

# **City of Fayetteville, Arkansas**

*113 West Mountain Street  
Fayetteville, AR 72701  
(479) 575-8267*



## **Planning Commission Final Agenda**

**Monday, April 13, 2026**

**5:30 PM**

**City Hall Room 219**

### **Planning Commission Members**

*Nick Werner, Chair  
Andrew Brink, Vice Chair  
Ashlyn Holeyfield, Secretary  
H. Rice Brewer  
Matthew Cabe  
Nick Castin  
Fred Gulley  
Mary Madden  
Mary McGetrick*

*Senior Assistant City Attorney Blake Pennington*

## Zoom Information

**Webinar ID:** 897 9497 6956

**Registration Link:** [https://fayetteville-ar.zoom.us/webinar/register/WN\\_YOnuUTtmS4CW\\_Os0SM34Rw](https://fayetteville-ar.zoom.us/webinar/register/WN_YOnuUTtmS4CW_Os0SM34Rw)

### Call to Order

### Roll Call

### Consent

#### 1. MINUTES:

Approval of the minutes from the March 23, 2026 Planning Commission Meeting.  
- Bliss Hyke, Planning Technician

#### 2. VAC-2026-0001: Vacation (1834 W. KAYWOOD LN/BOLES, 520):

Submitted by CONNIE BOLES for property located at 1834 W. KAYWOOD LN. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.26 acres. The request is to vacate 0.05 acres of right-of-way. - Wesley Frank, Planner

### Unfinished Business

#### 3. 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.  
*THIS ITEM WAS TABLED AT THE MARCH 23, 2026 PLANNING COMMISSION MEETING.* - Donna Wonsower, Senior Planner

#### 4. 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.  
*THIS ITEM WAS TABLED AT THE MARCH 23, 2026 PLANNING COMMISSION MEETING.* - Jessica Masters, Planning Director

#### 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, AND MARCH 23, 2026 PLANNING COMMISSION MEETINGS.* - Donna Wonsower, Senior Planner

**New Business****6. VAR-2026-0009: Planning Commission Variance (3761 N. MALL AVE/D BRIGGS & ASSOCIATES/CREEKSIDE LLC;CITY ELECTRIC, 173):**

Submitted by CHAD TEER for property located at 3761 N. MALL AVE. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 8.78 acres. The request is for a variance to the flood damage prevention code. - Alan Pugh, Stormwater Manager

**7. VAR-2026-0008: Planning Commission Variance (21 W. 5TH ST/23 W 5TH STREET QOZB LLC, 523):**

Submitted by ODDLOT DEVELOPMENT for property located 21 W. 5TH ST. The property is zoned RI-U, RESIDENTIAL INTERMEDIATE-URBAN, and contains approximately 0.09 acres. The request is for a variance to the building design standards for an accessory dwelling unit. - Citlali Samano, Planner

**8. PPL-2025-0006: Preliminary Plat (NORTH OF 3878 N. CROSSOVER RD/J & M CAPITAL VENTURES LLC, 177):**

Submitted by JORGENSEN & ASSOCIATES for property located NORTH OF 3878 N. CROSSOVER RD. The property is zoned CS, COMMUNITY SERVICES, and contains approximately 8.80 acres. The request is for the preliminary plat of 62 residential lots and one commercial lot. - Wesley Frank, Planner

**9. PPL-2026-0002: Preliminary Plat (NORTHWEST OF N. 54TH AVE & W. WEDINGTON DR/COLESON BROOK LLC, 397):**

Submitted by CRAFTON TULL for property located NORTHWEST OF N. 54TH AVE & W. WEDINGTON DR. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT, contains approximately 12.13 acres. The request is for the preliminary plat of 72 residential lots and 2 unbuildable lots. - Donna Wonsower, Senior Planner

**10. CUP-2026-0010: Conditional Use Permit (3229 W. MICA ST/MALEY, 401):**

Submitted by DANA MALEY for property located at 3229 W. MICA ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.17 acres. The request is for the use of a short-term rental in a residential zoning district. - Citlali Samano, Planner

**11. CUP-2026-0013: Conditional Use Permit (3229 W. MONTRAIL PL/WEBER, 401):**

Submitted by COLE WEBER for property located at 3229 W. MONTRAIL PL. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.10 acres. The request is for the use of a short-term rental in a residential zoning district. - Citlali Samano, Planner

**12. CUP-2026-0009: Conditional Use Permit (3105 N. OLD WIRE RD/OWEN FAMILY TRUST, 255):**

Submitted by BEN SHERMAN for property located at 3105 N. OLD WIRE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 8.71 acres. The request is for the use of a childcare facility. - Citlali Samano, Planner

