

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8267



Planning Commission Final Agenda

Monday, December 8, 2025

5:30 PM

City Hall Room 219

Planning Commission Members

Andrew Brink, Chair

Brad Payne, Vice Chair

Mary Madden, Secretary

Matthew Cabe

Nick Castin

Fred Gulley

Ashlyn Holeyfield

Mary McGetrick

Nick Werner

Senior Assistant City Attorney Blake Pennington

Zoom Information

Webinar ID: 851 3252 3711

Registration Link: https://fayetteville-ar.zoom.us/webinar/register/WN_PIN93pRSQGSxQ88XThXmuA

Call to Order

Roll Call

Consent

1. MINUTES:

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

2. **VAR-2025-0046: Planning Commission Variance (2535 S. CITY LAKE RD/SHADDY, 641):**

Submitted by HALL ESTILL ATTORNEY AT LAW for property located at 2535 S. CITY LAKE RD. The property is zoned RSF-4, RESIDENTIAL SINGLEFAMILY, FOUR UNITS PER ACRE and contains approximately 12.10 acres. The request is for a variance from the development review process and drainage standards.

THIS ITEM WAS TABLED AT THE NOVEMBER 10, 2025 PLANNING COMMISSION MEETING. - Jessica Masters, Planning Director

3. **VAR-2025-0053: Planning Commission Variance (3610 W. WEDINGTON DR/7 BREW, 400):**

Submitted by CEI ENGINEERING for property located at 3610 W. WEDINGTON DR. The property is zoned UT, URBAN THOROUGHFARE and contains approximately 1.16 acres. The request is for a variance to the parking requirements. - Donna Wonsower, Senior Planner

4. **VAR-2025-0055: Planning Commission Variance (2406 N. OLD WIRE RD/GULLEY PARK PETS CLINIC, 292):**

Submitted by KEY ARCHITECTURE for property located at 2406 N. OLD WIRE RD. The property is zoned NS-G, NEIGHBORHOOD SERVICES-GENERAL and contains approximately 0.32 acres. The request is for a variance to building design standards. - Wesley Frank, Planner

5. **LSD-2025-0014: Large Scale Development (1755 S. ARMSTRONG**

AVE/PACKAGING SPECIALTIES INC, 604):

Submitted by MCCLELLAND CONSULTING ENGINEERS for property located at 1755 S. ARMSTRONG RD. The property is zoned 1-2, GENERAL INDUSTRIAL and contains approximately 5.14 acres. The request is for a 790-square foot loading dock, associated driveway, and minor park improvements. - Donna Wonsower, Senior Planner

6. LSD-2025-0018: Large Scale Development (2188 W. OLD FARMINGTON RD/FAYETTEVILLE PUBLIC SCHOOLS, 520):

Submitted by CRAFTON TULL for property located at 2188 W. OLD FARMINGTON RD. The property is zoned P-1, INSTITUTIONAL and contains approximately 18.0 acres. The request is for an approximately 9-acre renovation and rebuilding of the existing track and field, bleachers, and scoreboard. - Wesley Frank, Planner

Unfinished Business**7. CUP-2025-0046: Conditional Use Permit (SOUTHWEST OF S. RAZORBACK RD. AND S. ASHWOOD AVE/ASHWOOD TOWNHOMES LLC, 598,599 & 638):**

Submitted by JORGENSEN AND ASSOCIATES for property located SOUTHWEST OF S. RAZORBACK RD. AND S. ASHWOOD AVE. The property is zoned RMF-24, RESIDENTIAL MUL TI FAMILY, 24 UNITS PER ACRE, R-A, RESIDENTIAL-AGRICULTURAL, and CS, COMMUNITY SERVICES and contains approximately 9.99 acres. The request is for a private dormitory.

THIS ITEM WAS TABLED AT THE OCTOBER 13, 2025, AND THE OCTOBER 27, 2025 PLANNING COMMISSION MEETINGS.

APPLICANT HAS REQUESTED TO TABLE THIS ITEM UNTIL THE FEBRUARY 9, 2026 PLANNING COMMISSION MEETING. - Donna Wonsower, Senior Planner

8. RZN-2025-0050: Rezoning (5901 W. MICHAEL COLE DR/MICHAEL COLE DR LLC, 436):

Submitted by SWOPE CONSULTING for property located at 5901 W. MICHAEL COLE DR. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL, and contains approximately 7.67 acres. The request is to rezone the property to RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE, and CCR, CONSERVATION, CULTURAL, AND RECREATION.

THIS ITEM WAS TABLED AT THE NOVEMBER 10, 2025 PLANNING COMMISSION MEETING. - Donna Wonsower, Senior Planner

9. LSD-2025-0015: Large Scale Development (W. ELM ST AND N. LEVERETT

AVE/RAZORBACK HOUSING, LLC, 366):

Submitted by CRAFTON TULL for property located on W. ELM ST AND N. LEVERETT AVE. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 14.40 acres. The request is for a 278-unit private dormitory with associated parking.

THIS ITEM WAS TABLED AT THE NOVEMBER 24, 2025 PLANNING COMMISSION MEETING. - Jessica Masters, Planning Director

10. CUP-2025-0053: Conditional Use Permit (2096 N. BOX AVE/BOX PROPERTY HOLDINGS LLC, 372):

Submitted by BATES & ASSOCIATES for property located at 2096 N. BOX AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 2.40 acres. The request is for a cluster housing development.

THIS ITEM WAS TABLED AT THE NOVEMBER 24, 2025 PLANNING COMMISSION MEETING. - Donna Wonsower, Senior Planner

New Business**11. ADM-2025-0048: Administrative Item (W. CENTER ST & S. GREGG AVE/CAMDEN COURT, 522):**

Submitted by OLSSON for property located at W. CENTER ST & S. GREGG AVE. The property is zoned MSC, MAIN STREET CENTER and contains approximately 0.62 acres. The request is for the reduction of the streamside protection zone. - Alan Pugh, Staff Engineer

12. VAR-2025-0049: Planning Commission Variance (W. COLFAX LOOP/WOOLSEY TRAIL MAINTENANCE, 516 & 555):

Submitted by CITY OF FAYETTEVILLE for property located on W. COLFAX LOOP. The property is zoned NC, NEIGHBORHOOD CONSERVATION, and R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 5.34 acres. The request is for a variance to flood damage prevention code. - Alan Pugh, Staff Engineer

13. VAR-2025-0050: Planning Commission Variance (5628 W. BOGAN DR/ALEXANDER, 475):

Submitted by SARAH GEURTZ for property located at 5628 W. BOGAN DR. The property is zoned RSF-1, RESIDENTIAL SINGLE-FAMILY, ONE UNIT PER ACRE and contains approximately 2.31 acres. The request is for a variance to sidewalk requirements. - Jessica Masters, Planning Director

14. CUP-2025-0055: Conditional Use Permit (415 E. LONGVIEW

ST/BROOKSTONE ASSISTED LIVING COMMUNITY, 212):

Submitted by WHITE RIVER CONTRACTORS INC for property located at 415 E. LONGVIEW ST. The property is zoned R-O, RESIDENTIAL-OFFICE and contains approximately 3.59 acres. The request is for a 25-square-foot addition to an assisted living facility. - Donna Wonsower, Senior Planner

15. VAC-2025-0028: Vacation (SOUTHWEST OF W. CATO SPRINGS RD & S. EMMA AVE/WEAVER, 639):

Submitted by GYANGYU ZHU-WEAVER for property located SOUTHWEST OF W. CATO SPRINGS RD & S. EMMA AVE. The properties are zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.19 and 0.21 acres. The request is to vacate 0.01 acres of right-of-way. - Wesley Frank, Planner

16. RZN-2025-0057: Rezoning (4550 W. OZARK TRL/TERRA FIRMA HOLDINGS LLC, 594):

Submitted by TERRA FIRMA HOLDINGS for property located at 4550 W. OZARK TRL. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 0.26 acres. The request is to rezone the property to RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE. - Wesley Frank, Planner

17. RZN-2025-0058: Rezoning (S. FUTRALL DR & S. ROOT AVE/BARNES FAMILY TRUST, 519):

Submitted by ECOLOGICAL DESIGN GROUP for property located on S. FUTRALL DR & S. ROOT AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 9.02 acres. The request is to rezone the property to CS, COMMUNITY SERVICES. - Citlali Samano, Planner

18. RZN-2025-0059: Rezoning (S. FUTRALL DR/BARNES FAMILY TRUST, 519):

Submitted by ECOLOGICAL DESIGN GROUP for property located on S. FUTRALL DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 1.37 acres. The request is to rezone the property to CS, COMMUNITY SERVICES. - Citlali Samano, Planner

19. RZN-2025-0060: Rezoning (3816 W. MOUNT COMFORT RD/MOUNT COMFORT PRESBYTERIAN CHURCH, 322 & 361):

Submitted by DOROTHY ASHWORTH for property located at 3816 W. MOUNT COMFORT RD. The property is zoned RSF-1, RESIDENTIAL SINGLE-FAMILY, ONE UNIT PER ACRE, and contains approximately 2.90 acres. The request is to rezone the property to P-1, INSTITUTIONAL. - Jessica Masters, Planning

Director

20. RZN-2025-0061: Rezoning (N. FUTRALL DR & N. MARINONI DR/MISHY HOSPITALITY GROUP LLC, 441):

Submitted by COMMERCIAL REALTY DEVELOPMENT SERVICES for property located on N. FUTRALL DR & N. MARINONI DR. The property is partially zoned UT, URBAN THOROUGHFARE, and contains approximately 2.09 acres. The request is to rezone the property to C-2, THOROUGHFARE COMMERCIAL.

THIS ITEM HAS BEEN WITHDRAWN BY STAFF FOR LACK OF PUBLIC NOTIFICATION. - Jessica Masters, Planning Director

21. RZN-2025-0051: Rezoning (957 S. HILL AVE/WILLIAMS, 561):

Submitted by APOGEE PROPERTIES for property located at 957 S. HILL AVE. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.50 acres. The request is to rezone the property to UN, URBAN NEIGHBORHOOD.

THIS ITEM HAS BEEN WITHDRAWN BY THE APPLICANT. - Jessica Masters, Planning Director

Items Administratively Approved by Staff

22. FPL-2025-0005: Final Plat (109 N. SANG AVE/MARKHAM HILL PH II, 481):

Submitted by CEI ENGINEERING ASSOCIATES for property located at 109 N. SANG AVE. The property is zoned RI-U, RESIDENTIAL INTERMEDIATEURBAN and contains approximately 23.40 acres. The request is for the final plat of 49 residential lots. - Wesley Frank, Planner

Agenda Session Items

Announcements

Adjournment

NOTICE TO MEMBERS OF THE AUDIENCE

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

Interpreters of TDD, Telecommunications Device for the Deaf, are available for all public

hearings, 72 hour notice is required. For further information or to request an interpreter, please call 575-8330.

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

(pg. 1) Planning Commission		Monday, 11/24/2025				
Time: 5:30 PM						
Staff : ☐ Jonathan Curth ☒ Jessie Masters ☒ Donna Wonsower ☒ Wesley Frank ☒ Citlali Samano ☐ Willa Thomason ☐ Bethany Douglas						
	☐ Britin Bostick ☐ Kylee Cole ☐ Chris Brown ☒ Justin Bland ☐ Melissa Boyd ☐ Dayten Moses ☐ Alan Pugh ☐ Fire Marshal					
	Roll Call	1) Minutes (11/10/2025)	2) LSD-2025-0015 (RAZORBACK HOUSING LLC)	3) VAR-2025-0048 (MACVILLE LLC)	4) LSD-2025-0016 (STEVENS PROPERTIES FAYETTEVILLE)	5) VAC-2025-0025 (HJL INVESTMENTS LLC)
Madden	1	1	1	1	1	1
McGetrick	1	1	1	1	1	1
Castin	1	1	1	1	1	1
Werner	1	1	1	1	1	1
Holeyfield	1	1	1	1	1	1
Gulley	1	1	1	1	1	1
Cabe	1	1	Recuse	1	1	1
Payne	1	1	1	1	1	1
Brink	1	1	1	1	1	1
Agenda		Consent	New	New	New	New
Action		Approve	Table	Approve	Approve	Forward
Motion By		Werner	Werner	Werner	Werner	McGetrick
Motion 2nd		Madden	Payne	McGetrick	Gulley	Holeyfield
Vote		9-0-0	8-0-1	9-0-0	9-0-0	9-0-0
Time		5:33 PM	5:35 PM	6:10 PM	6:15 PM	6:34 PM
Motion Detail			Until the December 8, 2025 Planning Commission meeting.	With removal of fee-in-lieu for sidewalks along 22nd st.	With all conditions as recommended by staff.	With an amended condition: 20-foot wide drainage easement and to strike public access.
Public Comment		0	0	0	0	0

(pg. 2) Planning Commission		Monday, 11/24/2025				
	6) CUP-2025-0051 (REINDL INVESTMENTS)	7) CUP-2025-0052 (SNODGRASS)	8) CUP-2025-0053 (BOX PROPERTY HOLDINGS)	9) CUP-2025-0054 (HARPS)	10) RZN-2025-0049 (WELLERMAN TRUST)	11) RZN-2025-0053 (EASY SUNSET LLC)
Madden	1	1	1	1	1	1
McGetrick	1	1	1	1	1	1
Castin	1	1	1	1	1	1
Werner	1	1	1	1	1	1
Holeyfield	1	1	1	1	1	1
Gulley	1	1	0	1	0	1
Cabe	Recuse	1	1	1		
Payne	1	1	1	1	0	1
Brink	1	1	1	1	1	Recuse
Agenda	New	New	New	New	New	New
Action	Approve	Approve	Table	Approve	Forward	Forward
Motion By	Werner	Payne	McGetrick	Payne	Werner	Madden
Motion 2nd	Gulley	Werner	Payne	Werner	McGetrick	McGetrick
Vote	8-0-1	9-0-0	8-1-0	9-0-0	6-2-0	7-0-1
Time	6:52 PM	6:55 PM	7:25 PM	7:30 PM	7:59 PM	8:04 PM
	With condition #3 changed to minimum 55 parking spaces.	With all conditions as recommended by staff.	Until the December 8, 2025 Planning Commission meeting.	With all conditions as recommended by staff.	With a recommendation of approval for UN, Urban Neighborhood.	With a recommendation of approval.
Public Comment	0	0	4	0	5	0

(pg. 3) Planning Commission				Monday, 11/24/2025		
	12) RZN-2025-0054 (ROSENGARDEN)	13) RZN-2025-0055 (FLETCHER)	14) RZN-2025-0056 (MASCHOFF & HALASA)	15) LSD-2025-0014 (PACKAGEING SPECIALTIES)		
Madden	1	1	1			
McGetrick	1	1	1			
Castin	1	1	1			
Werner	1	1	1			
Holeyfield	1	1	1			
Gulley	1	1	1			
Cabe						
Payne	1	1	1			
Brink	1	1	1			
Agenda	New	New	New	New		
Action	Forward	Forward	Forward	Withdrawn		
Motion By	McGetrick	Werner	Payne			
Motion 2nd	Holeyfield	Payne	Werner			
Vote	8-0-0	8-0-0	8-0-0			
Time	8:19 PM	8:23 PM	8:32 PM			
Motion Detail	With a recommendation of approval. (No Bill of Assurance)	With a recommendation of approval.	With a recommendation of approval.			
Public Comment	0	0	0			



TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director
Justin Bland, City Engineer

MEETING DATE: December 8, 2025

SUBJECT: **VAR-2025-0046: Planning Commission Variance (2535 S. CITY LAKE RD/SHADDY, 641):** Submitted by HALL ESTILL ATTORNEY AT LAW for property located at 2535 S. CITY LAKE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 12.10 acres. The request is for a variance from the development review process and drainage standards.

RECOMMENDATION:

Staff recommends approval of **VAR-2025-0046**, with conditions.

RECOMMENDED MOTION:

*"I move to approve **VAR-2025-0046** determining:*

- In favor of the requested variance to UDC §166.01(C)(1), Large scale development requirements;*
- In favor of all conditions as recommended by City staff.*

NOVEMBER 10, 2025 PLANNING COMMISSION MEETING:

At the previous meeting, the applicant requested to table themselves for one month. They had hired a new engineering firm to work on their overall development and needed some additional time to regroup. In the interim, the applicant has updated the request from three variances to only requesting one variance. Where previously the applicant was requesting to vary from large-scale development requirements, had requested an exemption from applying for a grading permit, and was requesting an exemption to meet the Drainage Criteria Manual, the applicant is now only seeking a variance to submit this project as a large-scale development. This updated report reflects the change.

BACKGROUND:

The subject property is in south Fayetteville on S. City Lake Road approximately 0.25 miles south of E. Pump Station Road. Containing 12.10 acres, the property is currently undeveloped and is zoned RSF-4, Residential Single-Family, 4 Units per Acre. A portion of the property is located within the Hillside-Hilltop Overlay District. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1: Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Rural Residential/Undeveloped	R-A, Residential-Agricultural
South	Rural Residential	RSF-4, Residential Single-Family, 4 Units per Acre
East	Commercial/Industrial	I-1, Heavy Commercial and Light Industrial
West	Undeveloped	RSF-4, Residential Single-Family 4 Units per Acre

Request: The applicant is requesting a variance to the following code section to allow for the development of two single-family homes.

- **§166.01(C)(1) Large scale development requirements.** Applicant requests an exemption to these requirements.

DISCUSSION:

Variance #1: §166.01(C)(1), Large scale development requirements. A large scale development is generally intended for development on a site of 1 acre or greater in size and proposes to a development and/or redevelopment area of more than 10,000 square feet of impervious surface and where a corresponding subdivision of land is not proposed. The applicant intends to develop the 12-acre property with two single-family homes and associated shared driveway for a total impervious surface area of over 25,000 square feet.

Staff recommendation: Staff recommends in favor of the request. There are multiple reasons why a project of this scale would typically require review and approval as a large-scale development. Typically, at this size or scale, multiple ordinances and requirements need to be reviewed for to ensure full compliance and prevent future issues. This can include the future provision of City services such as emergency response and adequate trash and recycling service, and water and sewer provision. Further, projects of this scale are typically commercial in nature, which may have additional traffic considerations and other off- or on-site impacts that would require adequate infrastructure improvements to be borne by the developer. In this instance, though the size is larger than would typically be expected for residential projects, the overall scale of impact of the project and the proposed use is not likely to necessitate additional fire code or access requirements, and may not necessarily impose additional traffic impacts. Staff finds that the applicant's proposal may not necessarily trigger the need for full site plan approval by the Planning Commission and is in favor of waiving this requirement for this project.

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

RECOMMENDATION: Staff recommends approval of VAR-2025-0046, with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of a variance to §166.01(C)(1), Large scale development requirements.** A large scale development is generally intended for development on a site of 1 acre or greater in size and proposes to a development and/or redevelopment area of more than 10,000 square feet of impervious surface and where a corresponding subdivision of land is not proposed. *Staff recommends in favor of the variance for the reasons stated above.*
 - a. A concept plan shall be submitted to City staff for a coordinated round of review prior to permit approval to ensure compliance with all necessary ordinances that have not yet been reviewed for.
2. A grading permit for this site will be required that shows the areas of proposed disturbance, SWPPP, BMPs, tree preservation and mitigation plan, and all other typical requirements.
3. Determination of this variance request is limited to the request as provided by the applicant, and does not provide approval for any associated permits, or other variances not yet identified.

Planning Commission Action: ☐ Approved ☐ Tabled ☐ Denied

Meeting Date: December 8, 2025

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code:
 - §166.01 Development Categories
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Applicant Request Letter
 - Exhibits
-

166.01 Development Categories

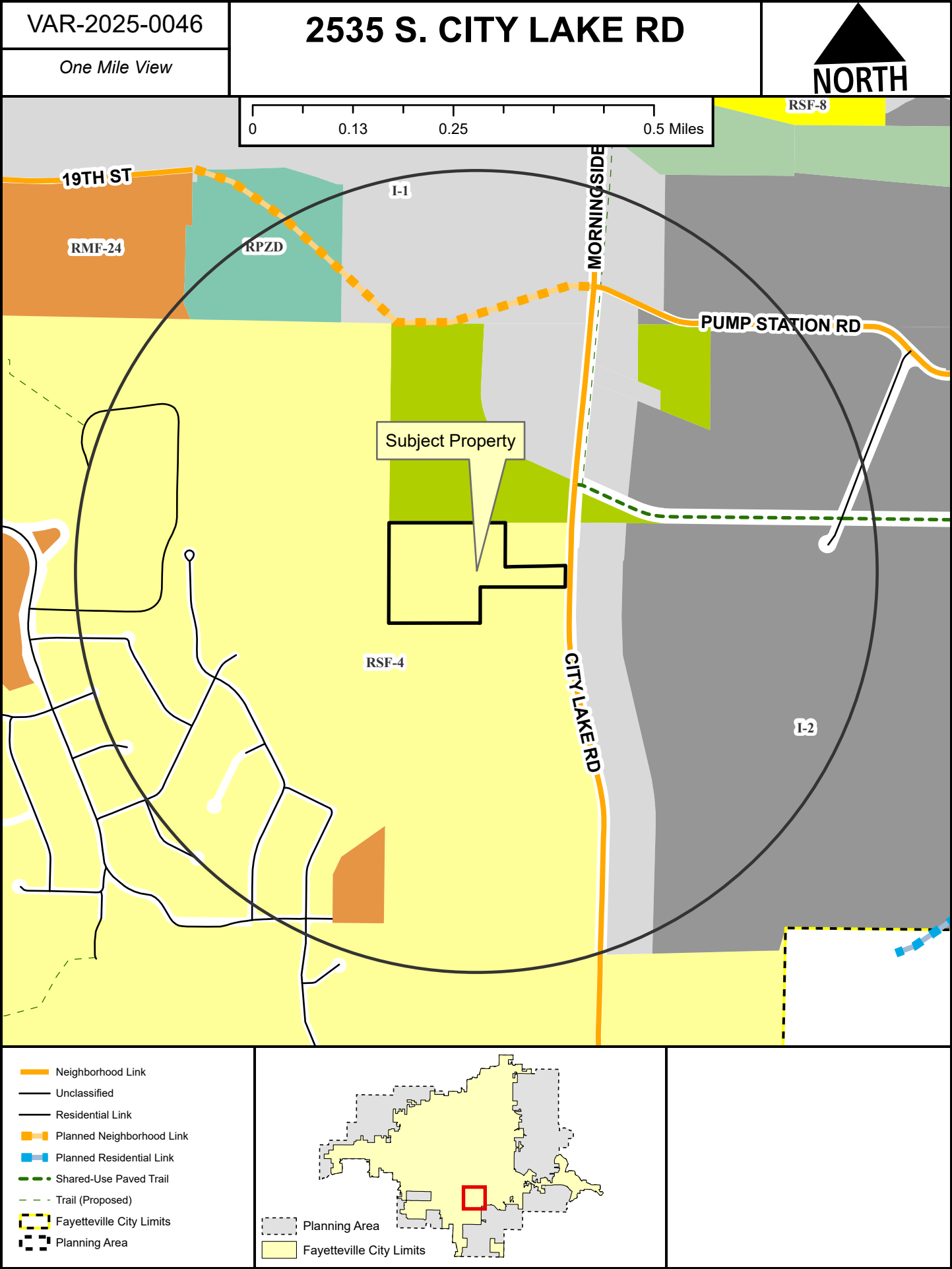
...

(C) *Site Plan.*

- (1) **Large Scale Development.** A large scale development is generally intended for development on a site of 1 acre or greater in size and proposes to a development and/or redevelopment area of more than 10,000 square feet of impervious surface and where a corresponding subdivision of land is not proposed.
- (a) **Requirement.** The development of the following must be processed in accordance with the requirements for a large-scale development:
- (i) A site 1 acre or greater in size and developing and/or redeveloping an area of more than 10,000 square feet of impervious surface;
 - (ii) Facilities emitting odors or handling explosives; and
- (b) **Excluded Developments.** Proposals developing and/or redeveloping an area of 10,000 square feet or less of impervious area or a development on a site in a zoning district subject to administrative approval.

...

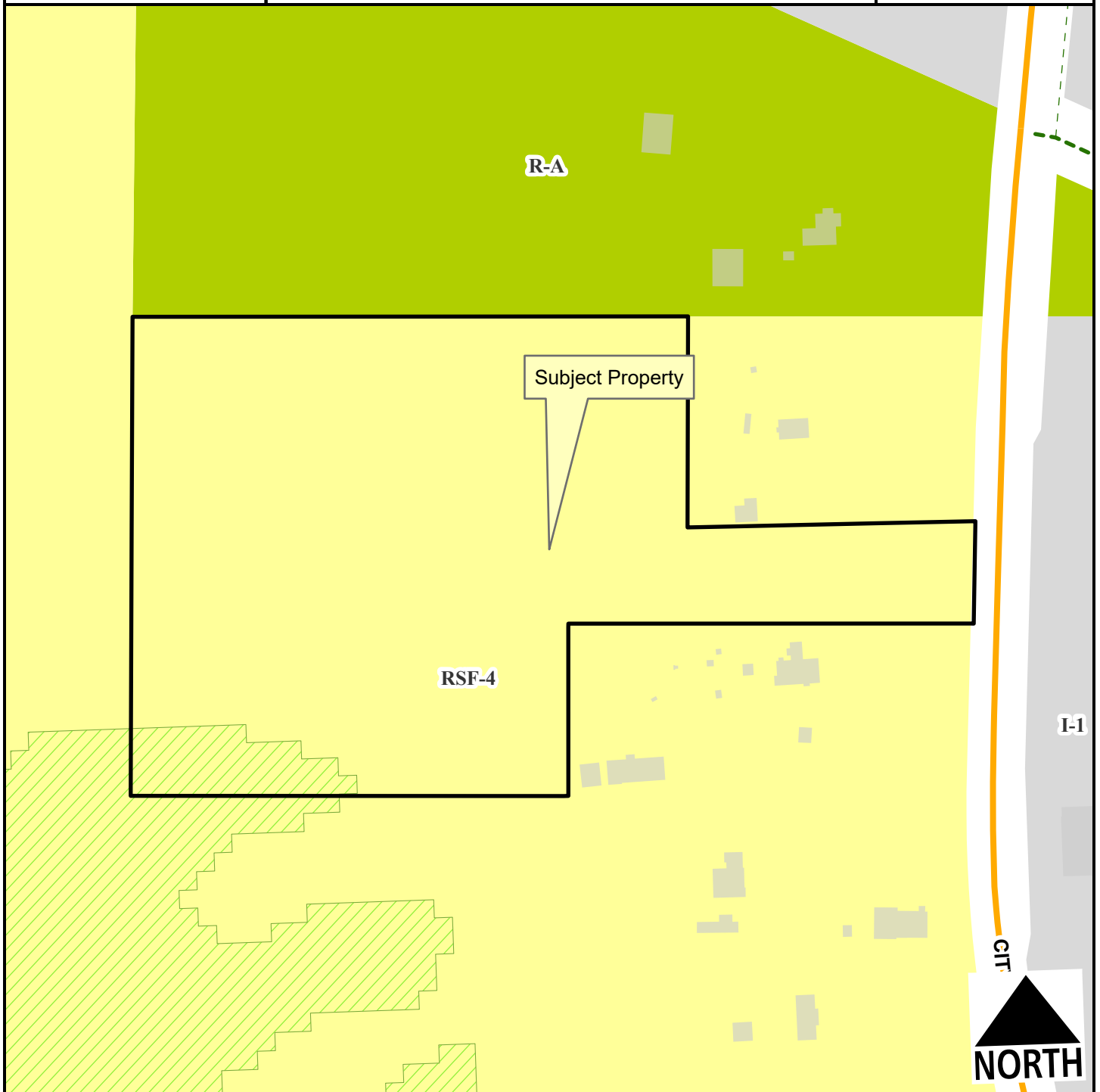
(Code 1965, App. C., Art. II, §§A—D; Ord. No. 1750, 7-6-70; Ord. No. 2581, 12-4-79; Ord. No. 2789, 1-18-82; Code 1991, §§159.010; 159.11(C), 159.12, 159.13; 159.14; Ord. No. 3781, §1, 4-19-94; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4350, §1, 11-20-01; Ord. No. 5296, 12-15-09; Ord. No. 5653, 01-21-14; Ord. No. 5945, §16, 1-17-17; Ord. No. 6067, §1, 5-1-18; Ord. No. 6446, §8(Exh. C), 6-15-21; Ord. No. 6785, §§ 1—3, 8-20-24; Ord. No. 6833, §4, 1-21-25)



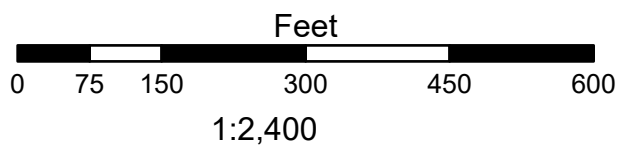
VAR-2025-0046

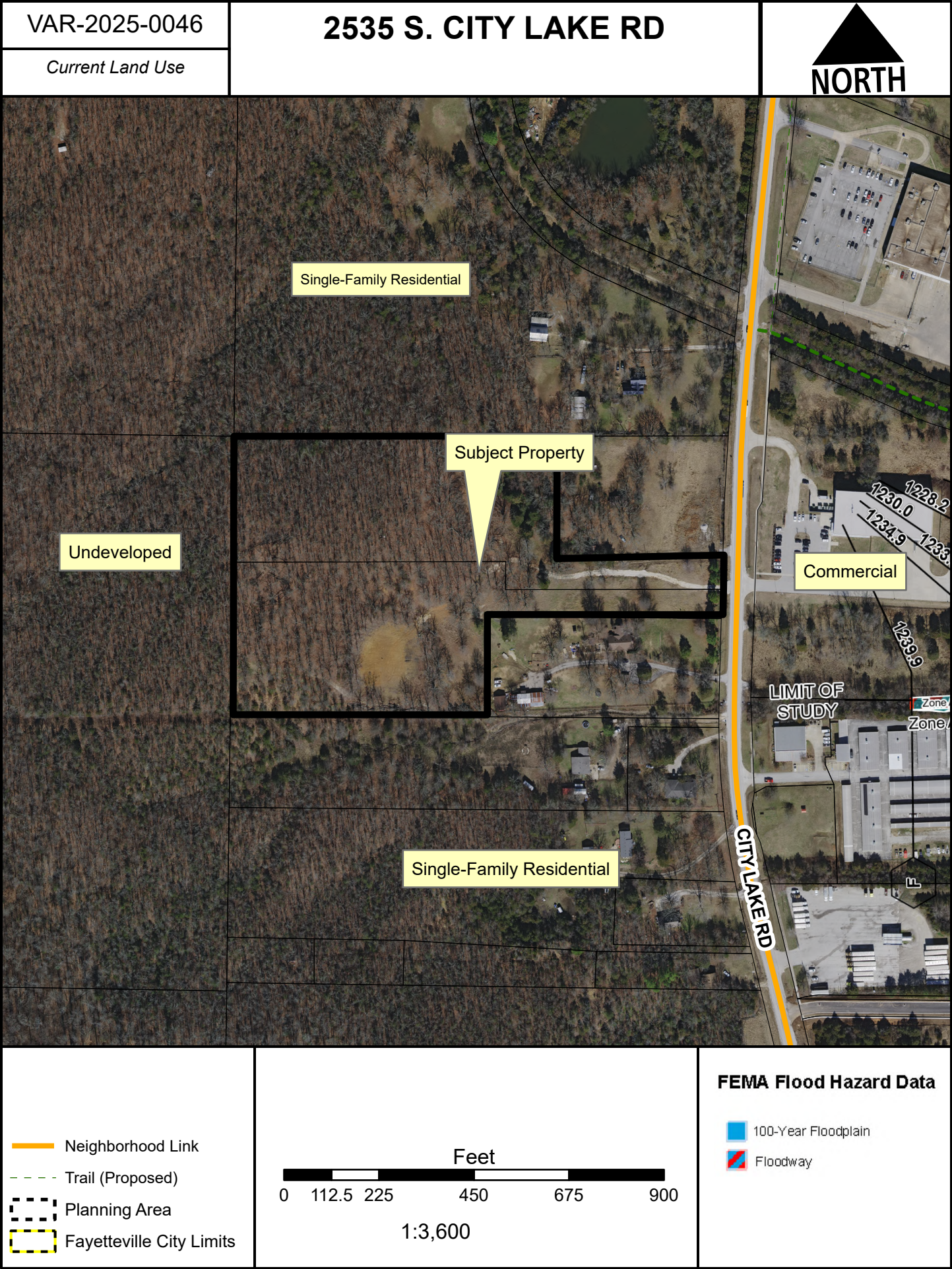
2535 S. CITY LAKE RD

Close Up View



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





Masters, Jessica

From: Robert K. Rhoads <rrhoads@hallestill.com>
Sent: Wednesday, December 3, 2025 12:24 PM
To: Masters, Jessica; Bland, Justin
Cc: Hopkins, Mirinda
Subject: Re: VAR 25-0046 City Lake Rd

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.

As you probably already know we will only pursue the variance for the LSD and not the other two. Thanks for your patience. RKR

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From: Masters, Jessica <jmasters@fayetteville-ar.gov>
Sent: Monday, December 1, 2025 3:58:11 PM
To: Robert K. Rhoads <rrhoads@hallestill.com>; Bland, Justin <jbland@fayetteville-ar.gov>
Cc: Hopkins, Mirinda <mhopkins@fayetteville-ar.gov>
Subject: RE: VAR 25-0046 City Lake Rd

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Robert,

Thank you for letting us know that you intend to give us a final answer on what route you intend to take by Wednesday at noon. Look forward to hearing from you so we can incorporate that information into our final report ahead of agenda session on Thursday.

Jessie

Jessie Masters, AICP

Planning Director
Development Services
City of Fayetteville, Arkansas
(479) 575-8239

<https://link.edgepilot.com/s/ea6dfd18/SASjqqDZEaNQVM9x7b0BA?u=http://www.fayetteville-ar.gov/>
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Robert K. Rhoads <rrhoads@hallestill.com>
Sent: Wednesday, November 26, 2025 2:41 PM
To: Bland, Justin <jbland@fayetteville-ar.gov>
Cc: Hopkins, Mirinda <mhopkins@fayetteville-ar.gov>; Masters, Jessica <jmasters@fayetteville-ar.gov>
Subject: RE: VAR 25-0046 City Lake Rd

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.

JB: Thx for taking my call earlier this afternoon...after I talk with clients and our engineer I'll shoot you an email as to what path we are going to take...should be by noon Wednesday. RKR

From: Bland, Justin <jbland@fayetteville-ar.gov>
Sent: Wednesday, November 26, 2025 1:55 PM
To: Robert K. Rhoads <rrhoads@hallestill.com>
Cc: Hopkins, Mirinda <mhopkins@fayetteville-ar.gov>; Masters, Jessica <jmasters@fayetteville-ar.gov>
Subject: RE: VAR 25-0046 City Lake Rd

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Robert,

I have been contacted by your client's new engineer this week and it sounds like they are confident they can provide a solution for the drainage. Would you please confirm early next week whether you'd like to keep the drainage item included with the variance request?

I hope you have a good Thanksgiving weekend.

Thanks,

Justin Bland, P.E.

City Engineer
Public Works Department
Engineering Division
City of Fayetteville, Arkansas
479.718.7623

<https://link.edgepilot.com/s/5539daa2/bpE-r9G4EUyDsW-bbFHEw?u=http://www.fayetteville-ar.gov/>



From: Masters, Jessica <jmasters@fayetteville-ar.gov>
Sent: Thursday, November 6, 2025 5:06 PM
To: Robert K. Rhoads <rrhoads@hallestill.com>
Cc: Hopkins, Mirinda <mhopkins@fayetteville-ar.gov>; Bland, Justin <jbland@fayetteville-ar.gov>
Subject: RE: VAR 25-0046 City Lake Rd

Robert,

Thank you for sending this. Consider this email as received, and we will make sure this is updated on the final PC agenda. There will be no need to attend on Monday.

Jessie

Jessie Masters, AICP
Planning Director

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

https://link.edgepilot.com/s/5539daa2/bpE-r9G4EUyDsW_-bbFHEw?u=http://www.fayetteville-ar.gov/

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



From: Robert K. Rhoads <rrhoads@hallestill.com>
Sent: Thursday, November 6, 2025 5:02 PM
To: Masters, Jessica <jmasters@fayetteville-ar.gov>
Subject: VAR 25-0046 City Lake Rd

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.

JM: As I walked out of Agenda session minutes ago, I got call from client saying our engineer is no longer on board, so hiring a new one. With that said please consider this as a request to table until the Dec. 8th meeting. Let me know if this email suffices so my client doesn't have to have me show up next Monday. Thx as always. RKR

Robert Rhoads
Shareholder

**HALL
ESTILL**
ATTORNEYS AT LAW

T: 479-973-5202
C: 479-236-1414
E: rrhoads@hallestill.com
75 N. East Ave.
Suite 500
Fayetteville, AR 72701
[Bio](#)

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email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

September 30, 2025

VIA EMAIL & CSS PORTAL

Fayetteville Planning Commission

Re: Shaddy Property Variance at S. City Lake Road, Fayetteville, AR 72701

To Whom It May Concern:

I represent Carson and Taylor Shaddy in their request for a variance from the requirements of a large-scale development as laid out in Chapter 166 of the Fayetteville City Code. The imposition of the large-scale development requirements and especially as it relates to impervious surface is causing an undue hardship on my clients in that the requirements of detention ponds and a long shared driveway to be made of porous pavers is an extremely expensive proposition for these two individuals who are only trying to build one home for each of them. This is not a classical development that was envisioned when those requirements of the large-scale development ordinance were drafted. Further to put in industrial-looking detention ponds is not only unsightly but more importantly proposes a danger to small children and both of these families have small children. The estimated cost of having to change the driveway and add detention ponds is over \$350,000, further the granting of this variance will not lead to any drainage or flooding issues with any of the neighbors.

Upon presentation of an invoice my law firm will cut the city a check for the application fee and notice fee if required. Further enclosed with this petition letter is the legal description in word format and site plans. I would further state that the granting of these variances by the planning commission will be in line with substantial justice, and the public interest will not have any ill effect on the public nor nullify the intent or purpose of the city's development regulations. I thank you in advance for your consideration.

This letter needs to include the specific code sections that are being varied from. Please provide an updated letter.

Confirm the intent is to ask for a variance from the drainage manual requirements. If so, be sure language includes this in any public notice/letters

Sincerely,

Hall, Estill, Hardwick, Gable, Golden &
Nelson, P.C.

/s/ Robert K. Rhoads

Robert K. Rhoads
On behalf of Carson and Taylor Shaddy

RKR/mm
enclosures
Cc: Planning staff and clients



● FOUND REBAR (OR AS NOTED)
 Ⓢ SET 1/2" REBAR W/ CAP & S #3/0
 Ⓢ WATER METER
 □ GAS RISER
 □ UTILITY POLE
 _____ PROPERTY LINE
 _____ RIGHT-OF-WAY LINE
 _____ FENCE LINE
 _____ CENTERLINE
 _____ EASEMENT
 _____ OVERHEAD LINE
 _____ SANITARY SEWER LINE
 _____ WATER LINE
 _____ CONTOUR LINE

I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 051430220F (EFFECTIVE DATE MAY 16, 2008) AND FOUND IN THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.



TRACT A1
260,136.02 SQ. FT.

TRACT A2
260,124.76 SQ. FT.

DATA TRON INVESTMENT INC.
C/O WILLIAM JOHNSON
11197 HAPPY HOLLOW RD.
FAYETTEVILLE, AR
601-786-4624/0.000

LSOSA INVESTMENTS LLC

EX. 30' SEWER RESMT.



Planning Commission
December 8, 2025

VAR-2025-0046 (SHADDY)
Page 13 of 23

Page 13 of 23

CASTER & ASSOCIATES
LAND SURVEYING, INC.

2715 SE 1st Street, Suit 5
Bentonville, AR 72712
(479) 269-4464

2715 SE "T" Street, Suite 5
Bentonville, AR 72712
(479) 268-4464

A circular professional seal for a land surveyor. The outer ring contains the text "REGISTERED" at the top and "PROFESSIONAL LAND SURVEYOR" at the bottom. Inside the ring, the text "STATE OF ARKANSAS" is on the left and "NO. 1370" is on the right. In the center, the name "ROBERT J. CASTLE" is written vertically, with "ROBERT J." on the left and "CASTLE" on the right, separated by a vertical line.

AS STATED HEREON AS REQUIRED BY THE SUBDIVISION REGULATIONS OF THE
CITY OF FAYETTEVILLE, ARKANSAS.

DATE _____ REGISTERED LAND SURVEYOR/PROFESSIONAL LAND SURVEYOR _____

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER- 3049

8. SURVEY REFERENCE: FILE 2016-00010629.

9. PLAT PAGE NO. 641.

VILLE, ARKANSAS
WOMEN'S MAPVILLAGE, ARIZONA
COMMUNITY MAP

AREA SCHEDULE				
NAME	LEVEL	AREA	HT/QL	
BONUS	PLATE 2	155 SF	NO	
BRIDGE	PLAN	639 SF	NO	
SCREENED PORCH	FLOOR PLAN	40 SF	NO	
FRONT PORCH	FLOOR PLAN	193 SF	NO	
MAIN FLOOR	2ND FL	2411 SF		
	FLOOR PLAN	3448 SF	YES	
TOTAL HEATED SF		3448 SF		
TOTAL UNDER ROOF		5966 SF		





GENERAL NOTES	
1.	ALL INTERIOR WALLS, STUDS & OP. DO. FURN DOWNES BE 3 1/2" WOOD UNLESS NOT OTHERWISE
2.	SEE FLOOR PLAN SHEET FOR PARTITION TYPES & FINISH SCHEDULE
3.	DOOR HINGES ARE TO CENTER AC OF COLUMN, FACE OF STUD, OR FACE OF PARTITION, UNLESS OTHERWISE
4.	ALL INTERIOR WALLS, INTERIOR WALLS, PARTITIONS EXCEPT EX WALLS SHALL BE STUCCO STORAGE ROOMS SHALL STORE ROOMS SHALL NOT EXCEED 10' FROM THE EXTERIOR WALLS. ALL WALLS SHALL BE STUCCO TO THE BOTTOM OF THE DECK OR ABOVE FINISH CEILING
5.	SEE REFLECTED FLOOR PLAN FOR GELM LAUNDRY.
6.	INSTALL FLOOR FINISH STUDS BETWEEN CARPET & CONCRETE.
7.	INSTALL FLOOR FINISH STUDS BETWEEN CARPET & CONCRETE.
8.	PAINT ALL VENTS AND ROOF PENETRATIONS TO MATCH THE CLOSEST POSSIBLE COLOR TO LEAST VISIBLE COLOR OF ROOF.
9.	PROVIDE ALUMINUM THRESHOLDS AT EXTERIOR DOORS. PROVIDE SAFETY GLASS AT ANY WINDOW GLAZED DOOR IN A HAZARDOUS LOCATION PER 201 IRC
10.	PROVIDE FIRE SEPARATION BETWEEN DWELLING & GARAGE PER 201 IRC R302.5 & R302.6
11.	INSTALL SMOKE DETECTOR PER IRC R314
12.	INSTALL CARBON MONOXIDE DETECTORS FOR R319
13.	EMERGENCY ESCAPE AND RESCUE OPENINGS REQUIRED FOR BEDROOM PER 201 IRC R310
14.	GREEN'S DOWNSHIRT PRACTICE REQUIRED
15.	ANY FOUNDATION WALL IN A HEMPHY REQUIRES AN EXTERIOR FINISH. ALL FOUNDATION WALLS REQUIRING POURING CONCRETE, CALLING CLASH



ELEVATIONS

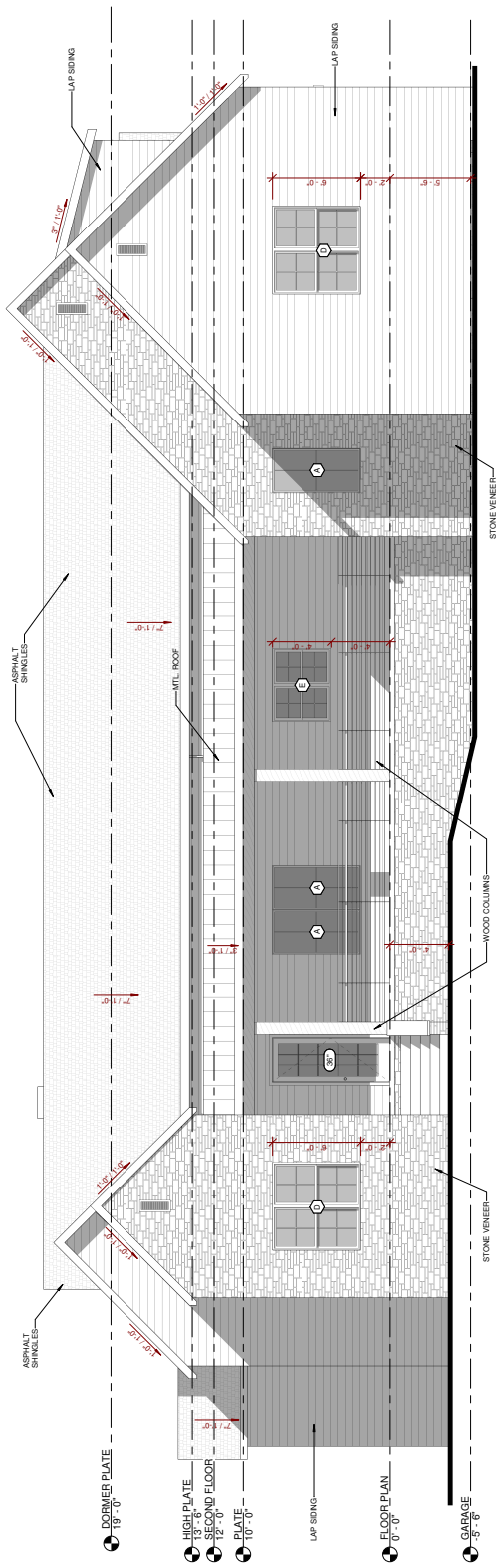
Scale

Revisions

Date 9.29.25

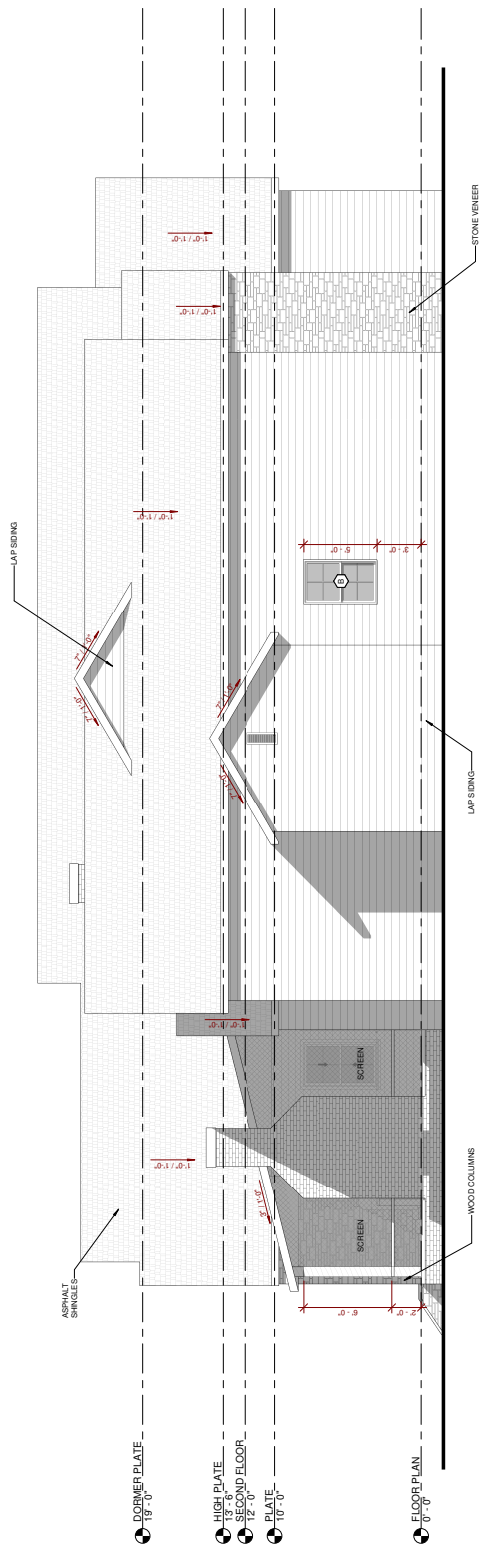
Project 24.14

A3.0



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

WINDOW COUNT SCHEDULE		
TYPE	COUNT	DESCRIPTION
A	2	2'0" W x 4'0" T - FIXED - INSULATED
B	2	2'0" W x 4'0" T - DOUBLE HUNG - INSULATED
C	3	4'0" W x 4'0" T - FIXED - INSULATED
D	2	2'0" W x 4'0" T - DOUBLE HUNG - INSULATED
E	1	2'0" W x 4'0" T - DOUBLE HUNG - INSULATED
F	1	2'0" W x 4'0" T - FIXED - INSULATED
WINDOW TOTAL 18		



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



ELEVATIONS

—

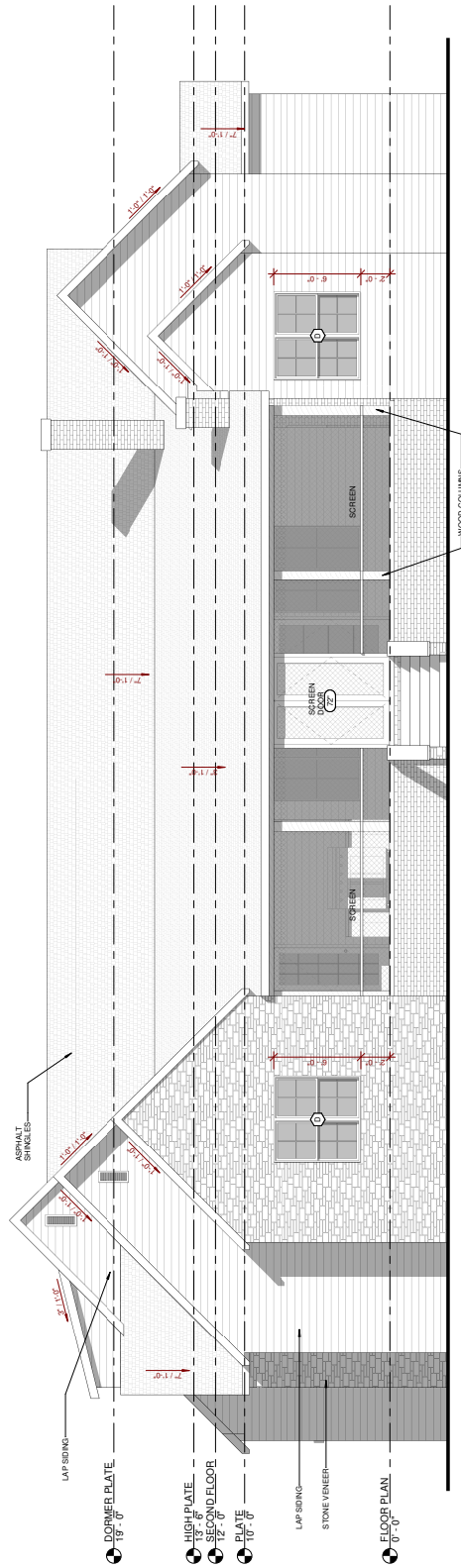
Revisions

Date _____

9.29.25

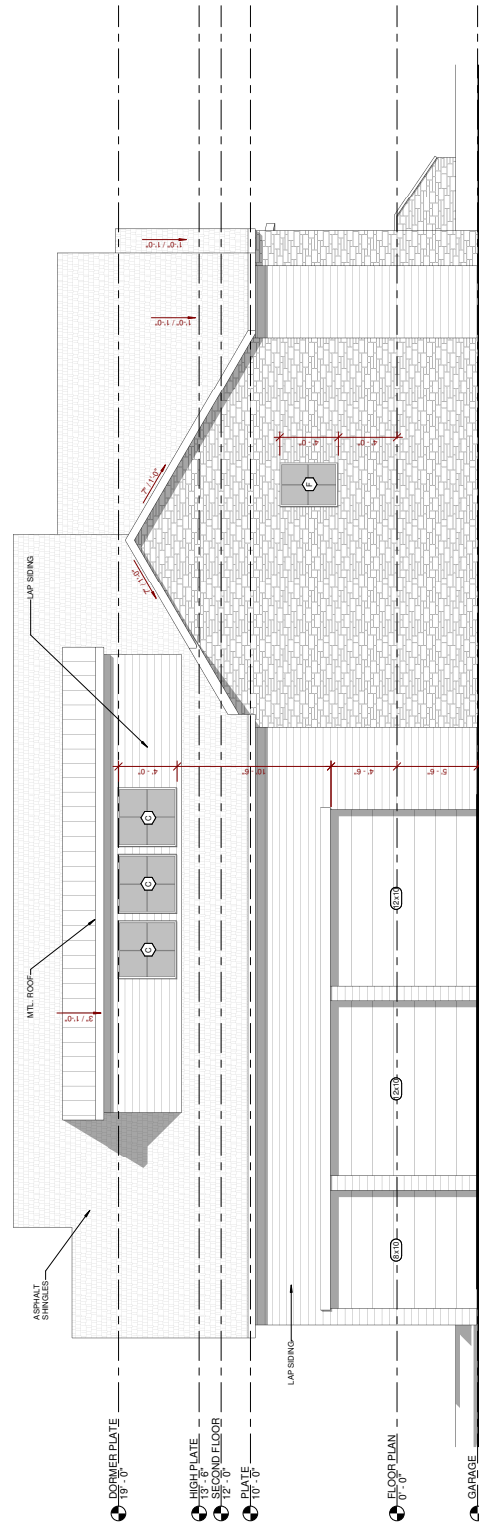
Project 24.14

A3.1



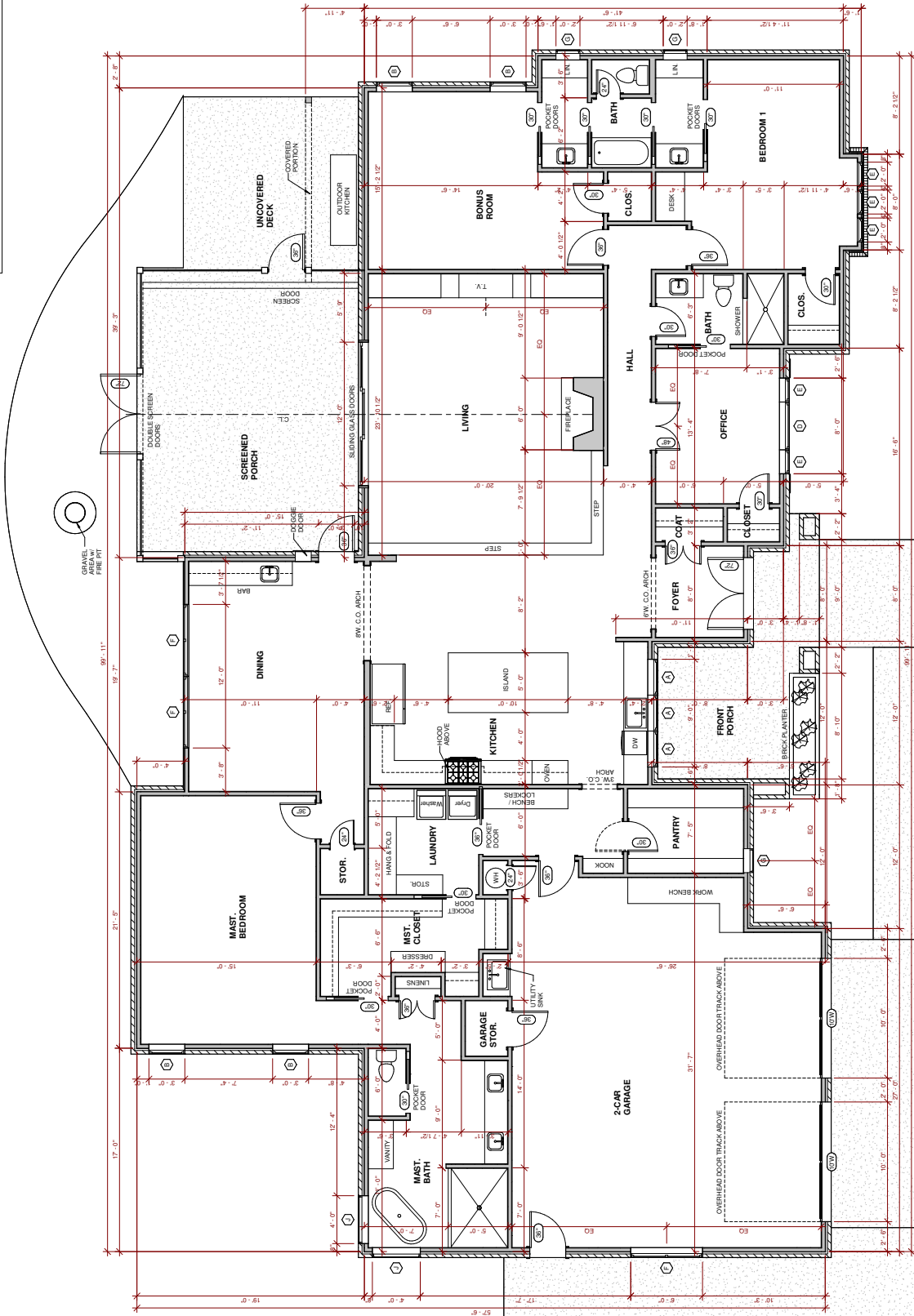
1 REAR ELEVATION
1/4" = 1'-0"

WINDOW COUNT SCHEDULE			
TYPE	COUNT	DESCRIPTION	BLINDS
A	7	3'-0" W x 6'-0" T, FIXED, INSULATED	
B	2	3'-0" W x 5'-0" T, DOUBLE HUNG, INSULATED	
C	3	4'-0" W x 4'-0" T, FIXED, INSULATED	
D	4	2'-0" W x 6'-0" T, DOUBLE HUNG, INSULATED	
E	1	2'-0" W x 4'-0" T, DOUBLE HUNG, INSULATED	
F	1	3'-0" W x 4'-0" T, FIXED, INSULATED	

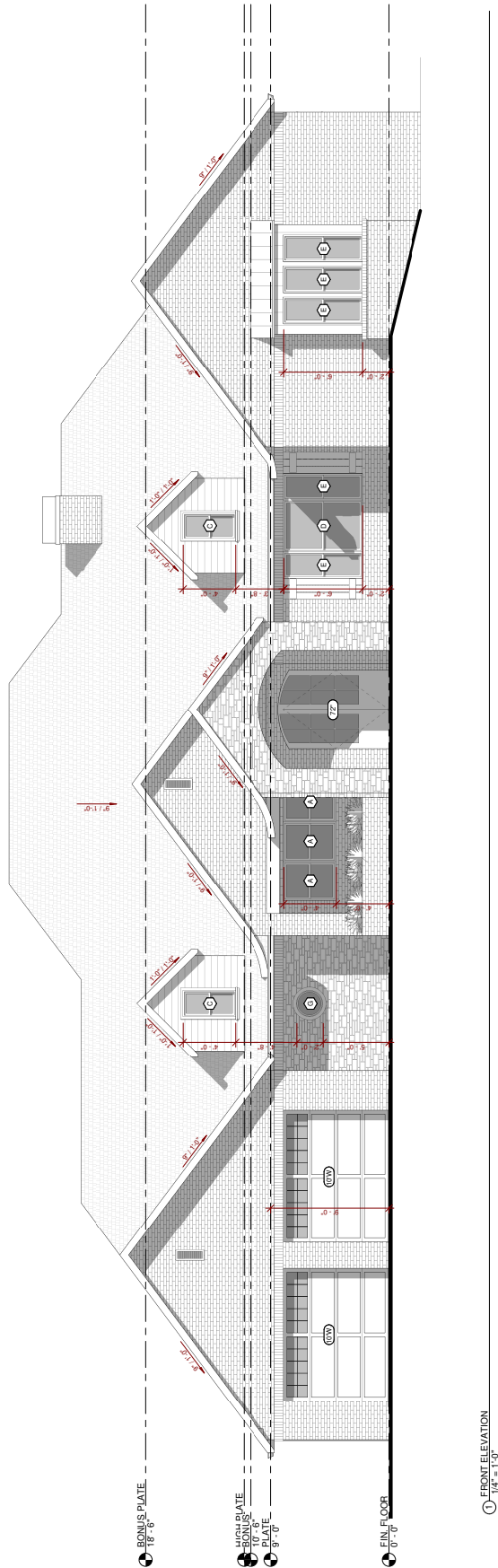


② SIDE ELEVATION 2
1/4" = 1'-0"

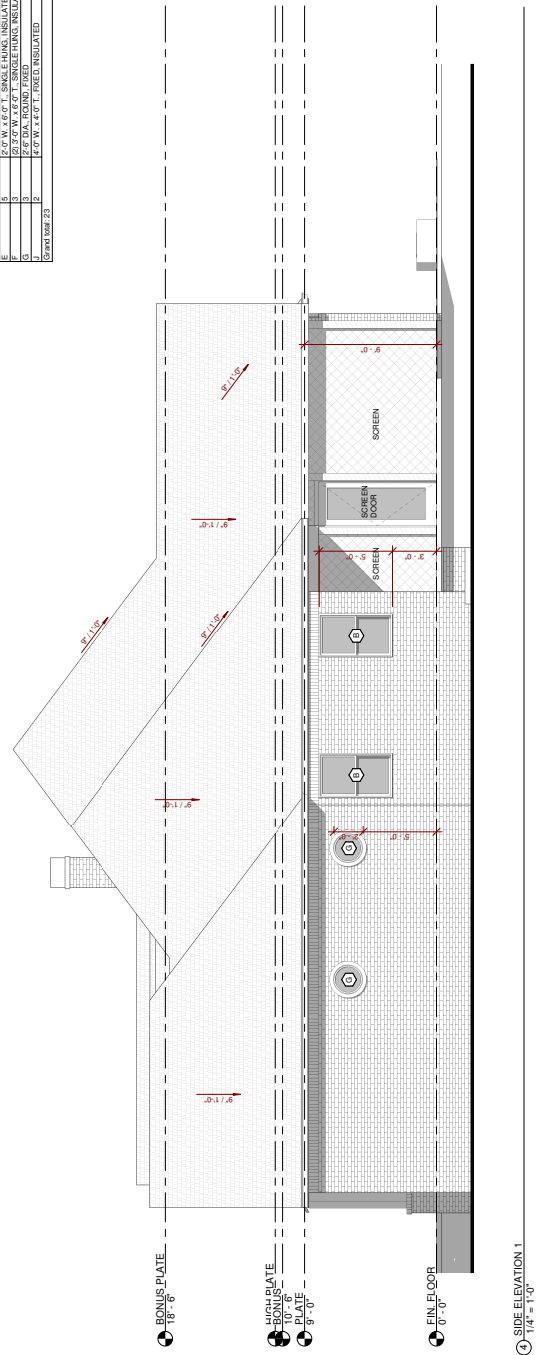
$$z \oplus$$

[illegible]

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



WINDOW COUNT SCHEDULE			
TYPE	COUNT	DESCRIPTION	BLINDS
A	3	3'0" W x 6'0" T, SINGLE HINGE, INSULATED	
B	2	3'0" W x 6'0" T, DOUBLE HINGE, INSULATED	
C	2	2'0" W x 6'0" T, SINGLE HINGE, INSULATED	
D	1	4'0" W x 6'0" T, SINGLE HINGE, INSULATED	
E	5	2'0" W x 6'0" T, SINGLE HINGE, INSULATED	
F	1	2'0" W x 6'0" T, DOUBLE HINGE, INSULATED	
G	3	2'0" W x 6'0" T, DOUBLE HINGE, INSULATED	
H	2	2'0" W x 6'0" T, DOUBLE HINGE, INSULATED	
I	2	4'0" W x 6'0" T, DOUBLE HINGE, INSULATED	





ELEVATIONS

1

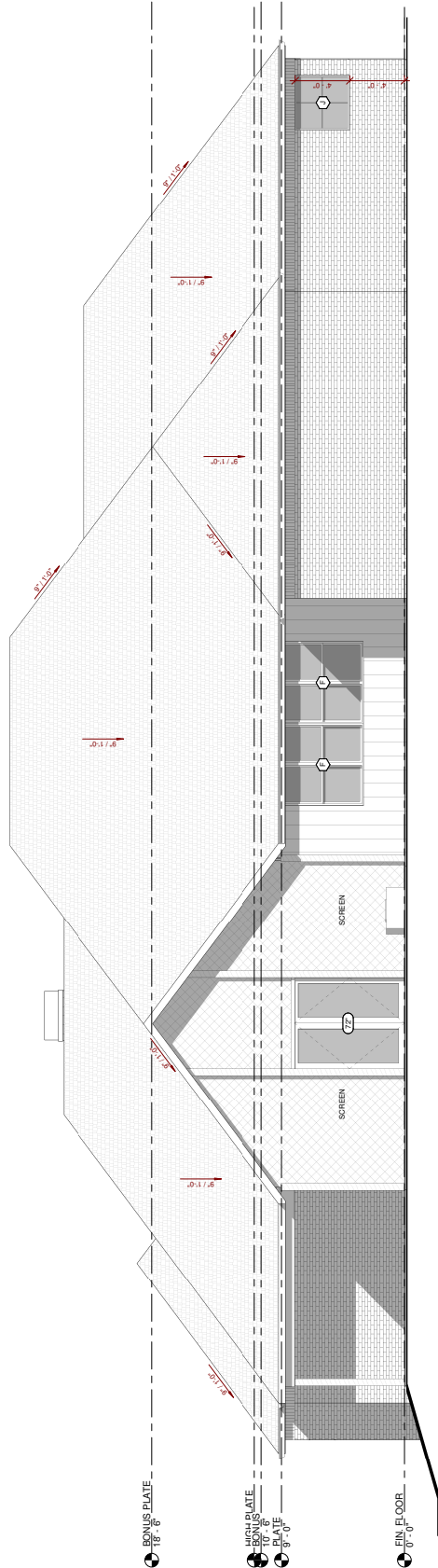
Revised: 10/1/2011

Date _____

9.23.25

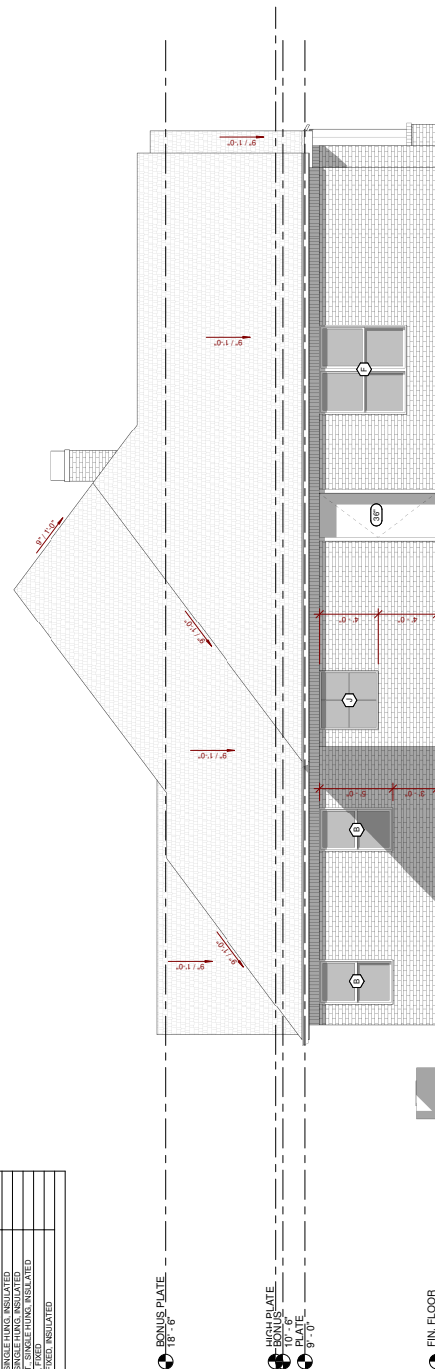
30 PC 1000000

A3.1



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

TYPE	COUNT	DESCRIPTION	STATUS
A	3	2-0" W x 6-0" T SINGLE HANG INSULATED	
B	3	2-0" W x 6-0" T SINGLE HANG INSULATED	
C	2	2-0" W x 4-0" T SINGLE HANG INSULATED	
D	1	2-0" W x 6-0" T SINGLE HANG INSULATED	
E	1	2-0" W x 6-0" T SINGLE HANG INSULATED	
F	3	2-0" W x 6-0" T SINGLE HANG INSULATED	
G	3	2-0" DIA. ROUND FRED.	
H	2	4-0" W x 6-0" T FRED. INSULATED	



② SIDE ELEVATION 2
1 1/4" = 1'-0"



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: December 8, 2025

SUBJECT: **VAR-2025-0053: Planning Commission Variance (3610 W. WEDINGTON DR/SEVEN BREW, 400):** Submitted by CEI ENGINEERING for property located at 3610 W. WEDINGTON DR. The property is zoned UT, URBAN THOROUGHFARE and contains approximately 1.16 acres. The request is for a variance from the maximum number of permitted parking spaces.

RECOMMENDATION:

Staff recommends approval of **VAR-2025-0053** based on the findings herein.

RECOMMENDED MOTION:

*"I move to approve **VAR-2025-0053**, determining:*

- In favor of a variance to UDC §172.05(E), and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is in west Fayetteville at the intersection of W. Wedington Dr. and N. Golf Club Dr. directly south of the Links at Fayetteville apartment complex. The property is within the Wedington Corridor Master Plan area and received its current zoning designation of UT, Urban Thoroughfare as a result of a rezoning in 2014 (ORD 5656). The subject area contains one parcel which is part of a preliminary plat for six commercial lots and one unbuildable detention lot (PPL-2023-0002) which was approved by the Planning Commission on May 22, 2023, and later modified to permit an additional developable lot on February 10, 2025 (ADM-2025-0002). A grading permit was issued on April 12, 2024 (GRD-2023-0053) and construction is ongoing. 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	RMF-24, Residential Multi-Family, 24 Units per Acre
South	Single-Family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
East	Auto Repair Store	DG, Downtown General
West	Single-Family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre

DISCUSSION:

Staff is supportive of the applicant's request. The applicant is requesting a variance to Unified Development Code §172.05(E). Restaurants have a parking ratio of one per 100 gross square feet of floor area plus an additional four stacking spaces per drive through window, which would establish a parking allowance of 5 parking spaces. When accounting for permitted increases if all requirements are met, this number increases to 7 parking spaces. The applicant proposed a total of 17 parking spaces, which currently exceeds the maximum number of permitted parking spaces (including all increases permitted by code) by ten spaces. The variance is further described in the table below.

**Table 2
Parking Requirements (Multi-Family Residential)**

Parking Maximum	Building Area	Maximum Number of Spaces
1 per 100 sq. ft. GFA plus 4 stacking spaces per drive-thru window.	510 square feet	5.1 spaces = 5 (plus 4 stacking spaces)
By-Right Allowable Increases		
+15% Increase by-Right		+0.77 spaces
+10% Alternative Stormwater		+0.51 spaces
+05% Additional Parking Trees		+0.25 spaces
	Total:	6.63 = 7 Maximum Spaces
	Requested Variance	17 Spaces (10 Space Increase)

The applicant states that there are a total of 10-12 staff members each shift and that additional parking spaces are needed in order to accommodate shift changes (estimated 4 or 5 shift changes per day). The proposed Seven Brew is intended to be drive-through only with no customer seating; therefore, all proposed parking would be reserved for employee use. Staff finds that this area is located in an area of town with no designated transit routes, that there is a high likelihood most employees will drive to this location, and that insufficient parking to address employee turn-over during shift changes could contribute to traffic congestion throughout the site.

While the project does not currently comply with the minimum buildable street frontage requirements and a separate Board of Adjustment variance shall be necessary to determine if the proposed design will be permissible, staff finds that the stated parking needs are likely to remain regardless of whether a Board of Adjustments variance is granted. Given this, and the relatively minor scale of the request, staff finds that the additional parking is warranted. That being said, staff recommends a condition of approval that alternative stormwater techniques and additional parking tree(s) shall be provided and reviewed for compliance on the construction drawings. The ordinance permits developments may increase the number of off-street parking spaces by up to an additional 5% when one (1), 2-inch caliper tree for every ten (10) additional parking spaces is planted on-site in addition to all other landscaping requirements. With a total of 17 spaces proposed where 5 are permitted by right, staff recommends two additional parking lot trees.

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

RECOMMENDATION: Staff recommends approval of VAR-2025-0053 with the following conditions:

Conditions of Approval:

- 1. Planning Commission determination of a variance to UDC §172.05(E)(4)(c), Maximum Number of Parking Spaces Allowed for Residential and Non-Residential Uses.** Staff recommends approval of this variance for the reasons stated above and with the following condition;

- a. *Alternative stormwater techniques and two additional parking lot trees shall be provided in line with the requirements of UDC 172.05.*
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
Meeting Date: <u>December 8, 2025</u>			
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

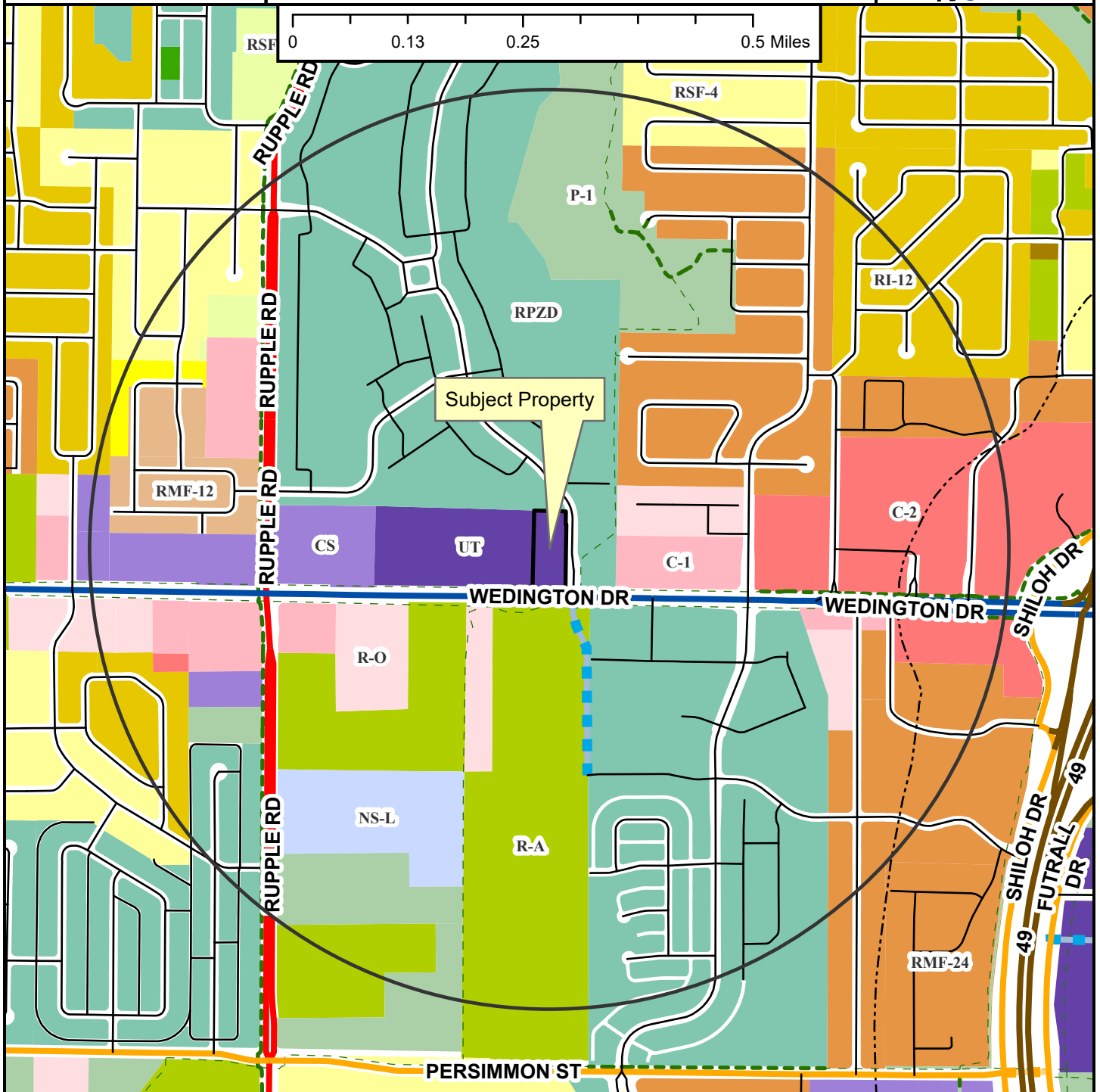
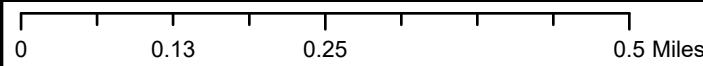
ATTACHMENTS:

- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Unified Development Code:
 - §172.05 Standards For The Number Of Spaces By Use
- Applicant Request Letter
- Site Plans
- Traffic Generation Letter

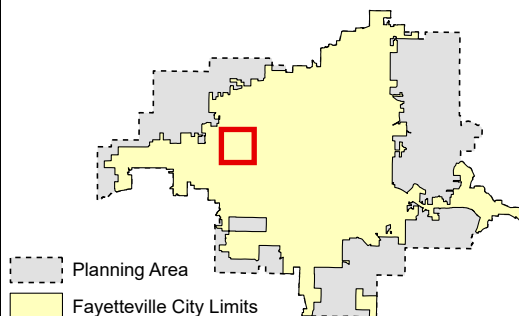
VAR-2025-0053

3610 W. WEDINGTON DR

One Mile View



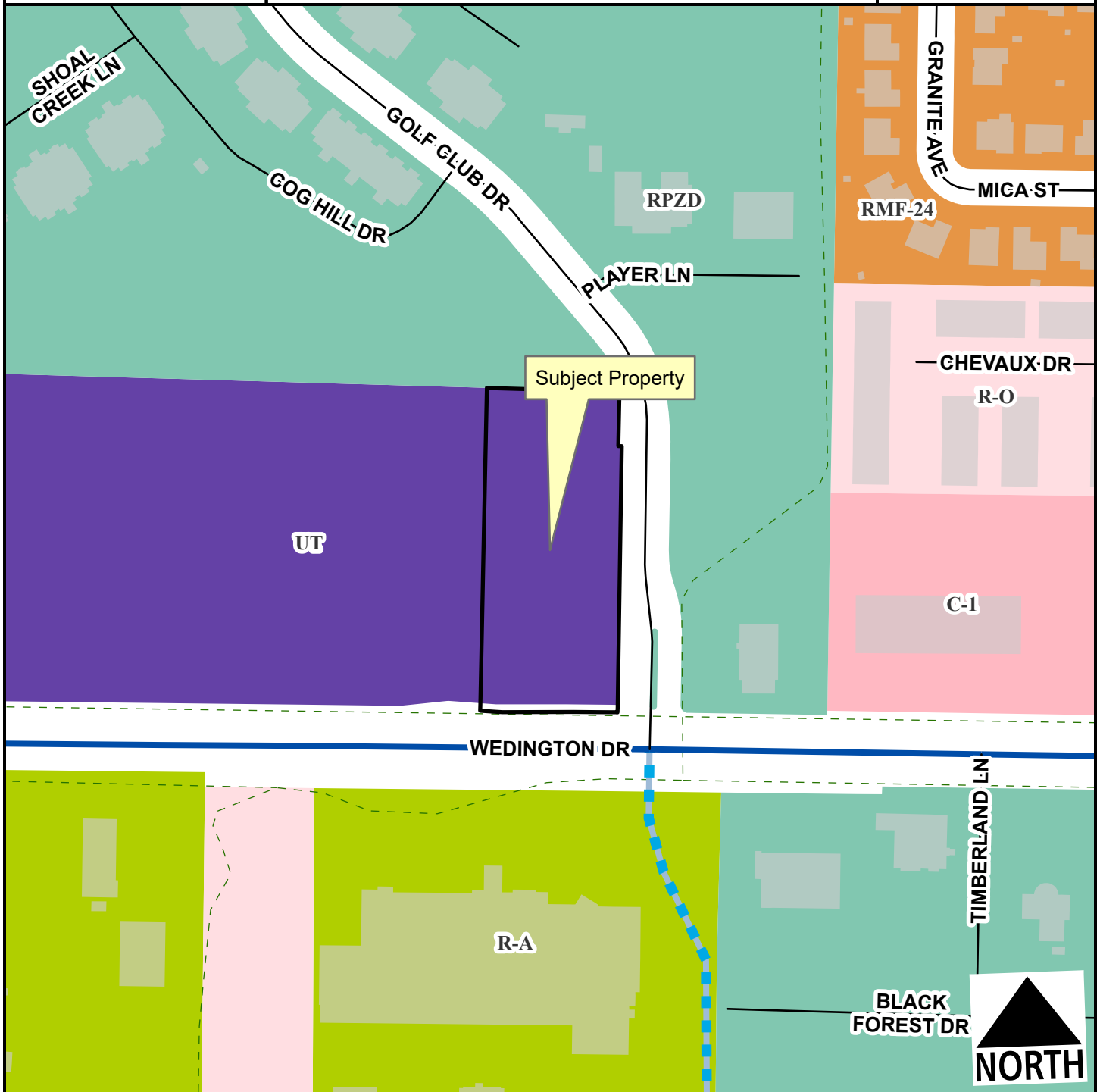
- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



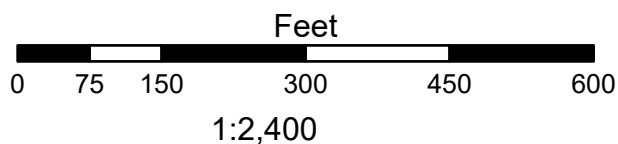
VAR-2025-0053

3610 W. WEDINGTON DR

Close Up View



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



VAR-2025-0053

3610 W. WEDINGTON DR

Current Land Use



Zone A



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

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

172.05 Standards For The Number Of Spaces By Use

- (A) *Non-Residential Parking Requirements.* There shall be no minimum number of spaces required for non-residential use. The maximum number of spaces provided shall be limited to the ratios in Table 3 and the allowable increases over the baseline ratio as described in §172.05(3). The applicant shall provide a statement or parking analysis indicating how they will provide adequate parking for the proposed non-residential use to succeed without negatively impacting adjacent properties or creating or compounding a dangerous traffic condition.

...

- (E) *Maximum Number of Parking Spaces Allowed for Residential and Non-Residential Uses.* Residential and non-residential developments may utilize the following increases to the maximum number of allowed spaces listed in Table 3 when the following standards are met:

- (1) Developments may increase the number of off-street parking spaces by up to 15% above the parking ratios listed in Table 3.
- (2) Developments may increase the number of off-street parking spaces by up to an additional 10% when alternative stormwater treatment techniques are utilized, such as:
 - (a) Bioswales;
 - (b) Constructed wetlands;
 - (c) Pervious pavement; and
 - (d) Other such techniques that aid in improving water quality and quantity as approved by the City Engineer.
- (3) Developments may increase the number of off-street parking spaces by up to an additional 5% when one (1), 2-inch caliper tree for every ten (10) additional parking spaces is planted on-site in addition to all other landscaping requirements.

- (F) *Parking Ratio Calculation.* The number of spaces required for a use not specifically included in Table 3 shall be as required for the most similar use listed or as otherwise determined by the City Planning Division utilizing industry standards. For all parking space requirements resulting in a fraction, the fraction shall be:

- (1) Rounded to the next higher whole number when the fraction is 0.5 or higher.
- (2) Rounded to the next lower whole number when the fraction is less than 0.5.

...

- (H) *Increases or reductions in excess of those identified herein shall be allowed only by the Planning Commission as a variance and shall be granted in accordance with Chapter 156.03.*

TABLE 3 PARKING RATIOS
(Use and Required Minimum and Maximum Spaces)
Residential

...

Commercial

Agricultural supply	1 per 500 sq. ft. of GFA
Amusement	1 per 200 sq. ft. of GFA
Auditorium	1 per 4 seats
Auto/motorcycle service stations	4 per each enclosed service bay
Bank	1 per 200 sq. ft. of GFA
Barber or beauty shop	2 per chair
Building/home improvement supply	1 per 500 sq. ft. of GFA
Coin-operated laundry	1 per 3 machines
Dry cleaning	1 per 300 sq. ft. of retail area and 1 per employee

Hotels and motels	1 per guest room, plus 75% of spaces required for accessory uses.
Furniture and carpet store	1 per 500 sq. ft. of GFA
Plant nursery	1 per 1,000 sq. ft of indoor/outdoor retail area
Restaurants	1 per 100 sq. ft. GFA plus 4 stacking spaces per drive-thru window.
Retail	1 per 250 sq. ft. of GFA
Retail fuel sales with convenience stores	1 per 250 sq. ft. of retail floor area. Owner may count spaces at pump islands as parking spaces.
Retail fuel sales only	1 per employee. Owner may count spaces at pump islands as parking spaces.

(Ord. No. 4567, 05-04-04; Ord. No. 4930, 10-03-06; Ord. No. 5118, 3-18-08; Ord. No. 5297, 12-15-09; Ord. No. 5435, 8-16-11; Ord. No. 5801, §1(Exh. A), 10-6-15; Ord. No. 6864, §2(Exh. A), 5-6-25; Ord. No. 6879, §6, 5-20-25)



December 03, 2025,

City of Fayetteville
Planning Commission
113 West Mountain St.
Fayetteville, AR 72701
479.575.8267

**Re: 7Brew Development – Variance Request
N. Golf Club Dr. & W. Wedington Dr. Fayetteville, AR 72704
Situs Address: 3610 Fayetteville Dr. Fayetteville, AR 72704**

Planning Commission Staff,

On behalf of the 7Brew Development Team, CEI Engineering is seeking a variance request to the regulations cited under Chapter 172 – Parking and Loading within the City of Fayetteville's Site Code Regulations. Specifically UDC 172.0 (E), Maximum number of parking spaces allowed for residential and non-residential uses.

The proposed development is an approximately 510sqft drive-thru coffee shop with an 86 sq ft. remote cooler, proposed dual drive thru lanes with pass-thru, and associated utility and landscape improvements. The 7Brew business model is geared for off-site consumption only and does not offer any on-site seating or customer occupancy area. The dual drive thru has a stacking capacity of 24 vehicles.

Per the pre-application meeting held with City Staff on July 3, 2025, it was brought to attention that due to site regulation code requirements and the size of the site, proposed parking is limited to 7 parking stalls. As currently proposed, 7Brew is requesting to provide 17 parking stalls to service the site.

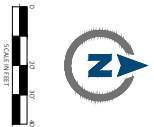
7Brew facilities normally provide approximately 10-12 employees on any given shift, with roughly 4 to 5 shift changes during the day, therefore as a requirement for site operations and for the safety of the employees during the performance of shift-change maneuvers, we are requesting a variance to Chapter 172 Parking and Loading's maximum parking requirements for the site. This will allow for 7Brew operations to serve the business model needs for employee parking availability and more importantly, safety concerns.

Please find enclosed our application and supplemental documents for consideration, including trip generation data and development plans. Please do not hesitate to reach out to our office should any additional needs arise.

