

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8267



Planning Commission Tentative Agenda

Thursday, January 9, 2025

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 December 9, 2024 Planning Commission. -
Mirinda Hopkins, Development Coordinator

Unfinished Business**2. LSD-2024-0029: Large Scale Development (191 S. HILL AVE/VERVE, 522):**

Submitted by MCCLELLAND CONSULTING ENGINEERS for property located at 191 S. HILL AVE. The property is zoned MSC, MAIN STREET CENTER and contains approximately 2.90 acres. The request is for a multi-family development with 266 residential units.

THIS ITEM WAS TABLED AT THE DECEMBER 9, 2024 PLANNING COMMISSION MEETING. - Donna Wonsower, Planner

New Business**3. VAR-2024-0052: Planning Commission Variance (583 W. 15TH ST/LEGACY VENTURES, 601):**

Submitted by BLEW & ASSOCIATES for property located at 583 W. 15TH ST. The property is zoned UC, URBAN CORRIDOR and contains approximately 2.70 acres. The request is for a variance to curb cut separation requirements. - Wesley Frank, Planner

4. VAR-2024-0053: Planning Commission Variance (1893 E. PANORAMA PL/NAZAR LLC, 370):

Submitted by ODYSSEY ENGINEERING LLC for property located on E. PANORAMA PL & N. GREENVIEW DR. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.97 acres. The request is for a variance to master street plan standards. - Gretchen Harrison, Senior Planner

5. LSD-2024-0036: Large Scale Development (3145 E. JOYCE BLVD/WOODLAND JR HIGH, 177):

Submitted by JORGENSEN & ASSOCIATES for property located at 3145 E. JOYCE BLVD. The property is zoned P-1, INSTITUTIONAL and contains

approximately 27.92 acres. The request is for a 172,105-square-foot junior high school with associated parking. - Jessica Masters, Development Review Manager

6. VAC-2024-0027: Vacation (903 W. NORTH ST/JORDAN GROUP LLC, 444):

Submitted by HALBERT LAW OFFICE for property located at 903 W. NORTH ST. The property is zoned R-O, RESIDENTIAL-OFFICE, and RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.50 acres. The request is to vacate 0.24 acres of right-of-way.

THIS ITEM HAS BEEN WITHDRAWN BY STAFF FOR LACK OF PUBLIC NOTIFICATION. - Jessica Masters, Development Review Manager

7. CUP-2024-0049: Conditional Use Permit (1965 N. STEPHEN CARR MEMORIAL BLVD/QUICK TRIP CORP., 363):

Submitted by AAB ENGINEERING LLC for property located at 1965 N. STEPHEN CARR MEMORIAL BLVD. The property is zoned CS, COMMUNITY SERVICES and contains approximately 4.15 acres. The request is for Use Unit 18 for a Gasoline station. - Donna Wonsower, Planner

8. RZN-2024-0054: Rezoning (NORTHWEST OF W. WATSON ST & N. ROLLSTON AVE/40 PLUS LLC & ELKINS REAL ESTATE HOLDINGS LLC, 484):

Submitted by BLEW & ASSOCIATES for property located at NORTHWEST OF W. WATSON ST & N. ROLLSTON AVE. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.65 acres. The request is to rezone the property to DG, DOWNTOWN GENERAL. - Donna Wonsower, Planner

9. RZN-2024-0063: Rezoning (245 S. HAPPY HOLLOW RD/CRIST, 526):

Submitted by HOPE CONSULTING for property located at 245 S. HAPPY HOLLOW RD. The property is zoned RSF-4, RESIDENTIAL, FOUR UNITS PER ACRE and contains approximately 2.47 acres. The request is to rezone the property to RSF-8, RESIDENTIAL SINGLE-FAMILY, EIGHT UNITS PER ACRE. - Donna Wonsower, Planner

10. RZN-2024-0060: Rezoning (818 S. WOOD AVE/BELASCO, 563):

Submitted by WATKINS, BOYER, GRAY, & CURRY PLLC for property located at 818 S. WOOD AVE. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.37 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN. - Gretchen Harrison, Senior Planner

11. RZN-2024-0059: Rezoning (2015 E. HUNTSVILLE RD/SEXTON, 565):

Submitted by JESSE FULCHER for property located at 2015 E. HUNTSVILLE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.54 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

- Wesley Frank, Planner

12. RZN-2024-0061: Rezoning (114 W. 5TH ST/MORRIS, 523):

Submitted by THISTLE FLORALS for property located at 114 W. 5TH ST. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.20 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

- Wesley Frank, Planner

13. RZN-2024-0062: Rezoning (2691 E. HUNTSVILLE RD/NWA PROPERTY HOLDINGS LLC, 566):

Submitted by SILVER LINING CLINIC LLC for property located at 2691 E. HUNTSVILLE RD. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 0.90 acres. The request is to rezone the property to NS-G, NEIGHBORHOOD SERVICES-GENERAL.

- Wesley Frank, Planner

Items Administratively Approved by Staff

14. LSP-2023-0052: Lot Split (1657 N. VANDEVENTER AVE/HOURLASS HOLDINGS LLC, 406):

Submitted by BATES & ASSOCIATES for property located at 1657 N. VANDEVENTER AVE. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY FOUR UNITS PER ACRE and consists of two lots containing approximately 0.68 and 0.29 acres. The request is to divide the property into three lots containing 0.22, 0.19 and 0.26 acres. - Donna Wonsower, Planner

15. LSP-2024-0024: Lot Split (NW OF W. OLD FARMINGTON RD & S. ONE MILE RD/TOTAL SITE DEVELOPMENT LLC, 557):

Submitted by BATES & ASSOCIATES for property located at NW OF W. OLD FARMINGTON RD & S. ONE MILE RD. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 17.35 acres. The request is to split the property into 63 cluster housing lots, ranging from 0.04 acres to 0.13 acres. - Gretchen Harrison, Senior Planner

16. LSP-2024-0039: Lot Split (2101 S. EMMA AVE/APPLE LILY MANAGEMENT LLC, 639):

Submitted by JORGENSEN & ASSOCIATES for property located at 2101 S. EMMA AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY,

FOUR UNITS PER ACRE and contains approximately 0.40 acres. The request is to split a parcel into two lots containing 0.19 and 0.21 acres. - Wesley Frank, 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, 12/09/2024									
Time:		5:30 PM							
Staff :		☐ Willa Thomason ☐ John Scott ☒ Jessie Masters ☒ Gretchen Harrison ☒ Donna Wonsower ☒ Wesley Frank							
		☒ Britin Bostick ☒ Kylee Cole ☒ Melissa Boyd ☒ Chris Brown ☒ Alan Pugh ☒ Fire Marshal/Clint Price							
	Roll Call	1) Minutes (11/25/2024)	2) ADM-2024-0051 (SOUTHERN WOODS)	3) VAR-2024-0051 (POWELL)	4) LSD-2024-0013 (MAVERIK)			5) RZN-2024-0053 (SZABO)	6) PZD-2024-0006 (THE STATION AT FAYETTEVILLE)
Madden	1	1	1	1	1	1	1	0	1
McGetrick	1	1	1	1	1	0	1	1	1
Brink	1	1	1	1	1	0	1	1	1
Payne	1	1	1	1	1	0	1	0	1
Castin	1	1	1	1	1	0	1	1	1
Gulley	1	1	1	1	1	0	1	0	1
Cabe	1	1	1	1	1	0	1	0	Recuse
Werner	1	1	1	1	1	1	0	1	1
Garlock	1	1	1	1	1	1	0	0	1
Agenda		Consent	Consent	Consent	Old			Old	Old
Action		Approve	Approve	Approve	Divide	Amend	Approve	Forward	Table
Motion By		Castin	Castin	Castin	Payne	Payne	Werner	Payne	Payne
Motion 2nd		Cabe	Cabe	Cabe	Cabe	Cabe	Garlock	Castin	Brink
Vote		9-0-0	9-0-0	9-0-0	9-0-0	3-6-0	7-2-0	4-5-0	8-0-1
Time		5:33 PM	5:33 PM	5:33 PM	5:51 PM			6:40 PM	6:47 PM
Motion Detail					Right-only exit on Gregg St.			With a recommendation of approval.	Tabled Indefinitely
Public Comment		0	0	0	0			10	0

(pg. 2) Planning Commission				Monday, 12/09/2024				
	7) ADM-2024-0052 (REMOVEL OF SUBDIVISION COMMITTEE)	8) ADM-2024-0053 (NEW ZONING DISTRICT-UN, URBAN NEIGHBORHOOD)	9) ADM-2024-0048 (RAVEN LANE EXTENSION)	10) VAR-2024-0047 (MCEVER LAUNDRY)			11) PPL-2024-0007 (RIVERWALK PH 6)	12) LSD-2024-0028 (LIVING FAITH CHURCH)
Madden	1	1	1	1	0	1	0	1
McGetrick	1	1	1	1	0	1	1	1
Brink	1	1	0	1	1	1	1	0
Payne	1	1	0	0	1	0	1	1
Castin	1	1	1	1	1	1	1	1
Gulley	1	1	1	1	0	1	1	1
Cabe	1	1	1	1	1	1	1	Recuse
Werner	1	1	1	1	0	1	0	1
Garlock	1	1	0	1	0	1	0	1
Agenda	New	New	New	New			New	New
Action	Forward	Forward	Forward	Divide	Amend	Approve	Approve	Approve
Motion By	Garlock	Brink	Cabe	Garlock	Garlock	Payne	Payne	Payne
Motion 2nd	Payne	Werner	Madden	Madden	Madden	Cabe	Castin	Madden
Vote	9-0-0	9-0-0	6-3-0	8-1-0	4-5-0	8-1-0	6-3-0	7-1-1
Time	6:59 PM	7:10 PM	7:34 PM	7:59 PM			8:39 PM	8:57 PM
Motion Detail				In favor of both variances with all conditions as recommended by staff.			With all conditions as recommended by staff.	With all variances and conditions as recommended by staff.
Public Comment	0	0	0	0			0	0

(pg. 3) Planning Commission			Monday, 12/09/2024									
	13) LSD-2024-0029 (VERVE)		14) LSD-2024-0031 (WOODLAND JR HIGH)		15) VAC-2024-0026 (WOODLAND JR HIGH)		16) LSD-2024-0032 (JOHN L. COLBERT MIDDLE SCHOOL)		17) CUP-2024-0047 (DOMINO'S PIZZA)		18) RZN-2024-0056 (MCDONALD BUILDING GROUP)	
Madden		1	1		1	1	1		1		1	
McGetrick		1	1		1	1	1		1		1	
Brink		1	1		0	1	1		1		1	
Payne		1	1		0	1	1		1		1	
Castin		1	1		1	1	1		1		1	
Gulley		1	1		1	1	1		1		1	
Cabe		1	1		0	1	1		1		1	
Werner		1	1		1	1	1		1		1	
Garlock		1	1		1	1	1		1		1	
Agenda	New		New		New		New		New		New	
Action	Approve	Table	Approve		Amend	Forward	Approve		Approve		Forward	
Motion By	Garlock	Brink	Werner		Werner	Castin	Werner		Payne		Werner	
Motion 2nd	Payne	McGetrick	Garlock		Garlock	Payne	Garlock		Castin		Cabe	
Vote	No Vote	9-0-0	9-0-0		6-3-0	9-0-0	9-0-0		9-0-0		9-0-0	
Time	9:40 PM		9:56 PM		9:59 PM		10:05 PM		10:08 PM		10:11 PM	
Motion Detail	Until the January 13, 2024 planning commission meeting.				To add condition that VAC can not final until LSD- 2024-0031 is complete.		Infavor of variances and all conditions as recommended by staff.		With all conditions as recommended by staff.		With a recommendation of approval.	
Public Comment	0		0		0		0		0		0	

(pg. 4) Planning Commission			Monday, 12/09/2024			
	19) ANX-2024-0002 (ABZD LLC)	20) RZN-2024-0057 (LEAVITT)				
Madden	1	0				
McGetrick		0				
Brink	1	1				
Payne	1	1				
Castin	0	0				
Gulley	1	0				
Cabe	0	0				
Werner	0	0				
Garlock	0	0				
Agenda	New	New				
Action	Forward	Forward				
Motion By	Brink	Werner				
Motion 2nd	Werner	Cabe				
Vote	4-4-0	2-7-0				
Time	10:34 PM	11:06 PM				
Motion Detail	With a recommendation of approval.					
Public Comment	3	3				



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Donna Wonsower, Planner
Chris Brown, Director of Public Works / City Engineer
Willia Thomason, Urban Forester

MEETING: January 13, 2025

SUBJECT: **LSD-2024-0029: Large Scale Development (SOUTHWEST OF W. TREADWELL ST. AND S. HILL AVE./VERVE, 522):** Submitted by MCCLELLAND CONSULTING ENGINEERS for property located at SOUTHWEST OF W. TREADWELL ST. AND S. HILL AVE. The property is zoned MSC, MAIN STREET CENTER and contains approximately 2.9 acres. The request is for a multifamily development with 266 residential units.

RECOMMENDATION:

Staff recommends approval of **LSD-2024-0029**, subject to conditions.

RECOMMENDED MOTION: *"I move to approve LSD-2024-0029 with conditions, finding:*

- 1. In favor of variance to §166.08(D)(5), Street Standards;*
- 2. In favor of variance to §166.23(C)(4)(a), Pedestrian Circulation;*
- 3. In favor of the recommended street improvements;*
- 4. In favor of the recommended right-of-way dedication, and*
- 5. All other conditions as recommended by staff."*

DECEMBER 9, 2024, PLANNING COMMISSION MEETINGS:

At the December 9, 2024, Planning Commission meeting, the item was tabled due to discussion regarding a recommended staff condition to upgrade the existing water line within S. Duncan Ave. Engineering confirmed that the recommendation is in line with the utilities master plan, and that, while the applicant is not directly tying into the S. Duncan Ave. line, the development will still increase overall demand on the S. Duncan Ave. line because the water in the Treadwell line must first flow through the line in Duncan. Engineering also noted construction issues that would result from upgrading the Duncan line at a later date and noted similar upgrades that were required for other large-scale apartment buildings in the nearby vicinity. There was also discussion about the possibility of a cost-share with the city and/or the potential future development to the west, and the need for a cost estimate of the work if the commission decided to recommend an assessment. In the interim, a cost estimate has been provided and is being reviewed by the Water and Sewer department.

BACKGROUND:

The subject area is in central Fayetteville approximately 300 feet east of Harmon Field and 900 feet northeast of the Fayetteville High School. The subject area contains multiple parcels and is bound by W. Treadwell St. to the north, S. Hill Ave. to the west, W. Putnam St. to the south, and S. Duncan Ave. to the west. The subject area contains roughly 2.9 acres and is currently developed with apartments, single-family dwellings, and a largely undeveloped parcel with off-

site parking. The existing structures were built between 1931 -1964. The property does not fall within any overlay districts or Master Plan areas. A rezoning from RMF-40, Residential Multifamily, 40 Units per Acre to MSC, Main Street Center was approved by City Council on June 18, 2024, subject to a Bill of Assurance (RZN-2024-0018) limiting some uses of the property. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Multifamily Residential	MSC, Main Street Center DG, Downtown General RMF-40, Residential Multifamily, 40 Units per Acre
South	Mixed-Density Residential	RMF-40, Residential Multifamily, 40 Units per Acre
East	Multifamily Residential	DG, Downtown General
West	Mixed-Density Residential	MSC, Main Street Center RMF-40, Residential Multifamily, 40 Units per Acre

Proposal: The applicant requests Large Scale Development approval to develop the subject property with a total of 266 multi-family units and associated parking. Two variances have been requested.

Variance #1: UDC §166.08(D)(5), Street Standards. All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted minimum street standards. The property has frontage along W. Treadwell St., S. Hill Ave., W. Putnam St., and S. Duncan Ave., all residential link streets which typically require a 6-foot sidewalk, 6-foot furniture zone, curb and gutter, 7-foot parking lane, and a 10-foot and 9-foot travel lane. The applicant has requested a variance to allow street improvements and ROW dedications that differ from these standards for S. Hill Ave., W. Putnam St., and S. Duncan Ave.

- a. *Staff recommendation: Staff recommends approval of the applicant's request. The subject property contains a full city block, and the applicant seeks to utilize a mix of right-of-way dedication and vacations as described below in order to align proposed street improvements with the existing centerlines of adjacent roads.*

STREET DATA TABLE						
Street	TOTAL ROW	DRIVING LANE	ON-STREET PARKING	SIDEWALK	MAX ROW TO BE DEDICATED	MAX ROW TO BE VACATED
TREADWELL ST	26.0'	6.5'	7.0'	12.0'	0.47'	0.76'
HILL AVE	22.5'	10.0'	-	11.0'	-	4.93'
PUTMAN ST	29.5'	10.0'	7.0'	12.0'	1.26'	2.71'
DUNCAN AVE	22.5'	9.0'	-	12.0'	-	3.19'

The applicant proposes to dedicate 29.5 feet of right-of-way from the existing centerline of W. Putnam Street in order to accommodate two full drive lanes once an on-street parking row is installed. In total, the proposed right-of-way dedication would permit two full traffic lanes (19 feet total), as well as 7' wide on-street parking spaces, curb and gutter, a 6-foot tree well and furniture zone, and a 6-foot sidewalk. Particularly given the uneven curb line on the south side of W. Putnam Street, staff finds that the additional right-of-way dedication is necessary to ensure two-way travel on these streets.

The applicant further proposes to dedicate 22.5 feet from the existing centerline for S. Hill Ave. and S. Duncan Ave. This would include a 9-foot-wide travel lane

and 6' tree-well and furniture zone on S. Duncan Ave and a 10-foot-wide travel path and 5-foot-wide tree-well and furniture zone on S. Hill Ave. to support bus traffic. Both streets would also include a 1.5-foot-wide mountable curb with a 6-foot-wide sidewalk directly behind the curb in order to accommodate aerial apparatus access. Staff finds that the proposed street improvements are necessary to ensure safe and adequate vehicular access throughout the surrounding block and to provide aerial apparatus access to the proposed multifamily structure. As such, staff recommends in favor of the above with no added conditions.

Additionally, with the recent vacation of the portion of W. Treadwell St. directly west of this property (VAC-2024-0020), staff recommends that the intersection of W. Treadwell St. and S. Duncan Ave. is realigned to eliminate or reduce the existing off-set intersection condition. The applicant has provided conceptual plans for a shared pedestrian/vehicle "piazza" with a mixture of "pavers, stamped concrete, bollards, lighting" and other features to create a shared street. The applicant has requested that this realignment occur in concert with the development to the west given the extensive coordination required to realign the intersection. Staff recommends the following conditions associated with the intersection realignment:

- a) The realignment of the W. Treadwell St. and S. Duncan Ave. intersection shall be constructed and accepted by the city prior to the issuance of a certificate of occupancy.
- b) Design of the intersection re-alignment shall meet all street requirements as set forth in the City of Fayetteville Master Street Plan and adopted minimum street standards unless a variance is received to vary from these requirements.
- c) Portions of the right-of-way intended for vehicular traffic may be composed of stamped concrete. Pavers are not permitted within public right-of-way.
- d) A grading permit shall be required for the proposed street improvements. If proposed street improvements involve modifications to the approved large-scale-development plans or an associated grading permit, the applicant shall provide an exhibit indicating proposed changes to staff for evaluation of a minor or major modification.

Variance #2: UDC §166.23(C)(4)(a), Pedestrian Circulation. Ground floor dwelling units adjacent to a public street shall have a primary pedestrian entry that is visible from the street. Per ordinance, the pedestrian connection to the street may run from the door along the façade of the building parallel to the street for a maximum of 12 feet from the door before connecting directly to the public sidewalk. The applicant requests a variance to allow eight ground floor dwelling units to exceed the 12-foot maximum.

- a. *Staff recommendation: Staff recommends approval of the applicant's request. The subject property contains an entire city block with approximately nine feet of topographic change from north to south. Ten of the 18 ground floor dwelling units meet this ordinance; however, the remaining eight have entries approximately 7 ½ feet above the sidewalk grade. Staff finds that providing direct pedestrian connections from these units to the public sidewalk is not practical and that allowing a longer parallel distance will allow these units to share access that would not be feasible otherwise. Staff recommends a condition that the retaining walls used for such pedestrian connections shall be faced with a material used on the principal structure such as brick, or shall otherwise be improved with green walls, public art or another feature to create an inviting pedestrian landscape.*

Right-of-Way to be Dedicated: The property has frontage along W. Treadwell St., S. Hill Ave., W. Putnam St., and S. Duncan Ave., all residential link streets which typically require 26' of dedication from the street centerline. A variance has been requested to typical master street plan standards, including typical right-of-way widths as described above.

Street Improvements: The property has frontage along W. Treadwell St., S. Hill Ave., W. Putnam St., and S. Duncan Ave., all residential link streets which typically require a 6-foot sidewalk, 6-foot furniture zone, curb and gutter, 7-foot parking lane, and a 10-foot and 9-foot travel lane. The applicant also proposes changes to the traffic patterns include a 4-way stop at Putnam and Hill and intersection changes at Treadwell and Duncan to create a pedestrian plaza as discussed in the variance request above.

In addition, the traffic study indicates a reduced level of service at Hill and Center Street. A traffic study provided by the developer's consultant indicates that this development will contribute 3.7% of the total future traffic at the Hill/Center intersection. Using this 3.7% and a documented cost of \$500,000 for intersection signalization, an assessment amount of \$18,500 is recommended.

Access Management/Connectivity: The proposed driveway onto W. Putnam St. meets separation requirements. No other driveways are proposed, and the existing city block meets block length standards.

Design Standards: The development is subject to §166.22 – Parking Garage Standards and §166.23 – Urban Residential Design Standards. Staff finds the design is substantially compliant with these standards with the exception of the variances requested above. The applicant initially requested a variance for a 6-foot-tall privacy fence at the southeast corner of the property. After staff clarified that the ordinance restricts the opacity of the fence above 30" but does not restrict the overall height, the applicant withdrew this variance request.

Water System: The applicant is proposing to connect to an existing 8" water line in Treadwell Street for domestic service and fire protection. On behalf of Water and Sewer, staff is recommending that the Planning Commission add a condition that the project upgrade the existing water line from a 6" cast iron pipe to a 12" diameter water line for a length of approximately 425 linear feet (LF) along the property's S. Duncan Ave. frontage. While the applicant may not be tying directly into the line on Duncan, §166.04(A)(a) On and Off-Site Improvements defines on-site improvements as "adjacent to or within a project site; such as widening the street along the project frontage, constructing interior streets and utilities, etc." Further, the existing 8" line in Treadwell that the applicant intends to connect to ties into the S. Duncan Ave. line, meaning that any capacity or reliability issues within the S. Duncan Ave. line caused by the increased demand of this development will still affect existing and future users of both lines.

This upgrade will further establish the ½-mile 12" water line grid recommended in the 2017 Water Master Plan:

"a 12-inch water transmission main grid is recommended to help support fire flows and to supply peak demands within the system. The recommended spacing of the transmission main grid is approximately one-half mile. In practice, the line spacing will depend on the corridors available for water line construction, the location of existing and future streets and the pattern of development in a given area."

In the vicinity of this project, a 12" water line extends from Center Street to Treadwell Street along Duncan Avenue. The logical 12" water line loop would extend towards Fayetteville High School

at the intersection of Buchanan Avenue and Bulldog Boulevard, where another 12" water line exists. Future infill development will install the remaining 1,020 LF to complete this loop beyond the project's frontage.

The applicant has provided a cost estimate to complete this water line upgrade is the amount of \$375,084.00 (attached). Water and Sewer is evaluating the provided estimate and has provided notes regarding several of the line items included in the estimate. Overall, Water and Sewer still recommends that this development be responsible for the full upgrade of the water line given the scope of the proposed impact to the system.

Sewer System: Adequate sewer capacity is available from an 8" line in Duncan Ave. A short sewer extension is proposed along Putman to collect sewer services from the site to the line in Duncan. The city's sewer master plan consultant was engaged by the developer to review the project impact on sewer capacity and has confirmed that downstream sewer capacity is adequate.

Parkland dedication or fee in-lieu: The Parks and Recreation Advisory Board (PRAB) reviewed this proposal at a meeting held on October 11, 2024. The Parks and Recreation Advisory Board recommended a fee-in-lieu of parkland dedication. Based on current information, fees for 266 multifamily residential units would be required in the amount of \$201,824, with final fees to be determined and paid prior to the issuance of any building permits. Credit has been applied for the existing 54 residential units to be removed in the construction of the project.

Tree Preservation:

Canopy minimum requirement: 10%

Existing canopy: 30.9%

Preserved canopy: 0.0%

Mitigation required: 54 2-inch caliper trees

Thirty-four (30) mitigation trees are proposed on-site. The applicant requests to pay into tree escrow for the remaining 24 required trees. At \$675 per tree, this would require a payment of \$16,200 into escrow. Urban Forestry recommends approval of the escrow payment.

Public Comment: While staff received extensive public comment during the rezoning process, no additional public comments have been provided regarding the development plans at this time.

RECOMMENDATION: Staff recommends approval of **LSD-2024-0029**, with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of variance to UDC §166.08(D)(5), Street Standards.** *Staff recommends approval of the requested variance with the following conditions.*
 - a. The realignment of the W. Treadwell St. and S. Duncan Ave. intersection shall be constructed and accepted by the city prior to the issuance of a certificate of occupancy.
 - b. Design of the intersection re-alignment shall meet all street requirements as set forth in the City of Fayetteville Master Street Plan and adopted minimum street standards unless a variance is received to vary from these requirements.

- c. Portions of the right-of-way intended for vehicular traffic may be composed of stamped concrete. Pavers are not permitted within public right-of-way.
- d. A grading permit shall be required for the proposed street improvements.
- e. If proposed street improvements involve modifications to the approved large-scale-development plans or an associated grading permit, the applicant shall provide an exhibit indicating proposed changes to staff for evaluation of a minor or major modification.

Subdivision Committee recommended in favor

- 2. **Planning Commission determination of variance to UDC §166.23(C)(4)(a), Pedestrian Circulation.** *Staff recommends approval of the requested variance with no added conditions.*
 - a. *Retaining walls used to accommodate pedestrian connections shall be faced with a material used on the principal structure such as brick, or shall otherwise be improved with green walls, public art or another feature to create an inviting pedestrian landscape.*

Subdivision Committee recommended in favor

- 3. **Planning Commission determination of right-of-way dedication.** *Staff recommends the following street right-of-way dedication.*
 - a. W. Treadwell St.: 26 feet from centerline
 - b. W. Putnam St.: 29.5 feet from centerline
 - c. S. Hill Ave. and S. Duncan Ave.: 22.5 feet from centerline

Subdivision Committee recommended in favor

- 4. **Planning Commission determination of street improvements.** *Staff recommends the following street improvements:*
 - a. W. Treadwell St. 12-foot sidewalk (including 6-foot tree well and furniture zone), 7-foot parking lane, 9-foot driving lane, curb & gutter, streetlights and street trees
 - b. W. Putnam St.: 12-foot sidewalk (including 6-foot tree well and furniture zone), 7-foot parking lane, 10-foot driving lane, curb & gutter, streetlights and street trees
 - c. S. Hill Ave.: 11-foot sidewalk (including 5-foot tree well and furniture zone), 10-foot driving lane, curb & gutter, streetlights and street trees
 - d. S. Duncan Ave.: 12-foot sidewalk (including 6-foot tree well and furniture zone), 9-foot driving lane, curb & gutter, streetlights and street trees
 - e. An assessment for off-site street improvements at Hill and Center Street shall be paid in the amount of \$18,500 prior to building permit
 - f. A tree escrow payment of \$16,200 shall be paid for 24 street trees.
 - g. The project shall upgrade the water line in Duncan Avenue along the project street frontage from a 6" cast iron pipe to a 12" diameter water line (approximately 425 linear feet)

Subdivision Committee recommended in favor but did not provide a recommendation on the proposed off-site street assessment.

- 5. Parkland dedication fees-in-lieu in the amount of \$201,824 with final fees to be determined and paid prior to the issuance of any building permits. Credit has been applied for the existing 54 residential units to be removed in the construction of the project.

6. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto, and including:

Standard conditions of approval:

7. Development review comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks Electric, SWEPCO, and Cox Communications);
8. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, and tree preservation. The information submitted for the development review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements;
9. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit;
10. Prior to the issuance of a building permit the following is required:
- a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
 - c. Exterior lighting package must be provided to the Planning Division;
 - d. A cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy;
 - e. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - f. Project Disk with all final revisions; and
 - g. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.

Planning Commission Action: ☐ Denied ☐ Tabled ☐ Approved

Meeting Date: January 13, 2025

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

Attachments:

- Staff Exhibits
 - Engineering Memo
 - Applicant Cost Estimate and Water/Sewer Notes
 - Urban Forestry Memo
 - Intersection Exhibit with Right-of-Way
- Applicant Exhibits
 - Cover Letter
 - ROW Determination Request Letter
 - Variance Request Letter
 - Site Plan Excerpts
 - Elevations
- One Mile Map
- Close Up Map
- Current Land Use Map



January 9, 2025

Melissa Boyd, PE
Staff Engineer

Re: Waterline Upgrade Requirements for Verve Development

Melissa,

Please accept this memo as the Utility Division's recommendation that the Verve be required to extend a 12-inch diameter waterline along their western frontage in Duncan Avenue.

Our Water Master Plan has recommended 12-inch waterlines be constructed as development occurs on a roughly half-mile grid to support development needs, fire flows, and reliability of infrastructure for infill development. As you know, the two student housing oriented developments just north of this site have extended 12-inch waterlines along their frontages in this manner.

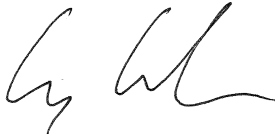
From a capacity standpoint it is unclear if the development demands can be provided without exceeding specification velocity limits. While nearby diameters appear adequate, the dense nature of this infill area would suggest that existing demands, topography, and pipe inner wall tuberculation could cause unacceptable velocities in the vicinity. This would need to be modelled more closely through our hydraulic water model (held by Olsson). Please let me know if this needs to be coordinated.

Hydrants in the vicinity that would be used in the event of an emergency need to be considered from a reliability standpoint. A new 12-inch waterline extension as recommended would provide an excellent level of reliability in this vicinity to ensure that if large flows are needed to fight a fire, the pipes flowing this water would be robust and unlikely to fail.

In the same manner that existing roads and sidewalks are considered unfit for this level of infill, underground utilities that have historically served a few homes and small apartments and are reaching the end of their useful life should rationally be replaced as

well. A cost estimate was provided showing the waterline costs to be approximately \$375,000. I have provided feedback demonstrating that this appears high and can likely be accomplished in the \$200,000 range.

Best,



Corey W. Granderson, P.E.
Utilities Engineer
City of Fayetteville, Arkansas
cgranderson@fayetteville-ar.gov
479.444.3452
www.fayetteville-ar.gov





TO: Donna Wonsower, Planner

FROM: Chris Brown, Public Works Director/City Engineer

DATE: December 2, 2024

**SUBJECT: Planning Commission Engineering Comments for
LSD-2024-0029 191 S. Hill Ave. The Verve**

Water: The applicant is proposing to connect to an existing 8" water line in Treadwell Street for domestic service and fire protection.

On behalf of Water and Sewer, staff is recommending that the Planning Commission add a condition that this project upgrade the water line in Duncan Avenue along the project street frontage from a 6" cast iron pipe to a 12" diameter water line. This length is approximately 425 linear feet (LF). This will help establish the ½-mile 12" water line grid recommended in the 2017 Water Master Plan:

"a 12-inch water transmission main grid is recommended to help support fire flows and to supply peak demands within the system. The recommended spacing of the transmission main grid is approximately one-half mile. In practice, the line spacing will depend on the corridors available for water line construction, the location of existing and future streets and the pattern of development in a given area."

In the vicinity of this project, a 12" water line extends from Center Street to Treadwell Street along Duncan Avenue. The logical 12" water line loop would extend towards Fayetteville High School at the intersection of Buchanan Avenue and Bulldog Boulevard, where another 12" water line exists. Future infill development will install the remaining 1,020 LF to complete this loop beyond the project's frontage. This loop, once completed, will provide more resilient and reliable service to this development and others in the area.

It should be noted that the applicant has responded to this recommendation made at Subdivision Committee and has indicated that they should not be responsible for this connection. Because of the relative locations of the existing water and sewer lines along Duncan, the only feasible location within the street right of way is on this development's side of the street centerline. Therefore, this recommendation stands. Other than this water line extension, the city utility requirements are minimal and consist of only water line connections to serve the building and a short sewer line extension.

Sewer: Adequate sewer capacity is available from an 8" line in Duncan Ave. A short sewer extension is proposed along Putman to collect sewer services from the site to the line in Duncan. The city's sewer master plan consultant was engaged by the developer to review the project impact on sewer capacity and has confirmed that downstream sewer capacity is adequate.

Streets: Typical street improvements are required on all sides of the development. Changes to the traffic patterns include a converting the two-way stop to all way at Putman and Hill and intersection changes at Treadwell and Duncan to create a pedestrian plaza.

In addition, the traffic study indicates a reduced level of service at Hill and Center Street. Therefore, an assessment for street improvements (a traffic signal, turn lanes, or other improvements) at this intersection is recommended based on the increased traffic at the intersection. The traffic study provided by the developer's consultant indicates that this development will contribute 3.7% of the total future traffic at the Hill/Center Intersection. Using this 3.7%, and a documented cost of \$500,000 for intersection signalization, an assessment amount of \$18,500 is recommended. Again, while a signal is used for the basis of this calculation, detailed study of the intersection may recommend other improvements.

Drainage: The development must meet the 4 minimum standards outlined in the City's Drainage Criteria Manual. A hydrodynamic separator is proposed to meet Minimum Standard 1. Minimum Standards 2-4 are proposed to be met through the use of underground detention at the southeast corner of the site. In addition, an offsite storm drain will be installed along Hill Avenue to near Center Street to connect the detention facility to the existing storm drain system.

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

**APPLICANT RECOMMENDED COST ESTIMATE
FOR 12" WATER LINE UPGRADES**



Offsite Water Main Upgrade						
Description	QTY	Unit	Unit Cost	Total		
1 Sawcut Asphalt Pavement	890	LF	\$ 5.00	\$	4,450.00	
2 Remove Asphalt Pavement - Assume 6' Wide	2,580	SF	\$ 1.50	\$	3,870.00	
3 Excavate/Load/Haul - 6' Deep	573	CY	\$ 70.00	\$	40,133.00	
4 Selective Use of Trench Boxes	430	LF	\$ 100.00	\$	43,000.00	
5 Remove Existing 6" Water Line - Abandon In Place				\$	-	
6 Proposed New 12" Water Main (Duncan Street)	430	LF	\$ 165.00	\$	70,950.00	
7 New Water Meter Tie-Ins at Existing Homes	5	EA	\$ 14,500.00	\$	72,500.00	
8 Backfill with Imported Materials	573	CY	\$ 50.00	\$	28,667.00	
9 Connections to Existing Manholes	1	LS	\$ 20,000.00	\$	20,000.00	
10 Resurface Street - Assuming 26' Wide	2,580	SF	\$ 5.00	\$	12,900.00	
11 Encountering Rock at Trenches - Rock Mitigation Not Included				\$	-	
12 Traffic Control	460	LF	\$ 35.00	\$	16,100.00	
Offsite Water Subtotal				\$	312,570.00	
Overhead and Profit				\$	62,514.00	
Offsite Water Total				\$	375,084.00	

Offsite Water Main Upgrade

Description	QTY	Unit	Unit Cost	Total
1 Sawcut Asphalt Pavement	890	LF	\$ 5.00	\$ 4,450.00
2 Remove Asphalt Pavement - Assume 6' Wide		SF	\$ 1.50	\$ 3,870.00
3 Excavate/Load/Haul - 6' Deep		CY	\$ 70.00	\$ 40,133.00
4 Selective Use of Trench Boxes		LF	\$ 100.00	\$ 43,000.00
5 Remove Existing 6" Water Line - Abandon In Place				\$ -
6 Proposed New 12" Water Main (Duncan Street)	430	LF	\$ 165.00	\$ 70,950.00
7 New Water Meter Tie-Ins at Existing Homes	5	EA	\$ 14,500.00	\$ 72,500.00
8 Backfill with Imported Materials	573	CY	\$ 50.00	\$ 28,667.00
9 Connections to Existing Manholes	1	LS	\$ 20,000.00	\$ 20,000.00
10 Resurface Street - Assuming 26' Wide	2,580	SF	\$ 5.00	\$ 12,900.00
11 Encountering Rock at Trenches - Rock Mitigation Not Included				\$ -
12 Traffic Control	460	LF	\$ 35.00	\$ 16,100.00
Offsite Water Subtotal				\$ 312,570.00
Overhead and Profit				\$ 62,514.00
Offsite Water Total				\$ 375,084.00

Option for City Cost share on these

This sounds like a sewer item...?

Remove

If highlighted items 'removed' Total = \$191,070.00

This likely will occur regardless due to damage during construction

Is this a GC estimate, or are there firm subcontractor quotes in-hand?
Why did EOR not prepare cost estimate based on recent project bids?

Likely needed regardless throughout project

WATER AND SEWER COMMENTS ON COST ESTIMATE



URBAN FORESTRY
LANDSCAPE PLAN COMMENTS

To: Adam B. Osweiler, PE, McClelland Consulting Engineers, Inc.

From: Willa Thomason, Urban Forester

CC: Donna Wonsower, Planner

Meeting Date: December 9, 2024

Subject: LSD-2024-0029: Verve: 191 S. Hill Ave., 522

1. General Landscape Plan Checklist		Yes	No	N/A
a.	Irrigation (notes either automatic or hose bib 100' o.c.) <i>UDC Chapter 177.03C7g, 177.04B3a</i>	X		
b.	Species of plant material identified <i>UDC Chapter 177.03C7d,e</i>	X		
c.	Size of plant material (minimum size 2" caliper for trees and 3 gal. shrubs) <i>UDC Chapter 177.03C7b,c</i>	X		
d.	Soil amendments notes include that soil is amended and sod removed <i>UDC Chapter 177.03C6b</i>	X		
e.	Mulch notes indicate organic mulching around trees and within landscape beds <i>UDC Chapter 177.03C6c,d</i>	X		
f.	LSD, LSIP, and Subdivisions (PPL & FPL) plans stamped by a licensed Landscape Architect, others by Landscape Designer <i>UDC Chapter 177.03B</i>		X	
g.	Planting bed contained by edging <i>UDC Chapter 177.03C6f</i>			X
h.	Planting details according to Fayetteville's Landscape Manual <i>UDC Chapter 177.03C6g</i>	X		
i.	Provide information about 3-Year Maintenance plan. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. <i>UDC Chapter 177.05 A2g</i>	X		
2. Parking Lot Requirements		Yes	No	N/A
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>	Yes			
c. Narrow Tree Lawn (8' min. width, 37.5' length) <i>UDC Chapter 177.04C</i>				X
d. Tree Island (8' min. width, 18.7' min length, 150 square feet) <i>UDC Chapter 177.04C</i>				X
e. Placement of Trees (either side at entrances and exits) <i>UDC Chapter 177.04C2</i>		X		
3. Perimeter Landscaping Requirements	Yes	No	N/A	
a. Front Property Line (15' wide landscape) and 5' on sides and rear. <i>UDC Chapter 177.04D2a</i>				X
b. Shade trees planted on south and west sides of parking lots <i>UDC Chapter 177.04D2e</i>				X
c. Screening of parking lot from adjacent residential properties.				X
4. Street Tree Planting Requirements	Yes	No	N/A	
a. Residential Subdivisions 1 Large Shade Species Tree per Lot <i>UDC Chapter 177.05B1a</i>				X
b. Non-Residential Subdivisions 1 Large Species Shade Tree every 30' (planted in greenspace) <i>UDC Chapter 177.05B2a</i>				X
c. Urban Tree Well – Urban Streetscapes Trees every 30' (8' sidewalk) <i>UDC Chapter 177.05B3a-f</i>	X			
d. Structural Soil – Urban Tree Wells Include a note and/or detail of structural soil on Landscape Plan <i>UDC Chapter 177.05B3a-f</i>	X			
e. Residential Subdivisions Timing of planting indicated on plans <i>UDC Chapter 177.05A4</i>				X
f. Residential Subdivisions Written description for method of tracking planting <i>UDC Chapter 177.05A4e</i>				X

5. Landscape Requirement Totals	Amount
Mitigation Trees	54 required 30 provided 24 paid into escrow
Parking Lot Trees	0
Street Trees	43
Detention Pond – Large Trees (1 Tree/3,000 square feet)	N/A
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	N/A
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)	N/A

6. Review Status (See Comments)	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved	10-14-24 11-6-2024	11-27-2024	12-03-2024
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
TREE PRESERVATION COMMENTS

To: Adam B. Osweiler, PE, McClelland Consulting Engineers, Inc.

From: Willa Thomason, Urban Forester

CC: Donna Wonsower, Planner

Meeting Date: December 9, 2024

Subject: LSD-2024-0029: Verve: 191 S. Hill Ave., 522

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		
	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	125,692	100%
Zoning Designation * Select Below with drop down arrow		
MSC, Main Street Center	12,569	10%
HHOD * Select Below with Drop Down Arrow		
No	0	0%
Total Canopy for Minimum Preservation Requirements	12,569	10.0%
Existing Tree Canopy * Minus Right of Way and Easements	38,813	30.9%
Tree Canopy Preserved	0	0.0%
Tree Canopy Removed *On Site	38,813	30.9%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	38,813	30.9%
Removed Below Minimum	12,569	
Mitigation Requirements	12,569	

Mitigation Alternatives		
Extensive Green Roof Square Footage	Credit per SF	Total Mitigation SF Reduction
1800	2.5	720

Mitigation Requirements			
Canopy Below Requirements Sq. Ft.	Preservation Priority Type	Forestation Base Density/Acre	Number of 2" Caliper Trees to be Planted
11,849	High Priority	200	54
	Low Priority	100	0

*MITIGATION REQUIREMENTS = TREE PRESERVATION CALCULATIONS - MITIGATION ALTERNATIVES (GREEN ROOFS)

Mitigation Trees Required	Mitigation Trees Provided	# of Trees for Tree Escrow	Total Amount for Tree Escrow Account
54	30	24	\$ 16,200.00

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority	12,569	54 trees required 30 trees provided 24 trees paid into escrow (\$16,200)
Low Priority		
Total Mitigation Trees Required	12,569	54

4. Mitigation Type	Yes	No	N/A
On-Site Mitigation	X		
Off-Site Mitigation			
Tree Escrow (See Conditions of Approval)	X		

5. Tree Preservation Plan Checklist	Tech Plat	Subdivision Committee	Planning Commission
<i>UDC Chapter 167.04H1 and 167.04L1</i>			
a. 5 year Aerial Check on Existing Trees	Yes	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	No	Yes	Yes
j. All Existing and Proposed Utility Easements and ROW's	No	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)	Yes	Yes	Yes
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	No	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			

6. Site Analysis Report (if required) <i>UDC Chapter 167.04H4</i>	Yes	No	N/A
---	-----	----	-----

- | | |
|--|---|
| 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	10-14-24 11-13-24	11-27-2024	12-2-2024
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.
- Approved under the condition that \$16,200 will be paid into the tree escrow account in lieu of planting 24 additional mitigation trees.



CITY OF
FAYETTEVILLE
ARKANSAS

TO: Planning Division

FROM: Zach Foster, Parks Planning

DATE: October 11, 2024

SUBJECT: Parks & Recreation Technical Plat Review Comments

PRAB Meeting Date: September 4, 2024

Project Title: VERVE Apartments

Project Number: LSD-2024-0029

Project Location: 191 S Hill Ave

Plat Page: 522

Park Quadrant: SW

Billing Name & Address: Multiple Owners and Parcels

☐ Land Dedication

☒ Fee-in-Lieu

☐ Combination

FEE-IN-LIEU

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

Multi Family: 212 units x \$952 per unit = \$201,824

TOTAL Fees

\$201,824

SUMMARY:

- Project proposes 0 SF units and 212 MF units.
- Note: This project is only charged for 212 of the 266 total multi-family units because 54 residential units were removed in the process of this project.
- Note: PLD fees categorize single-family units as residential buildings with one or two residential units under a single roof. This project has two duplex buildings containing four single-family units. The triplex and quadplex buildings are categorized as multi-family units.
- The final amount of fee-in-lieu and/or land dedication needed to satisfy Parkland Dedication requirements will be determined after Planning Commission's approval of this project.
- Current fee-in-lieu and/or land dedication rates will be applied regardless of when project was approved by PRAB.
- Prior to final receipt by the city, all fees must be paid and any deeds for parkland dedication property must be:
 - Approved by the City's Land Agent in the Engineering Division.
 - Recorded at the Washington County Courthouse.
- Each additional housing unit that is constructed in Fayetteville places an increased demand on the Parks and Recreation system. The money collected as part of this project will be used to fund future park acquisitions and improvements for this park quadrant.

October 1, 2024



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

RE: VERVE Student Housing Project
Large Scale Development Narrative and ROW Determination Exhibit

Ms. Masters,

On behalf of Subtext Living, I am writing to provide a summary of the proposed VERVE Student Housing project, located generally at the intersection of W. Treadwell St. and S. Hill Ave. This development includes the following addresses: 707 W. Treadwell St., 191 S. Hill Ave., and 92 and 98 S. Duncan Ave. The property is currently zoned as Main Street Center.

The proposed project consists of a single building comprising approximately 266 residential units with associated on-site parking. In addition, the development will feature on-site drainage and detention, utilities, landscaping, site amenities, and a dedicated dog park, all designed to support the functionality and aesthetics of the building. The primary goal of this project is to provide quality housing for local students and community members who may otherwise struggle to find adequate accommodations.

In alignment with the current Master Street Plan, the project also includes right-of-way (ROW) dedication, road widening, and street section improvements along the frontages of W. Treadwell, S. Hill, S. Duncan, and W. Putman streets. A ROW determination letter, coordinated with city planning staff, is attached as an exhibit to further outline these improvements.

As part of the Large Scale Development (LSD) process, we are requesting a single variance. As detailed in the attached Right-of-Way (ROW) determination letter, we are proposing an additional 3.5 feet of dedicated ROW along W. Putman St. to meet the drive lane width requirements outlined in the Master Street Plan.

The existing conditions on the southern half of W. Putman St. present limitations, and this variance seeks to address those challenges. By expanding the ROW, the project can accommodate a 10-foot-wide drive lane and a 7-foot-wide parking lane, as required by the Residential Link street section standards. This adjustment will ensure two 10-foot-wide driving lanes along W. Putman St., promoting safe and efficient traffic flow until the southern half—outside the scope of this project—can be upgraded in the future. If the requested variance is not granted, and the additional 3.5 feet of ROW is not allowed, W. Putman St. would be constrained to two 8.25-foot-wide drive lanes until future improvements are made to the southern half of the street.

RE: VERVE Student Housing Project – LSD Submittal Narrative

Should you or any other city staff have any questions or require additional information regarding this project, please do not hesitate to contact me at your convenience.

Sincerely,
McClelland Consulting Engineers, Inc.



Adam B. Osweiler PE
Senior Project Manager



(479) 443.2377

October 1, 2024



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

RE: VERVE Student Housing Project – ROW Administrative Determination

Ms. Masters,

For the proposed residential development of 2.9 acres at S. Hill Avenue and W. Treadwell Street, the project requests a Right-of-Way Administrative Determination for the W. Treadwell Street, W. Putman Street, S. Duncan Avenue, and S. Hill Avenue. These streets are classified as Residential Link by Fayetteville's Master Street Plan. All four streets are continuous across the full north, east, and west façades of the project. The relationship of the proposed full building site to the street rights-of-way is demonstrated in the Site Plan sheet of the attached exhibit.

After speaking with city staff and reviewing the existing site conditions of the adjacent and surrounding roadways, the attached exhibit reflects the following proposed ROW allowances per Fayetteville's Master Street Plan. The project scope includes a parking deck on the property with adequate stall counts (345 stalls provided vs 341 stalls required) to accommodate all on-site occupants. The attached exhibit includes the parking stall requirement/proposed calculations for reference, as well located at the end of this letter. This eliminates the need to provide the maximum 52' width (26' half ROW dedication width) of Residential Link ROW with on-street parking. However, two of the adjacent roadway sections proposed include on-street parking (29.5' ROW dedication) to reflect recent roadway improvements in the area, as well as help promote safety and walkability to surrounding neighborhoods, businesses, and a potential on-site dog park. Should this ROW Administrative Determination be accepted, W. Treadwell St. and W. Putman St. would dedicate 29.5' of ROW and roadway improvements to include a parking lane, and S. Duncan Ave. and S. Hill Ave. would dedicate 22.5' ROW and roadway improvements that would not include a parking lane.

W. Putman St.

The below dimensions are based on the city's MSP, and help continue improvements of the existing roadway, tree wells and street furnishings zone, and pedestrian pathways along the opposing sides of the centerline from the proposed project.

29.5' ROW Provided

- 10' wide drive lane (additional 3.5' needed to obtain adequate drive lane widths)
- 7' wide parking lane

RE: VERVE Student Housing Project – ROW Administrative Determination

- 0.5' curb
- 6' tree well and street furnishing zone
- 6' sidewalk

W. Putman Street: Existing off-street parking is currently located along the south side of W. Putman Street. Due to this condition, the north side of W. Putman St. is proposed to include a 7' wide parking lane so that the south side may remain in place and functional since it would not warrant on-street parking in its current state. This roadway dedication would require additional ROW be dedicated so that the minimum driveway widths are obtained since there is only 10.63' of asphalt paving south of the centerline. This project warrants more ROW be dedicated (29.5' vs 26') so that there can be two full lanes of traffic (19' total) as well as a on-street parking.

W. Treadwell St.

The below dimensions are based on the city's MSP, and help continue improvements of the existing roadway, tree wells and street furnishings zone, and pedestrian pathways along the opposing sides of the centerline from the proposed project.

26' ROW Provided

- 6.5' wide drive lane
- 7' wide parking lane
- 0.5' curb
- 6' tree well and street furnishing zone
- 6' sidewalk

W. Treadwell Street: Along the north side of W. Treadwell Street, improvements were made during the Atmosphere housing project that do not include on-street parking. To complete the full MSP section, the south side of W. Treadwell St. is proposed to include the 7' wide parking lane, as well as additional street section improvements. The parking stalls are being proposed so that visitors and surrounding community can utilize any on-site amenities.

S. Duncan Avenue and S. Hill Avenue

The below dimensions are based on the city's MSP, and help continue improvements of the existing roadway, tree wells and street furnishings zone, and pedestrian pathways along the opposing sides of the centerline from the proposed project.

22.5' ROW Provided

- 9' wide drive lane (10' wide drive lane on S. Hill to accommodate bus traffic)
- 1.5' curb/gutter
- 6' tree well and street furnishing zone (5' width on S. Hill to accommodate 1' wider drive lane for bus lane)
- 6' sidewalk

S. Duncan Avenue: Just north of the project site, S. Duncan Ave. was improved between the Atmosphere and Cardinal residential projects. Along the west side of S. Duncan Avenue, on-street parking was provided to accommodate the MSP. When Atmosphere was constructed,

additional on-street parking was provided to accommodate the project's parking counts. To stay in line with the previous design, and since the proposed on-site parking deck will accommodate the on-site occupants, no on-street parking is proposed along S. Duncan Avenue.

S. Hill Avenue: Just north of the project site, S. Hill Ave. was improved along the west side of the street during the Atmosphere project. To keep in line with the roadway alignment, and since no on-street parking is needed for this project due to the proposed on-site parking deck, the roadway section for this portion of S. Hill Ave. does not include a 7' drive lane. S. Hill will also have an additional 1' of driveway width to accommodate bus traffic per comments made by planning staff during the conceptual and pre-application meetings.

