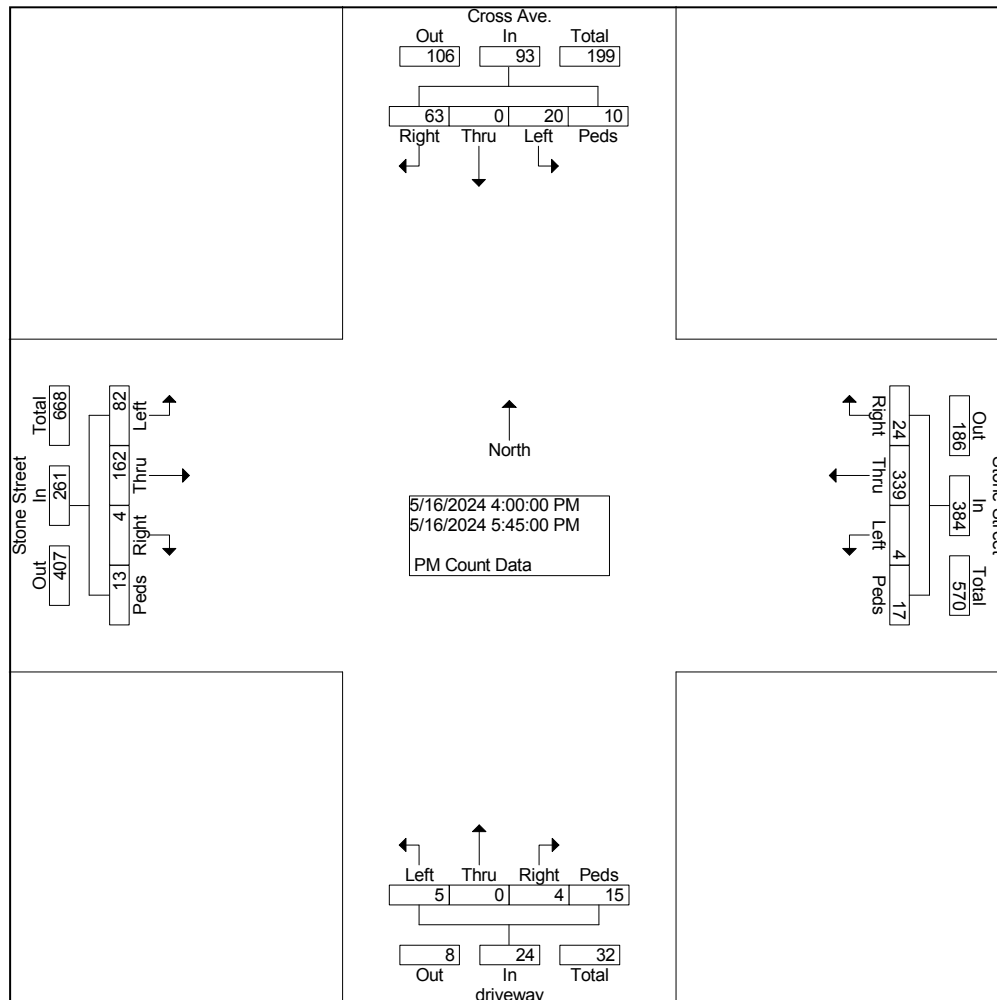
Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

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	

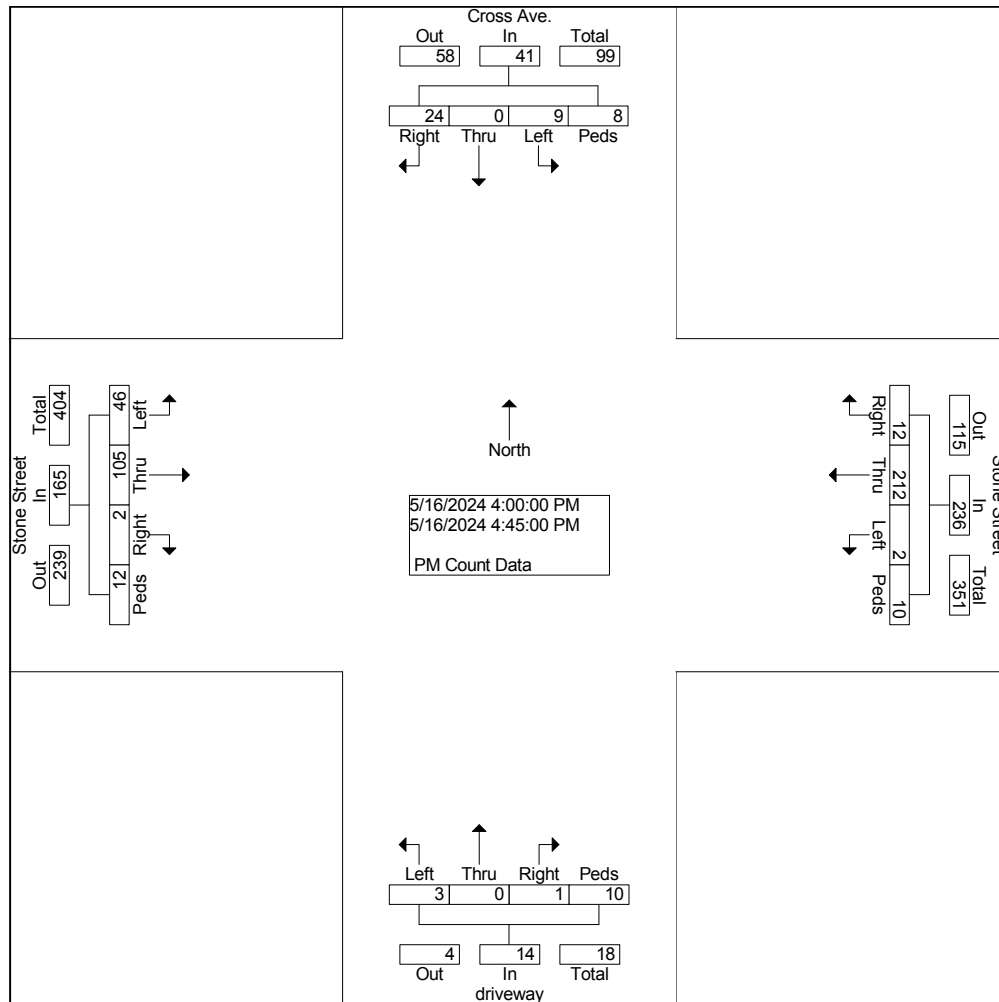


Peters & Associates Engineers, Inc.
Peak Hour Turning Movement Count Data

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	Crosswalk Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Approach Total	U Turns	Left Turns	Straight Through	Right Turns	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	
8:15 AM	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	
8:45 AM	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	
9:00 AM	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	
9:30 AM	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	
Hourly Total	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	
10:15 AM	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	
10:45 AM	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	
11:00 AM	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	
11:30 AM	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	
Hourly Total	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	
12:15 PM	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	
12:45 PM	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	
1:00 PM	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	
1:30 PM	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	
Hourly Total	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	
2:15 PM	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	
2:45 PM	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	
3:00 PM	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	
3:30 PM	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	
Hourly Total	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

Southbound										Westbound										Northbound										Eastbound										VEHICLE TOTAL
Cross Avenue					Stone Street					driveway					Stone Street					Cross Avenue					Vehicle Approach Total															
Time	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																
4:00 PM	0	2	0	20	1	22	0	0	33	2	0	35	0	0	0	0	0	0	0	10	56	1	1	67	124															
4:15 PM	0	2	0	24	1	26	0	0	25	1	0	26	0	8	0	0	0	3	0	0	18	28	0	1	36	88														
4:30 PM	0	2	0	6	1	8	0	0	27	1	0	28	0	0	0	0	0	0	0	0	12	1	0	14	50															
4:45 PM	0	1	0	8	1	9	0	0	30	0	0	30	0	0	0	0	0	0	0	2	18	0	1	20	59															
Hourly Total	0	7	0	58	4	65	0	0	115	4	0	119	0	0	0	0	3	0	0	21	114	2	3	137	321															
5:00 PM	0	2	0	20	1	22	0	0	24	1	0	25	0	0	0	0	0	0	0	3	14	1	1	18	65															
5:15 PM	0	2	0	20	1	22	0	0	18	0	0	18	0	1	0	0	0	0	0	4	20	1	0	25	66															
5:30 PM	0	2	0	16	0	18	0	0	21	1	0	22	0	0	0	0	0	0	0	6	8	0	1	14	54															
5:45 PM	0	6	0	8	1	14	0	1	13	1	0	15	0	1	1	0	0	0	0	4	12	1	1	17	48															
Hourly Total	0	12	0	64	3	76	0	1	76	3	0	80	0	2	1	0	0	0	3	17	54	3	3	74	233															
6:00 PM	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															
6:15 PM	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															
6:30 PM	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															
6:45 PM	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															
Hourly Total	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															
7:00 PM	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															
7:15 PM	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															
7:30 PM	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															
7:45 PM	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															
Hourly Total	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															
8:00 PM	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															
8:15 PM	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															
8:30 PM	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															
8:45 PM	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															
Hourly Total	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															
9:00 PM	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															
9:15 PM	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															
9:30 PM	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															
9:45 PM	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															
Hourly Total	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															
10:00 PM	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															
10:15 PM	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															
10:30 PM	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															
10:45 PM	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															
Hourly Total	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															
11:00 PM	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															
11:15 PM	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															
11:30 PM	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															
11:45 PM	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															
Hourly Total	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															
DAILY TOTAL	0	19	0	122	7	141	0	1	191	7	0	199	0	2	1	0	3	3	0	38	188	5	6	211	554															
Cars	0	19	0	122	7	141	0	1	176	7	0	184	0	2	1	0	3	3	0	38	164	5	6	207	535															
Heavy Vehicles	0	0	0	0	0	0	0	0	15	0	0	15	0	0	0	0	0	0	0	0	4	0	0	4	19															
Heavy Vehicle %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	7.85%	0.00%	0.00%	7.54%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.38%	0.00%	0.00%	1.90%	3.43%															

Cross Avenue and Stone Street
Fayetteville AR
Tuesday, May 14, 2024

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	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	
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	
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	
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	
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	

Time	Southbound						Westbound						FPM Peak Hour						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
4:00 PM	0	2	0	20	1	22	0	0	33	2	0	35	0	0	0	0	0	0	0	0	10	56	1	67
4:15 PM	0	2	0	24	1	26	0	0	25	1	0	26	0	0	0	0	3	0	0	0	8	28	0	36
4:30 PM	0	2	0	6	1	8	0	0	27	1	0	28	0	0	0	0	0	0	0	1	12	1	14	
4:45 PM	0	1	0	8	1	9	0	0	30	0	0	30	0	0	0	0	0	0	0	2	18	0	20	
Peak Hour Total	0	7	0	58	4	65	0	0	115	4	0	119	0	0	0	0	3	0	0	0	21	114	2	137
PHF	0.000	0.875	0.000	0.604	1.000	0.625	0.000	0.000	0.871	0.500	0.000	0.860	0.000	0.000	0.000	0.000	0.250	0.000	0.000	0.000	0.525	0.509	0.500	0.517

Total Vehicles On Leg		187	
Vehicles Entering Intersection		Vehicles Exiting Intersection	
Southbound		Northbound	
Cars	122	0	19
Heavy	0	0	0
Total	122	0	19



Total Vehicles on Leg	Eastbound		
	Cars	Heavy	Total
Vehicles Entering Intersection	6	0	6
Vehicles Exiting Intersection	0	0	0
Total	6	0	6



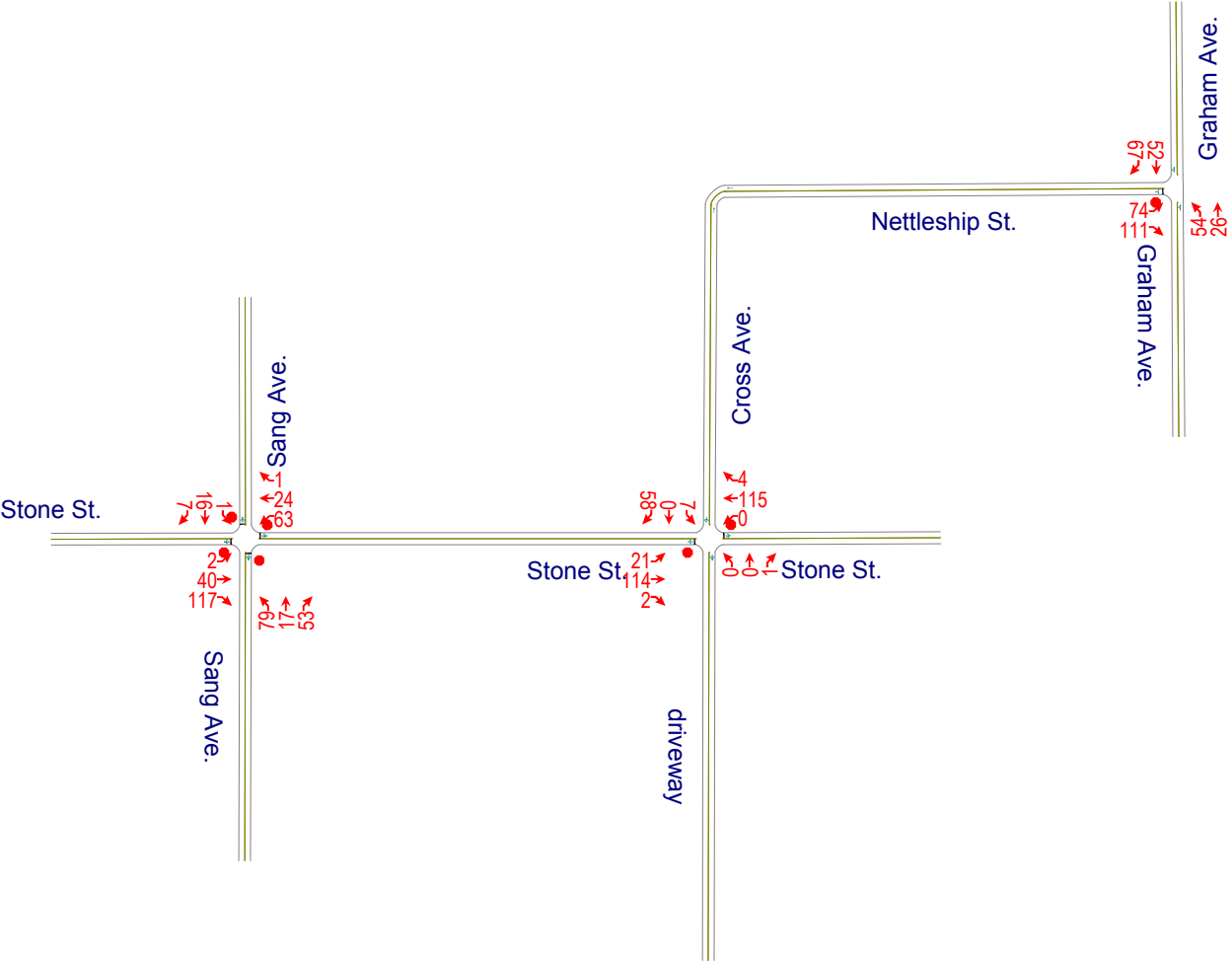
Cars	Heavy	Total	Westbound	
			Vehicles Entering Intersection	Total Vehicles on Leg
7	0	7	199	386
176	15	191		
1	0	1		
0	0	0		
0	0	0		

Total Vehicles On Leg		9	
Vehicles Entering Intersection		Vehicles Exiting Intersection	
Northbound		Southbound	
Cars	3	0	2
Heavy	0	0	0
Total	3	0	2

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								

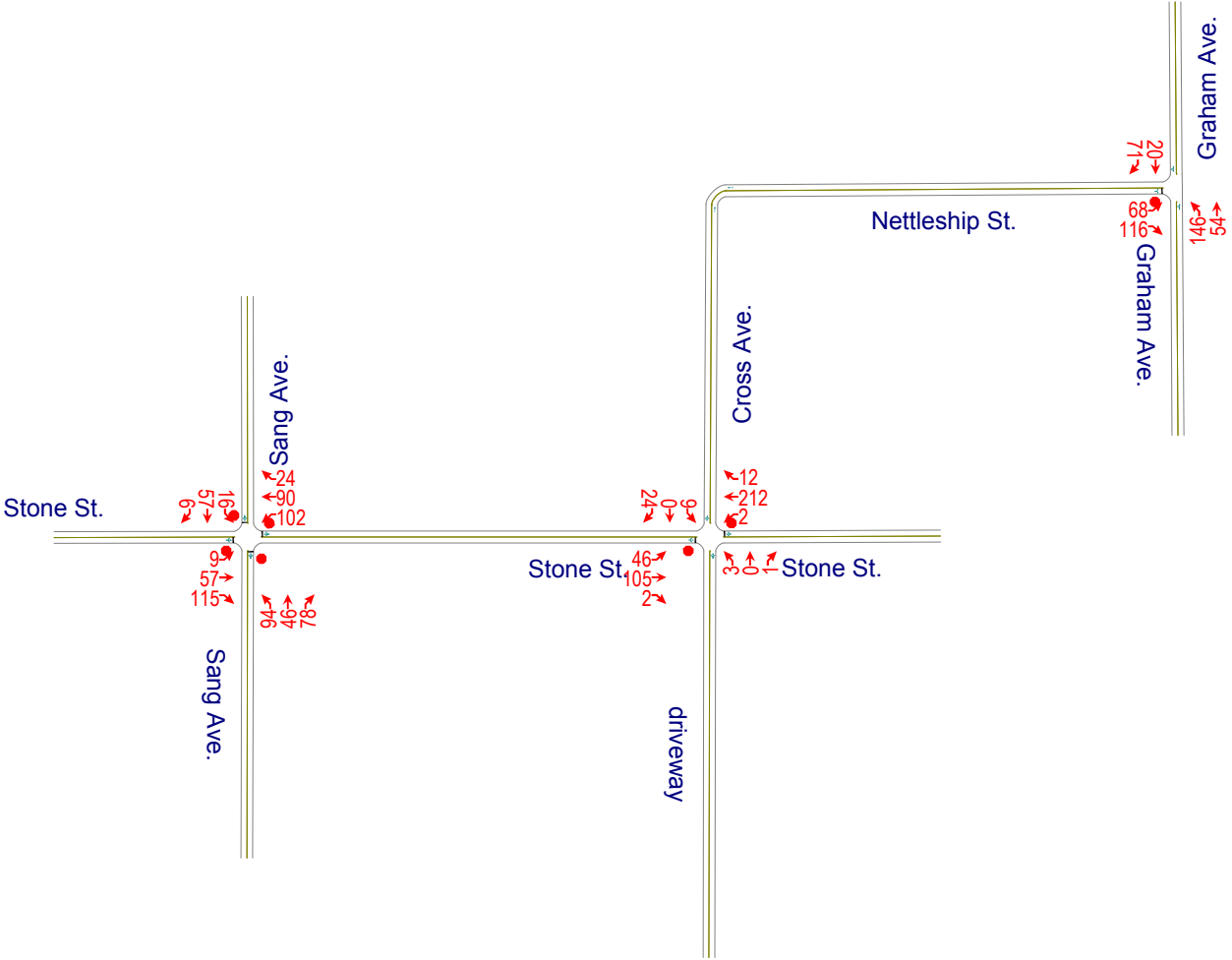
HCM Unsignalized Intersection Capacity Analysis

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								

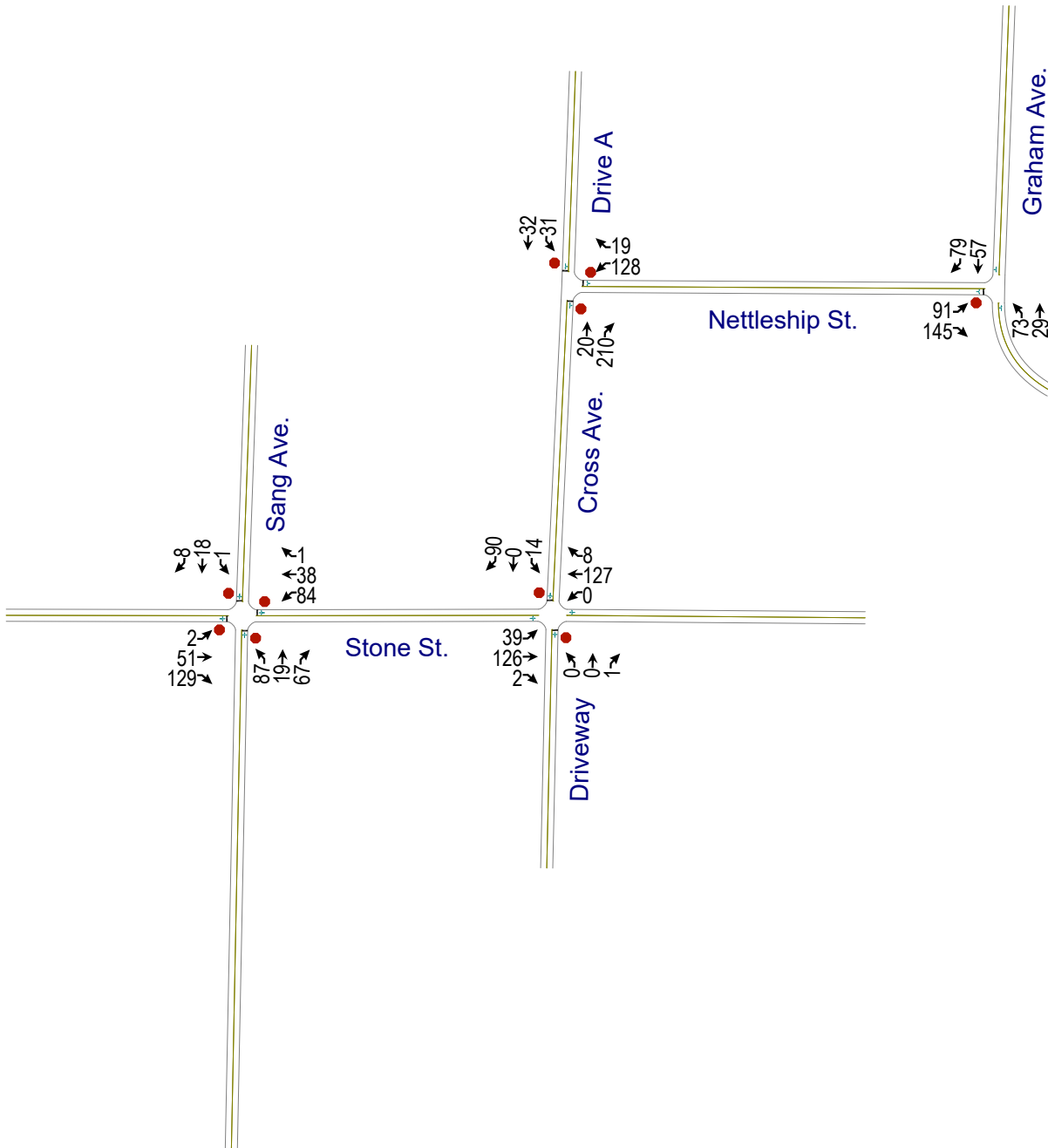
HCM Unsignalized Intersection Capacity Analysis

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			

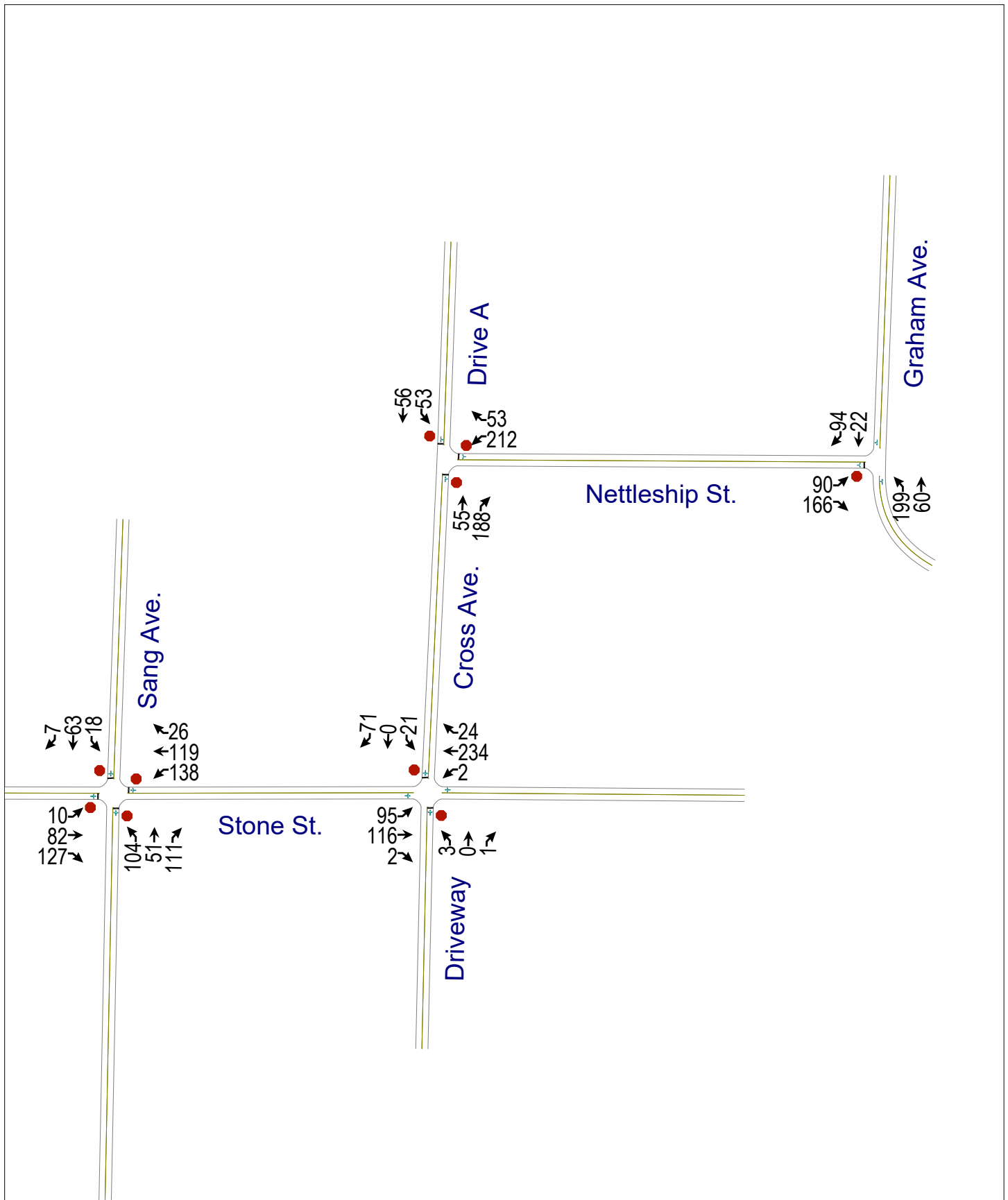


Intersection												
Intersection Delay, s/veh	8.8											
Intersection LOS	A											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Traffic Vol, veh/h	2	51	129	84	38	1	87	19	67	1	18	8
Future Vol, veh/h	2	51	129	84	38	1	87	19	67	1	18	8
Peak Hour 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

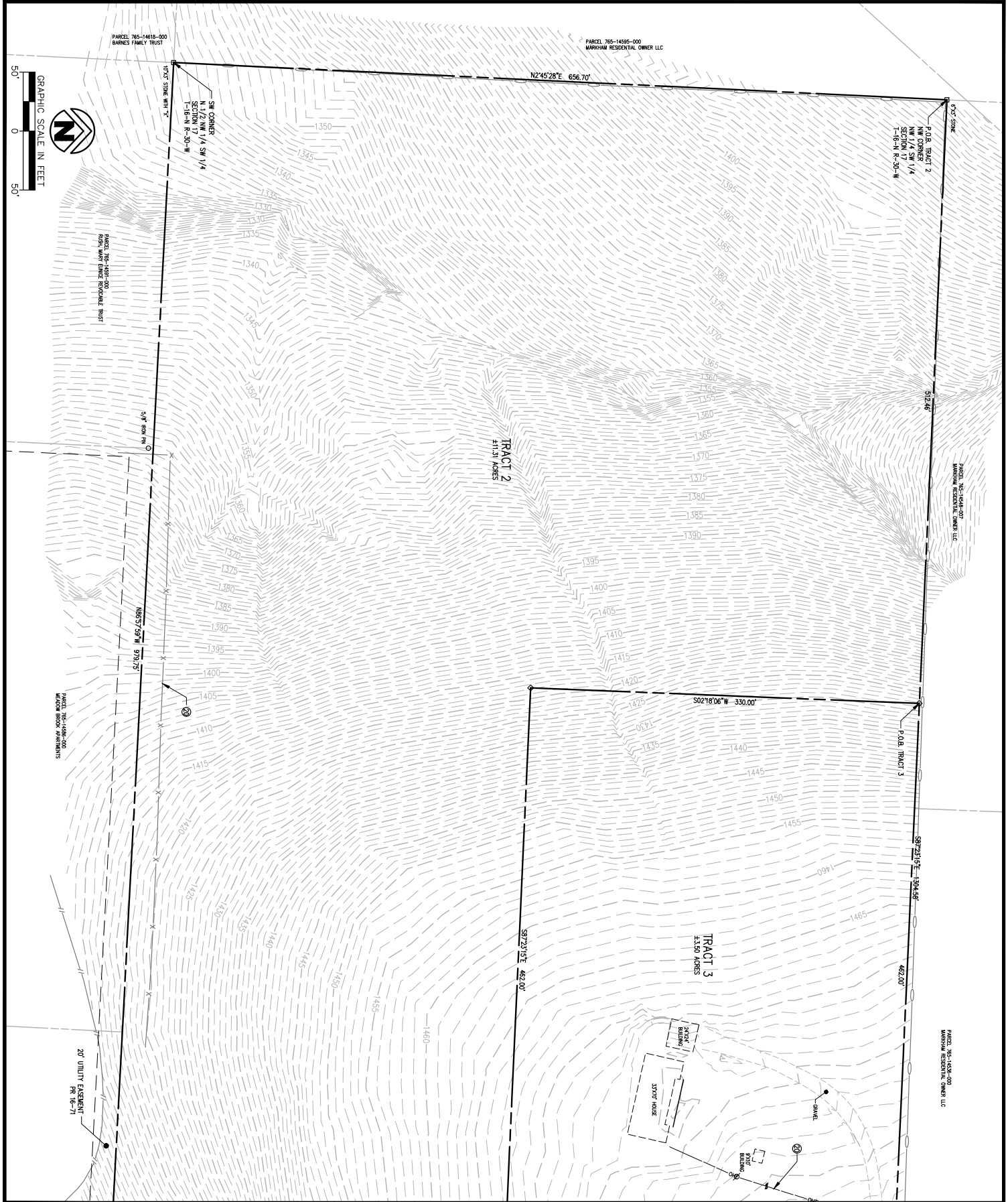
APPENDIX D: ALTA SURVEY



Crafton Tull

Planning Commission
October 28, 2024

PZD-2024-0006 (THE STATION AT FAYETTEVILLE)
Page 118 of 139



SHEET NO.: 3 OF 6		DATE: 07/01/2024 PROJECT NO: 240190 CONTACT: K. MCINTOSH/RECORDING NO. 14 4TH ST. SUITE 400 ROGERS, ARKANSAS 72756 www.craftontool.com 479.653.6881		A/T/A/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		STATE PLAT CODE: 500-16N-30W-0-17-300-72-1460 SEAL		RECORD INFORMATION Planning Commission October 28, 2024 PZD-2024-0006 (THE STATION AT FAYETTEVILLE) Page 121 of 139	
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DATE: 07/01/2024
PROJECT NO: 24501090
CONTACT: E-MONITORMERY
3001 N. 48TH ST, SUITE 400
ROGERS, ARIZONA 85605
479.636.4036-1

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Page 123 of 139

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PZD-2024-0006 (THE STATION AT FAYETTEVILLE)
Page 123 of 139

[END OF BOOKLET]



Crafton Tull

Planning Commission
October 28, 2024

PZD-2024-0006 (THE STATION AT FAYETTEVILLE)

Page 125 of 139

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

From: Lisa Orton <lisa_m_orton@yahoo.com>

Sent: Sunday, September 22, 2024 3:56 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>; Garlock, Jimm <jimm.garlock@fayetteville-ar.gov>

Cc: Lisa Orton <lisa_m_orton@yahoo.com>

Subject: Please deny PZD-2024-0006 on south side of Markham Hill

Dear Planning Commission members,

I strongly oppose the rezoning of the 34.86 acres on the south side of Markham Hill from RSF-4 to PZD-2024-0006.

I believe this location is totally wrong for the type of higher density development that Crafton Tull describes.

I agree with the list of reasons for denial given by City Staff.

I also agree with the list of reasons for denial given by residents Bill and Joyce Feldman, Tom Overbey, Laura Carver, Marsha Scott, Charles Leflar, and others.

If development were to take place in these 34.86 acres, the most truly compatible type would be one single family home per 2-5 acres. The developer would only have to cut down the trees where the houses were located, leaving the mature tree cover to handle most of the water issues and provide environmental and ecological benefits. The developer would still have to deal with drainage problems, large construction vehicles on the narrow roads, building on steep slopes, etc.

Higher density housing is needed in Fayetteville, but should be done only where appropriate. This location is a great example of where **not** to do it.

Please deny PZD-2024-0006.

Thank you for your consideration.

Sincerely,

Lisa Orton

1663 West Halsell Rd

Ward 4

From: Matthew Wolfe <wolfe.matthew.aaron@gmail.com>

Sent: Friday, September 20, 2024 7:29 PM

To: 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>

Cc: Planning Shared <planning@fayetteville-ar.gov>

Subject: PZD-2024-0006 (1875 W Haskell Heights)

Dear Commissioner:

My family and I are the homeowners of 15 N Garvin Drive, which directly connects to the proposed PZD parcel on the NE corner. We chose to raise our family in University Heights because of the security and predicability established by Fayetteville's RSF-4 zoning. It may also be worth mentioning that our home was recently added to The National Register of Historic Places in 2022. While perhaps trivial, I cite this recognition because I believe it illustrates the standard set by the Arkansas Historic Preservation Program that has been upheld in University Heights. While we are mindful of the housing crisis, this PZD proposal is poorly designed and, in my opinion, sub-standard for University Heights.

The goal of the layout and the request for a PZD (instead of a straight rezoning) looks to be to an attempt to get around the city's design and development codes which would generally require a much nicer approach to streetscapes. Almost all of the buildings have front parking lots. The entire development is essentially a parking lot, not a neighborhood. This specifically goes against '**City Plan 2040 Goal #3: We will make traditional town form the standard:with neighborhoods that include not just houses, but a mix of uses that can adapt over time and allow residents to live, work, and play without relying on vehicles.**

In addition, the proposal goes against '**City Plan 2040 Goal #2: We will discourage suburban sprawl.**

Sang is also a major issue in my opinion. That entire side of town suffers from a lack of connectivity - not connecting Sang through this site would be a major mistake. Pulling Sang through the site would also mean that the buildings would be subject to normal design standards which they are avoiding right now by making everything private drives.

Basically, the lack of connectivity combined with the extreme automobile-oriented nature of the design make this almost a textbook example of what our city says they are trying to discourage in new development.

Sincerely,

Matthew Wolfe

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.

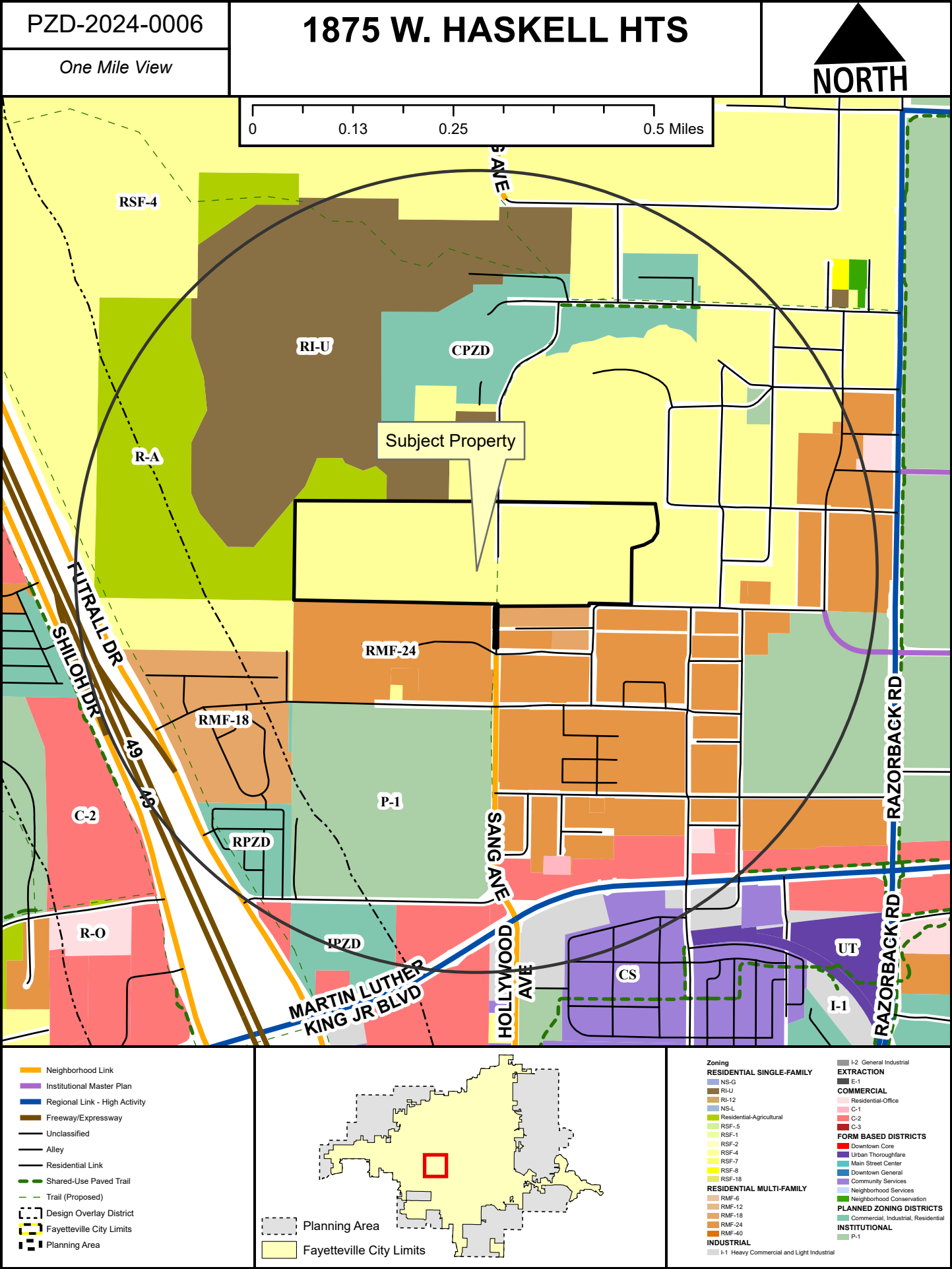
At the August 28, 2024, Tech Plat Review meeting the fire department representative stated that additional connectivity of the private roads “will be required” to provide quicker response time for fire protection. See attached Page 21 from the initial PZD booklet. The revised PZD booklet dated September 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.

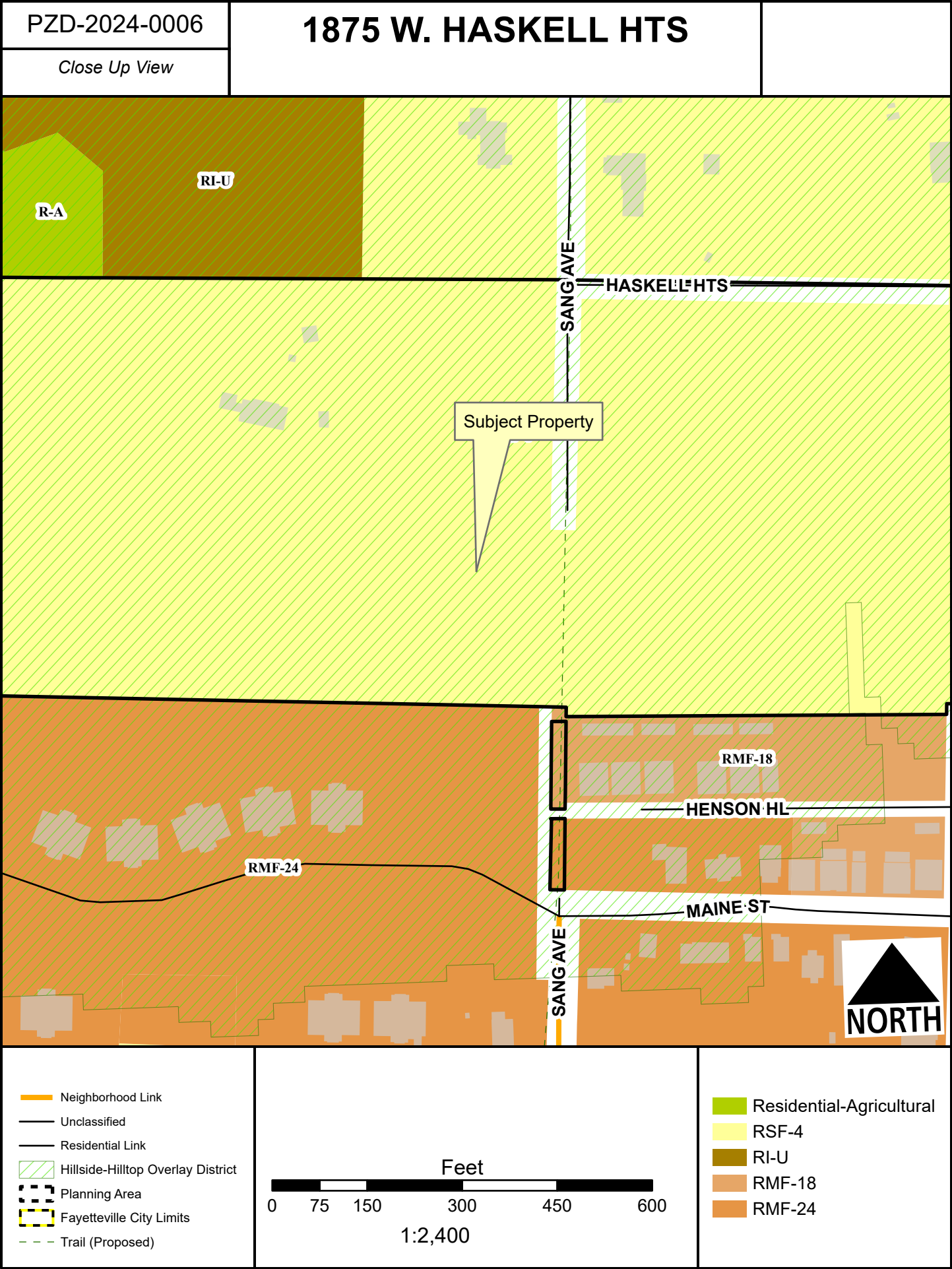
The area for the PZD is shown in the staff report as approximately 14 acres. Yet the PZD booklet shows the area for the PZD to be 34.86 acres. This needs to be clarified.

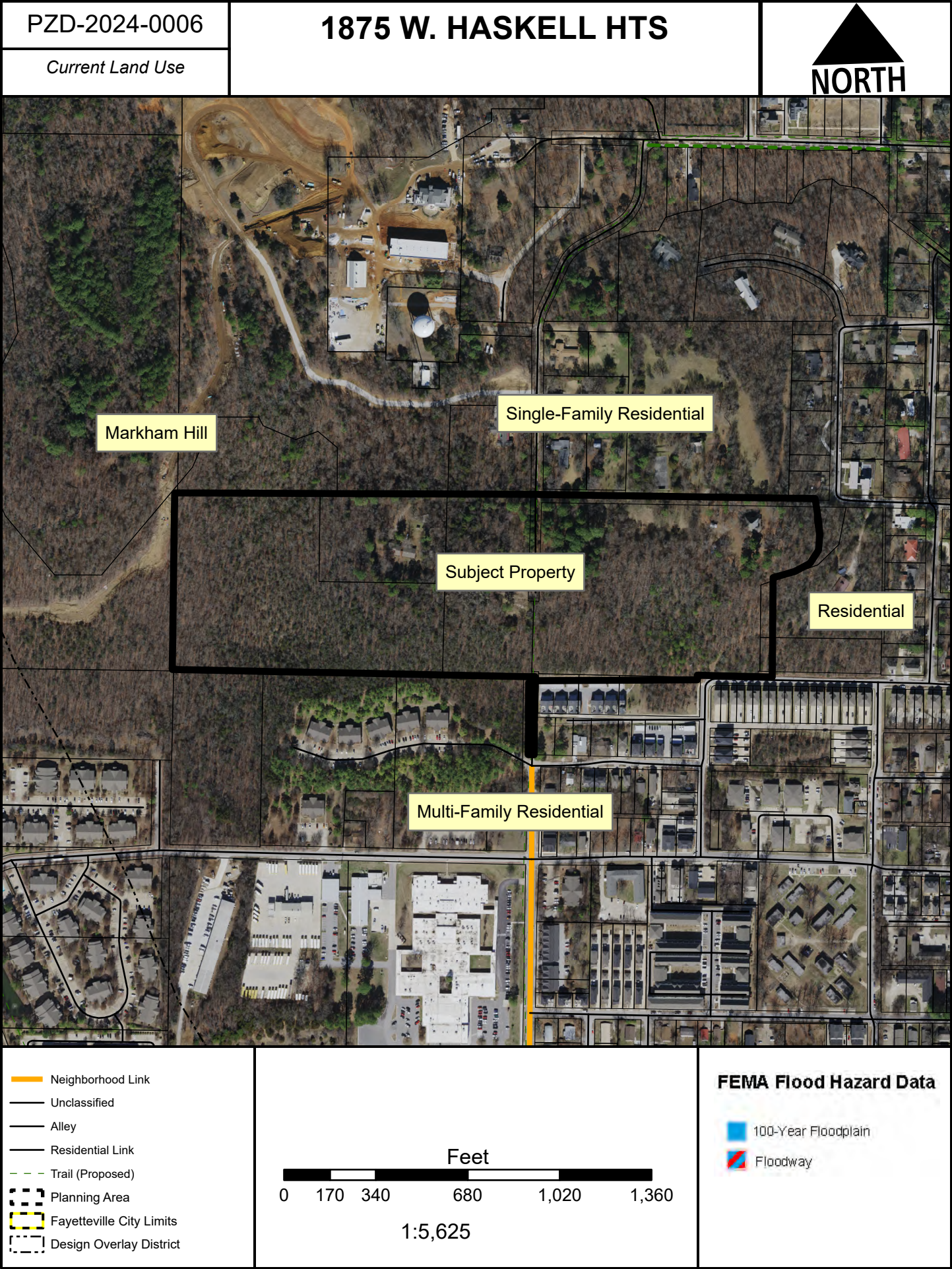
Tom Overbey

479-871-2180

T1TLOTT@gmail.com



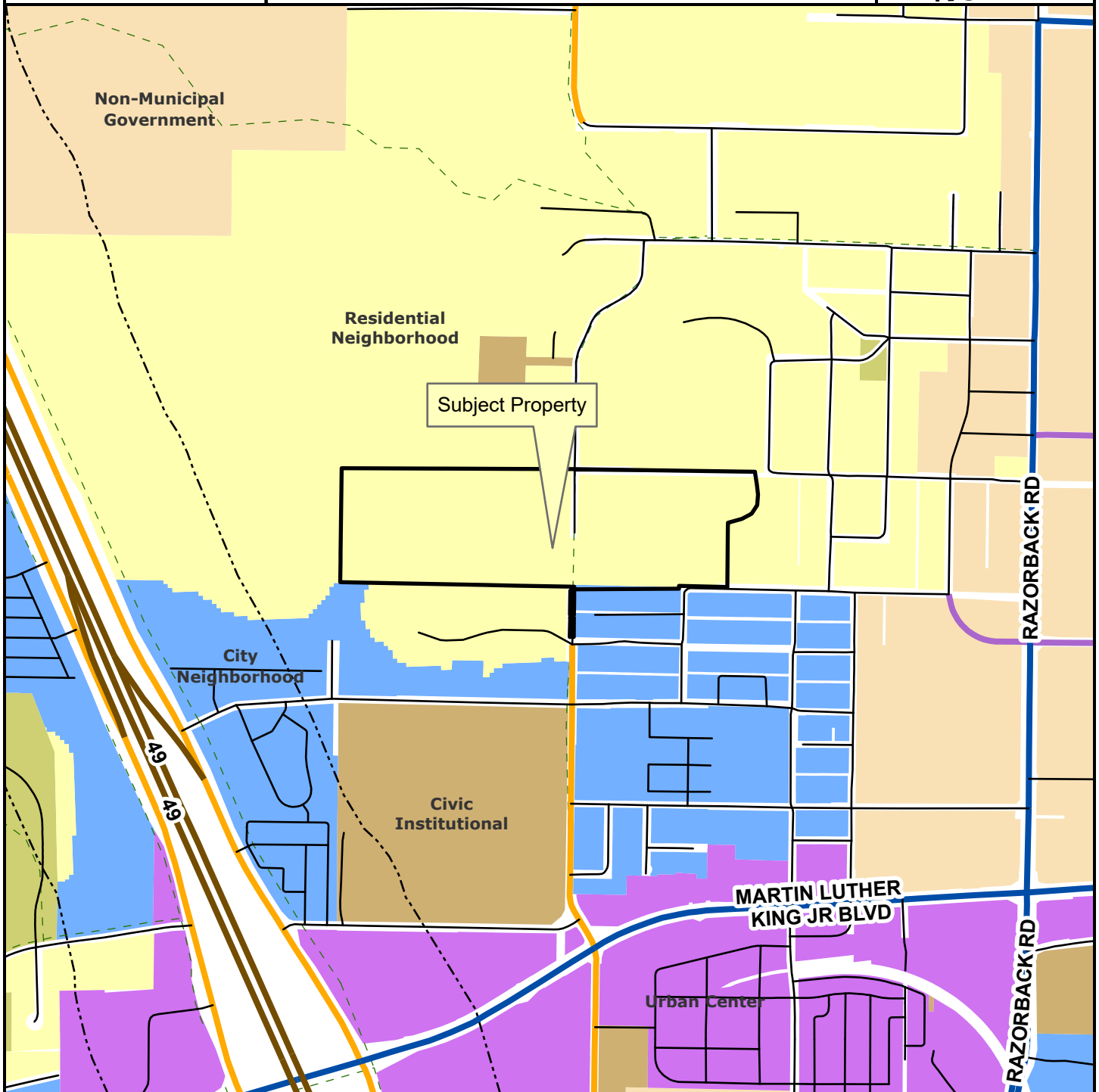




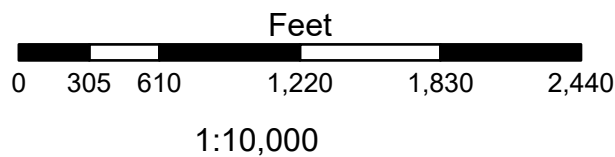
PZD-2024-0006

1875 W. HASKELL HTS

Future Land Use



- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Design Overlay District



- City Neighborhood
- Civic Institutional
- Civic and Private Open Space
- Industrial
- Natural
- Non-Municipal Government
- Residential Neighborhood
- Rural Residential
- Urban Center



TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Donna Wonsower, Planner

MEETING DATE: October 28, 2024

SUBJECT: **RZN-2024-0047: Rezoning (653 N. GENEVIEVE AVE/FINELINE DEVELOPMENT LLC, 436):** Submitted by WATKINS, BOYER, GRAY, & CURRY PLLC for property located at 653 N. GENEVIEVE AVE. The property is zoned R-A, RESIDENTIAL AGRICULTURAL and contains approximately 1.60 acres. The request is to rezone the property to RMF-6, RESIDENTIAL MULTI-FAMILY, SIX UNITS PER ACRE.

RECOMMENDATION:

Staff recommends **RZN 2024-0047** be forwarded to the City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0047** to City Council with a recommendation of approval."*

OCTOBER 14, 2024, PLANNING COMMISSION MEETING:

At the October 14, 2024, Planning Commission meeting, the item was tabled to provide additional time for staff to review a proposed Bill of Assurance.

BACKGROUND:

The subject property is in west Fayetteville, approximately 1/3-mile southwest of the intersection of W. Wedington Dr. and N. 54th Ave. The property is zoned R-A, Residential-Agricultural, and contains approximately 1.6 acres. It is currently developed on the northern portion of the site with a two-family dwelling constructed in 1976 and an outbuilding located in the southwest corner of the site. Surrounding land uses and zoning are listed 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-8, Residential Single-Family, Eight Units per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
West	Single-Family Residential	R-A, Residential-Agricultural

Request: The request is to rezone the subject property from R-A, Residential-Agricultural to RMF-6, Residential Multi-Family, Six Units Per Acre.

Public Comment: To date, staff has received one public comment opposed to the request, citing increased traffic on narrow, unimproved roads and inadequate existing infrastructure.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

- Streets:** The subject area has frontage along N. Genevieve Ave., a partially improved residential link street with asphalt / gravel paving and open ditches. 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. Existing 2- inch water main is present on the west side of N. Genevieve Ave.
- Sewer:** Sanitary sewer is available to the subject area. Existing 6-inch sewer main is present on the east side of N. Genevieve Ave.
- Drainage:** No portion of the subject property lies within the Hillside/Hilltop Overlay District or a FEMA-designated floodplain and no protected streams are present. There are hydric soils present, located approximately on the southeast quarter of the property. Any improvements or requirements for drainage would be determined at the time of development submittal.
- Fire:** Station 7, located at 835 N. Ruppel Rd., protects this site. The property is located approximately 2 miles from the fire station with an anticipated drive time of approximately 4 minutes using existing streets. The anticipated response time would be approximately 6.2 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 R-A, Residential Agricultural, requires **25% minimum canopy preservation**. The proposed zoning district of RMF-6, Residential Multi-Family, Six Units per Acre, 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 7, 835 N. Ruppel Rd.)
- Near Sewer Main (2-inch main, N. Genevieve Ave.)

- Near Water Main (6-inch main, N. Genevieve Ave.)
- Near City Park (Harmony Pointe Park)
- Near Paved Trail (Owl Creek Trail)

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 proposed rezoning from R-A to RMF-6 to be compatible with the surrounding area. The subject property is adjacent to single-family properties to the north, east, west, and south. A rezoning to RMF-6 would allow for a wider variety of residential uses than those permitted under the property's current zoning designation. Specifically, a rezoning to RMF-6 would permit the development of a greater variety of dwellings, including the by-right development of single- to multi-family dwellings with a density of up to six units per acre (a maximum of 9 units for this site). Two-family dwellings are permitted within both the existing and proposed zoning districts.

Minimum lot size would decrease from two acres with a required lot width of 200 feet to variable bulk and area regulations. For two-family dwellings, RMF-6 requires a minimum lot size of 7,000 square feet with a required lot width of 50 feet. Front setbacks will decrease from 35 feet to a built to zone between the property line and 25 feet. Side setbacks will decrease from 20 feet to 5 feet. Rear setbacks will decrease from 35 feet to 25 feet. The requested rezoning would bring the existing two-family dwelling into conformance with density and bulk and area requirements. The proposed zoning district also has lesser setbacks, which would mean the existing two-family dwelling is no longer encroaching into the side setback. That being said, the existing structures would then be noncompliant with build-to-zone requirements.

An identical request to rezone the parcel approximately 250 feet to the north from R-A to RMF-6 was denied by the Planning Commission in September 2023. However, the subject property is adjacent to an area that is zoned RSF-8, a higher density than what is being requested on this site. There is also an area of RMF-6 zoned two-family dwellings approximately ¼ mile to the west. Therefore, staff finds this request to be compatible with surrounding uses and development patterns.

Land Use Plan Analysis: On the balance, 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. Staff finds that a rezoning to RMF-6 would support this designation as Residential Neighborhood Areas to provide a mix of residential uses of varying scale. The property has a relatively low infill score and is not located within a tier center, although there is a tier 3 center located 0.58 miles northwest of the property at the intersection of W. Wedington Dr. and N. Double Springs Rd. Staff finds that the requested rezoning could allow for the creation of missing middle housing and meets City Goals 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: On the balance of considerations, staff finds that a rezoning to RMF-6 is justified. Staff finds that the proposed rezoning is compatible with surrounding properties and consistent with the City's future land use plans.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: A rezoning from R-A to RMF-6 does have the potential to increase traffic danger and congestion due to an increase in density and the unimproved street. The size of the parcel at 1.6 acres will limit the density on the site, however the existing street is an unimproved gravel lane that is extremely narrow. As shown on the attached staff exhibit, access from the south is very limited and the gravel road is partially overgrown. That being said, the fire marshal's office has confirmed that if the property is developed with additional two- or three-family dwellings, the applicant would be required to ensure fire access requirements are met. This typically requires a minimum 20-foot access which is able to support 75,000 pounds. The applicant has also included a Bill of Assurance stating that the petitioner agrees to upgrade N. Genevieve Ave. to meet fire code requirements prior to the issuance of any certificate of occupancy for new development. As such, staff finds that (re)development of the parcel could potentially improve access to both the parcel and its immediate surroundings.

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. The property has access to public streets, water, and sewers. 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 recommends **RZN-2024-0047** is forwarded to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>October 28, 2024</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.03 Residential-Agricultural
 - §161.13 Residential Multi-Family, Six Units Per Acre
- Staff Exhibit: Access from North and South
- Request Letter
- Proposed Bill of Assurance
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

161.03 District R-A, Residential-Agricultural

(A) *Purposes.* The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 20	Commercial recreation, large sites
Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

Units per acre	One-half (½)
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(D) *Bulk and Area Regulations.*

Lot width minimum	200 feet
Lot Area Minimum:	
Residential:	2 acres
Nonresidential:	2 acres
Lot area per dwelling unit	2 acres

(E) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

(F) *Height Requirements.* There shall be no maximum height limits in the R-A District, provided, however, if a building exceeds the height of one (1) story, the portion of the building over one (1) story shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over one (1) story shall be equal to the difference between the total height of that portion of the building and one (1) story.

(G) *Building area.* None.

161.13 District RMF-6, Residential Multi-Family—Six (6) Units Per Acre

(A) *Purpose.* The RMF-6 Multi-family Residential District is designed to permit and encourage the development of multi-family residences at a low density that is appropriate to the area and can serve as a transition between higher densities and single-family residential areas.

(B) *Uses.*

(1) *Permitted Uses.*

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 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 5	Government facilities
Unit 11	Manufactured home park
Unit 12a	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	6 or less
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(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single-family	50 feet
Two (2) family	50 feet
Three (3) family or more	90 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a Manufactured home park	4,200 square feet
Townhouse: Individual lot	2,500 square feet
Single-family	6,000 square feet
Two (2) family	7,000 square feet
Three (3) family or more	9,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acre

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 feet	5 feet	25 feet	5 feet

(F) *Building Height Regulations.*

Building height maximum	2 stories/3 stories*
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* 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.

(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.* 50% of the lot width.

**STAFF EXHIBIT
ACCESS TO PROPERTY**



ACCESS FROM THE SOUTH



ACCESS FROM THE NORTH

WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

WILLIAM P. WATKINS, III, P.A.
RONALD L. BOYER (OF COUNSEL)
JENNIFER E. GRAY, P.A.*
ANDREW T. CURRY, P.A.
WILLIAM A. KELLSTROM
* ALSO LICENSED IN MISSOURI

WRITER'S DIRECT E-MAIL
wkellstrom@watkinslawoffice.com

DELYNN HALE, SECRETARY
AMY BENSON, PARALEGAL
WHITNEY DUCKER, OFFICE MANAGER

September 4, 2024

City of Fayetteville
Planning Department
125 W. Mountain Street
Fayetteville, AR 72701

RE: Rezoning Parcel No. 765-16226-000 from R-A to RMF-6

Dear Planning Staff:

This letter is intended to accompany a rezone request for Parcel No. 765-16226-000, located at 651 N. Genevieve Ave., from RA-Residential Agricultural, to RMF-6-Residential Multi-Family, Six (6) Units Per Acre.

This property is adjacent to RSF-4 to the North and East, R-A to the West, and RSF-8 to the South. Accordingly, RMF-6, from a density standpoint, lies directly in the middle of the density of the developed properties to the East and South. The subject property, as well as the two properties to the North, are currently developed with one duplex each. In that sense, rezoning to a district that allows duplexes and multi-plexes would not change the character of this street, as low density multi-family is already present.

Additionally, this rezoning would encourage infill, development of missing middle housing, and would provide the opportunity to add more diversity in housing options to an area in which much of the development has been single family. Lastly, sewer and water are both available on N. Genevieve Ave.

Thank you for considering this request for rezoning. If you have any questions, please contact me at 479-636-2168 or at wkellstrom@watkinslawoffice.com.

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

WK:
pc:

BILL OF ASSURANCE FOR THE CITY OF FAYETTEVILLE, ARKANSAS

In order to attempt to obtain approval of the request for a zoning reclassification submitted by **Fineline Development, LLC** ("Petitioner") of **RMF-6, Residential Multifamily, Six (6) Units Per Acre** for the following property: **Washington County Parcel No. 765-16226-000**, I, as the authorized agent for the owner or buyer of this property, **Will A. Kellstrom**, (hereinafter called "Petitioner") hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, substantial irreparable damage justifying injunctive relief has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will reasonably rely upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers assurances that Petitioner and Petitioner's property shall be restricted as follows **IF** Petitioner's requested rezoning is approved by the Fayetteville City Council:

1. The Petitioner agrees that it shall upgrade N. Genevieve Ave. so as to meet minimum Fire Apparatus Access standards, as provided in Chapter 5 of the 2021 Arkansas Fire Prevention Code, prior to a certificate of occupancy being issued on any new development on the subject property.

Petitioner specifically agrees that all such restrictions and terms shall run with the land and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office as part of the rezoning ordinance. After Petitioner's rezoning is effective, the Bill of Assurance shall be noted on any Final Plat, Large Scale Development, or other development approval which includes some or all of Petitioner's property affected by the rezoning.

IN WITNESS WHEREOF and in agreement with all the terms and conditions

stated above, I, Will A. Kellstrom, as the authorized agent of Petitioner voluntarily offer all such assurances and sign my name below.

Will Kellstrom
Printed Name of Authorized Agent

W. Kellstrom
Signature

Attorney for FINELINE DEVELOPMENT, LLC
Position or Title of Authorized Agent

10-23-24
Date

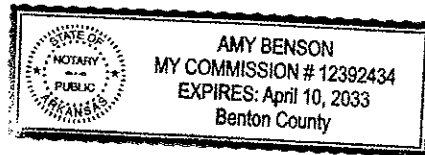
NOTARY OATH

STATE OF ARKANSAS)
COUNTY OF WASHINGTON)

On this, the 23th day of October, 2024, before me, the undersigned notary, personally appeared Will A. Kellstrom, known to me (or satisfactorily proven) to be the person(s) whose name is/are subscribed to the above and, after being placed upon their oath, swore or affirmed that they were authorized to sign the above Bill of Assurance, agreed with the terms of the Bill of Assurance, and executed the Bill of Assurance in an attempt to have their property rezoned as requested.

Amy Benson
NOTARY PUBLIC

My Commission Expires:



Wonsower, Donna

From: Cole, Kylee
Sent: Monday, October 14, 2024 10:20 AM
To: Wonsower, Donna
Subject: FW: Petition for rezoning Parcel #765-16226-000

Follow Up Flag: Follow up
Flag Status: Flagged

For you!

