

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8267



Planning Commission Tentative Agenda

Thursday, January 23, 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 January 13, 2025 Planning Commission. -
Mirinda Hopkins, Development Coordinator

2. CCP-2024-0013: Concurrent Plat (EAST OF S. MURRAY DR & E. MERAMEC ST/RIVERSIDE VILLAGE PH. 2.2, 441):

Submitted by CRAFTON TULL for property located EAST OF S. MURRAY DR & E. MERAMEC ST. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 16.04 acres. The request is for the concurrent plat of 81 residential lots. - Gretchen Harrison, Senior Planner

3. CCP-2024-0014: Concurrent Plat (4366 W. HURON LOOP/RIVERWOOD HOMES LLC, 477):

Submitted by JORGENSEN & ASSOCIATES for property located at 4366 W. HURON LOOP. The property is zoned CS, COMMUNITY SERVICES and contains approximately 19.60 acres. The request is for the concurrent plat of 21 residential lots.
- Jessica Masters, Development Review Manager

Unfinished Business**4. 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 station.

THIS ITEM WAS TABLED AT THE JANUARY 13, 2025 PLANNING COMMISSION MEETING. - Donna Wonsower, Planner

New Business**5. CCP-2024-0012: Concurrent Plat (2535 N. OAKLAND ZION RD/MCDONALD BUILDING GROUP, 296):**

Submitted by ENGINEERING SERVICES INC for property located at 2535 N.

OAKLAND ZION RD. The property is in the FAYETTEVILLE PLANNING AREA and contains approximately 4.66 acres. The request is for the concurrent plat of four residential lots.

- Donna Wonsower, Planner

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. - Jessica Masters, Development Review Manager

7. CUP-2024-0051: Conditional Use Permit (617 N. FALLIN AVE/WARD, 446):

Submitted by KATHRYN TIPTON for property located at 617 N. FALLIN AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.40 acres. The request is to use the property as a short-term rental.

- Wesley Frank, Planner

8. CUP-2024-0050: Conditional Use Permit (WEST OF S. BLACK OAK ROAD/BRIGHT INVESTMENTS LLC, 682):

Submitted by TOTAL ENVIRONMENTAL for property located WEST OF S. BLACK OAK ROAD. The property is zoned I-2, GENERAL INDUSTRIAL and contains approximately 19.94 acres. The request is for a trailer storage and drop lot. - Gretchen Harrison, Senior Planner

9. CUP-2024-0052: Conditional Use Permit (764 N. RUPPLE RD/MEADOWVIEW OF FAYETTEVILLE, 439):

Submitted by CR CRAWFORD CONSTRUCTION for property located at 764 N. RUPPLE RD. The property is zoned NS-L, NEIGHBORHOOD SERVICES-LIMITED and contains approximately 5.01 acres. The request is for temporary off-site construction parking and storage. - Gretchen Harrison, Senior Planner

10. PZD-2024-0008: Planned Zoning District (19 E. 19TH ST/THE FARM AT SOUTH SCHOOL, 602):

Submitted by ECOLOGICAL DESIGN GROUP for property located at 19 E. 19TH ST. The property is zoned I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL, RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE, and RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 22.67 acres. The request is to rezone the property to a PLANNED ZONING DISTRICT. - Jessica Masters, Development Review Manager

Items Administratively Approved by Staff

11. LSP-2024-0047: Lot Split (8214 W. WEDINGTON DR/SCENIC HILL SOLAR, 432):

Submitted by CORNERSTONE SURVEYING for property located at 8214 W. WEDINGTON DR. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 40.00 acres. The request is to split a parcel into two lots containing 3.61 and 36.39 acres. - Jessica Masters, Development Review Manager

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, 01/13/2025					
Time:	5:30 PM						
Staff :	ⓧWilla Thomason ⓧ John Scott ⓧJessie Masters ⓧ Gretchen Harrison ⓧDonna Wonsower ⓧWesley Frank						
	ⓧ Britin Bostick ⓧ Kylee Cole ⓧMelissa Boyd ⓧJustin Bland ⓧChris Brown ⓧ Alan Pugh ⓧFire Marshal/Clint Price						
	Roll Call	1) Minutes (12/09/2024)	2) VAR-2024-0052 (LEGACY VENTURES)	3) VAR-2024-0053 (NAZAR)	4) LSD-2024-0029 (VERVE)	5) LSD-2024-0036 (WOODLAND JR HIGH)	6) VAC-2024-0027 (JORDAN GROUP LLC)
McGetrick	1	1	1	1	1	1	
Brink	1	1	1	1	1	1	
Payne	1	1	1	1	1	1	
Castin	1	1	1	1	1	1	
Gulley	1	1	1	1	0	1	
Cabe	0						
Werner	1	1	1	1	0	1	
Garlock	1	1	1	1	0	1	
Madden	1	1	1	1	0	1	
Agenda		Consent	Consent	Consent	Old	New	New
Action		Approve	Approve	Approve	Approve	Approve	Withdrawn
Motion By		Garlock	Garlock	Garlock	Payne	Werner	
Motion 2nd		Payne	Payne	Payne	McGetrick	Gulley	
Vote		8-0-0	8-0-0	8-0-0	4-4-0	8-0-0	
Time		5:33 PM	5:33 PM	5:33 PM	6:30 PM	7:09 PM	
Motion Detail					Failed.	With all conditions as recommended by staff.	
Public Comment		0	0	0	0	1	

(pg. 2) Planning Commission			Monday, 01/13/2025				
	7) CUP-2024-0049 (QUIK TRIP CORP)		8) RZN-2024-0054 (40 PLUS LLC & ELKINS REAL ESTATE HOLDINGS LLC)	9) RZN-2024-0063 (CRIST)	10) RZN-2024-0060 (BELASCO)	11) RZN-2024-0059 (SEXTON)	12) RZN-2024-0061 (MORRIS)
McGetrick	1	1	1	1	1	1	1
Brink	1	1	1	1	1	1	1
Payne	0	1	1	1	1	1	1
Castin	0	0					
Gulley	0	0	0	1	1	1	1
Cabe							
Werner	1	1	0	1	1	1	1
Garlock	0	0	0	0	1	1	1
Madden	0	1	0	1	1	1	1
Agenda	New		New	New	New	New	New
Action	Table	Table	Forward	Forward	Forward	Forward	Forward
Motion By	Werner	McGetrick	Brink	Gulley	Werner	Payne	Garlock
Motion 2nd	McGetrick	Payne	Werner	Payne	Payne	McGetrick	Werner
Vote	3-5-0	5-3-0	3-4-0	6-1-0	7-0-0	7-0-0	7-0-0
Time	7:46 PM		9:23 PM	9:37 PM	9:43 PM	9:47 PM	9:54 PM
Motion Detail	Failed.	Until January 27, 2025 Planning Commission Meeting.	Failed.	With a recommendation of approval.	With a recommendation of approval.	With a recommendation of approval.	With a recommendation of approval.
	Motion by Gulley and second by Madden to Approve was Superceded. (No Vote)						
Public Comment	0		6	2	0	0	0

(pg. 3) Planning Commission		Monday, 01/13/2025				
	13) RZN-2024-0062 (NWA PROPERTY HOLDINGS LLC)					
McGetrick	1					
Brink	1					
Payne	1					
Castin						
Gulley	1					
Cabe						
Werner	1					
Garlock	1					
Madden	1					
Agenda	New					
Action	Forward					
Motion By	Werner					
Motion 2nd	Garlock					
Vote	7-0-0					
Time	9:57 PM					
Motion Detail	With a recommendation of approval.					
Public Comment	0					



TO: Fayetteville Planning Commission

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

MEETING: January 27, 2025

SUBJECT: **CCP-2024-0013: Concurrent Plat (EAST OF S. MURRAY DR & E. MERAMEC ST/RIVERSIDE VILLAGE PH. 2.2, 441):** Submitted by CRAFTON TULL for property located EAST OF S. MURRAY DR & E. MERAMEC ST. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 16.04 acres. The request is for the concurrent plat of 81 residential lots.

RECOMMENDATION:

Staff recommends approval of **CCP-2024-0013** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CCP-2024-0013**, recommending:*

- In favor of recommended right-of-way dedication,*
- In favor of recommended street improvements, and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located in south Fayetteville, east of Black Oak Road just within city limits. The property contains approximately 16.04 acres and was annexed in late 2021. Following the property's annexation, it was rezoned to a residential planned zoning district (Ord. 6511). There is ongoing construction on site for the second phase of a residential subdivision, Riverside Village, which received large scale development approval from the Planning Commission on July 24, 2023 (LSD-2023-0008). A one-year extension to that approval has been granted administratively which extended the project's approval to July 24, 2025. 47 residential lots in that area were platted last year through a concurrent plat that was approved by the Planning Commission (CCP-2024-0009). Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

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

Proposal: The request is for the concurrent plat of 81 residential lots. No variances are being requested with this proposal.

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

Right-of-way to be dedicated: Staff recommends no right-of-way dedication with this request. The right-of-way described below is what has already been approved and dedicated with the associated development.

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

Bayou Alley: Bayou Alley is designed as a Commercial Rear Alley with 24 feet of right-of-way in line with typical Master Street Plan requirements.

Street Improvements: Staff does not recommend any additional street improvements with this request. Residential Link Streets are being installed throughout the subdivision and, unless otherwise required, sidewalk will be installed during individual home construction. A determination on street improvements was made with the associated development (LSD-2023-0008).

Tree Preservation:

Canopy minimum requirement: 25%

Existing canopy: 49.7%

Preserved canopy: 27.7%

Mitigation required: None

Parkland Fees: N/A; parkland dedication requirements were met with the initial large scale development. The applicant is required to dedicate 1.86 acres to meet the parkland dedication requirement for Phase 2.2.

Public Comment: Staff received public comment from one individual at Subdivision Committee who expressed concerns about no trees being preserved on site. Urban forestry confirmed that tree preservation was accounted for with the overall development (LSD-2023-0008).

RECOMMENDATION: Staff recommends approval of CCP-2024-0013 with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *No right-of-way dedication is recommended.*

Subdivision Committee recommended in favor of this.

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

Subdivision Committee recommended in favor of this.

Standard Conditions of Approval:

3. All lots shall be labeled with addresses as approved by the 911 Coordinator on the concurrent plat (if applicable).
4. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or their representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks, SWEPCO, Cox Communication).
5. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements.

Planning Commission Action: ☐ Approved ☐ Tabled ☐ Denied

Meeting Date: January 27, 2025

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Engineering Memo
- Urban Forestry Memos
- Applicant Cover Letter
- Concurrent Plat
- One Mile Map
- Close-Up Map
- Current Land Use Map



TO: Gretchen Harrison, Senior Planner

FROM: Melissa Boyd, Staff Engineer

DATE: January 22, 2025

SUBJECT: Planning Commission Engineering Comments for
CCP-2024-0013 Riverside Village Phase 2.2

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

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

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

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

Drainage: Storm drain is being installed with the street construction in this area that will convey runoff to two separate detention ponds, one to the northeast that was installed with a previous phase of Riverside Village and another detention pond in the southeast corner of the site to detain the runoff from the remainder of this development.



URBAN FORESTRY LANDSCAPE PLAN COMMENTS

To: Crafton Tull

From: Willa Thomason, Urban Forester

CC: Gretchen Harrison, Planner

Meeting Date: January 27, 2025

Subject: CCP-2024-0013: Riverside Phase II, 2320 E War Eagle

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

- | | |
|---|---|
| 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		42 street trees, 149 lot trees
Detention Pond – Large Trees (1 Tree/3,000 square feet)		17
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)		67
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)		101

6. Review Status (See Comments)	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved	12-09-24	1-9-25	1-22-25
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.



URBAN FORESTRY TREE PRESERVATION COMMENTS

To: Crafton Tull

From: Willa Thomason, Urban Forester

CC: Gretchen Harrison, Planner

Meeting Date: January 27, 2024

Subject: CCP-2024-0013: Riverside Phase II, 2320 E War Eagle

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	2,799,722	100%
Zoning Designation * Select Below with drop down arrow		
PZD, Planned Zoning District	699,931	25%
HHOD * Select Below with Drop Down Arrow		
No	0	0%
Total Canopy for Minimum Preservation Requirements	699,931	25.0%
Existing Tree Canopy * Minus Right of Way and Easements	1,390,930	49.7%
Tree Canopy Preserved	776,503	27.7%
Tree Canopy Removed *On Site	614,428	21.9%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	614,428	21.9%
Removed Below Minimum	0	
Mitigation Requirements	0	

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

4. Mitigation Type	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)	Yes	Yes	Yes
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)	N/A	N/A	N/A
o. Shows ALL Proposed Site Improvements	Yes	Yes	Yes
p. Delineates trees/canopy to be preserved and removed	Yes	Yes	Yes
q. Tree Preservation Easement/s shown for LSD, LSIP and Commercial PPL projects	N/A	N/A	N/A

Tree Protection Methods			
a. Tree Protection Fencing	Yes	Yes	Yes
b. Limits of Root Pruning	Yes	Yes	Yes
c. Traffic flow on work site	Yes	Yes	Yes
d. Location of material storage	Yes	Yes	Yes
e. Location of concrete wash out	Yes	Yes	Yes
f. Location of construction entrance/exit	Yes	Yes	Yes
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	12-9-24	1-9-25	1-22-25
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.



December 4, 2024

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

RE: Riverside Village Phase 2.2
CTA Job No. 21108402

To whom it may concern,

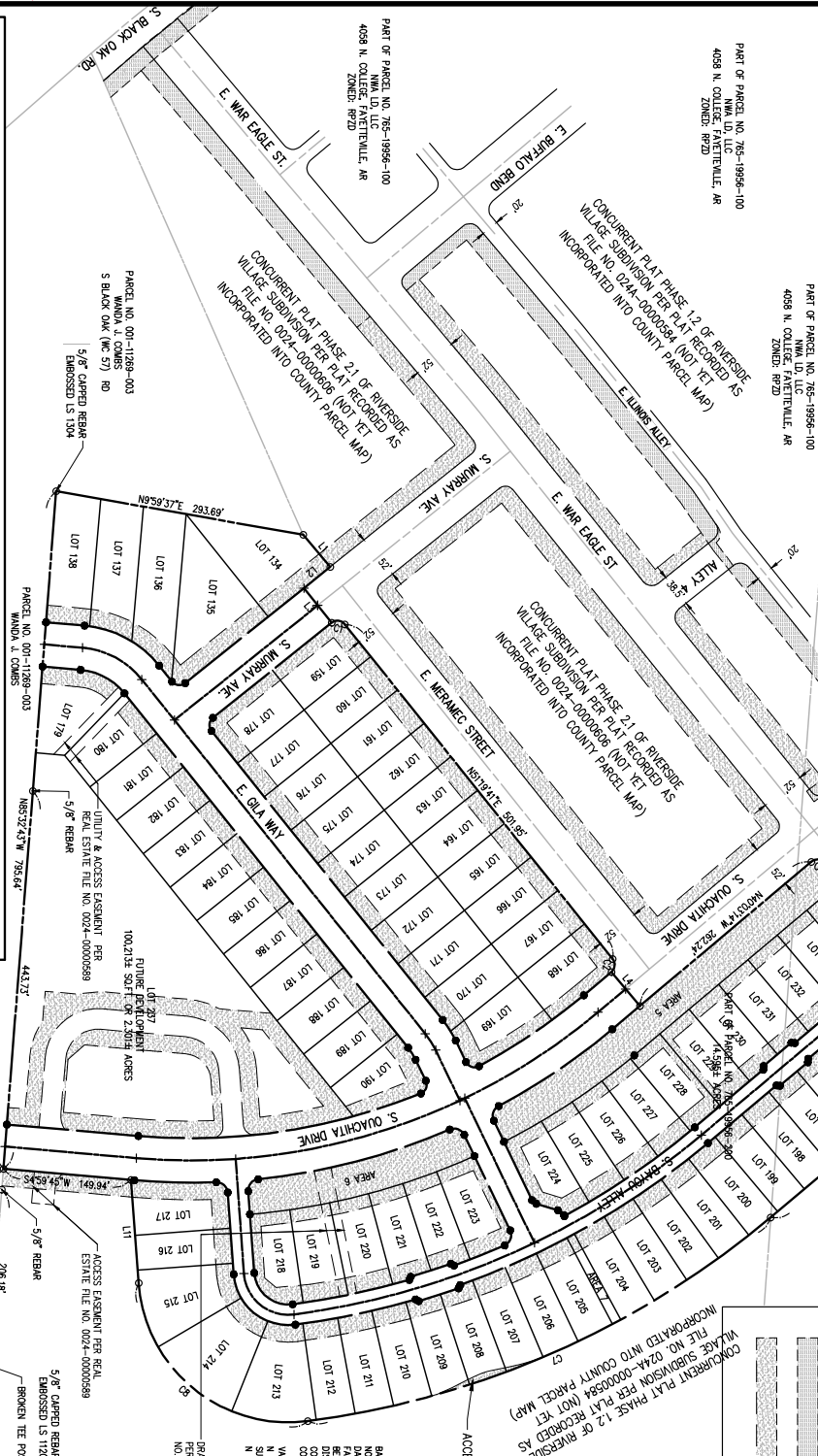
This submittal is for a concurrent plat for a portion of Riverside Village Phase 2. The development is a single-family residential subdivision. The total area of the site is approximately 94 acres and includes 106 residential lots in Phase 1 and 128 lots in Phase 2. All the lots in Phase 1 and the first 47 lots in Phase 2 have all been platted. This concurrent plat includes the last 81 lots in Phase 2. All public infrastructure pertaining to these lots has been installed including public streets, utility extensions, and drainage improvements.

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

Sincerely,

Morgan Dulin, E.I.
Project Engineer

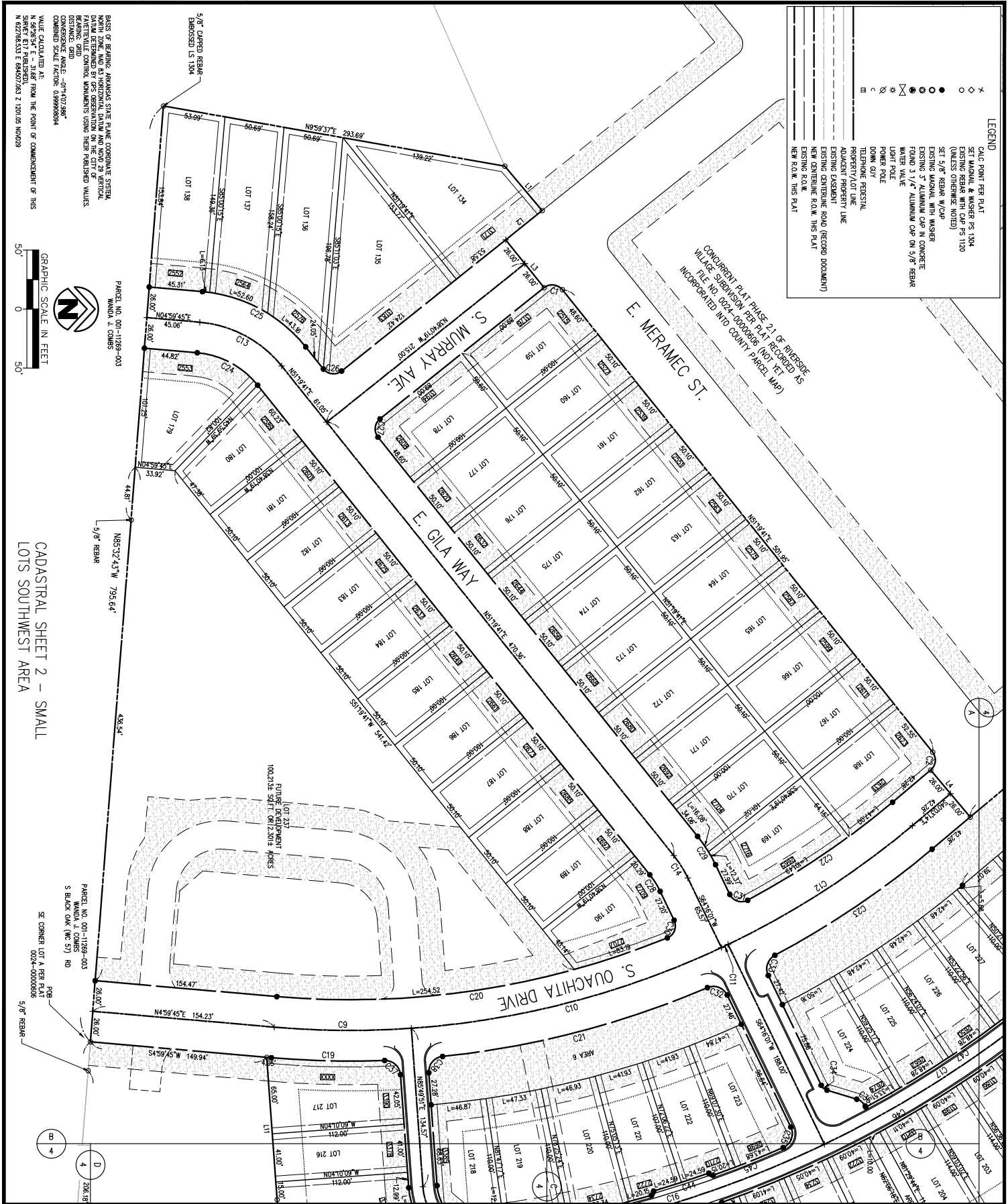
CURVE TABLE				PARCEL LINE TABLE			
CURVE #	LENGTH	DELTA	CHORD DIRECTION	CHORD LENGTH	LINE #	DIRECTION	LENGTH
C1	17.28'	111.00'	89°00'00"	16.19' 41"E	U1	N49°56'46"E	49.25'
C2	17.00'	111.00'	88°57'06"	S84°21'47"E	U2	S38°40'19"E	38.55'
C3	20.73'	133.00'	97°22'55"	N5°38'13"E	U3	N51°19'41"E	52.00'
C4	20.97'	133.00'	92°24'56"	N62°27'51"W	U4	N49°56'46"E	52.00'
C5	67.28'	224.00'	177°23'4"	N62°38'19"W	U5	N40°57'02"W	24.02'
C6	67.02'	64.00'	60°00'00"	N69°11'23"E	U6	N49°56'46"E	7.69'
C7	600.07'	104.00'	32°13'15"	S23°44'38"E	U7	N18°02'01"W	19.46'
C8	286.48'	176.00'	89°15'33"	S39°11'55"W	U8	N51°19'41"E	99.22'
					U9	S38°40'19"E	106.60'
					U10	N49°56'46"E	118.15'
					U11	S85°48'51"W	121.00'



CONCURRENT PLAT PHASE 1.2 OF RIVERSIDE VILLAGE SUBDIVISION PER PLAT RECORDED AS FILE NO. 0244-0000584 (NOT YET INCORPORATED INTO COUNTY PARCEL MAP)			
LOT #	AREA	AREA	AREA
121	0.0000	0.0000	0.0000
122	0.0000	0.0000	0.0000
123	0.0000	0.0000	0.0000
124	0.0000	0.0000	0.0000
125	0.0000	0.0000	0.0000
126	0.0000	0.0000	0.0000
127	0.0000	0.0000	0.0000
128	0.0000	0.0000	0.0000
129	0.0000	0.0000	0.0000
130	0.0000	0.0000	0.0000
131	0.0000	0.0000	0.0000
132	0.0000	0.0000	0.0000
133	0.0000	0.0000	0.0000
134	0.0000	0.0000	0.0000
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CONCURRENT PLAT PHASE 2.2 OF LOT A OF RIVERSIDE VILLAGE SUBDIVISION PER PLAT RECORDED AS FILE NO. 0244-0000589 (NOT YET INCORPORATED INTO COUNTY PARCEL MAP)			
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233	0.0000	0.0000	0.0000

LEGEND	
DAK POINT PER PLAT	
EXISTING REBAR WITH CAP PS 1/20	
(UNLESS OTHERWISE NOTED)	
SET 5/8" REBAR W/4" EXPOSED LS 1/34	
EXISTING REBAR WITH 2" REB CONCRETE	
FOUND 3 1/4" ALUMINUM CAP ON 5/8" REBAR	
LIGHT POLE	
POWER POLE	
DOWN PIPE	
TELEPHONE, PEDESTAL	
PROPERTY LOT LINE	
ADJACENT PROPERTY LINE	
EXISTING EASEMENT	
EXISTING CENTERLINE ROAD (RECORD DOCUMENT)	
NEW CENTERLINE R.O.W. THIS PLAT	
EXISTING R.O.W.	
NEW R.O.W. THIS PLAT	



DATE: 1/20/2024
PROJECT NO: 2108402
CONTRACT: NWA LD, LLC

PREPARED FOR:
NWA LD, LLC

CONCURRENT PLAT PHASE 2.2 OF
LOT A OF RIVERSIDE VILLAGE SUBDIVISION
CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS

STATE OF ARKANSAS
REGISTERED
FOR REVIEW
1/20/2025 9:07:17 AM
MARK A. MEADOW

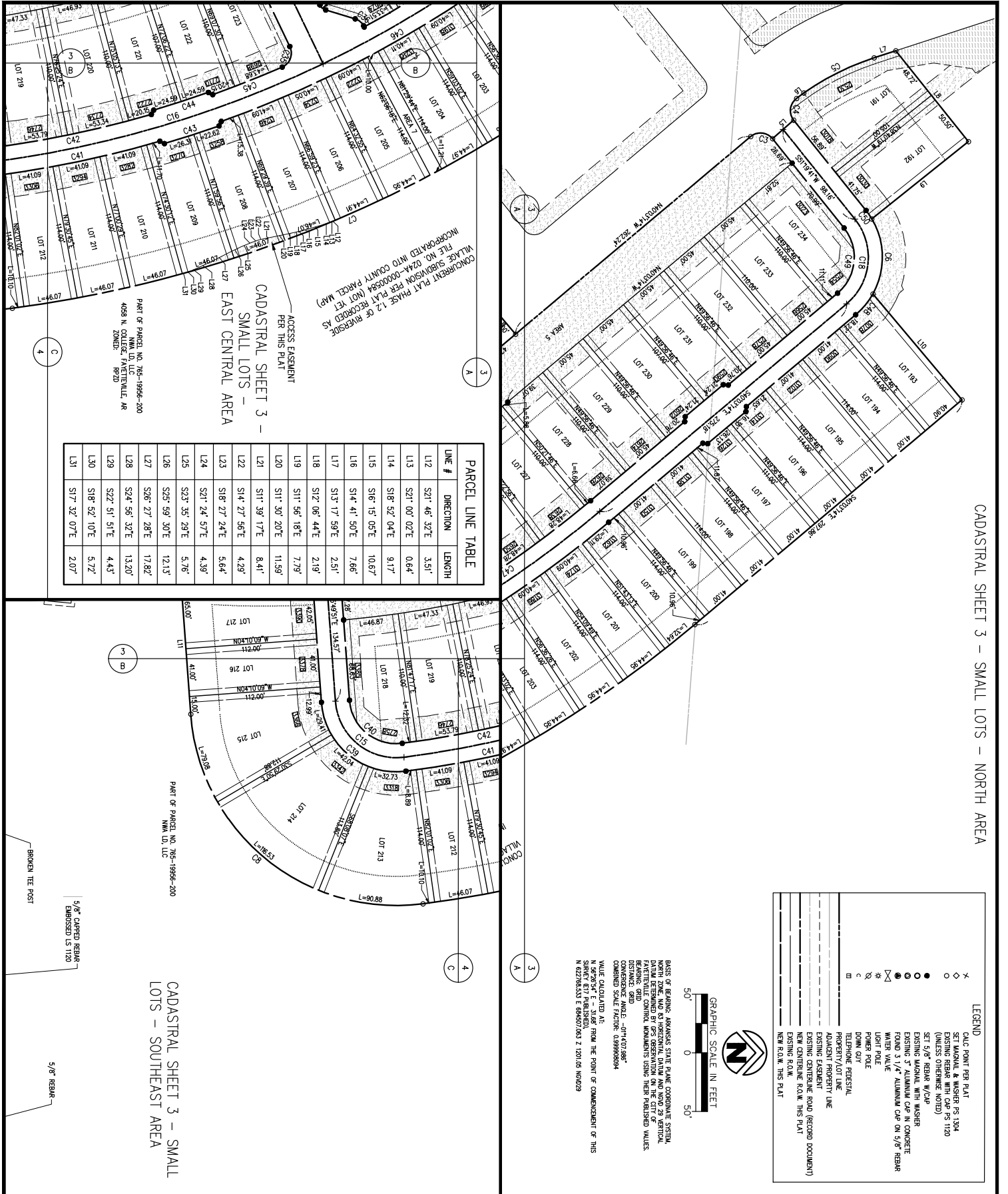
RECORD INFORMATION
Planning Commission
January 27, 2025
CCP-2025-0013 (RIVERSIDE VILLAGE PHASE 2.2)
Page 14 of 27

DATE: 01/20/2025
DESCRIPTION: 01/20/2025
CITY COMMENTS: 01/20/2025

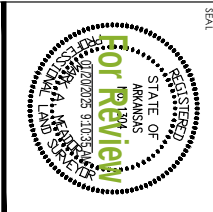
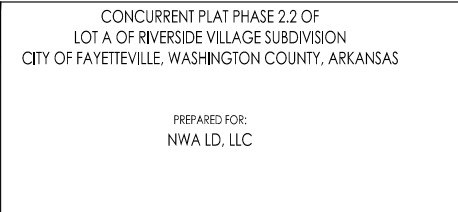
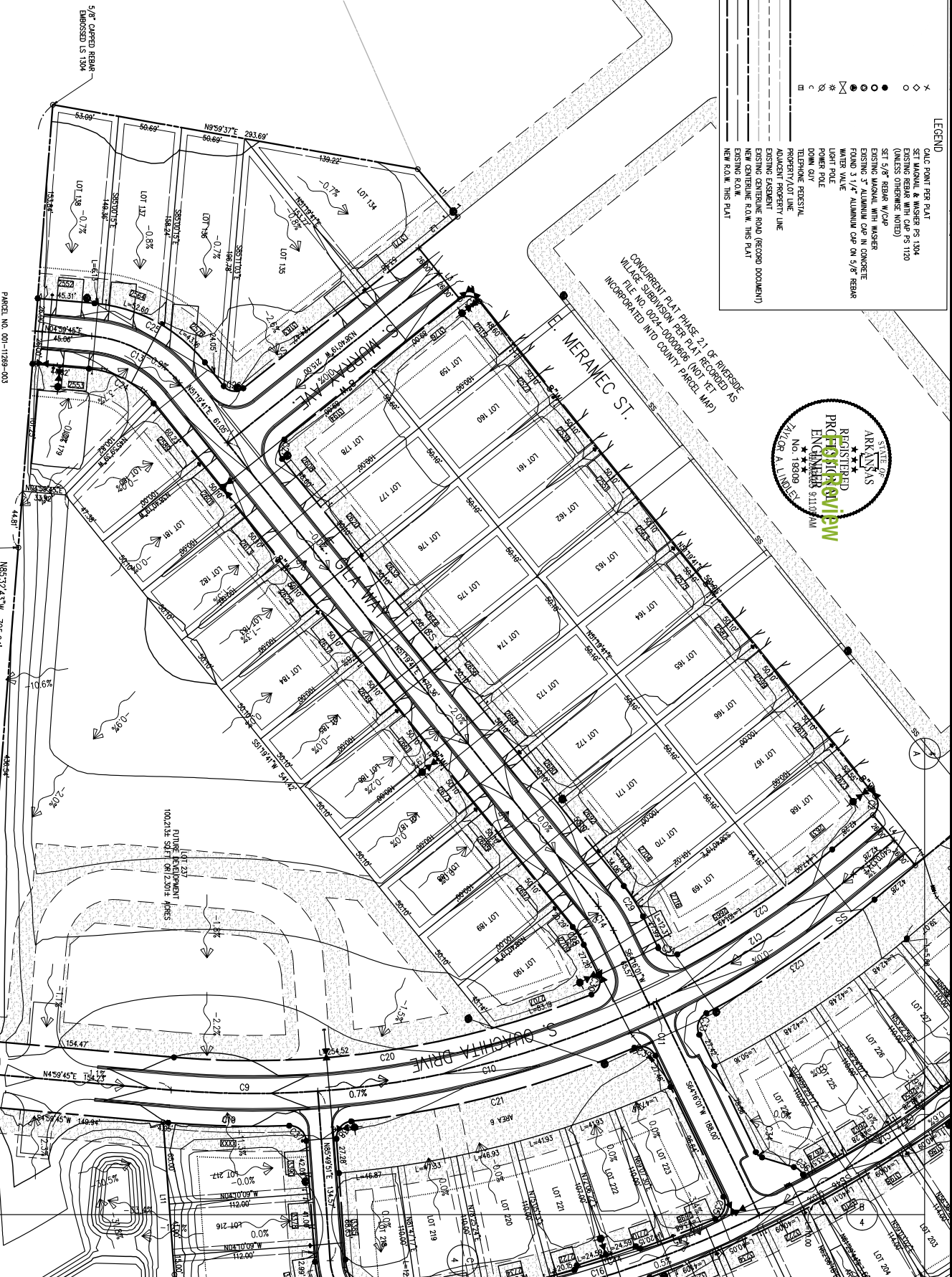
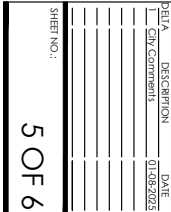
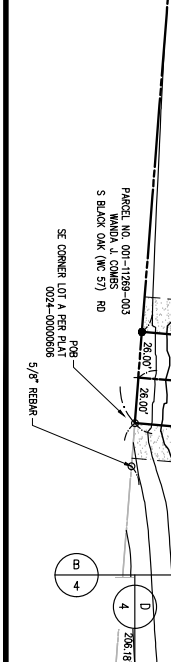
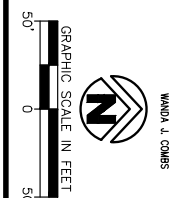
3 OF 6

©2025 Crofton, Tull & Associates, Inc.
CRAFTON TULL
7901 N. DUTCH, SUITE 400
ROGERS, ARKANSAS 72766
479.534.8881
www.craftontull.com

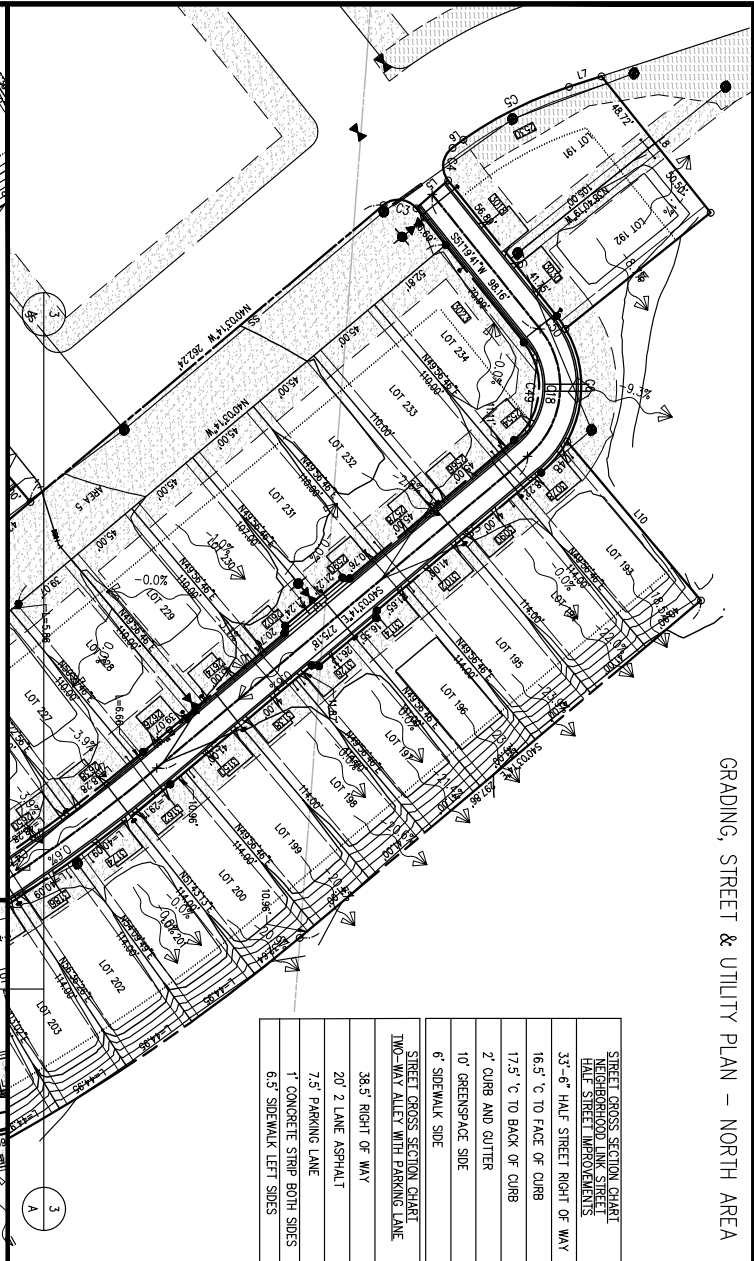
CADASTRAL SHEET 3 - SMALL PLOTS - NORTH AREA



BASIS OF REFERENCE: ARKANSAS STATE PLANE COORDINATE SYSTEM
 NORTH ZONE, NAD 83 HORIZONTAL DATUM AND NAD 83 VERTICAL
 DATUM DETERMINED BY GPS OBSERVATION ON THE CITY OF
 SPRINGFIELD CONTROL MONUMENTS USING THEIR PUBLISHED VALUES
 DISTANCE: GRID
 CONVERGENCE ANGLE: -0.01447286°
 CORNERED SCALE FACTOR: 0.999980894
 VALUE CALCULATED AT:
 N 56°54'56" E - 31.68' FROM THE POINT OF COMMENCEMENT OF
 SURVEY HERE PUBLISHED,
 N 62°28'53.53" E 6845.07' 06.3' 1201.05' 06.2929



GRADING, STREET & UTILITY PLAN – NORTH AREA



THE FOLLOWING CERTIFICATES APPLY TO SHEETS 5 & 6 INDIVIDUALLY.

CERTIFICATE OF SURVEY AND ACCURACY.
I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESIGNED HEREON IS A TRUE AND CORRECT SURVEY AND THAT THE MONUMENTS HAVE BEEN PLACED AS STATED HEREON AS REQUIRED BY THE SUBDIVISION REGULATIONS OF THE CITY OF FAYETTEVILLE, ARKANSAS. CERTIFICATE LIMITED TO THE PRACTICE OF SURVEYING DERIVED BY A.C.A.S. 17-46-101.

DATE: _____
REGISTERED
STATE OF
ARKANSAS
No. 1304
BY MARK A. MEADOR (AGENT)
CRAFTON TULL & ASSOCIATES, INC.
REGISTERED PROFESSIONAL LAND SURVEYOR

CERTIFICATE OF ENGINEERING.
I HEREBY CERTIFY THAT THE FINAL CONTOURS, THE PROPOSED DRAINWAYS, AND PROPOSED STREET FEATURES SHOWN HEREON ARE A PORTION OF THAT DESIGN PREVIOUSLY APPROVED BY THE CITY OF FAYETTEVILLE, ARKANSAS. CERTIFICATE LIMITED TO THE PRACTICE OF ENGINEERING DERIVED BY A.C.A.S. 17-30-101.

DATE: _____
REGISTERED
STATE OF
ARKANSAS
No. 18309
BY TAYLOR A. LINDLEY (AGENT)
CRAFTON TULL & ASSOCIATES, INC.
REGISTERED PROFESSIONAL ENGINEER

ALL COPIES THAT DO NOT BEAR AN ORIGINAL SEAL AND SIGNATURE MAY HAVE BEEN ALTERED. THE COPY SHOWN HEREON IS THE ONLY TRUE COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

RECORD INFORMATION

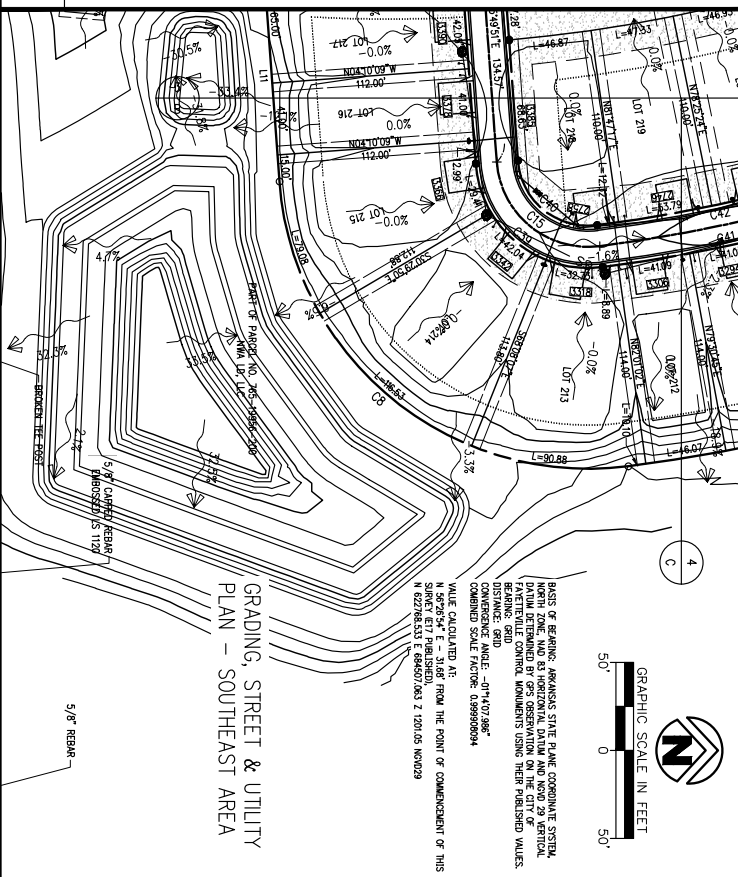
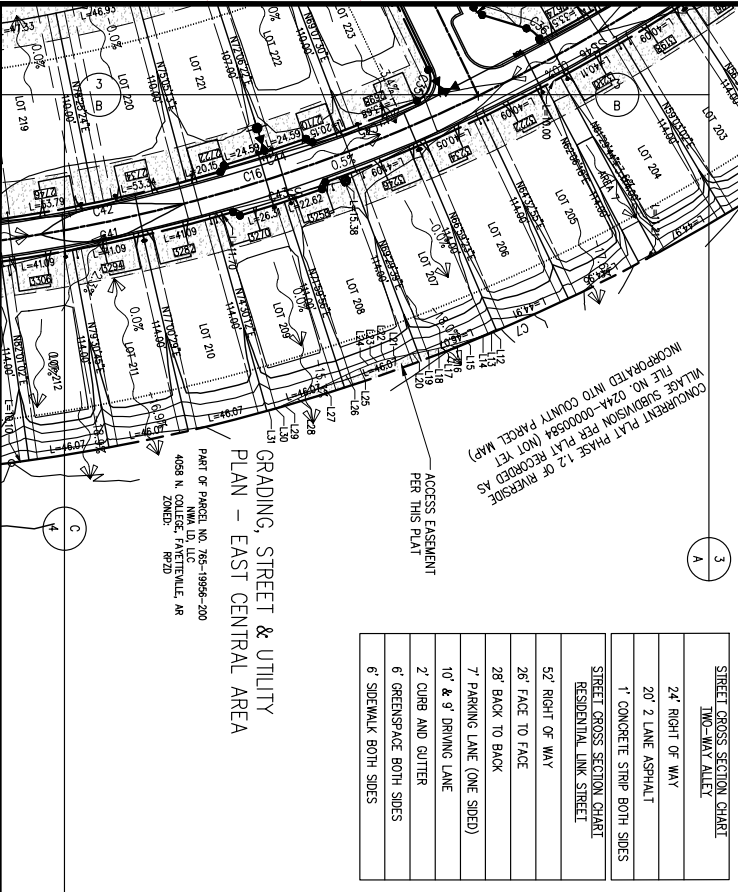
Planning Commission
January 27, 2025

STATE PLAT CODE:
500-16A-30M-9-26-300-72-1304

For Review
01/02/2025 9:10:50 AM

CCP-2025-0013 (RIVERSIDE VILLAGE PHASE 2.2)

Page 17 of 27



CONCURRENT PLAT PHASE 2.2 OF
LOT A OF RIVERSIDE VILLAGE SUBDIVISION
CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS

PREPARED FOR:
NWA LD, LLC

DATE: 12/03/2024
PROJECT NO: 2108402
CONTACT: N. MEADOR

Crafton Tull
901 N. DIXIE, SUITE 400
Bogert, Arkansas 72006
479.534.6881
www.craftontull.com

CERTIFICATE OF NOTIFICATION
NOTICE TO ALL INTERESTED PARTIES
NO. 1304
DATE: 01/02/2025

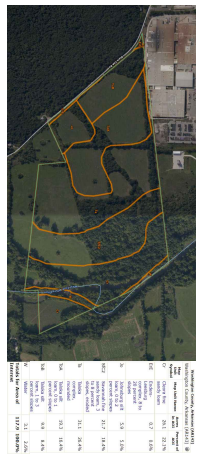
DISCUSSION: DATE: 01/02/2025
CITY COMMENTS: DATE: 01/02/2025

SHEET NO.: 6 OF 6

Tree Preservation Calculations

Tree Preservation Calculations	Square Feet	Percent of Site
Total Site Area - Minus Right of Way and Easements	2,799,722	100%
Zoning Designation - Select Below with Drop Arrow		
RTD - Planned Zoning District	699,931	25%
RTD - Select Below with Drop Arrow		
Total Canopy to Minimum Preservation Requirements	0	0%
Existing Tree Canopy - Minus Right of Way and Easements	1,390,930	49.7%
The Canopy Preserved	776,503	27.7%
The Canopy Removed On Site	614,428	21.9%
The Canopy Removed Off Site	0	0%
Removed Below Minimum	614,428	21.9%
Mitigation Requirements	0	0

Soil Map



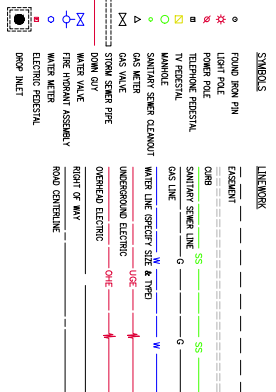
Mitigation Calculations

Mitigation Requirements	Preservation Priority Type	Estimated Base Density/Acre	Number of 2" Caliper Trees to be Planted
Canopy Below Requirements 54	High Priority	300	0
	Low Priority	100	0

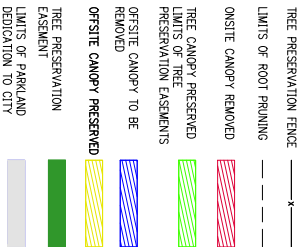
TAG#	DBH	SPRCS	CONDITION	PRIORITY	STATUS
900	22	Oak	Healthy	Low	REACTIVE
901	24	Oak	Healthy	High	REACTIVE
902	16	ASH	Healthy	Low	REACTIVE
903	16	Oak	Healthy	High	REACTIVE
904	25	Oak	Healthy	High	PARK LAND AREA
905	16	Oak	Healthy	High	PARK LAND AREA
906	30	Oak	Healthy	High	OFF-SITE
907	36	Maple	Healthy	Low	OFF-SITE
908	30	Oak	Healthy	Low	PARK LAND AREA
909	28	Maple	Healthy	Low	OFF-SITE
910	26	Maple	Healthy	High	REACTIVE
911	26	Maple	Healthy	High	REACTIVE
912	26	Maple	Healthy	High	REACTIVE
913	26	Maple	Healthy	High	REACTIVE
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915	40	Maple	Healthy	Low	REACTIVE
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998	40	Maple	Healthy	Low	REACTIVE
999	40	Maple	Healthy	Low	REACTIVE
1000	40	Maple	Healthy	Low	REACTIVE

Arkansas One Call
811
Know what's below.
Call before you dig.