Parking Stall Site Data Table

SITE DATA			
OVERALL SITE AREA		167,749 S.F.	3.85 AC
PARKING SPACES		REQUIRED	PROVIDED
STANDARD PARKING STALLS		341	345
COMPACT PARKING STALLS		188	192
ADA PARKING STALLS		11	11
TOTAL		540	548
PROVIDED ON-SITE PARKING SPACE BY LEVEL	STANDARD PARKING STALLS	COMPACT PARKING STALLS	ADA PARKING STALLS
LEVEL B1	59	33	--
LEVEL 01	52	21	4
LEVEL 02	52	26	2
LEVEL 03	52	26	2
LEVEL04	52	27	1
LEVEL 05	52	27	1
LEVEL 06	26	32	1
TOTAL	345	192	11

NOTE: 827 BEDS ARE BEING PROVIDED ON-SITE. A PARKING REDUCTION OF 287 SPACES (124 BECAUSE OF PROXIMITY TO A BUS STOP, 80 BECAUSE MOTORCYCLE PARKING WILL BE PROVIDED, AND 83 BECAUSE BIKE PARKING WILL BE PROVIDED) IS BEING APPLIED.

RE: VERVE Student Housing Project – ROW Administrative Determination

Should you or anyone else at the city have any comments or questions regarding this request, please feel free to reach out at any time.

Sincerely,
McClelland Consulting Engineers, Inc.



Adam B. Osweiler PE
Senior Project Manager



(479) 443.2377

aosweiler@mce.us.com

November 26, 2024



Planning Commission
City of Fayetteville
125 West Mountain Street
Fayetteville, AR. 72701

RE: VERVE Student Housing Project – Variance Request Letter (LSD-2024-0029)

Planning Commissioners,

This letter serves as a formal variance request for the proposed 3.85-acre residential development at S. Hill Avenue and W. Treadwell Street.

We are requesting two (2) variances from City code for the development with the Planning Department's support. Below are the variances requested, along with information pertinent to the variance to be considered by the Planning Commission, and references of the specific section of the Unified Development Code proposed to be varied.

Variance Request #1: UDC 166.23.C.4.a Ground Level Dwelling Unit Entries

This request is relative to a few of the "ground level" units located on the perimeter of the project. There are a total of 18 units that would be considered ground level per the Unified Development Code and therefore require a direct connection to the adjacent sidewalk. We are able to provide the development code-required direct connection to 10 dwelling units as indicated on the diagram plans attached that easily provide this connection. *Also refer to rendering on page 7 of the lsd elevation submittal document for the typical street experience.*

However, there are eight dwelling units located around the block that due to existing grade, topography and our Grade Plan Determination as approved by the Building Official, are not feasible or practical to provide the direct connection as a stoop. *Refer to the building section diagram on the attached image.* These ground level dwelling units that we are requesting a variance for are on average 7'-8' above the sidewalk level. We are providing patios at these locations that are perched above the sidewalk, so there is still a strong visual connection to the urban way.

Variance Request #2: UDC 166.08.D.5 MSP Street Standards

Currently, off-street parking is located along the south side of W. Putman Street, rendering on-street parking on this side unnecessary. To maintain the functionality of this existing parking, the

RE: VERVE Student Housing Project – Variance Request Letter

proposed plan includes a 7-foot-wide parking lane on the north side of W. Putman Street. Refer to the ROW Determination Letter and LSD site plan for reference.

To achieve the required minimum drive widths, additional ROW dedication is proposed on the north side of W. Putman Street due to the limited 10.63 feet of asphalt paving south of the centerline. Accordingly, this project requests a ROW dedication of 29.5 feet (instead of the standard 26 feet), which will allow for two full traffic lanes (19 feet total) along with the proposed on-street parking. The request would be for an additional 3.5' of ROW dedication to achieve an adequate street section and reflect the MSP intent for Residential Link streets.

Due to the fire marshal's requirement for two aerial fire apparatus access roadways along the property's perimeter, both street sections on S. Duncan and S. Hill must be modified to provide a 26-foot-wide clear zone for vehicle maneuverability and firefighting operations. To accommodate this, the greenspace currently planned behind the curb must be relocated. Tree wells and landscaping will now be positioned directly adjacent to the edge of the right-of-way, enabling fire trucks to travel along a 26-foot wide drive and set up anchor points along the sidewalk as needed.

Should you or anyone else at the city have any comments or questions regarding this request, please feel free to reach out at any time.

Sincerely,
McClelland Consulting Engineers, Inc.



Adam B. Osweiler PE
Senior Project Manager



(479) 443.2377
aosweiler@mce.us.com

Tree Schedule										Dead		Tree Schedule																																																											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72
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Tree Preservation Calculations Square Feet					Square Feet	Percent of Site
Total Site Area	**Minus Right of Way and Easements				125,692	100%
Zoning Designation *	Select Below with drop down arrow					
MISC. Main Street Center						
THOOD *	Select Below with Drop Down Arrow				12,569	10%
No					0	0%
Total Canopy for Minimum Preservation Requirements					12,569	10.0%
Existing Tree Canopy * Minus Right of Way and Easements					38,813	30.9%
Tree Canopy Preserved					0	0.0%
Tree Canopy Removed *On Site					38,813	30.9%
Tree Canopy Removed *Off Site					0	0.0%
Tree Canopy Removed Total					38,813	30.9%
Removed Below Minimum						
Mitigation Requirements					12,569	

Mitigation Alternatives		Tree Mitigation SP/Reduction Footage 100%	Costs per SF 2.5	720
Executive Green				

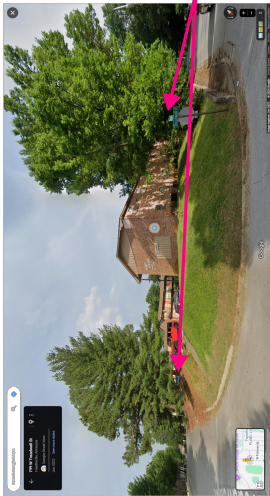
Mitigation Requirements		Preservation Priority Type	Elevation Base (Square) Acre	Number of 2" Caliper Trees
Canopy Reduction Requirements Sq. Ft.	11,849			
		Low Priority	100	0

MITIGATION REQUIREMENTS - TREE PRESERVATION CALCULATIONS - MITIGATION ALTERNATIVES (GREEN WOOF)				
Mitigation Trees Required	Mitigation Trees Provided	# of Trees for Tree Escrow	Total Amount for Tree Escrow/Account	
54	30	24	\$ 16,200.00	

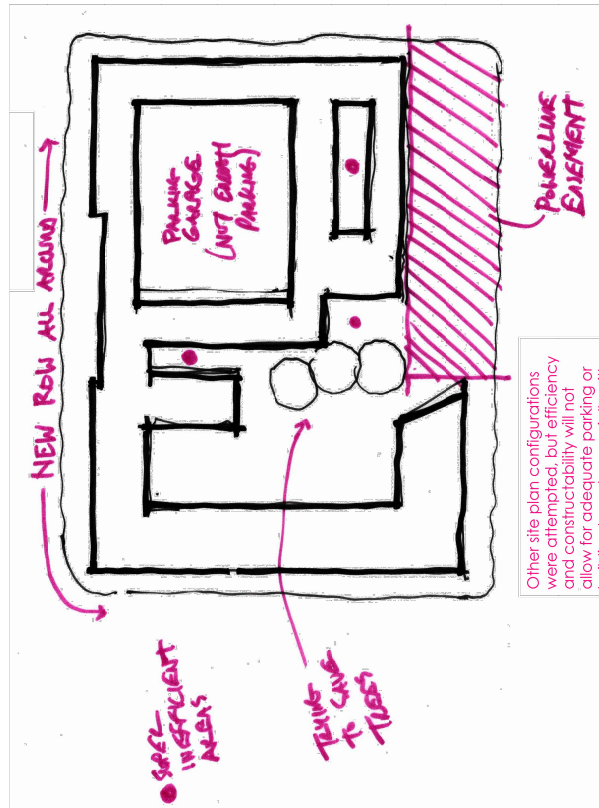
[illegible]

EXISTING CONDITIONS NOTES	
1.	EXISTING GRADE CHANGE FROM PROPERTY TO THE STREET GRADE. SEVERAL FEET OF CUT WILL BE REQUIRED TO ACHIEVE PROPOSED GRADE.
2.	EXISTING TREES ADJACENT TO THE PROPERTY WALLS ARE RECOMMENDED TO BE REMOVED DUE TO THE REQUIRED ELEVATION FOR THE REDEVELOPMENT OF THE PROPERTY.
3.	EXISTING TREES ADJACENT TO THE PROPERTY WALLS ARE RECOMMENDED TO BE REMOVED DUE TO THE REQUIRED ELEVATION FOR THE REDEVELOPMENT OF THE PROPERTY. PRESERVATION WOULD NOT BE CONDUCTIVE FOR THE REDEVELOPMENT OF THE PROPERTY. FURTHERMORE MANY TREES IN THIS AREA ARE OF LOWER VALUE, LANDSCAPE DATA.
LANDSCAPE DATA	
SITE: SOUL TRAILS	
86C2-Tree/canopy: fine sunny/semi	3% to 8% 500' / 100% of SITE

[illegible]

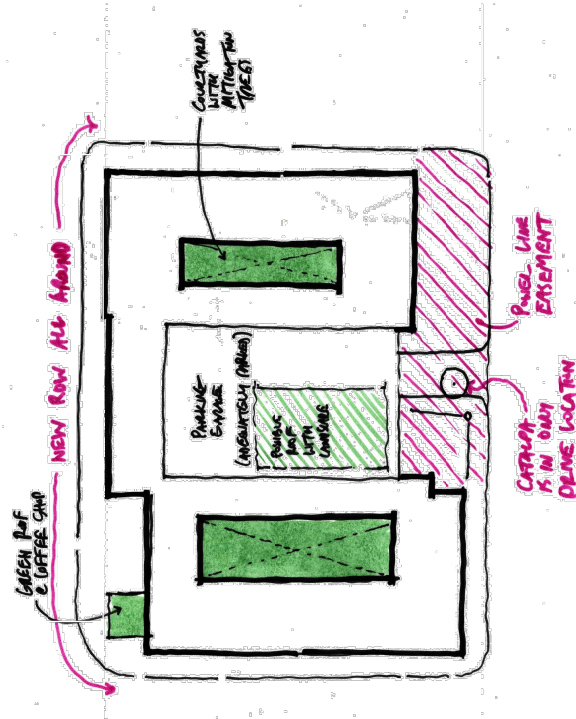


Existing trees at the NW corner are within the required ROW dedication and at elevated grades above new appropriate sidewalks



Other site plan configurations were attempted, but efficiency and constructability will not allow for adequate parking or building layout, especially with the added constraint of the large electrical easement on the south edge of the property.

The goal is to use a 'charm bracelet' of options to handle mitigation, including on-site mitigation, green buffers, and even areas of green roof.



Catalpa is growing out of concrete. This tree is desirable to save, but this is the only location for a drive due to the massive power poles. Also, the tree is within the utility easement.

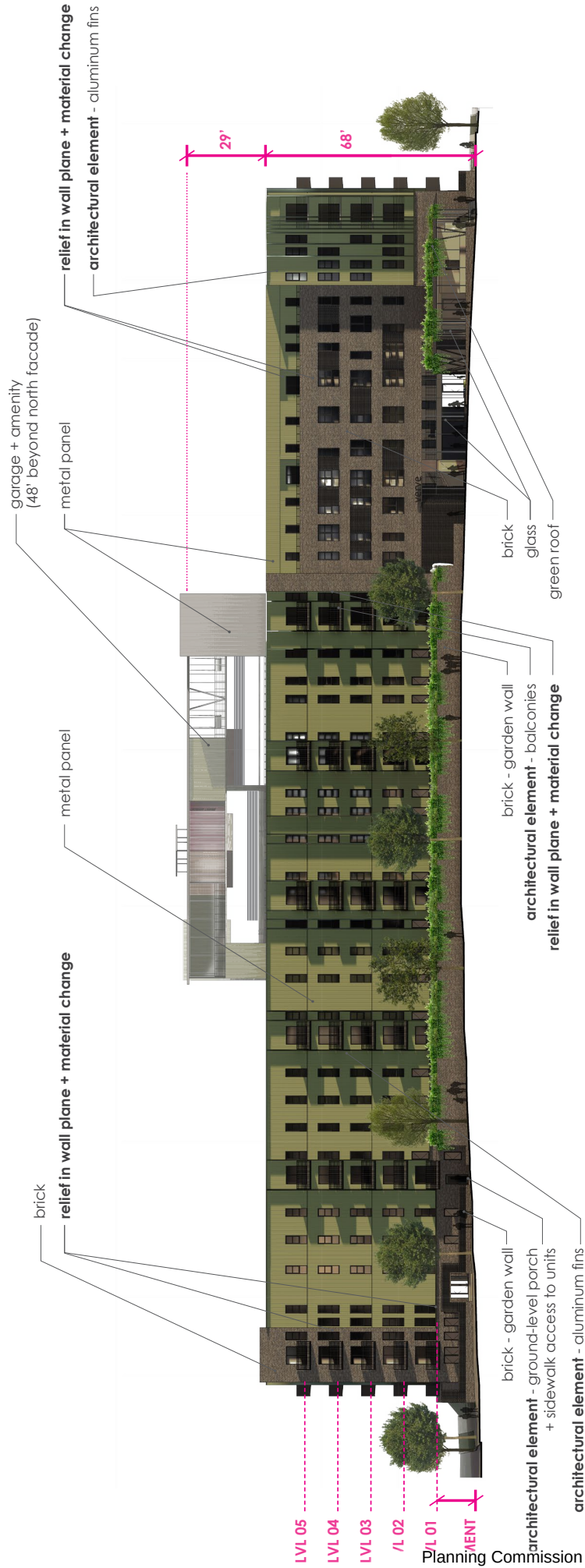
north elevation

MATERIAL LEGEND



INTERIOR COURTYARDS +
ACCENT LOCATIONS

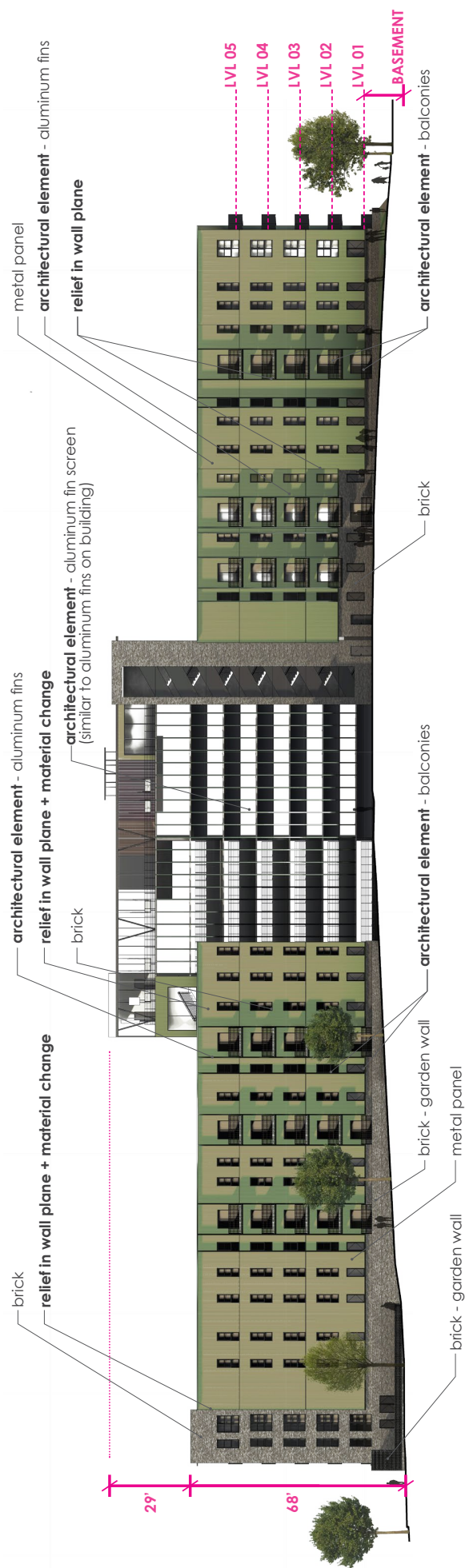
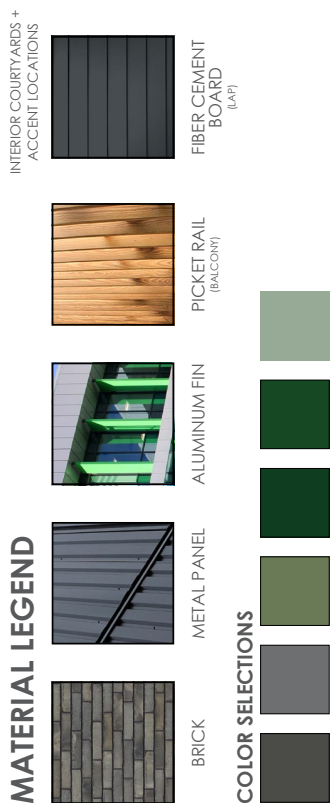
COLOR SELECTIONS



Verve Fayetteville : Large Scale Development - Submission #3 (2024.11.20)

south elevation

MATERIAL LEGEND



east elevation

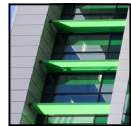
MATERIAL LEGEND



BRICK



METAL PANEL



ALUMINUM FIN



PICKET RAIL
(BALCONY)

INTERIOR COURTYARDS +
ACCENT LOCATIONS



FIBER CEMENT
BOARD
(LAP)

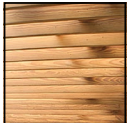
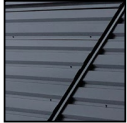
COLOR SELECTIONS



Verve Fayetteville : Large Scale Development - Submission #3 (2024.11.20)

west elevation

MATERIAL LEGEND



BRICK

METAL PANEL

ALUMINUM FIN

PICKET RAIL
(BALCONY)

FIBER CEMENT
BOARD
(LAP)

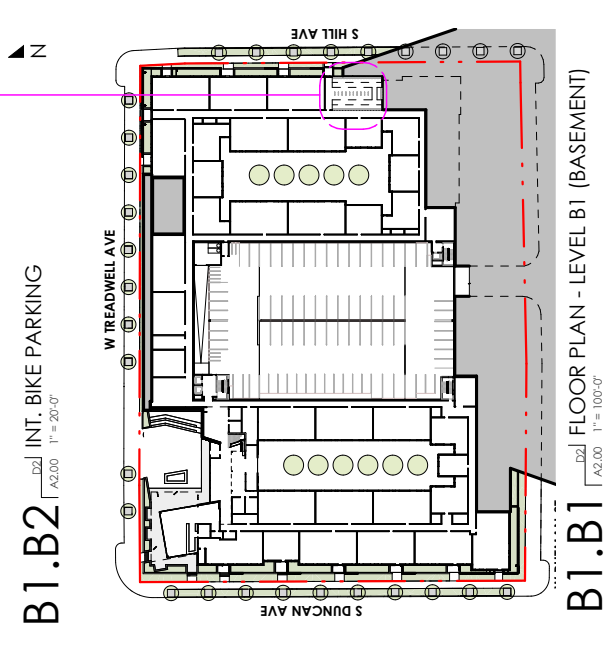
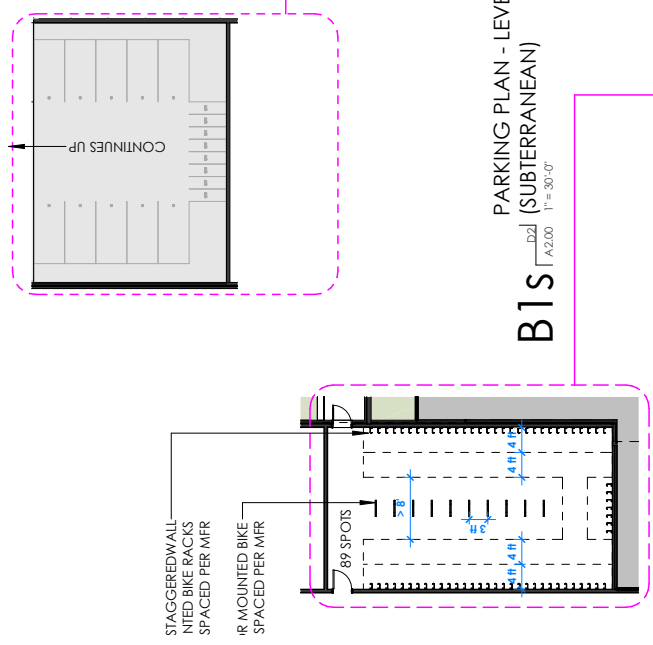
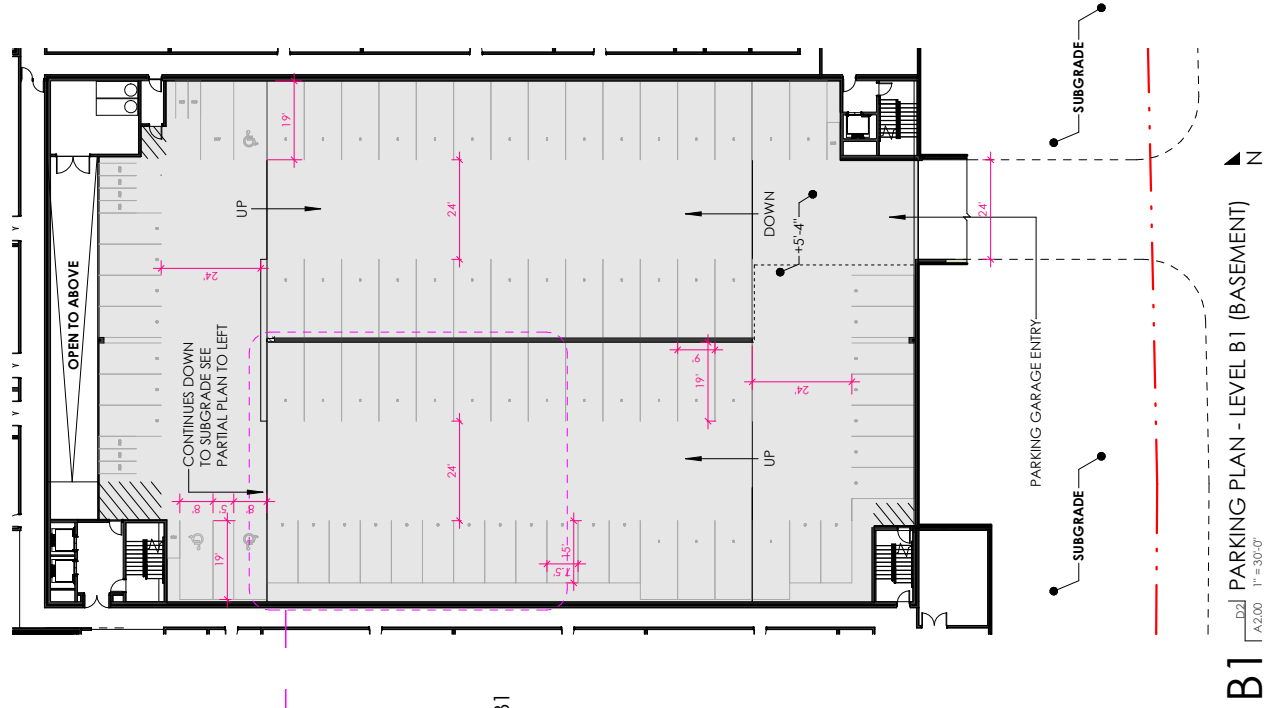
COLOR SELECTIONS



parking plans

PARKING SCHEDULE - TOTALS BY LEVEL AND TYPE

QTY	DESCRIPTION	WIDTH	DEPTH	PARKING LEVEL
LEVEL B1				
19	MOTORCYCLE / SCOOTER	3 ft	9 ft	LEVEL B1
38	COMPACT	7.5 ft	15 ft	LEVEL B1
45	STANDARD	9 ft	19 ft	LEVEL B1
2	ADA - TYPICAL	8 ft	19 ft	LEVEL B1
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55	STANDARD	9 ft	19 ft	LEVEL 01
2	ADA - TYPICAL	8 ft	19 ft	LEVEL 01
1	ADA - VAN	8 ft	19 ft	LEVEL 01
LEVEL 02				
10	MOTORCYCLE / SCOOTER	3 ft	9 ft	LEVEL 02
21	COMPACT	7.5 ft	15 ft	LEVEL 02
55	STANDARD	9 ft	19 ft	LEVEL 02
3	ADA - TYPICAL	8 ft	19 ft	LEVEL 02
LEVEL 03				
18	MOTORCYCLE / SCOOTER	3 ft	9 ft	LEVEL 03
21	COMPACT	7.5 ft	15 ft	LEVEL 03
54	STANDARD	9 ft	19 ft	LEVEL 03
2	ADA - TYPICAL	8 ft	19 ft	LEVEL 03
LEVEL 04				
17	MOTORCYCLE / SCOOTER	3 ft	9 ft	LEVEL 04
23	COMPACT	7.5 ft	15 ft	LEVEL 04
55	STANDARD	9 ft	19 ft	LEVEL 04
LEVEL 05				
17	MOTORCYCLE / SCOOTER	3 ft	9 ft	LEVEL 05
23	COMPACT	7.5 ft	15 ft	LEVEL 05
55	STANDARD	9 ft	19 ft	LEVEL 05
LEVEL 06				
17	MOTORCYCLE / SCOOTER	3 ft	9 ft	LEVEL 06
	COMPACT	7.5 ft	15 ft	LEVEL 06
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QTY	DESCRIPTION	WIDTH	DEPTH	ACCESS AISLE COMMENTS
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parking plans

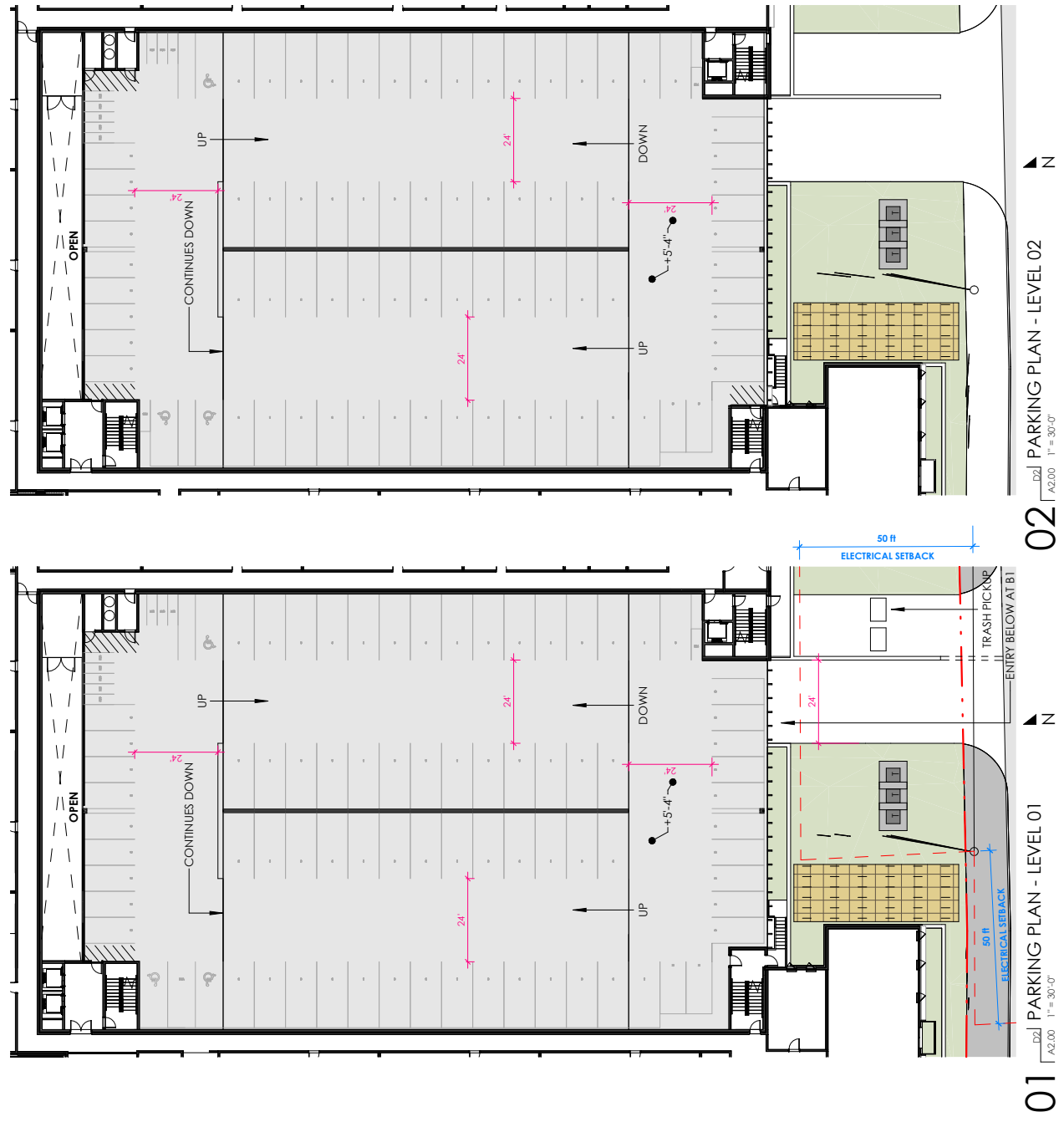
PARKING SCHEDULE - TOTALS BY LEVEL AND TYPE

QTY	DESCRIPTION	WIDTH	DEPTH	PARKING LEVEL
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PARKING SCHEDULE - TOTALS BY TYPE

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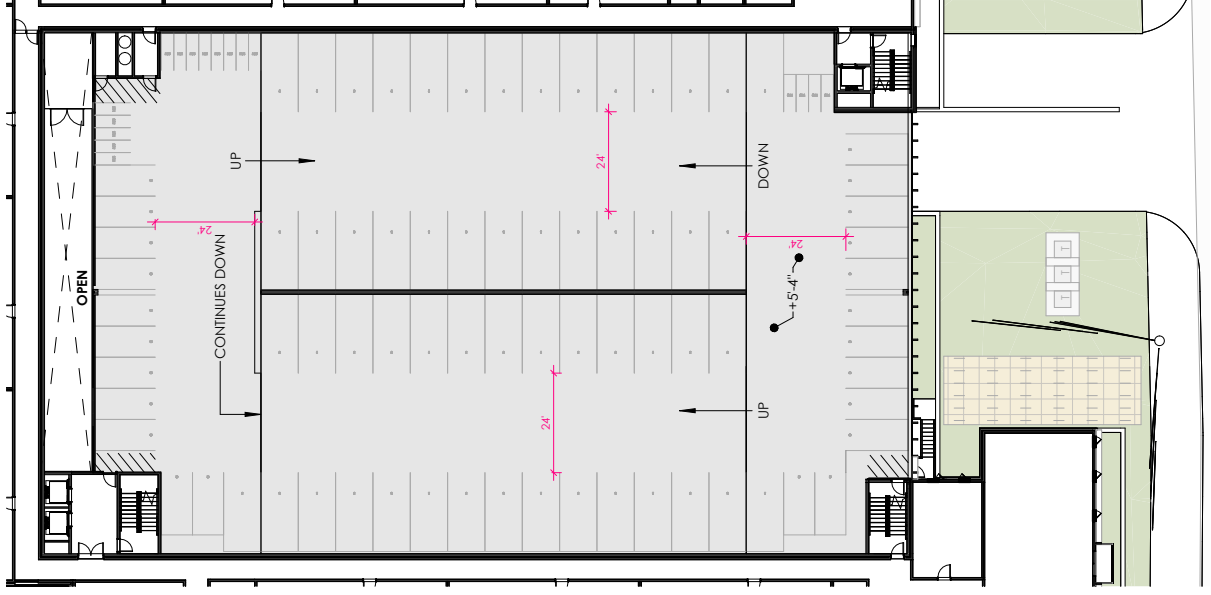
Planning Commission
January 13, 2025
LSD-2024-0029 (VERVE)Page 41 of 50



01 PARKING PLAN - LEVEL 01
02 PARKING PLAN - LEVEL 02
1" = 30'-0"

PARKING SCHEDULE - TOTALS BY LEVEL AND TYPE

QTY	DESCRIPTION	WIDTH	DEPTH	PARKING LEVEL
LEVEL 01				
19	MOTORCYCLE / SCOOTER	3 ft	9 ft	LEVEL 01
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LEVEL 05				
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23	COMPACT	7.5 ft	15 ft	LEVEL 05
55	STANDARD	9 ft	19 ft	LEVEL 05
LEVEL 06				
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23	COMPACT	7.5 ft	15 ft	LEVEL 06
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QTY	DESCRIPTION	WIDTH	DEPTH	ACCESS AISLE COMMENTS
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170	COMPACT	7.5 ft	15 ft	
348	STANDARD	9 ft	19 ft	
9	ADA - TYPICAL	8 ft	19 ft	5 ft
2	ADA - VAN	8 ft	19 ft	8 ft
8' ACCESS AISLE WHEN SHARED W/ ADA VAN				

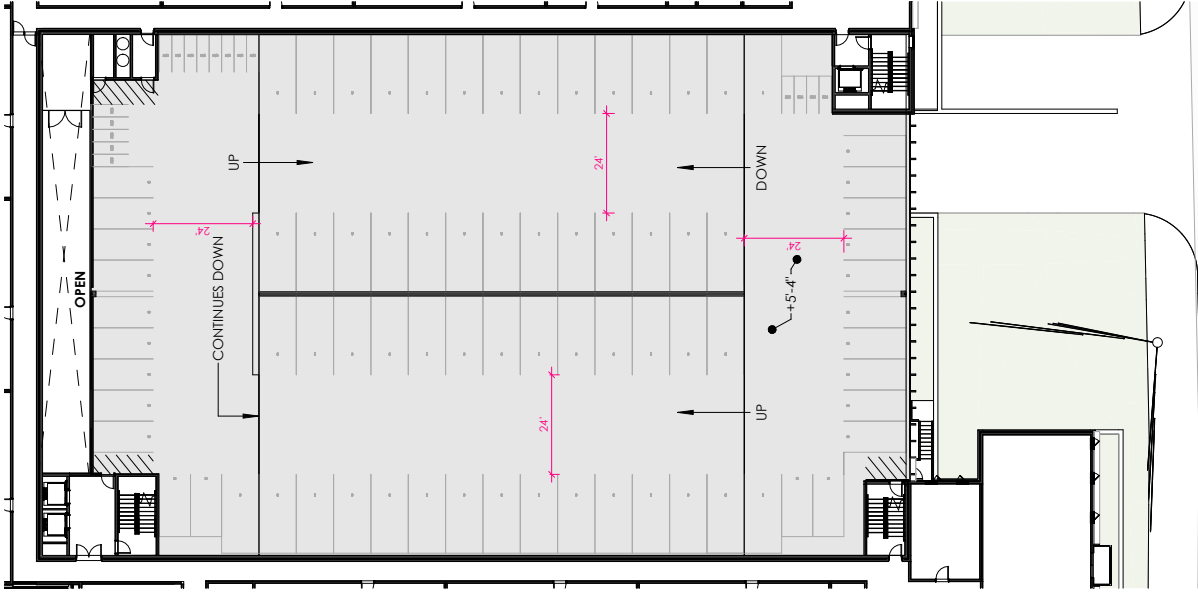
03 | D2 | PARKING PLAN - LEVEL 03
A2.00 1" = 30'-0"

04 D2 PARKING PLAN - LEVEL 04

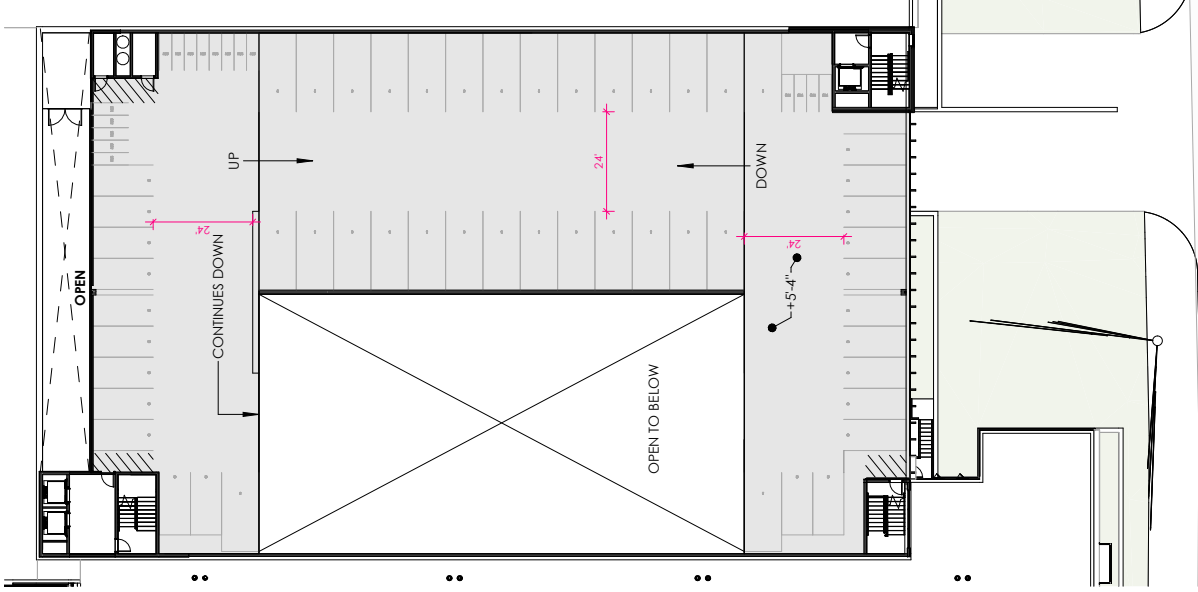
parking plans

PARKING SCHEDULE - TOTALS BY LEVEL AND TYPE

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05 PARKING PLAN - LEVEL 05



06 PARKING PLAN - LEVEL 06

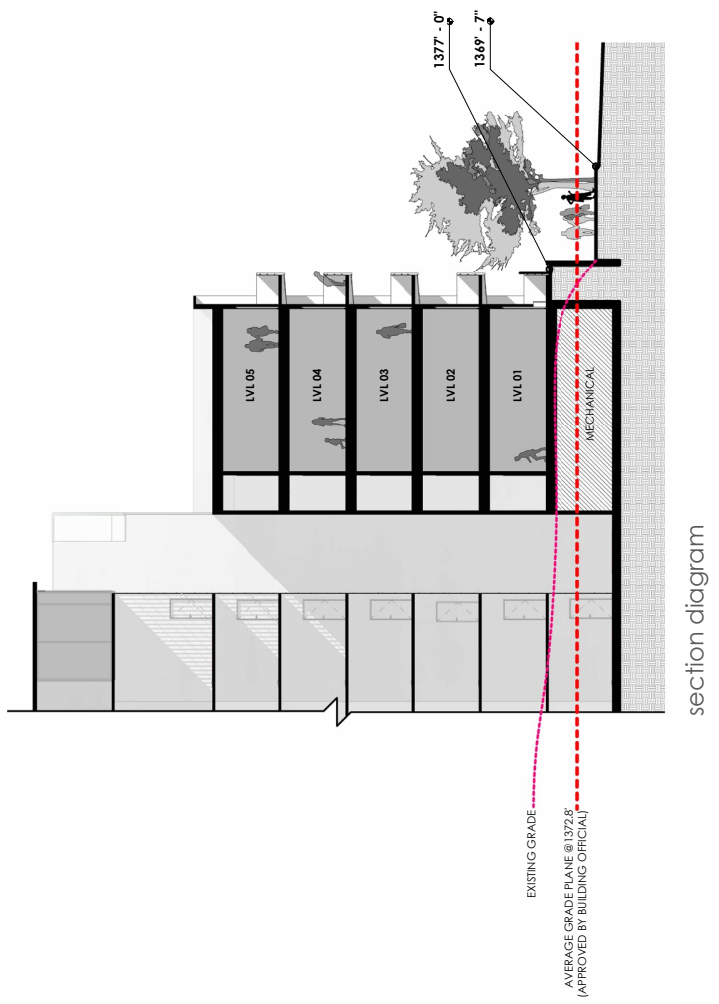
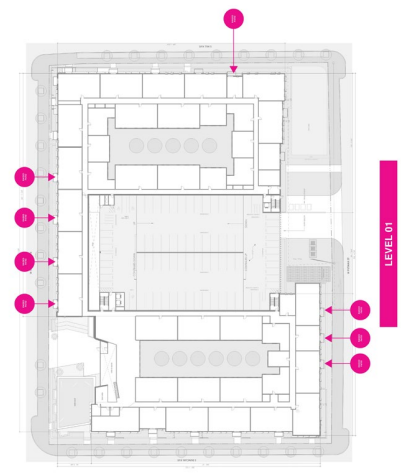
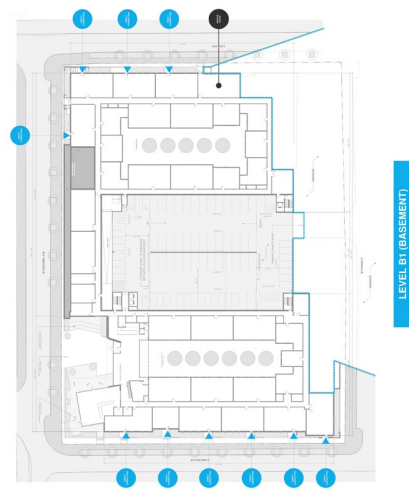
VARIANCE REQUEST : GROUND LEVEL DWELLING UNIT ENTRIES

This request is relative to a few of the "ground level" units located on the perimeter of the project. There are a total of (18) units that would be considered ground level per the Unified Development Code and therefore require a direct connection to the adjacent sidewalk.

We are able to provide the development code-required direct connection to **(10) dwelling units** as indicated on the diagram plans that easily provide this connection. Also, refer to rendering on page 7 for the typical street experience.

However, there are **(8) dwelling units** located around the block that due to existing grade, topography and our Grade Plane Determination as approved by the Building Official are not feasible or practical to provide the direct connection as a stoop. Refer to building section diagram to the right.

These ground level dwelling units that we are requesting a variance for are on average 7-8' above the sidewalk level. We are providing patios at these locations that are perched above the sidewalk, so there is still a strong visual connection to the urban way.



view of entry plaza looking south-east



view of unit entries along duncan ave



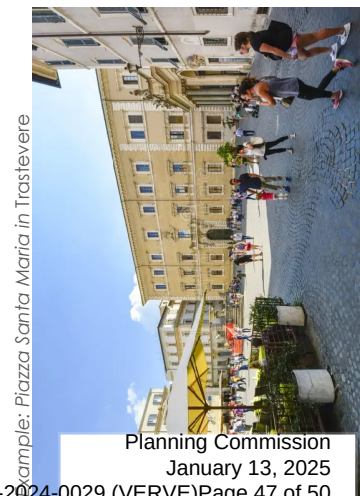
ROADWAY REQUEST : POTENTIAL FUTURE PIAZZA AT INTERSECTION

The overall planning goal is to develop a safer and more thoughtful intersection capable of handling pedestrians, bicycles, and autos all together in a piazza. This format would allow for a mixture of pavers, stamped concrete, bollards, lighting, etc. to create a unique experience at this location that would be akin to european examples that successfully accomplish this intermingling of modes of transportation and placemaking.

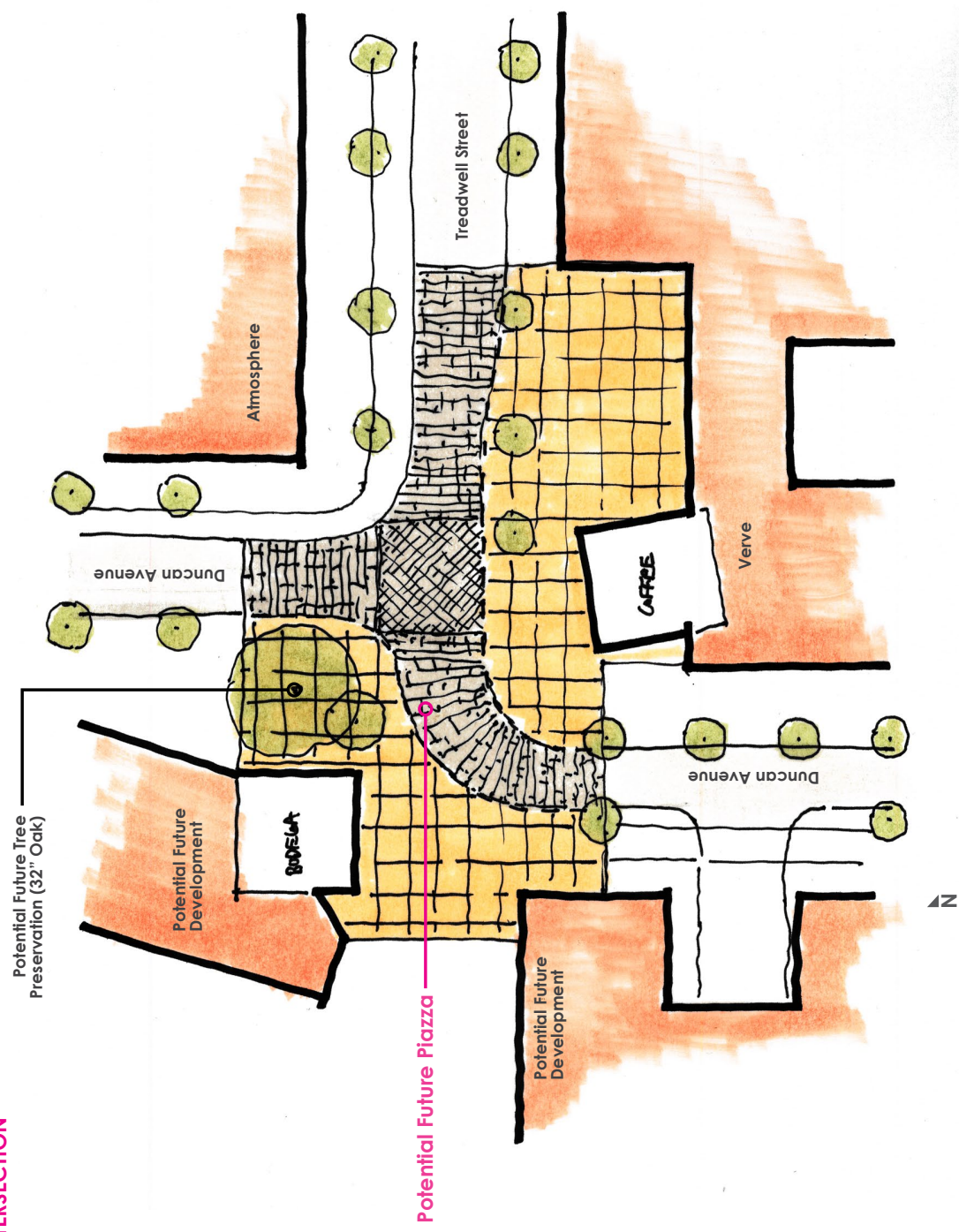
Our request is to not implement any roadway realignments at this time and to let the Verve project maintain the simple block geometry that exists. We do not favor any design or realignments that would speed up vehicles moving through the intersection as the total population of the neighborhood will be increasing and people will be moving toward the university in various modes of transportation.

In the near future, when the additional project to the west begins the design + development process, there is an opportunity to generate a more cohesive intersection design.

This concept, when realized, will generate a safer and more urban experience capable of handling the additional 1800+ students in the area.