Kylee Cole
Long Range & Historic Preservation Planner City of Fayetteville, Arkansas
479-575-8327
kcole@fayetteville-ar.gov
Website | Facebook | Twitter | Instagram | YouTube

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

From: Planning Shared <planning@fayetteville-ar.gov>
Sent: Monday, October 14, 2024 8:55 AM
To: Cole, Kylee <kcole@fayetteville-ar.gov>
Subject: FW: Petition for rezoning Parcel #765-16226-000

Concerning RZN-2024-0047

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267
Website | Facebook | Twitter | Instagram | YouTube

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

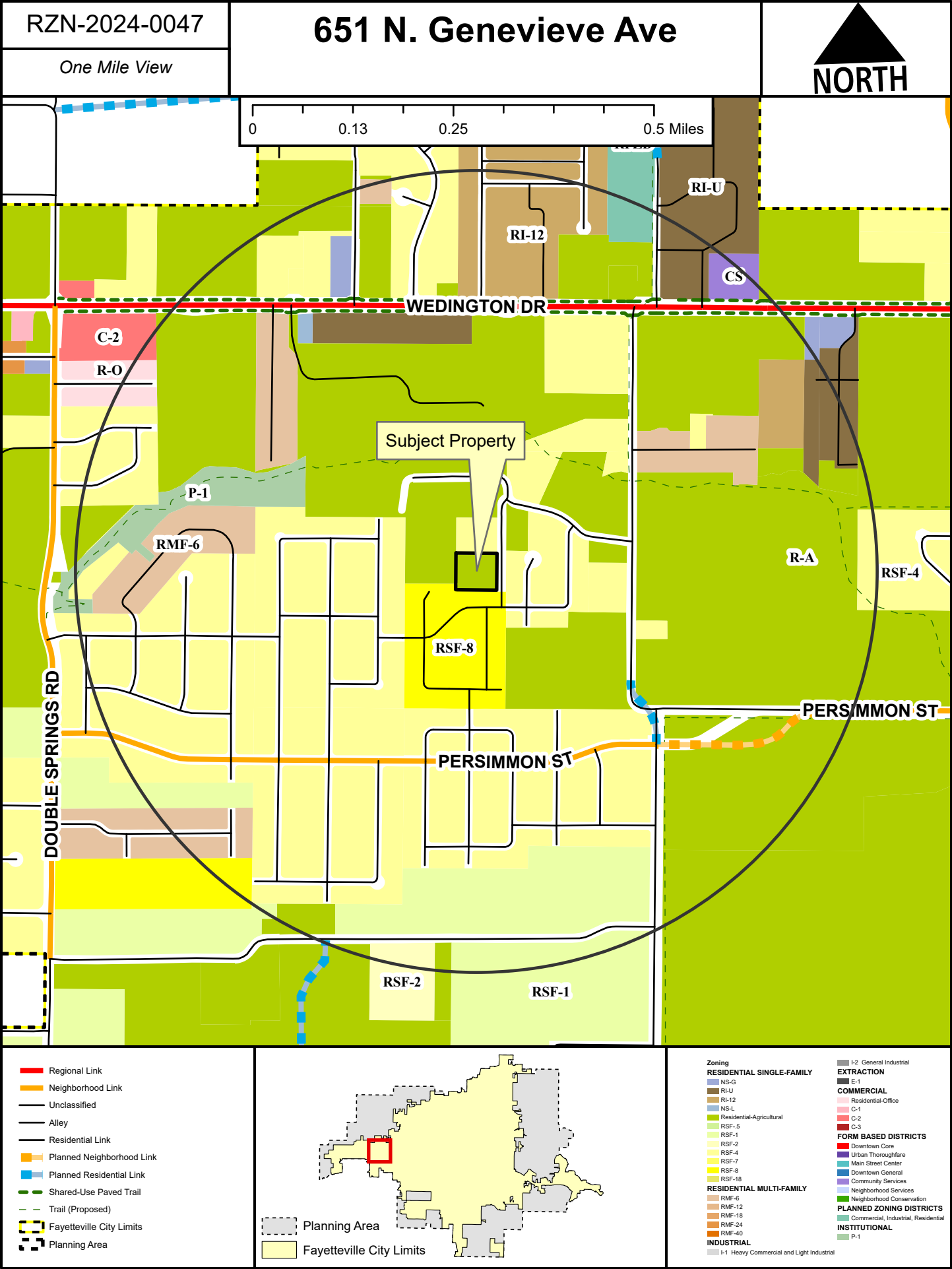
From: charity653@hotmail.com <charity653@hotmail.com>
Sent: Sunday, October 13, 2024 10:50 AM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Petition for rezoning Parcel #765-16226-000

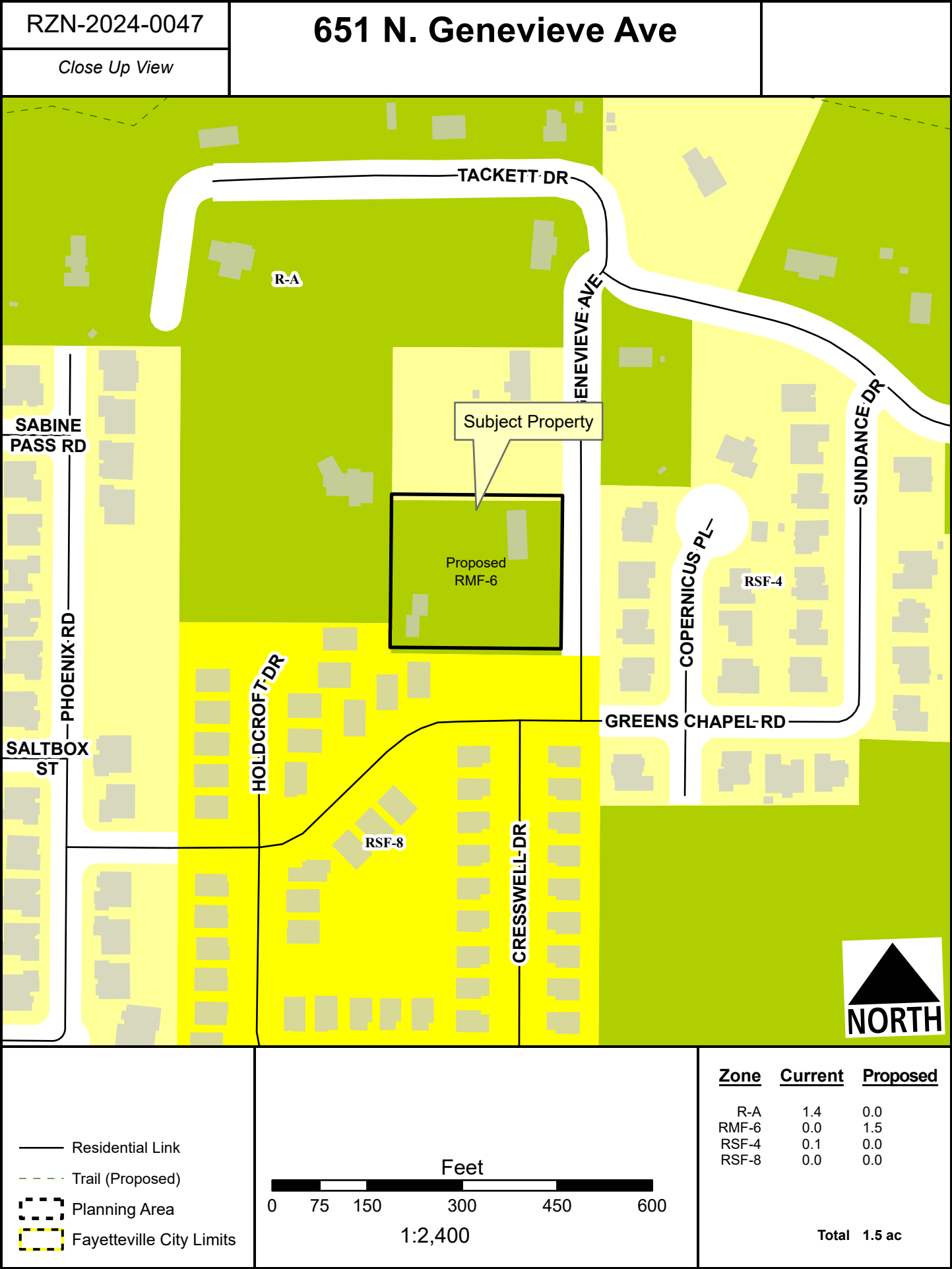
CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We are petitioning against the rezoning of property at 653 N Genevieve Ave. The roads are very narrow and we barely have water pressure as it is. I can't imagine the water pressure will get better with more buildings/ people in this tiny area. We are already dealing with leaks and roads having to be torn up to make repairs to our water lines.

This would also increase the amount of cars/ traffic on our tiny roads. There are no sidewalks for the children to walk on, therefore putting them in harms way with increased traffic. We beg you to please not let this pass. I do invite you to come to our little side of town to truly see why this is not a good idea. I understand the land owner wants to make more profit but not in this area please. Thank you for your time.

Sent from myMail for iOS





RZN-2024-0047

651 N. Genevieve Ave

Current Land Use

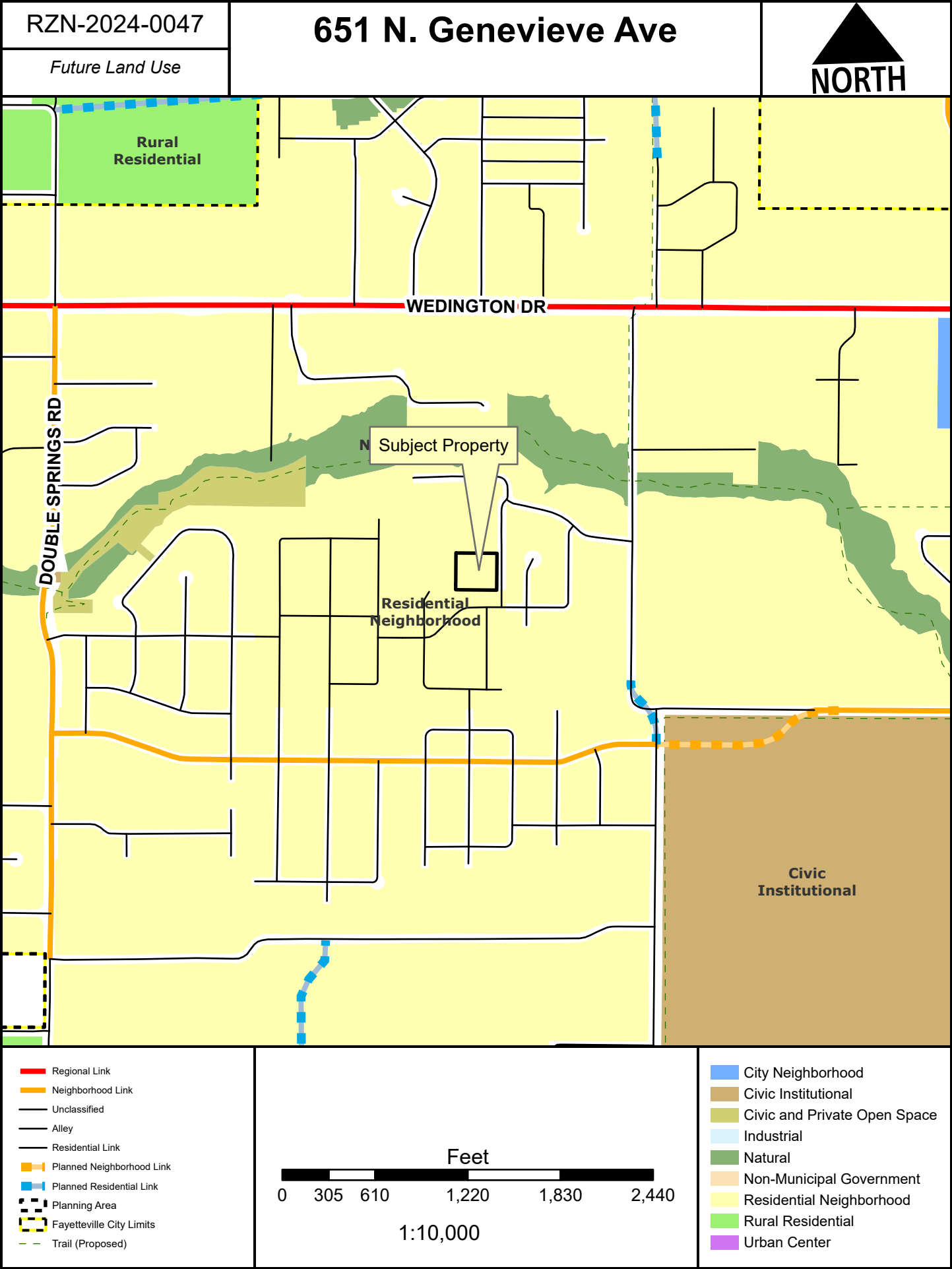


- Unclassified
- Residential Link
- Planned Residential Link
- - - Trail (Proposed)
- - - Planning Area
- - - Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway





TO: Fayetteville Planning Commission

FROM: Gretchen Harrison, Senior Planner
Melissa Boyd, Staff Engineer
Willa Thomason, Urban Forester

MEETING: October 28, 2024

SUBJECT: PPL-2024-0008: Preliminary Plat (209 S. RUPPLE RD./SLOANBROOKE COTTAGES, 517): Submitted by JORGENSEN & ASSOCIATES for property located at 209 S. RUPPLE RD. The property is zoned CS, COMMUNITY SERVICES and NC, NEIGHBORHOOD CONSERVATION and contains approximately 8.76 acres. The request is for the preliminary plat of 37 residential lots.

RECOMMENDATION:

Staff recommends approval of **PPL-2024-0008** with conditions.

RECOMMENDED MOTION:

*"I move to approve **PPL-2024-0008**, recommending:*

- In favor of recommended right-of-way dedication,*
- In favor of recommended street improvements,*
- In favor of a variance to UDC §166.08(E)(1)(c),*
- In favor of a variance to UDC §166.08(E)(2), and*
- In favor of all other conditions as outlined by staff."*

BACKGROUND:

The subject property is in west Fayetteville just southwest of the intersection of Ruppel Road and Tofino Drive. It contains one 8.76-acre parcel which is undeveloped and zoned CS, Community Services and NC, Neighborhood Conservation. Hydric soils are present on site. 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	CS, Community Services
South	Single-Family Residential	CS, Community Services; NC, Neighborhood Conservation
East	Undeveloped	CS, Community Services
West	Single-Family Residential	NC, Neighborhood Conservation

Proposal: The applicant is proposing a subdivision with 36 residential lots and one unbuildable lot reserved for detention. Two variances from the Unified Development Code have been requested which are described below alongside staff's recommendations.

- Variance #1: UDC §166.08(E)(1)(c): Block Length. Intersections along Residential Link Streets shall occur at a minimum of one (1) every 660 feet.** The applicant has

requested a variance from this requirement along the north and east side of Barhem Drive, a Residential Link Street. The length of the proposed block on that street, from its intersection with Benchmark Lane to its intersection with Ruppel Road, totals about 1,160 feet.

- *Staff recommendation: The applicant has explained that the site was designed with an extended block length due to limited access onto Ruppel, which only allows for right-in/right-out traffic. Extending a new street from Barhem to Tofino would result in an intersection that is too close to the existing roundabout at the intersection of Tofino and Ruppel. Ruppel is classified as a Regional Link Street, and intersections are only required to be spaced a minimum of one every 2,640 feet (half a mile) along those streets. Although the proposed site configuration results in a longer-than-typical Residential Link Street, it would create a longer block length along a Regional Link Street, potentially improving the flow of traffic in the area.*
- **Variance #2: UDC §166.08(E)(2): Double Frontage Lots. With the exception of corner lots, double-street frontage lots are prohibited except where such lots front on access restricted roadways such as expressways.** The applicant has requested a variance from this requirement to allow 14 proposed lots, Lots 6-19, to be double frontage lots with frontage along Ruppel Road to the east and Barhem Drive to the west.
 - *Staff recommendation: Staff is supportive of this request. The applicant has said that double frontage lots are necessary due to the property's limited depth of approximately 300 feet between Ruppel and its western boundary. They indicated that the only feasible design involves a road running through the middle of the property, with lots on either side, resulting in double frontage lots along Ruppel. Additionally, the applicant has said that the developer plans to construct homes facing Ruppel, the higher classification street, to enhance the streetscape along that road. Orienting the buildings towards the higher classification street is also required by code. Staff recommends a condition requiring that driveway access along the double frontage lots be limited to Barhem Drive.*

Right-of-Way to be Dedicated: Extensions of two existing streets are planned with this proposal: Barhem Drive and Topeka Avenue. Both streets are classified as Residential Link Streets and staff recommends right-of-way in the amount of 52 feet along both streets to align with the Master Street Plan.

Street Improvements: Staff recommends that both internal streets, Barhem Drive and Topeka Avenue, be improved with six-foot sidewalk, six-foot greenspace, curb, gutter, and asphalt in line with the typical Master Street Plan requirements for a Residential Link Street.

Block Length/Connectivity: The applicant has requested two variances from the City's block length and connectivity standards, as identified above. Staff recommends in favor of those variances with conditions outlined below.

Water and Sewer System: The applicant is proposing to extend new eight-inch water lines from stub outs in Barhem Drive and Topeka Avenue to provide domestic service and fire hydrants throughout the subdivision. The applicant is also proposing to extend new eight-inch sanitary sewer mains, connecting to an existing manhole in Barhem Drive, to provide sanitary sewer service throughout the subdivision. Downstream sewer improvements were constructed with a previous phase of Sloanbrooke and there appears to be adequate capacity for the 37 lots proposed with this development.

Tree Preservation:

Canopy minimum requirement: 20%

Existing canopy: 0.5%

Preserved canopy: 0%

Mitigation required: 29 two-inch caliper trees

Parks: The Parks and Recreation Advisory Board (PRAB) reviewed this proposal at a meeting held on September 4, 2024. The Parks and Recreation Advisory Board recommended fee-in-lieu for this development in the amount of \$39,204 based on the number of proposed single-family lots. Park fees are due at the time of final plat.

Public Comment: Staff received comments from several neighbors during the Subdivision Committee meeting. Neighbors expressed concerns about the proposal to subdivide the property for a residential neighborhood, noting that some had been informed that the land would remain undeveloped or be designated for commercial use. Additionally, the raised concerns regarding ongoing drainage problems and vehicular traffic and speeding in the area.

RECOMMENDATION: Staff recommends approval of **PPL-2024-0008** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends right-of-way dedication in the amount of 52 feet along Barhem Drive and Topeka Avenue.*

Subdivision Committee recommended in favor of right-of-way dedication.

2. **Planning Commission determination of street improvements.** *Staff recommends street improvements in line with the typical Master Street Plan requirements for a Residential Link Street along Barhem Drive and Topeka Avenue, including six-foot sidewalk, six-foot greenspace, curb, gutter, and asphalt.*

Subdivision Committee recommended in favor of street improvements.

3. **Planning Commission determination of a variance to UDC § UDC §166.08(E)(1)(c): Block Length.** *Staff recommends approval of this variance.*

This variance was requested after Subdivision Committee.

4. **Planning Commission determination of a variance to UDC §166.08(E)(2): Double Frontage Lots.** *Staff recommends approval of this variance with the following condition:*
 - a. Driveway access along all proposed double frontage lots shall be limited to the lower classification street, Barhem Drive.

This variance was requested after Subdivision Committee.

5. Fee-in-lieu of parkland dedication is required in the amount of \$39,204 based on the number of proposed single-family lots. Fees are due, and the final amount required to satisfy parkland requirements will be determined, at the time of final plat;

6. Streetlights shall be installed in accordance with code at all street intersections and at intervals not to exceed one every 300 feet;
7. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval attached herein;

Standard Conditions of Approval:

8. All existing overhead utility lines 12kV and under shall be relocated underground. All proposed utilities shall be located underground;
9. Sidewalk along all commonly owned lots (detention ponds, etc.) shall be constructed prior to final plat. All other sidewalks shall be constructed or guaranteed prior to final plat;
10. All street names shall be approved by the 911 Coordinator and indicated on the final plat. All streets require naming for final addresses. Contact the addressing office at (479) 575-8380 for more details;
11. All lots shall be labeled with addresses as approved by the 911 Coordinator on the final plat;
12. A floodplain development permit is required prior to construction for any grading or structures in the flood zone;
13. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his/her representative, and all comments from utility representative: Black Hills Energy, AT&T, Ozarks, SWEPCO, Cox Communication);
14. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) 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 City's current requirements; and
15. Preliminary Plat approval shall be valid for one year.

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date: <u>October 28, 2024</u>		☐ Tabled	☐ Approved	☐ Denied	
Motion:					
Second:					
Vote:					

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Engineering Memo
- Urban Forestry Comments
- Request Letter
- Variance Request Letter
- Site Plan
- One Mile Map
- Close-Up Map
- Current Land Use Map



TO: Gretchen Harrison, Senior Planner

FROM: Melissa Boyd, Staff Engineer

DATE: October 23, 2024

SUBJECT: **Planning Commission Engineering Comments for
PPL-2024-0008 Sloanbrooke Cottages**

Water: The applicant is proposing to extend new 8" water lines from stub outs in W Barhem Dr and W Topeka Dr to provide domestic service and fire hydrants throughout the subdivision.

Sewer: The applicant is proposing to extend new 8" sanitary sewer mains, connecting to an existing manhole in W Barhem Dr, to provide sanitary sewer service throughout the subdivision. Downstream sewer improvements were constructed with a previous phase of Sloanbrooke and there appears to be adequate capacity for the 37 lots proposed with this development.

Streets: Typical residential link streets are proposed with this development.

Natural Features: GIS indicates hydric soils to be present, which are known indicators of wetlands. A wetland delineation must be provided prior to or with the first grading permit submittal.

Drainage: This development is required to meet the four Minimum Standards of Fayetteville's Drainage Criteria Manual. An extended detention pond with bioretention is proposed to meet water quality requirements. Channel protection is shown to be met by sizing the outlet structure such that the runoff from the 1-year, 24-hour storm will be detained and released over a period of 40 hours. Similarly, overbank flood protection and extreme flood protection requirements will be met by sizing the outlet structure to attenuate peak flows.

Plan Comments:

1. Storm drain shown on the side of Lot 1 and rear of Lots 24-36 must be centered within a minimum 20' wide drainage easement. House footprint shown on Lot 1 would encroach within this easement.
2. Storm drain between Lots 3 and 4 must be centered in a minimum 20' wide drainage easement. Proposed house footprints appear to be 12.5' apart at the closest location.
3. 20' wide off-site drainage easement for pond outlet pipe must be obtained and recorded prior to grading permit approval.
4. Address any comments on plans, drainage report, and sewer capacity analysis.

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 TREE PRESERVATION COMMENTS

To: Justin L. Jorgensen, PE, Jorgensen and Associates

From: Willa Thomason, Urban Forester

CC: Gretchen Harrison, Senior Planner

Meeting Date: October 28, 2024

Subject: PPL-2024-0008: Sloanbrooke Cottages: 209 S. Rupple Rd., 517

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	375,779	100%
Zoning Designation * Select Below with drop down arrow		
CS, Community Services	75,156	20%
HHOD * Select Below with Drop Down Arrow		
No	0	0%
Total Canopy for Minimum Preservation Requirements	75,156	20.0%
Existing Tree Canopy * Minus Right of Way and Easements	2,017	0.5%
Tree Canopy Preserved	0	0%
Tree Canopy Removed *On Site	2,017	0.5%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	2,017	0.5%
Tree Canopy Removed in 2019	4,356	1.15%
Mitigation Requirements	6,373	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority	6.373	29
Low Priority		
Total Mitigation Trees Required	6,373	29

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	Yes	Yes
b. Property Boundary	Yes	Yes	Yes
c. Natural Features (100ft beyond limits of disturbance)	Yes	Yes	Yes
d. Existing Topography and Proposed Grading.	Yes	Yes	Yes
e. Soil Types	Yes	Yes	Yes
f. Significant Trees	Yes	Yes	Yes
g. Groupings of Trees	Yes	Yes	Yes
h. Table Inventory List (species, size, health, priority)	Yes	Yes	Yes
i. All Existing and Proposed Utilities	Yes	Yes	Yes
j. All Existing and Proposed Utility Easements and ROW's	Yes	Yes	Yes
k. All Streams (with approximate center line)	N/A	N/A	N/A
l. Floodplains and floodways	N/A	N/A	N/A
m. Existing Street, Sidewalk or Bike Path ROW	Yes	Yes	Yes
n. Submitted Site Analysis Plan (if required)	N/A	N/A	N/A
o. Shows ALL Proposed Site Improvements	Yes	Yes	Yes
p. Delineates trees/canopy to be preserved and removed	Yes	Yes	Yes
q. Tree Preservation Easement/s shown for LSD, LSIP and Commercial PPL projects	N/A	N/A	N/A

Tree Protection Methods			
a. Tree Protection Fencing	N/A	N/A	N/A
b. Limits of Root Pruning	N/A	N/A	N/A
c. Traffic flow on work site	N/A	N/A	N/A
d. Location of material storage	N/A	N/A	N/A
e. Location of concrete wash out	N/A	N/A	N/A
f. Location of construction entrance/exit	N/A	N/A	N/A

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	9/27/24	10/15/24	10/23/2024
	Approved			
	Tabled			
	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

- Address items above marked “No” and all Redlines provided.



URBAN FORESTRY
LANDSCAPE PLAN COMMENTS

To: Justin L. Jorgensen, Jorgensen and Associates
From: Willa Thomason, Urban Forester
CC: Gretchen Harrison, Senior Planner
Meeting Date: October 28, 2024
Subject: PPL-2024-0008: Sloanbrooke Cottages: 209 S. Ruppel Rd., 517

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		Yes	No	N/A
1 Tree : 12 Parking Spaces				
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>			

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		
5. Landscape Requirement Totals	Amount			
Mitigation Trees	29			
Parking Lot Trees	N/A			
Street Trees	41 Lot Trees, 50 Street Trees			

Detention Pond – Large Trees (1 Tree/3,000 square feet)	10
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	38
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)	57

6. Review Status (See Comments)	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved	9/27/24	10/15/24	10/23/2024
Approved			
Tabled			
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. 2. Regarding 4e and f on this review sheet: Please include the name and number of a contact person for the tree plantings other than the contractor. Different home builders will be involved in this and so one contact person representing the developer is needed throughout tree planting. 3. Please do NOT list Eastern White Pine an alternate for the Shortleaf Pine as White Pine is not long lived in our area. American Holly is a fine substitution. 4. Smoketree is not a good street tree as it can be difficult to see around. Please have your landscape architect design the planting plan as they are required to stamp it. 5. Please specify which trees are which on the plans rather than letting the contractor decide since you have one symbol for several types of trees in each category for street, lot, mitigation and storm.



JORGENSEN
+ASSOCIATES
Civil Engineering · Surveying

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703

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August 14, 2024

City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

Attn: Development Services
Re: Preliminary Plat for The Sloanbrooke Cottages

This letter is in regards to a proposed Preliminary Plat for The Sloanbrooke Cottages. This is located south of Sloanbrooke Ph 4 on the west side of Ruppel Road. This proposed PPL has 37 total lots with 36 buildable lots. There is one pond shown along the north side in order to meet the drainage requirements and is being proposed as a bioretention pond. Currently this site is a pasture with a one trees towards the north part of the property and slopes from south to north into Owl Creek with slopes that range from 2% to 0.50%. This property is zoned CS, Community Services, and the proposed lots range in size from 50' wide to 55' wide. Along with the previous Phases additional acreage for this phase has already been dedicated to Parks as part of a Master Plan.

We thank you for your consideration of this proposal and please call with any questions,

Thank you.

Sincerely;

Justin L. Jorgensen, PE



JORGENSEN
+ASSOCIATES
Civil Engineering · Surveying

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703

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Fax: 479.582.4807
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October 24, 2024

City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

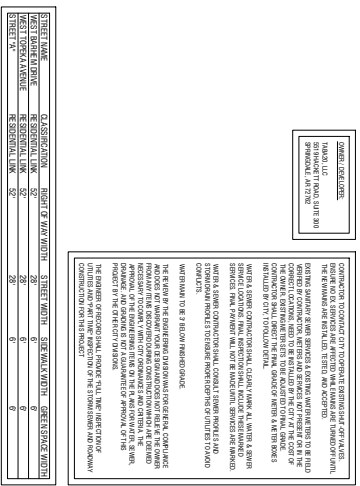
Attn: Development Services: Gretchen Harrison

Re: PPL-2024-0008 – Administrative Variance Request from Double Frontage Lots & Cross access requirements

Please accept this request for a variance from the City of Fayetteville's Development Standards for double frontage lots and block length/connectivity standards. In regards to the block length for W Barhem Drive, from its intersection with Benchmark & Ruppel it exceeds the maximum length of 660'. It is not the developers desire to create another curb cut onto Ruppel to the north that would only be a right in & right out to reduce this block length. It also not feasible to extend a road from Barhem West to Tofino as it would tie in too close to the intersection of Tofino and Ruppel. In regards to the variance for double frontage lots, due to the physical depth of the property from Ruppel to the south only being 300' the only way to lay this property out is a road down the middle with lots on each side which leaves the lots along Ruppel to be considered to be double frontage lots. The developer has plans to address the houses facing Ruppel to create different façade to create the desired street scape along Ruppel.

We thank you for your consideration of this proposal and please call with any questions,

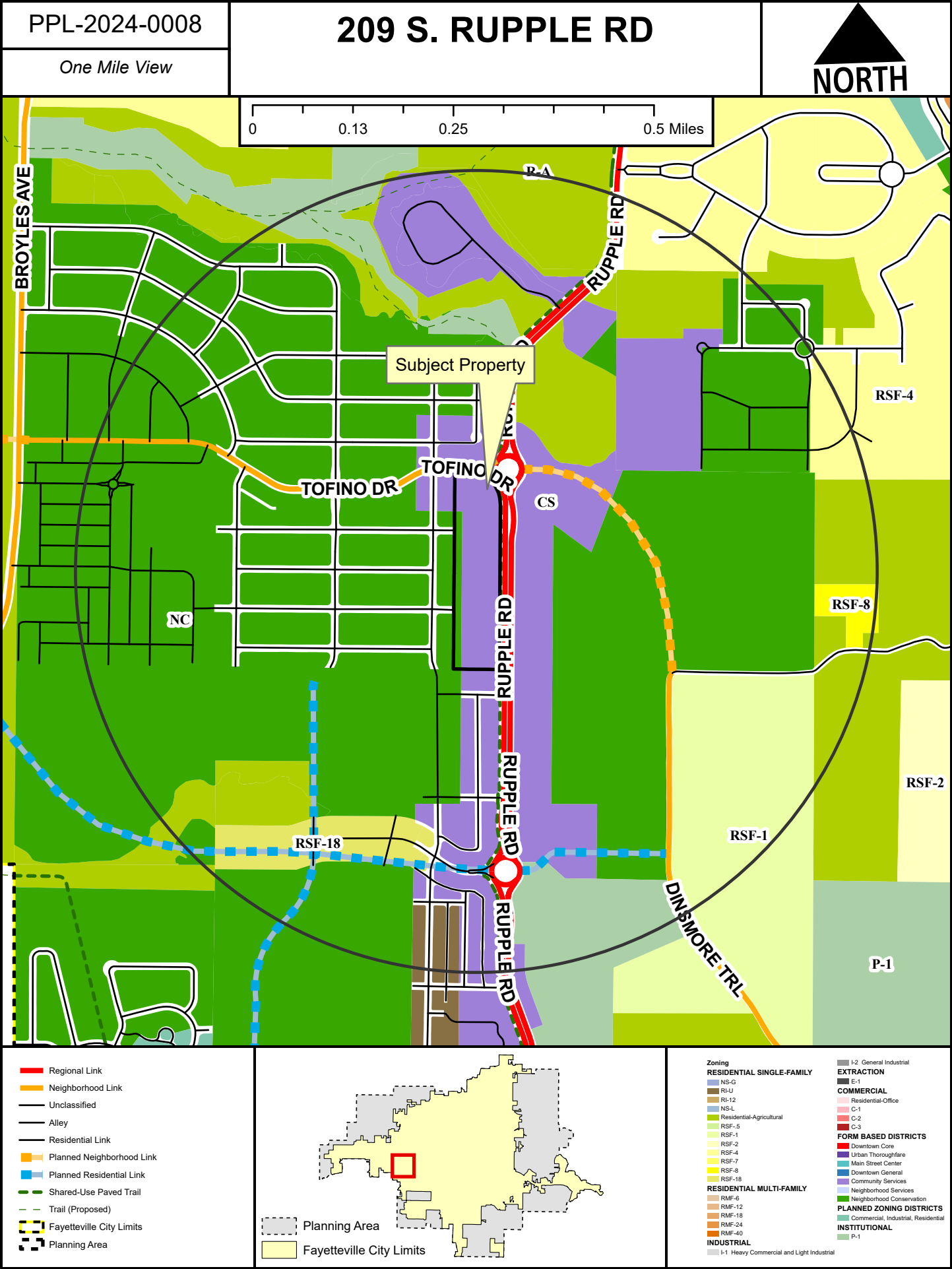
Thank you,
Justin Jorgensen, PE

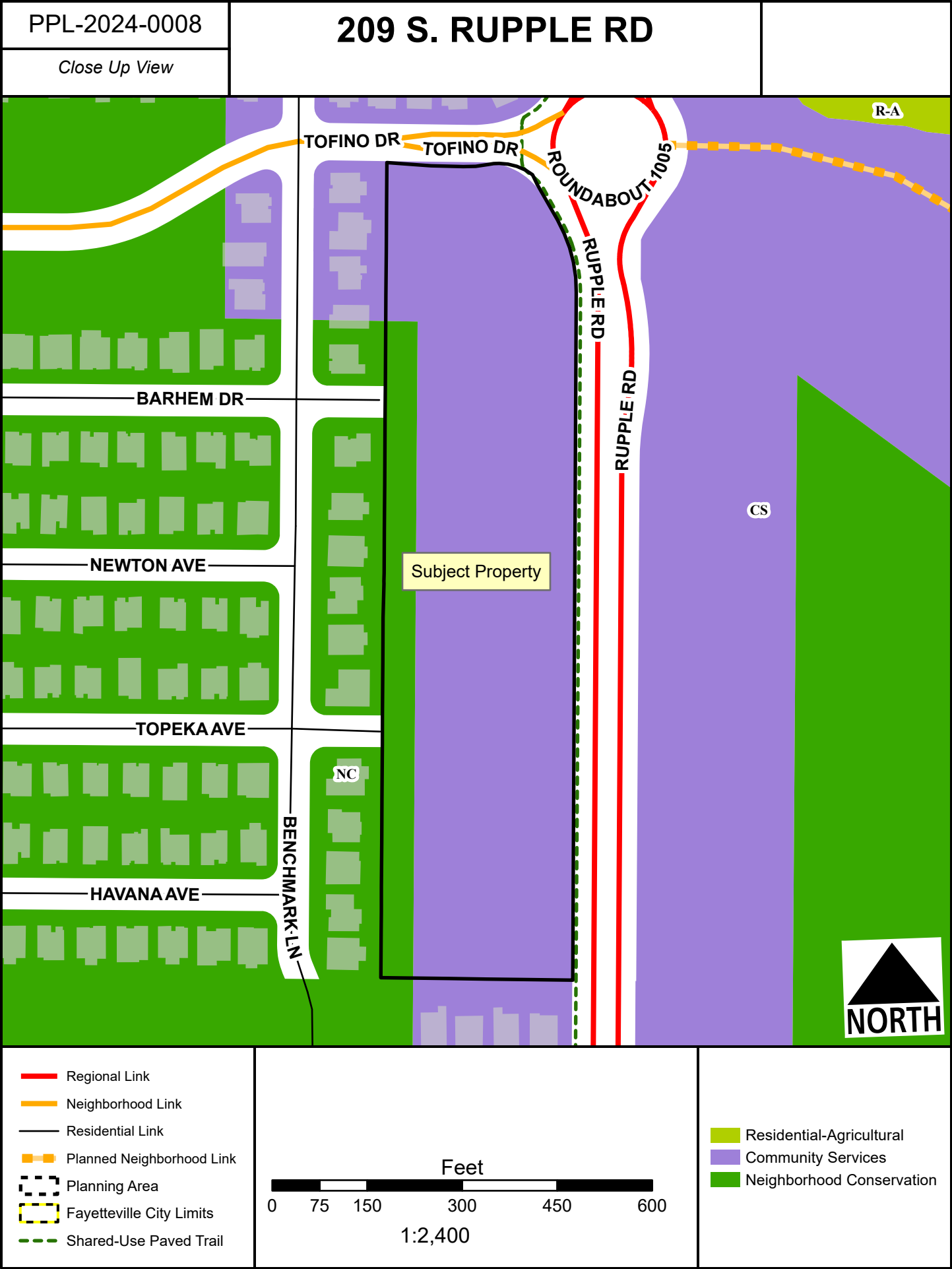
[illegible][illegible]

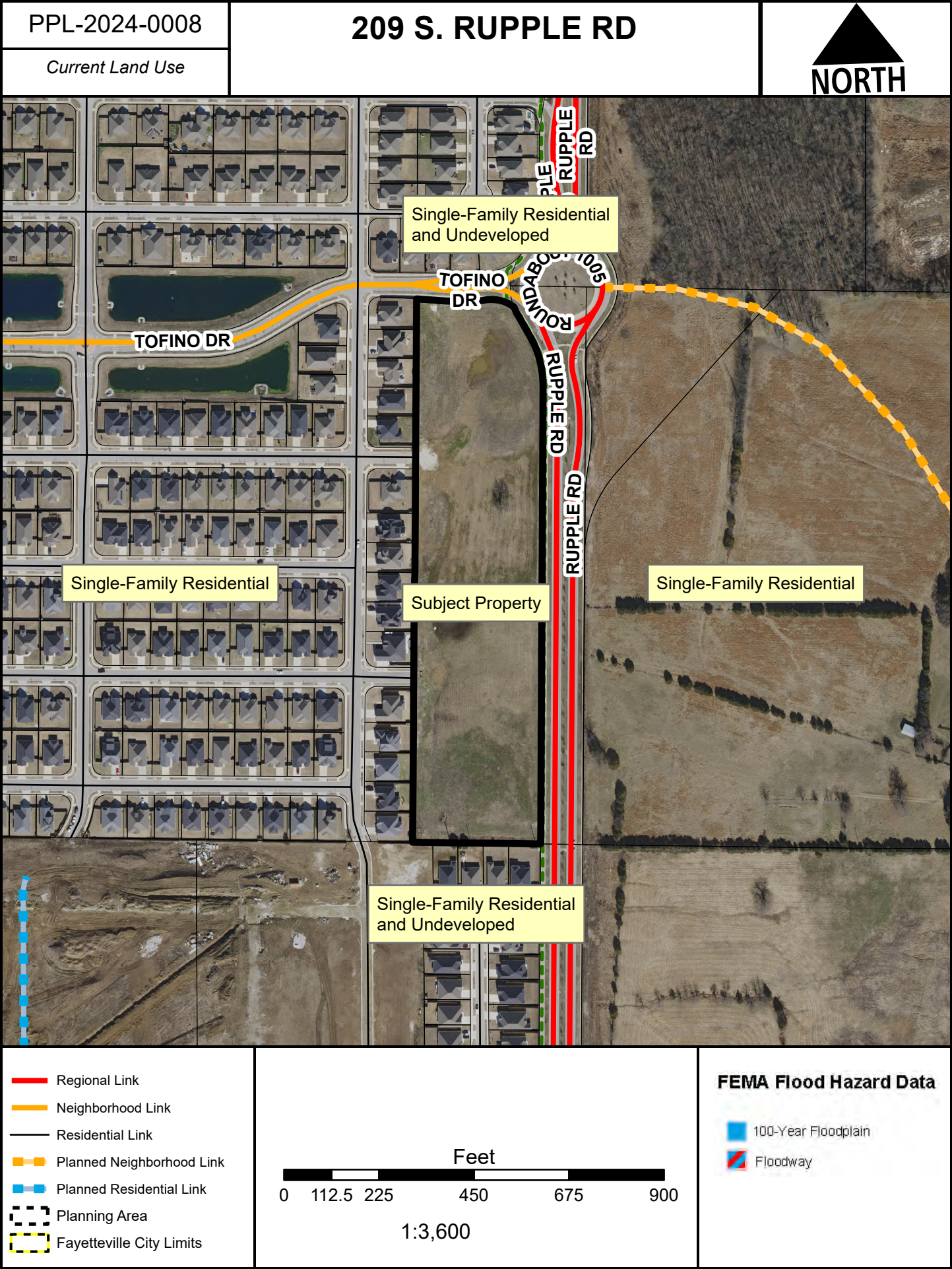
BIOGRAPHIC TABLE		BIOGRAPHIC TABLE			
LINE #	ISSUING OFFICE	DATE #	FOCUS	ACQUITTAL	ORIGIN/EDITION
1.1	1080722°F	61	1710.0	1.17	1080720°F
1.2	1080724°F	62	101.00	31.40	1080720°F
1.3	1079184°F	63	101.00	74.94	1079180°F
		64	101.00	19.92	1079180°F

REVISIONS	PROJECT TITLE: SLOANBROOKE COTTAGES	PROJECT DETAIL S
	PROJECT LOCATION: FAYETTEVILLE, AR	

DATE: 12/20/2024 TIME: 10:00 AM PROJECT: 6024-008 FILE PATH: C:\Users\3242436\Documents\6024-008.dwg SCALE: 1" = 50'	 	DATE: 12/20/2024 TIME: 10:00 AM PROJECT: 6024-008 FILE PATH: C:\Users\3242436\Documents\6024-008.dwg SCALE: 1" = 50'
SHEET TITLE:		
PRELIMINARY PLAT		
SHEET NUMBER:		
C1.01		









TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Donna Wonsower, Planner

MEETING DATE: October 28, 2024

SUBJECT: **CUP-2024-0042: Conditional Use Permit (1825 N. WOODLAND AVE./ELLISON, 367):** Submitted by APPLE BLOSSOM HOLDINGS LLC for property located at 1825 N. WOODLAND AVE. 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.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0042** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0042**, 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 north Fayetteville, directly west of the Woodland Junior High School complex on N. Woodland Ave. The property contains approximately 0.30 acres and is developed with a 1,434 square-foot single-family dwelling constructed around 1965. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 20, 2022, 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 from two percent of all dwelling units to 475 units city wide. This report reflects those new changes for consideration. 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	Woodland Junior High School	P-1, Institutional
West	Single-Family Residential	RSF-4, Residential Single-Family, Four 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 city-wide 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: To date, staff has not received any public comment on this request.

RECOMMENDATION: Staff recommends approval of **CUP-2024-0042** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds the proposed short-term rental to be compatible based on the findings contained herein;*
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 city code;
3. Per UDC §166.20, Expiration of Approved Plans and Permits, a business license must be obtained within one 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 UDC Chapter 176, Outdoor Lighting;
9. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs; and
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>October 28, 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 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 Business Regulations §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, and 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 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: The property contains a total of three bedrooms which would limit occupancy to a maximum of eight guests per ordinance.

- 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: Parking for single-family homes is required to be provided at a rate of two spaces per unit. The applicant indicated in their submittal that there is space to park up to four vehicles on the property's driveway, with an additional parking space available in the garage.

- 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 applicant's request letter suggests that 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 1825 N. Woodland Ave. 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, 2024, 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;
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: There appears to be adequate parking available to support the use of the property as a short-term rental based on the applicant's submittal. Four off-street parking spaces and one garage space will be available for guests on site. City records indicate that five other units within a quarter-mile radius of the property have an active Type 2 short-term rental business license (approximately 2% of dwelling units). Due to the annual business license renewal period that ends on October 31, staff recognizes that other STRs could have active licenses in the area, but are in the process of renewal, so they may not be populating.

One violation— was reported on this property for an inoperable vehicle in 2022. As the vehicle was parked on a city street, code enforcement closed the violation, noting that parking on city streets is enforced by the Fayetteville Police. It is unclear whether this violation is under the current or previous property owners, given that it was reported around the time the property ownership was transferred.

Additionally, the property is directly west of the Woodland Junior High School campus (approximately 250' from the main building) within the posted school zone signs requiring reduced speeds. A school parking lot is located across the street. While staff acknowledges that the density of short-

term rental units within the area is still relatively low and that an additional unit may have minimal impact, staff also finds that the removal of a long-term residence is such close proximity to a public school runs counter to city goals to promote healthy and affordable communities which “depend on easy, safe access to...schools and other community services.”

§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: A driveway onto N. Woodland Ave. is available to accommodate vehicular ingress and egress to the subject property. N. Woodland Ave. has sidewalks on the eastern side of the right-of-way along the school property to facilitate pedestrian access. Staff finds that the proposal to use the property as a short-term rental will not likely adversely affect vehicular traffic flows considering the use of the property would be limited to a maximum of eight guests which would not be out of character with the use of the property for residential purposes.

(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: Four off-street parking spaces are available in the driveway with an additional space available in the garage. The short-term rental ordinance limits the number of guest vehicles to the maximum number of vehicles as allowed by the underlying zoning district. While the applicant notes on-street parking, staff notes that N. Woodland Ave. does not have sufficient width for on-street parking and that parking on-street will likely lead to conflicts with the adjacent school parking lot driveway.

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading;

Finding: The applicant proposes to utilize residential trash service.

(d.) Utilities, with reference to locations, availability, and compatibility;

Finding: Utilities are currently available to the property and its use as a short-term rental is not expected 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 Chapter 174, Signs, and all regulations therein.**

- (g.) Required yards and other open space; and

Finding: **Based on the applicant's submittal, the house appears to be meeting relevant setbacks.**

- (h.) General compatibility with adjacent properties and other property in the district.

Finding: **On the balance of considerations, staff finds the proposed use to be compatible with surrounding properties. The property is surrounded by single-family residential dwellings to the north, south, and west, with Woodland Junior High School to the east. There appears to be adequate parking to accommodate the number of permitted guests and staff does not anticipate any adverse traffic 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 goals and intent of the City's adopted land use, transportation, and other strategic plans since it does not clearly support any of the stated goals 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 city-wide density cap of 475 units and restrictions on the number guests and vehicles.**

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
 - Building Elevations
 - Site Plan
 - Building Floor Plans
- Exhibit: School Proximity
- One Mile Map
- Close-Up Map
- Current Land Use Map
- STRs within ¼ Mile Map

118.01 Applicability

- (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 consecutive (30) 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 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 all applicable codes under Unified Development Code §163.18 and §164.26 successfully obtain a business license prior to operation.

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.

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.

Please accept this letter as an official request of for a conditional use permit, not a rezone of the home located at 1825 N Woodland Avenue to Type 2 Short Term Rental.

- (a) Building size : 1434 sqft existing, no proposed expansion
- (b) Color elevations attached
- (c) one car garage and driveway that would accommodate 3-4 cars
- (d) NA
- (e) outdoor lighting : single porch light
- (f) NA
- (g) chain link fence separates adjacent properties
- (h) Trash containers stored in garage until pick up day
- (i) Ingress and egress to property: Concrete driveway
- (j) property will remain a single family home making it compatible with surrounding properties
- (k) 3 bed rooms and 2 baths

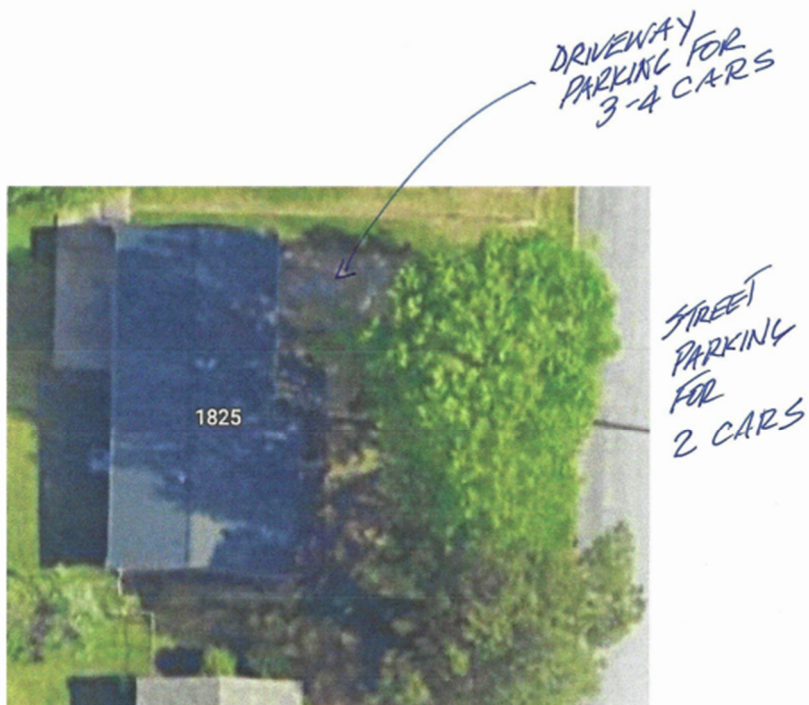
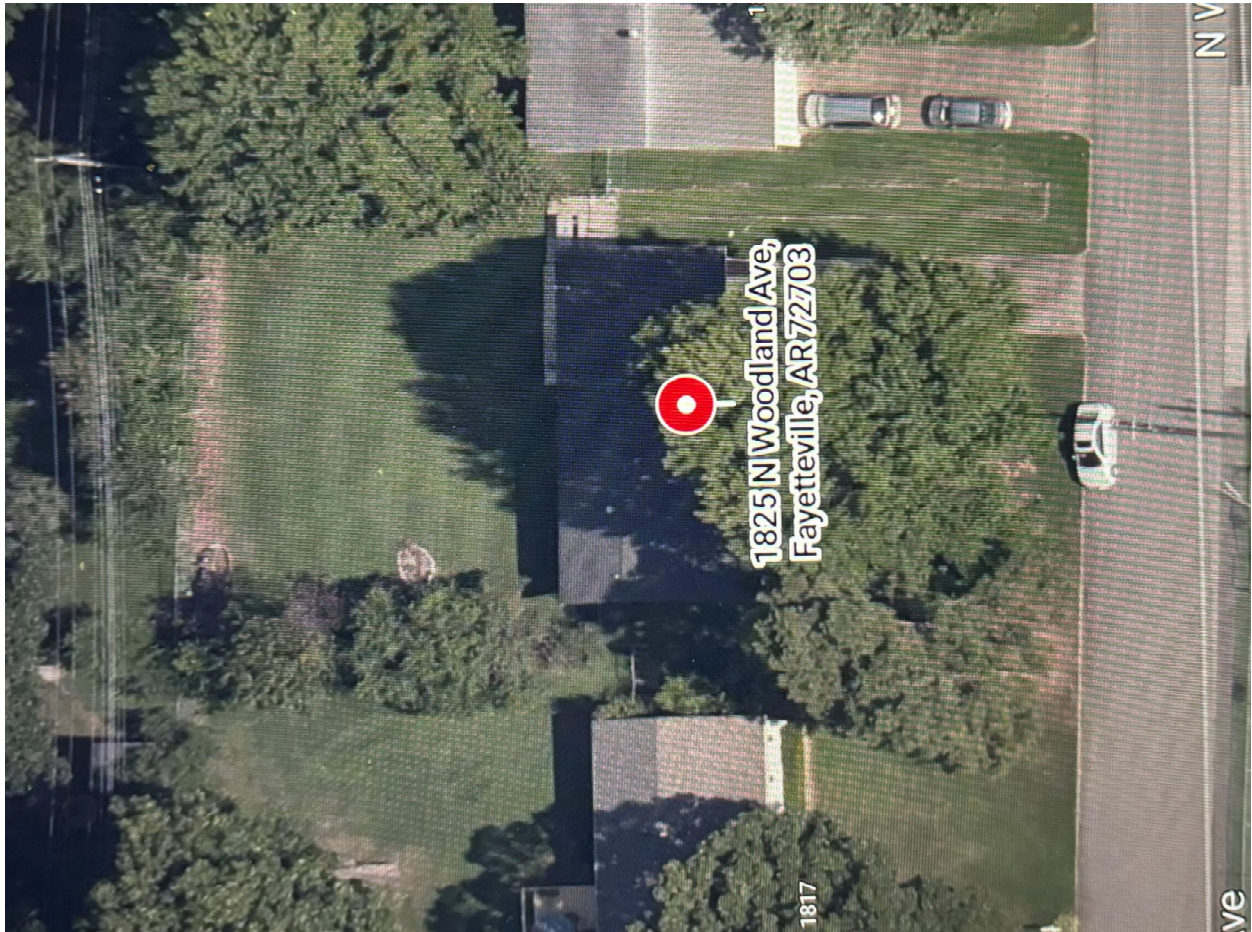
Eugene Thomas Ellison Jr

Kaye C. Ellison

BUILDING ELEVATIONS

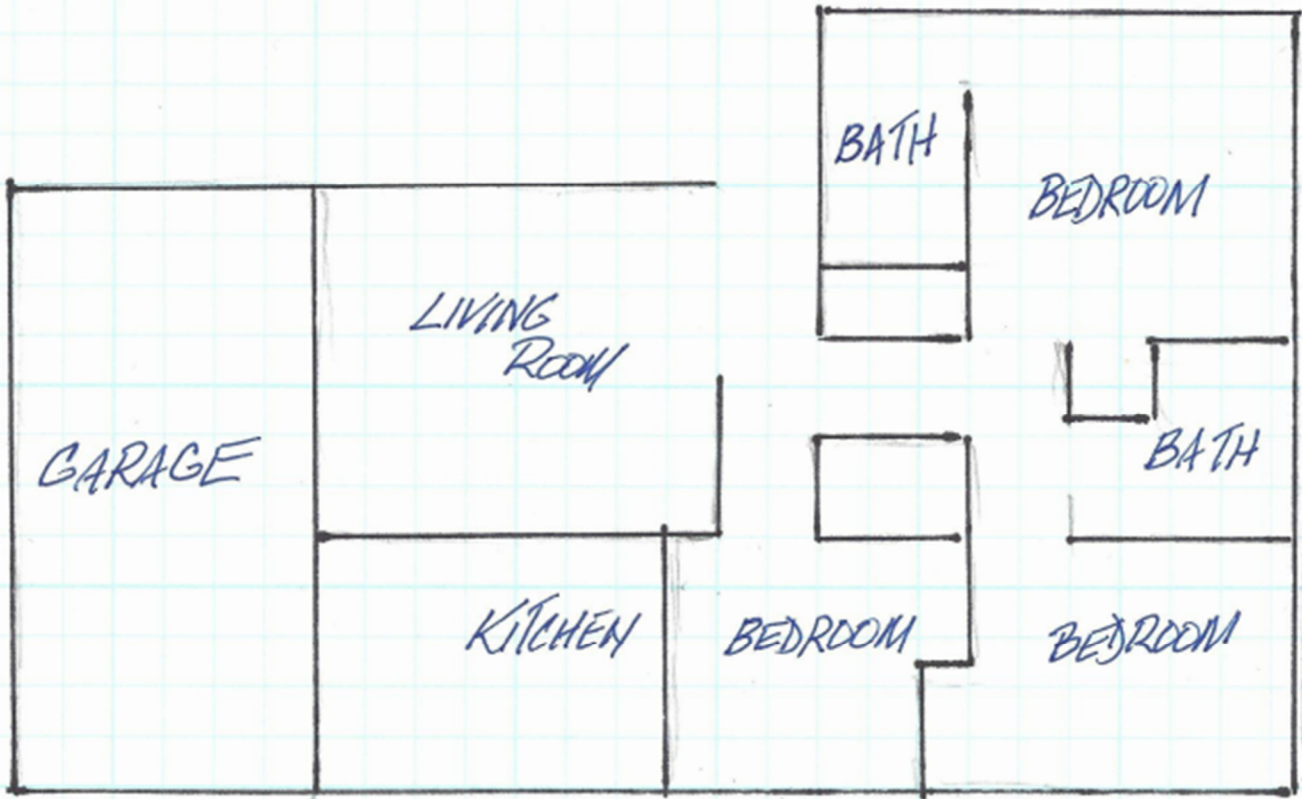


SITE PLAN



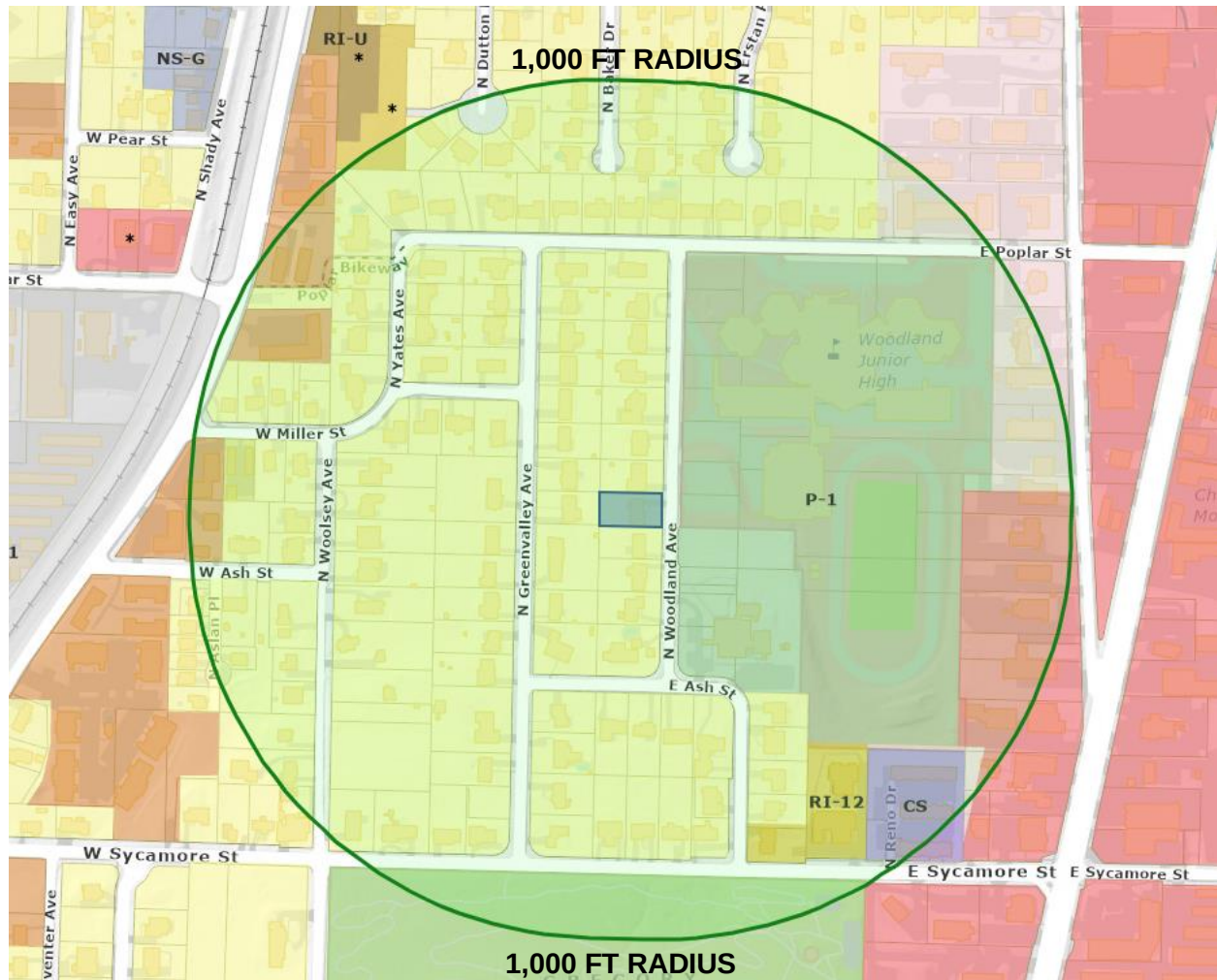
GARAGE WILL HOLD ONE CAR
TRASH CANS WILL BE STORED INSIDE GARAGE

FLOOR PLANS



FLOOR PLAN 1825 N WOODLAND AVE
(NOT TO SCALE)

**STAFF EXHIBIT:
SCHOOL PROXIMITY**

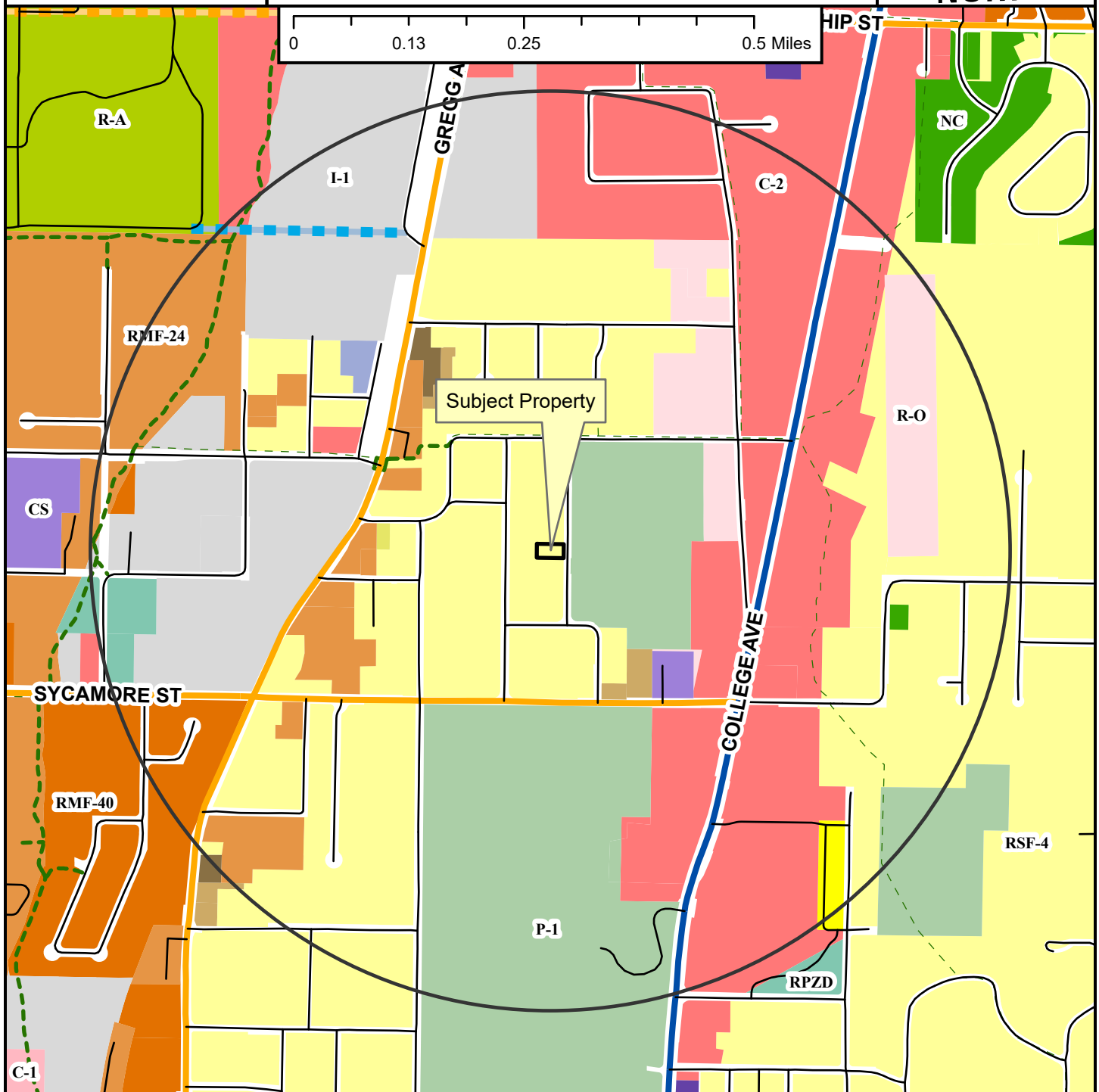


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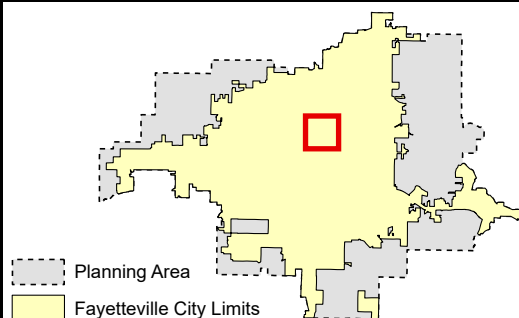
One Mile View

1825 N. WOODLAND AVE

NORTH



-  Neighborhood Link
-  Regional Link - High Activity
-  Unclassified
-  Alley
-  Residential Link
-  Planned Neighborhood Link
-  Planned Residential Link
-  Shared-Use Paved Trail
-  Trail (Proposed)
-  Fayetteville City Limits Planning Area

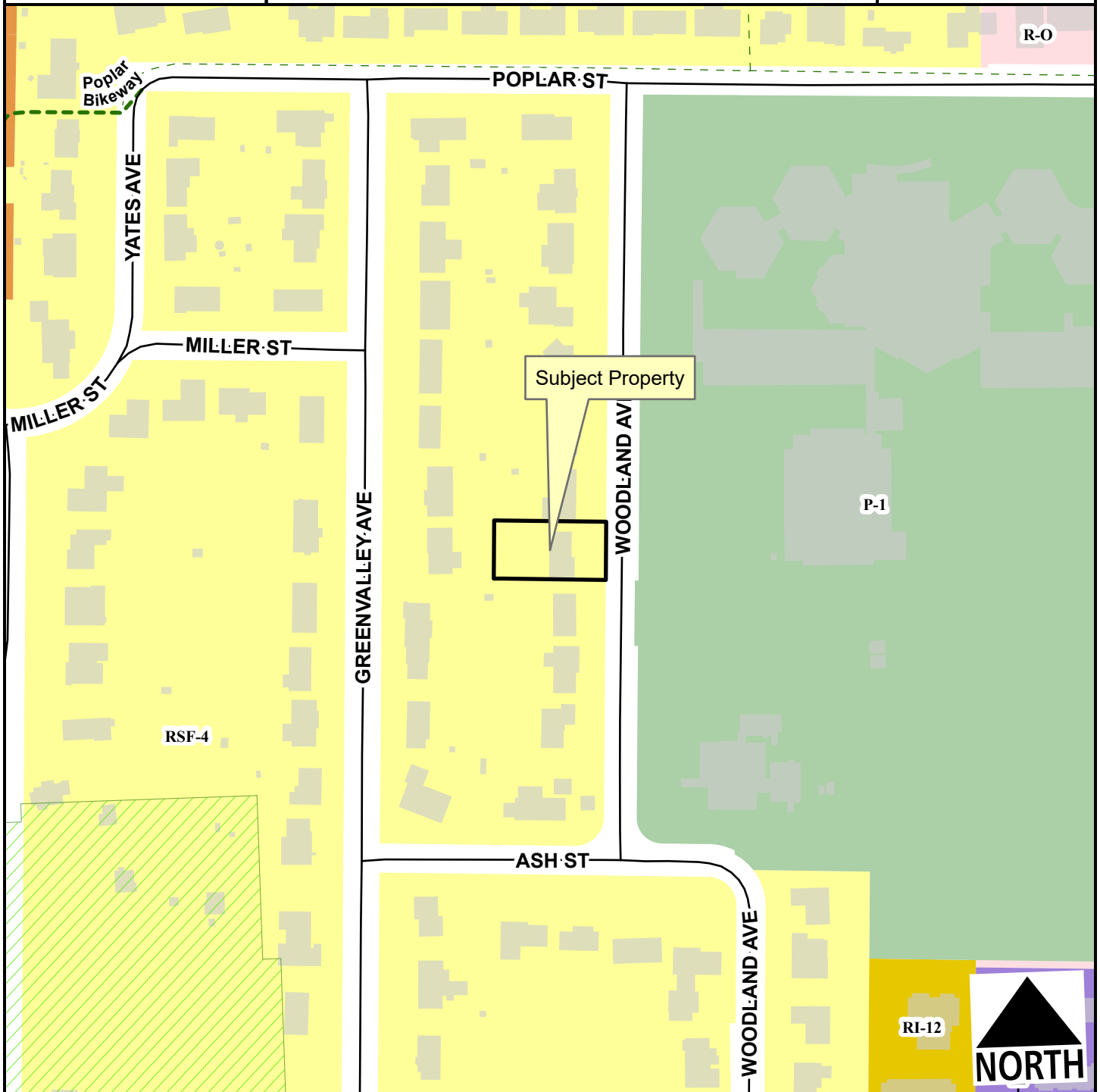


-
- Zoning**
- I-2 General Industrial
 - E-1
 - COMMERCIAL**
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
 - RI-U
 - RI-12
 - NS-L
 - Residential-Agricultural
 - RSF-5
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
- 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-2024-0042

1825 N. WOODLAND AVE

Close Up View



- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail
- Trail (Proposed)



- RSF-4
- RI-12
- RMF-24
- Residential-Office
- Community Services
- P-1

CUP-2024-0042

1825 N. WOODLAND AVE

Current Land Use



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



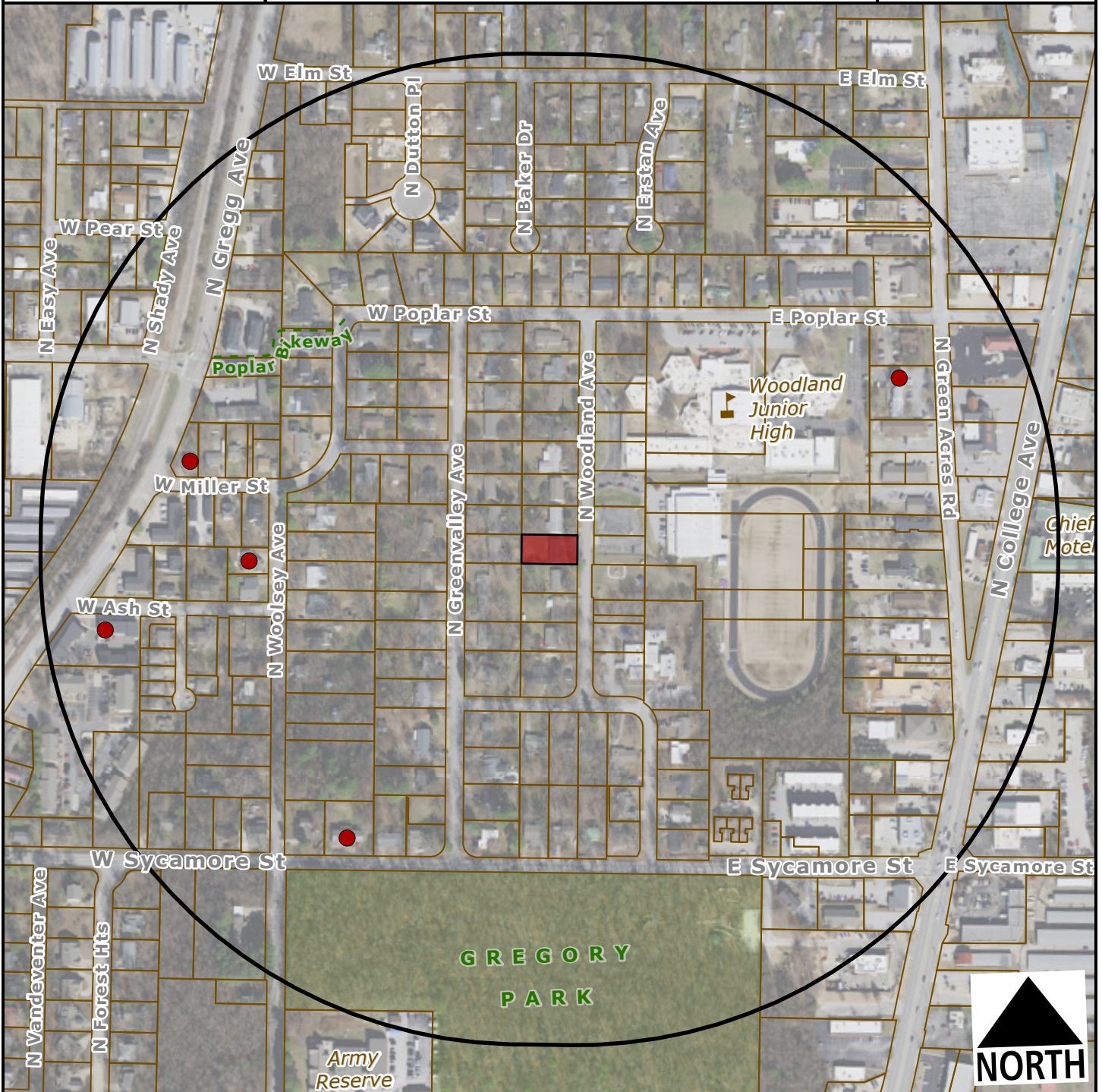
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CUP-2024-0042

1825 N. WOODLAND AVE

STRs Within 1/4 Mile



-  Subject Property
-  Short Term Rental, Type 2



Within 1/4 Mile

Type 2 STRs: 5

Occupiable
Residential
Addresses
(Estimated
Housing Units): 280



TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Donna Wonsower, Planner

MEETING DATE: October 28, 2024

SUBJECT: **CUP-2024-0043: Conditional Use Permit (2157 N. VANDERGRIFF DR/SMITH COMMUNICATIONS LLC, 372):** Submitted by LISA R. TAYLOR for property located at 2157 N. VANDERGRIFF DR. The property is zoned P-1, INSTITUTIONAL and contains approximately 0.09 acres. The request is for a wireless communications facility.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0043** with conditions, based on the findings contained in this report.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0043** with conditions, determining:*

- In favor of compatibility of the proposed wireless communications facility;*
- In favor of the applicant's request to vary from §163.13(B)(8) Sight Line Representation;*
- In favor of the applicant's request to vary from §163.13(B)(10) Security Fencing and Anti-Climbing Device; and*
- In favor of all other conditions as recommended by staff.*

BACKGROUND:

The subject property is located in east Fayetteville on the McNair Middle School campus. The subject area involves a 3,800—square-foot lease area, or approximately 0.09 acres along the property's western boundary. The property is not located within any overlay districts or master planning areas. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	McNair Middle School	P-1, Institutional
South	McNair Middle School	P-1, Institutional
East	McNair Middle School	P-1, Institutional
West	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre

FUTURE LAND USE DESIGNATION: Civic Institutional

Request: The applicant requests conditional use permit approval to erect a 150-foot mono-pine tower with an area at the base for equipment shelters and wireless equipment. The lease area is 3,800 square feet.

