

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8267



Planning Commission Final Agenda

Monday, March 23, 2026

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: 839 3758 7467

Registration Link: https://fayetteville-ar.zoom.us/webinar/register/WN_t0e_csrYTtKJas8NMmvdnQ

Call to Order

Roll Call

Consent

1. MINUTES:

Approval of the minutes from the March 9, 2026 Planning Commission Meeting. - Mirinda Hopkins, Development Coordinator

2. VAR-2026-0006: Planning Commission Variance (18, 20, & 22 E. CENTER ST/BELDEN, 484):

Submitted by MBL ARCHITECTURE for property located at 18, 20, & 22 E. CENTER ST. The property is zoned DC, DOWNTOWN CORE and contains approximately 0.18 acres. The request is for a variance to the building design standards. - Donna Wonsower, Senior Planner

3. VAR-2026-0007: Planning Commission Variance (700 S. CHURCH AVE/NELSON & MCCARTY, 523):

Submitted by ENGINEERING SERVICES INC for property located at 700 S. CHURCH AVE. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.38 acres. The request is for a variance to lot frontage requirements. - Citlali Samano, Planner

4. LSD-2026-0002: Large Scale Development (1722 N. STARR DR/ST JOSEPH CATHOLIC CHURCH , 373):

Submitted by CRAFTON TULL for property located at 1722 N. STARR DR. The property is zoned P-1, INSTITUTIONAL and contains approximately 11.32 acres. The request is for a 18,634-square-foot church with associated parking. - Citlali Samano, Planner

Unfinished Business

5. RZN-2026-0003: Rezoning (NORTH & SOUTH OF W. CATALPA DR & S. RUPPLE RD/DUDECK, 556):

Submitted by JORGENSEN & ASSOCIATES for property located NORTH & SOUTH OF W. CATALPA DR & S. RUPPLE RD. The property is zoned UT, URBAN THOROUGHFARE, CS, COMMUNITY SERVICES, and NC, NEIGHBORHOOD CONSERVATION and contains approximately 13.59 acres. The request is to rezone the property to UT, URBAN THOROUGHFARE, CS, COMMUNITY SERVICES, and R-A, RESIDENTIAL-AGRICULTURAL.

THIS ITEM WAS TABLED AT THE MARCH 9, 2026 PLANNING COMMISSION MEETING. - Donna Wonsower, Senior Planner

New Business

6. LSD-2025-0019: Large Scale Development (SOUTH OF N. MARKS MILL LN & NORTH OF E. ASH ST/RAMAY JR HIGH, 368):

Submitted by CRAFTON TULL for property located SOUTH OF N. MARKS MILL LN & NORTH OF E. ASH ST. The property is zoned P-1, INSTITUTIONAL and contains approximately 26.7 acres. The request is for an approximately 150,000 sq. ft. junior high school with associated track and parking. - Jessica Masters, Planning Director

7. ADM-2026-0005: Administrative Item (W. BUCKAROO ST/TOWNE WEST PH 9, 516):

Submitted by ESI for property located on W. BUCKAROO ST. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 15.86 acres. The request is to amend a previously-approved plat. - Donna Wonsower, Senior Planner

8. CUP-2026-0004: Conditional Use Permit (NORTH OF 215 S. BLOCK AVE/TANGLEWOOD ASSETS I LLC, 523):

Submitted by MCCLELLAND CONSULTING ENGINEERS for property located NORTH OF 215 S. BLOCK AVE. The property is zoned DG, DOWNTOWN GENERAL and contains approximately 0.21 acres. The request is for an accessory dwelling unit in conjunction with a cluster housing development. - Donna Wonsower, Senior Planner

9. CUP-2026-0006: Conditional Use Permit (3502 W. PROVIDENCE DR/BAUER, 479):

Submitted by NICHOLAS BAUER for property located at 3502 W. PROVIDENCE DR. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 0.14 acres. The request is for the use of a short-term rental in a residential zoning district. - Wesley Frank, Planner

10. CUP-2026-0007: Conditional Use Permit (2840 N. BOXWOOD DR/RICHARDSON, 254):

Submitted by SCOTT RICHARDSON for property located at 2840 N. BOXWOOD DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.23 acres. The request is for the use of a short-term rental in a residential zoning district. - Citlali Samano, Planner

11. RZN-2026-0006: Rezoning (620 S. CROSSOVER RD/SMALL FISH INVESTMENTS, 527):

Submitted by SWOPE CONSULTING for property located at 620 S. CROSSOVER RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRES and contains approximately 2.46 acres. The request is to rezone the property to UT, URBAN THOROUGHFARE. - Citlali Samano, Planner

12. RZN-2026-0007: Rezoning (325 S. WASHINGTON AVE/S&L DEVELOPMENT LLC, 524):

Submitted by ODYSSEY ENGINEERING for property located at 325 S. WASHINGTON AVE. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.30 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN. - Citlali Samano, Planner

13. RZN-2026-0008: Rezoning (1683, 1691 & 1705 N. GARLAND AVE/TRI CYCLE FARMS INC, 365):

Submitted by ALLIE WILSON for property located at 1683, 1691 & 1705 N. GARLAND AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains 3 lots with approximately 2.10 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN - Donna Wonsower, Senior Planner

Items Administratively Approved by Staff

14. LSP-2025-0053: Lot Split (249 E. ROCK ST/DAVIS, 524):

Submitted by BATES & ASSOCIATES for property located at 249 E. ROCK ST. The property is zoned UN, URBAN NEIGHBORHOOD and contains two lots with 0.35 and 0.11 acres. The request is to split the properties into three lots containing approximately 0.21, 0.09 and 0.17 acres. - Jessica Masters, Planning Director

15. LSP-2026-0009: Lot Split (2040 N. EASY AVE/GUNNISON RENTALS LLC, 367):

Submitted by ENGINEERING SERVICES INC for property located at 2040 N. EASY AVE. The property is zoned NS-G, NEIGHBORHOOD SERVICES-GENERAL and contains 0.25 acres. The request is to split the property into two lots containing 0.12 and 0.12 acres. - Wesley Frank, Planner

Agenda Session Items**16. Planning Commission Nominating Committee:**

Matthew Cabe
Mary Madden
Andrew Brink

Slate of Candidates:

Nick Werner - Chair
Andrew Brink — Vice Chair
Ashlyn Holeyfield - Secretary

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, 03/09/2026				
Time:	5:30 PM					
Staff:	<input type="checkbox"/> Jonathan Curth <input checked="" type="checkbox"/> Jessie Masters <input checked="" type="checkbox"/> Donna Wonsower <input checked="" type="checkbox"/> Wesley Frank <input checked="" type="checkbox"/> Citlali Samano <input checked="" type="checkbox"/> Willa Thomason <input type="checkbox"/> Bethany Douglas <input type="checkbox"/> Britin Bostick <input type="checkbox"/> Kylee Cole <input type="checkbox"/> Chris Brown <input checked="" type="checkbox"/> Justin Bland <input type="checkbox"/> Melissa Boyd <input type="checkbox"/> Dayten Moses <input type="checkbox"/> Alan Pugh <input checked="" type="checkbox"/> Fire Marshal					
	Roll Call	1) Minutes (02/23/2026)	2) VAR-2026-0004 (WELL PLACED INC)	3) VAR-2026-0005 (MADVILLE LLC)	4) PPL-2026-0001 (TABA20 LLC)	5) CCP-2026-0001 (MAGNOLIA PARK)
Cabe	1	Recuse	Recuse	Recuse	1	Recuse
Payne	1	1	1	1	1	1
Brink	1	1	1	1	1	1
Madden	1	1	1	1	1	1
McGetrick	1	Recuse	Recuse	Recuse	1	Recuse
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
Agenda		Consent	Consent	Consent	New	Consent
Action		Approve	Approve	Approve	Approve	Approve
Motion By		Madden	Madden	Madden	Werner	Madden
Motion 2nd		Castin	Castin	Castin	Cabe	Castin
Vote		7-0-2	7-0-2	7-0-2	9-0-0	7-0-2
Time		5:35 PM	5:35 PM	5:35 PM	5:46 PM	5:35 PM
Motion Detail					With all conditions as recommended by staff, including Dinsmore Trail.	
Public Comment		0	0	0	2	0

(pg. 2) Planning Commission			Monday, 03/09/2026			
	6) CCP-2026-0003 (ROCK & LOCUST LLC)	7) CUP-2025-0046 (ASHWOOD TOWNHOMES LLC)	8) LSD-2025-0012 (ASHWOOD TOWNHOMES LLC)	9) LSD-2025-0019 (RAMAY JR HIGH)	10) VAR-2026-0006 (BELDEN)	11) PPL-2025-0005 (LIERLY SUBDIVISION)
Cabe	Recuse	1				Recuse
Payne	1	1				1
Brink	1	1				1
Madden	1	1				1
McGetrick	Recuse	1				Recuse
Castin	1	1				1
Werner	1	1				1
Holeyfield	1	1				1
Gulley	1	1				1
Agenda	Consent	Old	Old	Old	New	New
Action	Approve	Table	Withdrawn	Withdrawn	Withdrawn	Approve
Motion By	Madden	Werner				Gulley
Motion 2nd	Castin	Gulley				Werner
Vote	7-0-2	9-0-0				7-0-2
Time	5:35 PM	6:09 PM				6:41 PM
		Indefinitely	CUP was Tabled.			With all conditions as recommended by staff.
Public Comment	0	0				5

(pg. 3) Planning Commission		Monday, 03/09/2026				
	12) LSD-2025-0022 (BAXTER)	13) CUP-2026-0001 (PATHWAY BAPTIST CHURCH)	14) CUP-2026-0002 (PATHWAY BAPTIST CHURCH)	15) CUP-2026-0003 (MCDONALD'S)	16) CUP-2026-0004 (TANGLEWOOD ASSETS I LLC)	17) CUP-2026-0005 (BRETTEL)
Cabe	1	1	1	1		1
Payne	1	1	1	1		1
Brink	1	1	1	1		1
Madden	1	1	1	1		1
McGetrick	1	1	1	1		1
Castin	1	1	1	1		1
Werner	1	1	1	1		1
Holeyfield	1	1	1	1		1
Gulley	1	1	1	1		1
Agenda	New	New	New	New	New	New
Action	Approve	Approve	Approve	Approve	Withdrawn	Approve
Motion By	Castin	Payne	Payne	Werner		Werner
Motion 2nd	Cabe	Cabe	Cabe	Payne		Caston
Vote	9-0-0	9-0-0	9-0-0	9-0-0		9-0-0
Time	6:47 PM	6:52 PM	6:55 PM	7:05 PM		7:14 PM
Motion Detail	With all conditions as recommended by staff.	With all conditions as recommended by staff.	With all conditions as recommended by staff.	With all conditions as recommended by staff.		With all conditions as recommended by staff.
Public Comment	0	0	0	0		0

	18) RZN-2026-0003 (DUDECK)	19) RZN-2026-0004 (APOGEE INVESTMENTS LLC)				
Cabe	1	1				
Payne	1	1				
Brink	1	1				
Madden	1	1				
McGetrick	1	1				
Castin	1	1				
Werner	1	1				
Holeyfield	1	1				
Gulley	1	1				
Agenda	New	New				
Action	Table	Forward				
Motion By	Cabe	Madden				
Motion 2nd	Payne	Werner				
Vote	9-0-0	9-0-0				
Time	7:15 PM	7:19 PM				
Motion Detail	Until the March 23, 2026 Planning Commission Meeting.	With a recommendation of approval.				
Public Comment	0	0				



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: March 23, 2026

SUBJECT: **VAR-2026-0006: Planning Commission Variance (18, 20 & 22 E. CENTER ST / 18/20 EAST CENTER LLC, 484):** Submitted by MBL ARCHITECTURE for property located at 18, 20 & 22 E. CENTER ST. The property is zoned DC, DOWNTOWN CORE and contains approximately 0.18 acres. The request is for a variance to building design standards.

RECOMMENDATION:
Staff recommends approval of **VAR-2026-0006**.

RECOMMENDED MOTION:
"I move to approve VAR-2026-0006, determining:

- *In favor of a variance to UDC §166.21(D)(2)(a)(i) Depth, and*
- *In favor of all other conditions as recommended by staff."*

BACKGROUND:
The subject property is located in central Fayetteville approximately 260 feet east of the Fayetteville Square. The subject property includes three parcels totals 0.18 acres, which received their current zoning designation of DC, Downtown Core, through a staff-initiated rezoning associated with the implementation of the Downtown Master Plan in 2006. A building permit has been approved which proposes renovations to the existing vacant commercial spaces on the first floor and the creation of a condo residential unit on the second floor (COMM-2024-0029). A general utility easement in the rear of the property was partially vacated earlier this year to permit a building footprint expansion in association with this permit (VAC-2025-0033). Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	City Parking Deck	DC, Downtown Core
South	Restaurants and Retail	DC, Downtown Core
East	Offices and Retail	DC, Downtown Core
West	U of A Global Campus	DC, Downtown Core

Request: The applicant is requesting a variance from Unified Development Code §166.21(D)(2)(a)(i), which requires colonnades and arcades to maintain a minimum depth of 8 feet from the principal façade to the inside of the column face, as well as requiring columns to be set back 18 inches from the outside of the column face to the back of the curb. The applicant is

requesting variance approval to allow a lesser minimum depth from the principal façade in order to meet the minimum curb separation requirement.

DISCUSSION:

Variance: §166.21(D)(2)(a)(i), Depth. 8 feet minimum from the principal façade to the inside of the column face. Columns must be set back 18 inches from the outside of the column face to the back of the curb. The applicant is requesting to vary from this standard to allow a 7'-2" balcony depth where code would require a minimum of 8' of depth.

Staff recommendation: Staff is supportive of the applicant's request. The applicant received building permit approval for extensive modifications to the existing structure, inclusive of the colonnade/balcony addition associated with this request, on September 24, 2024. These plans included the removal of adjacent on-street parking stalls, to be replaced with a larger concrete island. However, upon submission of a ROW permit in early 2026, the city's parking management division was unable to approve the removal of these spaces, citing their high utilization and revenue generation. Accordingly, the applicant and staff reevaluated the current plans based on the existing curb cut locations. Given the existing building façade and curb cut locations, staff finds it is not possible for the columns to meet the required separations distance from both the building facades and the existing curbs. The proposed variance is minimal, and staff finds that meeting the required separation from the curb better meets the intent of code to address public safety. No additional conditions are recommended.

RECOMMENDATION: Staff recommends approval of VAR-2026-0006 with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of a variance to §166.21(D)(2)(a)(i) Depth.** *Staff recommend approval of this variance for the reasons stated above with no added conditions.*
2. Approval of this item does not constitute approval of the associated development entitlement or any necessary permits. Review and approval of separate applications shall be required in accordance with city code.

Planning Commission Action:	<input type="checkbox"/> Approved	<input type="checkbox"/> Tabled	<input type="checkbox"/> Denied
Meeting Date:	<u>March 23, 2026</u>		
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code:
 - §166.21 Downtown Design Overlay District
 - Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Parking Management Memo
 - Applicant Exhibits
 - Request Letter
 - Site Plans
 - Floor Plans
 - Rendering
-

166.21 Downtown Design Overlay District

...

- (D) *Special Building Elements and Appurtenances.* If a building has a marquee, awning, balcony, colonnade, arcade, turret, cupola, porch or stoop then it shall comply with the following regulations:

...

- (3) *Colonnades and Arcades.*

- (a) *Standard.*

- (i) *Depth.* 8 feet minimum from the principal façade to the inside of the column face. Columns must be set back 18 inches from the outside of the column face to the back of the curb.
- (ii) *Height.* 10 feet minimum clear.
- (iii) *Length.* 75—100% of the principal façade.
- (iv) *Underside.* The underside of a colonnade or arcade extending over a sidewalk shall be covered with a solid material and lighting may be required, depending upon the proximity to a street light.

- (b) *Right-of-Way Encroachment.* Colonnades shall only be constructed where the minimum depth can be obtained. Colonnades shall occur forward of the principal façade, and may encroach within the right-of-way, but shall not extend past 18 inches from the back of the curb, in accordance with the building code adopted by the City of Fayetteville.

- (c) *Placement.* Colonnades may replace street trees along their length.

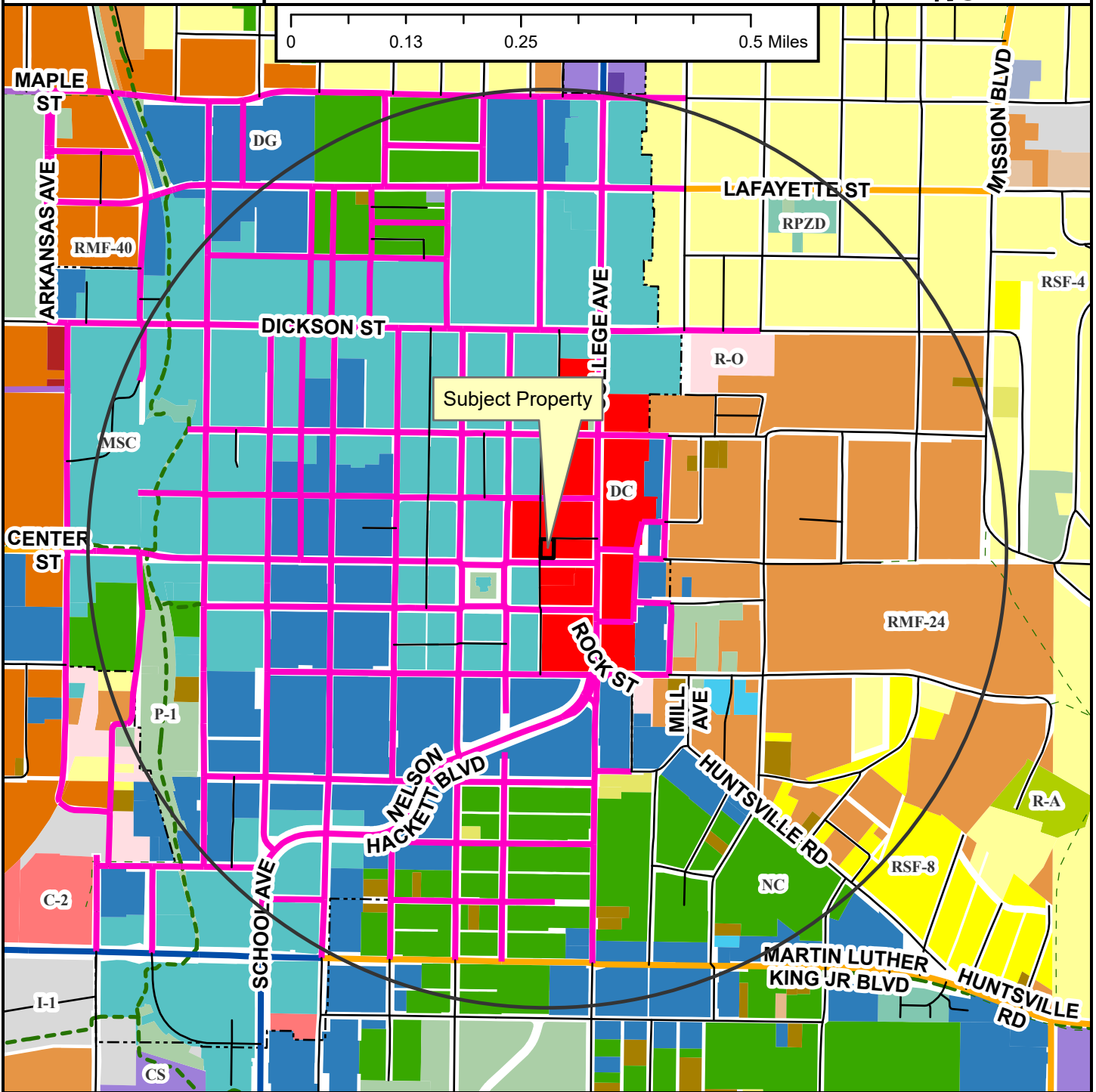
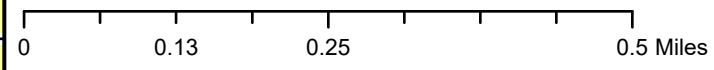
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(Ord. No. 5056, 9-04-07; Ord. No. 5679, 4-15-14; Ord. No. 6017, §1, 12-5-17)

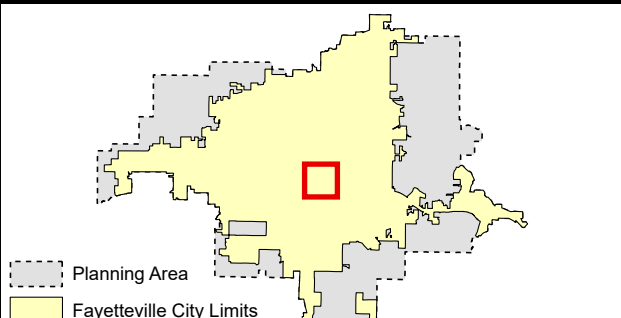
VAR-2026-0006

18, 20, & 22 E. CENTER ST

One Mile View



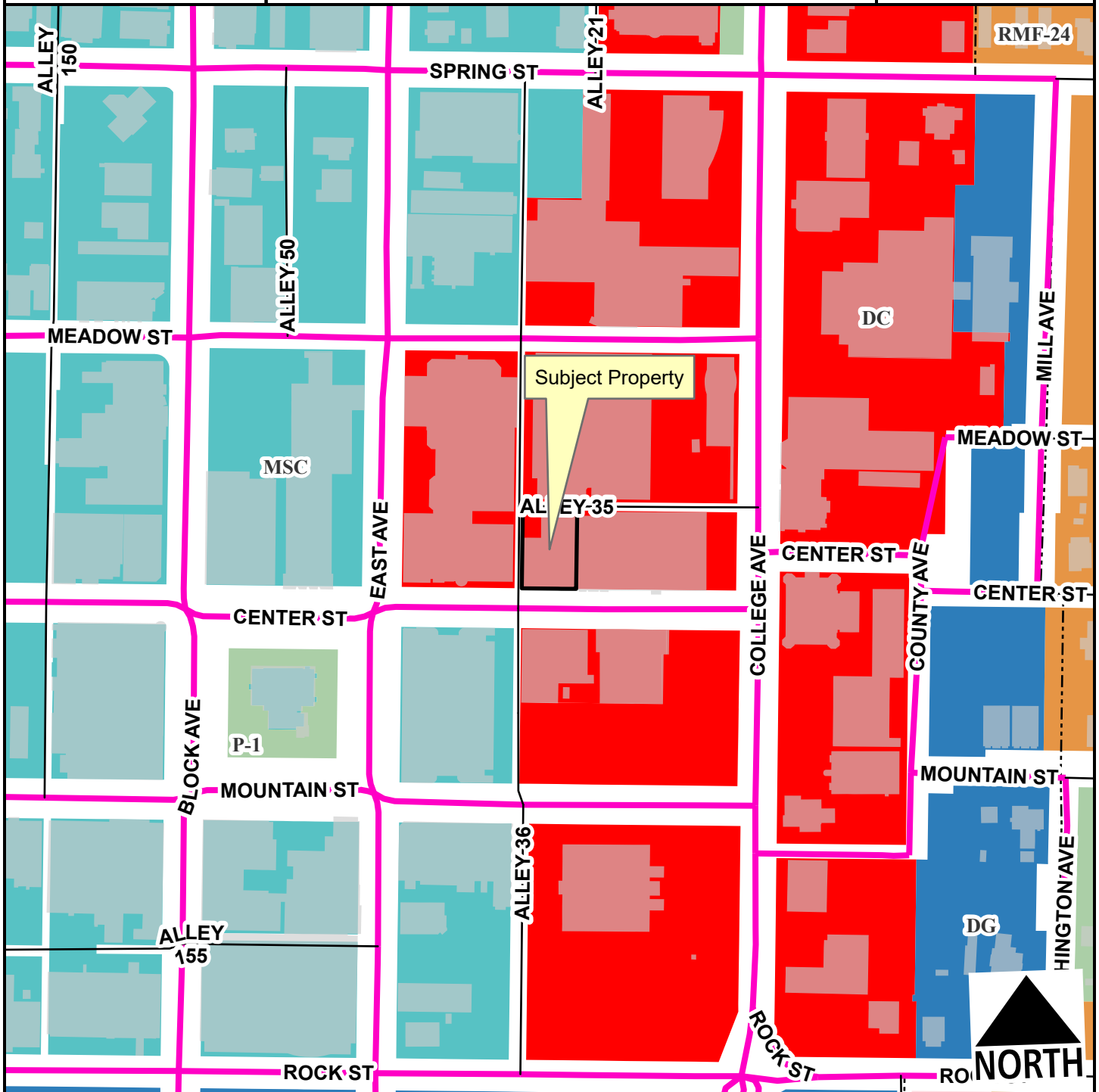
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area









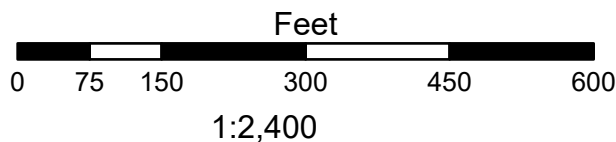
VAR-2026-0006

18, 20, & 22 E. CENTER ST

Close Up View



-  Urban Center
-  Alley
-  Residential Link
-  Planning Area
-  Fayetteville City Limits
-  Design Overlay District

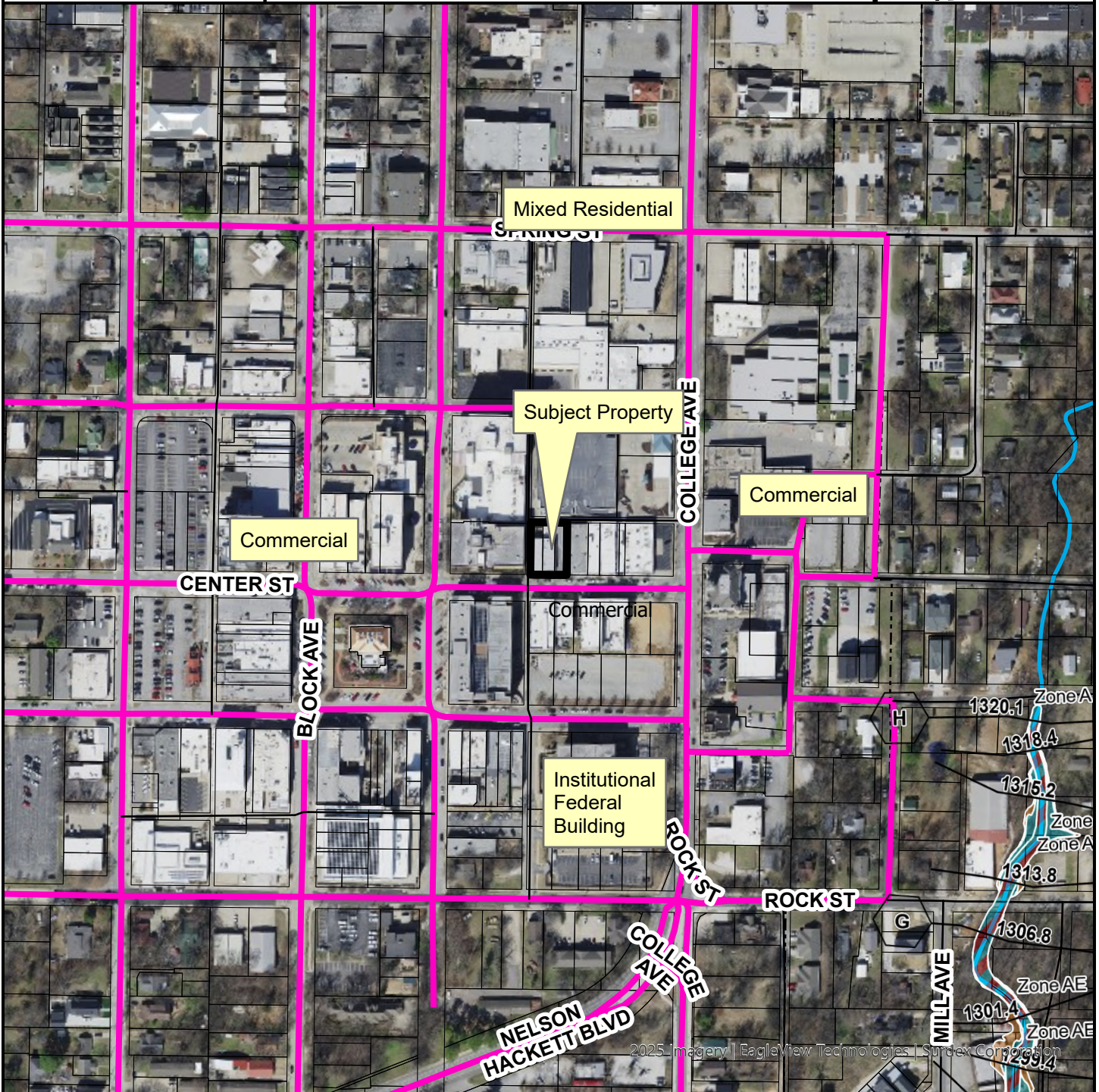


VAR-2026-0006

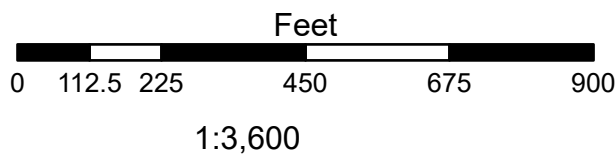
18, 20, & 22 E. CENTER ST



Current Land Use



- Urban Center
- Alley
- - - Residential Link
- Planning Area
- Fayetteville City Limits
- Design Overlay District



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

Wonsower, Donna

From: Clay, Justin
Sent: Friday, February 27, 2026 12:39 PM
To: Wonsower, Donna
Subject: RE: 18 E. Center St - ROW improvements for balcony

Follow Up Flag: Follow up
Flag Status: Completed

Hi Donna,

It is a priority to maximize on-street parking throughout downtown. Not only are the spaces on this particular block of Center Street highly utilized (often times at 100% capacity) but they also generate revenue (approximately \$1,300 annually per space) which is pledged to debt service for the parking revenue bonds that paid for the construction of the Spring Street Parking Deck. Additionally, existing public supply should be maintained when practicable in order to continue to support polices that ensure parking is "right-sized" and that parking is not unnecessarily overbuilt for new development.

Is this sufficient?

Thanks,

Justin Clay
479.575.8277

From: Wonsower, Donna <dwonsower@fayetteville-ar.gov>
Sent: Thursday, February 26, 2026 5:11 PM
To: Clay, Justin <jclay@fayetteville-ar.gov>
Subject: FW: 18 E. Center St - ROW improvements for balcony

Justin,

We have received a request for a variance to some of the Downtown Design standards in relation to the below since the applicant is no longer proposing to remove the parking spaces. Would you be able to provide a short memo that discusses why the parking space(s) cannot be removed to give context for the commission to consider? I'm working on the staff report and would need the memo by next Wednesday. Apologies for the late notice! I'm happy to discuss over the phone if needed.

Donna Wonsower
Senior Planner
Development Services
City of Fayetteville, Arkansas
479-575-8358
fayetteville-ar.gov



Thursday, February 5, 2026

To the chair of the Planning Commission

We are asking for a variance for the attached project's balconies. This need has come about due to a change in the city's decision to reverse the approval of the removal of one parking space in front of our project located at 18, 20, & 22 East Center Street. This approved removal was due to the Fire Department's request to have no parking in front of buildings 18 and 20. Once this request was made, a drivable concrete curb was designed to take the place of the existing island and one parking space in front of buildings 18 and 20. This project was approved by the city and construction of the project started shortly after. The contractor went to pull a permit to start on the new concrete island, and the permit was denied. He was told that the city cannot stand to lose any parking spaces along Center Street.

Our balconies do not meet the UDC 166.21 (D)(2) and (D)(3) code for balconies and colonnades due to the removal of the the concrete island. The code requires a Balcony/Colonnade to have a depth of 8'-0" to the inside of the column face. The columns must be set back 18 inches from the outside of the column face to the back of the curb.

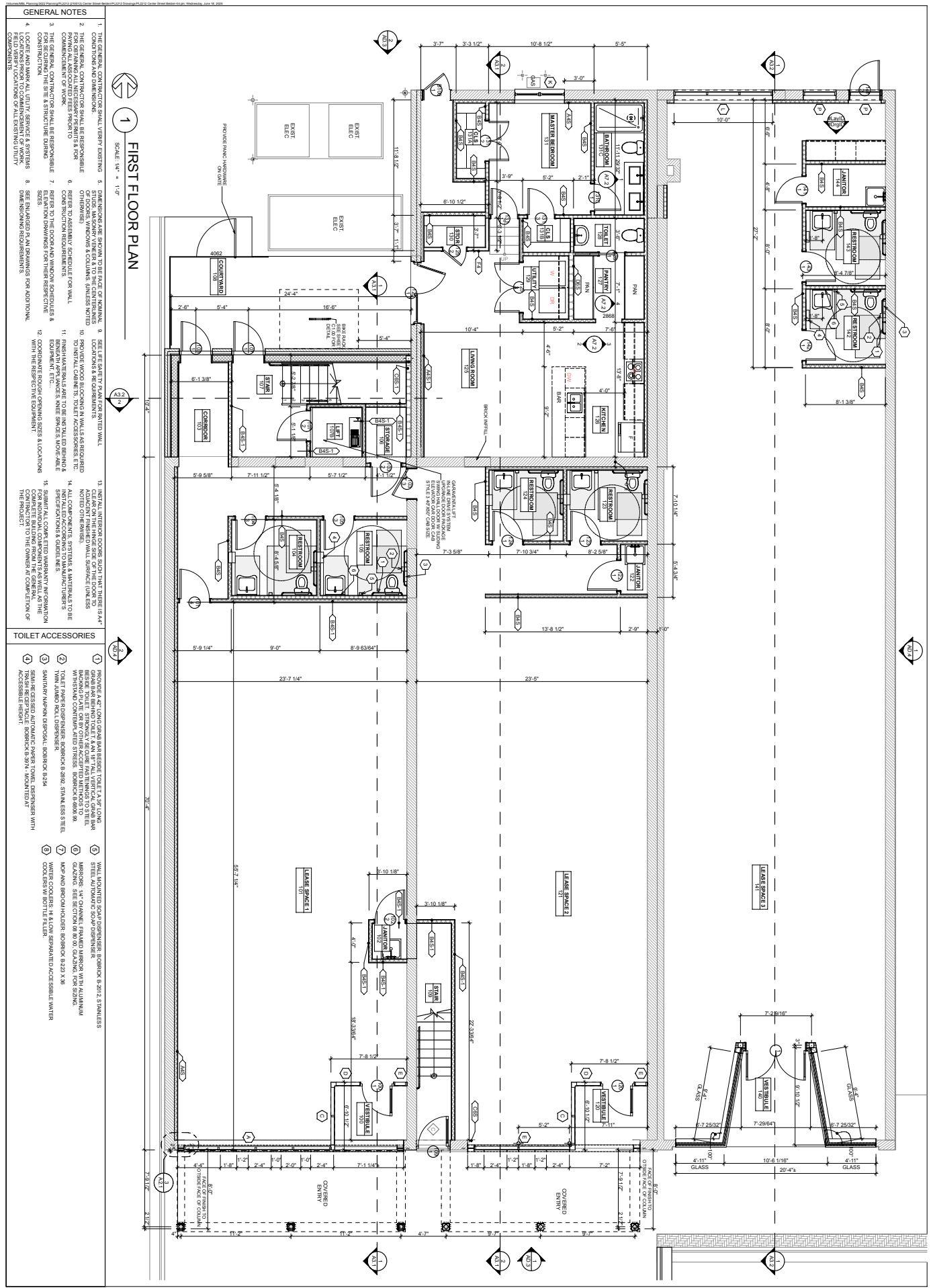
With the concrete island being removed, our columns now encroach on the 18 inch setback while maintaining the 8'-0" depth setback from the principal facade.

Our decision is to reduce the depth of our balconies by 1'-3" to make sure all our columns are behind the 18 inch setback requirement thus making our balconies 7'-2" deep. We are asking for the Planning Department to approve our variance with this change. The owner of these buildings already has a contract for the second floor condo which includes both balconies and this space is well under construction for the new condo owner so you can see the hardship this has brought upon this project. We have attached an updated first floor plan that shows the location of these columns in their new locations in reference to the 18 inch setback requirement. We also have included a copy of the approved site plan and first floor plan that was approved with the concrete island before the city's decision to not allow it.

Thank you for your time,

Robert Fuchs





- GENERAL NOTES**
1. THE GENERAL CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AND DIMENSIONS.
 2. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS & FOR COMMENCEMENT OF WORK.
 3. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE SITE & STRUCTURE DURING CONSTRUCTION.
 4. LOCATION AND MAKE ALL UTILITY SERVICE & SYSTEMS LOCATIONS FROM TO COMMENCEMENT OF WORK. COMMENTARY.
 5. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS & FOR COMMENCEMENT OF WORK.
 6. REFER TO THE GENERAL CONTRACTOR'S SCHEDULE FOR ALL CONTRIBUTION REQUIREMENTS.
 7. REFER TO THE DOOR AND WINDOW SCHEDULES & EXPLANATION DRAWINGS FOR OTHER REQUIREMENTS.
 8. SEE ENLARGED PLAN DRAWINGS FOR ADDITIONAL DIMENSION REQUIREMENTS.
 9. SET OF EACH FLOOR PLAN SHOWN WITH ADJACENT FINISHED WALL SURFACE (UNLESS NOTED OTHERWISE).
 10. PROVIDE WOOD BLOCKING IN WALLS AS REQUIRED TO INSTALL CABINETS, TOILET ACCESSORIES, ETC.
 11. FINISH MATERIALS ARE TO BE INSTALLED BY BENEFIT & EQUIPMENT ETC.
 12. COMPONENTS/REMOVE OPENING SIZES & LOCATIONS WITH THE RESPECTIVE EQUIPMENT.
 13. FINISH MATERIALS ARE TO BE INSTALLED BY BENEFIT & EQUIPMENT ETC.
 14. ALL COMPONENTS, SYSTEMS & MATERIALS TO BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS & CODES.
 15. SUBMIT ALL COMPONENTS AND MATERIALS FOR APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION OF THE PROJECT.

- TOILET ACCESSORIES**
1. PROVIDE A 1\"/>

MBL JOB NO.
210012
ISSUE DATE
11/18/2024

LD.	REVISION	DATE
01	REVISION #1	02.13.2025
02	REVISION #2	04.16.2025
03	REVISION #3	05.15.2025
04	REVISION #4	06.18.2025

SHEETS
CONTENTS
FIRST FLOOR PLAN

SHEET
A1.1.1

Belden Center Street
Fayetteville Arkansas 72704



2401 N. Green Acres Road
Fayetteville, Arkansas 72704
479.443.7121
e-mail: info@mblllc.com
www.mblplanning.com
MBL Planning Commission
March 23, 2026
VAR-2026-0006 (18/20 EAST CENTER LLC)



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Citlali Samano, Planner

MEETING DATE: March 23, 2026

SUBJECT: **VAR-2026-0007: Planning Commission Variance (700 S. CHURCH AVE/NELSON & MCCARTY, 523)** Submitted by ENGINEERING SERVICES INC for property located at 700 S. CHURCH AVE The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.38 acres. The request is for a variance to lot frontage requirements.

RECOMMENDATION:
Staff recommends approval of **VAR-2026-0007** with conditions.

RECOMMENDED MOTION:
"I move to approve VAR-2026-0007, recommending:

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

BACKGROUND:
The subject property is located in south central Fayetteville, approximately 200 feet west of the the Walker Park entrance on the intersection of W 7th St and S Block Ave. The site consists of a single parcel and is associated with a related lot split application (LSP-2025-0056) proposing the creation of three lots in a flag lot configuration. The property is zoned NC, Neighborhood Conservation. The property is not located within any overlay districts but is within the Walker Park Neighborhood Plan. Surrounding land use and zoning is depicted in Table 1.

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

Direction	Land Use	Zoning
North	Residential	DG, Downtown General; NC, Neighborhood Conservation
South	Residential	NC, Neighborhood Conservation
West	Residential	DG, Downtown General; NC, Neighborhood Conservation
East	Undeveloped/Walker Park	P-1, Institutional

Request: The applicant is requesting a variance to UDC §166.08(E)(2) as the proposed lot split (LSP-2025-0056) will create a double street frontage lot along W. 7th St. and S. Church Ave.

DISCUSSION

Variance: UDC §166.08(E)(2), Block Layout – Double Frontage Lots. With the exception of corner lots, double-street frontage lots are prohibited. The applicant is requesting a variance to allow the creation of a three lots with two of them, excluding a corner lot, that will have double frontage along W. 7th St. and S Church Ave.

Staff Recommendation: Staff supports the request to designate street frontage along W. 7th Street with utility access provided from S. Church Avenue. A 16-inch water main runs along W. 7th Street; however, it is in degraded condition. City Engineers have advised reconfiguring the lot layout to allow connection instead to an existing 6-inch water main along S. Church Avenue. Without this reconfiguration, the parcel would lack access to public water. The proposed lot configuration would create flag lots with a 10-foot-wide access strip intended solely for a water service line. While the ordinance discourages wooden fencing along higher-intensity streets, both W. 7th Street and S. Church Avenue are classified as Residential Links. As such, requiring frontage along S. Church Avenue would not meaningfully advance the ordinance’s intent and would impose disproportionate infrastructure costs beyond the project scope. Orienting frontage exclusively along W. 7th Street, while allowing utility access from S. Church Avenue, represents a more practical and context-sensitive development approach.

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

RECOMMENDATION: Staff recommend approval of VAR-2026-0007 with the following conditions.

Conditions of Approval:

1. **Planning Commission determination of a variance to §166.08(E)(2) Block Layout – Double Frontage Lots.** *Staff recommends approval of the requested variance for the reasons stated above.*
2. Approval of this variance does not represent overall development entitlement approval for the project, nor grant approval for any associated grading or building permits, nor does it grant final approval of certificate of occupancy.

PLANNING COMMISSION ACTION:	Required	<u>YES</u>
Date: <u>March 23, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Motion:		
Second:		
Vote:		

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:

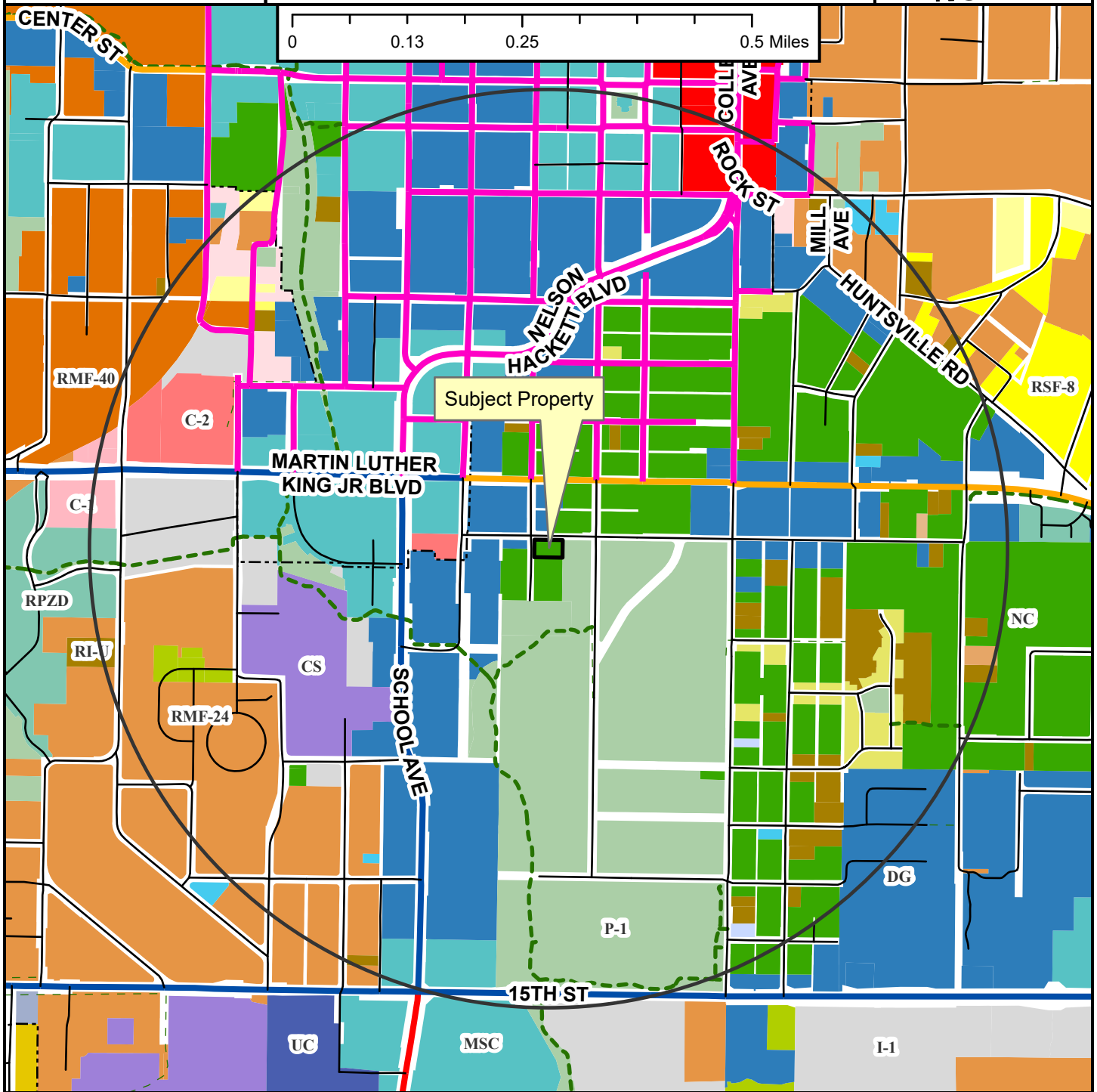
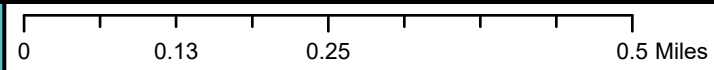
- Project Maps
 - One Mile Map
 - Close-Up Map

- Current Land Use Map
- Unified Development Code
 - §166.08(E)(2) Block Layout – Double Frontage Lots.
- Applicant Exhibits
 - Cover Letter
 - Site Plan

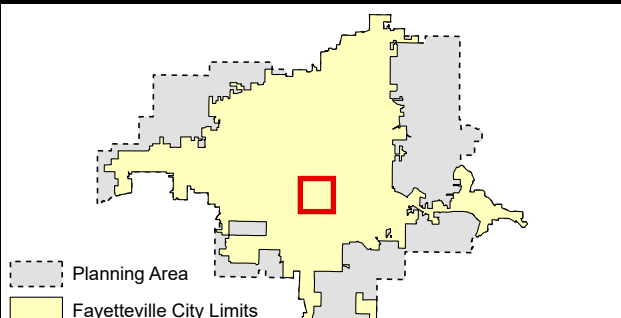
VAR-2026-0007

700 S. CHURCH AVE

One Mile View



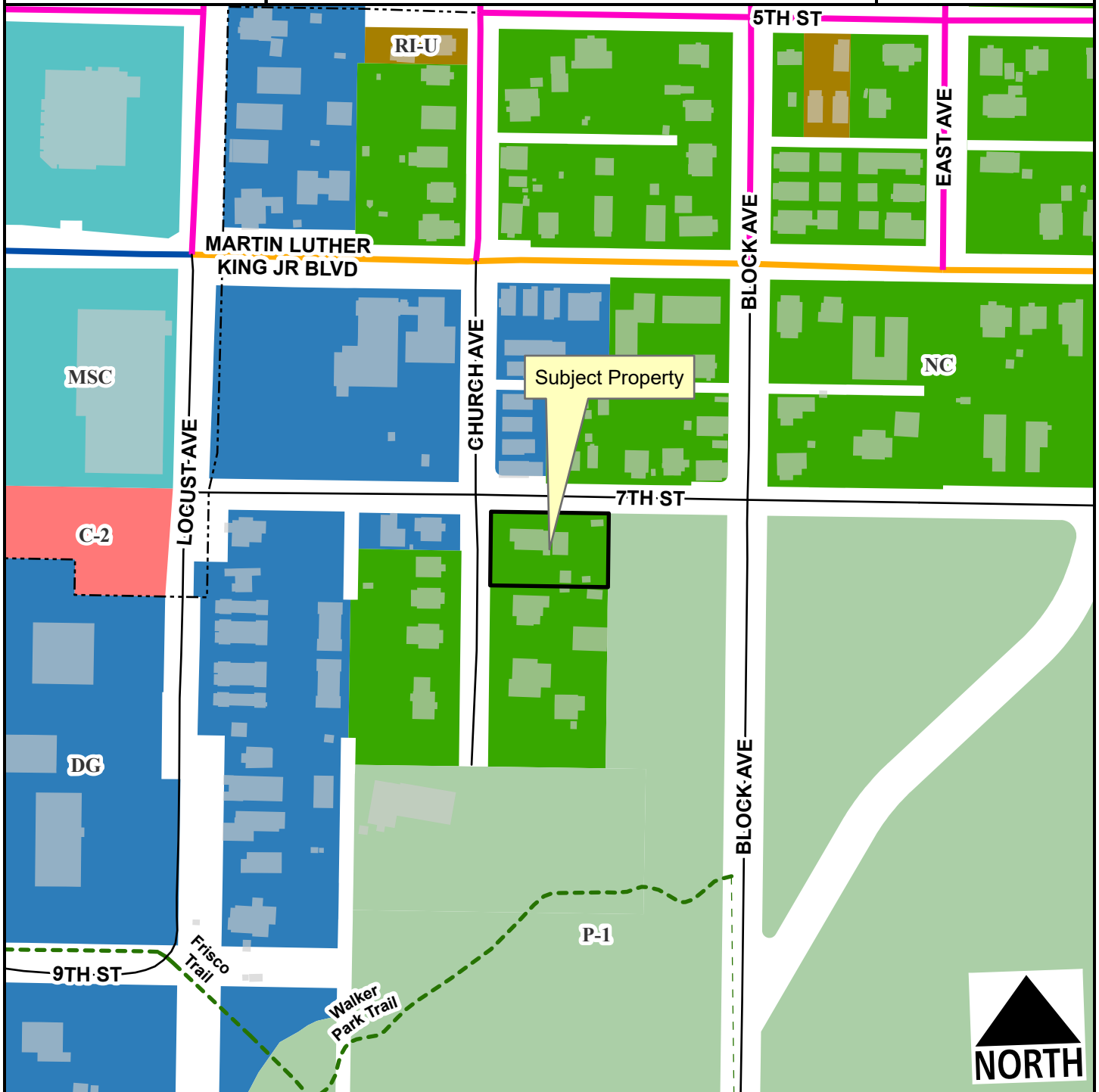
- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- - - Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



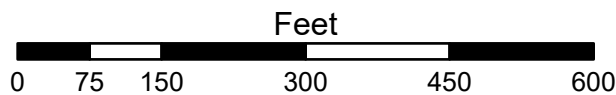
VAR-2026-0007

700 S. CHURCH AVE

Close Up View



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

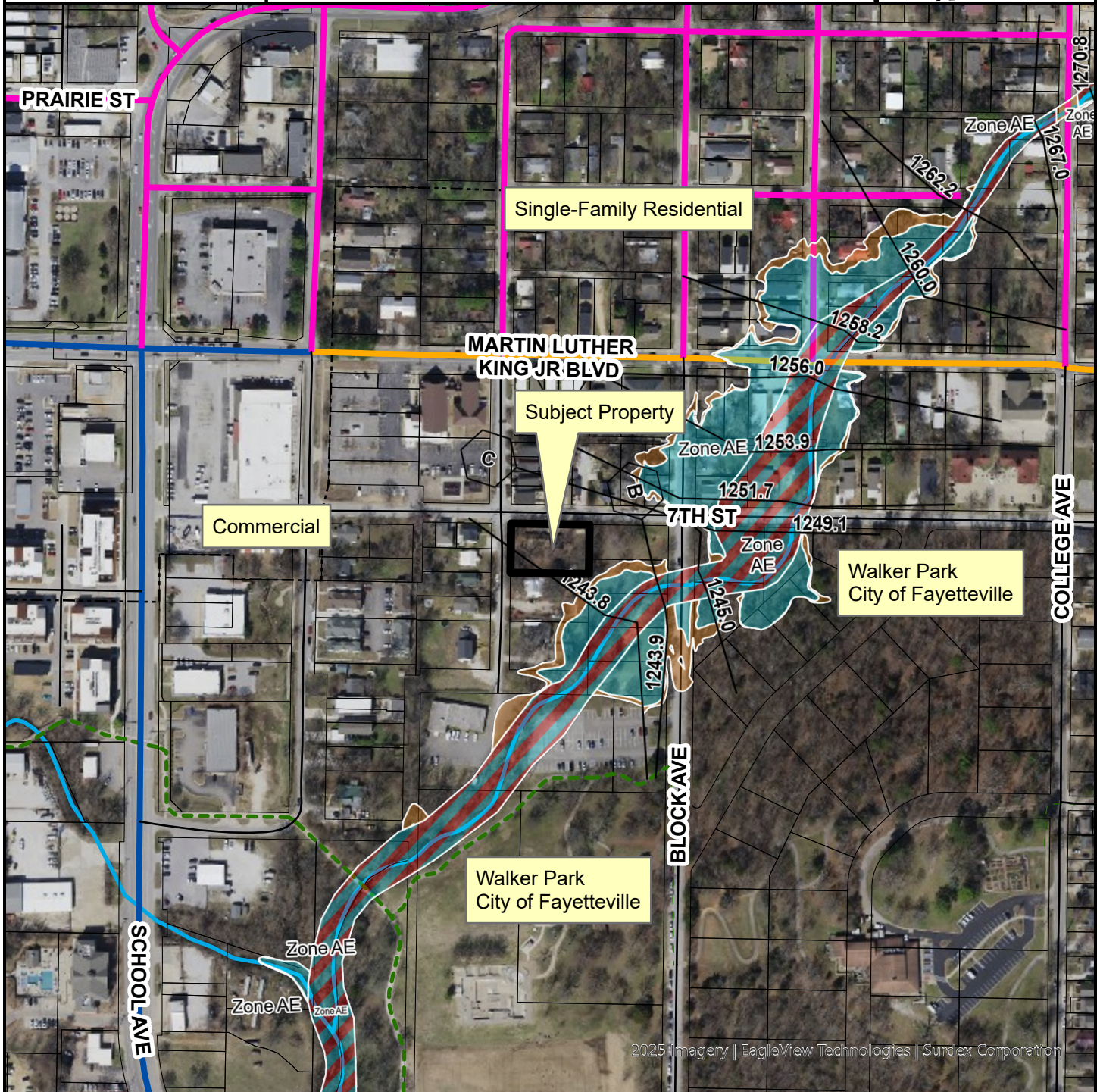


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VAR-2026-0007

700 S. CHURCH AVE

Current Land Use

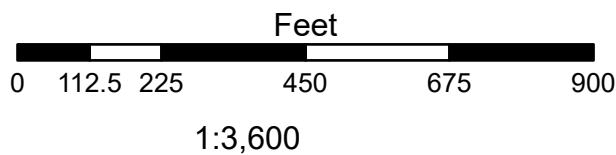


2025 Imagery | EagleView Technologies | Surdex Corporation

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

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



§166.08(E)(2) Block Layout – Double Frontage Lots.

(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.

February 20, 2026

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

**Uploaded via the Citizen
Self-Service Portal**

Re: Variance Application
700 S Church Avenue

Ms. Masters,

We are submitting materials for a variance associated with a proposed lot split for 700 S Church Avenue (parcel 765-14894-000).

The associated lot split (LSP-2025-0056) was originally submitted on December 17, 2025, and included no double frontage lots.

When the project went through technical plat review, engineering staff commented that the existing water main along West 7th Street may be problematic to tap directly. During subsequent discussions with engineering staff, we were informed the lots can't be served from that water main due to its degraded condition and were subsequently advised to change the lot configuration to allow the to be served from the water main along S Church Avenue instead. The owner reluctantly agreed to this change, and the revised lot split was then approved by staff.

After the lot split was approved, we were informed by planning staff the adjusted lot layout is prohibited by UDC 166.08(2) which prohibits double frontage lots.

We respectfully request a variance of that provision, as without the double frontage, the lots will not have access to public water. Also, while technically the lots will have double frontage, the frontage along S Church Avenue is only ten feet wide, which is the smallest width the engineering department will allow for a water service line to run through. The hardship for this variance is the poor condition of the existing water main along the north side of the lots, which can't be used to serve the property and is not a result of any actions by the property owner, who bought the property under the reasonable assumption the water main along W 7th Street was in serviceable condition.

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

Sincerely,



Daniel Lazenby
Project Manager



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Citlali Samano, Planner
Justin Bland, City Engineer
Willia Thomason, Urban Forester

MEETING: March 23, 2026

SUBJECT: **LSD-2026-0002: Large Scale Development (1722 N STARR DR/ST. JOSEPH CATHOLIC CHURCH, 373):** Submitted by CRAFTON TULL AND ASSOCIATES for property located 1722 N STARR DR. The property is zoned P-1, INSTITUTIONAL and contains approximately 11.32 acres. The request is for an 18,634 sq. ft. church with associated parking.

RECOMMENDATION:

Staff recommends approval of **LSD-2026-0002** with conditions as noted in the staff report.

RECOMMENDED MOTION: *"I move to approve LSD-2026-0002, finding:*

1. *In favor of recommended right-of-way dedication;*
2. *In favor of recommended street improvements;*
3. *All other conditions as recommended by staff."*

BACKGROUND:

The subject property is located in east Fayetteville approximately ¼ southeast of McNair Middle School and Vandergriff Elementary School. This parcel contains the Saint Joseph Catholic Church and is proposing an additional 18,634 sq. ft. chapel to the north end of the existing Church. The property is zoned P-1, Institutional and totals approximately 11.32 acres. No portion lies within any overlay districts nor FEMA floodplain. There is streamside protection to the eastern portion of the parcel but is outside of the proposed development and will remain untouched. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Residential	RSF-4, Residential Single-Family, Four (4) Units per Acre
South	Institutional; Fayetteville City Limits	P-1, Institutional; Single-Family Residential outside of City Limits
East	Residential	RSF-4, Residential Single-Family, Four (4) Units per Acre
West	Residential (across Starr Dr.)	RSF-4, Residential Single-Family, Four (4) Units per Acre

Proposal: The applicant requests Large Scale Development approval to develop the subject property with a 18,634 sq. ft. chapel and associated parking. A variance to UDC §172.08 Nonconforming Parking Lot standards was previously approved with VAR-2024-0022. As the plans have access to the current parking lot, staff finds that this variance and all previous conditions of approval still apply. No additional variances have been requested.

Right-of-Way to be Dedicated: The subject property has frontage along N. Starr Dr. which is an improved Residential Link street with asphalt paving, curb and gutter, and sidewalk. The applicant proposes widening the east side of the street with curb and gutter and sidewalk across the frontage of the project per the Master Street Plan cross section. Per the Master Street Plan, Residential Link streets typically require 52 feet of right-of-way, or 26 feet from the existing street. An existing variable width of 38.66 feet and 28.59 feet of right-of-way from the centerline is currently dedicated. No additional right-of-way dedication is recommended along N. Starr Dr.

Street Improvements: This property has frontage to N. Starr Dr. along the west side of the site which is an improved Residential Link with asphalt paving and curb and gutter and sidewalk on the west side. The applicant proposes to widen the east side of the street with curb and gutter and sidewalk across the frontage of the project per the Master Street Plan cross section. Staff recommends a 6 foot greenspace and a 6 foot sidewalk installed to connect to adjacent properties on either end of the property. The addition of 7 street trees to be added along N. Starr Dr. within the recommended greenspace. No other on-site improvements are recommended with this development.

Access Management/Connectivity: Staff determined that the project meets access requirements. The proposed connection to N. Starr Dr. is at an existing driveway. N. Starr Dr. is a residential link, which requires driveway separation of 50 feet. All driveways meet access management standards. UDC §172.08 Nonconforming Parking Lot standards was previously approved with VAR-2024-0022. As the plans are substantially similar, staff finds that this variance and all previous conditions of approval still apply.

Design Standards: As a religious institutional development, this proposal is not subject to Unified Development Code §166.25, Commercial, Office and Mixed-Use Design Standards. Staff has determined that the applicant has sufficiently demonstrated how applicable design standards will be met and that design standards will be further reviewed with building and grading permits.

Water and Sewer System: There is an existing 8" water along the west side of the site along N. Starr Dr. There is also an existing 8" water line that enters the site just south of the proposed building to serve the existing building. The applicant is proposing to tie to this internal water main for domestic water and fire protection. There is an existing 8" sewer main along the west side of the site along N. Starr Dr. to the north at the intersection of Cherokee Dr. The applicant is proposing a sewer main extension from this intersection to the subject property. The applicant is proposing to tie to this sewer main for sewer service. The developer will need to coordinate these connections with City of Fayetteville Water/Sewer.

Drainage: The development must meet the 4 minimum standards outlined in the City's Drainage Criteria Manual. The developer proposes a hydro-dynamic separator 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 in the center of the site. A detailed review of the drainage improvements will be performed during the grading permit review process.

Parkland dedication or fee in-lieu: Nonresidential uses are not subject to parkland dedication.

Tree Preservation:

Canopy minimum requirement: 25%

Existing canopy: 32.1%

Preserved canopy: 31.4%

Mitigation required: zero two-inch caliper trees

Public Comment: Staff have not received public comment on the item.