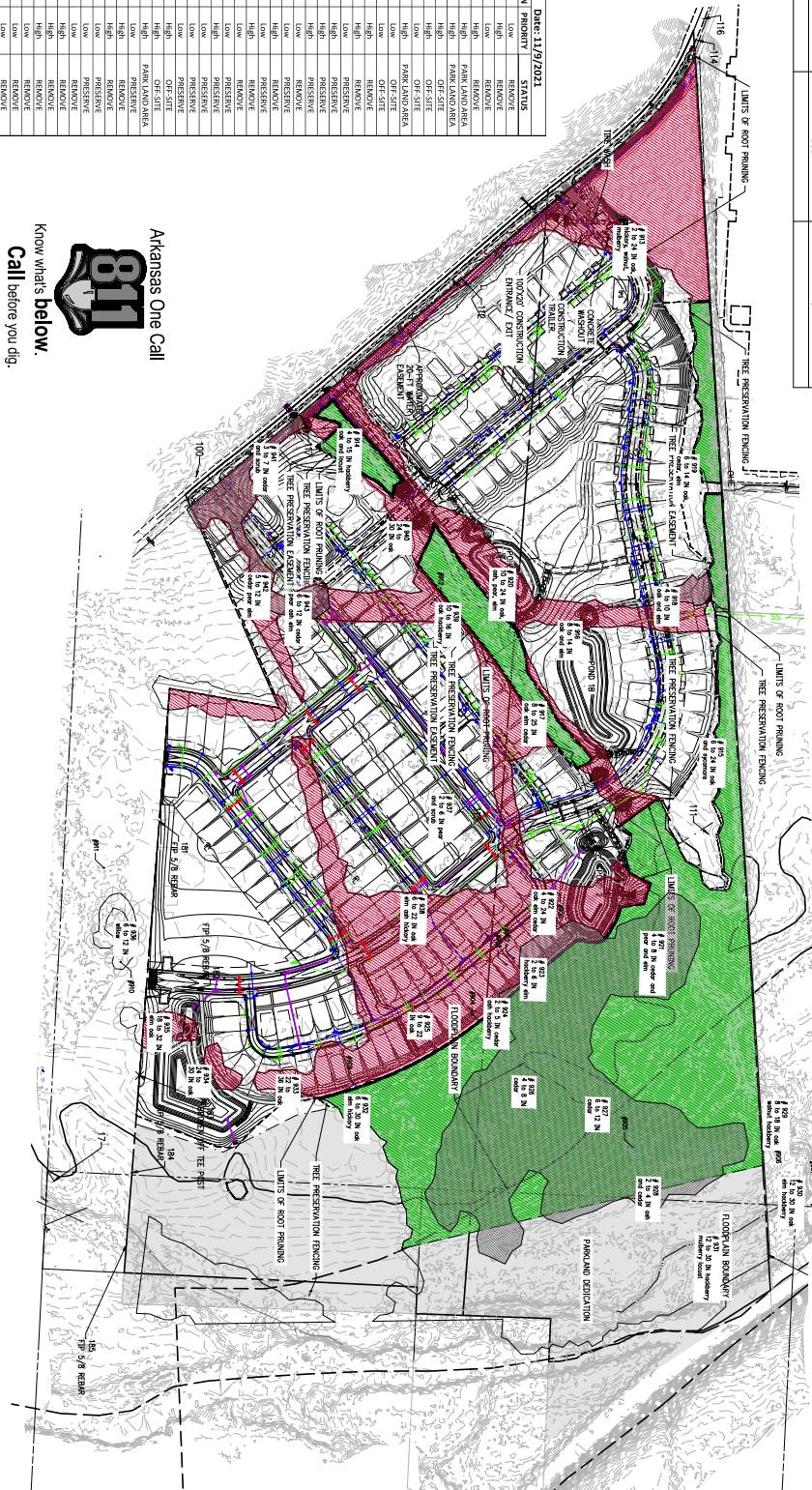
Legend (Existing Symbols)



Legend



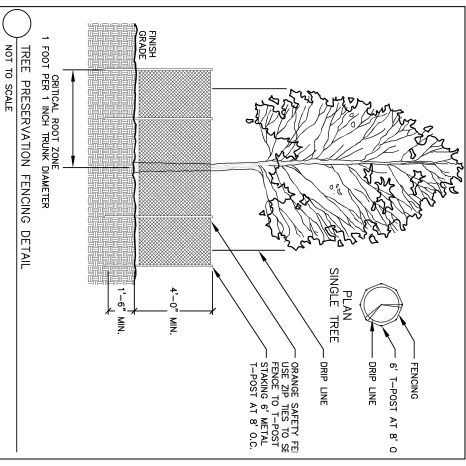
NOTE: CONSTRUCTION TRAFFIC FLOW WILL OCCUR ON PLANNED STREETS

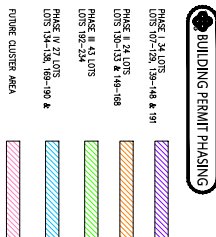


Riverside Village Tree Inventory CVM 21108400 Date: 11/9/2021					
TAG#	DBH	SPECIES	CONDITION	PRIORITY	STATUS
900	22	Oak	Unhealthy	Low	REMOVE
901	26	Ash	Unhealthy	High	REMOVE
902	18	Ash	Unhealthy	High	REMOVE
903	38	Oak	Healthy	High	REMOVE
904	25	Oak	Healthy	High	REMOVE
905	30	Oak	Healthy	High	REMOVE
906	30	Oak	Healthy	High	REMOVE
907	30	Maple	Healthy	High	REMOVE
908	30	Maple	Healthy	High	REMOVE
909	30	Oak	Healthy	High	REMOVE
910	30	Oak	Healthy	High	REMOVE
911	40	Maple	Unhealthy	Low	REMOVE
912	36	Oak	Healthy	High	REMOVE
913	24 to 34	Oak, Victory, white oak, red oak	Healthy	High	REMOVE
914	24 to 34	Oak, Victory, white oak, red oak	Healthy	High	REMOVE
915	6 to 24	Oak and elm	Healthy	High	REMOVE
916	8 to 14	Oak and elm	Healthy	High	REMOVE
917	8 to 25	Oak and elm	Healthy	High	REMOVE
918	8 to 25	Oak and elm	Healthy	High	REMOVE
919	6 to 14	Oak, cedar, elm	Unhealthy	Low	REMOVE
920	10 to 24	Oak and pear and elm	Healthy	Low	REMOVE
921	4 to 8	Oak and pear and elm	Healthy	Low	REMOVE
922	2 to 6	Oak and pear and elm	Healthy	Low	REMOVE
923	2 to 6	Oak and pear and elm	Healthy	Low	REMOVE
924	2 to 5	Oak and pear and elm	Healthy	Low	REMOVE
925	9 to 22	Oak	Healthy	High	REMOVE
926	4 to 10	Oak	Healthy	Low	REMOVE
927	4 to 10	Oak	Healthy	Low	REMOVE
928	2 to 4	Oak	Healthy	Low	REMOVE
929	2 to 4	Oak	Healthy	Low	REMOVE
930	12 to 30	Oak and pear and elm	Healthy	High	REMOVE
931	12 to 30	Oak and pear and elm	Healthy	High	REMOVE
932	6 to 20	Oak and pear and elm	Healthy	Low	REMOVE
933	2 to 36	Oak	Healthy	High	REMOVE
934	2 to 36	Oak	Healthy	High	REMOVE
935	2 to 36	Oak	Healthy	High	REMOVE
936	6 to 12	Oak and elm	Unhealthy	Low	REMOVE
937	2 to 6	Oak and elm	Unhealthy	Low	REMOVE
938	6 to 12	Oak and elm	Unhealthy	Low	REMOVE
939	6 to 12	Oak and elm	Unhealthy	Low	REMOVE
940	24 to 30	Oak	Healthy	High	REMOVE
941	3 to 7	Oak and elm	Healthy	Low	REMOVE
942	5 to 12	Oak and elm	Unhealthy	Low	REMOVE
943	6 to 12	Oak and elm	Unhealthy	Low	REMOVE

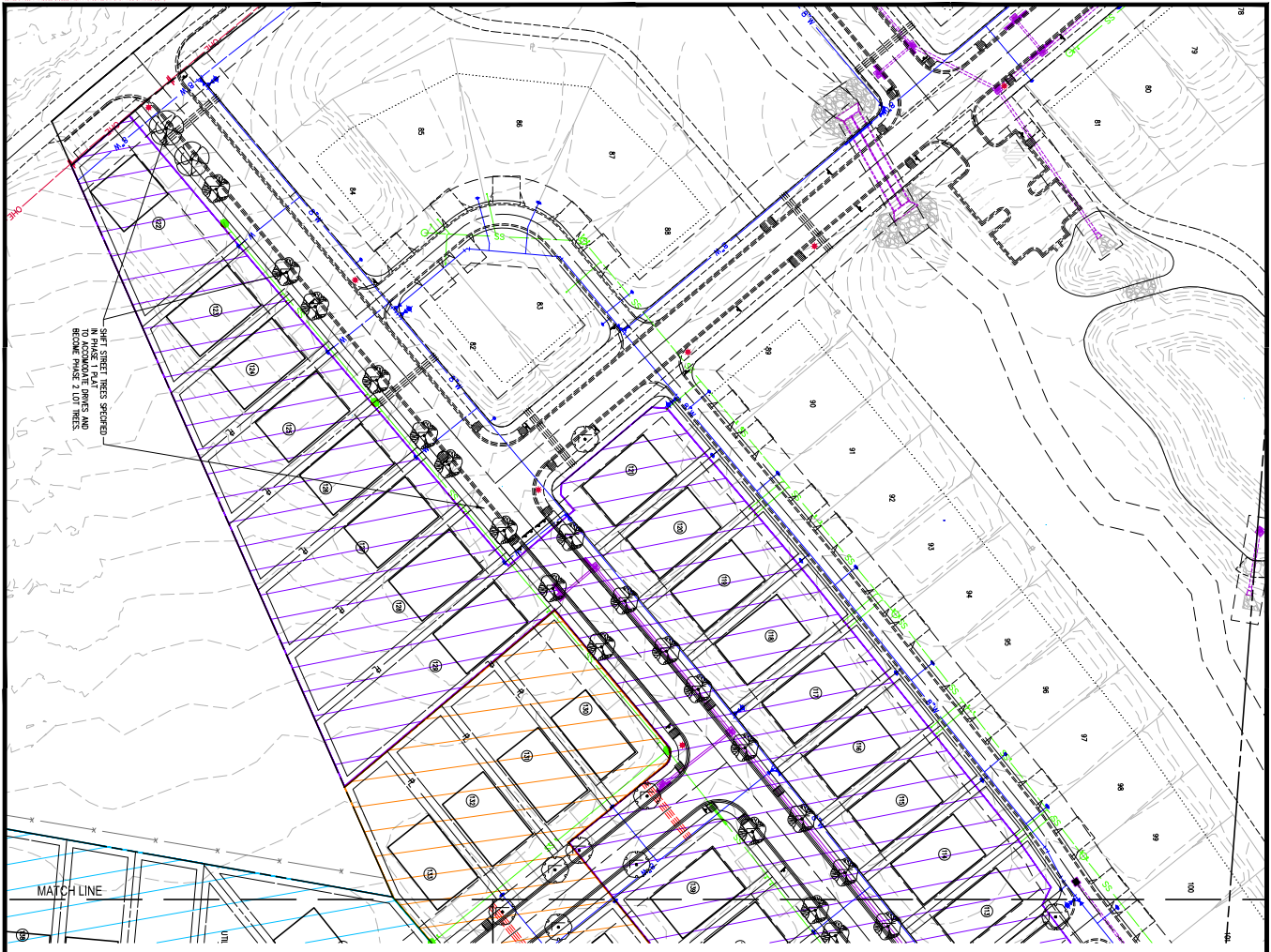
TREE PRESERVATION NOTES

1. ALL TREES AND SHRUBS ARE TO BE PRESERVED UNLESS OTHERWISE NOTED.
2. PRESERVATION SHALL BE PROTECTED DURING CONSTRUCTION WITH TEMPORARY FENCING.
3. PRESERVATION SHALL BE PROTECTED DURING CONSTRUCTION WITH TEMPORARY FENCING.
4. PRESERVATION SHALL BE PROTECTED DURING CONSTRUCTION WITH TEMPORARY FENCING.
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10. PRESERVATION SHALL BE PROTECTED DURING CONSTRUCTION WITH TEMPORARY FENCING.
11. PRESERVATION SHALL BE PROTECTED DURING CONSTRUCTION WITH TEMPORARY FENCING.
12. PRESERVATION SHALL BE PROTECTED DURING CONSTRUCTION WITH TEMPORARY FENCING.
13. PRESERVATION SHALL BE PROTECTED DURING CONSTRUCTION WITH TEMPORARY FENCING.
14. PRESERVATION SHALL BE PROTECTED DURING CONSTRUCTION WITH TEMPORARY FENCING.





Page 20 of 27



PLANTING SCHEDULE			
PLANT SCHEDULE			
SYMBOL	SIZE	BOTANICAL / COMMON NAME	HEIGHT
LOT TREES			
16	8" x 8"	QUERCUS PRINCIPIS F. NERENS / THORNLESS HONEY LOCUST	27' CAL. 8' HT. MIN.
41	8" x 8"	LIRIODENDRON TULIPIFERA / TULIP POPLAR	27' CAL. 8' HT. MIN.
17	8" x 8"	QUERCUS MICROCARPA / CHICKPEA OAK	27' CAL. 8' HT. MIN.
10	8" x 8"	QUERCUS NUTTALLI / NUTTALL OAK	27' CAL. 8' HT. MIN.
24	8" x 8"	QUERCUS PRINCEPS / WHITE OAK	27' CAL. 8' HT. MIN.
39	8" x 8"	QUERCUS PRINCEPS / PRINCETON ELM	27' CAL. 8' HT. MIN.
STREET TREES			
2	8" x 8"	QUERCUS PRINCEPS / WHITE OAK	27' CAL. 8' HT. MIN.
STORMWATER TREES			
6	8" x 8"	NYSSA SYRIACA / SOAR OAK	27' CAL. 8' HT. MIN.
6	8" x 8"	PLATANUS OCCIDENTALIS / AMERICAN SYCAMORE	27' CAL. 8' HT. MIN.
5	8" x 8"	TAXODIUM DISTICHUM / BALD CYPRESS	25' CAL. 10'-12' HT.
STREET TREES			
19	8" x 8"	NYSSA SYRIACA / SOAR OAK	27' CAL. 8' HT. MIN.
21	8" x 8"	OSTREA VIRGINICA / AMERICAN HOPBONNET	27' CAL. 8' HT. MIN.
2	8" x 8"	QUERCUS PRINCEPS / WHITE OAK	27' CAL. 8' HT. MIN.
STORMWATER TREES			
38	3" CAL.	CEPHALANTHUS OCCIDENTALIS / BUTTERFLY	18" HT. MIN. 24" SPREAD MIN.
14	5" CAL.	ORONOTIS VERNIS / WHITE FERNETREE	36" HT. MIN. 24" SPREAD MIN.
16	5" CAL.	HAMMERS VERNIS / OLIVE WITCHHazel	36" HT. MIN. 24" SPREAD MIN.
STORMWATER TREES			
38	1" CAL.	ELC. QUERCUS PRINCEPS / COMPACT HONEY	12" HT. MIN. 12" SPREAD MIN.
63	1" CAL.	PRUNUS VIRGINICA / SWISS GRASS	12" HT. MIN. 12" SPREAD MIN.

Arkansas One Call
Know what's below.
Call before you dig.

CCP-2025-0013 (RIVERSIDE VILLAGE PHASE 2.2)

Page 21 of 27

Planning Commission
January 27, 2025

Crafton Tull
479.654.4338
Bryan, Arkansas 72726

RIVERSIDE VILLAGE
PHASE 2
FAIRFIEVILLE, AR

GRAPHIC SCALE IN FEET
40' 0 40'

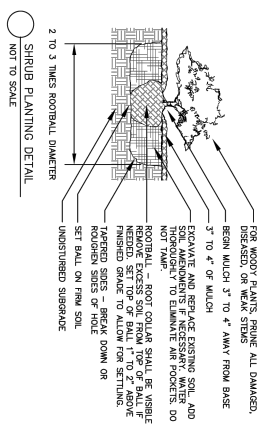
PLANNING PLAN 101
L-102

THIS DOCUMENT IS THE PROPERTY OF CRAFTON TULL & ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CRAFTON TULL & ASSOCIATES, INC.

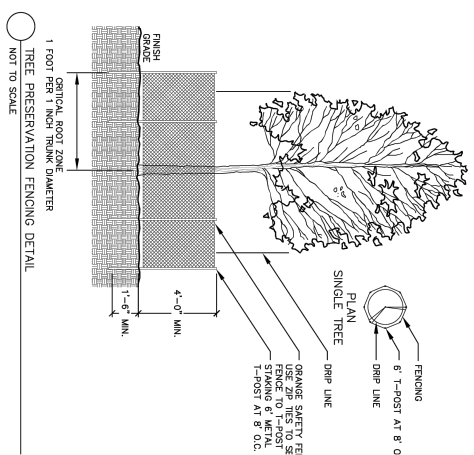
DATE: 01/07/2025

ISSUED FOR CONSTRUCTION

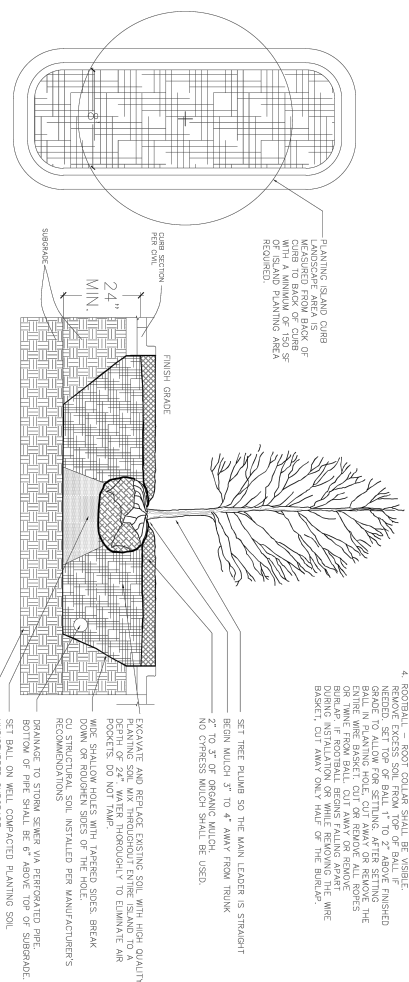
PLANNING PLAN 101



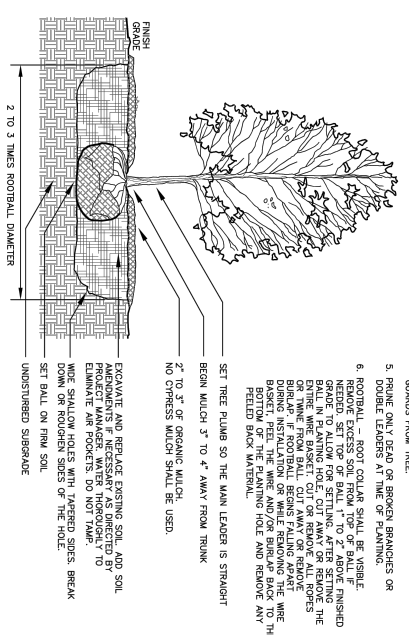
SHRUB PLANTING DETAIL
NOT TO SCALE



FREE PRESERVATION FENCING DETAIL
NOT TO SCALE



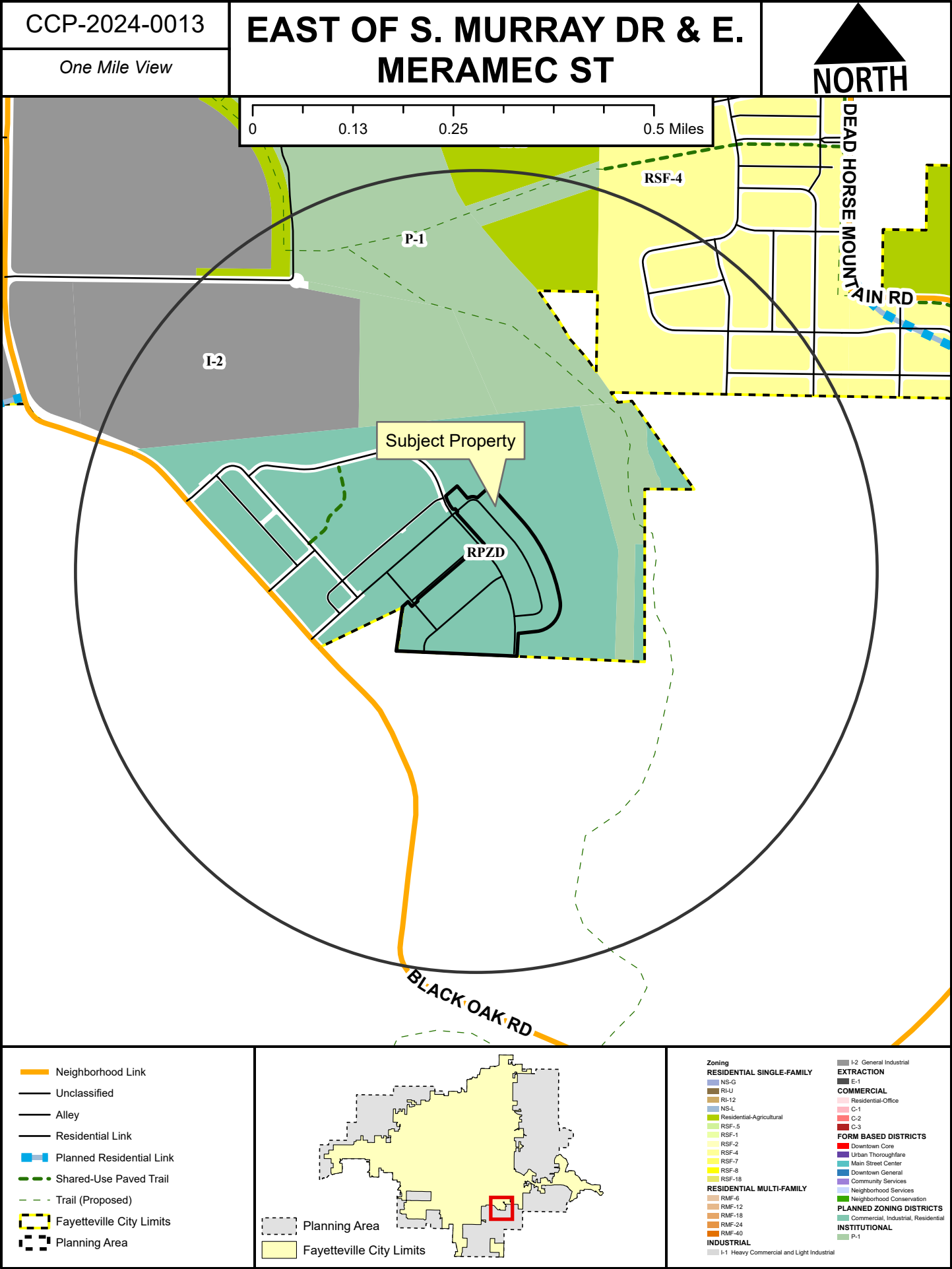
PLAN VIEW OF PLANTING ISLAND
NOT TO SCALE



○ TREE PLANTING DETAIL
NOT TO SCALE

PLANTING DETAILS
01/07/2025

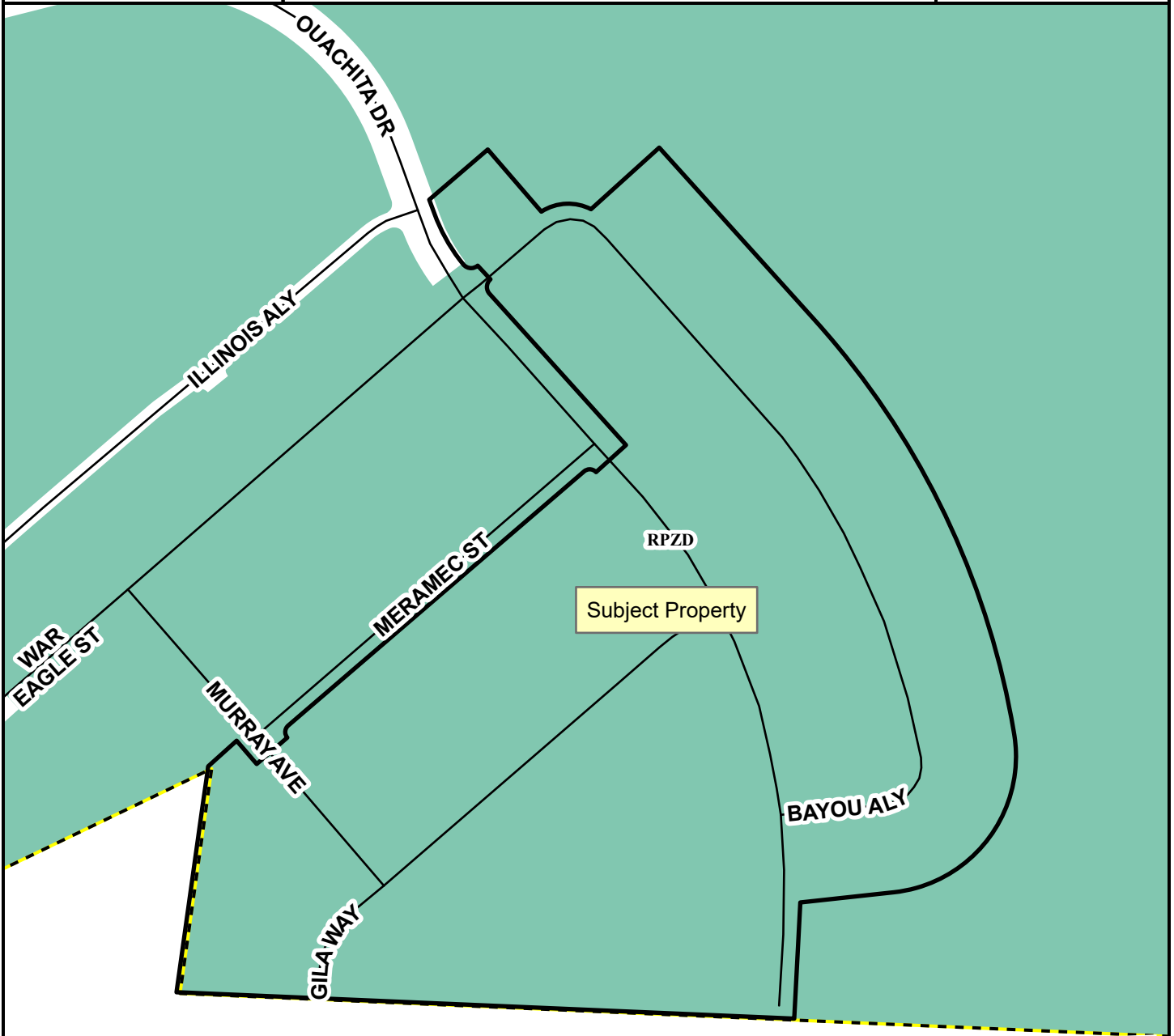
L-501



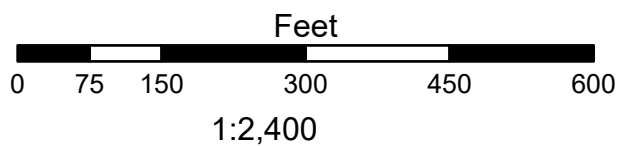
CCP-2024-0013

Close Up View

EAST OF S. MURRAY DR & E. MERAMEC ST



- Residential Link
- - - Planning Area
- . - . Fayetteville City Limits



Commercial, Industrial, Residential

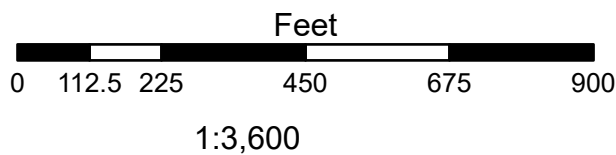
CCP-2024-0013

Current Land Use

EAST OF S. MURRAY DR & E. MERAMEC ST



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Fayetteville Planning Commission

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

MEETING: January 27, 2025

SUBJECT: **CCP-2024-0014: Concurrent Plat (4366 W. HURON LOOP/RIVERWOOD HOMES LLC, 477):** Submitted by JORGENSEN & ASSOCIATES for property located at 4366 W. HURON LOOP. The property is zoned CS, COMMUNITY SERVICES and contains approximately 19.60 acres. The request is for the concurrent plat of 21 residential lots.

RECOMMENDATION:

Staff recommends approval of **CCP-2024-0014** with conditions.

RECOMMENDED MOTION:

*"I move to forward **CCP-2024-0014** to the full Planning Commission, recommending:*

- In favor of recommended right-of-way dedication,*
- In favor of recommended street improvements, and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is in west Fayetteville and immediately to the southwest of Owl Creek School along N. Ruppel Road. A residential subdivision, the Courtyards at Owl Creek, is currently under development in this area after receiving preliminary plat approval in 2022 (PPL-2022-0004) and final plat approval for Phase 1 in 2024 (FPL-2024-0006). The property under consideration with this request is zoned CS, Community Services and contains approximately 19.6 acres. The property is within the floodplain and contains a protected stream. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1 - Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Senior Living Facility (Katherine's Place); Undeveloped; Commercial	P-1, Institutional; R-A, Residential-Agricultural; R-O, Residential-Office
South	Single-Family Residential	NC, Neighborhood Conservation
East	Owl Creek School	R-A, Residential Agricultural
West	Single-Family Residential; Undeveloped	NC, Neighborhood Conservation; R-A, Residential-Agricultural

Proposal: Following the approval of a Letter of Map Reduction (LOMR-F) from FEMA, the applicant is requesting to plat the remaining 21 lots of the overall Courtyards at Owl Creek subdivision. No variances are being requested with this proposal.

Water and Sewer System: Eight-inch water mains and fire hydrants were installed with the overall development to provide domestic service and fire protection. One-inch water meters are required for each lot in this subdivision. Eight-inch sewer mains were installed with the overall development to provide sanitary sewer service.

Right-of-way to be dedicated: Staff does not recommend any right-of-way dedication with this request. The previous final plat dedicated the necessary right-of-way to serve the development.

Street Improvements: Staff does not recommend any street improvements with this request. The previous final plat indicated and approved the necessary street improvements for this project, and they have been completed in accordance with that proposal.

Tree Preservation:

Canopy minimum requirement: 25%

Existing canopy: 49.7%

Preserved canopy: 27.7%

Mitigation required: None

Parkland Fees: N/A; fees in lieu of parkland dedication were paid with the associated final plat (FPL-2024-0006).

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

RECOMMENDATION: Staff recommends approval of CCP-2024-0014 with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff do not recommend any additional right-of-way dedication with this concurrent plat.*

Subdivision Committee recommended approval.

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

Subdivision Committee recommended approval.

3. All remaining comments from city divisions, whether Urban Forestry, Fire, or Engineering shall be addressed as included below and attached;

Standard Conditions of Approval:

4. All lots shall be labeled with addresses as approved by the 911 Coordinator on the concurrent plat (if applicable).
5. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or their representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks, SWEPCO, Cox Communication).

6. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements.

Planning Commission Action: ☐ Approved ☐ Tabled ☐ Denied

Meeting Date: January 27, 2025

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

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



TO: Jessie Masters, Development Review Manager

FROM: Melissa Boyd, Staff Engineer

DATE: January 21, 2025

**SUBJECT: Planning Commission Engineering Comments for
CCP-2024-0014 Courtyards at Owl Creek**

Construction punch list items must be corrected and GRD-2022-0095 must be fully closed out prior to Engineering signing the plat.

Water: 8-inch water mains and fire hydrants were installed with the overall development to provide domestic service and fire protection. 1-inch water meters are required for each lot in this subdivision.

Sewer: 8-inch sewer mains were installed with the overall development to provide sanitary sewer service.

Streets: N Huron Loop, a residential link, was constructed with GRD-2022-0095.

Natural Features: Owl Creek, a protected stream in a FEMA Zone AE floodplain, generally flows from east to west along the northern boundary of this subdivision. An unnamed tributary of Owl Creek, also a protected stream in a FEMA Zone AE floodplain, generally flows southeast to northwest along the northeast side of the property until its confluence point with Owl Creek. A LOMR-F was approved by FEMA (Case #25-06-0225A, dated 12/9/2024) that revised the 100-year floodplain boundary, which removed Lots 30-51 from being within a special flood hazard area. With this revision, FEMA did not update the associated flood map dated 1/25/2024, so the area removed from the floodplain with the LOMR-F is hatched on the concurrent plat.

Drainage: The detention pond and storm drain infrastructure that will serve these lots was installed with the grading permit for the overall subdivision.



URBAN FORESTRY
LANDSCAPE PLAN COMMENTS

To: Justin Jorgensen, PE, Jorgensen + Associates
From: Willa Thomason, Urban Forester
CC: Jessie Masters, Development Review Manager
Meeting Date: February 10, 2025
Subject: CCP-2024-0014, 4366 W Huron Loop

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. <i>UDC Chapter 177.05 A2g</i>		X	
2. Parking Lot Requirements		Yes	No	N/A
1 Tree : 12 Parking Spaces				
a.	Wheel Stops/Curbs <i>UDC Chapter 177.04B1</i>	X		
b.	Narrow Tree Lawn (8' min. width, 37.5' length) <i>UDC Chapter 177.04C</i>			X

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

3. Perimeter Landscaping Requirements

Yes No N/A

- | | | | | |
|--|---|--|--|---|
| a. Front Property Line (15' wide landscape) and five on sides.
<i>UDC Chapter 177.04D2a</i> | X | | | |
| b. Side and Rear Property Lines (5' Wide Landscape Area)
N/A
<i>UDC Chapter 177D1</i> | | | | |
| c. Shade trees planted on south and west sides of parking lots
<i>UDC Chapter 177.04D2e</i> | | | | X |
| d. 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. Structured 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		85		
Parking Lot Trees		0		
Street Trees		1 tree/lot for 56 lots and 44 for common areas along the streets at 1/30 LF		
Detention Pond – Large Trees (1 Tree/3,000 square feet)		0		
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)		0		
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)		0		
1. Review Status (See Comments)		Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved		12-20-24	1-9-25	1-17-25
Approved				
Tabled				
Denied				

Comments

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



URBAN FORESTRY TREE PRESERVATION COMMENTS

To: Justin Jorgensen, PE, Jorgensen + Associates

From: Willa Thomason, Urban Forester

CC: Jessie Masters, Development Review Manager

Meeting Date: February 10, 2025

Subject: CCP-2024-0014, 4366 W Huron Loop

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

2. Tree Preservation Calculations

Tree Preservation Calculations		
	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	834,117	100%
Zoning Designation * Select Below with drop down arrow		
CS, Community Services	166,823	20%
HHOD * Select Below with Drop Down Arrow		
No	0	0%
Total Canopy for Minimum Preservation Requirements	166,823	20.0%
Existing Tree Canopy * Minus Right of Way and Easements	110,674	13.3%
Tree Canopy Preserved	81,039	9.7%
Tree Canopy Removed *On Site	29,635	3.6%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	29,635	3.6%
Removed Below Minimum	85,784	
Mitigation Requirements	29,635	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority	7,418	34
Low Priority	22,217	51
Total Mitigation Trees Required	29,635	85

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	Planning Commission
<i>UDC Chapter 167.04H1</i>	

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

Tree Protection Methods

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

6. Site Analysis Report (if required)		Yes	No	N/A
<i>UDC Chapter 167.04H4</i>				
a.	Provide graphic examples of multiple options used to minimize removal of existing canopy			X
b.	Submitted Analysis Statement – Note the process, iterations, and approaches to preserve canopy.			X
1. Review Status (See Comments)		Tech Plat	Subdivision Committee	Planning Commission
	Conditionally Approved	12-20-24	1-9-25	1-17-25
	Approved			
	Tabled			
	Denied			
Comments				
1.	No comments			



CITY OF
FAYETTEVILLE
ARKANSAS

TO: Planning Division

FROM: Zach Foster, Parks Planning

DATE: 1/9/2025

SUBJECT: Parks & Recreation Technical Plat Review Comments

PRAB Meeting Date: 1/3/2022, 6/6/2022, and 1/4/2023

Project Title: Courtyards at Owl Creek

Project Number: CCP-2024-0014

Project Location: 4366 W Huron Loop

Plat Page: 477

Park Quadrant: SW

Billing Name & Address: TBA20 LLC, 5519 Hackett Rd, Suite 300, Springdale, AR 72762

SUMMARY:

- Project proposes 22 SF units and 0 MF units.
- No PLD requirements are due for this CCP. The PLD requirements for this application were met with project FPL-2024-0006.

ASSOCIATED PROJECTS:

- PPL-2022-0004
- ADM-2022-0066 (Changed the land dedication location and the total number of lots)
- FPL-2024-0006
- CCP-2024-0014



JORGENSEN
+ASSOCIATES
Civil Engineering · Surveying
Landscape Architecture Services

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703

Office: 479.442.9127
Fax: 479.582.4807
www.jorgensenassoc.com

December 17, 2024

City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

Attn: Development Services

Re: Concurrent Plat for The Courtyards at Owl Creek Lot 30

Attached herewith please find the submittal documents in regards to a Concurrent Plat for The Courtyards at Owl Creek lot 30. The reason for this Concurrent Plat is at the time of Final Plat these lots were in a flood zone and have been filled and graded since then and a LOMR-F filed and approved by FEMA with a letter dated December 09, 2024 for Case No: 25-06-0225A. We are now bringing these lots back for approval so they can be built on by City code. This request will create lots 31-51 and all lots have water and sewer services that were installed with the subdivision.

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

Thank you.

Sincerely;

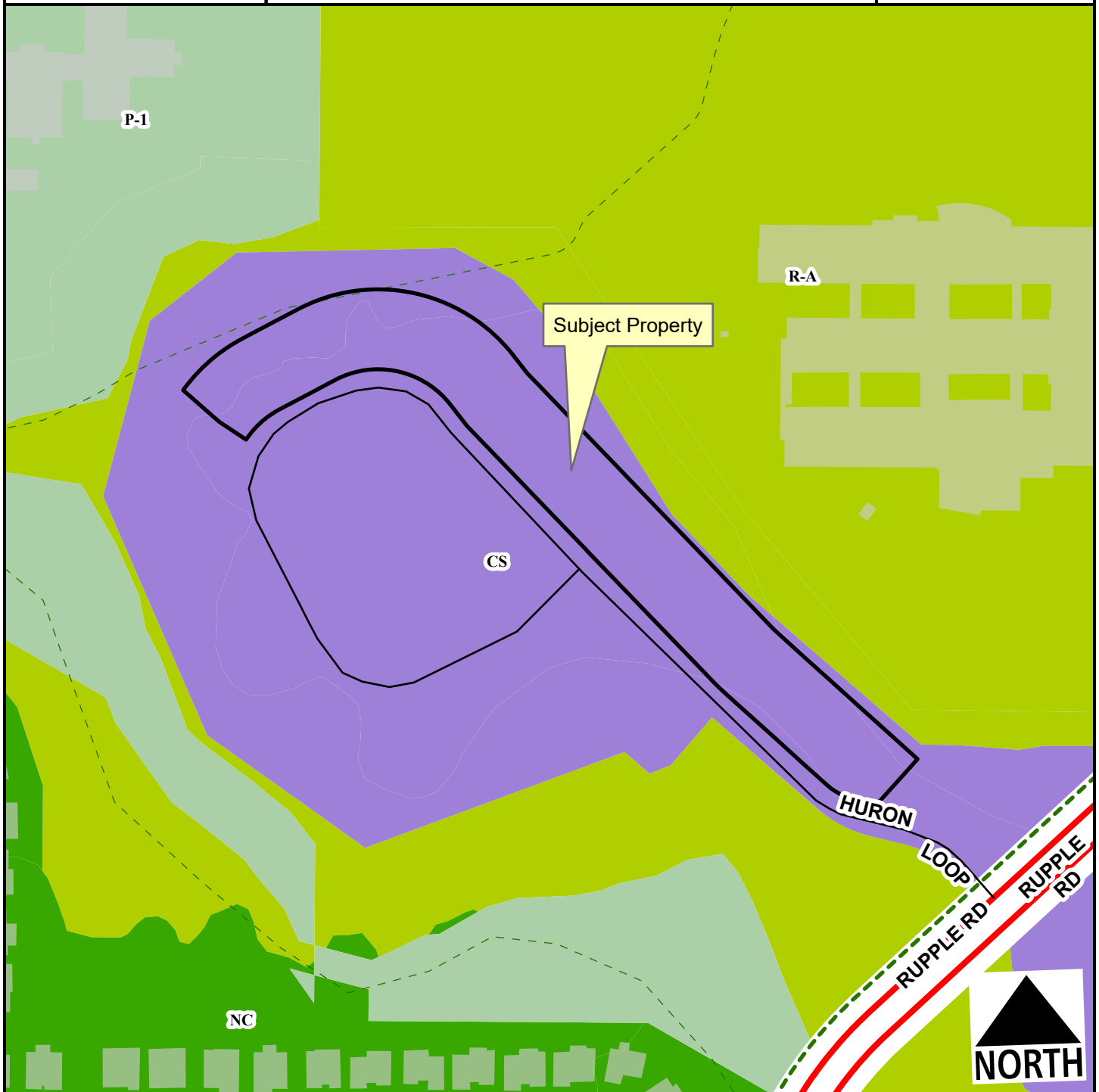




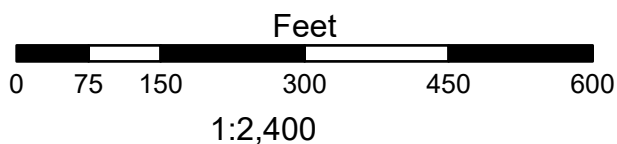
CCP-2024-0014

4366 W. HURON LOOP

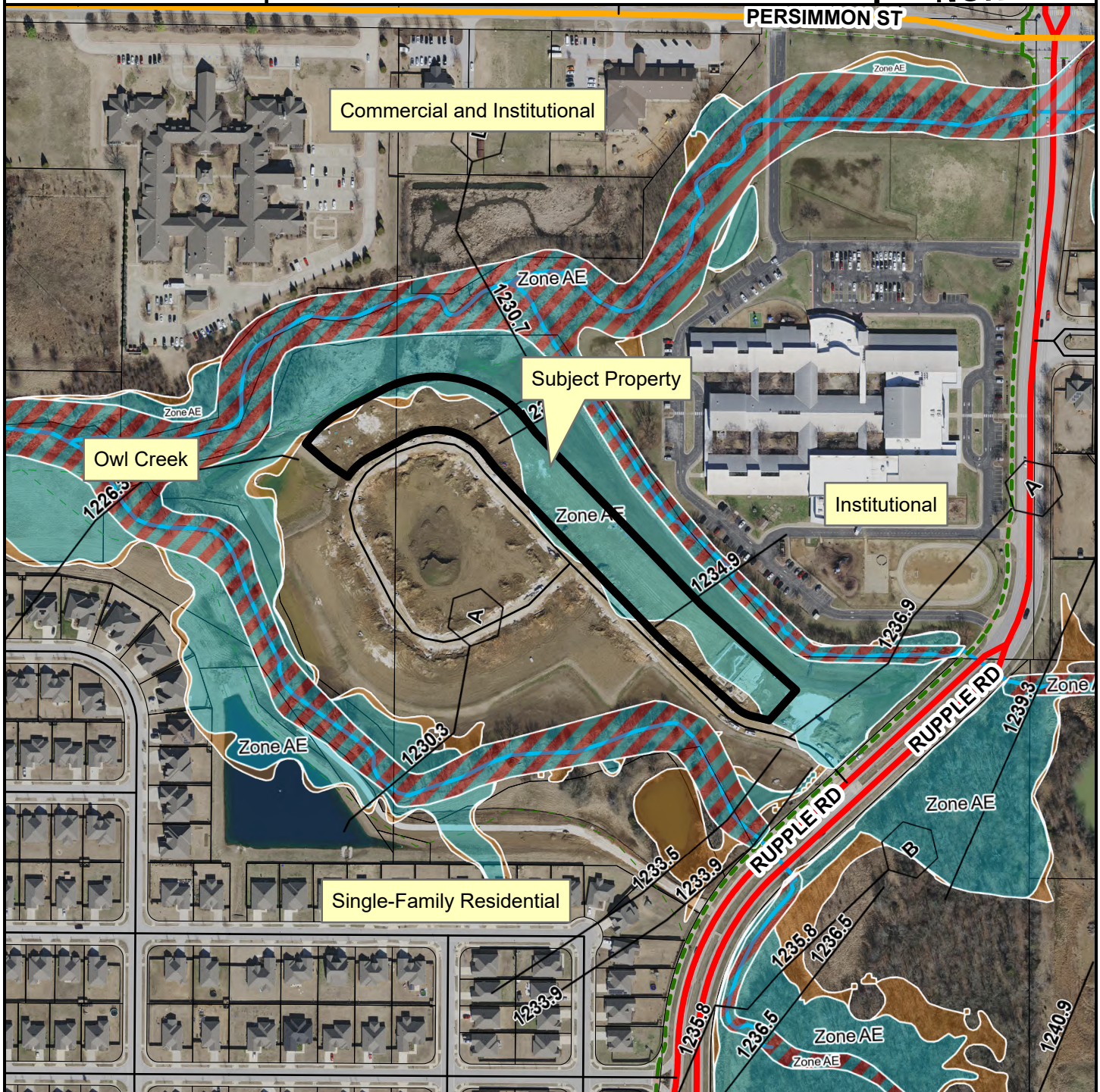
Close Up View



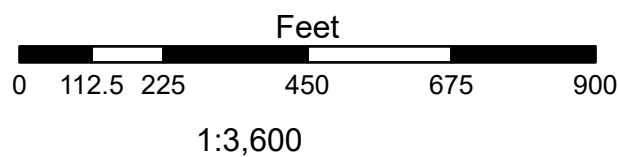
- Regional Link
- Residential Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail
- Trail (Proposed)



- Residential-Agricultural
- Community Services
- Neighborhood Conservation
- P-1



- Regional Link
- Neighborhood Link
- 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: Donna Wonsower, Planner

MEETING DATE: January 27, 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 approval of **CUP-2024-0049** based on the findings contained in this report.

RECOMMENDED MOTION:

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

- In favor of compatibility with adjacent properties;*
- In favor of a variance to UDC §172.04(E);*
- In favor of a variance to UDC §172.04(F)(4)(a)(ii); and*
- In favor of all other conditions as recommended by staff."*

JANUARY 13, 2025, PLANNING COMMISSION MEETINGS:

At the January 13, 2025, Planning Commission meeting, the item was tabled to allow the applicant more time to address public safety concerns with city staff, particularly regarding impacts to the adjacent police headquarters. Concerns were raised about traffic, pedestrian safety at the trail crossing, and the increased semi-truck traffic affecting highway access. Since then, the applicant has met with staff and submitted updated documents removing the proposed semi-truck fueling services and leaving the southern portion of the site available for future development.