Public Comment: Staff has received one public comment opposed to the request signed by eight adjacent residents. The comment cites long-term health concerns associated with close proximity to wireless communication facilities.

DISCUSSION:

Following ordinance requirements, notification was provided to all property owners within a 500-foot radius of the center of the proposed tower. The type and height of the tower is in accordance with §163.13(B). The tower is not located within 150 feet of a residential structure and does not, as a result, require associated property owner approval. The applicant provided all documentation required by §163.13 to process a conditional use request, with the exception of a variance request to sight line representations (see attached).

The applicant has stated in their submittal that the tower is required to address a large area of weak signal strength (a “hole”) in AT&T and Verizon’s network coverage areas.

RECOMMENDATION: Staff recommends approval of **CUP-2024-0043**, subject to the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility of the proposed wireless communications facility.** *Staff recommends in favor of the applicant’s proposal to install a 150-foot mono-pine tower at 2157 N. Vandergriff Dr.*
2. **Planning Commission determination of a variance to 163.13(B)(18), which requires that a sight line representation shall be drawn from four points 90° apart and 100 feet from the proposed tower.** *Staff recommends approval of the applicant’s request to vary from this standard, due to reasons outlined in report.*
3. **Planning Commission determination of a variance to 163.13(B)(10), which requires that towers and equipment shall be enclosed by wood board fencing not less than 6 feet in height.** *Staff recommends approval of the applicant’s request to vary from this standard, due to reasons outlined in report.*
4. The applicant shall submit a copy of the proposed cellular tower to the Fayetteville Municipal Airport (Drake Field) administration for review and approval with Fayetteville Airport Zoning law. Written verification from airport administration is required prior to issuance of a building permit. Should the proposal not comply with the Airport Zoning, the Conditional Use Permit shall be null and void;
5. The tower and associated equipment shall be located within the general area as shown on the attached site plans. Construction of the tower shall comply with Chapter 167, Tree Preservation and Protection;
6. The structure and surrounding site should be designed to resist the forces of water. Any structure built along with the tower would be required to be elevated or flood-proofed (non-residential structures only) per Chapter 168. Any utilities below the base flood elevation would be required to be constructed per Chapter 168. Any construction within the Floodway in the area would require other requirements as enforced by the Floodplain Administrator;
7. The applicant shall comply with all applicable federal regulations;

8. Equipment used in conjunction with the tower shall not generate noise which can be heard beyond the site per Chapter 163.14 (A)(1);
9. Lighting on the tower shall only be installed if mandated by the FAA. Security lighting or motion-activated lighting may be used around the base of the tower provided that the lighting is compliant with Chapter 176 Outdoor Lighting of the Unified Development Code. No lighting shall be installed at a height greater than 6 feet above surrounding grade;
10. Unless otherwise permitted by Chapter 163.14, the tower shall be no taller than 150' (including all antennas, arrays, or other appurtenances), or no taller than permitted with an approved height variance from the Board of Adjustment, whichever is greater;
11. The utility equipment at the base of the tower shall be surrounded by a 6-foot-tall wooden security fence as required by 163.13(B)(10);
12. Any connection to existing utilities to provide power to this site shall be located underground. If additional electric lines are required to be extended to provide service to this development, they shall be extended and shall be placed underground at the cost of the applicant;
13. The minimum distance from the base of the tower to any residential dwelling unit shall be the tower height or required setback, whichever is greater, unless all persons owning said residence or the land on which said residences are located consent in writing to the construction of the tower, pursuant to UDC Section 163.13(B)(3);
14. Only warning, site identification and FCC signs shall be permitted as provided by Chapter 163.13 (A)(3) and in no case shall any sign exceed 4 square feet. Signs shall be limited to the fence structure;
15. Pursuant to the attached co-location agreement letter, co-location shall be permitted for additional carriers, allowing other wireless providers to locate on the facility;
16. When technology becomes available and economically viable to allow the height of cell tower to be reduced by 50 percent or more or to allow the site to be eliminated altogether, such facilities shall be upgraded or eliminated within 24 months of a request by the City;
17. At such time that the licensed carrier(s) abandons or discontinues operation of a wireless facility, the carrier(s) shall physically remove the wireless facility and all associated equipment within 90 days from the date of abandonment or discontinuation, pursuant to Chapter 163.13(G);
18. Upon assignment or transfer of a conditional use permit, or any of the rights thereunder to a new wireless telecommunications operator, the owner or operator shall provide written notice within 30 days to the Planning Department, pursuant to Chapter 163.13(H); and
19. The tower and supporting equipment shelter shall be located outside of the required building setbacks for the C-2, Thoroughfare Commercial, zoning district.

PLANNING COMMISSION ACTION: Required <u>YES</u> Date: <u>October 28, 2024</u> ☐ Tabled ☐ Approved ☐ Denied Motion: Second: Vote:
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FINDINGS OF THE STAFF

Section 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 36: Wireless Communications Facilities on property zoned P-1, Institutional.**

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 §161.32 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 should not adversely affect public interest. The tower and surrounding base equipment will be located approximately 70 feet from the nearest public street and approximately 200 feet from the nearest residential use. The equipment shelter associated with the tower will be screened from public view by a fence and vegetative screen. Extensive tree canopy is located to the north and west, reducing visual impact to the adjacent residential properties.

Pursuant to §163.13, where an applicant demonstrates that it is not feasible to co-locate on an existing structure, a new tower should be camouflaged to the greatest extent possible. With no tower or structure of sufficient height located within one mile of the location, the proposed structure is necessary for adequate provision of service. The applicant has submitted a variance request letter for the wood privacy fence requirement, which is discussed in a later section in this report.

(c.) The Planning Commission shall certify:

(1.) Compliance with the specific rules governing individual conditional uses; and

Finding: The applicant has complied with specific rules governing this individual conditional use request, which are listed below under 163.13 Wireless Communications Facilities.

163.13 WIRELESS COMMUNICATIONS FACILITIES

(A) The following general requirements shall apply to all new wireless communications facilities.

(1) Noise Requirements. Equipment used in connection with a tower or antenna array shall not generate noise that can be heard beyond the site. This prohibition does not apply to air condition units no noisier than ordinary residential units or generator used in emergency situations where regular power supply for a facility is temporarily interrupted; provided that any permanently installed generator shall be equipped with a functional residential muffler.

Finding: Equipment used in connection with the tower shall not generate noise which can be heard beyond the site per Chapter 163.13. The applicant has noted that noise generation will be compliant with ordinance.

(2) Compliance with Federal Regulations. Applicant shall comply with all applicable federal regulations. Proof of compliance shall be provided upon request of the City Planner.

Finding: The applicant shall comply with all applicable federal regulations. Proof of compliance shall be provided prior to issuance of a building permit.

(3) Lighting and Signage.

(a) Wireless communications facilities shall be lighted only if required by the Federal Aviation Administration (FAA). Security lighting or motion-activated lighting may be used around the base of a tower and within the wireless communications facility, provided that the lighting is shielded in such a way that no light is directed towards adjacent properties or right-of-way.

(b) Signs shall be limited to those needed to identify the property and tower and warn of any danger. No signs, symbols, identifying emblems, flags, or banners shall be allowed on towers.

Finding: Lighting on the tower shall only be installed if mandated by the FAA. Security lighting or motion-activated lighting may be used around the base of the tower, provided that the lighting is shielded in such a way that no light is directed towards adjacent properties or rights-of-way. All outdoor lighting shall meet lighting ordinance requirements and shall not be located higher than 6' above surrounding grade.

(B) New Towers. New wireless communications towers shall meet the following requirements:

(1) Type of Towers Allowed. New towers shall be limited to monopole type structures or alternative tower structures.

Finding: The applicant is proposing a mono-pine structure with false branches intended to mimic the shape and appearance of a pine tree. These branches shall act as screening for externally mounted antennae. Given the presence of large, shade canopy trees to the north and west, staff finds this proposed screening technique will likely meet the intent of the screening requirements.

(2) Tower or antenna height limitations. Towers or alternative tower structures are permitted to a maximum height of 150 feet.

Finding: The maximum tower height (including antenna, lighting rod, and all other appurtenances) permitted by the Unified Development Code is 150 feet. The applicant is currently proposing a 150-foot-tall tower which appears to meet ordinance.

(3) Fall Zone. The minimum distance from the base of any tower to any residential dwelling unit shall be the tower height or required setback, whichever is greater, unless all persons owning said residences or the land on which said residences are located consent in a sign writing to the construction of said tower. This setback is considered a "fall zone." In the

event that an existing structure is proposed as a mount for a wireless communication facility, a fall zone shall not be required.

Finding: There are no residential dwelling units located within 150' of the base of the tower, within the 'fall zone'.

- (4) Camouflaging or Stealth Technology for New Towers. If the applicant demonstrates that it is not feasible to locate on an existing structure, towers shall be designated to be camouflaged to the greatest extent possible, including but not limited to: use of a compatible building materials and colors, screening, landscaping and placement within trees.

Finding: The applicant has indicated in the application documents that there are no suitable locations for co-location within one mile. The applicant's proposal is for a mono-pine-style tower with externally mounted antennae and false branches. Staff finds that while the proposed mono-pine tower is significantly taller than many of the adjacent trees, the presence of large canopy areas to the north and west will largely serve to screen it from the adjacent residential properties. Further, by placing the mono-pine tower adjacent to large trees, the tower will be less visually apparent.

- (5) Color of Towers. To the extent that any antenna extends above the height of the vegetation immediately surrounding it, they shall be a neutral color, painted or unpainted, unless the FAA requires otherwise.

Finding: Staff recommends that if the mono-pine as submitted is approved, that it is painted in a neutral color to blend in above the existing tree canopy.

- (6) Information Required to Process New Tower Requests.
(a) Provide a map of the geographic area that your project will serve.
(b) Provide a map that shows other existing or planned facilities that will be used by the wireless communication service provider who is making the application.

Finding: Item (a) and item (b) are attached to this packet as items submitted by the applicant for consideration.

- (c) Provide a map that shows other potential stand-alone locations for your facility that have been explored.

Finding: Chapter 163.13 (F) of the Unified Development Code states that the City of Fayetteville should actively market its own property and existing structures as suitable co-location sites. The proposed property is owned by the Fayetteville School District. The applicant has examined other locations for a tower as indicated in the application materials, including two parcels located along Crossover (PID 765-13321-001 and PID 765-13345-000), both of which had issues with streamside protection requirements and setbacks.

- (d) Provide a scaled site plan containing information showing the property boundaries, proposed tower, existing land use, surrounding land uses and zoning, access road(s) location and surface material, existing and proposed structures and topography. The plan shall indicate proposed

landscaping, fencing, parking areas, location of any signage and specification on proposed lighting of the facility

Finding **Item (d) is reflected within the report as items submitted by the applicant for consideration. While proposed topographic information is missing from the plan set, the site is largely flat. Additionally, the applicant intends to coordinate with urban forestry regarding tree preservation and additional required landscaping prior to beginning work.**

(e) Describe why the proposed location is superior, from a community perspective, to other potential locations. Factors to consider in the community perspective should include: visual aspects, setbacks and proximity to single family residences.

Finding: **Co-locating new carriers on existing cellular towers or existing structures is the first and best option available from a community perspective. However, there are no structures within one mile that are available for co-location or adequate for coverage. Further, allowing a tower in this location will fill an existing gap in AT&T and Verizon's service area, and the presence of large, mature canopy will help to limit its visual impact.**

(f) Describe your efforts to co-locate your facility on one of the poles or towers that currently exists, or is under construction. The applicant should demonstrate a good faith effort to co-locate with other carriers. The Planning Commission may deny a permit to an applicant that has not demonstrated a good faith effort to provide for co-location. Such good faith effort includes:

- (1) A survey of all existing structures that may be feasible sites for co-locating wireless communications facilities;
- (2) Contact with all the other wireless communications licensed carriers operating in the City and Washington County; and
- (3) Sharing information necessary to determine if co-location is feasible under the design configuration most accommodating to co-location.
- (4) Letter from tower owner stating why co-location is not feasible.

Finding: **There are currently no other available structures for co-location in the immediate vicinity, as indicated by the applicant.**

(g) Describe how you will accommodate other antenna arrays that could co-locate on your facility. Describe how this accommodation will impact both your pole or tower, and your ground mounted facilities. Provide documentation of your provider's willingness to accommodate other providers who may be able to co-locate on your facility.

Finding: **This facility as proposed would allow co-location for additional carriers beyond solving the primary issue for AT&T and Verizon, and would prevent additional towers from being built, according to the applicant.**

(7) Required (after condition) and Balloon Test or Crane Test Photographs. The proposed tower shall be photographed from four locations taken 90 degrees apart

and 300' from the center of the tower. The proposed tower shall be superimposed on the photographs. A balloon or crane test shall be performed to illustrate the height of the tower and photographed from the same four locations. The time period, not to exceed one week, within which the test will be performed, shall be advertised in a newspaper of general circulation in the City at least 14 days, but not more than 21 days prior to the test. The four locations shall be approved by the City Planner.

Finding: The applicant has provided this information, and it is attached to the packet.

(8) Sight Line Representation. A sight line representation shall be drawn from four points 90 degrees apart and 100 feet from the proposed tower. Each sight line shall be depicted in profile, drawn at one-inch equals 40 feet. The profiles shall show all intervening trees and buildings.

Finding: The applicant has requested a variance to the requirement to provide sight line representations. Staff recommends in support of this variance request, finding that the photo simulations provide sufficient detail regarding the appearance and visibility of the proposed tower. Existing features within 100 feet of the tower location are minimal and consist primarily of a mature tree canopy or open field.

(9) Structural Integrity and Inspection of Towers

- (a) The applicant shall provide a certification letter that states the tower meets or exceeds design criteria and all local, state, and federal requirements regarding the construction, maintenance, and operation of the tower.
- (b) If a tower fails to comply with the requirements and criteria above and constitutes a danger to person or property, then upon written notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance within thirty (30) days, the City may terminate that owner's conditional use permit and/or cause the removal of such tower (at the owner's expense).
- (c) By making an application hereunder, the applicant agrees to regularly maintain and keep in a reasonably safe and workmanlike manner all towers, antenna arrays, fences and outbuildings owned by the applicant which are located in the city. The applicant further agrees to conduct inspections of all such facilities not less frequently than every 12 months. The applicant agrees that said inspections shall be conducted by one or more designated persons holding a combination of education and experience so that they are reasonably capable of identifying functional problems with the facilities.

Finding: The applicant has provided this information, and it will be further evaluated with the submittal of building permits.

(10) Security Fencing and Anti-climbing Device. Through the use of security fencing, towers and equipment shall be enclosed by wood board fencing not less than six (6) feet in height. The tower shall also be equipped with an appropriate anti-climbing device. The facility shall place signs indicating "No Trespassing", "High Voltage" or other pertinent information on the outside of the fence, unless it is decided that the goals of this ordinance would be better served by waiving this

provision in a particular instance. Barbed wire fencing or razor wire shall be prohibited.

Finding: The applicant shall install a “No Trespassing” sign and a signage indicating ownership of the facility. The applicant is requesting a variance for permission to install a 6-foot-tall black chain link fence with black slats in order to better match the adjacent wrought iron fence. Staff is in favor of the requested variance, finding that the proposal will still meet the intent to screen the ground level equipment while also minimizing visual impact. Per §163.13(B)(9)(c), “by making application hereunder, the applicant agrees to regularly maintain and keep in a reasonably safe and workmanlike manner all towers, antenna arrays, fences and outbuildings owned by applicant which are located in the city.” Therefore, staff does not find that any further conditions regarding maintenance of the fence are required.

(11) Vegetative Screening Requirements. Wireless communications facilities shall be surrounded by buffers of dense tree growth and understory vegetation in all directions to create an effective year-round visual buffer. Trees and vegetation may be existing on the subject property or installed as part of the proposed facility or combination of both.

Finding: The west and north side of the proposed site are vegetated and likely to remain so due to steep topography that begins as the property moves west. That said, additional screening and landscaping may be required to provide adequate screen between the facility and school facilities to the south and east. Staff will determine if additional screening is needed after the facility has been constructed. The species and location shall be approved by the Urban Forester.

(12) Setback from Property Lines. Wireless communications facilities shall meet current setbacks as required by zoning.

Finding: The proposed facility and accessory structures shall comply with P-1 setback requirements.

§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 access easement is proposed from the private school driveway to the lease area in order to access the tower facility. Traffic and pedestrian access will not be adversely impacted given the minimal amount of traffic to the tower site.

(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 parking or loading areas are required for this use.

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading,

Finding: No refuse generation is anticipated with this use.

(d.) Utilities, with reference to locations, availability, and compatibility;

Finding: Utilities to the site shall be located underground and on-site utilities shall be screened from public view except for the proposed cellular tower. Any electric lines that must be extended or provided to the site shall be done so at the cost of the applicant, and all lines shall be located underground at the cost of the applicant.

(e.) Screening and buffering with reference to type, dimensions, and character;

Finding: Screening is required in the form of a 6-foot, wood privacy fence on all sides of the facility with extensive vegetative screening. The applicant has requested a variance to utilize a black chain link fence with privacy slats as discussed earlier in the report. Staff will evaluate the proposed screening after the site has been developed. Any additional screening shall be permitted by the Urban Forester and shall fully screen the facility from adjacent property boundaries.

(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: Only warning, site identification, and FCC signs are permitted on the subject facility. All required signs shall be located on the fence structure.

(g.) Required yards and other open space; and

Finding: The location for the proposed ground equipment is outside of the required setbacks for the P-1 zoning district.

(h.) General compatibility with adjacent properties and other property in the district.

Finding: Complete compatibility with adjacent uses is difficult to achieve when erecting any type of tall tower structure. Staff finds that on the balance of

considerations, a wireless facility is acceptable and compatible at this location.

- (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 proposal is compatible with the goals and intent of the city's adopted land-use, transportation, and other strategic plans.

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code
 - §163.13, Wireless Communications Facilities
- Request letter and supplemental documents
 - Site Plan and Elevations
 - Site Line/Crane Test Images
 - Geographic representations of other towers and service
 - Feasibility of co-location documentation
- Variance request letters
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map

163.13 - Wireless Communications Facilities

(A) The following general requirements shall apply to all new wireless communications facilities.

- (1) *Noise Requirements.* Equipment used in connection with a tower or antenna array shall not generate noise that can be heard beyond the site. This prohibition does not apply to air conditioning units no noisier than ordinary residential units or generator used in emergency situations where regular power supply for a facility is temporarily interrupted; provided that any permanently installed generator shall be equipped with a functional residential muffler.
- (2) *Compliance with Federal Regulations.* Applicant shall comply with all applicable federal regulations. Proof of compliance shall be provided upon request of the Zoning and Development Administrator.
- (3) *Lighting and Signage.*
 - (a) Wireless communications facilities shall be lighted only if required by the Federal Aviation Administration (FAA). Security lighting or motion-activated lighting may be used around the base of a tower and within the wireless communication facility, provided that the lighting is shielded in such a way that no light is directed towards adjacent properties or rights-of-way.
 - (b) Signs shall be limited to those needed to identify the property and the owner and warn of any danger. No signs, symbols, identifying emblems, flags, or banners shall be allowed on towers.

(B) *New Towers.* New wireless communications towers shall meet the following requirements:

- (1) *Type of Towers Allowed.* New towers shall be limited to monopole type structures or alternative tower structures.
- (2) *Tower or Antenna Height Limitations.* Towers or alternative tower structures are permitted to a maximum height of 150 feet.
- (3) *Fall Zone.* The minimum distance from the base of any tower to any residential dwelling unit shall be the lower height or required setback, whichever is greater, unless all persons owning said residence or the land on which said residences are located consent in a sign writing to the construction of said tower. This setback is considered a "fall zone." In the event that an existing structure is proposed as a mount for a wireless communication facility, a fall zone shall not be required.
- (4) *Camouflaging or Stealth Technology for New Towers.* If the applicant demonstrates that it is not feasible to locate on an existing structure, towers shall be designed to be camouflaged to the greatest extent possible including, but not limited to, use of compatible building materials and colors, screening, landscaping, and placement within trees.
- (5) *Color of Towers.* To the extent that any antenna extending above the height of the vegetation immediately surrounding it, they shall be a neutral color, painted or unpainted, unless the FAA requires otherwise.
- (6) *Information Required to Process New Tower Requests.*
 - (a) Provide a map of the geographic area that your project will serve;
 - (b) Provide a map that shows other existing or planned facilities that will be used by the wireless communication service provider who is making the application;
 - (c) Provide a map that shows other potential stand alone locations for your facility that have been explored;
 - (d) Provide a scaled site plan containing information showing the property boundaries, proposed tower, existing land use, surrounding land uses and zoning, access road(s) location and surface material, existing and proposed structures and topography. The plan shall indicate proposed landscaping, fencing, parking areas, location of any signage and specifications on proposed lighting of the facility;
 - (e) Describe why the proposed location is superior, from a community perspective, to other potential locations. Factors to consider in the community perspective should include: visual aspects, setbacks, and proximity of single-family residences;
 - (f) Describe your efforts to co-locate your facility on one of the poles or towers that currently exists, or is under construction. The applicant should demonstrate a good faith effort to co-locate with other carriers. The Planning Commission may deny a permit to an applicant that has not demonstrated a good faith effort to provide for co-location. Such good faith effort includes:

- (i) A survey of all existing structures that may be feasible sites for co-locating wireless communications facilities;
 - (ii) Contact with all other wireless communications facilities;
 - (iii) Sharing information necessary to determine if co-location is feasible under the design configuration most accommodating to co-location; and
 - (iv) Letter from tower owner stating why co-location is not feasible.
- (g) Describe how you will accommodate other antenna arrays that could co-locate on your facility. Describe how this accommodation will impact both your pole or tower, and your ground mounted facilities. Provide documentation of your provider's willingness to accommodate other providers who may be able to co-locate on your facility.
- (7) *Required (After Condition) Balloon Test and Crane Test Photographs.* The proposed tower shall be photographed from four (4) locations taken 90° apart and 300 feet from the center of the tower. The proposed tower shall be superimposed on the photographs. A balloon or crane test shall be performed to illustrate the height of the tower and photographed from the same four (4) locations. The time period, not to exceed one (1) week, within which the test will be performed, shall be advertised in a newspaper of general circulation in the city at least fourteen (14) days, but not more than twenty-one (21) days prior to the test. The four (4) locations shall be approved by the Zoning and Development Administrator.
- (8) *Sight Line Representation.* A sight line representation shall be drawn from four points 90° apart and 100 feet from the proposed tower. Each sight line shall be depicted in profile, drawn at one-inch equals 40 feet. The profiles shall show all intervening trees and buildings.
- (9) *Structural Integrity and Inspections of Towers.*
- (a) The applicant shall provide a certification letter that states the tower meets or exceeds design criteria and all local, state, and federal requirements regarding the construction, maintenance, and operation of the tower.
 - (b) If a tower fails to comply with the requirements and criteria above and constitutes a danger to persons or property, then upon written notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such requirements and criteria. If the owner fails to bring such tower into compliance within thirty (30) days, the city may terminate the owner's conditional use permit and/or cause the removal of such tower (at the owner's expense).
 - (c) By making application hereunder, the applicant agrees to regularly maintain and keep in a reasonably safe and workmanlike manner all towers, antenna arrays, fences and outbuildings owned by applicant which are located in the city. The applicant further agrees to conduct inspections of all such facilities not less frequently than every twelve (12) months. The applicant agrees that said inspections shall be conducted by one (1) or more designated persons holding a combination of education and experience so that they are reasonably capable of identifying functional problems with the facilities.
- (10) *Security Fencing and Anti-Climbing Device.* Through the use of security fencing, towers and equipment shall be enclosed by wood board fencing not less than 6 feet in height. The tower shall also be equipped with an appropriate anti-climbing device. The facility shall place signs indicating "No Trespassing," "High Voltage," or other pertinent information on the outside of the fence, unless it is decided that the goals of this ordinance would be better served by waiving this provisions in a particular instance. Barbed wire fencing or razor wire shall be prohibited.
- (11) *Vegetative Screening Requirements.* Wireless communications facilities shall be surrounded by buffers of dense tree growth and understory vegetation in all directions to create an effective year-round visual buffer. Trees and vegetation may be existing on the subject property or installed as part of the proposed facility or a combination of both.
- (12) *Setbacks from Property Lines.* Wireless communication facilities shall meet current setbacks as required by zoning.

...

- (F) *Municipal Profits from Towers.* The City of Fayetteville should actively market its own property and existing structures as suitable co-location sites. As noted above, the review process is shortened and simplified when co-location on city property is submitted by applicant. An annual lease amount should be charged according to the fair market value of the location. In cases where the company no longer needs the tower, the city may require it to be removed. Applicants can provide co-location space for city-owned antenna.

- (G) *Abandoned Antennas and Towers.* At such time that a licensed carrier abandons or discontinues operation of a wireless communication facility, such carrier will notify the city of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than thirty (30) days prior to abandonment or discontinuation of operations. In the event that licensed carrier fails to give such notice, the wireless communications facility shall be considered abandoned upon such discontinuation of operations. Upon abandonment or discontinuation of use, the carrier shall physically remove the wireless communications facility within ninety (90) days from the date of abandonment or discontinuation of use. "Physically remove" shall include, but not be limited to:
- (1) Removal of antenna, equipment shelters and security barriers from the subject property;
 - (2) Proper disposal of the waste materials from the site in accordance with local and state solid waste disposal regulations;
 - (3) Restoring the location of the wireless communications facility to its natural condition, except that any landscaping and grading shall remain in the after-condition.
- (H) *Notification of Change of Ownership/Operator.* Upon assignment or transfer of a conditional use permit, or any of the rights thereunder to a new wireless telecommunications operator, the owner or operator shall provide written notice within thirty (30) days to the Zoning and Development Administrator.



Smith Communications, LLC.
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October 7, 2024

City of Fayetteville
Planning Commission & Staff

RE: Smith Communications Proposal to Build New Tower at 2157 N Vandergriff Dr

Smith Communications is requesting a Conditional Use approval to permit a wireless communication facility (tower) on an institutional (P1) zoned parcel of Fayetteville. The facility is proposed to be located on the north side of the fenced grounds of McNair Middle School at 2157 N Vandergriff Drive. This Communication Facility is designed to provide AT&T, Verizon and other future users an antenna support structure for their Personal Communications Services (“PCS”) This proposed site will address a large area of weak signal strength or a “hole” in both AT&T’s and Verizon’s network coverage. This Communication Facility will provide collocation opportunity for additional PCS providers and would potentially eliminate the need for other carriers to construct their own antenna towers in the area. In addition to traditional wireless telephone services, other services will include wireless internet connections and wireless data transmission. The communications facility will also provide support for emergency services by providing wireless communications to paramedics, firefighters, and law enforcement agencies including AT&T’s FirstNet dedicated to first responders. These services have become established and accepted as an integral part of the nation’s communications infrastructure as these services promote public health, safety, comfort, and general welfare. AT&T and Verizon determined the location for this specific site based on thorough computerized studies. Like traditional cellular phone systems, PCS operates on a “grid” system, whereby overlapping “cells” mesh to form a seamless wireless network. The technical criteria for establishing cell sites are very exacting as to both the height and location of the Communication Facility. Based on a computerized engineering study which takes into account, among other things, local population density, traffic patterns and topography, the RF (radio frequency) engineers have identified the necessary location for this additional PCS site to serve the residents of Mission Blvd & Crossover area. The wireless coverage objective is to improve coverage in the area of approx. one to two miles in radius.

The proposed facility will include a 40' x 60' fenced compound area with access to the Communication Facility via a new access drive off Vandergriff Drive outside the existing fenced recreation area. The Wireless Communication Facility tower will be 150' tall max height, brown in color and Monopine tree design. The proposed facility will be situated on a 6 acres parcel owned by Fayetteville School District # 1 that is zoned P1 Institutional. (See attached Survey)

Specific to set standards found in Sec. 163.13 of the Fayetteville, Arkansas Code of Ordinances, Smith Communications will adhere to the following criteria:

Per Code 163.13(A)(1) Noise Requirements, the proposed equipment at the site will not generate noise that can be heard beyond the site and any air conditioning units will not be any noisier than ordinary residential units. Any future generators which are used for emergency power situations where regular power supply for a facility is temporarily interrupted are or will be equipped with a functional residential muffler.

Per Code 163.13(A)(2) Compliance, the proposed monopine tower will be in compliance with all applicable federal regulations. Smith Communications has had an Environmental Site Assessment review completed per federal regulations. This assessment has revealed no evidence of recognized environmental conditions (RECs), controlled environmental conditions (CRECs), historical environmental conditions (HRECs) and/or significant data gaps in connection with the Subject Property. The proposed tower also received a "Determination of No Hazard" by the FAA per Aeronautical Study No. 2022-ASW-15887-OE. Additionally, to comply with Federal Communications Commission (FCC) National Environmental Policy Act (NEPA) requirements relevant to the proposed tower, a review of available records for this project was performed and found to not have a significant impact on any of the nine areas of concern identified by 47 CFR 1.1307 (ref. FCC Environmental (NEPA) Checklist).

Per Code 163.13(A)(3) Lighting and Signage, No security lights are required or warranted.

(a) Based on the aeronautical study No 2022-ASW-15887-OE by the FAA, the proposed tower will not exceed obstruction standards and is not a hazard to air navigation. Based on the evaluation, marking and lighting are not necessary for aviation safety.

(b) The proposed signs to be posted on the proposed fence near the gate will be limited to signs identifying the property and the owner, warn of any danger and restriction of access. No signs, symbols, identifying emblems, flags or banners are proposed.

Per Code 163.13(B)(1) Type of Towers Allowed, we are proposing a new monopine tree type tower as an alternative tower structure. The proposed type of tower will allow future equipment changes and collocation without interruption or restriction.

Per Code 163.13(B)(2) Tower or Antenna Height Limitations, the proposed tower is a monopine tree type tower which will have an overall maximum height of 150 feet with installed “branches”.

Per Code 163.13(B)(3) Fall Zone, the existing facility is positioned on the property so that it takes full advantage of distancing itself from street traffic and all buildings on the property. The base of the proposed tower will meet the setback requirement of 150 feet (100% of overall height including antennas and “branches”) from all residential (and school) buildings. The nearest residential building is 202 feet to the southwest of the proposed tower. The nearest point of any school building is 445 feet to the south.

Per Code 163.13(B)(4) Camouflaging or Stealth Technology, the existing site has the benefit of mature trees to the north and west of the proposed location. Additionally, the site will be enclosed by a 6-foot screened fence with a landscape buffer of trees and shrubs to minimize visual impact. The proposed monopine tree type tower will be designed to camouflage antenna equipment installed on the tower.

Per Code 163.13(B)(5) Color of Towers, the proposed new 150-foot monopine tower will be neutral in color, brown with branches. The antennas will be painted to match and fitted with “branched covers” for additional camouflaging.

Per Code 163.13(B)(6) Information Required to Process New Tower Requests, we have included for review attachments to include:

- (a) map of the geographic area that the proposed site will serve;
- (b) a map showing other existing or planned facilities in the area;
- (c) a map of other potential stand alone locations that were explored;
- (d) a scaled site plan with required proposed and existing information.

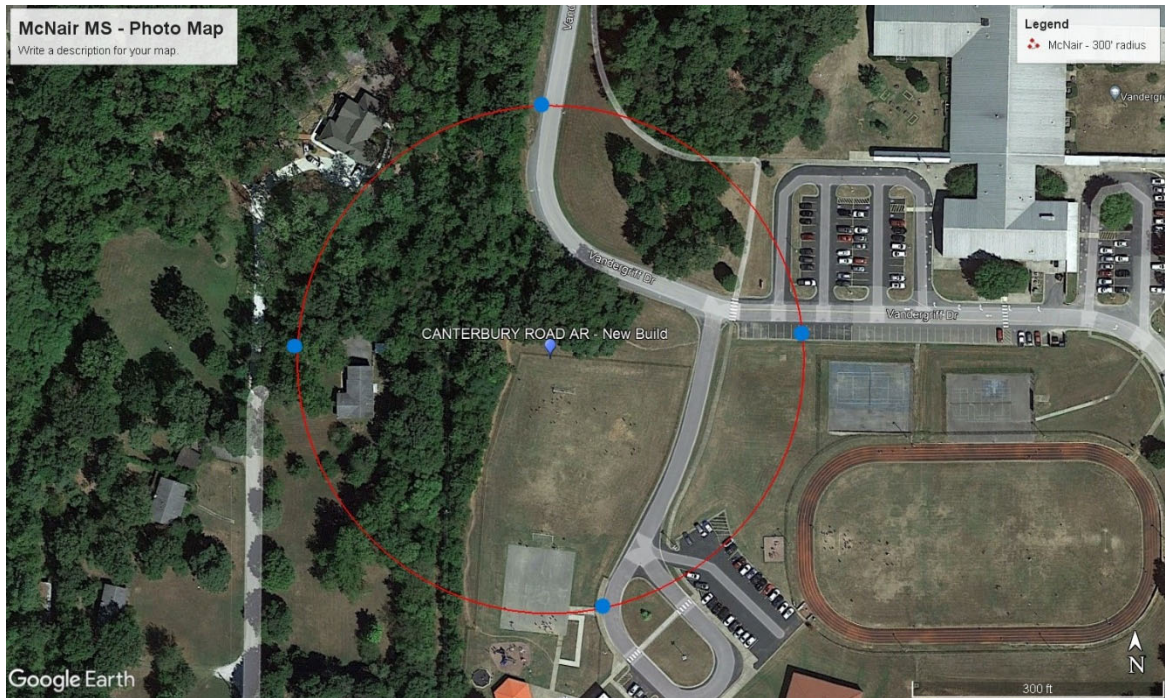
(e) As a general rule, site candidates are analyzed based on a matrix of criteria revolving around those sites located within the Radio Frequency (“RF”) Engineer’s targeted Search Area, or area where a new site is required to provide seamless coverage to the carrier’s network in that vicinity. A Search Area is issued by an RF Engineer using computer propagation modeling to arrive at an area in which a new site would best fit to connect with the other surrounding sites in a carrier’s network to provide coverage to fill the

significant gaps that exist without a site in that vicinity. A Search Area is usually well defined and relatively precise in that moving too far one way or the other will typically render uninterrupted connectivity less viable either by getting too close to an existing site and too far away from another, or by getting too close to a topographical obstruction or too far away from the primary locus of end-users the site is intended to serve. Search Areas typically encompass anywhere from a few blocks to a quarter mile or so depending on the surrounding terrain, coverage objectives and proximity and height of existing sites. Sites within the Search Area are analyzed based on criteria that fall within the convergence of being the most “leasable, zone-able and constructible.” The proposed location on the campus of McNair Middle School was chosen as the best option as it best meets these criteria for leasing, zoning, construction and coverage. It exceeds the setback requirements and the existing wooded areas to the north and west will provide natural visual shielding from the closest residential areas. The properties to the south and east are mostly commercial with buildings providing visual shielding to the residential areas beyond them. This location will also provide the public school system with additional revenue to benefit the children of the community.

(f) AT&T and Verizon Wireless representatives first sought out collocation opportunities on existing towers. There are no towers within the search area. Each carrier’s representatives then looked outside the search area to see if any towers were in the area available for collocation that would meet the RF Coverage needs. No towers or structures were available for collocation that would meet the carriers’ coverage objectives. Both AT&T and Verizon are already utilizing the existing towers outside the coverage area and still not able to provide the needed signal coverage in this area.

(g) The proposed new 150-foot monopine tower will be structurally designed to accommodate AT&T, Verizon and up to at least two additional future carriers.

Per Code 163.13(B)(7) Required Balloon Test and Crane Test Photographs will be performed and provided as a separate document after public notice and advertisement have occurred. The photos will be taken from four locations as approved by the zoning and development administrator per photo shown below.



Per Code 163.13(B)(8) Sight Line Representation will be provided with the photo simulations showing proposed tower along with all intervening trees, buildings and topography. The below image shows the 100' radius per the requirement. The proposed site will not be visible from the north and west due to existing mature trees.



Per Code 163.13(B)(9) Structural Integrity and Inspections of Towers, the proposed tower will be designed by a state licensed professional engineer to meet or exceed all local, state and federal requirements regarding the construction, maintenance and operation of the tower. The proposed engineer stamped design is submitted as a separate document. Smith Communications will continue to inspect and maintain the communications facility.

Per Code 163.13(B)(10) Security Fencing and Anti-Climbing Device, the proposed tower location will be enclosed by a 6-foot screened privacy fence with chain and locks on the gate. Signs indicating owner contact information, FCC registration identification, and warning information will be posted on the outside of the fence on the gate. The proposed tower will include anti-climbing measures.

Per Code 163.13(B)(11) Vegetative Screening Requirements, Smith Communications will work with the city's Urban Forester to develop a landscape plan to meet the buffer requirements of trees and understory vegetation.

There are no new buildings planned for the site. The carriers will install outdoor equipment cabinets on concrete slabs with ice shield awnings.

The proposed site will be an unmanned facility with no requirement for trash or refuse service.

Minimal traffic is anticipated at one site visit per month with access off Vandergriff Road proposed outside the existing school ground fence. A parking space will be located within the existing access drive.

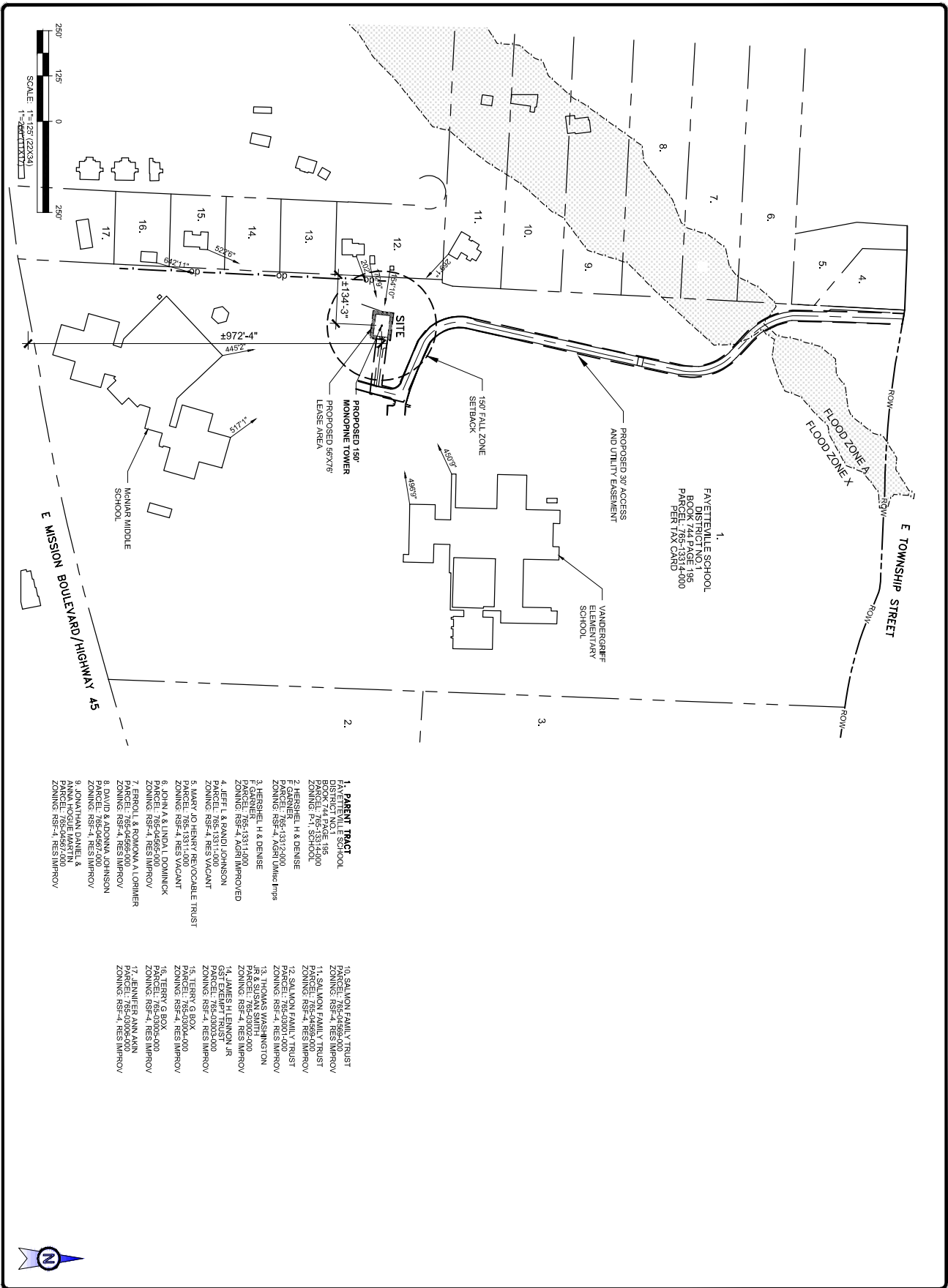
AT&T and Verizon Wireless desire to provide the area of Mission and Crossover with dependable wireless service. It is essential the carriers be allowed to develop their networks in such a way that enables them to provide adequate coverage to their existing and future customers in the area. Each carrier has a Radio Frequency License from the FCC for the State of Arkansas. The FCC requires its licensees to provide adequate and reliable service in the licensed area as specified in Title 47, Part 24.103 of the Code of Federal Regulations. To fulfill this requirement for their FCC license, the carriers need to provide a continuous, uninterrupted wireless communication service in the area. Without this proposed site, the carriers will continue to suffer disruption of the network design, compromising the needed coverage to provide adequate and reliable service to the public. The proposed site will allow both AT&T and Verizon Wireless to provide the quality of service required by the FCC and demanded by the public. The proposed facility will be designed and constructed to meet all applicable governmental, health and industry safety standards. Smith Communications, AT&T, Verizon and any future carrier will comply with all FCC and FAA

rules governing construction requirements, technical standards, lighting, interference protection, power, height limitations and radio frequency standards.

Smith Communications is proud to be a local provider of wireless infrastructure and we are proud to bring this project forward with the strong belief that this tower proposal is compatible and consistent with the current and future land uses and is the best solution to meet these needs while providing an excellent piece of infrastructure so that the community may continue to depend on having the best possible wireless services while in the Mission Blvd & Crossover area of Fayetteville.

Respectfully,

Lisa R. Taylor
Program Manager
Smith Communications
501-317-6851





Smith Communications

Planning Commission
October 28, 2024

SMITH COMMUNICATIONS GROUP, LLC
ENGINEERING GROUP, LLC
1500 BUSINESS CENTER DRIVE
BIRMINGHAM, AL 35244
TEL: 205-252-2885 www.smitheng.com

SITE ADDRESS
3020 E. MISSION BLVD.
FAYETTEVILLE, AL 37203

SMITH COMM. SITE NAME
MCNAIR
SMITH COMM. SITE NUMBER
ARC02108

REV	DESCRIPTION	BY	DATE
A	CLIENT REVIEW	SAL	04/08/24
B	CLIENT REVIEW	SAL	04/11/24
C	CLIENT REVIEW	SAL	10/16/24

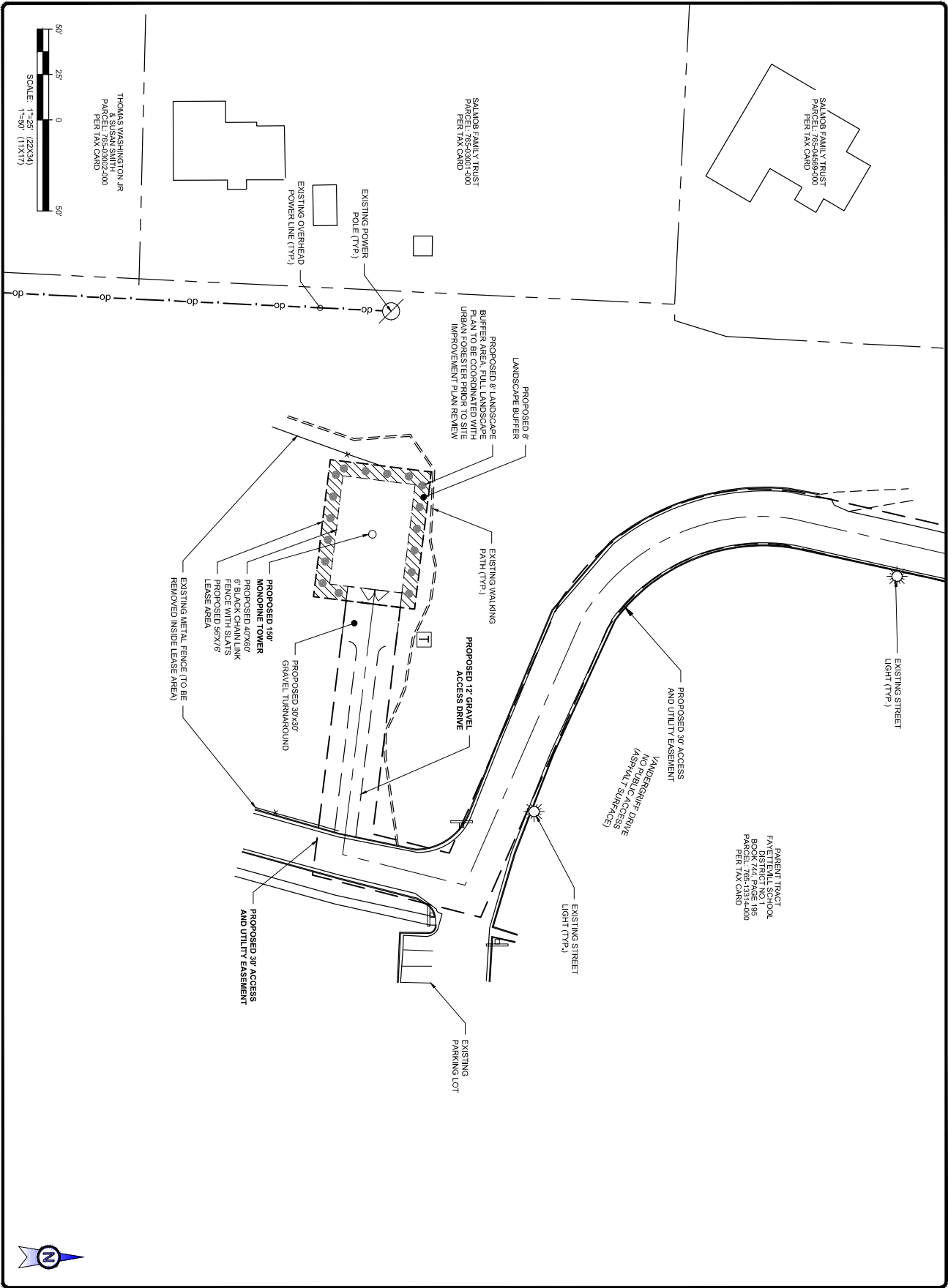
ISSUED FOR:

REV	DESCRIPTION	BY	DATE
A	CLIENT REVIEW	SAL	04/08/24
B	CLIENT REVIEW	SAL	04/11/24
C	CLIENT REVIEW	SAL	10/16/24

**PRELIMINARY
DRAWING**
(NOT VALID UNLESS
STAMPED AND SIGNED)

OVERALL SITE PLAN

SHEET NUMBER:
C-1





Smith Communications

Planning Commission

October 28, 2024

PRELIMINARY DRAWING
(NOT VALID UNLESS STAMPED AND SIGNED)

ENLARGED SITE PLAN

SHEET NUMBER:
C-1.1

ISSUED FOR:

REV	DESCRIPTION	BY	DATE
A	CLIENT REVIEW	SAL	04/08/24
B	CLIENT REVIEW	SAL	04/11/24
C	CLIENT REVIEW	SAL	10/16/24

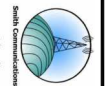
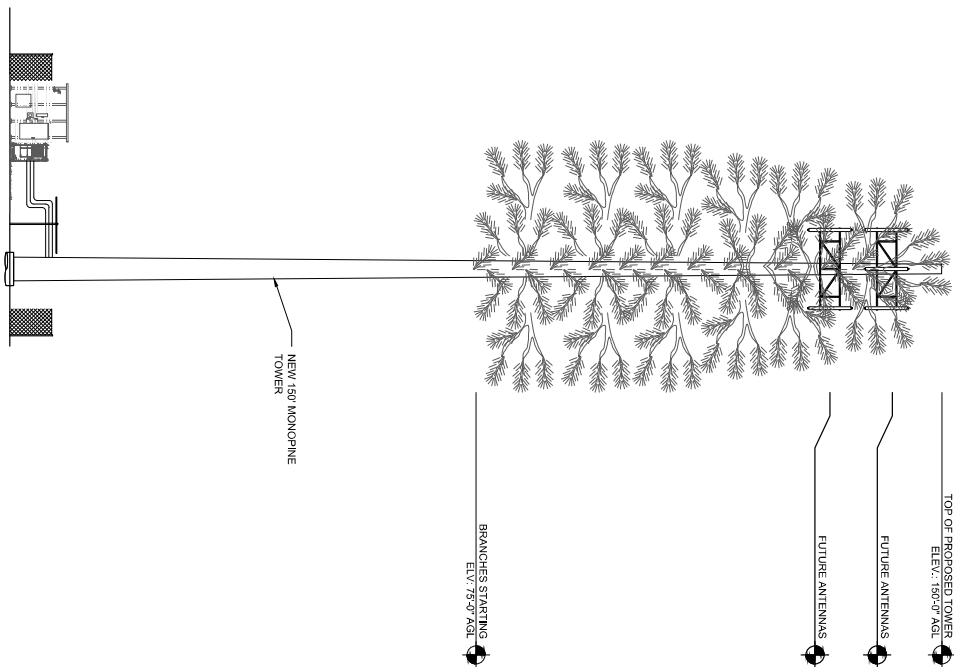
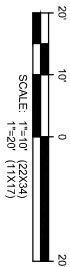
SMITH COMMS SITE NAME
MCNAIR
SMITH COMMS SITE NUMBER
AR202108

SITE ADDRESS
3020 E. MISSION BLVD
FAVETTEVILLE, AR 72703

ENGINEERING GROUP, LLC

158 BUSINESS CENTER DRIVE
BRIDGEVILLE, AL 35041
TEL: 205-555-0888 www.smithcomms.com





Planning Commission
October 28, 2024



SMITH COMM SITE NAME
MCNAIR
SMITH COMM SITE NUMBER
AR202108
SITE ADDRESS
3020 E. HANSON BLVD.
FAYETTEVILLE, AR 72703

ISSUED FOR:			
REV	DESCRIPTION	BY	DATE
A	CLIENT REVIEW	SAL	04/08/24
B	CLIENT REVIEW	SAL	04/11/24
C	CLIENT REVIEW	SAL	10/16/24

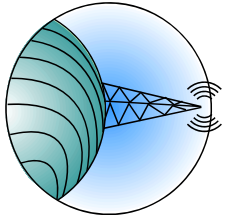
**PRELIMINARY
DRAWING**
(NOT VALID UNLESS
STAMPED AND SIGNED)

IT IS A VIOLATION OF LAW FOR ANY PERSON UNLESS THEY ARE
ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL
ENGINEER TO MAKE THIS DOCUMENT.

TOWER ELEVATION

SHEET NUMBER:

C-2



Smith Communications, LLC.
520 N College Ave. Fayetteville, AR 72701
Ph. 479-443-7777 Fax 479-443-5677

October 16, 2024

CUP-2024-0023 / 2157 N Vandergriﬀ Drive (McNair MS)

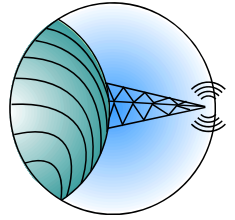
RE: Proposed Wireless Communications Facility Photo Sims

To whom it concerns,

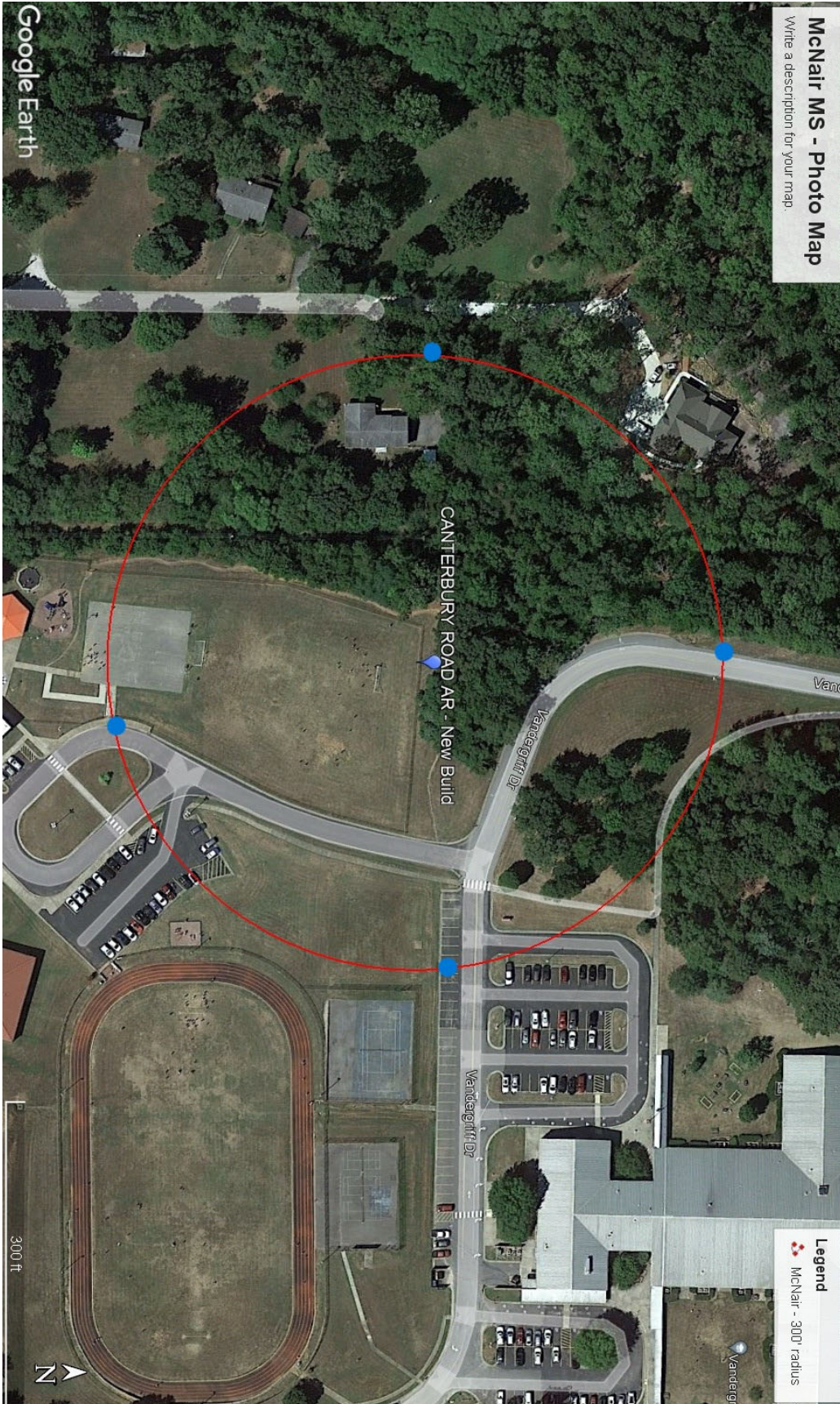
Smith Communications, LLC, performed a balloon test to demonstrate the proposed height and location of the new wireless communications facility. Photos were taken from four locations at a 300-ft radius, 90-degrees apart. The following photos identify the locations from which the photos were taken, the site with the balloon afloat, and the site with the proposed monopine tower superimposed.

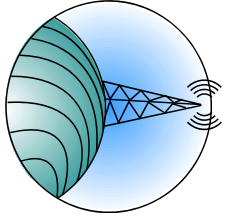
Respectfully,

Lisa R. Taylor
Program Manager
Smith Communications
501-317-6851



Smith Communications, LLC.
5220 N College Ave. Fayetteville, AR 72701
Ph. 479-443-7777 Fax 479-443-5677

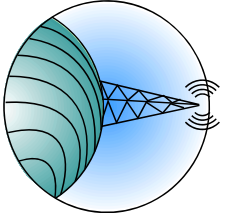




Smith Communications, LLC.
520 N College Ave. Fayetteville, AR 72701
Ph. 479-443-7777 Fax 479-443-5677

Photo from North location on Vandergriff Drive.

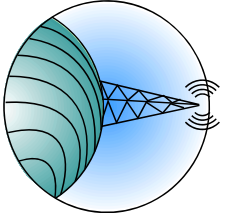




Smith Communications, LLC.
5220 N College Ave. Fayetteville, AR 72701
Ph. 479-443-7777 Fax 479-443-5677

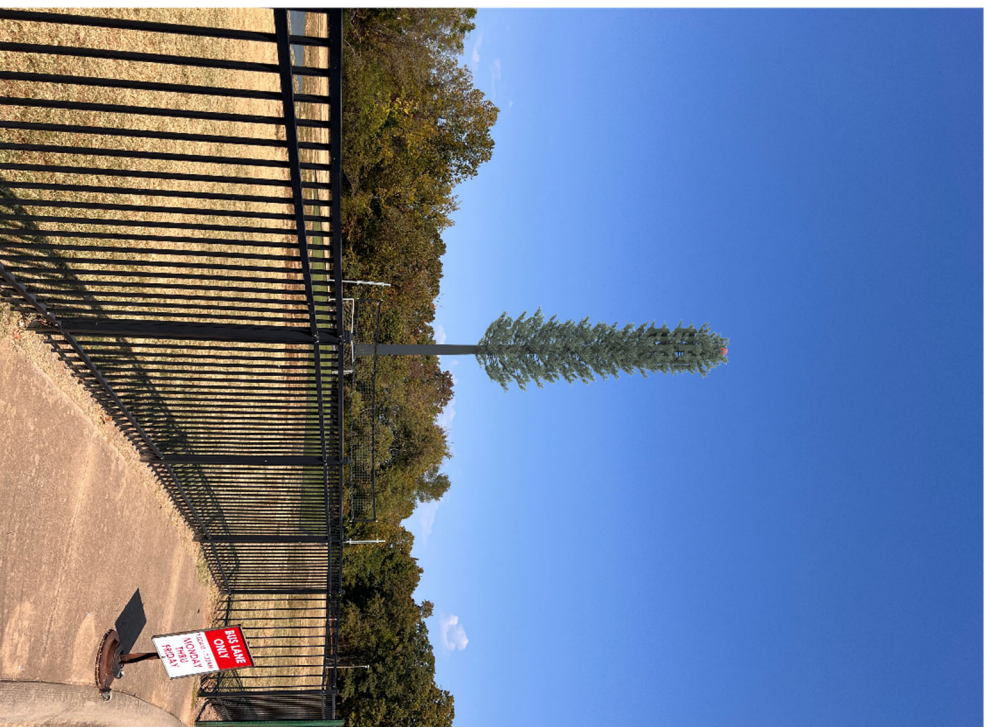
Photo from East location at parking on south side of N Vandergriff Drive.

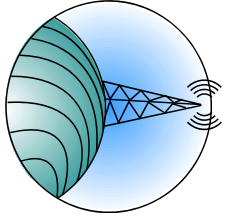




Smith Communications, LLC.
5220 N College Ave. Fayetteville, AR 72701
Ph. 479-443-7777 Fax 479-443-5677

Photo from South location at sidewalk west of track parking.