RECOMMENDATION: Staff recommends approval of **LSD-2026-0002** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends no additional right-of-way dedication.*
2. **Planning Commission determination of street improvements.** *Staff recommends the following street improvements:*
 - a. *Alignment with Master Street Plan standards for a Residential Link Street. Standards include a 6-foot greenspace, curb and gutter, and a 6-foot sidewalk to be built at the back of the right-of-way*
 - b. *The addition of 7 street trees with ample spacing along N. Starr Dr. within the previously stated 6-foot greenspace.*
3. All comments from Planning staff must be addressed prior to grading permit approval including:
 - a. Provide bike rack details in regulation to UDC §172.10 Bicycle Parking Rack Requirements.
4. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto;

Standard Conditions of Approval:

5. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance. Water and sewer impact fees will be based on the proposed meter size and charged at the time of meter set.
6. Plat Review and Subdivision 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);
7. 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;
8. 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;
9. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;

10. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements;
11. 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;
12. 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;
13. Large scale development shall be valid for one calendar year;
14. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit. The coordinator has noted that a separate street name is required;
15. 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
16. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
 - c. Exterior lighting package must be provided to the Planning Division;
 - d. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - e. Project Disk with all final revisions; and
 - f. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.
17. Any damage to existing public streets caused by construction shall be repaired or replaced at the owner/developer's expense.
18. All sidewalks, curb ramps, curb & gutter, and driveway aprons must meet ADA guidelines and be free of damage. Non-compliant or damaged infrastructure must be replaced. Coordinate with Engineering for inspection.
19. The following items will typically be reviewed at construction plan stage (unless otherwise requested):
 - a. Storm sewer sizing, gutter spread, profiles, utility conflicts
 - b. Sanitary sewer sizing, profiles, utility conflicts
 - c. Waterline fittings and conflicts

- d. Street profiles
 - e. Fine grading/spot elevations
-

Planning Commission Action: Forwarded Tabled Approved

Meeting Date: March 23, 2026

Motion:

Second:

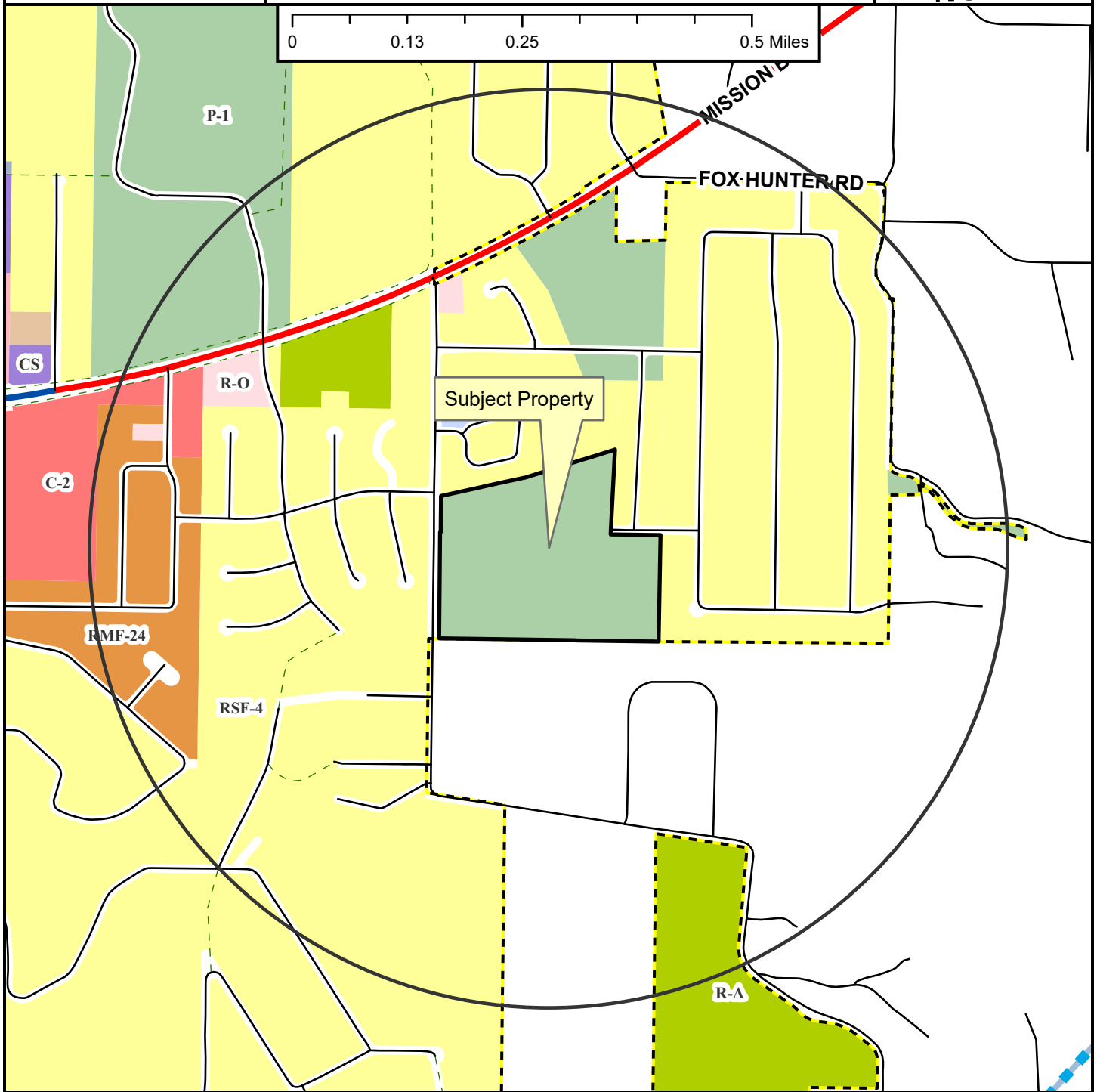
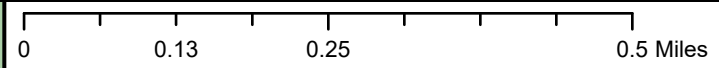
Vote:

BUDGET/STAFF IMPACT:

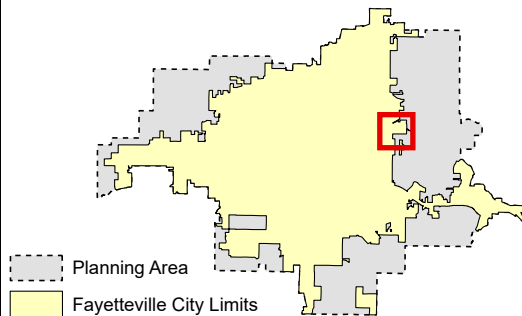
None

ATTACHMENTS:

- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Staff Memos
 - VAR-2024-0022
 - §172.08 Nonconforming Parking Lots Variance Conditions of Approval
 - Engineering Memo
 - Urban Forestry Memos
- Applicant Exhibits
 - Request Letter
 - Site Plan
 - Elevations



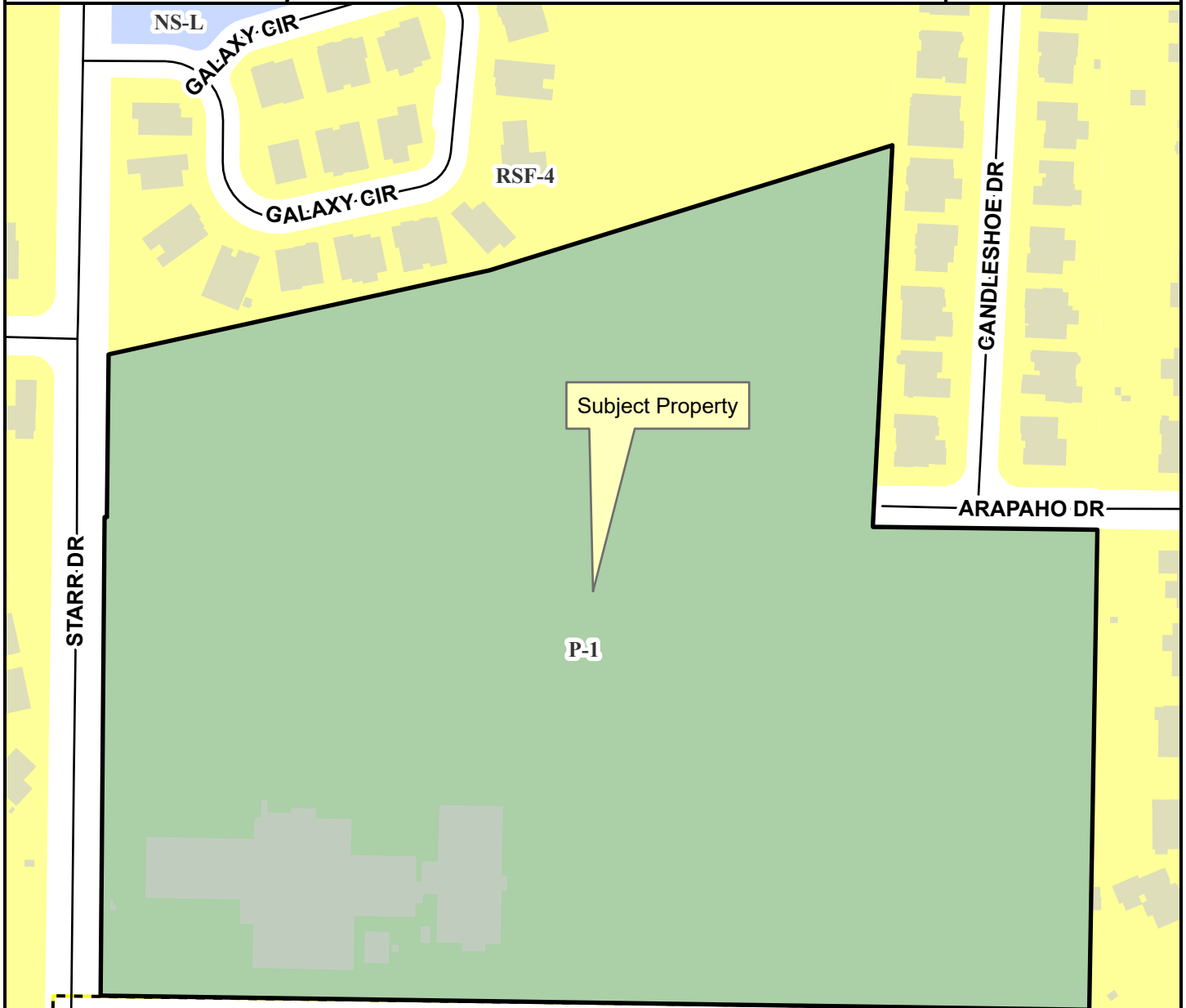
- Regional Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Planned Residential Link
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area



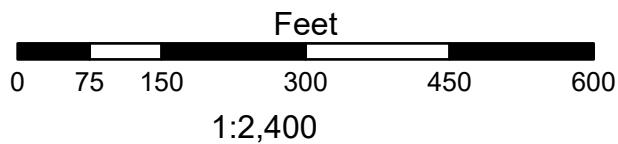
LSD-2026-0002

1722 N. STARR DR

Close Up View



- Residential Link
- Planning Area
- Fayetteville City Limits



LSD-2026-0002

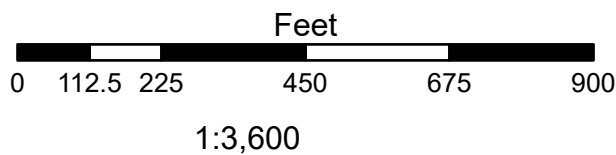
1722 N. STARR DR

Current Land Use



2025 Imagery | EagleView Technologies | Surdex Corporation

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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

§172.08 Nonconforming Parking Lots Variance Conditions of Approval

§172.08 Nonconforming Parking Lots. All parking lots with non-conforming features are to be brought into conformance with typical standards with the enlargement of a structure exceeding 10% of the existing gross floor area. The applicant is requesting to not bring a portion of the existing parking lot into conformance with drive aisle width requirements.

- *Staff recommendation* Staff recommends approval of the request. Typically, for parking lots containing nine (9) or more parking spaces, all parking lots with 90-degree parking are required to have two-way aisle widths of 24 feet unless additional width is required for fire apparatus access. Portions of the site at the northeast corner of the parking area where the proposed northern access drive transitions into the parking lot exceed 24 feet. The applicant notes that the existing drive aisles that exceed 24 feet in width are necessary for after school pick up, where cars park in the perimeter spaces and stack along the highlighted route. Additional width is needed to support the high-volume of vehicles and permit safe pedestrian access to cars for students and for staff directing traffic. It appears that although the wider-than-typical drive aisles would typically be required to come into conformance due to the extent of planned development, the specific use pattern on this property warrants a variance.

Conditions of Approval:

1. **Planning Commission determination of a variance of Fayetteville Unified Development Code §172.08(B) Nonconforming Parking Lots.** *Staff recommends approval of the requested variance for the reasons outlined above.*
2. Approval of this variance does not constitute approval of the associated grading permit, any associated building permits, or other variances that may not have been reviewed for at this stage.



TO: Citlali Samano, Planner

FROM: Justin Bland, City Engineer

DATE: March 17, 2026

SUBJECT: **Planning Commission Engineering Comments for
LSD-2026-0002**

Water: There is an existing 8” water along the west side of the site along N. Starr Dr. There is also an existing 8” water line that enters the site just south of the proposed building to serve the existing building. The applicant is proposing to tie to this internal water main for domestic water and fire protection.

Sewer: There is an existing 8” sewer main along the west side of the site along N. Starr Dr. to the north at the intersection of Cherokee Dr. The applicant is proposing a sewer main extension from this intersection to the subject property. The applicant is proposing to tie to this sewer main for sewer service.

Streets: This property has frontage to N. Starr Dr. along the west side of the site which is an improved Residential Link with asphalt paving and curb and gutter and sidewalk on the west side. The applicant proposes to widen the east side of the street with curb and gutter and sidewalk across the frontage of the project per the Master Street Plan cross section.

Drainage: The development must meet the 4 minimum standards outlined in the City’s Drainage Criteria Manual. The developer proposes a hydro-dynamic separator 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 in the center of the site. 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: Prism Design Studio
From: Willa Thomason, Urban Forester
CC: Citlali Samano, Planner
Meeting Date: March 23, 2026
Subject: LSD-2026-0002: St. Joseph Expansion (1722 N Starr)

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

	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	1,062,648	100%
<i>Zoning Designation * Select Below with drop down arrow</i>		
P-1, Institutional	265,662	25%
<i>HHOD * Select Below with Drop Down Arrow</i>		
No	0	0%
Total Canopy for Minimum Preservation Requirements	265,662	25.0%
Existing Tree Canopy * Minus Right of Way and Easements	341,334	32.1%
Tree Canopy Preserved	334,007	31.4%
Tree Canopy Removed *On Site	7,328	0.7%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	7,328	0.7%
Removed Below Minimum	0	
Mitigation Requirements	0	

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

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

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

6. Site Analysis Report (if required) <i>UDC Chapter 167.04H4</i>	Yes	No	N/A
a. Provide Arborist Report showing tree health and structure evaluation, feasibility of preservation, and recommendations and justification			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	2-23-26	3-10-26
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. Please label the existing tree preservation easement.
3. Spoke with Caroline re: grading within tree preservation area east of the detention pond; this will be removed and reflected in grading permit submittal. Please specify whether any root-pruning will be required.
4. Please show the locations of materials storage and concrete washout.



**URBAN FORESTRY
LANDSCAPE PLAN COMMENTS**

To: Prism Design Studio
From: Willa Thomason, Urban Forester
CC: Citlali Samano, Planner
Meeting Date: March 23, 2026
Subject: LSD-2026-0002: St. Joseph Expansion (1722 N Starr)

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.	Side and Rear Property Lines (5' Wide Landscape Area) <i>UDC Chapter 177D1</i>	X		
b.	Wheel Stops/Curbs <i>UDC Chapter 177.04B1</i>	X		
c.	Narrow Tree Lawn (8' min. width, 37.5' length) <i>UDC Chapter 177.04C</i>			X

d. Tree Island (8' min. width, 18.7' min length, 150 square feet) <i>UDC Chapter 177.04C</i>	X		
e. Placement of Trees (either side at entrances and exits) <i>UDC Chapter 177.04C2</i>	X		
3. Perimeter Landscaping Requirements	Yes	No	N/A
a. Front Property Line (15' wide landscape) and 5' on sides and rear. <i>UDC Chapter 177.04D2a</i>	X		
b. Shade trees planted on south and west sides of parking lots <i>UDC Chapter 177.04D2e</i>	X		
c. Screening of parking lot from adjacent residential properties.	X		
4. Street Tree Planting Requirements	Yes	No	N/A
a. Residential Subdivisions 1 Large Shade Species Tree per Lot <i>UDC Chapter 177.05B1a</i>			X
b. Non-Residential Subdivisions 1 Large Species Shade Tree every 30' (planted in greenspace) <i>UDC Chapter 177.05B2a</i>	X		
c. Urban Tree Well – Urban Streetscapes Trees every 30' (8' sidewalk) <i>UDC Chapter 177.05B3a-f</i>			X
d. Structural Soil – Urban Tree Wells Include a note and/or detail of structural soil on Landscape Plan <i>UDC Chapter 177.05B3a-f</i>			X
e. Residential Subdivisions Timing of planting indicated on plans <i>UDC Chapter 177.05A4</i>			X
f. Residential Subdivisions Written description for method of tracking planting <i>UDC Chapter 177.05A4e</i>			X
5. Landscape Requirement Totals	Amount		
Mitigation Trees	0		
Parking Lot Trees	8		
Street Trees	7		
Detention Pond – Large Trees (1 Tree/3,000 square feet)	5		
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	20		
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)	30		

6. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	3-10-26	
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.



February 11, 2026

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

Re: Large Scale Development Plan
Saint Joseph Catholic Church

Planning Staff,

On behalf of my client, Roman Catholic Diocese of Little Rock, we are submitting the above referenced large scale development plans.

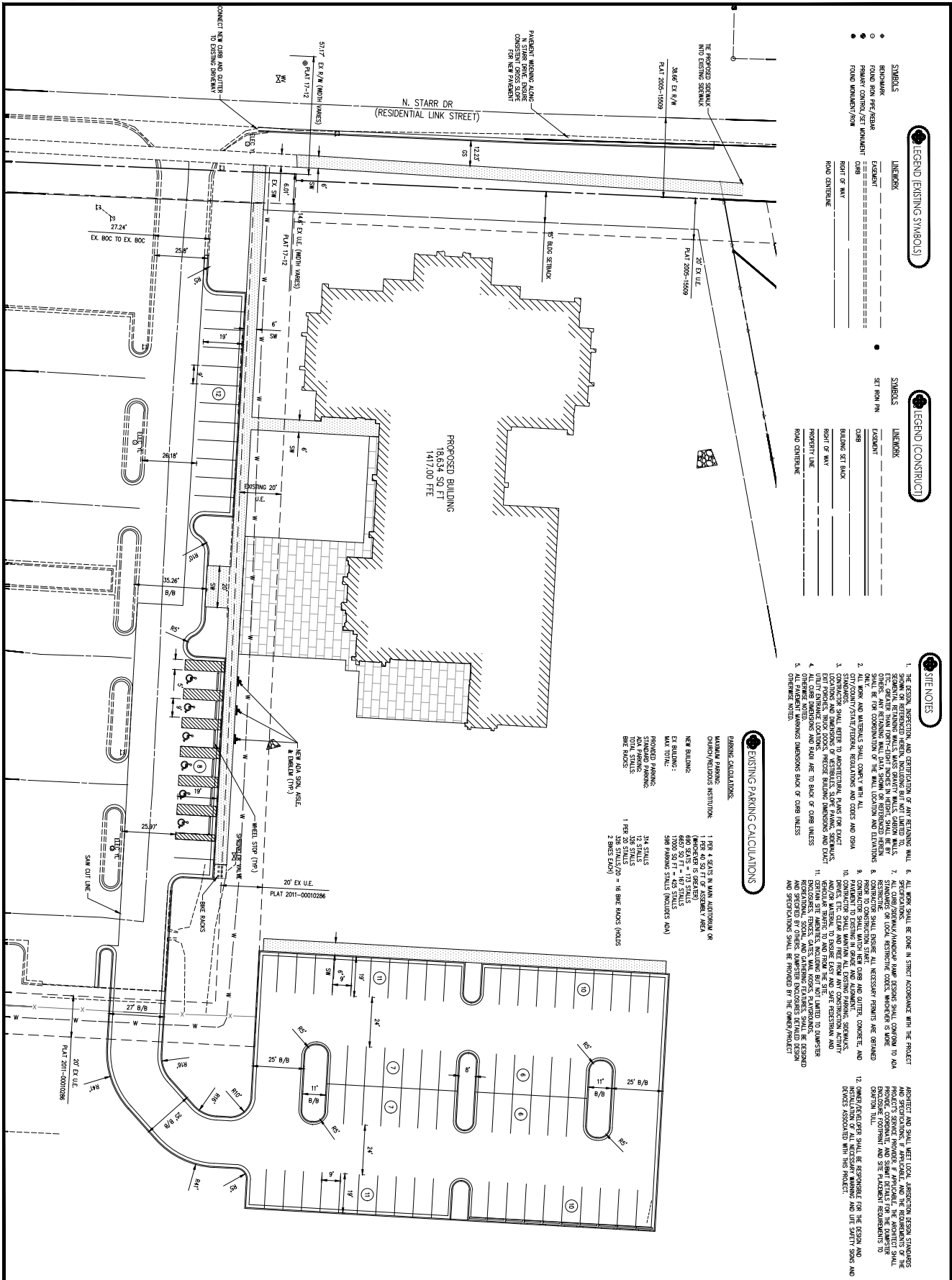
The proposed project is on a 25.24 acres site on 1722 N Starr Drive Fayetteville, AR. The property is zoned P-1 with an approved variance (VAR 2024-0022). The site will contain a new 18,634 sqft chapel and parking lot.

All required infrastructure is immediately available to the site.

Thank you for your consideration in this matter.

Sincerely,

Caroline Gardner, P.E.
Project Manager
Crafton Tull



- SYMBOLS**
- EXISTING
 - FOUND FROM PERMITS
 - FOUND FROM PERMITS/FOUNDATION
 - FOUND FOUNDATION/FOUNDATION

- LEGEND (EXISTING SYMBOLS)**
- LINEWORK
- EASEMENT
 - RIGHT OF WAY
 - ROAD CENTERLINE

- LEGEND (CONSTRUCT)**
- LINEWORK
- EASEMENT
 - RIGHT OF WAY
 - ROAD CENTERLINE

- NOTES**
1. THE DESIGN, SPECIFICATIONS, AND CONSTRUCTION OF ANY RETAINING WALL, FOUNDATION, OR OTHER STRUCTURE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 2. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND THE LATEST EDITIONS OF THE RELEVANT CODES AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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 7. ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND THE LATEST EDITIONS OF THE RELEVANT CODES AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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EXISTING PARKING CALCULATIONS

PARKING CALCULATIONS:

- 1 PER 4 SEATS IN MAIN ASSEMBLY OR CHURCH/RELIGIOUS INSTITUTION: 1 PER 40 SQ FT OF ASSEMBLY AREA
- NEW BUILDING: 1 PER 150 SQ FT OF ASSEMBLY AREA
- EX-BUILDING: 1 PER 150 SQ FT OF ASSEMBLY AREA
- MAINTENANCE: 1 PER 150 SQ FT OF ASSEMBLY AREA
- PROPOSED PARKING: 1 PER 250 SQ FT OF ASSEMBLY AREA
- TOTAL STALLS: 1 PER 250 SQ FT OF ASSEMBLY AREA
- 2 BIKES EACH

SAINT JOSEPH FAIRVIEWLE ARKANSAS

Graphic Scale in Feet

0 20' 20'

Crafton Till

PLANNING COMMISSION

March 23, 2026

ST. JOSEPH CATHOLIC CHURCH

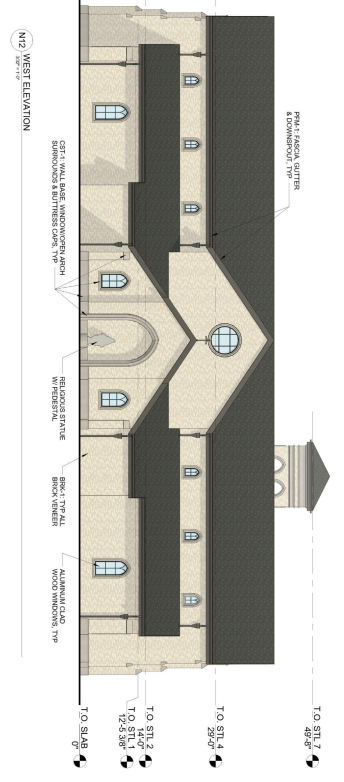
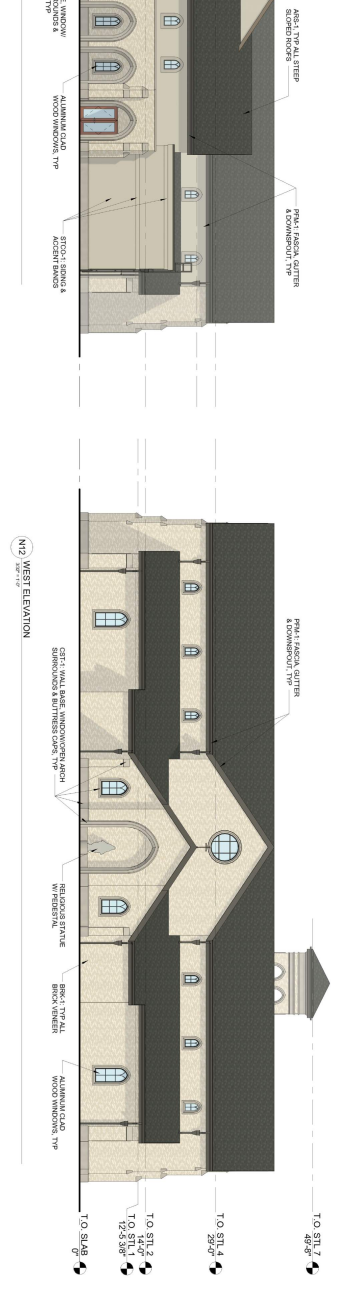
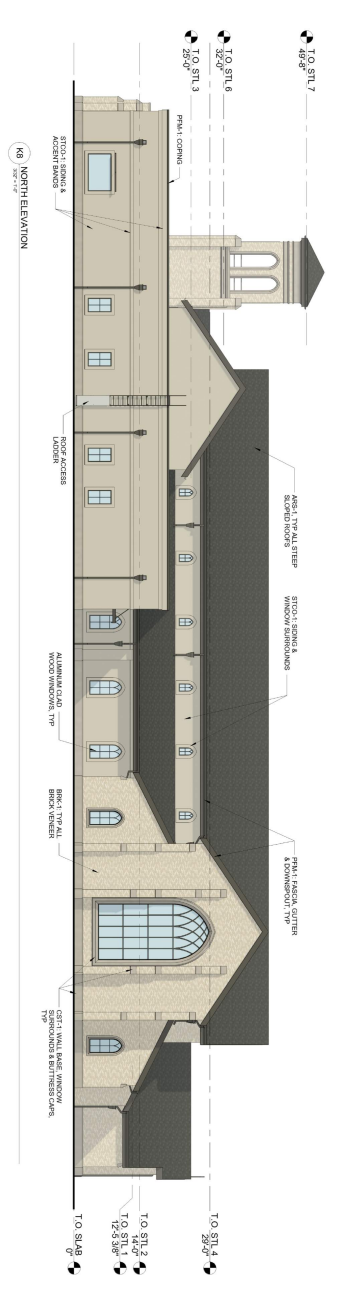
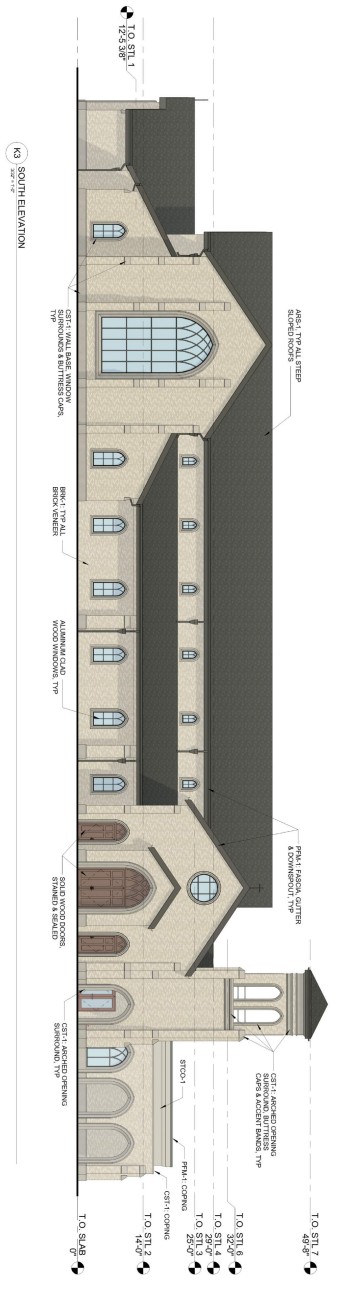
C-102

SITE PLAN

THE PROJECTOR'S SEAL

DATE: 01/23/2025 11:42 AM PROJECT: ST. JOSEPH CATHOLIC CHURCH PRELIMINARY PLANS SHEET: C-102

MATERIAL LEGEND



ST. JOSEPH CATHOLIC CHURCH
 NEW SANCTUARY

1722 N. Starr Dr., Fayetteville, AR 72701
 479.482.8822
 www.stjosephcatholic.org

WER Architects
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 479.482.8822
 www.werarchitects.com

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 www.werarchitects.com

A2.00



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: March 23, 2026

SUBJECT: **RZN-2026-0003: Rezoning (NORTH AND SOUTH OF W. CATALPA DR & S. RUPPLE RD/DUDECK REZONING, 556)** Submitted by JORGENSEN AND ASSOCIATES for property located NORTH AND SOUTH OF W. CATALPA DR & S. RUPPLE RD. The property is zoned UT, URBAN THOROUGHFARE; CS, COMMUNITY SERVICES; and NC, NEIGHBORHOOD CONSERVATION and contains approximately 13.59 acres. The request is to rezone the property to UT, URBAN THOROUGHFARE; CS, COMMUNITY SERVICES; AND R-A, RESIDENTIAL AGRICULTURAL.

RECOMMENDATION:

Staff recommends tabling **RZN-2026-0003** to the next Planning Commission meeting.

RECOMMENDED MOTION:

*"I move to table **RZN-2026-0003** to the April 13, 2026 Planning Commission meeting."*

MARCH 9, 2026 PLANNING COMMISISON MEETING

The project was tabled at the March 9, 2026 Planning Commission meeting at the applicant's request to provide additional time for the applicant to work through staff comments. A revised request to a combination of R-A, Residential Agricultural; CS, Community Services; and RI-U, Residential Intermediate-Urban was provided but with insufficient time for staff review.

BACKGROUND:

The subject property is located in west Fayetteville along S. Ruppel Road, north of Martin Luther King Jr. Blvd, and with additional frontage along W. Catalpa Dr. The 13.59-acre parcel was part of the 2015 rezoning to support the development of Ruppel Road, which was intended to serve as a mixed-use corridor. As a result of this rezoning, the property was split-zoned between UT, Urban Throughfare; CS, community Services; and NC, Neighborhood Conservation. The property is not subject to any overlay districts, but does contain hydric soils, streamside protection, and FEMA floodplain. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	John L. Colbert Middle School	P-1, Institutional
South	Restaurant/ Undeveloped	UT, Urban Thoroughfare; NC, Neighborhood Conservation
East	Single-Family Residential	RMF-24, Residential Multifamily, 24 Units per Acre
West	Undeveloped	CS, Community Services UT, Urban Thoroughfare;

Request: The request is to rezone 3.26 acres from a mix of NC, Neighborhood Conservation; CS, Community Services; and UT, Urban Thoroughfare to R-A, Residential Agricultural. The request also proposes to rezone 5.3 acres split between three areas from NC, Neighborhood Conservation to CS, Community Services. The remainder of the site is proposed to remain in its existing zoning district.

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

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject area has a road frontage along West Catalpa Drive, a fully improved Residential Link with asphalt paving, sidewalk curb and gutter. The subject area also has frontage along South Ruppel Road, a fully improved Regional Link Street with asphalt paving, sidewalk curb and gutter. 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 8-inch water main is present along the north side of West Catalpa Drive.

Sewer: Sanitary Sewer is available to the Subject area. Existing 8-inch sewer main is present along the south side West Catalpa Drive. There are no known wet weather sewer capacity issues identified in the City's 2025 Sewer Master Plan that appear in the system

Drainage: The property is not within the Hillside-Hilltop Overlay District. The property does contain hydric soils, streamside protection areas, and FEMA floodplain.

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.

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

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.

Fire: Station 6, located at 900 S Hollywood Ave., protects this site. The property is located approximately 2.2 miles from the fire station with an anticipated drive time of approximately 6 minutes using existing streets. The anticipated response time would be approximately 8.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

Tree Preservation:

The current zoning districts of NC, CS, and UT, require **20%, 20% and 15% minimum canopy preservation respectively**. The proposed zoning districts of R-A, CS, and UT, require **25%, 20% and 15% minimum canopy preservation respectively**.

CITY PLAN 2040 FUTURE LAND USE PLAN: The City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as a mix of **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: single-family, duplexes, rowhouses, multifamily and accessory dwelling units. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity nonresidential uses intended to serve the surrounding neighborhoods, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood.

City 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 **3-7** for this site with a weighted score of **7.5**. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 6, S Hollywood Ave)
- Near Sewer Main (8 inch main, W Catalpa Dr)
- Near Water Main (8 inch main, W Catalpa Dr)
- Near Public School (John L. Colbert Middle School)
- Near City Park (Centennial Park, Holland Park)

- Near Paved Trail (Rupple Rd Side Path)
- 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 the request to be not fully compatible with the surrounding land uses and the intention of the original rezoning. The property received this zoning district (Ord. 5775) in 2015 during Rupple Road’s development. The intent for the 642 acres along Rupple Road was to establish a mixed-use corridor, with CS to allow for mixed uses along the corridor and NC, a single-family zoning district, in the peripheral areas to allow for “adequate transition and compatibility amongst existing uses.” Rezoning to CS would allow for further support to Rupple Road as it permits for more mixed-use opportunities. However, this intention has not yet happened as development in the area has been primarily single-family detached homes. Staff is concerned that additional CS would allow for further development of single-family developments given the established precedent.

The current NC zoning acts as a buffer transition in the area as the property moves east towards Jasmine Lane, and its zoning would functionally remove this buffer area. NC has a density maximum of 10 units per acre and has larger lot width minimums at 50 feet. The use schedule allowances for NC are only single-family. CS allows single-family homes by right with no density maximums and on lots as narrow as 18 feet, which could lead to the proliferation of strictly single-family subdivisions in an area originally intended as a mixed-use corridor. With both CS and NC districts in the area only being developed with single-family, it highlights the unanticipated homogeneity of an intended mixed-use corridor. In CS, the use schedule allows for multi-family residential by-right and for non-residential uses ranging from institutional uses to commercial uses such as restaurants, offices, and small-scale production. Staff asserts that these uses make sense and are compatible with the property’s frontage along Rupple Road, but this has not happened in other developed areas and such uses may not be compatible further away from the regional link frontage adjacent to existing single-family neighborhoods. One issue that arose during the CS single-family development to the north was a significant number of these homes were developed with their facades facing away from Rupple, impacting the pedestrian interaction here. This resulted in a non-uniform look to much of the CS zoning district’s development as some homes’ principal façade face Rupple Road and others do not. Though UDC §164.06(C) and §166.08 are intended to prevent a property from fronting two streets, this still remains a concern of additional housing in this zoning district.

The property does have a ranged infill score of 3-7 as this area has higher-intensity zoning entitlements but has not yet been developed with the

necessary infrastructure that could support higher intensity development. Staff generally supports additionally mixed uses, but the area's model and intention are counter to this proposal and so by allowing additional CS may compound this issue. Staff finds a lesser intensity district such as RI-12 or RI-U could permit additional density but still provide a transitional area between the CS zoning adjacent to Ruppel and the established single-family neighborhood further east.

Land Use Plan Analysis: Staff finds that the request is not fully consistent with adopted land use policies, or the Future Land Use Map's designation of a residential neighborhood given the intensity of uses permitted in the CS zoning. Additionally, staff finds that the areas proposed to be rezoned R-A in order to minimize development within the floodplain follow neither the existing floodplain boundaries nor the revised floodplain boundaries indicated by a floodplain study that was completed as part of the adjacent school development. This study has not yet been submitted to FEMA to complete a formal map revision but represents staff's best understanding of the actual location of the floodplain based on recent grading activity. Staff has historically not supported upzoning within sensitive environmental areas such as floodplain and streamside preservation, and it unclear why the proposed R-A boundaries are proposed in their current locations. Without additional information, staff is unable to determine if the proposed rezoning would constitute an increase in development rights within floodplains or if further work is proposed that would alter or reduce the location of the floodplains with development of the associated parcel. R-A still allows some intensive land uses such as animal husbandry, agriculture, and public protection and utility facilities, whereas the CCR, Conservation, Cultural and Recreation District is the city's zoning district intended for preservation of sensitive environmental areas. Staff finds that allowing an increase in development entitlement within floodplain areas would run counter to city goals to assemble an enduring green network and may not be in the best interest of public safety.

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 not sufficient justification to rezone this section of the subject property at this time. While CS zoning allows for more mixed-use which would adhere to the original intent of Ord. 5775 and land use designations, staff finds we do not currently have sufficient information to evaluate the potential impacts in relation to the floodplain boundaries.

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

Finding: Rezoning the property from a mix of NC, CS and UT to a mix of RA, CS, and UT could increase development potential and its associated traffic impact on the site as 5.3 acres is proposed to shift from NC, which has a density limit of 10 units per acre, to CS, which has no density maximum. However, staff does not find that the ultimate added density would appreciably increase traffic danger or congestion at this location.

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

Finding: The proposed rezoning has the potential to alter the population density since CS has smaller lot sizes and no density maximums, potentially increasing population density at a considerable rate. However, the property is near several high-intensity residential developments in the area as well as directly adjacent to a public school, which are supported by existing public infrastructure with no known capacity issues. Any necessary upgrades or improvements to existing infrastructure 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 tabling RZN-2026-0003 to the April 13, 2026 Planning Commission meeting.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>March 23, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.03 Residential Agricultural
 - §161.22 Community Services
 - §161.24 UT, Urban Thoroughfare
 - §161.29 Neighborhood Conservation
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
- Staff Exhibits
 - Engineering Memo
 - Long Range Planning Memo
- Applicant Exhibits
 - Request Letter
 - Exhibits (Current Floodplain and Floodplain Study)

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)
----------------	--------------

(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. 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

(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
-------------------------	-----------

(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(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

161.24 Urban Thoroughfare

- (A) *Purpose.* The Urban Thoroughfare District is designed to provide goods and services for persons living in the surrounding communities. This district encourages a concentration of commercial and mixed use development that enhances function and appearance along major thoroughfares. Automobile-oriented development is prevalent within this district and a wide range of commercial uses is permitted. For the purposes of Chapter 96: Noise Control, the Urban Thoroughfare 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 (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
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 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 34	Liquor store
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 20	Commercial recreation, large sites
Unit 21	Warehousing and wholesale
Unit 28	Center for collecting recyclable materials
Unit 29	Dance halls
Unit 33	Adult live entertainment club or bar
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities
Unit 38	Mini-storage units
Unit 42	Clean technologies

Unit 43	Animal boarding and training
Unit 48	Private dormitories

(C) *Density.* None

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family dwelling	18 feet
All other dwellings	None
Non-residential	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/7 stories*
-------------------------	----------------------

* A building or a portion of a building that is located between 10 and 15 feet from the front property line or any master street plan right-of-way line shall have a maximum height of five (5) stories. A building or portion of a building that is located greater than 15 feet from the master street plan right-of-way shall have a maximum height of seven (7) stories.

If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any 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) *Minimum buildable street frontage.* 50% of the lot width.

(Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5353, 9-7-10; 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, 8, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6223, §1, 9-3-19; 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.

161.29 Neighborhood Conservation

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited business*
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cluster Housing Development

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

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

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

(E) *Setback Regulations.*

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

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(Ord. No. 5128, 4-15-08; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800, §1(Exh. A), 10-6-15>; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §§5, 7—9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6211, §1, 8-6-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

Editor's note(s)—Ord. No. 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.



TO: Planning Commission

THRU: Jessie Masters, Planning Director
Donna Wonsower, Planner
Justin Bland, City Engineer

FROM: Alan Pugh, Stormwater Manger

DATE: March 3, 2026

SUBJECT: Rezone 2026-0003 Floodplain Concerns

RECOMMENDATION:

Engineering recommends denial of RZN-2026-0003 for the reasons listed below.

BACKGROUND:

Portions of the subject property are currently located within Zone A floodplain, or floodplain where the base flood elevation has not yet been determined. The attached site exhibit from the applicant shows this existing Zone A area. Any development within the Zone requires a full flood study along with the requirement to submit that study to FEMA for approval. That said, at the time of the John L Colbert Middle School expansion/re-development, the City of Fayetteville partnered with the school district along with the developer of this parcel to analyze the floodplain in the greater area and determine its actual extents.

This study included the tributaries running north to south through this property along with the North Fork Farmington Branch along the southern limits of this property and continued further to the east. That study was completed and shown to meet the City of Fayetteville requirements. Along with this study, a variance was granted from the requirement to submit the study to FEMA as the majority of the encroachment had already occurred with the original construction of the school prior to the revised flood mapping being adopted in January of 2024. The intent with the agreement between the three parties was to file a Letter of Map Revision (LOMR) with the Federal Emergency Management Agency (FEMA) at the time of completion of the school addition. This has not yet been filed as the school is still under construction.

DISCUSSION:

The original request by the applicant included rezoning the entire property in question. Engineering and planning staff raised concerns regarding the upzoning of floodplain property, and the applicant provided a revised exhibit showing portions being rezoned to CS, Community Services and others rezoned to RA, Residential Agricultural. However, the areas of R-A did not follow either the proposed floodplain from the previously completed study or the extents of the existing Zone A. It appears that the applicant may be proposing to channelize/relocate portions of the floodplain; however, a study has not been provided or reviewed to ensure that such work would meet the city requirements. This potential new study has also not been reviewed to

ensure it would be in keeping with the approved variance to not submit the study to FEMA for review and approval prior to permitting any developments. Without additional information such as a revised flood study meeting the City requirements to further support/describe the basis for the proposed R-A and CS areas, engineering is recommending denial of the proposed rezoning.

Attachments:

Applicant Exhibit showing existing floodplain

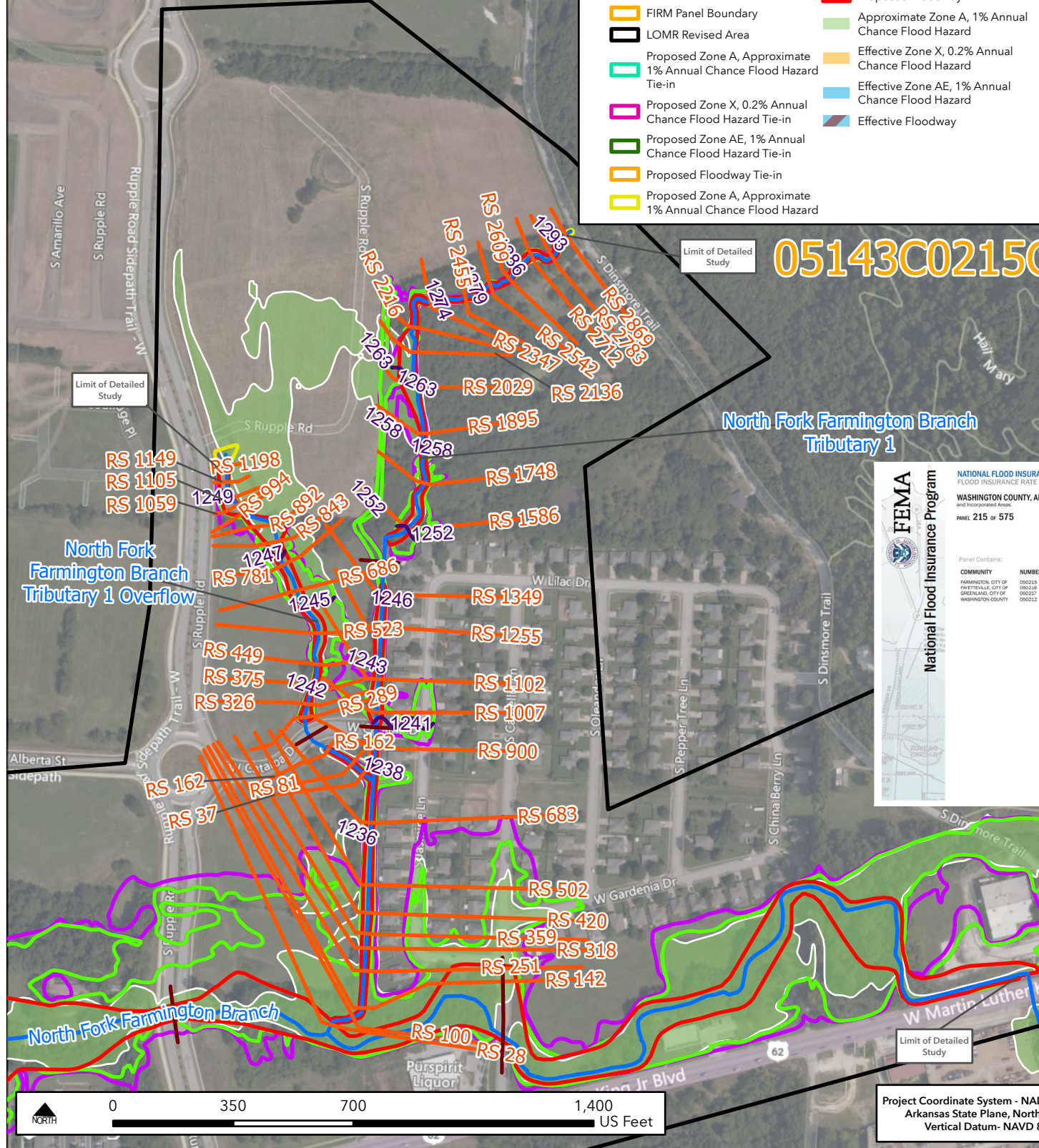
Applicant Exhibit showing proposed floodplain

Proposed Flood Mapping from completed study

Proposed Flood Insurance Rate MAP (FIRM) from previous Flood Study

Feature Key:

- Streamline
- Model Cross Sections
- Structures
- Proposed BFE
- FIRM Panel Boundary
- LOMR Revised Area
- Proposed Zone A, Approximate 1% Annual Chance Flood Hazard Tie-in
- Proposed Zone X, 0.2% Annual Chance Flood Hazard Tie-in
- Proposed Zone AE, 1% Annual Chance Flood Hazard Tie-in
- Proposed Floodway Tie-in
- Proposed Zone A, Approximate 1% Annual Chance Flood Hazard
- Proposed Zone X, 0.2% Annual Chance Flood Hazard
- Proposed Zone AE, 1% Annual Chance Flood Hazard
- Proposed Floodway
- Approximate Zone A, 1% Annual Chance Flood Hazard
- Effective Zone X, 0.2% Annual Chance Flood Hazard
- Effective Zone AE, 1% Annual Chance Flood Hazard
- Effective Floodway



FEMA
NATIONAL FLOOD INSURANCE PROGRAM
WASHINGTON COUNTY, AR
and Incorporated Areas
Panel 215 of 575

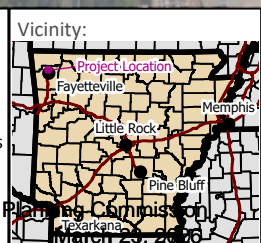
Panel Contains:

COMMUNITY	NUMBER
FAYETTEVILLE, CITY OF	090218
GREENLAND, CITY OF	090219
WASHINGTON COUNTY	090221
WASHINGTON COUNTY	090222

Client Name: Jorgensen + Associates	
Project Title: North Fork Farmington Branch Letter of Map Revision	
Project Location: Fayetteville, Washington County, AR	Description: Figure 7. Annotated FIRM.
Date Exported: 4/21/2025 4:22 PM	

Notice of Intent:

This map was created by Olsson to visualize general location(s) of subject property. Unless otherwise stated, features depicted herein do not represent legal or survey boundaries.





TO: Donna Wonsower, Senior Planner
FROM: Kylee Cole, Long Range & Preservation Planner
MEETING DATE: March 9, 2026
SUBJECT: Long Range Planning Comments Regarding RZN-2026-0003

BACKGROUND:

The applicant requests to rezone approximately 13.59 acres from NC, Neighborhood Conservation to CS, Community Services. One long range planning document is relevant when evaluating this request: *City Plan 2040*.

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 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 attainable housing, and limits the amount of land consumed by development on the City’s periphery, often termed “suburban sprawl”.

DISCUSSION:

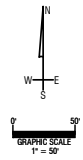
Zoning History:

The subject property was annexed in 1967. Ordinance 1747 approved on June 29, 1970 enacted a new zoning map and set of districts and zoning requirements for the city. This map shows the subject property as being zoned into the agricultural, low-density “A-1” zoning district, which was subsequently translated to “R-A” with the adoption of the city’s Unified Development Code. In 2015, over 600 acres adjacent to Ruppel Road were rezoned, and the area’s current zoning districts were assigned.

City Plan 2040 and Future Land Use Plan:

This area is designated as both a Residential Neighborhood area, which are “primarily residential in nature and support a wide variety of housing types of appropriate scale and context,” and the more dense and mixed-use City Neighborhood area. The request aligns with this designation by increasing the variety of housing types permitted from just single-family to include two-, three-, four-family housing and adding opportunities for goods and services to support the surrounding neighborhood, creating complete neighborhoods, to support City Plan 2040 goals 1,2,3 & 6.

Zone AE floodplain based on previous study



JORGENSEN + ASSOCIATES
 Civil Engineering + Surveying - Established 1985

124 W. Surrledge Drive, Suite 505
 Fayetteville, AR 72703
 Office: 479.442.9127
 www.jorgensen-ar.com

- LEGEND**
- X CALCULATED POINT
 - FOUND IRON PIN
 - SET IRON PIN & CAP
 - ⊕ POWER POLE
 - ▲ CENTERLINE MARKER
 - ⊗ SEWER MANHOLE
 - ⊕ FIRE HYDRANT
 - ⊙ STREET LIGHT
 - EXISTING P SEWER LINE
 - PROPOSED P SEWER LINE
 - EXISTING WATERLINE
 - PROPOSED P WATER LINE
 - CENTERLINE STREET
 - BUILDING SETBACK
 - UTILITY EASEMENT
 - NEW SIDEWALK
 - UTILITY CROSSING
 - EXISTING CONTOUR
 - FINISHED CONTOUR

PROJECT TITLE:
DUDECK REZONING

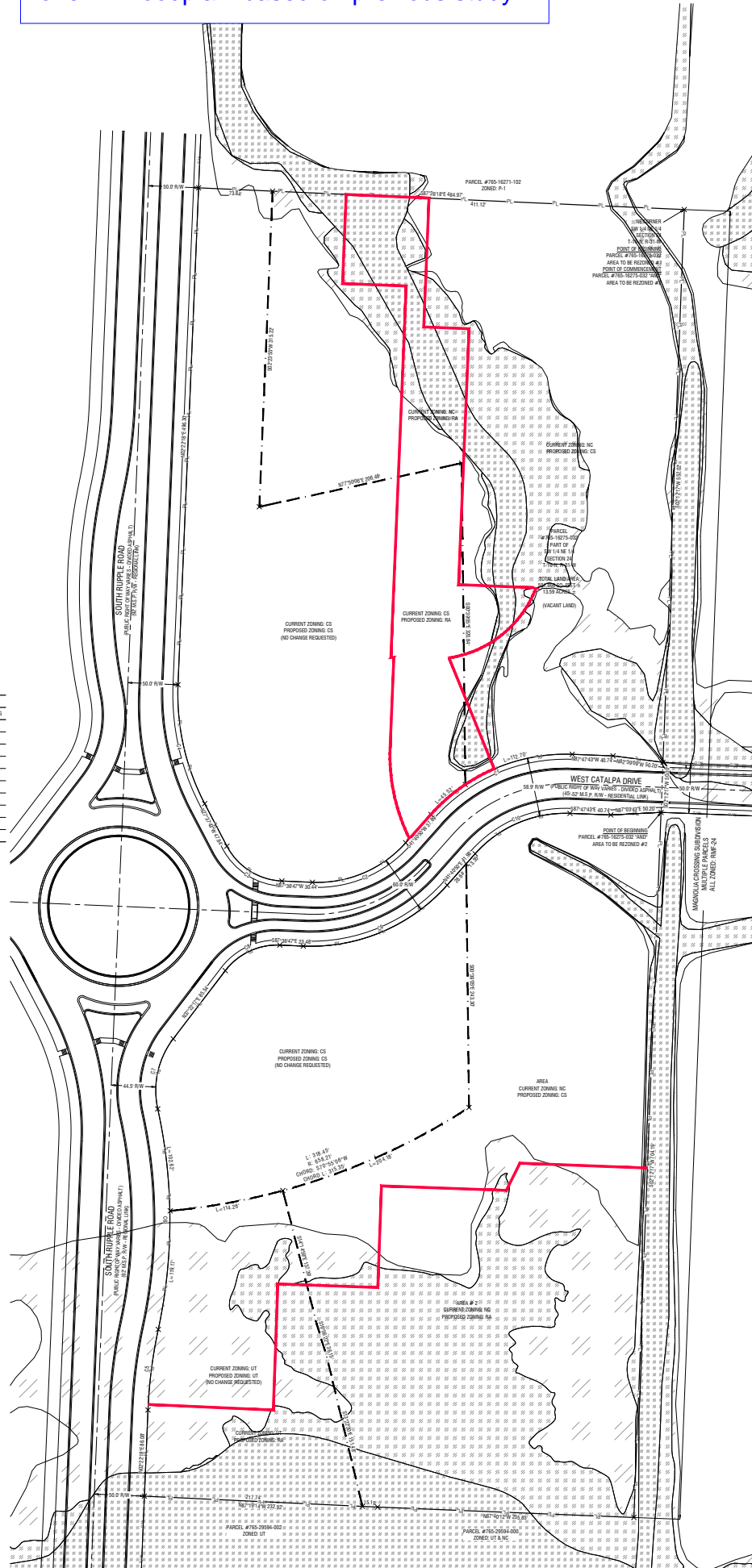
PROJECT LOCATION:
FAYETTEVILLE, AR

REVISIONS

DATE: 7.23.25
 DRAWN BY: PWB/J
 PROJECT #2025083
 FILE PATH: ZONING/CATALPA
 SHEET SIZE: 24" x 34"
 SCALE: 1" = 50'

STATE OF ARKANSAS
 REGISTERED PROFESSIONAL ENGINEER
 No. 13545
 DALE E. JORGENSEN

CURVE TABLE			
CURVE #	RADIUS	ARC LENGTH	CHORD BEARING
C1	180.51	158.22	S89°56'24"W
C2	119.00	158.42	S87°02'02"W
C3	85.00	88.00	N07°51'17"W
C4	230.00	133.00	N10°51'21"W
C5	473.00	81.14	N07°17'09"E
C6	519.00	221.79	N02°08'19"W
C7	82.00	73.80	N12°28'32"E
C8	82.00	82.41	N42°24'0"E
C9	182.00	181.07	N07°02'02"E
C10	120.40	106.20	N88°56'4"E

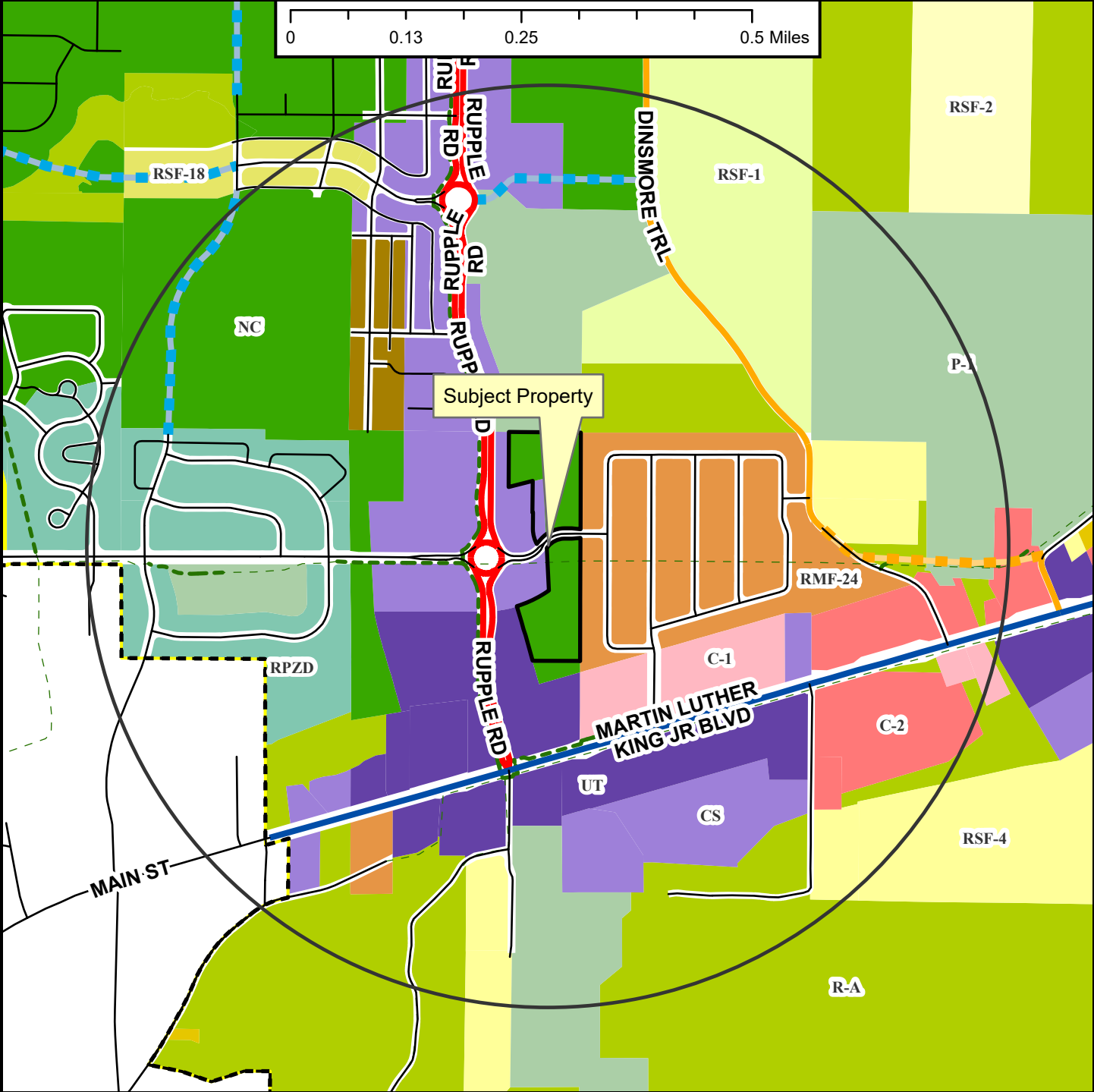
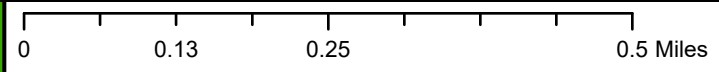


Planning Commission
 March 23, 2026

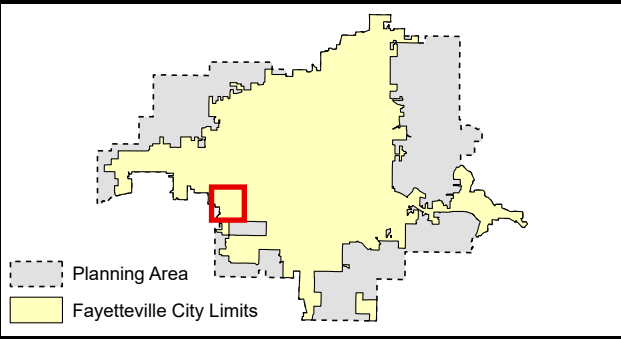
RZN-2026-0003

NORTH & SOUTH OF W. CATALPA DR & S. RUPPLE

One Mile View



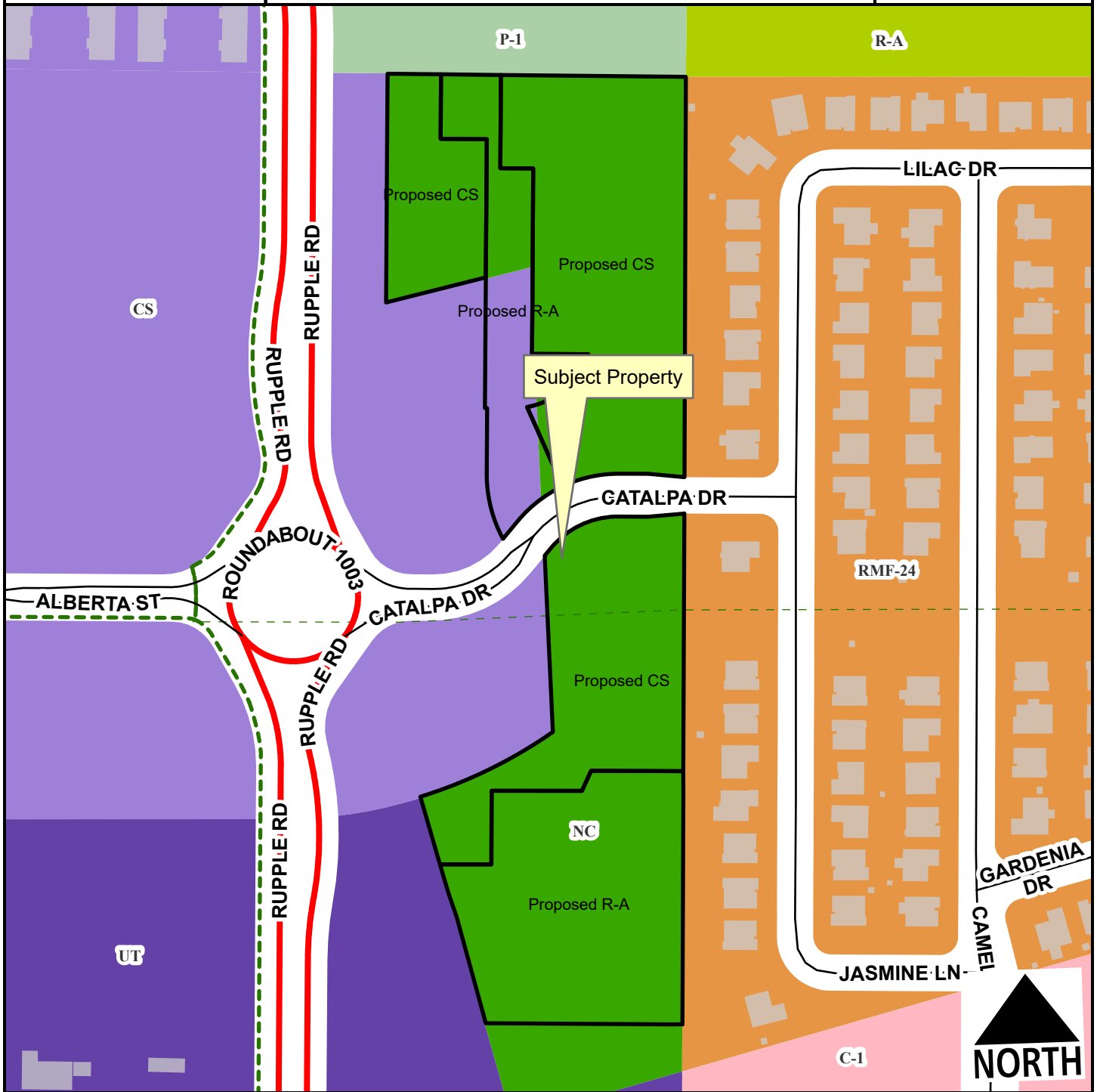
- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- - - Trail (Proposed)
- Fayetteville City Limits
- Planning Area



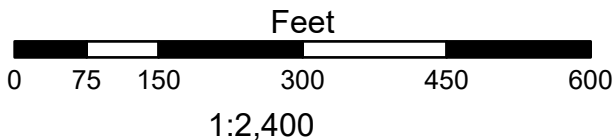
RZN-2026-0003

NORTH & SOUTH OF W. CATALPA DR & S. RUPPLE

Close Up View



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



Zone	Current	Proposed
CS	0.5	5.3
NC	8.0	0.0
R-A	0.0	3.3
RMF-24	0.0	0.0
Total		8.6 ac

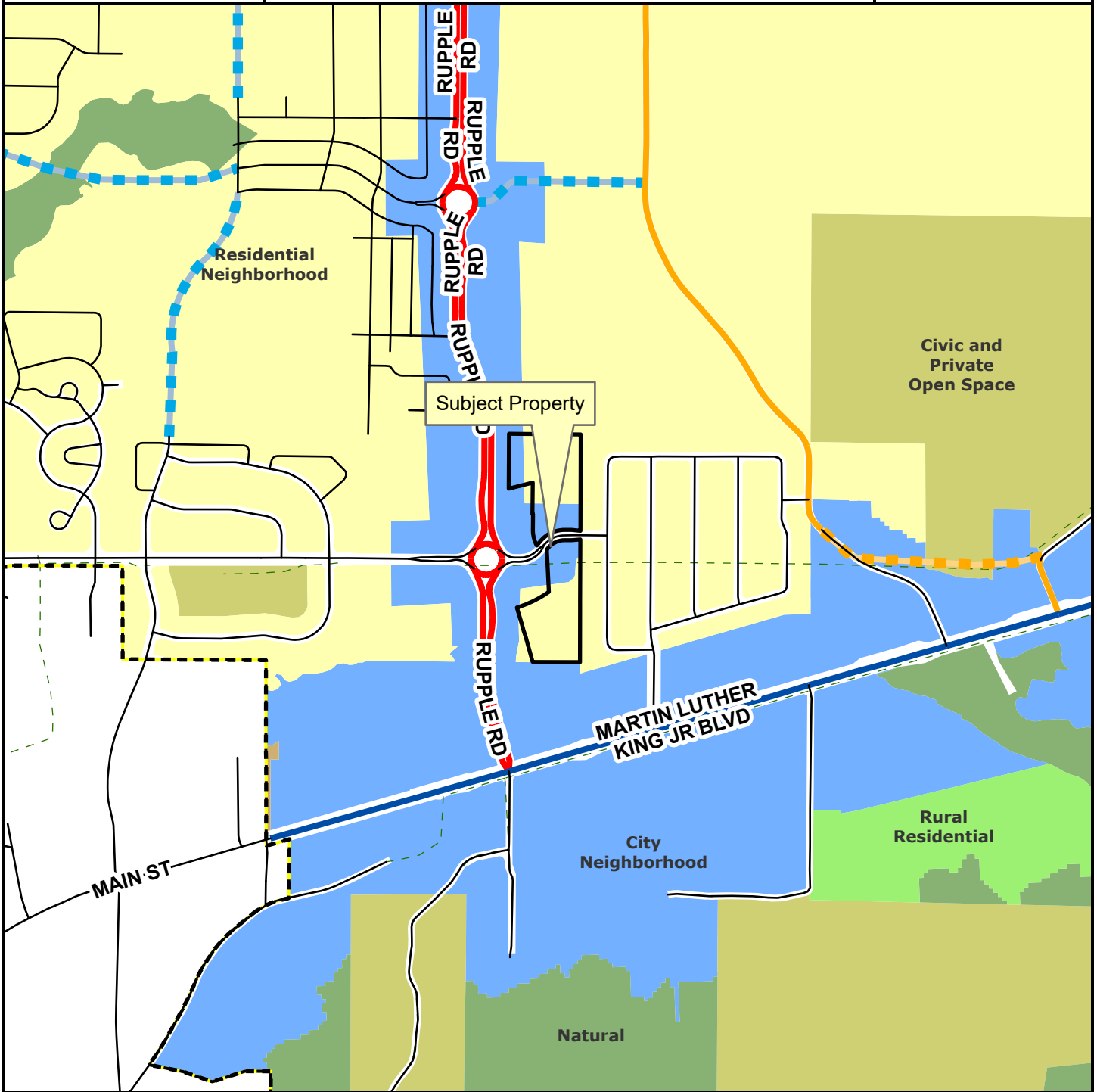


RZN-2026-0003

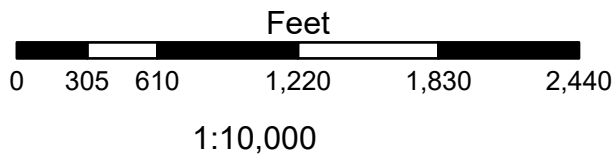
NORTH & SOUTH OF W. CATALPA DR & S. RUPPLE



Future Land Use



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



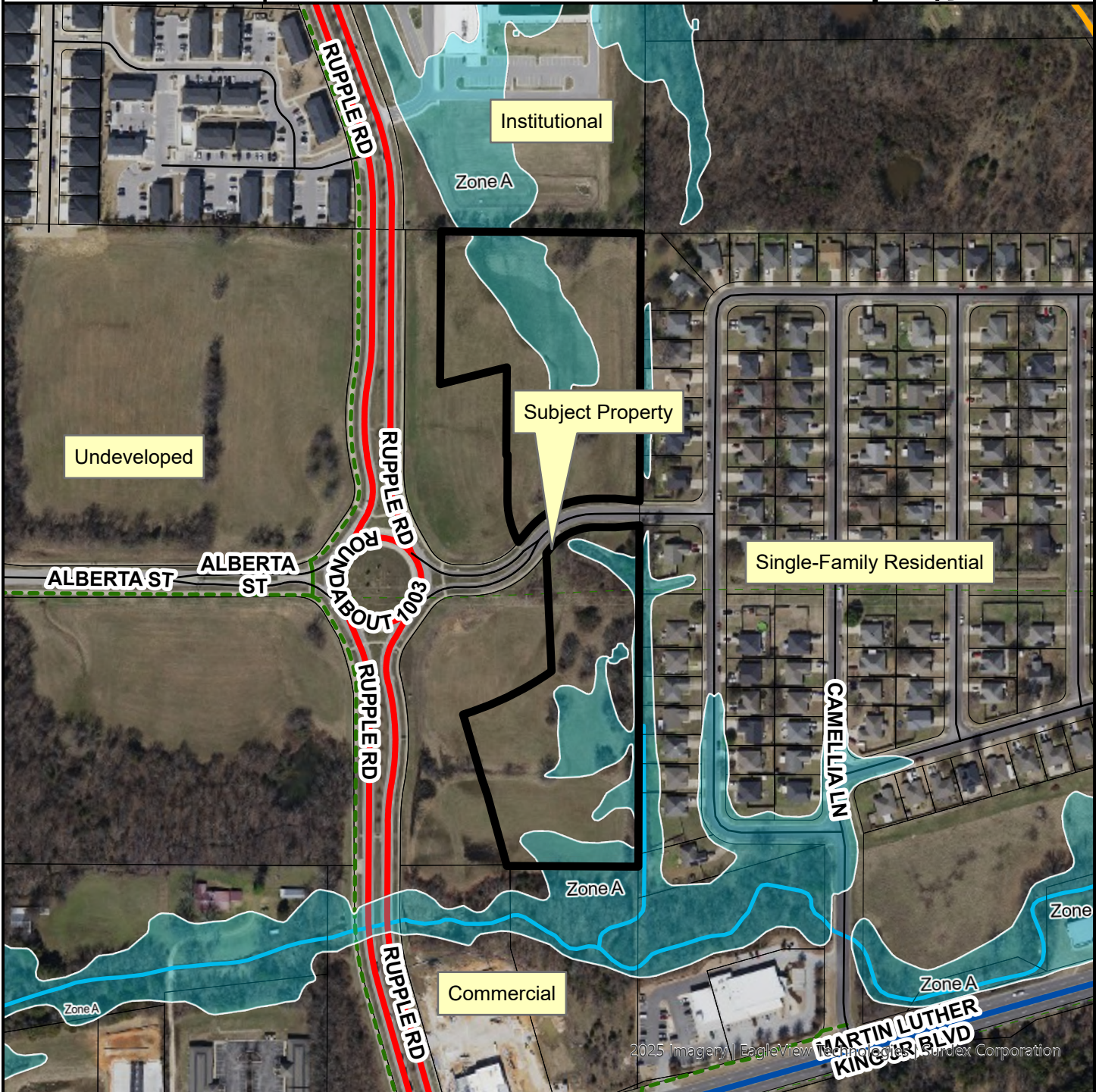
- City Neighborhood
- Civic Institutional
- Civic and Private Open Space
- Industrial
- Natural
- Non-Municipal Government
- Residential Neighborhood
- Rural Residential
- Urban Center

RZN-2026-0003

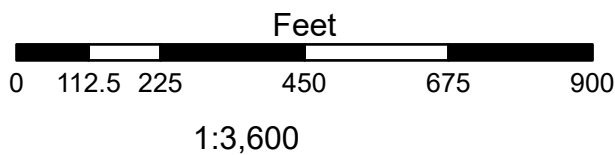
NORTH & SOUTH OF W. CATALPA DR & S. RUPPLE RD



Current Land Use



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



City of Fayetteville


City of Fayetteville
Development Services
J+A Project # 2025083
CoF Project #
Re: Dudeck Rezoning

Dear Planning Department,

Please accept this request for a rezoning of property parcel #765-16275-032 off of Catalpa and Ruppel Road. The site currently has what we are designating as Area #1 with 3.98 acres of NC that we would like to be CS and Area #2 with 4.04 acres of NC that we would like to be CS. The reason for this request is that NC limits the lot widths to be 40' while the CS Zoning allows lot widths to be a minimum of 18' and the developer is seeking to develop this property as a Preliminary Plat that would plat lots for future townhomes. We feel that this is a compatible transitional zoning as the established single family homes to the east and the John L Colbert Middle School to the north. Additionally, there is commercial development to the south.

