

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8267



Planning Commission Final Agenda

Monday, March 10, 2025

5:30 PM

City Hall Room 219

Planning Commission Members

Andrew Brink, Chair

Mary McGetrick, Vice Chair

Brad Payne, Secretary

Matthew Cabe

Nick Castin

Jimm Garlock

Fred Gulley

Mary Madden

Nick Werner

Senior Assistant City Attorney Blake Pennington

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

Approval of the minutes from the February 24, 2025 Planning Commission.
- Mirinda Hopkins, Development Coordinator

2. ADM-2025-0009: Administrative Item (963 S. LARAMIE HTS/SOUTHERN WOODS, 557):

Submitted by COMMUNITY BY DESIGN for property located at 963 S. LARAMIE HTS. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 17.72 acres. The request is to modify an approved Large Scale Development.
- Gretchen Harrison, Senior Planner

3. VAR-2025-0006: Planning Commission Variance (1059 N. MARINONI DR/DODO COFFEE, 441):

Submitted by ODYSSEY ENGINEERING for property located at 1059 N. MARINONI DR. The property is zoned UT, URBAN THOROUGHFARE and contains approximately 0.64 acres. The request is for a variance to building design standards.
- Jessica Masters, Development Review Manager

4. CCP-2025-0002: Concurrent Plat (3314 N. ADAMS RD/BILDERBACK, 202):

Submitted by BATES & ASSOCIATES for property located at 3314 N. ADAMS RD. The property is in the FAYETTEVILLE PLANNING AREA and has two lots that contain approximately 3.31 and 2.13 acres. The request is to divide the property into three lots with 1.13, 1.50 and 2.81 acres.
- Wesley Frank, Planner

Unfinished Business**5. CUP-2025-0002: Conditional Use Permit (1030 N. EVA AVE/LEDBETTER, 442):**

Submitted by JAMES LEDBETTER for property located at 1030 N. EVA AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.50 acres. The request is to use the property as a short-term rental.

THIS ITEM WAS TABLED AT THE FEBRUARY 24, 2025 PLANNING COMMISSION MEETING. - Wesley Frank, Planner

New Business

6. VAC-2025-0005: Vacation (191 S. HILL AVE/VERVE, 522):

Submitted by MCCLELLAND CONSULTING ENGINEERS for property located at 191 S. HILL AVE. The property is zoned MSC, MAIN STREET CENTER and contains approximately 2.90 acres. The request is to vacate 0.07 acres of right-of-way.

APPLICANT HAS REQUESTED TO TABLE UNTIL THE MARCH 24, 2025, PLANNING COMMISSION MEETING. - Donna Wonsower, Planner

7. CUP-2025-0010: Conditional Use Permit (1611 W. HALSELL RD/CARRINGTON & VOISE LLC, 482):

Submitted by CARRINGTON & VOISE LLC for property located at 1611 W. HALSELL RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 1.20 acres. The request is to use the property as a short-term rental.
- Wesley Frank, Planner

8. VAR-2025-0009: Planning Commission Variance (903 W. NORTH ST/STORER TOWNHOMES, 444):

Submitted by BATES & ASSOCIATES for the property located at 903 W. NORTH ST. The property is zoned R-O, RESIDENTIAL-OFFICE and RMF-40, RESIDENTIAL MULTI-FAMILY, 40 UNITS PER ACRE and contains approximately 0.50 acres. The request is for a variance to pedestrian connectivity, perimeter landscaping, and access management. - Donna Wonsower, Planner

9. VAR-2025-0010: Planning Commission Variance (2837 N. DEANE SOLOMON RD/UNDERWOOD PARK, 246 & 285):

Submitted by ECOLOGICAL DESIGN GROUP for property located at 2837 N. DEANE SOLOMON RD. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 34.59 acres. The request is for a variance to the flood damage prevention code.
- Alan Pugh, Staff Engineer

10. LSD-2024-0027: Large Scale Development (2992 N. OAK BAILEY DR/OAK BAILEY CLUSTER DEVELOPMENT, 254):

Submitted by COMMUNITY BY DESIGN for property located at 2992 N. OAK BAILEY DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY – FOUR UNITS PER ACRE and contains approximately 2.67 acres. The request is

for a cluster housing development with 18 residential units. - Donna Wonsower, Planner

11. VAC-2025-0003: Vacation (507 S. CHURCH AVE/PBS PROPERTIES LLC, 523):

Submitted by SITEWISE CIVIL ENGINEERING for property located at 507 S. CHURCH. The property is zoned RI-U, RESIDENTIAL INTERMEDIATE-URBAN and contains approximately 0.20 acres. The request is to vacate 0.13 acres of street right-of-way.

- Gretchen Harrison, Senior Planner

12. CUP-2025-0007: Conditional Use Permit (2654 N. OLD WIRE RD/BIKE PATH COTTAGES, 292):

Submitted by TIM MCMAHON BUILDING for property located at 2654 N. OLD WIRE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.91 acres. The request is for a cluster housing development. - Wesley Frank, Planner

13. CUP-2025-0011: Conditional Use Permit (834 W. NORTH ST/CAJAKAJO, 405):

Submitted by BLEW & ASSOCIATES for property located at 834 W. NORTH ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.41 acres. The request is to use the property for a limited business. - Gretchen Harrison, Senior Planner

14. CUP-2025-0005: Conditional Use Permit (867 S. WASHINGTON AVE/LUMB, 563):

Submitted by ADRIENNE LUMB for property located at 867 S. WASHINGTON AVE. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.10 acres. The request is to use the property as a short-term rental. - Wesley Frank, Planner

15. CUP-2025-0008: Conditional Use Permit (857 S. ONE MILE RD/CARLEIGH PROPERTIES LLC, 557):

Submitted by CHRIS AUSEC for property located at 857 S. ONE MILE RD. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.10 acres. The request is to use the property as a short-term rental.

- Gretchen Harrison, Senior Planner

16. RZN-2025-0002: Rezoning (1417 N. ADDINGTON AVE/BAUER HAUS LLC, 404):

Submitted by BART & PATRICIA BAUER for property located at 1417 N.

ADDINGTON AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.33 acres. The request is to rezone the property to RSF-18, RESIDENTIAL SINGLE-FAMILY, 18 UNITS PER ACRE. - Wesley Frank, Planner

17. RZN-2025-0004: Rezoning (809 W. KELLEY ST/PARK AVENUE PROPERTIES LLC, 366):

Submitted by JEREMY KENNEDY for property located at 809 W. KELLEY ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.26 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.
- Wesley Frank, Planner

18. RZN-2025-0005: Rezoning (1791 N. GARLAND AVE/JMAX PROPERTIES LLC, 365):

Submitted by COMMUNITY BY DESIGN for property located at 1791 N. GARLAND AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.40 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.
- Jessica Masters, Development Review Manager

19. VAR-2025-0005: Planning Commission Variance (1369 W. MARTIN LUTHER KING JR BLVD/CHICK-FIL-A INC, 521):

Submitted by INTERPLAN LLC for property located at 1369 W. MARTIN LUTHER KING JR BLVD. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 1.08 acres. The request is for a variance to landscape regulations, and buffer strips and screening.

THIS ITEM HAS BEEN WITHDRAWN FOR LACK OF PUBLIC NOTIFICATION. - Donna Wonsower, Planner

20. VAR-2025-0011: Planning Commission Variance (EAST OF 3447 N. HWY 112/FELLOWSHIP CHURCH, 208 & 209):

Submitted by ENGINEERING SERVICES INC for property located EAST OF 3447 N. HWY 112. The property is zoned CS, COMMUNITY SERVICES and contains approximately 1.16 acres. The request is for a variance to parking lot standards.

THIS ITEM HAS BEEN WITHDRAWN FOR LACK OF PUBLIC NOTIFICATION.
- Gretchen Harrison, Senior Planner

21. CUP-2025-0009: Conditional Use Permit (115 S. WILLOW AVE/ST JAMES MISSIONARY BAPTIST CHURCH, 524):

Submitted by SQUIRE JEHEGAN CDC for property located at 115 S. WILLOW AVE. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.22 acres. The request is to use the property as a cultural and recreational facility.

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

Items Administratively Approved by Staff

Agenda Session Items

Announcements

22. **Planning Commission Nominating Committee:**
Matthew Cabe
Brad Payne
Nick Castin
23. **Slate of Candidates for Officer to be voted on March 24, 2025:**
CHAIR: Andrew Brink
VICE CHAIR: Brad Payne
SECRETARY: Jimm Garlock

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, 02/24/2025										
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 (02/10/2025)	2) CCP-2025-0001 (CLARK)	3) VAR-2025-0002 (LEGACY)	4) VAR-2025-0007 (MCKOWN)	5) LSD-2024-0038 (TRINITAS VENTURES)	6) CUP-2024-0054 (JD RIGGINS FAMILY HOLDINGS)			
Castin	1	1	1	1	1	1	1	0	0	1
Gulley	0									
Cabe	0									
Werner	1	1	1	1	1	1	1	1	1	1
Garlock	1	1	1	1	1	1	1	1	1	0
Madden	1	1	1	1	1	1	1	1	0	1
McGetrick	0									
Brink	1	1	1	1	1	1	1	0	0	1
Payne	1	1	1	1	1	1	1	1	0	1
Agenda		Consent	Consent	Consent	Consent	Old	Old			
Action		Approve	Approve	Approve	Approve	Table	Divide	Amend	Amend	Approve
Motion By		Garlock	Garlock	Garlock	Garlock	Payne	Brink	Brink	Brink	Werner
Motion 2nd		Werner	Werner	Werner	Werner	Werner	Payne	Payne	Payne	Payne
Vote		6-0-0	6-0-0	6-0-0	6-0-0	6-0-0	6-0-0	4-2-0	2-4-0	5-1-0
Time		5:33 PM	5:33 PM	5:33 PM	5:33 PM	7:10 PM	8:04 PM			
Motion Detail						Until the March 24, 2025 Planning Commission meeting.	With conditions: Passed - Non-transferable. Failed - Maintain the exterior substantially.			
Public Comment		0	0	0	0	12	3			

(pg. 2) Planning Commission						
Monday, 02/24/2025						
	7) PZD-2025-0001 (HASKELL COMMONS)	8) PPL-2024-0010 (HOLT VILLAGE)	9) CUP-2025-0002 (LEDBETTER)	10) CUP-2025-0004 (KIRBY)	11) CUP-2025-0003 (FERDOWSIAN)	12) RZN-2025-0002 (BAUER HAUS LLC)
Castin	1	1	1	1	0	
Gulley						
Cabe						
Werner	1	1	1	1	0	
Garlock	1	1	1	1	0	
Madden	1	1	1	1	0	
McGetrick						
Brink	1	1	Recuse	1	0	
Payne	1	1	1	1	0	
Agenda	New	New	New	New	New	New
Action	Table	Approve	Table	Approve	Approve	Withdrawn
Motion By	Castin	Werner	Werner	Werner	Payne	
Motion 2nd	Payne	Payne	Castin	Madden	Garlock	
Vote	6-0-0	6-0-0	5-0-1	6-0-0	0-6-0	
Time	8:33 PM	8:48 PM	8:56 PM	9:00 PM	9:27 PM	
Motion Detail	Until the March 24, 2025 Planning Commission meeting.		Until the March 10, 2025 Planning Commission meeting. Motion to Approve withdrawn.			
Public Comment	1	0	0	0	0	

(pg. 3) Planning Commission			Monday, 02/24/2025			
	13) RZN-2024-0058 (KOMANDER)	14) RZN-2025-0001 (JORDAN GROUP LLC)				
Castin	1	1				
Gulley						
Cabe						
Werner	1	1				
Garlock	1	1				
Madden	1	1				
McGetrick						
Brink	1	1				
Payne	1	1				
Agenda	New	New				
Action	Forward	Forward				
Motion By	Payne	Payne				
Motion 2nd	Brink	Werner				
Vote	6-0-0	6-0-0				
Time	9:37 PM	9:40 PM				
Motion Detail	With a recommendation of approval.	With a recommendation of approval.				
Public Comment	0	0				



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: March 10, 2025

SUBJECT: **ADM-2025-0009: Administrative Item (963 S. LARAMIE HTS/SOUTHERN WOODS, 557):** Submitted by COMMUNITY BY DESIGN for property located at 963 S. LARAMIE HTS. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 17.72 acres. The request is to modify an approved Large Scale Development.

RECOMMENDATION:

Staff recommends approval of **ADM-2025-0009**.

RECOMMENDED MOTION:

*"I move to approve **ADM-2025-0009**, determining:*

- In favor of the request to modify LSD-2022-0042, and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located just south of Centennial Park and north of Old Farmington Road. The property contains roughly 17.72 acres and is zoned NC, Neighborhood Conservation. A conditional use permit for 15 cluster housing developments on this property (CUP-2021-000056) was approved by the Planning Commission on January 24, 2022. At the June 13, 2022, Planning Commission meeting, a large scale development (LSD-2022-0014) was approved to develop a three of the cluster housing developments on this property. About a year later, the Planning Commission approved a one-year extension to the conditional use permit (ADM-2023-0010) and the large scale development (ADM-2023-0037). A second large scale development (LSD-2022-0042) for the remaining 12 cluster housing developments was approved by the Planning Commission on August 14, 2023. A second one-year extension to the CUP for the project was granted by the Planning Commission last year, extending its approval to January 24, 2025 (ADM-2024-0003). Since that CUP fully expired then, a new CUP was applied for and approved by the Planning Commission on February 24, 2025 (CUP-2025-0001). A one-year extension to LSD-2022-0042 was granted administratively by staff last year as well, extending that item's approval until August 14, 2025. A request to modify the plans associated with the LSD, to modify floor plans, elevations, and parking counts related to Lots 13-22 to add a third bedroom to 36 units, was also approved by the Planning Commission on December 9, 2024. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-family Residential;	R-A, Residential-Agricultural;

	Centennial Park	RSF-4, Residential Single-family, 4 Units per Acre
South	Single-family Residential	R-A, Residential-Agricultural; R-PZD, Residential Planned Zoning District; RSF-4, Residential Single-family, 4 Units per Acre
West	Undeveloped	R-A, Residential-Agricultural; RSF-2, Residential Single-family, 2 Units per Acre
East	Single-family Residential	NC, Neighborhood Conservation

Request: The request is for a major modification to an approved large scale development (LSD-2024-0042). The applicant has indicated that they are specifically requesting to modify the floor plans, elevations, and parking counts related to Lots 13-16 and 18-21. This change would add a third bedroom to 19 of the Duple House plans and 30 of the Prow House plans. The size of each Prow House would be increased by about 48 square feet and the size of each Duple House would increase by about 200 square feet. No change to building footprints would be made. Parking counts for Lot 18 would be changed with this modification to, to remove four required parking spaces to match the requirement exactly.

Public Comment: To date, staff has received no public comment regarding this request.

DISCUSSION:

Staff is supportive of the applicant's request to amend their large scale development as proposed. The City Fire Marshal and Planning staff have reviewed the proposed modification and verified that fire access, cluster housing, and parking lot design standards are still being met. Individual building plans will also be reviewed by Building Safety and other city divisions at the time of building permit.

RECOMMENDATION: Staff recommends approval of **ADM-2025-0009** subject to the following conditions:

Conditions of Approval:

1. All other conditions of the associated large scale development (LSD-2022-0042) not affected by this modification shall remain in effect.

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date:	<u>March 10, 2025</u>	☐ Tabled	☐ Approved	☐ Denied	
Motion:					
Second:					
Vote:					

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- LSD-2022-0042 Conditions of Approval
- LSD-2022-0042 Approved Site Plan

- Applicant Request Letter and Exhibits
- One Mile Map
- Close-up Map
- Current Land Use Map

LSD-2022-0042 Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends right-of-way dedication as follows:*
 - a. Old Farmington Road: *Staff recommends right-of-way dedication in the amount of roughly 34 feet from the centerline of the road.*
 - b. Internal Streets: *Staff recommends right-of-way dedication in the amount of 34 feet along all interior streets as required by the associated conditional use permit.*

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

2. **Planning Commission determination of street improvements.** *Staff recommends street improvements as follows:*
 - a. Old Farmington Road: *Staff recommends that the property's Old Farmington Road frontage be improved with 10-foot sidewalk, six-foot greenspace, and curb and gutter.*
 - b. Internal Streets: *Staff recommends that all internal streets be improved with a five-foot sidewalk, curb and gutter, and asphalt paving within the right-of-way, and a five-foot sidewalk with five-foot greenspace in a 10-foot easement adjacent to the right-of-way as required by the associated conditional use permit.*
 - c. Additional Improvements: *Staff recommends that the applicant is assessed a \$75,875.74 fee in-lieu for planned improvements to the intersection of Martin Luther King Jr. Boulevard and One Mile Road.*

Subdivision Committee recommended in favor of street improvements.

3. **Planning Commission determination of a variance to UDC §166.08(E): Street Design and Access Management Standards – Block Length/Connectivity.** *Staff recommends approval of the variance for the reasons stated above;*

Subdivision Committee recommended in favor of this variance.

4. **Planning Commission determination of a variance to UDC §166.11: Conformance to Plans and Regulations.** *Staff recommends approval of this variance for the reasons stated above;*

Subdivision Committee made no recommendation on this variance.

5. **Planning Commission determination of a variance to UDC §172.04(F)(4)(a)(iv): Parking Lot Design Standards – Effective Curb Radius.** *Staff recommends approval of this variance for the reasons stated above;*

Subdivision Committee recommended in favor of this variance.

6. **Planning Commission determination of a variance to UDC §172.11(G)(2): Driveway Standards – Driveways Beyond the Property Line.** *Staff recommends denial of this variance for the reasons stated above;*

Subdivision Committee made no recommendation on this variance.

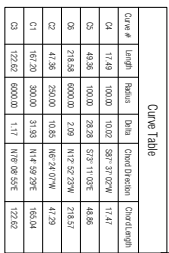
7. Remaining comments from the Planning Division shall be addressed, including:

- a. Each unit must have 250 SF of private open space with no dimension of less than ten feet. There appear to be numerous instances where private open space is significantly less than required.
 - b. Confirm width of driveways on all lots on the north side of Street E. Driveway widths shall comply with the maximums in UDC §172.11(J).
 - c. Public sidewalk cannot overlap with common open space. See comment from Engineering about sidewalk location and confirm common open space totals for each cluster development.
 - d. Dimension width of proposed street R/W from centerline.
8. All conditions of approval of the associated conditional use permit (CUP-2021-000056) shall be met;
9. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto;

Standard Conditions of Approval:

10. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance;
11. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or their representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks, SWEPCO, and Cox Communications);
12. All mechanical/utility equipment (roof and ground mounted) shall be screened using materials that are compatible with and incorporated into the structure. A note shall be clearly placed on the plat and all construction documents indicating this requirement;
13. Trash enclosures shall be screened on three sides with materials complimentary to and compatible with the principle structure. Containers may also be screened from view of the street by the principal structure or vegetation. Elevations of the proposed dumpster enclosure shall be submitted to the Planning and Solid Waste Divisions for review prior to building permit;
14. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;
15. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with City's current requirements;
16. All exterior lights shall comply with the City lighting ordinance. Manufacturer's cut-sheets are required for review and approval prior to issuance of a building permit;
17. All freestanding and wall signs shall comply with ordinance specifications for location, size, type, number, etc. Any proposed signs shall be permitted by a separate sign permit application prior to installation. Freestanding pole signs and electronic message boards (direct lighting) are prohibited in the I-540 Design Overlay District;

18. Large scale development approval shall be valid for one year;
19. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit;
20. Prior to building permit, a cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy; and
21. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
 - c. Exterior lighting package must be provided to the Planning Division;
 - d. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - e. Project Disk with all final revisions; and
 - f. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.

[illegible]

Threats (A-D)	IDS	Number of Sessions	Overlapped Sessions	Material Sessions	Stolen Sessions
Threat A-1	Successful	8	4 (50%)	4	0 (0%)
Threat A-2	Successful	24	14 (58%)	12	0 (0%)
Threat A-3	Successful	24	16 (67%)	12	0 (0%)
Threat A-4	Successful	43	26 (60%)	17	1 (4%)
Threat A-5	Successful	41	24 (59%)	17	2 (5%)
Threat A-6	Successful	29	16 (55%)	12	2 (7%)
Threat A-7	Successful	24	12 (50%)	10	0 (0%)
Threat A-8	Successful	24	14 (58%)	12	1 (4%)
Threat A-9	Successful	24	14 (58%)	12	1 (4%)
Threat A-10	Successful	24	13 (54%)	12	1 (4%)
Threat A-11	Successful	24	14 (58%)	12	0 (0%)
Threat A-12	Successful	24	14 (58%)	12	0 (0%)
Threat A-13	Successful	24	14 (58%)	12	0 (0%)
Threat A-14	Successful	24	14 (58%)	12	0 (0%)
Threat A-15	Successful	24	14 (58%)	12	0 (0%)
Threat A-16	Successful	24	14 (58%)	12	0 (0%)
Threat A-17	Successful	24	14 (58%)	12	0 (0%)
Threat A-18	Successful	24	14 (58%)	12	0 (0%)
Threat A-19	Successful	24	14 (58%)	12	0 (0%)
Threat A-20	Successful	24	14 (58%)	12	0 (0%)
Threat A-21	Successful	24	14 (58%)	12	0 (0%)
Threat A-22	Successful	24	14 (58%)	12	0 (0%)
Threat A-23	Successful	24	14 (58%)	12	0 (0%)
Threat A-24	Successful	24	14 (58%)	12	0 (0%)
Threat A-25	Successful	24	14 (58%)	12	0 (0%)
Threat A-26	Successful	24	14 (58%)	12	0 (0%)
Threat A-27	Successful	24	14 (58%)	12	0 (0%)
Threat A-28	Successful	24	14 (58%)	12	0 (0%)
Threat A-29	Successful	24	14 (58%)	12	0 (0%)
Threat A-30	Successful	24	14 (58%)	12	0 (0%)
Threat A-31	Successful	24	14 (58%)	12	0 (0%)
Threat A-32	Successful	24	14 (58%)	12	0 (0%)
Threat A-33	Successful	24	14 (58%)	12	0 (0%)
Threat A-34	Successful	24	14 (58%)	12	0 (0%)
Threat A-35	Successful	24	14 (58%)	12	0 (0%)
Threat A-36	Successful	24	14 (58%)	12	0 (0%)
Threat A-37	Successful	24	14 (58%)	12	0 (0%)
Threat A-38	Successful	24	14 (58%)	12	0 (0%)
Threat A-39	Successful	24	14 (58%)	12	0 (0%)
Threat A-40	Successful	24	14 (58%)	12	0 (0%)
Threat A-41	Successful	24	14 (58%)	12	0 (0%)
Threat A-42	Successful	24	14 (58%)	12	0 (0%)
Threat A-43	Successful	24	14 (58%)	12	0 (0%)
Threat A-44	Successful	24	14 (58%)	12	0 (0%)
Threat A-45	Successful	24	14 (58%)	12	0 (0%)
Threat A-46	Successful	24	14 (58%)	12	0 (0%)
Threat A-47	Successful	24	14 (58%)	12	0 (0%)
Threat A-48	Successful	24	14 (58%)	12	0 (0%)
Threat A-49	Successful	24	14 (58%)	12	0 (0%)
Threat A-50	Successful	24	14 (58%)	12	0 (0%)
Threat A-51	Successful	24	14 (58%)	12	0 (0%)
Threat A-52	Successful	24	14 (58%)	12	0 (0%)
Threat A-53	Successful	24	14 (58%)	12	0 (0%)
Threat A-54	Successful	24	14 (58%)	12	0 (0%)
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Threat A-57	Successful	24	14 (58%)	12	0 (0%)
Threat A-58	Successful	24	14 (58%)	12	0 (0%)
Threat A-59	Successful	24	14 (58%)	12	0 (0%)
Threat A-60	Successful	24	14 (58%)	12	0 (0%)
Threat A-61	Successful	24	14 (58%)	12	0 (0%)
Threat A-62	Successful	24	14 (58%)	12	0 (0%)
Threat A-63	Successful	24	14 (58%)	12	0 (0%)
Threat A-64	Successful	24	14 (58%)	12	0 (0%)
Threat A-65	Successful	24	14 (58%)	12	0 (0%)
Threat A-66	Successful	24	14 (58%)	12	0 (0%)
Threat A-67	Successful	24	14 (58%)	12	0 (0%)
Threat A-68	Successful	24	14 (58%)	12	0 (0%)
Threat A-69	Successful	24	14 (58%)	12	0 (0%)
Threat A-70	Successful	24	14 (58%)	12	0 (0%)
Threat A-71	Successful	24	14 (58%)	12	0 (0%)
Threat A-72	Successful	24	14 (58%)	12	0 (0%)
Threat A-73	Successful	24	14 (58%)	12	0 (0%)
Threat A-74	Successful	24	14 (58%)	12	0 (0%)
Threat A-75	Successful	24	14 (58%)	12	0 (0%)
Threat A-76	Successful	24	14 (58%)	12	0 (0%)
Threat A-77	Successful	24	14 (58%)	12	0 (0%)
Threat A-78	Successful	24	14 (58%)	12	0 (0%)
Threat A-79	Successful	24	14 (58%)	12	0 (0%)
Threat A-80	Successful	24	14 (58%)	12	0 (0%)
Threat A-81	Successful	24	14 (58%)	12	0 (0%)
Threat A-82	Successful	24	14 (58%)	12	0 (0%)
Threat A-83	Successful	24	14 (58%)	12	0 (0%)
Threat A-84	Successful	24	14 (58%)	12	0 (0%)
Threat A-85	Successful	24	14 (58%)	12	0 (0%)
Threat A-86	Successful	24	14 (58%)	12	0 (0%)
Threat A-87	Successful	24	14 (58%)	12	0 (0%)
Threat A-88	Successful	24	14 (58%)	12	0 (0%)
Threat A-89	Successful	24	14 (58%)	12	0 (0%)
Threat A-90	Successful	24	14 (58%)	12	0 (0%)
Threat A-91	Successful	24	14 (58%)	12	0 (0%)
Threat A-92	Successful	24	14 (58%)	12	0 (0%)
Threat A-93	Successful	24	14 (58%)	12	0 (0%)
Threat A-94	Successful	24	14 (58%)	12	0 (0%)
Threat A-95	Successful	24	14 (58%)	12	0 (0%)
Threat A-96	Successful	24	14 (58%)	12	0 (0%)
Threat A-97	Successful	24	14 (58%)	12	0 (0%)
Threat A-98	Successful	24	14 (58%)	12	0 (0%)
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Threat B-1	Successful	24	14 (58%)	12	0 (0%)
Threat B-2	Successful	24	14 (58%)	12	0 (0%)
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Threat B-9	Successful	24	14 (58%)	12	0 (0%)
Threat B-10	Successful	24	14 (58%)	12	0 (0%)
Threat B-11	Successful	24	14 (58%)	12	0 (0%)
Threat B-12	Successful	24	14 (58%)	12	0 (0%)
Threat B-13	Successful	24	14 (58%)	12	0 (0%)
Threat B-14	Successful	24	14 (58%)	12	0 (0%)
Threat B-15	Successful	24	14 (58%)	12	0 (0%)
Threat B-16	Successful	24	14 (58%)	12	0 (0%)
Threat B-17	Successful	24	14 (58%)	12	0 (0%)
Threat B-18	Successful	24	14 (58%)	12	0 (0%)
Threat B-19	Successful	24	14 (58%)	12	0 (0%)
Threat B-20	Successful	24	14 (58%)	12	0 (0%)
Threat B-21	Successful	24	14 (58%)	12	0 (0%)
Threat B-22	Successful	24	14 (58%)	12	0 (0%)
Threat B-23	Successful	24	14 (58%)	12	0 (0%)
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Threat B-26	Successful	24	14 (58%)	12	0 (0%)
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Threat B-29	Successful	24	14 (58%)	12	0 (0%)
Threat B-30	Successful	24	14 (58%)	12	0 (0%)
Threat B-31	Successful	24	14 (58%)	12	0 (0%)
Threat B-32	Successful	24	14 (58%)	12	0 (0%)
Threat B-33	Successful	24	14 (58%)	12	0 (0%)
Threat B-34	Successful	24	14 (58%)	12	0 (0%)
Threat B-35	Successful	24	14 (58%)	12	0 (0%)
Threat B-36	Successful	24	14 (58%)	12	0 (0%)
Threat B-37	Successful	24	14 (58%)	12	0 (0%)
Threat B-38	Successful	24	14 (58%)	12	0 (0%)
Threat B-39	Successful	24	14 (58%)	12	0 (0%)
Threat B-40	Successful	24	14 (58%)	12	0 (0%)
Threat B-41	Successful	24	14 (58%)	12	0 (0%)
Threat B-42	Successful	24	14 (58%)	12	0 (0%)
Threat B-43	Successful	24	14 (58%)	12	0 (0%)
Threat B-44	Successful	24	14 (58%)	12	0 (0%)
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Threat B-99	Successful	24	14 (58%)	12	0 (0%)
Threat B-100	Successful	24	14 (58%)	12	0 (0%)
Threat C-1	Successful	24	14 (58%)	12	0 (0%)
Threat C-2	Successful	24	14 (58%)	12	0 (0%)
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Threat C-10	Successful	24	14 (58%)	12	0 (0%)
Threat C-11	Successful	24	14 (58%)	12	0 (0%)
Threat C-12	Successful	24	14 (58%)	12	0 (0%)
Threat C-13	Successful	24	14 (58%)	12	0 (0%)
Threat C-14	Successful	24	14 (58%)	12	0 (0%)
Threat C-15	Successful	24	14 (58%)	12	0 (0%)
Threat C-16	Successful	24	14 (58%)	12	0 (0%)
Threat C-17	Successful	24	14 (58%)	12	0 (0%)
Threat C-18	Successful	24	14 (58%)	12	0 (0%)
Threat C-19	Successful	24	14 (58%)	12	0 (0%)
Threat C-20	Successful	24	14 (58%)	12	0 (0%)
Threat C-21	Successful	24	14 (58%)	12	0 (0%)
Threat C-22	Successful	24	14 (58%)	12	0 (0%)
Threat C-23	Successful	24	14 (58%)	12	0 (0%)
Threat C-24	Successful	24	14 (58%)	12	0 (0%)
Threat C-25	Successful	24	1		

[illegible]

January 28, 2025
Via EnerGov

Ms. Gretchen Harrison
Senior Planner
City of Fayetteville
125 West Mountain Street
Fayetteville, Arkansas 72701

RE: **LSD 2022 0042 Amendment Request – Lots 13-16 and 18-21**

Ms. Harrison,

Please allow this letter to serve as a request to amend LSD 2022 0042. Specifically floor plans, elevations, and parking related to Lots 13-16 and 18-21. The proposal adds a third bedroom to 19 of the dupe house plans and 30 of the prow house plans. The lot house plan matrix has been updated accordingly with changes highlighted in red text. The change adds approximately 48 heated and cooled square feet to each of the the prow house plans and approximately 200 square feet to each of the dupe house plans. The proposal does not change the overall covered building footprint of either house plan. The proposal changes parking requirements for Lot 18 per the submitted site parking analysis document. 4 parking spaces have been removed from the proposed plan in order to match the parking requirement exactly.

Please find the following pdf documents for your review:

- Approved Lot House Plan Matrix 103024
- Approved LSD 2022 0042 Site Parking Analysis Plan 103024
- Approved Duple House 1L Elevation and Plan 030623
- Approved Duple House 1R Elevation and Plan 030623
- Approved Duple House 2L Elevation and Plan 030623
- Approved Duple House 2R Elevation and Plan 030623
- Approved Duple House 3L Elevation and Plan 030623
- Approved Duple House 3R Elevation and Plan 030623
- Approved Prow House 3L Elevation and Plan 030623
- Approved Prow House 3R Elevation and Plan 030623
- Approved Prow House 4L Elevation and Plan 030623
- Approved Prow House 4R Elevation and Plan 030623
- Proposed Lot House Plan Matrix 012825
- Proposed LSD 2022 0042 Site Parking Analysis Plan 012825
- Proposed Duple House 7L Elevation and Plan 012825
- Proposed Duple House 7R Elevation and Plan 012825
- Proposed Duple House 8L Elevation and Plan 012825
- Proposed Duple House 8R Elevation and Plan 012825
- Proposed Duple House 9L Elevation and Plan 012825
- Proposed Duple House 9R Elevation and Plan 012825
- Proposed Duple House 10L Elevation and Plan 012825
- Proposed Duple House 10R Elevation and Plan 012825
- Proposed Prow House 10L Elevation and Plan 012825

100 West Center Street Suite 300
Fayetteville, AR 72701

479.790.6775
Planning Commission

March 10, 2025

ADM-2025-0009 (SOUTHERN WOODS)

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- Proposed Prow House 10R Elevation and Plan 012825
- Proposed Prow House 11L Elevation and Plan 012825
- Proposed Prow House 11R Elevation and Plan 012825
- Proposed Prow House 12L Elevation and Plan 012825
- Proposed Prow House 12R Elevation and Plan 012825
- Proposed Prow House 13L Elevation and Plan 012825
- Proposed Prow House 13R Elevation and Plan 012825

Please let me know if you have questions or if you need additional information in order to process this request.

Sincerely,



Brian Teague
Community By Design

Cluster Lot Number	Individual Lot Number	Lot Area Square Footage	House Plan	Elevation Number	Heated and Cooled Square Footage	Front Orientation
8	A	4,377	Duple House	1R	1,120	North
8	B	3,014	Duple House	2R	1,120	North
8	C	3,081	Duple House	3R	1,120	North
8	D	4,021	Prow House	3R	1,225	North
9	A	3,040	Central Hall	3L	1,263	West
9	B	2,777	Central Hall	4L	1,263	North
9	C	3,060	Prow House	3L	1,225	North
9	D	2,729	Central Hall	3R	1,263	East
9	E	2,270	Bent House	1L	1,176	West
9	F	2,553	Bent House	2R	1,176	Elevation Faces West (as shown
9	G	2,747	Prow House	4R	1,225	East
9	H	1,815	Prow House	3R	1,225	South
9	I	2,272	Duple House	3L	1,120	South
9	J	2,349	Duple House	1R	1,120	South
9	K	2,453	Prow House	3R	1,225	South
9	L	2,463	Bent House	3L	1,176	Elevation Faces West (as shown
10	A	3,136	Central Hall	3L	1,263	West
10	B	2,433	Bent House	1L	1,176	North
10	C	2,867	Prow House	3L	1,225	North
10	D	2,336	Prow House	4L	1,225	North
10	E	2,501	Bent House	2L	1,176	West
10	F	2,350	Bent House	3L	1,176	West
10	G	2,262	Prow House	3L	1,225	West
10	H	2,447	Bent House	4R	1,176	Elevation Faces East (as shown
10	I	2,794	Prow House	3R	1,225	South
10	J	3,275	Prow House	4R	1,225	South
10	K	2,414	Bent House	1R	1,176	South
10	L	2,973	Central Hall	4L	1,263	West
11	A	-	Prow House	6R	2,450	South
11	B	-	I-House	6R	2,450	South (Garag
11	C	-	Prow House	9L	2,450	North
11	D	-	Prow House	8L	1,650	South
11	E	-	Bent House	5L	1,650	South
11	F	-	Central Hall	5R	1,650	South
11	G	-	Bent House	5R	1,650	South
11	H	-	Prow House	8R	1,650	South
11	I	-	Prow House	7L	2,450	North
11	J	-	Bent House	8L	2,450	North
11	K	-	I-House	7R	2,450	South
11	L	-	Bent House	6R	2,450	South

Cluster Lot Number	Individual Lot Number	Lot Area Square Footage	House Plan	Elevation Number	Heated and Cooled Square Footage	Front Orientation
12	A	-	Bent House	6R	2,450	South
12	B	-	Prow House	5R	2,450	South
12	C	-	Prow House	9L	2,450	North
12	D	-	Prow House	8L	1,650	South
12	E	-	Bent House	5L	1,650	South
12	F	-	Central Hall	5R	1,650	South
12	G	-	Bent House	5R	1,650	South
12	H	-	Prow House	8R	1,650	South
12	I	-	Carriage House	1	624	North
12	J	-	Prow House	7L	2,450	North
12	K	-	Bent House	8L	2,450	North
12	L	-	Prow House	6R	2,450	South
13	K	-	Prow House	6R	2,450	South
13	L	-	Bent House	6R	2,450	South
13	A	-	Duple House	3R	1,120	North
13	B	-	Prow House	3L	1,225	North
13	C	-	Bent House	10L	1,274	East
13	D	-	Bent House	12R	1,274	East
13	E	-	Prow House	3R	1,225	South
13	F	-	Duple House	3L	1,120	South
13	G	-	Prow House	4R	1,225	South
13	H	-	Central Hall	9L	1,320	West
13	I	-	Central Hall	8R	1,320	West
13	J	-	Prow House	4L	1,225	North
14	A	-	Duple House	3R	1,120	North
14	B	-	Prow House	3L	1,225	North
14	C	-	Bent House	10L	1,274	East
14	D	-	Bent House	12R	1,274	East
14	E	-	Prow House	3R	1,225	South
14	F	-	Duple House	3L	1,120	South
14	G	-	Prow House	4R	1,225	South
14	H	-	Central Hall	9L	1,320	West
14	I	-	Central Hall	8R	1,320	West
14	J	-	Prow House	4L	1,225	North
15	A	-	Duple House	3R	1,120	North
15	B	-	Prow House	3L	1,225	North
15	C	-	Bent House	10L	1,274	East
15	D	-	Bent House	12R	1,274	East
15	E	-	Prow House	3R	1,225	South
15	F	-	Duple House	3L	1,120	South
15	G	-	Duple House	2L	1,120	South
15	H	-	Prow House	4R	1,225	South
15	I	-	Central Hall	9L	1,320	West
15	J	-	Central Hall	8R	1,320	West
15	K	-	Prow House	4L	1,225	North
15	L	-	Duple House	2R	1,120	North

Cluster Lot Number	Individual Lot Number	Lot Area Square Footage	House Plan	Elevation Number	Heated and Cooled Square Footage	Front Orientation
16	A	-	Duple House	3R	1,120	North
16	B	-	Prow House	3L	1,225	North
16	C	-	Bent House	10L	1,274	East
16	D	-	Bent House	12R	1,274	East
16	E	-	Prow House	3R	1,225	South
16	F	-	Duple House	3L	1,120	South
16	G	-	Duple House	2L	1,120	South
16	H	-	Prow House	4R	1,225	South
16	I	-	Central Hall	9L	1,320	West
16	J	-	Central Hall	8R	1,320	West
16	K	-	Prow House	4L	1,225	North
16	L	-	Duple House	2R	1,120	North
17	A	-	Duple House	3R	1,120	North
17	B	-	Prow House	3L	1,225	North
17	C	-	Bent House	10L	1,274	East
17	D	-	Bent House	12R	1,274	East
17	E	-	Prow House	3R	1,225	South
17	F	-	Duple House	3L	1,120	South
17	G	-	Duple House	2L	1,120	South
17	H	-	Prow House	4R	1,225	South
17	I	-	Central Hall	9L	1,320	West
17	J	-	Central Hall	8R	1,320	West
17	K	-	Prow House	4L	1,225	North
17	L	-	Duple House	2R	1,120	North
18	A	-	Prow House	3L	1,225	North
18	B	-	Carriage House	1	624	West
18	C	-	Duple House	3L	1,120	South
18	D	-	Prow House	4L	1,225	South
18	E	-	Prow House	3R	1,225	West
18	F	-	Duple House	6L	1,650	West
18	G	-	Duple House	5R	1,650	West
18	H	-	Duple House	4R	1,650	West
18	I	-	Bent House	12R	1,274	West
19	A	-	Central Hall	8R	1,320	North
19	B	-	Prow House	4R	1,225	East
19	C	-	Duple House	2R	1,120	East
19	D	-	Duple House	3R	1,120	East
19	E	-	Prow House	3L	1,225	East
19	F	-	Bent House	10L	1,274	South
19	G	-	Bent House	12R	1,274	South
19	H	-	Prow House	3R	1,225	West
19	I	-	Duple House	3L	1,120	West
19	J	-	Duple House	2L	1,120	West
19	K	-	Prow House	4L	1,225	West
19	L	-	Central Hall	9L	1,320	North

Cluster Lot Number	Individual Lot Number	Lot Area Square Footage	House Plan	Elevation Number	Heated and Cooled Square Footage	Front Orientation
20	A	-	Bent House	12R	1,274	West
20	B	-	Prow House	4R	1,225	East
20	C	-	Duple House	2L	1,120	East
20	D	-	Duple House	3L	1,120	East
20	E	-	Prow House	8L	1,650	East
20	F	-	Bent House	10L	1,274	South
20	G	-	Prow House	4L	1,225	South
20	H	-	Prow House	3R	1,225	West
20	I	-	Prow House	4R	1,225	West
20	J	-	Bent House	13L	1,274	West
20	K	-	Central Hall	9R	1,320	North
21	A	-	Prow House	3R	1,225	North
21	B	-	Central Hall	9R	1,320	East
21	C	-	Central Hall	8R	1,320	East
21	D	-	Bent House	10L	1,274	North
21	E	-	Prow House	4R	1,225	South
21	F	-	Prow House	3L	1,225	South
21	G	-	Prow House	8R	1,650	West
21	H	-	Central Hall	9R	1,320	North
21	I	-	Bent House	12R	1,274	North
22	A	-	Bent House	5L	1,650	North
22	B	-	Central Hall	9R	1,320	East
22	C	-	Bent House	12R	1,274	East
22	D	-	Prow House	3R	1,225	South
22	E	-	Duple House	1L	1,120	South
22	F	-	Duple House	3L	1,120	South
22	G	-	Duple House	2L	1,120	East
22	H	-	Prow House	4R	1,225	West
22	I	-	Central Hall	7L	1,264	West
22	J	-	Central Hall	6L	1,264	West
22	K	-	Prow House	8L	1,650	West



TABLE 1. DATA COLLECTION LOGS. ALL CAPS AND LOWERCASE LETTERS IN A LOGGING LINE IS NOT NECESSARILY FOLLOWED BY A SPACE.

STREET TABLE

LAND USE SUMMARY

DISABILITIES ACT (ADA) ARE NOT PROPOSED AND ALL IMPROVEMENTS ARE PRIVATE. ALSO BE AWARE THE PROPOSED DWELLING UNITS ARE BEING CONSIDERED SINGLE-FAMILY DWELLINGS. THEREFORE ACCESSIBLE DWELLING UNITS AND/OR SIMPLIFIED IMPROVEMENTS ARE NOT REQUIRED OR PROVIDED.

BOUNDARY DESCRIPTION:

ADJACENT PROPERTY INFORMATION

BRANDON MARK L. & DAVID S.
FACETTEVILLE, AR
PARCEL ID: 260-20111-000

FLOOD CERTIFICATION:

Page 14 of 94



- Community Development
March 10, 2025

ADM-2025-0009 (SOUTHERN WOODS)

Page 15 of 94



CITY OF ATLANTA
GEORGIA

CERTIFICATE OF AWARD

COMMUNITY DEVELOPMENT

PROJECT #
ADP 2154

REVISION 0

DUPLE COTTAGE ELEVATION 1L

ISSUED FOR CONSTRUCTION

DESIGNED BY: K

DATE: 03/06/23

COVER SHEET NO.



Community Design
March 10, 2019



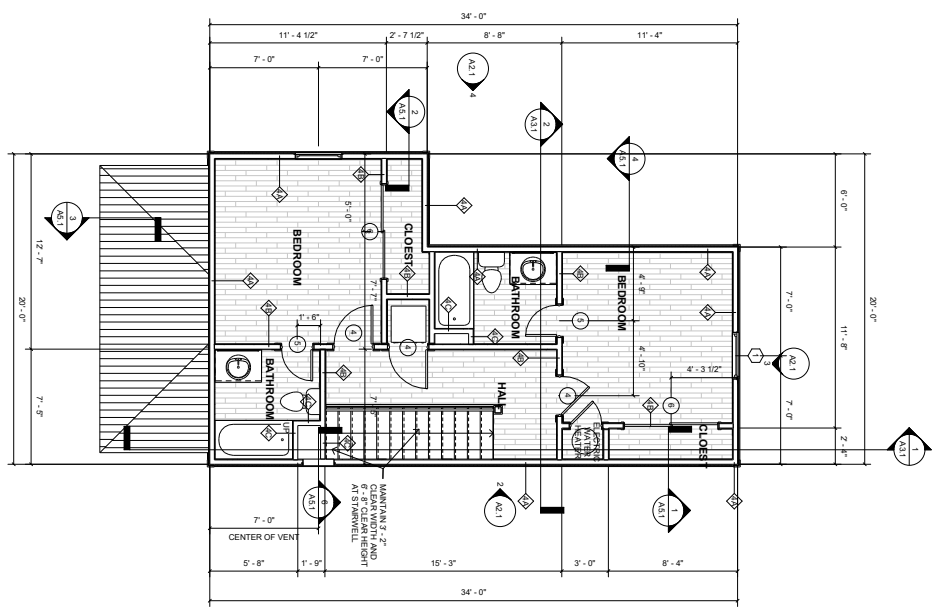
REVISION 0

DUPLE
COTTAGE
ELEVATION 1L

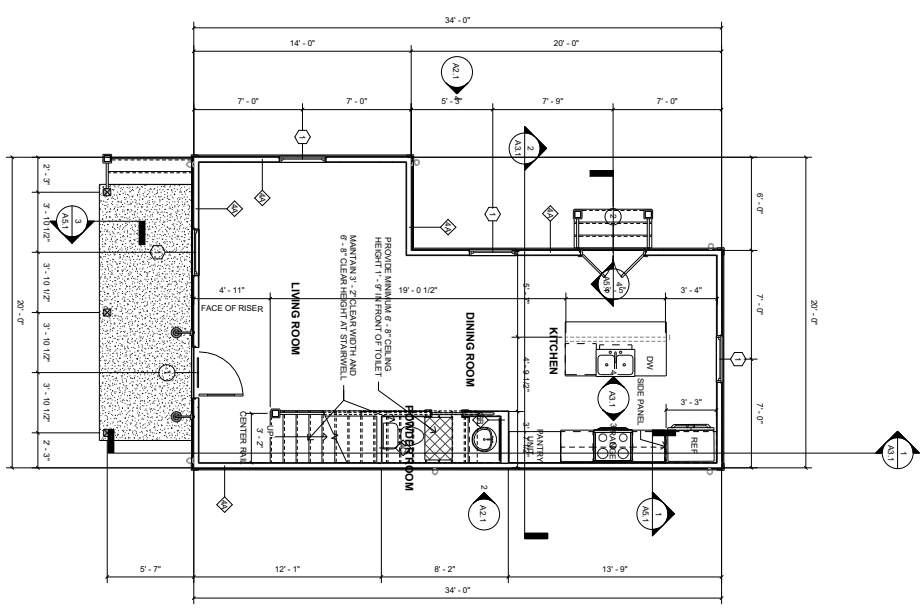
ISSUED FOR
CONSTRUCTION

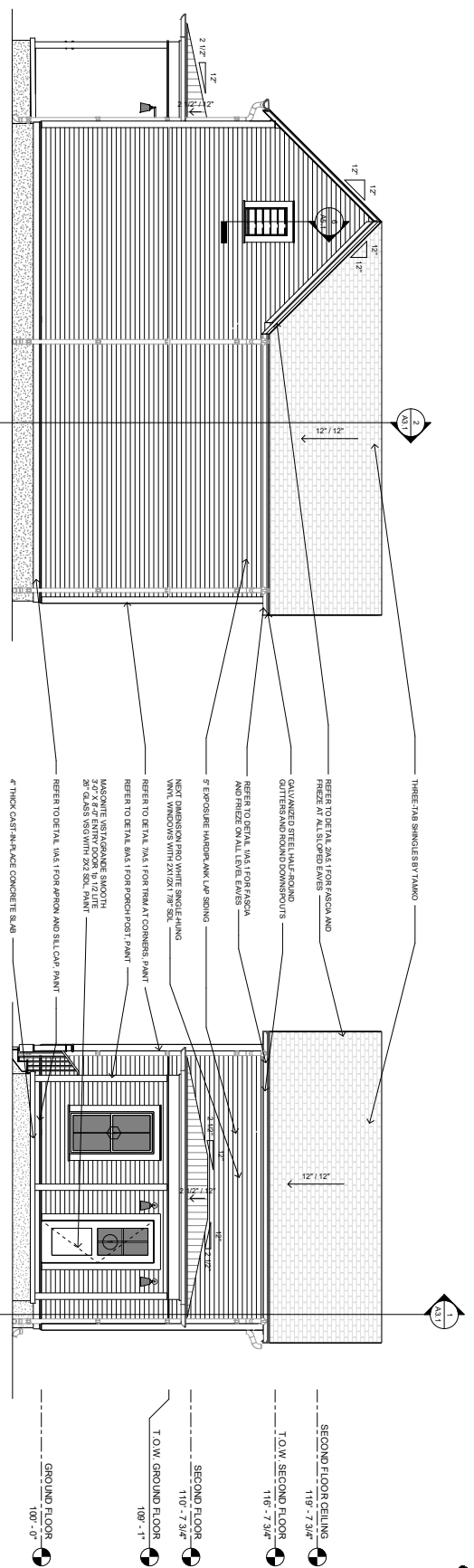
ENGINEER: BT
DRAWN BY: K
DATE: 03/06/2023

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



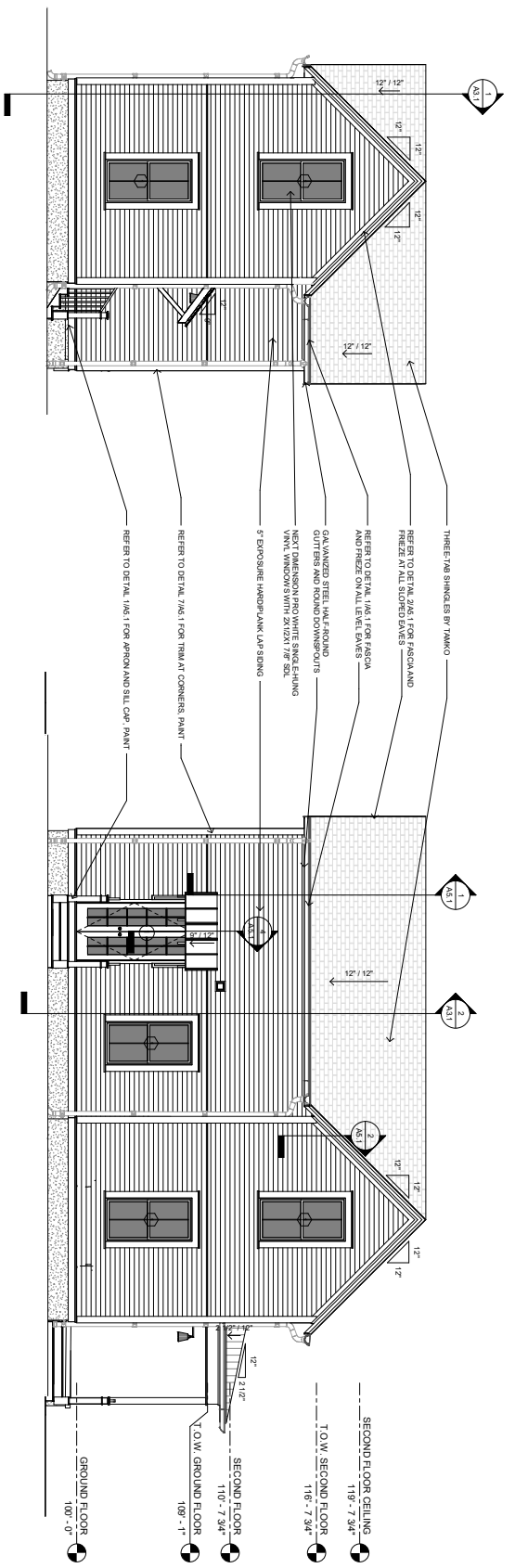
1 GROUND FLOOR DIMENSION
PLAN
1/4" = 1'-0"





2 LEFT ELEVATION

1 FRONT ELEVATION



3 BACK ELEVATION

4 RIGHT ELEVATION

DUPLEX COTTAGE ELEVATION 1L

ISSUED FOR CONSTRUCTION

DESIGNED BY: K. D. HARRIS, P.E.
DATE: 03/06/2023

ELEVATIONS

SHEET A2.1



- Page 18 of 94



Community by Design
March 10, 2023



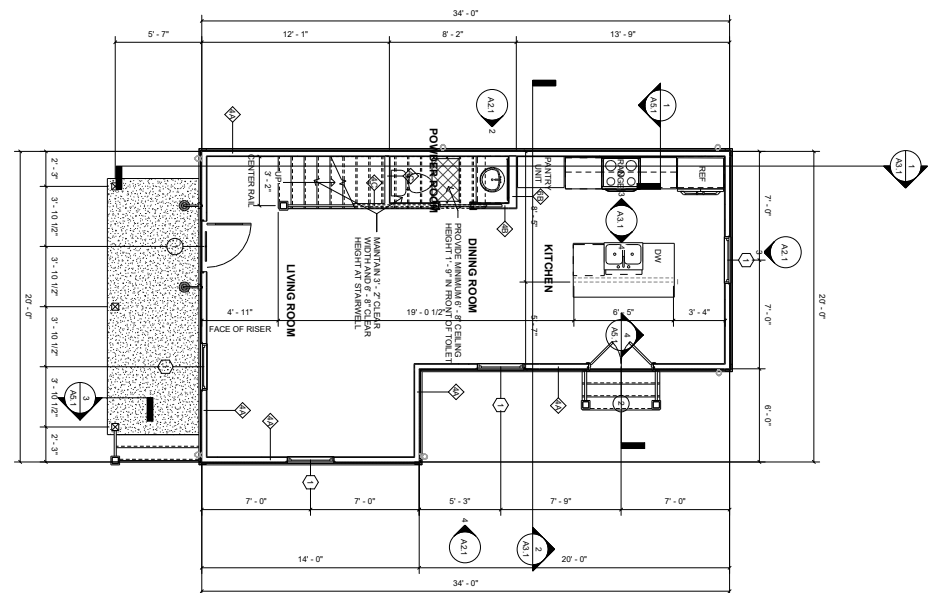
REVISION 0

DUPLE
COTTAGE
ELEVATION 1R

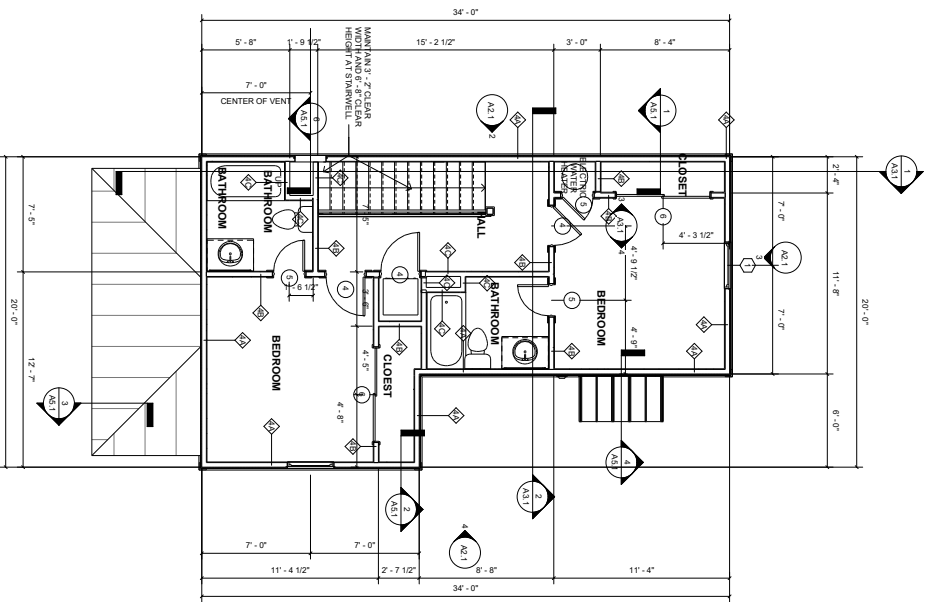
ISSUED FOR
CONSTRUCTION

ENGINEER: BT
DRAWN BY: K
DATE: 03/06/2023

DIMENSION
PLANS
SHEET A1.1



1
GROUND FLOOR DIMENSION
PLAN
1/8" = 1'-0"

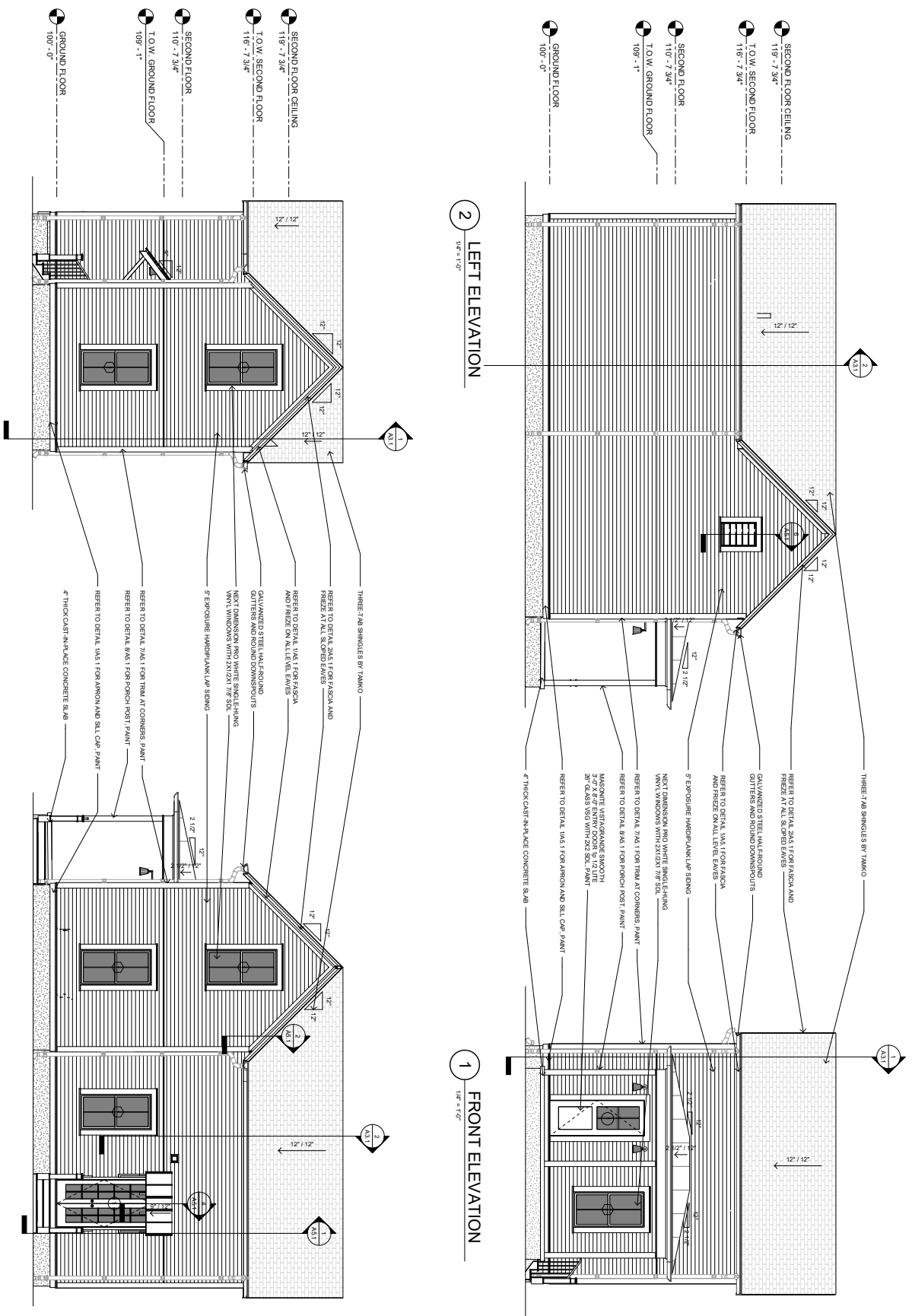
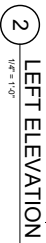


2
SECOND FLOOR DIMENSION
PLAN
1/8" = 1'-0"



ADM-2025-0009 (SOUTHERN WOODS)

REVISION 0



DUPLE
COTTAGE
ELEVATION 1R

ISSUED FOR
CONSTRUCTION

ENGINEER: BT
DRAWN BY: TK
DATE: 03/06/2023

ELEVATIONS

SHEET A2.1



GENERAL NOTES

DUPLE
COTTAGE
ELEVATION 2L



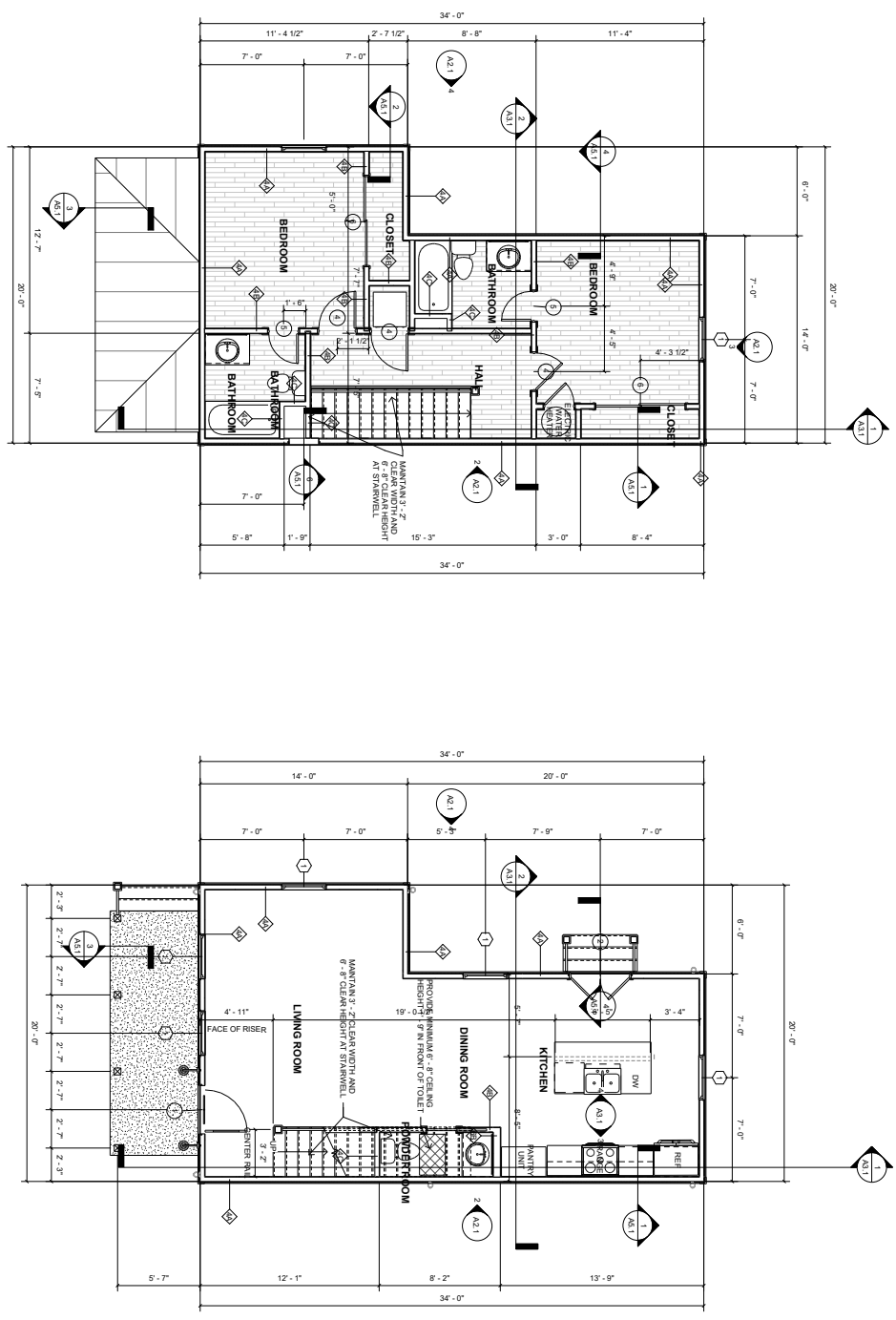


REVISION 0

DUPLE
COTTAGE
ELEVATION 2L

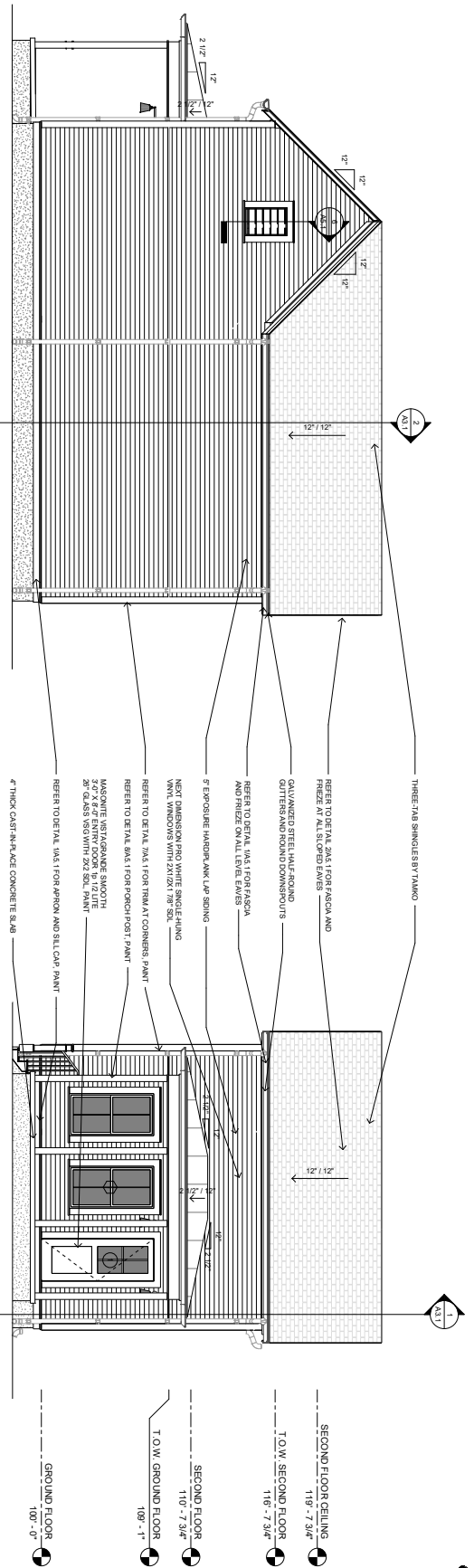
ISSUED FOR
CONSTRUCTION
ENGINEER: BT
DRAWN BY: K
DATE: 03/06/2023

DIMENSION
PLANS
SHEET A1.1



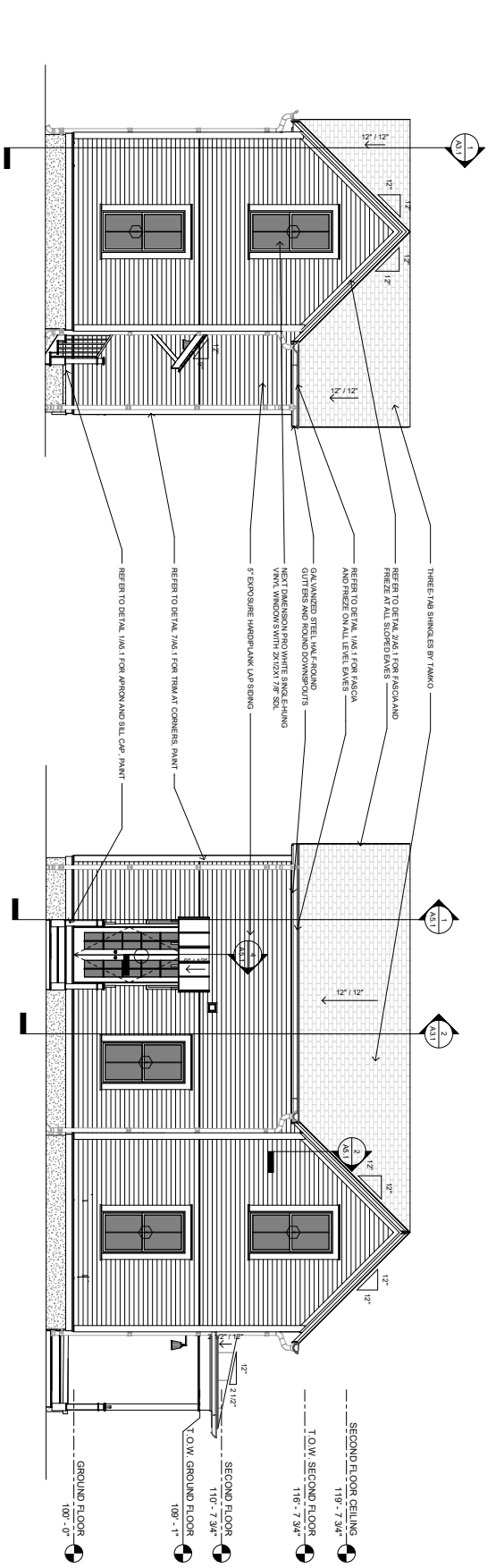
SECOND FLOOR DIMENSION
PLAN
2
1/4" = 1'-0"

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



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

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



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

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

DUPLEX
COTTAGE
ELEVATION 2L

ISSUED FOR
CONSTRUCTION

DESIGNED BY
DRAWN BY: K
DATE: 03.06.2023

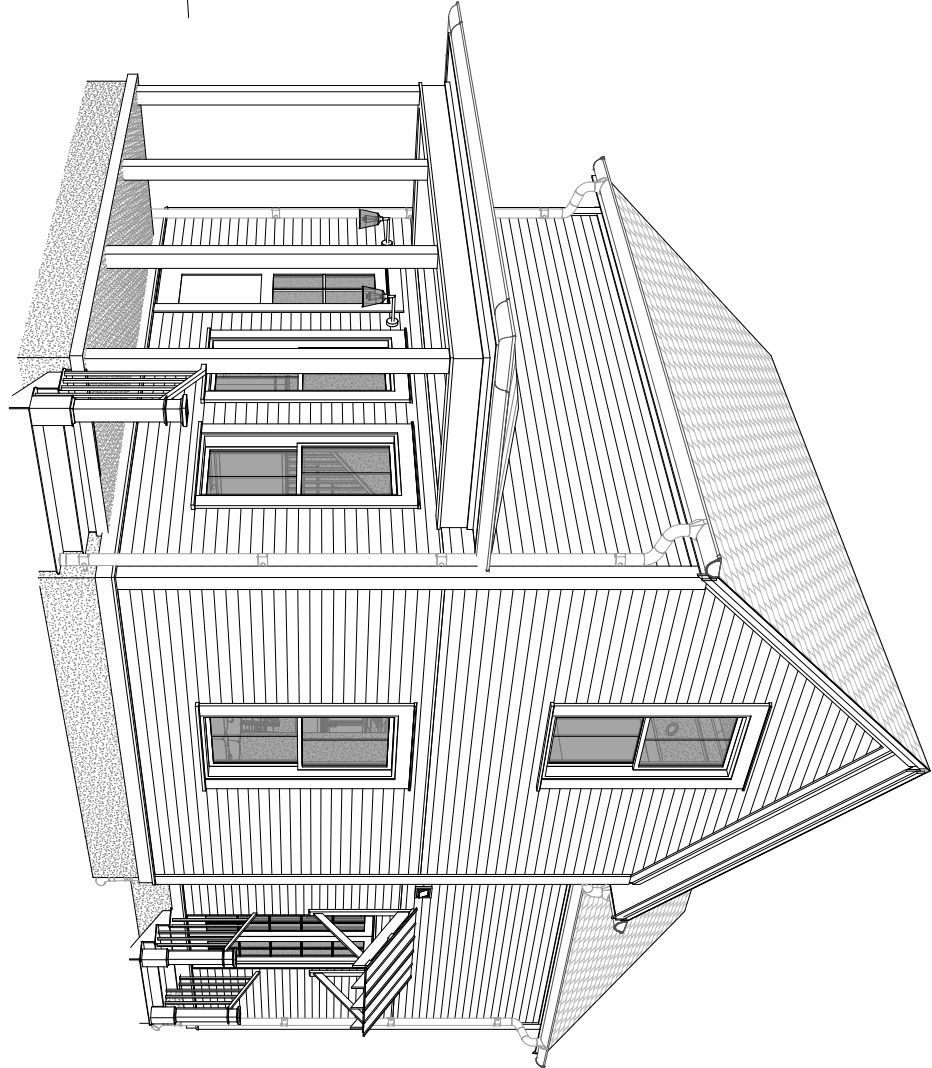
ELEVATIONS

SHEET A2.1



community design

Community Design
March 10, 2025



DUPLE COTTAGE

ELEVATION 2R

- GENERAL NOTES:
1. COORDINATE ALL WORK WITH DRAWINGS AND SPECIFICATIONS.
 2. DRAWINGS MAY BE PRINTED AT HALF SIZE. SERIES OF REDUCED DRAWINGS ARE SOLELY RESPONSIBLE FOR DETERMINING THE PROPER SCALE.
 3. CONTRACTOR AND SUB-CONTRACTORS SHALL FURNISH THEMSELVES WITH EXISTING CONDITIONS, LOCATION, AND PROJECT REQUIREMENTS PRIOR TO SUBMITTING A BID.
 4. CONTRACTOR AND SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.
 5. THE WORK SHALL INCLUDE ALL REQUIRED PERMITS, LABOR, MATERIALS, AND EQUIPMENT TO COMPLETE THE PROJECT.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNOLOGIES, PROCEDURES, SEQUENCES, ETC. TO INSURE SAFE AND EFFECTIVE PROGRESS OF THE PROJECT.
 7. ALL WORKING SHALL BE DONE IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS.
 8. CONTRACTOR IS RESPONSIBLE FOR FINAL CLEAN UP OF WORK AREA AND ALL EXPOSED BUILDING SURFACES AT SUBSTANTIAL COMPLETION.
 9. ALL TRASH AND TOOLS SHALL BE REMOVED FROM PREMISES EACH DAY AND THE AREA LEFT CLEAN WHENEVER UNATTENDED. EACH CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL TRASH AND TOOLS FROM THE PROJECT SITE PRIOR TO SUBMITTING A BID.
 10. EQUIPMENT PLANTING, EXISTING MATERIALS OR FINISHES CAUSED AS A RESULT OF HIS WORK, REPAIR OR REPLACE DAMAGED ITEMS AS DIRECTED BY DESIGNER.
 11. ALL WORK SHALL BE DONE IN ACCORDANCE WITH APPLICABLE CODES AND STANDARDS.
 12. DIMENSIONS ARE TO FACE OF WALL ON FOUNDATION PLAIN AND FACE OF STUDY DRAWING WALLS ON COPLANES WITH THE LOCATION OF THE CENTRELINE OF THE DRAINING WATER OF THE ROOF.
 13. THE INFORMATION CONTAINED HEREIN IS UNQUALIFIED. THE CONTRACTOR, DESIGNER, ARCHITECT, ENGINEER, AND SUB-CONTRACTORS ARE RESPONSIBLE FOR PERFORMING ALL WORK WITHIN STANDARD MODURITY AND THERMAL BARRIERS, AND QUALITY WORKMANSHIP IN ACCORDANCE WITH AND TO THE END OF MEETING OR EXCEEDING APPLICABLE CODES AND STANDARDS.
 14. ALL SIDING AND TRIM TO BE SMOOTH. SIDING TO BE SMOOTH HARDY PLANK 5/8" x 16" WOOD GRAIN TEXTURE ON DOORS, SIDING OR TRIM TRIM PROFILES TO HAVE INTERIOR FINISHES AT VISIBLE ENDS.
 15. EXTERIOR WALLS, JUTTS AND GRAVE SPACES TO BE INSULATED FOR THERMAL BARRIERS TO BE INSTALLED AT ALL JOINTS, EDGES, AND PENETRATIONS. INSTALL SOUNDPROOFING RESISTANCE OF BATHROOMS AND BEDROOM.
 16. SLOPE ALL GRASSES AWAY FROM BUILDINGS.

APPLICABLE CODES:

- 2018 International Building Code
- 2018 International Energy Conservation Code
- 2018 American State Building Code
- 2017 ANSI A17.1 Code
- 2017 ANSI A17.1 Code
- 2017 American Energy Code (2009 EBC)
- 2017 American Fire Protection Code - Vol II (Based on 2021 EBC)
- 2017 American Fire Protection Code - Vol I (Based on 2021 EBC)

SHEET INDEX	
Sheet Number	Sheet Name
A0	COVER
A1.1	DIMENSION PLANS
A1.2	FOUNDATION AND ROOF PLANS
A1.3	RESISTANCE PLANS
A2.1	RESISTANCE CEILING PLANS
A3.1	ELEVATIONS
A4.1	SECTIONS
A5.1	SCHEDULES
A6.1	DETAILS

PROJECT DATA - AREA	
GROUND FLOOR AREA	969 SF
SECOND FLOOR AREA	1138 SF

DUPLE COTTAGE
ELEVATION 2R

REVISION 0

ISSUED FOR
CONSTRUCTION

DRAWN BY: K
DATE: 03/06/2023

COVER

SHEET A0



Community by Design
March 10, 2019



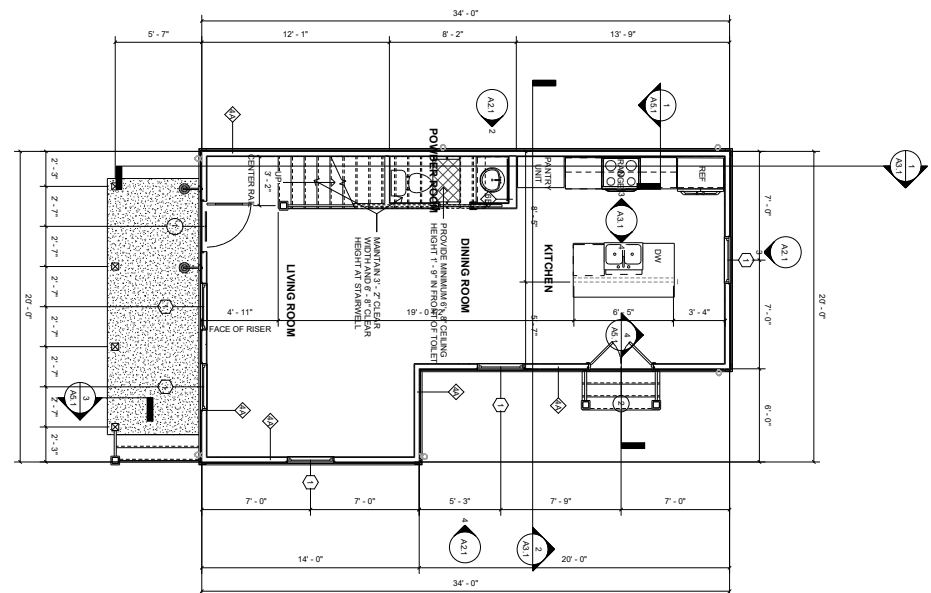
REVISION 0

DUPLE
COTTAGE
ELEVATION 2R

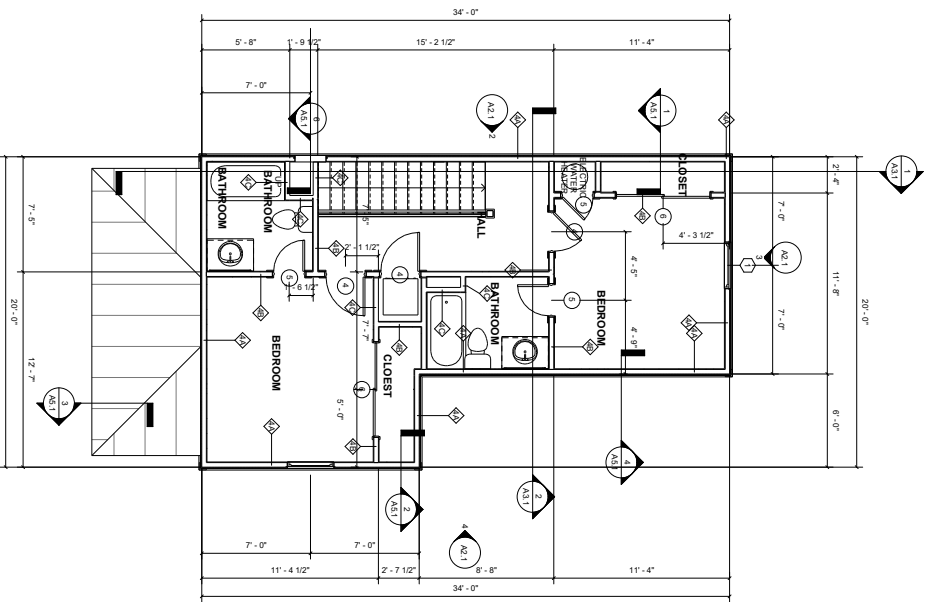
ISSUED FOR
CONSTRUCTION

ENGINEER: BT
DRAWN BY: K
DATE: 03/06/2023

DIMENSION
PLANS
SHEET A1.1



1
GROUND FLOOR DIMENSION
PLAN
1/8" = 1'-0"



2
SECOND FLOOR DIMENSION
PLAN
1/8" = 1'-0"

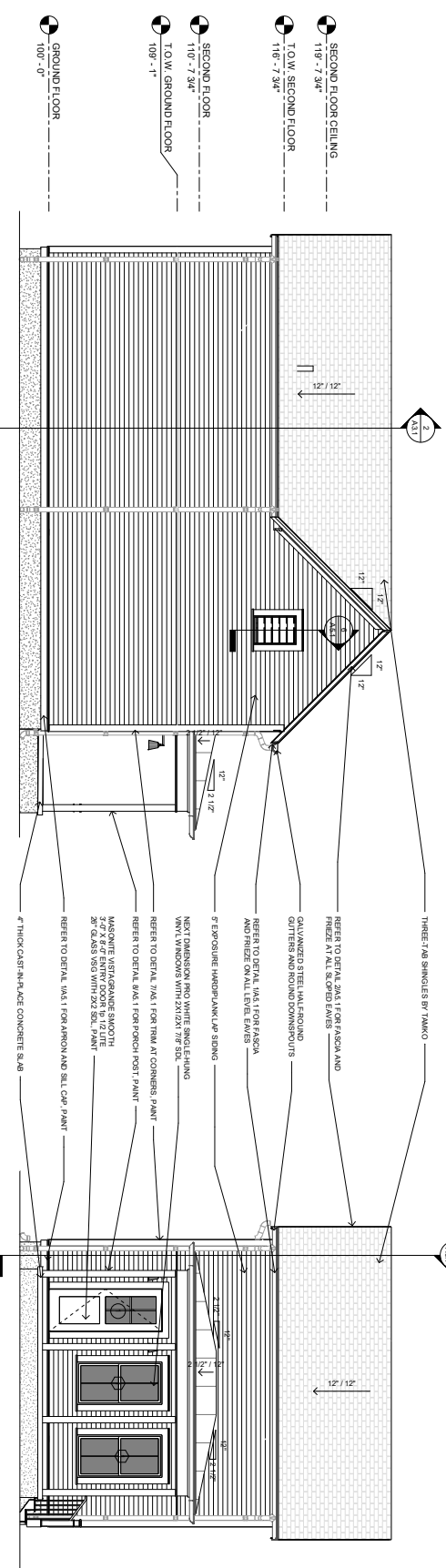


Community by Design
March 10, 2025

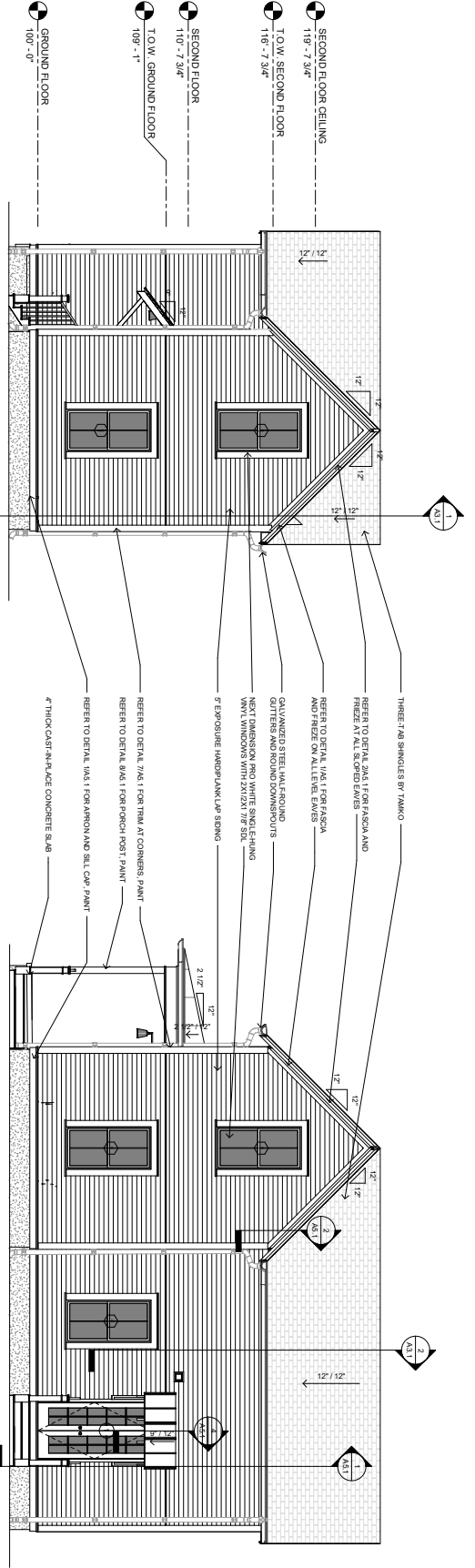


REVISION 0

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



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



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

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

DUPLE
COTTAGE
ELEVATION 2R

ISSUED FOR
CONSTRUCTION

DESIGNED BY
DRAWN BY: K
DATE: 03/06/2025

ELEVATIONS

SHEET A2.1



- ISSUED FOR
CONSTRUCTION

ENGINEER: BT
DRAWN: BT
DATE: 02/06/2023

DUPE
COTTAGE
ELEVATION 3L

REVISION 0

COVER

SHEET A0

ADM-2025-0009 (SOUTHERN WOODS)

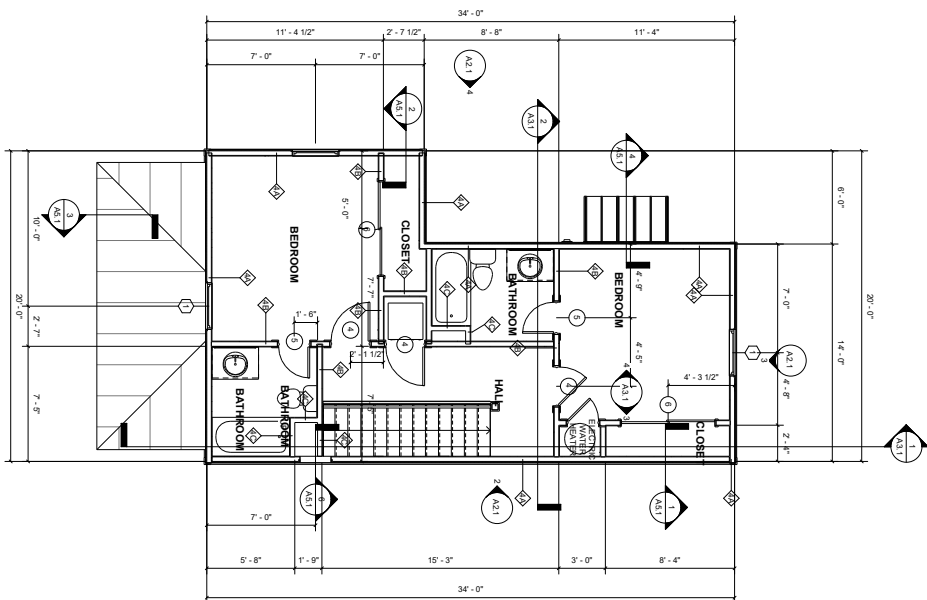
City of Cambridge
March 10, 2025
Page 27 of 94

DUPLE
COTTAGE
ELEVATION 3L

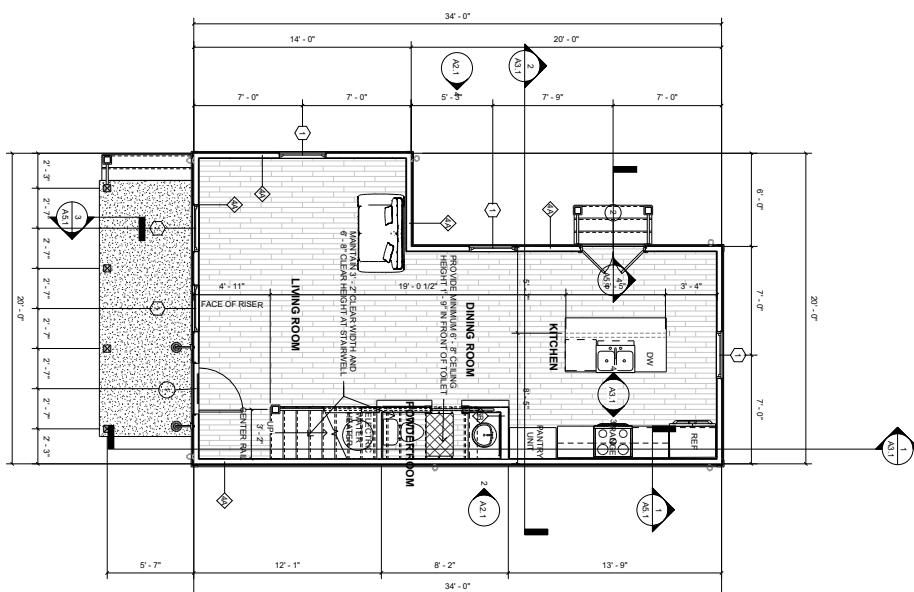
ISSUED FOR
CONSTRUCTION

DRAWN BY: TK
DATE: 03/06/2023

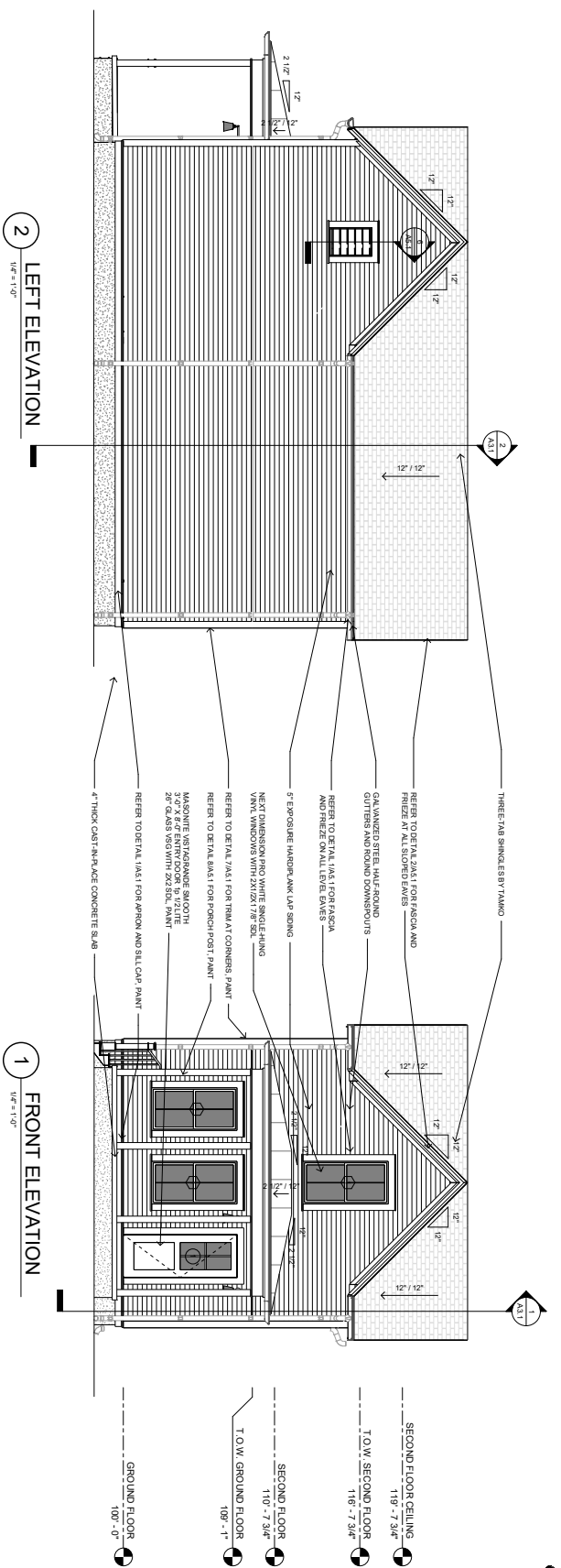
2 SECOND FLOOR DIMENSION
PLAN



GROUND FLOOR DIMENSION
PLAN
1
1:500 = 1:20'

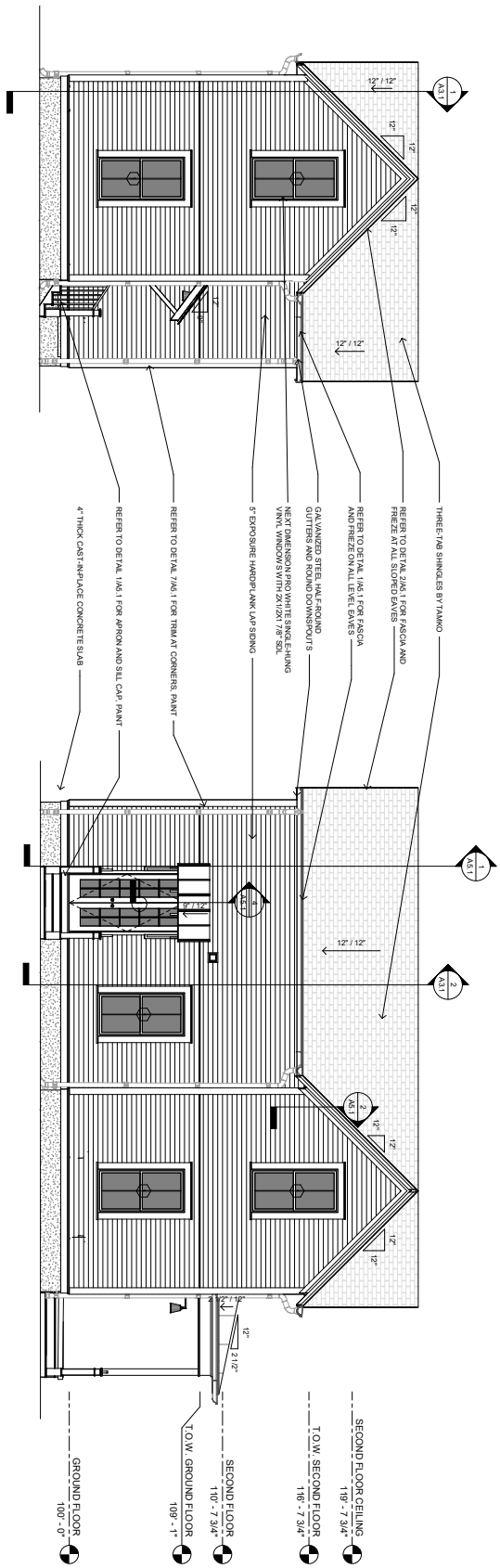


DIMENSION
PLANS
SHEET A1.1



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

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



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

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

DUPLEX
COTTAGE
ELEVATION 3L

ISSUED FOR
CONSTRUCTION

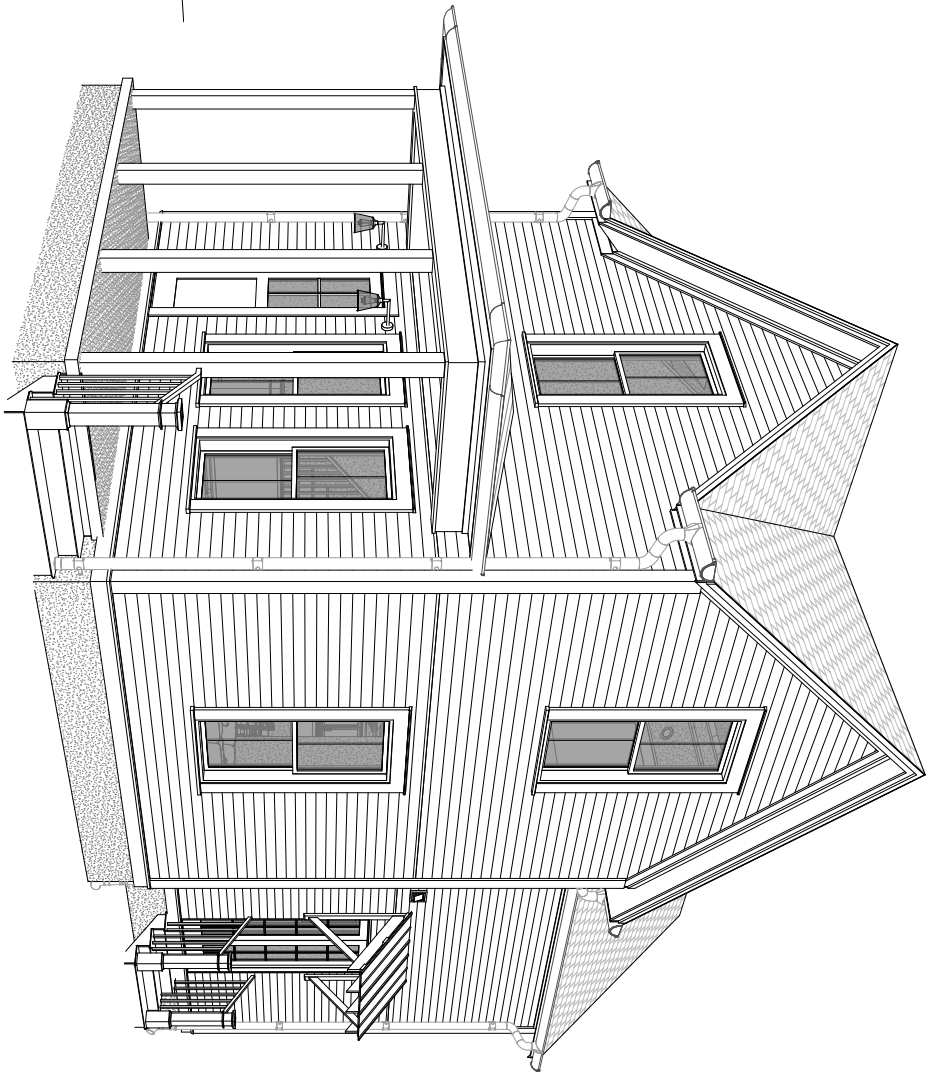
DESIGNED BY
DRAWN BY: K
DATE: 03/06/2025

ELEVATIONS
SHEET A2.1



ADM-2025-0009 (SOUTHERN WOODS)

REVISION 0



DUPLE COTTAGE

ELEVATION 3R

GENERAL NOTES

- [illegible]

APPLICABLE CODES

2021 International Residential Code
2018 Arkansas State Fuel and Gas Code
2018 Arkansas State Plumbing Code
2020 National Electrical Code
2017 ANSI A117.1
2017 Arkansas State Mechanical Code
2014 Arkansas Energy Code (2009 EEC)
2021 Arkansas Fire Prevention Code - Vol III (Based on 2021 IFC)
2021 Arkansas Fire Prevention Code - Vol III (Based on 2021 IBC)

SHEET INDEX	
Sheet Number	Sheet Name
A0	COVER
A1.1	DIMENSION PLANS
A1.2	FOUNDATION AND ROOF PLANS
A1.3	FINISH PLANS
A1.4	REFLECTED CEILING PLANS
A2.1	ELEVATIONS
A3.1	SECTIONS
A4.1	SCHEDULES
A5.1	DETAILS

PROJECT DATA - AREA	
GROUND FLOOR AREA	569 SF
SECOND FLOOR AREA	569 SF

SHEET A0

ISSUED FOR
CONSTRUCTION

BT
RK
06/20/23

DUPLE
COTTAGE
ELEVATION 3R

COVER



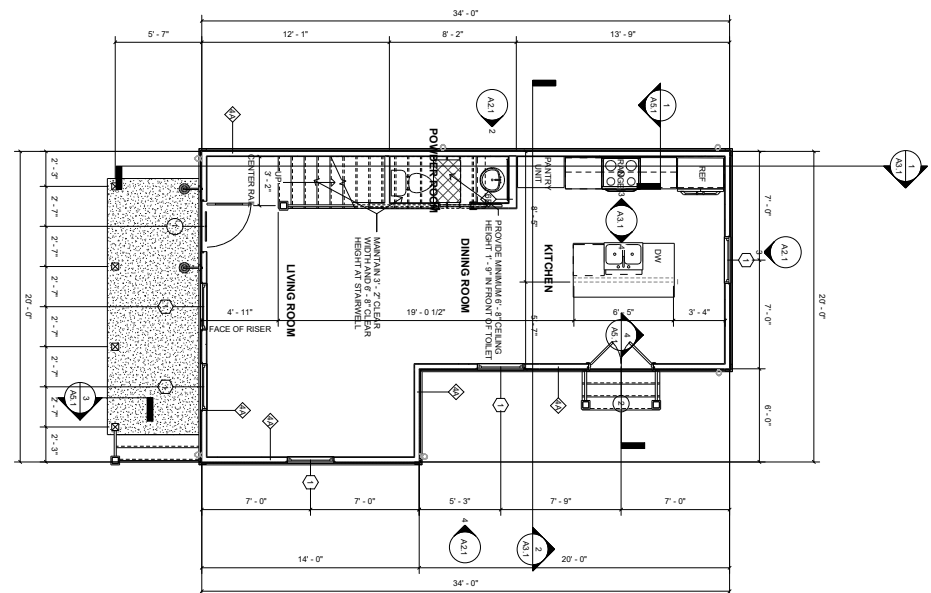
REVISION 0

DUPLE
COTTAGE
ELEVATION 3R

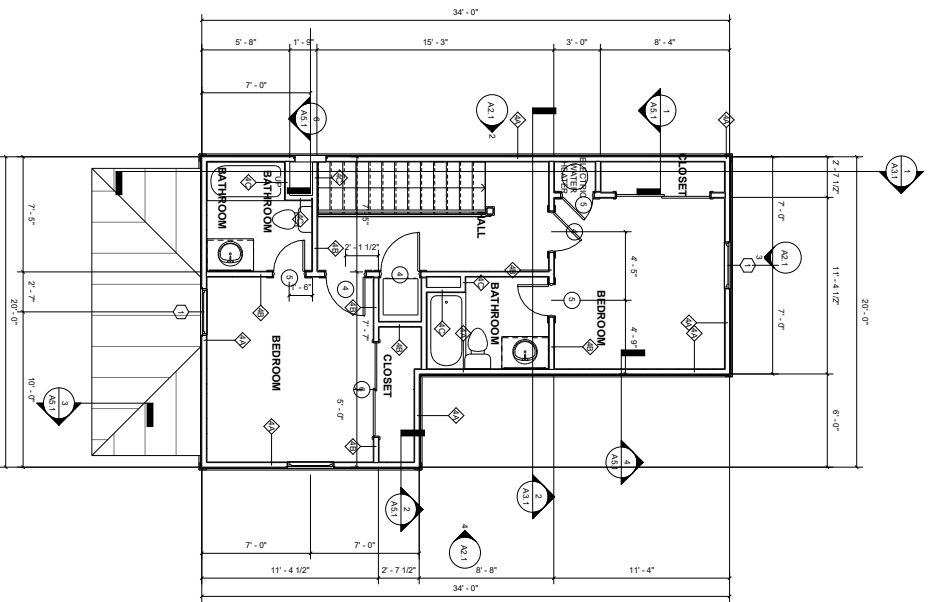
ISSUED FOR
CONSTRUCTION

ENGINEER: BT
DRAWN BY: K
DATE: 03/06/2023

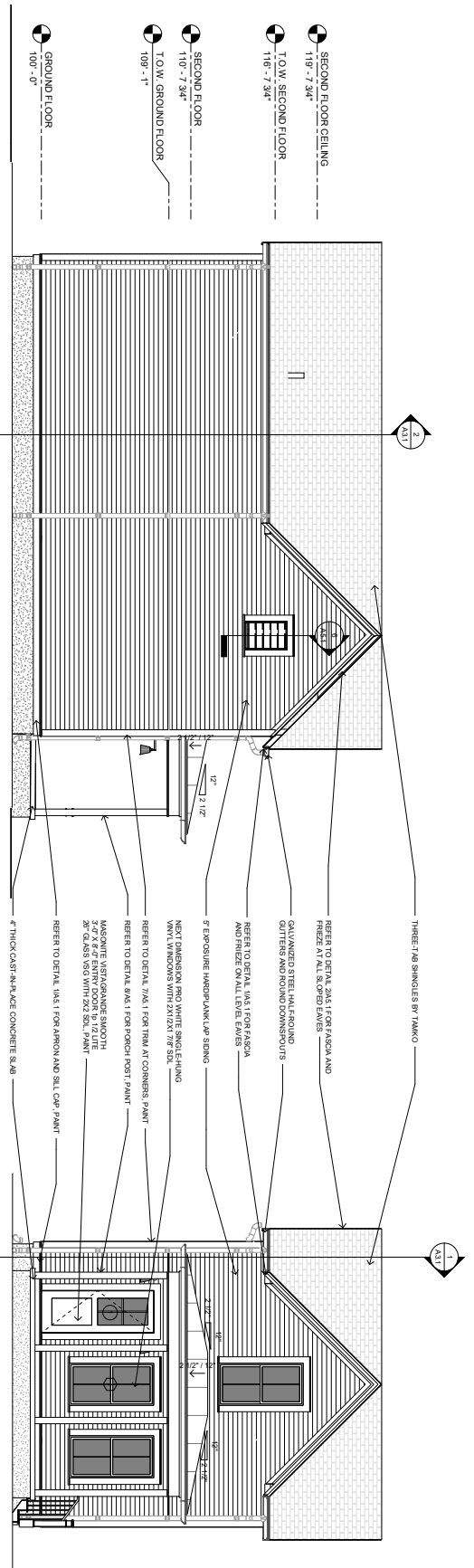
DIMENSION
PLANS
SHEET A1.1



1
GROUND FLOOR DIMENSION
PLAN
1/8" = 1'-0"

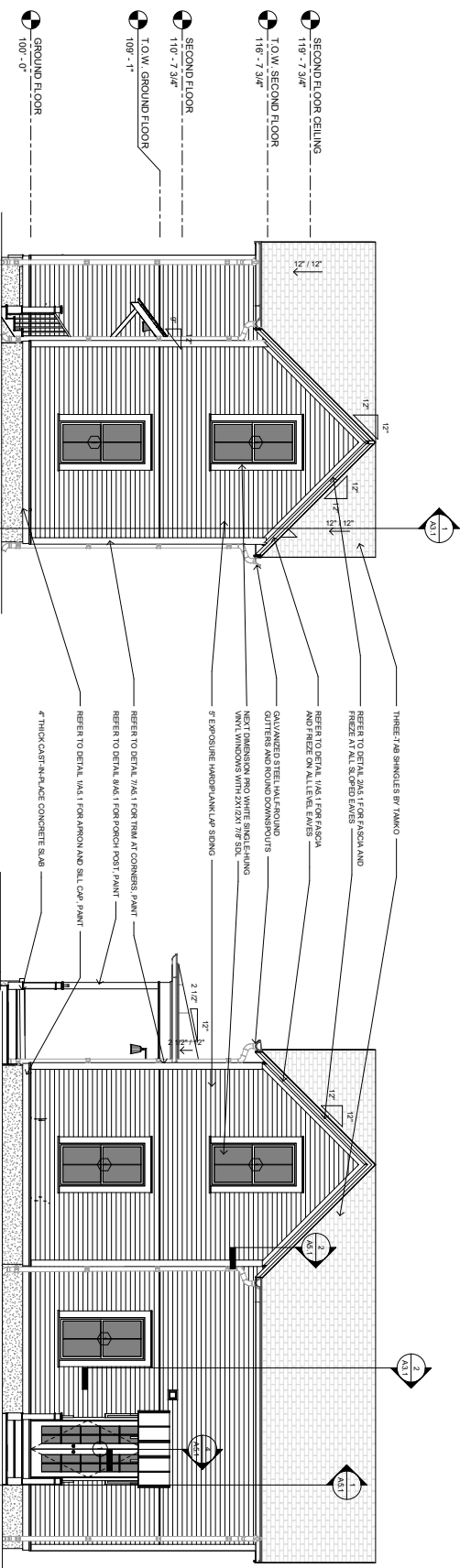


2
SECOND FLOOR DIMENSION
PLAN
1/8" = 1'-0"



2 LEFT ELEVATION
1/4\"/>

1 FRONT ELEVATION
1/4\"/>



3 BACK ELEVATION
1/4\"/>

4 RIGHT ELEVATION
1/4\"/>

DUPLE
COTTAGE
ELEVATION 3R

ISSUED FOR
CONSTRUCTION

DRAWN BY: K
DATE: 03/06/2023

ELEVATIONS

SHEET A2.1



ADM-2025-0009 (SOUTHERN WOODS)