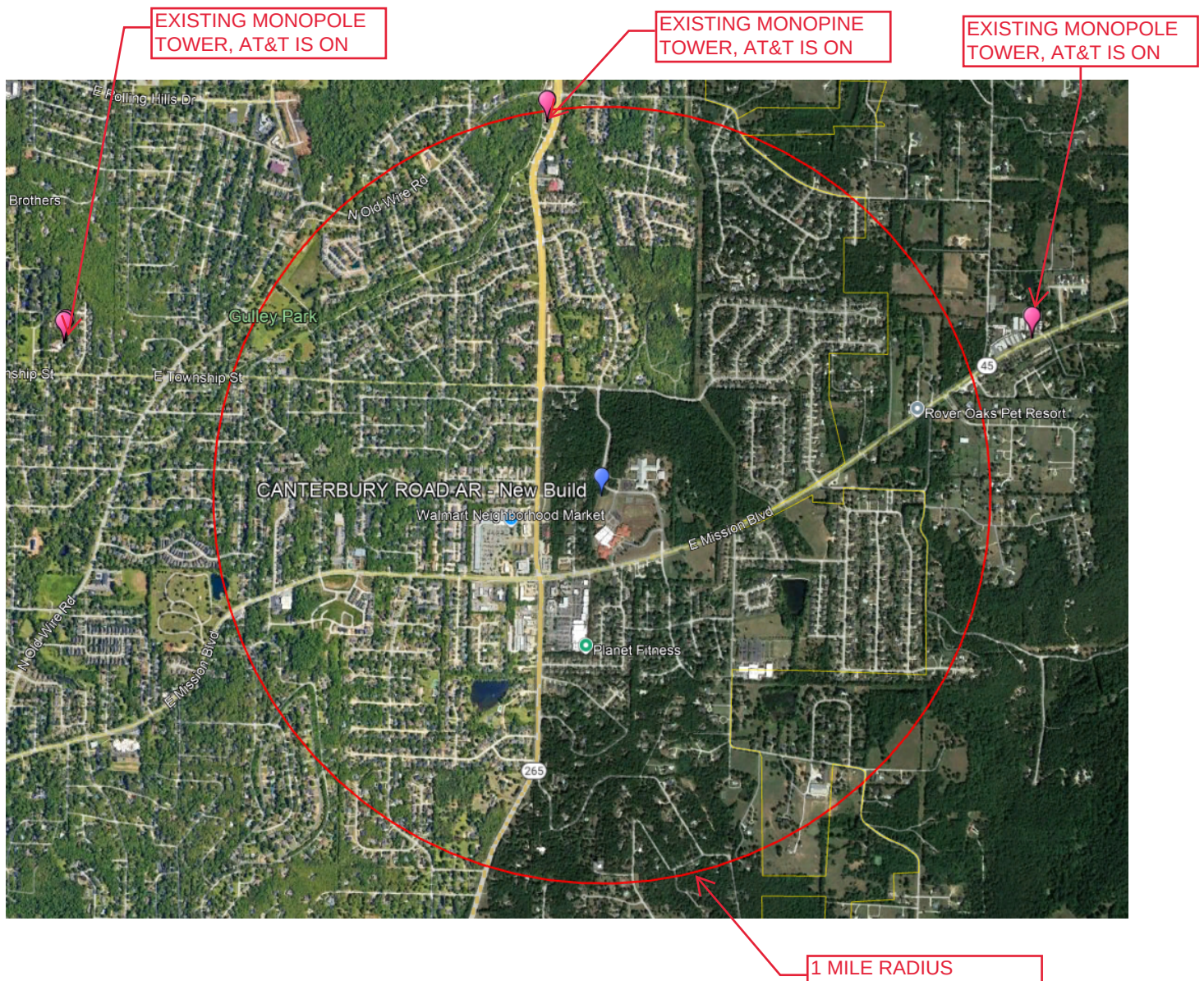




Smith Communications, LLC.
5220 N College Ave. Fayetteville, AR 72701
Ph. 479-443-7777 Fax 479-443-5677

Photo from West location in front of house at 2198 Box Ave.





Agent Contact Information:

Dylan King

MasTec Communications Group

(732) 710-7764

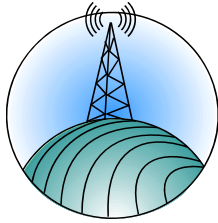
Dylan.king@mastec.com

Additional stand alone locations were explored but the results were very limited due to unwilling landowners, setback restrictions, or construction limitations.

Parcel 765-13321-001 was previously considered but could not meet the setback requirements of the Streamside Protection Ordinance.



Parcel 765-13345-000 at 1757 Crossover was also considered but along with setback restrictions, constructability was an issue with the need to build a bridge over the drainage area that would support the heavy equipment required to construct and maintain a tower structure.



Smith Communications, LLC.

520 N College Ave. Fayetteville, AR 72701

Ph 479-443-7777 Fax 479-443-5677

October 21, 2024

City of Fayetteville

Planning Commission & Staff

RE: Smith Communications Proposal for a new wireless communications facility at
2157 N Vandergriff Dr

Smith Communications, LLC is requesting a variance from the following Use Conditions for
Wireless Communications Facilities:

163.13(B)(8) *Sight Line Representation.* A sight line representation shall be drawn from four points 90° apart and 100 feet from the proposed tower. Each sight line shall be depicted in profile, drawn at one inch equals 40 feet. The profiles shall show all intervening trees and buildings.

We are requesting a variance of the site line representation drawings. The 100-ft radius locations to the north and west fall in an area of mature tree growth. This renders the proposed tower not visible from these locations. The photos from the balloon test and the photo simulations of the proposed tower provide a more accurate depiction of the proposed tower, and profile of intervening trees, buildings, existing fence, and landscaping.

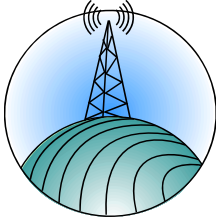
Respectfully,

Lisa R. Taylor

Program Manager

Smith Communications

501-317-6851



Smith Communications, LLC.

520 N College Ave. Fayetteville, AR 72701

Ph 479-443-7777 Fax 479-443-5677

September 4, 2024

City of Fayetteville

Board of Adjustment and Planning Staff

RE: Smith Communications Proposal for New Monopine Tower at 2157 Vandergriff Drive,
Fence Type Variance Request

Smith Communications, LLC is requesting a variance from the following Use Conditions for Wireless Communications Facilities to be added to CUP application and to appear on the Agenda for the upcoming Planning Commission meeting:

163.13(B)(10) *Security Fencing and Anti-Climbing Device*. Through the use of security fencing, towers and equipment shall be enclosed by wood board fencing not less than 6 feet in height. The tower shall also be equipped with an appropriate anti-climbing device. The facility shall place signs indicating "No Trespassing," "High Voltage," or other pertinent information on the outside of the fence, unless it is decided that the goals of this ordinance would be better served by waiving this provisions in a particular instance. Barbed wire fencing or razor wire shall be prohibited.

The current fence at this location is a 6-foot-tall black rod iron fence. The proposed area for the tower will require moving a portion of the school's existing fence to create the tower area. A new 40-foot x 60-foot fence will be installed with 20 feet lying north and 20 feet lying south of the existing remaining rod iron fence. It is our belief that the required wood fence will contrast drastically with the existing fence, and we would like to offer a 6-foot-tall black chain link with black slats as an alternative. Although not matching exactly to the existing fence, it would match in color and provide the security and visual screening intent of the ordinance.

Respectfully,

Lisa R. Taylor

Program Manager

Smith Communications

501-317-6851



Existing fence at proposed location.



Proposed fence for compound.

Wonsower, Donna

From: Planning Shared
Sent: Tuesday, October 22, 2024 4:59 PM
To: Wonsower, Donna
Subject: FW: Cell tower project 2157 N. Vandergriff comments to be read at 10/28/24 meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Concerning CUP-2024-0043

Thank you

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

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



From: rustycoon33@gmail.com <rustycoon33@gmail.com>
Sent: Tuesday, October 22, 2024 4:32 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Cc: rogerandjane70@gmail.com; Jennifer Akin <jennifer@coonfield.net>; Ken Abney <kenabney@yahoo.com>; twsmithjr@icloud.com; Jim Salmon <Amosj@cox.net>; jssalmon@cox.net
Subject: Cell tower project 2157 N. Vandergriff comments to be read at 10/28/24 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.

From Residents of Box Ave (closest to proposed cell tower)

Concerning proposed cell tower project at 2157 N Vandergriff Dr.

It would appear that Smith communication has done much due diligence in finding and confirming a workable location for a cell tower to serve the community. However, we have a concern that Smith has only done what is the minimum legally required. A growing body of scientific evidence is showing that long term close proximity exposure to cell phone base station radio frequency radiation has harmful health effects particularly for children. Vandergriff and McNair schools are in very close proximity to the proposed tower. McNair's playground is directly adjacent to the proposed site.

Smith's proposal accounts for the fall radius of the tower but does NOT account for new data showing that increased tower distances from residences and businesses will help reduce long term health risks. Below is an excerpt from Smith's proposal.

Per Code 163.13(B)(3) Fall Zone, the existing facility is positioned on the property so that it takes full advantage of distancing itself from street traffic and all buildings on the property. The base of the proposed tower will meet the setback requirement of 150 feet (100% of overall height including antennas and “branches”) from all residential (and school) buildings. The nearest residential building is 202 feet to the southwest of the proposed tower. The nearest point of any school building is 445 feet to the south.

A list of municipalities that have passed ordinances restricting cell phone tower placement to sensitive areas such as residences, schools, churches and parks can be found here.

<https://ehtrust.org/key-issues/cell-phoneswireless/5g-internet-everything/20-quick-facts-what-you-need-to-know-about-5g-wireless-and-small-cells/>

In one case a Massachusetts city mandated 3000 feet between cell tower and school (Smith proposes 445’) after a research study in MA showed a link between higher radio frequency output and poor school performance.

<https://pubmed.ncbi.nlm.nih.gov/30526242/>

A compilation of research showing health risks associated with close proximity exposure to cell phone base stations (towers) can be found here.

<https://ehtrust.org/cell-towers-and-cell-antennae/compilation-of-research-studies-on-cell-tower-radiation-and-health/>

The FCC specifically has no guidance related to health concerns based on new research, so it is up to municipalities to understand the risks and take proactive action.

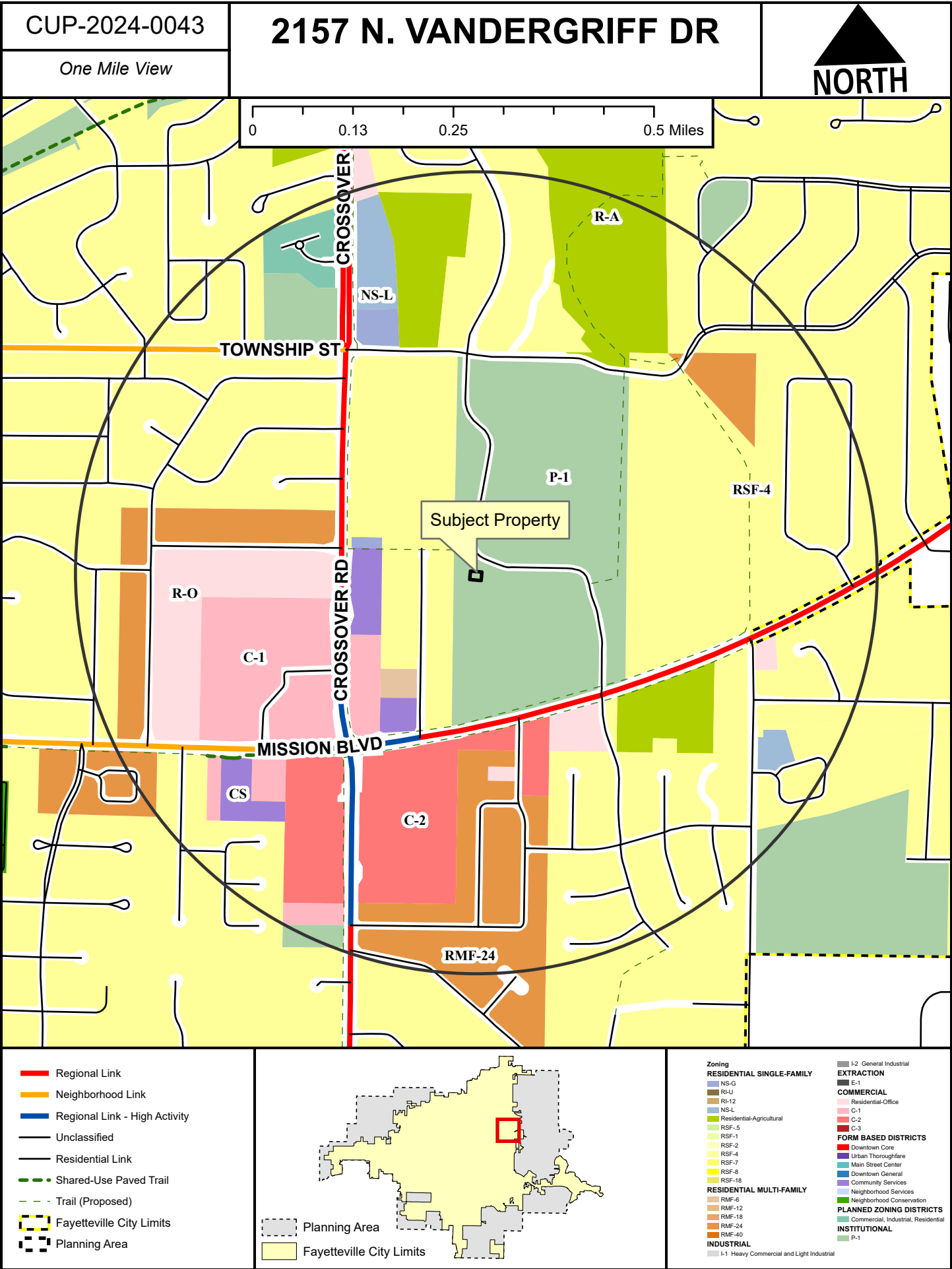
It would appear Fayetteville has no ordinances or guidelines taking into account this research on cell tower radiation, but merely follows the FCC outdated health risk guidance. Excerpt from Fayetteville 110.03 below.

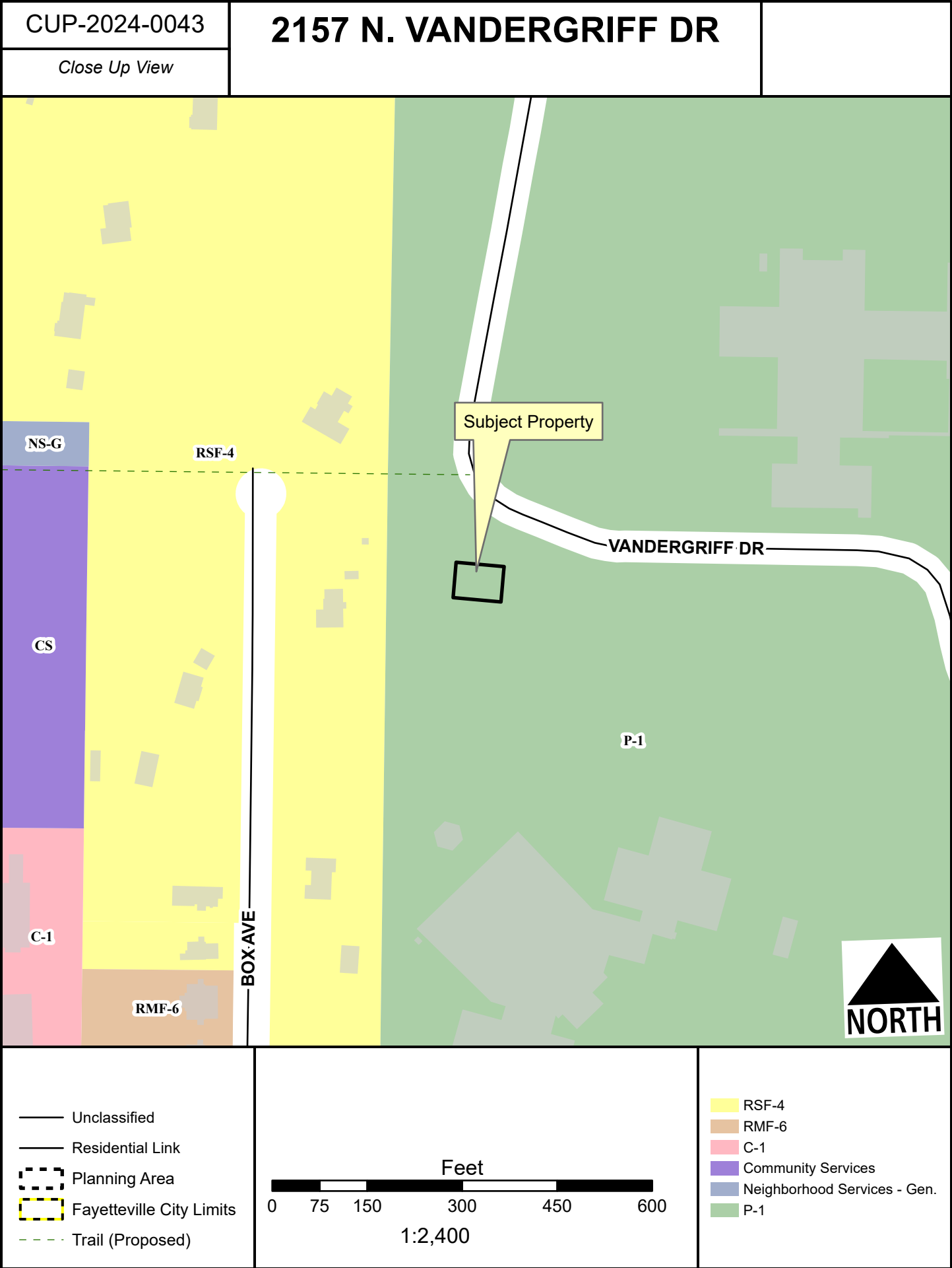
- (4) Interference. Wireless providers will not allow their small wireless facilities to interfere with the operation of any pre-existing City or third-party facilities.
- (a) RF Responsibility. Wireless providers are solely responsible for the radio frequency ("RF") emissions emitted by its small wireless facilities and associated equipment, ensuring that the RF exposure from its emissions are within the limits permitted under all applicable rules of the FCC. City is solely responsible for the RF emissions emitted by its equipment or facilities and ensuring that the RF **exposure** from its emissions are within the limits permitted under all applicable rules of the FCC.

Fayetteville is a progressive city and recognizes the importance of metered growth. Proactive due diligence to a potential long term health concern is something Fayetteville leaders would be expected to consider. We would ask that the Fayetteville City Council do the responsible thing and perform research independent of the stakeholders (Smith) into the long term health risks of cell phone base stations before allowing this project to continue. We would further encourage developing an ordinance or guidance to protect residents and children at schools by providing for increased tower distances from residences and schools beyond what the FCC legally allows.

Thank you

Rusty Coonfield, Jennifer Akin, Ken Abney, Jim and Laurie Salmon, Roger and Jane Preuss, Tom Smith.
Residents of Box Ave (closest residences to proposed tower)





CUP-2024-0043

2157 N. VANDERGRIFF DR

Current Land Use



- Regional 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: October 28, 2024

SUBJECT: **CUP-2024-0044: Conditional Use Permit (2992 N. OAK BAILEY DR./OAK BAILEY CLUSTER DEVELOPMENT, 254):** Submitted by COMMUNITY BY DESIGN for property located at 2992 N. OAK BAILEY DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE and contains approximately 2.67 acres. The request is for a cluster housing development with 18 residential units.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0044** with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0044** 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 northeast Fayetteville, approximately 700 feet west of the intersection of North Old Wire Road and North Crossover Road. The property is currently zoned RSF-4, Residential Single-Family, 4 Units per Acre, contains approximately 2.67 acres, and is developed with two sheds. A conditional use permit for 19 single-family units was approved for this property in 2022 after being appealed to the city council, but the approval has expired (CUP-2022-0039), and an affiliated large-scale development approved in 2023 is also expired (LSD-2022-0033). A variance was approved to §164.22(D) Dwellings permitted with the approval of CUP-2022-0039. As the plans are substantially similar, staff finds that this variance could logically be extended to CUP-2024-0044. The previous variance granted approval for up to 19 dwelling units; however, the applicant has since reduced the proposal to 18 dwelling units. Surrounding land uses 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 develop the property with a cluster housing development containing eighteen detached single-family units. Classified under the UDC as Use Unit 44, a cluster housing development is a conditional use in the RSF-4 zoning district. Conformance with development requirements, including drainage, tree preservation, and fire apparatus access will be reviewed with the resubmission of a large-scale development proposal.

Of note, the previous conditional use permit was previously appealed to the City Council, with additional conditions of approval included at their December 6, 2022, meeting. Those conditions of approval are also included under the recommended conditions.

Public Comment: To date, staff has not received any public comment on the current project. However, staff did receive extensive public comment opposed to the request in the initial approval process (CUP-2022-0044), with a neighborhood-initiated— appeal ultimately going to city council which was signed by 27 individuals. These comments were generally opposed to the request, citing a lack of basis for the additional units granted in the variance request, lack of frontage, no proposed sidewalks, inconsistent plans and letter, incompatible development, tree preservation, and utility infrastructure.

RECOMMENDATION: Staff recommends approval of **CUP-2024-0044** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility for Use Unit 44: Cluster Housing Development.** *Staff finds the proposed cluster housing development to be compatible with the neighborhood based on the findings in this report;*
2. Shrubs and trees approved by the Urban Forester must be planted or preserved along the north, south, and west property lines in the form of a vegetative screen. The screening trees may include any required mitigation trees. At a minimum, additional screening in the form of vegetation, hedge row, or low-lying fence not to exceed 48” in height shall be installed along the exterior property lines where parking courts and driveways abut existing single family residences.
3. At least seven of the twelve significant trees shall be preserved.
4. Provided consent is obtained from the property owners of Washington County Parcels 765-31972-000, 765-31973-000, and 765-31974-000 for grading within five feet of the property line during construction of the project, a permanent shallow swale shall be installed just north of the property lines of those parcels.
5. A pedestrian pathway shall be installed connecting the proposed internal pedestrian circulation system to N. Old Wire Rd. The pedestrian pathway shall connect to the internal pedestrian circulation system between lots 13 and 14. THE pathway may be located on the east or west side of the existing detention pond. The pathway may be primitive. Steps in the pathway will be required where necessary to navigate the grade.
6. Conditional use permit approval of the conditional use permit does not ensure approval of a development application. The conditional use grants the applicant rights to submit a development proposal based on the conceptual layout included herein. However, the applicant must still be able to comply with all other development requirements,

including but not limited to, tree preservation, drainage, utility installation and Fire Department access. These details shall be reviewed with the development application. The final project design shall follow the general layout and design of the conditional use concept plan;

7. A condominium association, homeowner's association, or similar mechanism to maintain the common amenities shall be established prior to issuance of construction permits. The City of Fayetteville does not enforce these private agreements, but will require that this agreement be in place prior to issuing building permits;
8. Prior to receiving a certificate of occupancy for the first home, all shared drives and bike racks shall be installed. All development requirements, such as detention facilities, utilities, required landscaping, etc. shall be installed prior to any building permits being issued. The exact phasing of improvements will be determined at development review;
9. The maximum number of unrelated persons in any dwelling unit is three, pursuant to the underlying single-family zoning district. A maximum of two people are permitted to reside in an accessory dwelling unit;
10. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs;
11. Exterior lighting package must be provided to the Planning Division prior to building permit approval. Any outdoor lighting on this property shall comply with UDC Chapter 176, Outdoor Lighting;
12. Upon receiving a valid complaint that the holder of the conditional use is violating any condition of this permit, the Planning Department may refer the conditional use to the Planning Commission for review. The Planning Commission may amend or add conditions to the permit, may reaffirm the conditional use, or revoke the conditional use in its entirety; and
13. Per §166.20, Expiration of Approved Plans and Permits, conditional use permit approval is for one year.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>October 28, 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 44: Cluster Housing Development 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;

Finding: The Planning Commission is empowered under Unified Development Code §161.07 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 detached, single-family dwellings are of a type and scale that is comparable to those in surrounding neighborhoods. Developing the property as a cluster housing development will subject it to the City's tree preservation and drainage requirements, which are both intended to minimize off-site impacts and protect the public's interest. Cluster housing developments also carry heightened design

requirements for the structures themselves. Parking courts and driveways within the proposed development are shown to be screened with vegetation, further minimizing potential negative impacts on neighboring properties.

(c.) The Planning Commission shall certify:

(1.) Compliance with the specific rules governing individual conditional uses; and

Finding: There are specific rules governing Use Unit 44, Cluster Housing Development, as follows:

§164.22, CLUSTER HOUSING DEVELOPMENT

D. Dwellings Permitted.

1. *Number of Cluster Housing Units Permitted.* A cluster housing development shall contain a maximum of twelve (12) dwelling units. In multi-family zones where the proposed cluster housing development exceeds the minimum open space requirements of 164.22(G)(3)(a) by at least 20%, and in which at least 75% of the planned units are attached dwellings, there shall be no maximum number of dwelling units, except to conform to the density limitations herein.

Finding: The proposed cluster housing development would contain 18 detached single-family dwelling units. A variance was previously approved for up to 19 units, which staff finds can be extended to this request.

2. *Existing Nonconforming Structures.* On a lot to be used for a cluster housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cluster density.

Finding: There are no existing nonconforming structures on the subject property.

E. Zoning Regulations.

1. *Permitted and Conditional Use.* Cluster housing development is permitted as identified in Chapter 161, Zoning Regulations, as a permitted or conditional use.

Finding: Use Unit 44 is conditional use in the RSF-4 zoning district.

2. *Density.* Cluster housing development permitted as a use by right shall be allowed a density in conformance with the underlying zoning district. Zoning districts that allow cluster housing developments as a conditional use shall be allowed a density not to exceed two (2) times the maximum density allowed in the underlying zoning district.

Finding: **The proposed cluster housing development would have a density of approximately 6.66 units per acre. A cluster housing development in the RSF-4 zoning district is permitted a maximum density of 8 units per acre.**

3. Bulk and Area Regulations.
 - (a.) Lot Width Minimum. There is no lot width requirement for individual cluster housing lots.
 - (b.) Lot Area Minimum. The lot area minimum for cluster housing lots is 750 square feet.
 - (c.) Land Area per Dwelling Unit. The land area per dwelling unit requirement is 750 square feet.

Finding: **No additional subdivision of land is shown on the plans provided with the conditional use permit. The parent tract complies with bulk and area standards. Lot widths, lot areas, and land area per dwelling unit will be considered with the associated development review.**

4. Setback Requirements. All structures shall meet setback and separation requirements of the International Building Code, as applicable. For zoning purposes:
 - (a.) In single family districts, all cluster housing units shall have a minimum separation from one another of ten feet measured from exterior wall to exterior wall, not counting eaves or other architectural projections.
 - (b.) In multi-family districts, there are no separation requirements from one cluster housing structure to another.
 - (c.) The setbacks from the exterior property lines of the original parent tract shall be set by the underlying zoning district.

Finding: **Separation and setback requirements for the RSF-4 zoning district will apply between buildings and exterior property lines. Lot widths, lot areas, and land area per dwelling have been reviewed conceptually and appear to meet these requirements. Standards will be considered with the associated development review.**

5. Building Height Regulations. The height for all structures in a cluster housing development shall not exceed the permitted height requirement of the underlying zoning district.

Finding: **The RSF-4 zoning district permits three-story buildings, the applicant is proposing two-story dwellings.**

6. Building Area. None.

Finding: **Building area will be considered with the associated development review.**

7. Accessory Dwelling Units. Accessory dwelling units are permitted in cluster housing developments by conditional use. Where a cluster housing development is permitted as a conditional use, accessory dwelling units may be requested within the same application.

Finding: N/A

- F. Common Property Maintenance.** Community buildings, parking areas and common open space shall be owned and maintained commonly by the cluster housing development residents, through a condominium association, a homeowners' association or a similar mechanism, and shall not be dedicated to the city unless accepted by the City Council.

Finding: **Proof of Common Property Maintenance regulations will be required during the development process.**

- G. Development Standards.** The UDC outlines specific development standards for Cluster Housing Developments.

Finding: **Development standards including floor area, building orientation, open space, parking, bicycle racks, Fire Department access, pedestrian connectivity, utilities, and recycling and trash collection will be considered at the time of large-scale development review.**

H. Building Design Standards.

1. *Variety in Detached Cluster Housing Units Floor Plans and Architectural Treatments.* These standards are intended to avoid the overly repetitive use of the same building design, structural features, detailing or finishes among detached units within the cluster housing development. In cluster housing developments no two (2) structures shall be identical in terms of exterior finishes. All cluster housing units shall differ from each other by utilizing at least two (2) of the following options:
 - (a.) Variations in building material finishes such as clapboard, shake shingles, stone, brick, etc., and building color;
 - (b.) Variations in adjacent cluster housing unit floor plans that alter the location of exterior windows and doors;
 - (c.) Variations in the size of main floor area and/or building height of adjacent structures; or
 - (d.) A front porch with a minimum width no less than 50% of the front building façade. Front porches shall have a minimum depth of six feet. No structurally identical front porches shall be located on adjacent cluster housing units.
 - (e.) Variations in roof shapes or gables between adjacent structures.
 - (f.) Other variations as approved by the Zoning and Development Administrator.

Finding: **In cluster housing developments no two structures shall be identical in terms of exterior finishes and must vary in building height, main floor size, location of windows and doors, porches, and/or roof shape. The provided building elevations and site plan suggest that there are instances where building plans are repeated throughout the development. As proposed, without variation in exterior finishes, the development would require a variance from UDC §164.22(H)(1) to allow building types to be repeated. However, compliance with building design standards will be fully determined at the time of large-scale development review. A variance to the building design standards has not been requested to date.**

§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: As proposed, the cluster housing development will have access onto Oak Bailey Drive. Oak Bailey Drive is a Neighborhood Link Street designed to accommodate up to 6,000 vehicle trips per day. Four vehicle crashes were recorded at the intersection of Oak Bailey Drive and Old Wire Road between 2017 and 2021. Staff finds that the proposed cluster housing development is not likely to have an adverse impact on traffic given the relatively low number of units proposed and the site's access to Neighborhood Link streets. However, any impacts to traffic danger or congestion will be fully evaluated and addressed at the time of large-scale 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: The submitted site plan includes on-site parking in garages, parking courts, and driveways. In cluster housing developments, the owner/development may choose to supply one parking space per bedroom for the entire cluster housing development. Otherwise, parking will be required at a rate of 1.5 spaces per unit for dwellings less than 1,000 square feet in size, and at a rate of 2 spaces per unit for dwellings greater than 1,000 square feet. Per the applicant, two off-street parking spaces are proposed per dwelling unit with at least 12 parallel parking spaces planned along the shared drive to accommodate additional parking needs. Staff notes that some units appear to have only one off-site parking space and that the location and usability of parking will be fully evaluated with large-scale development plans.

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading,

Finding: The Recycling and Trash Collection Division will review the proposed site plan at the time of large-scale development review. Ingress and egress to the development is proposed through a looped private drive.

(d.) Utilities, with reference to locations, availability, and compatibility;

Finding: Utilities are currently available to the site. Six- and eight-inch sanitary sewer mains are present on site, and six-inch water mains are available along Oak Bailey drive and Old Wire Road. Determinations of capacity or the need for improvements will be determined at the time of large-scale development review.

(e.) Screening and buffering with reference to type, dimensions, and character;

Finding: Given the single-family residential nature of the proposal and surrounding areas, staff recommends limited buffering. Because parking courts and private driveways are proposed to abut adjoining residences, a condition requiring screening is included with staff's recommendations.

(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.

(g.) Required yards and other open space; and

Finding: Review of the submitted site plan suggests, conceptually, that the open space requirement for cluster housing can be provided. All separation and setback requirements will be considered with the associated development review.

(h.) General compatibility with adjacent properties and other property in the district.

Finding: Staff finds the applicant's proposal to be compatible with adjacent properties and those in the surrounding neighborhood. While varying from a typical single-family residential neighborhood, cluster developments are intended to orient dwelling units around a common open space and foster a sense of community. When considering the intent of cluster housing in relation to the proposed single-family residential cluster housing development, staff finds the proposed use to be generally compatible. Further, the property is located near public trails, retail, and other services, which suggests that it is an appropriate location for dense development.

(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 proposal is compatible with the goals and intent of City Plan 2040. Although a cluster housing development differs from a typical lot-and-block neighborhood, the proposal can exist in harmony with surrounding uses and contribute to the City's goals of appropriate infill

development and creating attainable housing.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.07 – District RSF-4, Residential Single-Family, Four Units per Acre
 - §164.22 – Cluster Housing Development
- Applicant Exhibits
 - Applicant Request Letter
 - Applicant Site Plan
 - Floor Plans & Elevations
- Exhibit: Traffic Crashes
- 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.

164.22 Cluster Housing Development

- (A) *Purpose.* The purpose of the cluster housing development ordinance is to encourage innovation and variety in housing while ensuring compatibility with established neighborhoods, and to provide housing opportunities for a population diverse in age, income and household size.
- (B) *Applicability.* The provisions of this section shall apply to proposed cluster housing development proposals, as defined in Chapter 162, Use Units, and authorized by Chapter 161, Zoning Regulations of the Unified Development Code, however zoning and development regulations such as density, bulk and area, building area, street frontage requirements, lot splits and other standards for cluster housing development are enforced subject to the criteria adopted in this chapter.
- (C) *Development Review Process.* For the purpose of development review, cluster housing developments less than one (1) acre shall be processed as a site improvement plan. Cluster housing development on lots one (1) acre or larger shall be processed as a large scale development. If individual cluster housing unit lots are proposed and the proposal meets all of the requirements in this section, the subdivision shall be processed through the subdivision platting process as a lot split regardless of the number of lots created.
- (D) *Dwellings Permitted.*
- (1) *Number of Cluster Housing Units Permitted.* A cluster housing development shall contain a maximum of twelve (12) dwelling units. In multi-family zones where the proposed cluster housing development exceeds the minimum open space requirements of 164.22(G)(3)(a) by at least 20%, and in which at least 75% of the planned units are attached dwellings, there shall be no maximum number of dwelling units, except to conform to the density limitations herein.
 - (2) *Existing Nonconforming Structures.* On a lot to be used for a cluster housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cluster density.
- (E) *Zoning Regulations.* The parent tract prior to development shall conform to the zoning criteria of the underlying zoning district.
- (1) *Permitted and Conditional Use.* Cluster housing development is permitted as identified in Chapter 161, Zoning Regulations, as a permitted or conditional use.
 - (2) *Density.* Cluster housing development permitted as a use by right shall be allowed a density in conformance with the underlying zoning district. Zoning districts that allow cluster housing developments as a conditional use shall be allowed a density not to exceed two (2) times the maximum density allowed in the underlying zoning district.
 - (3) *Bulk and Area Regulations.*
 - (a) *Lot Width Minimum.* There is no lot width requirement for individual cluster housing lots.
 - (b) *Lot Area Minimum.* The lot area minimum for cluster housing lots is 750 square feet.
 - (c) *Land Area per Dwelling Unit.* The land area per dwelling unit requirement is 750 square feet.
 - (4) *Setback Requirements.* All structures shall meet setback and separation requirements of the International Building Code, as applicable. For zoning purposes:
 - (a) In single family districts, all cluster housing units shall have a minimum separation from one another of ten feet measured from exterior wall to exterior wall, not counting eaves or other architectural projections.
 - (b) In multi-family districts, there are no separation requirements from one cluster housing structure to another.
 - (c) The setbacks from the exterior property lines of the original parent tract shall be set by the underlying zoning district.
 - (5) *Building Height Regulations.* The height for all structures in a cluster housing development shall not exceed the permitted height requirement of the underlying zoning district.
 - (6) *Building Area.* None.

- (7) *Accessory Dwelling Units.* Accessory dwelling units are permitted in cluster housing developments by conditional use. Where a cluster housing development is permitted as a conditional use, accessory dwelling units may be requested within the same application.
- (F) *Common Property Maintenance.* Community buildings, parking areas and common open space shall be owned and maintained commonly by the cluster housing development residents, through a condominium association, a homeowners' association or a similar mechanism, and shall not be dedicated to the city unless accepted by the City Council.
- (G) *Development Standards.* All cluster housing developments are subject to the following standards:
- (1) *Floor Area.* The total conditioned floor area of any individual cluster housing unit shall not exceed 2,500 square feet.
 - (2) *Building Orientation.* A minimum of 75% of dwelling units in a cluster housing development shall be oriented around and face the common open space, a public trail or towards the street, having pedestrian access to the common open space and the street. Where a cluster housing unit fronts onto a public trail, the façade facing the public trail shall be considered a principal façade for the purposes of meeting design standards.
 - (3) *Open Space.*
 - (a) For units up to 1,500 square feet, a minimum of 250 square feet of common open space shall be provided per unit. For units exceeding 1,500 square feet and up to 2,000 square feet, 500 square feet of common open space shall be required per unit. For units exceeding 2,000 square feet, 750 square feet of common open space shall be required per unit. Common open space is subject to the following performance criteria:
 - (i) No dimension of a common open space area used to satisfy the minimum square footage requirement shall be less than ten feet.
 - (ii) Required common open space shall be divided into no more than two (2) separate areas per cluster of dwelling units.
 - (iii) Common open space shall be improved for passive or active recreational use, garden/food production, social gathering spaces or landscaped areas. Examples may include but are not limited to courtyards, orchards, landscaped picnic areas, plazas or gardens. A detailed site plan of the common open space depicting the design and amenities of the space shall be reviewed with the site plan for approval.
 - (iv) Amenities such as permanent or movable seating, landscaping, trails and paths, barbeque or eating facilities, covered shelters or water features shall be included within the common open space. Low Impact Development stormwater management facilities may be placed within the common open space when they are integrated with the amenities listed above.
 - (b) Each cluster housing unit shall be provided with a private open space of 250 square feet with no dimension of less than ten feet. Private open space should be contiguous to each dwelling unit, for the exclusive use of each respective resident. In multi-family zones in which at least 75% of the planned units are attached dwellings, private open space shall not be required where the development exceeds the minimum open space requirements of (G)(3)(a) by at least 20% and it can be demonstrated that each unit has easily available access to open space amenities.
 - (c) Parking areas and driveways shall not be counted as open space.
 - (4) *Fences.* Fencing located between a cluster housing unit and a public street or trail or the common open space shall not exceed 48 inches in height.
 - (5) *Parking Requirements and Standards.* Parking areas should be located within the cluster housing development in such a way as to maintain the character along the public street and to minimize the noise and light impacts on private residences and public spaces. Reductions in parking space allowances are permitted in cluster housing developments as described in Chapter 172, Parking and Loading. Permitted on-street parking spaces adjacent to a project's frontage may count towards the parking requirements of the development. Parking standards for cluster housing developments shall be as follows:
 - (a) The owner/developer may choose to supply one (1) parking space per bedroom for his or her entire cluster housing development. Otherwise, the required number of parking spaces shall be determined according to the square footage of the cluster housing unit as described below:
 - (i) Dwelling units less than 1,000 square feet shall have one and one-half (1.5) parking spaces provided.
 - (ii) Dwelling units over 1,000 square feet shall have two (2) parking spaces provided.
 - (b) Shared covered parking shall be designed to be similar and compatible to the design, materials and roof pitches used for the cluster housing units.
 - (6) Cluster housing developments shall provide at least one (1) bicycle parking rack per cluster housing unit.

- (7) *Fire Department Access.* Fire Department access shall be determined at the time of development review.
- (8) *Pedestrian Connectivity.* All buildings and common spaces shall be served by a pedestrian circulation system that connects to an existing or planned sidewalk or trail system.
- (9) *Utilities.* Individual cluster housing lots shall have a unique connection to the main water and sewer lines. Main water and sewer lines on private property servicing cluster housing unit developments shall be located in a dedicated easement.
- (10) *Community Buildings.* Indoor or covered common areas less than 2,000 square feet are permitted by right in cluster housing development. These structures shall be architecturally integrated with the architectural style of the cluster housing development.
- (11) *Recycling and Trash Collection Service.* For the purposes of recycling and trash collection cluster housing developments are considered a residential use and should receive residential recycling and trash collection service (individual carts and recycling bins) where possible. In certain instances, it may be necessary to service cluster housing developments with commercial trash collection equipment (dumpsters). This may occur when a project is located in a predominately commercial area serviced by commercial trash pickup. It is incumbent on the developer to design recycling and trash collection facilities into the cluster housing development plan early in the process. The final determination of recycling and trash collection service and pick-up areas will be made at the time of development review by the city. Specific requirements for residential and commercial trash and recycling pick-up shall be as follows:
 - (a) Residential trash and recycling collection service requires a designated location near the street curb for trash carts and recycling bins. This location shall be kept clear of obstructions on the designated pick-up day. If this location is also used for on-street parking it shall be clearly marked and a sign posted restricting use for the designated pick-up day. An appropriate linear distance is required to accommodate each cluster housing unit's trash cart and recycling bin, subject to city approval.
 - (b) Commercial trash collection service requires a dumpster location that is freely accessible for front end loading and screened from public view.
 - (c) Recycling and trash facilities shall be located behind the front building setback line and shall be screened from the right-of-way and adjacent property owners by either architectural treatments or vegetative screening.
- (H) *Building Design Standards.*
 - (1) *Variety in Detached Cluster Housing Units Floor Plans and Architectural Treatments.* These standards are intended to avoid the overly repetitive use of the same building design, structural features, detailing or finishes among detached units within the cluster housing development. In cluster housing developments no two (2) structures shall be identical in terms of exterior finishes. All cluster housing units shall differ from each other by utilizing at least two (2) of the following options:
 - (a) Variations in building material finishes such as clapboard, shake shingles, stone, brick, etc., and building color;
 - (b) Variations in adjacent cluster housing unit floor plans that alter the location of exterior windows and doors;
 - (c) Variations in the size of main floor area and/or building height of adjacent structures; or
 - (d) A front porch with a minimum width no less than 50% of the front building façade. Front porches shall have a minimum depth of six feet. No structurally identical front porches shall be located on adjacent cluster housing units.
 - (e) Variations in roof shapes or gables between adjacent structures.
 - (f) Other variations as approved by the Zoning and Development Administrator.
 - (2) All attached cluster housing units shall comply with §166.23, Urban Residential Design Standards. Where a cluster housing unit fronts onto a public trail or open space, the façade facing the public trail or open space shall be considered a principal façade, for the purposes of meeting this section.
- (I) *Variances From the Minimum Cluster Housing Development Requirements.* Variances of this section, Cluster Housing Development, shall be administered as normal development regulations for variances of General Design Standards, except that (E) Zoning Regulations shall be administered as zoning regulations for variance purposes.

September 17th, 2024
Via EnerGov

Ms. Jessica Masters
Zoning and Development Administrator
City of Fayetteville
125 West Mountain Street
Fayetteville, Arkansas 72701

**RE: Oak Bailey Cluster Development – Conditional Use Permit Application
Submittal Package**

Ms. Masters,

As a representative of the KBB Development LLC, owner of Washington County Parcel 765-31975-000, please find the attached Conditional Use Permit Application for the development of a cluster housing development. The application includes the following supporting documents attached to this letter:

- One (1) copy of a written submittal letter describing the project
- One (1) copy of a consent of owner form
- One (1) copy of a annotated site or master plan
- One (1) copy of draft architectural floor plans and elevations

General - The property is zoned RSF4 and contains approximately 2.70 acres. A color site plan has been created which should present a proposal that meets all of the zoning requirements of UDC 164.22 Cluster Housing Development. The request is for the zoning approval of a cluster housing development containing 18 total, 3-bedroom single family houses. A conditional use permit was originally approved for this plan by the August 8, 2022 Planning Commission. The conditional use permit was appealed and the appeal was denied by the December 5, 2022 City Council. The property has since changed hands and all previously approved permits and approvals have expired. The request is for approval of the expired conditional use permit. A variance to allow 18 single-family houses in a cluster development was granted by the August 8, 2022 Planning Commission and upheld by the December 5, 2022 City Council. No changes to the plan have been made in regards to the previously granted variance.

Fire, Solid Waste, Vehicular Access and Parking – Fire, solid waste, and vehicular access is proposed along a new looped shared private drive. The concept is for the shared private access to accommodate both pedestrians and vehicles and expand upon the common open space. The shared access will maintain a minimum clear width of 20' to meet requirements for fire and solid waste access. In addition to 2 “off-street” parking spaces planned for each house, at least 12 parallel parking spaces are also planned along the shared access to accommodate more parking if needed for a total of 48 parking spaces.

Architectural Floor Plans and Elevations – Each of the houses are proposed to be approximately 1,650 square feet and contain 3 bedrooms and 2.5 bathrooms. Floor plans and elevations for each of the 18 proposed houses are included with this submittal. The houses have been designed using massing and detailing that is characteristic of traditional Ozark vernacular farmhouse. As proposed each house has a large front porch and also a private courtyard. Common open space is also provided in the central green. Elevation variation is provided focusing on roof structure massing or projected gables, window and door placement, window trim detailing, porch column and beam detailing, paint color, and roof shingle color.

100 West Center Street Suite 300
Fayetteville, AR 72701

479.790.6775
Planning Commission

October 28, 2024

CUP-2024-0044 (OAK BAILEY CLUSTER DEVELOPMENT)

Page 15 of 59

Compatibility and Traffic Impact -

The proposal is compatible with adjacent properties and the neighborhood primarily by maintaining a detached single-family house type, similar in size to the existing houses in the neighborhood. By incorporating Ozark farmhouse vernacular architecture into the house designs, the proposal adds to the formerly rural character of this neighborhood.

The proposal will not have a measurable impact on vehicular traffic in the area. The proposal utilizes an existing curb cut onto Oak Bailey Drive with access to Crossover Road only a ¼ mile away, via Old Wire Road. Proximity to everyday shopping is also approximately 1 mile away with retail shops and restaurants at the intersection Crossover Road and Mission Boulevard and also at the intersection of Crossover Road and Joyce Blvd.

Thank you for your consideration of this request. Please let me know if you have any questions or if you need additional information.

Sincerely,

A handwritten signature in blue ink, reading "Brian Teague", with a long horizontal flourish extending to the right.

Brian Teague
Community By Design

- Master Plan Key**
- (A) Bent House
 - (B) Prow House
 - (C) Duplex House
 - (D) Pyramid House
 - (E) Woonerf or Shared Space
 - (F) Vehicular Access
 - (G) Private Parking Courts
 - (H) Private Courtyards / Patios
 - (I) Central Green
 - (J) Tree Preservation



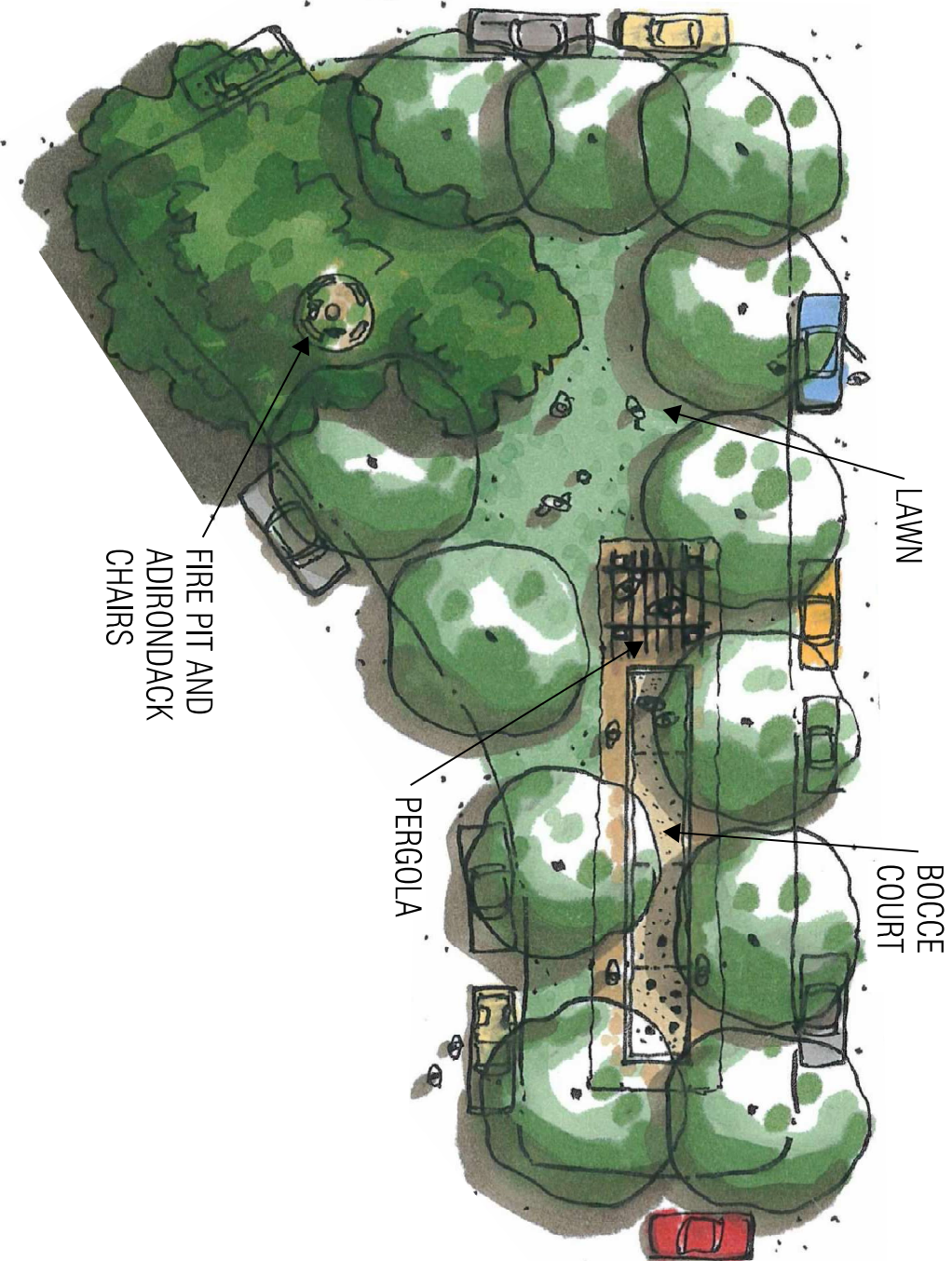
community by design



Planning Commission
October 22, 2024

CUP-2024-0044 (OAK BAILEY CLUSTER DEVELOPMENT)

2992 Oak Bailey
Master Development Plan
9/16/24





AREA DATA	
GROUND FLOOR	950 SF
SECOND FLOOR	728 SF
1678 SF	



LOT 1

ARKANSAS

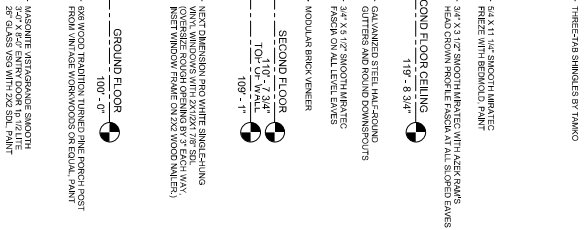
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OR REVIEW

DATE: 7 OCT 2024

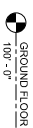
ELEVATIONS

HEET A1.2

 $\Gamma_{14''} = \Gamma_{10''}$  $1/4'' = 1.0\sigma$

RED BRICK WITH GREEN SHINGLES

1 NOR $1/4'' = 1'-0''$



2 NOR $1/4 = 1 \cdot 0^*$



SHEET A7.3



October 28, 2024



OAK BAILEY
BENT HOUSE
ELEVATION 1
LOT 2

REVISION 0

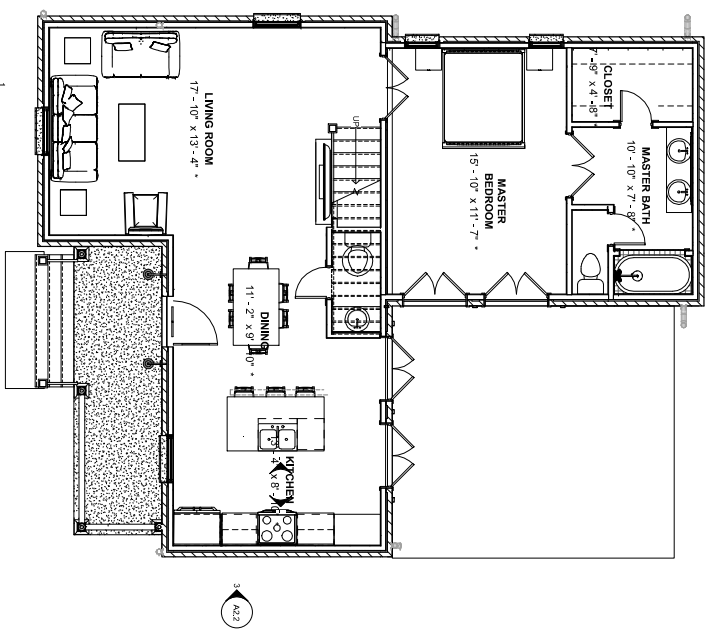
OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ##
ISSUED FOR REVIEW

DRAWN BY: TK
DATE: 7/27/2024

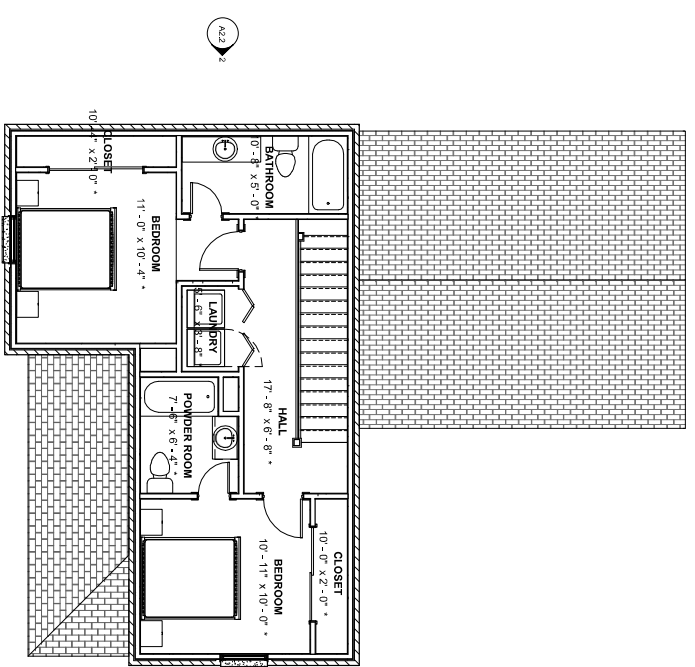
PLANS

SHEET A2.1

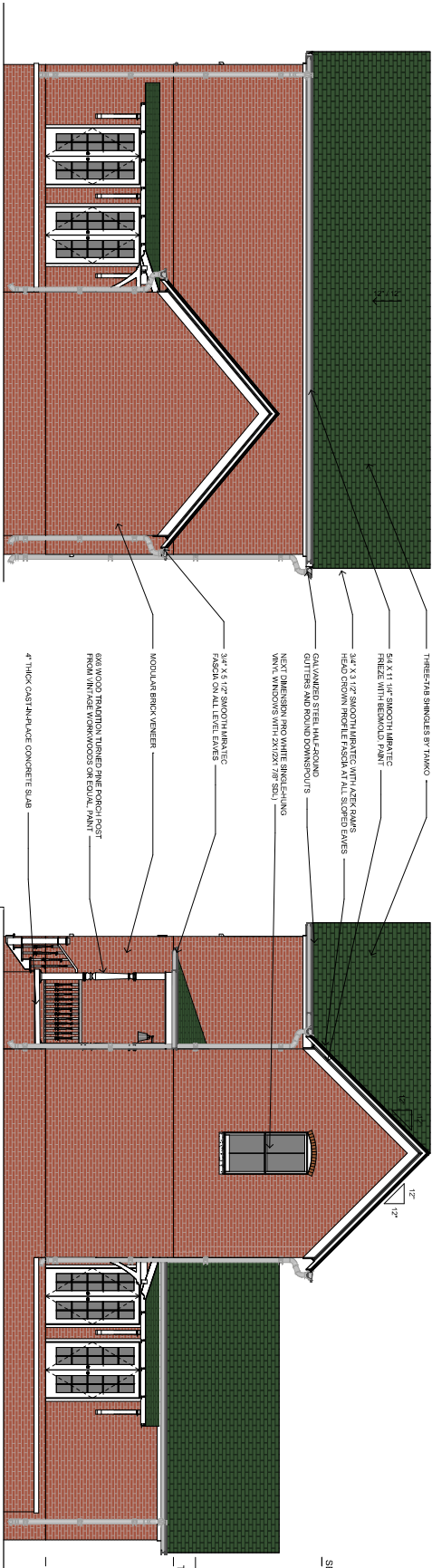
1
1/4" = 1'-0"
GROUND FLOOR PLAN



2
1/4" = 1'-0"
SECOND FLOOR PLAN

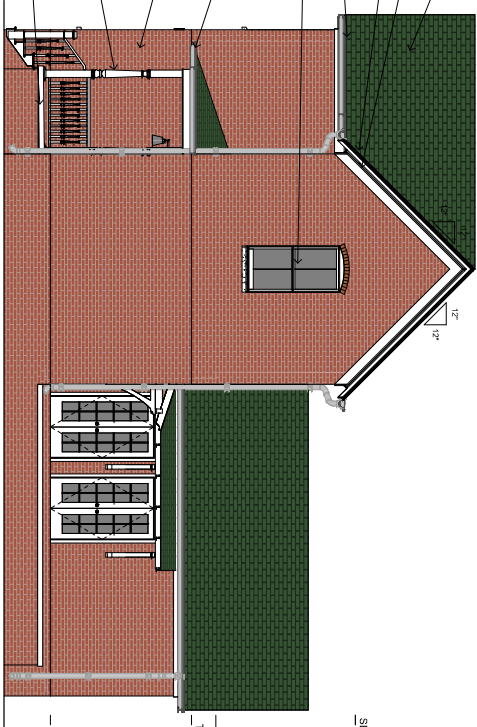


AREA DATA	
GROUND FLOOR AREA	919 SF
SECOND FLOOR AREA	588 SF
	1507 SF



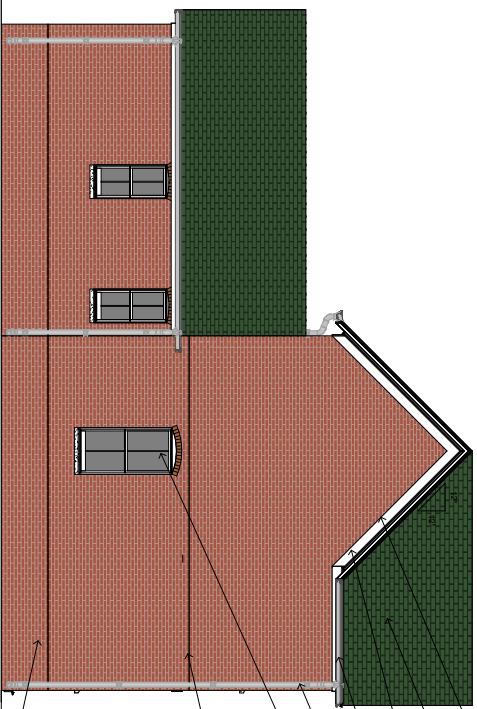
4 WEST ELEVATION

1/4" = 1'-0"



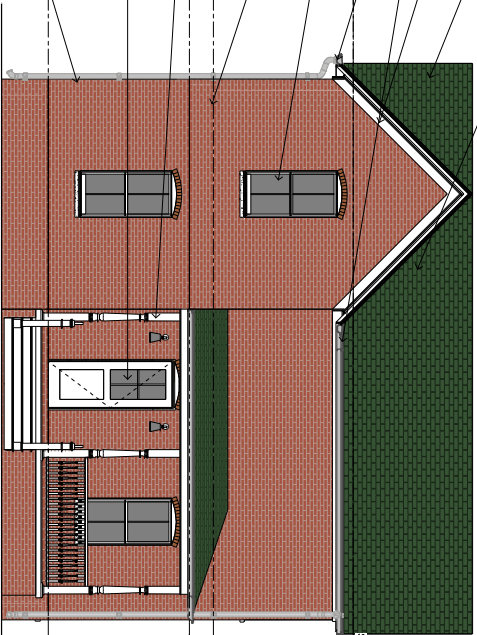
3 NORTH ELEVATION

1/4" = 1'-0"



2 SOUTH ELEVATION

1/4" = 1'-0"



1 EAST FRONT ELEVATION

1/4" = 1'-0"

GROUND FLOOR
100' - 0"

REVISION 0

SECOND FLOOR
110' - 7' 3/4"

REVISION 0

T.O.W. GROUND FLOOR
109' - 1"

REVISION 0

SECOND FLOOR CEILING
119' - 7' 3/4"

REVISION 0

SECOND FLOOR
110' - 7' 3/4"

REVISION 0

O.W. GROUND FLOOR
109' - 1"

REVISION 0

GROUND FLOOR
100' - 0"

REVISION 0

NOTE:
MATERIAL COLORS TO BE
RED BRICK WITH GREEN SHINGLES

SHEET A2.2

OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE # #
ISSUED FOR REVIEW

DRAWN BY
DATE: 10/1/2024

OAK BAILEY
BENT HOUSE
ELEVATION 1
LOT 2



October 28, 2024

OAK BAILEY
PROW HOUSE
ELEVATION 3
LOT 3

REVISION 0



OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE # # #
ISSUED FOR REVIEW

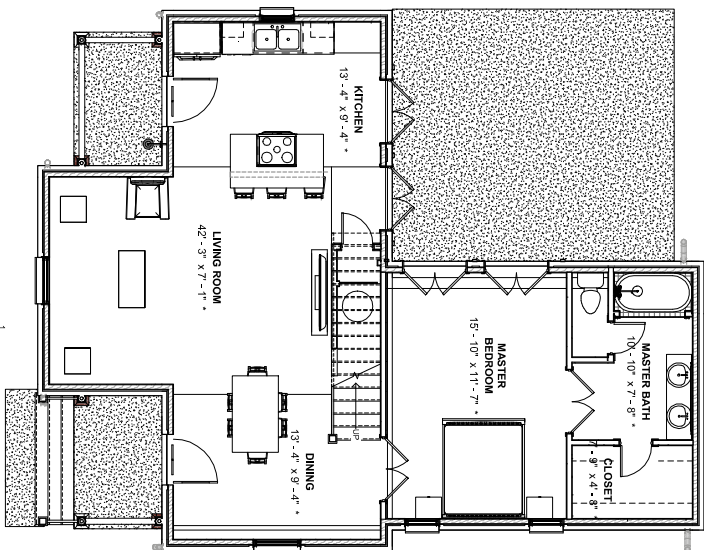
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DATE: 7/27/2024

SHEET A3.1

PLANS

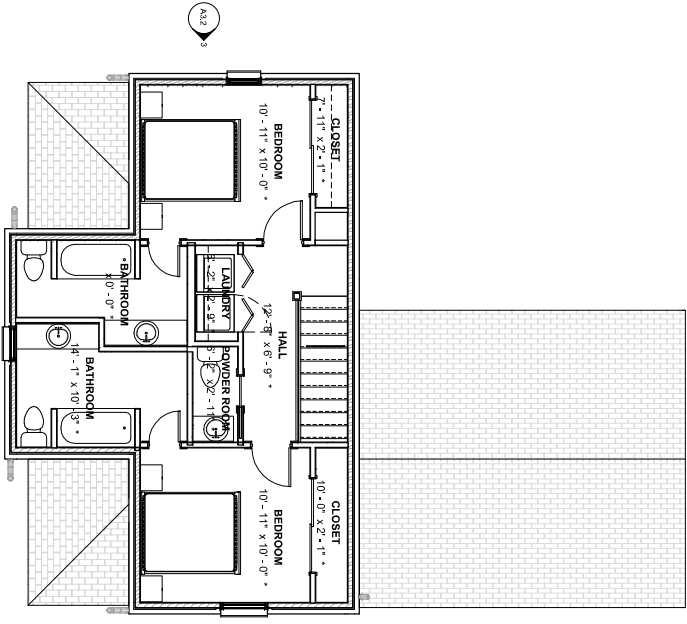
1 GROUND FLOOR PLAN

1/4" = 1'-0"

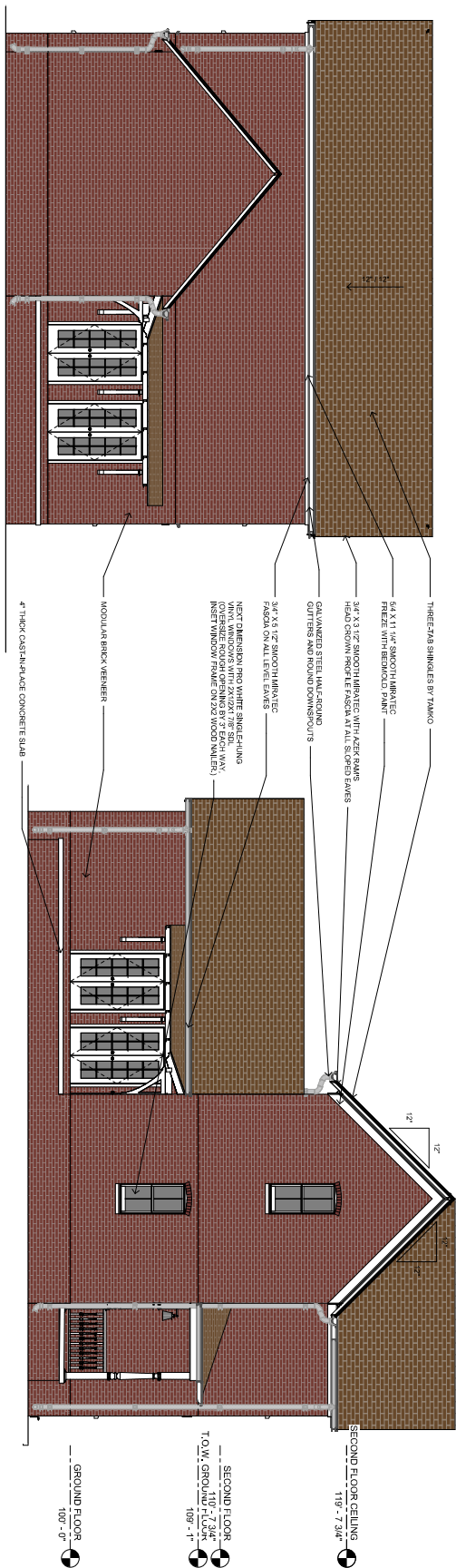


2 SECOND FLOOR PLAN

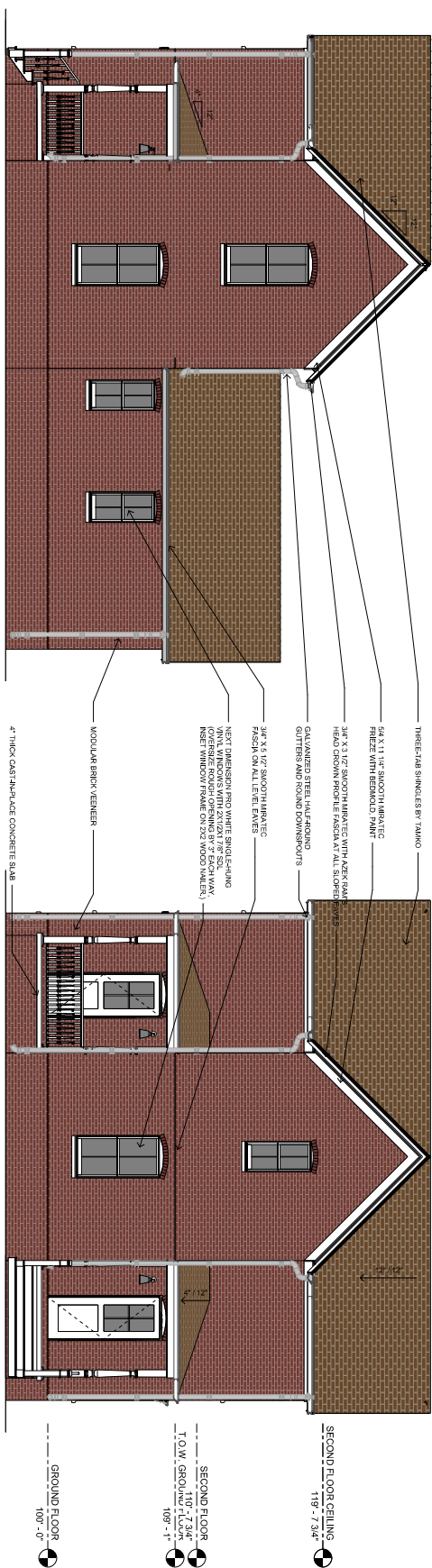
1/4" = 1'-0"