The Developer of this property is as follows:
Titan TLH, LLC

Thanks, and we appreciate your consideration.



Blake Jorgensen, PE

Staff Note: Exhibit with Current Floodplain Study Boundaries



JORGENSEN + ASSOCIATES
 Civil Engineering + Surveying
 Established 1985
 124 W. Surrledge Drive, Suite 505
 Fayetteville, AR 72703
 Office: 479-442-9127
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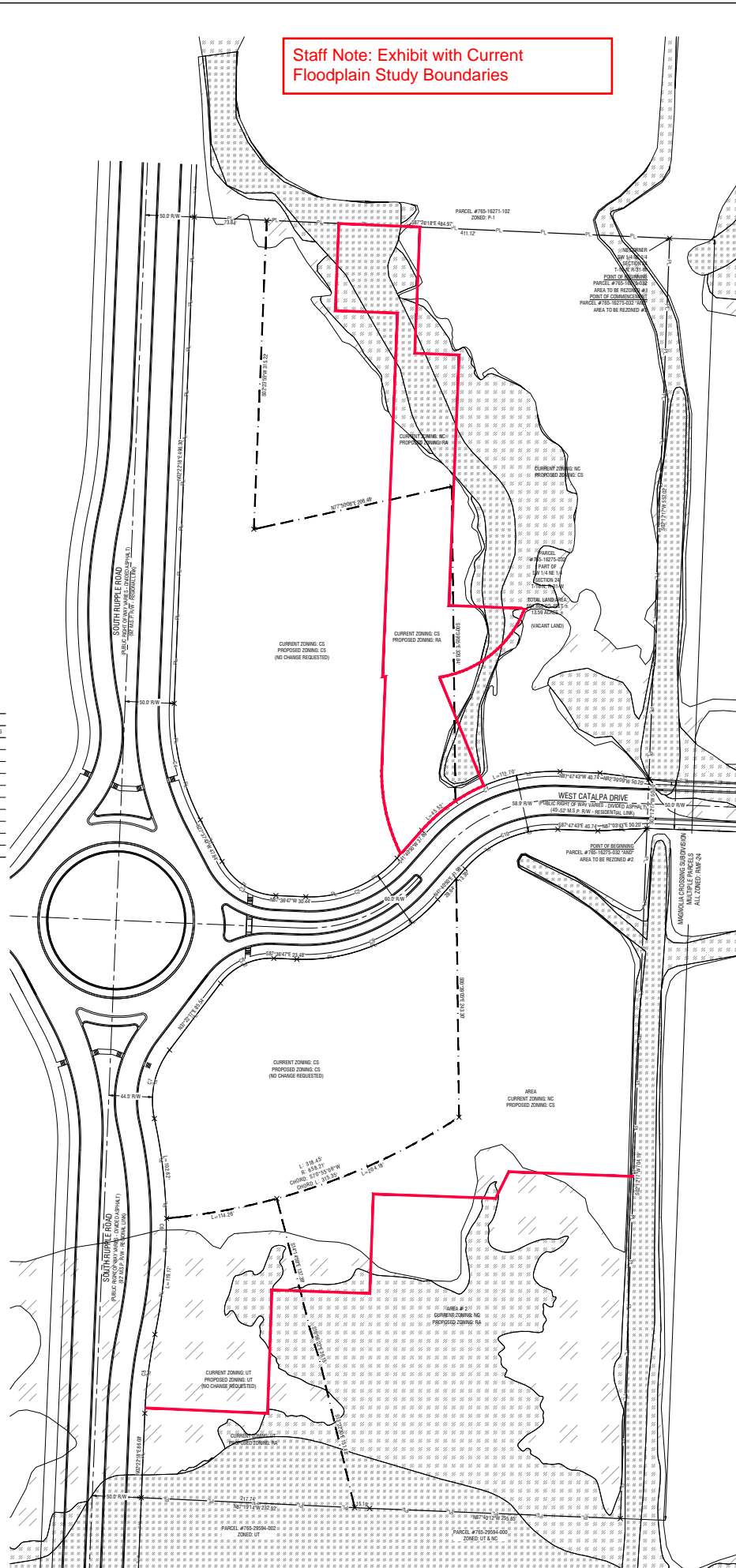
- LEGEND**
- X CALCULATED POINT
 - FOUND IRON PIN
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 - ⊕ POWER POLE
 - ▲ CENTERLINE MARKER
 - ⊗ SEWER MANHOLE
 - ⊕ FIRE HYDRANT
 - ⊙ STREET LIGHT
 - EXISTING P SEWER LINE
 - PROPOSED P SEWER LINE
 - EXISTING WATERLINE
 - PROPOSED P WATER LINE
 - CENTERLINE STREET
 - BUILDING SETBACK
 - UTILITY EASEMENT
 - NEW SIDEWALK
 - UTILITY CROSSING
 - EXISTING CONTOUR
 - FINISHED CONTOUR

PROJECT TITLE:
DUDECK REZONING

PROJECT LOCATION:
FAYETTEVILLE, AR

REVISIONS

CURVE TABLE			
CURVE #	RADIUS	ARC LENGTH	CHORD BEARING
C1	180.51	158.22	S89°56'24"W
C2	119.00	158.42	S87°02'02"W
C3	85.00	88.09	N07°51'19"W
C4	230.00	133.09	N10°51'19"W
C5	473.00	81.14	N07°17'09"E
C6	519.00	221.79	N02°08'19"W
C7	85.00	73.86	N12°28'35"E
C8	85.00	82.41	N45°24'05"E
C9	182.00	181.07	N07°02'02"E
C10	120.40	106.26	N88°56'45"E



DATE: 7.23.25
 DRAWN BY: PWB/J
 PROJECT #2025083
 FILE PATH: ZONING/CATALPA
 SHEET SIZE: 24" x 34"
 SCALE: 1" = 50'



Planning Commission
 March 23, 2026



TO: Fayetteville Planning Commission

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

MEETING: March 23, 2026

SUBJECT: **LSD-2025-0019: Large Scale Development (SOUTH OF N. MARKS MILL LANE AND NORTH OF E. ASH STREET/RAMAY JR. HIGH SCHOOL, 368):** Submitted by CRAFTON TULL for property located SOUTH OF N. MARKS MILL LANE AND NORTH OF E. ASH STREET. The property is zoned P-1, INSTITUTIONAL and contains approximately 26.7 acres. The request is for an approximately 150,000 sq. ft. junior high school with associated track and parking.

RECOMMENDATION:

Staff recommends approval of **LSD-2025-0019** with all conditions as recommended by staff.

RECOMMENDED MOTION:

*"I move to approve **LSD-2025-0019**, recommending:*

- *In favor of a variance to UDC §172.04(E), which requires that one-way drive aisle widths are a minimum of 12 feet wide.*
- *In favor of a variance to UDC §166.04(B)(4)(f)(i): 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.*
- *In favor of a variance to UDC §166.08(F)(2)(a) Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway.*
- *In favor of a variance to UDC §166.08(F) Property that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification.*
- *In favor of a variance to UDC §172.04(G)(3) Parking pads shall have a maximum of thirty (30) spaces per pad in the HHOD.*
- *In favor of right-of-way dedication,*
- *In favor of street improvements, and*
- *In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is in central Fayetteville, east of College Avenue, south of where N. Marks Mill Lane terminates, and north of E. Ash Street. Totalling approximately 26.7 acres, the property is zoned P-1, Institutional, and is within the Hillside/Hilltop Overlay District. The property received this zoning designation in December 2025 (Ord. 6944). The site is almost entirely covered with tree canopy and has an approximately 23% slope upward as the property moves eastward away from N. College Avenue. 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	UC, Urban Corridor; NC, Neighborhood Conservation
South	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
West	Commercial	UC, Urban Corridor

Proposal: The applicant requests large scale development approval for an approximately 150,000 sq. ft. junior high school with an associated track, practice football field, and parking. The applicant is requesting several variances to the Unified Development Code as listed below:

- **Variance #1: UDC §172.04(E), which requires that one-way drive aisle widths are a minimum of 12 feet wide.** The applicant is requesting drive aisles that are 10 feet wide.

 - *Staff recommendation: Staff recommends in favor of the applicant’s request. In response to the unique traffic and parking considerations for a junior high school, and in response to the topography of the site, the applicant has proposed a one-way drive aisle with angled parking that will double as queuing and parking lanes during school events. Staff finds that reducing the aisle width to 10 feet creates an overall narrower drive aisle throughout the site (reducing the overall width in some places from 36 feet to 30 feet), which leads to less grading and tree removal. Appropriate and adequate fire access will still be maintained.*

- **Variance #2: UDC §166.04(B)(4)(f)(i): 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.** The applicant is proposing a multi-use trail through the property that will run from the primary entrance along N. College to E. Ash Street, and proposes to not install sidewalk along E. Ash Street.

 - *Staff recommendation: Staff is supportive of the requested variance. The applicant’s proposed multi-use trail is in line with the City’s active transportation plan. The intent of the ordinance is to ensure that sidewalk, where not meeting the City’s master street plan, is brought into compliance with new development on properties, to help fill gaps in the sidewalk system, and to promote walkability throughout the City. The applicant’s proposed multi-use trail, along with pedestrian crossings along E. Ash ensure that pedestrians are still provided with a similar amount of service through the neighborhood as those who may be using a vehicle to travel. The existing Ash St. longitudinal slope is steeper and ranges between 12-18% slope. Therefore, the concrete multi-use trail, which is serving as the sidewalk for the proposed typical section on north side of Ash St, parallels the on-site roadway in order to minimize the longitudinal slope as much as possible. Pedestrians can still walk along Ash St. if the multi-use trail is not directly adjacent on the north side.*

- **Variance #3: UDC §166.08(F)(2)(a) Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway.** The applicant is requesting a variance to install a curb cut and new driveway within the required 250-foot separation distance along N. College Avenue.

 - *Staff recommendation: Staff recommends in favor of the request. The applicant is currently improving an existing, non-conforming situation with their request. Further, this intersection will be signalized, which should help alleviate conflicts and issues with adjacent driveways.*

- **Variance #4: UDC §166.08(F) Property that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification.** The property in question has access onto three public streets, with N. College Avenue being the highest classification street. The applicant requests to use N. College as the primary access, while also providing a driveway only E. Ash Blvd, and no driveway onto N. Marks Mill Lane.
 - *Staff recommendation: Staff recommends in favor of the applicant's request. The site in question is an atypical configuration. The intent of the ordinance is to ensure that curb cuts and traffic onto higher classification streets is limited to protect public safety. Typically, this would apply to a standard, corner lot. The overall property in question is currently made up of three large parcels, and access to the site is spread out with multiple parcels, with unique topography and curves in the lower classification streets that are adjacent. The improved intersection, including a traffic light onto E. Poplar, will effectively make their proposed main driveway function as a City street. This is the better alternative, rather than funneling the majority of the traffic into the associated residential neighborhood along Ash Street.*

- **Variance #5: UDC §172.04(G)(3) Parking pads shall have a maximum of thirty (30) spaces per pad.** The applicant's site plan shows a run of parking spaces in the Hillside-Hilltop Overlay District of more than 30.
 - *Staff recommendation: Staff recommends in favor of the applicant's request. The applicant is working with existing grades and is making cuts and fills into the site in line with existing contours. Staff finds the applicant's plan is in line with the intent of the ordinance.*

Right-of-Way to be Dedicated:

N. College Avenue: N. College Avenue is designated as a Regional High Activity Link Street, which typically requires right-of-way dedication in the amount of 48 feet from the street centerline. The applicant intends to dedicate right-of-way in accordance with this standard.

E. Ash Street.: E. Ash Street is residential link street, which typically requires right-of-way in the amount of 52 feet, or 26 feet from street centerline. The applicant intends to dedicate right-of-way in accordance with this standard.

Street Improvements:

N. College Avenue: Staff recommends that the applicant pay fee-in-lieu of sidewalk installation along the N. College Avenue frontage in the amount of \$8751.36. This section of N. College is currently under design for improvements, including the installation of a stoplight at the intersection of N. College and E. Poplar. The applicant shall also pay a fee-in-lieu for their contribution of the fourth leg of the stoplight. The applicant also intends to make improvements to the storm drainage at this location. See Engineering memo for full scope.

E. Ash Street: The applicant has requested a variance to the typical street standards along E. Ash Street to not build a sidewalk. The street improvements along E. Ash will include two pedestrian crosswalks with associated RRFB assemblies that will connect into the site. Along the western side, the crosswalks will connect to a pedestrian walkway that ultimately leads into the building. Along the eastern side, the crosswalk ties directly into the trail that veers off and connects to the building as well. See Engineering memo for full scope.

Multi-use Trail: The applicant is proposing to construct a portion of the Midtown trail through this property that will be encompassed in a multi-use trail easement, and bounded by a split-rail fence that will be constructed from harvested wood from the property. See Engineering memo for full scope.

Marks Mill Lane: The applicant does not propose any street improvements to Marks Mill Lane, but shows a pedestrian sidewalk that leads from Marks Mill Lane to the structure. This is in alignment with the typical parking lot design standards that require a pedestrian connection from the public street to the building's front door.

Access Management/Connectivity: Staff has determined that the proposed development is largely compliant with the City's access management and connectivity standards. 166.25 does not apply to institutional uses.

Design Standards: Staff finds that the proposed development largely complies with pertinent design standards, including those for parking.

Water and Sewer System: There is an existing 12" water main along the west property frontage on College Ave., an existing 8" water main along the southern property frontage along Ash St. and an existing 8" water main that dead ends at the north property frontage along Mark Mills Ln. The plans currently show a new looped connection with 8" and 6" lines between the water lines on Mark Mills and Ash St. for the domestic and fire service needs.

Staff was notified of a recent change made by the Utilities Department to the water system along Mark Mills Ln. This may necessitate a change in the proposed design including possible on-site pipe re-routing and/or an increase in pipe size. Staff is confident the required fire flow of 1,750 gpm can be provided and this will be worked out through the grading permit process.

There is an existing 15" sewer main along the west property frontage on College Ave. The applicant is planning to extend a new 8" sewer main from it to provide sewer service for the property. The Utilities Department has confirmed there is available sewer capacity in this line.

Parkland dedication or fee in-lieu: N/A; parkland dedication does not apply to non-residential projects.

Tree Preservation:

Canopy minimum requirement: 30% (25%, P-1 Institutional, 5% HHOD)

Existing canopy: 80.6%

Preserved canopy: 43.7%

Mitigation required: 0 (2)-inch caliper trees

Public Comment: Staff have received public comment in opposition and in support of the applicant's request. The majority of the concerns stem from the loss of natural features, concerns about stormwater management, traffic, tree removal, and concerns about adequate public notification. Written comment is attached to this memo.

RECOMMENDATION: Staff recommends approval of **LSD-2025-0019** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of a variance to UDC §172.04(E), which requires that one-way drive aisle widths are a minimum of 12 feet wide. Staff recommends in favor.**
2. **Planning Commission determination of a variance to UDC §166.04(B)(4)(f)(i): 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. Staff recommends in favor, with the construction of the proposed street improvements as shown on the applicant's site plan.**
3. **Planning Commission determination of a variance to UDC §166.08(F)(2)(a) Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway. Staff recommends in favor.**
4. **Planning Commission determination of a variance to UDC §166.08(F) Property that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification. Staff recommends in favor.**
5. **Planning Commission determination of a variance to UDC §172.04(G)(3) Parking pads shall have a maximum of thirty (30) spaces per pad in the HHOD. Staff recommends in favor.**
6. **Planning Commission determination of right-of-way dedication. Staff recommends right-of-way dedication in the following amounts:**
 - a. *N. College Avenue: 48 feet from street centerline*
 - b. *E. Ash Street: 26 feet from street centerline*
7. **Planning Commission determination of street improvements. Staff recommends the following improvements:**
 - a. *N. College Avenue: Applicant to pay a fee-in-lieu for sidewalk in the amount of \$8751.36. Applicant to pay a proportional fee-in-lieu for their contribution of a necessary traffic light at the intersection of N. College and Poplar, to be determined following an accurate bid cost. See Engineering memo for full details.*
 - b. *E. Ash Street: The applicant shall install a portion of the Midtown Trail in a substantially-similar manner as shown on the associated site plan, including, but not limited to, a split-rail fence as shown on the plans. The applicant shall also install necessary pedestrian crosswalks, advanced signage, and associated RRFBs at the proposed locations as shown on the site plan. See Engineering memo for full details.*
 - c. *Marks Mill Lane: The applicant shall install a pedestrian sidewalk connection from the project to the north at Marks Mill Lane.*
8. All remaining comments from Planning and other city divisions shall be addressed prior to permitting;
9. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto;

Standard Conditions of Approval:

10. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance;
11. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or their representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks, SWEPCO, and Cox Communications);
12. All mechanical/utility equipment (roof and ground mounted) shall be screened using materials that are compatible with and incorporated into the structure. A note shall be clearly placed on the plat and all construction documents indicating this requirement;
13. Trash enclosures shall be screened on three sides with materials complimentary to and compatible with the principle structure. Containers may also be screened from view of the street by the principal structure or vegetation. Elevations of the proposed dumpster enclosure shall be submitted to the Planning and Solid Waste Divisions for review prior to building permit;
14. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;
15. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with City's current requirements;
16. All exterior lights shall comply with the City lighting ordinance. Manufacturer's cut-sheets are required for review and approval prior to issuance of a building permit;
17. All freestanding and wall signs shall comply with ordinance specifications for location, size, type, number, etc. Any proposed signs shall be permitted by a separate sign permit application prior to installation. Freestanding pole signs and electronic message boards (direct lighting) are prohibited in the I-540 Design Overlay District;
18. Large scale development approval shall be valid for one year;
19. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit;
20. Prior to building permit, a cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy; and
21. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;

- c. Exterior lighting package must be provided to the Planning Division;
- 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>March 23, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Forwarded	<input type="checkbox"/> 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
- Submittal Documents
 - Request Letter
 - Variance Request Letters
 - Site Plan
 - Building Elevations
- Public Comment

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.
- (ii) *Council Acceptance of Streets and Alleys.* The City Council accepts all streets and alleys located in Fayetteville that have been previously approved and accepted as dedications by the Fayetteville Planning Commission. The City Council confirms the acceptance of all such streets and alleys dedicated by developers/owners to the city which have been approved by the Fayetteville Planning Commission.
- (b) *Monuments and Lot Stakes.* The surveyor shall cause, preserve, and/or replace monuments and/or lot stakes marking the corners of a parcel to be set in accordance with Section 3.2, General Procedures, of the Arkansas Minimum Standards for Property Boundary Surveys and Plats.
- (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.

...

(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

- (A) *Intent.* These standards are intended to ensure that development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movements.
- (B) *Fitness for Development.* Based on topographic maps, soil surveys prepared by the Department of Agriculture and drainage information from the Future Land Use Plan and the Hillside/Hilltop Overlay District, the Planning Commission may require that steep grades, unstable soil and flood plains be set aside and not subdivided until corrections are made to protect life, health, and property.
- (C) *Applicability.* The standards set forth herein shall apply to land which is proposed to be developed with new primary structures and all other developments where the creation of public streets are required, or proposed, or in which new or existing access is created or modified; or developments or expansions containing non-conforming access features which meet the thresholds set forth in subsection (G).
- (F) *Access Management.* Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Residential link streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification, e.g., residential and neighborhood links. In a case where the streets have the same classification, access shall be from the lower volume street, or as determined by the City Engineer.
 - (1) *Curb Cut Separation.* For purposes of determining curb cut or street access separation, the separation distance shall be measured along the curb line from the edge of curb cut to the edge of curb cut/intersection. The measurement begins at the point where the curb cut and intersecting street create a right angle, i.e., the intersection of lines drawn from the face-of-curb to face-of-curb. The measurement ends at the point along the street where the closest curb cut or street intersection occurs; again, measured to the point where the curb cut or intersecting streets create a right angle at the intersection of face-of-curb. In all cases curb cuts shall be a minimum of 5 feet from the adjoining property line, unless shared.
 - (2) Separation for two (2) family, three (3) and four (4) family, multi-family and nonresidential development.
 - (a) *Regional and Regional High Activity Links.* Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When necessary, curb cuts along regional links shall be shared between two (2) or more lots. Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway.
 - (b) *Neighborhood Links.* Curb cuts shall be located a minimum of 100 feet from an intersection or driveway. When necessary, curb cuts along neighborhood links shall be shared between two (2) or more lots.
 - (c) *Residential Links.* Curb cuts shall be located a minimum of 50 feet from an intersection or driveway. In no case shall a curb cut be located within the radius return of an adjacent curb cut or intersection.

...

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

172.04 Parking Lot Design Standards

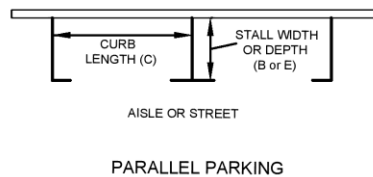
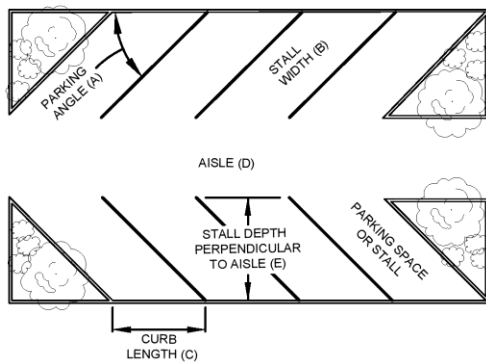
(See: Illustration: Parking Dimension Factors)

...

(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



(G) *Hillside/Hilltop Overlay District.*

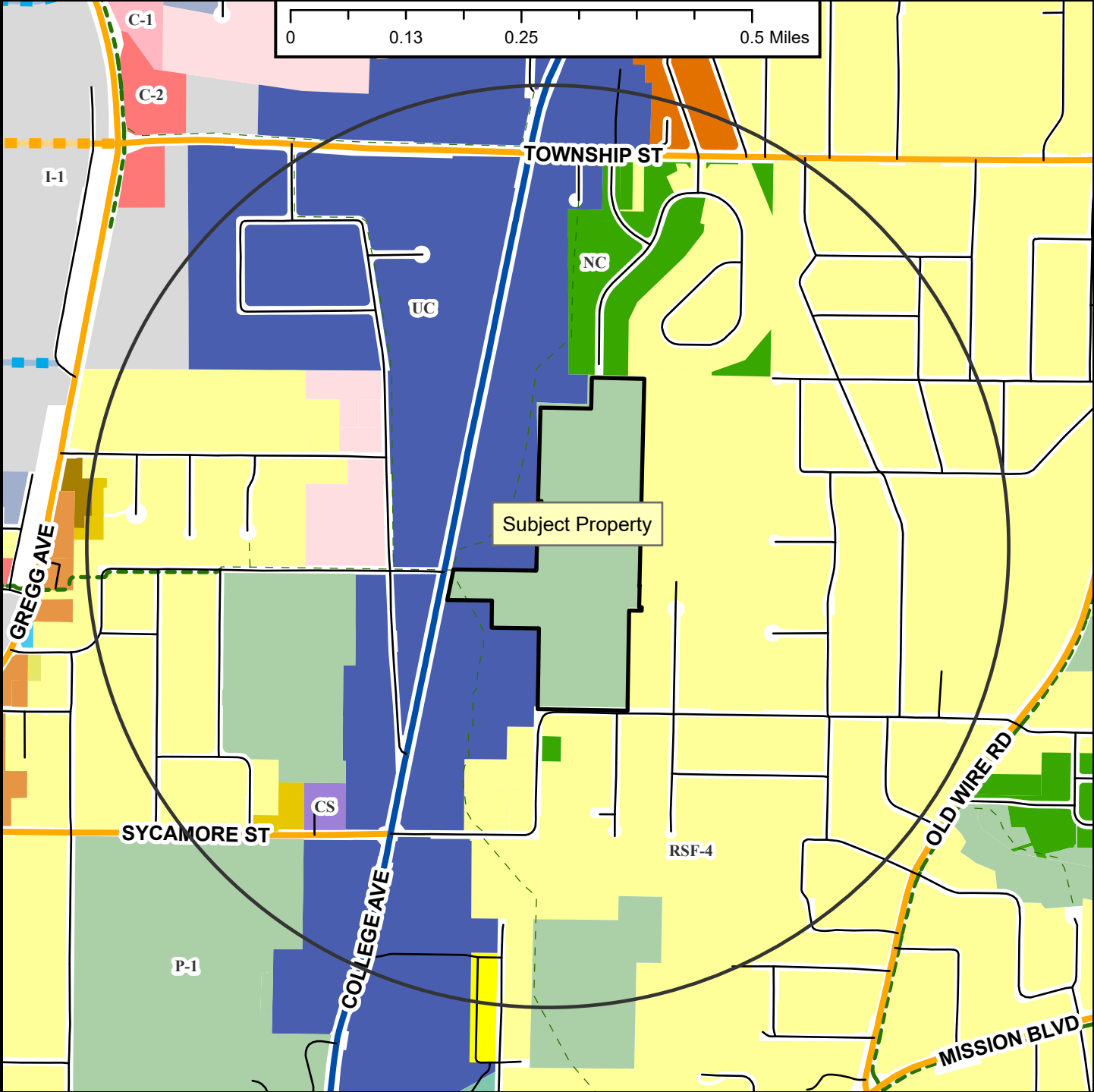
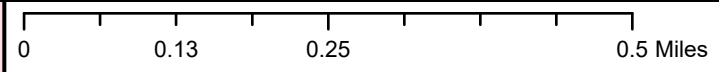
- (1) *Separation of Parking Pads in Multi-Family, and Non-Residential Development.* Parking pads shall be separated by a minimum undisturbed area of 15 feet between parking pads. Streets and access drives are permitted to cross this undisturbed area.
- (2) *Cut and Fill Slopes.* Parking pads should be encouraged to utilize cut slopes with retaining walls to minimize disturbance.
- (3) *Maximum Number of Spaces per Parking Lot for Multi-Family and Non-Residential Uses.* Parking pads shall have a maximum of thirty (30) spaces per pad.
- (4) *Parking Lot Location.* Parking lots shall be set back with a minimum of 35 feet of undisturbed area required adjacent to the street right-of-way.
- (5) *Multi-Family and Non-Residential Uses.* Developers of multi-family and non-residential uses in the Hillside Overlay District are encouraged to refer to the Hillside Best Management Practices Manual for guidance and direction in the design of their project.

(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)

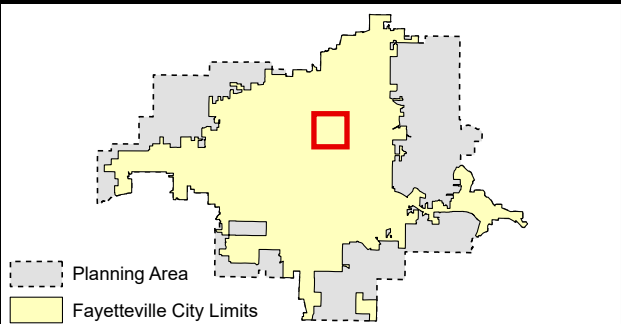
LSD-2025-0019

SOUTH OF N. MARKS MILL LANE AND NORTH OF E. ASH

One Mile View

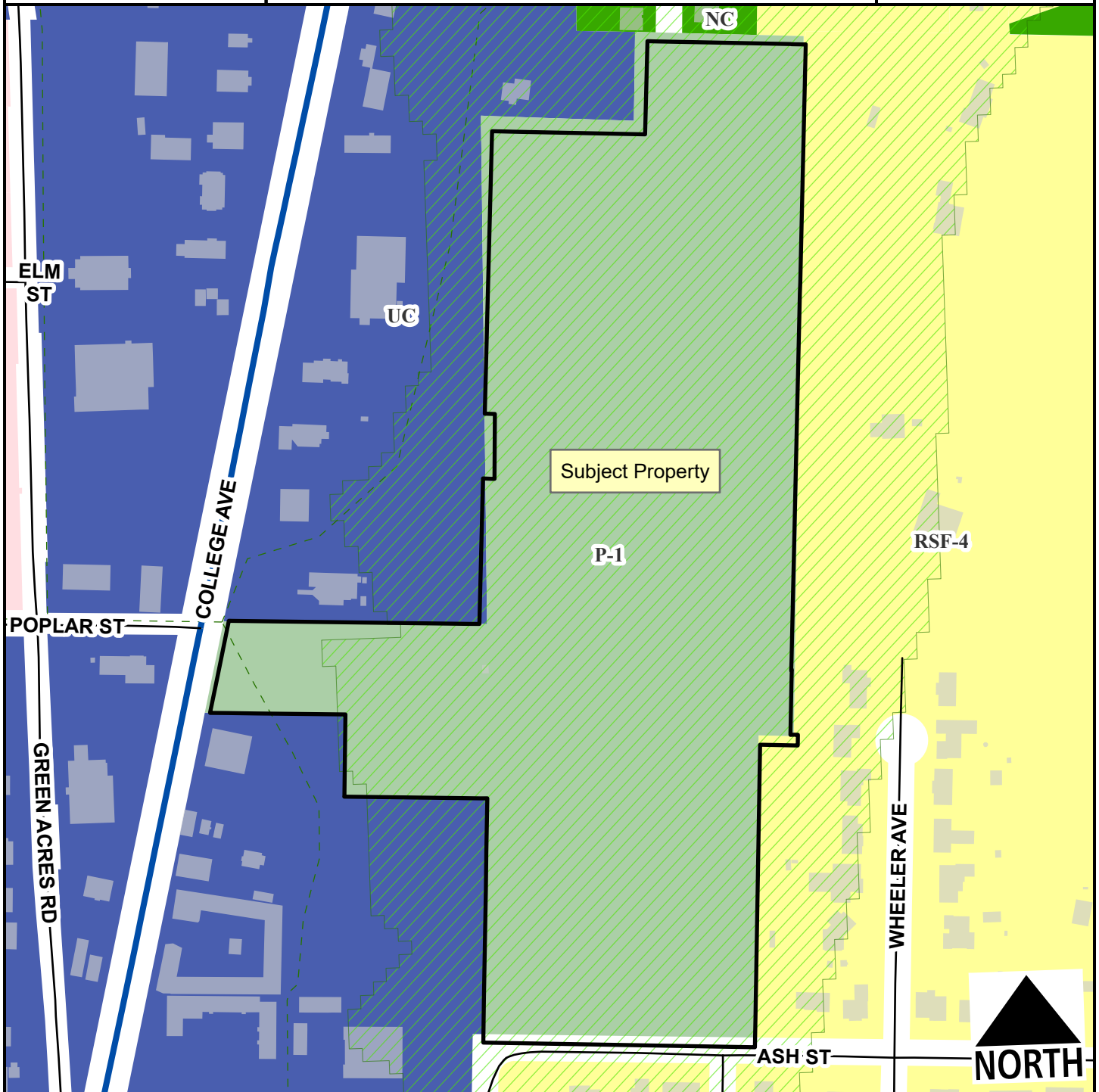


- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area

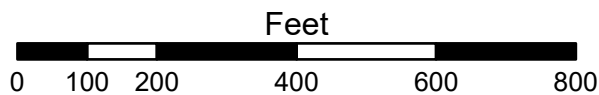


SOUTH OF N. MARKS MILL LANE AND NORTH OF E. ASH

Close Up View



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

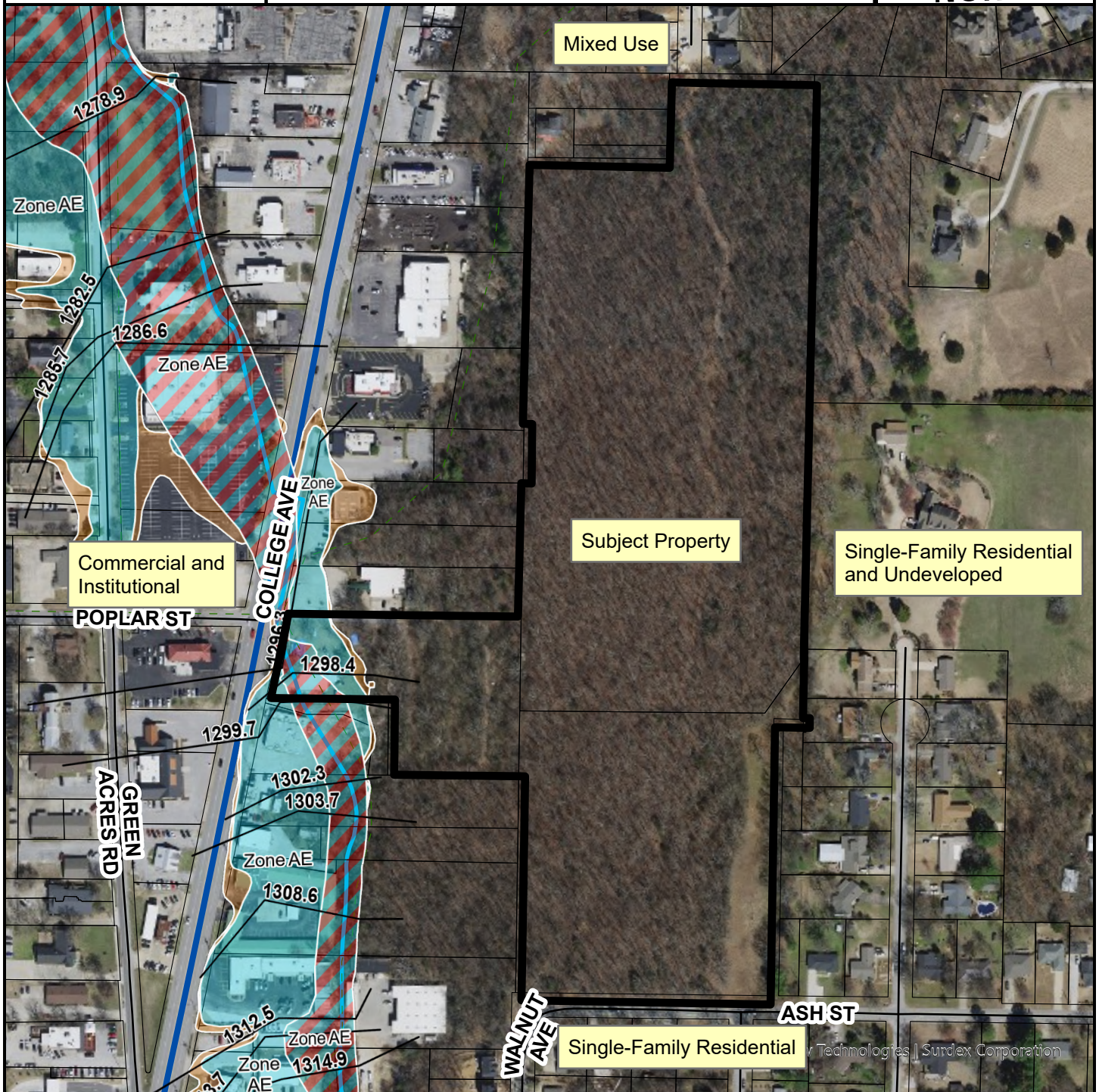


1:3,300

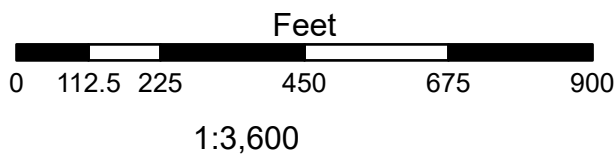
SOUTH OF N. MARKS MILL LANE AND NORTH OF E. ASH STREET



Current Land Use



- Regional Link - High Activity
- Residential 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: March 3, 2026

SUBJECT: **Planning Commission Engineering Comments for
LSD-2025-0019**

Water: There is an existing 12" water main along the west property frontage on College Ave., an existing 8" water main along the southern property frontage along Ash St. and an existing 8" water main that dead ends at the north property frontage along Mark Mills Ln. The plans currently show a new looped connection with 8" and 6" lines between the water lines on Mark Mills and Ash St. for the domestic and fire service needs.

Staff was notified of a recent change made by the Utilities Department to the water system along Mark Mills Ln. This may necessitate a change in the proposed design including possible on-site pipe re-routing and/or an increase in pipe size. Staff is confident the required fire flow of 1,750 gpm can be provided and this will be worked out through the grading permit process.

Sewer: There is an existing 15" sewer main along the west property frontage on College Ave. The applicant is planning to extend a new 8" sewer main from it to provide sewer service for the property. The Utilities Department has confirmed there is available sewer capacity in this line.

Streets: The applicant has street frontage along N. College Ave. and Ash St. where typical street improvements will be required.

- N. College Ave: Since the street along this frontage is already improved, the applicant will be required to donate additional right-of-way and construct an 8' sidewalk per the Master Street Plan. Since the city has a federal Safe Street for All grant to improve this section of College Ave., the city is open to a fee-in-lieu of the actual construction of this sidewalk. This would allow the city's contractor to construct this sidewalk with the street project which would likely provide a more cohesive result. The fee for this, based upon current ArDOT average prices, is (106' x 8' x \$10.32 sq. ft.) **\$8,751.36.**
- Ash St: The applicant is proposing to widen the northern side of the street to meet the Residential Link standards. Due to the applicant constructing 12' wide public trail across the property in the vicinity of Ash St. they have asked for a variance to not construct the sidewalk along this frontage because it would be redundant. There is also existing sidewalk on the south side of Ash St.

The applicant shows two driveway connections to Ash St. The eastern drive, which aligns with Rayview Dr., is intended to only be used for emergency access. The drive will be gated with a Knox box so that emergency services can utilize when needed. The second drive will be at the corner of Ash St. and Walnut Ave. This drive will be two-way and open to the public.

This section of Ash St. will be designated as school zone with a speed limit of 20 mph when children are present. This is slightly slower than the posted speed limit of 25 mph.

Sidewalk/Trail Connections: The project proposes a 12' multi-use trail across the site that connects to College Ave. and Ash St. This trail will be an extension of the Mid-Town Trail that currently ends further to the west along Poplar St. The trail will be open to the public 24 hours a day. It will have a split rail fence on its northern edge to discourage people from leaving the trail and encroaching onto the school property. At College Ave., the trail will have a crosswalk that is provided by the traffic signal the city will be installing as part of the Safe Streets for All grant. This crosswalk will be provided whether the Ramay project is approved or not. On Ash St. the trail will be extended offsite approximately 70' to the east to the crest of the hill. The Engineering Active Transportation team walked this corridor to confirm the safest location for this crossing. The crossing will be protected with RRFBs and advanced signage. There is also a crosswalk at the intersection of Ash St. and Walnut St. Again, city staff walked the area and confirmed this is the safest location. This location will also be protected by a RRFBs and advanced signage.

An additional sidewalk connection will be made from the project to the north at Mark Mills Ln.

Traffic: A traffic impact study was prepared for this project which considered existing conditions, anticipated 2029 conditions (when the school would be opening) without the additional school traffic and total 2029 conditions with the additional school traffic. Three existing intersections were analyzed: Poplar/College, Sycamore/College and Old Wire/Ash. In addition, the driveway connection at Ash/Walnut was analyzed as a stop sign controlled intersection in the 2029 total traffic condition. Overall the traffic signal all operated with a LOS of A or B in all scenarios. However, as shown below, certain legs of the intersection do perform worse. Here is a breakdown of the intersections:

- College/Poplar: This intersection, which is currently unsignalized, has a failing LOS on the side street. This makes sense as it is currently stop sign controlled. As part of the Safe Streets For All grant, a traffic signal will be installed at this location whether the Ramay project continues forward or not. The city's plans for this intersection is a three-legged intersection. Since the school district will be need a fourth leg added to the intersection, staff is recommending an assessment for the cost of this leg. Staff typically estimates a traffic signal to cost \$500,000, so a fee of approximately \$125,000 would be expected. Since the street project will be proceeding at a similar timeline to the school, staff can bid the traffic signal in a manner to provide an accurate bid cost for the assessment. Staff recommends this approach to determine the assessment which shall be paid prior to the Certificate of Occupancy for the school.
- Sycamore/College: According to the traffic study, there is no degradation in the LOS for this intersection. Therefore, no improvements or assessments are recommended.
- Old Wire/Ash: According to the traffic study, there is no degradation in the LOS for this intersection. Therefore, no improvements or assessments are recommended.

Intersection	Type of Traffic Control	AM Peak Hour						Afternoon Peak Hour						PM Peak Hour					
		Critical Approach			Intersection			Critical Approach			Intersection			Critical Approach			Intersection		
		Approach	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Approach	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Approach	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS			
2025 Existing Traffic																			
Poplar Street and College Avenue	TWSC / E/W Stop	EB	57.1	F	4.1	A	WB	28.5	D	0.6	A	EB	35.3	E	1.5	A			
Sycamore Street and College Avenue	Signalized	WB	20.7	C	17.2	B	WB	26.6	C	14.8	B	WB	26.8	C	15.4	B			
Old Wire Road and Ash Street	TWSC / E/W Stop	EB	23.7	C	4.8	A	EB	14.1	B	2.9	A	EB	18.8	C	4.4	A			
2029 Background Traffic																			
Poplar Street and College Avenue	TWSC / E/W Stop	EB	87.5	F	6.2	A	WB	31.8	D	0.7	A	EB	46.2	E	1.9	A			
Sycamore Street and College Avenue	Signalized	WB	22.1	C	18.2	B	WB	28.9	C	15.6	B	WB	29.3	C	16.2	B			
Old Wire Road and Ash Street	TWSC / E/W Stop	EB	29.7	D	5.7	A	EB	15.1	C	3.1	A	EB	21.7	C	4.9	A			
2029 Background Traffic - with Improvements																			
Poplar Street and College Avenue	Signalized	EB	21.5	C	9.6	A	EB	17.1	B	5.2	A	EB	22.4	C	8.0	A			
2029 Total Traffic																			
Poplar Street and College Avenue	Signalized	EB	16.2	B	8.6	A	WB	19.2	B	7.3	A	EB	21.5	C	8.0	A			
Sycamore Street and College Avenue	Signalized	WB	24.6	C	19.7	B	WB	30.6	C	16.6	B	WB	29.6	C	16.3	B			
Old Wire Road and Ash Street	TWSC / E/W Stop	EB	28.6	D	6.8	A	EB	16.5	C	4.6	A	EB	22.7	C	5.4	A			
West Drive and Ash Street	TWSC / S Stop	SB	12.7	B	2.2	A	SB	11.1	B	2.8	A	SB	10.9	B	0.6	A			

Natural Features: The project encroaches into the flood plain where the proposed driveway connects to College Ave. The City of Fayetteville has standards that are stricter than FEMA in these situations which include that the improvements show no increase to the floodplain elevation, flood flows or flood velocity and provide compensatory storage for any area of the floodplain that is filled in. The applicant has provided a flood study which indicates a No Adverse Impact that meets those requirements. In addition, the applicant is providing compensatory storage by excavating an area adjacent to the channel. A detailed review of the flood study will be performed during the grading permit review process

This same area of the property is in a stream side protection zone. To avoid an additional discharge point in this zone, the applicant has provided a design that allows the piped stormwater to either tie directly into the culvert beneath the drive or be converted back to sheet flow prior to entering the stream side management zone. The applicant is proposing to extend the existing culvert beneath College Ave. by 25’ upstream in order to build the driveway over the drainage channel. To offset this, the applicant will be removing existing culvert that is upstream on their property. To meet streamside requirements, the applicant will be restoring this section of channel back to a “native stream section.” This includes adding native stone bank protection, native stream plantings and trees.

Drainage: The development must meet the four minimum standards outlined in the City’s Drainage Criteria Manual. The first criteria for water quality is met by several different methods. The southern portion of the site around the football field will drain through isolator rows in the underground detention, much of the rest of the site will be addressed with bio-retention ponds and permeable pavers and the western portion of the site will have a trench drain across the drive that drains through an Aquaswirl unit. Minimum Standards 2-4, which are for channel protection volume and stormwater detention, are proposed to be met with a series of under and above ground detention ponds. These start with a large underground detention basin beneath the football field. This pond then discharges and is piped to a series of above ground ponds that stairstep down the western side of the property along the driveway to College Ave. By stair stepping these ponds down the steep hillside, the velocities will be controlled which will reduce any erosion potential. A detailed review of the drainage improvements will be performed during the grading permit review process.

More generally speaking on the stormwater, there are three pre-development drainage areas: a northern area, a middle area and a southern area. It’s important to note that all the proposed impervious improvements (with the exception of the sidewalk connection to Mark Mills Ln.) will be captured in this middle area and drained down the school’s property that connects to College Ave. These means that the northern and southern drainage areas that exist after the school is built, will

drain as they currently do without any buildings/parking/etc. This was specifically requested by city staff to avoid any negative impacts on downstream properties. With this approach any erosion issues or changes in drainage patterns will be entirely on the school's properties.

Plan Comments:

1. The applicant will need to continue coordinating with the Utilities Department to adjust water system design to ensure a fire flow of 1,750 gpm is provided.

Standard Comments:

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



**URBAN FORESTRY
TREE PRESERVATION COMMENTS**

To: Crafton Tull
From: Bethany Douglas, Urban Forester
CC: Jessie Masters, Planning Director
Meeting Date: February 16, 2026
Subject: LSD-2025-0019: Ramay Junior High (N Marks Mill 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 Calculations Square Feet		
	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	1,095,727	100%
Zoning Designation * Select Below with drop down arrow		
P-1, Institutional	273,932	25%
HHOD * Select Below with Drop Down Arrow		
Yes	54,786	5%
Total Canopy for Minimum Preservation Requirements	328,718	30.0%
Existing Tree Canopy * Minus Right of Way and Easements	882,991	80.6%
Tree Canopy Preserved	478,952	43.7%
Tree Canopy Removed *On Site	404,039	36.9%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	404,039	36.9%
Removed Below Minimum	0	
Mitigation Requirements	0	

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

Total Mitigation Trees Required **0**

4. Mitigation Type	Yes	No	N/A
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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)	Yes		
d. Existing Topography and Proposed Grading	Yes		
e. Soil Types	Yes		
f. Significant Trees	Yes		
g. Groupings of Trees	Yes		
h. Table Inventory List (species, size, health, priority)	Yes		
i. All Existing and Proposed Utilities	Yes		
j. All Existing and Proposed Utility Easements and ROW's	Yes		
k. All Streams (with approximate center line)	N/A		
l. Floodplains and floodways	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	Yes		
Tree Protection Methods			
a. Tree Protection Fencing	Yes		
b. Limits of Root Pruning	Yes		
c. Traffic flow on work site	Yes		
d. Location of material storage	Yes		
e. Location of concrete wash out	Yes		
f. Location of construction entrance/exit	Yes		
6. Site Analysis Report (if required) <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	1-28-26	2-16-26
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: Jessie Masters, Planning Director
Meeting Date: February 16, 2026
Subject: LSD-2025-0019: Ramay Junior High (N Marks Mill Rd)

1. General Landscape Plan Checklist		Yes	No	N/A
a.	Irrigation (notes either automatic or hose bib 100' o.c.) <i>UDC Chapter 177.03C7g, 177.04B3a</i>	X		
b.	Species of plant material identified <i>UDC Chapter 177.03C7d,e</i>	X		
c.	Size of plant material (minimum size 2" caliper for trees and 3 gal. shrubs) <i>UDC Chapter 177.03C7b,c</i>	X		
d.	Soil amendments notes include that soil is amended and sod removed <i>UDC Chapter 177.03C6b</i>	X		
e.	Mulch notes indicate organic mulching around trees and within landscape beds <i>UDC Chapter 177.03C6c,d</i>	X		
f.	LSD, LSIP, and Subdivisions (PPL & FPL) plans stamped by a licensed Landscape Architect, others by Landscape Designer <i>UDC Chapter 177.03B</i>	X		
g.	Planting bed contained by edging <i>UDC Chapter 177.03C6f</i>	X		
h.	Planting details according to Fayetteville's Landscape Manual <i>UDC Chapter 177.03C6g</i>	X		
i.	Provide information about 3-Year Maintenance plan. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. <i>UDC Chapter 177.05 A2g</i>	X		
2. Parking Lot Requirements		Yes	No	N/A
	1 Tree : 12 Parking Spaces			
a.	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
----------------------------------------------	-----	----	-----

- | | | | |
|------------------------------------------------------------------------------------------------|---|--|---|
| a. Front Property Line (15' wide landscape).
<i>UDC Chapter 177.04D2a</i> | X | | |
| b. Side and Rear Property Lines (5' Wide Landscape Area)
<i>UDC Chapter 177D1</i> | | | |
| c. Shade trees planted on south and west sides of parking lots
<i>UDC Chapter 177.04D2e</i> | | | X |
| d. Screening of parking lot from adjacent residential properties 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 | N/A |
| Parking Lot Trees | 13 |

Street Trees

**22 total
needed – all
existing**

Detention Pond – Large Trees
(1 Tree/3,000 square feet)

8 (existing)

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

24

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	2-11-26	2-16-26
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: New Ramay Junior High
LSD First Submittal
Cover Letter
CT Job No. 24303600

Dear Ms. Masters,

The scope of this project is to develop a new facility for Ramay Jr. High school, with a roadway around building, access to College Ave. and Ash St., as well as utility infrastructure for sanitary sewer, water, and stormwater management. The nature and intent of the project is as follows: the Fayetteville School District has been analyzing their feeder patterns and planning for future growth of the student population across the district. This location in the center of town will reduce drive times for parents and provide an equitable experience for students at all of the three future junior high schools (Renovated JL Colbert, New Woodland on Crossover/Joyce, and New Ramay on College Ave).

The property is currently being rezoned from the existing RSF-4 and UC zoning to Institutional, P-1 zoning. The Planning Commission forwarded the rezone, (RZN-2025-0048) to City Council. The rezone item will be on the 11/18 City Council agenda.

No variances are being requested at this time.

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



February 20th, 2026

City of Fayetteville
Attn: Jessie Masters & Planning Commission Chairman
113 W Mountain St
Fayetteville, AR 72701

Re: Technical Plat Review – LSD 2025-0019
Ramay Junior High
Variance Request Letter
CT Job #: 24303600

Dear Ms. Masters & Chairman Brink,

Crafton Tull is seeking the following variances from the Fayetteville code of ordinances: master street plan typical section for residential link on Ash St, curb cut separation on College Ave, prioritization of higher classification street, maximum parking “pad” in the HHOD, and drive aisle width. Please see those five variance requests described below and re-submitted with LSD-2025-0019.

Drive Aisle Width:

Title XV – Unified Development Code

Chapter 172.04(E) Table 1 One-way aisle width in Column D

The one-way drive aisle widths are designed to be 10ft wide instead of the required 12ft width. The reason for the lane width reduction is to accommodate daily queueing and minimize the horizontal grading impact to the existing steep site. The vehicles will be queued for daily drop off and pick up and will move slowly through the queue lanes. Therefore, 10ft width is adequate.

If the variance is not granted, there will be undue hardship on the property owner because it will require the owner to not preserve the intent of the HHOD. The 12ft width requirement would create an additional 6ft of roadway width (2ft extra per lane for three lanes). This will increase the height of all retaining walls by approximately 1ft because the existing site is sloped at ~17%. In addition to the increased wall height, there would be an additional 9 cubic feet of earthwork cut or fill per linear yard of roadway length. There’s approximately 1,000 linear yards of roadway on site. Therefore, if this variance were not granted there would be an increase to earthwork volume and disturbance of approximately 9,000 cubic feet (333 cubic yards). Because the site is in the HHOD and has steep topography, this variance is needed to minimize the grading impact and earthwork disturbance, which meets the intent of the HHOD requirements.

2040 MSP Typical Section for Residential Link along Ash St:

2040 MSP

Residential Link Typical Section, Figure 12.8. The typical section for a Residential Link street requires the sidewalk to parallel the public roadway.

Title XV – Unified Development Code

Chapter 166.04(B)(4)(f) Sidewalks

(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.



Along Ash St., the on-site private road is graded to a maximum of 10% longitudinal slope per Arkansas Fire Code. The existing Ash St. longitudinal slope is steeper and ranges between 12-18% slope. Therefore, the concrete multi-use trail, which is serving as the sidewalk for the proposed typical section on north side of Ash St, parallels the on-site roadway in order to minimize the longitudinal slope as much as possible. Therefore, the greenspace varies but it's consistently greater than the minimum 6ft greenspace width required for residential links. The 12-ft trail will be dedicated into a multi-use trail easement.

If this variance is not granted, there would be hardship on the property owner because the Ash St. existing slope is too steep to provide a safe and accessible multi-use trail.

Pedestrians can still walk along Ash St. if the multi-use trail is not directly adjacent on the north side. See the exhibit attached to this letter, which shows the following pedestrian paths: existing sidewalk south of Ash with proposed ramps, proposed multi-use trail north side of Ash not directly adjacent to road, 6ft proposed sidewalk and crosswalk on west side of Ash St., and 12ft multi-use trail on east side of Ash St with crosswalk.

Curb Cut Separation on College Ave:

Title XV – Unified Development Code

Chapter 166.08(F)(2)(a)

(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.

The site only has approximately 178ft of College Ave frontage. This frontage is occupied by two existing driveways. We are not adding a new curb cut. Instead, we are replacing one and removing the other. This replacement of the curb cut is needed to build out the City-proposed signalization of Poplar St. & College Ave intersection, under the 71B corridor scope of improvements. And, the replacement is needed to provide an entrance driveway for the new Ramay Junior High school. A non-signalized curb cut will be removed from the frontage along College Ave immediately adjacent to the south.

If this variance is not granted, there would be undue hardship on the property owner because there is physically not enough room to provide 250ft curb cut separation on either side of the existing curb cut being replaced. See the curb cut exhibit attached to this letter, which shows the dimension between adjacent curb cuts. The separation from the replaced curb cut to the northern existing curb cut is 3ft. The separation from the replaced curb cut to the southern existing curb cut is 202ft.

Prioritization of higher classification street:

Title XV – Unified Development Code

Chapter 166.08(F)

(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.



The proposed site has two frontages: Regional Link - High Activity on College Ave and Residential Link on Ash St. The higher priority entrance is designed at the location of the proposed signalized intersection of Poplar St & College Ave, and an existing curb cut will be removed just south of this intersection, notably improving traffic safety at this location. A traffic study has determined that at least 2/3rds of car trips to the school are likely to arrive via College Avenue.

If this variance is not granted, there would be undue hardship on the property owner because Ash St. is steep (~16%), narrow, and not suitable for a main entrance to a public junior high school as currently built. Providing primary access at the proposed signalized intersection of Poplar St & College Ave better serves & secures the public interest because that traffic will function better at the new signalized intersection than Ash St.

Maximum Parking in HHOD:

Title XV – Unified Development Code

Chapter 172.04(G)(3)

(G) Hillside/Hilltop Overlay District.

(3) Maximum Number of Spaces per Parking Lot for Multi-Family and Non-Residential Uses. Parking pads shall have a maximum of thirty (30) spaces per pad.