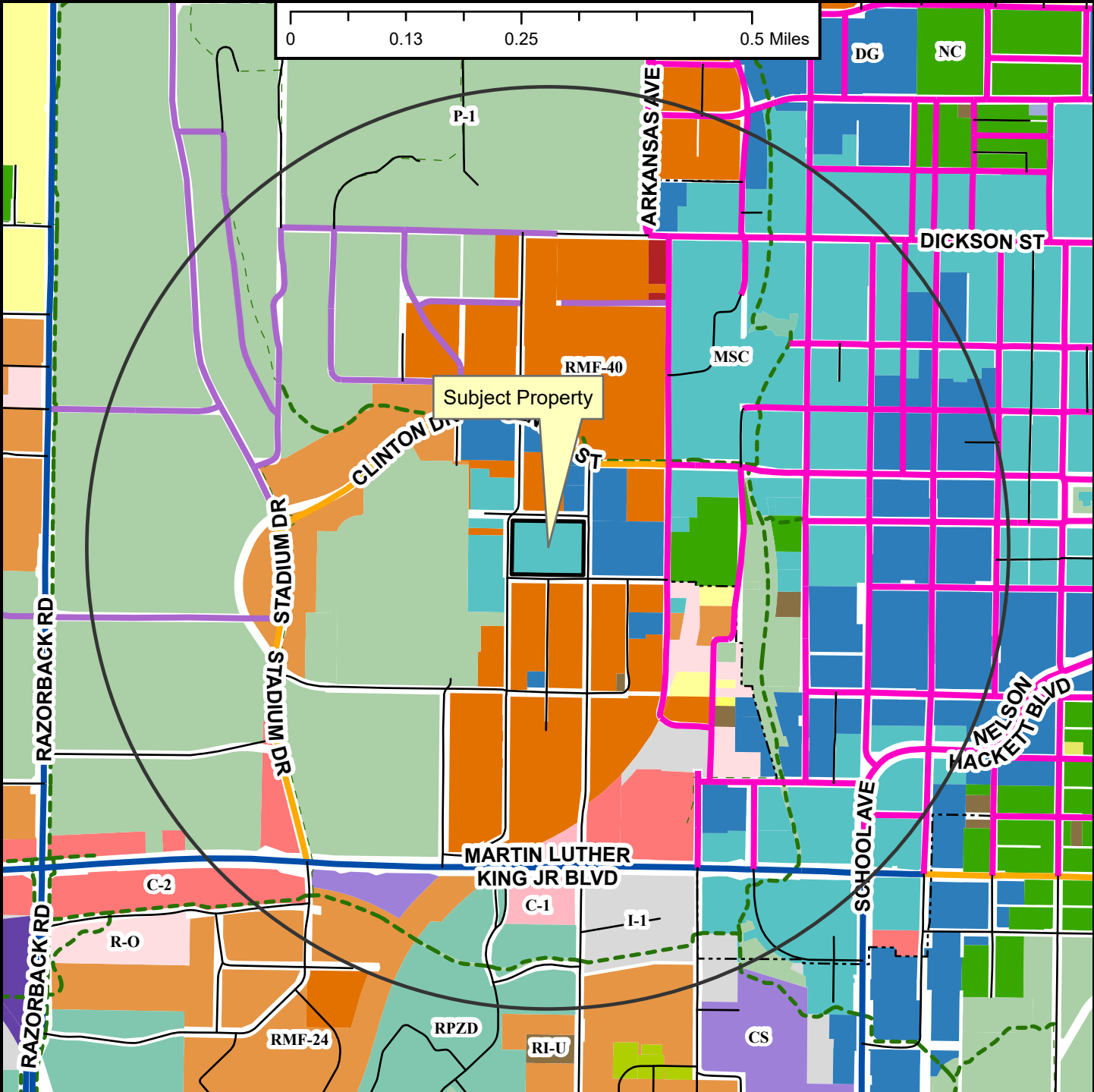
Example: Piazza Santa Maria in Trastevere



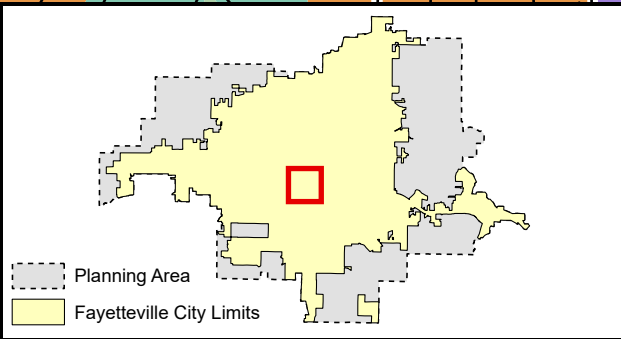
LSD-2024-0029
<i>One Mile View</i>

One Mile View

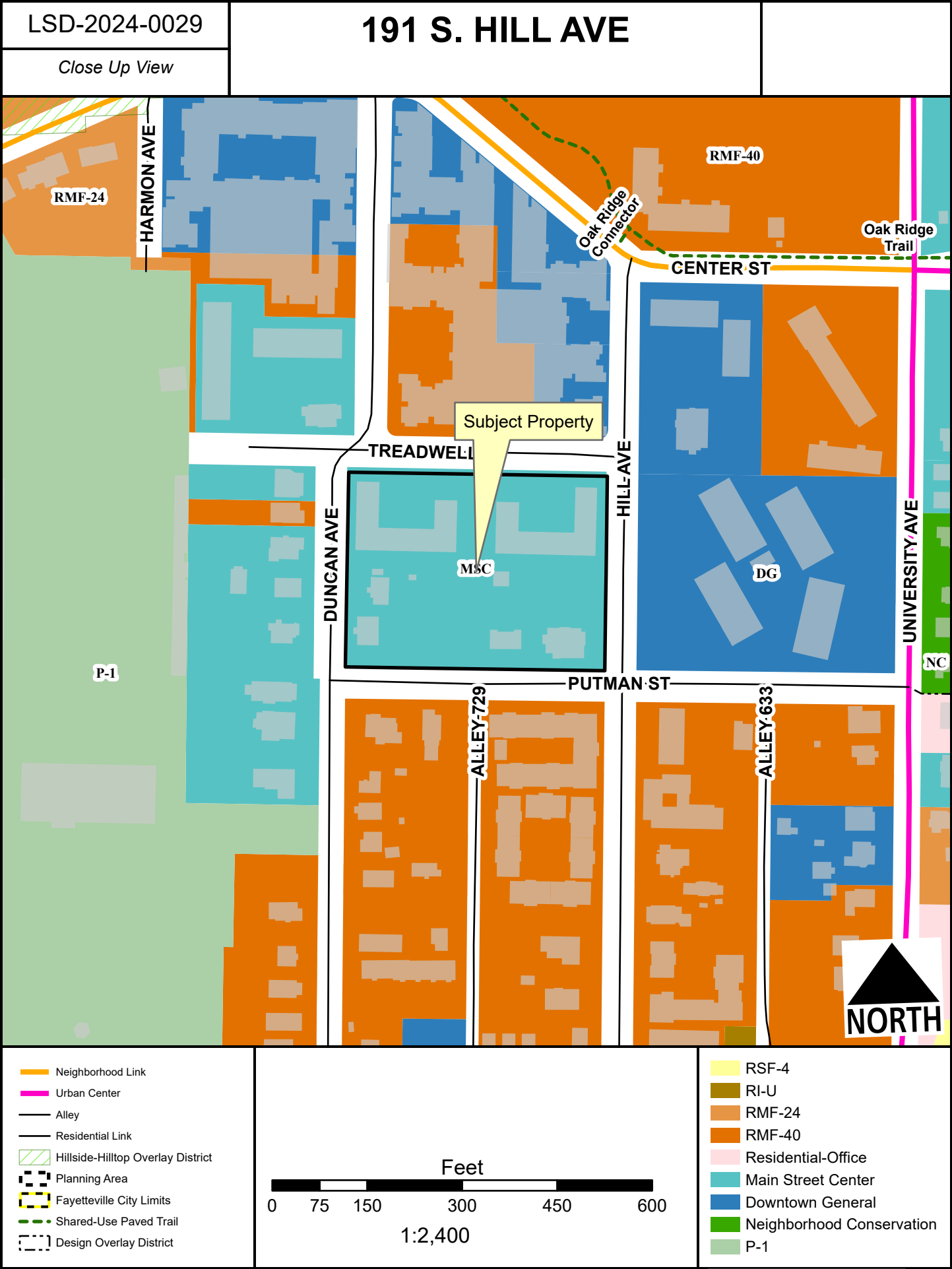
191 S. HILL AVE

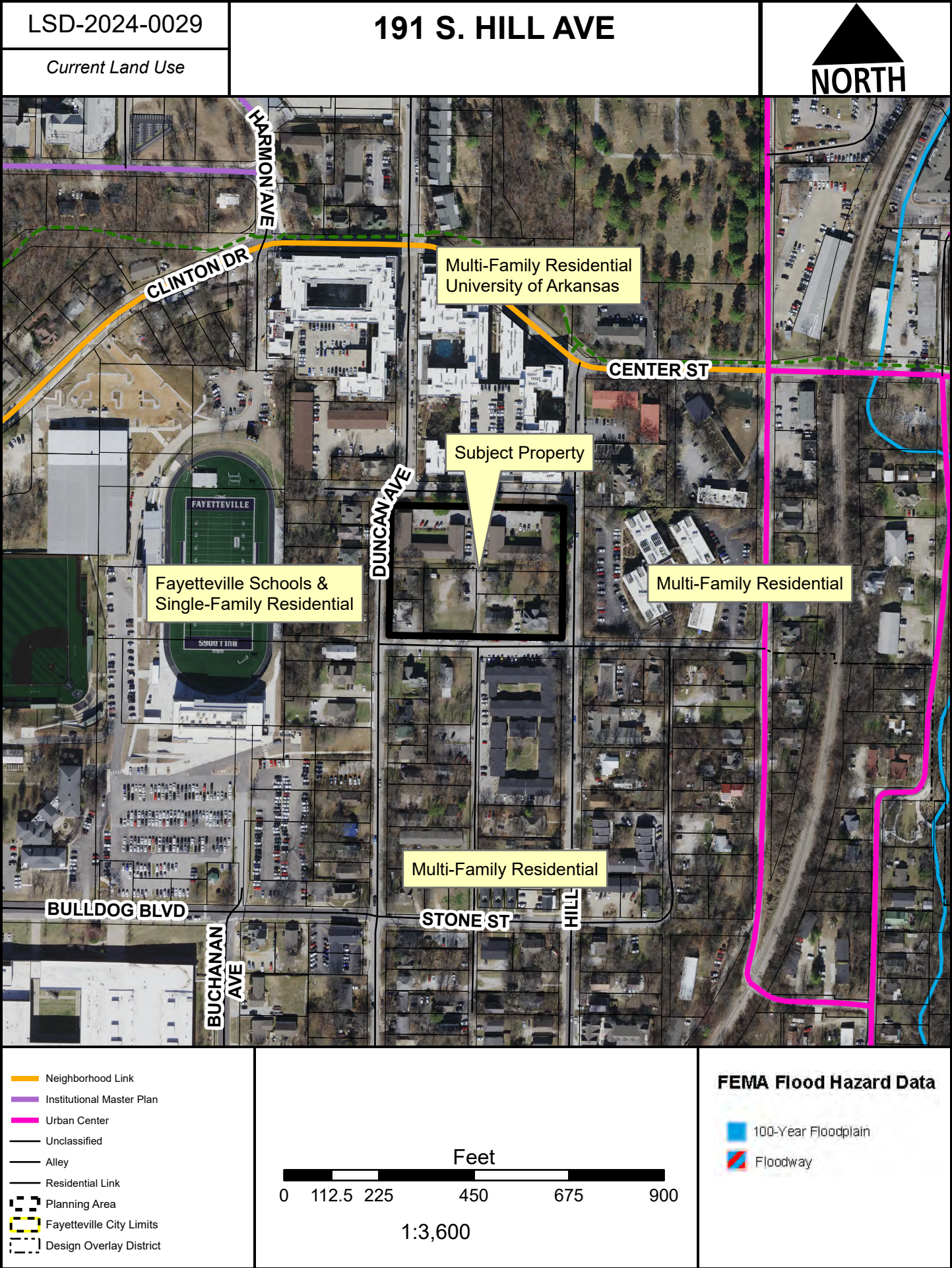


-  Neighborhood Link
 Institutional Master Plan
 Regional Link - High Activity
 Urban Center
 Unclassified
 Alley
 Residential Link
 Shared-Use Paved Trail
 Trail (Proposed)
 Design Overlay District
 Fayetteville City Limits
 Planning Area



-
- Zoning**
- 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 SINGLE-FAMILY**
- COMMERCIAL**
- I-2 General Industrial
 - EXTRACTION
 - E-1
 - Residential-Office
 - C-1
 - C-2
 - C-3
- FORM BASED DISTRICTS**
- Down Town Core
 - Urban Thoroughfare
 - Main Street Center
 - Downtown General
 - Community Services
 - Neighborhood Services
 - Neighborhood Conservation
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
- PLANNED ZONING DISTRICTS**
- Commercial, Industrial, Residential
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
- INSTITUTIONAL**
- P-1







TO: City of Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Wesley Frank, Planner

MEETING DATE: January 13, 2025

SUBJECT: **VAR-2024-0052: Planning Commission Variance (583 W 15th St/ LEGACY VENTURES, 601):** Submitted by BLEW & ASSOCIATES for property located at 583 W. 15TH ST. The property is zoned UC, URBAN CORRIDOR and contains approximately 2.70 acres. The request is for a variance to curb cut separation requirements.

RECOMMENDATION:

Staff recommends approval of **VAR-2024-0052**, based on the findings contained in this report.

RECOMMENDED MOTION:

*"I move to approve **VAR-2024-0052**, determining:*

- In favor of a variance to UDC §166.08(F)(2)(a), Curb Separation requirement and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located 0.16 miles west from the S. School Avenue and W. 15th Street intersection. The property totals approximately 2.70 acres and contains one commercial development and is zoned UC, Urban Corridor. Two warehouse buildings are under development on this property. A variance was approved at this property on June 24, 2024 (VAR-2024-0027) which provided variances for parking lot standards (51.64 foot wide drive aisle) and streamside protection requirements (commercial driveway within the Waterside and Management Zone). The property is located in the Enduring Green Network, the Fayette Junction Neighborhood, and the 71B Corridor Plan. Surrounding land uses and zoning are listed in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Church/Sing-Family Residential	RMF-24, Residential Multi-Family, 24 units per acre
South	Storage Facility	UC, Urban Corridor
East	Laundromat/Commercial/Undeveloped	MSC, Main Street Center
West	Undeveloped	CS, Community Services

Request: The applicant is requesting a variance from §166.08(F)(2)(a), which requires a 250-foot curb separation distance for nonresidential development along Regional Activity Link Streets. Under 166.08(G)(1)(d), existing non-conforming access feature are required to be brought into compliance with the addition of a new primary structure on the property. The applicant is requesting to maintain an existing separation distance of 169 feet.

Public Comment: Staff has received no public comment concerning this request.

DISCUSSION:

Staff recommends in favor of the applicant's request. There are physical limitations preventing the applicant from meeting the 250-foot requirement; the existing access to the site is nestled between an existing stream to the west, and an existing church property to the north of the proposed warehouse. The existing access and surrounding developments have existed since 1967. There does not appear to be a feasible alternative to separating the driveway further, while maintaining the applicant's constitutional right to access. Staff finds that the proposed use of a warehouse would not generate enough additional traffic to the site to warrant or create any potential additional traffic hazard, so does not recommend any additional limitation to the existing access point in association with this variance request.

RECOMMENDATION: Staff recommends approval of **VAR-2024-0052** with the following conditions of approval:

Conditions of Approval:

1. **Planning Commission determination of a variance to UDC §166.08(F)(2)(a), Access Management.** *Staff recommends approval of this variance for the reasons stated above.*
2. Approval of this item does not constitute approval of any associated permits. Review and approval of associated permits shall be required in accordance with city code.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>January 13, 2025</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

Attachments:

- Unified Development Code
 - §166.08, Street Design And Access Management Standards
- Applicant Request Letter
- Proposed variance request exhibit
- One Mile Map
- Close Up Map
- Current Land Use Map

166.08 Street Design And Access Management Standards

- (A) *Intent.* These standards are intended to ensure that development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movements.
- (B) *Fitness for Development.* Based on topographic maps, soil surveys prepared by the Department of Agriculture and drainage information from the Future Land Use Plan and the Hillside/Hilltop Overlay District, the Planning Commission may require that steep grades, unstable soil and flood plains be set aside and not subdivided until corrections are made to protect life, health, and property.
- (C) *Applicability.* The standards set forth herein shall apply to land which is proposed to be developed with new primary structures and all other developments where the creation of public streets are required, or proposed, or in which new or existing access is created or modified; or developments or expansions containing non-conforming access features which meet the thresholds set forth in subsection (G).
- (D) *Street Design Principles.*
 - (1) *Extensions.* All street extensions shall be constructed to minimum street standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such.
 - (2) *Substandard Widths.* Developments that adjoin existing streets shall dedicate additional right-of-way to meet the Master Street Plan.
 - (3) *Street Names.* Names of streets shall be consistent with natural alignment and extensions of existing streets, and new street names shall not duplicate or be similar to existing street names. Developers shall coordinate the naming of new streets through the GIS Office during the plat review process.
 - (4) *Pedestrian.* Pedestrian-vehicular conflict points should be controlled through signalized intersections and proven traffic calming design principles.
 - (5) *Street Standards.* All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted minimum street standards.
- (E) *Block Layout/Connectivity.*
 - (1) *Block Length.* Block lengths and street intersections are directly tied to the functional hierarchy of the street pattern that exists or is proposed.
 - (a) *Regional and Regional High Activity Links.* Signalized intersections should be located at a minimum of one (1) every 2,640 feet (half a mile) along regional links and should be based on traffic warrants.
 - (b) *Neighborhood Links.* Intersections should be located at a minimum of one (1) every 1,320 feet (quarter of a mile) along neighborhood links.
 - (c) *Residential Link and Downtown/Urban Street.* Intersections shall occur at a minimum of one (1) every 660 feet.
 - (d) *Variances.* Block length standards may be varied by the Planning Commission when terrain, topographical features, existing barriers or streets, size or shape of the lot, or other unusual conditions justify a departure.
 - (2) With the exception of corner lots, double-street frontage lots are prohibited except where such lots front on access restricted roadways such as expressways. Alleys are not considered as frontage. Double frontage lots may be permitted by the Planning Commission for topographical problems, feasibility issues relating to the parcel's dimensions, or other good cause which must be established and proven by the developer. The Planning Commission may impose additional landscape requirements along the back of such double-frontage lots. Unless otherwise approved by the Planning Commission, all primary structures shall be oriented toward the higher functional classification street.

- (3) *Connectivity.* Wherever a proposed development abuts undeveloped land, street stub-outs shall be provided as deemed necessary by the Planning Commission to abutting properties or to logically extend the street system.
 - (4) *Topography.* Local streets should be designed to relate to the existing topography and minimize the disturbance zone.
 - (5) *Dead-End Streets.* Dead end streets are discouraged and should only be used in situations where they are needed for design and development efficiency, reduction of necessary street paving, or where proximity to floodplains, creeks, difficult topography or existing barriers warrant their use. All dead end streets shall end in a cul-de-sac with a radius of 50 feet, or an alternative design approved by the city and the Fire Department. The maximum length of a dead end street (without a street stub-out) shall be 500 feet.
- (F) *Access Management.* Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Residential link streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification, e.g., residential and neighborhood links. In a case where the streets have the same classification, access shall be from the lower volume street, or as determined by the City Engineer.
- (1) *Curb Cut Separation.* For purposes of determining curb cut or street access separation, the separation distance shall be measured along the curb line from the edge of curb cut to the edge of curb cut/intersection. The measurement begins at the point where the curb cut and intersecting street create a right angle, i.e., the intersection of lines drawn from the face-of-curb to face-of-curb. The measurement ends at the point along the street where the closest curb cut or street intersection occurs; again, measured to the point where the curb cut or intersecting streets create a right angle at the intersection of face-of-curb. In all cases curb cuts shall be a minimum of 5 feet from the adjoining property line, unless shared.
 - (2) Separation for two (2) family, three (3) and four (4) family, multi-family and nonresidential development.
 - (a) *Regional and Regional High Activity Links.* Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When necessary, curb cuts along regional links shall be shared between two (2) or more lots. Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway.
 - (b) *Neighborhood Links.* Curb cuts shall be located a minimum of 100 feet from an intersection or driveway. When necessary, curb cuts along neighborhood links shall be shared between two (2) or more lots.
 - (c) *Residential Links.* Curb cuts shall be located a minimum of 50 feet from an intersection or driveway. In no case shall a curb cut be located within the radius return of an adjacent curb cut or intersection.
 - (3) *Separation for Single-Family Homes.*
 - (a) For all street classifications, curb cuts shall be located a minimum of 10 feet from another driveway. Driveways serving corner lots shall be located as far from the street intersection as possible while still meeting a 5-foot separation from an adjoining property line. In no case shall a curb cut be located within the radius of an adjacent curb cut or street intersection.
 - (b) *Regional and Neighborhood Links.* Individual curb cuts along regional and neighborhood link streets shall be discouraged. When necessary, curb cuts along regional and neighborhood link streets shall be shared between two (2) or more lots.
 - (4) *Reduction in Separation Distance.* In order to protect the ingress and egress access rights to a street of an abutting property owner, the City Engineer may reduce the separation distance of existing and proposed access points where strict compliance proves impractical, provided that joint access

driveways and cross access easements are provided wherever feasible, and the ingress/egress curb cut is placed at the safest functional location along the property.

(5) *Speed.* All streets should be designed to discourage excessive speeds.

(G) *Non-Conforming Access Features.*

(1) *Existing.* Permitted access connections in place on the date of the adoption of this ordinance that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with the applicable standards under the following conditions:

- (a) When new access connection permits are requested;
- (b) Upon expansion greater than 50% of the property's appraised or market value as established by the Washington County Assessor; or
- (c) As roadway improvements allow.
- (d) With development of a new primary structure on the property.

(H) *Easements.* Utility and drainage easements shall be located along lot lines and/or street right-of-way where necessary to provide for utility lines and drainage. The Planning Commission may require larger easements for major utility lines, unusual terrain or drainage problems.



Surveying | Engineering
Environmental

November 15, 2024

City of Fayetteville
125 W. Mountain Street
Fayetteville, AR 72703

SUBJECT: Design Variance - GRD-2024-0029

To Whom It May Concern:

The property owner / developer for the proposed SoFay Warehouse at 583 W 15th St, per Grading Permit # GRD-2024-0029, is requesting a design variance. The variance pertains to driveway separation distance.

166.08(F) Street Design and Access Management Standards – Curb Cut Separation

Variance Request & Hardship:

Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway. In the Case of the SoFay Warehouse, the limited frontage onto 15th Street is not feasible for this development to provide the separation of 250 feet. The existing and proposed driveway entry is located approximately 169 feet East to the nearest driveway entrance of the neighboring church. There is not another option for point of access, nor would a shared drive be feasible.

Thank you for your consideration.

Sincerely,

Lee Stewart
Blew & Associates, P.A.



479-443-4506



blewinc.com



Planning Commission
1025 S. Prairie Hills Pkwy
Rogers, Arkansas 72758
January 15, 2025

VAR-2024-0052 (LEGACY VENTURES)

Page 6 of 10

Description







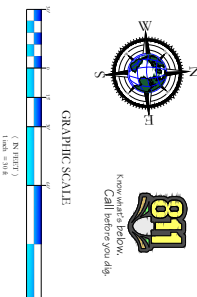

Cast Iron Pipe for Line Sinks
 Gate Valve
 Fire Hydrant & Assembly
 Water Meter - Single
 Water Meter - Double
 Sanitary Sewer Manhole
 Utility Pole
 Light Pole

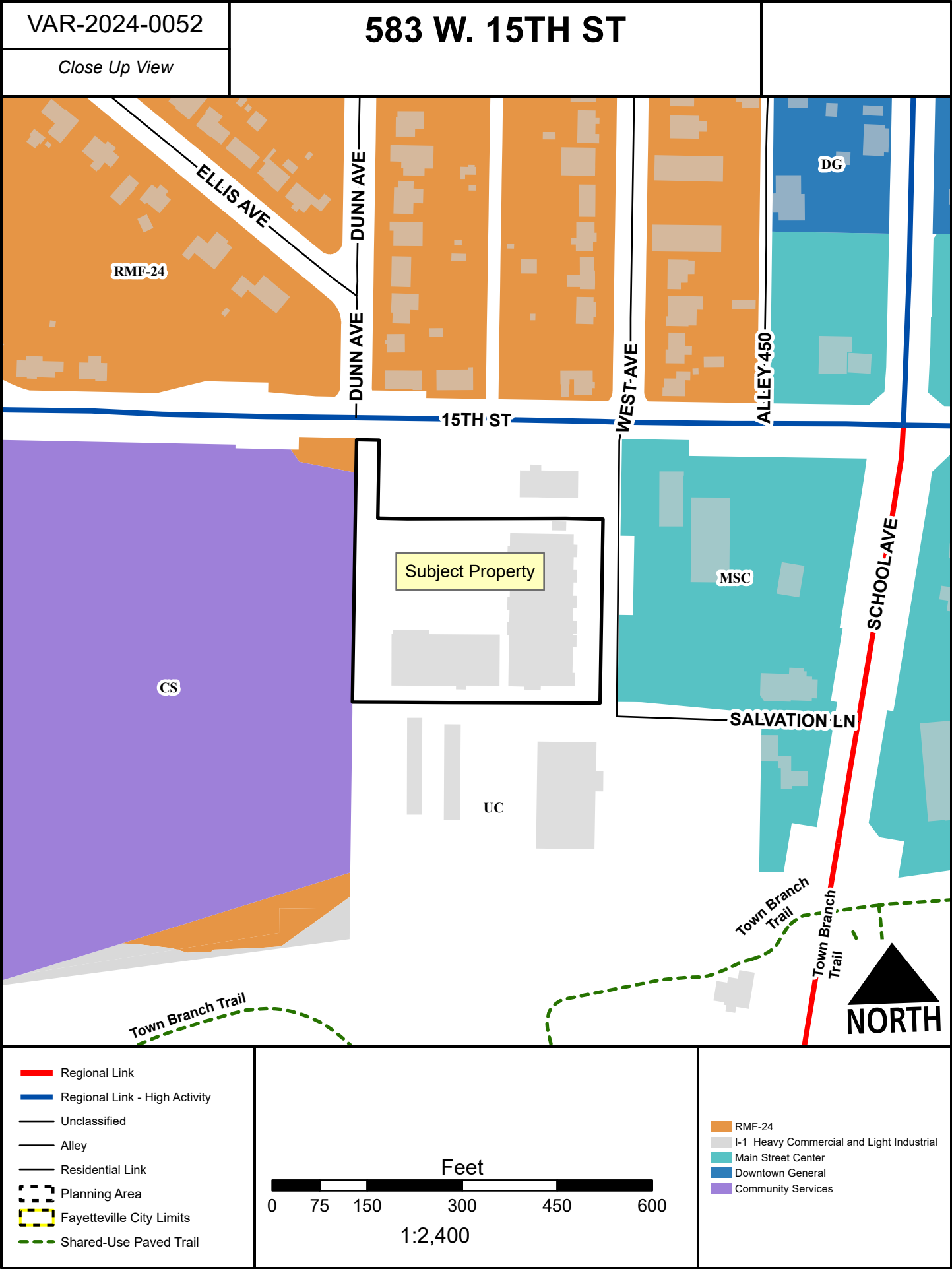
Total Paved Area:	39,234.92 sf
Removed	24,590.47 sf
Proposed	23,433.00 sf
Total Gravel Area:	0.00 sf
Removed	8,523.12 sf
Proposed	3,446.67 sf

Comments: Accessing C/OVE Comments: All Parking Meter Comments: All Spaces Make Standard Spaces Provided: ADA Spaces Required: ADA Spaces Provided: TOTAL PARKING PROVIDED: Other Needs Required:	1 space/
---	-----------------

the Mac/Com

Fiction Legend





VAR-2024-0052

583 W. 15TH ST

Current Land Use



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner
Willa Thomason, Urban Forester

MEETING DATE: January 13, 2025

SUBJECT: **VAR-2024-0053: Planning Commission Variance (1893 E. PANORAMA PL./NAZAR LLC, 370):** Submitted by ODYSSEY ENGINEERING LLC for property located on E. PANORAMA PL. & N. GREENVIEW DR. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.97 acres. The request is for a variance to master street plan standards.

RECOMMENDATION:

Staff recommends approval of **VAR-2024-0053** based on the findings herein.

RECOMMENDED MOTION:

*"I move to approve **VAR-2024-0053**, determining:*

- In favor of a variance to UDC §166.11(A) and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located in northeast Fayetteville about 400 feet south of Mission Boulevard at the southeast corner of Panorama Place and Greenview Drive. The property is zoned NC, Neighborhood Conservation, is undeveloped, and contains approximately 0.97 acres. A portion of the property lies within the Hillside/Hilltop Overlay District. The property was subdivided into four residential lots through a concurrent plat last year (CCP-2024-0007). 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 Undeveloped	NC, Neighborhood Conservation
South	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
East	Undeveloped	RSF-4, Residential Single-Family, Four Units per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre

DISCUSSION:

Request: The applicant is requesting one variance from the Unified Development Code in association with planned residential development. The variance is described further below alongside staff's recommendations:

- **UDC §166.11(A), Conformance to Plans and Regulations.** All projects shall conform to the official plans and regulations that make up the City's Master Street Plan. The applicant is requesting to vary from the standard regulations for a Residential Link Street, which include six-foot sidewalk and six-foot greenspace, to install a six-foot sidewalk at the back of curb along a portion of the property's Panorama Place frontage.
 - *Staff recommendation: Staff supports the applicant's request to place the sidewalk at the back of curb along Lots 3 and 4. The applicant has explained that the existing curb along Panorama is located 14 feet from the edge of the right-of-way, and the City's Unified Development Code requires a maximum 2% grade from the curb to the back of the sidewalk. Due to the steepness of the property, the build-to zone requirement tied to the underlying zoning, and an existing drainage easement which runs through the center of the site, the applicant has asserted that it would not be feasible to achieve the required driveway slope with the sidewalk located at the back of the right-of-way, in line with the typical Master Street Plan requirements. Staff is supportive of the applicant's request for a variance, since installing the sidewalk at the back of curb would allow the driveways serving Lots 3 and 4 to have a practical and achievable slope. However, staff recommends that the sidewalk be widened to 6.5 feet to comply with the shy distance requirements outlined in UDC §171.14(A)(2). Staff also recommends that street trees be planted within the lots, south of existing utility and drainage easements.*

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

RECOMMENDATION: Staff recommends approval of VAR-2024-0053 with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of a variance to UDC §166.11, Conformance to Plans and Regulations.** *Staff recommend approval of this variance for the reasons stated above, with the following conditions:*
 - a. The width of the sidewalk at the back of curb should be 6.5 feet to align with UDC §171.14(A)(2).
 - b. The required street trees along Panorama Place should be planted within the lots, south of the existing utility and drainage easements.
2. Approval of this item does not constitute approval of any associated permits. Review and approval of associated permits shall be required in accordance with city code.

Planning Commission Action: ☐ Approved ☐ Tabled ☐ Denied
Meeting Date: <u>January 13, 2025</u>
Motion:
Second:
Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code:
 - §166.11, Conformance To Plans And Regulations
 - Urban Forestry Memo
 - Applicant Request Letter
 - Applicant Exhibit
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
-

166.11 Conformance To Plans And Regulations

- (A) *Conform to Plans and Regulations.* The subdivision shall conform to the official plans and regulations that make up the Comprehensive Land Use Plan including the Future Land Use Plan, the Master Street Plan, access control, setback ordinances, the Community Facilities Plan and Zoning, Chapters 160 through 164.
- (B) *Reserve Sites for Public Use.*
- (1) For a period of six (6) months after submitting application for approval of a preliminary plat with the Planning Commission, the Planning Commission may require the subdivider to reserve sites for public use that are indicated within the boundaries of the proposed subdivision which are indicated on an officially adopted plan, to permit the public board, commission, or body having jurisdiction, or financial responsibility, the opportunity to acquire said sites.
 - (2) The subdivider at his or her option may provide such areas or may be required to make them available for acquisition by the city under statutory procedure. All such areas shall be maintained at the expense of the city or other body which may be involved.
- (C) *Future Acquisition.* The Planning Commission may require the subdivider to establish building lines to allow for future acquisition of right-of-way for streets on the Master Street Plan.

(Code 1965, App. A., Art. 8(10.1); Ord. No. 1747, 6-29-70; Ord. No. 3073, 3-19-86; Code 1991, §160.119; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4919; 9-05-06; Ord. No. 6350, §5(Ex. D), 8-18-20)



Planning Commission Memo

TO: Fayetteville Planning Commission

THRU: Gretchen Harrison, Planner

FROM: Willa Thomason, Urban Forester

MEETING DATE: January 13, 2025

SUBJECT: **VAR-2024-0053: Variance (1893 E Panorama Pl.)** Submitted by ODYSSEY ENGINEERING LLC for property located on E. PANORAMA PL & N. GREENVIEW DR. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.97 acres. The request is for a variance to the master street plan standards – residential link. PP 370.

RECOMMENDATION:

Urban Forestry Staff recommends approval of VAR-2022-0053 which would allow the property owner to eliminate the required 6' strip of greenspace between the curb and the sidewalk along the Northern property line adjacent E Panorama Pl. Per Chapter 177.05(A)(2)(a) of the UDC, Street Tree Planting Requirements, "Street trees are intended to be planted in a greenspace strip between the curb and sidewalk or in urban tree wells in accordance with the Master Street Plan." This is in an area with difficult site design constraints due to the steepness of grade on the property, hence Staff supports the variance on the condition that the required street trees along E Panorama Pl be planted within the lots, south of the existing utility and drainage easements.

BACKGROUND:

The applicant has indicated the steepness of grade on the property, the build-to zone, and the location of existing drainage easements preclude achievement of the required 2% maximum slope from the back of sidewalk to the top of the curb. The applicant has also indicated that these conditions will prevent them from achieving the appropriate driveway slope on the property. Considering these hardships, staff recommends that the required street trees along E Panorama Pl be planted in the interior of each lot, just south of the existing utility and drainage easements.

December 4, 2024

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

RE: Panorama Single Family Houses Lots 1-4

City of Fayetteville Planning Staff:

The property owner, Nazar Development LLC, is intending to build a single-family housing (Parcel No. 765-13373-002).

Before our design work for the building permits on lot 1-4 are complete , we would like to request one variance on the property so that the driveways are at feasible and achievable slopes.

1.) Variance from Master street plan standards- Residential Link

Nazar Development recently purchased a property and split it into four tracts via Concurrent plan, that was approved by planning commission. We are now in the process of designing houses for lots 3 and 4. We are requesting that the 6' greenspace between the curb and the sidewalk be reduced to 0' so that the sidewalk sits on the existing curb. The right of way has already been dedicated per the MSP standards and everything else will remain the same, other than the sidewalk moving 6' closer to the road. This is exactly how the sidewalk was built on the opposite side of the road with two houses that were built in 2021.

The purpose of this request is that the existing curb is 14' away from the ROW line, and The UDC required a 2% maximum grade from the curb to the back of the sidewalk. Due to the steepness of grade on the property, the build to zone, and the existing drainage easements running through the middle of the property, it is impossible to achieve the appropriate driveway slope with the sidewalk being pushed so far back into the Right of way line. Ideally, the middle of the property would be cut down significantly so that we could achieve an appropriate Finished Floor elevation that would se a reasonable slope from the Curb into the Garage, However the existence of the drainage easement shuts down that possibility.



479.480.3330



facebook.com/odysseyynwa



117 Parkwood St., Suite 101, Fayetteville, AR 72701

Planning Commission
January 13, 2025
VAR-2024-0053 (NAZAR DEVELOPMENT LLC)Page 5 of 10



ODYSSEY ENGINEERING

Should you have any questions regarding this submittal, please contact us at **479-480-3330** or **jchavis@odysseynwa.com**. We appreciate your time and review of this project and look forward to hearing from you.

Respectfully,

Jake Chavis
Project Engineer



479.480.3330

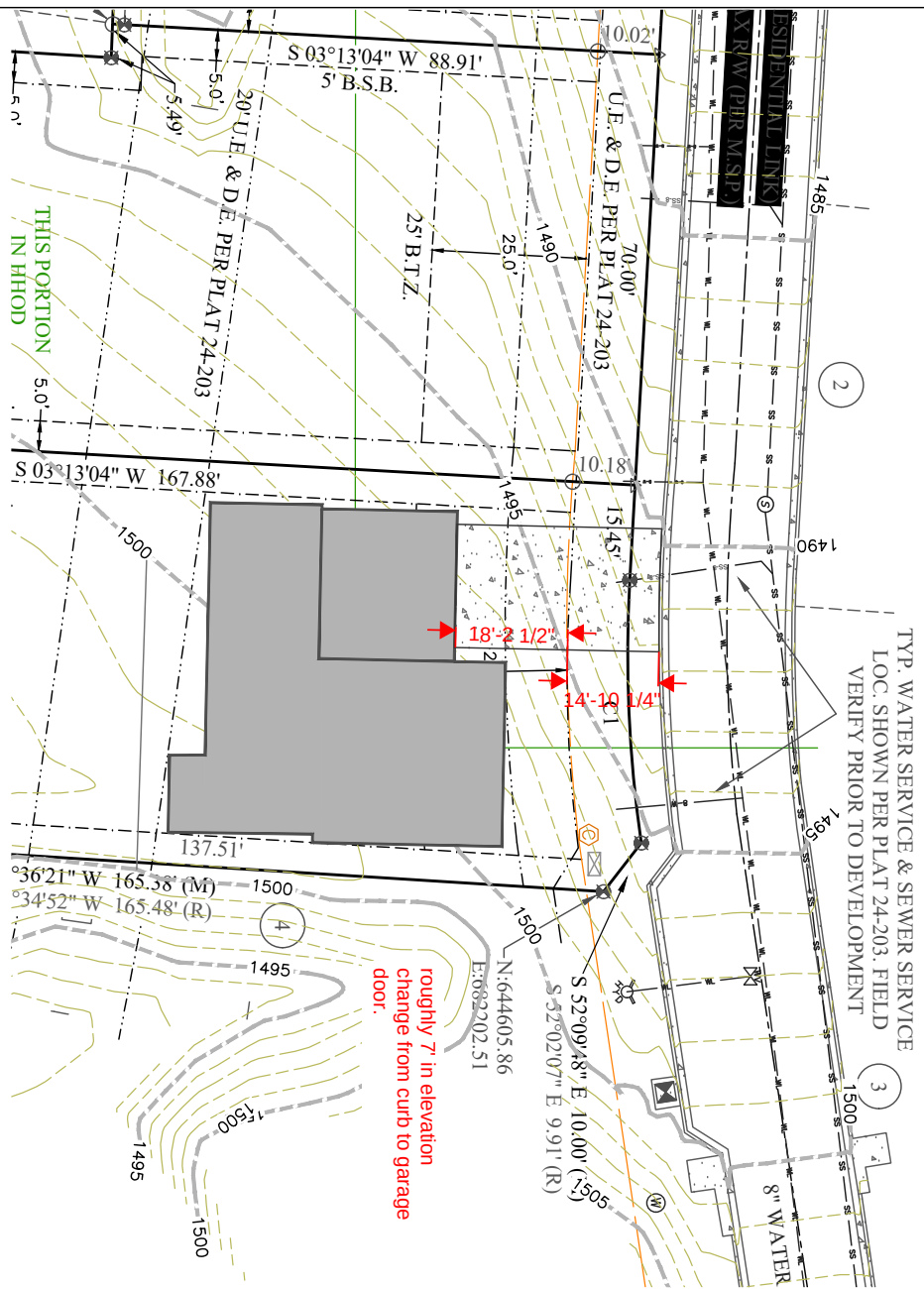


facebook.com/odysseynwa



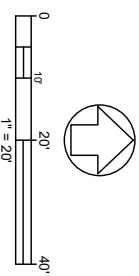
117 Parkwood St., Suite 101, Lowell, AR 72745

Planning Commission
January 13, 2025
VAR-2024-0053 (NAZAR DEVELOPMENT LLC) Page 6 of 10



TYP. WATER SERVICE & SEWER SERVICE
LOC. SHOWN PER PLAT 24-203. FIELD
VERIFY PRIOR TO DEVELOPMENT

roughly 7' in elevation
change from curb to garage
door.



- FAYETTEVILLE STANDARD COMMENTS:
1. PRIOR TO FINAL ACCEPTANCE BY THE CITY OF FAYETTEVILLE, THE PROJECT SHALL BE SUBJECT TO A JOINT FINAL INSPECTION BY A DESIGNATED REPRESENTATIVE OF THE CITY ENGINEER'S OFFICE, THE ENGINEER OF RECORD FOR THE PROJECT, AND THE CONTRACTOR.
 2. ALL MATERIALS AND CONSTRUCTION SHALL COMPLY WITH THE CITY OF FAYETTEVILLE'S REQUIREMENTS. IN THE CASE OF CONFLICTS, THE CITY'S CRITERIA SHALL GOVERN.
 3. THE ENGINEER OF RECORD SHALL PROVIDE CONSTRUCTION DETAILS FOR THE PROJECT.
 4. CUT OR FILL SLOPES SHALL HAVE A FINISH GRADE NO STEEPER THAN 2:1.
 5. ALL GRADING, WITH THE EXCEPTION OF MINOR GRADING, SHALL BE SET BACK A MINIMUM OF 5' FROM THE PROPERTY LINES UNLESS WRITTEN PERMISSION IS SUBMITTED FROM THE ADJACENT PROPERTY OWNER.
 6. ANY RETAINING WALL MORE THAN FOUR FEET IN HEIGHT SHALL BE DESIGNED BY A REGISTERED PROFESSIONAL ENGINEER AND SHALL BE FIELD INSPECTED BY THE DESIGN ENGINEER.
 7. SAFETY RAILINGS ARE REQUIRED ON ANY RETAINING WALL BE BUILT IN TO THE MORE STRINGENT REQUIREMENTS OF THE SBCC OR ASHITO.
 8. AREAS WILL BE STABILIZED WITH A TEMPORARY SEED AND MULCH WITHIN 14 DAYS OF THE LAST DISTURBANCE. IF CONSTRUCTION ACTIVITY IS TO TEMPORARILY CEASE FOR MORE THAN 21 DAYS.
 9. ONCE CONSTRUCTION ACTIVITY CEASES PERMANENTLY IN AN AREA, THE AREA WILL BE STABILIZED WITH PERMANENT SEED AND MULCH.



Know what's below.
Call before you dig.

PROJECT NO.	DESIGNED BY	ENGINEER
COPY/REV	JC	JC
PLAN DATE:	11.30.2024	
SHEET NAME:		
SHEET NO.		

Nazar development
Lot 4 Panorama PI
FAYETTEVILLE, AR 72703

ODYSSEY ENGINEERING

117 PARKWOOD STREET, SUITE 101
LOWELL, AR 72745
(479) 480-3330
AR COA # 4188

REVISIONS

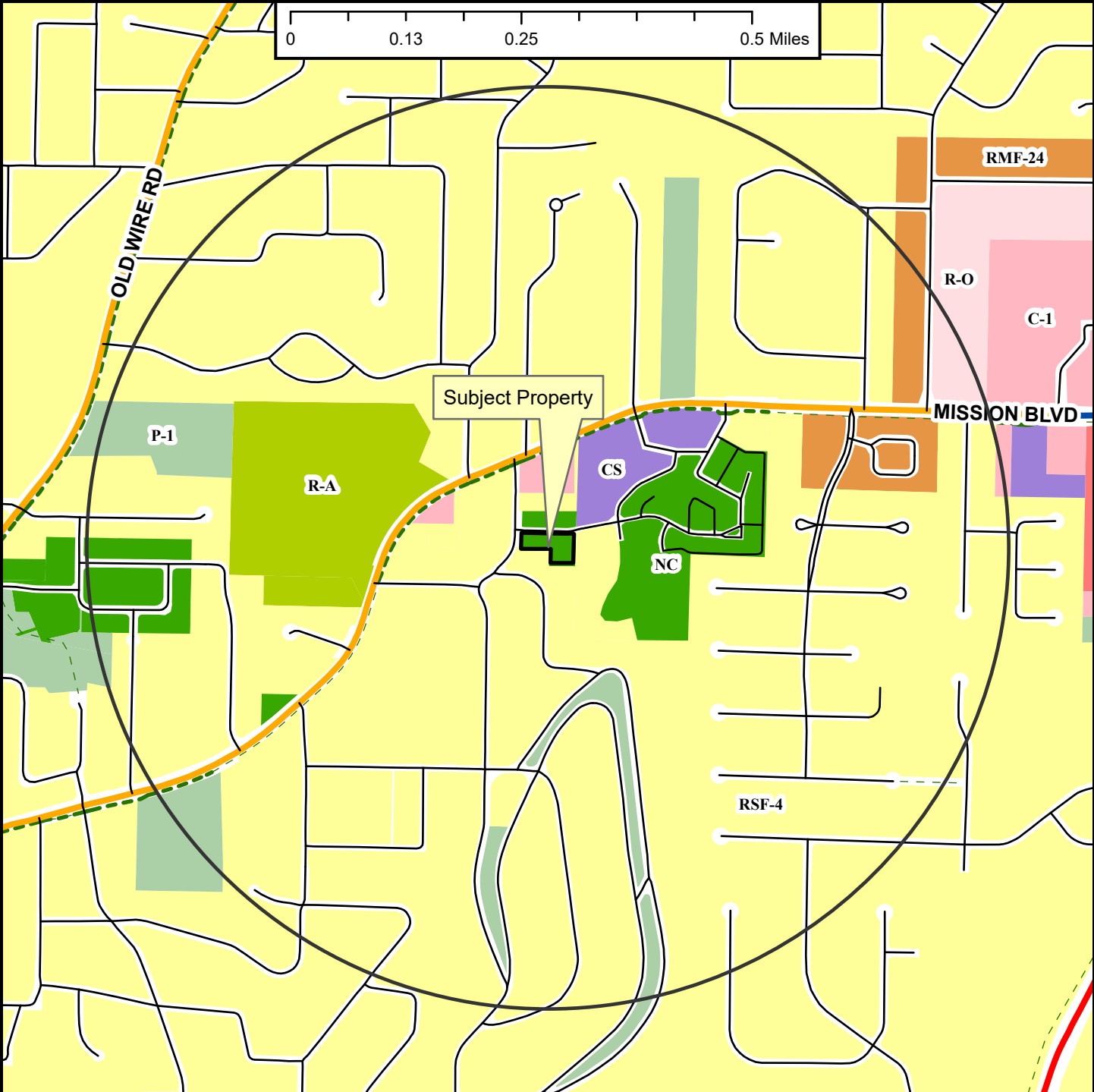
NO.	DATE	REVISION
1	11/04/24	11/04/24

Planning Commission
January 13, 2025

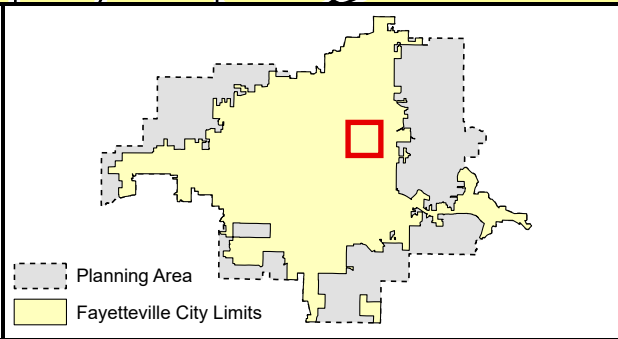
VAR-2024-0053
<i>One Mile View</i>

One Mile View

1893 E. Panorama Pl



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

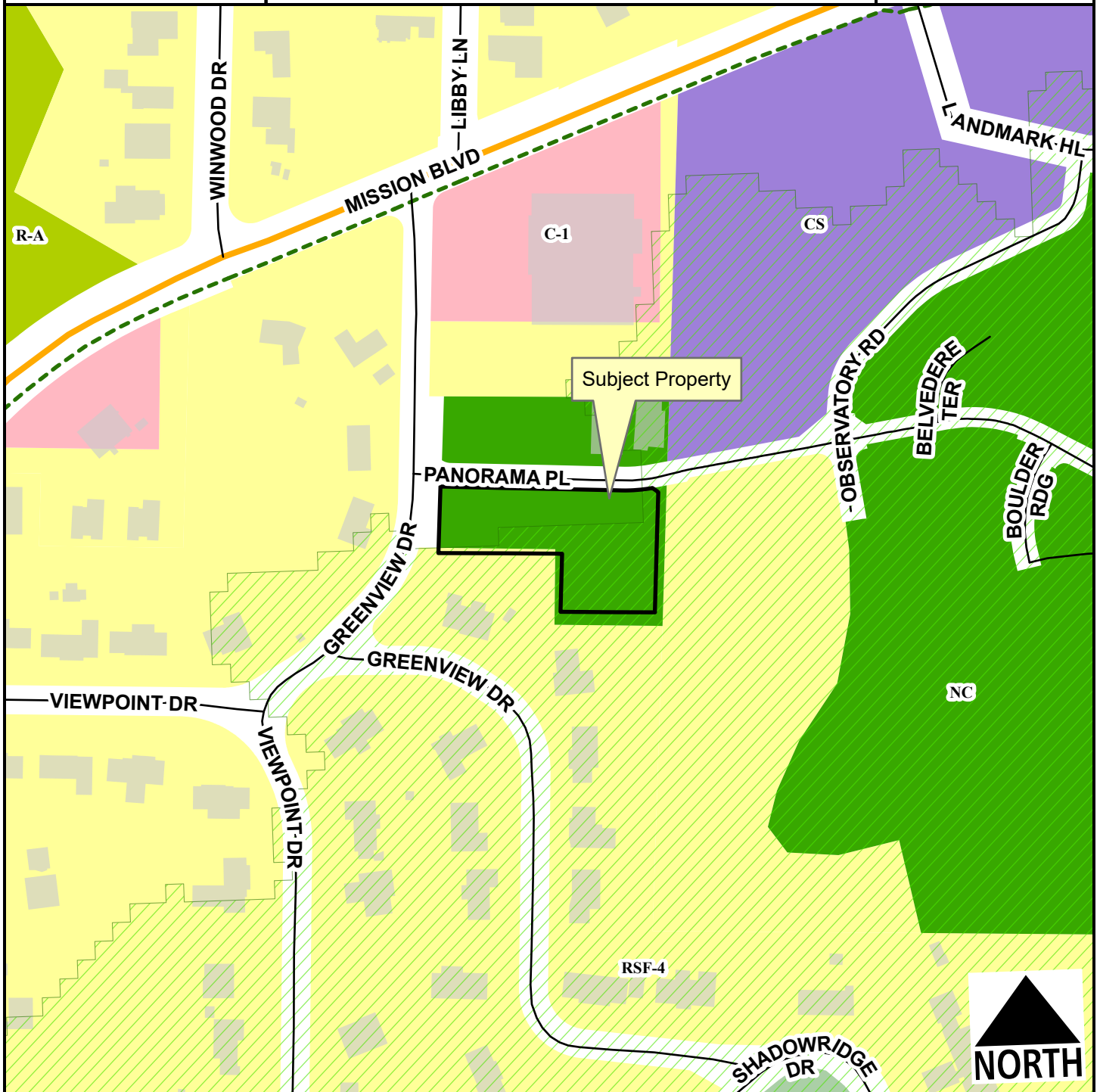


-
- Zoning**
- NS-G
 - RI-U
 - RI-12
 - NS-L
 - Residential-Agricultural
 - RSF-5
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
- RESIDENTIAL SINGLE-FAMILY**
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial**
- EXTRACTION**
- E-1
- COMMERCIAL**
- Residential-Office
 - C-1
 - C-2
 - C-3
- FORM BASED DISTRICTS**
- Downtown Core
 - Urban Thoroughfare
 - Main Street Center
 - Downtown General
 - Community Services
 - Neighborhood Services
 - Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
- Commercial, Industrial, Residential
- INSTITUTIONAL**
- P-1

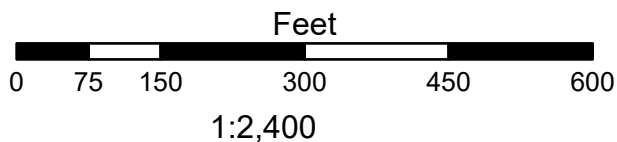
VAR-2024-0053

1893 E. Panorama Pl

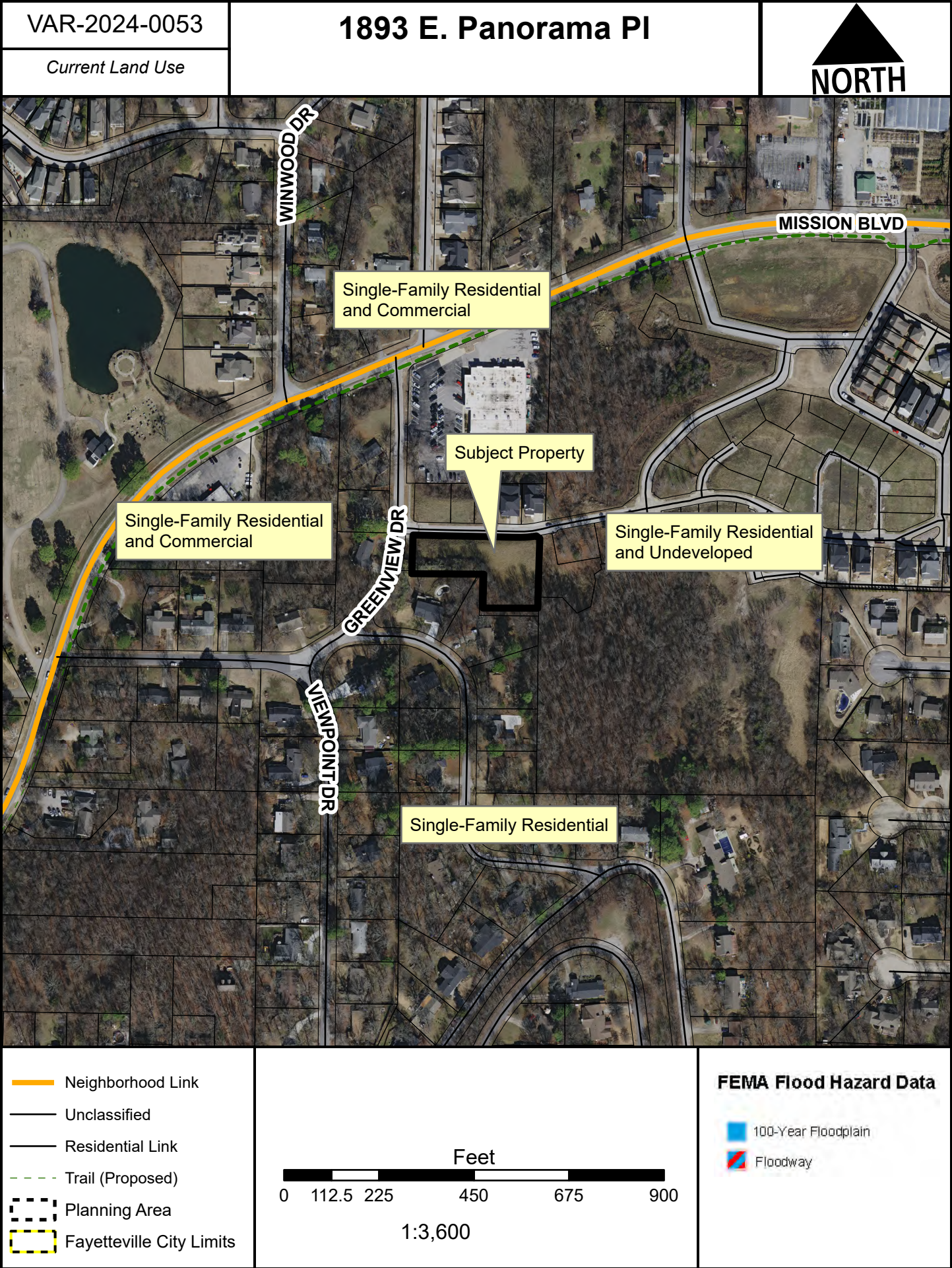
Close Up View



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



- Residential-Agricultural
- RSF-4
- C-1
- Community Services
- Neighborhood Conservation
- P-1





TO: Fayetteville Planning Commission

FROM: Jessie Masters, Development Review Manager
Melissa Boyd, Staff Engineer
Willa Thomason, Urban Forester

MEETING: January 13, 2025

SUBJECT: **LSD-2024-0036: Large Scale Development (3145 E. JOYCE BLVD/WOODLAND JR HIGH, 177):** Submitted by JORGENSEN & ASSOCIATES for property located at 3145 E. JOYCE BLVD. The property is zoned P-1, INSTITUTIONAL and contains approximately 27.92 acres. The request is for a 172,105-square-foot junior high school with associated parking.