REVISION 0

PROW HOUSE
ELEVATION 4L

ISSUED FOR
CONSTRUCTION

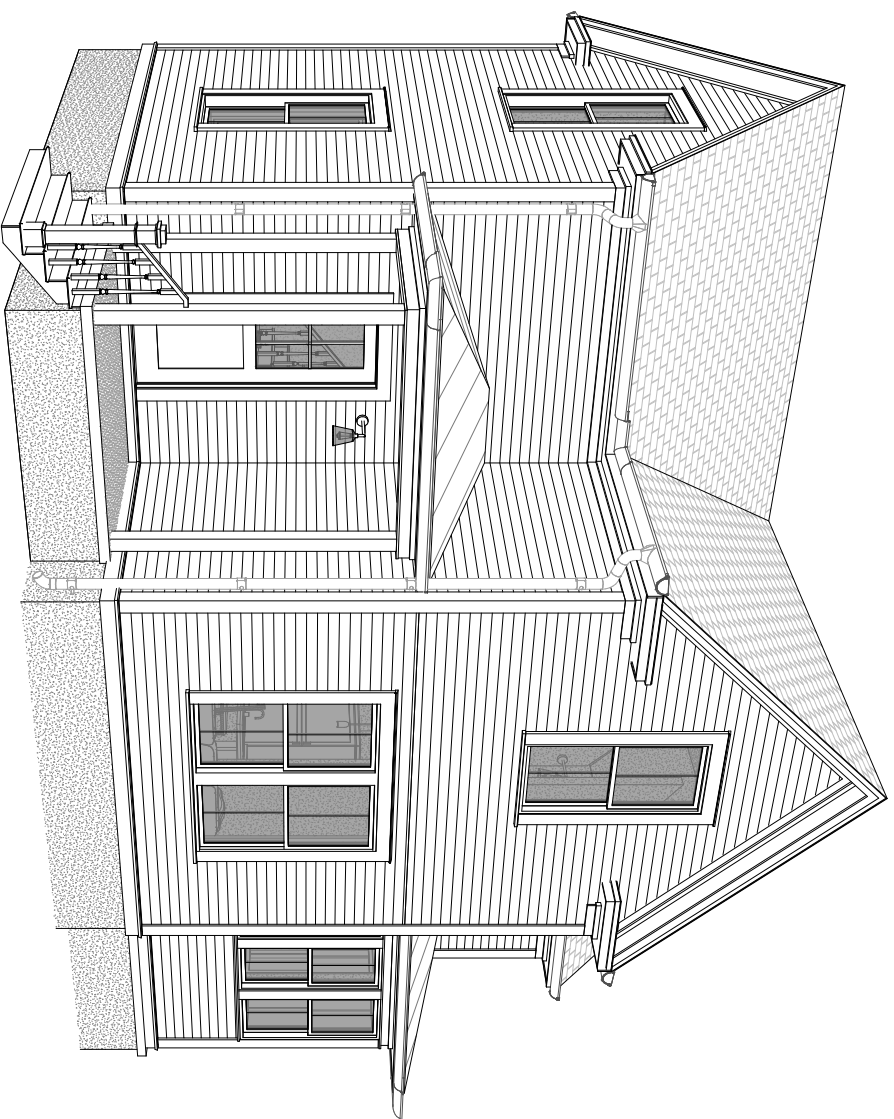
ENGINEER: BT
DRAWN BY: TK
DATE: 03/06/2023

SHEET INDEX	
A0	COVER
A1.1	PLANS
A1.2	PLANS
A2.1	ELEVATIONS
A3.1	SECTIONS
A4.1	SCHEDULES
A5.1	DETAILS

PROJECT DATA - AREA	
GROUND FLOOR AREA	647 SF
SECOND FLOOR AREA	597 SF

COVER

SHEET A0



PROW HOUSE

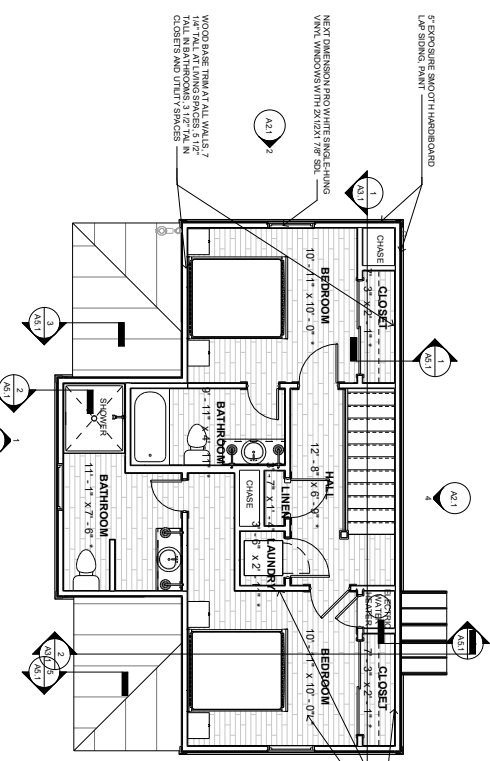
ELEVATION 4L

GENERAL NOTES:

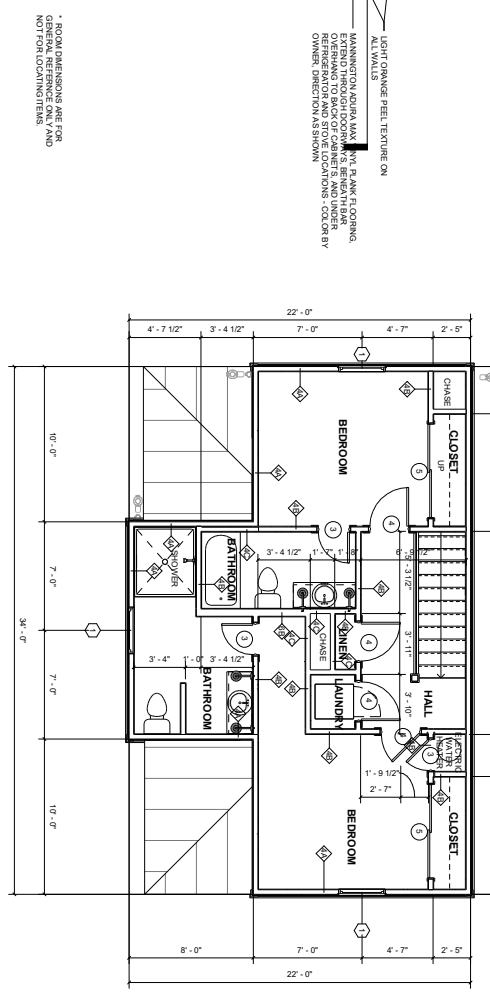
- [illegible]

APPLICABLE CODES:

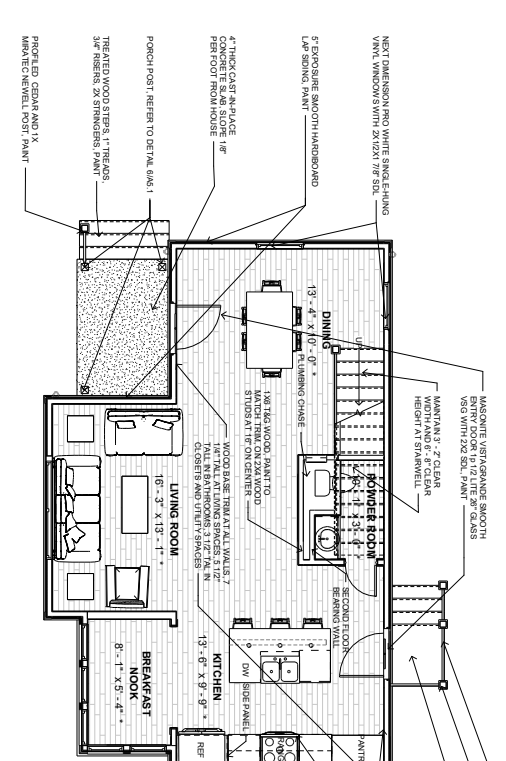
- 2021 International Residential Code
2018 Arkansas State Fuel and Gas Code
2018 Arkansas State Plumbing Code
2020 National Electrical Code
2017 ANSI A17.1
2021 Arkansas State Mechanical Code
2014 Arkansas Energy Code (2009 IECC)
2021 Arkansas Fire Prevention Code - Vol. III (Based on 2021 IFCC)
2021 Arkansas Fire Prevention Code - Vol. II (Based on 2021 IFCC)



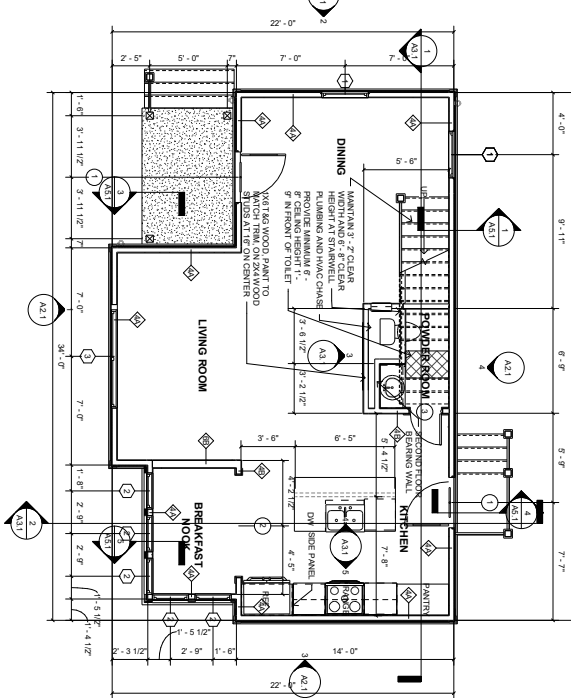
4 SECOND FLOOR FINISH PLAN
1/8" = 1'-0"



2 SECOND FLOOR DIMENSION
1/8" = 1'-0"



3 GROUND FLOOR FINISH PLAN
1/8" = 1'-0"



1 GROUND FLOOR DIMENSION
1/8" = 1'-0"

PROW HOUSE
ELEVATION 4L

ISSUED FOR
CONSTRUCTION

ENGINEER: BT
DRAWN BY: TK
DATE: 03/06/2023

PLANS

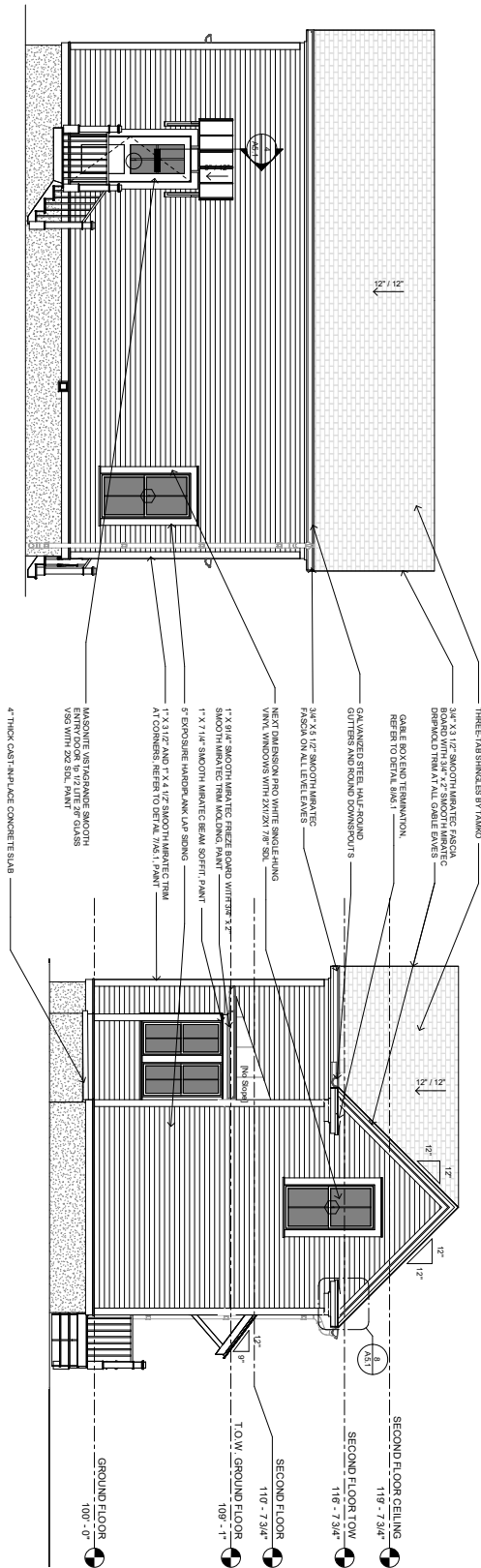
SHEET A1.1

REVISION: 0
UTILITY CODE AND POWER ROOM
1/1/16



REVISION 0

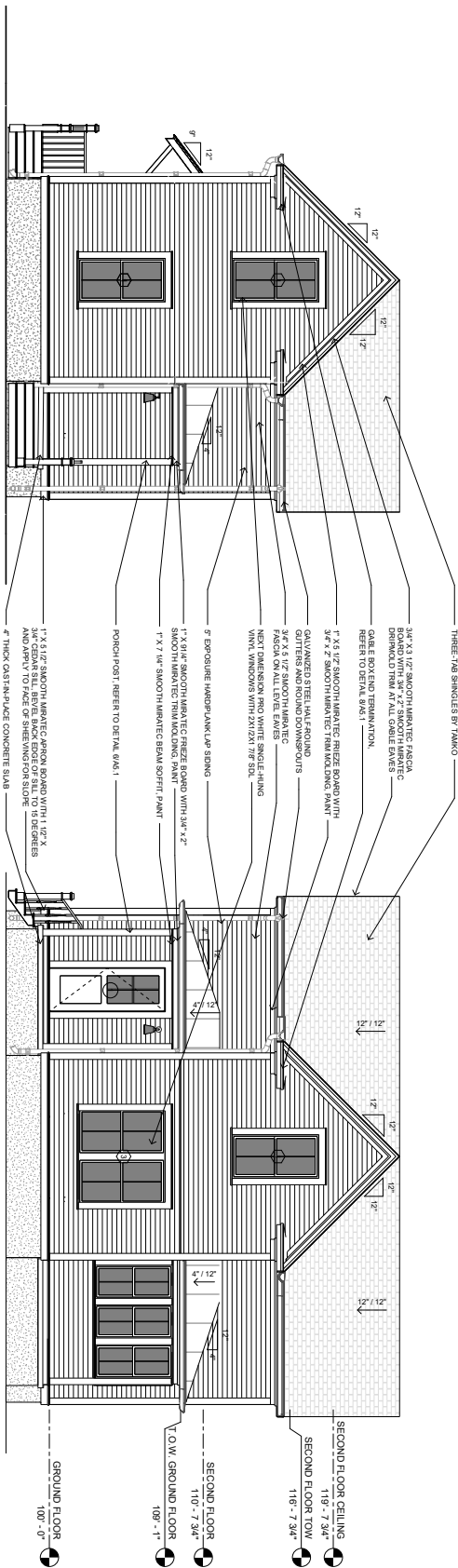
4 BACK ELEVATION

 $1.4'' = 1'.0''$ 

3 LEFT ELEVATION

$$1/4'' = 1'-0''$$

2 RIGHT ELEVATION

 $1/4'' = 1'-0''$ 

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

 $1/4'' = 1'-0''$

PROW HOUSE
ELEVATION 4L

ISSUED FOR
CONSTRUCTION

DRAWN BY: TK
DATE: 03/06/2023

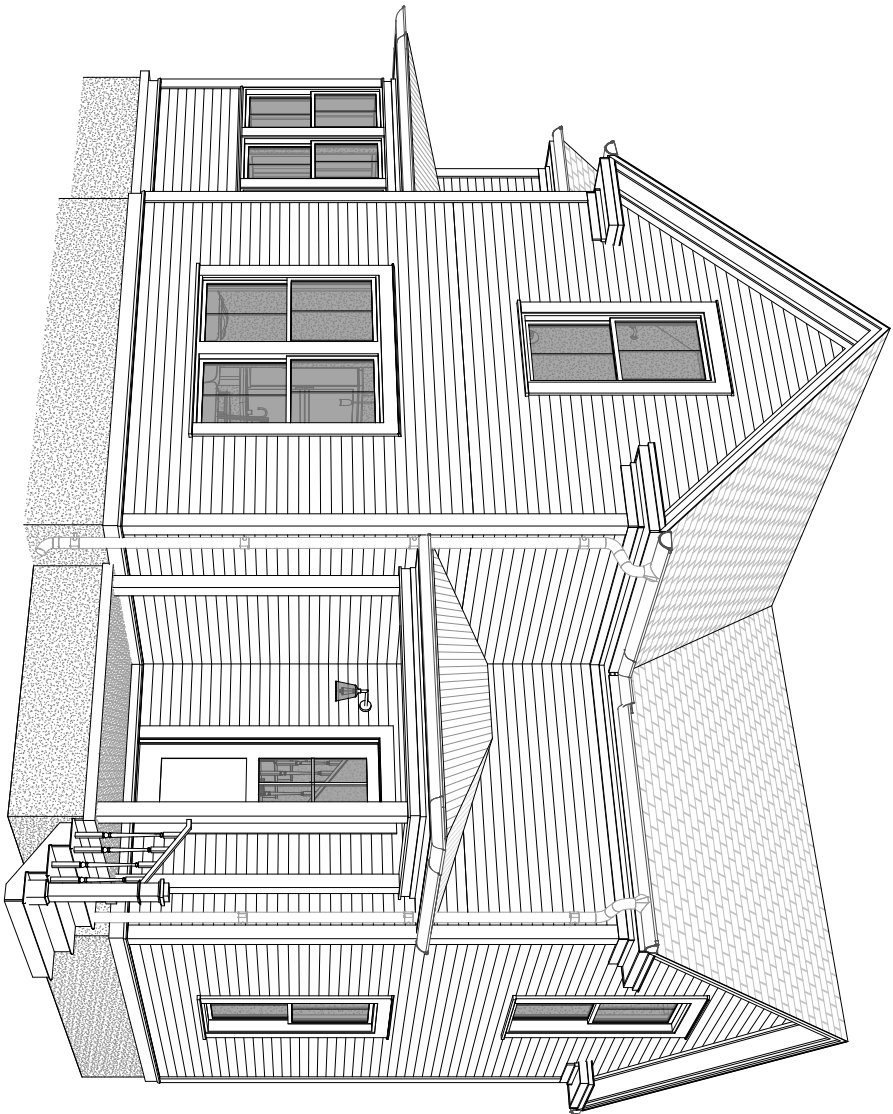
ELEVATIONS

SHEET A2.1



ADM-2025-0009 (SOUTHERN WOODS)

REVISION 0



PROW HOUSE

ELEVATION 4R

- [illegible]

PROW HOUSE
ELEVATION 4B

ISSUED FOR
CONSTRUCTION

ENGINEER: BT
DRAWN BY: TK
DATE: 03/06/2023

SHEET INDEX	
A0	COVER
A1.1	PLANS
A1.2	PLANS
A2.1	ELEVATIONS
A3.1	SECTIONS
A4.1	SCHEDULES
A5.1	DETAILS

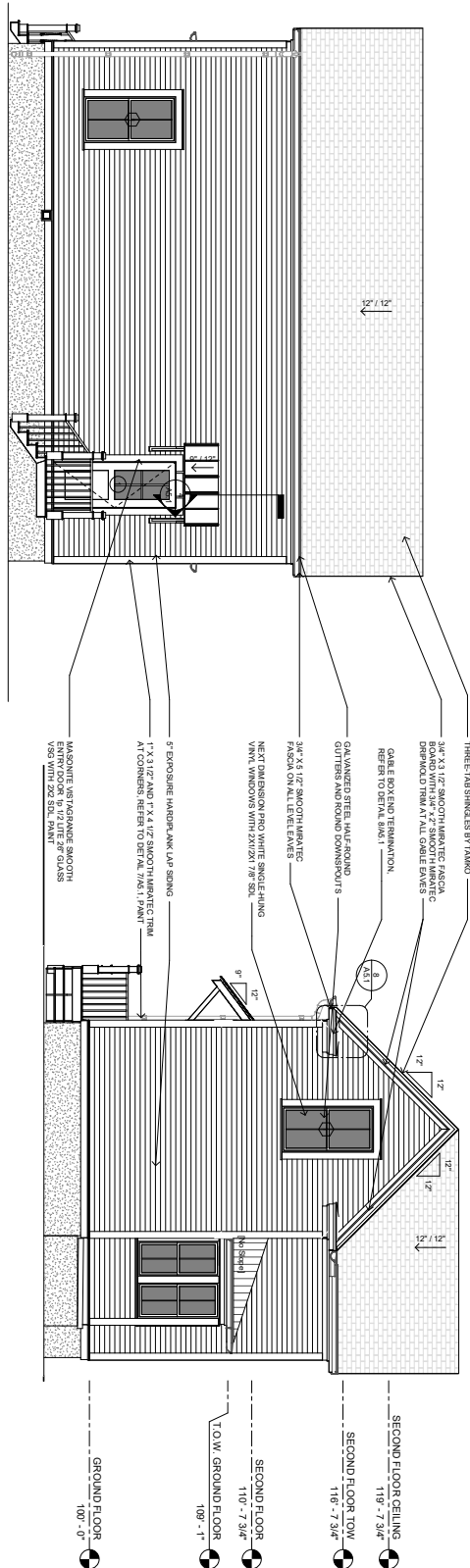
PROJECT DATA - AREA	
GROUND FLOOR AREA	647 SF
SECOND FLOOR AREA	597 SF

COVER

SHEET A0

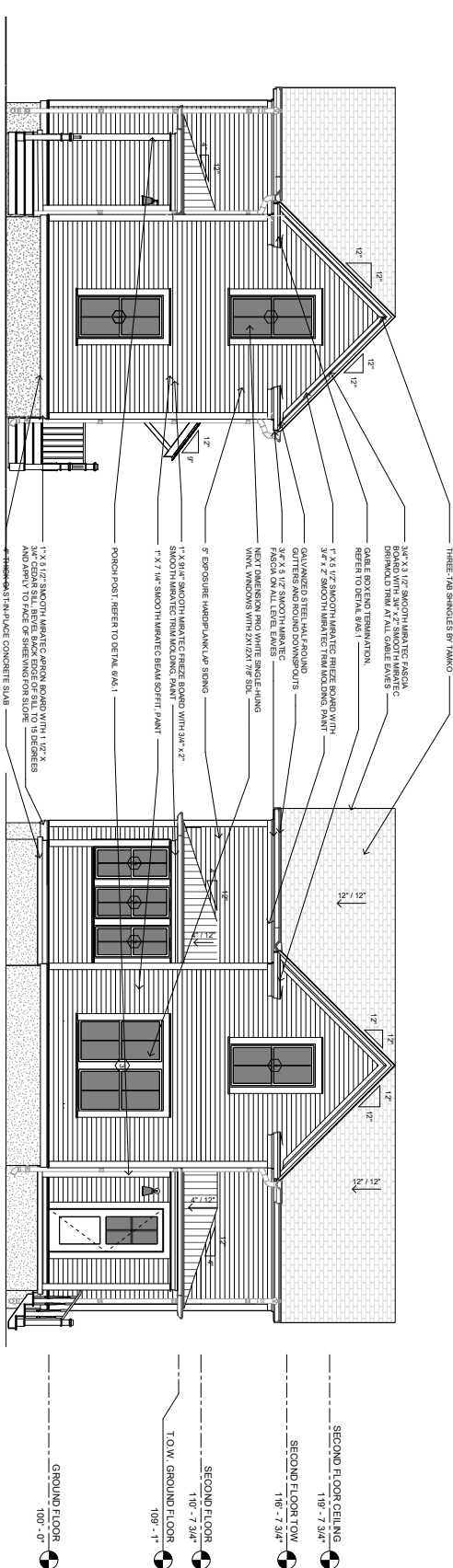


REVISION 0



3 LEFT ELEVATION

4 BACK ELEVATION



1 FRONT ELEVATION

2 RIGHT ELEVATION

PROW HOUSE
ELEVATION 4R

ISSUED FOR
CONSTRUCTION

ENGINEER: BT
DRAWN BY: TK
DATE: 03/06/2023

ELEVATIONS

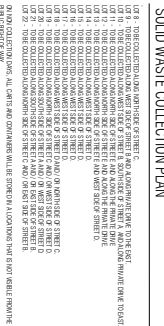
SHEET A2.1

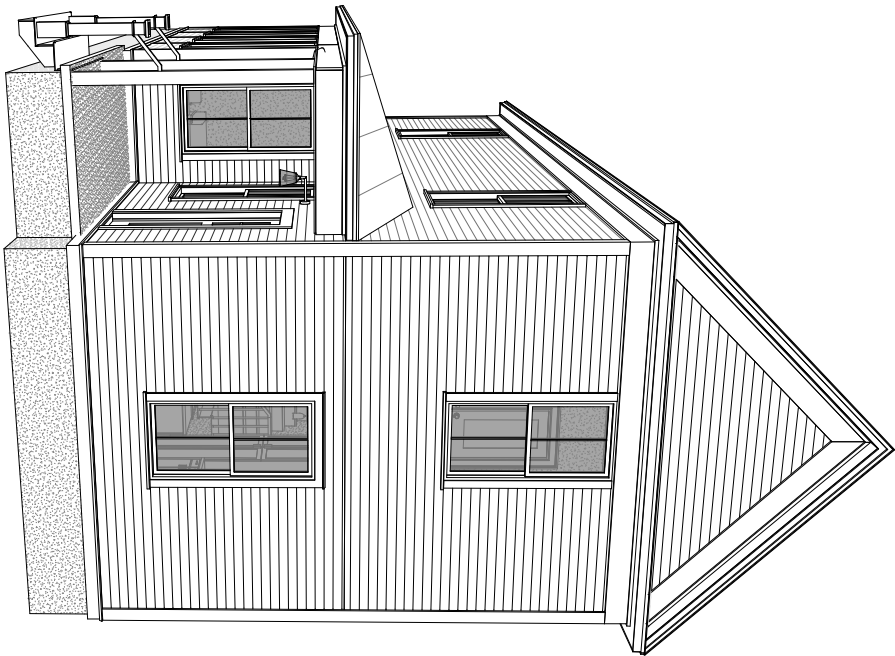
Cluster Lot Number	Individual Lot Number	Lot Area Square Footage	House Plan	Elevation Number	Heated and Cooled Square Footage	Front Orientation
8	A	4,377	Duple House	1R	1,120	North
8	B	3,014	Duple House	2R	1,120	North
8	C	3,081	Duple House	3R	1,120	North
8	D	4,021	Prow House	3R	1,225	North
9	A	3,040	Central Hall	3L	1,263	West
9	B	2,777	Central Hall	4L	1,263	North
9	C	3,060	Prow House	3L	1,225	North
9	D	2,729	Central Hall	3R	1,263	East
9	E	2,270	Bent House	1L	1,176	West
9	F	2,553	Bent House	2R	1,176	Elevation Faces West (as shown
9	G	2,747	Prow House	4R	1,225	East
9	H	1,815	Prow House	3R	1,225	South
9	I	2,272	Duple House	3L	1,120	South
9	J	2,349	Duple House	1R	1,120	South
9	K	2,453	Prow House	3R	1,225	South
9	L	2,463	Bent House	3L	1,176	Elevation Faces West (as shown
10	A	3,136	Central Hall	3L	1,263	West
10	B	2,433	Bent House	1L	1,176	North
10	C	2,867	Prow House	3L	1,225	North
10	D	2,336	Prow House	4L	1,225	North
10	E	2,501	Bent House	2L	1,176	West
10	F	2,350	Bent House	3L	1,176	West
10	G	2,262	Prow House	3L	1,225	West
10	H	2,447	Bent House	4R	1,176	Elevation Faces East (as shown
10	I	2,794	Prow House	3R	1,225	South
10	J	3,275	Prow House	4R	1,225	South
10	K	2,414	Bent House	1R	1,176	South
10	L	2,973	Central Hall	4L	1,263	West
11	A	-	Prow House	6R	2,450	South
11	B	-	I-House	6R	2,450	South (Garag
11	C	-	Prow House	9L	2,450	North
11	D	-	Prow House	8L	1,650	South
11	E	-	Bent House	5L	1,650	South
11	F	-	Central Hall	5R	1,650	South
11	G	-	Bent House	5R	1,650	South
11	H	-	Prow House	8R	1,650	South
11	I	-	Prow House	7L	2,450	North
11	J	-	Bent House	8L	2,450	North
11	K	-	I-House	7R	2,450	South
11	L	-	Bent House	6R	2,450	South

Cluster Lot Number	Individual Lot Number	Lot Area Square Footage	House Plan	Elevation Number	Heated and Cooled Square Footage	Front Orientation
12	A	-	Bent House	6R	2,450	South
12	B	-	Prow House	5R	2,450	South
12	C	-	Prow House	9L	2,450	North
12	D	-	Prow House	8L	1,650	South
12	E	-	Bent House	5L	1,650	South
12	F	-	Central Hall	5R	1,650	South
12	G	-	Bent House	5R	1,650	South
12	H	-	Prow House	8R	1,650	South
12	I	-	Carriage House	1	624	North
12	J	-	Prow House	7L	2,450	North
12	K	-	Bent House	8L	2,450	North
12	L	-	Prow House	6R	2,450	South
13	K	-	Prow House	6R	2,450	South
13	L	-	Bent House	6R	2,450	South
13	A	-	Duple House	7R	1,320	North
13	B	-	Prow House	10	1,273	North
13	C	-	Bent House	10L	1,274	East
13	D	-	Bent House	12R	1,274	East
13	E	-	Prow House	12L	1,273	South
13	F	-	Duple House	8L	1,320	South
13	G	-	Prow House	13L	1,273	South
13	H	-	Central Hall	9L	1,320	West
13	I	-	Central Hall	8R	1,320	West
13	J	-	Prow House	11R	1,273	North
14	A	-	Duple House	7R	1,320	North
14	B	-	Prow House	10	1,273	North
14	C	-	Bent House	10L	1,274	East
14	D	-	Bent House	12R	1,274	East
14	E	-	Prow House	12L	1,273	South
14	F	-	Duple House	8L	1,320	South
14	G	-	Prow House	13L	1,273	South
14	H	-	Central Hall	9L	1,320	West
14	I	-	Central Hall	8R	1,320	West
14	J	-	Prow House	11R	1,273	North
15	A	-	Duple House	7R	1,320	North
15	B	-	Prow House	10R	1,273	North
15	C	-	Bent House	10L	1,274	East
15	D	-	Bent House	12R	1,274	East
15	E	-	Prow House	12L	1,273	South
15	F	-	Duple House	8L	1,320	South
15	G	-	Duple House	9L	1,320	South
15	H	-	Prow House	13L	1,273	South
15	I	-	Central Hall	9L	1,320	West
15	J	-	Central Hall	8R	1,320	West
15	K	-	Prow House	11R	1,273	North
15	L	-	Duple House	10R	1,320	North

Cluster Lot Number	Individual Lot Number	Lot Area Square Footage	House Plan	Elevation Number	Heated and Cooled Square Footage	Front Orientation
16	A	-	Duple House	7R	1,320	North
16	B	-	Prow House	10R	1,273	North
16	C	-	Bent House	10L	1,274	East
16	D	-	Bent House	12R	1,274	East
16	E	-	Prow House	12L	1,273	South
16	F	-	Duple House	8L	1,320	South
16	G	-	Duple House	9L	1,320	South
16	H	-	Prow House	13L	1,273	South
16	I	-	Central Hall	9L	1,320	West
16	J	-	Central Hall	8R	1,320	West
16	K	-	Prow House	11R	1,273	North
16	L	-	Duple House	10R	1,320	North
17	A	-	Duple House	3R	1,120	North
17	B	-	Prow House	3L	1,225	North
17	C	-	Bent House	10L	1,274	East
17	D	-	Bent House	12R	1,274	East
17	E	-	Prow House	3R	1,225	South
17	F	-	Duple House	3L	1,120	South
17	G	-	Duple House	2L	1,120	South
17	H	-	Prow House	4R	1,225	South
17	I	-	Central Hall	9L	1,320	West
17	J	-	Central Hall	8R	1,320	West
17	K	-	Prow House	4L	1,225	North
17	L	-	Duple House	2R	1,120	North
18	A	-	Prow House	10R	1,273	North
18	B	-	Carriage House	1	624	West
18	C	-	Duple House	7R	1,320	South
18	D	-	Prow House	12R	1,273	South
18	E	-	Prow House	11L	1,273	West
18	F	-	Duple House	6L	1,650	West
18	G	-	Duple House	5R	1,650	West
18	H	-	Duple House	4R	1,650	West
18	I	-	Bent House	12R	1,274	West
19	A	-	Central Hall	8R	1,320	North
19	B	-	Prow House	10R	1,273	East
19	C	-	Duple House	7R	1,320	East
19	D	-	Duple House	10R	1,320	East
19	E	-	Prow House	11R	1,273	East
19	F	-	Bent House	10L	1,274	South
19	G	-	Bent House	12R	1,274	South
19	H	-	Prow House	12L	1,273	West
19	I	-	Duple House	8L	1,320	West
19	J	-	Duple House	9L	1,320	West
19	K	-	Prow House	13L	1,273	West
19	L	-	Central Hall	9L	1,320	North

Cluster Lot Number	Individual Lot Number	Lot Area Square Footage	House Plan	Elevation Number	Heated and Cooled Square Footage	Front Orientation
20	A	-	Bent House	12R	1,274	West
20	B	-	Prow House	12L	1,273	East
20	C	-	Duple House	7L	1,320	East
20	D	-	Duple House	8L	1,320	East
20	E	-	Prow House	8L	1,650	East
20	F	-	Bent House	10L	1,274	South
20	G	-	Prow House	13L	1,273	South
20	H	-	Prow House	10L	1,273	West
20	I	-	Prow House	11L	1,273	West
20	J	-	Bent House	13L	1,274	West
20	K	-	Central Hall	9R	1,320	North
21	A	-	Prow House	10R	1,273	North
21	B	-	Central Hall	9R	1,320	East
21	C	-	Central Hall	8R	1,320	East
21	D	-	Bent House	10L	1,274	North
21	E	-	Prow House	12R	1,273	South
21	F	-	Prow House	11R	1,273	South
21	G	-	Prow House	8R	1,650	West
21	H	-	Central Hall	9R	1,320	North
21	I	-	Bent House	12R	1,274	North
22	A	-	Bent House	5L	1,650	North
22	B	-	Central Hall	9R	1,320	East
22	C	-	Bent House	12R	1,274	East
22	D	-	Prow House	3R	1,225	South
22	E	-	Duple House	1L	1,120	South
22	F	-	Duple House	3L	1,120	South
22	G	-	Duple House	2L	1,120	East
22	H	-	Prow House	4R	1,225	West
22	I	-	Central Hall	7L	1,264	West
22	J	-	Central Hall	6L	1,264	West
22	K	-	Prow House	8L	1,650	West





DUPLE COTTAGE

ELEVATION 7R

GENERAL NOTES:

- [illegible]

APPLICABLE CODES:

- 2021 International Residential Code
2019 Arkansas State Fuel and Gas Code
2018 Arkansas State Plumbing Code
2020 National Electrical Code
2017 ANSI A17.1
2021 Arkansas State Mechanical Code
2021 Arkansas Energy Code (2019 IECC)
2021 Arkansas Fire Prevention Code - Vol. III (Based on 2021 IRC)
2021 Arkansas Fire Prevention Code - Vol. II (Based on 2021 IRC)

SHEET INDEX	
Sheet Number	Sheet Name
A0	COVER
A1.1	DIMENSION PLANS
A1.2	ROOF AND FOUNDATION PLANS
A1.3	FINISH PLANS
A1.4	REFLECTED CEILING PLANS
A2.1	ELEVATIONS
A3.1	SECTIONS
A4.1	SCHEDULES
A5.1	DETAILS

PROJECT DATA - AREA	
GROUND FLOOR AREA	732 SF
SECOND FLOOR AREA	588 SF



DUPLE
COTTAGE
ELEVATION 7R

REVISION 0

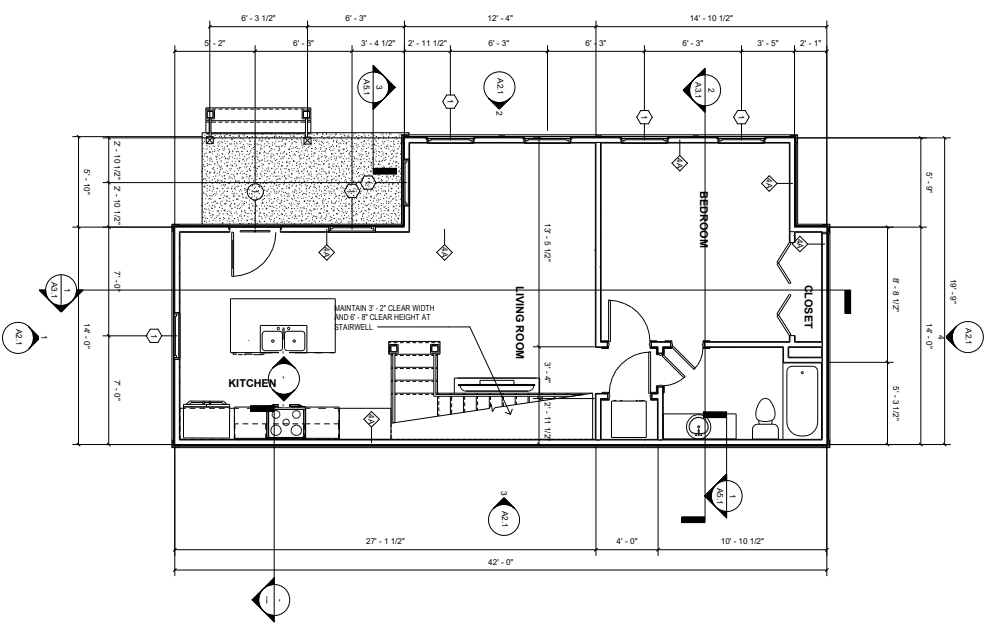
ISSUED FOR
REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

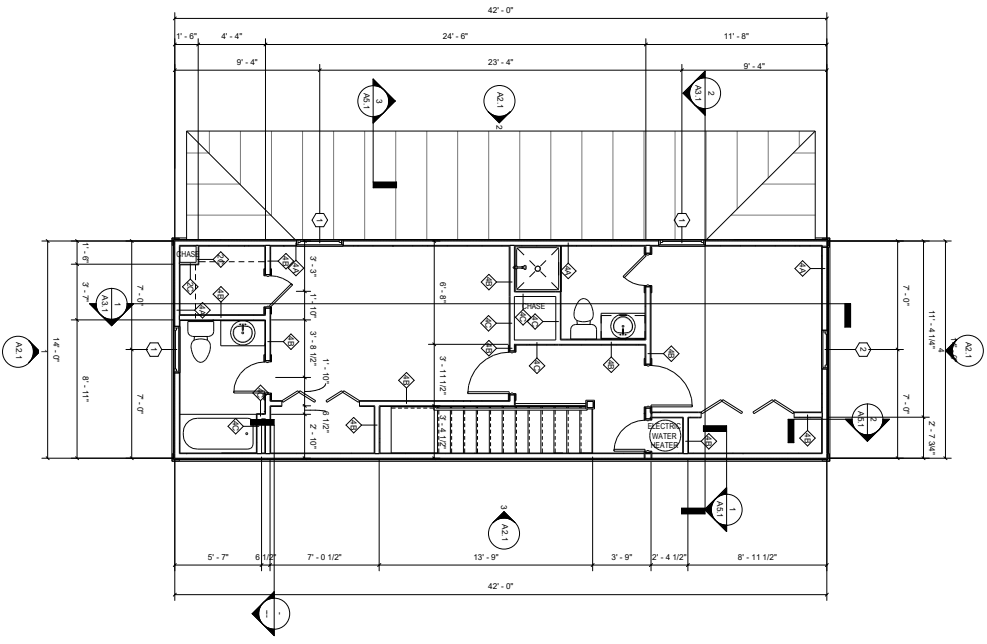
SHEET A1.1

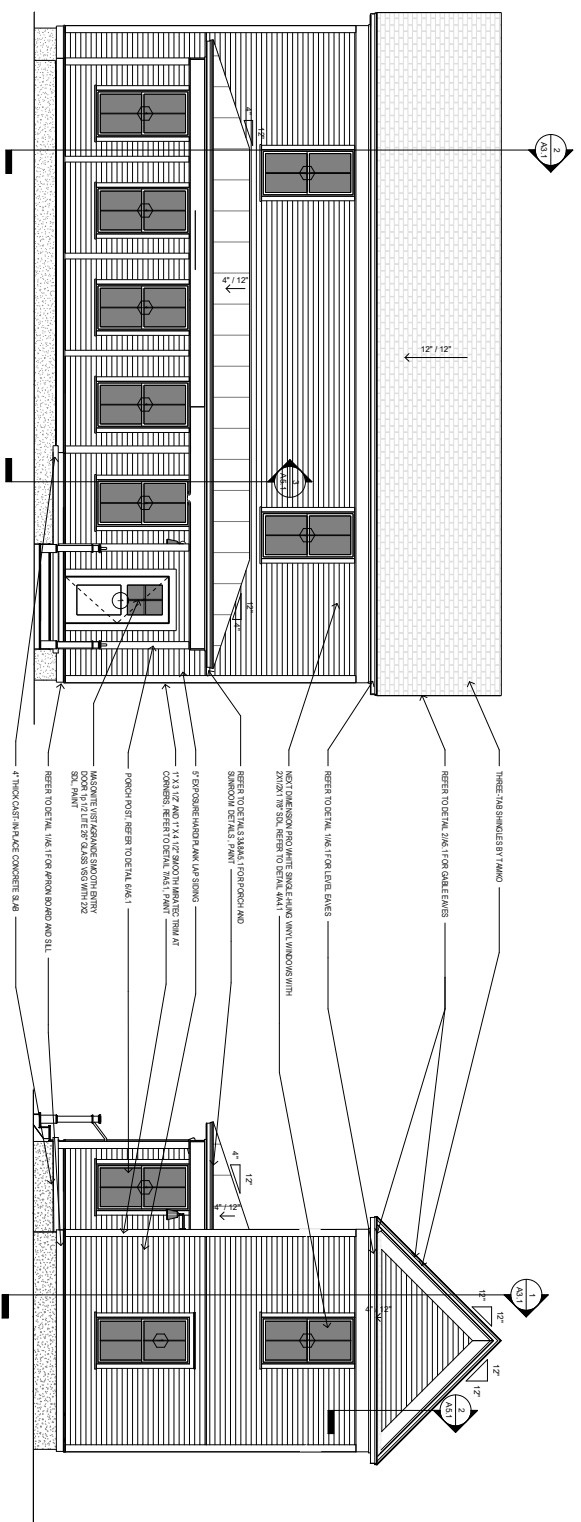
- NOTE:
1. ALL WINDOW/DOOR THRESHOLDS SHALL BE MADE OF BRASS/STAINLESS STEEL AND SHALL BE 1/2" ABOVE EXTERIOR GRADE OR SURFACE SHALL BE EQUIPPED WITH OPERABLE CONTROL DEVICES PER IRC R310.2.
 2. SECOND FLOOR WINDOWS SHALL HAVE AN OPENING AREA OF NOT LESS THAN 5.7 SQ. FT. AND SHALL BE 20" MIN. WIDTH AND 20" MIN. HEIGHT.
 3. SMOKE DETECTORS SHALL BE INSTALLED ACCORDING TO IRC R314. CARBON MONOXIDE DETECTORS SHALL BE INSTALLED ACCORDING TO IRC R315.

1 GROUND FLOOR DIMENSION PLAN
1/8" = 1'-0"



2 SECOND FLOOR DIMENSION PLAN
1/8" = 1'-0"

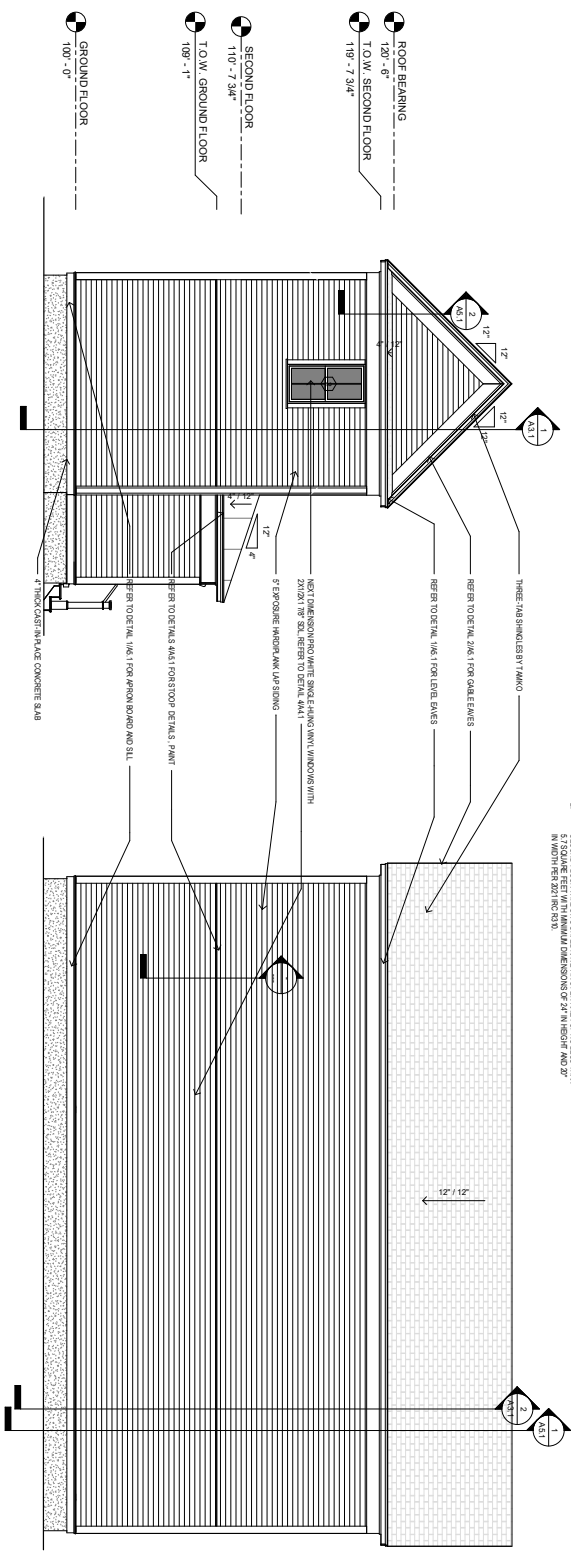




2 RIGHT ELEVATION
1/4" = 1'-0"

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

NOTE:
1. ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR AND EQUIPPED WITH GREENING CONTROL DEVICES PER 2021 IRC R310.2.2.
2. SECOND FLOOR WINDOWS SHALL HAVE A VERTICAL AREA OF NOT LESS THAN 5.7 SQUARE FEET IN MINIMUM DIMENSIONS OF 24" IN HEIGHT AND 20" IN WIDTH PER 2021 IRC R310.2.2.



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

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

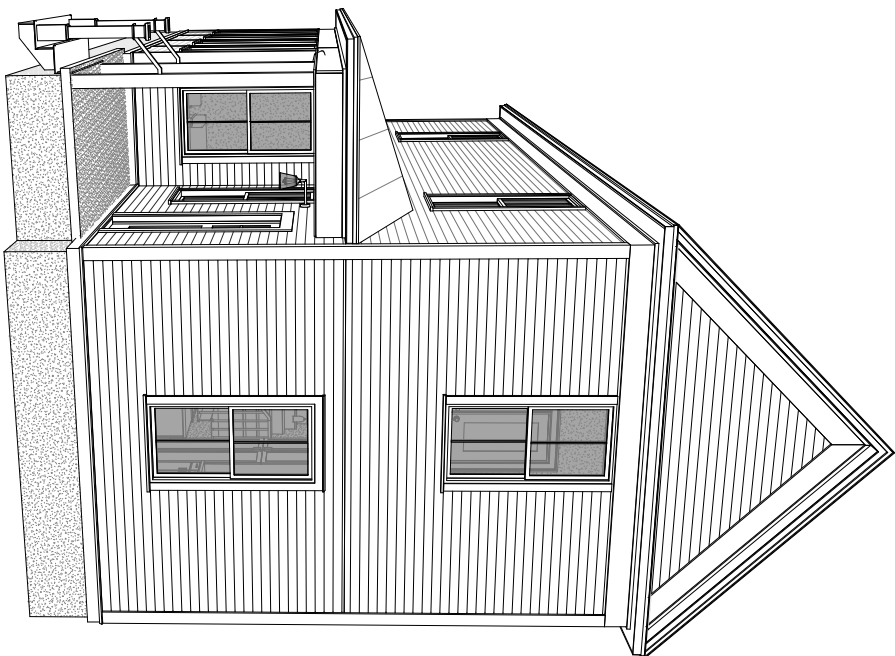
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REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

ELEVATIONS

SHEET A2.1



DUPLÉ COTTAGE

ELEVATION 7R

GENERAL NOTES

1. CORROSION ALL WORK WITH DRAWINGS AND SPECIFICATIONS.
2. DRAWINGS MAY BE PRINTED IN 1/4" SIZE. USERS OF REDUCED DRAWINGS ARE SOLELY RESPONSIBLE FOR RETRANSMITTING THE PROPER SCALE.
3. CONTRACTOR AND SUB CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH EXISTING DRAWINGS, CONDITIONS AND PROJECT REQUIREMENTS PRIOR TO SUBMITTING A BID.
4. CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE DESIGNER.
5. WORK SHALL INCLUDE ALL REQUIRED PREPARE, LABOR, MATERIALS, AND EQUIPMENT TO COMPLETE THE WORK IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, PROCEDURES, SEQUENCES, ETC TO INSURE SAFE AND EFFECTIVE PROGRESS OF THE PROJECT.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE COVERAGE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND REQUIREMENTS. CONTRACTOR'S RESPONSIBILITY FOR PROTECTING EXISTING UTILITIES AND CLIMATE BUILDING SURFACES AT SUBMITTAL WITH COMMON E.
8. CONTRACTOR IS RESPONSIBLE FOR PLACING WORK AREA AND ALL EXPOSED SURFACES AT SUBMITTAL WITH COMMON E.
9. ALL TRAFFIC AND TRAIL SHALL BE REMOVED FROM PREMISES EACH DAY AND THE AREA LEFT CLEAN WHENEVER THE CONTRACTOR IS NOT ON SITE.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES, EQUIPMENT, INFRASTRUCTURE, EXISTING MATERIALS OR FINISHES CAUSED BY WEATHER, OF HIS WORK, REPAIR OR REPLACE DAMAGED ITEMS AS DIRECTED BY OWNER.
11. ALL WORK SHALL BE DONE IN ACCORDANCE WITH APPLICABLE CODES AND STANDARDS.
12. DIMENSIONS ARE TO FACE OF JOINT ON FOUNDATION WALL AND FACE OF STUD/STAIRWELL WALL. INTERIORS ARE MEASURED TO THE CENTERLINE OF THE FINISHING WALL. INTERIORS ARE MEASURED TO THE CENTERLINE OF THE FINISHING WALL. INTERIORS ARE MEASURED TO THE CENTERLINE OF THE FINISHING WALL.
13. THE INFORMATION CONTAINED HEREIN REPRESENTS THE GENERAL DESIGN INTENT OF THE CONTRACTORS AND DOES NOT CONSTITUTE A CONTRACT. ALL WORK SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE CODES AND STANDARDS.
14. ALL SIDING SHALL BE SMOOTH SIDING TO BE SMOOTH SIDING. ALL SIDING SHALL BE SMOOTH SIDING TO BE SMOOTH SIDING. ALL SIDING SHALL BE SMOOTH SIDING TO BE SMOOTH SIDING.
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104. EXTERIOR WALLS AND ROOF SHALL BE SMOOTH SIDING TO BE SMOOTH SIDING.
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135. EXTERIOR WALLS AND ROOF SHALL BE SMOOTH SIDING TO BE SMOOTH SIDING.
136. EXTERIOR WALLS AND ROOF SHALL BE SMOOTH SID

APPLICABLE CODES

- 2021 International Residential Code
2018 Arkansas State Fuel and Gas Code
2018 Arkansas State Plumbing Code
2020 National Electrical Code
2017 ANSI A17.1
2017 Arkansas State Mechanical Code
2014 Arkansas Energy Code (2009 EEC)
2012 Arkansas State Code - Vol III (Based on 2021 IRC)
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A1.3	FINISH PLANS
A1.4	REFLECTED CEILING PLANS
A2.1	ELEVATIONS
A3.1	SECTIONS
A4.1	SCHEDULES
A5.1	DETAILS

PROJECT DATA - AREA	
GROUND FLOOR AREA	732 SF
SECOND FLOOR AREA	588 SF

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REVISION 0

DUPLE
COTTAGE
ELEVATION 7R

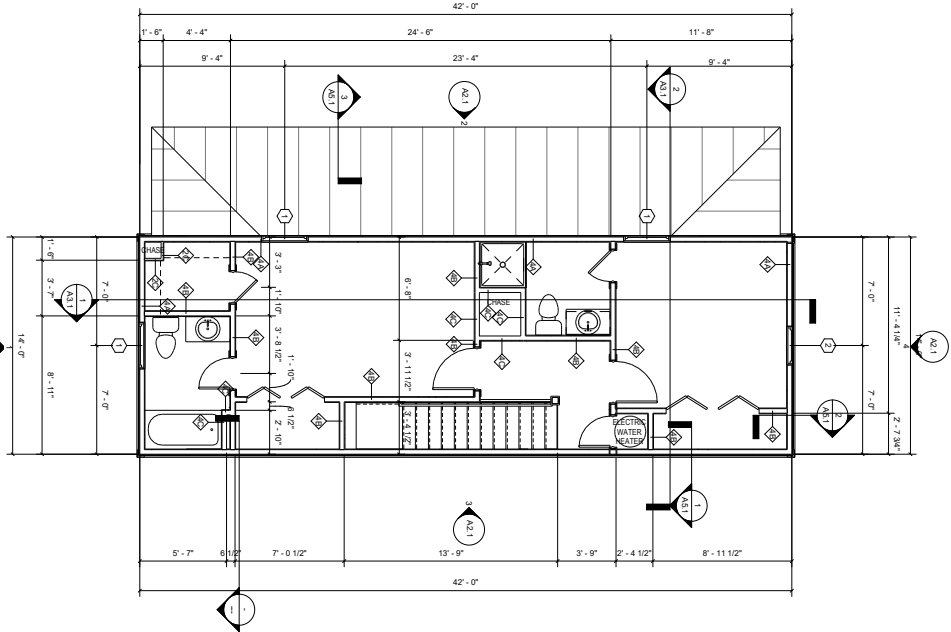
ISSUED FOR
REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

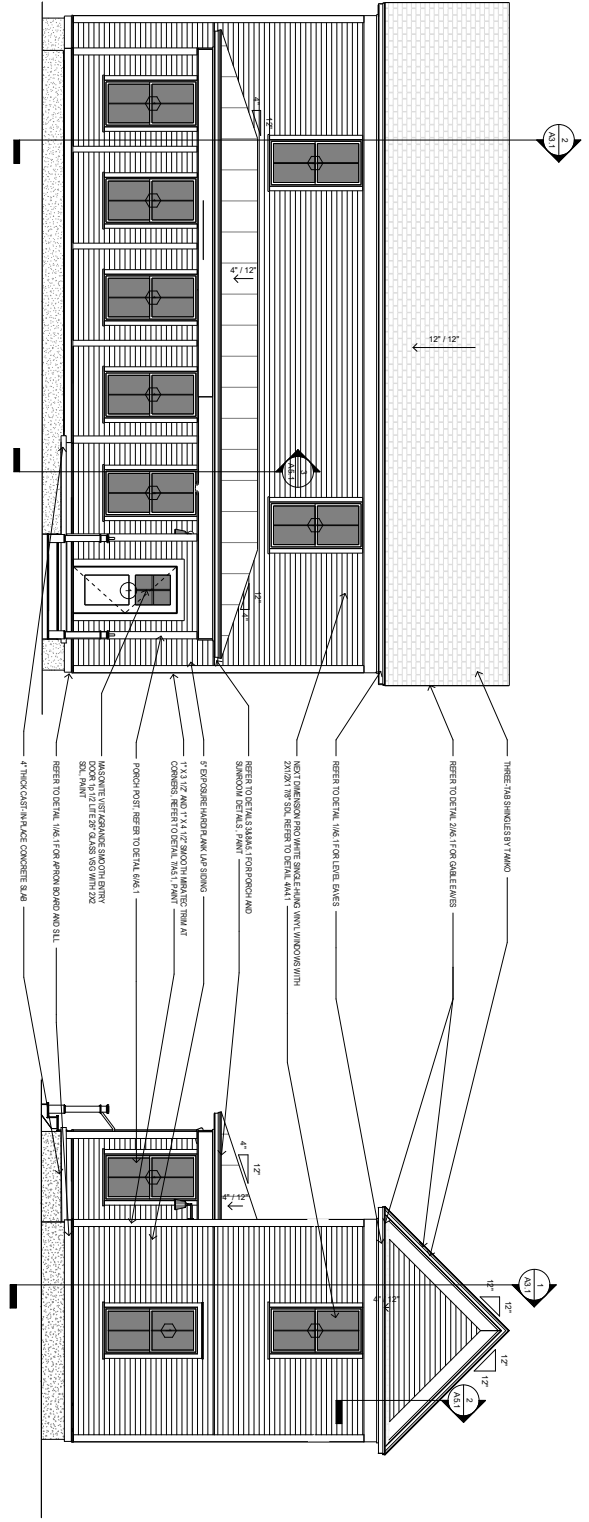
COVER

SHEET A0

SHEET A1.1



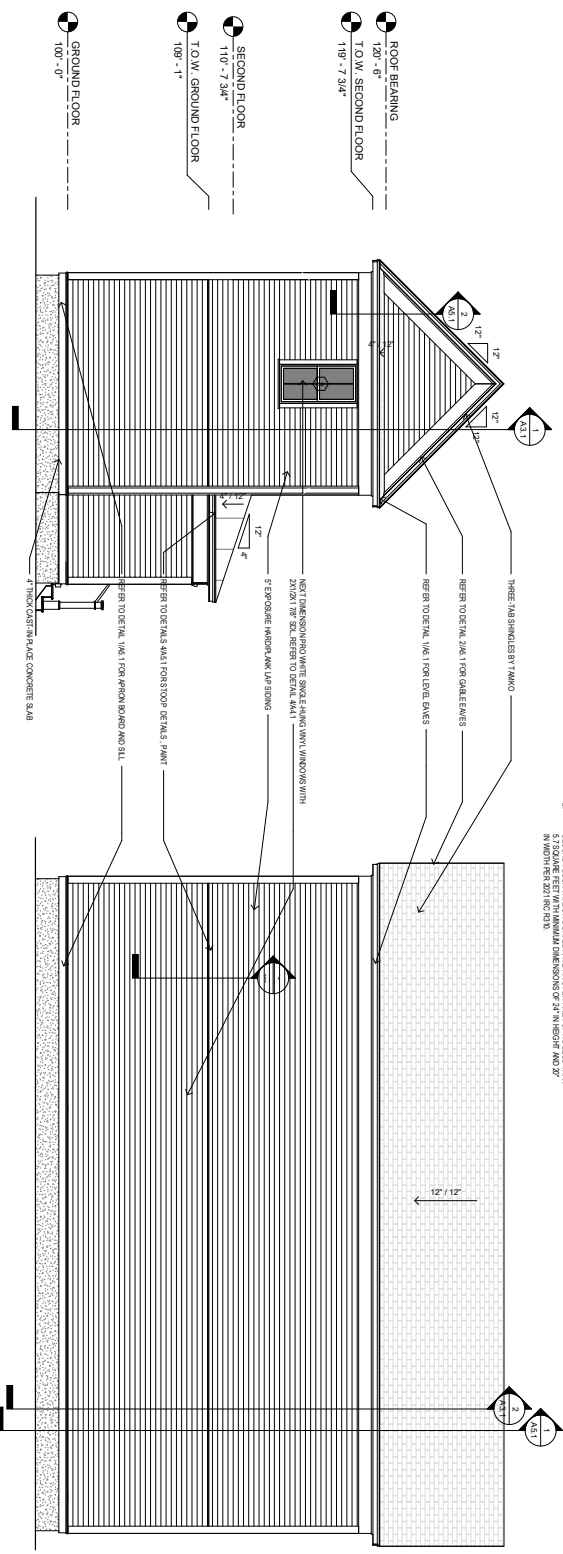
1. NOTE:
ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR AND GREATER THAN 6" ABOVE EXTERIOR GRADE OR SURFACE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 201 IRC R312.2
2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA OF NO LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 2'4" IN HEIGHT AND 20" IN WIDTH PER 201 IRC R310.
3. SMOKE DETECTORS SHALL BE INSTALLED ACCORDING TO IRC R314.
CARBON MONOXIDE DETECTORS SHALL BE INSTALLED ACCORDING TO IRC R315



2 RIGHT ELEVATION
1/4\"/>

NOTE:
1. ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR AND
EQUIPPED WITH GREENING CONTROL DEVICES PER 2021 IRC R312.2.
2. SECOND FLOOR WINDOWS SHALL HAVE A VERTICAL AREA OF NOT LESS THAN
5.7 SQUARE FEET IN MINIMUM DIMENSIONS OF 24\"/>

1 FRONT ELEVATION
1/4\"/>



4 BACK ELEVATION
1/4\"/>

3 LEFT ELEVATION
1/4\"/>

DUPLEX
COTTAGE
ELEVATION 7R

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DESIGNED BY
DATE: 28 JAN 2025

ELEVATIONS

SHEET A2.1



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DUPE
COTTAGE
ELEVATION 8R

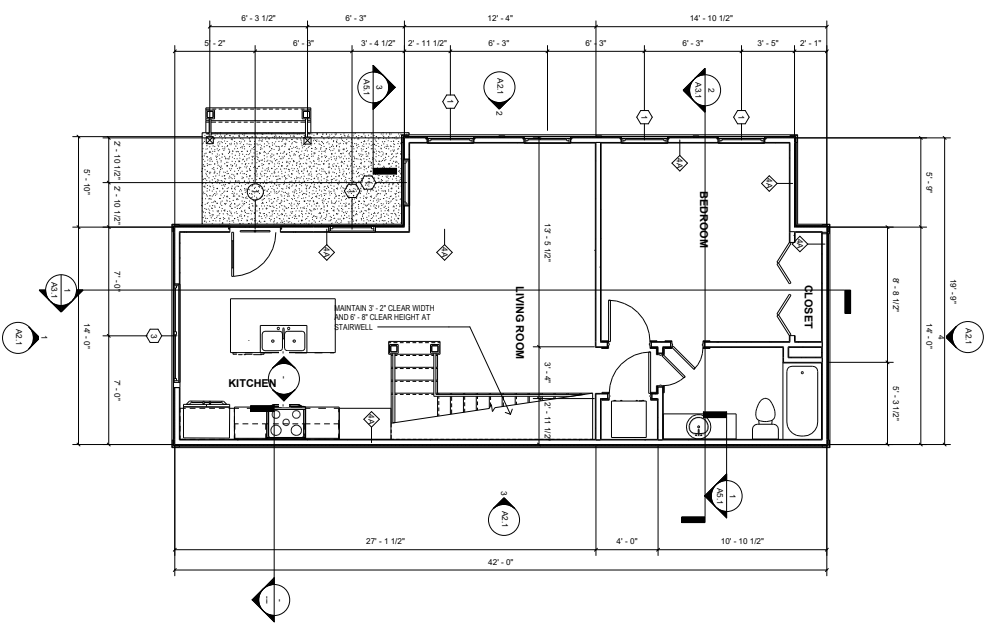
ISSUED FOR
REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

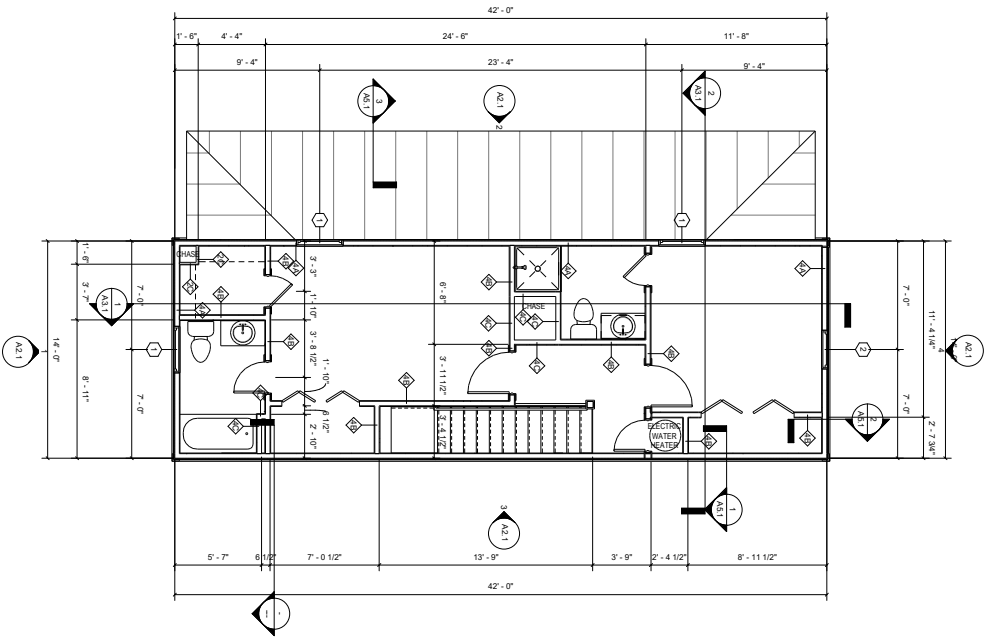
SHEET A1.1

- NOTE:
1. ALL WINDOW/DOOR THRESHOLDS SHALL BE MADE OF BRASS/STAINLESS STEEL AND SHALL BE 1/2" ABOVE EXTERIOR GRADE OR SURFACE SHALL BE EQUIPPED WITH GRABBAR WITH GRABBAR CONTROL LATCHES PER IRC R302.2.
 2. SECOND FLOOR WINDOWS SHALL HAVE AN OPENING AREA OF NOT LESS THAN 5.7 SQ. FT. AND SHALL BE 20" WIDE BY 70" HIGH. SECOND FLOOR DOORS SHALL BE 36" WIDE BY 80" HIGH.
 3. SMOKE DETECTORS SHALL BE INSTALLED ACCORDING TO IRC R314. CARBON MONOXIDE DETECTORS SHALL BE INSTALLED ACCORDING TO IRC R305.

1 GROUND FLOOR DIMENSION PLAN
1/8" = 1'-0"



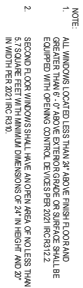
2 SECOND FLOOR DIMENSION PLAN
1/8" = 1'-0"



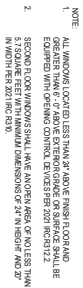


DUPLE
COTTAGE
ELEVATION 8R

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



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



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

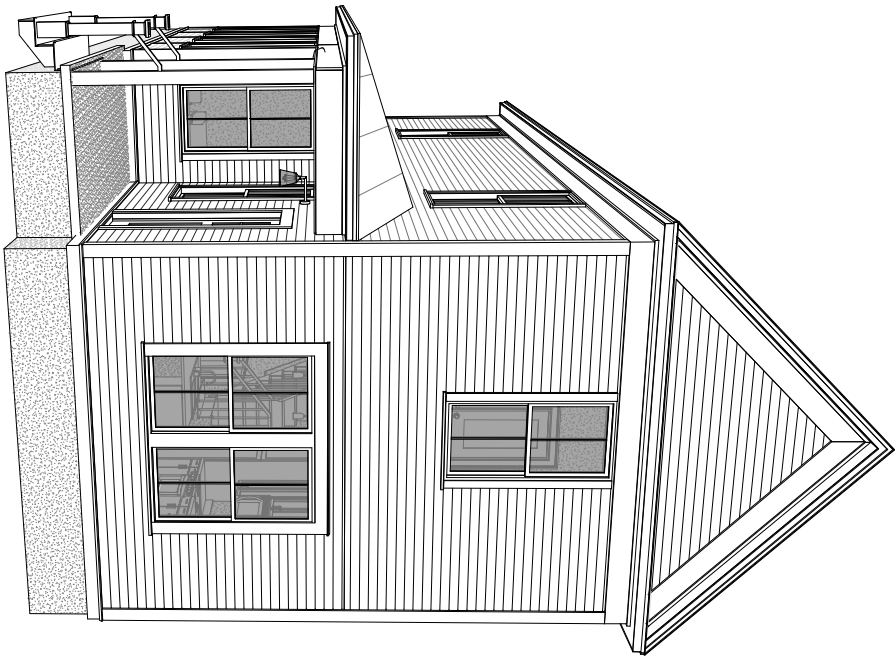
SHEET A2.1

ELEVATIONS

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REVIEW

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DRAWN BY: TK
DATE: 28 JAN 2025

SHEET A2.1



DUPLE COTTAGE

ELEVATION 8R

GENERAL NOTES:

- [illegible]

APPLICABLE CODES

- 2021 International Residential Code
2018 Arkansas State Fuel and Gas Code
2018 Arkansas State Plumbing Code
2020 National Electrical Code
2017 ANSI A17.1
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A2.1	ELEVATIONS
A3.1	SECTIONS
A4.1	SCHEDULES
A5.1	DETAILS

PROJECT DATA - AREA	
GROUND FLOOR AREA	732 SF
SECOND FLOOR AREA	588 SF



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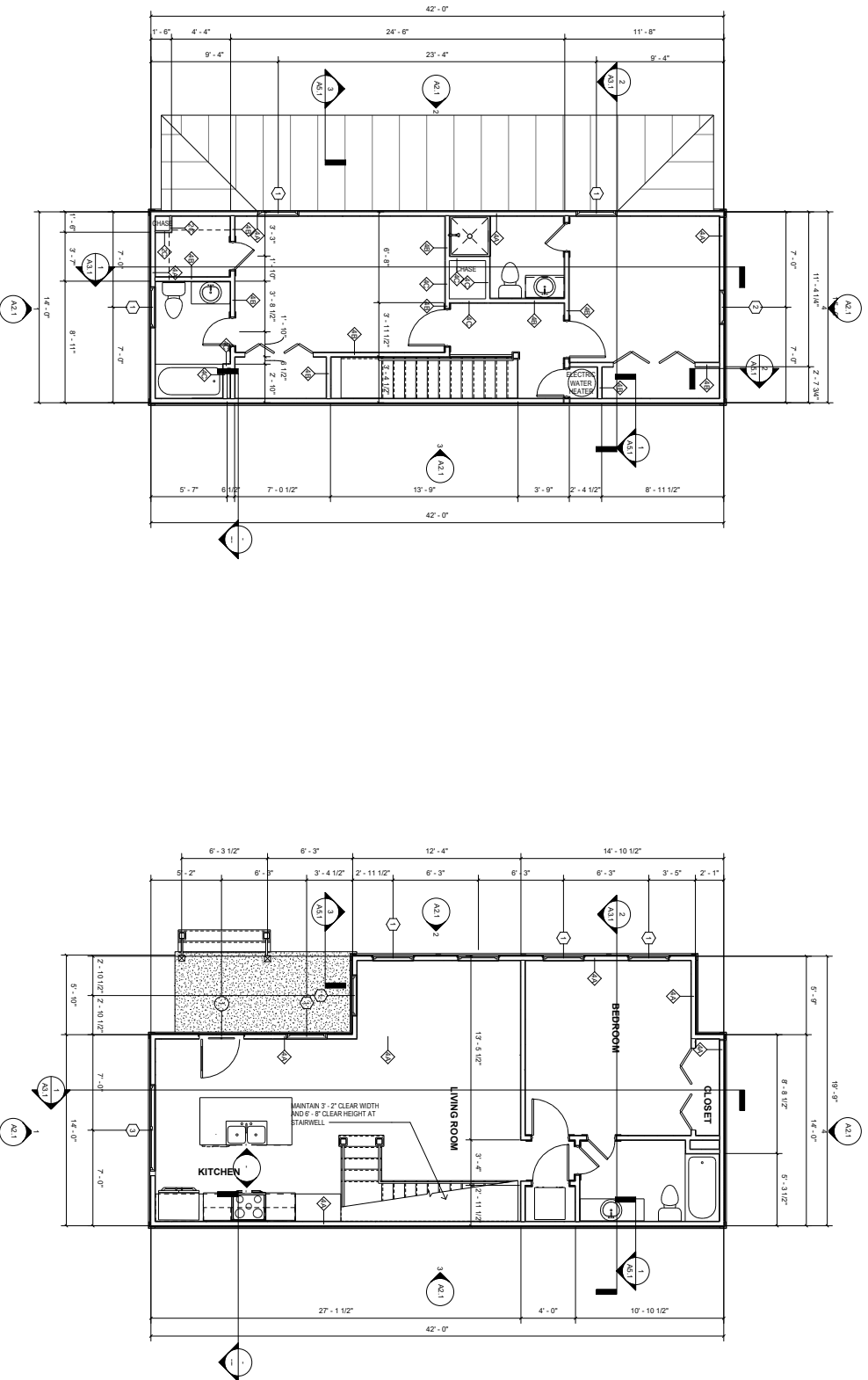
DUPLE
COTTAGE
ELEVATION 8R

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REVIEW

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DATE: 28 JAN 2025

DIMENSION PLANS

SHEET A1.1



SECOND FLOOR DIMENSION PLAN

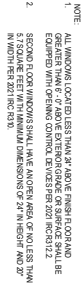
GROUND FLOOR DIMENSION PLAN

1. NOTE:
ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR AND GREATER THAN 6" ABOVE EXISTING GRADE OR SURFACE SHALL BE EQUIPPED WITH OBSCURO CONTROL DEVICES PER 2021 RC 93.12.
2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA, IF NOT LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 2' IN HEIGHT AND 20" IN WIDTH PER 2021 RC 93.10.
3. SMOKE DETECTORS SHALL BE INSTALLED ACCORDING TO RC 93.14. CARBON MONOXIDE DETECTORS SHALL BE INSTALLED ACCORDING TO RC 93.15.

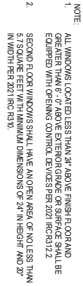


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1 FRONT ELEVATION
1/4" = 1'-0"



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

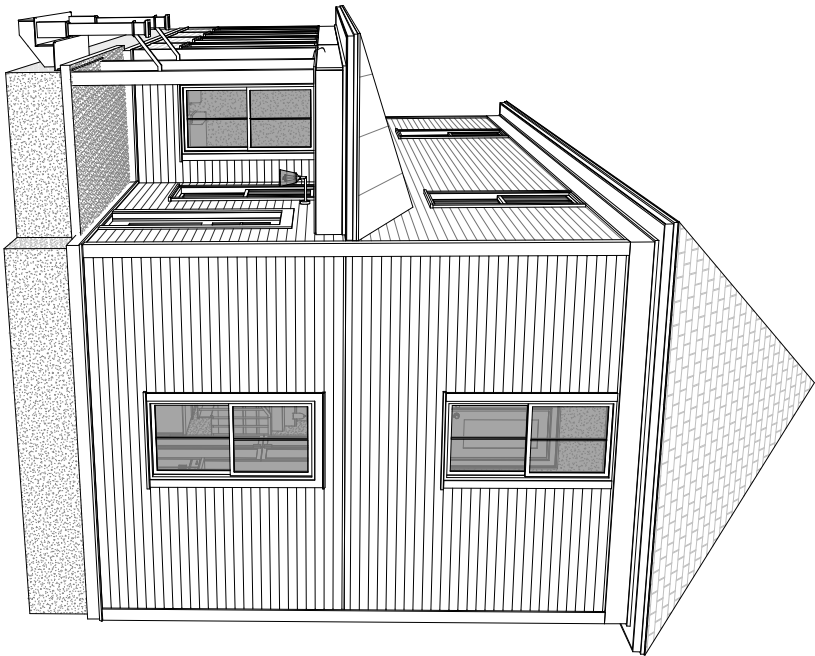


3 LEFT ELEVATION
 $140^\circ = 1^\circ \cdot 0^\circ$

ELEVATIONS

ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

DUPLE
COTTAGE
ELEVATION 8R



DUPLE COTTAGE

ELEVATION 9R

GENERAL NOTES:

- [illegible]

APPLICABLE CODES:

- 2021 International Residential Code
2019 Arkansas State Fuel and Gas Code
2018 Arkansas State Plumbing Code
2020 National Electrical Code
2017 ANSI A17.1
2021 Arkansas State Mechanical Code
2021 Arkansas Energy Code (2019 IECC)
2021 Arkansas Fire Prevention Code - Vol III (Based on 2021 IRC)
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A3.1	SECTIONS
A4.1	SCHEDULES
A5.1	DETAILS

PROJECT DATA - AREA	
GROUND FLOOR AREA	732 SF
SECOND FLOOR AREA	588 SF

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DUPLE
COTTAGE
ELEVATION 9R

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DATE: 28 JAN 2025

COVER

SHEET A0



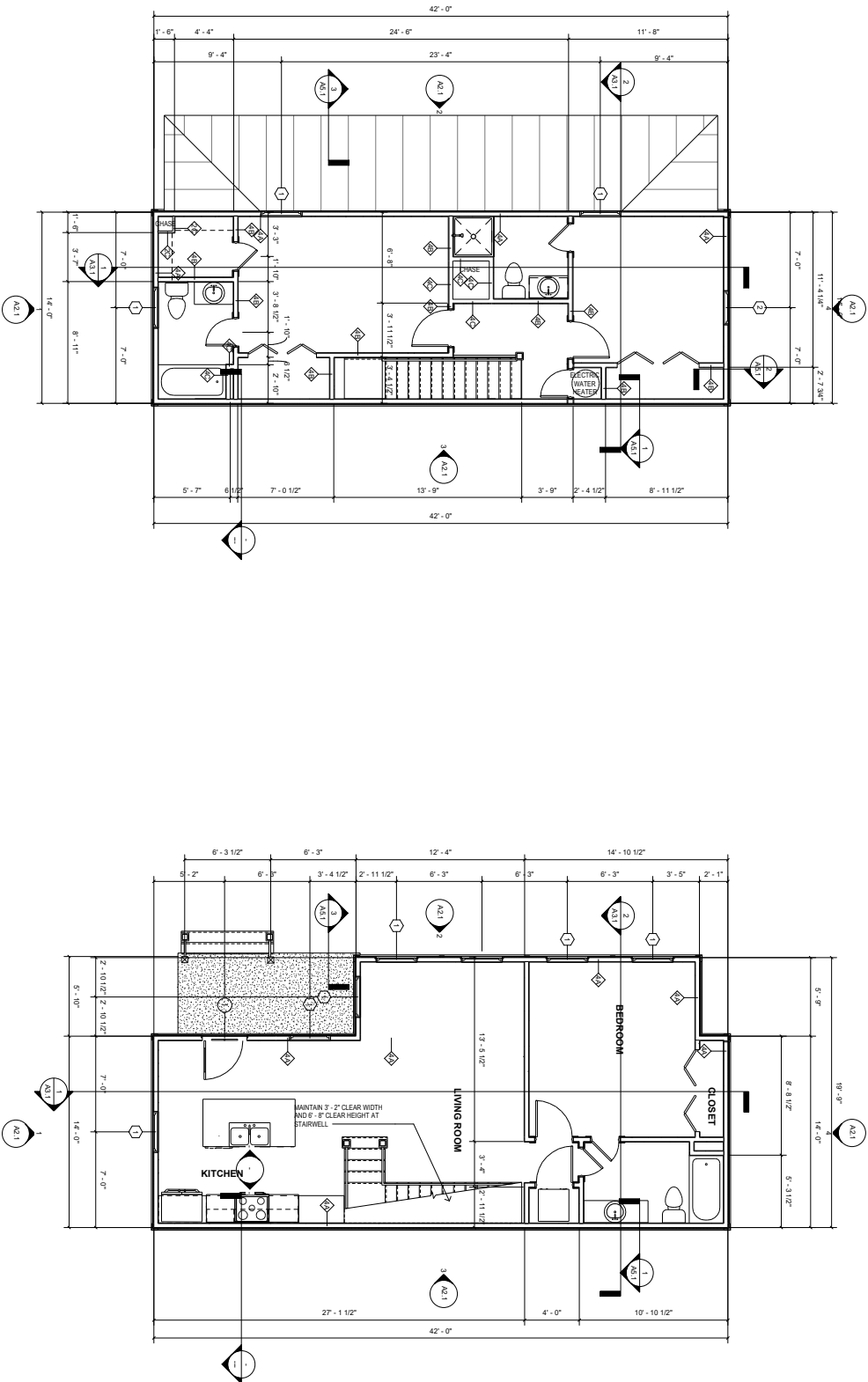
REVISION 0

DUPLE
COTTAGE
ELEVATION 9R

ISSUED FOR
REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

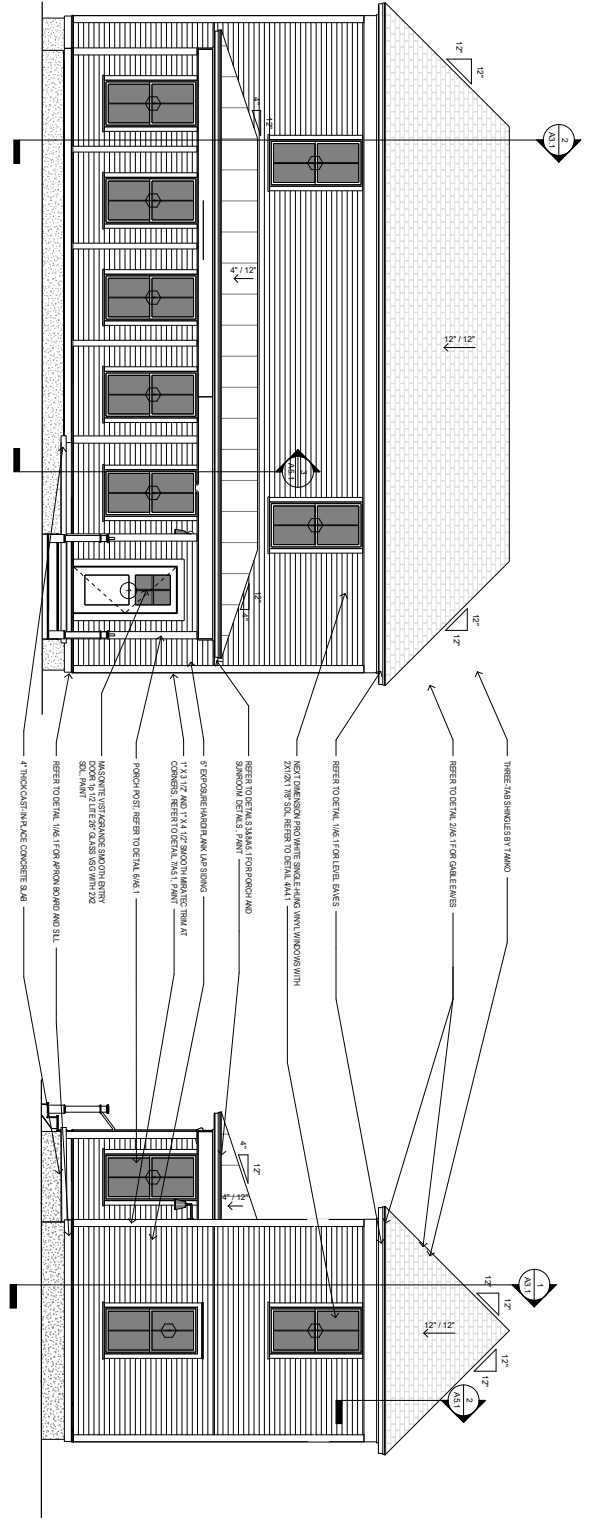
SHEET A1.1



2 SECOND FLOOR DIMENSION PLAN

1 GROUND FLOOR DIMENSION PLAN

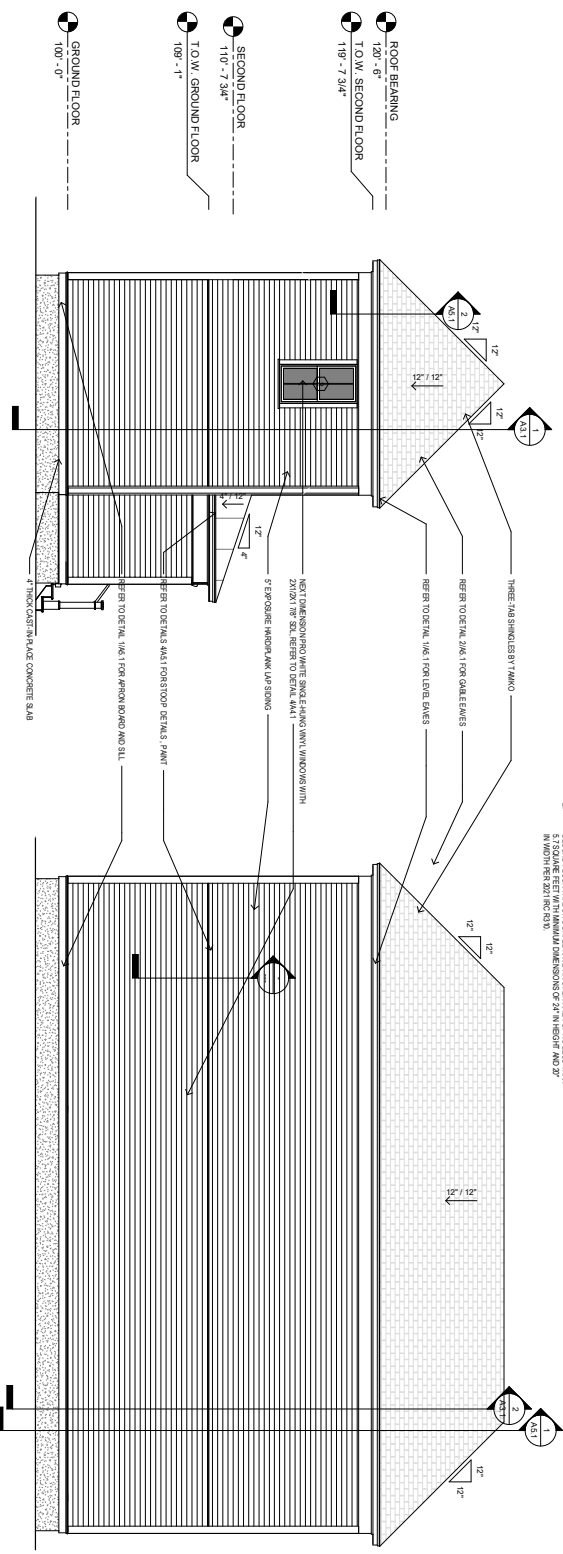
1. NOTE:
ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR AND GREATER THAN 6" ABOVE EXTERIOR GRADE OR SURFACE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 201 IRC R312.2
2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA OF NO LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 2'4" IN HEIGHT AND 20" IN WIDTH PER 201 IRC R310.
3. SMOKE DETECTORS SHALL BE INSTALLED ACCORDING TO RC R14.
CARBON MONOXIDE DETECTORS SHALL BE INSTALLED ACCORDING TO RC R15.3



2 RIGHT ELEVATION
1/4\"/>

- NOTE:
- ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR AND EQUIPPED WITH GREENING CONTROL DEVICES PER 2021 IRC R312.2.
 - SECOND FLOOR WINDOWS SHALL HAVE A VERTICAL AREA OF NOT LESS THAN 5.7 SQUARE FEET IN MINIMUM DIMENSIONS OF 24\"/>

1 FRONT ELEVATION
1/4\"/>



4 BACK ELEVATION
1/4\"/>

3 LEFT ELEVATION
1/4\"/>

DUPLE
COTTAGE
ELEVATION 9R

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DATE: 28 JAN 2025

ELEVATIONS

SHEET A2.1



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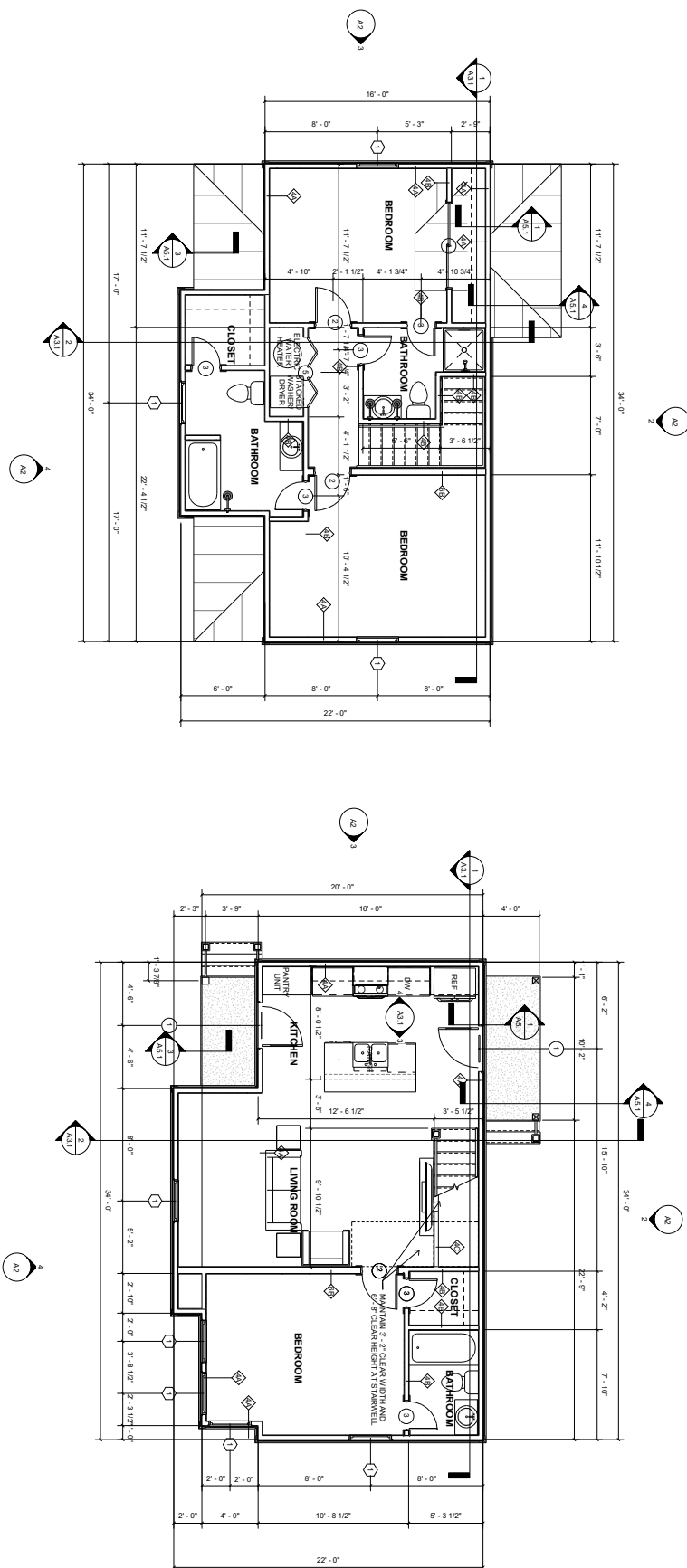
PROW HOUSE ELEVATION 13L

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DIMENSION PLANS

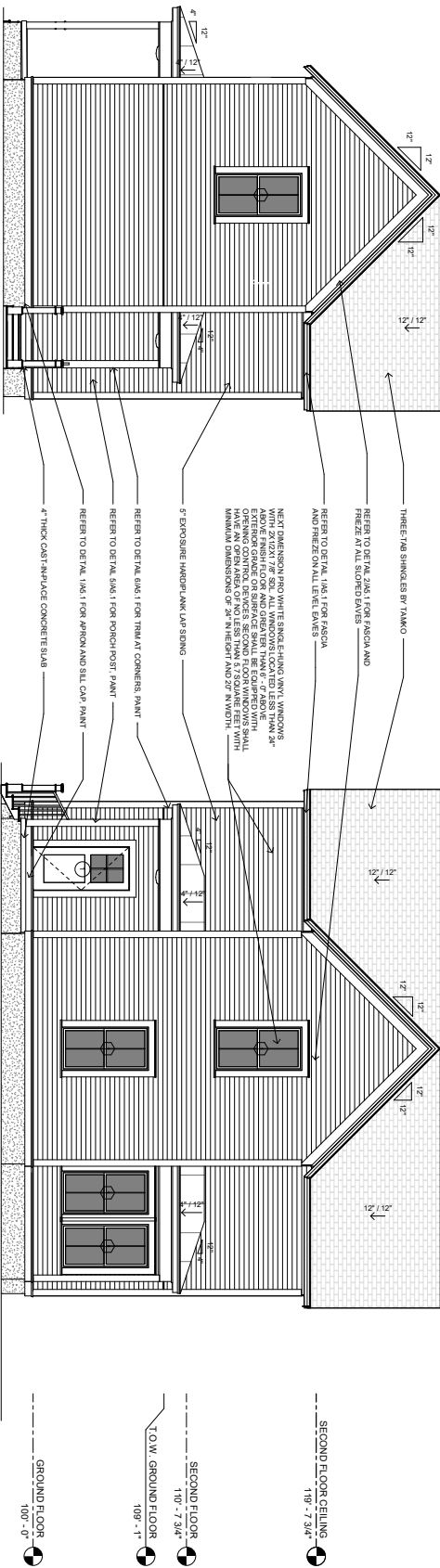
SHEET A1.1



2 SECOND FLOOR DIMENSION PLAN

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

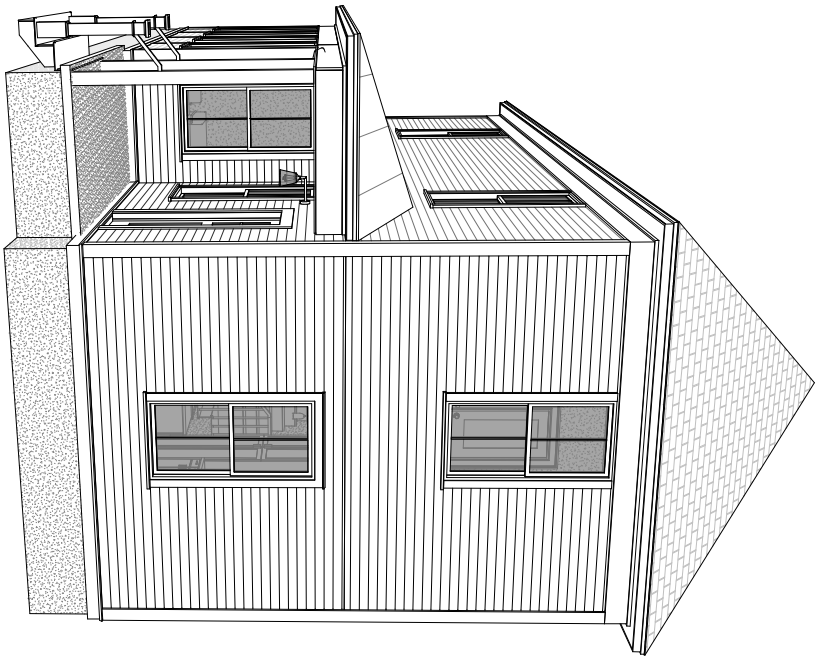
4 FRONT ELEVATION
 $1/4" = 1'-0"$



1. ALL WINDOWS LOCATED LESS THAN 24" ABOVE FINISH FLOOR AND GREATER THAN 6" ABOVE EXTERIOR GRADE OR SURFACE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 2021 IRC R312.2.
2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA OF NO LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 24" IN HEIGHT AND 20" IN WIDTH PER 2021 IRC R310.

GROUND FLOOR
100' - 0"

SHEET A2



DUPLE COTTAGE

ELEVATION 9R

GENERAL NOTES:

- [illegible]

APPLICABLE CODES:

- 2021 International Residential Code
2019 Arkansas State Fuel and Gas Code
2018 Arkansas State Plumbing Code
2020 National Electrical Code
2017 ANSI A17.1
2021 Arkansas State Mechanical Code
2021 Arkansas Energy Code (2019 IECC)
2021 Arkansas Fire Prevention Code - Vol. III (Based on 2021 IRC)
2021 Arkansas Fire Prevention Code - Vol. II (Based on 2021 IRC)

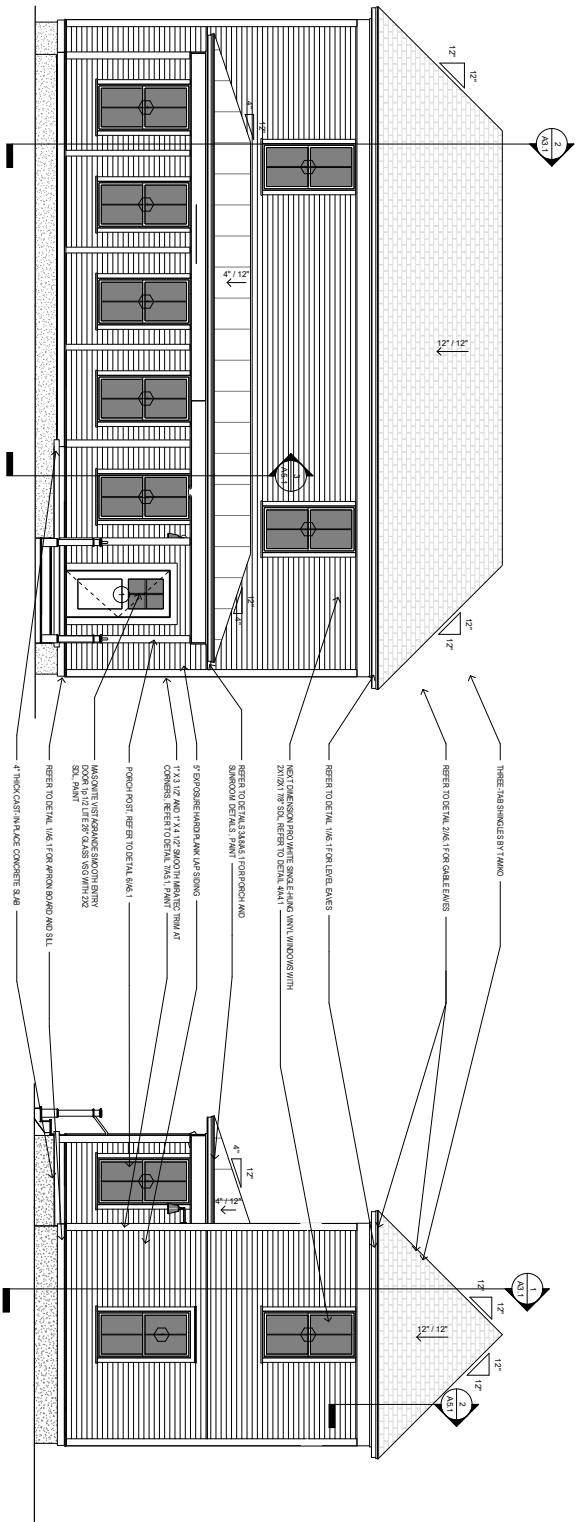
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A4.1	SCHEDULES
A5.1	DETAILS

PROJECT DATA - AREA	
GROUND FLOOR AREA	732 SF
SECOND FLOOR AREA	588 SF

SHEET A1.1



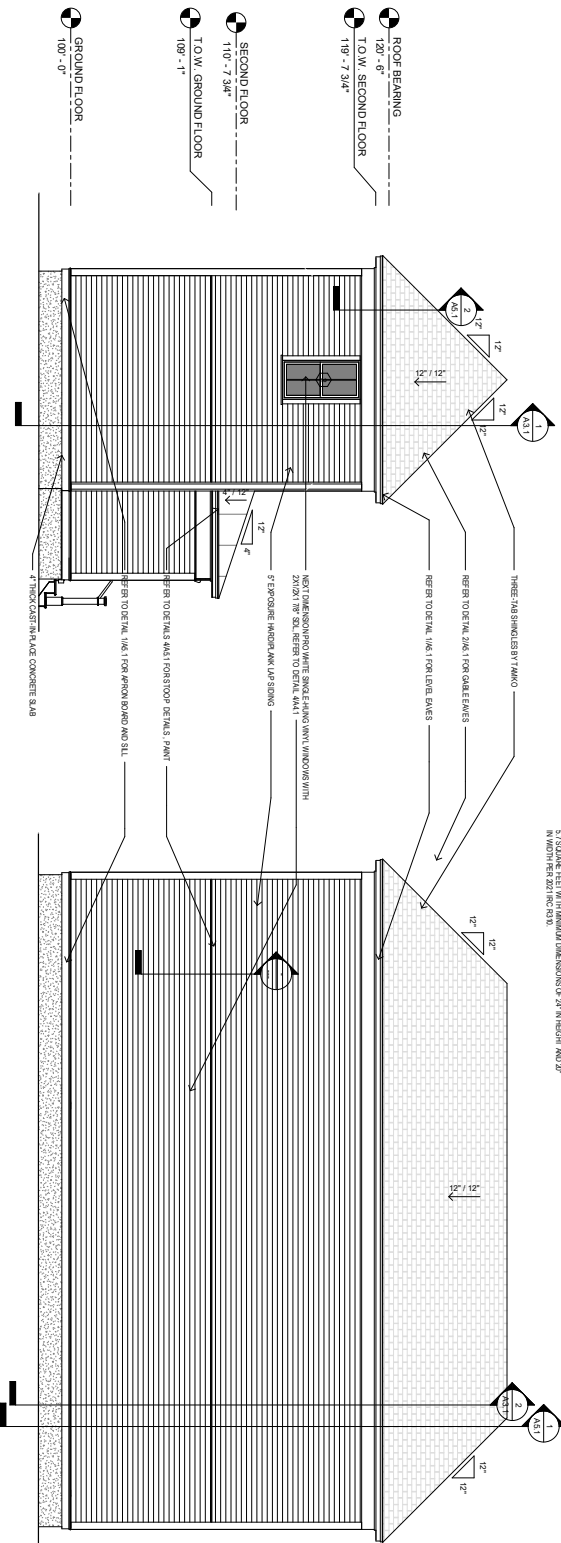
1. NOTE:
ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR AND GREATER THAN 6" ABOVE EXTERIOR GRADE OR SURFACE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 201 IRC R312.2
2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA OF NO LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 2'4" IN HEIGHT AND 20" IN WIDTH PER 201 IRC R310.
3. SMOKE DETECTORS SHALL BE INSTALLED ACCORDING TO RC R14.
CARBON MONOXIDE DETECTORS SHALL BE INSTALLED ACCORDING TO RC R15.3



2 RIGHT ELEVATION

1 FRONT ELEVATION

- NOTE:
- ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR AND EQUIPPED WITH GREENING CONTROL DEVICES PER 2021 IRC R312.2.
 - SECOND FLOOR WINDOWS SHALL HAVE A VERTICAL AREA OF NOT LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 24\"/>



4 BACK ELEVATION

3 LEFT ELEVATION

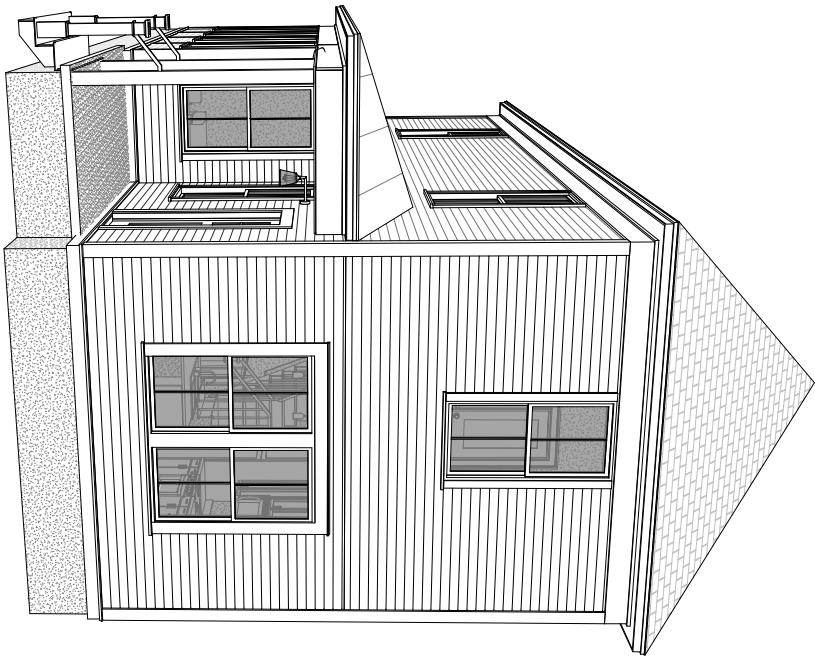
DUPLEX
COTTAGE
ELEVATION 9R

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ELEVATIONS

SHEET A2.1



DUPLE COTTAGE

ELEVATION 10R

GENERAL NOTES:

- [illegible]

APPLICABLE CODES:

- 2021 International Residential Code
2018 Arkansas State Fuel and Gas Code
2018 Arkansas State Plumbing Code
2020 National Electrical Code
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A4.1	SCHEDULES
A5.1	DETAILS

PROJECT DATA - AREA	
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SECOND FLOOR AREA	588 SF

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DUPLEX
COTTAGE
ELEVATION
10R

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DRAWN BY: TK
DATE: 28 JAN 2025

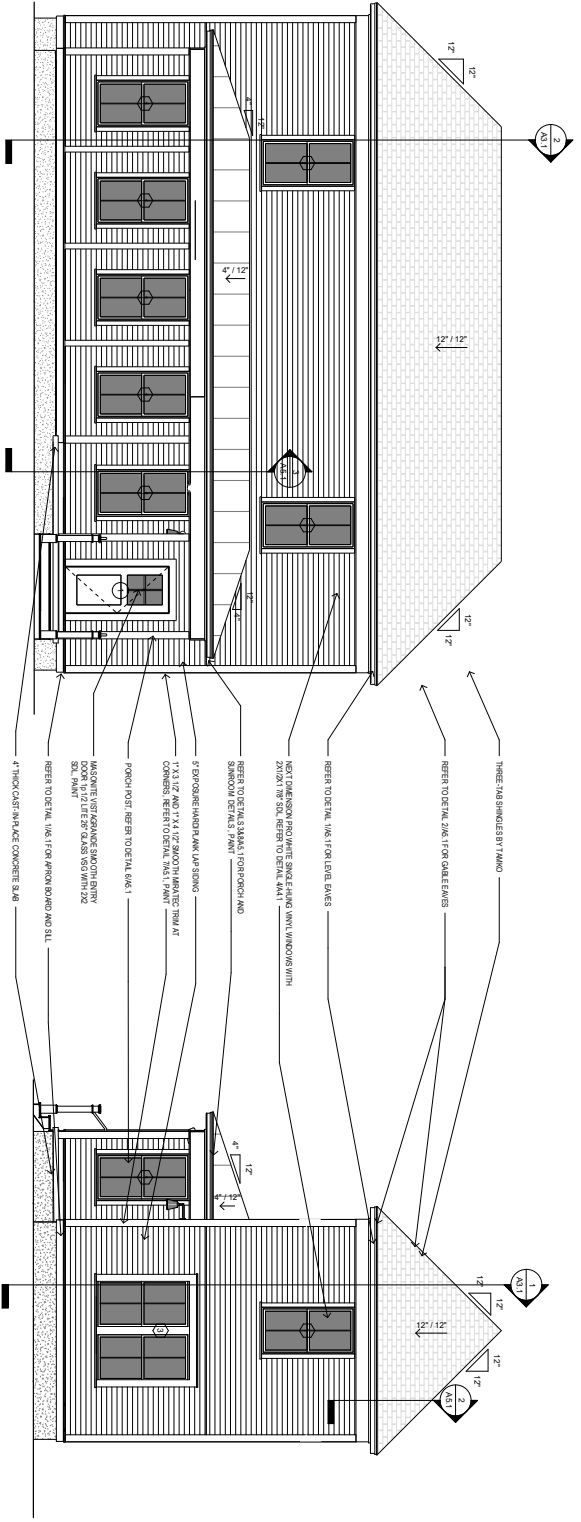
COVER

SHEET A0

SHEET A1.1



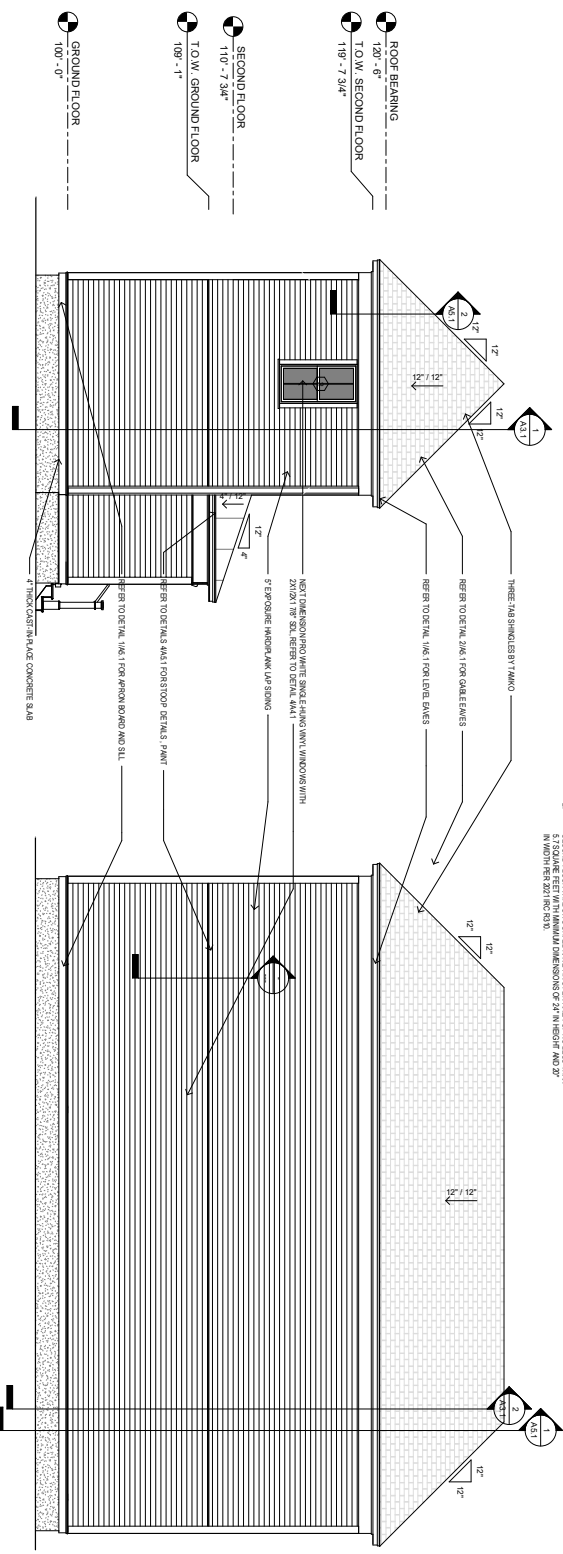
1. ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR AND GREATER THAN 6" ABOVE EXTERIOR GRADE OR SURFACE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 2021 RC R12.2.
2. SECOND OR FOUR WINDOWS SHALL HAVE AN OPEN AREA OF NO LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 36" IN HEIGHT AND 20" IN WIDTH PER 2021 RC R10.
3. SMOKE DETECTORS SHALL BE INSTALLED ACCORDING TO RC R14. CARBON MONOXIDE DETECTORS SHALL BE INSTALLED ACCORDING TO RC R15.