AREA DATA	
GROUND FLOOR AREA	919 SF
SECOND FLOOR AREA	588 SF
	1507 SF



4 WEST ELEVATION
1/4" = 1'-0"



2 NORTH ELEVATION $1/4" = 1'-0"$

3 SOUTH ELEVATION
 $1/4" = 1'-0"$

1 EAST FRONT ELEVATION
1/4" = 1'-0"

OAK BAILEY
PROW HOUSE
ELEVATION 3
LOT 3

OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ###
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 7 OCT 2024

ELEVATIONS

SHEET A3.2



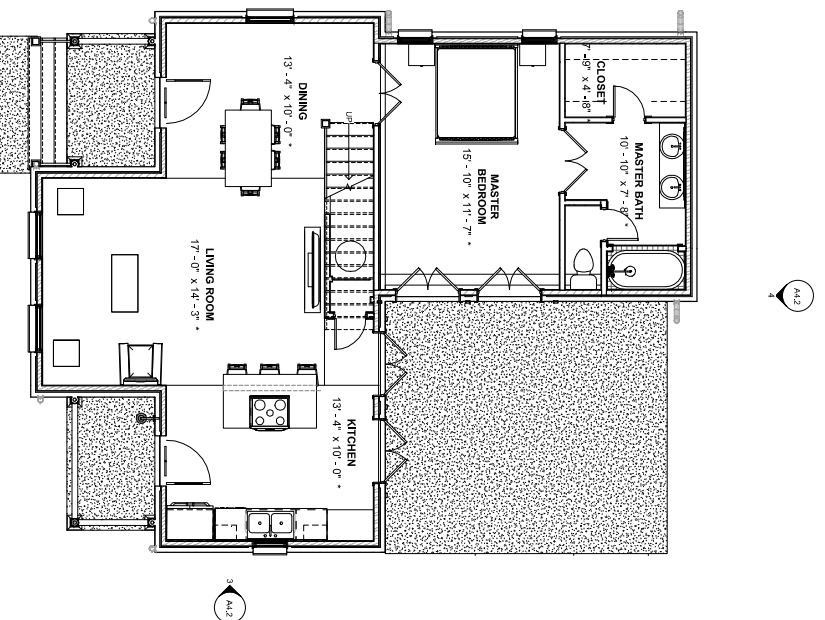
OAK BAILEY
PROW HOUSE
ELEVATION 4
LOT 4

OLD FARMINGTON
ROAD
FAYETTEVILLE
ARKANSAS
CITY PLAT PAGE ###
ISSUED FOR REVIEW

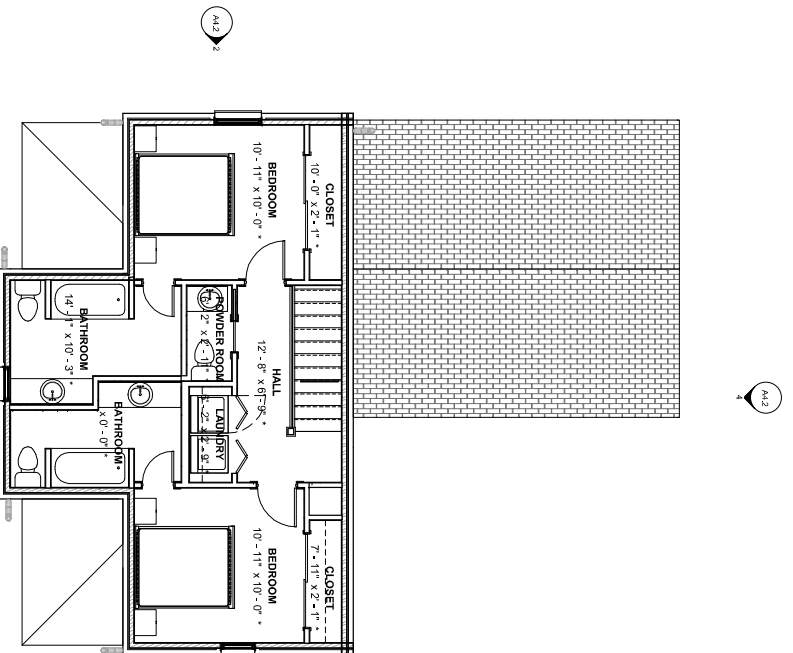
ENGINEER: BT
DRAWN BY: TK
DATE: 7 OCT 2024

PLANS

SHEET A4.1

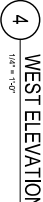


1 GROUND FLOOR PLAN
1/4" = 1'-0"



2 SECOND FLOOR PLAN

AREA DATA	
GROUND FLOOR AREA	919 SF
SECOND FLOOR AREA	588 SF



WEST ELEVATION

MATERIAL COLORS TO BE BEIGE BRICK

SHEET A4.2



LOT 5

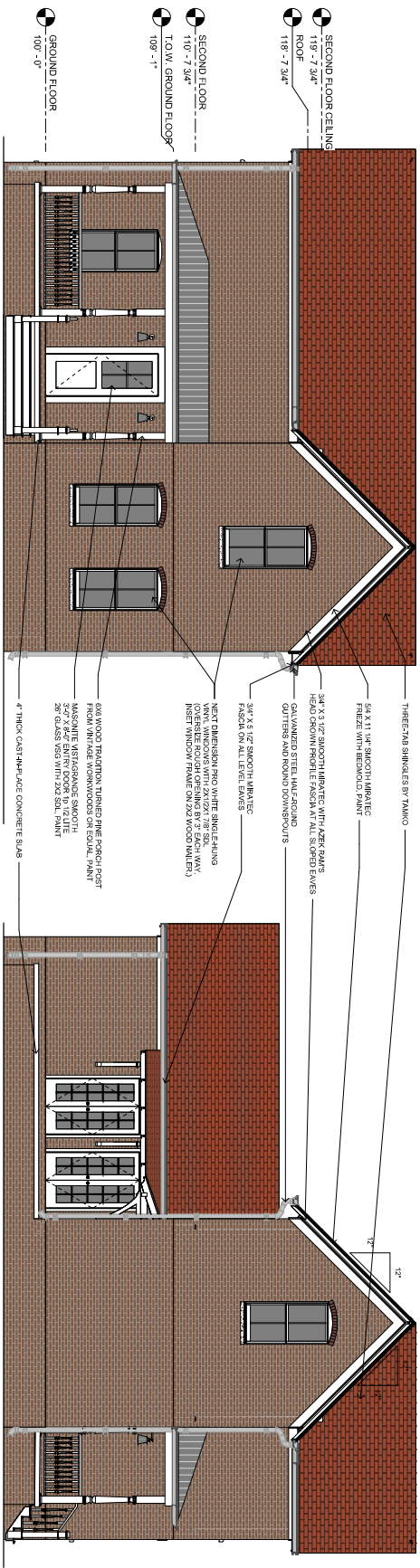
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 7 SEP 2022

PLANS



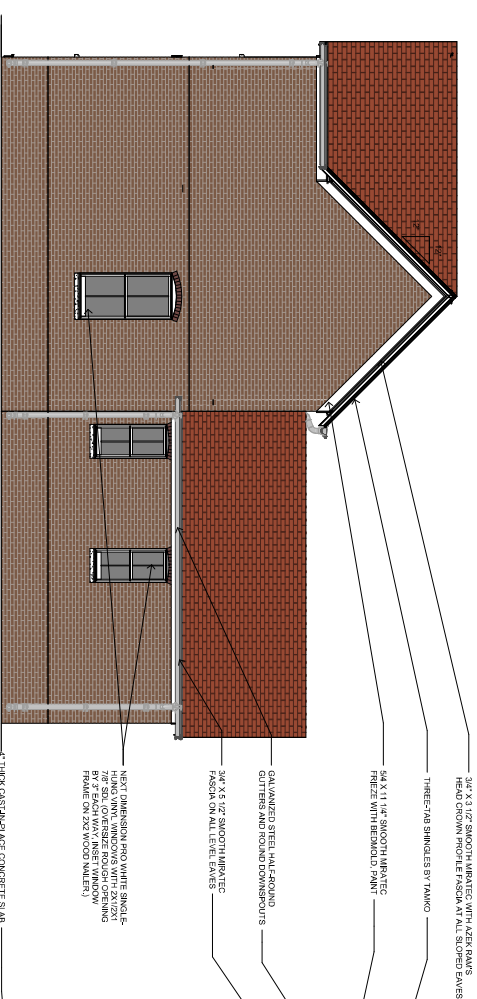
AREA DATA	
GROUND FLOOR AREA	919 SF
SECOND FLOOR AREA	588 SF
1507 SF	



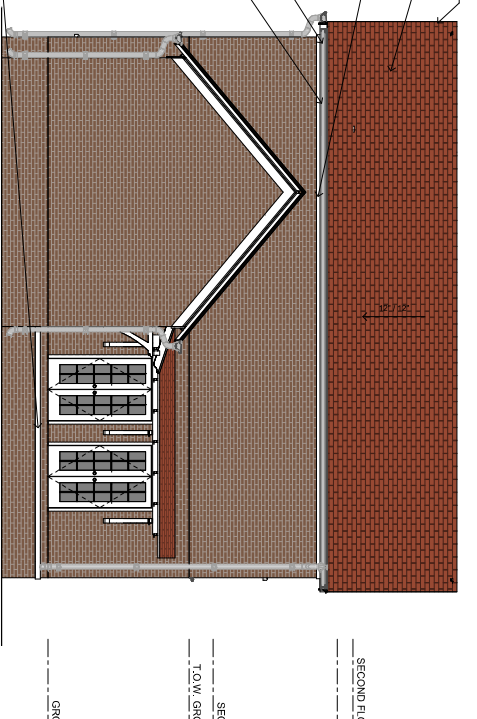
1 EAST FRONT ELEVATION
1/4" = 1'-0"



3 SOUTH ELEVATION
1/4" = 1'-0"



2 NORTH ELEVATION
1/4" = 1'-0"



4 WEST ELEVATION
1/4" = 1'-0"

NOTE
INTERNAL COLORS TO BE
BROWN BRICK WITH RED SHINGLES

SHEET A5.2

ELEVATIONS

OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ##
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DATE 7/25/2022

OAK BAILEY
BENT HOUSE
ELEVATION 2
LOT 5

REVISION 0





October 28, 2024



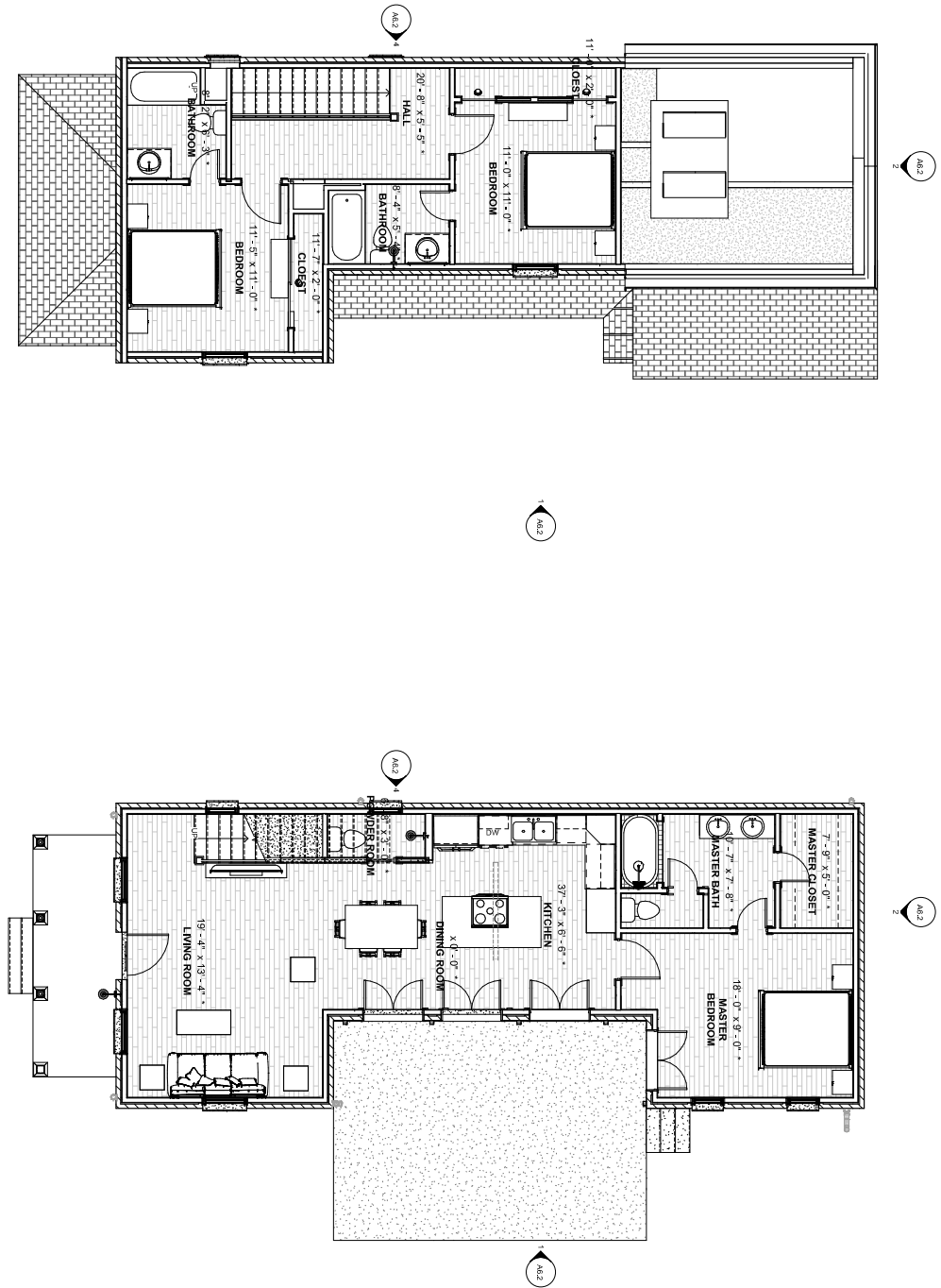
REVISION 0

OAK BAILEY
DUPE COTTAGE
ELEVATION 1
LOT 6

OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ##
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: IK
DATE: 10/21/2024

PLANS
SHEET A6.1



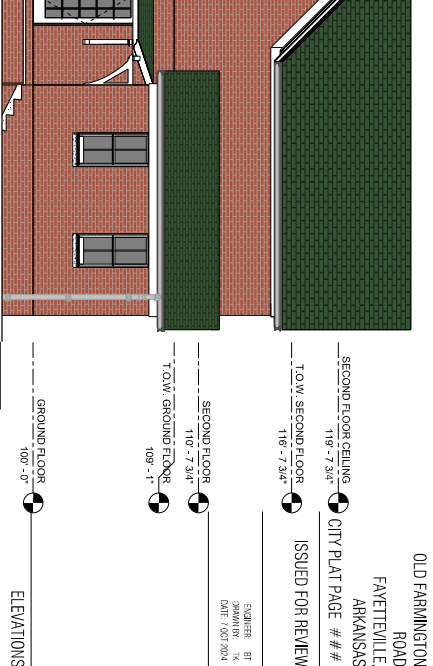
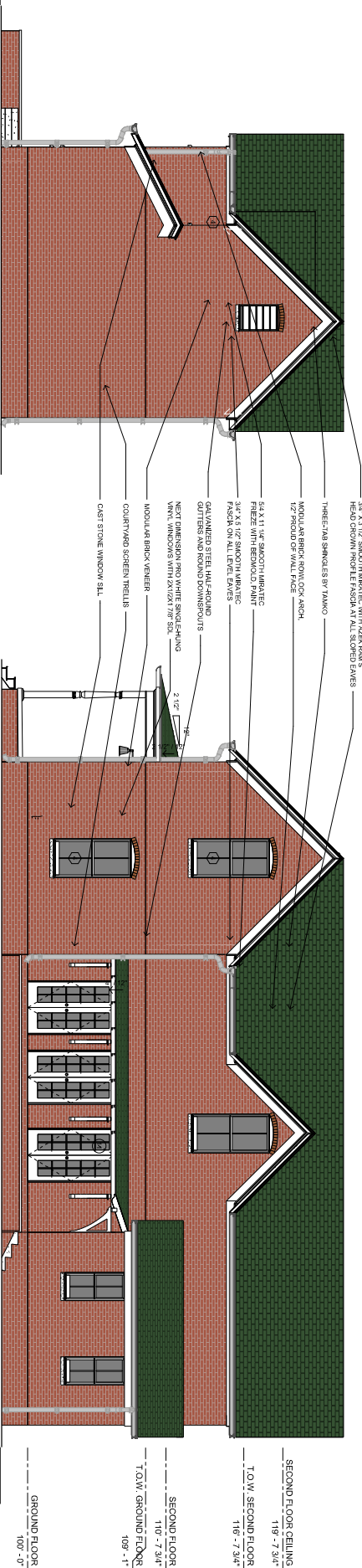
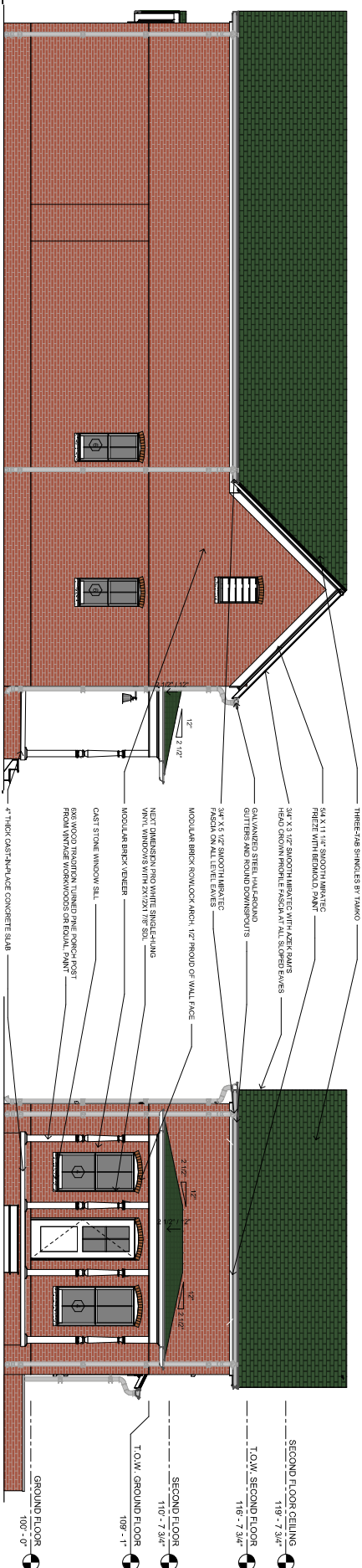
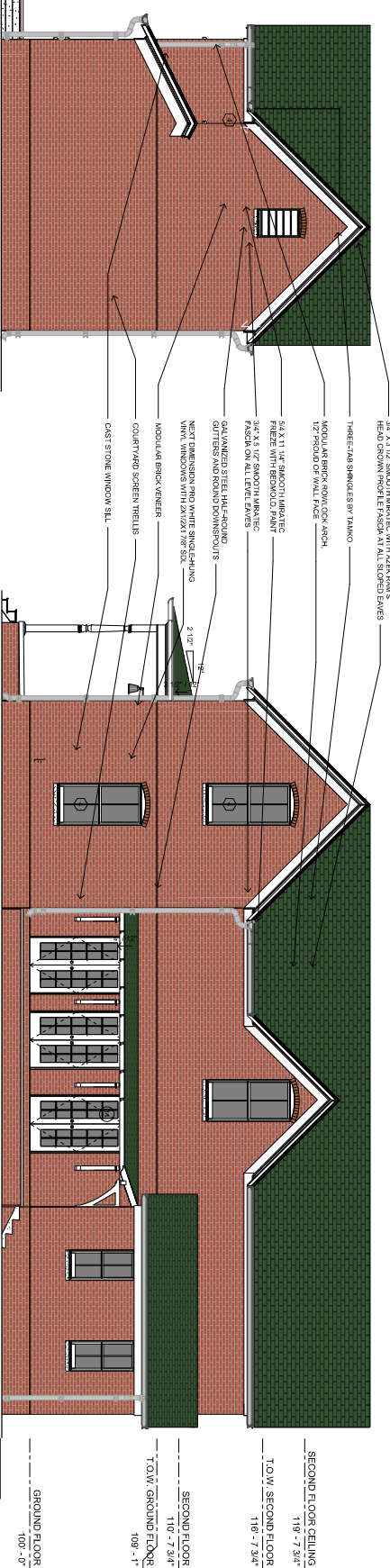
2 SECOND FLOOR PLAN

1 GROUND FLOOR PLAN

AREA DATA	
GROUND FLOOR AREA	872 SF
SECOND FLOOR AREA	560 SF
1432 SF	



REVISION 09

 $1/4^{\circ} = 15.0^{\circ}$ $1/4^{\circ} = 1:0^{\circ}$ 
$$0.1 = 1.0$$
 $1/6^* = 1^* \cdot 0$ 

G

G

NOTE:
MATERIAL COLORS TO BE
RED BRICK WITH GREEN SHINGLES

NOTE:
MATERIAL COLORS TO BE
RED BRICK WITH GREEN SHINGLES

SHEET A6.2

SHEET A6.2



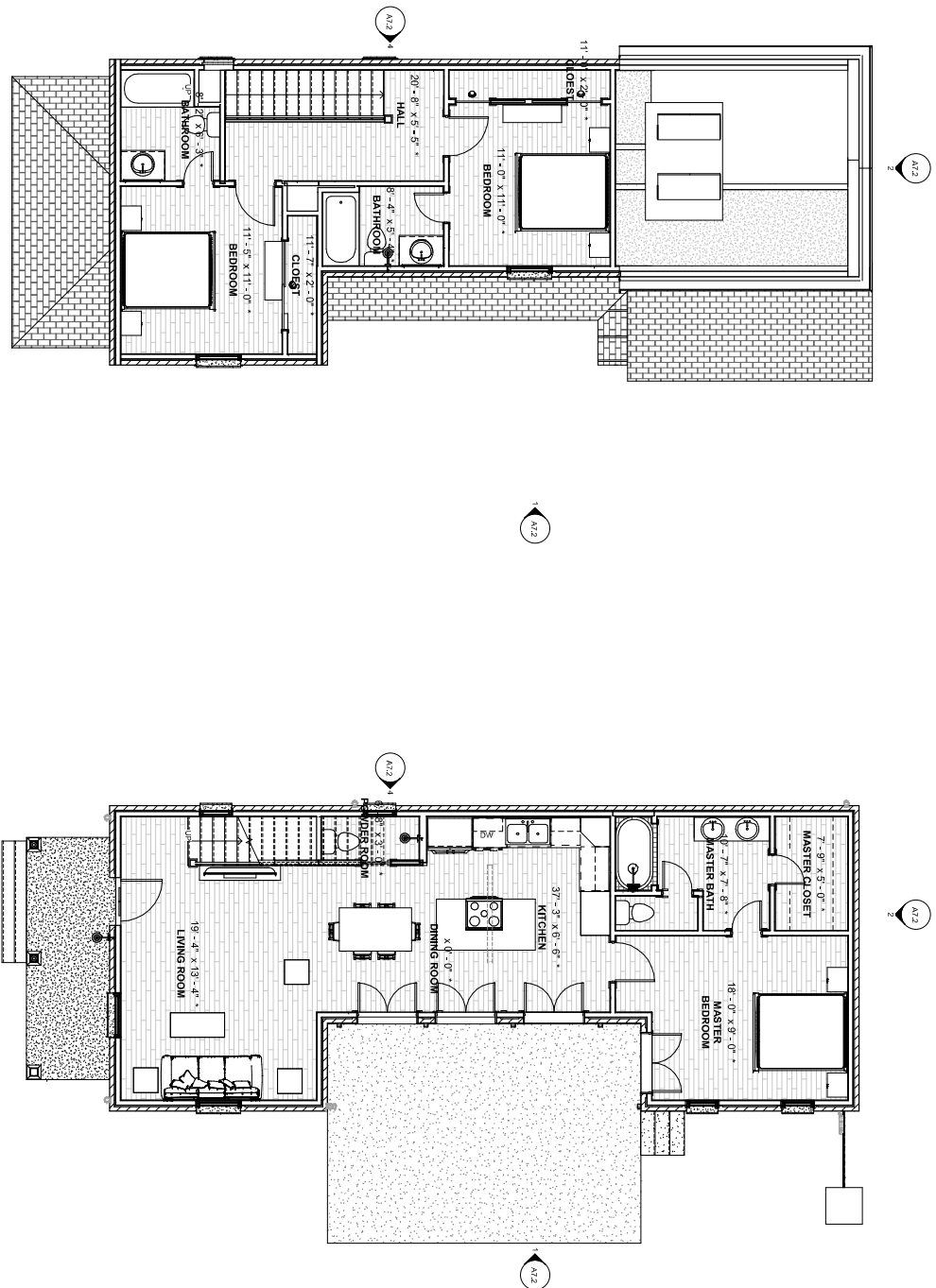
OAK BAILEY
DUPLX HOUSE
ELEVATION 2
LOT 7

OLD FARMINGTON
ROAD
FAYETTEVILLE
ARKANSAS
CITY PLAT PAGE ## ##
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 7 OCT 2024

PLANS

SHEET A7.1



2 SECOND FLOOR PLAN

AREA DATA	
GROUND FLOOR AREA	872 SF
SECOND FLOOR AREA	560 SF
	1432 SF

1 GROUND FLOOR PLAN
1/4" = 1'-0"



Community Development
October 28, 2024



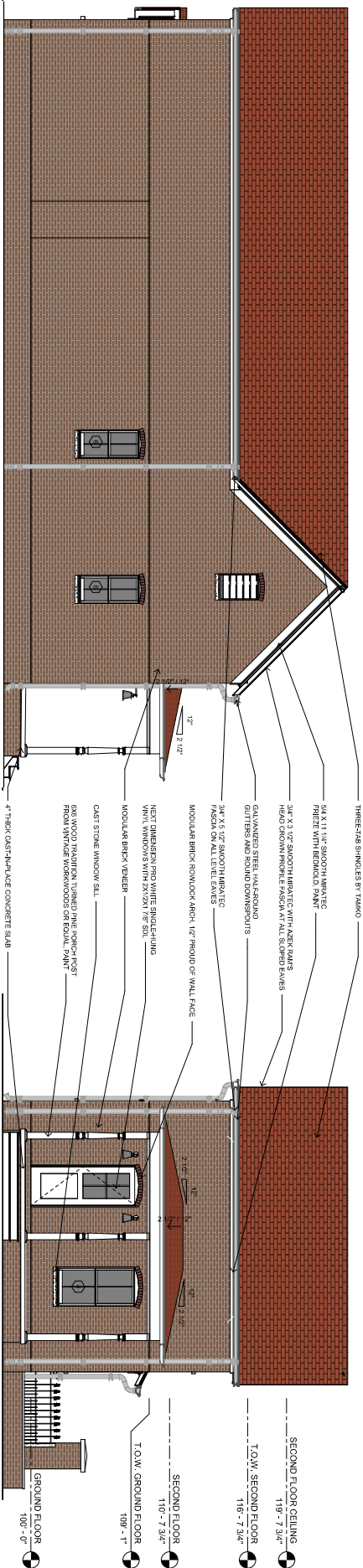
REVISION 0

CUP-2024-0044 (OAK BAILEY CLUSTER DEVELOPMENT)

OAK BAILEY
DUPEL HOUSE
ELEVATION 2
LOT 7

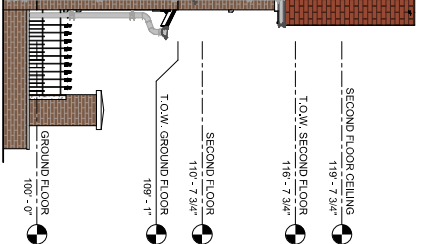
4 WEST ELEVATION

1/4" = 1'-0"



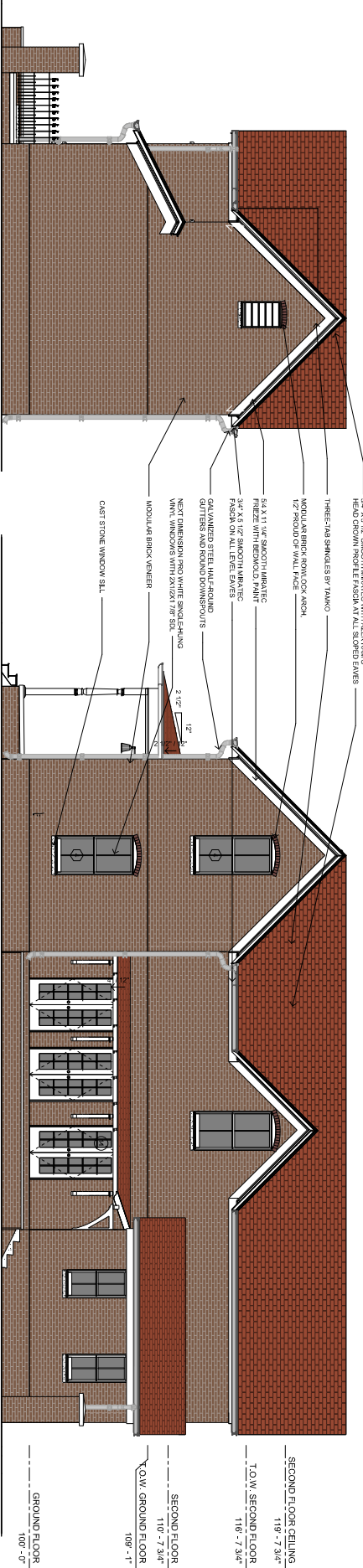
3 SOUTH FRONT ELEVATION

1/4" = 1'-0"



2 NORTH ELEVATION

1/4" = 1'-0"



1 EAST ELEVATION

1/4" = 1'-0"

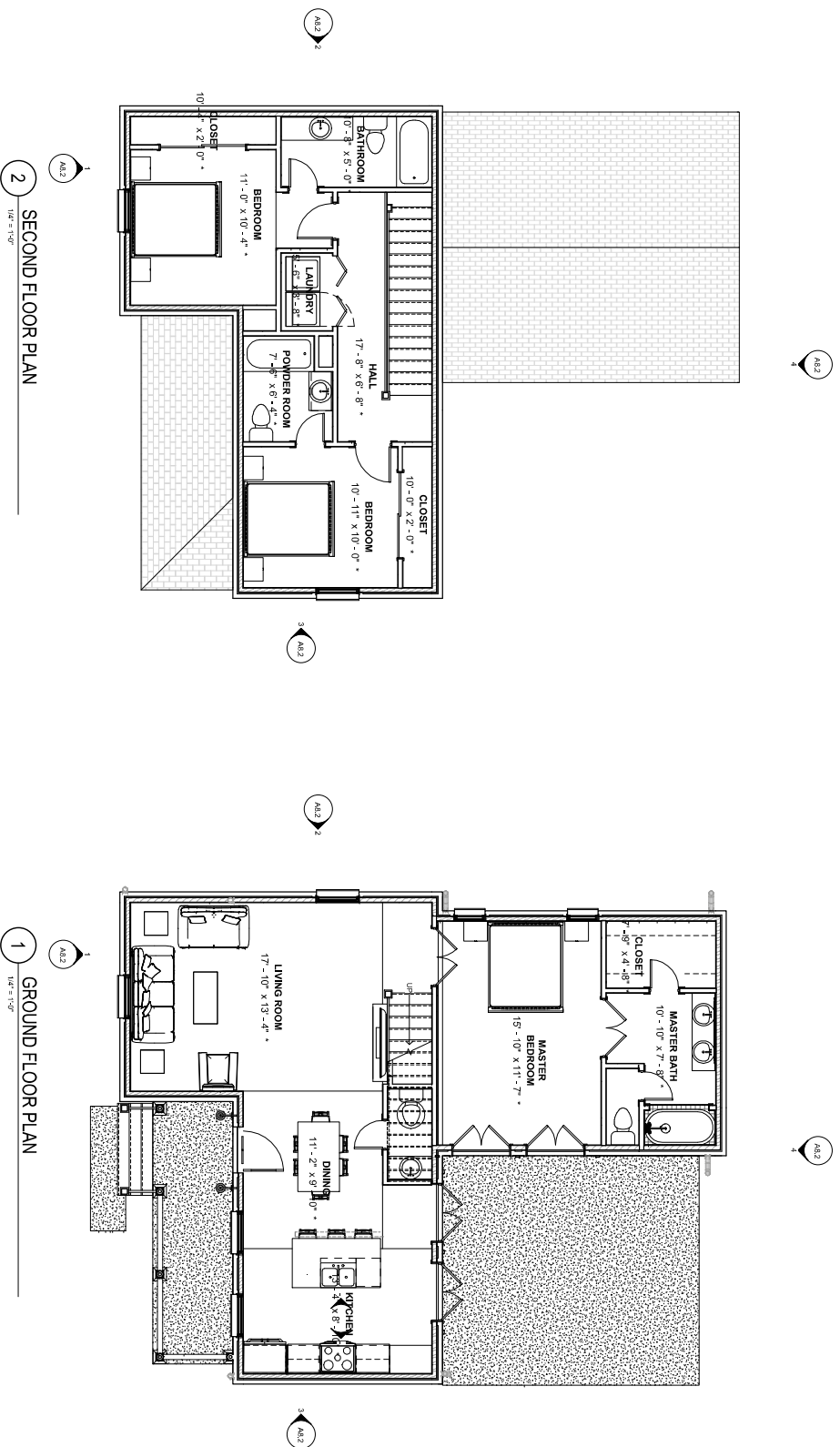


NOTE:
MATERIAL COLORS TO BE
BROWN BRICK WITH RED SHINGLES

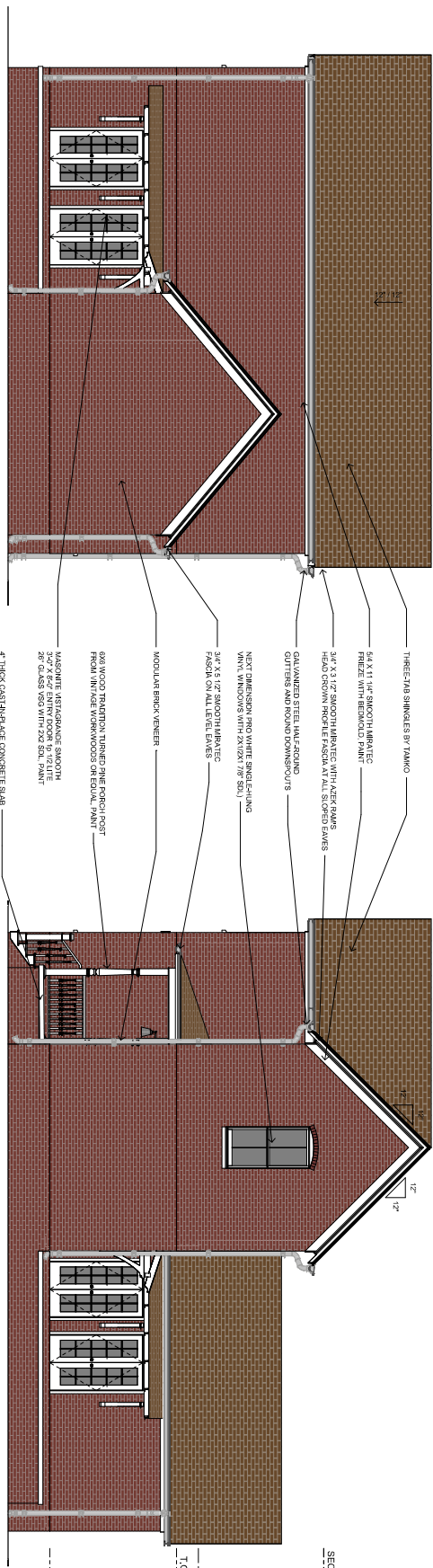
SHEET A7.2

OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ##
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: IK
DATE: 10/21/2024

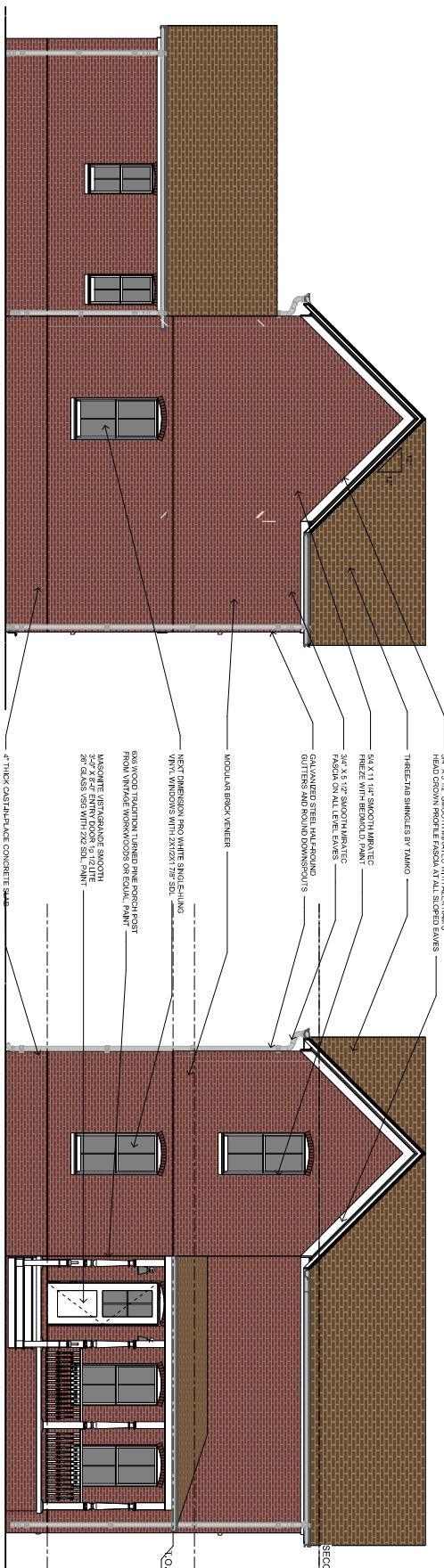


AREA DATA	
GROUND FLOOR AREA	919 SF
SECOND FLOOR AREA	588 SF
	1507 SF



4 NORTH ELEVATION

3 EAST ELEVATION



WEST ELEVATION

1 SOUTH FRONT ELEVATION
1/4" = 1'-0"

NOTE:	MATERIAL COLORS TO BE BURGUNDY BRICK WITH BROWN SHINGLES
-------	--

SHEET A8.2

OLD FARMINGTON
ROAD
FAYETTEVILLE
ARKANSAS
CITY PLAT PAGE ###
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 24 JAN 2023

ELEVATIONS



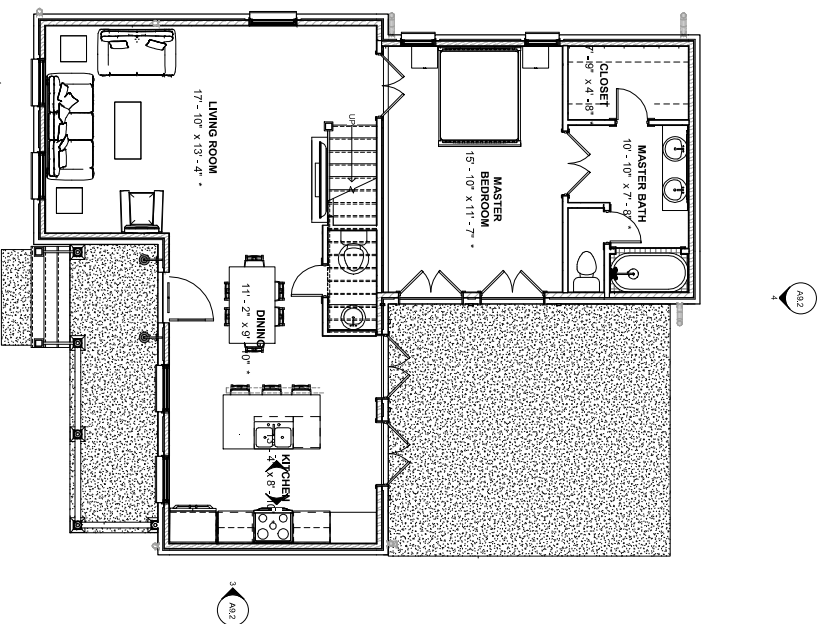
OAK BAILEY
BENT HOUSE
ELEVATION 4
LOT 9

OLD FARMINGTON
ROAD
FAVETTEVILLE
ARKANSAS
CITY PLAT PAGE ###
ISSUED FOR REVIEW

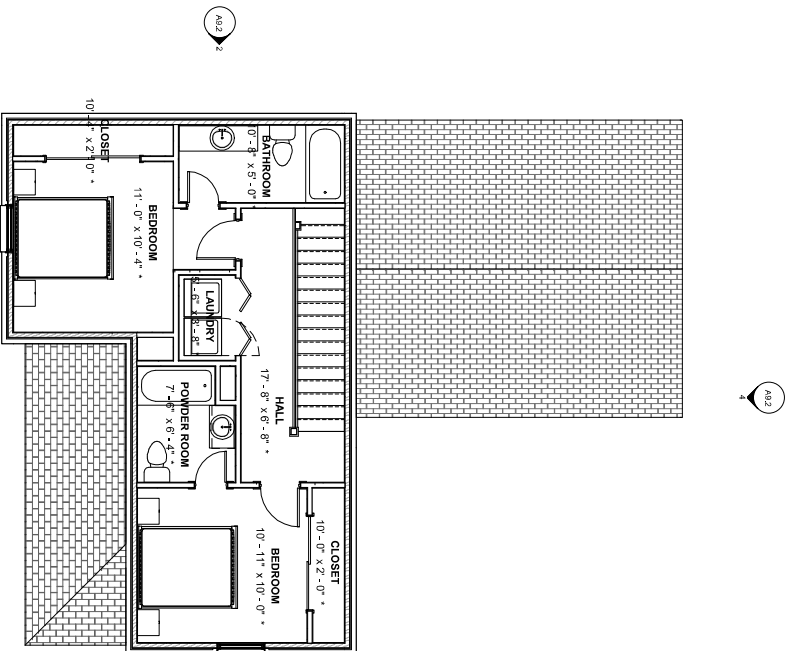
ENGINEER: BT
DRAWN BY: TK
DATE: 7 OCT 2024

PLANS

SHEET A9.1



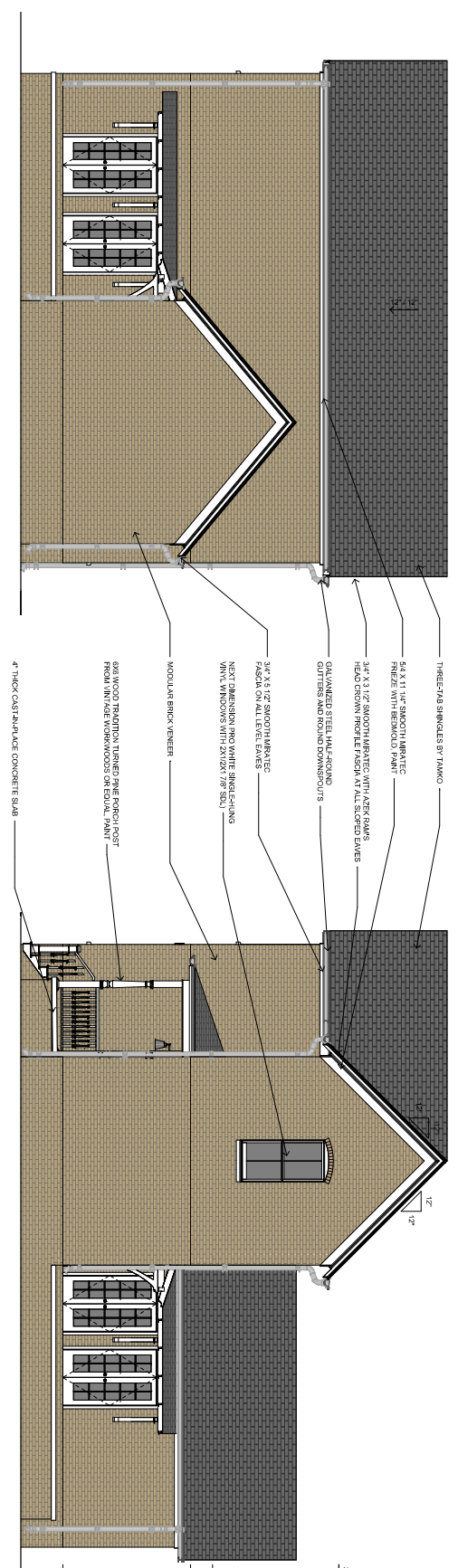
GROUND FLOOR PLAN



1
A9.2

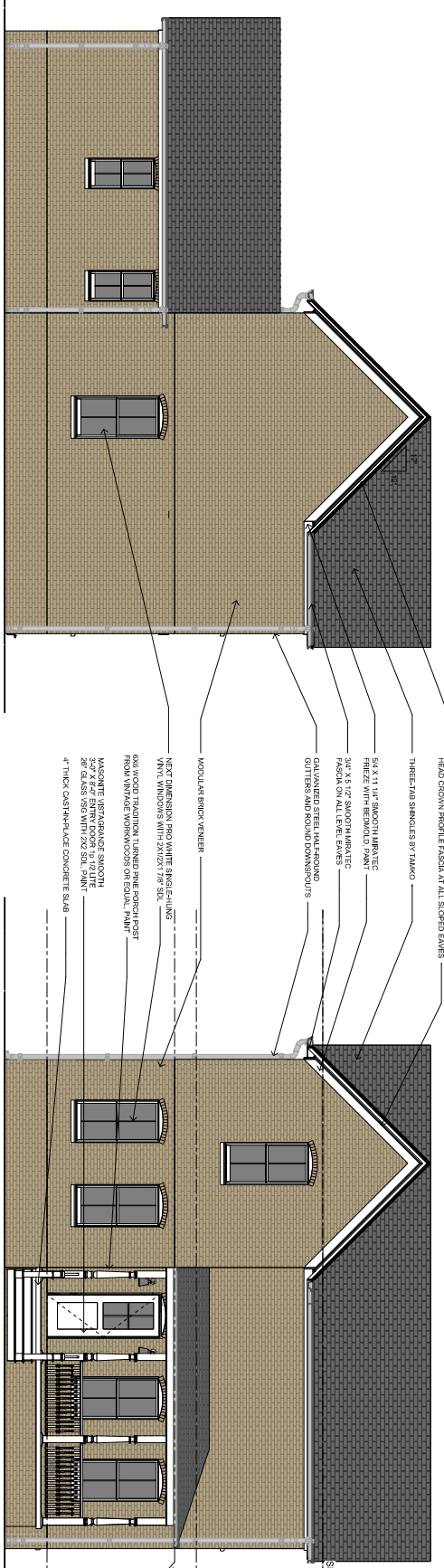
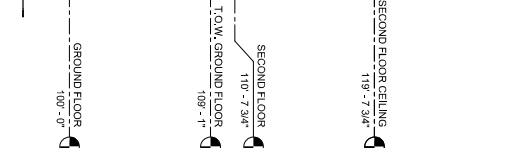
2 SECOND FLOOR PLAN
 $1/4" = 1'-0"$

AREA DATA	
GROUND FLOOR AREA	919 SF
SECOND FLOOR AREA	588 SF
	1507 SF



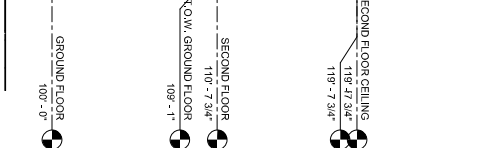
4 NORTH ELEVATION
1/4" = 1'-0"

3 EAST ELEVATION
1/4" = 1'-0"



2 WEST ELEVATION
1/4" = 1'-0"

1 SOUTH FRONT ELEVATION
1/4" = 1'-0"



NOTE
MATERIALS GOING TO BE IDENTIFIED
WITH GRAY SHINGLES



October 28, 2024



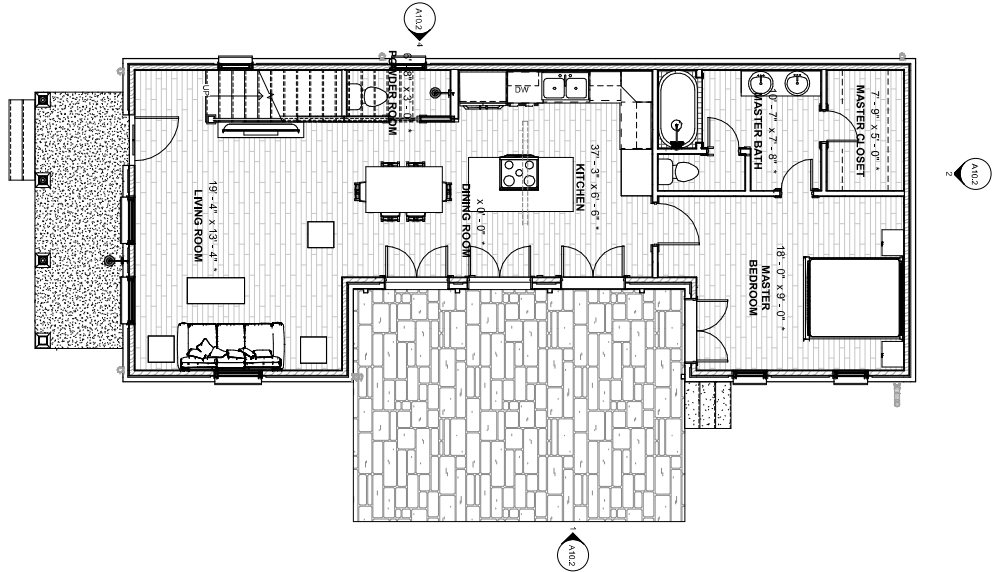
REVISION 0

OAK BAILEY
DUPE COTTAGE
ELEVATION 3
LOT 10

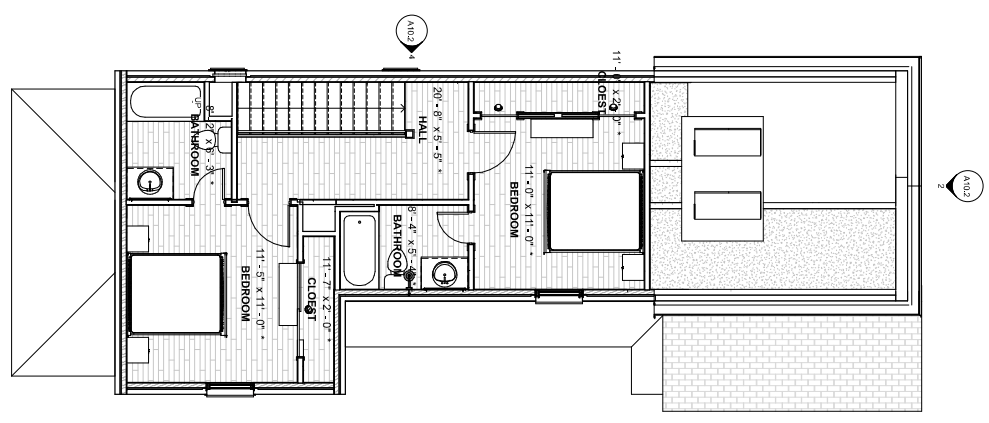
OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ##
ISSUED FOR REVIEW

DESIGNED BY
DRAWN BY
DATE 10/21/2024

PLANS
SHEET A10.1

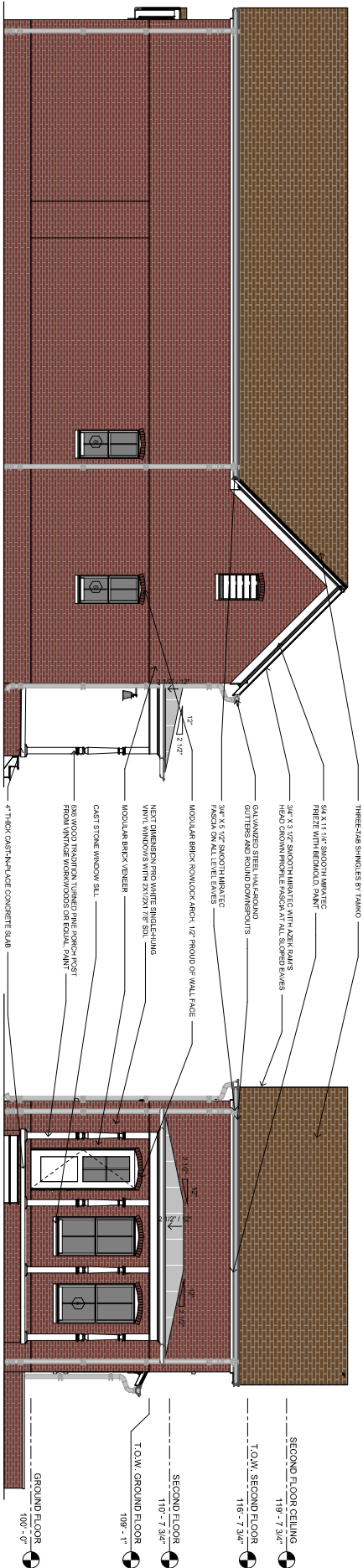


1 GROUND FLOOR PLAN



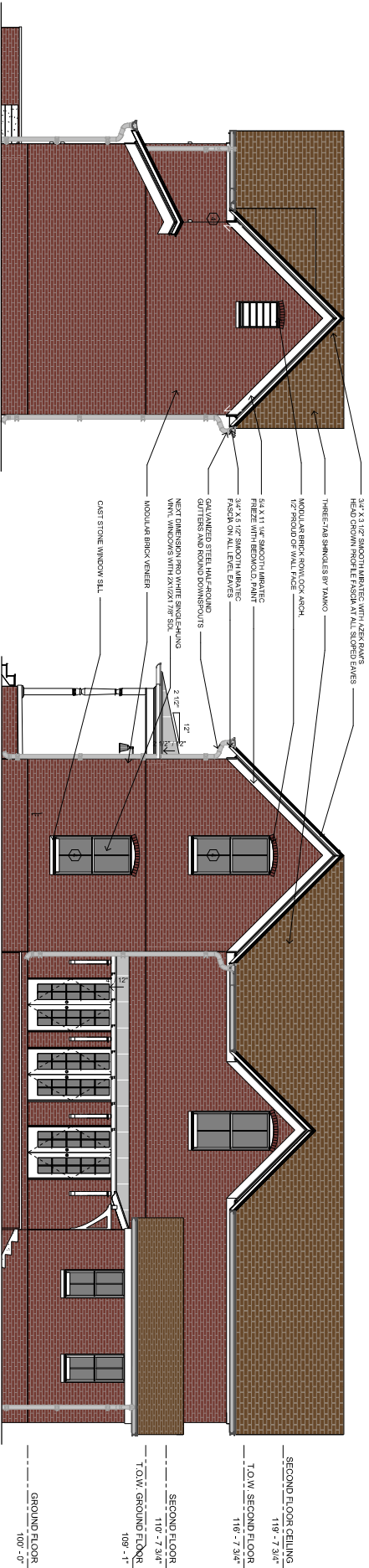
2 SECOND FLOOR PLAN

AREA DATA	
GROUND FLOOR AREA	872 SF
SECOND FLOOR AREA	560 SF
	1432 SF



4 NORTH ELEVATION
1/4" = 1'-0"

3 WEST FRONT ELEVATION
1/4" = 1'-0"



2 EAST ELEVATION
1/4" = 1'-0"

1 SOUTH ELEVATION
1/4" = 1'-0"

OAK BAILEY
DUPE COTTAGE
ELEVATION 3
LOT 10

OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ##
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DATE: 10/2/2024

SECOND FLOOR	110' - 7 3/4"
T.O.W. GROUND FLOOR	109' - 1"
GROUND FLOOR	100' - 0"
ELEVATIONS	

NOTE:
MATERIAL COLORS TO BE BROWN
BRICK WITH BROWN SHINGLES

SHEET A10.2



OAK BAILEY
DUPE COTTAGE
ELEVATION 4
LOT 11

REVISION 0

OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ###
ISSUED FOR REVIEW

DESIGNED BY
DRAWN BY
DATE 10/21/2024

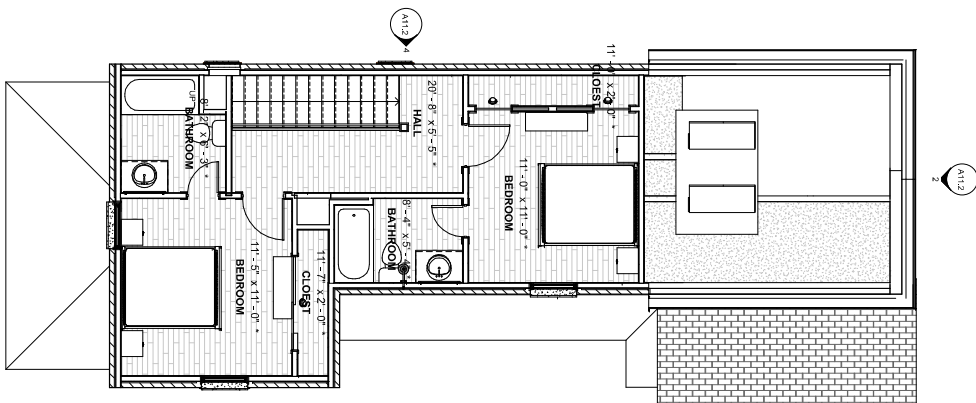
SHEET A11.1

PLANS

2 SECOND FLOOR PLAN

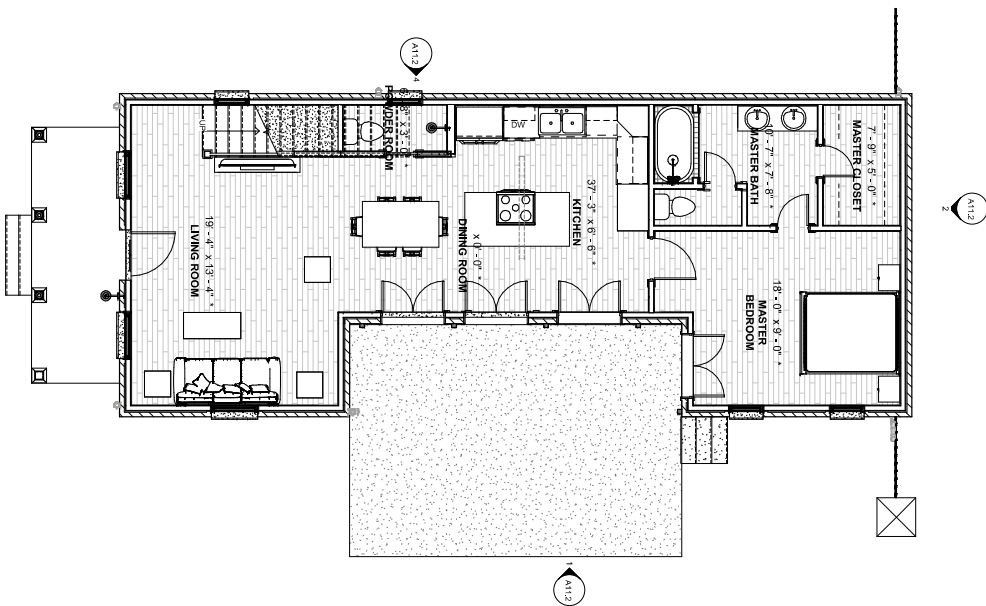
1/8" = 1'-0"

AREA DATA	
GROUND FLOOR AREA	872 SF
SECOND FLOOR AREA	560 SF
	1432 SF



1 GROUND FLOOR PLAN

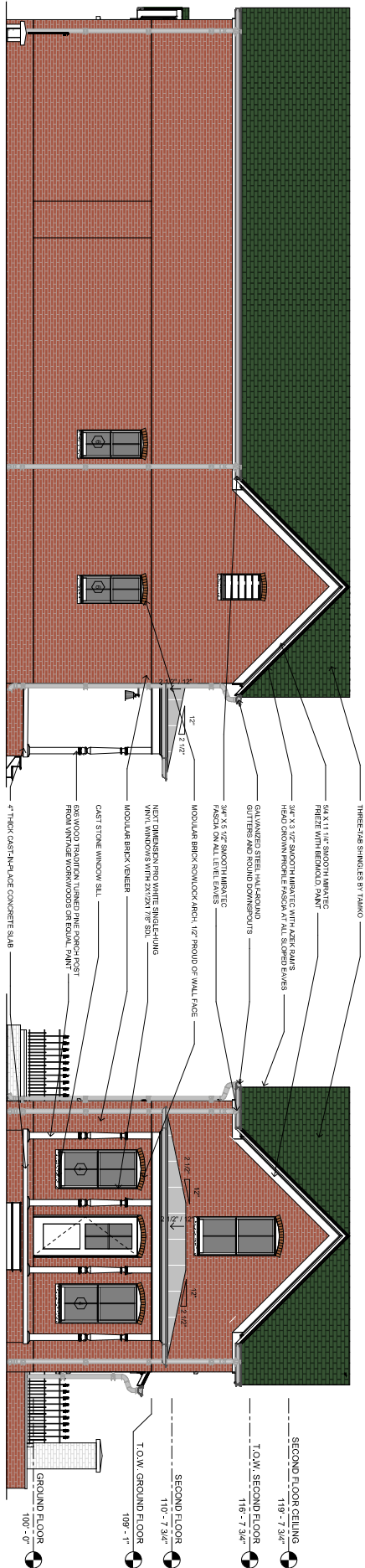
1/8" = 1'-0"





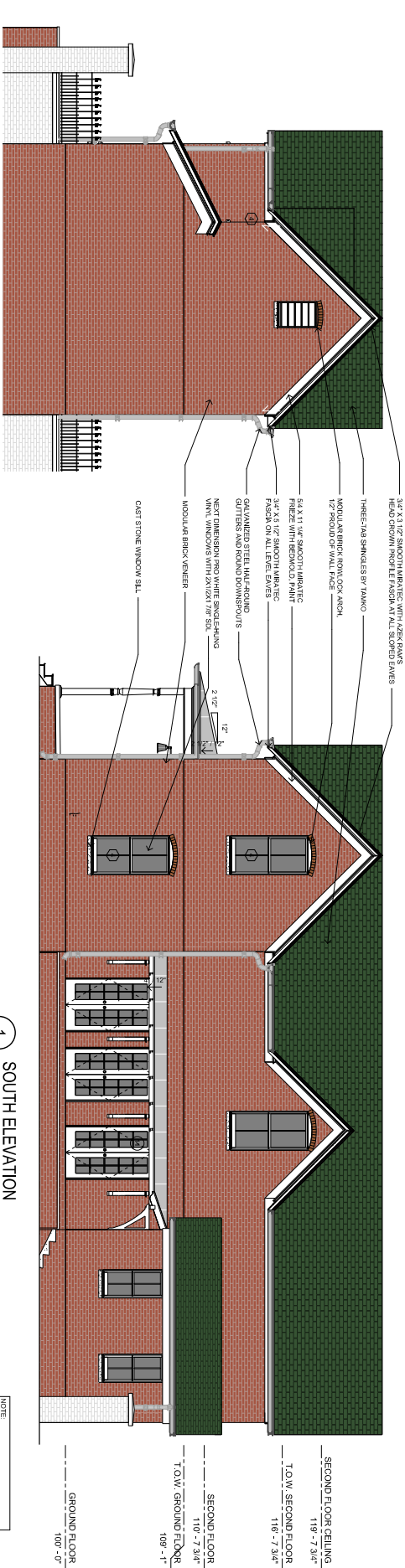
October 28, 2024

CUP-2024-0044 (OAK BAILEY CLUSTER DEVELOPMENT)



4 NORTH ELEVATION

3 WEST FRONT ELEVATION



2 EAST ELEVATION

1 SOUTH ELEVATION

OAK BAILEY
DUPEL COTTAGE
ELEVATION 4
LOT 11

REVISION 0



OLD FARMINGTON

ROAD

FAYETTEVILLE,

ARKANSAS

CITY PLAT PAGE # #

ISSUED FOR REVIEW

ENGINEER: BT

DRAWN BY: IK

DATE: 10/21/2024

SECOND FLOOR

110' - 7' 3/4"

T.O.W. SECOND FLOOR

109' - 1"

GROUND FLOOR

100' - 0"

NOTE:
MATERIAL COLORS TO BE
RED BRICK WITH GREEN SHINGLES

SHEET A11.2



October 28, 2024



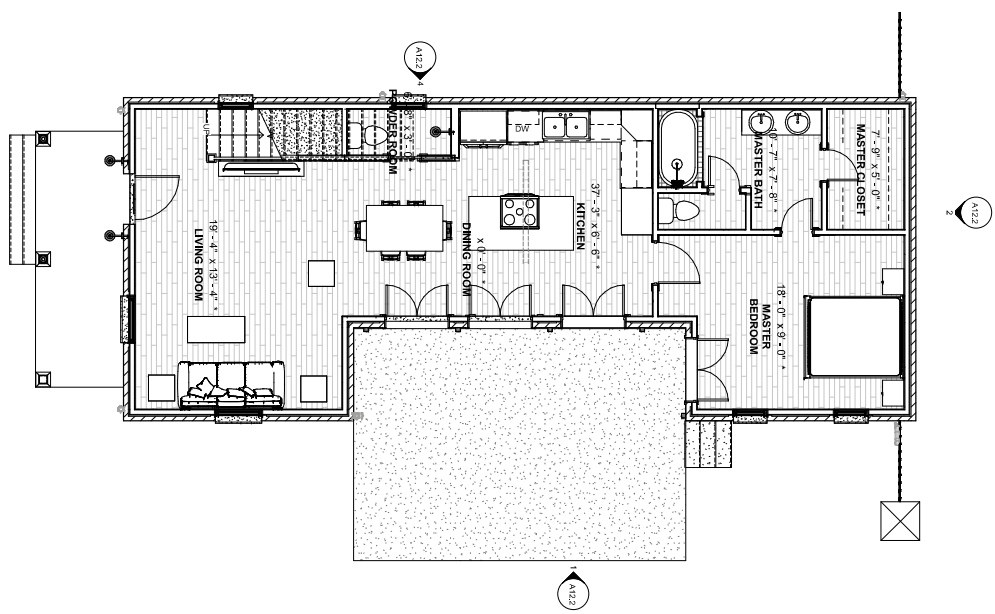
OAK BAILEY
DUPE COTTAGE
ELEVATION 5
LOT 12