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 and currently have active demolition permits. 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: 45 off-street spaces
- Number of employees: Approximately 5 per shift
- Customers: Approximately 14,000 per week

One variance from the Unified Development Code has been requested with this application which is described below alongside staff's recommendation.

Public Comment: Staff has received one comment opposed to the conditional use permit, citing the potential safety impacts to pedestrians from additional traffic.

RECOMMENDATION: Staff recommends approval of **CUP-2024-0049**, with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds the proposed gasoline service station to be compatible 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. *All designated pedestrian crossings shall be composed of a change in materials such as colored concrete.*
3. **Planning Commission determination of a variance to UDC §172.04(F)(4)(a)(ii), Two-Way Access to Parking Lots.** *Staff recommends approval of this variance with the following conditions:*
 - a. *The location of the north driveway into the site shall line up with the Police Department Headquarters driveway onto Stephen Carr Memorial Blvd.*
 - b. *The north driveway shall be restricted to three-quarter access, allowing for right-in/right-out and left-in turns. A mountable splitter island must be installed to provide this restriction.*
4. **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: 45 off-street spaces
- Number of employees: Approximately 5 per shift
- Customers: Approximately 14,000 per week

5. A shared access easement shall be dedicated over the southern driveway.
 6. A covered seating area shall be provided in the northern portion of the site in roughly the location shown on the provided site plan.
 7. A designated paved parking area for electric bike and scooter rideshare vehicles of at least 8 feet in depth and 18 feet in width shall be installed adjacent to the pedestrian sidewalk system within view of the public right-of-way.
 8. 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.
 9. 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;
 10. A business license shall be obtained for the proposed business at this location prior to building permit;
 11. Any future expansion or change in the use shall require Planning Commission approval; and
 12. 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 YES

Date: January 27, 2025

☐ 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 revised conditional use permit is not likely to harm the public interest. The proposed location at a highway interchange could help offset the impact of any large delivery or service vehicles on smaller city streets. With the removal of the fuel stations intended to serve semi-trucks, the fuel station and convenience store generally is a similar scale to large, adjacent institutional uses.**

While the site is across from the police headquarters and Fire Station 8, a significant public investment, staff finds that the elimination of the semi-truck uses mitigates potential safety impacts to these adjacent institutional uses. Additionally, a more detailed review of potential safety impacts and any necessary improvements shall be completed with development plans should the project move forward.

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. Because the proposed fuel station is located within an urban form district, the structures are subject to additional development standards including pedestrian oriented elements, building articulation, layout, canopy height, architectural features, lighting, and screening. Staff finds that, with the additional design standards, the proposed use is likely compatible.

- (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. As the applicant indicates a proposed property line splitting the southern driveway, staff recommends a shared access easement be dedicated over this driveway.

The applicant has requested a variance to §172.04(F)(4)(a)(ii), Two-Way Access to Parking Lots. To address traffic safety concerns, staff is recommending that the northern driveway into the site shift to align with the entrance to the police headquarters and that it shall be restricted to three-quarter access, allowing for right-in/right-out and left-in turns with a mountable splitter island. Because of the mountable splitter island recommendation, the driveway is reduced from three lanes to two, triggering a reduced driveway width maximum. The applicant requests to maintain the current 39-foot driveway width in order to ensure sufficient room for maneuvering of large delivery trucks. Staff recommends in favor of this variance, finding that it is necessary in order to address traffic safety.

The results of the traffic study provided by the applicant indicate that the proposed development will result in a degradation of the level of service at the interchange; therefore, an assessment for interchange improvements will be recommended at time of entitlement should the development move forward. It should be noted the interchange will still operate at an acceptable level with the development and will operate at an improved level of service over the existing condition if the already warranted additional turn lane were added.

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 which would connect to the existing Meadow Valley Trail. A full evaluation of necessary improvements would occur at the time of development; though Active Transportation recommends a condition that a designated paved parking area for electric bike and scooter rideshare vehicles of at least 8 feet in depth and 18 feet in width shall be installed within the development in order to accommodate rideshare users given the proximity of the trail.

(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 development proposes 45 off-street parking spaces (43 standard/ADA, and two motorcycle/scooter). The City's parking ordinance allows 34 spaces for a gasoline service station by right. With permitted increases, including alternative stormwater techniques and additional trees, up to 45 spaces may be provided. Parking design standards and calculations, including possible turning radii overlap into parking spaces, will be fully reviewed with development plans.

The applicant has requested a variance to §172.04(E) Parking Lot Dimensional Standards, Two-Way Parking Aisle Dimensions. The applicant requests permission to utilize 30-foot drive aisles throughout the site, with a 39-foot drive-aisle south of the building. Staff is supportive of this requested variance with conditions, finding that these wider aisles are generally necessary for maneuvering of large delivery vehicles. Given the larger drive aisles result in longer areas where pedestrians are exposed to vehicular traffic and the anticipated number of customers per week, staff recommends a condition that all designated pedestrian crossings shall be composed of a change in materials such as colored concrete to ensure that crossings remain permanent.

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

Finding: The applicant shall coordinate with the Solid Waste division for appropriate solid waste disposal.

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

Finding: The property has access to City water and sewer.

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

Finding: The subject property is surrounded by either state ROW or institutional uses. The development is subject to screening requirements for the parking lot, as well as typical landscape requirements. There are significant trees located on-site that could be preserved to meet landscaping and screening requirements.

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: Any proposed signage will be subject to §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 and can meet the remaining build-to-zone requirements with supplemental elements. 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 compatible with adjacent properties. With the removal of semi-truck fueling, staff finds that a lower-scale gasoline service station and convenience store directly abutting a highway interchange is not likely to negatively impact the public well-being. The subject property does not directly abut any residential uses and is located in an area of the city with very few commercial business licenses. Only five commercial business licenses are located within a ¼ radius of the property on the east side of the highway, with another 11 largely industrial businesses across the highway. Additionally, per the city's infill prioritization matrix the property is not within close proximity to a grocery store. While Quik Trip is not a full grocery store, the addition of a convenience store that also serves a selection of hot meals would serve to increase access to food options in the area.

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

Finding: Potential impacts to non-vehicular traffic will be fully evaluated with development plans; however, the removal of semi-truck fueling mitigates many of staff's initial compatibility concerns. Staff finds that adding a convenience store with trail access from the Greenway could contribute to city goals to grow a livable transportation network with a mix of uses and to encourage multimodal transportation options.

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §161.22 – Community Services
 - §172.04 – Parking Lot Design Standards
- Staff Memos
 - Police Email
 - Engineering Memo
 - Urban Forestry Memo
 - Staff Exhibits
 - Infill Prioritization Matrix
 - Midtown Corridor Trail Project
 - Recommended Access Easement
- Conditional Use Permit Request Letter
- Variance Request Letters
- Site Plan
- Building Elevations
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map

Wonsower, Donna

From: Dawson, Greg
Sent: Wednesday, January 22, 2025 2:29 PM
To: Boyd, Melissa; Wonsower, Donna
Subject: RE: Concern with Quik Trip

Looks great, thanks Melissa.

From: Boyd, Melissa <mboyd@fayetteville-ar.gov>
Sent: Wednesday, January 22, 2025 2:25 PM
To: Dawson, Greg <gdawson@fayetteville-ar.gov>; Wonsower, Donna <dawnsower@fayetteville-ar.gov>
Subject: RE: Concern with Quik Trip

Greg,

Before I upload my memo for Donna to add to her report, will you please let me know if these recommended conditions address Police's driveway concerns that we discussed today?

Recommended Conditions: Following a meeting on 1/22/2025 with the applicant and city staff (planning, police, and engineering), engineering staff recommends the following conditions of approval be added:

1. The location of the north driveway into the site shall line up with the Police Department Headquarters driveway onto Stephen Carr Memorial Blvd.
2. The north driveway shall be restricted to three-quarter access, allowing for right-in/right-out and left-in turns. A mountable splitter island must be installed to provide this restriction.

Thanks,
Melissa

From: Dawson, Greg <gdawson@fayetteville-ar.gov>
Sent: Wednesday, January 22, 2025 2:21 PM
To: Boyd, Melissa <mboyd@fayetteville-ar.gov>; Wonsower, Donna <dawnsower@fayetteville-ar.gov>
Subject: RE: Concern with Quik Trip

Thank you both for helping to address our issues today. Please reach out in the future if the PD can ever help weigh in on anything.

Greg

From: Boyd, Melissa <mboyd@fayetteville-ar.gov>
Sent: Wednesday, January 22, 2025 12:00 PM
To: Wonsower, Donna <dawnsower@fayetteville-ar.gov>; Dawson, Greg <gdawson@fayetteville-ar.gov>
Subject: RE: Concern with Quik Trip

Donna,

I can add this as a recommended condition from engineering. I'll wait to update the memo until after the meeting in case there's anything else that needs to be updated. Ultimately, it will be up to PC but I don't see why they wouldn't support it.



TO: Donna Wonsower, Planner

FROM: Melissa Boyd, PE, Staff Engineer

DATE: January 22, 2025

SUBJECT: Planning Commission Engineering Comments for
CUP-2024-0049 QuikTrip

Recommended Conditions: Following a meeting on 1/22/2025 with the applicant and city staff (planning, police, and engineering), engineering staff recommends the following conditions of approval be added:

1. The location of the north driveway into the site shall line up with the Police Department Headquarters driveway onto Stephen Carr Memorial Blvd.
2. The north driveway shall be restricted to three-quarter access, allowing for right-in/right-out and left-in turns. A mountable splitter island must be installed to provide this restriction.

Traffic Study Comments: This proposed development is adjacent to the Stephen Carr Memorial Blvd/I-49 Interchange. A traffic study provided by the applicant indicates that this interchange is currently operating at level of service E/F (an unacceptable level) in large part due to the high number of left turn movements at the northbound on/off ramps. The study recommends an additional left turn lane for the northbound on ramp approach to meet current traffic needs (without the development) and analyzes the intersection assuming that the double left turn lane is in place.

The results of the study indicate that the proposed development will result in a degradation of the level of service at the interchange; therefore, an assessment for interchange improvements will be recommended at time of entitlement should the development move forward. It should be noted the interchange will still operate at an acceptable level with the development and will operate at an improved level of service over the existing condition if the already warranted additional turn lane were added.

Safety Review: The Meadow Valley Trail crosses the northbound off ramp of I-49 and Stephen Carr Memorial Blvd at the interchange. This development is expected to increase the number of vehicles exiting at the northbound offramp. These vehicles will increase the number of conflicts with vulnerable users on the trail. Safety improvements to protect these vulnerable users will need to be considered at time of entitlement if the development proceeds.



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:

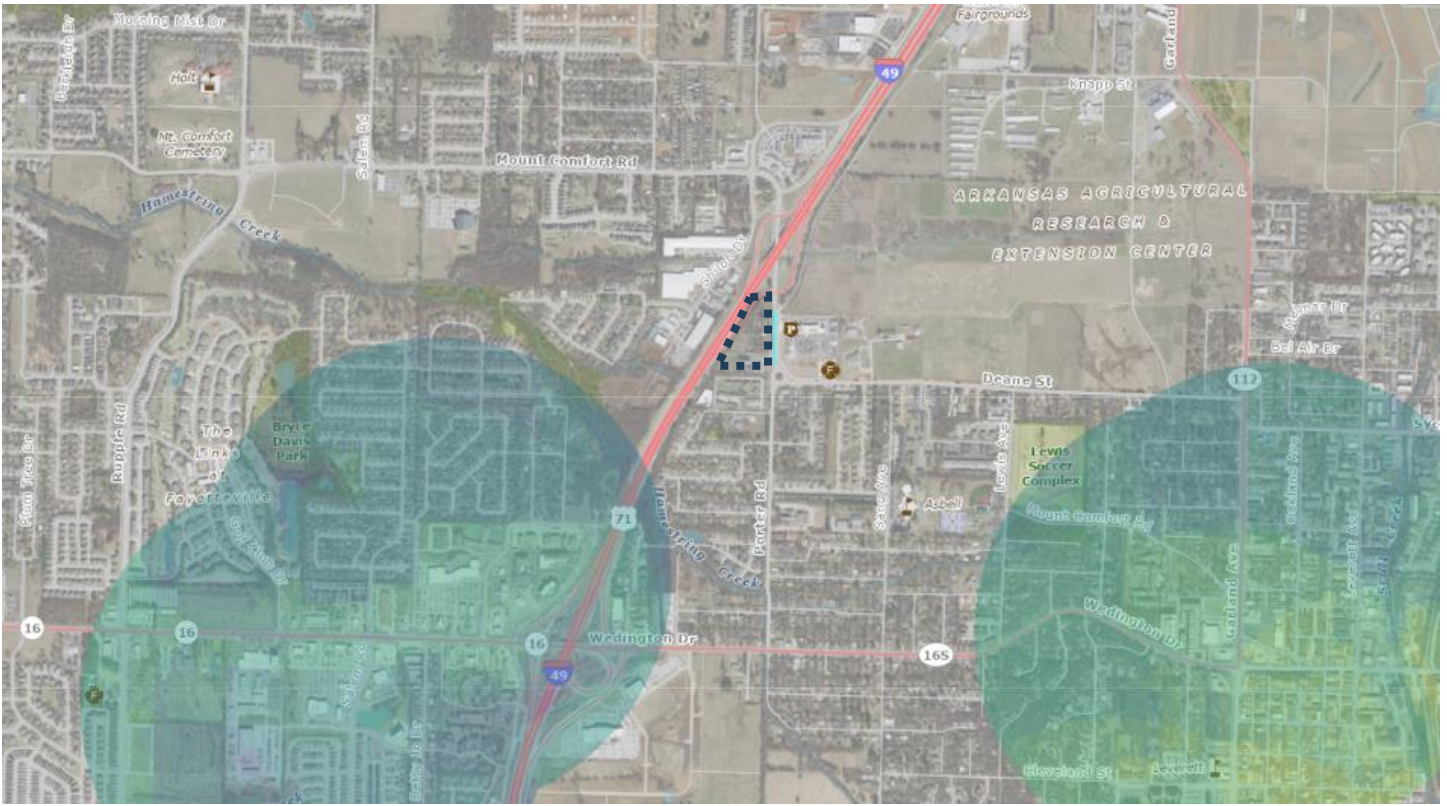
Urban Forestry Staff does not have an official recommendation of CUP-2024-0049 which will allow for the development of a QuikTrip convenience store and fueling station on a site zoned Community Services (CS) adjacent to I-49.

Urban Forestry comments regarding the project are as follows:

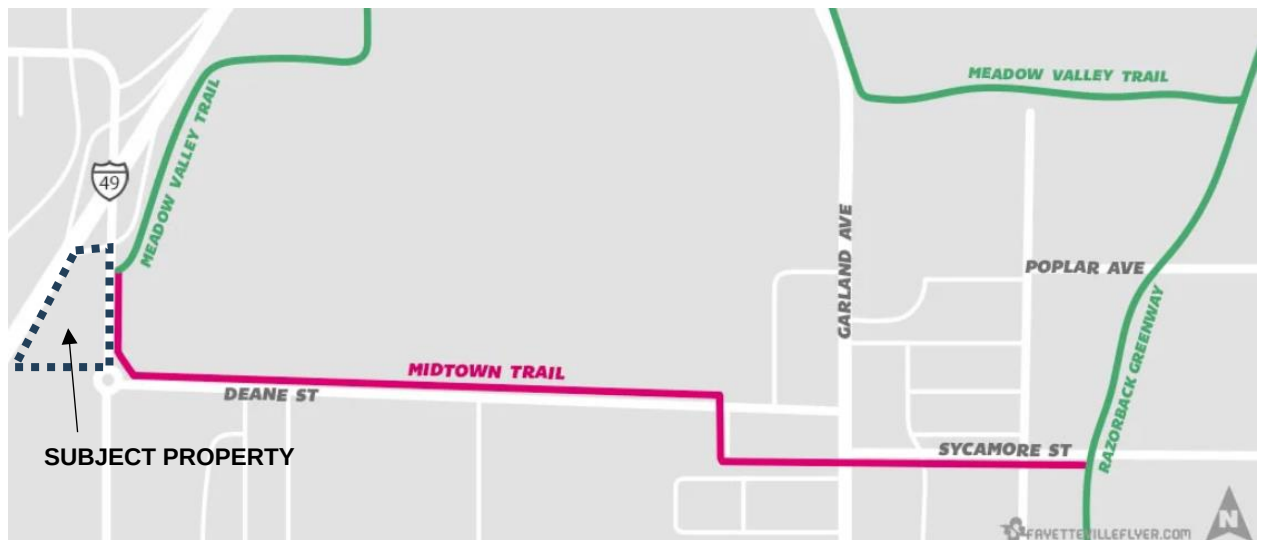
The minimum tree preservation requirement for CS zoning is 20% of the site area minus existing ROW and easements. Canopy cover on the site is currently 44.2%, and the applicant plans to preserve a total of 10.2% canopy cover. The applicant intends to preserve trees on the eastern property perimeter adjacent to I-49 and along the northern property boundary, while all the interior trees are to be removed.

The applicant has planned for the 87 mitigation trees required based on the 17,349 sf of tree canopy removed below the minimum required percentage of the site, and applicant has submitted a site analysis justifying the removal of canopy below the required percentage. Urban Forestry recommends that more trees are preserved to meet the 20% minimum, per §167.01(B)(1) which states "Preservation shall be the first, best, and standard approach".

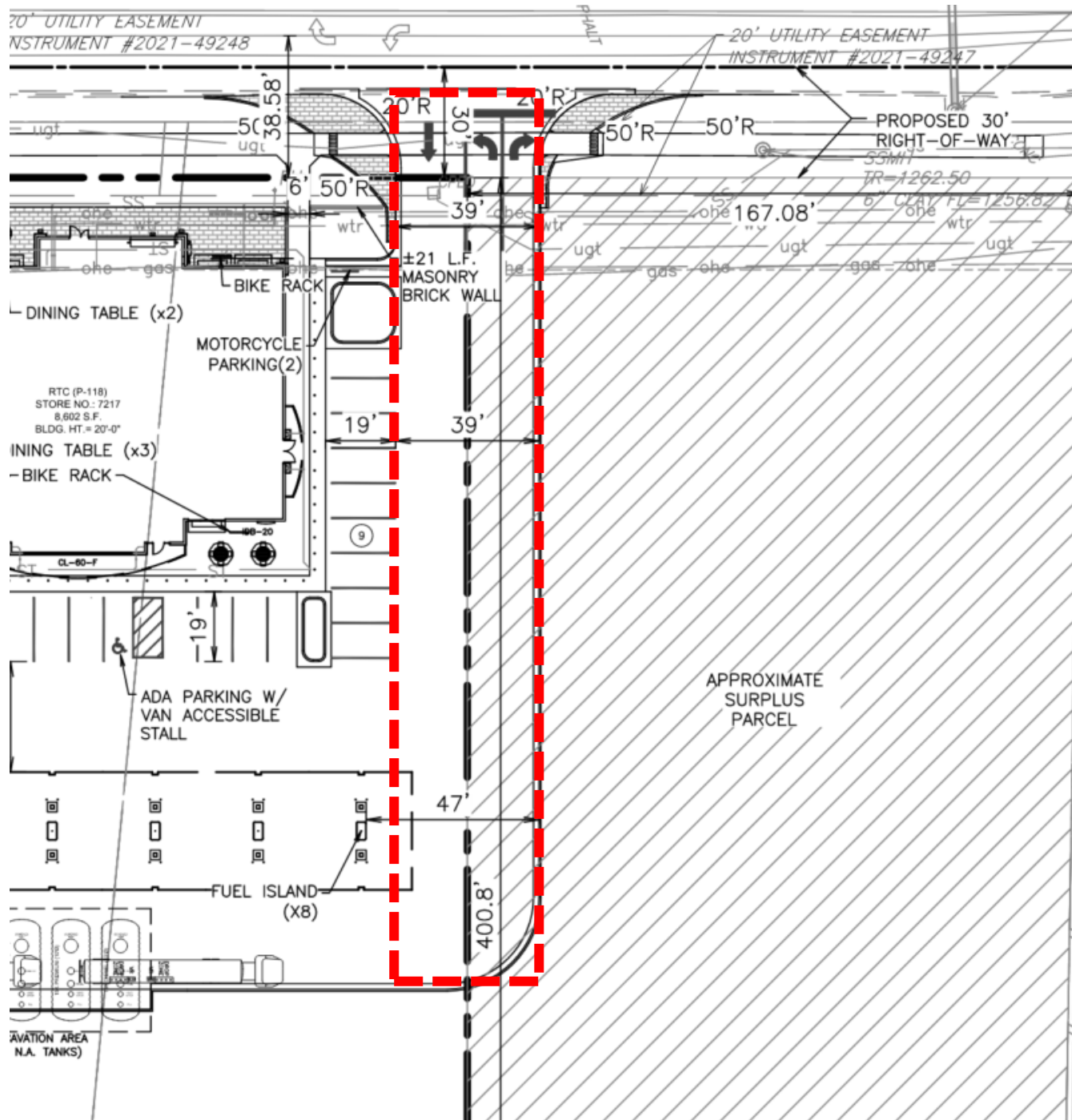
**STAFF EXHIBIT:
INFILL PRIORITIZATION MATRIX
(PROXIMITY TO GROCERY STORES)**



MIDTOWN TRAIL MAP (EAST SIDE)



**STAFF EXHIBIT:
RECOMMENDED ACCESS EASEMENT**





January 20th, 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 development at the intersection of N. Stephen Carr Memorial Blvd. & I -49. This will be a QuikTrip convenience store w/ fuel sales. QuikTrip is acquiring 4 tracts for this project. Tracts 1, 2 & 4 and the northern part of Tract 3, after property line adjustment, will be combined for our 2.52ac development. The approximately 1.69ac remainder of Tract 3, the southernmost tract, will be a surplus parcel. Additionally, QT Kitchens, a made-to-order kitchen, will be incorporated into this design. There will be one fuel canopy with 8 multi-fuel dispensers (MPDs) servicing 16 passenger vehicles. 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. Some of the POEs include 6 canopied tables, pavement material changes, & planting beds. In addition, supplemental elements such as 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 45 spaces. We are providing 45 parks which include 42 parking spaces for passenger vehicles, 1 park for the free air dispenser, and 2 motorcycle parks. Furthermore, we are providing the code-required parking for ADA (2).
- D) QuikTrip is open 24/7/365. We will have approximately 12 operations employees at this location. There are approximately 3-5 employees per shift. Shifts overlap which require

redundant parking spaces. Typically, we try to have 6 to 8 parks for employees at a store such as this. We anticipate approximately 14,000 customers per week at this location. This number is derived from all modes of transportation; by motorize and non-motorized vehicle, by foot, or other means such as food delivery services. Also, it is common to derive multiple customers per vehicle.

- 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. 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. Ordinance 174.04.F.4.a.iii which pertains to neighborhood link streets allows 3 lane 39' wide driveways. The additional width will help clear the entrances of vehicles quicker and alleviate any clashes in movement between vehicles. Fayetteville Police and Fire departments indicated that this is an important matter due to emergency responses. We understand that the proposed changes alleviate their serious concerns. Also 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 23, 2025

RE: QuikTrip 7217 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 with fuel and vendor deliveries. We request a variance to the dimensional standards set out in Table 1 of UDC 172.04 (E) to allow a 39' drive aisle approach to the southern drive aisle, and 30' standard drive isles for the remainder of the lot.

The nature of our business requires deliveries to multiple locations on our site that require larger turning movements than the standard passenger vehicle. The fuel tanker must be able to navigate itself to the rear of the property as well as around the canopy in case its access is blocked the first pass. Likewise, we have vendor deliveries that access both sides of the store. We receive deliveries on the east side of the building and the vehicles need to maneuver close to this service entrance location. Our experience, as well as our truck turning templates, indicate the need for this 30' drive aisle variance.

We also request that the aisle on the south side of the building be increased to 39' width to match the width of the driveway. By eliminating a transition, having these two the same width will facilitate smoother and safer access for the larger vehicles noted above. Moreover, this driveway and drive aisle will serve as access to the surplus parcel to the south of this project.

Additionally, we request the ability to modify the neighborhood link driveway standard (UDC 172.04(F)(4)(a)(iii)) so exiting left turns may be restricted if necessary. The Fayetteville Police Department stated they preferred the northern drive to be three-quarters access. This, as well as aligning the QuikTrip driveway with the Police department's driveway, will satisfy their concerns with conflict movements. We would have one inbound lane, and one outbound right turn lane for a maximum total driveway width of 39 feet.

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

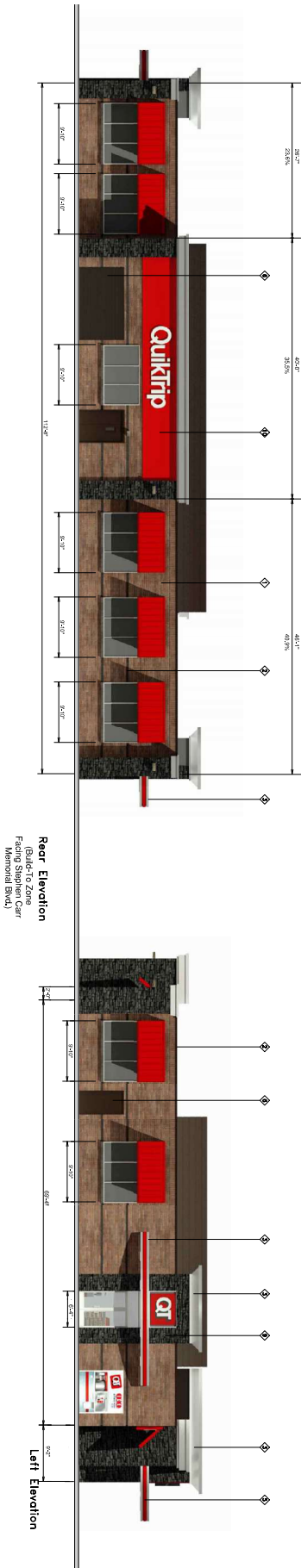
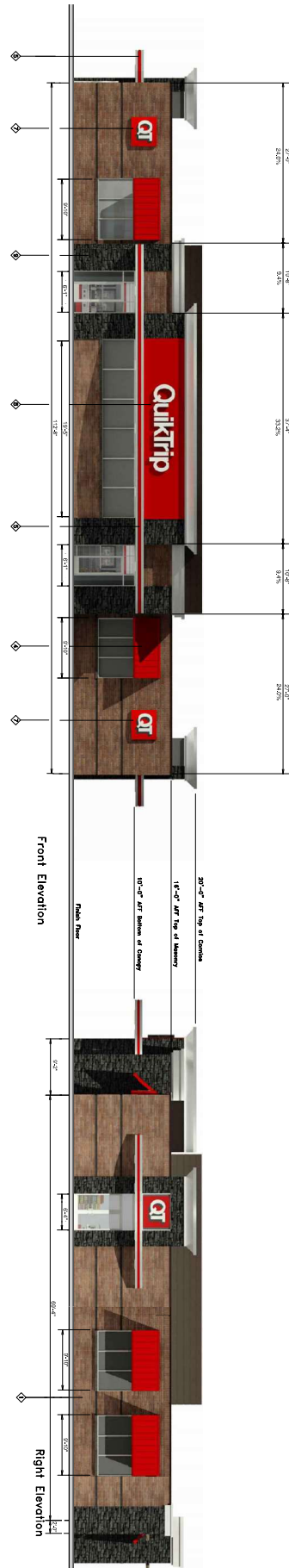


January 27, 2025
CUP-2024-0049 (QUIK TRIP CO.)
Page 19 of 20

[illegible]

[illegible]

Gazing Calculations				
Build-to Zone	Required Glazing	Façade Length	Glazing Length	Glazing Provided
Front Elevation	No	112'-8"	51'-3"	45.5%
Rear Elevation	Yes	112'-8"	59'-0"	52.4%
Right Elevation	No	69'-4"	26'-0"	37.5%
Left Elevation	No	69'-4"	26'-0"	37.5%



APPROVED

01/02/2025



QuikTrip

4400 South 12th East Ave.
Tulsa, OK 74106-0000
(918) 415-0700

Store # **7217**

RTC-L Building Elevations

Scale: **1/8"=1'-0"**

Issue Date: **09.16.24**

Drawn By: **JK**

Rev/Notes:

Address: **I-49 & Stephen Carr Memorial Blvd.**

City, State: **Fayetteville, AR**

APPROVED

[Signature]

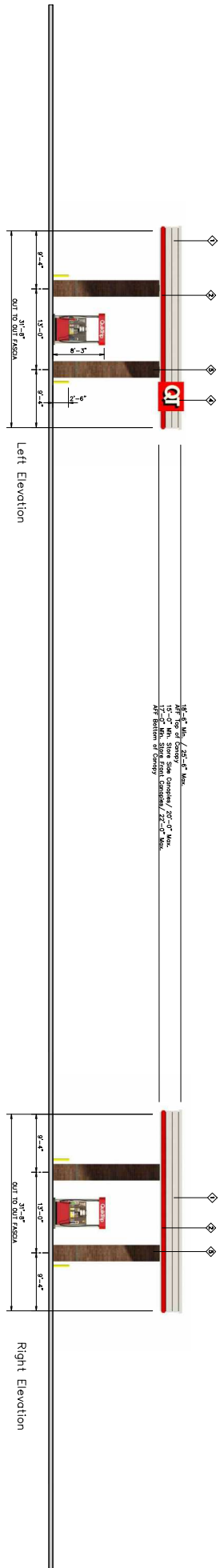
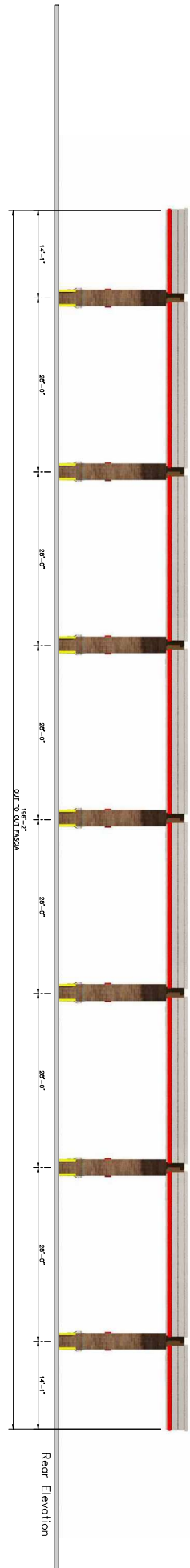
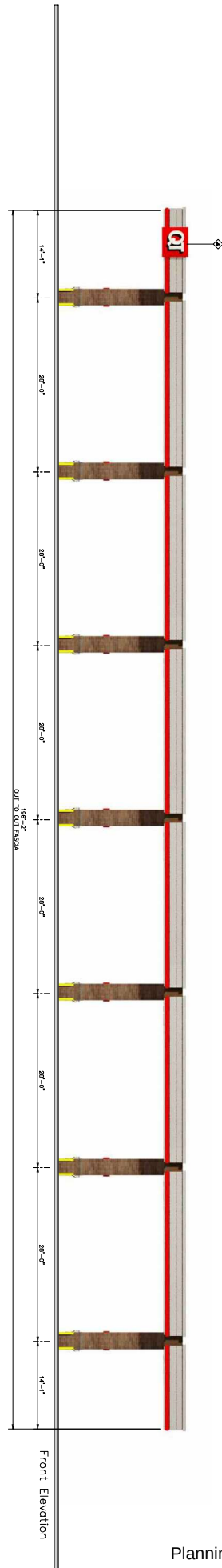
01/02/2025

CONTRACTOR'S CERTIFICATION

I, **JOHN J. BARNETT**, being duly sworn, depose and say that the above is a true and correct copy of the original drawings, specifications, and contract documents for the project described herein, and that I am a duly licensed professional engineer in the State of Arkansas.

Subscribed and sworn to before me this **01/02/2025** day of **January**, 2025.

Notary Public for the State of Arkansas



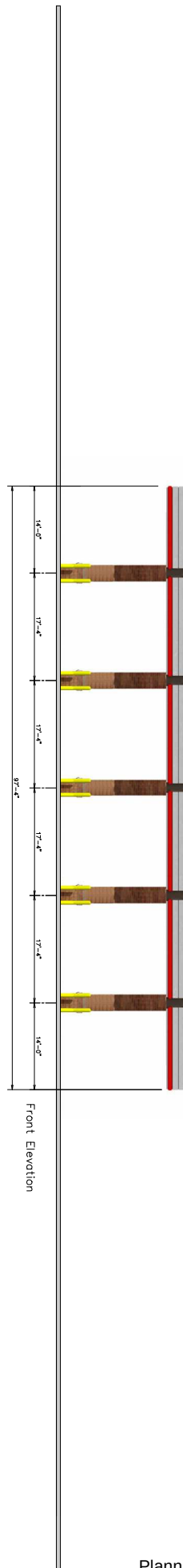
18'-0" Min. / 25'-0" Max.
Top of canopy structure
17'-0" Min. / 25'-0" Max.
Bottom of canopy structure

QuikTrip

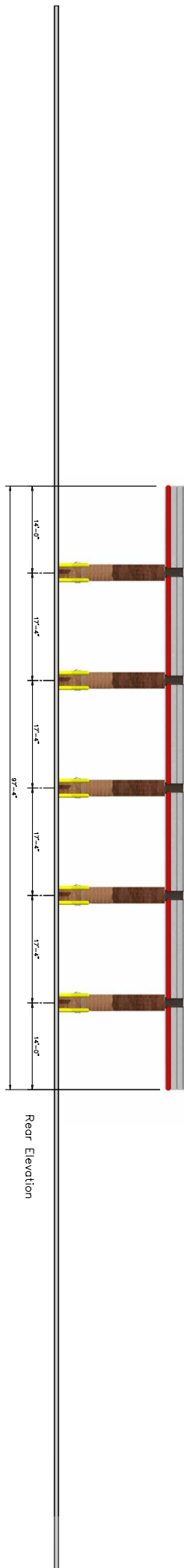
4700 South 128th East Ave.
Tulsa, OK 74116-4008
Tel: 918.444.4747
Fax: 918.444.4749

Store #	7217	Vertical 7 Canopy Elevations	Address:	I-49 & N Stephen Carr Memorial Blvd	City, State:	Fayetteville, AR	
Serial #	89-7217-GV07	Scale:	1/16" = 1'-0"	Issue Date:	01.03.25	Drawn By:	JK
				Rev/Notes:			
				QUIKTRIP PLANS ARE THE EXCLUSIVE PROPERTY OF QUIKTRIP CORPORATION. THESE PLANS ARE NOT TO BE REPRODUCED, COPIED, OR OTHERWISE USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF QUIKTRIP CORPORATION.			

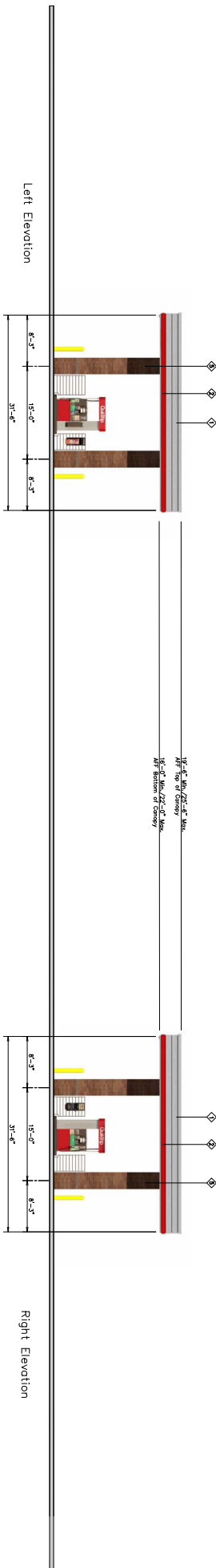
NO.	FINISH	MANUFACTURER	SPECIFICATION
1	PAINT	PPG INDUSTRIES	PPG PRIMER
2	PAINT	PPG INDUSTRIES	PPG PRIMER
3	PAINT	PPG INDUSTRIES	PPG PRIMER
4	PAINT	PPG INDUSTRIES	PPG PRIMER
5	PAINT	PPG INDUSTRIES	PPG PRIMER
6	PAINT	PPG INDUSTRIES	PPG PRIMER
7	PAINT	PPG INDUSTRIES	PPG PRIMER
8	PAINT	PPG INDUSTRIES	PPG PRIMER
9	PAINT	PPG INDUSTRIES	PPG PRIMER
10	PAINT	PPG INDUSTRIES	PPG PRIMER



Front Elevation



Rear Elevation



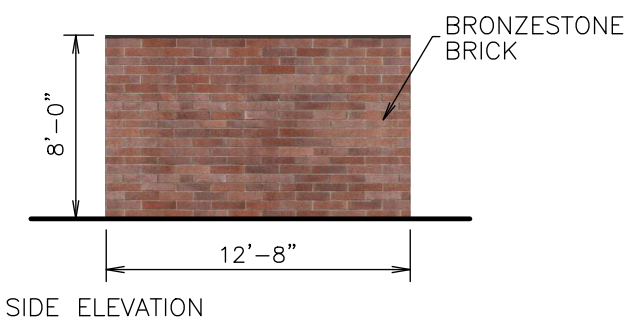
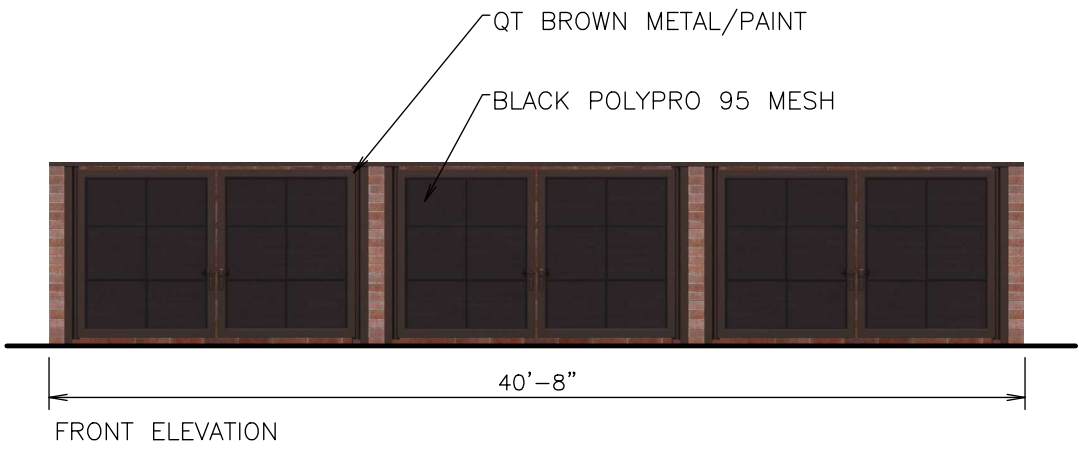
Left Elevation

Right Elevation

QuikTrip
 4755 South 129th East Ave.
 Tulsa, OK 74133
 Phone: 800.475.4773

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
Copyright © 2011 QuikTrip Corporation. All rights reserved. This document is the property of QuikTrip Corporation. It is to be used for the design, construction, and installation of the structure shown. No part of this document may be reproduced without written permission from QuikTrip Corporation.							

Q	FINISH	MANUFACTURER	SPECIFICATION
1	ROOF PANELS	QUIKTRIP	QUIKTRIP SPEC
2	ROOF FLASHING	QUIKTRIP	QUIKTRIP SPEC
3	ROOF INSULATION	QUIKTRIP	QUIKTRIP SPEC
4	ROOF VENTILATION	QUIKTRIP	QUIKTRIP SPEC
5	ROOF DRAINAGE	QUIKTRIP	QUIKTRIP SPEC
6	ROOF STRUCTURE	QUIKTRIP	QUIKTRIP SPEC





4795 S. 129th E. Ave. - Tulsa, OK 74134-2908
P.O. Box 3475 - Tulsa, OK 74103-3475
918.622.2792



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:

SPECIFICATIONS:					

Wonsower, Donna

From: Erik Lentz <erik.lentz@gmail.com>
Sent: Monday, January 13, 2025 5:39 PM
To: Planning Shared; Wonsower, Donna
Subject: CUP-2024-0049 (1965 N. STEPHEN CARR MEMORIAL BLVD)

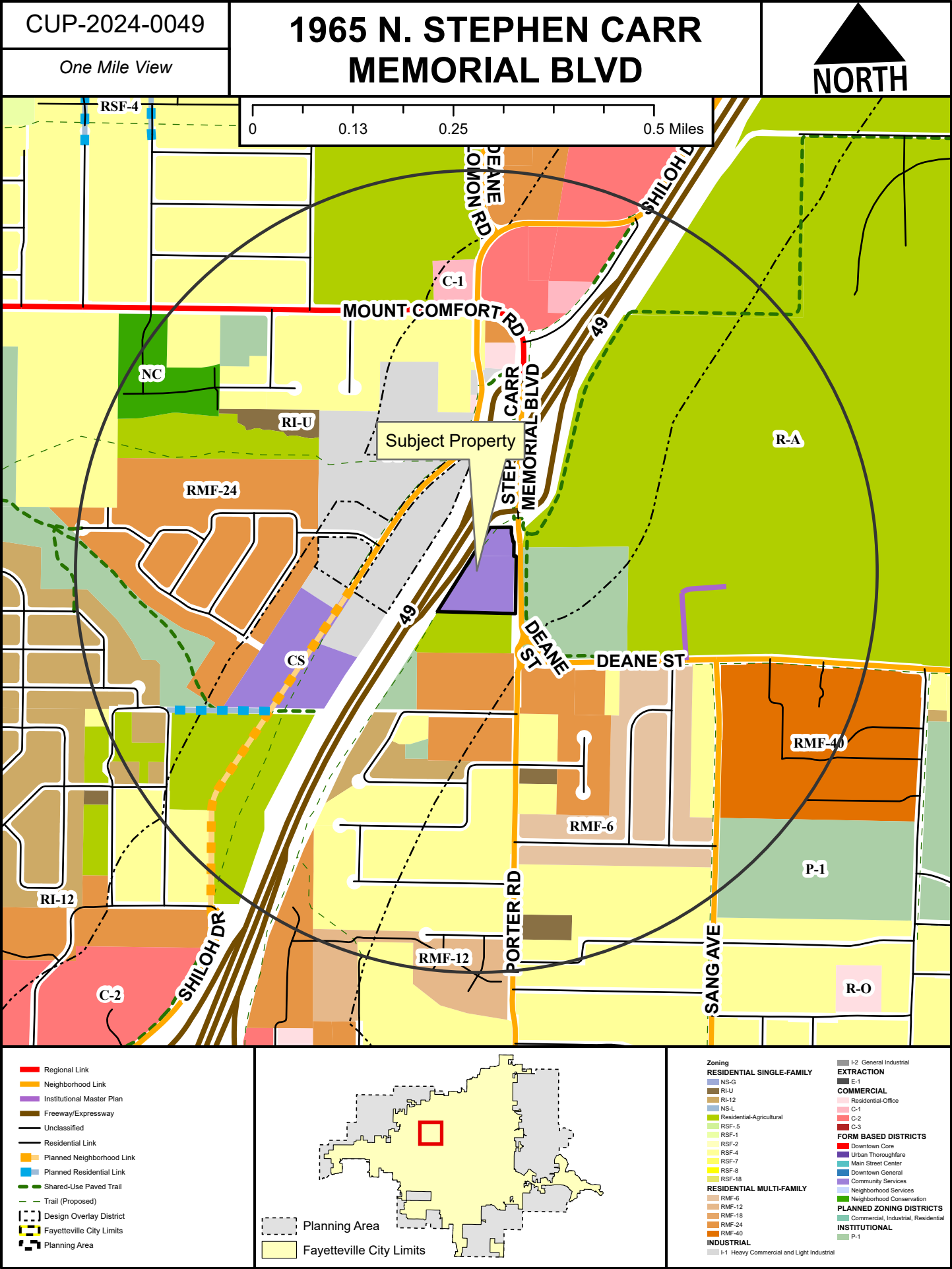
CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I would like to add this comment on this proposal: I'm concerned that Stephen Carr Memorial BLVD is the only point in the city where the I-49 interstate can be safely traversed with full pathing on either side. This proposal adds additional car traffic, making the crossing more dangerous for people outside vehicles. I hope efforts are made to make the Stephen Carr / I-49 crosswalks safer, as right now 2 crossings are necessary for pedestrians and cyclists.

The only long-term solution to traffic in the city is viable alternatives to driving, so making the only available full I-49 crossing less safe is concerning.