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

- NOTE:
- ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR AND EQUIPPED WITH OPENING CONTROL DEVICES PER 2021 IRC R310.2.2.
 - SECOND FLOOR WINDOWS SHALL HAVE AN OPENING AREA OF NOT LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 20" IN HEIGHT AND 20" IN WIDTH PER 2021 IRC R310.2.3.

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



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

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

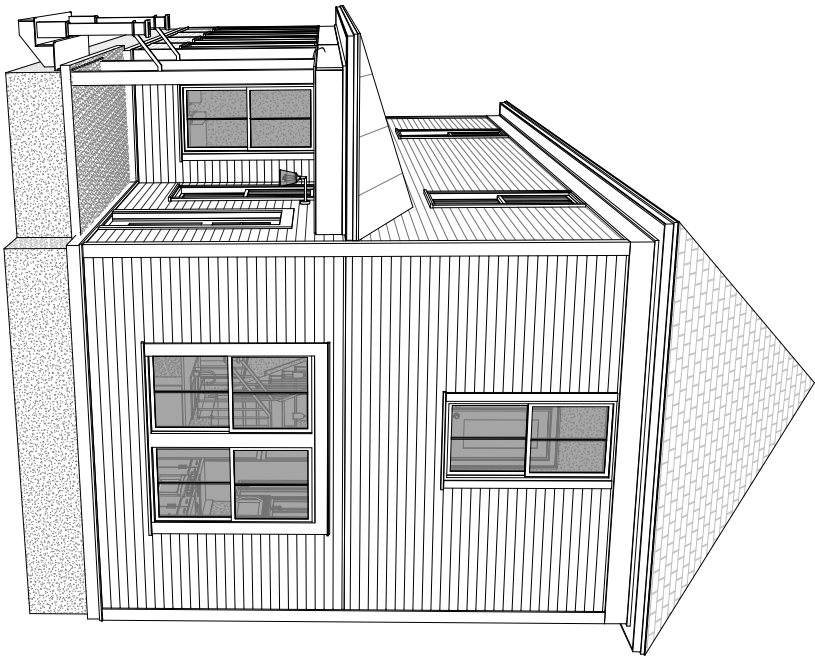
DUPLEX
COTTAGE
ELEVATION
10R

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REVIEW

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DATE: 28 JAN 2025

ELEVATIONS

SHEET A2.1



DUPLE COTTAGE

ELEVATION 10R

GENERAL NOTES:

- [illegible]

APPLICABLE CODES:

- 2021 International Residential Code
2018 Arkansas State Fuel and Gas Code
2018 Arkansas State Plumbing Code
2020 National Electrical Code
2017 ANSI A17.1
2017 Arkansas State Mechanical Code
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PROJECT DATA - AREA	
GROUND FLOOR AREA	732 SF
SECOND FLOOR AREA	588 SF

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DUPLEX
COTTAGE
ELEVATION
10R

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COVER

SHEET A0



REVISION 0

DUPE
COTTAGE
ELEVATION
10R

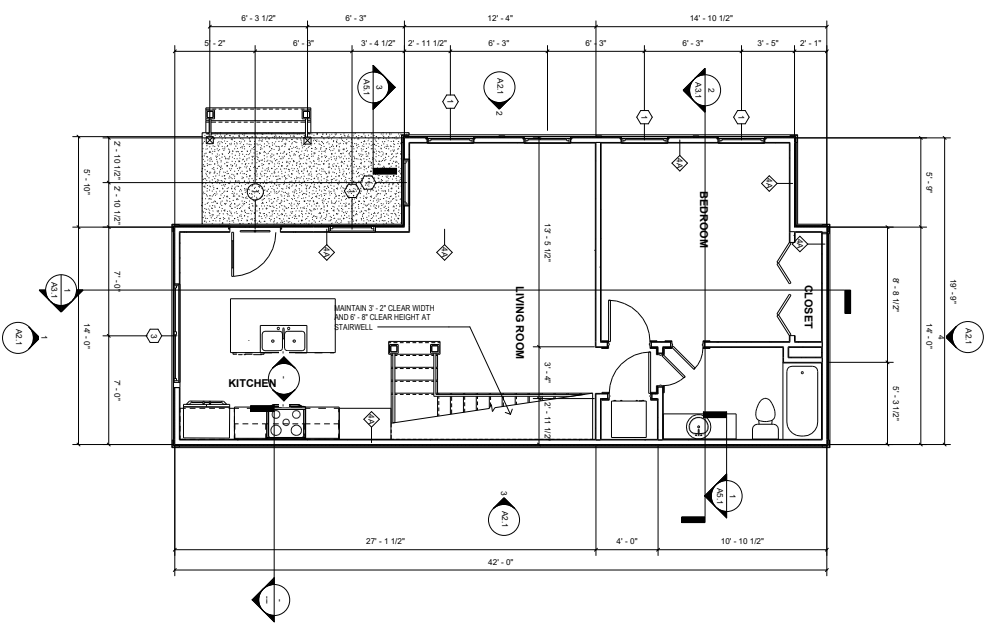
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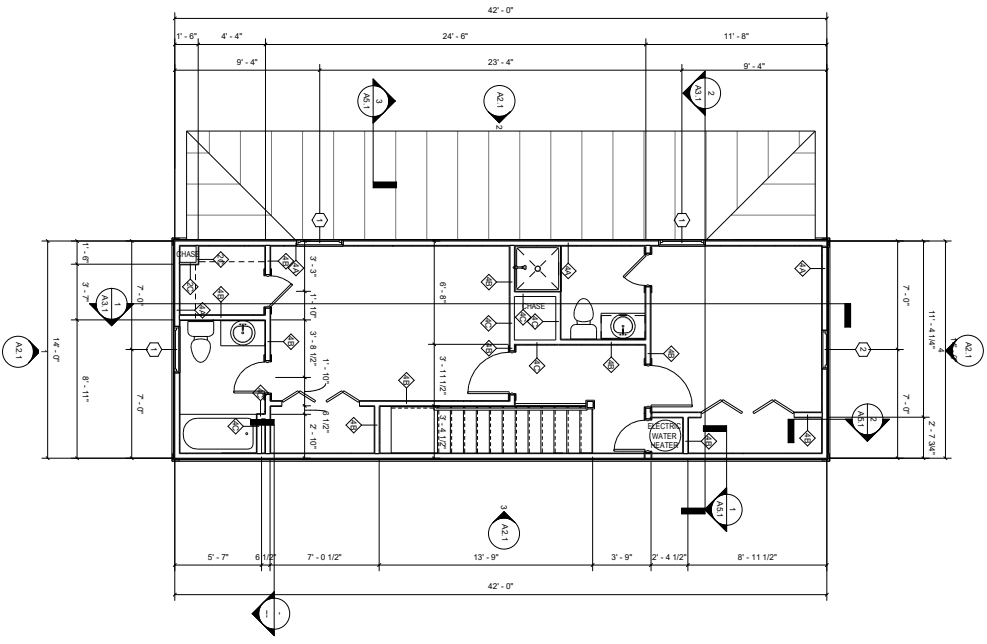
DIMENSION PLANS

SHEET A1.1

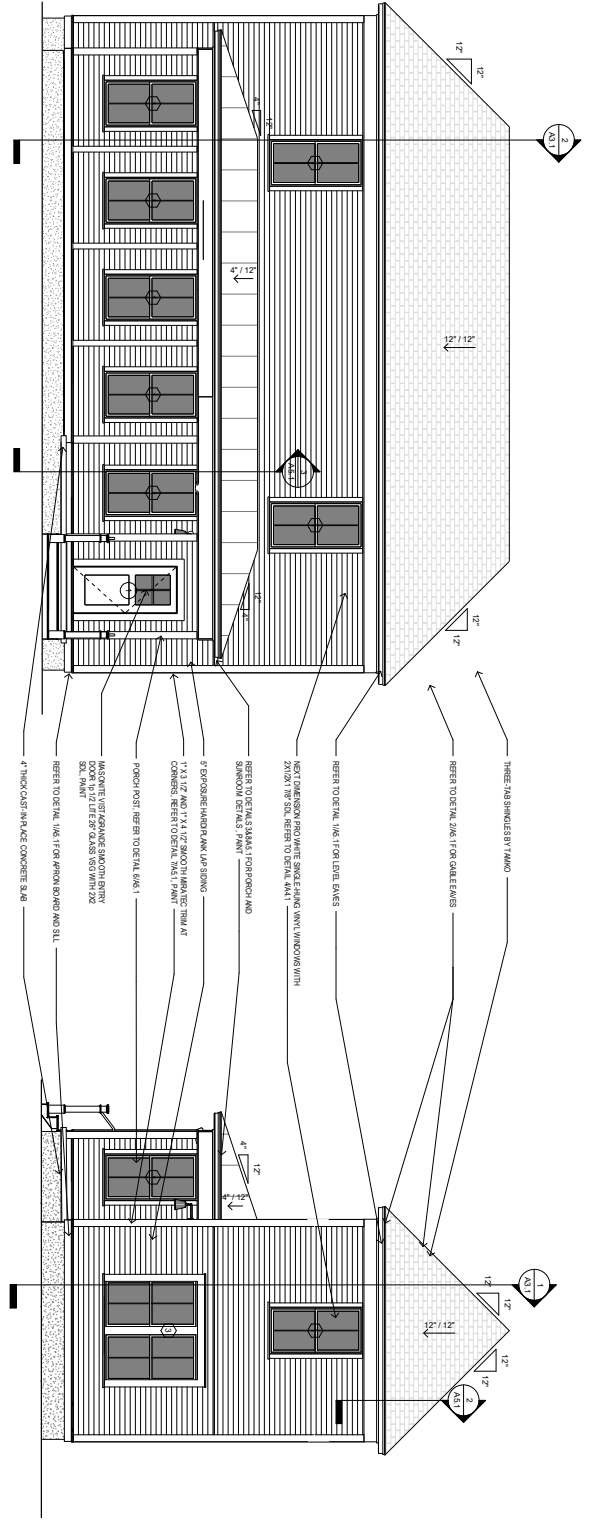
1 GROUND FLOOR DIMENSION PLAN
1/8" = 1'-0"



2 SECOND FLOOR DIMENSION PLAN
1/8" = 1'-0"



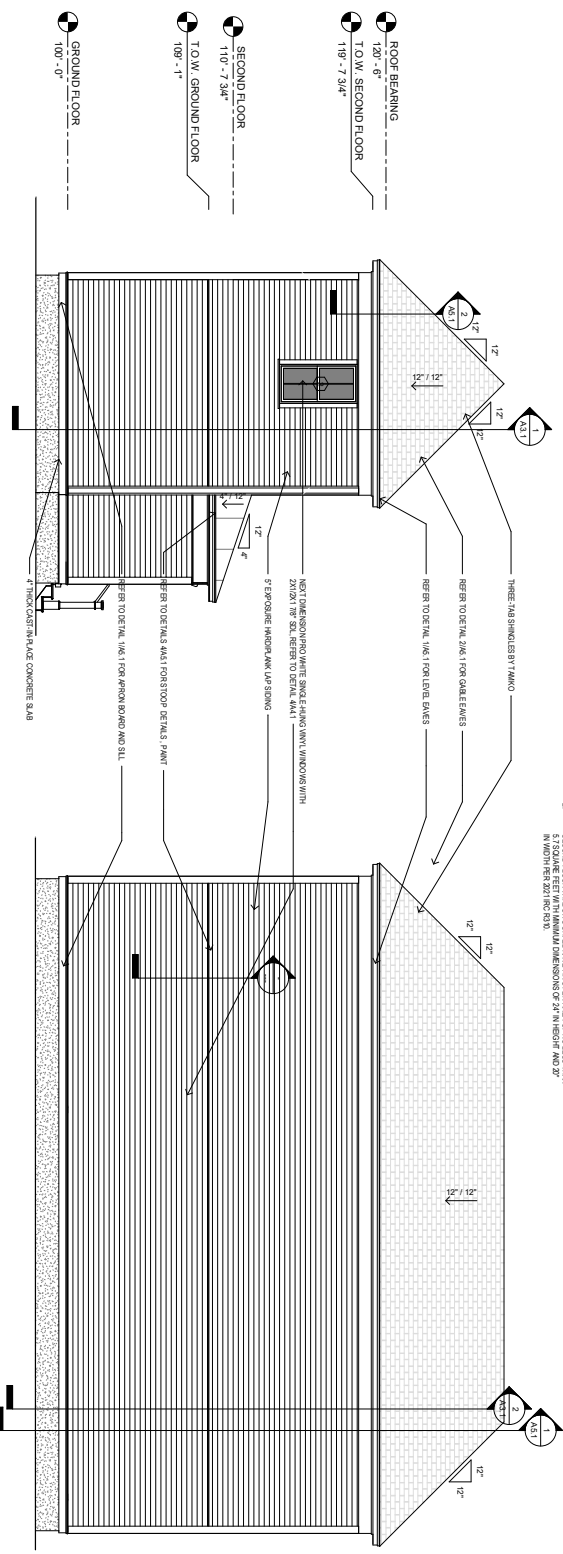
- NOTE:
1. ALL WINDOW/DOOR THRESHOLS SHALL BE MADE OF BRASS/STAINLESS STEEL AND SHALL BE 1/2" ABOVE EXTERIOR GRADE OR SURFACE SHALL BE EQUIPPED WITH OPERABLE CONTROL DEVICES PER IBC 703.2.
 2. SECOND FLOOR WINDOWS SHALL HAVE AN OPENING AREA OF NOT LESS THAN 5.7 SQ. FT. PER WINDOW OF 24" IN HEIGHT AND 20" IN WIDTH PER 2021 IRC 803.1.
 3. SMOKE DETECTORS SHALL BE INSTALLED ACCORDING TO IBC 903.4. CARBON MONOXIDE DETECTORS SHALL BE INSTALLED ACCORDING TO IBC 903.5.



2 RIGHT ELEVATION
1/4\"/>

- NOTE:
- ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR AND EQUIPPED WITH GREENING CONTROL DEVICES PER 2021 IRC R312.2.
 - SECOND FLOOR WINDOWS SHALL HAVE A VERTICAL AREA OF NOT LESS THAN 5.7 SQUARE FEET IN MINIMUM DIMENSIONS OF 24\"/>

1 FRONT ELEVATION
1/4\"/>



4 BACK ELEVATION
1/4\"/>

3 LEFT ELEVATION
1/4\"/>

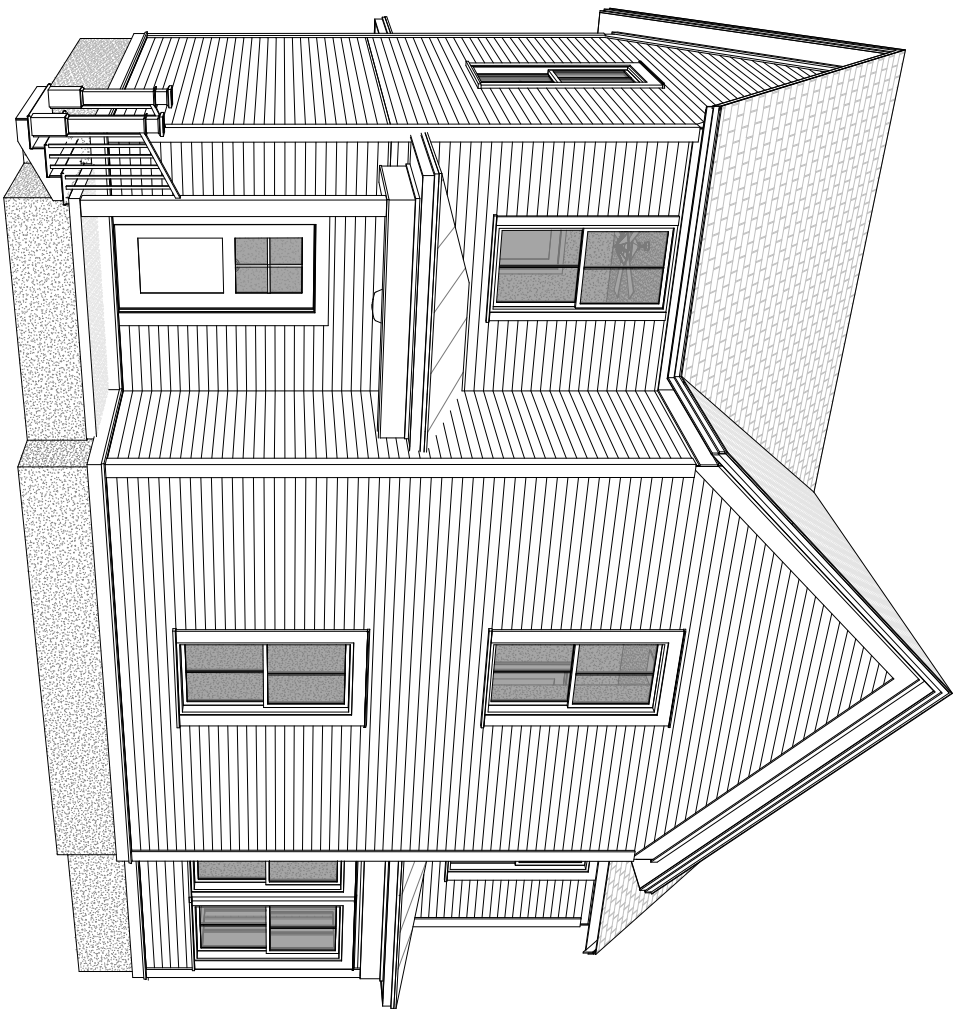
DUPLEX
COTTAGE
ELEVATION
10R

ISSUED FOR
REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

ELEVATIONS

SHEET A2.1



PROW HOUSE

ELEVATION 10L

- GENERAL NOTES:
1. COORDINATE ALL WORK WITH DRAWINGS AND SPECIFICATIONS.
 2. DRAWINGS MAY BE PRINTED AT HALF, 3/4", 1/2" OR REDUCED DRAWINGS ARE SOLELY RESPONSIBLE FOR DETERMINING THE PROPER SCALE.
 3. CONTRACTOR AND SUB-CONTRACTORS SHALL TAKE NOTE: THESE LISTS WITH EXISTING CONDITIONS ARE FOR INFORMATION ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL CONDITIONS AND FOR PROVIDING THE PROPER SCALE FOR THE PROJECT.
 4. CONTRACTOR AND SUB-CONTRACTORS SHALL FIELD VERIFY CONDITIONS AND FOR PROVIDING THE PROPER SCALE FOR THE PROJECT.
 5. WORK SHALL INCLUDE ALL REQUIRED PERMITS, LABOR, MATERIALS, AND EQUIPMENT TO COMPLETE THE PROJECT.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION METHODS, TECHNIQUES, PROCEDURES, SEQUENCES, ETC. TO INSURE SAFE AND EFFECTIVE PROGRESS OF THE PROJECT.
 7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND BUILDING DEPARTMENT OF THE CITY OF ATLANTA.
 8. CONTRACTOR IS RESPONSIBLE FOR FINAL CLEANUP OF WORK AREA AND ALL EXPOSED BUILDING SURFACES AT SUBSTANTIAL COMPLETION.
 9. ALL TRASH AND TOOLS SHALL BE REMOVED FROM PREMISES EACH DAY AND THE AREA LEFT NEAT AND UNCLUTTERED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL TRASH AND TOOLS FROM THE PROJECT SITE.
 10. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING EXISTING UTILITIES AND EQUIPMENT. FURNITURE, EXISTING MATERIALS OR FINISHES CAUSED AS A RESULT OF HIS WORK, REPAIR OR REPLACE DAMAGED ITEMS AS DIRECTED BY DESIGNER.
 11. ALL WORK SHALL BE DONE IN ACCORDANCE WITH APPLICABLE CODES AND STANDARDS.
 12. DIMENSIONS ARE TO FACE OF WALL ON FOUNDATION PLAN AND FACE OF STUDY FRAMING WALL UNLESS OTHERWISE NOTED OR IMPLIED.
 13. THE INFORMATION CONTAINED HEREIN DEMONSTRATES THE GENERAL DESIGN INTENT. THE CONTRACTOR IS RESPONSIBLE FOR PERFORMING ALL WORK WITHIN STANDARD MOISTURE AND THERMAL BARRIERS AND QUALITY WORKMANSHIP IN ACCORDANCE WITH AND TO THE END OF MEETING OR EXCEEDING APPLICABLE CODES AND STANDARDS.
 14. ALL SPONGE AND TRIM TO BE SMOOTH, SANDING TO BE SMOOTH HARDER PLY, 1/4" WOOD GRAIN TEXTURE ON DOORS, SINKS OR TRIM. TRIM PROFILES TO HAVE INTERED REFINISH AT VISIBLE ENDS.
 15. EXTERIOR WALLS, ATTICS AND CRAWL SPACES TO BE INSULATED FOR THERMAL, SOUND AND AIR RESISTANCE. INSULATION SHALL BE ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND BUILDING DEPARTMENT OF THE CITY OF ATLANTA.
 16. SLOPE ALL GRADES AWAY FROM BUILDINGS.
 17. CONTRACTOR TO MAINTAIN A COPY OF TRUSS MANUFACTURER'S SPECIFICATIONS ON SITE FOR BUILDING INSPECTORS USE.

APPLICABLE CODES:

- 2021 International Residential Code
- 2018 Atlanta State Fire and Gen. Code
- 2018 Atlanta State Plumbing Code
- 2018 Atlanta State Electrical Code
- 2017 ASHRAE 90.1
- 2017 ASHRAE 62.1
- 2014 Atlanta Building Code (2009 ICC)
- 2021 Atlanta Fire Prevention Code (2021 NFPA)
- 2021 Atlanta Fire Prevention Code (2021 NFPA)

SHEET INDEX	
Sheet Number	Sheet Name
A0	COVER
A1.1	DIMENSION PLANS
A1.2	FLOOR PLANS
A1.3	FOUNDATION AND ROOF PLANS
A1.4	BASEMENT CEILING PLANS
A2	ELEVATIONS
A3.1	SECTIONS
A4.1	SCHEDULES
A5.1	DETAILS

PROJECT DATA - AREA	
GROUND FLOOR AREA	1660 SF
SECOND FLOOR AREA	1613 SF
	1273 SF

community design
ARCHITECTS
1000 Peachtree Street, N.E.
Atlanta, Georgia 30309
Phone: 404.525.1234
Fax: 404.525.1235
Email: info@communitydesign.com



REVISION 0

PROW HOUSE
ELEVATION 10L

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DESIGNED BY
DRAWN BY: K
DATE: 28 JAN 2025

COVER

SHEET A0

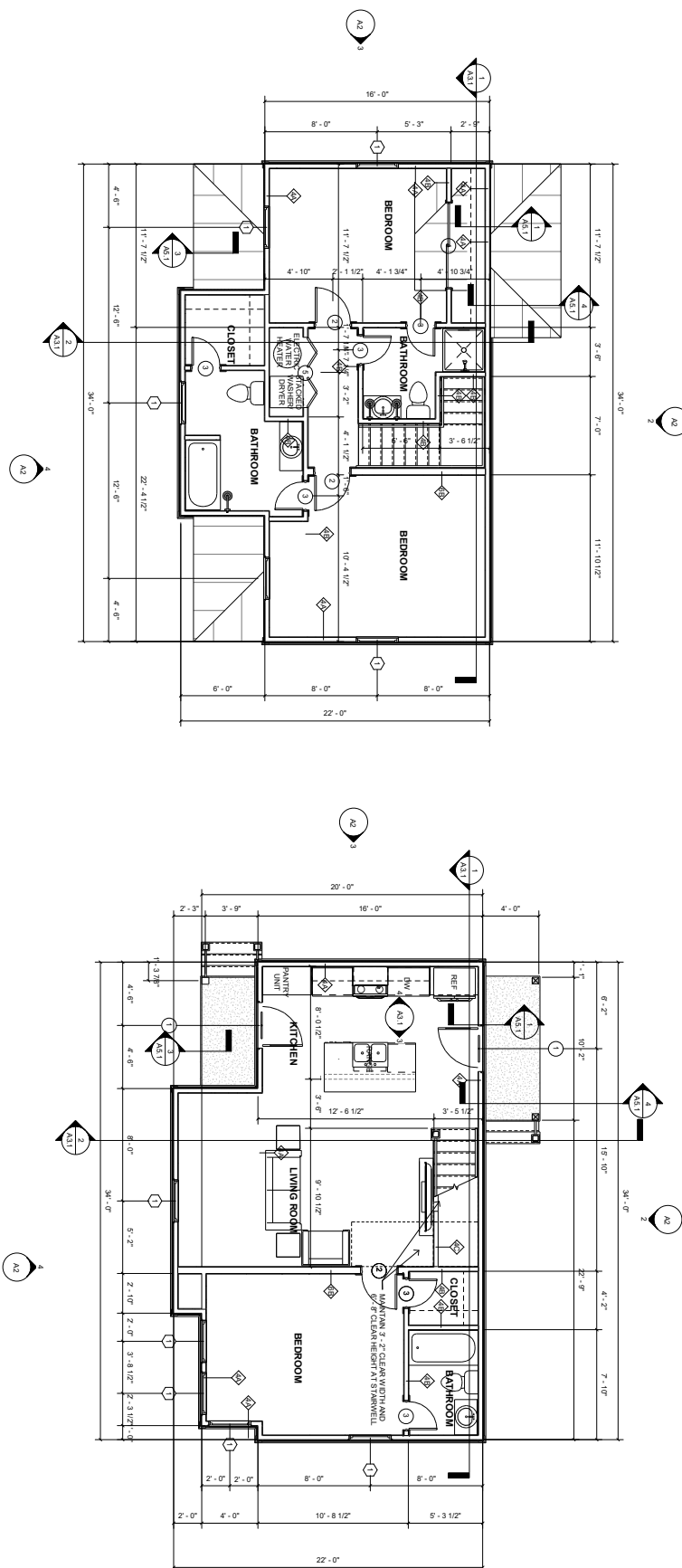
PROW HOUSE
ELEVATION 10L

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REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

DIMENSION PLANS

SHEET A1.1



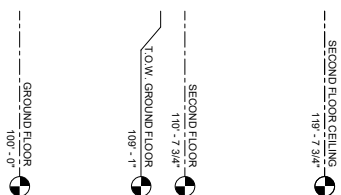
2 SECOND FLOOR DIMENSION PLAN

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

1. NOTE: ALL WINDOWS LOCATED LESS THAN 24" ABOVE FINISH FLOOR AND GREATER THAN 6" ABOVE EXTERIOR GRADE OR SURFACE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 2015 IRC R312.2.
2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA OF NO LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 24" IN HEIGHT AND 20" IN WIDTH PER 2015 IRC R310.
3. SMOKE DETECTORS SHALL BE INSTALLED ACCORDING TO IRC R314. CARBON MONOXIDE DETECTORS SHALL BE INSTALLED ACCORDING TO IRC R315.



1 LEFT ELEVATION
114° = 7.0°



4 FRONT ELEVATION

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DRAWN BY: TK
DATE: 28 JAN 2025

ELEVATIONS

SHEET A2



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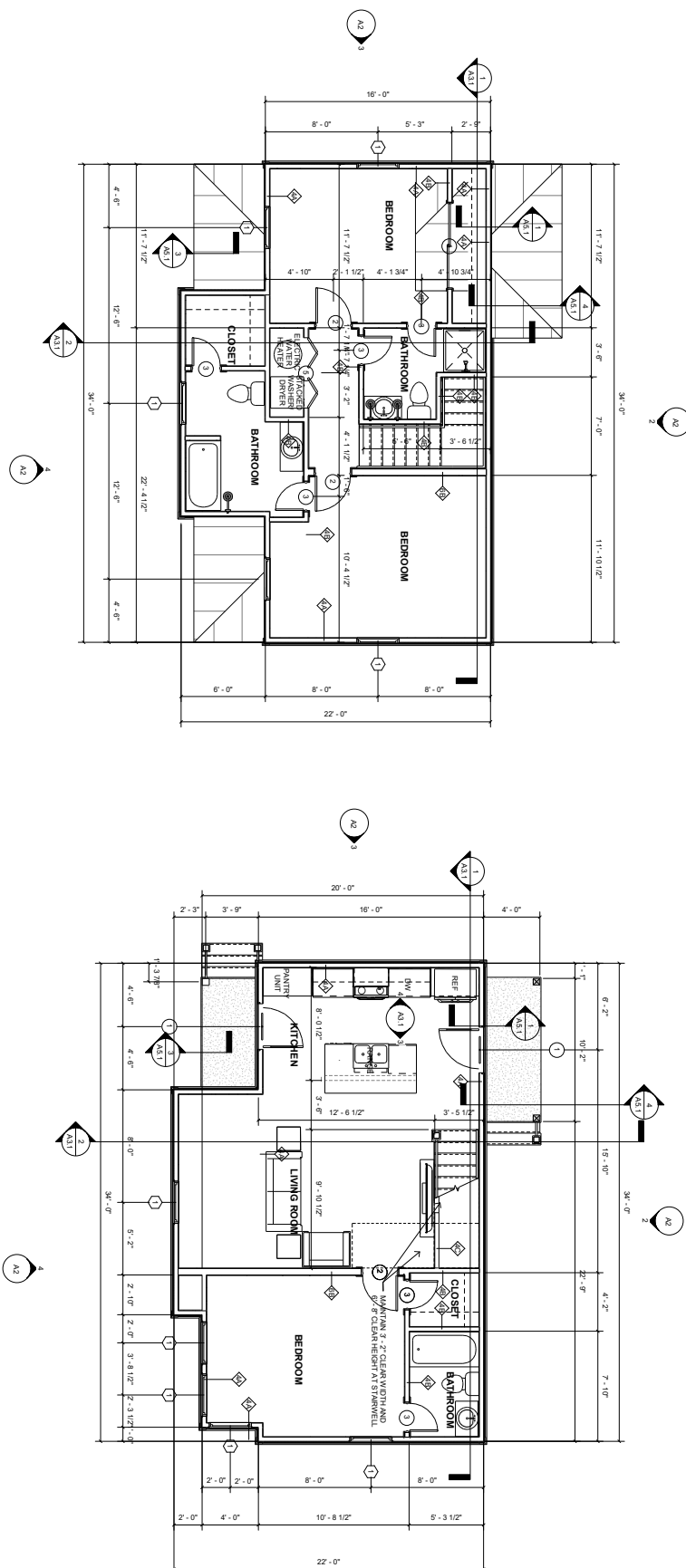
REVISION 0

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REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

**DIMENSION
PLANS**

SHEET A1.1



2 SECOND FLOOR DIMENSION PLAN

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



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NOTE:

1. ALL WINDOWS LOCATED LESS THAN 24" ABOVE FINISH FLOOR AND GREATER THAN 6" OF ABOVE EXTERIOR GRADE OR SLAB SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 2021 IRC R312.2.
2. SECOND FLOOR WINDOWS SHALL HAVE AN OPENABLE OF NO LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 24" IN HEIGHT AND 27" IN WIDTH PER 2021 IRC R310.

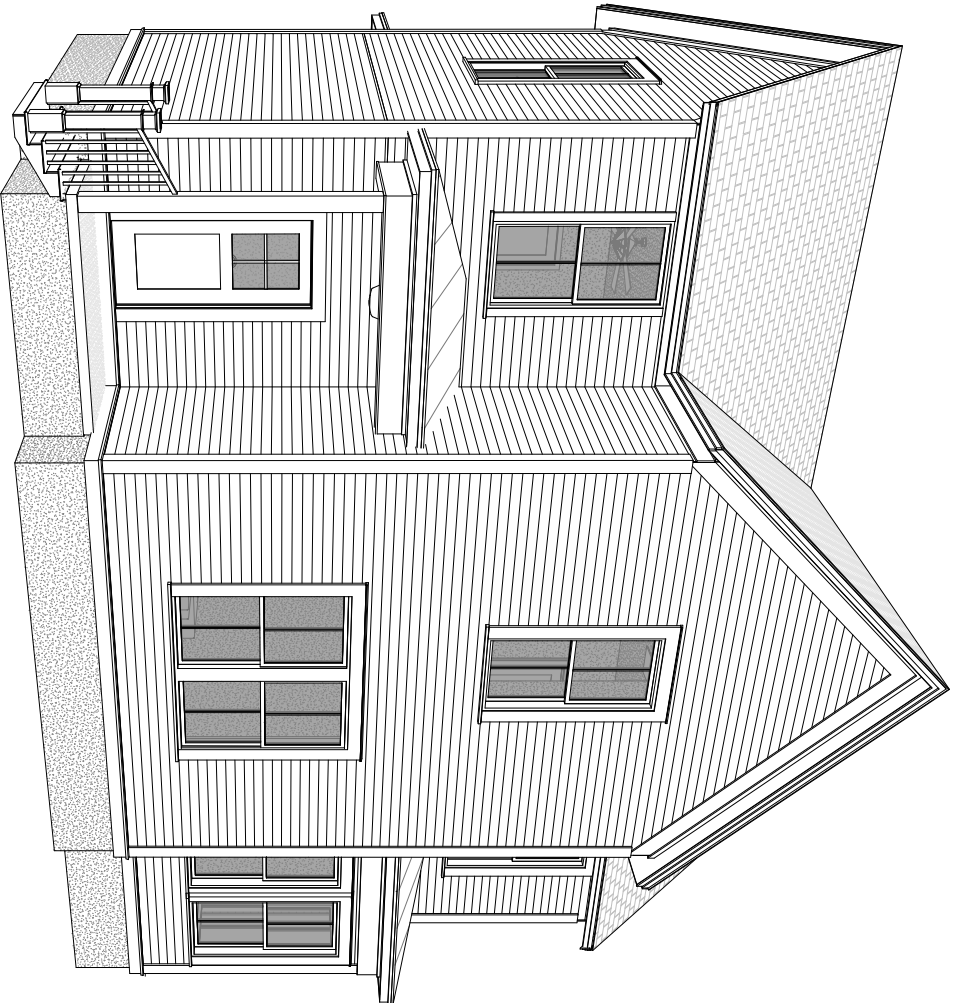


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DATE: 28 JAN 2025

ELEVATIONS

SHEET A2



PROW HOUSE

ELEVATION 11L

- [illegible]

APPLICABLE CODES:

2021 International Residential Code
2018 Arkansas State Fuel and Gas Code
2018 Arkansas State Plumbing Code
2020 National Electrical Code
2017 ANSI A117.1
2021 Arkansas State Mechanical Code
2014 Arkansas Energy Code (2009 EEC)
2021 Arkansas Code - Vol III (Based on 2021 IRC)
2021 Arkansas Fire Prevention Code - Vol III (Based on 2021 IFCC)

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Sheet Number	Sheet Name
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A1.2	FINISH PLANS
A1.3	FOUNDATION AND ROOF PLANS
A1.4	REFLECTED CEILING PLANS
A2	ELEVATIONS
A3.1	SECTIONS
A4	SCHEDULES
A5.1	DETAILS

PROJECT DATA - AREA	
GROUND FLOOR AREA	660 SF
SECOND FLOOR AREA	613 SF

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ADM-2025-0009 (SOUTHERN WOODS)

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REVISION 0

PROW HOUSE
ELEVATION 11L

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DATE: 28 JAN 2025

COVER

SHEET A0

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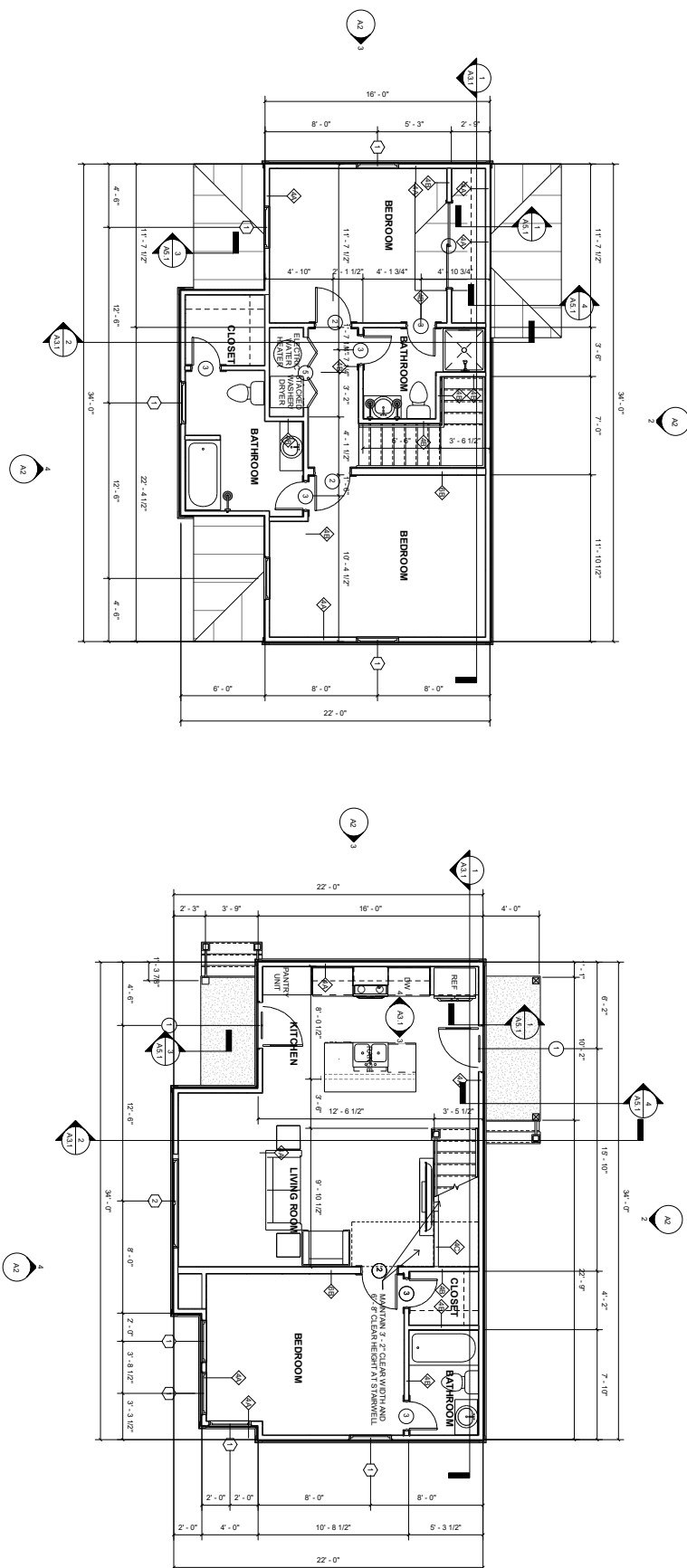
PROW HOUSE ELEVATION 11L

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ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

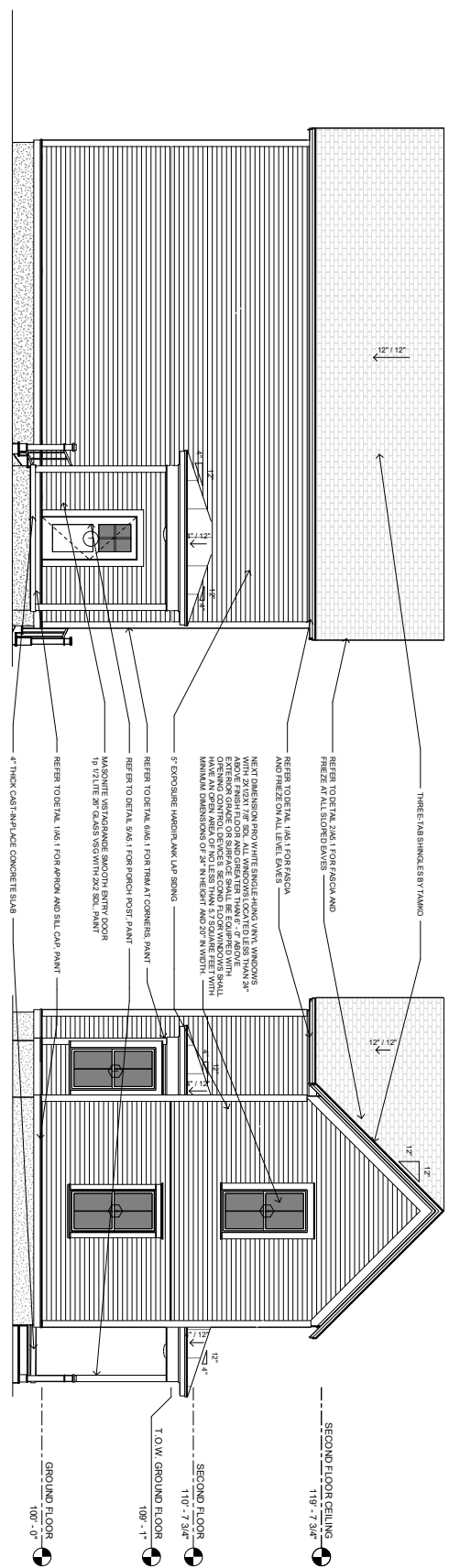
DIMENSION PLANS

SHEET A1.1



2 SECOND FLOOR DIMENSION PLAN

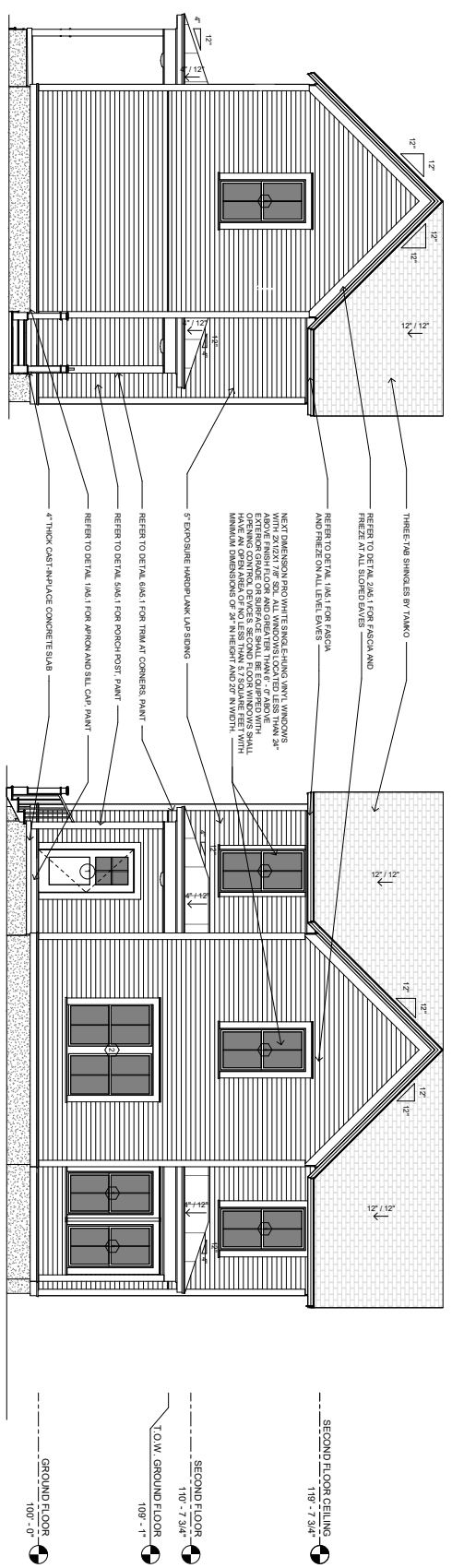
1 GROUND FLOOR DIMENSION PLAN
1/4" = 1'-0"



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

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

NOTE:
1. ALL WINDOWS LOCATED LESS THAN 24" ABOVE FINISH FLOOR OR SURFACE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 2021 IRC S12.2.
2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA OF NOT LESS THAN 20% OF THE TOTAL WINDOW AREA. ALL WINDOWS SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 2021 IRC S13.0.



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

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

PROW HOUSE
ELEVATION 11L

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DATE: 28 JAN 2025

ELEVATIONS

SHEET A2



- ADM-2025-0009 (SOUTHERN WOODS) Page 80 of 94



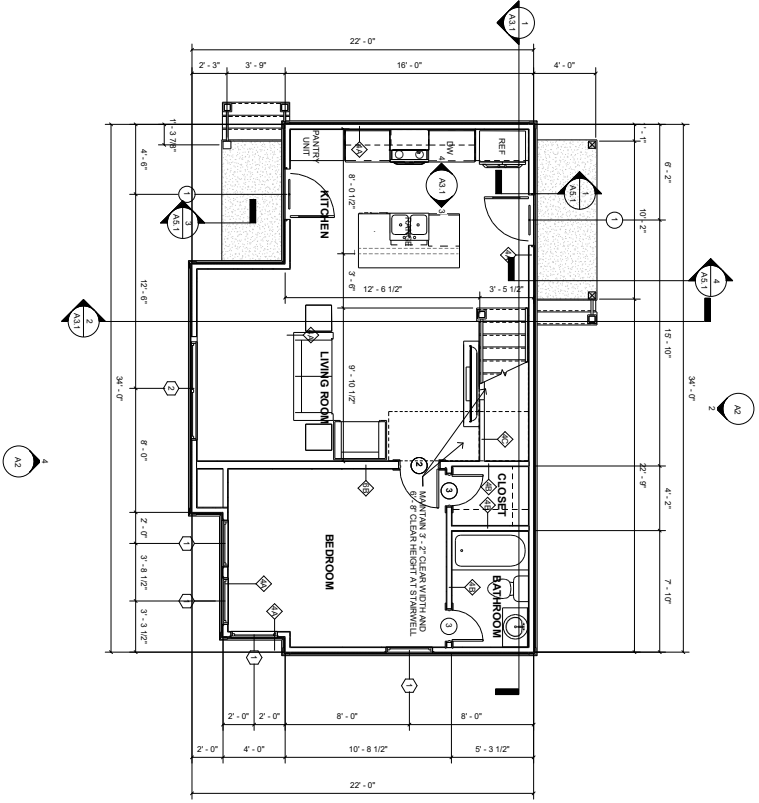
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PROW HOUSE
ELEVATION 11L

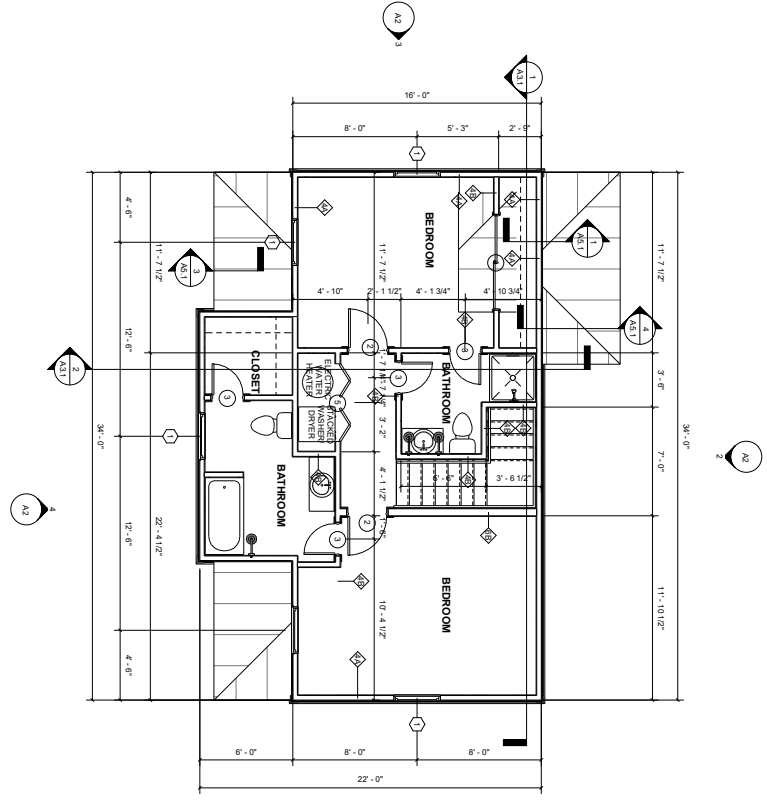
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REVIEW

DESIGNED BY
DRAWN BY: K
DATE: 28 JAN 2025

DIMENSION
PLANS
SHEET A1.1

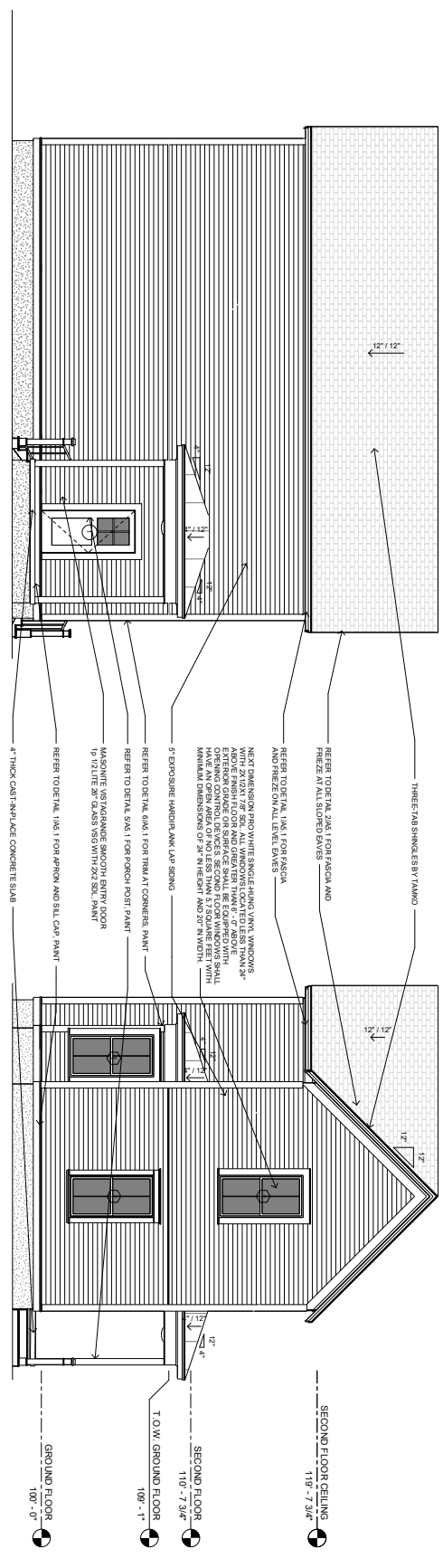


1 GROUND FLOOR DIMENSION PLAN



2 SECOND FLOOR DIMENSION PLAN

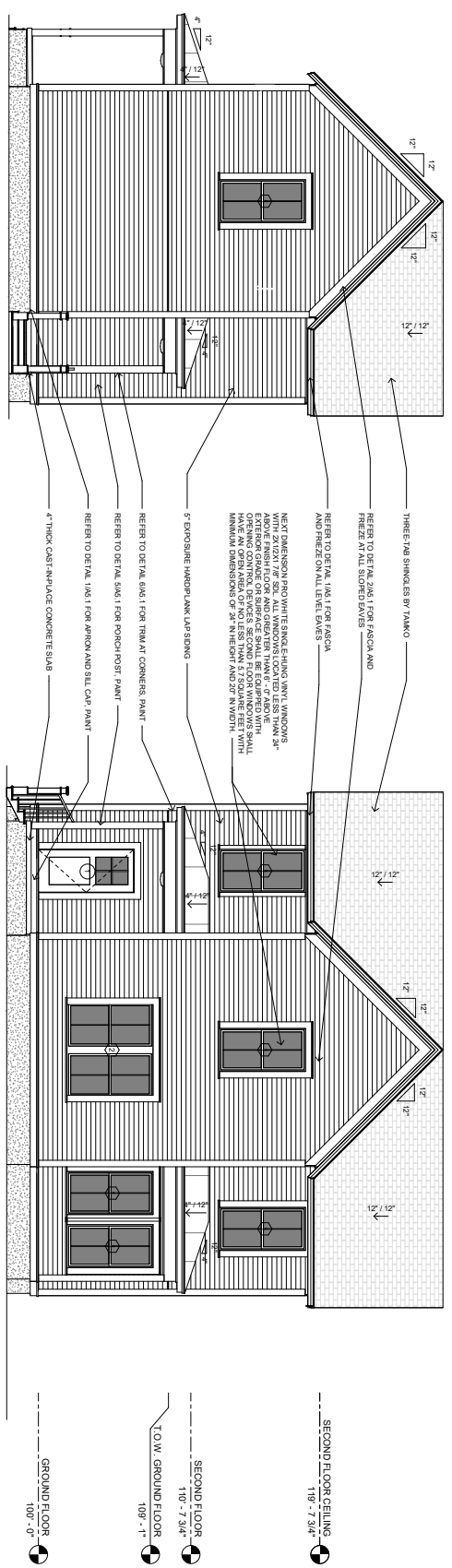
- NOTE:
1. ALL WINDOWS LOCATED LESS THAN 3'-0" ABOVE FINISH FLOOR AND GREATER THAN 6'-0" ABOVE EXTERIOR GRADE OR ABOVE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICE PER IRC R310.2.2.
 2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA OF NO LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 3'-0" IN HEIGHT AND 2'-0" IN WIDTH PER 2021 IRC R310.
 3. SAME DEVICES SHALL BE INSTALLED ACCORDING TO THE R310.2.2 AND R310.2.3 SHALL BE INSTALLED ACCORDING TO THE R310.2.3.



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

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

NOTE:
1. ALL WINDOWS LOCATED LESS THAN 24" ABOVE FINISH FLOOR OR SURFACE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 2021 IRC S12.2.
2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA OF NOT LESS THAN 20% OF THE TOTAL WINDOW AREA. WINDOWS OF 24" IN HEIGHT AND 20" IN WIDTH PER 2021 IRC S13.3.

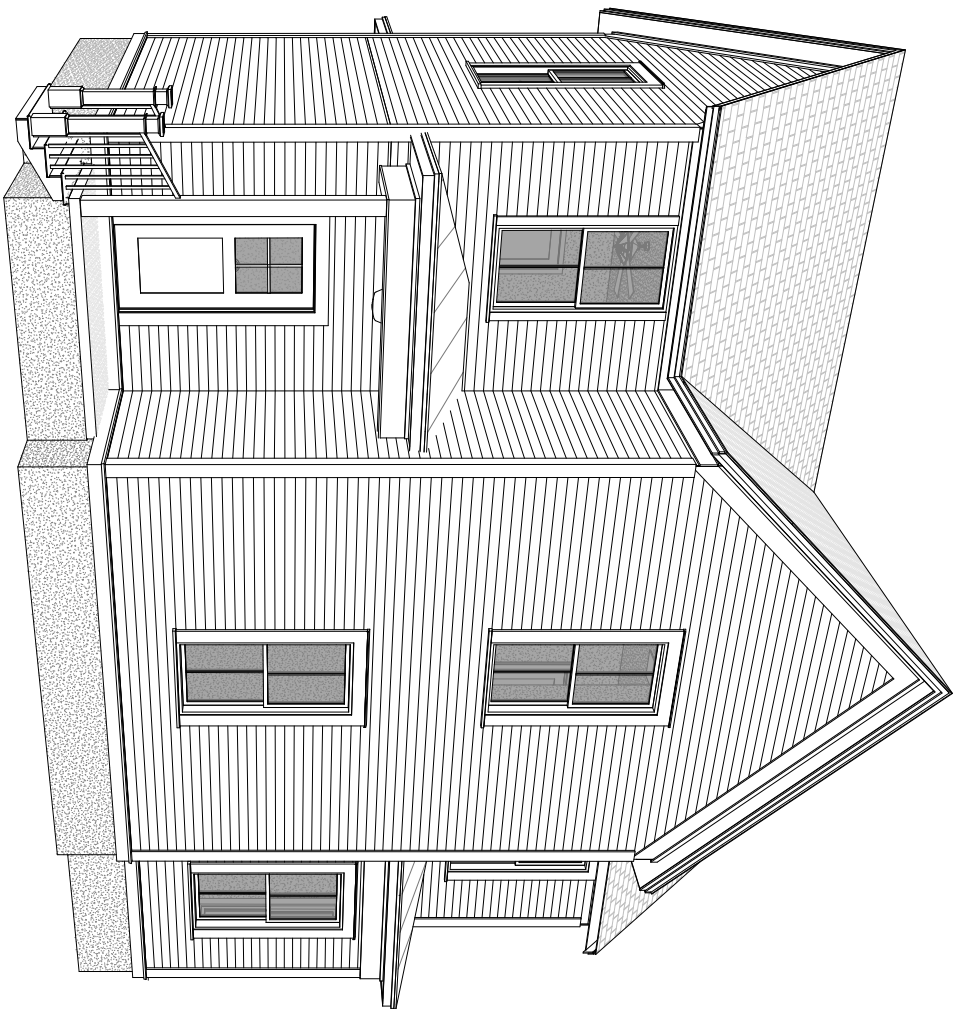


3 RIGHT ELEVATION
1/4" = 1'-0"

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

PROW HOUSE
ELEVATION 11L

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REVIEW	DRAWN BY: K
	DATE: 28 JAN 2025
ELEVATIONS	
SHEET A2	



PROW HOUSE

ELEVATION 12L

- GENERAL NOTES:
1. COORDINATE ALL WORK WITH DRAWINGS AND SPECIFICATIONS.
 2. DRAWINGS MAY BE PRINTED AT HALF, 3/4", 1/2" OR REDUCED DRAWINGS ARE SOLELY RESPONSIBLE FOR DETERMINING THE PROPER SCALE.
 3. CONTRACTOR AND SUB-CONTRACTORS SHALL TAKE NOTE: THESE LISTS WITH EXISTING CONDITIONS ARE FOR INFORMATION ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL CONDITIONS AND FOR PROVIDING THE NECESSARY INFORMATION TO THE DESIGNER.
 4. CONTRACTOR AND SUB-CONTRACTORS SHALL FIELD VERIFY CONDITIONS AND FOR PROVIDING THE NECESSARY INFORMATION TO THE DESIGNER.
 5. WORK SHALL INCLUDE ALL REQUIRED PERMITS, LABOR, MATERIALS, AND EQUIPMENT TO COMPLETE THE WORK. CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE DESIGNER.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION METHODS, TECHNIQUES, PROCEDURES, SEQUENCES, ETC. TO INSURE SAFE AND EFFECTIVE PROGRESS OF THE WORK INDICATED ON DRAWINGS AND AS NECESSARY FOR A COMPLETE PROJECT.
 7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS. CONTRACTOR IS RESPONSIBLE FOR PROTECTING ADJACENT FINISHES AND CLEANUP.
 8. CONTRACTOR IS RESPONSIBLE FOR FINAL CLEANUP OF WORK AREA AND ALL EXPOSED BUILDING SURFACES AT SUBSTANTIAL COMPLETION.
 9. ALL TRASH AND TOOLS SHALL BE REMOVED FROM PREMISES EACH DAY AND THE AREA LEFT IN A CLEAN CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL EXISTING MATERIALS AND EQUIPMENT FROM THE PROJECT SITE.
 10. CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO FINISHED SURFACES, EQUIPMENT, FURNITURE, EXISTING MATERIALS OR FINISHES CAUSED AS A RESULT OF HIS WORK. REPAIR OR REPLACE DAMAGED ITEMS AS DIRECTED BY DESIGNER.
 11. ALL WORK SHALL BE DONE IN ACCORDANCE WITH APPLICABLE CODES AND STANDARDS.
 12. DIMENSIONS ARE TO FACE OF WALL ON FOUNDATION PLAN AND FACE OF STUDY FRAMING WALL UNLESS OTHERWISE NOTED OR IMPLIED.
 13. THE INFORMATION CONTAINED HEREIN DEMONSTRATES THE GENERAL DESIGN INTENT. THE CONTRACTOR IS RESPONSIBLE FOR PERFORMING ALL WORK WITHIN STANDARD PRACTICES AND TRADES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING MOISTURE AND THERMAL BARRIERS AND QUALITY WORKMANSHIP IN ACCORDANCE WITH AND TO THE END OF MEETING OR EXCEEDING APPLICABLE CODES AND STANDARDS.
 14. ALL SPONGE AND TRIM TO BE SMOOTH, SANDING TO BE SMOOTH HARDER PLY, 1/4" WOOD GRAIN TEXTURE ON DOORS, SINKS OR TRIM. TRIM PROFILES TO HAVE INTERED REFINISH AT VISIBLE EDGES.
 15. EXTERIOR WALLS, ATTICS AND CRAWL SPACES TO BE INSULATED FOR THERMAL, SOUND AND AIR RESISTANCE. INSULATION SHALL BE ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS. INSULATION SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS. INSULATION SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS. INSULATION SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
 16. SLOPE ALL GRASSES AWAY FROM BUILDINGS.
 17. CONTRACTOR TO MAINTAIN A COPY OF TRUSS MANUFACTURER'S SPECIFICATIONS ON SITE FOR BUILDING INSPECTORS USE.

APPLICABLE CODES:

- 2021 International Residential Code
- 2018 Arkansas State Fuel and Gas Code
- 2018 Arkansas State Plumbing Code
- 2018 Arkansas State Electrical Code
- 2017 ASHRAE 90.1
- 2017 ASHRAE 62.1
- 2014 Arkansas Building Code (2009 ICC)
- 2021 Arkansas Fire Prevention Code (2018 NFPA)
- 2021 Arkansas Fire Prevention Code (2021 NFPA)

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Sheet Number	Sheet Name
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A1.1	DIMENSION PLANS
A1.2	FLOOR PLANS
A1.3	FOUNDATION AND ROOF PLANS
A1.4	BASEMENT CEILING PLANS
A2	ELEVATIONS
A3.1	SECTIONS
A4.1	SCHEDULES
A5.1	DETAILS

PROJECT DATA - AREA	
GROUND FLOOR AREA	1660 SF
SECOND FLOOR AREA	1613 SF
	1273 SF

community design
ARCHITECTS
1001 N. Main Street
Fayetteville, AR 72701
Phone: 479.243.1111
Fax: 479.243.1112
www.communitydesignarchitects.com



REVISION 0

PROW HOUSE
ELEVATION 12L

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REVIEW

DESIGNED BY
DRAWN BY: K
DATE: 28 JAN 2025

COVER

SHEET A0



ADM-2025-0009 (SOUTHERN WOODS)

REVISION 0

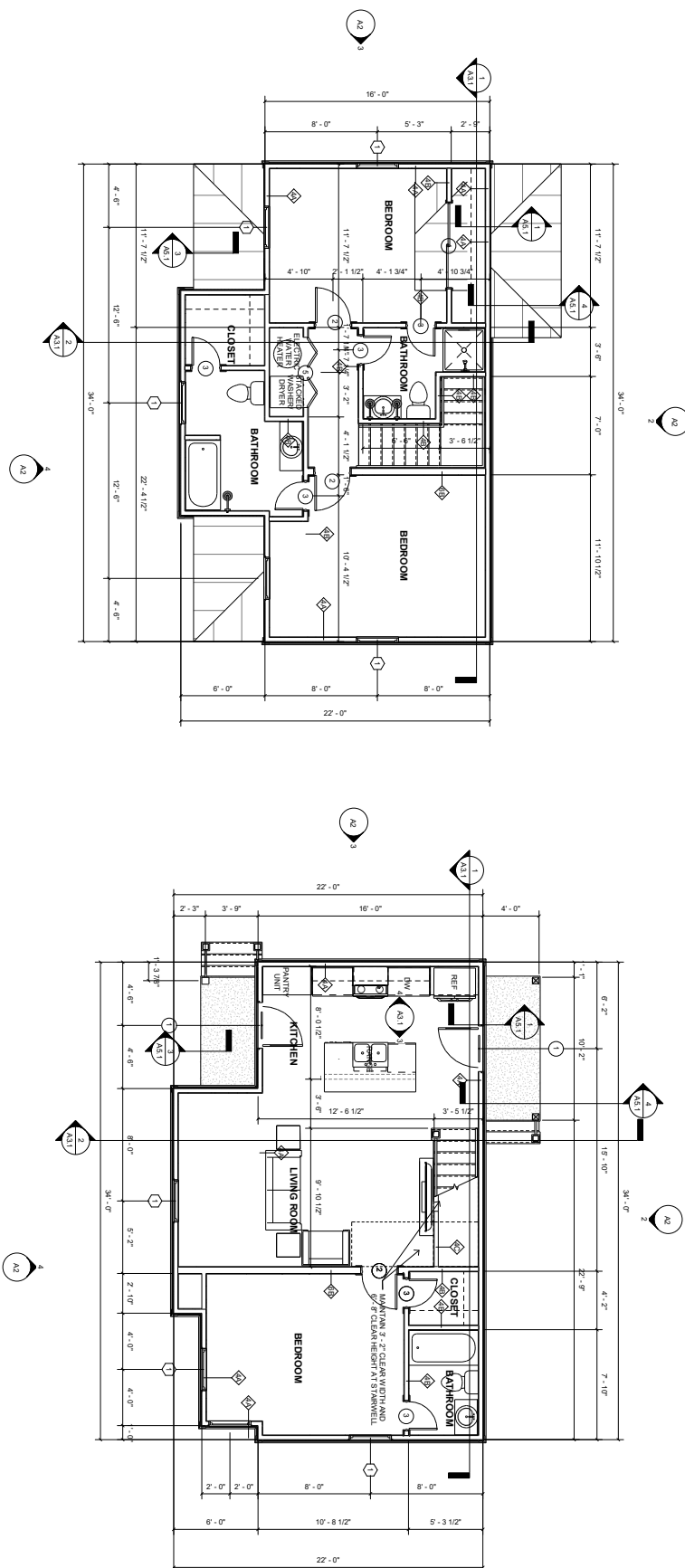
PROW HOUSE ELEVATION 12L

ISSUED FOR
REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

DIMENSION PLANS

SHEET A1.1

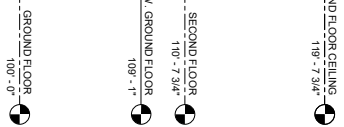


2 SECOND FLOOR DIMENSION PLAN

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



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

 $1/4^\circ = 7.0$ 

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

ISSUED FOR
REVIEW

ELEVATIONS



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ADM-2025-0009 (SOUTHERN WOODS)

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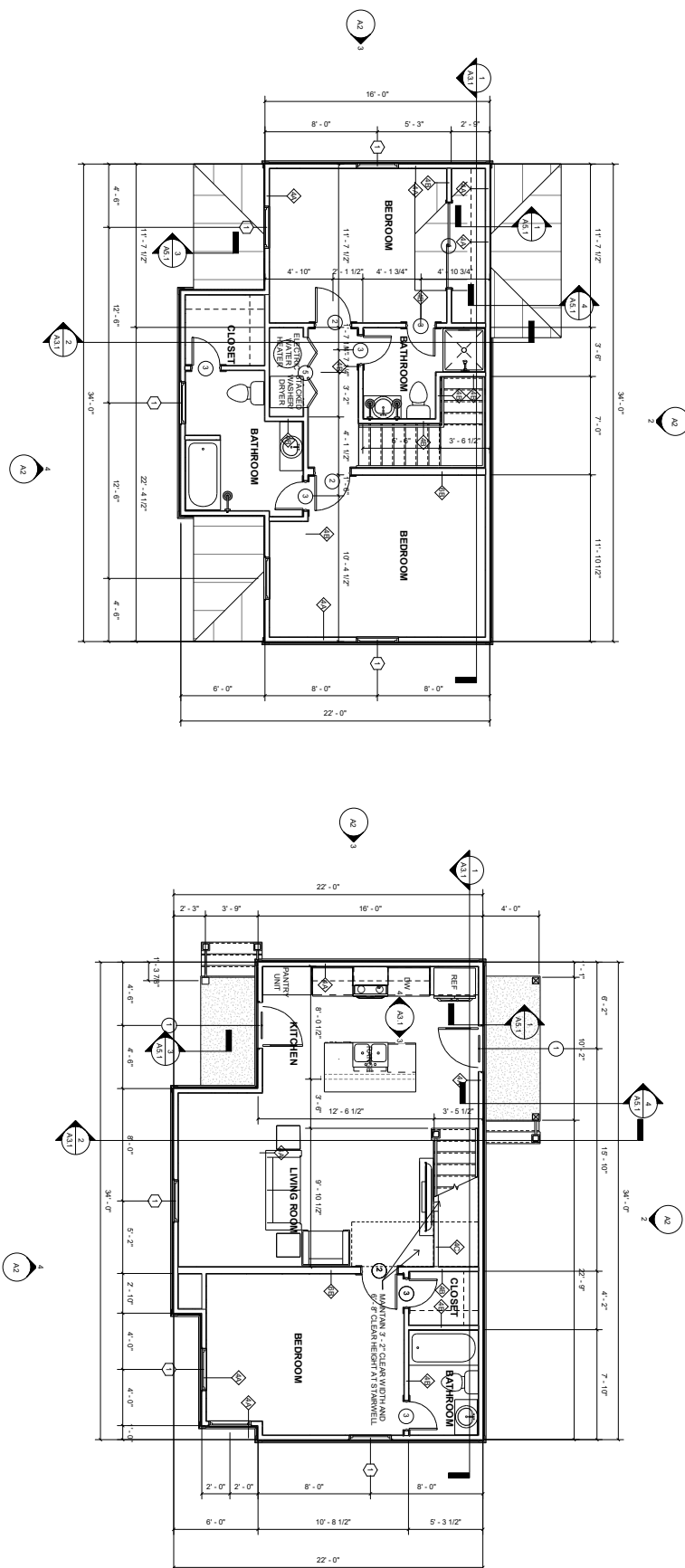
PROW HOUSE ELEVATION 12L

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REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 28 JAN 2025

DIMENSION PLANS

SHEET A1.1

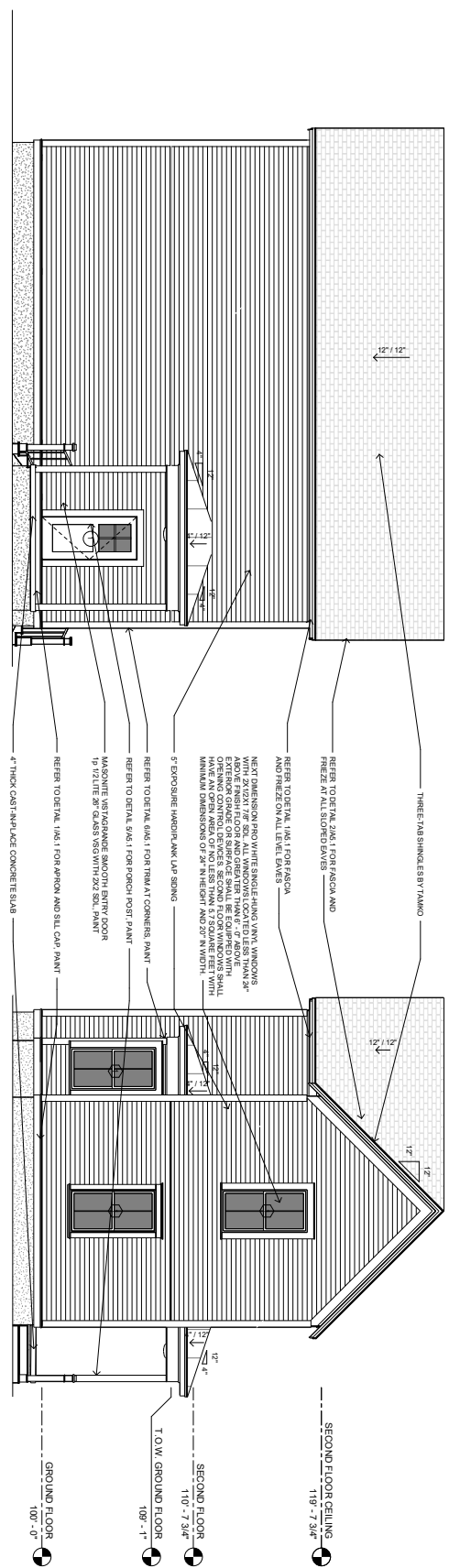


2 SECOND FLOOR DIMENSION PLAN

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



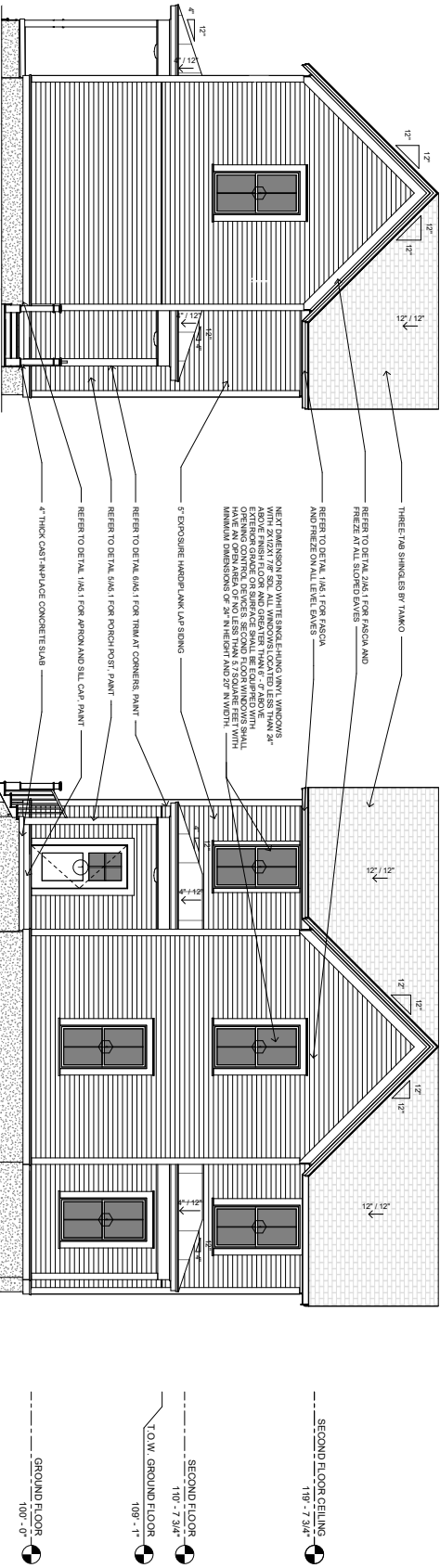
REVISION 0



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

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

NOTE:
1. ALL WINDOWS LOCATED LESS THAN 2'-0" ABOVE FINISH FLOOR OR SURFACE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 2021 IRC 602.2.
2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA OF NOT LESS THAN 5.7 SQUARE FEET PER WINDOW. ALL WINDOWS OF 2'-0" IN HEIGHT AND 2'-0" IN WIDTH PER 2021 IRC 603.0.



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

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

PROW HOUSE
ELEVATION 12L

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DRAWN BY: K
DATE: 28 JAN 2025

ELEVATIONS

SHEET A2



- Page 89 of 94



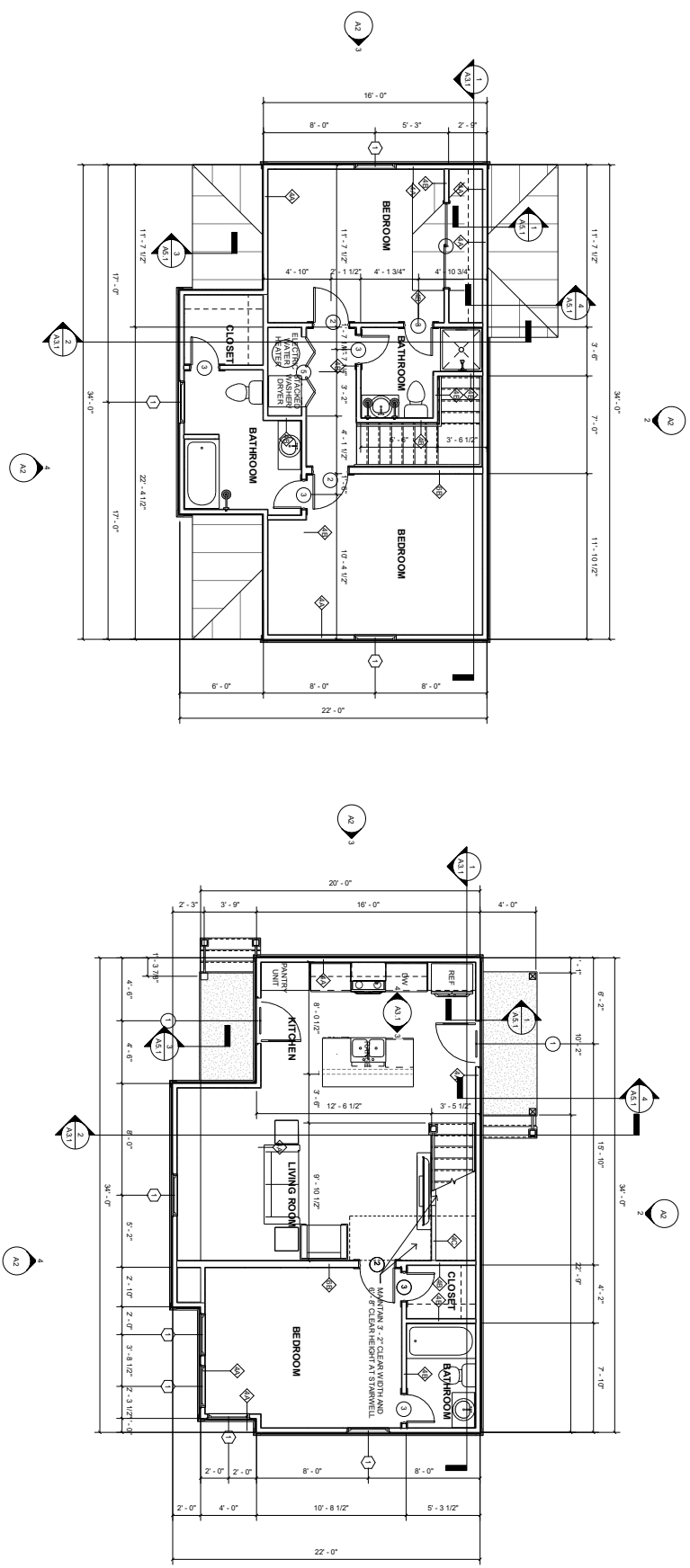
REVISION 0

PROW HOUSE
ELEVATION 13L

ISSUED FOR
REVIEW

DESIGNED BY
DRAWN BY: K
DATE: 28 JAN 2025

DIMENSION
PLANS
SHEET A1.1



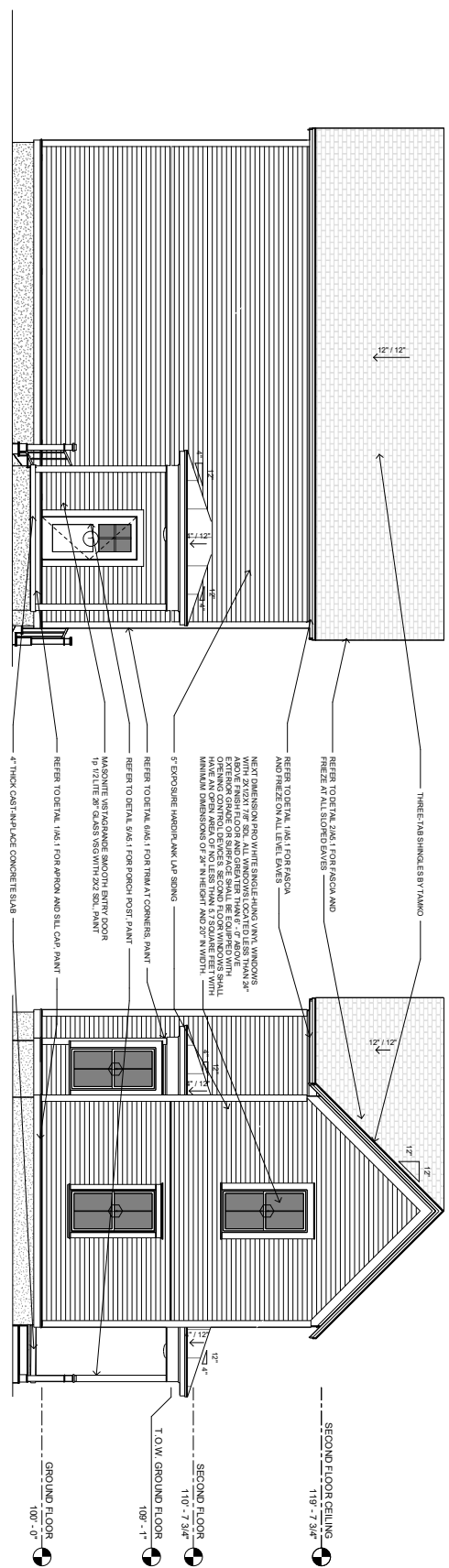
1 GROUND FLOOR DIMENSION PLAN

2 SECOND FLOOR DIMENSION PLAN

- NOTE:
1. ALL WINDOWS LOCATED LESS THAN 3'-0" ABOVE FINISH FLOOR AND GREATER THAN 6'-0" ABOVE EXISTING GRADE OR BASELINE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICE PER 2021 IRC R310.2.
 2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA OF NO LESS THAN 5.7 SQUARE FEET WITH MINIMUM DIMENSIONS OF 3'-0" IN HEIGHT AND 2'-0" IN WIDTH PER 2021 IRC R310.
 3. SAME PROVISIONS SHALL BE INSTALLED ACCORDING TO THE R310.2 AND R310.3 SHALL BE INSTALLED ACCORDING TO THE R310.3.



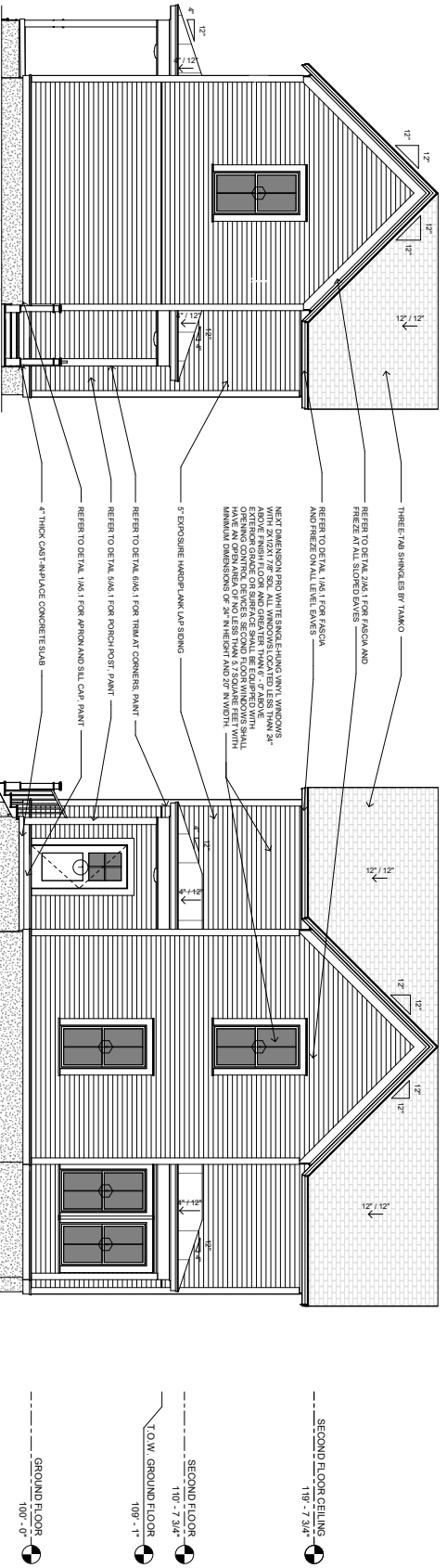
REVISION 0



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

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

NOTE:
1. ALL WINDOWS LOCATED LESS THAN 2' ABOVE FINISH FLOOR OR SURFACE SHALL BE EQUIPPED WITH OPENING CONTROL DEVICES PER 2021 IRC S12.2.
2. SECOND FLOOR WINDOWS SHALL HAVE AN OPEN AREA OF NOT LESS THAN 5.7 SQUARE FEET PER WINDOW. ALL WINDOWS OF 2' IN HEIGHT AND 2' IN WIDTH PER 2021 IRC S10.3.



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

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

PROW HOUSE
ELEVATION 13L

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REVIEW

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DRAWN BY: K
DATE: 28 JAN 2025

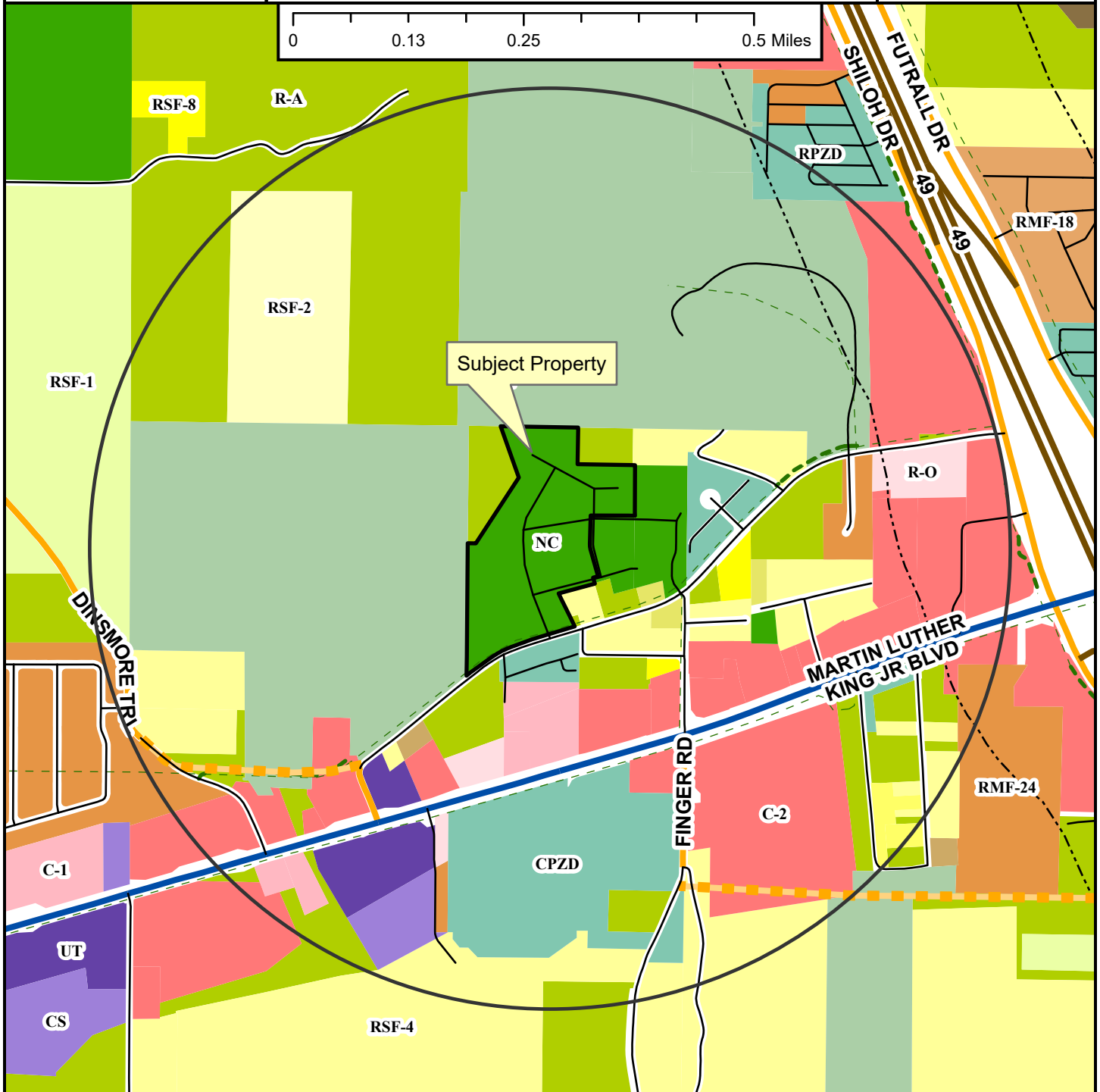
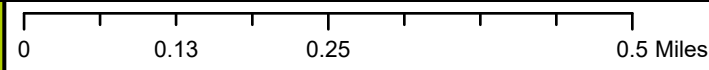
ELEVATIONS

SHEET A2

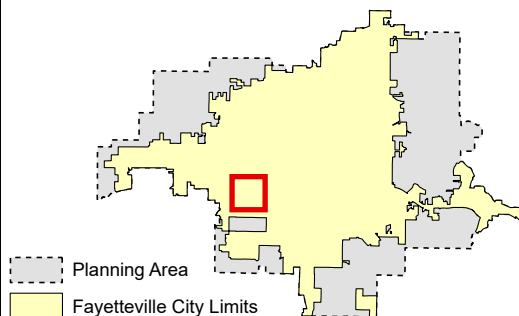
ADM-2025-0009

963 S. LARAMIE HTS

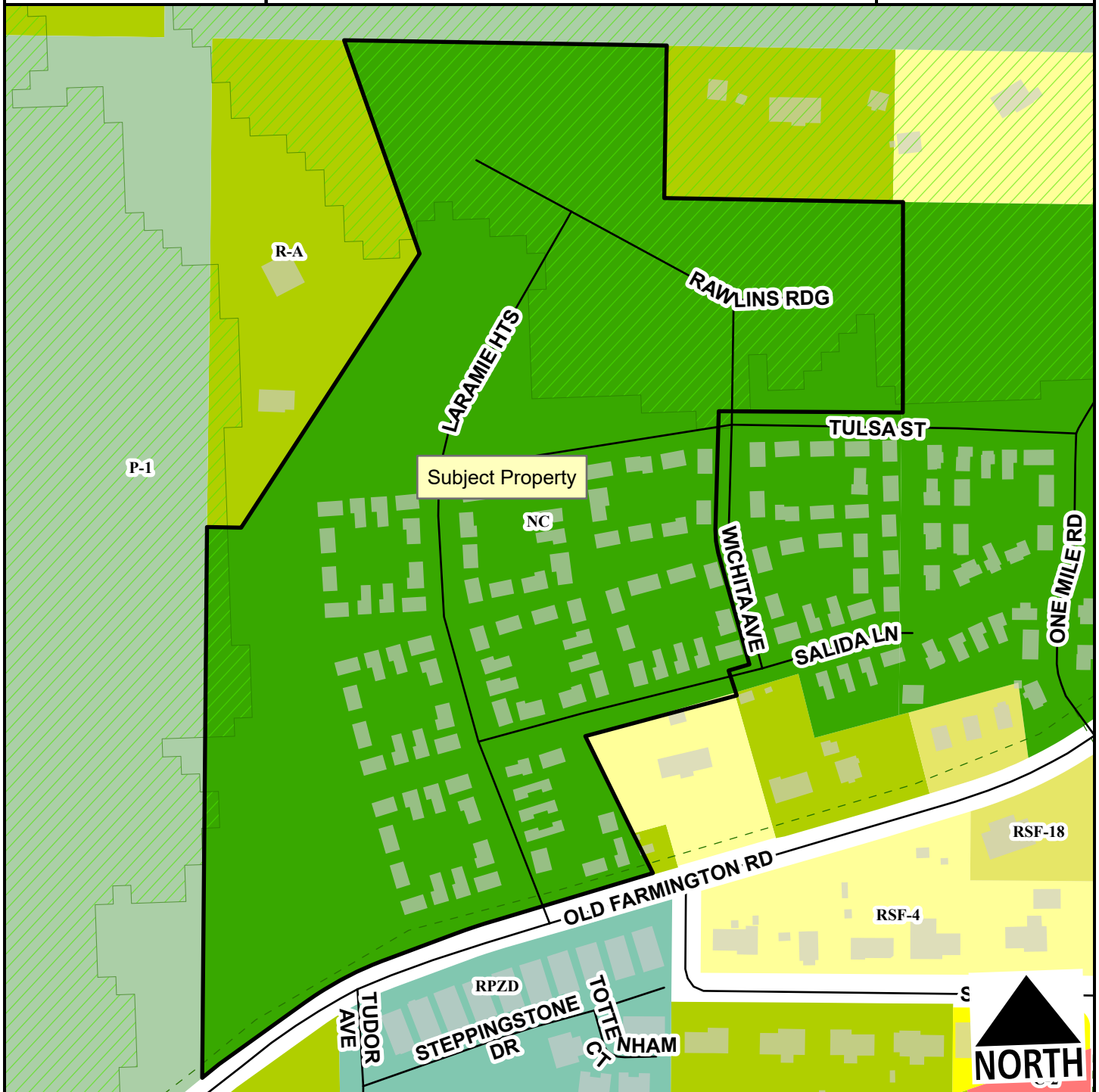
One Mile View



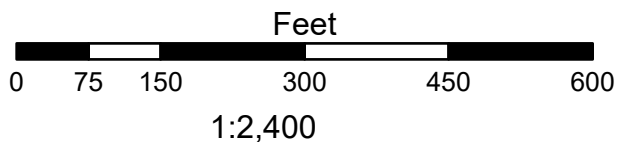
- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



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



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



- Residential-Agricultural
- RSF-4
- RSF-8
- RSF-18
- C-2
- Neighborhood Conservation
- Commercial, Industrial, Residential
- P-1

ADM-2025-0009

963 S. LARAMIE HTS

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

FROM: Jessie Masters, Development Review Manager

MEETING DATE: March 10, 2025

SUBJECT: **VAR-2025-0006: Planning Commission Variance (1059 N. MARINONI DR/DODO COFFEE, 441):** Submitted by ODYSSEY ENGINEERING for property located at 1059 N. MARINONI DRIVE. The property is zoned UT, URBAN THOROUGHFARE and contains approximately 0.64 acres. The request is for a variance to building design standards.

RECOMMENDATION:

Staff recommends approval of **VAR-2025-0006**, with conditions.

RECOMMENDED MOTION:

*"I move to approve **VAR-2025-0006** determining:*

- In favor of the requested variance to UDC §166.24(D)(7)(b)(i): glazing requirements;*
- In favor of all other conditions recommended by staff."*

BACKGROUND:

The subject property is at the southwest corner of W. Wedington Drive's intersection with N. Marinoni Drive. Containing one parcel with a total of 0.60 acres, the property in question is zoned UT, Urban Thoroughfare and is currently developed with parking spaces originally meant to serve what was previously the Fitness One gym, and is now a campus ministry for Cross Church. A small portion of floodplain encompasses the northwestern portion of the site, but it is generally outside of the floodplain. The property is also within the I-540 Overlay District. Surrounding land uses and zoning are listed in *Table 1*.

Table 1 - Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Mixed-Density Residential	RMF-24, Residential Multi-Family, 24 Units per Acre; RSF-4, Residential Single-Family, 4 Units per Acre
South	Undeveloped	UT, Urban Thoroughfare
East	Undeveloped (street under construction)	UT, Urban Thoroughfare
West	Institutional	UT, Urban Thoroughfare

Request: The applicant is requesting one variance to the unified development code in conjunction with the development of a new drive-thru coffee shop. A previous request letter indicated they would be seeking two, but they have since redesigned the project.

DISCUSSION:

Variance #1: §166.24(D)(7)(b)(i): A building façade located within the build-to zone shall be glazed no less than 50% of the first or ground floor at the pedestrian level between 2 and 12 feet above the sidewalk.

Staff recommendation: Staff recommends in favor of the request, finding that the intent of the ordinance is still met. The enclosed outdoor patio, wrapping around the northern and eastern sides with windows through the façade, maintains a view of the public realm to ensure "eyes on the street" and an inviting streetscape. Though the glazing percentage may not meet the exact code requirement, the design fulfills the ordinance's goal for porosity. The proposed drive-thru component faces the interior of the site, and based on the applicant's submitted floor plans, no portion of the building itself is accessible to the general public. While the use is auto-centric, staff acknowledges the applicant's effort to create a welcoming pedestrian environment and supports the variance.

Public Comment: No public comment has been received to date.

RECOMMENDATION: Staff recommends Planning Commission approve VAR-2025-0006, with the following conditions

Conditions of Approval:

- 1. Planning Commission determination of a variance to §166.24(D)(7)(b)(i) which requires that a building façade located within the build-to zone shall be glazed no less than 50% of the first or ground floor at the pedestrian level between 2 and 12 feet above the sidewalk. Staff recommends in favor of the variance for the reasons stated above, with no added conditions.**
2. Approval of this item does not constitute approval of any associated permits, nor does it constitute approval of any variances that may be needed that have not yet been reviewed for. Review and approval of the associated permits shall be required in accordance with city code.

Planning Commission Action:	☐ Approved	☐ Tabled	☐ Denied
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Meeting Date: March 10, 2025

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code:
 - §166.24 Nonresidential Design Standards
- Applicant Request Letter
- Site Plans
- Building Elevations
- One Mile Map
- Close-Up Map
- Current Land Use Map

166.24 Nonresidential Design Standards

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

...

- (7) *Fenestration.* Fenestration patterns should encourage design, reinforce rhythm, and create shadows. The following shall be met to satisfy the fenestration requirements for a principal façade:
 - (a) *Entryways.* A primary entrance for buildings located in a build-to zone shall face the public street. When a structure is not in a build-to zone, the primary entrance shall be well-defined from access drives, sidewalks, and/or major parking areas.
 - (i) Multiple entryways are encouraged for all structures; however, a building entrance shall occur at a minimum of every 100 feet of building façade length that is within the build-to zone.
 - (ii) Each primary entrance shall be made visible and prominent by using special architectural treatment that signifies the entrances, such as large entry doors, porches, or protruding or recessed entrances.
 - (b) *Glazing.* In order to create a proportion of solids to voids and pedestrian interest the following standards shall apply:
 - (i) A building façade located within the build-to zone shall be glazed no less than 50% of the first or ground floor at the pedestrian level between 2 and 12 feet above the sidewalk.
 - (ii) A building façade located outside of a build-to zone shall be glazed no less than 30% of the first or ground floor at the pedestrian level between 2 and 12 feet above the Finished Floor Elevation (FFE).
 - (iii) Glazing above the first story shall not exceed 80% of the total building wall area.

...

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

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

February 18, 2025

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

RE: Dodo Coffee

City of Fayetteville Planning Staff:

The property owner, CANVIS COFFEE LLC, is requesting a variance to commercial design standards on (Parcel No. 765-22526-000). Odyssey has already submitted a concept plan for a new coffee shop on this parcel.

The first variance request is from section 166.24(D)(7)(b)(i): A Building façade located within the build-to-zone shall be glazed no less than 50% of the first or ground floor at the pedestrian level between 2 and 12 feet above the sidewalk.

This business is to operate primarily as a drive through coffee shop, and because of this it's difficult to meet the glazing requirements for the facades that are facing the BTZ. Ordinarily, a small drive through coffee shop would have difficulty meeting this requirement solely due to the size of the building, when having to meet this requirements on two sides makes it that much more impossible. We believe that the intent of the code is being met in our elevation through dynamic architectural features. Additionally, we have provided a masonry wall that encloses the patio seating area on one side.

We believe that if the variance is approved the facades that face the BTZ will be appealing and meet the intent of the code.

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

Respectfully,

Jake Chavis
Project Engineer



479.480.3330



facebook.com/odysseynwa



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

PROFESSIONAL SEAL

NOT FOR CONSTRUCTION

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 186406
EXPIRATION DATE 12/31/2024

REVISIONS

NO. 12/2/2024 1ST SUBMITTAL

REVISION

12/2/2024 1ST SUBMITTAL

ODYSSEY ENGINEERING

124 GRANT PLACE, SUITE E
LOWELL, AR 72704
(479) 480-3330
AR COA # 4188

DODO COFFEE
W WEDINGTON DR.
FAYETTEVILLE, AR 72704

PROJECT NO. 1250000001
DESIGNED BY JC
CHECKED BY JC
DATE 12/2/24

PLAN DATE: 12/2/24

SHEET NAME: SITE PLAN

SHEET NO.: C1.1

LEGEND

EXISTING PROPERTY LINE
EXISTING EASEMENT
EXISTING PAVEMENT
EXISTING CURB
EXISTING BARBED WIRE FENCE
EXISTING OVERHEAD ELECTRIC
EXISTING UNDERGROUND ELECTRIC
EXISTING ELECTRIC POLE
EXISTING WATER LINE
EXISTING HYDRANT
EXISTING VALVE
EXISTING GAS LINE
EXISTING SEWER LINE
EXISTING SEWER MANHOLE
EXISTING STORM SEWER
CONTROL POINT

PROPOSED PROPERTY LINE
PROPOSED EASEMENT
PROPOSED SETBACK
PROPOSED SIDEWALK
PROPOSED CURB & GUTTER
PROPOSED WATER LINE
PROPOSED HYDRANT
PROPOSED VALVE
PROPOSED SEWER LINE
PROPOSED SEWER MANHOLE
PROPOSED STORM SEWER
PROPOSED STREET LIGHT
PROPOSED SIGN
PROPOSED STRIPING
PROPOSED STANDARD DUTY ASPHALT
PROPOSED HEAVY DUTY ASPHALT

SITE PLAN KEY NOTES:

S1 PROPOSED BIKE RACK
S2 EXISTING MONUMENT SIGN
S3 PROPOSED TRUCK LOADING AREA
S4 PROPOSED DUMPSTER

ADJACENT PROPERTY OWNER INFORMATION		
#	PARCEL #	OWNER NAME
1	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
2	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
3	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
4	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
5	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
6	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
7	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
8	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
9	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
10	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
11	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
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97	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
98	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
99	762-372-0300	PMW PRODES LIMITED PARTNERSHIP
100	762-372-0300	PMW PRODES LIMITED PARTNERSHIP

BUILDING FRONTAGE CALCULATIONS		
MARKING (EAST)	122' 8" (2)	80' BUILDING COVERAGE = 40%
WEDINGTON (NORTH)	219' 6" (2)	48' BUILDING COVERAGE = 22%

BASIS OF BEARING:
ALL WORK, MATERIALS AND DETAILS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE CITY ENGINEERING SPECIFICATIONS. A TRUE AND CORRECT COPY OF THE SPECIFICATIONS SHALL BE ON SITE AT ALL TIMES DURING CONSTRUCTION FOR REFERENCE.