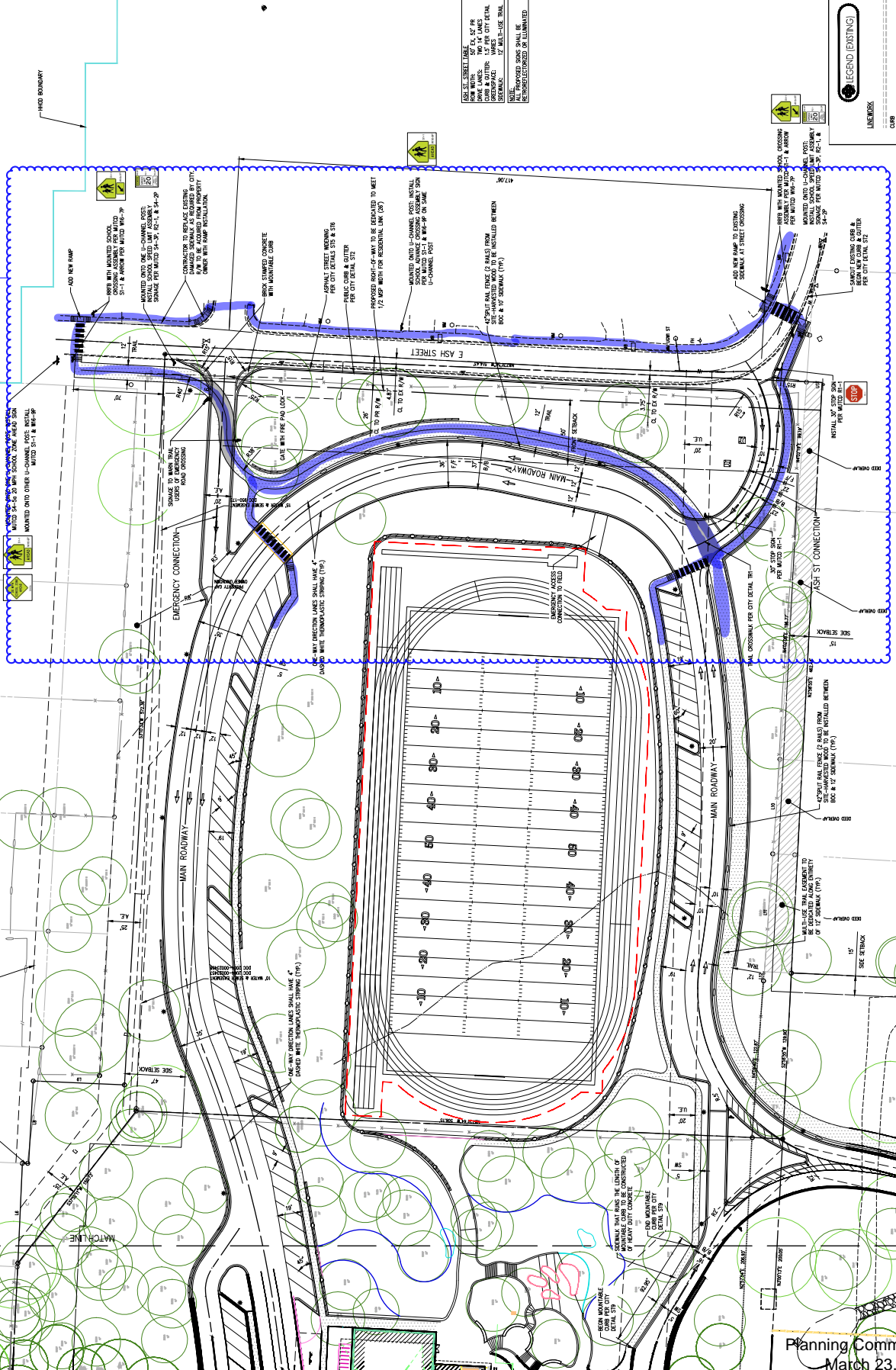
The intent of this code requirement is to protect the hillside from mass grading a large parking lot. We are protecting the hillside with our linear angled parking rows and therefore meeting the intent of the code. These rows are aligned parallel with the existing contours, and they provide the minimum required parking for the owner while also not exceeding the maximum parking requirement from the City. The linear parking design allows the site grading to be terraced, which protects the hillside from excessive cut & fill that would otherwise be required for a typical public junior high school parking lot.

If this variance is not granted, there would be undue hardship on the property owner because they could not build the quantity of parking spaces they need. If the site were built with each parking pad limited to 30 spaces, it would compromise the minimum required tree preservation percentage, earthwork balance, and slope stabilization.

Respectfully,

Trent Woessner, P.E.
Civil Project Engineer
Crafton Tull

PEDESTRIAN PATH SHOWN IN BLUE



AS ST. STREET LIGHTS
5'0\"/>

LEGEND (EXISTING)

- LANDSCAPE
- RIGHT OF WAY

LEGEND (CONSTRUCT)

- LANDSCAPE
- CURB
- RIGHT OF WAY
- PROPERTY LINE

WARNING: PEDESTRIAN CROSSING

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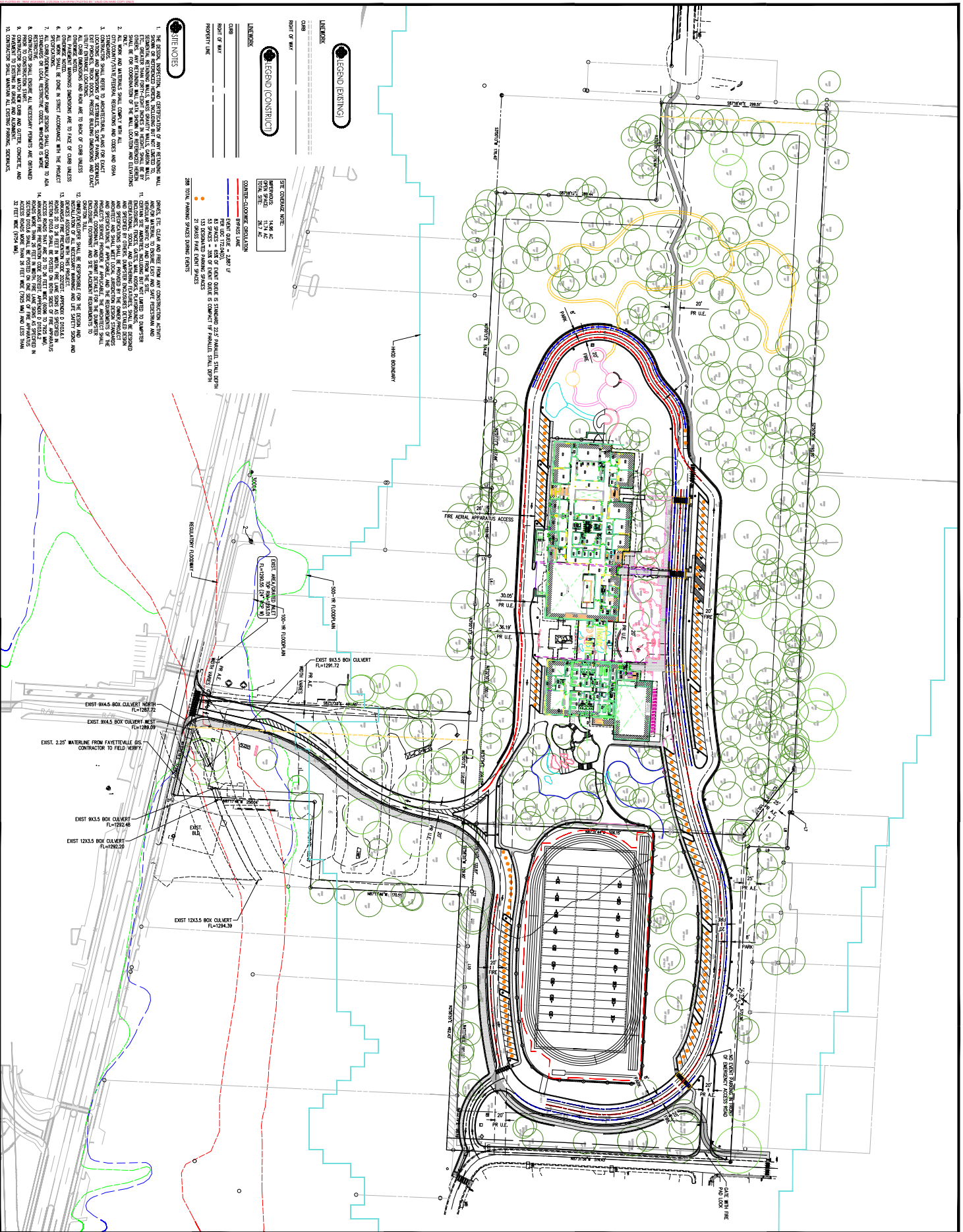
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- LEGEND (EXISTING)**
- 1. THE DESIGN, INSPECTION AND CERTIFICATION OF ANY EXISTING WALL, FOUNDATION, STRUCTURE, OR UTILITY SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL RESERVING OFFICE. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL RESERVING OFFICE.
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- LEGEND (NOTES)**
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 FAX: (660) 836-5678
 WWW.LAKEFLATO.COM

PRISM DESIGN STUDIO
 1000 N. MAIN ST.
 FAYETTEVILLE, MO 65243
 PHONE: (660) 836-9876
 FAX: (660) 836-4321
 WWW.PRISMDSIGNSTUDIO.COM

RAMAY JUNIOR HIGH
 NORTH COLLEGE AVENUE
 FAYETTEVILLE, MO 65243

FPS FAYETTEVILLE PUBLIC SCHOOLS

Crafton Tull
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 FAX: (660) 836-2222
 WWW.CRAFTONTULL.COM

Planning Commission
 March 20, 2026

LSO-2025-0019 (RAMAY JR. HIGH SCHOOL)

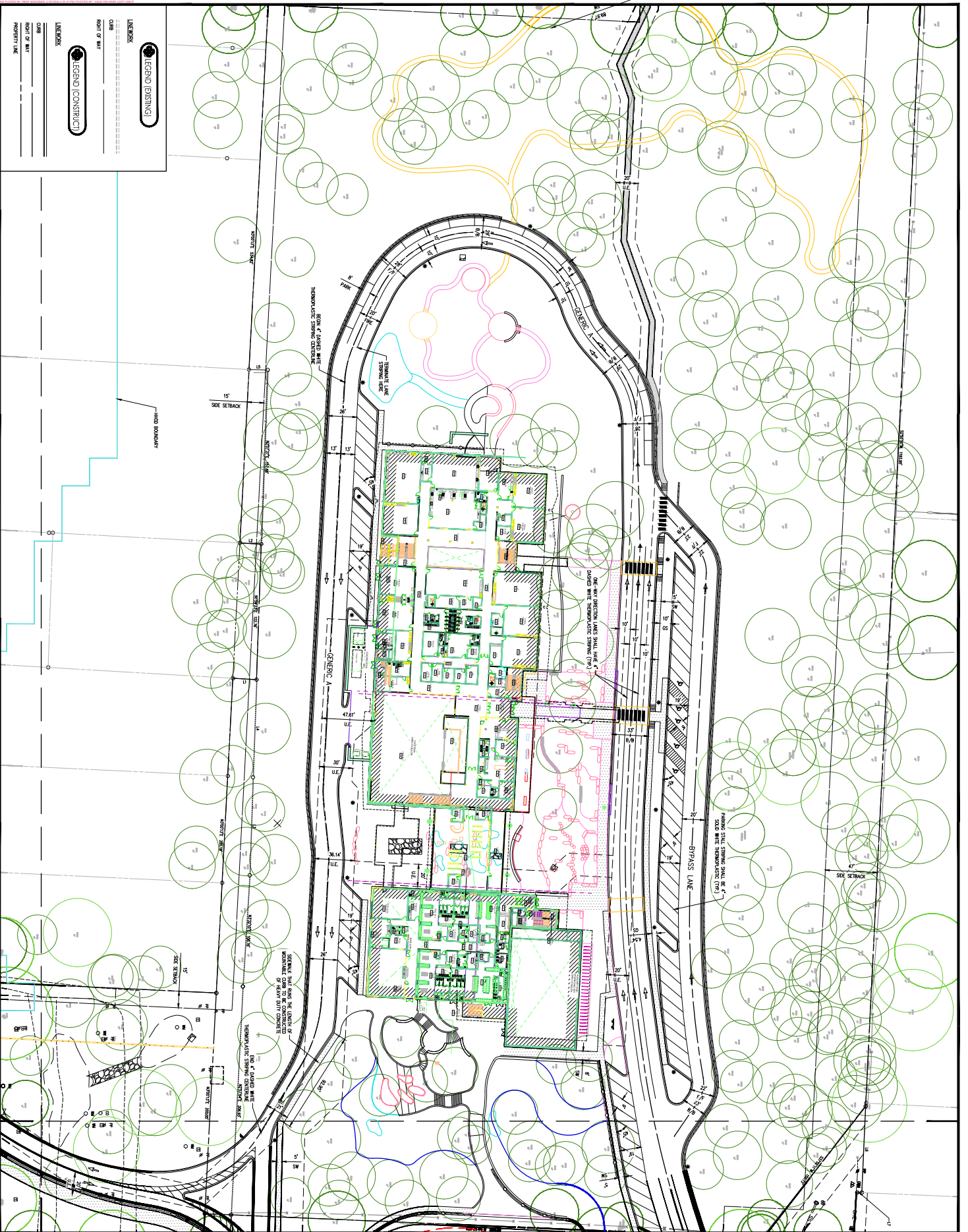
CONTRACTOR'S OBLIGATION STATEMENT

THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL RESERVING OFFICE.

C-101

CONTRACTOR'S OBLIGATION STATEMENT

THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL RESERVING OFFICE.



LEGEND (EXISTING)

LANDSCAPE
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 RIGHT OF WAY
 PROPERTY LINE

LEGEND (CONTRACT)

CONTRACT
 RIGHT OF WAY
 PROPERTY LINE

LEGEND (CONTRACT)

CONTRACT
 RIGHT OF WAY
 PROPERTY LINE

GENERAL NOTES:

1. THE CONTRACTOR SHALL MAINTAIN THE EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THEM.
2. THE CONTRACTOR SHALL MAINTAIN THE EXISTING CURBS AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THEM.
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RAMAY JUNIOR HIGH
 NORTH COLLEGE AVENUE
 FAYETTEVILLE, AR 72733

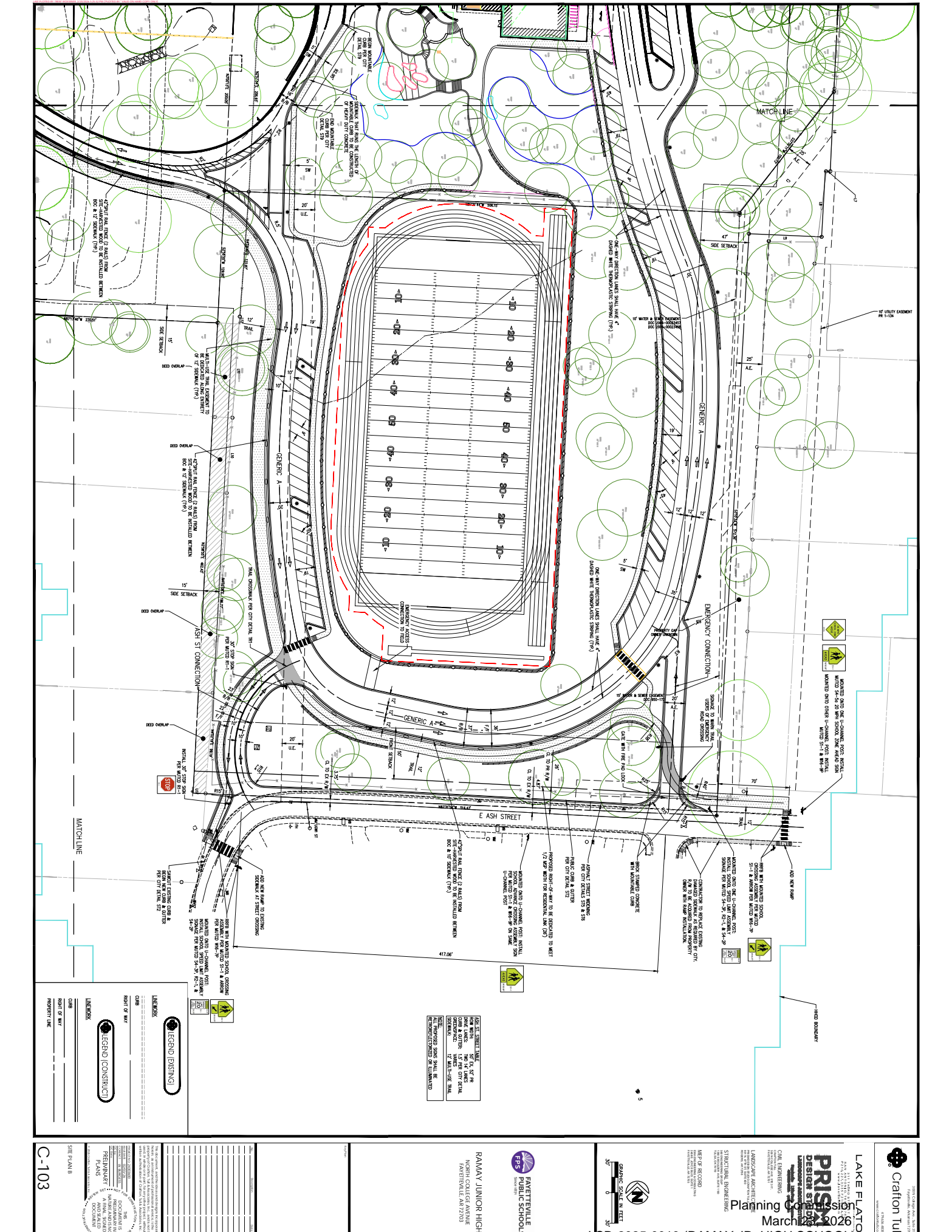
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 PUBLIC SCHOOLS

PRISM
 DESIGN STUDIO

LAKE FLATO
 CIVIL ENGINEERING

Crafton Tull
 ARCHITECTS

Planning Commission
 March 22, 2026



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LEGEND (EXISTING)

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C-103

SITE PLAN B

PRELIMINARY

DATE: 08/15/2023

PROJECT: RAMAY JUNIOR HIGH

LOCATION: FAVETTVILLE, ARIZONA

SCALE: 1"=40'

DATE: 08/15/2023

PROJECT: RAMAY JUNIOR HIGH

LOCATION: FAVETTVILLE, ARIZONA

SCALE: 1"=40'

DATE: 08/15/2023

PROJECT: RAMAY JUNIOR HIGH

LOCATION: FAVETTVILLE, ARIZONA

SCALE: 1"=40'

RAMAY JUNIOR HIGH

NORTH COLLEGE AVENUE

FAVETTVILLE, ARIZONA

FPS

FAVETTVILLE PUBLIC SCHOOLS

LAKE FLATO

PRISM DESIGN STUDIO

PLANNING CONSULTANTS

ARCHITECTS

DESIGNERS

DATE: 08/15/2023

PROJECT: RAMAY JUNIOR HIGH

LOCATION: FAVETTVILLE, ARIZONA

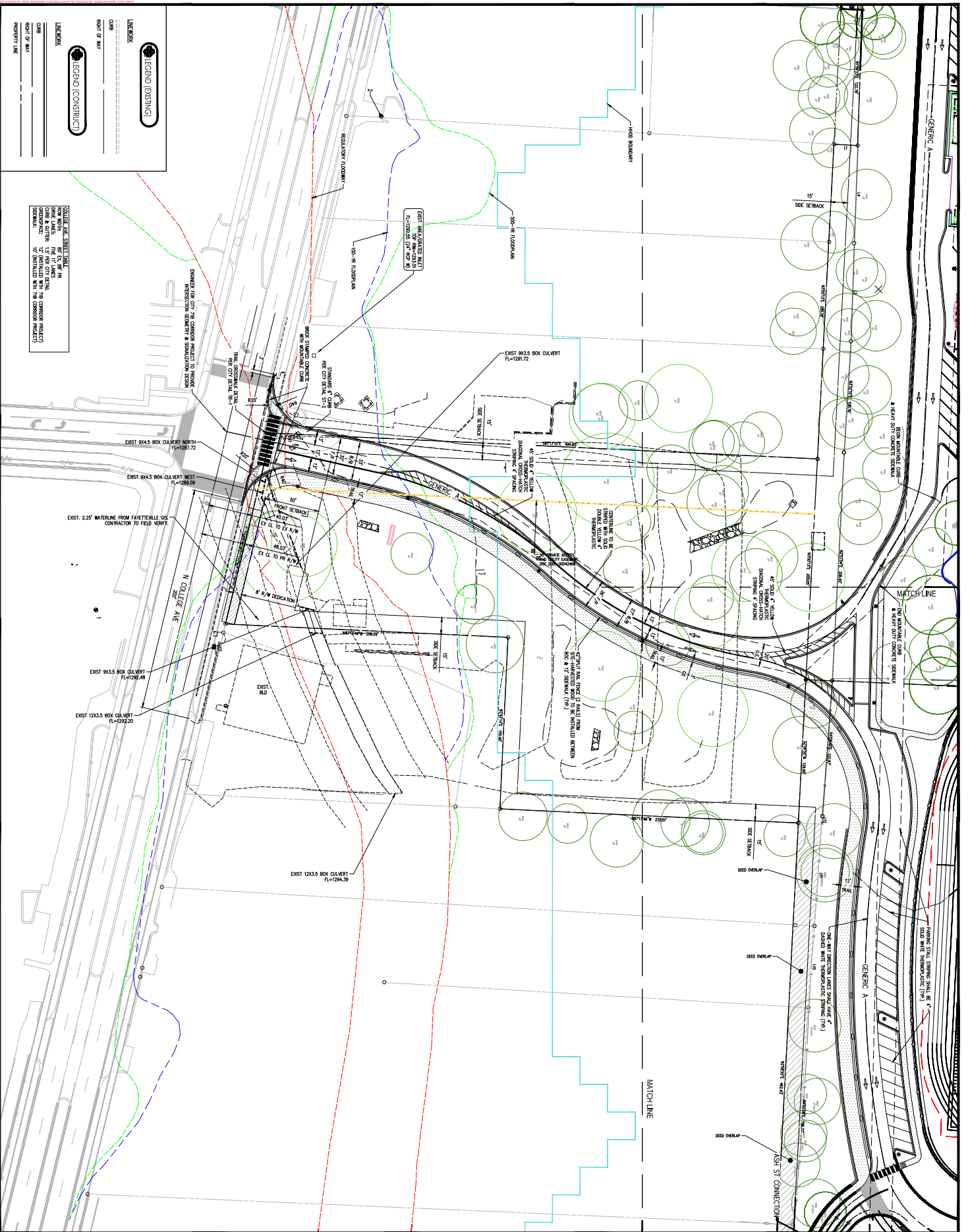
SCALE: 1"=40'

DATE: 08/15/2023

PROJECT: RAMAY JUNIOR HIGH

LOCATION: FAVETTVILLE, ARIZONA

SCALE: 1"=40'



LEGEND (EXISTING)

- LINEWORK
- CLASH
- ROAD OF WAY
- PROPERTY LINE

LEGEND (CONSTRUCT)

- LINEWORK
- CLASH
- ROAD OF WAY
- PROPERTY LINE

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C-104
 SITE PLAN C

PRELIMINARY & UNRECORDED
 DESIGN DOCUMENT
 PREPARED BY
 DATE
 CHECKED BY
 DATE
 APPROVED BY
 DATE

RAMAY JUNIOR HIGH
 NORTH COLLEGE AVENUE
 FAYETTEVILLE, AR 72733

FAYETTEVILLE
 PUBLIC SCHOOLS
 FAYETTEVILLE, AR 72733

LANDSCAPE ARCHITECTS
 CIVIL ENGINEERING
 STRUCTURAL ENGINEERING
 MECHANICAL ENGINEERING
 ELECTRICAL ENGINEERING
 PLUMBING ENGINEERING
 HEAVY & HIGHWAY ENGINEERING

PRISM
 DESIGN STUDIO
 Planning Consultant
 March 2022

LAKE FLATO
 2022
 CRAFTON TULL

LAKE FLATO
 2022
 CRAFTON TULL
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 March 2022
 PRISM
 DESIGN STUDIO
 Planning Consultant
 March 2022
 C-104
 SITE PLAN C
 Page 34 of 55

Tree Preservation Calculations	Square Feet	Percent of the
Total Site Area, Minus Right of Way and Easements	1,095,777	100%
20' Buffer Designation - Street Right of Way Strip (Down Arrow)	273,932	25%
40' Buffer - Select Buffer with Down Arrow	54,786	5%
Total canopy for Minimum Preservation Requirements	328,718	30.0%
Existing Tree Canopy - Minus Right of Way and Easements	882,921	80.5%
Total canopy for Minimum Preservation Requirements	476,522	43.7%
Tree Canopy Removed - Cut Size	426,253	39.2%
Tree Canopy Removed - Cut Size	404,639	36.9%
Removed Below Minimum	0	0

LEGEND

PROPERTY LINE / ROAD LINE	EXISTING TREE	PROPOSED TREE
MINIMUM PRESERVATION REQUIREMENT	EXISTING TREE	PROPOSED TREE
MINIMUM PRESERVATION REQUIREMENT	EXISTING TREE	PROPOSED TREE
MINIMUM PRESERVATION REQUIREMENT	EXISTING TREE	PROPOSED TREE
MINIMUM PRESERVATION REQUIREMENT	EXISTING TREE	PROPOSED TREE

PROPOSED LEGEND

SET BACK	PROPOSED TREE
PROPOSED TREE	PROPOSED TREE
PROPOSED TREE	PROPOSED TREE
PROPOSED TREE	PROPOSED TREE
PROPOSED TREE	PROPOSED TREE

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1 TREE PRESERVATION PLAN
SCALE: 1"=60'-0"

CONTRACTOR TO FIELD VERIFY OPTIMAL LOCATION OF MATERIAL STAGING AREA AND ADJUST AS NECESSARY THROUGHOUT SEQUENCING OF CONSTRUCTION

100 YR FLOODPLAIN
300 YR FLOODPLAIN

N COLLEGE AVENUE
ASH STREET

HILLSIDE OVERLAY DISTRICT BOUNDARY

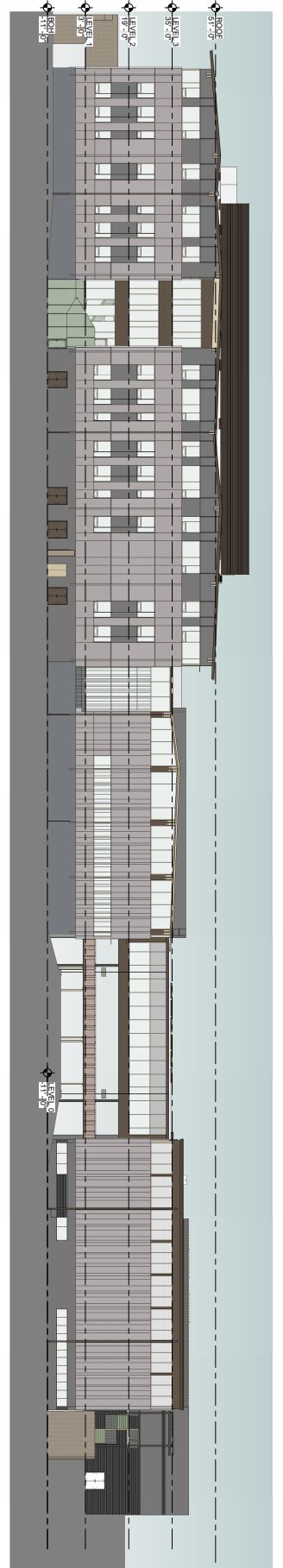
LAKE FLATO
PLANNING & DESIGN
2110 N. COLLEGE AVENUE, SUITE 100
FAVORITE, ARIZONA 85703
TEL: 480-464-1111
WWW.LAKEFLATO.COM

PRISM DESIGN STUDIO
ARCHITECTURE
2110 N. COLLEGE AVENUE, SUITE 100
FAVORITE, ARIZONA 85703
TEL: 480-464-1111
WWW.PRISMDESIGNSTUDIO.COM

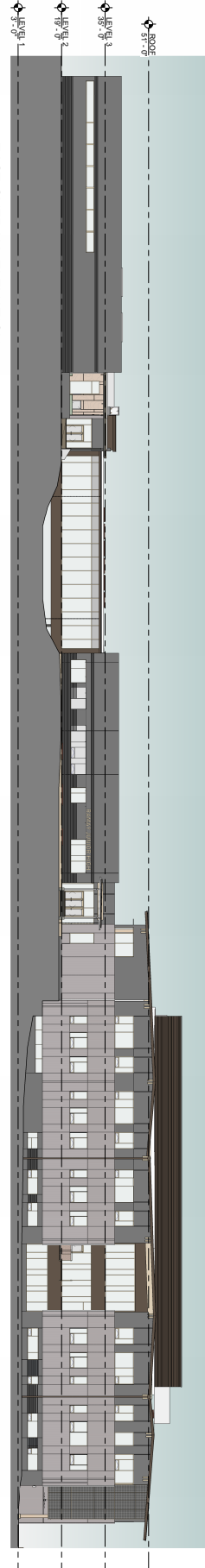
RAMAY JUNIOR HIGH
1100 N. COLLEGE AVENUE
FAVORITE, ARIZONA 85703

CRIFTON TULL
ENGINEERING
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FAVORITE, ARIZONA 85703
TEL: 480-464-1111
WWW.CRIFTONTULL.COM

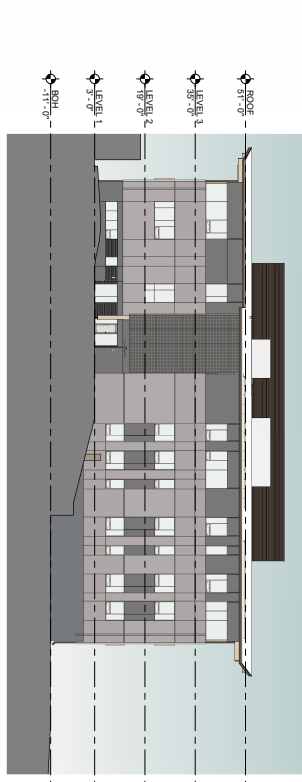
LSD-2025-0019 (RAMAY JR. HIGH SCHOOL) Page 35 of 55



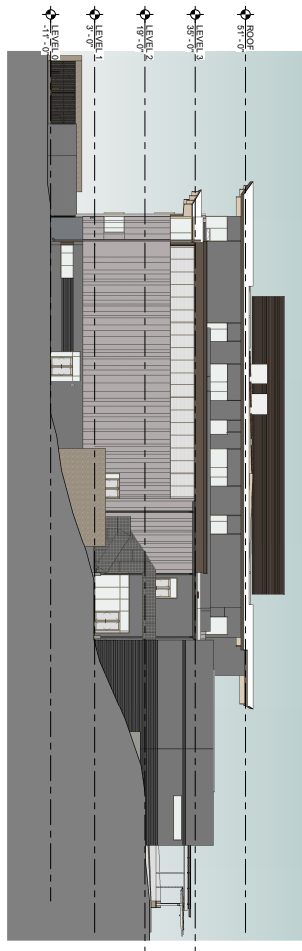
1 WEST OVERALL ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST OVERALL ELEVATION
SCALE: 1/8" = 1'-0"



3 NORTH OVERALL ELEVATION
SCALE: 1/8" = 1'-0"



4 SOUTH OVERALL ELEVATION
SCALE: 1/8" = 1'-0"

LSD-2025-0019
Public Comment

From: S McD <susan12mcdonald@gmail.com>
Sent: Monday, January 12, 2026 9:14 AM
To: Masters, Jessica <jmasters@fayetteville-ar.gov>
Subject: Re: Plan and the Reality

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.

Thank you, Jessie! This is such a nightmare. Our world is changing and we must, Must protect the natural world. It's not easy, when there are so many fun, new bright and shiny ideas.... but the fact is.... we are in some trouble with the climate. A forest is an Amazing Asset to a town. (a city.)

Thank you for sending the information onward. I'm trying to get an engineer to go over the plans with me, because there seem to be discrepancies. How this has come about is ... way too fast.

Thank you for your consideration.

Susan

On Mon, Jan 12, 2026 at 8:13 AM Masters, Jessica <jmasters@fayetteville-ar.gov> wrote:

Good morning,

Thank you for submitting this information to the City. The associated item, LSD-2025-0019, is tentatively expected to appear on the Planning Commission agenda on February 23. Staff have received your comment, and it will be included for the Planning Commission's information for that hearing. I have also forwarded this information to our City Engineer so they could evaluate whether there are any discrepancies with the related grading permit for the boring work.

Please let me know if you have any further questions.

Jessie

From: S McD <susan12mcdonald@gmail.com>
Sent: Friday, January 9, 2026 9:58 PM
To: Berna, Scott <scott.berna@fayetteville-ar.gov>; Bunch, Sarah <sarah.bunch@fayetteville-ar.gov>; Moore, Sarah <sarah.moore@fayetteville-ar.gov>; Stafford, Bob <bob.stafford@fayetteville-ar.gov>; Jones, D'Andre <dandre.jones@fayetteville-ar.gov>; Wiederkehr, Mike <mike.wiederkehr@fayetteville-

LSD-2025-0019
Public Comment

ar.gov>; Ziegler, Gracie <gziegler@fayetteville-ar.gov>; Mayors Office <MayorsOffice@fayetteville-ar.gov>; Turk, Teresa <teresa.turk@fayetteville-ar.gov>; Jones, Monique <monique.jones@fayetteville-ar.gov>; Masters, Jessica <jmasters@fayetteville-ar.gov>; CityClerk <cityclerk@fayetteville-ar.gov>

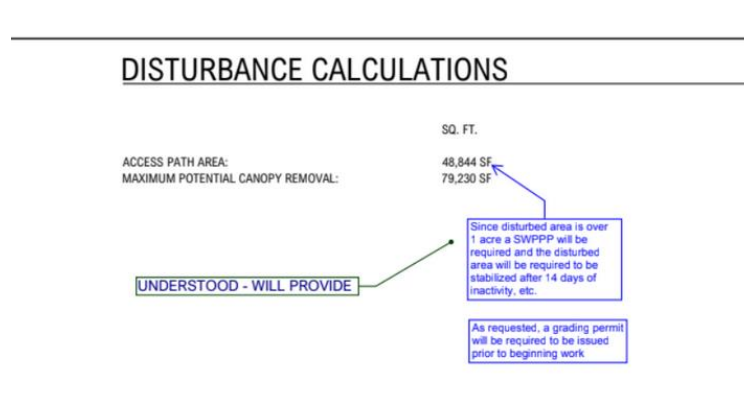
Subject: Plan and the Reality

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

Dear Mayor Rawn and Councilmembers,

I am writing to share a brief **Plan vs. Reality** comparison regarding the Ramay site, using the applicant's own project documents alongside current aerial imagery.

PLAN — What the applicant documented



Ramay Boring Exhibit – Disturbance Calculations]

The Ramay Boring Exhibit explicitly documents:

- **48,844 square feet of access-path disturbance**
- **79,230 square feet of maximum potential canopy removal**
- Confirmation that the **disturbed area exceeds one acre**, triggering:
 - A required **Stormwater Pollution Prevention Plan (SWPPP)**
 - Stabilization after 14 days of inactivity
 - A grading permit required prior to beginning work

These statements appear directly in the project exhibit and are not interpretive.

REALITY — What is visible on the ground



The attached aerial image shows:

- **Wide, continuous cleared corridors** cut through intact forest
- **Curving and branching routes** consistent with vehicle-scale access, not isolated testing points
- **Exposed soil, staging areas, and canopy fragmentation** within the forest interior

These site conditions closely match the scale and configuration of the access paths shown in the exhibit.

Why this matters

Together, these images demonstrate that the level of disturbance described in the Ramay Boring Exhibit is **not hypothetical**. The access paths and forest impacts anticipated in the planning documents are now **visibly present on the site**, prior to final land-use decisions.

I respectfully request that this documented disturbance be clearly acknowledged and incorporated into Council's ongoing review, including considerations related to tree preservation, permitting, and cumulative environmental impact.

LSD-2025-0019
Public Comment

Sincerely,

Susan McDonald

From: Masters, Jessica

Sent: Tuesday, January 6, 2026 4:56 PM

To: Lana Harris <lanalharris08@gmail.com>; Wonsower, Donna <dwonsower@fayetteville-ar.gov>

Subject: RE: Tech Plat questions: Ramay Jr. High

Good afternoon, Lana,

Donna forwarded me your email. I am the Planner who has been working on this item, and she was presenting information on my behalf at last week's Tech Plat since I was out of the office.

See below for a link to the Civil Set that includes staff mark-ups from the Tech Plat meeting that was held on Dec. 31. I hope this is the information you are looking for; please let me know if there is something more specific that you need and I am happy to provide.

https://www.dropbox.com/scl/fi/7w06c8j7q1yf7ax52rcno/24303600-Ramay-Jr-High-Civil-Set_v2-1.pdf?rlkey=vsqy6tnpeop1s9sh2y0m04hnh&st=0qqtosjo&dl=0

As far as the applicant's timeline, they have informed me that they intend to resubmit on Jan. 14, which would put them on the Jan. 28 Tech Plat hearing. If forwarded from that meeting, they would be heard by the Planning Commission on Monday, Feb. 23.

Thank you, and don't hesitate to follow up with more questions should you have them.

Jessie

Jessie Masters, AICP

From: Lana Harris <lanalharris08@gmail.com>

Sent: Friday, January 2, 2026 4:01 PM

To: Wonsower, Donna <dwonsower@fayetteville-ar.gov>

Subject: Tech Plat questions: Ramay Jr. High

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LSD-2025-0019
Public Comment

Good afternoon, Donna. I was in attendance for the Tech Plat review on Wednesday morning. Is it possible to get a copy of the slide that was presented during the Ramay Jr. High portion of the agenda? I took a picture with my phone, but there are so many tiny details that it isn't legible in the photo.

I also have a few other questions I hope you can help me with. Since the Ramay item was tabled, what does that mean for the timeframe on that? I know the consultants were asked to modify a few things and resubmit items. Is there a deadline for them to submit that information? Is there an expected date it will come before Tech Plat again? As I understand the process (and I really don't know much about it at all), it has to clear Tech Plat before it goes to the Planning Commission again. Is that correct?

I apologize for all the questions, and I appreciate any help you can provide.

Happy New Year!

Lana Harris

479-445-8002

lanalharris08@gmail.com

-----Original Message-----

From: Bill Russell <billrussellark@gmail.com>

Sent: Wednesday, January 28, 2026 3:10 PM

To: Planning Shared <planning@fayetteville-ar.gov>

Subject: New Jr. High School

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

I am writing to voice my opposition to the proposed new Jr. High School.

In my estimation it would be an unpractical location for Fire and emergency services support.... Inclement weather,....Additionally it is nearly twice the cost of the similar Jr. High School in Springdale... finally there are other locations in Fayetteville better suited.

Bill Russell

2134 Berry Street

Fayetteville

Kit Williams, Mayor, and City Staff,

I appreciate the fact that the City Engineer responded on January 20th to my inquiry of Jan 3rd and 5th and as you can see my concerns are validated in that the Fayetteville Public Schools engineer has finally marked boundary lines and the trees and debris were pushed onto my property.

Why would any of this work have started before boundary lines were established and marked for property owners review?

Why has the road construction started with large rock being placed through to Mark Mills if it is not to be an entrance? I assume this may be for construction equipment but that should be after large scale development has approved permits.

Are the FPS engineers going to face fines from the City of Fayetteville for encroachment onto personal property? I am aware that fines have been levied against developers for this very reason.

I also question the response of the City Engineer that the geotechnical/boring reports “are not shared with or reviewed by the city”? How could this be? How can Technical/Plat review plans without this information and other information such as flood zones, stormwater, retaining walls (one estimated at 40 ft), crosswalks, etc.?

I have also now been made aware that the traffic study from December that was reviewed by many is VASTLY different from the traffic study completed this month!! The City Council didn't wait for the current studies to be completed and filed; now there are significant complications.

I am hoping that the Technical/Plat meeting on the 28th will be addressing these issues and not just rubber stamp this project because it involves the Fayetteville Public Schools.

I appreciate your time and review of these matters, and any response would be greatly appreciated.

Shelby Rogers

479-935-5866

Ward 3

LSD-2025-0019
Public Comment

From: Shelby Rogers <ShelbyR@GurthetMedia.com>
Sent: Friday, February 20, 2026 4:34 PM
To: Masters, Jessica <jmasters@fayetteville-ar.gov>
Cc: Curth, Jonathan <jcurth@fayetteville-ar.gov>
Subject: Re: Planning Commission Meeting February 23rd

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Jessie,

Thank you for your response.

However, I still find all of these actions deceptive especially as I am not able to attend March 9th.

The public and landowners who were notified should be able to speak as we were notified and will be there! It is inappropriate that at this late time that the chair will not allow landowner comment after we have arranged our schedules to be there!!

Not appropriate and perhaps not legal!

Shelby E Rogers

479-935-5866

Sent from iPhone

On Feb 20, 2026, at 4:27 PM, Masters, Jessica <jmasters@fayetteville-ar.gov> wrote:

Shelby,

My apologies – it was never my intention to mislead, so please allow me to try to clarify.

The item is still being placed on the Feb. 23 Planning Commission agenda. The applicant has requested to table the item until March 9, and staff recommends in favor of the applicant's request. The Planning Commission will still need to take a vote on the item, so members of the public are still invited to attend the meeting. It is up to the Planning Commission chair whether they still wish to hear public comment.

LSD-2025-0019
Public Comment

Please let me know if you have any questions.

Jessie

Jessie Masters, AICP

Planning Director

Development Services

City of Fayetteville, Arkansas

(479) 575-8239

www.fayetteville-ar.gov

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

<image001.png>

From: Shelby Rogers <ShelbyR@GurthetMedia.com>

Sent: Friday, February 20, 2026 4:19 PM

To: Masters, Jessica <jmasters@fayetteville-ar.gov>

Cc: Curth, Jonathan <jcurth@fayetteville-ar.gov>

Subject: Re: Planning Commission Meeting February 23rd

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Jessie,

I have just been notified that the public might not be able to comment on Monday evening at the planning commission meeting.

This is the opposite of the email you just sent me yesterday!!

I also take issue with the fact that “applicant has requested tabling” as the agenda states the “Staff recommends tabling”.

This seems like a very deceptive action on the city staff and planning commission’s parts.

Shelby E Rogers

479-935-5866

Sent from iPhone

LSD-2025-0019
Public Comment

On Feb 18, 2026, at 4:50 PM, Masters, Jessica <jmasters@fayetteville-ar.gov> wrote:

Good afternoon, Shelby,

The applicant has requested to table themselves until the March 9 meeting. In these instances, the item is typically not presented to the Planning Commission, but members of the public are still permitted to speak since it was already notified.

Since the applicant is requesting to table to a specific date, code does not require them to renotify.

Jessie

Jessie Masters, AICP

Planning Director

Development Services

City of Fayetteville, Arkansas

(479) 575-8239

www.fayetteville-ar.gov

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

<image001.png>

From: Shelby Rogers <ShelbyR@GurthetMedia.com>

Sent: Wednesday, February 18, 2026 4:47 PM

To: Masters, Jessica <jmasters@fayetteville-ar.gov>; Curth, Jonathan <jcurth@fayetteville-ar.gov>

Subject: Planning Commission Meeting February 23rd

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LSD-2025-0019
Public Comment

Jessie and/or Jonathan,

I have heard a rumor that the Planning Commission meeting scheduled for Monday 23rd is being rescheduled?

Is this true or just talk? And if true, why? And I assume new letters will be sent out to all adjacent landowners?

Shelby Rogers

2228 & 2190 North College Avenue

From: Andrea Fournet <andrea4ournet@gmail.com>

Sent: Friday, February 20, 2026 4:01 PM

To: Masters, Jessica <jmasters@fayetteville-ar.gov>

Subject: Re: Public Hearing Process - Applicant Request to Table

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.

Thank you Jessie,

I appreciate you getting back to me so quickly and your clarification on this issue.

This email is very helpful and I will plan to send it out to everyone who has inquired to me about this change.

May you have a wonderful weekend and enjoy those beautiful children of yours.

Warm regards,

Andrea

Andrea Fournet, C-IAYT
CEO/Founder - AYC
Arkansas Yoga and Therapy Center, Inc.

On Fri, Feb 20, 2026 at 3:48 PM Masters, Jessica <jmasters@fayetteville-ar.gov> wrote:

Good afternoon, Andrea,

LSD-2025-0019
Public Comment

Thank you for calling the City of Fayetteville Planning Department regarding the applicant's request to table LSD-2025-0019 for Ramay Jr. High.

As we discussed on the phone, the item is still on the February 23 Planning Commission agenda, but the applicant submitted a request to table the item until the March 9 meeting. Under [157.01\(E\)](#), if an item is tabled to a specific date, no new public notification is required. The Planning Commission will still have to take a vote to table the item.

The Planning Commission chair, Andrew Brink, may opt to not hear public comment at the February 23 hearing, since the applicant will not be presenting their project that evening.

Members of the public are still invited to attend the February 23 meeting. Please let me know if you have any other questions.

Jessie

Jessie Masters, AICP

Planning Director

Development Services

City of Fayetteville, Arkansas

(479) 575-8239

www.fayetteville-ar.gov

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



From: Curth, Jonathan <jcurth@fayetteville-ar.gov>

Sent: Thursday, February 19, 2026 5:23 PM

To: Dede Peters <dedepictures.4@gmail.com>

Cc: Masters, Jessica <jmasters@fayetteville-ar.gov>; Williams, Kit <kwilliams@fayetteville-ar.gov>

Subject: RE: LSD-2025-0019 Public Signage

Dede,

LSD-2025-0019
Public Comment

Yes, staff crafted the signs and we hold a validated document of the multiple sign postings associated with the project (attached). Additionally, since our correspondence earlier this week, the applicant's representative revisited all the sign posting locations to confirm their status. All were in place except for the one on College that you noted, which was found by Crafton Tull in the on-site creek near the street. This was re-installed.

Thanks,

Jonathan Curth, AICP

Development Services Director

Development Services Department

City of Fayetteville, Arkansas

479.575.8308

jcurth@fayetteville-ar.gov

[Website](#) | [Facebook](#) | [Twitter](#) | [Youtube](#)

From: Dede Peters <dedepictures.4@gmail.com>

Sent: Wednesday, February 18, 2026 2:52 PM

To: Masters, Jessica <jmasters@fayetteville-ar.gov>; Curth, Jonathan <jcurth@fayetteville-ar.gov>; Williams, Kit <kwilliams@fayetteville-ar.gov>

Subject: LSD-2025-0019 Public Signage

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.

Emailing you all with this concern since I have a couple of other email threads going about notification.

Today, February 18, 2006, I went to ensure all the public notification signs are in place for LSD-2025-0019. The project requests variances on three parcels:

- one fronting College
- one fronting Marks Mills
- one fronting Ash.

There is no sign on College Ave for the Feb 23 PC meeting. There is a sign on the ground for the Oct 27, 2025 rezone meeting . Was there ever a sign? It may have been maliciously

LSD-2025-0019
Public Comment

removed. It may have been knocked over and lost by the very sloppy College Ave Project contractors. Either way, there is no sign and I don't know how long it's been missing. I think that stretch of College gets 30,000 vehicle trips. That is a lot of eyes missing important information.

On Marks Mills there is a sign up for the Feb 23, 2026 meeting and the Oct 27, 2025 meeting.

On Ash there is a sign for the Feb 23 meeting.

Photos attached.

-Dede Peters



LSD-2025-0019
Public Comment



LSD-2025-0019
Public Comment



-----Original Message-----

From: Paige Lorrabeth <paigelorrabeth@gmail.com>

Sent: Wednesday, February 18, 2026 8:11 PM

To: Planning Shared <planning@fayetteville-ar.gov>

LSD-2025-0019
Public Comment

Subject: In Support of the New Ramay Construction

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.

Fayetteville Planning Commission,

I'm writing to share my support for the building of a new Ramay in the proposed location on College Ave. It has come to my attention that there are still people against this and writing to you to tell you so. I wanted to make sure someone in support spoke out because as we know that happens all too infrequently with these sort of things. I'm pleased that this project has progressed and is happening. I have a 3rd grader who will be in the first class to attend this new school when it gets built and is benefiting from all the new feeder school system and the school changes right as they come up. We're so thrilled about the progress Superintendent Mulford has brought to our school district and I appreciate when planning supports his innovative initiatives. Thank you all for your time, and please remember that there are many families quietly living life, getting our kids to school in the morning, and not raising a stink about this or responding at all because we're just happily watching the progress come.

Paige

From: Michele Sutton <msutton12383@hotmail.com>

Sent: Tuesday, February 17, 2026 8:50 AM

To: Planning Shared <planning@fayetteville-ar.gov>

Subject: Rethink Ramay

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.

City Planners,

Please pause the large scale development request for Ramay Jr High School until there is more time to study all of the traffic and safety issues.

I am concerned about traffic congestion and children crossing College Ave at a very busy intersection. The entrance to the proposed site is on a sharp curve which creates safety hazards for pedestrians as well.

The site itself is unsuitable due to soil composition and erosion concerns.

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Public Comment

I am also concerned about the lack of multiple entrance and exits as it could affect first responders access, safety in the event of a shooting event, etc.

Thank you,

Michele Sutton

1116 S Jaybird Ln 72701

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From: Dede Peters <dedepictures.4@gmail.com>

Sent: Wednesday, March 4, 2026 5:22 AM

To: Masters, Jessica <jmasters@fayetteville-ar.gov>

Subject: Recipient error for LSD-2025-0019 notification letter

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.

Jessica,

I've reviewed the documents in my FOIA request (2026-73) regarding LSD-2025-0019 notification. I have found multiple issues with the applicant's submitted documents and I remain quite concerned about staff's failure to review submitted documents and the overall public notification process.

The most significant of my findings is that the applicant failed to notify current residents as required in UDC 157.02. This information is located on webpage /698 as well as the hyperlinked tutorial PDF on that page. I'm not quite sure how the applicant negligently missed the information about needing to notify current residents with separate addresses in addition to the property owner.

157.02 - Development

Notification of public hearings for development applications shall occur as follows:

(A)

Public Hearing Required. A public hearing shall be held at the meeting of the Planning Commission, in accordance with the Unified Development Code the established bylaws of the Planning Commission.

LSD-2025-0019
Public Comment

(B)

Applicability. Development applications include, for the purpose of notification, preliminary plats, concurrent plats, large scale developments, variances from development requirements as listed in Section [156.03\(C\)](#) and Section [156.07\(A\)](#), and administrative items. If an application does not require a public hearing, notification is not required.

(C)

Notice of Public Hearing. For all development applications related to specific properties, the applicant shall provide the following notice:

(1)

Who Gets Notice. Notice of the proposed action shall be given to all landowners and residents with separate addresses within 200 feet of the boundary line of the property on which the use is proposed. Residents with separate addresses shall be notified by first class letter addressed to the 'current resident' to each address found in the city's address point file.

Please let me know what actions the Planning Department will take regarding this.

Sincerely,

Dede Peters



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: March 23, 2026

SUBJECT: **ADM-2026-0005: Administrative Item (W BUCKAROO ST/TOWNE WEST PHASE 9, 516):** Submitted by ESI for property located on W. BUCKAROO ST. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 15.86 acres. The request is to modify an approved preliminary plat.

RECOMMENDATION:
Staff recommends denial of **ADM-2026-0005**.

RECOMMENDED MOTION:
"I move to approve ADM-2026-0006, determining:

- *In favor of the request to modify PPL-18-6521, and*
- *In favor of all other conditions as recommended by staff."*

BACKGROUND:
The subject property is located on the west side of Ruppel Road, abutting Goodsell and Geranium Lanes to the north, Buckaroo St. to the east, Goodsell and Rattlesnake Lanes to the south, and Buckaroo and Sirius Streets to the west. S. Goodsell Lane is proposed to extend through the property as a proposed residential link street. The parcel is the last remaining phase of the Towne West subdivision and is surrounded by either completed phases or those currently under construction. On January 28, 2019, the Planning Commission approved PPL 18-6521 for phases 4-9 of the Towne West Subdivision, then known as Ruppel Road Subdivision on this site. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Single-Family Residential	NC, Neighborhood Conservation
South	Detention Pond Single-Family Residential (Under Construction)	R-A, Residential Agricultural NC, Neighborhood Conservation
West	Single-Family Residential (Under Construction)	NC, Neighborhood Conservation
East	Single-Family Residential (Under Construction)	NC, Neighborhood Conservation

Request: The request is for a major modification to an approved preliminary plat (PPL-18-6521). Specifically, the applicant is requesting to modify conditions of approval to remove Alley P and Alley Q from required street improvements.

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

DISCUSSION:

Staff is not supportive of the applicant’s request to amend their preliminary plat as proposed. Staff finds that alley-loaded developments better meet the intent of city goals to create walkable communities and “further encourages an attractive streetscape because amenities and services such as rear garages, utility locations, and recycling and trash collection can occur in the rear of the homes or apartments (City Plan 2040).”

Additionally, the streets abutting the lots served by the alleys proposed to be removed are quite narrow. The previous master street plan allotted 43 feet of right-of-way for residential streets and 50 feet of right-of-way for local streets. The current iteration of Residential Links require 52 feet of right-of-way, with an alternative residential link of only 40 feet approvable by staff within the Hillside Hilltop Overlay District or by Planning Commission outside of this overlay. Where the planning commission must approve the smaller streets, factors that can be considered include 1) block lengths less than or equal to 400 feet, 2) environmental reasons where no other section is applicable, 3) historic streets for small infill projects, 4) streets with less than 250 vehicles per day, and 5) alley-loaded development. Staff finds that the previous residential link section included only 20 feet of pavement whereas the current alternative residential link includes 27 feet of pavement which is sufficient for one lane of vehicle parking. Removing the alley could increase impact on these adjacent narrow streets and pose a hazard if vehicles park illegally and make properties inaccessible to emergency vehicles.

Further, the alleys are adjacent to an approved round-about at the intersection of W. Buckaroo St. and S. Goodsell Ln. This roundabout and its associated islands limit potential safe driveway locations on several adjacent lots. Alley-loaded developments reduce the number of driveways onto public streets, which is in line with the intent of the city’s access management standards (UDC 166.08) “to ensure that development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movements,” and staff finds that the provision of two alleys with four connections to public right-of-way is likely to create a safer environment that the provision of 23 individual driveways should each lot have its own.

RECOMMENDATION: Staff recommends denial of **ADM-2026-0005**. If approved, staff recommends the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way.** *Staff recommends right-of-way dedication in the amount of 43-feet for residential links, 50-feet for local streets, and 59-feet for collector streets in line with the master street plan requirements at the time of original approval.*
2. **Planning Commission determination of street improvements.** *Staff recommends the internal streets shall be constructed as depicted on the proposed preliminary plat in accordance with then previous Master Street Plan for a Collector, Local, or Residential Street requirements;*
3. All other conditions of the associated preliminary plat (18-6521) not affected by this modification shall remain in effect.

PLANNING COMMISSION ACTION: Required YES

Date: March 23, 2026

Tabled

Approved

Denied

Motion:

Second:

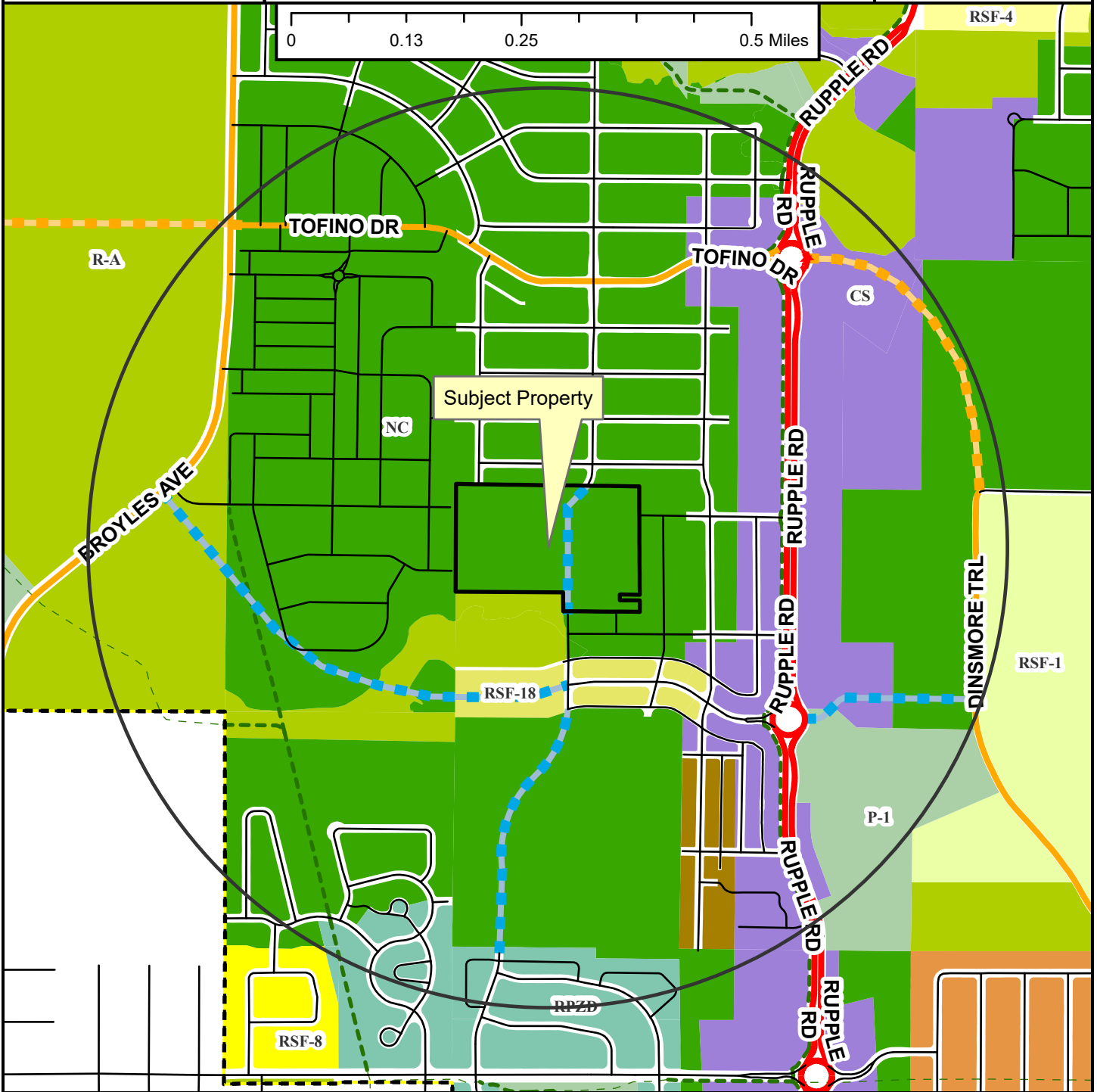
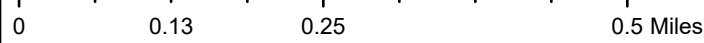
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







BUDGET/STAFF IMPACT:

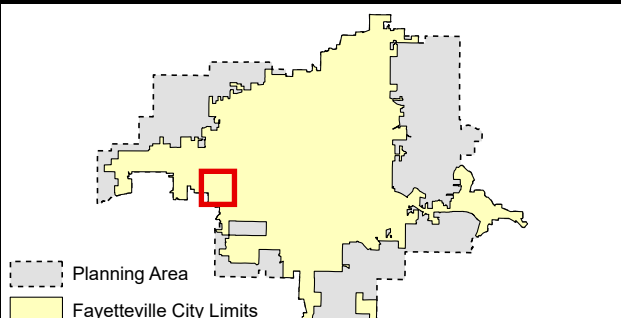
None

ATTACHMENTS:

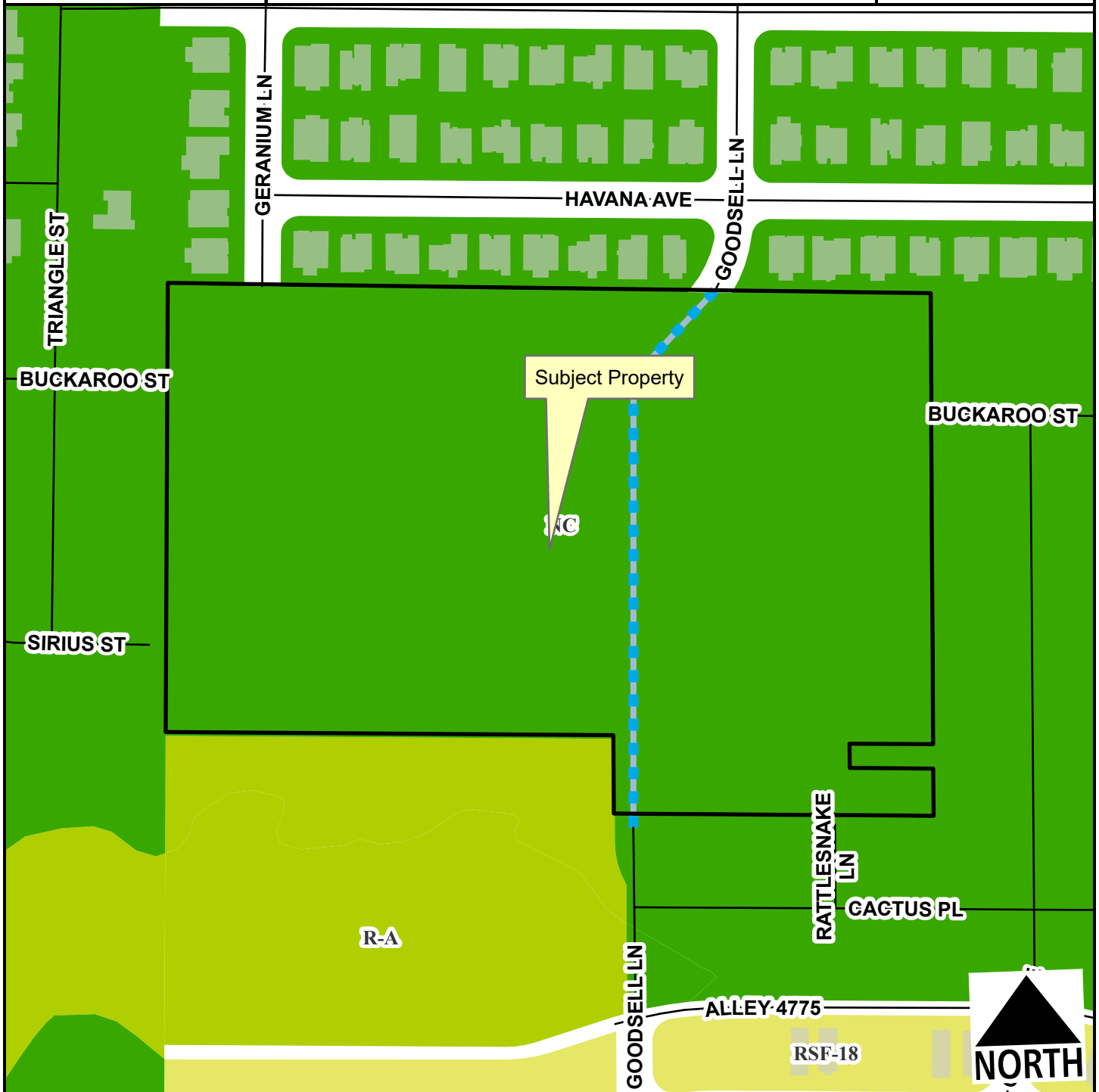
- Project Maps
 - One Mile Map
 - Close-up Map
 - Current Land Use Map
- PPL-18-6521 Conditions of Approval
- Staff Exhibit: Close Ups
- PPL-2024-0005 Approved Site Plan
- Applicant Request Letter and Exhibits







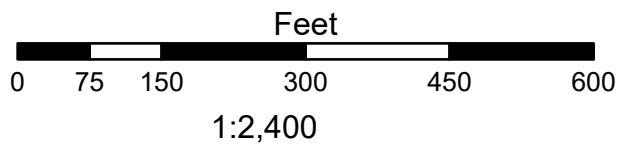
-  Regional Link
-  Neighborhood Link
-  Unclassified
-  Alley
-  Residential Link
-  Planned Neighborhood Link
-  Planned Residential Link
-  Shared-Use Paved Trail
-  Trail (Proposed)
-  Fayetteville City Limits
-  Planning Area



Close Up View



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

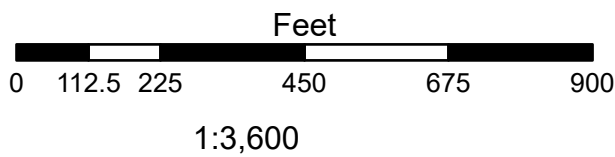




Current Land Use



- Alley
- Residential Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

PPL 18-6521 Conditions of Approval:

1. Planning Commission determination of street improvements:
 - a. *The internal streets shall be constructed as depicted on the proposed preliminary plat in accordance with the Master Street Plan for a Collector, Local, Residential Street, or Alley;*

Subdivision Committee recommends in favor as recommended by staff

2. Planning Commission determination of parkland dedication or payment of fees-in-lieu. *On August 6, 2018, the Parks Recreation and Advisory Board reviewed this project and recommended fees in-lieu totaling \$200,480.*

Subdivision Committee recommends in favor as recommended by staff

3. Right-of-way dedication for the internal streets would be 59, 50, 43, or 20 feet based on the Collector, Local, Residential Street, or Alley classification respectively, and as shown on the preliminary plat;
4. Street lights shall be installed in accordance with code at all street intersections and spaced every 300 feet;
5. Based on the proposed phasing plan, a property line adjustment and/or lot split is required to establish the legal lots of record for development;
6. Lots 275-282 cannot receive final plat approval until the adjacent streets associated with a previous phase are completed;
7. Although not a requirement, staff requests the applicant to evaluate the name of the subdivision given the nearby Ruppel Row subdivision, which may lead to confusion for residents, permitting, and services;
8. Project phasing should be revised to be sequential. Currently, Phase 6 does not appear;
9. Conditions of approval from Engineering, Urban Forestry, and Parks Department are included in the official conditions of approval, attached hereto;
10. The following revisions shall be made prior to construction permit submittal:
 - a. Include sidewalk along the proposed street stub-out between Lots 316 and 317;
 - b. Include, label, and dimension building setbacks for all properties. No property is labeled with side setbacks; and
 - c. Indicate if Lot 316 is deliberately left off of the proposed lot table, and if so, clarify what the purpose of doing so.