Thanks for reading,

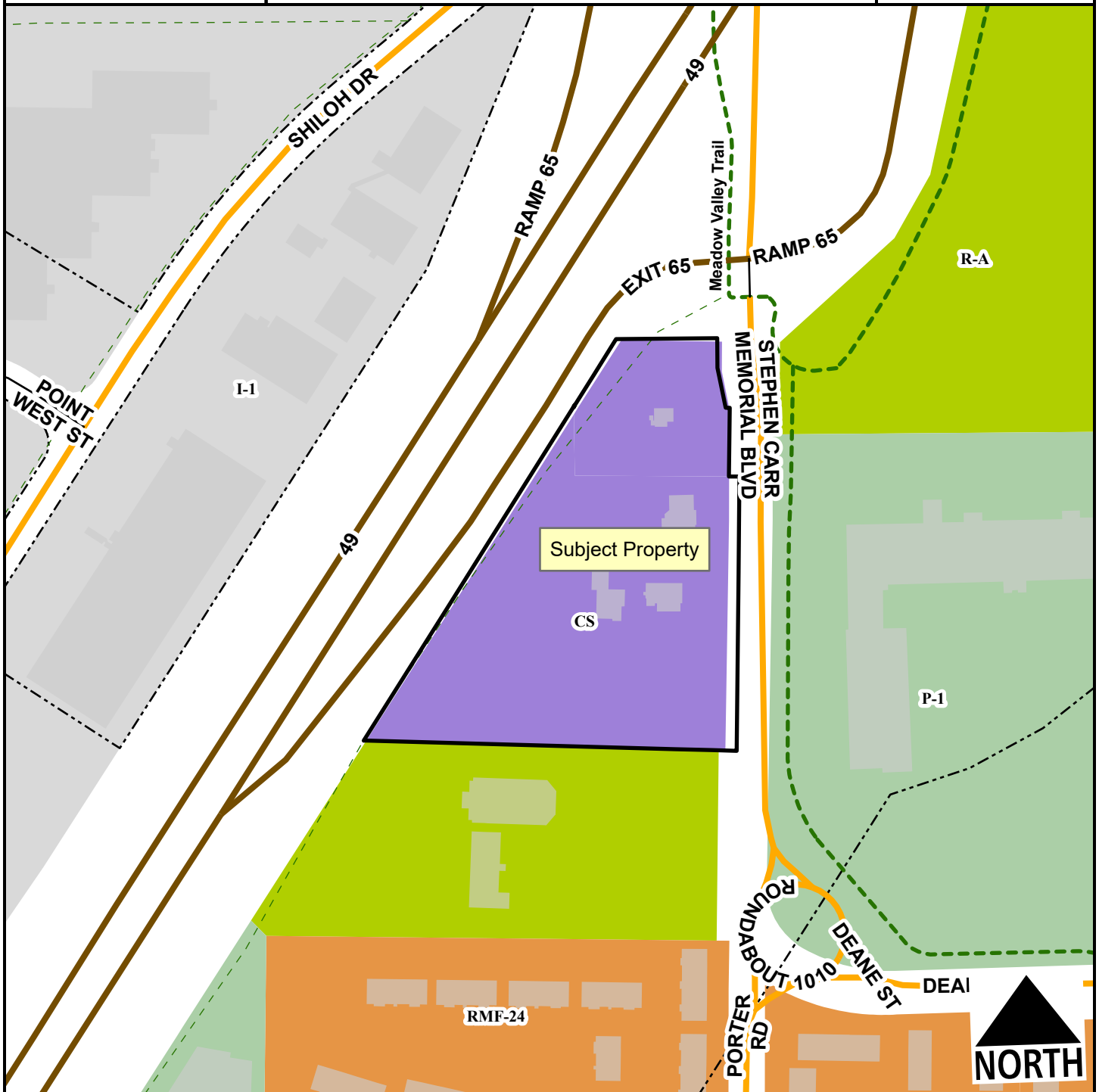
Erik Lentz
479-340-3595
erik.lentz@gmail.com
1343 N Caddo Ave, Fayetteville, AR 72704



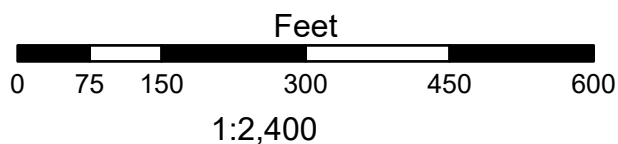
CUP-2024-0049

Close Up View

1965 N. STEPHEN CARR MEMORIAL BLVD



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

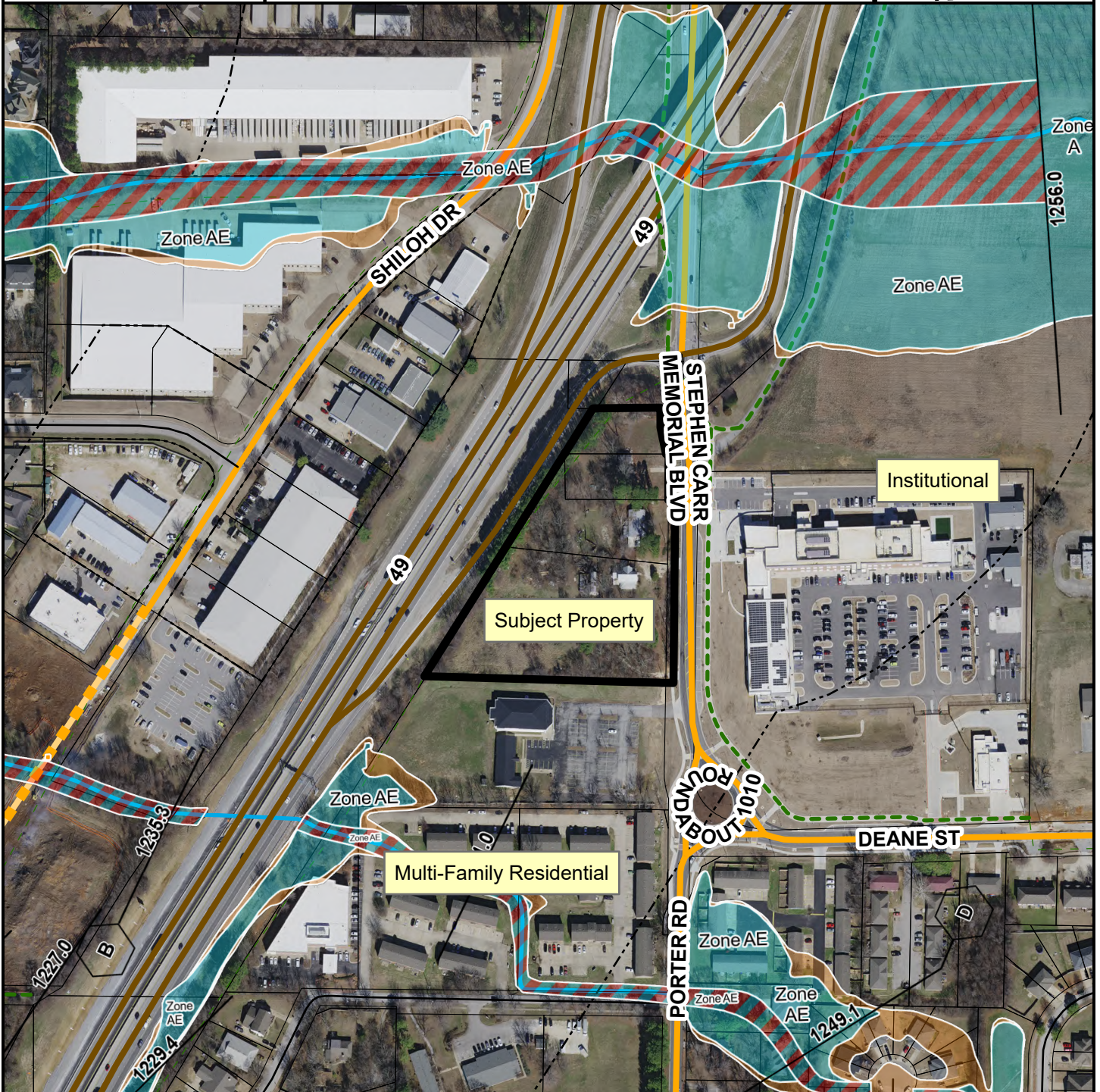


- Residential-Agricultural
- RMF-24
- I-1 Heavy Commercial and Light Industrial
- Community Services
- P-1

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
Melissa Boyd, Staff Engineer
Willia Thomason, Urban Forestry

MEETING: January 27, 2025

SUBJECT: **CCP-2024-0012: Concurrent Plat (2535 N. OAKLAND ZION RD./MCDONALD, 296):** Submitted by ENGINEERING SERVICES, INC. for property located at 2535 N. OAKLAND ZION RD. The property is in the FAYETTEVILLE PLANNING AREA and contains approximately 4.66 acres. The request is for the concurrent plat of four residential lots.

RECOMMENDATION:

Staff recommends approval of **CCP-2024-0012** with conditions.

RECOMMENDED MOTION: *"I move to approve CCP-2024-0012, recommending:*

- In favor of recommended right-of-way dedication and street improvements;*
- In favor of the requested variance to UDC §166.05(A)(3) – Direct Frontage to a Public Street; and*
- All other conditions of approval."*

BACKGROUND:

The subject property is approximately ¼ mile east of the east of the City limits in Washington County approximately 200 feet north of the intersection of E. Mission Blvd. and N. Oakland Zion Rd. Containing approximately 4.66 acres, the property is undeveloped and is covered almost entirely with tree canopy. The Planning Commission denied a request for the same lot configuration at the November 13, 2023, meeting due to concerns about creating lots without access to utility infrastructure following a City-issued moratorium on new water meter taps in the area. Since then, water meters have been set for the two parcels abutting N. Oakland Zion Rd. and the applicant has proposed wells for the two tandem lots. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Low-density Residential	Washington County - Ag/SF 1 (Agricultural/Single-family Residential, One Unit per Acre)
South	Agricultural Low-density Residential	Washington County - Ag/SF 1 (Agricultural/Single-family Residential, One Unit per Acre)
East	Mini-Storage Mixed-Density Residential	Washington County - Ag/SF 1 (Agricultural/Single-family Residential, One Unit per Acre)
West	Low-density Residential	Washington County - Ag/SF 1 (Agricultural/Single-family Residential, One Unit per Acre)

Proposal: The applicant intends to plat four residential lots with 1.06 acres, 1.02 acres, 1.29, and 1.29 acres. Having exhausted the number of administrative lot splits permitted from the parent tract, this proposal is required to be reviewed as a concurrent plat. One variance was submitted with the previous request as outlined below.

- **§166.05(A)(3) All lots in the planning area shall have direct frontage to a public street, with the minimum frontage required by Washington County pursuant to residential lot and block standards.** The applicant has requested a variance from this requirement for lots 3A and 4A, citing an allowance by Washington County code that allows the lots to be accessed through a 30-foot access easement.
 - a. *Staff recommendation: Staff recommends approval of the proposed variance. The street frontage requirement is applied to concurrent plats because the creation of new residential properties carries an associated potential to increase density and, therefore, impact existing City services. Requiring residential properties to have public street access in the Planning Area also facilitates the orderly integration of properties into city limits, should they be annexed. The four proposed resultant lots are not appreciably different in configuration when compared to the adjacent development pattern exhibited by neighboring properties, and a 30-foot access easement is proposed to be dedicated with the concurrent plat centered on the existing driveway. Further, the proposed layout is less than ¼ mile outside of city limits where tandem lots are permissible under certain, similar conditions—. Staff recommends an added condition that the shared driveway shall be paved from the property line and/or master street plan right-of-way with asphalt, concrete, brick or stone pavers, or other solid surface and shall extend a minimum of 18 feet (length) into the property. The shared drive shall be installed prior to staff signature of the plat for recording.*

Water and Sewer System: No additional sewer infrastructure is required with this proposal; no access to sewer is provided to properties outside of the City of Fayetteville limits. Approved septic permits for the proposed lots have been provided to staff.

There is currently a moratorium for new taps for water meter(s) for the use of irrigation and/or services in this area for new subdivisions of land. Additional information is included in the attached engineering memo. Notes have been added to the plat stating that water access shall not be available to city of Fayetteville water systems. The applicant has also provided documentation from the Arkansas Department of Health confirming access to well water for tracts without current access to city water.

Right-of-way to be dedicated: The property in question has access to public street frontage on N. Oakland Zion Rd., a county-maintained neighborhood link. A typical neighborhood link would include 33.5 feet of right-of-way from the center line of the road. N. Oakland Zion Rd. currently contains a mix of county right-of way (28.5 feet) and Fayetteville right-of way (13.5 feet) immediately abutting each other, for a total of 42 feet of existing right-of-way from the center line. Staff does not recommend any right-of-way to be dedicated with this development.

Street Improvements: Staff does not recommend any street improvements in association with this request.

Tree Preservation: N/A; tree preservation requirements do not extend beyond the City of Fayetteville limits.

Parkland Fees: N/A; parkland dedication requirements do not extend beyond the City of Fayetteville limits.

Public Comment: Staff received inquiries during the previous submittal (CCP-2023-0002) regarding drainage, flooding, and potential intensive development. Since the resubmission (CCP-2024-0012), there have been additional inquiries, and one public speaker at the Subdivision Committee raised concerns about public street improvements and water quality.

RECOMMENDATION: Staff recommends approval of CCP-2024-0012 with the following conditions:

Conditions of Approval:

2. **Planning Commission determination of right-of-way dedication.** *No right-of-way dedication required.*

Subdivision Committee recommended in favor.

3. **Planning Commission determination of street improvements.** *No street improvements required.*

Subdivision Committee recommended in favor.

4. **Planning Commission determination of a variance to §166.05(A)(3) All lots in the planning area shall have direct frontage to a public street, with the minimum frontage required by Washington County pursuant to residential lot and block standards.** *Staff recommends in favor with added conditions:*

- a. Shared driveway shall be paved from the property line and/or master street plan right-of-way with asphalt, concrete, brick or stone pavers, or other solid surface and shall extend a minimum of 18 feet (length) into the property. The shared drive shall be installed prior to staff signature of the plat for recording.

Subdivision Committee recommended in favor.

5. Arkansas Department of Health has confirmed approval of septic systems and wells; property owner shall be responsible for ensuring adequate water quality and safety standards are met. A note shall be included on the plat that indicates as such.
6. All remaining comments from City divisions, whether Planning or Engineering shall be addressed prior to signature.

Standard conditions of approval:

7. All lots shall be labeled with addresses as approved by the 911 Coordinator on the final plat (if applicable).
8. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his/her representative, and all comments from utility representative: Black Hills Energy, AT&T, Ozarks, SWEPCO, Cox Communication).

9. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements.

PLANNING COMMISSION ACTION

☐ Tabled ☐ Denied ☐ Approved

Meeting Date: January 27, 2025

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

Attachments:

- Engineering Memo
- Applicant Cover Letter
- Site Plan
- Arkansas Department of Health Letter
 - Well and Septic Approval
- One Mile Map
- Close-Up Map
- Current Land Use Map



TO: Donna Wonsower, Planner

FROM: Melissa Boyd, Staff Engineer

DATE: January 22, 2025

SUBJECT: **Planning Commission Engineering Comments for
CCP-2024-0012 N Oakland Zion Rd**

Water: The subject property falls within a moratorium area, designated by the City of Fayetteville Utilities Director, in which new taps or meters solely for the purposes of irrigation and new taps or meters for subdivisions of land are prohibited. A memo issued by the Utilities Director is attached hereto.

This project was previously denied by the Planning Commission under CCP-2023-0002. At that time, Engineering staff recommended that notes be included on both Tract 3A and Tract 4A stating that they do not have access to City of Fayetteville water due to a moratorium on new taps or meters in the area. This note has since been added to both proposed tracts under consideration.

With the most recent submittal, the applicant has provided a letter from the Washington County Health Unit of the Arkansas Department of Health indicating approval of the well locations as shown on the plat.



To Fayetteville City Staff:

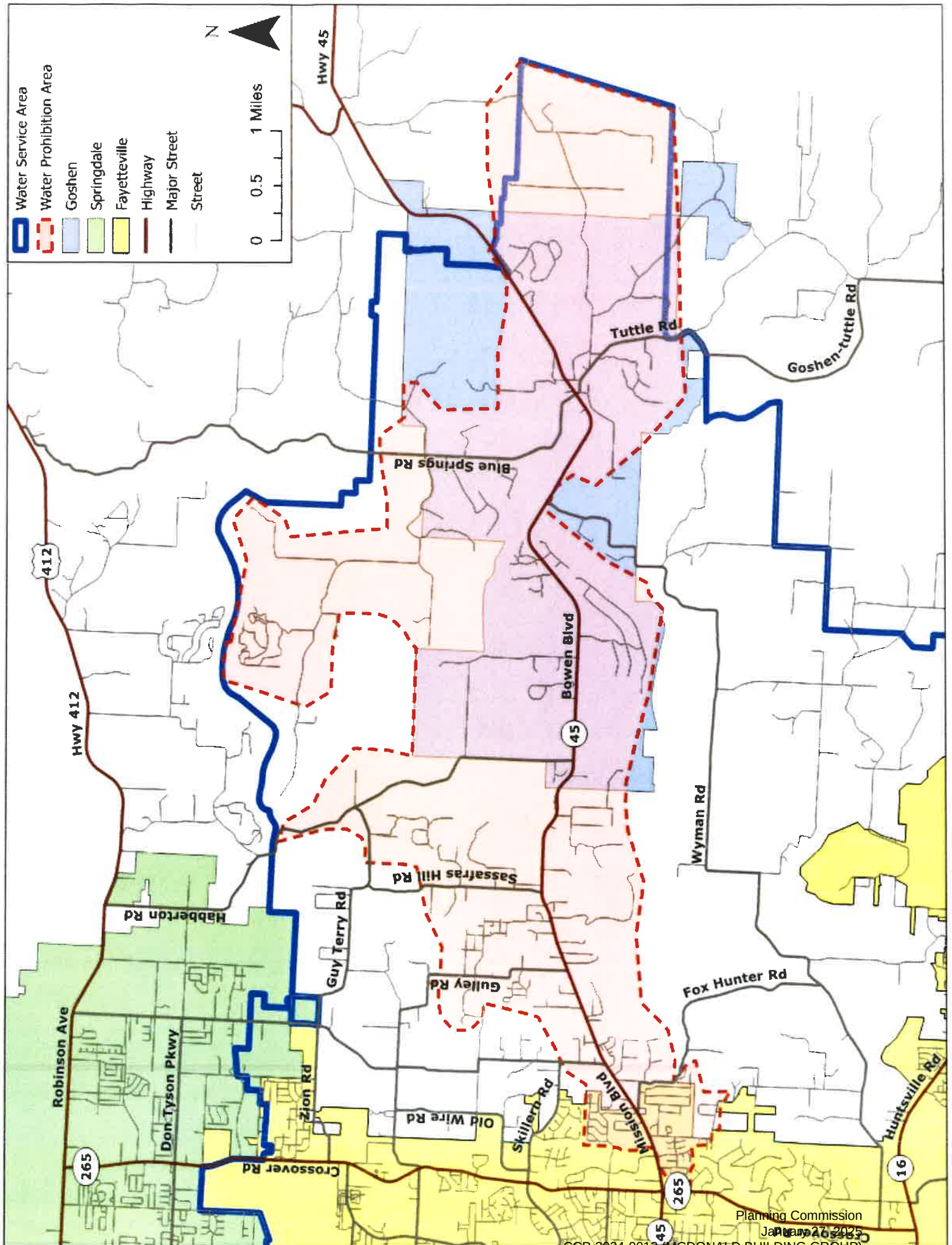
Due to the historical strain of summer irrigation demands in the eastern portions of the City of Fayetteville's Water System, an impending shortage of water exists. By the authority of the City of Fayetteville Code of Ordinances Title V, Chapter 51.001 – Water Shortages (attached), I do hereby prohibit the installation of new taps or meters solely for the purposes of irrigation and for new taps or meters for subdivisions of land. To further clarify:

- An exhibit of the subject area is attached to this document.
- An existing buildable lot with access to a public water main shall be allowed to install one domestic water service for the construction of a single residence or business. If the waterline has capacity issues aside from this moratorium, the tap may be denied for those reasons on a case-by-case basis. An example is a dead-end, small diameter line, with many existing taps.
- Tap or meter requests for yard hydrants, irrigation-only hydrants, or any other use than a 5/8" meter for a home or business will not be permitted until such time that the City completes further capital improvements in the vicinity, approximately 2026.
- Homes or businesses that are allowed a new tap may not have a meter larger than 5/8" at this time.
- The Water/Sewer Department has already been operating under this direction for more than one year, however it seems prudent at this time to inform other city staff including the Planning Division, Building Safety Division, and Utility Financial Services.
- If there are questions from City Staff about how to implement this directive, please contact Corey Granderson, Utilities Engineer at 479-444-3452 or cgranderson@fayetteville-ar.gov

Respectfully,

A blue ink signature of Tim Nyander, written in a cursive style.

Tim Nyander
Utilities Director
City of Fayetteville, AR



Recent Eastern Water Service Area Improvements



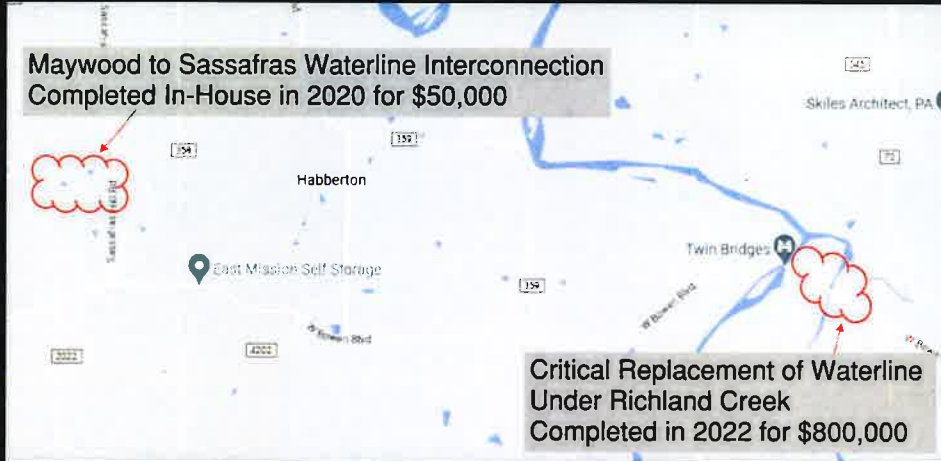
New Gulley Road Water Tank
750,000-gallons
Completed in 2022
for \$2,552,000



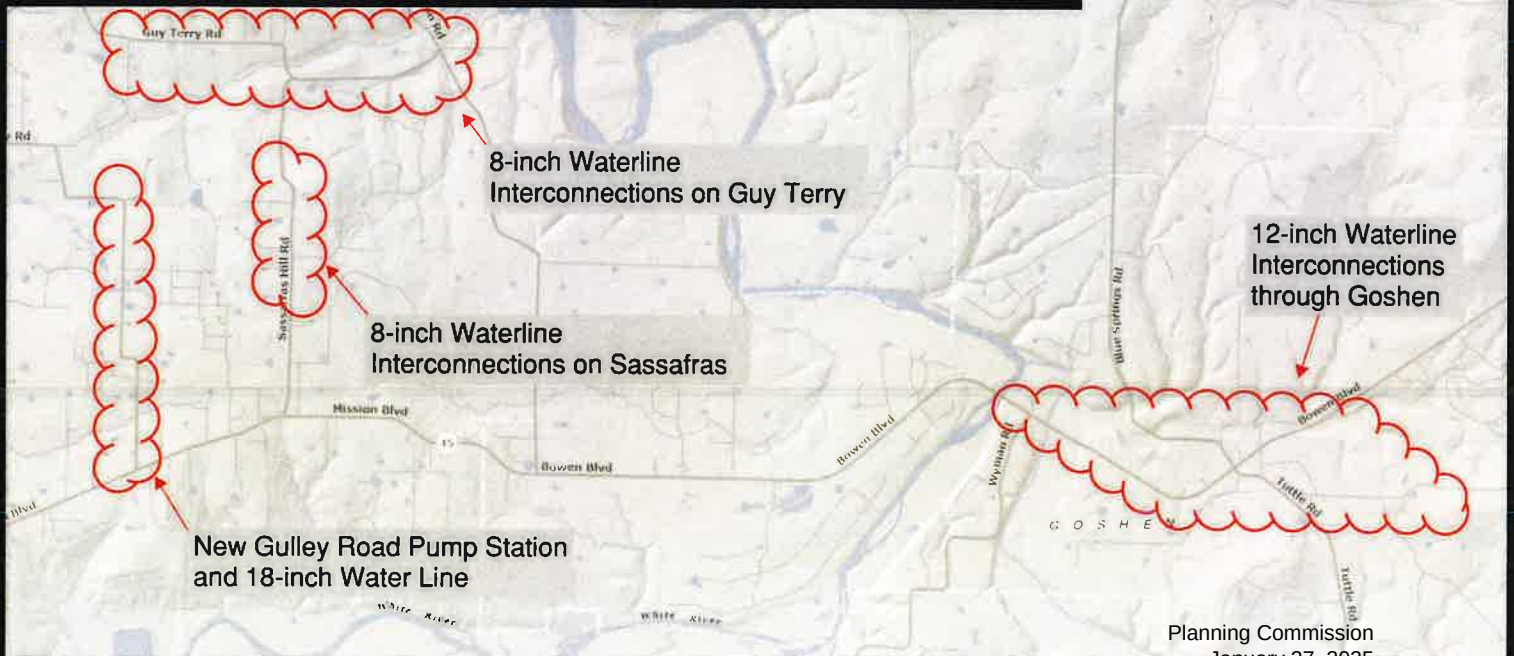
New Benson Pump Station Completed in 2021 for \$375,000



New Benson Water Tank
100,000-gallons
Completed in 2023
for \$1,155,000



UPCOMING Eastern Water Service Area Improvements



Planning Commission
January 27, 2025

CCP-2024-0012 (MCDONALD BUILDING GROUP)

Page 8 of 16

November 22, 2024

Jonathan Curth, Director
Development Services
City of Fayetteville, Arkansas
125 West Mountain Street
Fayetteville, AR 72701

RE: Concurrent Plat Application
North Oakland Zion Road

Mr. Curth,

We are submitting materials to split parcels 001-15705-005 and 001-15705-006 into four lots for future single family residential construction. The property is located along the west side of N. Oakland Zion Road approximately 350 feet north of Mission Boulevard. The property is in the City of Fayetteville Planning Area in unincorporated Washington County, Arkansas and is in the county's Agriculture/Single Family zoning district.

The project was originally submitted as LSP-2023-0033. It was determined during Technical Plat Review the project needed to be resubmitted as a Concurrent Plat because the parent tract had already been split a number of times.

The project was therefore resubmitted as CCP-2023-002. The project was reviewed and supported by staff from planning and engineering departments, but it was ultimately denied by the Planning Commission due to concerns regarding water and sewer for the proposed lots. Specifically, planning commission was concerned about creating lots without access to water and about the ability to fit septic systems on each lot.

To address concerns regarding septic systems we have worked with the Washington County Health Unit to review the proposed locations of septic systems, homes, and water wells (for two rear lots). Approved septic permits are being submitted with this letter.

To address concerns regarding ability to provide water, we coordinated with Fayetteville Water Department and water meters have now been set for the front two lots. The rear lots are not eligible for meters, due to the current moratorium on new water service in this area. The rear lots will therefore be served by water wells. The proposed well locations were shown on the plans reviewed and approved by the Washington County Health Unit and the locations meet Arkansas Health Department standards for the distance between a well and a septic system as well as the required distance from a well to a property boundary.

Two parcels have less than the minimum public street frontage. Although Washington County code allows this when a 30' private ROW is provided (30' access easement is provided on the plat), staff have determined this lot configuration requires a variance of the minimum frontage

requirement provided in UDC 166.05(A)(3), which we hereby request.

Prior to resubmitting, I sent the project to Mr. Ata, Director of the Washington County Planning Department, for his feedback since the property is outside the Fayetteville municipal limits. His office reviewed the project and has no objections or concerns regarding the proposed split. The project will be officially submitted to the Washington County Planning Office for formal review and approval once the City's review process is completed.

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

Sincerely,



Daniel Lazenby

[illegible]

1 1/11/24 ADDD WATER METERS

1	1/11/24	ADDD	WATER METERS
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CONCURRENT PLAT
FOR DAMON MCDONALD
WASHINGTON COUNTY, ARKANSAS

SCALE: 1"=30'	DATE: November 11, 2024	DRAWN: BTHW/RSB
---------------	-------------------------	-----------------

ENGINEERING SERVICES, INCORPORATED
SPRINGDALE, ARKANSAS

RECEPTION
dewey@reception.com
INVESTING SERVICES, INC.
1507 S. OLD HISSOP ROAD
SUITE 200
MCKINNEY, TEXAS 75069
PHONE: 972.255.1723

BOOKS FOR SALE
2010
1. *THE 48 LAWS OF POWER* BY ROBERT GREEN
RESIDENTIAL, 1.00 (HARDCOVER)
PRICED: \$5.00
BOOK: 10
SHOULD I VALUE A RESIDENTIAL

PROCESSED INFO.

[illegible][illegible][illegible][illegible]

1000000



Arkansas Department of Health

4815 West Markham Street • Little Rock, Arkansas 72205-3867 • Telephone (501) 661-2000

Governor Sarah Huckabee Sanders

Renee Mallory, RN, BSN, Secretary of Health

Jennifer Dillaha, MD, Director

1/8/25

Damon McDonald
Rosswood Subdivision Parcel #'s 001-15705-005, 001-15705-006
2535 & 2547 Oakland Zion Rd.
Fayetteville, AR 72701

Re: Subdivision Approval

To whom it may concern:

This subdivision has been approved with the septic systems and wells as shown on the plat submitted.

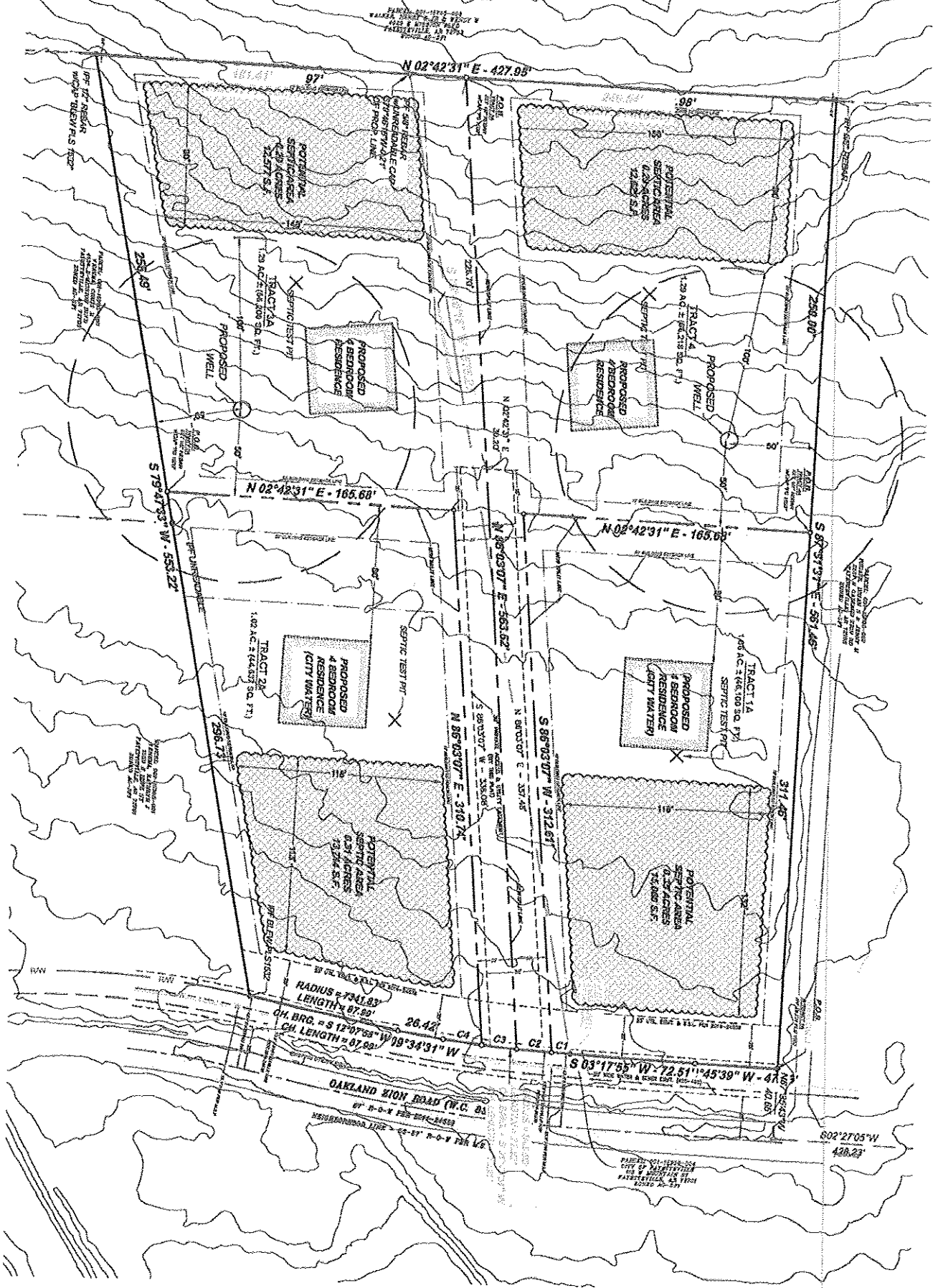
Sincerely,

Kyle Krievans #166

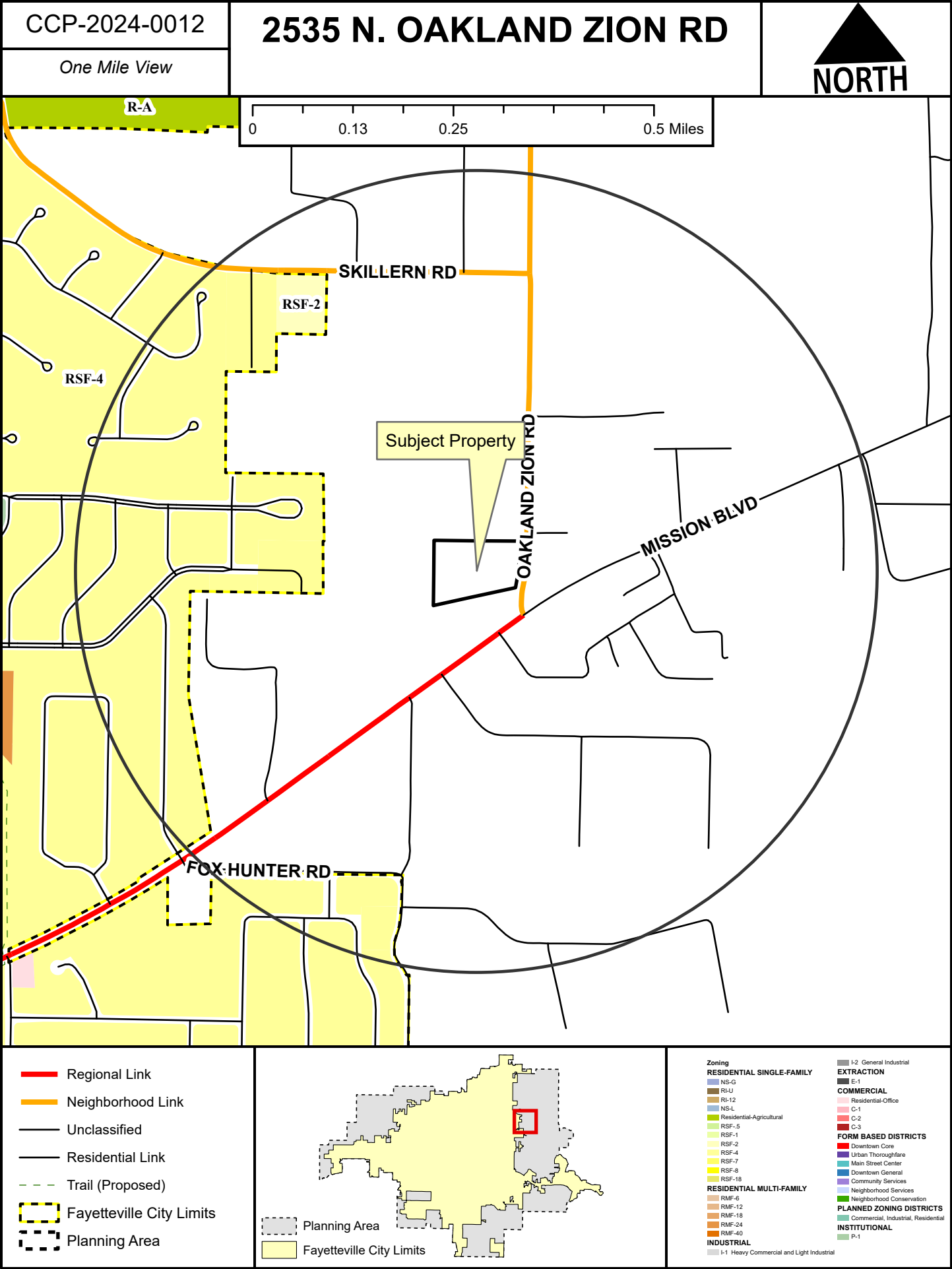
Kyle Krievans
Senior NW Region Environmental Program Specialist
Washington County Health Unit
3270 Wimberly Lane
Fayetteville, AR 72703

Cc: Linda Mayo-Tillery, DR
Richard Murphree, NW Region Environmental Manager
Washington County EHS Staff

NO-26577797



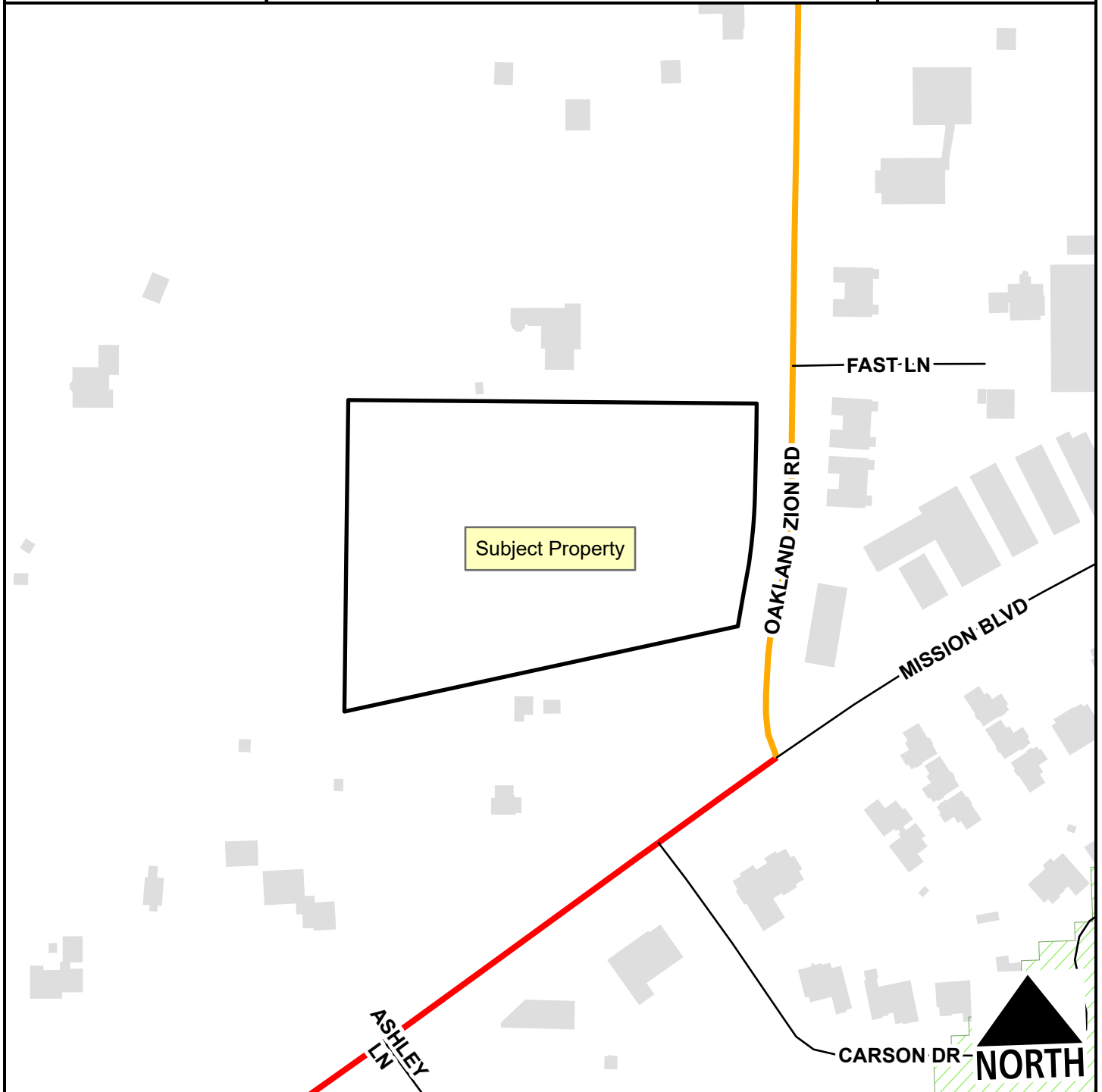
12th



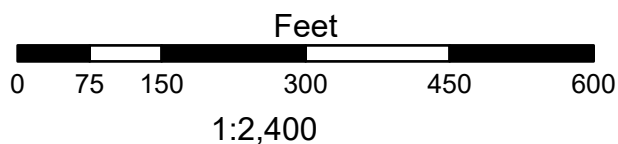
CCP-2024-0012

2535 N. OAKLAND ZION RD

Close Up View



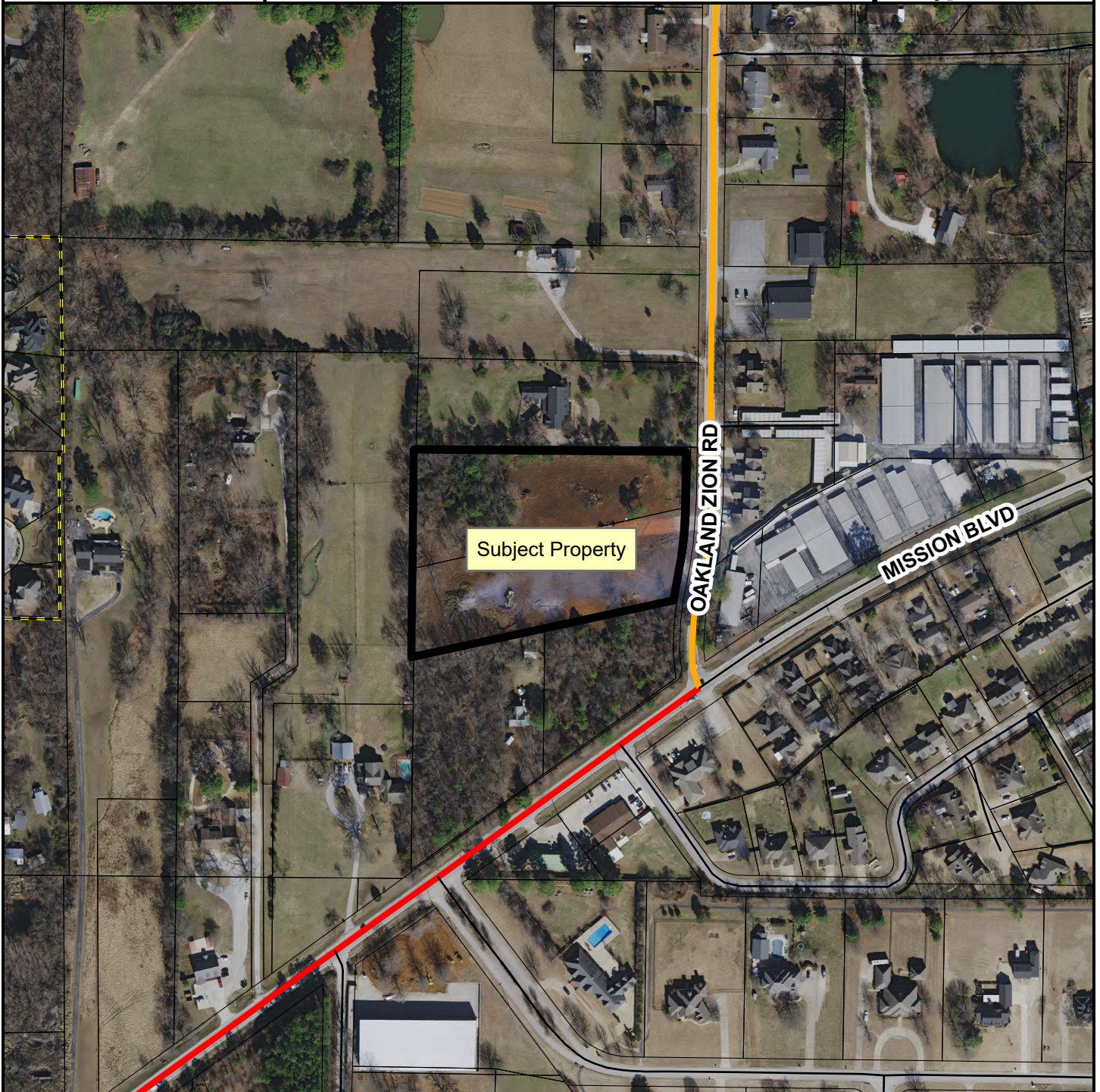
- Regional Link
- Neighborhood Link
- Unclassified
- Hillside-Hilltop Overlay District
- Planning Area



CCP-2024-0012

2535 N. OAKLAND ZION RD

Current Land Use



- Regional Link
- Neighborhood Link
- Unclassified
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Fayetteville Planning Commission

FROM: Jessie Masters, Development Review Manager

MEETING DATE: January 13, 2025

SUBJECT: **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 MULTIFAMILY, 24 UNITS PER ACRE and contains approximately 0.50 acres. The request is to vacate 0.24 acres of right-of-way.

RECOMMENDATION:

Staff recommends forwarding **VAC-2024-0027** to City Council with a recommendation of approval and with conditions.

RECOMMENDED MOTION:

*"I move to forward **VAC-2024-0027** to City Council with a recommendation of approval and with conditions as recommended by staff."*

BACKGROUND:

The subject property is in central Fayetteville on W. North Street, approximately 500 feet east of the intersection with N. Garland Avenue. The property is zoned R-O, Residential Office and RMF-24, Residential Multi-family, 24 Units per Acre, and overall contains approximately 0.50 acres. The eastern portion of the property is developed with a 1700 sq. ft. vacant structure that County records indicate was used as a veterinary hospital. No overlay districts or other natural features are present on site, but there is an approximately 20% change in grade moving as the property moves south from W. North Street, and there is significant tree canopy on the undeveloped portions of the site. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Commercial/Mixed-Density Residential	C-1, Neighborhood Commercial; C-2, Thoroughfare Commercial; CS, Community Services; RMF-24, Residential Multi-Family, 24 Units Per Acre
South	Multi-Family Residential	RMF-40, Residential Multi-Family, 40 Units per Acre
East	Multi-Family Residential	RMF-40, Residential Multi-Family, 40 Units per Acre
West	Multi-Family Residential	RMF-40, Residential Multi-Family, 40 Units per Acre

Proposal: The applicant proposes to vacate a portion of street right-of-way adjacent to the north side of the subject property which totals approximately 0.24 acres. The applicant intends to redevelop the site with a multi-family housing development.

DISCUSSION:

Staff supports the applicant's request to vacate a portion of right-of-way. The right-of-way is 0.24 acres, and the proposed vacation would still provide the necessary right-of-way for W. North

Street to meet the master street plan for a Regional High-Activity Link Street. Any necessary street improvements will be fully determined at the time of the development proposal and may be required to be accommodated within the remaining right-of-way not affected by this vacation. However, in order to maintain consistency with City Plan 2024 goals of making compact, complete, and connected development the standard, staff recommends that an access easement is maintained to provide the opportunity for pedestrian connection from Oakland to W. North Street in the future.

Vacation Approval: The applicant has submitted the required vacation approval forms to relevant city departments and franchise utility companies with the following responses.

<u>Utility</u>	<u>Response</u>
Cox Communications	No objections, provided that any damage or relocation of any Cox facilities will be at the applicant's expense.
AEP/SWEPCO	No objections, provided that the developer/builder ensures that equipment and construction personnel maintain minimum 10-foot clearance from overhead power lines at all times per OSHA rules.
Black Hills Energy	No objections and no comments.
AT&T	No objections, provided that the existing buried facilities need to be provided easements with a width of 10-feet on either side to cover their existence and AT&T maintenance. The aerial facilities that are going to need to be moved into the new right-of-way will require a "custom work order" to cover the costs of the AT&T relocations of existing to the new AEP poles.
Ozarks Electric	No objections and no comments.
<u>City of Fayetteville</u>	<u>Response</u>
Water/Sewer	No objections and no comments.
Solid Waste & Recycling	No objections and no comments.
Transportation	No objections and no comments.

Public Comment: Staff received comments from members of the public who had general concerns about the associated residential development on the site, the primary of which were centered around availability of parking in the area. No opposition was received related to the vacation itself.

RECOMMENDATION: Staff recommends forwarding **VAC-2024-0027** with the following conditions:

Conditions of Approval:

1. Any damage or relocation of existing facilities will be at the property owner/developer's expense;
2. A 10-foot minimum clearance from overhead powerlines shall always be maintained;

3. Applicant and/or property owner shall coordinate with AT&T to identify dimension and location of necessary easement to cover existing lines and maintenance, to a minimum width of 10 feet on either side of the existing lines; and
 4. A 20-foot wide access easement shall be dedicated from the remaining N. Oakland Avenue right-of-way to the W. North Street right-of-way as shown in the attached exhibit.
-

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>January 27, 2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Applicant Request Letter
- Applicant Petition to Vacate
- Survey
- Staff Exhibit
- One Mile Map
- Close-Up Map
- Current Land Use Map

HALBERT LAW OFFICES

ATTORNEYS AT LAW

PO BOX 1272

FAYETTEVILLE AR 72702

PHONE (870) 572-3351

FAX (877) 450-0781

tripp@halbertlaw.net

December 4, 2024

Dear Members of the Planning Commission and City Council,

I am writing to formally present a request on behalf of the applicants/owners regarding the vacation of a street right-of-way and alley located at 903 W North St, Fayetteville, Arkansas. This request involves the right-of-way to the north of Parcel ID 765-10316-000 along W. North Street and the alley situated at the northernmost point of N. Oakland Ave.