Respectfully Submitted,

Erin Dudley, Project Manager
edudley@ceieng.com
CEI Engineering Associates, Inc
Firm: 118

ADJACENT ZONING INFORMATION	
NORTH	UT
SOUTH	AROOT ROW
EAST	R920
WEST	G3



SITE BENCHMARK

SITE 08/20/1996, T.1

NAME: NAME, IN 14652330.0, 1.656424, 0.2, 1.3617108

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SITE 08/20/1996, T.2

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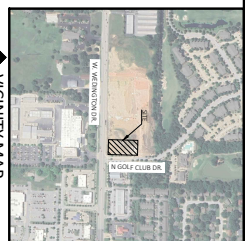
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SITE 08/20/1996, T.3

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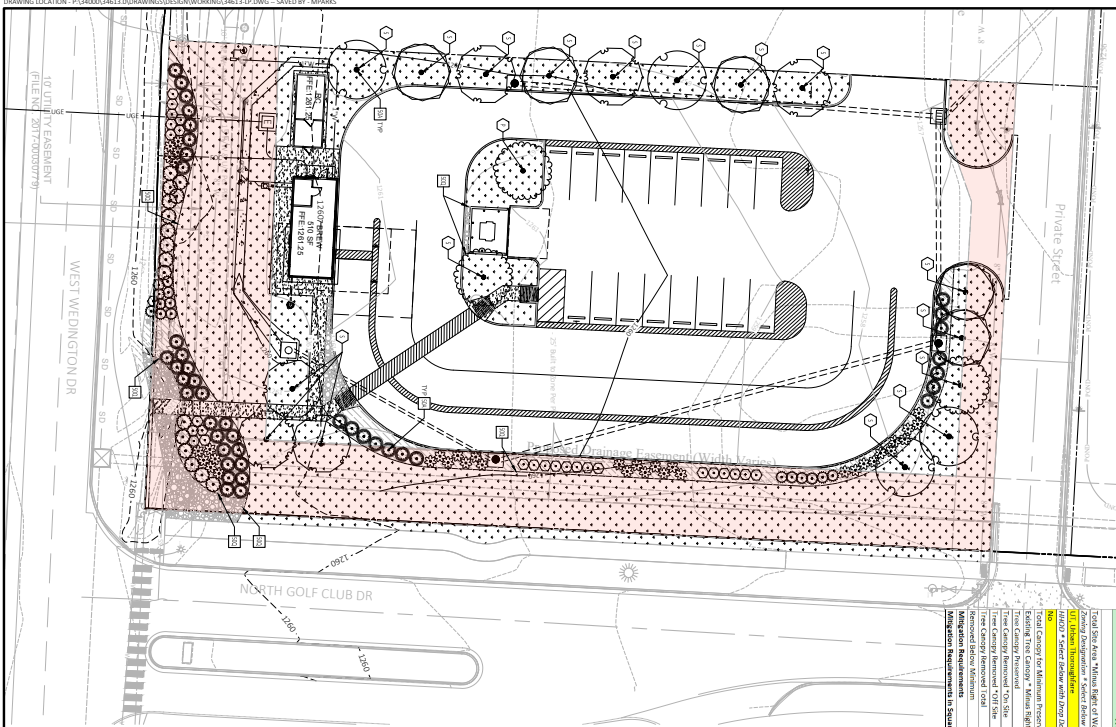
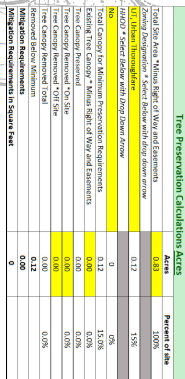
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Q SITE NOTES

088 OVERHEAD CANOPY - 17'W - 4'X4'X4' PLANS
12A 4 INCH THICK YELLOW LAMIN STRIPS (SEE LENGTH @ 45 DEGREES) INDICATED AT 1/8" MAX
12B 4 INCH WIDE PAINTED YELLOW STRIPS - 1/8" ON/OFF @ 45 DEGREES (SEE SIZE INDICATED AT 1/8" MAX)
12C 1/8"X8" CLAS FROM 6 INCHES TO 100 INCHES OVER 1 FEET
708 4"X8" STRIPS
709 4"X8" STRIPS
70C 1/8"X1/8" IN BUCKLE (SEE 4"X4" PLANS)

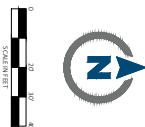
SEVEN 7 BREW COFFEE >>>

Commission
November 8, 2025

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CITY OF FAYETTEVILLE STANDARD LANDSCAPE NOTE

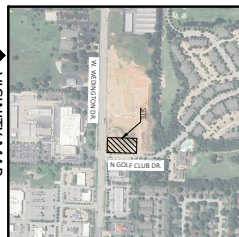
- [illegible]



SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF PORCHES, PATIOS, VESTIBULE, SLOPED PAVING, TRUCK DOCKS, BUILDING UTILITY ENTRANCE LOCATIONS AND PRECISE BUILDING DIMENSIONS.



**Know what's below.
Call before you dig.**

[illegible][illegible][illegible]

Page 11 of 16

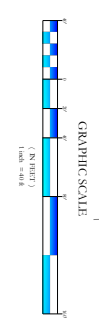
SEVEN BREW
W WEDINGTON AND N GOLF CLUB
FAYETTEVILLE, ARKANSAS



PROFESSIONAL OF RECORD	POB
PROJECT MANAGER	PM
DESIGNER	AR
CII PROJECT NUMBER	3463
DATE	8/28/2019
REVISION	REV 0

LANDSCAPE PLAN
SHEET TITLE
SHEET NUMBER
L1.0

FINAL PLAT Fortitude Subdivision Wedington Drive Fayetteville, AR PREPARED YYYY-MM-DD



BLEW
Surveying | Engineering
Environmental
Fayetteville, AR 72703
Phone: 479-770-7703
www.blewinc.com



Civil Engineering, Landscape Architecture,
Survey, Planning & Program Management

2600 NE 11th St., Suite 300
Bentonville, AR 72712
Office: 479.273.9472
Toll-free: 1.800.433.4173
ceieng.com

August 1, 2025

City of Fayetteville
125 W Mountain Street
Fayetteville, AR 72701
(479) 575-8267

RE: Traffic Trip Generation
Proposed 7 Brew
W Wedington Drive & N Golf Club Drive
Fayetteville, AR 72704
CEI Project #34613

The 510 square foot 7-Brew with two (2) drive through lanes is proposed to be located at W Wedington Drive & N Golf Club Drive. The existing site is a vacant lot. The proposed 7-Brew will be drive through only and does not propose to have indoor seating. Primary vehicle access will be through a proposed driveway to the north connecting to a proposed private street serving the overall development. Cross access will be provided to the east through a proposed driveway connecting to the adjacent lot.

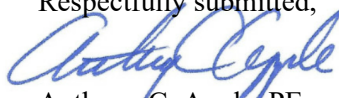
Vehicle Trips have been determined using the 11th Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual and are summarized in the table below. ITE Trip Generation Data Plots are attached to this letter.

ITE TRIP GENERATION – PROPOSED 7-BREW

Units	WEEKDAY			AM PEAK HOUR			PM PEAK HOUR		
	Total	Directional Distribution		Total	Directional Distribution		Total	Directional Distribution	
		50%	50%		50%	50%		50%	50%
		Enter	Exit		Enter	Exit		Enter	Exit
2	358	179	179	90	45	45	30	15	15

- Land Use Code: 938 – Coffee/Donut Shop with Drive Through & No Indoor Seating
- Units: Drive Through Lanes
- AM Peak Hour: 7am to 9am (determined by Fitted Curve Equation)
- PM Peak Hour: 4pm to 6pm

Respectfully submitted,


Anthony C. Apple, PE
Senior Project Engineer



Attachments: As Stated

08/01/2025

Coffee/Donut Shop with Drive-Through Window and No Indoor Seating (938)

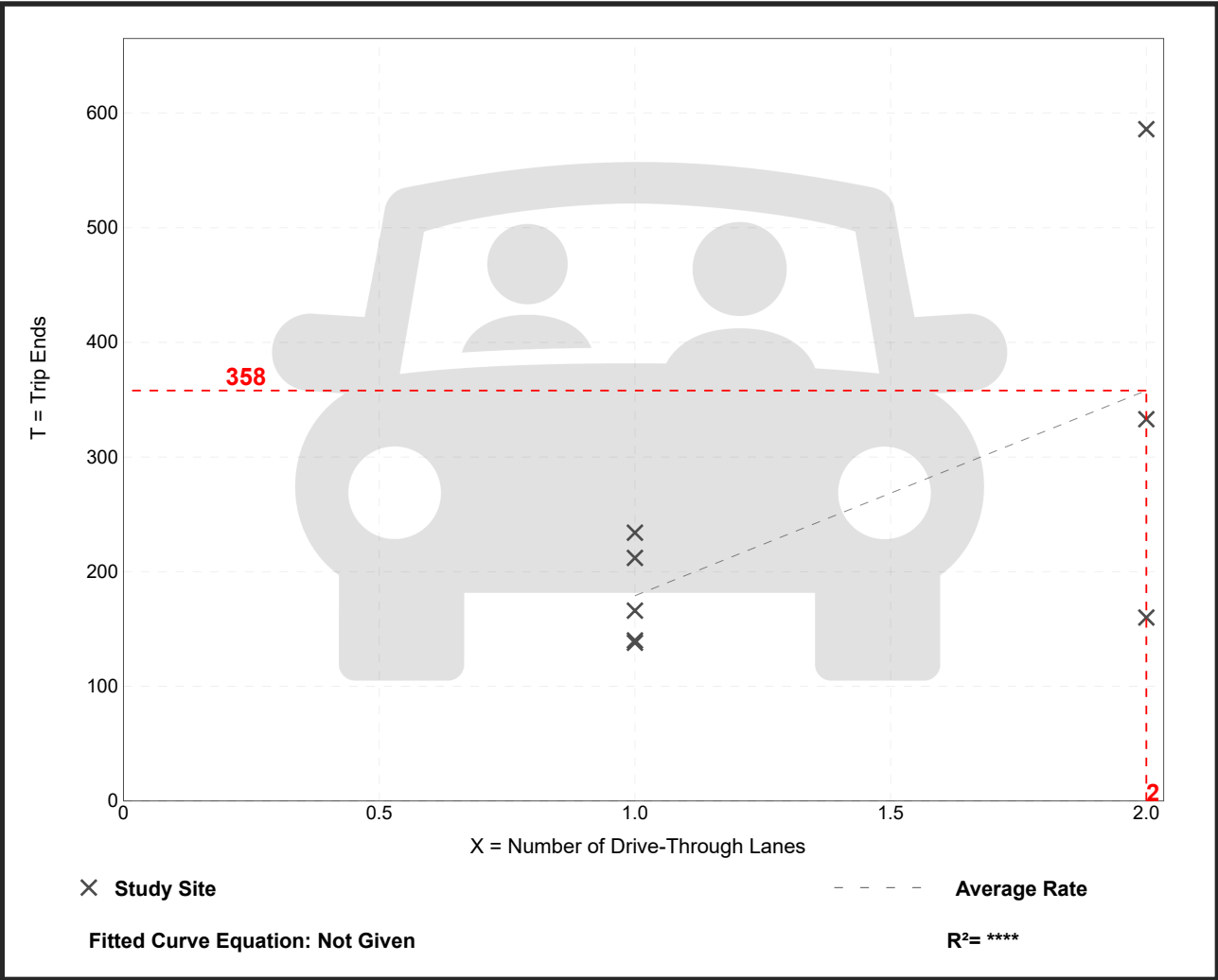
Vehicle Trip Ends vs: Drive-Through Lanes
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 8
Avg. Num. of Drive-Through Lanes: 1
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Drive-Through Lane

Average Rate	Range of Rates	Standard Deviation
179.00	80.00 - 293.00	74.48

Data Plot and Equation



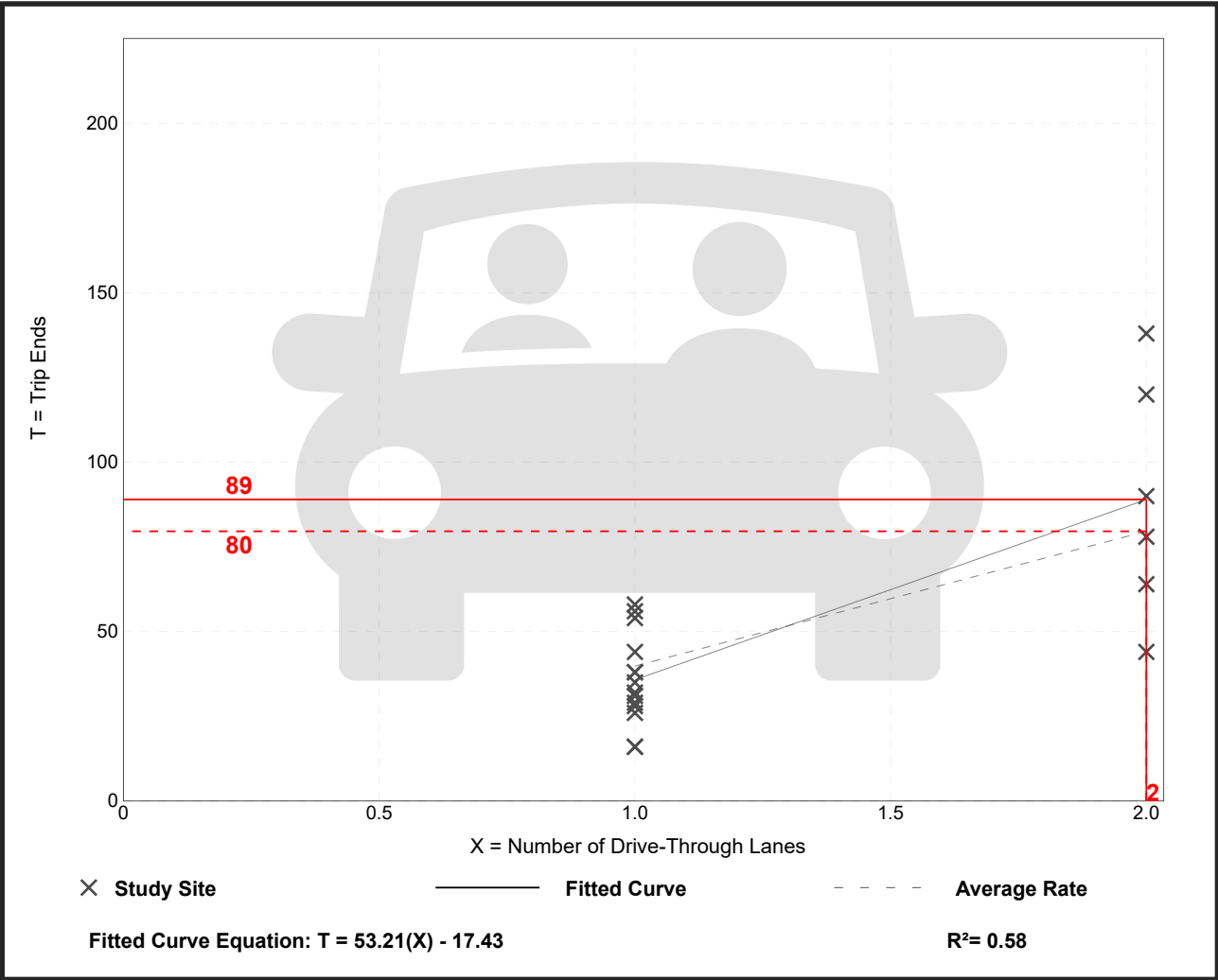
Coffee/Donut Shop with Drive-Through Window and No Indoor Seating (938)

Vehicle Trip Ends vs:	Drive-Through Lanes
On a:	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.
Setting/Location:	General Urban/Suburban
Number of Studies:	20
Avg. Num. of Drive-Through Lanes:	1
Directional Distribution:	50% entering, 50% exiting

Vehicle Trip Generation per Drive-Through Lane

Average Rate	Range of Rates	Standard Deviation
39.81	16.00 - 69.00	15.44

Data Plot and Equation



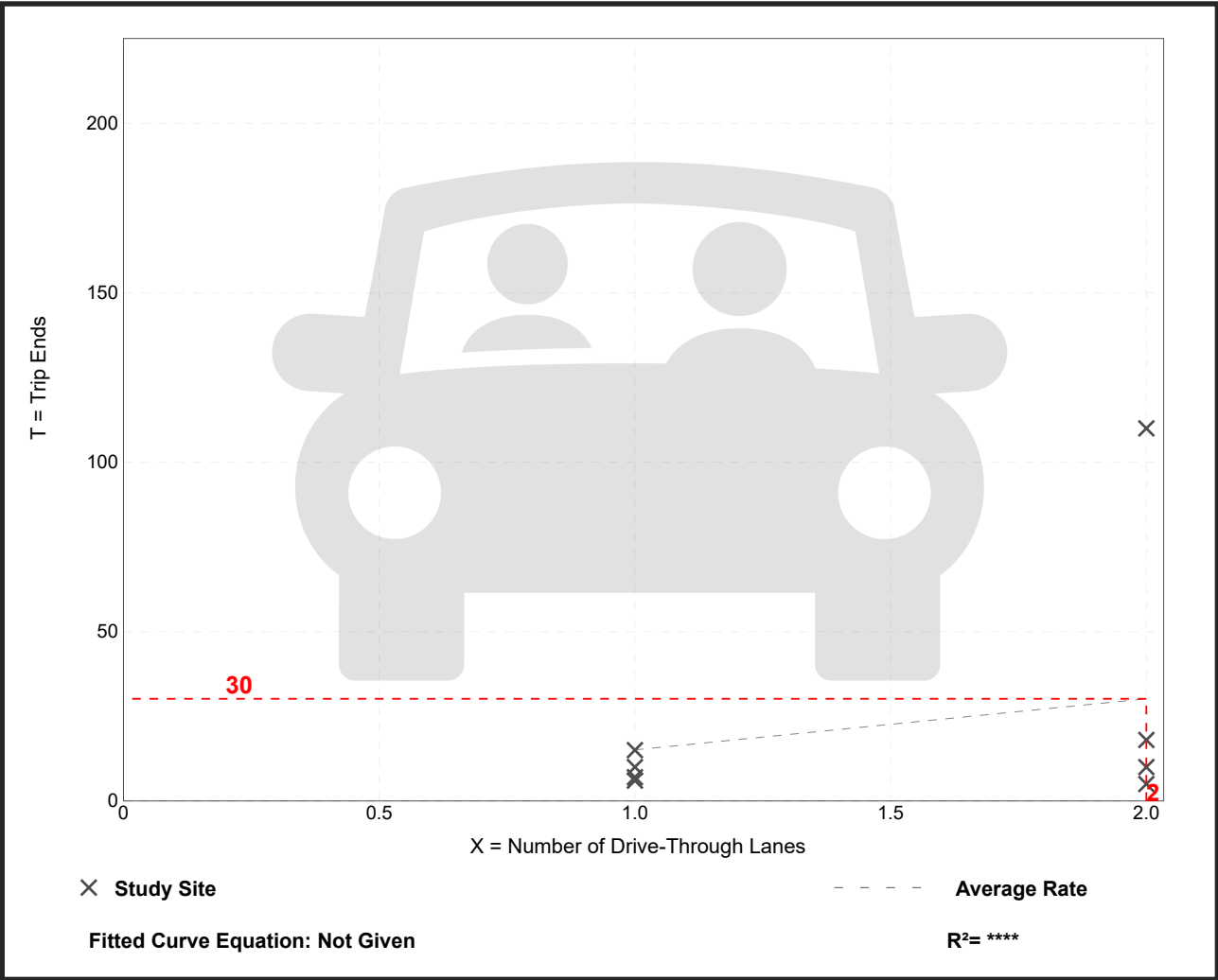
Coffee/Donut Shop with Drive-Through Window and No Indoor Seating (938)

Vehicle Trip Ends vs:	Drive-Through Lanes
On a:	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.
Setting/Location:	General Urban/Suburban
Number of Studies:	8
Avg. Num. of Drive-Through Lanes:	2
Directional Distribution:	50% entering, 50% exiting

Vehicle Trip Generation per Drive-Through Lane

Average Rate	Range of Rates	Standard Deviation
15.08	2.50 - 55.00	19.41

Data Plot and Equation





TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director

THRU: Wesley Frank, Planner

MEETING DATE: December 8, 2025

SUBJECT: **VAR-2025-0055: Planning Commission Variance (2406 N. OLD WIRE RD/GULLEY PARK PET CLINIC, 292):** Submitted by ARCHITECTURE for property located at 2406 N. OLD WIRE RD. The property is zoned NS-G, NEIGHBORHOOD SERVICES-GENERAL and contains approximately 0.58 acres. The request is for a variance to building design standards.

RECOMMENDATION:

Staff recommends approval of **VAR-2025-0055** based on the findings herein.

RECOMMENDED MOTION:

*"I move to approve **VAR-2025-0055**, determining:*

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

BACKGROUND:

The subject property is located near Gulley Park at the corner of E. Township Street and N. Old Wire Road. The property is zoned NS-G, Neighborhood Services - General and contains approximately 0.58 of an acre, and was developed in 1945, according to Washington County records. The development has been used as a residential dwelling until 2016 when it was purchased by Gulley Park Pet Clinic to be used as a commercial use. A rezoning was approved for the current zoning in 2024 (RZN-2024-0052). 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	P-1, Institutional
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	Commercial	RSF-4, Residential Single-Family, 4 Units per Acre

Request: The applicant is requesting two variances to the unified development code in association with a commercial permit (COMM-2025-0190) to develop the existing structure with a 1,180 sqft eastern addition. As outlined in §166.24, standards apply when either new development occurs or expansion of 25% or more of the existing nonresidential building square footage occurs.

Public Comment: To date, staff has not received any public comment.

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 intent of the glazing requirement is to create a proportion of solids to voids and encourage pedestrian interest at the street level. At varying amounts, all four sides enter the build-to-zone, which would require all if not some of each side of the existing structure to comply with the 50% glazing requirement. The building was built in 1945, well before the City's glazing requirement was enacted, and as a result, should conformance be attained, the building would need extensive renovations, impacting its existing, established look and may potentially impact its structural strength. During the commercial permit review process, the applicant worked with staff in good faith to meet the glazing requirement.

Variance #2: §166.24(D)(7)(b)(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).

Staff recommendation: Staff recommends in favor of the request, finding that the intent of the ordinance is still met. The intent of the glazing requirement is to create a proportion of solids to voids and encourage pedestrian interest at the street level. At varying amounts, all three sides - north, east, and south - are outside of the build-to-zone, which would require those portions to comply with the 30% glazing requirement. The building was built in 1945, well before the City's glazing requirement was enacted, and as a result, should conformance be attained, the building would need extensive renovations, impacting its existing, established look and may potentially impact its structural strength. During the commercial permit review process, the applicant worked with staff in good faith to meet the glazing requirement.

RECOMMENDATION: Staff recommends approval of VAR-2025-0055 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 the added condition that the eastern addition elevation adheres to the 50% glazing requirement within that respective portion.*
- 2. Planning Commission determination of a variance to §166.24(D)(7)(b)(ii) which requires that a building façade located within the 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 sidewalk.** *Staff recommends in favor of the variance for the reasons stated above, with the added condition that the eastern addition elevation adheres to the 30% glazing requirement within that respective portion.*
- 3. Approval of this item does not constitute approval of any associated permits, including grading permits or building permits, nor does it constitute approval for any variances that**

may not have been requested or reviewed for at this stage. Review and approval of the overall project shall be required in accordance with city code.

Planning Commission Action:	☐ Approved	☐ Tabled	☐ Denied
Meeting Date: <u>December 8, 2025</u>			
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code:
 - §166.24 Nonresidential Design Standards
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Elevations showing glazing measurements
- Applicant Request Letter
- Site Plan
- Elevations

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.

...

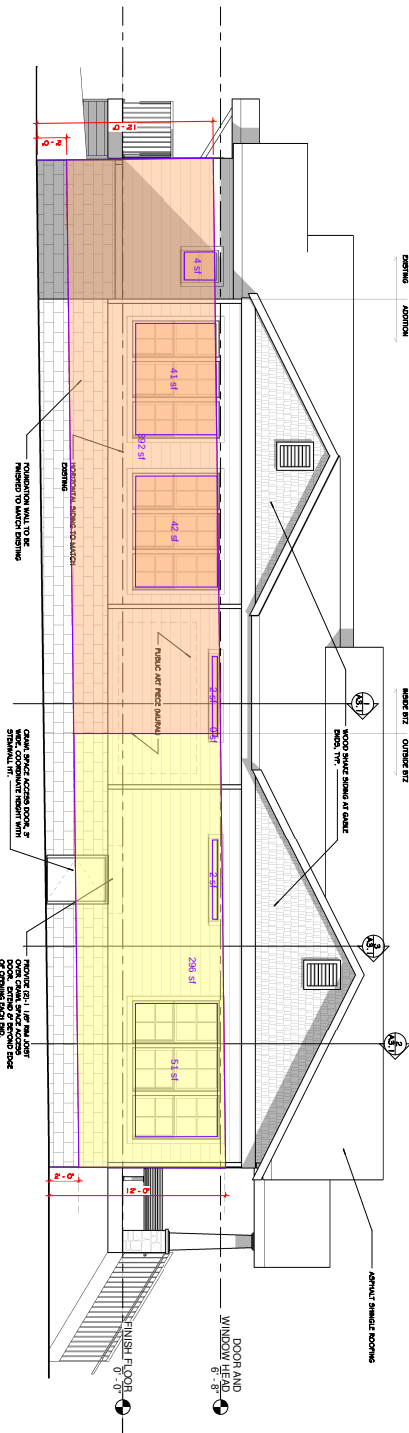
- (7) *Fenestration.* Fenestration patterns should encourage design, reinforce rhythm, and create shadows. The following shall be met to satisfy the fenestration requirements for a principal façade:
- (a) *Entryways.* A primary entrance for buildings located in a build-to zone shall face the public street. 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.

...

(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)

Elevation	Required	Proposed	Difference	Required	Proposed	Difference
	50%	within 812		30%	Outside	
East	196 ft	89 ft (22%)	107 ft (27.5%)	88.8 sqft	812	53 sqft (18%)
						35.8 ft (12%)
North	12.5 ft	8 ft (32%)	4.5 ft (36%)	151.2 ft	151 ft	2.2 ft (1%)
						(23%)

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

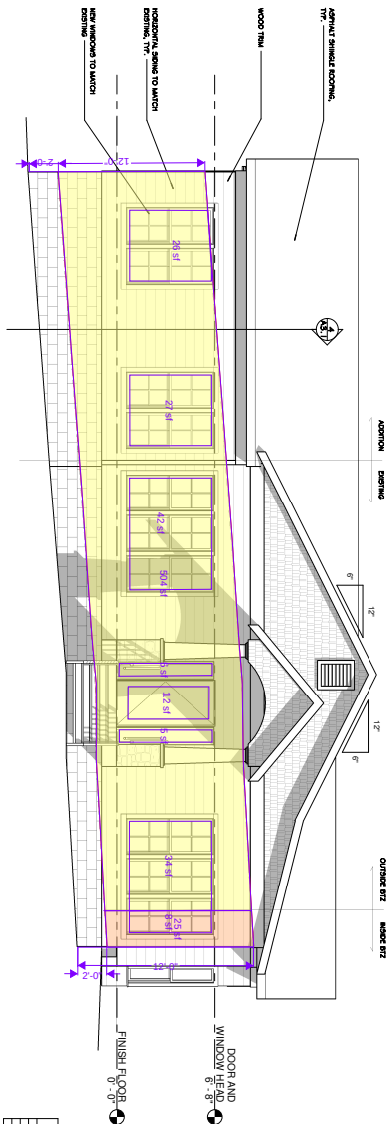
$$\text{SCALE} = 1/4" = 1'-0"$$


30% glazing required

50% glazing required

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

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



STAGE OF ELEVATION	REQUIRED 50%	PRESENTED 50%	REQUIRED 50%	PROPOSED 50%
NORTH	12.5 50'	0 50'	150.6 50'	153 50'
WEST	343.5 50'	171 50'	N/A	N/A
EAST	196 50'	09 50'	09 1 50'	53 50'
SOUTH	254.5 50'	09 50'	43 50'	0 50'

NOTE:
REFER TO ROOF NOTE #9, SHEET A-1.2 FOR
ROOF VENTING REQUIREMENTS. COORDINATE
ROOF VENTING OPTIONS WITH OWNER.

ELEVATIONS A2.1	SHEET	DATE 10/14/25	DRAWN BY ELP	GULLEY PARK PETS CLINIC ADDITION 2406 N. OLD WIRE RD. FAYETTEVILLE, ARKANSAS 72703
		PROJECT # 243601	CHECKED BY JTK	ROMY WALLACE 2406 N. OLD WIRE RD. FAYETTEVILLE, ARKANSAS 72703

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**FOR PERMIT &
CONSTRUCTION**

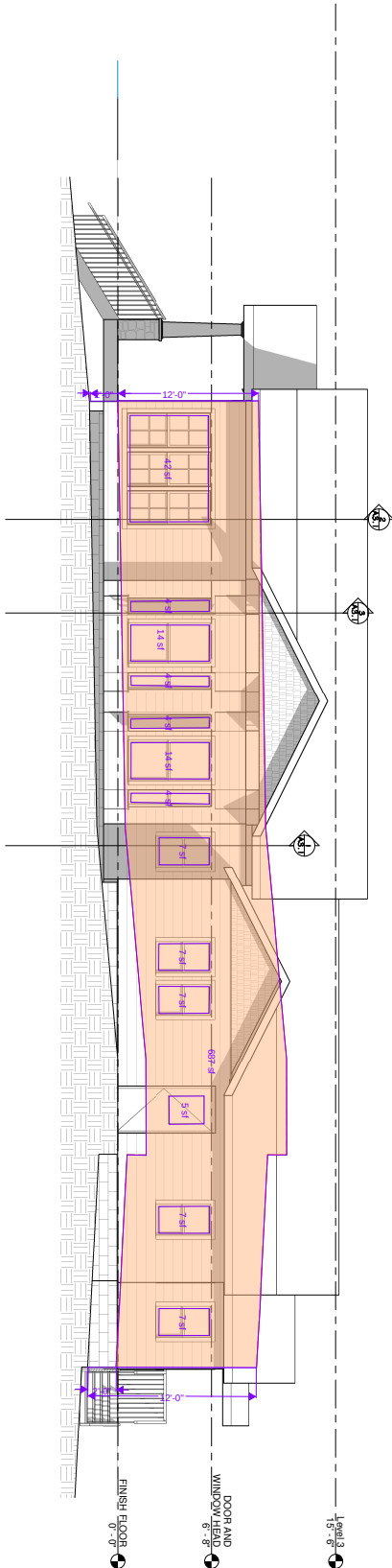
KEY ARCHITECTURE INC.

P.O. BOX 748 FAYETTEVILLE, ARKANSAS 72702
PH: 479.444.6066 FAX: 479.444.1445

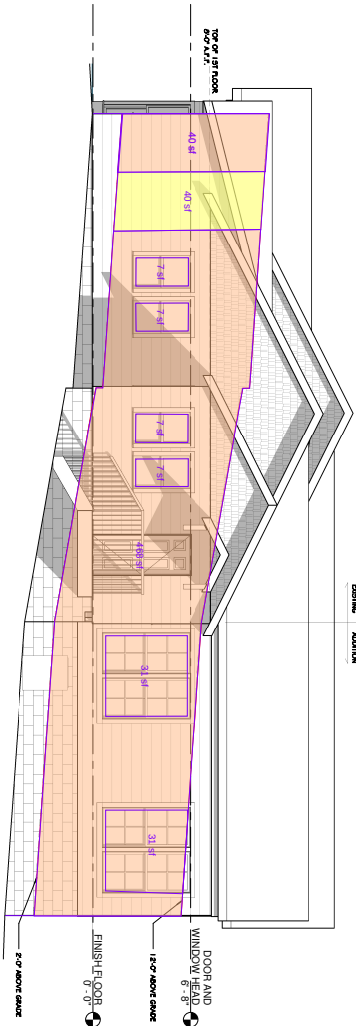


Elevation	Required 50%	Proposed within BTZ	Difference	Required 30%	Proposed Outside BTZ	Difference
West	343.5 sqft	126 sqft (18%)	217.5 ft (32%)	Not outside BTZ	Not outside BTZ	Not outside BTZ
South	234 sqft	90 sqft (19%)	144 sqft (31%)	12 sqft (0%)	12 ft (0%)	

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



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



30% glazing required
50% glazing required

SIZE OF ELEVATION	REQUIRED SQ.	PROPOSED SQ.	REQUIRED SQ.	PROPOSED SQ.
WEST	343.5	126	234	90
SOUTH	234	90	12	12

GULLEY PARK PETS CLINIC ADDITION
2406 N. OLD WIRE RD.
FAYETTEVILLE, ARKANSAS 72703

ROMY WALLACE
2406 N. OLD WIRE RD.
FAYETTEVILLE, ARKANSAS 72703

DATE: 11/19/25
PROJECT # 2439.01
SHEET A2.2

DRAWN BY: JTK
CHECKED BY: JTK

Revision Schedule		
Rev. #	Date	Description

FOR PERMIT & CONSTRUCTION

KEY ARCHITECTURE INC.

P.O. BOX 748 FAYETTEVILLE, ARKANSAS 72702
PH: 479.444.6066 FAX: 479.444.1445



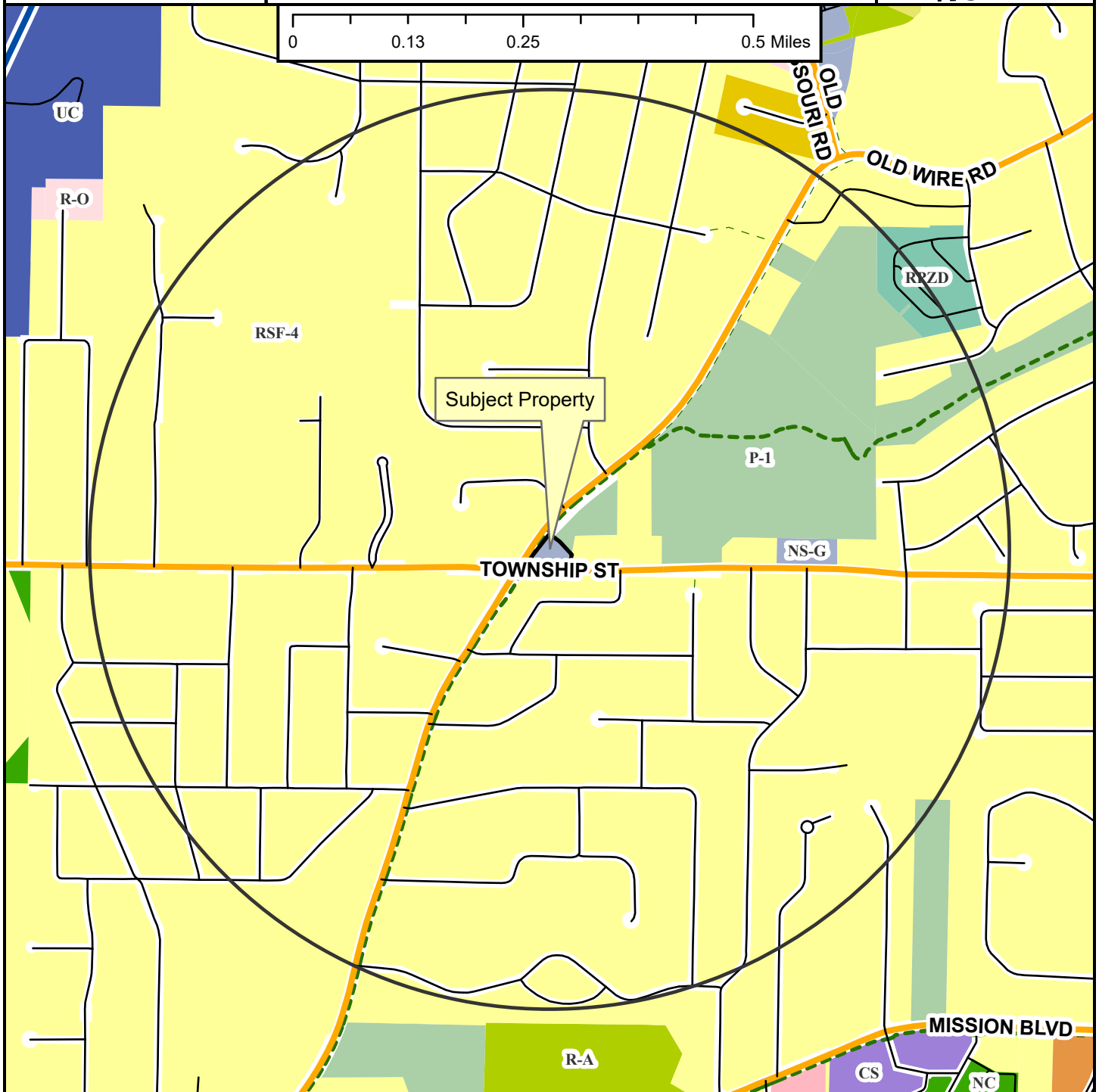
VAR-2025-0055

2406 N. OLD WIRE RD

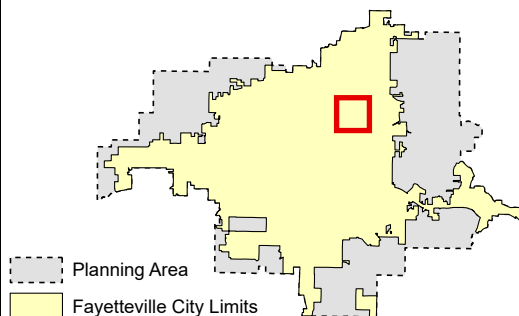
One Mile View



0 0.13 0.25 0.5 Miles



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



Planning Commission

December 8, 2025

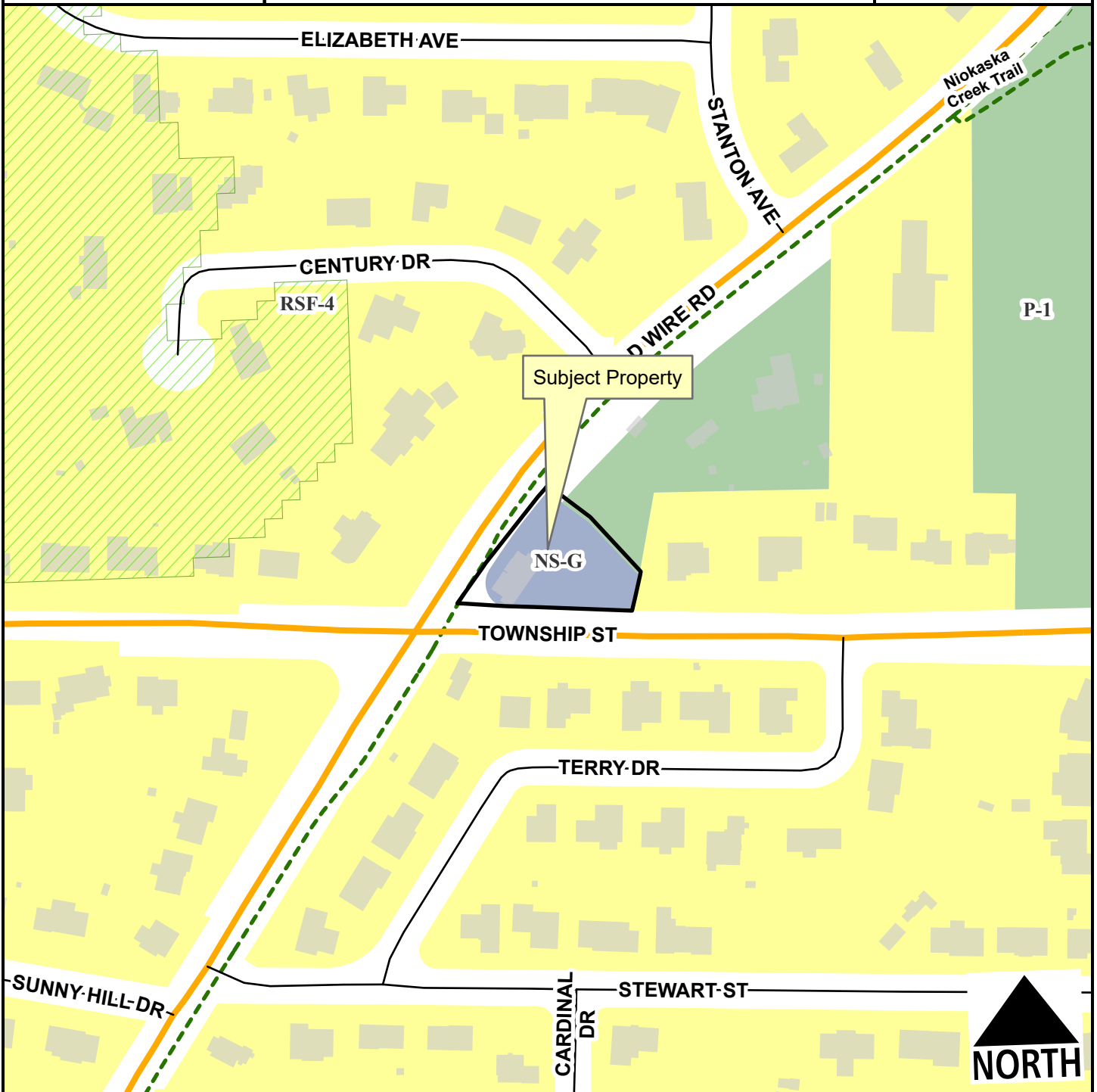
VAR-2025-0055 (GULLEY PARK PET CLINIC)

Page 7 of 13

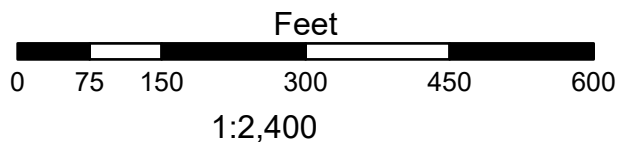
VAR-2025-0055

2406 N. OLD WIRE RD

Close Up View



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



VAR-2025-0055

2406 N. OLD WIRE RD

Current Land Use



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



KEY ARCHITECTURE, INC. P.O. BOX 748 FAYETTEVILLE, ARKANSAS 72702 PH: 479.444.6066 FAX: 479.444.1445

November 12, 2025 (revised 11/24/25)

Chairperson
Board of Adjustments
City of Fayetteville
Fayetteville, AR 72701

Re: Variance Request for minimum glazing requirements.
Gulley Park Pets Clinic, 2406 N Old Wire Rd., Fayetteville, AR 72703

Dear Chairperson:

With this Application for a Variance we respectfully request a variance to the minimum glazing percentage requirement in UDC 166.24(D)(7)(b)(i) and 166.24(D)(7)(b)(ii).

We are adding to the existing building which was built prior to being rezoned NS-G. When the existing building was constructed, there were no minimum glazing requirements. The size of the proposed addition, requires this entire building meet the glazing requirements listed in this ordinance. Due to the existing layout of the building along with it's construction type, meeting the minimum glazing requirements would result in extensive demolition and renovation to the exterior and interior of the existing building. This would also likely compromise the structural integrity of the existing wood framed structure.

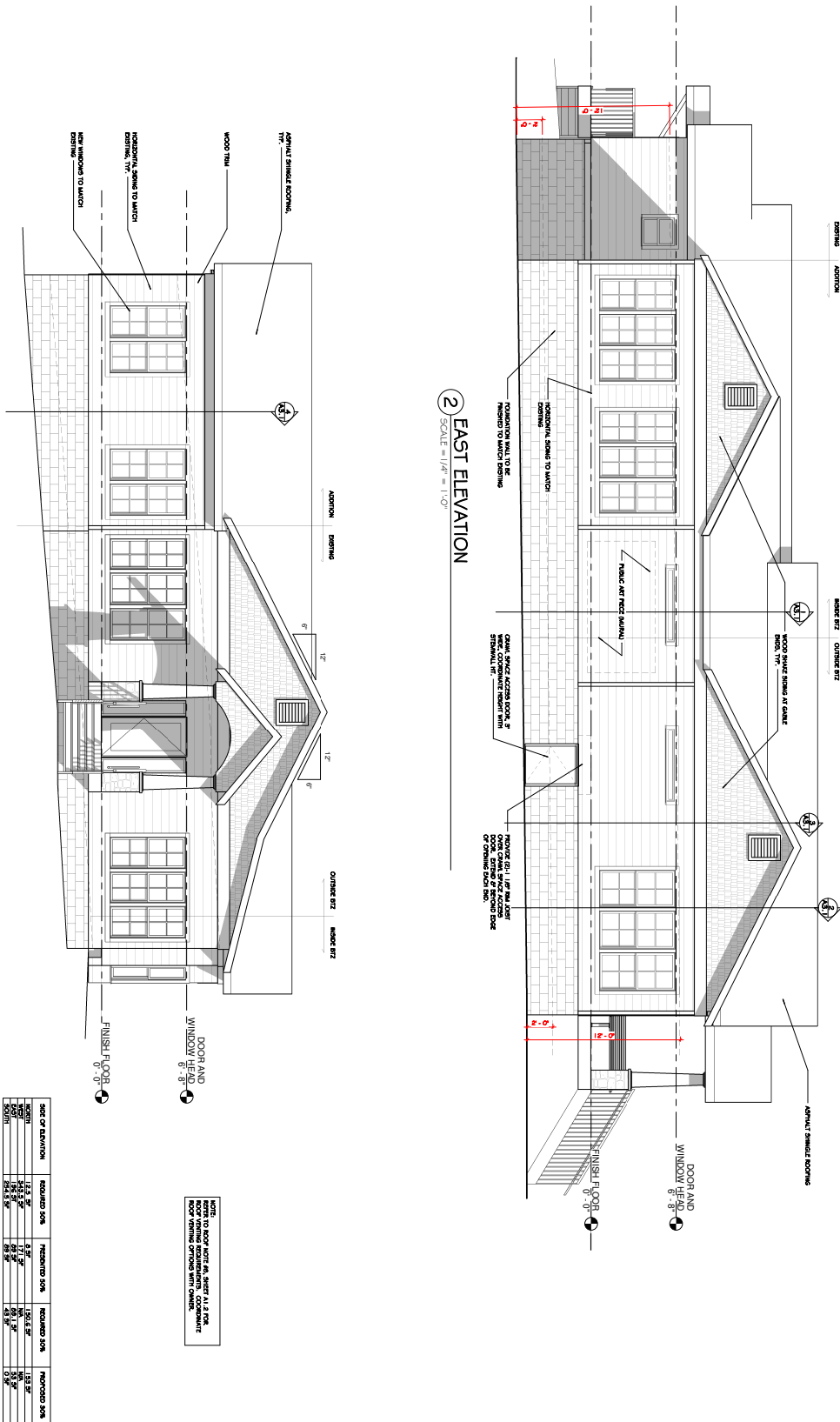
We have planned to meet the minimum 50% glazing requirement within the build-to-zone and minimum 30% glazing requirement outside of the build-to-zone on the planned addition. Elevations with the percentages for all portions of the building have been provided. We are asking for the variance for the existing structure only.

We thank you for your consideration of this appeal.

Respectfully,

Eric Pace, Senior Project Manager

Key Architecture, Inc.



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

SIZE OF ELEVATION	REQUIRED SIZE	PROPOSED SIZE	REQUIRED SIZE	PROPOSED SIZE
FRONT	14'-0" x 3'-0"	14'-0" x 3'-0"	14'-0" x 3'-0"	14'-0" x 3'-0"
REAR	14'-0" x 3'-0"	14'-0" x 3'-0"	14'-0" x 3'-0"	14'-0" x 3'-0"
SOUTH	14'-0" x 3'-0"	14'-0" x 3'-0"	14'-0" x 3'-0"	14'-0" x 3'-0"

NOTES:
1. REFER TO ROOM SCHEDULE SHEET 1.1 FOR
ROOM SCHEDULES AND ROOM VENTING
REQUIREMENTS WITH OWNER.

GULLEY PARK PETS CLINIC ADDITION 2406 N. OLD WIRE RD. FAYETTEVILLE, ARKANSAS 72703	
DATE 10/14/25	DESIGNED BY ROMY WALLACE
PROJECT # 2439.01	CHECKED BY JTK
SHEET A2.1	

Revision Schedule		
Rev. #	Date	Description

FOR PERMIT &
CONSTRUCTION

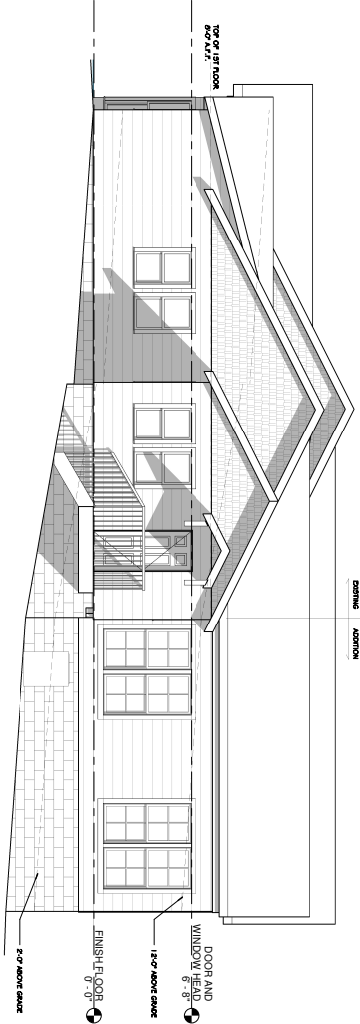
KEY ARCHITECTURE INC.

P.O. BOX 748
FAYETTEVILLE, ARKANSAS 72703
PH: 479.443.8866 FAX: 479.443.8867
WWW.KEYARCHITECTUREINC.COM

Planning Commission
December 2, 2025

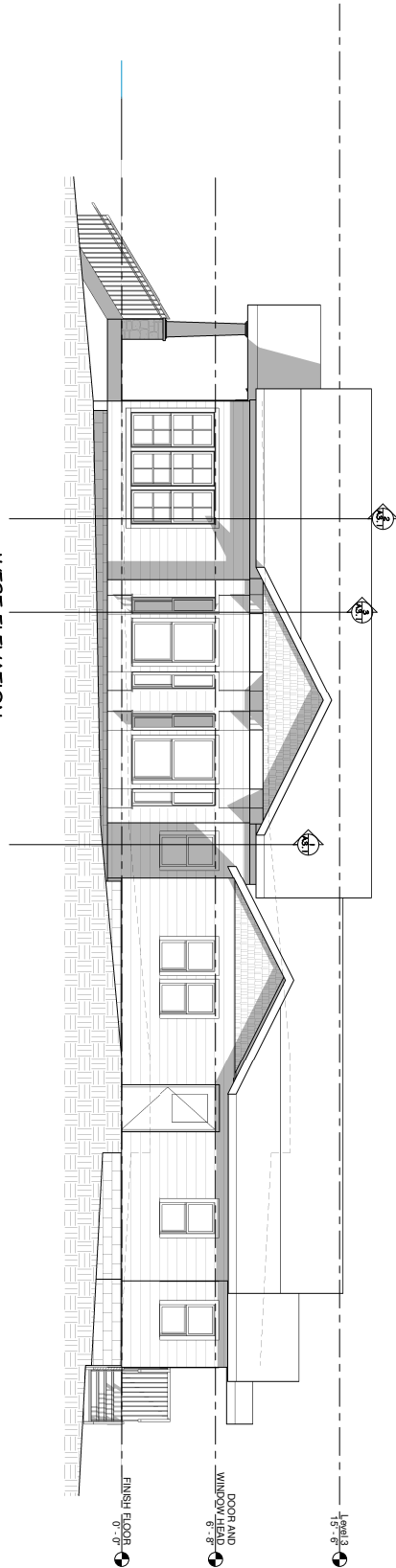


① SOUTH ELEVATION
SCALE = 1/4" = 1'-0"



SIZE OF ELEVATION	REQUIRED SIZE	PROPOSED SIZE	REQUIRED SIZE	PROPOSED SIZE
HEIGHT	14'-0"	14'-0"	14'-0"	14'-0"
WIDTH	14'-0"	14'-0"	14'-0"	14'-0"
AREA	196'-0"	196'-0"	196'-0"	196'-0"

② WEST ELEVATION
SCALE = 1/4" = 1'-0"



ELEVATIONS
A2.2

DATE: 11/20/25
PROJECT # 2439.01
SHEET
JTK

GULLEY PARK PETS CLINIC ADDITION
2406 N. OLD WIRE RD.
FAYETTEVILLE, ARKANSAS 72703
ROMY WALLACE
2406 N. OLD WIRE RD.
FAYETTEVILLE, ARKANSAS 72703

Revision Schedule		
Rev. #	Date	Description

FOR PERMIT &
CONSTRUCTION

KEY ARCHITECTURE INC.

P.O. BOX 748
FAYETTEVILLE, ARKANSAS 72703
PH: 479.443.8866

Planning Commission
December 2, 2025





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner
Justin Bland, City Engineer
Willa Thomason, Urban Forester

MEETING: December 8, 2025

SUBJECT: **LSD-2025-0014: Large Scale Development (1755 S. ARMSTRONG AVE/PACKAGING SPECIALTIES INC, 604):** Submitted by MCCLELLAND CONSULTING ENGINEERS for property located at 1755 S. ARMSTRONG RD. The property is zoned I-2, GENERAL INDUSTRIAL and contains approximately 5.14 acres. The request is for a 750-square foot loading dock, associated driveway, and park improvements

RECOMMENDATION:

Staff recommends approval **LSD-2025-0014**, with conditions.

RECOMMENDED MOTION:

*"I move to approve **LSD-2025-0014**, recommending:*

- 1. In favor of variance to §172.04(E), Dimensional Requirements;*
- 2. In favor of the recommended street improvements;*
- 3. In favor of the recommended right-of-way dedication, and*
- 4. All other conditions as recommended by staff."*

BACKGROUND:

The subject property is located in southeast Fayetteville west of the intersection of S. Armstrong Ave. and S. Happy Hollow Rd. adjacent to White River Park. The parcel is zoned I-2, General Industrial, is approximately 5.14 acres, and contains a 29,700 square foot warehouse that Washington County records indicate was constructed in 1994. The property is partially encumbered by hydric soils and FEMA floodplain.

Packaging Specialties, Inc. and the City of Fayetteville have agreed to enter into a twenty- year lease to permit PSI to utilize a portion of the park property directly south of the subject area in exchange for several conditions (RES 174-25). Under the terms of the lease, the proposed access road must remain open to the public, including for potential future trail use, and its final design is subject to approval by the City. As compensation for the use of park land, PSI has committed to constructing several park amenities within White River Park including accessible parking spaces, sidewalks, a pergola with a picnic table, and other related park features with this request (LSD-2025-0014). Additionally, a second phase of development for a 24,000 square foot warehouse addition is proposed as a later phase (LSD-2025-0017). A Board of Adjustment variance was approved on November 3, 2025 to permit the loading dock to encroach 24.18 feet into the 25-foot side setback (BOA-2025-0019). Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Manufacturing	I-2, General Industrial
South	White River Park	P-1, Institutional
East	City of Fayetteville Shop (Fleet, Solid Waste, and Other Services)	I-2, General Industrial
West	Manufacturing	I-2, General Industrial

Proposal: The applicant requests Large Scale Development approval to construct a 790-square foot loading dock addition, as well as constructing several park amenities within White River Park including accessible parking spaces, sidewalks, and a pergola with a picnic table. One variance has been requested.

Variance #1: UDC §172.04(E), Dimensional Requirements. To reduce excessive paving and ensure the safe and efficient movement of both vehicles and pedestrians through a parking lot, the City's parking lot design standards mandate two-way drive aisle widths of 24 feet. The applicant proposes to exceed this width throughout the proposed development, noting that this is needed for the maneuvering of larger delivery vehicles accessing the proposed loading dock. Additionally, the applicant proposes standard parking stalls that vary slightly from the standard 9' x 19' width.

- a. *Staff recommendation: Staff acknowledges the unique scope of the project, with a shared semi-truck loading dock drive area also serving as vehicle access for shared parking for the adjacent park's property. This general layout of the development was previously approved by resolution ay City Council. The provided maneuvering exhibit indicated the driveway appears to be as small as feasible to facilitate the larger turning radii required by semis, and the parking spaces are in line with the intent of the parking standards. Slightly longer stalls could be a benefit to parking associated with parks given potential for bike racks and other recreational uses that could result in longer vehicles. Staff finds the intent of the ordinance is still being met and recommends no additional conditions.*

Right-of-Way to be Dedicated: The property has frontage along S. Armstrong Ave., Neighborhood Link which typically requires 33.5' of dedication from street centerline. As existing right-of-way exceeds this requirement, staff recommends no additional dedication.

Street Improvements: Given the small scope of the request and the significantly larger second phase currently under review, staff recommends no street improvements associated with LSD-2025-0014.

Access Management/Connectivity: The proposed plans include a connection to an existing driveway located off of S. Armstrong Rd. No new driveways are proposed.

Design Standards: The development is subject to §172.04 Parking Lot Design Standards. A variance to dimensional standards within this section has been requested above. Industrial uses are not subject to either §166.24 Nonresidential Design Standards or §166.25 Commercial, Office and Mixed-Use Design Standards.

Commercial and industrial uses within Fayetteville include parking maximums rather than minimums. The proposal includes the addition of five parking spaces intended to serve the White River Park trailhead access, which were approved as part of Resolution 174-25.

Water and Sewer System: There is an existing 12" water main along the east side of the property along S. Armstrong Ave. The applicant is proposing to tie to this water main and extend a 6" fire line to the building. The existing building has a domestic water service in place will support the current project changes. There is an existing 30" sewer main on the lot to the north which the existing sewer service for the building ties to. The applicant is proposing a new 2" sewer service that will tie to the existing sewer service and serve a new restroom that is proposed within the building.

Parkland dedication or fee in-lieu: Commercial developments are not subject to parkland dedication.

Tree Preservation: A tree preservation waiver was submitted as there are no existing trees on the property.

Public Comment: Staff has not received any public comment at this time.

RECOMMENDATION: Staff recommends approval of **LSD-2025-0014**, with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of variance to UDC §172.04(E), Parking Lot Dimensional Standards.** *Staff recommends approval of the requested variance with no added conditions.*
2. **Planning Commission determination of right-of-way dedication.** *Staff recommends no additional right-of-way dedication.*
3. **Planning Commission determination of street improvements.** *Staff recommends no street improvements.*
4. Applicant shall construct park facilities including accessible parking, sidewalks, pergola, a picnic table, and related park features within White River Park, as detailed in Resolution 174-25. All details necessary to construct said improvements shall be provided prior to issuance of a building permit.
5. All comments from Planning staff must be addressed prior to grading permit including:
 - a. Any designated pedestrian paths shall be clearly defined and separate from drive aisles and driveways.
 - b. Proposed bike parking shall comply with all standards of UDC §172.10 Bicycle Parking Rack Requirements.
 - c. Master street plan and existing ROW shall be clearly shown and dimensioned.
6. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto:

Standard conditions of approval:

7. Development review comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks Electric, SWEPCO, and Cox Communications);

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

Planning Commission Action: ☐ **Approved** ☐ **Tabled** ☐ **Denied**

Meeting Date: December 8, 2025

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

Attachments:

- UDC §172.04 Parking Lot Design Standards
 - Project Maps
 - One Mile Map
 - Close Up Map
 - Current Land Use Map
 - Staff Exhibits
 - BOA-2025-0019 Conditions of Approval
 - Approved RES-174-25
 - Engineering Memo
 - Urban Forestry Memo
 - Applicant Exhibits
 - Request Letter
 - Variance Request Letter
 - Site Plans
 - Elevations
-

172.04 Parking Lot Design Standards

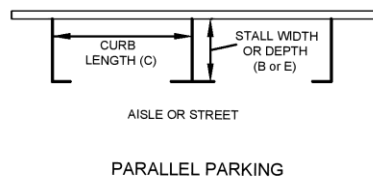
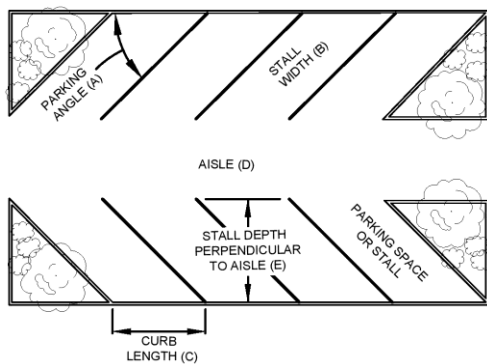
(See: Illustration: Parking Dimension Factors)

...

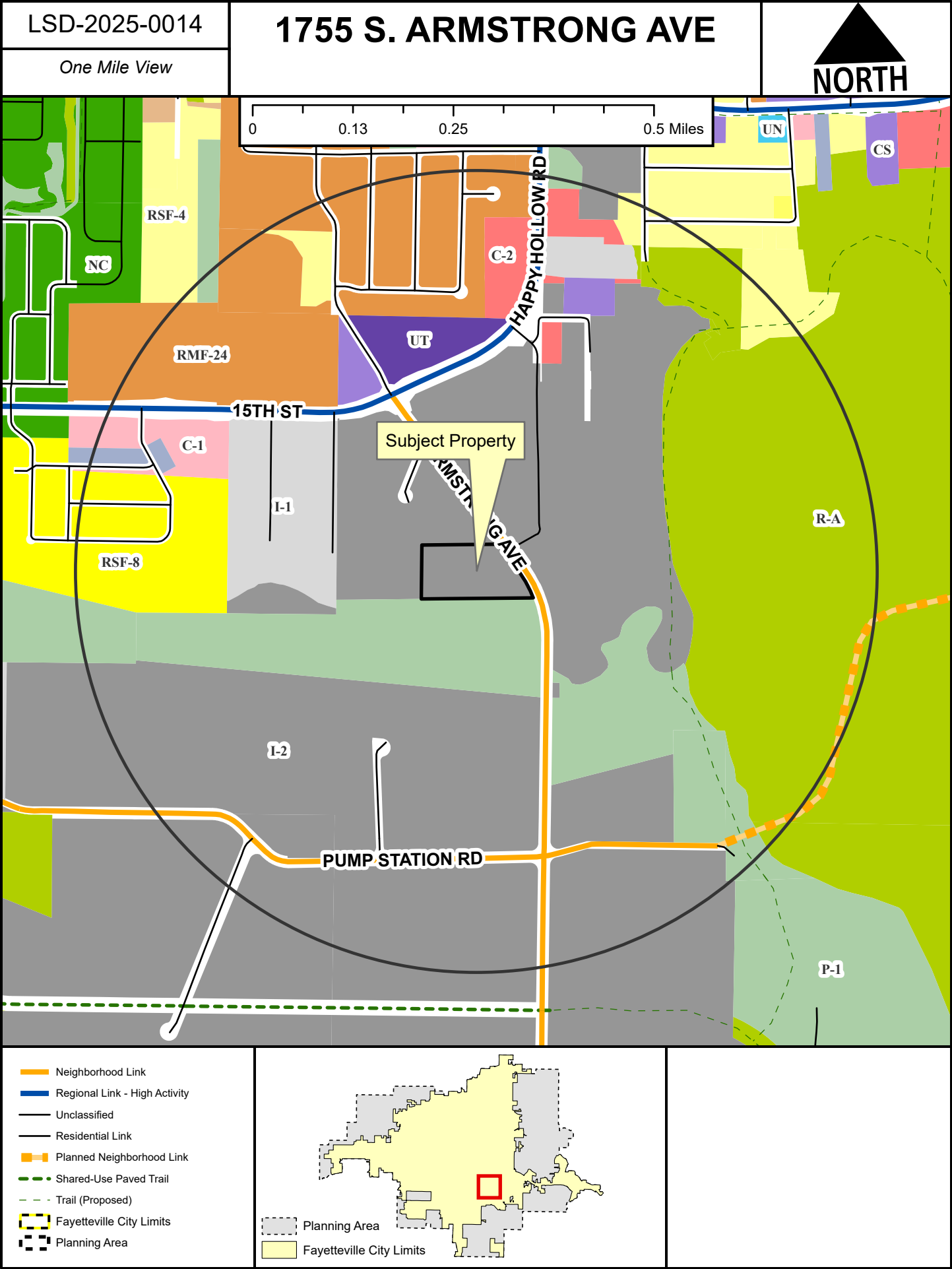
(E) *Dimensional Requirements.* (See Table 1)

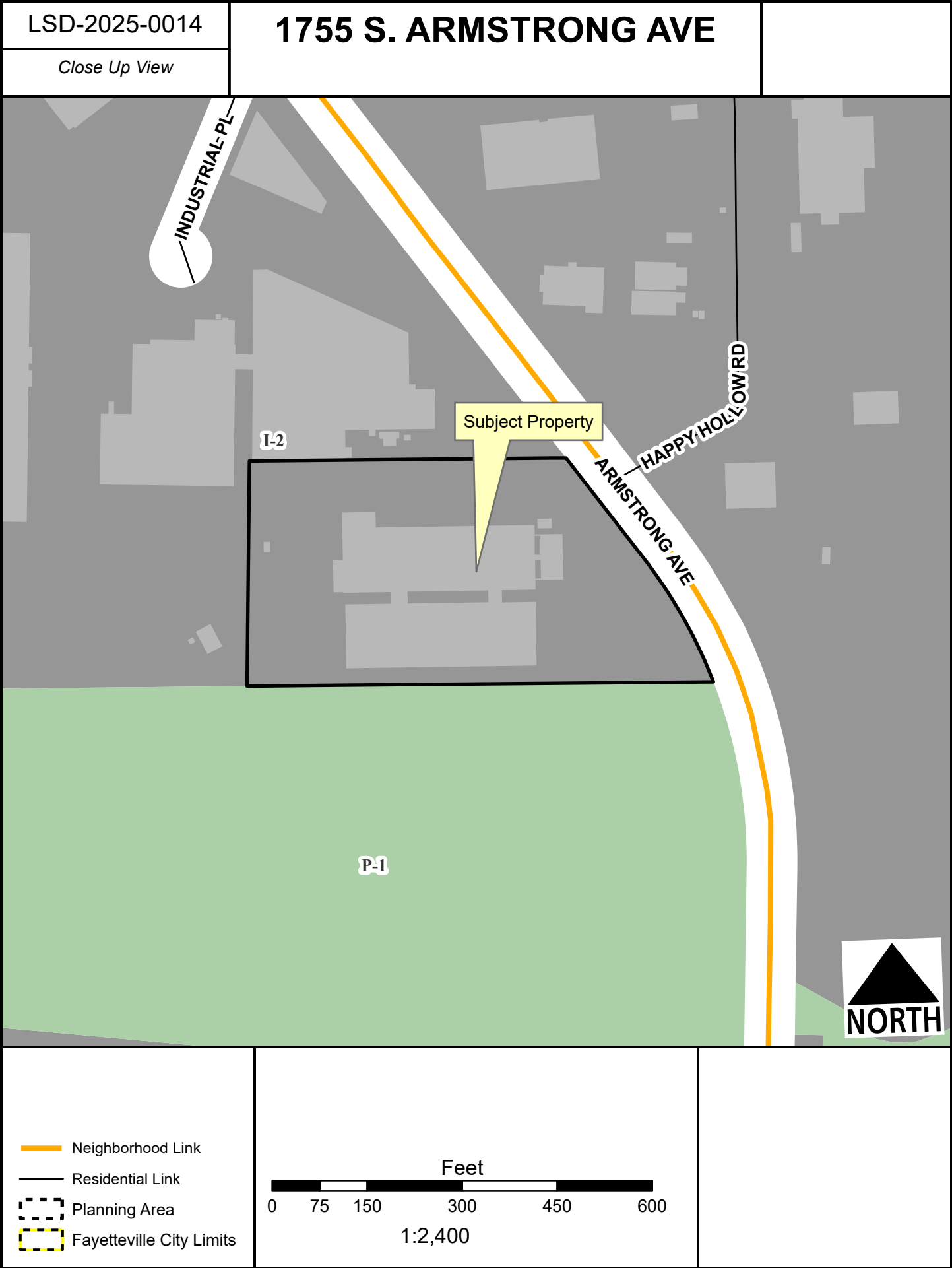
TABLE 1
DIMENSIONAL REQUIREMENTS

Angle (A)	Type	Width (in ft.) (B)	Curb length (in ft.) (C)	One-way aisle width (in ft.) (D)	Two-way aisle width (in ft.) (D)	Stall depth (in ft.) E)
0°	Standard	8	22.5	12	24	8
Parallel	Compact	7.5	19.5	12	24	7.5
30°	Standard	9	18	12	24	17
	Compact	8	15	12	24	14
45°	Standard	9	12.5	12	24	19
	Compact	8	10.5	12	24	16
60°	Standard	9	10.5	18	24	20
	Compact	8	8.5	15	24	16.5
90°	Standard	9	9	24	24	19
	Compact	8	7.5	22	24	15
	Motorcycle/Scooter	3	3	12-24	24	7.5—9



(Ord. No. 4725, 7-19-05; Ord. No. 4855, 4-18-06; Ord. No. 4917, 9-05-06; Ord. No. 5044, 8-07-07; Ord. No. 5079, 11-20-07; Ord. No. 5297, 12-15-09; Ord. No. 5592, 06-18-13; Ord. No. 5680, 4-15-14; Ord. No. 5841, §§1—3, 1-5-16; Ord. No. 5859, §2, 3-15-16; Ord. No. 6325, §1, 6-16-20; Ord. No. 6350, §9(Exh. G), 8-18-20; Ord. No. 6864, §1, 5-6-25)





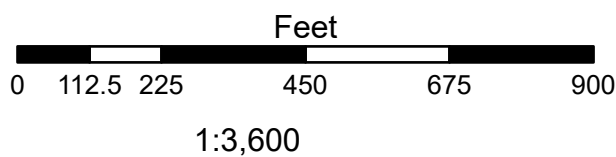
LSD-2025-0014

1755 S. ARMSTRONG AVE

Current Land Use



- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

BOA-2025-0019 Conditions of Approval:

- 1. Approval of this variance is limited to the applicant's request as described in this report,**
- 2. The east and south façade of the loading dock expansion shall be constructed of high-quality materials such as brick or stone; OR shall be otherwise be improved with public art, climbing vines, or other materials that create visual interest from the adjacent park amenities.**
- 3. Approval of this variance does not grant approval of or entitlement to any other zoning or development variances.**



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

Resolution: 174-25

File Number: 2025-1251

A RESOLUTION TO APPROVE A TWENTY-YEAR LEASE AGREEMENT WITH PACKAGING SPECIALTIES, INC. FOR APPROXIMATELY 12,500 SQUARE FEET ALONG THE NORTHERN BOUNDARY OF WHITE RIVER PARK WHICH WILL ALLOW FOR THE CONSTRUCTION OF A FIRE ACCESS ROAD AND PARK AMENITIES, WITH AUTOMATIC RENEWALS IN INCREMENTS OF FIVE YEARS

WHEREAS, Packaging Specialties, Inc (PSI) contacted the Parks, Natural Resources and Cultural Affairs Department to request permission to construct an access road that would cross into park property; and

WHEREAS, while the access road would primarily serve PSI, its proposed alignment located within the boundaries of White River Park does benefit park use by allowing for public access and future trail construction; and

WHEREAS, as compensation for the use of park land, PSI has committed to constructing several park amenities within White River Park as shown in Exhibit B to the lease agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Rawn to sign a twenty-year lease agreement with Packaging Specialties, Inc. for approximately 12,500 square feet along the northern boundary of Parcel #765-19971-00 in White River Park, which will allow for the construction of a fire access road and park amenities, with automatic renewals in increments of five years.

PASSED and APPROVED on August 5, 2025

Approved:

A handwritten signature in blue ink that reads "Molly Rawn".

Molly Rawn, Mayor

Attest:

A handwritten signature in blue ink that reads "Kara Paxton" next to the official seal of the City of Fayetteville, Arkansas. The seal is circular and contains the text "CITY OF FAYETTEVILLE, ARKANSAS" and "CLERK OF THE CITY COUNCIL".

Kara Paxton, City Clerk Treasurer



CITY OF
FAYETTEVILLE
ARKANSAS

CITY COUNCIL MEMO

2025-1251

MEETING OF AUGUST 5, 2025

TO: Mayor Rawn and City Council

THRU: Ted Jack, Park Planning Superintendent
Alison Jumper, Director of Parks, Natural Resources and Cultural Affairs
Keith Macedo, Chief of Staff

FROM: Zach Foster, Park Planner II

SUBJECT: A resolution approving a lease contract with Packaging Specialties, Inc

RECOMMENDATION:

A resolution approving a lease contract with Packaging Specialties, Inc. for approximately 12,500 square feet along the northern boundary of Parcel #765-19971-000 in White River Park.

BACKGROUND:

Packaging Specialties, Inc. (PSI) contacted the Parks, Natural Resources and Cultural Affairs Department to request permission to construct an access road that would cross into park property. While the access road would primarily serve PSI, its proposed alignment located within the boundaries of White River Park does benefit park use. Park staff met with PSI to explore ways the company could offset the impact to public land if the lease were approved.

DISCUSSION:

PSI has agreed to enter into a twenty-year lease that will automatically renew in five-year increments unless either party provides written notice to terminate. Under the terms of the lease, PSI must meet several conditions. The access road must remain open to the public, including for potential future trail use, and its final design is subject to approval by the City. As compensation for the use of park land, PSI has committed to constructing several park amenities within White River Park. These improvements include accessible parking spaces, sidewalks, a pergola with a picnic table, and other related park features. Parks staff believes these improvements provide adequate public benefit to justify PSI's limited use of park property.

BUDGET/STAFF IMPACT:

Parks staff will be responsible for reviewing drawing submittals and coordinating final design approvals.

ATTACHMENTS: 3. Staff Review Form, 4. Packaging Specialties Inc. Lease - Portion of White River Park for Access Drive, 5. Exhibit A, 6. Exhibit B

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov



City of Fayetteville, Arkansas

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

Legislation Text

File #: 2025-1251

A RESOLUTION TO APPROVE A TWENTY-YEAR LEASE AGREEMENT WITH PACKAGING SPECIALTIES, INC. FOR APPROXIMATELY 12,500 SQUARE FEET ALONG THE NORTHERN BOUNDARY OF WHITE RIVER PARK WHICH WILL ALLOW FOR THE CONSTRUCTION OF A FIRE ACCESS ROAD AND PARK AMENITIES, WITH AUTOMATIC RENEWALS IN INCREMENTS OF FIVE YEARS

WHEREAS, Packaging Specialties, Inc (PSI) contacted the Parks, Natural Resources and Cultural Affairs Department to request permission to construct an access road that would cross into park property; and

WHEREAS, while the access road would primarily serve PSI, its proposed alignment located within the boundaries of White River Park does benefit park use by allowing for public access and future trail construction; and

WHEREAS, as compensation for the use of park land, PSI has committed to constructing several park amenities within White River Park as shown in Exhibit B to the lease agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Rawn to sign a twenty-year lease agreement with Packaging Specialties, Inc. for approximately 12,500 square feet along the northern boundary of Parcel #765-19971-00 in White River Park, which will allow for the construction of a fire access road and park amenities, with automatic renewals in increments of five years.

City of Fayetteville Staff Review Form

2025-1251**Item ID****8/5/2025**City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Zach Foster

7/15/2025

PARKS & RECREATION (520)

Submitted By**Submitted Date****Division / Department****Action Recommendation:**

A resolution approving a lease contract with Packaging Specialties, Inc. for approximately 12,500 square feet along the northern boundary of Parcel #765-19971-000 in White River Park.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? No

Total Amended Budget

\$ -

Expenses (Actual+Encum)

\$ -

Available Budget

\$ -

Does item have a direct cost? No

Item Cost

\$ -

Is a Budget Adjustment attached? No

Budget Adjustment

\$ -

Remaining Budget

\$ -

V20221130

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:

LEASE

This Lease Agreement is entered into this 5th day of August, 2025, by and between the City of Fayetteville, Arkansas ("City") and Packaging Specialties, Inc. ("PSI").

WITNESSETH:

1. **LEASED PREMISES.** For and in consideration of the lease, covenants and agreements herein entered into and agreed upon by PSI as obligations to the City of Fayetteville, the City of Fayetteville leases to PSI, subject to the terms and conditions contained herein, a portion of land approximately 12,500 square feet along the northern boundary of Parcel #765-19971-000 in White River Park (the "Leased Premises") as shown in the map attached as Exhibit A and incorporated herein. PSI agrees to abide by and faithfully perform all of the covenants, terms, and conditions stated below.

2. **TERM.** This lease shall have an initial term of twenty (20) years commencing on the date this Agreement is signed by the Mayor. It will renew automatically in increments of five (5) years, unless either party issues a written notice to end the lease.

3. **CONSIDERATION; RIGHTS AND RESPONSIBILITIES OF PSI.** PSI agrees to furnish to the City of Fayetteville as the rental consideration for this Leased Premises, the following valuable services and actions:

- (A) PSI shall construct an access road upon the Leased Premises subject to the following requirements.
 - (1) Design and Approval: PSI shall submit detailed plans for the access road to the City for review and approval prior to construction.
 - (2) Public Access: The gravel and concrete access road shall remain accessible for public use, including emergency services and as a possible trail in the future; however, PSI shall not be liable for any claims, injuries, or damages resulting from the use of the access road by members of the public, including pedestrians, cyclists, or unauthorized vehicles. The City shall be responsible for signage, policing, and risk mitigation related to such public use.
 - (3) Maintenance: PSI shall be responsible for the ongoing maintenance and repair of the access road.
- (B) PSI shall have the right to use the Leased Premises for fire access, construction, and to conduct its business operations subject to the terms and conditions in this Agreement.
- (C) PSI shall construct park facilities including accessible parking, sidewalks, pergola, a picnic table, and related park features within White River Park, as detailed in Exhibit B.

- (D) PSI shall coordinate with the City's designated project manager to ensure compliance with City standards and minimize environmental impact during construction of the road and park facilities.
- (E) PSI shall obtain all necessary permits and approvals prior to commencing construction.
- (F) PSI shall ensure its employees, visitors, and any related associates do not impede City streets, easements, park access, and park parking spaces from public use.
- (G) PSI shall be responsible for keeping the grass within the leased premises mowed and in a satisfactory condition and the premises shall at all times be maintained in a neat and orderly condition similar in fashion to the care of their business campus.
- (H) All park construction shall be substantially completed and approved by the City before PSI can utilize the new access drive for its intended purposes.

4. **ALTERATION OF IMPROVEMENTS.** Any alteration of the improvements within the Leased Premises must be approved by the Mayor prior to such alteration.

5. **RIGHTS RESPONSIBILITIES OF THE CITY.** The City shall have the following rights and responsibilities:

- (A) The City shall not charge PSI an annual fee for use of the leased premises due to the mutually beneficial construction and maintenance of park facilities.
- (B) The City shall have the right to continue conducting City-sponsored events at White River Park, which may include the Leased Premises.
- (C) Upon approval acceptance by the City of the new park facilities to be constructed pursuant to this Agreement, the City shall be responsible for maintaining the park facilities.
- (D) The City may construct trail facilities upon the Leased Premises but will do so in a manner that does not restrict PSI's use of the access drive on the Leased Premises.
- (E) **Security and Trespass Enforcement.** The City acknowledges that White River Park is open to the public and may attract loiterers or other unauthorized individuals. The City shall retain responsibility for ensuring public safety and removing unauthorized individuals, trespassers, or loiterers from the Leased Premises and adjacent areas upon PSI's reasonable request. PSI shall not be responsible for law enforcement, security patrols, or removal of unauthorized persons beyond the ordinary scope of a commercial tenant's control.

6. **SIGNS AND ADVERTISING.** No sign, picture, advertisement, or notice shall be displayed on any part of the Leased Premises visible to the public without the previous written consent of the City of Fayetteville.

7. **LIMITED RIGHT OF ASSIGNMENT AND SUCCESSION.** This Lease agreement shall inure to the benefit of and be binding upon PSI and the City of Fayetteville. If PSI wishes to assign this Lease, it must notify the Mayor's Office in writing at least 30 days before such assignment is anticipated with the name of the proposed assignee. Unless the City Council objects by passing a Resolution forbidding such assignment within 30 days after proper notice, PSI may assign this lease if the assignee has agreed in writing to honor all the terms of this Lease.

8. **TAXES.** PSI shall pay any and all ad valorem taxes or special improvement district taxes levied and assessed against the Leased Premises and the improvements located thereon during the term of this lease. Failure to properly and timely pay any applicable tax would constitute a material breach of this Lease and justify the City of Fayetteville's termination of this Lease for cause.

9. **COMPLIANCE WITH LAWS.** PSI agrees not to violate any law, ordinance, rule or regulation of any government authority having jurisdiction of the leased premises.

10. **INSURANCE ON LEASED PREMISES.** PSI shall be responsible for maintaining appropriate insurance coverage on the Leased Premises, including commercial general liability insurance during the full term of this Lease, with coverage of not less than \$1,000,000 per occurrence and naming the City as an additional insured. The City of Fayetteville makes no warranty that this area is fit for any purposes to which Packaging Specialties, Inc may use it and shall not be liable for any injuries or damage which might occur upon the Leased premises related to PSI operations. PSI shall not be liable for any injuries to unauthorized individuals, including trespassers or members of the general public not affiliated with PSI, unless such injury is directly caused by PSI's gross negligence or willful misconduct. The City shall remain responsible for addressing and removing unauthorized individuals, trespassers, or loiterers within the public park area or adjacent property not under PSI's control.

11. **INSURANCE ON CONSTRUCTED FACILITIES.** PSI shall maintain comprehensive general liability insurance with limits not less than \$1,000,000 per occurrence, naming the City as an additional insured during construction. Proof of insurance shall be provided to the City prior to commencement of any work. Following completion of construction and acceptance of the park facilities by the City, the City shall assume all responsibility related to the use, condition, and maintenance of such park improvements. PSI shall not be liable for any injury or damage occurring within the constructed park area, except to the extent such injury or damage was caused by PSI's gross negligence or willful misconduct.

12. **RIGHT OF INSPECTION.** The City of Fayetteville shall have the right, in person or through the City of Fayetteville's duly authorized representative, at all reasonable times to inspect the Leased Premises.

13. ACCEPTANCE OF LEASED PREMISES. PSI acknowledges that it has inspected the Leased Premises and determined them adequate for its intended uses. PSI accepts the Leased Premises in its current condition.

14. RETURN OF LEASED PREMISES. At the end of the term of this Lease, or upon any other earlier termination, PSI agrees promptly and peaceably to restore possession of the Leased Premises to the City of Fayetteville in as good condition as they were when delivered to PSI, ordinary wear and tear excepted.

15. NOTICES. Any notice to PSI called for or permitted under the terms of this Lease shall be given in writing and sent by certified mail to Packaging Specialties, Inc. at 3862 East Chadwick Drive, Fayetteville, Arkansas 72702 and to the City of Fayetteville at 113 W. Mountain St., ATTN: Mayor's Office, Fayetteville, AR 72701.

16. WASTE. PSI agrees not to commit waste, nor permit waste to result or to be done to or upon the Leased Premises, nor to store or permit to be stored thereon any explosives, combustible substances or dangerous materials; nor to operate or permit to exist thereon any public or private nuisance.

17. RIGHT TO CURE. If PSI shall default in any of the covenants, agreements, conditions, or undertakings herein contained to be kept, observed and performed by PSI, the City of Fayetteville shall give notice of such default in writing to PSI and PSI shall have thirty (30) days from and after the giving of such notice to eliminate and/or cure the cause of such default. If said default is eliminated or cured with the aforementioned thirty (30) days, PSI shall not be considered in default or in breach of this lease.

18. SEVERABILITY. Each paragraph of this lease agreement is severable from all other paragraphs. In the event any court of competent jurisdiction determines that any paragraph or subparagraph is invalid or unenforceable for any reason, all remaining paragraphs and subparagraphs will remain in full force and effect.

19. INTERPRETATION AND VENUE. This Lease agreement shall be interpreted according to and enforced under the laws of the State of Arkansas with proper jurisdiction and venue in Washington County, Arkansas.

20. ENTIRE AGREEMENT. This Lease agreement contains the entire agreement of both parties hereto, and no other oral or written agreement shall be binding on the parties hereto.

21. NON-WAIVER PROVISION. The failure of the City of Fayetteville or PSI to insist upon the strict and literal performance of any agreement, term or condition herein or to exercise any option retained or granted by reason of a default by PSI shall not constitute a waiver of the City of Fayetteville's right thereafter to insist upon and enforce full performance of such conditions and agreements.

APPROVED RESOLUTION

22. INDEMNIFICATION. PSI agrees to indemnify, defend, and hold harmless the City, its officers, agents, and employees from any and all claims, damages, or liabilities arising out of or related to PSI's activities under this Lease agreement.

IN WITNESS WHEREOF, the City of Fayetteville, Arkansas by Mayor Molly Rawn and Packaging Specialties, Inc., by and through its Authorized Representative Brent Culp, have hereunto set their hands and seals and have caused their names to be hereunto affixed by the undersigned officers who are duly authorized to act.

PACKAGING SPECIALTIES, INC.

CITY OF FAYETTEVILLE, ARKANSAS

By: Brent Culp
Name: Brent Culp
Title: Controller

Molly Rawn
By: MOLLY RAWN, Mayor

Date signed: 7/1/2025

Date signed: 8/5/2025

Witness: Kimberly Sweets
Name: Kimberly Sweets
Title: A/P

Kara Paxton
Attest: KARA PAXTON, City Clerk-Treasurer



Proposed Lease Area

Page 20 of 36

Updated By: Zach Foster



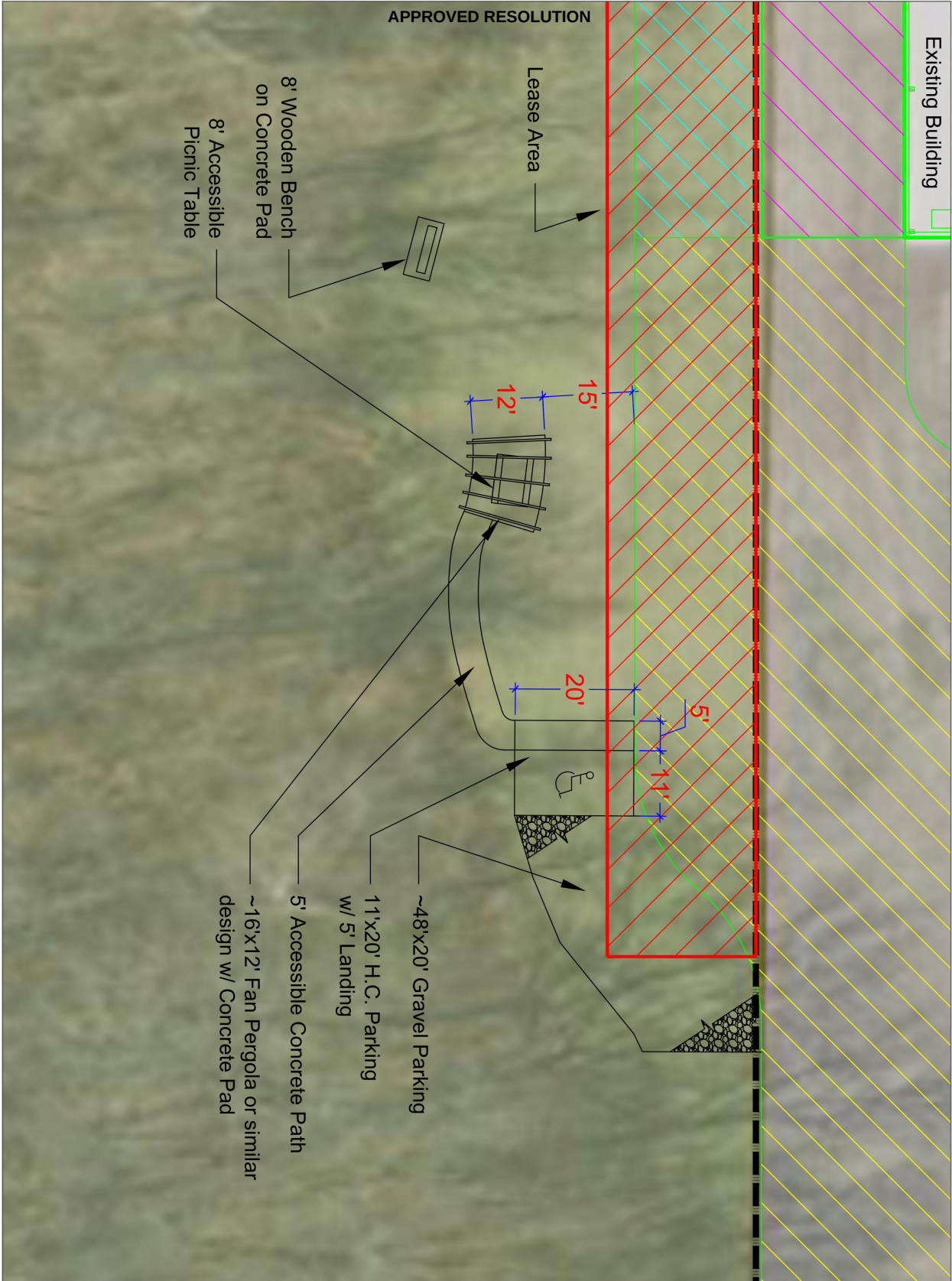


EXHIBIT B

**Proposed
Park Facilities**
Conceptual Drawing

Packaging Specialties Inc.
1663 S Armstrong Ave,
Fayetteville, AR 72701
(479) 521-2580

Created By: Chelsea
Kennedy

Updated By: Zach Foster

Scale: 1/16" = 1'-0"

Date Drawn:
October 1st, 2014
Date Updated:
May 13, 2025





TO: Donna Wonsower, Senior Planner

FROM: Justin Bland, City Engineer

DATE: November 17, 2025

SUBJECT: **Planning Commission Engineering Comments for
LSD-2025-0014**

Water: There is an existing 12" water main along the east side of the property along S. Armstrong Ave. The applicant is proposing to tie to this water main and extend a 6" fire line to the building. The existing building has a domestic water service in place will support the current project changes.