RECOMMENDATION:

Staff recommends approval of **LSD-2024-0036** with conditions.

RECOMMENDED MOTION:

*"I move to approve **LSD-2024-0036**, finding:*

- 1. In favor of variance to §166.08(F), Access Management;*
- 2. In favor of variance to §166.08(F)(2)(b), Curb Separation requirements;*
- 3. In favor of variance to §172.04(F)(4)(iv), Effective Curb Radius;*
- 4. In favor of the recommended street improvements;*
- 5. In favor of the recommended right-of-way dedication, and*
- 6. All other conditions as recommended by staff."*

BACKGROUND:

The subject property is located northeast of the intersection of Joyce Boulevard and Crossover Road. It contains one parcel totaling 27.92 acres which is currently developed with a single-family home and associated agricultural outbuildings that were constructed in the late 1970s. The property received its current zoning designation of P-1, Institutional as a result of a rezoning which was approved earlier this year (RZN-2024-0024). A large-scale development was approved in 2024 to develop an extension of E. Joyce Blvd (LSD-2024-0031). Mud Creek, a protected stream, flows generally east to west along the southern boundary of the site and lies within a Zone A floodplain with no established floodway or base flood elevations on the property. Surrounding land uses and zoning are described in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	R-A, Residential-Agricultural; RSF-4, Residential Single-Family – Four Units per Acre
South	Rural Residential	R-A, Residential-Agricultural
East	Rural Residential; Undeveloped	Single-Family/Agricultural – One Unit per Acre (Washington County)
West	Commercial; Undeveloped	RI-12, Residential Intermediate – 12 Units per Acre; NS-G, Neighborhood Services – General; C-1, Neighborhood Commercial; C-2, Thoroughfare Commercial

Proposal: The applicant requests Large Scale Development approval to develop the subject property with a 172,105-square-foot junior high school with associated parking. The applicant has requested three variances:

Variance #1: UDC §166.08(F), Access Management. Property that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification. The applicant is proposing to install driveway access along the proposed New Joyce Boulevard, as well as provide driveway access along the existing, former Joyce Boulevard.

- a. *Staff recommendation: Staff recommends approval of the applicant's request. The property is large, and staff finds that the intent of the ordinance is still being met. Typically, access along major corridors and thoroughfares is required to be limited to improve safety and efficiency; the applicant is proposing two driveways along a proposed Neighborhood Link Street extension of Joyce Boulevard, and the drive aisles will extend through the site to the former Joyce Boulevard. Queuing is intended to be absorbed through the site for school pick-up and drop-off, so the additional driveways along both segments of Joyce Boulevard will help alleviate off-site traffic impacts.*

Variance #2: UDC §166.08(F)(2)(b), Access Management. For non-residential development, curb cuts shall be located a minimum of 100 feet from an intersection or driveway. When necessary, curb cuts along neighborhood links shall be shared between two (2) or more lots. The applicant is proposing a fire access driveway approximately 87 feet from another driveway.

- a. *Staff recommendation: Staff recommends approval of the applicant's request. While the applicant has not necessarily met the burden of hardship, the proposed driveway is only intended to be used in case of emergency for fire access to the proposed gymnasium. The driveway will be fenced off when not in use. Staff believes the ordinance's intent is met, as the proposed driveway will not see regular traffic. Additionally, using grass pavers will reduce the driveway's visual impact and minimize negative effects on pedestrians.*

Variance #3: §172.04(F)(4)(iv), Effective Curb Radius. For parking lots containing 9 or more parking spaces, the effective curb radius along a residential link street shall be 15 feet. The applicant is requesting an effective curb radius of 20 feet for an entryway along the northern property line.

- a. *Staff recommendation: Staff recommends approval of the applicant's request. The proposed driveway will be the main point of entry for school buses and trash service. Given that larger vehicles intend to use this driveway, staff recommends the wider turn radius to avoid issues and conflicts with the curbs.*

Right-of-Way to be Dedicated: Staff does not recommend any additional right-of-way to be dedicated with this development; the applicant is constructing the new E. Joyce Boulevard extension with an associated large-scale development, and right-of-way for that property's frontage will be dedicated with that development; further, excess right-of-way is being requested for a vacation along the former Joyce Boulevard frontage to align with typical master street plan requirements for a residential link street without on-street parking.

Street Improvements: Staff does not recommend any additional street improvements with this development; the new E. Joyce Boulevard extension will be developed separately.

Access Management/Connectivity: Staff has found that access management standards will require variances to be applied for and approved, as indicated above.

Design Standards: The development is not subject to any design requirements since it is an institutional use. Staff finds that the applicant's provided elevations meets the necessary requirements, and the necessary parking requirements are being met with this development.

Water and Sewer System: The applicant is proposing to install 8" watermain, fire lines, and fire hydrants to provide domestic service and fire protection to the development. This development will be connecting to the 8" main being installed as part of LSD-2024-0031. Underground hydraulic calculations from the fire sprinkler designer must be provided to ensure velocities in the distribution system will not exceed 10 ft/sec under fire flow conditions prior to the installation of any fire line infrastructure. The applicant is proposing to tie into a manhole that will be installed with the sewer as part of LSD-2024-0031 to provide sanitary sewer service. The City's 2021 Sewer Model indicates wet weather surcharging in the 8" sewer line downstream of this property on the Paradise Valley Golf Course. Necessary downstream capacity upgrades must be installed, tested, and accepted by the City prior to a water meter being set or Engineering signing off on any occupancies for this development.

Parkland dedication or fee in-lieu: N/A; Institutional developments are not required to dedicate parkland.

Tree Preservation:

Canopy minimum requirement: 20%

Existing canopy: 8.9%

Preserved canopy: 8.9%

Mitigation required: Zero 2-inch caliper trees

Public Comment: One member of the public attended the Subdivision Committee meeting on January 2 who was concerned about additional traffic in the area and preferred that the school be built elsewhere.

RECOMMENDATION: Staff recommends approval of **LSD-2024-0036** with the following conditions:

Conditions of Approval:

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

Subdivision Committee recommended in favor.

2. **Planning Commission determination of a variance to UDC §166.08(F)(2)(b), Curb separation requirements.** *Staff recommends approval of the requested variance with no added conditions.*

Subdivision Committee recommended in favor.

3. **Planning Commission determination of a variance to UDC §172.04(F)(4)(iv), Effective Curb Radius;** *Staff recommends approval of the requested variance with no added conditions.*

Subdivision Committee did not make a recommendation on this variance.

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

Subdivision Committee recommended in favor.

4. **Planning Commission determination of street improvements.** *Staff recommends no additional street improvements.*

Subdivision Committee recommended in favor.

5. All remaining comments from Planning staff must be addressed through permitting including:
 - a. Address all comments issued through the Energov portal.
6. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto;

Standard conditions of approval:

7. Development review comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks Electric, SWEPCO, and Cox Communications);
8. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, and tree preservation. The information submitted for the development review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements;
9. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit;
10. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
 - c. Exterior lighting package must be provided to the Planning Division;
 - d. A cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy;
 - e. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - f. Project Disk with all final revisions; and

- g. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.
-

Planning Commission Action: ☐ Approved ☐ Tabled ☐ Denied

Meeting Date: January 13, 2025

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

Attachments:

- UDC Sections:
 - §166.08 Street Design And Access Management Standards
 - §172.04 Parking Lot Design Standards
- Engineering Memo
- Urban Forestry Memo
- Applicant Request Letter
- Variance Request Letter
- Site Plan
- Elevations
- One Mile Map
- Close Up Map
- Current Land Use Map

166.08 Street Design And Access Management Standards

...

- (F) *Access Management.* Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Residential link streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification, e.g., residential and neighborhood links. In a case where the streets have the same classification, access shall be from the lower volume street, or as determined by the City Engineer.

- (1) *Curb Cut Separation.* For purposes of determining curb cut or street access separation, the separation distance shall be measured along the curb line from the edge of curb cut to the edge of curb cut/intersection. The measurement begins at the point where the curb cut and intersecting street create a right angle, i.e., the intersection of lines drawn from the face-of-curb to face-of-curb. The measurement ends at the point along the street where the closest curb cut or street intersection occurs; again, measured to the point where the curb cut or intersecting streets create a right angle at the intersection of face-of-curb. In all cases curb cuts shall be a minimum of 5 feet from the adjoining property line, unless shared.
- (2) Separation for two (2) family, three (3) and four (4) family, multi-family and nonresidential development.
 - (a) *Regional and Regional High Activity Links.* Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When necessary, curb cuts along regional links shall be shared between two (2) or more lots. Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway.
 - (b) *Neighborhood Links.* Curb cuts shall be located a minimum of 100 feet from an intersection or driveway. When necessary, curb cuts along neighborhood links shall be shared between two (2) or more lots.
 - (c) *Residential Links.* Curb cuts shall be located a minimum of 50 feet from an intersection or driveway. In no case shall a curb cut be located within the radius return of an adjacent curb cut or intersection.

...

(Code 1965, App. C., Art. IV, §§C, D, F—H; Ord. No. 1750, 7-6-70; Ord. No. 1801, 6-21-71; Ord. No. 2196, 2-17-76; Ord. No. 2353, 7-5-77; Code 1991, §§159.45, 159.58, 159.51—159.53; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4757, 9-6-05; Ord. No. 4919, 9-05-06; Ord. No. 5156, 8-5-08; Ord. No. 5296, 12-15-09; Ord. No. 5546, 12-04-12; Ord. No. 5642, 12-03-13; Ord. No. 6179, §1, 4-16-19; Ord. No. 6207, §§1—4, 7-16-19; Ord. No. 6244, §1, 10-1-19; Ord. No. 6350, §4(Exh. C), 8-18-20; Ord. No. 6658, §9, 5-2-23)

172.04 Parking Lot Design Standards

...

- (4) *Entrances and Internal Aisle Design for Parking Lots Containing Nine (9) or More Parking Spaces.* The driveway width into parking lots shall meet the following requirements:
 - (a) *Entrances.*
 - (i) *One-Way Access to Parking Lots.* If the driveway is a one-way in or one-way out, then the driveway width shall be a minimum of 12 feet and a maximum of 16 feet.
 - (ii) *Two-Way Access to Parking Lots.* For two (2) way access, the driveway width shall be a minimum 20 feet and a maximum width of 24 feet, unless otherwise required by the Fire Department.
 - (iii) *Neighborhood and Regional Links.* Driveways that enter neighborhood and regional link streets may be required to have two (2) outbound lanes (one (1) for each turning direction) and one (1) inbound lane for a maximum total driveway width of 39 feet.
 - (iv) *Effective Curb Radius.* All driveways serving nine (9) or more parking spaces shall have an effective curb radius of 15 feet for curb cuts on residential link streets and an effective curb cut radius of 20 feet for neighborhood and regional link streets.
 - (b) *Internal Aisle Design.*
 - (i) Aisles shall be designed so that they intersect at 90 degrees with other aisles and driveways where practical.

- (ii) Aisles shall be designed to discourage cut-through traffic by use of landscape islands, and shall meet the requirements of Chapter 177: Landscape Regulations.
- (iii) Aisles shall conform to the dimensional requirements of §172.04(C).

Parking Lots With Nine (9) Spaces or More	
	Driveway Dimensional Requirement
One Way Access	12 feet Minimum - 16 feet Maximum
Two Way Access	2 Drive Lanes 10 feet Minimum Each - 24 feet Maximum Total Driveway Width
Neighborhood/Regional Link	3 Drive Lanes - Maximum of 39 feet
Effective Curb Radius - Residential Link	15 feet
Effective Curb Radius - Neighborhood/Regional Link	20 feet

...

(Ord. No. 4725, 7-19-05; Ord. No. 4855, 4-18-06; Ord. No. 4917, 9-05-06; Ord. No. 5044, 8-07-07; Ord. No. 5079, 11-20-07; Ord. No. 5297, 12-15-09; Ord. No. 5592, 06-18-13; Ord. No. 5680, 4-15-14; Ord. No. 5841, §§1—3, 1-5-16; Ord. No. 5859, §2, 3-15-16; Ord. No. 6325, §1, 6-16-20; Ord. No. 6350, §9(Exh. G), 8-18-20)



TO: Jessie Masters, Development Review Manager

FROM: Melissa Boyd, Staff Engineer

DATE: January 7, 2025

**SUBJECT: Planning Commission Engineering Comments for
LSD-2024-0036 Woodland Junior High**

Water: The applicant is proposing to install 8" watermain, fire lines, and fire hydrants to provide domestic service and fire protection to the development. This development will be connecting to the 8" main being installed as part of LSD-2024-0031.

Underground hydraulic calculations from the fire sprinkler designer must be provided to ensure velocities in the distribution system will not exceed 10 ft/sec under fire flow conditions prior to the installation of any fire line infrastructure.

Sewer: The applicant is proposing to tie into a manhole that will be installed with the sewer as part of LSD-2024-0031 to provide sanitary sewer service.

The City's 2021 Sewer Model indicates wet weather surcharging in the 8" sewer line downstream of this property on the Paradise Valley Golf Course. Necessary downstream capacity upgrades must be installed, tested, and accepted by the City prior to a water meter being set or Engineering signing off on any occupancies for this development.

Streets: This development will have frontage to E. Joyce Boulevard, which is being realigned with LSD-2024-0031. The realignment of E. Joyce Boulevard will have one lane in each direction and on-street parking, 10' greenspace, and 12' trail along the junior high's frontage. The existing E. Joyce Boulevard alignment will be renamed with no proposed improvements, except near the southwest corner of the property where it is being relocated to better connect to the new street alignment. All street improvements must comply with the City's Minimum Street Standards.

Access Management: The applicant is requesting a variance to UDC §166.08(F)(2)(b) to provide approximately 84 feet of separation between driveways, which is less than the 100-foot requirement outlined in code for neighborhood links. Staff supports this request given that the southern driveway will only be for fire access and the driveway itself will be constructed with grass pavers capable of supporting a 75,000lb fire truck so it will not visually appear like a driveway. Visually, the trail through the fire access drive will not look like a crossing but shall still be constructed with 6" thick concrete over 6" of Class 7 base.

Natural Features: Mud Creek, a protected stream, is present along the southeast side of the subject property and lies within a FEMA Zone A floodplain with no established floodway or base flood elevations. Fayetteville Public Schools and the City have entered into a cost share agreement to perform the flood

study required for the junior high and street realignment. As part of LSD-2024-0031, the Planning Commission approved a variance to UDC §168.10(T)(5)(a) to not require a CLOMR be submitted to FEMA prior to construction. Once construction is complete, the City will file the LOMR with FEMA to establish the floodway, 100-year floodplain boundary, and base flood elevations for the remaining portion of Mud Creek within the city limits. Any portions of this development that remain within a special flood hazard area shall still comply with UDC Chapter 168, Flood Damage Prevention Code.

Drainage: This development is required to meet the four Minimum Standards of Fayetteville's Drainage Criteria Manual. There will be three extended detention ponds, each with an AquaSwirl hydrodynamic separator to meet water quality requirements. Channel protection will be met by sizing the outlet structure at each pond to detain and release the flows from the 1-year, 24-hour storm over a period of at least 40 hours. Similarly, overbank flood protection and extreme flood protection will be met by sizing the pond outlet structures so peak flows post-development do not exceed pre-development peak flows.

Plan Comments:

1. The existing water meter for 3145 E Joyce Blvd must be relocated to the new water main being installed with this permit. The existing service line shall be properly abandoned at the 36" transmission main that it currently connects to.

Standard Comments:

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



URBAN FORESTRY
LANDSCAPE PLAN COMMENTS

To: Jorgensen & Associates
From: Willa Thomason, Urban Forester
CC: Jessie Masters, Development Review Manager
Meeting Date: January 13, 2025
Subject: LSD-2024-0036: Woodland Jr. High School (3145 E Joyce Blvd)

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

- | | |
|---|---|
| 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	0
Parking Lot Trees	0
Street Trees	167
Detention Pond – Large Trees (1 Tree/3,000 square feet)	27
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	108
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)	163

6. Review Status (See Comments)	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved	12-10-24	12-27-2024	1-7-2024
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. Plan to install edging around detention pond plantings and planting beds and indicate the type of edging on the plan. 3. 2" minimum caliper trees are required (8' min height) and are preferred to larger caliper trees, as smaller trees adapt more readily to planting stress. 4. Finalize the location of particular species of trees, shrubs, and grasses and denote each with a separate, distinguishable symbol. Please label each tree "D" or "S" to distinguish between detention pond and street tree plantings.



URBAN FORESTRY TREE PRESERVATION COMMENTS

To: Jorgensen & Associates

From: Willa Thomason, Urban Forester

CC: Jessie Masters, Development Review Manager

Meeting Date: January 13, 2025

Subject: LSD-2024-0036: Woodland Jr. High School (3145 E Joyce Blvd)

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			

	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	948,186	100%
Zoning Designation * Select Below with drop down arrow		
P-1, Institutional	237,047	25%
HHOD * Select Below with Drop Down Arrow		
No	0	0%
Total Canopy for Minimum Preservation Requirements	237,047	25.0%
Existing Tree Canopy * Minus Right of Way and Easements	84,020	8.9%
Tree Canopy Preserved	84,020	8.9%
Tree Canopy Removed *On Site	0	0.0%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	0	0.0%
Removed Below Minimum	153,026	
Mitigation Requirements	0	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority	0	0
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 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	Yes	Yes	Yes
m. Existing Street, Sidewalk or Bike Path ROW	Yes	Yes	Yes
n. Submitted Site Analysis Plan (if required)	Yes	Yes	Yes
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	Yes	Yes	Yes

Tree Protection Methods			
a. Tree Protection Fencing	Yes	Yes	Yes
b. Limits of Root Pruning	No	Yes	Yes
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			
6. Site Analysis Report (if required) <i>UDC Chapter 167.04H4</i>	Yes	No	N/A
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	12-10-24	12-27-2024	1-7-2025
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. - Please note that tree preservation easements must be dedicated prior to the building permit issuance.



124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
www.jorgensenassoc.com
Established 1985

City of Fayetteville
Development Services
Large Scale Development for New Woodland Junior High

To whom it may concern;

On behalf of the Fayetteville Public School System, we are requesting a Large Scale Development for the New Woodland Junior High to be located off the new Joyce Blvd Street Extension. Note that we have filed for a separate LSD for the new E Joyce Blvd Extension so that the street project is a stand-alone project for permitting purposes. We are also requesting to vacate a portion of the old Joyce Blvd that would make this road fall in line with the Master Street Plan. This vacation, will also establish a new boundary and setbacks that we are adhering to with this LSD request.

Water will be looped off the existing Joyce Blvd and routed along the new Joyce Blvd. Sewer will be extended from the south, where an existing manhole lies along the east side of 265. This will be a three story junior high school with an ~ gross area of 172,105 SF. There will be a track in the NW corner, with parking below. Sitting just south of the track will be a gymnasium with a bridgeway to the main school campus. There will be a central drop off location splitting the track and the school. Entry off of the central roundabout at this middle of this project will be controlled access, wherein the majority of the traffic will be routed in for drop-off, off of the northern 'old' Joyce.

Stormwater management is meeting all of Fayetteville's DCM requirements, and a No-Adverse Impact Study has been conducted to ensure the installation of the new Joyce Blvd meets city code. A LOMR-F will be filed once the roadway work is complete to establish the new Floodplain, which will be bounded on the south edge of the new roadway.

We are very excited about this project and look forward to working with the City to make this project a success.

Sincerely;

Blake Jorgensen, PE



124 W Sunbridge Drive, Suite 3
Fayetteville, AR 72703
Office: 479.442.9127
www.jorgensenassoc.com
Established 1985

City of Fayetteville
Development Services
Large Scale Development for New Woodland Junior High
COF Job # 2024-0036
J+A Job # 2024006

Please accept this resubmission of the Woodland Junior High School project. We have worked with staff to make modifications to comply with comments received. We understand that we will need a variance from for having access points off of N Grange Bend and curb cut separation along E Joyce Blvd where the fire access and the delivery drive are (Variance to 166.08(F) and 166.(F)(2)(b)). The primary access to the school will be off of N Grange Bend with school drop off occurring along Harvest Lane and then circulating back out to N Grange Bend. The curb cuts along E. Joyce Blvd are necessary to accommodate Fire access and while the 'Fire Access' lane will be grass pavers, we can't combine this with the eastern drive as we are trying to be mindful of any potential for a future expansion of the gym to the east and then back to the north to tie the whole school together. The last variance is from 172.04(F)(4)(iv): we would like is to request 20' radii on the bus drop off lane (the eastern drive). This drive will be the only bus and trash service lane, and the intent is to preserve the curbs and adjacent greenspaces as the buses need larger radii than normal and this will allow them to avoid jumping the curbs.

Sincerely,



Blake Jorgensen, PE

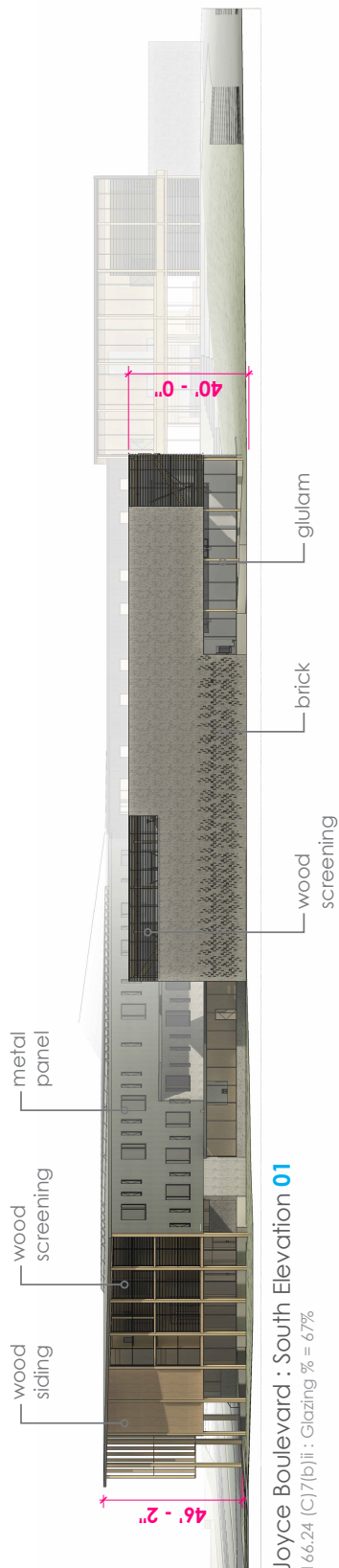
*Refer to civil + landscape for grading, utilities, parking, etc.



Fayetteville Public Schools : New Junior High

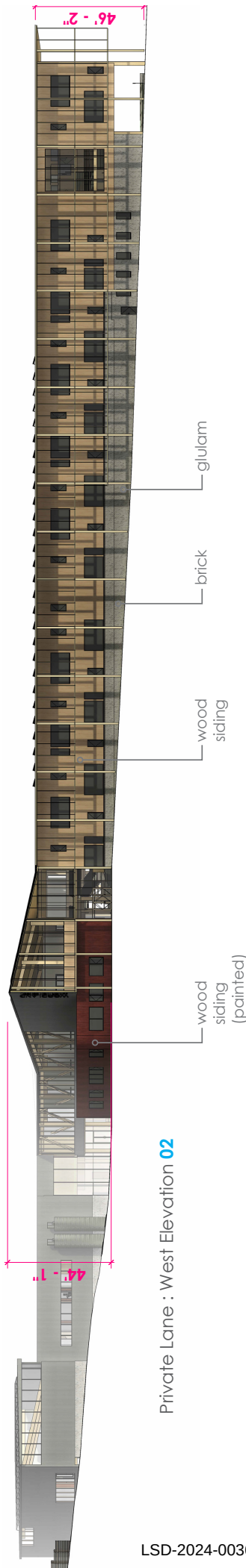
Architectural Elevations

*Trees omitted for clarity



Joyce Boulevard : South Elevation **01**

166.24 (C) 7(b) ii : Glazing % = 67%

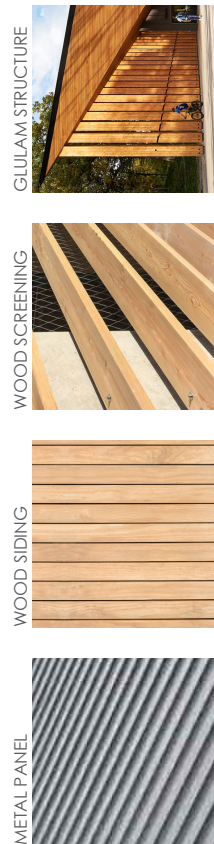


Private Lane : West Elevation **02**

MATERIALS

Planning Commission
January 13, 2025

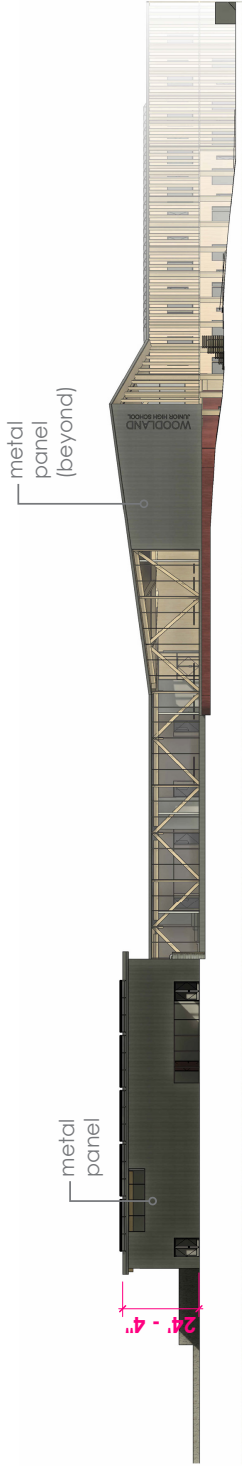
LSD-2024-0036 (WOODLAND JR HIGH)



Fayetteville Public Schools : New Junior High

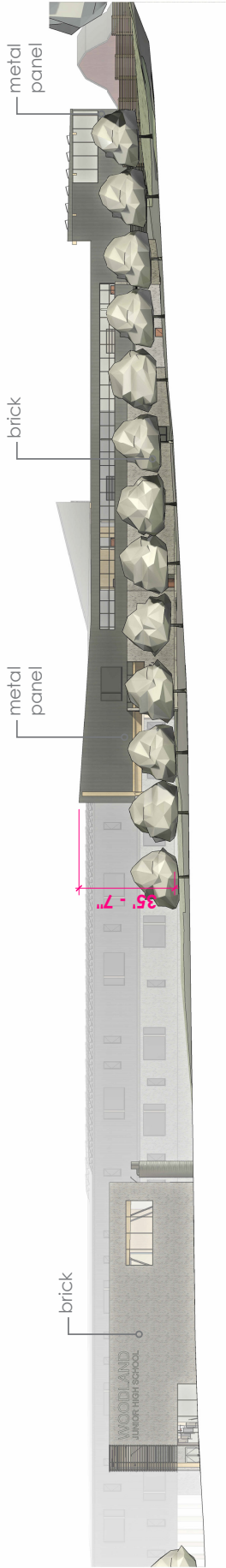
Architectural Elevations

*Trees omitted for clarity at some locations



Old Joyce Boulevard: North Elevation 03

166.24 (C)7(b)ii : Glazing % = 31%



Private Lane : East Elevation 04

166.24 (C)7(b)ii : Glazing % = 33%

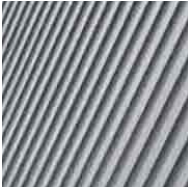
landscape screening + trees provided in this zone to hide the back of house area

MATERIALS



Planning Commission
January 13, 2025

METAL PANEL



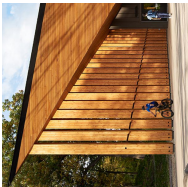
WOOD SIDING

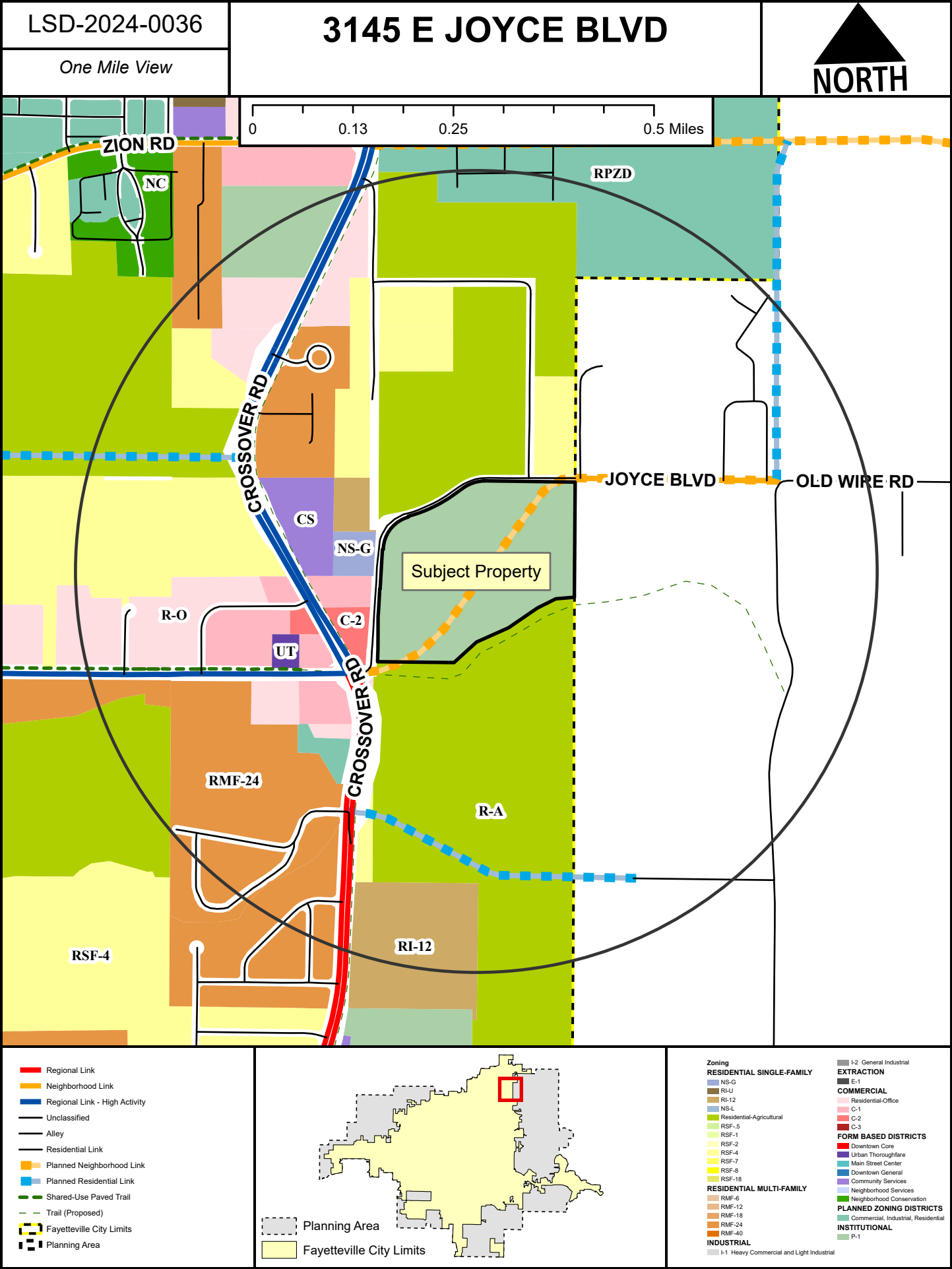


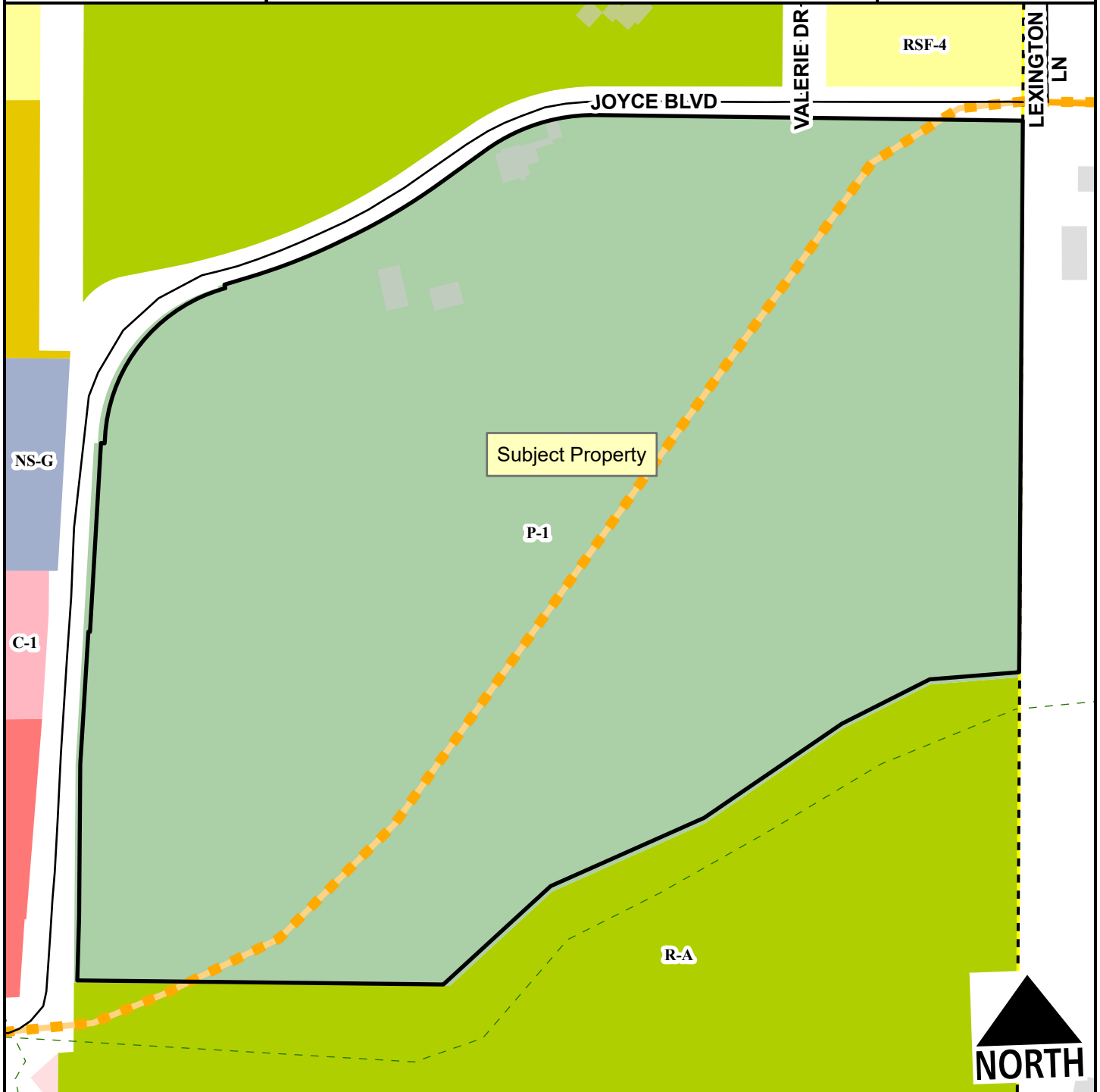
WOOD SCREENING



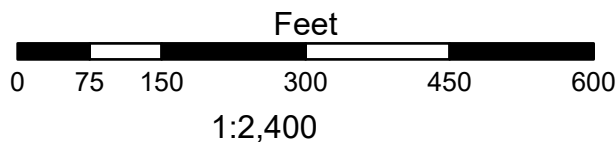
GLULAM STRUCTURE



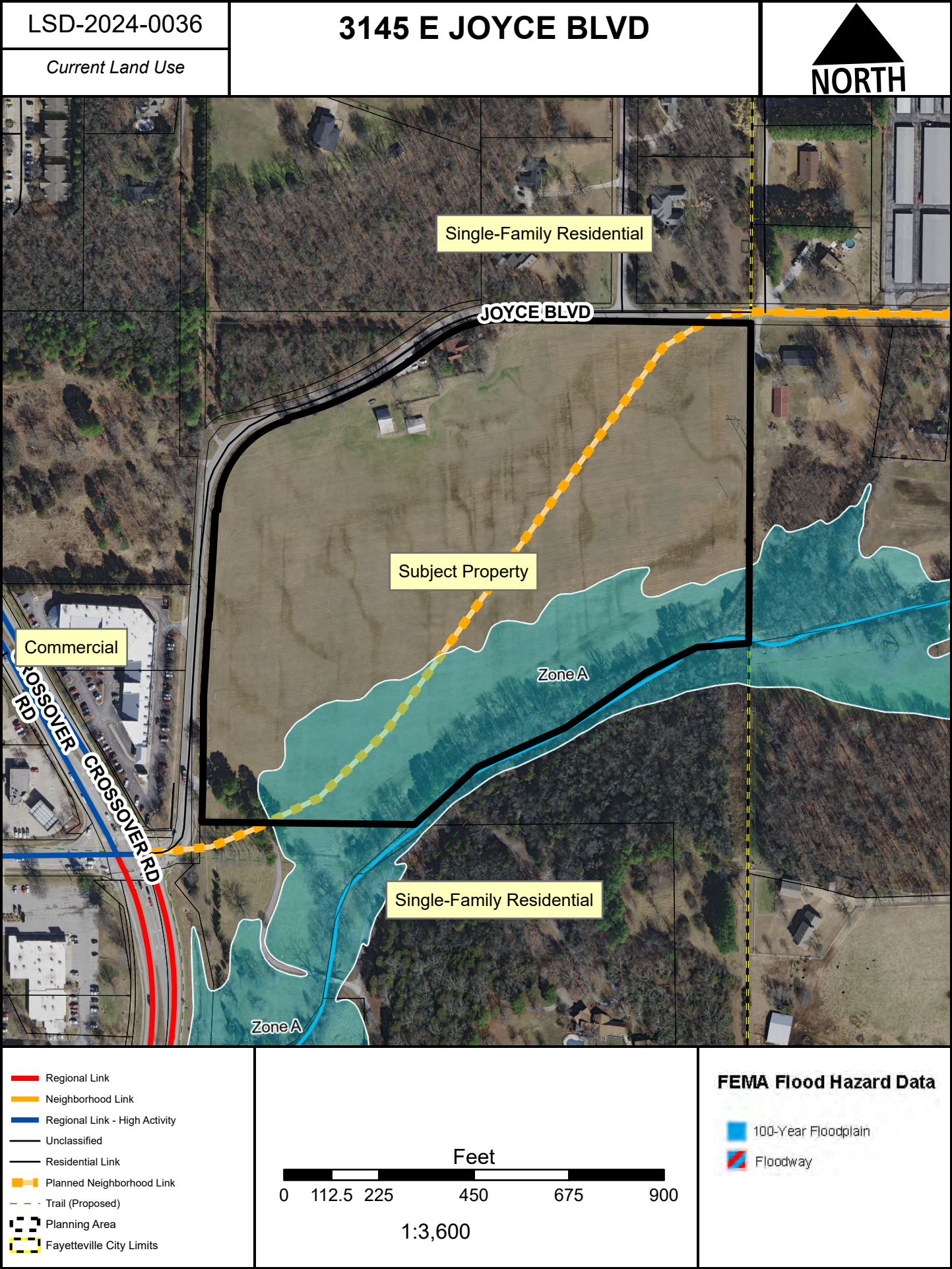




- Neighborhood Link
- Unclassified
- Residential Link
- - - Planned Neighborhood Link
- Planning Area
- Fayetteville City Limits
- - - Trail (Proposed)



- Residential-Agricultural
- RSF-4
- RI-12
- Residential-Office
- C-1
- C-2
- Neighborhood Services - Gen.
- P-1





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Donna Wonsower, Planner

MEETING DATE: January 13, 2025

SUBJECT: **CUP-2024-0049: Conditional Use Permit 1965 N. STEPHEN CARR MEMORIAL BLVD/QUIK TRIP CORP., 363):** Submitted by AAB ENGINEERING LLC for property located at 1965 N. STEPHEN CARR MEMORIAL BLVD. The property is zoned CS, COMMUNITY SERVICES and contains approximately 4.15 acres. The request is for Use Unit 18 for a Gasoline Service Station.

RECOMMENDATION:

Staff recommends denial of **CUP-2024-0049** based on the findings contained in this report.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0049** with conditions, determining:*

- Against compatibility with adjacent properties;*
- In favor of a variance to UDC §172.04(E), and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located 200 feet north of the intersection of N. Porter Road, W. Deane St. and N. Stephen Carr Memorial Blvd. The property is situated between I-49 to the west and the city's new police headquarters and fire station to the east. The property is located within the I-540 Overlay District and contains four parcels totaling 2.45 acres. The subject area is currently developed with two single-family dwellings which Washington County records indicate were built in 1886 and 1966. Surrounding land uses and zoning are listed in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Interstate 49	ARDOT
South	Religious Facility	R-A, Residential Agricultural
East	Police and Fire Station	P-1, Institutional
West	Interstate 49	ARDOT

City Plan 2040 Future Land Use Designation: Residential Neighborhood Area

Request: The applicant requests a conditional use permit to construct a convenience store and gasoline service station on the property. Gasoline service stations are classified as Use Unit 18, which is a conditional use in the CS, Community Services zoning district. The following specifications were included with the request:

- Size of the business: Approximately 8,602 square feet
- Hours of operation: 24/7
- Parking: 46 off-street spaces (Including 6 spaces for semi-trucks and up to 7 spaces for vehicles with trailers)
- Number of employees: Approximately 8 per shift
- Customers: Up to 35,000 per week

One variance from the Unified Development Code has been requested with this application which is described below alongside staff's recommendation. An additional variance was submitted with the conditional use permit for §164.06(E)(2)(c)(v) to allow a 19'-6" maximum canopy height where a 13'-9" maximum canopy height is permitted; however, this variance will require a separate Board of Adjustment application as it falls under zoning regulations pertaining to minimum buildable street frontage requirements.

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

RECOMMENDATION: Staff recommends denial of **CUP-2024-0049**. If approved, staff recommends the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds the proposed gasoline service station to be incompatible with the surrounding neighborhood;*
2. **Planning Commission determination of a variance to UDC §172.04(E), Dimensional Standards.** *Staff recommends approval of this variance with the following conditions:*
 - a. *The double row of spaces north of the convenience store shall be combined into a single row of 9.5-foot-wide by 40-foot-deep parking spaces with 30-foot drive aisles.*
 - b. *Six 14-foot wide by 65-foot-deep parking spaces shall be permitted to accommodate semi-truck parking, with drive aisles as shown on the attached plans.*
 - c. *A landscape bed shall be planted in the roughly 33.94' x 102' striped area abutting the building with a pedestrian crossing to align with the semi-truck designated crossing area.*
 - d. *All designated pedestrian crossings shall be composed of a change in materials such as colored concrete.*
3. **This conditional use permit is limited to the use for Quik Trip Gasoline Service Station as described in the applicant's request letter. This conditional use permit is transferrable to a different business or property owner. The following specifications apply:**
 - Size of the business: Approximately 8,602 square feet
 - Hours of operation: 24/7
 - Parking: 46 off-street spaces (Including 6 spaces for semi-trucks and up to 7 spaces for vehicles with trailers)
 - Number of employees: Approximately 8 per shift

- Customers: Up to 35,000 per week
4. Parking maximums as allowed by code shall be met and reviewed for at the time of development, or a variance shall be sought.
 5. Any additional variances determined to be required must be submitted and approved prior to development plan approval.
 6. Approval of this conditional use permit will expire one year from the date of approval in accordance with UDC §166.20, Expiration of Approved Plans and Permits.
 7. Approval of this conditional use permit does not ensure approval of a development application. The conditional use permit grants the applicant rights to submit a development proposal based on the conceptual layout included herein. The applicant shall comply with all other development requirements, including but not limited to, tree preservation, drainage, exterior lighting, utility installation, and Fire Department access standards. These details shall be reviewed with the development application;
 8. A business license shall be obtained for the proposed business at this location prior to building permit;
 9. Any future expansion or change in the use shall require Planning Commission approval; and
 10. Signs shall be limited to those permitted by UDC §174. Any proposed signage shall be reviewed for compliance with the underlying zoning district and shall be permitted by a separate sign permit prior to installation.
-

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date:	<u>January 13, 2025</u>	☐ Tabled	☐ Approved	☐ Denied	
Motion:					
Second:					
Vote:					

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.

2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
 3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
 4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.
- C. A conditional use shall not be granted by the Planning Commission unless and until:
1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: The applicant has submitted a written application requesting a conditional use permit for Use Unit 18 in the CS zoning district.

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

Finding: The applicant has paid the required filing fee.

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:
 - (a.) That it is empowered under the section of this chapter described in the application to grant the conditional use; and

Finding: The Planning Commission is empowered under Unified Development Code §161.22 to grant the requested conditional use permit.

- (b.) That the granting of the conditional use will not adversely affect the public interest.

Finding: Staff finds that granting the requested conditional use permit may harm the public interest. The proposed fuel station and convenience store are aimed at large highway traffic, and the proposed location at a highway interchange could help offset the impact of those large vehicles on smaller city streets. However, the site is across from the police headquarters and Fire Station 8, both funded by the 2019 Public Bond program. These facilities, along with nearby associated infrastructure improvements, were a significant public investment. Fayetteville police expressed concerns that semi-trucks entering the turn lane or oncoming traffic to make right turns could cause accidents, bottleneck traffic, and render the department's exit by the interstate unsafe and "useless." The traffic study also indicates service degradation at the nearby interchange, a key pedestrian and cyclist crossing. Increased large vehicle traffic could pose a safety risk to non-drivers, especially given the expected 25,000–35,000 weekly customers.

The property, rezoned in 2022, is designated as a “Residential Neighborhood Area” in the future land use plan, meant for low intensity uses. The proposed highway-oriented development conflicts with this plan and the CS zoning, which is intended to serve nearby residents with pedestrian-friendly services. The proposed variances may also reduce the site's usability for non-vehicle users, potentially undermining efforts to improve walkability and alternative transportation.

(c.) The Planning Commission shall certify:

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

Finding: There are specific rules governing gasoline service stations, as follows:

§163.18(A). GASOLINE SERVICE STATIONS.

A. *Bulk and Area.* Gasoline service stations shall be regulated by the bulk and area requirements of the district in which it is located and the following:

Minimum setback of pump island, compressed air connection and similar equipment from all right-of-way lines	25 feet
Minimum setback of canopy covering pump island, compressed air connection and similar equipment from all right-of-way lines. (**Canopies shall not be considered a part of the building for determining building setbacks even if said canopies are attached to the principal structure.)	20 feet

Finding: The applicant has submitted a site plan showing the general layout of the proposed convenience store, fuel canopies, and compressed air connections. The proposed plan appears to be meeting these additional setback requirements.

B. *Signs.* Any permitted sign shall be stationary and shall conform in all respects to the applicable regulations pertaining to signs.

Finding: Any proposed signage will be subject to §174 and all the regulations therein. Any signage will be reviewed through separate sign permit applications.

C. *Auto Washing.* Washing of autos shall be entirely within an enclosed structure.

Finding: No auto washing stations appear to be proposed. Any proposed stations will be fully reviewed with development plans.

§163.02. AUTHORITY; CONDITIONS; PROCEDURES. (continued)

(2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

- (a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

Finding: The site will access N. Stephen Carr Memorial Blvd. via two proposed driveways, with no direct access to I-49. The traffic study shows increased congestion at the Stephen Carr/I-49 NB ramps, especially during the morning peak hour. The City has received federal funds to improve this intersection. A previous study recommended a dedicated right-turn lane for northbound Stephen Carr traffic. The increase in large vehicles and turning movements raises safety concerns, as the interchange had 12 accidents between 2017 and 2021, including some injuries, which scores negatively against the proposal's overall compatibility with the site. Vehicular improvements must also address pedestrian and bicycle safety. The applicant proposes a sidewalk along the western side of the street where none currently exists. A full evaluation of necessary improvements would occur at the time of development.

- (b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

Finding: The applicant appears to be over-providing parking at this site per what is permitted by code. The development proposes 46 off-street parking spaces (37 standard/ADA, 6 semi-trucks, and 2 motorcycle/scooter). The City's parking ordinance allows 34 spaces for a gasoline service station. With permitted increases, including alternative stormwater techniques and additional trees, up to 45 spaces may be provided. Therefore, the applicant must either reduce parking by one space or request a variance from the Planning Commission. Parking counts will be reviewed with development plans

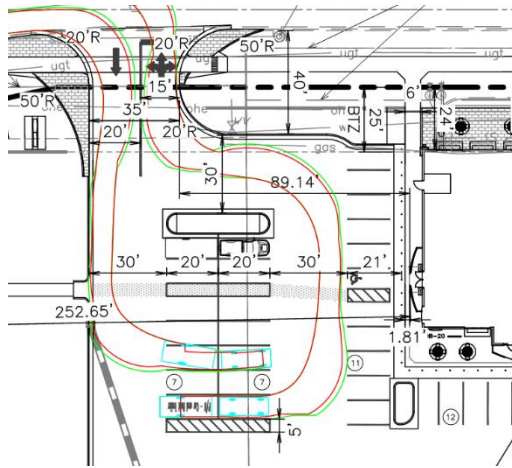
The applicant has requested a variance to parking lot design standards as described below. The applicant's request letter does not touch on parking spaces located abutting the store, drive aisles adjacent to the convenience store or standard vehicle size canopy, or driveway widths. As such, staff recommends that these items are adjusted to meet standards or additional variances be requested.

Variance #1: §172.04(E) Parking Lot Dimensional Standards, Parking Space Dimensions. The applicant is requesting variances to multiple portions of parking lot dimensional standards, including the width of a two-way drive aisle and the width and depth of standard parking spaces.

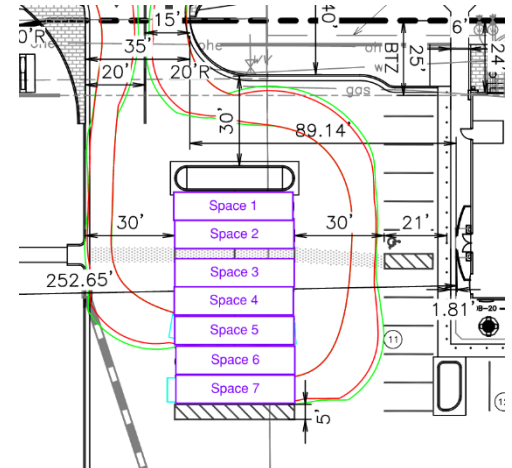
Staff recommendation: Staff is generally supportive of this requested variance with conditions. Individual elements of the requested variances are discussed below.