The intent of this request is to vacate these areas due to the City's lack of future use or need for the property. The abutting real estate, specifically PT LOT 1 BLOCK 2, ROSE HILL ADDITION, has been utilized by the public for many year. By vacating these areas, we aim to enhance the utility of the property for the benefit of the owners while ensuring compliance with existing rules and regulations.

We appreciate your consideration of this request and look forward to your support in this matter. Should you require any further information or clarification, please do not hesitate to contact me.

Tripp Halbert
Charles E. Halbert, Jr.
Halbert Law Offices

CEH/hdc

HALBERT LAW OFFICES

ATTORNEYS AT LAW

PO BOX 2720

WEST HELENA AR 72390

PHONE (870) 572-3351

FAX (877) 450-0781

tripp@halbertlaw.net

December 23, 2024

PETITION TO VACATE A STREET RIGHT-OF-WAY/ALLEY

The Fayetteville City Planning Commission

The Fayetteville City Council

Attn: Jessie Masters

125 W Mountain St,

Fayetteville, AR 72701

Email: jmasters@fayetteville-ar.gov

RE: PT LOT 1 BLOCK 2, ROSE HILL ADDITION

We, the Halbert Law Offices, on behalf the undersigned, Jordan Group, LLC, hereby petition to vacate the street right-of-way to the north of Parcel ID 765-10316-000, along W. North Street in the City of Fayetteville, Washington County, Arkansas, and the alley located at the northernmost point of N. Oakland Ave. The right-of-way and alley sought to be abandoned and vacated is more particularly described in Exhibit A. The abutting real estate affected by said abandonment of the street right-of-way is as follows:

A PART OF LOTS 1-4, BLOCK 2 OF ROSE HILL ADDITION TO THE CITY OF FAYETTEVILLE, A PART OF LOTS 1 AND 2, BLOCK 3 OF ROSE HILL ADDITION TO THE CITY OF FAYETTEVILLE AND A PART OF THE PLATTED RIGHT-OF-WAY OF NORTH OAKLAND AVENUE, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR ON THE EAST PLATTED RIGHT-OF-WAY OF NORTH OAKLAND AVENUE WHICH IS N02°55'56"E 112.47' FROM AN EXISTING REBAR MARKING THE SOUTHWEST CORNER OF LOT 5 OF SAID BLOCK 2 OF ROSE HILL ADDITION AND RUNNING THENCE N86°50'37"W 50.00' TO THE WEST PLATTED RIGHT-OF-

WAY OF NORTH OAKLAND AVENUE, THENCE ALONG SAID RIGHT-OF-WAY N02°55'56"E 49.51' TO THE EXISTING SOUTH RIGHT-OF-WAY OF WEST NORTH STREET, THENCE ALONG SAID RIGHT-OF-WAY N88°19'38"W 149.55', THENCE LEAVING SAID RIGHT-OF-WAY N03°06'21"E 19.30', THENCE S89°03'07"E 185.37', THENCE N88°45'09"E 187.60' TO THE SOUTH MASTER STREET PLAN RIGHT-OF-WAY OF WEST NORTH STREET, THENCE ALONG SAID RIGHT-OF-WAY S89°21'46"E 48.20' TO THE WEST MASTER STREET PLAN RIGHT-OF-WAY NORTH STORER, THENCE ALONG SAID RIGHT-OF-WAY S03°02'44"W 19.80' TO THE EXISTING SOUTH RIGHT-OF-WAY OF WEST NORTH STREET, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING: N18°07'22"W 17.32' TO AN EXISTING REBAR, S83°29'04"W 199.93' TO AN EXISTING REBAR, S01°25'59"W 35.00', N89°13'57"W 18.52' TO THE EAST PLATED RIGHT-OF-WAY OF NORTH OAKLAND AVENUE, THENCE ALONG SAID RIGHT-OF-WAY S02°55'56"W 15.60' TO THE POINT OF BEGINNING, CONTAINING 0.24 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

The petitioners pray that the City of Fayetteville, Arkansas, abandon and vacate the above-described real estate, subject, however, to the existing utility easements and sewer easements as required, and that the above-described real estate be used for their respective benefit and purpose as now approved by law.

The petitioners further pray that the above-described real estate be vested in the abutting property owners as provided by law.

Property Owner Information:

Name: Jordan Group, LLC, Henry Jordan

Mailing Address: 2532 E Ridgely Dr, Fayetteville, AR 72701

Type: Commercial Improvement

Tax District: (011) Fayetteville School District

Millage Rate: 57.00

Physical Address: 903 W North St

Subdivision: Rose Hill Addition

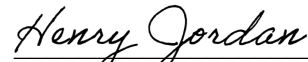
Block/Lot: 002 / N/A

Size (Acres): 0.24

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above-described real estate, subject to said utility and sewer easements, and that title to said real estate sought to be abandoned be vested in the abutting property owners as provided by law, and as to

that particular land the owners be free from the easements of the public for the use of said street.

Dated this 23rd day of December , *2024*



Jordan Group, LLC
Henry Jordon Authorized Agent



BATES
Engineers · Surveyors

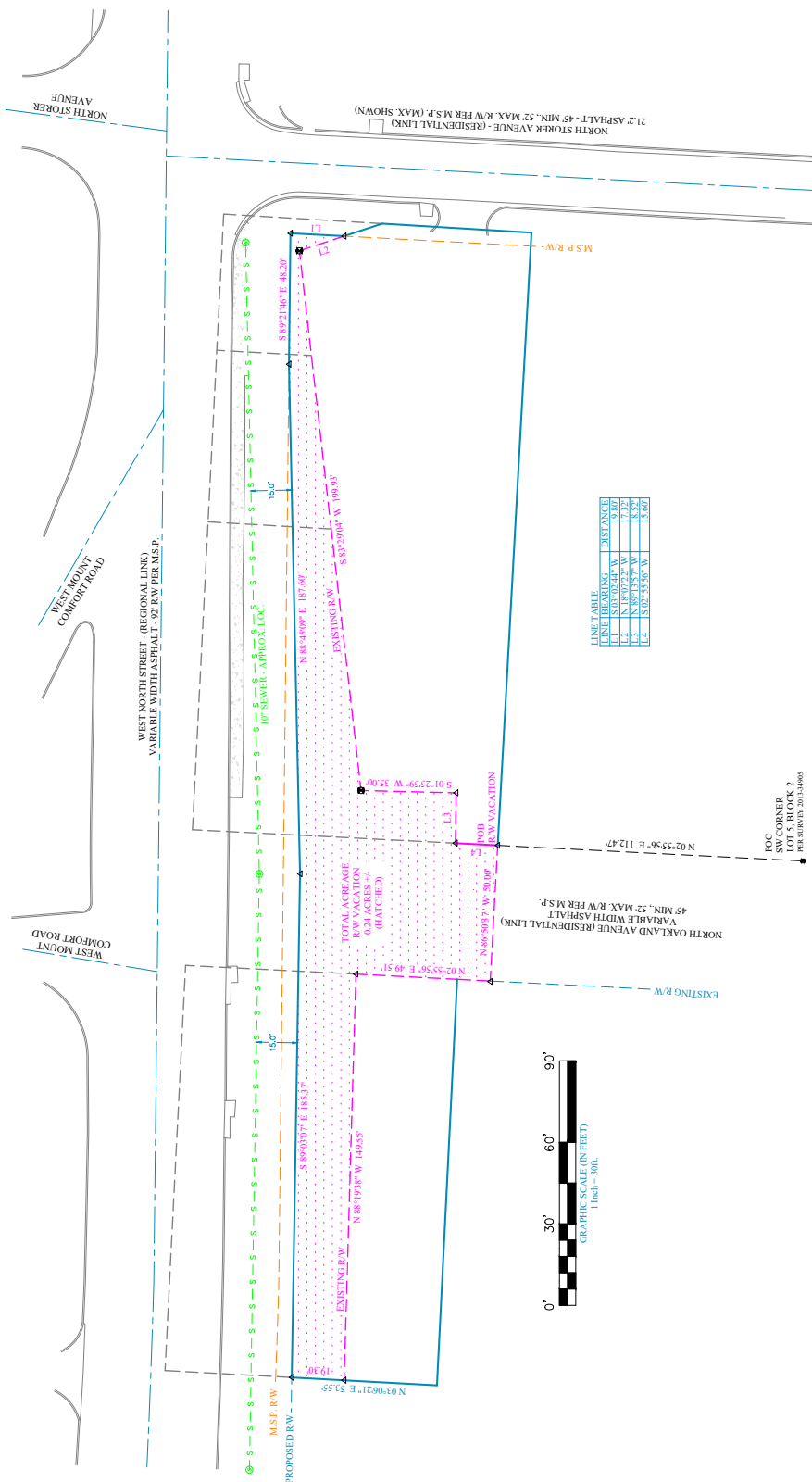
7230 S Pleasant Ridge Dr / Fayetteville, AR 72704

PH: (479) 442-9350 / batesnwa.com

LEGAL DESCRIPTION FOR RIGHT-OF-WAY VACATION (NORTH STREET & OAKLAND AVENUE):

A PART OF LOTS 1-4, BLOCK 2 OF ROSE HILL ADDITION TO THE CITY OF FAYETTEVILLE, A PART OF LOTS 1 AND 2, BLOCK 3 OF ROSE HILL ADDITION TO THE CITY OF FAYETTEVILLE AND A PART OF THE PLATTED RIGHT-OF-WAY OF NORTH OAKLAND AVENUE, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR ON THE EAST PLATTED RIGHT-OF-WAY OF NORTH OAKLAND AVENUE WHICH IS N02°55'56"E 112.47' FROM AN EXISTING REBAR MARKING THE SOUTHWEST CORNER OF LOT 5 OF SAID BLOCK 2 OF ROSE HILL ADDITION AND RUNNING THENCE N86°50'37"W 50.00' TO THE WEST PLATTED RIGHT-OF-WAY OF NORTH OAKLAND AVENUE, THENCE ALONG SAID RIGHT-OF-WAY N02°55'56"E 49.51' TO THE EXISTING SOUTH RIGHT-OF-WAY OF WEST NORTH STREET, THENCE ALONG SAID RIGHT-OF-WAY N88°19'38"W 149.55', THENCE LEAVING SAID RIGHT-OF-WAY N03°06'21"E 19.30', THENCE S89°03'07"E 185.37', THENCE N88°45'09"E 187.60' TO THE SOUTH MASTER STREET PLAN RIGHT-OF-WAY OF WEST NORTH STREET, THENCE ALONG SAID RIGHT-OF-WAY S89°21'46"E 48.20' TO THE WEST MASTER STREET PLAN RIGHT-OF-WAY NORTH STORER, THENCE ALONG SAID RIGHT-OF-WAY S03°02'44"W 19.80' TO THE EXISTING SOUTH RIGHT-OF-WAY OF WEST NORTH STREET, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING: N18°07'22"W 17.32' TO AN EXISTING REBAR, S83°29'04"W 199.93' TO AN EXISTING REBAR, S01°25'59"W 35.00', N89°13'57"W 18.52' TO THE EAST PLATED RIGHT-OF-WAY OF NORTH OAKLAND AVENUE, THENCE ALONG SAID RIGHT-OF-WAY S02°55'56"W 15.60' TO THE POINT OF BEGINNING, CONTAINING 0.24 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

R/W VACATION EXHIBIT

[illegible]

LINE	BEARING	DISTANCE
L1	S 03°02'44" W	19.80'
L2	N 18°07'22" W	17.32'
L3	N 89°13'57" W	18.52'
L4	S 03°55'56" W	15.60'

FOR USE AND BENEFIT OF:		JORDAN GROUP LLC	
ADDRESS		NORTH STREET & SPORAN AVENUE FAIRFAXVILLE, ARKANSAS	
DATE: 12/03/24		SCALE: 1"=30'	
LOCATION: BLOCK 2 ROSE HILL ADDITION		SURVEYED: DRAFTED: AH XX	
REVIEWED: XX		COA #1335	

BATES
Engineers • Surveyors
100 S. Broadway Blvd., Ft. Wayne, Indiana 46802 • 774-2721 • 774-2732 • 1500

LEGEND:
THESE STANDARD SYMBOLS WILL
BE FOUND IN THE DRAWING.

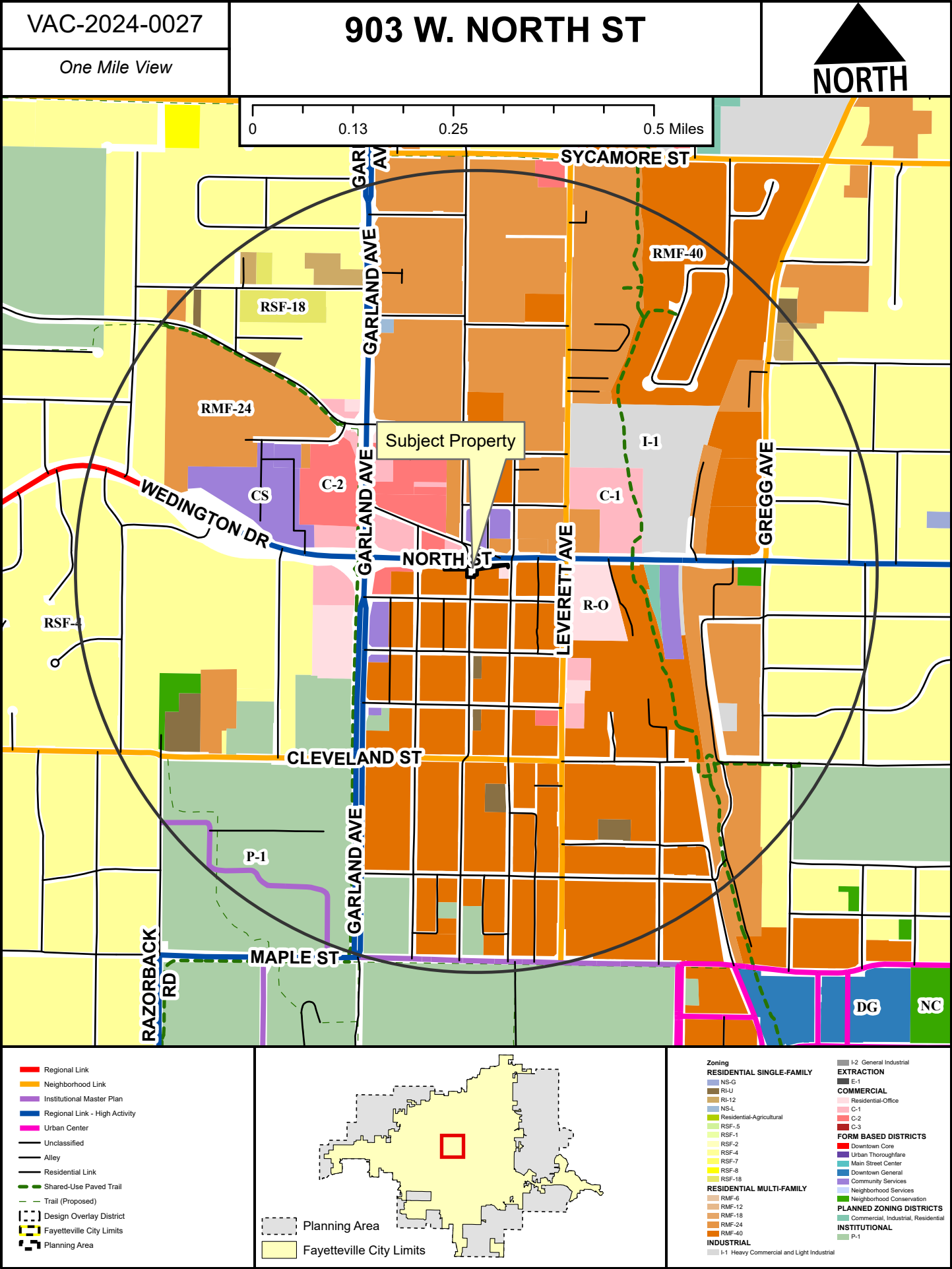
△ COMPUTED POINT
● FOUND 1/2" REBAR

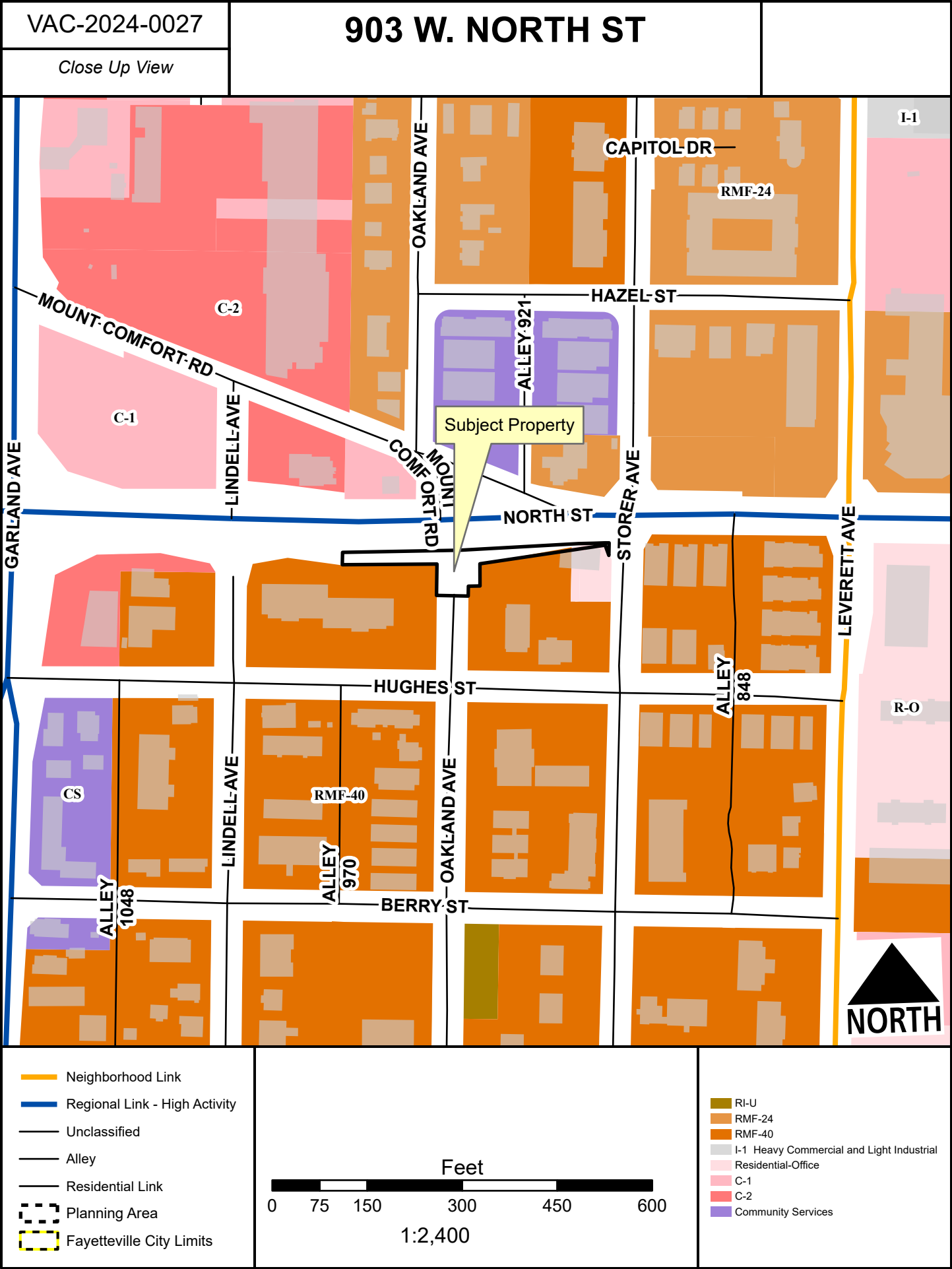
Legend:

- BOUNDARY LINE (MEASURED): Solid blue line
- BOUNDARY LINE (EXISTING): Dashed brown line
- FOURTH LINE / THE LINE: Dashed brown line
- CENTERLINE OF ROAD: Dashed blue line
- RIGHT-OF-WAY: Dashed blue line
- M.S.P. RIGHT-OF-WAY: Dashed orange line
- RIGHT-OF-WAY TO BE VACATED: Dashed magenta line
- SEWER LINE: Dashed green line



RECORDING NUMBER/DATE

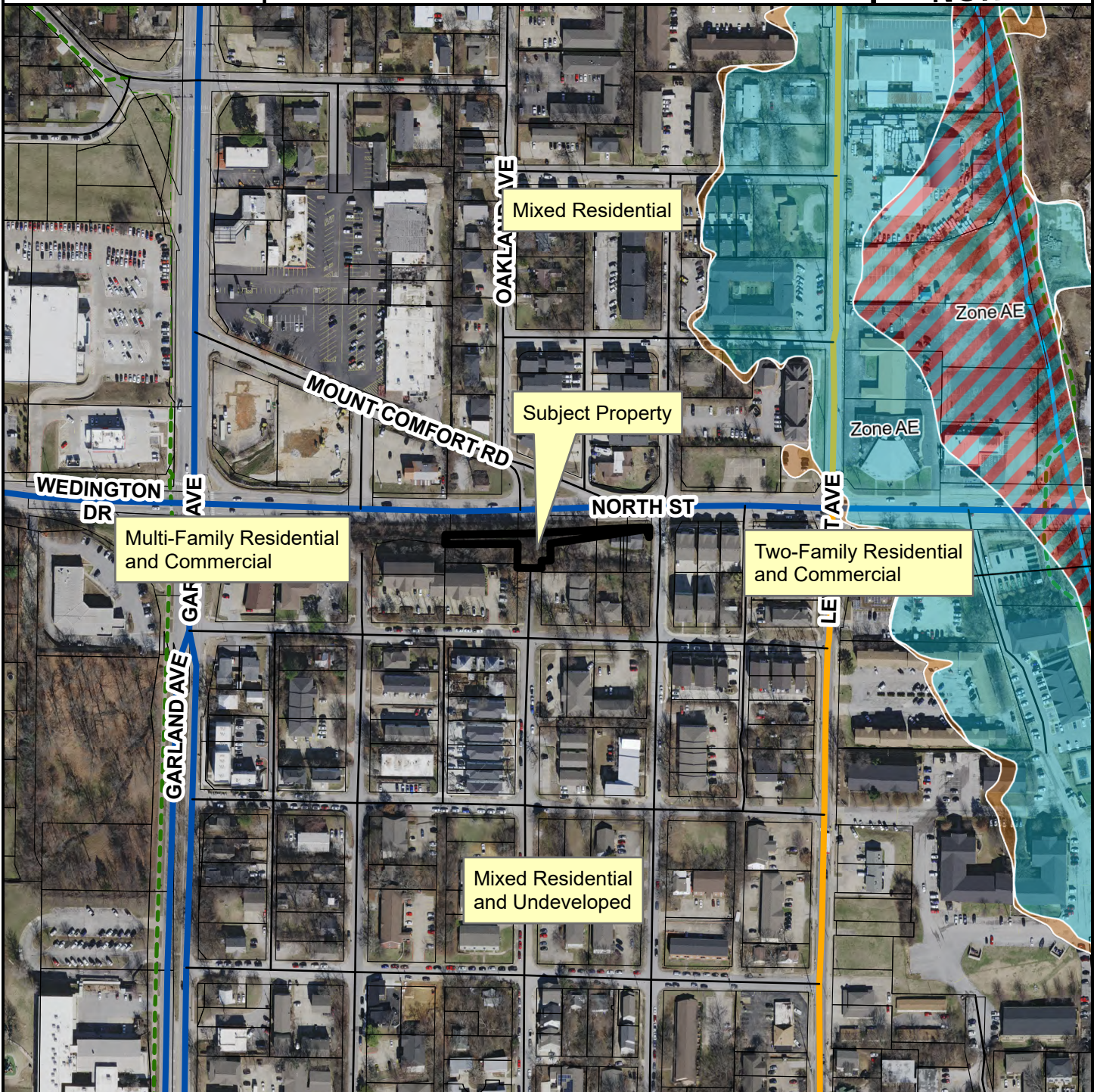




VAC-2024-0027

903 W. NORTH ST

Current Land Use



- Neighborhood 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: Wesley Frank, Planner

MEETING DATE: January 27, 2025

SUBJECT: **CUP-2024-0051: Conditional Use Permit (617 N FALLIN AVE./WARD HOUSE CO., 446):** Submitted by KATHRYN TIPTON for property located at 617 N. FALLIN AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.40 acres. The request is to use the property as a short-term rental.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0051**, with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0051** with conditions, determining:*

- In favor of compatibility with adjacent properties;*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located central Fayetteville on N. Fallin Avenue, approximately 100 feet from the intersection with N. Mission Boulevard. The property is zoned RSF-4, and totals approximately 0.40 acres. The property is developed with a single-family dwelling that was developed in 1985. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 20, 2022, City Council amended the ordinance to enact new requirements for short-term rentals, and on July 6, 2023, City Council amended the Type 2 short-term rental density cap requirements from 2% city-wide, to 475 total. This report reflects those new changes for consideration. Surrounding land use and zoning are depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
South	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
East	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
West	Single-family Residential/Commercial	RSF-4, Residential Single-family, 4 Units per Acre

City Plan 2040 Future Land Use Designation: **Residential Neighborhood.**

Proposal: The applicant requests conditional use permit approval to use the property as a Type 2 short-term rental, which are those not occupied by a permanent resident. Type 2 short-term

rentals are subject to density limitations, including a citywide cap of 475 units, and restrictions on the number of units that may be used as a short-term rental in multi-family dwelling complexes.

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

RECOMMENDATION: Staff recommends approval of **CUP-2024-0051**, with the following conditions;

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds the proposed short-term rental to be compatible with the neighborhood based on the findings in this report;*
2. Approval of the conditional use permit does not ensure approval of a business license application. The applicant must still be able to comply with all other applicable requirements in the development code.
3. Per §166.20, Expiration of Approved Plans and Permits, a business license must be obtained within 1 year of conditional use permit approval.
4. Occupancy shall be limited to a maximum of 6 guests, per the applicant'
5. Special events including, but not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars are prohibited from occurring in the short-term rental.
6. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.
7. All trash receptacles shall be screened from view of the right-of-way.
8. All outdoor lighting shall meet requirements as outlined in §176, Outdoor Lighting.
9. Any signage shall meet the requirements as outlined in §174, Signage.
10. Per Business Regulations §120.02(A), the owners of only short-term rentals shall be required to designate and register their landlord's representative into the Landlord's Representative Registry.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>January 27, 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. Procedures. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: The applicant has submitted a written application requesting a conditional use permit for a Type 2 short-term rental in the RSF-4 zoning district.

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

Finding: The applicant has paid the required filing fee.

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:

(a.) That it is empowered under the section of this chapter described in the application to grant the conditional use; and

Finding: The Planning Commission is empowered under Unified Development Code §118.01(E)(2) to grant the requested conditional use permit.

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

Finding: Staff finds that granting the requested conditional use is unlikely to negatively affect the public interest, given the applicable business license requirements including a required building safety inspection, and applicable density caps on Type 2 short-term rentals.

(c.) The Planning Commission shall certify:

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

Finding: There are specific rules governing Short-Term Rentals, as follows:

§163.18 - SHORT-TERM RENTALS

A. Residential Zoning Districts. Type 2 short-term rentals may be permitted as a conditional use in the following residential zoning districts: R-A, RSF-.5, RSF-1, RSF-2, RSF-4, RSF-7, RSF-8, RSF-18, RI-12, RI-U, RMF-6, RMF-12, RMF-18, RMF-24, RMF-40, NC. Short term rentals may be permitted by right or by conditional use in planned zoning districts subject to the zoning regulations enacted by the City Council for each district. Short-term rentals in non-residential zoning districts, mixed use zoning districts, or other zoning districts not listed above are not required to apply for a conditional use permit.

Finding: The request is to operate a Type 2 Short-Term Rental, Use Unit 46, in RSF-4 zoning which requires a conditional use permit.

B. Occupancy. Maximum of two (2) people per bedroom, plus two (2), for the entire unit when operated as a short-term rental.

Finding: Occupancy is limited as described in UDC §163.18(A)(3). The property contains a total of three bedrooms which would limit occupancy to a maximum of eight guests per ordinance. The applicant has indicated in their letter that they intend to limit occupancy further to a maximum of 6 guests.

C. Parking. Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.

Finding: Staff recommends parking is limited as described in UDC §163.18(A)(4). For single-family structures parking is required to be provided at a rate of one vehicle space per bedroom. According to the applicant, the structure has access to a large driveway that could likely accommodate up to six vehicles. Staff notes the 172.11 would limit the number of vehicles that could be parked outside to a maximum of 4. No on-street parking appears to be available on either N. Assembly Drive or N. Fallin Avenue, but given the amount of space on-site for parking, staff does not anticipate any issues.

D. Special events are not permitted in a short-term rental. Example of special events include, but are not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars.

Finding: The application letter suggests the property will comply with the City's regulations for a short-term rental. As a condition of approval, staff recommends a prohibition on special events.

E. Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle,

trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

Finding: The application is for use of the property at 617 N. Fallin Avenue. Staff recommends a condition confirming that no recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

F. Exceptions. Exceptions to the short-term rental standards, except proposals that would exceed the city-wide density maximum, may be granted by the Planning Commission as a conditional use permit.

Finding: Type 2 short-term rentals are subject to a citywide density cap at 475 business licenses. As of January 8, 2025, the City had issued 452 Type 2 short-term rental licenses. Granting a CUP for this location would entitle the applicant to apply for a business license, but does not guarantee its approval.

G. Short-term rentals must comply with all applicable codes under City Code §118.01 and successfully obtain a business license prior to operation.

Finding: This short-term rental would be subject to all codes in Business Regulations §118.01 that apply to Type 2 short-term rentals in residential zoning districts. Applicable business licensing requirements will be reviewed by staff and confirmed by the applicant at the time of licensing.

H. Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:

1. Adequate parking infrastructure;
2. Adequate adjoining or nearby streets for on-street parking;
3. Frequency or concentration of nearby licensed Type 2 short-term rentals - the property is located near 2% of the City's Type 2 short-term rentals;
4. Prior zoning or code violations; and
5. Proximity to public or private K-12 schools when the proposed property is within 1,000 feet of the school boundary line.

Finding: There appears to be adequate parking available to support the use of the property as a short-term rental based on the applicant's submittal. A maximum of four on-site parking spaces will be available for guests. City business records indicate that ten (10) other short-term rental units within a quarter-mile radius of the property that have an active Type 2 short-term rental business license. These properties are spread relatively evenly within this radius with no apparent clusters. Staff finds that the area could likely support an additional short-term rental. There are no zoning or code violations for this property.

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

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

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

Finding: A driveway with access onto N. Fallin Avenue is available to accommodate vehicular ingress and egress to the subject property. N. Fallin Avenue does not have sidewalks to facilitate pedestrian access. Staff finds the proposal will not adversely affect traffic flows considering the use of the property would be limited to a maximum of the applicant's stated six guests, which would not be out of character with use of the property for residential purposes.

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

Finding: Four on-site parking spaces are available on site. The short-term rental ordinance limits the number of guest vehicles to the maximum number of vehicles as allowed by the underlying zoning district.

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

Finding: The applicant proposes typical residential trash cart service rather than dumpster service. Staff recommends storage of the containers should be screened from public view when not at the curb for residential pick-up.

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

Finding: Utilities are currently available to the site, and the use as a short-term rental is not anticipated to impact the provision of utilities.

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

Finding: Staff recommends that residential carts be screened so that they are not visible from the public right-of-way.

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: Any proposed signage will be subject to Unified Development Code section 174 – Signs, and all the regulations therein.

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

Finding: Based on the applicant's submittal, the structure is meeting relevant setbacks.

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

Finding: Staff finds the use to be compatible with the surrounding properties. To the north, east, and south, the property is surrounded by single-family residential dwellings with a commercial property to the west. There appears to be adequate parking to accommodate the number of guests and staff does not anticipate any adverse traffic impacts with this request.

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

Finding: Staff finds the proposed use to be somewhat incompatible with the City's adopted land use, transportation, and other strategic plans since short-term rentals do not clearly support any of the goals identified in those plans. However, there are safeguards in place that limit how short-term rentals operate to ensure that the City can still meet those goals, including a citywide density cap of 475 units and restrictions on the number of units that may be used as a short-term rental in multi-family dwelling complexes.

BUDGET/STAFF IMPACT:

None

Attachments:

- Business Regulations
 - §118.01 Applicability
- Unified Development Code
 - §163.18 Type 2 Short-Term Rentals in Residential Zoning Districts
 - §161.07 District RSF-4, Residential Single-Family – Four (4) Units Per Acre
- Applicant Exhibits
 - Applicant Request Letter
 - Site Plan
 - Building Elevations
 - Building Floor Plan
- One Mile Map
- Close-Up Map
- Current Land Use Map
- STRs Within ¼ Mile Map

118.01 Applicability

- (E) *Short-Term Rentals.* A residential dwelling unit, portion of a dwelling unit, or bedroom within a residential dwelling unit, leased and/or rented to a guest(s), for a period of less than thirty consecutive (30) days.
- (1) *Short-Term Rental, Type 1.* A short-term rental where the principal use of the property remains as a full-time residence. The occupants or owner rent their primary residence as a short-term rental. A copy of the Homestead Tax Credit or long-term lease agreement for the subject property is required to be classified as a Type 1 rental. The occupant or owner must occupy the residence for nine (9) months of the year. Accessory dwelling units (ADUs) as defined in Unified Development Code Chapter 151 shall be considered a Type 1 short-term rental.
 - (2) *Short-Term Rental, Type 2.* A short-term rental that is not occupied by a permanent resident. The owner lists this property full-time as a short-term rental and has no intention of having permanent residents living in the property. A conditional use permit is required for a Type 2 short-term rental in a residential zoning district prior to the city issuing a business license.
 - (3) *License Required.* No dwelling unit in the city shall be used as a short-term rental unless:
 - (a) The owner of the dwelling unit or operator of the short-term rental possess a valid and current business license for the dwelling unit, and fully complies with all legal requirements and duties imposed herein with respect to each and every short-term rental; and
 - (b) The owner has designated an agent, where said agent fully complies with all legal requirements and duties imposed herein with respect to every short-term rental. The owner may serve as their own agent.
 - (c) The owner of the dwelling unit or operator of the short-term rental provides proof of a valid and current homeowners insurance rider policy which fully covers each unit when operated as short-term rental unit.
 - (4) A separate business license shall be required for each dwelling unit used as a short-term rental.
 - (5) Any change in ownership requires a new or amended business license.
 - (6) If any required contact information changes for the associated business license, the person to whom the license was issued shall immediately notify the Development Services Department in writing.
 - (7) *License Application.* The application for a business license shall include at minimum, the following information from applicants:
 - (a) The property owner's information including legal name, mailing address, immediate contact phone number, and immediate contact E-mail address.
 - (b) Information for the dwelling unit subject to the application, inclusive of the physical street address assigned by the city.
 - (c) The type and total number of dwelling units located on the lot of record containing the dwelling unit subject to the application.
 - (d) If the owner is not their own agent, the owner designated agent's information including legal name, mailing address, immediate contact phone number and immediate contact E-mail address.
 - (e) Documentation of approval of a life safety and egress inspection by the City Building Safety Division for the dwelling unit subject to the application.
 - (f) Proof of application for remittance of hotel, motel and restaurant tax to the City of Fayetteville, and verification that all sales, use, and hotel, motel and restaurant taxes are current.
 - (g) Any additional data as deemed necessary or desirable for permit approval by the Development Services Director.
 - (8) *License Renewals.* Business licenses for short-term rentals shall be renewed in accordance with Chapter 118 of the Business Regulations (Business Registry and Licenses).
 - (11) *Legal Duties of License Holders.* An owner possessing a short-term rental license shall comply at all times with the following requirements:
 - (a) *Occupancy.* Short-term rentals shall be subject to, and may not exceed, the occupancy limits approved with the business license.
 - (b) *Advertisements.* A short-term rental shall not be advertised if it violates occupancy, density, safety, and any of the other provisions of the Fayetteville Code. No short-term rental unit shall be advertised prior to having obtained a business license and the business license number shall be included in the advertisement listing.
 - (c) *Information and Posting.* Business licensees shall provide to guests and post conspicuously in the common area of the short-term rental unit the city phone number to report a safety complaint.
 - (10) *Owner or Agent Accessibility.* The property owner shall ensure that they or a designated agent are available at all times during guest occupancy, including nights and weekends, in order to facilitate

compliance with this section. For the purposes of these regulations, 'availability' means that the owner or agent is accessible by telephone, and, able to be physically present at the short-term rental within three (3) hours of being contacted.

- (11) *Guest Records.* The owner shall maintain summary guest registration records, which shall contain the actual dates of occupancy, total number of guests per party per stay, and the rate(s) charged, but shall not contain any personally identifiable information about guests. Such records shall be maintained for three (3) years and shall be provided to the City upon request.
- (12) *Health and Safety.* The owner shall ensure that each dwelling unit governed by this section complies with the applicable provisions of the Unified Development Code Chapter 173, Building Regulations.
- (13) *Criminal Activity.* The owner shall timely report any known or reasonably suspected criminal activity by a guest to the Fayetteville Police Department within twelve (12) hours maximum.
- (14) *Taxes and Fees.* Except for those instances in which a hosting platform bears the responsibility for collecting and remitting taxes and fees applicable to short-term rentals, the property owner shall timely remit in full Fayetteville Hotel, Motel and Restaurant tax and other applicable local, state, and federal taxes and city fees owed in connection with any short-term rental. The failure of a hosting platform to collect and remit taxes and fees shall not relieve an owner of the obligation to pay taxes and fees owed pursuant to this section.
- (15) *Authorization to Occupy, Use, and Operate.* Authorization to operate a short-term rental may be granted by the Development Services Director through the issuance of a City of Fayetteville Business Registry and License (Business License).
- (16) *Density For Type 2 Short-Term Rentals.* A city-wide density cap of 2% of all dwelling units in the Fayetteville city limits may be utilized as Type 2 rentals. Total dwelling units are determined from current United States Census Bureau and/or American Community Survey numbers, whichever number is higher. A conditional use permit may not permit:
 - (a) More Type 2 short-term rentals than what is allowed by the city-wide density cap. Type 2 short-term rentals in commercial and mixed-use zoning districts where hotel/motels are permitted by right shall not contribute to the city-wide density cap.
 - (b) More than 10% or a single unit whichever is greater; of total dwelling units as Type 2 rentals within a multi-family dwelling complex.
 - (c) Individual 2-, 3- and 4-family buildings that are owned by the same person or entity and are not a part of a multi-family complex shall have no more than one (1) Type 2 short-term rental unit per building complex.
 - (d) Where attached residential units are held separately through condominium association, horizontal property regime, fee simple, or similar ownership structure, no cap shall be applied to buildings with attached residential dwellings. Structures of attached residential dwellings where applicants seek more than 10% of total units for licensing as Type 2 rentals shall be evaluated by the Building Safety Director and/or Fire Marshal for adequate fire protection as defined by the adopted Arkansas Fire Prevention Code. Where inadequate fire protection is identified, improvements may be required prior to issuance of a business license.
- (17) *Suspension and Revocation.* If the Development Services Director has reason to believe that any of the grounds specified in §118.03(A) of the Fayetteville Code exist, or that any rental unit was rented for less than one (1) full night, or to more than one (1) part of guests for the same period of time, or otherwise failed to comply with all terms and conditions of this section, the Development Services Director may suspend or revoke the short-term rental's business license pursuant to the procedures detailed in §118.03 and in §118.04 of the Fayetteville Code.
- (18) Short-term rentals must comply with all applicable codes under Unified Development Code §163.18 and § 164.26 successfully obtain a business license prior to operation.

(Ord. No. 6427 , §§1(Exh. A), 2, 4-20-21; Ord. No. 6505 , §1(Exh. A), 11-16-21; Ord. No. 6521 , §§1, 2, 1-18-22; Ord. No. 6537 , §1(Exh. A), 2-15-22)

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
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(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.

City of Fayetteville, Arkansas
Conditional Use Permit

1. Payment made in full

2. Residential Single Family

Legal Description: PT S/2 LOT 3 FURTHER DESCRIBED FROM 2014-25229 AS: Part of the Southeast Quarter of the Southwest Quarter of Section Ten (10), Township Sixteen (16) North, Range Thirty (30) West of the Fifth Principal Meridian, Washington County, Arkansas, being more particularly described as follows: Commencing at the Northeast Corner of said 40 acre tract, said point being an existing iron in Rockwood Trail; thence S 00°21'22"W 524.00 feet (record South 520.3 feet) to an existing iron on the South line of Assembly Road for the True Point of Beginning; thence S 00°11'47"W 132.29 feet to an existing iron; thence N 87°18'00"W 92.01 feet to an existing iron; thence N 03°46'00"E 67.20 feet to a set 1/2" iron; thence N 82°06'31"W 86.47 feet to a set 1/2" iron; thence N 09°42'32"E 78.77 feet to a set 1/2" iron on the South line of Assembly Road; thence N 84°19'20"W 60.33 feet along the South line of said Assembly Road, the following bearings and distances; S 84°19'20"E 66.95 feet to an existing iron S 80°44'30" 34.39 feet to an existing iron; S71°42'42" feet to the Point of beginning, containing 0.44 acres, more or less.

Also known as 617 Fallin Ave, Ambrose Add, Lot 3, Fayetteville, Arkansas 72701.

3. a) The house is 5,000 square feet.

b) The house has 2 floors. On the first floor there is a large open-concept living room/dining room/kitchen, a primary suite with an attached bathroom, another bedroom, hall bathroom, and an entryway with a stairwell. On the second floor there is a large recreation room, three rooms (one of which has the utility closet), a second kitchen, and a bathroom that includes a laundry area. There are three (3) bedrooms and three (3) bathrooms in total. The exterior is dark brown. Please see the attached photos.

c) There is a large gravel driveway that is more like a small parking lot that includes about 6 off street parking spaces. See attached photos.

d) N/A

e) There are five (5) exterior lights: two on the front porch, two on the back deck, and one on the side porch.

f) The property will be used for short stays with up to six (6) people at a time. The noise level would be typical for any residential home, mainly television of which there are four (4).

g) To the front of the house there is a large gravel driveway and cottage-style garden. On the back of the house there is a nice-sized yard off the deck between the house and Assembly Drive. On the east side of the house, the yard wraps around and there are large privacy trees on the corner of Assembly Dr and Fallin Ave. To the west of the house, the yard continues for about another 50 ft, and is separated from Mission Blvd by a parking lot that serves the business to the west of the house. The aforementioned property to the west, on Mission Blvd, is home to an architectural firm, and is not a residence. Please see the attached pictures.

h) Trash and recycling will be in accordance with city pickup, using provided receptacles, which will be stored in the driveway behind the garden.

i) As the house is a corner lot, it is accessible from Assembly Drive and Fallin Avenue, however parking is accessed only from Fallin Ave. The house's guests will not impact the traffic as it will be used in a typical residential manner.

j) Using houses as short-term rentals is quite common in the area. It is a need for families visiting college students, prospective students, as well as traveling medical staff or people in need of care at facilities such as the Spero Clinic. The home will be well-cared for between each guest as there is a well-established local company that will be managing it as well as a cleaning company regularly maintaining the property.

4. The site plan drawn to scale of the property including structures dimensioned from the overhang to the property line, parking, driveway, and Master Street Plan right-of-way will be attached at the end of this document.
5. The preliminary floor plan drawn to scale showing walls, doors, windows and identification of activity areas will be attached at the end of this document.
6. A copy of the county parcel map from the Washington County Assessor's office website will be attached at the end of this document. The pictures show the subject property and all parcels within 200 feet.
7. The consent of ownership form signed by the property owner is attached as a separate document.

Please see images attached on the following pages.

Image Attachments

3. b) Elevations of all exterior sides of the structure



3. c) Parking description



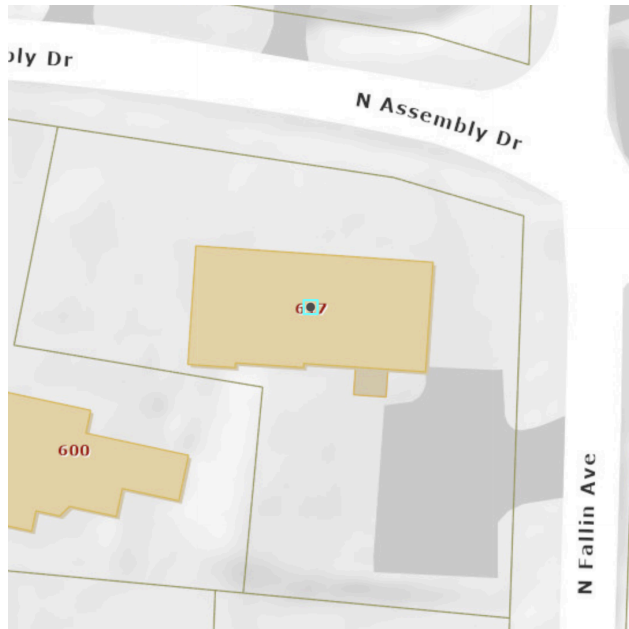
3. g) Screening or buffering from adjacent properties



3. i) Ingress and egress to the property



4. Site plan and Copy of Right-of-Way from Master Street Plan



The property is zoned Residential Link Street. In accordance with the Master Street Plan, the driveway allows ample space for parking so as not to encroach into the street's right-of-way.

Residential Link Street - Design Service Volume: <4,000 vpd - Desired Operating Speed: 15-20 mph

The residential link street section is intended to be the standard in neighborhoods and low-volume areas outside of the downtown. Generous greenspace and a comfortable sidewalk are coupled with on-street parking to create a safe environment for all modes and abilities. Most residential link streets will have a design service volume <1,500 vpd allowing bicycles to intermix with traffic safely. On-street protected bike facilities should be considered where traffic volumes or speeds exceed thresholds for all ages and abilities. Residential links should be designed and proposed meeting block length, connectivity, and access management codes. Storm drainage infrastructure should have adequate depth or be offset to avoid conflicts with street tree plantings. Low-Impact Development (LID) features in green spaces are recommended best practices to incorporate alternative stormwater treatment techniques.

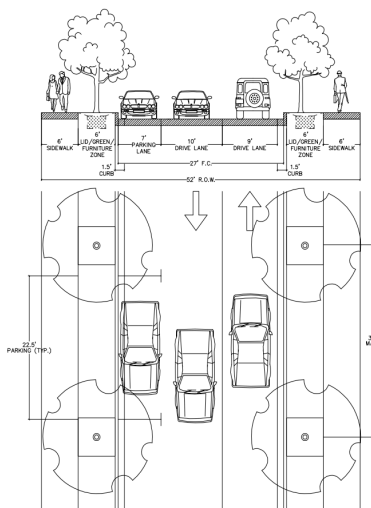


Figure 12.8 - Residential Link Street

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

- An additional 2-ft frontage zone where buildings abut right-of-way. This may be accomplished with setbacks or additional right-of-way.
- Streets planned with on street bike facilities as shown on the Active Transportation Plan, shall accommodate one 10-ft sidewalk, as determined by the Zoning and Development Administrator, by increasing right-of-way by 4-ft.