Standard conditions of approval:

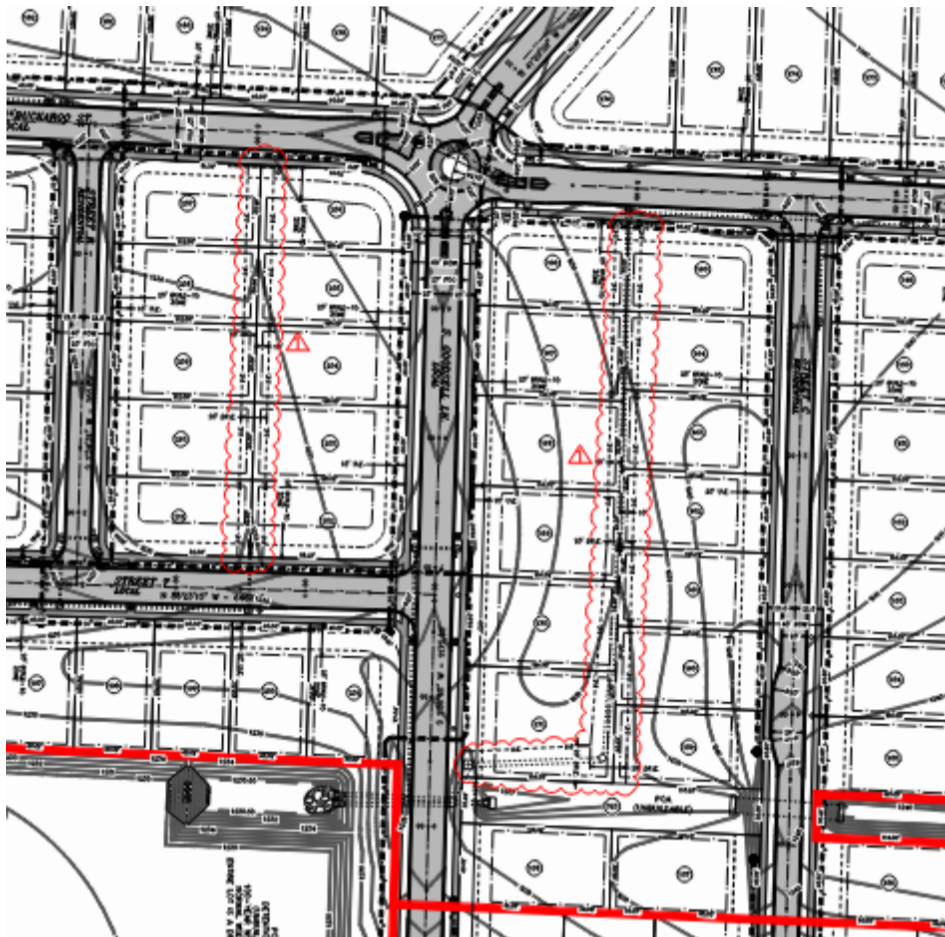
11. All existing overhead utility lines 12kV and under shall be relocated underground. All proposed utilities shall be located underground;

12. Sidewalk along all commonly owned lots (detention ponds, etc.) shall be constructed prior to final plat. All other sidewalks shall be constructed or guaranteed prior to final plat;
13. All street names shall be approved by the 911 Coordinator and indicated on the final plat;
14. All lots shall be labeled with addresses as approved by the 911 Coordinator on the final plat;
15. A floodplain development permit is required prior to construction for any grading or structures in the flood zone;
16. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his/her representative, and all comments from utility representative: Black Hills Energy, SWBT, Ozarks, SWEPCO, Cox Communication)
17. 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; and
18. Preliminary Plat approval shall be valid for one calendar year.

Staff Exhibit



Approved Plan



Requested Modification

February 4, 2026

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

Re: Amendment Request
Towne West Phase 9 (2025-0021)
Fayetteville, Arkansas

To whom it may concern:

Please accept this letter as an amendment request to revise a portion of Phase 9 of the Towne West subdivision. The request is to remove Alley P and Alley Q from the development, and adjust the lot lines of the adjacent lots to meet in the alley centerlines. The original preliminary plat utilized rear loading for the lots abutting Alley P and Alley Q, and the proposed revision will allow for front loaded lots and remove the hardscape in the rears of the lots. Storm improvements and grading will still be constructed per the original plans.

Very truly yours,



Joshua Haley, E.I.
Project Engineer

Z:\Engineers\00 - Engineer Projects\18951 - RUPPLE ROAD\15 phase 9 amendment\Towne West Phase 9 Amendment Narrative.docx



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: March 9, 2026

SUBJECT: **CUP-2026-0004: Conditional Use Permit (NORTH OF 215 S. BLOCK AVE./ S. BLOCK AVE TOWNHOMES, 523):** Submitted by MCCLELLAND CONSULTING ENGINEERS for property located NORTH OF 215 S. BLOCK AVE. The property is zoned DG, DOWNTOWN GENERAL and contains two parcels with approximately 0.42 acres. The request is for an accessory dwelling unit within a cluster housing development

RECOMMENDATION:

Staff recommends approval of **CUP-2026-0004** with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2026-0004** with conditions, determining:*

- *In favor of compatibility of Use Unit 41: Accessory Dwelling Units within a Cluster Housing Development*
- *In favor of variance to §166.21(E)(7)(b)(iv), First or Ground Floor Requirements of Any Principal Façade; and*
- *In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located in central Fayetteville approximately 180 feet north of the intersection of S. Block Ave. and S. Nelson Hackett Blvd. and about 600 feet south of the historic square. The site includes two parcels totaling approximately 0.42 acres which are zoned DG, Downtown General. The property was previously developed with a single-family dwelling which was demolished in 2024/2025 without an associated demolition permit. The parcels are within the Downtown Design Overlay District, Downtown Master Plan Area, and 71B Corridor Plan. Surrounding land uses and zoning are depicted in Table 1.

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

Direction	Land Use	Zoning
North	City of Fayetteville Downtown Campus	DG, Downtown General
South	Single-Family Residential	DG, Downtown General
East	City of Fayetteville Downtown Campus Mixed-Use	DG, Downtown General
West	Single-Family Residential	DG, Downtown General

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

Proposal: The applicant requests conditional use permit approval to include one accessory dwelling unit within a proposed cluster housing development. Per UDC 164.22(E)(7), accessory dwelling units are permitted in cluster housing developments by conditional use permit.

Public Comment: Staff has received no public comment at this time.

Variance: UDC §166.21(E)(7)(b)(iv), First or Ground Floor Requirements of Any Principal Façade. Multi-family residential space shall have a minimum of 40% glass on the first or ground floor. The applicant is requesting a variance from this standard to permit 26% glazing where 40% would be required by code.

Staff recommendation: Staff is supportive of the variance request to glazing standards within the Downtown Design Overlay District. As shown, the exhibit indicates 31% glazing on the first floor when considered flat, or 26% glazing when calculated at the pedestrian level between 2—12 feet above the sidewalk as required by code. Because each unit is attached, zoning considers the proposed development as a multifamily structure which would require a minimum of 40% glazing; however, the intent is for the development to function as attached single-family units in a townhome style. Single-family dwellings are required to have only 5% glazing. Staff finds that the unit adjacent to the street to be visually closer to a single-family dwelling than a multifamily structure in both scale and appearance. As such, staff finds the intent of the ordinance is still being met by considering the lesser glazing allowances for single-family dwellings and recommend that glazing be provided in a substantially similar manner as that shown on the provided exhibit.

RECOMMENDATION: Staff recommends approval of **CUP-2026-0004** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility for Use Unit 41: Accessory Dwelling Unit within a Cluster Housing Development.** *Staff finds the proposed accessory dwelling unit to be compatible with the neighborhood based on the findings in this report;*
1. **Planning Commission determination of variance to UDC §166.21(E)(7)(b)(iv), First or Ground Floor Requirements of Any Principal Façade.** *Staff recommends approval of the requested variance with the following condition:*
 - a. *Glazing shall be provided on the first floor substantially as shown on the attached exhibit.*
2. Approval of the conditional use permit does not ensure approval of a development application. The conditional use grants the applicant rights to submit a development proposal based on the conceptual layout included herein. However, the applicant must still be able to comply with all other development requirements, including but not limited to, tree preservation, drainage, utility installation and Fire Department access. These details shall be reviewed with the development application. The final project design shall follow the general layout and design of the conditional use concept plan;
3. The maximum number of unrelated persons in any accessory dwelling unit is one family, pursuant to the underlying zoning district;
4. Per UDC §166.20, Expiration of Approved Plans and Permits, conditional use permit approval is valid for one year; and

5. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs.
-

PLANNING COMMISSION ACTION: Required <u>YES</u>
Date: <u>March 23, 2026</u> <input type="checkbox"/> Tabled <input type="checkbox"/> Approved <input type="checkbox"/> 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 41: Accessory Dwellings within a cluster housing development in the DG 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 §164.22 to grant the requested conditional use permit.**

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

Finding: **Staff finds that granting the requested conditional use permit is not likely to adversely affect the public interest. The attached dwellings, including the proposed accessory dwelling unit, are of a type and scale that is comparable to adjacent structures, and the property is directly adjacent to historic downtown where taller, mixed-use buildings with zero-lot lines are common. Accessory dwellings are allowed by right in this zoning district, and it is only the unit's inclusion within a cluster housing development that triggers the need for a conditional use permit. Either developing the structure on a single parcel without subdividing the units for individual sale or considering the overall development as a single multifamily structure would remove the need for a conditional use permit; however, the applicant has indicated external factors drive the demand for fee-simple lots and a consideration as an accessory unit. As the subdivision of land does not create any notable increase in impact on the ground and the cluster housing ordinance includes additional regulations beyond a typical multifamily development, staff finds no adverse impact associated with the proposed accessory unit.**

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

Finding: **There are specific rules for Use Unit 44: Cluster Housing Development; however, the overall cluster housing development is a use which is permitted by right in the underlying zoning district. The proposal includes one cluster with a single new structure containing six attached dwellings and the proposed ADU. The development appears to comply with underlying density, bulk and area, height, and setback regulations, including requirements for minimum buildable street frontage. 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 with the exception of the variance requested above.**

Accessory dwelling units are regulated through UDC §164.19. The proposed unit falls within permitted allowances for size and number and appears to comply with underlying zoning standards. Architecturally, the unit appears

to be structurally part of the attached principal unit, both of which are oriented to and accessed from the public right-of-way. No additional parking is required for an accessory dwelling unit; however parking is proposed within the development and on-street parking is available nearby.

(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 S. Block Ave., an Urban Center Street, by way of one shared driveway which appears to meet the required 50-foot separation standards as shown. The overall proposal is a relatively minor increase and the addition of a single ADU is not anticipated to significantly affect traffic impacts. 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 proposed garages for the six principal dwelling units, which will be accessed by a shared driveway. Per recent changes to state law, additional parking spaces may not be required for accessory dwelling units. A two-car garage is available for the principal unit and three-on-street parking spaces are proposed along S. Block Ave. to facilitate overflow parking.

(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. A two-inch water main and an eight-inch sewer main are available within S. Block Ave. 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 small scale and residential nature of the proposal, staff recommends no buffering.

- (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 fully reviewed for compliance with development entitlement and associated building permits.

- (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. Downtown Fayetteville includes a wide assortment of housing types from single-family dwellings to smaller apartments and live-work units. Staff finds the proposal is substantially similar in scale to surrounding properties and is located in close proximity to many of the city's most desirable amenities, such as the Fayetteville square, public library, Razorback Greenway, and other downtown services. A wide mix of residential and commercial uses are present in the immediate vicinity, and there are also several large redevelopments occurring within 500 feet of the subject property, including the expansion of Crisis Brewing and the construction of Urban Lofts apartments along Nelson Hackett.

- (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 DG zoning district is intended to be a flexible zone with a flexible and dynamic range of uses, from public open spaces to less intense residential development and businesses, such as single-family homes, rowhouses, apartments, and live/work units. Accessory dwelling units are consistent with this intent and allow for incremental development and growth in a highly desirable and walkable part of the city with a high degree of amenities. 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 increasing easy, safe access to affordable housing within walking and biking access to amenities, and the current downtown master plan encourages the creation of a “superbly walkable community” with downtown living.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.28 – Downtown General
 - §164.19 – Accessory Dwelling Units (ADU)
 - §164.22 – Cluster Housing Development
 - §166.21 – Downtown Design Overlay District
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Staff Exhibit- Glazing Measurements
- Applicant Exhibits
 - Request Letter
 - Variance Request Letter
 - Applicant Site Plan
 - Floor Plans & Elevations

161.28 Downtown General

(A) *Purpose.* Downtown General is a flexible zone, and it is not limited to the concentrated mix of uses found in the Downtown Core or Main Street/Center. Downtown General includes properties in the neighborhood that are not categorized as identifiable centers, yet are more intense in use than Neighborhood Conservation. There is a mixture of single-family homes, rowhouses, apartments, and live/work units. Activities include a flexible and dynamic range of uses, from public open spaces to less intense residential development and businesses. For the purposes of Chapter 96: Noise Control, the Downtown General district is a residential zone.

(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 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 48	Private dormitories

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Dwelling (all unit types)	18 feet
---------------------------	---------

(2) *Lot Area Minimum.* None.

(E) *Setback Regulations.*

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
Side	None
Rear	5 feet
Rear, from center line of an alley	12 feet

(F) *Minimum Buildable Street Frontage.* 50% of lot width.

(G) *Building Height Regulations.*

Building Height Maximum	5 stories
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(Ord. No. 5028, 6-19-07; Ord. No. 5029, 6-19-07; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 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. 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.

164.19 Accessory Dwelling Units (ADU)

(A) *Purpose.* Accessory dwelling units are allowed in certain situations to:

- Create new housing units while respecting the character and pattern of small scale traditional town form;
- Increase the housing stock of existing neighborhoods in a manner that is compatible with established massing, scale, and development patterns;
- Allow more efficient use of existing housing stock and infrastructure;
- Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- Provide a broader range of accessible and more attainable housing.

(B) *Intent.* Planning staff shall evaluate the following criteria for the review and approval of an accessory dwelling unit application:

- (1) The property shall have infrastructure (water, sewer, gas, electric, etc.) that meets city standards to serve the accessory dwelling unit.

- (2) A two (2) story accessory dwelling unit shall limit the major access stairs, decks, entry doors, and major windows to the walls facing the principal dwelling, or to the alley if applicable. Windows that impact the privacy of the neighboring side or rear yard shall be minimized.
 - (3) The orientation and location of buildings, structures, open spaces and other features of the site should protect and maintain natural resources including significant trees and shrubs to the extent feasible and minimize alteration of natural land forms. Building profiles, location and orientation should relate to natural land forms.
- (C) *Administrative Design Review and Approval.* All accessory dwelling units shall meet the following standards for administrative approval by the Zoning and Development Administrator. Prior to approval of an accessory dwelling unit, the Zoning and Development Administrator shall find that:
- (1) *Maximum Square Feet.* The accessory dwelling unit(s) shall not be greater than 1,200 square feet of habitable space per lot.
 - (2) *Zoning.* The accessory dwelling unit shall comply with all underlying zoning requirements including but not limited to building height, building area, bulk and area, and setbacks with the exception of density limits.
 - (3) *Parking.* Additional parking is not required to accommodate an accessory dwelling unit.
 - (4) *Maximum Number of Accessory Dwelling Units per Lot.* A maximum of two (2) accessory dwelling units are permitted provided the combined square footage does not exceed 1,200 square feet. Accessory dwellings may be interior, attached, or detached from the primary dwelling, or attached to each other.
 - (5) *Other Code Requirements.* The accessory dwelling unit shall comply with the requirements of the Arkansas Fire Prevention Code as adopted in §173.02 of the Unified Development Code.
 - (6) *Maximum Occupancy of the Accessory Dwelling Unit.* A maximum of one (1) family shall be permitted to reside in an accessory dwelling unit.
- (D) *Planning Commission Approval.* An applicant may request approval from the Planning Commission of a variance to the requirements for size (square feet) and height, where unique circumstances exist and the effect will not adversely affect adjoining or neighboring property owners. The applicant shall provide notification to adjacent property owners prior to the date of the meeting.

(Ord. No. 6076, §1, 8-7-18; Ord. No. 6520, §§3, 4, 1-18-22; Ord. No. 6870, §1(Exh. A), 5-6-25)

Editor's note(s)—Ord. No. 6076, §1, adopted Aug. 7, 2018, repealed the former §164.19, and enacted a new §164.19 as set out herein. The former §164.19 pertained to similar subject matter and derived from Ord. No. 5128, adopted April 15, 2008; Ord. No. 5866, §2, adopted April 5, 2016.



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.
...
- (E) *Zoning Regulations.* The parent tract prior to development shall conform to the zoning criteria of the underlying zoning district.
...
- (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.
...
- (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.

166.21 Downtown Design Overlay District

- (A) *Purpose.* The intent of this ordinance is to encourage good architectural form through the use of quality design and materials. The goal of the code is to promote functional architecture that creates attractive and usable space. Downtown Fayetteville has a rich architectural history spanning many decades and styles; therefore, architecture should be respectful of the existing built environment and should strive to enhance the public realm. A strong emphasis shall be placed upon designing and implementing sustainable and green architecture practices.

...

(7) *Opacity and Facades.*

(a) *General Requirements.*

- (i) Each floor of any principal building façade above the first floor facing a park, square or street shall contain windows covering from 15% to 60% of the principal façade area.
- (ii) The permitted percentage of glass may be increased to 80% for any two floors above the fourth floor provided that there is a minimum setback of 15 feet from the principal façade.
- (iii) A minimum of 10% of the window area per floor shall be operable with the exception of the first or ground floor.
- (iv) All glass shall have a Low-E coating.
- (v) Glass used above the first or ground floor shall have a visible transmittance rating of 0.4 or higher.

(b) *First or Ground Floor Requirements of Any Principal Façade.*

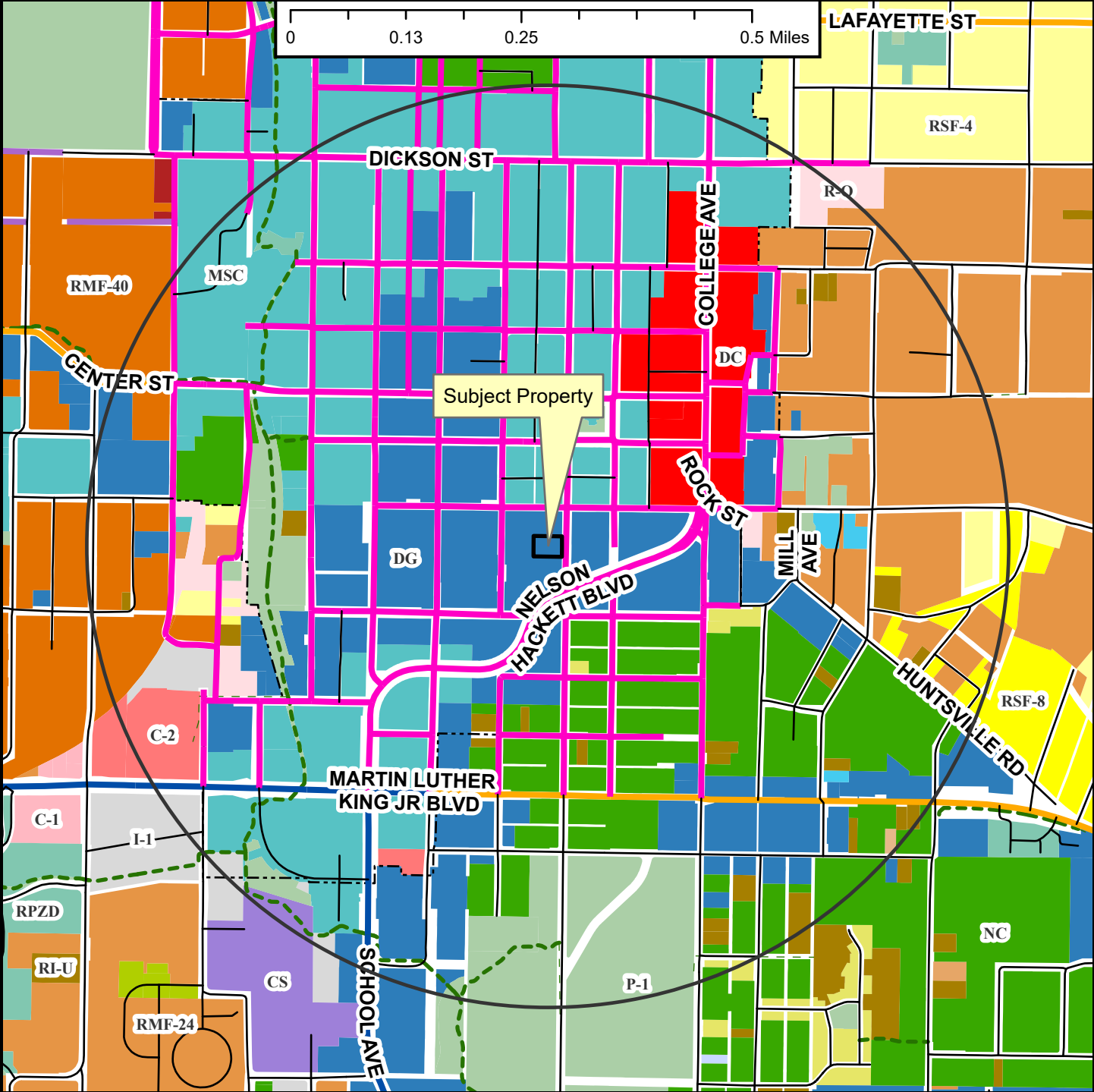
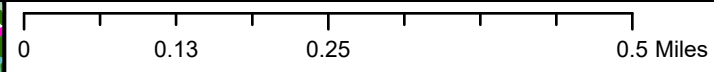
- (i) Glass on the first or ground floor shall have a visible transmittance rating of 0.6 or higher.
- (ii) Commercial space and storefronts shall have a minimum of 75% glass on the first or ground floor.
- (iii) Office, institutional, and other non-residential space shall have a minimum of 50% glass on the first or ground floor.
- (iv) Multi-family residential space shall have a minimum of 40% glass on the first or ground floor.
- (v) Single family and two (2) family residential space shall have a minimum of 5% glass on the first or ground floor.
- (vi) The measurement for glass percentage on the first or ground floor shall be calculated at the pedestrian level between 2—12 feet above the sidewalk. For a building façade located outside of a build-to zone the measurement for glass percentage on the first or ground floor shall be at the pedestrian level between 2 and 12 feet above the finished floor elevation (FFE).
- (vii) Doors or entrances for pedestrian access shall be provided at intervals no greater than 50 ft. apart along the principal façade.

(Ord. No. 5056, 9-04-07; Ord. No. 5679, 4-15-14; Ord. No. 6017, §1, 12-5-17)

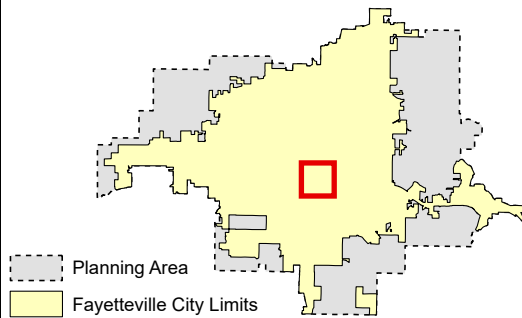
CUP-2026-0004

NORTH OF 215 S. BLOCK AVE

One Mile View



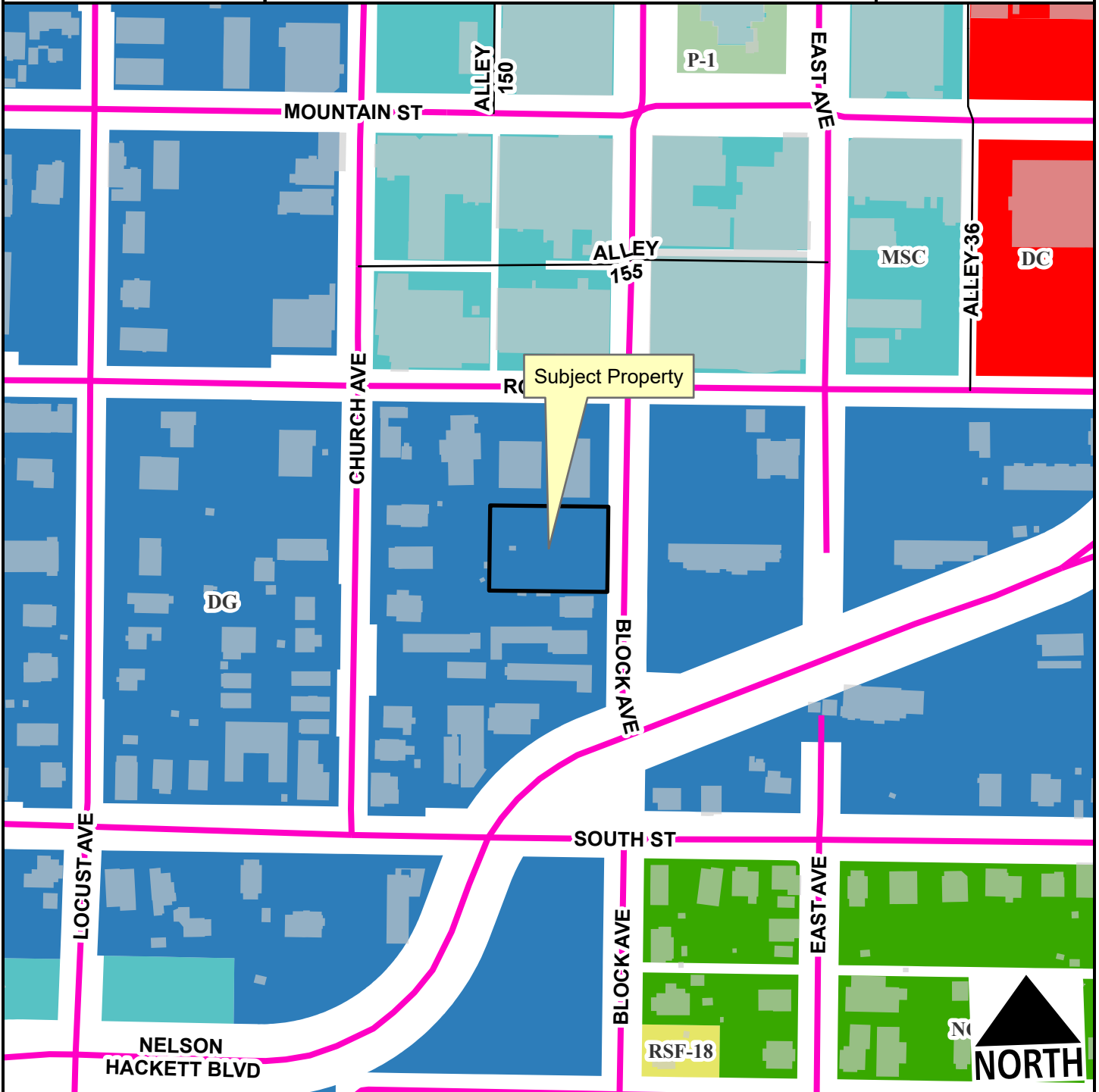
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



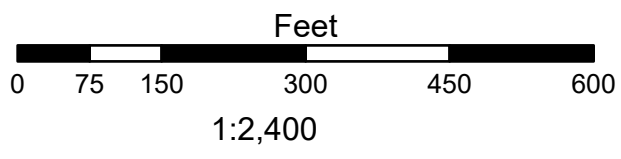
Planning Commission
March 23, 2026

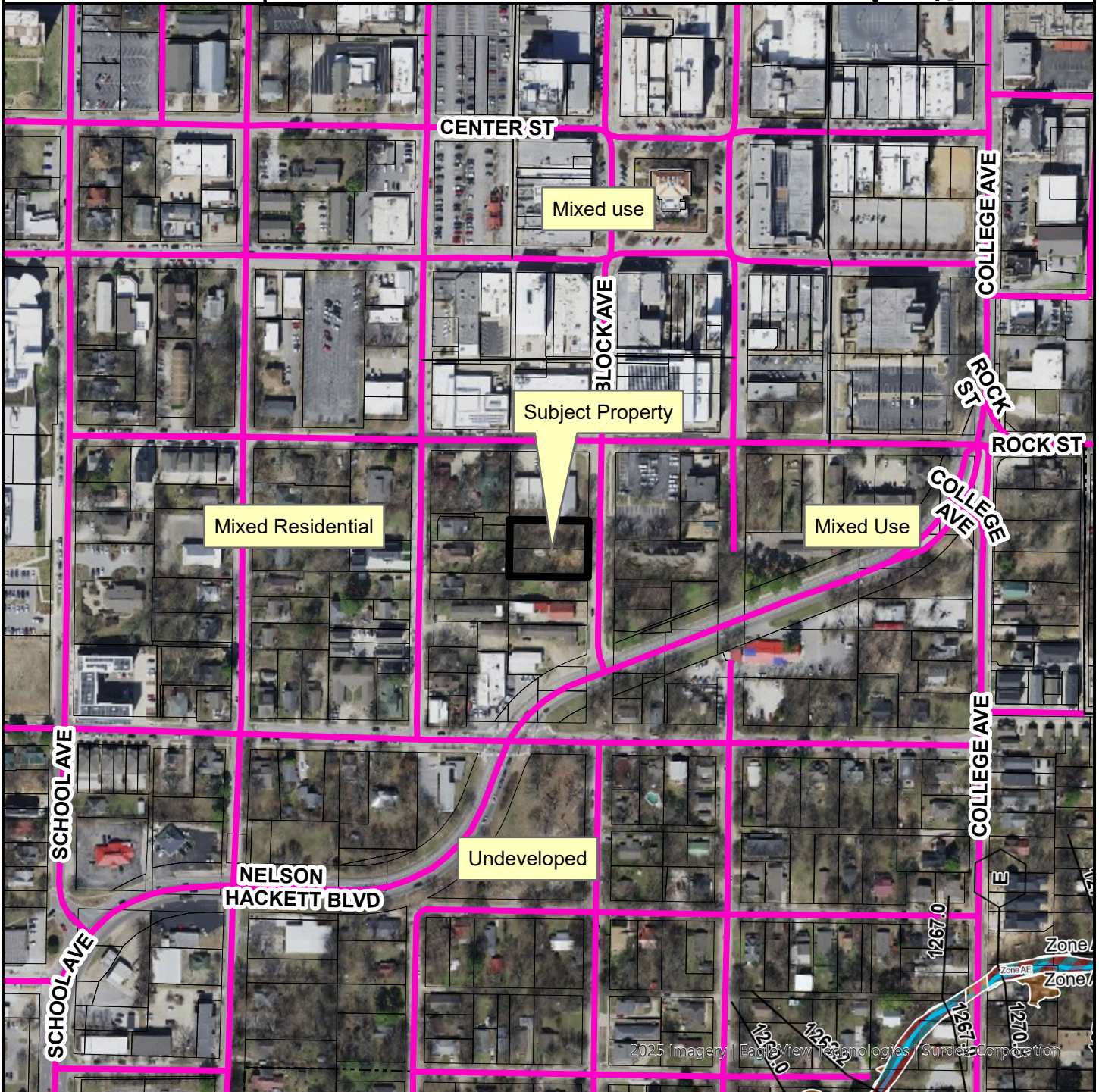
CUP-2026-0004 (S. BLOCK AVE TOWNHOMES)

Close Up View

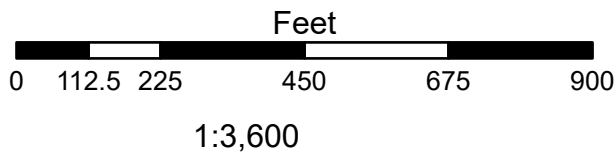


- Urban Center
- Alley
- Planning Area
- Fayetteville City Limits
- Design Overlay District





- Urban Center
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Design Overlay District



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

Staff Exhibit Glazing Measurements



TOTAL 1ST LEVEL FRONTAGE: 685.1 SQFT
PROVIDED 1ST LEVEL GLAZING: 211.6 SQFT (31%)

“The measurement for glass percentage on the first or ground floor shall be calculated at the pedestrian level between 2—12 feet above the sidewalk. For a building façade located outside of a build-to zone the measurement for glass percentage on the first or ground floor shall be at the pedestrian level between 2 and 12 feet above the finished floor elevation (FFE).”

February 18, 2026

Development Services

RE: South Block Ave Townhomes

Development Services,

On behalf of Specialized Real Estate Development Group, this letter is intended to provide a narrative of the proposed Accessory Dwelling Unit (ADU) as part of the South Block Townhomes development, currently under review by City of Fayetteville Development Services at 211 and 213 S. Block Avenue.

The proposed ADU will be a two-bedroom, three-bath residential unit with an approximate building area of 542 square feet. All applicable details, including building size, square footage, exterior colors, and architectural elevations, are included with this submittal. The ADU is designed to be consistent with and complementary to the associated six-unit townhome development and will function as a seamless component of a single, unified residential project rather than as a standalone structure.

The proposed use is strictly residential and non-business in nature. There will be no commercial activity, no employees, and no hours of operation associated with the ADU. Outdoor lighting will be consistent with the proposed development and surrounding residential context.

Parking for the development will include three off-street parking spaces allocated to serve the ADU. No traffic impacts are anticipated, as the ADU is directly connected to the larger residential development and aligns with typical residential occupancy levels in the area.

Ingress and egress to the property will be provided via a pedestrian connection from the existing sidewalk along S. Block Avenue. No additional vehicular access points or curb cuts are proposed.

No noise impacts are anticipated from the residential use of the ADU. Screening and buffering from adjacent properties will be addressed through the integrated site layout and architectural design, ensuring compatibility with surrounding residential uses. Trash and refuse service will be provided through standard residential bins in coordination with the overall development.

As a part of this Conditional Use Permit, we are requesting a variance to use single family residential glazing requirements (UDC 166.21 E.7.b) in lieu of multi-family glazing requirements on the basis that it is more in the spirit of both the surrounding existing neighborhood and the stated purpose of the Cluster Housing Development ordinance (UDC 164.22 A). you will find the variance breakdown attached below.

Overall, the proposed ADU represents a compatible and appropriate residential use that complements the surrounding neighborhood and fits seamlessly within the ongoing South Block Townhomes development. The ADU is directly connected to the townhome project and supports the residential character of the area.

Please let me know if you have any questions or require additional information. We appreciate your continued coordination and review of this project.

Sincerely,



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

Glazing Variance Request

The intent of this letter is to make the case that the proposed cluster housing development on 211 & 213 S Block Ave should be allowed a variance to use single family residential glazing requirements (UDC 166.21 E.7.b) in lieu of multi-family glazing requirements on the basis that it is more in the spirit of both the surrounding existing neighborhood and the stated purpose of the Cluster Housing Development ordinance (UDC 164.22 A), which reads as follows:

(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.

Much of the existing context of the Downtown General District south of W Rock St (where this project is located) is currently single family detached residences. It is our opinion that this proposed 6-unit townhome development, under the cluster housing ordinance, is neither fully multi-family nor fully single family detached, but rather a “missing middle” typology. Therefore, it may serve as a gentler transition (“ensuring compatibility with established neighborhoods”) between the existing low density neighborhood to the south and the higher density mixed-use downtown to the north.

Toward this goal, the unit and its elevation fronting S Block Ave have been designed at a scale appropriate to the existing single family neighborhood. It is our belief that as a “missing middle” typology, it should not need the minimum 40% ground floor glazing required of a larger multifamily development, but still seek to provide glazing in excess of the minimum 5% required of a single family development. The elevation (see next page) currently provides >30% ground floor glazing, which is more than sufficient for the 5% required of a single family residence. See UDC 166.21 E.7.b:

(b) First or Ground Floor Requirements of Any Principal Façade.

(i) Glass on the first or ground floor shall have a visible transmittance rating of 0.6 or higher.

(ii) Commercial space and storefronts shall have a minimum of 75% glass on the first or ground floor.

(iii) Office, institutional, and other non-residential space shall have a minimum of 50% glass on the first or ground floor.

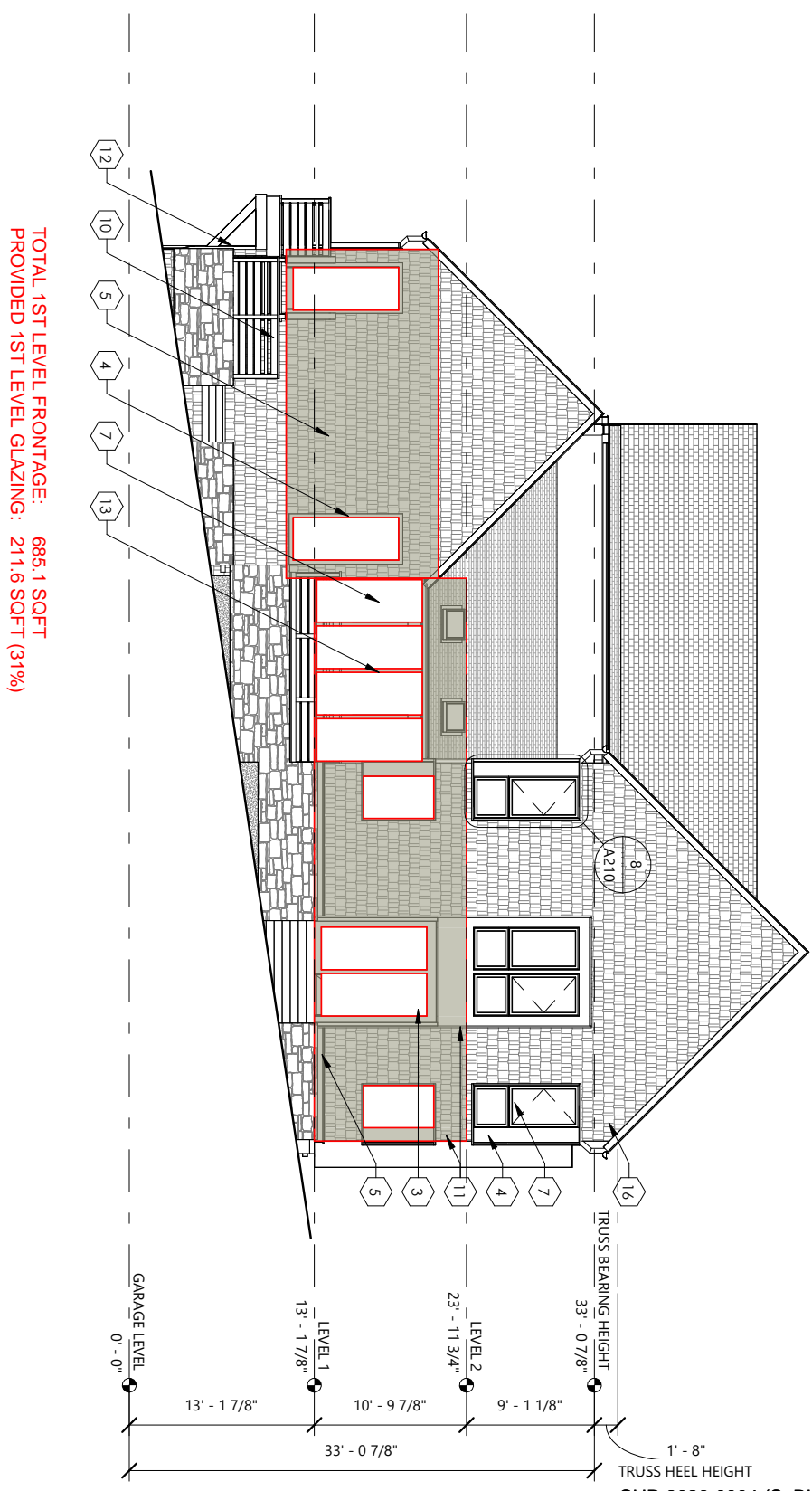
(iv) Multi-family residential space shall have a minimum of 40% glass on the first or ground floor.

(v) Single family and two (2) family residential space shall have a minimum of 5% glass on the first or ground floor.

Mattheas Repsher
Nequette Architecture & Design
o 205-329-7031 c 817-682-3539

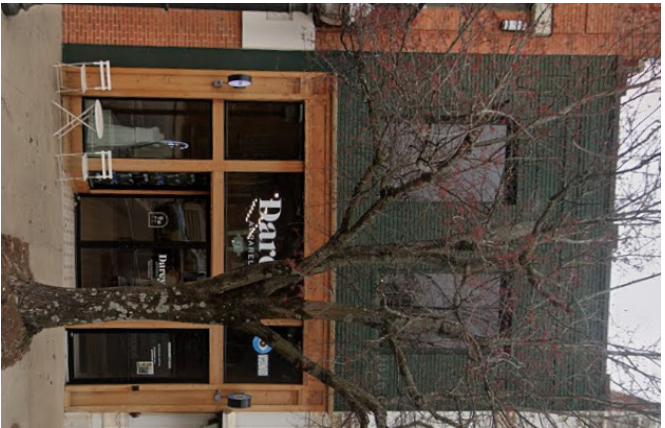
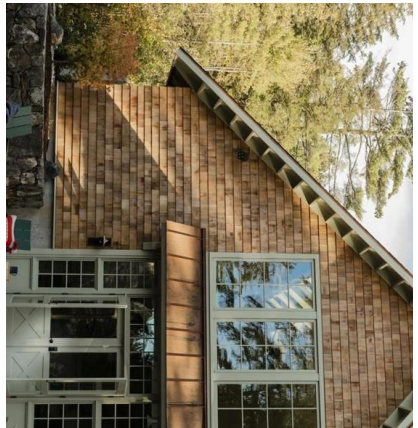
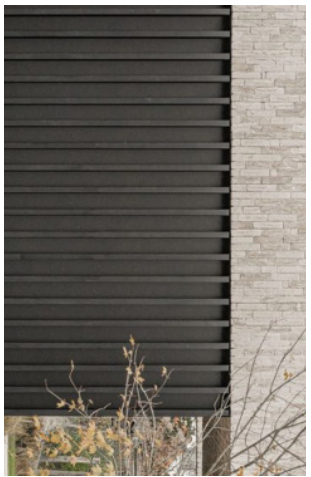
Carleone Posala
Nequette Architecture & Design
p 205-224-4277 c 334-750-6796

- (b) *First or Ground Floor Requirements of Any Principal Façade:*
- (i) Glass on the first or ground floor shall have a visible transmittance rating of 0.6 or higher.
 - (ii) Commercial space and storefronts shall have a minimum of 75% glass on the first or ground floor.
 - (iii) Office, institutional, and other non-residential space shall have a minimum of 50% glass on the first or ground floor.
 - (iv) Multi-family residential space shall have a minimum of 40% glass on the first or ground floor.
 - (v) Single family and two (2) family residential space shall have a minimum of 5% glass on the first or ground floor.



TOTAL 1ST LEVEL FRONTAGE: 685.1 SQFT
 PROVIDED 1ST LEVEL GLAZING: 211.6 SQFT (31%)

S BLOCK AVE TOWNHOMES



Planning Commission
March 23, 2026

CUP-2026-0004 (S. BLOCK AVE TOWNHOMES)

SPECIALIZED
REAL ESTATE GROUP

INSPIRATION IMAGES
01-30-2026

 **NEQUETTE**
ARCHITECTURE & DESIGN

NOTE: ALL UNITS OF THE S. BLOCK AVE TOWNHOMES SHALL BE BUILT WITH A 13D FIRE SUPPRESSION SYSTEM TO ENSURE COMPLIANCE WITH THE CITY OF FAYETTEVILLE'S UNIFIED DEVELOPMENT CODE.

S BLOCK AVE TOWNHOMES



NORTH ELEVATION - PRINCIPLE FACADE
FRONTING COMMON GREEN SPACE



SPECIALIZED REAL ESTATE GROUP

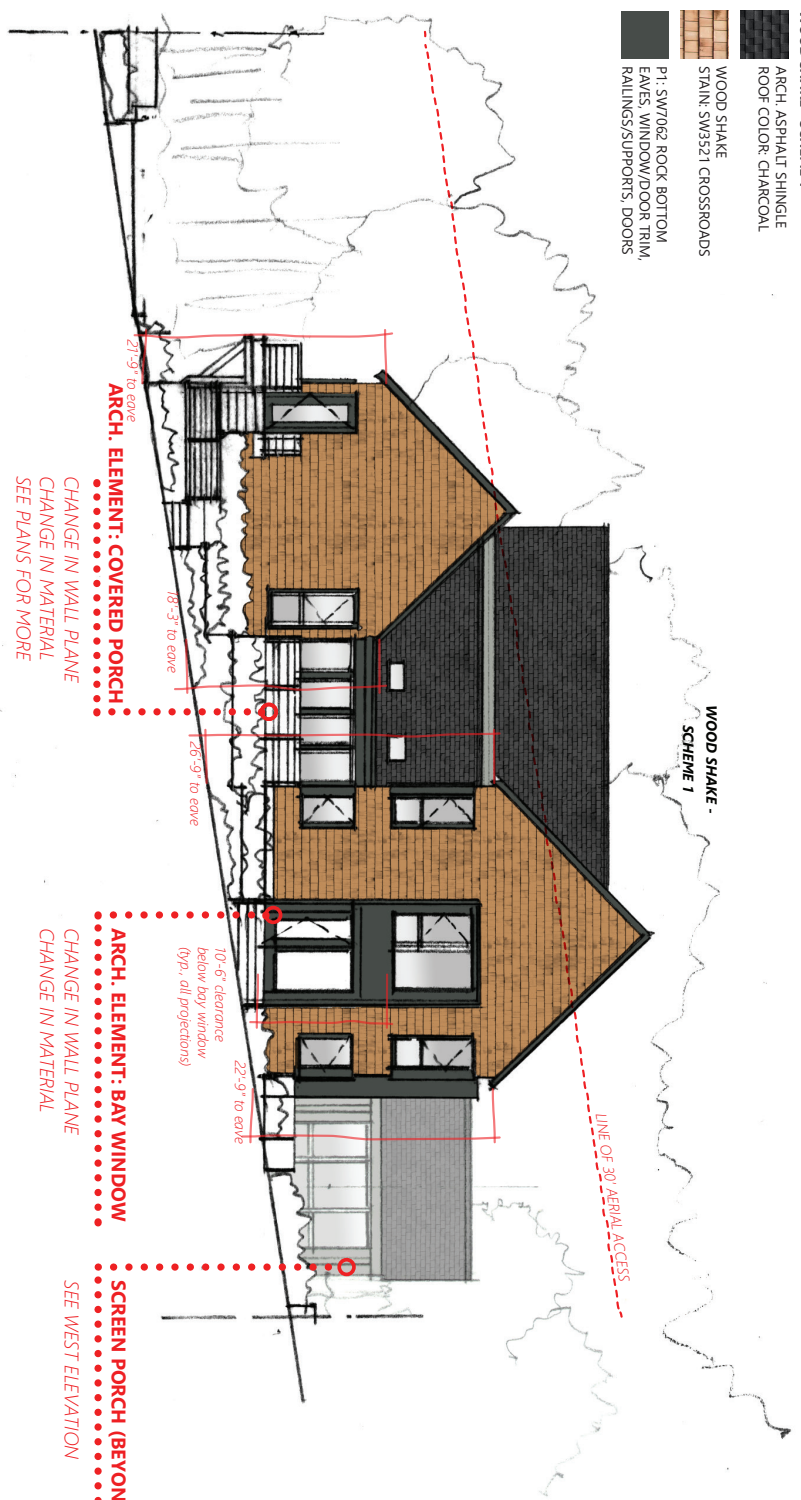
NORTH ELEVATION
01-30-2026 | 3/16" = 1'-0"

NEQUETTE ARCHITECTURE & DESIGN

NOTE: ALL UNITS OF THE S. BLOCK AVE TOWNHOMES SHALL BE BUILT WITH A 13D FIRE SUPPRESSION SYSTEM TO ENSURE COMPLIANCE WITH THE CITY OF FAYETTEVILLE'S UNIFIED DEVELOPMENT CODE.

S BLOCK AVE TOWNHOMES

- WOOD SHAKE - SCHEME 1**
- ARCH: ASPHALT SHINGLE
 - ROOF COLOR: CHARCOAL
- WOOD SHAKE**
- STAIN: SW3521 CROSSROADS
- P1: SW7062 ROCK BOTTOM**
- EAVES WINDOW/DOOR TRIM, RAILINGS/SUPPORTS, DOORS



EAST ELEVATION - PRINCIPLE FACADE
FRONTING S BLOCK AVE

27'-9" to eave
ARCH. ELEMENT: COVERED PORCH

 CHANGE IN WALL PLANE
 CHANGE IN MATERIAL
 SEE PLANS FOR MORE

10'-6" clearance below bay window (typ., all projections)
 22'-9" to eave
ARCH. ELEMENT: BAY WINDOW

 CHANGE IN WALL PLANE
 CHANGE IN MATERIAL

SCREEN PORCH (BEYOND)

 SEE WEST ELEVATION





WOOD SHAKE - SCHEME 2

WOOD SHAKE - SCHEME 2

LAP SIDING - SCHEME 3

LAP SIDING - SCHEME 1

LAP SIDING - SCHEME 2

WOOD SHAKE - SCHEME 1

WOOD SHAKE - SCHEME 2

ARCH. ASPHALT SHINGLE
ROOF COLOR: CHARCOAL

WOOD SHAKE
STAIN: SW3521 CROSSROADS

P3: SW9164 ILLUSIVE GREEN,
EAVES, WINDOW/DOOR TRIM,
RAILINGS/SUPPORTS, DOORS

LAP SIDING - SCHEME 3

ARCH. ASPHALT SHINGLE
ROOF COLOR: CHARCOAL

P6: SW6200 LINK GRAY
LAP SIDING

P5: SW6202 CAST IRON,
EAVES, WINDOW/DOOR TRIM,
RAILINGS/SUPPORTS, DOORS

LAP SIDING - SCHEME 1

ARCH. ASPHALT SHINGLE
ROOF COLOR: CHARCOAL

P2: SW7061 NIGHT OWL
LAP SIDING

P1: SW7062 ROCK BOTTOM,
EAVES, WINDOW/DOOR TRIM,
RAILINGS/SUPPORTS, DOORS

LAP SIDING - SCHEME 2

ARCH. ASPHALT SHINGLE
ROOF COLOR: CHARCOAL

P4: SW7059 UNUSUAL GRAY
LAP SIDING

P3: SW9164 ILLUSIVE GRAY,
EAVES, WINDOW/DOOR TRIM,
RAILINGS/SUPPORTS, DOORS

WOOD SHAKE - SCHEME 1

ARCH. ASPHALT SHINGLE
ROOF COLOR: CHARCOAL

WOOD SHAKE
STAIN: SW3521 CROSSROADS

P1: SW7062 ROCK BOTTOM,
EAVES, WINDOW/DOOR TRIM,
RAILINGS/SUPPORTS, DOORS

SOUTH ELEVATION - SECONDARY FACADE
FRONTING DRIVEWAY



NOTE: ALL UNITS OF THE S. BLOCK AVE TOWNHOMES SHALL BE BUILT WITH A T3D FIRE SUPPRESSION SYSTEM TO ENSURE COMPLIANCE WITH THE CITY OF FAYETTEVILLE'S UNIFIED DEVELOPMENT CODE.

SPECIALIZED
REAL ESTATE GROUP

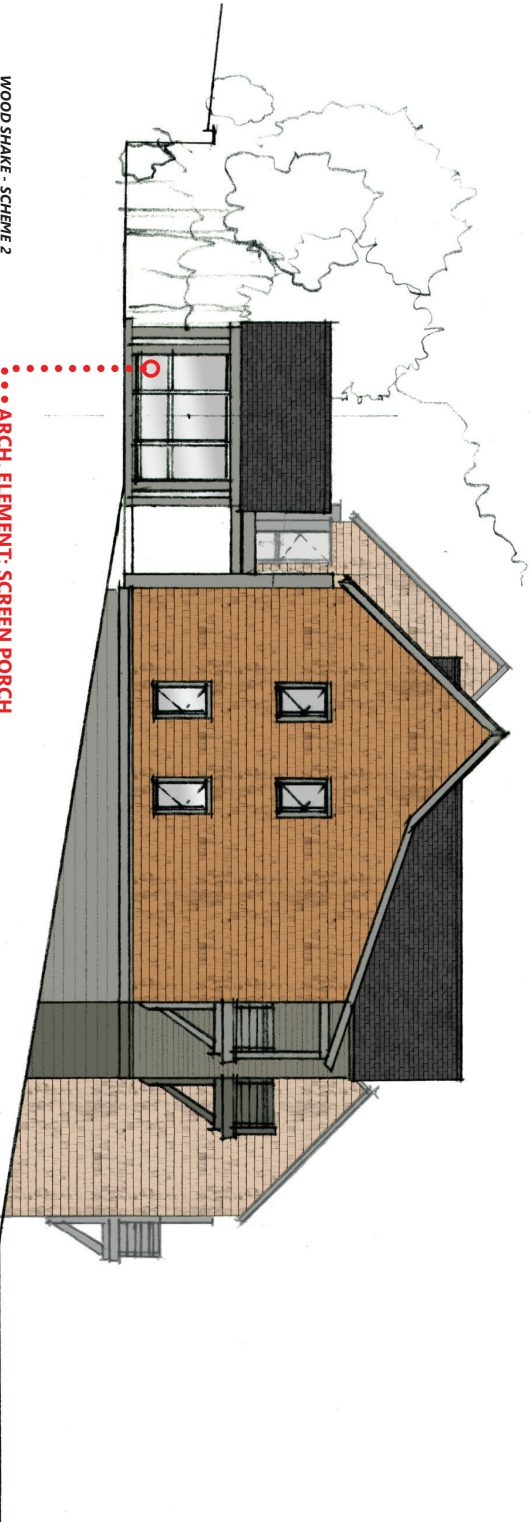
SOUTH ELEVATION

01-30-2026 | 3/16" = 1'-0"



NOTE: ALL UNITS OF THE S. BLOCK AVE TOWNHOMES SHALL BE BUILT WITH A 13D FIRE SUPPRESSION SYSTEM TO ENSURE COMPLIANCE WITH THE CITY OF FAYETTEVILLE'S UNIFIED DEVELOPMENT CODE.

S BLOCK AVE TOWNHOMES



WOOD SHAKE - SCHEME 2

- WOOD SHAKE - SCHEME 2**
ARCH. ASPHALT SHINGLE ROOF COLOR: CHARCOAL
- WOOD SHAKE STAIN: SW521 CROSSROADS
- P3: SW9164 ILLUSIVE GREEN EAVES WINDOW/DOOR TRIM, RAILINGS/SUPPORTS, DOORS

***ARCH. ELEMENT: SCREEN PORCH
PURPOSE IS TO: PROVIDE THE REAR-MOST UNIT WITH A LARGER PRIVATE GREEN SPACE & PRIVATE SCREEN PORCH AMENITY, MAKING WHAT IS TYPICALLY THE LEAST DESIRABLE UNIT INTO A PREMIUM.

WEST ELEVATION - SECONDARY FACADE FRONTING BACK OF SITE

10'-0"

NOTE: ALL UNITS OF THE S. BLOCK AVE TOWNHOMES SHALL BE BUILT WITH A 13D FIRE SUPPRESSION SYSTEM TO ENSURE COMPLIANCE WITH THE CITY OF FAYETTEVILLE'S UNIFIED DEVELOPMENT CODE.



OPERABLE WINDOWS LEVEL 2 - ABOVE GROUND LEVEL					
UNIT TYPES	UNIT 1		UNIT 2		UNIT 2 ADU
	REQ.	PROVIDED	REQ.	PROVIDED	REQ.
GLAZING AREA (%) - REQUIRED	79%	21%	58%	42%	90%
GLAZING AREA (%) - PROVIDED	79%	21%	58%	42%	90%

UNIT TYPES	UNIT 1		UNIT 2		UNIT 2 ADU
	UNCONDITIONAL SPACE	CONDITIONAL SPACE	UNCONDITIONAL SPACE	CONDITIONAL SPACE	UNCONDITIONAL SPACE
LEVEL 1	675 SF	0 SF	641 SF	0 SF	557 SF
LEVEL 2	83 SF	748 SF	0 SF	1,188 SF	557 SF
TOTAL CONDITIONED FLOOR AREA	1,481 SF	748 SF	641 SF	1,188 SF	557 SF
PRIVATE EXTERIOR SPACE*	779,139 SF		798 SF		---

LEVEL 1 - SITE PLAN
1/8" = 1'-0"

A101

BUILDING PLAN - LEVEL 1

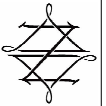
DATE	BY	REVISION/LOG
03/23/2023	ESJ	

211 + 213 SOUTH BLOCK AVENUE

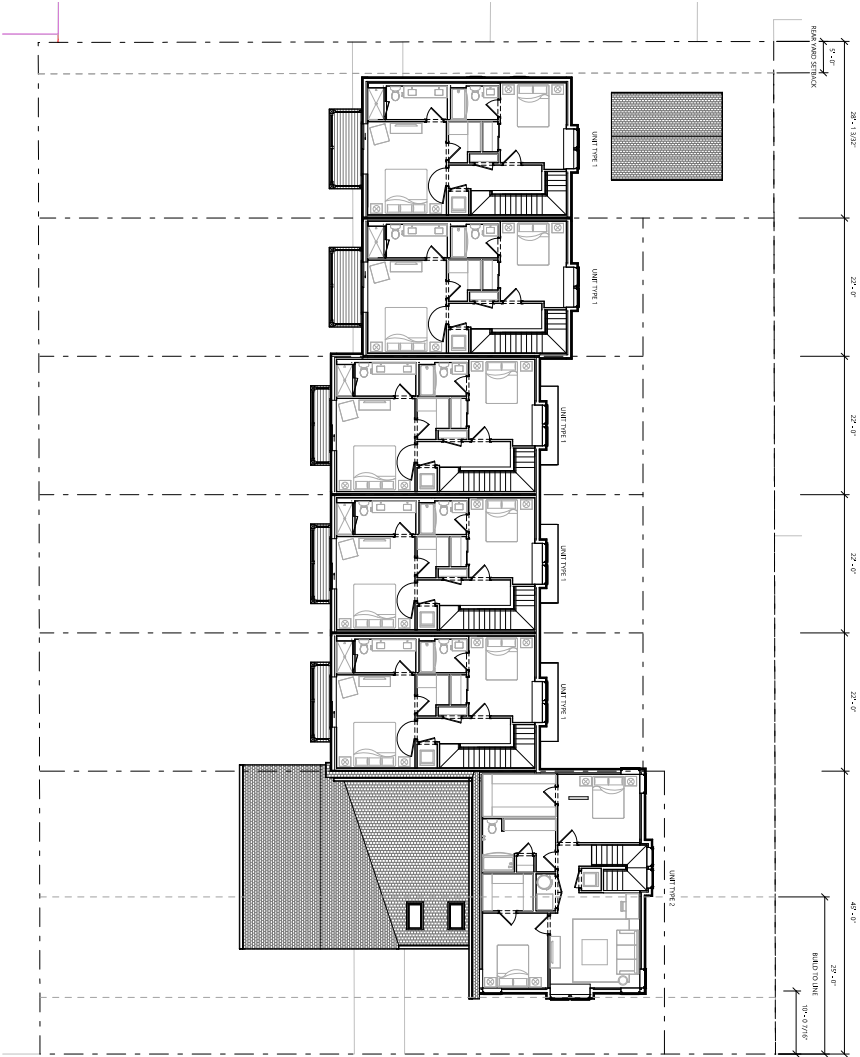
FAYETTEVILLE, AR
NEQUETTE PROJECT NUMBER: 25041

Planning Commission
March 23, 2026

CUP-2026-0004 (S. BLOCK AVE TOWNHOMES)

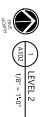


NOTE: ALL UNITS OF THE S. BLOCK AVE TOWNHOMES SHALL BE BUILT WITH A 13D FIRE SUPPRESSION SYSTEM TO ENSURE COMPLIANCE WITH THE CITY OF FAYETTEVILLE'S UNIFIED DEVELOPMENT CODE.



