

**Special City Council
Meeting Minutes
June 11, 2002**

A special meeting of the Fayetteville City Council was held on June 11, 2002 at 5:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

PRESENT: Mayor Coody, Aldermen Thiel, Young, Marr, Bechard, Davis, Santos, Jordan, and Reynolds, Interim City Attorney Kit Williams, City Clerk Heather Woodruff, Staff, Press and Audience.

Mayor Coody called the meeting to order.

PLANNING COMMISSION APPEAL: An appeal of a Planning Commission decision regarding Conditional Use 02-14 for the Fayetteville School District to allow an additional 18 parking spaces.

Dr. Bobby New, Fayetteville School District Superintendent: Thank you for hearing this appeal on short notice. I think you all are aware of issues in general. Let me point out a little bit of history, on May 28th the Fayetteville Planning Commission approved by a vote of 5 to 1 a large scale development request made by the Fayetteville School District. The request was made due to changes necessary to accommodate the University of Arkansas' move to widen Garland from North Street to Maple. I looked back on my calendar and the history of this project began on January 27, 1999 when the school district was invited to a meeting with the City, State Highway Department, and University of Arkansas to discuss the widening project. We are here to appeal the Planning Commissions' decision denying the conditional use request 02-14. The City of Fayetteville Planning Staff recommended approval of this conditional use to the Fayetteville Planning Commission and noted that the Fayetteville School District had complied with the specific rules governing this individual conditional use request. Granting the conditional use will not adversely affect the public's interest. The Planning Department also found that the additional parking requested is generally compatible with adjacent properties and with other property in the district. This is a net decrease and a better organization of parking areas as a result of the changes that will occur as a result of the development. Specifically, the school district is asking for your approval to reduce our current number of parking spaces from 71 to 61. The Commission wants us to reduce the 61 by 18 more spaces giving us a total of only 43 spaces at Leverett. However, we have 50 faculty and staff members assigned to the Leverett Elementary School, so you can see we would have to initiate a parking deck. It would be impractical for us to move forward with this project knowing on the front end that we had a limited amount of parking space, in fact a number less than the faculty over there. We absolutely project that the School is going to grow and it will add faculty and parking. What we are asking you to do is agree with us to reduce from 71 to 61 and not any further because of the necessity of faculty and staff and not to mention parents. What I would like to do tonight with your permission is call Mike Gray up here. He is the current Superintendent of Farmington on loan tonight to the Fayetteville School District. He will answer technical questions that you might

have about the parking spaces, how we arrived at 61 where the 71 are, and exactly what other questions you might have in a technical nature. We also have our engineer here. Mr. Gray will be followed by Ms. Jenny Davis who is currently President of our PTO at Leverett.

Mike Gray, Superintendent of Farmington Schools: I was not involved on the planning process of this project. I have spent several hours with the school people, the engineer, and Roy Carr in going over this plan, how it was developed and the lengthy process that they went through in coming about with the plan that was presented before the Planning Commission. The need for parking spaces, it is just obvious that we need to be able to let our faculty and staff park. We have active parent volunteer programs, we have special need students that have outside professionals come in and sometimes work with students on special needs, and we just need parking. I'll be glad to answer any question that I can, if not, our School Maintenance Supervisor is here who was very active in the Development of this plan and our engineer is here.

Alderman Marr: On the plan that you have there are 70 spaces prior to this change and you are going to 61. You might understand that 52 are in this bottom lot to get to the 61 and 9 are in this lot off of Cleveland Street. There are two handicap spaces that are shown in an existing parking lot.

Mike Gray: I think there are 50 in the bottom and the two that you mentioned the handicap parking.

Alderman Marr: How many additional spaces are in the lot where the handicap spaces are shown that are not marked on this particular plan?

Mike Gray: During the School day, my understanding is that it is not a parking area, that is a play area and it's not used as parking.

Alderman Marr: Are there marked parking spaces in that lot and how many?

Mike Gray: 26.

Alderman Marr: What was the rational for not using that lot? The reason I'm asking is there are 50 in the bottom lot, 9 on the new lot off of Cleveland, and then there are these two that are shown in here, but a total of 27 spaces in there. What was the rational of eliminating the 27 lot and adding the 9 lot? Why did you do that when this will still be there?

Mike Gray: My understanding is that is a play area. It is not used for parking during a school day at all.