Sewer: There is an existing 30" sewer main on the lot to the north which the existing sewer service for the building ties to. The applicant is proposing a new 2" sewer service that will tie to the existing sewer service and serve a new restroom that is proposed within the building.

Drainage: The development must meet the 4 minimum standards outlined in the City's Drainage Criteria Manual. A bio-retention pond and sheet flow treatments are proposed to meet Minimum Standard 1. Minimum Standard 2 is not applicable because the 1-year storm peak flows are less than 2 cfs. Minimum Standards 3 and 4 are proposed to be met with the volume in the proposed bio-retention pond. A detailed review of the drainage improvements will be performed during the grading permit review.

Standard Comments:

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

- Waterline fittings, callouts, or utility conflicts
- Street profiles
- Fine grading/spot elevations



URBAN FORESTRY LANDSCAPE PLAN COMMENTS

To: McClelland Consulting Engineers, Inc.

From: Willa Thomason, Urban Forester

CC: Donna Wonsower, Planner

Meeting Date: November 24, 2025

Subject: LSD-2025-0014: Loading Dock (1755 S Armstrong Ave)

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

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

3. Perimeter Landscaping Requirements	Yes	No	N/A
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- | | | | |
|--|---|--|---|
| a. Front Property Line (15' wide landscape) and five on sides.
<i>UDC Chapter 177.04D2a</i> | X | | |
| b. Side and Rear Property Lines (5' Wide Landscape Area)
<i>UDC Chapter 177D1</i> | | | X |
| c. Shade trees planted on south and west sides of parking lots
<i>UDC Chapter 177.04D2e</i> | | | X |
| d. Screening of parking lot from adjacent residential properties and the street. | | | 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
---------------------------------	--------

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|--|-----------------------|
| Mitigation Trees | N/A |
| Parking Lot Trees | N/A |
| Street Trees | Existing street trees |
| Detention Pond – Large Trees
(1 Tree/3,000 square feet) | N/A |

Detention Pond – Small Tree/Large Shrub
(4 small trees or large shrubs/3,000 square feet)

N/A

Detention Pond – Small Shrubs/Large Grasses
(6 shrubs or grasses (1 gallon)/3,000 square feet)

N/A

6. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	9-26-25 10-21-25	11-12-25
Approved		
Tabled		
Denied		

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

Comments
1. Address items above marked “No” and all Redlines provided.
2. There is no required landscaping associated with this project.



URBAN FORESTRY TREE PRESERVATION COMMENTS

To: McClelland Consulting Engineers, Inc.

From: Willa Thomason, Urban Forester

CC: Donna Wonsower, Planner

Meeting Date: November 24, 2025

Subject: LSD-2025-0014: Loading Dock (1755 S Armstrong Ave)

1. Submittal Requirements		Yes	No	N/A
Pre-Application Meeting with the Urban Forester				X
Site Analysis Map Submitted (if justification is needed)				X
Site Analysis Written Report Submitted (justification is needed)				X
Complete Tree Preservation Plan Submitted				X
Tree Mitigation Table on Plans				X
Tree Preservation Wavier Submitted (only use if no trees onsite or near P/L)		X		
2. Tree Preservation Calculations				
N/A				
3. Mitigation Requirements		Canopy below requirement	Number of 2" caliper trees to be planted	
High Priority		N/A	N/A	
Low Priority				
Total Mitigation Trees Required				
4. Mitigation Type		Yes	No	N/A
On-Site Mitigation				X
Off-Site Mitigation				X
Tree Escrow (See Conditions of Approval)				X
5. Tree Preservation Plan Checklist		Tech Plat	Planning Commission	
UDC Chapter 167.04H1and 167.04L1				
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	N/A		N/A
g.	Groupings of Trees	N/A		N/A

h. Table Inventory List (species, size, health, priority)	N/A	N/A
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	N/A	N/A
n. Submitted Site Analysis Plan (if required)	N/A	N/A
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	N/A	N/A

Tree Protection Methods

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

6. Site Analysis Report (if required) <i>UDC Chapter 167.04H4</i>	Yes	No	N/A
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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	Planning Commission
Conditionally Approved	9-25-25 10-21-25	11-12-25
Approved		
Tabled		
Denied		

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

Comments

1. Address items above marked "No" and all Redlines provided.
2. Tree preservation waiver form has been submitted – no existing trees on-site to be affected.

October 14, 2025

Development Services

RE: Packaging Specialties Loading Dock

Development Services,

We are pleased to submit our drawings for the large-scale development of a new loading dock and truck turn around for Packaging specialties. This project is designed to accommodate truck deliveries for the needs of the warehouse building at the Southeast corner of the property.

Please note the following key aspects of the project scope:

A two-bay loading dock extension is being added at the Southeast corner of the existing warehouse building. This loading dock will serve at the main delivery point for Packaging Specialties.

The approach drive for the loading dock will extend off the existing driveway approximately sixty feet to the west of the ROW at S. Armstrong Ave. This approach drive is 26 feet wide and bulges into a 100-foot-wide truck turn around before the loading dock ramp.

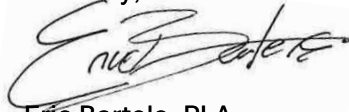
As a part of the negotiations with the city's parks staff, an agreement was made to allow this truck turn around encroach into the city's property to the south. City staff is allowing this to happen if Packaging Specialties installs three gravel parking spots and a gazebo along the southern property line for the community's use.

A request for a variance from the city's property setback requirement of 25 feet has been submitted to the Board of Adjustments. Because of the layout of the existing structure of the warehouse and the proximity of an existing storm water treatment pond, this is the only location that the loading dock can be placed for it to be functional for the property owner. The loading dock structure will encroach into this setback to the south and face the Town Branch Creek.

We are committed to ensuring this project aligns with the city's standards and vision. Should you have any questions or require further information, please feel free to contact us directly.

Thank you for your consideration. We look forward to working together on this important development for Packaging Specialties.

Sincerely,



Eric Bartels, PLA
McClelland Consulting Engineers, Inc.
Land Development Project Manager
479-443-2377
ebartels@mce.us.com

November 18, 2025

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

RE: Packaging Specialties Loading Dock (LSD-2025-0014)

Planning Commission,

This letter serves as a formal request for a variance from the dimensional parking requirements contained in UDC § 172.04, specifically § 172.04(D) regarding parking lot circulation (aisle width) and § 172.04(E) (Table 1: stall depth and aisle width standards). Based on staff's interpretation, the current configuration requires a variance in order to move forward.

The parking layout as submitted reflects the design previously approved by the Fayetteville City Council as part of the broader project approval as a part of Resolution 174-25. At staff's direction, the design team has not modified the configuration in any way that would affect the geometry of the parking area. Because the overall site design, building placement, and circulation elements were already established through that approval process, adjustments to stall depth or aisle width are not feasible without altering components that the City Council has already endorsed.

The intent of this property is not to function as a primary parking facility. Parking is a secondary component supporting the approved use, and the layout as designed meets the functional needs of the site while operating within the established framework of the prior approval. While the design team believes the configuration functions adequately, the variance is being requested to address the dimensional differences identified by staff.

For these reasons, approval of this request is respectfully sought so the project may continue through the current review process. We appreciate the City of Fayetteville's efforts and team work associated with the development of the project. If you should need any additional information, please do not hesitate to contact me.

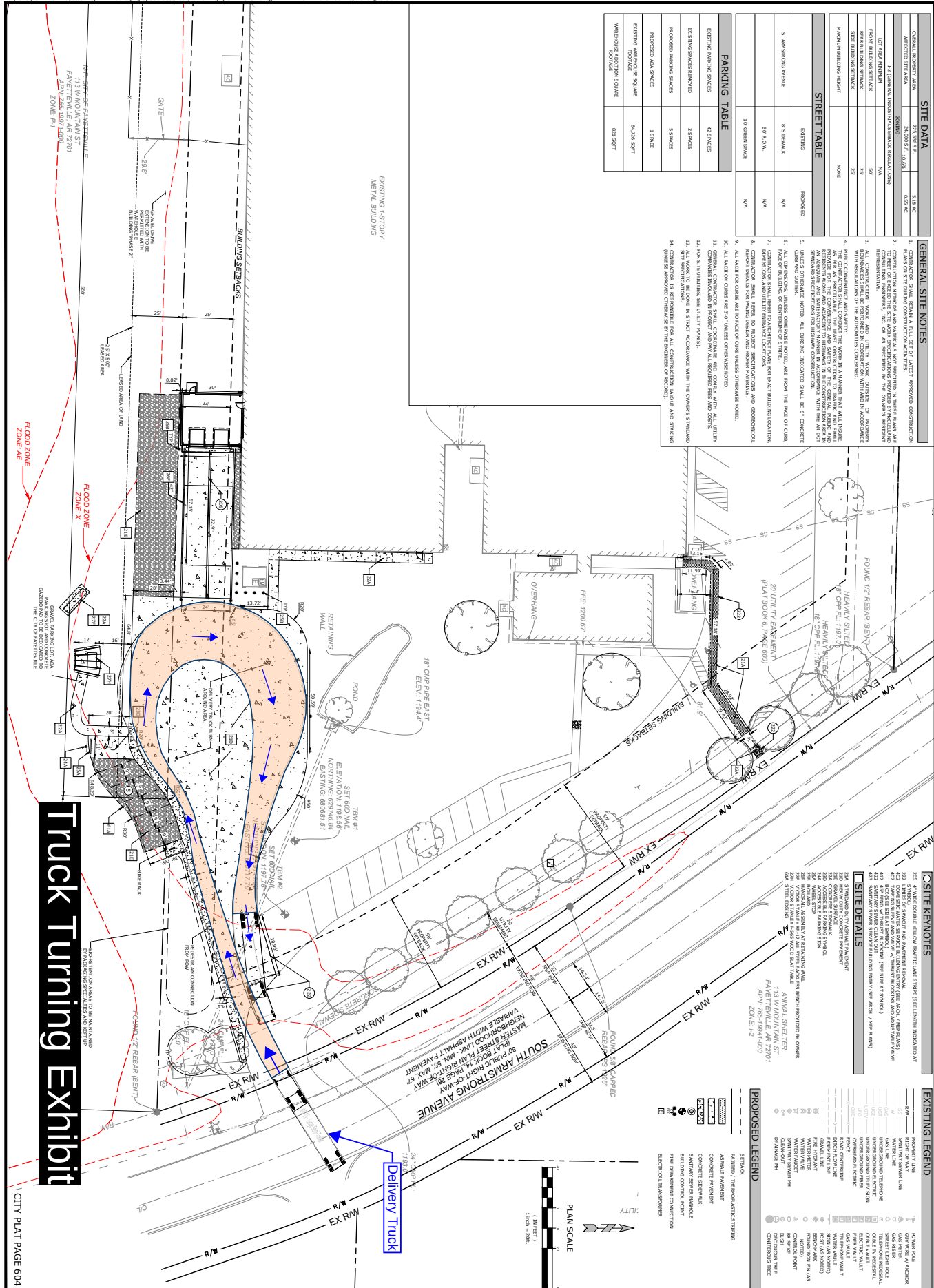
Sincerely,



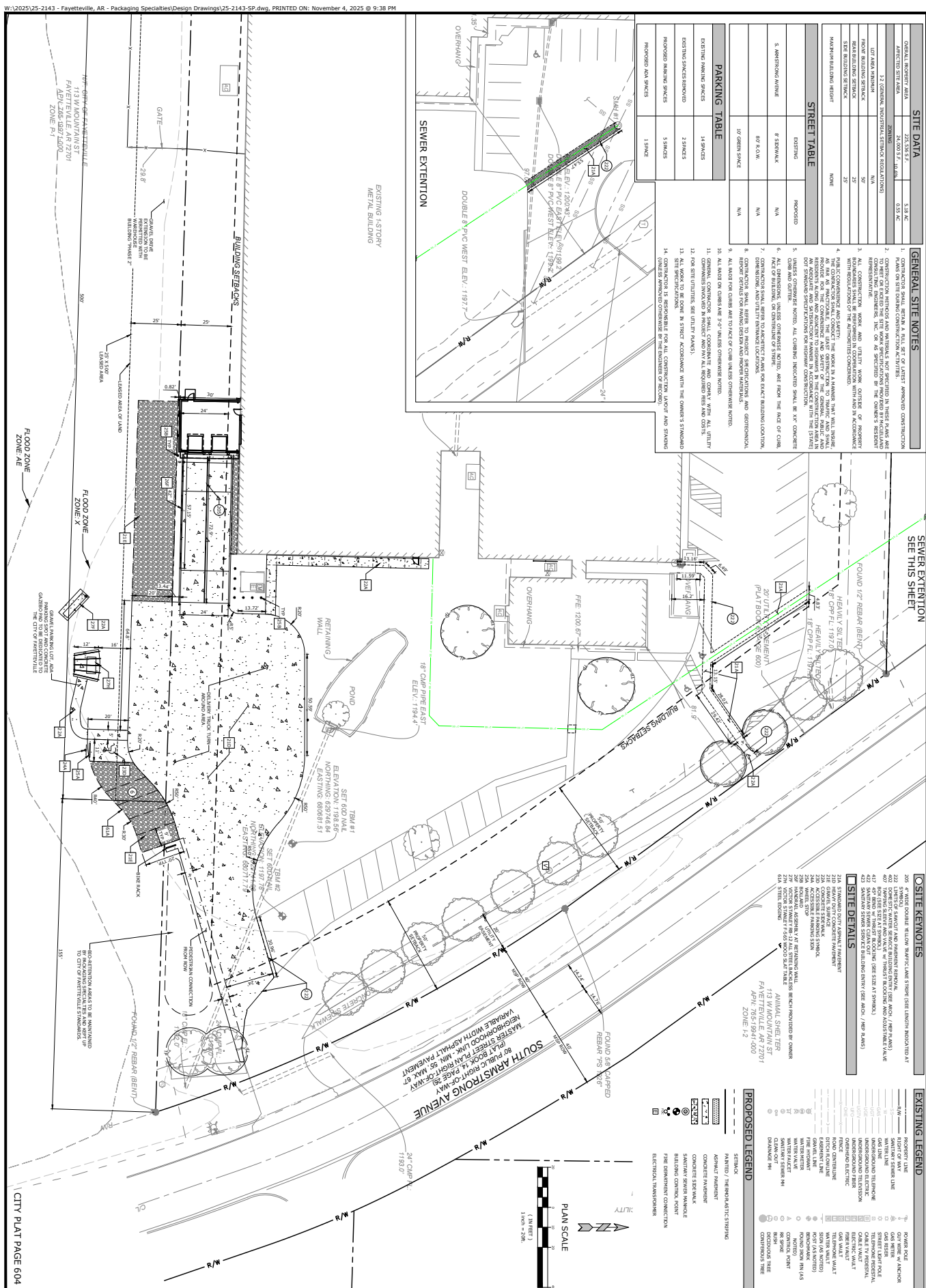
Eric Bartels, PLA,
Land Development Project Manager
McClelland Consulting Engineers, Inc.
ebartels@mce.us.com

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1. CONSTRUCTION SHALL RETURN A FULL SET OF LATEST APPROVED CONSTRUCTION PLANS ON ALL BUILDING CONSTRUCTION ACTIVITIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS TO SET OR EXISTED FOR THE WORK ACTIVITIES INVOLVED BY THE CONTRACTOR AND SUBCONTRACTORS, INC. OR AS SPECIFIED BY THE OWNER'S REPRESENTATIVE.
3. ALL CONSTRUCTION WORK AND UTILITY WORK OUTSIDE OF PROPERTY BOUNDARIES SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO'S ORDINANCES WITH REGULATIONS OF THE JURISDICTIONS CONCERNED.
4. **HAZARD IDENTIFICATION AND SAFETY:** BEFORE A WORKER SHALL ENTER ANY EXISTING OR NEW TRENCH, THE CONTRACTOR SHALL CONDUCT A HAZARD IDENTIFICATION AS MAY BE REQUIRED. THE STATE REQUIREMENTS TO TRAVEL AND SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO'S ORDINANCES. THE CONTRACTOR SHALL BE RESPONSIBLE TO INFORM THE CITY OF CHICAGO OF ANY HAZARDOUS CONDITIONS THAT MAY BE ENCOUNTERED DURING THE CONSTRUCTION WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING PROTECTION FOR EXISTING CONSTRUCTION.
5. **UTILITY ORIGINATOR NOTE:** ALL CHANGES DISCLOSED SHALL BE IN "CONCRETE COLOR CHANGES AND OTHERS."
6. **UTILITY ORIGINATOR NOTE:** THE PLAN THE FACE OF CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO'S ORDINANCES.
7. **CONSTRUCTION SHALL RETURN A COMPLETE SET OF LATEST BUILDING CONSTRUCTION PLANS ON ALL BUILDING CONSTRUCTION ACTIVITIES AND GEOTECHNICAL INFORMATION FOR EXISTING AND NEW MATERIALS.**
8. **REPORT REQUIRED FOR EXISTING AND NEW MATERIALS.**
9. **ALL WORK FOR CHAINS AND 3-D CHAINS ORIGINATOR NOTE.**
10. **ALL CHAINS ORIGINATOR NOTE.**
11. **GENERAL CONTRACTOR SHALL CONSIDER AND COMPLY WITH ALL UTILITY INFORMATION AND CHAINS ORIGINATOR NOTE.**
12. **ALL WORK TO BE DONE IN THE CITY OF CHICAGO'S ORDINANCES.**
13. **ALL CHAINS ORIGINATOR NOTE.**
14. **CONTRACTOR IS RESPONSIBLE FOR ALL CONSTRUCTION WORK AND STAKEOUTS ON ALL BUILDING CONSTRUCTION ACTIVITIES.**



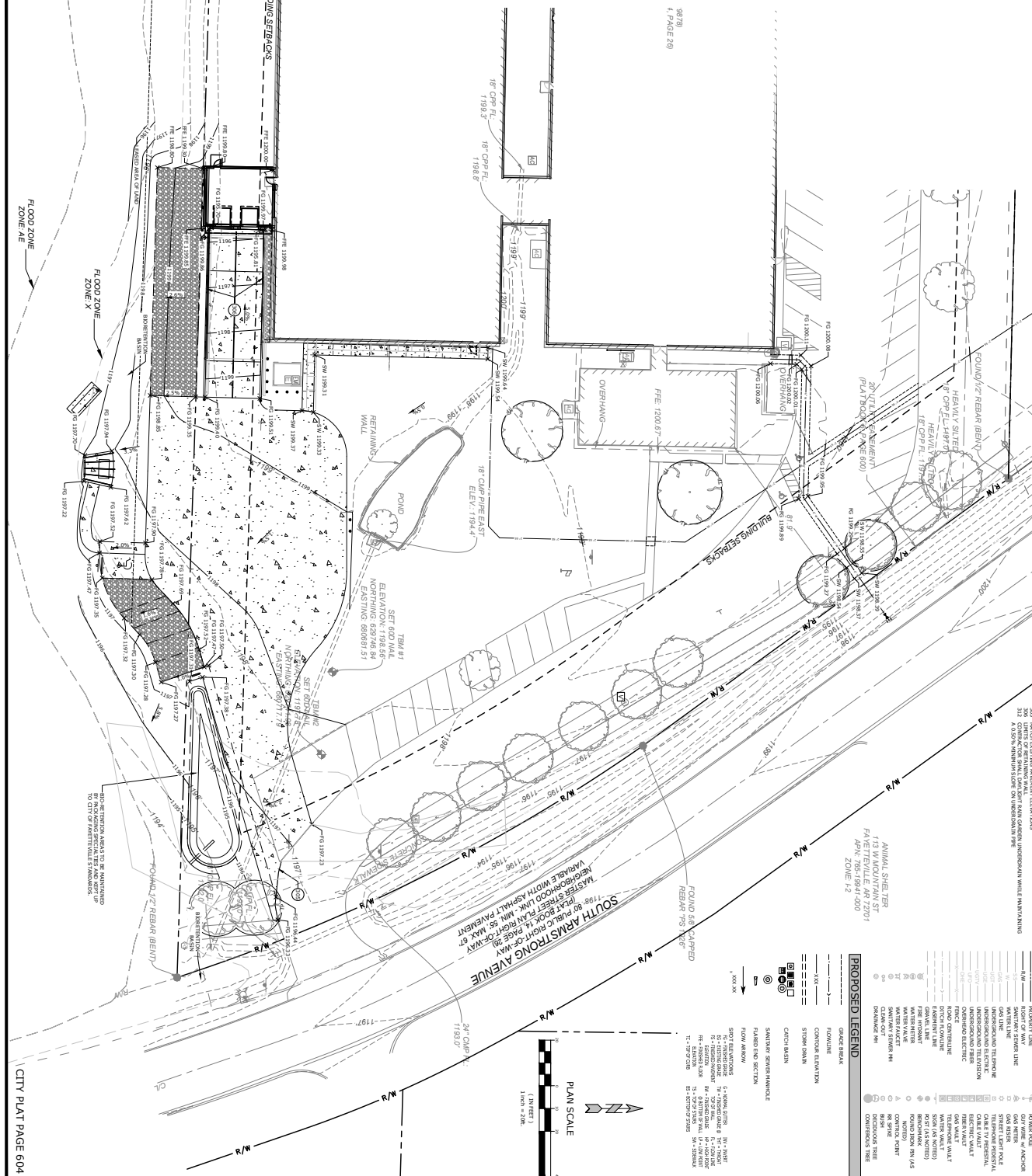
REVISIONS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">REV</th> <th style="width: 10%;">DATE</th> <th style="width: 80%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	REV	DATE	DESCRIPTION																															 18th Street PACKAGING SPECIALTIES INC. LOADING DOCK 1663 S ARMSTONG AVE FAYETTEVILLE, ARKANSAS	 McCLELLAND CONSULTING ENGINEERS, INC. Planning Commission December 4, 2025 FAYETTEVILLE, ARKANSAS 72703 666-239725
REV	DATE	DESCRIPTION																																	



GENERAL GRADING/DRAINAGE NOTES

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SEWER EXTENTION
SEE C2.0 - SITE PLAN



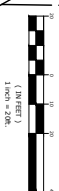
EXISTING LEGEND

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PROPOSED LEGEND

1. **ROUTINE**
 2. **CONTROL ELEMENT**
 3. **STORY PLAN**
 4. **CATCH PHRASE**
 5. **SKETCHY SCENARIO/ANALOGUE**
 6. **FLAGGED TWO SECTION**
 7. **LOW AHEAD**
 8. **STORY TELLING AIDS**
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PLAN SCALE



PACKAGING SPECIALTIES INC.
LOADING DOCK
1663 S ARMSTONG AVE
FAYETTEVILLE, ARKANSAS

MCE McCLELLAND
CONSULTING
ENGINEERS, INC.
Planning Commission
FAYETTEVILLE, ARKANSAS 72703
December 8, 2025
(479) 448-2571

Page 34 of 36

REVISIONS		
REV	DATE	DESCRIPTION

GRADING PLAN

AS NOIED	23-2143
C4.0	

[illegible]

NOTE: NO EXISTING TREES ARE BEING AFFECTED AS PART OF THIS PROJECT

PROPOSED LEGEND

SEED (SEE PLANTING LIST - THIS SHEET)
SOO (SEE PLANTING LIST - THIS SHEET)
SHRUB PLANTING (SEE PLANTING LIST - THIS SHEET)

LANDSCAPE KEYNOTES

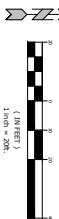
LANDSCAPE

602 SODDED AREA
603 STONE MULCH
61A STEEL EDGING
62A LEVEL 2 BIORETENTION
69B SHRUB PLANTING

EXISTING LEGEND

[illegible]

PLAN SCALE



1 inch = 20ft.

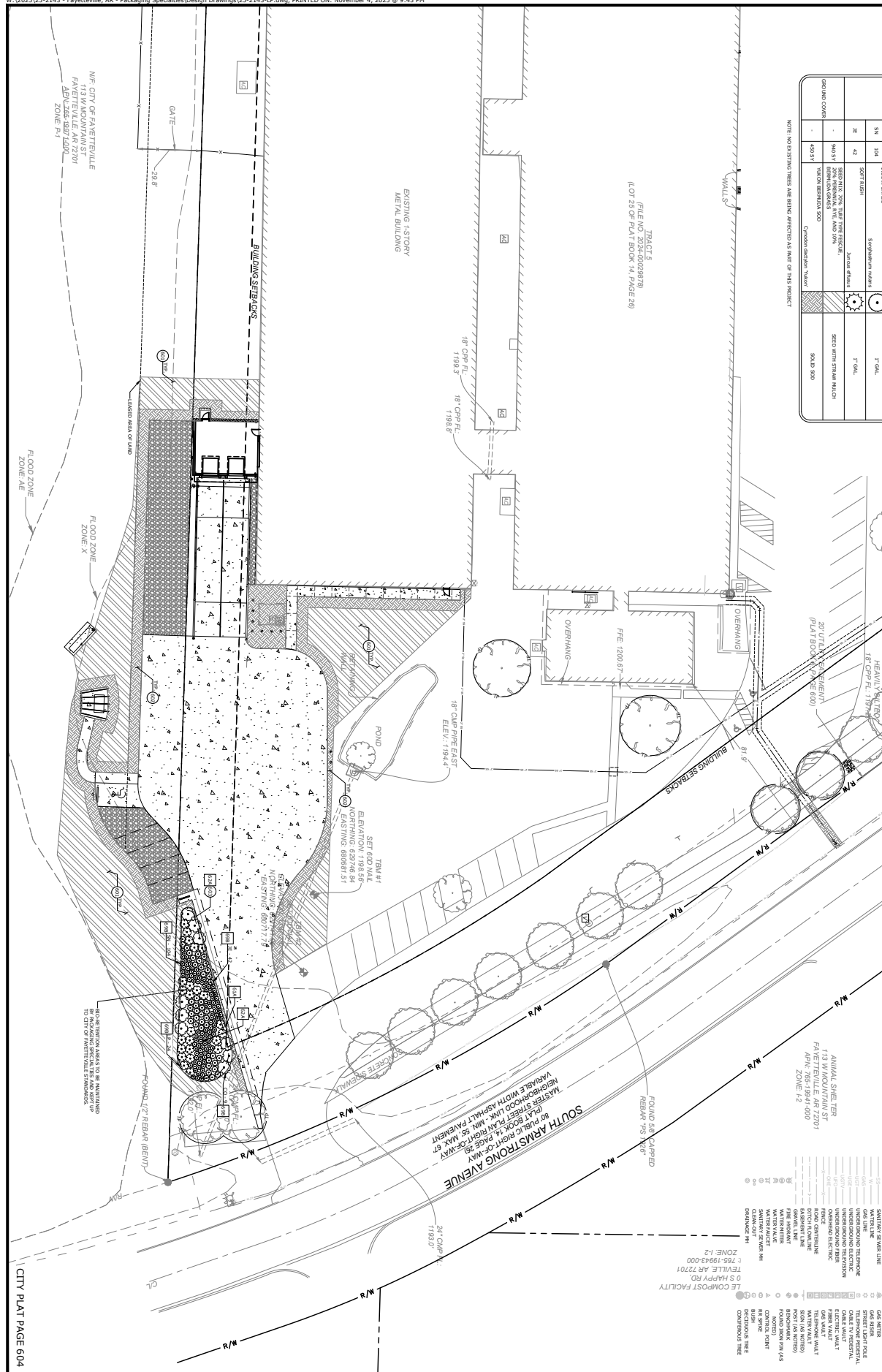
1

PACKAGING SPECIALTIES INC.
LOADING DOCK
1663 S ARMSTONG AVE
FAYETTEVILLE, ARKANSAS

LSD-2025-00146P

MCE MACLELLAND
CONSULTING
ENGINEERS, INC.
Planning Commission
FAYETTEVILLE, ARKANSAS 72703
December 8, 2025

Page 35 of 36



CITY PLAT PAGE 604

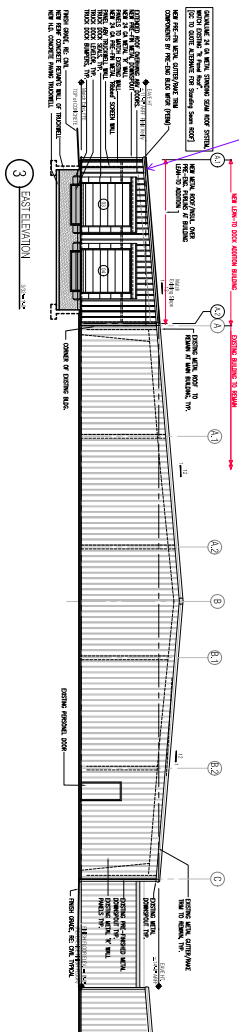
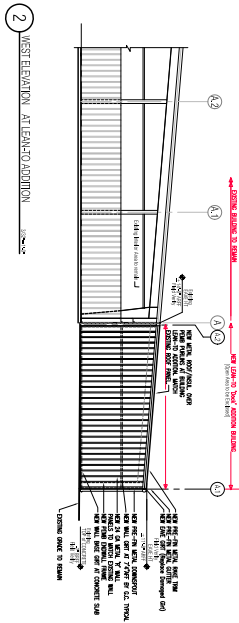
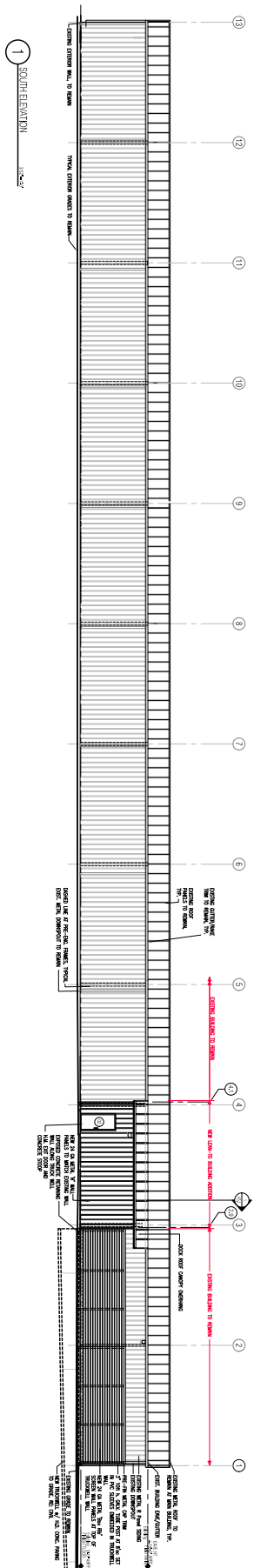
LANDSCAPE
PLAN

C6.0

REVISIONS

REVISIONS		
REV	DATE	DESCRIPTION







TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Wesley Frank, Planner
Justin Bland, City Engineer
Bethany Douglas, Urban Forester

MEETING: December 8, 2025

SUBJECT: **LSD-2025-0018: Large Scale Development (2188 W. OLD FARMINGTON RD/RAMAY JUNIOR HIGH SCHOOL, 520):** Submitted by CRAFTON TULL for property located at 2188 W. OLD FARMINGTON RD. The property is zoned P-1, INSTITUTIONAL and contains approximately 18.0 acres. The request is for an approximately 9-acre renovation and rebuilding of the existing track and field, bleachers, and scoreboard.

RECOMMENDATION:

Staff recommends approval of **LSD-2025-0018**, with conditions.

RECOMMENDED MOTION:

*"I move to approve **LSD-2025-0018**, recommending:*

- 1. In favor of the recommended right-of-way dedication, and*
- 2. All other conditions as recommended by staff."*

BACKGROUND:

The subject property, Ramay Junior High School, is in central Fayetteville, northwest of the intersection of W. Martin Luther King Jr. Blvd. and S. Sang Ave. The site encompasses approximately 9.0 acres of the overall 18-acre property; the site is currently developed with the school, track and field, bleachers, and scoreboard, among other amenities. The subject site does not lie in any overlay districts. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1: Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Meadow Brook Apartments	RMF-24, Residential Multi-family, 24 Units per Acre
South	Commercial	C-2, Thoroughfare Commercial , IPZD, Industrial Planned Zoning District
East	Commercial, Residential	RMF-24, Residential Multi-family, 24 Units per Acre; C-2, Thoroughfare Commercial
West	Ramay Junior High School	P-1, Institutional

Proposal: The applicant requests Large Scale Development approval to develop the subject property with upgrades to the track and field, bleachers, and scoreboard. No variances are being requested with this application.

Right-of-Way to be Dedicated: The property has frontage along S. Sang Ave (Neighborhood Link) and W. Old Farmington Rd (Residential Link). Right-of-way dedication in line with typical right-of-way requirements is recommended.

Street Improvements: Staff is not recommending any street improvements at this time.

Access Management/Connectivity: Relevant access management standards are being met. The subject property does not have an existing or proposed parking space.

Design Standards: Relevant design standards are being met. No design standards exist for the type of proposed improvements.

Water and Sewer System: Existing infrastructure appears to be suitable to meet the necessary improvements.

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

Tree Preservation:

Canopy minimum requirement: 25%

Existing canopy: 0%

Preserved canopy: 0%

Mitigation required: 0 2" caliper trees to be planted

Public Comment: Staff has not received any public comment on the item to date.

RECOMMENDATION: Staff recommends approval of **LSD-2025-0018** with the following conditions.

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends the following street right-of-way dedication:*
 - a. S. Sang Ave: 33.5 feet from centerline
 - b. W. Old Farmington Rd: 26 feet from centerline.
2. **Planning Commission determination of street improvements.** *Staff does not recommend any street improvements:*
3. All remaining comments from City division, whether Urban Forestry, Fire, or Engineering shall be addressed.

Standard conditions of approval:

4. Development review comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks Electric, SWEPCO, and Cox Communications);
5. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, and tree preservation. The information submitted for the development review process was

reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements;

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

Planning Commission Action:	☐ Denied	☐ Tabled	☐ Approved
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Meeting Date: December 8, 2025

Motion:

Second:

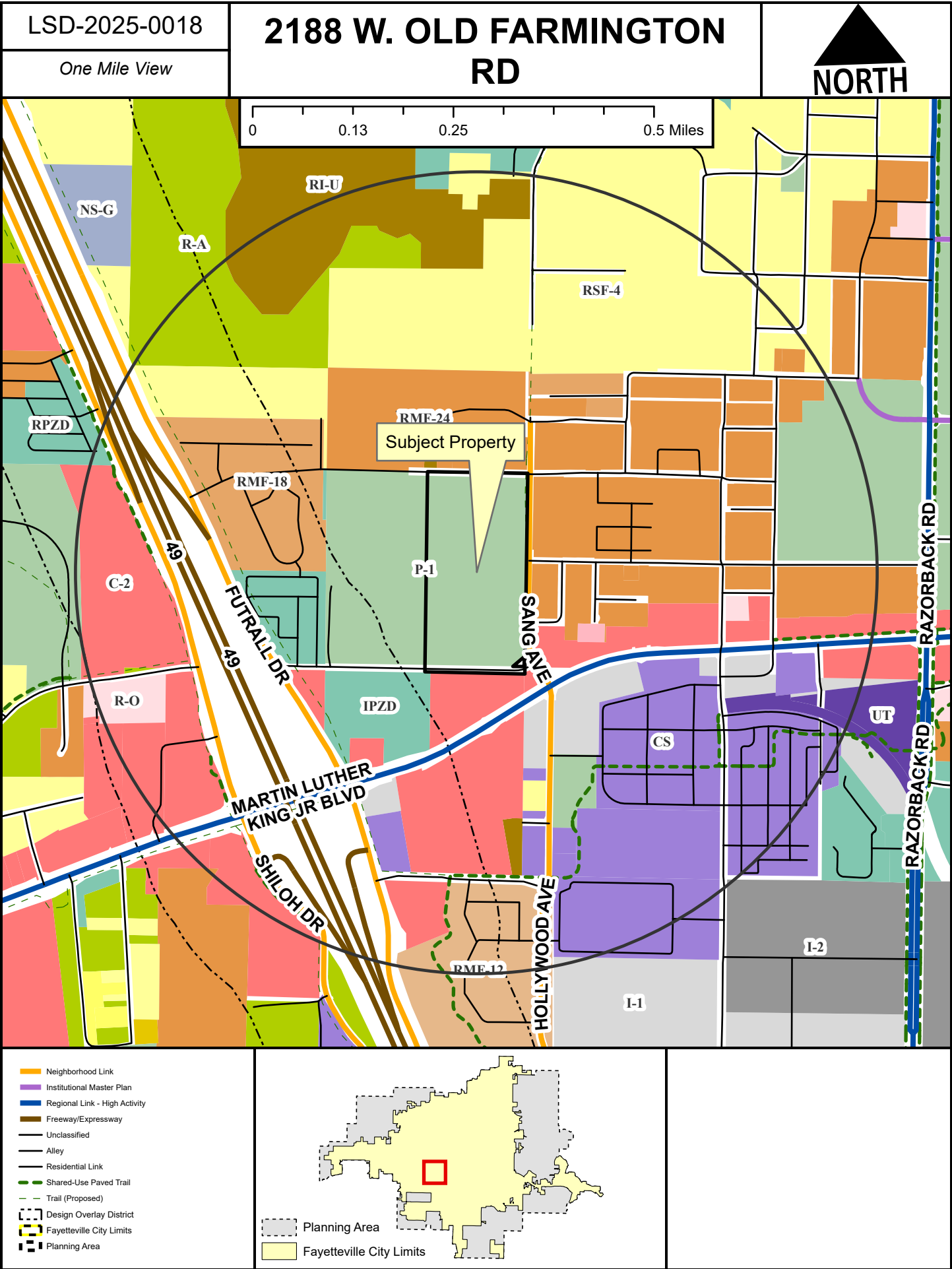
Vote:

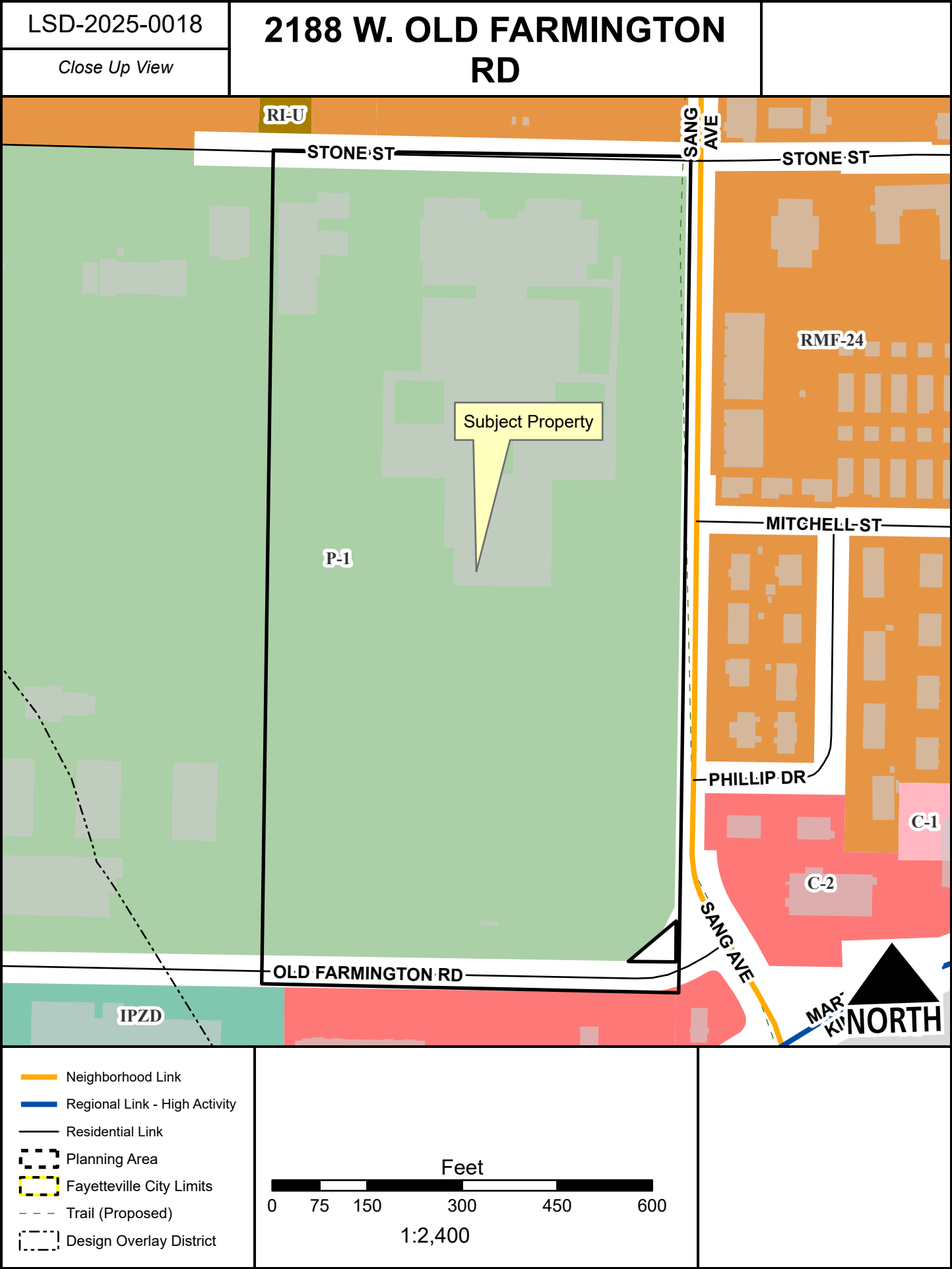
BUDGET/STAFF IMPACT:

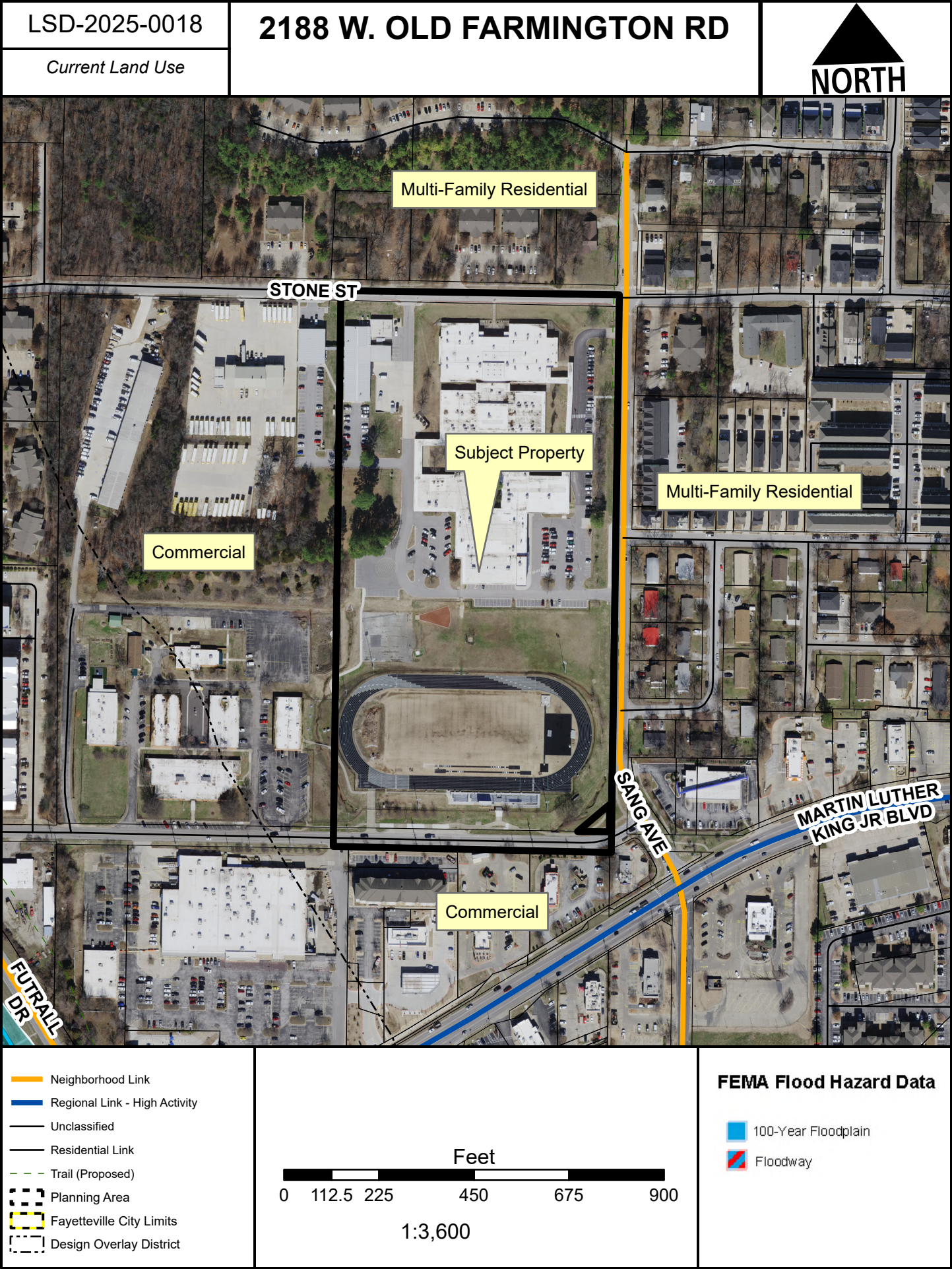
None

Attachments:

- One Mile Map
- Close Up Map
- Current Land Use Map
- Engineering memo
- Urban Forestry memo
- Applicant Request Letter
- Site Plan









TO: Wesley Frank, Planner

FROM: Justin Bland, City Engineer

DATE: December 2, 2025

SUBJECT: Planning Commission Engineering Comments for
LSD-2025-0018

Water: There is an existing 6" water main along W. Old Farmington Rd. to the south of the property and a 24" and 8" water main along Sang Ave. on the east side of the property. There is not any proposed water infrastructure for this project.

Sewer: There is an existing 10" sewer main along W. Old Farmington Rd. to the south of the property and a 6" water main along Sang Ave. on the east side of the property. There is not any proposed sewer infrastructure for this project.

Streets: There are not any proposed street improvements.

Drainage: The project proposes to replace an existing above grade detention basin within the existing track with a new underground detention facility. The new drainage must meet the 4 minimum standards outlined in the City's Drainage Criteria Manual. Water quality isolator rows within the underground detention basin are proposed to meet Minimum Standard 1. Minimum Standards 2-4 are proposed to be met with an underground detention on the west end of the track/field. The detention pond will discharge to existing drainage pipe on the south side of the field which then generally drains to the south east. A detailed review of the drainage improvements will be performed during the grading permit review process.

Standard Comments:

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

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



URBAN FORESTRY TREE PRESERVATION COMMENTS

To: Crafton Tull

From: Bethany Douglas, Urban Forester

CC: Wesley Frank, Planner

Meeting Date: November 12, 2025

Subject: LSD-2025-0018: FHS Track Complexion Restoration (2188 W Old Farmington Rd)

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

2. Tree Preservation Calculations

Tree Preservation Waiver

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

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

5. Tree Preservation Plan Checklist	Tech Plat	Planning Commission
<i>UDC Chapter 167.04H1 and 167.04L1</i>		
a. 5 year Aerial Check on Existing Trees	Yes	
b. Property Boundary	Yes	
c. Natural Features (100ft beyond limits of disturbance)	No	
d. Existing Topography and Proposed Grading	Yes	
e. Soil Types	N/A	
f. Significant Trees	Yes	

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

Tree Protection Methods

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

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

a. Provide graphic examples of multiple options used to minimize removal of existing canopy	X
b. Submitted Analysis Statement – Note the process, iterations, and approaches to preserve canopy.	X

7. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	11-12-25	
Approved		
Tabled		
Denied		

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

Comments

1. Address items above marked "No" and all Redlines provided.



October 29, 2025

City of Fayetteville Development Services
125 W Mountain St.
Fayetteville, AR 72701

RE: FHS Track Complex Renovation
LSD First Submittal
Cover Letter
CT Job No. 25303800

Dear Ms. Masters,

The scope of this project is to renovate the existing sod field into an artificial turf field. The existing track surface is to remain. There are other renovations associated that include the following but aren't limited to: renovation of existing concessions stand building, bleachers on north side of track, and a new scoreboard.

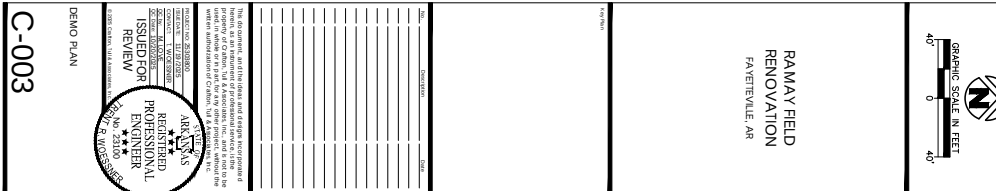
The nature and intent of the project is as follows: Fayetteville Public School wants to use this facility more often as an event complex. The existing detention pond on the west side of the field is being replaced with underground detention. And, the open ditch on the west side of the track is being piped underground. These stormwater upgrades will remove the nuisance and above ground drainage issues that currently exist.

No variances are being requested.

Should you have any questions, or require any additional information, please contact me at your convenience at 479-878-2475 or trent.woessner@craftontull.com

Sincerely,

Trent Woessner, P.E.
Civil Project Engineer

[illegible]

REVIEW

★★★
No. 23100
TRENT R. WOESSNER

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STATE OF
ARKANSAS
REGISTERED
PROFESSIONAL
ENGINEER

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Calfon, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the

[illegible]

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[illegible]

References

DOI: 10.1002/for

FAYETTEVILLE, AR

RAMAY FIELD
RENOVATION

+	+	+
0	0	0
+	+	+

GRAPHIC SCALE IN FEET



CERTIFICATION
ASSOCIATES INC.
NO. 129



479.636.4808
WWW.C280.PUBL.C OM



Crafton Tull

300 N College Ave., Suite 317
Fayetteville, Arkansas 72701

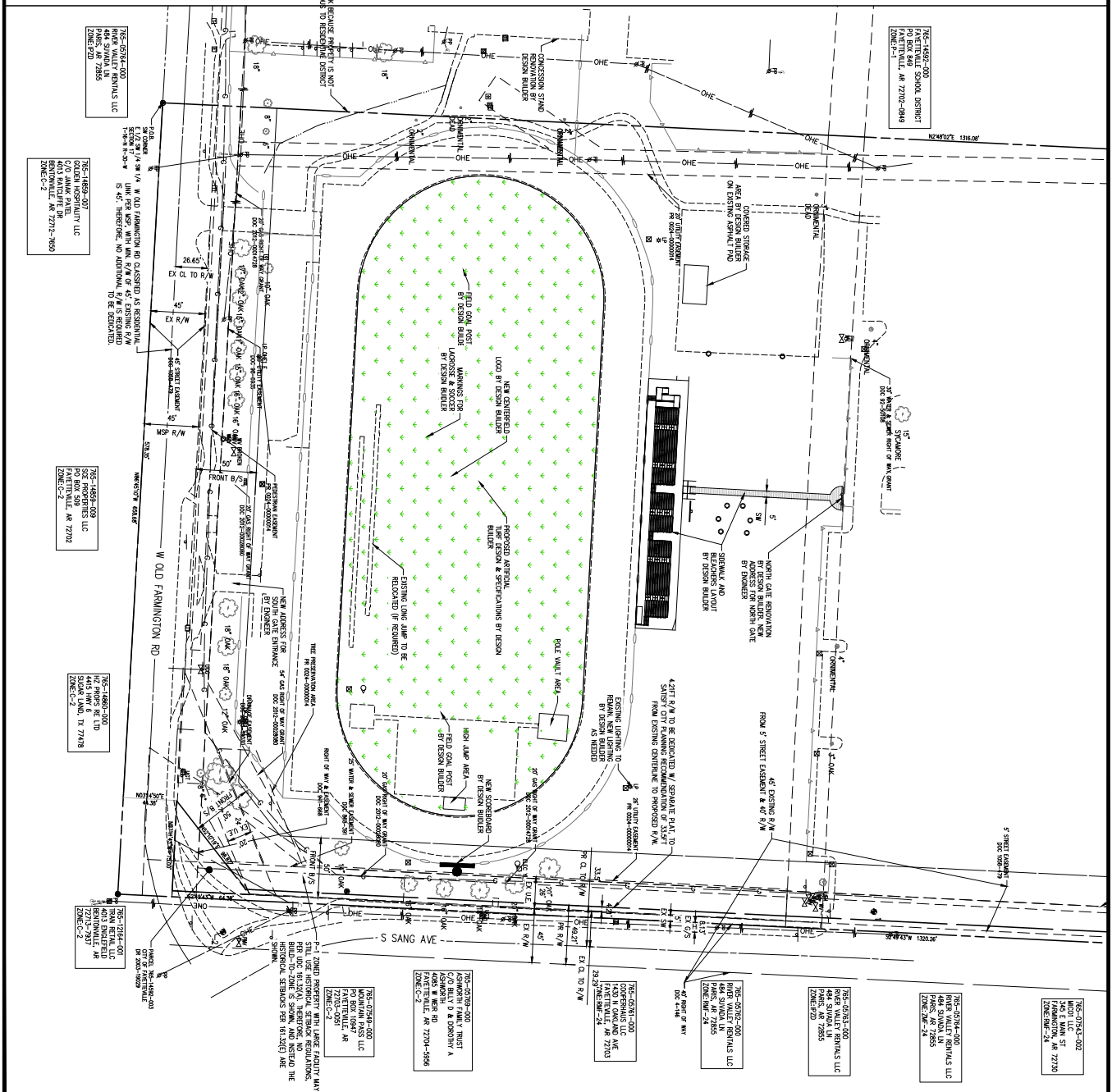
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LEGEND (EXISTING SYMBOLS)

● AIRCRAFT ● BRANCH ● ROAD R/ON R/P/SE/BE ● PAVEMENT CONGR/ST MONUMENT ● ROAD BURNERS/ROW ● SIGN ● TREE	 TREE TO BE REMOVED	ALTERNATES DESIGN CONGR CHAIN LINK DRIVE RIGHT OF WAY ROAD CENTERLINE DESIGN PROPERTY LINE
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LEGEND (CONSTRUCT)

EXAMINER	
CURB	
BUILDING SET BACK	
RIGHT OF WAY	
PROPERTY LINE	
ROAD CENTERLINE	
PARKED VEHICLE LANE	
PROPOSED BENCHMARK	





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: December 8, 2025

SUBJECT: **CUP-2025-0046: Conditional Use Permit (SOUTHWEST OF RAZORBACK RD & S. ASHWOOD AVE/ASHWOOD TOWNHOMES LLC, 598, 599 & 638)** Submitted by JORGENSEN AND ASSOCIATES for property located SOUTHWEST OF RAZORBACK RD. & S. ASHWOOD AVE. The property is zoned RMF-24, RESIDENTIAL MULTIFAMILY, 24 UNITS PER ACRE, R-A, RESIDENTIAL AGRICULTURAL, and CS, COMMUNITY SERVICES and contains approximately 9.99 acres. The request is for a private dormitory.

RECOMMENDATION:

Staff recommends tabling **CUP-2025-0046** to the December 8 Planning Commission meeting, at the applicant's request.

RECOMMENDED MOTION:

*"I move to table **CUP-2025-0046** to the February 9, 2026 Planning Commission meeting."*

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>December 8, 2025</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: December 8, 2025

SUBJECT: **RZN-2025-0050: Rezoning (5901 W MICHAEL COLE DR/MICHAEL COLE DR LLC, 436):** Submitted by SWOPE CONSULTING for property located at 5901 W. MICHAEL COLE DR. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 7.67 acres. The request is to rezone the property to RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE and CCR, CONSERVATION, CULTURAL, AND RECREATION.

RECOMMENDATION:

Staff recommends forwarding **RZN-2025-0050** to City Council with a recommendation of approval.”

RECOMMENDED MOTION:

*“I move to forward **RZN-2025-0050** to City Council with a recommendation of approval.”*

NOVEMBER 10, 2025 PLANNING COMMISSION MEETING:

At the November 10, 2025 Planning Commission meeting, the rezoning was tabled at the applicant’s request to provide additional time to coordinate staff comments.

BACKGROUND:

The subject property is in west Fayetteville approximately 500 feet south of the intersection of W. Michael Cole Dr. and W. Wedington Dr. The subject area contains 8.50 acres, only 7.67 acres of which is proposed to be rezoned. The area is composed of three parcels which are zoned R-A, Residential Agricultural and which have been constructed with a 2,263 square-foot single-family dwelling constructed in 1979 along with multiple outbuildings. The property is located within the floodplain, floodway, and the streamside protection zone. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single- and Two-Family Residential	R-A, Residential Agricultural
South	Single-Family Residential; Harmony Pointe Park	R-A, Residential Agricultural; P-1, Institutional
East	Single- and Two-Family Residential	R-A, Residential Agricultural
West	Two-Family Residential	RMF-6, Residential Multi-Family, 6 Units Per Acre

Request: The request is to rezone the subject property from R-A, Residential Agricultural to RI-12, Residential Intermediate, 12 Units per Acrea (4.14 acres) and CCR, Conservation, Cultural,

and Recreation (3.53 acres). A 0.83 acre portion of the property is proposed to remain R-A, Residential Agricultural.

Public Comment: Staff has not received any public comment at this time.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The property's frontage along West Michael Cole Drive, a residential link, is partially improved with asphalt paving. Any street improvements required in these areas would be determined at the time of development proposal

Water: Public water is available to the subject area. There is an existing 4-inch water main along the south side of W. Michael Cole Drive.

Sewer: Sanitary sewer is available to the subject area. There is an existing 10-inch and two 12-inch sewer main connections running east to west through the middle of the subject properties. There are no known wet weather sewer capacity issues identified in the City's 2021 Sewer Master Plan adjacent to this property.

Drainage: A portion of the property lies within a FEMA Floodplain. There is a protected stream, and hydric soils are present in the area. A floodplain development review will be required at the time of permit or plan submittal. This will restrict the type of development and impact in flood zones; and may require additional documentation such as flood studies or elevation certificates depending on the type of development. If a development impacts a floodplain, those impacts may require review and approval from FEMA. Streamside Protection Zones generally consists of a protected area on each side of a stream or creek. This "protected area" is meant to preserve woody vegetation and natural areas along stream corridors to improve/protect stream health. At a minimum, it will be 50ft wide as measured from the top of bank but depending on the shape and extents of the floodway, it could be substantially more. Certain construction activities such as trails and some utilities are allowed in these zones, but in general, improvements such as parking lots or buildings are prohibited. 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. No portion of the property lies within the Hillside-Hilltop Overlay District.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 7, located at 835 N. Ruppel Rd., protects this site. The property is located approximately 2.1 miles from the fire station with an anticipated drive time of approximately 4 minutes using existing streets. The anticipated response time

would be approximately 6.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

Tree Preservation:

The proposed zoning districts, RI-12, Residential Intermediate, 12 Units per Acre and CCR, Conservation, Cultural, Recreation require **20% and 80% minimum canopy preservation, respectively**. The current zoning district, R-A, Residential-Agricultural requires **25% 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 and Natural Area**.

Residential Neighborhood areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhoods. This designation recognizes the existing conventional subdivision developments that may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment.

Natural Areas consist of lands approximating or reverting to wilderness conditions, including those with limited development potential due to topography, hydrology, vegetation or value as an environmental resource. These resources can include stream and wildlife corridors, as well as natural hubs and cores, many of which are identified in the generalized enduring green network. A Natural Area designation would encourage a development pattern that requires conservation and preservation, prevents degradation of these areas, and would utilize the principles of low impact development stormwater infrastructure for all developments. Natural Areas are prime candidates for conservation subdivision design and/or clustered development patterns.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of **1-5** for this site with a weighted score of **4.5**. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 7, 835 N. Ruppel Rd)
- Near Sewer Main (10" and 12" within the property)
- Near Water Main (4", Michael Cole Dr.)
- Near City Park (Harmony Pointe Park)
- Near Paved Trail (Wedington Side Path)

FINDINGS OF THE STAFF

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

Finding: **Land Use Compatibility:** Staff finds that the requested rezoning appears generally compatible with the surrounding area and existing land uses. The applicant proposes to rezone approximately 4.14 acres in the north to RI-12,

Residential Intermediate, 12 Units per Acre. While the property is primarily surrounded by R-A, Residential Agricultural zoning to the north, south, and east, staff finds that these adjacent lots are generally constructed in line with RMF-6 standards rather than the significantly larger lot sizes and lower densities required of the R-A district. There are a high number of two-family dwellings in the immediate vicinity and an approximately five-acre development under construction at the W. Wedington / Michael Cole intersection includes primarily four-family dwellings. While there is some overlap with existing floodplain proposed in the RI-12 rezoning area, the applicant has indicated an intent to submit a LOMR to FEMA to revise the floodplain boundaries and remove this encroachment. Additionally, the request proposes to upzone the portion of the property outside of the floodplain and downzone the portion of the property within it, creating an overall density allowance of 49 residential units. Further, adjacent developments and rezonings have been slowly increasing the density of the surroundings, and a rezoning to RI-12 could support a broader range of housing types in an area experiencing increased demand for housing and other services.

A significant portion of the property lies within the floodplain, with some areas located in the floodway. Most of this area is proposed to be rezoned to CCR, Conservation, Cultural and Recreation, a district intended to “to conserve, preserve, protect, or enhance natural resources such as floodplains, streams, wetlands, steep topography, woodlands, meadows and wildlife habitat, or for the purpose of improving and restoring such property's ecosystem services.” A legal instrument has been provided to preserve this area in alignment with zoning requirements and would need to be fully executed prior to City Council approval, should the item be forwarded. Staff finds the preservation of this area would remove development entitlements within sensitive environmental areas and provide permanent protection for the floodplain and streamside protection areas. The existing house is proposed to remain R-A, Residential Agricultural, which would permit it and its associated outbuildings to be utilized and maintained. On the balance of considerations, staff recommends approval of this request.

Land Use Plan Analysis: Staff finds the proposed rezoning to be generally consistent with the goals in City Plan 2040 and the property's split future land use designation as a Residential Neighborhood area and “Natural” area. The applicant's decision to downzone a portion of the area to CCR indicates an attempt to acknowledge and protect ecologically sensitive areas on the property, while zoning the remainder of the subject area to permit a similar development entitlement outside of the floodplain.

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

Finding: Staff finds there is justification to rezone the property from R-A to RI-12 and CCR. Staff finds that the combined zoning is roughly in line with adjacent development patterns and would further provide permanent protection over sensitive ecological features. A rezoning to RI-12 could permit units in a

missing middle style when subdivided onto individual lots, potentially enabling homeownership of smaller, more attainable dwelling units in an area of town experiencing increased development pressure.

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

Finding: A rezoning from R-A to RI-12 and CCR has the potential to increase traffic to this location, and could be to an appreciable degree, though there are limiting factors to the property. While there are relatively limited nonresidential services in the area, staff finds that nonresidential commercial uses are permitted in close proximity. The property has access to existing public infrastructure and proposes to rezone approximately half of the subject area to a conservation zoning district. As such, staff finds the proposed rezoning is not likely to increase the load on public services to an undesirable degree and that an increase in residential density in the area could serve to encourage development of commercial uses. Any street improvements required in this area would be determined at the time of development proposal. Fayetteville Public Schools did not comment on this request.

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

Finding: The property has access to water and sewer, and any increase in density would have to be balanced with any necessary upsizing of those facilities required to serve the development to be borne by the developer. Fayetteville Public Schools 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 RZN-2024-0050 be forwarded to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>December 8, 2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
 - Unified Development Code
 - §161.03 District R-A, Residential-Agricultural
 - §161.12 District RI-12, Residential Intermediate – Twelve (12) Units per Acre
 - §161.38 District CCR, Conservation, Cultural and Recreation
 - Long-Range Planning Memo
 - Request Letter
 - Legal Instrument of Preservation
-

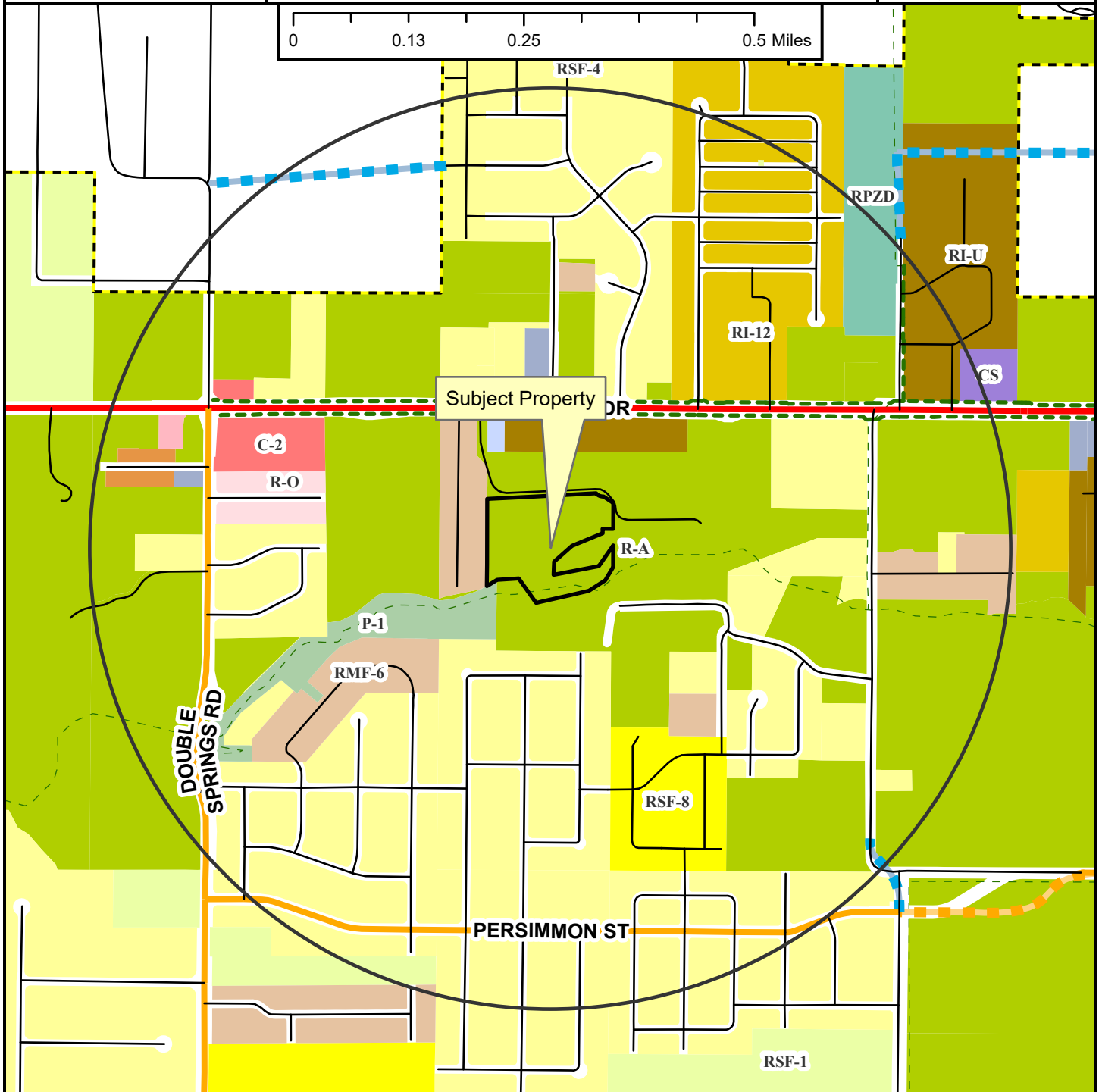
RZN-2025-0050

5901 W. MICHAEL COLE DR

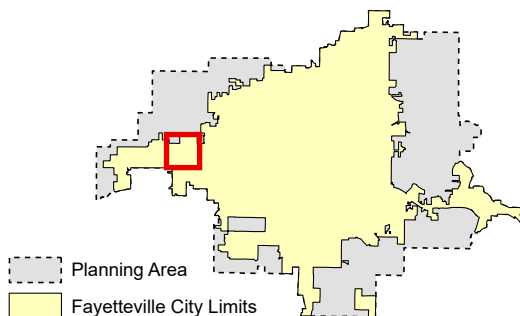
One Mile View

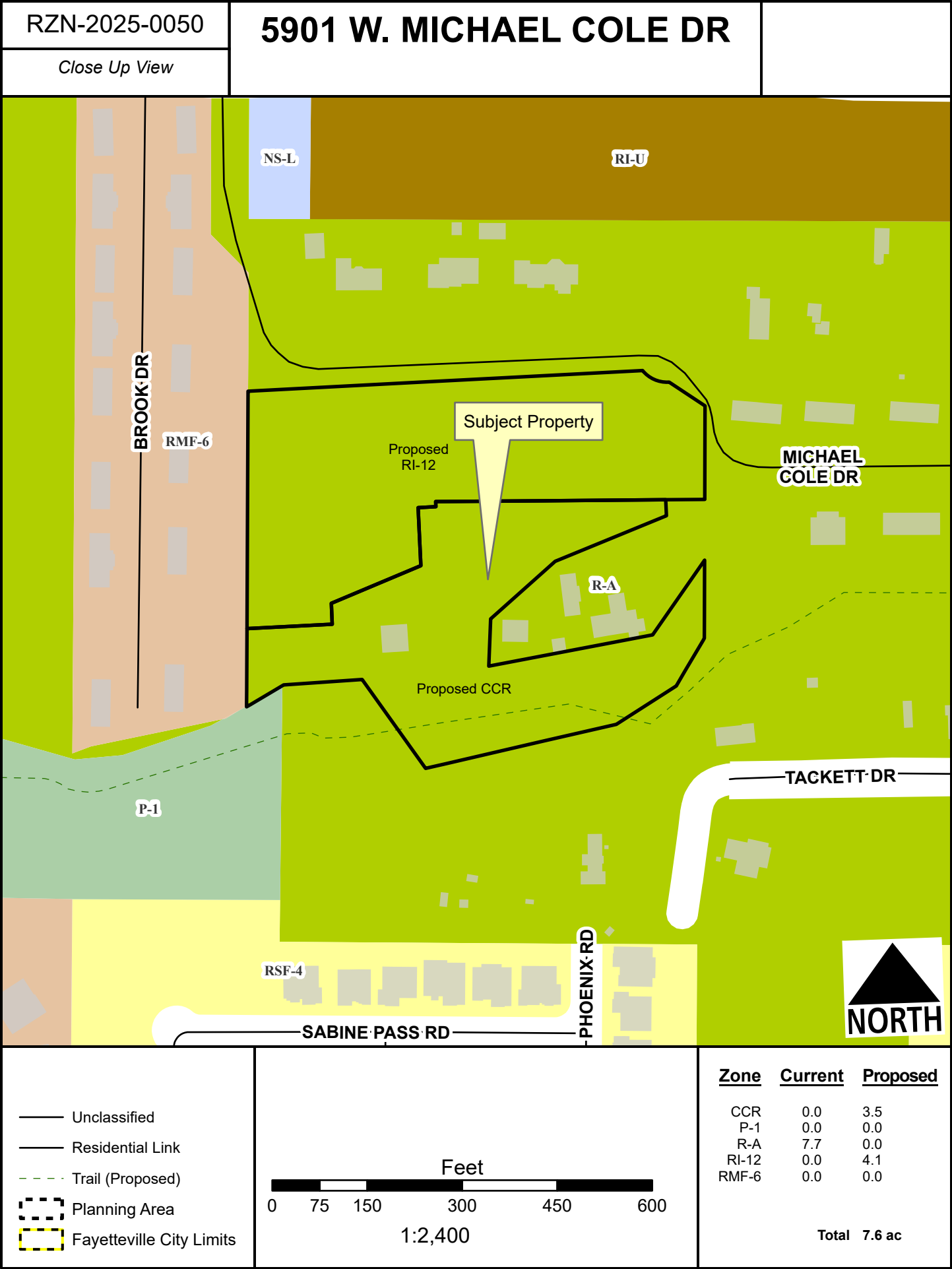


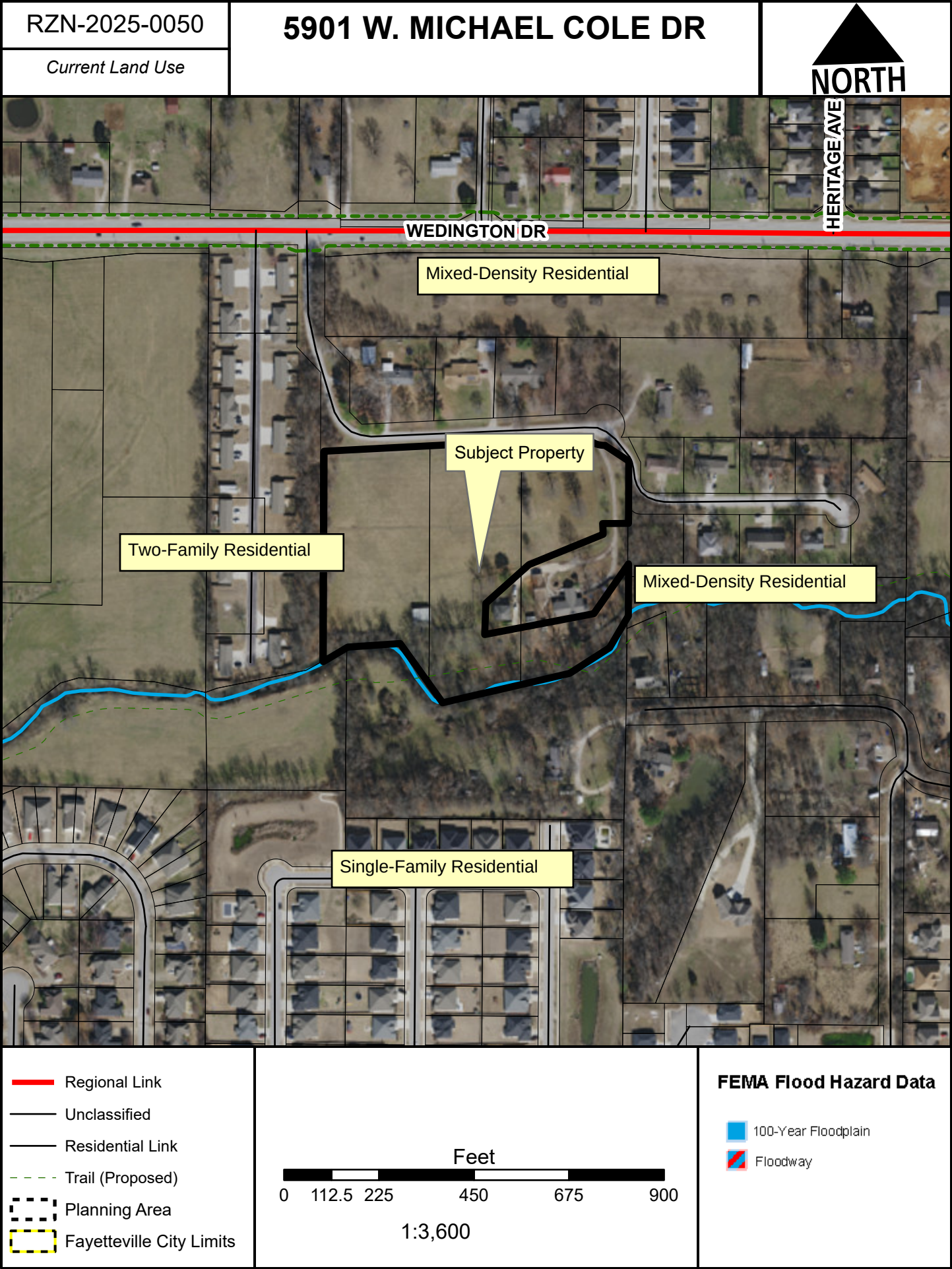
0 0.13 0.25 0.5 Miles



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



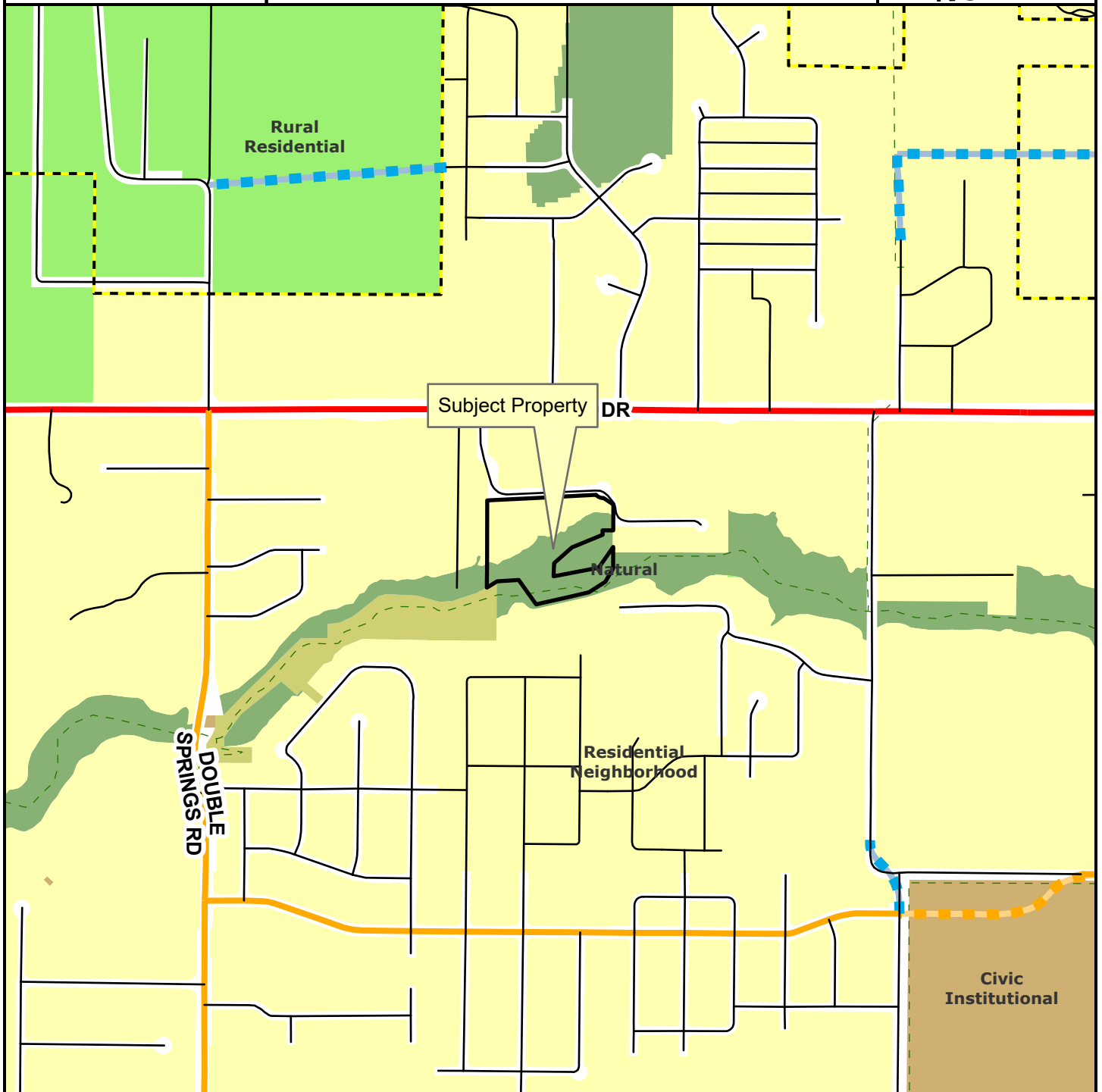




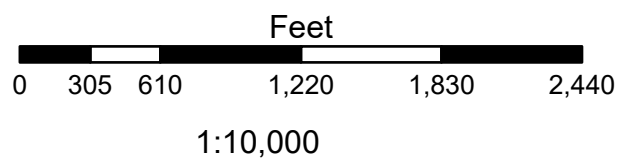
RZN-2025-0050

5901 W. MICHAEL COLE DR

Future Land Use



- Regional Link
- Neighborhood Link
- 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

161.03 District R-A, Residential-Agricultural

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

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

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

(C) *Density.*

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

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

(E) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

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

(G) *Building area.* None.

(Code 1965, App. A., Art. 5(1); Ord. No. 1747, 6-29-70; Code 1991, §160.030; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5195, 11-6-08; Ord. No. 5238, 5-5-09; Ord. No. 5479, 2-7-12; Ord. No. 5945, §3, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

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

161.11 District RI-12, Residential Intermediate, Twelve (12) Units Per Acre

(A) *Purpose.* The RI-12 Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a development potential between low density and medium density with less impact than medium density development, to encourage the development of areas with existing public facilities and to encourage the development of a greater variety of housing values.

(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 36	Wireless communications facilities

(C) *Density.*

Units per acre	12
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(D) *Bulk and Area Regulations.*

	Single-family	Two (2) family	Three (3) and four (4) family
Lot width minimum	50 feet	50 feet	90 feet
Lot area minimum	5,000 square feet	7,260 square feet	10,890 square feet.

(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*
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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 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(IIA); Ord. No. 3128, 10-1-85; Code 1991, §160.032; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; 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. 5592, 06-18-13; 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, §§4, 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, §2(Exh. A), 5-2-23)

Editor's note(s)—Ord. No. 6888, §1, adopted June 17, 2025 determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause), Ordinance 6710 (extending the Sunset Clause), and Ordinance 6820 (extending the 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 November 30, 2025 unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

161.38 District CCR, Conservation, Cultural, And Recreation

(A) *Purpose.* The Conservation, Cultural, and Recreation District is a designation requested by the owner of property that the city and the owner have determined beneficial and desirable to conserve, preserve, protect, or enhance natural resources such as floodplains, streams, wetlands, steep topography, woodlands, meadows and wildlife habitat, or for the purpose of improving and restoring such property's ecosystem services. Further, this district serves to permit certain limited uses and activities which are not detrimental to the land and consistent with these purposes.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
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(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

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

- (1) At least 80% of the zoned area shall be left undeveloped as green space.
- (2) No more than 10% of the Conservation, Cultural, and Recreation zoned area may be dedicated to open space that also contains hard surface areas such as parking, paved trail, or other impervious ground cover.

(E) *Setback Requirements.*

- (1) Minimum setback from the front property line shall be 20 feet.
- (2) Minimum setbacks from all other property lines shall be 50 feet.
- (3) A minimum setback of 50 feet shall be established parallel to all floodplain lines shown on currently adopted FIRM panels.
- (4) A minimum setback of 100 feet shall be established parallel to the top of bank along all streams protected within the Streamside Protection Zones of §168.12.
- (5) A minimum setback of 100 feet shall be established parallel to the edge of open bodies of water.

(F) *Height Requirements.*

Building height maximum	2 stories
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(G) *Building area.* Maximum lot coverage shall be 5% of the zoned area.

(H) *Legal Instrument for Permanent Protection.* Green space shall be protected in perpetuity by an easement deed or other binding legal instrument that is recorded with the rezoning at the time of rezoning. The instrument shall be a permanent conservation easement or equivalent legal document such as:

- (1) A permanent conservation easement conveyed to the city or a land trust or similar conservation oriented nonprofit organization with legal authority to accept such easements. The conservation organization must be bona fide and in perpetual existence and the conveyance instrument shall contain an appropriate provision for conveyance to another nonprofit conservation organization or to the city in the event the originally designated organization becomes unable to fulfill its functions, or
- (2) An equivalent legal document that provides permanent protection, if approved by the city.

(Ord. No. 6884, §1(Exh. A), 6-17-25)



TO: Donna Wonsower, Senior Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: November 10, 2025

SUBJECT: Long Range Planning Comments Regarding RZN-2025-0050

BACKGROUND:

The applicant requests to rezone approximately 8.5 acres, from R-A, Residential Agricultural to RI-12, Residential Intermediate 12 Units Per Acre (4.14 acres) and CCR, Conservation, Cultural and Recreation (4.64). Two long range planning documents are relevant when evaluating this request: *City Plan 2040* and the *Climate Action Plan*.

City Plan 2040 (2020):

City Plan 2040 includes several relevant plan goals and objectives:

- Goal 1 – We will make appropriate infill and revitalization our highest priority.
- Goal 2 – We will discourage suburban sprawl.
- Goal 3 – We will make compact, complete, and connected development the standard.
- Goal 5 – We will assemble an enduring green network.
 - 3.5.1 – Vigilantly nurture a continuum of greenspace including: 1. Riparian buffer areas... 3. Small neighborhood parks, squares, commons and greenbelts (p.41)
 - 3.5.3 – Promote conservation easements and alternative development patterns that encourage efficient use of land. (p.41)
- Goal 6 – We will create opportunities for attainable housing.
 - 3.6.1 - Increase housing choices by encouraging a mixture of housing types and sizes dispersed throughout the city and in proximity to transit and active transportation networks. (p.45)

On its adoption in early 2020, *City Plan 2040* carried forward goals from prior comprehensive plans and organized them into six primary goals. The goals were meant to focus the City's efforts on appropriate infill that furthers a variety of transportation options, supports the creation of affordable housing, and limits the amount of land consumed by development on the City's periphery, often termed "suburban sprawl".

Climate Action Plan (2024):

The Climate Action Plan conceptualizes "nature-based solutions that utilize ecosystem services provided by lands" in the City that contribute to flood and erosion control. Limiting development in a floodplain will maintain these vital ecosystem services and reduce flood threats to public infrastructure and private property.¹

DISCUSSION:

The property was annexed into the City by special election in November 1982 and assigned the

¹ *Climate Action Plan*, 38-39.

R-A zoning at that time. R-A zoning is no longer the appropriate designation for this area as surrounding land uses have evolved, infrastructure has been established, and more appropriate zoning districts that limit development and conserve ecological areas have been created. This request includes a creative approach to maximize gentle residential density and conserve a sensitive riparian area. By zoning the northern portion of the site RI-12, it would concentrate density, infrastructure, and impervious surface away from the floodplain. Limiting development in a floodplain will maintain these vital ecosystem services and reduce flood threats to public infrastructure and private property, aligning with concepts in the *Climate Action Plan*.²

City Plan 2040 and Future Land Use Plan:

This area is designated as both Residential Neighborhood and Natural areas, with Natural roughly following the floodplain. Residential Neighborhood areas are primarily residential in nature but emphasizes using “principles of traditional residential urban design to create compatible, livable and accessible neighborhoods.”³ Prioritizing creating compact and connected neighborhoods in areas where infrastructure already exists provides better outcomes for residents, reduces dependency on vehicles via alternative transit options, minimizes public investment in infrastructure costs, and supports Goals 1, 2, 3, and 4 of *City Plan 2040*. Further, the designation of the southern portion of the site as CCR aligns with the future land use designation (Natural) and would contribute to the conservation of an area with limited development potential and high flood risk, but with value as an environmental resource, which supports Goal 5 of *City Plan 2040*.⁴

Property History:

The subject properties contain two single-family dwellings constructed in 1979 and ca. 2001 as well as a detached garage that appears to function as an accessory dwelling unit constructed in 2006. This request does not impact historic resources.



From Left: 5901 W. Michael Cole Dr. (Source: Realtor.com), 5913 W. Michael Cole Dr. (Source: Google Streetview), and 5925 W. Michael Cole Dr. (Source: Google Streetview)

² *Climate Action Plan*, 38-39.