**13. CUP-2026-0011: Conditional Use Permit (1925 N. BIRCH AVE/MLK RETAIL PARTNERS LLC; 200 NW 142ND LLC, 367):**

Submitted by SCOTT RICHARDSON for property located at 1925 N. BIRCH AVE. The property is zoned 1-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contains approximately 0.82 acres. The request is for a bar, lounge and small site recreational facility. - Citlali Samano, Planner

**14. CUP-2026-0012: Conditional Use Permit (2108 W. STONE ST/HJM INVESTMENTS, 520):**

Submitted by ODYSSEY ENGINEERING for property located at 2108 W. STONE ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE, and contains approximately 0.81 acres. The request is for a 15-unit student housing development. - Wesley Frank, Planner

**15. RZN-2026-0009: Rezoning (1660 W. PALMER PL/PURYEAR, 521):**

Submitted by SCOTT PURYEAR for property located at 1660 W. PALMER PL. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRES and contains approximately 0.38 acres. The request is to rezone the property to RSF-8, RESIDENTIAL SINGLE-FAMILY, 8 UNITS PER ACRE. - Citlali Samano, Planner

**16. CUP-2026-0008: Conditional Use Permit (NORTHWEST OF N. 54TH AVE & W. WEDINGTON DR/54TH STREET DEVELOPMENT, 397):**

Submitted by CRAFTON TULL for property located NORTHWEST OF N. 54TH

AVE & W. WEDINGTON DR. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT, and contains approximately 12.13 acres. The request is for an off-site parking lot.

*THIS ITEM HAS BEEN WITHDRAWN BY STAFF'S DETERMINATION THAT IT IS NOT REQUIRED.* - Donna Wonsower, Senior Planner

**17. ADM-2026-0006: Administrative Item (UNIFIED DEVELOPMENT CODE SECTION 155.01):**

Submitted by CITY OF FAYETTEVILLE STAFF. The request is an amendment to Unified Development Code Section 155.01. The proposed code change would modify the definition of a through lot such that lots with frontage on more than one street to meet utility or access requirements would not be considered a through lot. *THIS ITEM HAS BEEN WITHDRAWN BY STAFF FOR PRESENTATION AT A LATER DATE.* - Britin Bostick, Long Range Planning/Special Projects Manager

**18. ADM-2026-0007: Administrative Item (UNIFIED DEVELOPMENT CODE SECTIONS 161.12, 161.22, 161.24, 161.27, & 161.28):**

Submitted by CITY OF FAYETTEVILLE STAFF. The request is an amendment to Unified Development Code Sections 161.12, 161.22, 161.24, 161.27, and 161.28. The proposed code changes would modify the minimum lot width for dwellings from eighteen (18) feet to twelve (12) feet. *THIS ITEM HAS BEEN WITHDRAWN BY STAFF FOR PRESENTATION AT A LATER DATE.* - Britin Bostick, Long Range Planning/Special Projects Manager

**19. ADM-2026-0009: Administrative Item (UNIFIED DEVELOPMENT CODE SECTION 172.05):**

Submitted by CITY OF FAYETTEVILLE STAFF. The request is an amendment to Unified Development Code Section 172.05. The proposed code change would remove the limitation on the Planning Commission's ability to grant additional parking reductions for residential uses. *THIS ITEM HAS BEEN WITHDRAWN BY STAFF FOR PRESENTATION AT A LATER DATE.* - Britin Bostick, Long Range Planning/Special Projects Manager

**Items Administratively Approved by Staff**

**20. LSP-2026-0010: Lot Split (410 W. HOLLY ST/SARA BISHOP REVOCABLE TRUST, 406):**

Submitted by BLEW & ASSOCIATES for property located at 410 W. HOLLY ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 1.93 acres. The request is to divide the property into two lots containing 0.66 and 1.27 acres. - Wesley Frank, Planner

**21. LSP-2026-0013: Lot Split (NORTHEAST OF W. IKA LN & N. NEVERMORE**

**LN/FAYETTEVILLE SCHOOL DISTRICT #1, 246):**

Submitted by CRAFTON TULL for property located NORTHEAST OF W. IKA LN & N. NEVERMORE LN. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains 40.19 acres. The request is to split the property into two lots containing 26.59 and 13.60 acres. - Wesley Frank, Planner

**22. LSP-2025-0030: Lot Split (524 W. PROSPECT ST/GOODMAN-STRAUSS, 445):**

Submitted by JORGENSEN & ASSOCIATES for property located at 524 W. PROSPECT ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.50 acres. The request is to split the lot into two lots containing approximately 0.21 and 0.29 acres. - Wesley Frank, Planner