BASIS OF ELEVATION:
ON-SITE NETWORK GPS OBSERVATION
NAVDS8 VERTICAL DATUM

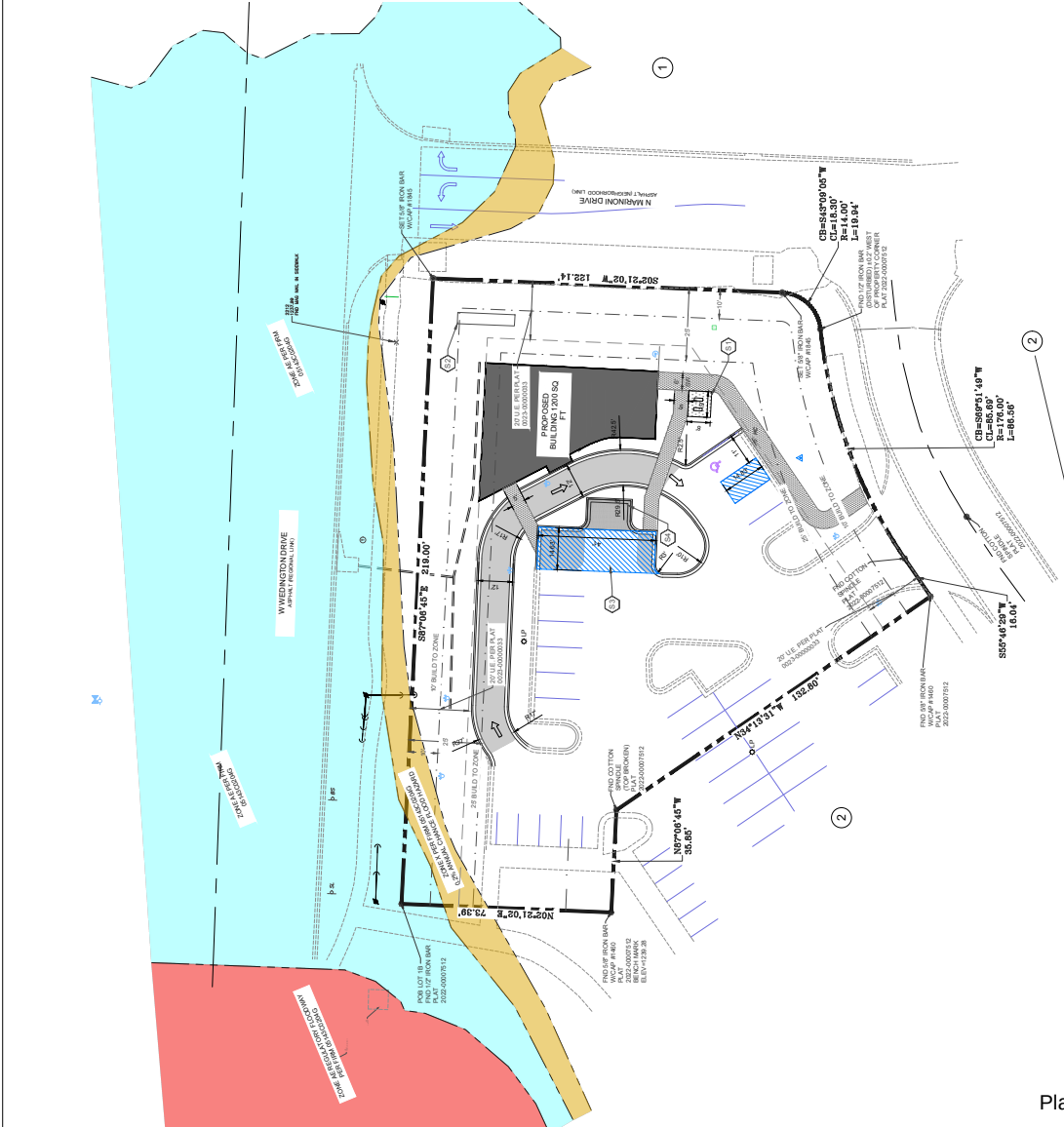
BUILDING INFORMATION:
682 SQ FT CONDITIONED SQ FT
603 SQ FT UNCONDITIONED
HEIGHT: 23' 6"

IMPERVIOUS AREA:
474.50 SQ FT IMPERVIOUS ADDED
240.50 SQ FT REMOVED

Scale: 1" = 20'

North Arrow

Call before you dig



CODE SUMMARY

Scope: New Build
Applicable Codes: 2021 Arkansas Fire Prevention Code, Vol. I & II
2018 Arkansas Plumbing Code
2014 Arkansas Energy Code for New Buildings
2018 Arkansas Gas Code
2021 Arkansas Mechanical Code
2021 Arkansas Electrical Code
2018 Arkansas Structural Code
2018 Standards for Accessible Design

Construction Type: Type V-B (Non-sprinklered - NS)

Occupancy Classification: A-2 Assembly

Building Height / Area:

Per AFPC Tables 504.3 & 504.4, 506.2
-Max number of stories = 1
-Actual number of stories = 1
-Max height = 40'
-Actual Building Height = 29.67' (top of parapet)
-Allowable Area = 5,500sf
-Actual Area = 582sf

Occupant Load:

Kitchen: 200 gross sf gross per occupant / 410 sf = 3 occupants
Unconcentrated Assembly - Loose tables and chairs: 15 net sf per occupant / 869 sf = 58 occupants
Business Area: 100 gross sf per occupant / 78 sf = 1 occupant
Total Occupants: 62 occupants

Egress:

Exits Required: 2 | Exits Provided: 3 (AFPC Table 1006.3.3)

Exit Requirements:

-Max. Exit Access Travel Distance: 200' (AFPC Table 1017.2)
-Actual Exit Access Travel Distance: 45'-5" from most remote point
-Min. Corridor Width: 42" (AFPC Table 1020.2 <50 occupants)
-Min. Room Width: N/A
-Stairways: _____ x (3' per) N/A

Plumbing Requirements:

(APC Table 403.1)

Sprinklers

N/A

No. of Occupants:

62 (male & female combined)

Water Closets:

Male: 1 per 75 =
Female: 1 per 75 =
Unisex (Employee):

1 WC Req'd / 1 Provided
1 WC Req'd / 1 Provided
0 WC Req'd / 1 Provided

Lavatories:

Male: 1 per 200 =
Female: 1 per 200 =
Unisex (Employee):

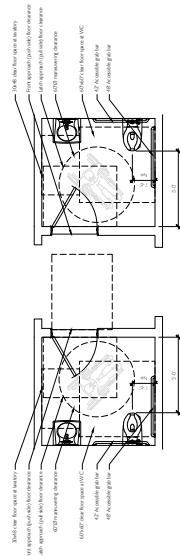
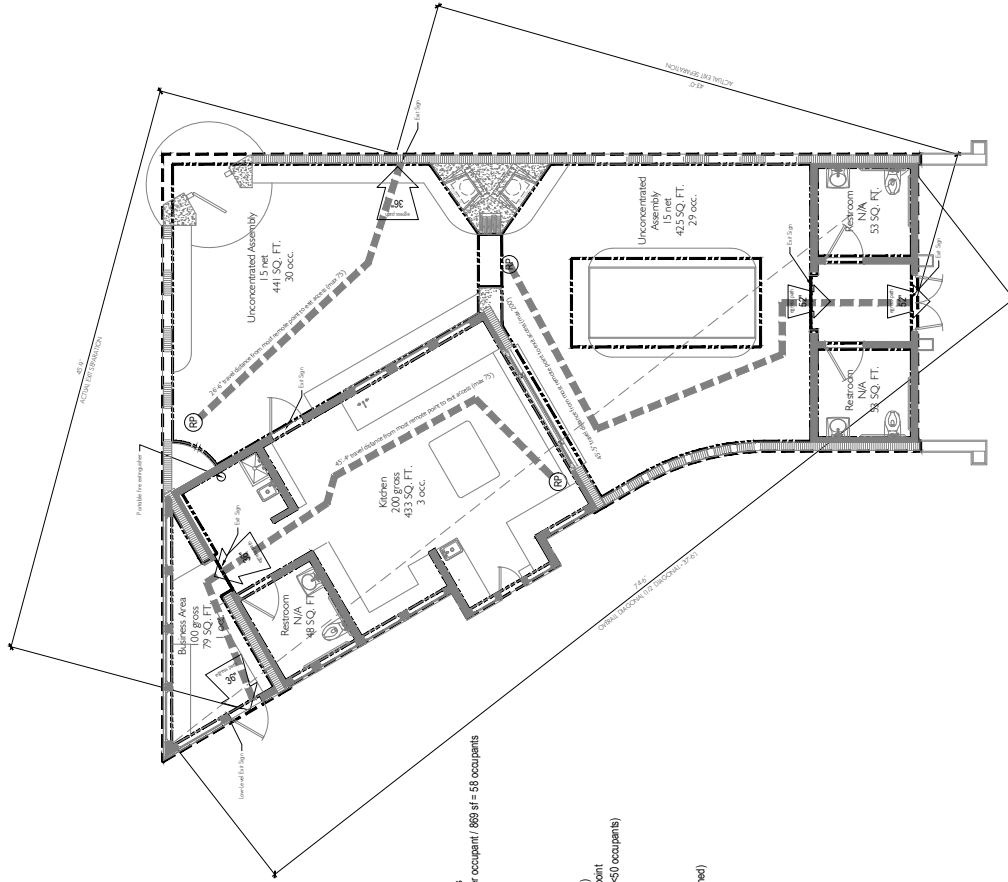
1 LAV Req'd / 1 Provided
1 LAV Req'd / 1 Provided
0 LAV Req'd / 1 Provided

Drinking Fountains:

Substituted with drinking water per 410.3

Service Sinks:

1 Req'd / 1 Provided



2 Accessible Restroom Detail

11-1

1 Code Summary

11-1

COOPER HENRY LTD
10000 WOODBRIDGE
MOUNTAIN BROOK, AL 35223
C: 205.322.2027
F: 205.322.0197
www.jeffreydungan.com

DODO COFFEE

JEFFREY DUNGAN
ARCHITECTS
10000 WOODBRIDGE
MOUNTAIN BROOK, AL 35223
C: 205.322.2027
F: 205.322.0197
www.jeffreydungan.com

REVISIONS

CHS
JED
JED

11-1

Code Summary

11-1

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ARCHITECTURAL SITE PLAN SHOWS BUILDING LOCATION & ORIENTATION AND LANDSCAPE & HARDSCAPE MATERIAL LAYOUTS FOR REFERENCE ONLY. FINAL DRAWINGS BY OTHERS

- See Civil drawings for final building location, grading and drainage plans
- See Landscape Architectural drawings for final landscape/hardscape plans including but limited to planting materials, finish materials, and landscape lighting

SEE LANDSCAPE ARCHITECTURAL PLANS FOR REMAINING SITE DESIGN CONDITIONS



1 Architectural Site Plan
A0-1 Scale: 1/8" = 1'-0"

See Appendix - 10/25/24

COOPER ENGINEERING
1000 W. 10TH AVE.
MOUNTAIN BROOK, AL 33223
C: 202.322.0127
F: 202.322.0127
www.coe-engineering.com

DODO COFFEE
1000 W. 10TH AVE.
MOUNTAIN BROOK, AL 33223
C: 202.322.0127
F: 202.322.0127
www.dodocoffee.com

DESIGNED BY: COOPER ENGINEERING
DRAWN BY: COOPER ENGINEERING
CHECKED BY: COOPER ENGINEERING
DATE: 10/25/24

REVISIONS

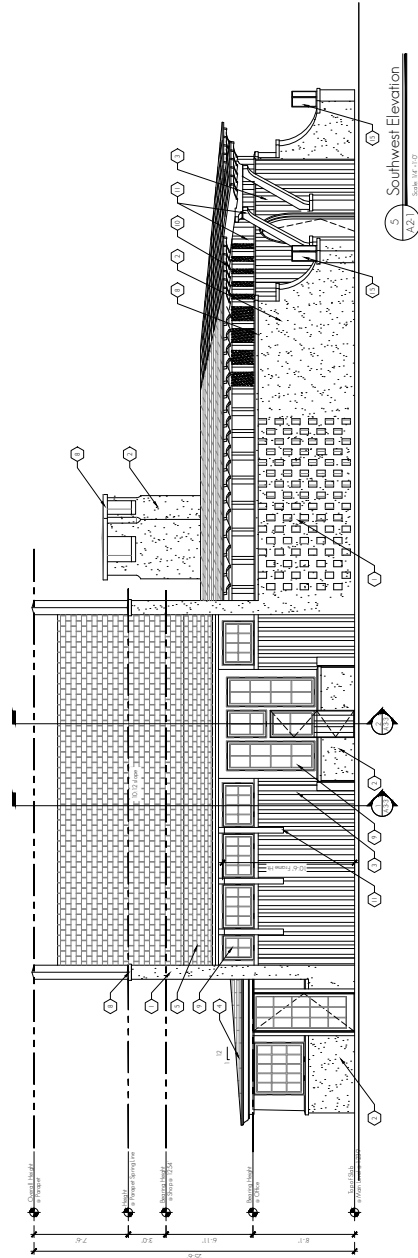
A0-1
Architectural Site Plan

JEFFREY DUNCAN
ARCHITECTS

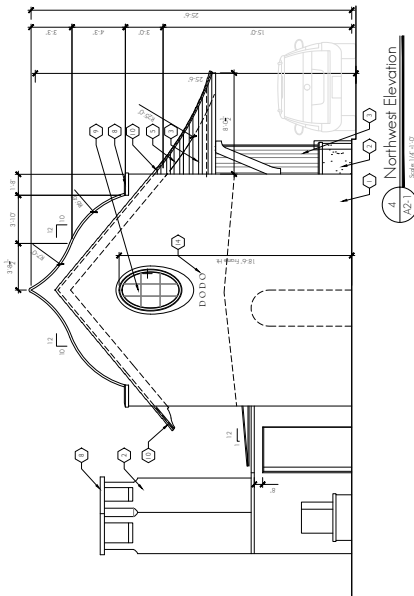
THIS DRAWING IS THE PROPERTY OF JEFFREY DUNCAN ARCHITECTS, INC. AND IS NOT TO BE REPRODUCED, COPIED, OR ALTERED IN WHOLE OR IN PART OR USED WITHOUT THE APPROVAL OF JEFFREY DUNCAN ARCHITECTS, INC. AND FOR THE PROJECT IDENTIFIED HEREIN.

[illegible]

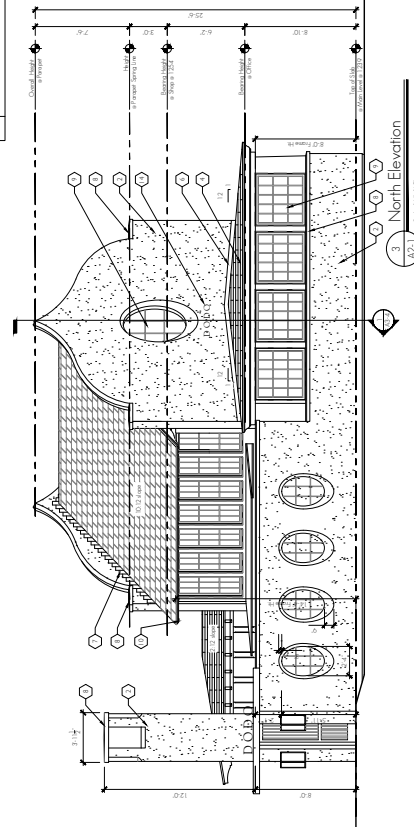
EXTERIOR MATERIAL SCHEDULE	
○	Staggered CMU wall
○	2" cool slucco on 8" CMU
○	6" and 8" random width vertical Douglas fir siding
○	Standard G-90 coated steel handrail with single layer of additional high temp underlayment, 30mil thick min. Frame angle joints secure evenly
○	Synthetic stone - random widths over 2 layers of 1 1/2" felt
○	Thru wall flashing
○	Thru wall step flashing
○	Unstained Copper acid etched and painted w/ medium tan base primer
○	See IAS-1 for window details
○	3x10 rafter
○	Exposed wood weather
○	Blackened stainless steel sheet over 8" CMU
○	Quad multiwall polycarbonate
○	Signage by others
○	Custom electric lantern



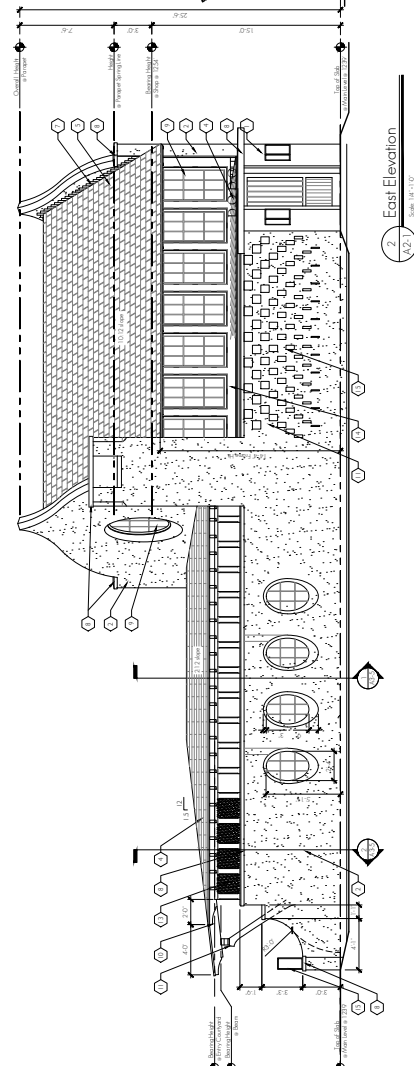
5 Southwest Elevation
A2-1
Scale 1/4" = 1'-0"



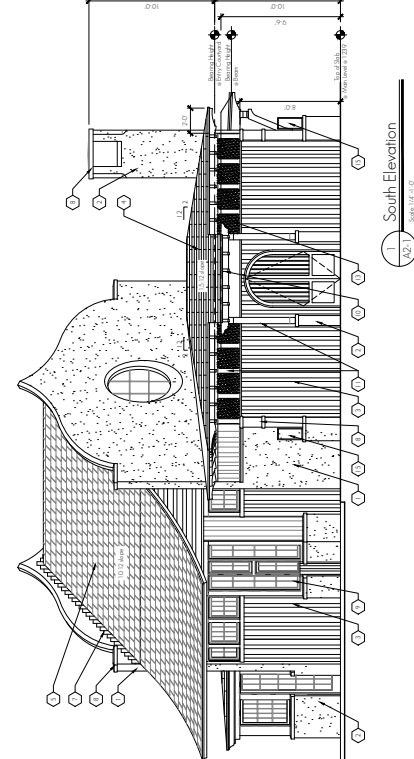
4 Northwest Elevation
A2-1
Scale 1/4" = 1'-0"



3 North Elevation



East Elevation



1
A2-1

COORDINATION SET
1906 CAHABA ROAD
MOUNTAIN BROOK, AL 35223
O: 205.322.2057
F: 205.322.6167

DODO COFFEE

JOB NUMBER 24008
28 FEBRUARY 2025

CHECKED BY: JMD

2005

Exterior Elevations

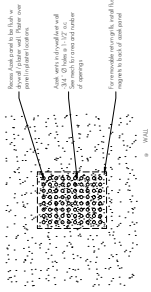
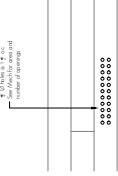
Δ2-1

JEFFREY DUNHAM

10

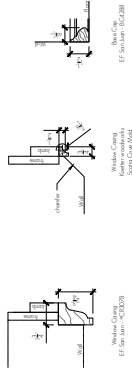
AND IS TO BE RETURNED UPON REQUEST.

SEE ARCHITECT FOR TRIM AND GRIFF PATTERNS

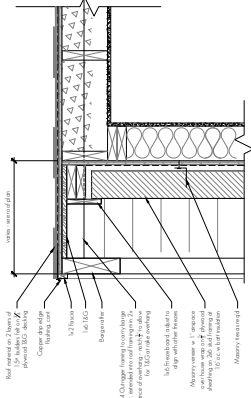


WOOD CEILING

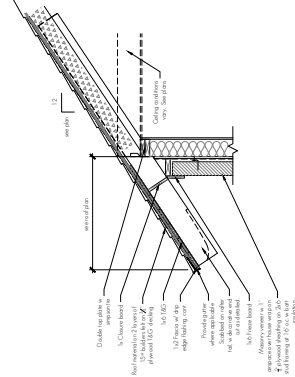
8 Supply Vent Details
A3.2 Scale: 1/2" = 1'-0"



7 Interior Trim Profiles
A3.2 Scale: 3/4" = 1'-0"

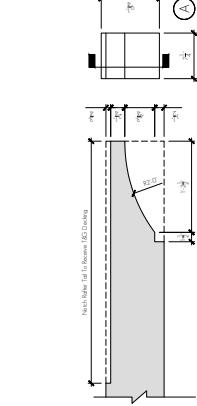


2 Typical Rake Detail
A3.2 Scale: 1/2" = 1'-0"

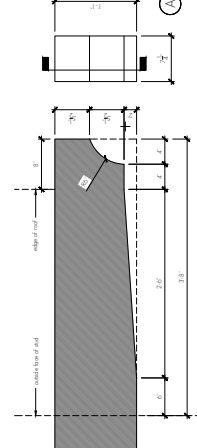


1 Typical Eave Detail
A3.2 Scale: 3/4" = 1'-0"

6 Bracket Details
A3.2 Scale: 1/2" = 1'-0"



3 Rafter Cut Details
A3.2 Scale: 1/2" = 1'-0"



4 End Cut Details
A3.2 Scale: 1/2" = 1'-0"

5 Bracket Details
A3.2 Scale: 1/2" = 1'-0"



Planning Commission

March 10, 2025

VAR-2025-0006 (DODO COFFEE)

Page 14 of 27

COOPER HENRY LTD
ARCHITECTS
1000 14TH STREET, SUITE 200
MONTGOMERY, AL 36106
P: 202.322.2027
F: 202.322.0197
www.chlarchitects.com

DODO COFFEE

PROJECT: 140
JOB NUMBER: 20098
DATE: FEBRUARY 2025
DRAWN BY: JCH
CHECKED BY: JCH
REVISIONS:

Sectional Details
A3-2

JEFFREY DUNGAN
ARCHITECTS

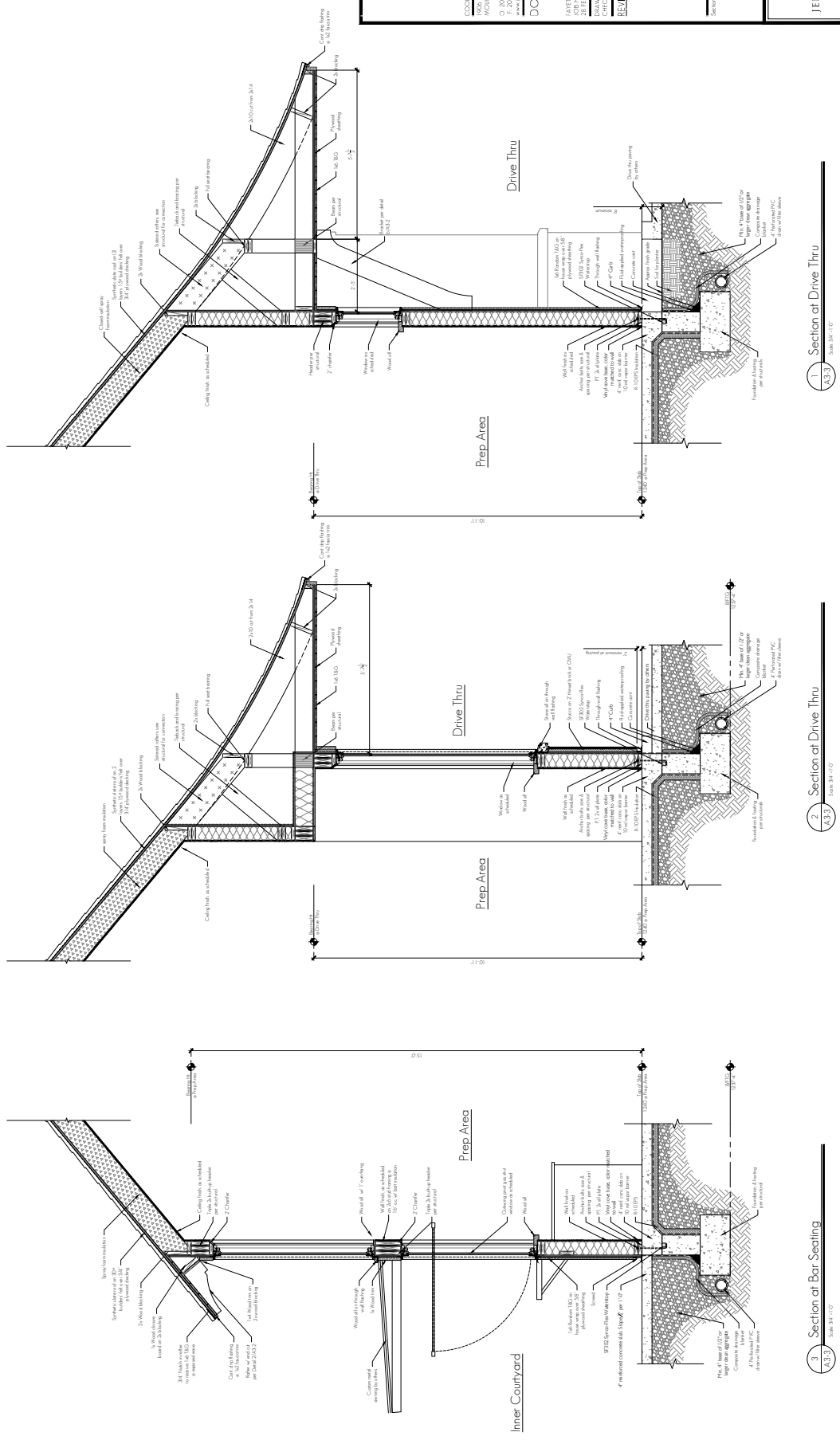
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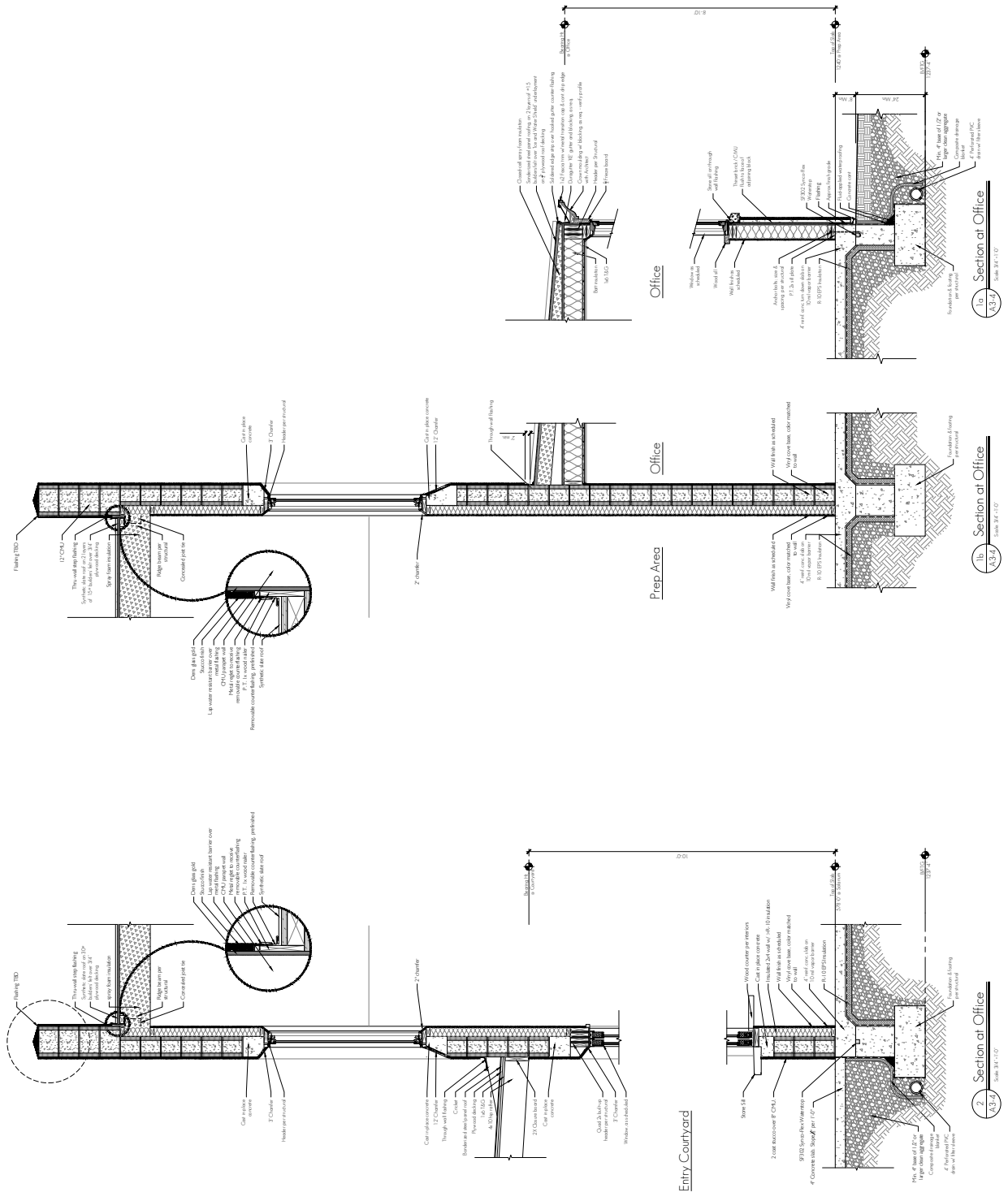
COOK COUNTY, ILL
 JEFFREY DUNGAN ARCHITECTS, INC.
 30701 W. BROADWAY, SUITE 200
 CHICAGO, IL 60641
 TEL: 773.322.2027
 FAX: 773.322.0127
 www.jeffreydungan.com

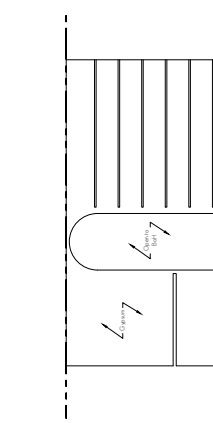
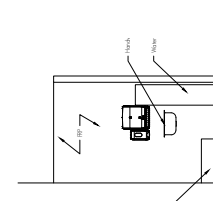
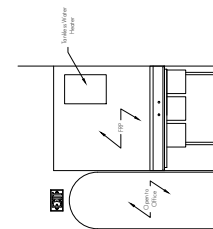
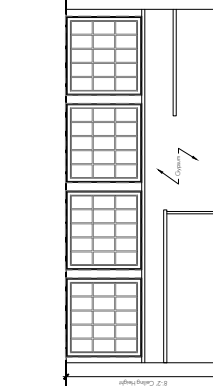
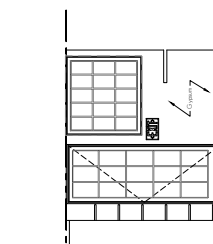
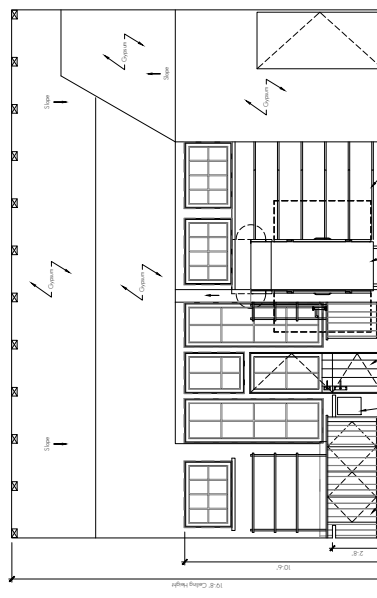
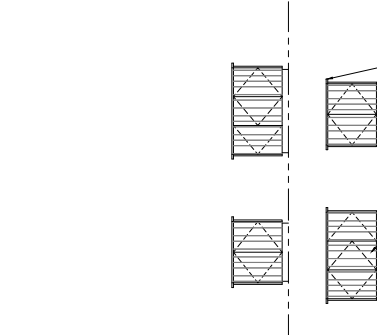
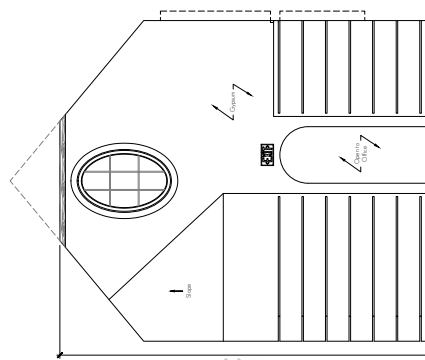
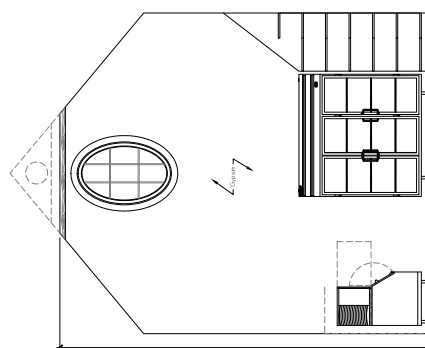
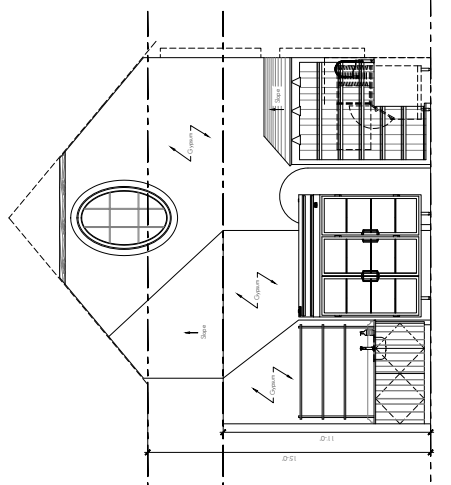
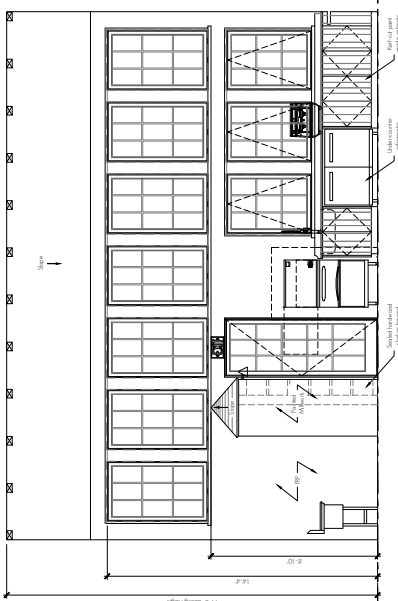
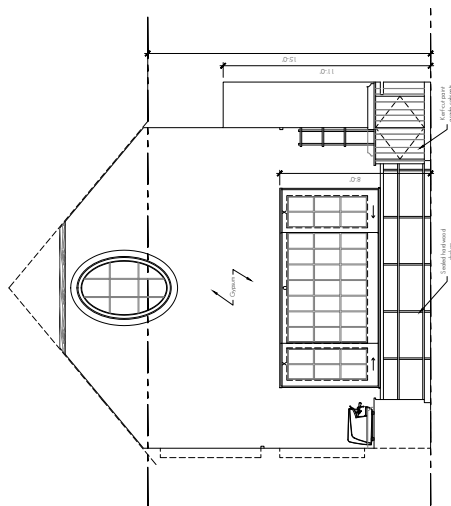
PROJECT: DODO COFFEE
 LOCATION: CHICAGO, IL
 DATE: 02/20/2025
 DRAWN BY: JED
 CHECKED BY: JED
 REVISIONS:

A3-3
 SECTION: Details

JEFFREY DUNGAN
 ARCHITECTS







COORDINATION SET
1906 CAHABA ROAD
MOUNTAIN BROOK, AL 35223
D: 205.322.2057

DODO COFFEE

FAYETTEVILLE, AR
JOB NUMBER 24008
28 FEBRUARY 2025

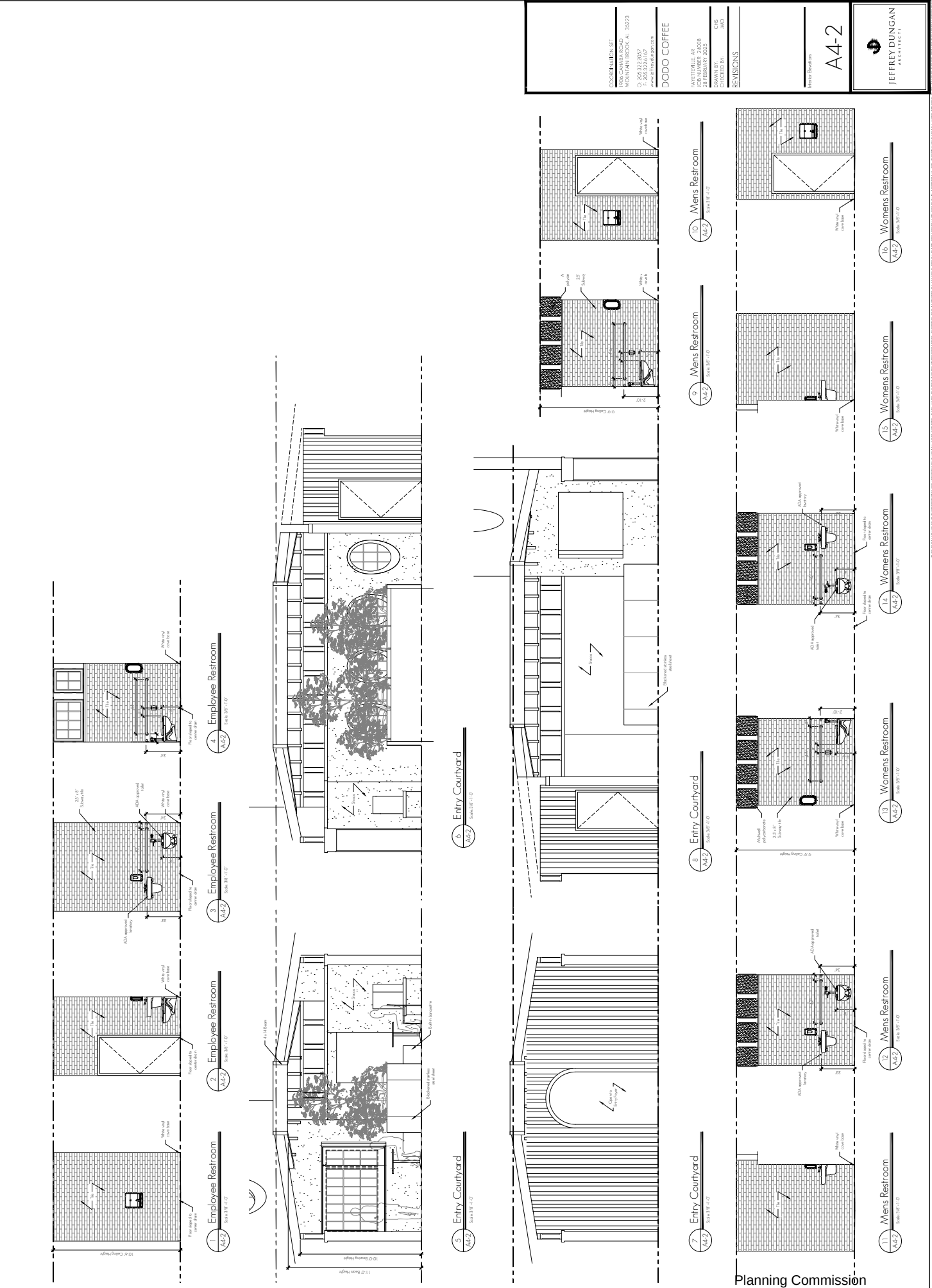
REVISIONS

Center for Elevations

A4-1

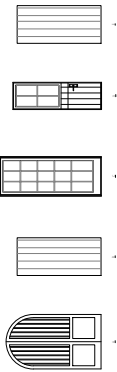
JEFFREY DUNGAN
ARCHITECT

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COOPER HENRY LTD 1000 10TH AVENUE MONTGOMERY, AL 36103 P: 202.322.0197 www.dodocoffee.com	DATE: 10-10-2025 JOB NUMBER: 24008 20 FEBRUARY 2025	CHE CDS AND	REVISIONS
DODO COFFEE			
Jeffrey Dungan Architects			
A4-2			
Jeffrey Dungan Architects			

1 Employee Restroom A4.2 Scale: 3/8" = 1'-0"	2 Employee Restroom A4.2 Scale: 3/8" = 1'-0"	3 Employee Restroom A4.2 Scale: 3/8" = 1'-0"	4 Employee Restroom A4.2 Scale: 3/8" = 1'-0"	5 Entry Courtyard A4.2 Scale: 3/8" = 1'-0"	6 Entry Courtyard A4.2 Scale: 3/8" = 1'-0"	7 Entry Courtyard A4.2 Scale: 3/8" = 1'-0"	8 Entry Courtyard A4.2 Scale: 3/8" = 1'-0"	9 Mens Restroom A4.2 Scale: 3/8" = 1'-0"	10 Mens Restroom A4.2 Scale: 3/8" = 1'-0"	11 Mens Restroom A4.2 Scale: 3/8" = 1'-0"	12 Mens Restroom A4.2 Scale: 3/8" = 1'-0"	13 Womens Restroom A4.2 Scale: 3/8" = 1'-0"	14 Womens Restroom A4.2 Scale: 3/8" = 1'-0"	15 Womens Restroom A4.2 Scale: 3/8" = 1'-0"	16 Womens Restroom A4.2 Scale: 3/8" = 1'-0"
---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--



Seq	Type	Size		Shape	Path	Function	Verbosity	Name Comments
		Min Size	Max					
1	C	3000	1.5 MB	1000x1000x1000	POINT CLOUD	POINT CLOUD	1000x1000x1000	POINT CLOUD
2	B	3000	1.5 MB	1000x1000x1000	POINT CLOUD	POINT CLOUD	1000x1000x1000	POINT CLOUD
3	B	3000	1.5 MB	1000x1000x1000	POINT CLOUD	POINT CLOUD	1000x1000x1000	POINT CLOUD
4	C	3000	1.5 MB	1000x1000x1000	POINT CLOUD	POINT CLOUD	1000x1000x1000	POINT CLOUD
5	C	3000	1.5 MB	1000x1000x1000	POINT CLOUD	POINT CLOUD	1000x1000x1000	POINT CLOUD
6	C	3000	1.5 MB	1000x1000x1000	POINT CLOUD	POINT CLOUD	1000x1000x1000	POINT CLOUD
7	C	3000	1.5 MB	1000x1000x1000	POINT CLOUD	POINT CLOUD	1000x1000x1000	POINT CLOUD
8	C	3000	1.5 MB	1000x1000x1000	POINT CLOUD	POINT CLOUD	1000x1000x1000	POINT CLOUD
9	C	3000	1.5 MB	1000x1000x1000	POINT CLOUD	POINT CLOUD	1000x1000x1000	POINT CLOUD
10	C	3000	1.5 MB	1000x1000x1000	POINT CLOUD	POINT CLOUD	1000x1000x1000	POINT CLOUD

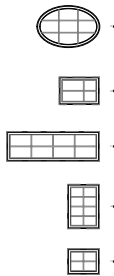
*Major viral species types of diarrhoeal bacteria are listed; solid state, solid culture, hollow core, etc. TBC will each use from these sources. Each method will be available.

NOTES:

- Mortar size and profile vary per window size, type & location.
- Stop drawing to let substrate dry and approved by Architect before corn dows being fixed
- Provide fresh samples as need to Architect for approval
- Refer to floor plans for direction of window, doors, hold, post, etc.
- Confirm hard ware selections w/ ADA, Hinge and handle with to have matching finishes
- When called to windows, door materials are to dign window materials. Door materials will not be equal

2 Door Schedule

Scale: 1/2" = 1'-0"



Tag	Year	Impaired	Time Since	Alcohol	Travels Freely	Notes/Comments
A	1	Y	560d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
B	1	Y	440d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
C	2	Y	34d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
D	2	Y	34d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
E	3	Y	273d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
F	4	Y	46d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
G	4	Y	46d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
H	5	Y	305d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
I	6	Y	305d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
J	6	Y	305d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
K	6	Y	305d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
L	6	Y	305d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
M	7	Y	247d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
N	8	Y	247d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
O	7	Y	247d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
P	6	Y	305d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
Q	8	Y	305d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)
R	8	Y	305d	IMPROMPTU	IMPROMPTU	IMPROMPTU (2012-2013)

NOTES

- [illegible]

Window Schedule

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

COORDINATION SET
1906 CAHABA ROAD
MOUNTAIN BROOK, AL 35223
O: 205.322.2037
F: 205.322.6167

DODO COFFEE

FAYETTEVILLE, AR
JOB NUMBER 24008
28 FEBRUARY 2025

DRAWN BY: CHS
CHECKED BY: JMD

REVIEWS

Door and Window Schedule

A8-1



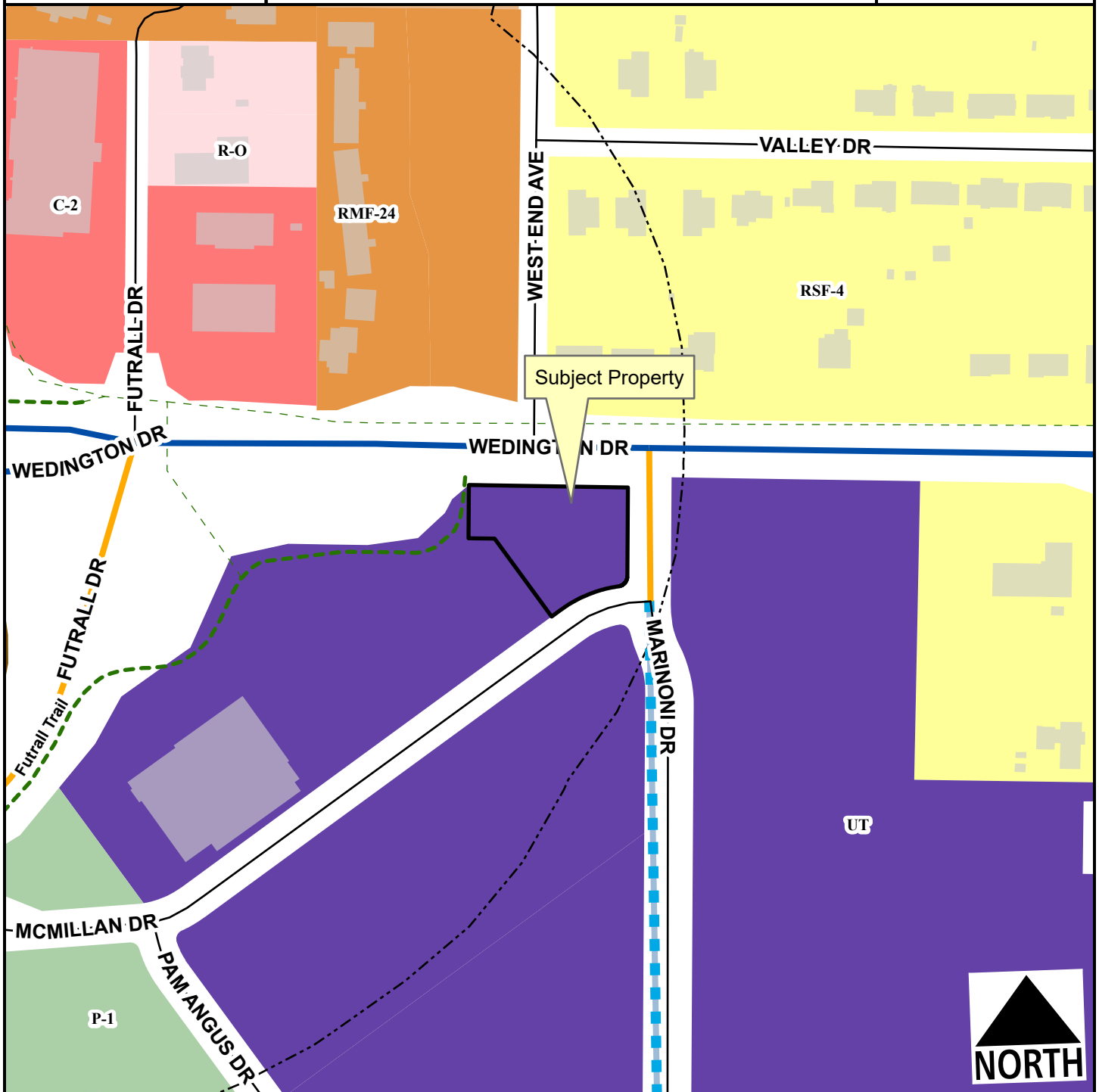
JEFFREY DUNGAN
ARCHITECTS

[illegible]

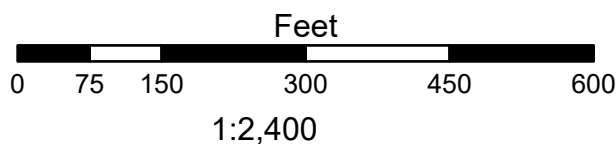
VAR-2025-0006

1059 N. MARINONI DR

Close Up View



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

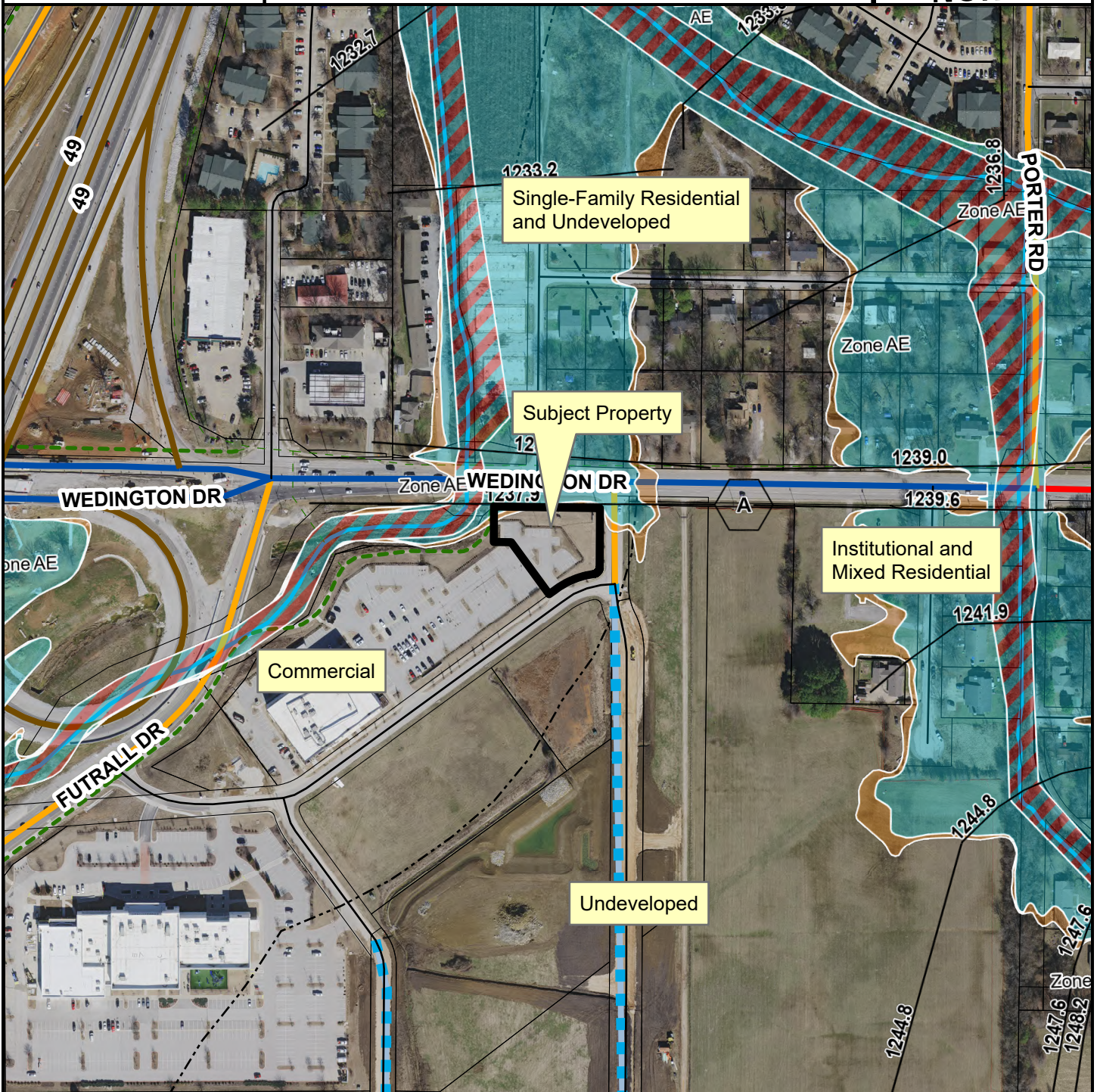


- RSF-4
- RMF-12
- RMF-24
- Residential-Office
- C-2
- Urban Thoroughfare
- P-1

VAR-2025-0006

1059 N. MARINONI DR

Current Land Use



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Fayetteville Planning Commission

FROM: Wesley Frank, Senior Planner
Justin Bland, Staff Engineer

MEETING: March 10, 2025

SUBJECT: **CCP-2025-0002: Concurrent Plat (3314 N. ADAMS RD/BILDERBACK, 202):**
Submitted by BATES & ASSOCIATES for property located at 3314 N. ADAMS RD. The property is in the FAYETTEVILLE PLANNING AREA and has two lots that contain approximately 3.31 and 2.13 acres. The request is to divide the property into three lots with 1.13, 1.50 and 2.81 acres.

RECOMMENDATION:

Staff recommends approval of **CCP-2025-0002** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CCP-2025-0002**, recommending:*

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

BACKGROUND:

The subject property is located in northeast Fayetteville at the corner of the N. Adams Road and W. Weir Road intersection. The properties are outside of City limits in Washington County. They are both developed with a single-family dwelling each; the 001-17317-005 property was developed in 1996 and contains approximately 2.13 acres, and the 001-17317-006 property was developed in 1987 and contains approximately 3.31 acres. 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	Washington County
South	Single-Family Residential	Washington County
East	Undeveloped	Washington County
West	Single-Family Residential	Washington County

Proposal: The applicant proposes to subdivide 2 legal lots of record into 3 resultant lots. The parent tract has exhausted the number of administrative lot splits allowed per code, necessitating the need for the proposal to be reviewed as a concurrent plat request, rather than a typical lot split/property line adjustment. No variances are being requested with this proposal.

Water and Sewer System: An existing four-inch water line lies next to N. Adams Rd. across the frontage of the property. This existing water line will be able to serve the proposed lot. The City's sewer is not permitted to extend into the County.

Right-of-way to be dedicated:

N. Adams Road WC 707: N. Adams Road is classified as a Residential Link Street in the 2040 Master Street Plan. Staff recommends right-of-way dedication along this street in the amount of 26 feet from centerline to align with the typical standards for that street classification. The applicant is proposing to dedicate 26 feet of right-of-way along this street.

W. Weir Road WC 94: N. W. Weir Road is classified as a Residential Link Street in the 2040 Master Street Plan. Staff recommends right-of-way dedication along this street in the amount of 26 feet from centerline to align with the typical standards for that street classification. The applicant is proposing to dedicate 26 feet of right-of-way along this street.

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

Tree Preservation: N/A; the City's Tree Preservation ordinance does not extend outside of the City limits.

Parkland Fees: N/A; the City's Parkland Dedication ordinance does not extend outside of the City limits.

Public Comment: Staff has not received any public comment.

RECOMMENDATION: Staff recommends approval of CCP-2025-0002 with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends a minimum right-of-way dedication in the amount of 26 feet along N. Adams and W. Weir Roads.*
2. All lots shall be labeled with addresses as approved by the 911 Coordinator on the concurrent plat (if applicable).
3. Approval from the Arkansas Department of Health that allows for the creation of a lot less than 1.5 acres with a septic system.
4. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or their representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks, SWEPCO, Cox Communication).
5. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements.

<u>Planning Commission Action:</u>	☐ Approved	☐ Tabled	☐ Denied
<u>Meeting Date:</u> March 10, 2025			
<u>Motion:</u>			
<u>Second:</u>			
<u>Vote:</u>			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

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



TO: Wesley Frank, Planner

FROM: Justin Bland, Engineering Development Review Manager

DATE: March 3, 2025

SUBJECT: Planning Commission Engineering Comments for
CCP-2025-0002 3314 N. Adams Rd.

Water: An existing four-inch water line lies next to N. Adams Rd. across the frontage of the property. This existing water line will be able to serve the proposed lot.

BILDERBACK CONCURRENT PLAT

HOUSE DETAIL N.T.S.

ADJACENT LAND OWNERS

1) BILDERBACK, SELETHA E
REVOCABLE TRUST
3293 N ADAMS RD
FAYETTEVILLE, AR 72704
PARCEL #001-17317-000
ZONED: FAYETTEVILLE PLANNING AREA
2) MATTAL, KENDRA & KYLE
3425 N ADAMS RD
FAYETTEVILLE, AR 72704
PARCEL #001-17312-001
ZONED: FAYETTEVILLE PLANNING AREA
3) BAILEY, DIANE (PROOK)
3908 W 4TH ST
LAWRENCE, KS 66049
PARCEL #001-17307-000
ZONED: FAYETTEVILLE PLANNING AREA

LAST SITE VISIT:
JANUARY 3, 2025

BASIS OF BEARING:

GPS OBSERVATION, AR NORTH ZONE
NAD83(2011) HORIZONTAL DATUM

PROPERTY ZONED:

FAYETTEVILLE PLANNING AREA

BUILDING SETBACKS:

FRONT 25' & U.E.
SIDE 10'
REAR 20'

PROPERTY OWNERS:

BILDERBACK, EUEL LYNN & MARSHA ANN
3314 N ADAMS RD
FAYETTEVILLE, AR 72704-9397
(BOTH PARCELS)

PLAT PAGE INDEX:
202

CERTIFICATE OF OWNERSHIP & DEDICATION:

WE, THE UNDERSIGNED OWNERS, REPRESENTING ONE HUNDRED PERCENT (100%) OWNERSHIP OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON, DO HEREBY DEDICATE FOR PUBLIC OWNERSHIP, ALL STREETS AND ALLEYS AS SHOWN ON THIS PLAT FOR PUBLIC BENEFIT AS PRESCRIBED BY LAW. THE OWNERS ALSO DEDICATE TO WASHINGTON COUNTY AND TO THE PUBLIC UTILITY COMPANIES (INCLUDING ANY CABLE TELEVISION COMPANY HOLDING A FRANCHISE GRANTED BY WASHINGTON COUNTY) THE EASEMENTS AS SHOWN ON THIS PLAT FOR THE PURPOSE OF INSTALLATION OF NEW FACILITIES AND THE REPAIR OF EXISTING FACILITIES. ALSO ESTABLISHED HEREBY IS THE RIGHT OF INGRESS AND EGRESS TO SAID EASEMENTS, THE RIGHT TO PROHIBIT THE ERECTION OF BUILDINGS, STRUCTURES, OR FENCES WITHIN SAID EASEMENTS, AND THE RIGHT TO REMOVE OR TRIM TREES WITHIN SAID EASEMENTS.

DATE EUEL LYNN BILDERBACK

DATE MARSHA ANN BILDERBACK

CERTIFICATE OF APPROVAL OF UTILITY EASEMENTS:

WE HEREBY CERTIFY THAT ALL UTILITY EASEMENTS PLATTED IN THIS DEVELOPMENT ARE SHOWN AS REQUESTED AND WERE APPROVED BY THE UNDERSIGNED UTILITIES OF THE CITY OF FAYETTEVILLE, ARKANSAS.

DATE OZARKS ELECTRIC

DATE GAS SERVICE

DATE TELEPHONE

DATE CABLE TELEVISION

DATE CITY OF FAYETTEVILLE

CERTIFICATE OF SURVEY AND ACCURACY:

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED 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.

DATE DERRICK THOMAS - AR PLS #1642

STATE HEALTH DEPARTMENT APPROVAL:

THE PLAN AND SPECIFICATIONS AS SHOWN ON THE PLAT WERE APPROVED BY THE ARKANSAS STATE HEALTH DEPARTMENT BY LETTER.

DATE SIGNED BY:

CERTIFICATE OF APPROVAL FOR RECORDING:

THIS PLAT WAS APPROVED BY THE FAYETTEVILLE PLANNING COMMISSION AT A MEETING HELD ON 20_.

DATE SECRETARY

REFERENCE DOCUMENTS:

- 1) PLAT OF SURVEY FILED IN BOOK 2006 AT PAGE 2999
- 2) PLAT OF SURVEY FILED IN BOOK 2008 AT PAGE 36782
- 3) PLAT OF SURVEY FILED IN BOOK 2023 AT PAGE 26197
- 4) PLAT OF SURVEY FILED IN BOOK 96 AT PAGE 2959
- 5) PLAT OF SURVEY FILED IN BOOK 95 AT PAGE 27125
- 6) WARRANTY DEED FILED IN BOOK 1996 AT PAGE 2848
- 7) WARRANTY DEED FILED IN BOOK 2009 AT PAGE 4488

STREET TABLE PER M.S.P.				
STREET	DENOTATION	RIGHT-OF-WAY	SIDEWALK	GREENSPACE
W WEIR ROAD	RESIDENTIAL LINK	45' MIN. 52' MAX	6' FEET	3' FEET
N ADAMS ROAD	RESIDENTIAL LINK	45' MIN. 52' MAX	6' FEET	3' FEET

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	101.69'	101.69'	101.69'	S 87°21'13" E	115°44'45"	18.67'
C2	135.01'	97.10'	136.99'	S 68°25'50" E	115°44'45"	18.67'

PLAT NOTES:

- 1) RECORD (R) BEARINGS AND DISTANCES ARE SHOWN PER SURVEY 2008-36782.
- 2) SOME FEATURES AND SYMBOLS ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR VISUAL CLARITY.
- 3) THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE-GROUND APPURTENANCES, GIS, AND/OR UTILITY MAPS PROVIDED BY LOCAL UTILITY COMPANIES. NOT ALL UTILITY COMPANIES MAY HAVE RESPONDED TO OUR REQUEST FOR MAPS AND/OR INFORMATION. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION OR DESIGN. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.
- 4) THERE ARE NO KNOWN WETLANDS ON THIS SITE.
- 5) THERE ARE NO KNOWN WATER WELLS, SUMPS, CESSPOOLS, WATER IMPOUNDMENTS, OR UNDERGROUND STRUCTURES ON THIS SITE.
- 6) THERE ARE NO KNOWN OR PROPOSED GROUND LEASES ON THIS SITE.
- 7) THERE ARE NO EXISTING OR PROPOSED PUBLIC AREAS DEDICATED ON THIS SITE.
- 8) THERE IS NO EXISTING OR PROPOSED BUFFER AREAS ON THIS SITE.
- 9) THERE ARE NO EXISTING OR PROPOSED COMMON AREAS ON THIS SITE.
- 10) THERE ARE NO PROPOSED COVENANTS, CONDITIONS, OR RESTRICTIONS.

FOR USE AND BENEFIT OF:

EUEL & MARSHA BILDERBACK
ADDRESS: 3314 & 3308 NORTH ADAMS ROAD
FAYETTEVILLE, ARKANSAS 72704

DATE: 02/26/25 SCALE: 1"=60'

SECTION: 25 SURVEYED: DRAFTED:

TOWNSHIP: 17 NORTH DRAFT DATE: XX

RANGE: 31 WEST REVIEWED: DT

COA #1335



2230 S. Pleasant Ridge Dr • Fayetteville, Arkansas 72704 • 479.442.9390

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This survey was conducted for the person or persons whose name(s) appear on this plat. This plat is prepared for recording. No warranty is made by Bates & Associates, Inc. for any use of this plat other than as intended. Any use of this plat for any other purpose is at the user's sole risk. Bates & Associates, Inc. assumes no liability for any errors or omissions on this plat. Bates & Associates, Inc. assumes no liability for any errors or omissions on this plat.

NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR WASHINGTON COUNTY, ARKANSAS.

(FIRM PANEL 0051430205G, DATED 01/25/2024)

CORNER REFERENCE #1:

- 1) N 59°23'49" E 36.59' TO A POWER POLE.
- 2) S 30°22'22" E 31.31' TO A FENCE CORNER POST.
- 3) N 48°02'21" E 24.17' TO A WATER VALVE.

CORNER REFERENCE #2:

- 1) S 72°34'16" E 36.64' TO A 16" ELM TREE.
- 2) S 11°55'06" W 44.83' TO A 24" OAK TREE.
- 3) N 54°22'44" E 44.5' TO A FENCE CORNER POST.

CORNER REFERENCE #3:

- 1) S 68°37'42" E 29.87' TO A 14" OAK TREE.
- 2) S 65°34'38" E 38.84' TO A 20" OAK TREE.
- 3) S 02°24'17" E 36.70' TO A FENCE CORNER POST.

FLOOD CERTIFICATION:

NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR WASHINGTON COUNTY, ARKANSAS.

(FIRM PANEL 0051430205G, DATED 01/25/2024)

Location Map:

R-31-W

T-17-N

R-31-W

SECTION 25

17 NORTH

31 WEST

LEGEND:

THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.

(R) RECORD BEARING & DISTANCE

(O) RECORD BEARING & DISTANCE

(P) RECORD BEARING & DISTANCE

(S) RECORD BEARING & DISTANCE

(T) RECORD BEARING & DISTANCE

(U) RECORD BEARING & DISTANCE

(V) RECORD BEARING & DISTANCE

(W) RECORD BEARING & DISTANCE

(X) RECORD BEARING & DISTANCE

(Y) RECORD BEARING & DISTANCE

(Z) RECORD BEARING & DISTANCE

YARD HYDRANT

WATER METER

WATER VALVE

STORM SEWER MH

TELEPHONE PEDESTAL

A/C CONDENSER UNIT

POWER POLE

BOUNDARY LINE (MEASURED)

BOUNDARY LINE (EXISTING)

PORTION LINE (NEW)

CENTERLINE OF ROAD

RIGHT-OF-WAY

OVERHEAD POWER LINE

WATER LINE

WATER SERVICE LINE

SEWER LINE

UTILITY EASEMENT

BUILDING SETBACK



IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

VICINITY MAP

DATE: 02/26/25

RECORDING NUMBER/DATE

001-17317-000-002

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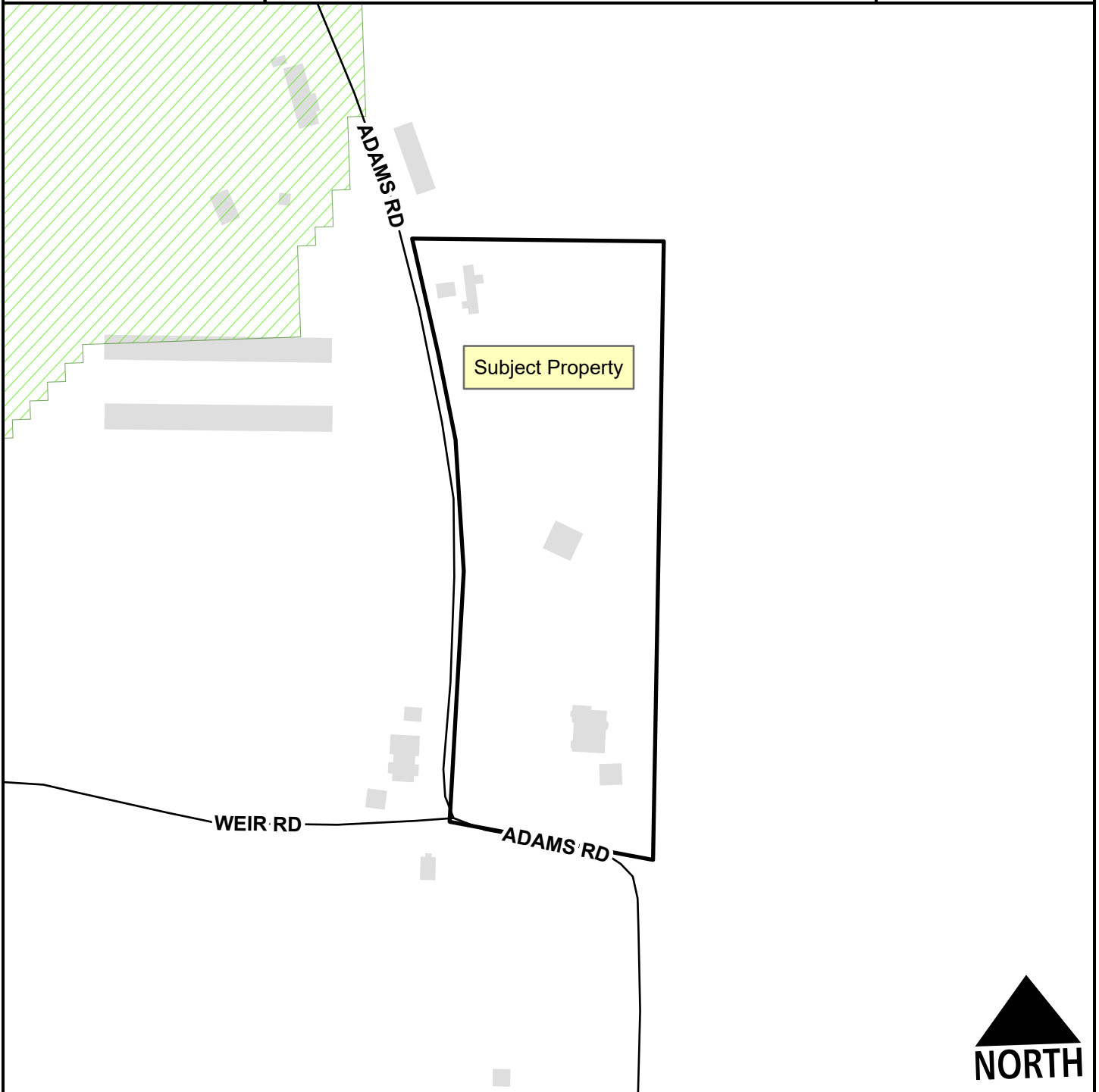
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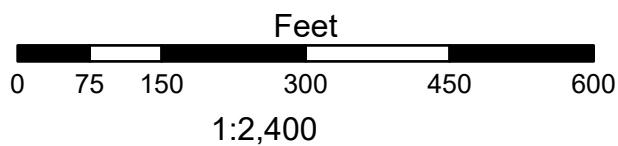
001-17317-000-002

001-17317-000-002

001-17317-000-002



- Unclassified
-  Hillside-Hilltop Overlay District
-  Planning Area



CCP-2025-0002

3314 N. ADAMS RD

Current Land Use



— Unclassified
- - - Planning Area

Feet
0 112.5 225 450 675 900
1:3,600

FEMA Flood Hazard Data

 100-Year Floodplain
 Floodway



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Wesley Frank, Planner

MEETING DATE: March 10, 2025

SUBJECT: **CUP-2025-0002: Conditional Use Permit (1030 N. EVA AVE./LEDBETTER, 442):** Submitted by JAMES LEDBETTER for property located at 1030 N. EVA AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY-4 and contains approximately 0.5 acres. The request is to use the property as a short-term rental.

RECOMMENDATION:

Staff recommends approval of **CUP-2025-0002**, with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2025-0002** with conditions, determining:*

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

FEBRUARY 24, 2025 PLANNING COMMISSION MEETING

The item was tabled at the previous Planning Commission meeting to allow for more commissioners to be present for a vote.

BACKGROUND:

The subject property is located on N. Eva Avenue, approximately 0.21 miles east of N. Sang Avenue and W. Wedington Drive. The property is zoned RSF-4, and totals approximately 0.5 acres. The property is developed with a single-family dwelling that was developed in 1961. The property does partially enter into the Hillside/Hilltop Overlay District. 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	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-2025-0002**, with the following conditions;

Conditions of Approval:

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

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date:	<u>March 10, 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: The home contains a total of three bedrooms which would limit occupancy to a maximum of eight guests per ordinance. Occupancy limitations are confirmed by the applicant during licensing.

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

Finding: Staff recommends parking is limited as described in UDC §163.18(A)(4). For single-family structures parking is required to be provided at a rate of two vehicle space per unit. According to the applicant the structure has access to a carport (2 spaces) and a driveway (4 spaces) for parking that can accommodate the maximum vehicles allowed (a total of 6). Staff notes that per UDC §172.11 would limit the number of vehicles that could be parked outside to a maximum of 4. On-street parking appears to be available on N.

Eva Avenue but not for W. Wedington Drive. But given the amount of space for on-site 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 1030 N. Eva 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 February 19, 2025 the City had issued 456 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;
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 six on-site parking spaces will be available for guests. City business records indicate that eleven (11) 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. The property is not within a 1000 foot proximity of a school.

§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 into N. Eva Avenue is available to accommodate vehicular ingress and egress to the subject property. N. Eva Avenue does have sidewalk for 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 8 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: The applicant has described their driveway and carport as having the capacity of accommodating up to 6 vehicles. 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. Residences along N. Eva Avenue and W. Wedington Drive are all detached single-family dwellings.**

- (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
 - §161.09 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 $\frac{1}{4}$ 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)

163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

- (A) *Residential Zoning Districts.* Type 2 short-term rentals may be permitted as a conditional use in the following residential zoning districts:

- 1) R-A
- 2) RSF-.5
- 3) RSF-1
- 4) RSF-2
- 5) RSF-4
- 6) RSF-7
- 7) RSF-8
- 8) RSF-18
- 9) RI-12
- 10) RI-U
- 11) RMF-6
- 12) RMF-12
- 13) RMF-18
- 14) RMF-24
- 15) RMF-40
- 16) NC

Short term rentals may be permitted by right or by conditional use in planned zoning districts subject to the zoning regulations enacted by the City Council for each district.

Short-term rentals in non-residential zoning districts, mixed use zoning districts, or other zoning districts not listed above are not required to apply for a conditional use permit.

- (B) *Occupancy.* Maximum of two (2) people per bedroom, plus two (2), for the entire unit when operated as a short-term rental.
- (C) *Parking.* Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.
- (D) Special events are not permitted in a short-term rental. Example of special events include, but are not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars.
- (E) Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.
- (F) *Exceptions.* Exceptions to the short-term rental standards, except proposals that would exceed the city-wide density maximum, may be granted by the Planning Commission as a conditional use permit.
- (G) Short-term rentals must comply with all applicable codes under City Code §118.01 and successfully obtain a business license prior to operation.
- (H) Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:
- 1) Adequate parking infrastructure;
 - 2) Adequate adjoining or nearby streets for on-street parking;
 - 3) Frequency or concentration of nearby licensed Type 2 short-term rentals; and
 - 4) Prior zoning or code violations

(Ord. No. 6427 , §§1(Exh. E), 2, 4-20-21; Ord. No. 6505 , §2(Exh. B), 11-16-21; Ord. No. 6537 , §2(Exh. B), 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

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

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

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

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

To the Fayetteville Planning Office,

Please see the below responses for my request letter for a CUP for a Type 2 Short Term Rental at 1030 N Eva Avenue Fayetteville, AR 72701.

(a) Building size in square feet – The building size is 1,650 Square Feet and no changes are proposed to the footprint.

(b) Color elevations of all exterior sides of the structure – The home is one-story with a crawlspace underneath. The color is red brick with yellow siding at the top of the building.

(c) Number of off-street parking spaces to be provided / number required – The home has a 2 – car carport and a large driveway that could accommodate an additional 4 cars. We anticipate needing no more than 2-3 cars parked in the home at any one time so the parking is sufficient.

(d) When request applies to a business or non-residential use:

-Hours of operation – Short-term rental – the home would be fully rented for the majority of the year.

-Number of employees – None – the applicant is the only one involved in the operation, but we will contract with a cleaning crew and a mowing crew to maintain the property.

-Anticipated number of patrons, clients, children, customers, etc. (average per day / peak hour) – We anticipate the sleeping capacity to be 6 people based upon the number of beds that we will provide in the home.

(e) Outdoor lighting – Porch lights and carport lights.

(f) Noise – Nothing abnormal anticipated. We will prohibit parties in our property.

(g) Screening or buffering from adjacent properties – There is a fence between our property and the adjacent property to the east of the home. There is a road between our property and the adjacent property to the south.

(h) Trash and refuse service (with particular reference to visibility from the street and adjacent properties) – Trash and refuse service will be consistent with normal home use and will utilize the trash and recycling containers provided through Fayetteville waste service.

(i) Ingress and egress to the property; traffic impacts – As noted above the home has a large driveway and carport which serve as the ingress and egress for the property. As noted, no parties will be allowed in the property so we do not anticipate traffic impact.

(j) A response discussing the general compatibility of the proposed use with adjacent properties and other property in the neighborhood – We believe that the proposed use of this property as a short term rental (type 2) is appropriate for this neighborhood given our ability to accommodate parking for the number of beds proposed and the buffer between our property and those adjacent to it.

To the Fayetteville Planning Office,

I, James Douglas Ledbetter, authorize the submission of this Conditional Use Permit.

A handwritten signature in black ink, reading "Jy Ledbetter". The signature is written in a cursive, flowing style.



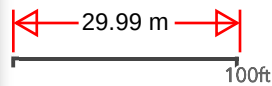
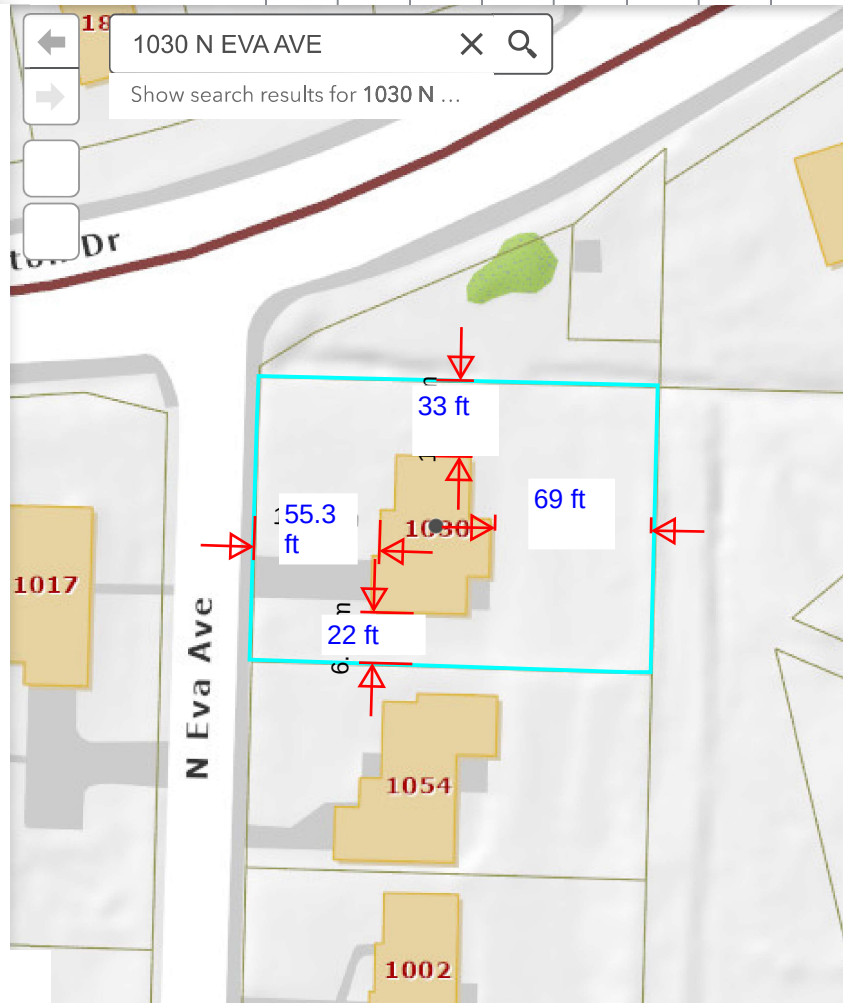
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[Clear](#)

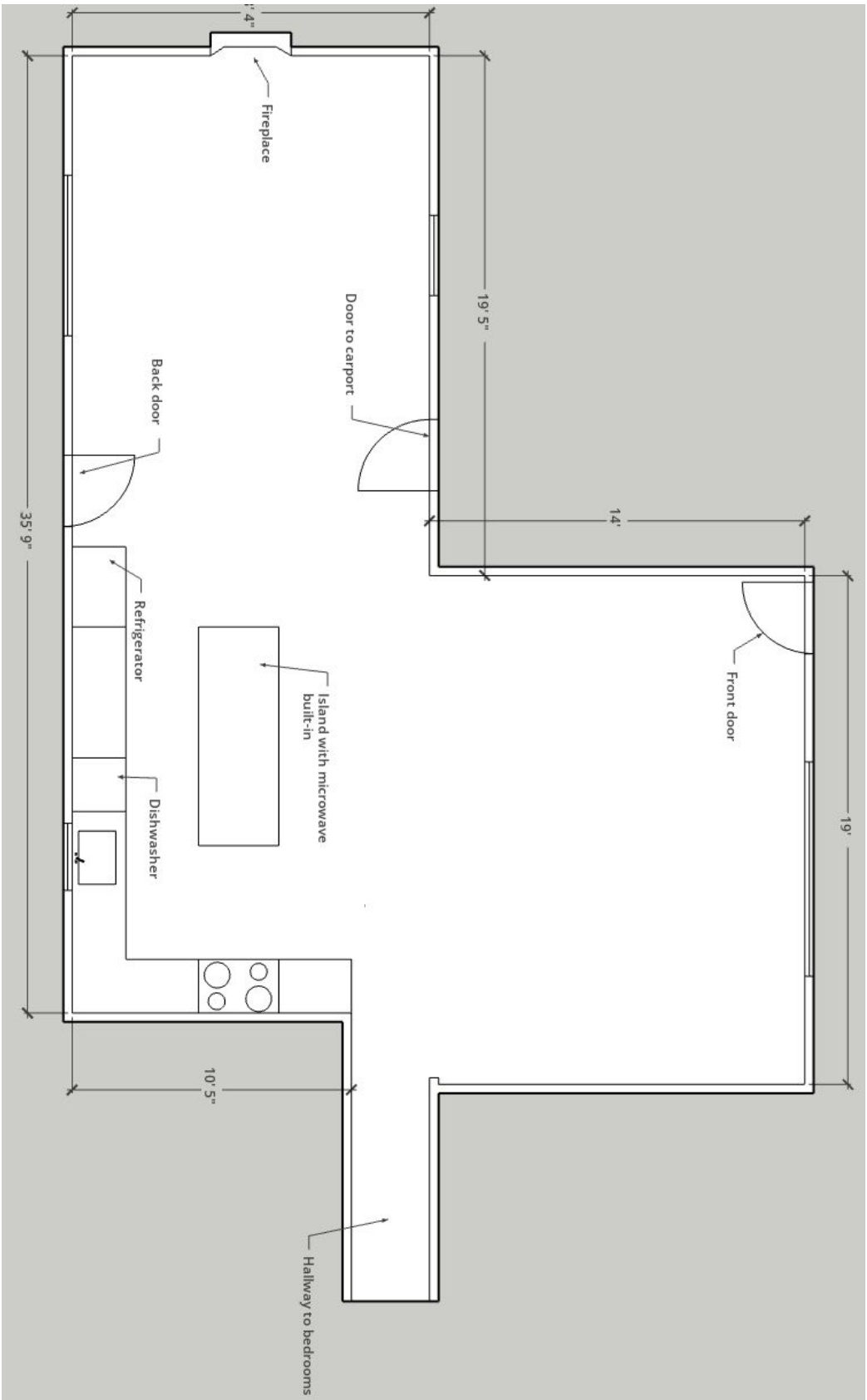
Parcel

PIN 765-09741-000
Owner LEDBETTER, JAMES
Acres 0.5
URL [More info](#)

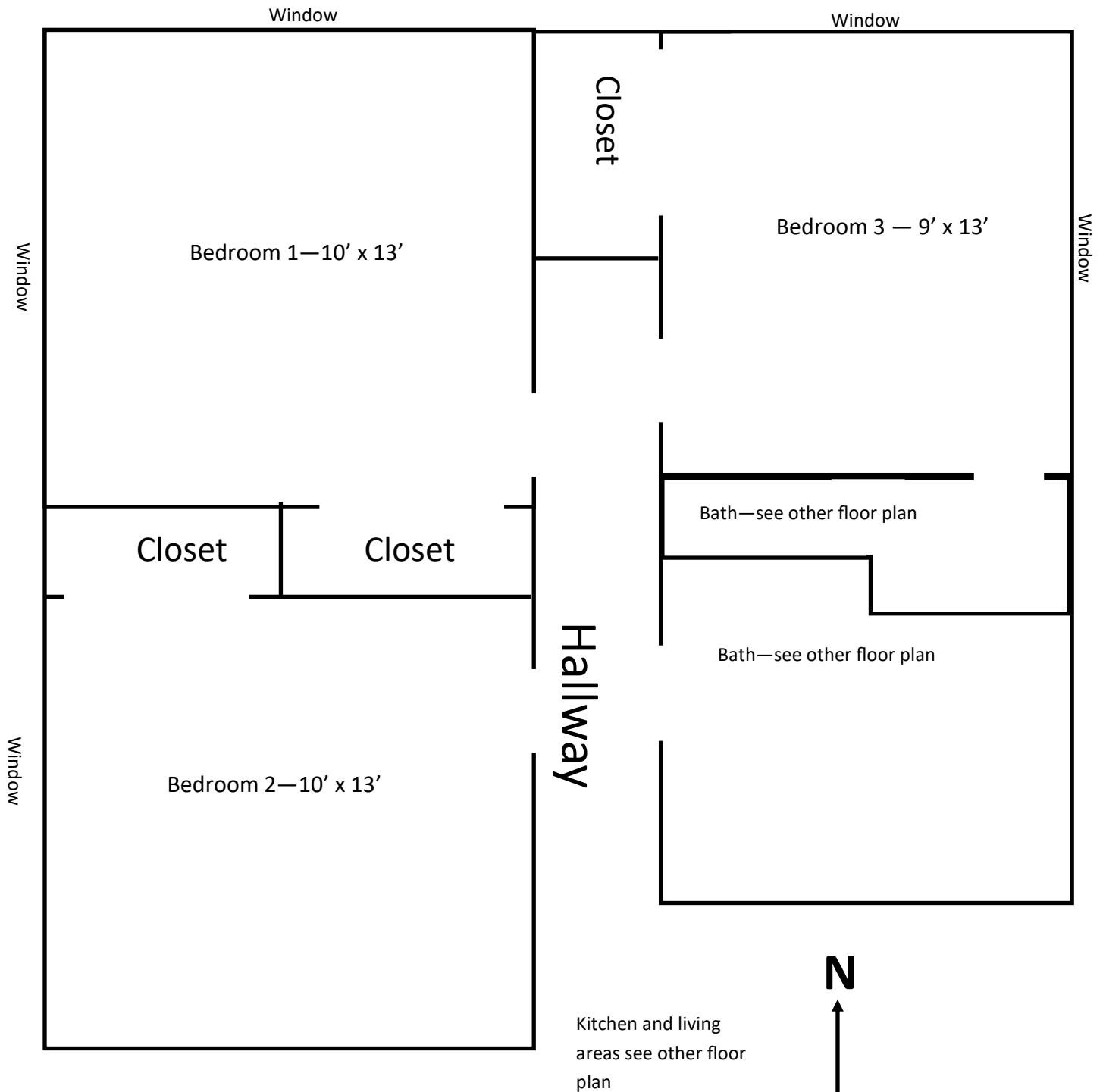
[Zoom to](#)



-94.184024 36.077691 Degrees



PROPOSED FLOOR PLAN





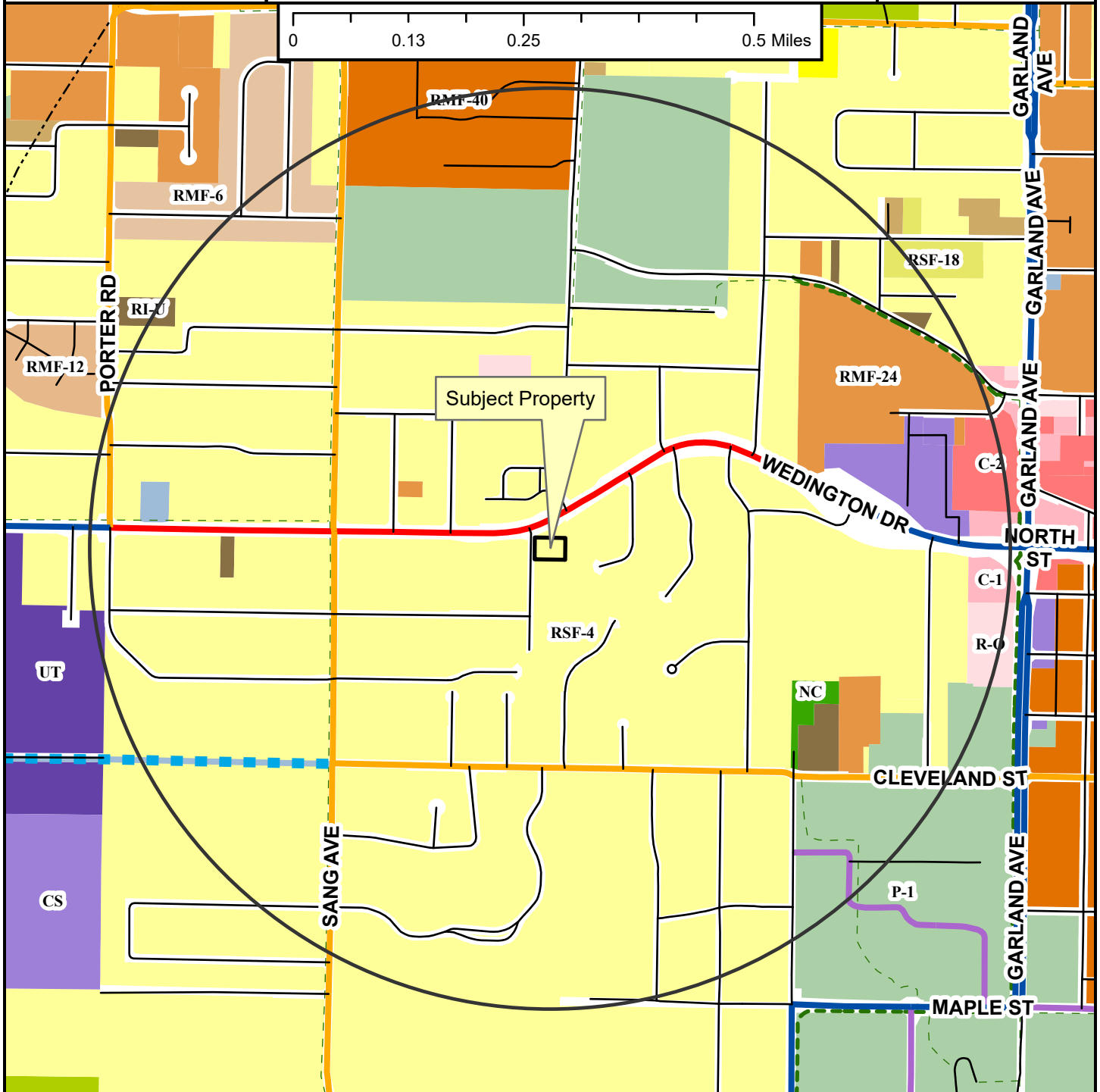
CUP-2025-0002

1030 N. EVA AVE

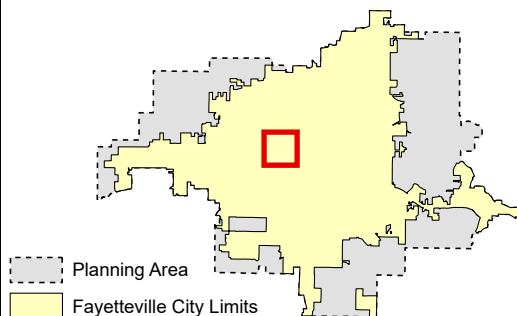
One Mile View



0 0.13 0.25 0.5 Miles



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

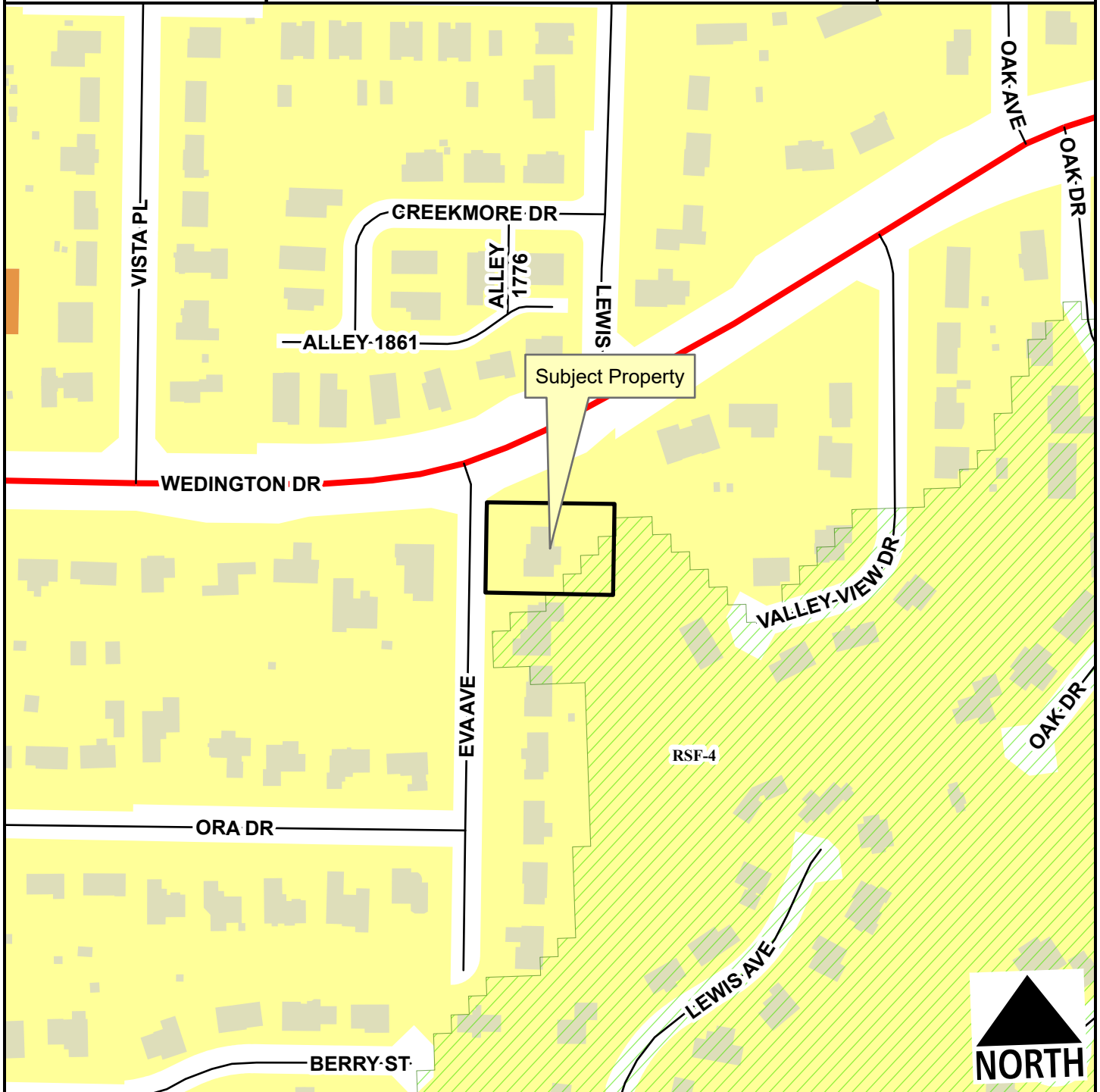


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
- RMF-12
- RMF-13
- RMF-24
- RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial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

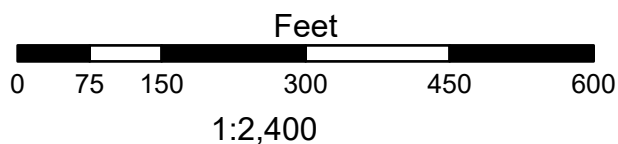
CUP-2025-0002

1030 N. EVA AVE

Close Up View



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



- RSF-4
- RMF-24

CUP-2025-0002

1030 N. EVA AVE

Current Land Use



- Regional Link
- Unclassified
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits



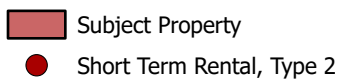
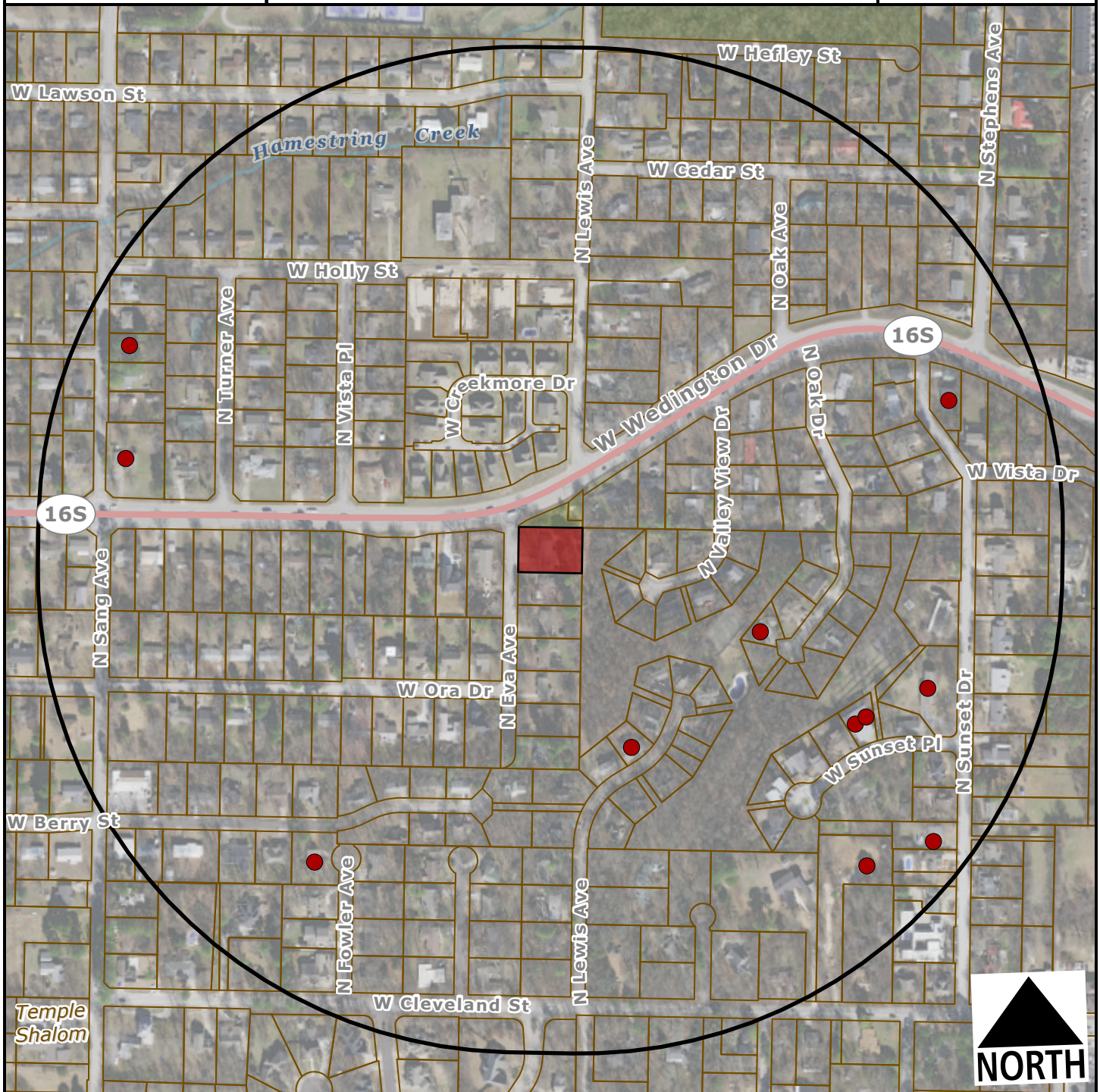
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CUP-2025-0002

1030 N. EVA AVE

STRs Within 1/4 Mile



Within 1/4 Mile

Type 2 STRs: 11

**Occupiable
Residential
Addresses
(Estimated
Housing Units): 320**



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Donan Wonsower, Planner

MEETING DATE: March 10, 2025

SUBJECT: **VAC-2025-0005: Vacation (191 S. HIL AVE./VERVE, 522):** Submitted by MCCLELLAND CONSULTING ENGINEERS for property located at 191 S. HILL AVE. The property is zoned MSC, MAIN STREET CENTER and contains approximately 2.90 acres. The request is to vacate 0.07 acres of right-of-way.

RECOMMENDATION:

Staff recommends tabling **VAC-2025-0005** to the next scheduled Planning Commission meeting, at the applicant's request.

RECOMMENDED MOTION:

*"I move to table **VAC-2025-0005** to the March 24, 2025 Planning Commission meeting."*

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date:	<u>March 10, 2025</u>	☐ Tabled	☐ Approved	☐ Denied	
Motion:					
Second:					
Vote:					



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Wesley Frank, Planner

MEETING DATE: March 10, 2025

SUBJECT: **CUP-2025-0010: Conditional Use Permit (1611 W. HALSELL RD./CARRINGTON & VOISE LLC., 482):** Submitted by CARRINGTON & VOISE LLC for property located at 1611 W. HALSELL RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 1.20 acres. The request is to use the property as a short-term rental.

RECOMMENDATION:

Staff recommends approval of **CUP-2025-0010**, with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2025-0010** 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 0.17 miles east of Razorback Stadium. The property is zoned RSF-4 and totals approximately 1.2 acres. The property is developed with a single-family dwelling originally developed in 1956. 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	RSF-4, Residential Single-family, 4 Units per Acre

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

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

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

Public Comment: Staff has received a comment from the public that opposes the proposed short-term rental. They site concerns of density, history, and housing shortage.

RECOMMENDATION: Staff recommends approval of **CUP-2025-0010**, with the following conditions;

Conditions of Approval:

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

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date:	<u>March 10, 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). Occupancy limitations are confirmed by the applicant during licensing.

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). According to the applicant the structure has three bedrooms and four parking spaces – 2 space in a car port and 2 other cars in the driveway.

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 1611 W. Halsell Road. 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 March 5, 2025, the City had issued 461 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;
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 on the applicant's submittal. Four off-street parking spaces are available on site and a maximum of eight guests would be permitted. City records indicate that six other units within a quarter-mile radius of the property have a business license to operate as a Type-2 short-term rental. Four of the nearby six short-term rental units all access the same street as the applicant's property (1611 W. Halsell Road), resulting in some clustering. No prior or active zoning or code violations have been reported

on the property. The property is not within 1,000 feet of a public or private K-12 school.

§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 access onto W. Halsell Road is available to accommodate vehicular ingress and egress to the subject property. W. Halsell Road 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 8 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 available. 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, south, and west, the property is surrounded by detached single-family residential dwellings. 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
- Public Comment
- One Mile Map

- Close-Up Map
- Current Land Use Map
- STRs Within $\frac{1}{4}$ 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)

163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

- (A) *Residential Zoning Districts.* Type 2 short-term rentals may be permitted as a conditional use in the following residential zoning districts:

- 1) R-A
- 2) RSF-.5
- 3) RSF-1
- 4) RSF-2
- 5) RSF-4
- 6) RSF-7
- 7) RSF-8
- 8) RSF-18
- 9) RI-12
- 10) RI-U
- 11) RMF-6
- 12) RMF-12
- 13) RMF-18
- 14) RMF-24
- 15) RMF-40
- 16) NC

Short term rentals may be permitted by right or by conditional use in planned zoning districts subject to the zoning regulations enacted by the City Council for each district.

Short-term rentals in non-residential zoning districts, mixed use zoning districts, or other zoning districts not listed above are not required to apply for a conditional use permit.

- (B) *Occupancy.* Maximum of two (2) people per bedroom, plus two (2), for the entire unit when operated as a short-term rental.
- (C) *Parking.* Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.
- (D) Special events are not permitted in a short-term rental. Example of special events include, but are not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars.
- (E) Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.
- (F) *Exceptions.* Exceptions to the short-term rental standards, except proposals that would exceed the city-wide density maximum, may be granted by the Planning Commission as a conditional use permit.
- (G) Short-term rentals must comply with all applicable codes under City Code §118.01 and successfully obtain a business license prior to operation.
- (H) Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:
- 1) Adequate parking infrastructure;
 - 2) Adequate adjoining or nearby streets for on-street parking;
 - 3) Frequency or concentration of nearby licensed Type 2 short-term rentals; and
 - 4) Prior zoning or code violations

(Ord. No. 6427 , §§1(Exh. E), 2, 4-20-21; Ord. No. 6505 , §2(Exh. B), 11-16-21; Ord. No. 6537 , §2(Exh. B), 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

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

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

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

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

Dear Planning Commission,

Please vote against the Short Term Rental (STR) Type 2 request at 1611 W. Halsell Rd.

I would be present at your meeting on March 10 to speak at the podium, but I am out-of-town on Monday evenings and will miss it.

I've written about this before. From communications with my neighbors, it is clear that our University Heights neighborhood does not want to become a STR Type 2 neighborhood, full of mini-hotels. Our historic neighborhood would lose its character and quality of life. The density of STR Type 2s is already too high here. It is unfair that the burden of STR Type 2s be placed on a few residential neighborhoods in Fayetteville. We love Fayetteville's residential neighborhoods because of our long-time neighbors and atmosphere, whether owning or long-term renting. Please do not increase the already existing problem in University Heights by approving yet another STR Type 2. With the problem of housing shortages in Fayetteville and elsewhere, we want to limit STRs so that homes in our neighborhood go to people who are looking for long-term housing. Not to wealthier people who already have a home elsewhere, but want to make money off a second home used as a STR at the expense of the locals living in that neighborhood.

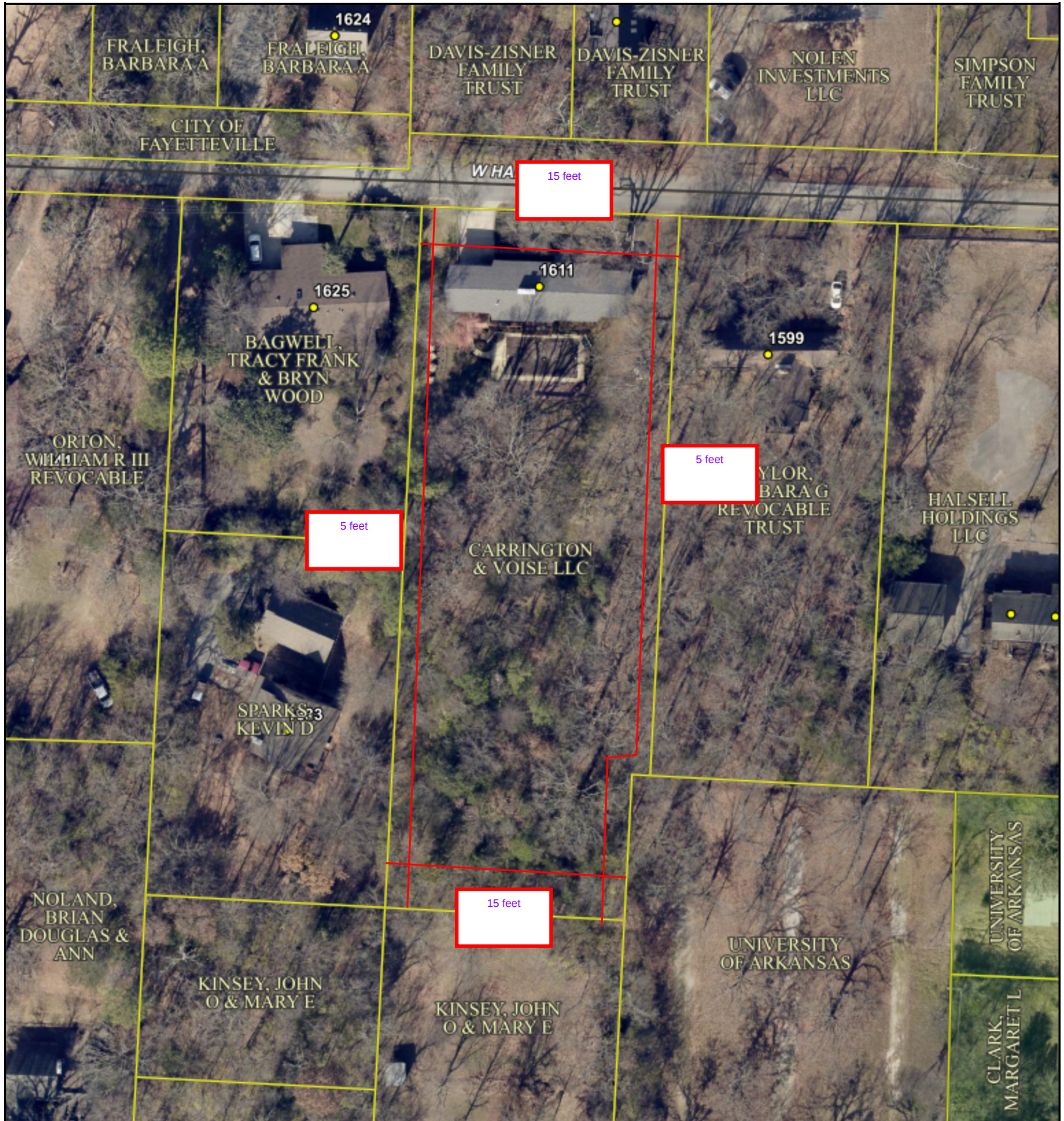
Thank you for your consideration.

Sincerely,
Lisa Orton
1663 West Halsell Rd
Fayetteville, Arkansas
Ward 4

Washington County

Assessor's Office

Washington, Assessor



Date Created: 1/27/2025
Created By: actDataScout

1 inch = 72 feet

This map should be used for reference purposes only and should not be considered a legal document. While every effort has been made to ensure the accuracy of this product, the publisher accepts no responsibility for any errors or omissions nor for any loss or damage alleged to be suffered by anyone as a result of the publication of this map and the notations on it, or as a result of the use or misuse of the information provided herein.





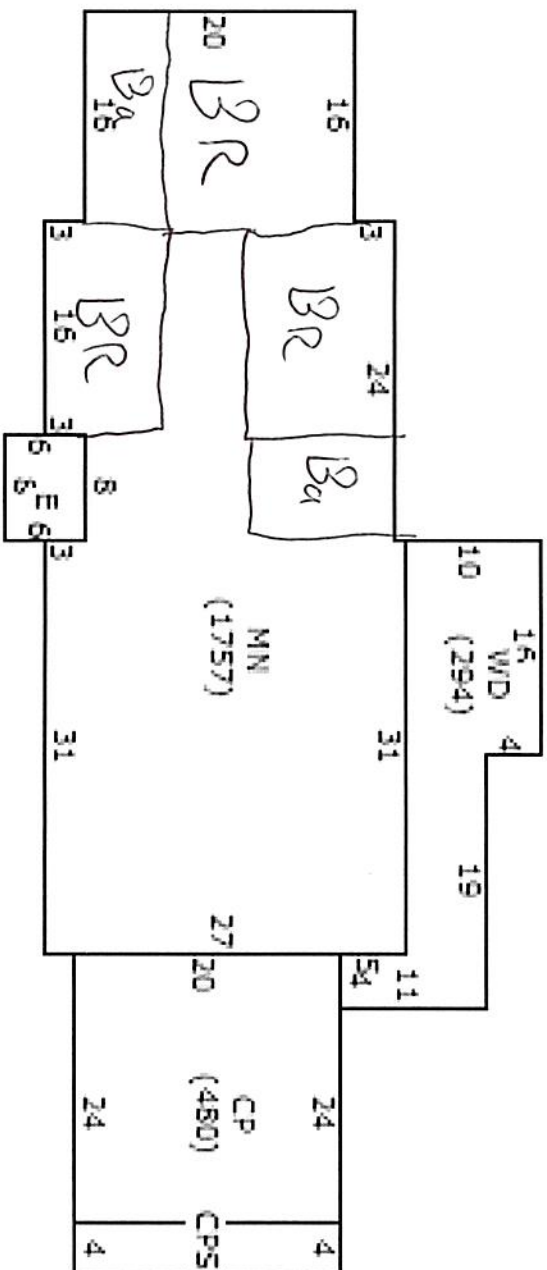






Sketch for Residential Card 1

DataScout, LLC



3 Bedroom
2 Bath

Not a Legal Document.
Subject to terms and conditions.
www.acidDataScout.com



Parking



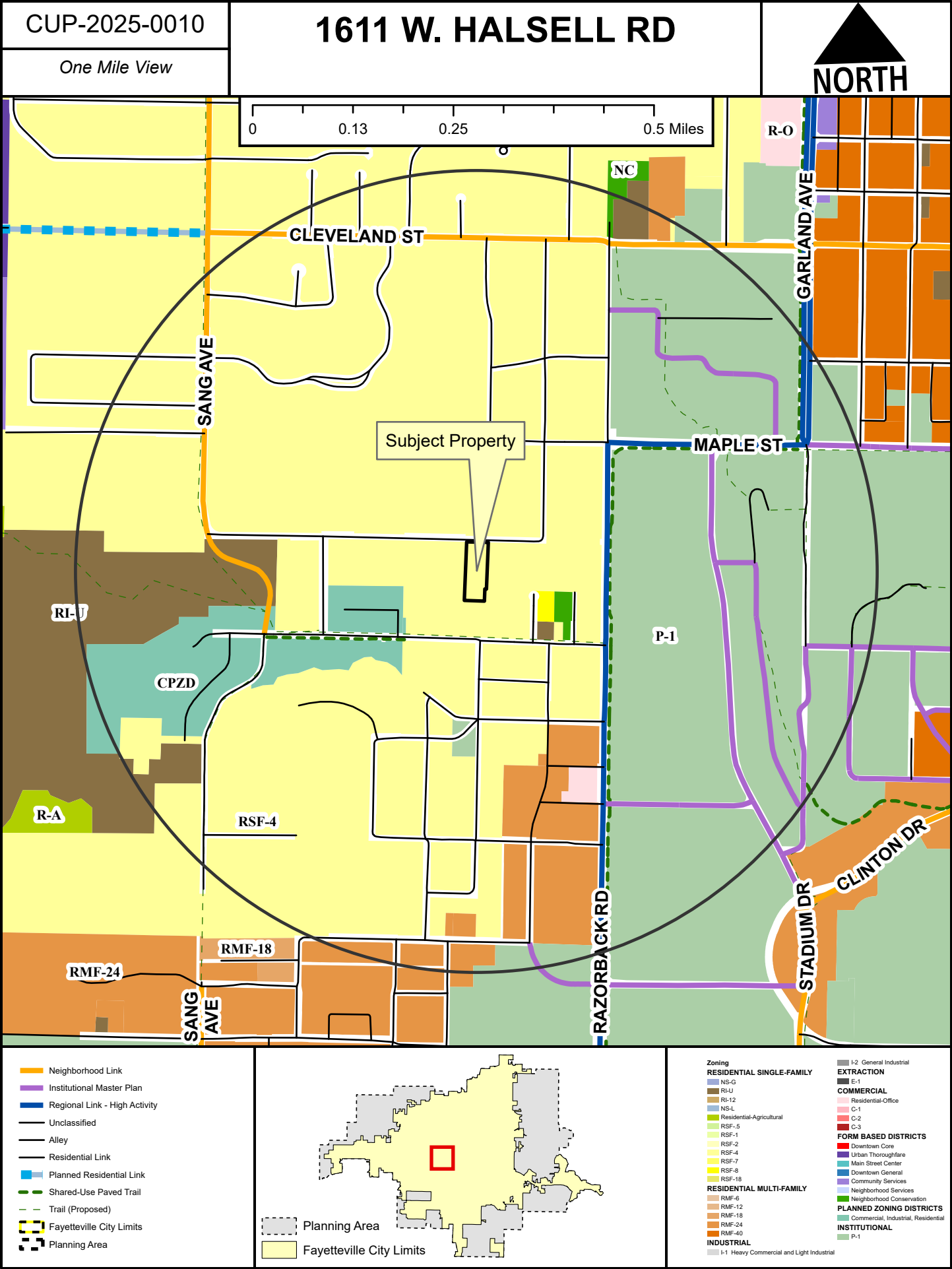
City of Fayetteville,

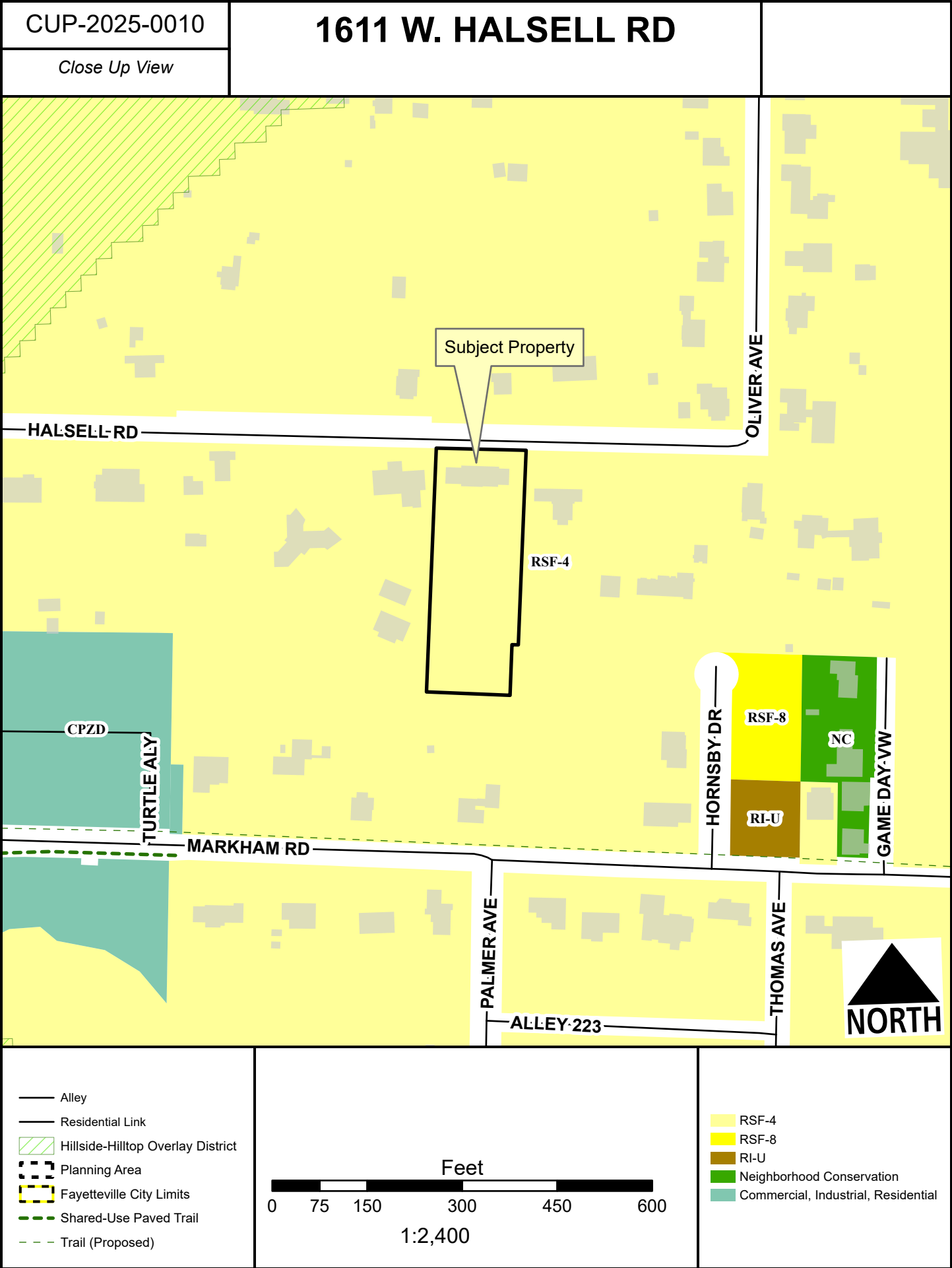
This CUP application is intended to gain allowance to use a residential property, located at 1611 W. Halsell Rd., located in subdivision 17-16-30 Fayetteville outlets, as a short-term rental.