OPERABLE WINDOWS LEVEL 2 - ABOVE GROUND LEVEL											
UNIT TYPES	UNIT 1			UNIT 2			UNIT 2 ADU				
	REQ	ORIG	MIN. 10%	REQ	ORIG	MIN. 10%	REQ	ORIG	MIN. 10%		
GLAZING AREA (%) - REQUIRED			79%			21%			58%		42%
GLAZING AREA (%) - PROVIDED											90%
											38%

UNIT TYPES	UNIT 1			UNIT 2			UNIT 2 ADU		
	UNCONDITIONAL	CONDITIONAL	UNCONDITIONAL	CONDITIONAL	UNCONDITIONAL	CONDITIONAL	UNCONDITIONAL	CONDITIONAL	
GARAGE LEVEL (BELOW GRADE)	679 SF	0 SF	641 SF	0 SF	0 SF	0 SF	0 SF	557 SF	
LEVEL 1	83 SF	728 SF	0 SF	1,188 SF	0 SF	0 SF	0 SF	557 SF	
LEVEL 2	0 SF	748 SF	0 SF	972 SF	0 SF	0 SF	0 SF	557 SF	
TOTAL CONDITIONED FLOOR AREA	1,488 SF	2,114 SF	0 SF	2,114 SF	0 SF	0 SF	0 SF	557 SF	
PRIVATE EXTERIOR SPACE*	(TP) 230 SF			230 SF			---		
*CHANGING ROOMS ARE NOT PERMITTED									



A102

BUILDING PLAN - LEVEL 2

NO.	DATE	DESCRIPTION
1	12/15/2020	ISSUE FOR PERMITS
2	01/15/2021	REVISION 005
3	02/15/2021	REVISION 006
4	03/15/2021	REVISION 007
5	04/15/2021	REVISION 008
6	05/15/2021	REVISION 009
7	06/15/2021	REVISION 010
8	07/15/2021	REVISION 011
9	08/15/2021	REVISION 012
10	09/15/2021	REVISION 013
11	10/15/2021	REVISION 014
12	11/15/2021	REVISION 015
13	12/15/2021	REVISION 016
14	01/15/2022	REVISION 017
15	02/15/2022	REVISION 018
16	03/15/2022	REVISION 019
17	04/15/2022	REVISION 020
18	05/15/2022	REVISION 021
19	06/15/2022	REVISION 022
20	07/15/2022	REVISION 023
21	08/15/2022	REVISION 024
22	09/15/2022	REVISION 025
23	10/15/2022	REVISION 026
24	11/15/2022	REVISION 027
25	12/15/2022	REVISION 028
26	01/15/2023	REVISION 029
27	02/15/2023	REVISION 030
28	03/15/2023	REVISION 031
29	04/15/2023	REVISION 032
30	05/15/2023	REVISION 033
31	06/15/2023	REVISION 034
32	07/15/2023	REVISION 035
33	08/15/2023	REVISION 036
34	09/15/2023	REVISION 037
35	10/15/2023	REVISION 038
36	11/15/2023	REVISION 039
37	12/15/2023	REVISION 040
38	01/15/2024	REVISION 041
39	02/15/2024	REVISION 042
40	03/15/2024	REVISION 043
41	04/15/2024	REVISION 044
42	05/15/2024	REVISION 045
43	06/15/2024	REVISION 046
44	07/15/2024	REVISION 047
45	08/15/2024	REVISION 048
46	09/15/2024	REVISION 049
47	10/15/2024	REVISION 050
48	11/15/2024	REVISION 051
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53	04/15/2025	REVISION 056
54	05/15/2025	REVISION 057
55	06/15/2025	REVISION 058
56	07/15/2025	REVISION 059
57	08/15/2025	REVISION 060
58	09/15/2025	REVISION 061
59	10/15/2025	REVISION 062
60	11/15/2025	REVISION 063
61	12/15/2025	REVISION 064
62	01/15/2026	REVISION 065
63	02/15/2026	REVISION 066
64	03/15/2026	REVISION 067
65	04/15/2026	REVISION 068
66	05/15/2026	REVISION 069
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68	07/15/2026	REVISION 071
69	08/15/2026	REVISION 072
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74	01/15/2027	REVISION 077
75	02/15/2027	REVISION 078
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79	06/15/2027	REVISION 082
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81	08/15/2027	REVISION 084
82	09/15/2027	REVISION 085
83	10/15/2027	REVISION 086
84	11/15/2027	REVISION 087
85	12/15/2027	REVISION 088
86	01/15/2028	REVISION 089
87	02/15/2028	REVISION 090
88	03/15/2028	REVISION 091
89	04/15/2028	REVISION 092
90	05/15/2028	REVISION 093
91	06/15/2028	REVISION 094
92	07/15/2028	REVISION 095
93	08/15/2028	REVISION 096
94	09/15/2028	REVISION 097
95	10/15/2028	REVISION 098
96	11/15/2028	REVISION 099
97	12/15/2028	REVISION 100

211 + 213 SOUTH BLOCK AVENUE

FAYETTEVILLE, AR
NEQUETTE PROJECT NUMBER: 25041

Planning Commission
March 23, 2026



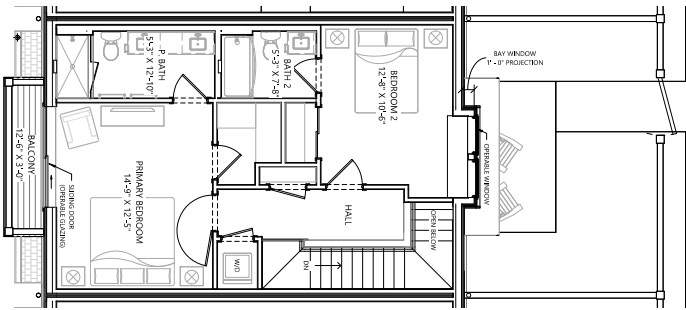
CUP-2026-0004 (S. BLOCK AVE TOWNHOMES)

NOTE: ALL UNITS OF THE S. BLOCK AVE TOWNHOMES SHALL BE BUILT WITH A 13D FIRE SUPPRESSION SYSTEM TO ENSURE COMPLIANCE WITH THE CITY OF FAYETTEVILLE'S UNIFIED DEVELOPMENT CODE.

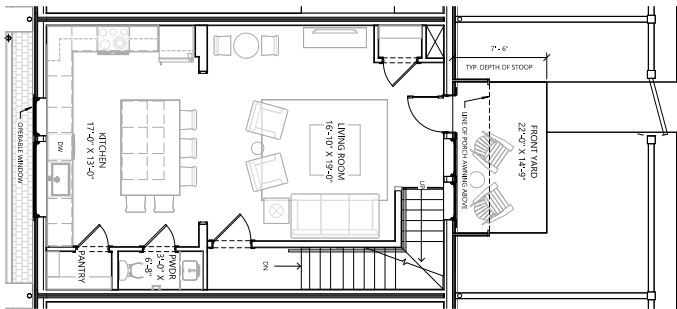
UNIT TYPES	OPERABLE WINDOWS LEVEL 2 ABOVE GROUND LEVEL					
	UNIT 1		UNIT 2		UNIT 2 ADU	
MIN. 10%	79%	21%	58%	42%	90%	38%
MAX. 10%	79%	21%	58%	42%	90%	38%

UNIT TYPES	UNIT MAINTENANCE ZONES					
	UNIT 1		UNIT 2		UNIT 2 ADU	
MIN. 10%	67%	0%	64%	0%	0%	55%
MAX. 10%	67%	0%	64%	0%	0%	55%

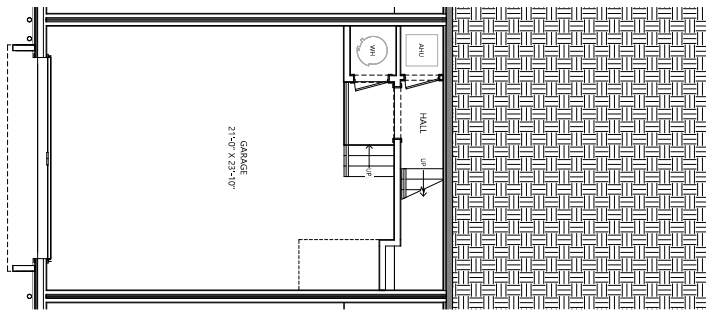
UNIT TYPES	TOTAL CONDITIONED FLOOR AREA					
	UNIT 1		UNIT 2		UNIT 2 ADU	
MIN. 10%	1,488 SF	2,114 SF	537 SF	---	---	---
MAX. 10%	1,488 SF	2,114 SF	537 SF	---	---	---



LEVEL 2
1/8" = 1'-0"



LEVEL 1
1/8" = 1'-0"



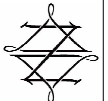
GARAGE LEVEL
1/8" = 1'-0"

NO.	DATE	BY	REVISION
1	03/23/2026	ESJ	ISSUE FOR PERMIT

BLOCK AVE TOWNHOME

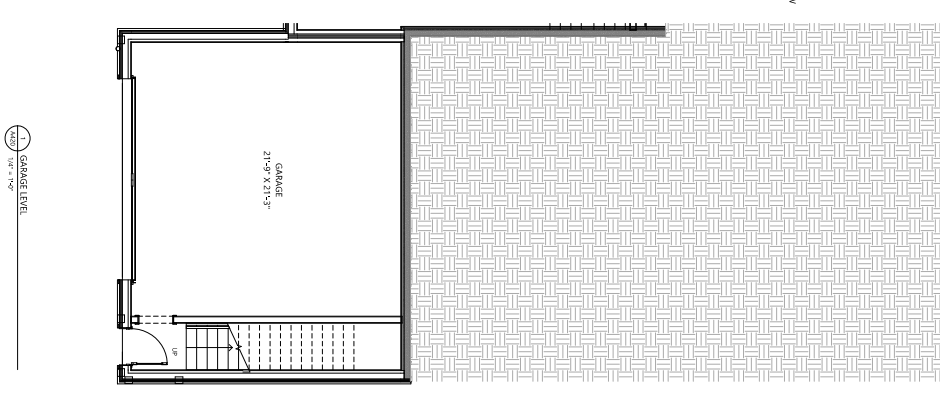
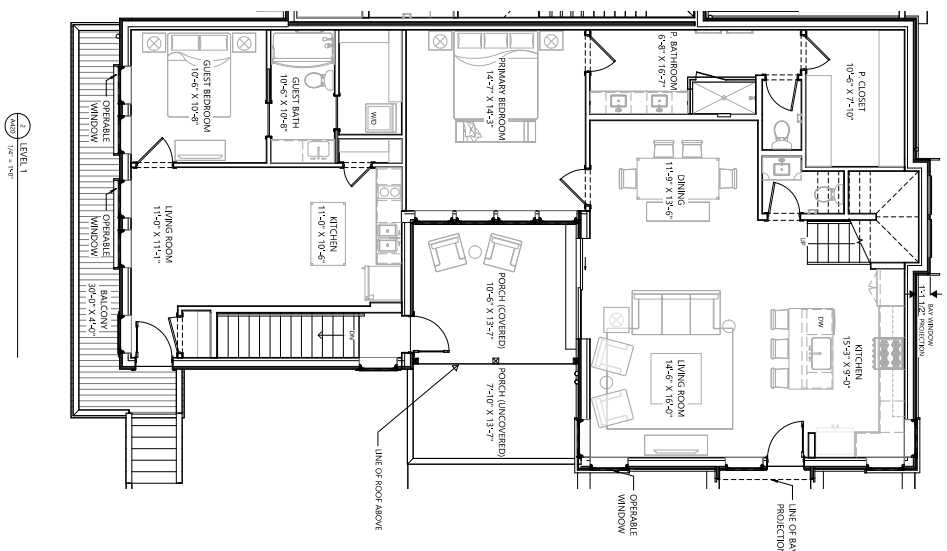
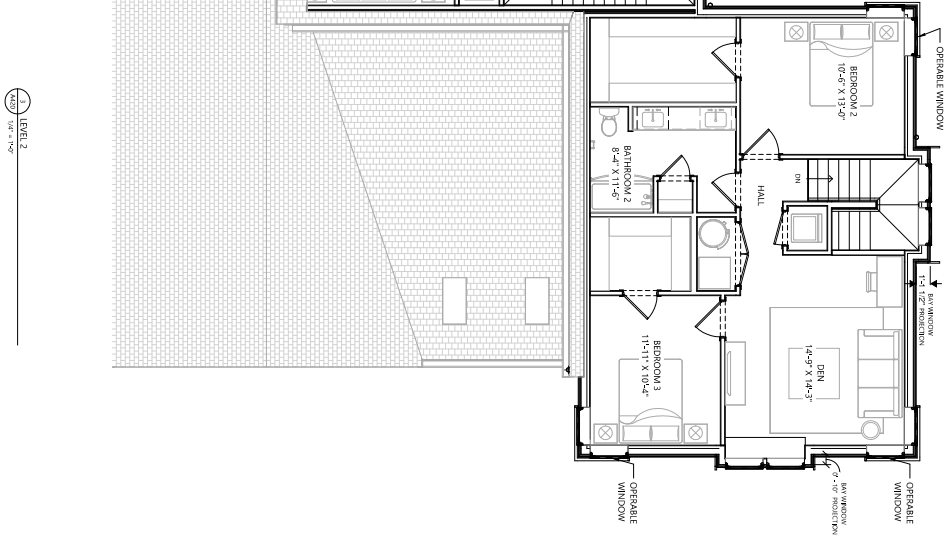
213 S BLOCK AVE, FAYETTEVILLE, AR 72701
NEQUETTE PROJECT NUMBER: 25041

Planning Commission
March 23, 2026
CUP-2026-0004 (S. BLOCK AVE TOWNHOMES)



BLOCK AVE - UNIT TYPE 1 - FLOOR PLANS
A410

NOTE: ALL UNITS OF THE S. BLOCK AVE TOWNHOMES SHALL BE BUILT WITH A 13D FIRE SUPPRESSION SYSTEM TO ENSURE COMPLIANCE WITH THE CITY OF FAYETTEVILLE'S UNIFIED DEVELOPMENT CODE.



OPERABLE WINDOWS LEVEL 2 - ABOVE GROUND LEVEL					
UNIT TYPES	UNIT 1		UNIT 2		UNIT 2 ADU
	REQ.	PROVIDED	REQ.	PROVIDED	REQ.
GARAGE AREA (%) - REQUIRED	79%	21%	58%	42%	90%
GARAGE AREA (%) - PROVIDED					38%

UNIT TYPES	UNIT 1		UNIT 2		UNIT 2 ADU	
	UNCONDITIONAL	CONDITIONAL	UNCONDITIONAL	CONDITIONAL	UNCONDITIONAL	CONDITIONAL
PRIVATE EXTERIOR SPACE*	0 SF	298 SF	0 SF	298 SF	0 SF	298 SF
TOTAL CONDITIONED FLOOR AREA	1,488 SF	2,114 SF	1,488 SF	2,114 SF	557 SF	557 SF

DISTRIBUTION LOG		
DATE	NAME	
03/23/2023	ESJ/SM	
REVISION LOG		
NO.	DATE	NAME

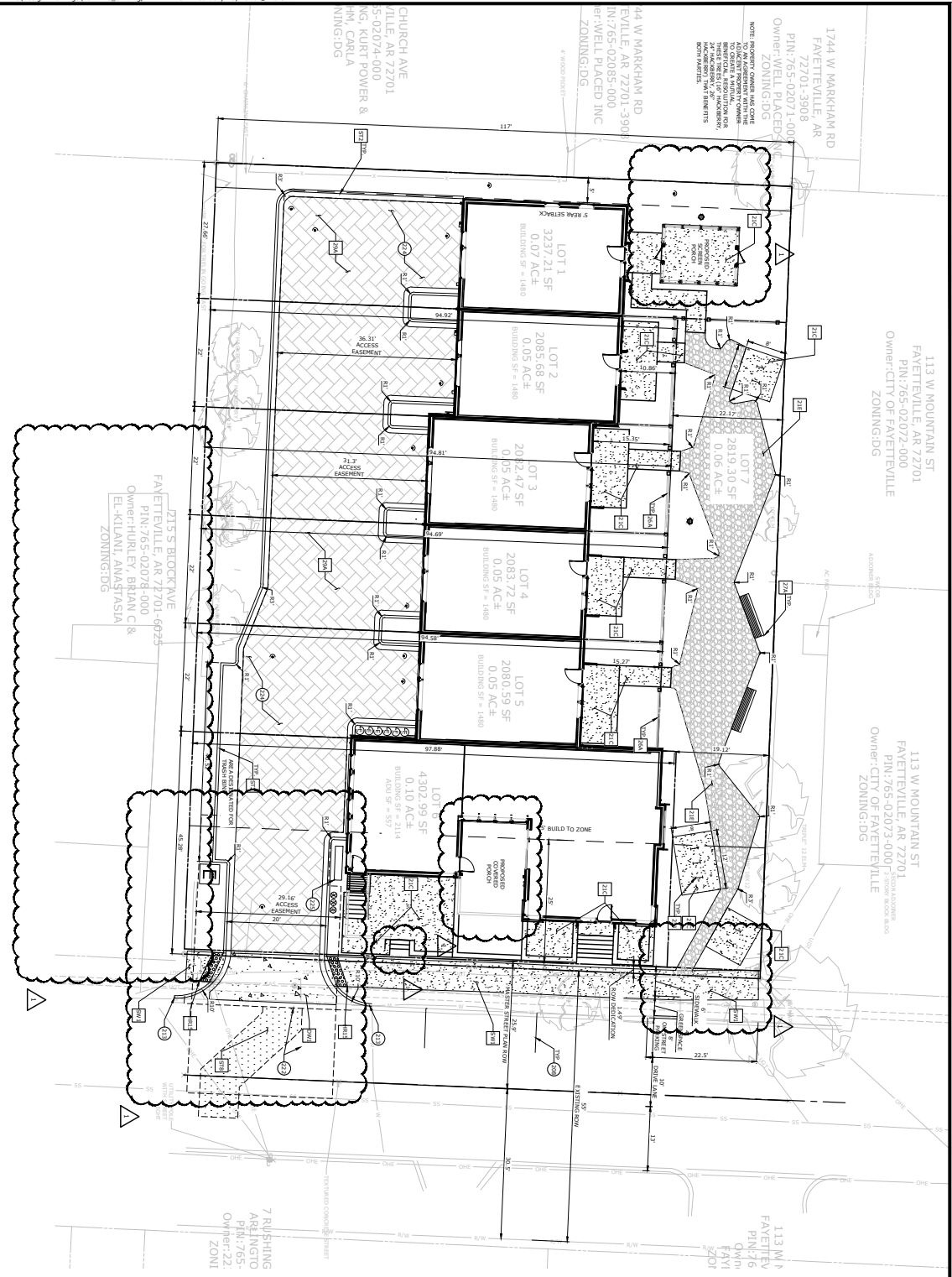
BLOCK AVE TOWNHOME

213 S BLOCK AVE, FAYETTEVILLE, AR 72701
 NEQUETTE PROJECT NUMBER: 25041

Planning Commission
 March 23, 2026



BLOCK AVE - UNIT
 TYPE 2 - FLOOR
 PLANS
A420



EXISTING LEGEND

- 1' = 1" (IN FEET)
- 1" = 100' (IN FEET)
- 1" = 100' (IN FEET)

PROPOSED LEGEND

- 1' = 1" (IN FEET)
- 1" = 100' (IN FEET)
- 1" = 100' (IN FEET)

EXISTING LEGEND

- 1' = 1" (IN FEET)
- 1" = 100' (IN FEET)
- 1" = 100' (IN FEET)

PROPOSED LEGEND

- 1' = 1" (IN FEET)
- 1" = 100' (IN FEET)
- 1" = 100' (IN FEET)

EXISTING LEGEND

- 1' = 1" (IN FEET)
- 1" = 100' (IN FEET)
- 1" = 100' (IN FEET)

PROPOSED LEGEND

- 1' = 1" (IN FEET)
- 1" = 100' (IN FEET)
- 1" = 100' (IN FEET)

REVISIONS

REV	DATE	DESCRIPTION
1	02/16/2026	ADDENDUM 1

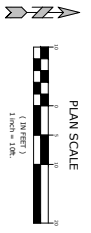
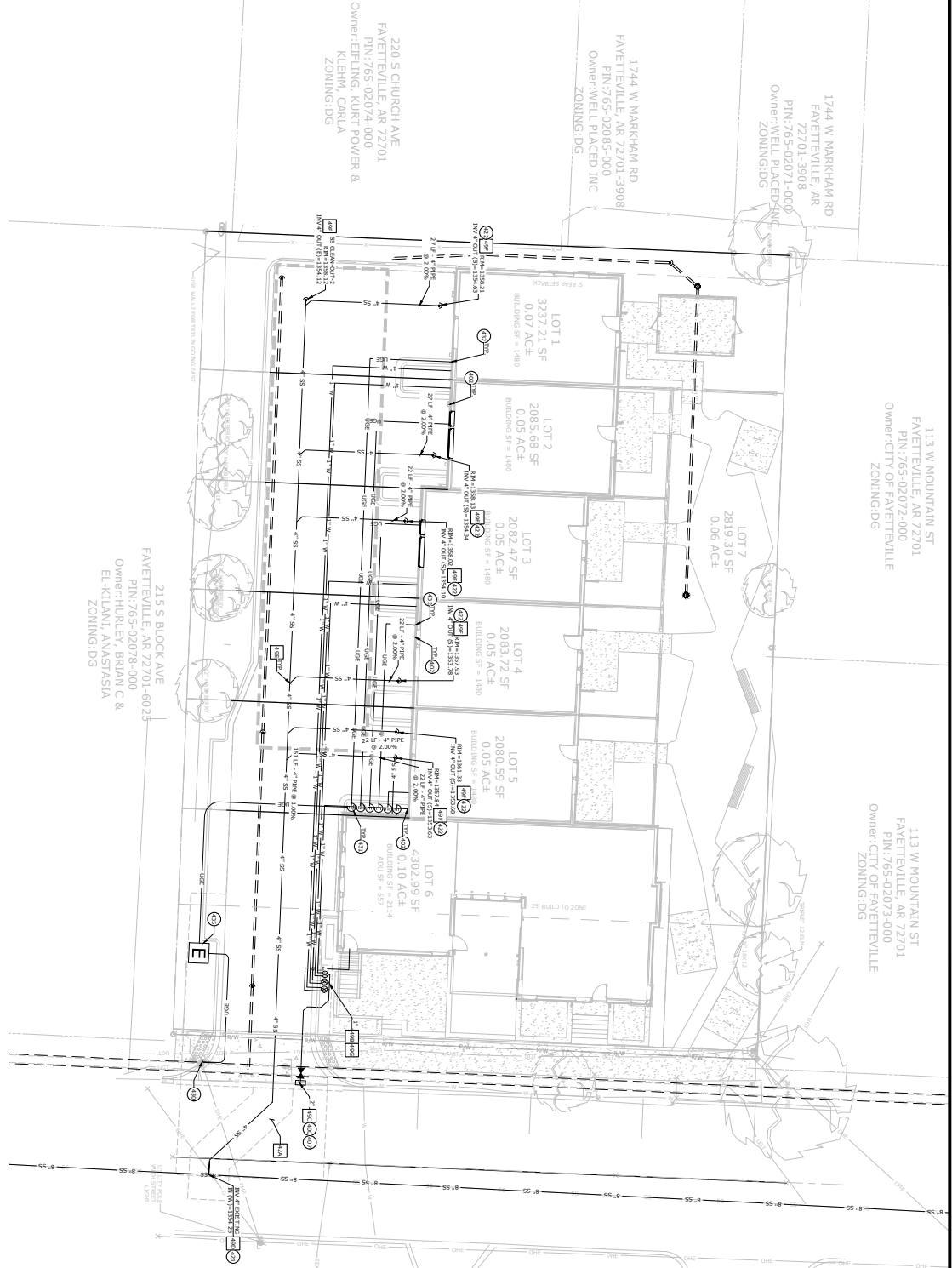
OWNER
SOUTH BLOCK TOWNHOMES
211 + 213 S BLOCK AVE
FAYETTEVILLE, AR

DATE
2/18/2026
SCALE
AS SHOWN
PROJECT
SOUTH BLOCK TOWNHOMES

STREET TABLE

STREET AND SIDEWALK WIDTHS	EXISTING	PROPOSED
ST. MOUNTAIN	4'-0"	6'-0"
CHURCH AVE	4'-0"	4'-0"
ROBERT WAVE	5'-0"	N/A
EXISTING	5'-0"	5'-0"
MAYNERS STREET PARK	N/A	5'-6"

CONTRACTOR
MCCLELLAND CONSULTING ENGINEERS, INC.
2118 20th St, Fayetteville, AR 72703
727.783.2026



- EXISTING LEGEND**
- W- WATER MAIN
 - S- SEWER MAIN
 - G- GAS MAIN
 - E- ELECTRIC MAIN
 - T- TELEPHONE MAIN
 - F- FIBER OPTIC MAIN
 - P- POWER POLE
 - M- METER
 - C- CANCEL
 - R- REPAIR
 - D- DEPENDS ON TREE
 - S- STORM DRAIN
 - B- BENCH MARK
 - E- ELEVATION
 - 1" = 10'

- PROPOSED LEGEND**
- S- STORM DRAIN
 - E- ELECTRIC CHAINS
 - W- WATER MAIN
 - S- SEWER MAIN
 - G- GAS MAIN
 - T- TELEPHONE MAIN
 - F- FIBER OPTIC MAIN
 - P- POWER POLE
 - M- METER
 - C- CANCEL
 - R- REPAIR
 - D- DEPENDS ON TREE
 - S- STORM DRAIN
 - B- BENCH MARK
 - E- ELEVATION
 - 1" = 10'

- UTILITY NOTES**
- 400 POINT OF CONNECTION, WATER SERVICE
 - 401 POINT OF CONNECTION, SEWER SERVICE
 - 402 POINT OF CONNECTION, GAS SERVICE (SEE ALSO, (A)B PLAN)
 - 403 POINT OF CONNECTION, TELEPHONE SERVICE
 - 404 POINT OF CONNECTION, FIBER OPTIC SERVICE
 - 405 POINT OF CONNECTION, POWER SERVICE
 - 406 CITY OF FAYETTEVILLE, AR 72701-6023
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- UTILITY DETAILS**
- 424 ADJUST FURNISH PER PLAN
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REVISIONS

REV	DATE	DESCRIPTION

SOUTH BLOCK TOWNHOMES
211 + 213 S BLOCK AVE
FAYETTEVILLE, AR

CLIP-2026-0064 (S BLOCK AVE TOWNHOMES)

DATE: 02/18/2026
TIME: 10:56 AM
DRAWN: J. W. HARRIS
CHECKED: J. W. HARRIS
SCALE: AS SHOWN
NO. NOTED: 25/1/23

UTILITY PLAN

CS.0

Planning Commission
 March 23, 2026
 Fayetteville, AR 72703



PLAN SCALE

1" = 100'

EXISTING LEGEND

- 1. POWER POLE
- 2. GUY WIRE OR ANCHOR
- 3. GUY WIRE
- 4. GAS METER
- 5. GAS LINE
- 6. STREET LIGHT POLE
- 7. UNDERGROUND ELECTRIC
- 8. CABLE TV / FIBER OPTIC
- 9. UNDERGROUND FIBER
- 10. OVERHEAD ELECTRIC
- 11. FIBER WALK
- 12. TELEPHONE VAULT
- 13. TELEPHONE POLE
- 14. POPE (AS SYSTEM)
- 15. FOUND BORN P.N. (AS)
- 16. WATER METER
- 17. WATER MAIN
- 18. SANITARY STORM MH
- 19. RESERVOIR
- 20. DECIDUOUS TREE
- 21. CONIFEROUS TREE

MITIGATION/PRESERVATION LEGEND

- REDACTED: TREES TO BE REMOVED
- GREEN HATCHED: TREES TO BE PRESERVED
- STREET TREE

MITIGATION/PRESERVATION DETAILS

606 CITY OF FAYETTEVILLE TREE PROTECTION BY-LAW

CITY OF FAYETTEVILLE STANDARD TREE & NATURAL AREA PROTECTION NOTES

1. ALL TREES AND NATURAL AREAS SHALL BE IDENTIFIED AND MEASURED TO THE NEAREST INCH.
2. PRESERVATION OF TREES SHALL BE THE PRIMARY CONCERN OF ANY DEVELOPMENT PROJECT.
3. PRESERVATION OF TREES SHALL BE THE PRIMARY CONCERN OF ANY DEVELOPMENT PROJECT.
4. PRESERVATION OF TREES SHALL BE THE PRIMARY CONCERN OF ANY DEVELOPMENT PROJECT.
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13. PRESERVATION OF TREES SHALL BE THE PRIMARY CONCERN OF ANY DEVELOPMENT PROJECT.
14. PRESERVATION OF TREES SHALL BE THE PRIMARY CONCERN OF ANY DEVELOPMENT PROJECT.

USGS SOIL SURVEY

STREET TREE REQUIREMENTS

Linear Feet (minus drive ways)	Required Trees
100.00	3

TREE PRESERVATION CALCULATIONS - SQUARE FEET

Category	Amount	Percent of Site
Total Site Area - Minus Right of Way and Easements	18,681	100%
Zone of Impact	0%	
Zone of Impact - Minus Right of Way and Easements	0%	
Total Area Available for Tree Planting	18,681	100%
Total Area Available for Tree Planting - Minus Right of Way and Easements	6,828	36.6%
Total Area Available for Tree Planting - Minus Right of Way and Easements - Minus Right of Way and Easements	4,803	25.7%
Total Area Available for Tree Planting - Minus Right of Way and Easements - Minus Right of Way and Easements - Minus Right of Way and Easements	711	3.8%
Total Area Available for Tree Planting - Minus Right of Way and Easements - Minus Right of Way and Easements - Minus Right of Way and Easements - Minus Right of Way and Easements	5,314	28.5%
Approved Square Footage	721	

MITIGATION REQUIREMENTS

Category	Amount	Percent of Site
Total Area Available for Tree Planting - Minus Right of Way and Easements - Minus Right of Way and Easements - Minus Right of Way and Easements - Minus Right of Way and Easements - Minus Right of Way and Easements	5,314	28.5%
Total Area Available for Tree Planting - Minus Right of Way and Easements - Minus Right of Way and Easements - Minus Right of Way and Easements - Minus Right of Way and Easements - Minus Right of Way and Easements - Minus Right of Way and Easements	721	3.8%



REVISIONS

REV	DATE	DESCRIPTION

TREE PRESERVATION PLAN

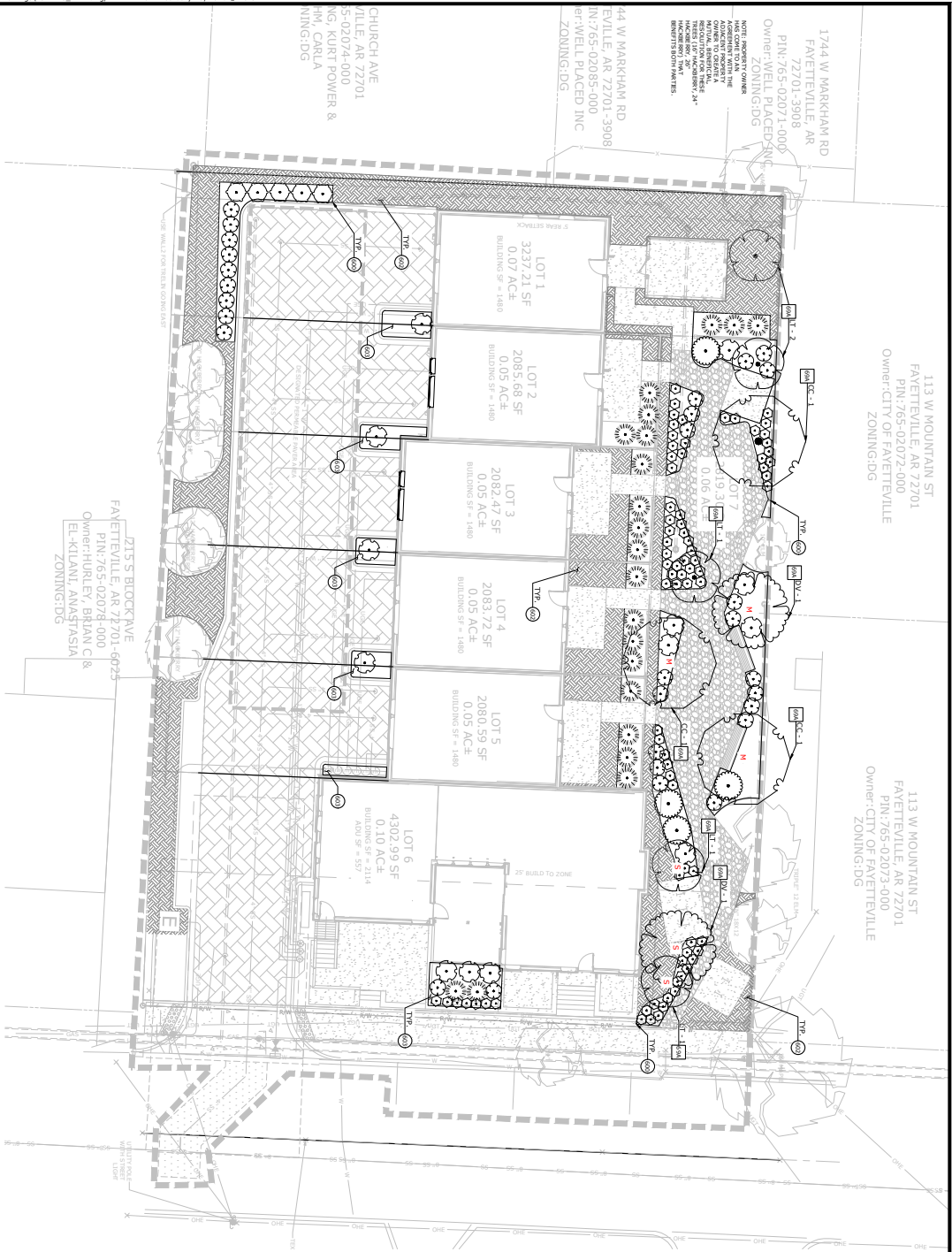
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CLIP-2026-0004 (S. BLOCK AVE. TOWNHOMES)

McCLELLAND CONSULTING ENGINEERS, INC.
FAYETTEVILLE, AR 72703
March 23, 2026

Planning Commission

South Block Townhomes
211 + 213 S Block Ave
Fayetteville, AR



1744 W MARKHAM RD
 FAYETTEVILLE, AR 72701-3908
 PIN: 765-02071-0006
 Owner: WELLS PLACED INC
 ZONING: DG

113 W MOUNTAIN ST
 FAYETTEVILLE, AR 72701
 PIN: 765-02072-0000
 Owner: CITY OF FAYETTEVILLE
 ZONING: DG

113 W MOUNTAIN ST
 FAYETTEVILLE, AR 72701
 PIN: 765-02073-0000
 Owner: CITY OF FAYETTEVILLE
 ZONING: DG

CHURCH AVE
 FAYETTEVILLE, AR 72701
 PIN: 765-02074-0000
 Owner: KURT POWELL &
 CARLA NING, DG
 ZONING: DG

D155 BLOCK AVE
 FAYETTEVILLE, AR 72701-6022
 PIN: 765-02078-0000
 Owner: HURLEY, BRIAN C &
 EL-KILANI, ANASTASIA
 ZONING: DG

EXISTING LEGEND

- W-W WATER MAIN
- S-S SANITARY SEWER
- G-G GAS SERVICE
- T-T TELEPHONE
- E-E UNDERGROUND ELECTRIC
- F-F UNDERGROUND FIBER OPTIC
- L-L LIGHT
- C-C OVERHEAD ELECTRIC
- B-B ROAD CENTERLINE
- P-P DRIVE LINE
- W-W WATER MAIN
- S-S SANITARY SEWER
- G-G GAS SERVICE
- T-T TELEPHONE
- E-E UNDERGROUND ELECTRIC
- F-F UNDERGROUND FIBER OPTIC

PROPOSED LEGEND

- S-S STORM DRAIN
- S-S SANITARY SEWER
- S-S SANITARY SEWER MANHOLE
- S-S FIBER OPTIC
- S-S FIBER OPTIC MANHOLE
- S-S WATER MAIN
- S-S WATER MAIN MANHOLE
- S-S CLANK OUT
- S-S 50% (SEE PLANTING LIST) - THIS SHEET
- S-S 100% (SEE PLANTING LIST) - THIS SHEET
- S-S STREET TREE
- S-S MITIGATION TREE

LANDSCAPE REMOVES

50% REMOVAL OF EXISTING LANDSCAPE AND/OR HARDWARE TO ALL 602 20000 SQ FT OF LOT. HARDWARE TO REMAIN TO ALL 602 20000 SQ FT OF LOT. LANDSCAPE TO REMAIN TO ALL 602 20000 SQ FT OF LOT.

LANDSCAPE DETAILS

66A CITY OF FAYETTEVILLE TREE PLANTING

* ASIDE WITHOUT HATCH WILL BE EXEMPT FROM VEGETATION. A MORE DETAILED ANNOTATION PLAN WILL FOLLOW IN SUBSEQUENT SUBMISSIONS.

PLANT LIST

REV	QTY	COMMON NAME	BRAND NAME	SYMBOL	SIZE / COMMENTS
01	3	EXOTIC REDWOOD MULTI TRUNK	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
02	2	COMMON REDWOOD	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
03	1	ARBOREAL PALM	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
04	5	ARBOREAL PALM	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
05	1	RED CEDAR	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
06	1	AMERICAN BEECH	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
07	1	RED TILED DOGWOOD	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
08	1	FRINGE PALM	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
09	1	ORANGE JEWEL	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
10	1	ORANGE JEWEL	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
11	1	ORANGE JEWEL	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
12	1	ORANGE JEWEL	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
13	1	ORANGE JEWEL	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
14	1	ORANGE JEWEL	CHINA GARDENS		3" CAL. (1/2" DBH) 12014
15	1	ORANGE JEWEL	CHINA GARDENS		3" CAL. (1/2" DBH) 12014



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Wesley Frank, Planner

MEETING DATE: March 23, 2026

SUBJECT: **CUP-2026-0006: Conditional Use Permit (3502 W. PROVIDENCE DR./BAUER, 749):** Submitted by NICHOLAS BAUER for property located at 3502 W. PROVIDENCE DR. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 0.14 acres. The request is for the use of a short-term rental.

RECOMMENDATION:

Staff recommends approval of **CUP-2026-0006** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CUP-2026-0006**, determining:*

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

BACKGROUND:

The subject property is located in west Fayetteville approximately 100 feet west of the W. Providence Dr and N Mountain Ranch Blvd intersection. It contains one parcel totaling 0.14 acres which is developed with a single-family home that was built in 2016 as part of the Mountain Ranch subdivision. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 20, 2022, City Council amended the ordinance to enact new requirements for short-term rentals, and on July 6, 2023, City Council amended the Type 2 short-term rental density cap from two percent of all dwelling units to 475 units city wide. This report reflects those changes. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Single-Family Residential	RPZD, Residential Planned Zoning District (Park Hill at Mountain Ranch)
South	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre; NC, Neighborhood Conservation
East	Single-Family Residential	RPZD, Residential Planned Zoning District (Park Hill at Mountain Ranch)
West	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre

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

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

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

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

RECOMMENDATION: Staff recommends approval of **CUP-2026-0006** with the following conditions:

Conditions of Approval:

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

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>March 23, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

- B. Authority; Conditions.** The Planning Commission shall:
 1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter;
 2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
 3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
 4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

- C. Procedures.** A conditional use shall not be granted by the Planning Commission unless and until:
 1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: The applicant has submitted a written application requesting a conditional use permit for a Type 2 short-term rental in a RPZD 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 §163.18 to grant the requested conditional use permit.

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

Finding: Staff finds that granting the requested conditional use is unlikely to adversely affect the public interest given the applicable business license requirements, including a required building safety inspection, and applicable density caps on Type 2 short-term rentals. With the city's occupancy cap and the subject property's adherence to the neighborhood's character, it is not anticipated that approving this CUP would negatively impact the area.

- (c.) The Planning Commission shall certify:

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

Finding: There are specific rules governing short-term rentals, as follows:

§163.18. SHORT-TERM RENTALS.

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

Finding: The associated RPZD (Park Hill at Mountain Ranch), is only for residential uses, so a CUP for a Type 2 STR is required, as outlined above.

- B. **Occupancy.** Maximum of two (2) people per bedroom, when operated as a Short-term Rental.

Finding: The house contains a total of three bedrooms which would limit occupancy to a maximum of six guests per ordinance. Occupancy limitations are confirmed by the applicant during licensing.

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

Finding: Parking for single-family dwellings is required to be provided at a rate of two spaces per unit with a maximum of four permitted to be parked outside. The applicant has indicated the garage could be used for parking of two vehicles and the driveway with a square footage of approximately 420 feet could accommodate an additional two.

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

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

- E. Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

Finding: The application is for use of the property at 3502 W. Providence Dr. Staff recommends a condition confirming that no recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

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

Finding: Type 2 short-term rentals are subject to a city-wide density cap at 475 units. As of March 16, 2026, the City had issued 450 Type 2 short-term rental business licenses, with 14 under review and an additional 73 are on the waitlist. Granting a conditional use permit for this location would give the applicant the zoning entitlement necessary to apply for a business license, but it would not guarantee approval of a business license.

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

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

- H. Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:
 1. Adequate parking infrastructure;
 2. Adequate adjoining or nearby streets for on-street parking;
 3. Frequency or concentration of nearby licensed Type 2 short-term rentals; and
 4. Prior zoning or code violations; and
 5. Proximity to public or private K-12 schools when the proposed property is within 1,000 feet of the school boundary line.
 6. Compatibility with nearby residential neighborhood;
 7. All standards, requirements, and considerations of §118.01 (E) Short-term Rentals and §163.02 Authority; Conditions, Procedures.

Finding: There appears to be adequate parking available to support the use of the property as a short-term rental based on the applicant's submittal. With a total of four off-street parking spaces available, the subject property would

be able to adequately meet the parking standards for a residential single-family. City records indicate that three other units, or roughly 0.5% of estimated housing units, within a quarter-mile radius of the property have a business license to operate as a Type 2 short-term rental. None of the three existing Type 2 short-term rentals are within 100 feet of the subject property. Staff finds the applicant's request to be suitable given the low concentration of licensed short-term rentals nearby. There are no prior zoning or code violations associated with the property. The property is not within 1,000 feet of a public or private K-12 school.

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

- (2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:
 - (a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

Finding: One driveway is used between the subject property and two neighboring properties and there appears to be sufficient space to allow for vehicular ingress and egress for all three. Staff finds that the proposal to use the property as a short-term rental would not adversely affect vehicular traffic flows when considering that the use of the property would be limited to a maximum of six guests which would not be out of character with the use of the property for residential purposes. However, Staff has added a condition of approval to prevent uses of the short-term rental from blocking the driveway to ensure all properties have safe ingress and egress.

- (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: A total of four off-street parking spaces are available on a paved driveway.

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

Finding: The applicant proposes to utilize existing residential trash cart services. Staff recommends a condition confirming that the containers are stored in a location that is screened from public view when not placed at the curb for pick-up.

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

Finding: Utilities are currently available to the property and its use as a short-term rental is not expected to impact the provision of utilities.

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

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

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

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

(g.) Required yards and other open space;

Finding: Based on the applicant's submittal, the house appears to be meeting relevant setbacks.

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

Finding: Staff finds the proposed use to be compatible with surrounding properties. There are three other licensed Type 2 short-term rental within a quarter-mile radius. There appears to be adequate parking to accommodate the number of permitted guests and staff does not anticipate any adverse traffic impacts with this request.

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

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

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Business Regulations
 - §118.01 Applicability
- Unified Development Code
 - Park Hill at Mountain Ranch RPZD Zoning Regulation

- §163.18 Type 2 Short-Term Rentals in Residential Zoning Districts
- One Mile Map
- Close-Up Map
- Current Land Use Map
- STRs within ¼ Mile Map
- Applicant Request Letter
- Site Plan
- Elevations
- Building Floor Plans

118.01 Applicability

- (A) *General Businesses.*
- (1) All businesses, institutions, corporations, LLCs, LLPs, partnerships, non-profit associations or corporations, sole proprietorships or other non-governmental entities with a physical address or which operates either a legally permitted home occupation or a short-term rental within the Fayetteville city limits shall be required to file for the City of Fayetteville Business Registry and License. A covered business or entity with multiple physical addresses in Fayetteville must obtain a separate business license for each such business address.
 - (2) In addition, any person or non-governmental entity who has or should have a sales tax permit and operates out of a physical address within Fayetteville shall be required to file for the City of Fayetteville Business Registry and License.
 - (3) In addition, any person or non-governmental entity who is engaged in any trade or occupation which requires federal or state licenses and who operates out of a physical address within Fayetteville shall be required to file for the City of Fayetteville Business Registry and License.
- (B) *Religious Entities.* Churches and other religious institutions are exempt from this chapter unless they are performing functions like daycare that must be licensed by the state or that generate revenue upon which state sales or use taxes must be paid. The city business license shall not be required for the religious entity but only for those functions that require a state license or upon which state sales or use taxes must be paid.
- (C) *Minors Exempt.* No individual under eighteen (18) years of age shall be required to register or obtain a business license. Minors are prohibited from leasing, advertising, managing or any other activity involved in STRs unless they are an emancipated minor.
- (D) *Individual Landlords Renting Less Than Three (3) Dwelling Units Exempt.* An individual landlord, not operating as a corporation, LLC, LLP, or other business entity, who rents out less than three (3) dwelling units, and no commercial, industrial, or institutional unit, site or building shall be exempt from this chapter. However, a landlord that operates a short-term residential rental shall not be exempt and must apply for and obtain a business license for each individual short-term rental.
- (E) *Short-Term Rentals.* A commercial dwelling unit, portion of a dwelling unit, or bedroom within a residential dwelling unit, leased and/or rented to a guest(s), for a period of less than thirty (30) consecutive days.
- (1) *Short-Term Rental, Type 1.* A short-term rental is where the owner or long-term tenant occupies the principal dwelling or the accessory dwelling unit as their primary full-time residence for at least nine (9) months of each calendar year and rents the remaining portion of their residence or their accessory dwelling unit as a short-term rental. An applicant for a Type 1 short-term rental shall provide a copy of the property's Homestead Tax Credit, long-term lease agreement or other comparable evidence of long-term residency to the city to prove the long-term residency requirement. The long-term occupant of the property is responsible for the management and control of occupants in the short-term rental, Type 1 to ensure no adverse effects or problems are inflicted upon residential neighbors.
 - (2) *Short-Term Rental, Type 2.* If a desired short-term rental does not qualify as a short-term rental, Type 1, a property owner may seek to be approved as a short-term rental, Type 2. A new short-term rental, Type 2 may be permitted in residential zoning districts pursuant to the requirements of §163.18 and in non-residential and mixed-use zoning districts pursuant to §164.26. All short-term rentals, Type 2 must also comply with requirements of §118.01(E).

- (3) *Business License Required.* No dwelling unit in the city shall be used as a short-term rental unless:
- (a) The owner of the dwelling unit or operator of the short-term rental possess a valid and current business license for the dwelling unit, and fully complies with all legal requirements and duties imposed herein with respect to each and every short-term rental; and
 - (b) The owner has designated an agent, where said agent fully complies with all legal requirements and duties imposed herein with respect to every short-term rental. The owner may serve as their own agent.
 - (c) The owner of the dwelling unit or operator of the short-term rental provides proof of a valid and current homeowners insurance rider policy which fully covers each unit when operated as short-term rental unit.
- (4) *Separate Business License required for each Short-term Rental.* A separate business license shall be required for each dwelling unit used as a short-term rental.
- (5) *Change of Ownership.* Any change in ownership requires a new or amended business license.
- (6) *Contact Information Must be Updated.* If any required contact information changes for the associated business license, the person to whom the license was issued shall immediately notify the Development Services Department in writing.
- (7) *License Application.* The application for a business license shall include at minimum, the following information from applicants:
- (a) The property owner's information including legal name, mailing address, immediate contact phone number, and immediate contact E-mail address.
 - (b) Information for the dwelling unit subject to the application, inclusive of the physical street address assigned by the city.
 - (c) The type and total number of dwelling units located on the lot of record containing the dwelling unit subject to the application.
 - (d) If the owner is not their own agent, the owner designated agent's information including legal name, mailing address, immediate contact phone number and immediate contact E-mail address.
 - (e) Documentation of approval of a life safety and egress inspection by the City Building Safety Division for the dwelling unit subject to the application.
 - (f) Proof of application for remittance of hotel, motel and restaurant tax to the City of Fayetteville, and verification that all sales, use, and hotel, motel and restaurant taxes are current.
 - (g) Any additional data as deemed necessary or desirable for permit approval by the Development Services Director.
- (8) *License Renewals.* Business licenses for short-term rentals shall be renewed in accordance with Chapter 118 of the Business Regulations (Business Registry and Licenses).
- (9) *Legal Duties of License Holders.* An owner possessing a short-term rental license shall comply at all times with the following requirements:
- (a) *Occupancy.* Short-term rentals shall be subject to, and may not exceed, the occupancy limits approved with the business license.
 - (b) *Advertisements.* A short-term rental shall not be advertised if it violates occupancy, density, safety, and any of the other provisions of the Fayetteville Code. No short-term rental unit shall be advertised prior to having obtained a business license and the business license number shall be included in the advertisement listing.

- (c) *Information and Posting.* Business licensees shall provide to guests and post conspicuously in the common area of the short-term rental unit the city phone number to report a safety complaint.
- (10) *Owner or Agent Accessibility.* The property owner shall ensure that they or a designated agent are available at all times during guest occupancy, including nights and weekends, in order to facilitate compliance with this section. For the purposes of these regulations, "availability" means that the owner or agent is accessible by telephone, and, able to be physically present at the short-term rental within three (3) hours of being contacted.
- (11) *Guest Records.* The owner shall maintain summary guest registration records, which shall contain the actual dates of occupancy, total number of guests per party per stay, and the rate(s) charged, but shall not contain any personally identifiable information about guests. Such records shall be maintained for three (3) years and shall be provided to the city upon request of the Chief Finance Officer of the City of Fayetteville for audit or HMR tax collections.
- (12) *Health and Safety.* The owner shall ensure that each dwelling unit governed by this section complies with the applicable provisions of the Unified Development Code Chapter 173, Building Regulations.
- (13) *Criminal Activity.* The owner shall timely report any known or reasonably suspected criminal activity by a guest to the Fayetteville Police Department within twelve (12) hours maximum.
- (14) *Taxes and Fees.* Except for those instances in which a hosting platform bears the responsibility for collecting and remitting taxes and fees applicable to short-term rentals, the property owner shall timely remit in full Fayetteville Hotel, Motel and Restaurant tax and other applicable local, state, and federal taxes and city fees owed in connection with any short-term rental. The failure of a hosting platform to collect and remit taxes and fees shall not relieve an owner of the obligation to pay taxes and fees owed pursuant to this section.
- (15) *Authorization to Occupy, Use, and Operate.* Authorization to operate a short-term rental may be granted by the Development Services Director through the issuance of a City of Fayetteville Business Registry and License (Business License).
- (16) *Density For Type 2 Short-Term Rentals.* A city-wide density cap of four hundred seventy-five (475) dwelling units may be Type 2 rentals. A conditional use permit may not permit:
- (a) More Type 2 short-term rentals than what is allowed by the city-wide density cap.
 - (b) *Detached single-family:*
 - (i) More than 4% of the total number of detached single-family dwelling units within 500 feet of the outside boundaries of a detached single-family dwelling proposed as a Type 2 short-term rental.
 - (ii) A property with a detached single-family dwelling proposed to be used as a Type 2 short-term rental within 100 feet of a property developed with a detached single-family dwelling licensed as a Type 2 short-term rental.
 - (c) 2-, 3-, and 4-family: Buildings that are owned by the same person or entity and are not a part of a multi-family complex shall have no more than one (1) Type 2 short-term rental unit per building complex.
 - (d) *Multi-family:* More than 10% or a single unit whichever is greater; of total dwelling units as Type 2 rentals within a multi-family dwelling complex.
 - (e) Where attached residential units are held separately through condominium association, horizontal property regime, fee simple, or similar ownership structure, no cap shall be applied to buildings with attached residential dwellings. Structures of attached residential dwellings where applicants seek more than 10% of total units for licensing as Type 2 rentals shall be evaluated by the Building Safety Director and/or Fire Marshal for adequate fire protection as defined by the

adopted Arkansas Fire Prevention Code. Where inadequate fire protection is identified, improvements may be required prior to issuance of a business license.

- (17) *Suspension and Revocation.* If the Development Services Director has reason to believe that any of the grounds specified in §118.03(A) of the Fayetteville Code exist, or that any rental unit was rented for less than one (1) full night, or to more than one (1) part of guests for the same period of time, or otherwise failed to comply with all terms and conditions of this section, the Development Services Director may suspend or revoke the short-term rental's business license pursuant to the procedures detailed in §118.03 and in §118.04 of the Fayetteville Code.
- (18) Short-term rentals must comply with the Unified Development Code including the regulations contained in §163.18 and §164.26 and must successfully obtain a business license prior to operation.

ORDINANCE NO. 5580

AN ORDINANCE ESTABLISHING A RESIDENTIAL PLANNED ZONING DISTRICT TITLED R-PZD 12-4284, PARK HILL AT MOUNTAIN RANCH, LOCATED AT THE SOUTHWEST CORNER OF PERSIMMON STREET AND MOUNTAIN RANCH BOULEVARD; CONTAINING APPROXIMATELY 2.23 ACRES; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FAYETTEVILLE; AND ADOPTING THE ASSOCIATED MASTER DEVELOPMENT PLAN.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the zone classification of the following described property is hereby changed as follows:

From R-PZD 09-3253 to R-PZD 12-4284 as shown in Exhibit "A" and depicted in Exhibit "B" attached hereto and made a part hereof.


Section 2: That the change in zoning classification is based upon the approved master development plan, development standards, statement of commitments and the conditions of approval as submitted, determined appropriate and approved by the City Council; further, that the conditions of approval shall be filed and available for viewing in the office of the City Clerk/Treasurer of the City of Fayetteville.

Section 3: That this ordinance shall take effect and be in full force at such time as all of the requirements of the master development plan have been met.

Section 4: That the official zoning map of the City of Fayetteville, Arkansas, is hereby amended to reflect the zoning change provided in Section 1 above.

PASSED and **APPROVED** this 7th day of May, 2013.

APPROVED:

By: 
LIONELD JORDAN, Mayor

ATTEST:

By: 
SONDRA E. SMITH, City Clerk/Treasurer



Park Hill at Mountain Ranch

R-PZD 12-4284

- **PZD Booklet and Plats**

It is the developers desire to then immediately submit and record a Final Plat, including the necessary alley easement, for lots 11-13 in order to pull a building permit on these lots and commence construction on the houses concurrent with construction of the infrastructure for the subdivision. It is our understanding this is an acceptable procedure due to the way the property is currently platted and the fact that these proposed lots (11-13) are served by existing water and sewer lines negating the need for any new water & sewer installation for service. Final CO for any of the houses in Phase I (lots 11-13) will not be granted until final completion and acceptance by the City of the Private Alley and necessary infrastructure of the proposed subdivision.

Phase II (lots 1-10): These phase will be under construction concurrent with Phase I (lots 11-13) and anticipated to be complete within the next 6 months.

E. PROPOSED PLANNING AREAS

This has only one Planning area and will all be Single Family.

F. PROPOSED ZONING AND DEVELOPMENT STANDARDS

Planning Area #1: Single Family Residential:

Purpose: The purpose of this PZD is to permit and encourage the development of single family dwelling units with a density slightly higher than the current RSF 4 zoning district and with an urban form that includes reduced setbacks and smaller dwelling types. This is for 13 units on 2.23 acres, which will have a density of 5.83 units/acre.

Land Use Designation:

1. Permitted Uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory Dwellings

2. Conditional Uses.

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 24	Home occupations

163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

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

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

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

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

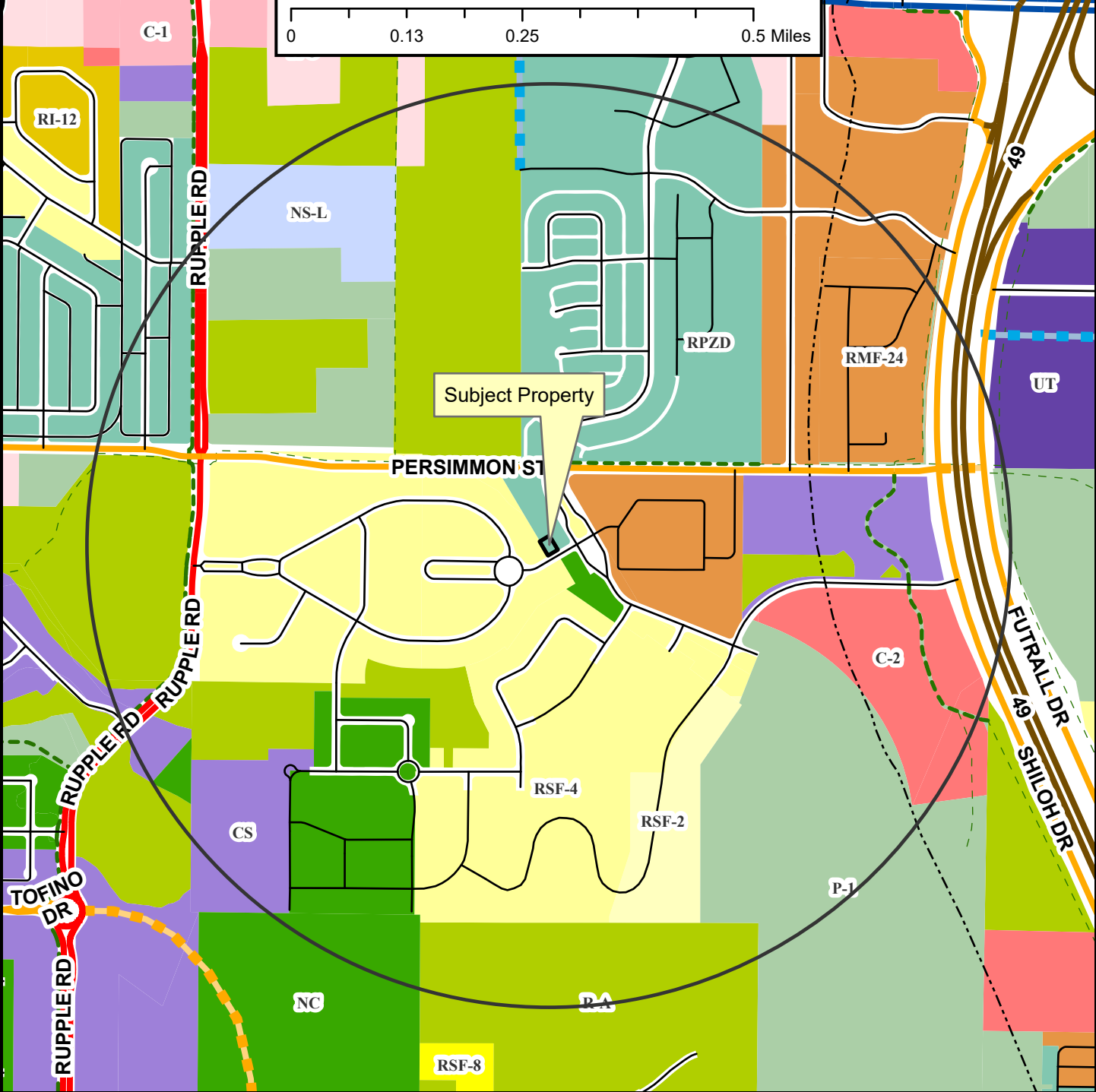
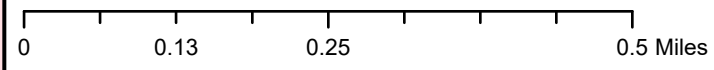
- (B) *Occupancy.* Maximum of two (2) people per bedroom, when operated as a Short- term Rental.
- (C) *Parking.* Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.
- (D) Special events are not permitted in a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

- (3) Frequency or concentration of nearby licensed Type 2 short-term rentals;
- (4) Prior zoning or code violations; and
- (5) Proximity to public or private K-12 schools when the proposed property is within 1,000 feet of the school boundary line.

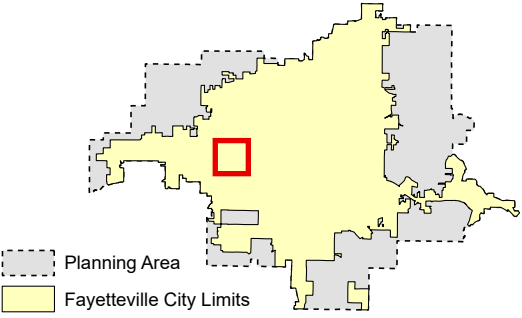
CUP-2026-0006

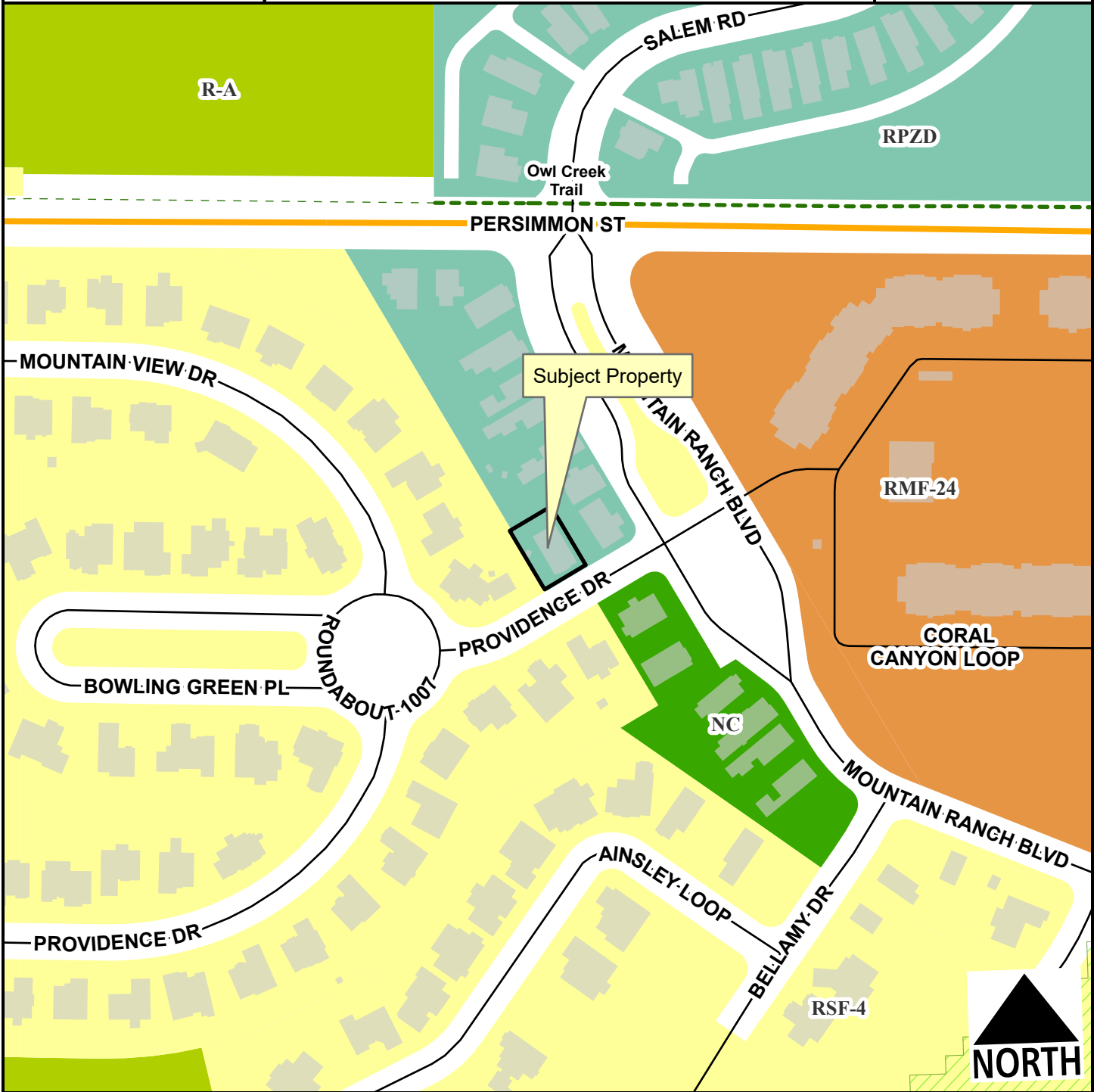
3502 W. PROVIDENCE DR

One Mile View

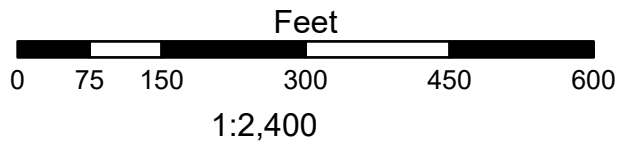


- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area





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








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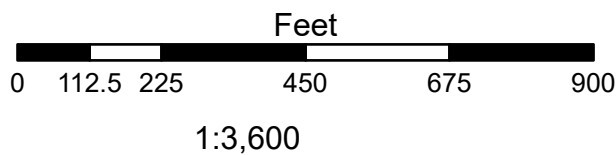
3502 W. PROVIDENCE DR





Current Land Use



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



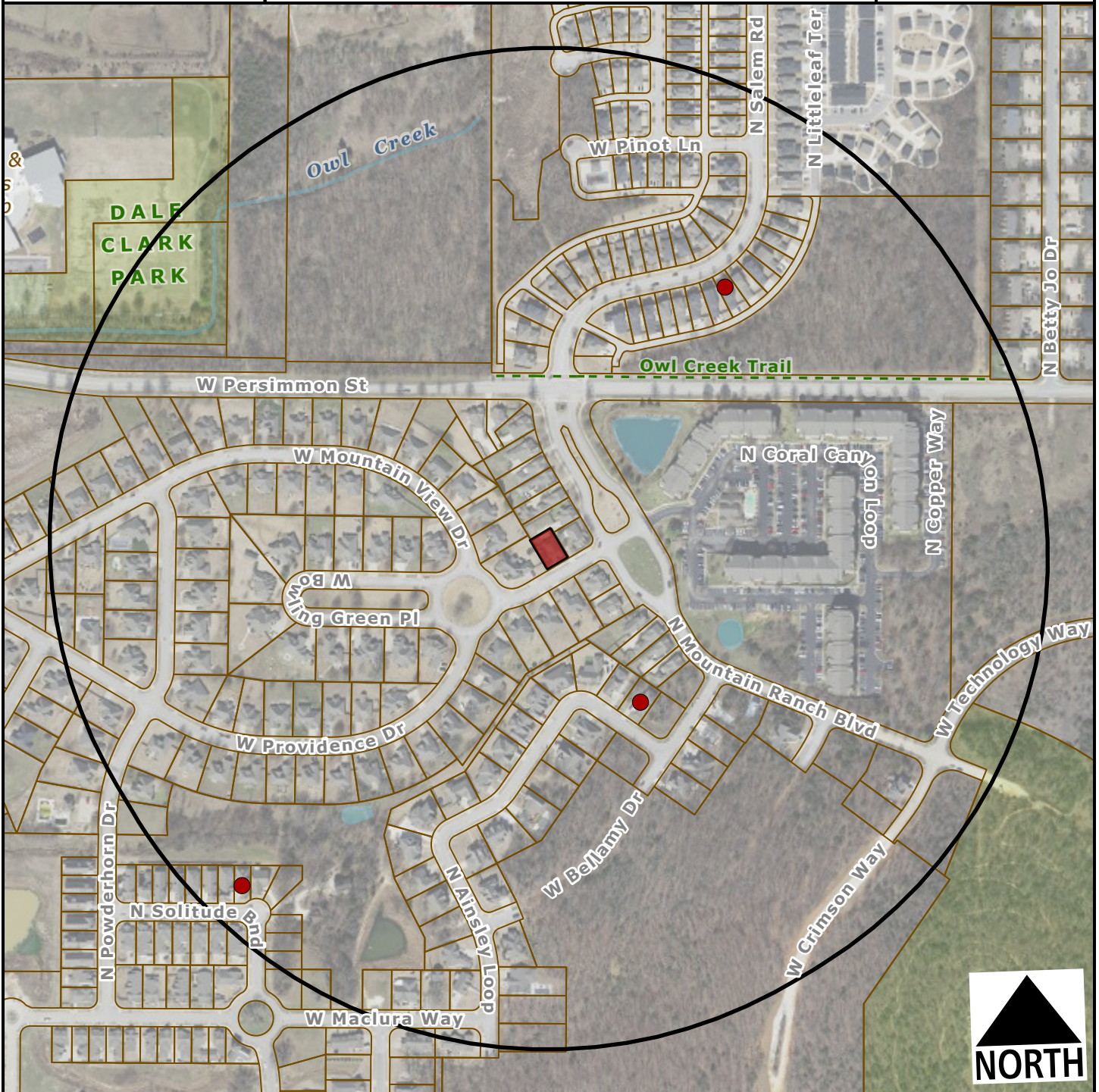
FEMA Flood Hazard Data

-  100-Year Floodplain
-  Floodway

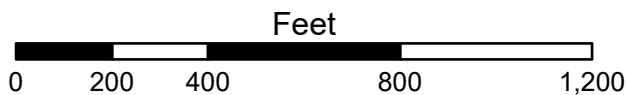
CUP-2026-0006

3502 W. PROVIDENCE DR

STRs Within 1/4 Mile



- Subject Property
- Short Term Rental, Type 2



1:4,800

Within 1/4 Mile

Type 2 STRs: 3

Occupiable
Residential
Addresses
(Estimated
Housing Units): 554

Request Letter – Conditional Use Permit Application

Date: 02/08/2026

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

RE: Conditional Use Permit Request – Short-Term Rental at 3502 W. Providence Dr., Fayetteville, AR 72704

Dear Planning Division,

I am requesting a **Conditional Use Permit** for the operation of a **short-term rental** at my property located at **3502 W. Providence Drive, Fayetteville, AR 72704**.