³ *City Plan 2040*, 130.

⁴ *City Plan 2040*, 126.



October 20th, 2025

City of Fayetteville – Planning Department
Attn: Donna Wonsower
125 W Mountain St
Fayetteville, AR 72701

RE: Rezoning Request for 5901, 5913, and 5925 West Michael Cole Drive, Fayetteville, Arkansas

This narrative is submitted in support of the rezoning request for the properties located at 5901, 5913, and 5925 West Michael Cole Drive, Fayetteville, Arkansas, encompassing approximately 8.5 acres. This request seeks to rezone the northern portion of the property from its current R-A, Residential Agricultural, designation to RI-12, Residential Intermediate, while simultaneously rezoning the southern portion, which contains an existing floodplain and floodway, to a Conservation, Cultural, And Recreation (CCR) District. This two-part request is a thoughtful and deliberate approach to land use that is fully compatible with and will not adversely affect or conflict with the surrounding land uses, and is consistent with the goals of the City of Fayetteville's Master Street Plan and the 2040 City Plan.

The subject properties are situated on Michael Cole Drive, a street classified as a Residential Link Street by the City's Master Street Plan. The proposed RI-12 zoning for the developable northern portion of the property is a harmonious fit for this context. The RI-12 district is designed to permit and encourage the development of detached and attached dwellings, offering a development potential that is intermediate between low and medium density. This provides a greater variety of housing values and types, which is a key objective of the City's comprehensive planning. Furthermore, the RI-12 zoning is expressly intended to encourage development in areas with existing public facilities, which is the case here.

The current land use designation for this area is "Residential Neighborhood." This designation is intended to support a wide variety of housing types, including single-family, duplexes, rowhouses, and multifamily units, of appropriate scale and context. The proposed RI-12 zoning, which allows for both detached and attached dwellings, aligns perfectly with this vision. The R-A zoning, while protective of agricultural land, is a transitional designation. The requested rezoning to RI-12 represents a logical and orderly transition from a rural to an urban development pattern, in accordance with the City's growth strategy. It prevents the wasteful scattering of development and promotes a more compact, well-planned residential environment, contributing to the conservation of the tax base and the efficient use of public funds for services.

Preliminary analysis indicates that the subject properties are adequately supported by existing infrastructure. Public utilities, including without limitation, water and sewage systems, are available to the site, and the street network, specifically Michael Cole Drive, is a Residential Link Street that can accommodate the anticipated traffic from the proposed development. This robust infrastructure support further demonstrates the site's readiness for the requested zoning change and its ability to absorb the development without creating an adverse impact on the surrounding area.

A critical and innovative component of this rezoning request is the proposal to rezone the southern portion of the property, which is encompassed by an existing floodplain and floodway, to Conservation, Cultural, And Recreation (CCR) District. This proactive measure is a testament to the applicant's commitment to responsible development and environmental stewardship. The Conservation, Cultural, And Recreation (CCR) District designation will protect and maintain this natural site amenity, preventing development in a sensitive ecological area. This not only preserves the natural function of the floodplain and floodway but also provides a valuable open space and green corridor that will enhance the quality of life for future residents and the surrounding neighborhood permanently.

In conclusion, the proposed rezoning to RI-12 and CCR (Conservation, Cultural, And Recreation) is a compatible and well-reasoned request that will not adversely affect or conflict with the surrounding land uses. It aligns with the City of Fayetteville's comprehensive plan, provides for a greater variety of housing options in a suitable location, and utilizes a dual-zoning approach to responsibly develop a portion of the property while permanently protecting a critical natural feature. This request represents a logical step in the orderly growth of Fayetteville and will result in a valuable and well-planned residential community.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Swope". The signature is fluid and cursive, with the first name "Phil" and last name "Swope" clearly distinguishable.

Phil Swope, PE
Project Engineer

CONSERVATION EASEMENT

This CONSERVATION EASEMENT (this “Conservation Easement”), dated as of November __, 2025 (the “Effective Date”), by and between **MICHAEL COLE DRIVE, LLC**, an Arkansas limited liability company (the “Grantor”) and the **CITY OF FAYETTEVILLE**, an Arkansas municipality (the “Grantee”) (collectively referred to herein as “Parties”).

RECITALS

WHEREAS, Grantor is the sole owner in fee simple title to 3.53 acres (more or less) of certain real property located in Fayetteville, Washington County, Arkansas, more particularly described in Exhibit A attached hereto and incorporated herein (the “Property”);

WHEREAS, Grantee is qualified to hold a conservation easement, and is a governmental body empowered to hold an interest in real property under the laws of the State of Arkansas;

WHEREAS, Grantor and Grantee have the common purpose of conserving the above-described Property in perpetuity, and the State of Arkansas has authorized the creation of conservation easements pursuant to Ark. Code Ann. §15-20-401 *et seq.*, and Grantor and Grantee wish to avail themselves of the provisions of that law.

NOW THEREFORE, in consideration of the above and mutual covenants, terms, conditions, and restrictions contained herein, together with other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, Grantor hereby voluntarily grants and conveys a perpetual Conservation Easement for and in favor of Grantee upon the Property, which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

The scope, nature, and character of this Conservation Easement shall be as follows:

1. **Purpose.** The purpose of this Conservation Easement is to conserve and protect the Property’s open and scenic character; to assure that the Property will be protected from urban development, retained forever in its natural, forested, and agricultural condition; and to prevent any use of the Property which will impair or interfere with the general natural character of the Property.

2. **Rights of Grantee.** The following rights are conveyed to Grantee by this Conservation Easement.

A. Inspection. Upon ten (10) days prior written notice to Grantor, the Grantee shall have the right to enter and inspect the Property in a reasonable manner and at reasonable times for the purpose of determining whether the provisions of this Conservation Easement are being observed.

B. Right to Protect. The right to take action to preserve and protect the conservation values of the Property.

C. Enforcement. The right to prevent any activity on or use of the Property that is inconsistent with the purposes of this Conservation Easement, and to require the restoration of areas or features of the Property that may be damaged by any inconsistent activity or use.

3. **Reserved Rights**. Grantor reserves for itself and successors in interest with respect to the Property, all rights with respect to the Property except as provided herein, including, without limitation, the right of exclusive use, possession, and enjoyment of the Property, and the right to sell, transfer, lease, mortgage, or otherwise encumber the Property, subject to the restrictions and covenants set forth in this Conservation Easement.

4. **Restrictions**. The following restrictions apply to the Property:

A. Use. The Property shall not be used for residential, commercial, or industrial purposes. There shall be no storing or dumping of soil, trash, ashes, garbage, waste, abandoned vehicles, appliances, machinery, or hazardous substances, or toxic or hazardous waste, or any placement of underground or aboveground storage tanks or other materials on the Property that may negatively impact or be detrimental to the Property or to the surface or subsurface waters of the Property. Livestock animals shall not be allowed on the Property.

B. Construction. Absent written approval from the Grantee, there shall be no constructing or placing of any building, mobile home, asphalt or concrete pavement, billboard or other advertising display, antenna, utility pole, tower, conduit, line, pier, landing, dock, or any other temporary or permanent structure or facility or any other man-made structures on the Property except in connection with the repair, maintenance, or replacement (but not expansion) of any structures and other improvements located on the Property as of the Effective Date of this Agreement. Grantor shall have the right to maintain, renovate, and repair existing buildings, structures, fences, pens, wells, dams and reservoirs, utilities, and other improvements, and in the event of their destruction, to reconstruct any such existing improvement with another of similar size, function, capacity, location, and material.

C. Cutting and Clearing of Trees. There shall be no removal, destruction, or cutting of live trees on the Property except that trees may be removed anywhere on the Property that endanger public safety, are diseased, damaged, or fallen, or need to be removed to ensure the health or productivity of other trees or ecological attributes of the Property, or in connection with the construction of permitted structures. Trees may also be removed to maintain existing views, paths, utility lines, roads, trails, driveways, or open space, and for cutting firewood for use on the Property. Such trees may be removed without notice to Grantee, so long as such removal is carried out in a manner designed to minimize their potential negative impacts on the Property's conservation values and the purposes of this Conservation Easement.

D. Chemicals. No pesticide, herbicide, fertilizer, or other chemical treatment for land, water, vegetation, or animals shall be used if the use shall violate any applicable state, local or federal law or regulation.

E. Subdivision. Subdivision of the property is prohibited without permission of the Grantee. Subdivided parcels shall remain subject to the terms and conditions set forth in this Conservation Easement.

F. Health and Safety Measures. Notwithstanding any other restriction contained in this Conservation Easement, the Grantor may take such actions with respect to the Property as are necessary to protect the health and safety of the public and persons using the property; provided that if any such action is contrary to a restriction contained herein, the action shall be limited to the minimum variation necessary to afford the required protection.

5. **Taxes**. Grantor shall pay any and all applicable real property taxes and assessments levied by competent taxing authority on the Property.

6. **Maintenance**. Grantor shall, at Grantor's sole expense, operate, maintain and keep up the Property consistent with the purpose of this Conservation Easement.

7. **Public Access**. Nothing contained in this Conservation Easement shall give or grant to the public a right to enter upon or to use the Protected Property or any portion thereof if no such right existed in the public immediately prior to the execution of this Conservation Easement.

8. **Recording Requirements**. Grantor shall record this Conservation Easement in the official records of Washington County, Arkansas. Grantor shall thereafter insert the terms and restrictions of this Conservation Easement in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property, and shall provide a photocopy of the recorded Conservation Easement to the new owner(s).

9. **Enforcement**. The terms and conditions of this Conservation Easement may be enforced in an action at law or equity by the Grantee against the Grantor or any other party violating or attempting to violate these Restrictions. Venue for any such action shall be in Washington County, Arkansas. Any costs incurred in enforcing, judicially or otherwise, the terms, provisions, and restrictions of this Conservation Easement, including without limitation, the costs of suit, and attorney's fees, shall be borne by and recoverable against the non-prevailing party in such proceeding.

10. **Assignment of Rights**. Grantee shall hold this Conservation Easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this Conservation Easement, except to another legal entity qualified to hold such interests under applicable state and federal laws and committed to holding this Conservation Easement exclusively for the purposes stated herein. Grantee shall notify Grantor in writing of any intention to reassign this Conservation Easement to a new grantee at least sixty (60) days in advance thereof, and the Grantor must accept the assignment in writing.

11. **Successors**. The covenants, terms, conditions, and restrictions of this Conservation Easement shall be binding upon and inure to the benefit of the Parties hereto and their respective personal representatives, heirs, successors, and assigns, and shall continue as a servitude running in perpetuity with the Property.

12. **Notices.** All notices, consents, approvals, or other communication hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail return receipt requested, addressed to the appropriate party at the following address or such address as may be hereafter specified by notice in writing.

Grantor: Michael Cole Drive, LLC
P.O. Box 1287
Bentonville, Arkansas 72712-1221

Grantee: City of Fayetteville
125 West Mountain Street
Fayetteville, Arkansas 72701

13. **Interpretation.** This instrument is intended to create a real property interest for conservation purposes, as defined in Ark. Code § 15-20-401 *et seq.*, and shall be interpreted consistently with such intention.

14. **Severability.** If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.

15. **Alteration or Revocation.** This Conservation Easement may be amended, altered, released, canceled, or revoked only by written agreement between the Parties hereto or their heirs, assigns, or successors in interest.

16. **Extinguishment.** If all or part of the Property is taken by eminent domain, or if a subsequent, unexpected change in the conditions surrounding the Property make impossible the continued use of the Property or any portion thereof for conservation purposes, the restrictions may only be extinguished in whole or in part, by judicial proceeding in a court of competent jurisdiction.

17. **Headings.** The headings herein have been inserted solely for convenience of reference and are not a part of this Conservation Easement and shall have no effect upon construction or interpretation.

18. **Controlling Law.** The interpretation and performance of this Conservation Easement shall be governed by the laws of the State of Arkansas.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions, and purpose imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the property.

[Signature Page Follows]

IN WITNESS WHEREOF, the Grantor has executed this Conservation Easement this ____ day of _____, 2025.

GRANTOR:

MICHAEL COLE DRIVE, LLC,
an Arkansas limited liability company

By: _____
Name: _____
Title: _____

STATE OF ARKANSAS)
)
COUNTY OF _____)

SS.

On this ____ day of _____, 2025, before me, _____, a Notary Public, (or before any officer within this State or without the State now qualified under existing law to take acknowledgments), duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named _____, being the person authorized by Michael Cole Drive, LLC, to execute such instrument, stating their respective capacities in that behalf, to me personally well known (or satisfactorily proven to be such person), who stated that he was the _____ of the Michael Cole Drive, LLC, and was duly authorized in his respective capacity to execute the foregoing instrument for and in the name and behalf of Michael Cole Drive, LLC, and further stated and acknowledged that he had so signed, executed, and delivered said foregoing instrument for the consideration, uses, and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this ____ day of _____, 2025

Notary Public

My Commission Expires: _____

[Signature Page to Conservation Easement]

IN WITNESS WHEREOF, the Grantor has executed this Conservation Easement this ____ day of _____, 2025.

GRANTEE:

CITY OF FAYETTEVILLE,
an Arkansas municipality

By: _____
Name: _____
Title: _____

STATE OF ARKANSAS)
)
COUNTY OF _____)

SS.

On this ____ day of _____, 2025, before me, _____, a Notary Public, (or before any officer within this State or without the State now qualified under existing law to take acknowledgments), duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named _____, being the person authorized by the City of Fayetteville, to execute such instrument, stating their respective capacities in that behalf, to me personally well known (or satisfactorily proven to be such person), who stated that he/she was the _____ of the City of Fayetteville, and was duly authorized in his/her respective capacity to execute the foregoing instrument for and in the name and behalf of said City of Fayetteville, and further stated and acknowledged that he/she had so signed, executed, and delivered said foregoing instrument for the consideration, uses, and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this ____ day of _____, 2025

Notary Public

My Commission Expires: _____

[Signature Page to Conservation Easement]

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

[Exhibit A to Conservation Easement]

**BASIS OF BEARING:
ARKANSAS STATE PLANE,
COORDINATE SYSTEM,
(NAD-83) NORTH ZONE.**

**DEED DESCRIPTION
FILE # 2025-00008131**

SURVEY DESCRIPTION LOT 3A (THIS PLAT).

A TRACT OF LAND BEING ALL OF LOT 3, ALL OF LOT 4 AND ALL OF LOT 5 OF THE MILDRED LEE ESTATES, AS RECORDED IN PLAT BOOK 7 AT PAGE 32, WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND THE NORTHWEST CORNER OF SAID LOT 3, BEING ON THE SOUTH RIGHT-OF-WAY LINE OF W. MICHAEL COLE DRIVE (60' RW); THENCE ALONG SAID SOUTH LINE N89°00'20"E 623.73 FEET TO AN IRON PIN FOUND; THENCE ALONG A CURVE TO THE LEFT HAVING A DELTA OF 54°24'08", A RADIUS OF 50.00 FEET, A LONG CHORD THAT BEARS S64°28'47"E 45.71 FEET, AN ARC DISTANCE OF 47.47 FEET TO AN IRON PIN FOUND; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE S64°29'46"E 67.90 FEET TO AN IRON PIN FOUND; THENCE S02°09'41"W PASSING AT A DISTANCE OF 322.64 AN IRON PIN FOUND FOR TOTAL DISTANCE OF 366.78 FEET; THENCE S32°33'23"W 87.47 FEET; THENCE S59°20'23"W 112.10 FEET; THENCE S78°59'23"W 309.15 FEET; THENCE N33°33'07"W 172.35 FEET; THENCE S88°05'50"W 124.20 FEET; THENCE S61°22'41"W 68.00 FEET; THENCE N02°16'02"E PASSING AT A DISTANCE OF 33.58 FEET AN IRON PIN FOUND FOR A TOTAL DISTANCE OF 498.24 FEET TO THE POINT OF BEGINNING, CONTAINING 8.79 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

**PROPOSED RL-12 ZONING
SURVEY DESCRIPTION**

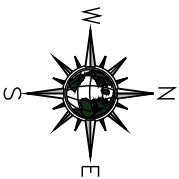
A TRACT OF LAND BEING A PART OF LOT 3A, OF THE MILDRED LEE ESTATES, AS RECORDED IN PLAT FILE #2025-00008131, WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF LOT 3A IN MILDRED LEE ESTATES, PHASE 1; THENCE ALONG THE NORTH LINE OF SAID LOT N 88°59'29"E A DISTANCE OF 250.64' TO A ; THENCE N 89°00'55"E A DISTANCE OF 373.09' TO A FOUND IRON REBAR; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 47.47' WITH A RADIUS OF 50.00', WITH A CHORD BEARING OF S 64°28'47" E, WITH A CHORD LENGTH OF 45.71' TO A FOUND IRON REBAR; THENCE S 64°29'46" E A DISTANCE OF 67.90' TO A FOUND IRON REBAR BEING THE NE CORNER OF LOT 3A; THENCE ALONG THE EAST LINE OF SAID LOT 3A S 02°09'41" W A DISTANCE OF 147.65' TO A POINT; THENCE N 88°28'43" W A DISTANCE OF 424.82' TO A POINT; THENCE S 00°00'00" E A DISTANCE OF 8.00' TO A POINT; THENCE S 89°00'16" W A DISTANCE OF 27.92' TO A POINT; THENCE S 00°35'00" E A DISTANCE OF 91.69' TO A POINT; THENCE S 69°11'26" W A DISTANCE OF 153.42' TO A POINT; THENCE S 00°48'53" E A DISTANCE OF 33.00' TO A POINT; THENCE S 89°00'16" W A DISTANCE OF 134.85' TO A POINT ON THE WEST LINE OF SAID LOT 3A; THENCE ALONG SAID WEST LINE N 02°16'02" E A DISTANCE OF 374.90' TO THE POINT OF BEGINNING, CONTAINING 180.455 SQ. FEET, 4.14 ACRES, MORE OR LESS.

**PROPOSED CONSERVATION, CULTURAL
AND RECREATION ZONING DISTRICT
SURVEY DESCRIPTION**

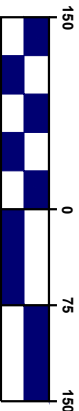
A TRACT OF LAND BEING A PART OF LOT 3A, OF THE MILDRED LEE ESTATES, AS RECORDED IN PLAT FILE #2025-00008131, WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NW CORNER OF LOT 3A IN MILDRED LEE ESTATES, PHASE 1; THENCE ALONG THE WEST LINE OF SAID LOT 3A S 02°16'02" W A DISTANCE OF 374.90' TO A POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID WEST LINE N 89°00'16" E A DISTANCE OF 134.85' TO A POINT; THENCE N 00°48'53" W A DISTANCE OF 33.00' TO A POINT; THENCE N 69°11'26" E A DISTANCE OF 153.42' TO A POINT; THENCE N 00°35'00" W A DISTANCE OF 91.69' TO A POINT; THENCE N 89°00'16" E A DISTANCE OF 27.92' TO A POINT; THENCE N 00°00'00" W A DISTANCE OF 8.00' TO A POINT; THENCE S 88°28'43" E A DISTANCE OF 363.26' TO A POINT; THENCE S 00°43'23" E A DISTANCE OF 25.19' TO A POINT; THENCE S 69°41'28" W A DISTANCE OF 190.01' TO A POINT; THENCE S 50°14'35" W A DISTANCE OF 136.41' TO A POINT; THENCE S 04°22'29" W A DISTANCE OF 74.47' TO A POINT; THENCE N 87°13'21" E A DISTANCE OF 283.43' TO A POINT; THENCE N 36°48'00" E A DISTANCE OF 143.57' TO A POINT ON THE EAST LINE OF LOT 3A; THENCE ALONG SAID EAST LINE S 02°09'41" W A DISTANCE OF 123.23' TO THE SE CORNER OF LOT 3A; THENCE ALONG THE SOUTH LINE OF SAID LOT 3A S 32°33'23" W A DISTANCE OF 87.47' TO A POINT; THENCE S 69°20'23" W A DISTANCE OF 112.10' TO A POINT; THENCE S 78°59'23" W A DISTANCE OF 309.15' TO A POINT; THENCE N 33°33'07" W A DISTANCE OF 172.35' TO A POINT; THENCE S 88°05'50" W A DISTANCE OF 124.20' TO A POINT; THENCE S 61°22'41" W A DISTANCE OF 68.00' TO THE SW CORNER OF LOT 3A; THENCE ALONG THE WEST LINE OF SAID LOT N 02°16'02" E A DISTANCE OF 123.34' TO THE POINT OF BEGINNING, CONTAINING 153.563 SQ. FEET, 3.53 ACRES, MORE OR LESS.



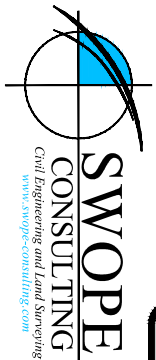
- LEGEND**
- FOUND MONUMENT AS-NOTED
 - SET MONUMENT AS-NOTED
 - └ GUY ANCHOR
 - ⊕ ELECTRIC METER
 - ⊖ WATER METER
 - ⊙ POWER POLE
 - ⊕ AIR CONDITIONER
 - ⊖ FIELD MEASUREMENT
 - (M) RECORDED MEASUREMENT
 - (R) NOW OR FORMERLY
 - N/F
- BOUNDARY LINE
- CENTERLINE OF ROAD
- RIGHT-OF-WAY (RW)
- BUILDING SETBACK LINE
- OVERHEAD POWER LINE
- PROPOSED
- RL-12 ZONING
- PROPOSED CONSERVATION ZONING

REZONE EXHIBIT



(in feet) 1 inch = 150 ft.

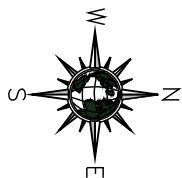
PAGE 1 OF 2



Project Number:
23-120

Certificate of Authorization № 2831

Date: 11/13/2025

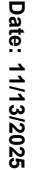


ARKANSAS STATE PLANE,
COORDINATE SYSTEM,
(NAD-83) NORTH ZONE.



●	FOUND MONUMENT AS-NOTED	_____	BOUNDARY LINE
○	SET MONUMENT AS-NOTED	_____	CENTERLINE OF ROAD
⌋	GUY ANCHOR	_____	RIGHT-OF-WAY (R/W)
⌌	ELECTRIC METER	_____	BUILDING SETBACK LINE
⌍	WATER METER	_____	OVERHEAD POWER LINE
⌎	POWER POLE		PROPOSED RI-12 ZONING
⌏	AIR CONDITIONER		
(M)	FIELD MEASUREMENT		
(R)	RECORDED MEASUREMENT		PROPOSED CONSERVATION ZONING
N/F	NOW OR FORMERLY		

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TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director
Justin Bland, City Engineer
Bethany Douglas, Urban Forester

MEETING: December 8, 2025

SUBJECT: **LSD-2025-0015: Large Scale Development (W. ELM ST AND N. LEVERETT AVE/RAZORBACK HOUSING, LLC, 366):** Submitted by CRAFTON TULL for property located on W. ELM ST AND N. LEVERETT AVE. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 14.40 acres. The request is for a 278-unit private dormitory with associated parking.

RECOMMENDATION:

Staff recommends approval of **LSD-2025-0015** with all conditions as recommended by staff.

RECOMMENDED MOTION:

*"I move to approve **LSD-2025-0015**, recommending:*

- *In favor of a variance to UDC §166.08(F)(2)(c)*
- *In favor of a variance to UDC §166.08(E)(1)(c)*
- *In favor of a variance to UDC §172.04(C)(4)*
- *In favor of a variance to UDC §166.04(B)(4)(a)(i)*
- *In favor of right-of-way dedication,*
- *In favor of street improvements, and*
- *In favor of all other conditions as recommended by staff."*

NOVEMBER 24, 2025 PLANNING COMMISSION MEETING:

The applicant requested to table themselves at the previous Planning Commission to address outstanding issues with fire access, street improvements, and remaining staff comments. The applicant has submitted updated plans.

BACKGROUND:

The subject property is in north Fayetteville, immediately south of the University of Arkansas Agri Farm. The property is largely undeveloped, though previously had a single-family home and agricultural outbuildings which have since been demolished. In total, the property contains about 14.40 acres and is currently zoned RMF-24, Residential Multi-Family, 24 Units per Acre. No overlay districts currently encumber the site. A conditional use permit to allow a private dormitory was approved by the Planning Commission in July 2025 (CUP-2025-0032). Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Agricultural/University of Arkansas	R-A, Residential Agricultural
South	Multifamily Residential	RMF-40, Residential Multi-Family, 40 Units per Acre
East	Multifamily Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
West	Multifamily Residential	RMF-24, Residential Multi-Family, 24 Units per Acre

Proposal: The applicant requests large scale development approval for a 278-unit private dormitory with 630 bedrooms. Four variances from the Unified Development Code have been requested which are described below alongside staff's recommendations:

- **Variance #1: UDC §166.08(F)(2)(c), which requires that curb cuts shall be located at least 50 feet from an intersection or driveway.** The applicant is requesting a variance for an additional curb cut to be placed within 30 feet of an intersection.
 - *Staff recommendation: Staff recommends in favor of the applicant's request. The applicant indicates that the drive lane is in place due to the need to provide aerial apparatus access along the eastern side of the building. Aerial apparatus access cannot be provided from Leverett Street due to the existence of high-power transmission lines. Planning staff recommends as a condition of approval that the drive be striped with a directional arrow and necessary signage to indicate that it is for one-way traffic as an exit-only where it intersects with W. Elm Street.*

- **Variance #2: UDC §166.08(E)(1)(c) Block length: For Residential Link Streets, intersections shall occur at a minimum of one (1) every 660 feet.** The applicant is proposing to extend Elm Street through their development, which will in turn create a public street with a length of approximately 1200 linear feet without an intersection.
 - *Staff recommendation: Staff is supportive of the requested variance. Short block lengths create more direct and varied routes for pedestrians, leading to higher walkability and more street-level activity. By generating more intersections and corners, shorter blocks increase opportunities for social interaction and allow for foot traffic to be more uniformly distributed. While there is not a proposed intersection by the typical definition, the applicant's overall proposal shows an intent to activate the public realm by installing a publicly-accessible piazza in the middle which is meant to serve pedestrians while acting as a traffic-calming measure. Vehicles can also traverse the site through drive aisles that connect Ernie Jack Blvd to W. Elm Street. Staff recommends a condition of approval that a continuous pedestrian connection be installed along the proposed drive aisle that connects the public right-of-way of W. Ernie Jacks Blvd. to W. Elm Street, and that it shall be dedicated within a public access easement, in lieu of the installation of a public street.*

- **Variance #3: UDC §172.04(C)(4), In urban zoning districts, a drive-thru lane, parking lot drive aisle, or parking spaces are not permitted to be located in the front yard directly between a building and the Master Street Plan right-of-way.** The applicant is requesting a variance to allow a drive lane and parking spaces within the build-to zone along the eastern façade of Building 01.
 - *Staff recommendation: Staff recommends in favor of the request. Planning staff understands that this drive aisle is necessary to provide aerial apparatus access along this building's façade, and also understands that due to the physical constraints of the high-power transmission lines, the structure cannot be placed any closer to the street. Since the drive aisle is required for fire access, staff*

supports the applicant's request to further use it to provide necessary parking to meet requirements.

- **Variance #4: UDC §166.04(B)(4)(a)(i): Required improvements by project type.** The applicant proposes atypical street sections for N. Leverett Avenue and for W. Elm Street.
 - *Staff recommendation: Staff recommends in favor of the applicant's implied improvements as shown on the site plan. Further details outlined in the Street Improvements section below.*

Right-of-Way to be Dedicated:

N. Leverett Avenue: N. Leverett Avenue is designated as a Neighborhood Link Street under the Master Street Plan classification. Typically, right-of-way dedication in the amount of 33.5 feet from the street centerline would be required, though there are exceptions for recommending less to remove an on-street parking lane. Staff recommends that the applicant dedicate 27.5 feet of right-of-way from street centerline in this instance to remove the need for on-street parking, and to accommodate a 6-foot sidewalk instead of an 8-foot sidewalk.

Further, plans to install a bus turnaround in conjunction with the property have been discussed with the applicant, applicant's design team, and City Engineering staff. The applicant submitted a plan showing the intent to install this turnaround; at a minimum, any portion of this turnaround that is placed outside of the dedicated public right-of-way shall be placed within a public access easement.

W. Elm Street: Staff recommends right-of-way dedication in the amount of 52 feet in total for the W. Elm Street connection, in line with the typical master street plan standards for a residential link street, as well as to be in line with the applicant's approved right-of-way vacation request. However, staff recommends that the area with the proposed piazza shall be located within a dedicated public access easement to account for the atypical standards the applicant is proposing, to relieve the City of future maintenance requirements.

Street Improvements:

N. Leverett Avenue: Staff recommends that the applicant develop N. Leverett Avenue with a 6-foot sidewalk to be placed at the back of the dedicated right-of-way, a varying width of greenspace to accommodate for the high-power transmission lines, and to develop a bus turnaround in a similar fashion to what is provided on the applicant's site plan. The applicant has proposed a potential cost share with the City to make this improvement; this would ultimately have to be approved by City Council.

W. Elm Street: The applicant has requested a variance to build an atypical street section along E. Elm Street. Along the north side of the street, staff recommends that the applicant install 6-foot sidewalk, 6-foot greenspace, 7-foot parking lanes, curb, and gutter. On the south side of the street, staff recommends in favor of the applicant's plan to install a 7-foot sidewalk with a mountable curb to allow for aerial apparatus access from that street. The piazza shall be designed to meet all fire code requirements, and shall be placed within a public access easement.

Access Management/Connectivity: Staff has determined that the proposed development is largely compliant with the City's access management and connectivity standards. One variance to block length requirements has been requested, as described above.

Design Standards: Staff finds that the proposed development largely complies with pertinent design standards, including those associated with urban residential design standards. Any remaining comments will need to be addressed prior to building permit issuance.

Water and Sewer System: There is an existing 6" water main along the east side of the property along N. Leverett Ave. There is also an 8" water main that dead-ends at the northwest corner of the property where Ernie Jacks Blvd. also dead-ends. The applicant proposes an 8" water main across the site that ties to both of these existing lines for a looped domestic and fire water service. There is an existing 8" sewer main to the southeast side of the property along N. Leverett Ave. This sewer main stops on the south side of W. Peachtree Dr., which is approximately 140' south of the subject property. The applicant proposes to tie into this sewer main and extend an 8" sewer main across the site for sewer service. The applicant is responsible for acquiring any necessary off-site easements to extend the sewer off-site and tie into the manhole at W. Peachtree Dr.

A sewer capacity study was performed for this development. The results show a surcharge in a 40' section of 8" sewer main at the corner of W. Melmar Dr. and N. Leverett Ave. Staff is recommending that the applicant upsize this 40' section of 8" sewer main to a 12" line (SSM-11275 to SSM-3155).

Parkland dedication or fee in-lieu: The Parks and Recreation Advisory Board (PRAB) reviewed this proposal at a meeting held on September 3, 2025. The Parks and Recreation Advisory Board recommended a fee-in-lieu of parkland dedication. Based on current information, fees for 278 multifamily residential units would be required in the amount of \$264,656, with final fees to be determined and paid prior to the issuance of any building permits.

Tree Preservation:

Canopy minimum requirement: 20%

Existing canopy: 49.5%

Preserved canopy: 12%

Mitigation required: 232 (2)-inch caliper trees

Public Comment: To date, staff has not received any public comment on this item.

RECOMMENDATION: Staff recommends approval of **LSD-2025-0015** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of a variance to UDC §166.08(F)(2)(c), which requires that curb cuts shall be located at least 50 feet from an intersection or driveway** *Staff recommends approval of this variance with the added condition that it be properly striped and signed to indicate that the subject driveway is one-way only.*
2. **Planning Commission determination of a variance to UDC §166.08(E)(1)(c) Block length: For Residential Link Streets, intersections shall occur at a minimum of one (1) every 660 feet.** *Staff recommends in favor, with the added condition that a continuous pedestrian connection be installed along the proposed drive aisle that connects the public right-of-way of W. Ernie Jacks Blvd. to W. Elm Street, and that it shall be dedicated within a public access easement, in lieu of the installation of a public street.*

3. **Planning Commission determination of a variance to UDC §172.04(C)(4), In urban zoning districts, a drive-thru lane, parking lot drive aisle, or parking spaces are not permitted to be located in the front yard directly between a building and the Master Street Plan right-of-way.** *Staff recommends approval of this variance for the reasons stated above;*
4. **Planning Commission determination of a variance to UDC §166.04(B)(4)(c)(i): Required improvements by project type.** *Staff recommends in favor of the applicant's variance to the typical street standards, as outlined below.*
5. **Planning Commission determination of right-of-way dedication.** *Staff recommends right-of-way dedication in the following amounts:*
 - a. *N. Leverett Avenue: 27.5 feet from street centerline*
 - b. *W. Elm Street: 52 feet for the length of the proposed street, with the exception of the area reserved for the proposed piazza. This area shall be dedicated in a public access easement.*
6. **Planning Commission determination of street improvements.** *Staff recommends the following improvements:*
 - a. *N. Leverett Avenue: Typical master street plan requirements for sidewalk (6 feet in this instance), curb location to stay where it is, and any additional space to remain for greenspace.*
 - b. *W. Elm Street: Urban streetscape requirements can be met here for street trees and necessary widths for sidewalk, greenspace, on-street parking to meet typical master street plan requirements.*
 - c. *Bus turnaround: The applicant shall provide an adequate turnaround for transit along N. Leverett Street. Any requested cost shares shall be approved separately by City Council.*
 - d. *Off-site improvements: No off-site improvements required.*
7. A determination on build-to zone requirements shall be made by the Zoning and Development Administration prior to permitting.
8. Parks fees in the amount of \$264,656 for 278 multi-family units shall be paid prior to the issuance of a building permit.
9. All remaining comments from Planning and other city divisions shall be addressed prior to permitting;
10. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto;

Standard Conditions of Approval:

11. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance;
12. 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);

13. 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;
14. 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;
15. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;
16. 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;
17. 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;
18. 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;
19. Large scale development approval shall be valid for one year;
20. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit;
21. 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
22. 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;
 - a. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - b. Project Disk with all final revisions; and
 - c. 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:			
Required	<u>YES</u>		
Date: <u>December 8, 2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- UDC Sections:
 - 166.04 Required Infrastructure Improvements — Development In City Limits
 - 166.08 Street Design And Access Management Standards
 - 172.04 Parking Lot Design Standards
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Staff Memos
 - Engineering Memo
 - Urban Forestry Memo
 - Parks Memo
 - Submittal Documents
 - Request Letter
 - Variance Request Letters
 - Site Plan
 - Building Elevations
-

166.04 Required Infrastructure Improvements — Development In City Limits

...

- (B) *Minimum Improvements by Application Type.* The property owner/developer shall be responsible for constructing the following minimum improvements.

...

- (4) *Preliminary/Final/Concurrent Plat; Large Scale Development; Large or Small Site Improvement Plan.*

- (a) *Dedication of Right-of-Way.*

- (i) *On-Site.* Sufficient right-of-way dedication, to bring those streets which the Master Street Plan shows to abut or intersect the property and new streets proposed interior to the property, into conformance with the right-of-way requirements of the Master Street Plan for said streets,

shall be approved by the Planning Commission; provided, the Planning Commission may recommend a lesser dedication in the event of undue hardship or practical difficulties. Such lesser dedication shall be subject to approval by the City Council.

(c) Streets.

- (i) **On-Site.** Widening the street adjacent to the project frontage and construction of all interior streets to meet Master Street Plan standards. Street grading, base, and paving according to existing city standards and specifications as adopted by the City Council.
- (ii) **Off-Site.** Street widening and/or new street construction off-site may be required to address traffic impacts based on the rough proportion and rational nexus of the impacts of the project. Street grading, base, and paving according to existing city standards and specifications as adopted by the City Council.
- (iii) **Private Street Name Signs.** Where a structure is addressed on a private street or drive, the developer or property owner(s) shall be required to install, maintain, repair and replace all private street name signs. Any private street name sign existing at the time of passage of this ordinance shall be maintained, repaired and replaced as required by this section. Signs shall meet the standards of the Manual on Uniform Traffic Control Devices (MUTCD) and shall be installed at all street/drive intersections. Unless approved otherwise, all signs shall be retroreflective and utilize a white legend on a green background.
- (d) **Curbs and Gutters.**
 - (i) **On-Site.** Curbs and gutters adjacent to the project frontage according to existing city standards and specifications as adopted by the City Council.
 - (ii) **Off-Site.** Curbs and gutters off-site may be required to address drainage and/or traffic impacts based on the rough proportion and rational nexus to impacts of the project. Curbs and gutters according to existing city standards and specifications as adopted by the City Council.
- (e) **Traffic Signals.** As determined to be needed based on the rough proportionality and rational nexus of the impacts of the development.
- (f) **Sidewalks.**
 - (i) **On-Site.** Sidewalks shall be installed along the property street frontage and along new interior streets according to existing city standards and the Master Street Plan as adopted by the City Council.
 - (ii) **Off-Site.** Sidewalks may be required to be installed off-site based on the rough proportionality and rational nexus of the impacts of the development.
 - (g) **Streetlights.** Standard 8,000 lumen streetlights (or equal alternative approved by the Planning Division) shall be installed at each intersection or cul-de-sac and along one side of each street or cul-de-sac at intervals of no more than 300 feet; provided, streetlights of higher intensity may be required at intersections with collector streets or arterial streets. Developers are encouraged to utilize high-efficiency (LED or similar) streetlights where possible).
- (h) **Grading and Storm Drainage System.**
 - (i) The developer shall install storm drainage facilities, including drains, sewers, catch basins, and culverts necessary for the proper drainage of all surface water.
 - (ii) All drainage facilities shall be so designed to serve the entire drainage area per the specifications found in Chapter 170 and the current versions of the city's *Drainage Criteria Manual*.
 - (iii) All surface water drainage shall be transported to existing storm sewers, drainage facilities, or natural drainage ditches approved by the City Engineer.
 - (iv) The City Engineer shall approve all drainage features.
 - (v) **Culverts and Bridges.** Culverts and bridges shall be installed where needed in accordance with existing Arkansas State Highway Department standards and specifications.

...

- (C) **Other Infrastructure Improvements.** Other infrastructure improvements may be required where the need for such improvements is created in whole or in part by the proposed development as determined by the City Engineer.

(Code 1965, App. C., Art. III, §A(2), (3); Ord. No. 1979, 2-5-74; Ord. No. 2353, 7-5-77; Ord. No. 2755, 9-1-81; Code 1991, §§159.31, 159.32; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4263, 8-1-00; Ord. No. 4660, 12-21-04; Ord. No. 5152, 7-15-08; Ord. No. 5271, 9-1-09; Ord. No. 5296, 12-15-09; Ord. No. 5374, 12-21-10; Ord. No. 5523, 9-4-12; Ord. No. 5570, 03-05-13; Ord. No. 6116, §1, 11-20-18; Ord. No. 6166, §§1, 2, 4-2-19; Ord. No. 6195, §1, 6-4-19; Ord. No. 6350, §3(Exh. B), 8-18-20; Ord. No. 6426, §1, 4-6-21; Ord. No. 6446, §8(Exh. C), 6-15-21; Ord. No. 6751, §1(Exh. A), 5-21-24; Ord. No. 6833, §6, 1-21-25)

166.08 Street Design And Access Management Standards

...

(E) *Block Layout/Connectivity.*

- (1) *Block Length.* Block lengths and street intersections are directly tied to the functional hierarchy of the street pattern that exists or is proposed.
 - (a) *Regional and Regional High Activity Links.* Signalized intersections should be located at a minimum of one (1) every 2,640 feet (half a mile) along regional links and should be based on traffic warrants.
 - (b) *Neighborhood Links.* Intersections should be located at a minimum of one (1) every 1,320 feet (quarter of a mile) along neighborhood links.
 - (c) *Residential Link and Downtown/Urban Street.* Intersections shall occur at a minimum of one (1) every 660 feet.
 - (d) *Variances.* Block length standards may be varied by the Planning Commission when terrain, topographical features, existing barriers or streets, size or shape of the lot, or other unusual conditions justify a departure.
- (2) With the exception of corner lots, double-street frontage lots are prohibited except where such lots front on access restricted roadways such as expressways. Alleys are not considered as frontage. Double frontage lots may be permitted by the Planning Commission for topographical problems, feasibility issues relating to the parcel's dimensions, or other good cause which must be established and proven by the developer. The Planning Commission may impose additional landscape requirements along the back of such double-frontage lots. Unless otherwise approved by the Planning Commission, all primary structures shall be oriented toward the higher functional classification street.
- (3) *Connectivity.* Wherever a proposed development abuts undeveloped land, street stub-outs shall be provided as deemed necessary by the Planning Commission to abutting properties or to logically extend the street system.
- (4) *Topography.* Local streets should be designed to relate to the existing topography and minimize the disturbance zone.
- (5) *Dead-End Streets.* Dead end streets are discouraged and should only be used in situations where they are needed for design and development efficiency, reduction of necessary street paving, or where proximity to floodplains, creeks, difficult topography or existing barriers warrant their use. All dead end streets shall end in a cul-de-sac with a radius of 50 feet, or an alternative design approved by the city and the Fire Department. The maximum length of a dead end street (without a street stub-out) shall be 500 feet.

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

- (1) *Curb Cut Separation.* For purposes of determining curb cut or street access separation, the separation distance shall be measured along the curb line from the edge of curb cut to the edge of curb cut/intersection. The measurement begins at the point where the curb cut and intersecting street create a right angle, i.e., the intersection of lines drawn from the face-of-curb to face-of-curb. The measurement ends at the point along the street where the closest curb cut or street intersection occurs; again, measured to the point where the curb cut or intersecting streets create a right angle at the intersection of face-of-curb. In all cases curb cuts shall be a minimum of 5 feet from the adjoining property line, unless shared.
- (2) Separation for two (2) family, three (3) and four (4) family, multi-family and nonresidential development.
 - (a) *Regional and Regional High Activity Links.* Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When necessary, curb cuts along regional links shall be shared between two (2) or more lots. Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway.

- (b) *Neighborhood Links.* Curb cuts shall be located a minimum of 100 feet from an intersection or driveway. When necessary, curb cuts along neighborhood links shall be shared between two (2) or more lots.
- (c) *Residential Links.* Curb cuts shall be located a minimum of 50 feet from an intersection or driveway. In no case shall a curb cut be located within the radius return of an adjacent curb cut or intersection.
- (3) *Separation for Single-Family Homes.*
 - (a) For all street classifications, curb cuts shall be located a minimum of 10 feet from another driveway. Driveways serving corner lots shall be located as far from the street intersection as possible while still meeting a 5-foot separation from an adjoining property line. In no case shall a curb cut be located within the radius of an adjacent curb cut or street intersection.
 - (b) *Regional and Neighborhood Links.* Individual curb cuts along regional and neighborhood links streets shall be discouraged. When necessary, curb cuts along regional and neighborhood link streets shall be shared between two (2) or more lots.
- (4) *Reduction in Separation Distance.* In order to protect the ingress and egress access rights to a street of an abutting property owner, the City Engineer may reduce the separation distance of existing and proposed access points where strict compliance proves impractical, provided that joint access driveways and cross access easements are provided wherever feasible, and the ingress/egress curb cut is placed at the safest functional location along the property.
- (5) *Speed.* All streets should be designed to discourage excessive speeds.
- (G) *Non-Conforming Access Features.*
 - (1) *Existing.* Permitted access connections in place on the date of the adoption of this ordinance that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with the applicable standards under the following conditions:
 - (a) When new access connection permits are requested;
 - (b) Upon expansion greater than 50% of the property's appraised or market value as established by the Washington County Assessor; or
 - (c) As roadway improvements allow.
 - (d) With development of a new primary structure on the property.
- (H) *Easements.* Utility and drainage easements shall be located along lot lines and/or street right-of-way where necessary to provide for utility lines and drainage. The Planning Commission may require larger easements for major utility lines, unusual terrain or drainage problems.

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

172.04 Parking Lot Design Standards

(See: Illustration: Parking Dimension Factors)

- (A) *Maneuvering.* Parking lots shall be designated, maintained, and regulated so that no parking or maneuvering incidental to parking will encroach into the areas designated for sidewalks, streets, or required landscaping. Parking lots shall be designed so that parking and un-parking can occur without moving other vehicles, unless a valet service has been approved as part of the development plans. Vehicles shall exit the parking lot in a forward motion.
- (B) *Pedestrian Access.*
 - (1) Pedestrian access shall be provided from the street to the entrance of the structure by way of designated pathway or sidewalk.

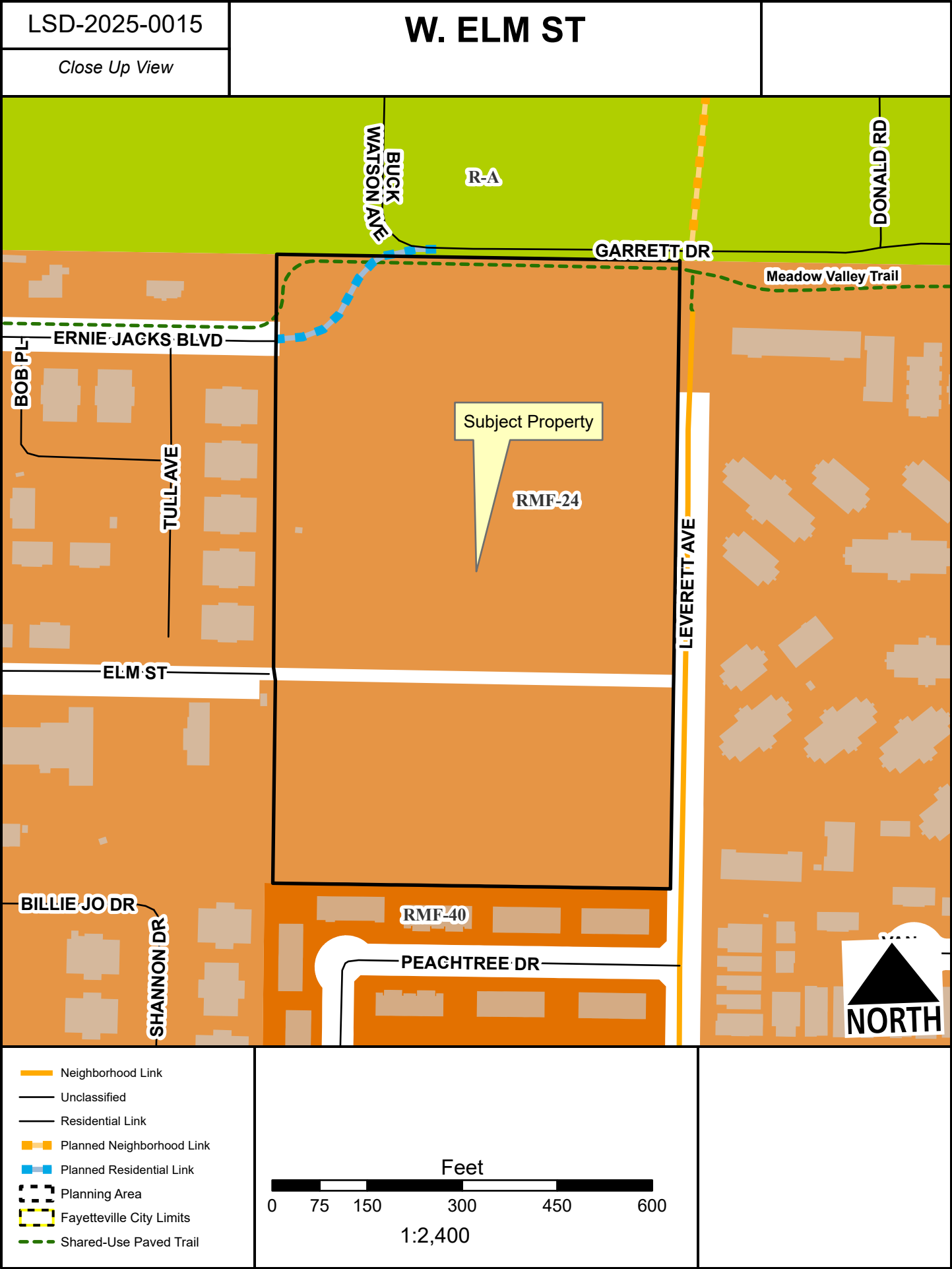
- (2) Parking lots may be utilized by restaurants, cafes, and similar uses where pedestrian seating, access, or service does not interfere with safe and functional circulation. If a parking lot utilized for outdoor service is determined to represent a hazard to pedestrian or vehicular use, sites may be required to include an implied or physical barrier with landscaping elements, gated fencing, changes in ground surface texture, material or color, or similar treatments.

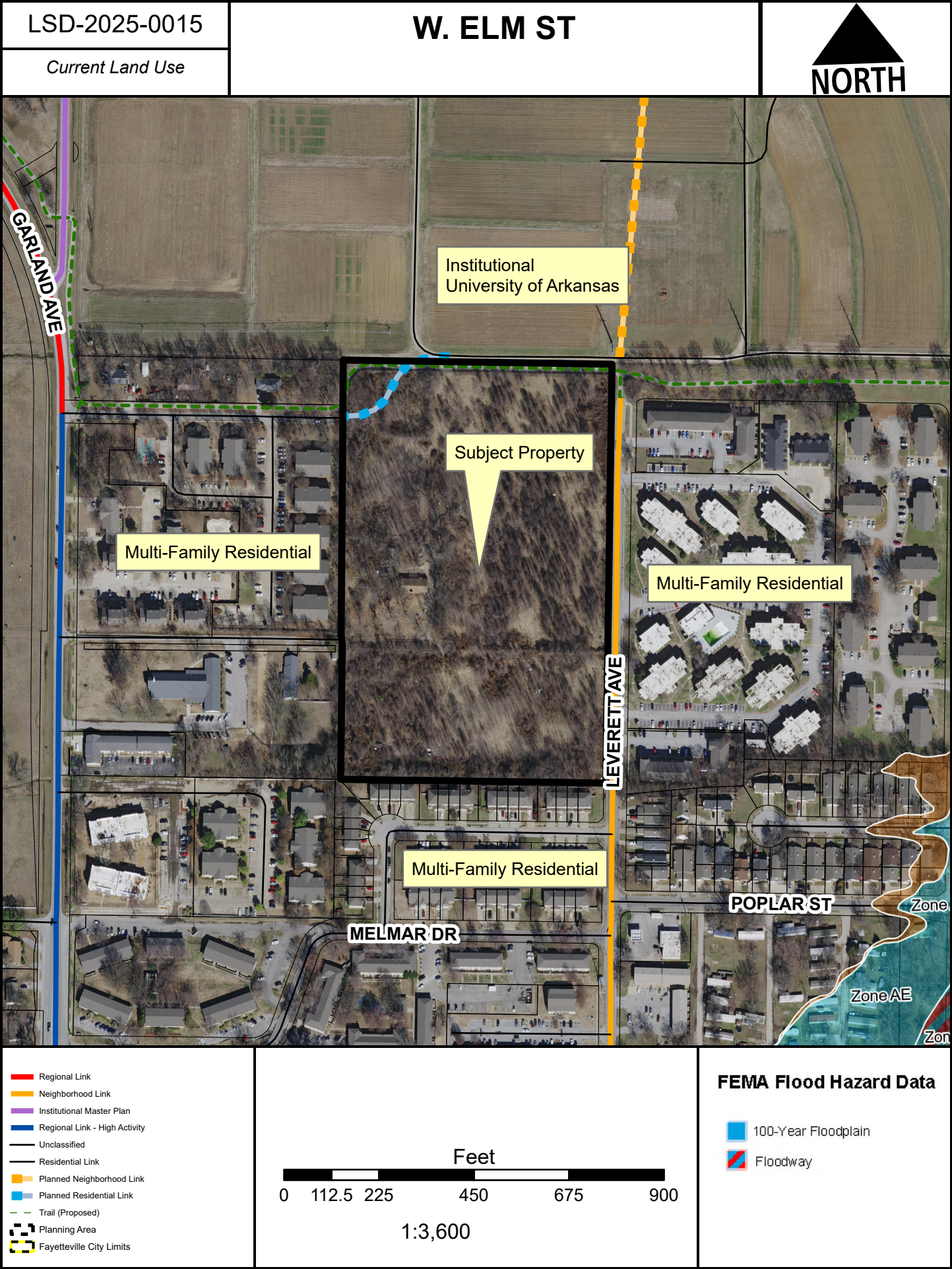
(C) *Build-to Zone*. A portion of a required parking lot may be located within the build-to zone, subject to the following:

- (1) A parking lot located within the build-to zone shall be screened with a masonry screen wall between 32 inches and 42 inches in height and 50% opaque minimum.
- (2) Parking lots that are located within the build-to zone shall comply with Chapter 177: Landscape Regulations, related to landscape setbacks.
- (3) Off-site parking lots shall be prohibited from being located within the build-to zone.
- (4) In urban zoning districts that specify urban form (i.e., a build-to zone) the intent is for drive-thru lanes, parking lot drive aisles, and parking spaces to be located to the side or rear of buildings. In urban zoning districts, a drive-thru lane, parking lot drive aisle, or parking spaces are not permitted to be located in the front yard directly between a building and the Master Street Plan right-of-way.

...

(Ord. No. 4725, 7-19-05; Ord. No. 4855, 4-18-06; Ord. No. 4917, 9-05-06; Ord. No. 5044, 8-07-07; Ord. No. 5079, 11-20-07; Ord. No. 5297, 12-15-09; Ord. No. 5592, 06-18-13; Ord. No. 5680, 4-15-14; Ord. No. 5841, §§1—3, 1-5-16; Ord. No. 5859, §2, 3-15-16; Ord. No. 6325, §1, 6-16-20; Ord. No. 6350, §9(Exh. G), 8-18-20; Ord. No. 6864, §1, 5-6-25)







TO: Jessie Masters, Planning Director

FROM: Justin Bland, City Engineer

DATE: December 3, 2025

SUBJECT: **Planning Commission Engineering Comments for
LSD-2025-0015 Meadow Valley Trail Student Housing**

Water: There is an existing 6" water main along the east side of the property along N. Leverett Ave. There is also an 8" water main that dead-ends at the northwest corner of the property where Ernie Jacks Blvd. also dead-ends. The applicant proposes an 8" water main across the site that ties to both of these existing lines for a looped domestic and fire water service.

Sewer: There is an existing 8" sewer main to the southeast side of the property along N. Leverett Ave. This sewer main stops on the south side of W. Peachtree Dr., which is approximately 140' south of the subject property. The applicant proposes to tie into this sewer main and extend an 8" sewer main across the site for sewer service. The applicant is responsible for acquiring any necessary off-site easements to extend the sewer off-site and tie into the manhole at W. Peachtree Dr.

A sewer capacity study was performed for this development. The results show a surcharge in a 40' section of 8" sewer main at the corner of W. Melmar Dr. and N. Leverett Ave. **Staff is recommending that the applicant upsize this 40' section of 8" sewer main to a 12" line (SSM-11275 to SSM-3155).**

Streets: This property has frontage to N. Leverett Ave. along the east side of the site which is a partially improved Neighborhood Link with asphalt paving and curb and gutter. The applicant proposes to build a 6' sidewalk along the eastern frontage of the property to match the Residential Link section. The project connects to W. Ernie Jacks Blvd. in the northwest corner of the project which is an improved Residential Link with sidewalk on one side and the Meadow Valley Trail on the other.

The applicant proposes to extend Elm Street through the property from Leverett Ave. on the east end to a gravel road in public right-of-way on the west end. The section of gravel road on the property to the west is planned to be paved to a 20' width by the city as part of the Garland Ave. improvement project. The applicant's section of Elm Street is 22' wide from back of curb with on-street parking. The applicant proposes a piazza style intersection in the middle of the site to encourage traffic calming and pedestrian safety. This is desired due to the roadway splitting the site in two, which separates the apartment amenities from some of the buildings. Originally, the piazza was intended within public right-of-way. However, the area does not meet city requirements for a public street due to the proposed materials and several design specifications. Based on this, a solution was proposed which keeps the piazza area as private property with a public access

easement dedicated across it. On either side of the piazza, the Elm St. right-of-way will dead-end at the edge of the piazza. This solution provides connectivity across the property, while also allowing the developer to be responsible for any maintenance on the unusual paving materials.

City staff recommends for a bus turnaround area to be installed at the north end of Leverett Ave. Razorback Transit currently will not drive north of Poplar due to the lack of a proper turnaround facility. The applicant has provided a basic design for a cul-de-sac to be constructed where Leverett Ave. dead-ends. The estimated cost for this work is \$130,000. The applicant has requested a 50/50 cost share with the city for this cost. However, staff recommends the cost be covered completely by the developer. This cul-de-sac will be an amenity for the future residents of the development since they won't have to walk south to Poplar to the closest existing bus stop.

A traffic impact study was prepared for this project which considered existing conditions, anticipated 2027 conditions, anticipated 2027 conditions with planned Garland Ave. improvements and a 2027 total traffic condition which includes the apartment complex. The results show that the total intersection level of service for all four locations continues to be an 'A.' However, the level of service for the westbound approaches at Garland/Ernie Jacks and Garland/Elm will be a 'C' and 'D,' respectively. These are slightly better than the current level of service for those intersections which are a 'D' and 'D.' This is due to the impact of the Garland Ave. improvements effectively mitigating the impact of the apartment complex. Based on these results, staff is not recommending any additional street improvements to mitigate traffic concerns.

Intersection Capacity Analysis Results

Intersection	Type of Traffic Control	AM Peak Hour						PM Peak Hour					
		Critical Approach			Intersection			Critical Approach			Intersection		
		Approach	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS		Approach	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	
2025 Existing Traffic													
Garland Avenue (Hwy 112) and Ernie Jacks Blvd.	TWSC	WB	29.7	D	0.3	A	WB	28.4	D	0.3	A		
Garland Avenue (Hwy 112) and Elm Street	TWSC	WB	13.7	B	0.0	A	WB	28.0	D	0.2	A		
Leverett Avenue and north drive	TWSC	WB	8.6	A	5.1	A	WB	8.6	A	2.9	A		
Leverett Avenue and south drive	TWSC	WB	8.8	A	2.5	A	WB	8.9	A	1.6	A		
2027 Background Traffic													
Garland Avenue (Hwy 112) and Ernie Jacks Blvd.	TWSC	WB	32.5	D	0.4	A	WB	31.0	D	0.3	A		
Garland Avenue (Hwy 112) and Elm Street	TWSC	WB	14.0	B	0.0	A	WB	31.3	D	0.3	A		
Leverett Avenue and north drive	TWSC	WB	8.6	A	4.5	A	WB	8.9	A	3.0	A		
Leverett Avenue and south drive	TWSC	WB	8.9	A	2.5	A	WB	9.0	A	1.6	A		
2027 Background Traffic - with Garland Avenue (Hwy 112) Improvements													
Garland Avenue (Hwy 112) and Ernie Jacks Blvd.	TWSC	WB	14.4	B	0.2	A	WB	15.2	C	0.2	A		
Garland Avenue (Hwy 112) and Elm Street	TWSC	WB	10.9	B	0.0	A	WB	14.9	B	0.1	A		
Leverett Avenue and north drive	TWSC	WB	8.6	A	4.5	A	WB	8.9	A	3.0	A		
Leverett Avenue and south drive	TWSC	WB	8.9	A	2.5	A	WB	9.0	A	1.6	A		
2027 Total Traffic													
Garland Avenue (Hwy 112) and Ernie Jacks Blvd.	TWSC	WB	14.8	B	0.3	A	WB	16.3	C	0.4	A		
Garland Avenue (Hwy 112) and Elm Street	TWSC	WB	14.5	B	0.2	A	WB	25.3	D	0.6	A		
Leverett Avenue and north drive	TWSC	WB	8.8	A	7.0	A	WB	9.3	A	7.0	A		
Leverett Avenue and south drive	TWSC	WB	9.0	A	4.0	A	WB	9.8	A	4.2	A		

Drainage: The development must meet the 4 minimum standards outlined in the City's Drainage Criteria Manual. The developer proposes a mixture of pervious pavers and an Aquaswirl unit to meet Minimum Standard 1 for water quality. Minimum Standards 2-4, which are for channel protection volume and stormwater detention, are proposed to be met with a detention pond at the

south east side of the site. The site drainage will discharge to an existing box culvert that crosses N. Leverett Ave. just south of the project. A detailed review of the drainage improvements will be performed during the grading permit review process.

Standard Comments:

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



URBAN FORESTRY TREE PRESERVATION COMMENTS

To: Crafton Tull

From: Bethany Douglas, Urban Forester

CC: Donna Wonsower, Senior Planner

Meeting Date: November 17, 2025

Subject: LSD-2025-0015: Meadow Valley Trail

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

2. Tree Preservation Calculations

TREE PRESERVATION CALCULATIONS - SQUARE FEET		
	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	652,676	100%
<i>Zoning Designation * Select Below with drop down arrow</i>		
RMF-24 Multi-Family Residential-Twenty-Four Units Per Acre	130,535	20%
<i>HHOD * Select Below with Drop Down Arrow</i>		
No	0	0%
Total Canopy for Minimum Preservation Requirements	130,535	20.0%
Existing Tree Canopy * Minus Right of Way and Easements	322,925	49.5%
Tree Canopy Preserved	48,275	7.4%
Tree Canopy Removed *On Site	274,650	42.1%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	274,650	42.1%
Removed Below Minimum	82,260	
Mitigation Requirements	82,260	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority	18,920	87
Low Priority	63,340	145
Total Mitigation Trees Required		232

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

Tree Protection Methods

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

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

7. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	10-29-25	11-17-25
Approved		
Tabled		
Denied		

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

Comments

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



URBAN FORESTRY LANDSCAPE PLAN COMMENTS

To: Crafton Tull

From: Bethany Douglas, Urban Forester

CC: Donna Wonsower, Senior Planner

Meeting Date: November 17, 2025

Subject: LSD-2025-0015: Meadow Valley Trail Student Housing (W Elm St)

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

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

3. Perimeter Landscaping Requirements	Yes	No	N/A
a. Front Property Line (15' wide landscape) and five on sides. <i>UDC Chapter 177.04D2a</i>	X		
b. Side and Rear Property Lines (5' Wide Landscape Area) <i>UDC Chapter 177D1</i>	X		
c. Shade trees planted on south and west sides of parking lots <i>UDC Chapter 177.04D2e</i>	X		
d. Screening of parking lot from adjacent residential properties and the street.	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	232
Parking Lot Trees	52 (Missing 3 parking lot trees)
Street Trees	53
Detention Pond – Large Trees (1 Tree/3,000 square feet)	8

Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	32
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)	48

6. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	10-29-25	11-17-25
Approved		
Tabled		
Denied		

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

Comments
1. Address items above marked “No” and all Redlines provided. 2. Applicant is missing 3 parking lot trees, there should be a total of 52 parking lot trees plus the required mitigation. 3. Please change oak trees near Leverett OHE. 4. Before commencing any construction activity, the applicant shall construct tree protection barriers on the site along the tree dripline or 10 feet from the trunk, whichever is greater



CITY OF
FAYETTEVILLE
ARKANSAS

TO: Planning Division

FROM: Zach Foster, Parks Planning

DATE: September 22, 2025

SUBJECT: Parks & Recreation Technical Plat Review Comments

Parks Board Meeting Date: September 3, 2025

Project Title: Meadow Valley Trail Student Housing

Project Number: LSD-2025-0015

Project Location: 765-05140-000

Plat Page: 366

Park Quadrant: NW

Billing Name & Address: Razorback Housing LLC, 177 Royal Palm Way
Boca Raton, FL 33432-7961

☐ Land Dedication

☒ Fee-in-Lieu

☐ Combination

FEE-IN-LIEU

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

Multi Family: 278 units x \$952 per unit = \$264,656

**TOTAL
Fees**

\$264,656

SUMMARY

- Project proposes 0 SF Units and 278 MF 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.

Conditions of Approval:

1. **Planning Commission determination of compatibility with adjacent properties.**
Staff finds the proposed private dormitory to be compatible based on the findings contained herein;
 2. Any necessary improvements to water, sewer, or streets, will be determined at the time of development entitlement;
 3. Nearby bus stops and any necessary improvements to them based on the impact of this proposal shall be evaluated at the time of development;
 4. A civically oriented design element, such as a piazza as shown on the site plan, shall be integrated into the project's final design and streetscape. This element shall be reviewed for compliance with necessary minimum street standards and fire access at the time of development;
 5. Compliance with UDC §166.23, Urban Residential Design Standards shall be fully reviewed at the time of large-scale development;
 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>July 14, 2025</u>	☐ Tabled	☒ Approved	☐ Denied
Motion: <u>Payne</u>	with all conditions as recommended by staff.		
Second: <u>Garlock</u>			
Vote: <u>7-0-1 (Cabe recused)</u>			



November 5, 2025

City of Fayetteville
Attn: Planning Department
113 W Mountain Street
Fayetteville, AR 72701

Re: Large Scale Development Plan
Meadow Valley Trail Student Housing

Planning Staff,

On behalf of my client, Razorback Housing, LLC, we are submitting the above-mentioned large-scale development plans.

The proposed project is a 14.98 acre multifamily/student housing development at N Leverett and Elm Street in Fayetteville, AR (Parcel ID 765-05140-000). The property is zoned RMF-24 with an approved CUP for student housing. The site will contain 5 multifamily buildings with a total of 278 units (630 bedrooms).

Leverett Avenue has a continuous high voltage transmission line along the entire western side of the ROW (entire eastern edge of the project property). This transmission line includes a 100' wide easement, which effectively generates a 50' easement onto the project property from the centerline of the existing electrical poles.

Due to this easement, it is not possible to meet the Fayetteville Unified Development Code requirements for a Build To Zone (BTZ) of 25' that is required for RMF-24 zoning along the Leverett Avenue frontage.

Therefore, this project is focusing the BTZ requirements onto the new Elm Street ROW that includes a unique piazza design intended to create a stronger sense of place as well as provide traffic calming. Additionally, due to the termination of Leverett Avenue into the Meadow Valley Trail and university agricultural fields, the new Elm Street creates a stronger, appropriately scaled location to meet the BTZ requirements from a placemaking point of view.

Because of this easement we are forced to push our buildings west, we are therefore required to have aerial apparatus on the east side of building B01. We are requesting administrative approvals on parking spaces between the building and Leverett, and ground floor units' sidewalk to connect west of the aerial road then collect to a bigger sidewalk and cross to Leverett's sidewalk.

The BTZ requirements entail that 50% of lot width must meet the building frontage requirement and the proposed project exceeds that requirement as indicated on the site plan.

A Master Street Plan Amendment (ADM 2025-00040) and Right of Way Vacation (VAC 2025-0022) have been submitted in conjunction with this application. VAC (2025-0022) has been approved by City Council at the November 4, 2025 meeting

The parks board approved an in-lieu of fee at the September 3, 2025 board meeting.



All required infrastructure is immediately available to the site. RJN is currently preparing a sanitary sewer capacity report, anticipated for completion by October 8, which will be forwarded to staff upon receipt.

A traffic impact study has been provided and submitted with this project. The study recommended no improvements.

Thank you for your consideration in this matter.

Sincerely,

Caroline Gardner, P.E.
Project Manager
Crafton Tull



December 1, 2025

City of Fayetteville
Attn: Planning Department
113 W Mountain Street
Fayetteville, AR 72701

Re: Large Scale Development Plan- Bus Turnaround Narrative
Meadow Valley Trail Student Housing

Planning Staff,

The Developer/Sponsor (the “Client”) is supportive of the City’s request for an off-site improvement for a bus turnaround that would accommodate expanded bus service and express bus service on Leverett Ave. The turnaround infrastructure improvements would be a significant benefit to the development plan and the community and would benefit several stakeholders (including the City and University) and surrounding landowners. The City has requested that the transit bus turnaround be included as a condition of approval for the large-scale development plan (LSD 2025-0015) and the Client is amenable to its inclusion under the following structure: that the transit turnaround improvement be a cost-shared project between the Client and the City (or other stakeholders identified by the City). Under this arrangement, the Client will provide an access easement and contribution agreement to include: i) any of the Client’s land required for the public improvement of the bus turnaround; ii) that the Client will fund fifty percent (50%) of the total cost, and ii) that the City (or other stakeholders identified by the City through the contribution agreement) will fund the remaining fifty percent (50%) of the total cost. This shared funding approach ensures the necessary improvements are completed while distributing costs equitably between the private and public stakeholders. The Client continues to coordinate and work proactively with the City to determine the most suitable turnaround design and scope that meets both parties’ needs and requirements.

Thank you,

Caroline Gardner, P.E.
Project Manager
Crafton Tull



December 1, 2025

City of Fayetteville
Attn: Planning Department
113 West Mountain St
Fayetteville, AR 72701

Re: Meadow Valley Trail Apartments (LSD 2025-0015)
UDC Variance Requests

To whom it may concern:

The purpose of this correspondence is to request five (5) variances for the proposed project is a 14.98 acre multifamily/student housing development at N Leverett and Elm Street in Fayetteville, AR (Parcel ID 765-05140-000). The property is zoned RMF-24 with an approved CUP for student housing. The site will contain 5 multifamily buildings with a total of 278 units (630 bedrooms);

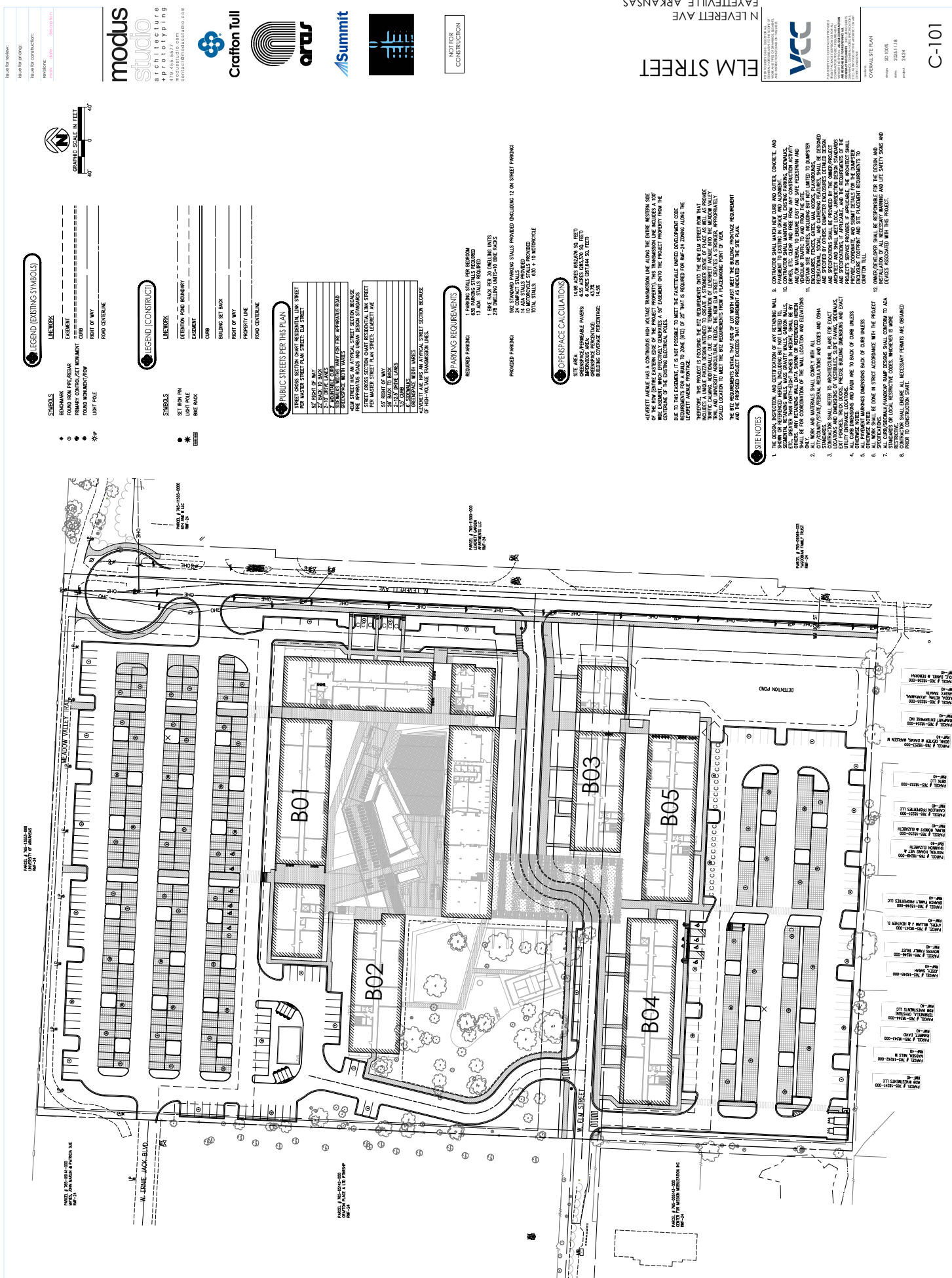
1. Chapter 166.08(F)(2)(c) of the UDC (Access Management – Residential Links) requires curb cuts to be located a minimum of 50 feet from an intersection. Due to the existing utility easement containing overhead power poles, the proposed buildings must be shifted west, which in turn requires aerial apparatus access along the east side of Building B01. To accommodate this required fire-access location, we are requesting a variance to allow the curb cut to be placed 40 feet from the intersection. Please note that this street segment will function as a one-way roadway.
2. Chapter 166.08 (E)(1)(c) of the UDC (Block Layout/Connectivity) requires intersections every 660 feet. Our site will provide intersections onto Elm Street, however, these are intersections into the proposed development. There is no adjoining development connecting to the parking lots on the north and south side, so public connectivity requirements are not impacted.
3. Chapter 172 of the UDC Parking and Loading restricts parking areas from being placed between a principal building and the street frontage. Administratively granting this variance would allow parking to be located between building B01 and N. Leverett Avenue. This adjustment is necessary to meet the required parking ratios and will improve overall site circulation and connectivity along the eastern side of the building.
4. Chapter 166.08(D)(5) of the UDC (Street Standards) requires that all public streets be designed to conform to the City of Fayetteville Master Street Plan. Due to the existing high-voltage transmission lines along N. Leverett Avenue, it is not feasible to widen the street to meet the standard cross-section. Therefore, we are requesting approval of an atypical street section that maintains the intent of the Master Street Plan while accommodating the unmovable transmission lines.

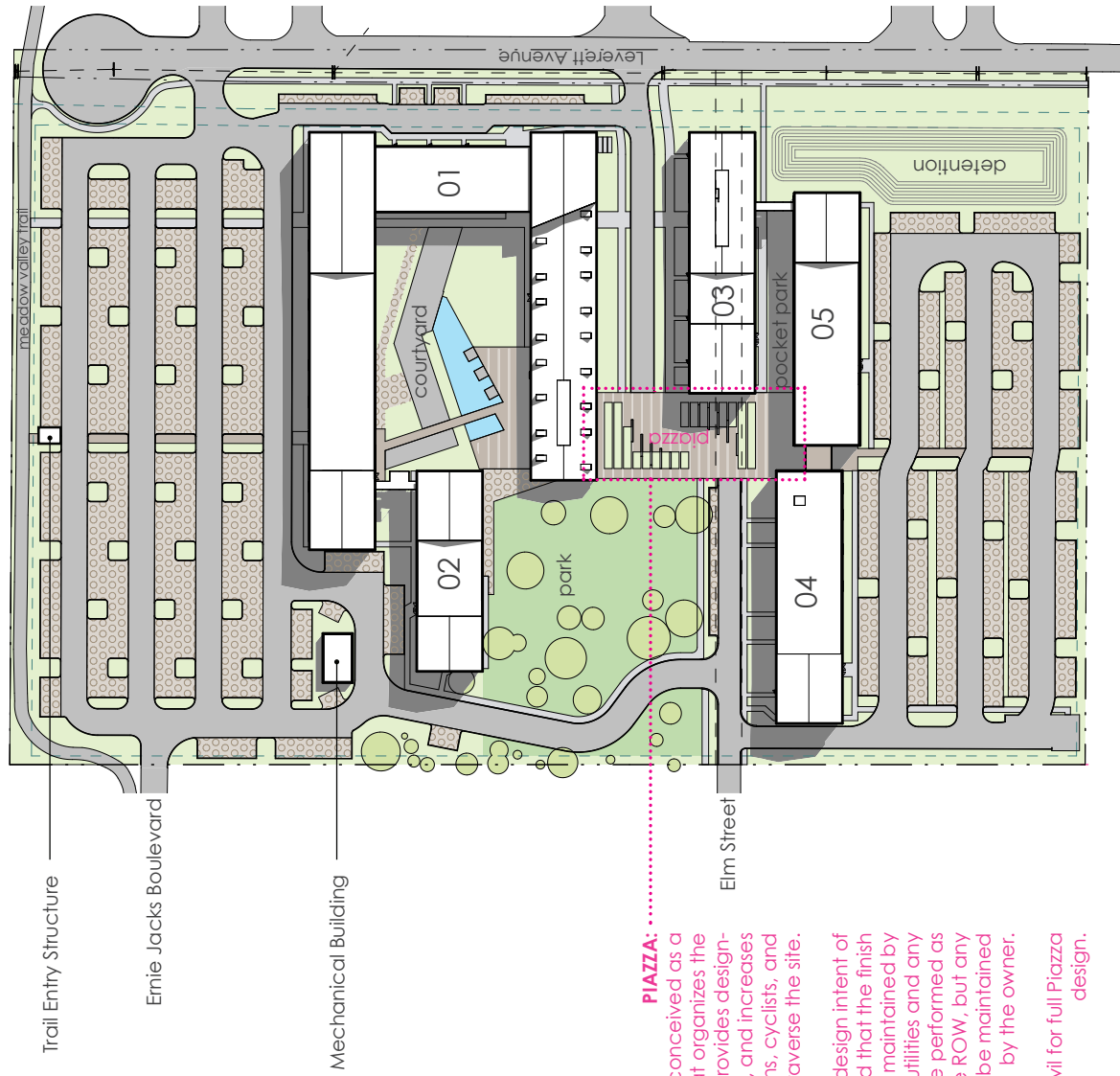


5. Chapter 166.08(D)(5) of the UDC (Street Standards) requires that all public streets be designed to conform to the City of Fayetteville Master Street Plan. In order to meet aerial apparatus and urban design requirements, we are requesting an atypical street section on Elm Street, but 52' of right of way.

Sincerely,

Caroline Gardner, P.E.
Project Manager
Crafton Tull





PIAZZA: The piazza space is conceived as a unique urban element that organizes the heart of the project, provides design-focused traffic calming, and increases overall safety for pedestrians, cyclists, and vehicles as they traverse the site.

In order to achieve the design intent of the piazza, it is requested that the finish materials be privately maintained by the project owner. All utilities and any necessary utility work will be performed as required by the city within the ROW, but any required repair finishes will be maintained by the owner.

Planning Commission
December 8, 2025
RBACK HOUSING LLC)

Prefer to Landscape + Civil for full Piazza design.

STATS.

SITE:

Zoning:

Acres:

Potential Density: 359 units

PROPOSED:

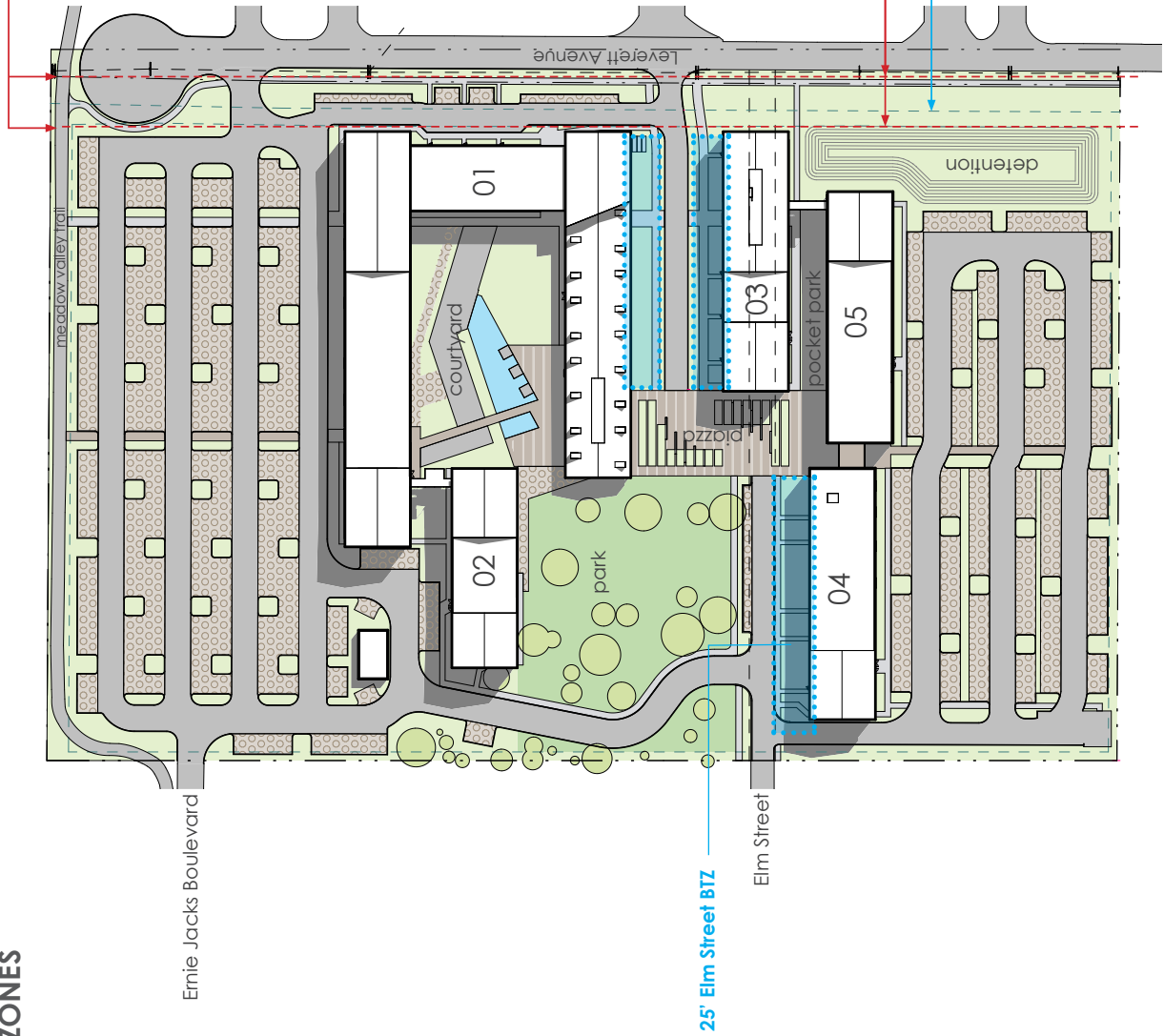
Buildings: 005

Units: 273

Parking Spaces:

(Refer to civil for parking chart)

SITE PLAN : BUILD-TO ZONES



Leverett Avenue has a continuous high voltage transmission line along the entire western side of the ROW (entire eastern edge of the project property). This transmission line includes a 100' wide easement, which effectively generates a 50' easement onto the project property from the centerline of the existing electrical poles.

Due to this easement, it is not possible to meet the Fayetteville Unified Development Code requirements for a Build To Zone (BTZ) of 25' that is required for RMF-24 zoning along the Leverett Avenue frontage.

Therefore, this project is focusing the BTZ requirements onto the new Elm Street ROW that includes a unique piazza design intended to create a stronger sense of place as well as provide traffic calming. Additionally, due to the termination of Leverett Avenue into the Meadow Valley Trail and university agricultural fields, the new Elm Street creates a stronger, appropriately scaled location to meet the BTZ requirements from a placemaking point of view.

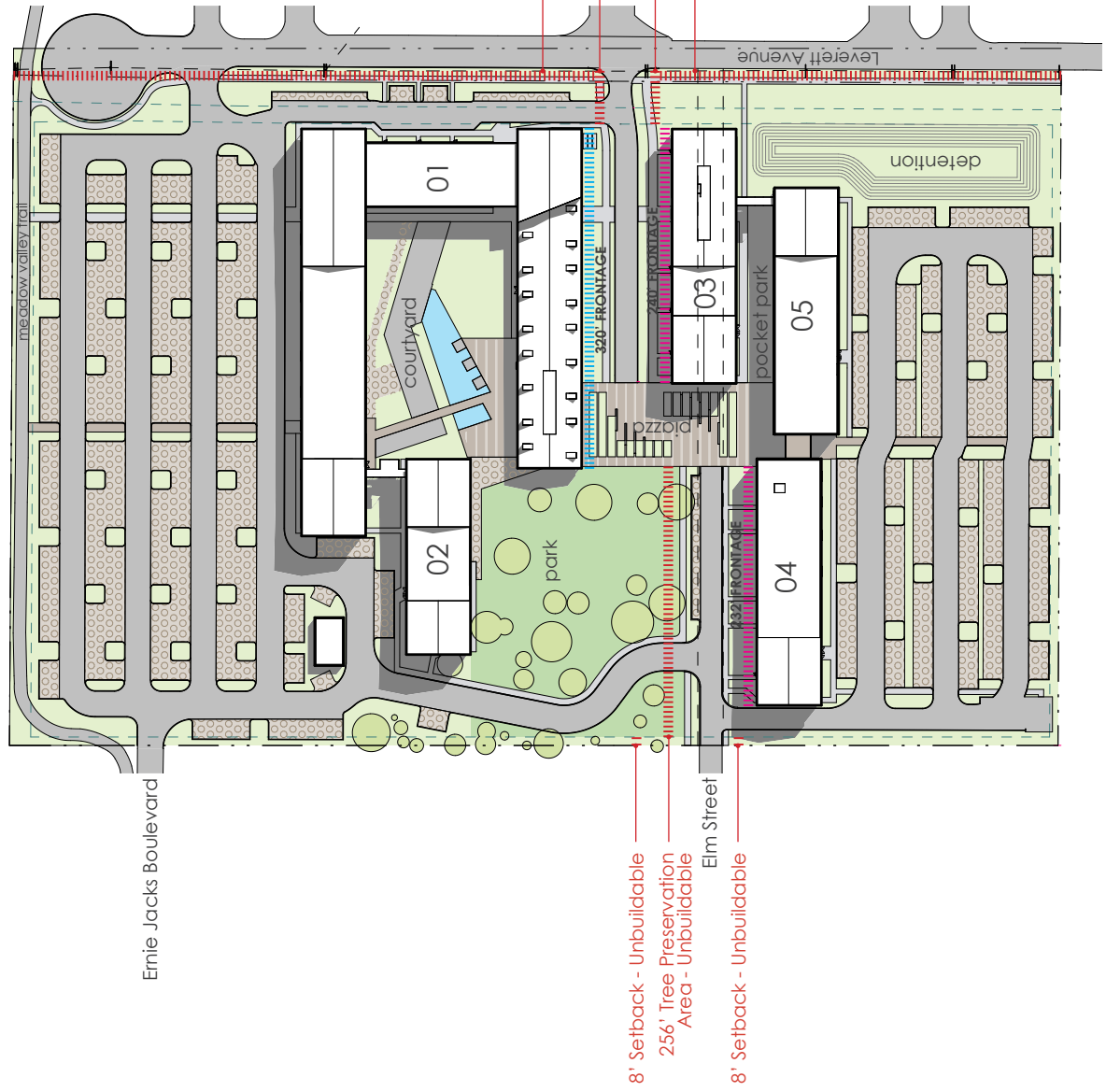
The BTZ requirements entail that 50% of lot width must meet the building frontage requirement and the proposed project exceeds that requirement as indicated on the site plan.