The application is being placed by the owners of the property (Carrington & Voise, LLC). The deed is attached to the application for reference. The home is a 3 bed, 2 bath, 1757 square foot home on a 1.15 acre lot in the University Heights neighborhood. The home was built in 1956. It is gray and white on all exteriors with a 2 car carport and room for 2 other cars in the driveway, totaling 4 off-street parking spaces. Lighting is similar to surrounding homes within the neighborhood. The home does have a pool in the backyard and the backyard is heavily wooded, providing privacy and adequate noise buffering. Trash detail is the same as all other homes within the neighborhood. No traffic impacts are expected with this rental. The compatibility of this rental within the neighborhood is not expected to be out of normal expectations outside of any other residence. Anticipated renters would be small families of 2-6 looking for a weekend to a weeklong vacation in the Fayetteville area, or a small group of 2-8 people in town to enjoy Razorback athletics. This rental would not allow loud noise or other events to be planned on the premises.

Thank you in advance for your consideration of this application,

Hunter Carrington and Nathan Voise





CUP-2025-0010

1611 W. HALSELL RD

Current Land Use



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



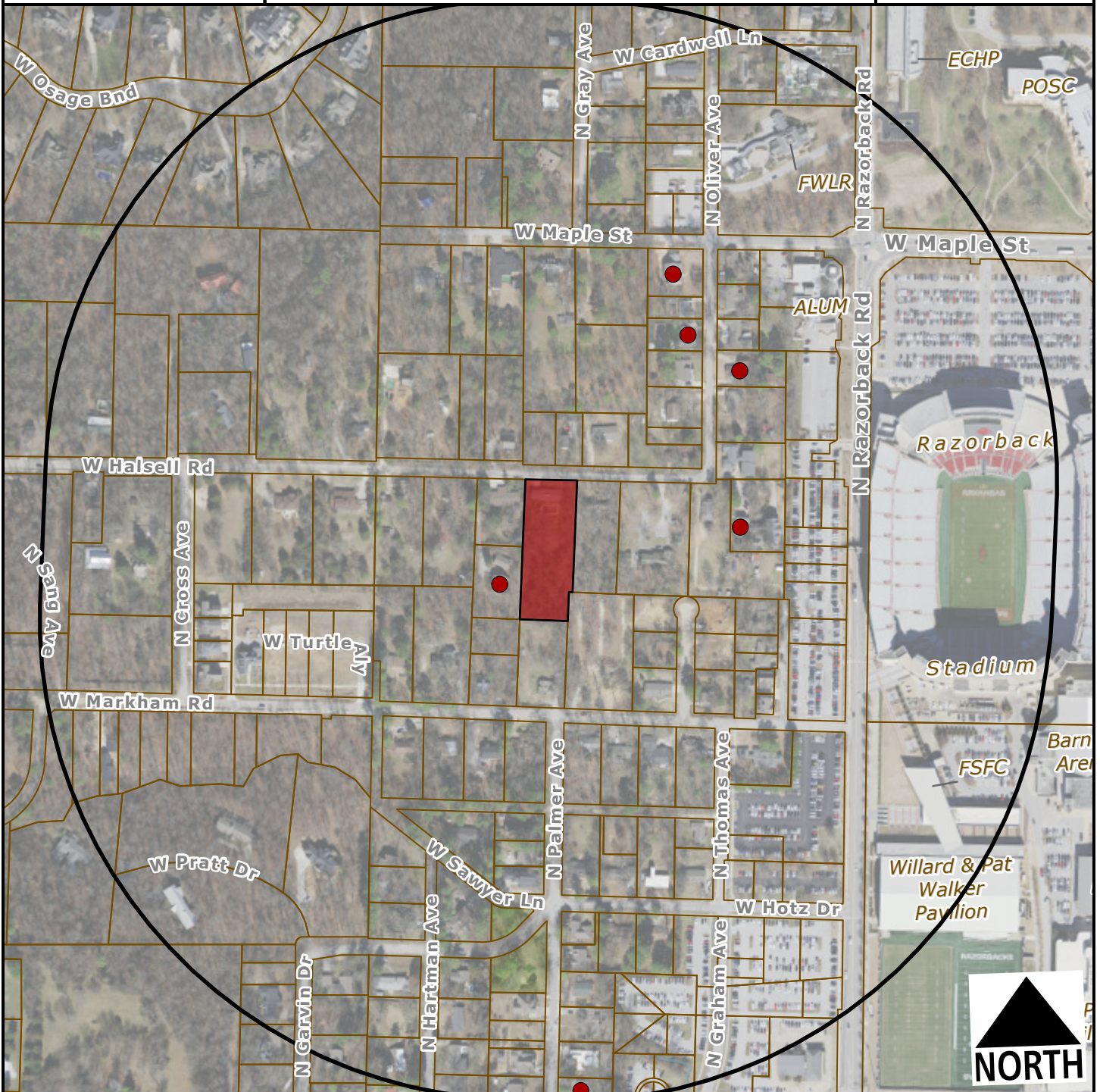
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CUP-2025-0010

1611 W. HALSELL RD

STRs Within 1/4 Mile



-  Subject Property
-  Short Term Rental, Type 2



Within 1/4 Mile

Type 2 STRs: 6

Occupiable
Residential
Addresses
(Estimated
Housing Units): 126



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Donna Wonsower, Planner
Willia Thomason, Urban Forester

MEETING DATE: March 10, 2025

SUBJECT: **VAR-2025-0009: Planning Commission Variance (903 W NORTH ST/STORER TOWNHOMES, 444):** Submitted by BATES & ASSOCIATES for property located at 903 W. NORTH ST. The property is zoned R-O, RESIDENTIAL OFFICE and RMF-40, RESIDENTIAL MULTIFAMILY, 40 UNITS PER ACRE and contains approximately 0.50 acres. The request is for a variance to pedestrian connectivity, perimeter landscaping, and access management standards.

RECOMMENDATION:

Staff recommends approval of **VAR-2025-0009**, with conditions.

RECOMMENDED MOTION:

*"I move to approve **VAR-2025-0009** determining:*

- In favor of the requested variance to UDC §166.08(F), Access Management;*
- In favor of the requested variance to UDC §166.23(C)(4)(A), Pedestrian Connectivity;*
- In favor of the requested variance to UDC §177.04(D)(1), Perimeter Landscaping;*
- In favor of the requested variance to UDC §177.04(D)(2)(f), Perimeter Planting Location;*
- In favor of all other conditions recommended by staff."*

BACKGROUND:

The subject area is in central Fayetteville at the intersection of W. North Street and N. Storer Avenue. It contains 0.50 acres over six parcels and is zoned R-O, Residential Office and RMF-40, Residential Multifamily, Forty Units per Acre. The property is developed with a 1700 sq. ft. vacant structure that County records indicate was used as a veterinary hospital, but which is currently vacant. 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. There is also significant tree canopy on the undeveloped portions of the site. A site improvement plan for a ten-unit townhome development which includes a larger 0.50-acre subject area is currently under review (SIP-2024-0008) and an associated right-of-way vacation request was approved by City Council on February 18, 2025 (VAC-2024-0027). A rezoning to change the R-O portion to RMF-40 was also forwarded to the City Council with a recommendation of approval on February 24, 2025 (RZN-2025-0001). Surrounding land uses and zoning are listed 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

Request: The applicant is requesting four variances to the unified development code in conjunction with the development of a ten-unit townhome development with associated parking.

DISCUSSION:

Variance #1: §166.08(F), Access Management. Property that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification, e.g., residential and neighborhood links. In a case where the streets have the same classification, access shall be from the lower volume street, or as determined by the City Engineer. The applicant is requesting a 23-foot-wide drive aisle into the development that accesses both N. Storer Ave. and N. Oakland Ave., both Residential Link streets. Since access is proposed to multiple streets, a variance is required.

Staff recommendation: Staff recommends in favor of the request. A large portion of existing right-of-way was vacated along W. North St. and N. Oakland Ave. with a condition of approval that an access easement be dedicated from the remaining right-of-way on North St to N. Oakland Ave. Staff finds that providing two points of connection to the adjacent street network could help mitigate the potential traffic impacts to one individual street. Further the provision of multiple routes meets the intent of City Plan 2040 Goal #3 to “Make compact, complete, and connected development the standard.”. Staff finds that proposal meets the intent of the access management ordinance and recommends no added conditions.

Variance #2: §166.23(C)(4)(A), Ground floor dwelling units adjacent to a public street shall have a primary pedestrian entry that is visible from the street. This entry shall connect unobstructed to the public sidewalk where sidewalk exists in a manner to allow occupants to access from the interior of the structure to the city sidewalk. The connection shall match the sidewalk in material type and shall be at least 3 feet in width unless otherwise approved by the Zoning and Development Administrator in writing. The entry may be gated and shared but must occur at a spacing of no fewer than one (1) entrance for every two (2) street level dwellings. The pedestrian connection to the street may run from the door along the façade of the building parallel to the street for a maximum of 12 feet from the door before connecting directly to the public sidewalk. The applicant is requesting to provide one shared pedestrian connection for the proposed ten-unit townhome development where a minimum of five shared connections or ten individual connections would be required by code.

Staff recommendation: Staff supports the request with added conditions. Chapter 167 requires tree preservation minimums of 20% within the RMF-40 zoning district. To meet this, the applicant proposes to preserve trees within the westernmost parcel, as well as between the western six units and the public right-of-way. Staff finds that the preservation of these trees within the right-of-way both act as large, mature street trees and serve to stabilize a steep bank, and that the provision of direct connections to the public right-of-way for these six units would negatively impact the root zones of these trees.

The four easternmost units have lesser slopes and are not encumbered by tree preservation. As such, staff recommends that a direct pedestrian connection be provided to the sidewalk to be roughly shared between units 3 and 4 as shown on the attached staff exhibit, with units 1 and 2 sharing a connection to sidewalk along N. Storer Ave as shown on the plans.

Variance #3: §177.04(D)(1), All parking lots shall have 5 feet of landscaped area between the property line and parking lot. The applicant is requesting a reduced green space of approximately 4 feet along the southern portion of the parking lot, with no landscape area provided at the northeast corner of the driveway intersection with N. Oakland Ave.

Staff recommendation: Staff recommends in favor of the request, finding that the site is long and narrow and is further encumbered by steep topography as well as tree preservation along the northern property line that substantially limits how the site may be developed. The applicant is proposing multiple retaining walls ranging from one to nearly nine-feet tall throughout the site to manage the steep slopes with multiple retaining walls located within what would be the required landscape buffer. Staff recommends no added conditions.

Variance #4: §177.04(D)(2)(f), Perimeter Planting Location. Parking lots containing five (5) or more spaces shall be screened from the public right-of-way and adjacent properties, where said parking areas are adjacent to residential zones, with shrubs and/or graded berms. If graded berms are used, shrubs are also required. The applicant is requesting not to install required shrub screening adjacent to the proposed parking lot.

Staff recommendation: Staff recommends in favor of the request with conditions. As the proposed parking lot is located approximately 17 feet above the sidewalk level of W. North Street, staff finds the visual impact of the parked vehicles to the north is likely to be minimal. Additionally, the applicant proposes to preserve trees directly north of the proposed lot. As these trees are substantially lower than the parking lot, their canopy may serve to provide visual screening. The provision of screening shrubs along the northern portion of the parking lot could also negatively impact the site by further impacting the root zones of preserved trees. The southern boundary of the parking lot is much closer in grade to the adjacent residential property and the inclusion of shrubs here would have minimal impact to the edges of two existing trees. As such, staff recommends that shrub screening shall be required on the southern boundary of the proposed parking lot.

Public Comment: Staff has received comments in opposition to the overall development, indicating an opposition to the added density that would be brought to this area with this development. The applicant is meeting density and zoning requirements as allowable under RMF-40, Residential Multifamily, Forty Units per Acre.

RECOMMENDATION: Staff recommends Planning Commission approve VAR-2025-0009, with the following conditions

Conditions of Approval:

- 1. Planning Commission determination of a variance to UDC §166.08(F), Access Management.** *Staff recommends in favor of the variance for the reasons stated above with no additional conditions.*
- 2. Planning Commission determination of a variance to UDC §166.23(C)(4)(a), which requires that ground floor dwelling units must connect to the public sidewalk, and may run parallel to the building for a maximum of 12 feet from the door before**

connecting directly to the sidewalk. *Staff recommends in favor of the variance for the reasons stated above, with added conditions.*

- a. *Applicant must provide direct pedestrian connection to public sidewalk roughly between units 3 and 4 as shown on the attached staff exhibit.*

3. **Planning Commission determination of a variance to UDC §177.04(D)(1), All parking lots shall have 5 feet of landscaped area between the property line and parking lot.** *Staff recommends approval of this variance for the reasons stated above with no added conditions.*

4. **Planning Commission determination of a variance to §177.04(D)(2)(f), Perimeter Planting Location.** *Staff recommends approval of this variance for the reasons stated above, with the following conditions.*

- a. *Shrub screening shall be required on the southern boundary of the proposed parking lot as shown in the plans*

5. Approval of this item does not constitute approval of the associated site improvement plan. Review and approval of the site improvement plan shall be required in accordance with city code.

Planning Commission Action:	☐ Approved	☐ Tabled	☐ Denied
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Meeting Date: <u>March 10, 2025</u>
--

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code:
 - §166.08 Street Design and Access Management Standards
 - §166.23 Urban Residential Design Standards
 - §177.04 Site Development and Parking Lot Landscape Standards
- Urban Forestry Memo
- Exhibit: Staff Recommended Conditions
- Applicant Exhibits
 - Applicant Request Letter
 - Site Plans
 - Building Elevations
- One Mile Map
- Close-Up Map
- Current Land Use Map

166.08 Street Design and Access Management Standards

- (A) *Intent.* These standards are intended to ensure that development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movements.
- (B) *Fitness for Development.* Based on topographic maps, soil surveys prepared by the Department of Agriculture and drainage information from the Future Land Use Plan and the Hillside/Hilltop Overlay District, the Planning Commission may require that steep grades, unstable soil and flood plains be set aside and not subdivided until corrections are made to protect life, health, and property.
- (C) *Applicability.* The standards set forth herein shall apply to land which is proposed to be developed with new primary structures and all other developments where the creation of public streets are required, or proposed, or in which new or existing access is created or modified; or developments or expansions containing non-conforming access features which meet the thresholds set forth in subsection (G).
- (D) *Street Design Principles.*
- (1) *Extensions.* All street extensions shall be constructed to minimum street standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such.
 - (2) *Substandard Widths.* Developments that adjoin existing streets shall dedicate additional right-of-way to meet the Master Street Plan.
 - (3) *Street Names.* Names of streets shall be consistent with natural alignment and extensions of existing streets, and new street names shall not duplicate or be similar to existing street names. Developers shall coordinate the naming of new streets through the GIS Office during the plat review process.
 - (4) *Pedestrian.* Pedestrian-vehicular conflict points should be controlled through signalized intersections and proven traffic calming design principles.
 - (5) *Street Standards.* All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted minimum street standards.
-
- (F) *Access Management.* Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Residential link streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification, e.g., residential and neighborhood links. In a case where the streets have the same classification, access shall be from the lower volume street, or as determined by the City Engineer.

...

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

166.23 Urban Residential Design Standards

(A) *Purposes.*

- (1) To protect and enhance Fayetteville's appearance, identity, and natural and economic vitality.
- (2) To create appealing street scenes so that development enhances the image of the city and provides safe, pedestrian-friendly neighborhood environments.
- (3) To minimize service and parking impacts in order to preserve surrounding property values and scenic resources that contribute to the city's economic development.
- (4) To compose attractive residential facades that enhance the economic viability of and provide compatibility with surrounding property.

(B) *Applicability.* All references to urban residential design standards shall include the following uses as permitted by right or conditional use in all zoning districts:

- (1) Two (2) family dwellings
- (2) Three (3) and four (4) family dwellings
- (3) Multi-family dwellings

...

(4) *Pedestrian Circulation.*

- (a) Ground floor dwelling units adjacent to a public street shall have a primary pedestrian entry that is visible from the street. This entry shall connect unobstructed to the public sidewalk where sidewalk exists in a manner to allow occupants to access from the interior of the structure to the city sidewalk. The connection shall match the sidewalk in material type and shall be at least 3 feet in width unless otherwise approved by the Zoning and Development Administrator in writing. The entry may be gated and shared but must occur at a spacing of no fewer than one (1) entrance for every two (2) street level dwellings. The pedestrian connection to the street may run from the door along the façade of the building parallel to the street for a maximum of 12 feet from the door before connecting directly to the public sidewalk.
- (b) Urban residential projects shall incorporate pedestrian connections to adjacent residential and commercial properties where sidewalks exist unless this requirement is otherwise waived by the Planning Commission.

....

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

(Ord. No. 5118, 3-18-08; Ord. No. 5262, 8-4-09; Ord. No. 5679, 4-15-14; Ord. No. 6170, §1, 4-2-19; Ord. No. 6357, §§1, 2, 9-15-20; Ord. No. 6508, §1, 11-16-21; Ord. No. 6658, §10, 5-2-23; Ord. No. 6773, § 11, 7-16-24)

177.04 Site Development and Parking Lot Landscape Standards

- (A) *Applicability.* A detailed landscape plan is required to be submitted for all development when either new development or expansion of 25% of the existing building square footage occurs and for all new or expanded parking lots containing five (5) or more spaces. Landscape plans shall be submitted with the application for building permit or parking lot permit. Submittals shall conform to the standards established within this chapter.

...

- (D) *Perimeter Landscaping Requirement.* Proposed development shall be landscaped meeting the following requirements:

(1) *Side and Rear Property Lines.* All parking lots shall have 5 feet of landscaped area between the property line and parking lot. The 2-foot vehicle overhang option may be included to meet this requirement. Depending on the use and location, additional landscaped area and screening may be required along property lines. Where parking lots are located adjacent to a public alley, greenspace is not required between the parking lot and the alley. A shared driveway or parking lot drive aisle within a platted access easement may encroach fully within the required greenspace along the side or rear property lines.

(2) *Property Lines Adjoining Street Right-of-Way.*

- (a) *Landscape Area Required.* A 15-foot wide landscaped area shall be provided along the front property line exclusive of and adjacent to the Master Street Plan right-of-way. Points of access (entrance drives, exit drives) and sidewalks are allowed to cross the 15-foot landscaped area provided the integrity of the landscaped area is maintained.
- (b) *Urban Zoning Districts.* Zoning districts that prescribe urban building form (e.g., a build-to zone) permitting front setbacks of less than 15 feet may be permitted to eliminate the greenspace between the principal façade of a building and the Master Street Plan right-of-way and instead provide pedestrian oriented elements as referenced in 166.24(E).
- (c) *Residential Zones.* Except for permitted entrance drives, every development shall be landscaped for an equal and uniform width of 15 feet parallel to the front property line(s) street right-of-way. Single and two-family residential uses shall be exempt from this requirement.
- (d) *Nonresidential Zones.* Except for permitted entrance drives, every development shall be landscaped for an equal and uniform width of 15 feet parallel to the front property line(s) street right-of-way.
- (e) *Shade.* All tree planting locations shall attempt to achieve shade for parking lots, cars, benches, pedestrian walkways, etc., by utilizing aspect and locating trees along the south and west boundary of these areas.
- (f) *Screening.* Parking lots containing five (5) or more spaces shall be screened from the public right-of-way and adjacent properties, where said parking areas are adjacent to residential zones, with shrubs and/or graded berms. If graded berms are used, shrubs are also required.
- (g) *Perimeter Planting Location.* Street trees shall be installed in the location identified under the street tree planting standards described herein, all other plantings noted herein shall be installed within the required landscape area. Subject to approval by the Urban Forester, required shrubs may be planted within the right-of-way or outside the required landscape area parallel to the street right-of-way only in extenuating circumstances.

...

(4) *Shrub Screening.* Parking lots that require screening shall have shrubs that are spaced so as to create a seamless row of hedging. A minimum of 50% of the shrubs shall be evergreen. Shrub size at the time of planting shall be in a minimum of 3-gallon containers with an expected height of three feet or more within two (2) years of planting.

- (5) *Perennial Groundcover.* All landscaped areas shall be vegetated or re-vegetated with appropriate perennial groundcover. Prior to the issuance of a certificate of occupancy, all bare soil shall be adequately covered.

(Ord. No. 4917, 9-05-06; Ord. No. 5312, 4-20-10; Ord. No. 5337, 8-3-10; Ord. No. 5859, §3(Exh. B), 3-15-16; Ord. No. 6090, §1, 9-18-18)



Planning Commission Memo

TO: Fayetteville Planning Commission

THRU: Donna Wonsower, Planner

FROM: Willa Thomason, Urban Forester

MEETING DATE: March 10, 2025

SUBJECT: **VAR-2025-0009: 903 W. NORTH ST** - Submitted by BATES & ASSOCIATES for property located at 903 W. NORTH ST. The property is zoned R-O, RESIDENTIAL-OFFICE and contains approximately 0.11 acres. The request is for a variance to building design standards. PP 444

RECOMMENDATION: Urban Forestry Staff recommends approval of VAR-2025-0009, a variance to two subsections of UDC §177.04(D). The first variance is to UDC §177.04(D)(1), Site Development and Parking Lot Landscaping Standards – Perimeter Landscaping Requirement. The applicant is proposing to locate the parking lot and associated drives less than five feet from the southern property line. According to the applicant, the shape of the parcel, build-to-zone, topography, and existing vegetation to be preserved preclude changes to the building design and placement of the drives which would allow for the required screening. The second variance is to UDC §177.04(D)(2)(f), Site Development and Parking Lot Landscaping Standards – Screening. The applicant is proposing the installation of a retaining wall on the south side of the drive opposite an existing retaining wall to the north in lieu of the required shrub screen. The adjacent properties sit at a significantly higher elevation than the project site, and will not be negatively impacted by the lack of shrub screening.



March 5th, 2025

City of Fayetteville
125 West Mountain Street
Fayetteville, AR 72701

RE: Storer Townhomes

To whom it may concern,

We would like to request a variance from the Unified Development Code 177.04(D)(1), Site Development and Parking Lot Landscaping Standards – Perimeter Landscaping Requirement. Currently, we are proposing the parking lot and associated drives to be 2.37 feet or more from the southern property line. The shape of the parcel, build to zone, slope of the lot, and preservation of existing vegetation prohibits the maneuverability of the proposed building which also restricts the placement of the drives in relation to the adjacent lots. This development intends to screen the parking as much as possible while also maintaining the integrity of the overall infrastructure.

Additionally, we would like to request another variance from the Unified Development Code 177.04(D)(2)(f), Site Development and Parking Lot Landscaping Standards – Property Lines Adjoining Street Right-of-Way. Due to the proposed parking lot and associated drives being less than 5 feet away from the adjacent property lines, we are proposing a retaining wall to be on one side of the drive to reduce the impact near adjacent properties. We are proposing a 1ft-3ft wall on the SW corner of the parking lot, 1ft-6ft along the southern property line, and a 1.5ft-8.67ft wall on the northern side of the property. The shrubbery or greenery if it were placed, would not affect the adjacent properties due to the elevation of the surrounding properties being significantly higher than the project site. We are proposing to reduce the impact on the existing site and by preserving as much landscaping as possible.

We would also like to request a variance from the Unified Development Code 166.23(C)(4)(A), Urban Residential Design Standards – Pedestrian Circulation. This code requires any ground floor dwelling units adjacent to a public street to have a primary pedestrian entrance. Due to the existing grade of the site and our request for a fee in lieu of street improvements on North Street. We are unable to provide a connection to North Street, however we are able to provide a connection to Storer Avenue. The grade change on this site is significant, thus the proposed 8.67ft tall retaining wall on the north side of the property. The grade change from North Street to the sites driveway entrance is 7ft then continuing west the site increases in elevation to a difference of 22ft from North street.

Finally, we would like to request a variance from the Unified Development Code 166.08(F), Urban Residential Design Standards - Access Management. The code requires that any property that fronts onto more than 1 public street shall place a higher priority on accessing the street with the lowest functional classification. We are proposing connections to Storer Avenue and Oakland avenue due to the existing terrain being difficult to tie a road into. The existing size of the lot does not allow for a two way street with a turn around area on the east side. By proposing both connections we can place the drives up to the building.

Thank you for your consideration in the matter and if you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely

A handwritten signature in black ink that reads "Addie Manzi". The signature is written in a cursive, flowing style.

Addie Manzi, E.I.

Project Engineer

Bates & Associates, Inc

811

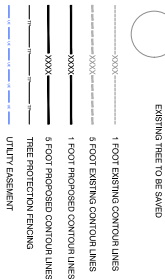


PLANT SCHEDULE						
SYMBOL	CODE	BOTANICAL COMMON NAME	CANINES	ROOT	HEIGHT	QTY
THREES 	NO	Quercus rubra / Red Oak	2' Cal.	Bulb or Cont.	6' max.	8
SYMBOL	CODE	BOTANICAL COMMON NAME	SILE	CONTAINER	SPACING	QTY
SHRUBS 	IS	Ice-cream-plant / Scilla sibirica	3 gal.	Cont.	36" o.c.	13
	JS	Jupiter vine / Blue Arrow	5 gal.	Cont.	36" o.c.	23
SYMBOL	CODE	BOTANICAL COMMON NAME				QTY
GRASSING COVERS 	CT	Opuntia monstosa 'Ta-asi' / Bermuda Grass				4,387 sq'

CITY OF FAYETTEVILLE LANDSCAPE NOTES

- [illegible]

LEGEND



SOIL TYPES

ALL SOILS ARE END-ENDERS GRAVELLY LOAM, 8 TO 15 PERCENT SLOPES

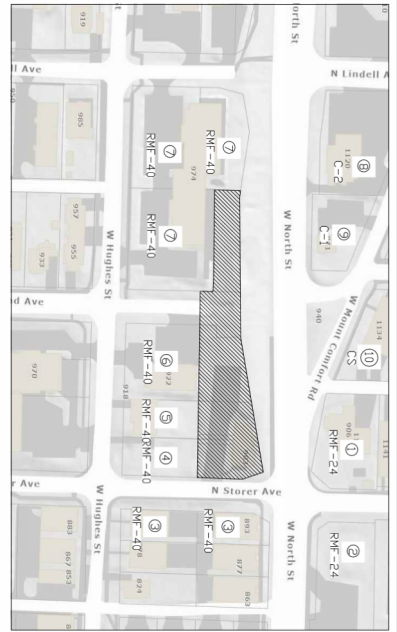
Street Tree Requirements

Street Tree Requirements	
Linear Feet minus driveways	Required Trees
420	1

STORER AVE	
Street Tree Requirements	
Linear Feet minus driveways	Required Trees
113	1

NOTES:

1. DENY/NU WILL BE UNDERGROUND. DENY/NU TREES OR SHRUBS ARE REQUIRED FOR THIS PROJECT.
2. TREE CANOPY MEETS CITY OF FAYETTEVILLE MINIMUM REQUIREMENTS. NO TREE MATEDATIONS NOT REQUIRED FOR THIS PROJECT.
3. ALL MATERIAL STORAGE AND PARKING WILL BE OFF SITE.
4. EXISTING TREES ALONG NORTH STREET ARE BEING COUNTED TOWARD STREET TREE TOTALS.



THE PROPOSED UTILITIES SHOWN HAVE BEEN LOCATED FROM SURVEY INFORMATION AND FIELD EXAMINATIONS. THE SURVEYOR MAKES NO GUARANTEE THAT THE INFORMATION IS COMPLETELY ACCURATE. THE SURVEYOR DOES NOT WARRANT THAT THE SHOWN UTILITIES ARE NOT PRESENTLY LOCATED IN THE PROPOSED DEVELOPMENT.

THE PROPOSED UTILITIES SHOWN HAVE BEEN LOCATED FROM SURVEY INFORMATION AND FIELD EXAMINATIONS. THE SURVEYOR MAKES NO GUARANTEE THAT THE INFORMATION IS COMPLETELY ACCURATE. THE SURVEYOR DOES NOT WARRANT THAT THE SHOWN UTILITIES ARE NOT PRESENTLY LOCATED IN THE PROPOSED DEVELOPMENT.

REVISIONS

NO.	DATE	DESCRIPTION
1ST SUBMITTAL	10/16/24	SITE PLAN SUBMITTAL
2ND SUBMITTAL	11/15/25	
3RD SUBMITTAL	3/03/25	

DATE: 3/03/25

REVISIONS: 1ST SUBMITTAL - SITE PLAN SUBMITTAL



PROJECT NO. 24-251

BATES
Engineers - Surveyors
7230 S Pleasant Ridge Dr / Fayetteville, AR 72704
PH: (479) 442-9350 / batesnwa.com

STORER TOWNHOMES
LARGE SCALE DEVELOPMENT PLAN
EXISTING SITE & DEMO PLAN
OVERALL SITE
FAYETTEVILLE, ARKANSAS

REVISIONS

1ST SUBMITTAL - SITE PLAN SUBMITTAL

DRAWN BY: MW

ENGINEER: GB

3/03/25
PLANNING COMMISSION
March 10, 2025
Page 13 of 23

VAR-2025-0009 (STORER TOWNHOMES)

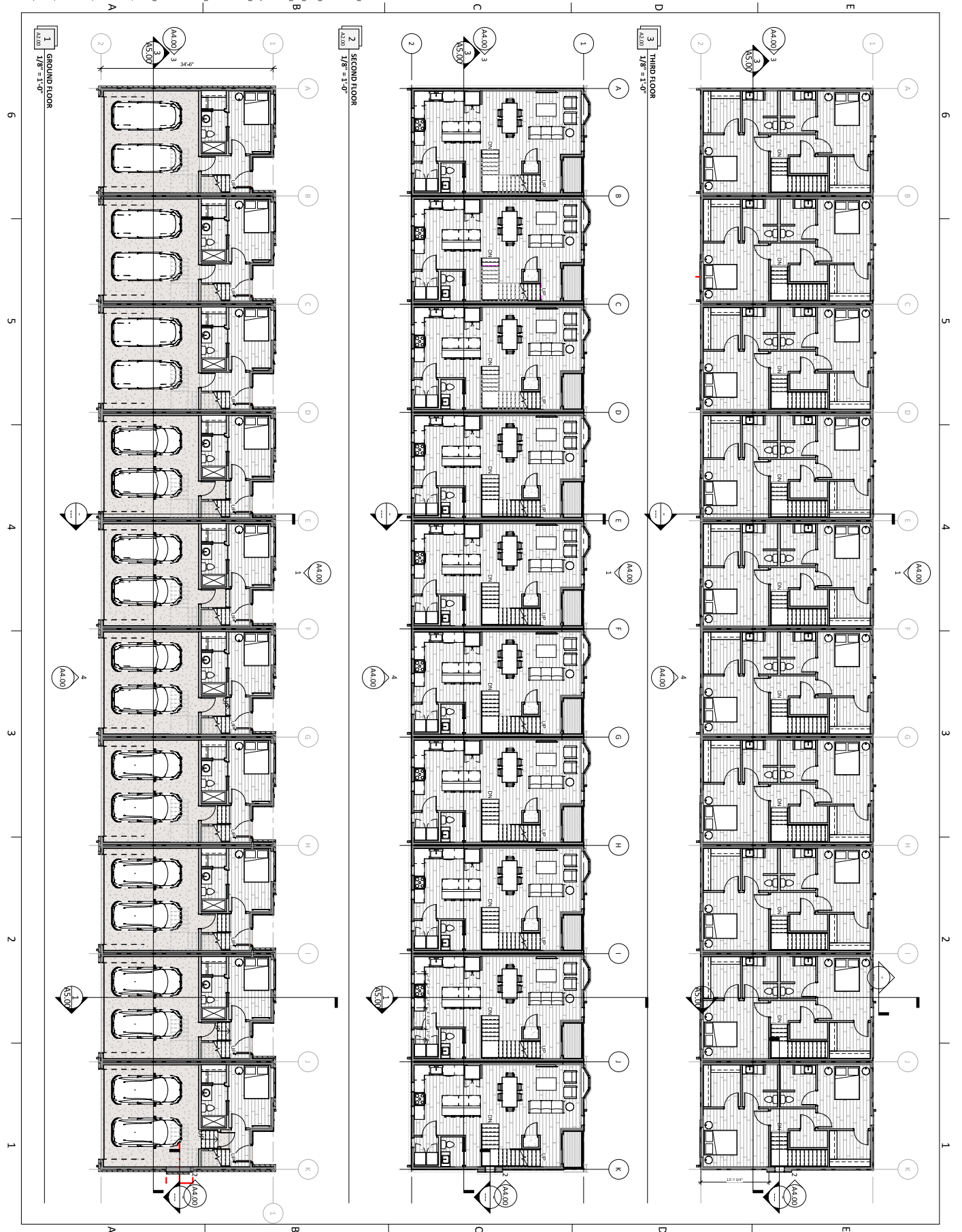


ENGINEER: G8

DATE _____

10/16/24
12/11/24

CAUTION NOTICE TO CONTRACTORS
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO EXCAVATION TO PREVENT EXACT FIELD LOCATIONS OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.



NOT FOR CONSTRUCTION

W NORTH TOWNHOMES

W NORTH ST & N STORER AVE
FAYETTEVILLE, AR 72701

VAR-2025-0009 (STORER TOWNHOMES)

Planning Commission
March 10, 2025

Page 19 of 23

pu

203 S. 7TH STREET, SUITE 200
BIRMINGHAM, AL 35202
TEL: 205.379.9959

THE DORIAN GROUP REAL ESTATE

Architect/Engineer: J. L. DORIAN
J. L. DORIAN & ASSOCIATES, P.C.
203 S. 7TH STREET, SUITE 200
BIRMINGHAM, AL 35202
TEL: 205.379.9959

Architect/Engineer: J. L. DORIAN
J. L. DORIAN & ASSOCIATES, P.C.
203 S. 7TH STREET, SUITE 200
BIRMINGHAM, AL 35202
TEL: 205.379.9959

NO. DATE REVISIONS

NO.	DATE	REVISIONS
1	01/13/2025	ISSUED FOR PERMITS

Overall Floor Plans

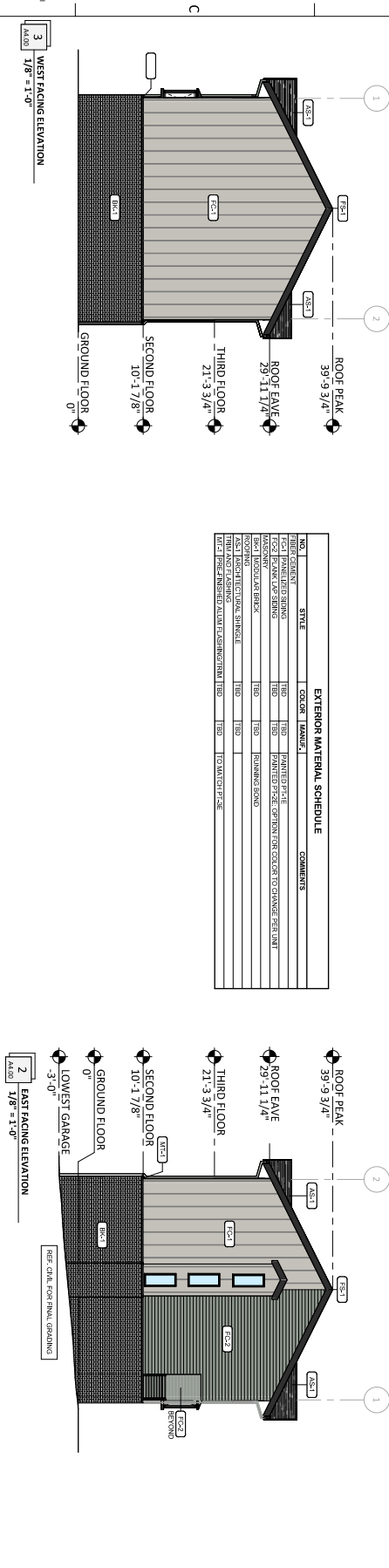
Drawing Size: 24 x 36
Drawn By: J. L. DORIAN
Checked By: J. L. DORIAN
Title: OVERALL FLOOR PLANS

Sheet Number: **A2.00**

Date: 01/13/2025



EXTERIOR MATERIAL SCHEDULE			
NO.	STYLE	COLOR	REMARKS
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NOT FOR CONSTRUCTION

W NORTH TOWNHOMES

W NORTH ST & N STORER AVE
FAYETTEVILLE, AR 72701

Planning Commission
March 10, 2025
VAR-2025-0009 (STORER TOWNHOMES)

pufl
201 S. 5TH STREET, SUITE 200
BIRMINGHAM, AL 35202
TEL: 205.379.9999

THE DORIAN GROUP REALTY

ADDITIONAL NOTES:
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL FINISHES ARE TO BE AS SHOWN ON THE DRAWING.
3. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE APPROVED BY THE ARCHITECT.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
7. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ALL DEBRIS AND WASTE FROM THE SITE.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING THE SITE TO ITS ORIGINAL CONDITION OR BETTER.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.

NO. DATE REVISIONS

1	03/10/25	ISSUED FOR PERMITS
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EXTERIOR ELEVATIONS

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Drawn By: [Signature]
Checked By: [Signature]
Title: [Signature]

Sheet Number: **A4.00**

Date: 03/10/2025

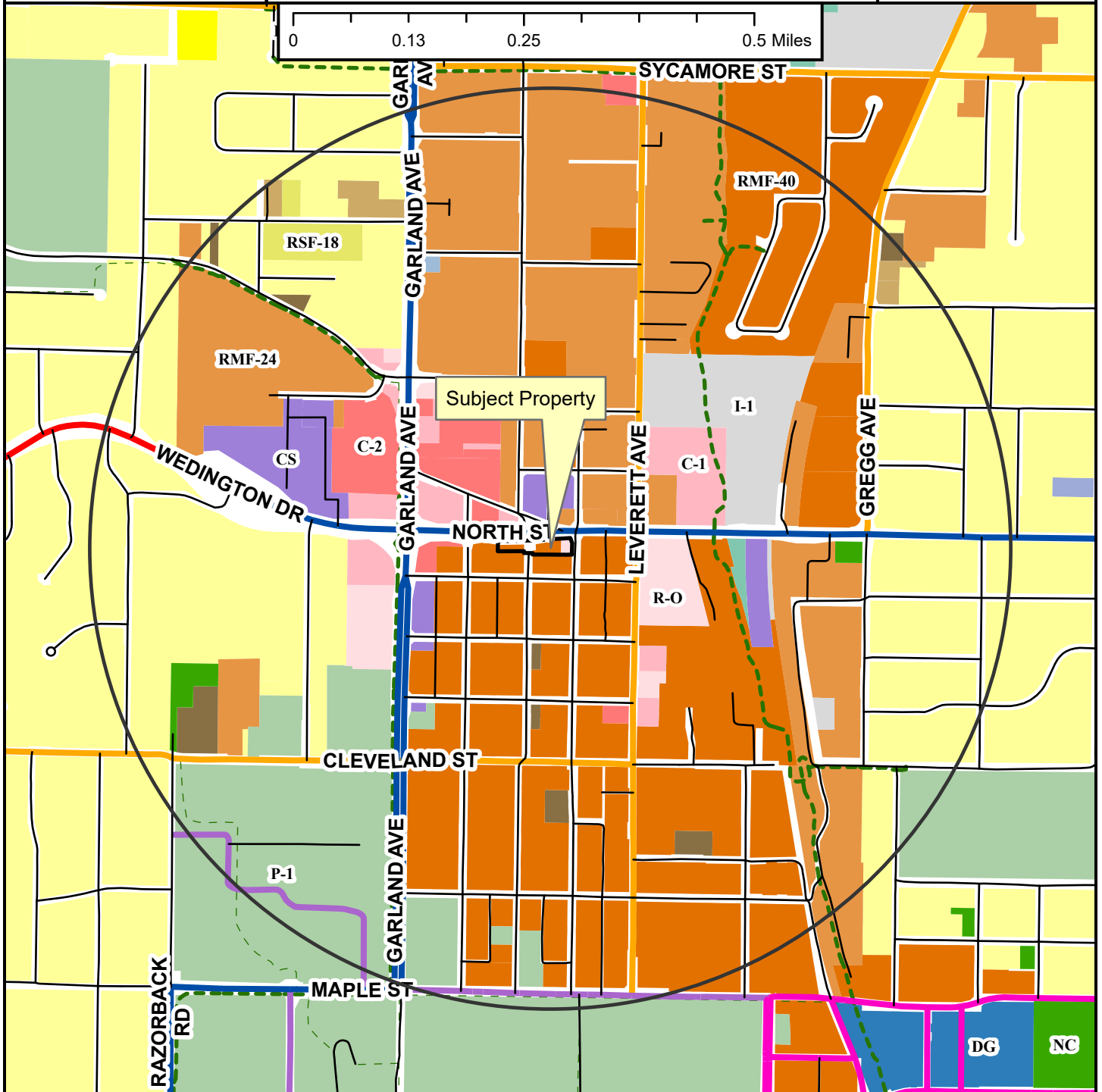
VAR-2025-0009

903 W. NORTH ST

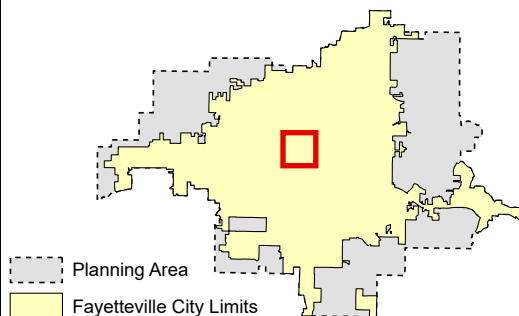
One Mile View



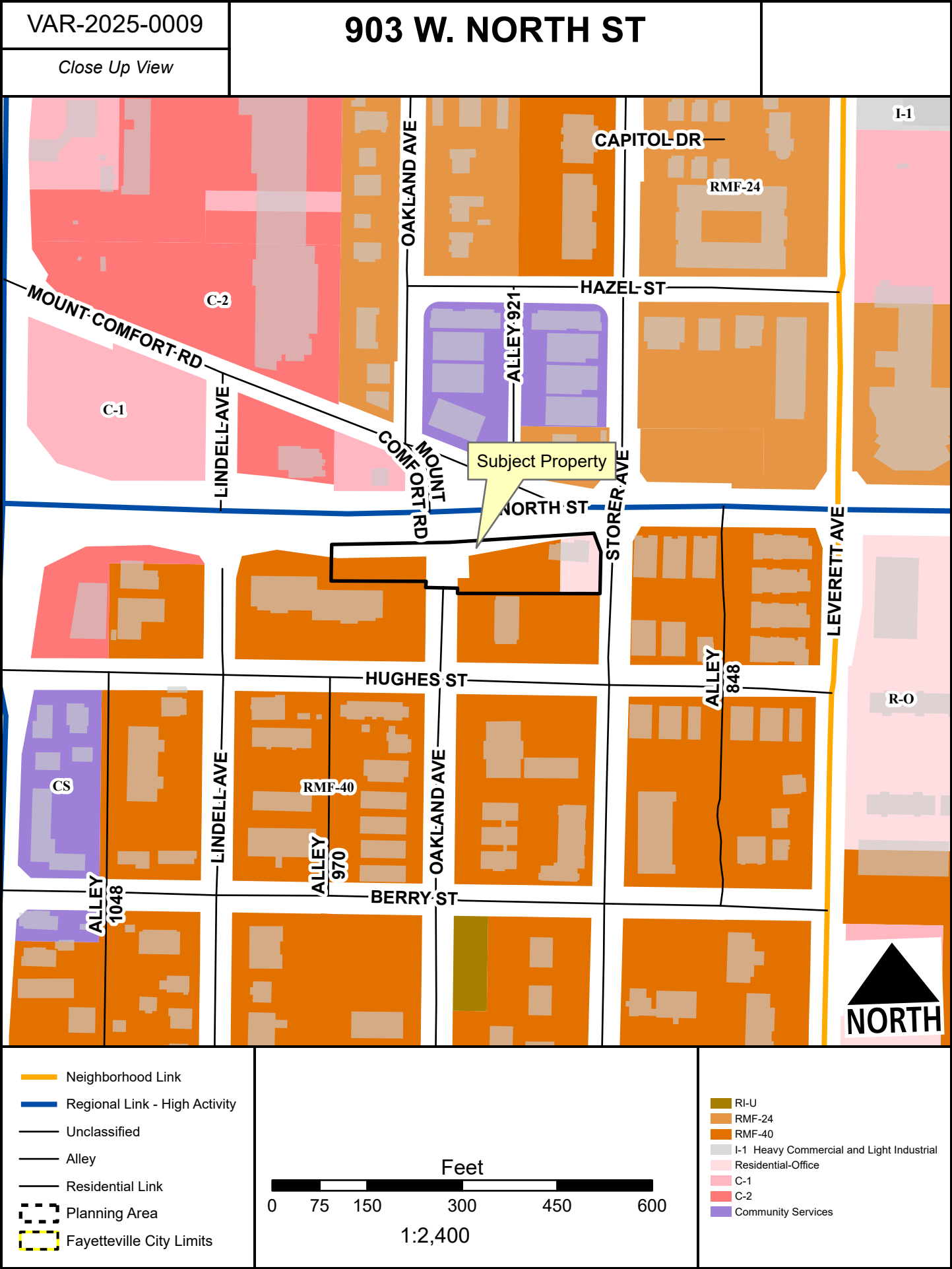
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- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits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



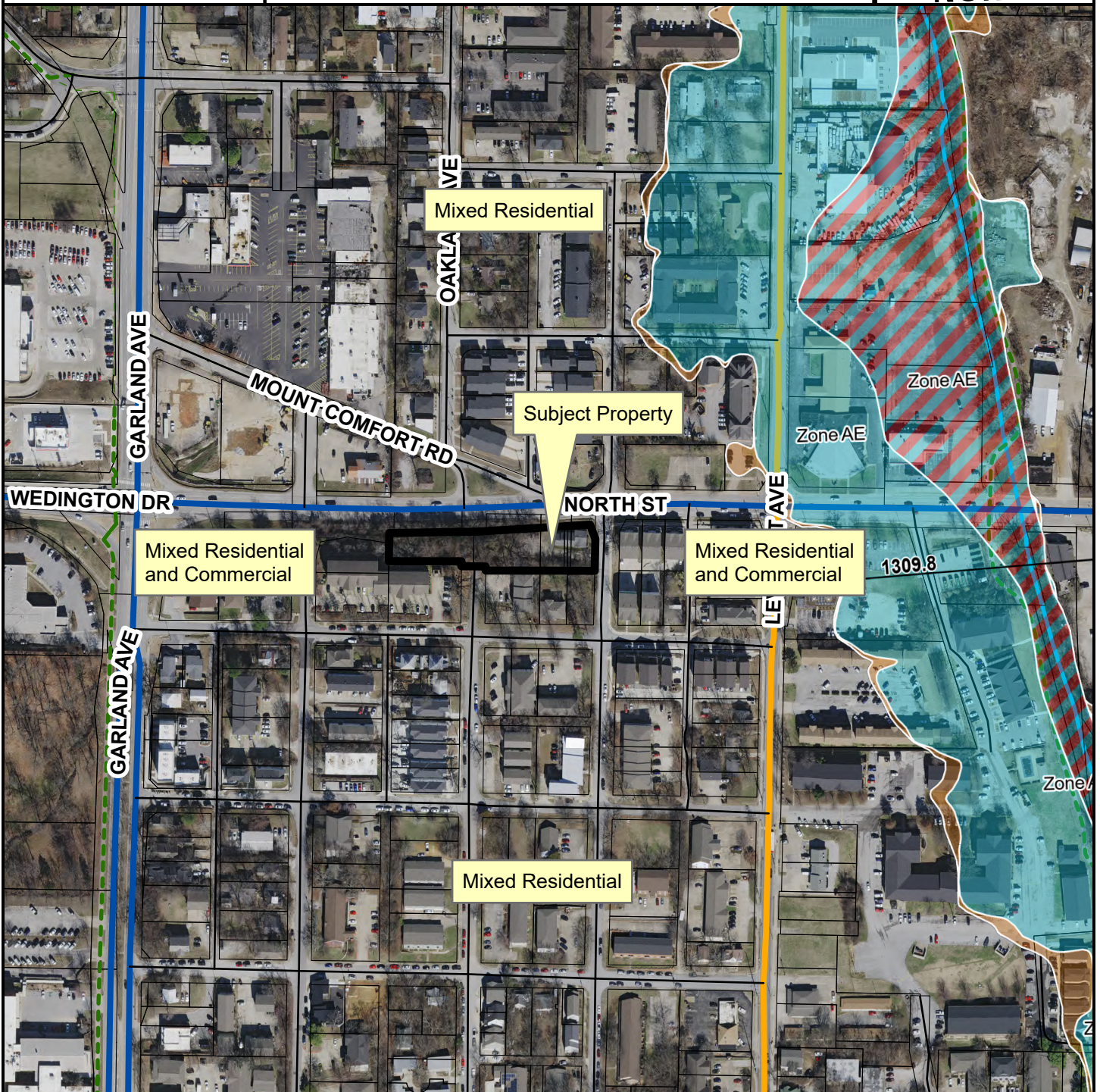
- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
 - RI-U
 - RI-12
 - NS-L
 - Residential-Agricultural
 - RSF-5
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
 - RMF-12
 - RMF-13
 - RMF-24
 - RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
- EXTRACTION**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



VAR-2025-0009

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: City of Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager
Chris Brown, Public Works Director

FROM: Alan Pugh, Staff Engineer

MEETING DATE: March 10, 2025

SUBJECT: **VAR-2025-0010: Planning Commission Variance (2837 N DEANE SOLOMON RD; UNDERWOOD PARK, 246/247):** Submitted by ECOLOGICAL DESIGN GROUP for property located at 2837 N. DEANE SOLOMON RD. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 40 acres. The request is for a variance from the flood damage prevention code.

RECOMMENDATION:

Staff recommends approval of **VAR-2025-0010**, based on the findings contained in this report.

RECOMMENDED MOTION:

*"I move to approve **VAR-2025-0010**, determining:*

- In favor of a variance to UDC §168.10; and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located on the west side of N. Deane Solomon Rd. just south of the intersection with W. Van Ike Dr. and is currently vacant with the exception of natural and paved trails. Clabber Creek flows from east to west through the property. Clabber Creek has an associated Zone AE, base flood elevation determined, floodplain that encompasses a large portion of the property. The creek is further on the list of protected streams as identified in the streamside protection map adopted in 2011 along with the streamside protection ordinance. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Residential	CPZD and RSF-4, see attached project maps
South	Residential	
East	Residential	
West	Residential	

Request: The applicant is requesting a variance from Unified Development Code §168.10, which requires development within the floodplain to show no increase in base flood elevation, channel velocity or flood flows.

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

DISCUSSION:

As noted previously, this property is located partially within the Zone AE floodplain according to FEMA Flood Insurance Rate Map (FIRM) Panel 05143C0205G dated January 25, 2024. The property is currently vacant with the exception of both natural and paved trails. The proposed development includes park features such as playground equipment and basketball courts. The development will also include the creation of water quality wetlands and compensatory floodplain storage. In some instances, the preliminary model shows that these created wetlands appear to be slowing the water slightly which leads to small increase in base flood elevation. While these increases are generally undesirable, the increases are very small, and most are occurring within the park property and would not threaten any structures. This, in general, is in keeping with the spirit of the flood damage prevention code and streamside protection provisions by allowing flood waters to spread out and slow down into open areas where no structure damage is anticipated. While some of these improvements could be shifted further north outside of the floodplain, a buffer area was created due to concerns from neighboring property owners to the north. These concerns along with the extent of the floodplain do create challenges to the development of this property. The only exception would be cross section 15114 which does increase the base flood elevation slightly on property owned by the Northwest Arkansas Land Trust. This property is currently vacant and is anticipated to remain that way in perpetuity due to the ownership and the existence of wetlands on the property. However, Northwest Arkansas Land Trust has been notified of the slight increase, approximately 0.04', on their property.

The preliminary model also shows small channel velocity increases in a few cross sections. These increases are generally less than 1 ft/sec and do not exceed what would be considered erosive velocities. However, one cross section does increase the velocity by almost 2 ft/sec. While this increase still appears to be below erosive velocity, staff intends to work with the applicant to see if that can be reduced. Again, while these are not typically desirable, they do appear to be relatively small increases, remain below erosive velocities and limited to a few cross sections. The study is still being finalized so the exact increases are not listed but are within the limits stated on the applicant's variance request. The applicant is in the process of addressing some minor comments from staff that are not expected to impact the results of the study greatly. Due to all of the factors associated with the project, staff supports the requested variance. It should be noted that future phases of the project are planned to include stream improvements such as removing small impoundments of water that were created with the golf course. These improvements could also impact the flood elevations and velocities and will be evaluated further when proposed.

RECOMMENDATION: Staff recommends approval of **VAR-2025-0010** with the following conditions of approval:

Conditions of Approval:

1. **Planning Commission determination of a variance to UDC §168.10, Flood Damage Prevention Code – Provisions for Flood Hazard Reduction.** *Staff recommend approval of this variance for the reasons stated above.*
2. Any increase in base flood elevation is limited to 0.1' and any increase in velocity is limited to 2 ft/sec.
3. The applicant shall obtain a floodplain permit or review associated with a grading permit.

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date:	<u>March 10, 2025</u>	☐ Tabled	☐ Approved	☐ Denied	
Motion:					
Second:					
Vote:					

FINDINGS OF THE STAFF

Section §156.03 Development Variances: Certain variances of the development regulations may be applied for as follows:

(7) Flood Damage Prevention Code. The Planning Commission shall hear and decide requests for variances from the requirement of this ordinance.

(a) In passing upon such applications, the Planning Commission shall consider all technical evaluations, all relevant factors, and standards specified in other sections of this ordinance.

(b) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed in the National Register of Historic Places, without regard to the procedures identified in the remainder of this ordinance. Variances may only be issued for such repair, or rehabilitation if strict enforcement of the ordinance would preclude the structure's continued designation as a historic structure, and the variance is the minimum necessary to preserve the historic character and design of the structure.

(c) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot ½ acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items listed in [§168.05\(B\)\(4\)](#) have been fully considered. As the lot size increases beyond half acre, the technical justification required for issuing the variance increases.

(d) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(e) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(f) Floodplain variances shall only be issued if:

(i) There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property, which do not apply generally to other property in the same flood zone;

In general, Park Developments are unique in the public benefits that they provide. In many instances, park property is located within the floodplain and does pose many challenges to development.

(ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,

As stated previously, at least portions of the development appear to be in keeping with the flood damage prevention code by allowing flood water to spread and slow down while not negatively impacting surrounding structures per the provided flood model. However, the determination of exceptional hardship is ultimately up to the planning commission.

(iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with the other provisions of the Code of Fayetteville.

The preliminary flood study does show slight increases in the base flood elevation that are limited to the park property and are not anticipated to cause any additional damage to the surrounding properties. While the park improvements could be damaged by a large flood event and need repair, the Parks Division does not anticipate that it would cause “extraordinary public expense” due to the nature of the improvements.

(g) Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the provisions of [§168.05\(B\)\(4\)](#) are considered and that the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

N/A as no FEMA defined structures are being proposed within the floodplain area. A bathroom structure is included but located outside the floodplain.

(h) Upon consideration of the factors in this section, and the purpose of this ordinance, the Planning Commission may impose conditions to the granting of floodplain variances as it deems necessary to further the purpose of this ordinance.

See staff recommended conditions listed above

(i) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the regulatory flood elevation surcharge and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. A copy of the notice shall be recorded by the floodplain administrator in the office of the Washington County Clerk and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

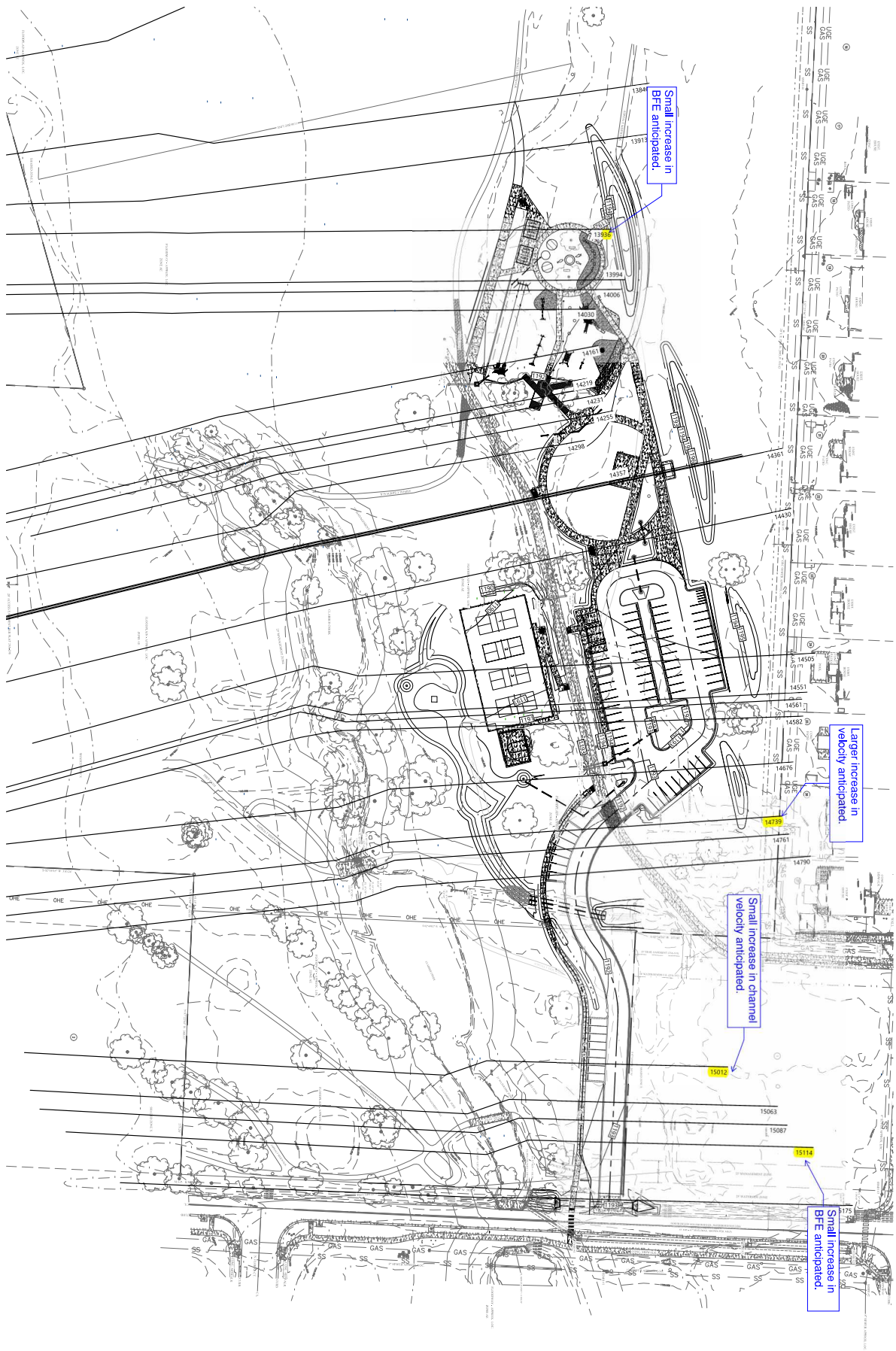
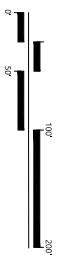
Not applicable

Attachments:

- Applicant Request Letter
- FEMA Floodplain Mapping
- Site Plan
- One Mile Map
- Close Up Map
- Current Land Use Map

1 HECRAS SECTIONS

SCALE: 1" = 50'-0"



UNDERWOOD PARK Fayetteville, Arkansas



Planning Commission
March 10, 2025

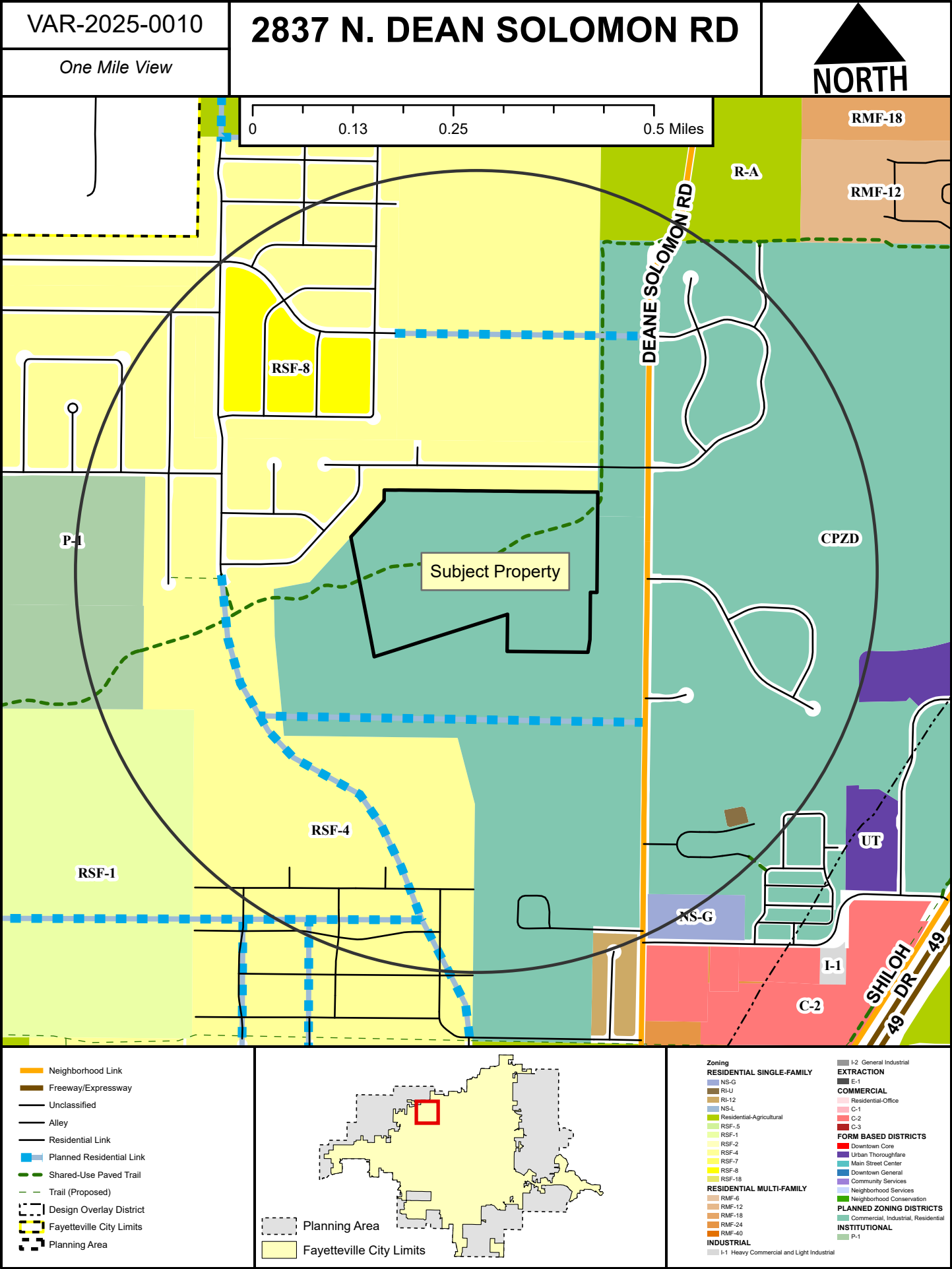
VAR-2025-0010 (UNDERWOOD PARK)

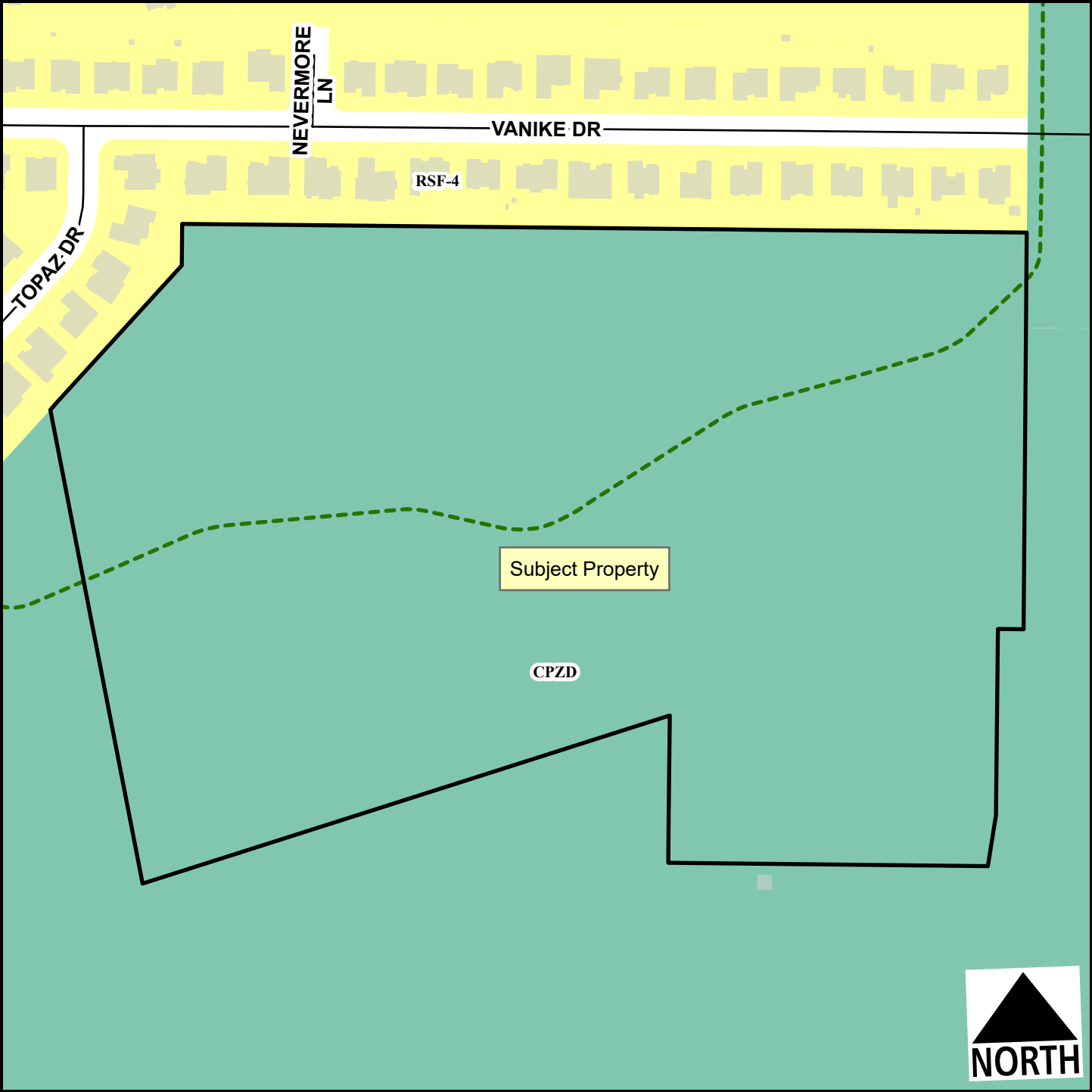
E | D | G

Ecological Design
www.ecologicaldesign.com
PHOTOGRAPH BY
JIMMY L. BROWN

EGG PROJECT NO.	22-045	
DATE	2023.02.10	
REVISIONS		
Mark	Date	Description

TITLE HECRAS SECTIONS
SHEET NO. FLD



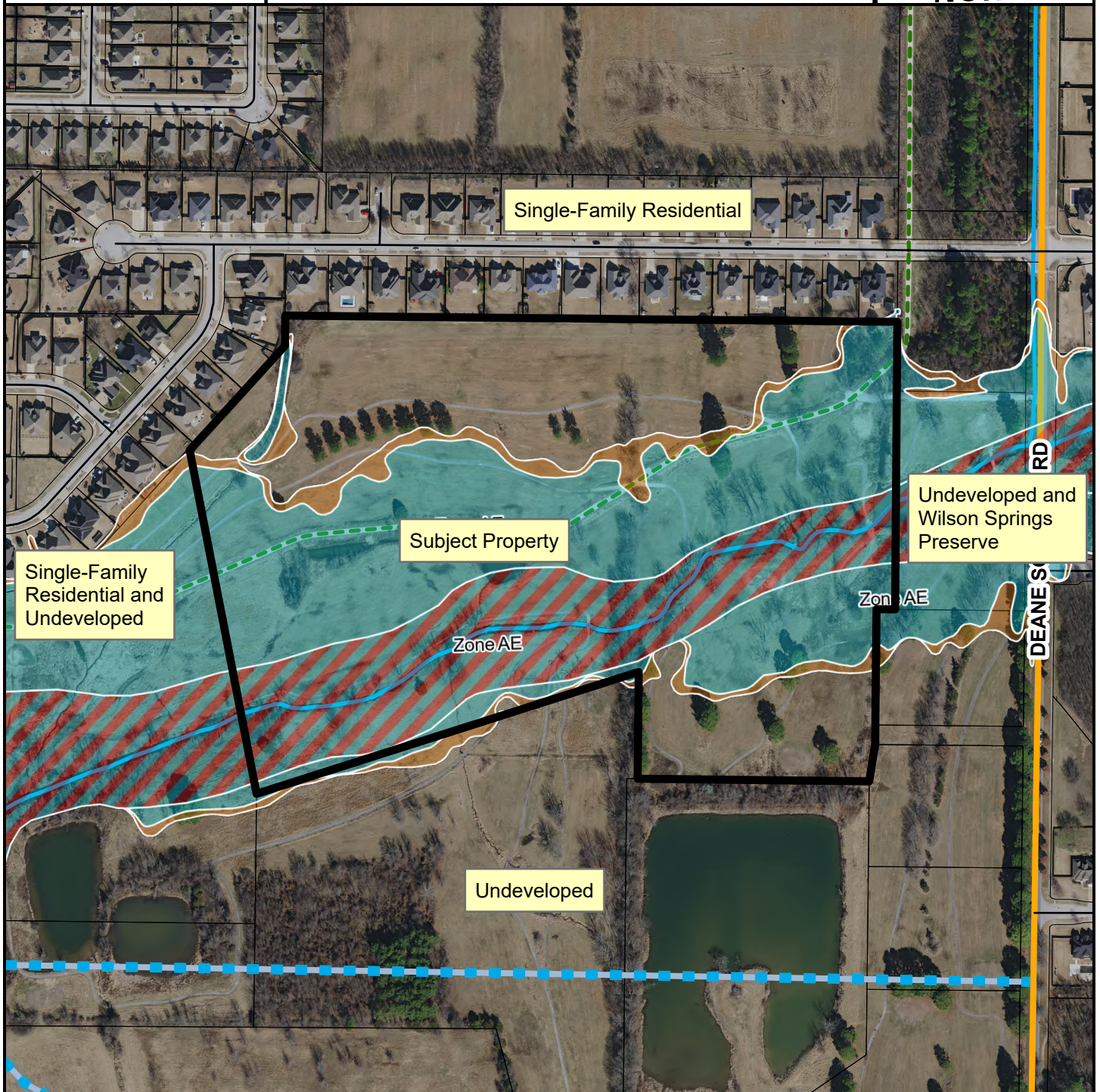


- Residential Link - Planning Area - Fayetteville City Limits - Shared-Use Paved Trail	Feet 0 90 180 360 540 720 1:2,900	- RSF-4 - Commercial, Industrial, Residential
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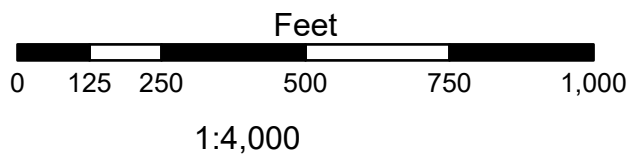
VAR-2025-0010

2837 N. DEAN SOLOMON RD

Current Land Use



- Neighborhood Link
- Residential Link
- Planned Residential Link
- 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
Willa Thomason, Urban Forester
Justin Bland, Engineering Development Review Manager

MEETING: March 10, 2025

SUBJECT: **LSD-2024-0027: Large Scale Development (2992 N. OAK BAILEY DR./OAK BAILEY CLUSTER DEVELOPMENT, 254):** Submitted by COMMUNITY BY DESIGN for property located at 2992 N. OAK BAILEY DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE and contains approximately 2.67 acres. The request is for a cluster housing development with 18 residential units.

RECOMMENDATION:

Staff recommends approval of **LSD-2024-0027** with conditions.

RECOMMENDED MOTION:

*"I move to approve **LSD-2024-0027** with conditions:*

- In favor of recommended right-of-way dedication and street improvements;*
- In favor of variance to §164.22(H)(1) Variety in Detached Cluster Housing Units Floor Plans and Architectural Treatments; and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is in northeast Fayetteville, approximately 350 feet northeast of the intersection of North Old Wire Road and North Oak Bailey Dr. The property is currently zoned RSF-4, Residential Single-Family, 4 Units per Acre, contains approximately 2.67 acres, and is developed with two sheds. A conditional use permit for 19 single-family units (CUP-2022-0039) was approved in 2022 after a city council appeal, but it, and the associated large-scale development that followed in 2023 (LSD-2022-0033) expired. A new conditional use permit for 18 single-family units was approved by Planning Commission on October 28, 2024 (CUP-2024-0044). Existing land uses and zoning surrounding the property are depicted in *Table 1*.

Table 1: Surrounding Land Uses and Zoning

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

Proposal: The applicant requests Large Scale Development approval to develop the subject property with an 18-unit cluster housing development. Three variances from the Unified Development Code were previously approved to §164.22(G)(2) Building Orientation,

§164.22(G)(8) Pedestrian Connectivity, and §172.02(B) Parking Surfacing. As the plans are substantially similar, staff finds that these variances still apply to LSD-2024-0027. One additional variance has been requested and is described below alongside staff's recommendations:

Variance #1: §164.22(H)(1) Variety in Detached Cluster Housing Units Floor Plans and Architectural Treatments. In cluster housing developments no two (2) structures shall be identical in terms of exterior finishes. All cluster housing units shall differ from each other by utilizing at least two (2) options as outlined in code. The applicant is requesting a variance to not meet this requirement.

- *Staff recommendation: Staff is supportive of this request finding that the applicant is still meeting the intent of the ordinance. The applicant partially meets several variation standards outlined in code but does not fully meet the letter of ordinance. For example, the applicant proposes color variation but with a consistent brick material; alterations in window placement between adjacent units but not the locations of the exterior doors; and front porches that include some identical porches on adjacent units. As each internal "street" contains only four or five homes and the central common area is intended to be heavily planted with trees, staff finds the visual impact of the repeated features is likely reduced. Staff recommended conditions that color variation shall be provided between adjacent units through changes in either the color of the brick façade or the roof, that the location of exterior windows shall vary between adjacent units, and that front porches of at least six feet in depth shall be provided for each unit.*

Right-of-Way to be Dedicated: The subject property has frontage along N. Old Wire Rd, a Neighborhood Link which typically requires right-of-way in the amount of 33.5 feet from the centerline of the road. Staff recommends that right-of-way dedication of 33.5 feet from centerline in line with the standard street section for a Neighborhood Link along the property's frontage.

Street Improvements:

On-site: This portion of Old Wire Road is partially improved with asphalt paving and open ditches. Staff recommends that a six-foot sidewalk be installed along the property's frontage, in line with the standard street section for a Neighborhood Link.

Off-site: Staff also recommends that a six-foot sidewalk be installed along the lot at the northeast corner of Oak Bailey Drive and Old Wire Road within the existing right-of-way. This recommendation is based upon the rough proportionality of the impact of the development upon the sidewalk infrastructure needs near the development and is consistent with requirements of the previously approved plans (LSD-2022-0033). A staff exhibit illustrating this request is attached to this report.

Access Management/Connectivity: Staff has determined that this proposal is compliant with the City's access management and connectivity standards. The applicant proposes to access the site through an existing shared driveway on an adjacent parcel with access onto Oak Bailey Drive. Since the driveway is serving single-family homes and is located less than 10 feet away from adjacent driveways and intersections, staff finds that the driveway is compliant with the City's access requirements.

Design Standards: Staff finds that the project does not meet UDC §164.22(H), Cluster Housing Building Design Standards, the details of which are outlined in the above variance request.

Water and Sewer System: The applicant is proposing to extend a public 8" water main into the development to provide domestic water and fire protection. The applicant is proposing to extend

a public 8" sanitary sewer main into the development to provide sanitary sewer to a portion of the proposed houses. There is also an existing public 8" sanitary sewer main that will serve the remainder of the development.

Parkland dedication or fee in-lieu: This proposal was discussed by the Parks and Recreation Advisory Board (PRAB) at their October 3, 2022, meeting. PRAB recommended fee-in-lieu for this development in the amount of \$19,602 based on 18 single-family units. Payment of parks fees will be required prior to building permit issuance.

Tree Preservation:

Canopy minimum requirement: 25%

Existing canopy: 29.2%

Preserved canopy: 12.6%

Mitigation required: 35 2-inch caliper trees

Public Comment: On the current project, staff has received one inquiry regarding the plans, but no comments specifically opposed or in favor of the request.

During the previous approval process, staff receives extensive public comment opposed to the request with a neighborhood-initiated appeal ultimately going to city council which was signed by 27 individuals. These comments were generally opposed to the request, citing a lack of basis for the additional units granted in the variance request, lack of frontage, no proposed sidewalks, inconsistent plans and letter, incompatible development, tree preservation, and utility infrastructure.

RECOMMENDATION: Staff recommends approval of **LSD-2024-0027** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff does not recommend right-of-way dedication.*
2. **Planning Commission determination of street improvements.** *Staff recommends street improvements as described below:*
 - a. Old Wire Road: 10-foot green space and 6-foot sidewalk
 - b. Off Site: Six-foot sidewalk along the frontage of the lot at the northeast corner of Oak Bailey and Old Wire Rd. within the existing right-of-way;
3. **Planning Commission determination of a variance to UDC §164.22(H)(1) Variety in Detached Cluster Housing Units Floor Plans and Architectural Treatments.** *Staff recommends approval of the request as detailed above, with the following conditions:*
 - a. Color variation shall be provided between adjacent units through either change in either the color of the brick façade or the roof,
 - b. Exterior window locations shall vary between adjacent units;
 - c. Front porches of at least six feet in depth shall be provided for each unit.
4. All conditions associated with previous variance approvals shall be met as attached.
5. All conditions of approval associated with the conditional use permit for this project (CUP-2022-0039) and the associated City Council resolution (Res. 290-22) shall be met;

6. Parkland fee-in-lieu in the amount of \$19,602 for the creation of 18 single-family units must be received prior to building permit issuance;
1. Remaining comments from the Planning Division shall be addressed, including:
 - a. Show sidewalk improvements at corner.
 - b. Clearly define boundaries of easement for split parking spaces.
2. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto;

Standard Conditions of Approval:

7. Impact fees for fire, police, water, and sewer shall be paid in accordance with city ordinance;
8. Technical Plat Review (to include written staff comments provided to the applicant or their representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks Electric, SWEPCO, and Cox Communications);
9. All mechanical and utility equipment (roof and ground mounted) shall be screened using materials that are compatible with and incorporated into the structure. A note shall be clearly placed on the plat and all construction documents indicating this requirement;
10. Trash containers must be stored out of public view and may be screened by the principal structure or vegetation. Container locations for trash pick-up will be submitted to the Planning and Recycling & Trash Collection divisions for review prior to building permit;
11. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;
12. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements;
13. All exterior lighting shall comply with city ordinance. Manufacturer's cut-sheets are required for review and approval prior to issuance of a building permit;
14. All freestanding and wall signs shall comply with ordinance specifications for location, size, type, number, etc. Any proposed signs shall be permitted by a separate sign permit application prior to installation;
15. Large scale development approval shall be valid for one year;
16. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit;
17. Prior to building permit, a cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of

the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy; and

18. Prior to the issuance of a building permit, the following is required:

- a. Grading and drainage permits;
- b. Separate easement plat for this project that shall include any tree preservation areas and all utility and access easements;
- c. Exterior lighting package must be provided to the Planning Division;
- d. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance; and
- e. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.

Planning Commission action:	☐ Denied	☐ Tabled	☐ Approved
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Meeting Date: March 10, 2025

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Staff Comments
 - CUP-2024-0044 Conditions of Approval
 - LSD-2022-0033 Variance Conditions of Approval
 - Engineering Memo
 - Urban Forestry Memos
 - Parks Memo
 - Variation Standards Exhibit
 - Recommended Sidewalks Exhibit
- Applicant Exhibits
 - Cover Letter
 - Parking Management Plan Letter
 - Variance Request Letter
 - Right-of-Way Letter
 - Site Plans
 - Building Floor Plans and Elevations
- One Mile Map
- Close-Up Map
- Current Land Use Map

CUP-2024-0044 Conditions of Approval

1. Shrubs and trees approved by the Urban Forester must be planted or preserved along the north, south, and west property lines in the form of a vegetative screen. The screening trees may include any required mitigation trees. At a minimum, additional screening in the form of vegetation, hedge row, or low-lying fence not to exceed 48" in height shall be installed along the exterior property lines where parking courts and driveways abut existing single family residences.
2. At least seven of the twelve significant trees shall be preserved.
3. Provided consent is obtained from the property owners of Washington County Parcels 765-31972-000, 765-31973-000, and 765-31974-000 for grading within five feet of the property line during construction of the project, a permanent shallow swale shall be installed just north of the property lines of those parcels.
4. A pedestrian pathway shall be installed connecting the proposed internal pedestrian circulation system to N. Old Wire Rd. The pedestrian pathway shall connect to the internal pedestrian circulation system between lots 13 and 14. The pathway may be located on the east or west side of the existing detention pond. The pathway may be primitive. Steps in the pathway will be required where necessary to navigate the grade.
5. Conditional use permit approval of the conditional use permit does not ensure approval of a development application. The conditional use grants the applicant rights to submit a development proposal based on the conceptual layout included herein. However, the applicant must still be able to comply with all other development requirements, including but not limited to, tree preservation, drainage, utility installation and Fire Department access. These details shall be reviewed with the development application. The final project design shall follow the general layout and design of the conditional use concept plan;
6. A condominium association, homeowner's association, or similar mechanism to maintain the common amenities shall be established prior to issuance of construction permits. The City of Fayetteville does not enforce these private agreements, but will require that this agreement be in place prior to issuing building permits;
7. Prior to receiving a certificate of occupancy for the first home, all shared drives and bike racks shall be installed. All development requirements, such as detention facilities, utilities, required landscaping, etc. shall be installed prior to any building permits being issued. The exact phasing of improvements will be determined at development review;
8. The maximum number of unrelated persons in any dwelling unit is three, pursuant to the underlying single-family zoning district. A maximum of two people are permitted to reside in an accessory dwelling unit;
9. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs;
10. Exterior lighting package must be provided to the Planning Division prior to building permit approval. Any outdoor lighting on this property shall comply with UDC Chapter 176, Outdoor Lighting;

11. Upon receiving a valid complaint that the holder of the conditional use is violating any condition of this permit, the Planning Department may refer the conditional use to the Planning Commission for review. The Planning Commission may amend or add conditions to the permit, may reaffirm the conditional use, or revoke the conditional use in its entirety; and
12. Per §166.20, Expiration of Approved Plans and Permits, conditional use permit approval is for one year.

Variance Conditions of Approval:

1. Planning Commission determination of a variance to UDC §164.22(G)(2): Building Orientation.
 - a) No Added Conditions
2. Planning Commission determination of a variance to UDC §164.22(G)(8): Pedestrian Connectivity.
 - a) No Added Conditions
3. Planning Commission determination of a variance to UDC §172.02(B): Surfacing.
 - a) Added condition that a ring or grid system is used in conjunction with the gravel surface. No grid is permitted on slopes that do not exceed 3% slop.



TO: Donna Wonsower, Planner

FROM: Justin Bland, Engineering Development Review Manager

DATE: March 4, 2025

**SUBJECT: Planning Commission Engineering Comments for
LSD 2024-0027**

Water: The applicant is proposing to extend a public 8" water main into the development to provide domestic water and fire protection.

Sewer: The applicant is proposing to extend a public 8" sanitary sewer main into the development to provide sanitary sewer to a portion of the proposed houses. There is also an existing public 8" sanitary sewer main that will serve the remainder of the development.

Drainage: The applicant is proposing to meet the assumptions outlined in the original drainage report for the overall development with the use of stormwater detention and bio-retention. In areas where there is an increase in impervious material the applicant is proposing to modify the existing pond for the subdivision or provide additional bio-retention.

Plan Comments:

1. **Final design for retrofitting existing detention basin with bio-retention areas to be provided with grading permit submittal. Any outstanding comments are to be addressed at that time.**
2. **Trees cannot be planted over public water or sewer mains and must be offset at least 5' horizontally from the mains.**

Standard Comments:

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

- Sanitary Sewer pipe sizing, profiles, or utility conflicts
- Waterline fittings, callouts, or utility conflicts
- Street profiles
- Fine grading/spot elevations



URBAN FORESTRY TREE PRESERVATION COMMENTS

To: Brian Teague, Community by Design, brian@communitybydesignllc.com

From: Willa Thomason, Urban Forester

CC: Donna Wonsower, Planner

Meeting Date: March 10, 2025

Subject: LSD-2024-0027: Oak Bailey Cluster Development: 2992 N. Oak Bailey Dr., 254

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

Tree Preservation Calculations		
	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	86,118	100%
Zoning Designation * Select Below with drop down arrow		
CS, Community Services	21,530	25%
HHOD * Select Below with Drop Down Arrow		
No / Yes	0	0%
Total Canopy for Minimum Preservation Requirements	21,530	25.0%
Existing Tree Canopy * Minus Right of Way and Easements	25,124	29.2%
Tree Canopy Preserved	10,813	12.6
Tree Canopy Removed *On Site	14,311	16.6%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	14,311	16.6%
Removed Below Minimum	10,717	
Mitigation Requirements	10,717	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority	4,842	22
Low Priority	5,875	13
Total Mitigation Trees Required	10,717	35

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

5. Tree Preservation Plan Checklist <i>UDC Chapter 167.04H1 and 167.04L1</i>	Tech Plat	Subdivision Committee	Planning Commission
a. 5 year Aerial Check on Existing Trees	Yes		Yes
b. Property Boundary	Yes		Yes
c. Natural Features (100ft beyond limits of disturbance)	Yes		Yes
d. Existing Topography and Proposed Grading	Yes		Yes
e. Soil Types	Yes		Yes
f. Significant Trees	Yes		Yes
g. Groupings of Trees	N/A		N/A
h. Table Inventory List (species, size, health, priority)	Yes		Yes
i. All Existing and Proposed Utilities	Yes		Yes
j. All Existing and Proposed Utility Easements and ROW's	Yes		Yes
k. All Streams (with approximate center line)	N/A		N/A
l. Floodplains and floodways	N/A		N/A
m. Existing Street, Sidewalk or Bike Path ROW	Yes		Yes
n. Submitted Site Analysis Plan (if required)	No		Yes
o. Shows ALL Proposed Site Improvements	Yes		Yes
p. Delineates trees/canopy to be preserved and removed	Yes		Yes
q. Tree Preservation Easement/s shown for LSD, LSIP and Commercial PPL projects	Yes		Yes

Tree Protection Methods		
a. Tree Protection Fencing	Yes	Yes
b. Limits of Root Pruning	Yes	Yes
c. Traffic flow on work site	No	Yes
d. Location of material storage	No	Yes
e. Location of concrete wash out	Yes	Yes
f. Location of construction entrance/exit	Yes	Yes

6. Site Analysis Report (if required)	Yes	No	N/A
UDC Chapter 167.04H4			
a. Provide graphic examples of multiple options used to minimize removal of existing canopy	X		
b. Submitted Analysis Statement – Note the process, iterations, and approaches to preserve canopy.		X	

7. Review Status (See Comments)	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved	12-17-2024		2-20-25
Approved			
Tabled	10-2-24		
	10-30-24		
	11-13-24		
Denied			

Appeal Process: A final administrative determination by the Urban Forester may be appealed in accordance with Chapter 155 of the Unified Development Code.

Comments

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



URBAN FORESTRY
LANDSCAPE PLAN COMMENTS

To: Brian Teague, Community by Design, brian@communitybydesignllc.com
From: Willa Thomason, Urban Forester
CC: Donna Wonsower, Planner
Meeting Date: March 10, 2025
Subject: LSD-2024-0027: Oak Bailey Cluster Development: 2992 N. Oak Bailey Dr., 254

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

c. Narrow Tree Lawn (8' min. width, 37.5' length) <i>UDC Chapter 177.04C</i>				X
d. Tree Island (8' min. width, 18.7' min length, 150 square feet) <i>UDC Chapter 177.04C</i>				X
e. Placement of Trees (either side at entrances and exits) <i>UDC Chapter 177.04C2</i>		X		
3. Perimeter Landscaping Requirements	Yes	No	N/A	
a. Front Property Line (15' wide landscape) and 5' on sides and rear. <i>UDC Chapter 177.04D2a</i>	X			
b. Shade trees planted on south and west sides of parking lots <i>UDC Chapter 177.04D2e</i>				X
c. Screening of parking lot from adjacent residential properties.				X
4. Street Tree Planting Requirements	Yes	No	N/A	
a. Residential Subdivisions 1 Large Shade Species Tree per Lot <i>UDC Chapter 177.05B1a</i>				X
b. Non-Residential Subdivisions 1 Large Species Shade Tree every 30' (planted in greenspace) <i>UDC Chapter 177.05B2a</i>	X			
c. Urban Tree Well – Urban Streetscapes Trees every 30' (8' sidewalk) <i>UDC Chapter 177.05B3a-f</i>				X
d. Structural Soil – Urban Tree Wells Include a note and/or detail of structural soil on Landscape Plan <i>UDC Chapter 177.05B3a-f</i>				X
e. Residential Subdivisions Timing of planting indicated on plans <i>UDC Chapter 177.05A4</i>				X
f. Residential Subdivisions Written description for method of tracking planting <i>UDC Chapter 177.05A4e</i>				x
5. Landscape Requirement Totals	Amount			
Mitigation Trees.	35 Required, 35 Provided			
Parking Lot Trees	NA			
Street Trees				



CITY OF
FAYETTEVILLE
ARKANSAS

TO: Planning Division

FROM: Zach Foster, Parks Planning

DATE: October 3, 2024

SUBJECT: Parks & Recreation Technical Plat Review Comments

PRAB Meeting Date: September 7, 2022

Project Title: Oak Bailey Drive Cluster Development

Project Number: LSD-2024-0027

Project Location: 2992 N Oak Bailey Dr

Plat Page: 254

Park Quadrant: NE

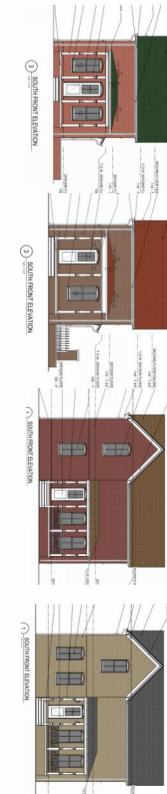
Billing Name & Address: KBB Development LLC, 226 W Dickson St, STE 201
Fayetteville, AR 72701

☐ Land Dedication ☒ Fee-in-Lieu ☐ Combination

FEE-IN-LIEU					TOTAL Fees	
Single Family:	<u>18</u>	units	x	\$1,089 per unit =	<u>\$19,602</u>	\$19,602
Multi Family:	<u>0</u>	units	x	\$952 per unit =	<u>\$ 0</u>	

- SUMMARY:**
- Project proposes 18 SF units and 0 MF units.
 - Note: PLD fees categorize single-family units as residential buildings with one or two residential units under a single roof. This project has two duplex buildings containing four single-family units. The triplex and quadplex buildings are categorized as multi-family units.
 - The final amount of fee-in-lieu and/or land dedication needed to satisfy Parkland Dedication requirements will be determined after Planning Commission’s approval of this project.
 - Current fee-in-lieu and/or land dedication rates will be applied regardless of when project was approved by PRAB.
 - Prior to final receipt by the city, all fees must be paid and any deeds for parkland dedication property must be:
 - Approved by the City’s Land Agent in the Engineering Division.
 - Recorded at the Washington County Courthouse.
 - Each additional housing unit that is constructed in Fayetteville places an increased demand on the Parks and Recreation system. The money collected as part of this project will be used to fund future park acquisitions and improvements for this park quadrant.

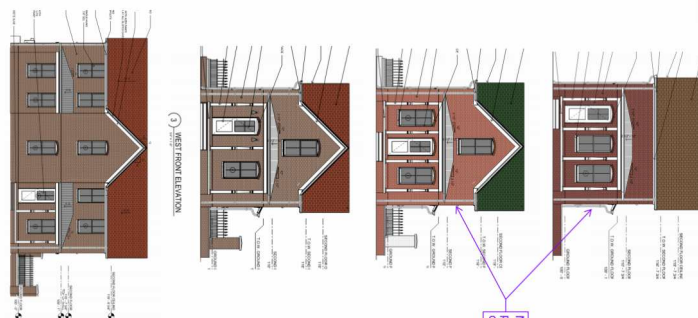
Architectural drawing of a three-story building with a red brick facade and a green gabled roof. The drawing includes a side elevation and a section view. The side elevation shows a three-story building with a red brick facade, a green gabled roof, and a small porch on the ground floor. The section view shows the internal structure of the building, including the roof, walls, and floor. The drawing is labeled with dimensions and notes.



Exterior windows change locations.
Exterior doors do not
No structurally identical porches may
be located on adjacent units



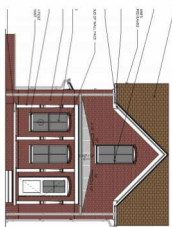
Exterior windows change locations. Exterior doors do not



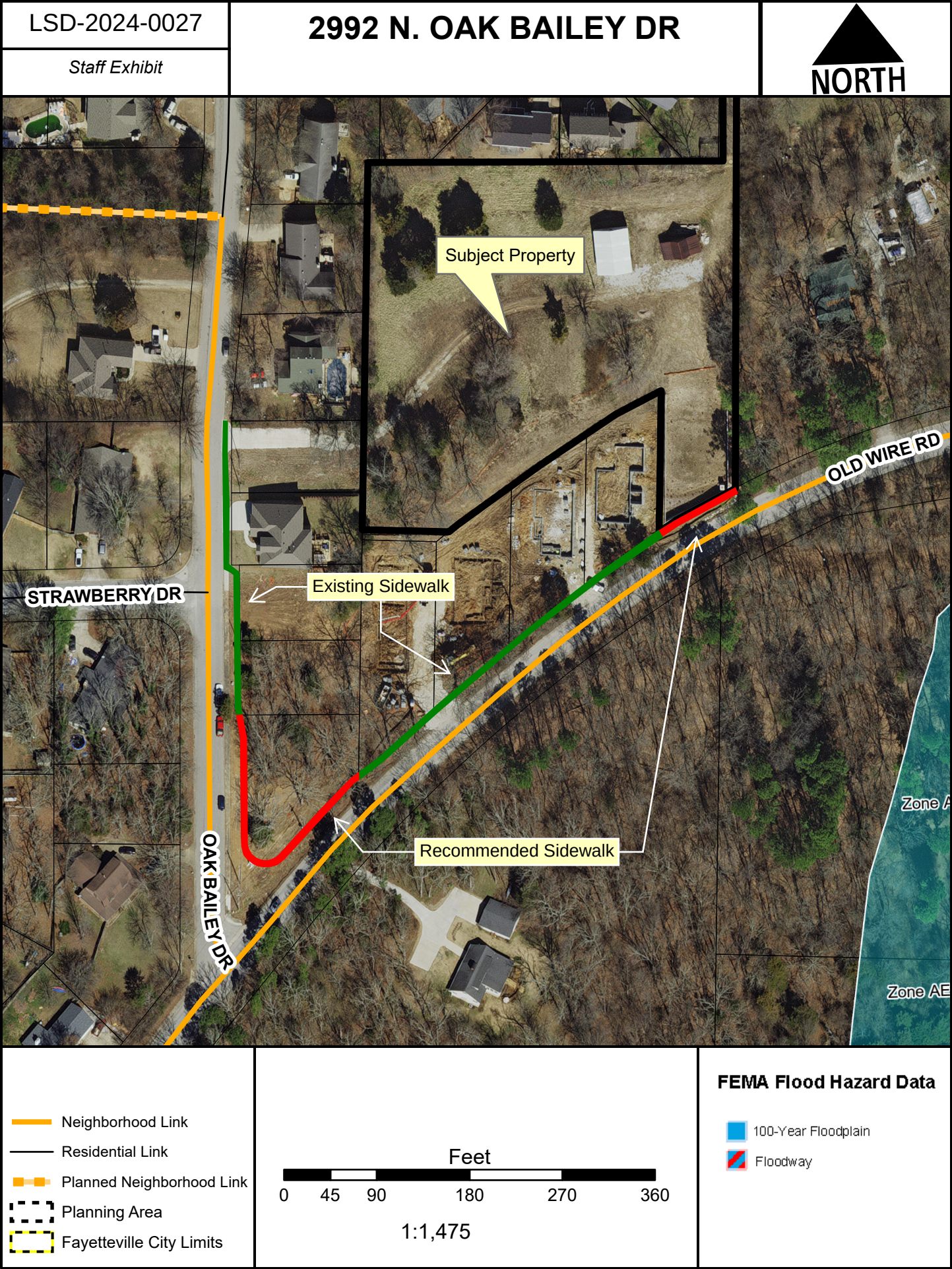
No structurally identical porches may be located on adjacent units.



Exterior windows change locations.
Exterior doors do not



Exterior windows change locations.
Exterior doors do not



September 17th, 2024
Via EnerGov

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

**RE: Oak Bailey Cluster Development – Large Scale Development Application
Submittal Package**

Ms. Masters,

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

- One (1) copy of a written submittal letter describing the project
- One (1) copy of a consent of owner form
- One (1) copy of site, utility, grading, tree preservation, and landscape plans
- One (1) copy of a drainage letter
- One (1) copy of the completed fire department technical plat form
- One (1) copy of draft architectural floor plans and elevations

General - The property is zoned RSF4 and contains approximately 2.70 acres. A color site plan has been created which should present a proposal that meets all of the zoning requirements of UDC 164.22 Cluster Housing Development. The request is for the zoning approval of a cluster housing development containing 18 total, 3-bedroom single family houses. A conditional use permit was originally approved for this plan by the August 8, 2022 Planning Commission. The conditional use permit was appealed and the appeal was denied by the December 5, 2022 City Council. Subsequently, a large scale development was approved by the February 13, 2023 Planning Commission for the plan containing 18 single-family houses. The property has since changed hands and all previously approved permits and approvals have expired. A new conditional use permit approval has been requested. This request is for approval of the expired large scale development. Multiple variances were granted by February 13, 2023 Planning Commission to the UDC sections 1464.22(G), 172.04(E), and 172.02(B). No changes to the plan have been made in regards to the previously granted variances.

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

Architectural Floor Plans and Elevations – Each of the houses are proposed to be approximately 1,650 square feet and contain 3 bedrooms and 2.5 bathrooms. Floor plans and elevations for each of the 18 proposed houses are included with this submittal. The houses have been designed using massing and detailing that is characteristic of traditional Ozark vernacular farmhouse. As proposed each house has a large front porch and also a private courtyard. Common open space

100 West Center Street Suite 300
Fayetteville, AR 72701

479.790.6775
Planning Commission

March 10, 2025

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is also provided in the central green. Elevation variation is provided focusing on roof structure massing or projected gables, window and door placement, window trim detailing, porch column and beam detailing, paint color, and roof shingle color.

Compatibility and Traffic Impact -

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

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

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

Sincerely,



Brian Teague
Community By Design

February 19, 2025

Ms. Donna Wonsower
Planner
City of Fayetteville Development Services
125 West Mountain Street
Fayetteville, Arkansas 72701

RE: **2992 N Oak Bailey Drive Cluster Development – LSD 2024 0027**
Parking Management Plan

Ms. Wonsower,

The 2992 N. Oak Bailey Drive Site Plan proposes 44 total vehicular parking spaces, 24 bike racks, 7 motorcycle/scooter parking spaces, and 18 single-family houses. A homeowner's association will be created to manage the parking and to provide other maintenance for the property.

Of the 44 total vehicular parking spaces, 24 are proposed to be located on individual lots next to the houses while 20 are proposed to be located parallel along the shared driveway. The parking along the shared driveway will be signed or marked to be in association with the address of one of the houses or marked as guest parking.

Please let me know if you have any questions or if you need additional information.

Sincerely,



Brian Teague
Community By Design

March 3, 2025

Ms. Donna Wonsower
Planner
City of Fayetteville Development Services
125 West Mountain Street
Fayetteville, Arkansas 72701

RE: **2992 N Oak Bailey Drive Cluster Development – LSD 2024 0027**
UDC 164.22(H) Building Design Standards Variance Request

Ms. Wonsower,

In order to provide the variety in form and design required by UDC 164.22(H) Building Design Standards, 5 different house types or primary house plans are proposed for the 2992 N Oak Bailey Drive Cluster Development. The house plans and elevations have been designed using massing, roof forms, and other detailing in accordance with historic Ozark Vernacular prototypes and pattern language. To meet the letter of UDC 164.22 (H)(1), all cluster housing units shall differ from each other by utilizing at least 2 of the options set forth by UDC 164.22 (H)(1)(a through f).

Per UDC 164.22(H)(1)(a), variation in building material is proposed by altering brick siding type / finish and by altering the color of brick siding, roof shingles, window, door, and trim boards, but brick is proposed as the primary siding element throughout. If varied brick texture between houses was an acceptable material variation, this item could be met. Per UDC 164.22(H)(1)(b), variation is proposed by altering the location of exterior windows and doors between multiple uses of each of the primary house plans that are adjacent to each other, but exterior door locations are consistent in some instances. Where exterior doors are consistent, they could be altered, however this might negatively impact the functional use of the living room space.

Per UDC 164.22(H)(1)(c), variations in the size of main floor area and/or building height are provided for each of the primary house plans, however in some instances the same primary house plans are adjacent to each other.

Per UDC 164.22(H)(1)(d), front porches are provided on all house plans, however the turned pine porch posts and porch beams consisting of Miratec and James Hardie materials are consistent throughout and in accordance with Ozark Vernacular prototype porch detailing and pattern language.

Per UDC 164.22(H)(1)(e), variations in roof shapes or gables between adjacent structures are proposed throughout.

Per UDC 164.22(H)(1)(f), other variations as approved by the Zoning and Development Administrator are not proposed.

Historically accurate cornice detailing and porch detailing is proposed per Ozark Vernacular pattern language. Galvanized steel half round gutters and downspouts are also proposed. With design, attempts have been made to meet each of the 5 variation requirements, though only 2 are required. While technically not meeting the requirements of UDC 164.22(H) Building Design Standards specifically, the intent is likely being met. Specifically meeting some of the 5 variation requirements may sacrifice the Ozark Vernacular pattern language proposed in some instances. The applicant is requesting a variance and flexibility from the requirements of UDC 164.22(H) Building Design Standards in order to construct the house plans and elevations as proposed.

Sincerely,



Brian Teague, Community By Design

100 West Center Street Suite 300
Fayetteville, AR 72701

479.790.6775
Planning Commission

March 10, 2025

LSD-2024-0027 (OAK BAILEY CLUSTER DEVELOPMENT)

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February 19, 2025

Ms. Donna Wonsower
Planner
City of Fayetteville Development Services
125 West Mountain Street
Fayetteville, Arkansas 72701

RE: **2992 N Oak Bailey Drive Cluster Development – LSD 2024 0027**
Applicant Public Right of Way Dedication Proposal

Ms. Wonsower,

In association with LSD 2024 0027, the owner of Washington County Parcel 765-31975-000 proposes to dedicate right of way along the property's Old Wire Road street frontage. 30' of right of way measured from centerline currently exists and the proposal is to dedicate an additional 3.5' of right of way or 33.5' total right of way measured from centerline per the Master Street Plan. This will be dedicated per easement plat prior to building permit applications.

Development is proposed for Washington County Parcel 765-31975-000, which has frontage along Old Wire Road. Development is not proposed for Washington County Parcel 765-16035-001, which has frontage along Oak Bailey Drive. Both parcels are owned by different entities. The plans call for the existing access easement on Washington County Parcel 765-16035-001 to be utilized by the owner of Washington County Parcel 765-31975-000. Development is not proposed for Washington County Parcel 765-16035-001 and therefore additional right of way along Oak Bailey Drive is not proposed.

Please let me know if you have any questions or if you need additional information.