(a) Building Size: The existing residence is approximately 1,622 sq. ft., and no expansion or structural modification is proposed at this time.

(b) Color Elevations: Attached are color elevations showing all exterior sides of the structure. No exterior changes are proposed.

(c) Parking: The property includes two (2) garage parking spaces and three (3) driveway spaces, which meets or exceeds the required number for a short-term rental.

(d) Outdoor Lighting: Existing exterior lighting will be maintained as-is. Lighting is limited to string lights and standard residential fixtures providing adequate illumination for safety without spillover onto adjacent properties.

(e) Noise: The property will comply with all City of Fayetteville noise ordinances. Guests will be advised of quiet hours to minimize disturbance to neighbors.

(f) Screening or Buffering: The property is buffered by existing privacy fencing and landscape along the side and rear yards, providing visual screening from adjacent properties.

(g) Trash and Refuse Service: Regular trash and recycling service will continue through the city's service provider. Containers are stored out of public view except on pickup days.

(h) Ingress and Egress / Traffic Impacts: Access to the property is provided directly via Providence Drive. Traffic generated by short-term rental use will be minimal and comparable to normal single-family use.

(i) Compatibility with Adjacent Properties: The proposed short-term rental use is consistent with surrounding residential character. The use will maintain the single-family appearance and will not adversely affect neighboring properties.

I respectfully request approval of this Conditional Use Permit to allow a short-term rental at the subject property. Please contact me if any additional information is required.

Sincerely,



Nicholas Bauer

Property Owner – 3502 W. Providence Dr.

(417) 522-6609

nic@nicbauer.com

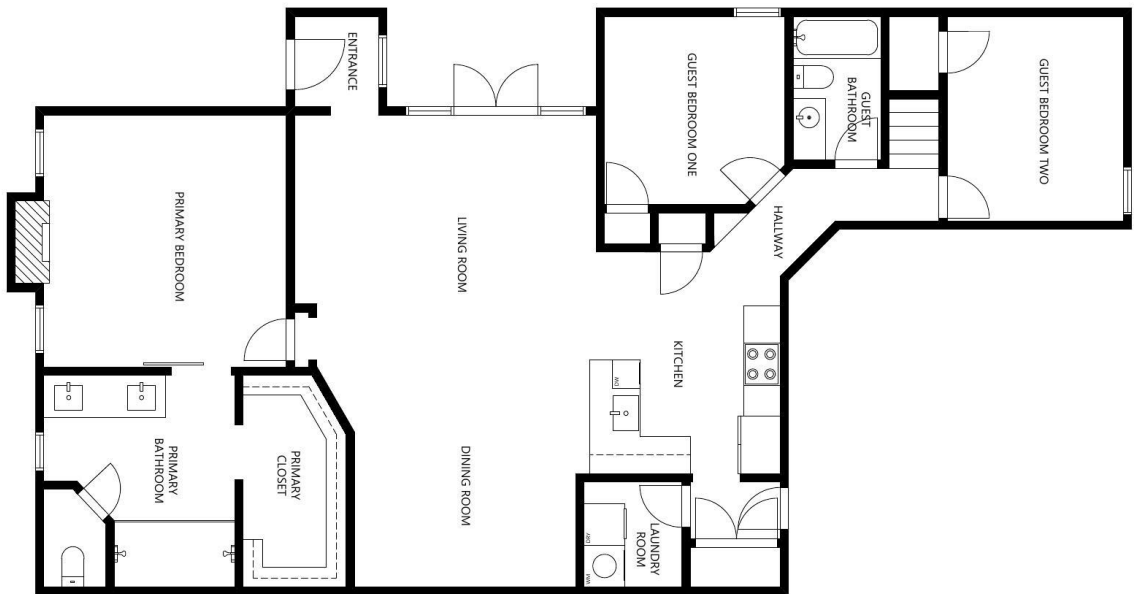














TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Citlali Samano, Planner

MEETING DATE: March 23, 2026

SUBJECT: **CUP-2026-0007: Conditional Use Permit (2840 N. BOXWOOD DR/RICHARDSON, 254):** Submitted by SCOTT RICHARDSON for property located at 2840 N. BOXWOOD DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.23 acres. The request is for the use of a short term rental in a residential zoning district.

RECOMMENDATION:

Staff recommends approval of **CUP-2026-0007** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CUP-2026-0007**, determining:*

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

BACKGROUND:

The subject property is located in northeast Fayetteville approximately ¼ mile west of the Fire Station #5 on 2979 N Crossover Rd. It contains one parcel totaling 0.23 acres which is developed with a single-family home that was built in 2003 as part of the Boxwood Addition. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 16, 2025, City Council amended the ordinance to enact new requirements for short-term rentals, and on July 6, 2023, City Council amended the Type 2 short-term rental density cap from two percent of all dwelling units to 475 units city wide. This report reflects those changes. Surrounding land uses and zoning are depicted in *Table 1*.

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

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

City Plan 2040 Future Land Use Designation: Residential Neighborhood

Proposal: The applicant requests conditional use permit approval to use the property as a Type 2 short-term rental, which are those not occupied by a permanent resident. Type 2 short-term rentals are subject to density limitations, including a city-wide cap of 475 units, and restrictions on the number of units that may be used as a short-term rental in multi-family dwelling complexes.

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

RECOMMENDATION: Staff recommends approval of **CUP-2026-0007** with the following conditions:

Conditions of Approval:

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

PLANNING COMMISSION ACTION: Required <u>YES</u>
Date: <u>March 23, 2026</u> <input type="checkbox"/> Tabled <input type="checkbox"/> Approved <input type="checkbox"/> Denied
Motion:
Second:
Vote:

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

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

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

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

Finding: The applicant has paid the required filing fee.

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

Finding: The Planning Commission is empowered under Business Regulations §163.18 to grant the requested conditional use permit.

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

Finding: Staff finds that granting the requested conditional use is unlikely to adversely affect the public interest given the applicable business license requirements, including a required building safety inspection, and applicable density caps on Type 2 short-term rentals. The size and scale of the property are aligned with the character of the surrounding area along N Boxwood Dr.

- (c.) The Planning Commission shall certify:

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

Finding: There are specific rules governing short-term rentals, as follows:

§163.18. SHORT-TERM RENTALS.

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

Finding: The request is to operate a Type 2 short-term rental in the RSF-4 zoning district. All residential zoning districts require a conditional use permit for use unit 46.

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

Finding: The house contains a total of four bedrooms which would limit occupancy to a maximum of eight guests per ordinance. Occupancy limitations are confirmed by the applicant during licensing.

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

Finding: Parking for single-family dwellings is required to be provided at a rate of two spaces per unit and up to four vehicles are permitted to be parked on the property at any given time. The applicant indicated that there is space for two off-street spaces in the driveway and two off-street spaces in the garage. To ensure that there is sufficient space for fire access, no vehicles will be permitted to park on N. Boxwood Dr.

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

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

- E.** Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

Finding: The application is for use of the property at 2840 N Boxwood Dr. Staff recommends a condition confirming that no recreational vehicle, trailer,

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

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

Finding: **Type 2 short-term rentals are subject to a city-wide density cap at 475 units. As of March 16, 2026, the City had issued 450 Type 2 short-term rental business licenses, 14 additional were under review and additional 73 are on the waitlist. Granting a conditional use permit for this location would give the applicant the zoning entitlement necessary to apply for a business license, but it would not guarantee approval of a business license.**

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

Finding: **This short-term rental would be subject to all codes in Business Regulations §163.18 that apply to Type 2 short-term rentals in residential zoning districts. Applicable business licensing requirements will be reviewed by staff and confirmed by the applicant at the time of licensing.**

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

1. Adequate parking infrastructure;
2. Adequate adjoining or nearby streets for on-street parking;
3. Frequency or concentration of nearby licensed Type 2 short-term rentals;
4. Prior zoning or code violations;
5. Proximity to public or private K-12 schools when the proposed property is within 1,000 feet of the school boundary line;
6. Compatibility with nearby residential neighborhood;
7. All standards, requirements, and considerations of §118.01 (E) *Short-term Rentals* and §163.02 **Authority; Conditions, Procedures.**

Finding: **There appears to be adequate parking available to support the use of the property as a short-term rental based on the applicant's submittal. With four off-street parking spaces available in the garage and on the driveway, the subject property would be able to adequately meet the parking standards for a residential single-family. There is a lack of availability for street parking along N Boxwood Dr as per fire safety concerns and further note that parking is restricted to four off-site parking spaces on the property. City records indicate that no other units within a quarter-mile radius of the property have a business license to operate as a Type 2 short-term rental. There have been no prior zoning or code violations on this property. There are no private or public schools within 1,000 feet of a schools boundary line. Staff finds the applicant's request to be suitable given the low concentration of licensed short-term rentals nearby.**

§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: One driveway is available to accommodate vehicular ingress and egress. Staff finds that the proposal to use the property as a short-term rental would not adversely affect vehicular traffic flows when considering that the use of the property would be limited to a maximum of eight guests, which would not be out of character with the use of the property for residential purposes.

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

Finding: A total of four off-street parking spaces are available on the paved driveway and in the garage. The short-term rental ordinance limits the number of guest vehicles to the maximum number of four vehicles as allowed by the underlying zoning district.

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

Finding: The applicant proposes to utilize existing residential trash cart services. Staff recommends a condition confirming that the containers are stored in a location that is screened from public view when not placed at the curb for pick-up.

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

Finding: Utilities are currently available to the property and its use as a short-term rental is not expected to impact the provision of utilities.

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

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

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect,

and compatibility and harmony with properties in the district;

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

(g.) Required yards and other open space;

Finding: Based on the applicant's submittal, the house appears to be meeting relevant setbacks. There is an existing non-conforming accessory structure (small shed) to the south of the home that does not meet the relevant side setback of 3 feet. There is no intention by the applicant of any work conducted to the shed at any point in the near future. Any development would need to be reviewed as deemed fit.

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

Finding: Staff finds the proposed use to be compatible with surrounding properties. There are no other licensed Type 2 short-term rental within a quarter-mile radius currently operating along N. Boxwood Dr. There appears to be adequate parking to accommodate the number of permitted guests and staff does not anticipate any adverse traffic impacts with this request.

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

Finding: Staff finds the proposed use to be somewhat compatible with the goals and intent of the City's adopted land use, transportation, and other strategic plans since it does clearly support the stated goals in those plans. However, there are safeguards in place that limit how short-term rentals operate to ensure that the City can still meet those goals, including a city-wide density cap and restrictions on the number of units that may be used as a short-term rental in multi-family dwelling complexes.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

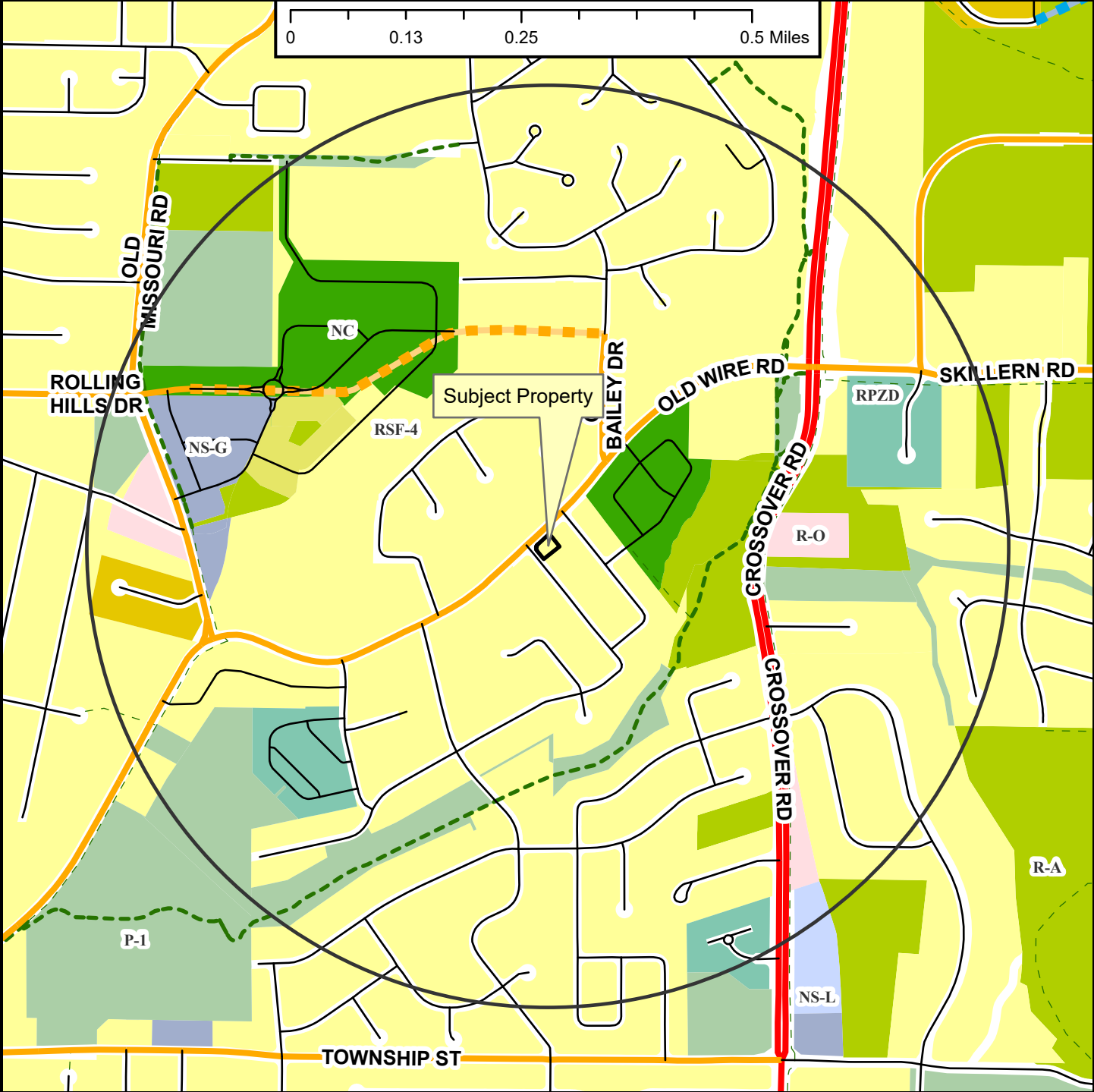
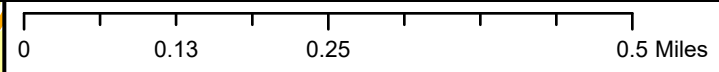
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - STRs within ¼ Mile Map
- Business Regulations
 - §118.01
 - §163.18 Type 2 Short-Term Rentals in Residential Zoning Districts
- Unified Development Code
 - §161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre
- Applicant Exhibits

- Applicant Request Letter
- Site Plan
- Floor Plan
- Building Elevations

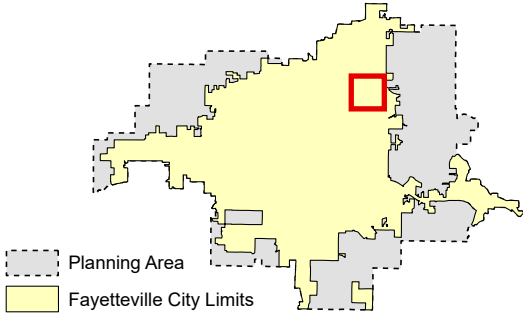
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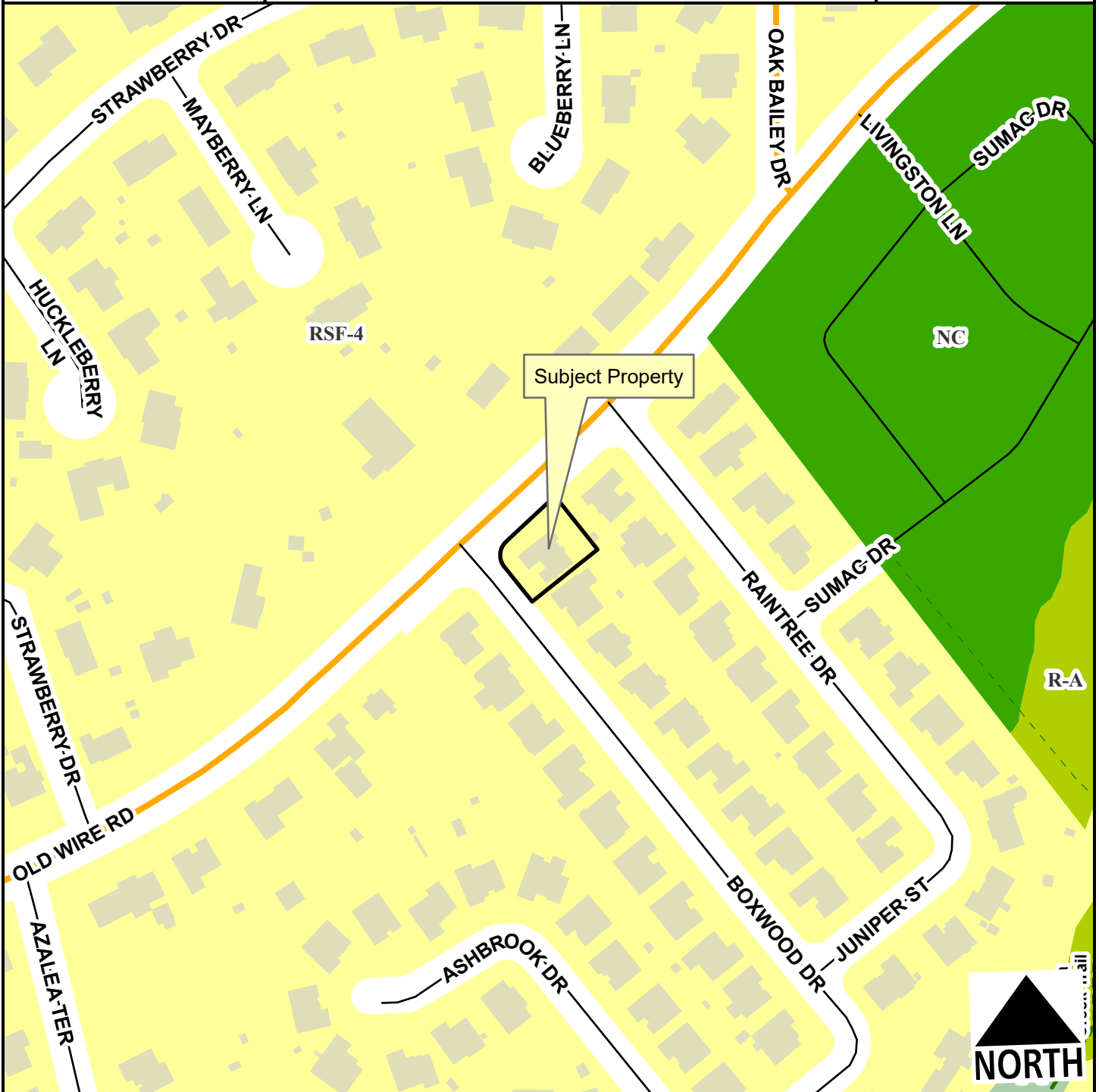
2840 N. BOXWOOD DR







One Mile View

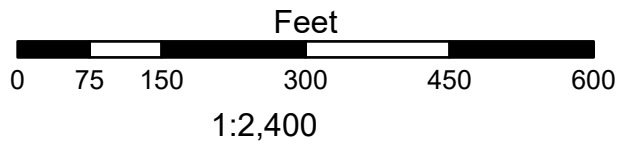


- Regional Link
- Neighborhood Link
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area





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

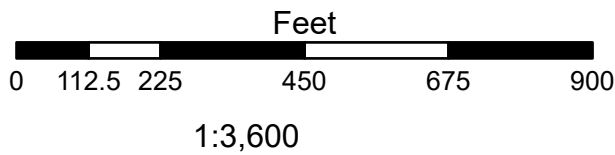




Current Land Use



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



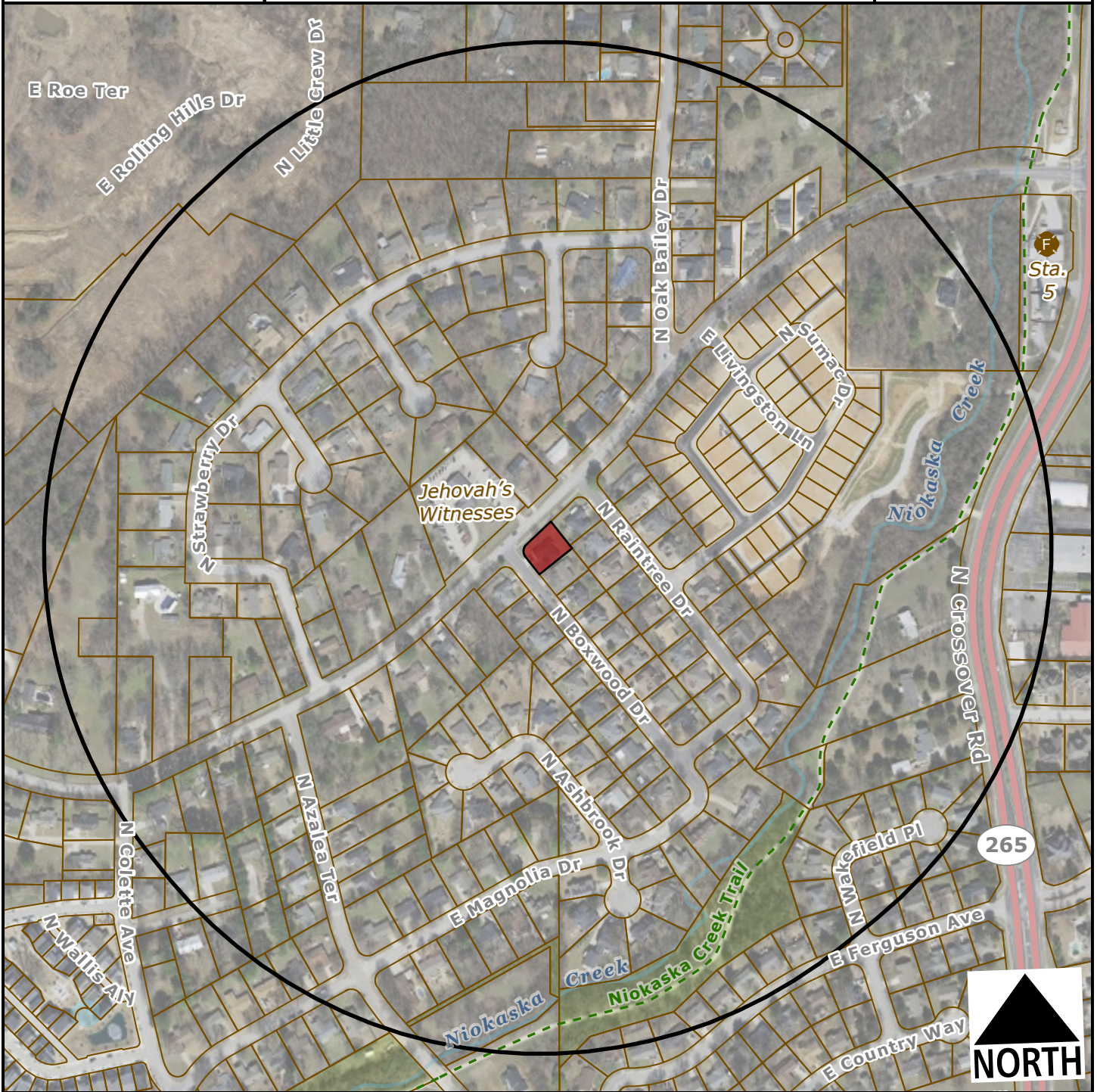
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

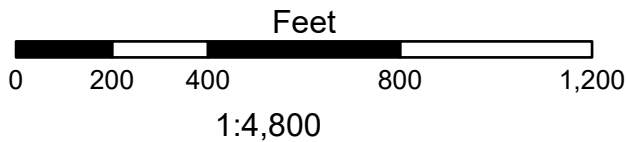
CUP-2026-0007

2840 N. BOXWOOD DR

STRs Within 1/4 Mile



- Subject Property
- Short Term Rental, Type 2



Within 1/4 Mile

Type 2 STRs: 0

Occupiable Residential Addresses (Estimated Housing Units): 199

118.01 Applicability

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

- by telephone, and, able to be physically present at the short-term rental within three (3) hours of being contacted.
- (11) *Guest Records.* The owner shall maintain summary guest registration records, which shall contain the actual dates of occupancy, total number of guests per party per stay, and the rate(s) charged, but shall not contain any personally identifiable information about guests. Such records shall be maintained for three (3) years and shall be provided to the City upon request.
 - (12) *Health and Safety.* The owner shall ensure that each dwelling unit governed by this section complies with the applicable provisions of the Unified Development Code Chapter 173, Building Regulations.
 - (13) *Criminal Activity.* The owner shall timely report any known or reasonably suspected criminal activity by a guest to the Fayetteville Police Department within twelve (12) hours maximum.
 - (14) *Taxes and Fees.* Except for those instances in which a hosting platform bears the responsibility for collecting and remitting taxes and fees applicable to short-term rentals, the property owner shall timely remit in full Fayetteville Hotel, Motel and Restaurant tax and other applicable local, state, and federal taxes and city fees owed in connection with any short-term rental. The failure of a hosting platform to collect and remit taxes and fees shall not relieve an owner of the obligation to pay taxes and fees owed pursuant to this section.
 - (15) *Authorization to Occupy, Use, and Operate.* Authorization to operate a short-term rental may be granted by the Development Services Director through the issuance of a City of Fayetteville Business Registry and License (Business License).
 - (16) *Density For Type 2 Short-Term Rentals.* A city-wide density cap of 475 dwelling units may be Type 2 rentals. A conditional use permit may not permit:
 - (a) More Type 2 short-term rentals than what is allowed by the city-wide density cap.
 - (b) More than 10% or a single unit whichever is greater; of total dwelling units as Type 2 rentals within a multi-family dwelling complex.
 - (c) Individual 2-, 3- and 4-family buildings that are owned by the same person or entity and are not a part of a multi-family complex shall have no more than one (1) Type 2 short-term rental unit per building complex.
 - (d) Where attached residential units are held separately through condominium association, horizontal property regime, fee simple, or similar ownership structure, no cap shall be applied to buildings with attached residential dwellings. Structures of attached residential dwellings where applicants seek more than 10% of total units for licensing as Type 2 rentals shall be evaluated by the Building Safety Director and/or Fire Marshal for adequate fire protection as defined by the adopted Arkansas Fire Prevention Code. Where inadequate fire protection is identified, improvements may be required prior to issuance of a business license.
 - (17) *Suspension and Revocation.* If the Development Services Director has reason to believe that any of the grounds specified in §118.03(A) of the Fayetteville Code exist, or that any rental unit was rented for less than one (1) full night, or to more than one (1) part of guests for the same period of time, or otherwise failed to comply with all terms and conditions of this section, the Development Services Director may suspend or revoke the short-term rental's business license pursuant to the procedures detailed in §118.03 and in §118.04 of the Fayetteville Code.
 - (18) Short-term rentals must comply with all applicable codes under Unified Development Code §163.18 and § 164.26 successfully obtain a business license prior to operation.

161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

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

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

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

163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

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

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

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

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

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

Request Letter:

- A.) 2,000 sqft.
- B.) White brick, black downspouts, brown garage door + doors.
- C.) 4
- D.) 4 outdoor lights
- E.) Quiet hours and guest limits will be enforced
- F.) fully fenced backyard
 - separation between neighbors
 - mature trees, provides natural visual buffering
 - no shared driveways
 - single-family layout.
- G.) Trash and refuse service provided through Fayetteville city standard residential curbside. Trash + recycle stored in lidded containers, and placed curbside for Sunday morning pickup.
- H.) Driveway from Boxwood drive off of Old wire.
- I.) The proposed use is compatible with adjacent properties and neighborhood, it will operate as a single-family residential use and will not alter the character of the area.
 - Our property will be owner-managed with house rules to ensure compatibility and respect to our neighborhood and properties.

🍴 Restaurants

🏨 Hotels

📷 Things to do

🏛️ Museums

🚗

N
W

fence

fence

light

light

light

light

fence



2840 Boxwood Dr
Recently viewed

parking 1

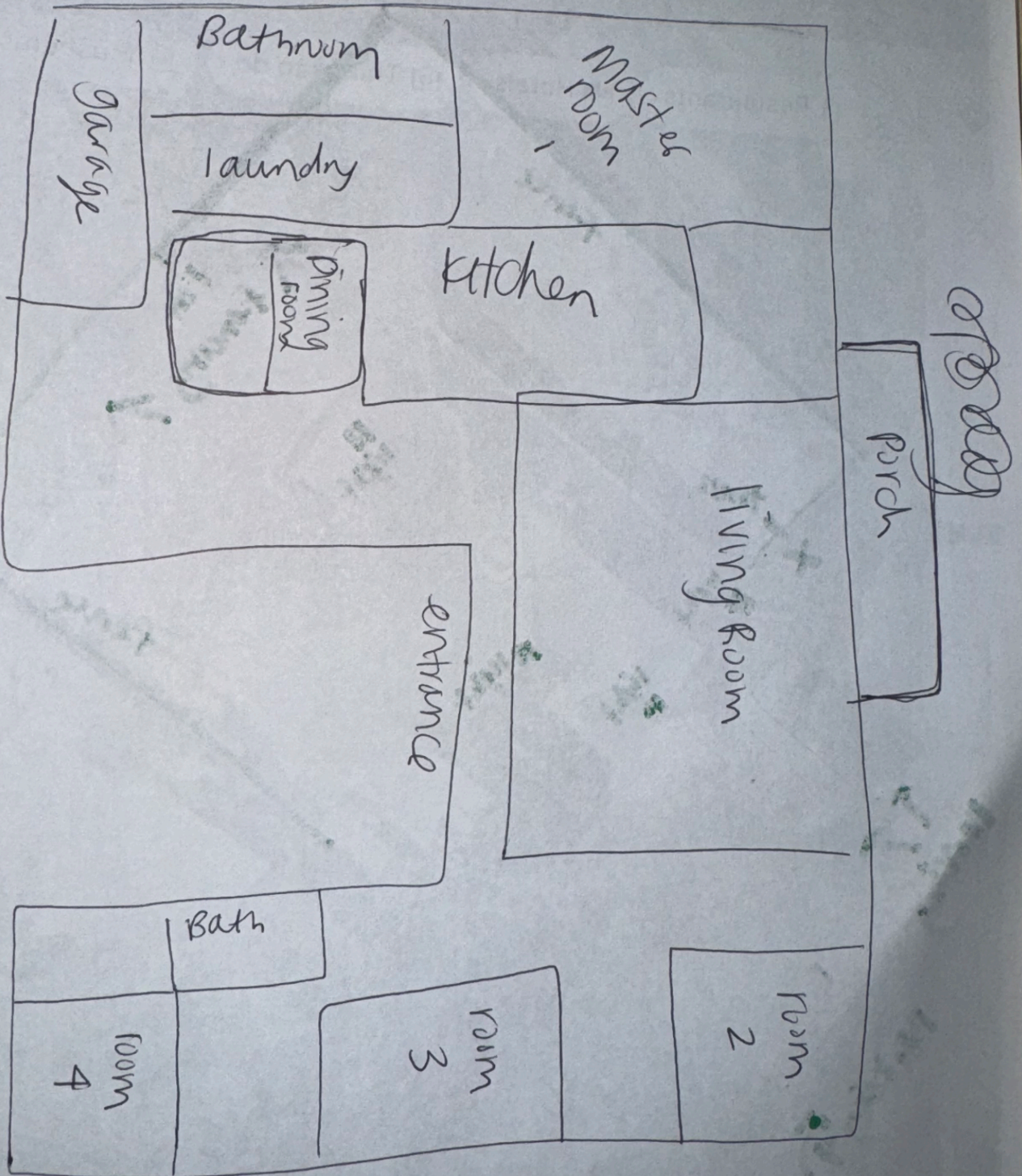
parking 2

parking 3

parking

Boxwood Dr
parking

2832



Building Elevations

Facing North



Facing East



Facing West



Facing South





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Citlali Samano, Planner

MEETING DATE: March 23, 2026

SUBJECT: **RZN-2026-0006: Rezoning (620 S. CROSSOVER RD/SMALL FISH INVESTMENTS, 527)** Submitted by SWOPE CONSULTING for property located at 620 S. CROSSOVER RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 2.46 acres. The request is to rezone the property to UT, URBAN THOROUGHFARE.

RECOMMENDATION:

Staff recommends forwarding **RZN-2026-0006** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2026-0006** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in east Fayetteville and is approximately ¼ miles southeast of the Happy Hollow Elementary School. The property contains one parcel totaling 2.46 acres which is currently zoned RSF-4, Residential Single-Family, Four Units per Acre. The property contains a single-family dwelling constructed in 1933 and is of historic age and is potentially eligible for the National Register of Historic Places as a part of a historic district but is not individually eligible. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Residential and Cemetery	RSF-4 Residential, Single-Family, Four Units per Acre (Buckner Cemetery); RPZD, Residential Planned Zoning District
South	Commercial	UT, Urban Thoroughfare
East	Undeveloped	RSF-4 Residential, Single-Family, Four Units per Acre
West	Undeveloped	RSF-4 Residential, Single-Family, Four Units per Acre

Request: The request is to rezone the subject property from RSF-4, Residential Single-Family, Four Units per Acre to UT, Urban Thoroughfare.

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

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject property has frontage to South Crossover Road which is a fully improved Regional Link – High Activity Street with asphalt paving, sidewalk, curb and gutter. Any street improvements required in these areas would be determined at the time of development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

Water: Public water is available to the subject area. There is an existing 8-inch water main along the east side of South Crossover Road.

Sewer: Sanitary Sewer is available to the subject area. There is an existing 8-inch sewer main along the east side of the subject property.

Drainage: No protected streams or FEMA Floodplain. However, there are hydric soils present in the subject area. 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.

Fire: Station 3, located at Happy Hollow Rd., protects this site. The property is located approximately 0.8 miles from the fire station with an anticipated drive time of approximately 3 minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

Tree Preservation:

The current zoning district of RSF-4, Residential Single-Family, Four Units per Acre, requires **20% minimum canopy preservation**. The proposed zoning district of UT, Urban Thoroughfare, requires **15% minimum canopy preservation**.

CITY PLAN 2040 FUTURE LAND USE PLAN: The City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **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 5-7 for this site with a weighted score of 8.5. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 3, 1050 S. Happy Hollow Rd.)
- Near Sewer Main (6" and 8" within the property)
- Near Water Main (8", S. Crossover Rd.)
- Near Public School (Happy Hollow Elementary)
- Near Paved Trail (E. Huntsville Rd. Bike Lane)
- Near ORT Bus Stop (Crossover and Turtle Creek)
- 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 the request to be compatible with the surrounding context. The surrounding property is generally characterized by a mix of commercial uses along Huntsville and undeveloped or residential land along Crossover. The uses in this area have existed in a similar form since approximately the 1990s with minimal redevelopment (with the exception of the construction of Happy Hollow Elementary School in 2011), however recent rezonings in the area are shifting towards mixed-use and form based standards. RSF-4 is a residential only district that permits traditional setbacks but no form-based standards while UT is a strictly form-based zoning district which permits a mix of residential and commercial uses. Specifically UT requires a minimum of 50% of a building to be located within a 0-25 foot build-to-zone, though existing nonconforming buildings structures may be expanded in size by up to 49% before triggering compliance with this standard per UDC 164.12. Staff finds the request to rezone the property to UT, Urban Thoroughfare is in line with this shift to more form-based districts and is unlikely to negatively affect surrounding properties given the property's frontage along a High Activity Regional Link. Additionally, the properties to the north of the subject property are primarily residential, while the property directly to the south is low-intensity commercial, with more intensive commercial development located farther south. Establishing a buffer between the potentially intensive uses permitted within the C-2 district along S. Crossover Road and E. Huntsville Road and the less intensive residential areas to the north along S. Crossover Road would be appropriate.

Land Use Plan Analysis: Staff finds that the request is consistent with adopted land use policies, the Future Land Use Map designation, and goals of City Plan 2040. The area is designated as a City Neighborhood Area, which recommends that commercial uses would have a residential component and vary in size, variety and intensity. Rezoning to UT would maintain the property's existing ability to develop with both residential and commercial

uses while providing greater variety in uses and more flexibility in design for a long, narrow site. Further, while the property is not part of any specific master plan or overlay district, it is 400 feet north of a Tier 2 Center at the intersection of S. Crossover and E. Huntsville, which the City Plan 2040 describes as “smaller scale urban hubs.” City Plan 2040 also calls for commercial uses to be “mixed-use and office buildings.” The infill score for this parcel is relatively high, with a weighted score of 8.5, indicating the property could likely support a wide range of uses and additional density.

In recent years City Council has taken steps to reduce the extent of residential or commercial only districts along major corridors, including the recent rezoning of 586 acres along the 71B corridor to a new mixed-use Urban Corridor district. Accordingly, staff finds that rezoning the property to UT would permit the property to be developed in a mixed-use style and further the stated goals of the city’s adopted plans and policies.

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

Finding: Staff finds the proposed zoning is justified at this time. Additionally, the property adjacent to the south has been recently rezoned by City Council approval on February 17, 2026 from a split zoned district of RSF-4 and C-1 to UT. This recent rezoning furthers the justification to moving towards form-based zoning along S. Crossover Rd.

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

Finding: Staff finds that rezoning of RSF-4 to UT would not likely create or appreciably increase traffic danger or congestion given the property’s location along a major corridor. UT does not have a stated density limit; however the relatively small size of the parcel, parking, drainage, tree preservation, and other city standards are likely to limit development potential for the site.

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

Finding: Rezoning the property from RSF-4 to UT has the potential to alter the population density of the area, though staff finds not likely to an undesirable degree. RSF-4 has a stated residential density maximum of four units per acre, while UT has no stated density limitation. The available infrastructure, water and sewer, and the service volume of S. Crossover Rd., would likely support an increase in population density at this site. 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-2026-0006 to City Council with a recommendation of approval.

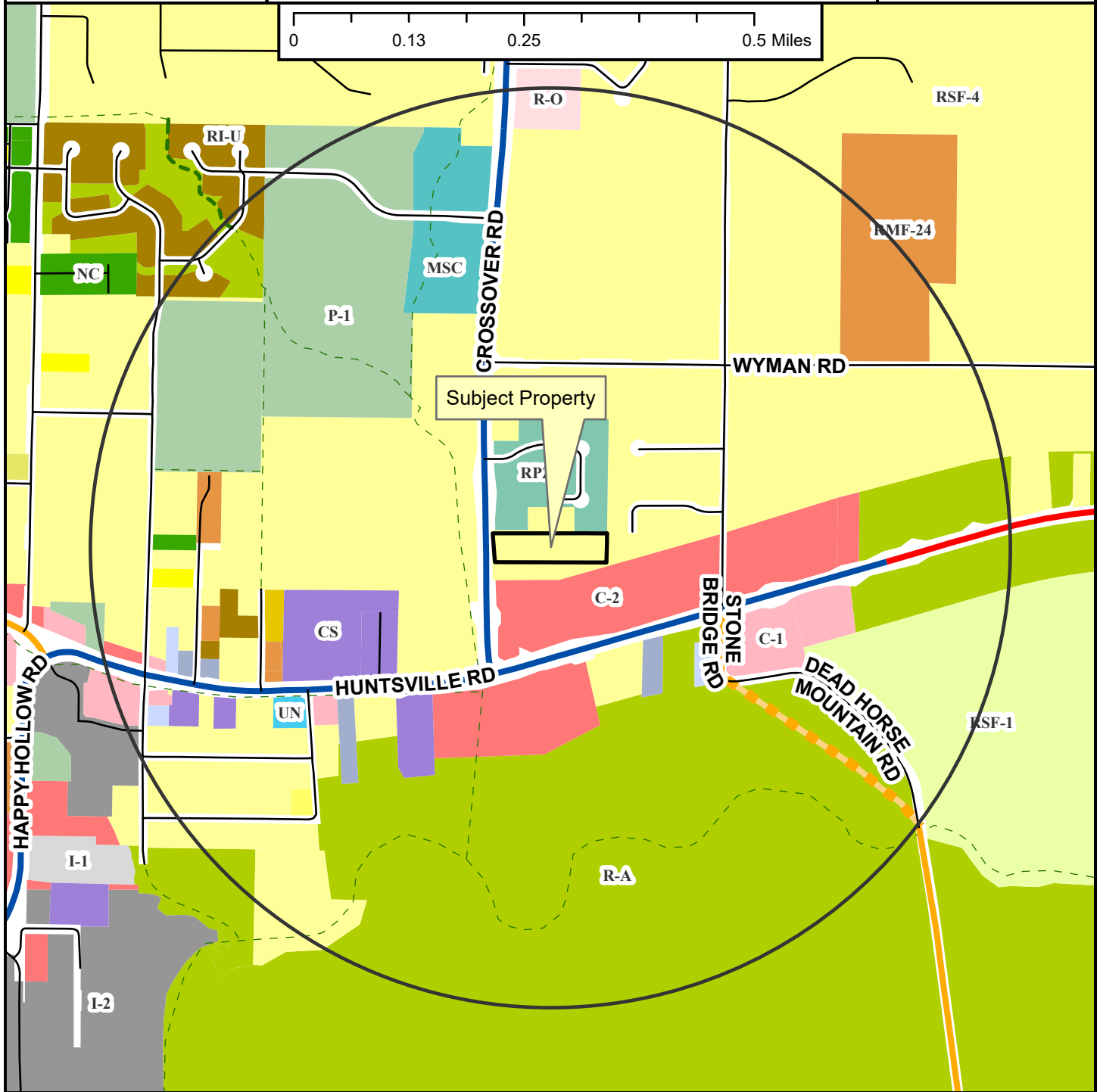
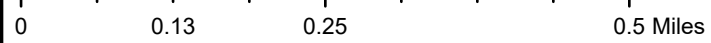
PLANNING COMMISSION ACTION: Required <u>YES</u>
Date: <u>March 23, 2026</u> <input type="checkbox"/> Tabled <input type="checkbox"/> Forwarded <input type="checkbox"/> Denied
Motion:
Second:
Vote:

BUDGET/STAFF IMPACT:

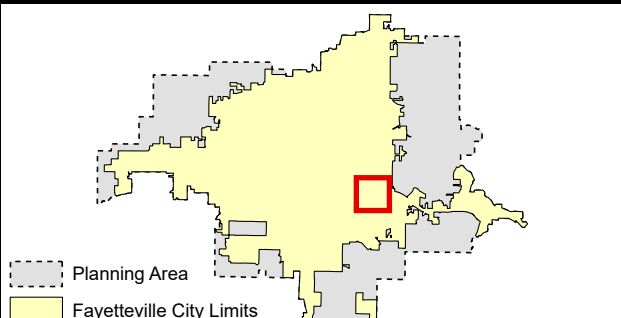
None

ATTACHMENTS:

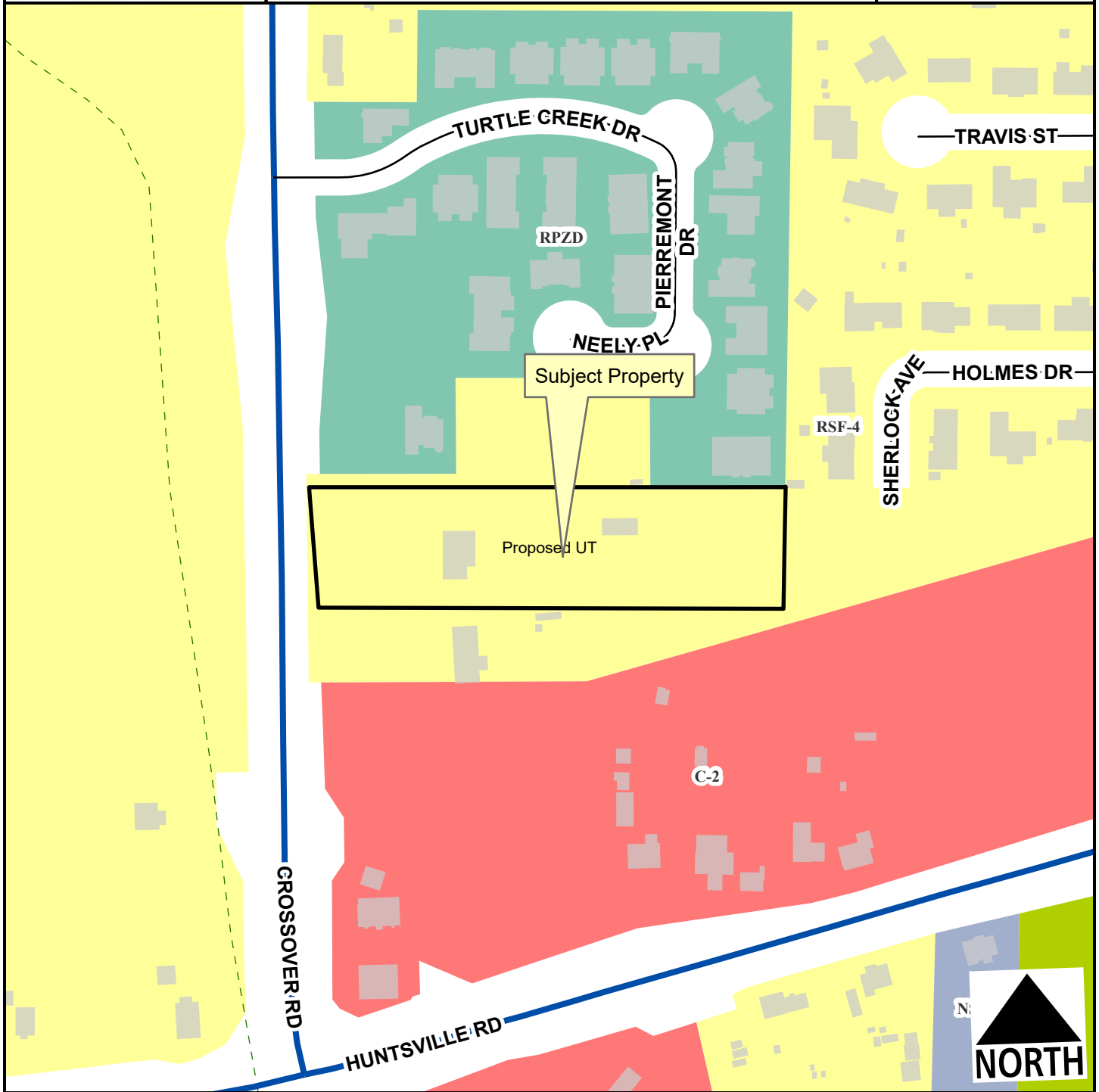
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
 - Unified Development Code
 - §161.07 District RSF-4, Residential Single-Family, Four Units per Acre
 - §161.24 District UT, Urban Thoroughfare
 - Staff Exhibits
 - Long-Range Planning Memo
 - Applicant Exhibits
 - Request Letter
-



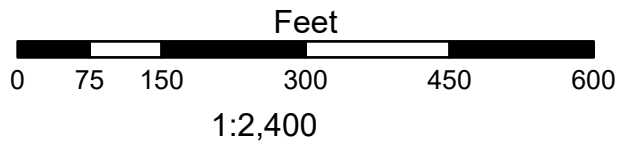
- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Shared-Use Paved Trail
- - - Trail (Proposed)
- Fayetteville City Limits
- Planning Area



Close Up View



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



<u>Zone</u>	<u>Current</u>	<u>Proposed</u>
RPZD	0.0	0.0
RSF-4	2.5	0.0
UT	0.0	2.5

Total 2.5 ac

RZN-2026-0006

620 S. CROSSOVER RD

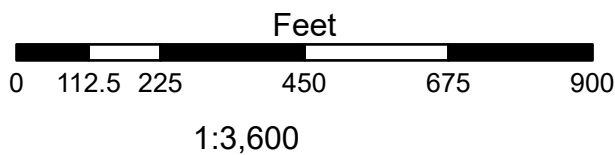


Current Land Use



2025 Imagery | EagleView Technologies | Surdex Corporation

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

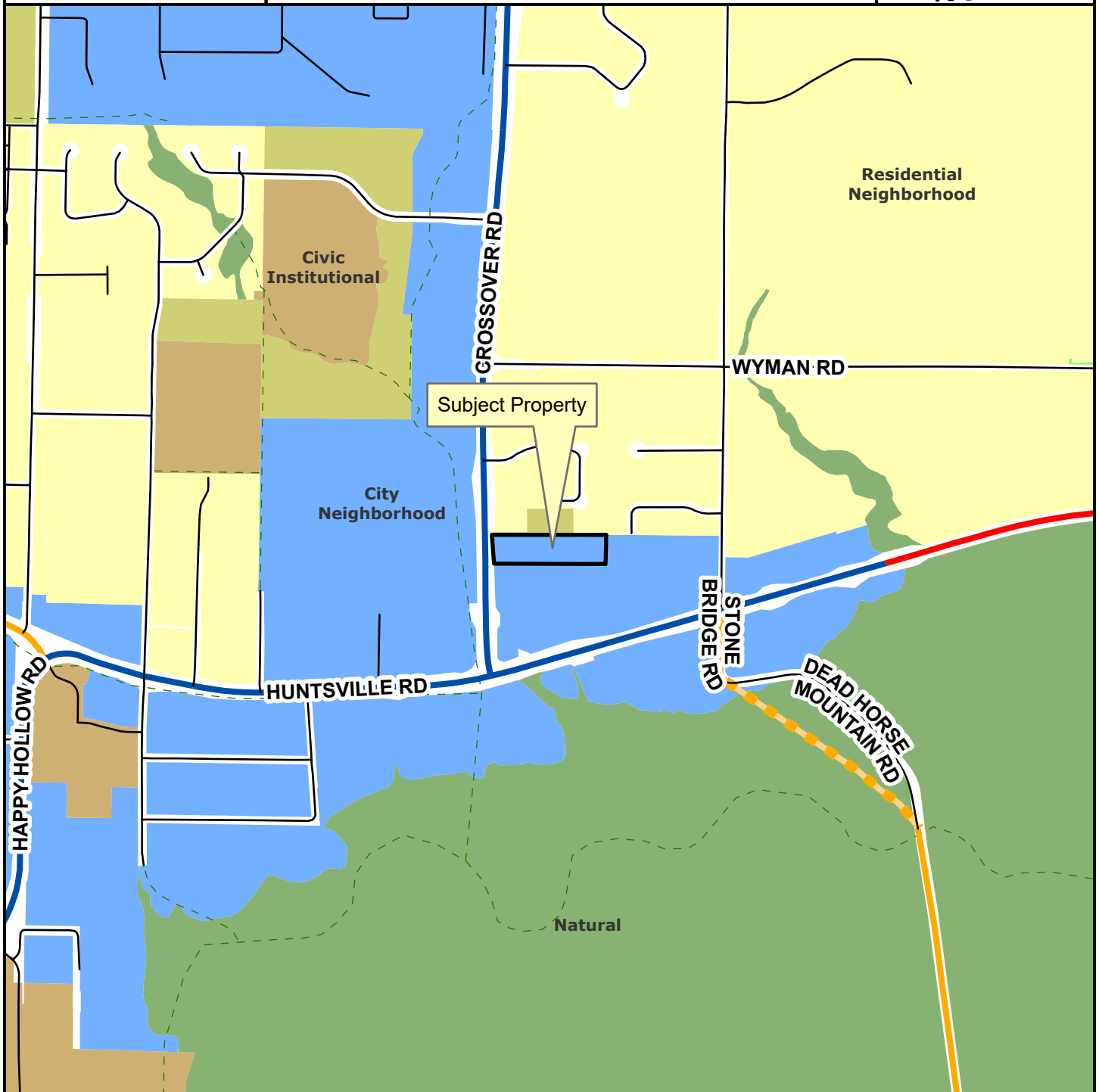


FEMA Flood Hazard Data

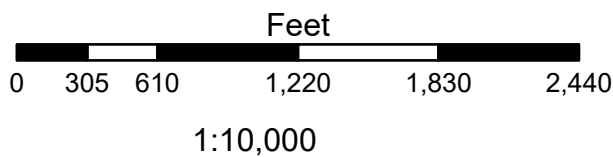
- 100-Year Floodplain
- Floodway



Future Land Use



- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood 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

161.07 - 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 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(C) *Density.*

	Single-family dwellings
Units per acre	4 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

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

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

Editor's note— 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.

161.24 - Urban Thoroughfare

(A) *Purpose.* The Urban Thoroughfare District is designed to provide goods and services for persons living in the surrounding communities. This district encourages a concentration of commercial and mixed use development that enhances function and appearance along major thoroughfares. Automobile-oriented development is prevalent within this district and a wide range of commercial uses is permitted. For the purposes of Chapter 96: Noise Control, the Urban Thoroughfare 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 (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
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 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings

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 20	Commercial recreation, large sites
Unit 21	Warehousing and wholesale
Unit 28	Center for collecting recyclable materials
Unit 29	Dance halls
Unit 33	Adult live entertainment club or bar

Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities
Unit 38	Mini-storage units
Unit 42	Clean technologies
Unit 43	Animal boarding and training
Unit 48	Private dormitories

(C) *Density.* None

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family dwelling	18 feet
All other dwellings	None
Non-residential	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/7 stories*
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* A building or a portion of a building that is located between 10 and 15 feet from the front property line or any master street plan right-of-way line shall have a maximum height of five (5) stories. A building or portion of a building that is located greater than 15 feet from the master street plan right-of-way shall have a maximum height of seven (7) stories.

If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any 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) *Minimum buildable street frontage.* 50% of the lot width.

(Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5353, 9-7-10; 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, 8, 1-17-17; Ord. No. [6015](#), §1(Exh. A), 11-21-17; Ord. No. [6223](#), §1, 9-3-19; [Ord. No. 6427](#), §§1(Exh. C), 2, 4-20-21; 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.



TO: Citlali Samano, Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: March 23, 2026

SUBJECT: Long Range Planning Comments Regarding RZN-2026-0006

BACKGROUND:

The applicant requests to rezone approximately 2.43 acres from RSF-4, Residential Single-Family, Four Units per Acre to UT, Urban Thoroughfare. The applicant indicates the intent is to use the existing residential building as office space for a residential contractor. One long range planning document is relevant when evaluating this request: *City Plan 2040*.

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 6 – We will create opportunities for attainable housing.

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 attainable housing, and limits the amount of land consumed by development on the City's periphery, often termed "suburban sprawl".

DISCUSSION:

City Plan 2040 and Future Land Use Plan:

This area is designated as a City Neighborhood area, which 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 and non-residential and commercial uses along major corridors. The request aligns with this designation by adding commercial use opportunities to the site. The proposal aligns with Goals 1, 2, 3, and 6 of *City Plan 2040* by creating additional flexibility for diverse housing choices and complete neighborhoods in an area that is already supported by infrastructure.

Property History:

The subject property contains a single-family dwelling constructed ca. 1933, according to Washington County Tax Assessor records however it appears more mid-century in design. The building is of historic age and upon further research may be eligible as part of a district but does not appear individually eligible for state or national registers.

This area was annexed into the city in 1967 (Ord. No. 1556). In 1970, the property was zoned R-1, Low Density Residential which evolved to RSF-4 with the adoption of the UDC in 2003.



SMALL FISH

CONSTRUCTION • BUILDING • DEVELOPMENT

P.O. Box 4794 Fayetteville, AR 72702
479.871.4835

REQUEST FOR REZONING

To Whom it May Concern,

Small Fish LLC is requesting a re-zoning for property located at 620 S. Crossover Road in Fayetteville, AR. Current zoning for this property is RSF-4 and we would like to request a zoning of UT, Urban Thoroughfare. We would like to use the existing house as a small office space for our home building business.

- a. Existing house is 1,176 SF
- b. SEE ATTACHED ELEVATIONS
- c. Parking spaces provided – 5. Parking spaces required 4.
- d. Hours of operation 8:00am – 5:00pm Monday through Friday for 3 employees and an average of 1 patron per week.
- e. Outdoor lighting is existing residential type exterior wall mounted lights at the garage and front door.
- f. No noise anticipated. Interior office use.
- g. Screening from adjoining properties as follows:
 1. West border – faces HWY 265 approx. 200 LF of lawn and trees between front of house and highway ROW.
 2. South Border – faces lot that is dual zoned C-2 and RSF-4 and contains one residential home currently unoccupied. Property line is lined with existing trees and shrubs between this property and adjoining property to the south
 3. East border – faces empty lot that is dual zoned C-2 and RSF-4 and contains no structures. There is approx. 160 LF of natural brush and timber buffer extending from the east border westward to open lawn.
 4. North border- faces 2 properties, one that is zoned RPZD and sits behind heavy brush and timber natural buffer and wire fencing, and one that is an existing cemetery zoned RSF-4 and is buffered by wire fencing as well as heavy shrubbery natural buffer and a driveway.

- h. Trash service shall be standard residential trash and recycling containers that will reside on the back porch out of public view.
- i. Ingress and egress shall be via the existing driveway on the north side of the property that extends eastward from Hwy 265. Traffic impact is expected to be same or less than its current use as a single-family dwelling.
- j. We plan to use this existing house as office space for day-to-day administrative operations of our residential building business. Given the surroundings of adjacent commercially zoned properties, high density multifamily property, a cemetery, and state highway frontage we feel that our request for office use will be a suitable fit for the neighborhood and will have little to no impact beyond its current use as a single-family dwelling.

Thank you for your consideration,

Justin Cullers – Owner
Small Fish Builders
Small Fish Investments
PO Box 4794
Fayetteville, AR 72702



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Citlali Samano, Planner

MEETING DATE: March 23, 2026

SUBJECT: **RZN-2026-0007: Rezoning (325 S. WASHINGTON AVE/S&L DEVELOPMENT LLC, 524)** Submitted by ODYSSEY ENGINEERING for property located at 325 S. WASHINGTON AVE. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.30 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

RECOMMENDATION:

Staff recommends forwarding **RZN-2026-0007** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*“I move to forward **RZN-2026-0007** to City Council with a recommendation of approval.”*

BACKGROUND:

The subject property is in central Fayetteville and roughly 700 feet north of Jefferson Park. The property contains one parcel totaling 0.30 acres which is currently zoned NC, Neighborhood Conservation. The property was included in Phase 1 of Fayetteville’s Citywide Historic Resources Survey in 2026. The existing structure contains a single-family bungalow that was constructed in 1930 and is potentially eligible for the National Register of Historic Places as a part of a historic district but is not individually eligible. The property is not subject to any overlay districts but is partially within the streamside protection zone on the southern portion of the parcel. The property is also included in the Walker Park Neighborhood Plan. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Residential	NC, Neighborhood Conservation
South	Residential	NC, Neighborhood Conservation
East	Residential	NC, Neighborhood Conservation
West	Residential	NC, Neighborhood Conservation

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

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

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject area has a road frontage along South Washington Avenue. South Washington Avenue 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. Any additional improvements or requirements for drainage will be determined at time of development.