REVISION 0

OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ##
ISSUED FOR REVIEW

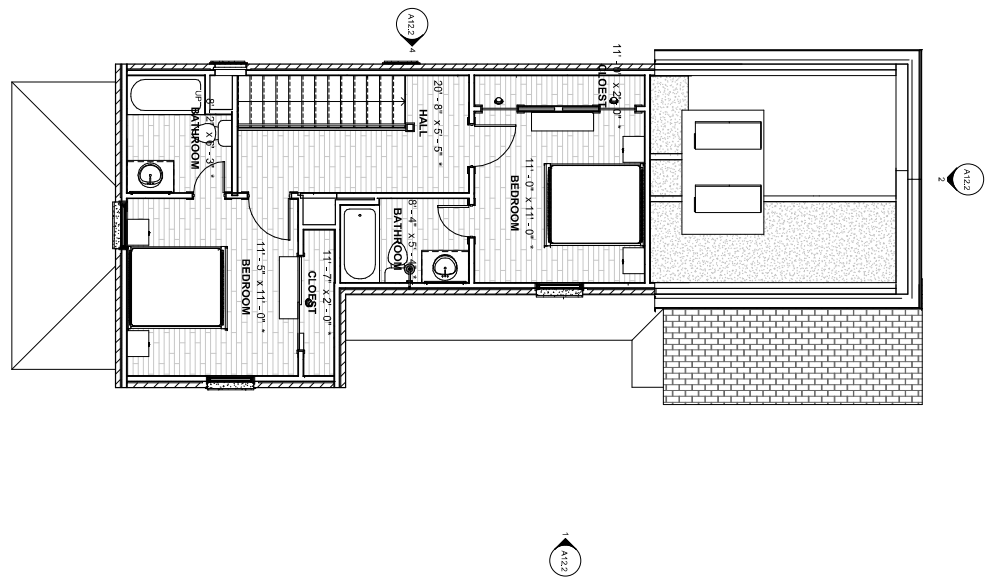
ENGINEER: BT
DRAWN BY: IK
DATE: 10/21/2024

PLANS
SHEET A12.1



1 GROUND FLOOR PLAN

AREA DATA	
GROUND FLOOR AREA	872 SF
SECOND FLOOR AREA	560 SF
	1432 SF



2 SECOND FLOOR PLAN



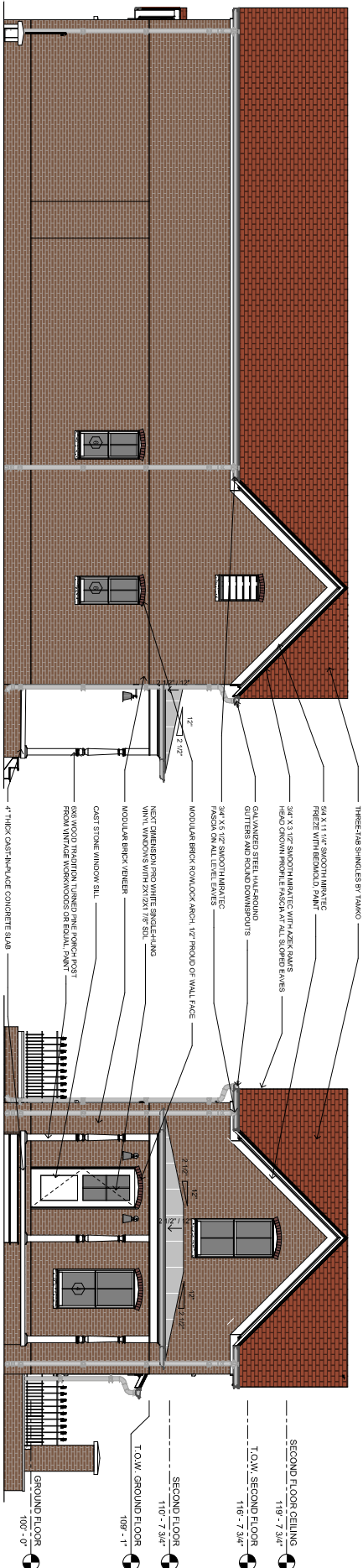
REVISION 0

CUP-2024-0044 (OAK BAILEY CLUSTER DEVELOPMENT)

OAK BAILEY
DUPLÉ COTTAGE
ELEVATION 5
LOT 12

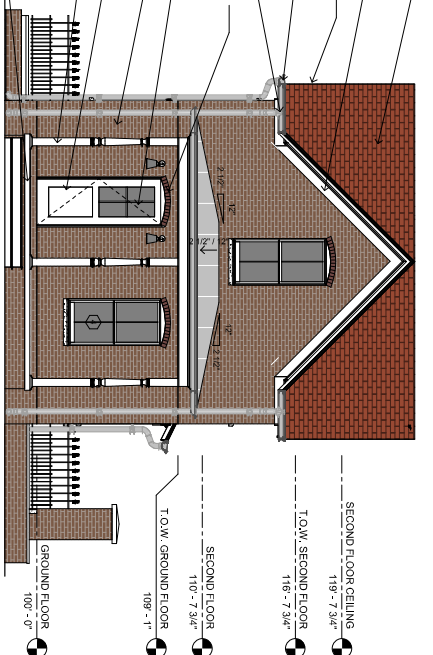
4 NORTH ELEVATION

1/4" = 1'-0"



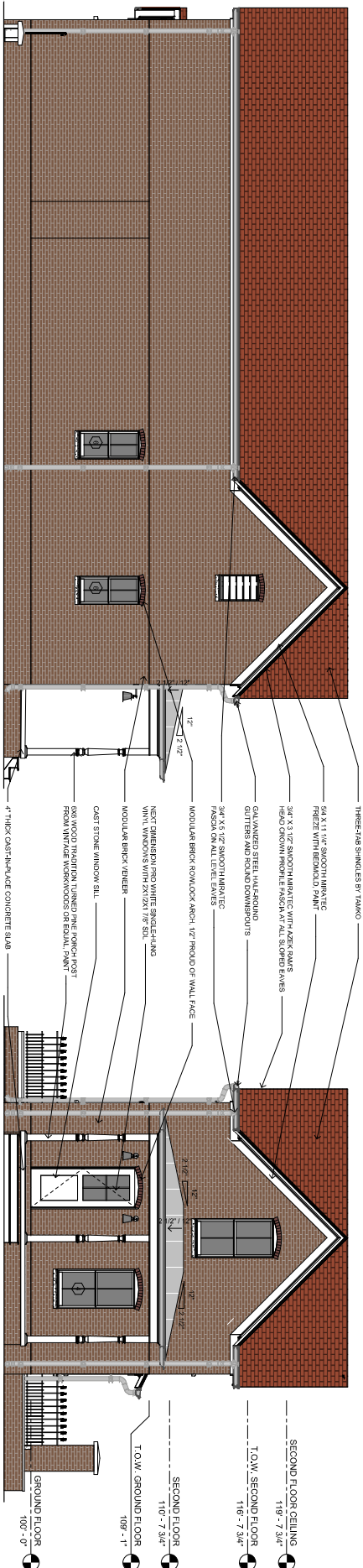
3 WEST FRONT ELEVATION

1/4" = 1'-0"



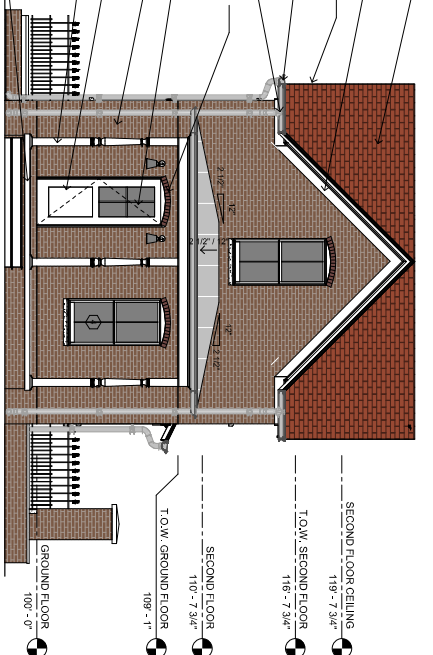
4 NORTH ELEVATION

1/4" = 1'-0"



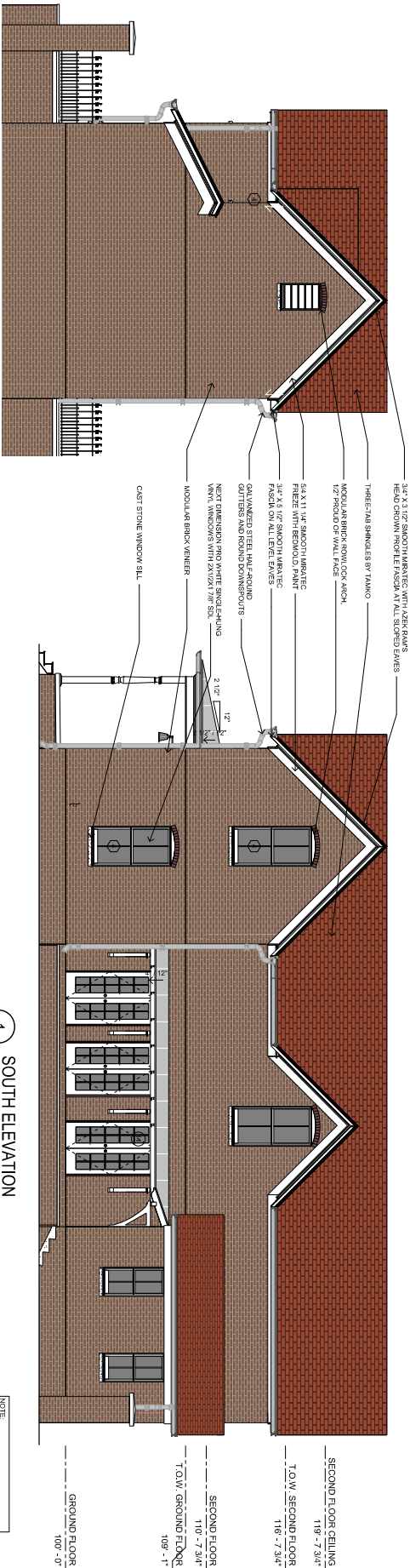
3 WEST FRONT ELEVATION

1/4" = 1'-0"



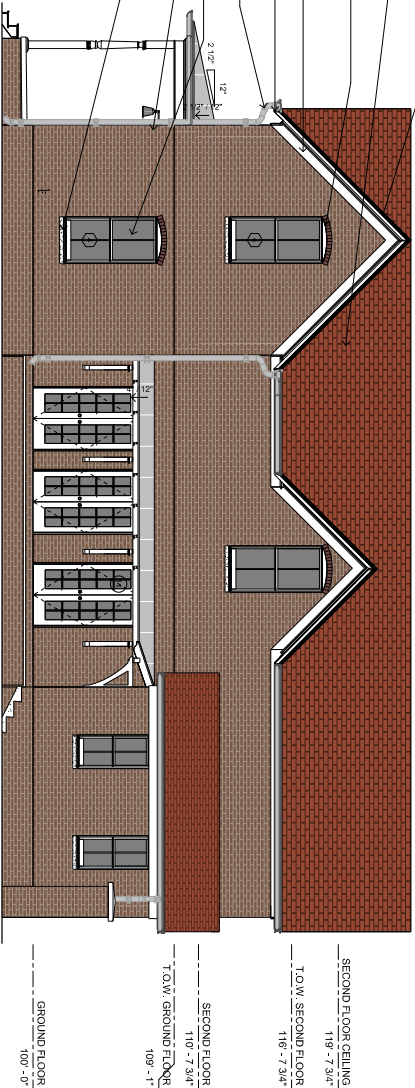
2 EAST ELEVATION

1/4" = 1'-0"



1 SOUTH ELEVATION

1/4" = 1'-0"



NOTE:
MATERIAL COLORS TO BE
BROWN BRICK WITH RED SHINGLES

SHEET A12.2

OLD FARMINGTON

ROAD

FAYETTEVILLE,

ARKANSAS

CITY PLAT PAGE # #

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ENGINEER: BT

DRAWN BY: IK

DATE: 10/21/2024

SECOND FLOOR

110' - 7 3/4"

T.O.W. GROUND FLOOR

109' - 1"

GROUND FLOOR

100' - 0"

ELEVATIONS



City of Fayetteville
October 28, 2024



CUP-2024-0044 (OAK BAILEY CLUSTER DEVELOPMENT)

OAK BAILEY
PROW HOUSE
ELEVATION 2
LOT 13

REVISION 0

CROSSOVER ROAD
FAYETTEVILLE,
ARKANSAS

CITY PLAT PAGE # #

ISSUED FOR REVIEW

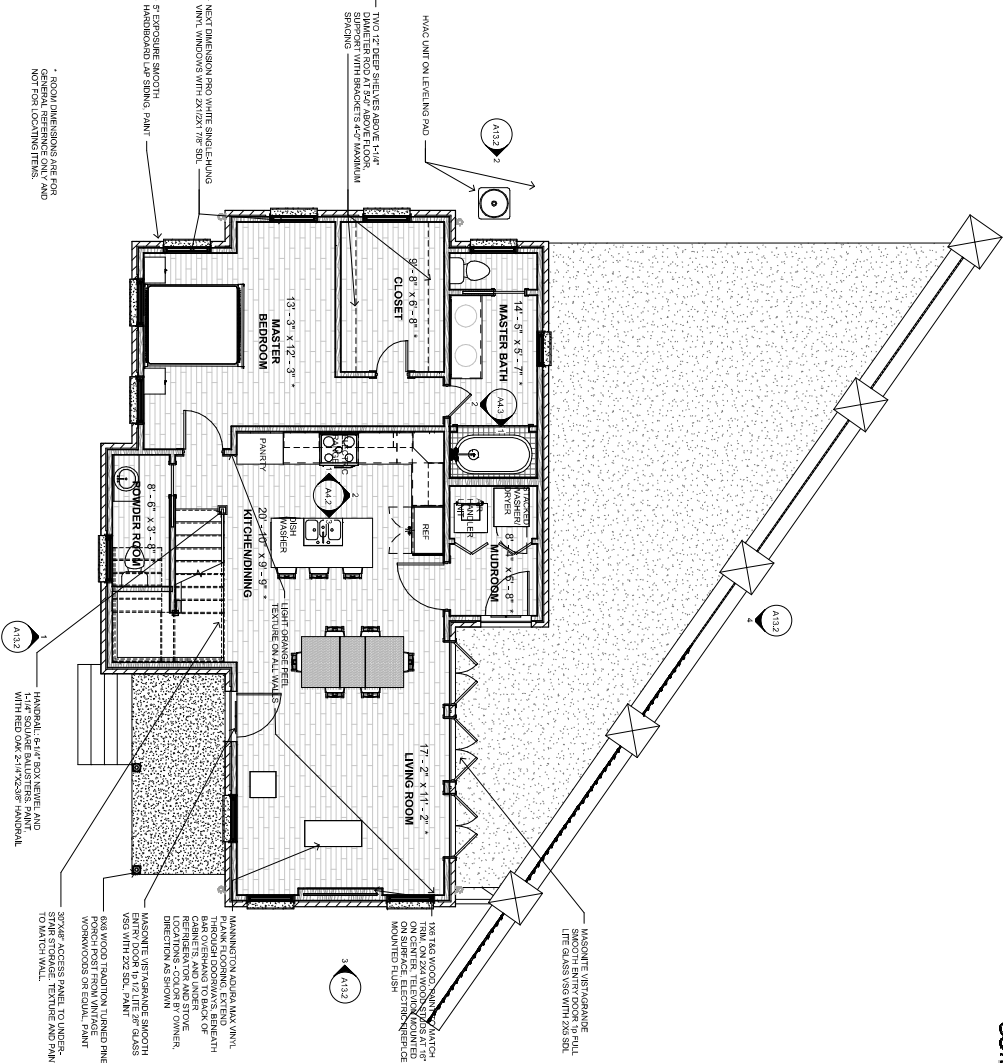
ENGINEER: BT
DRAWN BY: JK
DATE: 10/21/2024

SHEET A13.1

PLANS

1 GROUND FLOOR PLAN

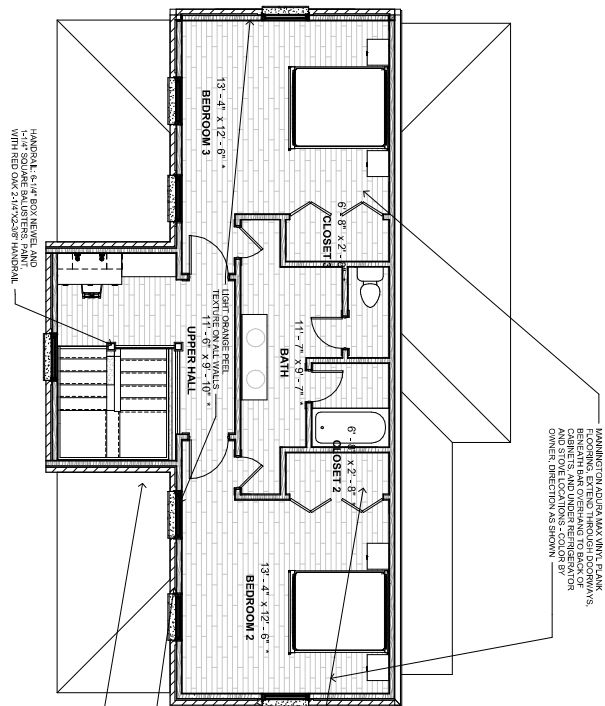
1/8" = 1'-0"



AREA DATA	
GROUND FLOOR AREA	950 SF
SECOND FLOOR AREA	728 SF
	1678 SF

2 SECOND FLOOR PLAN

1/8" = 1'-0"





City of Community Development
October 28, 2024



REVISION 0

CUP-2024-0044 (OAK BAILEY CLUSTER DEVELOPMENT)

OAK BAILEY
PROW HOUSE
ELEVATION 2
LOT 13

CROSSOVER ROAD
FANTIEVILLE,
ARKANSAS

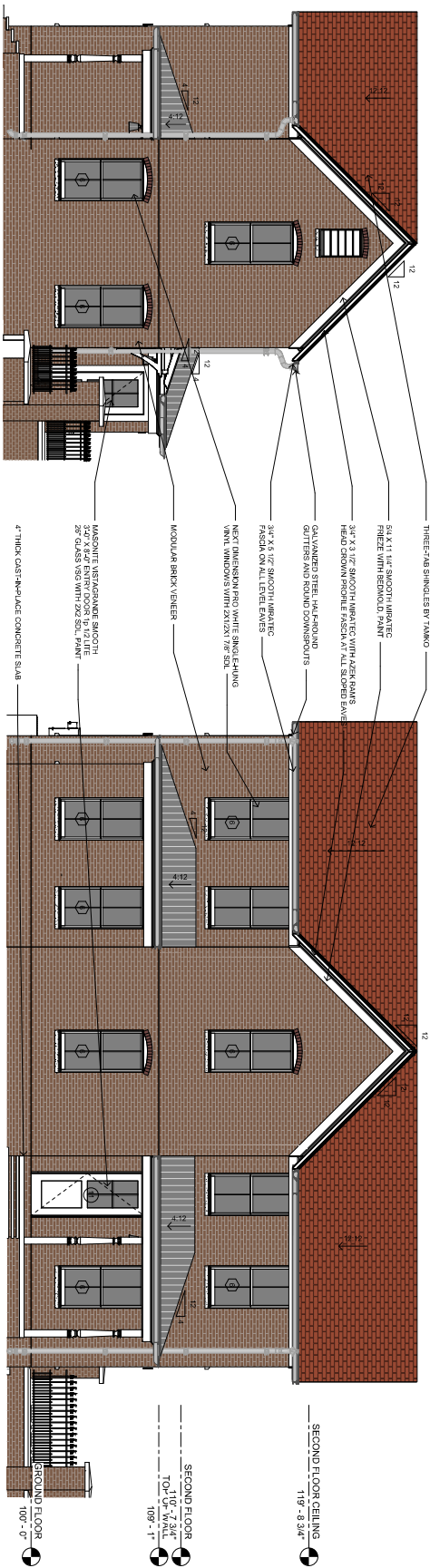
CITY PLAT PAGE # #

ISSUED FOR REVIEW

DESIGNED BY BT
DRAWN BY IK
DATE 10/21/2024

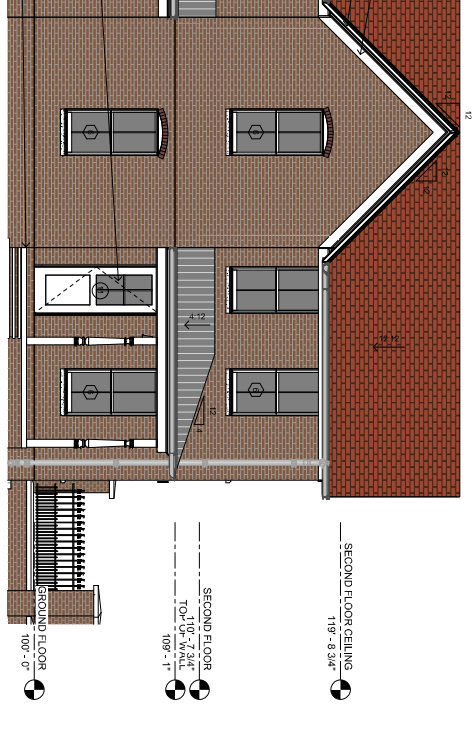
ELEVATIONS

SHEET A13.2



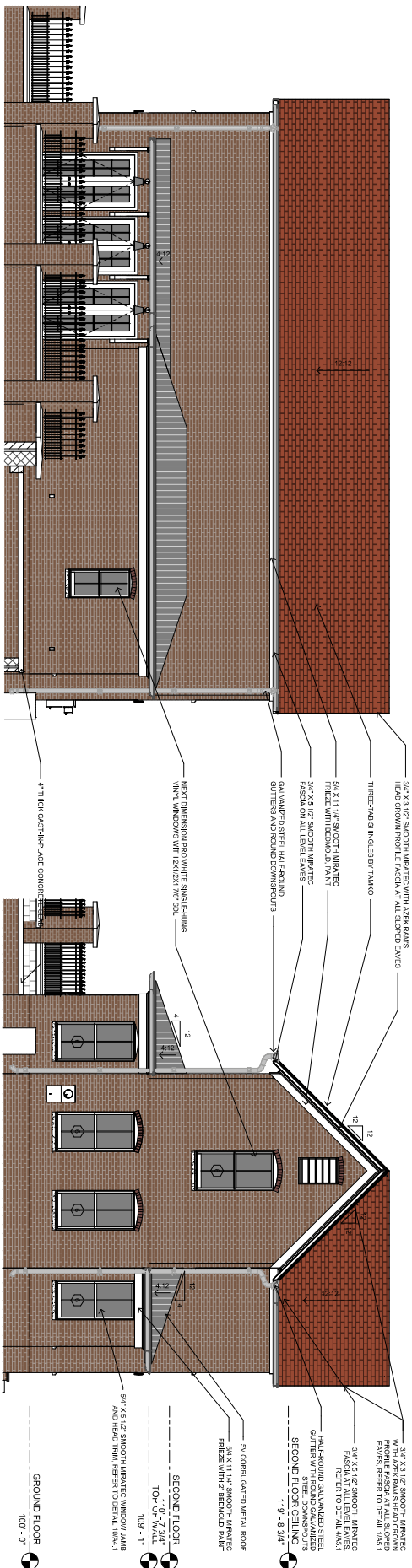
3 SOUTH ELEVATION

1/4" = 1'-0"



1 WEST FRONT ELEVATION

1/4" = 1'-0"



4 EAST ELEVATION

1/4" = 1'-0"

2 NORTH ELEVATION

1/4" = 1'-0"

NOTE:
MATERIAL COLOR TO BE
BROWN BRICK WITH RED SHINGLES



LOT 14

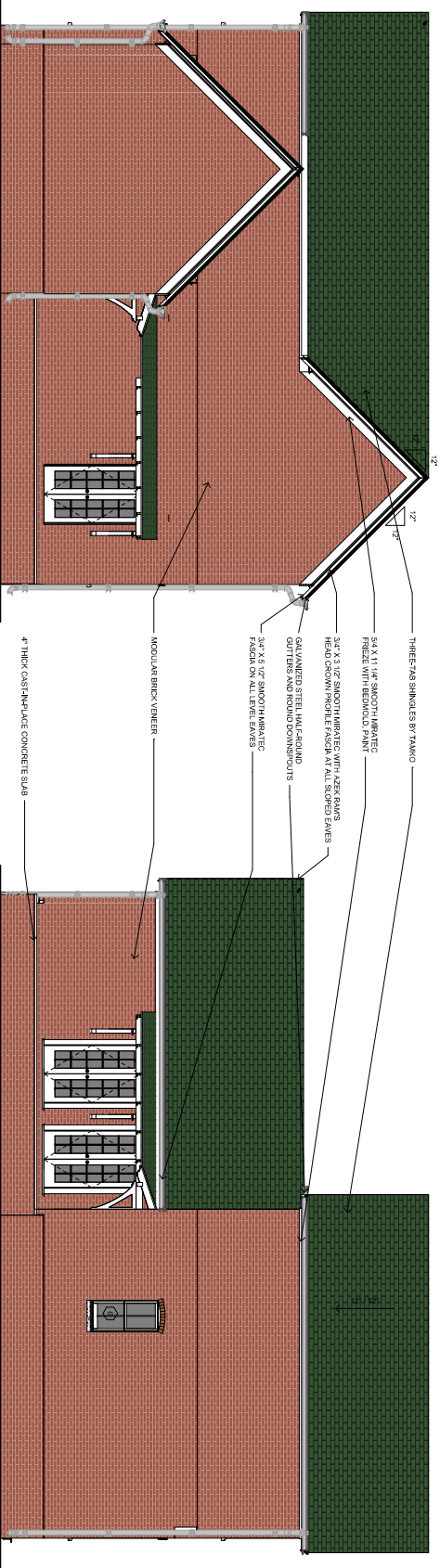
ISSUED FOR REVIEW

DRAWN BY: TK
 DATE: 7 OCT 2024

SHEET A14.1

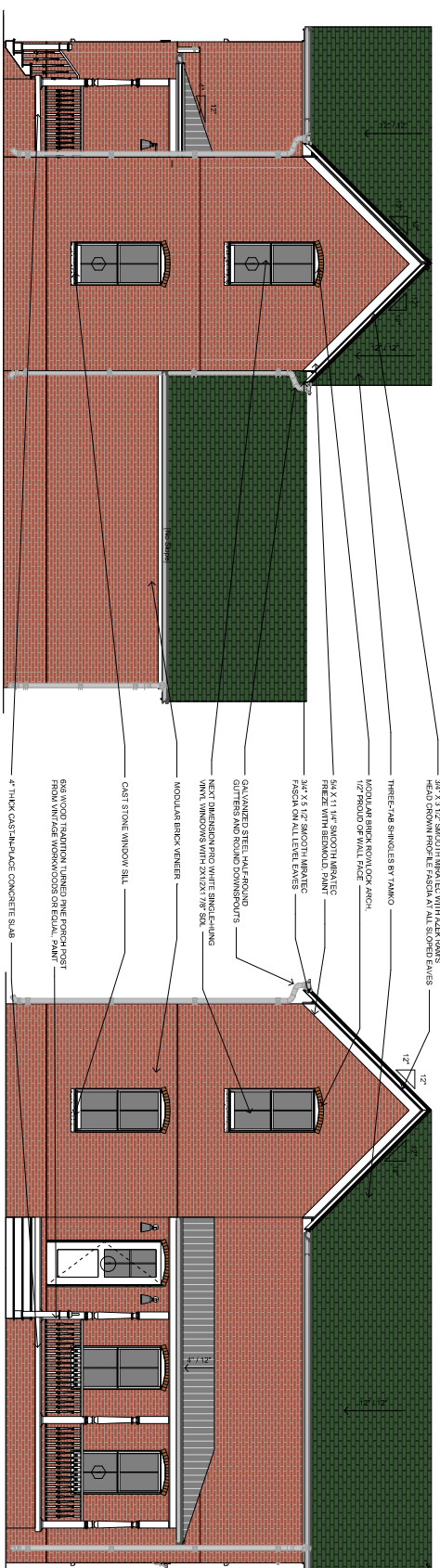


AREA DATA	
GROUND FLOOR AREA	1008 SF
SECOND FLOOR AREA	674 SF
	1682 SF



4 SOUTH ELEVATION

3 EAST ELEVATION $1/4" = 1'-0"$



2 WEST ELEVATION
1/4" = 1'-0"

1 NORTH FRONT ELEVATION
1/4" = 1'-0"

NOTE:
MATERIAL COLORS TO BE
RED BRICK WITH GREEN SHINGLES

SHEET A14.2

ELEVATIONS

SECOND FLOOR CEILING
11'6" - 8'3 1/2"

SECOND FLOOR
11'6" - 8'3 1/2"
10'6" - 7'6"

10'6" - 7'6"

OLD FARMINGTON
ROAD
FAYETTEVILLE
ARKANSAS
CITY PLAT PAGE # ##

ISSUED FOR REVIEW

DRAWN BY: BT
DATE: 7/20/2022

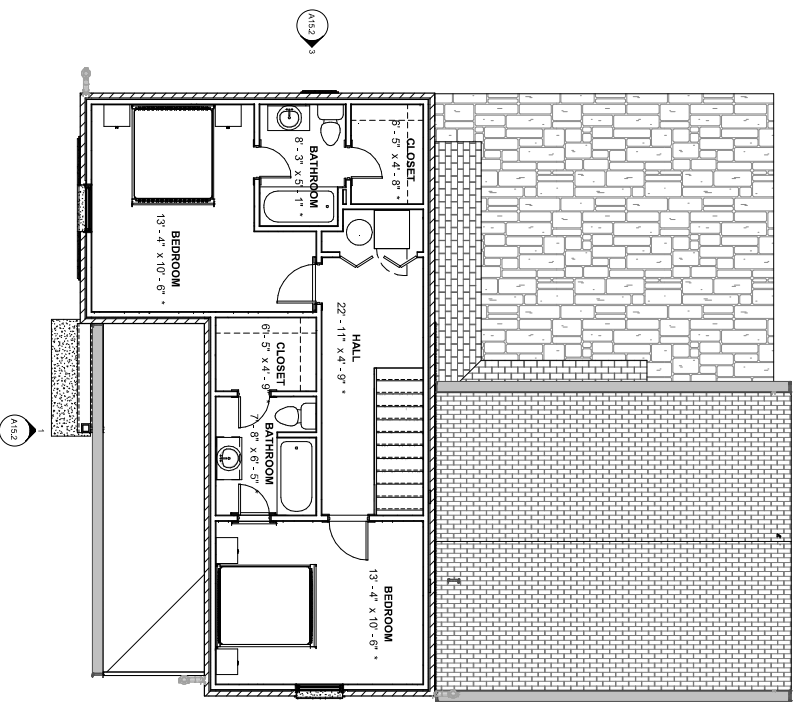
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 7 SEP 2022

OAK BAILEY
BENT HOUSE
ELEVATION 6
LOT 15

ENGINEER: BT
DRAWN BY: TK
DATE: 7 OCT 2024

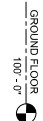
SHEET A15.1



Second Floor Plan:

- Master Bedroom: 15'-10" x 13'-3"
- Master Bath: 7'-6" x 8'-0"
- Lower Room: 7'-3" x 3'-3"
- Living Room: 24'-10" x 9'-10"
- Dining Room: 13'-4" x 12'-6"
- Kitchen: 13'-4" x 12'-6"
- Stairs: Up and Down
- Patio: Large outdoor area

AREA DATA	
GROUND FLOOR AREA	1008 SF
SECOND FLOOR AREA	674 SF
	1682 SF

 $1/4'' = 1 \cdot 10^{-2}$
$$1/4'' = 1'-0''$$


FOR REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 7 OCT 2024

$$1/4 = 1/2 \cdot 1/2$$
 $1/4^{\circ} = 1^{\circ}-0$

NOTE: MATERIAL COLORS TO BE BROWN BRICK WITH RED SHINGLES

ELEVATIONS



October 28, 2024



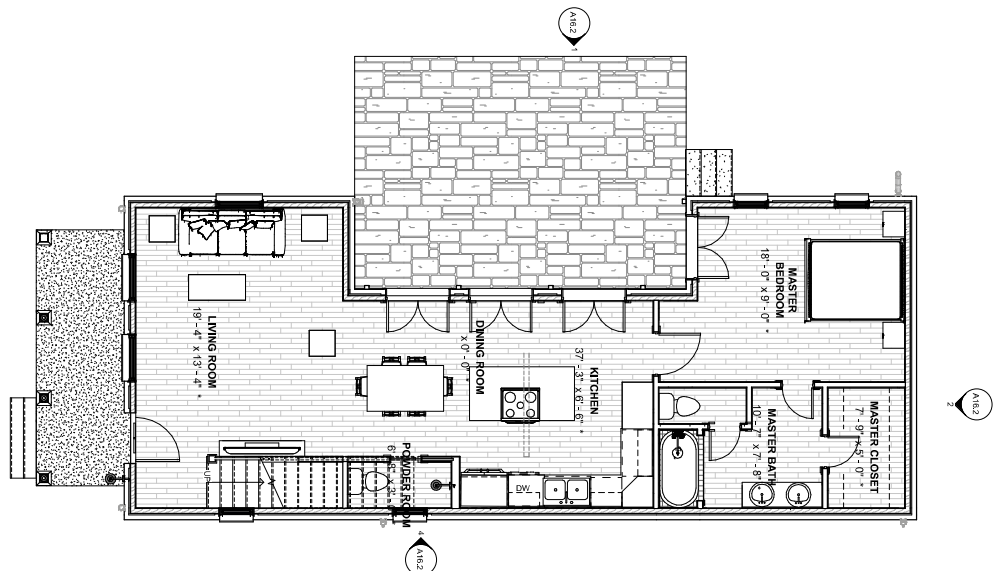
REVISION 0

OAK BAILEY
DUPE COTTAGE
ELEVATION 6
LOT 16

OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ##
ISSUED FOR REVIEW

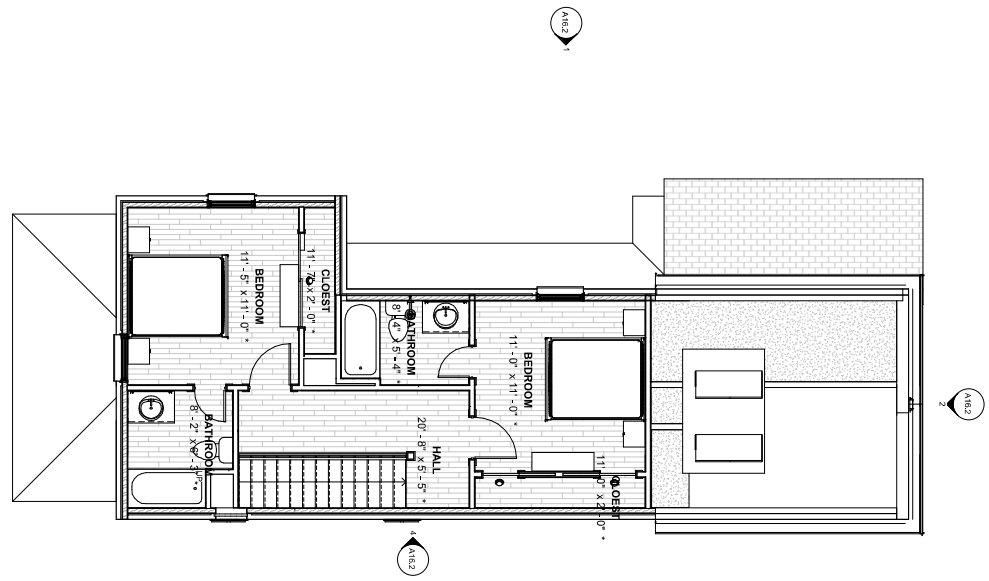
ENGINEER: BT
DRAWN BY: IK
DATE: 10/21/2024

PLANS
SHEET A16.1



1 GROUND FLOOR PLAN

AREA DATA	
GROUND FLOOR AREA	872 SF
SECOND FLOOR AREA	560 SF
	1432 SF



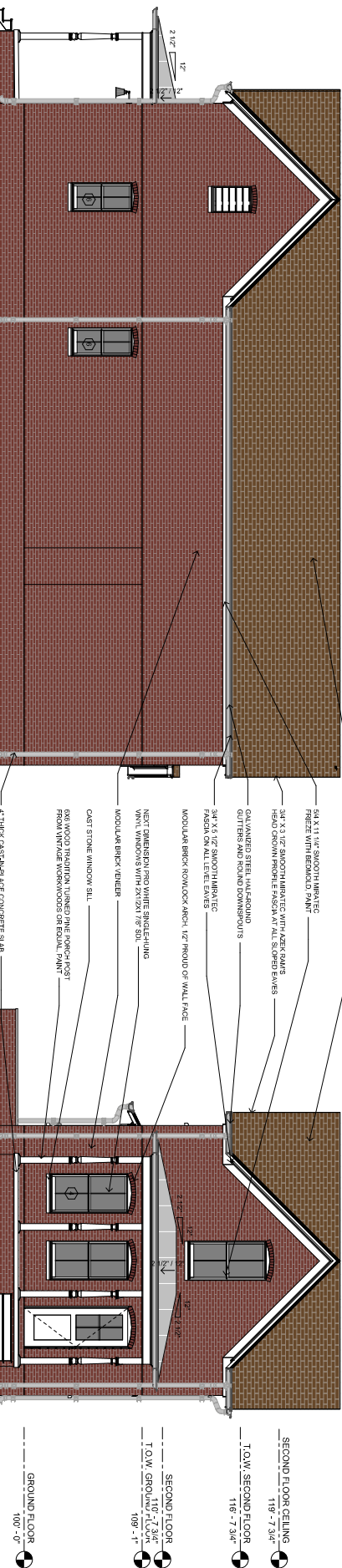
2 SECOND FLOOR PLAN



REVISION 0

OAK BAILEY
DUPLÉ COTTAGE
ELEVATION 6
LOT 16

SOUTHWEST ELEVATION

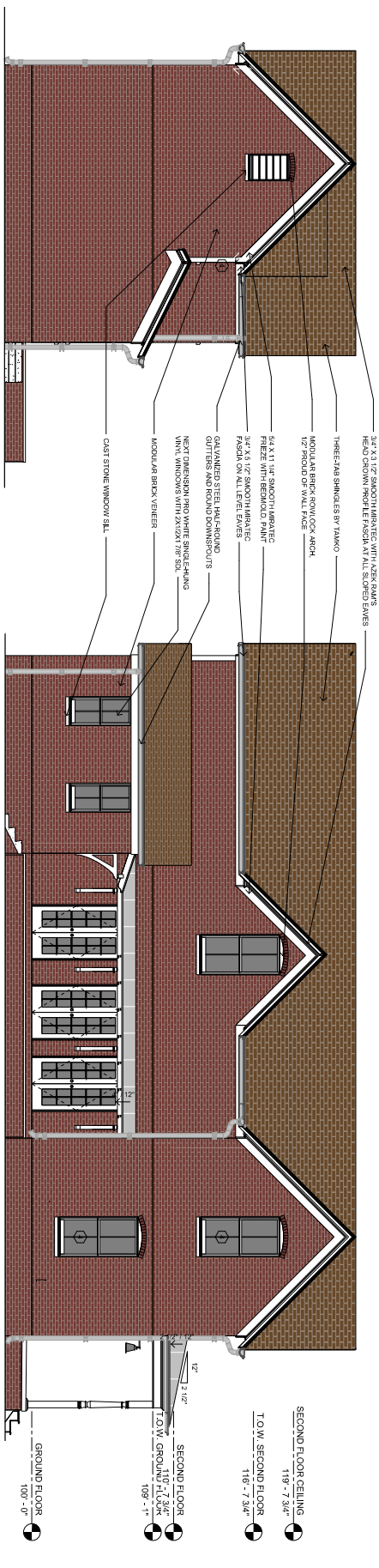
 $\frac{1}{4}'' = 1:0''$ 

3 NORTHWEST FRONT ELEVATION

 $\frac{1}{4}'' = 1'-0''$

SOUTHEAST ELEVATION

000



4 NORTH EAST ELEVATION

 $\mathbb{P}^1 \times \mathbb{P}^1 = \mathbb{P}^2$

NOTE:
MATERIAL COLORS TO BE BURGUNDY

SHEET A16.2

OLD FARMINGTON
ROAD
FAYETTEVILLE
ARKANSAS
CITY PLAT PAGE ##
ISSUED FOR REVIEW

ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 7 OCT 2024

ELEVATIONS



October 28, 2024

REVISION 0

OAK BAILEY
BENT HOUSE
ELEVATION 7
LOT 17

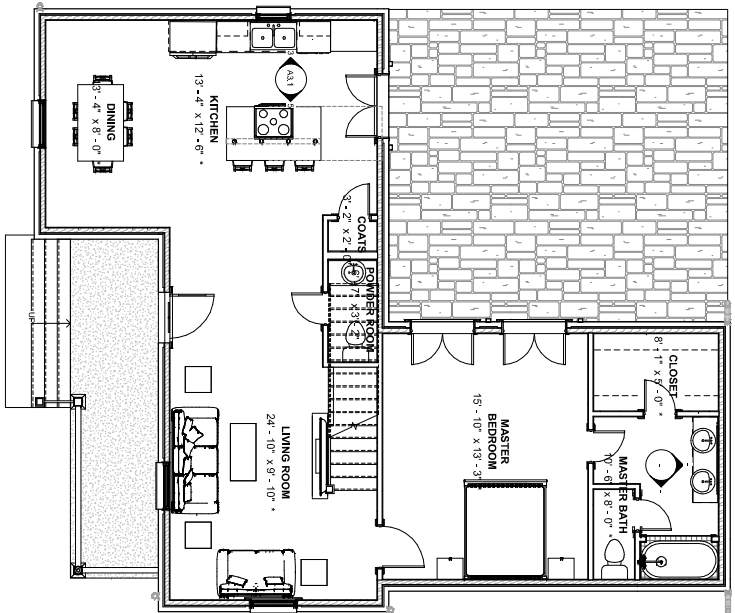
OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ##
ISSUED FOR REVIEW

DRAWN BY: TK
DATE: 7/27/2024

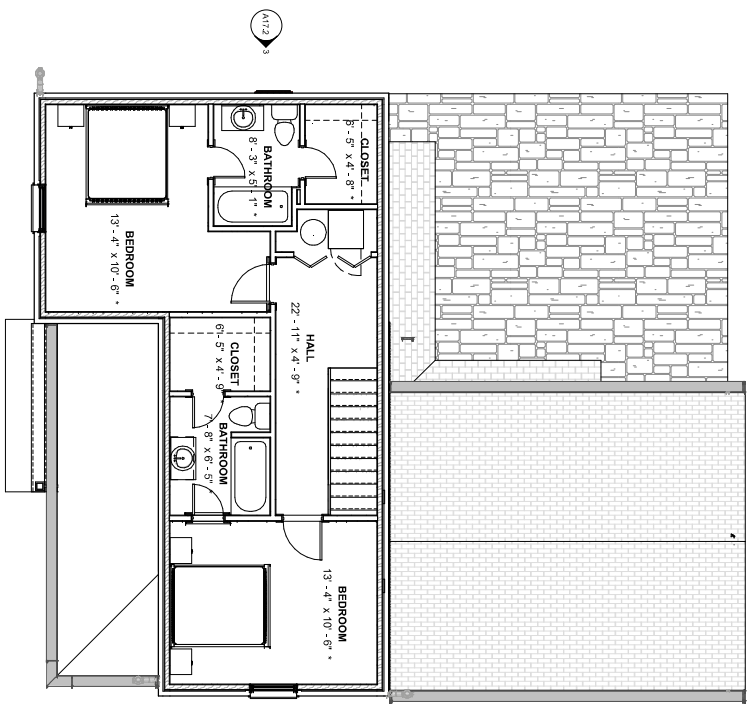
SHEET A17.1

PLANS

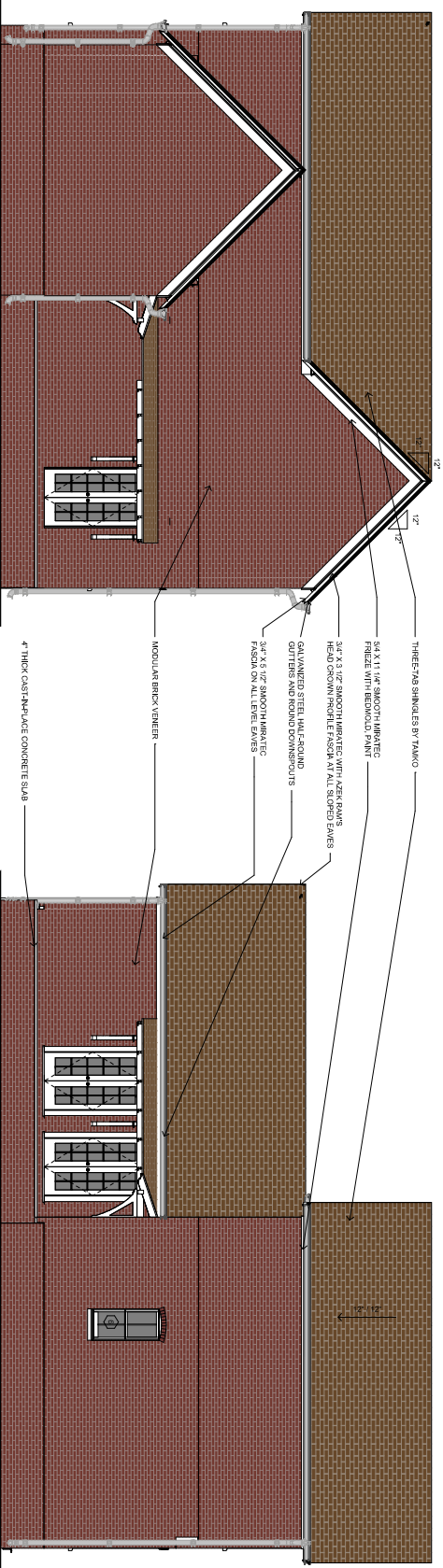
1 GROUND FLOOR PLAN



2 SECOND FLOOR PLAN

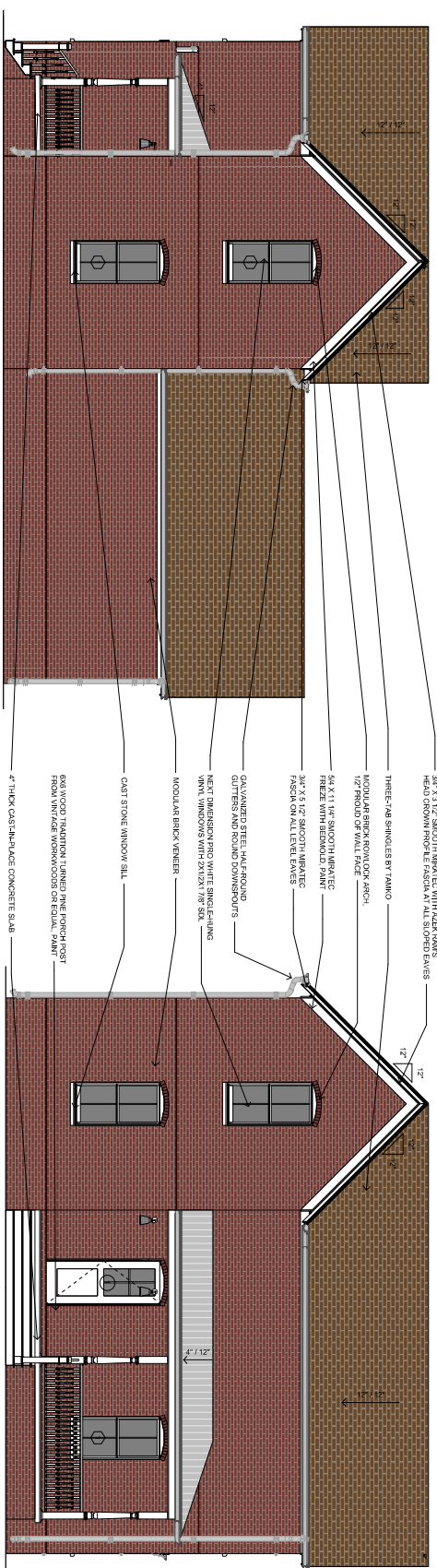


AREA DATA	
GROUND FLOOR AREA	1008 SF
SECOND FLOOR AREA	674 SF
	1682 SF



4 SOUTH ELEVATION

3 EAST ELEVATION
 $1/4" = 1'-0"$



2 WEST ELEVATION
1/4" = 1'-0"

1 NORTH FRONT ELEVATION
1/4" = 1'-0"

NOTE:
MATERIAL COLORS TO BE BURGUNDY
CHECK WITH PROVIDER BEFORE

SHEET A17.2

EVALUATIONS

OAK BAILEY
BENT HOUSE
ELEVATION 7
LOT 17

SECOND FLOOR
T.O.W. GROUND FLOOR
109° - 1°
107° - 7° 34"

REVISION 09

OLD FARMINGTON
ROAD
FAYETTEVILLE
ARKANSAS
CITY PLAT PAGE ###
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 7 SEP 2022



REVISION 0

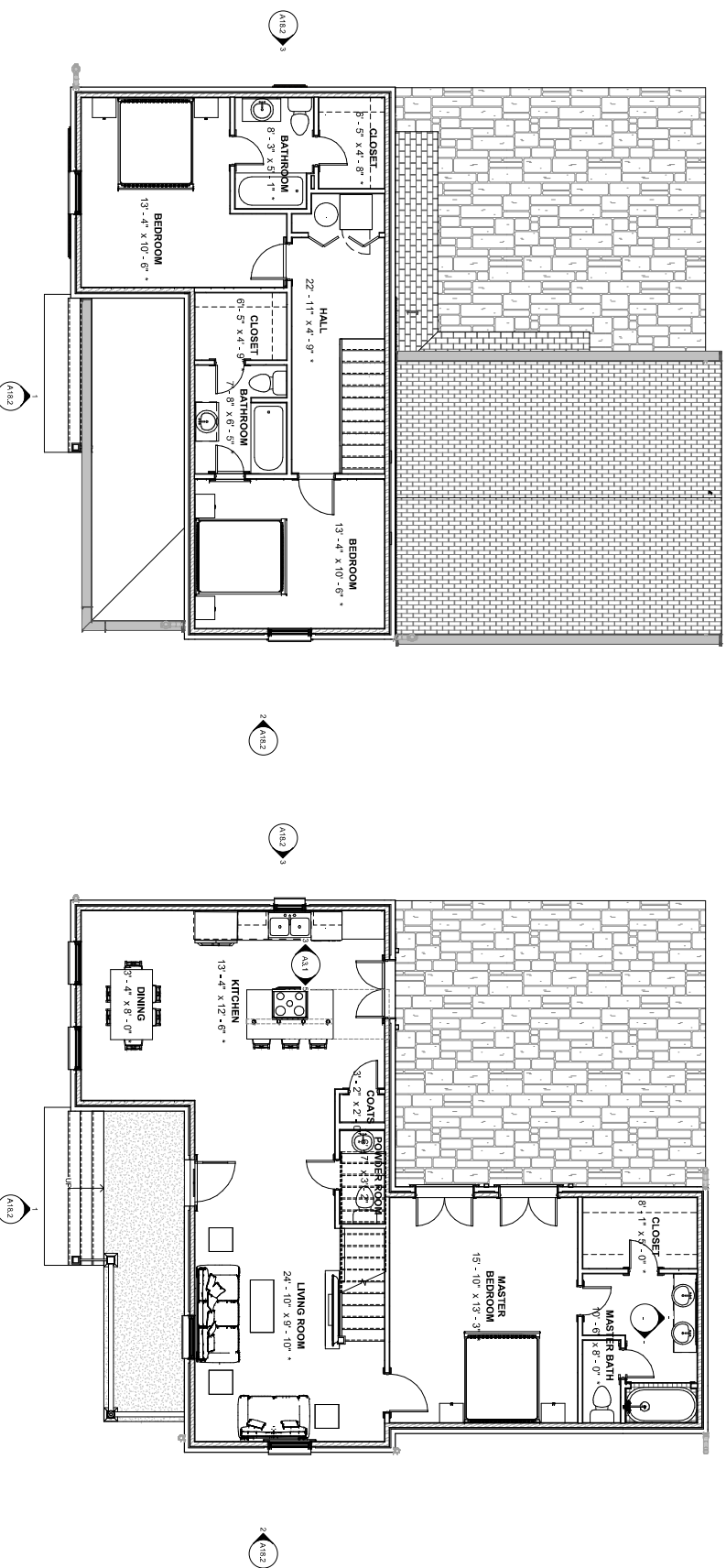
OAK BAILEY
BENT HOUSE
ELEVATION 8
LOT 18

OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ###
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 7 OCT 2024

PLANS

SHEET A18.1

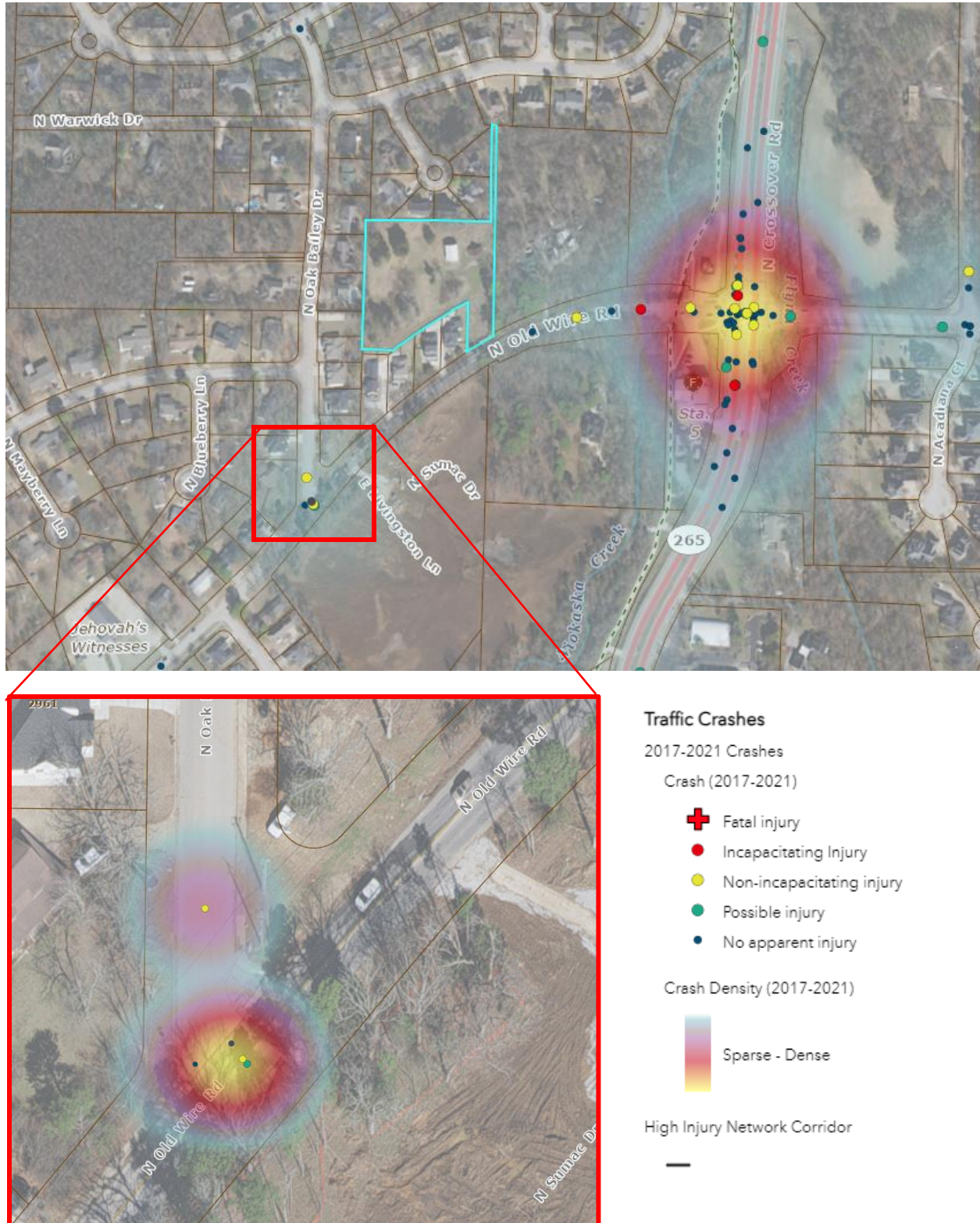


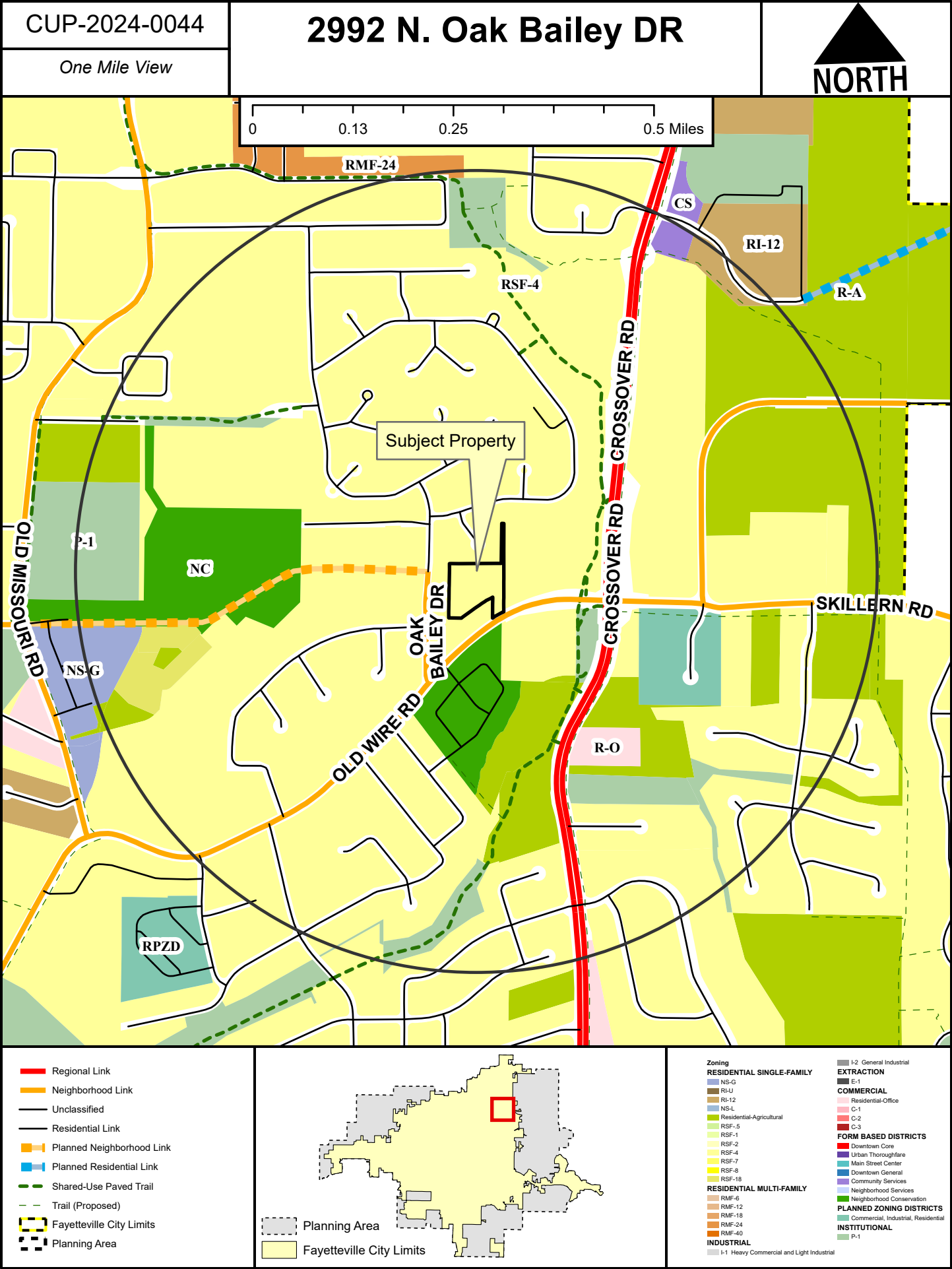
2 SECOND FLOOR PLAN

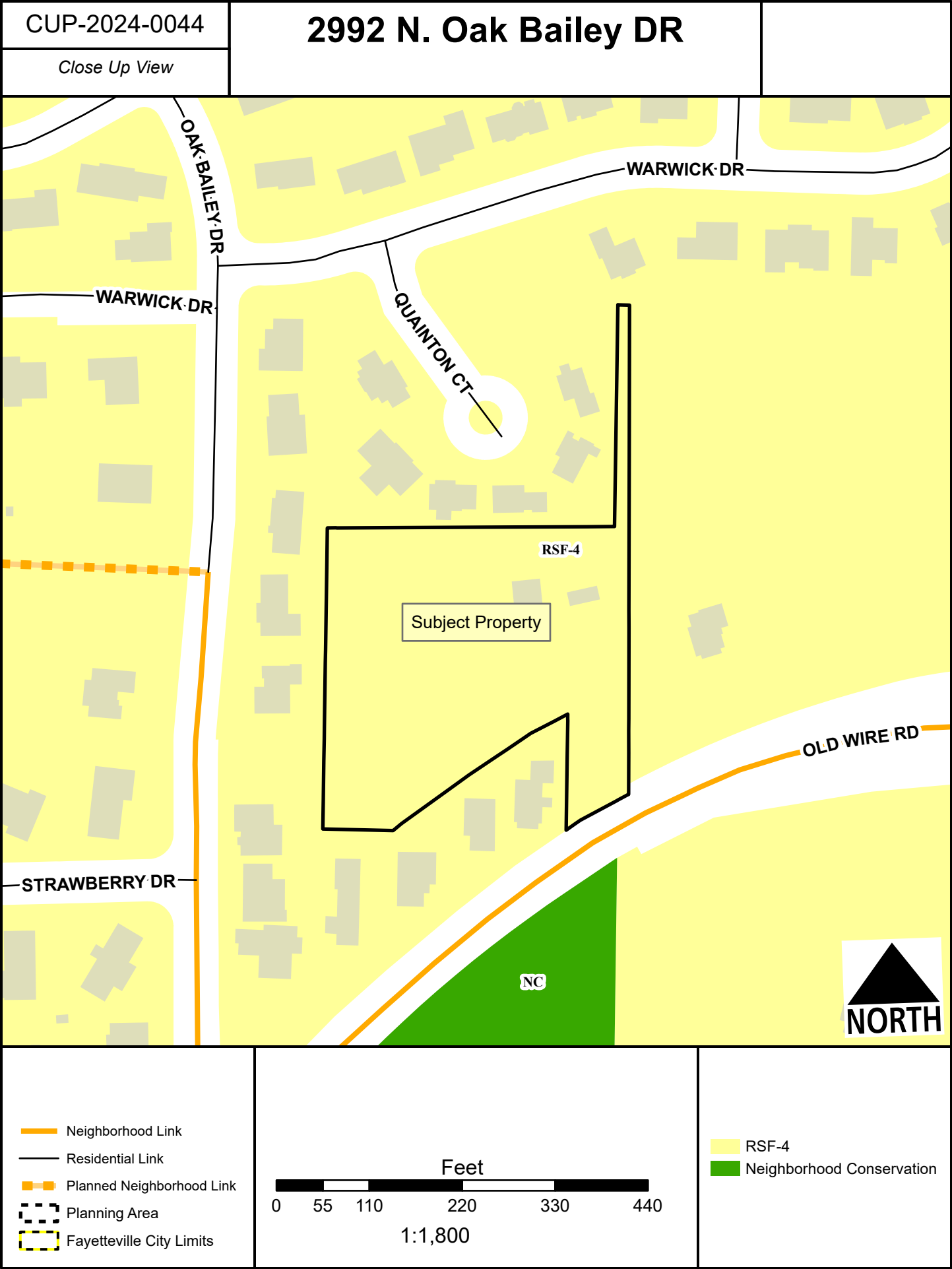
GROUND FLOOR PLAN

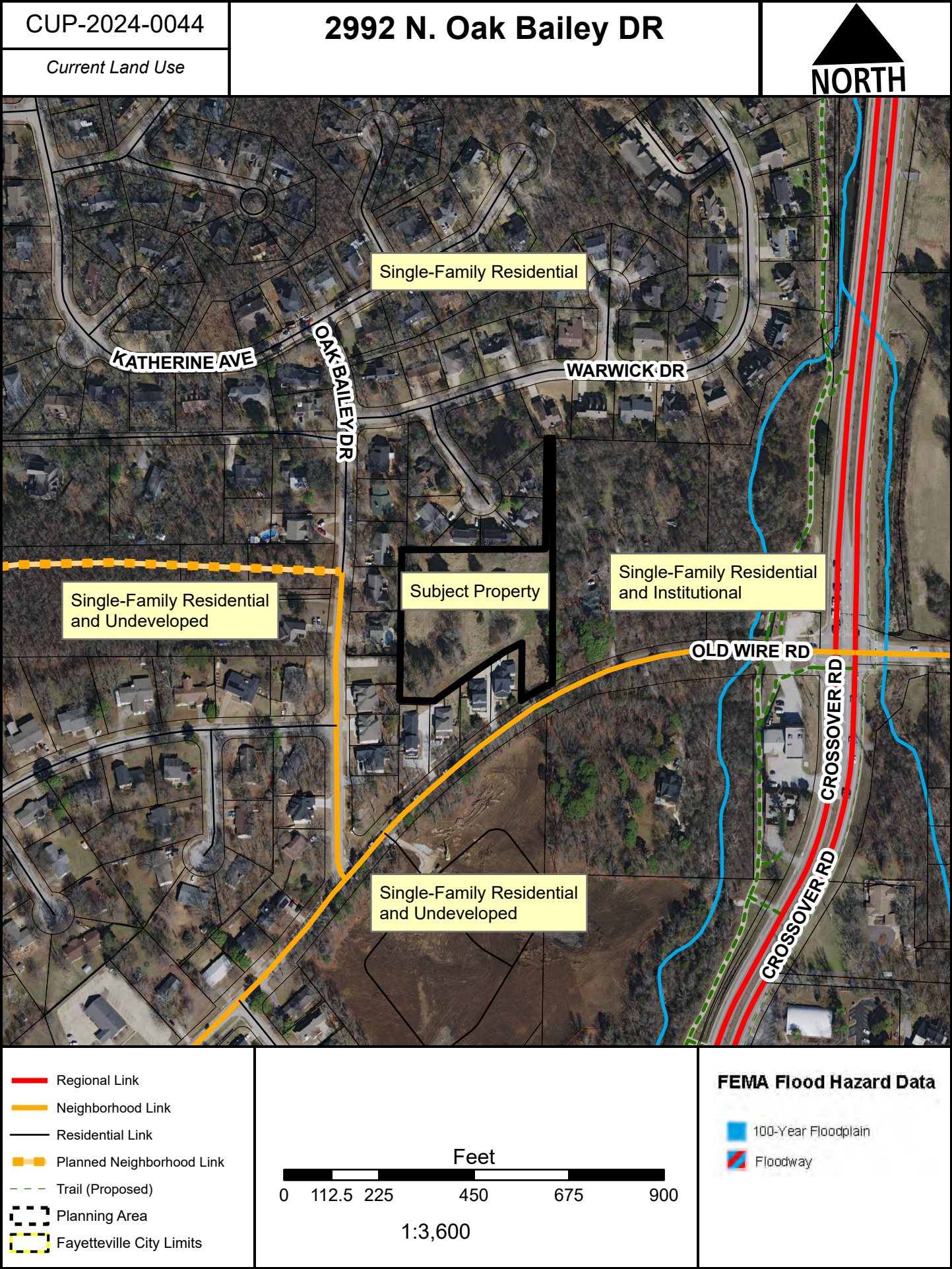
AREA DATA	
GROUND FLOOR AREA	1008 SF
SECOND FLOOR AREA	674 SF
1682 SF	

Staff Exhibit: Traffic Accidents











TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Britin Bostick, Long Range Planning/Special Projects Manager

MEETING DATE: October 28, 2024

SUBJECT: **RZN-2024-0050: Rezoning (610 S. HAPPY HOLLOW RD./HONEYCUTT, 526):** Submitted by DEVELOPMENT CONSULTANTS INCORPORATED for property located at 610 S. HAPPY HOLLOW RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 1.41 acres. The request is to rezone the property to RSF-18, RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE.