Alderman Marr: Even currently?

Mike Gray: Well, during school hours.

Alderman Young: Is it used as a drop off area first thing in the morning?

Jenny Davis, PTO President: First I would like to clarify exactly where we are talking about. That is a play area and it is also a delivery area because it is connected to the cafeteria where our milk is dropped off in the morning along with cereal.

Alderman Marr: That parking area is only used during precinct voting?

Jenny Davis: We do try to rope it off on those days so it can be used for parking on voting days so that it can be available for voters when they drive up. There is not any other parking available so we keep the children off of that area, on other days it is used for a playground area.

Alderman Marr: I guess my question is back to your original plan design when you looked at this, was there a reason that in your design rather than build a new 9 space lot off of Cleveland, was there any consideration given to using those 27 spaces or however many are marked in there and not having the new 9 space lot built in this plan? In essence it would allow you to have more parking without more concrete.

Jenny Davis: My understanding is with the building of the Boulevard coming up and the space that it would take up in coming over into that area that would affect that.

Fred Turrentine, Director of Maintenance for Fayetteville Schools: The parking lot in question has not been used for daytime parking in the last six years. It is a playground we are landlocked and anytime we have rather wet grounds, our kids play basketball in that area and that is one of the few areas. We rope off just a tiny little end of it on the Garland side so a milk truck and food service can be delivered. That marked off area stays that way all of the school day. Now when we have PTA, Halloween Carnivals, or things at night, we do use that occasionally but never in the daytime. That is a recess, play area, and a P.E. area and it's one of the few we have. If we give up the 19 spaces on Garland we will lose our lower playground to have to make parking. It is detrimental to the playground area.

Alderman Marr: You are getting a new parking lot area on the Hall Street side to be used as playground area and not parking?

Fred Turrentine: The small parking lot on Hall Street is coming out and that will be a soccer area since we are losing the soccer field to that lower parking lot so all of what was Mrs. Browns' property becomes a green area for kids to play in. The current lot that's on Hall Street, we're going to take the asphalt out of and that is the only place we have for a soccer area for kids.

Alderman Young: Right now it looks like you are just matching the existing pavement is that correct or is this the new alignment or new road at Garland?

Fred Turrentine: No we weren't trying to match, that is a new design. By improving esthetically and putting a boulevard and our ten foot walking trail that can certainly be utilized by our kids. That is a new design and we are not utilizing any of the old. Those are taken directly off of the highway departments drawings to enter the parking area.

Speaker: Not exactly, right now we're matching the existing pavement. I just received some cross sections from the Highway Department because I haven't received their plans yet. They are the ones who are going to fix all that.

Alderman Young: Your detention pond down here, I guess it's releasing on to somebody else, is that correct?

Speaker: Yes that is correct.

Alderman Young: It's not going to be detrimental or anything like that?

Speaker: No we have a letter from the downstream property owner accepting it.

Alderman Young: I only have one other question at this time. Originally the staff recommended the approval of the condition based on the following conditions and in particular the ADA. I was wondering if you were still in agreement with these conditions for approval of the extra parking lot.

Dr. Bobby New: Mr. Young, we met this afternoon with City Staff; Mr. Conklin and Hugh Earnest; and I'm assuming that we are all in accord with those agreements. I did not hear a problem or haven't heard a conflict between us and the City on those.

Alderman Davis: Right now you have two curb cuts for the new parking area. Then it appears where the old curb cut was, which was kind of at the northern end of the building, is that going to be a continuous curb cut there?

Dr. Bobby New: Yes, we discussed that at length this afternoon in a subsequent meeting with the City and the Mayor earlier. Let me call back the engineer and make sure that he can explain that in technical terms.

Speaker: One is considered by the Highway Department as one opening, it's just one curb cut with a landscape island. We had to do it that way in order to get the buses in because they take such a large radius to turn.

Alderman Santos: Go south a little bit here. I think Bob is asking about where the existing curb cut is to access that rectangular blacktop playground parking area, what's that cut going to be like? It's not shown on the plan.

Speaker: That is going to be the Highway Departments' decision on what they do.

Alderman Davis: That would be the intersection of Cleveland and Garland right up here by the stop light. Right now you have the curb cut, that's what I'm talking about.

Speaker: The pull off area?