Water: Public water is available to the subject property. There is an existing 6-inch water main along South Washington Avenue.

Sewer: Sanitary Sewer is available to the subject property. There is an existing 6-inch sewer main of South Washington Avenue.

Drainage: There are no known wet weather sewer capacity issues identified in the City's 2025 Sewer Master Plan that appear in the system 480 feet southwest of this property. There is a FEMA Floodplain within the southern half of the property therefore 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.

Fire: Station 1, located at 303 W Center St., protects this site. The property is located approximately 0.9 miles from the fire station with an anticipated drive time of approximately 3 minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

Tree Preservation:

The proposed zoning district, RI-U, Residential Intermediate-Urban, requires **15% minimum canopy preservation**. The current zoning district, NC, Neighborhood Conservation, requires **20% minimum canopy preservation**.

CITY PLAN 2040 FUTURE LAND USE PLAN: City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **Residential Neighborhood**. The property is also located within the **Walker Park Neighborhood Master Plan** area.

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

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

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of **9-10** for this site with a weighted score of **12.5**. The following elements of the matrix contribute to the score:

- 4 Minute Fire Response (Station 1, located at 303 W. Center St.)
- Near Sewer Main (6-inch main along S. Washington Ave.)
- Near Water Main (6-inch main along S. Washington Ave.)
- Near U of A Campus
- City Park (Ralph "Buddy" Hayes Park)
- Near Paved Trail (Willow Avenue Trail; Side Path Trail)
- Near ORT Bus Stop (Willow & Huntsville)
- Near Razorback Bus Stop (MLK BLVD & Willow)
- Walker Park Master Plan
- Sufficient Intersection Density

FINDINGS OF THE STAFF

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

Finding: ***Land Use Compatibility:*** Staff finds the requested rezoning to be generally compatible with surrounding land use but is inconsistent with zoning patterns. The City's comprehensive plan acknowledges the value of increasing density in locations where City services and utilities already exist, but only where it "reflects the existing community character." The subject property is located in the Walker Park Neighborhood Master Plan area, which recommends appropriate infill of single-family residential units with high-density. The potential in RI-U does allow for single-family in the interior of the neighborhood, which would be in keeping with the master plan and established character. However, the additional by-right of two-, three-, and four-family dwellings and conditional low-scale commercial and multi-family allowances in RI-U would not be upholding the intent of the plan nor established character. Allowing small businesses to be located, conditionally, in the middle of this residential block, could result in compromising the integrity of the Walker Park Neighborhood Plan goals. The plan notes Southgate Commercial Center, the intersection of School & 15th, Jefferson Square, and along Huntsville Road as intended places to grow commercial nodes and streets. The DG zoning to the north along E. Huntsville Road allows for commercial and diverse housing uses (two-, three-, and four-family), adhering to the goals of the plan. Allowing a zoning district with more allowances in an area that was not intended for variety could hurt the intent of the master plan area. But the lot standards in RI-U would be in keeping with that same plan. The plan recommends smaller lot sizes in the area as it would allow for a more sustainable pattern of development. RI-U would allow for smaller lot sizes with an 18-foot lot width

compared to NC's 40-foot requirement. The subject property has development restrictions due to the Floodplain running along the southern half of the parcel which discourages any physical interaction with the development here. A rezoning could allow for development on the northern half of the property, which would enhance infill development. Both zoning types are comparable as both allow for a maximum height of three stories for housing uses. Another similarity would be that both require a build-to-zone requirement, ensuring that the urban form fabric of the area is maintained. The setback requirements for this subject property would also remain the same as both would require 5-foot side and rear setbacks. The proposed zoning is generally incompatible with the Walker Park Neighborhood Master Plan, but on the balance of considerations, staff is in support of this rezoning request.

Land Use Plan Analysis: The proposed zoning is consistent with the property's designation as a Residential Neighborhood Area on the City Plan 2040 Future Land Use Map, which is intended to support a variety of housing types within walkable urban neighborhoods. The RI-U zoning district would allow a mix of residential densities in an urban form that promotes walkability. It is also generally in keeping with the surrounding NC zoning district, as both require build-to zones, and it aligns with the character of nearby development. However, the proposed zoning does not fully align with the Walker Park Neighborhood Master Plan, which designates this area for primarily single-family development rather than a broader mix of housing types. It is important to note that this plan was adopted in February 2008, and greater weight may be given to the more recent City Plan 2040. Even so, the RI-U district does support one of the Master Plan's goals by allowing smaller lot sizes that encourage a more sustainable development pattern. Additionally, the site is encumbered by a streamside protection zone on the southern half of the parcel. With the proposed rezoning, the northern portion could accommodate increased density through reduced lot widths and by-right development of two-, three-, and four-family dwellings. The property has a high infill score of 10, which indicates that it is a suitable location for infill. It is also located within a third of a mile of a Tier 1 center, which advocates for a mixture of uses, both commercial and residential. Staff finds that the requested rezoning could allow for the creation of missing middle housing and meets City Goals 1 (appropriate infill), 3 (compact, complete, and connected development), and 6 (opportunities for attainable housing).

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

Finding: Staff finds that there is sufficient justification for rezoning the subject property from NC to RI-U since the rezoning would be consistent with the property's future land use designation and supports several goals of City Plan 2040.

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

Finding: A rezoning from NC to RI-U could increase traffic in the area as the allowances in RI-U allow for more development with no density maximums and smaller lot widths. Given the small property, and its restrictions with the floodplain, there is a prevention of substantial development. Staff does not anticipate a noticeable increase in traffic as a result of the rezoning.

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

Finding: The proposed rezoning has the potential to slightly alter the population density since it would allow for more intense residential development. However, the property currently has access to public streets, water, and sewers, and any necessary improvements would be determined at the time of development. Fayetteville Public Schools did not comment on this request.

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

Finding: N/A

RECOMMENDATION: Planning staff recommends forwarding RZN-2026-0007 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>
Date: <u>March 23, 2026</u> <input type="checkbox"/> Tabled <input type="checkbox"/> Forwarded <input type="checkbox"/> Denied
Motion:
Second:
Vote:

BUDGET/STAFF IMPACT:
None

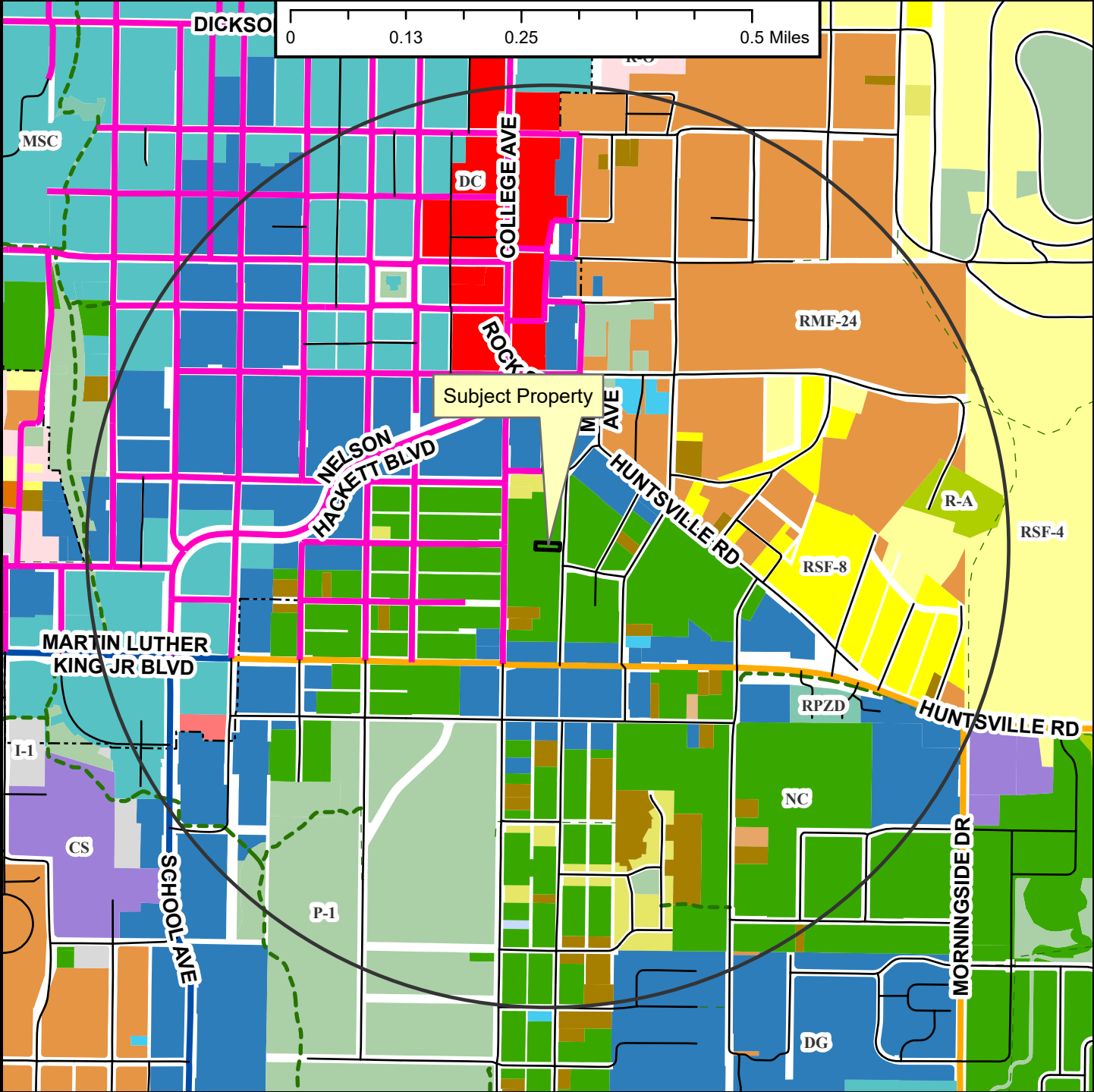
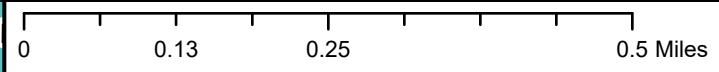
- ATTACHMENTS:**
- Project Maps
 - One Mile Map

- Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
 - Unified Development Code
 - §161.29 District NC, Neighborhood Conservation
 - §161.12 District RI-U, Residential Intermediate – Urban
 - Staff Exhibits
 - Long-Range Planning Memo
 - Applicant Exhibits
 - Request Letter
-

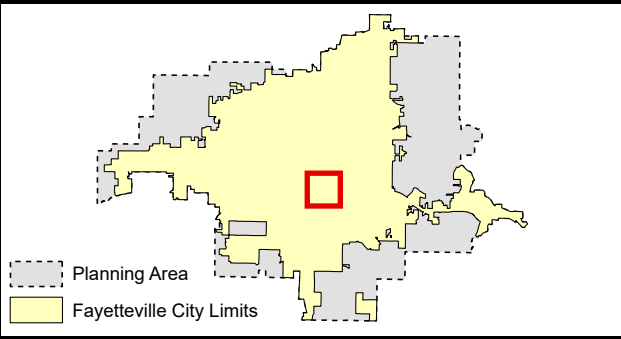
RZN-2026-0007

325 S. WASHINGTON AVE

One Mile View



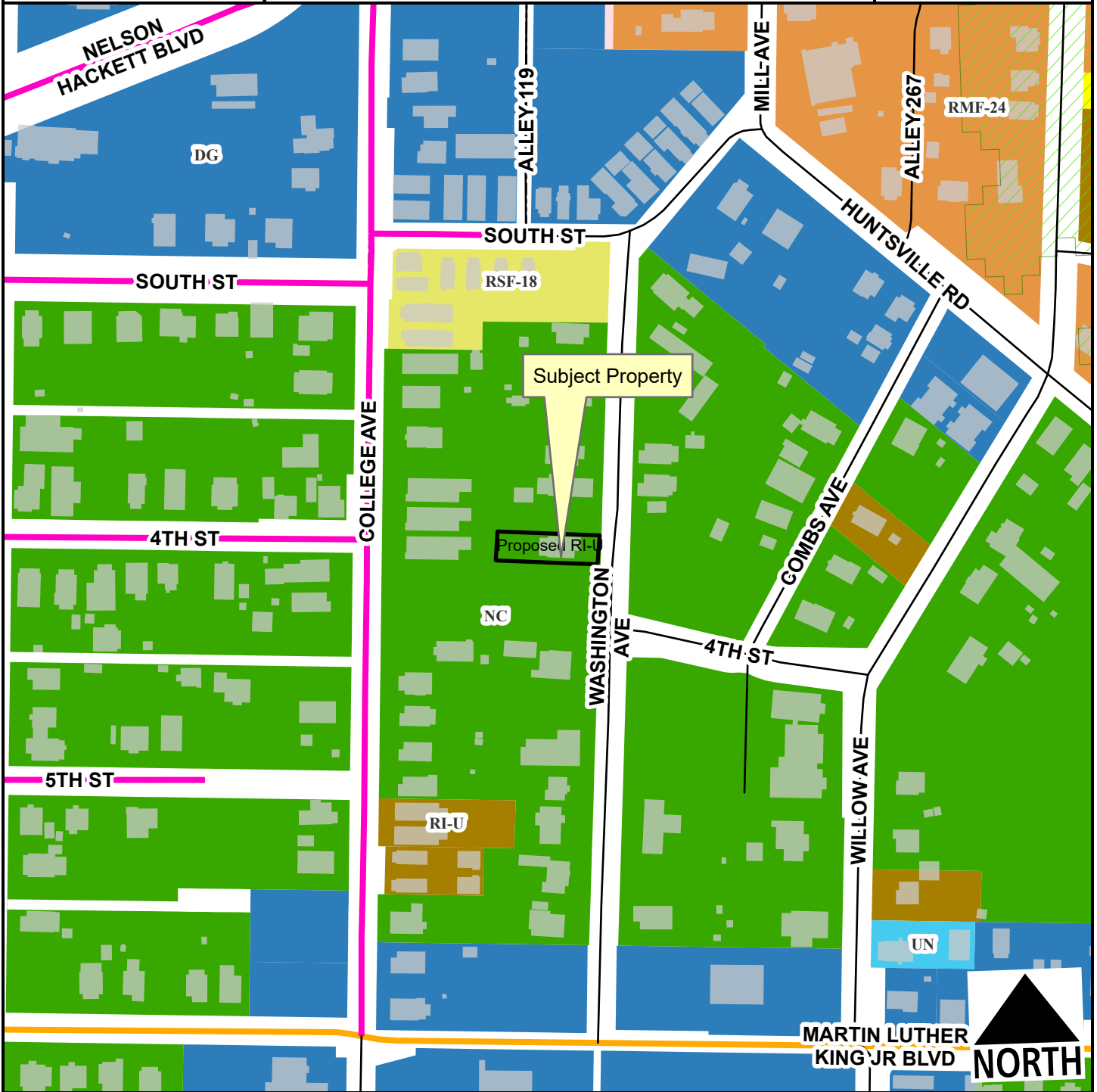
- Neighborhood Link
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



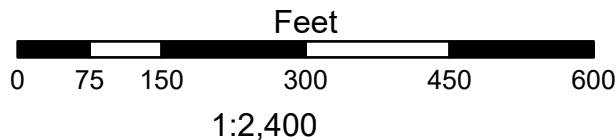
RZN-2026-0007

325 S. WASHINGTON AVE

Close Up View

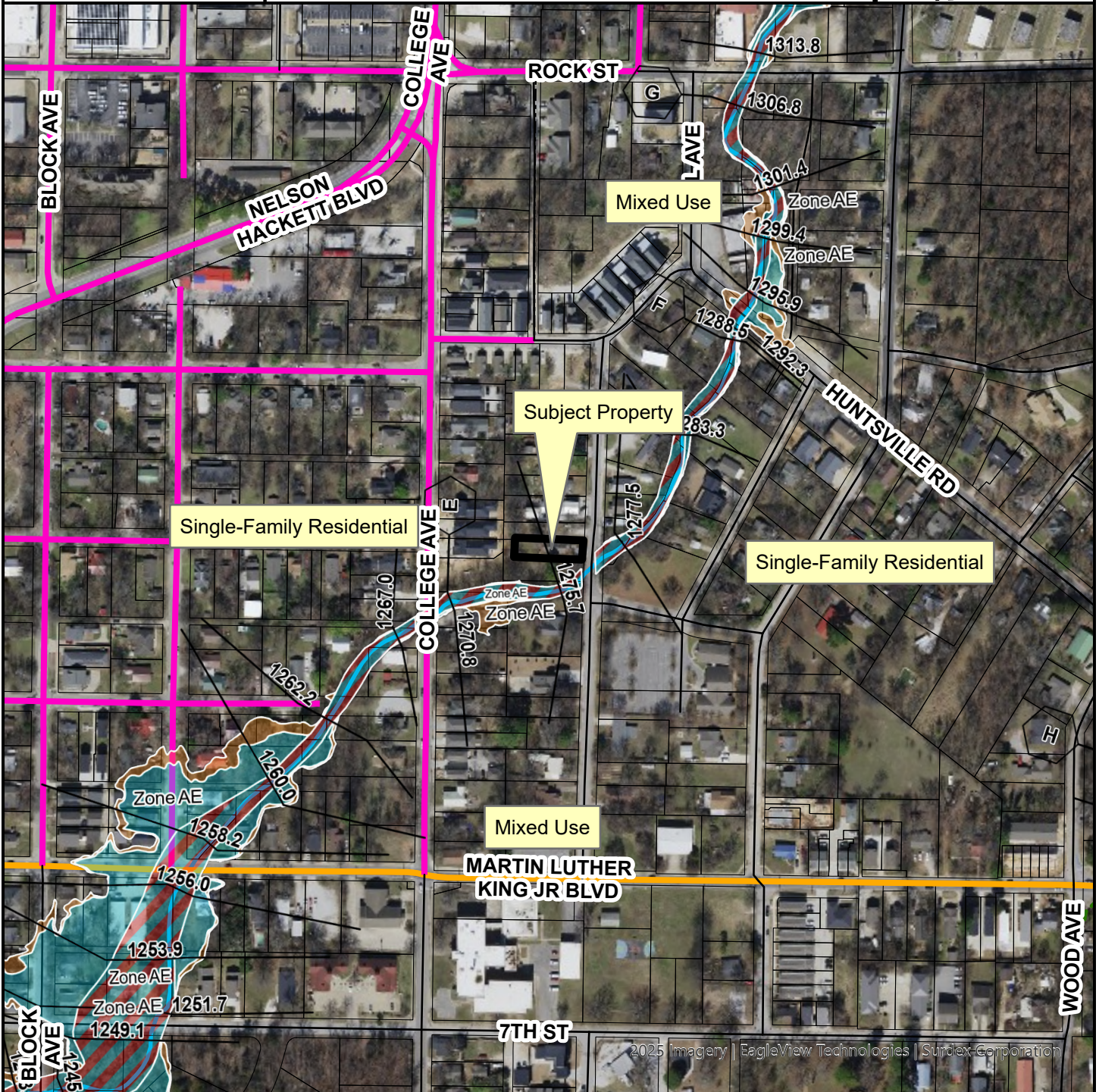


- Neighborhood Link
- Urban Center
- Unclassified
- Alley
- Residential Link
- Hillside-Hilltop Overlay District
- Design Overlay District
- Planning Area
- Fayetteville City Limits

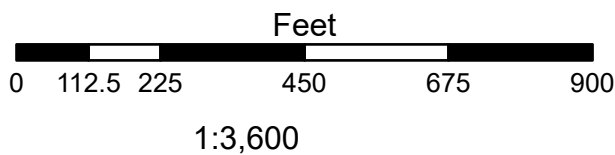


Zone	Current	Proposed
NC	0.1	0.0
RI-U	0.0	0.1

Total 0.1 ac



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

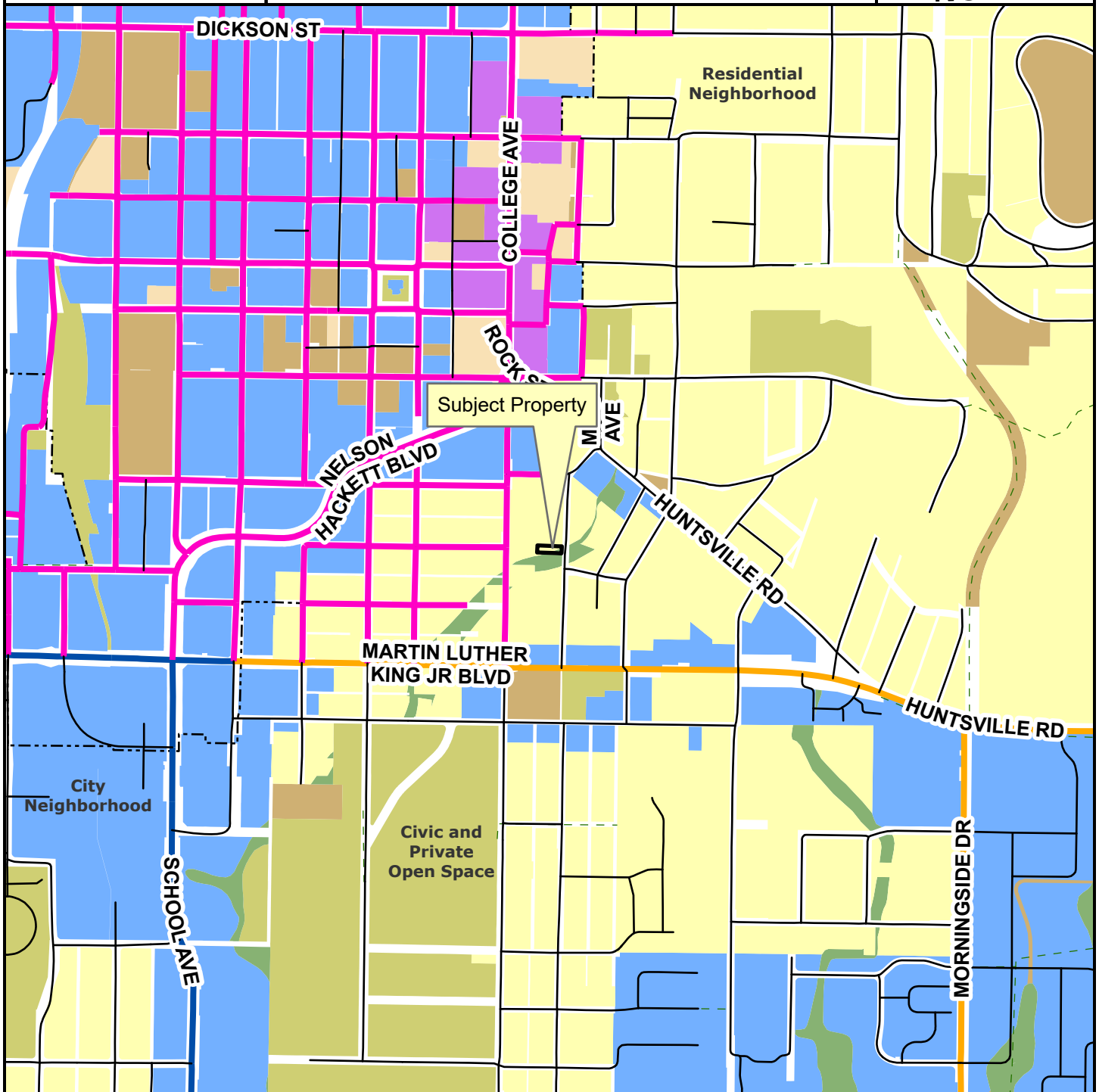


FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

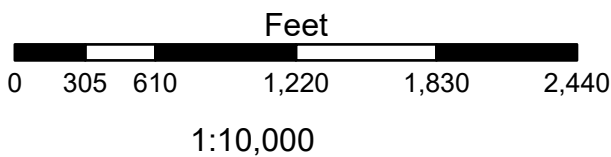


Future Land Use



Subject Property

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



- City Neighborhood
- Civic Institutional
- Civic and Private Open Space
- Industrial
- Natural
- Non-Municipal Government
- Residential Neighborhood
- Rural Residential
- Urban Center

161.29 - Neighborhood Conservation

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited business*
Unit 24	Home occupations
Unit 25	Offices, studios, and related services

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

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

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

(E) *Setback Regulations.*

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

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(Ord. No. 5128, 4-15-08; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. [5800](#), §1(Exh. A), 10-6-15>; Ord. No. [5921](#), §1, 11-1-16; Ord. No. [5945](#), §§5, 7—9, 1-17-17; Ord. No. [6015](#), §1(Exh. A), 11-21-17; Ord. No. [6211](#), §1, 8-6-19; [Ord. No. 6427](#), §§1(Exh. C), 2, 4-20-21)

Editor's note— 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.

161.12 - District RI-U, Residential Intermediate - Urban

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster housing development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities
Unit 48	Private dormitories

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

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

(E) *Setback Requirements.*

Front	Side Other Uses
A build-to zone that is located between the front property, line and a line 25 feet from the front property line.	None

(F) *Building Height Regulations.*

Building height maximum	2 stories/3 stories*
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* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of three (3) stories.

(G) *Building Area.* The area occupied by all buildings shall not exceed 60% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) *Minimum Buildable Street Frontage.* 50% of the lot width.

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



TO: Citlali Samano, Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: March 23, 2026

SUBJECT: Long Range Planning Comments Regarding RZN-2026-0007

BACKGROUND:

The applicant requests to rezone approximately 0.27 acres from NC, Neighborhood Conservation to RI-U, Residential Intermediate - Urban. Four long range planning documents are relevant when evaluating this request: *City Plan 2040*, *Walker Park Neighborhood Plan*, the *Heritage & Historic Preservation Plan*, and *Phase 1 Fayetteville Citywide Historic Resources Survey*.

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 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 attainable housing, and limits the amount of land consumed by development on the City’s periphery, often termed “suburban sprawl”.

Walker Park Neighborhood Plan (2008):

Adopted in February 2008, the *Walker Park Neighborhood Plan* outlined four guiding principles, of which one is relevant to this request:

1. Balance of Uses and Housing

Heritage & Historic Preservation Plan (2023):

The City’s *Heritage & Historic Preservation Plan* was initiated by City Plan 2040.

Heritage and Historic Preservation Master Plan Relevant Goals and Action Items

1.9	Plan Review	Include historic preservation staff in review of proposed major projects and zoning changes to determine impacts to historic resources.
1.10	Demolition Ordinance	Pass an ordinance to allow for the review of proposed demolitions for resources forty-five years or older. Staff to evaluate each

		property for significance. Work with property owner to discourage demolition. Reviews should be taken up by HDC as needed.
4.9	Community Engagement: Transparency	Publish information about historic preservation reviews and demolitions of historic properties to increase transparency.

Phase 1 Fayetteville Citywide Historic Resources Survey (2026):

The subject property was included in the phase 1 windshield survey of historic resources, which identified a cluster of potentially significant resources historically known as “South Fayetteville.” This neighborhood consists of modest residential properties constructed and occupied by middle- and working-class residents. This area has experienced significant new development involving the demolition of historic-age resources and the construction of new buildings that are incompatible with the scale and character of the neighborhood.¹



The subject property contains a single-family bungalow dwelling constructed ca. 1930, according to Washington County Tax Assessor records. The property is potentially eligible for the National Register of Historic Places as part of a historic district but is not individually eligible. It is also contributing to a potential Local Historic District, which is currently under review by staff. It has been assigned a moderate preservation priority.² The survey recommends the evaluation of a local historic district to slow the rapid loss of historic buildings and protect the historic character of South Fayetteville.³

Since rezoning requests often precede redevelopment plans, the property owner and/or applicant should consult with Long Range & Preservation Planner prior to demolition or alteration of historic-age structures to capture photo documentation. Documentation of historic

¹ Post Oak Preservation Solutions, *Phase 1 Fayetteville Citywide Historic Resources Survey*, 20.

² A moderate preservation was assigned to properties that represent a common but significant historic building type that is represented on the NRHP and are not facing major development pressure. In most cases, resources that are already listed on the NRHP were assigned a “Medium” preservation planning priority. For additional information, see Post Oak Preservation Solutions, *Phase 1 Fayetteville Citywide Historic Resources Survey*, 10.

³ Post Oak Preservation Solutions, *Phase 1 Fayetteville Citywide Historic Resources Survey, Survey Log; Recommendations 21*, and Survey Form 299.

resources is an effective way to mitigate against the loss of historic structures when regulatory tools are not available.

DISCUSSION:

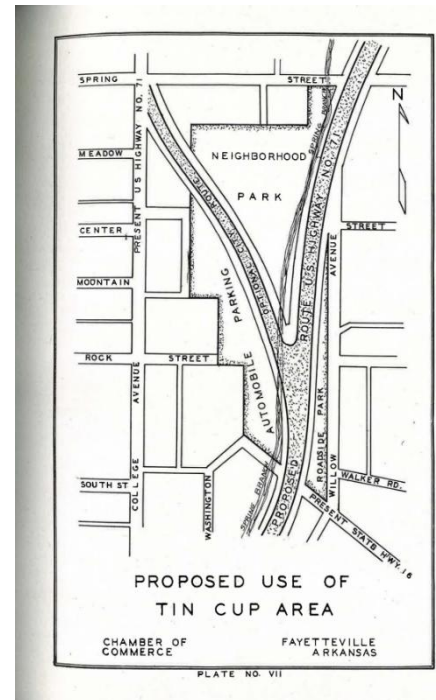
Zoning History:

The zoning history of the neighborhood merits consideration with this request. The 1945 “A Master City Plan and Public Works Program for Fayetteville, Arkansas”, sponsored jointly by the Fayetteville Chamber of Commerce and Fayetteville City Council, called for the construction of U.S. Highway 71 through the neighborhood, following Willow Ave. and Spring Branch to the intersection of Maple and Mission. Part of the justification for the route was that “It would afford an opportunity to build roadside parks and parking area in what is now sub-standard housing districts.”, and that “The highway would not pass by important public buildings such as schools, hospitals, etc.” The historic St. James Methodist and Missionary Baptist churches as well as the Lincoln School, the segregated elementary school, were all on the proposed highway route.

While many of the projects proposed in the 1945 plan did not come to fruition, the neighborhood was subjected to many of the proposals of the 1968 “Program for Community Renewal” written by consulting planner James Vizzier. Like many urban renewal plans of the mid-20th century, the plan was paid for in part by a grant from the federal Urban Renewal Administration under the Housing Act of 1954. The plan noted that Fayetteville’s “general plan should be updated and expanded to include plans for community renewal.”, and further explained that, “...about 65% of the housing supply (in the city) might be susceptible to blight...Most of these improvements are in older neighborhoods where the units that must be cleared are deficient or dilapidated rather than sound.” Vizzier counted 1,327 families to be displaced by public improvements for University expansion, street construction, hospitals or schools and playgrounds, while at the same time noting an imbalance between the cost of housing and family income. He laid out an ambitious and costly (\$47,615,400 in 1968 dollars) plan for urban renewal in Fayetteville, most of which was never accomplished. One of the significant outcomes of Vizzier’s recommendations, however, was Fayetteville’s zoning ordinance in 1970. Vizzier had criticized the city’s zoning as being based “primarily on existing land use instead of the future land use plan. And second, it does not recognize the need for raising the standards for land use in older areas. Upgrading and renewal of older areas are not provided for in the document (referring to the city’s comprehensive plan). The rules do not provide for large scale developments such as renewal projects.”

Ordinance 1747 approved on June 29, 1970 enacted a new zoning map and set of districts and zoning requirements for the city. This map shows the subject property and surrounding neighborhood as being zoned into the medium-density “R-2” zoning district, which was subsequently translated to “RMF-24” with the adoption of the city’s Unified Development Code.

The subject property was again rezoned, this time to the current zoning designation of NC, Neighborhood Conservation, in 2008 following the *Walker Park Neighborhood Plan*.



Map showing proposed route of Hwy. 71. 1945 Master City Plan, pg. 41.

City Plan 2040 and Future Land Use Plan:

This area is designated as a Residential Neighborhood area, which are “primarily residential in nature and support a wide variety of housing types of appropriate scale and context.” This land use designation also encourages the incorporation of low-intensity non-residential uses intended to serve the surrounding neighborhood, such as retail or offices.⁴ The request aligns with this designation by increasing the variety of housing types permitted from just single-family to include two-, three-, and four-family housing. Careful consideration of the site is merited since the property is also designated as Natural area due to the presence of the Branch near the southern portion of the parcel. Natural areas include those with limited development potential due to topography or hydrology or ecologically sensitive areas. These areas are intended to encourage a development pattern that prevents degradation and utilizes low impact development stormwater infrastructure.⁵ Complete build-out of the site as permitted by RI-U may not be feasible or advisable due to negative impacts on the stream and incongruence with the natural area designation on part of the site.

Walker Park Neighborhood Plan:

The subject property is included in the Walker Park Neighborhood Plan, which outlines goals and a vision for the area. Including a balance of commercial uses and diverse housing types. RI-U offers increased housing flexibility, which aligns with both the goals of the *Walker Park Plan* and *City Plan 2040*.

⁴ City Plan 2040, 128.

⁵ City Plan 2040, 126.

February 11, 2026

**Rezoning Narrative
325 Washington Avenue**

Parcel No. 765-05049-000
Fayetteville, Arkansas

This letter is submitted in support of a rezoning request for the property located at **325 Washington Avenue**, Parcel Number **765-05049-000**, in Fayetteville, Arkansas.

The subject property contains approximately **0.30 acres** and is currently zoned **NC (Neighborhood Conservation)**. The property is located partially within the **Residential Neighborhood** designation of the Future Land Use Plan and partially within the **Natural Area** designation. An existing stream is located adjacent to the property and influences both site design and development potential.

Proposed Development

The current development concept includes **four (4) attached townhome units and one (1) detached unit**, for a total of five (5) residential units. The proposed housing type is intended to provide context-sensitive, infill residential development that complements the surrounding neighborhood while allowing for moderate density consistent with surrounding rezonings in the area.

Surrounding Context

There have been several recent **RUI rezonings in the area**, as well as **RMF-18 zoning immediately to the north**, indicating a pattern of moderate-density residential development in this portion of the neighborhood. The properties immediately adjacent to the site remain zoned **NC**.

The requested rezoning is intended to align the site with the evolving residential development pattern in the area while remaining sensitive to adjacent properties and natural features.

Streamside Protection & Environmental Considerations

An existing stream runs adjacent to the property. The applicant intends to request applicable **Streamside Protection waivers** where necessary; however, the development will incorporate enhanced environmental protections that exceed minimum standards.

Specifically, the proposal includes:

- A **more intensive riparian buffer area** along the stream corridor, designed not only to provide stream protection but also to serve as a neighborhood amenity space.
- Proposed **erosion control and stabilization measures** along the streambank to improve long-term environmental performance and reduce sedimentation risks.

The intent is to balance responsible infill development with improved stream stewardship and long-term environmental enhancement of the corridor.

 479.480.3330

 OdysseyNWA.com

 124 Grant Place, Suite E, Lowell, AR 72745

Planning Commission
March 23, 2026
RZN-2026-0007 (S&L DEVELOPMENT LLC)

Consistency with Future Land Use Plan

The portion of the property designated **Residential Neighborhood** supports moderate residential development. While a portion of the site is identified as **Natural Area**, the proposal respects the stream corridor through enhanced buffering and environmental improvements, ensuring the natural features remain protected and integrated into the site design.

If you have any further questions or require further information please feel free to contact jchavis@odysseynwa.com.



Jake Chavis
Owner- Director
jchavis@odysseynwa.com



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: March 23, 2026

SUBJECT: **RZN-2026-0008: Rezoning (1705 N GARLAND AVE/TRICYCLE FARMS, 365)** Submitted by ALLIE WILSON for property located at 1705 N. GARLAND AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 2.10 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

RECOMMENDATION:

Staff recommends forwarding **RZN-2026-0008** to the City Council with a recommendation of approval.

RECOMMENDED MOTION:

*“I move to forward **RZN-2026-0008** to the City Council with a recommendation of approval.”*

BACKGROUND:

The subject property is located in north Fayetteville west of the intersection of N. Garland Ave. and W. Sycamore Street adjacent to Midtown Trail. The subject property contains four parcels totaling 2.10 acres, which are currently developed as Tri-Cycle Farm, a nonprofit teaching farm first established in 2012. The property is not subject to any overlay districts but does contain hydric soils. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
South	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre RI-U, Residential Intermediate-Urban
East	Mixed-Density Residential Religious Facility	RMF-24, Residential Multifamily, 24 Units per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre

Request: The request is to rezone the subject area from RSF-4, Residential Single-Family, Four Units per Acre to RI-U, Residential Intermediate-Urban.

Public Comment: Staff has received one public comment in opposition to the request, citing the current role of the property as an urban farm serving food insecurity needs, lack of density restrictions, adjacent single-family properties, lack of urban amenities, likelihood of car users, potential safety hazards, inadequate infrastructure, and need for further studies.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject area has a road frontage along N. Garland Avenue, a fully improved Regional Link with asphalt paving, sidewalk curb and gutter. 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-inch water main is present along N. Garland Ave.

Sewer: Sanitary Sewer is available to the Subject area. Existing 8-inch sewer main is present along N. Garland Ave. There are known wet weather sewer capacity issues identified in the City's 2025 Sewer Master Plan that appear in the system 577 feet north of the property.

Drainage: The property is not within the Hillside-Hilltop Overlay District and does not contain streamside protection zones or and FEMA floodplain. The property does contain hydric soils, 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.

Fire: Station 8, located at 2266 W. Deane Street, protects this site. The property is located approximately 0.9 miles from the fire station with an anticipated drive time of approximately 2 minutes using existing streets. The anticipated response time would be approximately 4.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

Tree Preservation:

The current zoning district of RSF-4 requires **25% minimum canopy preservation**. The proposed zoning district of RI-U requires **15% minimum canopy preservation**.

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

Residential Neighborhood Areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context: single-family, duplexes, rowhouses, multifamily and accessory dwelling units. Residential Neighborhood encourages highly connected, compact

blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity nonresidential uses intended to serve the surrounding neighborhoods, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood.

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

- Adequate Fire Response (Station 8, W. Deane St)
- Near Sewer Main (8 inch main, N. Garland Ave.)
- Near Water Main (2 inch main, N. Garland Ave.)
- Near Grocery Store (Harps)
- Near City Park (Lewis Soccer Complex)
- Near Paved Trail (Midtown Trail)
- Near Razorback Bus Stop (Garland and Sycamore, Inbound & Outbound)

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: The subject property is primarily surrounded by single-family homes to the east, west, and south, with mixed-density residential and a church located to the east across Garland. There are nearby apartment complexes on Mount Comfort and Garland. Other nonresidential services in the area include city parks, a police and fire station, and commercial business including grocery and convenience stores. Staff finds the proposed RI-U rezoning compatible with surrounding uses. RI-U permits a mix of low-intensity residential types, including up to four-unit buildings, but maintains a minimum lot width of 18 feet and a maximum building height of three stories. Several rezonings in recent years have slowly increased the permitted density in the area, with an anticipated increase in the density of the built environment as those areas redevelop.

The applicant has indicated an intent to develop the property with cottage style cluster housing, a use which is permitted by right in RI-U. Midtown trail is also located along the southern edge of the property, permitting trail-oriented development in line with recent city code changes. RI-U does not permit multifamily structures exceeding five or more units, and staff finds that parking, drainage, tree preservation and other requirements will likely limit the development potential of the subject area. While RSF-4 and RI-U allow similar uses, RI-U permits more housing types with smaller lot size requirements, encouraging compatible infill development without disrupting neighborhood scale. Additionally, RI-U permits limited small-scale commercial uses by conditional use permit, which could further contribute to the nonresidential amenities in the area with appropriate safeguards.

Land Use Plan Analysis: Staff finds the proposed zoning to be consistent with the property's Future Land Use Map designation as Residential Neighborhood Area. The RI-U zoning district would allow a greater variety of land uses in an urban setting, which staff finds to be compatible with the surrounding area. The property has a relatively high infill score of 7 with a weighted score of 8, indicating it is a suitable location for infill development. The property also fronts onto Midtown Trail, a recent public improvement by the city in the area that would enable residents to utilize alternative means of transportation. Infill in this area could help support Goals 1 and 3 by promoting moderate infill in an area that is highly walkable and near transit routes.

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

Finding: Staff finds that there is sufficient justification to rezone the subject property at this time. A rezoning to RI-U would establish more flexible allowances for creative redevelopment of the subject property that could ultimately allow for more preservation of existing open space and potentially enable homeownership of smaller, more attainable dwelling units in an area of town with a relatively high concentration of services, amenities, and employment opportunities. A redevelopment of the land under existing entitlements would have less flexibility and likely result in increased impact and costs.

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

Finding: Rezoning the property from RSF-4 to a RI-U could increase development potential and its associated traffic impact on the site as the proposal would eliminate the current density limitation of four units per acre with no proposed density cap. However, staff finds that rezoning the property to RI-U is not likely to create or appreciable increase traffic danger and congestion since the subject property is relatively small and alternative transportation options are readily available. RI-U would also permit trail-oriented development in line with recent code changes. Any street improvements required in this area would be determined at the time of development proposal.

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

Finding: Rezoning the property from RSF-4 to RI-U has the potential to alter the population density when considering that RI-U has no set density limitation. However, given the presence of existing public infrastructure, the presence of Midtown Trail on the southern portion of the property, and proximity to nonresidential services such as grocery stores, transit and parks, staff finds that the proposed rezoning is not likely to increase the load on public services to an undesirable degree. While there are known wet weather sewer capacity issues identified in the City's 2021 Sewer Master Plan that appear in the system approximately 577 linear feet downstream of this property, the

relatively small size of the property is also likely to naturally limit development capacity. 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.

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-2026-0008 to the City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>
Date: <u>March 23, 2026</u> <input type="checkbox"/> Tabled <input type="checkbox"/> Forwarded <input type="checkbox"/> Denied
Motion:
Second:
Vote:

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:

- Unified Development Code
 - §161.07 District RSF-4, Residential Single-Family –Four (4) Units Per Acre
 - §161.12 Residential Intermediate-Urban
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
- Long Range Planning Memo
- Applicant Exhibits
 - Request Letter

161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

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

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

Editor's note(s)—Ord. No. 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.

161.12 District RI-U, Residential Intermediate - Urban

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster housing development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

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

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

Building height maximum	2 stories/3 stories*
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* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of three (3) stories.

(G) *Building Area*. The area occupied by all buildings shall not exceed 60% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) *Minimum Buildable Street Frontage*. 50% of the lot width.

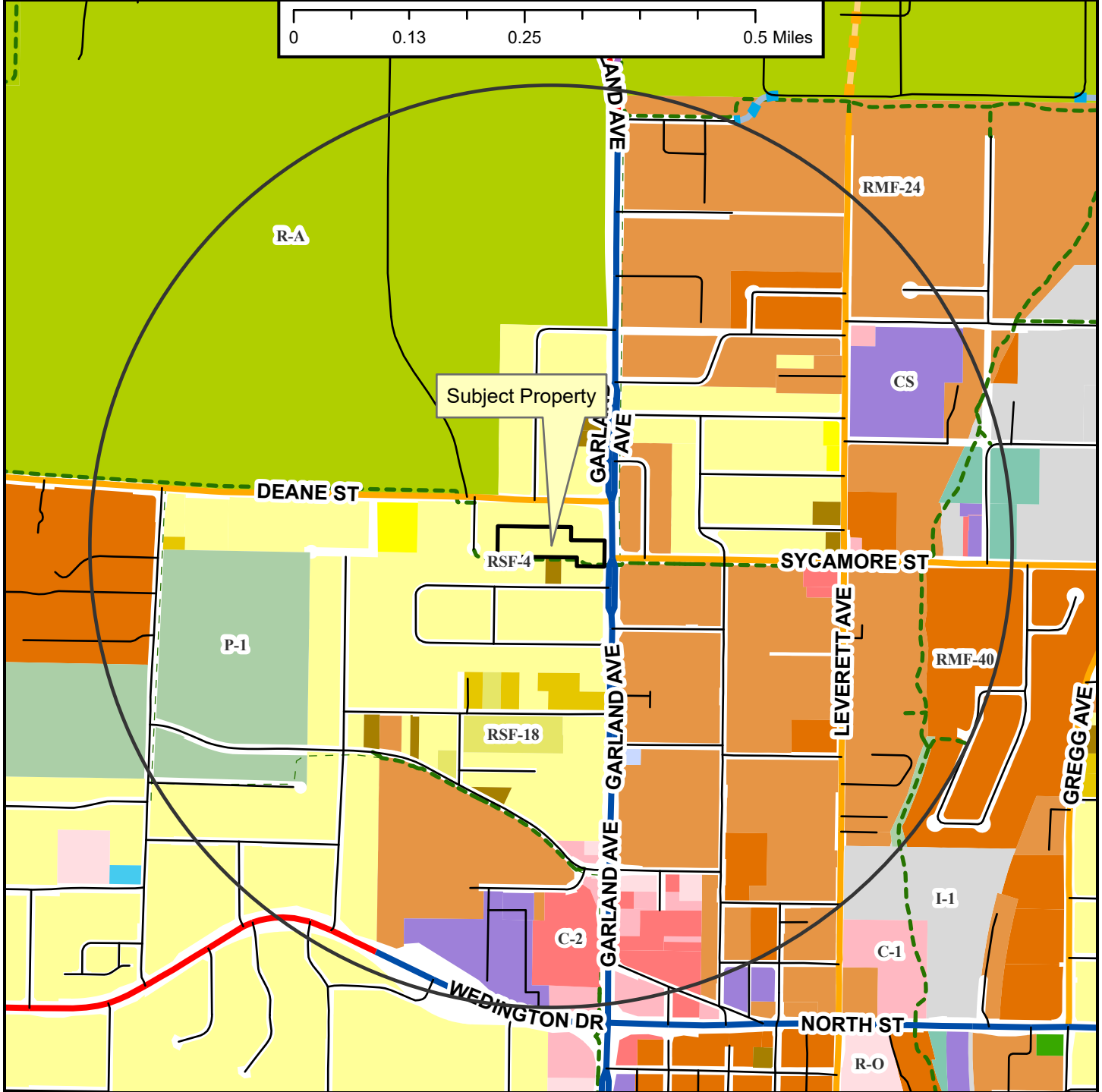
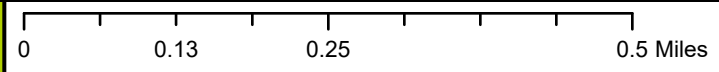
(Ord. No. 5945, §5(Exh. A), 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6245, §2, 10-15-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

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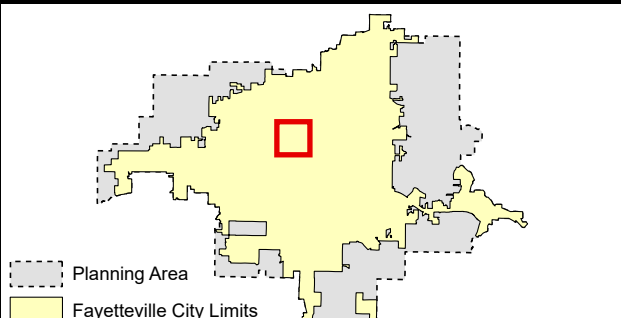
RZN-2026-0008

One Mile View

1683, 1691 & 1705 N. GARLAND AVE



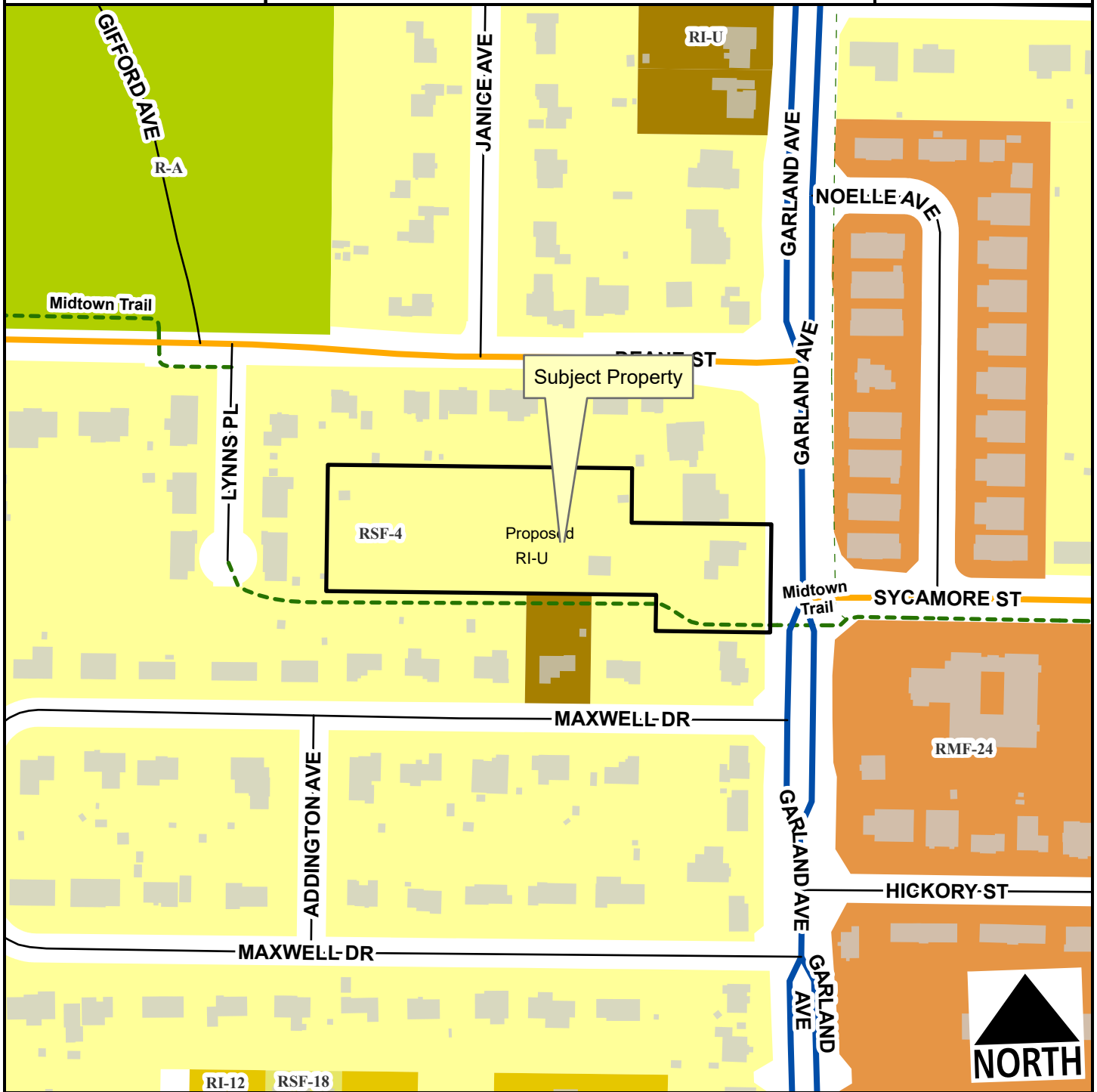
- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area



RZN-2026-0008

1683, 1691 & 1705 N. GARLAND AVE

Close Up View



Subject Property

RSF-4

Proposed RI-U

RI-U

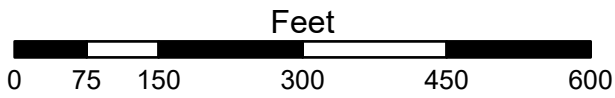
RMF-24

RI-12

RSF-18



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



1:2,400

Zone	Current	Proposed
RI-U	0.0	2.3
RSF-4	2.3	0.0

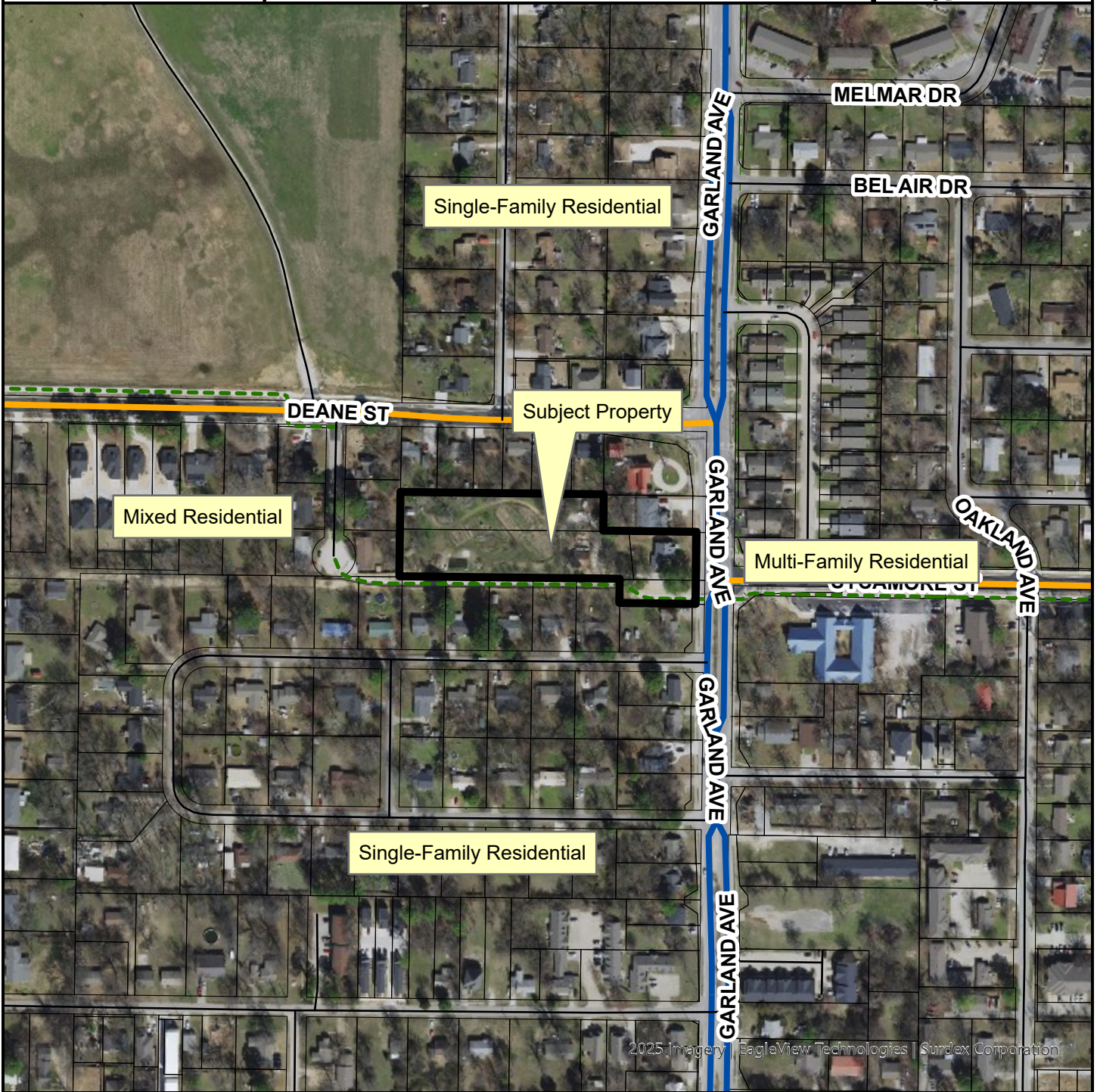
Total 2.3 ac

RZN-2026-0008

1683, 1691 & 1705 N. GARLAND AVE

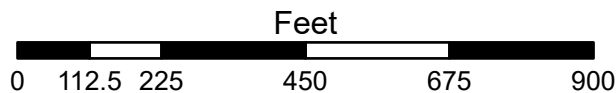


Current Land Use



2025 Imagery | EagleView Technologies | Surdex Corporation

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



1:3,600

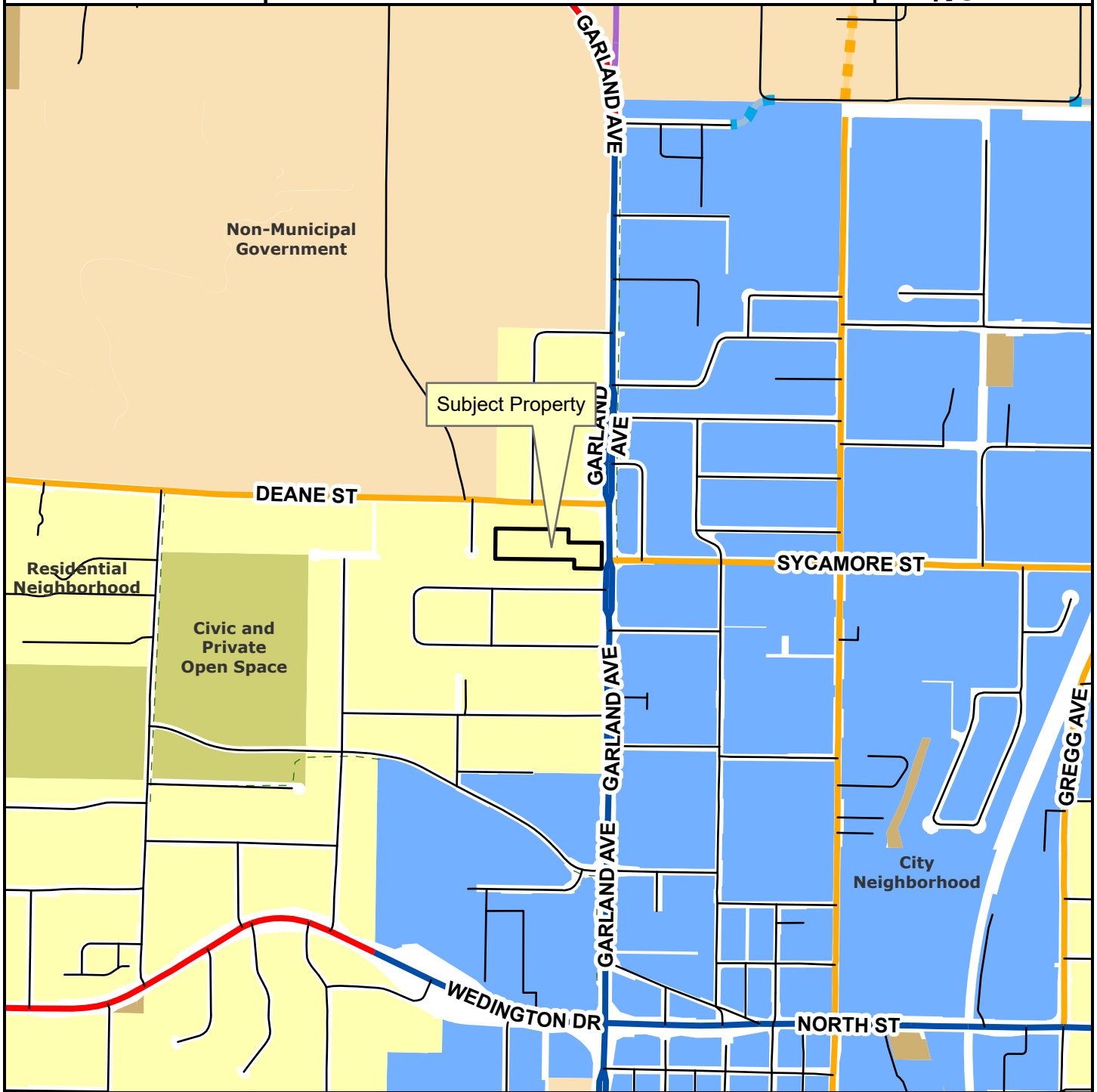
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

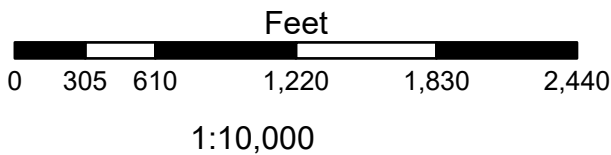
1683, 1691 & 1705 N. GARLAND AVE



Future Land Use



- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)



- City Neighborhood
- Civic Institutional
- Civic and Private Open Space
- Industrial
- Natural
- Non-Municipal Government
- Residential Neighborhood
- Rural Residential
- Urban Center



TO: Donna Wonsower, Senior Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: March 23, 2026

SUBJECT: Long Range Planning Comments Regarding RZN-2026-0008

BACKGROUND:

The applicant requests to rezone approximately 2.26 acres from RSF-4, Residential Single-Family, Four Units per Acre to RI-U, Residential Intermediate - Urban. Two long range planning document is relevant when evaluating this request: *City Plan 2040* and the *Heritage & Historic Preservation Master 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 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 attainable housing, and limits the amount of land consumed by development on the City’s periphery, often termed “suburban sprawl”.

Heritage & Historic Preservation Plan (2023):

The City’s *Heritage & Historic Preservation Plan* was initiated by City Plan 2040.

Heritage and Historic Preservation Master Plan Relevant Goals and Action Items

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

The subject property has not yet been surveyed for historic resources, but a review of the site shows one residential building and one barn structure. The residence at 1705 N. Garland Ave.

contains a single-family stone dwelling constructed ca. 1937. The property appears to retain its integrity of materials and design and is potentially eligible for state or national registers or as a contributing feature of an Ozark Giraffe or “rock house” historic district.



There is also a log barn on the property. Aerial images as early as 1954 show this structure. Agricultural structures in Fayetteville are becoming increasingly rare due to the loss of farmland and increasing development pressure.

Since the applicant indicates there are redevelopment plans, the property owner and/or applicant should consult with Long Range & Preservation Planner prior to demolition or alteration of historic-age structures to capture photo documentation.



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

DISCUSSION:

Zoning History:

Ordinance 1747 approved on June 29, 1970 enacted a new zoning map and set of districts and zoning requirements for the city. This map shows the subject property and surrounding neighborhood as being zoned into the low-density “R-1” zoning district, which was subsequently translated to “RSF-4” with the adoption of the city’s Unified Development Code.

City Plan 2040 and Future Land Use Plan:

This area is designated as a Residential Neighborhood area, which are “primarily residential in nature and support a wide variety of housing types of appropriate scale and context.” This land use designation also encourages the incorporation of low-intensity non-residential uses intended to serve the surrounding neighborhood, such as retail or offices.¹ The request aligns with this designation by increasing the variety of housing types permitted from just single-family to include two-, three-, and four-family housing.

¹ City Plan 2040, 128.

To Whom It May Concern:

This letter is to request the rezoning of the 4 parcels at the physical addresses of 1705 N. Garland Ave. & 1683-1691 1705 N. Garland Ave., Fayetteville, AR. We are proposing rezoning from single family residential to RI-U zoning.

This property located right alongside the bike trail and at an existing intersection will create an optimal land for a housing development. Our plan is to create a property for

When Googled, "[Residential Intermediate-Urban \(RI-U\)](#) in Fayetteville, Arkansas, is a zoning district designed to allow high-density residential development, including single-family, duplex, triplex, and multi-family structures. While specific maximum unit counts per acre can vary by development type, it is considered a "gentle density" zone."

We feel as this is a perfect representation on what we would like to develop the property into. Providing additional units per acre, to create a housing district that will incorporate community and the bike trail to provide optimal multi-family housing options. We propose RI-U zoning that compliments the property just South of the land, currently zoned RI-12 to give us the opportunity of cluster housing with smaller lot lines to maximize the value of square footage of the land.

We plan to do cottage style housing that would be trail facing, these would be 3-bedroom cottages. While using the other pieces of land to do 4-plex, 1-2-bedroom cottage style homes (photo inspiration is available upon request). We can also provide a preliminary layout of home on our property. We plan to meet all city requirements and hope to make this a desirable place to live.

WE are excited to create a community based on what the City of Fayetteville has planned for the long-term development of the City and will be happy to incorporate any creative ideas proposed.

We hope this rezoning is considered to provide a great housing opportunity to the people of Fayetteville.

Allie Wilson
Operations Manager
501-804-1327