- a. Where a 9-foot by 19-foot requirement is standard, the applicant has*

requested up to 9.5-foot-wide by 20-foot-deep vehicle spaces with 30-foot drive aisles throughout the site to accommodate vehicles traveling with trailers, such as vehicles utilizing U-Haul trailers, moving trucks, vehicles hauling boats or campers, etc. While staff finds that the highway-oriented nature of the development may warrant larger vehicle spaces to serve these needs, staff also finds that the proposed design shows these larger vehicles taking up two parking spaces each. As splitting these spaces does not guarantee that there will be 40-foot-deep spaces available for these uses, staff instead recommends that the double row of spaces indicated in the truck/trailer turning exhibit below be combined into a single row of seven (7) total 9.5-foot-wide by 40-foot-deep parking spaces to ensure that spaces are sufficient depth are available. Staff recommends the 30-foot drive aisles be permitted here to accommodate larger turn-radii.



APPLICANT PROPOSAL



STAFF RECOMMENDATION

-
- This site plan illustrates the proposed 100-unit apartment building, a rectangular structure measuring 190.48' by 70'. The building is oriented with its long side parallel to the 10th Street frontage. The plan includes detailed landscaping, such as trees and shrubs along the perimeter and within the site. Key features include:
 - Building Footprint:** A large rectangle measuring 190.48' x 70'.
 - Parking Spaces:** Numerous parking spaces are shown, some with dimensions like 20', 15', 14', and 10.5'.
 - Landscaping:** Trees and shrubs are indicated along the streets and within the site.
 - Dimensions:** Various dimensions are provided for building sections, parking spaces, and setbacks, including 50' R, 20' R, 35' R, 15' R, 33.94', 21.81', 5.2118', 42.39', 27.12', 65', 90', 75', 15', 14', 10.5', and 18'.
 - Orientation:** The plan is oriented with North (N) indicated by a compass rose.
 - Adjacent Properties:** The plan shows the adjacent property to the east, which is a 100-unit apartment building.

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[illegible]

- [illegible]

[illegible]

- [illegible]

[illegible]

- [illegible]

Finding: Any proposed signage will be subject to §174 and all the regulations therein. The property is located in the i-540 Overlay District, which prohibits electronic message boards and pole signs.

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

Finding: Based on the applicant's submittal, the development may meet the setback and build-to-zone requirements of the CS zoning. Auto-oriented uses must place the principal façade within the build-to-zone but must meet the remaining build-to-zone requirements with supplemental elements. That said, it appears that the building façade is located overtop an existing gas line and overhead electric line. Additionally, a large portion of the proposed masonry screen wall is located within a utility easement, which will require utility approval. Any required utility relocations, vacations, or encroachments must be coordinated with the respective franchise utility company.

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

Finding: Staff finds that the proposed gasoline service station is generally incompatible with adjacent properties. While a lower-scale gasoline service station and convenience store catering more to city travel could be compatible in this location, staff finds the intensity of the proposed use, introduction of semi-trucks and other large vehicles, number of anticipated customers, and potential traffic impacts are likely too intense for this location.

(i) General compatibility with the goals and intent of the city's adopted land-use, transportation, and other strategic plans.

Finding: Increased large vehicle traffic could pose a risk to non-drivers, especially given the expected 25,000–35,000 weekly customers. Given the limited availability of highway crossings for non-drivers, staff finds that the proposed use likely runs counter to city goals to promote alternative means of transportation.

Additionally, one of the existing residences was constructed in 1886 per the Washington County Assessor. The Long-Range Planning department is currently completing a survey of historic properties and structures throughout the city and recommends that the applicant consult with them prior to the demolition or alteration of this structure in order to capture photo documentation. This is an advisory recommendation only and is not proposed as a recommended condition of approval for this conditional use permit.

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §161.22 – Community Services
 - §172.04 – Parking Lot Design Standards
- Staff Memos
 - Police Email
 - Urban Forestry Memo
- Conditional Use Permit Request Letter
- Variance Request Letters
- Site Plan
- Building Elevations
- One Mile Map
- Close-Up Map
- Current Land Use Map

161.22 Community Services

(A) *Purpose.* The Community Services District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas and is intended to provide for adaptable mixed use centers located along commercial corridors that connect denser development nodes. There is a mixture of residential and commercial uses in a traditional urban form with buildings addressing the street. For the purposes of Chapter 96: Noise Control, the Community Services district is a commercial zone. The intent of this zoning district is to provide standards that enable development to be approved administratively.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 15	Neighborhood Shopping goods
Unit 24	Home occupations
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 40	Sidewalk Cafes
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 42	Clean technologies

(C) *Density*. None.

(D) *Bulk and Area Regulations*.

(1) *Lot Width Minimum*.

Dwelling	18 feet
All others	None

(2) *Lot Area Minimum*. None.

(E) *Setback regulations*.

Front:	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.
Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

(F) *Building Height Regulations*.

Building Height Maximum	5 stories
-------------------------	-----------

(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(s)—Ord. No. 6710, §1, adopted November 21, 2023, determines that Ordinance 6427 (Sunset Clause) and Ord. No. 6625 (extending Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on December 31, 2024, unless prior to that date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

172.04 Parking Lot Design Standards

(See: Illustration: Parking Dimension Factors)

- (A) *Maneuvering.* Parking lots shall be designated, maintained, and regulated so that no parking or maneuvering incidental to parking will encroach into the areas designated for sidewalks, streets, or required landscaping. Parking lots shall be designed so that parking and un-parking can occur without moving other vehicles, unless a valet service has been approved as part of the development plans. Vehicles shall exit the parking lot in a forward motion.
- (B) *Pedestrian Access.*
- (1) Pedestrian access shall be provided from the street to the entrance of the structure by way of designated pathway or sidewalk.
 - (2) Parking lots may be utilized by restaurants, cafes, and similar uses where pedestrian seating, access, or service does not interfere with safe and functional circulation. If a parking lot utilized for outdoor service is determined to represent a hazard to pedestrian or vehicular use, sites may be required to include an implied or physical barrier with landscaping elements, gated fencing, changes in ground surface texture, material or color, or similar treatments.
- (C) *Build-to Zone.* A portion of a required parking lot may be located within the build-to zone, subject to the following:
- (1) A parking lot located within the build-to zone shall be screened with a masonry screen wall between 32 inches and 42 inches in height and 50% opaque minimum.
 - (2) Parking lots that are located within the build-to zone shall comply with Chapter 177: Landscape Regulations, related to landscape setbacks.
 - (3) Off-site parking lots shall be prohibited from being located within the build-to zone.
 - (4) In urban zoning districts that specify urban form (i.e., a build-to zone) the intent is for drive-thru lanes, parking lot drive aisles, and parking spaces to be located to the side or rear of buildings. In urban zoning districts, a drive-thru lane, parking lot drive aisle, or parking spaces are not permitted to be located in the front yard directly between a building and the Master Street Plan right-of-way.
- (D) *Compact Spaces.* A maximum of 35% of the total spaces may be compact spaces. Compact spaces shall be marked either by marking on the pavement or by separate marker.
- (E) *Dimensional Requirements.* (See Table 1)

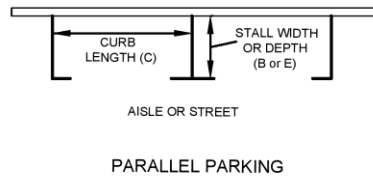
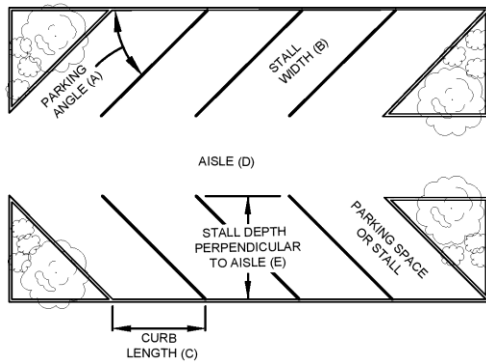
TABLE 1
DIMENSIONAL REQUIREMENTS

Angle (A)	Type	Width (in ft.) (B)	Curb length (in ft.) (C)	One-way aisle width (in ft.) (D)	Two-way aisle width (in ft.) (D)	Stall depth (in ft.) (E)
0°	Standard	8	22.5	12	24	8
Parallel	Compact	7.5	19.5	12	24	7.5
30°	Standard	9	18	12	24	17
	Compact	7.5	15	12	24	14
45°	Standard	9	12.5	12	24	19
	Compact	7.5	10.5	12	24	16
60°	Standard	9	10.5	18	24	20
	Compact	7.5	8.5	15	24	16.5

Created: 2025-01-02 08:10:46 [EST]

(Supp. No. 35)

90°	Standard	9	9	24	24	19
	Compact	7.5	7.5	22	24	15
	Motorcycle/Scooter	3	3	12-24	24	7.5 - 9



(F) *Parking Lot Circulation.*

- (1) *Throat Length.* The length of driveways or "throat length" shall be designed in accordance with the anticipated storage length for vehicles to prevent them from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. General standards appear below, but these requirements may vary according to the project volume of the individual driveway. These measures generally are acceptable for the principal access to a property and are not intended for minor driveways. Variation from these standards may be permitted for good cause upon approval of the Zoning and Development Administrator and City Engineer.

....

- (4) *Entrances and Internal Aisle Design for Parking Lots Containing Nine (9) or More Parking Spaces.* The driveway width into parking lots shall meet the following requirements:
 - (a) *Entrances.*
 - (i) *One-Way Access to Parking Lots.* If the driveway is a one-way in or one-way out, then the driveway width shall be a minimum of 12 feet and a maximum of 16 feet.
 - (ii) *Two-Way Access to Parking Lots.* For two (2) way access, the driveway width shall be a minimum 20 feet and a maximum width of 24 feet, unless otherwise required by the Fire Department.
 - (iii) *Neighborhood and Regional Links.* Driveways that enter neighborhood and regional link streets may be required to have two (2) outbound lanes (one (1) for each turning direction) and one (1) inbound lane for a maximum total driveway width of 39 feet.
 - (iv) *Effective Curb Radius.* All driveways serving nine (9) or more parking spaces shall have an effective curb radius of 15 feet for curb cuts on residential link streets and an effective curb cut radius of 20 feet for neighborhood and regional link streets.
 - (b) *Internal Aisle Design.*
 - (i) Aisles shall be designed so that they intersect at 90 degrees with other aisles and driveways where practical.

-
- (ii) Aisles shall be designed to discourage cut-through traffic by use of landscape islands, and shall meet the requirements of Chapter 177: Landscape Regulations.
 - (iii) Aisles shall conform to the dimensional requirements of §172.04(C).

Parking Lots With Nine (9) Spaces or More	
	Driveway Dimensional Requirement
One Way Access	12 feet Minimum - 16 feet Maximum
Two Way Access	2 Drive Lanes 10 feet Minimum Each - 24 feet Maximum Total Driveway Width
Neighborhood/Regional Link	3 Drive Lanes - Maximum of 39 feet
Effective Curb Radius - Residential Link	15 feet
Effective Curb Radius - Neighborhood/Regional Link	20 feet

....

(Ord. No. 4725, 7-19-05; Ord. No. 4855, 4-18-06; Ord. No. 4917, 9-05-06; Ord. No. 5044, 8-07-07; Ord. No. 5079, 11-20-07; Ord. No. 5297, 12-15-09; Ord. No. 5592, 06-18-13; Ord. No. 5680, 4-15-14; Ord. No. 5841, §§1—3, 1-5-16; Ord. No. 5859, §2, 3-15-16; Ord. No. 6325, §1, 6-16-20; Ord. No. 6350, §9(Exh. G), 8-18-20)

Wonsower, Donna

From: Dawson, Greg
Sent: Wednesday, January 8, 2025 4:13 PM
To: Wonsower, Donna
Subject: RE: CUP-2024-0049 Police Impact

Donna

I spoke with the Chief and we both agree the only issue that immediately jumped out was the small northern entrance. If an 18-wheeler were to enter as suggested, they would have to enter the turn lane and oncoming traffic to make that right turn into the business. The likelihood of an accident is increased and would completely bottleneck and shut-down traffic in all directions. It would have impact on the Interstate exit and on-ramps, as well as would render the departments exit by the interstate useless.

Please let me know if I can be of assistance or answer any questions.

Greg

From: Wonsower, Donna <dwonsower@fayetteville-ar.gov>
Sent: Wednesday, January 8, 2025 1:43 PM
To: Dawson, Greg <gdawson@fayetteville-ar.gov>
Cc: Masters, Jessica <jmasters@fayetteville-ar.gov>
Subject: RE: CUP-2024-0049 Police Impact

Thank you for letting me know! I appreciate the heads up.

Best Regards,

Donna Wonsower, AICP

Planner, Development Services

479-575-8358

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



From: Dawson, Greg <gdawson@fayetteville-ar.gov>
Sent: Wednesday, January 8, 2025 12:24 PM
To: Wonsower, Donna <dwonsower@fayetteville-ar.gov>
Subject: RE: CUP-2024-0049 Police Impact



Planning Commission Memo

TO: Fayetteville Planning Commission

THRU: Donna Wonsower, Planner

FROM: Willa Thomason, Urban Forester

MEETING DATE: January 13, 2025

SUBJECT: **CUP-2024-0049 Conditional Use Permit (1965 N Stephen Carr Memorial Blvd.):** 1965 N. STEPHEN CARR MEMORIAL BLVD - Submitted by AAB ENGINEERING LLC for property located at 1965 N. STEPHEN CARR MEMORIAL BLVD. The property is zoned CS, COMMUNITY SERVICES and contains approximately 2.45 acres. The request is for a gas station.

RECOMMENDATION:

Urban Forestry Staff recommends denial of CUP-2024-0049. The minimum tree preservation requirement for CS zoning is 20% of the site area minus existing ROW and easements. Canopy cover on the site is currently 44.2%, and the applicant plans to preserve a total of 12.4% canopy cover. The applicant intends to preserve trees on the eastern property perimeter adjacent to I-49 and along the northern property boundary, while all the interior trees are to be removed.

BACKGROUND:

While the applicant has planned for the 68 mitigation trees required based on the 13,486 sf of tree canopy removed below the minimum required percentage of the site, Urban Forestry recommends that more trees are preserved to meet the 20% minimum, per §67.01(B)(1) which states "Preservation shall be the first, best, and standard approach". As §167.04(H)(4) states, "The applicant shall submit an analysis report when minimum percent canopy is not met. The report shall detail the design approaches used to minimize damage to or removal of existing canopy that were considered in arriving at the proposed design. Written justification shall be presented as to why individual trees or canopy must be removed. The report shall also detail proposed on-site mitigation options or off-site alternatives, as detailed below". The applicant has not submitted a site analysis justifying the removal of canopy below the required percentage, and it appears that there may be an opportunity to preserve additional canopy on the eastern side of the site adjacent to N Stephen Carr Memorial Blvd, directly behind the proposed building, or on the northern end of the site in a proposed landscape area.



Planning Commission Memo

TO: Fayetteville Planning Commission

THRU: Donna Wonsower, Planner

FROM: Willa Thomason, Urban Forester

MEETING DATE: January 13, 2025

SUBJECT: **CUP-2024-0049 Conditional Use Permit (1965 N Stephen Carr Memorial Blvd.):** 1965 N. STEPHEN CARR MEMORIAL BLVD - Submitted by AAB ENGINEERING LLC for property located at 1965 N. STEPHEN CARR MEMORIAL BLVD. The property is zoned CS, COMMUNITY SERVICES and contains approximately 2.45 acres. The request is for a gas station.

RECOMMENDATION:

Urban Forestry Staff recommends denial of CUP-2024-0049. The minimum tree preservation requirement for CS zoning is 20% of the site area minus existing ROW and easements. Canopy cover on the site is currently 44.2%, and the applicant plans to preserve a total of 12.4% canopy cover. The applicant intends to preserve trees on the eastern property perimeter adjacent to I-49 and along the northern property boundary, while all the interior trees are to be removed.

BACKGROUND:

While the applicant has planned for the 68 mitigation trees required based on the 13,486 sf of tree canopy removed below the minimum required percentage of the site, Urban Forestry recommends that more trees are preserved to meet the 20% minimum, per §67.01(B)(1) which states "Preservation shall be the first, best, and standard approach". As §167.04(H)(4) states, "The applicant shall submit an analysis report when minimum percent canopy is not met. The report shall detail the design approaches used to minimize damage to or removal of existing canopy that were considered in arriving at the proposed design. Written justification shall be presented as to why individual trees or canopy must be removed. The report shall also detail proposed on-site mitigation options or off-site alternatives, as detailed below". The applicant has not submitted a site analysis justifying the removal of canopy below the required percentage, and it appears that there may be an opportunity to preserve additional canopy on the eastern side of the site adjacent to N Stephen Carr Memorial Blvd, directly behind the proposed building, or on the northern end of the site in a proposed landscape area.

**QuikTrip.**

CORPORATE OFFICE
4705 South 129th East Avenue
Tulsa, Oklahoma 74134-7008
P.O. Box 3475
Tulsa, Oklahoma 74101-3475
918-615-7700

January 3rd, 2025

To: City of Fayetteville Development Services
From: Mark Horton, PE
QuikTrip Corporation
4705 South 129th E. Ave.
Tulsa, OK 74134
E: mhorton@quiktrip.com
P: (918) 615-7597

RE: Conditional Use Permit for QuikTrip Store 7217 - To operate a gasoline service station (UU18) in a Community Service District (CS).

QuikTrip Corporation is pleased to submit for a Conditional Use Permit for the construction of a proposed 4.33ac development at the intersection of N. Stephen Carr Memorial Blvd. & I -49. This will be a QuikTrip Remote Travel Center convenience store w/ fuel sales. Additionally, QT Kitchens, a made-to-order kitchen, will be incorporated into this design. There will be 2 fuel canopies. One will have 7 multi-fuel dispensers (MPDs) servicing 14 passenger vehicles, and the second will be a 4-bay truck diesel offering. Further description of this project is below:

- A) The building is approximately +/- 8,602 S.F.
- B) Color elevations of the building are attached. To meet the build-to zone requirements of the Community Service (CS) district, QuikTrip has taken great lengths to modify our standard building façade by introducing Pedestrian Oriented Elements, additional fenestration & articulation, and improved materials. A supplemental element of a masonry screen wall between 32 inches and 42 inches in height constructed with materials similar to the principal structure and a 50% minimum opacity is provided, along with a covered sitting area.
- C) 35 parks are required, which can be increased by 15% per ordinance. Additionally, developments can increase the number of off-street parks by 10% when alternate stormwater treatment is provided, and 5% when additional parking lot trees are planted on site. We are providing both of these. The allowable off-street parking is calculated at 44 spaces. We are providing 44 parks which include 37 parking spaces for passenger vehicles, 6 semi-trucks, & 1 park for the free air dispenser. Furthermore, we are providing the code-required parking for ADA (2), as well as the required parking for motorcycles (2).
- D) QuikTrip is open 24/7/365. We will have approximately 25 operations employees at this location. There are approximately 8 employees per shift. Shifts overlap which require redundant parking spaces. Typically, we try to have 18 to 20 parks for employees at a Travel Center such as this store.

- E) All QuikTrip's are well-lit and receive ample state-of-the-art security both interior and exterior of the store. Outdoor lighting will be provided by 22-foot height LED lighting standards. The truck court will be illuminated with 35-foot height LED lights. Fuel canopies are illuminated by recessed flush mount LED can lights. To produce safe designs with consideration to the adjacent properties, our lighting consultant creates a custom photometric design for every QuikTrip to optimize the site lighting.
- F) We do not anticipate any issues with noise.
- G) The only adjacent property is Hill City Church to the south. All other frontages abut streets. We will screen with a 6' privacy fence on top of a retaining wall. A row of evergreen trees will be included to further screen our site from the neighbor.
- H) Trash dumpsters are not visible from the street or adjacent property. They are located toward the rear of the site and screened by brick masonry walls that complement the building design. These will be serviced regularly. Demand will dictate the final schedule.
- I) In lieu of the 3 driveways originally submitted, we are proposing 2 full access drives w/ left turn lanes. It is anticipated that most truck traffic will come from the Interstate. To facilitate on-site movement, the northern driveway will act as the primary truck entrance. Trucks will proceed along the north and west aisles of the parking lot to access the truck court. They will then egress by way of the southern driveway. Passenger vehicles will be distributed more evenly than the trucks and will use both driveways for ingress and egress. Included in this submittal is a Traffic Impact Analysis prepared by Traffic Engineering Consultants, Inc. (TEC). The analysis supports our design, and no further traffic mitigation is recommended.
- J) The QuikTrip store proposed here is an extremely compatible use for the CS district type, the adjacent properties, and properties in the neighborhood. It is said that QuikTrip is more than a gas station. In this location, it will not only function as a neighborhood store, it will also be able to service the needs of highway travelers. Beyond the obvious fuel sales, a QuikTrip store is well-known for: its selection of convenience goods; made-to-order fresh foods; daily bakery deliveries; an abundance of fountain, frozen, and take-home beverages; and clean restrooms which are all in a safe, clean friendly environment.

Respectfully Submitted,



Mark Horton, PE
Real Estate Project Manager
QuikTrip Corporation

January 2, 2025

RE: QuikTrip 7012 Parking Configuration Variance

To Whom It May Concern,

QuikTrip has applied for a conditional use permit authorizing a gasoline service station in a Community Service District. We have made every effort to fully conform the proposed site plan to the Unified Development Code standards but request some variation of the code to accommodate a more auto oriented use along an interstate. We request a variance to the dimensional standards set out in Table 1 of UDC 172.04 (E) to allow a 14' standard width and 60' standard length for parking spots designated for semi-trucks.

The project proposes a diesel full canopy that will accommodate semi-truck traffic. To meet the needs of these trucks 6 truck parking spaces are proposed at the rear of the site. A great amount of effort is put into separating truck traffic from common auto traffic and pedestrian traffic in order to minimize conflicts and promote safety. These parking spots are located at the rear of the site adjoining the interstate and are barely visible, if at all, from the City street right of way.

Respectfully,

Alan Betchan, P.E.
AAB Engineering, LLC

January 2, 2025

RE: QuikTrip 7012 Parking Configuration Variance

To Whom It May Concern,

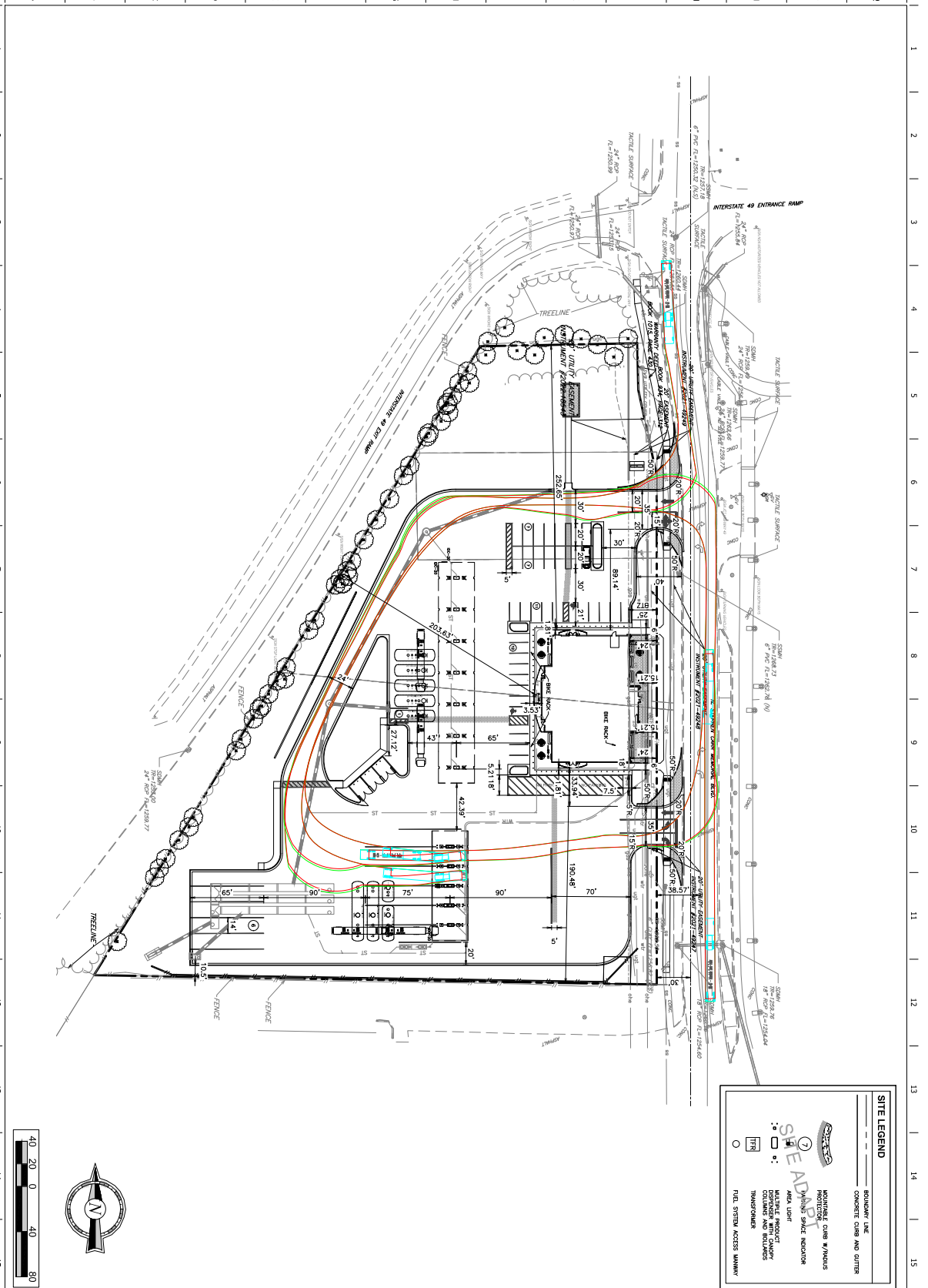
QuikTrip has applied for a conditional use permit authorizing a gasoline service station in a Community Service District. We have made every effort to fully conform the proposed site plan to the Unified Development Code standards but request some variation of the code to accommodate a more auto oriented use along an interstate. We request a variance to the dimensional standards set out in Table 1 of UDC 172.04 (E) to allow a 9.5 standard width, 20' standard length, and 30' standard drive isle for the parking spots north of the store.

The location of the site near a major interstate generally creates a higher percentage of vehicle trailer combinations than other fuel locations. These combinations include passenger vehicles with U-Haul type trailers, moving trucks with car dollies, truck/boat combinations, and the like. These users tend to park in tandem spaces using a pull through movement as shown on the attached turning exhibits. These drivers also tend to be less familiar with the vehicle combination which contributes to inefficiency in the turning movements. The turning movement exhibits demonstrate the configuration requested narrowly allows the turning movements. The additional widths are the minimum QuikTrip has found adequately accommodate these unique vehicular movements.

To minimize the potential conflict points with pedestrian traffic we propose to provide a color differentiate pavement path for the protected pedestrian paths. These paths connect each of the site elements to the proposed parking areas and will serve to alert vehicles to the potential pedestrian crossings. These areas will be delineated using a pavement color differentiation that is integral to the paving product to ensure a high differentiation that is not solely reliant on striping. If asphalt pavement is the chosen pavement method for the site use of concrete for these paths is adequate to meet this requirement.

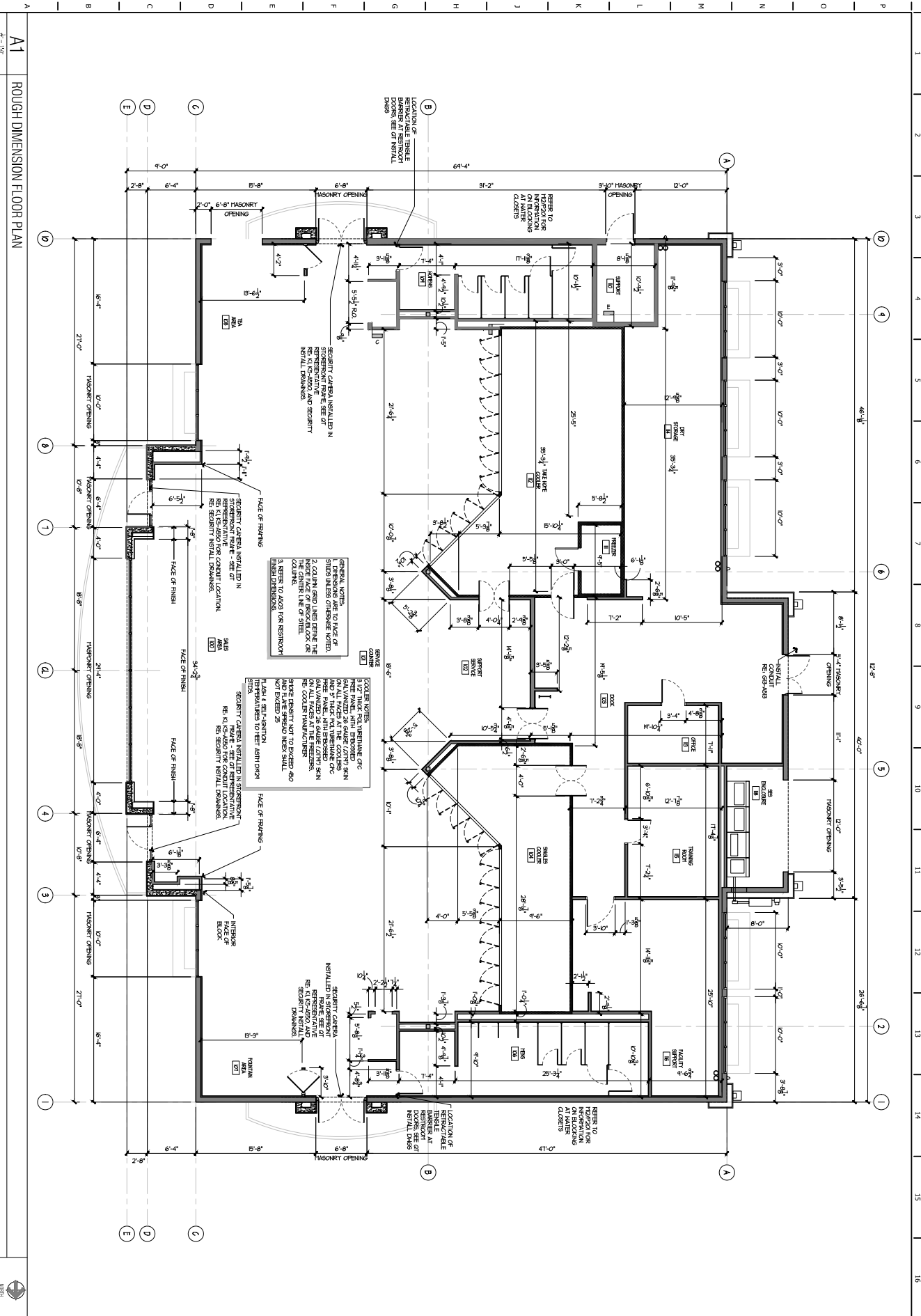
Respectfully,

Alan Betchan, P.E.
AAB Engineering, LLC



 QuikTrip No. 7217 N. STEPHEN CARR MEMORIAL BLVD. FAYETTEVILLE, AR	 AAB Engineering LLC 2550 N. STEPHEN CARR MEMORIAL BLVD. FAYETTEVILLE, AR 72701 TEL: 479.450.1234 WWW.AABENGINEERING.COM	 CHAD A. SMITH Professional Engineer State of Arkansas No. 25530										
			<table border="1"><thead><tr><th>REV</th><th>DATE</th><th>DESCRIPTION</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> ORIGINAL ISSUE DATE:	REV	DATE	DESCRIPTION						
REV	DATE	DESCRIPTION										
SHEET NUMBER: 2												

[illegible]



STANDARD DRAWING SYMBOLS

QUICKTRIP No. RTC

STREET
CITY, STATE

REVISIONS

NO.	DATE	DESCRIPTION
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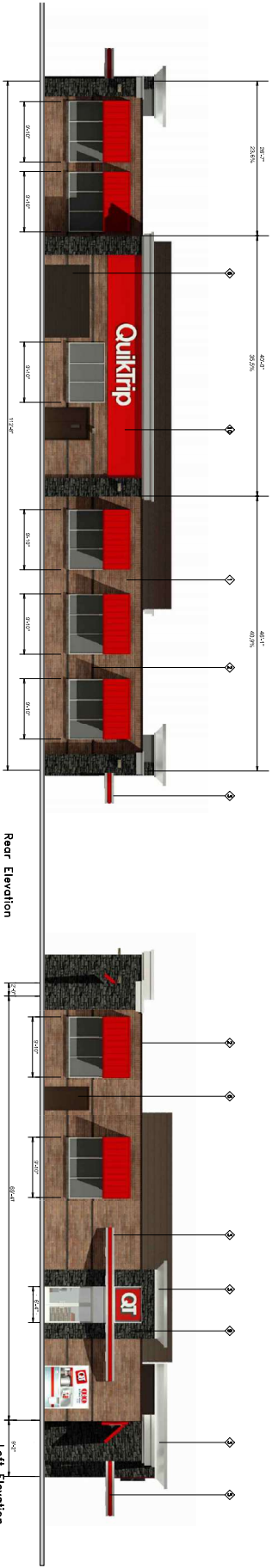
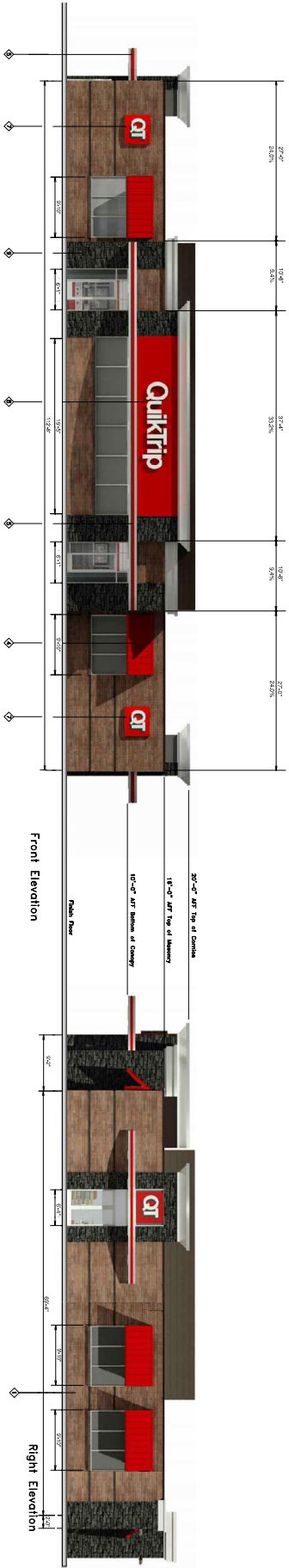
SHEET NUMBER

A110

SHEET TITLE

ROUGH DIMENSION
FLOOR PLAN

Glazing Calculations					
Build To Zone	Required Glazing	Facade Length	Glazing Length	Glazing Provided	
Front Elevation	No	33%	112'-8"	51'-3"	45.5%
Rear Elevation	Yes	50%	112'-8"	59'-0"	52.4%
Right Elevation	No	30%	69'-4"	26'-0"	37.5%
Left Elevation	No	30%	69'-4"	26'-0"	37.5%

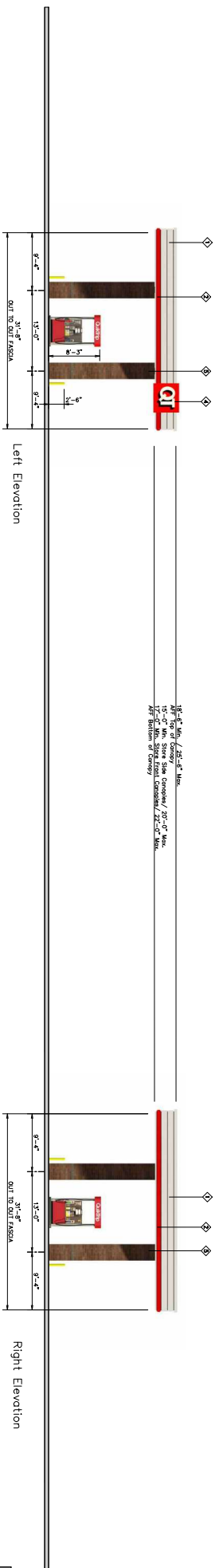
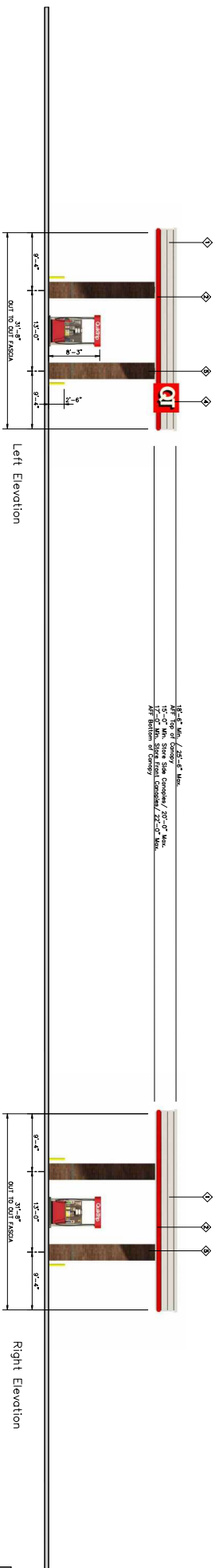
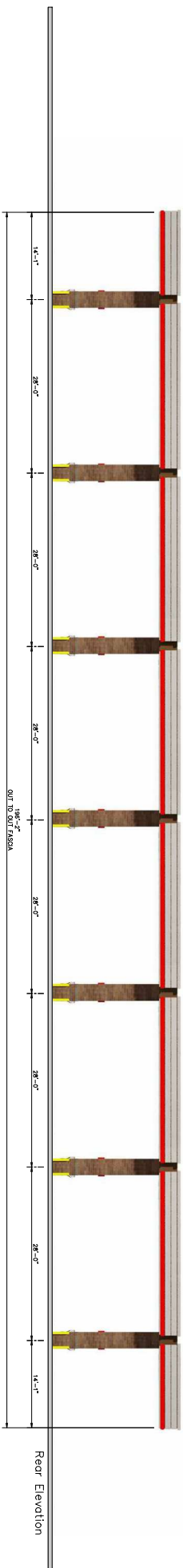
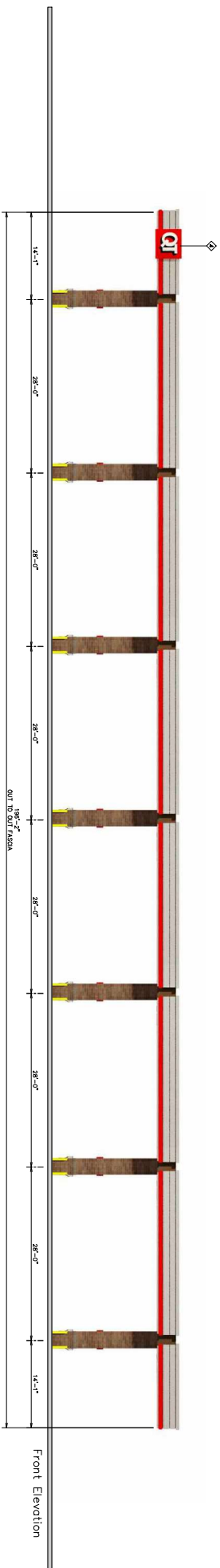


Rear Elevation
(Build To Zone
Facing Stephen Carr
Memorial Blvd.)

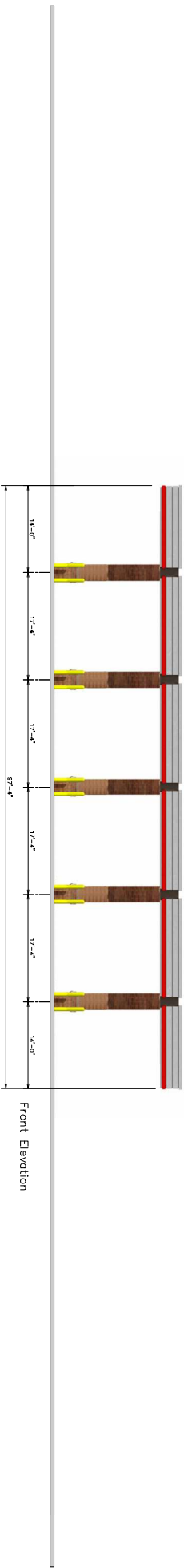
APPROVED

01/02/2025

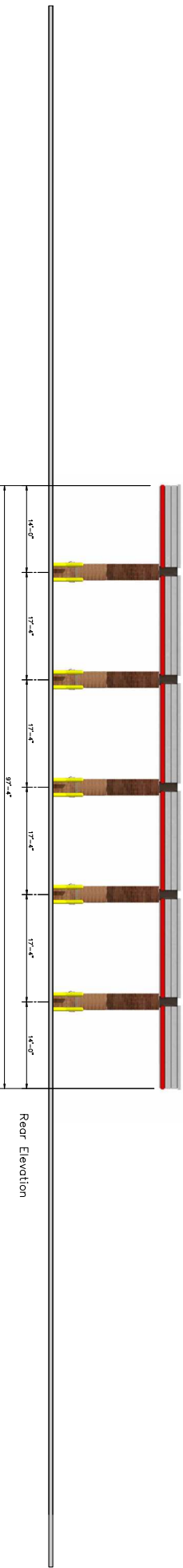
	QuikTrip	400 South 12th, Fort Worth, TX 76102-1200 Phone: 817-741-0000 Fax: 817-741-0000
Store #	7217	RTC-L Building Elevations
Scale	1/8"=1'-0"	Issue Date
Drawn By	JK	09.16.24
Rev/Notes		
City, State	Fayetteville, AR	
Address	I-49 & Stephen Carr Memorial Blvd.	
Comments	CONTRACTOR TO VERIFY THE EXISTING CONDITION OF THE BUILDING, INCLUDING THE EXISTING GLAZING, AND THE EXISTING GLAZING IS TO BE REPLACED WITH THE EXISTING GLAZING. THE EXISTING GLAZING IS TO BE REPLACED WITH THE EXISTING GLAZING. THE EXISTING GLAZING IS TO BE REPLACED WITH THE EXISTING GLAZING.	
Manufacturer	1/8"=1'-0"	01/02/2025



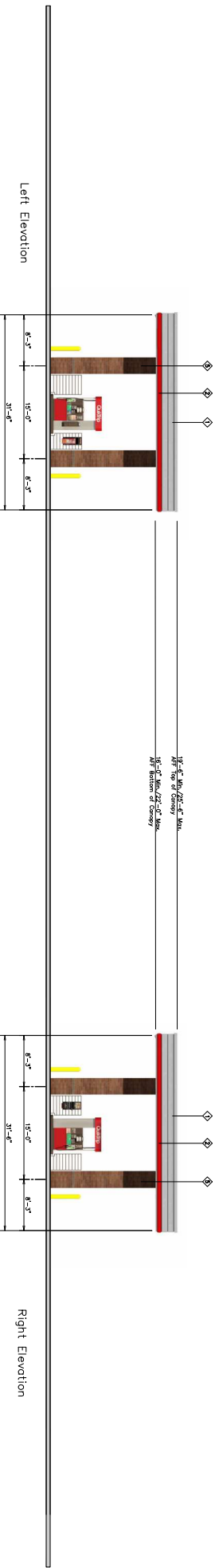
		4750 South 127th East Ave. P.O. Box 1672 Tulsa, OK 74116 (918) 818-7700	
Store #	7217	Address	Vertical 7 Canopy Elevations
Serial #	89-7217-GV07	Scales	1/16" = 1' - 0"
Issue Date:	01.03.25	Drawn By:	JK
Rev/Notes:	& N Stephen Carr Memorial Blvd Fayetteville, AR		
City, State:	Fayetteville, AR		
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① FINISH 2. EXISTING ASPHALT 3. EXISTING ASPHALT 4. EXISTING ASPHALT 5. EXISTING ASPHALT 6. EXISTING ASPHALT			
② MATERIALS 1. ASPHALT 2. ASPHALT 3. ASPHALT 4. ASPHALT 5. ASPHALT 6. ASPHALT			
③ SPECIFICATIONS 1. ASPHALT 2. ASPHALT 3. ASPHALT 4. ASPHALT 5. ASPHALT 6. ASPHALT			



Front Elevation



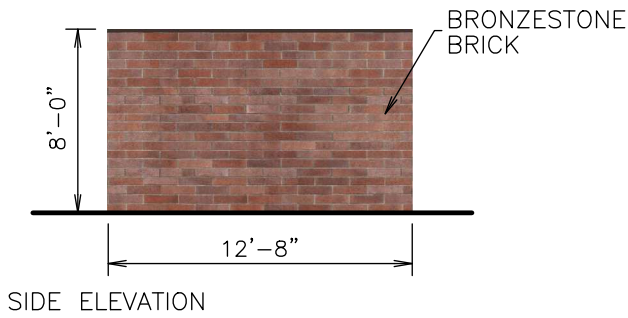
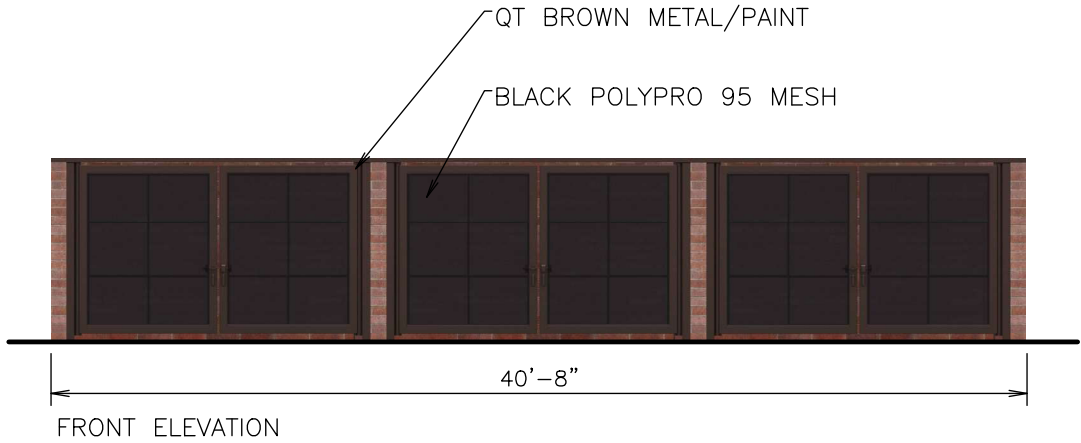
Rear Elevation



Left Elevation

Right Elevation

 Quikrip 4755 South 129th East Ave. Tulsa, OK 74133 Tel: 918.457.0075 Fax: 918.457.0075		Store # 7217		4 Bay Diesel w/ Brick Columns		Address: I-49 & N Stephen Carr Memorial Blvd		City, State: Fayetteville, AR																																					
Serial # 89-7217-DV04		Scale: 1/16"=1'-0"		Issue Date: 01.03.25		Drawn By: JK		Rev/Notes:																																					
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<table><thead><tr><th>Q</th><th>FINISH</th><th>MANUFACTURER</th><th>SPECIFICATION</th></tr></thead><tbody><tr><td>1</td><td>BRICK</td><td>QUIKRIP</td><td>QUIKRIP BRICK</td></tr><tr><td>2</td><td>CONCRETE</td><td>QUIKRIP</td><td>QUIKRIP CONCRETE</td></tr><tr><td>3</td><td>PAINT</td><td>QUIKRIP</td><td>QUIKRIP PAINT</td></tr><tr><td>4</td><td>ROOFING</td><td>QUIKRIP</td><td>QUIKRIP ROOFING</td></tr><tr><td>5</td><td>GLASS</td><td>QUIKRIP</td><td>QUIKRIP GLASS</td></tr><tr><td>6</td><td>STEEL</td><td>QUIKRIP</td><td>QUIKRIP STEEL</td></tr><tr><td>7</td><td>WOOD</td><td>QUIKRIP</td><td>QUIKRIP WOOD</td></tr><tr><td>8</td><td>OTHER</td><td>QUIKRIP</td><td>QUIKRIP OTHER</td></tr></tbody></table>										Q	FINISH	MANUFACTURER	SPECIFICATION	1	BRICK	QUIKRIP	QUIKRIP BRICK	2	CONCRETE	QUIKRIP	QUIKRIP CONCRETE	3	PAINT	QUIKRIP	QUIKRIP PAINT	4	ROOFING	QUIKRIP	QUIKRIP ROOFING	5	GLASS	QUIKRIP	QUIKRIP GLASS	6	STEEL	QUIKRIP	QUIKRIP STEEL	7	WOOD	QUIKRIP	QUIKRIP WOOD	8	OTHER	QUIKRIP	QUIKRIP OTHER
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7	WOOD	QUIKRIP	QUIKRIP WOOD																																										
8	OTHER	QUIKRIP	QUIKRIP OTHER																																										



SPECIFICATIONS:	



Trash Enclosure Triple Mesh Doors

NOTES	
DRAWN BY	
ISSUE DATE	05.26.22

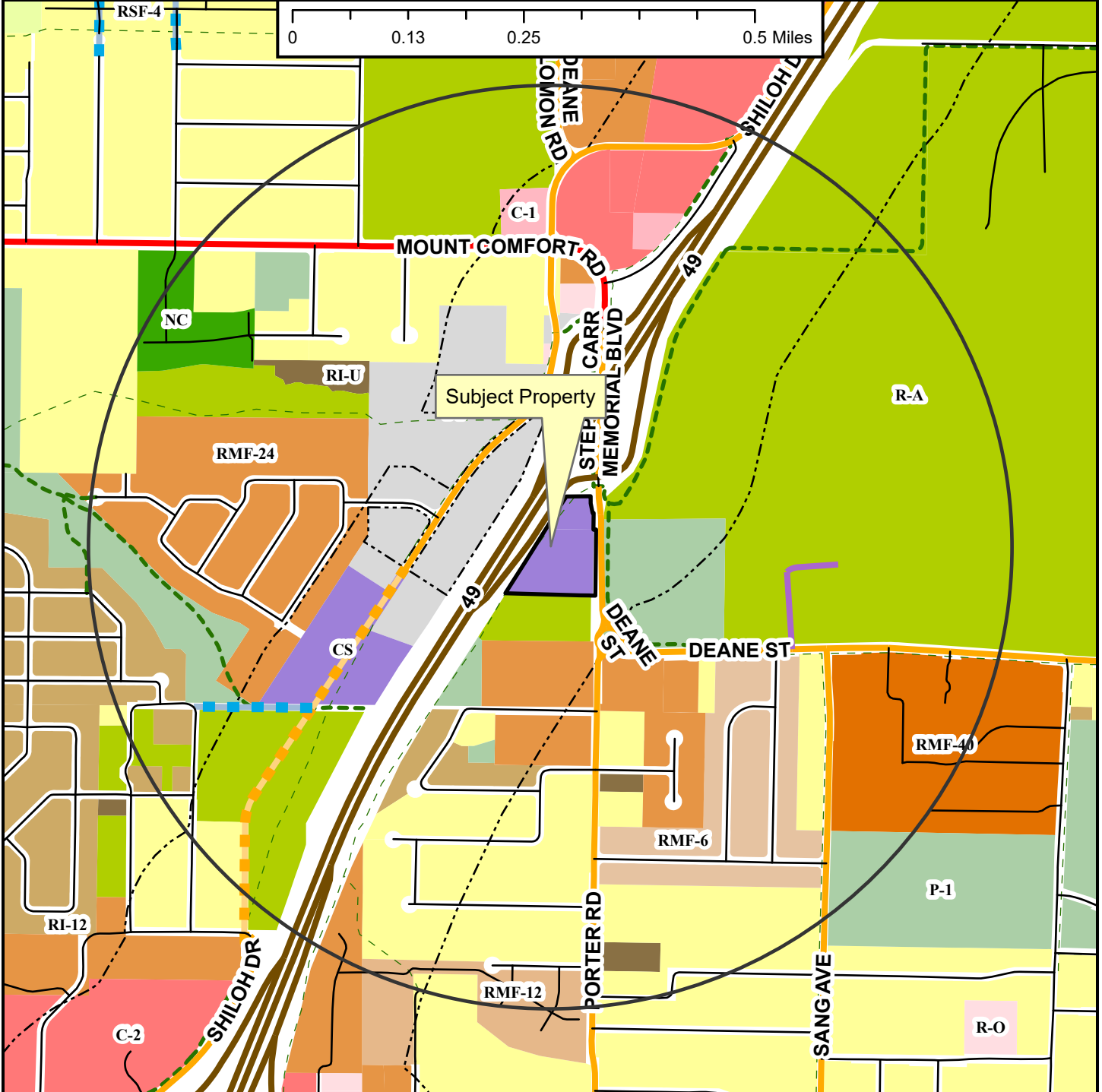
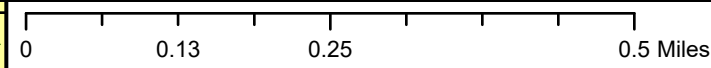
SQUARE FOOTAGE	
TYPEFACE	
INSIDE CAN	
ENTIRE SIGN	