RECOMMENDATION:

Staff recommends forwarding **RZN-2024-0050** to the City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0050** to the City Council with a recommendation of approval."*

BACKGROUND:

The subject property is located in southeast Fayetteville, just north of the intersection of S. Happy Hollow Road and E. Huntsville Road on the east side of S. Happy Hollow Road. The property contains one parcel totaling 1.41 acres which is developed with a single-family dwelling and zoned RSF-4, Residential Single-Family, Four (4) Units Per Acre. Hydric soils are present, but no protected streams or FEMA-designated floodplain are present on site. Surrounding land uses and zoning are depicted below in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family, Four (4) Units Per Acre
South	Single-Family Residential/Church	RSF-4, Residential Single-Family, Four (4) Units Per Acre; P-1, Institutional; C-1, Neighborhood Commercial; C-2, Thoroughfare Commercial
East	Single-Family Residential	RSF-4, Residential Single-Family, Four (4) Units Per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family, Four (4) Units Per Acre

Request: The request is to rezone the subject property from RSF-4, Residential Single-Family, Four (4) Units Per Acre to RSF-18, Residential Single-Family, Eighteen (18) Units Per Acre.

Public Comment: Staff has not received public comment on this request.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

- Streets:** The subject property's frontage along S Happy Hollow Road is partially improved with asphalt paving and open ditches. Any street improvements required in these areas would be determined at the time of development proposal.
- Water:** Public water is available to the subject property. There is a 6-inch water line that is present on the east side of S Happy Hollow Road.
- Sewer:** Sanitary Sewer is available to the subject property. There is an 8-inch sanitary sewer main present on the west side of S Happy Hollow Road. There are known wet weather sewer capacity issues identified in the City's 2021 Sewer Master Plan that appear in the system approximately 1,000 linear feet downstream of this property.
- Drainage:** The subject property lies within a FEMA-designated floodplain. No protected streams are identified on the subject property or in the area. Hydric soils are present on site. No portion of the subject property lies within the Hillside/Hilltop Overlay District.

The subject property lies almost entirely within a FEMA Zone A floodplain with no established Base Flood Elevation. A floodplain development review will be required at the time of permit or plan submittal. This will restrict the type of development and impact in flood zones and may require additional documentation such as flood studies or elevation certificates depending on the type of development. If a development impacts a floodplain, those impacts may require review and approval from FEMA.

Hydric soils appear present across the entire subject property. Hydric soils are a known indicator of wetlands. However, for an area to be classified as wetlands, it may also need other characteristics such as hydrophytes (plants that grow in water), and shallow water during parts of the year. Hydric Soils can be found across many areas of Fayetteville, including valleys, floodplains, and open prairies. It's important to identify these natural resources during development, so when these soils are identified on a property, further environmental studies will be required at the time of development. Before permits will be issued for the property a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE Determination of Jurisdictional Wetlands will be required. 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 3, located at 1050 S. Happy Hollow Rd., protects this site. The property is located approximately 0.3 miles from the fire station with an anticipated drive time of approximately 1.0 minute using existing streets. The anticipated response time would be approximately 3.2 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 zoning district, RSF-18, Residential Single-Family, Eighteen (18) Units Per Acre, requires **20% minimum canopy preservation**. The current zoning district, RSF-4, Residential Single-Family, Four (4) Units Per Acre, requires **25% 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 6-7 for this site with a weighted score of 8 at the highest level. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 1, located at 303 W. Center St.)
- Near Sewer Main (6-inch main, S. Happy Hollow Road)
- Near Water Main (8-inch main, S. Happy Hollow Road)
- Near Public School (Happy Hollow Elementary)
- Near City Park (Doc Mashburn Park)
- Near Paved Trail (Bike Lanes on E. Huntsville Road)
- Near ORT Bus Stop (Huntsville at CEO Stop ID 19699, Happy Hollow & 4th Stop ID 19698)

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 that the requested rezoning is compatible with surrounding land uses. The subject property is located on the east side of Fayetteville, on S. Happy Hollow Rd just north of E. Huntsville Rd. A rezoning to RSF-18, Residential Single-Family, Eighteen (18) Units Per Acre, is more intense than the zoning and development patterns of the majority of the surrounding neighborhood. There are, however, nearby properties with similar higher density allowances in which single-family housing and duplexes have been built. The property's current zoning, RSF-4, allows for development that staff finds to be consistent with current development and zoning patterns in that area, which tends to be at an overall density lower than even that zoning allows. The subject property is near commercial and institutionally zoned properties, and properties with higher intensity multi-

family zoning districts. The subject property has narrow frontage along S. Happy Hollow Rd. and is situated within and behind low-density single-family residential, and it is also a larger parcel size compared to many surrounding properties. A moderate increase of housing development with a rezoning to RSF-18 would need to comply with multiple zoning and development standards, and the lot width requirement of the RSF-18 zoning district could support at a minimum the redevelopment of the property with a single-family home and accessory dwelling unit(s).

Land Use Plan Analysis: Staff finds that a rezoning to RSF-18 for the subject property would be consistent with the City's adopted land use plans. City Plan 2040's Future Land Use Map designates the property as Residential Neighborhood. These areas are intended to support a wide variety of housing types in walkable urban neighborhoods. The property also has a moderate infill score of 6-7 which indicates that it is a suitable location for smaller scale infill development.

Additionally, City Plan 2040 lays out six goals, four of which can be applicable to staff's recommendation in favor of the proposed rezoning:

1. We will make appropriate infill and revitalization our highest priority
2. We will discourage suburban sprawl
3. We will make compact, complete, and connected development the standard
6. We will create opportunities for attainable housing

The proposed rezoning would permit the existing use to continue or be redeveloped with the same use, and it would also allow an increase in density with a similar housing type, single-family, but at an increased density depending on how a proposed development would meet applicable zoning and development standards. By increasing development densities within an existing neighborhood, sprawl into greenfield or undeveloped areas is not being proposed. The proposed rezoning would allow for more compact development, which can support connectivity improvements in the future, and with the construction of smaller-scale housing on smaller lots, attainable housing opportunities could be possible.

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 justification for rezoning the property from RSF-4 to RSF-18, which includes the property frontage along S. Happy Hollow Road being narrower than that allowed by the current RSF-4 zoning district. Staff finds that the proposed rezoning is compatible with surrounding properties and located in proximity to similar development patterns in a way that would be consistent with the City's future land use plans.

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 RSF-18 has the potential to moderately increase vehicular traffic in the area when considering that the property is 1.4 acres in size and many surrounding properties are primarily zoned RSF-4. Between 2019 and 2023, no traffic crashes were reported adjacent to the property and fourteen crashes, twelve with no apparent injury, one with possible injury and one with suspected minor injury, were reported on S. Happy Hollow Rd. or at the intersection of S. Happy Hollow Rd. and E. Huntsville Rd., south of the subject property.

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: Rezoning the property from RSF-4 to RSF-18 has moderate potential to alter the population density given the size of the property and surrounding zoning and uses, although the current lot frontage and lot size does constrain the housing types that are able to be developed to smaller scale, lower-intensity housing types that retain single-family character of the surrounding area. Given the property's proximity to public streets, water, and sewer, staff finds that the proposed rezoning is likely to moderately increase the load on public services. Any necessary upgrades or improvements to existing infrastructure 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-2024-0050 to the City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>October 28, 2024</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.07 District RSF-4, Residential Single-Family, Four (4) Units Per Acre
 - §161.10 District RSF-18, Residential Single-Family, Eighteen (18) Units Per Acre
- 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
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(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.

161.10 District RSF-18, Residential Single-Family - Eighteen (18) Units Per Acre

(A) *Purpose.* The RSF-18 Single-family Residential District is designed to promote and encourage the efficient development of single-family detached residences in a variety of densities.

(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.*

Units per acre	Eighteen (18) or less
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(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family	30 feet
Two (2) family	30 feet

(2) *Lot Area Minimum.*

Townhouses: individual lot	1,250 square feet
Single-family	2,500 square feet
Two-family	2,000 square feet

(E) *Setback Requirements.*

Front	Side	Side-Zero Lot Line*	Rear
A build-to zone that is located between the front property line and a line 25 ft. from the front property line.	5 feet on both sides	A setback of less than five 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.	5 feet

* A zero lot line is an alternative to the 5 foot building setback. Applicants should consult the International Building Code when locating a structure in close proximity to property lines and/or adjacent structures.

** At least 5 feet of maintenance area shall be provided along a structure that is within 5 feet of a property line. This may be provided through a perpetual maintenance easement on the adjacent property, or through a combination of a maintenance easement and private property. Walls, fences and customary yard accessories are permitted in the maintenance area.

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
-------------------------	-----------

(G) *Building Area.* The area occupied by all buildings shall not exceed 60% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) *Minimum Buildable Street Frontage.* 50% of the lot width for two-family dwellings.

October 9, 2024

**Written request and narrative to accompany submittal packet for the Rezone of
610 S. Happy Hollow Road, City of Fayetteville, Arkansas.**

To: The Fayetteville City Planning Staff

On behalf of the landowner, I am requesting that the City accept the Rezone Application for the property located at 610 S. Happy Hollow Road, Parcel Number 765-14331-000.

The landowner wishes to rezone the ±1.40 acre tract of land located at the above mentioned address from RSF-4 to RSF-18.

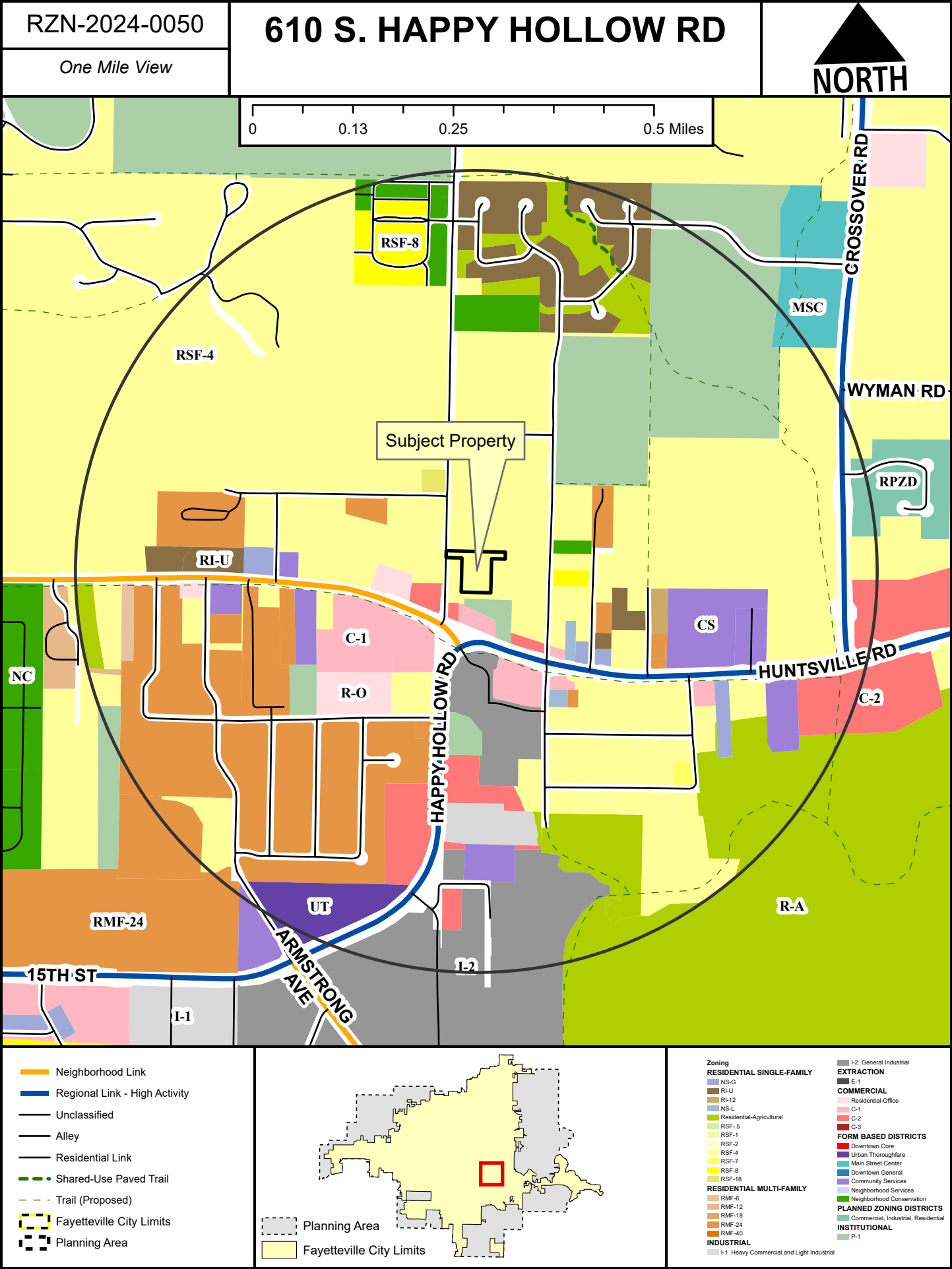
The unique shape of the property creates a “T” that is primarily located behind properties fronting S. Happy Hollow Road. With this condition, the subject property is suitable for more dense development without adversely affecting neighboring properties as any future development would be located to the rear of surrounding lots. The surrounding lots are currently zoned RSF-4 with more intensive zoning designations nearby (RSF-18, RMF-24, and RI-U).

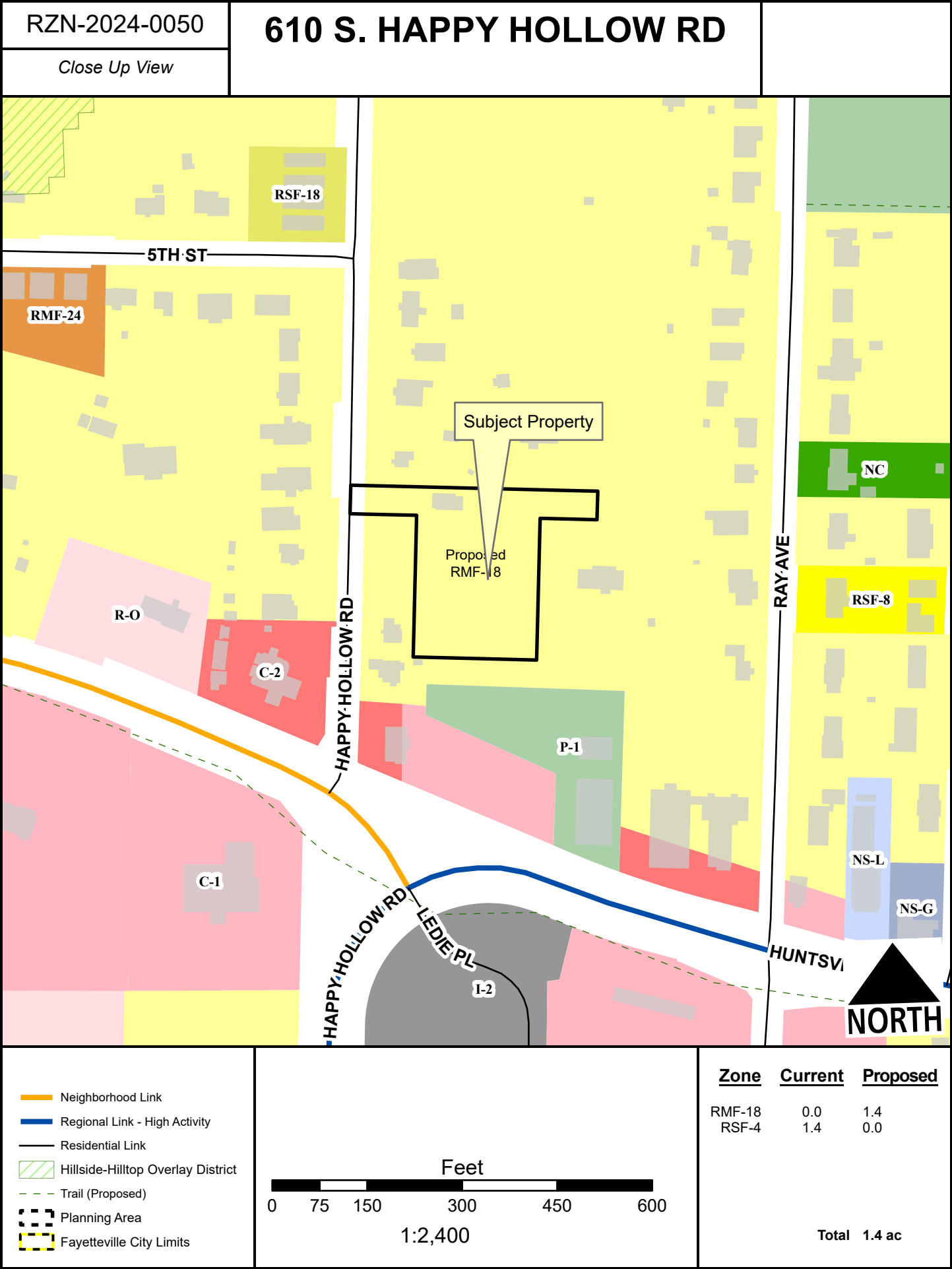
Thank you for your consideration of this request. Please do not hesitate to contact me with any questions.

Sincerely,

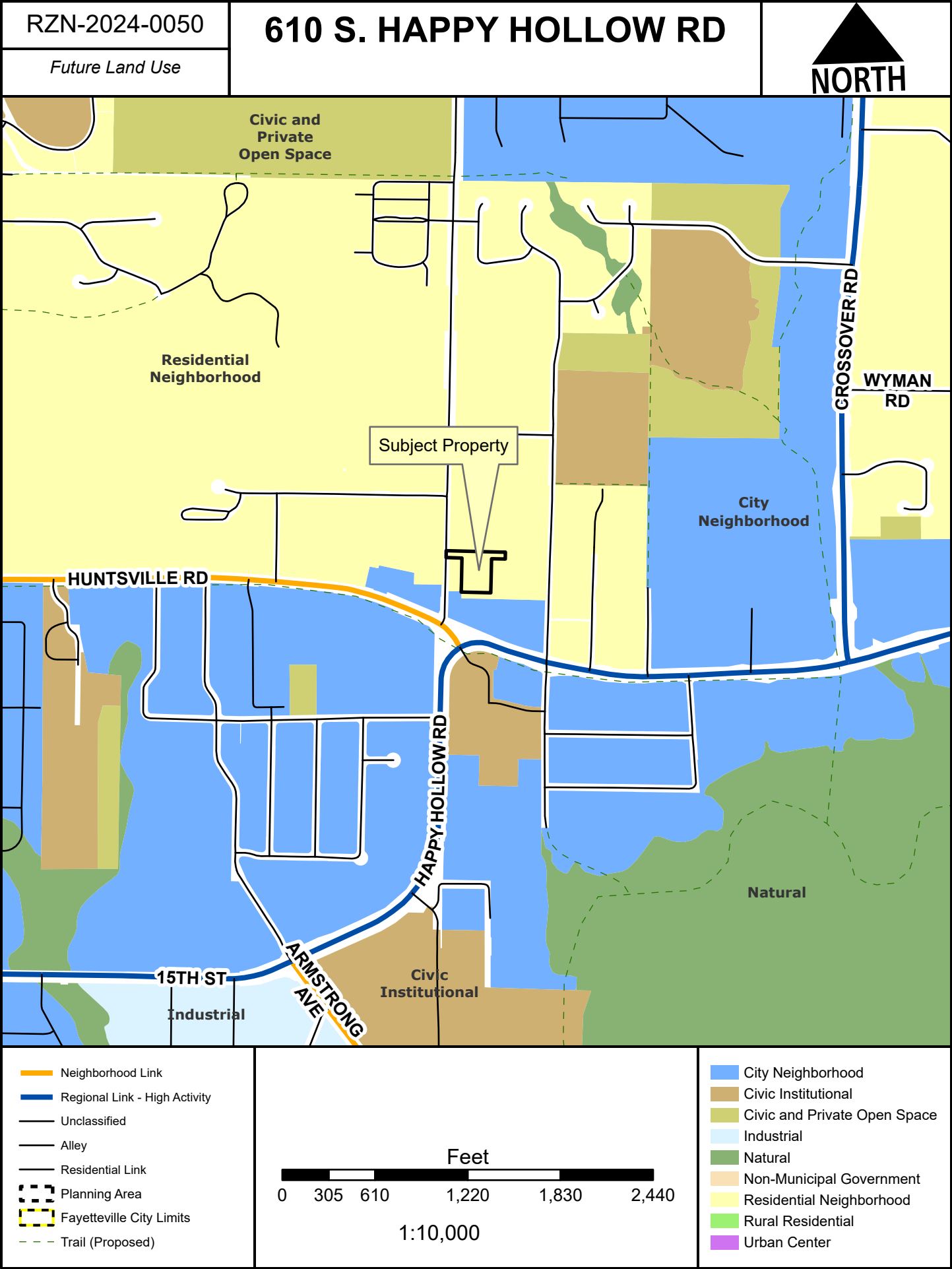


Caroline Fox, PE
Development Consultants, Inc.











TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Britin Bostick, Long Range Planning/Special Projects Manager

MEETING DATE: October 28, 2024

SUBJECT: **RZN-2024-0051: Rezoning (W. MARTIN LUTHER KING JR. BLVD AND S. SMOKEHOUSE TRL/D&B OF NORTHWEST ARKANSAS LLC, 595):**
Submitted by GAVIN SMITH CIVIL ENGINEERING for property located southeast of the intersection of W. MARTIN LUTHER KING JR. BOULEVARD AND S. SMOKEHOUSE TRAIL. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 4.49 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

RECOMMENDATION:

Staff recommends forwarding **RZN-2024-0051** to the City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0051** to the City Council with a recommendation of approval."*

BACKGROUND:

The subject property is located in southwest Fayetteville, just southeast of the intersection of W. Martin Luther King Jr. Boulevard and S. Smokehouse Trail on the south side of W. Martin Luther King Jr. Boulevard. The property contains one parcel totaling 5.59 acres which is undeveloped and zoned UT, Urban Thoroughfare and RPZD, Residential Planned Zoning District. Hydric soils are not present, and no protected streams or FEMA-designated floodplain and no Hillside/Hilltop Overlay District are present on site. Surrounding land uses and zoning are depicted below in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Undeveloped	UT, Urban Thoroughfare
South	City Park/Single-Family Residential	R-A, Residential Agricultural
East	Undeveloped	R-A, Residential Agricultural/UT, Urban Thoroughfare/CS Community Services
West	Undeveloped/City Park	R-A, Residential Agricultural/UT, Urban Thoroughfare

Request: The request is to rezone 4.49 acres of the total 5.59 acres of the subject property from RPZD, Residential Planned Zoning District to CS, Community Services.

Public Comment: Staff has not received public comment on this request.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject area does not have public street frontage. The overall property has frontage to W Martin Luther King Jr Boulevard, a partially improved regional link high activity street, with asphalt paving and curb and gutter. Any street improvements required in these areas would be determined at the time of development proposal.

Water: Public water is not available to the subject area. The overall property has access to an 18" water line that is present along the south side of W Martin Luther King Jr Boulevard.

Sewer: Sanitary Sewer is not available to the subject area or the overall property.

Drainage: The subject property does not lie within a FEMA-designated floodplain and no protected streams are identified on the subject property or surrounding properties. Hydric soils are not present on site. The subject property is not located within the Hillside/Hilltop Overlay District. 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 6, located at 900 S. Hollywood Ave., protects this site. The property is located approximately 1.8 miles from the fire station with an anticipated drive time of approximately 5 minutes using existing streets. The anticipated response time would be approximately 7.2 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 zoning district, CS, Community Services, requires **20% minimum canopy preservation**. The current zoning district, RPZD, Residential Planned Zoning District, requires **25% 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 **City Neighborhood**.

City Neighborhoods are more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single family to multi-family. Non-residential and commercial uses are primarily located at street intersections and along major corridors. Ideally, commercial uses would have a residential component and vary in size, variety and intensity. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Building setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range of 4-5 for this site with a weighted score of 5 at the highest level. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 6, located at 900 S. Hollywood Ave.)
- Near Water Main (18-inch main, W. Martin Luther King Jr. Boulevard)
- Near City Park (Holland Park, Kessler Mountain Regional Park)
- Near Paved Trail (Side Path Trail)
- Appropriate Future Land Use (City Neighborhood)

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 that the requested rezoning is compatible with surrounding land uses. The subject property is located in west Fayetteville near the southeast corner of the intersection of W. Martin Luther King Jr. Boulevard, S. Ruppel Road, and S. Smokehouse Trail. A rezoning to CS, Commercial Services, would allow similar residential development and commercial uses in an area that currently allows a mix of residential and commercial uses. The property's current zoning, RPZD, allows for development that staff finds to be also consistent with current development and zoning patterns in that area given the large lots with low intensity residential development and protected recreation areas to the south. Prior to the rezoning to RPZD in 2023, the subject property had both CS and R-A zoning, and the proposed rezoning would be similar to prior zoning, with additional land area to the south of the prior CS zoning district incorporated.

Land Use Plan Analysis: Staff finds that a rezoning to CS would be consistent with the City's adopted land use plans. City Plan 2040's Future Land Use Map designates the property as City Neighborhood. These areas are intended to support a wide variety of housing and commercial types in walkable urban neighborhoods. The property does have a low infill score of 4-5 as this area has higher-intensity zoning entitlements but has not yet seen a lot of the necessary infrastructure for higher intensity development.

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 for rezoning the property from RPZD to CS. Staff finds that the proposed rezoning is compatible with surrounding properties and consistent with the City's future land use plans. It is also consistent with the zoning of the property prior to the rezoning to RPZD in 2023.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: A rezoning from RPZD to CS has the potential to minimally increase vehicular traffic in the area when considering that the property is currently entitled for similar residential development, and the area proposed to be

rezoned has several constraints. Between 2019 and 2023, one traffic crash was reported adjacent to the property and forty-seven crashes, four with suspected minor injury, eight with possible injury, and forty-four with no apparent injury, were reported on W, Martin Luther King Jr. Boulevard between with intersections with S. Camelia Lane and S. Ruppel Road.

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: Rezoning the property from RPZD to CS has minimal potential to alter the population density given the size of the property and surrounding zoning and uses, although CS in combination with other similarly zoned parcels could allow for increased residential or commercial development. Given the property’s proximity to public streets, and water, staff finds that the proposed rezoning is not likely to undesirably increase the load on public services. Sewer improvements would be needed for future development, however. Any necessary upgrades or improvements to existing infrastructure 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-2024-0051 to the City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>October 28, 2024</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.22 Community Services
 - Ord. 6669 for PZD-2023-0002
- Request Letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future 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.



Doc ID: 021161930029 Type: REL
Kind: ORDINANCE
Recorded: 07/06/2023 at 03:46:17 PM
Fee Amt: \$155.00 Page 1 of 29
Washington County, AR
Kyle Sylvester Circuit Clerk
File **2023-00017259**



113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

ARCHIVED

Ordinance: 6669

File Number: 2023-776

PLANNED ZONING DISTRICT-2023-0002: (SOUTHEAST OF W. MARTIN LUTHER KING JR BLVD AND S. SMOKEHOUSE TRAIL/SWEET BAY AT KESSLER, 596):

AN ORDINANCE TO APPROVE A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED PZD-2023-002 FOR APPROXIMATELY 4.49 ACRES LOCATED SOUTHEAST OF WEST MARTIN LUTHER KING, JR. BOULEVARD AND SOUTH SMOKEHOUSE TRAIL IN WARD 1

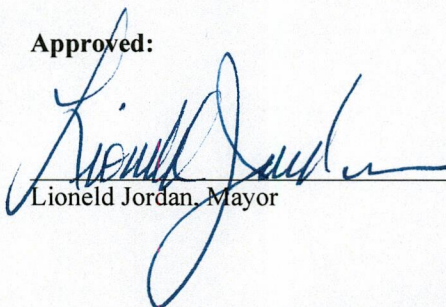
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves PZD-2023-02 as described in Exhibits "A", "B" and "C" attached to the Planning Division's Agenda Memo which allows the development of 2.93 acres for residential units, 0.49 acres for parkland dedication, and 1.07 acres for primarily natural preservation.

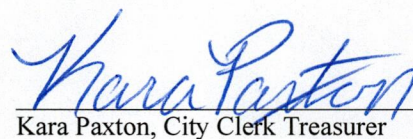
Section 2: That the official zoning map of the City of Fayetteville, Arkansas is hereby amended to reflect the zoning criteria change provided in Section 1 above.

PASSED and APPROVED on June 6, 2023

Approved:


Lioneld Jordan, Mayor

Attest:


Kara Paxton, City Clerk Treasurer





MEETING OF JUNE 6, 2023

TO: Mayor Jordan and City Council
THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director
FROM: Jessica Masters, Development Review Manager
DATE:

SUBJECT: **PZD-2023-0002: Planned Zoning District (SOUTHEAST OF W. MARTIN LUTHER KING JR BLVD AND S. SMOKEHOUSE TRAIL/SWEET BAY AT KESSLER, 596): Submitted by GAVIN SMITH for property located SOUTHEAST OF W. MARTIN LUTHER KING JR BLVD AND S. SMOKEHOUSE TRL. In WARD 1. The property is split zoned R-A, RESIDENTIAL AGRICULTURAL, CS, COMMUNITY SERVICES, and UT, URBAN THOROUGHFARE and contains approx. 5.59 acres. The request is to rezone 4.49 acres of the property to a PLANNED ZONING DISTRICT.**

RECOMMENDATION:

City Planning staff and the Planning Commission recommend approval of a request to rezone the subject property as described and shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:

The subject property is located in west Fayetteville, southeast of the intersection of W. Martin Luther King Jr. Blvd and S. Ruppel Road. While a leg of the overall property has frontage along W. Martin Luther King Jr. Blvd, the area in question is about 300 feet south without access to a public street. Undeveloped and mostly covered in tree canopy, there is an approximately 7% slope upward as the portion of the property in question moves south. The entire property is outside of the Hillside Hilltop Overlay District.

Proposal: The applicant requests to rezone the property to a Residential Planned Zoning District with three Planning Areas, as described below:

- **Planning Area #1 – 2.93 acres:** The intention of this planning area is to provide cabin-style single-family homes at a maximum density of 10 units per acre that are clustered and concentrated to leave additional room in the planning area for parking, detention, and utilities. The allowable uses are similar to but more limited than those allowed in other single-family zoning districts such as RSF-4 or NC, Neighborhood Conservation.
- **Planning Area #2 – 0.49 acres:** This planning area is intended for parkland dedication. The area in question currently includes a portion of a downhill mountain biking trail. Parkland dedication would be required to be evaluated by the Parks and Recreation Advisory Board, and a full evaluation of its suitability for City acquisition would take place during the large-scale development process. The permitted uses are similar to those in the P-1, Institutional zoning district.

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov

- **Planning Area #3 – 1.07 acres:** This planning area is intended for natural preservation. There are limited uses permitted, but it does allow for cultural and recreational facilities and other city-wide uses by right.

Public Comment: Staff received minimal public comment on the request, limited primarily to inquiries, and no comments of outright support or opposition. No public comment was offered at the Planning Commission meeting.

Land Use Compatibility: Staff finds the applicant's request to be compatible with existing surrounding land uses. While zoned for higher entitlements generally, the area in question is minimally developed and well-forested. The applicant's request reflects an incremental increase in density and intensity that both respects the natural features of the site (the slope into Kessler Mountain), while also leaving room at the northern portion of the site for higher intensity uses allowable by-right in its current zoning district. The separation of the PZD into three planning areas indicates a specific intention to work within the confines of existing amenities on the site, including a mountain bike trail that runs into the adjacent property to the west. That same property is also pending transfer to the City of Fayetteville Parks and Recreation Department. The proposed use of single-family cabins is architecturally compatible with the surrounding environment as well. The applicant's request would also allow for short-term rentals. However, since the overall planned zoning district is strictly residential and does not include any commercial or mix of uses, staff finds that any cabins that would like to pursue a short-term rental would require a conditional use permit.

Land Use Plan Analysis: Staff finds that the request is consistent with the City's land use and zoning plans. Recently, the City Council adopted a new street section for Smokehouse Trail to incorporate on-street parking to the adjacent mountain biking trails, including the Fayetteville Traverse. Further, the proposal respects the Future Land Use map distinction by leaving the existing UT zoning as is, to allow for higher intensity uses in the future. Staff finds that the proposal meets City Plan 2040 goals by making appropriate infill a high priority; the infill score for the site is currently quite low, so inserting single-family cabins in the area acts as a good transitional development to future high-density development. The proposal also capitalizes on proximity to the trail network.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a low infill score for the subject property of 4. The elements vary by the area of the property being considered, and include the following:

- Adequate Fire Response (Station #6, 990 S. Hollywood Avenue)
- Near City Park (Centennial Park)
- Near Paved Trail (S. Ruppel Road)
- Appropriate Future Land Use (City Neighborhood Area)

DISCUSSION:

At the May 8, 2023 Planning Commission meeting, a vote of 8-0-0 forwarded the request to City Council with a recommendation of approval, with conditions as recommended by staff. Commissioner Garlock made the motion and Commissioner Brink seconded. Conversation on the item centered mostly around whether short-term rentals would need a conditional use permit in the PZD, and staff explained that short-term rentals are typically permitted by-right in every zoning district since Type 1s (owner-occupied) are always allowed where there are residential uses, and that Type 2s (permanent short-term rentals) would need to acquire a conditional use permit. Commissioner Brink felt that the smaller house type may lend itself to a short-term rental use, though was compatible with the surroundings, and Commissioner Garlock commented that the smaller

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Fayetteville, AR 72701

www.fayetteville-ar.gov

housing type met a specific housing need. In the intervening time between the Planning Commission meeting and the City Council meeting, the applicant made minor changes to the PZD booklet as recommended by staff, and also moved all short-term rentals, or STRs, to a conditional use in Planning Area 1. Commissioners in favor found that the level of development was incremental in nature, and there were no votes in opposition. No members of the public spoke during the meeting.

BUDGET/STAFF IMPACT:

ATTACHMENTS: SRF, Exhibit A, Exhibit B, PZD Booklet, Planning Commission Staff Report



City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Legislation Text

File #: 2023-776

PZD-2023-0002: Planned Zoning District (SOUTHEAST OF W. MARTIN LUTHER KING JR BLVD AND S. SMOKEHOUSE TRAIL/SWEET BAY AT KESSLER, 596): Submitted by GAVIN SMITH for property located SOUTHEAST OF W. MARTIN LUTHER KING JR BLVD AND S. SMOKEHOUSE TRL. In WARD 1. The property is split zoned R-A, RESIDENTIAL AGRICULTURAL, CS, COMMUNITY SERVICES, and UT, URBAN THOROUGHFARE and contains approx. 5.59 acres. The request is to rezone 4.49 acres of the property to a PLANNED ZONING DISTRICT.

AN ORDINANCE TO APPROVE A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED PZD-2023-002 FOR APPROXIMATELY 4.49 ACRES LOCATED SOUTHEAST OF WEST MARTIN LUTHER KING, JR. BOULEVARD AND SOUTH SMOKEHOUSE TRAIL IN WARD 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves PZD-2023-02 as described in Exhibits "A", "B" and "C" attached to the Planning Division's Agenda Memo which allows the development of 2.93 acres for residential units, 0.49 acres for parkland dedication, and 1.07 acres for primarily natural preservation.

Section 2: That the official zoning map of the City of Fayetteville, Arkansas is hereby amended to reflect the zoning criteria change provided in Section 1 above.

City of Fayetteville Staff Review Form

2023-776

Item ID

6/6/2023

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jonathan Curth

5/19/2023

DEVELOPMENT REVIEW (630)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

PZD-2023-0002: Planned Zoning District (SOUTHEAST OF W. MARTIN LUTHER KING JR BLVD AND S. SMOKEHOUSE TRAIL/SWEET BAY AT KESSLER, 596): Submitted by GAVIN SMITH for property located SOUTHEAST OF W. MARTIN LUTHER KING JR BLVD AND S. SMOKEHOUSE TRL. In WARD 1. The property is split zoned R-A, RESIDENTIAL AGRICULTURAL, CS, COMMUNITY SERVICES, and UT, URBAN THOROUGHFARE and contains approx. 5.59 acres. The request is to rezone 4.49 acres of the property to a PLANNED ZONING DISTRICT.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? No

Total Amended Budget

\$ -

Expenses (Actual+Encum)

\$ -

Available Budget

\$ -

Does item have a direct cost? No

Item Cost

\$ -

Is a Budget Adjustment attached? No

Budget Adjustment

\$ -

Remaining Budget

\$ -

V20221130

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

Original Contract Number:

Comments:

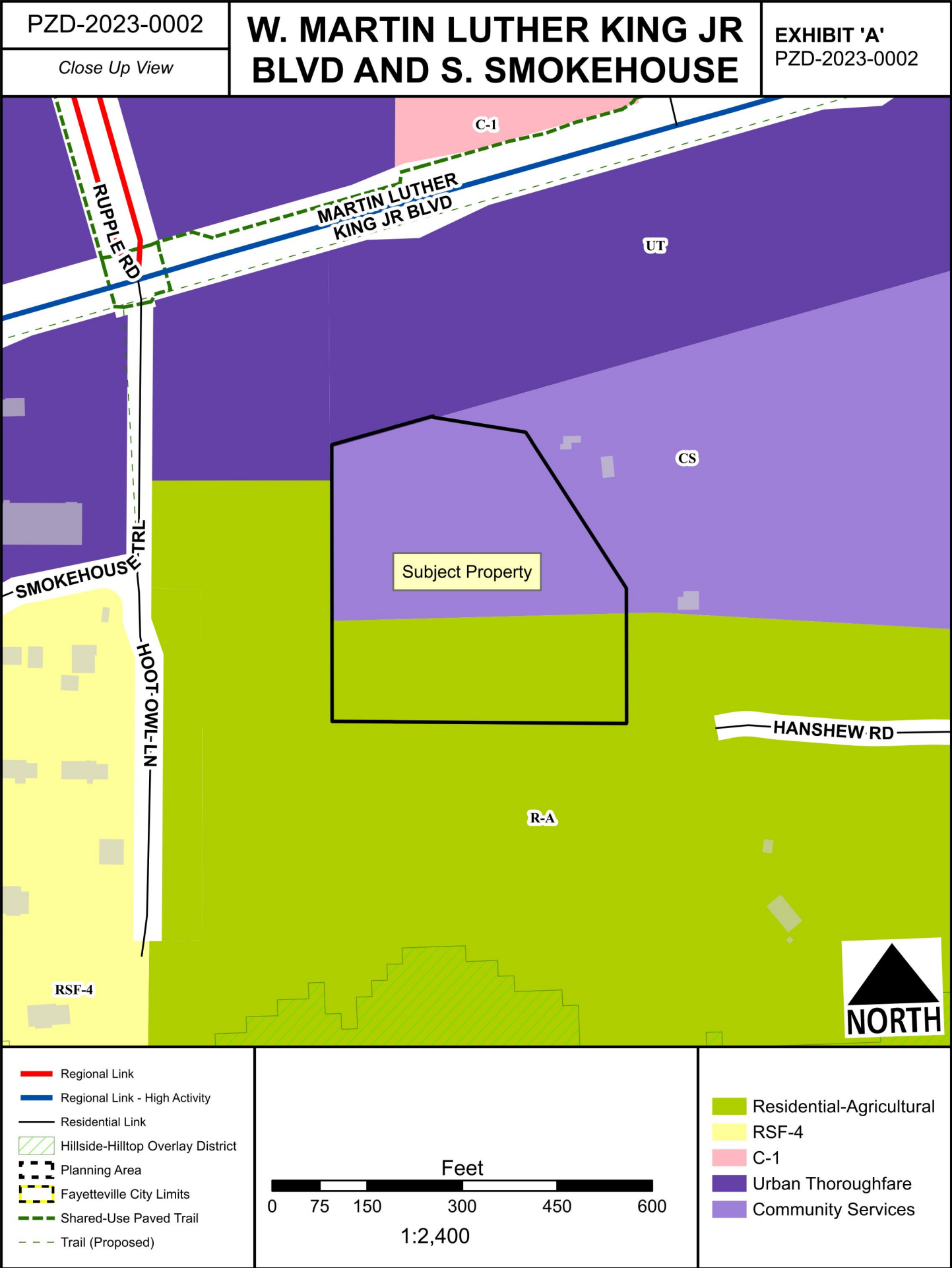


EXHIBIT 'B'
PZD-2023-0002



**Bates &
Associates, Inc.**

Civil Engineering & Surveying

7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704
PH: 479-442-9350 / www.batesnwa.com

March 8, 2023

RE: Legal description of an area of land for a PZD on a portion of "Adjusted Tract 2" from
Property Line Adjustment survey 2021-33895

LEGAL DESCRIPTION FOR PZD:

A PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 24,
TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS,
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT
AN EXISTING STONE MARKING THE SOUTHEAST CORNER OF THE NORTHWEST
QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 24 AND RUNNING
THENCE ALONG THE SOUTH LINE THEREOF N87°36'10"W 96.00' TO AN EXISTING
REBAR, THENCE LEAVING SAID SOUTH LINE N01°55'39"E 436.64', THENCE
N76°15'06"E 166.64', THENCE S01°54'39"W 2.06', THENCE S78°55'38"E 147.57', THENCE
S30°52'00"E 293.27', THENCE S01°55'11"W 213.44' TO THE SOUTH LINE OF THE
NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 24,
THENCE ALONG SAID SOUTH LINE N87°36'10"W 369.02' TO THE POINT OF
BEGINNING, CONTAINING 4.49 ACRES, MORE OR LESS. SUBJECT TO ALL
EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

Sweet Bay @ Kessler



Revised 5/8/2023

A: Ownership:

D&B of Northwest Arkansas, LLC

PO Box 1146

Farmington, AR 72730

B. Scope & Project

Project Description:

The total property is 5.59 acres. The Planned Zoning District is for the rear 4.49 acre portion of the property. Currently the property, roughly a boot shape, includes 3 different zonings. The front of the project lot borders MLK and is zoned as UT: Urban Thoroughfare; 1.10 acres (19.7%). The middle portion is zoned CS: Community Services; 2.69 acres (48.1%). The rear of the Project is zoned R-A: Residential-Agricultural; 1.80 acres (32.2%).

This proposal only unifies and rezones the back 2 sections, from CS and R-A to RPZD. The front portion will remain UT and be developed for a commercial use appropriate to the frontage. The purpose of this Rezone is to uniformly develop the back portion of the site. Currently the small portion of land at the rear has less than the minimum 2 acres for even a single home. Every effort has been made to tone down the development style of the proposal towards a balanced use of the forested toe of Kessler Mountain.

Scope:

(25) cabin like single family residences and associated roads, parking, natural spaces, and public utilities.

C. General Project Concept

1. Site Major Elements Considerations:
 - i. Flexibility – This proposal offers an alternative not available directly through other zoning. By squeezing the parking areas together and distributing the houses on only those portions of land suitable for construction without regard to street frontage, this plan utilizes the site for a residential use, while maximizing and preserving the maximum amount of natural space.
 - ii. Compatibility – The surrounding properties are undeveloped, with a high development possibility to the north and a low possibility to the south. This project incorporating a medium density with an emphasis on tree preservation and natural space serves as a gradual transitional area between the undeveloped forest of Mount Kessler and the intense corridor of MLK.
 - iii. Harmony – Several design considerations for this project were tree preservation and maintaining the character of the land including the medium mature woodlands and transitional ecological succession character of the former farmland.
 - iv. Variety – This PZD offers variety because it includes a preservation approach for the onsite wooded drainage channels, includes a preservation area around the existing bike trail, and includes several small pods of houses that each have a group orientation to create 4 to 5 separate micro communities.
 - v. No negative impacts – This project does not create negative impacts for future developments on adjacent properties. The natural drainage pattern changes and other changes are mitigated within the boundary of the site.
 - vi. Coordination – The neighboring property owners were all introduced to the project and given an opportunity to discuss the project. Several meetings were held with the owner of the corner property to discuss access. Both the trailblazer group (current owner) and the Fayetteville parks department were approached and invited to give input on the design and location of the PZD proposal. A loose association of the residential neighbors in the nearest neighborhood were

contacted. A presentation was given to them about the proposed development and a subsequent input session to hear their opinions.

- vii. Open space – This proposal includes several natural areas adjacent to streams and focuses small clusters of residential units around shared open space and tight porch paths and orients the rears toward natural areas creating a front porch community feel. Neighbors must pass their neighbors' front doors on the way to their cars but can also find privacy.
- viii. Natural features – Several natural intermittent channels and trees occupy the site. These areas are left as they are. Tree Preservation is discussed below.
- ix. Future Land Use – Please see item J discussed below.
- x. Special Features – This land is currently undeveloped. The site is now wooded but was previously farmland. The land is currently not utilized.
- xi. Recognized Zoning Considerations – There are no recognized zoning considerations for this site.

2. Streets

Streets are 26' wide asphalt.

3. Trail and Pedestrian Connectivity

A proposed section of the trail would come to the site where it borders MLK giving residents direct access to the greenway system. The immediate trail connectivity would make car-less bicycle living feasible for the adventurous.

4. Lot Layout

This project is conceived as a single owner rental project without any proposed subdivision of lots.

5. Undisturbed Natural Buffer areas

The existing intermittent runoff channels on the site were carefully avoided and buffered against development. Trees adjacent to and in the channels have been left in place. Stream crossings are minimal and situated perpendicular for minimum disturbance.

6. Tree Preservation Areas

A giant and ancient oak tree was immediately identified as a critical tree for preservation. Many aspects of the unconventional layout of the site can be traced directly back to this tree and centering the development around it. Tree preservation areas are also intermittent channel buffering areas. The site layout was predicted to avoid work in and near the channels and preserving tree cover in a strip around the channels. PZDs require 25% of the canopy to be preserved. This proposal preserves slightly more than 30% as presented.

7. Stormwater Detention Areas and Drainage

Stormwater detention is achieved using porous gravel reservoirs situated beneath permeable paver parking areas. For greater rainstorm events like to the 50 and 100 year storms the parking lot is also designed to hold up to 6" of water, which is a great enough quantity to attenuate storm flows, but not enough to flood cars or damage property. Preliminary stormwater models show that the site as designed provides the required stormwater detention and water quality treatment required by the Drainage

Criteria Manual. Stormwater calculations and design will be verified and reviewed as part of a subsequent large-scale development, so while the presented design accounts for stormwater, the city will have additional opportunities for comment, review, and approval.

8. Fire Access and Fire Code

The cabins and roads as shown in the proposed exhibit meet all applicable requirements for fire apparatus access. The roads are 26' wide. Turn radii are 28' or greater. Road length from Appendix D compliant turn-arounds are 150' or less. Two separate fire access roads connect the site to the street system, one at the front of the site to MLK and a second proposed drive connecting to Smokehouse Trail to the west.

9. Site Grading

The parking lots are situated parallel to the natural contours so that slight cut grading up hill and fill grading downhill allows the parking to be flat and double as detention areas. Each cabin is conceived as an elevated slab that preserves the adjacent native grade. Connection paths would be at grade. Necessarily flat areas to connect ADA parking to ADA units are situated on the lower parking area where the native grade is natural much flatter. This technique of following the contours for the graded elements reduces the amount of site grading and soil disturbance usually associated with a development of this size and density.

D. Site Areas

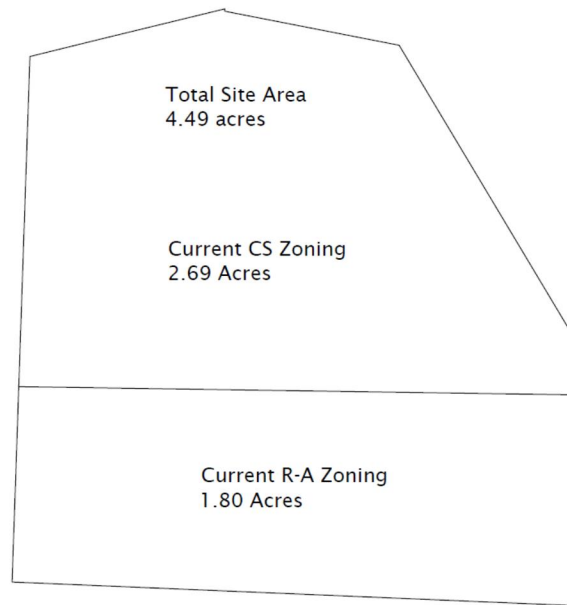


Figure 1 - Site Area of Current Zoning

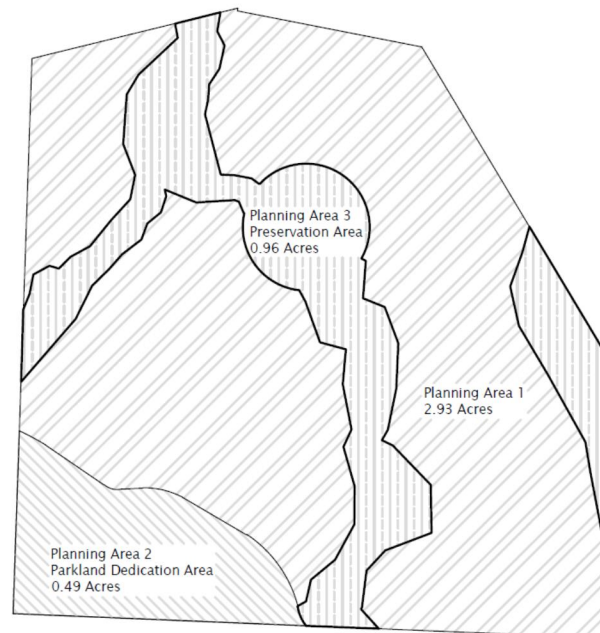


Figure 2 - Site Area of Proposed PZD

E. Existing & Proposed Zoning Standards

Existing RA

Existing CS

Proposed Planning area 1 – Single Family Residential

Proposed Planning Area 2 – Parkland Dedication

Proposed Planning Area 3 – Preservation Area

161.03 - District R-A, Residential-Agricultural

(A) *Purposes.* The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities

Unit 5	Government facilities
Unit 20	Commercial recreation, large sites
Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

Units per acre	One-half (½)
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(D) *Bulk and Area Regulations.*

Lot width minimum	200 feet
Lot Area Minimum:	2 acres
Residential:	
Nonresidential:	
Lot area per dwelling unit	2 acres

(E) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

(F) *Height Requirements.* There shall be no maximum height limits in the R-A District, provided, however, if a building exceeds the height of one (1) story, the portion of the building over one (1) story shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over one (1) story shall be equal to the difference between the total height of that portion of the building and one (1) story.

(G) *Building area.* None.

(Code 1965, App. A., Art. 5(1); Ord. No. 1747, 6-29-70; Code 1991, §160.030; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5195, 11-6-08; Ord. No. 5238, 5-5-09; Ord. No. 5479, 2-7-12; Ord. No. 5945, §3, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

Editor's note— 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."

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)

Editor's note— 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."

RPZD Sweet Bay @ Kessler

Proposed Zoning

Planning Area 1 Single Family Residential Area.

(A) **Purposes.** *The purpose of this planning area is to provide single family living in a manner that increases community interaction by clustering houses and minimizing ecological disturbance by concentrating parking, detention, and utilities. This PZD creates a buffer between the low density and mostly undeveloped slope of Kessler Mountain and the high intensity of the rapidly growing MLK corridor connecting Fayetteville and Farmington.*

(B) **Uses**

(1) **Permitted Uses.**

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) **Conditional Uses.**

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 24	Home occupations
Unit 46	Short-term rentals

(C) **Density**

Units Per Acre	10
----------------	----

(D) **Bulk and Area Regulations**

Lot Width Minimum	None	
Lot Area Minimum	Residential	None
	Nonresidential	None
Lot Area per dwelling unit	None	

(E) **Setback Regulations**

Front	Side	Rear
15 feet	15 feet	15 feet

(F) **Height Requirments.**

3 stories

(G) **Building Area.**

None

RPZD Sweet Bay @ Kessler

Proposed Zoning

Planning Area 2	Park Land Dedication Area
------------------------	----------------------------------

(A) **Purposes.** *The purpose of this planning area is to create an area of park land. This area includes a part of a trailblazers downhill mountain biking trail. Trailblazers is currently in the process of donating the adjacent property to the city for the use of a downhill mountainbiking park. This area is proposed to be dedicated to the City during the large scale development of the subject property for this PZD.*

(B) **Uses**

(1) **Permitted Uses.**

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities

(2) **Conditional Uses.**

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 36	Wireless communication facilities
Unit 42	Clean technologies

(C) **Density**

Units Per Acre	N/A
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(D) **Bulk and Area Regulations**

Lot Width Minimum	None	
Lot Area Minmum	Residential	None
	Nonresidential	None
Lot Area per dwelling unit	None	

(E) **Setback Regulations**

Front	Side	Rear
30 feet	20 feet	25 feet

(F) **Height Requirments.**

There shall be no maximum height limit, provided, however, 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 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.

RPZD Sweet Bay @ Kessler

Proposed Zoning

Planning Area 3

Natural Preservation Area

(A) **Purposes.** *The purpose of this planning area is to create a buffer around the existing onsite drainage channels. This area is inclusive of the high priority preservation Post oak tree.*

(B) **Uses**

(1) **Permitted Uses.**

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities

(2) **Conditional Uses.**

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 42	Clean technologies

(C) **Density**

Units Per Acre	N/A
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(D) **Bulk and Area Regulations**

Lot Width Minimum	None	
Lot Area Minimum	Residential	None
	Nonresidential	None
Lot Area per dwelling unit	None	

(E) **Setback Regulations**

Front	Side	Rear
30 feet	20 feet	25 feet

(F) **Height Requirements.**

There shall be no maximum height limit, provided, however, 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 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.

F. Site Analysis

The site is covered evenly by a mixture of scrub to medium mature stands of oak/hickory forest on the lower toe of the Mount Kessler hill.

G. Recreational Facilities

The site is near both hiking trails in the hills above the old smokehouse and bike trails on the neighboring property owned and operated by trail blazers. The regional greenway system comes to the site.

H. Reason for Rezoning

The purpose of this Rezone is to uniformly develop the back portion of the site. This proposal only unifies and rezones the back to 2 sections, from CS and R-A to this PZD. The front portion will remain UT and be developed for mixed commercial use appropriate to the frontage.

I. Relationship to Adjacent Properties

To the North is ultimately MLK Boulevard, but the Large-Scale Development after this rezoning would include a proposed development of small size cluster of commercial spaces.

To the West are two properties, the northern is currently under review for a proposed gas station/convenience store, and the southern is owned by trailblazers and contains bike trails. This project would build an access between these two properties and a trail head for the trailblazer property.

To the East is a currently vacant property that was previously approved for an expansive RV park.

To the South is a lot owned by trailblazers that they are currently offering for sale.

J. Comprehensive Land Use Plan

The entirety of this site is designated as “City Neighborhood” in the 2040 Master Plan and is shown as such on the City’s “future Land Use Plan. The City Plan lays out guiding policies for City Neighborhood. This project complies with the lands use plan by providing:

1. Adequate infrastructure
2. Trail connectivity for walking and biking
3. ADA compliant mixed use
4. Appropriate density for the site
5. Streets and walking paths that suit the land
6. Encourage neighborliness
7. Vernacular materiality of built structures

K. Impact on City Services

This project would add to the water and sewer infrastructure of the city. This project would require trash services.

L. Conceptual Description

1. Screening and Landscape

The proposed landscape material for Sweet Bay @ Kessler shall share the Ozark – Woodland character of the surrounding areas by using plant species native to this region. The landscape palette will range from large shade trees, ornamental trees, to low, space-defining plantings that respond and reflect its context to Mt. Kessler Park. Provided buffers shall meet the required widths and materials as listed in the City of Fayetteville Code of Ordinances. The property is surrounded by commercial or residential-agricultural zones and will not negatively impact the adjacent properties.

2. Traffic Circulation

Traffic will enter the site via an existing curb cut along MLK.

3. Parking Standards

Parking shall be per the minimum requirements for the residential uses in the Unified Development Code in regard to standard spaces and ADA spaces, 2 spots per unit, with 2 ADA spaces.

4. Perimeter treatment

Where possible vegetation shall be left around the perimeter of the site.

5. Sidewalks

Concrete sidewalks shall connect the residential units to the public right of way with a continuous path.

6. Streetlights

Streetlights shall be added as required along streets for minimum lighting requirements. Parking lots shall include lighting. All outdoor lighting shall meet the requirements as set forth in UDC section 176, Outdoor Lighting, and shall be down cast and shielded.

7. Water

Water shall connect to the site via the mains along MLK. All water improvements shall be per the standard details and specifications of the city, reviewed by the city, and contingent upon approval of the Arkansas Department of Health.

8. Sewer

Sewer shall connect to the site via the manhole located at the intersection of MLK and Smoke House trail via a new main built in the existing easement along MLK. The existing easement contains an easement that has sufficient width to include a sewer main with appropriate offset. All water improvements shall be per the standard details and specifications of the city, reviewed by the city, and contingent upon approval of the Arkansas Department of Health.

9. Streets and Drainage

Streets shall be asphalt, 26' in width and capable of support heavy vehicles including fire trucks and trash trucks. Parking areas shall be permeable paver basin structures with void space gravel detention. Roofs shall be hard piped to parking basins. To the greatest extent possible natural surface drainage patterns shall be preserved. Drainage improvements shall meet the requirements of the Drainage criteria manual.

10. Construction of Non-residential Facilities

This PZD is primarily residential in nature. While some non-residential uses are listed in the permitted and conditional uses, no non-residential use is being considered.

11. Proposed Signage

No signage is proposed. Any and all signage shall meet the requirements as set forth in Unified Development Code section 174.

12. View Protection

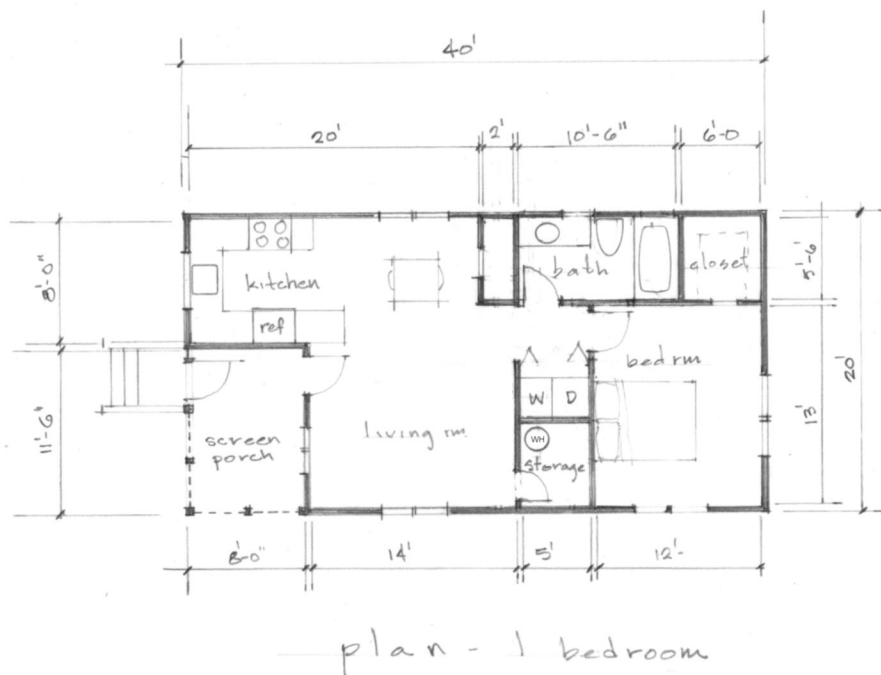
The site is isolated from direct public view by the neighboring properties.

13. Covenants, Trusts, and Homeowner Association

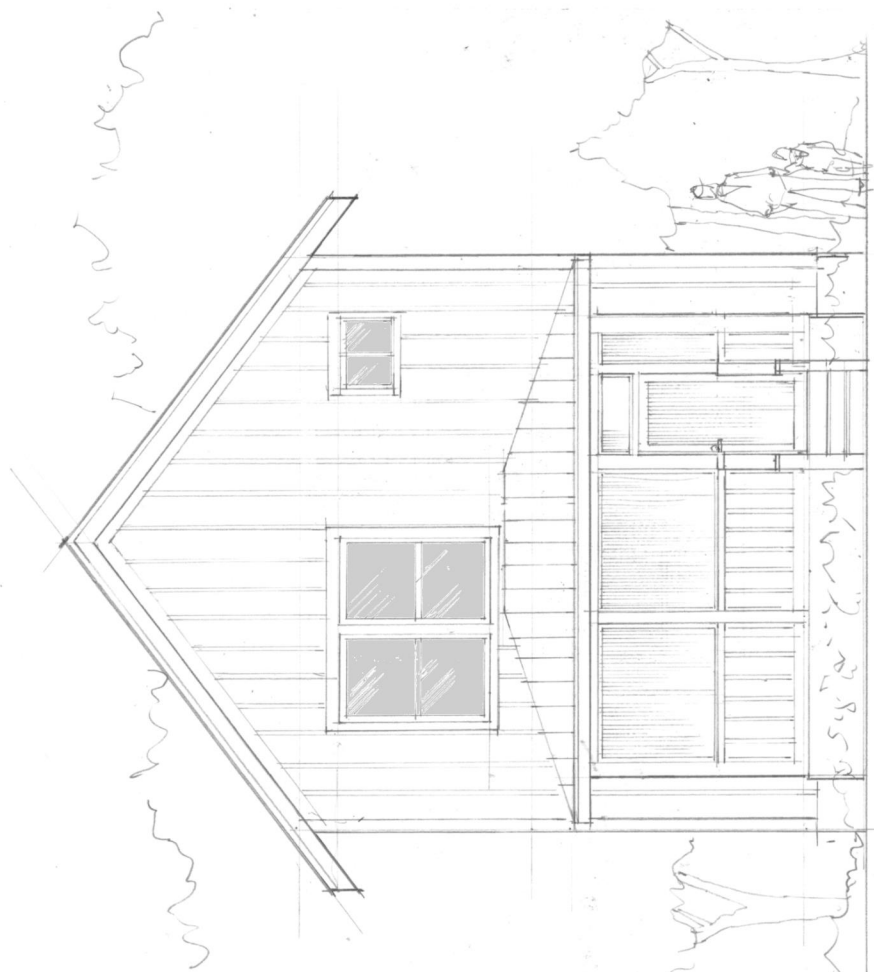
No covenants and no homeowner association are proposed. All common areas and maintenance shall be performed by the owner.

M. Architectural Standards

-Architectural standards shall generally reflect elevations as submitted.