50' Electrical Easement

25' Leverett Avenue BTZ is not achievable

25' Elm Street BTZ

SITE PLAN : FRONTAGE

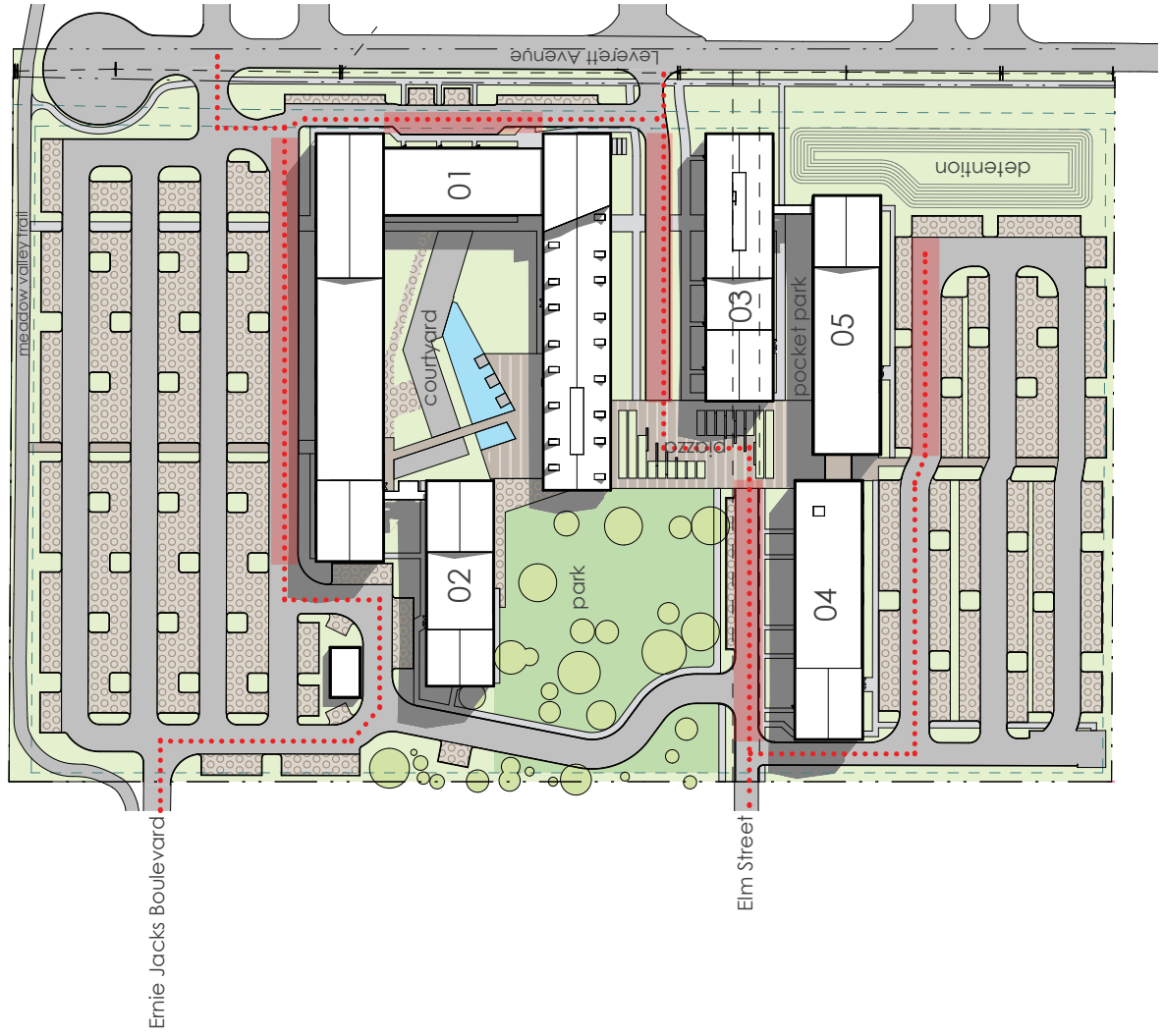


	NORTH BLOCK	SOUTH BLOCK
Total Street Frontage	1196'	1054'
Unbuildable Frontage		
Leverett - Electrical Easement	537'	395'
Elm - Electrical Easement	50'	50'
Elm - Tree Preservation Area	256'	0'
Elm - Setback	8'	8'

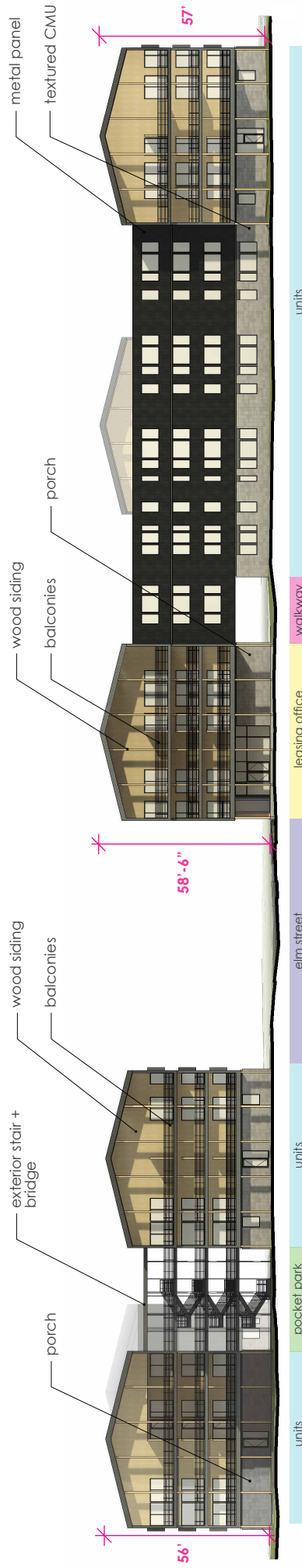
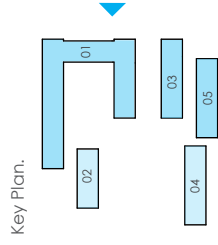
Total Buildable Frontage	345'	601'
Building Frontage Provided	320'	472'
% Frontage	93%	79%

8' Setback - Unbuildable
 256' Tree Preservation Area - Unbuildable
 8' Setback - Unbuildable
 537' Electrical Easement - Unbuildable
 50' Electrical Easement - Unbuildable
 395' Electrical Easement - Unbuildable

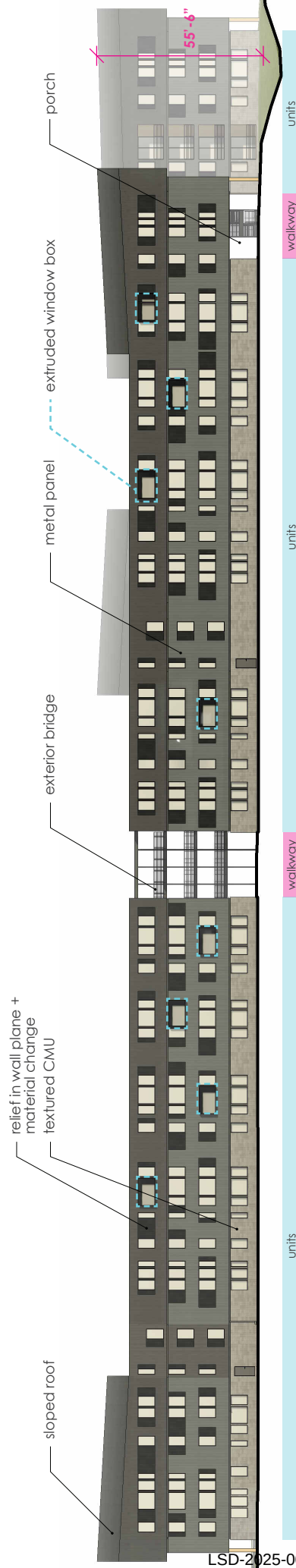
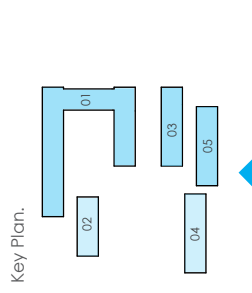
SITE PLAN : AERIAL APPARATUS



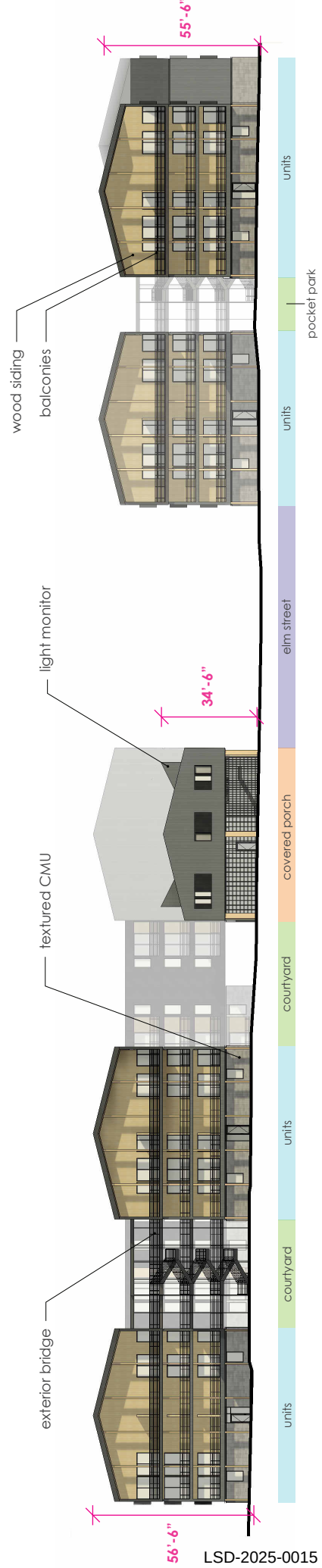
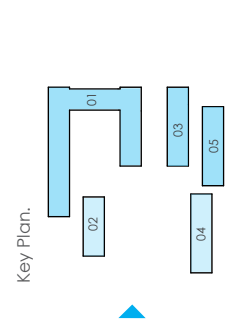
PRIMARY ELEVATIONS : EAST



PRIMARY ELEVATIONS : SOUTH

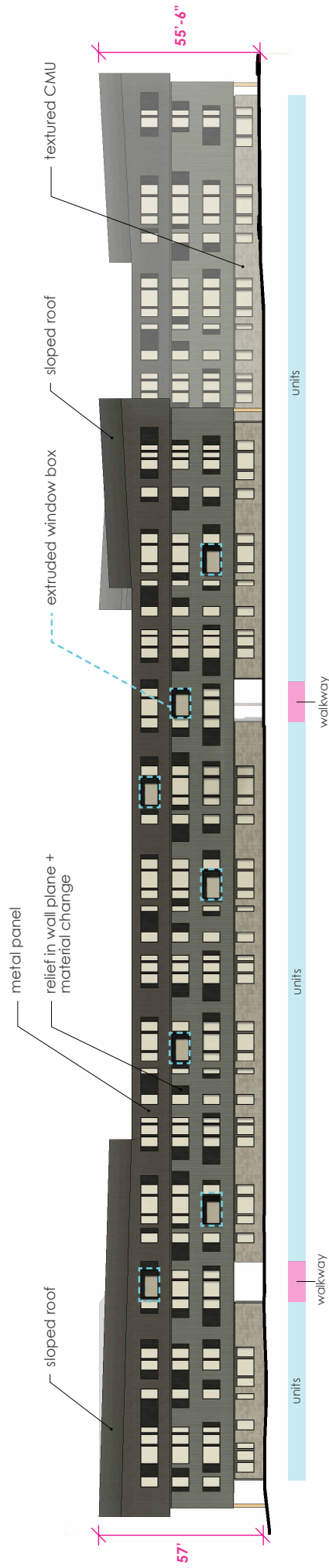
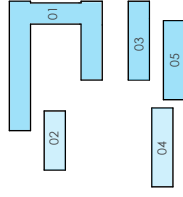


PRIMARY ELEVATIONS : WEST

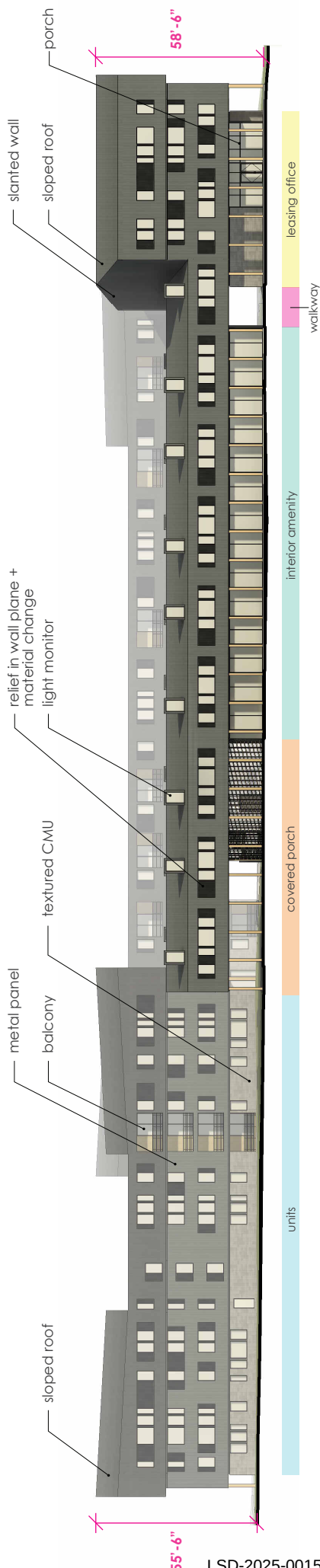
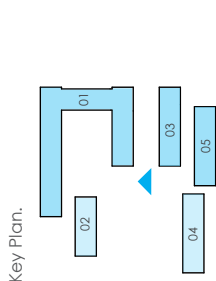


PRIMARY ELEVATIONS : NORTH

Key Plan.

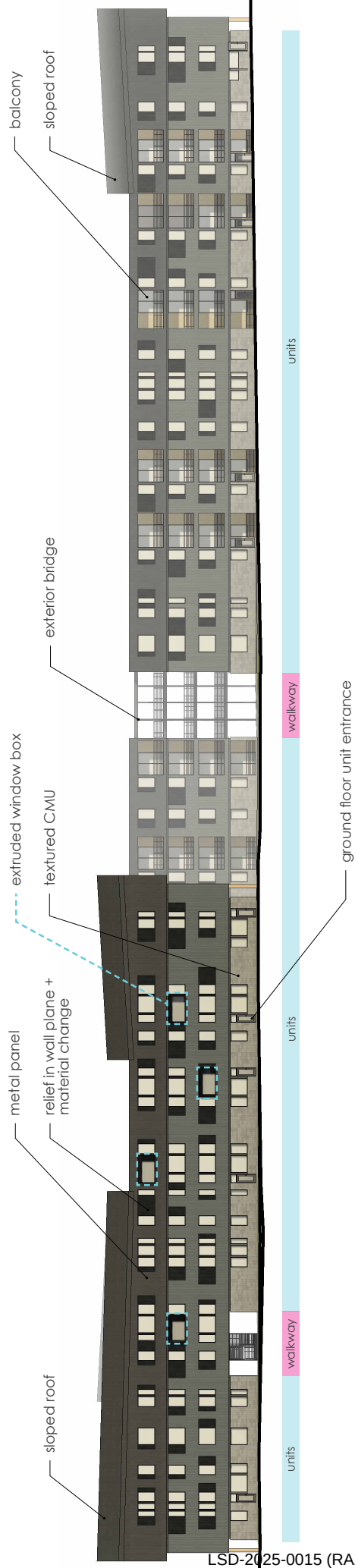
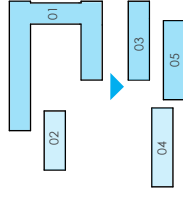


PRIMARY ELEVATIONS : ELM STREET LOOKING NORTH



PRIMARY ELEVATIONS : ELM STREET LOOKING SOUTH

Key Plan.





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: December 8, 2025

SUBJECT: **CUP-2025-0053: Conditional Use Permit (2096 N. BOX AVE./ BOX AVE. COTTAGES, 372):** Submitted by BATES & ASSOCIATES for property located at 2096 N. BOX AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 2.40 acres. The request is for a cluster housing development

RECOMMENDATION:

Staff recommends approval of **CUP-2025-0053** with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2025-0053** with conditions, determining:*

- In favor of a variance to UDC 164.22(D)(1) Number of Cluster Housing Units Permitted;*
- 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."*

NOVEMBER 24, 2025 PLANNING COMMISSION MEETING:

At the November 24 Planning Commission meeting, the Planning Commission voted to table the request due to concerns about existing infrastructure and questions about the scale of improvements that could be required with the proposed development. Four members of the public stated opposition to the request at that meeting, echoing concerns expressed in written comments and also noting the over-population of the adjacent schools, poor driver behavior in the area, existing congestion adjacent to the schools, and the surrounding lower density zoning. In the intervening weeks, the fire department has provided an updated memo with additional information about applicable fire code sections. Additionally, the applicant has made inquiries into a potential cost share to offset the financial loss of a possible reduction in unit count to address traffic concerns.

BACKGROUND:

The subject property is located in northeast Fayetteville directly west of McNair Middle School on N. Box Ave. The site totals approximately 2.40 acres and is zoned RSF-4, Residential Single-family, Four Units per Acre. The property is currently developed with a 1,732 square foot single-family dwelling that was constructed in 1965 per the Washington County Assessor. The parcels are not part of any zoning overlay districts, streamside protection zones, or floodplain. 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	McNair Middle School	P-1, Institutional
West	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre RMF-6, Residential Multifamily, 6 Units per Acre

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

Proposal: The applicant requests conditional use permit approval to develop the property with a cluster housing development containing nineteen detached single-family units within two clusters. 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 shall be fully reviewed with required development entitlement plans.

Public Comment: Six members of the public have stated opposition to the request, citing increased traffic on a narrow, dead-end street, parking, inadequate water and sewer infrastructure, stormwater and flood risk, incompatibility with neighborhood character, removal of mature trees, light pollution, need to conserve water, and a misapplication of the city neighborhood plan.

RECOMMENDATION: Staff recommends approval of **CUP-2025-0053** 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. **Planning Commission determination of variance to UDC 164.22(D)(1) Number of Cluster Housing Units Permitted.** *Staff recommends approval of the requested variance to permit a cluster with 13 units with no added conditions.*
3. Pedestrian system within each cluster shall extend to the eastern property line to provide potential east / west connectivity to the school.
4. Tree preservation plan shall place a higher priority on tree preservation within common open spaces and internal to the cluster housing development rather than along property edges.
5. 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;
9. Per UDC §166.20, Expiration of Approved Plans and Permits, conditional use permit approval is valid for one year; and
10. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs.

PLANNING COMMISSION ACTION: Required <u>YES</u>
Date: <u>December 8, 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.

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, are directly adjacent to a large, institutional use, and are near areas where high intensity uses are permitted by right including properties zoned CS, Community Services and C-2 Throughfare Commercial. Nine single-family homes and up to eighteen accessory dwelling units could be constructed by right within this acreage under the existing zoning allowances with no discretionary approvals required, which is more than what is requested with this request with fewer design requirements and lesser parking requirements. Developing the property as a cluster housing development will subject it to the cluster housing design standards, Fayetteville's tree preservation standards, drainage criteria, and would require parking for all units, all of which are both intended to minimize off-site impacts and protect the public interest, as well as the potential for public street improvement requirements which could benefit surrounding properties and neighbors. Staff recommends a condition that the pedestrian system be extended to the subject areas eastern property line to provide the potential for east/west connectivity to the school.

Additionally, urban forestry staff recommend that the tree preservation plan shall place a higher priority on tree preservation within common open spaces and internal to the cluster housing development rather than along property edges. The preservation of trees within areas where they can serve to provide shade and other services for residents using common amenities

will better serve the intent of the cluster housing ordinance to facilitate flexible design options which encourage interaction and community.

(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 includes two clusters. The north cluster includes six new detached single-family dwellings on the northern portion of the site. A second cluster of thirteen detached single-family dwellings (twelve new and one existing) is proposed within the remainder of the site. A variance has been requested to UDC 164.22(D)(1) to permit a cluster to contain thirteen units. Staff recommends in favor of this request, finding that it permits the existing house to be maintained rather than demolished, contributing to housing affordability in the redevelopment of the overall site.

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: One existing single-family structure is located on the subject property which appears to be conforming with the standards of this section. Compliance with cluster housing requirements shall be further reviewed with development entitlement.

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 2.40 acres, which would allow 19.2 units per acre as cluster housing, the applicant's proposal is for nineteen units (eighteen new and one existing), which is within the permitted density allowance.**

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. With a property line adjustment to remove the internal lot lines, individual buildings appears to be meeting the separation requirements of the International Building Code. Separation and setbacks shall be fully reviewed with development entitlement.**

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 one-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 will be considered at the time of development entitlement. 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 substantially 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. Additional information is needed to fully verify compliance with these standards; however, with the exception of the three units in the far northwest corner no units with identical floor plans are located adjacent to each other. The provided building elevations and site plan suggest that variations to roof shapes and window and door placement will be utilized to meet these requirements. While floor plans are repeated within clusters, they generally include mirroring or other rotations that alter their exterior appearance. Materials appear to be primarily board and batten siding. 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 N. Box Ave., a Residential Link, by way of two driveways accessing shared parking lots. The proposal is a relatively minor increase. The fire marshal's office has indicated support for the request, with the comment that Box Ave. would need to be brought into compliance with current fire access standards and may also need to install an additional fire hydrant. The proposed driveways onto Box Ave. appear to meet the required 50-foot separation standards as shown. Further, the intersection of Box Ave. and Mission Blvd. itself has a separation of more than 300 feet from any adjacent driveway along its northern edge where only 250 feet is required for a Regional Link.

A minimum of two parking spaces are required per single-family residence. For 18 new units, a total of 36 parking spaces would be required not accounting for permitted reductions. If the property was developed under existing zoning entitlements, parking could be required for single-family units but not for any proposed accessory dwelling units. The ITE manual shows 9.43 trips per day for detached single family housing, which could result in 170 total new trips per day with the addition of 18 new units. While there have been twelve recorded traffic accidents at the intersection of Box Ave. and Mission Blvd. in the five years between 2017 and 2021 (average of 2.4 per year), staff finds the incremental increase is unlikely to substantially compound a dangerous traffic condition given the extend of improvements likely needed to permit the development. Compliance with the City's access

management and public safety standards will be 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 the existing garage for the existing structure and within shared parking lots for the new dwellings. 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 approximately one parking space per bedroom, as well as 3 bike racks. Additional bike racks shall be required to meet the one rack per unit requirement. Where parking abuts adjacent properties or public right-of-way, screening shall be required per UDC 172.04.

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

Finding: The applicant has indicated the development is intended to be served with residential trash carts. The City's ability to serve the development will be fully reviewed at the time of development entitlement.

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

Finding: Utilities are currently available at or near the site. An eight-inch water main is available along the eastern property line and a 2.25-inch water line is available within N. Box Ave. An eight-inch sewer main is available approximately 430 feet to the south along E. Mission Blvd. 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 institutional use along most of the eastern property line, staff recommends limited buffering. That said, screening will be required around the proposed parking lots per the requirements of Chapter 177.

- (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 with development entitlement.

(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 directly adjacent to two public schools (McNair Middle School and Vandergriff Elementary) and less than 700 feet from the intersection of two High-Activity Regional Link Streets (Crossover Rd. and Mission Blvd.), 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 City Neighborhood area by encouraging appropriate infill. Further, City Plan 2040 specifically encourages residential infill in close proximity to public schools and on increasing easy, safe access to affordable housing within walking and biking access to schools and other amenities. The property has a ranged infill score of 6-7 with a weighted score of 8, though staff notes this will increase once a proposed sewer main extension is completed. Smaller housing directly adjacent to public schools directly addresses this goal.

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
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Staff Exhibits:
 - Fire Memo
 - Proposed Street Improvements
 - Historic Traffic Crashes
 - By-Right Allowances
- Applicant Request Letter
- Variance Request Letter
- Applicant Site Plan
- Floor Plans & Elevations
- Public Comment

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.

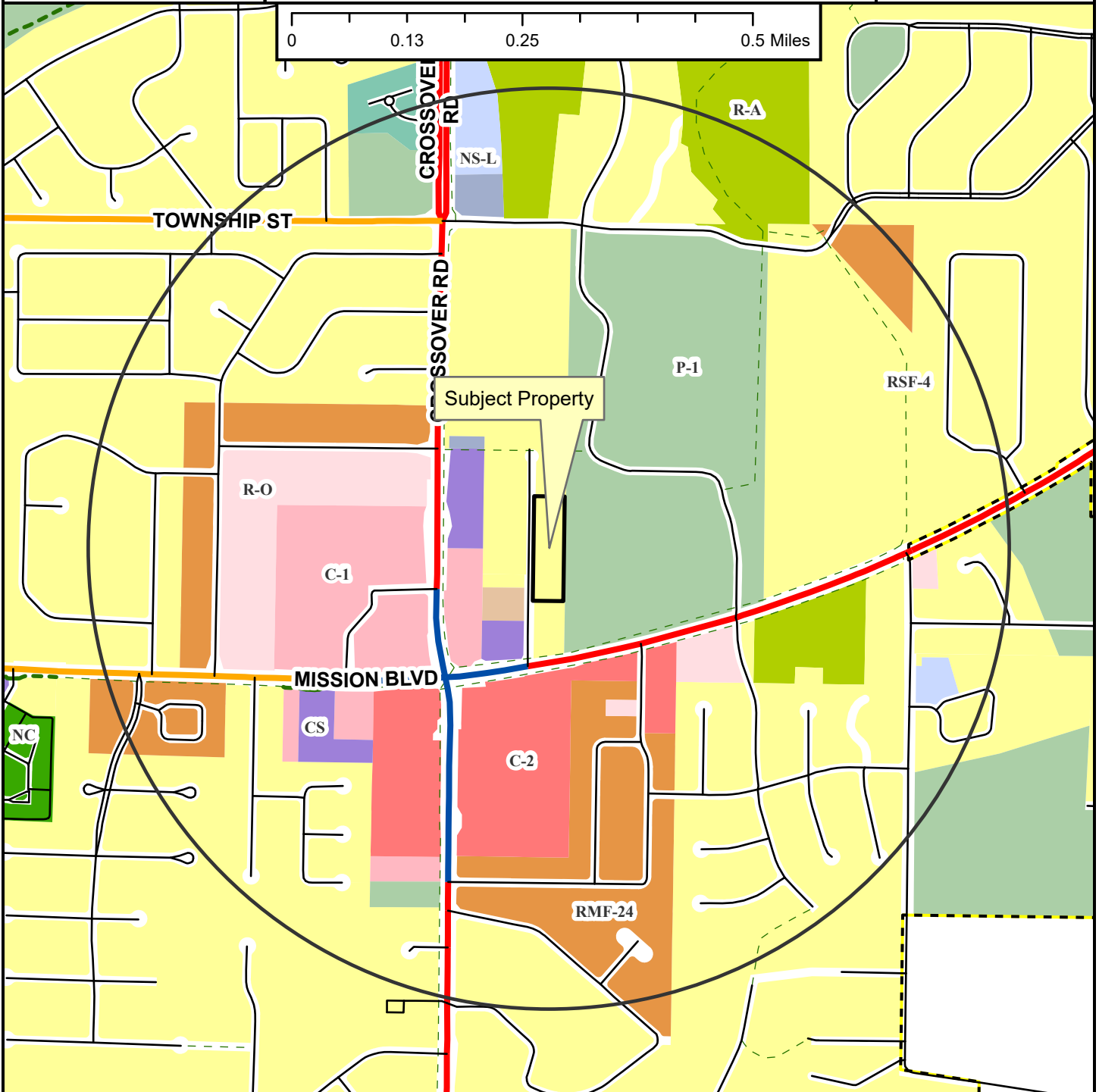
CUP-2025-0053

2096 N. BOX AVE

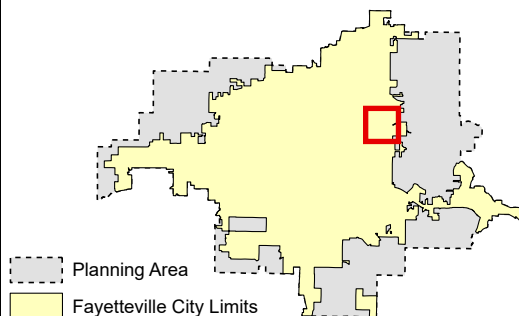
One Mile View



0 0.13 0.25 0.5 Miles



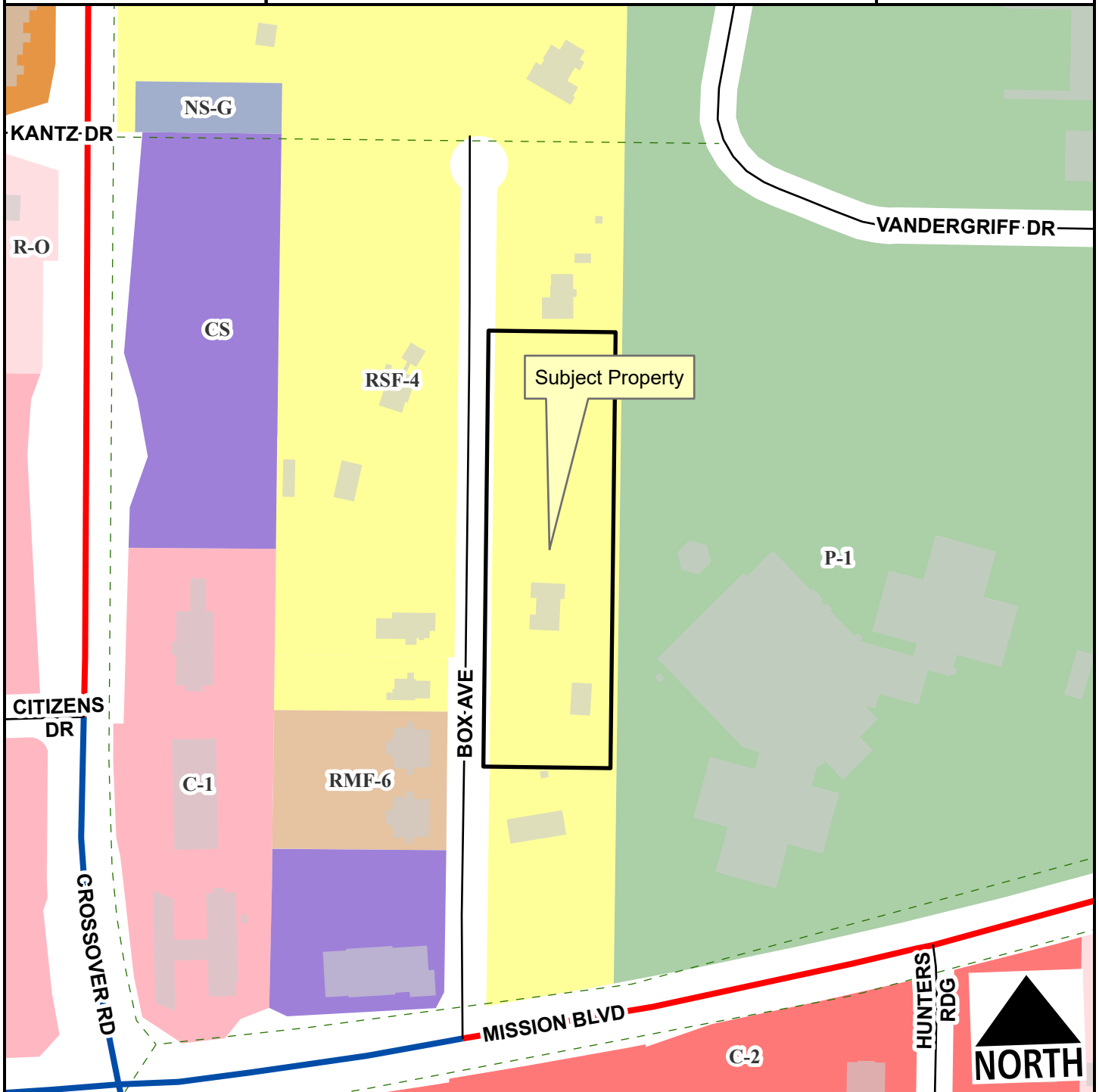
- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area



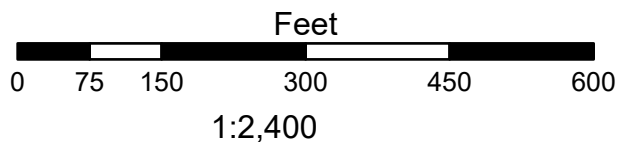
CUP-2025-0053

2096 N. BOX AVE

Close Up View



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



CUP-2025-0053

2096 N. BOX AVE

Current Land Use



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



To: Jessie Masters, Planner

From: Battalion Chief Clint Price, Deputy Fire Marshal

CC: Division Chief Jeremy Ashley, Fire Marshal

Date: 12/01/2025

Subject: CUP-2025-0053

The Fayetteville Fire Marshal Office will support this conditional use permit; however, it does appear N Box Avenue, the road that accesses the property does not meet the required fire department access. With the addition of 18 new homes, a fire hydrant will need to be added closer to the requested development. The following code citations will have to be met. All code citations are found in the Arkansas Fire Prevention Code, 2021 Edition, Volume 1. This is all based on the proposed site plan attached to the CUP. These two factors along with the rest of fire code requirements will be reviewed at the entitlement process.

503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Exceptions:

1. The *fire code official* is authorized to increase the dimension of 150 feet (45 720 mm) where any of the following conditions occur:

1.1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.

1.3. There are not more than two Group R-3 or Group U occupancies.

2. Where *approved* by the *fire code official*, fire apparatus access roads shall be permitted to be

exempted or modified for solar photovoltaic power generation facilities.

503.1.2 Additional access. The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders and curbs, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The *fire code official* shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an *approved* area for turning around fire apparatus.

Figure **D103.1** shows examples of approved turnarounds.

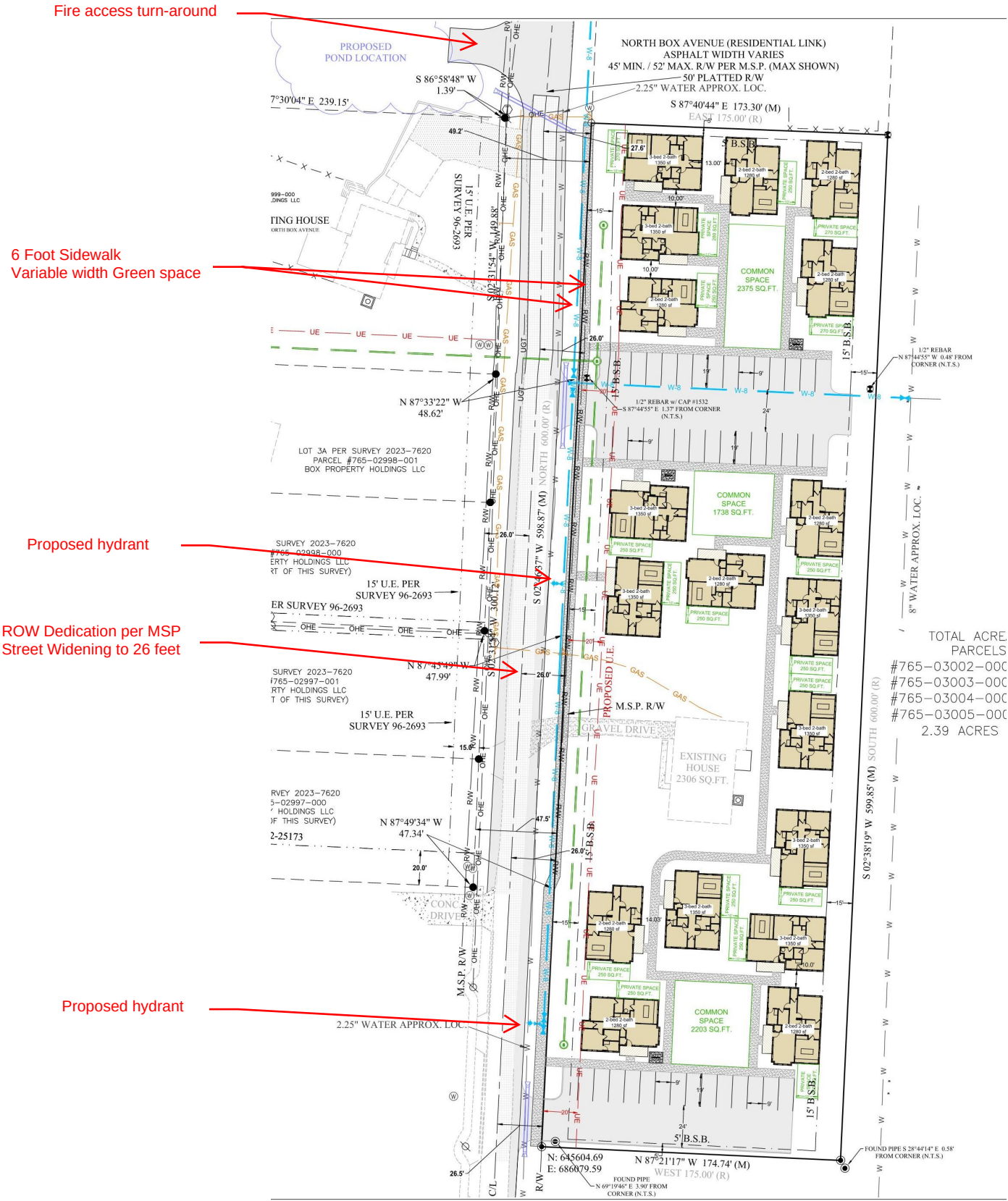
507.1 Required water supply. An *approved* water supply capable of supplying the required fire flow for fire protection shall be provided to premises on which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*.

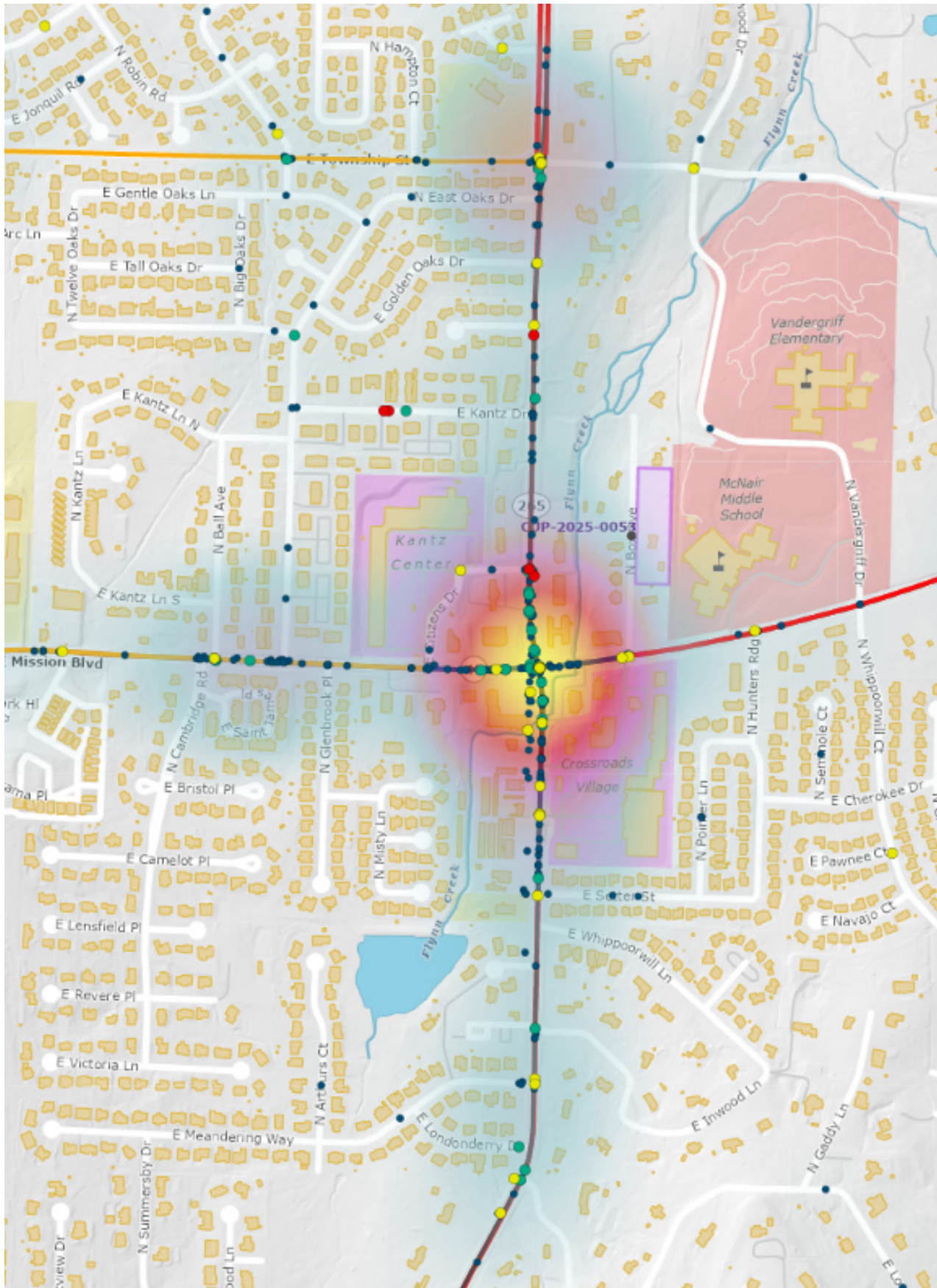
Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

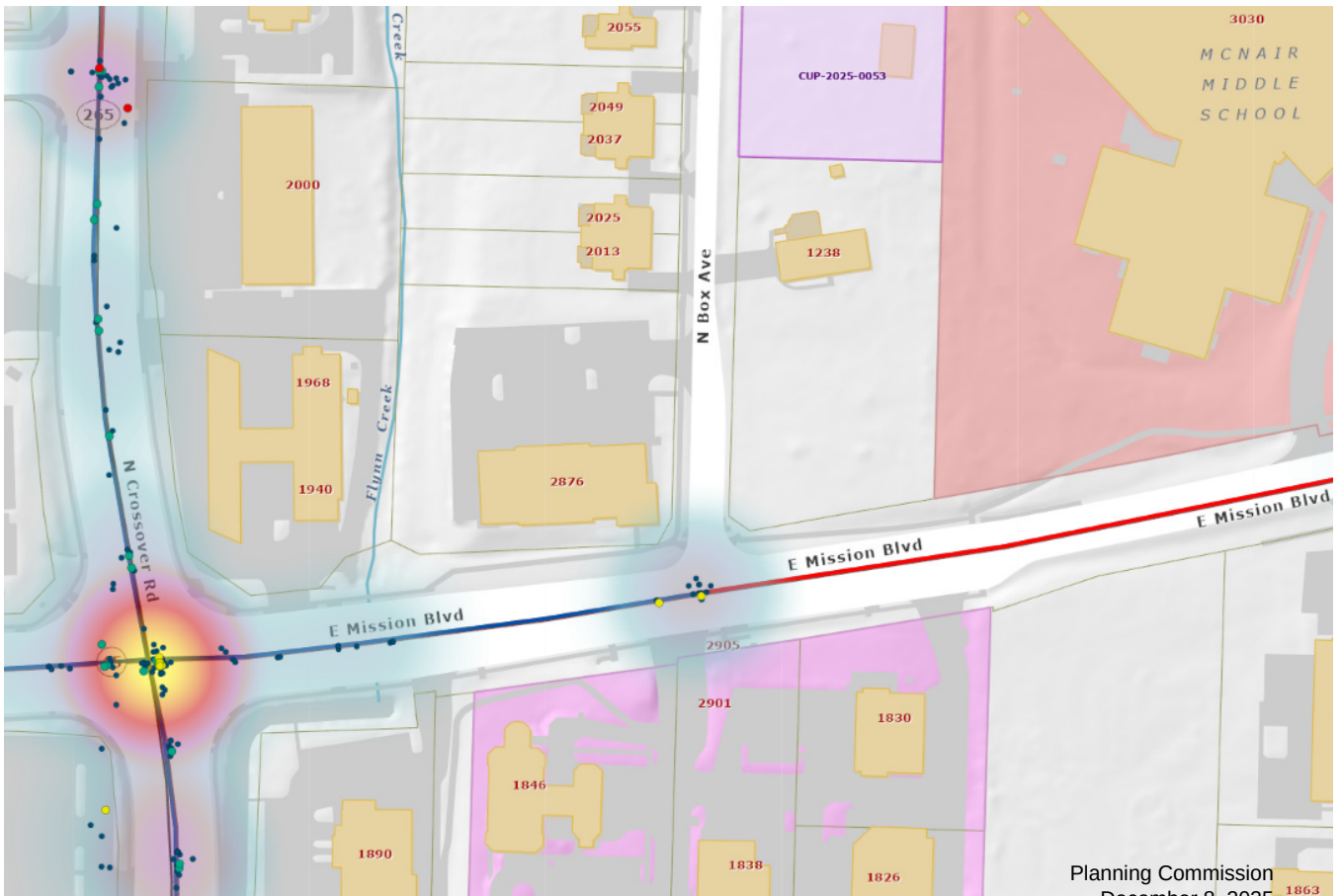
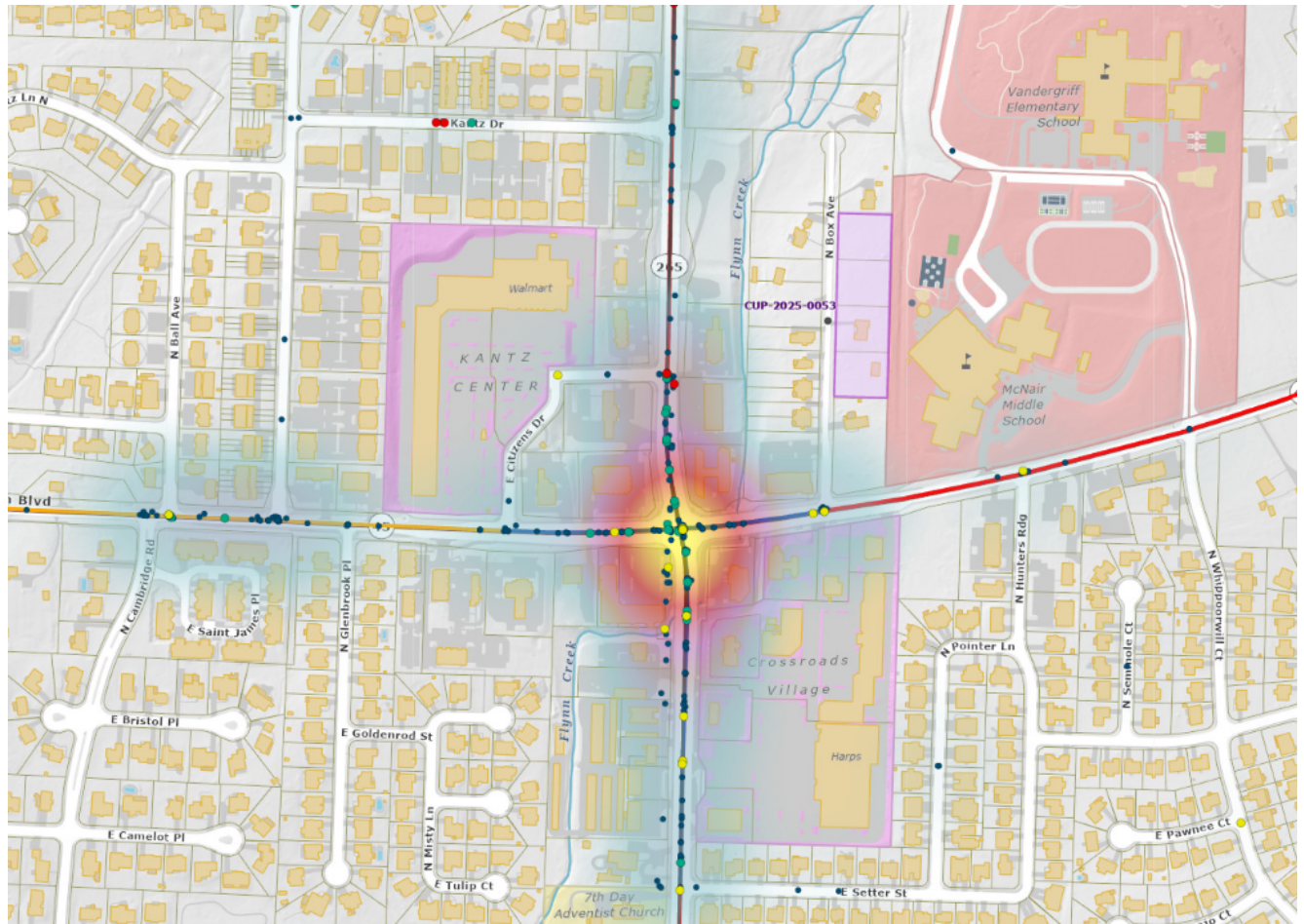
Staff Exhibit:
Street Improvements per Provided Site Plan



**Staff Exhibit:
Traffic Accidents**



**Staff Exhibit:
Traffic Accidents**

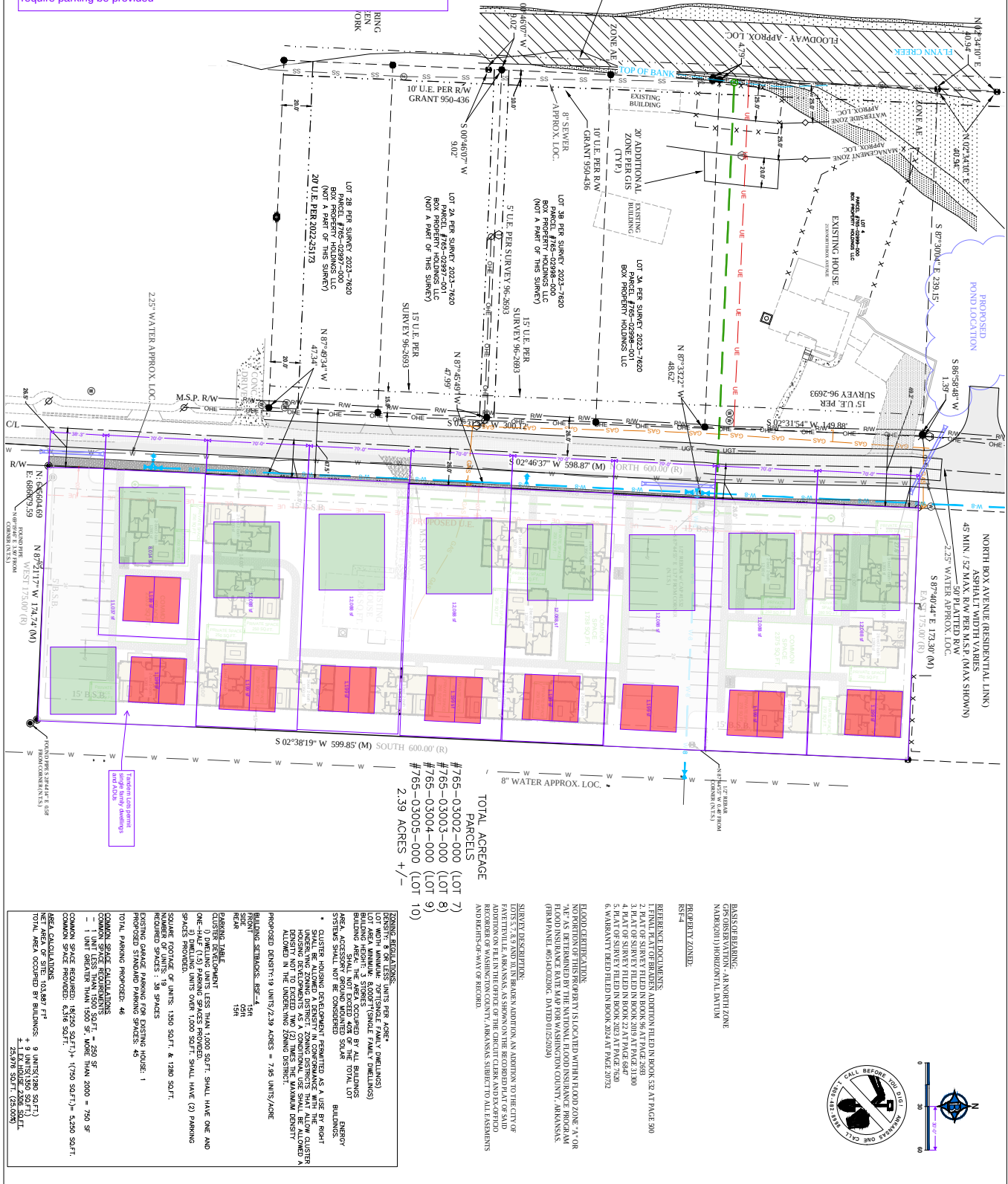


**Staff Exhibit:
Entitlements by Right**

Allowed by Right Under Existing Zoning

9 Single-Family Dwellings- 2 Parking Spaces Minimum Required per Dwelling Unit
Up to Two ADUs allowed per single-family dwelling unit. ADUs may be up to 1200 square feet and city cannot legally require any parking for the units per state law.

Total of 27 residential units allowed by right under zoning, only 9 of which the city could require parking be provided



PROJECT NO. _____

01171

SP01



B A T E S
Engineers • Surveyors

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

**BOX AVENUE CLUSTER DEVELOPMENT
LARGE SCALE DEVELOPMENT**

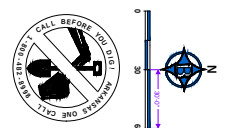
SITE PLAN

FAYETTEVILLE, ARKANSAS

[illegible]

DRAWN BY- A. MANZI

ENGINEER-G RATES



Planning Commission
December 8, 2025

CUP-2025-0053 (BOX AVE COTTAGES)



Planning Commission Memo

TO: Fayetteville Planning Commission

THRU: Donna Wonsower, Planner

FROM: Willa Thomason, Urban Forester

MEETING DATE: December 8, 2025

SUBJECT: **CUP-2025-0053 Conditional Use Permit** (2096 N. BOX AVE) - Submitted by BATES & ASSOCIATES for property located at 2096 N. BOX AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 2.40 acres. The request is for a cluster housing development. PP 372

RECOMMENDATION:

Urban Forestry Staff recommends conditional approval of CUP-2025-0053, a request to permit a cluster housing development on four parcels near the intersection of N Box Avenue and E Mission Boulevard. This is a wooded site zoned RSF-4 which requires 25% minimum canopy preservation on-site. While a full tree preservation plan has not been submitted, the applicant has submitted a tree canopy survey overlaying the proposed site plan. Roughly 1/3 of the on-site trees, many of them "significant" as defined in UDC §151, are shown to be removed, while many smaller trees both within the interior of the site and along the periphery are proposed to be preserved.

The applicant states the intent to dedicate a tree preservation easement located on the west side of the property in conjunction with the subsequent large-scale development. While the conditional use of this site as a cluster housing development will increase its residential density, potentially requiring more tree removal than its by-right use, cluster-housing require common open space which may be strategically located to increase tree preservation, or may be improved with tree planting and other landscaping.

CONDITIONS OF APPROVAL:

Urban forestry staff recommend that, as a condition of the approval of this conditional use permit, the tree preservation plan shall place a higher priority on tree preservation within common open spaces and internal to the cluster housing development rather than along property edges.

November 4th, 2025

Planning Commission
125 West Mountain Street
Fayetteville, AR 72701

RE: Box Avenue CUP Request

To whom it may concern,

Box Property Holdings LLC is requesting a conditional use permit for a Cluster Housing Development for the large scale project located near the intersection of Box Avenue and E Mission Blvd, Washington County parcels #765-03002-000, 765-03003-000, 765-03004-000, & 765-03005-000. This request is required per UDC 164.22 (E)(1) – Cluster Housing Development Zoning Regulation, stating that cluster housing development is permitted as chapter 161 zoning regulations or conditional use.

The proposed cluster development will utilize the existing zoning and adhere to the City of Fayetteville’s Unified Development Code (UDC) regulations for Cluster Developments. The proposal includes a total of 18 residential homes on approximately 2.39 acres, with one of the existing homes to remain as part of the development for a total of 19 units within the cluster development area. The project is thoughtfully designed to provide shared open space, consolidated parking, and private open space for each dwelling unit, ensuring both efficiency and quality of life for future residents. This development will not negatively impact adjacent properties. It will provide several public and infrastructure improvements that will enhance the surrounding area. These improvements include street widening in accordance with fire code requirements, the installation of new fire hydrants, utility extensions to serve the site and nearby properties, and improved sidewalk connectivity to promote pedestrian access and safety. These enhancements will strengthen neighborhood infrastructure and contribute positively to the overall community.

According to the City of Fayetteville’s Future Land Use Map, the subject property lies within the City Neighborhood Plan area. This plan emphasizes six key strategies; Creating and showcasing a walkable environment, encouraging increased residential density in and around downtown areas, developing efficient parking that enhances the sense of place, establishing forward-thinking regulations that attract desirable development, creating a network of interconnected and distinctive neighborhood places, and supporting an experience-based economy through arts, culture, and entertainment.

This proposed cluster housing development directly supports these goals by introducing a thoughtfully scaled residential community that complements surrounding commercial uses, schools, and parks. The project’s compact design promotes walkability and connectivity, allowing residents convenient access to nearby amenities while reducing reliance on vehicular travel. By efficiently utilizing existing infrastructure and emphasizing shared and private open spaces, this development reinforces the City’s commitment to sustainable growth, neighborhood vitality, and the creation of vibrant, livable urban environments. Additionally, we are planning to dedicate a portion of the property on the west side of the development, as part of the LSD process, as a tree preservation area to maintain the natural vegetation and provide a valuable neighborhood amenity.

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,

Addie Manzi, E.I.
Project Engineer
Bates & Associates, Inc



December 2nd, 2025

Planning Commission
125 West Mountain Street
Fayetteville, AR 72701

RE: Box Avenue CUP

To whom it may concern,

Box Property Holdings LLC is requesting a Conditional Use Permit for a Cluster Housing Development associated with the large-scale project located near the intersection of Box Avenue and E. Mission Blvd., on Washington County parcels #765-03002-000, 765-03003-000, 765-03004-000, and 765-03005-000.

We understand the concern regarding the project's location at the end of a cul-de-sac; however, the improvements included in the large-scale development plan support the continuation and feasibility of this project. As the properties currently exist, any individual homeowner wishing to build on this street would be required to construct the necessary street widening, fire truck turnaround, and water main extension in accordance with City of Fayetteville Fire Department comments. The attached image highlights the specific fire comment that initiated the need for this proposed development approach.

Nearby residents have also raised concerns about future land-use compatibility. However, according to the City's Future Land Use Map, this area is designated as City Neighborhood. This classification refers to a distinct, localized community within the broader city—characterized by shared identity, neighborhood-scale activity, and a walkable environment supported by nearby uses and infrastructure.

One of the site's primary strengths is its close proximity to existing commercial amenities, which supports walkability and helps reduce unnecessary short vehicle trips. Residents will have convenient access—via the existing sidewalk network—to the nearby grocery store, coffee shops, restaurants, and the adjacent school. This development is intended to create housing options for teachers and local employees who wish to live close to their workplaces while still enjoying the benefits of single-family housing. The proposed homes will contribute meaningful relief to the city's ongoing housing shortage and provide attainable housing within a highly desirable location.

Another primary concern raised by neighbors involves the removal of existing natural landscaping. Where feasible, the homes have been positioned to minimize tree disturbance and to maintain separation between the proposed development and adjacent properties. As part of the large-scale development, the developer intends to preserve the lot on the northwestern side to provide an additional natural gathering space for nearby residents. This preserved area will allow neighbors to continue enjoying the natural beauty of the surroundings while still benefiting from the site's close proximity to the city.

The previous rezoning request associated with this property was denied primarily due to the site's single access point. However, any future development— even a single single-family home—would trigger the same significant infrastructure requirements, making traditional development patterns unfeasible for any individual property owner. The parcel immediately to the east is zoned RMF-6, and the proposed zoning serves as an appropriate transition between RMF-6, RSF-4, CS, and P-1 in the surrounding area. (See attached exhibit.)

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,

Addie Manzi, E.I.
Project Engineer
Bates & Associates, Inc

Fire Notes:

For this proposed lot split the fire department will have some requirements that must be met for approval.

- Dead end streets that exceed 750' in total length need approval from the (AHJ).
 - To meet our requirements the street shall be widened to a minimum of 26' wide with no parking on either side, and proper hydrant spacing not exceeding 500'. See Appendix B, C for specific requirements according to your individual building square footage.
 - Dead ends that exceed 150' shall be provided with width and turnaround provisions in accordance with Table D103.4

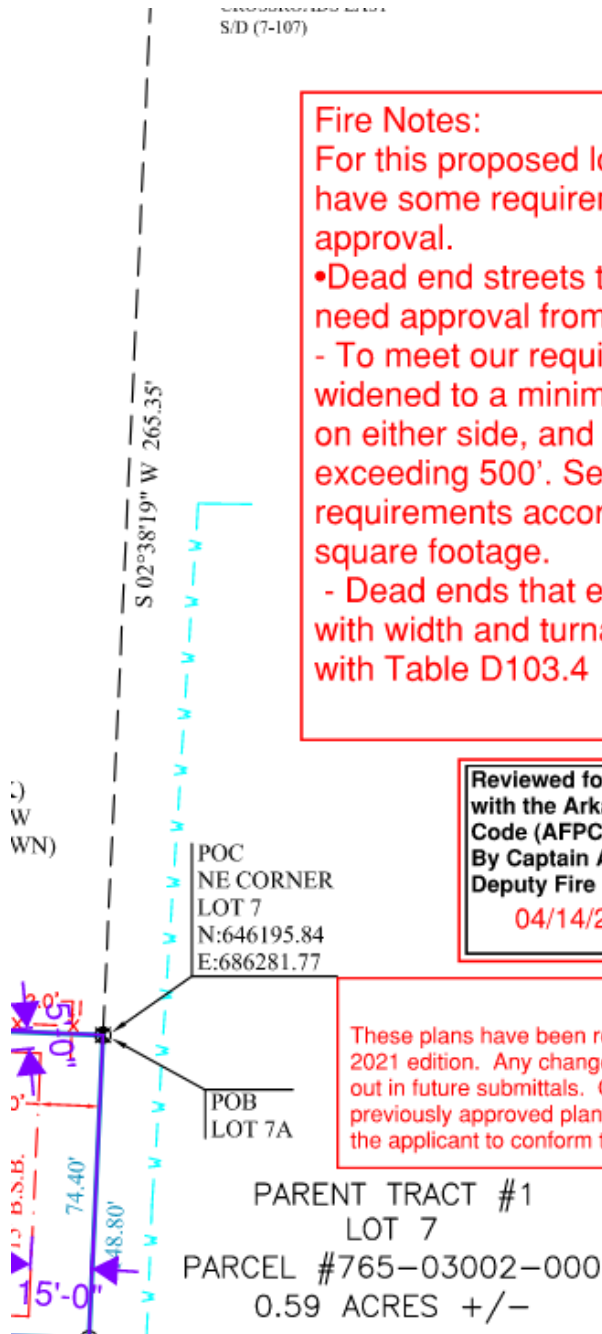
Reviewed for minimum compliance
with the Arkansas Fire Prevention
Code (AFPC 2021 edition)
By Captain A. Horton
Deputy Fire Marshal

04/14/2025 1:59:17 PM



Disclaimer

These plans have been reviewed using the Arkansas Fire Prevention Code, 2021 edition. Any changes made to these approved plans, shall be called out in future submittals. Changes made, that have not been identified from previously approved plans, are subject to denial and are the responsibility of the applicant to conform to all previously approved plans.





November 19th, 2025

Planning Commission
125 West Mountain Street
Fayetteville, AR 72701

RE: Box Avenue Variance Request

To whom it may concern,

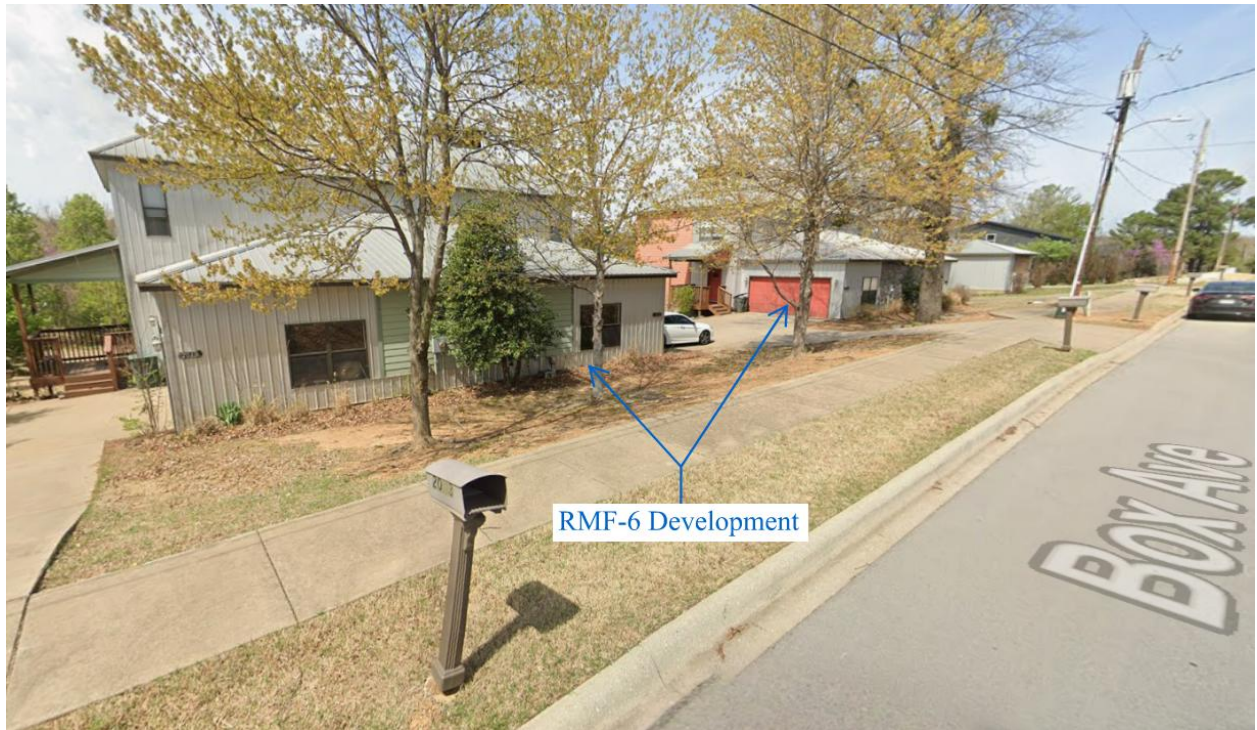
Box Property Holdings, LLC is requesting a variance to UDC 164.22(D)(1) for the proposed Cluster Housing development located near the intersection of Box Avenue and E. Mission Blvd, encompassing Washington County parcels #765-03002-000, 765-03003-000, 765-03004-000, and 765-03005-000.

The Unified Development Code limits cluster housing developments to a maximum of twelve dwelling units. This project proposes a total of thirteen units due to the existing home remaining on the property. The existing home will meet the requirements and characteristics of the cluster housing development; however, its current walls and location will remain unchanged.

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,

Addie Manzi, E.I.
Project Engineer
Bates & Associates, Inc



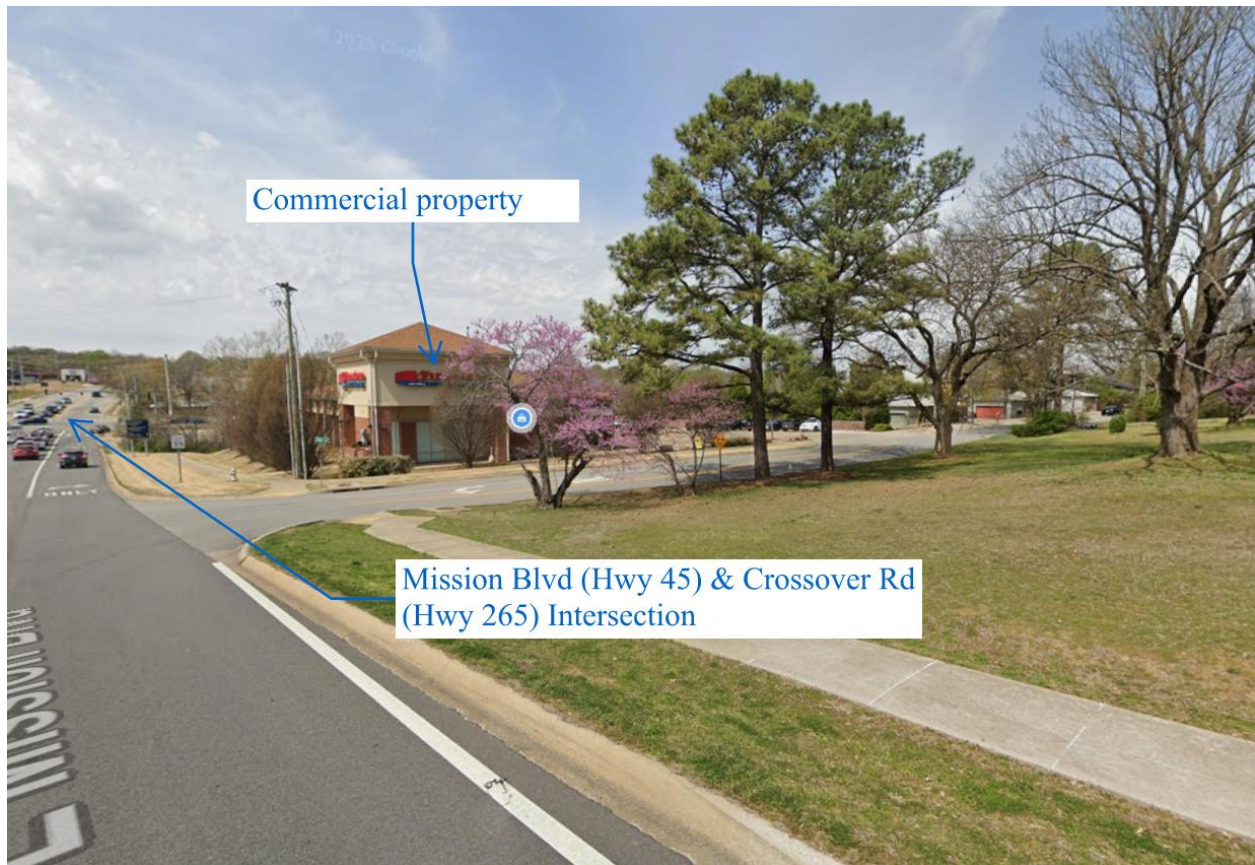
RMF-6 Development

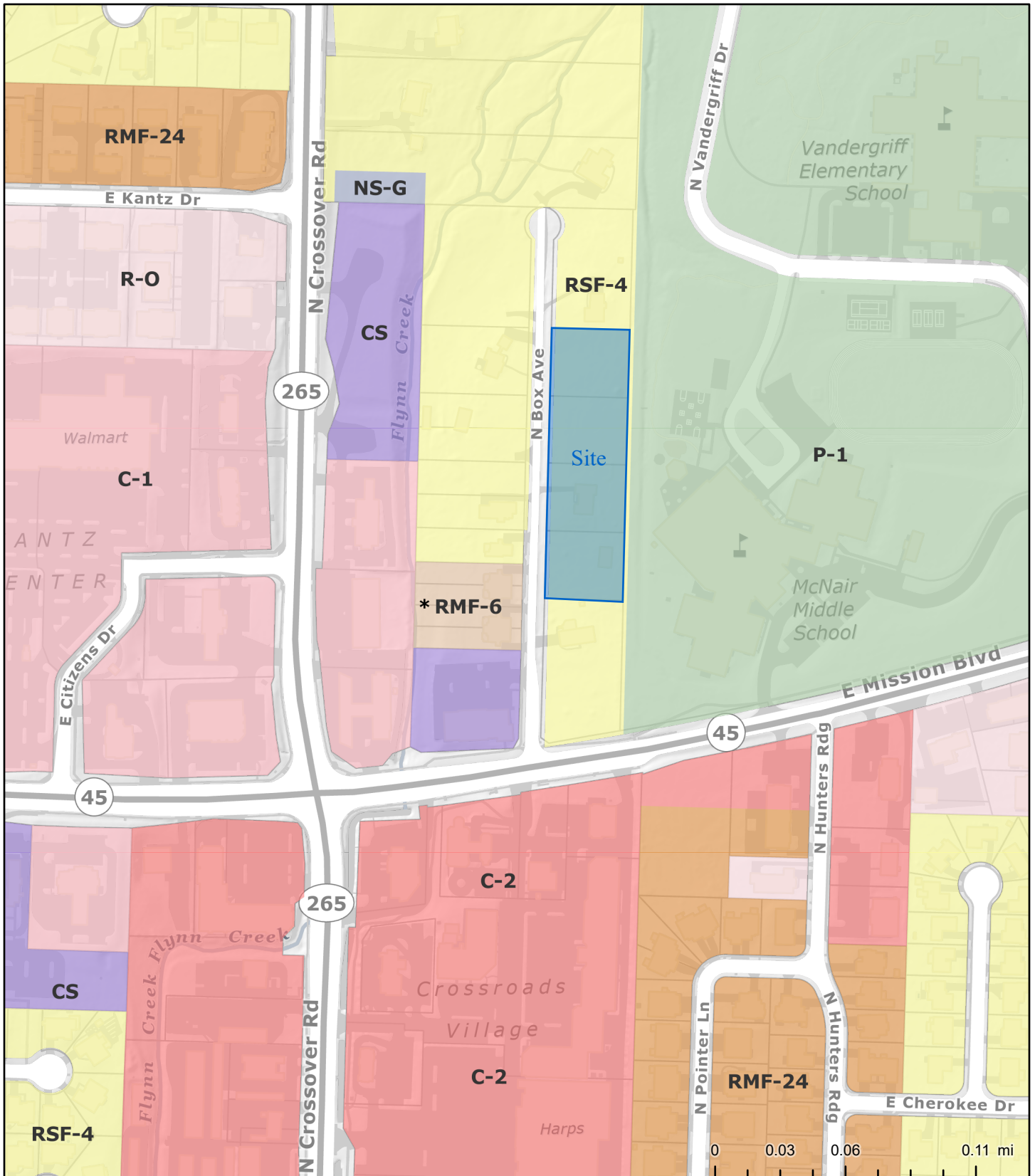


RMF-6 Development

CUP
Development

CS Development





	RSF-4		R-O		CS
	RMF-6		C-1		NS-G
	RMF-24		C-2		P-1

Exhibit

Fayetteville, AR

The data contained herein was compiled from various sources for the sole use and benefit of the City of Fayetteville Geographic Information System and the public agencies it serves. Any use of the data by anyone other than the City of Fayetteville is at the sole risk of the user; and by acceptance of this data, the user does hereby agree to indemnify the City of Fayetteville and hold the City of Fayetteville harmless from and without liability for any claims, actions, cost for damages of any nature, including the city's cost of defense, asserted by user or by another arising from the use of this data. The City of Fayetteville makes no express or implied warranties with reference to the data. No word, phrase, or clause found herein shall be construed to waive that tort immunity set forth under Arkansas law.

Created: 12/2/2025
Credits: City of Fayetteville, AR
Map Author:



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

BOX AVENUE CLUSTER DEVELOPMENT
LARGE SCALE DEVELOPMENT
SITE PLAN
FAYETTEVILLE, ARKANSAS

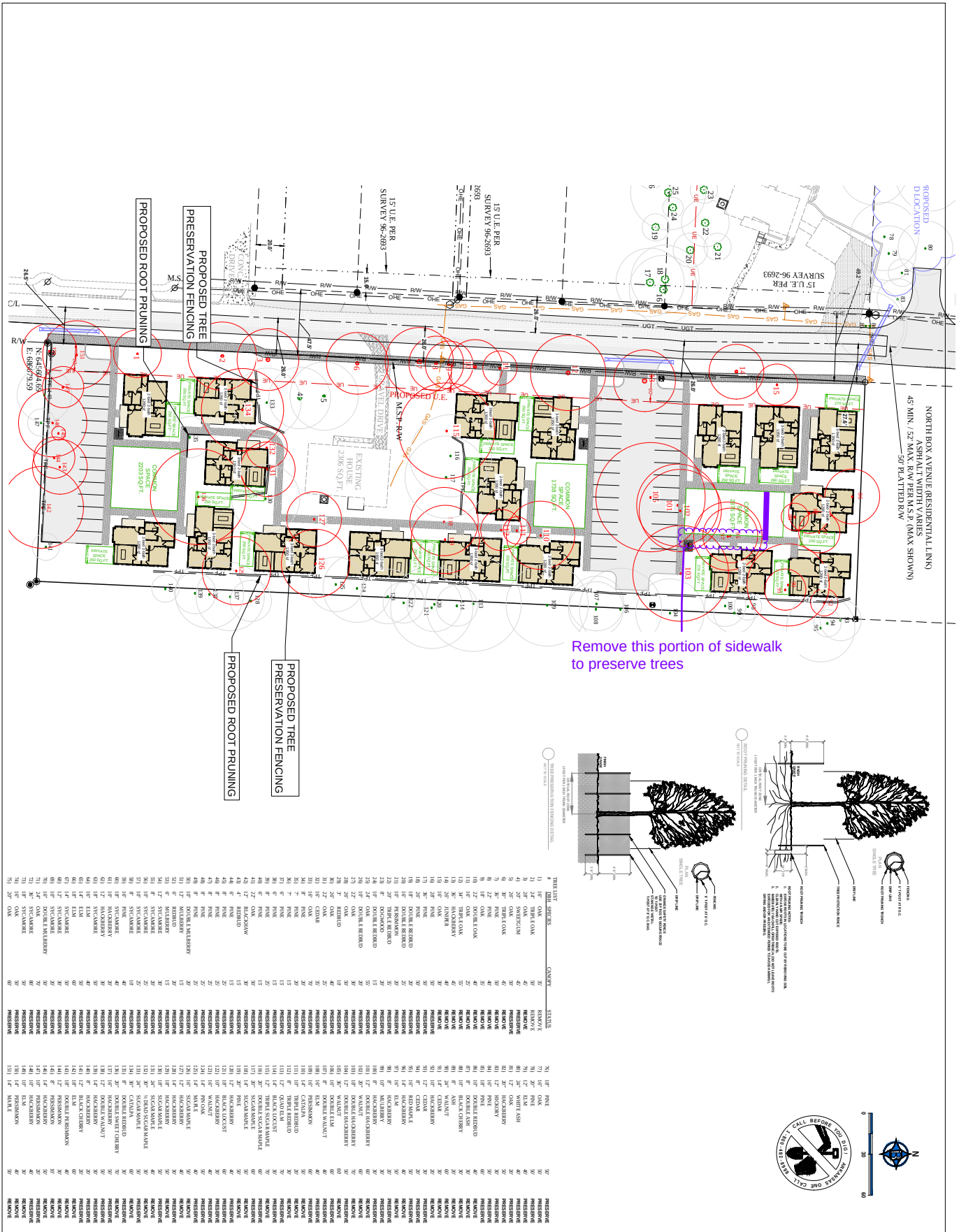
ENGINEER: G. BATES
 DRAWN BY: A. MANO
 11-04-2025
 ARKANSAS PROFESSIONAL ENGINEERING BOARD
 CERTIFICATE NO. 11-04-2025
 NOT FOR CONSTRUCTION

PROJECT NO. 24-171
 SP01

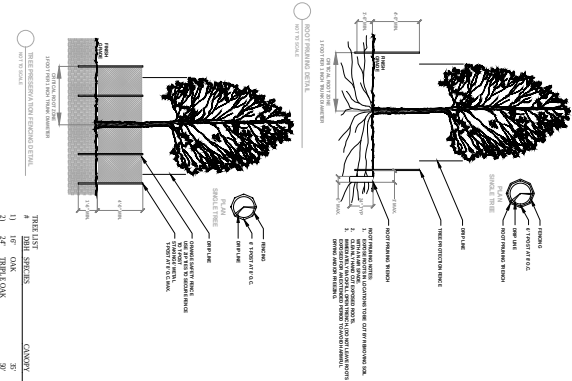
REVISIONS

DATE	REVISIONS
11/04/25	CUP Submittal

Planning Commission
November 28, 2025
CUP-2025-0053 (BOX AVE COTTAGES)



Remove this portion of sidewalk to preserve trees



TRAIL LIST	DBH (INCHES)	CANOPY	STATUS
1	12	30'	REMOVE
2	12	30'	REMOVE
3	24'	60'	REMOVE
4	24'	60'	REMOVE
5	24'	60'	REMOVE
6	24'	60'	REMOVE
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200	24'	60'	REMOVE

24-171

TP01

BATES

Engineers • Surveyors

7230 S Pleasant Ridge Dr / Fayetteville, AR 72704

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

BOX AVENUE CLUSTER DEVELOPMENT

LARGE SCALE DEVELOPMENT

TREE PRESERVATION PLAN

FAYETTEVILLE, ARKANSAS

REVISIONS

CUP Submittal	11/04/25
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DRAWN BY: A. MANO

ENGINEER: G. BATES

11-04-25

Planning Commission

November 28, 2025

CUP-2025-0053 (BOX AVE COTTAGES)

Page 28 of 58



BOX AVE COTTAGES
BOX AVE
FAYETTEVILLE, AR



b.uf
 STUDIO
 7700 S 5TH ST SUITE 500
 BENTONVILLE, AR 72712
 TEL: 479.579.9559

b.uf is a leading provider of design and construction services for the AEC industry. We are currently seeking a highly motivated and experienced individual to join our team as a Planning Commission member. The ideal candidate will have a strong background in urban planning, community development, and public engagement.

Our team is responsible for providing comprehensive planning and design services to our clients, including site planning, landscape architecture, and interior design. We are looking for someone who can bring a creative and innovative approach to their work, while also being able to work effectively in a team environment.

If you are a highly motivated and experienced individual with a strong background in urban planning, community development, and public engagement, we would like to hear from you. Please send your resume and cover letter to info@b.ufstudio.com.

b.uf STUDIO
 7700 S 5TH ST SUITE 500
 BENTONVILLE, AR 72712
 TEL: 479.579.9559

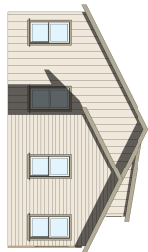
Planning Commission
December 28, 2025
(BOY AVE COTTAGES)

CUP-2025-0053 (BOX AVE COTTAGES)

Page 26 of 38



01 V1 - FRONT
A200 1/8" = 1'-0"



03 V1 - SIDE 2
A200 1/8" = 1'-0"



02 V1 - SIDE 1
A200 1/8" = 1'-0"



04 V1 - REAR
A200 1/8" = 1'-0"



05 V2 - FRONT
A200 1/8" = 1'-0"



07 V2 - SIDE 2
A200 1/8" = 1'-0"



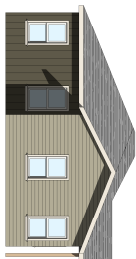
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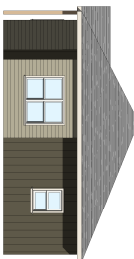
08 V2 - REAR
A200 1/8" = 1'-0"



9 V3 - FRONT
A200 1/8" = 1'-0"



12 V3 - SIDE 2
A200 1/8" = 1'-0"



10 V3 - SIDE 1
A200 1/8" = 1'-0"



11 V3 - REAR
A200 1/8" = 1'-0"

Wonsower, Donna

From: Planning Shared
Sent: Monday, November 10, 2025 3:08 PM
To: Wonsower, Donna
Subject: FW: Box Ave - Proposed Cluster Housing

Follow Up Flag: Follow up
Flag Status: Flagged

Concerning CUP-2025-0053

Thank you

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



CITY OF
FAYETTEVILLE
ARKANSAS

From: Lane Graves <lane18graves@gmail.com>
Sent: Monday, November 10, 2025 2:53 PM
To: Planning Shared <planning@fayetteville-ar.gov>; Tamijani, Zak <ztamijani@fayetteville-ar.gov>; Brink, Andrew <andrew.brink@fayetteville-ar.gov>; Holeyfield, Ashlyn <ashlyn.holeyfield@fayetteville-ar.gov>; Payne, Brad <brad.payne@fayetteville-ar.gov>; Gulley, Fred <fred.gulley@fayetteville-ar.gov>; Madden, Mary <mary.madden@fayetteville-ar.gov>; McGetrick, Mary <mary.mcgetrick@fayetteville-ar.gov>; Cabe, Matthew <matthew.cabe@fayetteville-ar.gov>; Castin, Nick <nick.castin@fayetteville-ar.gov>; Werner, Nick <nick.werner@fayetteville-ar.gov>
Subject: Box Ave - Proposed Cluster Housing

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

Hello,

I am submitting this letter as a formal objection to the proposed cluster housing development on Box Avenue. After reviewing the plans and considering the existing conditions of the area, I believe this project is incompatible with the current infrastructure, zoning intent, and public welfare standards. My objections are based on the following material concerns, supported by Fayetteville's Unified Development Code and related ordinances:

1. Traffic and Street Capacity

Box Avenue is a narrow, dead-end street with no secondary outlet. Under **Minimum Street Standards (2020 Edition, Ch. 4.6.3)**, dead-end streets are discouraged for high-density developments due to safety and capacity limitations. The proposed increase in vehicular traffic would create unsafe ingress and egress conditions, violating the intent of **UDC §161.01(A)**, which requires conformity with district regulations for safe and orderly development.

The developer admits the street must be widened for fire-code access, proving current infrastructure is inadequate for this density. Street widening is not a benefit — it's an admission that the site is unsuitable. It would remove trees, reduce front yards, and change the neighborhood's scale. All traffic, emergency, and delivery vehicles would rely on one intersection with Mission Blvd, creating visibility and turning hazards. The proposed plants would add roughly 40–50 daily vehicle trips to a street designed for light residential use. Fayetteville's UDC (§166.23 and §164.26) allows denial when safe and adequate access is not provided.

2. Sewer Infrastructure Limitations

The existing sewer system has a documented history of backups affecting multiple residences. Adding significant occupancy without upgrading the main sewer line would conflict with **UDC Title V, Ch. 51 – Water and Sewers**, which authorizes moratoriums or restrictions when infrastructure cannot maintain adequate health and sanitation standards (§51.035). The city's **2022 Water and Sewer Specifications** also require capacity verification before approval of new developments.

3. Stormwater Management and Flood Risk

The proposed retention pond and extensive impervious surfaces substantially increase flood risk to adjacent properties. This contradicts **Ch. 170 – Stormwater Management and Drainage**, which mandates prevention of increased runoff and flood hazards (§170.01(A)(1)) and recognizes impervious surfaces as a primary cause of flooding (§170.01(B)(1)). The plan fails to meet post-construction stormwater management requirements outlined in the city's Stormwater Management Plan.

Widened streets, new sidewalks, driveways, and rooftops create large impervious surfaces. Without tree roots and soil absorption, storm-water runoff will increase, potentially flooding nearby yards. The site slopes toward existing homes; runoff control must be independently verified. The City Engineer should review a full grading and drainage plan before any CUP approval (UDC §173.10).

4. Incompatibility with Neighborhood Character

The proposed design introduces large parking lots and high-density structures inconsistent with the established single-family residential character of Box Avenue. This violates **UDC §161.01(B)(2)**, which prohibits developments from accommodating a greater number of units than permitted by district regulations, and undermines the intent of **UDC §161.04**, requiring uniform application of zoning standards. Loss of trees and privacy, additional noise, and new vehicle activity will reduce property values for existing homes.

5. Removal of Mature Trees

The plan necessitates removing multiple mature trees, conflicting with **Ch. 167 – Tree Preservation and Protection**, which prioritizes preservation as the “first, best, and standard approach” (§167.01(B)(1)). Significant trees (≥18” DBH for medium species) require enhanced preservation evaluation under this ordinance.

The Tree Preservation Plan shows no trees preserved between current homes and the new construction. The proposed “Tree Preservation Area” is on the south side of the site, away from existing homes. Tree removal eliminates privacy, sound buffering, and shade — directly harming neighboring property owners. This violates City Plan 2040 goals of protecting canopy coverage and natural transitions between developments.

6. Light Pollution

The installation of numerous streetlights will create unnecessary light pollution, violating **Ch. 176 – Outdoor Lighting**, which aims to protect privacy and reduce atmospheric light pollution (§176.01(A), (E)). Excessive

lighting near residential areas is contrary to the ordinance’s purpose and will negatively impact property values and residents’ quality of life.

7. Misuse of the City Neighborhood Plan

The developer cites City Neighborhood Plan goals (walkability, higher density, efficient parking). Box Avenue is not a connected or mixed-use corridor. It ends in private property and connects only to Mission Blvd, a state highway, not a walkable zone. City Plan 2040 promotes density where transit, connectivity, and services exist — none of which apply here. The proposal misrepresents the City Plan’s intent and uses “walkability” language out of context.