SCALE:
1/4" = 1'-0"
SERIAL NUMBER:
STORE NUMBER:

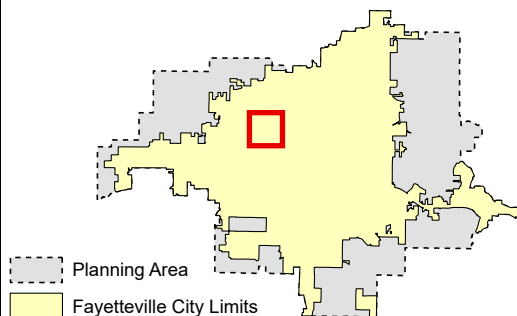
CUP-2024-0049

One Mile View

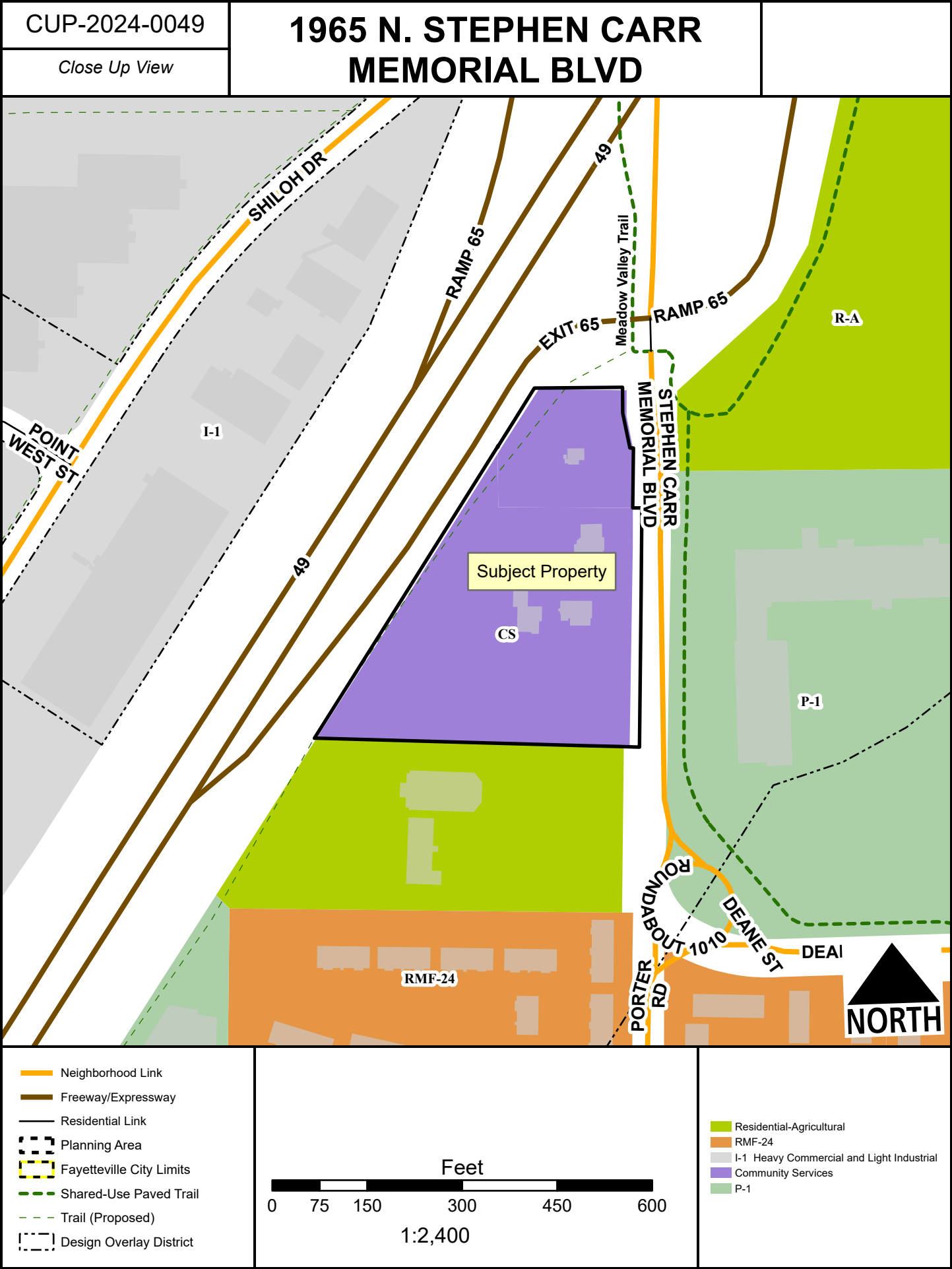
1965 N. STEPHEN CARR MEMORIAL BLVD



- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Freeway/Expressway
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



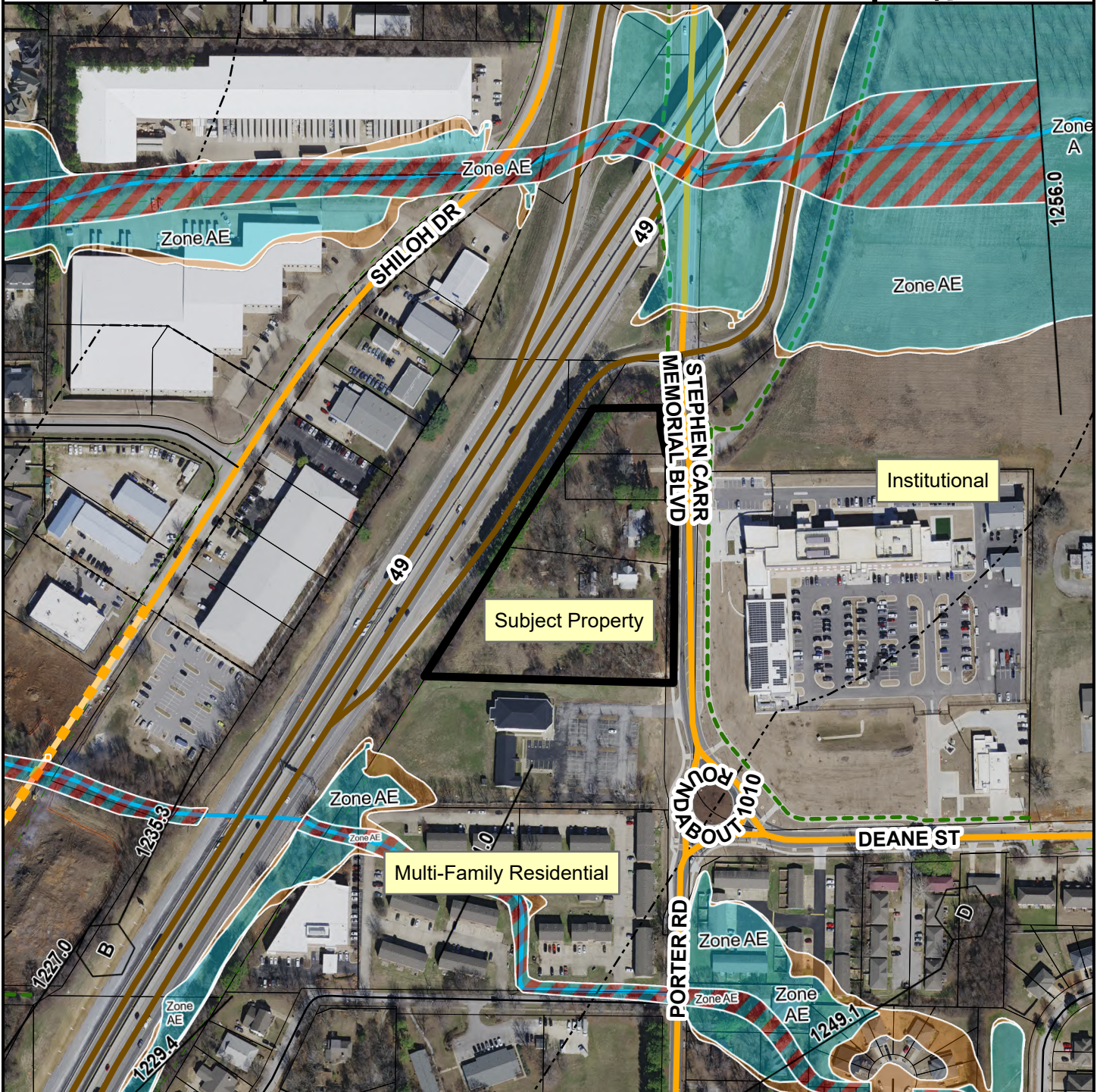
- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
- RMF-12
- RMF-13
- RMF-24
- RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
- EXTRACTION**
- E-1
- COMMERCIAL**
- Residential-Office
- C-1
- C-2
- C-3
- FORM BASED DISTRICTS**
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
- Commercial, Industrial, Residential
- INSTITUTIONAL**
- P-1



CUP-2024-0049

Current Land Use

1965 N. STEPHEN CARR MEMORIAL BLVD



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Donna Wonsower, Planner

MEETING DATE: January 13, 2025

SUBJECT: **RZN-2024-0054: Rezoning (NW OF W. WATSON ST. AND N. ROLLSTON AVE./ELKINS REAL ESTATE HOLDINGS LLC & 40 PLUS LLC, 484):** Submitted by BLEW AND ASSOCIATES for property located NW OF W. WATSON ST. AND N. ROLLSTON AVE. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.65 acres. The request is to rezone the property to DG, DOWNTOWN GENERAL.

RECOMMENDATION:

Staff recommends denial of **RZN-2024-0054**.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0054** to the City Council with a recommendation of approval."*

BACKGROUND:

The subject property is located in downtown Fayetteville, just south of the intersection of W. Lafayette St. and both N. Campbell Ave. and N. Rollston Ave. The property contains five parcels totaling 0.65 acres. These parcels contain a 1,000-square-foot single-family dwelling, a 1,256-square-foot two-family dwelling, and a 2,295-square-foot two-family dwelling all constructed in 19241. Also contained are a 1,050-square-foot single family dwelling constructed in 1891 and a 1,651-square foot single-family dwelling constructed in 1946. None of the structures are listed in either the Arkansas or National Registry of Historic Places, nor are they part of historic district, though the structure built in 1891 appears to have been surveyed. No hydric soils, 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	Multifamily Residential	NC, Neighborhood Conservation
South	Multifamily Residential	MSC, Main Street Center
East	Mixed-Density Residential	NC, Neighborhood Conservation
West	Multifamily Residential	DG, Downtown General

Request: The request is to rezone the subject property from NC, Neighborhood Conservation to DG, Downtown General.

Public Comment: Staff has received two public comments opposed to the request. One cited opposition to any proposed zoning away from NC, Neighborhood Conservation, and the other cited concerns with public notifications. One additional inquiry was received with no stated support or opposition.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: This property has frontage on N. Campbell Ave. and N. Rollston Ave., both partially improved urban center streets with asphalt paving and curb and gutter. Any street or drainage improvements required in these areas will be determined at the time of development proposal.

Water: Public water is available to the subject property. There is an 8-inch water main present in N. Campbell Ave. and a 2-inch water main present in N. Rollston Ave.

Sewer: Sanitary Sewer is available to the subject property. There is an 8-inch sanitary sewer main present in N. Rollston Ave. and a 6-inch sanitary sewer main present in N. Campbell Ave. There are known wet weather sewer capacity issues identified in the City's 2021 Sewer Master Plan that appear in the system approximately 150-250 linear feet downstream of this property.

Drainage: No protected streams, FEMA Floodplain, or hydric soils are identified on the subject property. No portion of the subject property lies within the Hillside/Hilltop Overlay District.

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 z, located at 303 W. Center St., protects this site. The property is located approximately 0.5 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 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, DG, Downtown General, requires **10% minimum canopy preservation**. The current zoning district, NC, Neighborhood Conservation, 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 of **12** for this site with a weighted score of 17. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 1, located at 303 W. Center St.)
- Near Sewer Main (8-inch main in N. Rollston Ave., 6-inch main in N. Campbell Ave.)
- Near Water Main (8-inch main in N. Campbell Ave., 2-inch main in N. Rollston Ave.)
- Near Grocery Store (Ozark Natural Foods)
- Near Public School (Washington Elementary)
- Near U of A Campus
- Near City Park (Wilson Park)
- Near Paved Trail (On-Street Bike Lanes on W. Lafayette St.)
- Near ORT Bus Stop (Lafayette ST. & Campbell Ave Eastbound, Stop 19636)
- Near Razorback Transit Stop (Dickson & School, Stop 14987)
- Within Master Plan Area (Downtown Master Plan Area)
- Sufficient Intersection Density

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 incompatible with surrounding land uses. The subject property is located in central Fayetteville, on N. Rollston Ave. approximately 1/3 of a mile east of the University of Arkansas main campus. Downtown General's purpose is described as providing "a flexible zone... not limited to the concentrated mix of uses found in the Downtown Core or Main Street /Center. Downtown General includes properties in the neighborhood that are not categorized as identifiable centers yet are more intense in use than Neighborhood Conservation. There is a mixture of single-family homes, rowhouses, apartments, and live/work units. Activities include a flexible and dynamic range of uses, from public open spaces to less intense residential development and businesses." The subject property is also near institutional uses such as University Baptist Church and the downtown Post Office, and properties with higher intensity multifamily zoning districts. That being said, the subject property has frontage along multiple streets, including N. Campbell Ave./, W. Watson St. and N. Rollston Ave., and is situated within a relatively low-density residential neighborhood with units ranging from single-family to small apartments with 6 units. Given the primarily residential use of the neighborhood and the intensity of uses allowed with DG, staff finds that expanding DG into the neighborhood could negatively impact existing residents.

Land Use Plan Analysis: On the balance, staff finds that a rezoning to DG for the subject property would be inconsistent 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. These areas are intended to be primarily residential in neighborhood with low-intensity commercial uses on corners and connecting corridors.

That being said, the Downtown Master Plan specifically discusses development around Lafayette St. The plan describes it as follows: “The residential and civic character of Lafayette Street is much different from Dickson Street of College Avenue. It should be treated as a special place, as a cohesive entity, with an identity that is distinct from neighboring commercialized streets... Gentle rebuilding of the urban context, in character with the remaining homes and buildings should take place, reinforcing the residential character of Lafayette Street” (emphasis added by staff). While a rezoning to DG would align with City Plan 2040 goals 1 (infill), 2 (discourage suburban sprawl), 3 (compact, complete, and connected development), and 6 (opportunities for attainable housing), staff finds the intensity of commercial uses allowed by right in DG would be incompatible with the master plan recommendations.

Additionally, a memo has been provided by the Long-Range Planning Department regarding potential adverse impacts to historic properties within the proposed rezoning area. All five existing structures exceed 50 years old, with four dating at least to the 1930s. The memo further describes applicable action items from the Heritage & Historic Preservation Plan, adopted in 2023, and recommends that the applicant consult with Long-Range Planning prior to the demolition or alteration of historic structures in order to capture photo documentation of the properties and buildings. This is an advisory recommendation only and is not proposed as a recommended condition of approval for this rezoning.

The property has a high infill score of 12 which indicates that it is a suitable location for an increased scale of development. Given this, staff finds that a district such as Residential Intermediate Urban, 12 Units per Acre (RI-12) or Residential Intermediate-Urban (RI-U) would be more appropriate to allow both increased density within the urban core and a transitional zoning between the existing DG to the west and the existing NC to the east.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: Staff does not find that the proposed zoning is justified or necessary at this time. DG is one of the city’s widest permissive zoning districts and allows a wide range of uses that may not be compatible within a primarily residential neighborhood.

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

Finding: A rezoning from NC to DG has the potential to moderately increase vehicular traffic in the area when considering that the property is 0.65 acres in size. Between 2017 and 2021, seven traffic crashes were reported adjacent to the subject property, one with an apparent injury. During that same time, ten crashes, all with no apparent injury, were reported at the intersection of W. Lafayette St. and N. Campbell Ave, north 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: 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 denial of RZN-2024-0054.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>January 13, 2024</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.28 Downtown General
 - §161.29 Neighborhood Conservation
- Staff Exhibits:
 - Long-Range Planning Memo
 - Zoning Comparisons
 - Downtown Master Plan Excerpts
- Request Letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map



TO: Donna Wonsower, Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: January 13, 2025

SUBJECT: Long Range Planning Comments Regarding Historic Structures for RZN-2024-0054

Background:

The proposed rezoning of the properties at 333 to 353 North Rollston Avenue has the potential to adversely impact historic properties via the future demolition of identified historic structures, some of which are more than a century old. Rezoning often precede projects that involve substantial demolition and redevelopment of sites. Although the City does not have a demolition review ordinance in place currently, and there are no regulations preventing the demolition of historic structures at present, it is important to review and acknowledge this proposal's impact on historic properties as part of the 2040 Plan objectives that may be considered as part of a rezoning request:

- 3.1.6 – Encourage historic preservation and adaptive reuse of buildings (p. 24)
- 3.1.7 – Encourage protection of community character in established neighborhoods (p. 25)

The city's Heritage & Historic Preservation Plan adopted in July 2023 was initiated by the 2040 Plan and has three action items supporting a closer look at the rezoning proposed:

Heritage and Historic Preservation Master Plan Relevant Goals and Action Items

1.9	Plan Review	Include historic preservation staff in review of proposed major projects and zoning changes to determine impacts to historic resources.
1.10	Demolition Ordinance	Pass an ordinance to allow for the review of proposed demolitions for resources forty-five years or older. Staff to evaluate each property for significance. Work with the property owner to discourage demolition. Reviews should be taken up by HDC as needed.
4.9	Community Engagement: Transparency	Publish information about historic preservation reviews and demolitions of historic properties to increase transparency.

Recommendation (Advisory Only):

Property owner should consult with the Long Range & Preservation Planner prior to demolition or alteration of historic structures so that staff can capture photo documentation of properties with their current historic structures. Staff is recommending documentation of properties prior to demolition only and is not making a recommendation on the proposed rezoning itself.

Documentation to create an archive of historic buildings is an effective way to mitigate against the loss of historic structures when regulatory tools are not available.

Documentation of Identified Historic Structures:

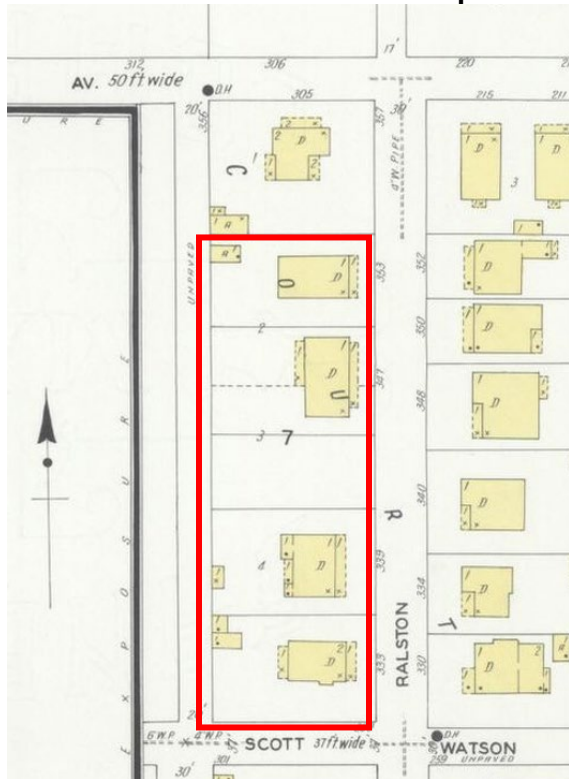
Long Range Planning staff have submitted a grant funding request to the Arkansas Historic Preservation Program to support a survey of historic structures within the Fayetteville city limits. Current survey information is incomplete and may include inaccurate estimated construction dates for historic structures. Some historic homes, for example, are older than they initially appear due to changes to exteriors that mask original design features and building forms. Maps and other public records can serve as resources to improve accuracy in the identification of historic structures, particularly those over a century in age. Although only one of the properties included in the rezoning is currently included on the city's Historic Sites Map, all five are more than 50 years old (4 of the five appear on a map from 1930) and represent historic architectural styles and building construction.

List of Impacted Historic Properties:

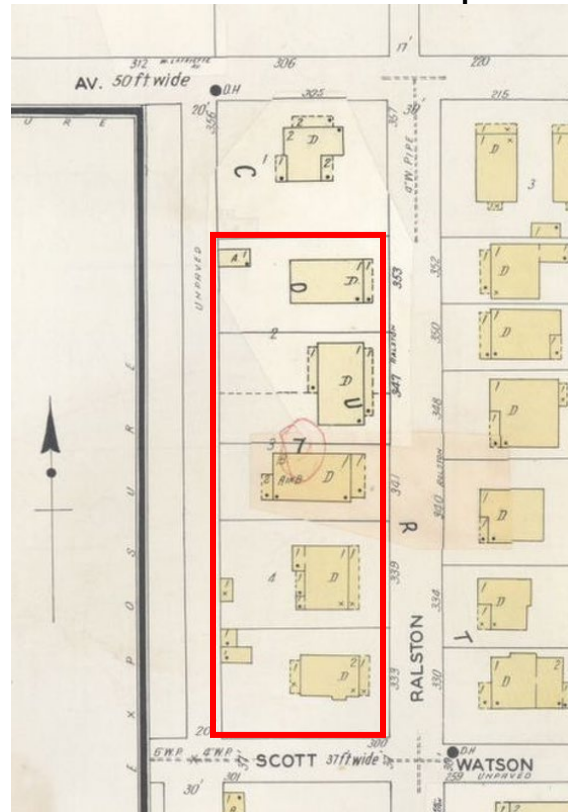
Address	Photo	Description
333 N. Rollston Ave.		Dutch Colonial Revival style home. Although the Washington County Assessor's office lists the building as constructed ca. 1946, it appears on a Sanborn Fire Insurance Map from 1930 and is visible in an aerial photo from 1926.
339 N. Rollston Ave.		Hall and parlor form house constructed in 1891. Simple, side-gabled, hall-and-parlor houses are a traditional British folk form that became a dominant early-American style. Examples of this form are increasingly rare in Fayetteville.
341 N. Rollston Ave.		Clipped gable Craftsman originally constructed ca. 1941. The building does not appear on the 1930 Sanborn Map but is visible on the 1948 map. The 1941 aerial photo is not clear.
347/349 N. Rollston Ave.		Vernacular (domestic and functional) form. Although the Washington County Assessor's office lists the building as constructed ca. 1941, it appears on a Sanborn Fire Insurance Map from 1930.
353 N. Rollston Ave.		Craftsman with later alterations to porch. Although the Washington County Assessor's office lists the building as constructed ca. 1941, it appears on a Sanborn Fire Insurance Map from 1930.

Sanborn Fire Insurance Map Sections Depicting Subject Properties in 1930 and 1948:

1930 Sanborn Fire Insurance Map



1948 Sanborn Fire Insurance Map



STAFF EXHIBITS: ZONING COMPARISONS

Existing and Proposed Uses Allowed by Right

Use Unit	Description	DG	NC
1	City-wide uses by right	X	X
4	Cultural and recreational facilities	X	
5	Government facilities	X	
8	Single-family dwellings	X	X
9	Two-family dwellings	X	
10	Three (3) and four (4) family dwellings	X	
13	Eating Places	X	
15	Neighborhood shopping goods	X	
24	Home occupation	X	
25	Offices, studios, and related services	X	
40	Sidewalk Cafes	X	
41	Accessory dwellings	X	X
44	Cluster Housing Development	X	
45	Small scale production	X	
46	Short-term rentals	X	X

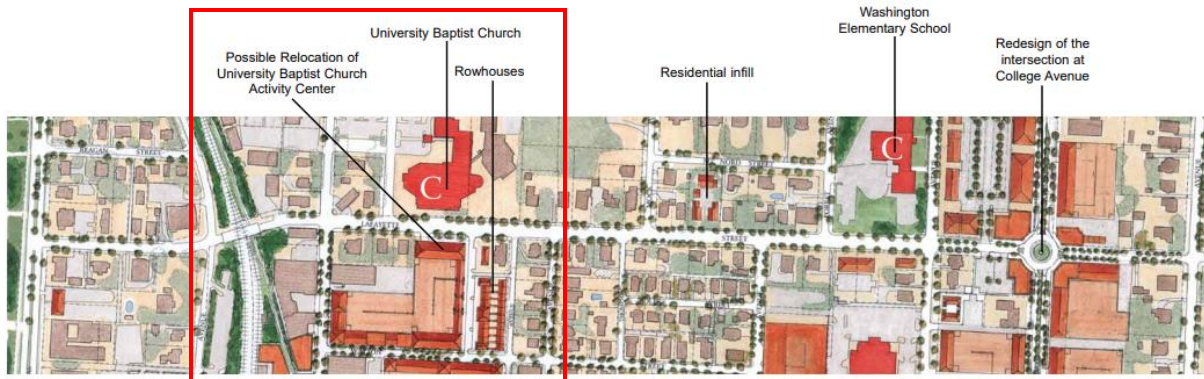
STAFF EXHIBITS: DOWNTOWN MASTER PLAN EXCERPTS

Preserving Lafayette Street

Lafayette Street is an east-west thoroughfare that offers views to Old Main and connects the Washington Willow Neighborhood to the University of Arkansas. Lafayette Street should return to prominence as a great street in Downtown Fayetteville. The residential and civic character of Lafayette Street is much different from Dickson Street or College Avenue. It should be treated as a special place, as a cohesive entity, with an identity that is distinct from neighboring commercialized streets. It is inappropriate and unfortunate to have lost so many structures, some of architectural prominence, to surface parking lots; this must be prevented. Gentle rebuilding of the urban context, in character with the remaining homes and buildings should take place, reinforcing the residential character of Lafayette Street.

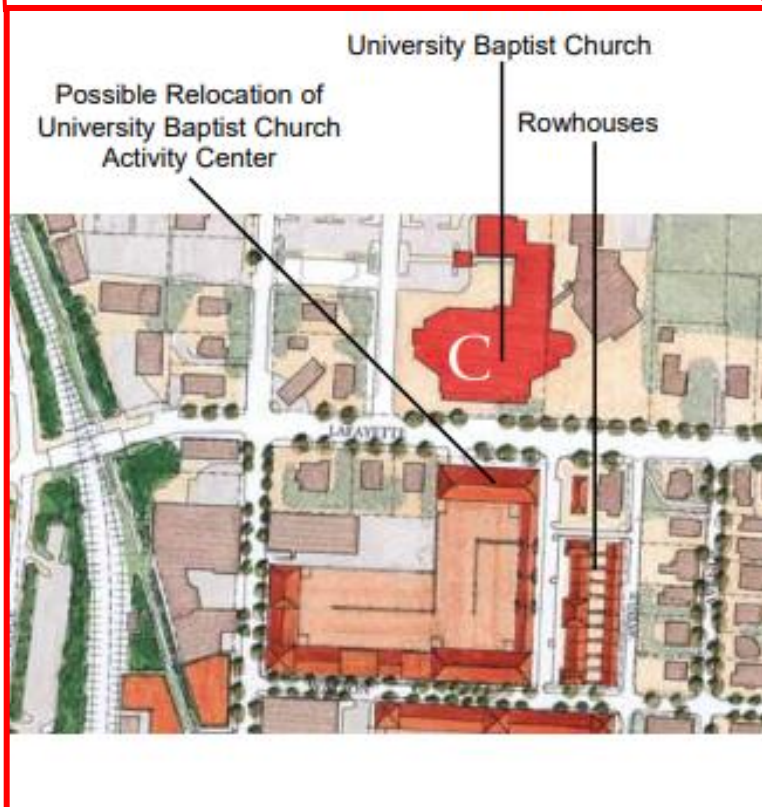


The view from Lafayette Street to Old Main.



Page 3.10
April 30, 2004

FAYETTEVILLE DOWNTOWN MASTER PLAN



Planning Commission

January 13, 2025

RZN-2024-0054 (40 PLUS LLC & ELKINS REAL ESTATE HOLDINGS LLC)

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IMMEDIATE PROJECTS — GETTING THERE

The following steps are necessary to implement the Downtown Master Plan:

- a. Adopt the Downtown Master Plan.
- b. Adopt the Downtown District (including the Urban Standards and Architectural Standards) as a new zoning district in the City's Unified Development Code.
- c. Create a Downtown Redevelopment District to enable tax increment financing and appoint a Development Coordinator.

Additional Implementation Strategies are included in Chapter 5.

I. Completing Dickson Street

- a. Reorganize the Downtown Dickson Enhancement Project (DDEP) into a Business Improvement District, consistent with the Downtown Redevelopment District.
- b. To attract businesses to Dickson Street DDEP should initiate, or help to coordinate, a Small Business Investment Corporation Program (SBIC).
- c. To attract quality development in and around Dickson Street, the development procedures and approvals process should be streamlined.
- d. Market Dickson Street as a component of the Cultural and Entertainment Overlay District to further establish Fayetteville as a leader in cultural entertainment for Northwest Arkansas.
- e. Celebrate Downtown with the continuation of cultural and entertainment events along Dickson Street.
- f. Create additional parking opportunities by adding on-street parking, off-street structured parking, and shared parking.
- g. Identify properties along Dickson Street as opportunity sites for infill development.
- h. Encourage economic development along Dickson Street by providing informational resources for promotional activities by DDEP and the Development Coordinator through the City's GIS system and website.

II. A Parking Lot Transformed

- a. Initiate a public-private joint development agreement with the Walton Arts Center, the University of Arkansas, and the Downtown Redevelopment District to fund the construction of structured parking on the site.

III. Redevelopment of Mountain Inn

- a. As part of the Downtown Redevelopment District Project Plan, designate the Mountain Inn as a key property for infill development.

IV. Infill Along Block Avenue

- a. Reorganize the Downtown Dickson Enhancement Project (DDEP) into a Business Improvement District to fund streetscape improvements and other modifications.
- b. Convert Block Avenue from one-way traffic to two-way traffic.
- c. Once converted to two-way traffic, allow on-street parking on both sides of the road.
- d. Off-street parking should be located at the center of the block and shared amongst the residents and businesses along Block Avenue.
- e. As part of an infill development strategy, target properties along Block Avenue for infill development.

- f. The City should work with DDEP to establish locations, funding sources, and terms of use for the construction of shared parking for the patrons, employees, and residents of the expected infill.
- g. Promote a mix of uses along Block Avenue.
- h. Establish Block Avenue as the retail anchor adjoining Dickson Street and the Downtown Square.

V. Preserving Lafayette Street

- a. Reorganize the Downtown Dickson Enhancement Project (DDEP) into a Business Improvement District to fund streetscape improvements and other modifications.
- b. Encourage preservation of structures along Lafayette Street by utilizing Federal Historic Rehabilitation Tax Credits and other methods enacted by the Historic Preservation Commission.
- c. As part of an infill development strategy, locate opportunity sites for residential infill along Lafayette Street.
- d. Utilize adaptive re-use and historic rehabilitation programs for under-utilized properties along Lafayette Street. Engage the University of Arkansas Community Design Center to assist property owners in adaptive re-use and historic rehabilitation.

VI. Creating a Downtown Park

- a. Reorganize the Downtown Dickson Enhancement Project (DDEP) into a Business Improvement District to assist in funding the Downtown Park.
- b. Acquire the necessary land needed for the Downtown Park.

VII. One-way Street Conversions

- a. Adopt the Thoroughfare Sections and Thoroughfare Atlas as part of the Downtown District ordinance.
- b. Amend the City of Fayetteville *General Plan 2020: Master Street Plan* to include the Thoroughfare Sections and Thoroughfare Atlas for Downtown. The Thoroughfare Sections and Thoroughfare Atlas can be found in Appendix H and Appendix J, Technical Memorandum: Downtown Transportation and Parking Management Strategy.
- c. Convert streets which can accommodate two-way traffic from one-way to two-way traffic at the earliest opportunity.

VII. Additional On-street Parking

- a. Adopt the Parking Standards for Downtown as part of the Downtown District ordinance.
- b. Amend the City of Fayetteville *General Plan 2020: Master Street Plan* to include the Thoroughfare Sections and Thoroughfare Atlas for Downtown. The Thoroughfare Sections and Thoroughfare Atlas can be found in Appendix H and Appendix J, Technical Memorandum: Downtown Transportation and Parking Management Strategy.
- c. Convert streets which can accommodate two-way traffic from one-way to two-way traffic at the earliest opportunity.
- d. Add on-street parking to Downtown streets by striping and proper identification of spaces.

To Whom It May Concern,

Re: Rezone

Hello, my name is Chris Elkins owner of 40 Plus LLC & Elkins Real Estate Holdings LLC. I am requesting to rezone the properties at 353, 349, 347, 341, 339, & 333 North Rollston Avenue in Fayetteville, AR 72701 from Neighborhood Conservation to Downtown General. The following reasons are why I feel the request should be approved. The subject properties are surrounded by multi-family (higher density) zoning. The property directly to the north is a six-unit, 3 story condo building (that is located on Lafayette Street). This property would be considered Downtown General zoning due to the density and height. The property to the west is zoned Downtown General and is a 198-unit (589 beds) apartment complex (YOUNion Apartments). The property to the south is zoned MSC (higher density than DG) and is a 15-unit condo complex. Also, the more flexible and dynamic range of uses of the Downtown General zone would be largely beneficial to the City of Fayetteville. Over the past five years the area around the subject properties and downtown has changed due to the need for more housing options. I ask for your approval of this rezoning request.



Lafayette street view (Lafayette Condo Building & YOUNion Apartments)



Lafayette Condo Building – 6 units - 3-stories



YOUnion Apartments to the West



Cambell Bell Condo Building 15 condo units – zoning MSC, directly south of subject properties

Wonsower, Donna

From: Gary Coover <gcoover@cooverconsultants.com>
Sent: Thursday, November 14, 2024 2:00 PM
To: Wonsower, Donna
Cc: Planning Shared
Subject: RE: Blew & Associates proposed rezoning on Rollston Avenue

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.

Aloha Donna!

Thanks so much for this information. I own 330 N. Rollston and will definitely be against any change across the street from Neighborhood Conservation, so please keep me informed.

It's important for neighborhood streetscapes to be preserved – once half of it goes commercial it ruins it for everyone else!

Thanks,

Gary

Gary R. Coover, PE
Coover Consultants, PLLC
1717 Ala Wai Blvd, Suite 1703
Honolulu, HI 96815
808.367.2858 cell

From: Wonsower, Donna <dwonsower@fayetteville-ar.gov>
Sent: Thursday, November 14, 2024 5:13 AM
To: Gary Coover <gcoover@cooverconsultants.com>
Cc: Planning Shared <planning@fayetteville-ar.gov>
Subject: RE: Blew & Associates proposed rezoning on Rollston Avenue

Good Morning,

The public notices were incomplete for the November 25 Planning Commission, so this item will not be heard on that agenda. The applicant will need to redo public notices for a follow up meeting. They will likely notify for the December 9 meeting.

The rezoning request is to [DG, Downtown General](#). Staff does not have any development or building plans at this time.

Best Regards,
Donna Wonsower, AICP
Planner, Development Services
479-575-8358
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Planning Shared <planning@fayetteville-ar.gov>
Sent: Thursday, November 14, 2024 8:18 AM
To: Gary Coover <gcoover@cooverconsultants.com>; Planning Shared <planning@fayetteville-ar.gov>
Cc: Wonsower, Donna <dwonsower@fayetteville-ar.gov>
Subject: RE: Blew & Associates proposed rezoning on Rollston Avenue

Attached is their submitted request letter. Donna Wonsower is the planner assigned to this project and is copied on this email if you have any further questions.

Thank you

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



From: Gary Coover <gcoover@cooverconsultants.com>
Sent: Wednesday, November 13, 2024 11:37 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Blew & Associates proposed rezoning on Rollston Avenue

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Hi,

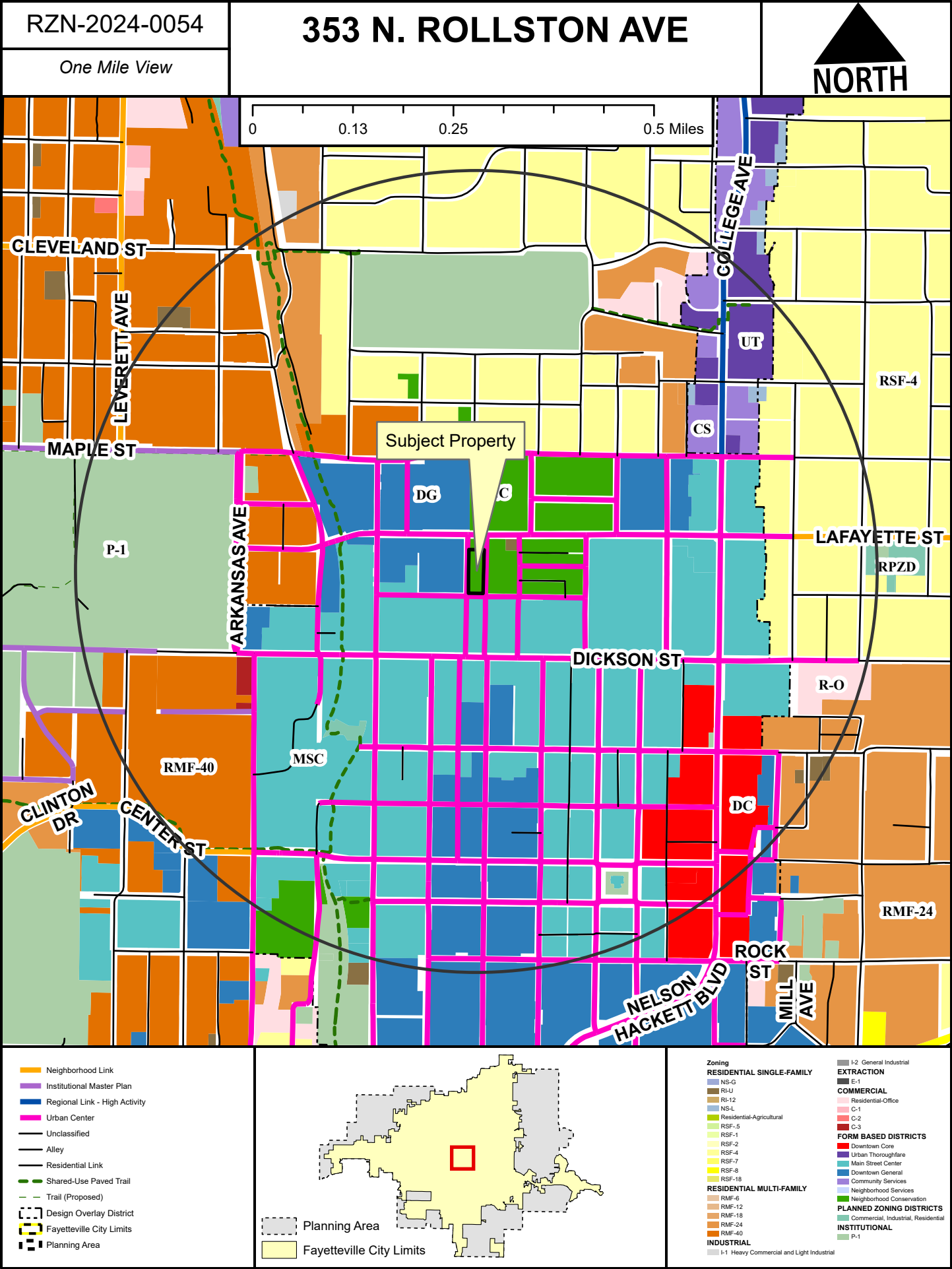
I got a notice in the mail about a proposed rezoning at "353, 347, 341, 339, & 333 Rollston Avenue", but it doesn't say anything about what they want to rezone it to.

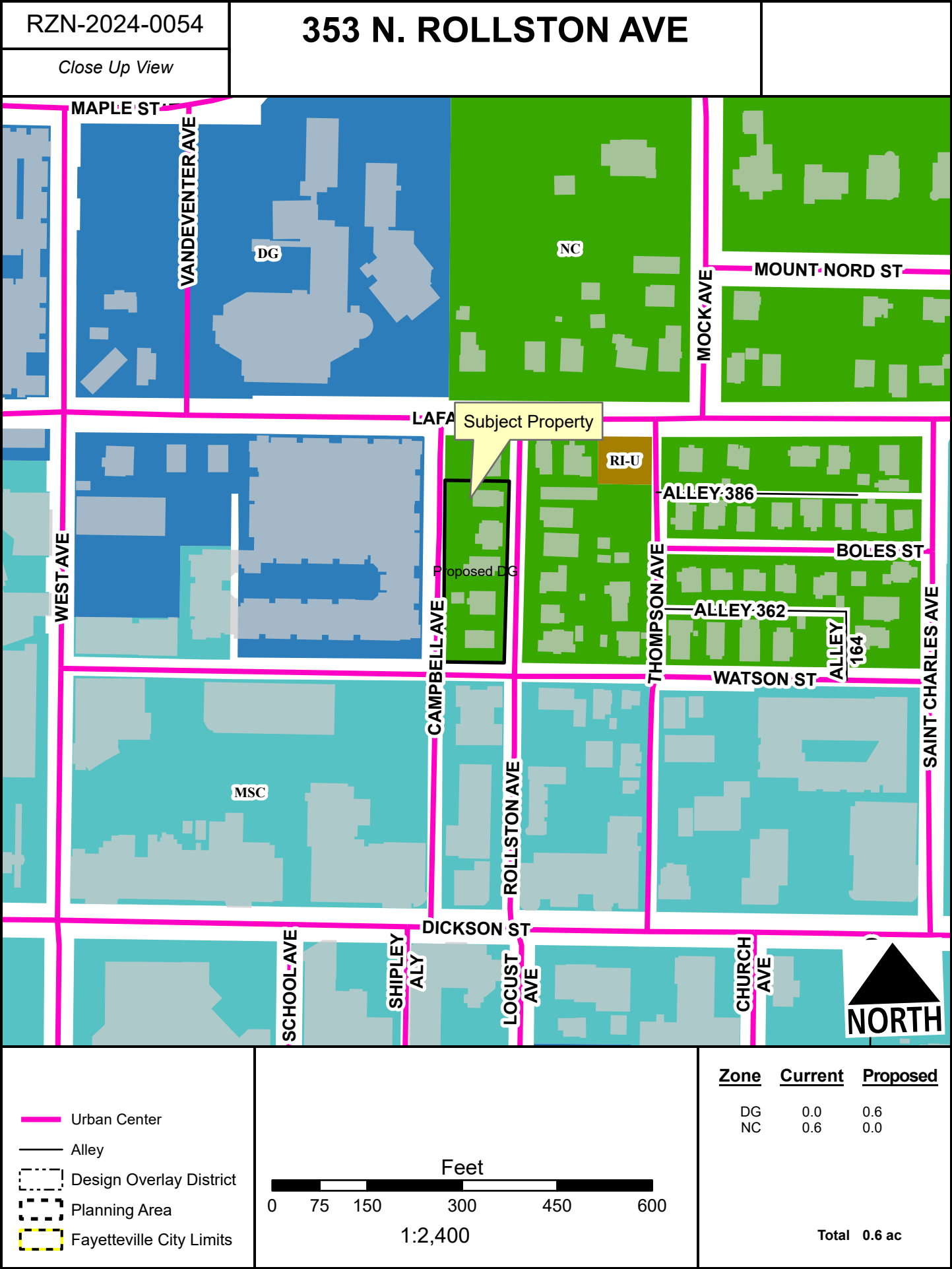
Can you please send me a copy of their zoning application? And any building plans?

Thanks,

Gary

Gary R. Coover, PE
Coover Consultants, PLLC
1717 Ala Wai Blvd, Suite 1703
Honolulu, HI 96815
808.367.2858 cell

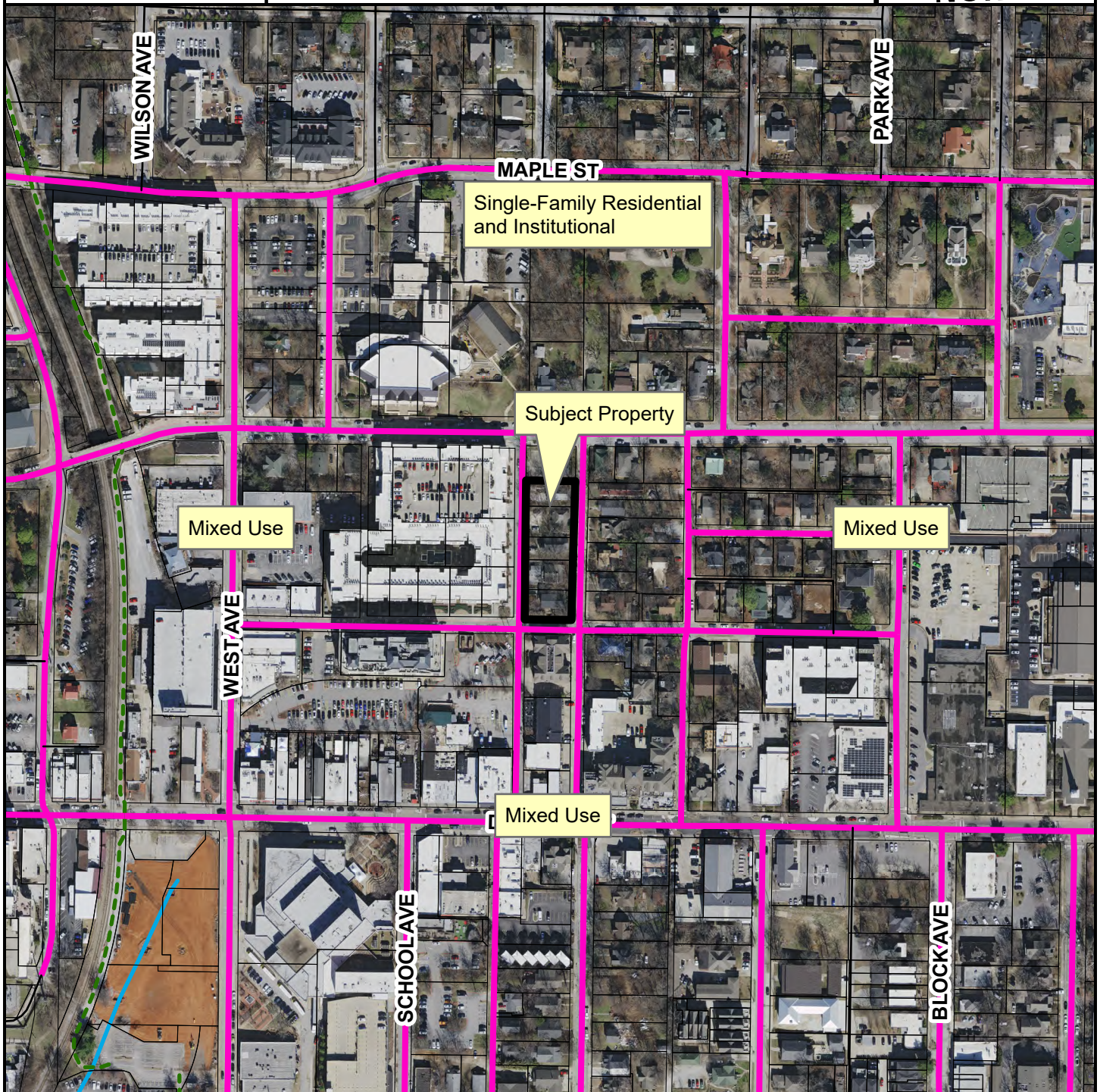




RZN-2024-0054

353 N. ROLLSTON AVE

Current Land Use



- Urban Center
- Unclassified
- Alley
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits
- Design Overlay District



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

Planning Commission

January 13, 2025

RZN-2024-0054 (40 PLUS LLC & ELKINS REAL ESTATE HOLDINGS LLC)

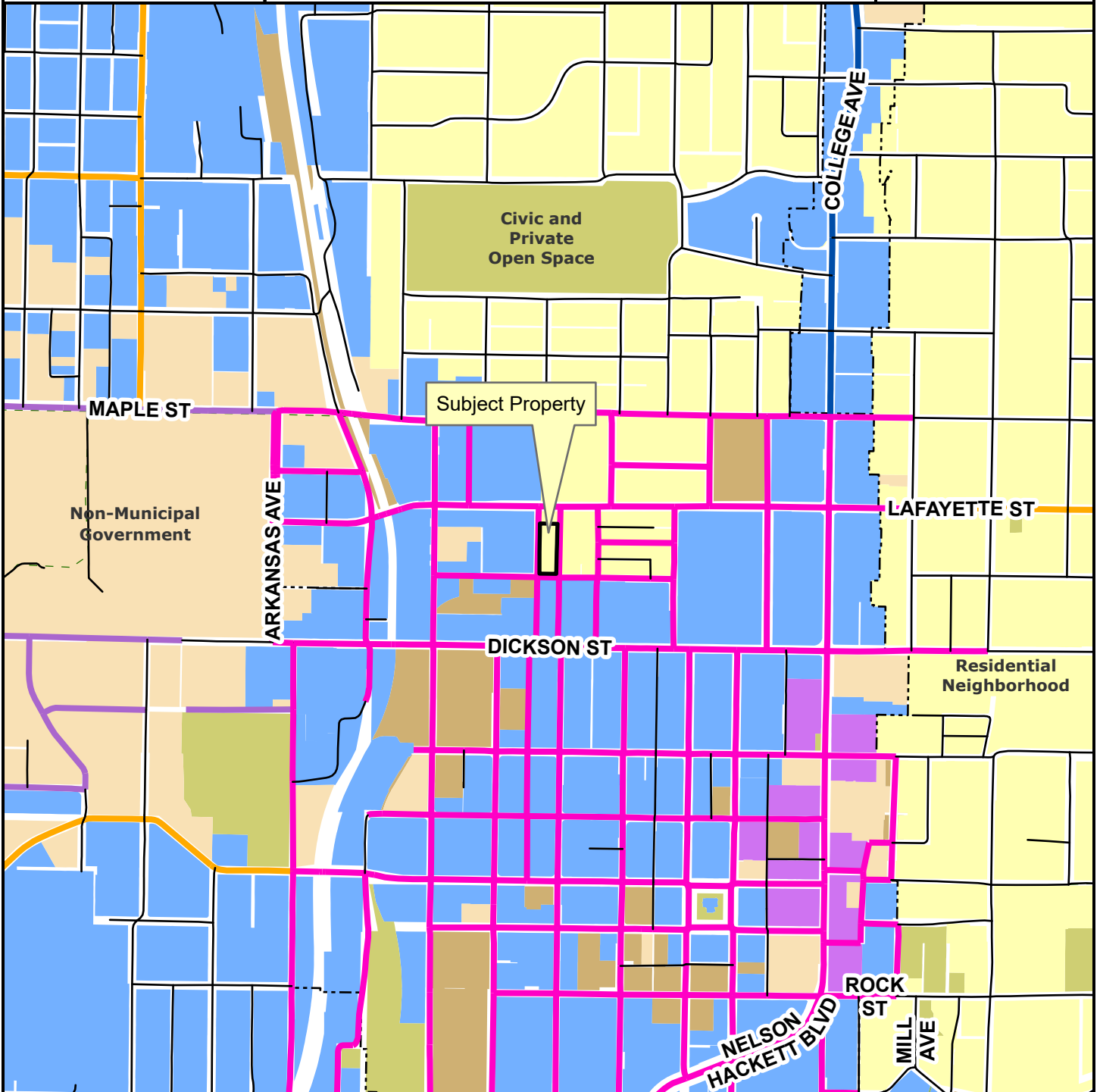
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RZN-2024-0054

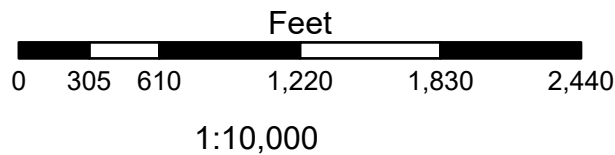
353 N. ROLLSTON AVE



Future Land Use



- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Urban Center
- 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

Planning Commission

January 13, 2025

RZN-2024-0054 (40 PLUS LLC & ELKINS REAL ESTATE HOLDINGS LLC)

Page 22 of 22



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Donna Wonsower, Planner

MEETING DATE: January 13, 2025

SUBJECT: **RZN-2024-0063: Rezoning (245 S. HAPPY HOLLOW RD/CRIST, 526):**
Submitted by HOPE CONSULTING for property located at 245 S. HAPPY HOLLOW RD. The property is zoned RSF—4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 2.47 acres. The request is to rezone the property to RSF-8, RESIDENTIAL SINGLE-FAMILY, EIGHT UNITS PER ACRE.