Alternative design elements may be approved administratively and include:

- Removal of the 7-ft parking lane will be considered when adequate parking is provided elsewhere.

Minimum Right-of-Way: 45-feet
Maximum Right-of-Way: 52-feet

5. Pictures of floor plan

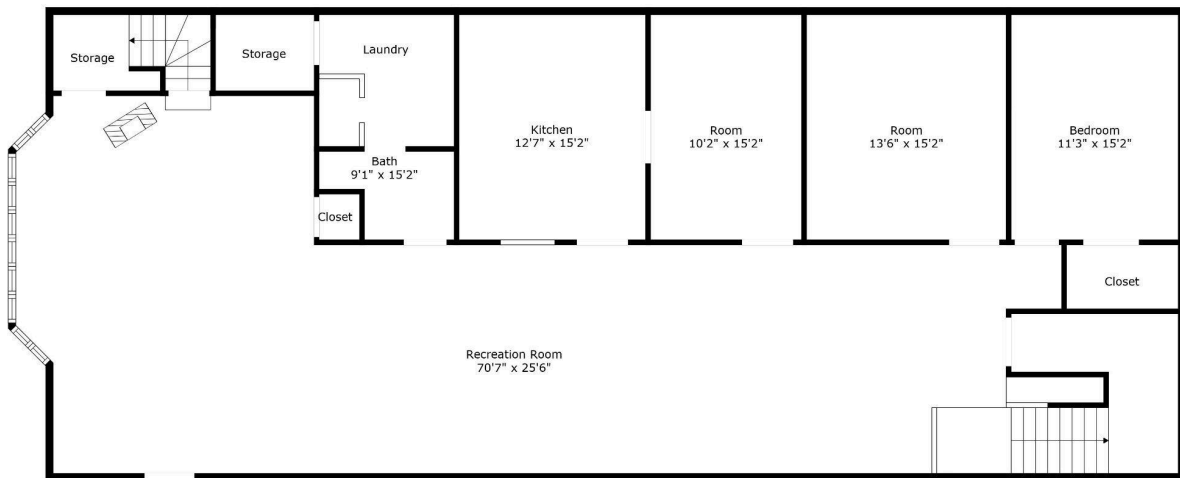
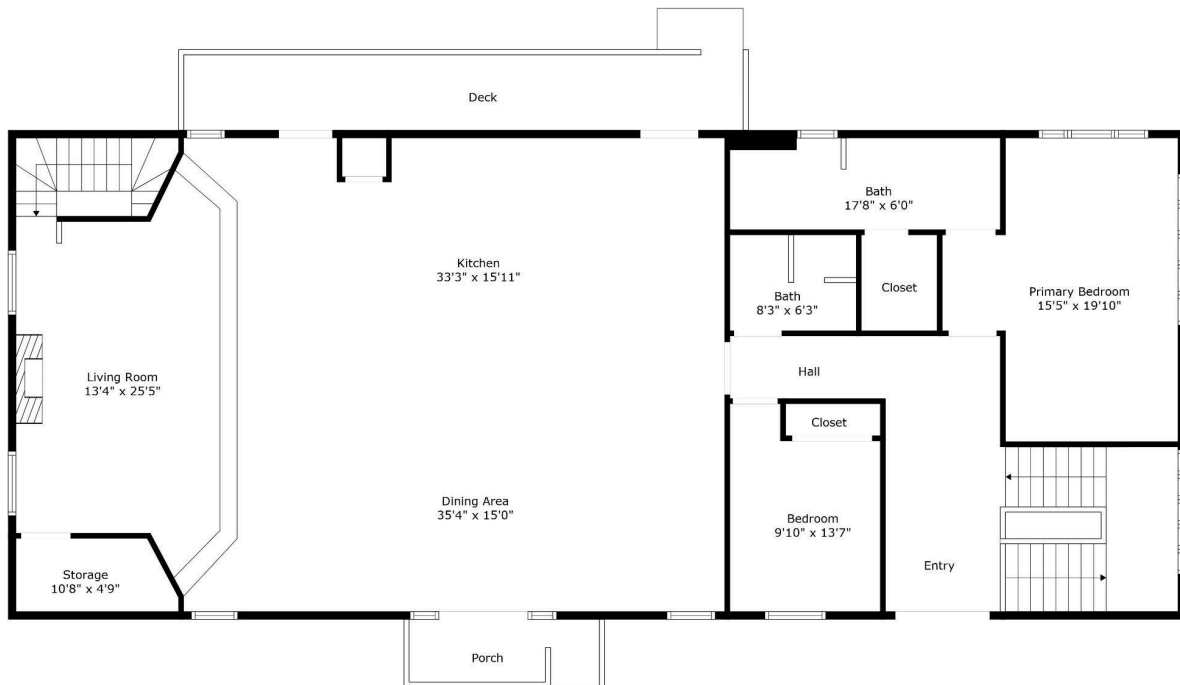


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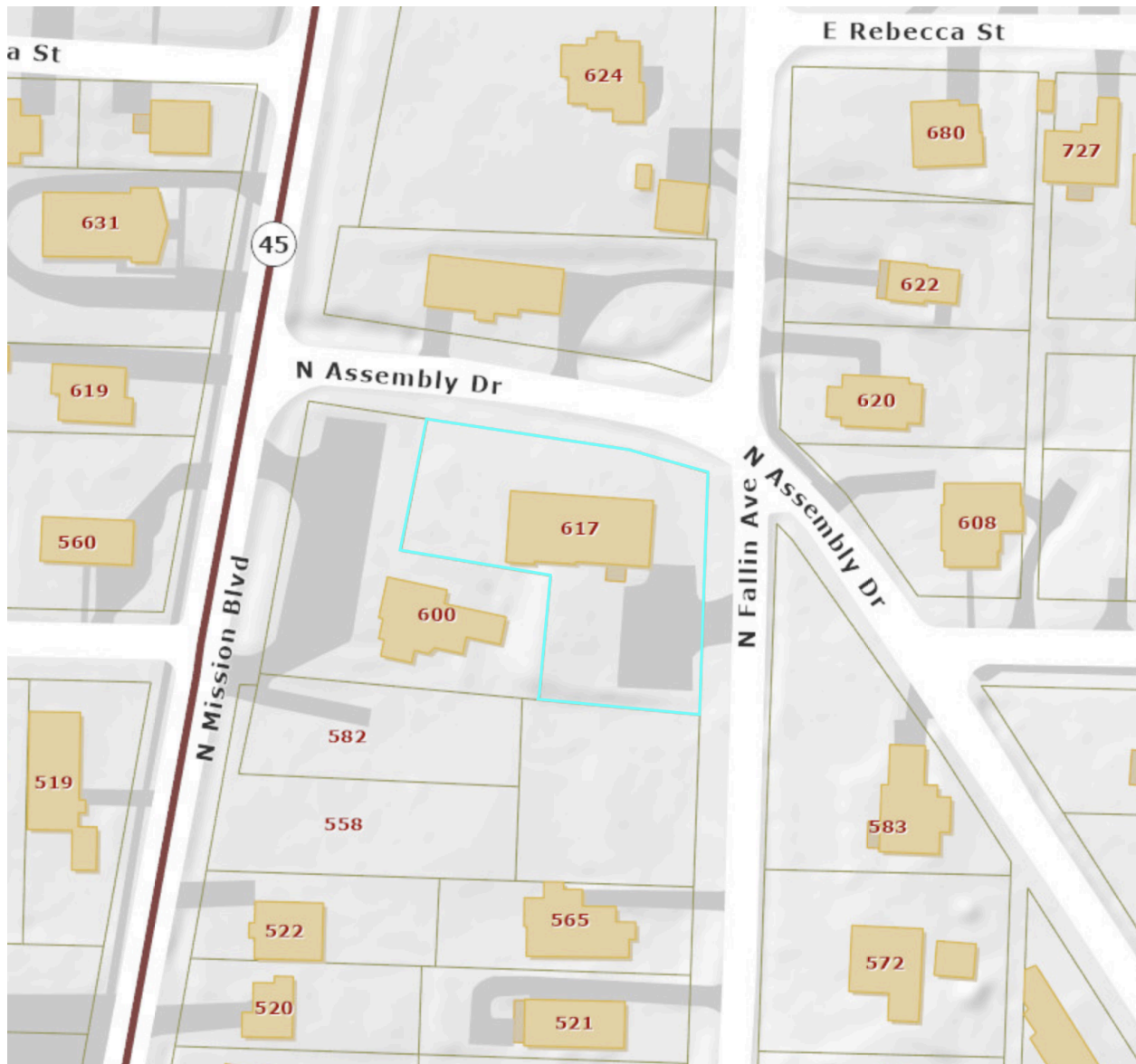
5. Pictures of floor plan cont.



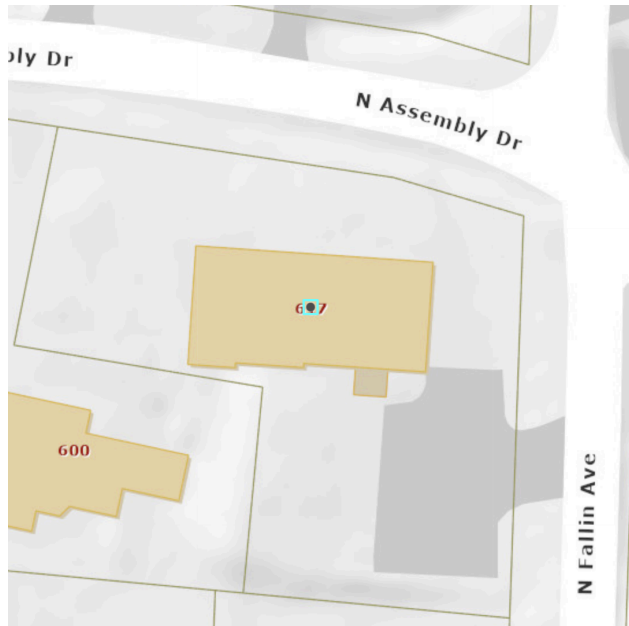
5. Floor plan, to scale. First floor, top. Second floor, bottom.



6. County Parcel Map – Parcels within 200 ft



Site plan and Copy of Right-of-Way from Master Street Plan



The property is zoned Residential Link Street. In accordance with the Master Street Plan, the driveway allows ample space for parking so as not to encroach into the street's right-of-way.

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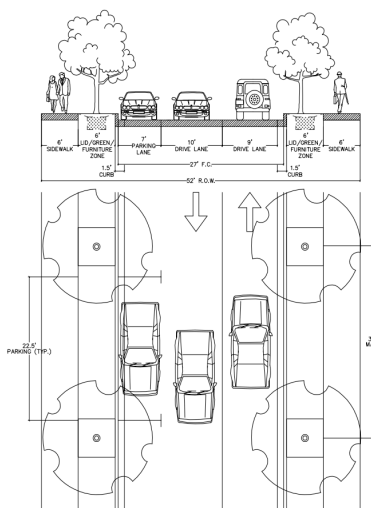


Figure 12.8 - Residential Link Street

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- An additional 2-ft frontage zone where buildings abut right-of-way. This may be accomplished with setbacks or additional right-of-way.
- Streets planned with on street bike facilities as shown on the Active Transportation Plan, shall accommodate one 10-ft sidewalk, as determined by the Zoning and Development Administrator, by increasing right-of-way by 4-ft.

Alternative design elements may be approved administratively and include:

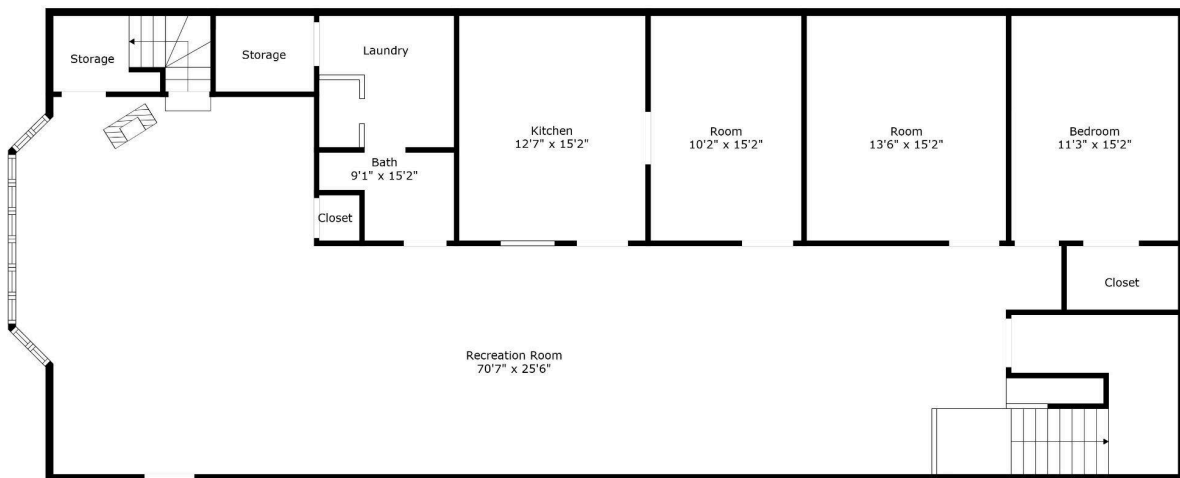
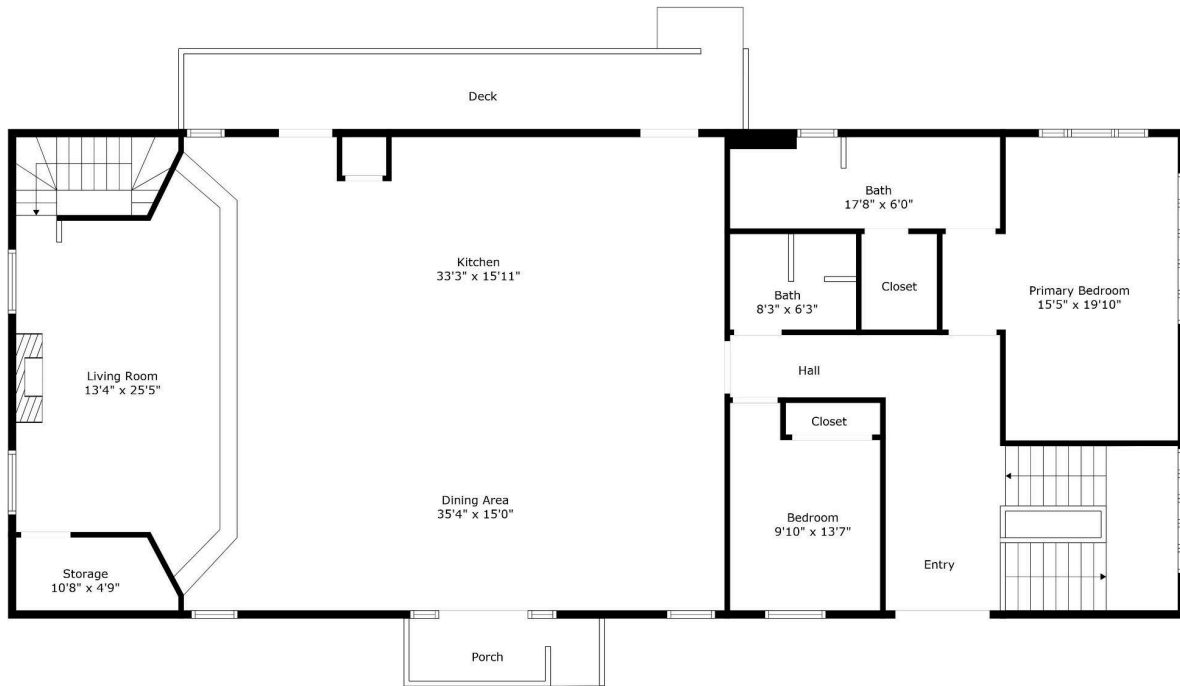
- Removal of the 7-ft parking lane will be considered when adequate parking is provided elsewhere.

Minimum Right-of-Way: 45-feet
Maximum Right-of-Way: 52-feet

Elevations of all exterior sides of the structure



Floor plan, to scale – First floor, top. Second floor, bottom.



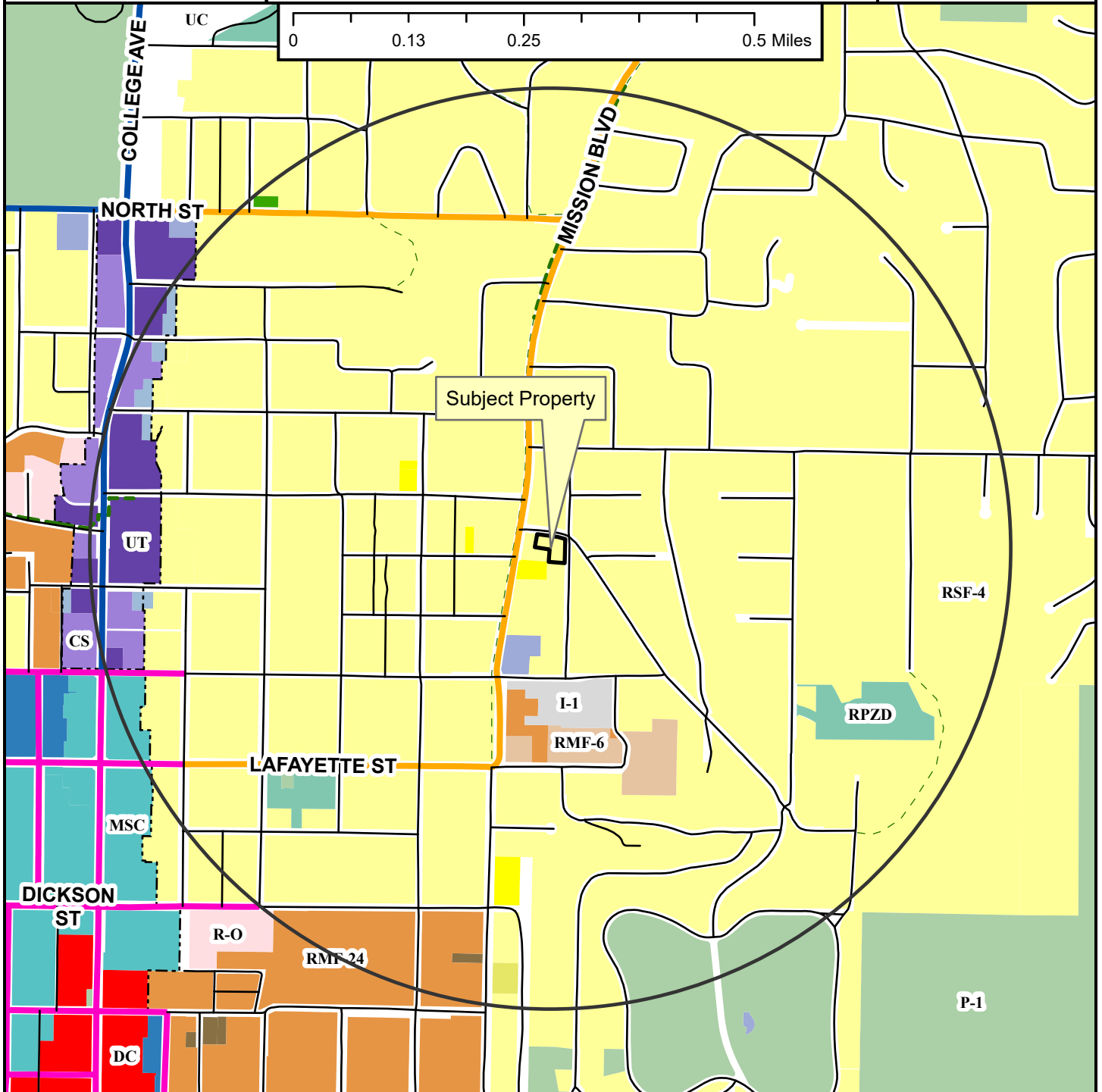
CUP-2024-0051

617 N. FALLIN AVE

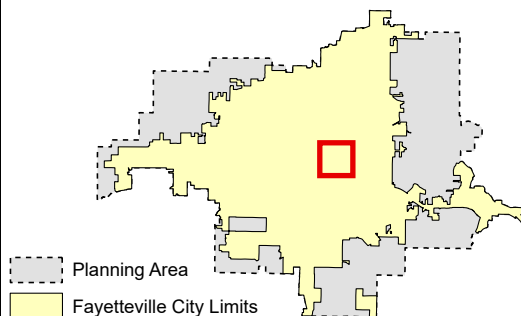
One Mile View



0 0.13 0.25 0.5 Miles



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

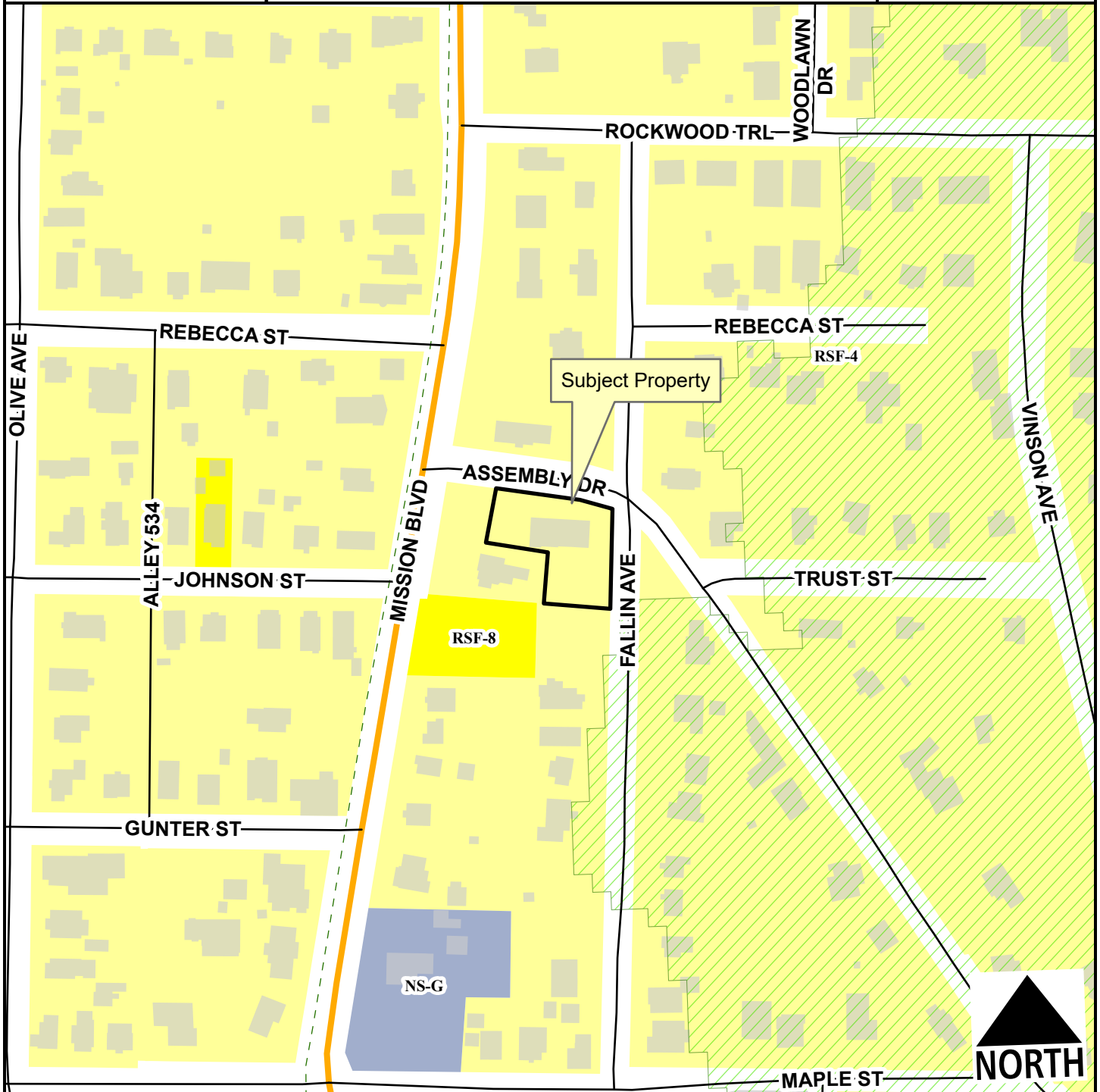


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
 - NS-G
 - RI-U
 - RI-12
 - NS-L
 - Residential-Agricultural
 - RSF-5
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
 - RESIDENTIAL MULTI-FAMILY**
 - RMF-6
 - RMF-12
 - RMF-13
 - RMF-24
 - RMF-40
 - INDUSTRIAL**
 - I-1 Heavy Commercial and Light Industrial
 - 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

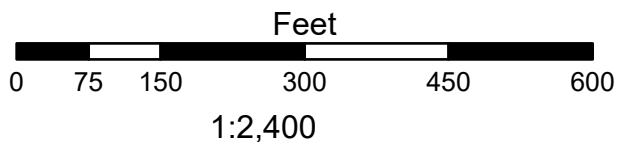
CUP-2024-0051

617 N. FALLIN AVE

Close Up View



- Neighborhood Link
- Alley
- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)

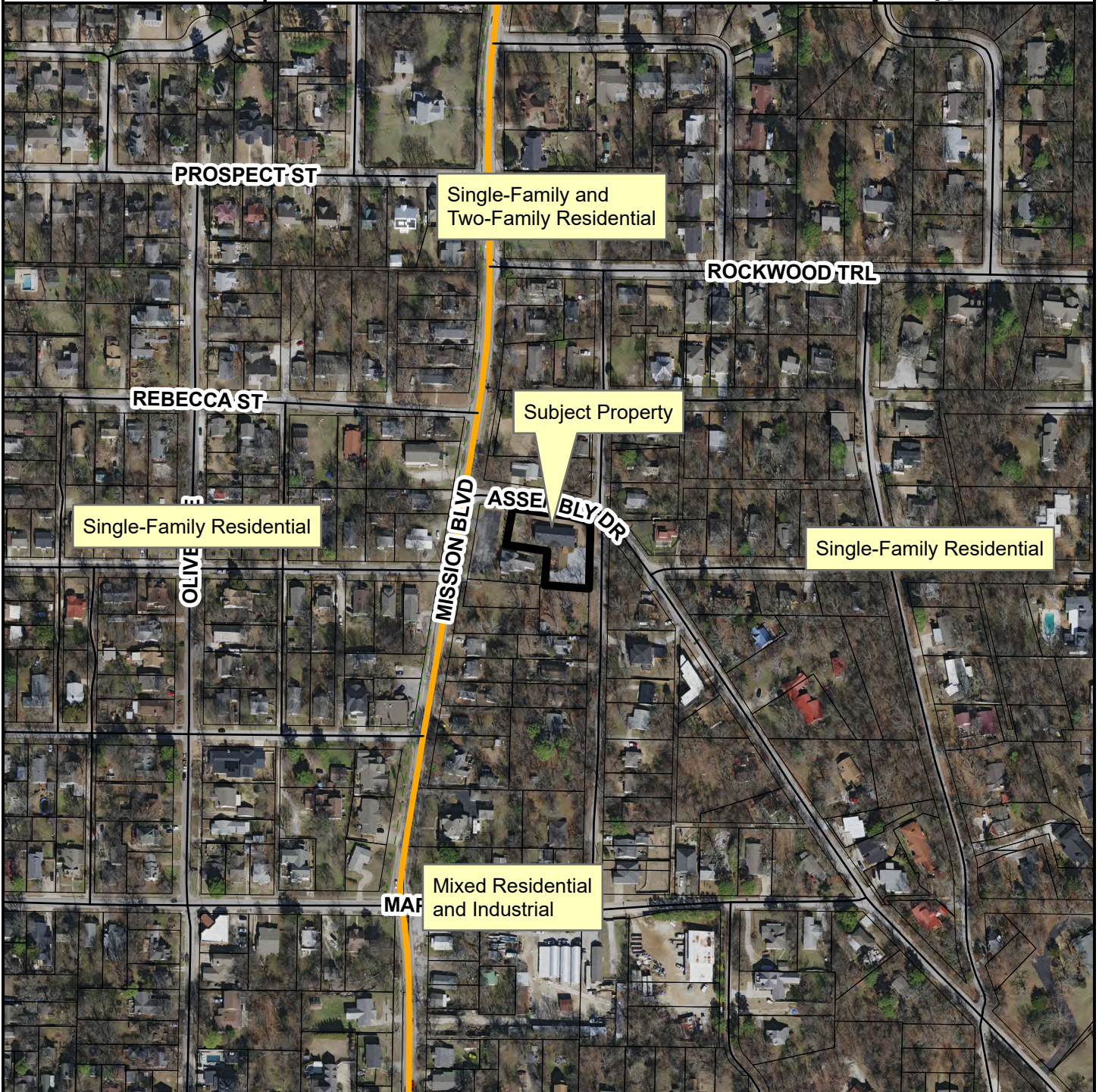


- RSF-4
- RSF-8
- I-1 Heavy Commercial and Light Industrial
- Neighborhood Services - Gen.

CUP-2024-0051

617 N. FALLIN AVE

Current Land Use



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



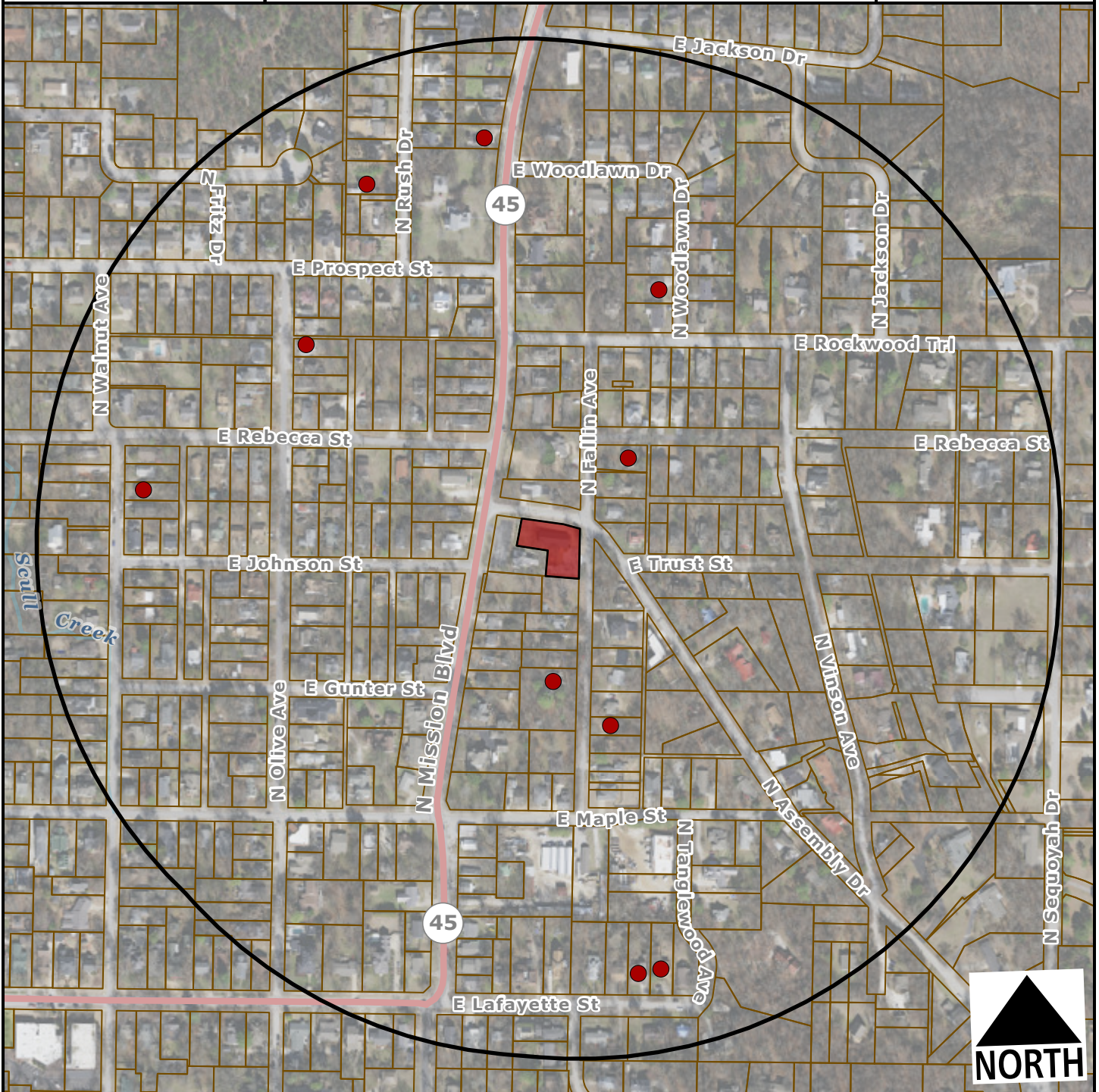
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

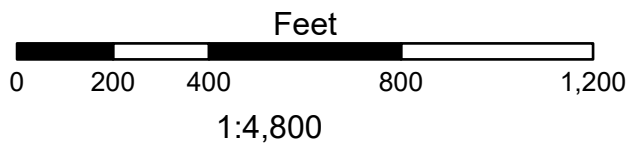
CUP-2024-0051

617 N. FALLIN AVE

STRs Within 1/4 Mile



-  Subject Property
-  Short Term Rental, Type 2



Within 1/4 Mile

Type 2 STRs: 10

Occupiable
Residential
Addresses
(Estimated
Housing Units): 402



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: January 27, 2025

SUBJECT: **CUP-2024-0050: Conditional Use Permit (S. BLACK OAK ROAD/BRIGHT INVESTMENTS LLC, 682):** Submitted by TOTAL ENVIRONMENTAL for property located on S. BLACK OAK ROAD. The property is zoned I-2, GENERAL INDUSTRIAL and contains approximately 19.94 acres. The request is for a trailer storage and drop lot.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0050** with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0050** with conditions, determining:*

- In favor of compatibility with adjacent properties, and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is situated just within city limits, approximately a tenth of a mile west of Black Oak Road on the south side of Fayetteville. It consists of a 19.94-acre undeveloped parcel which is mostly covered by mature tree canopy. A small area in the northeast corner contains hydric soils. To the east, the property is adjacent to land owned by the City of Fayetteville, and to the north, it is bordered by undeveloped city right-of-way. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Industrial	I-2, General Industrial
South	Undeveloped	AG/SF-1, Agricultural/Single-Family Residential, One Unit per Acre (Washington County)
East	Undeveloped	I-2, General Industrial
West	Undeveloped	I-2, General Industrial

City Plan 2040 Future Land Use Designation: Industrial Area

Proposal: The applicant requests a conditional use permit to designate a five-acre portion of the property as a drop lot or storage area for van trailers related to a recycling business, Total Environmental. The applicant has indicated that this use will be temporary, with plans to eventually build a 100,000-square-foot warehouse on the property.

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

RECOMMENDATION: Staff recommends approval of **CUP-2024-0050** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility for a temporary drop lot (Use Unit 2: City-Wide Uses by Conditional Use Permit) in I-2 zoning.** *Staff finds the proposed drop lot to be compatible for the reasons outlined in this report;*
2. The proposed drop lot shall be completely surrounded by a view obscuring fence;
3. Any signage shall meet the requirements outlined in UDC Chapter 174, Signs;
4. Outdoor lighting on this property shall comply with UDC Chapter 176, Outdoor Lighting;
5. Prior to the issuance of any permits necessary for this project, a city business license must be obtained;
6. Approval of this conditional use permit does not constitute approval of a development application. The conditional use permit grants the applicant the right to submit a development proposal based on the plans described herein. However, the applicant must meet all other development requirements, including but not limited to, tree preservation, drainage, utilities, and Fire Department access. These requirements will be reviewed with the subsequent development application. The final project design shall adhere to the general description of the use provided in this report.
7. Approval of this conditional use permit will expire one year from the date of approval in accordance with UDC §166.20, Expiration of Approved Plans and Permits.

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>January 27, 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. Procedures. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: **The applicant has submitted a written application requesting conditional use approval for a temporary drop lot. Temporary commercial uses like this are classified as Use Unit 2: City-Wide Uses by Conditional Use Permit. Use Unit 2 is allowed throughout the city, provided a conditional use permit is approved.**

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

Finding: **The applicant has paid the required filing fee.**

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

Finding: **The Planning Commission is empowered under Unified Development Code §161.31 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 is not likely to adversely affect the public interest. The property is situated in an industrial area far away from residential uses, so potential impacts on local residents would be minimal. The site of the proposed drop lot is largely buffered by undeveloped and heavily wooded areas, which provide a natural screen that further reduces the visibility of the lot from adjacent properties and public right-of-way.**

- (c.) The Planning Commission shall certify:
 - (1.) Compliance with the specific rules governing individual conditional uses; and

Finding: **There are no specific rules governing temporary commercial uses like this.**

(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: Ingress and egress to the drop lot is proposed through the adjacent property to the north, which is under the same ownership, via a shared private driveway leading to Armstrong Avenue. A large scale development for a warehouse on that adjacent property was recently approved by the Planning Commission, but cross access was not provided with that project (LSD-2022-0040). Staff recommends that the applicant work with the property owner to modify the plans for the adjacent warehouse project, if needed, to allow access to the proposed drop lot, or find an alternative route to a public street.

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

Finding: No substantial economic, noise, glare, or odor effects on adjoining properties are anticipated with the proposed use. To reduce the visual impact of the drop lot, staff recommends a condition requiring that it be completely surrounded by a view obscuring fence. Compliance with landscaping, screening, and tree preservation requirements will be fully evaluated at the time of development review.

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

Finding: The applicant has not provided details regarding refuse and service areas. If trash collection is needed, trash service and access will be determined during the development review process.

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

Finding: No development is currently proposed on the subject property where water and sewer services are necessary. Adequacy of existing infrastructure will be evaluated at the time of future development.

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

Finding: Landscape screening and buffering is required in accordance with UDC Chapter 177, Landscape Regulations. To reduce the visual impact of the drop

lot, staff recommends a condition requiring that it be completely surrounded by a view obscuring fence.

- (f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: All signage shall be reviewed separately in accordance with UDC Chapter 174, Signs.

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

Finding: No structures are proposed with this conditional use permit.

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

Finding: Staff finds the proposed drop lot to be compatible with adjacent properties and other properties in the district due to its industrial nature and its location in an established industrial area. The property is not near residential areas, so potential conflicts with nearby homes are minimal. Additionally, the property is largely surrounded by undeveloped and heavily wooded land, further buffering the proposed use from developed properties and public streets. Staff finds that the drop lot will remain consistent with the industrial character of the surrounding area and allow the applicant to make use of the property while they work to develop plans to build a permanent warehouse for their recycling business there.

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

Finding: City Plan 2040's Future Land Use Map designates the subject property as Industrial Area, and one of the guiding policies of those areas is to encourage the concentration of industrial uses within the city's existing industrial park. Staff finds that the proposed use is generally compatible with the goals and intent of City Plan 2040, since it would allow an undeveloped property in the city's industrial park to be utilized for industrial purposes.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.31 District I-2, General Industrial
- Applicant Request Letter
- Applicant Exhibit
- One Mile Map
- Close-Up Map
- Current Land Use Map

161.31 District I-2, General Industrial

(A) *Purpose.* The General Industrial District is designed to provide areas for manufacturing and industrial activities which may give rise to substantial environment nuisances, which are objectionable to residential and business use.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 5	Government Facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 13	Eating places
Unit 16	Shopping goods
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 20	Commercial recreation, large sites
Unit 21	Warehousing and wholesale
Unit 22	Manufacturing
Unit 23	Heavy industrial
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 42	Clean technologies
Unit 43	Animal boarding and training
Unit 46	Short-term rentals
Unit 47	Data centers

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 31	Facilities emitting odors and facilities handling explosives.
Unit 36	Wireless communications facilities
Unit 38	Mini-storage Units
Unit 39	Auto salvage and junk yards

(C) *Density.* None.

(D) *Bulk and area regulations.* None.

(E) *Setback Regulations.*

Front, when adjoining A or R districts	100 feet
Front, when adjoining C, I or P districts	50 feet
Side, when adjoining A or R districts	50 feet
Side, when adjoining C, I or P districts	25 feet
Rear	25 feet

(F) *Height Regulations.* There shall be no maximum height limits in I-2 Districts, provided, however, that if a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* None.



FAYETTEVILLE • BENTONVILLE • OKLAHOMA CITY

Phone 479-301-6221

12-11-2024

Gretchen Harrison

Senior Planner
125 West Mountain Street
Fayetteville, AR 72701

Total Environmental is requesting a conditional Use on APN: 765-19957-000.

We propose to use 5 acres for a van trailer drop lot. We would clear off the 5 acres. Then gravel and fence around the lot. There would be a gate to the main lot. The easement will be coming into the northeast side of the property. The future plan is to build a 100,000 square foot warehouse on the same parcel for a multi-purpose recycling facility. We will meet all the requirements needed to get this going as soon as possible to start drop Van trailers on the property. If you have any questions, please give me a call or email.

Ed.mount@totaleen.net

479-301-6221

Sincerely,

Ed Mount

Darrell Prater

P.O. Box 1970 Lowell, AR 72745



FAYETTEVILLE • BENTONVILLE • OKLAHOMA CITY

Phone 479-301-6221

1-21-2025

Attached in EX #1 is a survey that outlines the proposed 5 acres to clear for the drop lot. With the rest of the property being undisturbed for the time being.

Attached in EX #2 is the proposed easement granted by the landowner. We would be turning right off Armstrong Avenue into Army shipping and receiving driveway. Then drive behind the Superior building that is being built into the 5 acre lot. We would have anywhere from 20 to 50 trailers dropped on the lot at any given time.

Ed Mount

P.O. Box 1970 Lowell, AR 72745

EX #1

MISCELLANEOUS NOTES

STATE RECORDING NUMBER:
500-16N-30W-4-28-34-67-2-1920
COMPLETED FIELD WORK:
AUGUST 16, 2024

REFERENCE DOCUMENTS:
1. SPECIAL WARRANTY DEED FILED IN DEED 2014-40022896.
2. SURVEY PLAT FILED IN PLAT BOOK 14 AT PAGE 26.
3. SURVEY PLAT FILED IN PLAT 2017-00031837.
4. SURVEY PLAT FILED IN PLAT 5298054 (ARJLS).

BASIS OF BEARING:
THE BASIS OF BEARING OF THIS SURVEY IS GRID NORTH, BASED ON ARKANSAS STATE PLANE COORDINATE SYSTEM NORTH ZONE NAD83, FOR CLARITY.

SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY.

DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY COULD BE SUBJECT TO THE EFFECT OF ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SURVEYED LAND OR ANY PART THEREOF: RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS OR OTHER LAND USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

THE TERM "CERTIFY" OR "CERTIFICATION" AND "CORRECT" AS NOTED HEREON AND AS IT PERTAINS TO LAND SURVEYING SHALL BE CONSIDERED TO BE A STATEMENT OF THE PROFESSIONAL LAND SURVEYOR BASED ON THE FACTS AND THE BELIEF EXISTING AT THE TIME OF THE SURVEY. IT IS NOT A GUARANTEE OR WARRANTY, EITHER IMPLIED OR EXPRESSED.

ZONING INFORMATION

CURRENT ZONING: I-2, GENERAL INDUSTRIAL

SETBACK REQUIREMENTS:
FRONT - 100' WHEN ADJOINING A OR P DISTRICTS;
SIDE - 50' WHEN ADJOINING C, I OR P DISTRICTS;
WHEN ADJOINING C, I OR P DISTRICTS;
REAR - 25'

LAND AREA

870,250 ± SQUARE FEET
19,978 ± ACRES

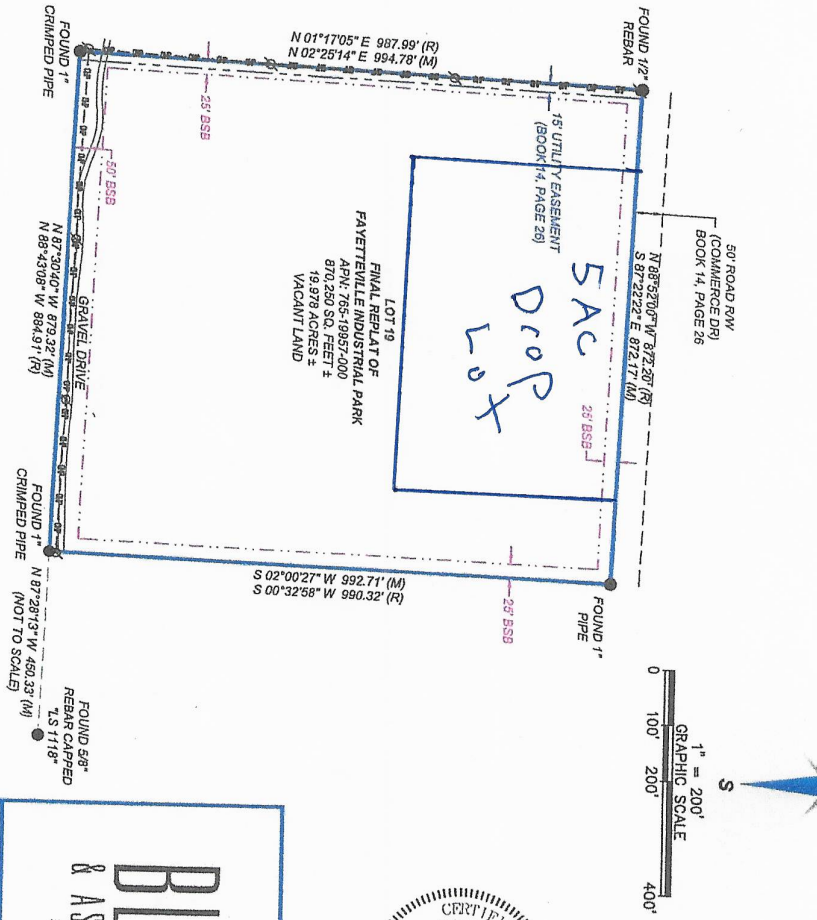
UTILITY INFORMATION

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH RECORDING PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.

SURVEY DESCRIPTION

LOTS NINETEEN (19) OF THE FINAL REPLAT OF FAYETTEVILLE INDUSTRIAL PARK IN THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS.

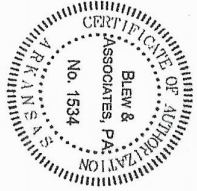
LOT 19, FINAL REPLAT OF FAYETTEVILLE INDUSTRIAL PARK
WASHINGTON COUNTY, ARKANSAS



LEGEND & SYMBOLS

- FOUND MONUMENT (AS NOTED)
- POWER POLE
- (M) MEASURED/CALCULATED DIMENSION
- (R) RECORD DIMENSION
- BOUNDARY LINE
- EASEMENT LINE
- OVERHEAD POWER LINE
- SETBACK LINE (BSB)

I, CLAYTON H. WICKELYN, PROFESSIONAL SURVEYOR NO. 1928, IN THE STATE OF ARKANSAS, DO HEREBY CERTIFY THAT THE ABOVE IS TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 21ST DAY OF AUGUST, 2024.



IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL, AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT CERTAIN INFORMATION HAS BEEN ALTERED. THE ABOVE DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

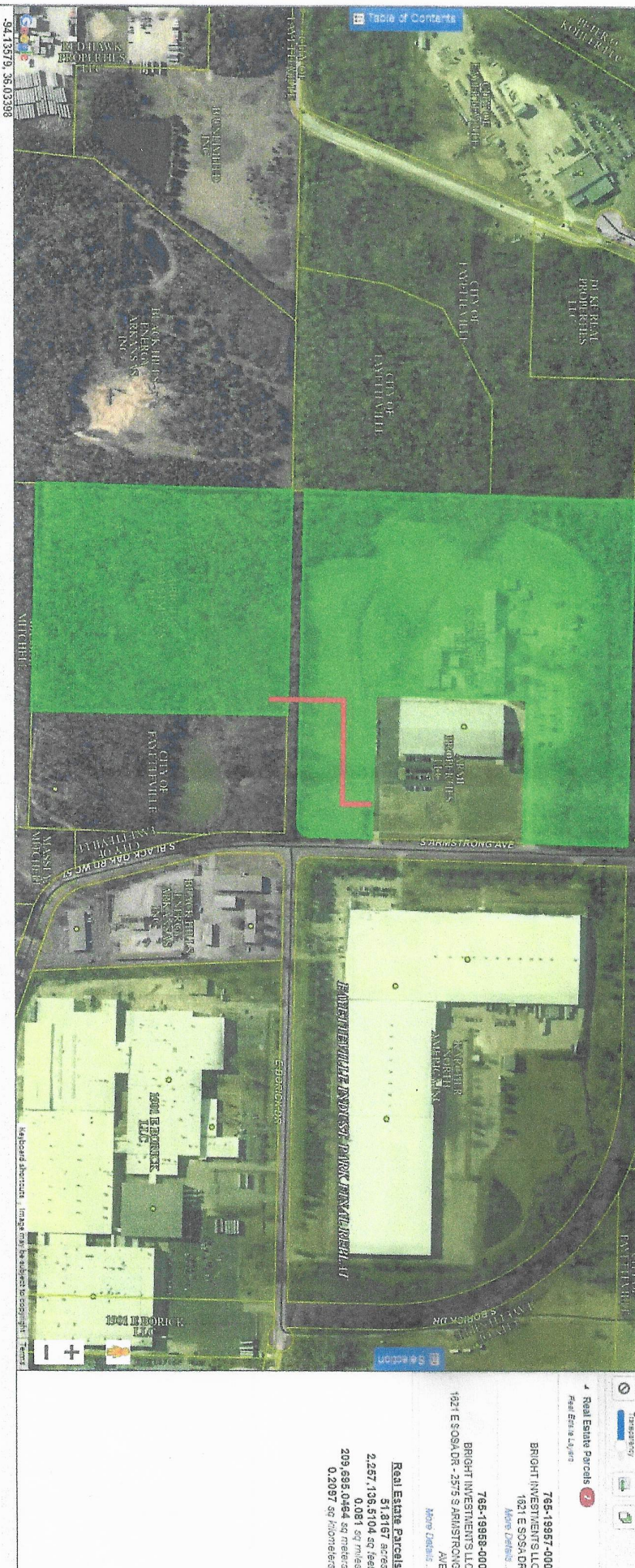
BLEW & ASSOCIATES, P.A.

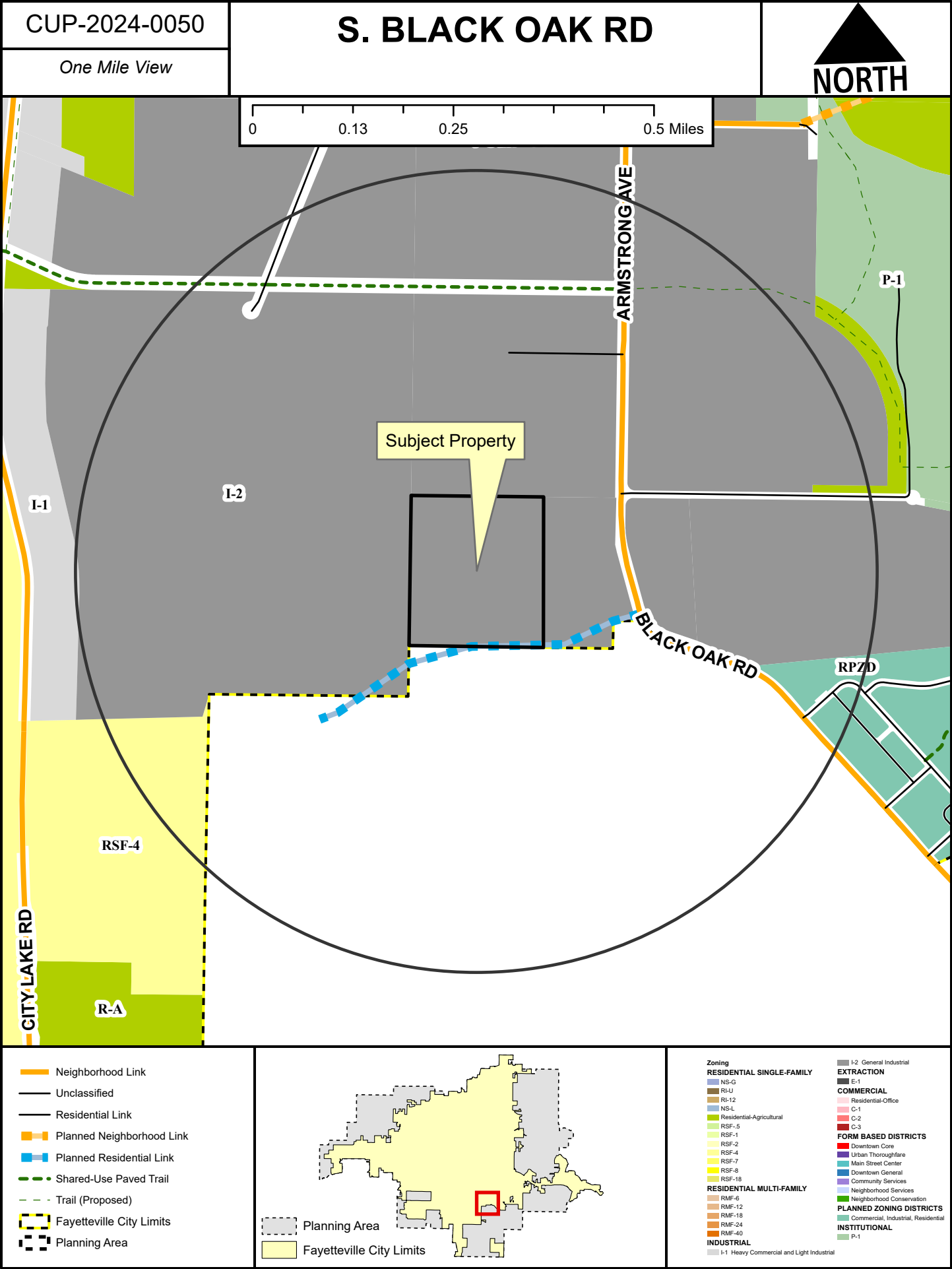
Surveying
Engineering
Mapping

3825 N. SHILOH DRIVE - FAYETTEVILLE, AR 72703
OFFICE: 479.443.4506 - FAX: 479.582.1893
SURVEY@BLEWNC.COM
WWW.BLEWNC.COM

SURVEYOR JOB NUMBER: 24-0275	SURVEY DRAWN BY: AMC - 08/21/2024
SURVEY REVIEWED BY: TPN	SCALE: 1" = 200'
FOR THE USE AND BENEFIT OF: BRIGHT INVESTMENTS	

EX # 2





CUP-2024-0050

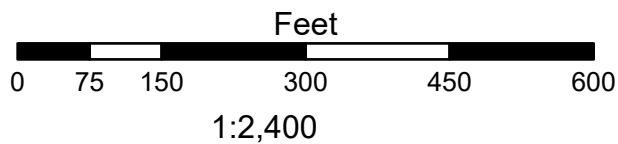
S. BLACK OAK RD

Close Up View

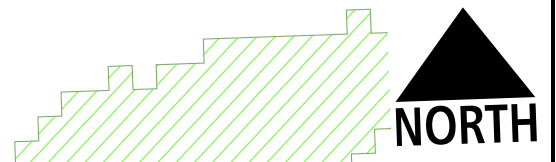
I-2

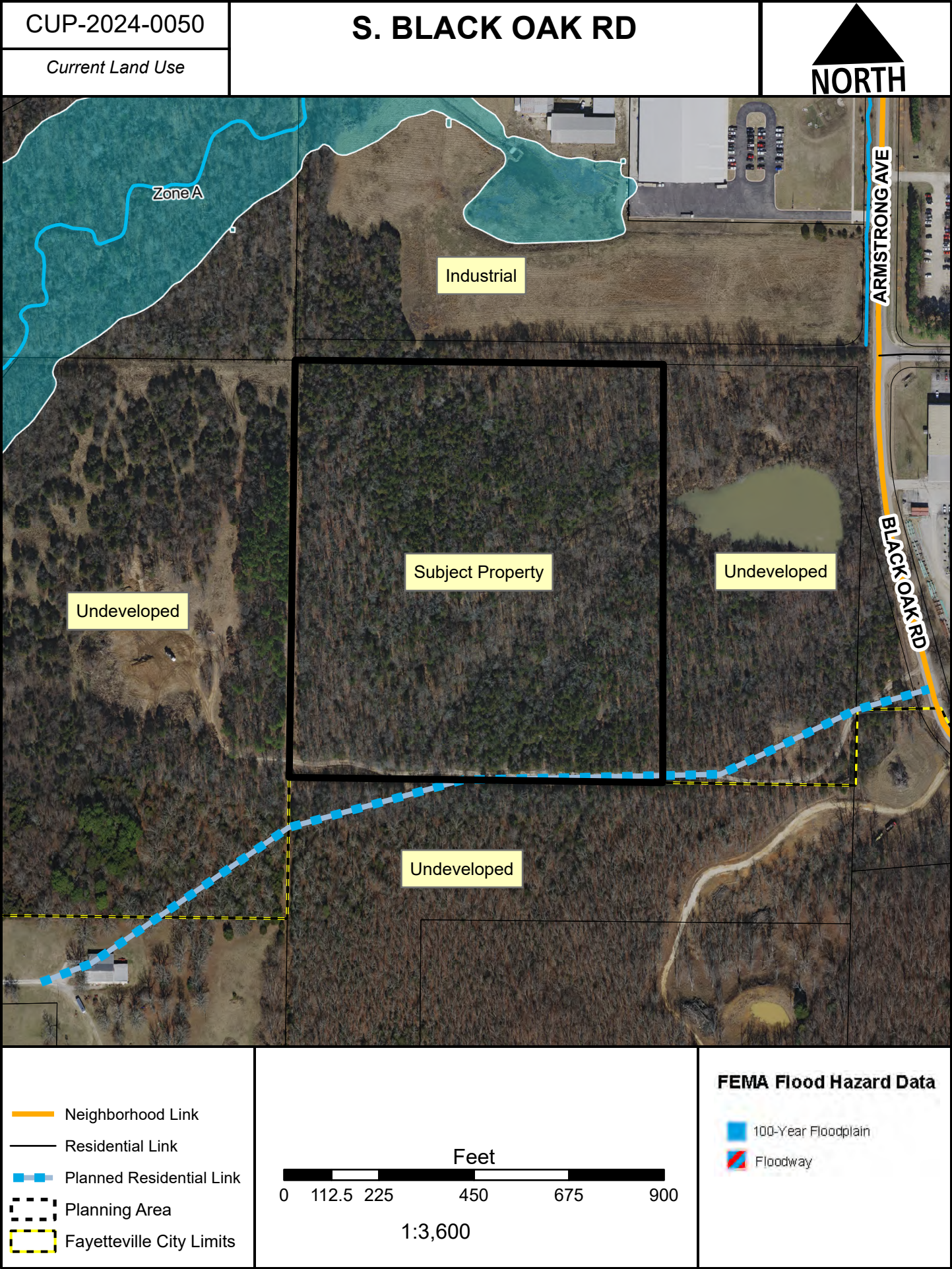
Subject Property

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



 I-2 General Industrial







TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: January 27, 2025

SUBJECT: **CUP-2024-0052: Conditional Use Permit (764 N. RUPPLE RD./MEADOWVIEW OF FAYETTEVILLE, 439):** Submitted by CR CRAWFORD CONSTRUCTION for property located at 764 N. RUPPLE RD. The property is zoned NS-L, NEIGHBORHOOD SERVICES – LIMITED and contains approximately 5.01 acres. The request is for temporary off-site construction parking and storage.

RECOMMENDATION:

Staff recommends approval of **CUP-2024-0052** with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2024-0052** with conditions, determining:*

- In favor of compatibility with adjacent properties, and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located in west Fayetteville about a quarter of a mile south of Wedington Drive on the east side of Ruppel Road. Totalling 5.01 acres, the property is largely undeveloped with the exception of a few driveways and parking areas. The property is zoned NS-L, Neighborhood Services – Limited and falls within the Wedington Corridor Plan area. The property also contains hydric soils. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Mixed Use	NS-L, Neighborhood Services – Limited; R-A, Residential – Agricultural
South	Undeveloped	P-1, Institutional
East	Undeveloped	NS-L, Neighborhood Services – Limited
West	Single-Family Residential	RPZD, Residential Planned Zoning District

City Plan 2040 Future Land Use Designation: Residential Neighborhood Area

Proposal: The applicant is seeking a conditional use permit to temporarily use an undeveloped property next to an active construction site for off-site construction parking and storage. This type of temporary facility falls under Use Unit 2: City-Wide Uses by Conditional Use Permit, which is allowed as a conditional use in the underlying NS-L zoning district.

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

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

Conditions of Approval:

1. **Planning Commission determination of compatibility for temporary off-site construction parking and storage (Use Unit 2: City-Wide Uses by Conditional Use Permit) in NS-L zoning.** *Staff finds the proposed use to be compatible for the reasons outlined in this report;*
2. 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; and
3. The proposed use must cease before a Certificate of Occupancy is issued for the associated development on the adjacent property.

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>January 27, 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. Procedures. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: The applicant has submitted a written application requesting conditional use approval for temporary off-site construction parking and storage. Temporary facilities like this fall under Use Unit 2: City-Wide Uses by Conditional Use Permit, which is allowed as a conditional use in the underlying NS-L zoning district.

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

Finding: The applicant has paid the required filing fee.

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

Finding: The Planning Commission is empowered under Unified Development Code §161.18 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 will not adversely affect the public interest since it is directly tied to a construction project on the adjacent property, and its duration is limited to the timeframe necessary to complete construction for that project. The temporary nature of the use ensures that it will not create long-term impacts on the surrounding area. Once construction is complete, the parking and storage area will no longer be required. Additionally, any extension or modification of this use will be subject to compliance with the Unified Development Code and potentially further review by the Planning Commission.

- (c.) The Planning Commission shall certify:
 - (1.) Compliance with the specific rules governing individual conditional uses; and

Finding: There are no specific rules governing temporary uses like this.

- (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 applicant indicated in their request letter that there will be no impacts to Ruppel Road with the requested conditional use. Construction vehicles and

equipment would be stored on the subject property for use on the adjacent property.

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

Finding: No substantial economic, noise, glare, or odor effects on adjoining properties are anticipated. The applicant indicated that the subject property will be used to accommodate roughly 30 parking spaces, with construction hours of operation between 7:00 a.m. and 7:00 p.m., and roughly 75 people on site daily. Given the temporary nature of the proposed use, staff does not recommend any screening.

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

Finding: N/A; the applicant has indicated that trash service is not necessary for the proposed use.

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

Finding: N/A; the proposed use does not require access to water or sewer. An existing 12-inch water main is present along the east side of Ruppel Road. Eight-inch water and sewer mains will be extended to the property being developed to the east.

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

Finding: Landscape screening and buffering is required in accordance with UDC Chapter 177, Landscape Regulations. Since the proposed use is temporary and associated with ongoing construction, staff does not recommend any screening for the proposed parking and storage area beyond what is required by city code.

- (f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: All signage, if any, shall be reviewed separately in accordance with UDC Chapter 174, Signs.

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

Finding: No structures are proposed with this conditional use permit.

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

Finding: Staff finds that the proposed use to be compatible with adjacent properties and others in the district, since most nearby properties are currently undeveloped. While there are some residential properties to the west, on the other side of Ruppel Road, the temporary nature of the proposed use and its direct association with a planned development means that it will not have a long-term impact on those residences. The construction-related activities will be confined to a limited period, and the buffer provided by the roadway further mitigates any potential impacts on those residences. Once the construction project is completed, the parking and storage area will no longer be needed.

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

Finding: The proposed use is directly related to a planned development and will stop once construction on the adjacent property is completed. Given that it will not create permanent changes to the area or disrupt long-term planning objectives, staff finds that the temporary use is not expected to interfere with the City's broader vision for achieving land use, transportation, or other strategic goals.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.18 NS-L, Neighborhood Services - Limited
- Applicant Request Letter
- Applicant Exhibit
- One Mile Map
- Close-Up Map
- Current Land Use Map

161.18 NS-L, Neighborhood Services - Limited

(A) *Purpose.* The NS-L Neighborhood Services - Limited district is designed to serve as a mixed use area of low intensity. Neighborhood Services 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 (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited 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
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 13	Eating places
Unit 15	Neighborhood 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.*

Units per acre	Ten (10) or less
----------------	------------------

(D) *Bulk and Area.*

(1) *Lot Width Minimum.*

Single-family	35 feet
Two (2) family or more	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 of lot area per dwelling unit
All other permitted and conditional uses	None

(E) *Setback Regulations.*

Front:	A build-to zone that is located between 10 and 25 feet from the front property line.
Side	5 feet
Rear	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 60% of the total area of the lot. Accessory ground mounted solar energy systems shall not be considered buildings.



Planning Staff,

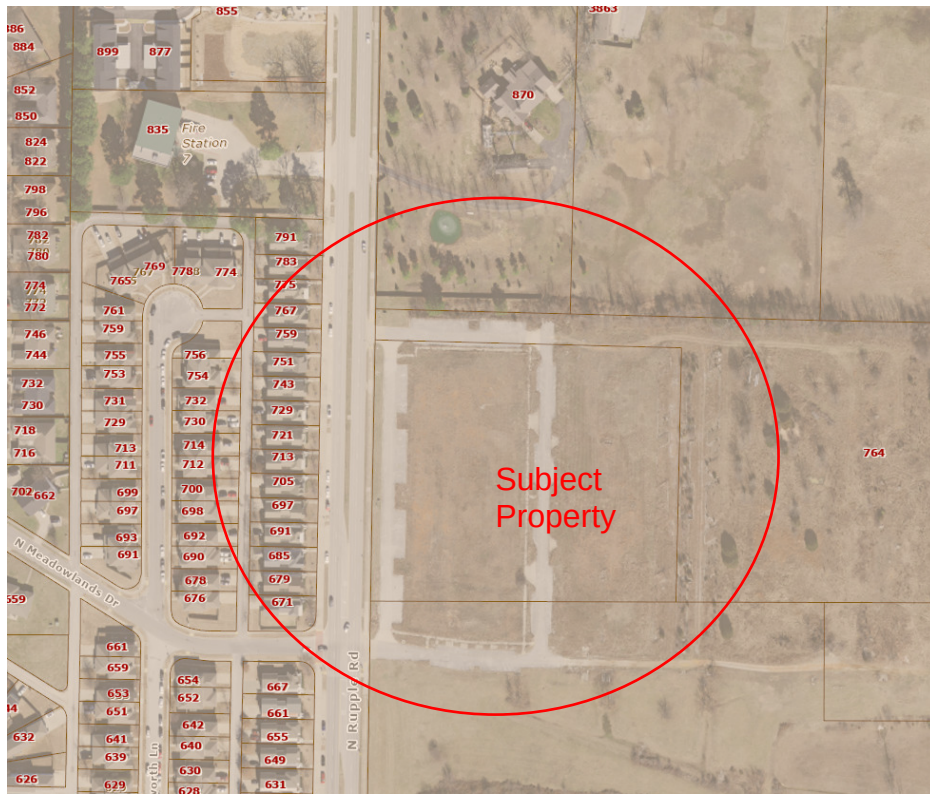
Please accept this letter as a Conditional Use Permit for CR Crawford Construction at Parcel 765-22362-000. This CPU will request the temporary use of off-site construction parking and storage.

- (a) Building size in square feet; existing and proposed - **NA**
- (b) Color elevations of all exterior sides of the structure - **NA**
- (c) Number of off-street parking spaces to be provided / number required - **30**
- (d) When request applies to a business or non-residential use:
 - Hours of operation: Monday – Saturday. **7am – 7pm**
 - Number of employees: **NA**
 - Anticipated number of patrons, clients, children, customers, etc. (average per day/peak hour): **75 people daily**
- (e) Outdoor lighting: **NA**
- (f) Noise: **No significant noise generation from the project.**
- (g) Screening or buffering from adjacent properties: **If needed, we could include a fence and some scattered screening**
- (h) Trash and refuse service (with particular reference to visibility from the street and adjacent: **NA**
- (i) Ingress and egress to the property; traffic impacts: **No impacts to Ruppel Rd.**
- (j) A response discussing the general compatibility of the proposed use with adjacent properties and other properties in the neighborhood: **Adjacent properties are under construction or still undeveloped. The proposed temporary parking is compatible with adjacent use.**

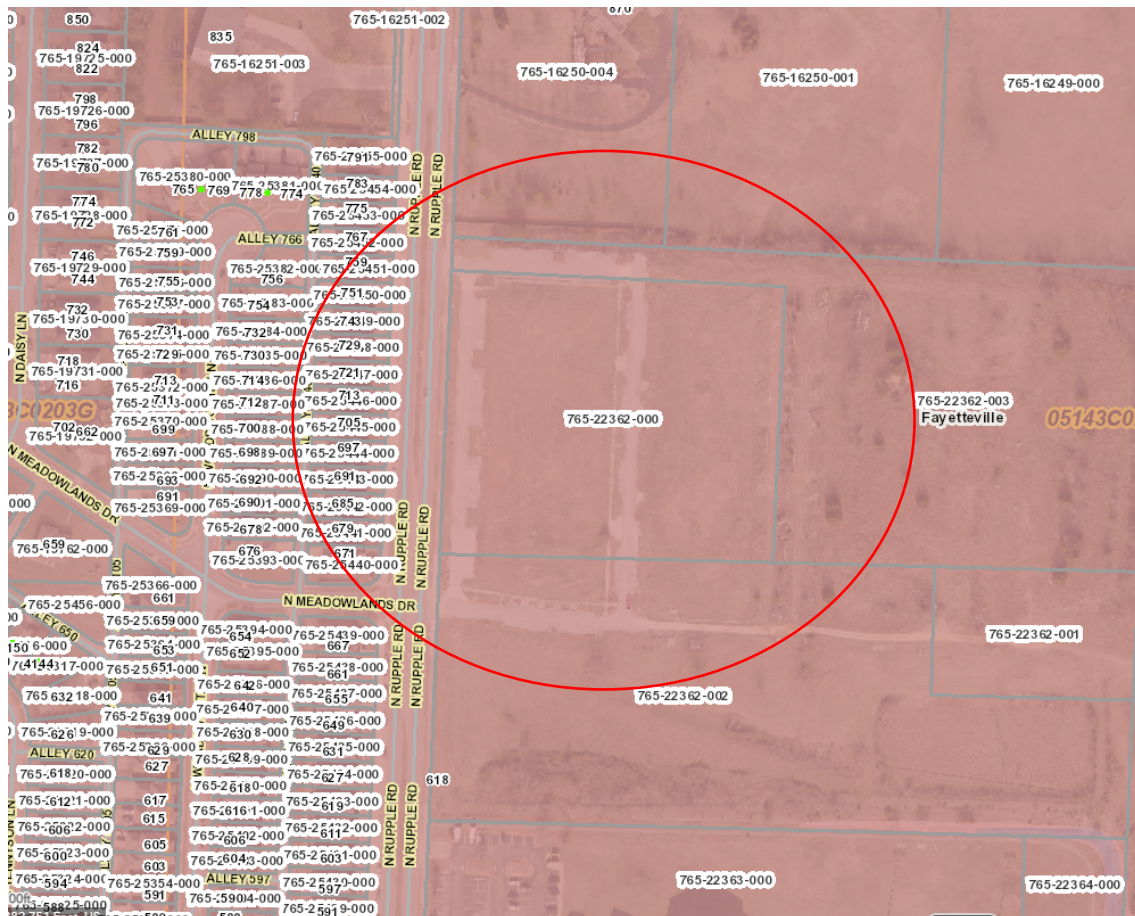
Thank you,

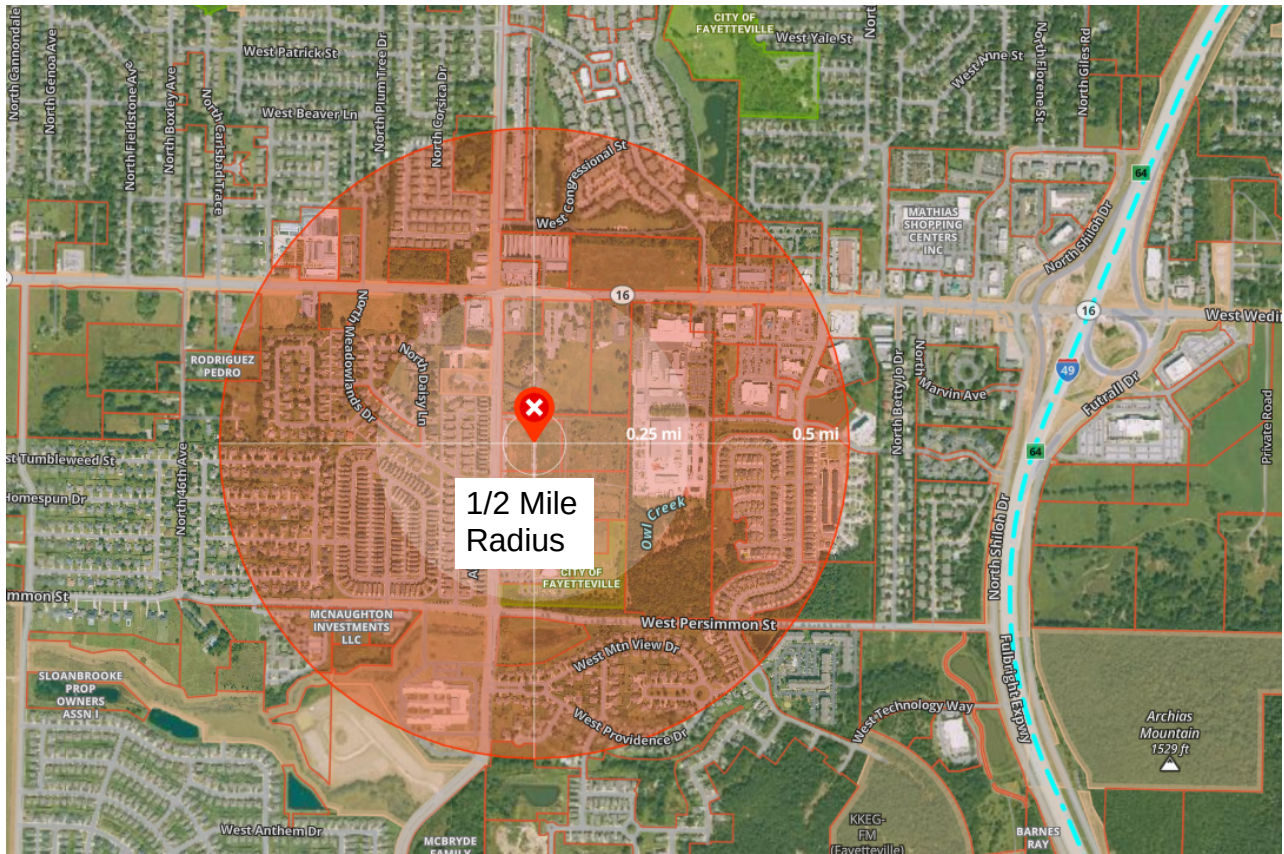
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CR Crawford

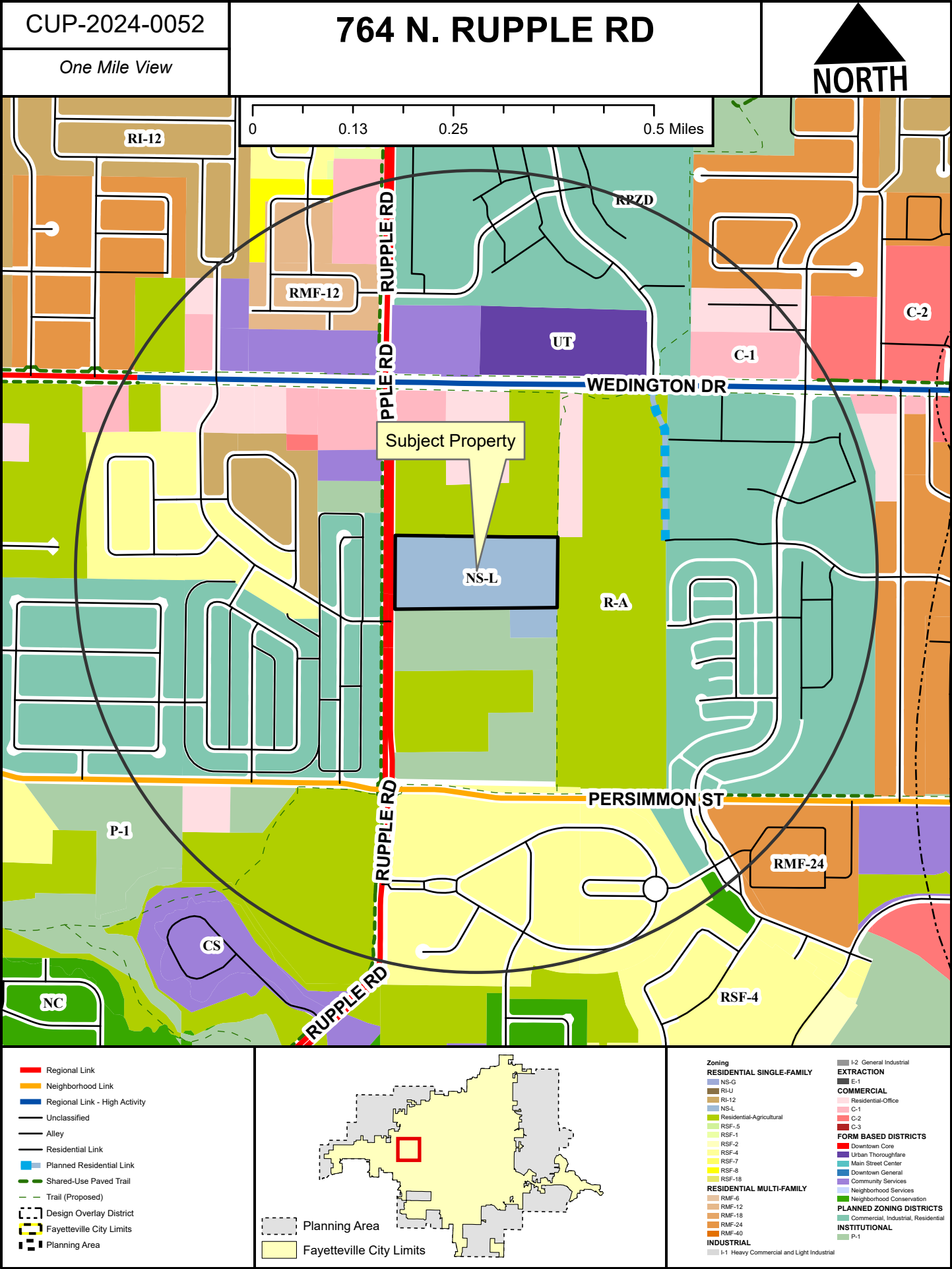
C.R. Crawford Construction
1102 S Happy Hollow Rd - Fayetteville, AR 72701
Phone: 479-251-1161 Fax: 479-571-1161
www.crcrawford.com

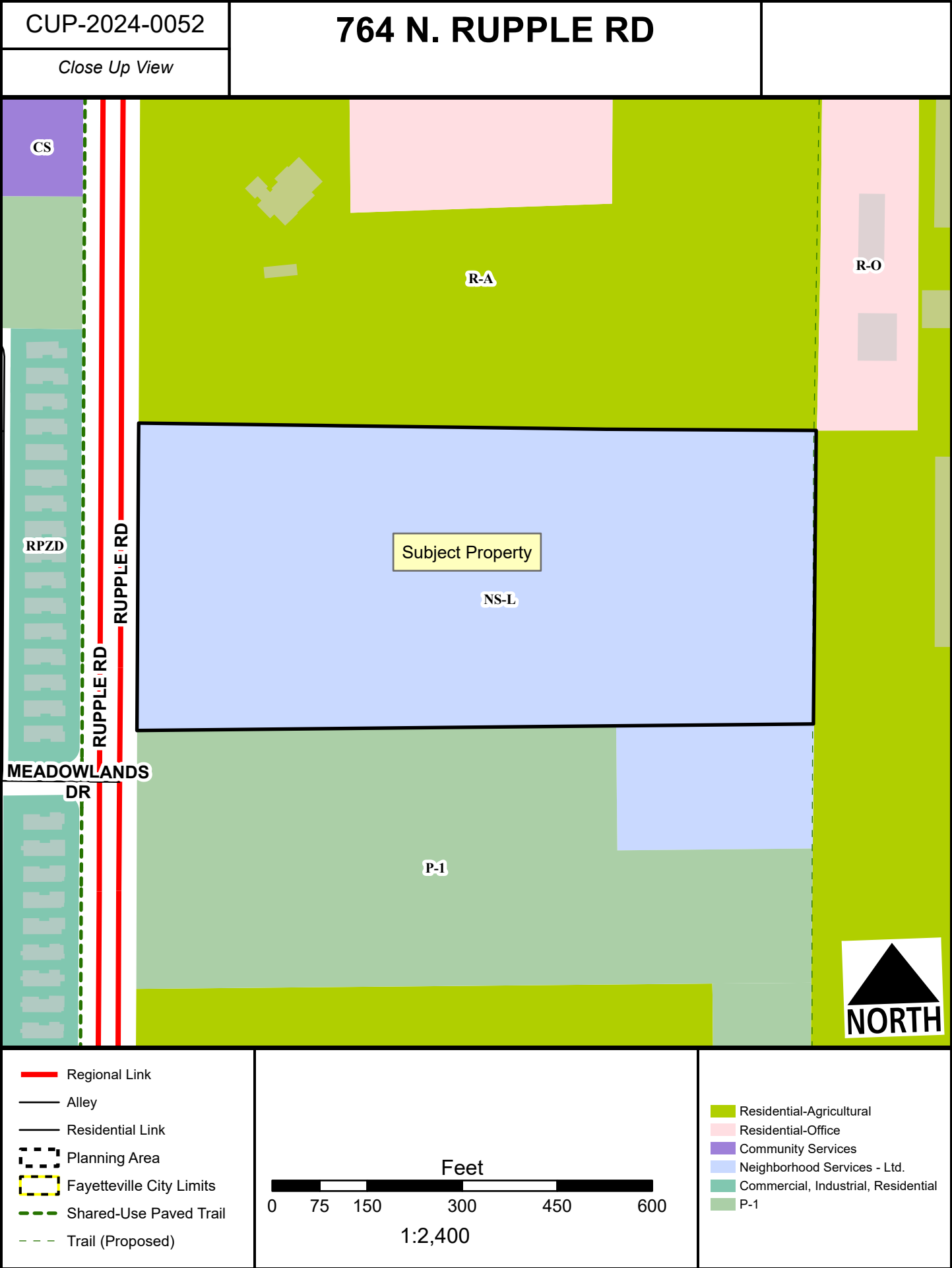


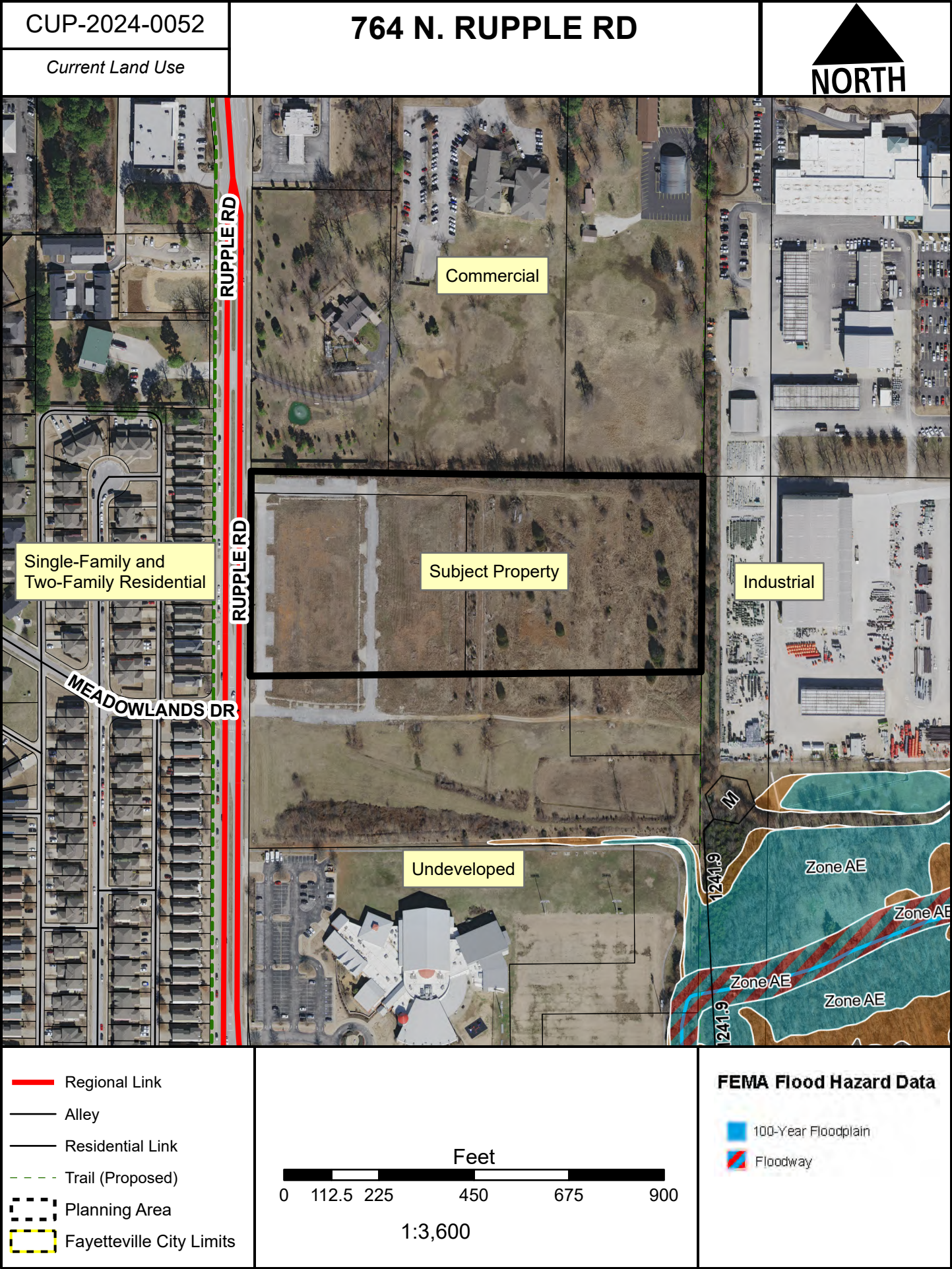
~ 200 ft radius













TO: Fayetteville Planning Commission

FROM: Jessie Masters, Development Review Manager

MEETING: January 27, 2025

SUBJECT: **PZD-2024-0008: Planned Zoning District (19 E. 19TH ST/THE FARM AT SOUTH SCHOOL, 602):** Submitted by ECOLOGICAL DESIGN GROUP for property located at 19 E. 19TH ST. The property is zoned I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL, RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE, RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 22.67 acres. The request is to rezone the property to a planned zoning district.

RECOMMENDATION:

Staff recommends forwarding **PZD-2024-0008** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **PZD-2024-0008** to City Council with a recommendation of approval and with conditions as recommended by staff."*

BACKGROUND:

The subject property is in south Fayetteville at the end of E. 19th Street and is approximately 3/10 mile east of S. School Avenue. Currently developed with a residential structure and associated outbuildings, the property has recently applied for and received a business license for a small brewery. The property contains a total of six parcels that are zoned I-1, Heavy Commercial & Light Industrial, RI-12, Residential Intermediate, 12 Units Per Acre, and RMF-24, Residential Multi-Family, 24 Units Per Acre. The southern portion of the property is within the Hillside/Hilltop Overlay District. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Industrial	I-1, Heavy Commercial and Light Industrial
South	Low-Density Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
East	Single-Family Residential Undeveloped	I-1, Heavy Commercial and Light Industrial
West	Undeveloped (University of Arkansas)	RMF-24, Residential Multi-Family, 24 Units per Acre

Proposal: The applicant requests to rezone the property to a Planned Zoning District with three planning areas, as described below:

- **Planning Area 1 – 7.27 acres:** The intention of this area is to provide commercial and agricultural uses, with a proposed microbrewery, event space, and small pasture areas for grazing animals.

- **Planning Area 2 – 8.54 acres:** This planning area is intended to be a recreational and commercial area that incorporates uses such as a small stage for acoustic events, walking trails, and a pavilion.
- **Planning Area 3 – 6.86 acres:** This planning area is intended to protect natural areas on the site and allow for passive recreational uses such as cabins for overnight stays.

Public Comment: To date, staff has received one inquiry about the proposal from an adjacent neighbor. After viewing the proposed plans, the individual expressed little concern with the proposal.

INFRASTRUCTURE:

Streets: This property has frontage to E. 19th Street at the northwest corner. From S. School Avenue to this property, E. 19th Street is an unimproved residential link with asphalt paving and open ditches. 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 area. There is an existing dead end 6-inch watermain present in E. 19th Street at the northwest corner of this property. There is also a 24-inch water transmission main present along the south property line, but no connections shall be made to this line to protect the City's water distribution system. For fire protection purposes, the minimum waterline size is a looped 6-inch line or a dead end 8-inch line. The developer shall upgrade the 6-inch watermain in E. 19th Street to its connection with the 8-inch watermain along S. School Avenue at time of development, approximately 1,980 linear feet offsite.

Sewer: Sanitary sewer is not available to the subject area. Due to surrounding topography and other natural features, it is not feasible to provide gravity sewer to this property. To provide sanitary sewer service, the developer will have to install a private lift station on their property. The force main from this lift station shall run along E. 19th Street within a 20-foot-wide private sewer service line easement, not overlapping any public utility easements or right-of-way, then connect to a new public manhole on the east side of S. School Avenue. Gravity sewer shall then extend across S. School Avenue to connect to the existing 8-inch sewer line on the west side of the street. This will include approximately 1,980 linear feet of offsite private force main and 100 linear feet of public gravity sewer main.

There are known wet weather sewer capacity issues identified in the City's 2021 Sewer Master Plan that appear in the system approximately 2,680 linear feet downstream of this property.

Drainage: No portion of the subject property lies within a FEMA floodplain, nor is there a protected stream or hydric soils on the property. However, the approximate southern half of the 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: Station 9, located at 2250 S. School Avenue, protects this site. The property is located approximately 0.7 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.

The fire department has met with the development designers and has expressed some concerns about this project. Some of the issues are as follows:

- 19th Street is a street in poor condition and does not meet the requirements for a fire access due to the width.
- The street is a dead end and there are no current plans to extend the street through to another access point, this requires the street to be widened per the fire code.
- The water supply for fire hydrants is not sufficient for what is proposed to be built in the area; the water supply must be improved to meet the fire code requirements.

Police: The Police Department did not comment on this request.

Tree Preservation:

The existing zoning districts of I-1, Heavy Commercial and Light Industrial, RI-12, Residential Intermediate, 12 Units per Acre, and RMF-24, Residential Multi-Family, 24 Units per Acre, require **15%, 20%, and 20% minimum canopy preservation, respectively**. The proposed PZD will require **25% minimum canopy preservation, and 30% canopy preservation in areas within the Hillside-Hilltop Overlay District**.

CITY PLAN 2040 FUTURE LAND USE PLAN: City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **Rural Residential**.

Rural Residential Areas recognize existing low-density large lot development but are identified to encourage the conservation and preservation of woodlands, grasslands, or agricultural lands that are sparsely settled. These areas may or may not have adequate street and water infrastructure or public services, such as police and fire protection to support urban or suburban densities and development patterns.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range of **4-5** for this site with a weighted score of **5.5** at the highest level. Elements contributing to the highest score include the following:

- Adequate Fire Response (Station 9, S. School Avenue)
- Near Water Main (6" in E. 19th Street)
- Near City Park (Walker Park)
- Near Paved Trail (Town Branch Trail)
- Near ORT Bus Stop (Route 20, School and 19th)

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 applicant's request to be compatible with the surrounding area. The proposed planned zoning district would**

marry a combination of agricultural, commercial, and passive outdoor recreational space into one site at a scale that is compatible with surrounding land uses. The area in question is just over a mile away from the Fayetteville Square, but is surrounded by low-density residential, former industrial sites, and undeveloped land. The applicant has taken care to provide three separate planning areas for consideration, to reflect the existing land uses on the site, the existing topography, and the natural landscape. Planning Area 1, which is the highest intensity use, incorporates a microbrewery, restaurant, event space, and pasture spaces for grazing animals. Planning Area 2 proposes the potential for outdoor music, walking trails, and is more passive, recreational in nature. Planning Area 3 features the lowest intensity uses, with a few cabins for overnight stays, and primarily outdoor recreational uses. Staff finds that given the topography, surrounding uses, and natural features on site, the proposed uses are compatible. The proposed height allowances and building setbacks are also in line with what might be permitted under a more rural zoning district and will not overpower any existing surrounding property.

Land Use Plan Analysis: Staff finds that the proposed planned zoning district is consistent with the City's adopted land use plans. City Plan 2040's Future Land Use Map designates this property as Rural Residential and those areas are intended to promote and encourage the conservation of woodlands, grasslands, and agricultural lands that are sparsely settled. Staff finds that the proposed plans are in line with the suggestions in the future land use map.

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

Finding: Staff finds that the proposed rezoning is justified at this time. The planned zoning district would allow for development that is compatible with existing, current land use surroundings as well as future land use goals of creating a rural residential area.

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

Finding: The proposed zoning district may impact traffic and congestion, but likely less than the current zoning, which could allow up to 12 units per acre and industrial uses. Few traffic incidents have been reported at the W. 19th Street and S. School intersection. Any required street improvements to 19th Street will be evaluated during development, including at least some widening to meet fire code and construction of a portion of the W. 19th Street master street plan extension.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: The proposed PZD has the potential to increase the load on public services when considering that the property has limited access to water and sewer at this time, and several upgrades and extensions to water and sewer mains

would be required. The applicant has been working with City of Engineering staff to find a solution to water and sewer provision, which is indicated above. Fayetteville Public Schools did not comment on this request.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
 - a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

§ 161.35. Planned Zoning Districts (PZD)

(B) *Purpose.* The intent of the Planned Zoning District is to permit and encourage comprehensively planned zoning and developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or mixed-use planned development and to permit the concurrent processing of zoning and development. The City Council may consider any of the following factors in review of a Planned Zoning District application.