8. Water Supply and Conservation

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For these reasons, I respectfully request that the City Planning Department **deny approval of this development** or require substantial revisions to address these deficiencies. Approving the current plan would compromise public safety, environmental integrity, and the quality of life for existing residents.

Please confirm receipt of this objection.

Thank you,

Wonsower, Donna

From: Daniel Norton <danorton93@gmail.com>
Sent: Monday, November 10, 2025 4:26 PM
To: Planning Shared; Tamijani, Zak; Brink, Andrew; Holeyfield, Ashlyn; Payne, Brad; Gulley, Fred; Madden, Mary; McGetrick, Mary; Cabe, Matthew; Castin, Nick; Werner, Nick; Wonsower, Donna
Subject: Box Ave - Proposed Cluster Housing Project

Follow Up Flag: Follow up
Flag Status: Flagged

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

Hello,

My name is Daniel Norton, and I am one of several residents on Box Avenue who strongly oppose the proposed cluster housing project (CUP-2025-0053). Below, I've outlined several reasons why we believe this development would negatively impact our neighborhood.

To provide greater context, I would be happy to invite members of the City Planning Commission to visit Box Avenue. Seeing the area firsthand may help illustrate why this project is not a good fit for our small street.

If you're open to discussing this further, please feel free to contact me at [\(972\) 352-0850](tel:9723520850). I appreciate your time and consideration, and I look forward to hearing from you.

Kind regards,

-Daniel Norton

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Box Avenue is a narrow, dead-end street with no secondary outlet. Under **Minimum Street Standards (2020 Edition, Ch. 4.6.3)**, dead-end streets are discouraged for high-density developments due to safety and capacity limitations. The proposed increase in vehicular traffic would create unsafe ingress and egress conditions, violating the intent of **UDC §161.01(A)**, which requires conformity with district regulations for safe and orderly development.

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4. Incompatibility with Neighborhood Character

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Please confirm receipt of this objection.

Thank you,

-Daniel Norton

danorton93@gmail.com

Wonsower, Donna

From: Hopkins, Mirinda
Sent: Monday, November 10, 2025 3:39 PM
To: Wonsower, Donna
Subject: FW: Box avenue

Follow Up Flag: Follow up
Flag Status: Flagged

Cup-2025-0053

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



CITY OF
FAYETTEVILLE
ARKANSAS

From: Tom Smith <twsmithjr@icloud.com>
Sent: Monday, November 10, 2025 3:08 PM
To: Hopkins, Mirinda <mhopkins@fayetteville-ar.gov>
Subject: Box avenue

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

Sent from my iPhone Box Ave - Cluster housing

Hello,

I am submitting this letter as a formal objection to the proposed cluster housing development on Box Avenue. After reviewing the plans and considering the existing conditions of the area, I believe this project is incompatible with the current infrastructure, zoning intent, and public welfare standards. My objections are based on the following material concerns, supported by Fayetteville's Unified Development Code and related ordinances:

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For these reasons, I respectfully request that the City Planning Department deny approval of this development or require substantial revisions to address these deficiencies. Approving the current plan would compromise public safety, environmental integrity, and the quality of life for existing residents.

Please confirm receipt of this objection.

Thank you, Thomas Smith

Wonsower, Donna

From: Planning Shared
Sent: Wednesday, November 19, 2025 9:59 AM
To: Wonsower, Donna
Subject: FW: 2096 N Box Ave - Cluster Housing Development

Follow Up Flag: Follow up
Flag Status: Flagged

Concerning CUP-2025-0053

Thank you

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



CITY OF
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ARKANSAS

From: bills coonfield <bills@coonfield.net>
Sent: Tuesday, November 18, 2025 7:35 PM
To: Planning Shared <planning@fayetteville-ar.gov>; Brink, Andrew <andrew.brink@fayetteville-ar.gov>; Holeyfield, Ashlyn <ashlyn.holeyfield@fayetteville-ar.gov>; Castin, Nick <nick.castin@fayetteville-ar.gov>; Payne, Brad <brad.payne@fayetteville-ar.gov>; Gulley, Fred <fred.gulley@fayetteville-ar.gov>; Madden, Mary <mary.madden@fayetteville-ar.gov>; Cabe, Matthew <matthew.cabe@fayetteville-ar.gov>; Werner, Nick <nick.werner@fayetteville-ar.gov>
Subject: 2096 N Box Ave - Cluster Housing Development

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

Planning Commission,

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I respectfully request that the City Planning Department **deny approval of this development** or require substantial revisions to address these deficiencies. Approving the current plan would compromise public safety, environmental integrity, and the quality of life for existing residents.

Thank you, Jennifer Akin
Owner, 1238 N Box Ave

Wonsower, Donna

From: Planning Shared
Sent: Thursday, December 4, 2025 8:19 AM
To: Wonsower, Donna
Subject: FW: 2096 N Box Ave - Cluster Housing Development

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville, Arkansas
479-575-8267
fayetteville-ar.gov



From: bills coonfield <bills@coonfield.net>
Sent: Wednesday, December 3, 2025 6:22 PM
To: Planning Shared <planning@fayetteville-ar.gov>; Brink, Andrew <andrew.brink@fayetteville-ar.gov>; Holeyfield, Ashlyn <ashlyn.holeyfield@fayetteville-ar.gov>; Castin, Nick <nick.castin@fayetteville-ar.gov>; Payne, Brad <brad.payne@fayetteville-ar.gov>; Gulley, Fred <fred.gulley@fayetteville-ar.gov>; Madden, Mary <mary.madden@fayetteville-ar.gov>; Cabe, Matthew <matthew.cabe@fayetteville-ar.gov>; Werner, Nick <nick.werner@fayetteville-ar.gov>
Subject: 2096 N Box Ave - Cluster Housing Development

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Dear Planning Commission members,

As this item was tabled in November until the December 8 meeting, I am writing a second time to express my objection to the proposed cluster housing development on Box Avenue.

I am submitting this letter as a formal objection to the proposed cluster housing development on Box Avenue. After reviewing the plans and considering the existing conditions of the area, I believe this project is incompatible with the current infrastructure, zoning intent, and public welfare standards. My objections are based on the following material concerns, supported by Fayetteville's Unified Development Code and related ordinances:

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Thank you, Jennifer Akin
Owner and resident, 1238 N Box Ave

Wonsower, Donna

From: Kristin Eckles <k.eckles.5@gmail.com>
Sent: Wednesday, December 3, 2025 2:09 PM
To: Planning Shared; Tamijani, Zak; Brink, Andrew; Holeyfield, Ashlyn; Payne, Brad; Gulley, Fred; Madden, Mary; McGetrick, Mary; Cabe, Matthew; Castin, Nick; Werner, Nick; Wonsower, Donna
Cc: B
Subject: Opposition - N Box Avenue Cluster Housing proposal

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.

Opposition to N Box Avenue Cluster Housing

Dear members,

Our names are Mike and Kristin Eckles. We own the property located at 2025 N Box Avenue. We are writing this letter as a formal notification of opposition to the proposed cluster housing for N Box Avenue.

As an owner of property on this street, we attest that there are multiple reasons for the incompatibility of N Box with a housing development such as the current proposal. All of these have been detailed in communication to you from another N Box neighbor in opposition to the project. The public safety concern is reason enough. As we agree with all of them (restated below), we are writing to join our neighbors in requesting that the commission deny the proposal for cluster housing anywhere on N Box Avenue.

Please confirm receipt of this objection.

Thank you for your time, attention, and thoughtful consideration on this matter.

Mike and Kristin Eckles

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From: amosj <amosj@cox.net>
Sent: Wednesday, December 3, 2025 4:17 PM
To: Planning Shared <planning@fayetteville-ar.gov>; Lori <lssalmon@cox.net>
Subject: Box Avenue Rezoning

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.

Letter to oppose rezoning

We reside at 2222 Blocks Ave. and we add our opposition to the rezoning of the east side of the street from R4 to cluster housing. This rezoning has multiple issues that make it incompatible with our current neighborhood. I have read the letter sent to the Commission by the developer and find many of their contentions not truthful. They do state that this is a very large development but also contend that it will enhance the neighbor. This contention cannot be further from the truth. It is not scaled to our current neighborhood. It increases residential density by at least two to three times. The appearance of this cluster of homes has more of an appearance to a trailer park. The schematic shows a slight increase in the size of the road, but it is minimal at best. The parking provided is an eyesore and does not consider the residents owning multiple vehicles nor vehicles from visitors. Any parking on this small street will prevent access for city services such as trash collecting and hinder emergency vehicles access. Their contention that this will reduce vehicle use is nonsense. It will profoundly increase the amount of traffic on this tiny street.

I also read the contention that this allows for increased pedestrian traffic to services offered nearby. This is laughable. I have lived near this intersection for over 30 years and have witnessed a miniscule number of people who walk in this area, biking even less. It is not a safe area to walk in. Anyone who states otherwise has not witnessed the actual flow of traffic or does not live in this area. This intersection is like those on Weddington Drive, however at a much higher speed limit, (which is really treated as a suggestion for most traffic drives more than the 45-mph posted.). I've witnessed drivers stopped on both north and south sides Highway 265 act like it is a 3 lane, turning illegally on red, immediately crossing The Walking zone endangering any pedestrians. There has been a profound increase in traffic from 45 as well as including large semi-trucks. The turn lane on E 45 to S 265 is often backed up to the school and to access Box I have been forced to drive down. Township through the Covington Park neighborhood, backtracking westerly on 45 to reach Box.

The developers also state that they will improve accessibility of the school system and parks. This is ridiculous. Vandergriff and McNair are already overcrowded, and how is this addition of the potential nineteen families a solution to this problem? Also, I want to know what parks they're talking about with improved access.

Environmentally, besides the loss of the mature tree canopy, there will be an increase in storm water runoff, which goes directly into Flynn Creek, a tributary of the Illinois River

watershed. This will stress the riparian buffer effect. As well as hindering the flow and the natural habitat of wildlife population.

This discussion reminds me of one that occurred 3 years ago, at which time there was an attempt to rezone the west side of Box Ave. from R4 to R8. This was denied by the City Council. They realized that this was a bad plan for this tiny single access street and did not add but detract from the neighborhood. The situation is now worse than what it was then as we've already had an increase in housing on this tiny road. This developer is doing this only for greed; they have not considered the feelings of the current residents. They have misstated the benefits to this neighborhood. This is not infill, this is overfill. I respectfully ask that this rezoning not occur and destroy our neighborhood.

Jim and Lori Salmon



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director
Chris Brown, Public Works Director

FROM: Alan Pugh, Staff Engineer

MEETING DATE: December 8, 2025

SUBJECT: **ADM-2025-0048: Administrative Item (W. CENTER ST & S. GREGG AVE/CAMDEN COURT, 522):** Submitted by OLSSON for property located at W. CENTER ST & S. GREGG AVE. The property is zoned MSC, MAIN STREET CENTER contains approximately 0.62 acres. The request is for the reduction of the streamside protection zone.

RECOMMENDATION:

Staff recommends denial of **ADM-2025-0048**.

RECOMMENDED MOTION:

*"I move to approve **ADM-2025-0048**, determining:*

- In favor of the request to modify the Streamside Protection Mapping, and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located on the southwest corner of the intersection of W Center St and S Gregg Ave, contains approximately 0.6 acres and is zoned MSC, Main Street Corner. The property was previously occupied by a small apartment complex which was demolished in 2021 in part due to damage from a previous fire. The property currently contains a small parking area that previously served the apartment complex. The parking area the previous building did encroach into the streamside zones as they were developed prior to the ordinance enactment in 2011. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Commercial/Residential	MSC, Main Street Corner
South	Residential	NC, Neighborhood Conservation
East	Commercial/Residential and Institutional	P-1, Institutional; MSC, Main Street Corner
West	Residential, Commercial	MSC, Main Street Corner

Request: The request is to remove approximately 289 LF of Tanglewood Branch from the streamside protection zone. The applicant has indicated an intent to redevelop the site with a mixed-use structure that will partially serve as off-site parking for a hotel property to the north.

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

DISCUSSION:

The applicant desires to construct a parking garage with a mixed-use development of residential and commercial uses. The parking garage would, in part, serve as offsite parking for the Park Hotel currently under construction at 500 W Spring. The ability to utilize this area as offsite parking is considered under CUP-2025-0051. The remainder of the development would include both residential and commercial uses along with parking for those uses. As a portion of the development, the applicant is requesting to remove the natural stream by placing it underground within a culvert system and build the parking structure/building on top of the stream to maximize the available space for development.

While staff understands the potential benefits of additional residential and commercial uses in an area close to downtown, the proposal is not in keeping with the streamside protection ordinance approved in 2011. The ordinance was passed to stop encroachment of the natural stream system in the city and the stream degradation that it causes. When the ordinance was initially passed, much of the reasoning is included in the information below:

“The purpose of this ordinance is to ensure that streams and adjacent lands fulfill their natural functions. Streams have the primary natural functions of conveying storm and ground water, storing floodwater and supporting aquatic and other life. Vegetated lands adjacent to the stream channel serve as a buffer to protect the streams’ ability to fulfill its natural functions. Primary natural functions of the buffer include:

- *Restoring and maintaining the chemical, physical, and biological integrity of the water resources;*
- *Removing pollutants delivered from urban stormwater;*
- *Reducing erosion and sediment entering the stream;*
- *Stabilizing stream banks;*
- *Providing infiltration of stormwater runoff;*
- *Maintaining base flow of streams;*
- *Contributing the organic matter that is a source of food and energy for the aquatic ecosystem;*
- *Providing tree canopy to shade streams and promote desirable aquatic organisms;*
 - *Providing storage for floodwaters;*
 - *Providing riparian habitat for wildlife; and*
 - *Furnishing scenic value and recreational opportunity.*

Culverting streams removes all natural functions of streams and, regardless of the amount, directly conflicts with the goals and intent of the streamside protection ordinance. For this reason, staff recommends denial of the request.

RECOMMENDATION: Staff recommends denial of **ADM-2025-0048**. **Should Planning Commission recommend forwarding this item to City Council, staff have offered conditions of approval as follows:**

Conditions of Approval:

1. Removing this section of the Streamside Protection Zone shall only be in effect following the issuance of a building permit for a mixed-use structure that is substantially similar to that submitted with the applicant’s request.
2. The proposed development will implement low-impact development (LID) strategies and water quality improvements that go beyond minimum compliance — including

stilling basins, velocity dissipation, and native planting zones designed to reduce pollutant loads before outflow enters the restored natural segment downstream. These are to be reviewed and approved by the City's Floodplain Administrator.

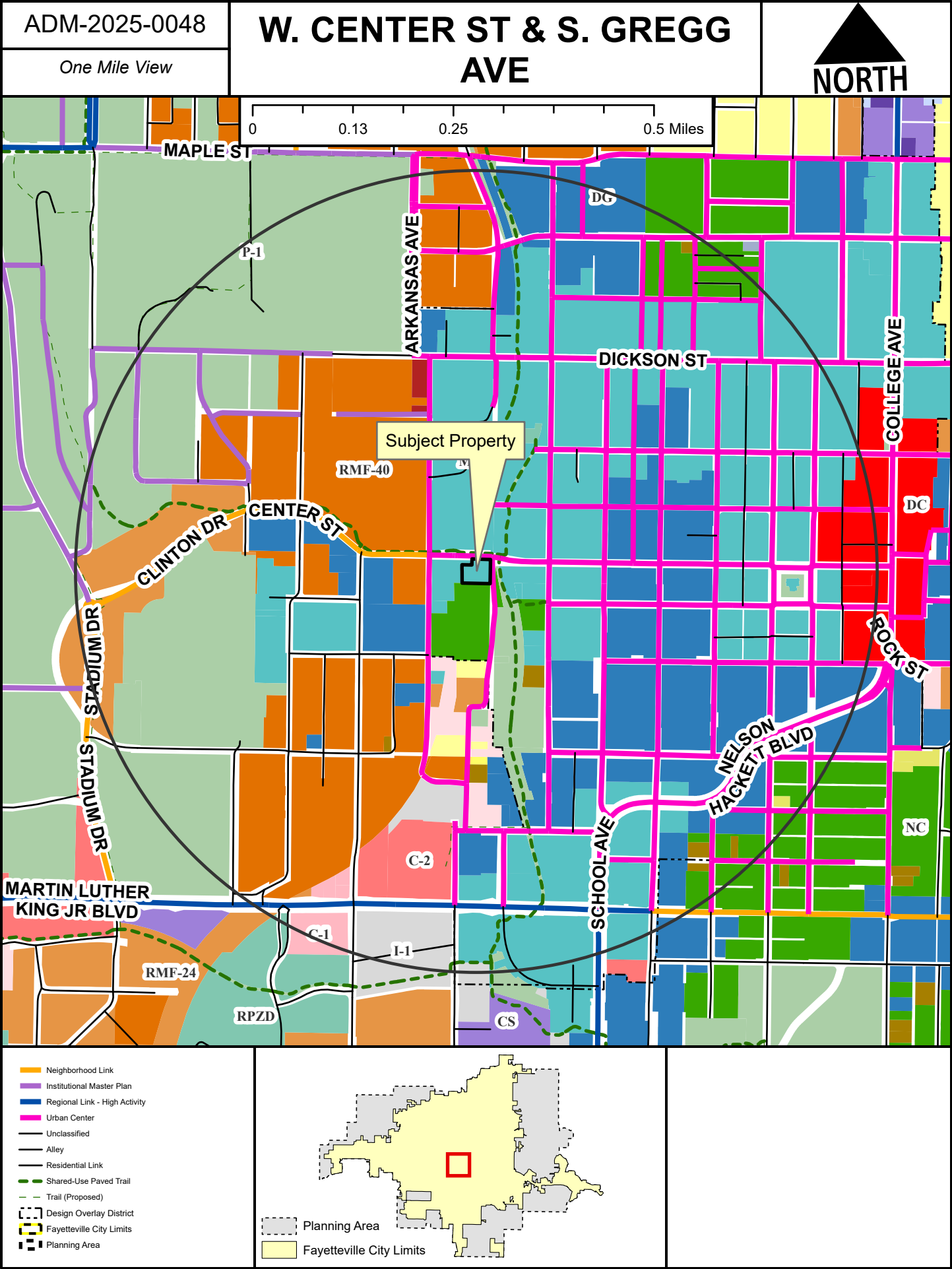
PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>December 8, 2025</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

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



Planning Commission

December 8, 2025

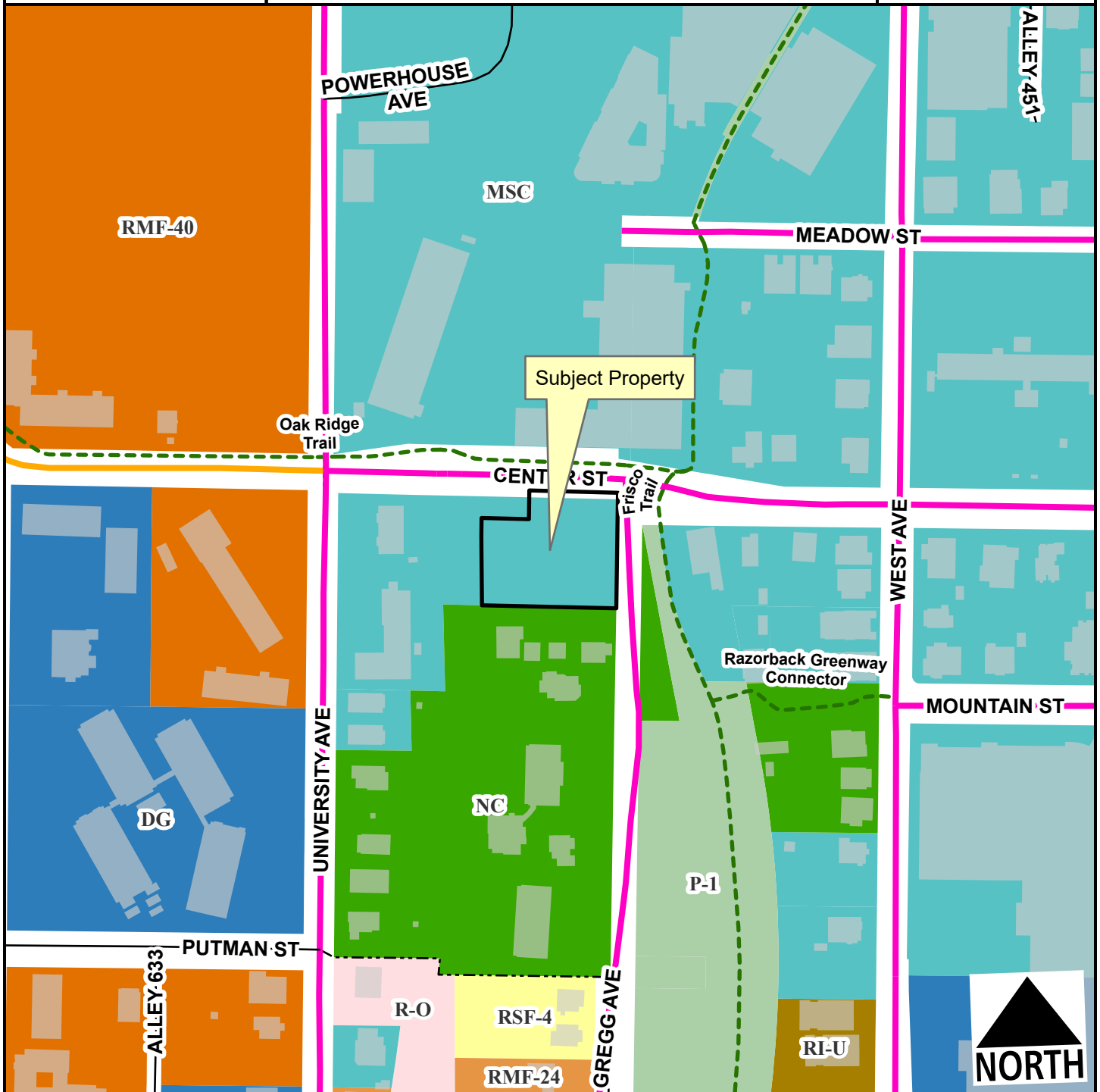
ADM-2025-0048 (CAMDEN COURT)

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ADM-2025-0048

Close Up View

W. CENTER ST & S. GREGG AVE



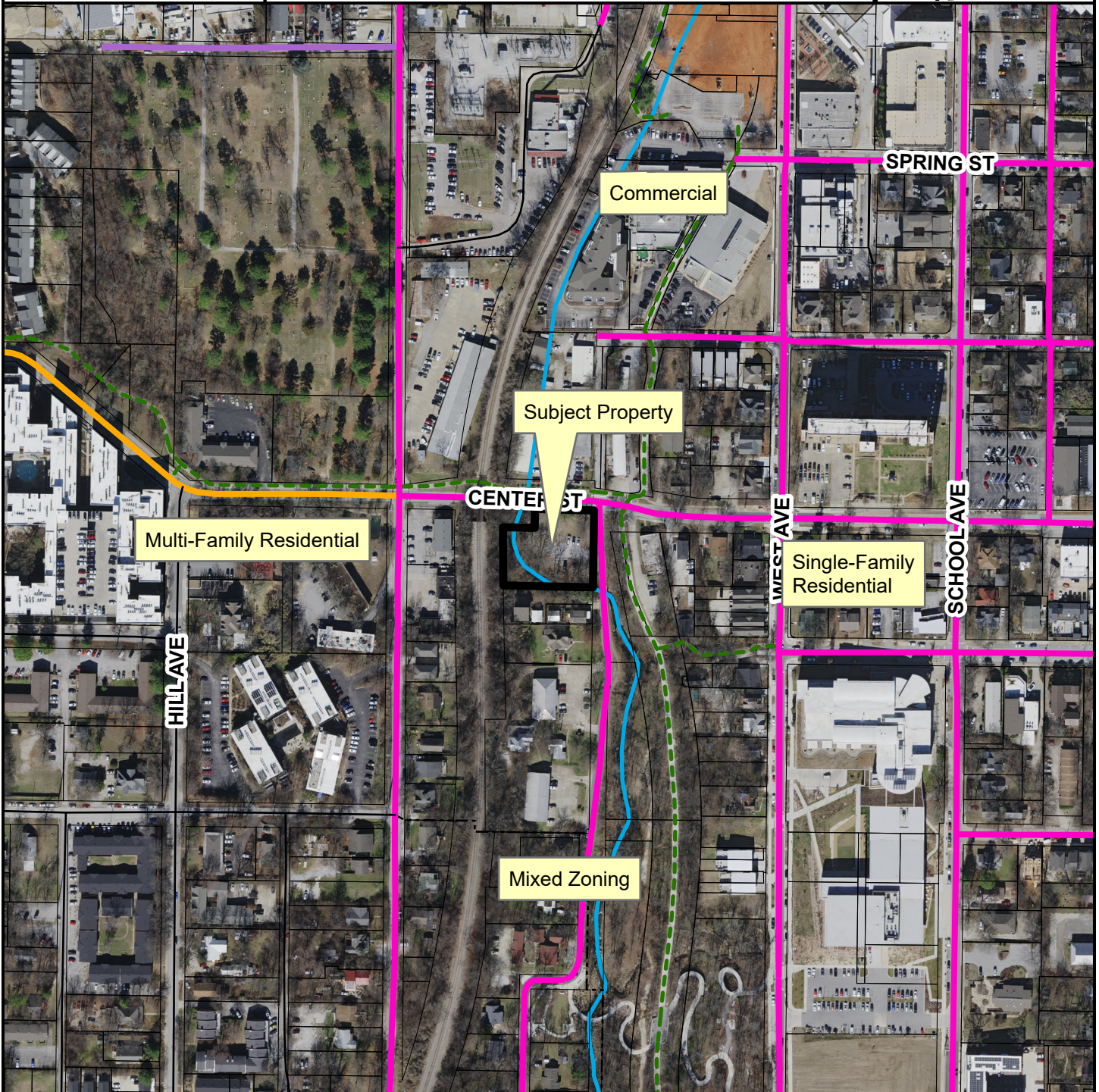
- Neighborhood Link
- Urban Center
- Unclassified
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail
- Design Overlay District



ADM-2025-0048

W. CENTER ST & S. GREGG AVE

Current Land Use



- Neighborhood Link
- Institutional Master Plan
- Urban Center
- Unclassified
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Design Overlay District



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



October 29, 2025

City of Fayetteville

Attn: Mr. Alan Pugh, PE
125 West Mountain Street
Fayetteville, AR 72701

Dear Mr. Alan Pugh, PE:

On behalf of our client, Olsson respectfully submits this request for an amendment to the Streamside Protection Map to remove approximately 289 linear feet (LF) of mapped streamside protection zone along Tanglewood Branch, located within the planned Camden Court development site located at the SWC of Center and Gregg Street.

This request seeks to realign the mapped boundary to reflect the true hydrologic and ecological conditions of this section of the watershed while allowing for a neighborhood-scale development that strengthens the existing urban fabric and provides net water quality improvements to the community.

Context and Existing Conditions

The section of Tanglewood Branch in question currently functions as a short, channelized transition between two enclosed (culverted) reaches of the stream. Specifically:

- The Tanglewood Branch is fully enclosed (hard-piped) from its headwaters approximately 1,948 LF north of the site, conveying flow underground through much of the urbanized corridor.
- The short open segment on the subject property offers limited ecological value, as it transitions almost immediately back into a culvert just downstream.
- Downstream of the Gregg Avenue crossing, the stream resumes as a natural, stable channel that continues south until joining Spout Spring Branch, where meaningful ecological functions are restored.

Given these conditions, the mapped streamside protection zone in this location does not accurately represent the functional extent of the active riparian system.

Rationale for Amendment

The proposed map amendment would extend the currently culverted reach approximately 289 LF downstream to the next culvert crossing beneath Gregg Avenue. This adjustment would:

1. Improve accuracy of the City's Streamside Protection Map to better reflect the true hydrologic continuity of Tanglewood Branch.

2. Allow for a context-sensitive infill development that complements surrounding land uses, reinforces pedestrian connectivity, and aligns with Fayetteville's City Plan 2040 goals for compact growth and neighborhood reinvestment.
 - a. Goal #1 "We will make appropriate infill and revitalization our highest priority."
-City Plan 2040, Updated 6/1/2020
3. Incorporate modern stormwater management practices, including enhanced water quality treatment prior to discharge, achieving a measurable net benefit to downstream conditions relative to the existing state.
4. Remove a protection area that currently provides minimal ecological or habitat function, focusing the City's environmental protection efforts on the fully natural downstream reaches where riparian integrity remains intact.

Environmental Stewardship and Public Benefit

The proposed development will implement low-impact development (LID) strategies and water quality improvements that go beyond minimum compliance — including stilling basins, velocity dissipation, and native planting zones designed to reduce pollutant loads before outflow enters the restored natural segment downstream.

Moreover, the project will enhance the surrounding neighborhood through improved connectivity, aesthetic design, and public realm integration. Aligning the Streamside Protection Map with existing hydrology ensures that environmental policy continues to serve both ecological function and community benefit in balance.

We respectfully request that staff consider this amendment and initiate the review process for the proposed adjustment. Our team welcomes the opportunity to provide supporting exhibits, hydrologic mapping, and environmental documentation as needed to assist in the City's evaluation.

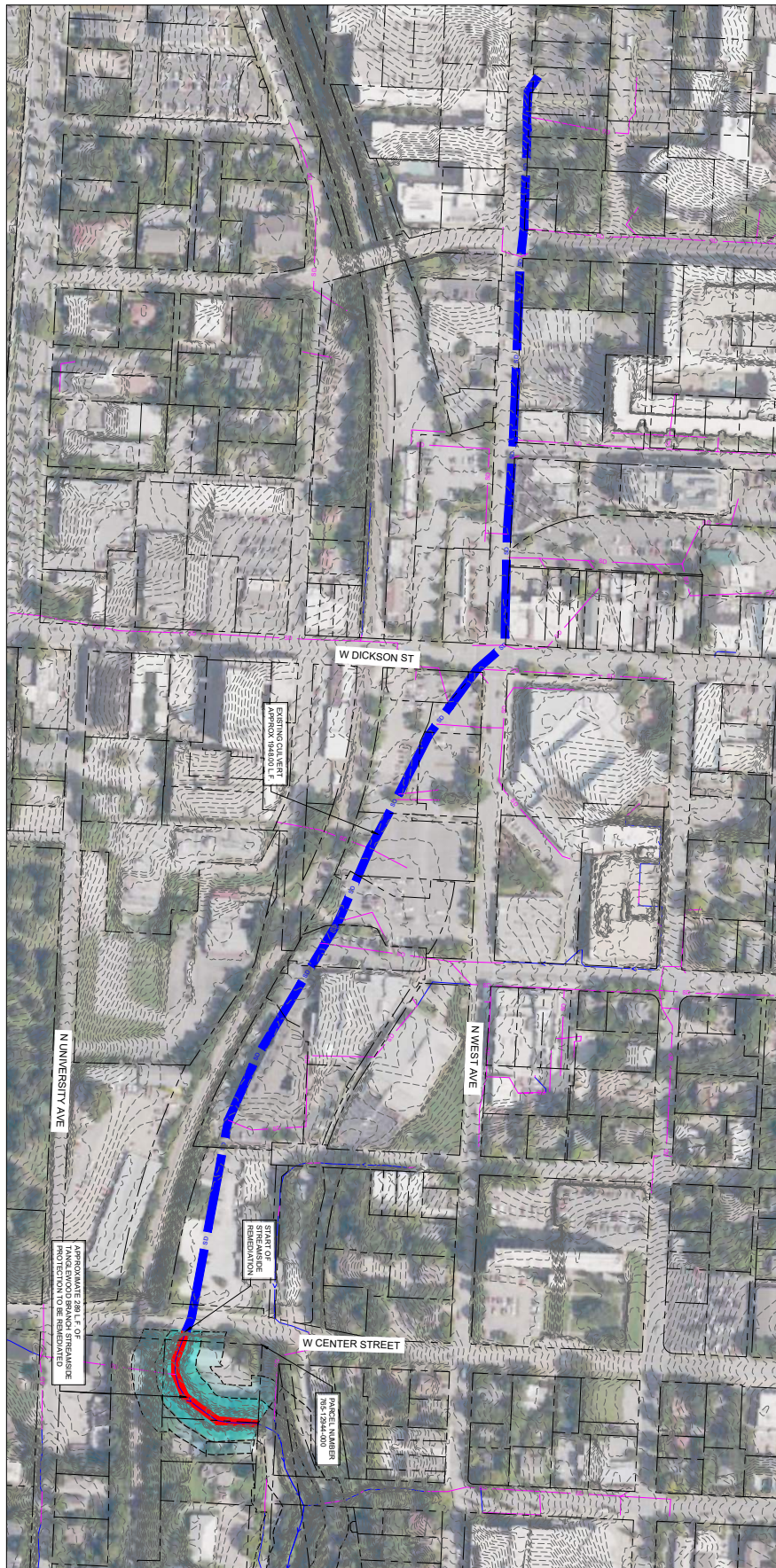
Thank you for your time and consideration of this request. We appreciate the City's commitment to thoughtful planning and environmental stewardship and look forward to continued collaboration. Should you have any questions, please contact me at 479.443.3404 or at mloos@olsson.com.

Sincerely,



Matthew Loos, PE
Olsson Vice President

Enclosed:
Exhibit A – Overall Townbranch Extents
Exhibit B – Proposed Streamside Reduction
Exhibit C – Concept Plat Site Plan & Renderings



Existing Culvert	1,978 LF	87%
Proposed Remediation	2,297 LF	13%
Total Length	2,297 LF	

LEGEND	
	PROPERTY/LEASE LINE
	EAST CONTOUR
	STREAM CENTER LINE
	STREAMBANK PROTECTION BOUNDARY
	EXISTING MAIN STORM CULVERT
	PROPOSED STREAMBANK ENCROACHMENT
	STREAMBANK PROTECTION ZONE 1 - TO BE REMEDIATED
	STREAMBANK PROTECTION ZONE 2 - TO BE REMEDIATED

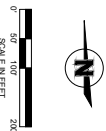
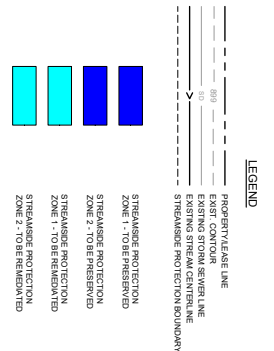
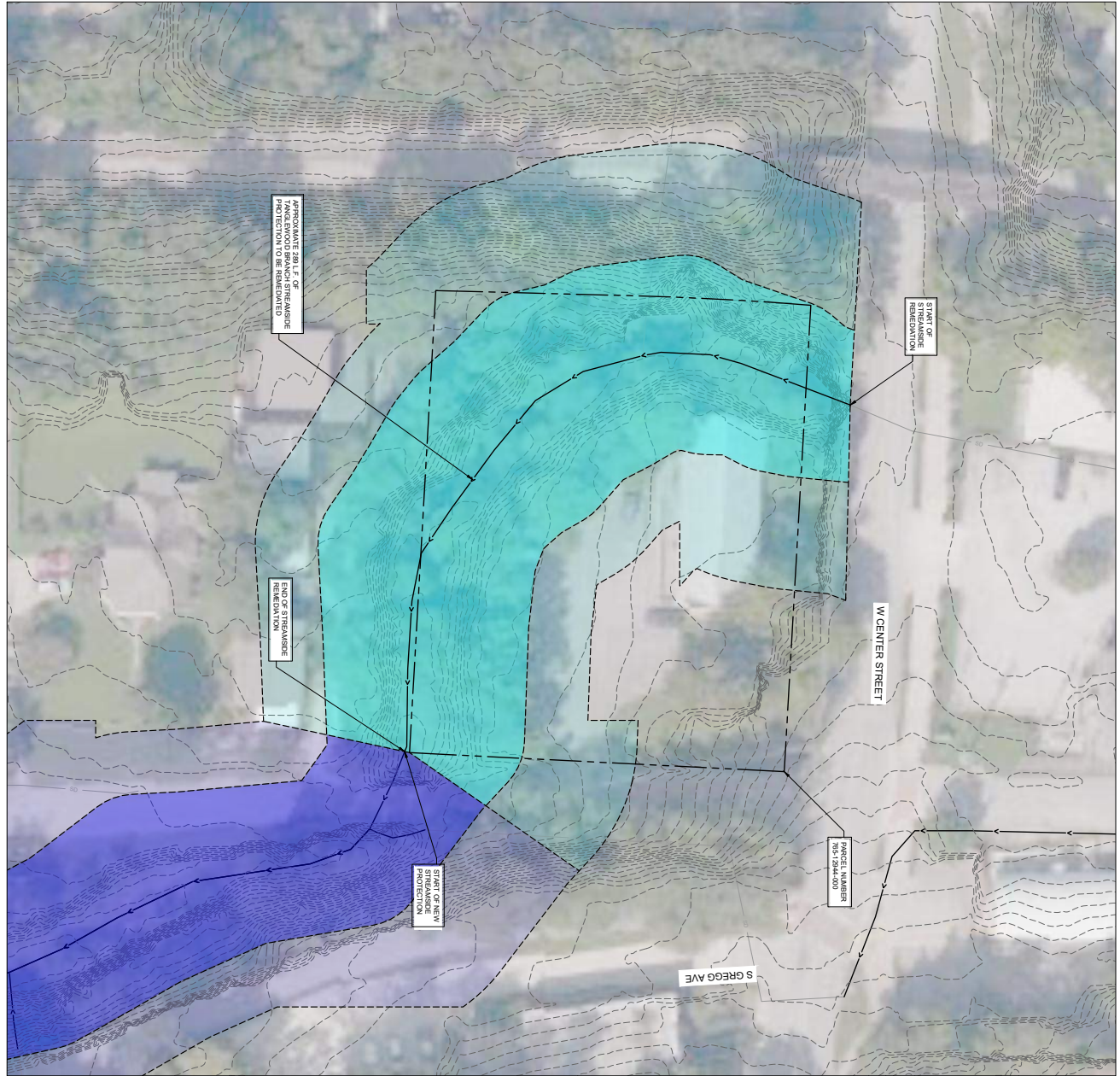


EXHIBIT A OVERALL TANGLEWOOD BRANCH EXTENT	
FAYETTEVILLE, AR	2025

Planning & Design
 December 8, 2025
 ADM-2025-0048 (CAMDEN COURT)

Olsson

3507 North State Street
 Suite 310
 Fayetteville, AR 72703
 TEL: 479.453.3424
 FAX: 479.453.3425
 olsson.com
 Owner - Engineering
 Arkansas C.O.A. # 9170



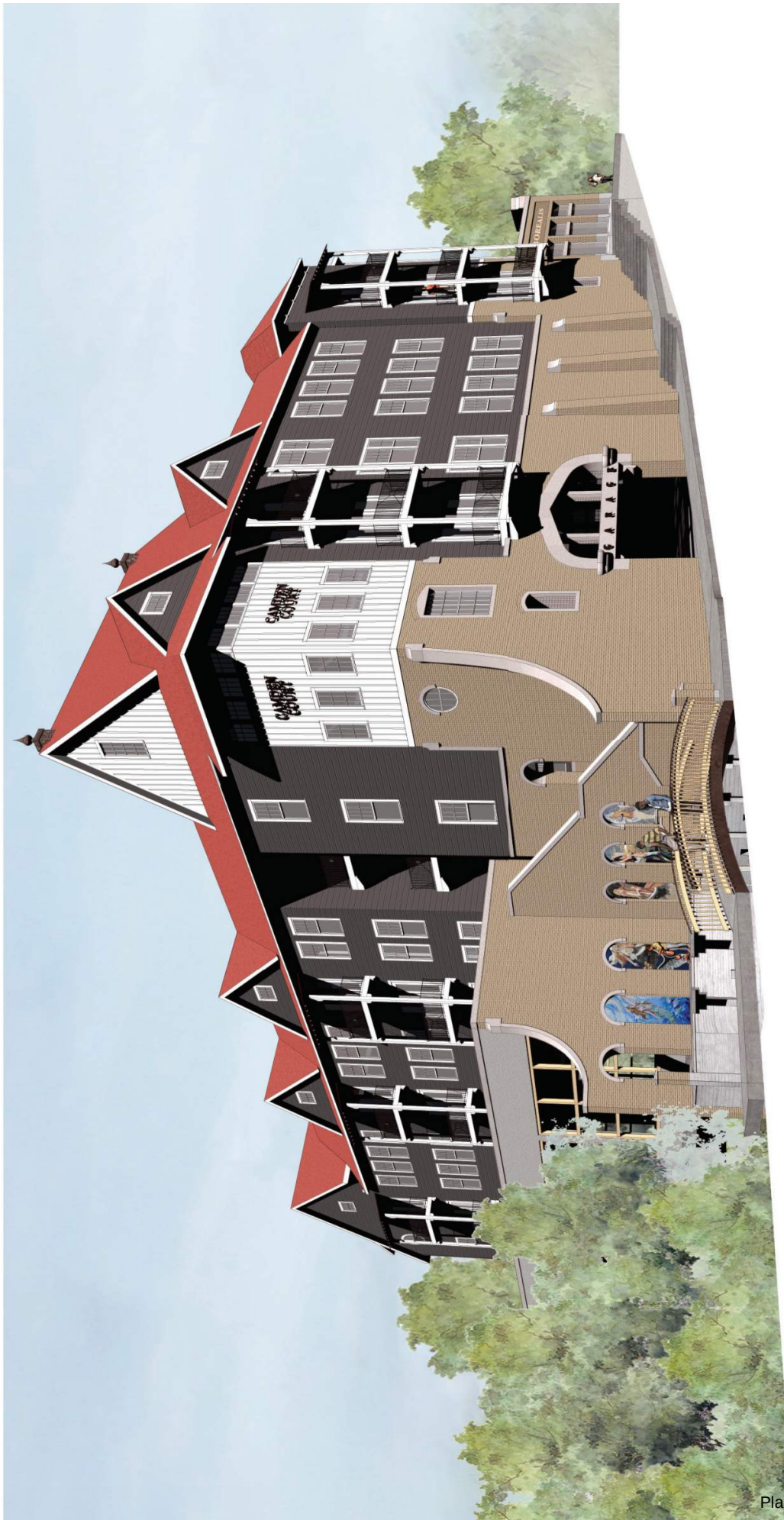
537 N. Main Street
 Suite 310
 Fayetteville, AR 72703
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 FAX: 479.453.3425
 olsson.com
 Olsson - Engineering
 Arkansas C.O.A. #1070

olsson
 Planning & Engineering
 December 8, 2025

ADM-2025-0048 (CAMDEN COURT)

EXHIBIT B	EXHIBIT B PROPOSED STREAMSIDE REDUCTION	
	FAYETTEVILLE, AR	
	2025	

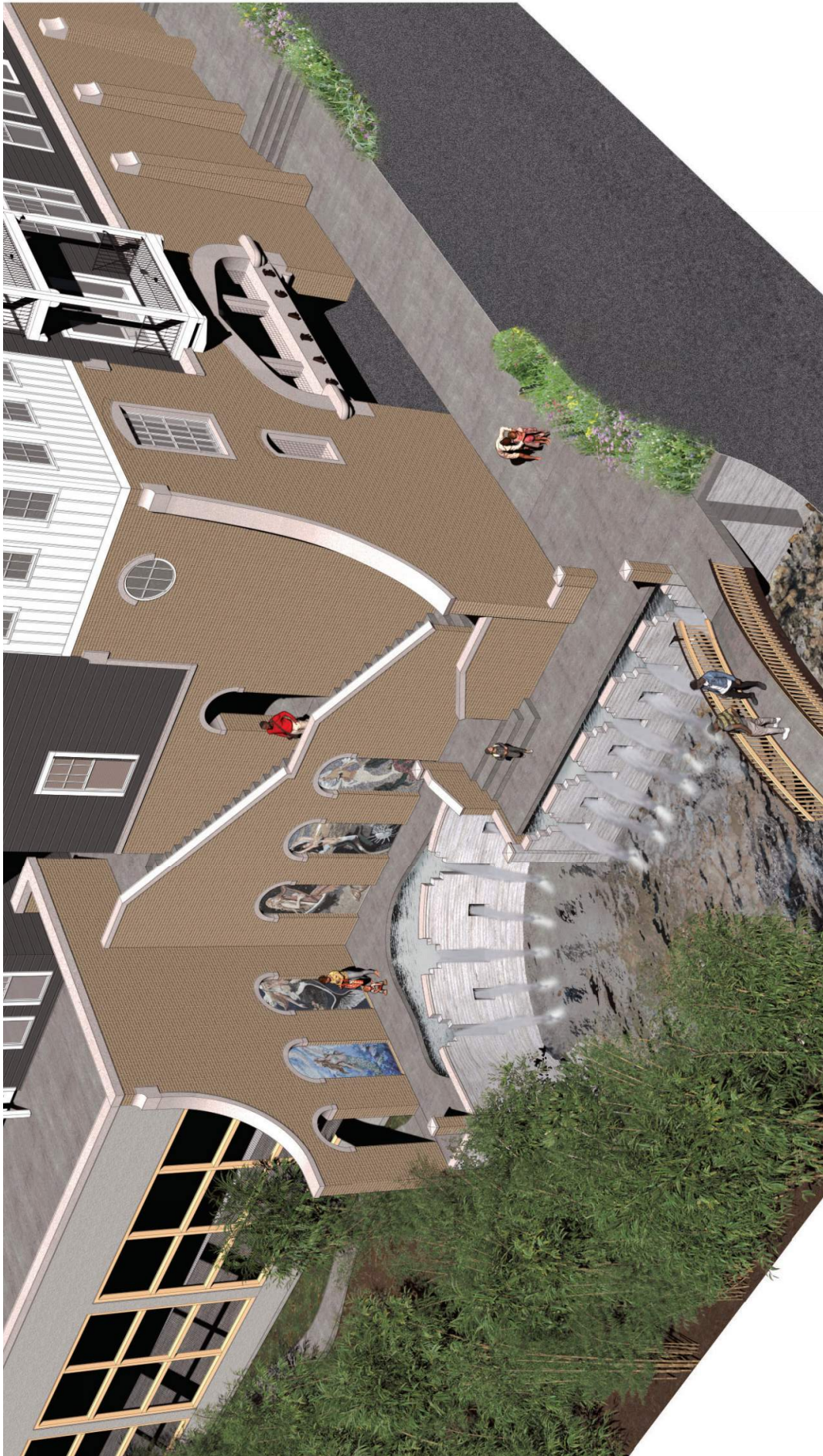






CAMDEN COURT
 COURTYARD BUILDING & BLOCK, LLC
 MAY 21, 2025

VIEW OF NORTHWEST CORNER





AERIAL VIEW OF STREAMSIDE APPRECIATION AREA

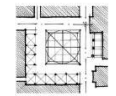


NORTH ELEVATION

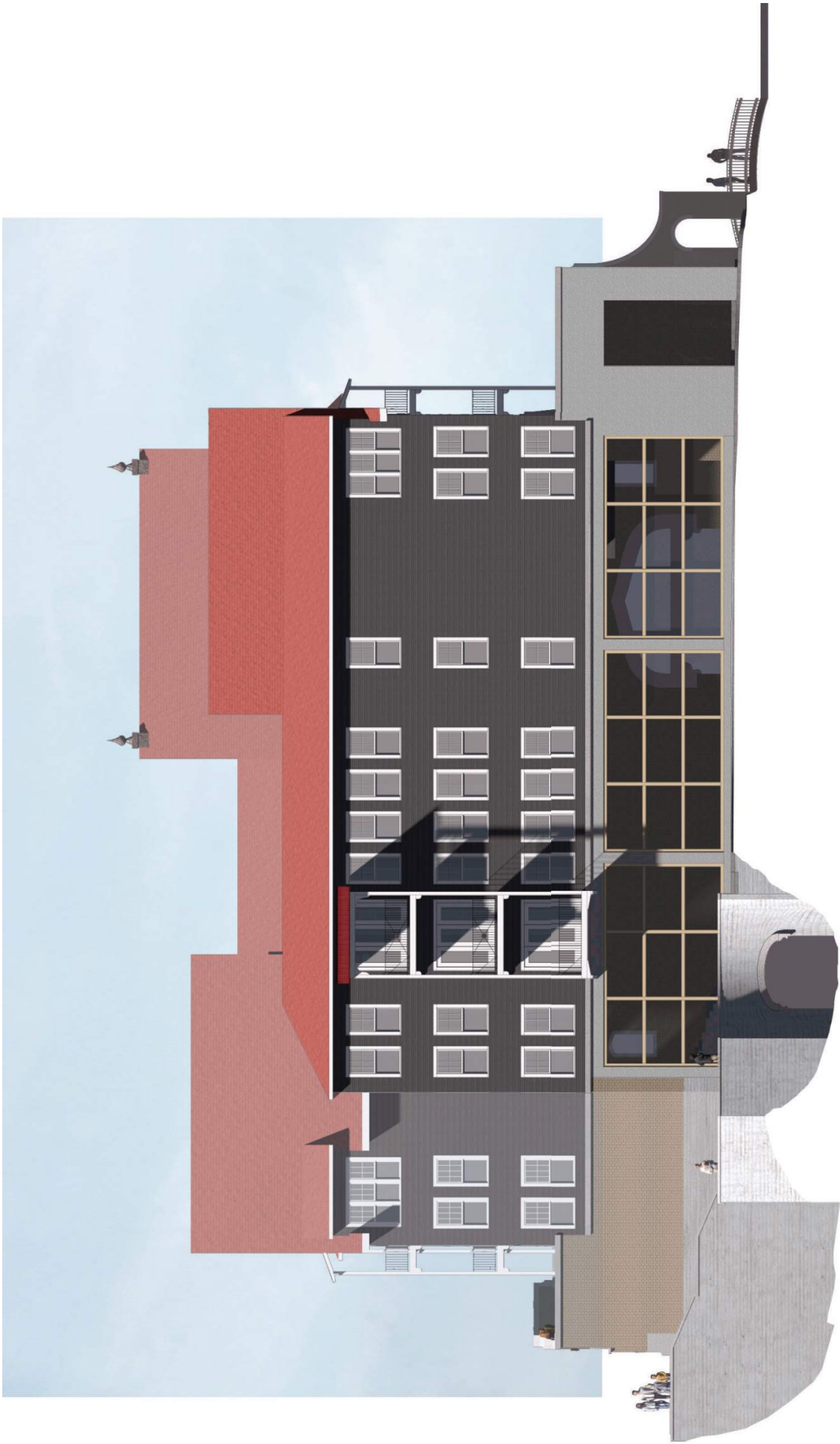




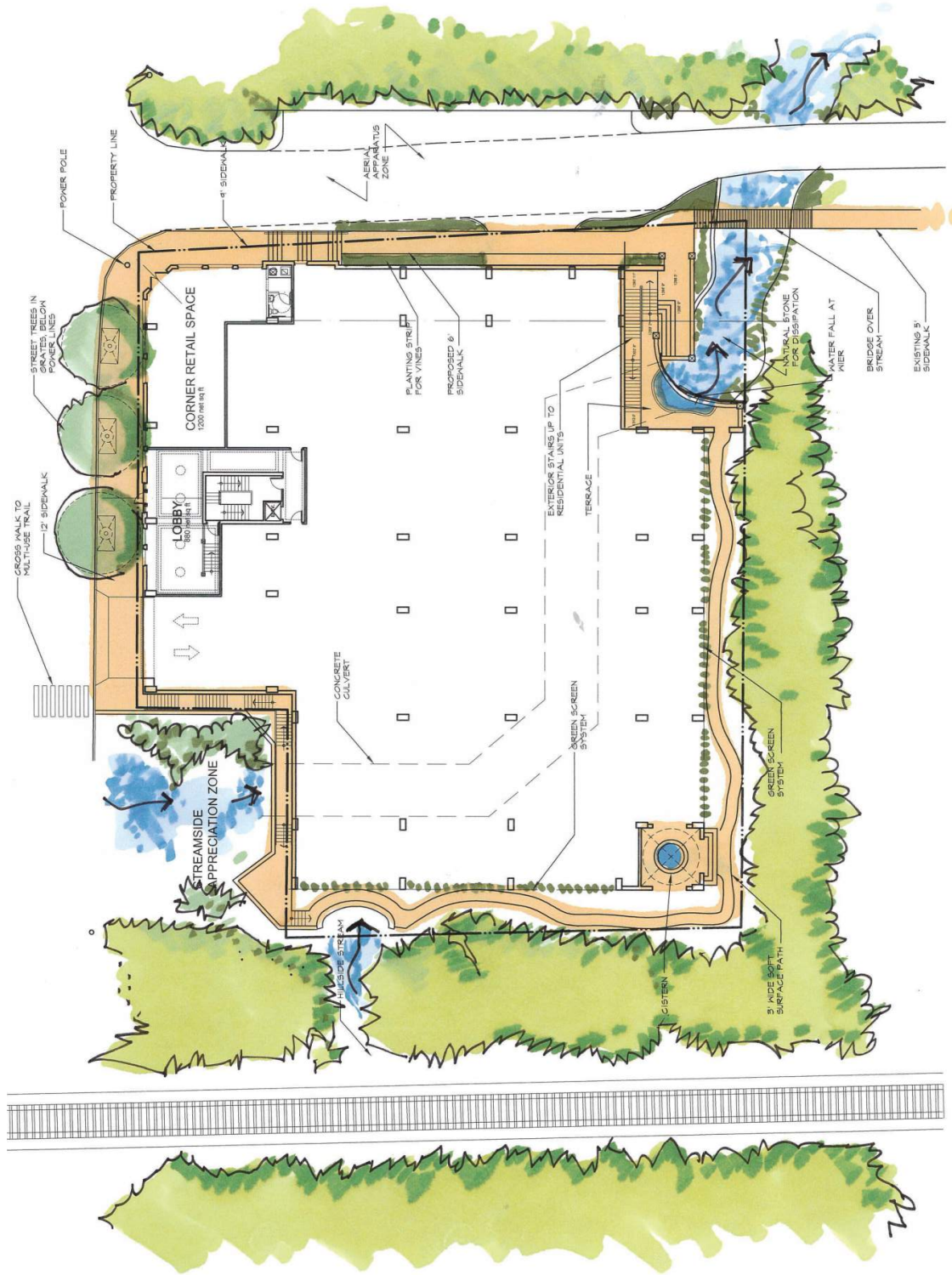
CAMDEN COURT
 COURTYARD BUILDING & BLOCK, LLC
 MAY 21, 2025



EAST ELEVATION



WEST ELEVATION





TYPICAL APARTMENT LEVEL PLAN





LOWER PARKING LEVEL PLAN



TO: City of Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director
Chris Brown, Public Works Director

FROM: Alan Pugh, Staff Engineer

MEETING DATE: December 8, 2025

SUBJECT: **VAR-2025-0049: Planning Commission Variance (W. COLFAX LOOP/WOOLSEY TRAIL MAINTENANCE, 516 & 555):** Submitted by CITY OF FAYETTEVILLE for property located on W. COLFAX LOOP. The property is zoned NC, NEIGHBORHOOD CONSERVATION, and R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 5.34 acres. The request is for a variance to flood damage prevention code.

RECOMMENDATION:

Staff recommends approval of **VAR-2025-0049**, based on the findings contained in this report.

RECOMMENDED MOTION:

*"I move to approve **VAR-2025-0049** with conditions, determining:*

- The improvements are generally minor in nature and include elevation of a portion of trail to avoid continual inundation,*
- All other portions of Chapter 168 will be met*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located north of W Colfax Loop along the existing Woolsey Trail. This trail connects W Colfax Loop with a subdivision to the north and will eventually be extended further west. The property totals approximately 5.3 acres and is currently open space with a trail and stormwater facilities that serve the Coves Subdivision. Goose Creek flows generally east to west just north of the existing trail. The creek is on the list of protected streams as identified in the streamside protection map adopted in 2011 along with the streamside protection ordinance. The trail is located outside of the adopted streamside zones and partially within the current regulatory floodplain. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Residential	NC, R-A, RSF-18 see attached project maps
South	Residential	
East	Residential	
West	Residential/Institutional	

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

DISCUSSION:

The applicant is requesting to modify an existing trail to elevate a portion that remains continually inundated and limits the use of the facility. This modification will include the placement of fill to elevate the trail, a storm pipe under the trail to allow for drainage and reconstruction of that portion of trail. This would help avoid the continual inundation but it would be anticipated that the trail would still occasionally flood in large storm events. While the applicant does intend to provide a flood study showing that there is no increase in base flood elevation or channel velocity as well as provide compensatory storage for the fill, they are seeking a variance from the requirement to submit the flood study to the Federal Emergency Management Agency (FEMA) for review/approval through the Conditional Letter of Map Revision (CLOMR) process.

In general, this portion of code was recommended by staff and adopted because developments were making large changes in the Zone A floodplains without the requirement to have them approved by FEMA. These included developments that were modifying and relocating non-streamside protected drainage ways and associated floodplain or proposing large amounts of fill within floodplain areas without the requirement to have them approved by FEMA. In this instance, staff do not feel that the proposed reconstruction of a small portion of Woolsey Trail would constitute a change of that magnitude, and the applicant is proposing to comply with all other portions of Chapter 168. For these reasons, staff is in support of the requested variance

RECOMMENDATION: Staff recommends approval of **VAR-2025-0049** with the following conditions of approval:

Conditions of Approval:

1. The applicant will obtain all necessary permits prior to the construction of the improvements including, but not limited to, a floodplain development permit or floodplain review associated with a building permit.
2. Applicant shall abide by all other conditions of Chapter 168 with regard to both floodplain and streamside provisions.

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>December 8, 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:

(C) Consideration by the Planning Commission

(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;

As stated, the applicant will complete the required flood study and is proposing to comply with all other provisions including showing no increase in base flood elevation, no increase in channel velocity, not increase in flood flows and providing compensatory storage. The applicant is seeking a variance from the requirement to submit the study to FEMA for review and approval due to the extended time frame and cost associated with the request which they feel are exception or extraordinary in comparison to the size of the proposed development.

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

Staff does understand the additional time and expense associated with the FEMA submittal and the burden that may pose to the proposed construction, the planning commission has the authority to determine if this would pose an exceptional hardship.

(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.

As noted, the applicant will complete the required flood study and is proposing to comply with all other provisions including showing no increase in base flood elevation, no increase in channel velocity, not increase in flood flows and providing compensatory storage.

(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.

These items were taken into consideration when outlining this memorandum and included conditions.

(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.

N/A to this project.

(9) *Streamside Protection Zones*

(a) *Undue hardship.* If the provisions of the Streamside Protection Ordinance are shown by the owner or developer to cause undue hardship as strictly applied to the owner or developer's property because of its unique characteristics, the Planning Commission may grant a variance on a permanent or temporary basis from such provision so that substantial justice may be done and the public interest protected, provided that the variance will not have the effect of nullifying the intent and purpose of the Streamside Protection regulations.

N/A to this project.

(b) *Consideration of alternative measures.* The applicant for the variance shall establish that a reasonable rezoning by the City Council or variance request from

the Board of Adjustment will not sufficiently alleviate the claimed undue hardship caused by the Streamside Protection regulations.

N/A to this project.

- (c) *Conditions and safeguards.* In granting any variance, the Planning Commission may prescribe appropriate conditions and safeguards to substantially secure the objectives and purpose for the regulations so varied and to mitigate any detrimental effects the variance may cause. The Planning Commission should consider the Streamside Protection Best Management Practices Manual and any mitigation recommendations from the City Engineer.

N/A to this project.

BUDGET/STAFF IMPACT:

None

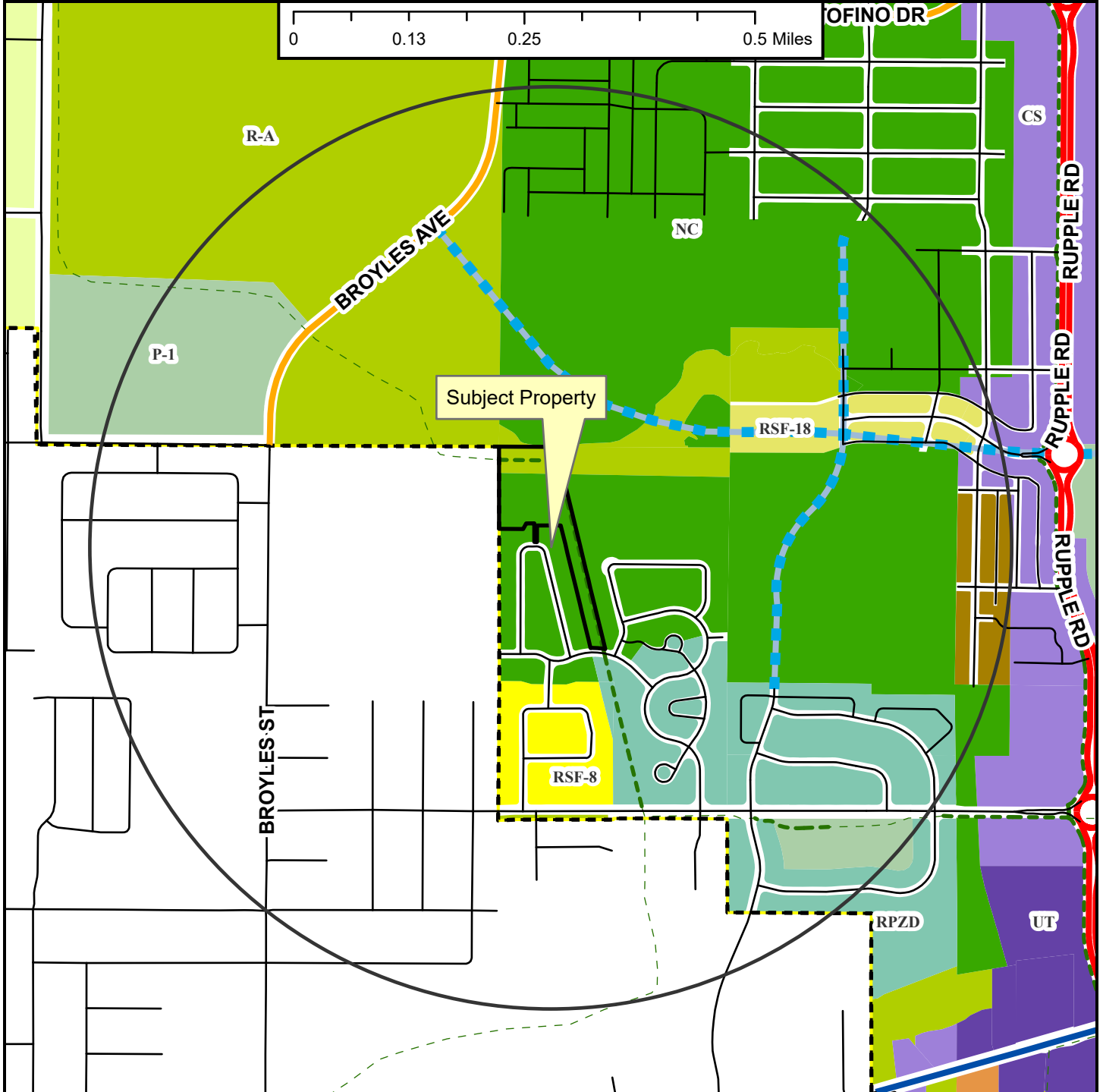
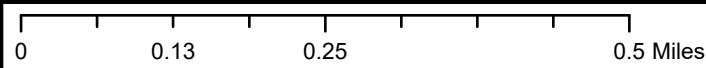
Attachments:

- One Mile Map
- Close Up Map
- Current Land Use Maps
- Applicant Request Letter
- Proposed variance request exhibit

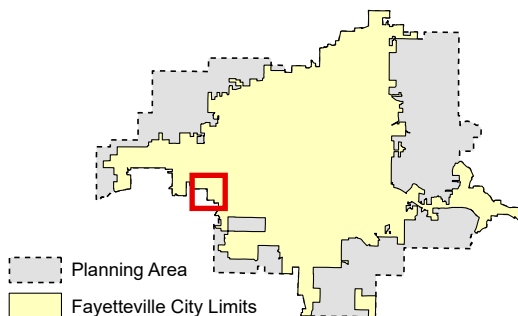
VAR-2025-0049

One Mile View

W. COLFAX LOOP/WOOLSEY TRAIL MAINTENANCE



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



Planning Commission

December 8, 2025

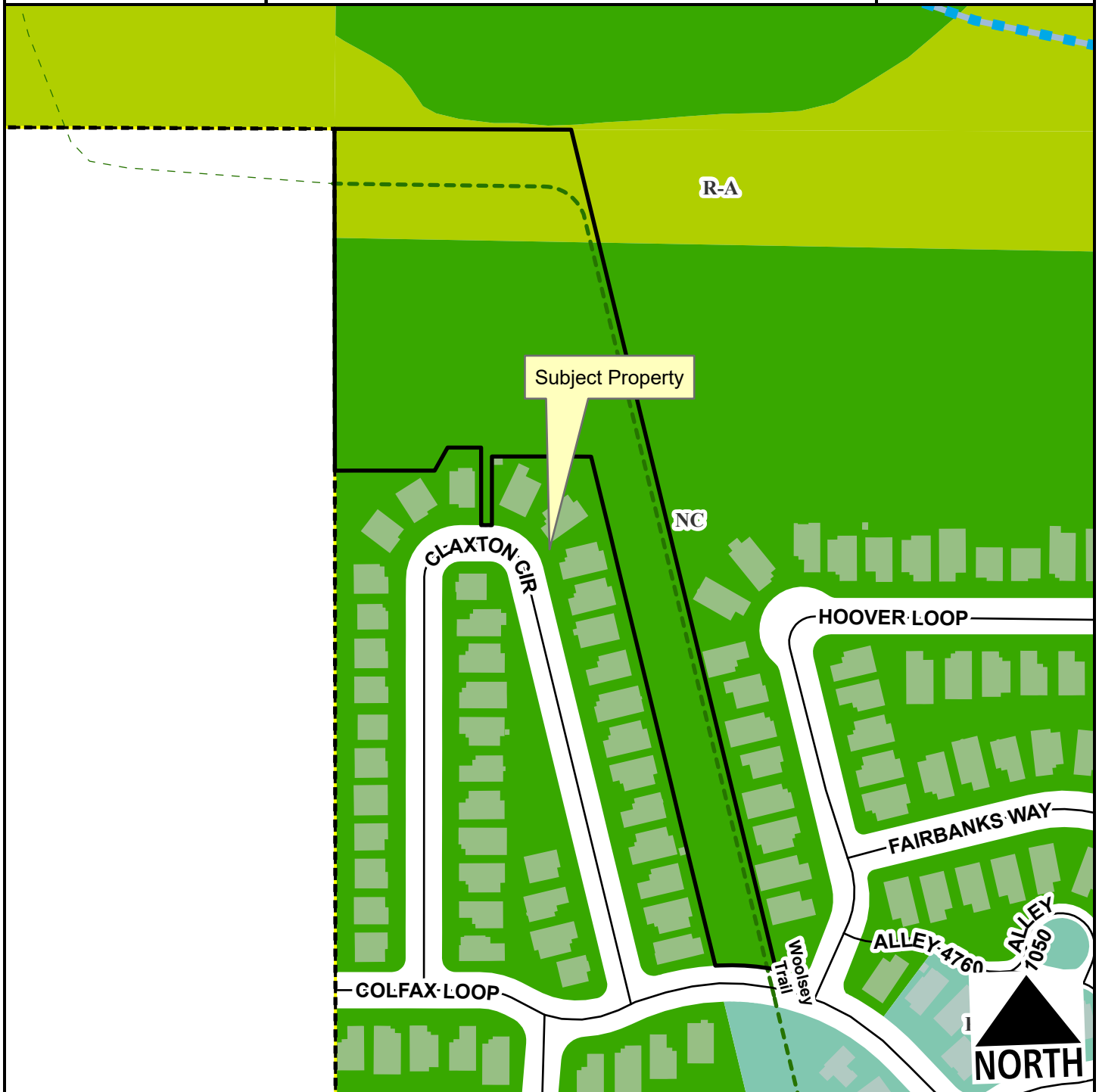
VAR-2025-0049 (WOOLSEY TRAIL MAINTENANCE)

Page 6 of 11

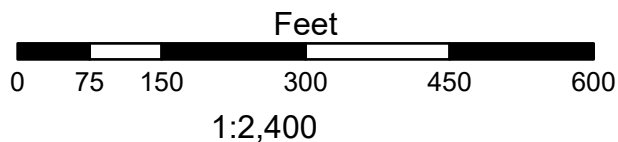
VAR-2025-0049

Close Up View

W. COLFAX LOOP/WOOLSEY TRAIL MAINTENANCE



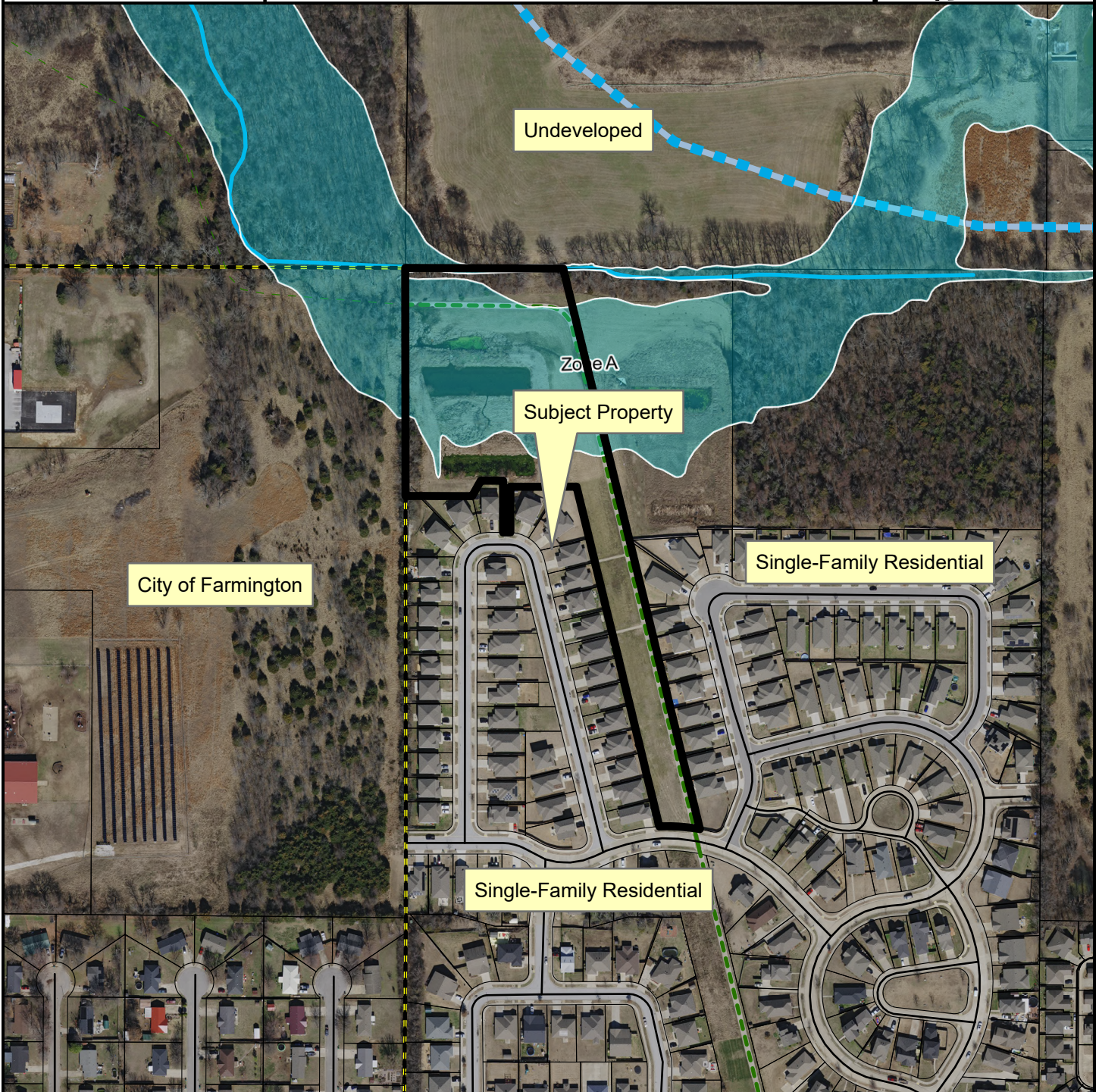
- Alley
- Residential Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail
- Trail (Proposed)



VAR-2025-0049

Current Land Use

W. COLFAX LOOP/WOOLSEY TRAIL MAINTENANCE



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

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

Planning Commission

December 8, 2025

VAR-2025-0049 (WOOLSEY TRAIL MAINTENANCE)

Page 8 of 11



October 23, 2025

City of Fayetteville Planning Commission

Dear Planning Commission,

We are respectfully submitting a variance application for the Woolsey Trail Maintenance project from the requirements of Sec. 168.10 (T) (5) of the City of Fayetteville Unified Development Code to not require a letter of map amendment to be submitted by FEMA.

Sec. 168.10 (T) (5)

(5) In all areas designated as a Zone A on the FIRM where a detailed study has not been completed to specify the floodway and base flood elevations, no development shall be located within the Zone A area.

*(a) Provided, the applicant may choose, if not required by other provisions of this chapter, to provide a detailed hydrologic and hydraulic study which delineates the floodway, one hundred (100) year floodplain boundary, and base flood elevations. **At such time as a study is approved by FEMA**, the applicant shall meet all requirements for areas designated with floodway, one hundred (100) year floodplain, and base flood elevations.*

The Woolsey Trail was originally constructed in 2018 by a private developer. A 340-linear-foot section of the 12-foot-wide concrete trail was built at an elevation that is too low, resulting in persistent standing water since its completion. This condition has created ongoing maintenance issues and potential safety concerns for trail users. City crews propose to reconstruct this portion of the trail by elevating it above the standing water level and installing a culvert to improve drainage and long-term functionality.

This section of the Woolsey Trail lies within Zone A of the FEMA-designated floodplain. As such, the proposed improvements require a flood study to be approved by FEMA prior to the placement of fill. This proposed variance request would allow placement of fill material necessary to raise the trail without the lengthy process of FEMA approval.

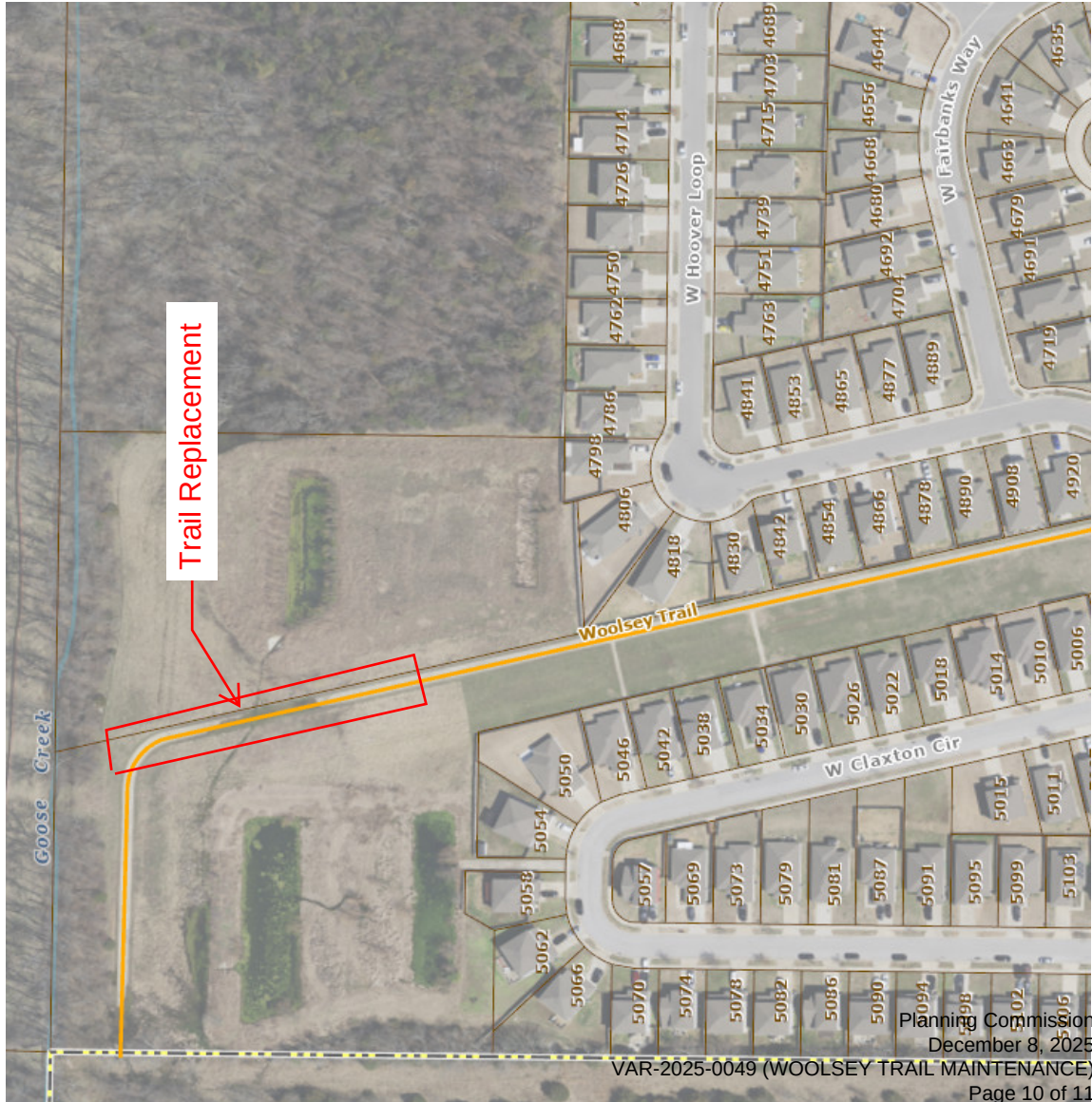
Olsson has been retained to perform the required flood study. The improvements will be designed to maintain no adverse impact to surrounding areas; the only variance requested is to proceed without requiring FEMA approval prior to construction. Approval of this variance request will allow the City to proceed with reconstructing the trail to ensure proper drainage, compliance with floodplain regulations, and enhanced safety for trail users well into the future.

Sincerely,

Matt Mihalevich

Matt Mihalevich
Active Transportation Manager

Woolsey Trail

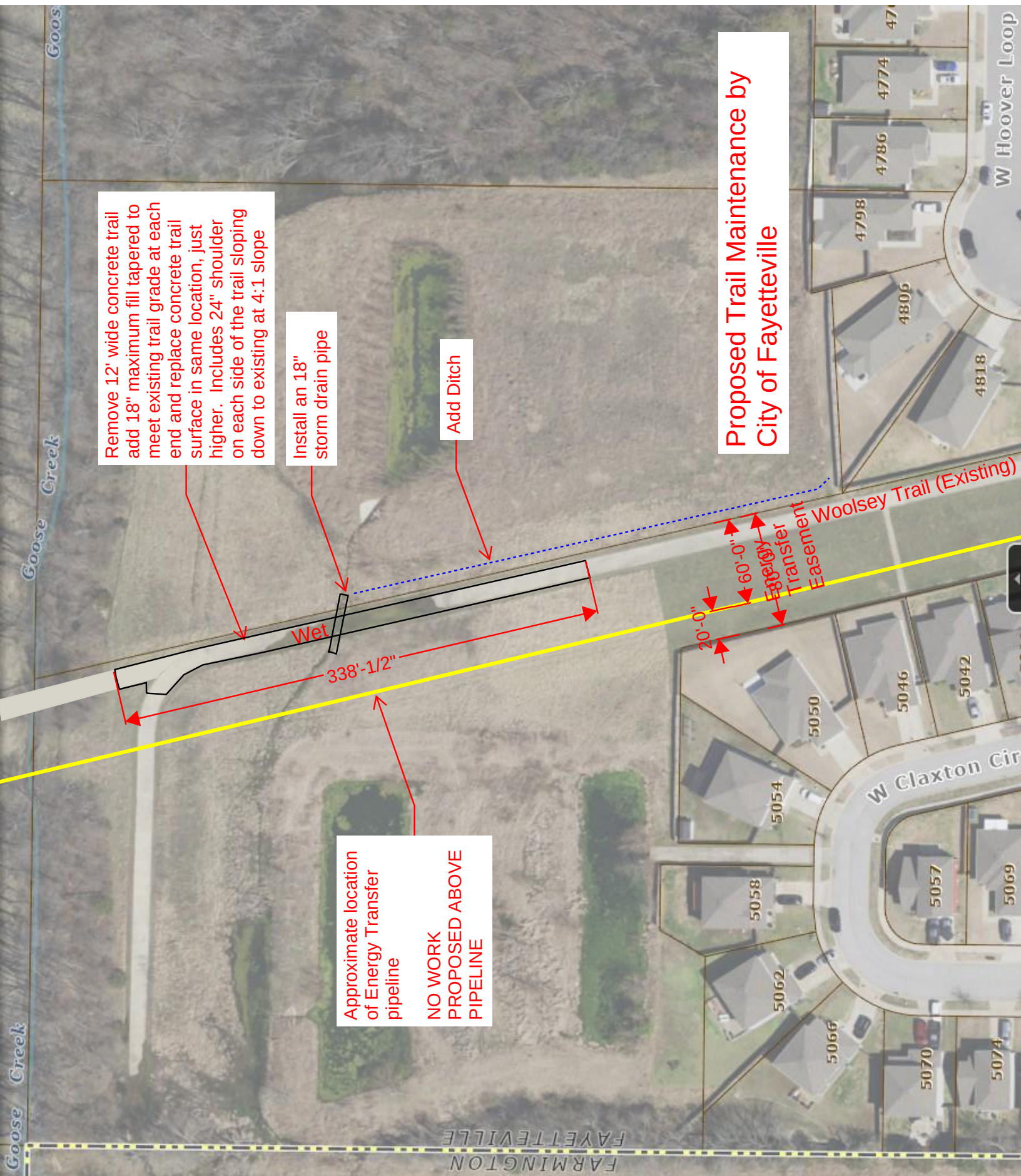


CITY OF
FAYETTEVILLE
ARKANSAS

Planning Commission
December 8, 2025

VAR-2025-0049 (WOOLSEY TRAIL MAINTENANCE)

Page 10 of 11



Proposed Trail Maintenance by
City of Fayetteville

Remove 12' wide concrete trail
add 18" maximum fill grade to
meet existing trail grade at each
end and replace concrete trail
surface in same location, just
higher. Includes 24" shoulder
on each side of the trail sloping
down to existing at 4:1 slope

Install an 18"
storm drain pipe

Add Ditch

Approximate location
of Energy Transfer
pipeline

NO WORK
PROPOSED ABOVE
PIPELINE



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Justin Bland, City Engineer

MEETING DATE: December 8, 2025

SUBJECT: **VAR-2025-0050: Planning Commission Variance (5628 W. BOGAN DR/ALEXANDER, 475):** Submitted by SARAH GEURTZ for property located at 5628 W. BOGAN DR. The property is zoned RSF-1, RESIDENTIAL SINGLE-FAMILY, ONE UNIT PER ACRE and contains approximately 2.31 acres. The request is for a variance to sidewalk requirements.

RECOMMENDATION:

Staff recommends denial of **VAR-2025-0050**, with conditions.

RECOMMENDED MOTION:

*"I move to approve **VAR-2025-0050** determining:*

- In favor of the requested variance to UDC §171.13(A)(2), Property Owner To Construct Sidewalk Or Contribute Cost Of Sidewalk;*
- In favor of all conditions as recommended by City staff.*

BACKGROUND:

The subject property is in west Fayetteville on W. Bogan Drive, just west of its intersection with N. 54th Avenue. Containing 2.3 acres, the property is currently undeveloped RSF-1, Residential Single-Family, 1 Unit per Acre. A residential building permit to construct one single-family home has been submitted for review by City staff. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1: Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Rural Residential	RSF-1, Residential Single-Family, 1 Unit per Acre
South	Rural Residential	RSF-1, Residential Single-Family, 1 Unit per Acre
East	Rural Residential	RSF-1, Residential Single-Family, 1 Unit per Acre
West	Rural Residential	RSF-1, Residential Single-Family, 1 Unit per Acre

Request: The applicant is requesting a variance to Unified Development Code section 171.13 that requires a property owner to construct a sidewalk or contribute the cost of a sidewalk with the issuance of a residential building permit. While the City Engineer has the ability to waive the actual construction and collect a fee-in-lieu instead, the applicant is requesting a variance from the whole section of code.

DISCUSSION:

Variance #1: §171.13(A) Property Owner To Construct Sidewalk Or Contribute Cost Of Sidewalk. The owner of any property abutting a public street or highway for which a sidewalk is required by the city's Master Street Plan shall construct a sidewalk in accordance with this chapter, along said street or highway upon the receipt of notice issued at the time a building permit is issued. The applicant would like to omit required sidewalk improvements and the necessary fee-in-lieu for required sidewalk improvements.

Staff recommendation: Staff recommends denial of this request. The City Engineer has the authority in this section of ordinance to review whether sidewalk shall be installed, or whether to accept fee-in-lieu as an alternative. In this instance, the City Engineer has determined that a fee-in-lieu is warranted, rather than the construction of the sidewalk connection, which is why the applicant is seeking this variance. While discussions about a reduced fee-in-lieu option were discussed by staff with the applicant, no agreement was found. The City Engineer is recommending a fee-in-lieu of \$23,616.36 for the 306.07 linear feet of frontage along Bogan Drive. Further information is attached in a memo.

Public Comment: Staff received public comment in support of the applicant's request. The member of the public felt that sidewalk was unwarranted at this location, and also expressed overall concerns with stormwater management.

RECOMMENDATION: Staff recommends denial of VAR-2025-0050, with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of a variance to §171.13(A) Property Owner To Construct Sidewalk Or Contribute Cost Of Sidewalk.** *Staff recommends denial of the variance, and recommends approval of the following fees-in-lieu:*
 - a. W. Bogan Drive: \$23,616.36.00
2. Determination of this variance request is limited to the request as provided by the applicant, and does not provide approval for any associated permits, or other variances not yet identified or requested.