Alderman Davis: Yes.

Speaker: That will all be a street, that's gone.

A discussion followed on where the curb cut would be made.

Mayor Coody: What other questions does the Council have?

Alderman Marr: I think that one of my biggest concerns was 3 curb cuts across a trail. Quite frankly, as soon as the Planning Commission approved the LSD I think they took out of our hands an issue of addressing a curb cut. You are only looking at a parking number count. I think I do remember from the meetings with the Highway Department that there was a lot of discussion that the reason the trail was important was for safety for bicyclers and pedestrians. Obviously I don't personally like seeing three automotive curb cuts across a trail, but since that's not something that we can really address in this appeal that's on the number of parking spaces; I think it's kind of out of our hands.

Mayor Coody: Everything has been approved except the number of parking spaces right?

Alderman Santos: People have asked me to appeal the Large Scale Development and the mistake the Planning Commission made was approving Large Scale Development with those parking spaces and not the additional parking spaces which is actually a reduction in parking spaces. I've spent a lot of time over the last week; I've met with a lot of people and the Planning Commissioners who voted against it. We tried to come up with the best solution that we could. Tearing up the Hall Avenue lot is kind of an expensive solution to pacify a few noisy neighbors and really it's a big waste of the Schools money to replace that lot. We looked at changing the Cleveland bus pull in, rather than have an island to protect the buses where they pull in on the south side of the school, and we tried to come up with a way to redesign that with pedestrian peninsulas coming out at the crosswalks in a protected kind of cove there for the sick child pick up. The three common complaints that I heard was that the school was not treated the same as a private developer would have been treated. I think the way that I feel about that is the school isn't the same as a private developer, this is not a proposal that is being proposed by a private developer, this is the schools response to unavoidable circumstances of not only the Highway Department widening the highway but the City wanting to have a landscape median in that highway and 10 foot bicycle trail which cuts the school back with even less room to work with. The project is probably as good as we can get it. The other complaint of the Planning Commissioners who voted against it was the loss of the trees on the south side for that Cleveland pull in; I think that's just unavoidable. The big complaint that the Planning Commissioners had was those 3 curb cuts across that sidewalk. I spent some time with Tim Conklin and we both looked at the idea of trying to funnel the one way in, circle one way out parking lot drive through to funnel them into one. Then what you get is a great big giant curb cut instead of two smaller curb cuts which I think is more unsafe. The idea for putting that tree line median aside for esthetics is that gives you a little pedestrian haven out there. You make it across two lanes of traffic and it's a safe place to stand before you go again so the two separate curb cuts kind of give you the same effect. Another response to the tree issue is the Council got copies of plans for the University's Northwest Quad Project, which the Board of Trustees has already approved, the sale of bonds for it will be proceeding soon and you can see we are going to be adding a lot

more trees and a lot more green space to this area. I know we worked on this plan and I really wanted to try to come up with some way to improve this but I really just can't do it. I think we should just approve the parking waiver which is after all a reduction in the amount of parking that is there now, and it will be an increase in the amount of green space that's there now and the amount of play space for the kids. I wish I could come up with some suggestions, if I had a reason to appeal the large scale development that was legitimate I would, but I don't think I have a legitimate reason to appeal that and I think we should approve the parking waiver.

Mayor Coody: What other comments do we have from the Council?

Alderman Santos moved to approve the parking waiver. Robert Reynolds seconded.

Alderman Young: Would you entertain a little more to that motion and also include the staff recommendations and the original proposals, especially for the ADA requirements?

Alderman Santos moved to amend the motion to adhere to the three conditions requested by the Planning Staff. Alderman Reynolds seconded.

Alderman Santos: Another thing we discussed was handicap access. Leverett does not have an elevator and its two levels. You access the lower level from the lower parking lot and that's handicap accessible. The new parking lot on Cleveland Street will have direct Handicap access to a ramp to what's going to be the new main entrance at the south of the school. I think that will be taken care of.

Mayor Coody: We have a motion and a second to approve this with the addition of the handicap spaces. Is anyone from the public who would like to speak? Seeing none I'll bring it back to the Council. We have a motion and a second, shall the motion pass?

Upon roll call the motion passed unanimously.

Resolution 92-02 As Recorded In The Office Of The City Clerk.

Meeting Adjourned at 6:00 p.m.