Sincerely,



Brian Teague
Community By Design

100 West Center Street Suite 300
Fayetteville, AR 72701

479.790.6775
Planning Commission

March 10, 2025

LSD-2024-0027 (OAK BAILEY CLUSTER DEVELOPMENT)

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LAND USE SUMMARY



REPRESENTATIVE INFORMATION

PHONE 479.750.5775

ZONING AND SETBACKS

DISTINGUISHING: RSF-

PROPOSED AREA WITH IMPERVIOUS SURFACE IS 56,042 SQUARE FEET OR 48% OF PROPERTY AREA

FLOOD CERTIFICATION:

THIS PROPERTY IS NOT AFFECTED BY THE 100 YEAR FLOOD PLAIN AS PER FEMA #05143C0230G DATED 1/25/2024

BOUNDARY DESCRIPTION:

WASINGTON COUNTY PARCEL: 765-31975-000
LOT 8 FROM PARK COMMONS SUBDIVISION
ROTATION BASED ON ARKANSAS STATE PLANE GRID NORTH ZONE (NAD83)

ADJACENT PROPERTY INFORMATION

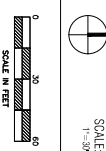
[illegible]

COMMON OPEN SPACE SUMMARY

	Number of Locating Units	Square Footage Per House	Open Space Required (Gross Acre)	Open Space Required (Provided) (Square Feet)
W00001 & 00012-15-17-18	12	1500-2000	5000 sq. Yards	6000
Houses / 1.05-2.00	6	up to 1500	2500 sq. Yards	1500
and Open Space Required				7500
and Open Space Provided				10500

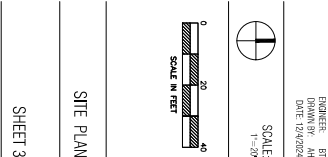
PARKING SUMMARY

Case no.	Name of patient	Age	Sex	Date of admission	Duration of illness		Date of discharge	Total duration of illness
					Illness	Recovery		
1	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	1
2	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	2
3	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	3
4	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	4
5	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	5
6	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	6
7	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	7
8	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	8
9	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	9
10	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	10
11	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	11
12	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	12
13	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	13
14	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	14
15	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	15
16	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	16
17	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	17
18	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	18
19	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	19
20	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	20
21	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	21
22	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	22
23	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	23
24	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	24
25	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	25
26	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	26
27	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	27
28	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	28
29	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	29
30	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	30
31	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	31
32	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	32
33	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	33
34	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	34
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42	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	42
43	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	43
44	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	44
45	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	45
46	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	46
47	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	47
48	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	48
49	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	49
50	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	50
51	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	51
52	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	52
53	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	53
54	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	54
55	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	55
56	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	56
57	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	57
58	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	58
59	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	59
60	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	60
61	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	61
62	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	62
63	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	63
64	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	64
65	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	65
66	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	66
67	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	67
68	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	68
69	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	69
70	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	70
71	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	71
72	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	72
73	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	73
74	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	74
75	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	75
76	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	76
77	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	77
78	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	78
79	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	79
80	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	80
81	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	81
82	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	82
83	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	83
84	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	84
85	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	85
86	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	86
87	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	87
88	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	88
89	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	89
90	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	90
91	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	91
92	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	92
93	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	93
94	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	94
95	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	95
96	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	96
97	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	97
98	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	98
99	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	99
100	Male	34	Male	1972-02-01	1972-02-01	1972-02-01	1972-02-01	100

[illegible]

OVERALL SITE PLAN

SHEET 2



0
Date LSD-2024-0

FAYETTEVILLE,
WASHINGTON COUNTY,
ARKANSAS

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SCALE
1" = 20'

SITE PLAN

SHEET 3



Planning Commission
March 10, 2024

LSD 2024-0027 (OAK BAILEY CLUSTER DEVELOPMENT)

2992 N. OAK
BAILEY DRIVE
LARGE SCALE
DEVELOPMENT

FAYETTEVILLE,
WASHINGTON COUNTY,
ARKANSAS

CITY PLAT PAGE 254

ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: AH
DATE: 12/4/2024
SCALE: 1"=20'

UTILITY PLAN

SHEET 4



2992 N. OAK
BAILEY DRIVE
LARGE SCALE
DEVELOPMENT

FAYETTEVILLE,
WASHINGTON COUNTY,
ARKANSAS

CITY PLAT PAGE 254

ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: AH
DATE: 04/26/24

SCALE:
1"=20'

0 20 40
SCALE IN FEET

GRADING PLAN

SHEET 4

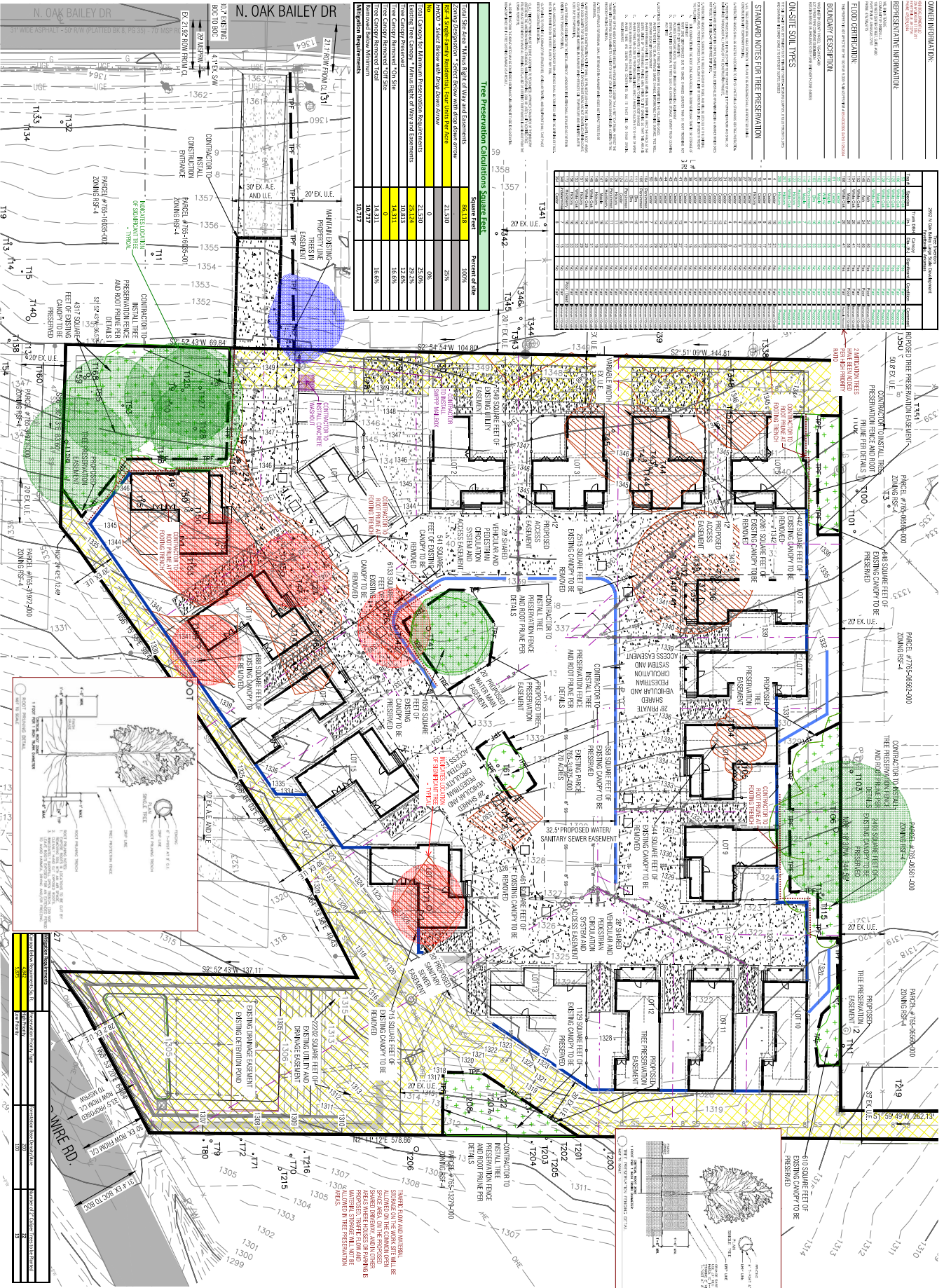
OWNER INFORMATION:	688 BEECHMONT BLVD NEWTON, MA 02459 FORTY-ONE EIGHTY PHONE: 617/552-5814
REPRESENTATIVE INFORMATION:	

[illegible]

STANDARD NOTES FOR TREE PRESERVATION

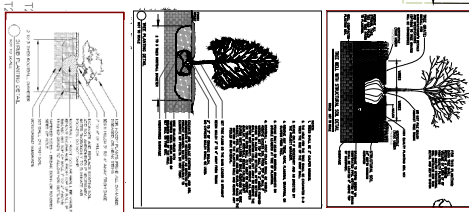
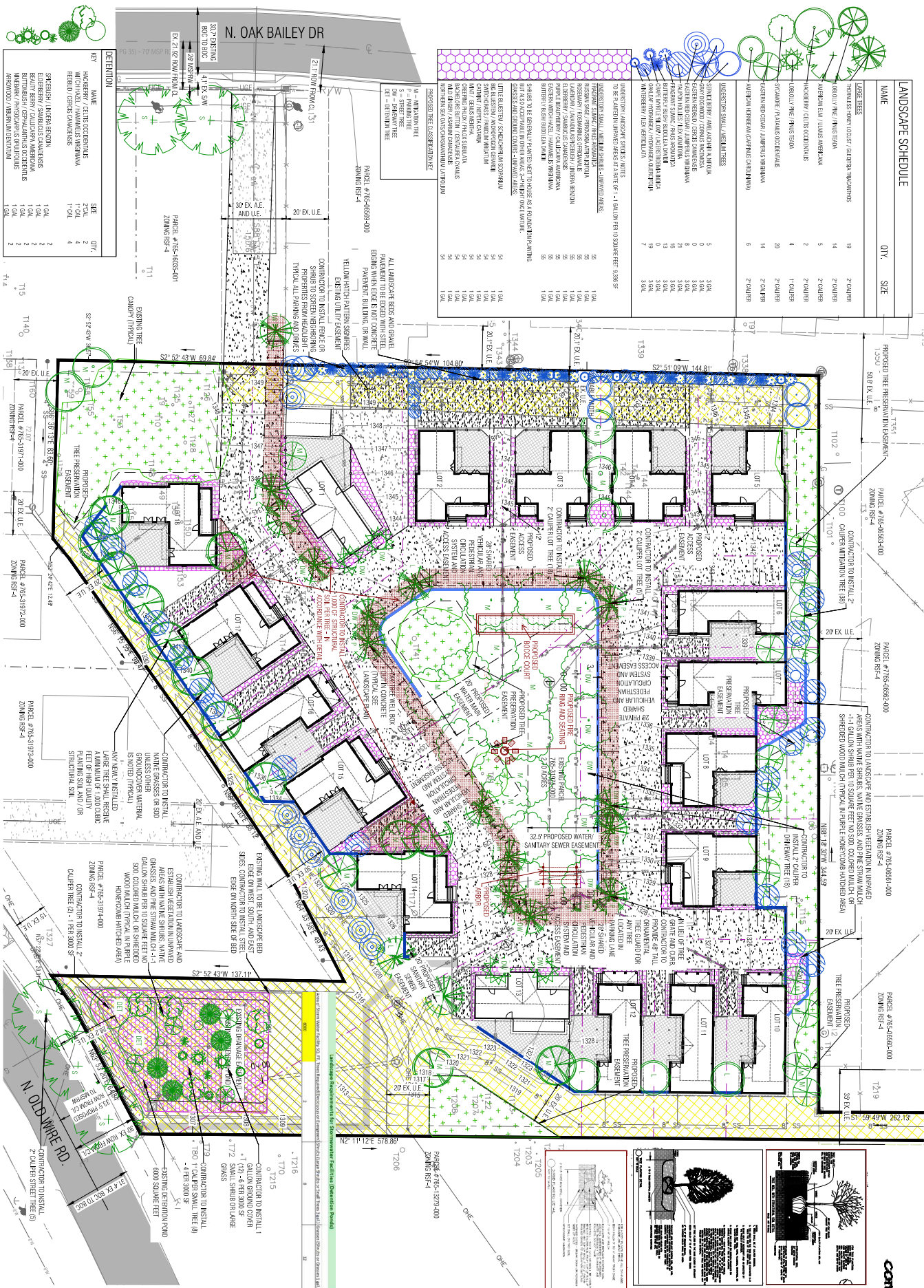
Abstract The purpose of this study was to examine the effects of a 12-week, low-intensity, supervised walking program on the physical and psychological health of sedentary, middle-aged women. The study was a randomized, controlled trial. The experimental group ($n = 15$) participated in a supervised walking program, 3 times per week, for 12 weeks. The control group ($n = 15$) did not participate in any exercise program. The experimental group showed significant improvements in physical fitness, psychological health, and quality of life compared to the control group. The results of this study suggest that a supervised walking program can be an effective intervention for improving the physical and psychological health of sedentary, middle-aged women.

Tree Preservation Calculations Square Feet		
	Square Feet	Percent of Site
Total Site Area, Minus Right of Way and Easements	66,118	100%
Grading/Drainage - Select Below with Total Below Arrow	21,550	33%
Grading - Select Below with Total Below Arrow	0	0%
Total Grading to Minimum Preservation Requirements	21,550	33%
Existing Tree Canopy - Minus Right of Way and Easements	29,232	44%
Total Existing Tree Canopy	14,311	22%
Total Grading Allowed Total Site	0	0%
Total Grading Allowed Right Site	14,311	16.6%
Total Grading Allowed Left Site	10,977	16.6%
Remaining Below Minimum	10,977	



LANDSCAPE SCHEDULE

NAME	QTY.	SIZE
LABS TRBS		
WOMEN'S DRESS COAT / ELEGANT TRIMMINGS		
COLLEGE / THE FINEST DRESS	19	7 Colors
COLLEGE / THE FINEST DRESS	14	7 Colors
WOMEN'S ELA / FINEST SHIRTS	5	7 Colors
WOMEN'S ELA / FINEST SHIRTS	2	7 Colors
COLLEGE / THE FINEST DRESS	4	7 Colors
COLLEGE / THE FINEST DRESS	20	7 Colors
WOMEN'S ELA / FINEST SHIRTS	14	7 Colors
WOMEN'S DRESS COAT / ELEGANT TRIMMINGS	6	7 Colors
LABS TRBS		
WOMEN'S DRESS COAT / ELEGANT TRIMMINGS		
COLLEGE / THE FINEST DRESS	5	3 Sols.
COLLEGE / THE FINEST DRESS	0	3 Sols.
WOMEN'S ELA / FINEST SHIRTS	8	3 Sols.
WOMEN'S ELA / FINEST SHIRTS	1	3 Sols.
COLLEGE / THE FINEST DRESS	21	3 Sols.
COLLEGE / THE FINEST DRESS	13	3 Sols.
WOMEN'S ELA / FINEST SHIRTS	13	3 Sols.
WOMEN'S ELA / FINEST SHIRTS	0	3 Sols.
WOMEN'S ELA / FINEST SHIRTS	7	3 Sols.
WOMEN'S ELA / FINEST SHIRTS	3	3 Sols.

[illegible]



MATERIAL COLORS TO BE
RED BRICK WITH GREEN SHINGLES

LOT 1

YEIIEVILLE
ARKANSAS

PAGE ###

FOR REVIEW

ENGINEER: Designer
DRAWN BY: Author
DATE: 7 OCT 2024

ELEVATIONS

SHEET A1.3



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

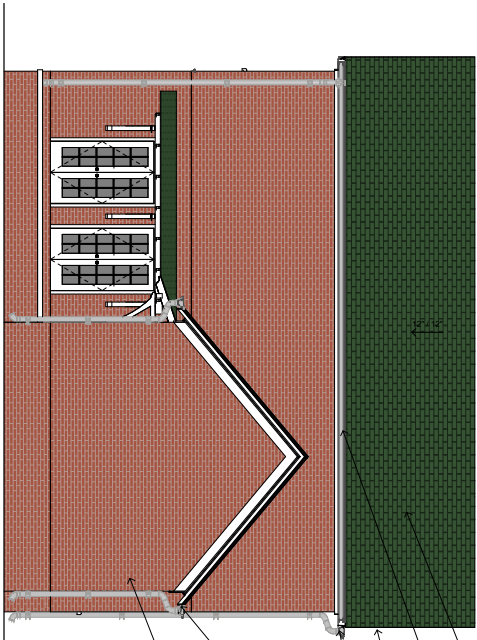


NOR

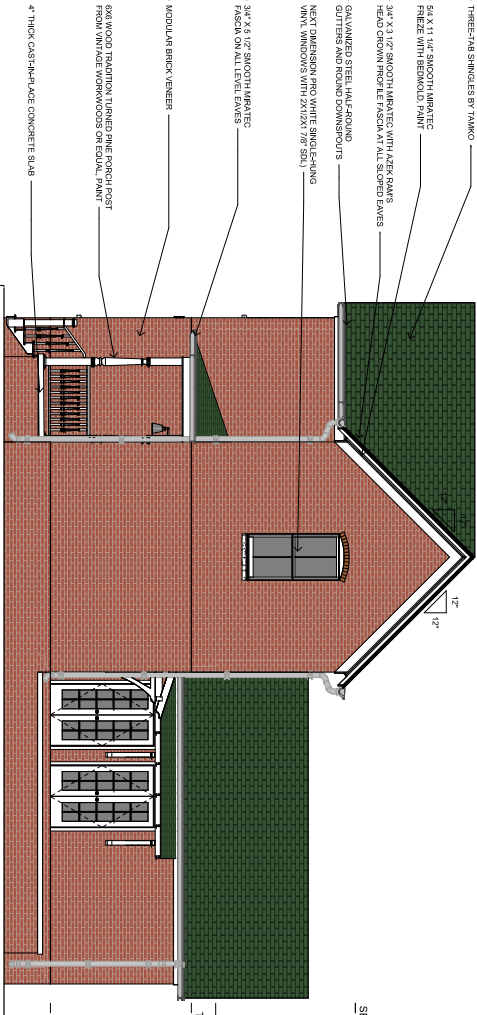
2

$1/4'' = 1^{-}0''$

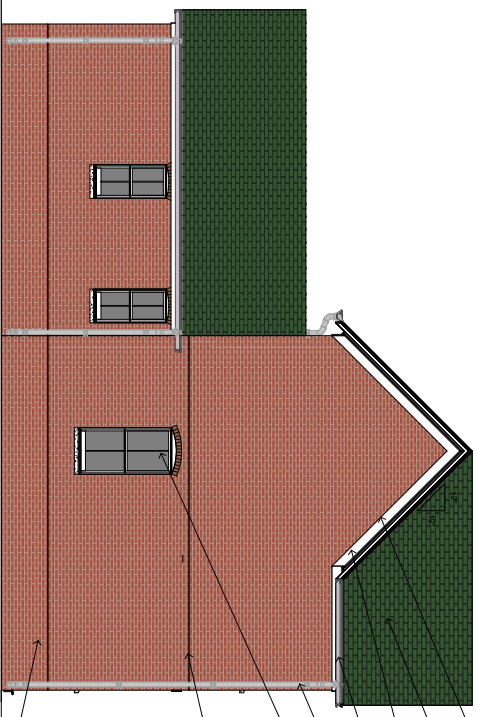
NOTE:
MATERIAL COLORS TO BE
RED BRICK WITH GREEN SHINGLES



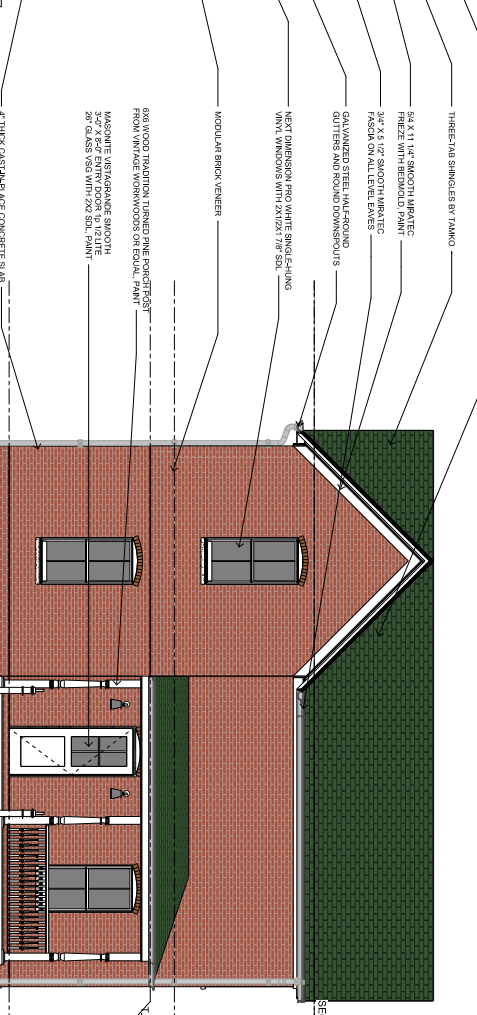
4 WEST ELEVATION
1/4" = 1'-0"



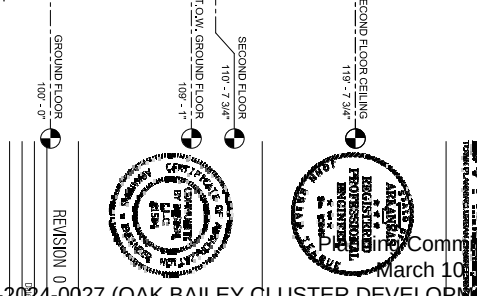
3 NORTH ELEVATION
1/4" = 1'-0"



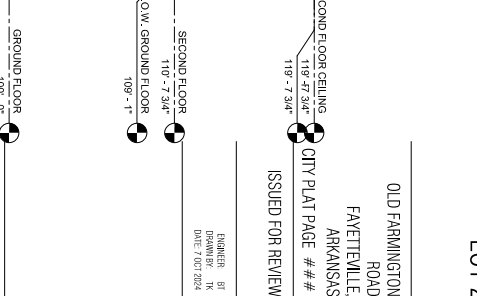
2 SOUTH ELEVATION
1/4" = 1'-0"



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



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



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

NOTE:
MATERIAL COLORS TO BE
RED BRICK WITH GREEN SHINGLES

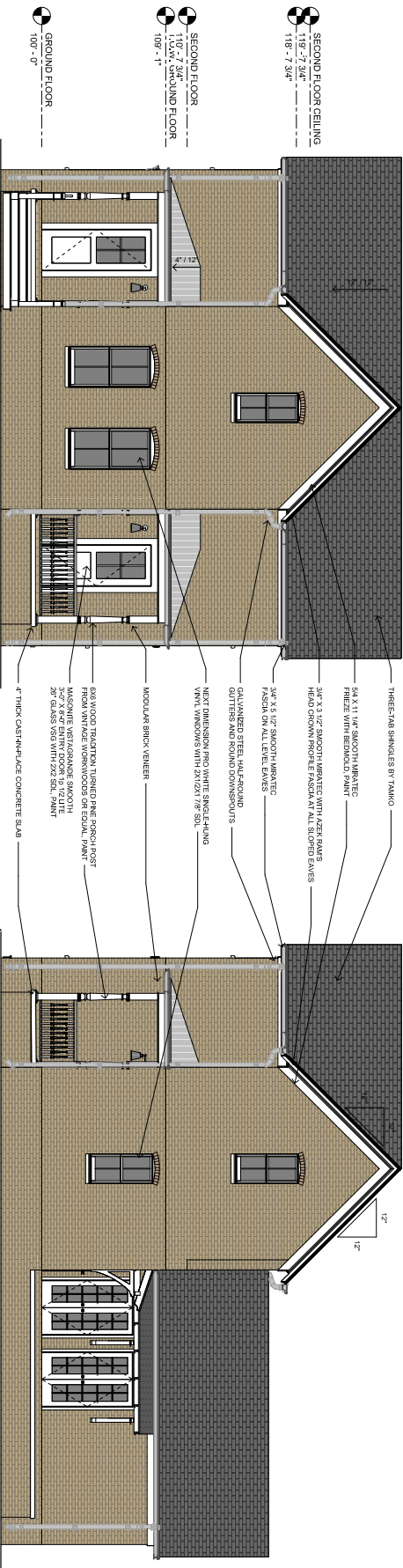
SHEET A2.2

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

ENGINEER: BT
DRAWN BY: JK
DATE: 10/1/2024

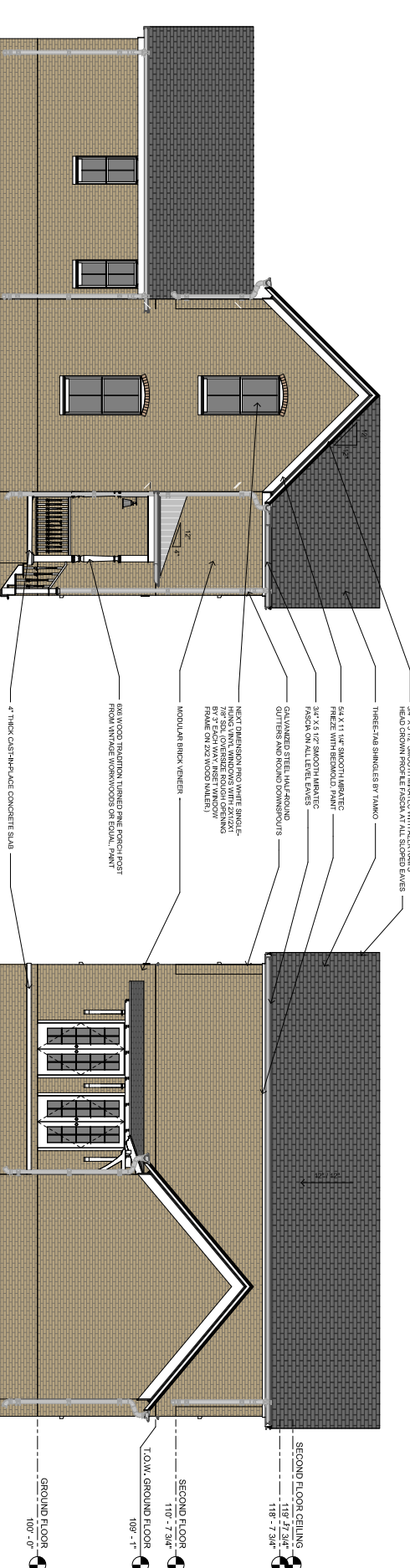
OAK BAILEY
BENT HOUSE
ELEVATION 1
LOT 2





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

3 NORTH ELEVATION
 $114^{\circ} = 110^{\circ}$



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

4 WEST ELEVATION

NOTE:
MATERIAL COLORS TO BE BEIGE BRICK

SHEET A4.2

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

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

EVALUATIONS



REVISION 0

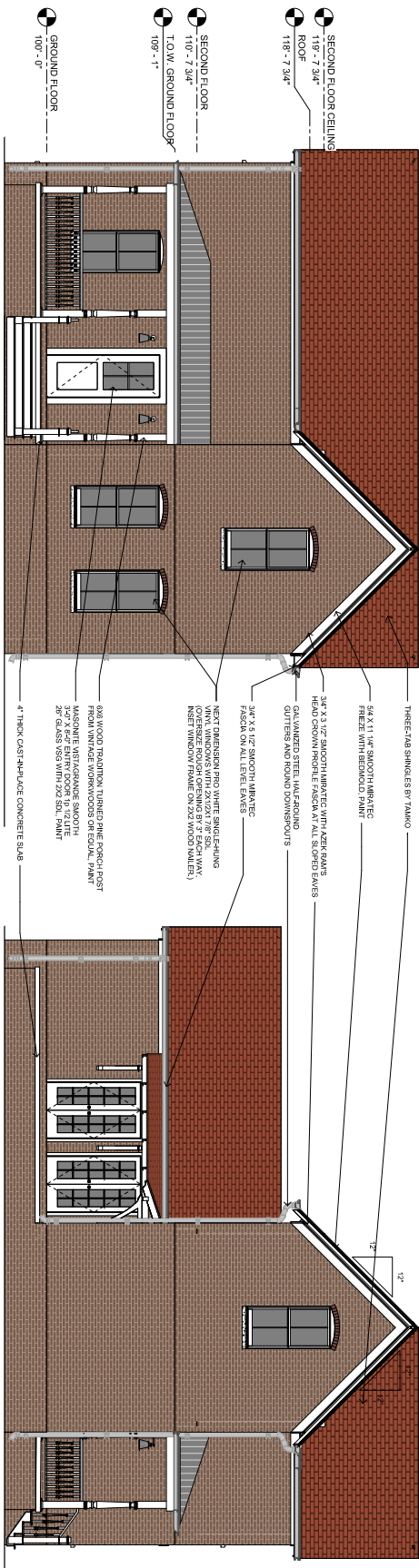
OAK BAILEY
BENT HOUSE
ELEVATION 2
LOT 5

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

ENGINEER: BT
DRAWN BY: TK
DATE: 3/27/2022

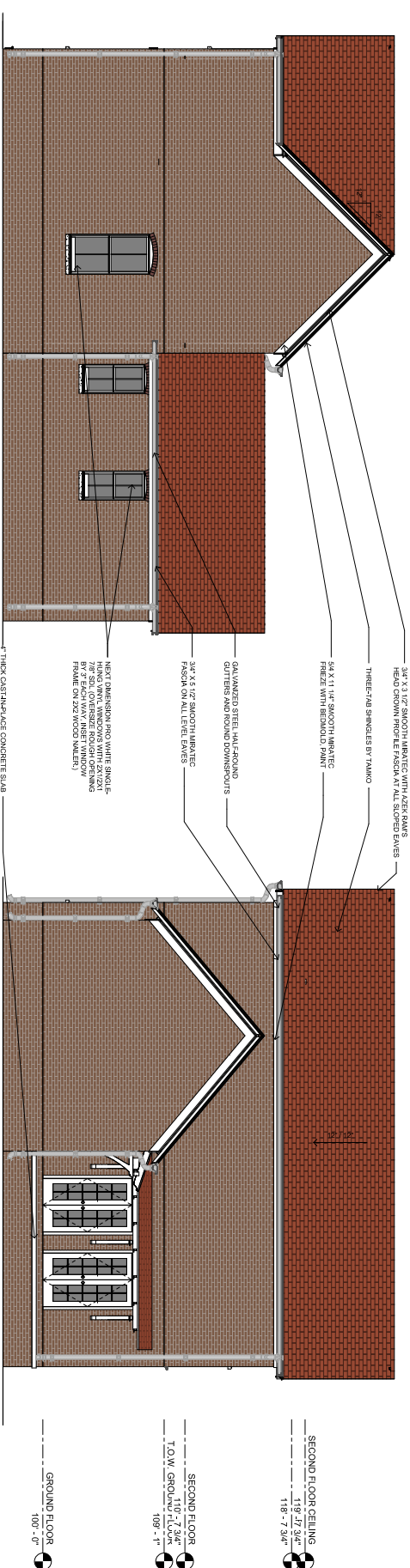
SHEET 45.2

Community by Design
March 10, 2022



1 EAST FRONT ELEVATION
1/4\"/>

3 SOUTH ELEVATION
1/4\"/>



2 NORTH ELEVATION
1/4\"/>

4 WEST ELEVATION
1/4\"/>

NOTE:
MATERIAL COLORS TO BE:
BROWN BRICK WITH RED SHINGLES

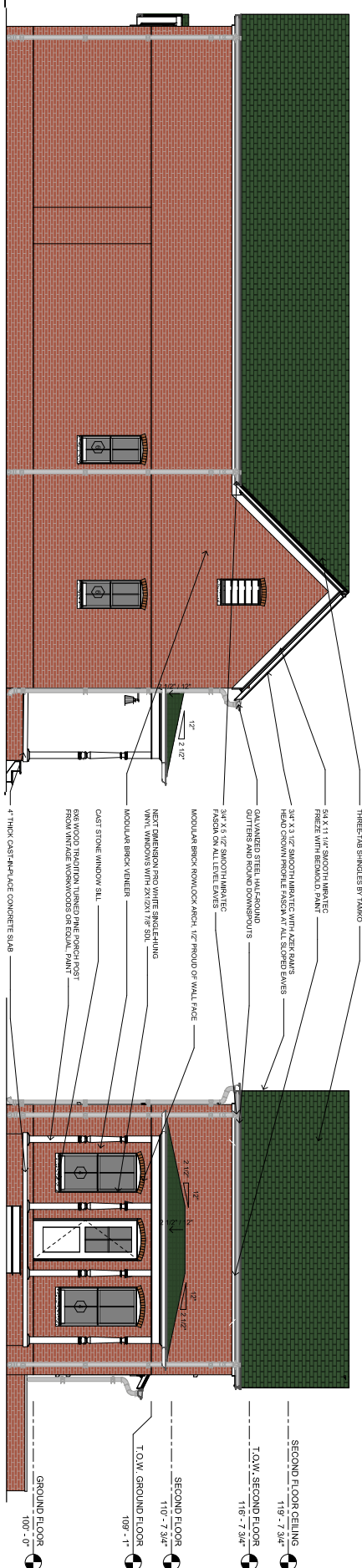
ELEVATIONS



REVISION 0

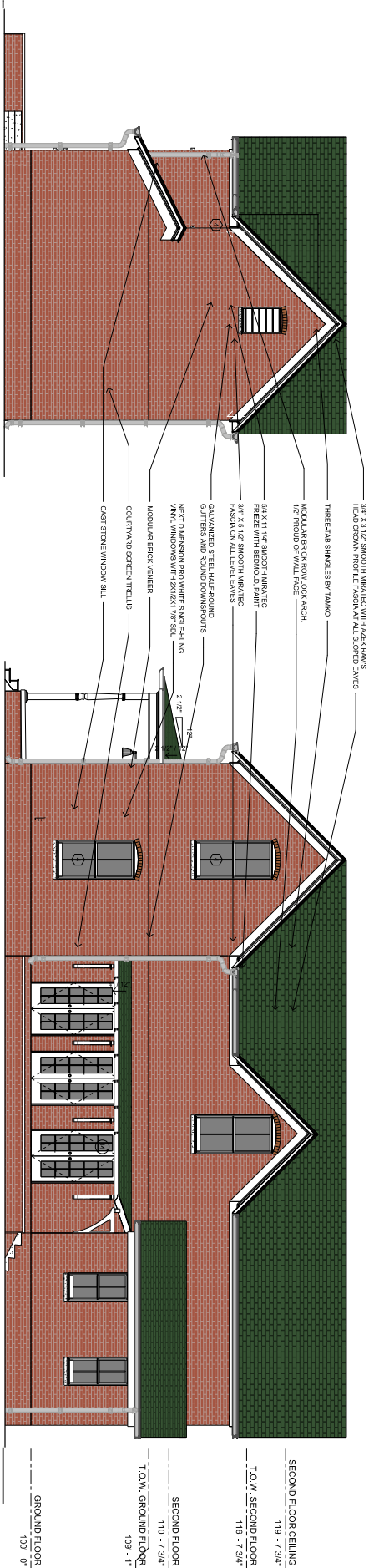
LSD-2024-0027 (OAK BAILEY CLUSTER DEVELOPMENT)

WEST ELEVATION

$$1/4^* = 1^* \cdot 0^*$$


4

3 SOUTH FRONT ELEVATION

$$0.1 = 1/10$$


NORTH ELEVATION

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

EAST ELEVATION

$$0.1 = 1.0$$

NOTE:
MATERIAL COLORS TO BE
RED BRICK WITH GREEN SHINGLES

SHEET A6.2

OLD FARMINGTON

ROAD

FAYETTEVILLE

ARKANSAS

AT PAGE ###

FOR REVIEW

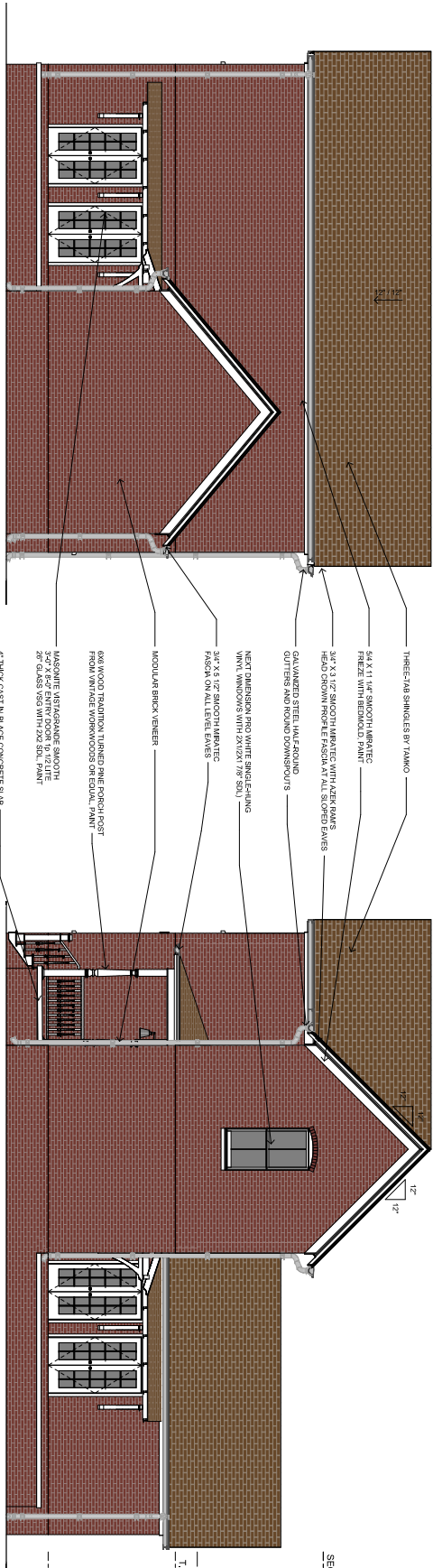
CHARACTER	OR
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100. <i>Character</i>	

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

ELEVATIONS

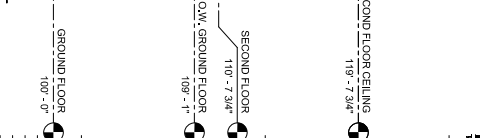
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SHEET A6.2



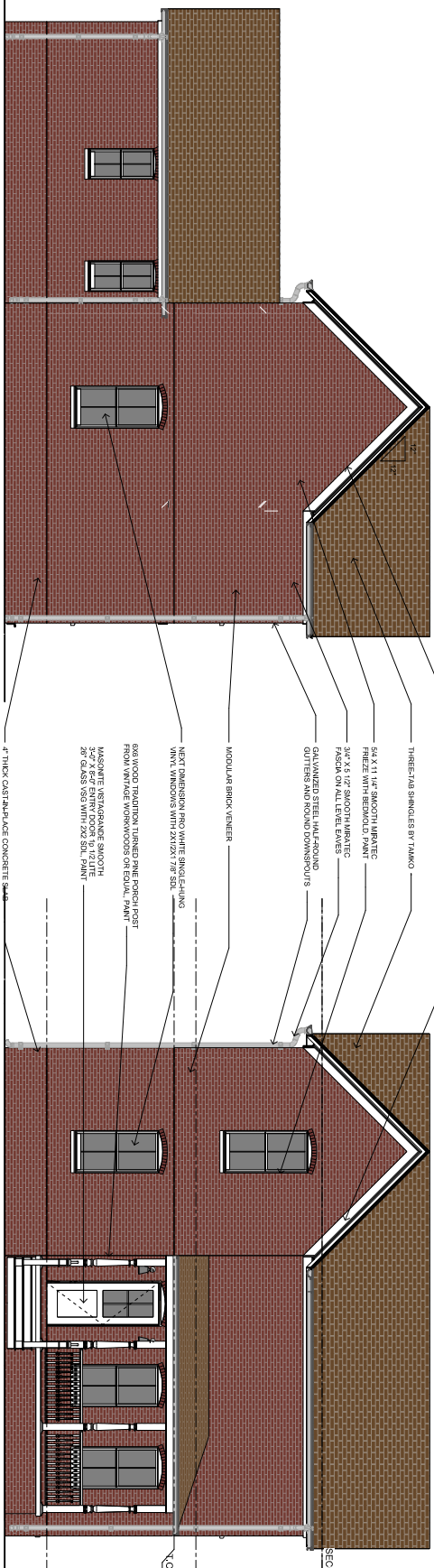
4 NORTH ELEVATION

1/4" = 1'-0"



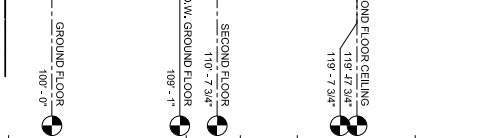
3 EAST ELEVATION

1/4" = 1'-0"



2 WEST ELEVATION

1/4" = 1'-0"



1 SOUTH FRONT ELEVATION

1/4" = 1'-0"

NOTE:
MATERIAL COLORS TO BE AS SHOWN
BRICK WITH BROWN SHINGLES

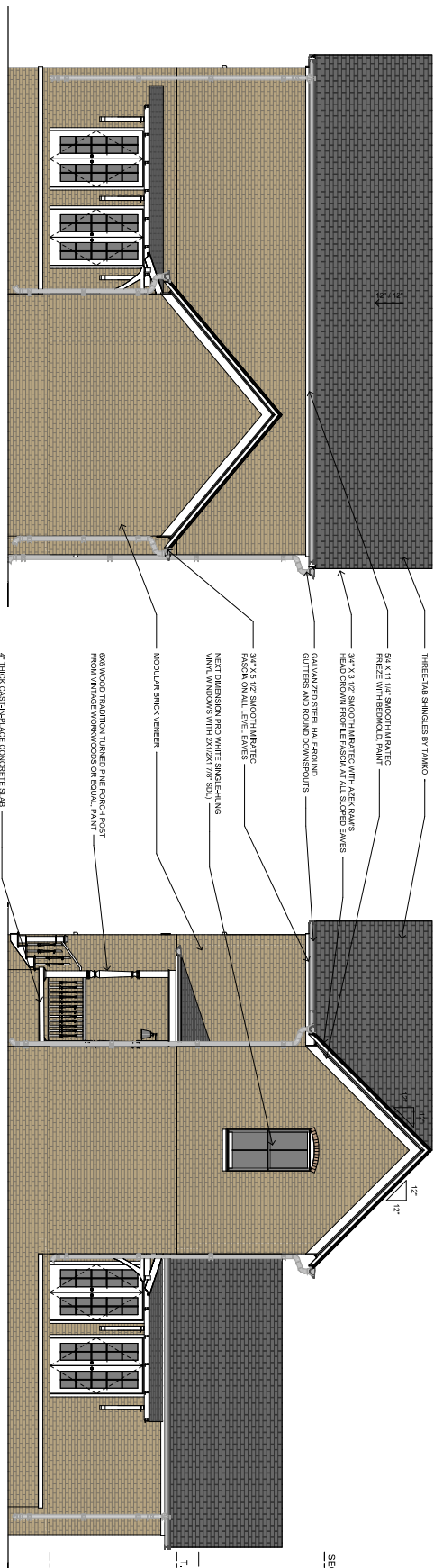
SHEET A8.2

OAK BAILEY
BENT HOUSE
ELEVATION 3
LOT 8

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

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

ELEVATIONS



4 NORTH ELEVATION

1/4" = 1'-0"

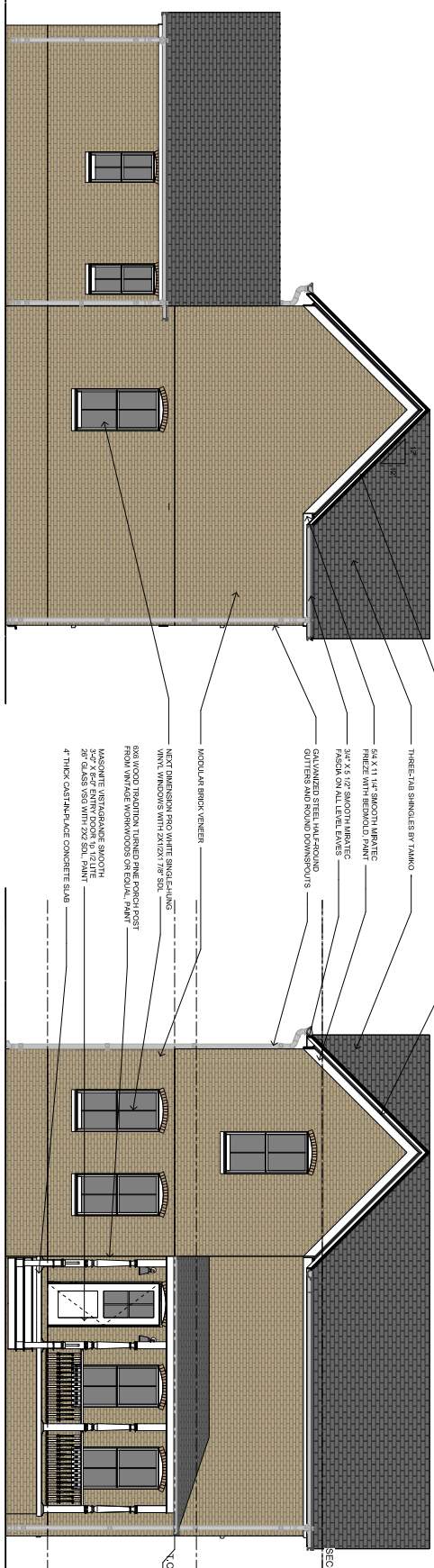
SECOND FLOOR CEILING
119' - 7 3/4"
SECOND FLOOR
110' - 7 3/4"
T.O.W. GROUND FLOOR
109' - 1"
GROUND FLOOR
100' - 0"

REVISION 0

OAK BAILEY
BENT HOUSE
ELEVATION 4
LOT 9

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

ENGINEER: BT
DRAWN BY: JK
DATE: 10/1/2024



2 WEST ELEVATION

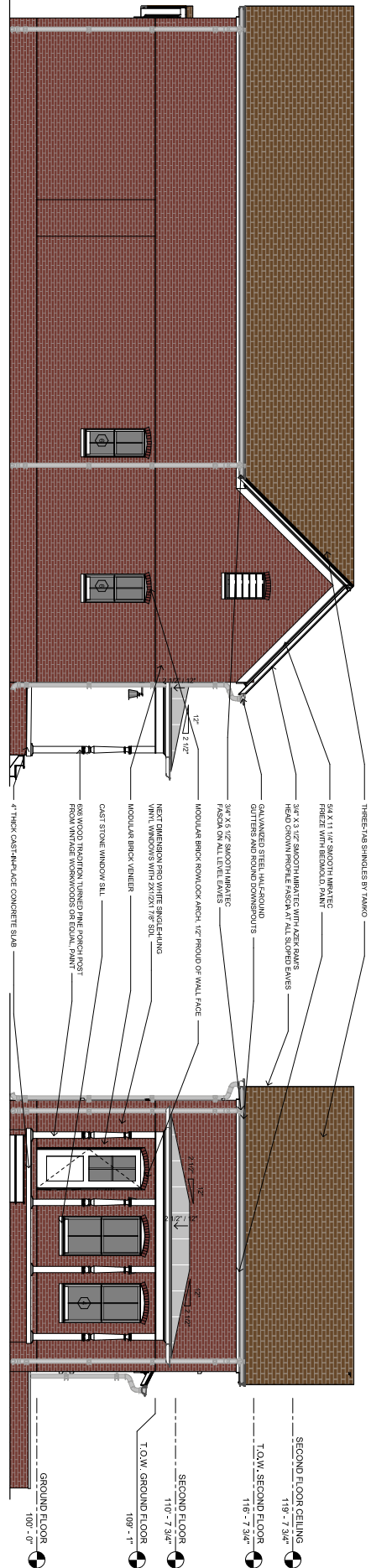
1/4" = 1'-0"

SECOND FLOOR CEILING
119' - 7 3/4"
SECOND FLOOR
110' - 7 3/4"
T.O.W. GROUND FLOOR
109' - 1"
GROUND FLOOR
100' - 0"

NOTE:
MATERIALS TO BE BRICK AND
WITH GRAY SHINGLES

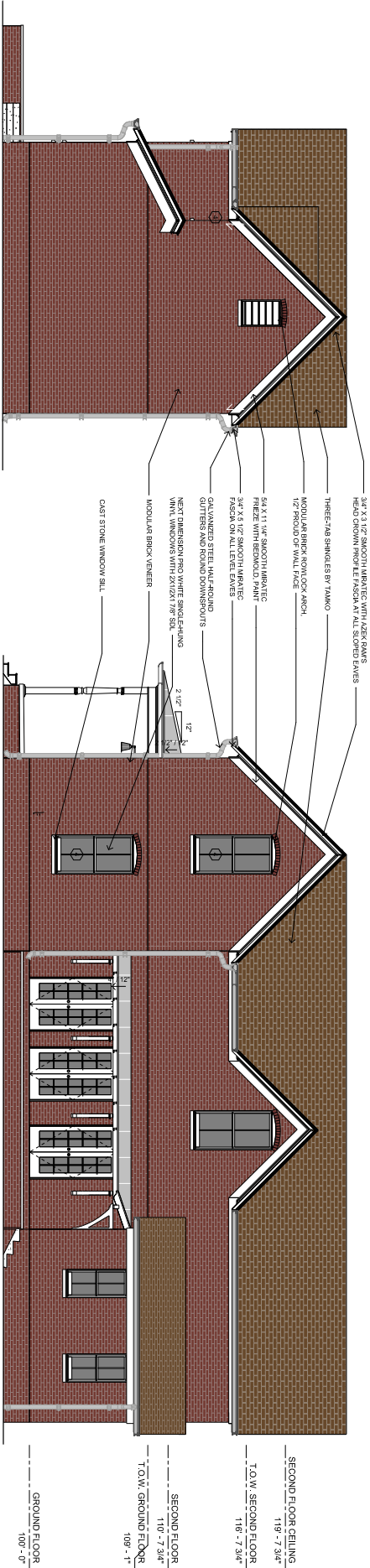
SHEET 19.2

ELEVATIONS



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

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



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

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

OAK BAILEY
DUPE COTTAGE
ELEVATION 3
LOT 10

LSD-2024-0027 (OAK BAILEY CLUSTER DEVELOPMENT)

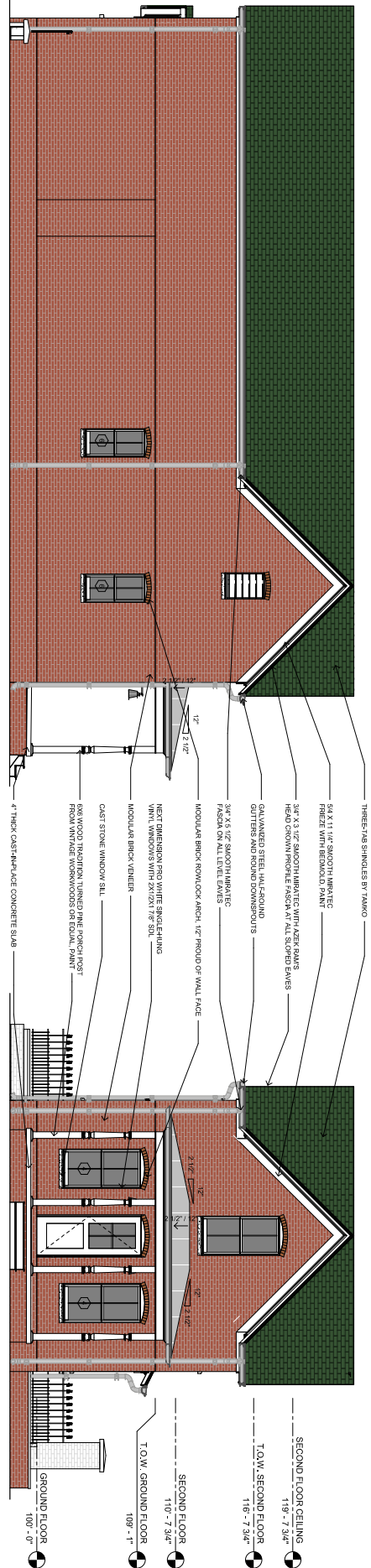


OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ##
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 02/10/2024

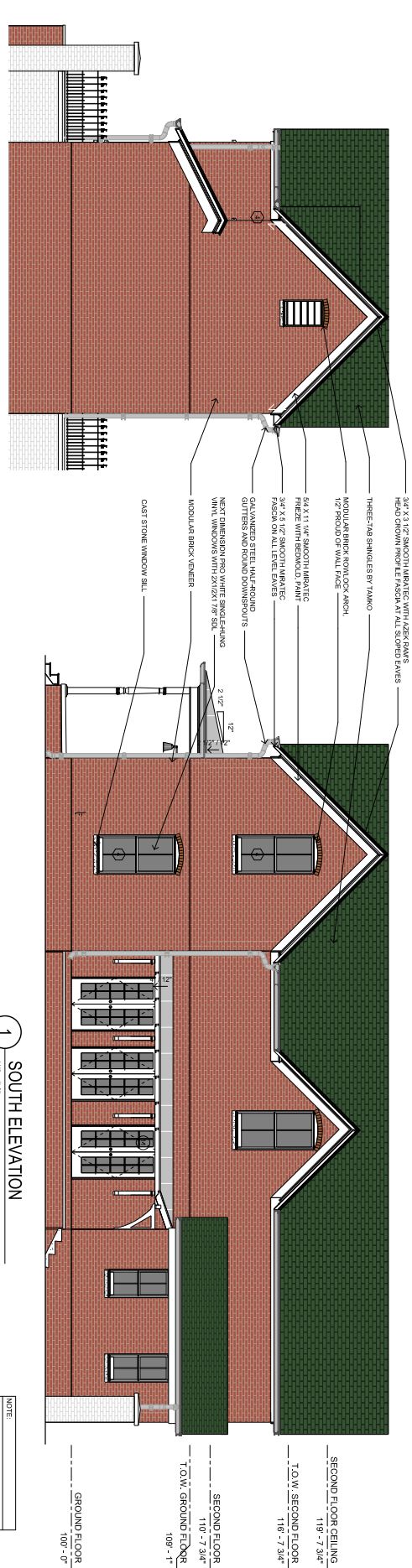
NOTE:
MATERIAL COLORS TO BE BROWN
BRICK WITH BROWN SHINGLES

SHEET A10.2



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

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



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

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

NOTE:
MATERIAL COLORS TO BE
RED BRICK WITH GREEN SHINGLES

SHEET A11.2

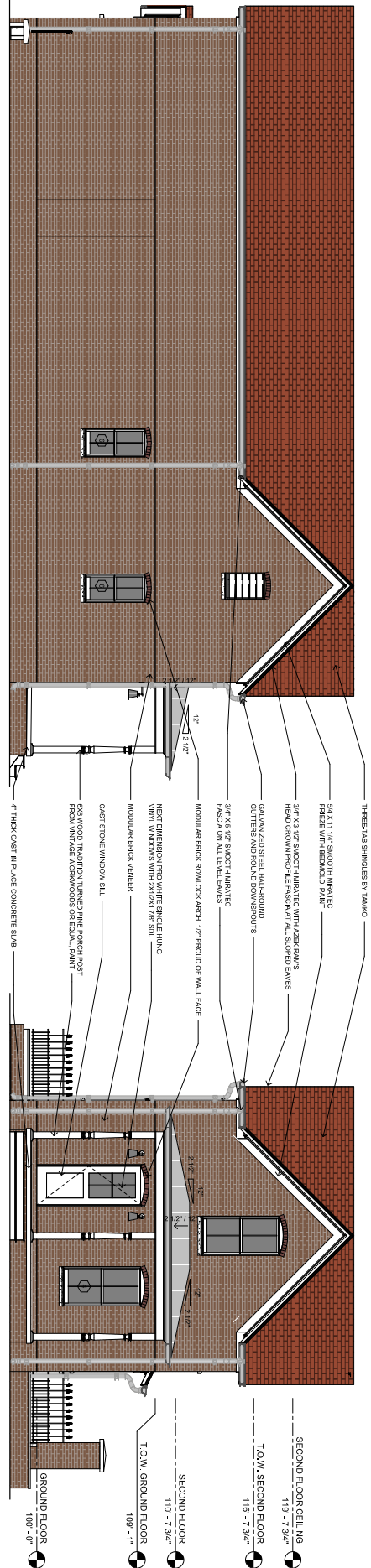
OAK BAILEY
DUPLX COTTAGE
ELEVATION 4
LOT 11

LSD-2024-0027 (OAK BAILEY CLUSTER DEVELOPMENT)



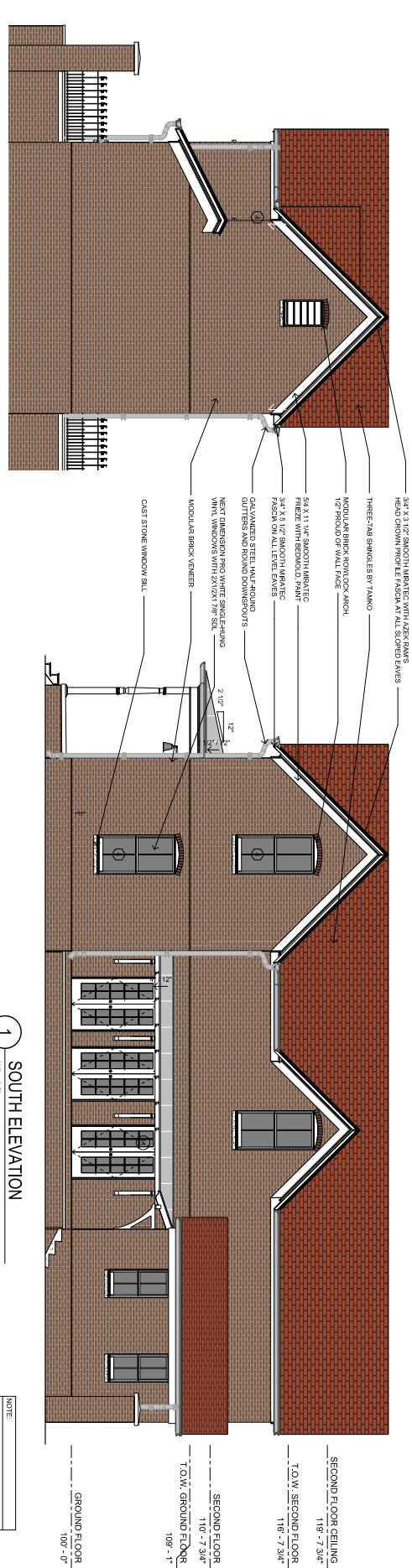
OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE # #
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: TK
DATE: 10/1/2024



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

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



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

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

NOTE:
MATERIAL COLORS TO BE
BROWN BRICK WITH RED SHINGLES

SHEET A12.2

OAK BAILEY
DUPLEX COTTAGE
ELEVATION 5
LOT 12

REVISION 0

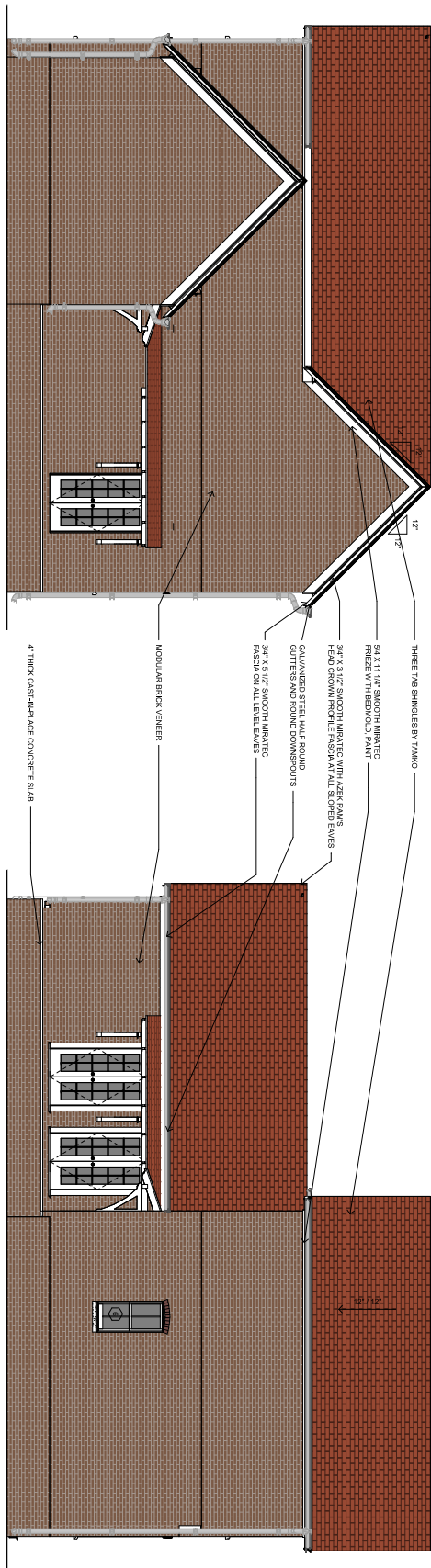


OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE ##
ISSUED FOR REVIEW

SECOND FLOOR CEILING
119' - 7 3/4"
T.O.W. SECOND FLOOR
116' - 7 3/4"
SECOND FLOOR
110' - 7 3/4"
T.O.W. GROUND FLOOR
109' - 1"

GROUND FLOOR
100' - 0"





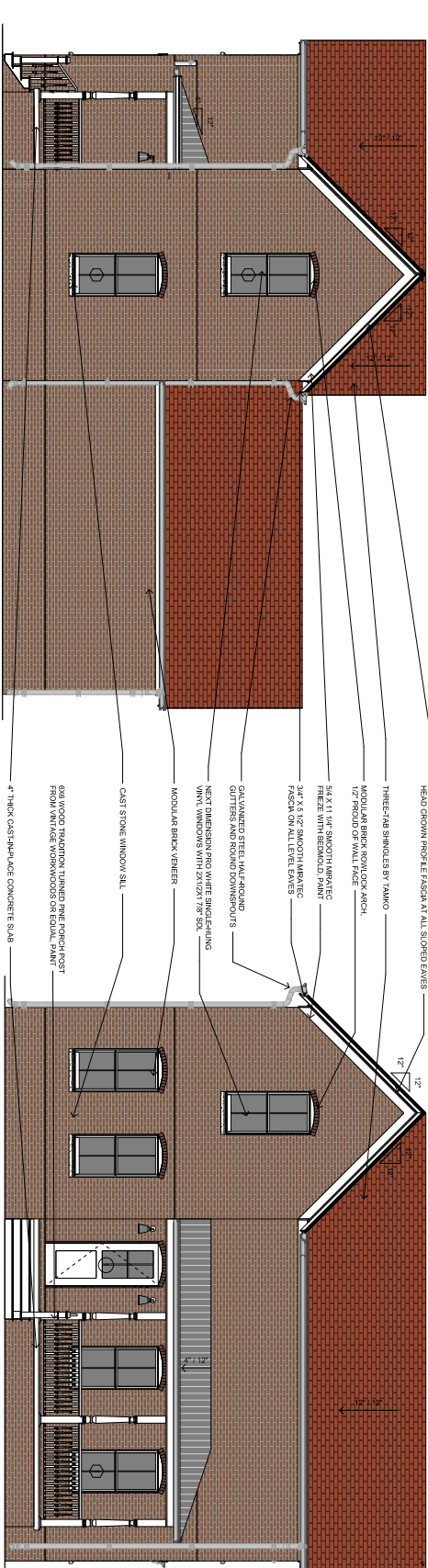
4 SOUTHEAST ELEVATION
1/4" = 1'-0"

SECOND FLOOR CEILING
119' - 8 3/4"

SECOND FLOOR
T.O.W. GROUND 109' - 11 3/4"
109' - 11"

GROUND FLOOR
100' - 0"

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



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

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

SECOND FLOOR CEILING
119' - 8 3/4"

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

GROUND FLOOR
100' - 0"

OAK BAILEY
BENT HOUSE
ELEVATION 6
LOT 15

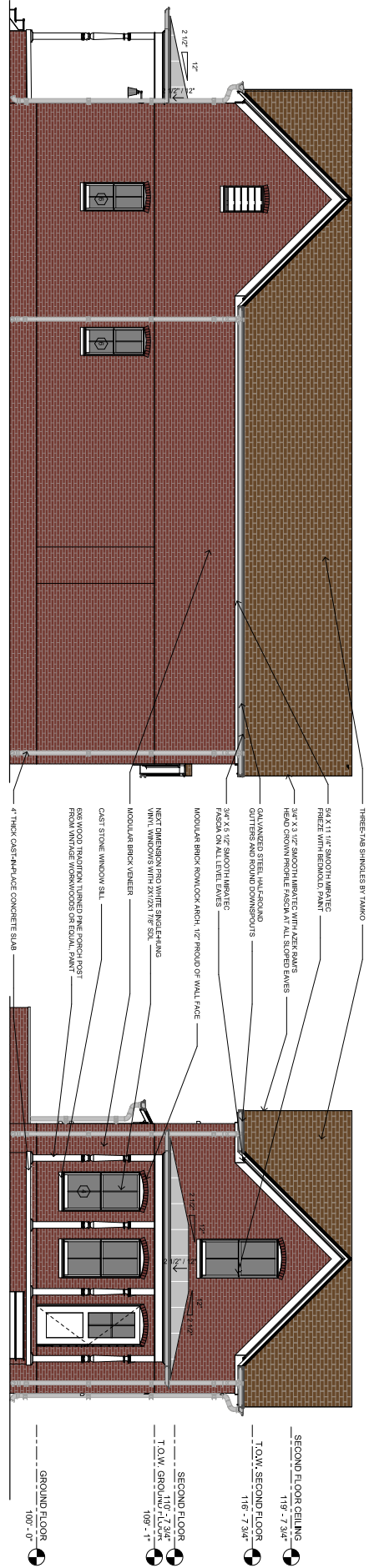
OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS
CITY PLAT PAGE # # #
ISSUED FOR REVIEW

ENGINEER: BT
DRAWN BY: JK
DATE: 7/07/2024

NOTE:
MATERIAL COLORS TO BE BROWN
BRICK WITH RED SHINGLES

SHEET A15.2

ELEVATIONS



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

REVISION 0

APPROVED FOR CONSTRUCTION

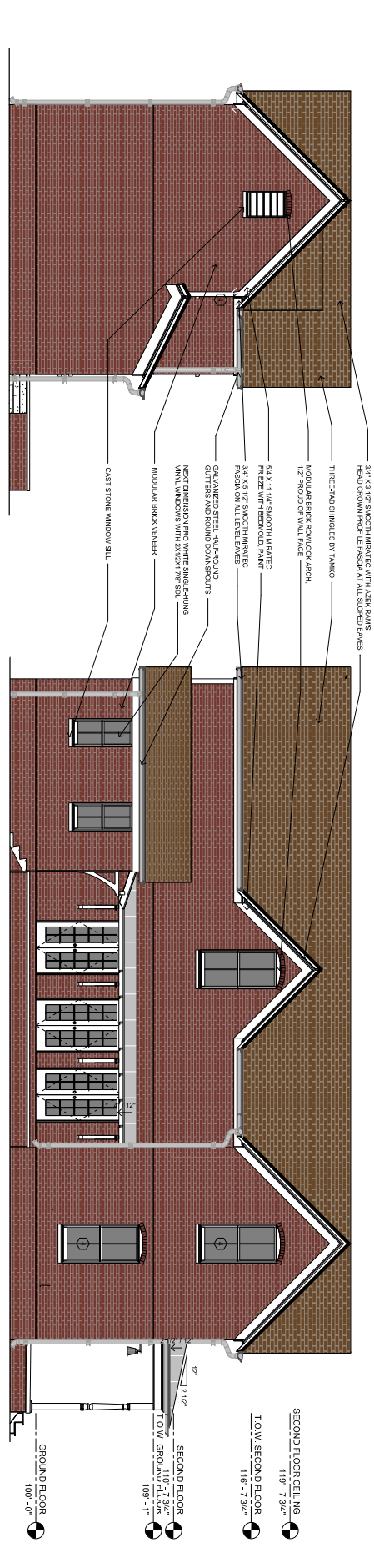
DATE: 03/10/24

BY: [Signature]

COMMUNITY BY DESIGN

ARCHITECTURAL ENGINEERING P.C.

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



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

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

NOTE:
MATERIAL GOES TO BE BRICK AND
BRICK WITH BROWN SHINGLES

OLD FARMINGTON
ROAD
FAYETTEVILLE,
ARKANSAS

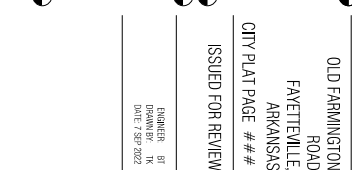
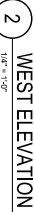
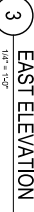
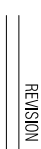
CITY PLAT PAGE # # #

ISSUED FOR REVIEW

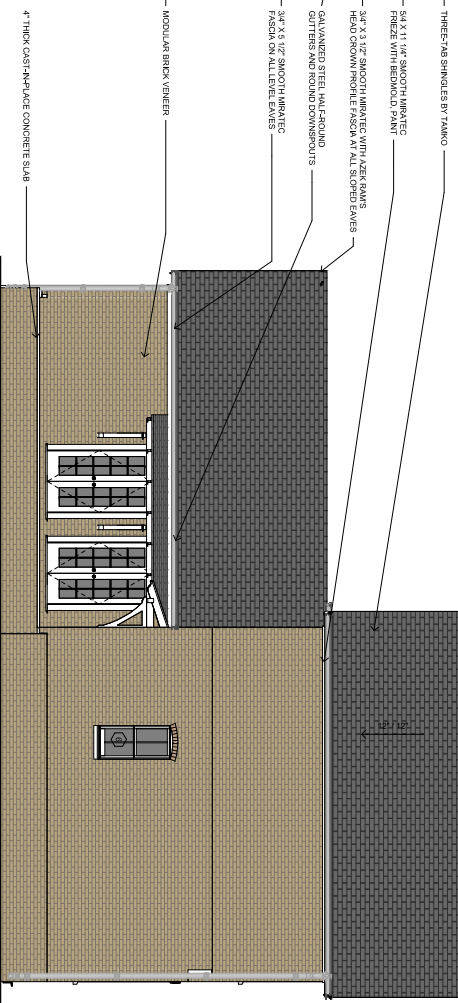
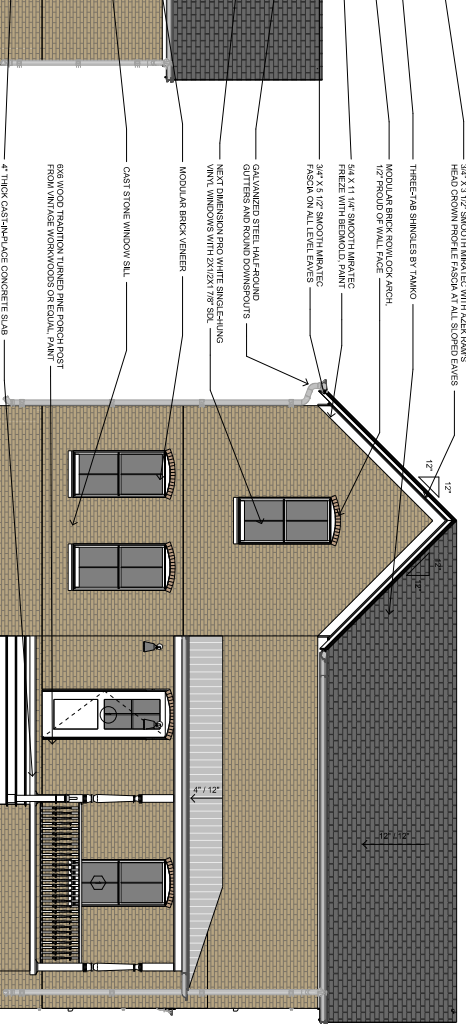
ENGINEER: BT
DRAWN BY: TK
DATE: 10/21/2024

ELEVATIONS

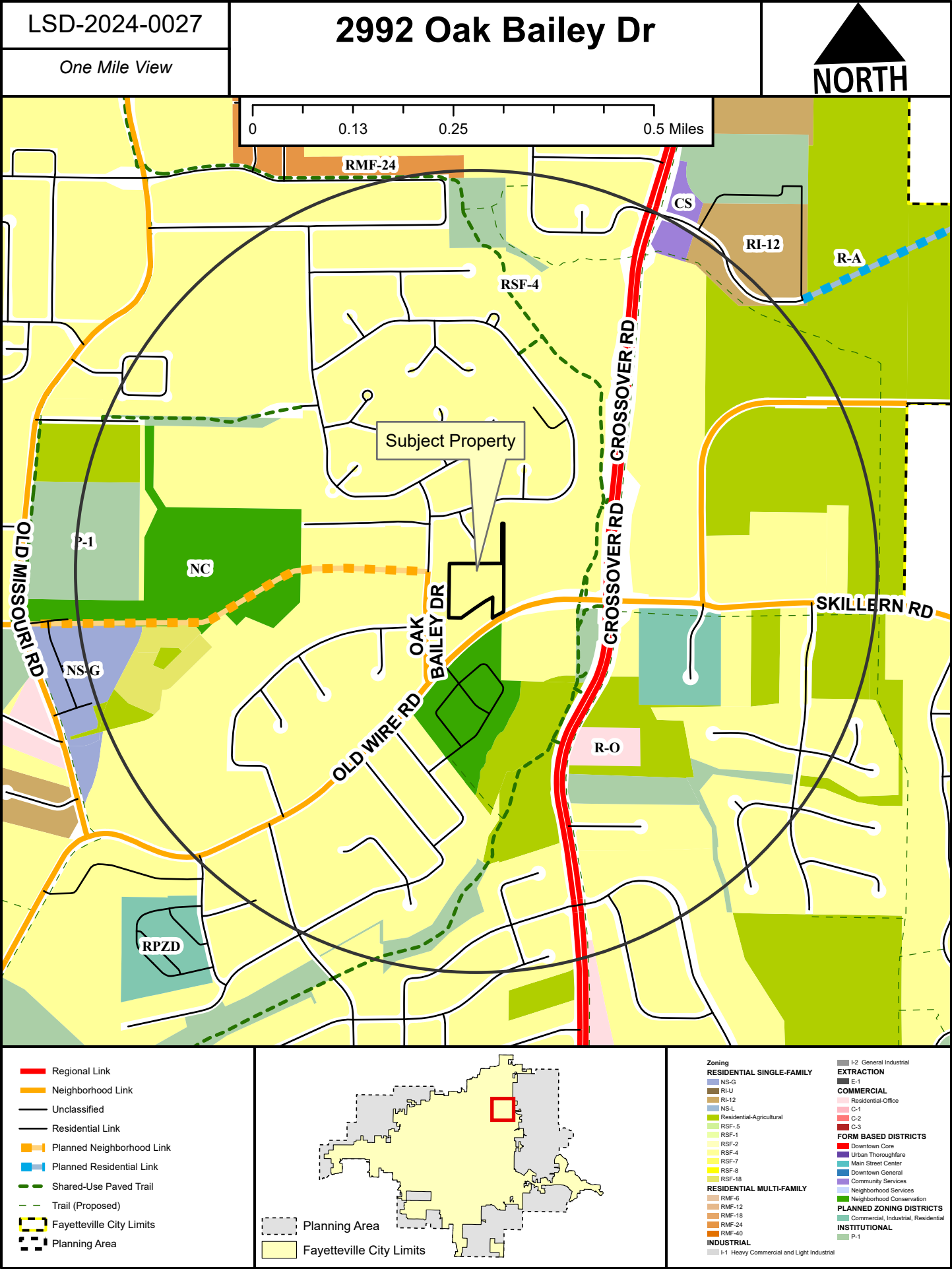
SHEET A16.2

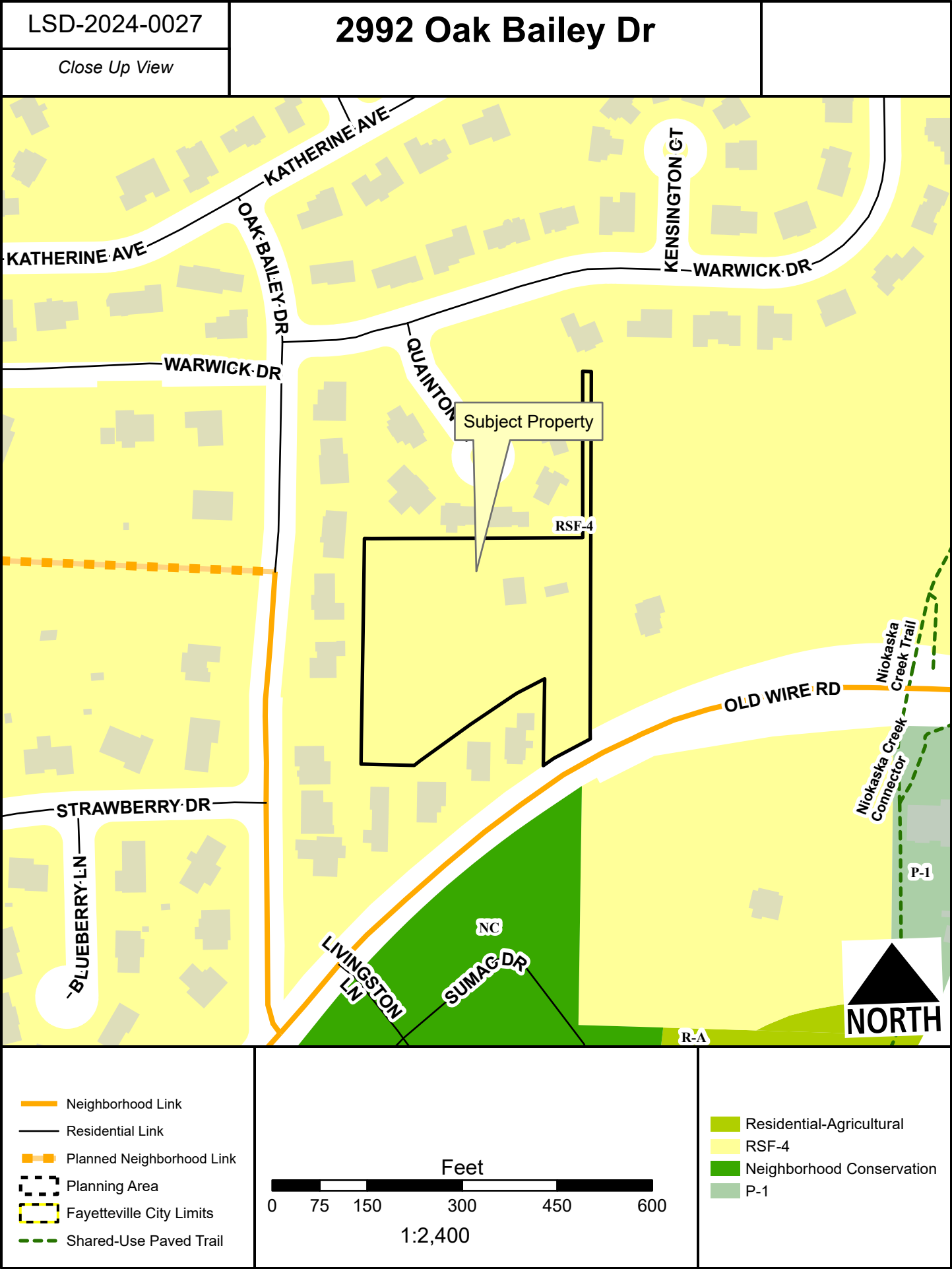


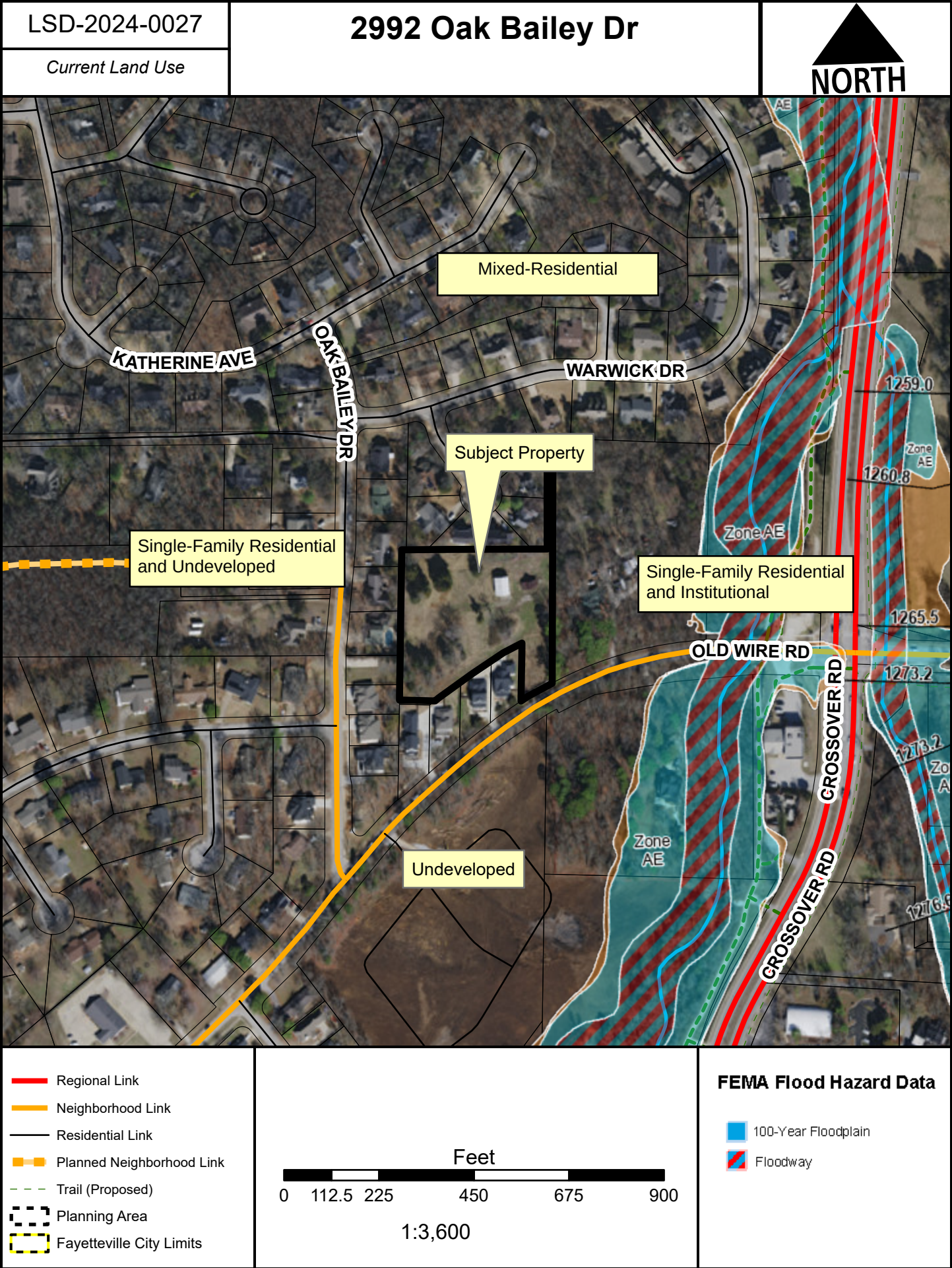
SHEET A17.2

[illegible]
$$1/4'' = 1'-0''$$
 $1/4^{\circ} = 1^{\circ} - 0^{\circ}$
$$1/4'' = 1'-0''$$
 $1/4'' = 1'-0''$

SHEET A18.2









TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: March 10, 2025

SUBJECT: **VAC-2025-0003: Vacation (507 S. CHURCH AVE./PBS PROPERTIES LLC, 523):** Submitted by SITEWISE CIVIL ENGINEERING for property located at 507 S. CHURCH AVE. The property is zoned RI-U, RESIDENTIAL INTERMEDIATE-URBAN and contains approximately 0.20 acres. The request is to vacate 0.13 acres of street right-of-way.

RECOMMENDATION:
Staff recommends denial of **VAC-2025-0003**.

RECOMMENDED MOTION:
*"I move to deny **VAC-2025-0003**."*

BACKGROUND:
The subject property is located west of the intersection of 5th Street and Church Avenue. The area under consideration with this request is a 0.13-acre portion of unbuilt street right-of-way which was platted in 1890 with the Jennings Addition Plat. There is no indication that it has ever been improved or utilized by the public. All properties adjacent to the right-of-way are developed with single-family residences. Surrounding land uses and zoning are further depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

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

Proposal: The applicant proposes to vacate a portion of undeveloped street right-of-way totaling 0.13 acres.

DISCUSSION:
Staff is not supportive of the applicant's request to vacate the subject right-of-way. Any road developed in the right-of-way would provide a connection between two segments of 5th Street which are designated as Urban Center Streets in the 2040 Master Street Plan. Vacating the right-of-way would disrupt the established lot and block pattern in the neighborhood and limit future connectivity. While the platted right-of-way terminates at private property to the west and does not fully extend to Locust Avenue, staff finds that future redevelopment along Locust Avenue could make the dedication of additional right-of-way and a street connection feasible. Vacating the unbuilt right-of-way at this time would eliminate the possibility of providing that connection.

Staff also finds the request to be inconsistent with the objectives of City Plan 2040. Goal 3 of City Plan 2040 emphasizes the importance of maintaining a complete, compact, and connected development pattern. By vacating this right-of-way and eliminating the potential for a 5th Street connection, the proposed vacation would run afoul with Goal 3 of City Plan 2040 and the city's long-term vision for growth and infrastructure by allowing for less connectivity. Eliminating the right-of-way would allow the length of the block on the west side of Church Avenue, between Martin Luther King Jr. Boulevard and 4th Street, to be about 660 feet. While that length is aligned with the maximum block length allowed along Urban Center Streets, the length of most adjacent blocks is 300 feet.

Vacation Approval: The applicant has submitted the required vacation approval forms to relevant city departments and franchise utility companies with the following responses. The applicant also submitted the required adjacent property approval form with no objections.

<u>Utility</u>	<u>Response</u>
Cox Communications	No objections, provided any damage or relocation will be at the builder's expense.
AEP/SWEPCO	No objections, provided a 15-foot-wide utility easement is dedicated adjacent to SWEPCO's overhead conductor on the west side of Church.
Black Hills Energy	No objections and no comments.
AT&T	No objections and no comments.
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: To date, staff has not received any public comment on this item.

RECOMMENDATION: Staff recommends denial of **VAC-2025-0003**. Should the Planning Commission choose to forward it to the City Council, staff recommends the following conditions:

Conditions of Approval:

1. Any damage or relocation of existing facilities will be at the property owner/developer's expense, and
2. A 15-foot-wide utility easement shall be dedicated adjacent to SWEPCO's overhead conductor on the west side of South Church Avenue as requested by SWEPCO.

PLANNING COMMISSION ACTION: Required YES

Date: March 10, 2025

☐ Tabled

☐ Forwarded

☐ Denied

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Applicant Request Letter
- Applicant Petition to Vacate
- Survey – Right-of-way to be Vacated
- One Mile Map
- Close-Up Map
- Current Land Use Map

January 13, 2025

Planning Commission
c/o Jessica Masters - Development Review Manager
125 W Mountain Street
Fayetteville, AR 72701



RE: W. 5th Street – Right-of-Way Vacation Request

The property owner of 439 and 507 S. Church Ave. is requesting to vacate the right-of-way of an undeveloped portion of W. 5th St. totaling +/-5,634 SF, or 0.13 acres. This area of right-of-way is +/-141 feet in length, and 40' in width.

W. 5th St is classified as an Urban Center street with a minimum required right-of-way width of 39 feet and a maximum width of 63 feet. The street section is intended to be used in Fayetteville's downtown core.

There is no platted right-of-way for W. 5th St. to connect to Locust Ave. to Church St. to the west of the proposed vacation area; a right-of-way gap of 180 linear feet currently exists between Locust Ave. and Church St.

5th St. currently connects S. Nelson Hackett Blvd. to S. Locust Ave. and then connects to S. Block Ave. and S. East Ave. before dead ending at Spout Spring Branch. The existing street serves approximately 20 residential units.

The existing block length of Church Ave. from the W. 4th St right-of-way to the Martin Luther King Jr. Blvd. right-of-way is approximately 648 feet. According to city code for Downtown/Urban Streets, intersections should occur at a minimum interval of 660 feet.

Should the requested right-of-way vacation request be approved, the property owner plans to seek approval to construct a 9 unit cluster housing development utilizing the vacated property as well as the properties to the north and south of the vacated area.

Thank you for your consideration. If I can be of any further assistance, please contact me at zhixson@sitewisecivil.com.

Respectfully submitted,



Zach Hixson, PE

PETITION TO VACATE RIGHT-OF-WAY LOCATED IN JENNINGS ADDITION, CITY OF FAYETTEVILLE, ARKANSAS

TO: The Fayetteville City Planning Commission and The Fayetteville City Council

We, the undersigned, being all the owners of the real estate abutting the right-of-way hereinafter sought to be abandoned and vacated, lying in Jennings Addition, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate a street right-of-way which is described as follows:

GIS Approved
02/05/2025

A PART OF THE SE1/4 OF THE SE1/4 OF SECTION 16, TOWNSHIP 16 NORTH, RANGE 30 WEST, AND LOCATED IN THE JENNINGS ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND AT THE SOUTHEAST CORNER OF LOT 6 OF BLOCK 26 OF SAID JENNINGS ADDITION; THENCE S02°29'06"W 40.00 FEET TO THE NORTHEAST CORNER OF LOT 1 OF BLOCK 27 OF SAID JENNINGS ADDITION; THENCE ALONG THE NORTH LINE OF SAID LOT 1 OF BLOCK 27 N87°40'34"W 140.78 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 OF BLOCK 27; THENCE N02°20'30"E 33.00 FEET TO AN IRON PIN FOUND; THENCE N02°14'24"E 7.00 FEET TO AN IRON PIN FOUND AT THE SOUTHWEST CORNER OF SAID LOT 6 OF BLOCK 26; THENCE ALONG THE SOUTH LINE OF SAID LOT 6 OF BLOCK 26 S87°40'34"E 140.89 FEET TO THE POINT OF BEGINNING, CONTAINING 5633 SQUARE FEET OR 0.13 ACRES, MORE OR LESS.

That the abutting real estate affected by said abandonment of the right-of-way within Jennings Addition, City of Fayetteville, used by the public for a period of many years, and that the public interest and welfare would not be adversely affected by the abandonment of the portion of the above described right-of-way.

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.

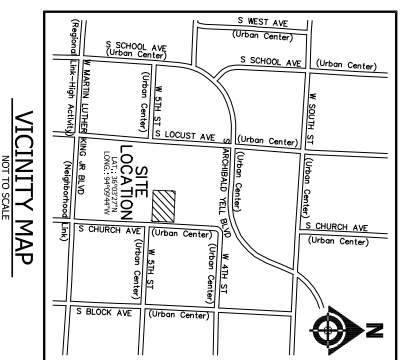
The petitioners further pray that the above described real estate be vested in the abutting property owners as provided by law.

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 right-of-way.

Dated this 20th day of January, 2025.

PAUL A. SCHMIDT, JR.
Printed Name

Paul A Schmidt, Jr.
Signature

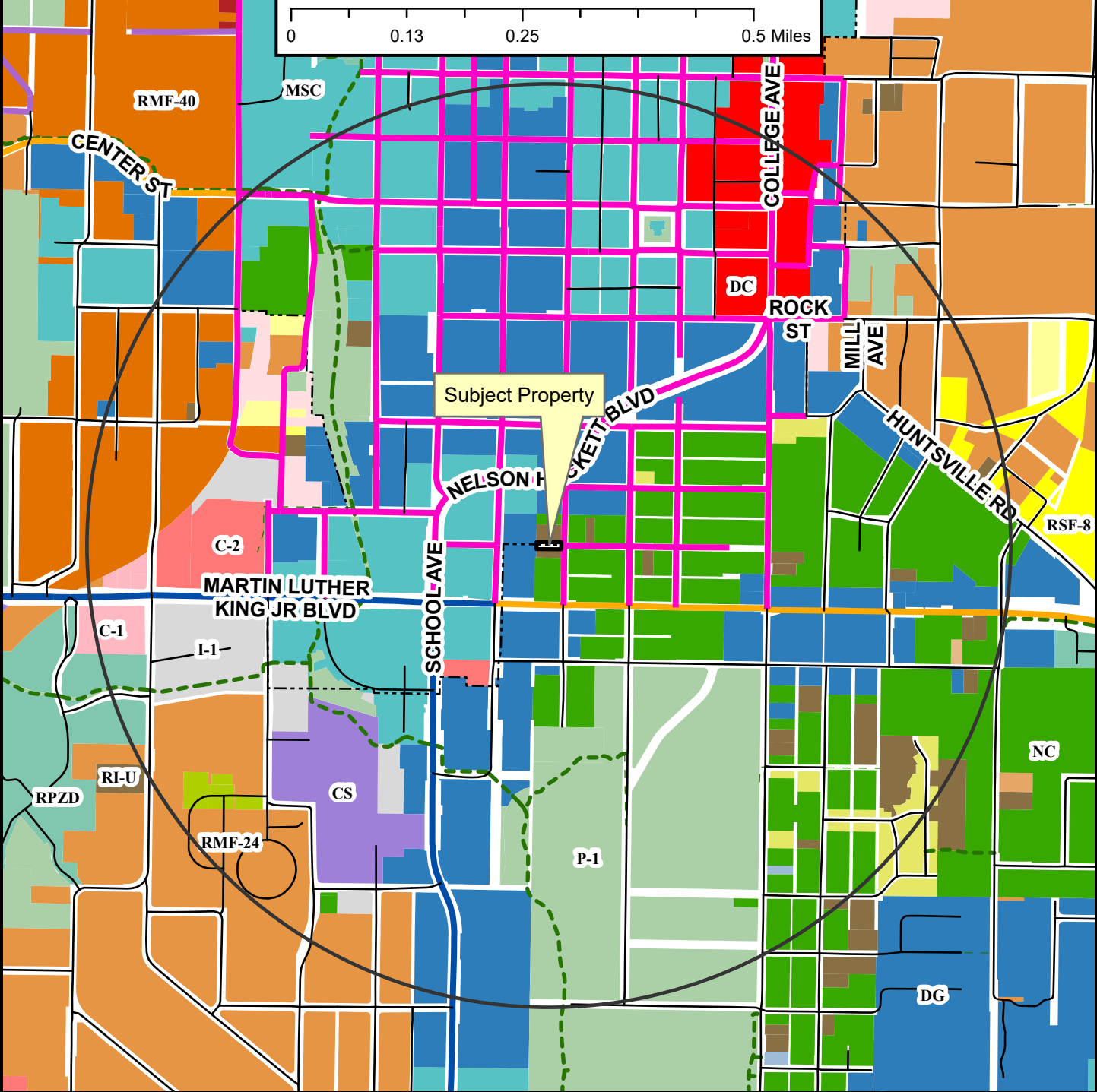
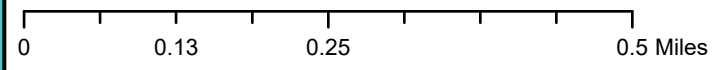


PREPARED FOR:		PBS PROPERTIES	
DRAWN BY:	LP	SCALE:	1" = 20'
REVISED:	LP	DWG:	24026_BOUND
		SHEET:	1 OF 1

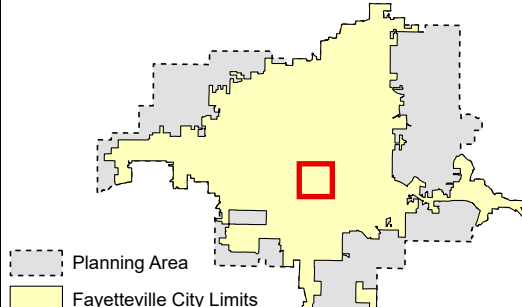
VAC-2025-0003

507 S. CHURCH AVE

One Mile View



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

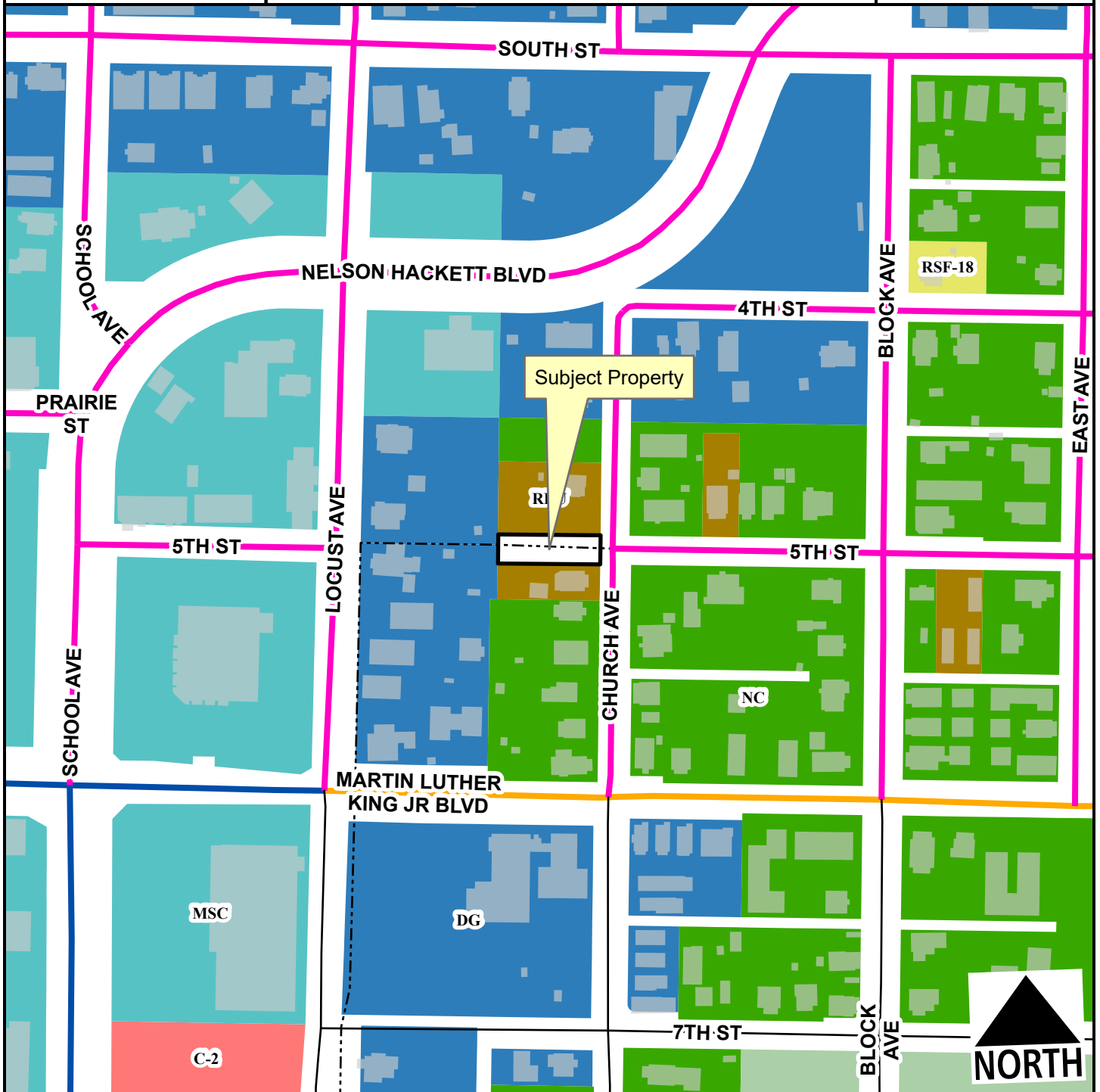


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
 - NS-G
 - RI-U
 - RI-12
 - NS-L
 - Residential-Agricultural
 - RSF-5
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
 - RESIDENTIAL MULTI-FAMILY**
 - RMF-6
 - RMF-12
 - RMF-13
 - RMF-24
 - RMF-40
 - INDUSTRIAL**
 - I-1 Heavy Commercial and Light Industrial
 - I-2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

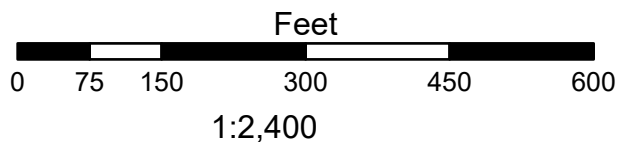
VAC-2025-0003

507 S. CHURCH AVE

Close Up View



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

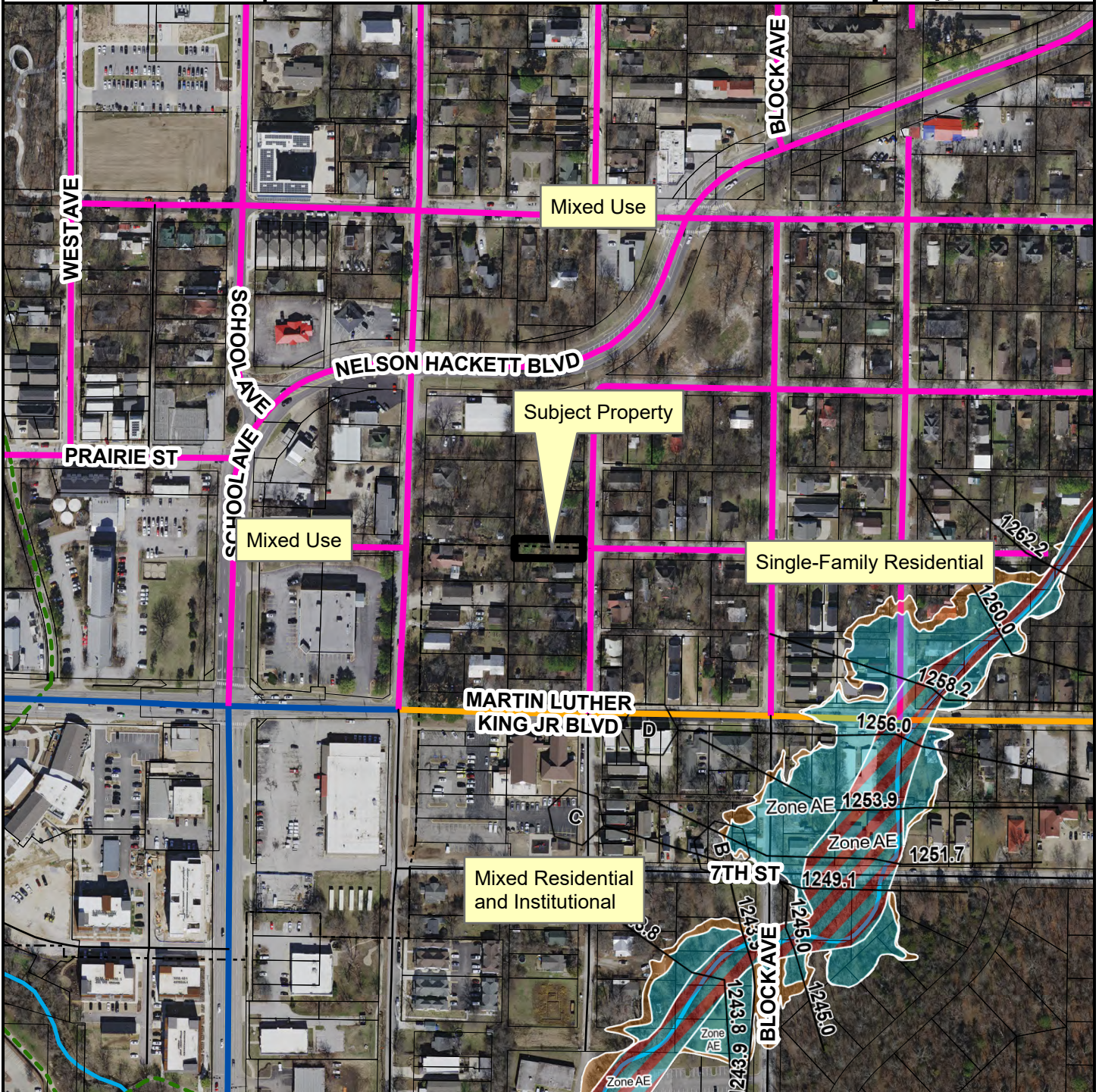


- RSF-18
- RI-U
- C-2
- Main Street Center
- Downtown General
- Neighborhood Conservation
- P-1

VAC-2025-0003

507 S. CHURCH AVE

Current Land Use



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

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

Planning Commission

March 10, 2025

VAC-205-0003 (PBS PROPERTIES LLC)

Page 10 of 10



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Wesley Frank, Planner

MEETING DATE: March 10, 2025

SUBJECT: **CUP-2025-0007: Conditional Use Permit (2651 N. OLD WIRE RD./ BIKE PATH COTTAGES, 292):** Submitted by TIM MCMAHON BUILDING for property located at 2651 N. OLD WIRE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.91 acres. The request is to construct a cluster housing development.

RECOMMENDATION:

Staff recommends approval of **CUP-2025-0007** with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2025-0007** with conditions, determining:*

- In favor of compatibility of Use Unit 44: Cluster Housing Development with adjacent properties; and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located in northeast Fayetteville, on N. Old Wire Road about 0.46 of a mile north of the intersection of N. Old Wire Road and E. Township Street. The site totals approximately 0.91 acre and is zoned RSF-4, Residential Single-family, Four Units per Acre. The property is currently undeveloped. Similar requests to build cluster housing have been approved at this site previously, including a development plan for a 6-unit housing development in 2021 (CUP-2021-000027) and again in 2023 (CUP-2023-0048). A site improvement plan that was approved in 2021 is still valid, though it cannot move forward without the associated zoning entitlement. The applicant is now seeking reapproval of their expired conditional use permit. Surrounding land uses and zoning are depicted in Table 1.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
South	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
East	Gully Park	RSF-4, Residential Single-Family, 4 Units per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre

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

Proposal: The applicant requests conditional use permit approval to develop the property with a cluster housing development containing six detached single-family units. Classified under the UDC as Use Unit 44, a cluster housing development is a conditional use in the RSF-4 zoning

district. Conformance with development requirements, including drainage, tree preservation, and fire apparatus access were previously reviewed for as part of the associated site improvement plan and will be reevaluated at the time of building permit.

Public Comment: Staff met with a resident who inquired about this project, though no public comment in support or opposition has been offered.

RECOMMENDATION: Staff recommends approval of **CUP-2025-0007** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility for Use Unit 44: Cluster Housing Development.** *Staff finds the proposed cluster housing development to be compatible with the neighborhood based on the findings in this report;*
2. Approval of the conditional use permit does not ensure approval of a development application. The conditional use grants the applicant rights to submit a development proposal based on the conceptual layout included herein. However, the applicant must still be able to comply with all other development requirements, including but not limited to, tree preservation, drainage, utility installation and Fire Department access. These details shall be reviewed with the development application. The final project design shall follow the general layout and design of the conditional use concept plan;
3. A condominium association, homeowner's association, or similar mechanism to maintain the common amenities shall be established prior to issuance of construction permits. The City of Fayetteville does not enforce these private agreements, but will require that this agreement be in place prior to issuing building permits;
4. Prior to receiving a certificate of occupancy for the first home, all shared drives and bike racks shall be installed. All development requirements, such as detention facilities, utilities, required landscaping, etc. shall be installed prior to any building permits being issued. The exact phasing of improvements will be determined at development review;
5. The maximum number of unrelated persons in any dwelling unit is three, pursuant to the underlying single-family zoning district;
6. Per UDC §166.20, Expiration of Approved Plans and Permits, conditional use permit approval is valid for one year; and
7. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs.

PLANNING COMMISSION ACTION: Required <u>YES</u> Date: <u>March 10, 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 Use Unit 44: Cluster Housing Development in the RSF-4 zoning district, including permission to develop six cluster housing units with a common seating and community garden.**

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

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

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

Finding: The Planning Commission is empowered under Unified Development Code §161.07 to grant the requested conditional use permit.

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

Finding: Staff finds that granting the requested conditional use permit is not likely to adversely affect the public interest. The detached, single-family dwellings are of a type and scale that is comparable to the surrounding homes. Developing the property as a cluster housing development will subject it to the extent of Fayetteville's tree preservation and drainage criteria, which are both intended to minimize off-side impacts and protect the public interest.

(c.) The Planning Commission shall certify:

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

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

§164.22, CLUSTER HOUSING DEVELOPMENT

D. Dwellings Permitted.

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

Finding: The proposal is for six detached single-family dwellings in one cluster housing development.

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

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

E. Zoning Regulations.

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

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

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

Finding: The subject property is 0.91 acre, which would allow 7.28 units per acre as cluster housing, the applicant's proposal is for approximately 6 units in this parcel.

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

Finding: Review of the provided site plan indicates that bulk and area regulations are being met. Lot widths, lot areas, and land area per dwelling unit will be considered with the associated development review.

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

Finding: Separation and setback requirements for the RSF-4 zoning district will apply along exterior property lines. Based on the conceptual site plan provided, the proposed cluster housing development is compliant with required zoning setbacks and individual buildings appears to be meeting the separation requirements of the International Building Code.

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

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

6. Building Area. None.

Finding: N/A.

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

Finding: No accessory dwelling units are proposed.

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

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

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

Finding: Development standards including floor area, building orientation, open space, parking, bicycle racks, Fire Department access, pedestrian connectivity, utilities, and recycling and trash collection were considered at the time of large scale development review. As part of the approved site improvement plan, staff noted that compliance with certain cluster housing requirements, including architectural, private and common open space, and trash and recycling standards, will need to be fully reviewed for at the time of building permit. Staff has evaluated the submitted site plan with this application and noted that the developer is complying with the City's code requirements.

- H. **Building Design Standards.**

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

- (e.) Variations in roof shapes or gables between adjacent structures.
- (f.) Other variations as approved by the Zoning and Development Administrator.

Finding: In cluster housing developments no two structures shall be identical in terms of exterior finishes and must vary in building height, main floor size, location of windows and doors, porches, and/or roof shape. The provided building elevations and site plan suggest that variations to color, materials, and window placement will be utilized to meet these requirements. The two units closest to the north side property line will mirror each other in design and layout. The remaining four will have the same building type, but there will be a variation in porch and roof designs. Materials are varied through combinations of wood, concrete, board and batten siding, and steel. The placement and materials used for windows and doors varies slightly across those units as well. Full compliance with these architectural design standards will be reviewed for and determine at the time of building permit.