RECOMMENDATION:

Staff recommends forwarding **RZN-2024-0063** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0063** to the City Council with a recommendation of approval."*

BACKGROUND:

The subject property is located in east Fayetteville, approximately 1/8 of a mile south of Mount Sequoyah Woods on S. Happy Hollow Rd. The property contains one parcel totaling 2.47 acres, which contains a 1,497-square-foot single-family dwelling constructed in 1951. No hydric soils, protected streams, or FEMA-designated floodplain are present on site, and the property is not part of any master plan area. The property is partially encumbered by the Hillside-Hilltop Overlay District. 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 Units Per Acre
South	Undeveloped	RSF-4, Residential Single-Family, Four Units Per Acre
East	Undeveloped	NC, Neighborhood Conservation
West	Single-Family Residential	RSF-4, Residential Single-Family, Four Units Per Acre

Request: The request is to rezone the subject property from RSF-4, Residential Single-Family, Four Units Per Acre To RSF-8, Residential Single-Family, Eight Units Per Acre.

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

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: This property has frontage to S. Happy Hollow Rd., an improved residential link with asphalt paving, curb and gutter, storm drain, greenspace, and sidewalk. Any street or drainage improvements required in these areas will be determined at the time of development proposal.

Water: Public water is available to the subject area. There is an existing 2.25-inch water main present along S. Happy Hollow Rd, which is currently being upgraded to an 8-inch line as part of a subdivision being built along the east side of the street. This property will have access to that water main once it is accepted by the city.

Sewer: Sanitary Sewer is not available to the subject property. It shall be the responsibility of the developer to extend a gravity sanitary sewer main to this property at the time of development. The nearest public sanitary sewer main is available approximately 130 linear feet south of this property along the east side of S. Happy Hollow Rd.

Drainage: No protected streams, FEMA Floodplain, or hydric soils are identified on the subject property. The western half of the subject property lies 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.

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 0.6 miles from the fire station with an anticipated drive time of approximately 2 minutes using existing streets. The anticipated response time would be approximately 4.2 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-8, Residential Single-Family, Eight Units Per Acre, requires **20% minimum canopy preservation**. The current zoning district, RSF-4, Residential Single-Family, Four 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 of **4-7** for this site with a weighted score of 7 at the highest level. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 3, located at 1050 S. Happy Hollow Rd.)
- Near Sewer Main (8-inch main in S. Happy Hollow Rd.)
- Near Water Main (2.25-inch main in S. Happy Hollow Rd.)
- Near Public School (Happy Hollow Elementary)
- Near City Park (Mount Sequoyah Woods)
- Near Paved Trail (The Cliffs Trail)
- Near ORT Bus Stop (Happy Hollow & 4th St, Stop 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 in east Fayetteville, approximately 1/8 of a mile south of Mount Sequoyah Woods on S. Happy Hollow Rd. While immediately surrounded by RSF-4 on three sides, the property is less than 200 feet from both the Paddock Rd neighborhood (NC and RSF-8) and the Cliffside neighborhood aka Timber Trails (R-A, Residential Agricultural and RI-U, Residential-Intermediate Urban). The property is also less than 800 feet from the Happy Hollow Elementary School. RSF-8 would decrease lot widths from 70 feet to 50 feet for single-family dwellings and would also decrease lot area maximums from 8,000 square feet to 5,000 square feet. Permitted uses are identical. Staff finds that the proposed rezoning is a modest increase in density and that this increase is in line with both the existing developments and the presence of the school.

Land Use Plan Analysis: Staff finds that a rezoning to RSF-8 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. These areas are intended to be primarily residential in neighborhood with low-intensity commercial uses on corners and connecting corridors. A rezoning to RSF-8 would align with City Plan 2040 goals 1 (infill), 2 (discourage suburban sprawl), 3 (compact, complete, and connected development), 4 (livable transportation network) and 6 (opportunities for attainable housing) by placing additional housing within walking distance of an existing school, as well as parks and trails. Additionally, the property has a moderate infill score of 4-7 which indicates that it is a suitable location for an increased scale of 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 the proposed zoning is justified since the RSF-8 district would allow incremental development in close proximity to an existing

school. Staff also finds the rezoning to be aligned with existing zoning and development patterns in the area 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 RSF-4 to RSF-8 has the potential to moderately increase vehicular traffic in the area when considering that the property is 2.47 acres in size. From a density perspective, the maximum number of dwelling units would increase from 9 units to 19 units with the proposed rezoning. However, staff finds the total number of units would also be limited by other factors such as drainage, tree preservation, landscaping, and parking requirements, as well as the need for access and utilities. Between 2017 and 2021, no traffic crashes were reported adjacent to 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: 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 recommends forwarding RZN-2024-0063 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>January 13, 2025</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
 - §161.09 District RSF-8, Residential Single-Family - Eight (8) 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

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §8, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6245, §2, 10-15-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

Editor's note(s)—Ord. No. 6710, §1, adopted November 21, 2023, determines that Ordinance 6427 (Sunset Clause) and Ord. No. 6625 (extending Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on December 31, 2024, unless prior to that date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

161.09 District RSF-8, Residential Single-Family - Eight (8) Units Per Acre

(A) *Purpose.* The RSF-8 Residential District is designed to bring historic platted development into conformity and to allow for the development of new single family residential areas with similar lot size, density, and land use as the historical neighborhoods in the downtown area.

(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.*

	By Right
Single-family dwelling units per acre	8 or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family	50 feet
Two (2) family	50 feet
Townhouse, no more than two (2) attached	25 feet

(2) *Lot Area Minimum.*

Single-family	5,000 square feet
Two-family	5,000 square feet

(3) *Land Area Per Dwelling Unit.*

Single-family	5,000 square feet
Two-family	5,000 square feet
Townhouse, no more than two (2) attached	2,500 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	5 feet

(F) *Height Regulations.*

Building Height Maximum	3 stories
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- (G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area, except when a detached garage exists or is proposed; then 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.

(Ord. No. 4783, 10-18-05; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §8, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6245, §2, 10-15-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

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December 20, 2024

City of Fayetteville – Development Services
125 West Mountain Street
Fayetteville, AR 72701

245 South Happy Hollow Road (Parcel No. 765-14310-000) Rezone Narrative Letter

Dear Planning Staff,

Please let this letter serve as a narrative for the submission of 245 South Happy Hollow Road Rezoning request. The property is currently zone RSF-4, Residential Single Family – Four Units per Acre, and consists of 2.47 Acres. Along with the current zoning, the subject property has portions of the land within the Enduring Green Network, and Hillside/Hilltop Overlay District. The natural topography of the site slopes east across the property to a natural drainage swale that runs from north to south.

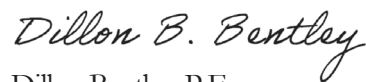
We are seeking to rezone this property from its current RSF-4, Residential Single Family – Four Units per Acre, to RSF-8, Residential Single Family – Eight Units per Acre. The proposed rezoning of RSF-8 would not unreasonably adversely impact the neighboring properties or conflict with the surrounding land uses. This is because RSF-8 is consistent and compatible with the current surrounding land use of the neighboring properties. The Pine Hollow Subdivision to the East, currently under construction, is zoned NC – Neighborhood Conservation, which has a density of Ten Units per Acre. The subdivision to the North of the property is zoned both NC-Neighborhood Conservation and RSF-8 – Residential Single Family – Eight Units per Acre. Rezoning the property to RSF-8 is consistent and compatible with the current land uses of these neighboring subdivisions that have equal or higher density than RSF-8. Additionally, rezoning the property to RSF-8 is also consistent and compatible with the zoning of the properties to the west and south, which are RSF-4, because RSF-8 and RSF-4 are both within the single-family residential classification. The requested rezoning will not change the residential nature of the area.

Given that two of the neighboring properties are subdivisions with equal to or higher density to RSF-8, rezoning the property to RSF-8 is not in conflict with the surrounding land use. The rezoning also would not unreasonably impact any of the neighboring properties since the RSF-8 does not change the single-family residential classification. The single-family residential land use of this overall area will be maintained.

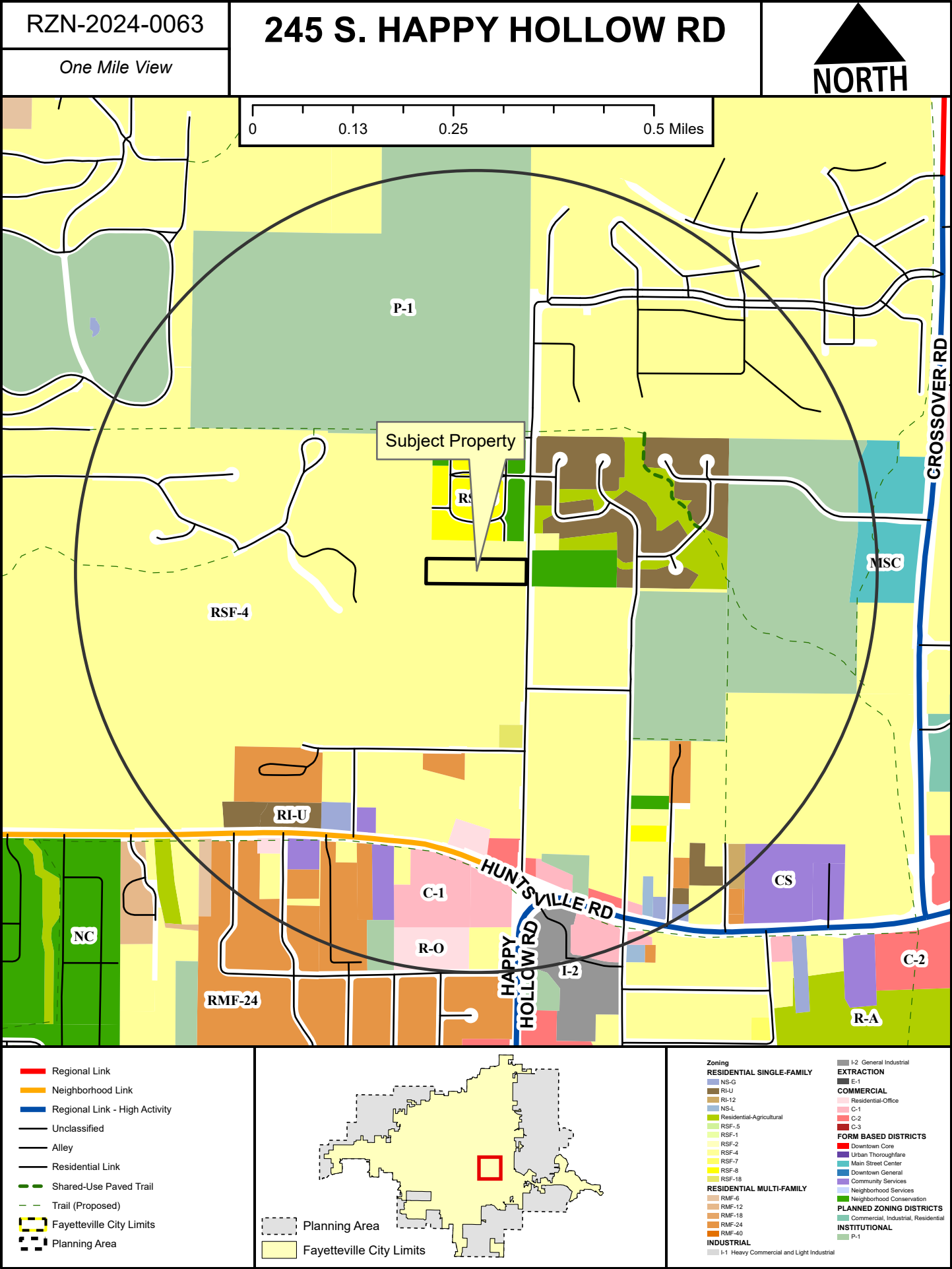
For the reasons stated herein, we request that the property be rezoned from RSF-4, Residential Single Family - Four Units per Acre to RSF-8, Residential Single Family – Eight Units per Acre.

Please feel free to contact me if you have any questions or concerns with this rezone request.

Sincerely,



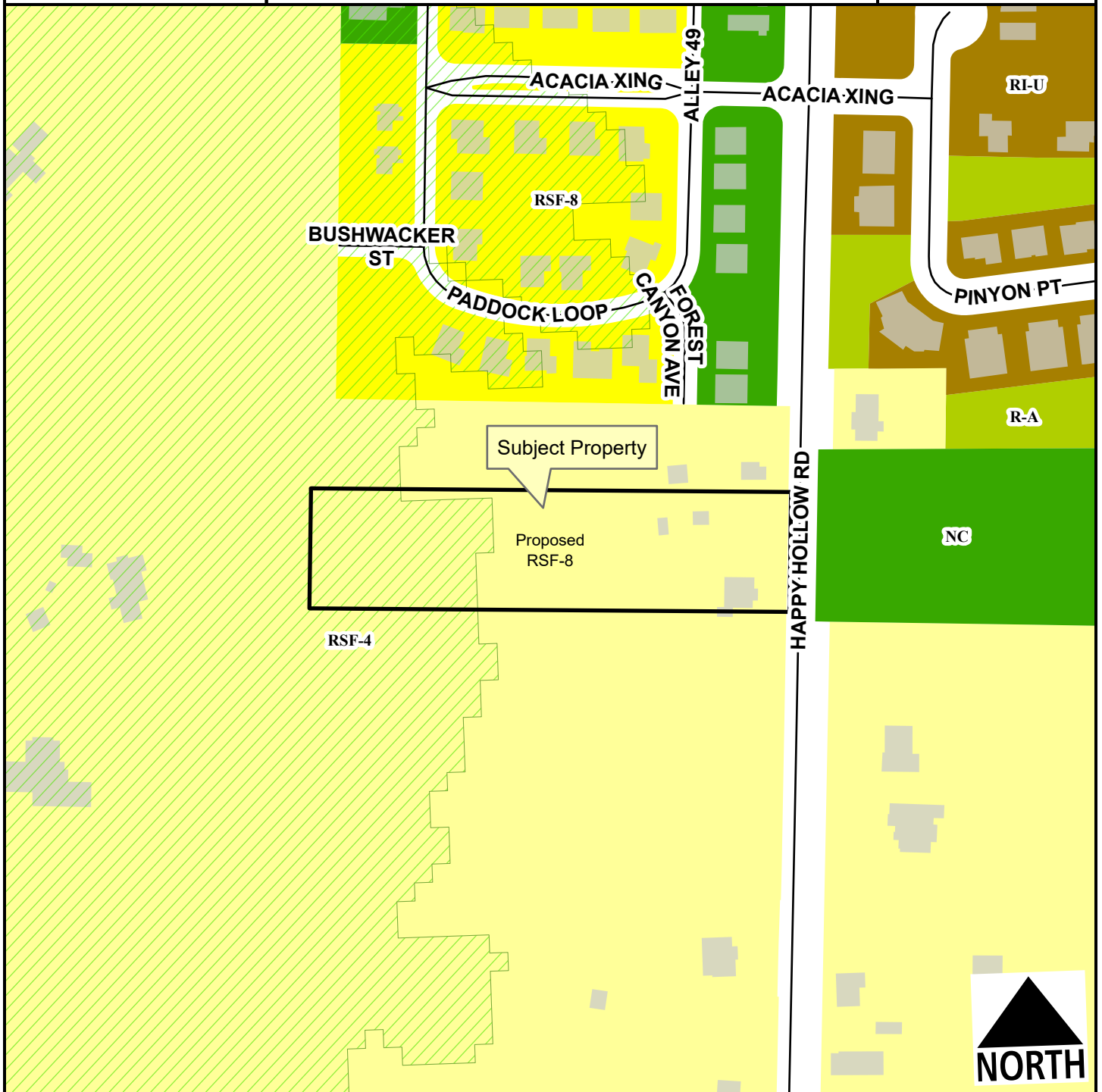
Dillon Bentley, P.E.
NWA Lead Engineer
Hope Consulting



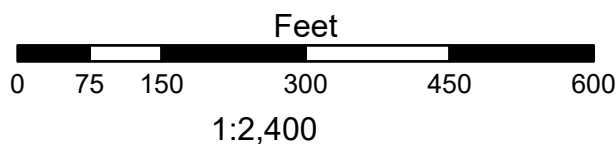
RZN-2024-0063

245 S. HAPPY HOLLOW RD

Close Up View



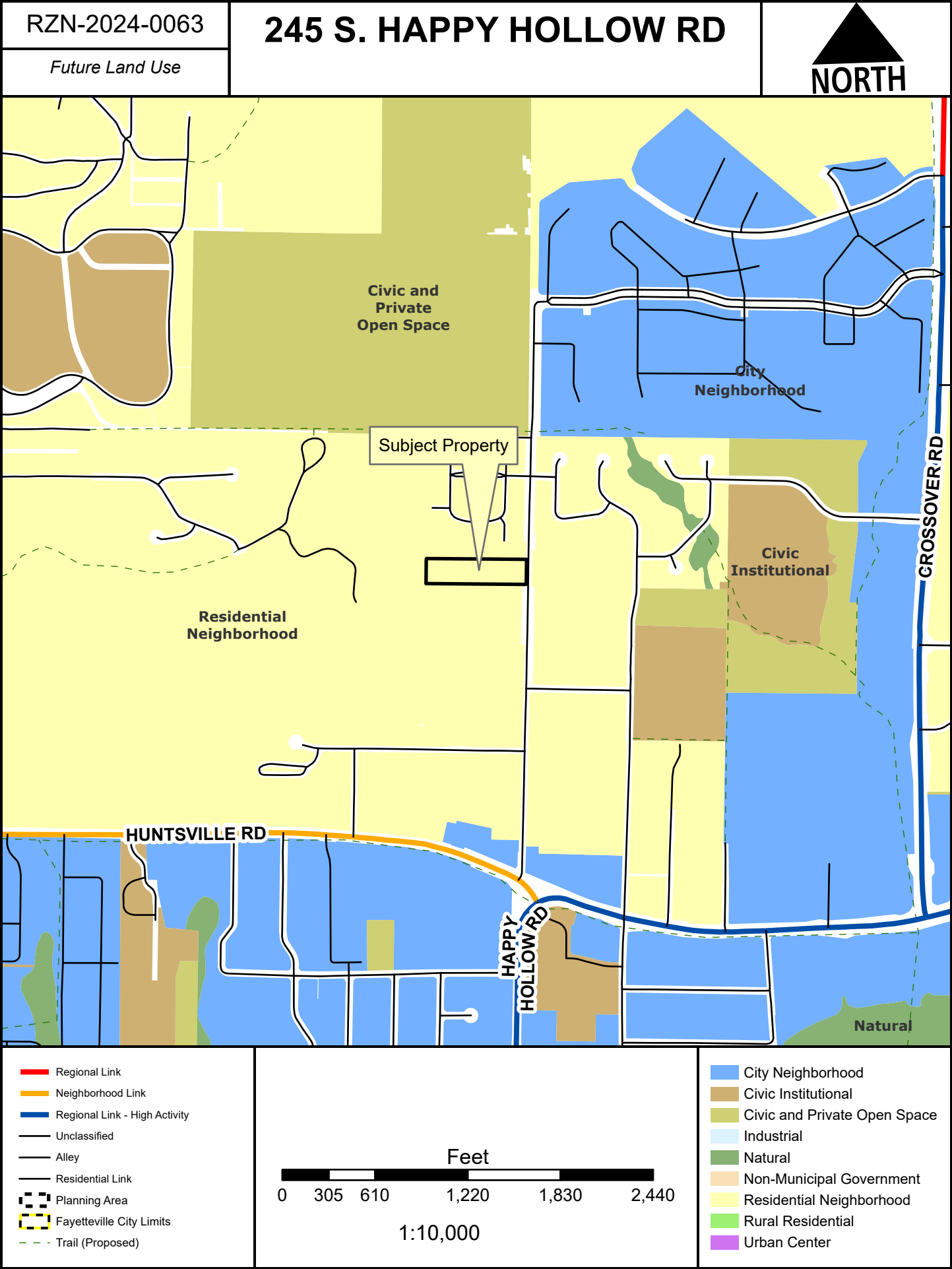
- Alley
- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits



Zone	Current	Proposed
RSF-4	2.5	0.0
RSF-8	0.0	2.5

Total 2.5 ac







TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: January 13, 2025

SUBJECT: **RZN-2024-0060: Rezoning (818 S. WOOD AVE./BELASCO, 563):**
Submitted by WATKINS, BOYER, GRAY & CURRY PLLC for property located at 818 S. WOOD AVE. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.37 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

RECOMMENDATION:

Staff recommends forwarding **RZN-2024-0060** to the City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0060** to the City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in south Fayetteville on the east side of Wood Avenue, about one-sixth of a mile south of the street's intersection with Martin Luther King Jr Boulevard. The property contains one parcel totaling 0.37 acres which is zoned NC, Neighborhood Conservation, and developed with a single-family dwelling that Washington County records indicate was built in 1956. The property lies within the Walker Park Neighborhood Master Plan area and it received its current zoning designation as a result of that plan in 2008. 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	NC, Neighborhood Conservation
South	Single-Family Residential	NC, Neighborhood Conservation
East	Single-Family Residential	NC, Neighborhood Conservation
West	Single-Family Residential	NC, Neighborhood Conservation

Request: The request is to rezone the subject property from NC, Neighborhood Conservation to RI-U, Residential Intermediate-Urban.

Public Comment: Staff received public comment from two neighbors who expressed their opposition to this request. They stated that, when they purchased their property, they were under the impression that the neighborhood would remain single-family. Their concerns centered around the proposed zoning allowing a development style that may be incompatible with the character and scale of development in the surrounding area.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

- Streets:** This property has frontage along Wood Avenue, an unimproved Residential Link Street with asphalt paving and open ditches. Any street improvements required in this area would be determined at the time of development proposal.
- Water:** Public water is available to the subject property. There is an existing 12-inch water main present along Wood Avenue that can serve this property.
- Sewer:** Sanitary sewer is available to the subject property. There is an existing six-inch sanitary sewer main present along Wood Avenue. There are also known wet weather sewer capacity issues identified in the City's 2021 Sewer Master Plan that appear in the system approximately 990 feet downstream of this property.
- 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 on site. However, hydric soils appear to be present on the west side of the 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 are 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 improvements or requirements for drainage will be determined at the time of development submittal.
- Fire:** Station 1, located at 303 W. Center St., protects this site. The property is located approximately 1.3 miles from the fire station with an anticipated drive time of approximately four 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 one 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 proposed zoning district, RI-U, Residential Intermediate-Urban, requires **15% minimum canopy preservation**. The current zoning district, NC, Neighborhood Conservation, 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 Area** within the **Walker Park Neighborhood Master Plan** 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.

The **Walker Park Neighborhood Master Plan** was the city's first neighborhood plan which was completed in 2008 after City Plan 2025 was adopted. Four guiding principles were identified in the plan which include maintaining a balance of uses and housing, emphasizing connectivity and walkability, creating a core of the neighborhood at Jefferson Square, and preserving accessible greenspace throughout the neighborhood.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range of 7 for this site with a weighted score of 8. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 1, 303 W. Center St.)
- Near Water Main (12-inch main, Wood Avenue)
- Near Sewer Main (6-inch main, Wood Avenue)
- Near City Park (Jefferson Park, Walker Park)
- Near Paved Trail (Waxflower – Wood Connector and E. MLK Jr. Blvd.)
- Near ORT Bus Stop (Route 20)
- Within Master Plan Area (Walker Park Neighborhood Master Plan)

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 zoning of RI-U, Residential Intermediate-Urban, to be compatible with the surrounding area. Land uses in the immediate vicinity are primarily residential in nature, varying in both form and density. When compared to the property's current zoning designation of NC, Neighborhood Conservation, RI-U would allow for a greater variety of residential uses and densities by right. Where NC allows single-family dwellings at a density of 10 units per acre, RI-U would allow single- to four-family dwellings by right with no stated density limitation. Since the subject property is directly adjacent to single-family dwellings, and in close proximity to duplexes and multi-family dwellings, staff finds that the land uses allowed by right in RI-U would be directly compatible with the surrounding area. Uses allowed conditionally in RI-U, including cultural and recreational facilities, limited businesses, and multi-family dwellings, may also be suitable at this site, though any land uses allowed conditionally would be subject to further review to determine full compatibility.

Land Use Plan Analysis: Staff finds that the proposed zoning is consistent with the property's Future Land Use Map designation as a Residential Neighborhood area. The RI-U zoning district would allow for a mixture of residential densities in an urban form. If the property were to be redeveloped or subdivided, staff finds that RI-U could encourage an environment that is

appealing to pedestrians by requiring buildings to be located close to the street and by reducing the visual impact of parking areas. The property has a moderate infill score of 7, which indicates that it's a suitable location for infill. Since hydric soils are present on site, more information will be needed at the time of development to determine whether wetlands are present. Regarding City Plan 2040, staff finds that a rezoning to RI-U could support Goals 1 and 3 by encouraging appropriate infill in an area that is highly walkable and near transit routes. With regard to the Walker Park Neighborhood Master Plan, a rezoning to RI-U could support the guiding principle of balancing uses and housing. Per the plan, ensuring a balance of uses and housing contributes to the overall sustainability of the community by reducing the number of vehicle trips needed, and smaller lot sizes exemplify a more sustainable development pattern than conventional subdivisions. Also, the variety of housing types permitted in RI-U would enable residents to remain in the Walker Park neighborhood as their housing needs change.

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 from NC to RI-U is justified. Rezoning to RI-U would allow for housing types and densities that are comparable to the existing development pattern in the area and consistent with the City's planning policies and objectives.

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

Finding: Staff finds that rezoning the property to RI-U has the potential to increase traffic along Wood Avenue. However, the size of the property will naturally limit the scale of any future development and thus reduce any possible impacts on traffic danger or congestion. Any street improvements required in this area would be determined at the time of development proposal.

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 NC to RI-U has the potential to increase population density when considering there is no density limitation associated with the RI-U zoning district. However, staff finds that a rezoning is not likely to undesirably increase the load on public services. The property is near existing water and sanitary sewer infrastructure and is close to other public services. There are, however, known wet weather sewer capacity issues identified in the City's 2021 Sewer Master Plan that appear in the system approximately 990 feet downstream of this property. 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 forwarding RZN-2024-0060 to the City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>January 13, 2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.12 District RI-U, Residential Intermediate - Urban
 - §161.29 Neighborhood Conservation
- Request Letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

161.12 District RI-U, Residential Intermediate - Urban

(A) *Purpose.* The RI-U Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a range of housing types compatible in scale with single-family homes and to encourage a diversity of housing types to meet demand for walkable urban living.

(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 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 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

	Dwelling (all types)
Lot width minimum	18 feet
Lot area minimum	None

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear, from centerline of an alley
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	None	5 feet	5 feet	12 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.

(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.

(Ord. No. 5945, §5(Exh. A), 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6245, §2, 10-15-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

161.29 Neighborhood Conservation

(A) *Purpose.* The Neighborhood Conservation zone has the least activity and a lower density than the other zones. Although Neighborhood Conservation is the most purely residential zone, it can have some mix of uses, such as civic buildings. Neighborhood Conservation serves to promote and protect neighborhood character. For the purposes of Chapter 96: Noise Control, the Neighborhood Conservation district is a residential zone.

(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 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited business*
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cluster Housing Development

(C) *Density.* Ten (10) Units Per Acre.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

All dwelling types	40 feet
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(2) *Lot Area Minimum.* 4,000 square feet

(E) *Setback Regulations.*

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
Side	5 feet
Rear	5 feet
Rear, from center line of an alley	12 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(Ord. No. 5128, 4-15-08; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; 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. 6211, §1, 8-6-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

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JENNIFER E. GRAY, P.A.*
ANDREW T. CURRY, P.A.
WILLIAM A. KELLSTROM
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DELYNN HALE, SECRETARY
AMY BENSON, PARALEGAL
WHITNEY DUCKER, OFFICE MANAGER

October 21, 2024

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

**RE: Rezoning Parcel No. 765-15111-001 from NC – Neighborhood Conservation to
RI-U–Residential Intermediate–Urban**

Dear Planning Staff:

This letter is intended to accompany a rezone request for Parcel No. 765-15111-001, located at 818 S. Wood Avenue in South Fayetteville.

The parcel is currently zoned NC, Neighborhood Conservation. The applicant is requesting that it be rezoned to RI-U, Residential Intermediate–Urban. This property is surrounded on three sides by property zoned NC. However, there are several precedent rezonings in the area. A large parcel of land was rezoned to RI-U on Waxflower Ave for the Homes at Willow Bend earlier this year. Likewise, there is a parcel nearby to the South which is zoned RMF-18 and another which was zoned to RI-U in 2023. RI-U zoning promotes creative infill projects by allowing a diversity of unit types with flexible lot widths. It is particularly effective in doing so when the subject property is on a small lot with existing infrastructure at the street, such as the subject property in this request.

The proposed rezoning would allow for infill development in a variety of housing types, and the flexibility of RI-U's lot dimensions would help to add additional housing on a small lot. This would be compatible with the new and old development pattern, and would continue to disallow multi-family development in the same way that the current zoning does. Lastly, the property has access to water and sewer, with existing lines for both being located on S. Wood 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.

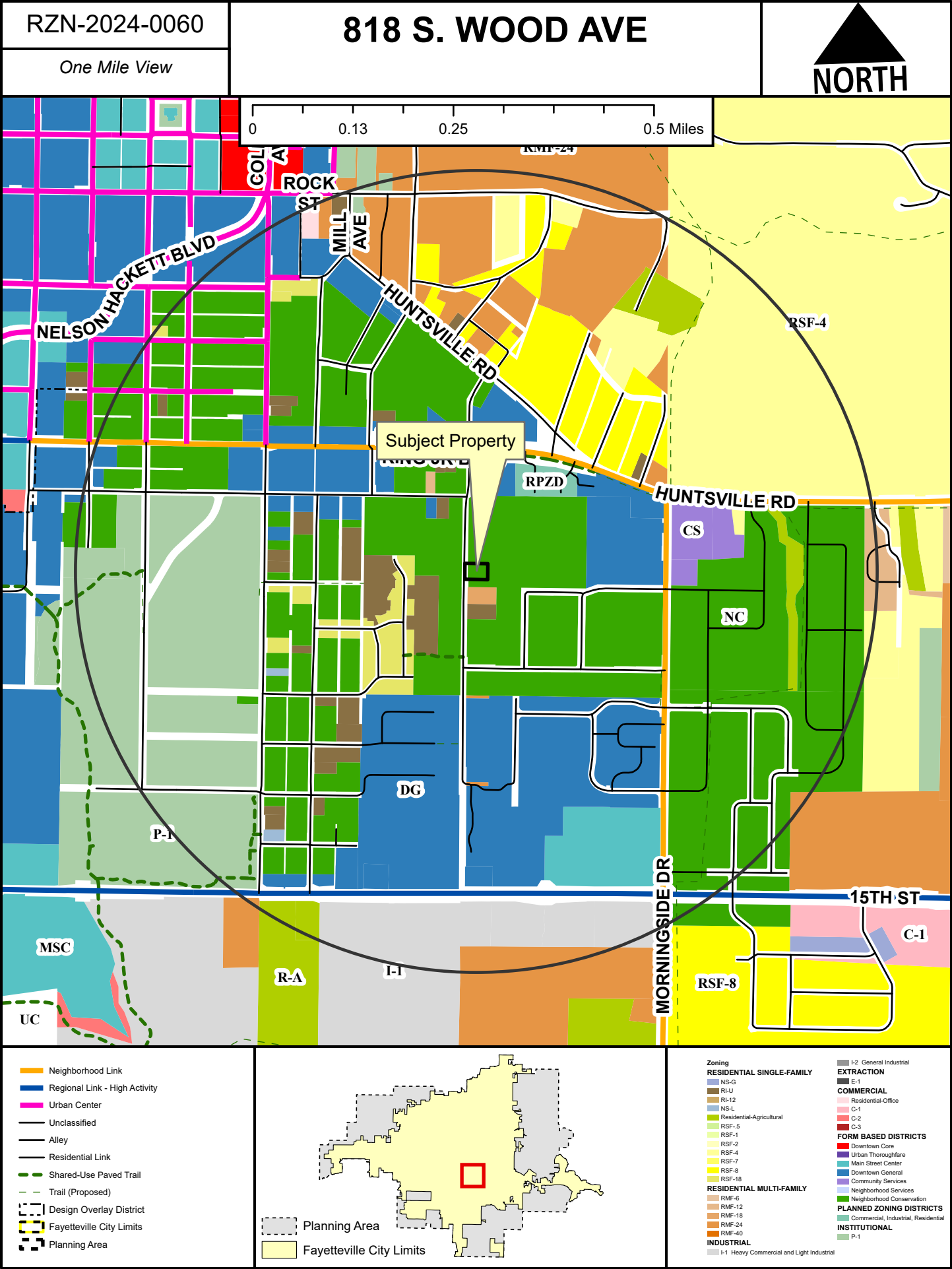
Sincerely,

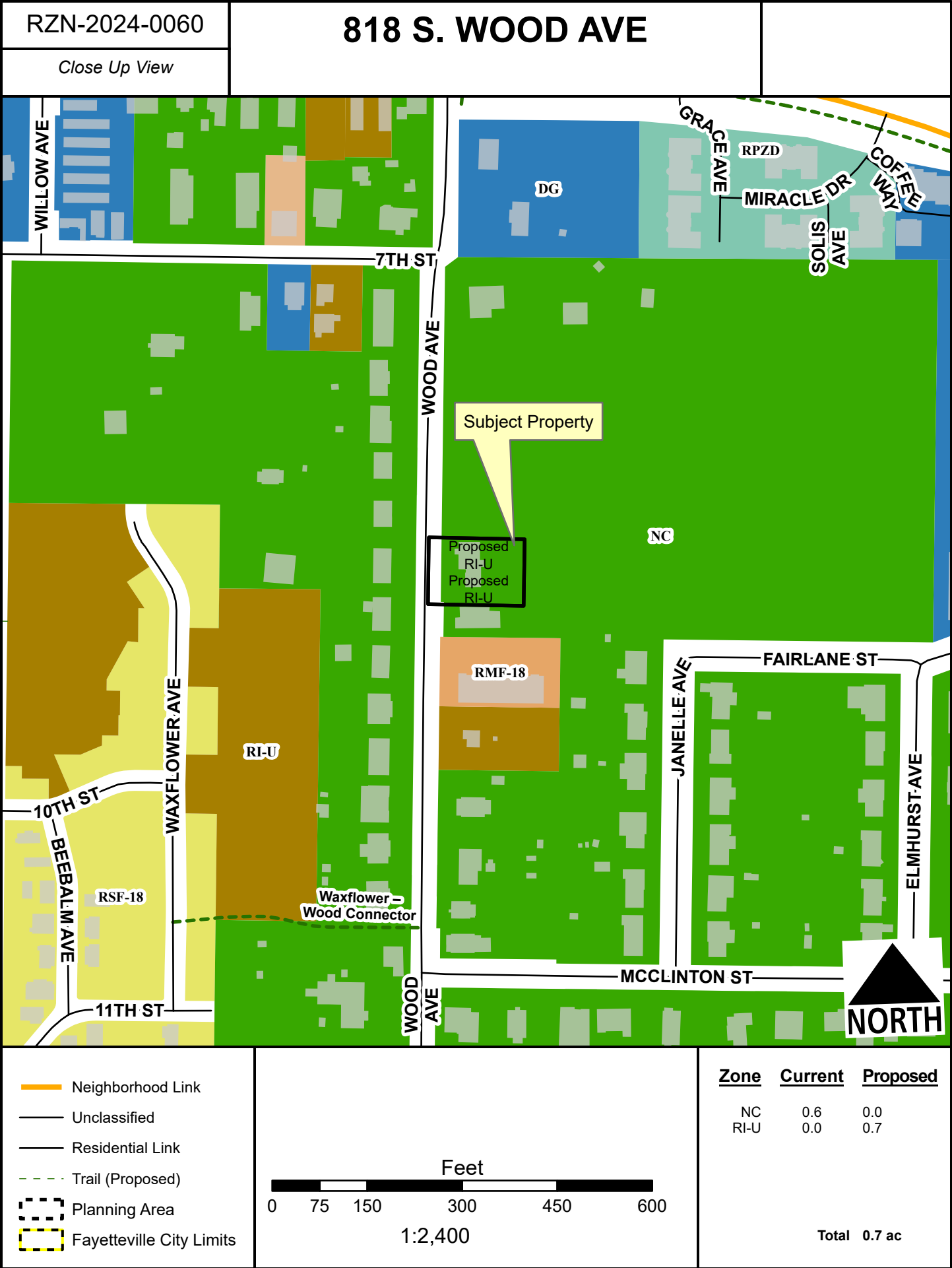
WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

WK:
pc:

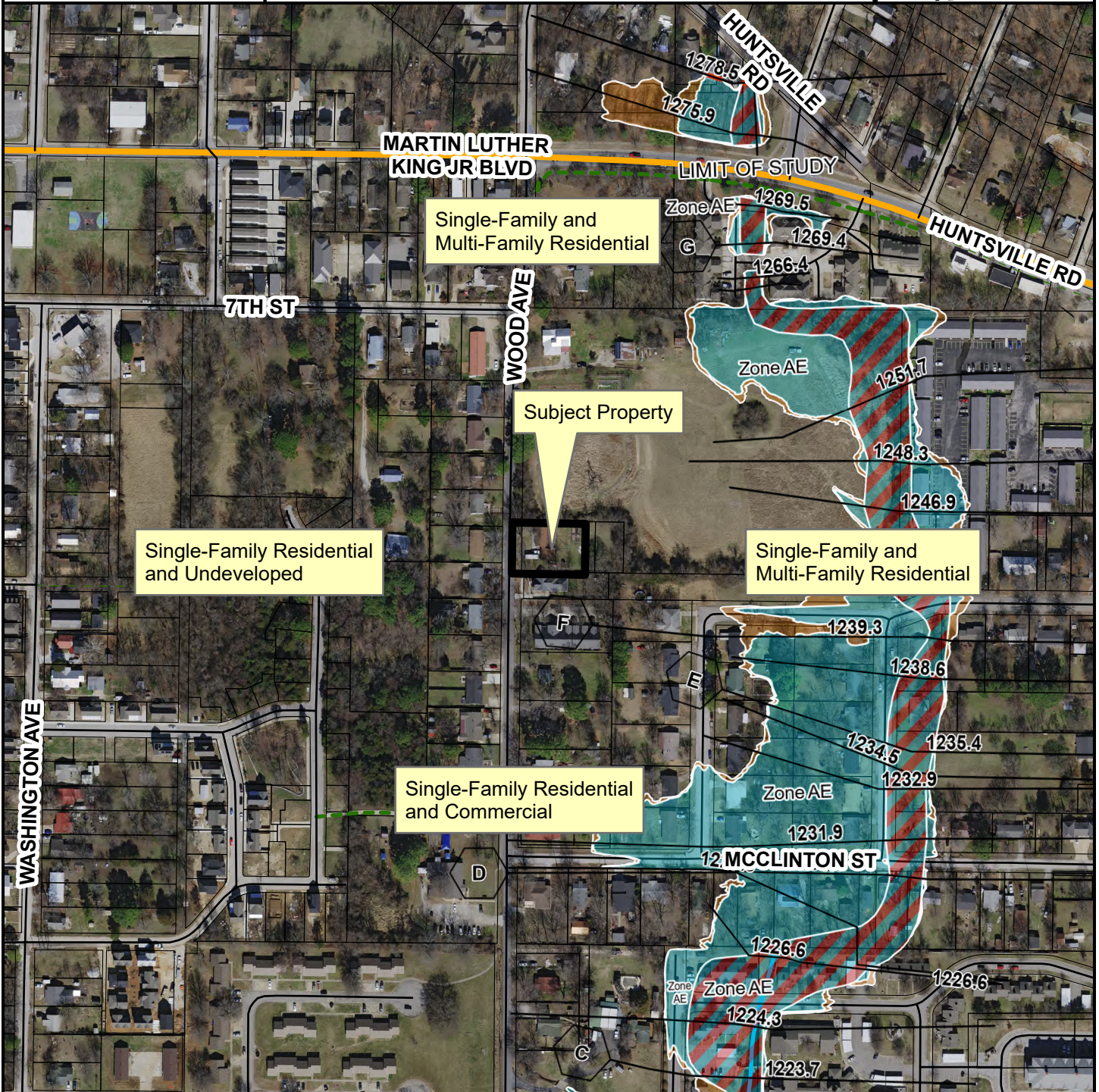




RZN-2024-0060

818 S. WOOD AVE

Current Land Use

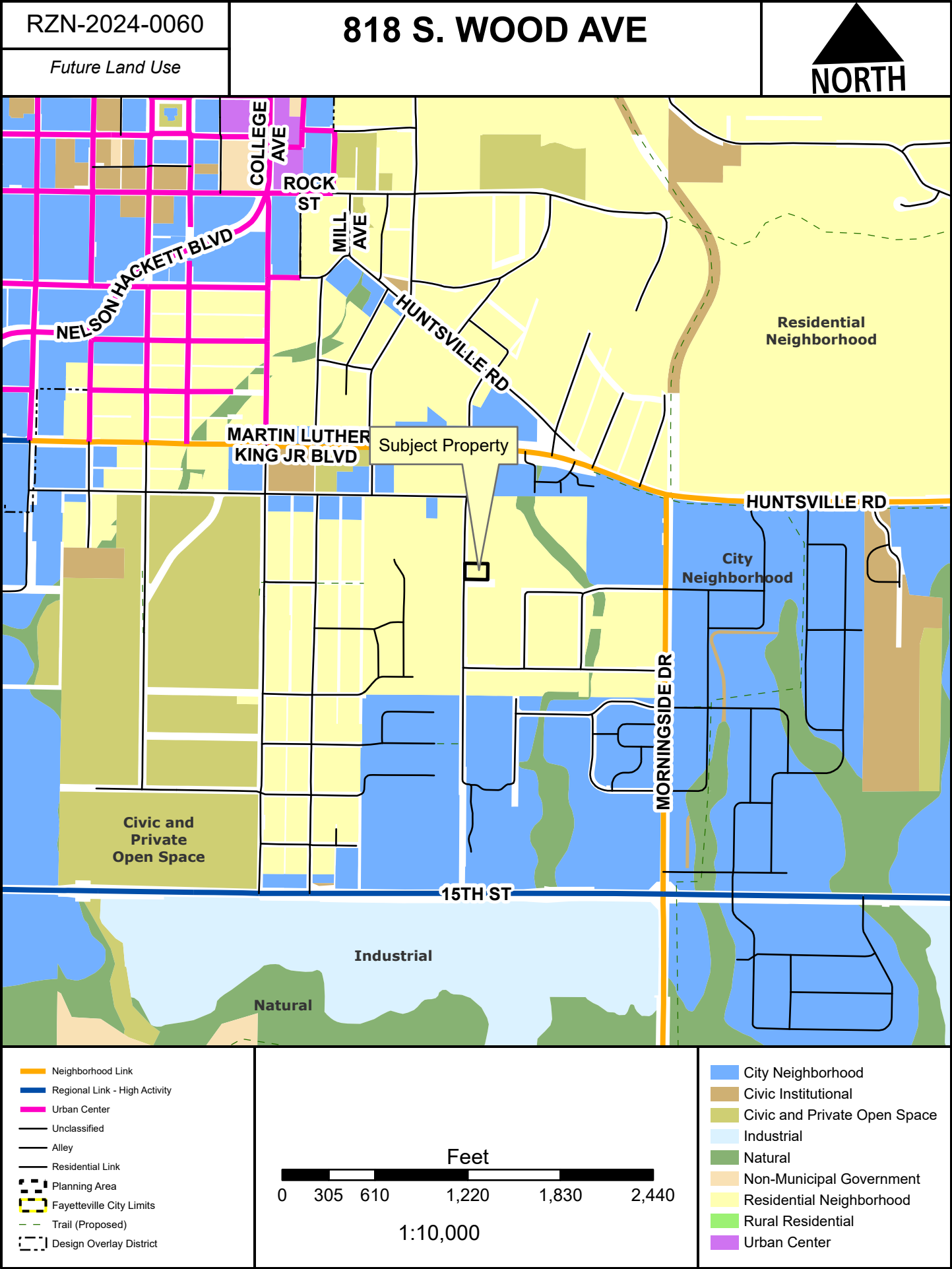


- Neighborhood Link
- Unclassified
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Wesley Frank, Planner

MEETING DATE: January 13, 2025

SUBJECT: **RZN-2024-0059: Rezoning (2015 E HUNTSVILLE RD./ SEXTON, LLC, 565):** Submitted by JESSE FULCHER for property located at 2015 E. HUNTSVILLE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.54 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

RECOMMENDATION:

Staff recommend forwarding **RZN-2024-0059** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0059** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in southeast Fayetteville on E. Huntsville Road, approximately 0.3 miles west of its intersection with S. Crossover Road. The property contains approximately 0.54 acres and is developed with a single-family dwelling that was previously built in 1947. The property is zoned RSF-4, Residential Single-Family 4-units per Acre. Surrounding land uses and zoning are listed in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family	NS-L, Neighborhood Services – Limited; RSF-4, Residential Single-Family, 4 Units per Acre
South	Single-Family	RSF-4, Residential Single-Family, 4 Units per Acre
East	Single-Family	RSF-4, Residential Single-Family, 4 Units per Acre
West	Single-Family	RSF-4, Residential Single-Family, 4 Units per Acre

Request: The request is to rezone the subject property from RSF-4, Residential Single-Family to CS, Community Services.

Public Comment: To date, staff have received no public comment.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

- Streets:** This property has frontage to E. Huntsville Road (Arkansas Highway 16), an improved regional high activity link, with asphalt paving, bike lanes, curb and gutter, greenspace, and sidewalk. 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 an existing 12-inch water main present along the south side of East Huntsville Road and there is an existing 6-inch water main present in the rear of the lot.
- Sewer:** Sanitary Sewer is available to the subject area. There is an existing 6-inch sanitary sewer main present in the southeast corner of the subject property.
- Drainage:** No portion of the property lies within the Hillside/Hilltop Overlay District or a FEMA-designated floodplain and no protected streams or hydric soils are present. Any additional improvements or requirements for drainage will be determined at time of development.
- Fire:** Station 3, located at 1050 S. Happy Hollow Road., protects this site. The property is located approximately 0.4 miles from the fire station with an anticipated drive time of approximately 1 minutes 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 current zoning district of RSF-4, Residential Single-Family, Four Units per Acre, requires **25% minimum canopy preservation**. The proposed zoning district of CS, Community Services 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 **City Neighborhood**.

City Neighborhood Area 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 6 for this site with a weighted score of 7. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 3, 1050 S. Happy Hollow Road.)
- Near Sewer Main (6-inch main, southeast corner of property)

- Near Water Main (12-inch main, E. Huntsville Road.; 6-inch main, south of property)
- Near City Park (Doc Mashburn Park)
- Near ORT Bus Stop (Huntsville & Ray)
- Appropriate Land Use (City Neighborhood Area)

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: *Land Use Compatibility:* Staff finds the proposed rezoning from RSF-4 to CS be compatible with the surrounding area. The subject property is proximate to CS zoned properties across E Huntsville Road. to the east. A rezoning to CS would allow for the by-right development of both residential and commercial developments with no density stipulations. RSF-4 and CS have significantly different bulk and area requirements. Lot width minimum in CS is 18 feet; but in RSF-4 it is only 70 feet. CS has no lot area minimum; but in RSF-4 is 8,000 square feet (.18 acres). RSF-4's setbacks include 15 feet front, 5 feet side, and 15 feet for rear; CS include a build-to-zone in the front between 10 feet and 25 feet, side and rear have no setback unless either is contiguous to a single-family residential, which will require a 15 foot setback. Additionally, RSF-4 has a three story building maximum while CS has a five story. Access management 166.08 (F)(2)(a) may be in an issue in the future as any further development may trigger compliance. Staff finds the requested rezoning to be compatible with surrounding land uses and provides opportunities for increased housing opportunities.

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 City Neighborhood area. A rezoning to CS could allow for the creation, or maintenance, of both commercial and residential properties with reduced lot sizes and offer some flexibility in housing and commercial types. Staff finds that the requested rezoning could allow for the creation of convenience goods and services and housing which will assist with the City Goals 1: We Will Make Appropriate Infill and Revitalization our Highest Priority and 6: We Will Create Opportunities for Attainable Housing.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: Staff finds that there is sufficient justification to rezone the property from RSF-4 to CS since the proposed rezoning would be consistent with the property's future land use designation and supports several goals of City Plan 2040.

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

Finding: A rezoning from RSF-4 to CS does have the potential to increase traffic danger and congestion due to increased density and additional curb cuts. Courts have established a precedent that properties with frontage to a public

street have a legal right to access the street, therefore additional curb cuts could be added and increase traffic danger and congestion along E Huntsville Road. However, 166.08(F)(2)(a) does states that “curb cuts along regional links shall be shared between two (2) or more lots. Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway.” 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 alter the population density since it would allow for increased residential or commercial 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-2024-0059 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>January 13, 2025</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
 - §161.22 Community Services
- Applicant 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
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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.

161.22 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.

November 15, 2024

City of Fayetteville Planning
120 W. Mountain Street

Please accept this letter as a request to rezone 2015 E. Huntsville Road from RSF-4 to CS, Community Services. The property is developed with a single-family home that was constructed in the 1940's and has an opportunity to continue as a residential structure, or with its proximity to Hwy 16 and Hwy 265, a small commercial establishment. This area of Hwy 16 was historically a predominantly residential area but has begun a transformation comprised of new residential homes, duplexes and townhouses. Commercial growth has also expanded in the area with a new gas station, coffee shop, retail outlet and a larger commercial center. Smaller, non-residential uses are also beginning to occupy older homes in the area, including a hair salon, spa, engraver, and café. Overall, the land uses in the neighborhood are becoming more diverse, in a positive way, with a variety of living options as well as convenience goods and services.