- (1) *Flexibility.* Providing for flexibility in the distribution of land uses, in the density of development and in other matters typically regulated in zoning districts.
- (2) *Compatibility.* Providing for compatibility with the surrounding land uses.
- (3) *Harmony.* Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community.
- (4) *Variety.* Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities.
- (5) *No negative impact.* Does not have a negative effect upon the future development of the area;
- (6) *Coordination.* Permit coordination and planning of the land surrounding the PZD and cooperation between the city and private developers in the urbanization of new lands and in the renewal of existing deteriorating areas.
- (7) *Open space.* Provision of more usable and suitably located open space, recreation areas and other common facilities that would not otherwise be required under conventional land development regulations.
- (8) *Natural features.* Maximum enhancement and minimal disruption of existing natural features and amenities.
- (9) *Future Land Use Plan.* Comprehensive and innovative planning and design of mixed use yet harmonious developments consistent with the guiding policies of the Future Land Use Plan.
- (10) *Special Features.* Better utilization of sites characterized by special features of geographic location, topography, size or shape.
- (11) *Recognized zoning consideration.* Whether any other recognized zoning consideration would be violated in this PZD.

Findings: Staff finds the proposed PZD meets the criteria in 161.35 for Planning Zoning Districts. The proposal offers a flexible approach to land use for a unique property, considering the natural landscape and surrounding area. It also provides ample open space, exceeding standard zoning requirements, while minimizing disruption to existing features. By placing certain uses conditionally, such as outdoor music and campgrounds, staff also recognizes that the applicant does not violate any other recognized zoning consideration.

RECOMMENDATION: Staff recommends forwarding **PZD-2024-0008** to City Council with a recommendation of approval and with the following conditions:

Conditions of Approval:

1. Associated development will be required to provide adequate access for water, sewer, and emergency services; and
2. Proposed fire apparatus access roads shall meet requirements as stated by all applicable fire codes.

Planning Commission Action: ☐ Forwarded ☐ Tabled ☐ Denied

Meeting Date: January 27, 2025

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Applicant Request Letter
- PZD Booklet
- One Mile Map
- Close Up Map
- Current Land Use Map
- Future Land Use Map

ECOLOGICAL DESIGN GROUP

120 South Icard Street 216 W Birch Street
Little Rock, AR 72201 Rogers, AR 72756



From: Shannon Norman

Date: December 13, 2024

Re: The Farm at South School

Ecological Design Group, (EDG) is submitting this cover letter for the City of Fayetteville to describe The Farm at South School Development project.

Owner Information:

Owner: Wes Mickel

Address : 19 East 19th Street, Fayetteville, AR 72701

Project Description:

The Farm at South School master plan seeks to create a unique development that offers nature-based hospitality, event hosting, and agricultural experiences while being in close proximity to the heart of downtown Fayetteville and trail networks. The character of the buildings and offerings are influenced by the culture and natural beauty of the Ozarks and the vibrant and varied community of Fayetteville. The intention of applying for a PZD is to allow flexibility during the development process due to the nature of the master plan programming, the patchwork of current property zoning regulations across all parcels, and existing non-conforming infrastructure. These three situations are all current barriers to the development of the property, and would be alleviated with a PZD zoning.

If you need any additional information or have any questions, please do not hesitate to contact me by phone at (501) 282.2567 or by email at snorman@ecologicaldg.com.

Sincerely,

Ecological Design Group

Shannon Norman



The Farm at South School

PZD Application Booklet

A. Current ownership information (landowner/applicant and representative if applicable) and any proposed or pending property sales.

1. Parcel **765-15169-001**
 - Landowner: SIA ABR LLC
 - Owner's Representative: Wes Mikel
 - Applicant: Shannon Norman, Ecological Design Group
2. Parcel **765-15168-000**
 - Landowner: SIA ABR LLC
 - Owner's Representative: Wes Mikel
 - Applicant: Shannon Norman, Ecological Design Group
3. Parcel **765-15167-000**
 - Landowner: SIA ABR LLC
 - Owner's Representative: Wes Mikel
 - Applicant: Shannon Norman, Ecological Design Group
4. Parcel **765-15175-000**
 - Landowner: JCS FAYETTEVILLE PROPERTY LLC
 - Owner's Representative: Wes Mikel
 - Applicant: Shannon Norman, Ecological Design Group
5. Parcel **765-14990-001**
 - Landowner: JCS FAYETTEVILLE PROPERTY LLC
 - Owner's Representative: Wes Mikel
 - Applicant: Shannon Norman, Ecological Design Group
6. Parcel **765-15168-001**
 - Landowner: JCS FAYETTEVILLE PROPERTY LLC
 - Owner's Representative: Wes Mikel
 - Applicant: Shannon Norman, Ecological Design Group

Please note that Parcels 4, 5 and 6 have been combined into one lot. This was a recent lot combination, approved by the city of Fayetteville as PLA-2024-0020 and not yet reflected in GIS.

B. Summary and Description of the scope, nature and intent of the proposal.

1. The Farm at South School development seeks to create a unique development that offers nature-based hospitality, event hosting, and agricultural experiences while being in close proximity to the heart of downtown Fayetteville and trail networks. The character of the buildings and offerings are influenced by the culture and natural beauty of the Ozarks and the vibrant and varied community of Fayetteville. More detail on the architecture is included in #8. The intention of applying for a PZD is to allow flexibility during the development process due to the site programming, the patchwork of current property zoning regulations across all parcels, and existing non-conforming infrastructure. These three situations are all current barriers to the development of the property, and would be alleviated with a PZD zoning.

C. General Project Concept:

1. *Street and Lot Layout* - A proposed extension of 19th is shown across the northern property boundary of the site, and turns South along the eastern property boundary, where it exits the development at the location shown on the Fayetteville Master Street Plan. Along this 19th St route, there are three driveways proposed that service the development. The "entry" driveway is located in the northwestern corner of the property and leads to the brewery/restaurant and a small parking area. The second driveway, located near the northeastern corner of the property, is intended for mostly parking and service access for the larger events that will take place on the site. The third driveway is a minor driveway, located near the point at which the 19th st extension exits the property to the East. This driveway is intended for service and emergency access only for the cabins.

2. Site Plan Showing Proposed Improvements



Program

- ① 19th St Extension
- ② Orchard
- ③ New Retention Pond
- ④ Event Lawn
- ⑤ Overnight Guest & Event Parking
- ⑥ Brewery
- ⑦ Axial Promenade
- ⑧ "Shale Pit" Pavilion Feature
- ⑨ Walking Trails
- ⑩ Overnight Guest Cabins
- ⑪ Deck/Arbor Feature
- ⑫ Sediment Forebay
- ⑬ Cart Paths
- ⑭ Fishing Dock
- ⑮ Small Lawn for Grazing Animals or Smaller Functions
- ⑯ Multi-Purpose Lawn
- ⑰ Small Stage for Acoustic Events or Demonstrations
- ⑱ Fire/Service Access
- ⑲ Native Meadow
- ⑳ Large Berm for Privacy Screening
- ㉑ Fire Pit/Overlook
- ㉒ Event Barn
- ㉓ Future Phase Parking for Restaurant Expansion
- ㉔ Greenhouses



3. *Buffer Areas* - There will be a buffer area of at least 50' on the North, East, and South sides of the property from the property line to the proposed structures. Currently, the structures proposed range in distance from 50'-140' from the property line on those three sides. On the western side, due to an existing building that will be renovated, there will be a smaller buffer of 10' between the structure and the property line.



4. Tree Preservation Areas



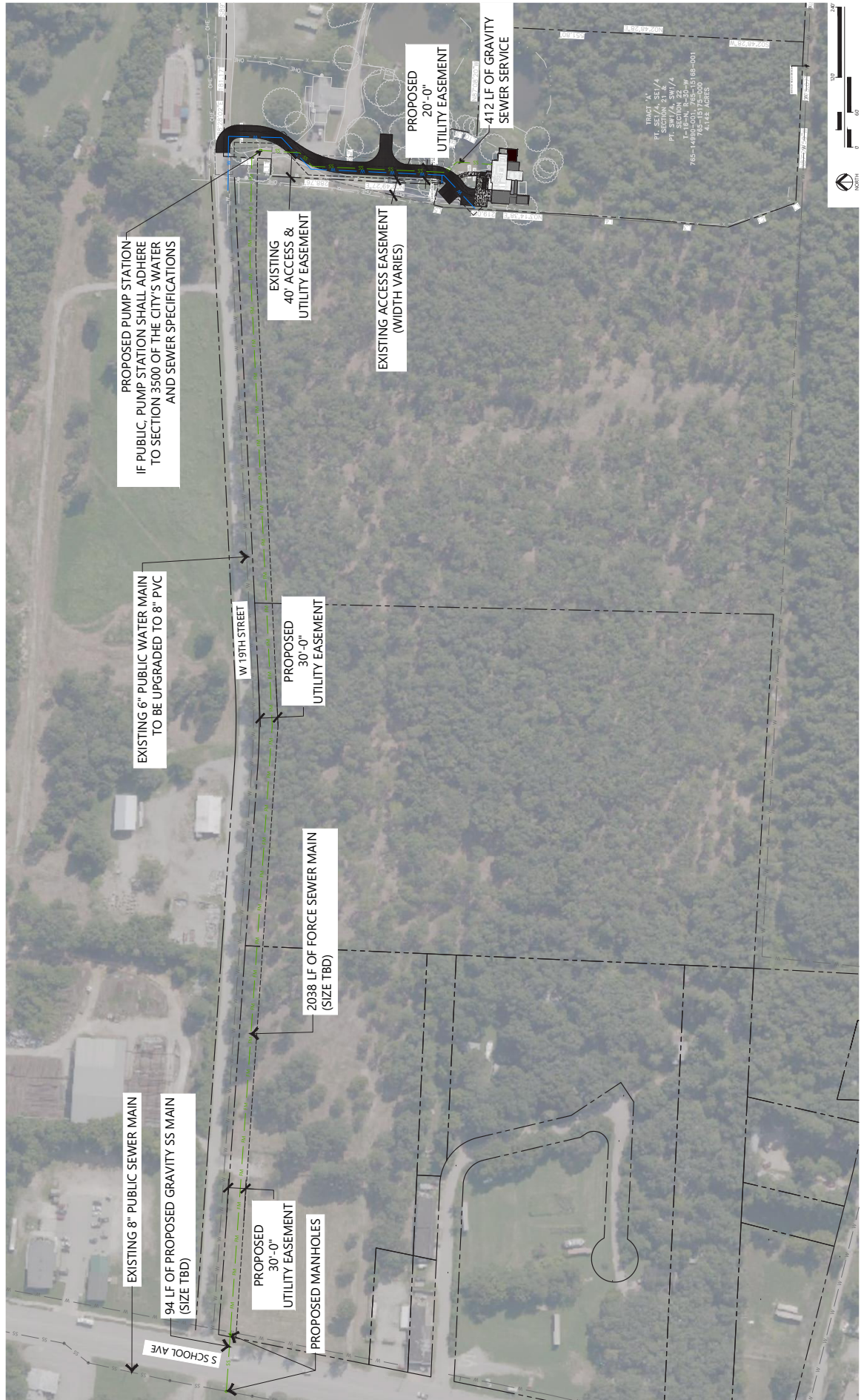
5. Storm Water Detention Areas and Drainage



6. Undisturbed Natural Areas



7. Existing and Proposed Utility Connections and Extensions



8. *Development and Architectural Design Standards*

The Farm at South School, an in-town Fayetteville destination, draws imagery from the land, local history, and traditional forms of the Ozarks. It provides a place to gather, eat, and rejuvenate in a natural, small-scale agricultural setting. This project recalls the laid-back, informal places that have helped shape Fayetteville's identity, many of which have been lost over time. This new development strives to recapture a feeling of discovery - the experience of arriving at an unexpected place that is authentic to Fayetteville.

This project is a working landscape set within surrounding woodlands and punctuated by ponds. It will have an orchard, gardens, greenhouses, and the accessory structures of a small farm. This setting will include a small restaurant and microbrewery. A gathering structure will accommodate events for groups. An outdoor destination space with seating and fire pit will provide a place to gaze at the stars and convene with new and old friends. Woodland cabins will offer space for overnight accommodations. Existing ponds are integral to the experience of the place. A pond structure with a boardwalk along one edge is part of the plan – a place to be near the water. The Farm at South School will be a place to enjoy a relaxed and natural environment, right in town.

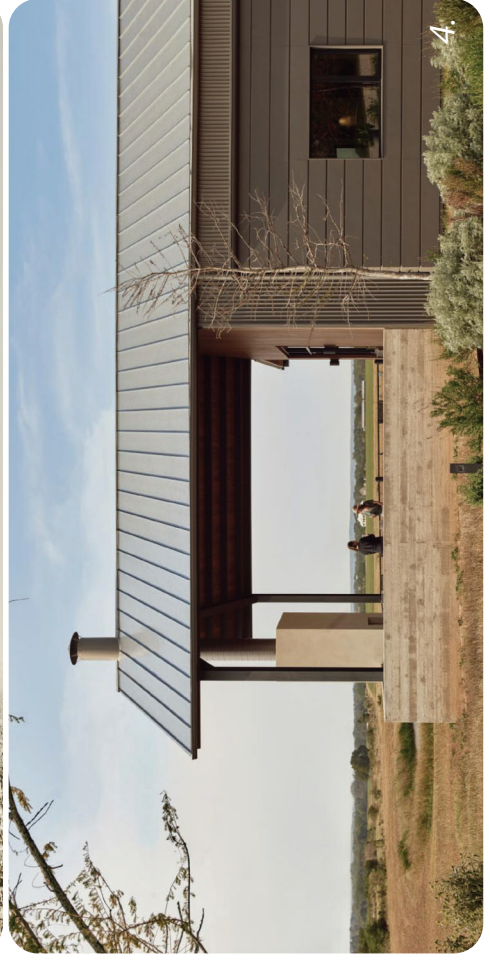
Shale is a geological characteristic of the site, and the site includes the remnants of a shale quarry that was mined to create railbeds for the historical St Paul Railroad line. This locally sourced crushed shale makes up most of the project's outdoor horizontal surfaces, and the various built and natural environments of The Farm will be connected by shale paths and terraces bounded by locally sourced sandstone.

View and natural light are design drivers for The Farm at South School. A north facing hillside dominates the southern half of the site, and there are views of Fayetteville to the north and northwest. This visual connection to Fayetteville is important and will inform the orientation of built elements. Structures will have sloped roofs that are adapted to capture natural light via south-facing windows, and the spaces with access to views will have windows and outdoor spaces oriented toward Fayetteville's downtown and the south face of Mt. Sequoyah.

Simple building forms constructed of regional masonry, rough sawn wood, steel details, substantial walls, operable windows, and pitched roofs comprise the architectural vocabulary of South School. Careful coordination of these materials and details will establish a common and consistent language that is expressed throughout the architecture. The design of the buildings will be modern, inspired and informed by traditional, regional forms and details.

9. Building Elevations and Imagery

1. Epoch Tasting Room, Tempton, CA - Lake|Flato Architects
2. FarmED, Cotswolds, UK - Timothy Tasker Architects
3. Soho Farmhouse, Oxfordshire, UK - Michaelis Boyd
4. Alexander Vineyards, Fredericksburg, TX - Lake|Flato Architects



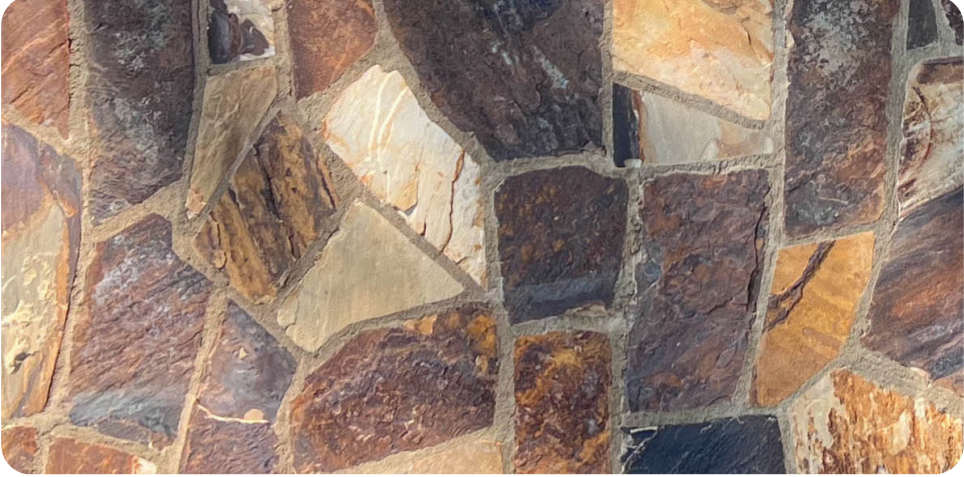
9. Building Elevations and Imagery

Material Regional Inspiration

Eastern Red Cedar



Local Masonry



Architectural Glazing



Screening



9. Building Elevations and Imagery

Brewery - concept imagery
Front approach

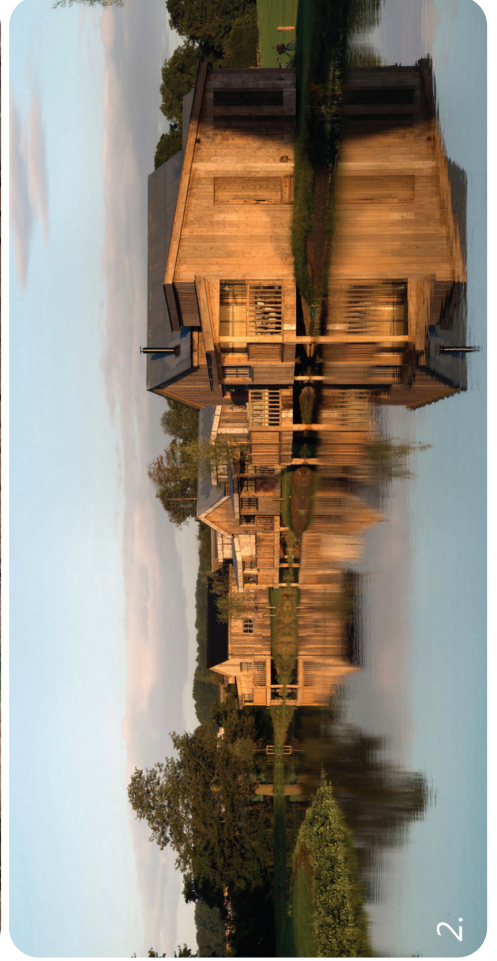


Overlooking ponds



9. Building Elevations and Imagery

1. Stoneflower, Heber Springs, AR - Fay Jones
2. Soho Farmhouse, Oxfordshire, UK - Michaelis Boyd
3. Private residence - Cy Sutherland
4. Private residence - ParkCo Architects



9. Building Elevations and Imagery



Cabin concepts by ParkCo Architects

Dog trot
Simple forms



Deep porches
Wrap around decks

D. Proposed Planning Areas (PA's), described in this booklet and depicted on Sheet 2 of the site plan information. (PA's are those areas within a master plan (MP) designated with specific zoning standards, as required herein. Any number of PA's may be allowed within an MP, subject to approval by the City Council).

The site is divided into 3 proposed planning areas: an Agri-Commercial Area, a Recreational Area, and a Natural Area.



Key

- 1. Agri-Commercial (25% minimum canopy preservation)
- 2. Recreational (30% minimum canopy preservation due to HHOD overlay)
- 3. Natural (30% minimum canopy preservation due to HHOD overlay)
- Property Line

E. Proposed Zoning Standards for each PA (listed in the City's UDC zoning format, Chapter 161). See sheet 2 layout for specific information.

The site plans to follow the zoning standards listed below:

PLANNING AREA 1: AGRI-COMMERCIAL

- Permitted uses are as indicated in the Master Plan: Unit 1 city-wide uses by right, Unit 4 Cultural and Recreational Facilities, Unit 13 Eating Places, Unit 6 Agriculture, Unit 7 Animal Husbandry, Unit 45 Small Scale Production
- Conditional uses: Unit 2 city-wide uses by conditional use permit
- Density: N/A
- Bulk and Area Regulations: N/A
- Setback Requirements: Front - 25', Side - 10', Rear - 10'
- Height Requirements: 2 stories maximum height
- Building Area: Not to exceed 40% of lot area

PLANNING AREA 2: RECREATIONAL

- Permitted uses are as indicated in the Master Plan: Unit 1 city-wide uses by right, Unit 12b General Business, Unit 4 Cultural and Recreational facilities
- Conditional uses: Unit 2 city-wide uses by conditional use permit, Unit 35 outdoor music establishments
- Density: N/A
- Bulk and Area Regulations: N/A
- Setback Requirements: Front - 10', Side - 25', Rear - 10'
- Height Requirements: 2 stories maximum height
- Building Area: Not to exceed 25% of lot area

PLANNING AREA 3: NATURAL

- Permitted uses are as indicated in the Master Plan: Unit 1 city-wide uses by right
- Conditional uses: Unit 2 city-wide uses by conditional use permit
- Bulk and Area Regulations: N/A
- Setback Requirements: Front - 35', Side - 35', Rear - 35'
- Height Requirements: 2 stories maximum height
- Building Area: Not to exceed 25% of lot area

F. A chart comparing each Planning Area zoning to the current zoning district requirements (uses, setbacks, density, intensity, bulk and area regulations, etc.).

Existing:

	RI-12: Residential Intermediate	RMF-24: Residential Multi-Family	I-1: Heavy Commercial and Light Industrial
Uses	Units: 1, 8, 9, 10, 41, 44, 46	Units: 1, 8, 9, 10, 26, 41, 44, 46	Units: 1, 3, 4, 5, 6, 13, 16, 17, 18, 21, 22, 25, 27, 42, 46
Conditional Uses	Units: 2, 3, 4, 5, 11, 12a, 24, 25, 36	Units: 2, 3, 4, 5, 11, 12a, 24, 25, 36	Units: 2, 19, 20, 28, 36, 38, 43
Density - Units/Acre	12	24	None
Bulk & Area Regulations: Lot Width Minimum	Manufactured Home Park: 100'; Lot w/in manufactured home park: 50'; SF: 45'; 2Family: 45'; 3Family+: 80'; Professional Offices: 100'	Manufactured Home Park: 100'; Lot w/in manufactured home park: 50'; SF: 35'; 2Family: 35'; 3Family+: 70'; Professional Offices: 100'	None
Bulk & Area Regulations: Lot Area Minimum	Manufactured Home Park: 3ac, Lot w/in manufactured home park: 4200sqft, Townhouse Individual Lot: 2500sqft, SF: 4500sqft, 2Family: 6000sqft, 3Family+: 9000sqft, Fraternity or Sorority: 2ac, Professional Offices: 1ac	Manufactured Home Park: 3ac, Lot w/in manufactured home park: 4200sqft, Townhouse Individual Lot: 2000sqft, SF: 3000sqft, 2Family: 4000sqft, 3Family+: 7000sqft, Fraternity or Sorority: 2ac, Professional Offices: 1ac	None
Land Area per Dwelling Unit	Manufactured Home: 3000sqft	Manufactured Home: 3000sqft	None
Lot Width Minimum	50'-100'	35'-100'	None
Lot Area Minimum	5,000-10,890 SF	2,000 SF - 3 Acres	None
Setback Requirements: Front	25'	25'	25'-50'
Setback Requirements: Side	5'-8'	5'-8'	10'-50'
Setback Requirements: Rear	5'-20'	5'-20'	25'
Building Height Max	2-3 stories, depending on setbacks	2-5 stories, depending on setbacks	None, depending on proximity to boundary
Building Area	Not to exceed 50% of lot area	Not to exceed 50% of lot area	None
Minimum Buildable Street Frontage	50% of lot width	50% of lot width	N/A

Proposed:

	Planning Area 1: Agri-Commercial	Planning Area 2: Recreational	Planning Area 3: Natural
Uses	Units: 1, 6, 7, 13, 4, 45	Units: 1, 4, 12b	Units: 1
Conditional Uses	Units: 2	Units: 35, 2	Units: 2
Density - Units/Acre	N/A	N/A	N/A
Bulk & Area Regulations: Lot Width Minimum	N/A	N/A	N/A
Bulk & Area Regulations: Lot Area Minimum	N/A	N/A	N/A
Land Area per Dwelling Unit	N/A	N/A	N/A
Lot Width Minimum	N/A	N/A	N/A
Lot Area Minimum	N/A	N/A	N/A
Setback Requirements: Front	25'	10'	35'
Setback Requirements: Side	10'	25'	35'
Setback Requirements: Rear	10'	10'	35'
Building Height Max	2 stories maximum height	2 stories maximum height	2 stories maximum height
Building Area	Not to exceed 40% of lot area	Not to exceed 25% of lot area	Not to exceed 25% of lot area
Minimum Buildable Street Frontage	N/A	N/A	N/A

G. An analysis of the site characteristics related to the proposal, including any environmentally hazardous, sensitive or natural resource areas. Describe any natural or man made hazards.

The northern, flatter portion of the site has been used in an industrial manner in the past with the storage of semi-trucks and shop buildings. This area was once covered by gravel and is currently transitioning to mostly non-native grass varieties. This area would be suitable for the most intensive development due to its history of ecological degradation and use. A cluster of specimen trees are located to the East and South of the former gravel area. After a tree health assessment is conducted, the intention is to protect them and incorporate them into the experience of the event spaces.

There is an old shale pit mine in the eastern portion of the site that was once used to harvest shale for base material of the nearby and now abandoned Fayetteville and Little Rock RR, also known as "St. Paul Branch". The shale pit mine creates a unique, private-feeling outdoor "room" on the property that will be used as an outdoor gathering space with an open-air pavilion.

The southern half of the property is wooded with steep topography, several drainage draws, and mostly covered by the hilltop hillside overlay district. This area is the most minimally disturbed and ecologically rich on the property and offers some fantastic views to downtown Fayetteville and the University of Arkansas. Private cabins are proposed in this area to offer a nature-immersion experience. Cabins can be accessed by hiking, cycling or ATVs to limit disturbance to the wooded hillside. Parking will be located in the northern portion of the property where the site is already disturbed from past uses. Emergency vehicle access is still provided to the cabins for code compliance.

The western portion of the property contains existing buildings (dilapidated single family homes) and two ponds. The homes are in poor condition, and one will be demolished while the other will undergo improvements to turn it into a brewery and food commissary that will host up to 3 employees daily and occasionally small groups for tasting events. The ponds are filling with sediment and overrun with invasive aquatic plants. They will be dredged of sediment and native aquatic plants will be introduced to provide balance in vegetation and natural water filtering/cleaning.

H. A description of the recreational facilities, including existing and proposed park sites, open space and accessibility to parks and open space areas.

There are no existing parks or designated public open spaces on site. The proximity of the Razorback Greenway is seen as an exciting opportunity for car-free users. Existing easements and ROWs currently connect the Razorback Greenway to 19th St. at the NW corner of the site. We would like to have conversations with the city about the possibility of creating a trail connection to 19th st at this location as it could eventually extend along the future 19th st. to the Saint Paul Trail that currently dead-ends at S City Lake Rd. See diagram next page.

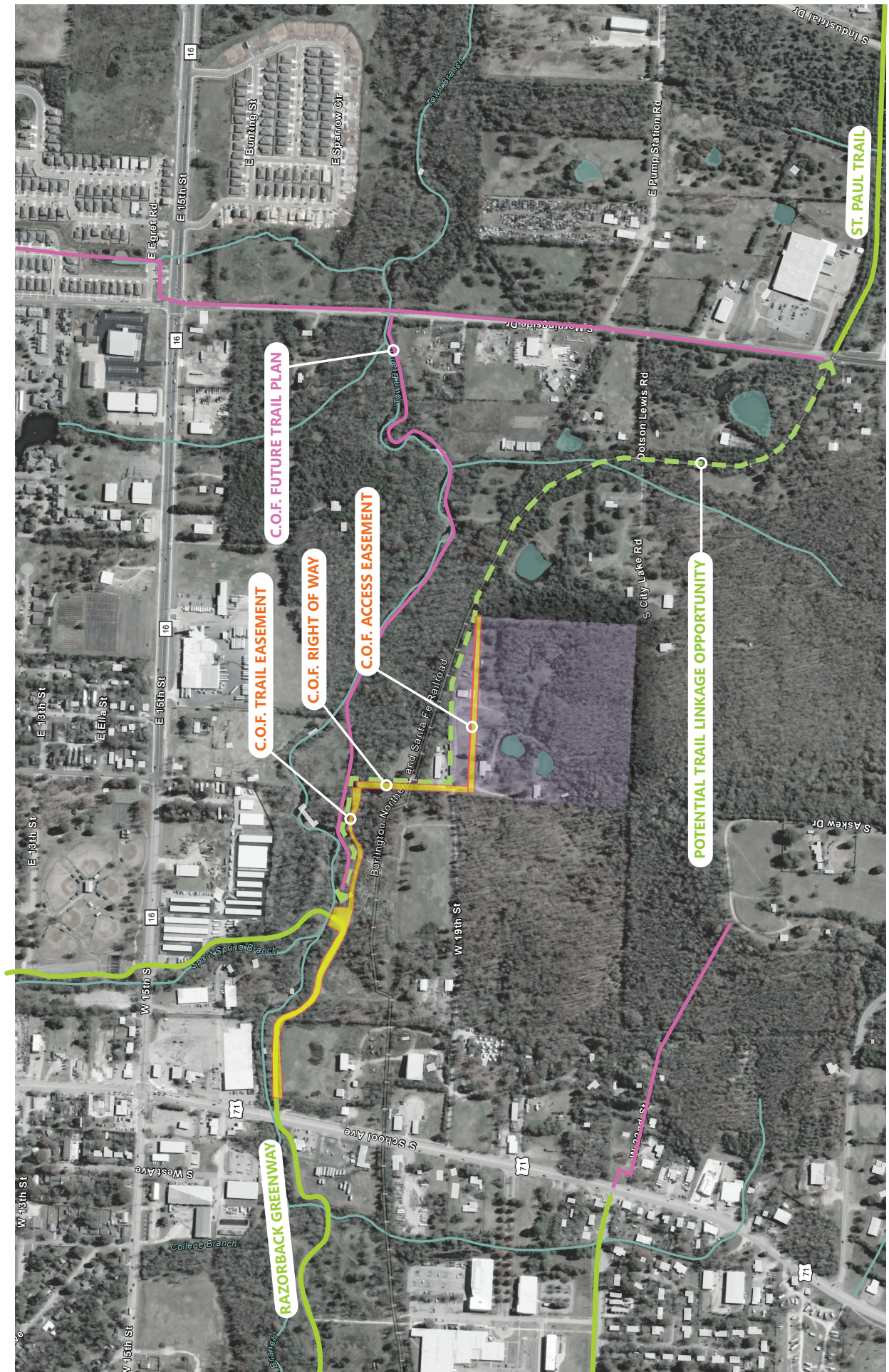


Diagram of Nearby Trails Inventory and Potential Linkage Opportunities

I. Reason (need) for requesting the zoning change.

There are three main reasons we are requesting the zoning change:

1. Currently the site falls into 3 zoning categories, which makes development of a unified site plan tricky with various code regulations for each.
2. There is a building that currently exists on site that is "existing non-conforming" according to current zoning regulations. In order to allow improvements to the building (renovations to turn it into a brewery), we need to rezone as a PZD.
3. There are several areas of the site that will host gatherings, both indoor and outdoor, and we were recommended to pursue PZD as the most appropriate zoning designation for this development. The intended character of the gatherings include: yoga workshops, artist workshops, acoustic instrument workshops, weddings, holiday markets, corporate events, acoustic performances, etc.

J. Statement of how the development will relate to existing and surrounding properties in terms of land use, traffic, appearance, and signage.

Land Use - The experience of this land is one of discovering a secret garden in an urban setting. The wooded hillside feels much farther out of town, yet it is 5 minutes from downtown Fayetteville and the University of Arkansas. We see this development as compatible with the surrounding parcels/land use due to the secluded nature of the property and distance from high-density residential areas. The University of Arkansas owns the property to the west (RMF-24) and does not currently have any plans to develop it. The properties to the North and East of the site are zoned I-1 and consist of quiet and clean living/shop building/storage facility situations spaced out on large lots. The properties to the South of the site are zoned RSF-4 and currently include large tracts of wooded land without many residences except for one near the SE corner of the 19th st development, which is the corner proposed to be free of development.

Traffic - Most of the time, use of this site will be limited to a small population of overnight stays and day-use visitors. The entrance will be located off 19th st. Employees will constitute much of the day-to-day traffic and are estimated to be between 3-7 people. Small events like workshops or corporate parties could include up to 15-30 people. Larger events like weddings could include up to 100 people with an extra 15 for the service team. 19th st is not a road that connect homes and the traffic would not impact any residential areas. With the master plan as designed, we are showing an extension of 19th st, designated as a "Neighborhood Link" according to the City of Fayetteville master street plan, which is a two-way street with a 10' parking lane on one side. While we will provide enough parking on site for events up to 100 people, this parking lane will be useful

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as a resource for occasional spillover parking. We are proposing two driveways on the development: One at the NW corner, which will serve as the primary driveway to the brewery/restaurant with a small parking lot, and another further to the east along 19th st that will serve as the service driveway and event parking lot.

Appearance - The appearance of this development will be greatly improved from its existing state. There are several defunct buildings and abandoned vehicles, trailers, and busses that will be either demolished, removed or remodeled. From the street perspective of 19th st, an apple orchard will be visible, as well as a gently-sloping berm covered in a variety of screening trees. There will be a parking lot on the NW corner of the site that will also be surrounded by a variety of shrubs and trees to visually tuck it into the forest.

Signage - There will be a sign at the primary driveway entrance to signify to visitors that they have arrived, as well as smaller wayfinding signs throughout the development to direct vehicles and pedestrians to specific destinations within the site. The signs will be lower profile and feature natural materials that align with the Ozark-ecology aesthetic of the site. In keeping with the original feeling of the site as being a secret garden one discovers in an urban setting, the signs will be subtle, yet clear and informative.

K. Statement of the project's compliance with the Fayetteville Comprehensive Land Use Plan.

This development acknowledges the Master street plan 2040 by including a proposed route for the 19th St extension. In all three versions of the Future Land Use Map 2040 (Alternative 1, 2 & 3), this property is shown as a "Rural Area". This is aligned with the master plan design in that the nature of the rural-quality of the property will not change. This development will offer experiences that a "rural" property could also offer: immersion in nature, agricultural offerings, fishing or other pond activities, and woodland trails.

L. A traffic study when required by the Planning/Engineering Divisions (consult with staff prior to submittal).

Traffic study will be provided if required.

M. Impacts on City services, including the availability of water and sewer (state size of lines). This information is available from the City Engineering Division.

The plan for sewer access is to build a 2038 LF forced main line (size TBD) from the development property to South School Avenue. There will also be a proposed manhole on the Eastern side of South School to connect the forced main line to a gravity SS main that will run across South School and connect to another proposed manhole across the street.

The plan for water is to upgrade the existing 6" water main to an 8" water main through collaboration with the city.

N. Conceptual Description of Development Standards, Conditions and Review Guidelines

1. Screening and Landscaping
The proposed development will strive to maintain as much existing tree canopy as possible. For the brewery/restaurant, there will be landscape screening between it and the property to the west (zoned RMF-24) since the building lies 10' off the property line. For event privacy and 19th st noise reduction, there will be a planted berm along the northern edge of the property.
2. Traffic and Circulation
19th St is designated as a "Neighborhood Link" road in the city of Fayetteville Master Street Plan. With two lanes and one parallel parking edge, this should be enough to support the uses of the development. Peak traffic use will be during larger events.
3. Parking Standards
The development will include 58 parking spaces, with flexibility to add more. Parallel parking along 19th St will add another 34 spaces to the northern stretch of road. For activating parts of the development further from the parking lots, small maintenance vehicles can shuttle people and belongings to more private, wooded areas.
4. Perimeter Treatment
There will be a generous buffer zone between this development and the surrounding properties. Since the development needs to accommodate a 19th St extension per Fayetteville's MSP, we are proposing to push it to the North and East edges of the site to limit disturbance to the cohesive nature of the development. The southern and western edges will remain wooded, however a portion of the emergency access drive to the cabins will route along the southern edge.
5. Sidewalks
In the Master Plan design, we have included a sidewalk along the southern edge of the 19th St extension, which will capture the parallel parking spaces and feed into the development. A hierarchy of soft-surface trails are proposed for walking, biking and small service vehicles. Paved trails and boardwalks will also connect higher-use buildings and spaces throughout the site.
6. Streetlights
The design of any streetlights and sight lighting will come with further design development after city zoning approvals and in the permitting process for individual phases.

7. Water

Water service will be upgraded as needed (see prior utility descriptions) to accommodate all the needs for this development, including the cabins, event spaces, orchard/greenhouses, the restaurant/brewery, and fire suppression needs. The development team will work with the City of Fayetteville to collaborate on the best solution for water access.

8. Sewer

The site will include a forcemain pump and grinder for all the wastewater on site, then sent west along 19th st and connect to the city's sewer infrastructure along S. School Ave. Wastewater calculations will include cabins, all bathrooms and kitchens for the event spaces, and the restaurant and brewery.

9. Streets and Drainage

On-site stormwater drainage will be accommodated by the three ponds, with the lower pond having a sediment forebay for pre-treating stormwater and catching sediment. Pre-development stormwater calculations will match post-development stormwater calculations. For parking areas on site, low-impact stormwater techniques will be prioritized by using permeable paving and bioswales where feasible. City of Fayetteville drainage standards will be met or exceeded.

10. Construction of Nonresidential Facilities

The development team will work with the City of Fayetteville to ensure all buildings meet or exceed building safety requirements as the design phases progress through the Large Scale Development review process.

11. Tree Preservation

The existing trees are seen as one the greatest assets of this property, and will be protected and preserved wherever possible. The most intensive elements of this development have been proposed in areas without or with very few trees, and roads/paths are proposed in open areas or where previous roads were graded. The "Natural" and "Recreational" zoning areas include existing HHOD areas, and will be subject to 30% minimum canopy preservation.

12. Architectural Design Standards

The standards for architecture throughout the site are inspired by historic Ozark building materials and sensitivity to the immediate surroundings, blending in with the woods and natural areas. See description #8 on page 9.

13. Proposed Signage (Type and Size)

The design of any signage will come with further design development after city zoning approvals and in the permitting process for individual phases. All signs will adhere to the City of Fayetteville Unified Development Code. The signs will be subtle and viewable only in close proximity to the site.

14. View Protection

The development will be tucked well within the forest on the East, South, and West sides, and hidden by a berm and dense vegetation on the northern side.

15. Covenants, trusts, and Homeowner Associations
Not Applicable.

O. Response as to how the proposal fulfills the intent/purpose of the Planned Zoning District, as outlined in the attached ordinance.

This development fulfills the intent/purpose of the PZD by:

1. **Redevelopment** of a former gravel lot and tractor-trailer storage yard into a functional and economically productive landscape.
2. **Economic Development** through a brewery and restaurant, event space and pavilion rentals, cabin rentals and hospitality.
3. **Cultural Enhancement** by providing opportunities to the community for meaningful outdoor immersion, gathering spaces, and agricultural, culinary, and hospitality experiences.

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Fayetteville, Arkansas

SHEET NO. 2



PLANNING AREA DELINEATION

ZONING SUMMARY		
LAND USE DESIGNATION - PLANNED ZONING AREA 2		
USES	UNITS/1.4-1.2B	
CONDITIONAL USES	N/A	
DENSITY - UNITS/ACRE	N/A	
BULK AND AREA REGULATIONS	N/A	
LOT WIDTH MINIMUM	N/A	
LOT WIDTH MAXIMUM	N/A	
LAND AREA PER DWELLING	N/A	
SETBACK REQUIREMENTS- FRONT	10'	
SETBACK REQUIREMENTS- SIDE	25'	
SETBACK REQUIREMENTS- REAR	10'	
HEIGHT REGULATIONS	2-STORIES	
BUILDING AREA	NOT TO EXCEED 25% OF LOT AREA	
MINIMUM BUILDABLE STREET FRONTAGE	N/A	
SITE PLANNING		
LANDSCAPING	LANDSCAPE SCREENING BETWEEN ANY PARKING AND PROPERTY LINE	
PARKING	THERE SHALL BE NO MINIMUM NUMBER OF SPACES REQUIRED FOR NON-RESIDENTIAL USE AT ANY (1) ENTRANCE, MAY NOT HAVE MORE THAN ONE (1) SUCH AREA WITH MORE THAN ONE (1) ENTRANCE, AND MAY NOT BE AT MORE THAN TWO (2) LOCATIONS	
SIGAGE		
TREE CANOPY PRESERVATION	30% EXISTING CANOPY PRESERVATION	

ZONING SUMMARY		
LAND USE DESIGNATION - PLANNED ZONING AREA 3		
USES	UNITS: 1	
CONDITIONAL USES	UNITS: 2	
DENSITY - LOTS/ACRE	N/A	
BULK AND AREA REGULATIONS	N/A	
LOT WIDTH MINIMUM	N/A	
LOT AREA MINIMUM	N/A	
SETBACK REQUIREMENTS REAR	35'	
SETBACK REQUIREMENTS FRONT	35'	
SETBACK REQUIREMENTS SIDE	35'	
SETBACK REQUIREMENTS REAR	35'	
HEIGHT REGULATIONS	2 STORY	
BUILDING AREA	NOT TO EXCEED 35% OF LOT AREA	
MINIMUM BUILDABLE STREET FRONTAGE	N/A	
SITE PLANNING		
LANDSCAPING	LANDSCAPE SCREENING BETWEEN ANY PARKING OR BUILDINGS WITHIN 15' OF SPACES REQUIRED FOR NON-RESIDENTIAL USE SHALL BE NO MINIMUM NUMBER OF PLANTS PER SPACE. PLANTS SHALL BE AT LEAST 10' IN TRUNK AREA, NOT HAVE MORE THAN ONE (1) SIGN AREA WITH MORE THAN ONE (1) SIGN AREA WITH MORE THAN ONE (1) SIGN AREA WITH MORE THAN TWO (2) LOCATIONS	
PARKING		
SIGNAGE		
LANDSCAPING	30% EXISTING CANOPY PRESERVATION	

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The Farm at Southerland

EDG PROJECT NO.	24-056
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EDG PROJECT NO.	24-059
DATE	2025.01.22

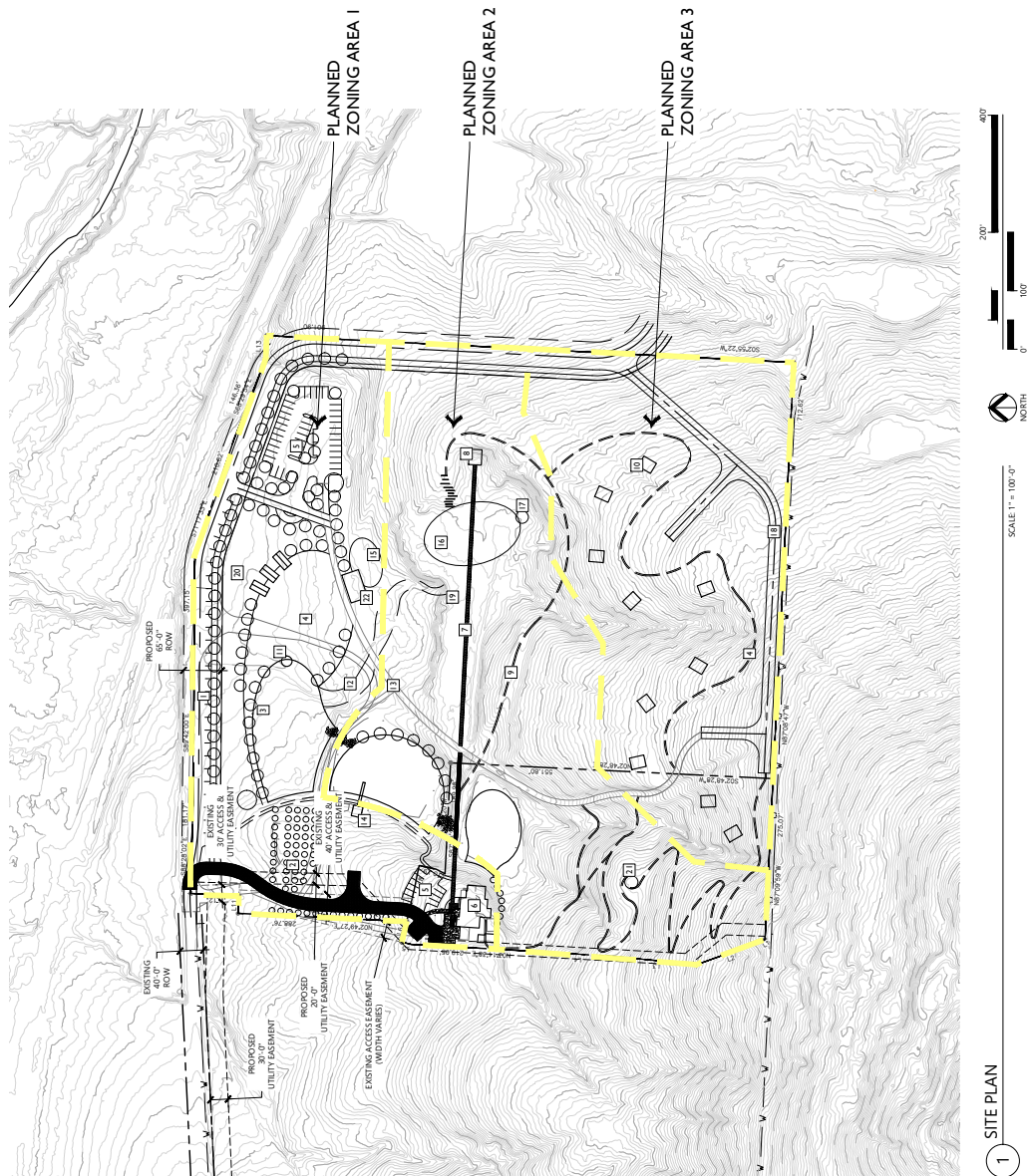
REVISIONS

PHASE	MASTER PLAN
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TITLE	SITE PLAN
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ON 13/16

SHEET NO. 3



LEGEND	
KEY	DESCRIPTION
1	1P1111 EXTENSION
2	CHICAGO
3	NEW RETENTION POND
4	EVENT LAWN
5	GUEST PARKING
6	BERRY
7	AA&L PROMENADE
8	"SHALL IT" PALCHY FEATURE
9	WADING TRAIL
10	OVERNIGHT GUEST CABINS
11	DECKBOARD FEATURE
12	SEDIMENT TOMBAY
13	CART PATHS
14	FIXING DOCK
15	SPALL STRIPS FOR GRADING BARRIERS OR SMALLER FUNCTION
16	MULTI-PURPOSE LAWN
17	SPALL STRIPS FOR ACQUATIC PLANT OR BIODIVERSITY ACCESS
18	RESERVED ACCESS
19	NATIVE SHADOW
20	LARGE BARRIERS FOR PLANT SCREENING
21	FREE FLOW BLOCK
22	EVENT BARRIERS

LAND USE TABLE					
SYMBOL	LAND USE	DENSITY/INTENSITY	UNITS/5F	ACRES	%
1 PAVED PLANNED ZONING AREA	COMMERCIAL/ AGRICULTURAL	N/A	N/A	7.27	32%
2 PAVED PLANNED ZONING AREA	RESIDENTIAL COMMERCIAL	N/A	N/A	8.54	38%
3 PAVED PLANNED ZONING AREA	NATURAL/ TRAILS/FORESTS	N/A	N/A	6.86	30%
TOTAL		N/A	N/A	22.67	100%