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

- (2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:
 - (a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

Finding: As proposed, the cluster housing development will have access onto Old Wire Road by way of a shared private driveway. Old Wire Road is a Neighborhood Link street, designed to accommodate up to 6,000 vehicle trips per day. Near the intersection of Old Wire Road and Township Street to the south, average daily traffic was estimated at 8,600 vehicle trips per day in 2024, exceeding the typical volume for a Neighborhood Link street. Given the number of units proposed, staff finds that this development is not likely to adversely impact traffic safety or congestion. Compliance with the City's access management standards were fully considered as part of the associated development review.

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

Finding: The submitted site plan includes on-site parking in garages, driveways, and parking along the internal shared drive. In cluster housing developments, the applicant may choose to supply 1 parking space per bedroom, as this applicant has done. Otherwise, parking will be required at a rate of 1.5 spaces per unit for dwellings less than 1,000 square feet in size, and at a rate of 2

spaces per unit dwellings greater than 1,000 square feet. As proposed, The developer has allocated 2 parking spaces per unit, as well as 6 bike racks. Where parking abuts adjacent properties, fencing is either existing or proposed to limit glare and light intrusion.

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

Finding: Solid Waste has reviewed the provided site plan and not expressed concerns. Each individual unit is proposed to have its own residential trash carts. The City's ability to serve the development will be fully reviewed at the time of building permit.

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

Finding: Utilities are currently available to the site. An six-inch sanitary sewer main and six-inch water main is available along the east side of the property. Determinations of capacity or the need for improvements will be made with development submittal.

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

Finding: Given the single-family residential nature of the proposal and surrounding areas, staff recommends limited buffering. That said, the applicant intends to maintain privacy fencing along the north side of the property and vegetative buffers will remain where possible.

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

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

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

Finding: Review of the submitted site plan indicates that the required open space of the overall property is being provided. All separation and setback requirements will be reviewed for compliance again at the time of building permit submittal.

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

Finding: Staff finds the applicant's proposal to be compatible with adjacent properties and those in the surrounding neighborhood. While varying from a typical single-family residential neighborhood, cluster developments are intended

to orient dwelling units around a common open space and foster a sense of community. When considering the intent of cluster housing in relation to the proposed single-family residential cluster housing development, staff finds the proposed use to be generally compatible. Further, the property is located near public parks, trails, and other services, which suggests that it is in an appropriate location for slightly denser development.

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

Finding: Staff finds that the proposed development to be generally compatible with the goals and intent of the City's adopted land use, transportation, and other strategic plans. The RSF-4 zoning district is designed primarily to permit the development of low-density detached dwellings in suitable environments, and cluster housing is intended to orient dwellings around common areas and foster a sense of community. The proposed development may support Goal 1 of City Plan 2040 and align with the property's future land use designation as Residential Neighborhood area by encouraging appropriate infill.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.07 – District RSF-4, Residential Single-Family, Four Units per Acre
 - §164.22 – Cluster Housing Development
- Applicant Request Letter
- Applicant Site Plan
- Floor Plans & Elevations
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map

161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
-------	------	------

15 feet	5 feet	15 feet
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(F) *Building Height Regulations.*

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

164.22 Cluster Housing Development

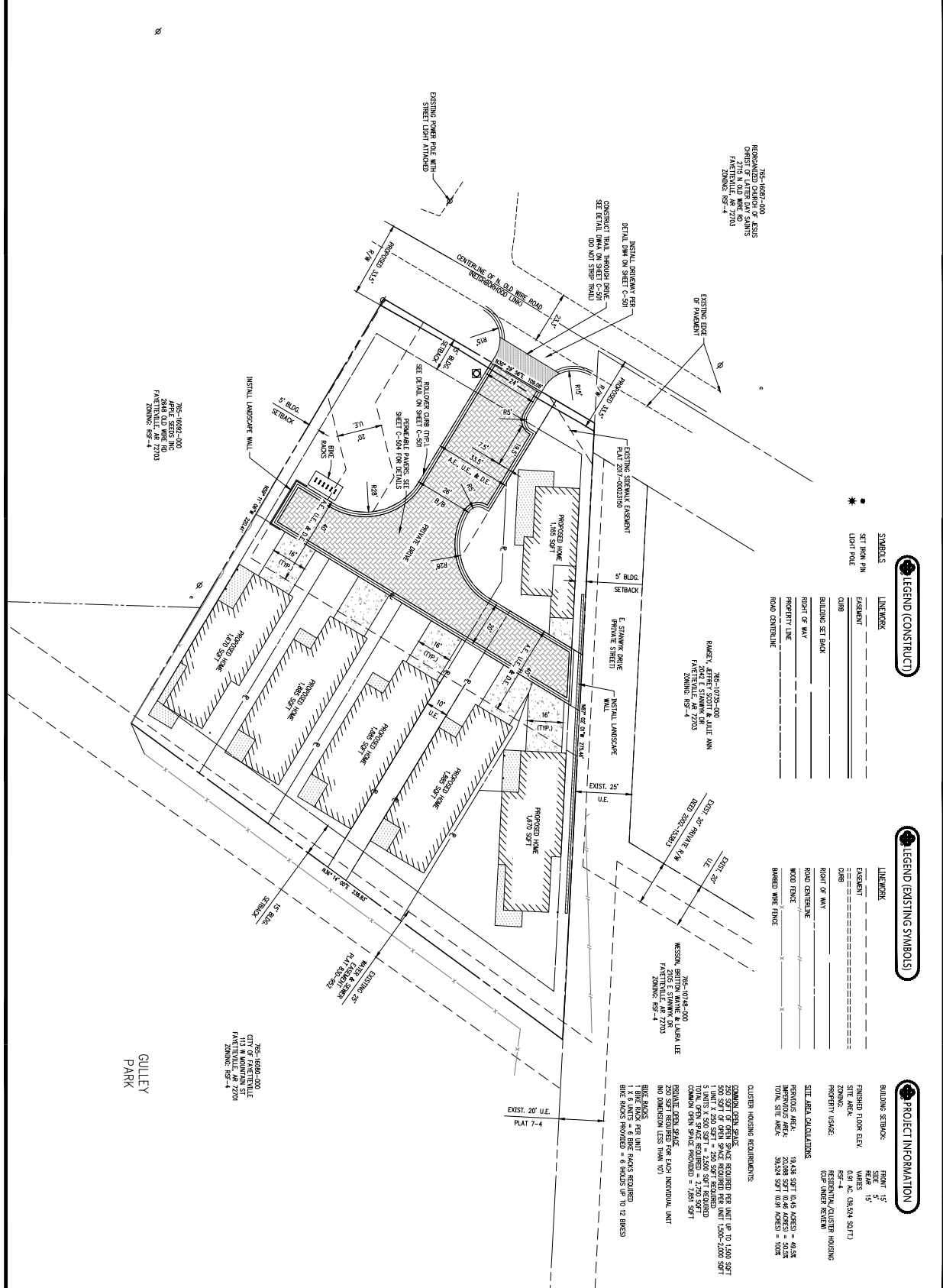
- (A) *Purpose.* The purpose of the cluster housing development ordinance is to encourage innovation and variety in housing while ensuring compatibility with established neighborhoods, and to provide housing opportunities for a population diverse in age, income and household size.
- (B) *Applicability.* The provisions of this section shall apply to proposed cluster housing development proposals, as defined in Chapter 162, Use Units, and authorized by Chapter 161, Zoning Regulations of the Unified Development Code, however zoning and development regulations such as density, bulk and area, building area, street frontage requirements, lot splits and other standards for cluster housing development are enforced subject to the criteria adopted in this chapter.
- (C) *Development Review Process.* For the purpose of development review, cluster housing developments less than one (1) acre shall be processed as a site improvement plan. Cluster housing development on lots one (1) acre or larger shall be processed as a large scale development. If individual cluster housing unit lots are proposed and the proposal meets all of the requirements in this section, the subdivision shall be processed through the subdivision platting process as a lot split regardless of the number of lots created.
- (D) *Dwellings Permitted.*
- (1) *Number of Cluster Housing Units Permitted.* A cluster housing development shall contain a maximum of twelve (12) dwelling units. In multi-family zones where the proposed cluster housing development exceeds the minimum open space requirements of 164.22(G)(3)(a) by at least 20%, and in which at least 75% of the planned units are attached dwellings, there shall be no maximum number of dwelling units, except to conform to the density limitations herein.
 - (2) *Existing Nonconforming Structures.* On a lot to be used for a cluster housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cluster density.
- (E) *Zoning Regulations.* The parent tract prior to development shall conform to the zoning criteria of the underlying zoning district.
- (1) *Permitted and Conditional Use.* Cluster housing development is permitted as identified in Chapter 161, Zoning Regulations, as a permitted or conditional use.
 - (2) *Density.* Cluster housing development permitted as a use by right shall be allowed a density in conformance with the underlying zoning district. Zoning districts that allow cluster housing developments as a conditional use shall be allowed a density not to exceed two (2) times the maximum density allowed in the underlying zoning district.
 - (3) *Bulk and Area Regulations.*
 - (a) *Lot Width Minimum.* There is no lot width requirement for individual cluster housing lots.
 - (b) *Lot Area Minimum.* The lot area minimum for cluster housing lots is 750 square feet.
 - (c) *Land Area per Dwelling Unit.* The land area per dwelling unit requirement is 750 square feet.

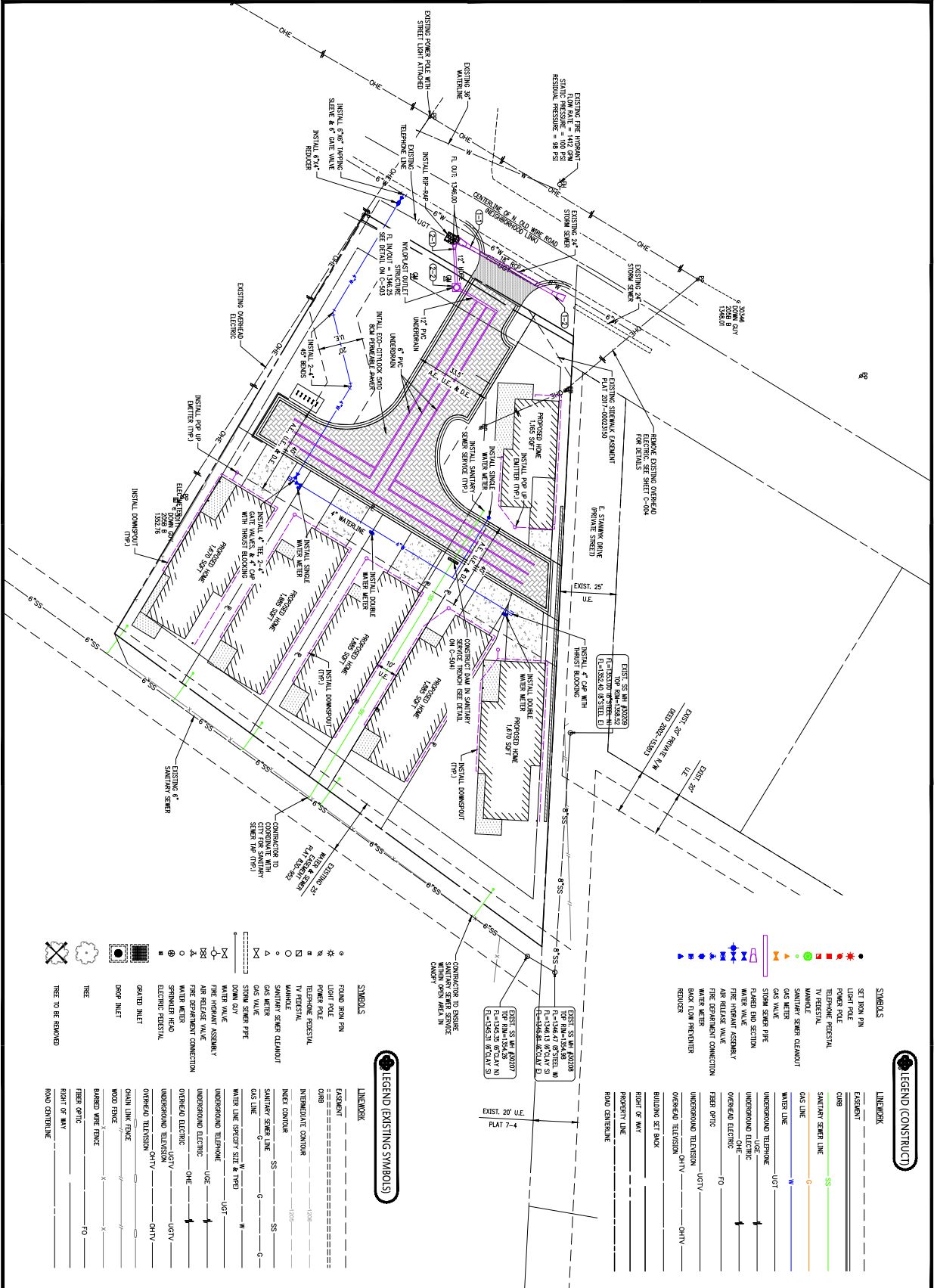
- (4) *Setback Requirements.* All structures shall meet setback and separation requirements of the International Building Code, as applicable. For zoning purposes:
 - (a) In single family districts, all cluster housing units shall have a minimum separation from one another of ten feet measured from exterior wall to exterior wall, not counting eaves or other architectural projections.
 - (b) In multi-family districts, there are no separation requirements from one cluster housing structure to another.
 - (c) The setbacks from the exterior property lines of the original parent tract shall be set by the underlying zoning district.
- (5) *Building Height Regulations.* The height for all structures in a cluster housing development shall not exceed the permitted height requirement of the underlying zoning district.
- (6) *Building Area.* None.
- (7) *Accessory Dwelling Units.* Accessory dwelling units are permitted in cluster housing developments by conditional use. Where a cluster housing development is permitted as a conditional use, accessory dwelling units may be requested within the same application.
- (F) *Common Property Maintenance.* Community buildings, parking areas and common open space shall be owned and maintained commonly by the cluster housing development residents, through a condominium association, a homeowners' association or a similar mechanism, and shall not be dedicated to the city unless accepted by the City Council.
- (G) *Development Standards.* All cluster housing developments are subject to the following standards:
 - (1) *Floor Area.* The total conditioned floor area of any individual cluster housing unit shall not exceed 2,500 square feet.
 - (2) *Building Orientation.* A minimum of 75% of dwelling units in a cluster housing development shall be oriented around and face the common open space, a public trail or towards the street, having pedestrian access to the common open space and the street. Where a cluster housing unit fronts onto a public trail, the façade facing the public trail shall be considered a principal façade for the purposes of meeting design standards.
 - (3) *Open Space.*
 - (a) For units up to 1,500 square feet, a minimum of 250 square feet of common open space shall be provided per unit. For units exceeding 1,500 square feet and up to 2,000 square feet, 500 square feet of common open space shall be required per unit. For units exceeding 2,000 square feet, 750 square feet of common open space shall be required per unit. Common open space is subject to the following performance criteria:
 - (i) No dimension of a common open space area used to satisfy the minimum square footage requirement shall be less than ten feet.
 - (ii) Required common open space shall be divided into no more than two (2) separate areas per cluster of dwelling units.
 - (iii) Common open space shall be improved for passive or active recreational use, garden/food production, social gathering spaces or landscaped areas. Examples may include but are not limited to courtyards, orchards, landscaped picnic areas, plazas or gardens. A detailed site plan of the common open space depicting the design and amenities of the space shall be reviewed with the site plan for approval.
 - (iv) Amenities such as permanent or movable seating, landscaping, trails and paths, barbeque or eating facilities, covered shelters or water features shall be included within the common open space. Low Impact Development stormwater management facilities may be placed within the common open space when they are integrated with the amenities listed above.
 - (b) Each cluster housing unit shall be provided with a private open space of 250 square feet with no dimension of less than ten feet. Private open space should be contiguous to each dwelling unit, for the exclusive use of each respective resident. In multi-family zones in which at least 75% of the planned units are attached dwellings, private open space shall not be required where the development exceeds the minimum open space requirements of (G)(3)(a) by at

- least 20% and it can be demonstrated that each unit has easily available access to open space amenities.
- (c) Parking areas and driveways shall not be counted as open space.
 - (4) *Fences.* Fencing located between a cluster housing unit and a public street or trail or the common open space shall not exceed 48 inches in height.
 - (5) *Parking Requirements and Standards.* Parking areas should be located within the cluster housing development in such a way as to maintain the character along the public street and to minimize the noise and light impacts on private residences and public spaces. Reductions in parking space allowances are permitted in cluster housing developments as described in Chapter 172, Parking and Loading. Permitted on-street parking spaces adjacent to a project's frontage may count towards the parking requirements of the development. Parking standards for cluster housing developments shall be as follows:
 - (a) The owner/developer may choose to supply one (1) parking space per bedroom for his or her entire cluster housing development. Otherwise, the required number of parking spaces shall be determined according to the square footage of the cluster housing unit as described below:
 - (i) Dwelling units less than 1,000 square feet shall have one and one-half (1.5) parking spaces provided.
 - (ii) Dwelling units over 1,000 square feet shall have two (2) parking spaces provided.
 - (b) Shared covered parking shall be designed to be similar and compatible to the design, materials and roof pitches used for the cluster housing units.
 - (6) Cluster housing developments shall provide at least one (1) bicycle parking rack per cluster housing unit.
 - (7) *Fire Department Access.* Fire Department access shall be determined at the time of development review.
 - (8) *Pedestrian Connectivity.* All buildings and common spaces shall be served by a pedestrian circulation system that connects to an existing or planned sidewalk or trail system.
 - (9) *Utilities.* Individual cluster housing lots shall have a unique connection to the main water and sewer lines. Main water and sewer lines on private property servicing cluster housing unit developments shall be located in a dedicated easement.
 - (10) *Community Buildings.* Indoor or covered common areas less than 2,000 square feet are permitted by right in cluster housing development. These structures shall be architecturally integrated with the architectural style of the cluster housing development.
 - (11) *Recycling and Trash Collection Service.* For the purposes of recycling and trash collection cluster housing developments are considered a residential use and should receive residential recycling and trash collection service (individual carts and recycling bins) where possible. In certain instances, it may be necessary to service cluster housing developments with commercial trash collection equipment (dumpsters). This may occur when a project is located in a predominately commercial area serviced by commercial trash pickup. It is incumbent on the developer to design recycling and trash collection facilities into the cluster housing development plan early in the process. The final determination of recycling and trash collection service and pick-up areas will be made at the time of development review by the city. Specific requirements for residential and commercial trash and recycling pick-up shall be as follows:
 - (a) Residential trash and recycling collection service requires a designated location near the street curb for trash carts and recycling bins. This location shall be kept clear of obstructions on the designated pick-up day. If this location is also used for on-street parking it shall be clearly marked and a sign posted restricting use for the designated pick-up day. An appropriate linear distance is required to accommodate each cluster housing unit's trash cart and recycling bin, subject to city approval.
 - (b) Commercial trash collection service requires a dumpster location that is freely accessible for front end loading and screened from public view.

- (c) Recycling and trash facilities shall be located behind the front building setback line and shall be screened from the right-of-way and adjacent property owners by either architectural treatments or vegetative screening.
- (H) *Building Design Standards.*
 - (1) *Variety in Detached Cluster Housing Units Floor Plans and Architectural Treatments.* These standards are intended to avoid the overly repetitive use of the same building design, structural features, detailing or finishes among detached units within the cluster housing development. In cluster housing developments no two (2) structures shall be identical in terms of exterior finishes. All cluster housing units shall differ from each other by utilizing at least two (2) of the following options:
 - (a) Variations in building material finishes such as clapboard, shake shingles, stone, brick, etc., and building color;
 - (b) Variations in adjacent cluster housing unit floor plans that alter the location of exterior windows and doors;
 - (c) Variations in the size of main floor area and/or building height of adjacent structures; or
 - (d) A front porch with a minimum width no less than 50% of the front building façade. Front porches shall have a minimum depth of six feet. No structurally identical front porches shall be located on adjacent cluster housing units.
 - (e) Variations in roof shapes or gables between adjacent structures.
 - (f) Other variations as approved by the Zoning and Development Administrator.
 - (2) All attached cluster housing units shall comply with §166.23, Urban Residential Design Standards. Where a cluster housing unit fronts onto a public trail or open space, the façade facing the public trail or open space shall be considered a principal façade, for the purposes of meeting this section.
- (I) *Variances From the Minimum Cluster Housing Development Requirements.* Variances of this section, Cluster Housing Development, shall be administered as normal development regulations for variances of General Design Standards, except that (E) Zoning Regulations shall be administered as zoning regulations for variance purposes.







LEGEND (CONSTRUCT)

SYMBOLS	DESCRIPTION
●	SET IRON PIN
○	LIGHT POLE
■	POWER POLE
□	TELEPHONE TELESTAL
△	WATER METER
◇	SEWER METER
◇	SEWER SERVICE CLEANOUT
◇	GAS METER
◇	GAS VALVE
◇	STORM SEWER PIPE
◇	STORM SEWER CLEANOUT
◇	WATER VALVE
◇	FLARED END SECTION
◇	UNDERGROUND TELEPHONE
◇	UNDERGROUND ELECTRIC
◇	OVERHEAD ELECTRIC
◇	FIRE DEPARTMENT CONNECTION
◇	WATER METER
◇	BACKFLOW PREVENTER
◇	REDUCER

LEGEND (EXISTING SYMBOLS)

SYMBOLS	DESCRIPTION
○	FOUND IRON PIN
○	LIGHT POLE
■	POWER POLE
□	TELEPHONE TELESTAL
△	WATER METER
◇	SEWER METER
◇	SEWER SERVICE CLEANOUT
◇	GAS METER
◇	GAS VALVE
◇	STORM SEWER PIPE
◇	STORM SEWER CLEANOUT
◇	WATER VALVE
◇	FLARED END SECTION
◇	UNDERGROUND TELEPHONE
◇	UNDERGROUND ELECTRIC
◇	OVERHEAD ELECTRIC
◇	FIRE DEPARTMENT CONNECTION
◇	WATER METER
◇	BACKFLOW PREVENTER
◇	REDUCER

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Fainteville, AR 72039
(501) 326-1234
www.craftontool.com

Planning Commission
March 10, 2025

CUP-2025-0007 (BIKE PATH COTTAGES)

GRAPHIC SCALE IN FEET
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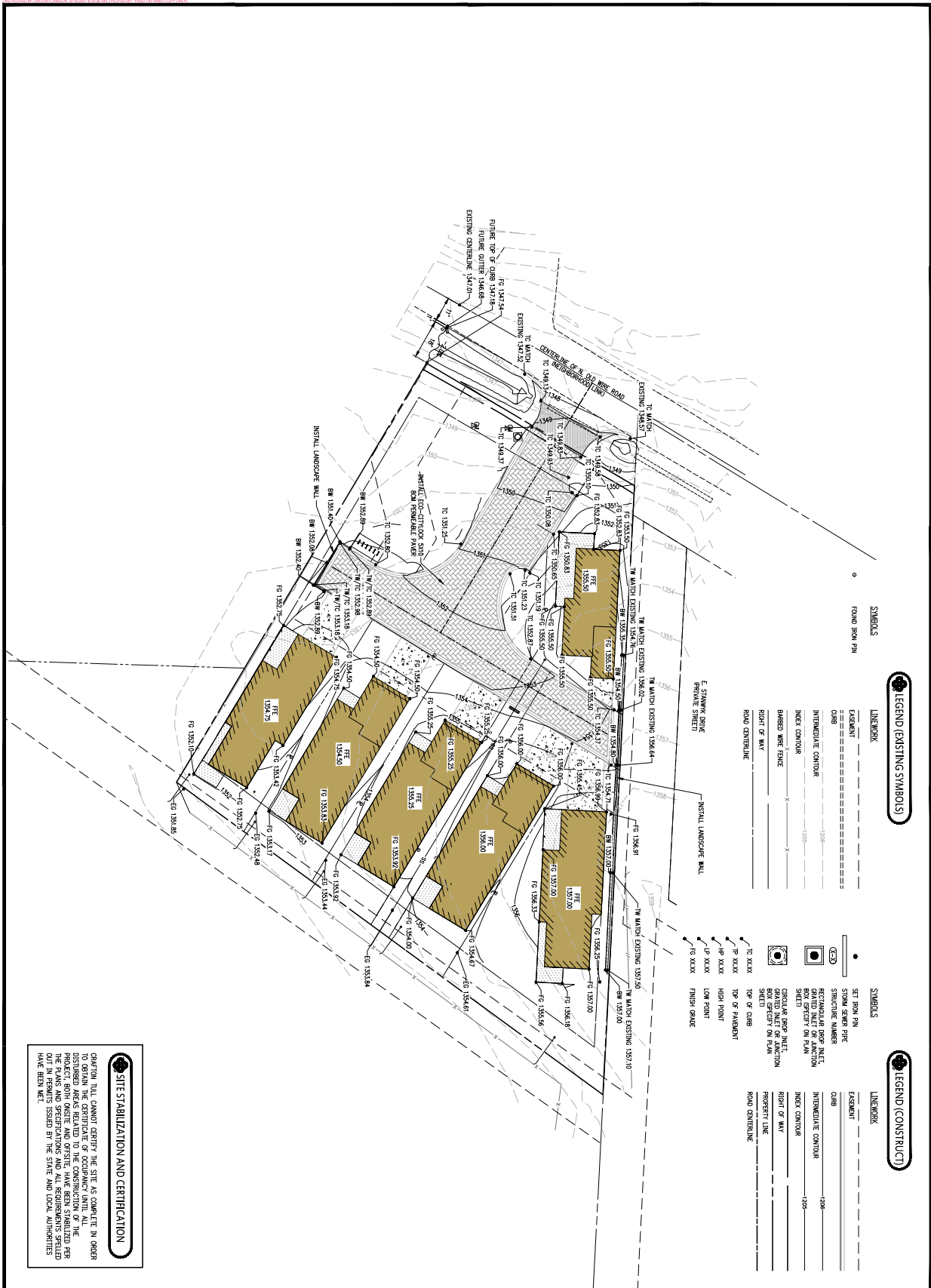
BIKE PATH COTTAGES
ON GULET PARK
FANTIEVILLE, AR

PROFESSIONAL
ENGINEER

06/16/2021

UTILITY PLAN (C)

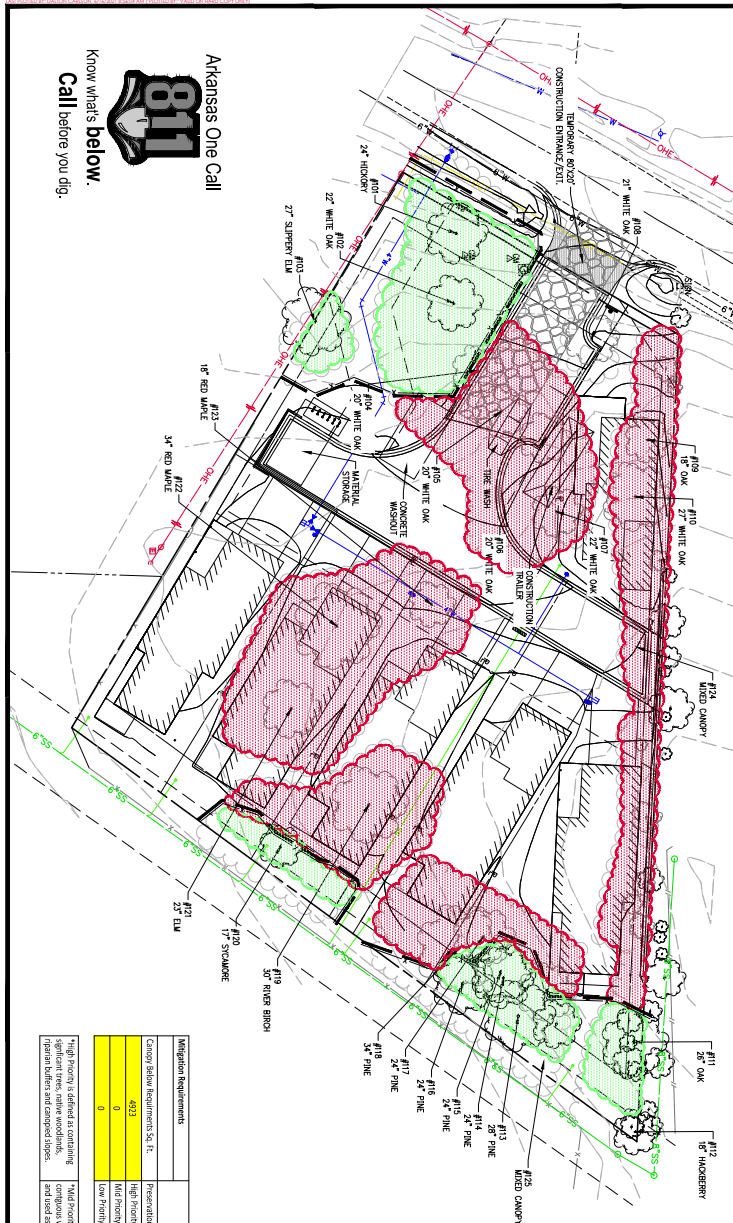
C-104



CITY OF FAYETTEVILLE STANDARD NOTES FOR TREE AND NATURAL AREA PROTECTION:

- [illegible]

GALILEO PAPER STOCK HOLDING SITE INVENTORY (PDA 2020060)							DATE: 7/22/2021	
ID#	SPR#/sh	SERVICE	CONDITION	REMARKS	SIGNATURE	PRIORITY	STATUS	
501	24	RECYCLE	Good		Yes	High	Preserved	
502	22	WATER-CLN	Good		Yes	High	Preserved	
503	20	WATER-CLN	Good		Yes	High	Preserved	
504	20	WATER-CLN	Good	Sealed and in good condition	Yes	High	Preserved	
505	20	WATER-CLN	Good		Yes	High	Preserved	
506	20	WATER-CLN	Good		Yes	High	Preserved	
507	20	WATER-CLN	Good		Yes	High	Preserved	
508	21	WATER-CLN	Good	Sealed and in good condition	Yes	High	Preserved	
509	21	WATER-CLN	Good	Sealed and in good condition	Yes	High	Preserved	
510	21	WATER-CLN	Good	Sealed and in good condition	Yes	High	Preserved	
511	20	WATER-CLN	Good		Yes	High	Preserved	
512	27	WATER-CLN	Good		Yes	High	Preserved	
513	26	CLN	Good		Yes	High	Preserved	
514	18	Sealed	Good		Yes	High	Preserved	
515	28	Sealed	Good		Yes	High	Preserved	
516	24	Sealed	Good		Yes	High	Preserved	
517	24	Sealed	Good		Yes	High	Preserved	
518	24	Sealed	Good		Yes	High	Preserved	
519	30	Sealed	Good		Yes	High	Preserved	
520	17	Sealed	Good		Yes	High	Preserved	
521	34	Sealed	Good		Yes	High	Preserved	
522	32	Sealed	Good		Yes	High	Preserved	
523	32	Sealed	Good		Yes	High	Preserved	
524	32	Sealed	Good		Yes	High	Preserved	
525	32	Sealed	Good		Yes	High	Preserved	
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547	32	Sealed	Good		Yes	High	Preserved	
548	32	Sealed	Good		Yes	High	Preserved	
549	32	Sealed	Good		Yes	High	Preserved	
550	32	Sealed	Good		Yes	High	Preserved	

 SOIL SURVEY

TREE PRESERVATION REQUIREMENTS

Tree Preservation Calculations		
	Square Feet	Percent of site
Total Site Area: "Within Right of Way and Easements"	36,145	100%
Zoning Ordinance: "Select Mature and Irony Downy Arrow Tree Preservation: "Select Mature and Irony Downy Arrow Tree Preservation: "Select Mature and Irony Downy Arrow Tree Preservation: "Select Mature and Irony Downy Arrow"	9,556	25%
Net Total	0	0%
Total Canopy to Minimum Preservation Requirements	5,546	25.0%
Existing Tree Canopy: "Within Right of Way and Easements"	10,630	49.6%
Tree canopy preserved	4,611	12.1%
Tree Canopy Preserved "On Site"	14,317	37.5%
Tree Canopy Preserved "Off Site"	0	0
Tree Canopy Preserved Total	14,317	37.5%
Minimum Preservation Requirements	4,920	
Excess Preservation	4,920	
Minimum Preservation Requirements	4,920	

Utilization Requirements	Preconstruction Priority Type	Orientation	Plant Species	Number of 2" Caliper Trees to be planted
Grassy Slopes (Slopes $\geq 1\%$)	Low Priority	Horizontal	Native	0
0	Mid Priority	Vertical	20%	0
0	Low Priority	Vertical	80%	0
0	Low Priority	Vertical	45%	0

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ARCHITECT:
MODERN STUDIO
PROJECT MANAGER: KACPER LASTOWIECK
15 N. CHURCH AVE # 102
FAVETTESVILLE AR 72011
(479) 455-5577

OWNER:
TIM MCMAHON
3142 OAKLAND JOHN PL
FAVETTESVILLE AR 72013

SITE ZONING: RSF-4
OVERALL SITE AREA: .91 ACRES/39,524 SF

[illegible]

VARIETY IN DETACHED UNITS

A. VARIATION IN BUILDING MATERIAL FINISHES

B. VARIATION IN ADJACENT CLUSTER HOUSE-LOCATIONS OF WINDOWS

C. FRONT PORCH VARIATION

C3 VARIETY IN UNITS SCHEDULE
1/8" = 1'-0"

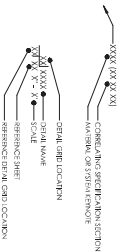
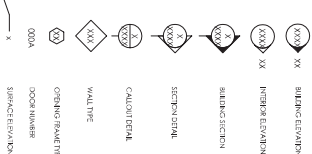
PLANT NAME	PLANT TYPE	COLLECTOR	REMARKS: LOCATION, ELEVATION
PLA-01	Tree S	Porch C	C-40
PLA-02	Tree S (unfructified)	Porch C (unfructified)	C-40
PLA-03	Tree A	Porch A	C-40
PLA-04	Tree A	On P-Porch	C-40
PLA-05	Tree A	Porch A	C-40
PLA-06	Tree A	Porch B	C-40



G0.01	GENERAL NOTES
G0.31	PERSPECTIVES
A0.50	WALL, TOOK, AND ROOF TYPES
A1.00	ARCHITECTURAL SITE PLAN
A1.00A	BUILDING PLAN - UNIT A
A1.00B	BUILDING ELEVATIONS - UNIT A
A2.00A	BUILDING ELEVATIONS - UNIT A
A2.00B	BUILDING ELEVATIONS - UNIT B
A3.00A	BUILDING SECTIONS - UNIT A
A3.00B	BUILDING SECTIONS - UNIT B
A4.01A	BUILDING PORCH DETAILS
A4.01B	TYPICAL PORCH DETAILS
A4.02	TYPICAL ILM DETAILS

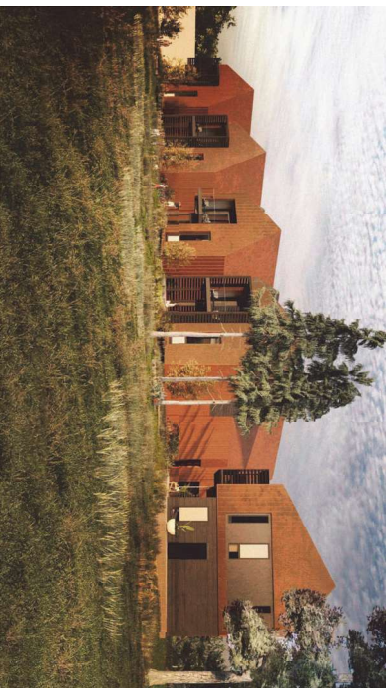
	XXXX	ROOM NAME
#	XXX SF	ROOM NUMBER
		ROOM AREA

#	ROOM NUMBER
XXXX	CEDING HUBH
X - X"	CEDING HEIGHT



GENERAL NOTES RELATIVE TO THE SCORE OF WORK AND TYPES OF DRAWINGS, ILLUSTRATIONS, AND INSTRUCTIONS FOUND ON THE SHEET.

GO.00



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FAYETTEVILLE, AR
72701

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PROJECT

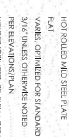
PHASES

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EXTERIOR FINISH LEGEND

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WALL TYPES - EXTERIOR

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FLOOR TYPES

F-01
 REINFORCED CONCRETE
 WITH A VERTICAL REINFORCE
 REINFORCE

F-02
 REINFORCED CONCRETE
 WITH A VERTICAL REINFORCE
 REINFORCE

F-03
 REINFORCED CONCRETE
 WITH A VERTICAL REINFORCE
 REINFORCE

F-04
 REINFORCED CONCRETE
 WITH A VERTICAL REINFORCE
 REINFORCE

F-05
 REINFORCED CONCRETE
 WITH A VERTICAL REINFORCE
 REINFORCE

The figure displays five cross-sectional diagrams of bridge piers, labeled F-01 to F-05. Each diagram shows a rectangular pier with a central vertical reinforcement bar and horizontal reinforcement bars. The diagrams are arranged in a row, with F-01 on the left and F-05 on the right. The labels are placed to the right of each diagram. The diagrams illustrate different reinforcement configurations for concrete bridge piers.

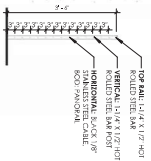
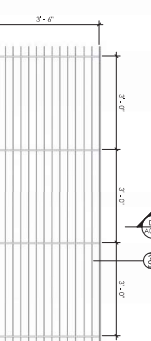
RAILING TYPES

MS-01
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FLOORING:
FURNITURE:
WALL, INC.

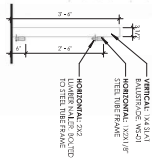
WOOD SING 01
CITY, STATE, ZIP
TELEPHONE (AREA CODE)
COUNTRY, AGENCY
TRADE SHOWS:
SPECIALTY (IF ANY) AND
COMMENTS ON RELIABILITY + QUALITY
BLACK CHINA, SUEI TIAN, QIDONG CERAM, BLACK HEAD COAT
<http://china-black.com/product.htm#greenwood>
greenwood@china-black.com

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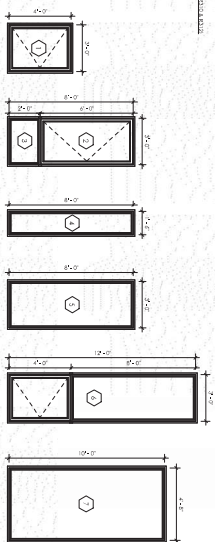
D2 ALL SECTION DETAIL - R-01

D1  ELEVATION ROTATION
1/2° = 1/2°

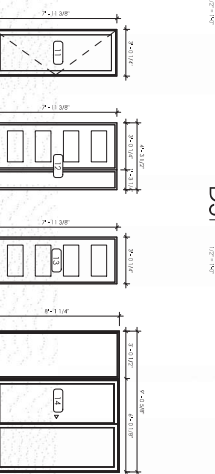
D4 SECTION DETAIL - R-02

D3 — ELEVATION R-02
1/2" = 10'

WINDOWS



EXTERIOR DOORS



SOFFIT TYPES

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ROOF TYPES

R-01

GULLEY PARK
2650 N OLD WIRE RD
FAYETTEVILLE, AR
72701

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BASED FOR PRELIMINARY

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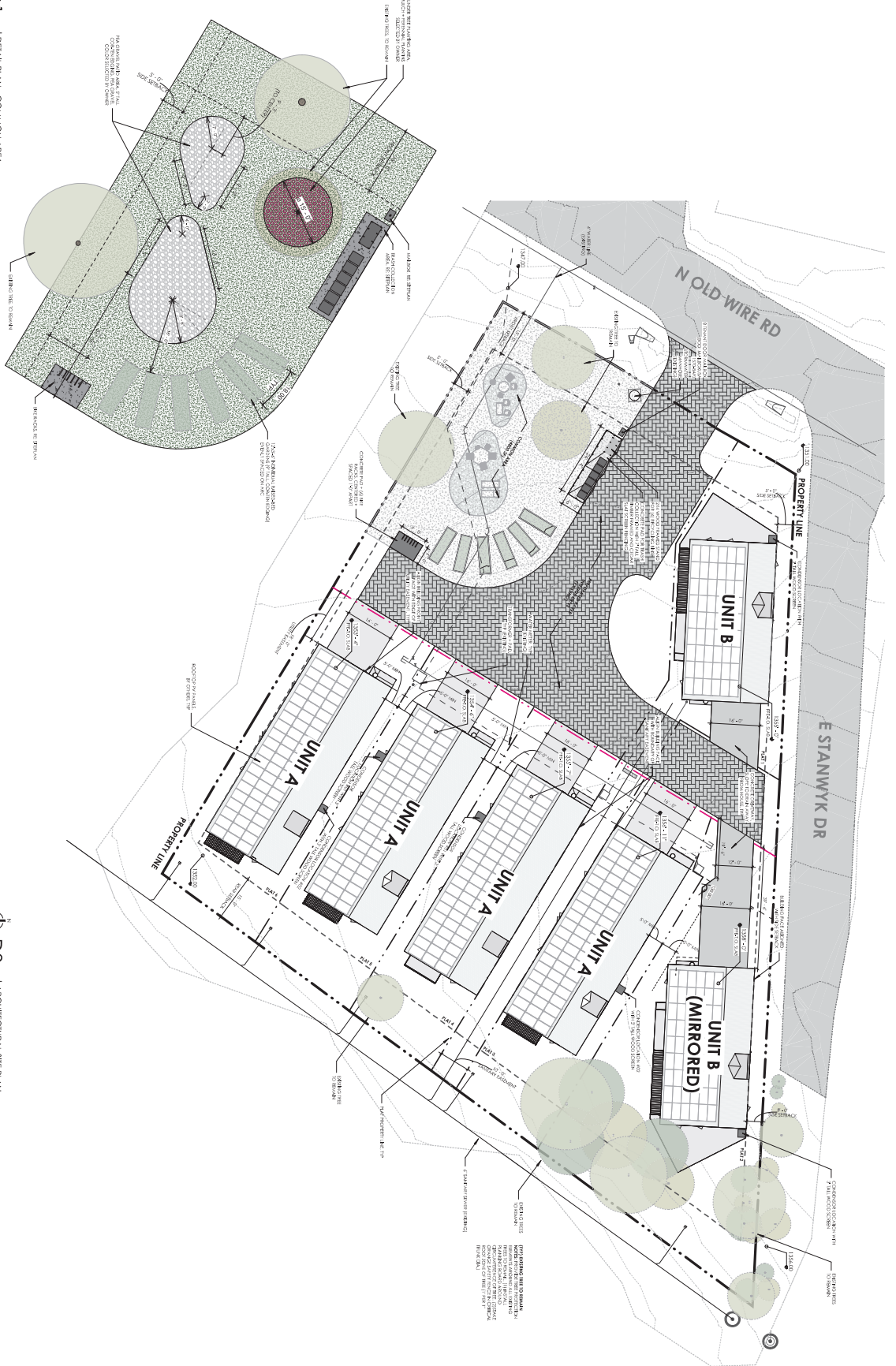
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studio
architecture
+ prototyping
modustudio.com
contact@modustudio.com

GULLEY PARK
2650 N OLD WIRE RD
FAYETTEVILLE, AR
72701

PROJECT: 22304
DATE: 2023.07.24
SHEET: 22304
ARCHITECTURAL SHEET PLAN
IFR + PPR
2023.07.24
22304

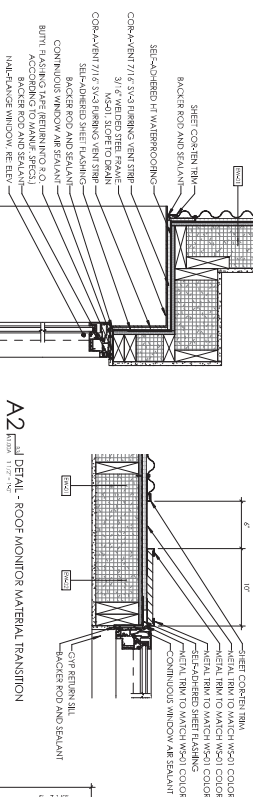
A1.00



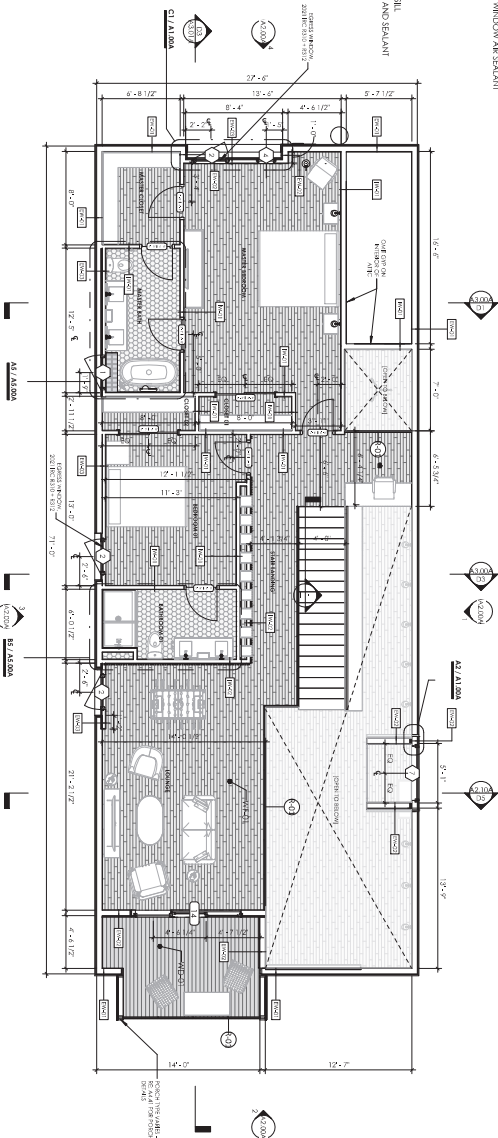
D1 DETAIL PLAN - COMMON AREA

D3 ARCHITECTURAL SITE PLAN

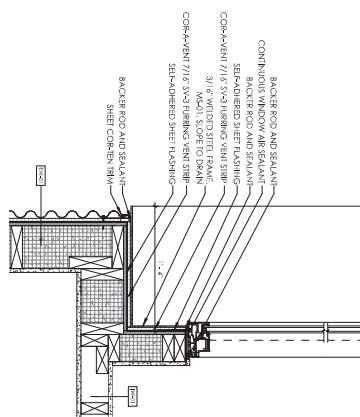
A2 DETAIL - ROOF MONITOR MATERIAL TRANSITION



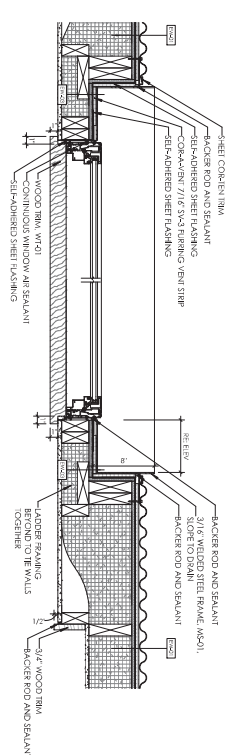
B3 FLOORPLAN - LEVEL 02



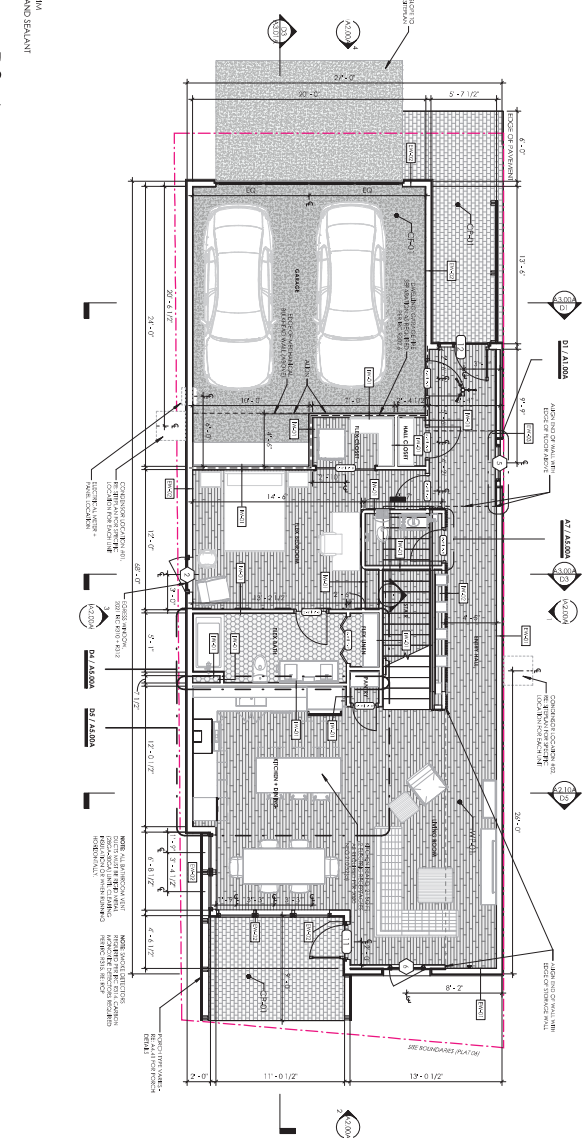
C1 DETAIL - FRONT WINDOW



D1 DETAIL - IN-ILL WINDOW TP



D3 FLOORPLAN - LEVEL 01



A1.00A

DATE: 2023.07.24
PROJECT: 2134

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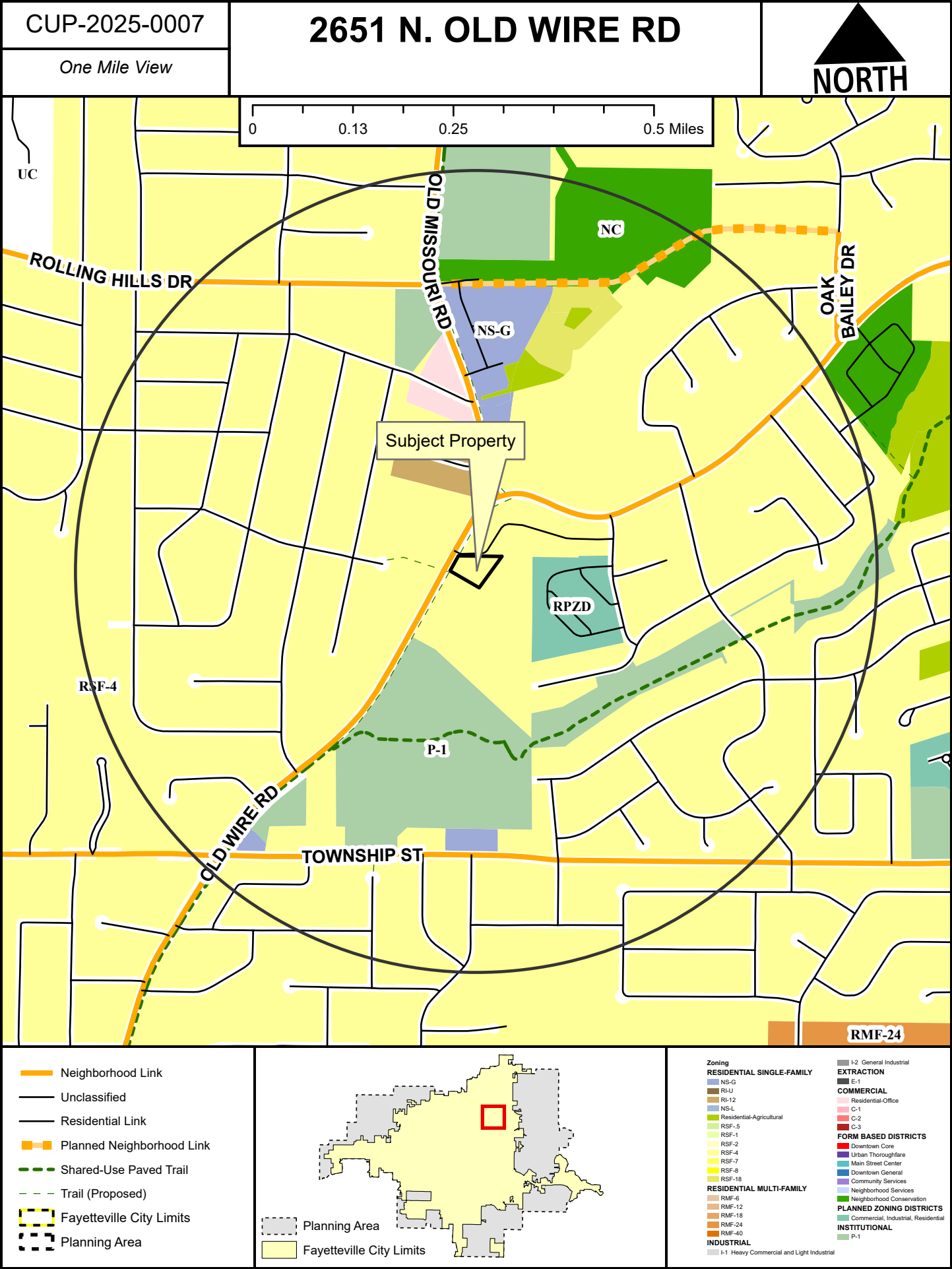
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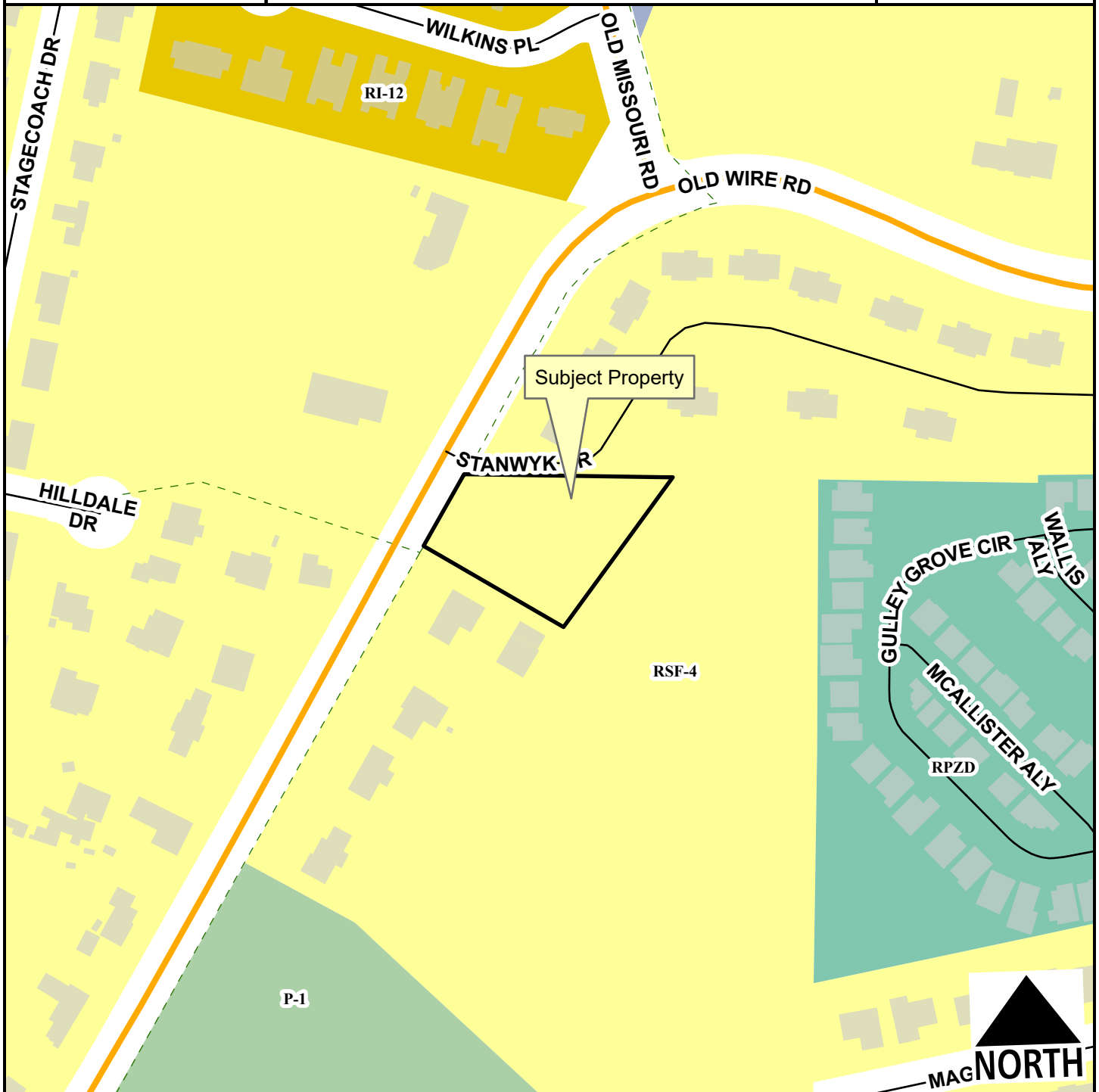
modusstudio.com



CUP-2025-0007

2651 N. OLD WIRE RD

Close Up View



Neighborhood Link

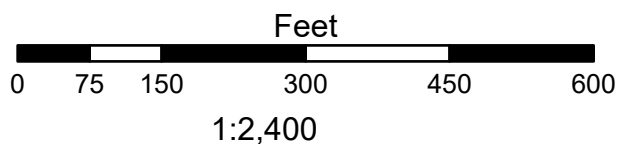
Unclassified

Residential Link

Planning Area

Fayetteville City Limits

Trail (Proposed)



RSF-4

RI-12

Neighborhood Services - Gen.

Commercial, Industrial, Residential

P-1

Planning Commission

March 10, 2025

CUP-2025-0007 (BIKE PATH COTTAGES)

Page 28 of 29

CUP-2025-0007

2651 N. OLD WIRE RD

Current Land Use



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: March 10, 2025

SUBJECT: **CUP-2025-0011: Conditional Use Permit (834 W. NORTH ST/CAJAKAJO, 405):** Submitted by BLEW & ASSOCIATES for property located at 834 W. NORTH ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.41 acres. The request is to use the property for a limited business.

RECOMMENDATION:

Staff recommends approval of **CUP-2025-0011** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CUP-2025-0011**, 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 at the northeast corner of North Street and Storer Avenue, just west of Leverett Avenue. It consists of a 0.41-acre parcel which is in RMF-24 zoning and currently undeveloped. Previously, the property was developed with a geodesic dome office building which was demolished in 2017. The parking lot associated with that building remains on site and is accessed through two curb cuts on North Street. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-, Two-, and Multi-Family Dwellings	RMF-24, Residential Multi-Family, 24 Units per Acre
South	Two-Family Dwellings	RMF-40, Residential Multi-Family, 40 Units per Acre
East	Multi-Family Dwellings St. James Baptist Church	RMF-24, Residential Multi-Family, 24 Units per Acre
West	Two-Family Dwellings	RMF-24, Residential Multi-Family, 24 Units per Acre

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

Proposal: The applicant is requesting approval of a conditional use permit to operate a hot dog stand on the subject property. The business would be run out of a 170-square-foot moveable trailer which would be parked in the northwest corner of the property. As a mobile food vendor, the proposed business falls under Use Unit 12a: Limited Business, which is a conditional use in the underlying RMF-24 zoning district. The applicant has described the business as follows:

- Hours of operation: 11:00 AM – 9:00 PM, Wednesday through Sunday
- Number of employees: 3-6
- Number of parking spaces: 10-12
- Estimated customers per day: 25-50

Public Comment: To date, staff has received no public comment regarding this request.

RECOMMENDATION: Staff recommends approval of **CUP-2025-0011** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility with adjacent properties.**
Staff finds the proposed use to be compatible based on the findings contained herein;
2. This conditional use permit is limited to the hot dog stand as outlined in the applicant's request letter. The following specifications apply:
 - Hours of operation: 6:00 AM – 9:00 PM, Sunday – Thursday
6:00 AM – 11:00 PM, Friday – Saturday
 - Number of employees: 3-6
 - Parking: 9-12 spaces in existing parking lot
3. Parking spaces shall be striped in accordance with the dimensional standards outlined in UDC §172.04 to clearly define parking spaces;
4. An outdoor mobile vendor permit shall be obtained for the proposed business at this location prior to operation on the property;
5. Trash collection shall be coordinated with the city's Recycling and Trash Collection Division. All trash carts or dumpsters shall be screened from view of public right-of-way in accordance with UDC §166.25;
6. All outdoor lighting shall meet the requirements as outlined in UDC Chapter 176, Outdoor Lighting; and
7. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs.

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date: <u>March 10, 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 UU 12a: Limited Business in the RMF-24 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 UDC §161.16 to grant the requested conditional use permit to allow UU 12a in RMF-24 zoning.**

- (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 unlikely to negatively impact the public interest. The subject property is located along North Street, which is classified as a Regional High-Activity Link in the 2040 Master Street Plan, and is in close proximity to a variety of different land uses. The proposed mobile hot dog stand will have minimal impact on the property while allowing the business owner to utilize an undeveloped site with existing parking. Granting this conditional use will allow for minimal**

disturbance on site and result in minimal disruptions to the surrounding area.

(c.) The Planning Commission shall certify:

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

Finding: There are specific rules governing Use Unit 12a: Limited Business, as follows:

§164.21. LIMITED BUSINESS.

D. Conditions of Approval. The uses listed may be allowed as a permitted use and shall meet the following conditions:

1. The proposed use shall not adversely affect local traffic conditions on the adjoining streets.

Finding: The subject property has direct access to North Street by way of two existing curb cuts. The proposed business is expected to have 3-6 employees and 25-50 customers per day, operating five days a week for roughly 11 hours each day. Given the low impact of the business, staff finds that it is not likely to adversely affect local traffic conditions on adjoining streets. Traffic accident data from the Arkansas Department of Transportation shows that, between 2019 and 2023, eight accidents occurred at the intersection of Storer Avenue and North Street, and 26 accidents occurred at the intersection of Leverett Avenue and North Street.

2. New structures located within a residential zoning district shall incorporate design elements similar to and compatible with those found within the neighborhood, including materials, roof pitch, scale, etc.

Finding: No new permanent structures are proposed with the requested conditional use. Only a 170-square-foot movable trailer is proposed.

3. New parking areas or lots, utility equipment and trash enclosures shall be designed to have minimal visual impact to adjacent property owners and to the street. Screening of these elements shall be accomplished with plantings, walls, architectural elements, and/or fencing.

Finding: No new parking areas are proposed. The applicant intends to utilize an existing parking lot on site. In order to clearly define parking spaces, staff recommends a condition requiring that parking spaces be striped in accordance with the dimensional standards outlined in the city's parking ordinance. Staff also recommends a condition requiring any trash carts or dumpsters to be screened from view of the street in accordance with the city's commercial design standards.

4. Hours of operation shall be limited to Sunday through Thursday, 6:00 a.m. to 9:00 p.m., and Friday and Saturday, 6:00 a.m. to 11:00 p.m., unless otherwise further determined by the Planning Commission.

Finding: In their request letter, the applicant stated that the proposed business would have hours of operation limited to Wednesday through Sunday, 11:00 a.m. to 9:00 p.m. Staff recommends permitting additional hours of operation to align with those typically allowed for limited businesses, as described in the code section above.

5. All new or enlarged structures shall comply with the zoning requirements of the underlying district.

Finding: No new permanent structures are proposed with the requested conditional use. The applicant provided a site plan with their submittal, indicating that the proposed movable trailer will be located outside of required setbacks in the northwest corner of the site.

§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 property is accessed through two driveways on North Street which do not meet the city's access management or parking lot design standards. Both driveways are approximately 40 feet wide and are separated by a 30-foot-wide landscape island. According to the city's access management standards, driveway access should be limited to the lower classification street along the property's frontage, which would be Storer Avenue. However, access is only provided from the higher-classification street, North Street. Additionally, driveways on Regional High-Activity Link Streets like North Street must be separated by at least 250 feet from adjacent driveways and intersections. In this case, the two driveways are located just 30 feet apart, 60 feet from the intersection of Storer and North to the west, and 30 feet from the adjacent driveway to the east. Despite these non-conforming features, staff does not recommend any conditions requiring improvements to access on site given the limited impact of the proposed use.

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

Finding: The applicant intends to utilize an existing parking lot on site which previously served a commercial office building that was demolished in 2017. In order to clearly define parking spaces, staff recommends a condition requiring that parking spaces be striped in accordance with the dimensional standards outlined in the city's parking ordinance.

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

Finding: The applicant indicated in their request letter that there will be a dumpster on site. Staff recommends conditions requiring the applicant to coordinate trash service with the city's Recycling and Trash Collection Division, and requiring that trash carts and dumpsters be screened from view of public right-of-way.

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

Finding: An existing eight-inch water main is present along Storer Avenue and a 10-inch main is present along North Street. A 10-inch sewer main is also present along the south side of North Street. As a mobile vendor, water access and wastewater disposal for the proposed use will be reviewed by city staff and the Arkansas Department of Health at the time of permitting.

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

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

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

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

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

Finding: Based on the applicant's submittal, the proposed movable trailer will be meeting relevant setbacks.

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

Finding: Staff finds the applicant's request to be compatible with adjacent properties. The small number of employees, limited traffic volume, and amount of parking available on site suggest that the hot dog stand is unlikely to negative impact surrounding properties. Given its modest scale and operations, the business is expected to have minimal impacts on surrounding properties.

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

Finding: Staff finds that the proposed use generally aligns with the goals and intent of the city's adopted land use plans. The City Plan 2040 Future Land Use Map designates the property as City Neighborhood Area, which is intended to support a variety of land uses, including nonresidential uses along major corridors and intersections. While more intense development may be appropriate at this location in the future, staff finds the requested use to allow the site to be utilized until redevelopment occurs.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.16 District RMF-24, Residential Multi-Family – Twenty-Four (24) Units Per Acre
 - §164.21 Limited Business
- Applicant Request Letter
- Site Plan
- One Mile Map
- Close-Up Map
- Current Land Use Map

161.16 District RMF-24, Residential Multi-Family - Twenty-Four (24) Units Per Acre

(A) *Purpose.* The RMF-24 Multi-family Residential District is designed to permit and encourage the developing of a variety of dwelling types in suitable environments in a variety of densities.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12a	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a Manufactured home park	50 feet
Single-family	35 feet
Two (2) family	35 feet
Three (3) family or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

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

(3) *Land Area Per Dwelling Unit.*

Manufactured Home	3,000 square feet
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(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 feet	5 feet	20 feet	5 feet

(F) *Building Height Regulations.*

Building Height Maximum	2 stories/3 stories/5 stories*
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* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories, between 10—20 feet from the master street plan right-of-way a maximum height of three (3) stories and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 5 stories.

If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Code 1965, App. A., Art. 5(III); Ord. No. 2320, 4-6-77; Ord. No. 2700, 2-2-81; Code 1991, §160.033; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5079, 11-20-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5495, 4-17-12; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800, §1(Exh. A), 10-6-15; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §§5, 8, 9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6245, §2, 10-15-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21; Ord. No. 6658, §6(Exh. E), 5-2-23)

164.21 Limited Business

- (A) *Purpose.* These regulations are intended to mitigate the potential adverse impacts associated with commercial uses adjacent to or within residential areas by allowing limited neighborhood commercial uses that are compatible in size, scale, massing and residential appearance with adjoining and surrounding residential uses. The following standards shall apply:
- (1) Enhance and regulate the appearance of neighborhood commercial uses.
 - (2) Protect adjoining properties from the potential adverse impacts associated with commercial uses adjacent to residences such as traffic, noise, appearance, lighting, drainage, and effect on property values.
 - (3) Provide areas for off-street parking that will be appropriate in size, location and scale within residential areas.
 - (4) Provide commercial uses that are accessible for the convenience of individuals living in residential districts.
 - (5) Reduce the length and number of vehicle trips generated by residential development.
- (B) *Applicability.* These standards shall apply to all conditional use requests for Use Unit 12, Limited Business, in any zoning district.
- (C) *Similar Uses Allowed.* When a use is not specifically listed as a permitted use in Use Unit 12 (Limited Business), the use may be permitted if it is determined by the Zoning and Development Administrator that the use is similar to other uses listed. In determining "similarity," the Zoning and Development Administrator shall make all of the following findings:
- (1) The proposed use meets the purpose of this section and the goals and policies of the Comprehensive Land Use Plan.
 - (2) The proposed use shall not adversely impact the public health, safety and general welfare of the neighboring residents;
 - (3) The proposed use shall be similar to the uses listed above considering use intensity and characteristics.
- (D) *Conditions for Approval.* The uses listed may be allowed as a permitted use and shall meet the following conditions:
- (1) The proposed use shall not adversely affect local traffic conditions on the adjoining streets.
 - (2) New structures located within a residential zoning district shall incorporate design elements similar to and compatible with those found within the neighborhood, including materials, roof pitch, scale, etc.
 - (3) New parking areas or lots, utility equipment and trash enclosures shall be designed to have minimal visual impact to adjacent property owners and to the street. Screening of these elements shall be accomplished with plantings, walls, architectural elements, and/or fencing.
 - (4) Hours of operation shall be limited to Sunday through Thursday, 6:00 a.m. to 9:00 p.m., and Friday and Saturday, 6:00 a.m. to 11:00 p.m., unless otherwise further determined by the Planning Commission.
 - (5) All new or enlarged structures shall comply with the zoning requirements of the underlying district.
- (E) *Design Review.* The applicant shall submit the following information to the Planning Division for review, where applicable:
- (1) A site plan drawn to scale showing location of parking, building footprint, and all other improvements.
 - (2) Color elevation drawings of all sides of the structure, indicating the type of materials to be used on the exterior of the building, and proposed sign.
 - (3) Landscape plan showing the location of all proposed landscaping, size and species of plant material.
 - (4) Abbreviated tree preservation plan.

(Ord. No. 5312, 4-20-10; Ord. No. 5375, 12-21-10)

BLEW

Surveying | Engineering
Environmental

January 15, 2025

To Whom It May Concern,

Conditional Use Permit

We are requesting a conditional use permit for use number 12a for the property located at 834 W. North Street in Fayetteville. The use will be for a hot dog stand. The structure will be a moveable trailer that is 170sq feet. There will be 10-12 parking spaces. The hours of operation will be 11am-9pm Wednesday-Sundays. There will be 3-6 employees, and we are expecting 25-50 customers per day. For lighting, there will be a tent with string lights. We don't expect any additional noise. There will be a dumpster and there are two entrances into the property off of North Street. There are other commercial properties along with restaurants in the area and with the small and temporary nature of the proposed structure, we don't expect any effects on the surrounding properties.

Sincerely,

Nikki Littrell

Senior Project Coordinator

Blew & Associates, P.A.



479-443-4506



blewinc.com



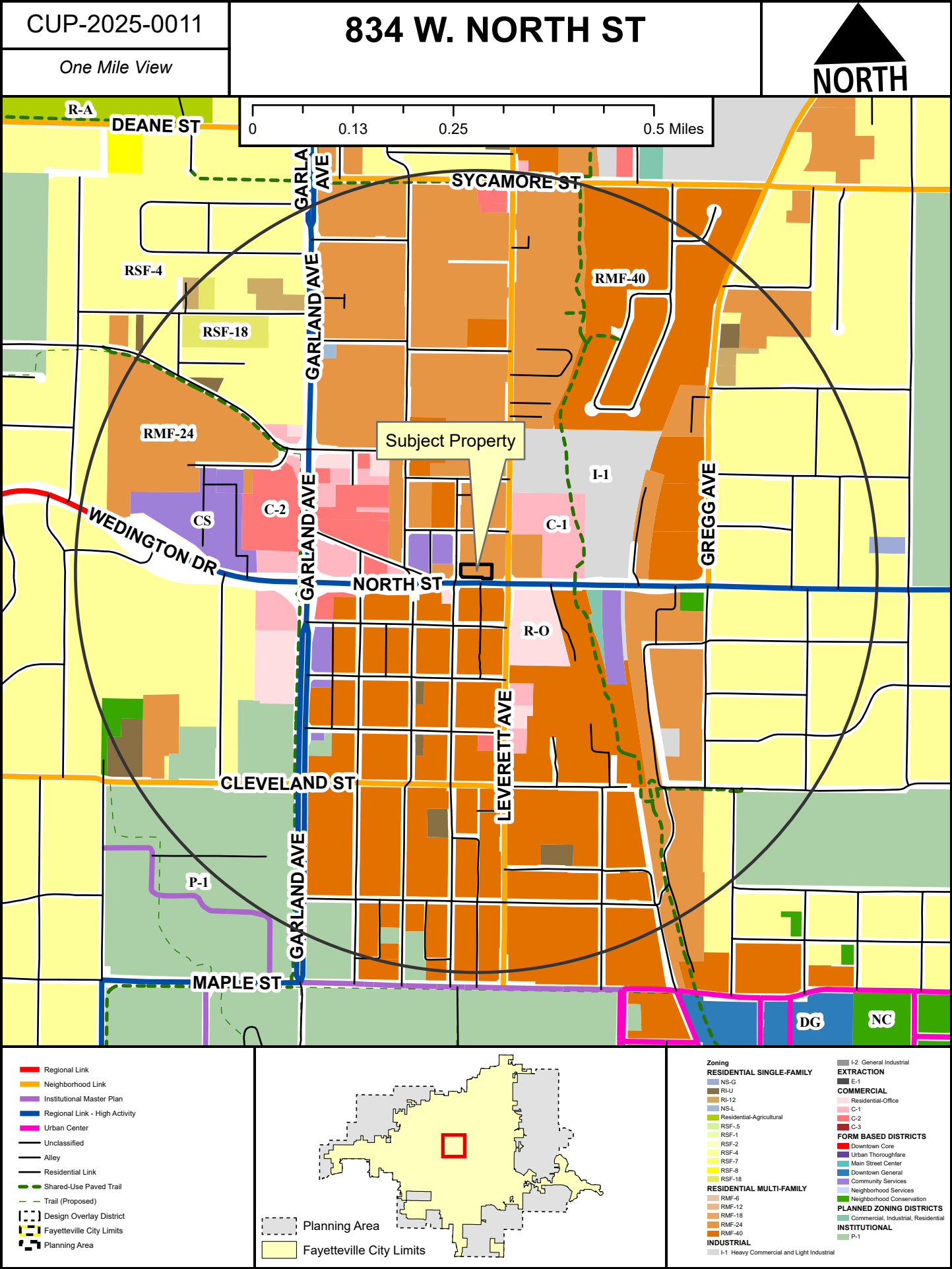
3825 N Shiloh Dr.

Fayetteville, AR 72703

March 10, 2025

CUP-2025-0011 (CAJAKAJ0)

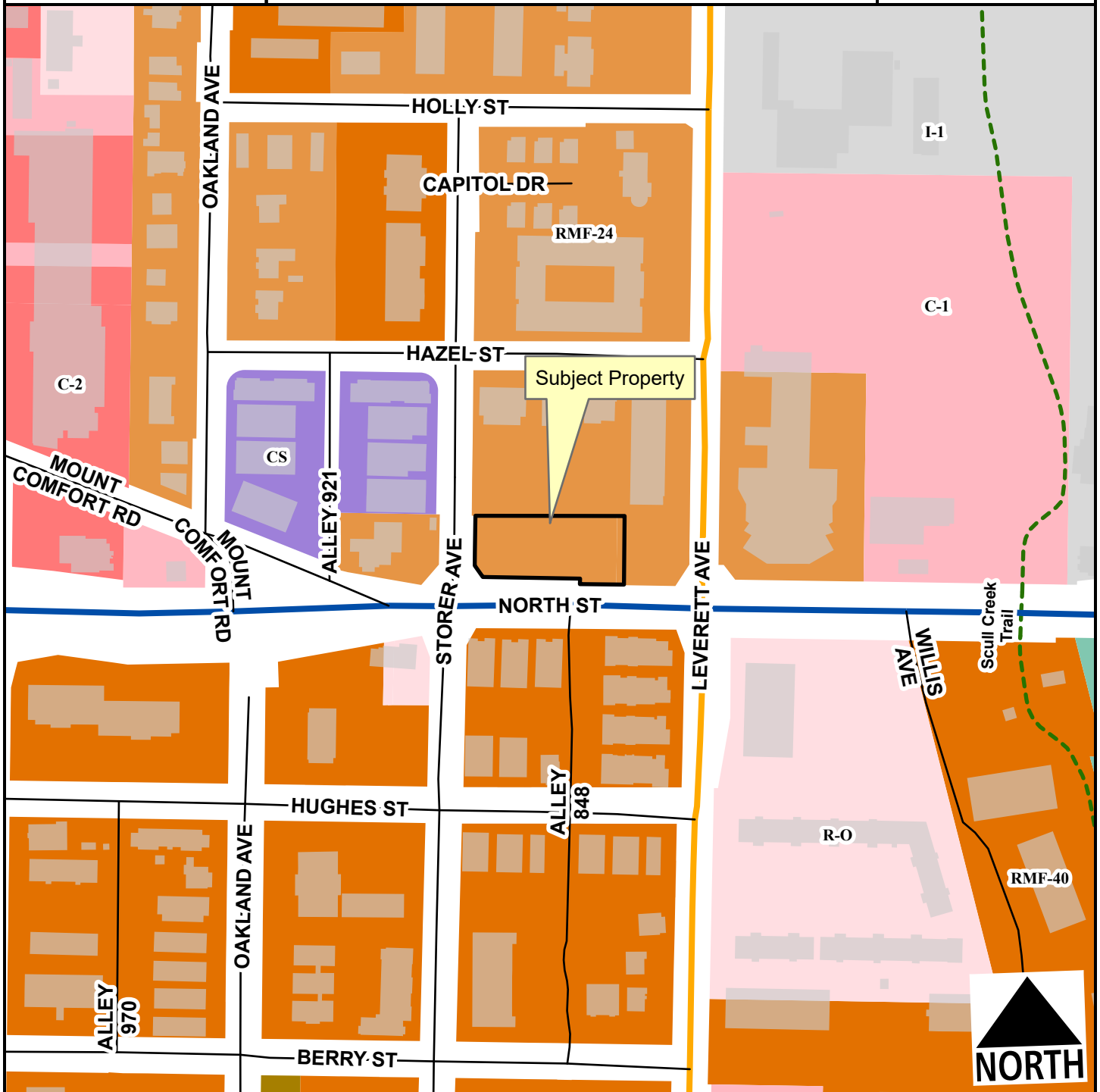
Page 11 of 15



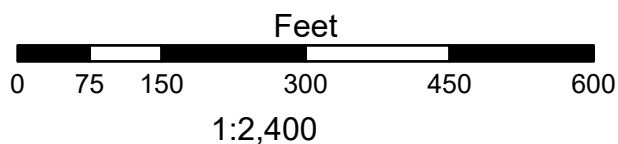
CUP-2025-0011

834 W. NORTH ST

Close Up View



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

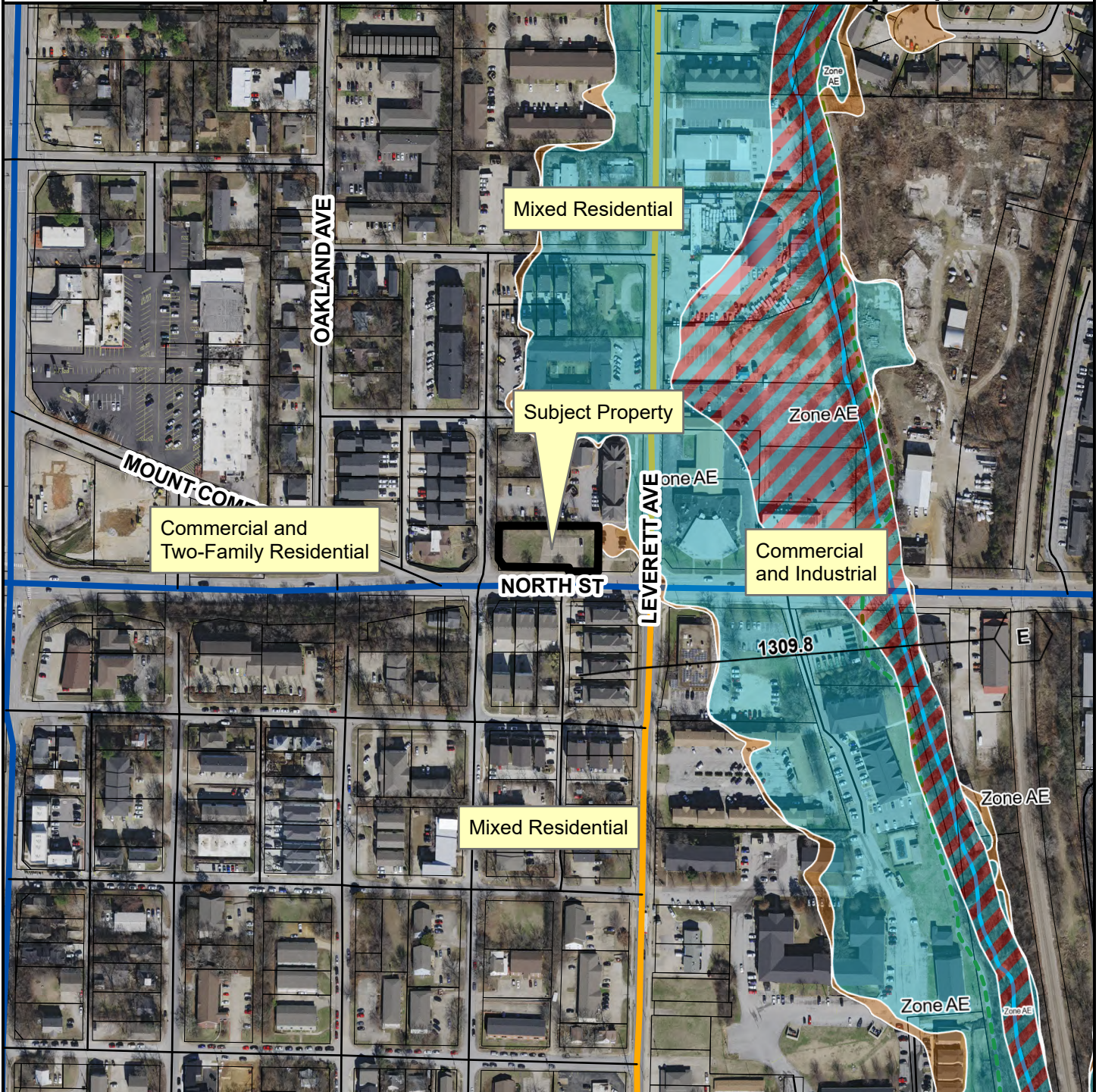


- RI-U
- RMF-24
- RMF-40
- I-1 Heavy Commercial and Light Industrial
- Residential-Office
- C-1
- C-2
- Community Services
- Commercial, Industrial, Residential

CUP-2025-0011

834 W. NORTH ST

Current Land Use



- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- 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: March 10, 2025

SUBJECT: **CUP-2025-0005: Conditional Use (867 S. WASHINGTON AVE./LUMB, 563):** Submitted by ADRIENNE LUMB for property located at 867 S. WASHINGTON AVE. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.10 acres. The request is to use the property as a short-term rental.

RECOMMENDATION:

Staff recommends approval of **CUP-2025-0005**, with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2025-0005** 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 0.09 miles south of the S. Washington Street and E. 7th Street intersection. The property is zoned Neighborhood Conservation, and totals approximately 0.10 acres. The property is developed with a single-family dwelling that was originally built in 1941. 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	NC, Neighborhood Conservation
South	Single-family Residential	NC, Neighborhood Conservation
East	Single-family Residential	NC, Neighborhood Conservation
West	Undeveloped	RI-U, Residential Intermediate - Urban

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-2025-0005**, with the following conditions;

Conditions of Approval:

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

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>March 10, 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 NC 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 NC 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)(16). Occupancy limitations are confirmed by the applicant during licensing. The maximum allowed per the bedroom count (2) will be 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(C). For single-family structures, parking is required to be 2 spaces per unit with a maximum of 4 vehicles. According to the applicant the structure has two bedrooms and a driveway that can accommodate three parking spaces.

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 867 S. Washington 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 March 5, 2025, the City had issued 461 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.

No special exceptions are being requested.

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

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

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

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

Finding: There appears to be adequate parking available to support the use of the property as a short-term rental on the applicant's submittal. Four off-street parking spaces are available on site and a maximum of six guests would be permitted. City records indicate that nine other units within a quarter-mile radius of the property have a business license to operate as a Type-2 short-term rental. Only one of the nearby nine short-term rental units accessed the same street as the applicant's property (1049 S. Washington Avenue). There are two cluster points of neighboring STR's; however, they are some distance away from the proposed property to the north east and north west respectively. No prior or active zoning or code violations have been reported on the property. The property is not located within 1,000 feet from either a public or private school.

§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 access onto S. Washington Avenue is available to accommodate vehicular ingress and egress to the subject property. S. Washington Avenue does 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 6 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: Three on-site parking spaces are available. The short-term rental ordinance limits the number of guest vehicles per single-family dwellings to the maximum number of four 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. The residences along S. Washington Avenue are all detached single-family dwellings.

(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
 - §161.29 Neighborhood Conservation
- 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)

163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

- (A) *Residential Zoning Districts.* Type 2 short-term rentals may be permitted as a conditional use in the following residential zoning districts:

- 1) R-A
- 2) RSF-.5
- 3) RSF-1
- 4) RSF-2
- 5) RSF-4
- 6) RSF-7
- 7) RSF-8
- 8) RSF-18
- 9) RI-12
- 10) RI-U
- 11) RMF-6
- 12) RMF-12
- 13) RMF-18
- 14) RMF-24
- 15) RMF-40
- 16) NC

Short term rentals may be permitted by right or by conditional use in planned zoning districts subject to the zoning regulations enacted by the City Council for each district.

Short-term rentals in non-residential zoning districts, mixed use zoning districts, or other zoning districts not listed above are not required to apply for a conditional use permit.

- (B) *Occupancy.* Maximum of two (2) people per bedroom, plus two (2), for the entire unit when operated as a short-term rental.
- (C) *Parking.* Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.
- (D) Special events are not permitted in a short-term rental. Example of special events include, but are not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars.
- (E) Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.
- (F) *Exceptions.* Exceptions to the short-term rental standards, except proposals that would exceed the city-wide density maximum, may be granted by the Planning Commission as a conditional use permit.
- (G) Short-term rentals must comply with all applicable codes under City Code §118.01 and successfully obtain a business license prior to operation.
- (H) Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:
- 1) Adequate parking infrastructure;
 - 2) Adequate adjoining or nearby streets for on-street parking;
 - 3) Frequency or concentration of nearby licensed Type 2 short-term rentals; and
 - 4) Prior zoning or code violations

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

161.29 Neighborhood Conservation

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited business*
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cluster Housing Development

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

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

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

(E) *Setback Regulations.*

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

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(Ord. No. 5128, 4-15-08; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800, §1(Exh. A), 10-6-15>; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §§5, 7—9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6211, §1, 8-6-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

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

To whom it may concern,

I am applying for the Conditional Use Permit for an STR license for my home at 867 S Washington Ave, Fayetteville, AR, 72701.

I bought the home in 2020 and lived in it, making many renovations, for four years. Now, I live just a mile away.

The home is 867 sq ft, and the color is orange. There is room for four cars in the driveway, but there should not be more than two-three since that is the max number of adults I will be renting to. I should mention that the driveway is shared with 893 S Washington Ave, which is an empty/vacant lot that I also own.

There is timed and motion-sensored lighting that was professionally installed in the front, sides, and back of the house, and lighting all pathways. There is also fixed lighting attached to the front and back porch.

There is virtually no noise that can be heard from the one neighbor, nor will noise or parties be tolerated. Quiet hours are from 10pm to 7am. As I mentioned, I also own the neighboring lot to the South which is an empty/vacant field.

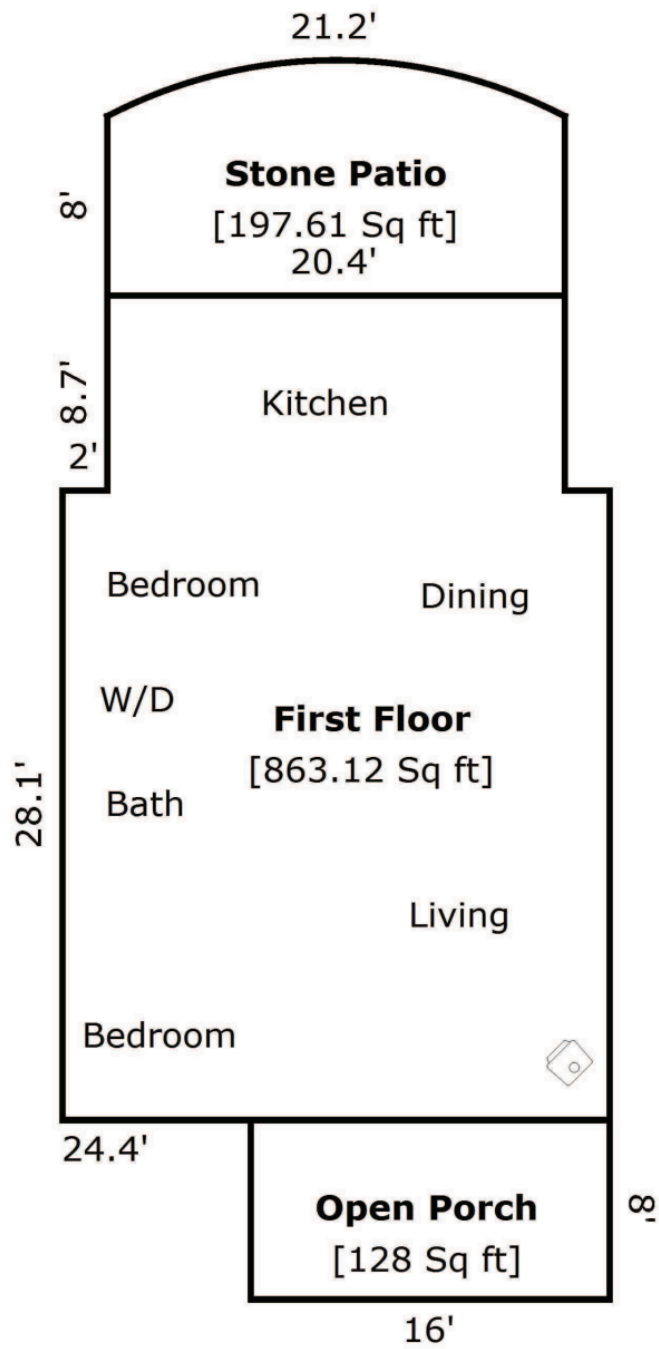
City-provided trash receptacles are located in the driveway, and I will take them to the curb the evening before the weekly morning they are to be collected by the city.

There should be no impact to traffic as there is off-street parking.

I believe that to rent my home on a short term basis would be appropriate for South Fayetteville. I have spent years building strong relationships with my neighbors, volunteer regularly in the community, and am proud to offer guests a glimpse into the diverse and enriching life that South Fayetteville has to offer. I am and plan to be at the home very regularly, as a particularly unique aspect of my home is the lush and verdant garden, which I enjoy tending to.

Thank you for considering my application, and I look forward to hearing from you soon.

Adrienne Lumb



TOTAL Sketch by a la mode, inc.

Area Calculations Summary













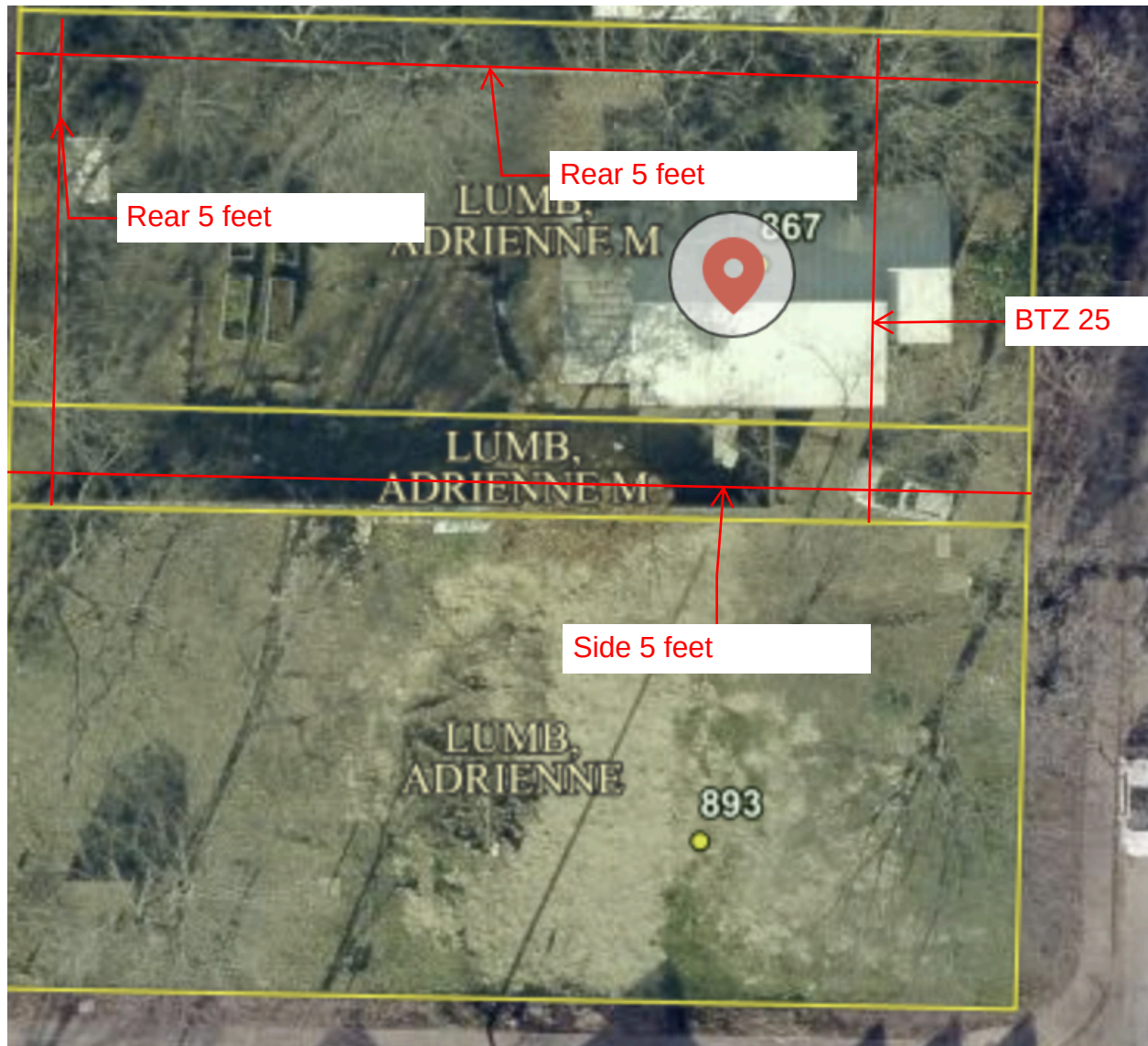












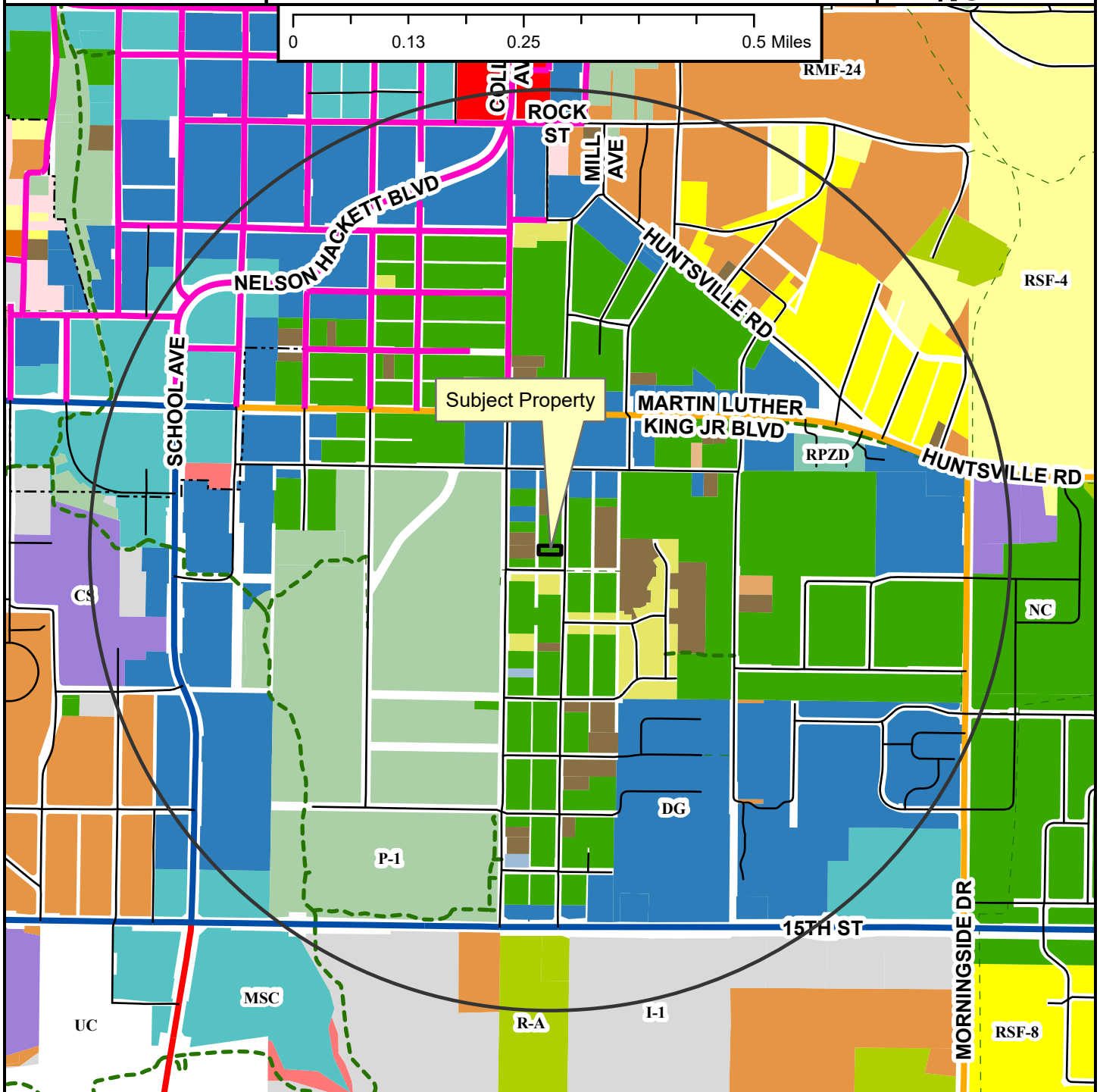
CUP-2025-0005

867 S. WASHINGTON AVE

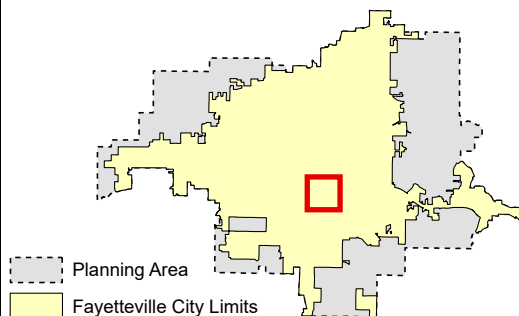
One Mile View



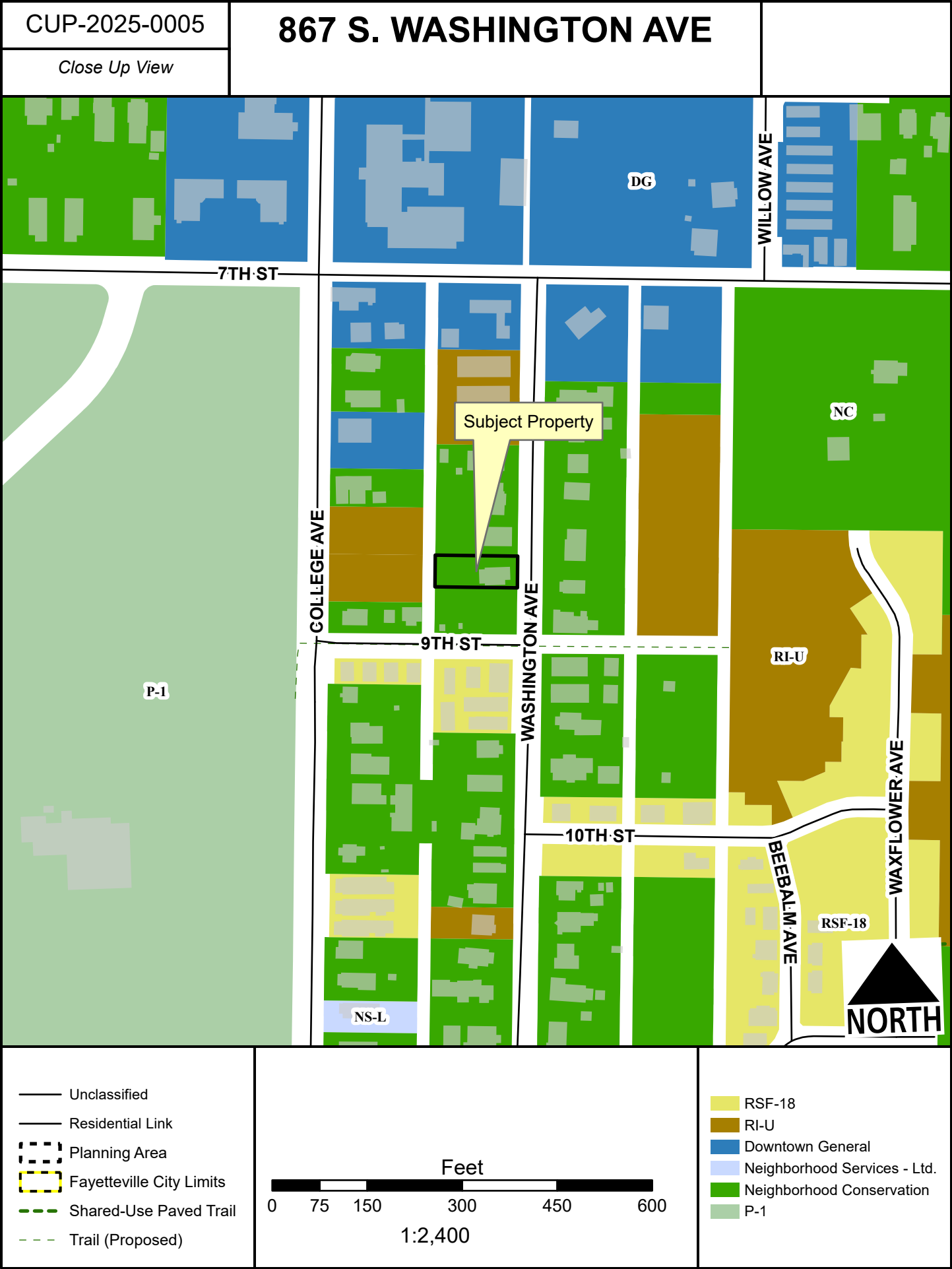
0 0.13 0.25 0.5 Miles



- Regional Link
- 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



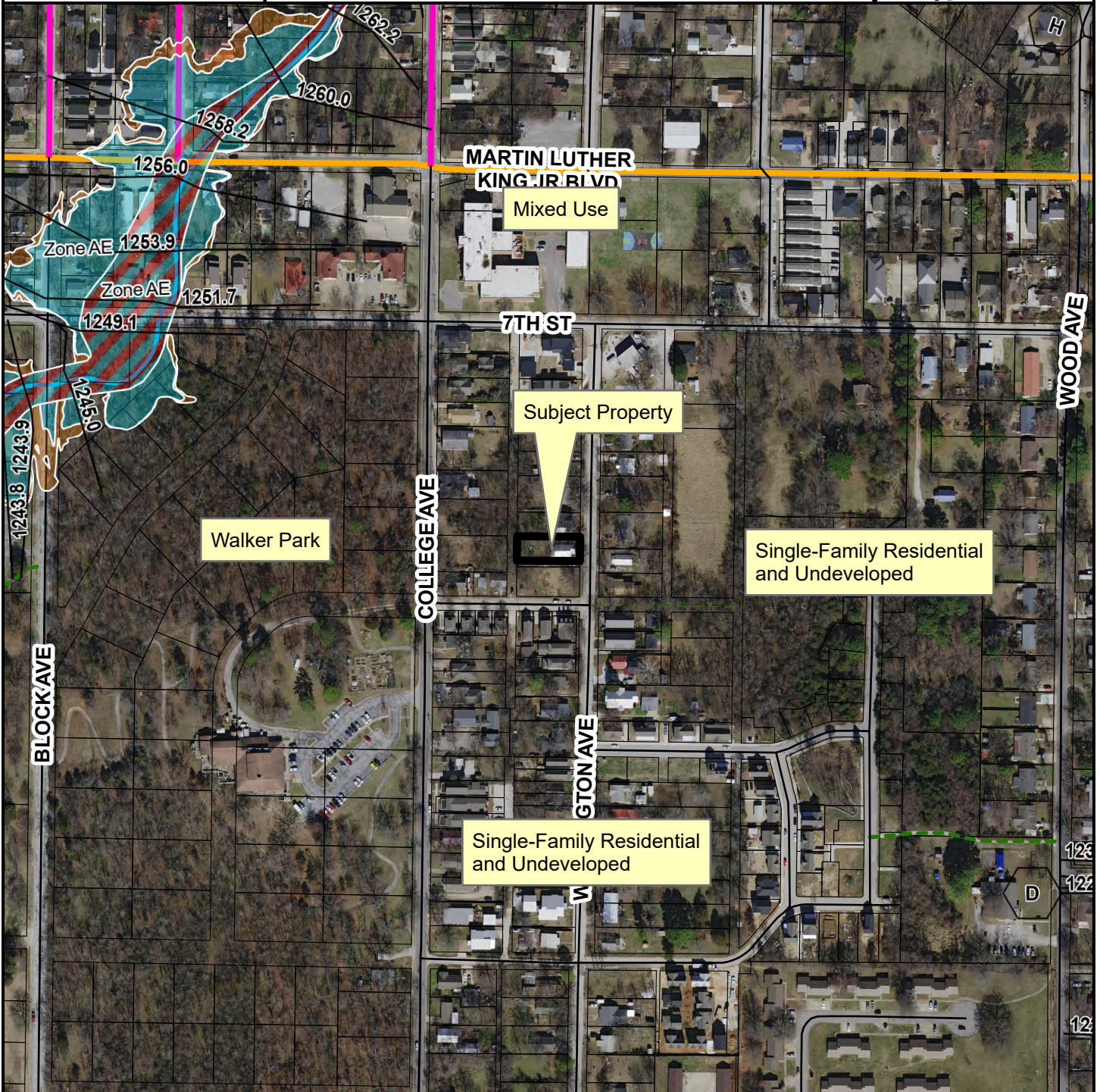
- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
 - RI-U
 - RI-12
 - NS-L
 - Residential-Agricultural
 - RSF-5
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
 - RMF-12
 - RMF-13
 - RMF-24
 - RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
- 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-2025-0005

867 S. WASHINGTON AVE

Current Land Use



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



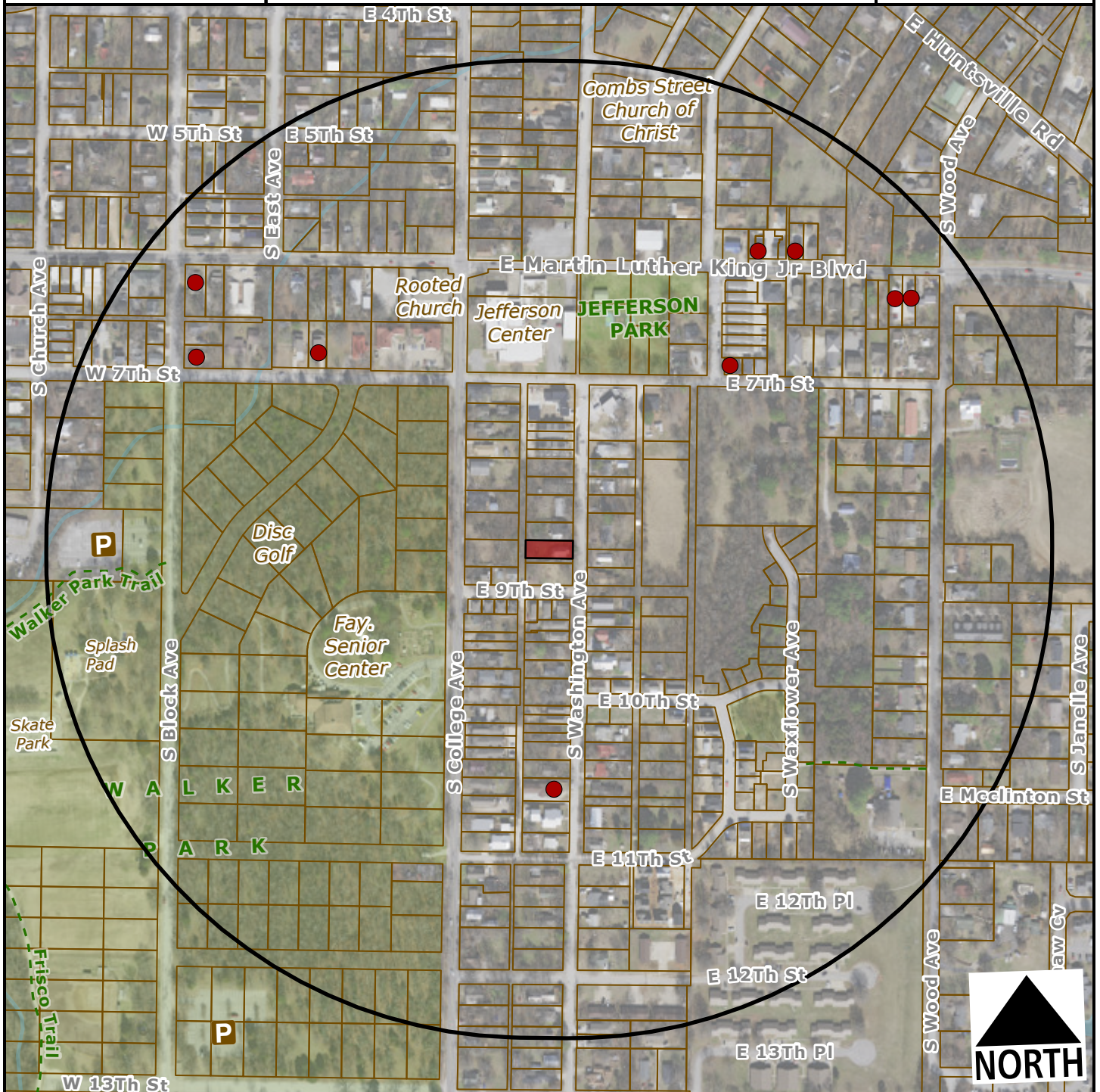
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CUP-2025-0005

867 S. WASHINGTON AVE

STRs Within 1/4 Mile



-  Subject Property
-  Short Term Rental, Type 2



Within 1/4 Mile

Type 2 STRs: 9

Occupiable
Residential
Addresses
(Estimated
Housing Units): 356



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: March 10, 2025

SUBJECT: **CUP-2025-0008: Conditional Use Permit (857 S. ONE MILE RD./AUSEC, 557):** Submitted by CHRIS AUSEC for property located at 857 S. ONE MILE RD. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.10 acres. The request is to use the property as a short-term rental.