Planning Commission Action:	☐ Approved	☐ Tabled	☐ Denied
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Meeting Date: <u>December 8, 2025</u>
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Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

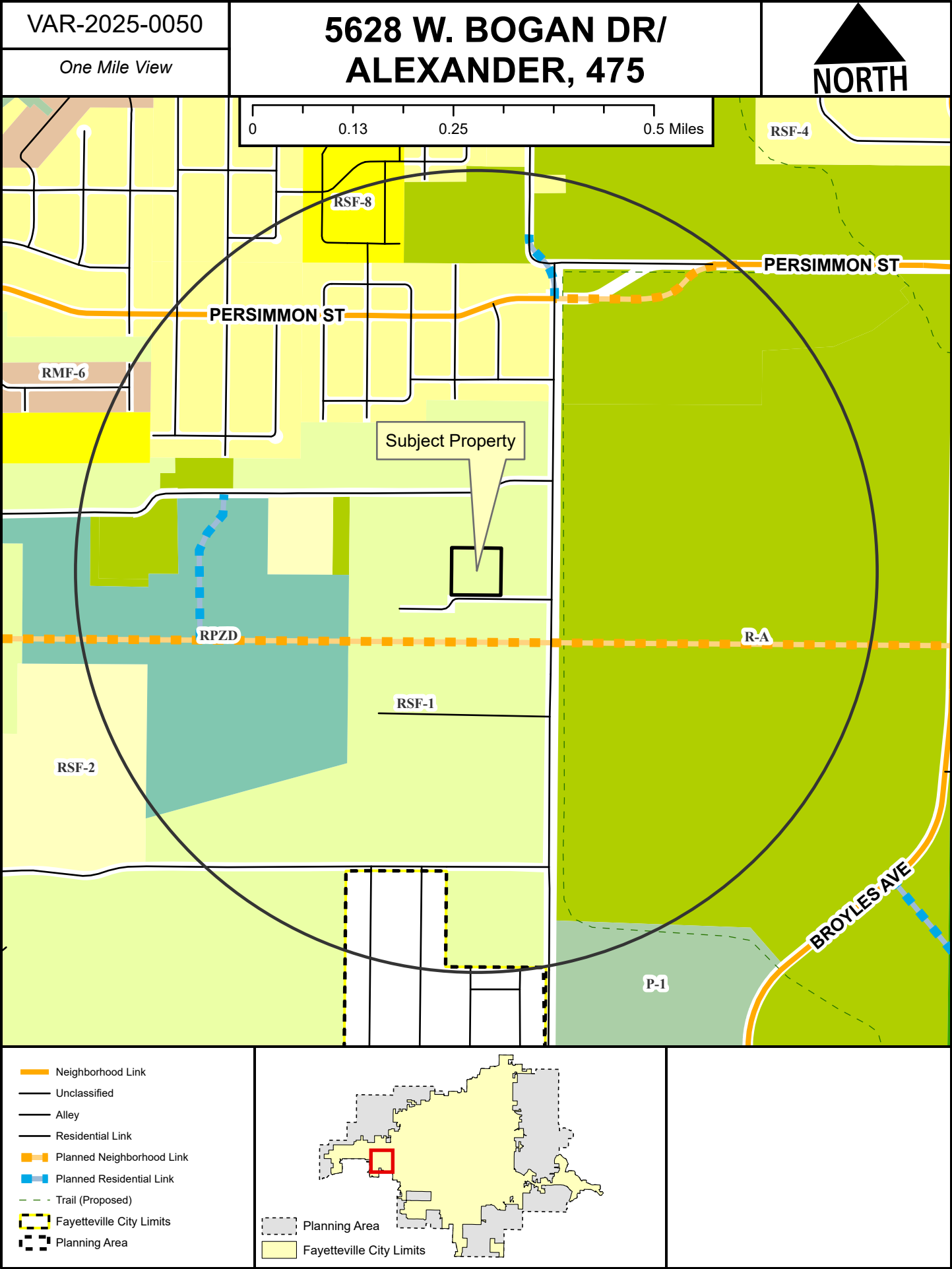
- Unified Development Code:

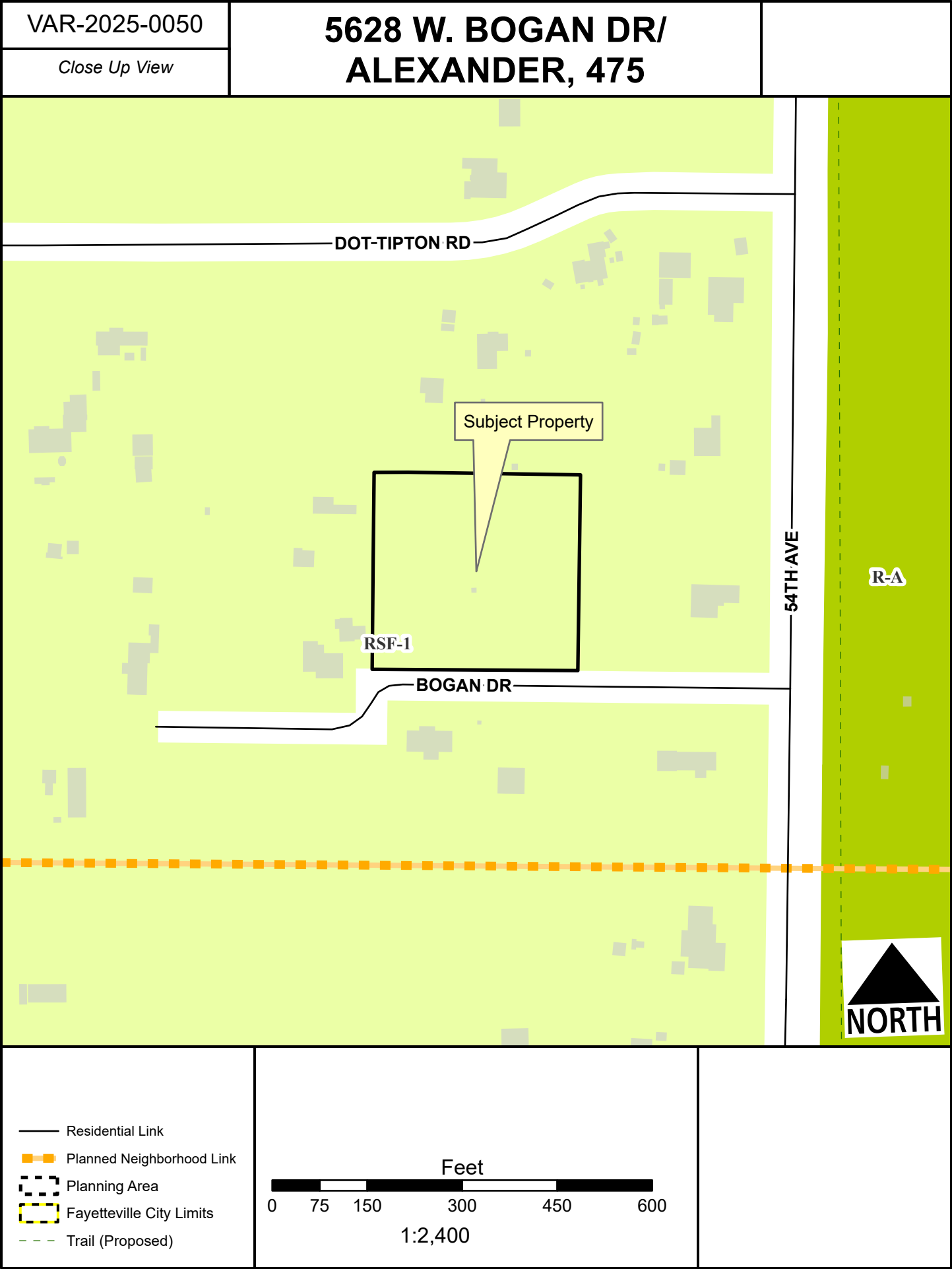
- §171.13(A), Property Owner To Construct Sidewalk Or Contribute Cost Of Sidewalk.
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Engineering Memo
 - Applicant Request Letter
-

171.13 Property Owner To Construct Sidewalk Or Contribute Cost Of Sidewalk

- (A) *Requirement.* The owner of any property abutting a public street or highway for which a sidewalk is required by the city's Master Street Plan shall construct a sidewalk in accordance with this chapter, along said street or highway upon the receipt of notice issued at the time a building permit is issued.
- (1) The property owner shall construct the sidewalk in accordance with the specifications provided in the Minimum Street Standards.
 - (2) The property owner may request a variance to §171.13(A)(1) requiring sidewalk construction. The City Engineer shall review the following factors to determine whether or not to grant the variance to allow payment of a fee in lieu of sidewalk construction:
 - (a) Pedestrian traffic generators such as parks and schools in the area.
 - (b) The existence of a sidewalk network in the area.
 - (c) The density of current and future development in the area.
 - (d) The amount of pedestrian traffic likely to be generated by the proposed development.
 - (e) Whether the terrain is such that a sidewalk is physically practical and feasible, and the extent to which trees, ground cover and natural areas would be adversely impacted by the construction of the sidewalk.
 - (f) The overall need for a sidewalk to be constructed on the lot.
 - (3) A project being constructed pursuant to §166.28 Permit-Ready Building Design Program shall have the option to pay a fee in lieu of constructing the sidewalk without receiving a variance.
 - (4) If the City Engineer grants the variance, the owner shall have an option to construct the sidewalk, or to contribute money in lieu of construction as set forth below:
 - (a) The amount of money in lieu of construction to be dedicated shall be determined based upon the rough proportionality of the impact of the development upon the sidewalk infrastructure needs near the development including consideration of the persons served by the development and approximate pedestrian trip generation rates of the development.
 - (b) Unless the developer presents evidence that the number of persons served by the development and the pedestrian trip generation rates of the development justify a reduced contribution in lieu of the construction of sidewalks, all developments shall make a cash contribution in lieu of the construction of the sidewalk in an amount established by the City Engineer and based on current construction costs, as determined by a yearly bid for construction, Arkansas Department of Transportation published weighted averages, or similar data.
 - (c) Contribution in lieu of construction of sidewalks shall be paid or construction of the sidewalks shall be completed before receiving final plat approval, or issuance of a certificate of occupancy.
 - (d) Contributions must be expended within seven (7) years to build a sidewalk close enough to serve the project being constructed.
 - (e) If the owner voluntarily consents in writing, the contributions may be used to construct sidewalk projects where most needed as determined by the City Engineer.
 - (5) An owner/builder may appeal the City Engineer's refusal to grant a variance or the administrator's determination of the amount of contribution in lieu of construction to the Planning Commission pursuant to §155.06(D).
- (B) *Application of Provisions.* The provisions of this section shall only apply to the following property:
- (1) *New Structure.* On which a new structure is being built.
 - (2) *Existing Residential Structure.* On which an existing residential structure is being modified so as to increase the number of dwelling units located therein or to change the use of the nonresidential use.

- (3) *Parking Lot/Garage.* On which a parking lot, or parking garage having a minimum capacity of five (5) automobiles is constructed.
 - (4) *Building Additions.* Additions of 2,500 square feet or larger.
 - (5) *Conditional Use.* Any development which requires conditional use approval.
- (C) *Exceptions.* Sidewalk construction is not required for accessory dwelling units; however, reconstruction or repairs resulting from the construction of the accessory dwelling unit may be required.
- (Code 1965, §18-31; Ord. No. 2653, 8-5-80; Ord. No. 2780, 11-17-81; Ord. No. 2917, 5-3-83; Ord. No. 3113, 9-3-85; Code 1991, §98.66; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4311, 5-1-01; Ord. No. 4387, 4-16-02; Ord. No. 5789, Repealed & Replaced Chp. 171, 8-4-15; Ord. No. 6350, §7(Exh. F), 8-18-20; Ord. No. 6724, §1(Exh. A), 3-19-24; Ord. No. 6870, §2, 5-6-25)





VAR-2025-0050

Current Land Use

5628 W. BOGAN DR/
ALEXANDER, 475



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Jessie Masters, Planning Director

FROM: Justin Bland, City Engineer

DATE: December 3, 2025

SUBJECT: **Planning Commission Engineering Comments for
VAR-2025-0050 W. Bogan Drive**

Engineering staff is not supportive of the variance request to not construct a sidewalk across the full frontage of the subject property or pay a fee-in-lieu. While staff agrees that it is unlikely any sidewalks will be built on W. Bogan Dr. soon, there are active discussions for a project on N. 54th Ave. Due to the property's proximity, these fee-in-lieu funds could be utilized to help fund this nearby project. The city often utilizes these funds to supplement existing project shortages around the city. In addition, all funds paid to the city as a fee-in-lieu of sidewalk construction are obligated to be used within seven years. If they are not, they must be refunded to the property owner.

Staff is recommending a standard fee-in-lieu be paid for this sidewalk. The fee for the full 306.07' of frontage of the lot along W. Bogan Dr. is \$23,616.36.



Earthplan Design Alternatives, PA
Civil Engineering / Landscape Architecture

October 27, 2025

City of Fayetteville
Fayetteville Engineering Department
Attention: Justin Bland

RE: W Bogan Ln Sidewalk Variance request

Mr. Bland,

We are submitting for a Variance request to code section 171.13(A)(1) for parcel 765-16223-200 (address 5628 W Bogan Dr). The specific request is to not require construction of a sidewalk and to not require fee-in-lieu for a sidewalk at the before-mentioned property.

This property was annexed into the City of Fayetteville around 2010 and most of the lots on this dead-end street are large lots (between 2- 5 acres in size) with no existing sidewalk network on this street or on the connecting street N 54th Ave. The subject property is 2.3 acres in size. If a sidewalk was constructed for the subject property, it would be for approximately 306 linear feet of sidewalk for one single-family residential home. This is a lot of sidewalk and quite an expensive one.

The number of people served by a sidewalk at this location would be zero, as we do not expect a sidewalk network to be constructed anytime soon for either Bogan Dr. or N 54th St near this location, as the property is far removed from commercial areas of town, because W Bogan Dr dead-ends, and because there are no sidewalks in this area of town. We do not expect this to change within the 7 year stipulation of code 171.13(A)(4)(d).

For the reasons detailed above, we respectfully request that a concrete sidewalk and fee-in-lieu not be required for this property.

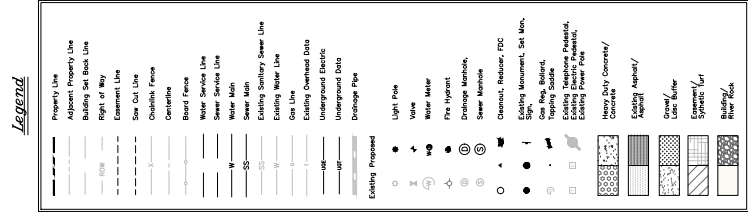
Please contact us if additional documentation is needed to process this Variance request. We look forward to working with your staff to complete the review of this proposed rezone.

Respectfully,

Sarah Geurtz, PLA
sdg@eda-pa.com

813 W Meadow Ave Springdale, AR 72764
www.eda-pa.com

Phone: 479-756-1266





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: December 8, 2025

SUBJECT: **CUP-2025-0055: Conditional Use Permit (415 E. LONGVIEW ST./BROOKSTONE ASSISTED LIVING COMMUNITY, 212):** Submitted by WHITE RIVER CONTRACTORS for property located at 415 E. LONGVIEW ST. The property is zoned R-O, RESIDENTIAL-OFFICE, and contains approximately 3.59 acres. The request is for a 25-square foot addition to an assisted living facility.

RECOMMENDATION:

Staff recommends approval of **CUP-2025-0055** with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2025-0055**, finding:*

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

BACKGROUND:

The subject property is located in north Fayetteville approximately 2,000 feet southwest of the intersection of N. College Ave. and Hwy 49. The subject area is zoned R-O, Residential Office and is partially encumbered by streamside protection zones, floodplain and hydric soils. Brookfield Assisted Living was initially completed in 1999 and an 8,232 square foot, 17 room expansion was approved in 2014 (SIP 14-4895). The building now totals 50,485 square feet and 97 beds. The facility includes memory care, game rooms and other enrichment spaces, an outdoor courtyard and dining spaces. Surrounding land uses and zoning are provided in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Medical Offices	R-O, Residential Office
South	Washington County Health Department	R-O, Residential Office
East	Undeveloped	R-O, Residential Office
West	Medical Offices	P-1, Institutional

City Plan 2040 Future Land Use Designation: **Urban Center**

Request: The applicant requests a conditional use permit to expand an existing assisted living facility, specifically to expand the existing riser/sprinkler room by 25 feet. The structure and its associated programming are classified as Use Unit 4 in the Unified Development Code, which is

permitted conditionally in the R-O zoning district. Under the requirements of 164.12(B)(1)(a), a non-conforming use may not be “enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the land or structure to a use permitted in the district in which it is located or as required by other ordinances.” Given that the request is for an addition, a conditional use permit is required to expand the building footprint.

- Business size: 50,485 square feet existing plus 25 square foot expansion (97 beds)
- Hours of operation: 24/7

Public Comment: Staff has received no comments at this time.

RECOMMENDATION: Staff recommend approval of **CUP-2025-0055**. Should the Planning Commission choose to approve the permit, staff recommends the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility for a Cultural and Recreational Facility.** *Staff finds the assisted living facility to be compatible with the surrounding neighborhood and the City’s long-range plans for the area;*
2. **This conditional use permit is limited to the use for Brookstone Assisted Living, as described in the applicant’s request letter. The following specifications apply:**
 - a. Business size: 50,485 square feet existing plus 25 square foot expansion (97 beds)
 - b. Hours of operation: 24/7
3. **Approval of this conditional use permit does not ensure approval of a development application. The conditional use permit grants the applicant rights to submit a development proposal based on the conceptual layout included herein. The applicant shall comply with all other development requirements, including but not limited to, tree preservation, drainage, exterior lighting, utility installation, and Fire Department access standards. These details shall be reviewed with the development application;**
4. **Any future expansion or change in the use shall require Planning Commission approval; and**
5. **Signs shall be limited to those permitted by UDC §174. Any proposed signage shall be reviewed for compliance with the underlying zoning district.**

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date: <u>December 8, 2025</u>		☐ Tabled	☐ Approved	☐ Denied	
Motion:					
Second:					
Vote:					

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.
2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

C. A conditional use shall not be granted by the Planning Commission unless and until:

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

Finding: **The applicant has submitted a written application requesting a conditional use permit for Use Unit 4 in the R-O 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 Codes §161.20 to grant the requested conditional use permit.**

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

Finding: **Staff finds that granting the requested conditional use will not adversely affect the public interest. The property has been utilized as an assisted living facility for over 20 years, the proposed addition is minimal, and the property is located within an area of the city with extensive medical services. In an evaluation of the surrounding land uses, scale, and context, staff finds that surrounding residents are unlikely to experience disruption or nuisance. The**

facility is entirely bordered by either existing medical facilities or undeveloped property owned by Washington Regional Medical. The nearest single-family residential is located more than 200 feet to the south and east.

(c.) The Planning Commission shall certify:

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

Finding: There are no specific rules that govern Use Unit 4.

(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: Existing access from E. Longview St. is not proposed to be modified with the proposed expansion; therefore, ingress and egress is not anticipated to be affected. There is an existing sidewalk system that provides pedestrian access to adjacent streets as well as the Razorback Greenway to the west. Any required improvements shall be determined with the associated development application.

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

Finding: No changes to the existing parking are proposed. The existing parking lot contains 53 vehicle spaces, 2 motorcycle/scooter spaces, and a covered drop-off area. Given the minimal scope of the change, staff finds parking is not likely to be impacted. Review of existing nonconforming parking is regulated by UDC 172.08, which can trigger compliance standards with rehabilitation of 50% the building's replacement cost, an expansion of 10% or more of the building's size, or a request for a new curb cut. None of these factors appear to be triggered with this request. Full compliance with parking standards will be reviewed at the time of permitting.

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

Finding: No change is proposed to the existing refuse and service areas currently serving the development. Any required improvements will be reviewed at the time of permitting.

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

Finding: The property has access to City water and sewer. Any required improvements will be reviewed at the time of permitting.

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

Finding: Staff does not recommend any additional screening at this time. The proposed addition is minimal and not adjacent to either public right-of-way or residential properties.

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

Finding: Any proposed signage will be subject to UDC §174 and all the regulations therein.

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

Finding: The proposed development shall meet open space and required building setbacks for the R-O zoning district. Based on an initial review, the request appears to be meeting these standards.

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

Finding: Staff finds that the proposed use is compatible with the surroundings; there are no apparent nuisance or adverse impacts and may in fact be positively contributing to the neighborhood environment by providing necessary services and provided assisted living facilities near medical and other nonresidential services.

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

Finding: Staff finds the proposed use to be compatible with the goals and intent of the City's adopted land use, transportation, and other strategic plans. The future land use map identifies this area as an Urban Center, which "contain the most intense and dense development patterns within the City" and encourage "traditional mixed-use centers, allowing people to live, work and shop in the same area." City Plan 2040 also acknowledges a growing senior population and encourages the development of senior living in close proximity to retail and medical facilities. Staff finds the expansion of these facilities align with these goals and should not result in any adverse impacts to traffic, public services, or aesthetic impacts that would be incompatible with the surrounding properties.

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code
 - §161.20 District R-O, Residential-Office
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Applicant Request Exhibits
 - Request Letter
 - Site Plan
 - Building Plans

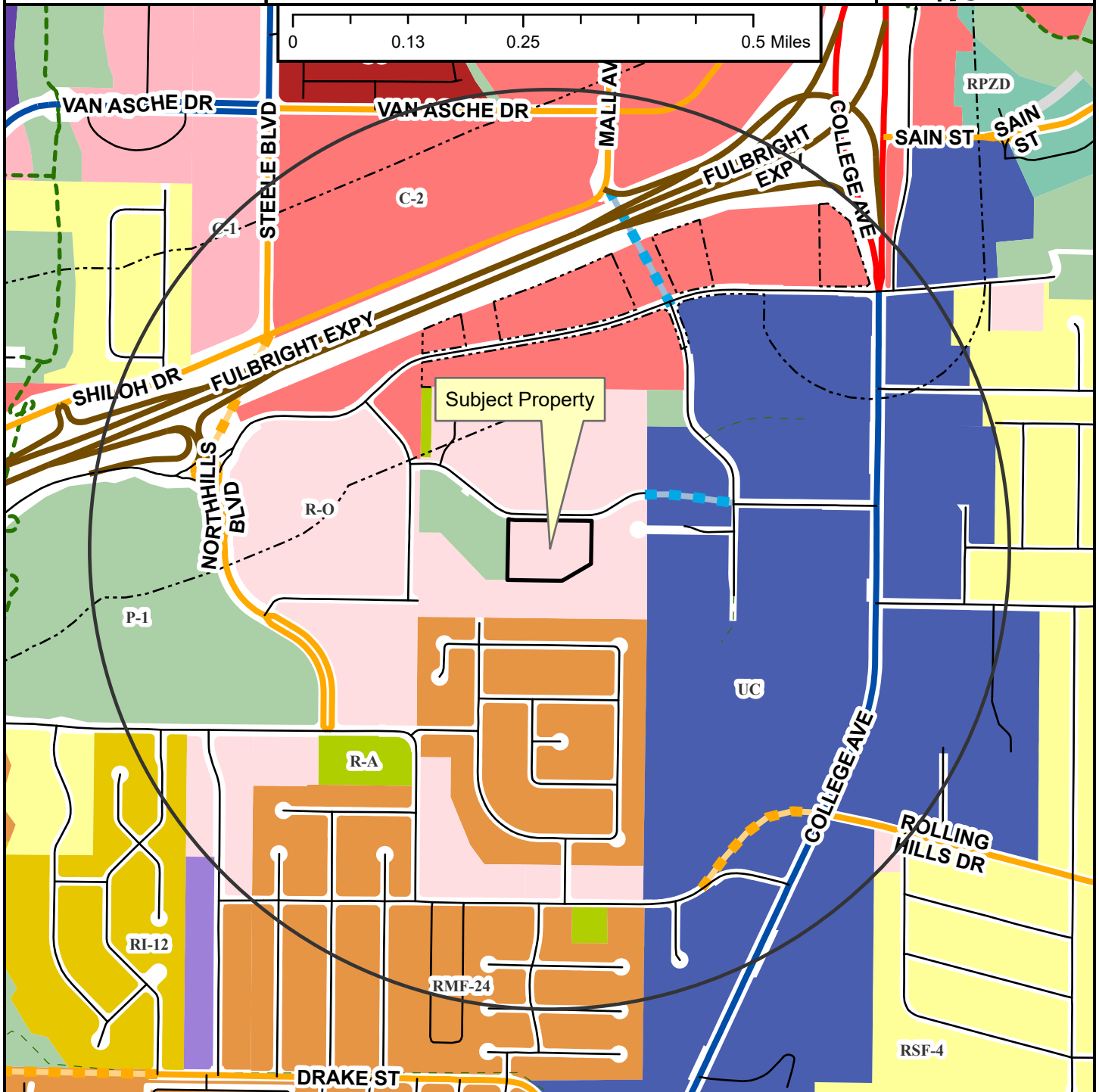
CUP-2025-0055

415 E LONGVIEW ST

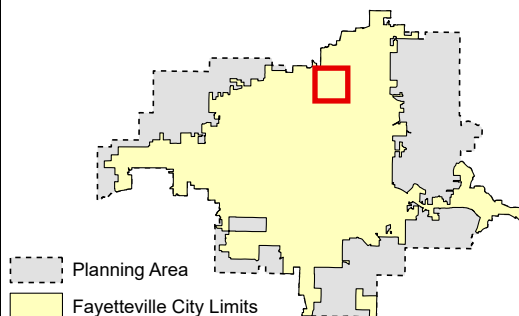
One Mile View



0 0.13 0.25 0.5 Miles



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



Planning Commission

December 8, 2025

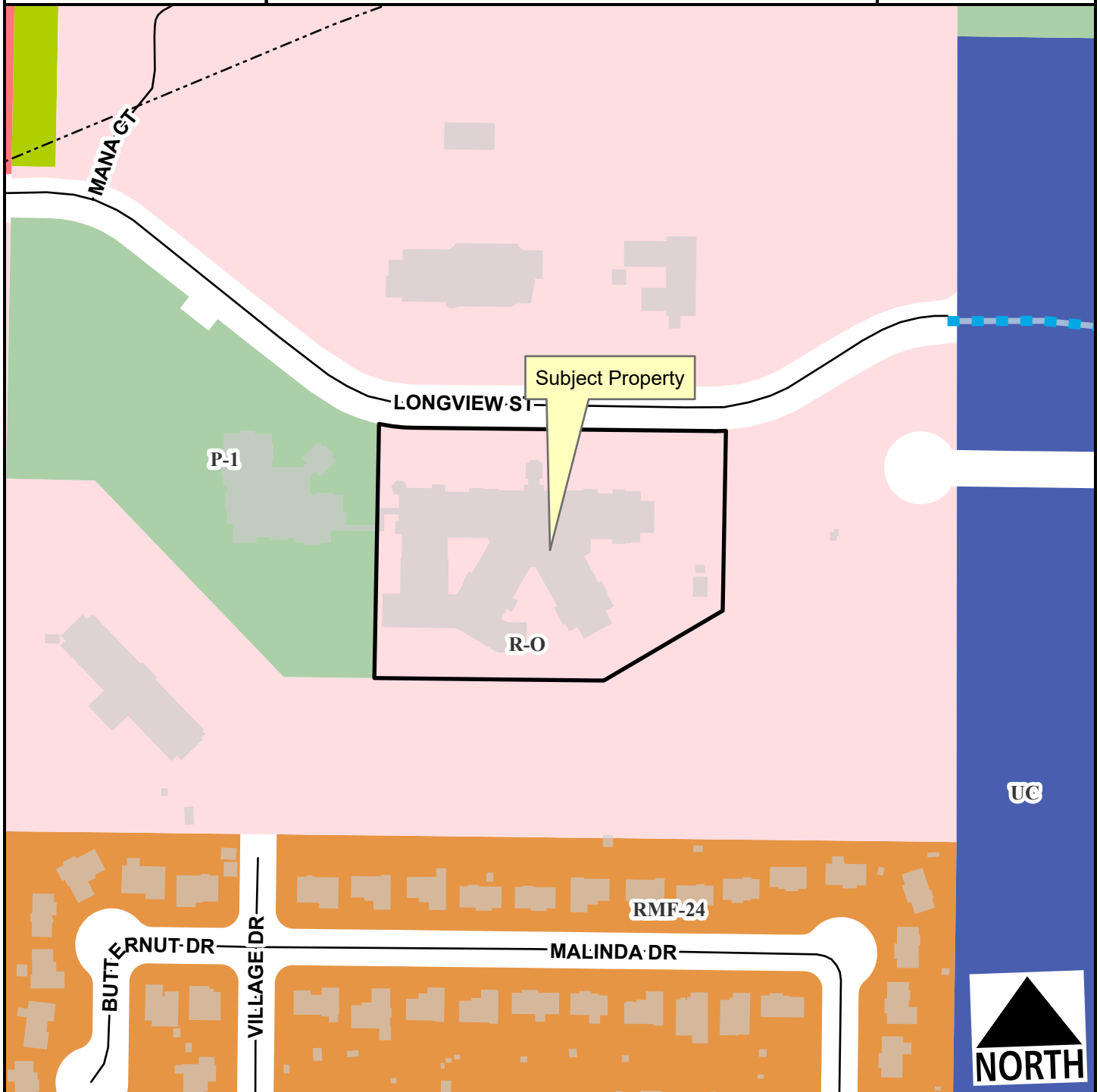
CUP-2025-0055 (BROOKSTONE ASSISTED LIVING COMMUNITY)

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CUP-2025-0055

415 E LONGVIEW ST

Close Up View



- Unclassified
- Residential Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- Design Overlay District



Planning Commission

December 8, 2025

CUP-2025-0055 (BROOKSTONE ASSISTED LIVING COMMUNITY)

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CUP-2025-0055

415 E LONGVIEW ST

Current Land Use



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

161.20 District R-O, Residential Office

(A) *Purpose.* The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses. The intent of this district is to allow administrative approval if the developer decides to use urban form, in compliance with the build-to zone and minimum buildable street frontage as specified herein.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 25	Offices, studios, and related services
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 11	Manufactured home park*
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities*
Unit 42	Clean technologies
Unit 45	Small scale production
Unit 48	Private dormitories

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and Area Regulations.* (Per dwelling unit for residential structures)

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single-family	60 feet
Two (2) family	60 feet
Three (3) or more	90 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 square feet
Townhouses:	
Development	10,000 square feet
Individual lot	2,500 square feet
Single-family	6,000 square feet
Two (2) family	6,500 square feet
Three (3) or more	8,000 square feet
Fraternity or Sorority	1 acre

(3) *Land Area Per Dwelling Unit.*

Manufactured home	3,000 square feet
Townhouses & apartments:	
No bedroom	1,000 square feet
One bedroom	1,000 square feet
Two (2) or more bedrooms	1,200 square feet
Fraternity or Sorority	500 square feet per resident

(E) *Setback Regulations.*

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Front, in the Hillside Overlay District	15 feet
Side	10 feet
Side, when contiguous to a residential district	15 feet
Side, in the Hillside Overlay District	8 feet
Rear, without easement or alley	25 feet
Rear, from center line of public alley	10 feet
Rear, in the Hillside Overlay District	15 feet

Urban Form Setback Regulations:

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line
Side	5 feet
Side-zero lot line*	A setback of less than 5 feet (zero lot line) is permitted on one (1) interior side, provided a maintenance agreement is filed.** The remaining side setback(s) shall be 10 feet
Rear	None
Rear when contiguous to a single family residential district	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	5 stories
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If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

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

(H) Urban form minimum buildable street frontage: 50% of the lot width.

(Code No. 1965, App. A., Art. 5(x); Ord. No. 2414, 2-7-78; Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.041; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4726, 7-19-05; Ord. No. 4943, 11-07-06; Ord. No. 5079, 11-20-07; Ord. No. 5195, 11-6-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5735 1-20-15; Ord. No. 5800, §1(Exh. A), 10-6-15; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §§5, 7—9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6164, §§1, 2, 3, 4-2-19; Ord. No. 6245, §2, 10-15-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21; Ord. No. 6879, §2, 5-20-25)

Editor's note(s)—Ord. No. 6888, §1, adopted June 17, 2025 determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause), Ordinance 6710 (extending the Sunset Clause), and Ordinance 6820 (extending the 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 November 30, 2025 unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

Request Letter 10/20/25

Permit # Comm-2025-0176

Address: 415 E Longview St Fayetteville, AR 72703

1. White River Contractors has been hired to extend out the Riser/Sprinkler room on the Brookstone Assisted Living Community in Fayetteville (address above).
Reasons are to be able to house a commercial sized compressor that the fire sprinkler/dry system needs to be able to function properly, and to provide a little bit more space and coverage from inclement weather when maintenance and or repairs are being done.
- (A) current building size 50,845sqft, proposed to add an additional 25sqft bringing the total up to 50,870sqft

(D) Hours - 24hrs a day, 7 days a week. Employees - 52 (brookstone employees).

Anticipated number of patrons, clients, children, customers. Etc - 85avg

(E) no outdoor lighting will change

(F) no noise associated with project

(G) one shrub will be removed to accommodate a walkway to the door to the riser room

(H) trash is serviced twice a week, Mondays and Fridays. Service provider is Waste Management.

(I) ↑2 existing driveway entrances to the Brookstone community. Accessibility to the community will not be impacted.

(J) this will not be a nuisance because it is a small footprint needed to accommodate space for the existing riser room. It will not impact aesthetic of the building but will benefit the proper accessibility to the dry system riser.

2. Legal Description - Assisted Living





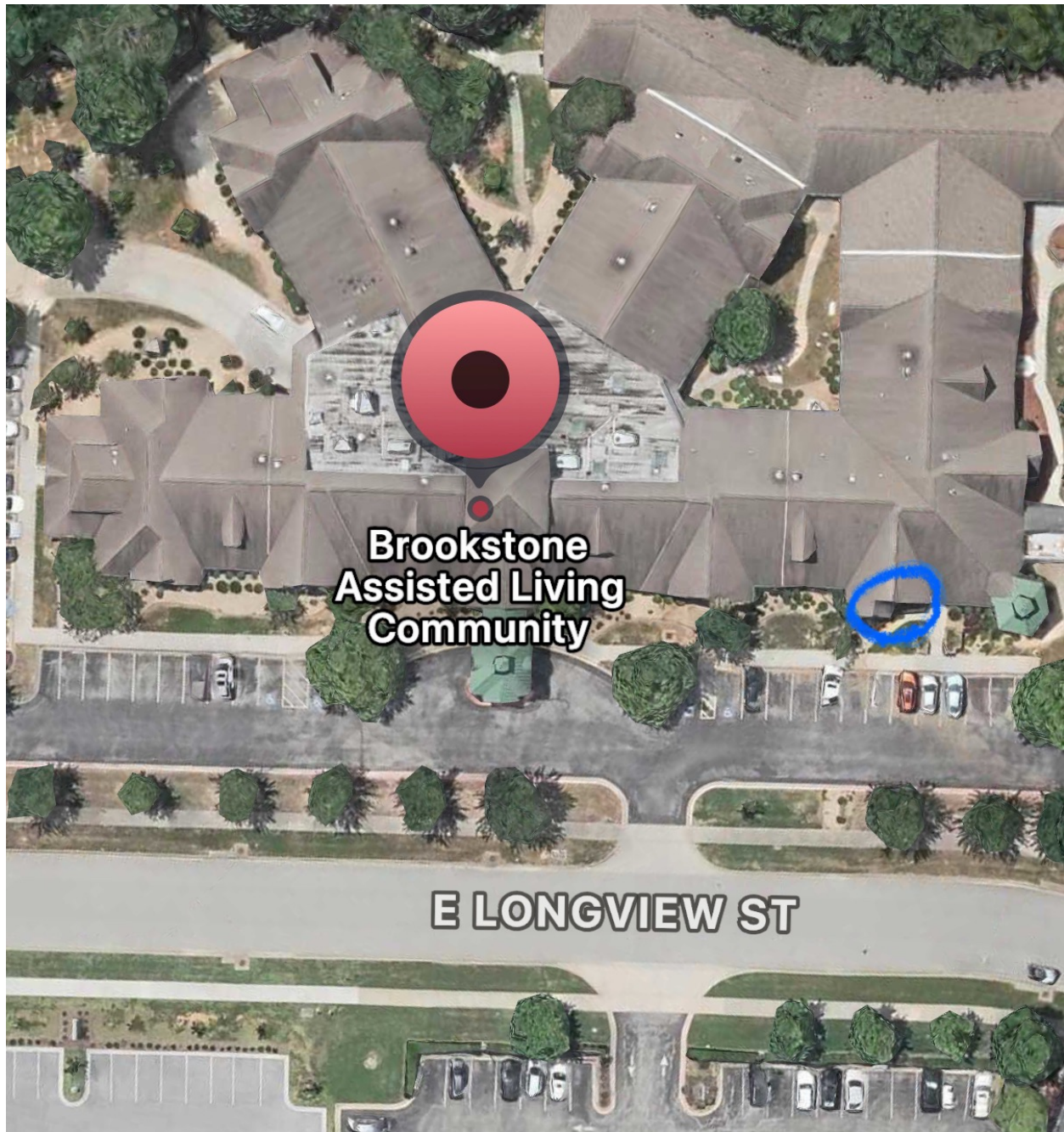


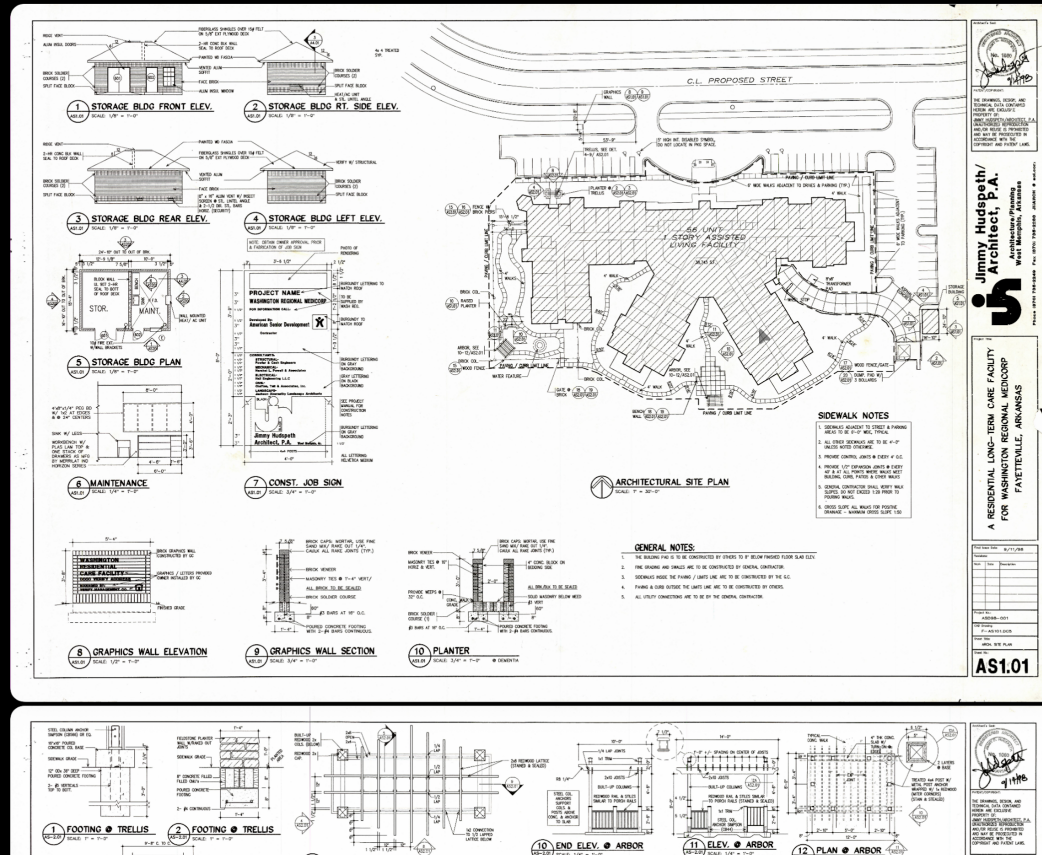




(C) 53 current parking spots. None to be added or affected by our scope of work.

3. Site Plan -





ADDITION PLAN
Scale: 3/8" = 1'-0"

ADDITION ELEVATION
Scale: 3/8" = 1'-0"

ADDITION ELEVATION
Scale: 3/8" = 1'-0"

DETAIL 1
SECTION THROUGH ROOF AND WALL JUNCTION. SHOWS ROOF STRUCTURE, INSULATION, AND WALL CONSTRUCTION.

DETAIL 2
SECTION THROUGH WALL AND FLOOR JUNCTION. SHOWS WALL CONSTRUCTION, INSULATION, AND FLOOR STRUCTURE.

DESCRIPTION
PROJECT CITY & STATE

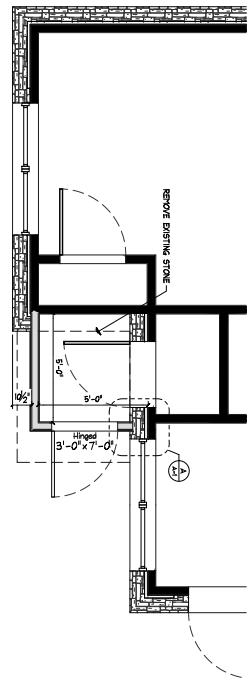
PRELIMINARY NOT FOR CONSTRUCTION

A-1

Architect: [Faint text]
City & State: [Faint text]
Project Name: [Faint text]

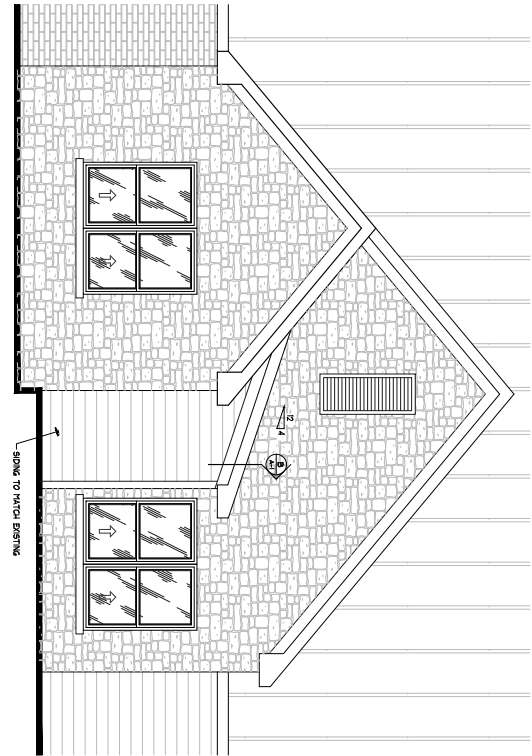
6. Public Notification -

Thanks,
Nathan - White River Contractors

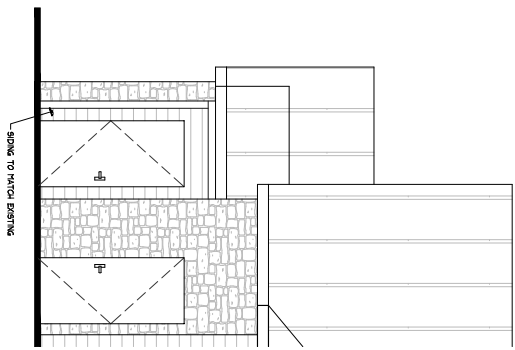


NOTES:
 ALL WORK IN CONTACT WITH
 CONCRETE OR STONE TO BE
 PROTECTED WITH A 1/2" THICK
 -REINFORCEMENT IS NOT RESPONSIBLE
 FOR THE PROTECTION OF THE
 REINFORCEMENT ON THE
 SOLE OF THE CONSTRUCTION

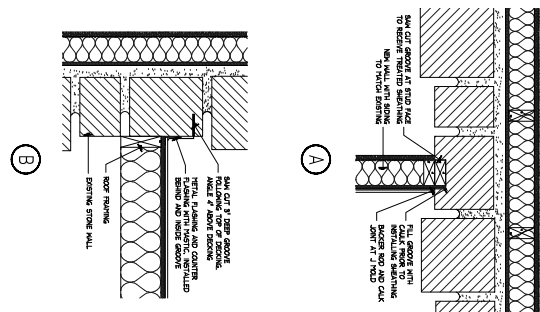
ADDITION PLAN
 Scale: 3/8" = 1'-0"



ADDITION ELEVATION
 Scale: 3/8" = 1'-0"



ADDITION ELEVATION
 Scale: 3/8" = 1'-0"



DESCRIPTION
 PROJECT
 CITY & STATE

CUP-2025-0055 (BROOKSTONE ASSISTED LIVING COMMUNITY)

PLANNING COMMISSION
 December 8, 2025
 WHEELER

PRELIMINARY
 NOT FOR
 CONSTRUCTION

1,120 S. STREET N.W.
 FANNINGVILLE, GA 30229
 478.331.6688

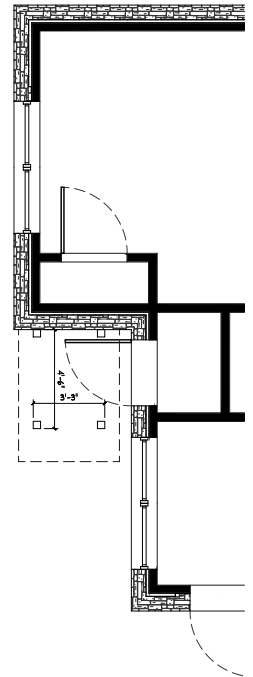
SUBMITTAL Date: 11/11/25

PRELIMINARY
 NOT FOR
 CONSTRUCTION

A-1

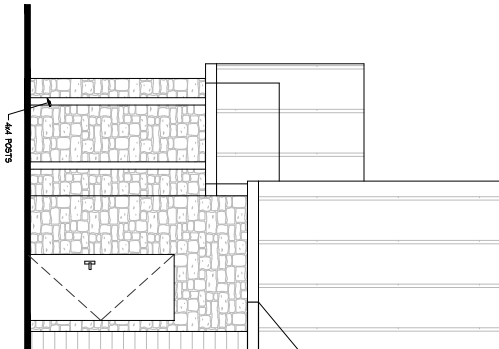
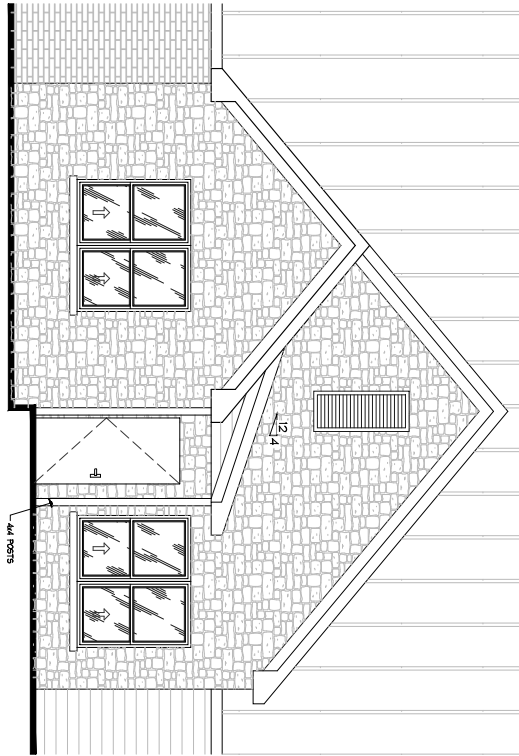
11 PROJECT SHOWING MATERIALS, FINISHES, EQUIPMENT, AND/OR

11 PROJECT SHOWING MATERIALS, FINISHES, EQUIPMENT, AND/OR



NOTES:
 1. ALL WORK IN CONTACT WITH EXISTING FOUNDATION SHALL BE PROTECTED BY A 2" MIN. THICK CONCRETE SLAB. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

A-2
 ADDITION PLAN
 SCALE: 3/8"=1'-0"



A-2
 ADDITION ELEVATION
 SCALE: 3/8"=1'-0"

A-2
 ADDITION ELEVATION
 SCALE: 3/8"=1'-0"

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

**DESCRIPTION
 PROJECT
 CITY & STATE**

CUP-2025-0055 (BROOKSTONE ASSISTED LIVING COMMUNITY)

WHEELER
 Planning Commission
 December 8, 2025

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

A-2

1. PROJECT: BROOKSTONE ASSISTED LIVING COMMUNITY
 AUGUST 20, 2025



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Wesley Frank, Planner

MEETING DATE: December 8, 2025

SUBJECT: **VAC-2025-0028: Vacation (SOUTHWEST OF W. CATO SPRINGS RD & S. EMMA AVE/WEAVER, 639):** Submitted by GYANGYU ZHU-WEAVER for property located SOUTHWEST OF W. CATO SPRINGS RD & S. EMMA AVE. The properties are zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.19 and 0.21 acres. The request is to vacate 0.01 acres of right-of-way.

RECOMMENDATION:

Staff recommends forwarding **VAC-2025-0028** to City Council with a recommendation of approval, with conditions.

RECOMMENDED MOTION:

"I move to forward **VAC-2025-0028** to City Council with a recommendation of approval and with conditions as recommended by staff."

BACKGROUND:

The subject properties are in south Fayetteville approximately 870 feet west of the W. Cato Springs Rd and S. School Avenue intersection. Both properties are zoned Residential Single-Family, 4 Units per Acre. Following a lot split (LSP-2024-0039), the W. Cato Springs property is undeveloped and the 2101 S. Emma Ave property is developed with a single-family dwelling that was constructed in 1974. A conditional use permit (CUP-2025-0047) for a two-family home was approved at the W. Cato Springs property. The street right-of-way was originally platted in 1958 as part of the Meadowlark addition. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	University of Arkansas – Research & Technology Park	UC, Urban Corridor
South	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
East	Single-family Residential	RSF-4, Residential Single Family, 4 Units per Acre

Proposal: The applicant proposes to vacate a 0.01-acre portion of right-of-way along W. Cato Springs that extends along two properties.

DISCUSSION:

Staff supports the applicant's request to vacate this right-of-way. The existing right-of-way exceeds what is typically required for a Neighborhood Link street. The City's Transportation Division expressed opposition to the request, finding that a vacation at this width may misalign any future developed sidewalk along W. Cato Springs with what is existing. With that said, both planning and engineering staff is in support of the vacation request because the existing right-of-way (37.35') is greater than what is required for the Neighborhood Link street (33.5') that the property fronts. Further, any sidewalk required to be built with associated development along W. Cato Springs would be required to be built at the back of the master street plan right-of-way. The applicant is only requesting to vacate right-of-way to align with the typical dimension.

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

<u>Utility</u>	<u>Response</u>
Cox Communications	No objections, provided that any damage or relocation of existing facilities will be at the property owner/developer's expense.
AEP/SWEPCO	No objections and no comments.
Black Hills Energy	No objections and no comments.
AT&T	No objections, provided that the abandoned right-of-way is converted to a general utility easement to cover the existing AT&T facilities there.
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	Objects to the application, stating that a vacation would require a change in the alignment of the sidewalk along W. Cato Springs Rd.

Public Comment: No public comment has been received.

RECOMMENDATION: Staff recommends approval of **VAC-2025-0028**. Should the Planning Commission choose to forward, 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;
2. A general utility easement shall be dedicated to cover the existing facilities along W. Cato Springs Rd as requested by AT&T.

PLANNING COMMISSION ACTION: Required YES

Date: December 8, 2025 ☐ Tabled ☐ Forwarded ☐ Denied

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

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

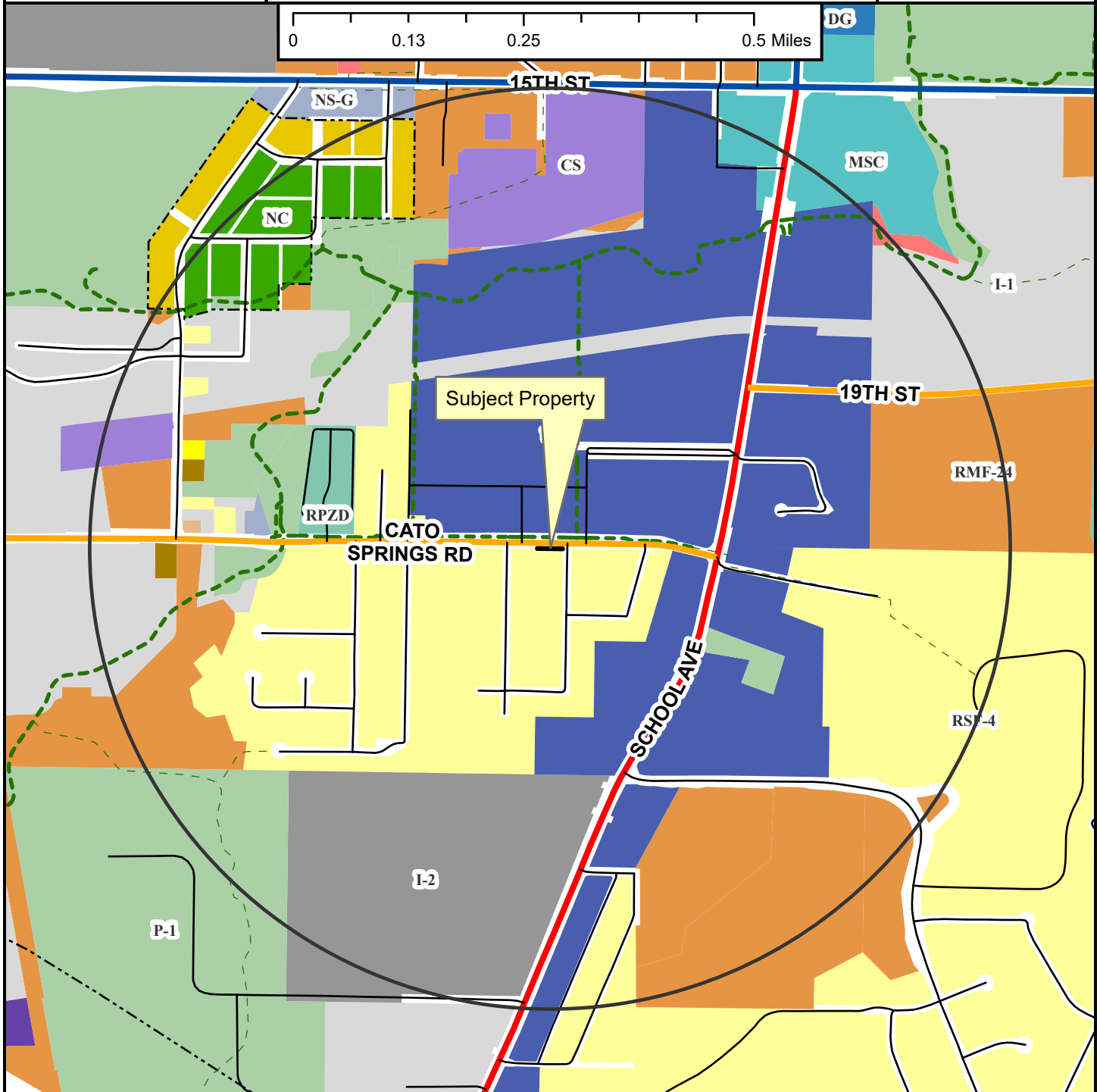
VAC-2025-0028

One Mile View

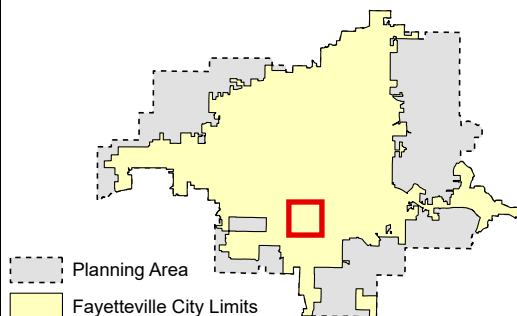
W. CATO SPRINGS RD WEST OF 2101 S. EMMA AVE

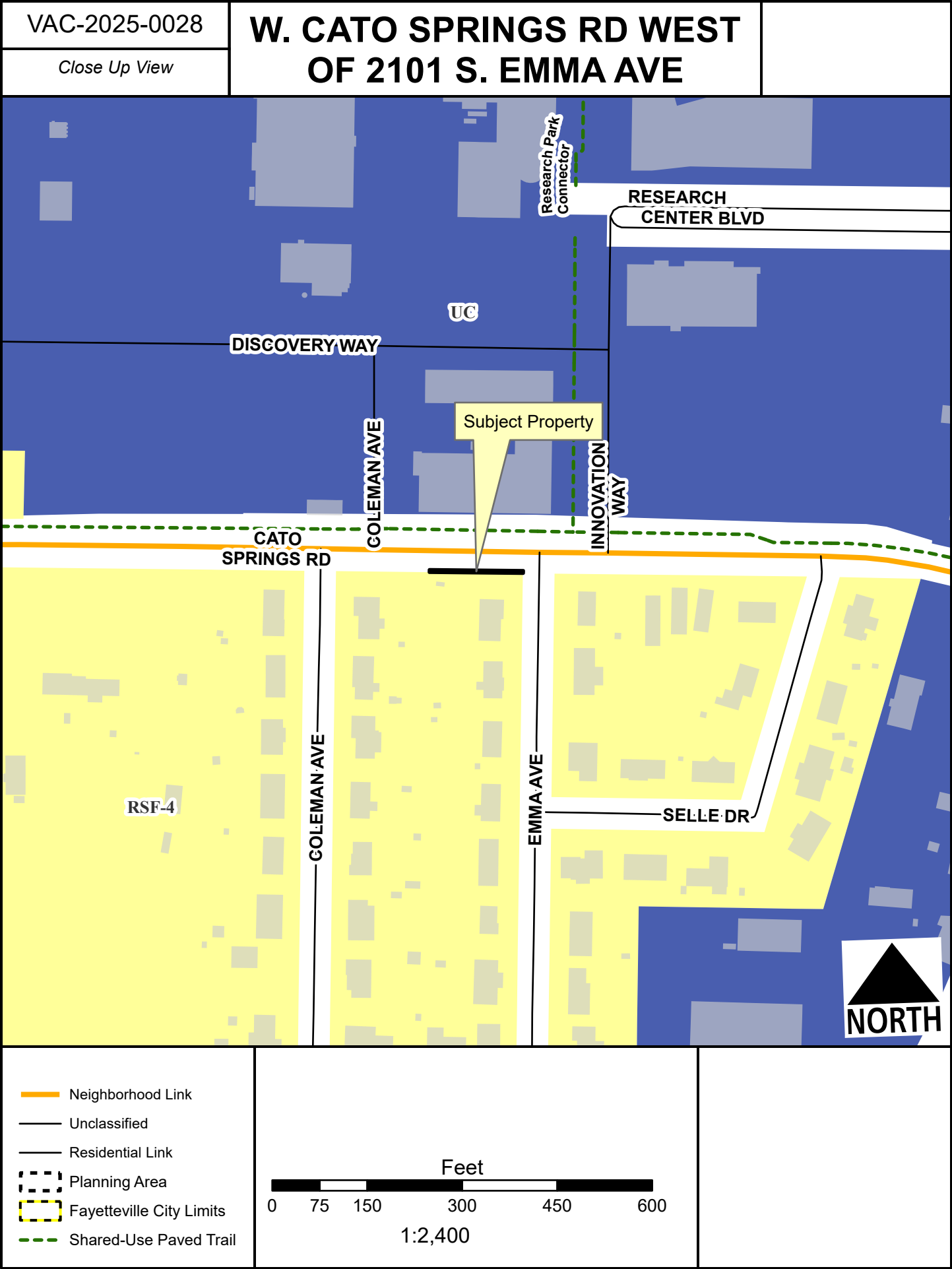


0 0.13 0.25 0.5 Miles



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





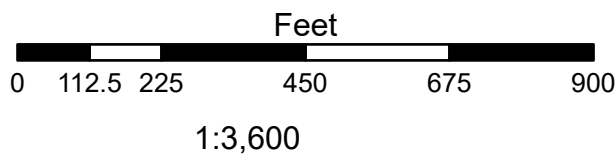
VAC-2025-0028

Current Land Use

W. CATO SPRINGS RD WEST OF 2101 S. EMMA AVE



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

PETITION TO VACATE

A PORTION OF RIGHT-OF-WAY ALONG THE SOUTHERLY FRONTAGE OF W CATO SPRINGS ROAD

Adjacent to Lot 2A, Block 7, Meadowlark Addition, City of Fayetteville, Arkansas

TO:

The Fayetteville City Planning Commission and

The Fayetteville City Council

We, the undersigned, being the owners of the real estate abutting the right-of-way hereinafter sought to be vacated, lying along the southerly frontage of W Cato Springs Road, adjacent to Lot 2A, Block 7, Meadowlark Addition to the City of Fayetteville, Arkansas, hereby petition the City to vacate the following described portion of public right-of-way:

Legal Description of Area to Be Vacated

A portion of the existing public right-of-way lying along the southerly boundary of West Cato Springs Road, adjacent to Lot 2A, Block 7, Meadowlark Addition to the City of Fayetteville, Washington County, Arkansas, as shown on the plat of said subdivision recorded in Book 3, Page 379, and on the recorded lot-split survey of Meadowlark Addition Lot 2 into Lots 2A and 2B, on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, said portion being vacated being more particularly described as follows:

Beginning at the northwest corner of said Lot 2A, said point being on the current southerly right-of-way line of West Cato Springs Road and the **POINT OF BEGINNING**;
thence **S 87°08'26" E** along said existing right-of-way 80.00 feet to the northeast corner of said lot;
thence **N 03°08'03" E** 3.85 feet to a point on the proposed Master Street Plan (MSP) right-of-way line located 33.5 feet south of the centerline of West Cato Springs Road;
thence **N 87°08'26" W** along said proposed right-of-way line 80.00 feet to a point 3.80 feet north of the point of beginning;
thence **S 03°08'03" W** 3.80 feet to the point of beginning.

Containing approximately **308 square feet (0.0071 acres)**, more or less.

This description is derived from the recorded lot-split survey for Lots 2A and 2B, Block 7, Meadowlark Addition, and reflects the difference between the existing right-of-way (approximately 37.3 feet from the centerline of West Cato Springs Road) and the 33.5-foot Master Street Plan right-of-way standard.

Statement of Purpose

The abutting real estate affected by said vacation is Lot 2A, Block 7, Meadowlark Addition (Parcel # 765-08310-001), located at 645 W Cato Springs Road, Fayetteville, AR 72701.

The existing right-of-way extends 37.3' to 37.35' south of the roadway centerline, exceeding the Master Street Plan (MSP) Right-of-Way of 33.5' by 3.8' to 3.85'.

This petition seeks to vacate that narrow excess strip to align the property boundary with the City's adopted MSP Right-of-Way.

Vacating this minor portion will not affect any utilities, drainage facilities, or public access.

This adjustment will maintain the existing 15' front setback measured from the MSP right-of-way, ensuring continued compliance with RSF-4 zoning and the City's Neighborhood Link Street standards.

WHEREFORE

The undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above-described portion of public right-of-way, and that title to the vacated area be vested in the abutting property owners as provided by law.

Dated this 29 day of Oct, 2025.

Printed Name

Christina Zhu-Weaver

Signature: Guangyu Zhu-Weaver

Printed Name

Jesse Weaver

Signature: Jesse Weaver

PETITION TO VACATE

A PORTION OF RIGHT-OF-WAY ALONG THE SOUTHERLY FRONTAGE OF W CATO SPRINGS ROAD

Adjacent to Lot 2B, Block 7, Meadowlark Addition, City of Fayetteville, Arkansas

TO:

The Fayetteville City Planning Commission and

The Fayetteville City Council

We, the undersigned, being the owners of the real estate abutting the right-of-way hereinafter sought to be vacated, lying along the southerly frontage of W Cato Springs Road, adjacent to Lot 2B, Block 7, Meadowlark Addition to the City of Fayetteville, Arkansas, hereby petition the City to vacate the following described portion of public right-of-way:

Legal Description of Area to Be Vacated

A portion of the existing public right-of-way lying along the southerly boundary of West Cato Springs Road, adjacent to Lot 2B, Block 7, Meadowlark Addition to the City of Fayetteville, Washington County, Arkansas, as shown on the plat of said subdivision recorded in Book 3, Page 379, and on the recorded lot-split survey of Meadowlark Addition Lot 2 into Lots 2A and 2B, on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, said portion being vacated being more particularly described as follows:

Beginning at the northwest corner of said Lot 2B, said point being on the current southerly right-of-way line of West Cato Springs Road and the **POINT OF BEGINNING** ;
thence **S 87°08'26" E** along said existing right-of-way 68.10 feet to the northeast corner of said lot at South Emma Avenue;
thence **N 03°08'03" E** 3.90 feet to a point on the proposed Master Street Plan (MSP) right-of-way line located 33.5 feet south of the centerline of West Cato Springs Road;
thence **N 87°08'26" W** along said proposed right-of-way line 68.10 feet to a point 3.85 feet north of the point of beginning;
thence **S 03°08'03" W** 3.85 feet to the point of beginning.

Containing approximately **266 square feet (0.0061 acres)** , more or less.

This description is derived from the recorded lot-split survey for Lots 2A and 2B, Block 7, Meadowlark Addition, and reflects the difference between the existing right-of-way (approximately 37.4 feet from the centerline of West Cato Springs Road) and the 33.5-foot Master Street Plan right-of-way standard.

Statement of Purpose

The abutting real estate affected by said vacation is Lot 2B, Block 7, Meadowlark Addition (Parcel # 765-08310-000), located at 2101 S Emma Avenue, Fayetteville, AR 72701.

The existing right-of-way extends 37.35' to 37.4' south of the roadway centerline, exceeding the Master Street Plan (MSP) Right-of-Way of 33.5' by 3.85' to 3.9'.

This petition seeks to vacate that narrow excess strip to align the property boundary with the City's adopted MSP Right-of-Way.

Vacating this minor portion will not affect any utilities, drainage facilities, or public access.

The property is zoned RSF-4 (Residential Single-Family – Four Units per Acre) and maintains a 15' front setback measured from the existing S Emma Avenue right-of-way and a 15' side setback measured from the MSP W Cato Springs Road right-of-way.

These setbacks ensure that all existing structures remain well outside both public right-of-way limits.

WHEREFORE

The undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above-described portion of public right-of-way, and that title to the vacated area be vested in the abutting property owners as provided by law.

Dated this 10 day of 29, 2025.

Printed Name

Christina Zhu-Weaver

Signature: *Guangyu Zhu-Weaver*

Printed Name

Jesse Weaver

Signature: Jesse Weaver

Date: October 29, 2025

To:

Planning Commissioners and City Council Members

City of Fayetteville, Arkansas

113 W Mountain Street

Fayetteville, AR 72701

Subject: **Request for Right-of-Way (ROW) Adjustment to Align with Master Street Plan (MSP) Right-of-Way**

Dear Planning Commissioners and City Council Members,

I respectfully request approval for a Right-of-Way (ROW) adjustment along the W Cato Springs Road frontage of **2101 S Emma Avenue** (Parcel #765-08310-000) to align the property boundary with the City of Fayetteville's Master Street Plan (MSP) Right-of-Way (ROW).

Background and Purpose

W Cato Springs Road is classified as a [Neighborhood Link Street](#) under the City's MSP, which defines a total Maximum ROW width of 67', extending 33.5' south from the roadway centerline.

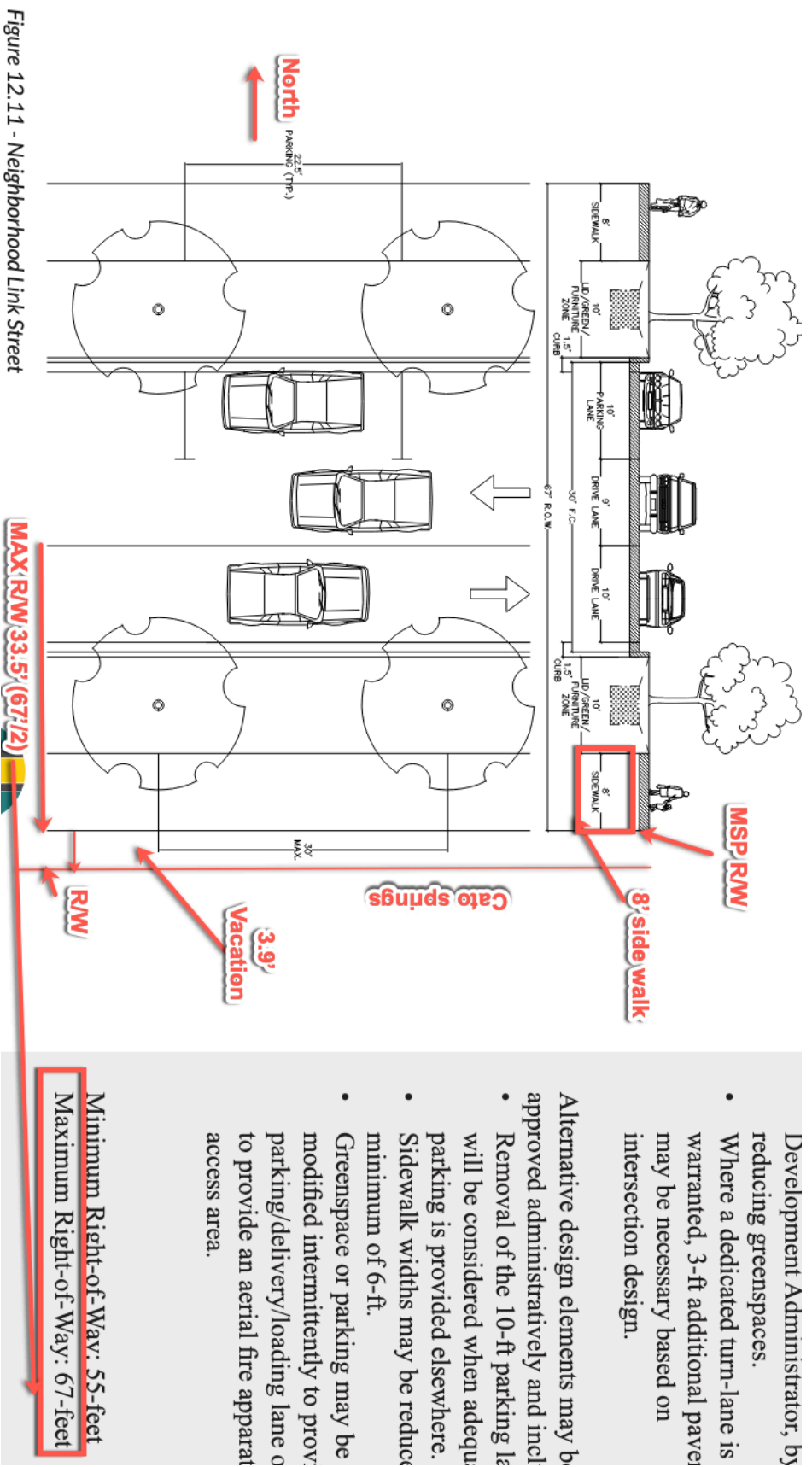


Figure 12.11 - Neighborhood Link Street

The recorded survey (see [645 W Cato Springs & 2101 S Emma Survey](#)) shows the existing ROW extending 37.35' from the roadway centerline at the northwest corner and 37.4' at the northeast corner.

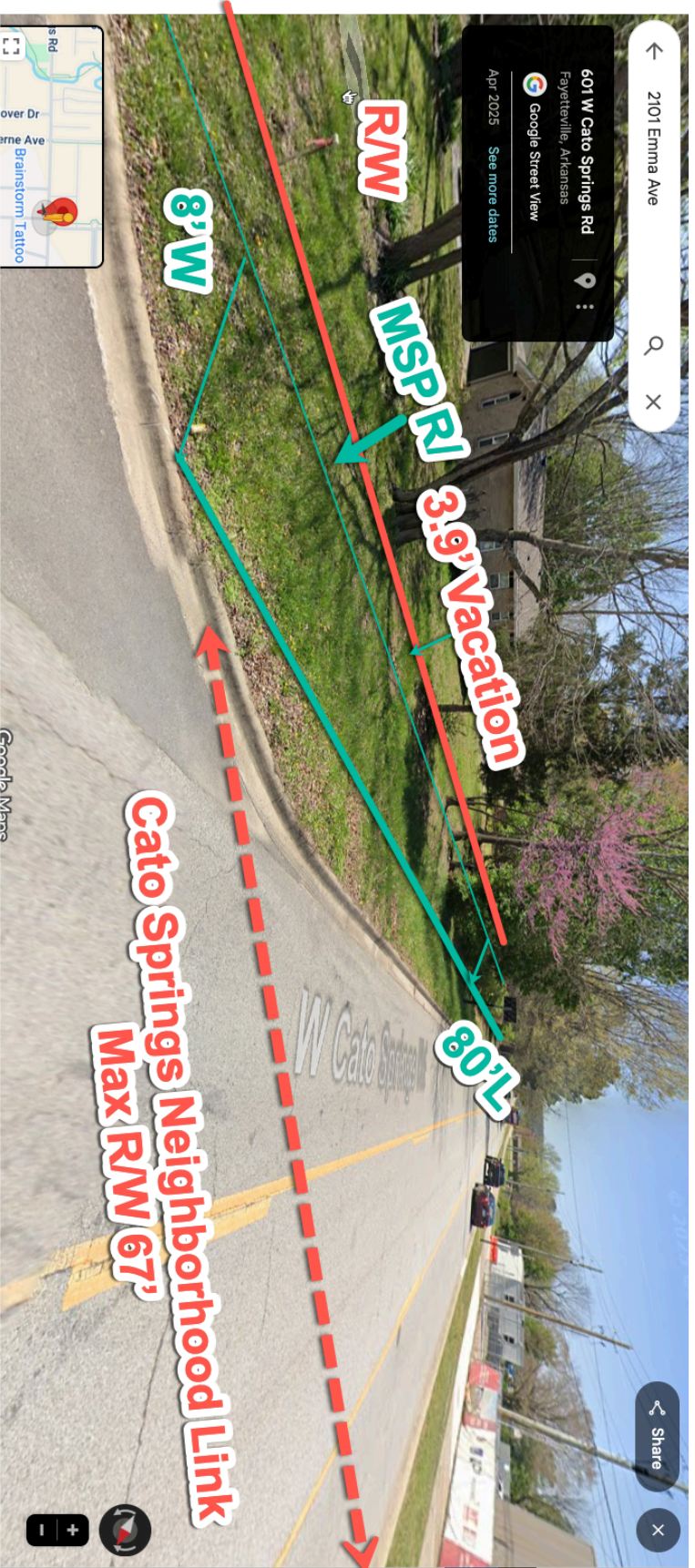
These measurements exceed the MSP ROW by 3.85' and 3.9', respectively.

The property is zoned RSF-4 (Residential Single-Family – Four Units per Acre) and currently contains an existing single-family home built in 1974 with 1,290 sq ft of living area.

Per current zoning standards, the site maintains a 15' front setback measured from the existing S Emma Avenue right-of-way and a 15' side setback measured from the existing W Cato Springs Road right-of-way. These setbacks ensure that all existing structures remain well outside both public right-of-way limits.



The requested ROW adjustment will simply align the W Cato Springs frontage with the adopted 33.5' MSP Right-of-Way, consistent with the City's Master Street Plan R/W and existing development standards.



Public Benefit and Policy Alignment

- Aligns the W Cato Springs Road frontage with the City's MSP Right-of-Way.
- Maintains all public access, drainage, and utility infrastructure.

- Promotes consistent corridor design and simplifies future infrastructure coordination.
- Advances City Plan 2040 Goals 3.1 and 4.2 by supporting efficient use of existing infrastructure.

Conclusion

This request corrects a minor survey discrepancy and aligns the W Cato Springs frontage with the City's adopted MSP Right-of-Way (33.5' from centerline).

It does not alter existing improvements but ensures consistency with the City's approved Neighborhood Link Street cross-section, setback standards, and RSF-4 zoning requirements.

I respectfully request your approval.

Thank you for your consideration.

Sincerely,

Christina Zhu-Weaver

Apple Lily Management Company LLC

Date: October 29, 2025

To:

Planning Commissioners and City Council Members

City of Fayetteville, Arkansas

113 W Mountain Street

Fayetteville, AR 72701

Subject: Request for Right-of-Way (ROW) Adjustment to Align with Master Street Plan (MSP) Right-of-Way

Dear Planning Commissioners and City Council Members,

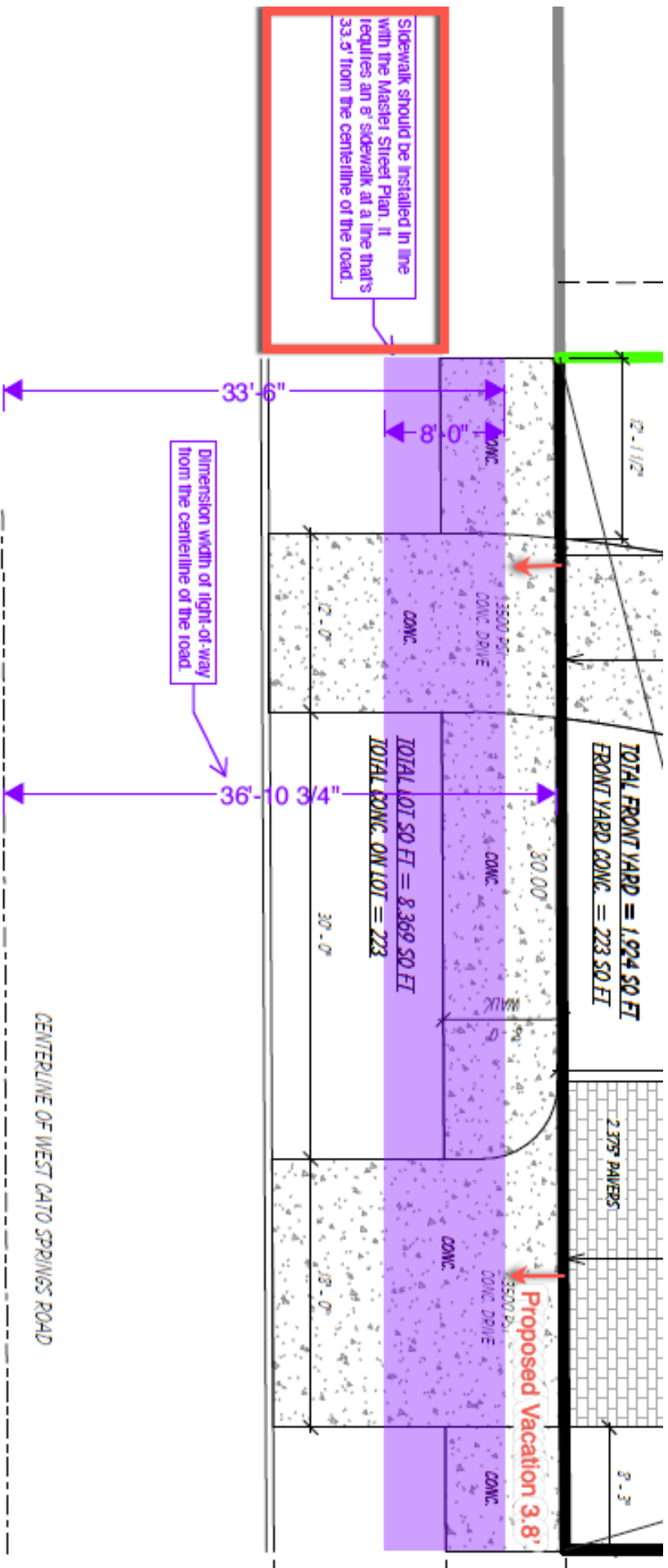
I respectfully request approval to vacate a narrow strip of Right-of-Way along the **W Cato Springs Road** frontage of **645 W Cato Springs Road (Parcel #765-08310-001)** to align the property boundary with the City of Fayetteville's **Master Street Plan (MSP) Right-of-Way (ROW)**.

Background and Purpose

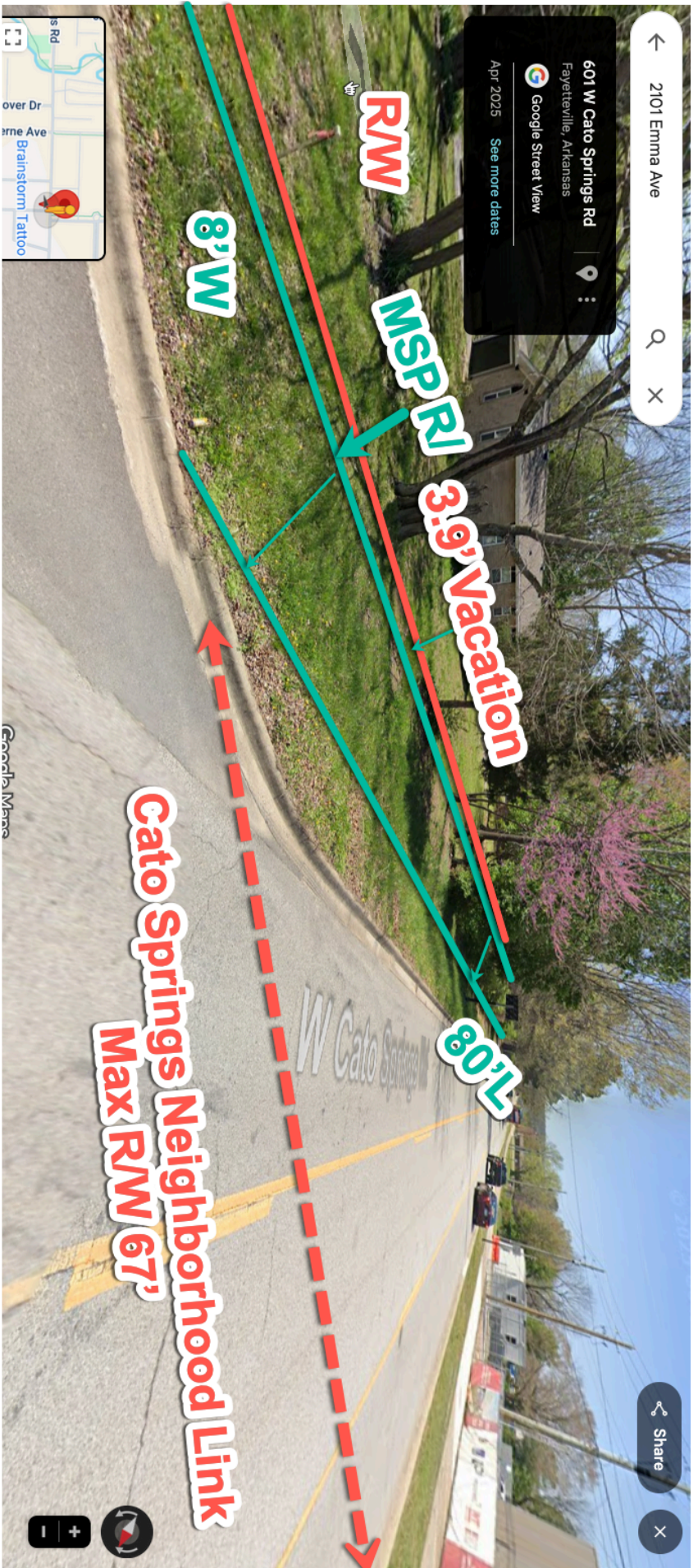
W Cato Springs Road is classified as a [Neighborhood Link Street](#) under the City's MSP, which defines a total Maximum ROW width of **67'**, extending **33.5'** south from the roadway centerline.



The previous site-plan approval (**RESI-2025-0240** and **RESI-2025-0239**) for a single-family home and ADU included an **8'-wide, 80'-long public sidewalk** within the MSP ROW, per Planning staff's request.



The **Conditional Use Permit (CUP)** for a two-family dwelling at this address was approved by the Planning Commission on **October 13, 2025**. The current duplex project will construct this required sidewalk consistent with the MSP ROW alignment.



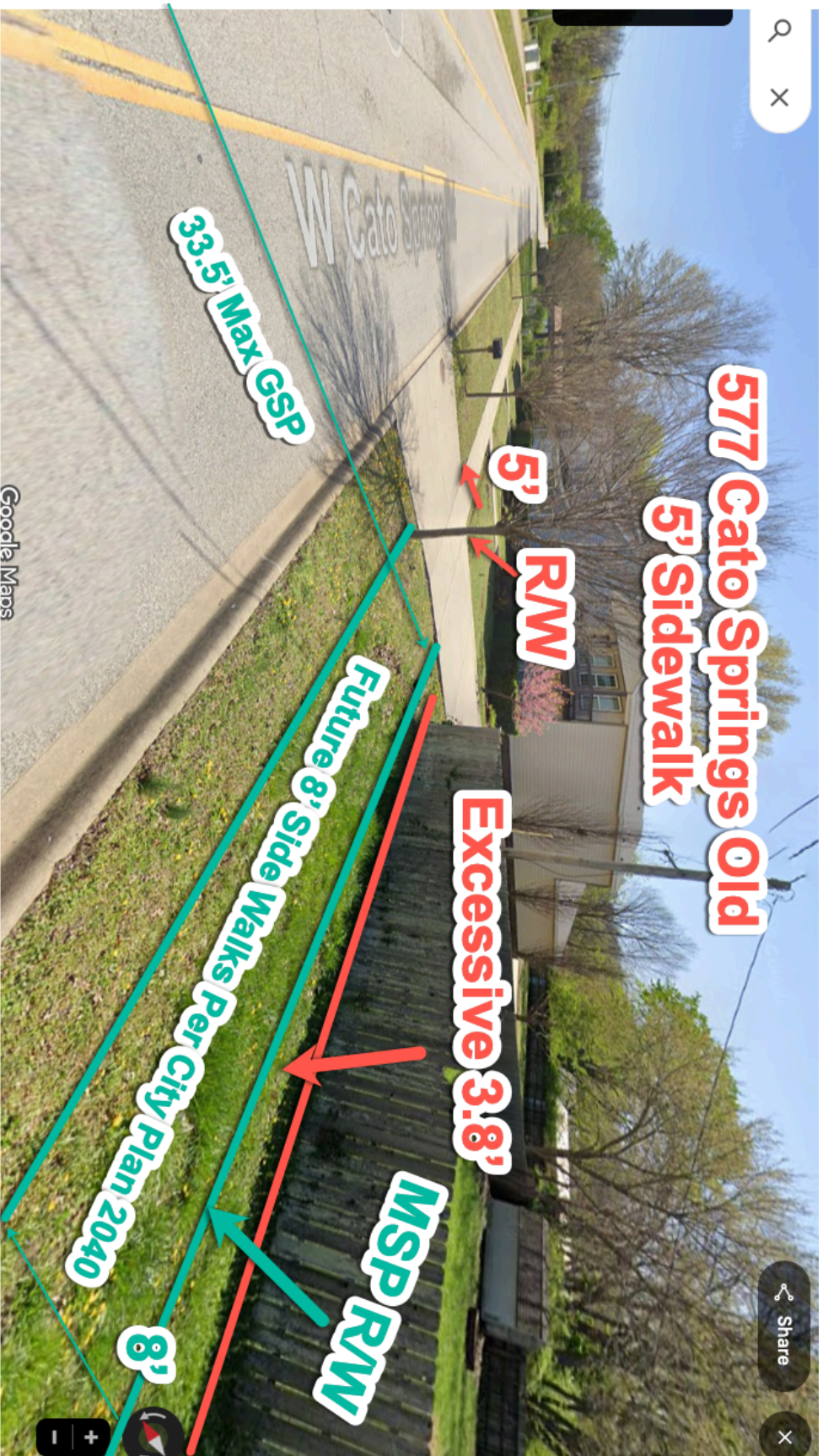
This ROW vacation removes the excess frontage area so that the property boundary aligns with the adopted 33.5' MSP ROW for Neighborhood Link Streets.

The property is zoned RSF-4 (Residential Single-Family – Four Units per Acre) and maintains the required 15' front setback measured from the existing right-of-way. The requested adjustment does not alter or reduce this setback. Once the frontage is aligned with the adopted 33.5' MSP Right-of-Way, the property will continue to meet all setback and zoning requirements.

Public Benefit and Policy Alignment

- Aligns the W Cato Springs Road frontage with the City's MSP Right-of-Way.
- Preserves all public access, drainage, and utility infrastructure.
- Promotes uniform corridor design and simplifies future infrastructure coordination.

- Advances City Plan 2040 Goals 4.2 and 5.3 by supporting context-sensitive infill and efficient land use.



Conclusion

This request corrects a survey discrepancy and aligns the W Cato Springs frontage with the City's adopted **MSP Right-of-Way (33.5' from centerline)**.

It does not alter existing improvements but ensures consistency with the City's approved Neighborhood Link Street cross-section, setback standards, and RSF-4 zoning requirements.

I respectfully request your approval.

Thank you for your consideration.

Sincerely,

Christina Zhu-Weaver

Apple Lily Management LLC



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Wesley Frank, Planner

MEETING DATE: December 8, 2025

SUBJECT: **RZN-2025-0057: Rezoning (4550 W. OZARK TRL./ TERRA FIRMA, 594):** Submitted by TERRA FIRMA HOLDINGS for property located at 4550 W. OZARK TRL. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 0.26 acres. The request is to rezone the property to RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE.

RECOMMENDATION:

Staff recommends forwarding **RZN-2025-0057** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2025-0057** to the City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in west Fayetteville about 1,200 feet south of W. Martin Luther King Boulevard, bordering the city of Farmington. The property is zoned R-A, Residential-Agriculture, and overall it contains 0.26 of an acre. This subject property is developed with a single-family dwelling that Washington County records indicate was built in 1967. The property does not lie in an overlay district. Surrounding land uses and zoning are depicted below in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	City of Farmington; R-A, Residential-Agriculture
South	Two-Family Residential	R-A, Residential-Agriculture
East	Single-Family Residential	R-A, Residential-Agriculture
West	Single-Family Residential	City of Farmington

Request: The request is to rezone the property from R-A, Residential-Agriculture, to RI-12, Residential Intermediate, 12 Units per Acre.

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

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW

Streets: The subject area has a road frontage along West Ozark Trail. West Ozark Trail is a partially improved Residential Link Street with asphalt paving and open ditches. Any street improvements required in these areas would be determined at the time of the development proposal.

Water: Public water is available to the subject area. Existing 2.25-inch water main is present along West Ozark Trail.