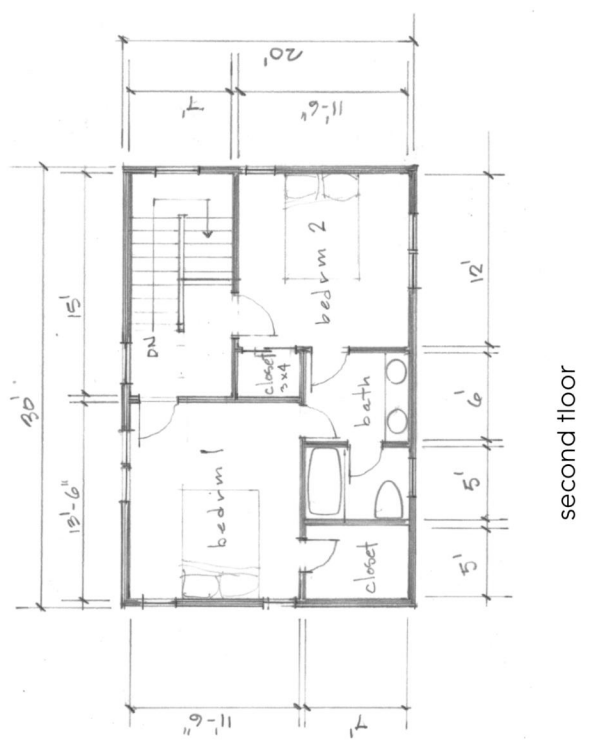
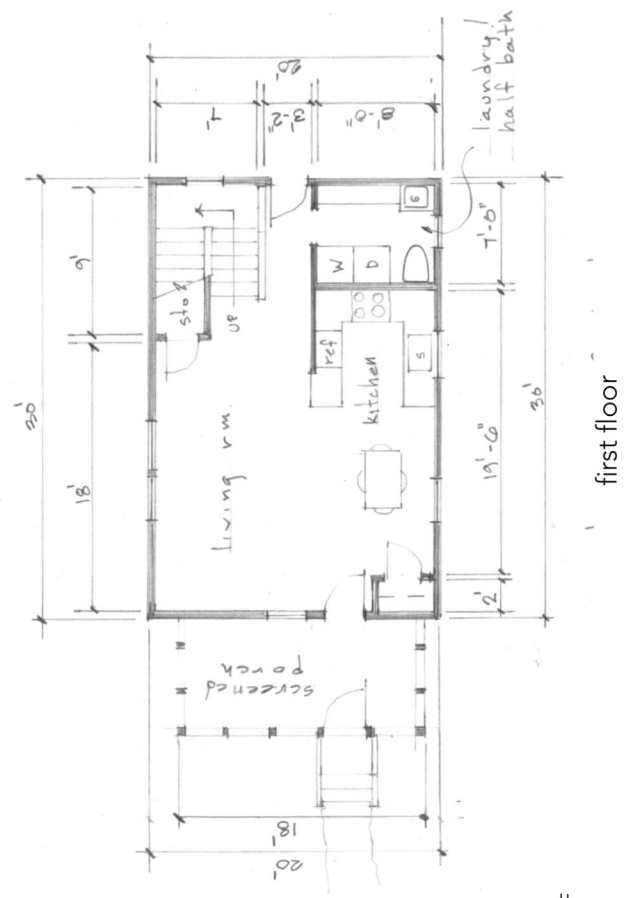


HEATED SPACE: 700 SF



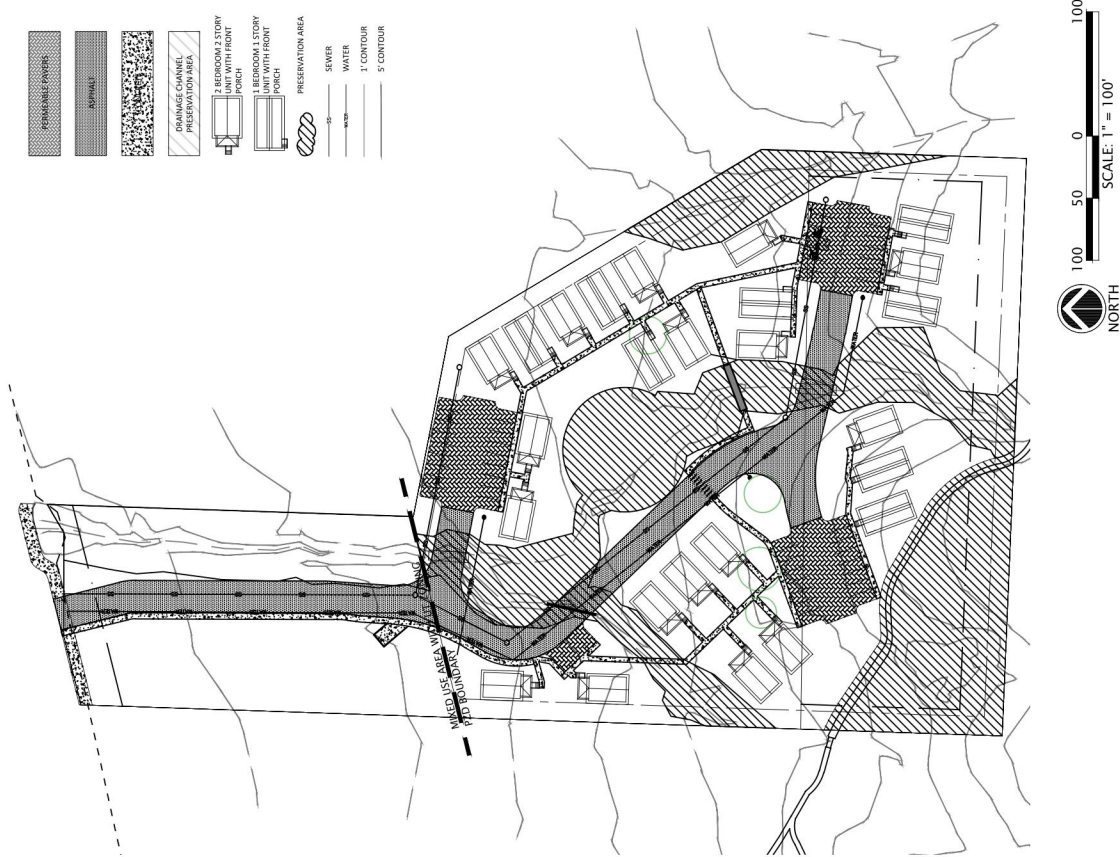
front elevation

HEATED SPACE: 1200 SF



N. PZD Exhibits

SWEET BAY @ KESSLER PLANNED ZONING DISTRICT APPLICATION

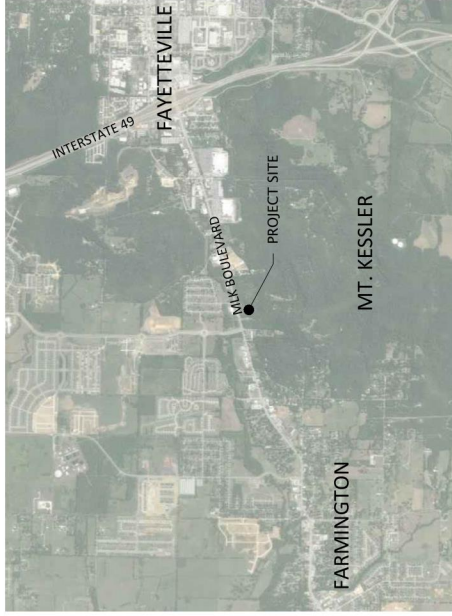


GAVIN R SMITH
CIVIL ENGINEERING
DATE: 5/8/2023

Planning Commission
October 28, 2024

RZN-2024-0051 (D&B OF NORTHWEST ARKANSAS)

Page 39 of 46



VICINITY MAP

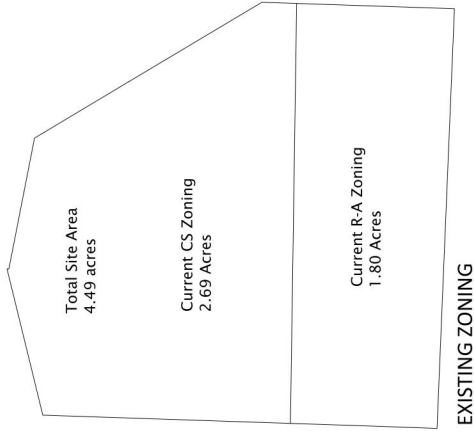
LEGAL DESCRIPTION FOR PZD:
A PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING STONE MARKING THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 24 AND RUNNING THENCE ALONG THE SOUTH LINE THEREOF N87°36'10"W 96.00' TO AN EXISTING REBAR, THENCE LEAVING SAID SOUTH LINE N01°55'39"E 436.64', THENCE N76°15'06"E 166.64', THENCE S01°54'39"W 2.06', THENCE S78°55'38"E 147.57', THENCE S30°52'00"E 293.27', THENCE S01°55'11"W 213.44' TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 24, THENCE ALONG SAID SOUTH LINE N87°36'10"W 369.02' TO THE POINT OF BEGINNING, CONTAINING 4.49 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PARKING TABLE	
NUMBER OF SPACES BY USE:	
RESIDENTIAL - 2 PER UNIT	
REQUIRED	50 STANDARD SPACES TOTAL 1 ADA SPACE/ 25 REQUIRED STANDARD SPACES
PROVIDED	49 SPACES STANDARD 2 ADA SPACE 51 SPACES TOTAL

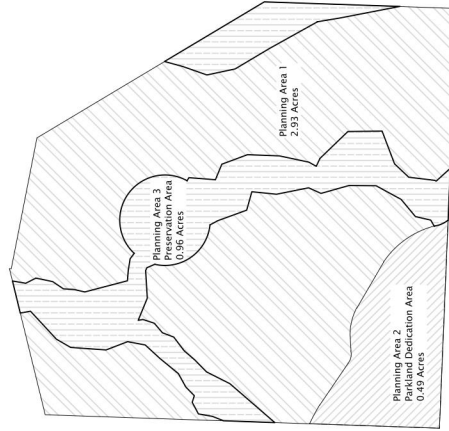
SWEET BAY @ KESSLER PLANNED ZONING DISTRICT APPLICATION



GAVIN R SMITH
CIVIL ENGINEERING
DATE: 5/8/2023

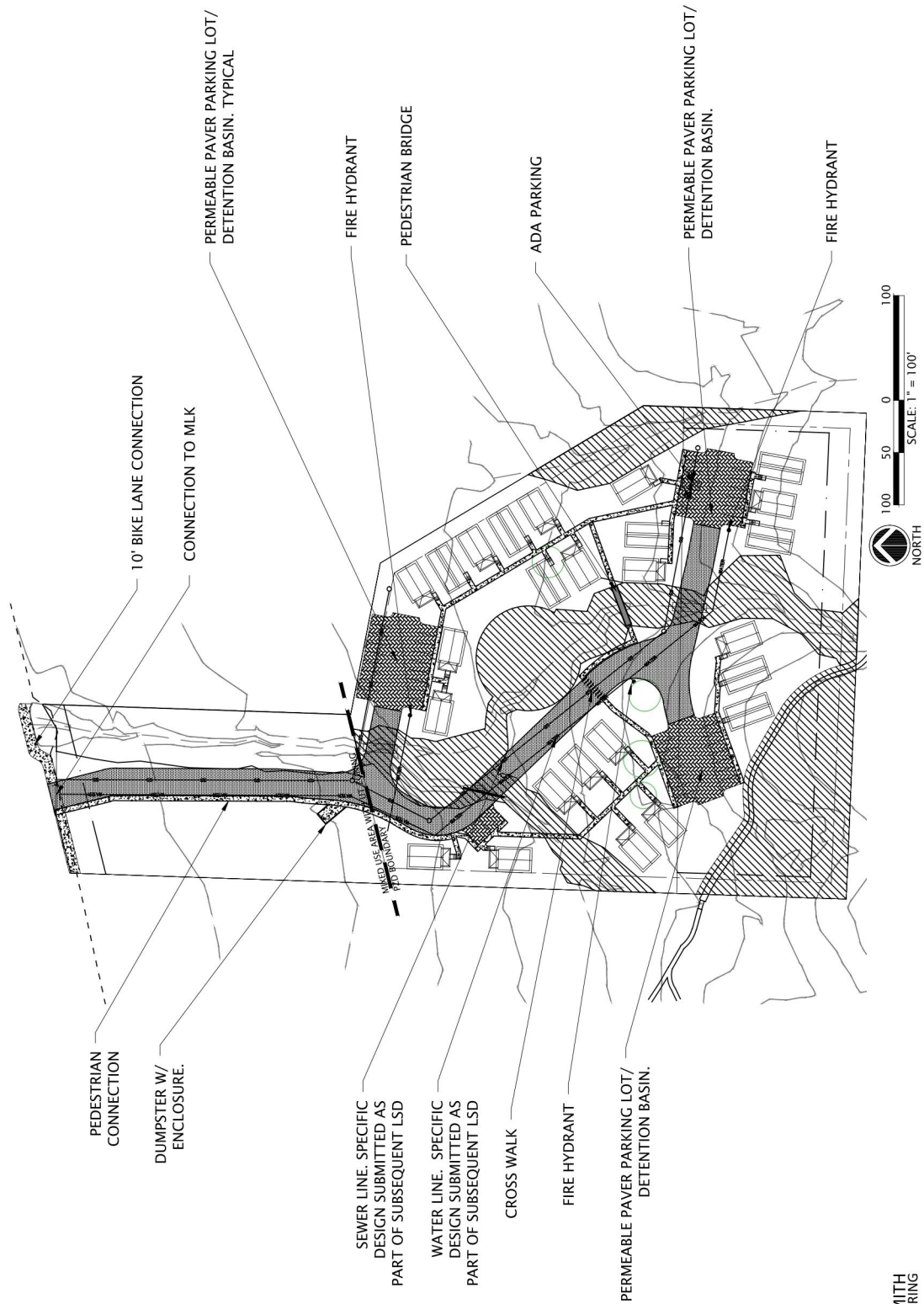


EXISTING ZONING



PROPOSED ZONING PLANNING AREAS

SWEET BAY @ KESSLER PLANNED ZONING DISTRICT APPLICATION



PZD SHEET 3

MASTERPLAN

SWEET BAY @ KESSLER

GAVIN R SMITH
CIVIL ENGINEERING
DATE: 5/8/2023

Planning Commission

October 28, 2024

RZN-2024-0051 (D&B OF NORTHWEST ARKANSAS)

Page 41 of 46

**GAVIN SMITH
CIVIL ENGINEERING**



September 17, 2024

From: Jason Young
Gavin Smith Civil Engineering, LLC
393 N Allen Street
Fayetteville, AR 72701

To: Fayetteville Development Services
125 West Mountain Street
Fayetteville, AR 72701

RE: Rezone of Part of Parcel #762-16280-000 – Rezoning Request Letter

Dear Planning Staff,

Gavin Smith Civil Engineering (Applicant), of D&B of Northwest Arkansas (Owner), are requesting a Rezoning on part of a parcel within the City Limits of Fayetteville Arkansas.

The property subject to the requested rezoning is 5.59 acres on West Martin Luther King Boulevard, approximately 300 feet East of the intersection of South Ruppel Road and South Smokehouse Trail, on the south side of West MLK Blvd. The subject property is assigned Washington County Parcel #765-16280-000, and is currently vacant/undeveloped.

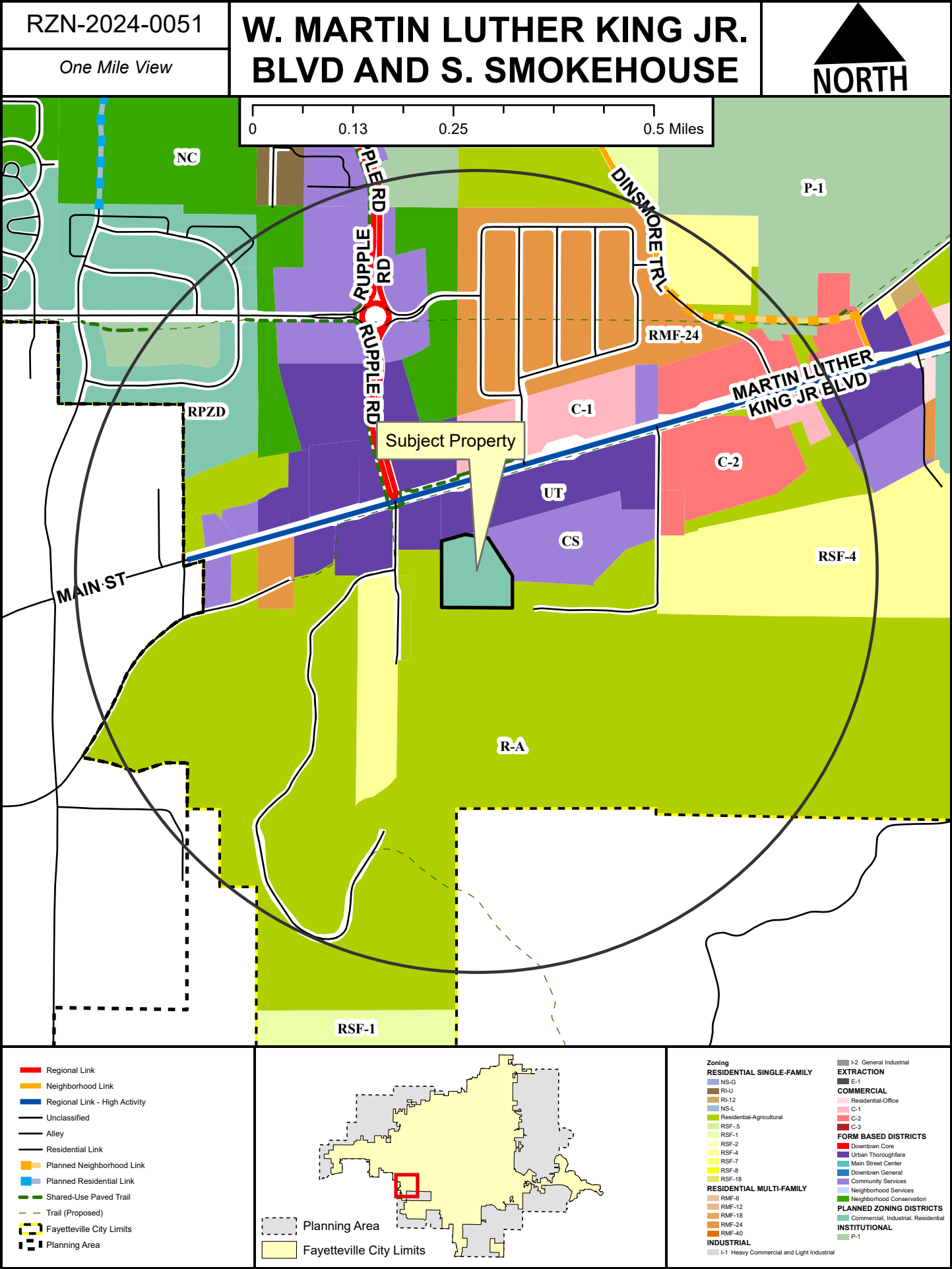
The southern 4.49 acres of Parcel #765-16280-000, which is the area subject to this Rezoning request, is currently zoned as a Residential Planned Zoning District. The zoning designation was approved as PZD-2023-0002 at the June 6, 2023 City Council meeting. The remaining 1.10 in the northern portion of property has a zoning designation of Urban Thoroughfare.

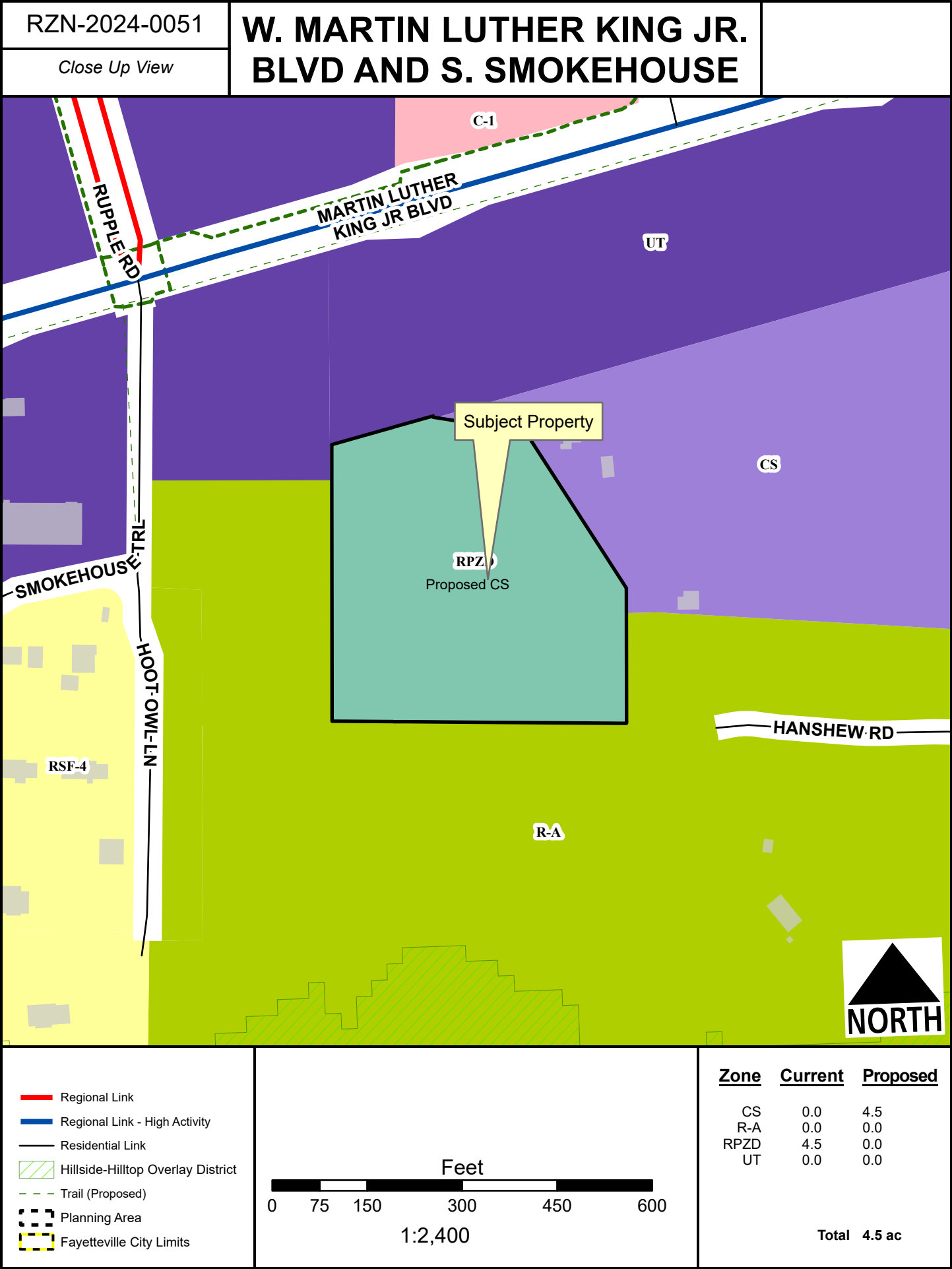
The Applicant and Owner are requesting a rezoning of the 4.49 acres currently under the RPZD to be rezoned to CS, Community Services. The RPZD allows for permitted Use Units 1, 3, 8, and 41, and conditional use Units 2, 4, 24, & 46. A rezoning to Community Services also aligns with the Future Land Use designation of City Neighborhood Area, which encourages greater density as well as Non-Residential and Commercial uses. The rezoning of this area will allow for a significant increase in Permitted and Conditional uses, providing greater flexibility in the future development of this property.

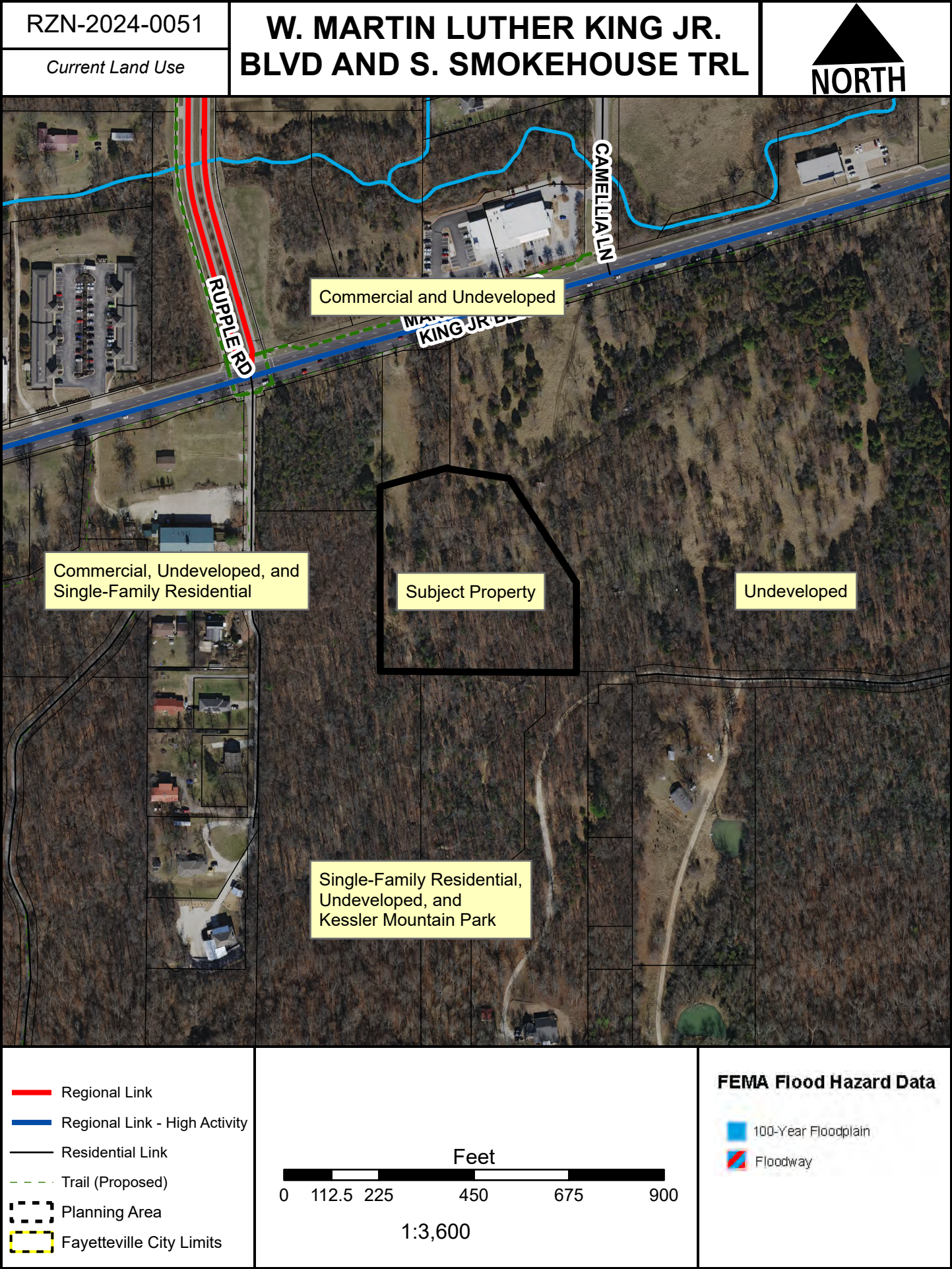
The surrounding zoning designations of the proposed rezoning are a mixture of Urban Thoroughfare along Martin Luther King Boulevard, Community Services directly to the east, Residential-Agricultural to southeast, south, and west. A rezoning to Community Services is compatible with the surrounding area's zoning designations, and therefore will not adversely affect or conflict with the surrounding land uses.

The Applicant and Owner/Developer look forward to discussing this rezoning with Staff throughout the review process. Please contact the Applicant if there are any immediate questions or concerns regarding this application.

Thank You,
Jason Young



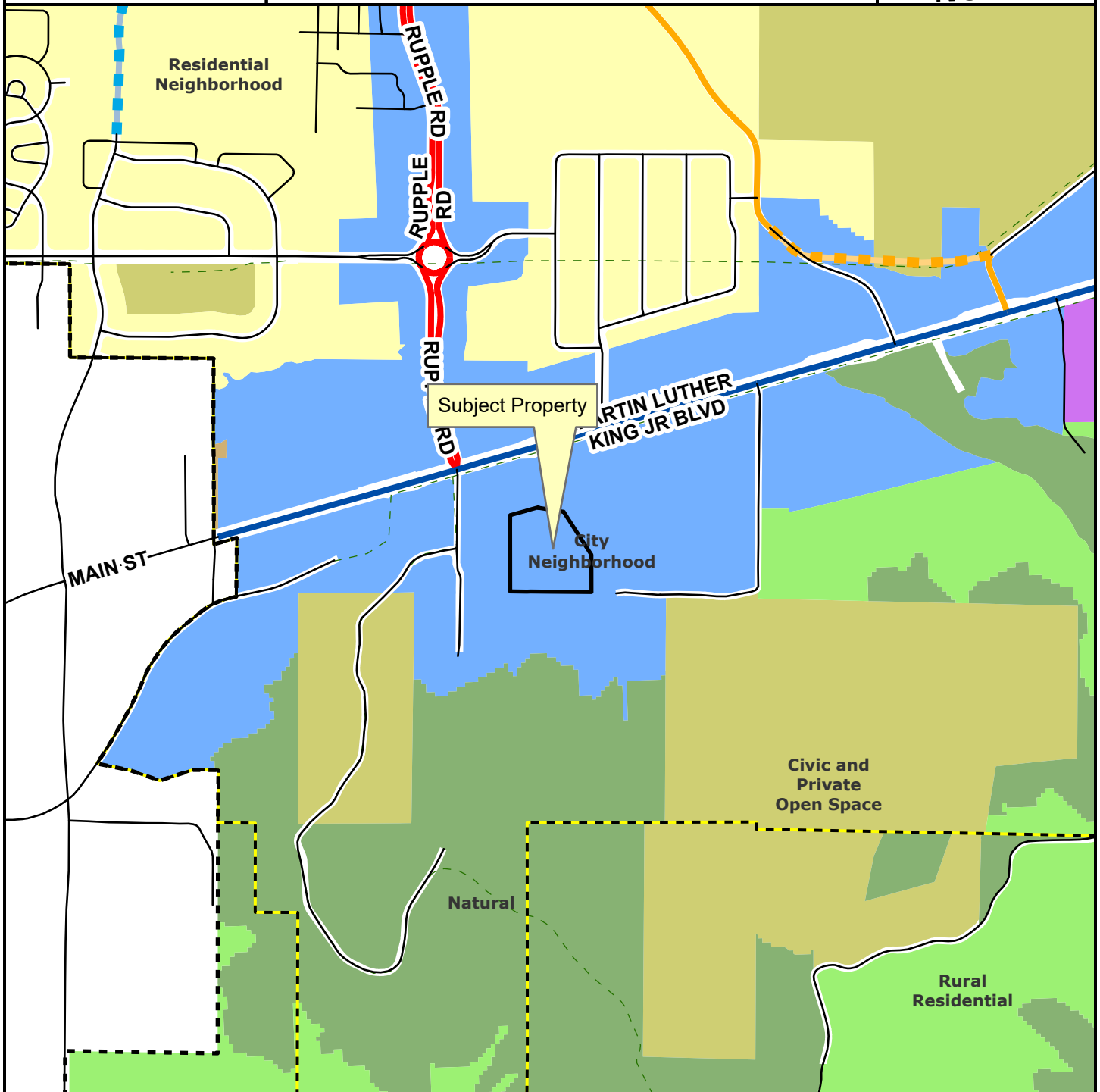




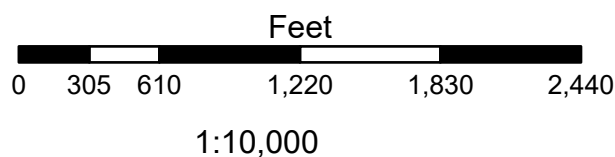
RZN-2024-0051

Future Land Use

W. MARTIN LUTHER KING JR. BLVD AND S. SMOKEHOUSE



- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)



- City Neighborhood
- Civic Institutional
- Civic and Private Open Space
- Industrial
- Natural
- Non-Municipal Government
- Residential Neighborhood
- Rural Residential
- Urban Center



TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: October 28, 2024

SUBJECT: **RZN-2024-0052: Rezoning (2406 N. OLD WIRE RD./GULLEY PARK PETS CLINIC, 292):** Submitted by CHRIS STRETZ for property located at 2406 N. OLD WIRE RD. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 0.50 acres. The request is to rezone the property to NS-G, NEIGHBORHOOD SERVICES-GENERAL.

RECOMMENDATION:

Staff recommend forwarding **RZN-2024-0052** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0052** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in east Fayetteville, on the northeast corner of the intersection of E. Township St. and N. Old Wire Rd. The property is zoned CPZD, Commercial Planned Zoning District (Ord. 5200), and contains approximately 0.50 acres. It is currently the site of the Gulley Park Pets Clinic. 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	Parkside Playschool and Nature School
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	Law Office; Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre

Request: The request is to rezone the subject property from CPZD, Commercial Planned Zoning District 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 fully-improved Neighborhood Link Street with asphalt paving, curb and gutter, and sidewalk along the north side. The property also has frontage of N. Old Wire Rd., a fully-improved Neighborhood Link Street, with asphalt paving, curb and gutter, and trail. 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. There is a 2-inch water line that runs north-south through the middle of the subject area, then east on E. Township St. There is a 6-inch water line present on the west side of N. Old Wire Rd. There is also a 36-inch water transmission main present along the east side of N. Old Wire Rd.

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 2021 Sewer Master Plan, there are known wet weather capacity issues immediately downstream of the subject property. 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 1.7 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 CPZD 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 (N. Old Wire Rd. Side-Path 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 CPZD to NS-G to be compatible with the surrounding area. The subject property is adjacent to RSF-4-zoned single-family property to the east and south, and RSF-4-zoned office to the west. To the north is the P-1-zoned Parkside Playschool and Nature School. 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, which is appropriate on a corner site and in alignment with how the property has been used since approximately 2016. Staff finds the requested rezoning to be compatible with surrounding land uses.

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. 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 CPZD 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 CPZD 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-2024-0052 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>October 28, 2024</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Ord. 5200 – Core Pet Wellness C-PZD
- Unified Development Code
 - §161.19 Neighborhood Services - General
- Request Letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map



TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Senior Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: October 28, 2024

SUBJECT: **RZN-2024-0052: Rezoning (2406 N. OLD WIRE RD./GULLEY PARK PETS CLINIC, 292):** Submitted by CHRIS STRETZ for property located at 2406 N. OLD WIRE RD. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 0.50 acres. The request is to rezone the property to NS-G, NEIGHBORHOOD SERVICES-GENERAL.

RECOMMENDATION:

Staff recommend forwarding **RZN-2024-0052** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0052** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in east Fayetteville, on the northeast corner of the intersection of E. Township St. and N. Old Wire Rd. The property is zoned CPZD, Commercial Planned Zoning District (08-3121, Core Pet Wellness, Ord. 5200, December 2, 2008), and contains approximately 0.05 acres. It is currently the site of the Gulley Park Pets Clinic. Surrounding land uses and zoning are listed in *Table 1*.

0.50

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	P-1, Institutional	Parkside Playschool and Nature School
South	Single-Family Residential; Home-based Business	RSF-4, Residential Single-Family, Four Units per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
West	Law Office; Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre

Request: The request is to rezone the subject property from CPZD, Commercial Planned Zoning District 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 fully-improved Neighborhood Link Street with asphalt paving, curb and gutter, and sidewalk along the north side. The property also has frontage of N. Old Wire Rd., a fully-improved Neighborhood

Link Street, with asphalt paving, curb and cutter, and trail. 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. There is a 2-inch water line that runs north-south through the middle of the subject area, then east on E. Township St. There is a 6-inch water line present on the west side of N. Old Wire Rd. There is also a 36-inch water transmission main present along the east side of N. Old Wire Rd.

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 2021 Sewer Master Plan, there are known wet weather capacity issues immediately downstream of the subject property. 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 1.7 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 CPZD 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 (N. Old Wire Rd. Side-Path 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 CPZD to NS-G to be compatible with the surrounding area. The subject property is adjacent to RSF-4-zoned single-family property to the east and south, and RSF-4-zoned office to the west. To the north is the P-1-zoned Parkside Playschool and Nature School. 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, which is appropriate on a corner site and in alignment with how the property has been used since approximately 2016. 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. 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 CPZD 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 CPZD 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.

ORDINANCE NO. 5200

AN ORDINANCE ESTABLISHING A COMMERCIAL PLANNED ZONING DISTRICT TITLED C-PZD 08-3121 (CORE PET WELLNESS) LOCATED AT 2406 NORTH OLD WIRE ROAD, CONTAINING APPROXIMATELY 0.58 ACRES; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FAYETTEVILLE; AND ADOPTING THE ASSOCIATED MASTER DEVELOPMENT PLAN.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the zone classification of the following described property is hereby changed as follows:

From RSF-4, Residential Single Family, 4 units per acre to C-PZD 08-3121, Core Pet Wellness, as shown in Exhibit "A" and depicted in Exhibit "B" attached hereto and made a part hereof.

Section 2: That the change in zoning classification is based upon the approved master development plan, development standards, statement of commitments and the conditions of approval as submitted, determined appropriate and approved by the City Council; further, that the conditions of approval shall be filed and available for viewing in the office of the City Clerk/Treasurer of the City of Fayetteville.

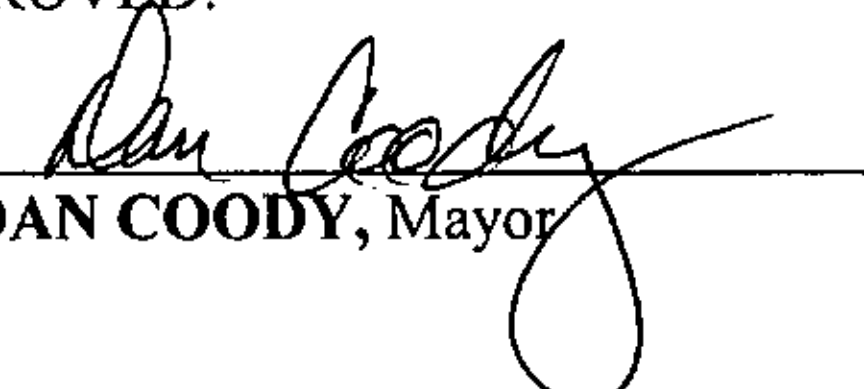
Section 3: That this ordinance shall take effect and be in full force at such time as all of the requirements of the master development plan have been met.

Section 4: That the official zoning map of the City of Fayetteville, Arkansas, is hereby amended to reflect the zoning change provided in Section 1 above.

PASSED and APPROVED this 2nd day of December, 2008.

APPROVED:

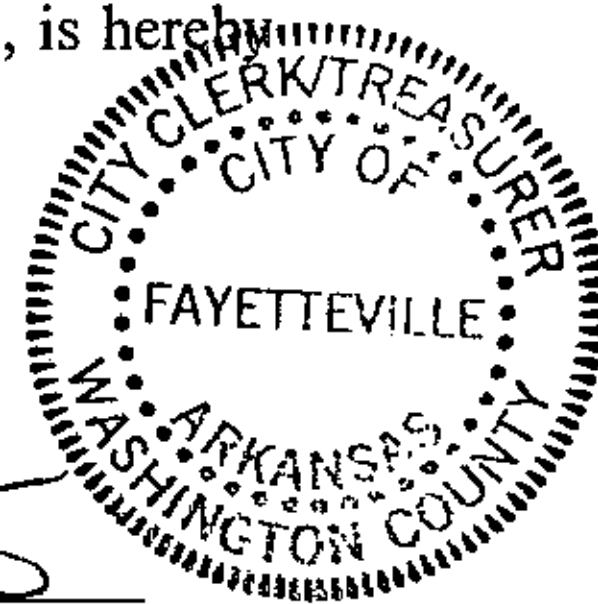
By:


DAN COODY, Mayor

ATTEST:

By:


SONDRA E. SMITH, City Clerk/Treasurer



CONDITIONS OF APPROVAL:

C-PZD 08-3121

Page 1 of 2

Conditions of approval for C-PZD 08-3121 (Core Pet Wellness)

1. Street improvements. Township Street has been improved and Old Wire Road has been widened through the intersection, but does not have a sidewalk. *Prior to issuance of a building or construction permit the applicant shall pay an assessment for a 5-foot sidewalk along the project's Old Wire Road frontage. Based on UDC requirements of \$3/square foot of sidewalk and a total of 205 feet of frontage staff recommends an assessment amount of \$3,075.00.*
(205 ft. x 5-ft. sidewalk x \$3/sq.ft.= \$3,075.00)
2. Determination of access.
 - a. Phase I. During Phase I the applicant proposes to utilize the existing access points off of Old Wire Road and Township Street. Due to the minimal amount of vehicle trips that would access the property during this phase, staff does not feel that it is warranted to require the access on Township to be removed. However, due to the driveway's close proximity to the Old Wire/Township intersection and hilly terrain and sight issues, *staff does recommend that the driveway on Township be permitted for an exit only. Prior to opening for business the applicant shall install a sign for the driveway on Township indicating Do Not Enter or Exit Only.*
 - b. Phase II. During Phase II the applicant proposes to move the driveway on Township to the east 250 feet away from the intersection. *Staff recommends in favor of the access as proposed in Phase II, finding that the distance of the driveway from the intersection allows for adequate sight and turning movements.*
3. Determination of compatibility with City Plan 2025 and existing surrounding land uses. Staff finds that the proposed use of the site for a small animal veterinary clinic in the existing single family residential house is compatible with the surrounding residential neighborhood and two adjacent small-scale non-residential uses. This proposed project encourages infill and redevelopment of an existing corner lot at a busy intersection, consistent with the City Plan 2025, while maintaining the integrity of the surrounding residential neighborhood. *Staff finds that the proposed C-PZD would be compatible with surrounding land uses and zoning and the City Plan 2025 with the following conditions:*
 - a. *To improve the appearance of this property from the surrounding streets and to provide additional buffer between the proposed use and surrounding residences, the fenced in area for dogs to be walked shall be located away from the street and more interior to the property. The fence materials shall be a 6-foot wrought iron/decorative metal material.*
THE PLANNING COMMISSION RECOMMENDED IN FAVOR OF THE FENCE LOCATION PROPOSED BY THE APPLICANT, ADJACENT TO TOWNSHIP (11/10/08).
 - b. *To prevent views of deceased animals from adjacent properties, any deceased animals leaving the vet clinic shall be carried out to owners' vehicles in a crate, box, or other container.*
4. The zoning criteria for "Landscaping" on the plat should be revised to be consistent with the language in the booklet.
5. The maximum number of employees at any given time during Phase I shall be four (4) and during Phase II shall be five (5). One veterinarian shall be permitted during Phase I and two (2) veterinarians (one full-time and one part-time) shall be permitted during Phase II as described in the PZD booklet.
6. Prior to development of Phase I and Phase II this project will be required to go through the Site Improvement Plan (SIP) review, including an abbreviated tree preservation plan, landscape plan, parking lot permit, grading/drainage permit, as determined by staff and in accordance with the Fayetteville Unified Development Code.

CONDITIONS OF APPROVAL:

C-PZD 08-3121

Page 2 of 2

7. As part of the parking lot permit review, the existing driveways (in Phase 1) may require improvements to be brought up to code with standard driveway requirements for a single family residence including a concrete apron within the right-of-way and a greater curb return radius. This may result in slight relocation and reconstruction of the driveway, based on City ordinance.
8. Prior to issuance of a certificate of zoning compliance or Certificate of Occupancy, verification shall be provided from the applicant to the Planning Division that the structure has met City of Fayetteville Fire Department requirements and any requirements under the review of the Fayetteville Animal Services Division.
9. Expansions on the property shall be limited to providing a veterinary clinic as indicated on the PZD site plan and booklet with a maximum of 10 parking spaces and 2,200 square feet of non-residential space.
10. Any expansion of the residential structure on the property shall be reviewed by Planning staff to ensure that the architectural style is consistent and compatible with the existing house.
11. All trash receptacle(s) utilized by this structure shall be stored within the structures on-site, or, if located outside, it shall be screened on all sides with access not visible from the street or adjacent properties. If a dumpster is required or proposed, screening shall be provided that is constructed of materials that are compatible with and complimentary to the building. If applicable, staff shall review any dumpster screen or materials prior to building permit.
12. A Certificate of Zoning Compliance shall be required prior to the start of operations of the veterinary clinic.
13. As indicated in the proposed zoning criteria, signage shall be limited to one wall sign on the house (maximum of 16 square feet) and one freestanding sign (monument sign only, maximum of 4 square feet, set back 15 from the right-of-way), in accordance with Chapter 174 of the Unified Development Code for Residential Office (R-O) Districts.
14. The Master Development Plan, Statement of Commitments and Architectural Standards submitted by the applicant shall be considered binding and tied to the zoning of the property. Conditions of approval as noted herein and other requirements placed upon the project with review of the Master Development Plan – Planned Zoning District by the City Council shall also be binding.
15. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives - AR Western Gas, SWBT, Ozarks, SWEPCO, Cox Communications).
16. Impact fees for police, fire, water, and sewer shall be paid in accordance with City Ordinance.

Washington County, AR

I certify this instrument was filed on
12/23/2008 02:30:24 PM
and recorded in Real Estate
File Number 2008-00039830
Bette Stamps - Circuit Clerk

by

Planning Commission

October 28, 2024

RZN-2024-0052 (GULLEY PARK PETS CLINIC)

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Gary Dumas, Director of Operations

From: Jeremy C. Pate, Director of Current Planning *JP*

Date: November 13, 2008

Subject: Commercial Planned Zoning District for Core Pet Wellness (C-PZD 08-3121)

RECOMMENDATION

Staff and Planning Commission recommend approval of an ordinance creating a Commercial Planned Zoning District (C-PZD) for Core Pet Wellness, based on the development standards, plans and statement of commitments submitted. This action will establish a unique zoning district for a veterinarian's office on approximately 0.58 acres.

BACKGROUND

The 0.58-acre property is located at the northeast corner of Old Wire Road/Township Street. The intersection of Old Wire Road and Township Street is a very busy signalized intersection at the crossroad of two collector streets providing major north-south and east-west connectivity through north-central Fayetteville. The property is zoned RSF-4, and is developed for one single family residence that is very close to the street, addressed at 2406 Old Wire Road. The large yard on the site has a large number of mature trees and underbrush on the perimeter property lines. The property is in the immediate vicinity of Gulley Park, a 27-acre community park.

The applicant requests rezoning and land use approval of a Commercial Planned Zoning District (C-PZD) to allow for a veterinary clinic on the property. The clinic would utilize the existing house on the property. The hours of operation would be between 7:30 AM and 5:30 PM. The maximum number of employees would be five over two phases of development. Animals seen in the clinic would be small animals only, not livestock such as horses or cattle. The services would involve animal surgeries and health care, and will not permit kenneling/boarding of animals. All animals would be kept indoors.

DISCUSSION

The Planning Commission voted 7-0-0 in favor of this request on November 10, 2008. Recommended conditions were approved by the Planning Commission and are reflected in the attached staff report.

BUDGET IMPACT

None.

C-PZD BOOKLET

CORE PET WELLNESS A VETERINARY CLINIC

NOVEMBER 12, 2008

PREPARED BY:



Blew & Associates, Inc.

Civil Engineers

Professional Land Surveyors

524 W. SYCAMORE, SUITE #4 - FAYETTEVILLE, AR 72703 - 479-443-4506

A. Current Owner:

Ronald Wilkins
1227 N. Crestwood Dr.
Fayetteville, AR 72701

Applicant, Contingent Buyer:

Romy Core
1380 E. Ash
Fayetteville, AR 72703

B. The intent of this C-PZD is for the applicant, Romy Core, to be able to provide veterinary services to her clients from the existing house on this property. This PZD contains two phases. During the first phase of this PZD, the house will remain as-is, and four parking spaces will be added as shown on the PZD drawing sheet 1. In order to make the restrooms in the existing house comply with ADA requirements, a portion of the existing deck/porch will be enclosed as shown on the PZD plan. We will allow an additional 300 square for this purpose. The existing board fence will be removed. At the southeast corner of the house, a small area will be enclosed with a more aesthetically pleasing fence such as wrought iron. This will allow the space to be more open with improved visibility creating a more pedestrian friendly walkway along the street. The fence will be attached to the building as shown on the plats in order to maintain animal safety as well as escape prevention. Because this will be a low volume clinic, only one client can be seen at a time with a possible overlap in appointments creating at the most two customers entering or existing at one time. Therefore, the traffic generated by this veterinary practice will be similar to its current use as a residential home. Phase two of this project will take place in the future, however provisions will be made for this phase in this PZD zoning ordinance.

Phase 2 consists of moving the existing house to a more central location. Because of the restriction in space, a basement will be constructed and the home will be set on this basement. Additional space would be required in order to provide interior access to the basement, therefore some additional square footage will be allowed in this zoning for this task. Also included in phase 2 is connecting the drive on Old Wire Road to a new drive on Township. The existing drive on Township would be removed and the new drive would be relocated towards the far east line of the property in order to provide better traffic movements at the intersection. This proposed future phase is illustrated in sheet 2 of our PZD drawings. The primary goal is that both phases would keep the home and lot looking like a residential area, and not a commercial building. We feel that this proposed use will relate to the surrounding properties in appearance as well as use, and maintain the same amount of traffic generated by this site. The property to the west was converted from a home to a law office, and the property to the northeast was converted from a home to a daycare center. Both buildings, including the building on this site will retain the residential style character of the surrounding properties.

This clinic would maintain normal hours of operation between 7:30 a.m. and 5:30 p.m. The maximum number of employees present at a given time for Phase 1 will be 4, and in Phase 2 there will be 5 with the possibility of a part time assisting veterinarian. Parking for phase 1 would require only 4 spaces, however when the second phase is developed, the lot will be reconfigured and an estimated 6-8 spaces would be constructed. Animals seen at this clinic would not involve any large farm animals such as horses or cattle. The types of services that will occur here would involve animal surgeries and health care. Deceased animals will be hidden from the public view at all times. All animals will be housed indoors; only short-term stays will be allowed in Phase 1. These stays would be the result of surgeries or illness. There will be no long term boarding. Because some pets will be here over extended amounts of time throughout the day, the dogs will go outside twice daily for bathroom breaks. This would involve

someone taking one animal at a time out on a leash for only a few minutes inside of a fenced-in area. No animals will be left alone outside for any extended period.

C. 1) Street and Lot Layout:

The home will remain as-is, with the exception of the restroom expansion which will allow for the use of an ADA compliant restroom, and parking will be added as shown on the site plan. Parking will be accessed from the existing driveway. For phase 2, the driveway on township will be relocated farther East of the intersection of Old Wire Road and Township. This new drive will connect to the drive on Old Wire Road as shown on sheet 2 of the PZD drawings.

2.) Site Plan showing Proposed Improvements:

The site plan submitted shows the only proposed improvements of parking spaces. The existing driveways will be improved to comply with the current UDC requirements.

3.) Buffer Areas:

The lot provides its own natural buffer areas with the existing tree canopy surrounding the property on the north and east sides.

4.) Tree Preservation Areas:

An abbreviated tree preservation plan will be submitted at the time of development.

5.) Storm Water Detention Areas and Drainage.

Storm water detention areas and drainage will comply with Fayetteville Unified Development Code and will be reviewed at the time of development.

6.) Undisturbed Natural Areas:

The existing tree canopy along the north and east property lines will remain undisturbed to provide a vegetative buffer.

7.) Existing and Proposed Utility Connections and Extensions:

The existing building will remain unchanged in Phase I and it currently has water and sewer service; therefore, there are no proposed utility connections or extensions with Phase I. Changes made in Phase II will require some re-plumbing of services and will comply with current building code.

8.) Development and Architectural Design Standards:

We are not proposing any new architectural design standards at this time. The house will remain as-is. Any future development on this site will be required to keep with the residential character of the neighborhood. See pictures in the appendix of this booklet.

9.) Building Elevations

The existing house will remain as-is, and for phase 2, the house will be moved. A small storage shed will be purchased and placed on site, but shall be required to have a residential character containing wood, brick, or stone. No sheet metal buildings will be allowed. Pictures of the house and proposed storage shed are included in the appendix to serve as building elevations.

D. This project shall consist of two phases. The first phase will involve leaving the house as-is, and providing four parking spaces with landscaping. A portion of the deck/porch will be enclosed to allow for the use of a required ADA restroom. This phase will be completed within one year of the approval date.

The second phase involves moving the existing home to a more centralized location on the lot. This phase to be completed within ten years of the approval date. Because of the restriction in space, a basement will be constructed and the home will be set on this basement. Additional space would be required in order to provide interior access to the basement, therefore we request some additional square footage be allowed in this zoning for this task. When this phase takes place, the new basement will allow for a soundproof space for animals to be kept, which will prevent any noise to the neighbors. The existing drive on Township would be moved to the East and a circular drive would be constructed which would connect this relocated drive to the existing drive on Old Wire Road. New parking spaces would also be constructed for the new layout.

E. There shall only be one planning area on this site.

F. Proposed Zoning and Development Standards

Land Use Designation:

A.) Permitted Uses By Use Unit:

Unit 1 City-Wide Uses By Right
Unit 8 Single-Family Dwelling
Unit 17 Animal Hospital (small animals only)

B.) Conditional Uses By Use Unit:

Unit 2 City - Wide Uses By Conditional Use Permit
Unit 3 Public Protection And Utility Facilities
Unit 24 Home Occupations

C.) Non Residential Intensity:

Acreage= 0.58 Acres
Number Of Dwelling Units= 1.0
Non Residential Square Feet= 2,200 S.F.
Density/ Intensity= 1.72 du/ Acre, 3,793 Sf/ Acre

Bulk & Area Regulations:

D.) Lot Width Minimum= 70'

E.) Lot Area Minimum= 8,000 S.F.

F.) Land Area Per Dwelling= 8,000 S.F.

G.) Setback Requirements:

Front (Old Wire): 15'
Front (Township): None
Side/ Rear: 20'

H.) *Height Regulations*: The maximum height of a structure is 45'. The height of a proposed structure may only be increased above 45 feet by obtaining a variance after hearing by the planning commission.

I.) *Building Area*: The total building area should not exceed 25% of the total site area.

Site Planning:

J.) *Landscaping*: The parking area shall be landscaped with screening shrubs in the greenspace area between the right-of-way and the parking area. One tree shall be planted every 30 feet along the property frontage where existing trees do not exist and where it does not interfere with the sight distance of the intersection. Landscape lighting will be added to accentuate the building and landscaping.

K.) *Parking*: Parking shall be provided in accordance with Fayetteville Unified Development code.

L.) *Architectural Design Standards*: Because this PZD is located in a residential district, all construction shall reflect the residential character of the neighborhood. See appendix for pictures.

M.) *Signage*: Two signs will be present to assist clients in locating the business, while not distracting from the residential character. One sign displayed on the building will be limited to a maximum of 16 square feet. The second smaller sign will be limited to a maximum of 4 square feet and will be placed near the entrance of the building.

G. SEE TABLE BELOW

ZONING COMPARISON CHART - CORE PET WELLNESS

Existing Zoning		Proposed Zoning	
RSF-4		CORE PET WELLNESS	
Uses			
Permitted Uses			
Unit 1	City-wide uses by right	Unit 1	City-wide uses by right
Unit 8	Single-family dwelling	Unit 8	Single-family dwelling
		Unit 4	Cultural and Recreational Facilities
		Unit 17	Animal Hospital (small animals only)
Conditional Uses			
Unit 2	City-wide uses by conditional use permit	Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities	Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities	Unit 24	Home occupations
Unit 24	Home occupations		
Unit 36	Wireless communications facilities		
Density			
Units per acre			

G.2. *Analysis of Site Characteristics:*

Environmental hazards- none

Sensitive or natural resource areas- none

Natural or manmade hazards- none

H. This project is located within walking distance of Gully Park.

I. The reason for this zoning change is in order to buy an existing home and land for the operation of a veterinary practice. We must request rezoning because the current zoning RSF-4 does not allow for this use. Zoning the property to C-1 or C-2 would allow this use, however

we do not wish to use this zoning because it would not be appropriate given the allowed uses and considering the surrounding residential area. A C-PZD would be the best fit for this area in order to restrict certain uses that would not be desirable for this area. Because of the location of the existing house, and in order to use the home as-is, a C-PZD will also allow us to create our own unique setback requirements to fit this site. This will allow for immediate use of the structure as-is.

J. This development will relate to the surrounding properties in appearance as well as use. For example, the property to the west was converted from a home to a law office, and the property to the northeast was converted from a home to a daycare center. These surrounding buildings, including the building on this site will retain the residential style character of the surrounding properties. The traffic generated by this veterinary practice will be similar to its current use as a residential home. Because this will be a low volume clinic, only one client can be seen at a time with a possible overlap in appointments creating at the most two customers entering or existing at one time. Two signs will be allowed in order to assist clients in locating the business, while not distracting from the residential character of the neighborhood.

K. A veterinary practice is consistent with the City Plan 2025 Guiding Policies for Residential Neighborhood Areas by:

- 1) Protecting the current residential architecture
- 2) Encouraging a development scale to maintain compatibility and proportionality between nonresidential and residential land uses.
- 3) Site new residential areas accessible to community amenities and schools
- 4) Provide non-residential uses that are accessible for the convenience of individuals living in residential districts and where compatibility with existing desirable development patterns occurs.
- 5) Encourage mixed-use development that is sensitive to surrounding residential uses and allows for day and night utilization of available parking.

L. A traffic study has not been requested by City staff.

M. Water and sewer for this project are located along Township and are currently serving the existing house.

N. "STATEMENT OF COMMITMENTS"

The statement of commitments shall, in all cases, describe the development commitments including a method for assigning responsibility to heirs, successors, or assigns, and timing of the fulfillment of these commitments for the following:

- (1) *Dedication*: Adequate right-of-way, 35' from centerline, along Township and Old Wire Road currently exists through previous dedication in property deed.
- (2) *On or off site improvements*: Construction of, or payment of fees or guarantees for any required public improvements shall take place at the time of development in accordance with UDC requirements.
- (3) *Natural Resources and Environmental Sensitive Areas*: None Exist on this Site.

(4) *Project phasing restrictions:* All permits for construction of phase 1 shall be obtained within one year of City Council approval of the PZD. Phase 2 shall be completed within 10 years of approval.

(5) *Fire protection* – This home shall be brought up to the current fire code based on inspection by the City Fire Marshall. Fire protection to this site is readily available.

(6) There are currently no other commitments imposed by the City.

(7) This project commits to preserving open space and greenspace as indicated on the PZD site plan and zoning criteria.

(8) The home will remain as-is, and any future development shall be in keeping with the residential character of the neighborhood. Photos are included in the appendix to indicate building materials and style.

O. Conceptual Description of Development Standards, Conditions and Review Guidelines

(1) *Screening and Landscaping:* The parking area shall be landscaped with screening shrubs in the greenspace area between the right-of-way and the parking area. One tree shall be planted every 30 feet along the property frontage where existing trees do not exist and where it does not interfere with the sight distance of the intersection.

(2) *Traffic and Circulation:* There are two access points to this property which will be utilized. For phase 1 of the project, It would be ideal for clients to enter the site from the North access point on Old Wire Road, then exit the site on Township to keep a continuous flow. For phase 2 of the project, the drive on Township will be relocated to the farthest East point on the property, allowing some separation between the neighbors.

(3) *Parking Standards:* Parking shall be provided on the basis of one space required per every 250 square feet of building space which complies with the current UDC requirement. A 30% increase or decrease is allowed as described in the current UDC.

(4) *Perimeter Treatment:* Perimeter landscaping shall be provided as indicated under the screening and landscaping description. The existing tree canopy and open space in the eastern portion of the site will be retained to provide a buffer between this site and the adjacent single family residence.

(5) *Sidewalks:* There is currently an existing sidewalk along Township. No other sidewalks are proposed at this time.

(6) *Streetlights:* There is adequate lighting in the area, therefore no lights are proposed. However, some residential type landscape lighting will be added to accentuate the building and landscaping areas.

(7) *Water:* Water is serviced to this lot from an existing 2" water service line tapped off of the main line on Old Wire Road.

(8) *Sewer:* Sewer services this lot via an existing 6" sewer line along Township.

(9) *Streets and Drainage:* Drainage will comply with Fayetteville Unified Development Code requirements.

(10) *Construction of Nonresidential Facilities:* No building construction shall take place, however one small storage shed shall be purchased and placed on site. See attached photos.

(11) *Tree Preservation:* Tree canopy on the north and east portion of the site will be preserved. At the time of construction a tree waiver form or tree preservation plan will be submitted in accordance with the Fayetteville Unified Development Code.

(12) *Architectural Design Standards:* The home shall remain as-is. See photos of the existing home and proposed storage shed in the appendix of this PZD booklet.

(13) *Proposed Signage:* Two signs will be present to assist clients in locating the business, while not distracting from the residential character of the neighborhood. One sign displayed on the building will be limited to a maximum of 16 square feet. A second smaller sign will be limited to a maximum of 4 square feet and will be placed near the entrance of the building.

(14) *View Protection:* Not impacted.

(15) *Revocations:* We understand causes for revocation and will take all necessary measures to avoid revocation.

(16) *Covenants, Trusts, and Homeowner Associations:* Not Applicable

P. This development fulfills the intent and purpose of the Planned Zoning District Ordinance by permitting a development with a unique use that is not allowed in any other zoning district. The PZD would allow for the preservation of the existing single family home while permitting a low intensity commercial use at a busy intersection compatible with the surrounding residential character of the neighborhood.

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
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(G) *Minimum Buildable Street Frontage.* 50% of the lot width

Chris Stretz
Project Manager
Gulley Park Pets Clinic
2406 N. Old Wire Rd.
Fayetteville, AR 72703

September 17, 2024
Fayetteville Planning Department
City of Fayetteville
113 W. Mountain St.
Fayetteville, AR 72701

Re: Request letter to rezone property at 2400 N. Crossover Rd. Fayetteville, AR

We are writing to formally submit a rezoning request for the property located at 2406 N. Old Wire Rd.

Current Zoning: CPZD

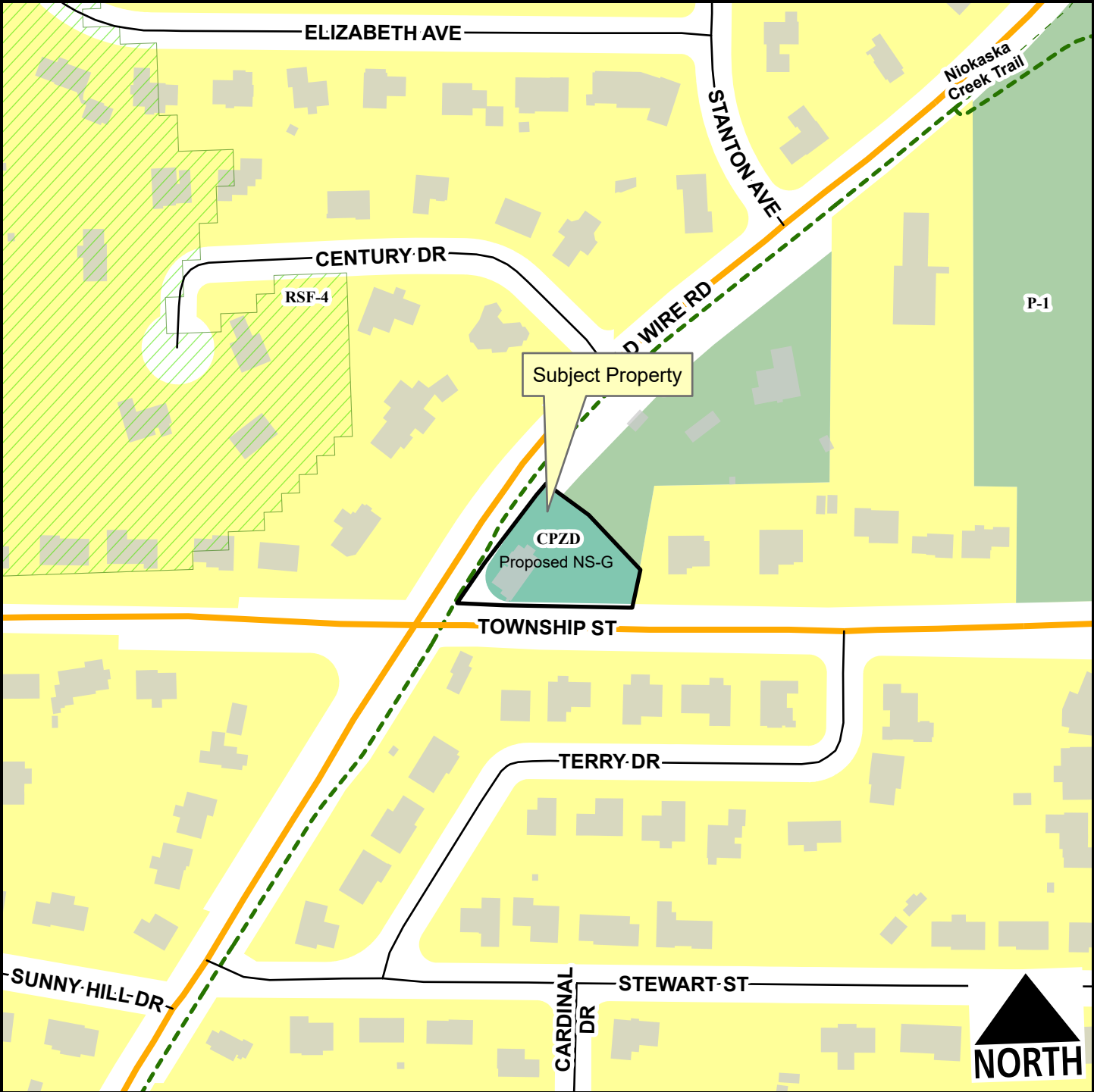
Proposed Zoning: NS-G, Neighborhood Services

General Statement of Compatibility:

This property received its current zoning designation of CPZD in 2016. Since that time, the clinic has continued to grow and expand hence this zoning is no longer appropriate.

Rezoning this property to NS-G is appropriate given the property's location on the southwest corner of the intersection of N. Old Wire Rd. Township. This is an ideal location for medium intensity uses permitted in NS-G and provides a logical transition from the CPZD zoned property to the north.

There are no anticipated adverse affects associated with this request. All traffic has direct access to the property from the adjacent streets and avoids routing through adjacent neighborhoods.



Neighborhood Link

Residential Link

Hillside-Hilltop Overlay District

Trail (Proposed)

Planning Area

Fayetteville City Limits

Feet

075150300450600

1:2,400

Zone	Current	Proposed
CPZD	0.5	0.0
NS-G	0.0	0.6
P-1	0.0	0.0
RSF-4	0.0	0.0

Total 0.6 ac

RZN-2024-0052

2406 N. OLD WIRE RD

Current Land Use



- Neighborhood Link
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