RECOMMENDATION:

Staff recommends denial of **CUP-2025-0008** based on the findings in this report.

RECOMMENDED MOTION:

*"I move to deny **CUP-2025-0008**."*

BACKGROUND:

The subject property is located south of Centennial Park in the Southern Woods cluster housing development. The property is zoned NC, Neighborhood Conservation; totals approximately 0.10 acres; and is developed with a 605-square-foot single-family home which was built in 2022. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 20, 2022, City Council amended the ordinance to enact new requirements for short-term rentals, and on July 6, 2023, City Council amended the Type 2 short-term rental density cap from two percent of all dwelling units to 475 units city wide. This report reflects those changes. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

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

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

Proposal: The applicant requests conditional use permit approval to use the property as a Type 2 short-term rental, which are those not occupied by a permanent resident. Type 2 short-term rentals are subject to density limitations, including a city-wide cap of 475 units, and restrictions on the number of units that may be used as a short-term rental in multi-family dwelling complexes.

Public Comment: Staff received public comment from one neighbor who expressed their opposition to this request. They noted that the subdivision was previously touted as affordable

housing for Fayetteville residents and said that allowing more short-term rentals will most likely add to housing shortages and increase the price of homes. They also shared concerns about guests in nearby short-term rentals improperly disposing of garbage.

RECOMMENDATION: Staff recommends denial of **CUP-2025-0008**. Should the Planning Commission choose to approve this item, staff recommends the following conditions:

Conditions of Approval:

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

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>March 10, 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 NC 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 Business Regulations §118.01(E)(2) to grant the requested conditional use permit.**

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

Finding: **Staff finds that granting the requested conditional use may negatively affect the public interest. While there are business license requirements, including a required building safety inspection, staff has concerns regarding the concentration of nearby licensed Type 2 short-term rentals.**

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

Finding: There are specific rules governing short-term rentals, as follows:

§163.18. SHORT-TERM RENTALS.

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

Finding: The request is to operate a Type 2 short-term rental in NC zoning. Since NC is a residential zoning district, a conditional use permit is required.

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

Finding: The house contains one bedroom which would limit occupancy to a maximum of four guests per ordinance. Occupancy limitations are confirmed by the applicant during licensing.

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

Finding: Parking for single-family dwellings is required to be provided at a rate of two spaces per unit and up to four vehicles are permitted to be parked outdoors at any given time. The applicant indicated that there is one reserved parking space located on the south side of the house and a nearby parking lot with about 11 spaces available to guests. On-street parking is also available nearby.

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

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

- E.** Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

Finding: The application is for use of the property at 857 S. One Mile Rd. 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 city-wide density cap at 475 units. As of March 5, 2025, the City had issued 461 Type 2 short-term rental business licenses and 14 remain in the queue for processing. An additional 42 are on the waitlist. Granting a conditional use permit for this location would give the applicant the zoning entitlement necessary to apply for a business license, but it would not guarantee approval of a business license.

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

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

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

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

Finding: 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. About 12 off-street parking spaces are available for guests, with one reserved space just south of the house and 11 additional spaces in a nearby parking lot. On-street parking is also available nearby. No prior zoning or code violations have been reported at the property, and it is not within 1,000 feet of a public or private K-12 school.

City records indicate that 11 other units, or roughly 6.3% of estimated housing units, within a quarter-mile radius of the property have a business license to operate as a Type 2 short-term rental. The proposed short-term rental is located within an existing, large cluster housing development that already contains three licensed Type 1 short-term rentals, which are those occupied by a permanent resident, and four licensed Type 2 short-term rentals. This unit is part of a smaller, 12-unit cluster that contains one of the licensed Type 1 short-term rentals and two of the licensed Type 2 short-term rentals. A conditional use permit for another Type 2 short-term rental in the 12-unit cluster is in review and scheduled to be heard at the March 24, 2025 Planning Commission meeting. With 2 of the 12 units in the cluster, or

roughly 17% of units, currently licensed as Type 2 short-term rentals, approval of another would allow a quarter of all housing units in the cluster to be operated as Type 2 short-term rentals.

§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 subject property is accessed through a private drive with access onto One Mile Road to the east and Salida Lane to the south. Staff finds that the proposal to use the property as a short-term rental would not adversely affect vehicular traffic flows when considering that the use of the property would be limited to a maximum of four guests, which would not be out of character with the use of the property for residential purposes.

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

Finding: The applicant indicated that there is one reserved parking space located on the south side of the house and a nearby parking lot with about 11 spaces available to guests. On-street parking is also available nearby.

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

Finding: The applicant plans to utilize existing residential trash cart services with bins stored under a deck on the west side of the property, behind a gate, when not placed at the curb for pick-up. Staff recommends a condition requiring that bins be screened from view of public streets when not placed at the curb.

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

Finding: Utilities are currently available to the property and its use as a short-term rental is not expected to impact the provision of utilities.

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

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

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

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

(g.) Required yards and other open space;

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

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

Finding: Staff finds the applicant's request to be incompatible due to the high concentration of nearby licensed short-term rentals. While the size of this unit and the availability of parking suggest it may have a relatively low impact on the surrounding area, the addition of another short-term rental could have negative consequences for long-term residents nearby. Cluster housing developments, like this one, are designed to foster a sense of close-knit community and preserve a small-scale, cohesive neighborhood environment. Staff finds that allowing a quarter of the housing units in this cluster to function as full-time short-term rentals would adversely affect the character of the neighborhood and impact the development's ability to meet the intent of cluster housing, which is to promote lasting, community-oriented living.

(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 short-term rental to be inconsistent with the city's adopted plans since it does not align with any stated goals. While there are safeguards in place, like the city-wide density cap and restrictions on short-term rentals in multi-family dwellings, which are designed to minimize the impact of short-term rentals, approval of this request would allow for a disproportionate concentration of them in a single neighborhood. This concentration could place an undue burden on the area, potentially undermining the city's goal of creating attainable housing and impacting the ability of this overall development to meet the intent of the city's cluster housing ordinance.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Business Regulations

- §118.01 Applicability
- Unified Development Code
 - §161.29 Neighborhood Conservation
 - §163.18 Type 2 Short-Term Rentals in Residential Zoning Districts
- Applicant Request Letter
- Site Plan
- Building Floor Plans
- Staff Exhibit
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map
- STRs within ¼ Mile Map

118.01 Applicability

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

by telephone, and, able to be physically present at the short-term rental within three (3) hours of being contacted.

- (11) *Guest Records.* The owner shall maintain summary guest registration records, which shall contain the actual dates of occupancy, total number of guests per party per stay, and the rate(s) charged, but shall not contain any personally identifiable information about guests. Such records shall be maintained for three (3) years and shall be provided to the City upon request.
- (12) *Health and Safety.* The owner shall ensure that each dwelling unit governed by this section complies with the applicable provisions of the Unified Development Code Chapter 173, Building Regulations.
- (13) *Criminal Activity.* The owner shall timely report any known or reasonably suspected criminal activity by a guest to the Fayetteville Police Department within twelve (12) hours maximum.
- (14) *Taxes and Fees.* Except for those instances in which a hosting platform bears the responsibility for collecting and remitting taxes and fees applicable to short-term rentals, the property owner shall timely remit in full Fayetteville Hotel, Motel and Restaurant tax and other applicable local, state, and federal taxes and city fees owed in connection with any short-term rental. The failure of a hosting platform to collect and remit taxes and fees shall not relieve an owner of the obligation to pay taxes and fees owed pursuant to this section.
- (15) *Authorization to Occupy, Use, and Operate.* Authorization to operate a short-term rental may be granted by the Development Services Director through the issuance of a City of Fayetteville Business Registry and License (Business License).
- (16) *Density For Type 2 Short-Term Rentals.* A city-wide density cap of 475 dwelling units may be Type 2 rentals. A conditional use permit may not permit:
 - (a) More Type 2 short-term rentals than what is allowed by the city-wide density cap.
 - (b) More than 10% or a single unit whichever is greater; of total dwelling units as Type 2 rentals within a multi-family dwelling complex.
 - (c) Individual 2-, 3- and 4-family buildings that are owned by the same person or entity and are not a part of a multi-family complex shall have no more than one (1) Type 2 short-term rental unit per building complex.
 - (d) Where attached residential units are held separately through condominium association, horizontal property regime, fee simple, or similar ownership structure, no cap shall be applied to buildings with attached residential dwellings. Structures of attached residential dwellings where applicants seek more than 10% of total units for licensing as Type 2 rentals shall be evaluated by the Building Safety Director and/or Fire Marshal for adequate fire protection as defined by the adopted Arkansas Fire Prevention Code. Where inadequate fire protection is identified, improvements may be required prior to issuance of a business license.
- (17) *Suspension and Revocation.* If the Development Services Director has reason to believe that any of the grounds specified in §118.03(A) of the Fayetteville Code exist, or that any rental unit was rented for less than one (1) full night, or to more than one (1) part of guests for the same period of time, or otherwise failed to comply with all terms and conditions of this section, the Development Services Director may suspend or revoke the short-term rental's business license pursuant to the procedures detailed in §118.03 and in §118.04 of the Fayetteville Code.
- (18) Short-term rentals must comply with all applicable codes under Unified Development Code §163.18 and § 164.26 successfully obtain a business license prior to operation.

161.29 Neighborhood Conservation

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited business*
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cluster Housing Development

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

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

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

(E) *Setback Regulations.*

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

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

- (A) *Residential Zoning Districts.* Type 2 short-term rentals may be permitted as a conditional use in the following residential zoning districts:

- 1) R-A
- 2) RSF-.5
- 3) RSF-1
- 4) RSF-2
- 5) RSF-4
- 6) RSF-7
- 7) RSF-8
- 8) RSF-18
- 9) RI-12
- 10) RI-U
- 11) RMF-6
- 12) RMF-12
- 13) RMF-18
- 14) RMF-24
- 15) RMF-40
- 16) NC

Short-term rentals may be permitted by right or by conditional use in planned zoning districts subject to the zoning regulations enacted by the City Council for each district.

Short-term rentals in non-residential zoning districts, mixed use zoning districts, or other zoning districts not listed above are not required to apply for a conditional use permit.

- (B) *Occupancy.* Maximum of two (2) people per bedroom, plus two (2), for the entire unit when operated as a short-term rental.
- (C) *Parking.* Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.
- (D) Special events are not permitted in a short-term rental. Example of special events include, but are not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars.
- (E) Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.
- (F) *Exceptions.* Exceptions to the short-term rental standards, except proposals that would exceed the city-wide density maximum, may be granted by the Planning Commission as a conditional use permit.
- (G) Short-term rentals must comply with all applicable codes under City Code §118.01 and successfully obtain a business license prior to operation.
- (H) Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:
- 1) Adequate parking infrastructure;
 - 2) Adequate adjoining or nearby streets for on-street parking;
 - 3) Frequency or concentration of nearby licensed Type 2 short-term rentals; and
 - 4) Prior zoning or code violations

Date: January 17, 2025

From: Chris & Heather Ausec / Carleigh Properties, LLC

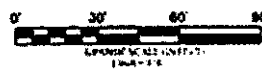
RE: Request Letter for Conditional Use Permit for 857 South One Mile Road, Fayetteville, AR 72704

We are requesting a Conditional Use Permit to use our property located at **857 South One Mile Road, Fayetteville, AR** as a Short-Term Rental business:

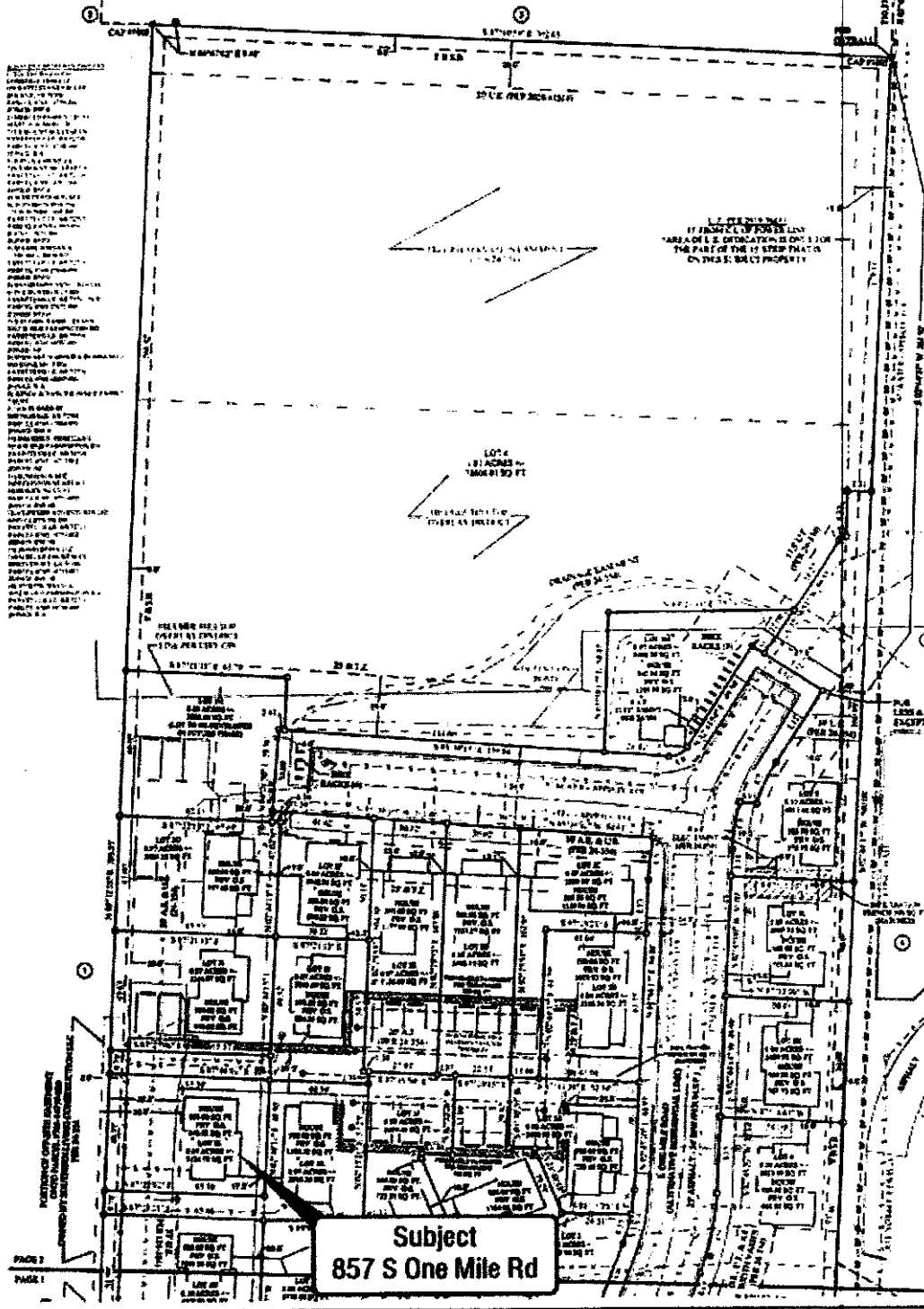
Please find responses to the CUP checklist below:

- (a) Building size:** The requested property is a single-story free-standing one-bedroom, one-bathroom home that has approximately 605 square feet of livable space. In addition, the front porch is 109 square feet, and the back deck is 46 square feet, so the total building size equals 760 square feet. The proposed square footage will not change from the existing square footage. See attached drawings and pictures.
- (b) Color elevations:** The color of the structure is black with a wood-stained front porch and back deck. See attached pictures.
- (c) Number of parking spaces:** One reserved space is located on the south side of the home. In addition, there is a centrally located parking lot with 16 parking spaces, and approximately 5 of the spaces are reserved for specific homes. See attached pictures.
- (d) Outdoor lighting:** The property has three exterior lights: two are located on the front porch and one is by the door on the back deck. See attached drawings and pictures.
- (e) Noise:** Normal residential noise.
- (f) Screening/Buffering:** There is an entry/exit to the centrally located parking lot on the east side of the home. One of the neighborhood streets runs along the west side, and there is green space and a reserved parking space on the south side of the home. There is a sidewalk and landscaping between the front porch of our home and the front porch of a neighboring home on the east side. The neighborhood is between the base of Centennial Park and Old Farmington Road. See attached pictures.
- (g) Trash & Refuse:** The trash and recycling bins are located under the wood deck on the back (west) side of the property that faces the neighborhood road. The bins are stored behind a gate under the deck except on Wednesdays when the trash and recycling are collected by the city. See attached pictures.
- (h) Ingress & Egress:** The centrally located parking lot has an entrance/exit from S. One Mile Road, as well as an entrance/exit on the north side of the home. See attached picture.
- (i) Compatibility:** The proposed use is compatible with adjacent properties and is typical for the area: the neighborhood consists of primary residences, long and short-term rentals, and vacation homes.

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TOTAL ACREAGE
 PARCELS
 765-14751-000
 765-14752-000
 4.58 ACRES +/- BEFORE R/W DEDICATION
 4.58 ACRES +/- AFTER R/W DEDICATION

- 1. CONSTRUCTION SHALL BE PROCEEDED AT THE TIME OF THIS SURVEY
- 2. REFERENCE THE EASEMENT PLAN FOR THIS PROJECT, FILED IN THE PUBLIC RECORDS OF THE COUNTY OF SHERMAN, TEXAS, BOOK 10, PAGE 10, DATED 10/10/00.
- 3. "P.O.S." - PRIVATE OPEN SPACE AREA

STATE OF TEXAS
 COUNTY OF SHERMAN
 10/10/00
 10/10/00



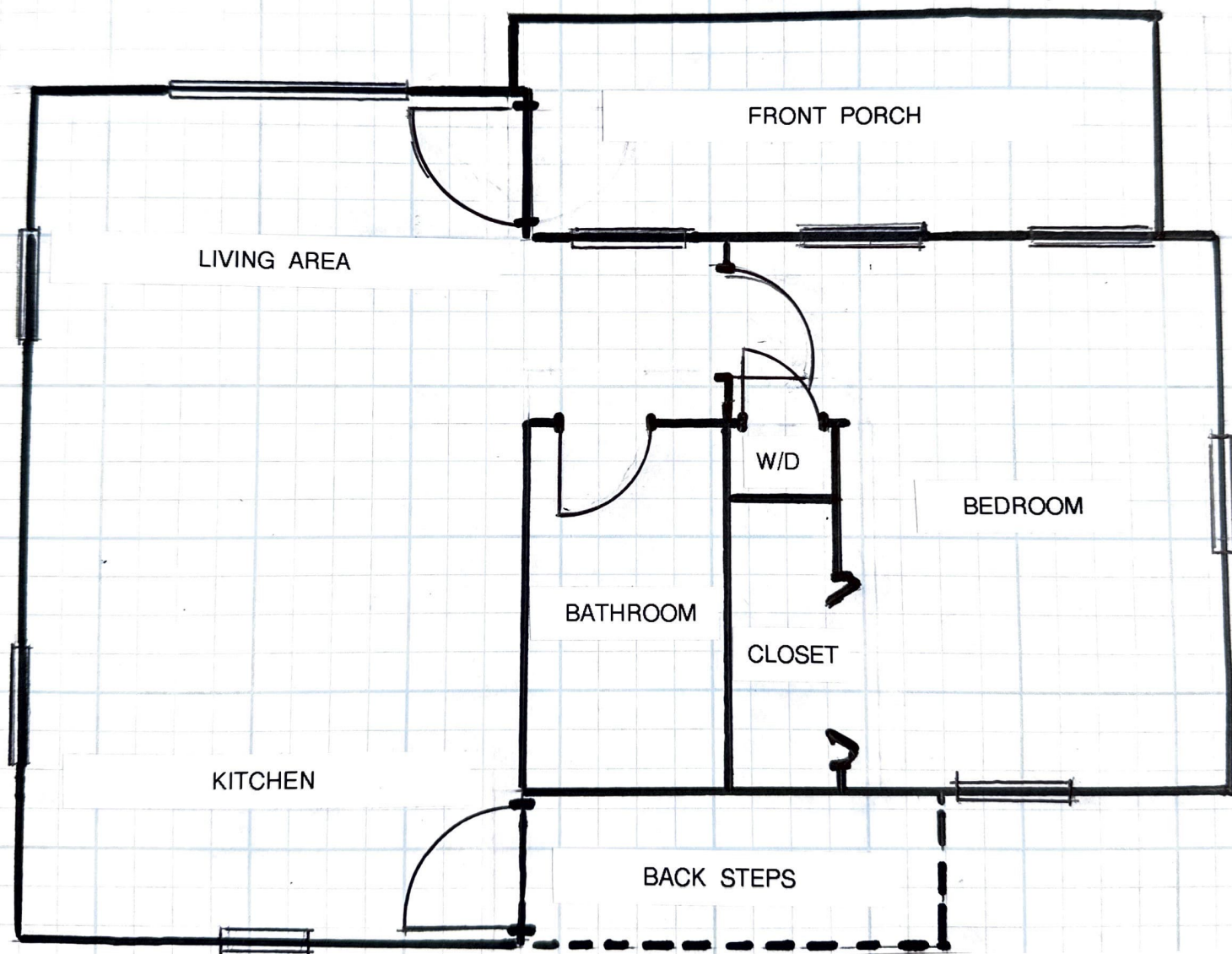
Bates & Associates, Inc.
 Registered Professional Land Surveyor
 License No. 10000

LEGEND:

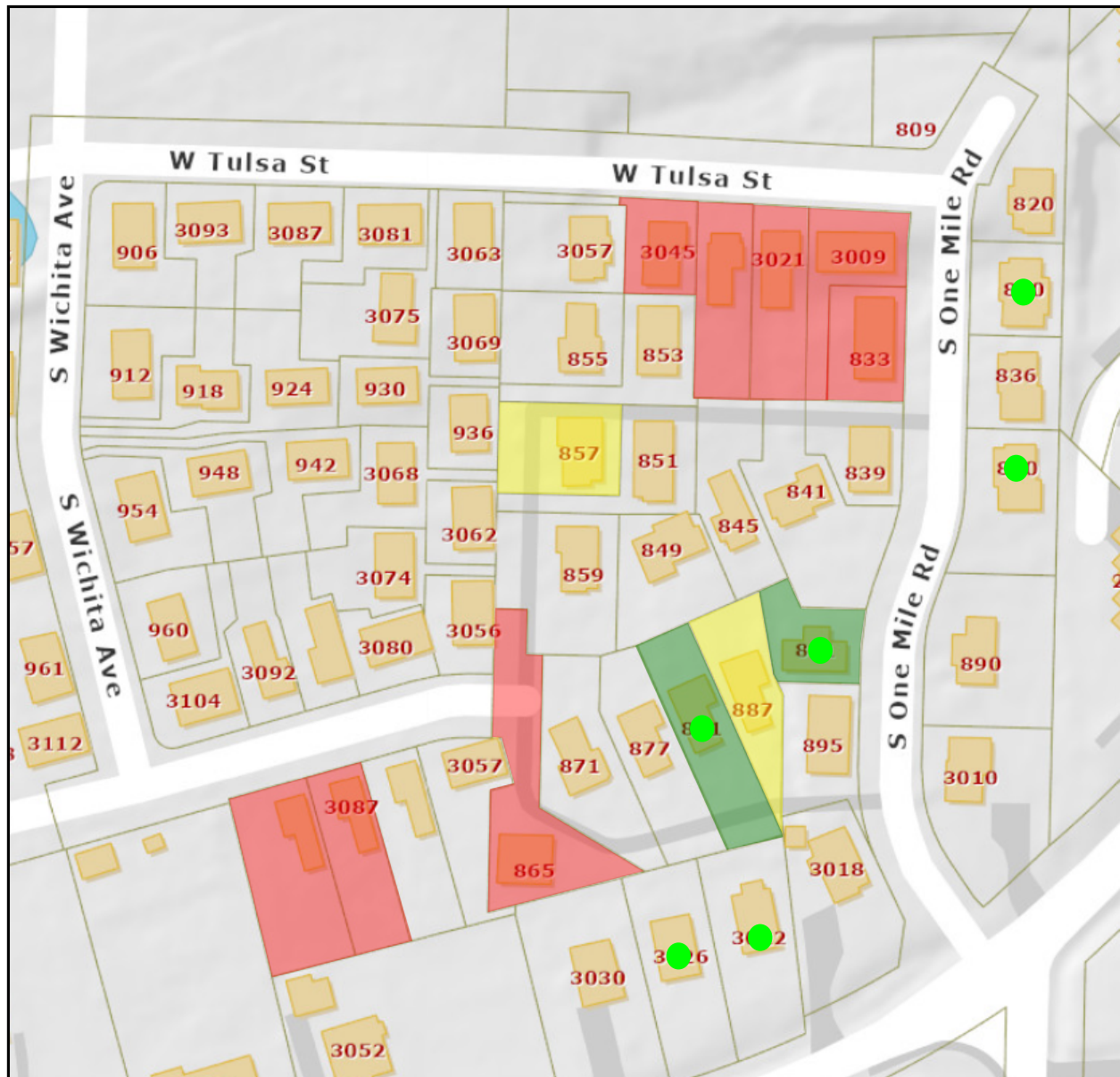
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- 93. 1/4 SECTION 10, T1N, R1E, S1W
- 94. 1/4 SECTION 10, T1N, R1E, S1W
- 95. 1/4 SECTION 10, T1N, R1E, S1W
- 96. 1/4 SECTION 10, T1N, R1E, S1W
- 97. 1/4 SECTION 10, T1N, R1E, S1W
- 98. 1/4 SECTION 10, T1N, R1E, S1W
- 99. 1/4 SECTION 10, T1N, R1E, S1W
- 100. 1/4 SECTION 10, T1N, R1E, S1W

Location Map

(5)



Type 2 Short-Term Rental Exhibit
Approved and Denied CUPs and Business Licenses



- Legend:
- Approved CUP
 - In Review CUP
 - Denied CUP
 - Active Type 2 STR Business License



FW: Short-Term Rental 857 S. One Mile Road

From Planning Shared <planning@fayetteville-ar.gov>

Date Tue 2/25/2025 11:14 AM

To Harrison, Gretchen <gharrison@fayetteville-ar.gov>

For you

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



CITY OF
FAYETTEVILLE
ARKANSAS

From: daveymert <daveymert@sbcglobal.net>

Sent: Monday, February 24, 2025 5:44 PM

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

Subject: Short-Term Rental 857 S. One Mile Road

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

Dear Commissioners,

I am writing you to express my opposition to the application for the short-term rental permit at 857 S. One Mile Road. This property is part of a development once highly touted as affordable housing for residents of Fayetteville. If too many of the housing units in developments such as this are converted to short-term rental it most likely will add to housing shortages and therefore increased prices for homes. I would prefer these homes be available to residents seeking to plant roots in our city, and be part of our neighborhood and community.

Another concern is in regards to the behavior, and habits of short-term guests compared to owners of homes. I have observed that the temporary guests are often unfamiliar with our city's trash pickup rules. Often loose garbage in bins escapes into our ditches which I have to remove, and the bins remain on the streetside days after pickup. I would prefer this neighborhood that joins my property remain single family homes, and I look forward to building relationships with my new neighbors.

David Mertin
3052 W. Old Farmington
Road

Sent from my Galaxy

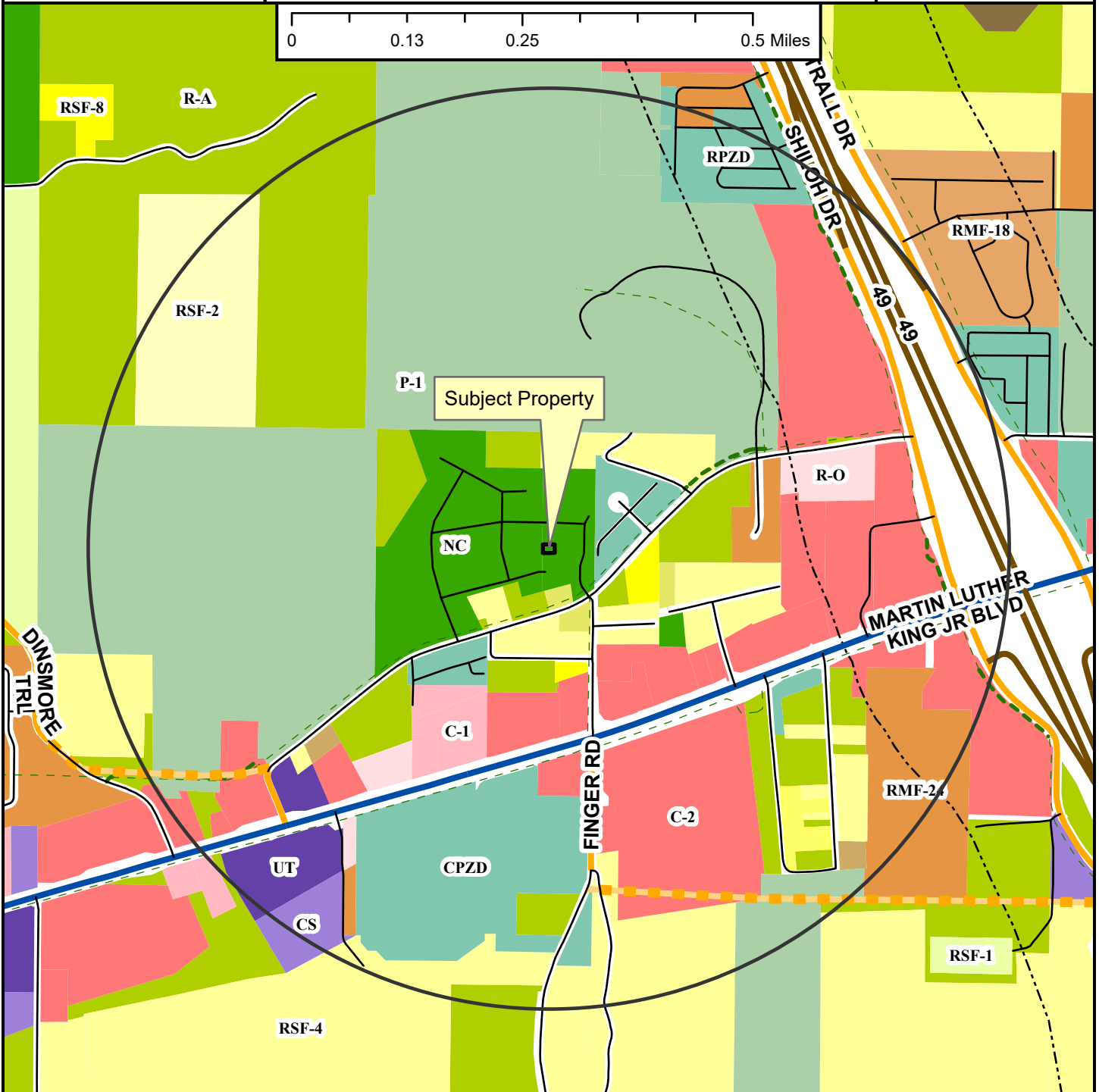
CUP-2025-0008

857 S ONE MILE RD

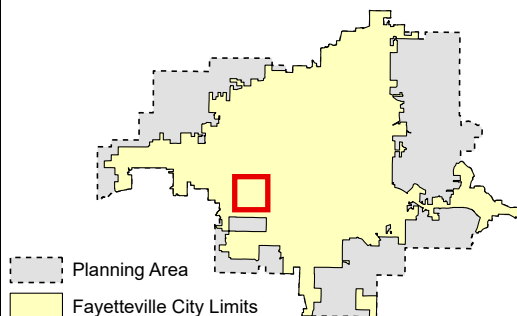
One Mile View



0 0.13 0.25 0.5 Miles

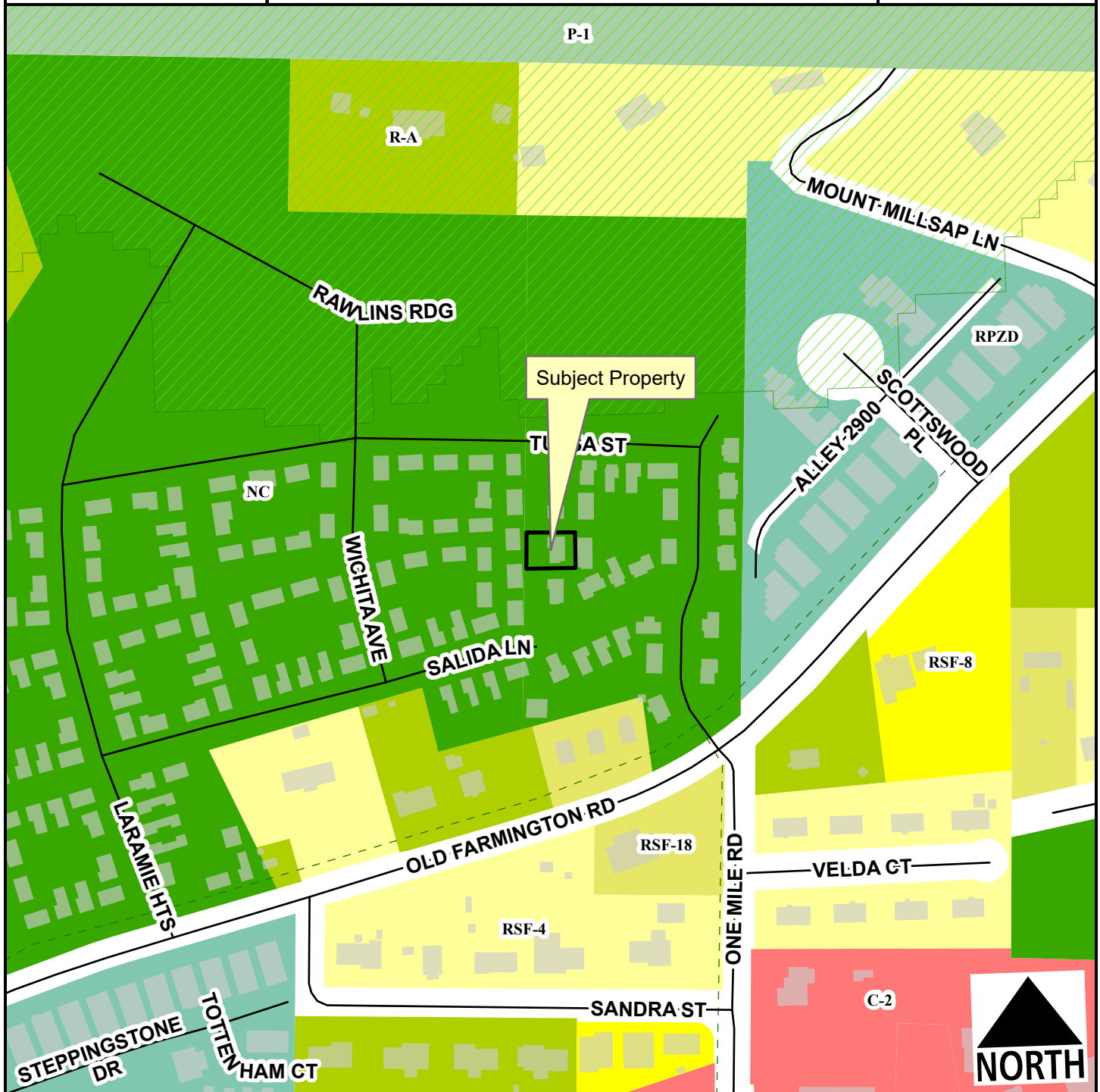


- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Shared-Use Paved Trail
- - - Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



Planning Area
Fayetteville City Limits

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



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

Feet

0 75 150 300 450 600

1:2,400

- Residential-Agricultural
- RSF-4
- RSF-8
- RSF-18
- C-2
- Neighborhood Conservation
- Commercial, Industrial, Residential
- P-1

CUP-2025-0008

857 S ONE MILE RD

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: March 10, 2025

SUBJECT: **RZN-2025-0002: Rezone (1417 N. ADDINGTON AVE/BAUER HAUS, 404):** Submitted by BART & PATRICIA BAUER for property located at 1417 N. ADDINGTON AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.33 acres. The request is to rezone the property to RSF-18, RESIDENTIAL SINGLE-FAMILY, 18 UNITS PER ACRE.

RECOMMENDATION:

Staff recommends forwarding RZN-2025-0002 to City Council with a recommendation of approval.

RECOMMENDED MOTION:

"I move to forward RZN-2025-0002 to City Council with a recommendation of approval."

BACKGROUND:

The subject property is located at the corner of the N. Addington Avenue and W. Mount Comfort Street intersection. The property contains 0.33 acres and is currently developed with a single-family dwelling which Washington County records indicate was built in 1916, and an accessory dwelling unit (ADU). Surrounding land uses and zoning are depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family – 4 Units per Acre
South	Multi-Family Residential	RMF-24, Residential Multi-Family – 24 Units per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family – 4 Units per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family – 4 Units per Acre

Request: The applicant is requesting to rezone the property from RSF-4, Residential Single-Family – 4 Units per Acre, to RSF-18, Residential Single-Family – 18 Units per Acre. The applicant has stated that rezoning would allow for appropriate infill.

Public Comment: Staff has one received comment at this time. The commentator stated that they were concerned about the density of development coupled with adequate parking given the small lot size. Additionally, they stated that higher density development may impact the neighborhood's fit.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW

Streets: The subject property has frontage to North Addington Avenue and West Mount Comfort Road. North Addington Avenue is an unimproved residential link street with asphalt paving and open ditches. West Mount Comfort Road is a partially improved residential link street with asphalt paving along the property's frontage. Any street improvements required in these areas would be determined at the time of development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

Water: Public water is available to the subject property. There is an existing 6-inch watermain present along the west side of North Addington Avenue. There is also an existing 8-inch watermain along the north side of West Mount Comfort Road.

Sewer: Sanitary Sewer is available to the subject property. There is an existing 8-inch and 6-inch sewer main present along North Addington Avenue. In addition, there is an existing 6-inch sewer main present along West Mount Comfort Road.

There are known wet weather sewer capacity issues identified in the City's 2021 Sewer Master Plan that appear in the system approximately 220 linear feet downstream of this property.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 8, located at 2266 W Deane St., protects this site. The property is located approximately 1 mile from the fire station with an anticipated drive time of approximately 3 minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. The Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

Police: The Police Department expressed no concerns with this request.

Drainage: Any additional improvements or requirements for drainage will be determined at the time of development. No portion of the property lies within the Hillside-Hilltop Overlay District, nor within a Streamside Protection Zone.

The property does not lie in the FEMA floodplain.

There are hydric soils present on the property. Hydric soils are a known indicator of wetlands. However, for an area to be classified as wetlands, it may also need other characteristics such as hydrophytes (plants that grow in water), and shallow water during parts of the year. Hydric soils can be found across many areas of Fayetteville, including valleys, floodplains, and open prairies. It's important to identify these natural resources during development, so when these soils are identified on a property, further environmental studies will be required at the time of development. Before permits will be issued for the property, a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE determination of Jurisdictional Wetlands will be required at the time of development submittal.

Tree Preservation:

The proposed zoning district of RSF-18, Residential Single-Family – 18 Units per Acre, requires **20% minimum canopy preservation**. The current zoning district of RSF-4, Residential Single-Family – 4 Units per Acre, requires **25% minimum canopy preservation**.

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

Residential Neighborhood Areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context: single-family, duplexes, rowhouses, multifamily and accessory dwelling units. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity nonresidential uses intended to serve the surrounding neighborhoods, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of 8 for this site with a weighted score of 9.5. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 8, 2266 W. Deane Street)
- Near Sewer Main (8-inch and 6-inch sewer mains N. Addington Avenue; 6-inch main W. Mount Comfort Road)
- Near Water Main (6-inch main N. Addington Avenue)
- Near Grocery Store (Harps Food Store)
- Near City Park (Lewis Soccer Complex)
- Near U of A Campus
- Near Paved Trail (Mount Comfort Road)
- Near Razorback Bus Stop (Garden Park and Mount Comfort & Stephens)

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:*** The subject property's neighboring properties are comprised mostly of low-density single-family dwellings. There does exist diversity of housing types on the street, especially similarly zoned RSF-18 properties on W. Hendrix Street – the properties in this zoning district have not currently developed to increase the lots' density. The lot within the subject property is relatively small, at 0.33 acre, which suggests that any future development will be limited in size. Given the building requirements and permitted uses associated with the RSF-18 zoning district, any future development will likely be compatible in scale with surrounding properties. In terms of land use, the subject property is located near single-family, multi-family, commercial, and industrial zoning districts.

The building height maximum for both RSF-4 and RSF-18 zoning districts is 3 stories, which means that rezoning would not permit the construction of any taller buildings. However, the front and rear setback requirements, lot size, and lot width requirements would all be reduced. Where RSF-4 requires a 15-foot front and rear setback, RSF-18 would require a 25-foot build-to-zone and a 5-foot rear setback. Also, where RSF-4 requires a lot size of 8,000 square feet and a minimum width of 70 feet, RSF-18 would require a lot size of 2,500 square feet (single-family) or 2,000 square feet (two-family), and a lot width minimum of 30 feet.

Land Use Plan Analysis: Staff finds that the request is consistent with adopted land use policies. City Plan 2040's Future Land Use Map designates the property as Residential Neighborhood, but does border the City Neighborhood designation. The Property also has a good infill score of 8 and is located 0.35 of a mile north west from a Tier 2 center at the intersection of W. Wedington Drive and N. Garland Avenue. The City Plan 2040 describes Tier 2 centers as being "characterized by housing that ranges from one- to three- story detached dwellings, duplexes, row houses, and mid-rise apartments." Staff finds that this rezoning is in line with this designation as well as providing the area with a range of development options. Staff finds that a rezoning to RSF-18 would allow for increased development that would be in character with surrounding properties and its proximity to two Residential Link streets.

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

Finding: Rezoning this property from RSF-4, Residential Single-Family – 4 Units per Acre, to RSF-18, Residential Single-Family – 18 Units per Acre, is justified given the city's stated goal of increased infill development as well as providing additional opportunities for attainable housing.

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

Finding: Rezoning the property from RSF-4 to RSF-18 has the potential to increase traffic in this area. However, given the size of the lot and the ability to access it via a Residential Link street, staff finds that the possibility of increased traffic danger and congestion is minimal.

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

Finding: Rezoning the subject property from RSF-4 to RSF-18 would have the potential to increase population density in this area in a way that would not undesirably increase the load on public services. Staff finds that the water and sewer infrastructure available to this site could support the impact that this zoning change would bring. The Fayetteville School District did not provide comment on this rezoning.

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

Finding: N/A

RECOMMENDATION: Planning staff recommends approval of RZN-2025-0002.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>March 10, 2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §161.07 RSF-4, Residential Single-Family – Four (4) Units per Acre
 - §161.10 District RSF-18, Residential Single-Family - Eighteen (18) Units Per Acre
- Applicant Request Letter
- Public Comment
- One Mile Map
- Close-up Map
- Current Land Use Map
- Future Land Use Map

161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

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

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

Editor's note(s)—Ord. No. 6427, § 2, adopted April 20, 2021, "determines that this ordinance and all amendments to Code sections ordained or enacted by this ordinance shall automatically sunset, be repealed, terminated, and become void twenty (20) months after the passage and approval of this ordinance, unless prior to that date, the City Council amends this ordinance to repeal this sunset, repeal and termination section."

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

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

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

(1) *Lot Width Minimum.*

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

(2) *Lot Area Minimum.*

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

(E) *Setback Requirements.*

Front	Side	Side-Zero Lot Line*	Rear
A build-to zone that is located between the front property line and a line 25 ft. from the front property line.	5 feet on both sides	A setback of less than five feet (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side setback(s) shall be 10 feet.	5 feet

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

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

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Building Area.* The area occupied by all buildings shall not exceed 60% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

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

(Ord. No. 5800, §2(Exh. B), 10-6-15; Ord. No. 5824, §2, 11-17-15; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §8, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6245, §2, 10-15-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

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

REQUEST FOR REZONING 1417 N. ADDINGTON AVENUE

We are requesting that Parcel ID 765-06290-000, also known as 1417 N. Addington Avenue, be rezoned from RSF-4 to RSF-18.

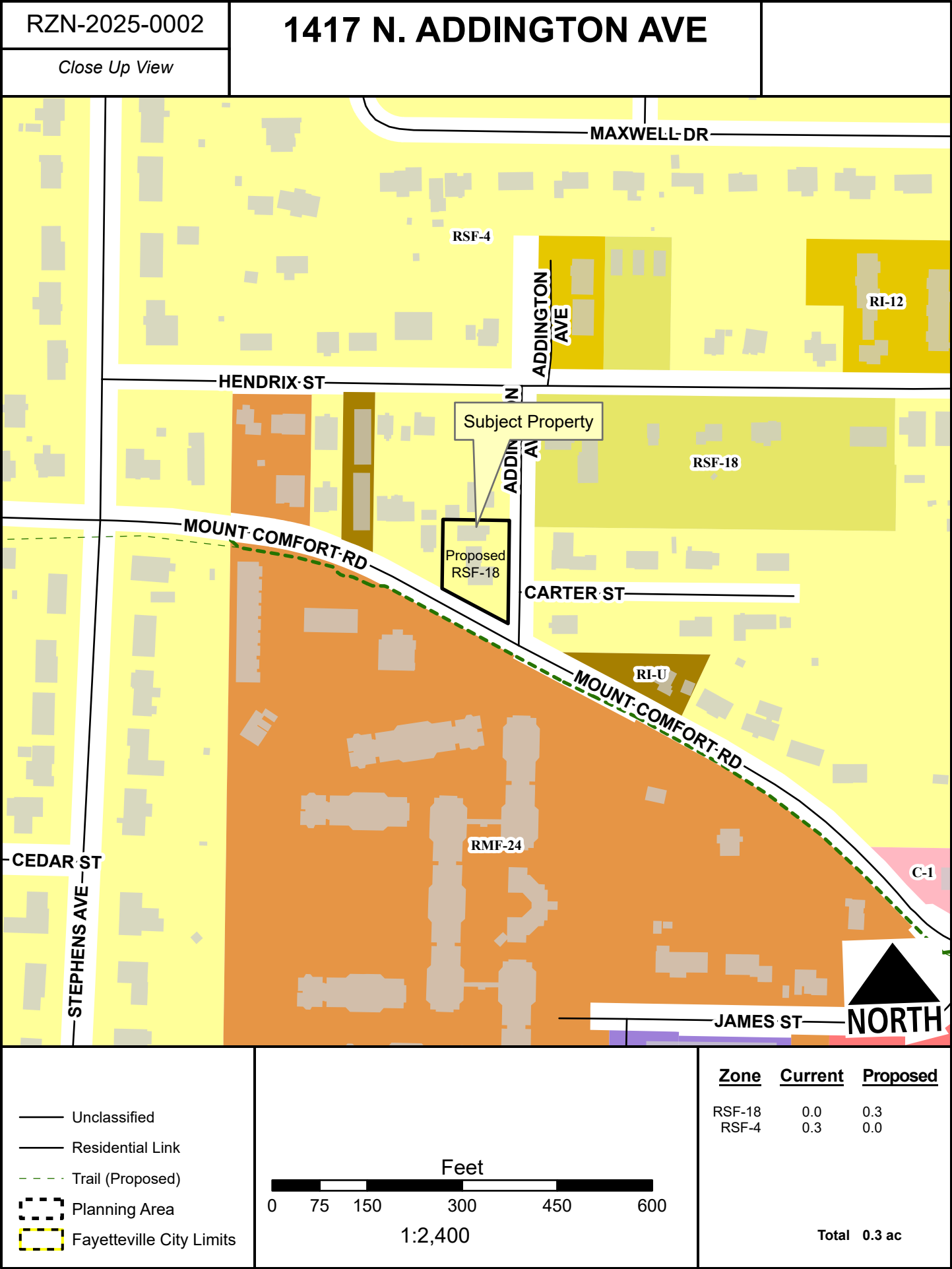
This parcel is located at the corner of Addington Avenue and Mount Comfort Road. Directly across Mount Comfort Road to the South the zoning is RMF-24. Directly across Addington Avenue to the East the zoning is RSF-18. The property currently contains a main home and an accessory dwelling unit.

This request is a compatible land use to adjacent properties and the same rezoning request had been granted by the Planning Commission in 2020 for a strip of land that runs from the corner of Addington and Hendrix to Garland Avenue (i.e. Rezone Petition RZN 20-7089 / Ordinance 6333).

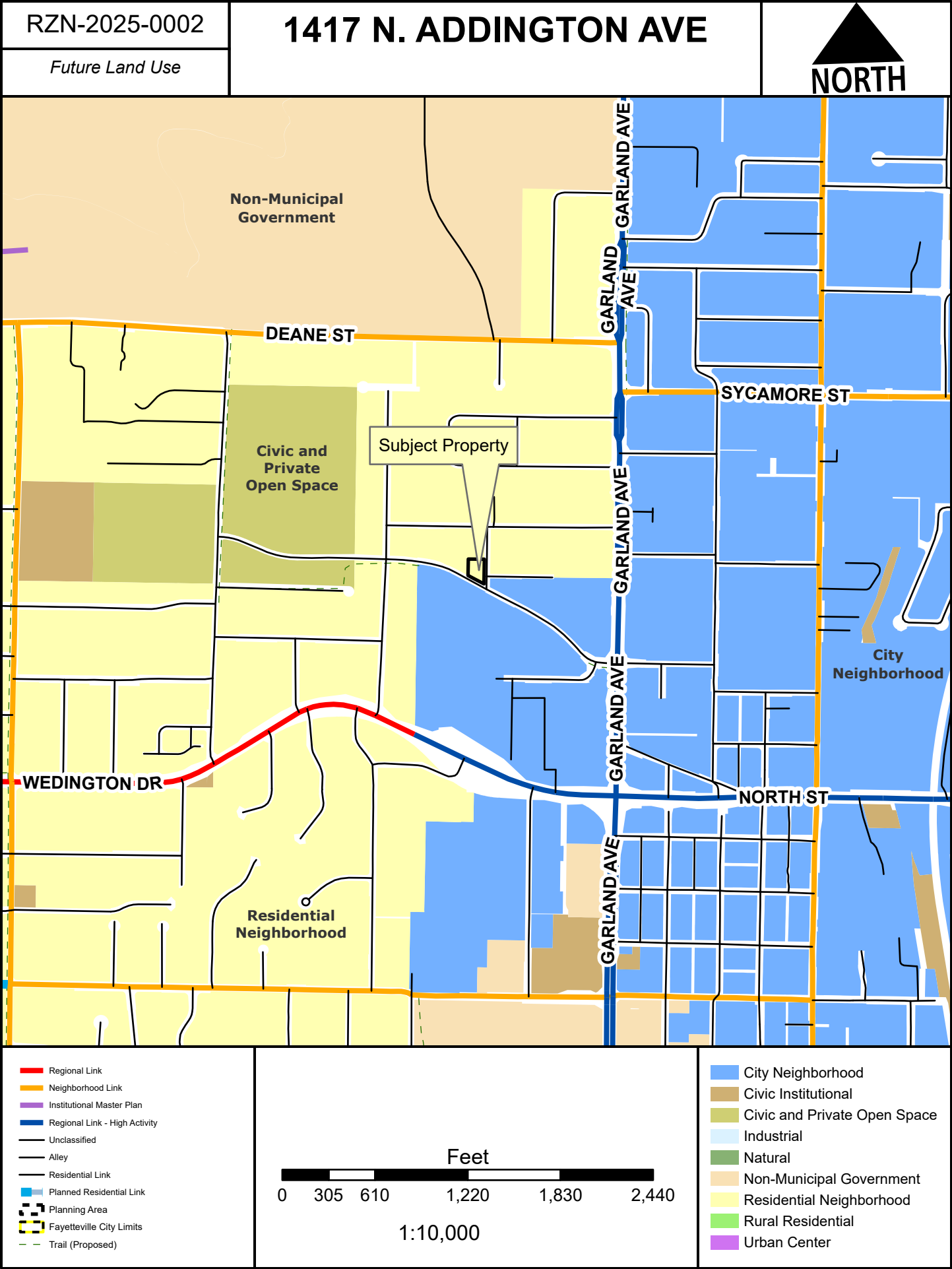
The neighborhood is a diverse mix of housing types – several low-density single-family dwellings along with higher density residential and multi-family. In 2020, the City Plan 2040's Infill Matrix indicated a score of 7 with a weighted score of 8.5 for 1283 W. Hendrix which is across the street from the subject property. It was indicated by the City Planner at that time that "capping the density at 18 units per acre will ... provide a sense of predictability for the surrounding neighborhood."

The use is also harmonious to the uses and activities being conducted now on the properties in the neighborhood. The neighborhood is very walkable and less than a mile from the University of Arkansas campus. The property is within closing walking distance to: (i) an active bus route along Mount Comfort Road, (ii) Harp's grocery store at Garland, (iii) the Razorback Greenway; (iv) retail and dining choices at Oak Plaza on Garland. It is made up largely of both short and long-term rental properties.

This rezoning would not adversely affect or unreasonably impact any use or enjoyment of the contiguous lands as surrounding properties that are not higher density are single-family residential and our petition is also for single-family residential. City Plan 2040 was adopted to make infill a high priority and to encourage the redevelopment of underdeveloped property. The subject property definitely aligns with the goals of City Plan 2040.









TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Wesley Frank, Planner

MEETING DATE: March 10, 2025

SUBJECT: **RZN-2025-0004: Rezone (809 W. KELLEY ST./PARK AVENUE, 366):**
Submitted by JEREMY KENNEDY for property located at 809 W. KELLEY ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.26 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

RECOMMENDATION:

Staff recommends forwarding RZN-2025-0004 to City Council with a recommendation of approval.

RECOMMENDED MOTION:

"I move to forward RZN-2025-0004 to City Council with a recommendation of approval."

BACKGROUND:

The subject property is located at the northwest corner of the W. Sycamore Street and N. Leverett Avenue intersection. The property contains 0.26 acres and is currently developed with a single-family dwelling, which Washington County records indicate was built in 1965. 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	RI-U, Residential Intermediate - Urban
South	Commercial	C-2, Thoroughfare Commercial
East	Multi-Family Residential	RMF-40, Residential Multi-Family – 40 Units per Acre / C-1, Neighborhood Commercial
West	Single-Family Residential	RSF-4, Residential Single-Family – 4 Units per Acre

Request: The applicant is requesting to rezone the property from RSF-4, Residential Single-Family – 4 Units per Acre, to RI-U, Residential Intermediate – Urban. The applicant has stated that rezoning would allow for appropriate infill.

Public Comment: Staff has not received comment at this time.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW

Streets: The subject property has frontage to W. Sycamore Street, N. Leverett Avenue, and

W. Kelley. W. Sycamore Street is an improved Neighborhood Link with asphalt paving, curb and gutter along the north side. N. Leverett Avenue is a partially improved Neighborhood Link with asphalt paving, curb and gutter and sidewalk along the west side. W. Kelley Street is a Residential Link street with asphalt paving, curb and gutter and sidewalk. Any street improvements required in these areas would be determined at the time of development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

Water: Public water is available to the subject property. There is an existing 8-inch water main along the beneath W. Sycamore Street. There is also an existing 6-inch water main along the eastern side of N. Leverett Avenue.

Sewer: Sanitary Sewer is available to the subject property. There are existing 15-inch sewer mains along both W. Sycamore Street and N. Leverett Avenue.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 8, located at 2266 W. Deane St., protects this site. The property is located approximately 1.2 miles from the fire station with an anticipated drive time of approximately 3 minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. The Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

Police: The Police Department expressed no concerns with this request.

Drainage: Any additional improvements or requirements for drainage will be determined at the time of development. No portion of the property lies within the Hillside-Hilltop Overlay District, nor within a Streamside Protection Zone.

The property does not lie in the FEMA floodplain.

There are hydric soils present on the property. Hydric soils are a known indicator of wetlands. However, for an area to be classified as wetlands, it may also need other characteristics such as hydrophytes (plants that grow in water), and shallow water during parts of the year. Hydric soils can be found across many areas of Fayetteville, including valleys, floodplains, and open prairies. It's important to identify these natural resources during development, so when these soils are identified on a property, further environmental studies will be required at the time of development. Before permits will be issued for the property, a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE determination of Jurisdictional Wetlands will be required at the time of development submittal.

Tree Preservation:

The proposed zoning district of RI-U, Residential Intermediate – Urban, requires **15% minimum canopy preservation**. The current zoning district of RSF-4, Residential Single-Family – 4 Units per Acre, requires **25% minimum canopy preservation**.

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

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

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of 8 for this site with a weighted score of 9.5. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 8, 2266 W. Deane Street)
- Near Sewer Main (15" located on W. Sycamore Street)
- Near Water Main (8" located on W. Sycamore Street)
- Near Grocery Store (Harps Food Store)
- Near City Park (Gregory Park)
- Near Paved Trail (Midtown Trail, Scull Creek Trail, and W. Sycamore Street)
- Near Razorback Bus Stop (Leverett & Sycamore, Ruby Creek)
- Appropriate Future Land Use (City Neighborhood Area)

FINDINGS OF THE STAFF

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

Finding: ***Land Use Compatibility:*** While the subject property is situated on the edge of a single-family residential subdivision, the surrounding area has a variety of lot sizes and land uses. The lot within the subject property is relatively small, at about a $\frac{1}{4}$ acre, which suggests that any future development will be limited in size. Given the building requirements and permitted uses associated with the RI-U zoning district, any future development will likely be compatible in scale with surrounding properties. In terms of land use, the subject property is located near single-family, multi-family, commercial, and industrial zoning districts. Rezoning to RI-U would permit, by right, the development of single-, two-, three-, and four-family dwellings, which appear to be compatible in use and incremental in density when compared to the surrounding area. The building height maximum for both RSF-4 and RI-U zoning districts is 3 stories, which means that rezoning would not permit the construction of any taller buildings. However, the front and rear setback requirements, lot size, and lot width requirements would all be reduced. Where RSF-4 requires a 15-foot front and rear setback, RI-U would require a 25-foot build-to-zone and a 5-foot rear setback. Also, where RSF-4 requires a lot size of 8,000 square feet and a minimum width of 70 feet, RI-U would not have a minimum lot size requirement and would only require a minimum width of 18 feet.

Land Use Plan Analysis: Staff finds that a rezoning to RI-U would be consistent with the City's adopted land use plans. City Plan 2040's Future Land Use Map designates the property as City Neighborhood. The property also has a good infill score of 8 and is located 0.29 of a mile west from a Tier 3 center at the intersection W. Sycamore Street and N. Gregg Avenue. The City Plan 2040 describes Tier 3 centers as being "characterized by one or two commercial and/or multi-family buildings located on a single intersection while others develop into a mixed-use core extending over multiple blocks and serving a broad mix of housing." Staff finds that this rezoning is in line with this designation. Staff finds that a rezoning to RI-U would allow for increased development that would be in character with surrounding properties and its proximity to two regional high activity link streets.

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

Finding: Rezoning this property from RSF-4, Residential Single-Family – 4 Units per Acre, to RI-U, Residential Intermediate – Urban, is justified given the city's stated goal of increased infill development as well as providing additional opportunities for attainable housing.

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

Finding: Rezoning the property from RSF-4 to RI-U has the potential to increase traffic in this area. However, given the size of the lot and the ability to access it via two Neighborhood Link and a Residential Link street, staff finds that the possibility of increased traffic danger and congestion is minimal.

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

Finding: Rezoning the subject property from RSF-4 to RI-U would have the potential to increase population density in this area in a way that would not undesirably increase the load on public services. Staff finds that the water and sewer infrastructure available to this site could support the impact that this zoning change would bring.

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

Finding: N/A

RECOMMENDATION: Planning staff recommends approval of RZN-2025-0004.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>March 10, 2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §161.07 RSF-4, Residential Single-Family – Four (4) Units per Acre
 - §161.12 District RI-U, Residential Intermediate - Urban
- Applicant Request Letter
- One Mile Map
- Close-up Map
- Current Land Use Map
- Future Land Use Map

161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

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

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

Editor's note(s)—Ord. No. 6427, § 2, adopted April 20, 2021, "determines that this ordinance and all amendments to Code sections ordained or enacted by this ordinance shall automatically sunset, be repealed, terminated, and become void twenty (20) months after the passage and approval of this ordinance, unless prior to that date, the City Council amends this ordinance to repeal this sunset, repeal and termination section."

161.12 District RI-U, Residential Intermediate - Urban

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster housing development

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

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

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

Building height maximum	2 stories/3 stories*
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* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of three (3) stories.

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

(H) *Minimum Buildable Street Frontage.* 50% of the lot width.

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

City of Fayetteville Planning Department
125 W Mountain Street
Fayetteville, AR 72701
(479) 575-8267

Re: Rezoning Request 809 W Kelley Street

To whom it may concern:

Please accept this letter as my request for rezoning approval from District RSF-4, Residential Single-Family – Four (4) Units Per Acre to District RI-U, Residential Intermediate – Urban. This property is located in an area of the city with varied zoning districts and varied residential and commercial development forms. This includes C-1, C-2 and RI-U across the streets as well as various multifamily districts in the direct vicinity. Rezoning this property to RI-U will allow for an additional housing unit to be constructed in an area that already has much if not all the needed infrastructure. Thank you for your time in considering my request.

Sincerely,

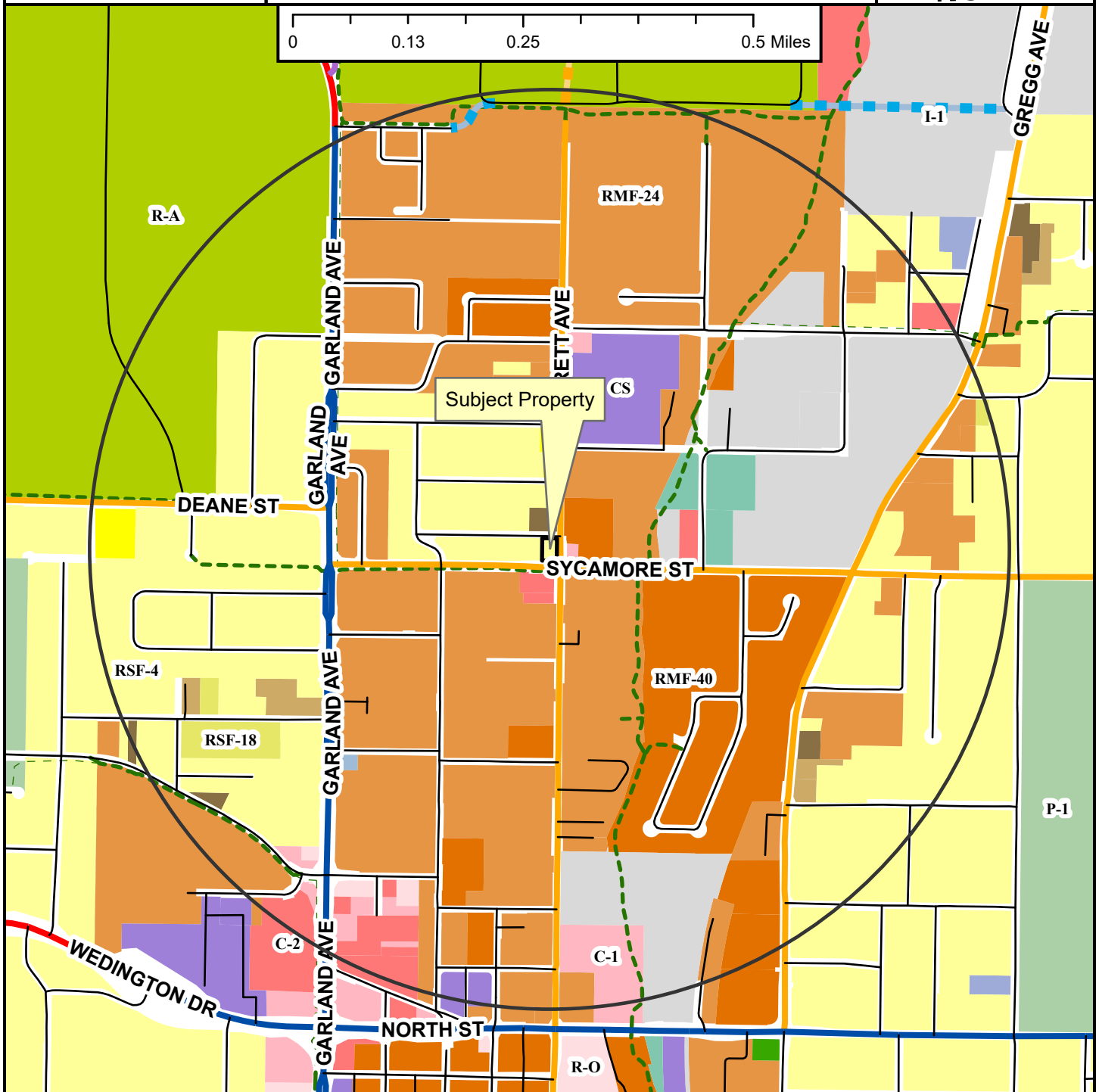
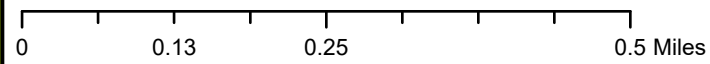


Jeremy Kennedy
Marquardt Speck House, LLC
479 841-4088

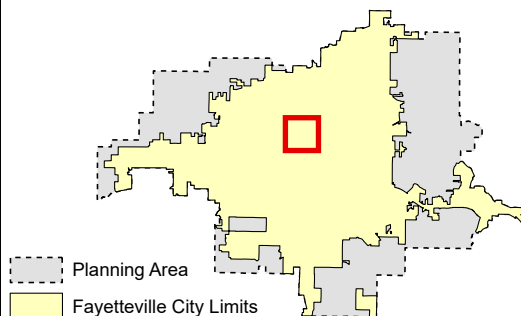
RZN-2025-0004

809 W. KELLEY ST

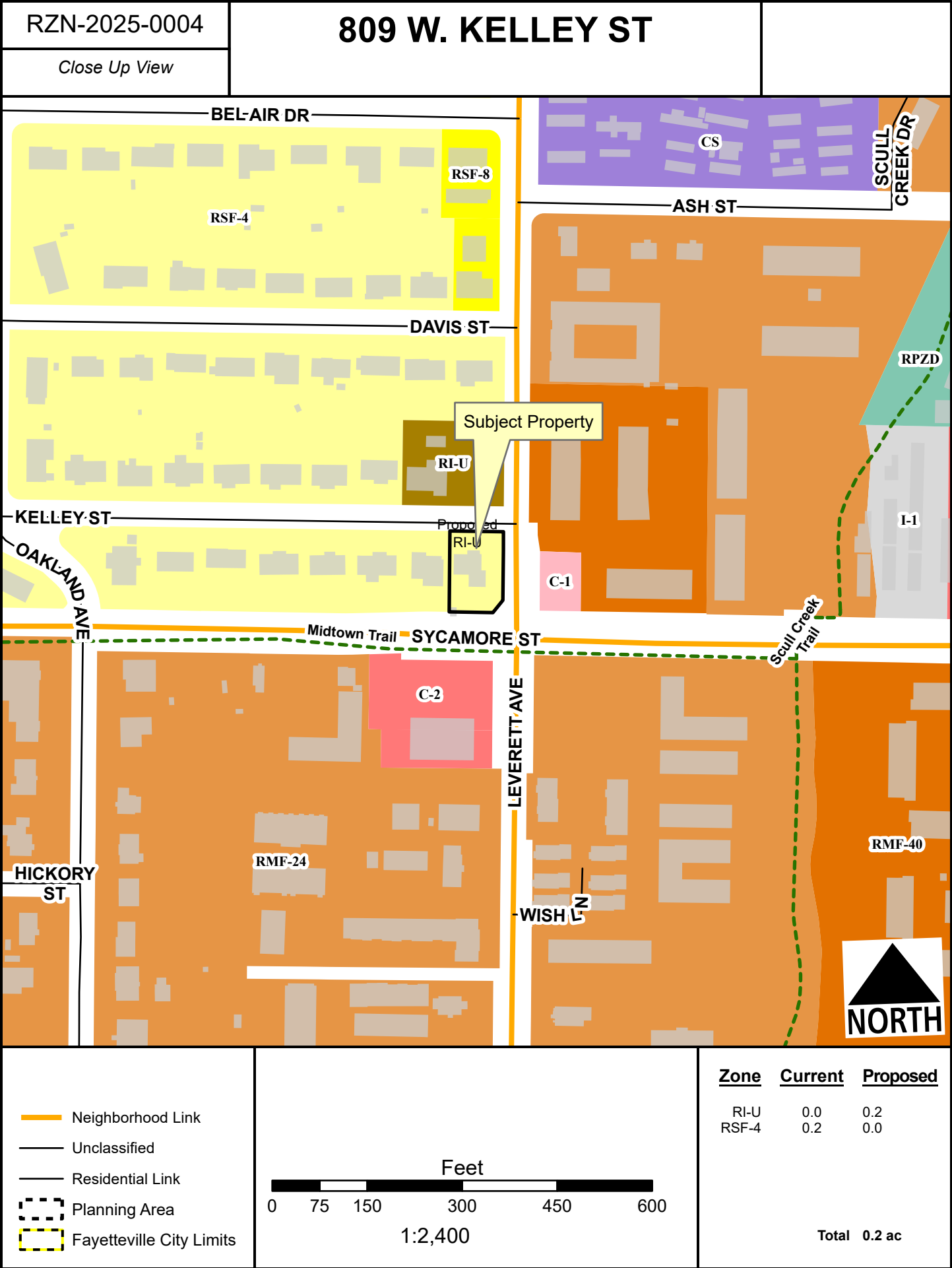
One Mile View



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



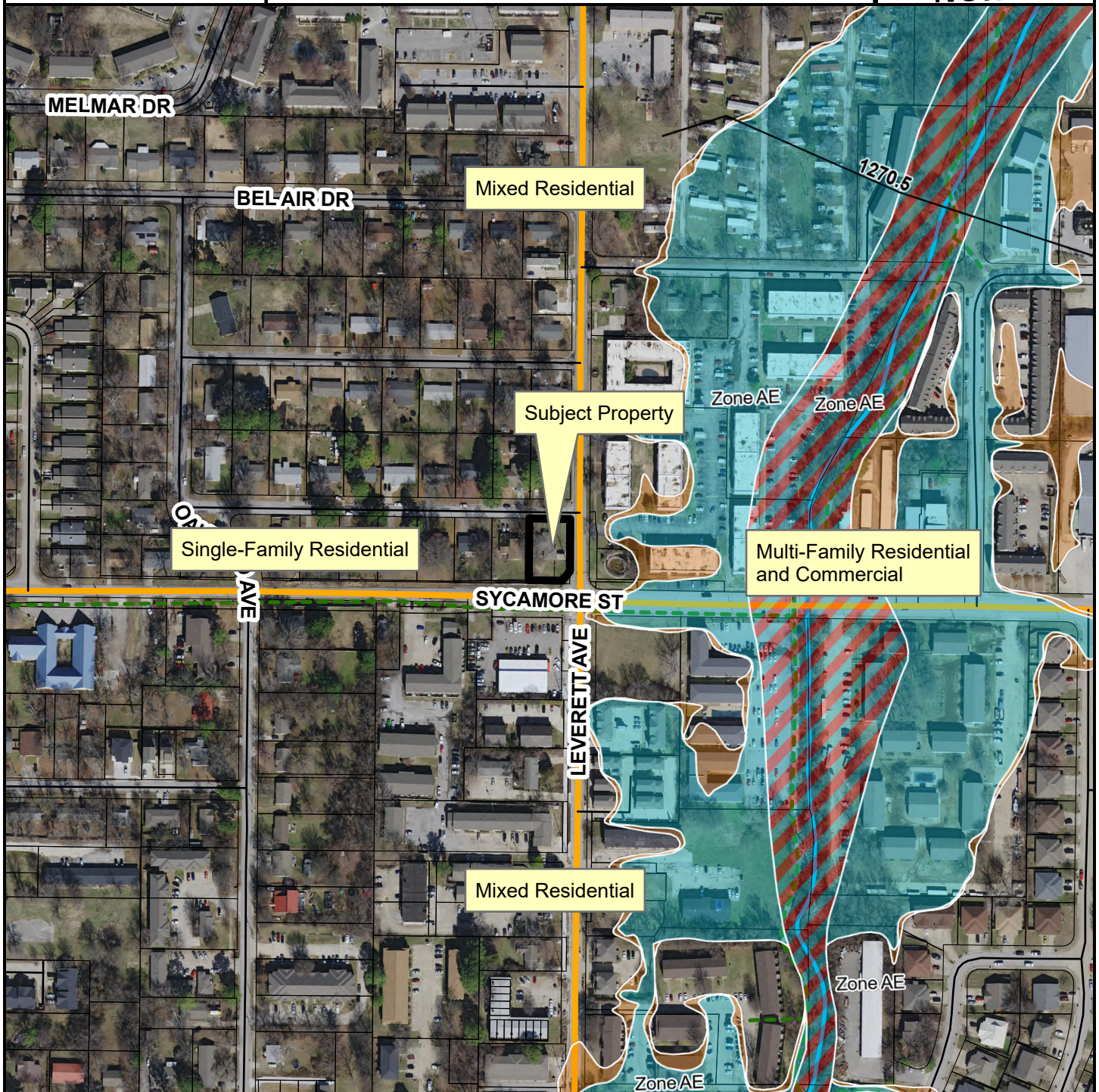
- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
- RH-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
- RMF-12
- RMF-13
- RMF-24
- RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial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



RZN-2025-0004

809 W. KELLEY ST

Current Land Use



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



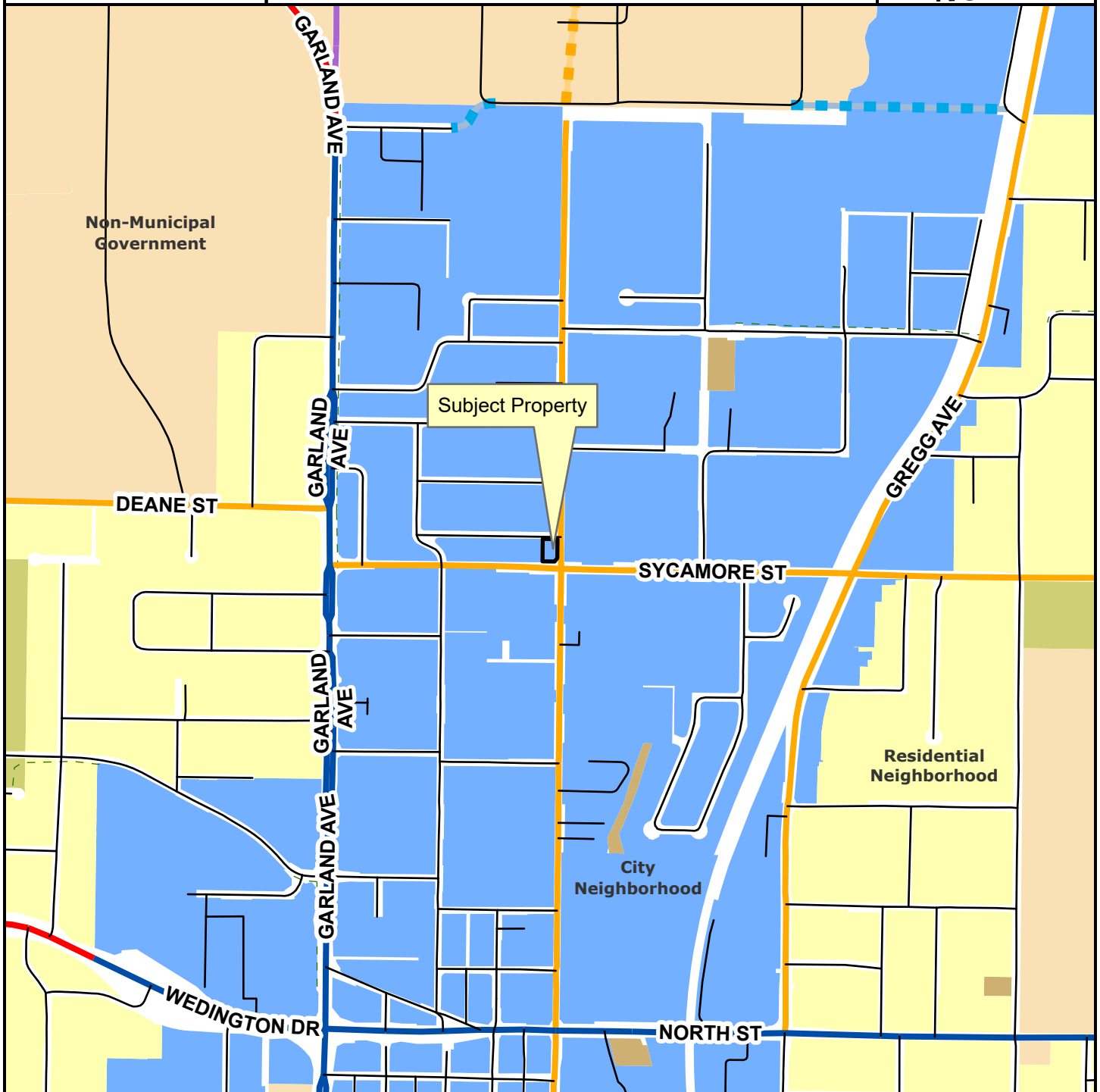
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

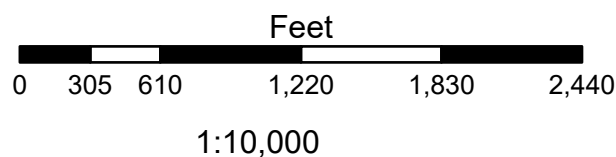
RZN-2025-0004

809 W. KELLEY ST

Future Land Use



- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)



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



TO: Fayetteville Planning Commission

FROM: Jessie Masters, Development Review Manager

MEETING DATE: March 10, 2025

SUBJECT: **RZN-2025-0005: Rezoning (1791 N. GARLAND AVE/JMAX PROPERTIES LLC, 365):** Submitted by COMMUNITY BY DESIGN for property located at 1791 N. GARLAND AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.40 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

RECOMMENDATION:

Staff recommends forwarding **RZN-2025-0005** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2025-0005** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in north central Fayetteville along N. Garland Avenue, approximately 300 feet north of the intersection with W. Deane Street. Containing one parcel totaling 0.40 acres which is currently zoned RSF-4, Residential Single-Family – Four Units per Acre, County records indicate that the property is developed with a single-family home that was constructed around 1936. The property is not subject to any overlay districts. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family – Four Units per Acre
South	Single-Family Residential	RSF-4, Residential Single-Family – Four Units per Acre
East	Mixed-Density Residential	RSF-4, Residential Single-Family – Four Units per Acre; RMF-24, Residential Multi-Family, 24 Units per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family – Four Units per Acre

Request: The request is to rezone the subject property from RSF-4, Residential Single-Family – Four Units per Acre to RI-U, Residential Intermediate, Urban.

Public Comment: Staff has received comment both in support of and in opposition to the subject rezoning. Those in support of the request found the request to be compatible with surrounding land uses, and the opportunity for infill development on larger lots. Those in opposition were concerned about drainage, scale of development, and lack of knowledge about specific development plans.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject property has frontage to North Garland Avenue which is an improved Regional Link – High Activity with asphalt paving, curb and gutter and sidewalk. Any street improvements required in these areas would be determined at the time of development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

Water: Public water is available to the subject property. There is an existing 6-inch watermain present along the east side of N. Garland Avenue.

Sewer: Sanitary Sewer is available to the subject property. There is an existing 8-inch sewer main present along the west side of N. Garland Avenue.

There are known wet weather sewer capacity issues identified in the City's 2021 Sewer Master Plan that appear in the system across the frontage of this property.

Drainage: The property is not within the Hillside-Hilltop Overlay District, a FEMA floodplain, or near a protected stream. It has hydric soils, which are a known indicator of wetlands. However, for an area to be classified as wetlands, it may also need other characteristics such as hydrophytes (plants that grow in water), and shallow water during parts of the year. Hydric soils can be found across many areas of Fayetteville, including valleys, floodplains, and open prairies. It's important to identify these natural resources during development, so when these soils are identified on a property, further environmental studies will be required at the time of development. Before permits will be issued for the property a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE Determination of Jurisdictional Wetlands will be required.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 8, located at 2266 W Deane St., protects this site. The property is located approximately 1.2 miles from the fire station with an anticipated drive time of approximately 3 minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. Fire department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the city limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

Tree Preservation:

The current zoning district of RSF-4, Residential Single-Family, 4 Units per Acre requires **25% minimum canopy preservation**. The proposed zoning district of RI-U, Residential Intermediate - Urban requires **15% minimum canopy preservation**.

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

Residential Neighborhood areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhoods. This designation recognizes the existing conventional subdivision developments that may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of 6-7 for this site with a weighted score of 8. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 8, 2266 W. Deane St.)
- Near Sewer Main (N. Garland Avenue, 8" line)
- Near Water Main (N. Garland Avenue, 8" line)
- Near Grocery Store (Harps, N. Garland Avenue)
- Near City Park (Lewis Soccer Complex)
- Near Paved Trail (On-Street Bike Lane, N. Garland Avenue)
- Near Razorback Bus Stop (Garland and Sycamore)

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:*** Land Use Compatibility: From a current land use standpoint, the request is not readily compatible with its immediate surroundings. The property is surrounded by single-family zoning and single-family dwellings, with a highly-regular lot configuration and setback pattern that currently meets that underlying zoning district. Most homes in the surrounding area are single-story, though the current zoning district allows for structures up to three stories. RSF-4 also requires a 15-foot front setback, while RI-U requires a 0- to 25-foot build-to-zone, which would potentially introduce a varying setback pattern from the immediate surroundings. The introduction of a build-to-zone in the area, however, begins to set a precedent toward a more walkable urban form along this stretch of N. Garland Avenue. From a use perspective, the uses permitted in the RI-U zoning district are typically compatible with single-family dwellings, including 2-, 3- and 4- family dwellings. The neighborhood and site in question are also directly located on N. Garland Avenue, which is a Regional Link Street, indicating that single-family uses may not be the highest and best use for the area in general.

Land Use Plan Analysis: Staff finds that the request is consistent with adopted land use policies, the Future Land Use Map designation, and goals of City Plan 2040. The area is designated as a Residential Neighborhood Area, which indicates an intent for a variety of housing types. The infill score also suggests that strictly single-family zoning does not necessarily make the most sense for the area overall. Increasing the available housing types

would align with City Plan goal #6 of increasing additional opportunities for housing and would help align with the City's goal of making appropriate infill and revitalization the highest priority.

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

Finding: A rezone from RSF-4 to RI-U maintains the site's agreement with the "Residential Neighborhood" designation, which calls out for a wide variety of housing types of appropriate scale and context.

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

Finding: Rezoning the property from RSF-4 to RI-U would increase the allowable density on the site from 4 units per acre (1 unit on the 0.40 acre site) to a density that is instead limited by other development requirements, such as parking, landscaping, and access. Staff does not find that the ultimate added density would appreciably increase traffic danger or congestion. However, it is worth noting that N. Garland Avenue is a Regional Link Street, which typically requires a curb separation distance of 250 feet for 2-family dwellings and above; any development above a single-family dwelling would likely be in conflict with the City's access management standards, and variances may be necessary with any future development above single-family.

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

Finding: Rezoning the property from RSF-4 to RI-U would certainly increase the potential population at the site, but staff does not find that it would be to an undesirable degree; staff finds that given the City's growth and moderate infill score, this rezoning would be an incremental step in providing more options for housing. The Fayetteville Public School district did not comment on the request.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:

- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
- b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

RECOMMENDATION: Planning staff recommends forwarding RZN-2025-0005 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>March 10,2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.07 District RSF-4, Residential Single-Family – Four (4) Units Per Acre
 - §161.12 District RI-U, Residential Intermediate - Urban
- Request Letter
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities

Unit 44	Cluster Housing Development
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(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

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

161.12 District RI-U, Residential Intermediate - Urban

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster housing development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities

Unit 5	Government facilities
Unit 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

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

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

Building height maximum	2 stories/3 stories*
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* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of three (3) stories.

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

(H) *Minimum Buildable Street Frontage.* 50% of the lot width.

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

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

WRITTEN DESCRIPTION OF 1791 N. GARLAND AVENUE RI-U REZONE REQUEST PER THE CITY OF FAYETTEVILLE REZONING APPLICATION

a. Current ownership information and any proposed or pending property sales.

The subject property is owned by Whitley Dunn and JMAX Properties LLC. There are no proposed or pending property sales.

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

The reason for the zoning change request is to ensure that future development on the property is in accordance with City Plan 2040 goals. Specifically goal #1, to make appropriate infill and revitalization our highest priority and goals #2 and #3 to discourage suburban sprawl and make compact, complete, and connected development the standard. Goals #4 and #6, to grow a livable transportation network and create opportunities for attainable housing will also be accommodated better if the rezoning change is granted.

The property has approximately 90 linear feet of frontage along the west side of Garland Avenue. Future development on the property with the RI-U District will make possible a compatible transition from the City Neighborhood Area Future Land Use Designation located on the east side of Garland Avenue transitioning to the Residential Neighborhood Area Designation on the west side of Garland Avenue. The RI-U District is designed to provide a range of housing types compatible in scale with single-family homes and also to encourage a diversity of housing types to meet the demand for walkable urban living.

c. Statement of how the proposed rezoning will relate to surrounding properties in terms of land use, traffic, appearance, and signage.

The rules and regulations set forth in the RI-U District will make possible smaller-scaled development on the property that is compatible to existing multi-family development along the east side of Garland Avenue and also compatible with existing single-family development along the west side of Garland Avenue. With direct access to Garland Avenue and transit along the corridor, development of the property with the RI-U district will not negatively impact traffic.

Availability of water and sewer (state size of lines).

Public Water and Sewer is available and accessible along Garland Avenue. 8" sanitary sewer mains and 8" water mains exist on Garland Avenue.

d. The degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Given the properties close proximity to services located along the Garland Avenue Corridor, development of the property under the rules and regulations set forth in the RI-U District would be highly consistent with land use planning objectives, principles, and policies. The RI-U District will make possible development that is in accordance with City Neighborhood Areas while providing the flexibility needed to create an appropriate and compatible transition to the Residential Neighborhood Areas.

The property has an infill rating of 7-8. The higher infill rating coupled with close proximity to transit fits the RI-U districts intended purpose to provide a range of housing types compatible in scale with single-family homes. The rules and regulations set forth in the RI-U District also make possible a development form that will discourage suburban sprawl and make compact, complete, and connected development the standard. Those same rules and regulations will also make possible more preservation of land.

e. Whether the proposed zoning is justified and/or needed at the time of the request.

The proposed zoning is needed at this time in order to ensure that future development on the property is more in accordance with the principles of City Plan 2040.

f. Whether the proposed zoning will create or appreciably increase traffic danger and congestion.

The proposed zoning will not create or appreciably increase traffic danger or congestion. The Garland Avenue corridor can easily and safely accommodate any new traffic generated from development of the property.

g. Whether the proposed zoning will alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

With only 0.40 acres proposed for rezoning to the RI-U District, the proposed zoning will not alter the population density in a way that would significantly increase the load on public services.

h. Why it would be impractical to use the land for any of the uses permitted under its existing zoning classification.

The proposed zoning will encourage a development use and form that is more in accordance with City Plan 2040 and contribute to the environmental, economic, and social benefits that City Plan 2040 offers.

February 21, 2025

Via Email: jmasters@fayetteville-ar.gov

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

RE: 1791 N. Garland Ave. – Rezone Request
Additional Information

Ms. Masters,

The intent of this letter is to provide additional information for the request to rezone Parcel 765-10529-000 from RSF-4 to RI-U. The parcel totals 0.38 acres and has 90 linear feet of street frontage along the west side of Garland Avenue located approximately 275' north of W. Deane Street. Currently on the property is a single-family house. The owner intends for the existing house to remain and to also build additional housing to the rear / west of the existing house.

RMF-24 multi-family zoning is predominate along the east side of Garland Avenue while RSF-4 single-family zoning is the predominate zoning along the west side of Garland Avenue, with Garland Avenue being the boundary on the Future Land Use map between City Neighborhood Area designation to the east and Residential Neighborhood Area to the west. Garland Avenue is a transit route with the nearest transit stop located 790' to the south of the subject property on N. Maxwell Drive, a 3-minute walk.

Garland Avenue is both a general land use / zoning boundary and a transit route making this corridor and the subject property a transitional area that is most appropriate for the RI-U zoning district. The stated purpose of RI-U zoning per City of Fayetteville Unified Development Code 161.12(A) is: "Purpose. The RI-U Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a range of housing types compatible in scale with single-family homes and to encourage a diversity of housing types to meet demand for walkable urban living."

The RI-U district would allow for smaller scaled missing middle housing types on this small lot that would be compatible with existing housing on both sides of Garland Avenue and would continue to not allow multi-family buildings in the same way that the RSF-4 district currently does. We have had success designing and building smaller scaled, more affordable, detached and attached missing middle housing types that look like single-family houses, and the RI-U zoning regulations have made this possible. Precedent images of some of the missing middle housing types we have designed and built with the zoning regulations of the RI-U district are attached to this letter.

We would like the opportunity to design and build something similar on the subject property as it would play a small part in meeting the goals as set forth in City Plan 2040.

Sincerely,



Brian Teague, Director of Design
Community By Design

100 West Center Street Suite 300
Fayetteville, AR 72701

479.790.6775
Planning Commission

March 10, 2025

RZN-2025-0005 (JMAX PROPERTIES LLC)

Page 10 of 19



Apartment Houses - N. Washington Ave.



Two-Family House - W. Cleveland St.



Two-Family House - W. Cleveland St.



Cottage Court Houses - 11th Street



Carriage Houses - Rear Lane



Cottage Court Houses - 11th Street

From: Chris Mitchell <Chris.Mitchell@georgesinc.com>
Sent: Tuesday, March 4, 2025 5:04 PM
To: Masters, Jessica <jmasters@fayetteville-ar.gov>
Cc: Melissa Daniel <grade4ap@hotmail.com>
Subject: RE: [EXTERNAL] RE: RZN 2025-0005/1791 N. Garland Avenue

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Thanks Jessie, appreciate the response. I understand the city's goal with this sort of rezoning – walkable communities, urban density, lower/middle-income housing, etc. I don't want to be a NIMBY, but I also have some serious concerns about potentially shoehorning a 4 unit apartment into a small backyard (I'm familiar w/ the dimensions, because it's the exact size of my backyard). I don't see how this is feasible without removing what little tree canopy exists on that piece of property and building on more than 60% of the lot, which I understand is impermissible under this zoning standard. Plus, there are serious draining issues along just about every piece of property on that side of Garland, so I'm interested in what impact it would have, if any, on an already terrible drainage issue. It is my understanding our area is already zoned for an RDU and this would seem to be a much more realistic use of the property and wouldn't change the character of the street, which is entirely residential (with one RDU) on that side of Garland.

My neighbor on the other side of my property is a developer and I'm meeting with him tonight to make sure I understand our rights in this process and when and where it's appropriate to engage with the city. So I may very well have some more formal comments I'll pass along to you to share with the Planning Commission and I intend to be at the meeting on Monday the 10th. I will also say that I've been engaging with Brian Teague on this issue and, to his credit, he has been responsive and helpful and has been so kind as to send me some examples of projects he's worked on in the city. My sticking point though, is that he can't tell me exactly what their plans are for the property. If I don't get some clarity around future plans I'm not sure I have any other choice than to protest the rezoning in whatever capacity I can for as long as I can. I'll be in touch later in the week if it makes sense to submit formal comments. Best,

Chris

Chris D. Mitchell | VP of Legal, EHS, & Compliance | George's Inc. | P.O. Drawer G | Springdale AR 72765 |
Office: (479) 927-7732 | Cell: (479) 200-4197 | www.georgesinc.com

From: Masters, Jessica <jmasters@fayetteville-ar.gov>
Sent: Monday, March 3, 2025 9:36 AM
To: Chris Mitchell <Chris.Mitchell@georgesinc.com>

Compiled Public Comment
RZN-2025-0005

Cc: danielmel1978@gmail.com

Subject: [EXTERNAL] RE: RZN 2025-0005/1791 N. Garland Avenue

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Chris,

Thank you for the email and phone call. The snow days a couple weeks ago have put me pretty far behind, so I really appreciate the patience!

The applicant is requesting to rezone their property (listed above) to [RI-U, Residential Intermediate - Urban](#). The zoning district they are requesting would allow for an up-to 4 unit apartment building by-right, a maximum of 3 stories, and any associated parking, tree preservation, and drainage requirements that would ultimately be required when they came through to pursue a development. The zoning district requirements can be found at that link.

The applicant's request letters can be found attached to this email. As you are likely aware, the item will be heard by the Fayetteville Planning Commission on Monday, March 10, beginning at 5:30 PM. Members of the public are invited to attend that meeting, either in-person in City Council chambers (113 W. Mountain Street) or virtually through zoom. Information about how to attend virtually can be found [here](#). You may also submit any written comment to me, and I will make sure the Planning Commission receives it prior to the meeting.

I am happy to answer any additional questions you might have. Sincerely,

Jessie

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



From: Holly Hamilton <hamilton.holly.j@gmail.com>
Sent: Tuesday, March 4, 2025 12:40 PM
To: Masters, Jessica <jmasters@fayetteville-ar.gov>
Subject: Question: Adjacent Property Owner -- RZN 2025-005

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Adjacent Property Owner -- RZN 2025-005
Holly Hamilton
Owner 1806 N Janice Ave, Fayetteville AR

Hello Jessica, 2 quick questions concerning the Planning Meeting on March 10th

- Is it encouraged that neighbors attend?
- Will there be an opportunity to speak up in favor of the rezone?

I have received a letter concerning a possible rezone for the property at 1791 N Garland Ave. in Fayetteville. The property in question is behind my next-door neighbor's house and **I am in FULL SUPPORT of the rezone to RI-U**. I would welcome the same rezoning if it were directly behind my house, or extended to the west side of Garland Ave. and all of Janice Ave.

Having owned my home for 20 years, I have seen the area change dramatically and for the better. Gone are the days of drug deals and stabbings at the Slezzy Mart. Many of us who have been in the area for a while have little concern about increased density, traffic, or additional 3-story multifamily builds.

I welcome even more people to share in the community-building benefits that the location provides - Easy commute to the UofA and University Bus Route, quick access to 49, and access to our wonderful greenway trail system, not to mention the friendly neighbors.

The homes in our neighborhood all feature large lots and I expect that we continue to see small and/or local developers investing in the area. It is also my hope that our local government can continue to support these efforts as well as continue to support current homeowners through ADUs and other resources to increase the use of existing lots with low-impact housing.

Thank you for your time, Holly

Holly Hamilton
479-200-2854

From: Chris Mitchell <Chris.Mitchell@georgesinc.com>
Sent: Monday, February 24, 2025 9:46 AM
To: Masters, Jessica <jmasters@fayetteville-ar.gov>
Cc: danielmel1978@gmail.com
Subject: RZN 2025-0005/1791 N. Garland Avenue

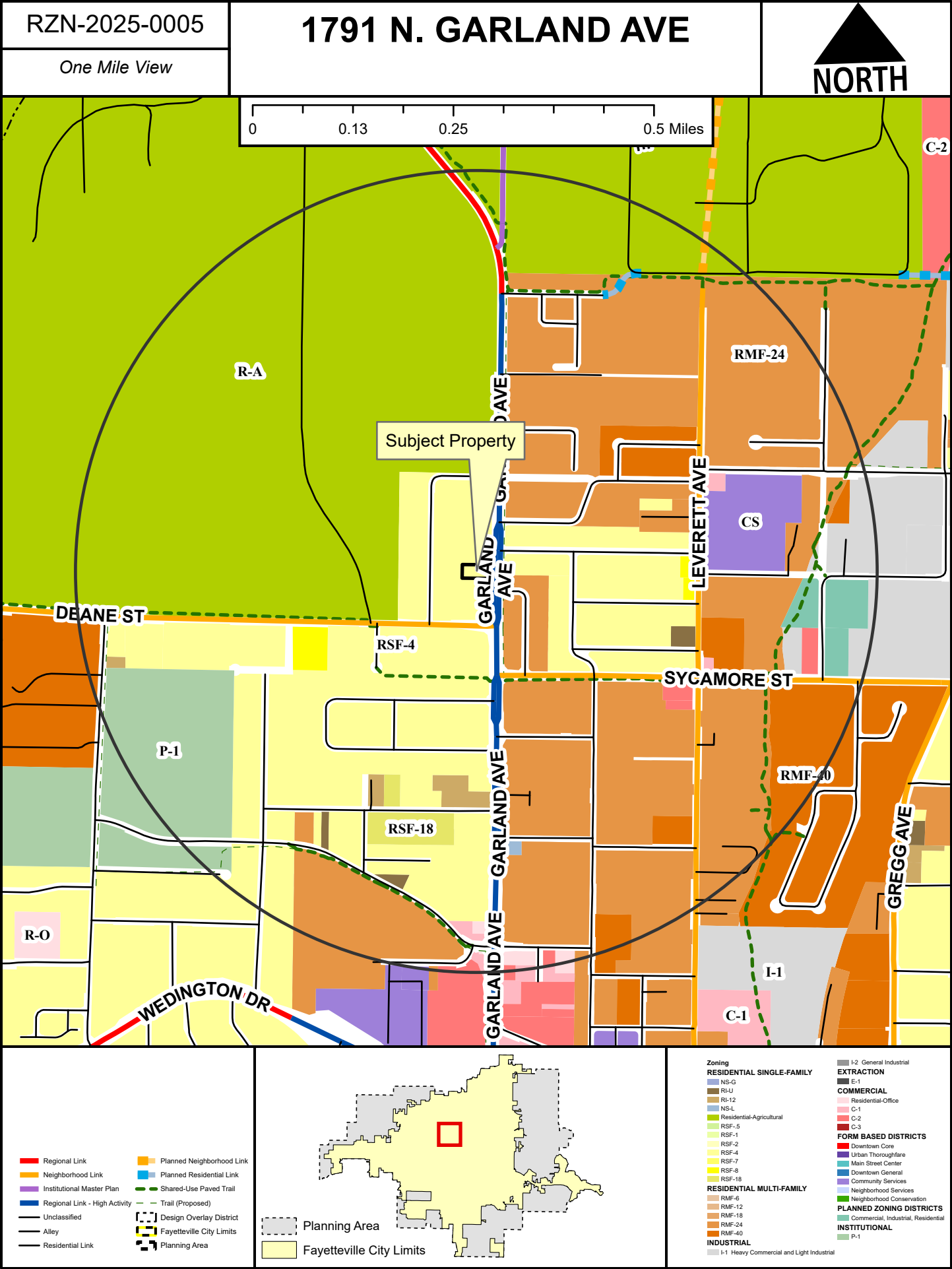
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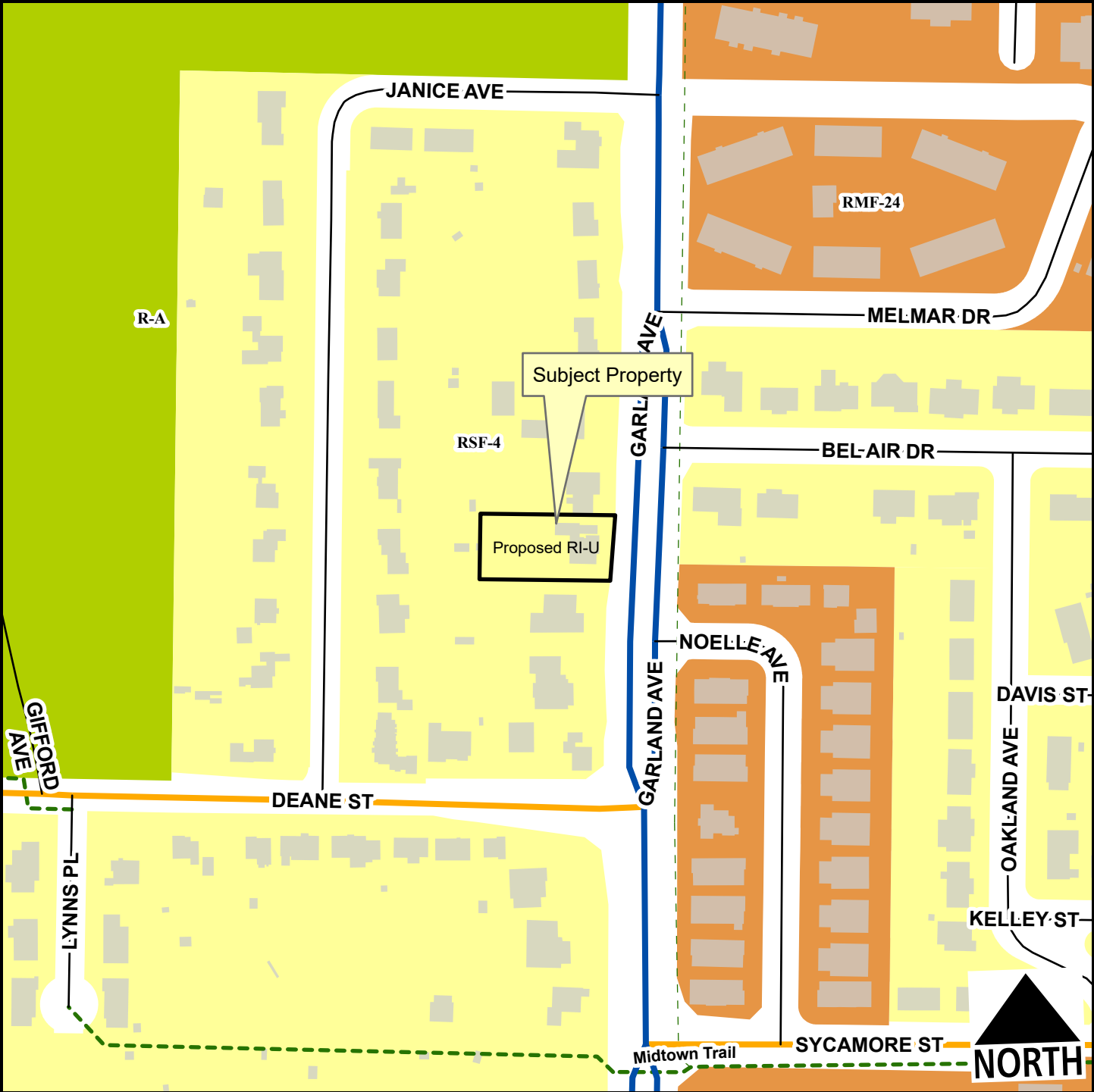
Ms. Masters,

I just left you a VM and was following up so you'd have email contact information also. My wife and I (cc'd on this) received notice via mail on Saturday about a rezoning request for the property next to our house. We're at 1777 N. Garland and have been at that location for a bit over a year. The strip of Garland where we reside is entirely residential, so we have concerns about the rezoning request and would like additional information so we can have an informed opinion as to next steps. If you could contact me at your convenience, it would be much appreciated. Best,

Chris

Chris D. Mitchell | VP of Legal, EHS, & Compliance | George's Inc. | P.O. Drawer G | Springdale AR 72765 |
Office: (479) 927-7732 | Cell: (479) 200-4197 | www.georgesinc.com





Neighborhood Link

Regional Link - High Activity

Unclassified

Residential Link

Trail (Proposed)

Planning Area

Fayetteville City Limits

Feet

0 75 150 300 450 600

1:2,400

Zone	Current	Proposed
RI-U	0.0	0.4
RSF-4	0.4	0.0
Total 0.4 ac		

RZN-2025-0005

1791 N. GARLAND AVE

Current Land Use



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



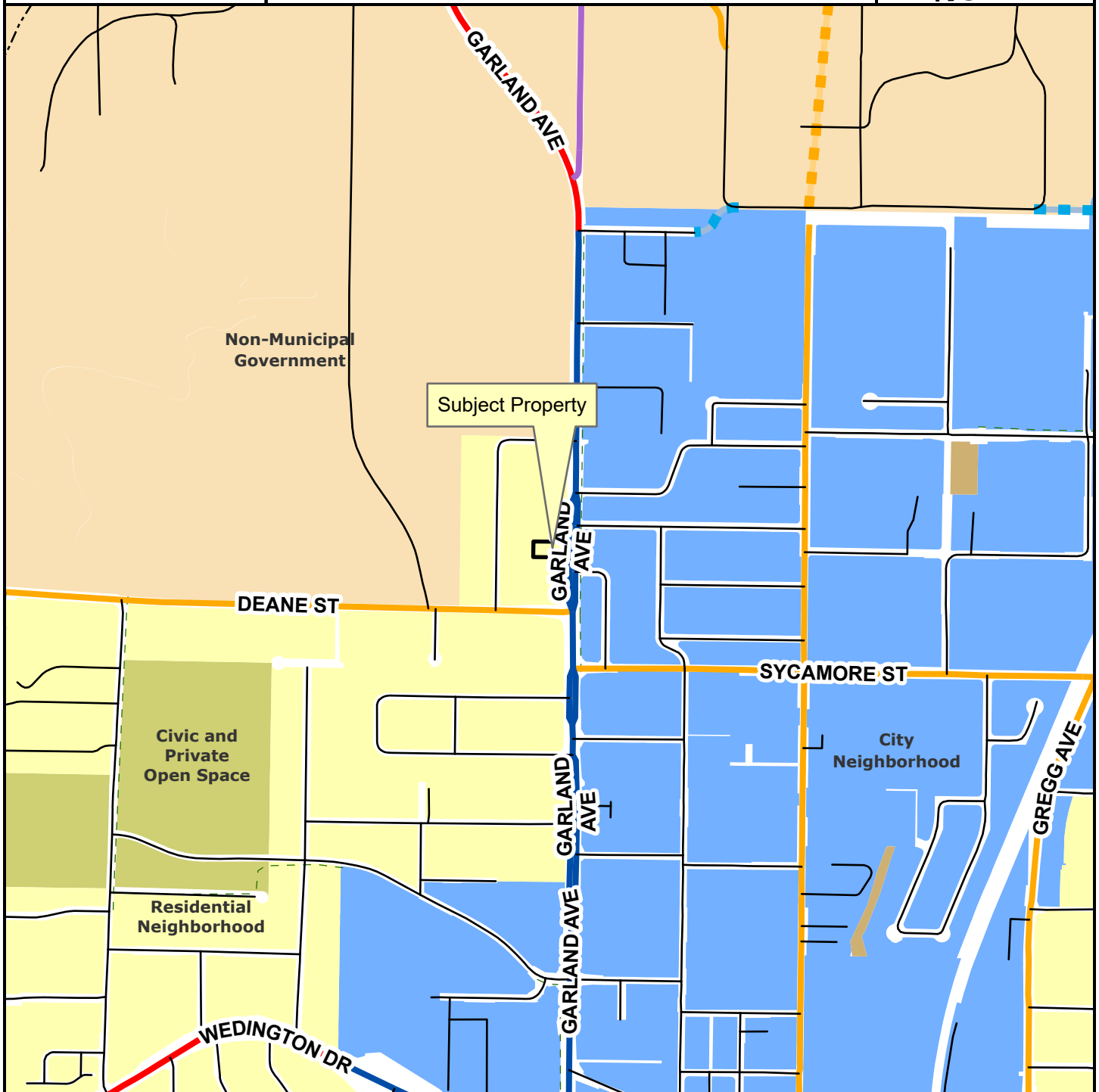
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

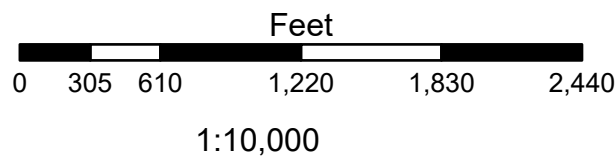
RZN-2025-0005

1791 N. GARLAND AVE

Future Land Use



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



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