The Community Services zoning district supports that exact cause. Intended to provide goods and services for persons living in the surrounding residential areas, with a mixture of residential and commercial uses in a traditional urban form. The existing home on the property already lies within the build-to zone for the CS zoning district. And as currently zoned, is considered a nonconforming structure due to being less than 15' from the street right-of-way.

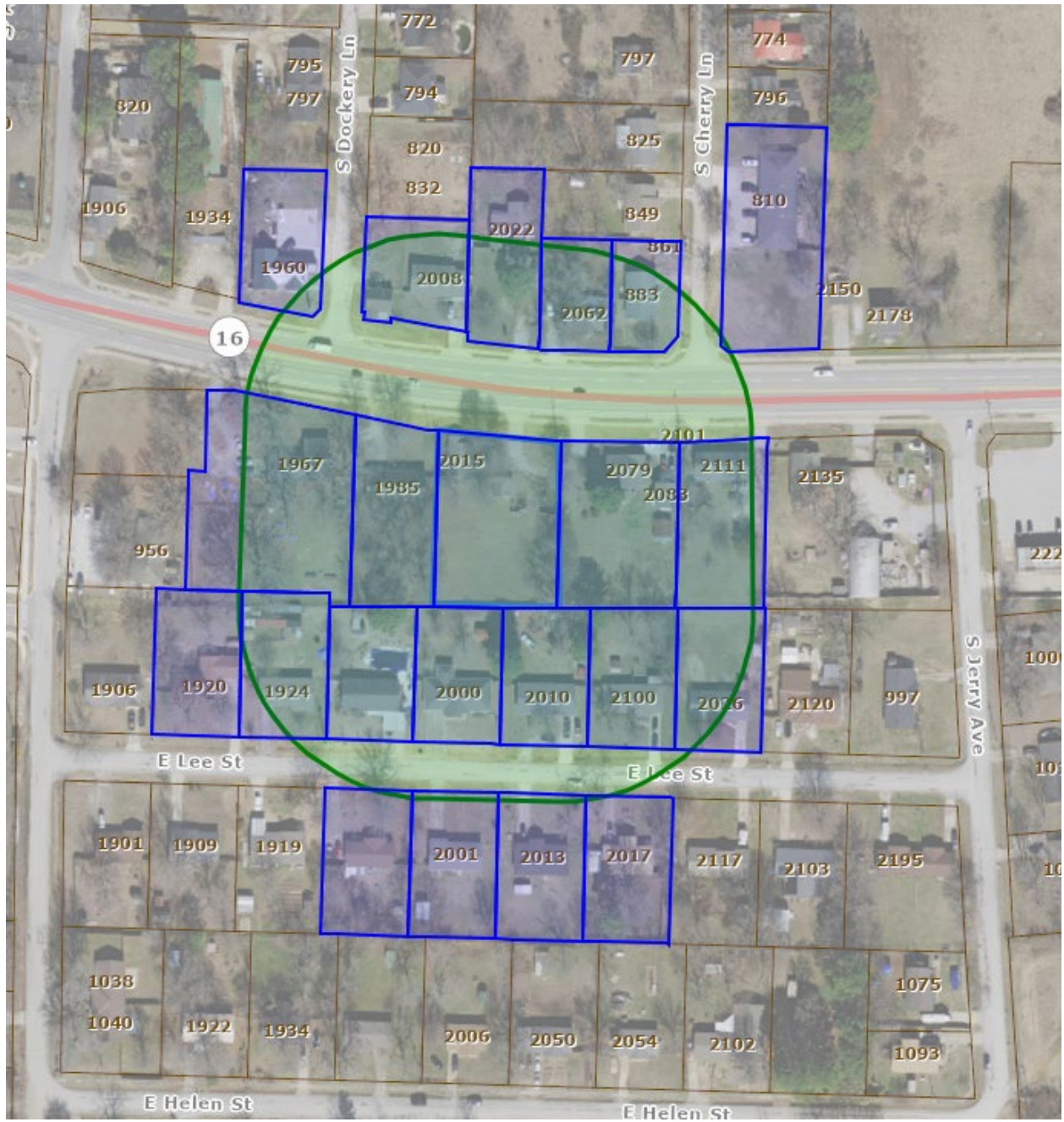
This neighborhood is composed of blocks of purely single-family homes mixed with smaller blocks of multi-family units. All of these residences benefit from the layering of non-residential land uses serving the broader neighborhood. Rezoning this property to Community Services continues to allow a mixture of land uses, developed in a urban form, and serving the surrounding neighborhoods. This zoning will not unreasonably adversely affect surrounding land uses but will continue to layer in a mixture of land uses, serving the surrounding neighborhoods, but also positioned along a very busy street corridor.

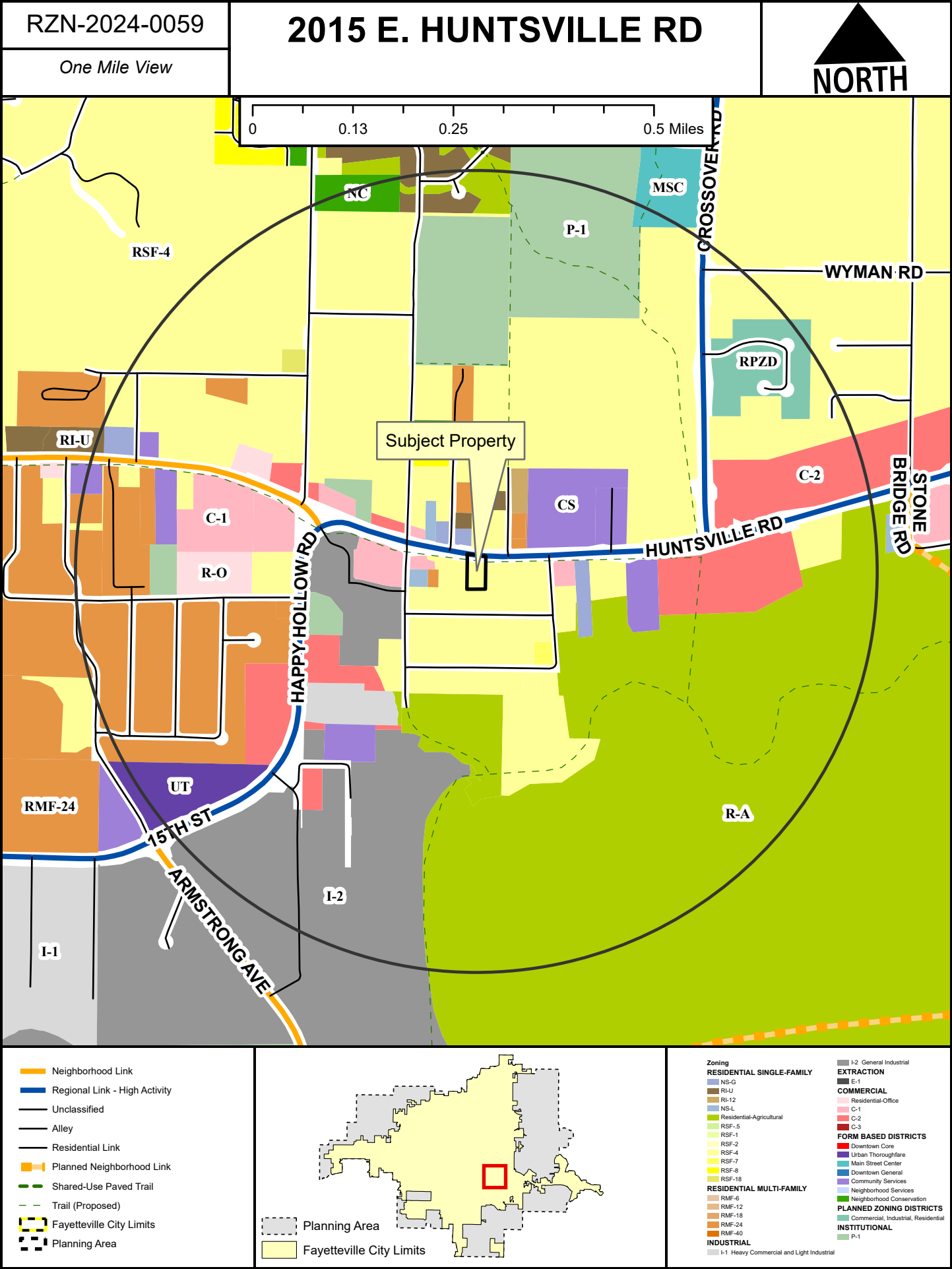
I appreciate your support for this application.

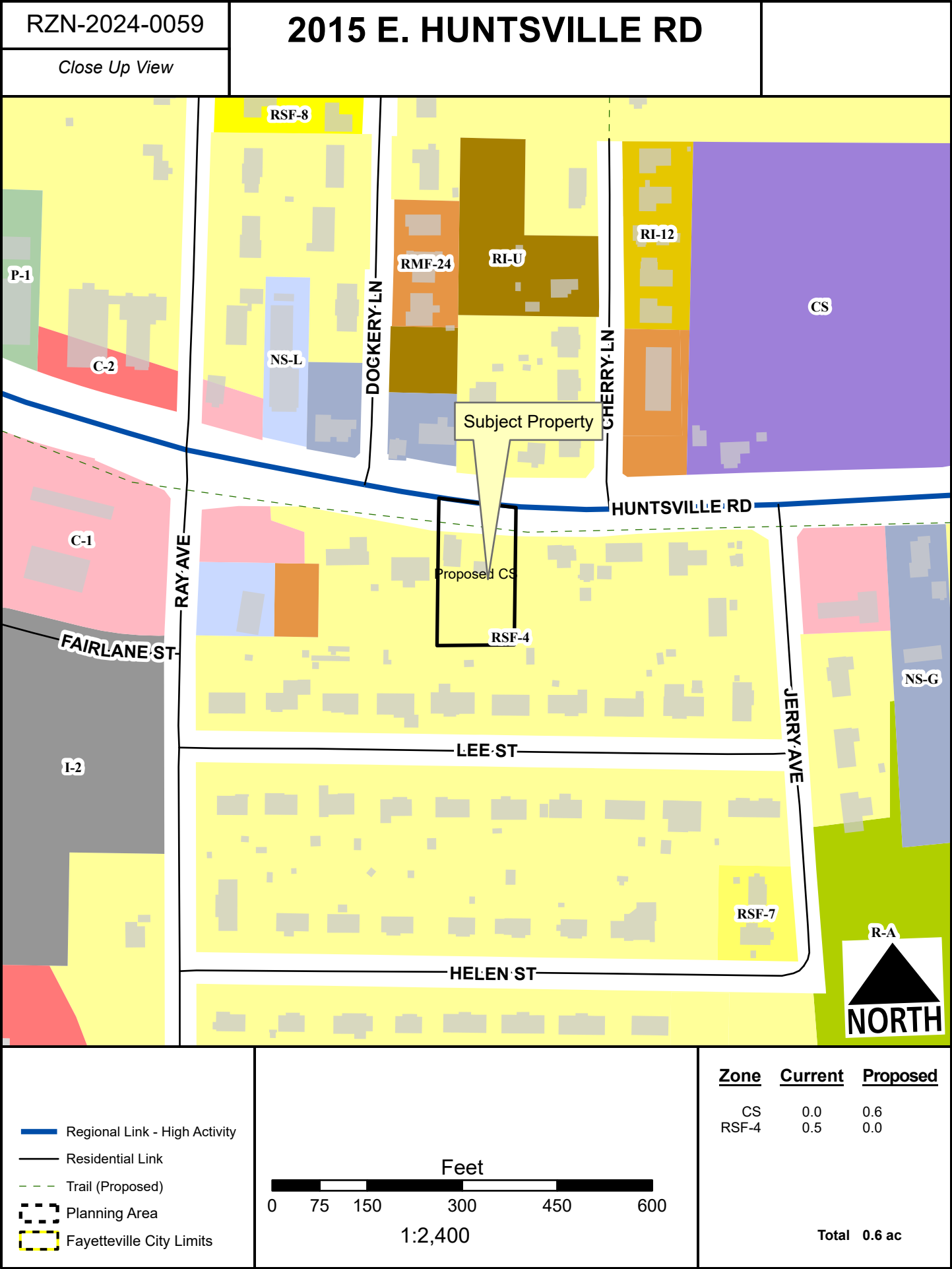
Sincerely,



Dry Fork Creek Properties, LLC







RZN-2024-0059

2015 E. HUNTSVILLE RD

Current Land Use

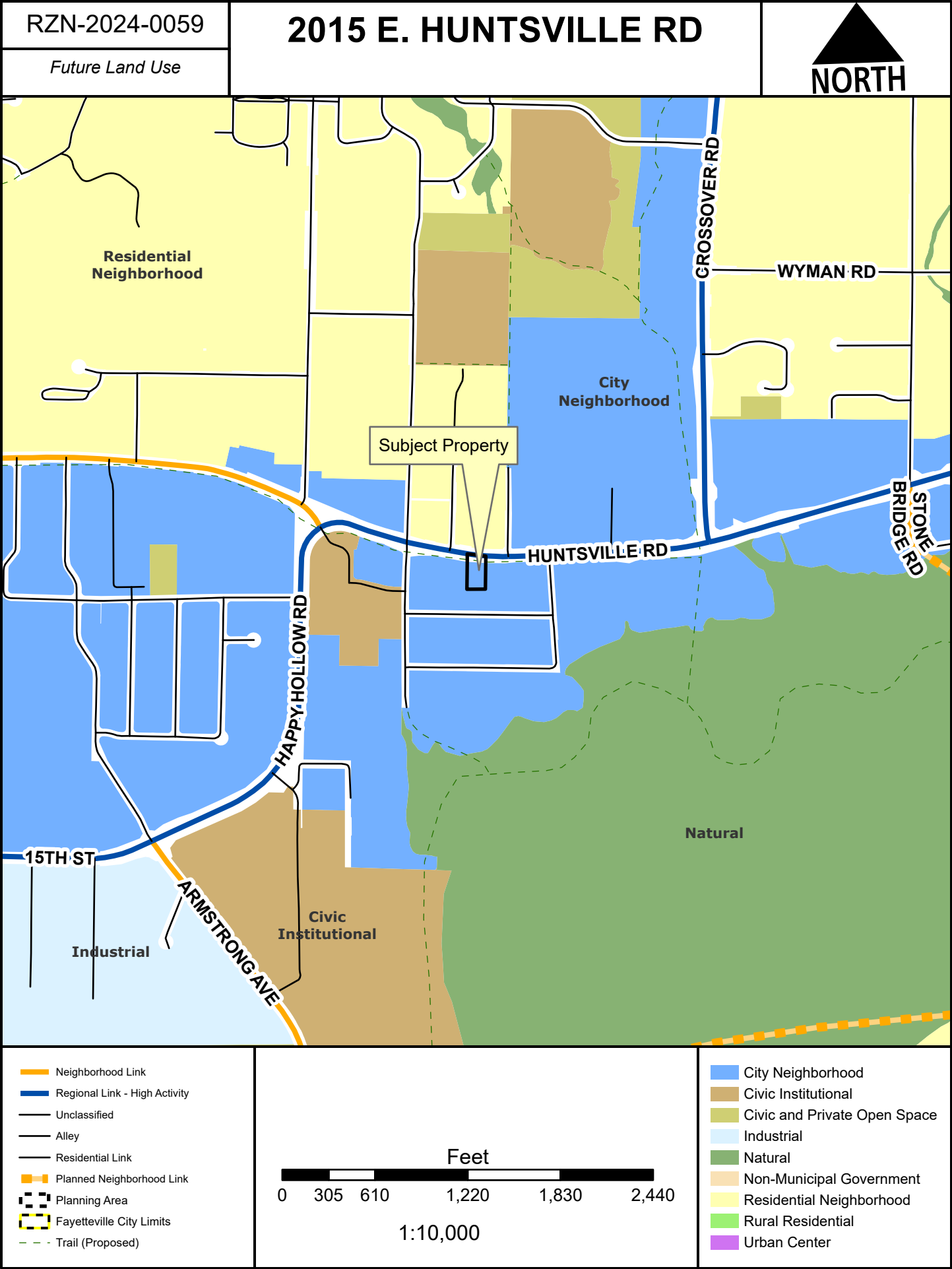


- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Wesley Frank, Planner

MEETING DATE: January 13, 2025

SUBJECT: **RZN-2024-0061: Rezoning (114 W. 5TH ST./ MORRIS, 565):** Submitted by THISTLE FLORALS for property located at 114 W. 5TH ST. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.20 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

RECOMMENDATION:

Staff recommend forwarding **RZN-2024-0061** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0061** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in southeast Fayetteville on W. 5th Street, approximately 0.19 miles west of the intersection with S. College Road. The property contains approximately 0.2 acres and is developed for a single-family dwelling. The property is zoned NC, Neighbor Conservation. Surrounding land uses and zoning are listed in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Residential Single-Family	DG, Downtown General
South	Residential Single-Family	NC, Neighborhood Conservation
East	Residential Single-Family	NC, Neighborhood Conservation
West	Residential Single-Family	NC, Neighborhood Conservation

Request: The request is to rezone the subject property from NC, Neighborhood Conservation to RI-U, Residential Intermediate-Urban. The applicant intends to subdivide the property into a tandem lot.

Public Comment: To date, staff have received no public comment.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: This property has frontage to W. 5th Street, a partially improved urban center street, with asphalt paving and curb and gutter. Any street improvements required in these areas would be determined at the time of development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

Water: Public water is available to the subject property. There is an existing 2-inch watermain present in West 5th Street that serves this property.

Sewer: Sanitary Sewer is available to the subject property. There is an existing 8-inch sanitary sewer main present in West 5th Street that serves this property.

There are known wet weather sewer capacity issues identified in the City's 2021 Sewer Master Plan that appear in the system approximately 200 linear feet downstream of this property.

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 additional improvements or requirements for drainage will be determined at time of development.

Fire: Station 1, located at 303 W. Center St., protects this site. The property is located approximately 0.6 miles from the fire station with an anticipated drive time of approximately 2.0 minutes using existing streets. The anticipated response time would be approximately 4.2 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 current zoning district of NC, Neighborhood Conservation requires **20% minimum canopy preservation**. The proposed zoning district of RI-U, Residential Intermediate-Urban requires **15% 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: single-family, duplexes, rowhouses, multifamily and accessory dwelling units. 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 nonresidential uses intended to serve the surrounding neighborhoods, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range of 11 for this site with a weighted score of 13. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 1, 303 W. Center St.)
- Near Sewer Main (8-inch main, south of property)
- Near Water Main (2-inch main, south of property)
- Near grocery store (Walmart Neighborhood Market, W MLK)
- Near U of A campus
- Near City Park (Walker Park)
- Near Paved Trail (Razorback Greenway)
- Near ORT Bus Stop (MLK Blvd & MLK Blvd/ Block Ave WB)
- Near Razorback Bus Stop (Downtown Square)
- Within Downtown Master Plan Area
- Appropriate Land Use (Residential 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 the proposed rezoning from NC to RI-U be compatible with the surrounding area. The subject property is proximate to RI-U zoned properties across S Church Avenue to the east. A rezoning to RI-U would allow for the by-right development of residential options. NC and RI-U have significantly different bulk and area requirements. Lot width minimum in RI-U is 18 feet; but in NC it is 40 feet. RI-U has no lot area minimum; but in NC it is 4,000 square feet. Both RI-U and NC density allowances are not a factor in either zoning district as the lot's size limits the development of additional structures (RI-U no maximums/ NC allows for 10 units an acre). What is allowed by-right for development differs for each zoning type. For RI-U, it allows for greater housing options that include middle housing (single-, two-, three-, and four- family dwellings). NC allows for single-family dwellings and accessory dwellings. Staff finds the requested rezoning to be compatible with surrounding land uses and provides opportunities for increased housing opportunities.

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. A rezoning to RI-U could allow for the creation of more residential properties with reduced lot sizes. Staff finds that the requested rezoning could allow for the creation of more housing types that would adhere to City Goals 1: We Will Make Appropriate Infill and Revitalization our Highest Priority and 6: We Will Create 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 NC to RI-U since the proposed 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: However, the property's location next to undeveloped right-of-way and in an area with a high intersection density suggests that vehicle trips to and from this property will be evenly dispersed, limiting impacts on traffic danger and safety. Also, the number of vehicle trips to and from this site would be limited by its proximity to public trails and bus stops.

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 alter the population density since it would allow for increased 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. The size of the lot would limit development to a significant degree. 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-2024-0061 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>January 13, 2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.29 District NC, Neighborhood Conservation
 - §161.12 District Residential Intermediate - Urban
- Applicant Request Letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

161.29 Neighborhood Conservation

(A) *Purpose.* The Neighborhood Conservation zone has the least activity and a lower density than the other zones. Although Neighborhood Conservation is the most purely residential zone, it can have some mix of uses, such as civic buildings. Neighborhood Conservation serves to promote and protect neighborhood character. For the purposes of Chapter 96: Noise Control, the Neighborhood Conservation district is a residential zone.

(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 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited business*
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cluster Housing Development

(C) *Density.* Ten (10) Units Per Acre.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

All dwelling types	40 feet
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(2) *Lot Area Minimum.* 4,000 square feet

(E) *Setback Regulations.*

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
Side	5 feet
Rear	5 feet
Rear, from center line of an alley	12 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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161.12 District RI-U, Residential Intermediate - Urban

(A) *Purpose.* The RI-U Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a range of housing types compatible in scale with single-family homes and to encourage a diversity of housing types to meet demand for walkable urban living.

(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 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 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

	Dwelling (all types)
Lot width minimum	18 feet
Lot area minimum	None

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear, from centerline of an alley
A build-to zone that is located between the front property, line and a line 25 feet from the front property line.	None	5 feet	5 feet	12 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.

- (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.

To Fayetteville planning department,

We are requesting the rezoning of a tandem lot, split from the existing lot and home, for the purpose of building an ADU. We need the lot split in order to satisfy our lender in order to have a separate parcel and legal description for the detached ADU structure from the existing house.

We are currently zoned: NC, Neighborhood Conservation.

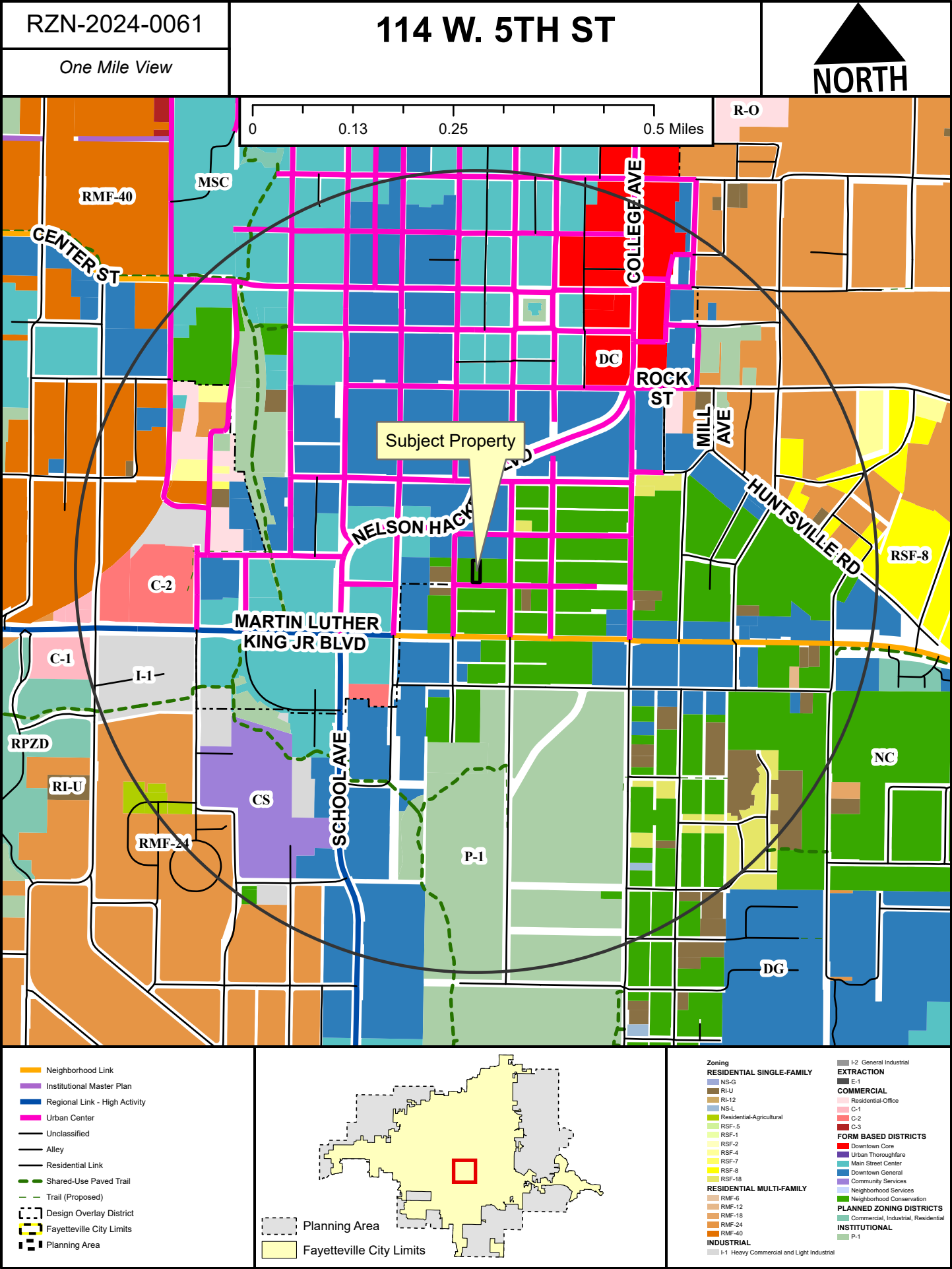
We are requesting rezoning to: RI-U, Res. Intermediate Urban.

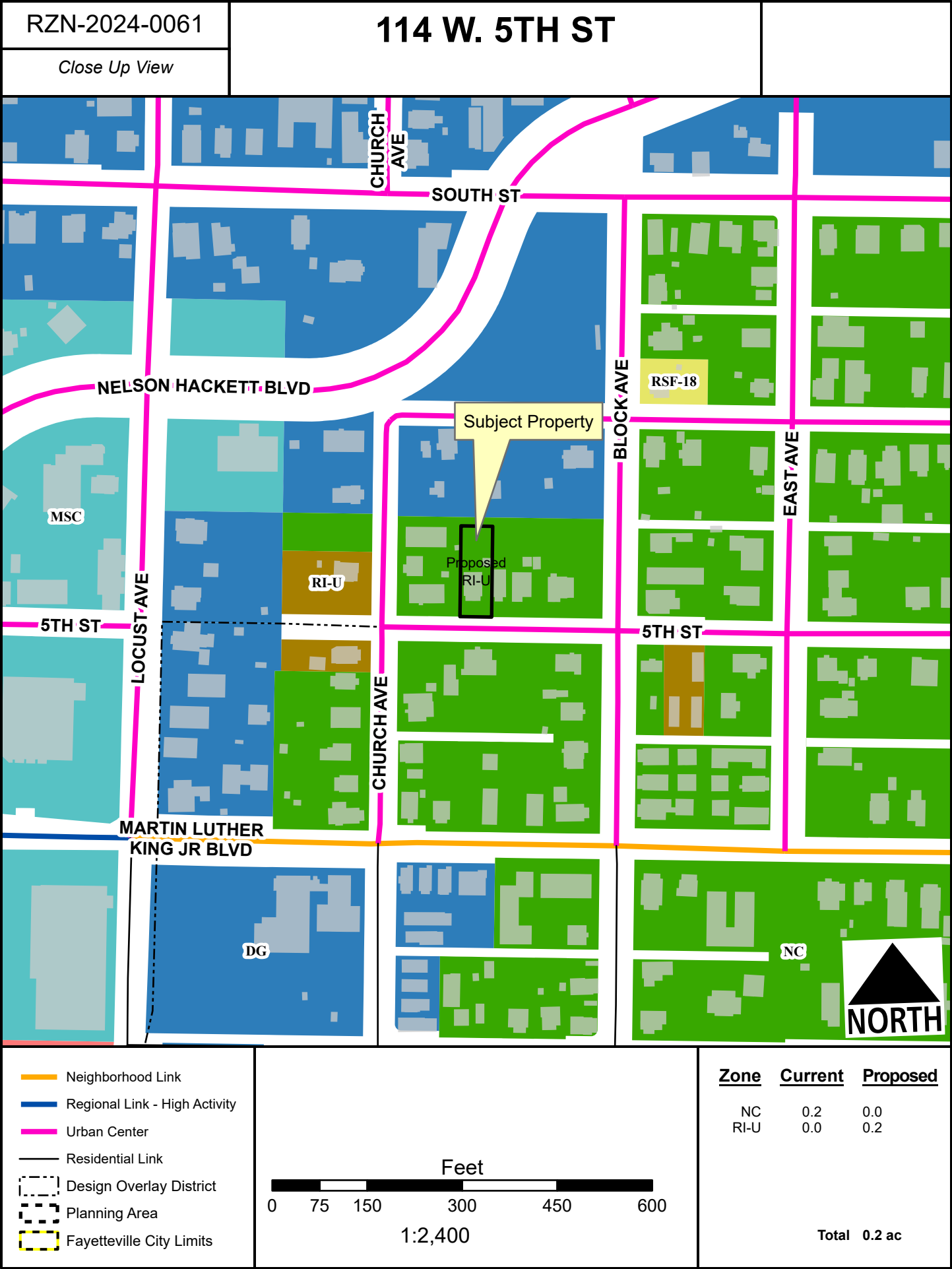
We currently already have a building permit approved through City Of Fayetteville. We have had a new 911 address issued for the new structure. The field work for our new survey has already been completed by Blew And Associates to do the lot split.

We could not achieve our setback clearances by simply splitting to a tandem lot. The only way to get our setback within the allowances is to re-zone the newly defined lot to RI – U. After speaking with planning staff regarding our specific conditions and requests, I was advised that if we wrote a Bill of Assurance stating that we had no intent to build multi family or high density then we would get a letter of recommendation from the planning department for our rezoning request.

The address for the existing house and lot is 114 W. 5th St. Fayetteville, AR.

The new address for the split lot and ADU is 114 B W. 5th St. Fayetteville, AR

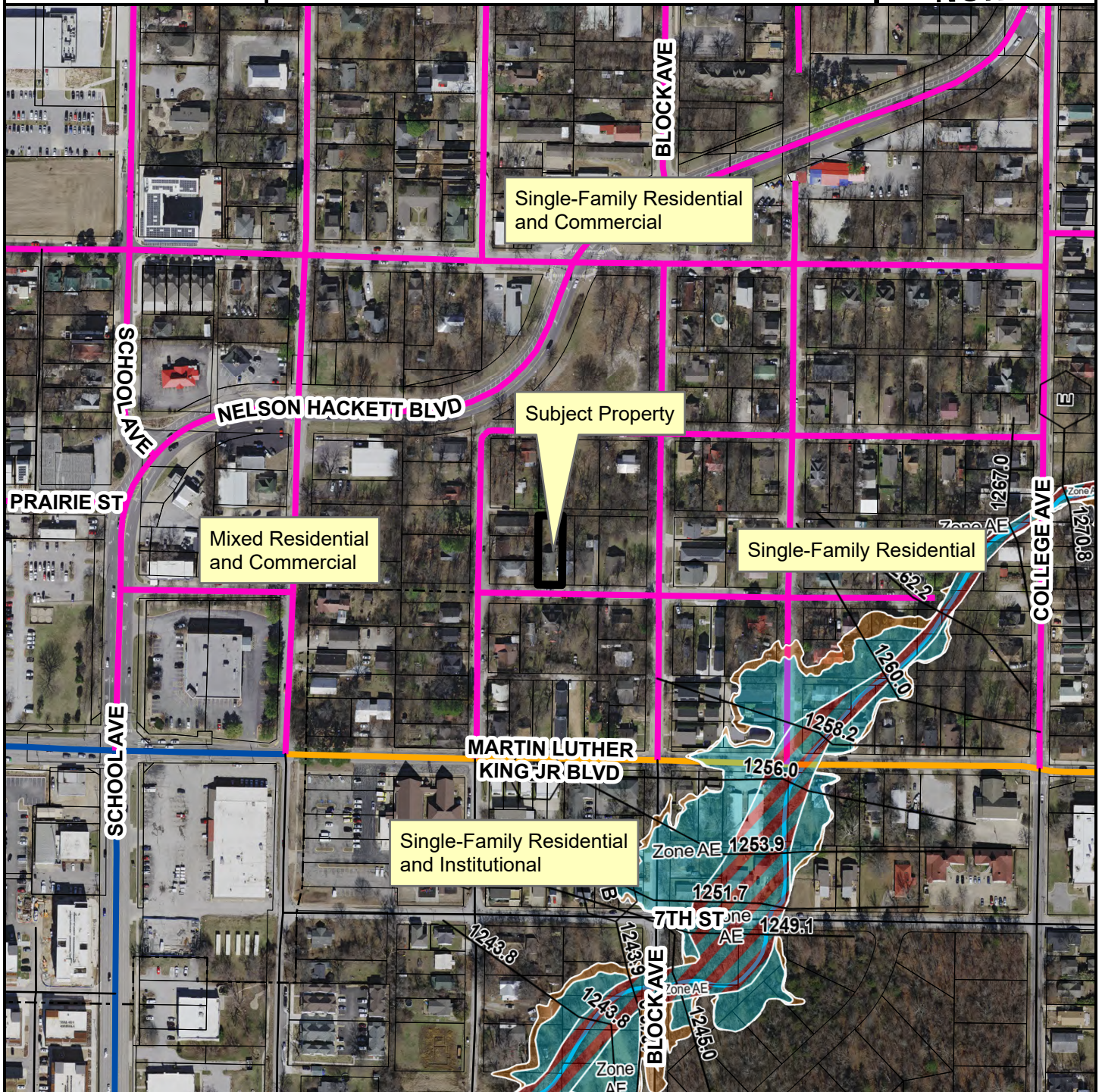




RZN-2024-0061

114 W. 5TH ST

Current Land Use



- Neighborhood Link
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Design Overlay District



FEMA Flood Hazard Data

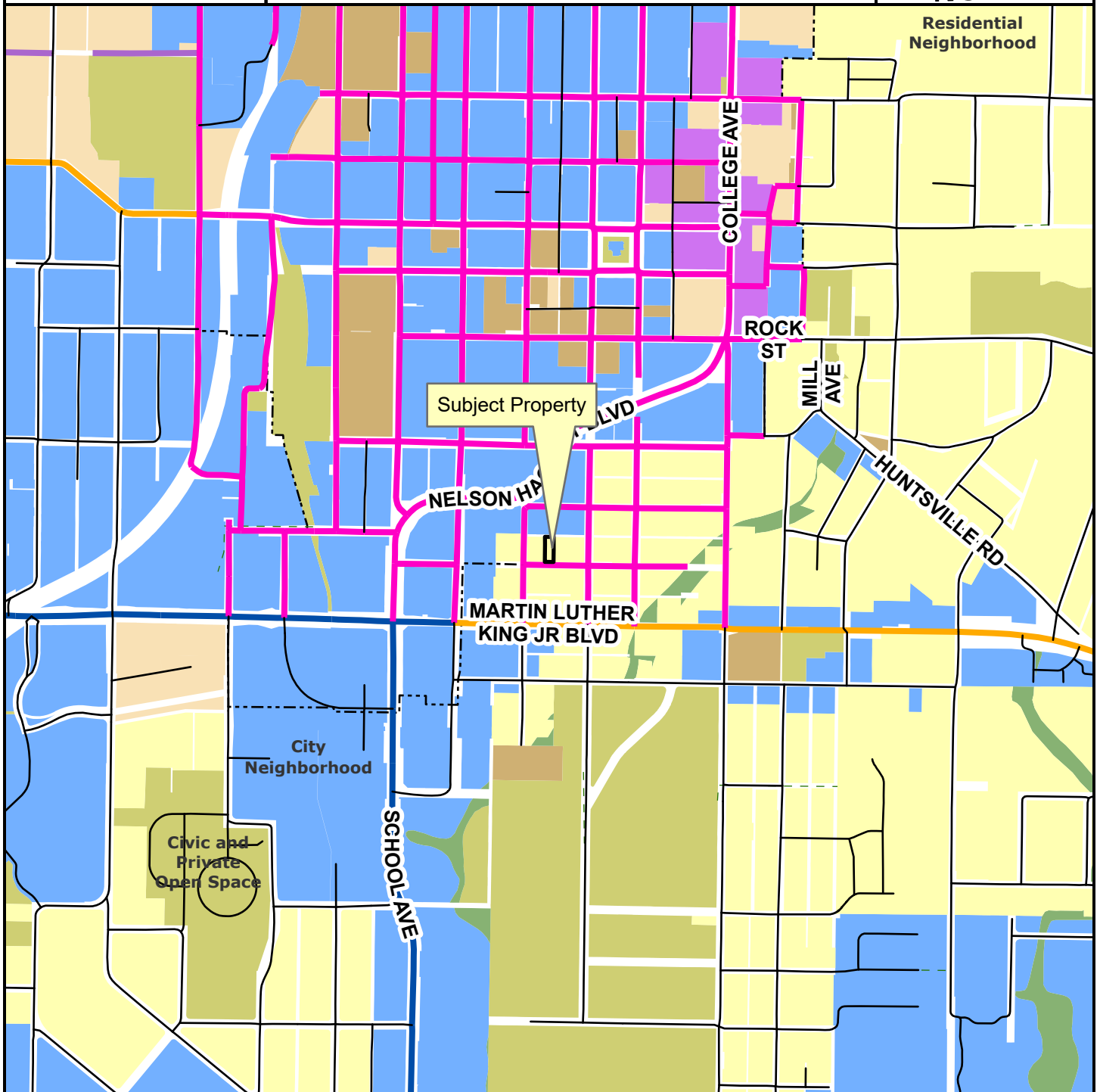
- 100-Year Floodplain
- Floodway

RZN-2024-0061

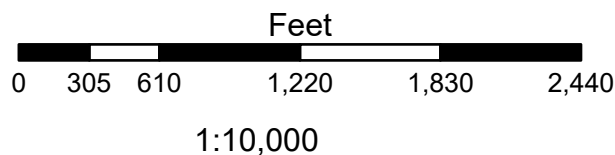
114 W. 5TH ST



Future Land Use



- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Urban Center
- 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: Jessie Masters, Development Review Manager

FROM: Wesley Frank, Planner

MEETING DATE: January 13, 2025

SUBJECT: **RZN-2024-0062: Rezoning (2691 E. HUNTSVILLE RD./ NWA PROPERTY HOLDINGS, LLC, 566):** Submitted by SILVER LINING CLINIC LLC for property located at 2691 E. HUNTSVILLE RD. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 0.90 acres. The request is to rezone the property to NS-G, NEIGHBORHOOD SERVICES-GENERAL.

RECOMMENDATION:

Staff recommend forwarding **RZN-2024-0062** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2024-0062** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in southeast Fayetteville on E. Huntsville Road, approximately 300 feet west of the intersection with S. Stone Bridge Road. The property contains approximately 0.9 acres and is developed with a single-family dwelling that County records indicate was constructed in 1945. The property is zoned R-A, Residential-Agriculture. Surrounding land uses and zoning are listed in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Undeveloped/Agricultural	C-2, Thoroughfare Commercial
South	Undeveloped (Conservation)	R-A, Residential-Agriculture
East	Agricultural	R-A, Residential-Agriculture
West	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre

Request: The request is to rezone the subject property from R-A, Residential-Agriculture to NS-G, Neighborhood Services - General.

Public Comment: To date, staff have received no public comment.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

- Streets:** This property has frontage to East Huntsville Road (Arkansas Highway 16), a regional high-activity link; with asphalt paving, on-street bike lanes, curb and gutter, greenspace, and sidewalk. 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 an existing 12-inch watermain along the north side of East Huntsville Road that can serve this property.
- Sewer:** Sanitary Sewer is available to the subject property. There is an existing 8-inch sanitary sewer main present along the west side of this property.
- Drainage:** No protected streams, FEMA Floodplain or hydric soils are identified on the subject property. No portion of the subject property lies within the Hillside/Hilltop Overlay District.
- Fire:** Station 3, located at 1050 S. Happy Hollow Road, protects this site. The property is located approximately 0.8 miles from the fire station with an anticipated drive time of approximately 3.0 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 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 current zoning district of R-A, Residential - Agriculture, 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 **City Neighborhood**.

City Neighborhood Area 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 5 for this site with a weighted score of 6. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 3, 1050 S. Happy Hollow Road.)
- Near Sewer Main (8-inch main, west of property)
- Near Water Main (12-inch main, north of property)

- Near ORT Bus Stop (Huntsville & Crossover)
- Appropriate Land Use (City Neighborhood Area)

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 R-A to NS-G be compatible with the surrounding area. The subject property is proximate to a property zoned Neighborhood Services across E Huntsville Road to the east. A rezoning to NS-G would allow for the by-right development of both residential and commercial developments with some stipulations. R-A and NS-G have significantly different bulk and area requirements. Lot width minimum in R-A is 200 feet; but in NS-G it is 35 feet for all dwellings and none for all other uses. R-A has a minimum lot area requirement of 2 acres; but in NS-G it is 4,000 square feet for residential use, 3,000 square feet per dwelling unit, and none for all other uses. Staff finds the requested rezoning to be compatible with surrounding land uses and provides opportunities for increased housing and potentially commercial opportunities.

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 City Neighborhood area. A rezoning to NS-G could allow for the creation, or maintenance, of both commercial and residential properties with reduced lot sizes and offer some flexibility in housing and commercial types. The allowed uses in NS-G promotes neighborhood development with sustainable and complementary neighborhood businesses that are compatible in scale, aesthetics, and use with surrounding land uses. Staff finds that the requested rezoning could allow for the creation of convenience goods and services and housing which will assist with the City Goals 1: We Will Make Compact, Complete, and Connected Development the Standard, and 6: We Will Create Opportunities for Attainable Housing by allowing by right development of additional housing options (single-, two-, three-, and four-family dwellings and cluster housing 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 to rezone the property from R-A to NS-G since the proposed 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 R-A to NS-G does have the potential to increase traffic danger and congestion due to increased density and additional curb cuts. Courts have established a precedent that properties with frontage to a public

street have a legal right to access the street, therefore additional curb cuts could be added and increase traffic danger and congestion along E. Huntsville Road. However, 166.08(F)(2)(a) does states that “curb cuts along regional links shall be shared between two (2) or more lots. Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway.” 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 alter the population density since it would allow for increased residential or commercial 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-2024-0062 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>January 13, 2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code

- §161.03 District R-A, Residential-Agricultural
 - §161.19 NS-G, Neighborhood Services – General
- Applicant Request Letter
- 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 ($\frac{1}{2}$)
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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.

161.19 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
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(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.

12/2/2024

Property to be Re-Zoned: 2691 E. Huntsville Road, Fayetteville, AR 72701, owned by NWA Property Holdings LLC.

This property is currently zone RA (Residential agriculture) as the neighboring properties are as well. The property is in Anderson Farm Plat Subdivision. The property is 1.00 Acres in size with a 3 BR Home on the property, and it is not located in a Special Flood Hazard Area Floodplain.

We would like to rezone the property to NS-G (Neighborhood Services General). This is to allow use of the home for the current business owned by Natalie Krodel, APRN to use as a Health Spa/Clinic. The parking is at the rear of the building and there will no change to the current established driveway on the left side of the structure.

The hours of operation will be Monday thru Friday 9-5 pm and some Saturdays 9-12 pm as needed by demand of the business. The business has 2 full-time employees the owner and 1 other person.

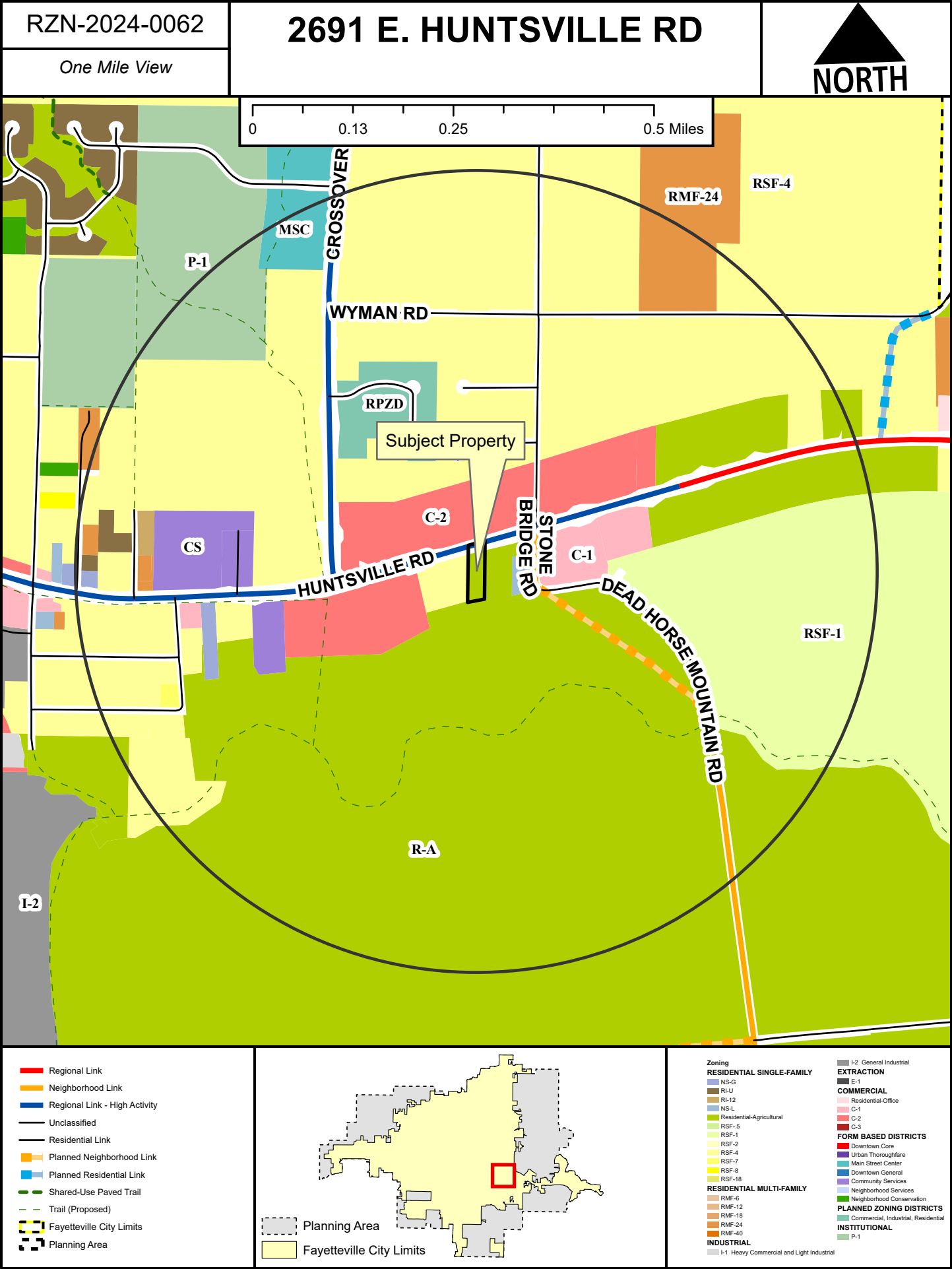
No other changes to the property will be necessary. The business will not interfere with any current residents nor flow of traffic.

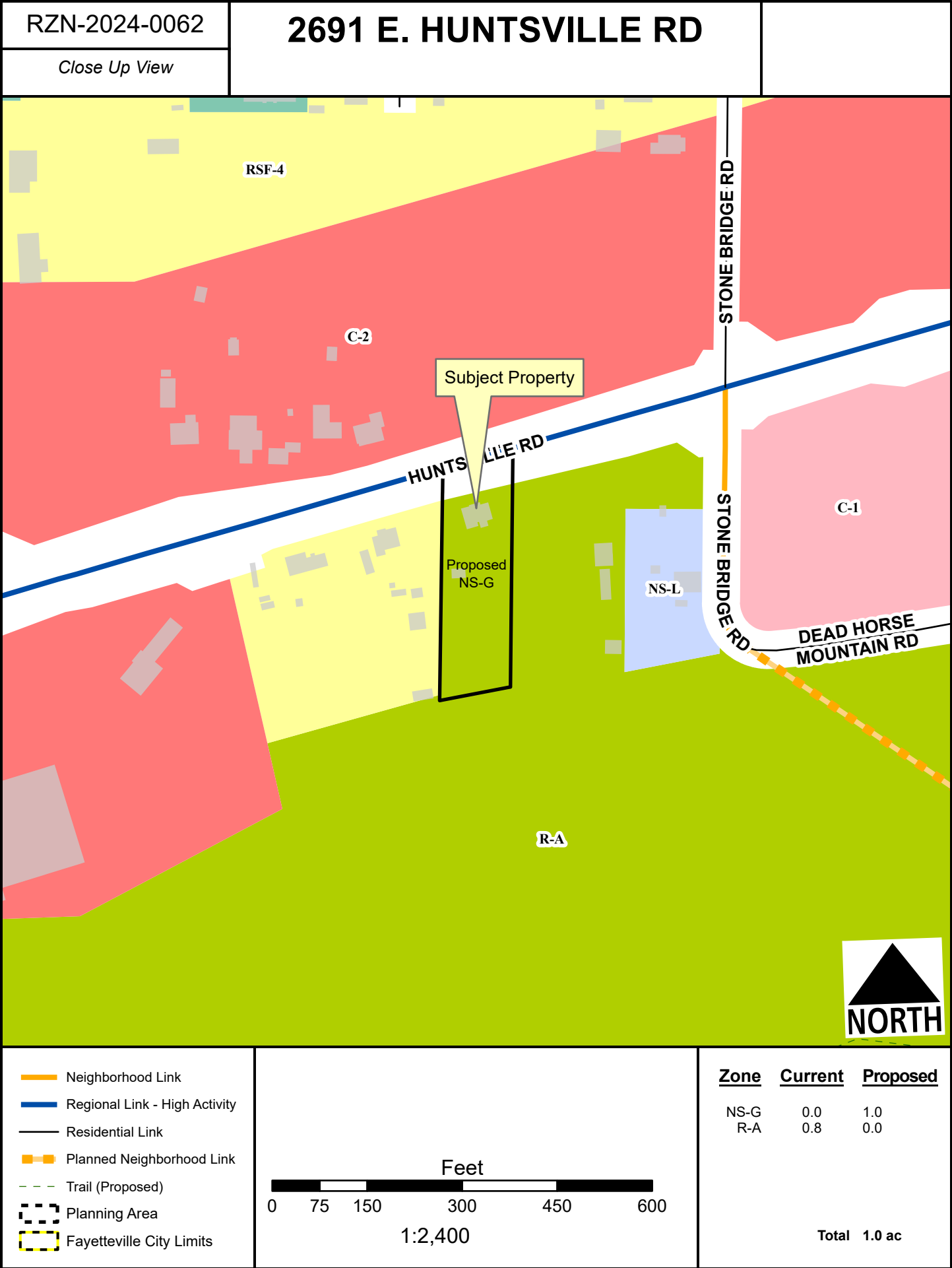
Very Respectfully,

Benjamin Dykes, Ret. USN

Property Owner

A handwritten signature in blue ink, appearing to be 'B. Dykes', with a large, stylized loop at the end.





RZN-2024-0062

2691 E. HUNTSVILLE RD

Current Land Use



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