Sewer: Sanitary sewer is available to the subject area. Existing 6-inch sewer main is present along southeast corner of the subject property.

Drainage: No portion of the subject property lies within the Hillside-Hilltop Overlay District or a FEMA floodplain. Additionally, no protected streams or hydric soils are present. Any additional improvements or requirements for drainage will be determined at time of development.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 6, located at 900 S. Hollywood Ave., protects this site. The property is located approximately 2.5 miles from the fire station with an anticipated drive time of approximately 7 minutes using existing streets. The anticipated response time would be approximately 9.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

Tree Preservation:

The proposed zoning district, RI-12, Residential Intermediate, 12 Units per Acre, requires **20% minimum canopy preservation**. The current zoning district, R-A, Residential-Agriculture, requires **25% minimum canopy preservation**.

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

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

- Near Sewer Main (6-inch main along southeast portion of property)
- Near Water Main (2.25-inch main W. Ozark Trl)

- Near City Park (Razorback Greenway)
- Near Paved Trail (Midtown Trail)
- Appropriate Future Land Use (City Neighborhood)

FINDINGS OF THE STAFF

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

Finding: ***Land Use Compatibility:*** Staff finds the proposed rezoning from R-A to RI-12 to be compatible with the surrounding land uses. R-A and RI-12 has some of the same use units regarding residential (single- and two-family), but RI-12 does allow for additional uses such as three- to four-family and cluster housing. There are no properties with similar use allowances or bulk and area as they are either City of Farmington properties or zoned R-A. R-A and RI-12 have significantly different bulk and area requirements. Lot width minimum in RI-12 is 50 feet for both single-family and two-family, and 90 feet for three- and four-family; but in R-A is 200 feet. Lot area minimums in RI-12 are 5,000 square feet for single-family, 7,260 square feet for two-family, and 10,890 square feet for three- and four-family; in R-A it is 2 acres. The property's lot width (approximately 70 feet) and area (approximately 10,200 sqft) would prevent the development of three- and four-family dwellings. The existing property is non-conforming to its zoning district. A rezoning to RI-12 would allow for development on the property. A major difference between the two districts is that allowing for a rezoning to RI-12 would introduce urban form setbacks to the area, which are used to promote walkability in an area. Much of the surrounding properties are single-family. The properties located within the city of Fayetteville are large lots with residential development; the city of Farmington properties are smaller lots but with the same uses. The allowable uses in RI-12 would blend in with the surrounding area. And, given the size of the property and its lessened development potential, the infrastructure in the area should be sufficient to handle any proposed development. Staff finds the requested rezoning to be compatible with surrounding land uses and provides opportunities for increased housing opportunities.

Land Use Plan Analysis: Staff finds the proposed rezoning to be consistent with the Future Land Use Map designation as City Neighborhood area. The area could be considered underdeveloped as much of the city of Fayetteville properties are multi-acre lots with only single-family residential units. The anticipated goal for the City Neighborhood designation would be for mixed use development at this location. This designation may have been influenced by the City of Farmington's Future Land Use Map which designates properties adjacent to the subject property as HC- Highway Commercial. To determine its own designation, the City of Fayetteville aligned its FLUM to Farmington's by designating this area as City Neighborhood, allowing for this corridor to have similar development patterns. A rezoning to RI-12 could allow for the creation, or maintenance, of residential properties with reduced lot sizes and offer some flexibility in housing types, fitting with City Neighborhood. The property has a moderate-to-low infill score of 5 and is not located within a walkable distance to

amenities. As a result of a low infill score, the area would need substantial infrastructure development to handle additional intense density. However, the subject property is small which caps development at this location. Staff finds that the requested rezoning could allow for convenience goods and services and housing which will assist with the City Goals #1 (appropriate infill) and 6 (opportunities for affordable housing).

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

Finding: Staff finds that there is sufficient justification for rezoning the subject property from R-A to RI-12. Staff finds that the proposed rezoning is compatible with surrounding properties and consistent with the City's future land use plans.

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

Finding: A rezoning from R-A to RI-12 could increase traffic in the area, but only minimally as the size of the property is small, capping density.

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

Finding: The proposed rezoning has the potential to slightly alter the population density since it would allow for additional residential development. However, the property currently has access to public streets, water, and sewers, and any necessary improvements would be determined at the time of development. Fayetteville Public Schools did not comment on this request.

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

Finding: N/A

RECOMMENDATION: Planning staff recommends forwarding RZN-2025-0057 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>December 8, 2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.03 District R-A, Residential-Agricultural
 - §161.11 District RI-12, Residential Intermediate, Twelve (12) Units Per Acre
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map
- Request Letter

161.03 District R-A, Residential-Agricultural

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

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

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

(C) *Density.*

Units per acre	One-half ($\frac{1}{2}$)
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(D) *Bulk and Area Regulations.*

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

(E) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

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

- (G) *Building area.* None.

(Code 1965, App. A., Art. 5(1); Ord. No. 1747, 6-29-70; Code 1991, §160.030; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5195, 11-6-08; Ord. No. 5238, 5-5-09; Ord. No. 5479, 2-7-12; Ord. No. 5945, §3, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

Editor's note(s)—Ord. No. 6820, §1, adopted December 4, 2024, determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause) and Ordinance 6710 (extending the 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 July 1, 2025 at 7:00 p.m. unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

161.11 District RI-12, Residential Intermediate, Twelve (12) Units Per Acre

(A) *Purpose.* The RI-12 Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a development potential between low density and medium density with less impact than medium density development, to encourage the development of areas with existing public facilities and to encourage the development of a greater variety of housing values.

(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 36	Wireless communications facilities

(C) *Density.*

Units per acre	12
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(D) *Bulk and Area Regulations.*

	Single-family	Two (2) family	Three (3) and four (4) family
Lot width minimum	50 feet	50 feet	90 feet
Lot area minimum	5,000 square feet	7,260 square feet	10,890 square feet.

(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*
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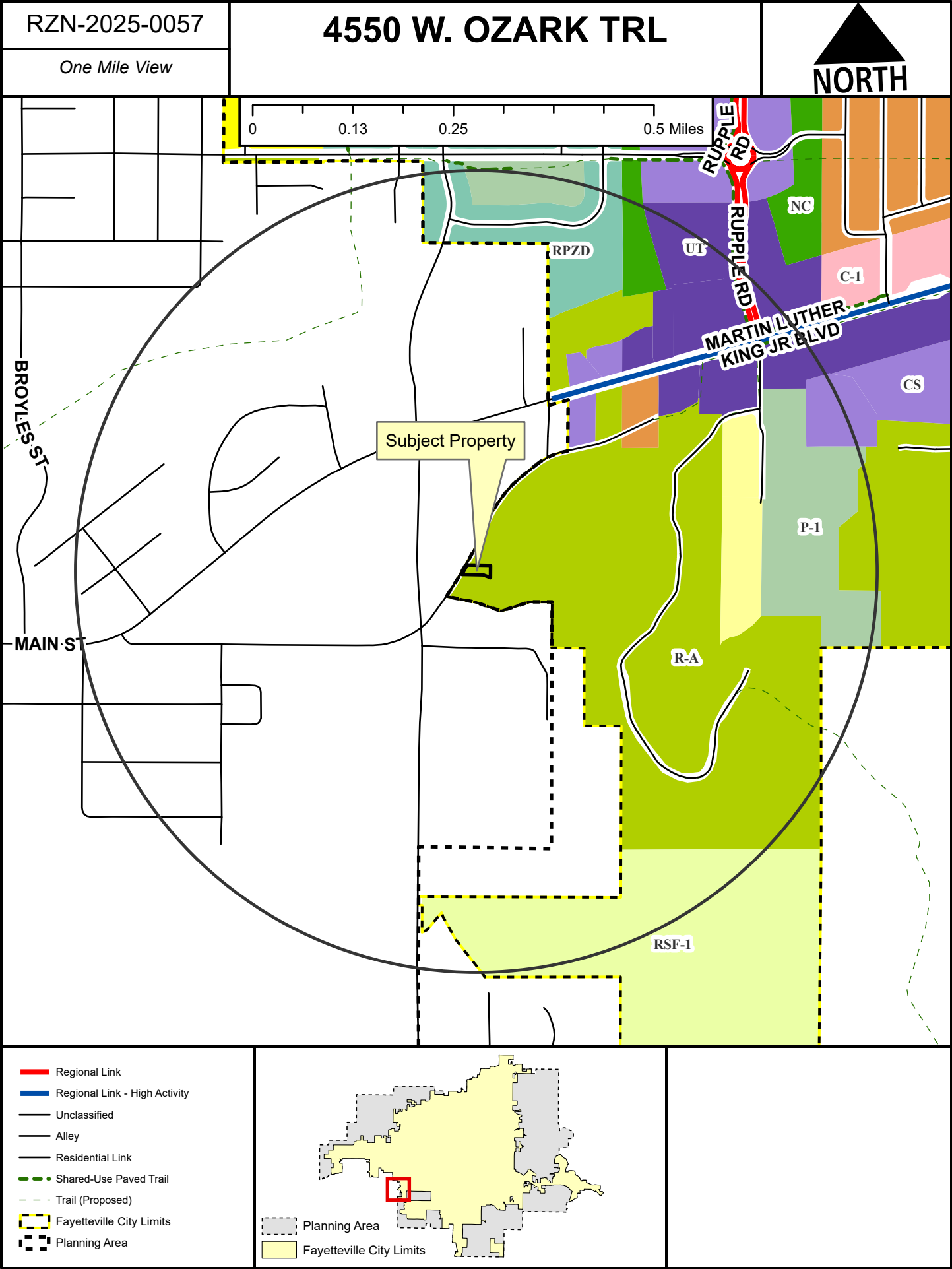
* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of three (3) stories.

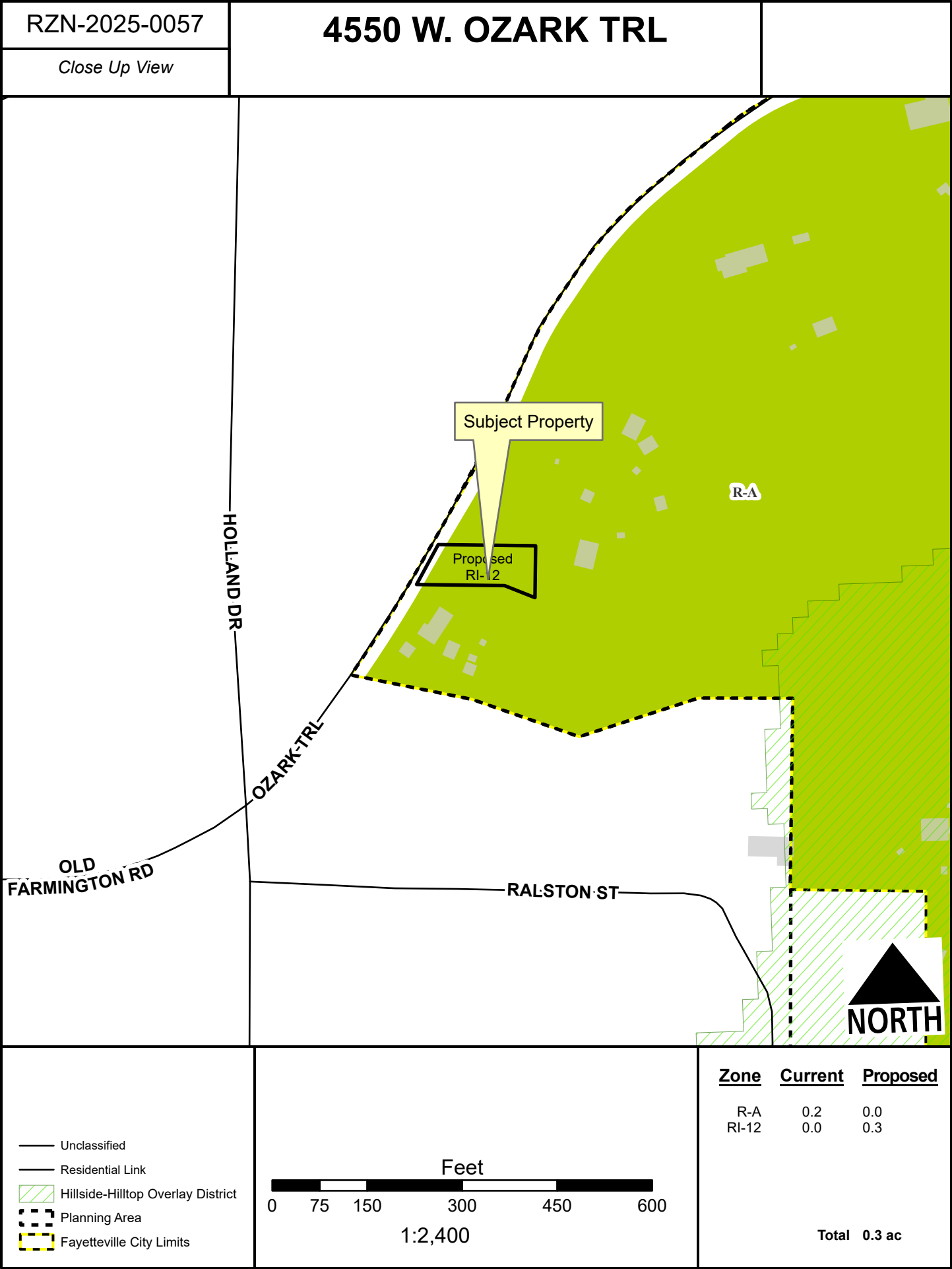
(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Code 1965, App. A., Art. 5(IIA); Ord. No. 3128, 10-1-85; Code 1991, §160.032; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; 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. 5592, 06-18-13; 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, §§4, 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, §2(Exh. A), 5-2-23)

Editor's note(s)—Ord. No. 6820, §1, adopted December 4, 2024, determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause) and Ordinance 6710 (extending the 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 July 1, 2025 at 7:00 p.m. unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.





RZN-2025-0057

4550 W. OZARK TRL

Current Land Use

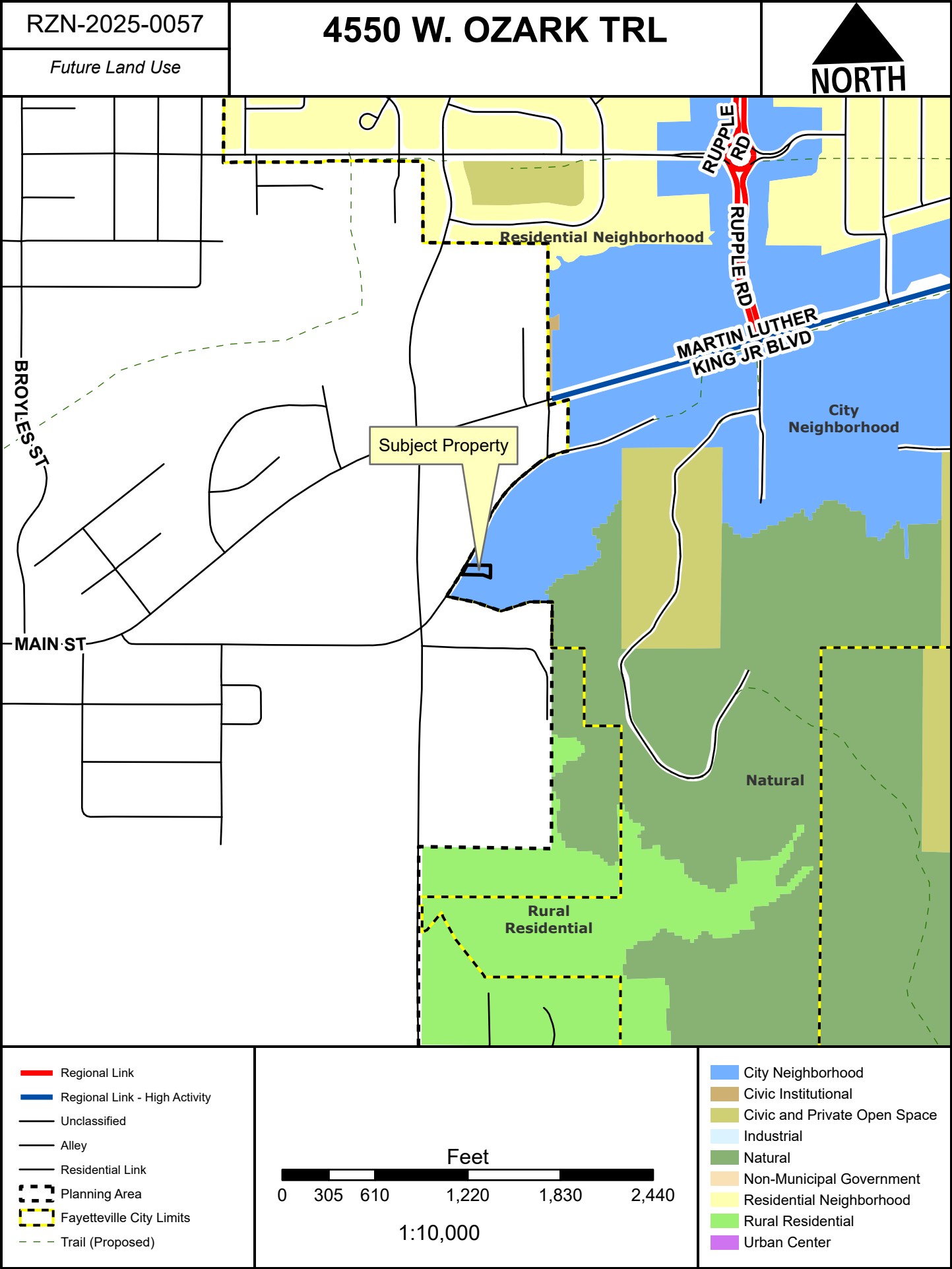


- Unclassified
- Residential Link
- - - Trail (Proposed)
- - - Planning Area
- - - Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: City of Fayetteville Planning Commission and City Council

RE: Rezoning Request for 4550 W Ozark Trail – From RA to RI-12

Dear Commissioners and Council Members,

I am requesting the rezoning of 4550 West Ozark Trail from RA (Residential Agricultural) to RI-12 (Residential Intermediate, 12 units/acre). The property is a small lot located within the City's designated City Neighborhood future land-use area, which encourages infill residential development at moderate densities to support walkable neighborhoods and efficient use of existing infrastructure.

This rezoning will enable the construction of a small, affordable home that aligns with Fayetteville's goal of providing diverse and attainable housing options. Due to lot constraints and setbacks, a large home is not feasible, so this development will focus on efficient design and affordability. The resulting home will be consistent with nearby homes built within the last decade while slightly smaller in scale, maintaining neighborhood character and compatibility.

The requested RI-12 zoning is compatible with the City Neighborhood designation, supports the City Plan 2040 principles of infill and affordability, and aligns with surrounding residential uses. Utilities are available to serve the site, and no changes to topography or access are proposed. This rezoning will contribute positively to meeting housing demand without negatively impacting adjacent properties.

Thank you for your consideration.

Sincerely,

Tyler F. Thompson
Terra Firma Holdings LLC (d/b/a PDQ Homebuyers)
P.O. Box 1198, Bentonville, AR 72712
479-621-3706 | Tyler@PDQOffer.com



TO: Fayetteville Planning Commission

THRU: **Jessie Master, Planning Director**

FROM: Citlali Samano, Planner

MEETING DATE: December 08, 2025

SUBJECT: **RZN-2025-0058: Rezoning (S FUTRALL DR & S ROOT AVE/BARNES FAMILY TRUST, 519):** Submitted by ECOLOGICAL DESIGN GROUP for property located at S FUTRALL DR & S ROOT AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE, and contains approximately 9.02 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

RECOMMENDATION:

Staff recommends approval of **RZN-2025-0058**.

RECOMMENDED MOTION:

*"I move to forward **RZN-2025-0058** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is located approximately ½ miles south of Markham Hill Woods and just east of I-49. The overall property contains approximately 9.02 acres, the applicant requests to rezone the property to CS, Community Services. Currently, the site is undeveloped and has almost 100% tree canopy coverage, however the request is intended to establish a transition area that provides small-scale commercial service options in a corridor that currently lacks accessible commercial amenities between Martin Luther King Jr. Boulevard and N. Marinoni Drive. Portions of the property lie within the City's Sign Overlay District, and a small portion lies within the Hillside/Hilltop Overlay District. The property is not within a FEMA floodplain, floodway, nor within a Streamside Protection Zone. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Undeveloped	R-A, Residential Agriculture; RI-U, Residential-Intermediate, Urban;
South	Mixed-Family Residential	RMF-18, Residential Multi-Family, 18 Units Per Acre
East	Mixed-Family Residential	RSF-4, Residential Single-Family, 4 Units Per Acre; RMF-24, Residential Multi-Family, 24 Units Per Acre
West	Interstate (I-49)	RPZD, Residential-Planned Zoning District (across the interstate)

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

Public Comment: Staff have received no public comments.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject area has road frontage along South Futrall Drive and South Root Avenue. South Futrall Drive is a partially improved Neighborhood Link Street with asphalt paving with curb and gutter. South Root Avenue is a partially improved Residential Link Street with asphalt paving with curb and gutter. Any street improvements required in these areas would be determined at the time of the development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

Water: Public water is not available to the Subject area, but there is a water main approximately 150 feet southeast of the property that runs adjacent to S. Root Ave. and W. Orlando Dr.

Sewer: Sanitary Sewer is not available to the Subject area, but there is a sewer main that runs adjacent to S. Futrall Dr. on the west side of the property.

Drainage: No portion of the property lies within a FEMA Floodplain, nor within a Streamside Protection zone. However, there is Hydric Soils partially present in the area. Hydric soil is 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 soil can be found across many areas of Fayetteville, including valleys, floodplains, and open prairies. It's important to identify these natural resources during development, so when these soils are identified on a property, further environmental studies will be required at the time of development. Before permits are issued for the property a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE Determination of Jurisdictional Wetlands will be required at the time of development submittal. A portion of the property lies within the Hillside-Hilltop Overlay District. Additional restrictions will apply at the time of development. engineered footing designs will be required at the time of building permit submittal, as well as grading, erosion control and abbreviated tree preservation plans.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 6, located at 900 S Hollywood Ave., protects this site. The property is located approximately 1 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. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

Tree Preservation:

The proposed zoning districts, CS – Community Services requires a **20% minimum canopy preservation**. The current zoning districts, RSF-4, Residential Single-Family, 4 Units per Acre requires a **25% 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 and City 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 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 5-8 for this site with a weighted score of 12. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 6, located at 900 S Hollywood Ave.)
- Near Sewer Main (21" gravity main adjacent to the property)
- Near Water Main (6" along W Orlando Dr)
- Near Public School (Ramay Junior High School)
- Near City Park (Centennial Park)
- Near Paved Trail (Shiloh Trail)
- Near Razorback Bus Stop (W Stone St & S Mobile Ln)
- Appropriate Future Land Use

FINDINGS OF THE STAFF

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

Finding: ***Land Use Compatibility:** Staff finds that the requested rezoning appears generally compatible with the surrounding area and existing land uses. The property has a history of rezoning requests in 2021: the initial request for a rezone to UT was denied due to incompatibility with form-based zoning and requirements for walkable elements. Conversely, a CS rezoning request was also made 6 months later. The second request was recommended for approval by staff and forwarded to City Council but was for reasons related to building form and walkability requirements. CS is more compatible due to lower intensity and building heights that align with surrounding uses. The applicant is continuing to rezone approximately 9.02 acres from RSF-4 to CS, which would enhance the availability of commercial services for the*

surrounding residential neighborhoods on the south and east sides of the property.

Given the current surrounding land use and the distance to non-residential services, there is increased flexibility to approve the current rezoning request. Staff notes that there are no concerns related to the environmental constraints of the site, nor does any portion of the property lie within the floodplain.

The subject area has does have street frontage along S. Futrall Dr. and S. Root Ave. and is a Partially improved Neighborhood Link Street with asphalt paving with curb and gutter. Any street improvements required in these areas would be determined at the time of the development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

Overall, the request presents more opportunities than it does challenges, as discussed in previous rezoning requests. Staff recommends approval of this request.

Land Use Plan Analysis: Staff finds the proposed rezoning to be consistent with the goals in City Plan 2040 and the property's mixed future land use designation partially as a Residential Neighborhood area, and a City Neighborhood area. Given the future land use classification of these portions of the site, staff would recommend approval of the request to stay in line with that plan.

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

Finding: Staff finds there is sufficient justification to rezone the property from RSF-4 to CS.

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

Finding: A rezoning from RSF-4 to CS has the potential to increase traffic to this location and could be to an appreciable degree. There are no limiting factors as there is street frontage along S. Futrall Dr. and S. Root Ave. Further, the property is not within the floodplain.

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

Finding: The property does not have access to water and sewer but can do so with any future developments. Any increase in density would have to be balanced with appropriate upsizing of those facilities to be borne by the developer.

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:

Finding: There is currently no readily available access to water or sewer for this property. However, there are available connections surrounding the property.

RECOMMENDATION: Planning staff recommends approval of RZN-2024-0058.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>December 08, 2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

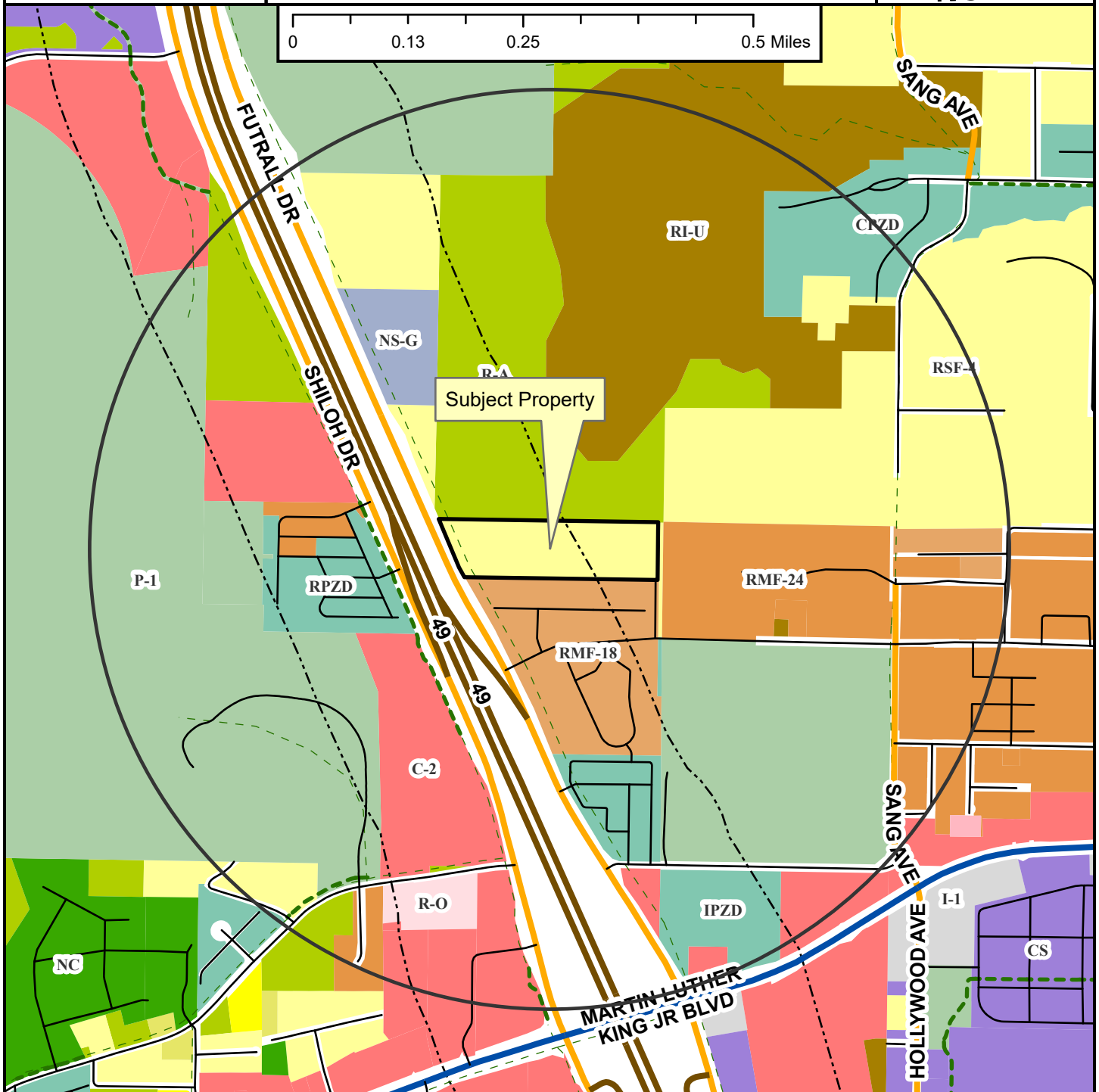
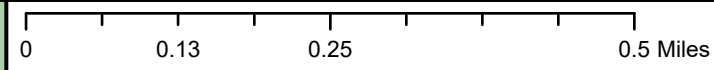
ATTACHMENTS:

- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
 - Unified Development Code
 - §161.07 District RSF-4, Residential Single-Family, 4 Units per Acre
 - §161.22 District CS, Community Services
 - Applicant Exhibits
 - Request Letter
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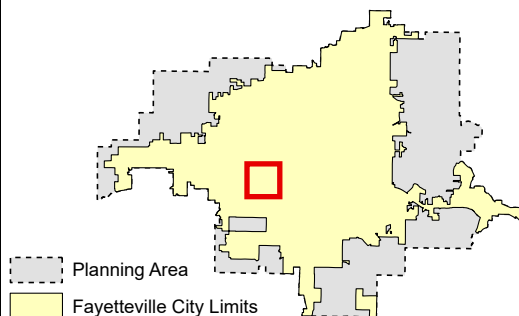
RZN-2025-0058

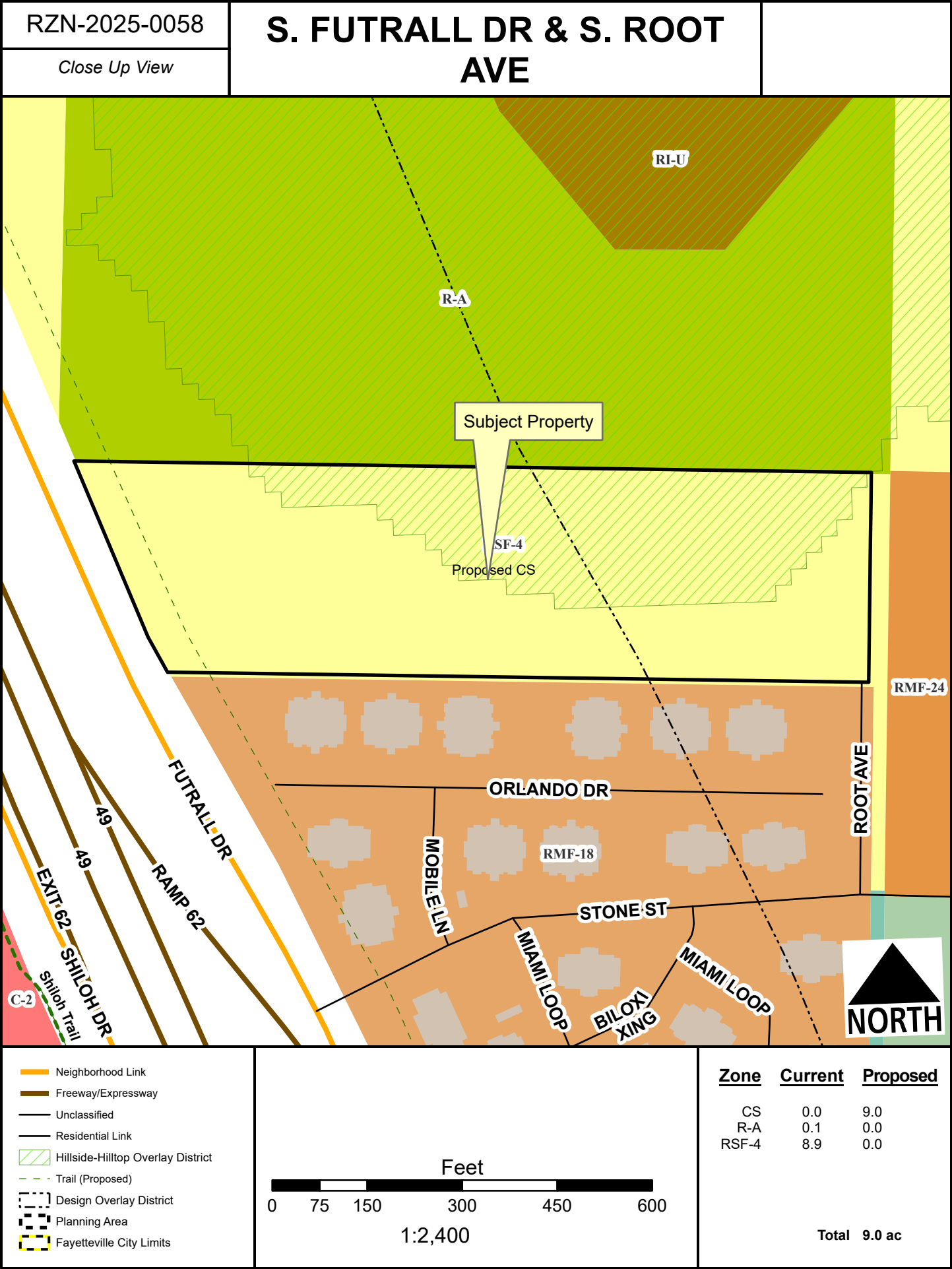
One Mile View

S. FUTRALL DR & S. ROOT AVE



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



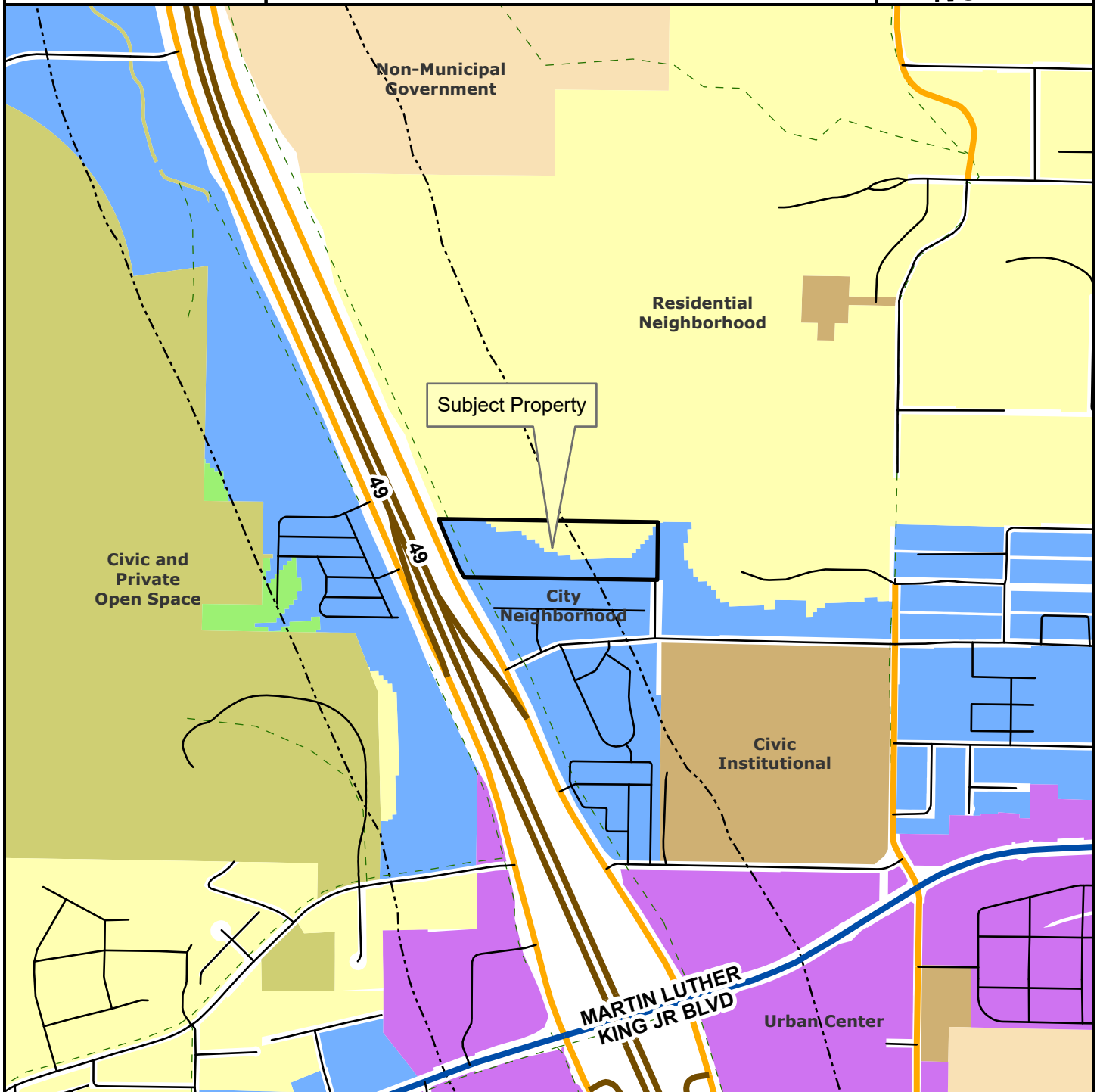


RZN-2025-0058

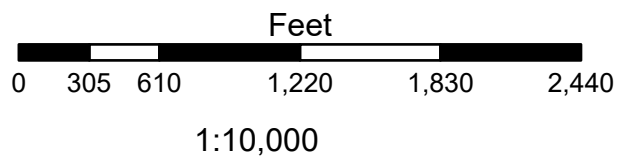
S. FUTRALL DR & S. ROOT AVE



Future Land Use



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



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



161.07 - District RSF-4, Residential Single-Family - Four (4) Units Per Acre (modified)

(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
Unit per acre	4 or less

(D) *Bulk and Area Regulations.*

	Single-Family Dwellings
Lot minimum width	70 feet
Lot area minimum	8,000 square feet
Land area per dwelling unit	8,000 square feet
Hillside Overlay District Lot minimum width	60 feet
Hillside Overlay District Lot area minimum	8,000 square feet
Land area per dwelling unit	8,000 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— Ord. No. [6888](#), §1, adopted June 17, 2025 determines that [Ordinance 6427](#) (Sunset Clause), Ordinance [6625](#) (extending Sunset Clause), Ordinance [6710](#) (extending the Sunset Clause), and Ordinance [6820](#) (extending the 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 November 30, 2025 unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

161.22 - Community Services (modified)

(A) *Purpose.*

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

(B) *Uses.*

(1) *Permitted Uses.*

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

Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals

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

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 42	Clean technologies
Unit 48	Private dormitories

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Dwelling	18 feet
All others	None

(2) *Lot Area Minimum.* None.

(E) *Setback regulations.*

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

(F) *Building Height Regulations.*

Building height maximum	5 stories
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(G) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800, §1(Exh. A), 10-6-15; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945,

§§5, 7—9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6223, §1, 9-3-19; Ord. No. 6409 §1, 2-2-21; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21; Ord. No. 6497, §1, 10-19-21; Ord. No. 6879, §2, 5-20-25)

Editor's note— Ord. No. 6888, §1, adopted June 17, 2025 determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause), Ordinance 6710 (extending the Sunset Clause), and Ordinance 6820 (extending the 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 November 30, 2025 unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.



Ecological Design Group
216 West Birch St,
Rogers, AR 72756

Date: 10/28/2025

Project: Futrall - Rezoning

Parcel Number: 765-14618-000

EDG Project No: #25-062

RE: Rezoning Request

To whom it may concern:

Ecological Design Group, on behalf of the Barnes Family Trust, requests the rezoning of parcel #765-14618-000, from RSF-4 (Residential Single Family, four units per acre) to C-S (Community Services).

The property is currently zoned RSF-4 and is bordered by RSF-18 and RMF-24 zones to the south and east, R-A to the north, and South Futrall Drive and Interstate 49 to the west. The proposed C-S zoning would allow for a mix of commercial and residential uses, aligning with the surrounding medium-high density residential zones and complementing the existing commercial zoning across I-49 to the northwest and southwest.

The proposed C-S zoning is compatible with surrounding land uses and therefore is not expected to negatively impact neighboring properties. Instead, it would enable the property to serve nearby residential areas with commercial services, while also supporting residential development consistent with adjacent zoning.

Sincerely,

A handwritten signature in cursive script that reads 'Molly Pace'.

Molly Pace

(479) 441-0197



TO: Fayetteville Planning Commission

THRU: Jessie Master, Planning Director

FROM: Citlali Samano, Planner

MEETING DATE: December 08, 2025

SUBJECT: **RZN-2025-0059: Rezoning (S FUTRALL DR/BARNES FAMILY TRUST, 519):** Submitted by ECOLOGICAL DESIGN GROUP for property located at S FUTRALL DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE, and contains approximately 1.37 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

RECOMMENDATION:

Staff recommends denial of **RZN-2025-0059**.

RECOMMENDED MOTION:

*"I move to forward **RZN-2025-0059** to City Council with a recommendation of denial."*

BACKGROUND:

The subject property, parcel 765-14620-000, is immediately east of I-49 and just over ¼ mile south of Markham Hill Woods. The property has frontage along S. Futrall Drive, which is a one-way street heading north and is ARDOT right-of-way. The subject property consists of approximately 1.37 acres, and the request is to rezone the property from RSF-4, Residential Single-Family, 4 units per acre, to CS, Community Services. The property has a history of denied rezoning attempts, requests to UT, Urban-Thoroughfare in 2021 and 2022. The site is undeveloped and has almost 100% tree canopy coverage. While the applicant argues the current request would create a small-scale commercial transition area in a corridor that lacks services, staff finds the rezoning inadequate because of existing infrastructure limitations, environmental considerations, and inconsistency with adopted land use plans. Portions of the property lie within the City's Sign Overlay District, and a small portion lies within the Hillside/Hilltop Overlay District. The property is not within a FEMA floodplain, floodway, nor within a Streamside Protection Zone. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Undeveloped	NS-G, Neighborhood Services - General
South	Interstate (I-49)	RPZD, Residential Planned Zoning District
East	Undeveloped	R-A, Residential Agriculture
West	Interstate (I-49)	C-2, Thoroughfare Commercial (across the interstate)

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

Public Comment: Staff have received no public comments.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject area has road frontage along South Futrall Drive. South Futrall Drive is a partially improved Neighborhood Link Street with asphalt paving with curb and gutter. Any street improvements required in these areas would be determined at the time of the development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

Water: Public water is not available to the Subject area.

Sewer: Sanitary Sewer is partially available through an 18" PVC and a 21" VCP within the subject area. However, connection feasibility and required extensions would need evaluation at development.

Drainage: The property is not within FEMA Floodplain or Streamside Protection Zone. However, hydric soils are partially present. Hydric soil is a known indicator of potential wetlands, and further environmental studies will be required at the time of development. Before permits are issued for the property a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE Determination of Jurisdictional Wetlands will be required at the time of development submittal. Portions of the property lie within the Hillside/Hilltop Overlay District, requiring additional restrictions and engineered plans at time of development, as well as grading, erosion control, and abbreviated tree preservation plans.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 6, located at 900 S Hollywood Ave., protects this site. The property is located approximately 1 miles from the fire station with an anticipated drive time of approximately 3 minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

Tree Preservation:

The proposed zoning districts, CS, Community Services require a **20% minimum canopy preservation**. The current zoning districts, RSF-4, Residential Single-Family, 4 Units per Acre require a **25% 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 **4-6** for this site with a weighted score of **10**. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 6, located at 900 S Hollywood Ave.)
- Near Sewer Main (21" gravity main adjacent to the property)
- Near Public School (Ramay Junior High School)
- Near City Park (Centennial Park)
- Near Paved Trail (Shiloh Trail)
- Near Razorback Bus Stop (W Stone St & S Mobile Ln)

FINDINGS OF THE STAFF

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

Finding: ***Land Use Compatibility:*** Staff finds that the proposed rezoning is inconsistent with the goals of City Plan 2040 and incompatible with surrounding land uses. The property has a history of rezoning attempts, including a 2021 request to UT that was denied for reasons related to building form and walkability requirements. A subsequent request to UT the following year was also denied by Planning Commission and was withdrawn by the applicant before going to City Council. Given the site's limited access, environmental constraints, and isolation from a cohesive commercial pattern further reduces its compatibility with surrounding land uses. Given the current surrounding land use and the distance to non-residential services, there is decreased flexibility to approve the current rezoning request. Therefore, staff finds the request a rezone approximately 1.37 acres from RSF-4 to CS inconsistent with adopted plans. Prior rezoning requests have consistently recommended a rezoning to Neighborhood Services – Limited (NS-L) or Neighborhood Services – General (NS-G) to ensure compatibility and incremental development at this site. Staff maintains this recommendation for rezoning

The subject area has does have street frontage along S. Futrall Dr. and is a partially improved Neighborhood Link Street with asphalt paving with curb and gutter. It is important to note that S Futrall Dr is a one-way thoroughfare, which inherently restricts direct connectivity. Any required street enhancements in these areas would be determined at the time of a

development proposal. Furthermore, any additional improvements or requirements for drainage will be determined at time of development.

Overall, the request present concerns as discussed in previous rezoning requests. Staff recommends denial of this request.

Land Use Plan Analysis: Staff finds the proposed rezoning to be inconsistent with the goals in City Plan 2040 and the property's future land use designation as a Residential Neighborhood area. Given the future land use classification of these portions of the site, staff would recommend denial of the request to stay in line with that plan.

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

Finding: Considering the property's location, access, environmental prohibitions, adjacent to major transportation infrastructure, and inconsistency with the City's adopted plans, staff finds inadequate justification for the rezoning.

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

Finding: A rezoning from RSF-4 to CS has the potential to substantially increase traffic to an area solely by S. Futrall Dr., which provides limited access and inadequate capacity. Therefore, the rezoning could appreciably increase traffic danger and congestion.

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

Finding: The property does not have water access and may require sewer facility upgrades. Increased development intensity under CS zoning would increase demands on water, sewer, and fire service, without adequate existing infrastructure. This represents an undesirable increase in service load.

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:

Finding: Land use at the site is incompatible with the surrounding area and does not align with City Plan 2040. A proposed future development would likely generate traffic that cannot be adequately supported, especially given the limited access created by the one-way configuration of S. Futrall Dr. Additionally, the property currently lacks water access, and existing sewer and fire-service infrastructure are insufficient to meet the demands of a proposed commercial use.

RECOMMENDATION: Planning staff recommends denial of RZN-2024-0059.

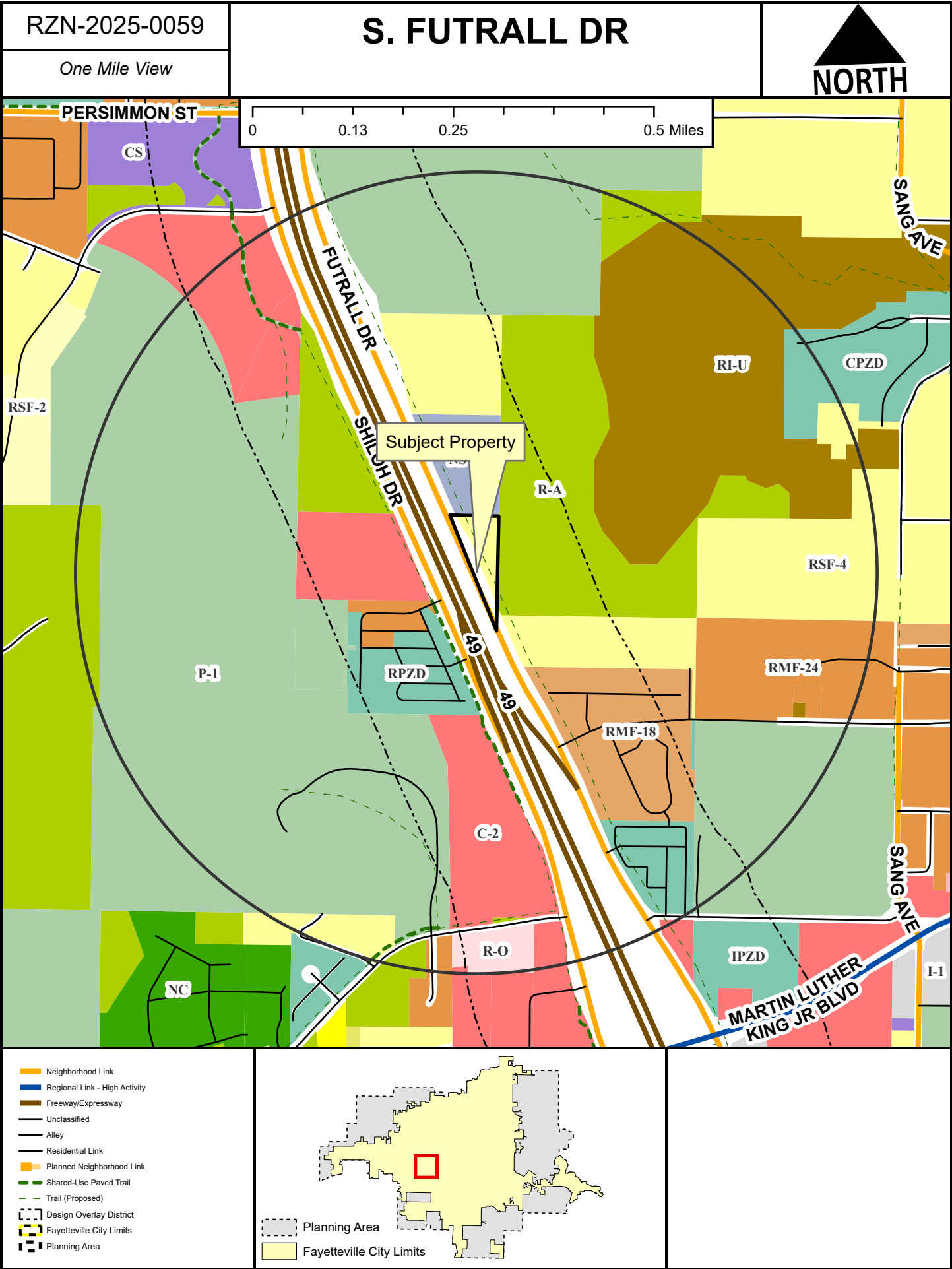
PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>December 08, 2025</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
 - Unified Development Code
 - §161.07 District RSF-4, Residential Single-Family, 4 Units per Acre
 - §161.22 District CS, Community Services
 - Applicant Exhibits
 - Request Letter
-

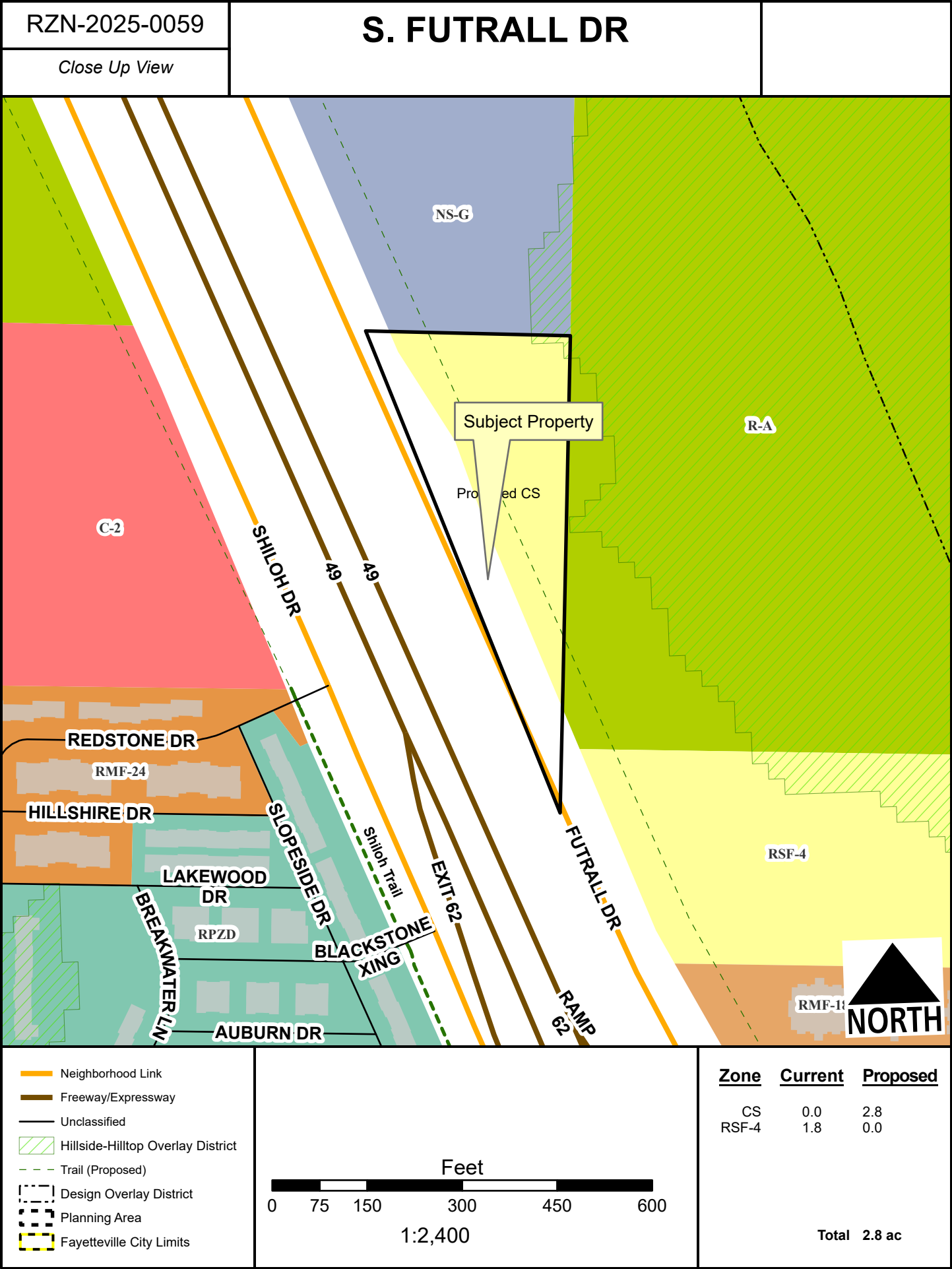


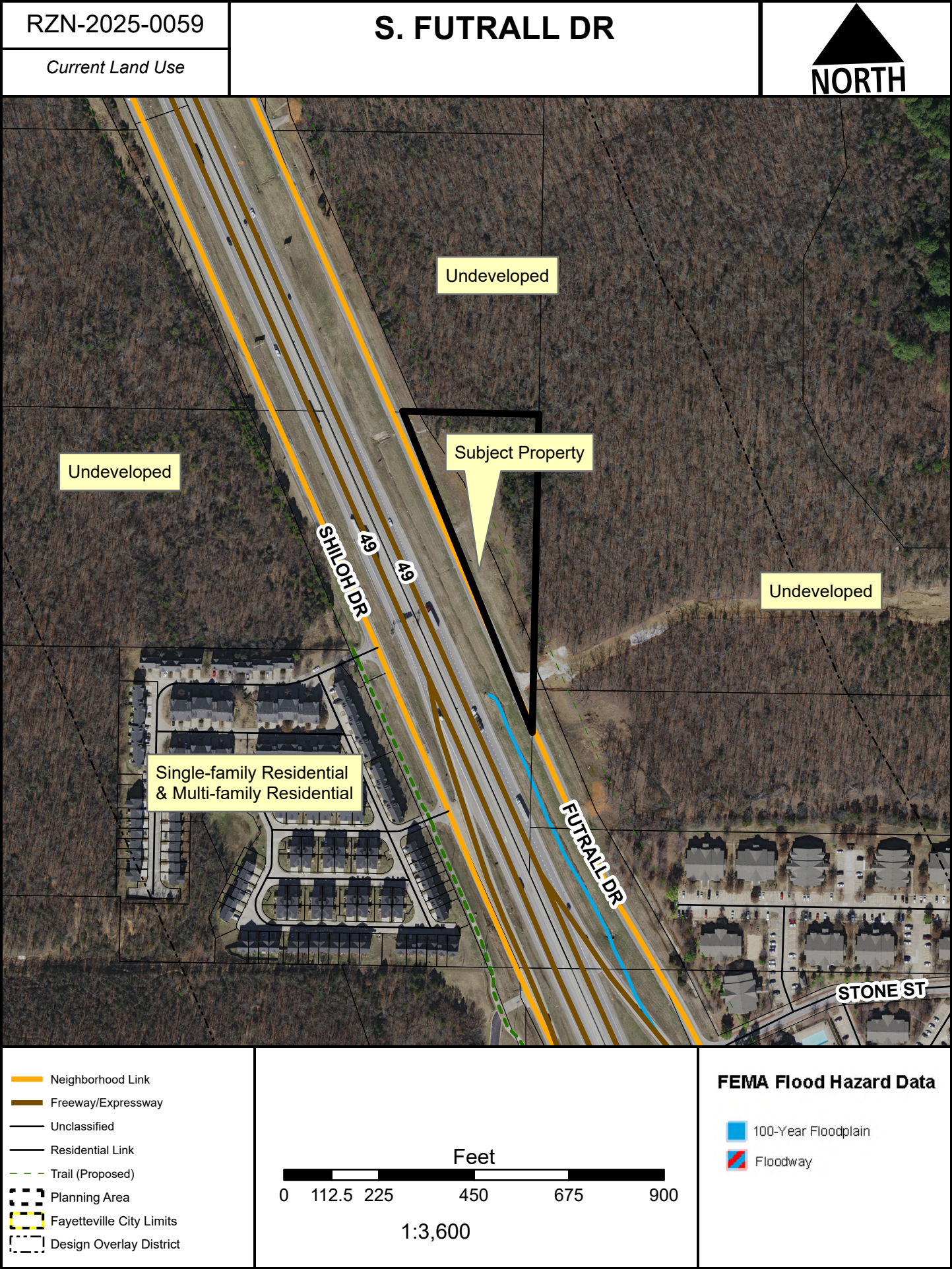
Planning Commission

December 8, 2025

RZN-2025-0059 (BARNES FAMILY TRUST)

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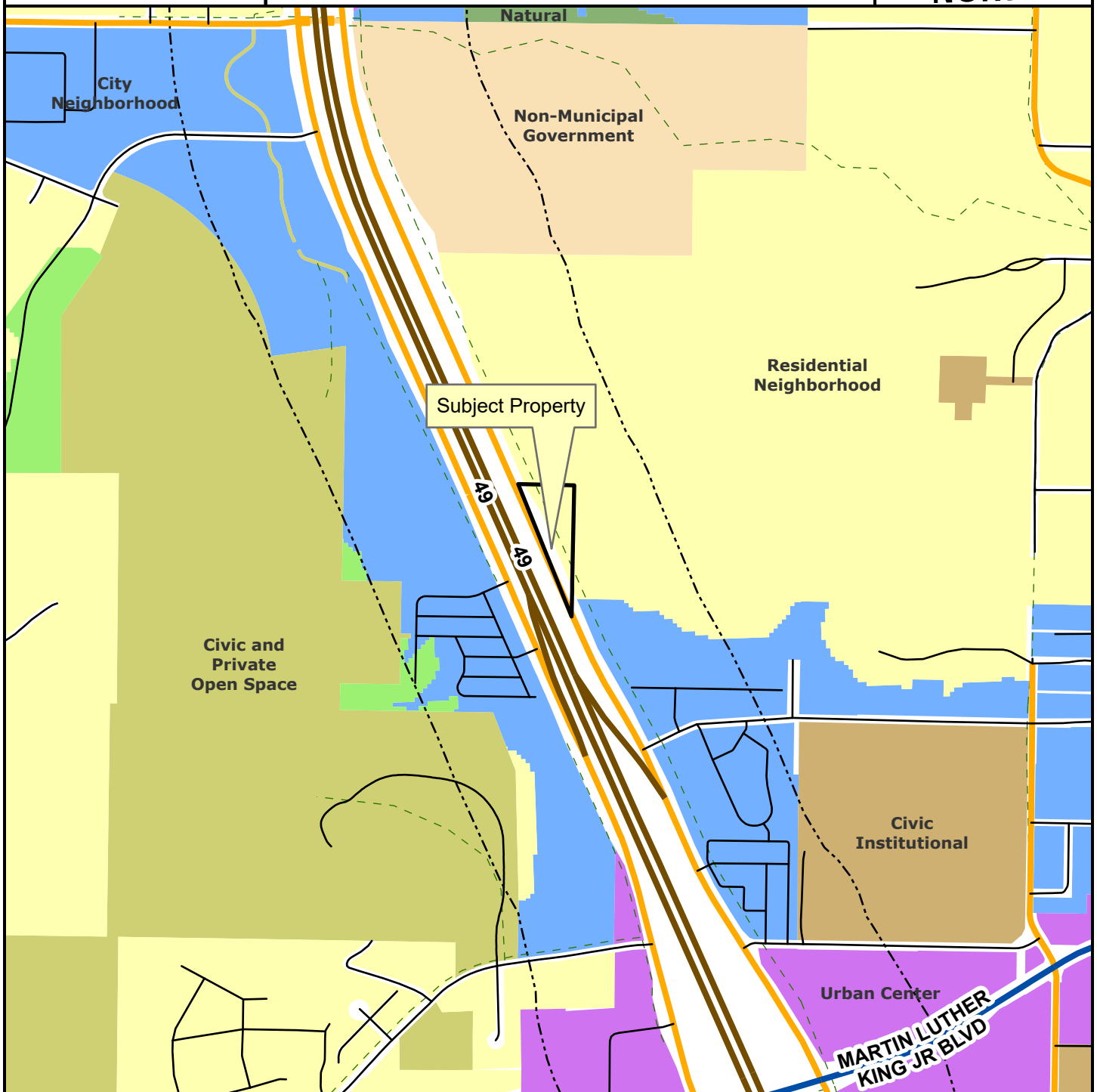




RZN-2025-0059

S. FUTRALL DR

Future Land Use



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

Feet

0 305 610 1,220 1,830 2,440

1:10,000

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

161.07 - District RSF-4, Residential Single-Family - Four (4) Units Per Acre (modified)

(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
Unit per acre	4 or less

(D) *Bulk and Area Regulations.*

	Single-Family Dwellings
Lot minimum width	70 feet
Lot area minimum	8,000 square feet
Land area per dwelling unit	8,000 square feet
Hillside Overlay District Lot minimum width	60 feet
Hillside Overlay District Lot area minimum	8,000 square feet
Land area per dwelling unit	8,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

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

(G) *Building Area.*

On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(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— Ord. No. [6888](#), §1, adopted June 17, 2025 determines that [Ordinance 6427](#) (Sunset Clause), Ordinance [6625](#) (extending Sunset Clause), Ordinance [6710](#) (extending the Sunset Clause), and Ordinance [6820](#) (extending the 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 November 30, 2025 unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

161.22 - Community Services (modified)

(A) *Purpose.*

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

(B) *Uses.*

(1) *Permitted Uses.*

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

Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals

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

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 42	Clean technologies
Unit 48	Private dormitories

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Dwelling	18 feet
All others	None

(2) *Lot Area Minimum.* None.

(E) *Setback regulations.*

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

(F) *Building Height Regulations.*

Building height maximum	5 stories
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(G) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800, §1(Exh. A), 10-6-15; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945,

§§5, 7—9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6223, §1, 9-3-19; Ord. No. 6409 §1, 2-2-21; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21; Ord. No. 6497, §1, 10-19-21; Ord. No. 6879, §2, 5-20-25)

Editor's note— Ord. No. 6888, §1, adopted June 17, 2025 determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause), Ordinance 6710 (extending the Sunset Clause), and Ordinance 6820 (extending the 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 November 30, 2025 unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.



Ecological Design Group
216 West Birch St,
Rogers, AR 72756

Date: 10/28/2025

Project: Futrall - Rezoning

Parcel Number: 765-14620-000

EDG Project No: #25-062

RE: Rezoning Request

To whom it may concern:

Ecological Design Group, on behalf of the Barnes Family Trust, requests the rezoning of parcel #765-14620-000, from RSF-4 (Residential Single Family, four units per acre) to C-S (Community Services).

The property is currently zoned RSF-4 and is bordered by NS-G to the north, R-A to the east, and C-2 and RMF-24 across the interstate to the west. The proposed C-S zoning would allow for a mix of commercial and residential uses, aligning with the surrounding commercial and medium-high density residential zones as well as complementing the intent of the NS-G zone to provide mixed use amenities for nearby residential uses.

The proposed C-S zoning is compatible with surrounding land uses and therefore is not expected to negatively impact neighboring properties. Instead, it would act as an extension of the neighboring NS-G zone while reflecting the denser existing developments across I-49.

Sincerely,

A handwritten signature in cursive script that reads "Molly Pace".

Molly Pace

(479) 441-0197



TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director

MEETING DATE: December 8, 2025

SUBJECT: **RZN-2025-0060: Rezoning (3816 W. MOUNT COMFORT RD/MOUNT COMFORT PRESBYTERIAN CHURCH, 322 & 361):** Submitted by DOROTHY ASHWORTH for property located at 3816 W. MOUNT COMFORT RD. The property is zoned RSF-1, RESIDENTIAL SINGLE-FAMILY, ONE UNIT PER ACRE, and contains approximately 2.90 acres. The request is to rezone the property to P-1, INSTITUTIONAL.

RECOMMENDATION:

Staff recommends forwarding **RZN-2025-0060** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2025-0060** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in west Fayetteville at the northwest corner of N. Ruppel Road and W. Mount Comfort Road. Totalling approximately 2.90 acres, the property is zoned RSF-1, Residential Single-Family, 1 Unit per Acre. The property is home to the Mount Comfort Presbyterian Church, which County records indicate has been owned by the entity since 1900 and the property was annexed into the City limits in 2004. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Cemetery/Middle School	RSF-1, Residential Single-Family, 1 Unit per Acre; P-1 Institutional
South	Commercial/Undeveloped	CS, Community Services
East	Commercial	CS, Community Services
West	Cemetery	RSF-1, Residential Single-Family, 1 Unit per Acre

Request: The request is to rezone the subject property from RSF-1, Residential Single-Family, 1 Unit per Acre to P-1, Institutional.

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

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject area has street frontage along W. Mount Comfort Road, which is a partially improved Regional Link-High Activity Street with asphalt paving, curb and gutter, and partial sidewalk. The subject area has street frontage along N. Ruppel

Road, which is a fully improved Regional Link Street with asphalt paving, curb and gutter, and sidewalk. Any street improvements required in these areas would be determined at the time of the development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

Water: Public water is available to the subject area. An existing 6-inch water main is present along W. Mount Comfort Road, and an existing 8-inch water main is present along N. Ruppel Road.

Sewer: Sanitary sewer is not available to the subject area.

Drainage: No portion of the site is located within the Hillside-Hilltop Overlay District, nor is there a FEMA floodplain, protected stream, or hydric soils present. Any additional improvements or requirements for drainage will be determined at time of development.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 7, located at 835 N. Ruppel Rd., protects this site. The property is located approximately 1.3 miles from the fire station with an anticipated drive time of approximately 4 minutes using existing streets. The anticipated response time would be approximately 6.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

Tree Preservation:

The proposed zoning district, P-1, Institutional, requires **25% minimum canopy preservation**. RSF-1, Residential Single-Family, 1 Unit per Acre requires **25% 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 **City Neighborhood**.

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 **6** for this site with a weighted score of **13**. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station #7, 835 N. Ruppel Rd)
- Near Water Main (Mount Comfort Road and Ruppel Road)
- Near Public School (Holt Middle School)

- Near City Park (Bryce Davis Park)
- Near Paved Trail (Sidepath Trail N. Ruppel Road)
- 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:*** Staff finds the requested rezoning to be compatible with the surrounding area and current land uses. RSF-1 zoning allows for low-density single-family residential uses and P-1 would allow for institutional uses such as schools, parks, and government facilities. The specific property is the Mount Comfort Presbyterian Church, which County records indicate has been owned by this entity since at least 1900. While the surrounding area has historically been rural and agricultural in nature, recent developments have occurred on adjacent corners; there is now a convenience store and gas station to the east, and a large-scale multi-family development is developing to the southeast. Holt Middle School is to the north, and other recent developments have been approved for residential uses to the east as well. The lot widths, areas, and building height requirements in P-1 are compatible; P-1 is a strictly institutional zoning district, which, after new regulations were approved by City Council in 2024, now also allows for a form-based option. While RSF-4 has a maximum building height of 3 stories, P-1 allows for a maximum building height of 6 stories. Staff finds that rezoning this property will bring an existing non-conforming use into compliance with current zoning district standards, and will also be compatible with existing surroundings.

Land Use Plan Analysis: Staff finds the proposed rezoning to be consistent with the goals in City Plan 2040. A rezoning from RSF-4 to P-1 contributes to City Plan 2040 goal #3, in that it helps promote a compact, complete, and connected development throughout the area by affording the ability to develop additional amenities and services rather than the existing designation. Building schools, parks, and other facilities closely to residential areas promotes walkability and desirability for residents and families and aligns with the City's goals for infill. The site is within the City Neighborhood classification in the Future Land Use Map, which places non-residential and commercial uses at street intersections and along major corridors.

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

Finding: Staff finds there is sufficient justification to rezone the property from RSF-4 to P-1. This request will allow for the development of institutional uses in the area. Schools, churches, and other cultural and recreational facilities are a vital service and while not strictly residential, are a necessary neighborhood amenity.

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

Finding: A rezoning from RSF-4 to P-1 has the potential to increase traffic to this location, though not necessarily in a way that is significantly worse than how the property could be developed under its current zoning entitlement. It is worth noting that institutional uses, such as churches or schools, can have more concentrated traffic patterns than a residential district would, and any necessary street improvements to off-set those challenges would have to be borne by the developer.

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

Finding: The P-1 zoning district does not permit by-right residential uses and is therefore unlikely to increase the population density in this area. The overall property has access to existing water as well as fully-improved streets; sanitary sewer is not currently immediately available to the property. Any development on this site will be responsible for increasing sewer, water, and street capacity as needed.

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-2025-0060 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date: <u>December 8, 2025</u>		☐ Tabled	☐ Forwarded		☐ Denied
Motion:					
Second:					
Vote:					

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.05 District RSF-1, Residential Single-Family - One (1) Unit Per Acre
 - §161.32 District P-1, Institutional
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
 - Request Letter
-

161.05 District RSF-1, Residential Single-Family - One (1) Unit Per Acre

(A) *Purpose.* A district having single-family detached residences on lots with a minimum size of one (1) unit per acre. The district is designed to permit and encourage the development of very low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(C) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(D) *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 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(E) *Density.*

Units per acre	1
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(F) *Bulk and Area Regulations.*

Lot width minimum	150 feet
Lot area minimum	35,720 square feet
Land area per dwelling unit	35,720 square feet

(G) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

(H) *Building Height Regulations.*

Building Height Maximum	3 stories
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(I) *Building Area.* None.

(Code 1965, §160.44; Ord. No. 3792, §4, 5-17-94; Ord. No. 4100, §2 (Ex. A), 6-16-98; 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. 5462, 12-6-11; Ord. No. 5921, §1, 11-1-16; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

Editor's note(s)—Ord. No. 6888, §1, adopted June 17, 2025 determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause), Ordinance 6710 (extending the Sunset Clause), and Ordinance 6820 (extending the 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 November 30, 2025 unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

161.32 District P-1, Institutional

(A) *Purpose.* The Institutional District is designed to protect and facilitate use of property owned by larger public institutions and church related organizations.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
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 26	Multi-family dwellings
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and Area Regulations.* None.

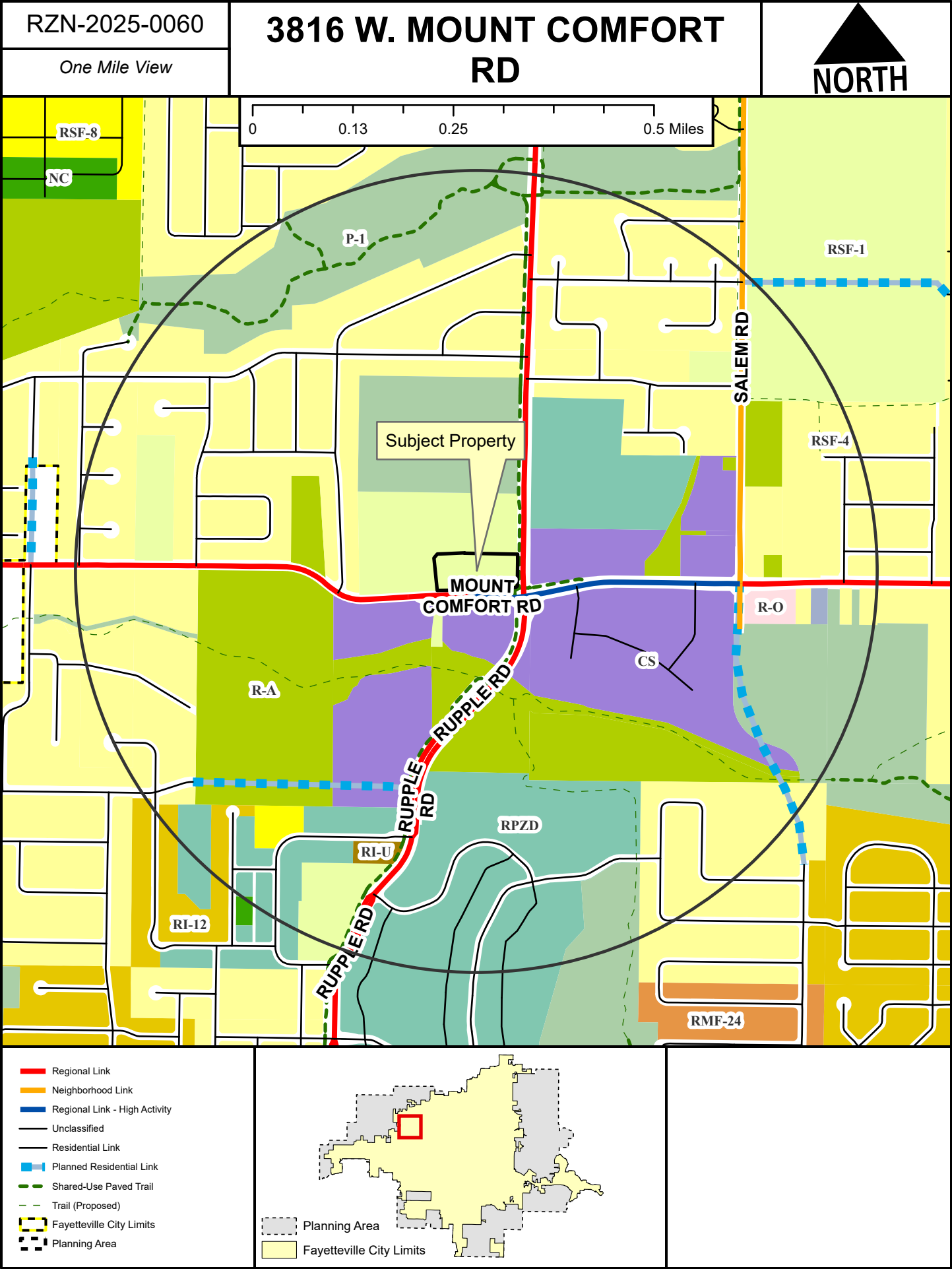
(E) *Setback Regulations.*

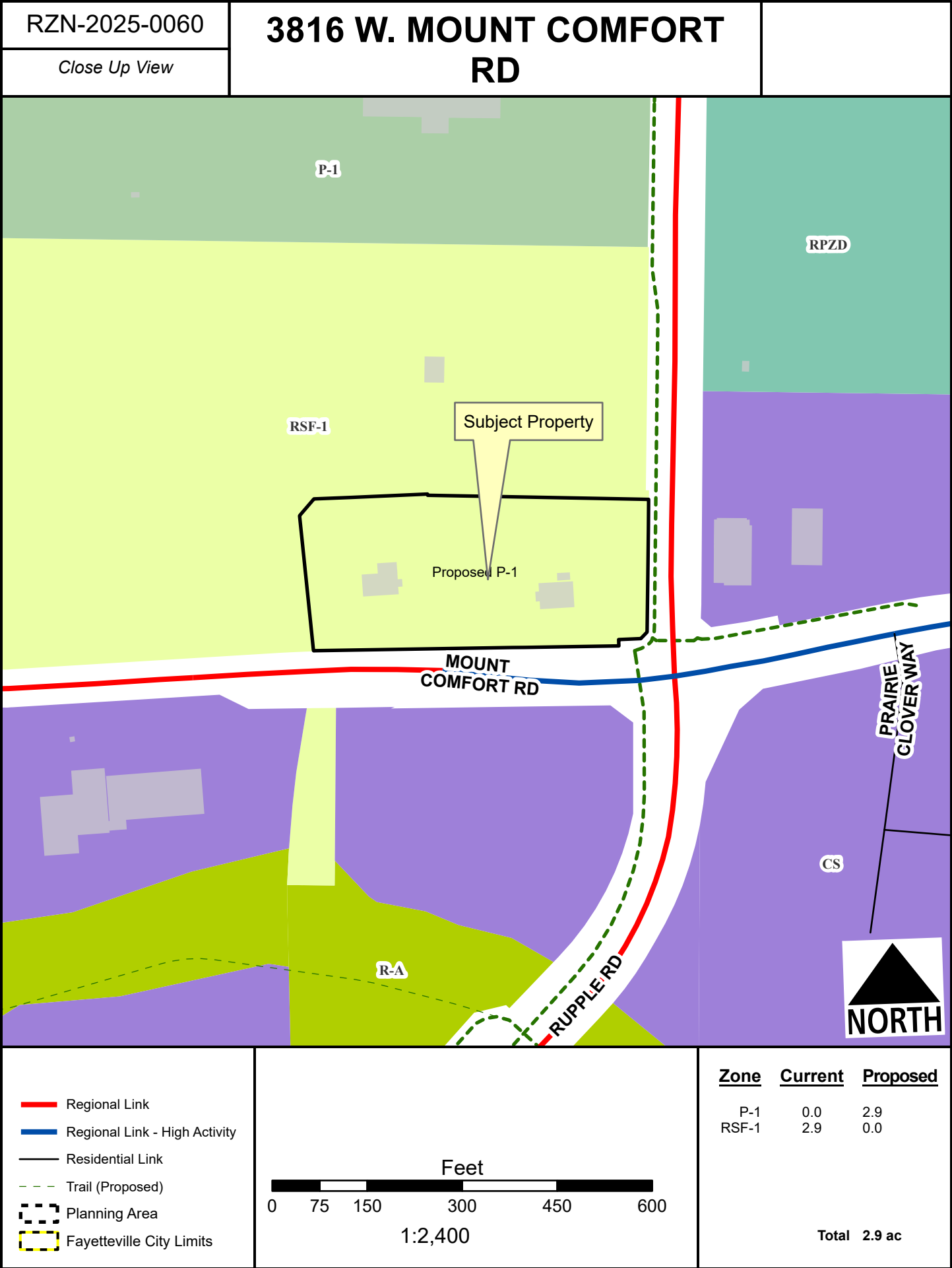
Front	30 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Side	20 feet
Side, when contiguous to a residential district	25 feet
Rear	25 feet
Rear, from center line of public alley	10 feet

(F) *Height Regulations.* There shall be no maximum height limits in P-1 Districts, provided, however, if a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

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

(Code 1965, App. A., Art. 5(XI); Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.042; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5073, 11-06-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5800, §1(Exh. A), 10-6-15; Ord. No. 5945, §§5, 7, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6245, §2, 10-15-19; Ord. No. 6521, §8, 1-18-22)

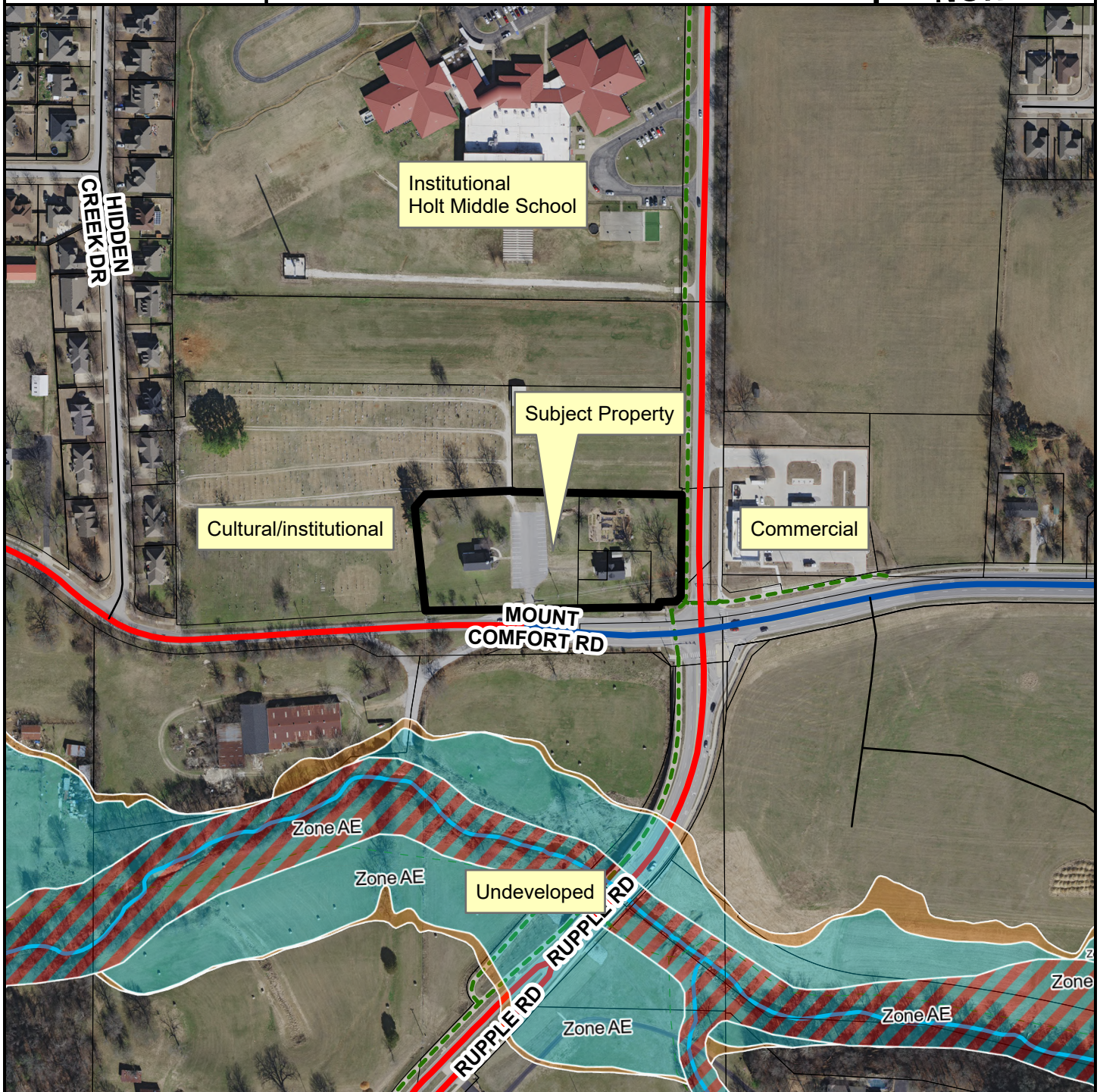




RZN-2025-0060

3816 W. MOUNT COMFORT RD

Current Land Use

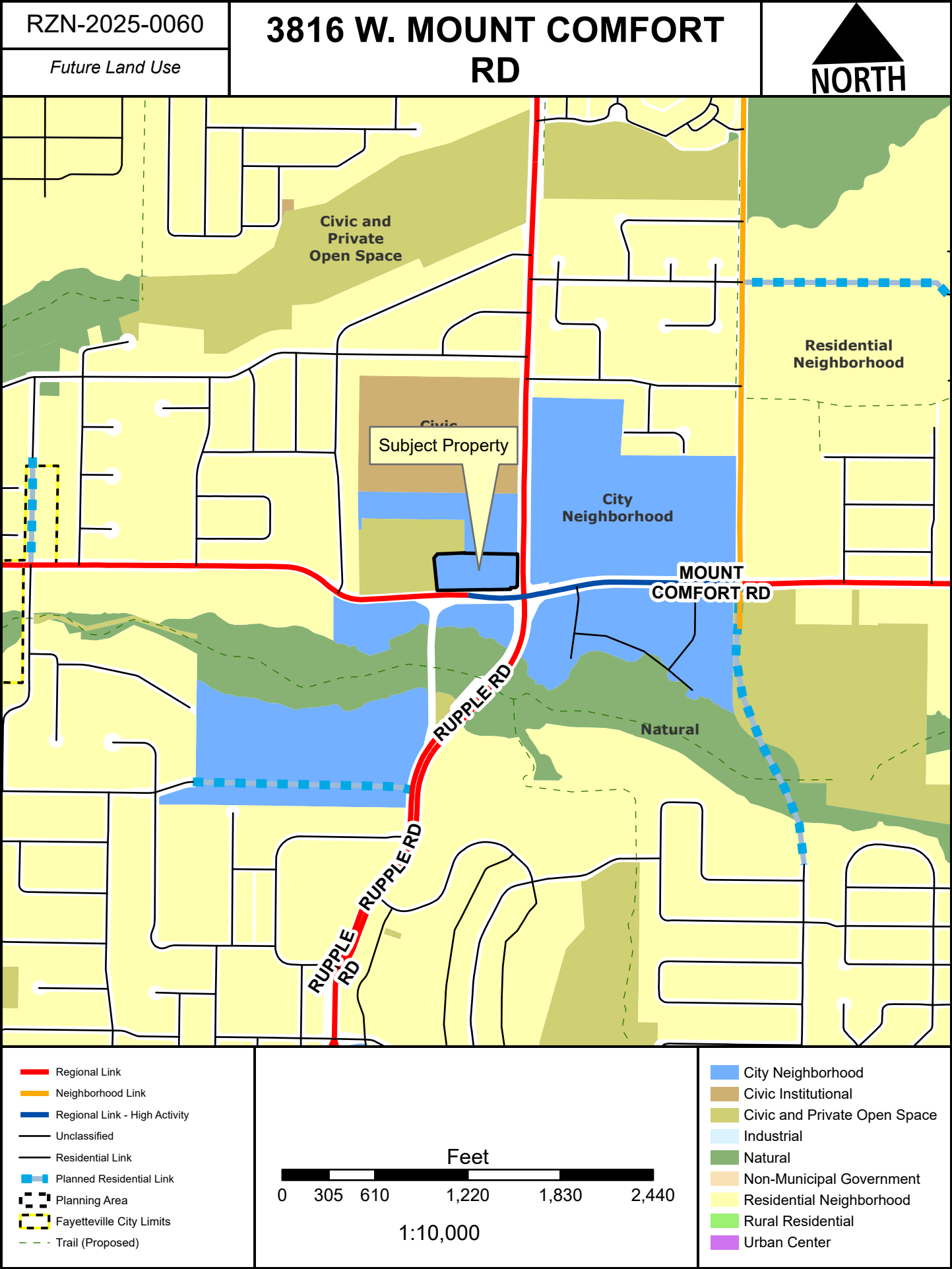


- Regional Link
- Regional Link - High Activity
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



City of Fayetteville
125 W Mountain Street
Fayetteville, AR 72701

Attn: Fayetteville Planning Office

Re: Property Owner Authorization

Rezoning Request of Church Property

Parcels: 765-24059-000, 765-24060-000, 765-24065-000, 765-24066-000

To Whom it May Concern:

Mt. Comfort Presbyterian Church authorizes Dorothy Ashworth, Representative to request rezoning of the above referenced Parcels from RSF-1, Residential Single Family 1 unit per acre to P-1, Institutional Use. City of Fayetteville Annexed our property into the City Limits in 2004. Please note existing Church & School House

Regards,

A handwritten signature in black ink, appearing to read "Lisa Craymes". The signature is fluid and cursive, with the first name "Lisa" and last name "Craymes" clearly distinguishable.

Lisa Craymes, Clerk of Session

Mt. Comfort Presbyterian Church

3816 W. Mt. Comfort Road

Fayetteville, AR 72704

(479) 442-0059

10/27/2025