**23. LSP-2025-0059: Lot Split (SOUTHEAST OF N. SANG AVE & W. MARKHAM RD/WELL PLACED INC, 481):**

Submitted by JORGENSEN & ASSOCIATES for property located SOUTHEAST OF N. SANG AVE & W. MARKHAM RD. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains 0.59 acres. The request is to split the property into two lots containing 0.29 and 0.30 acres. - Jessica Masters, Planning Director

**24. SIP-2026-0001: Site Improvement Plan (NORTH OF 215 S. BLOCK AVE/SOUTH BLOCK TOWNHOMES, 523):**

Submitted by MCCLELLAND CONSULTING ENGINEERS for property located NORTH OF 215 S BLOCK AVE. The property is zoned DG, DOWNTON GENERAL and contains approximately 0.44 acres. The request is for a 6 unit cluster housing development and associated parking. - Donna Wonsower, Senior Planner

**25. LSIP-2025-0005: Large Site Improvement Plan (3610 W. WEDINGTON DR/DISCOUNT TIRE, 401):**

Submitted by VASQUEZ ENGINEERING LLC for property located at 3610 W. WEDINGTON DR. The property is zoned UT, URBAN THOROUGHFARE and contains approximately 2.58 acres. The request is for a 7,020-square-foot retail store with associated parking. - Donna Wonsower, Senior Planner

**26. LSIP-2025-0007: Large Site Improvement Plan (W. VAN ASCHE DR & N. GREGG AVE/STEEL CROSSING INVESTMENT III LLC, 172):**

Submitted by KIMLEY-HORN for property located on W. VAN ASCHE & N. GREGG AVE. The property is zoned UT, URBAN THOROUGHFARE and contains approximately 17.29 acres. The request is for a 41,590 square-foot

commercial development with associated parking. - Donna Wonsower, Senior Planner

**27. FPL-2025-0008: Final Plat (NORTHWEST OF E. ASH ST & N. OLD WIRE RD/BORN'S BEND, 369):**

Submitted by BATES & ASSOCIATES for property located NORTHWEST OF E. ASH ST & N. OLD WIRE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 6.82 acres. The request is for the final plat of 16 residential lots and one detention lot. - Donna Wonsower, Senior Planner

**28. FPL-2025-0009: Final Plat (3610 W. WEDINGTON DR/FORTITUDE SUBDIVISION, 401):**

Submitted by BLEW AND ASSOCIATES for property located at 3610 W. WEDINGTON DR. The property is zoned UT, URBAN THROUGHFARE and contains approximately 11.46 acres. The request is for the final plat of eight commercial lots. - Donna Wonsower, Senior Planner

### **Agenda Session Items**

### **Announcements**

### **Adjournment**

### **NOTICE TO MEMBERS OF THE AUDIENCE**

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

Interpreters of TDD, Telecommunications Device for the Deaf, are available for all public hearings, 72 hour notice is required. For further information or to request an interpreter, please call 575-8330.

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

<b>(pg. 1) Planning Commission</b>		<b>Monday, 03/23/2026</b>				
<b>Time:</b>	5:30 PM					
<b>Staff:</b>	<input type="checkbox"/> Jonathan Curth <input type="checkbox"/> Jessie Masters <input type="checkbox"/> Donna Wonsower <input type="checkbox"/> Wesley Frank <input type="checkbox"/> Citlali Samano <input 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 type="checkbox"/> Justin Bland <input type="checkbox"/> Melissa Boyd <input type="checkbox"/> Dayten Moses <input type="checkbox"/> Alan Pugh <input type="checkbox"/> Fire Marshal					
	<b>Roll Call</b>	<b>1) Minutes (03/09/2026)</b>	<b>2) VAR-2026-0006 (BELDEN)</b>	<b>3) VAR-2026-0007 (NELSON &amp; MCCARTY)</b>	<b>4) LSD-2026-0002 (ST JOSEPH CATHOLIC CHURCH)</b>	<b>5) RZN-2026-0003 (DUDECK)</b>
<b>Payne</b>	0					
<b>Brink</b>	1	1	1	1	1	1
<b>Madden</b>	1	1	1	1	1	1
<b>McGetrick</b>	1	1	1	1	1	1
<b>Castin</b>	1	1	1	1	1	1
<b>Werner</b>	1	1	1	1	1	1
<b>Holeyfield</b>	1	1	1	1	1	1
<b>Gulley</b>	1	1	1	1	1	1
<b>Cabe</b>	1	recuse	recuse	recuse	recuse	1
<b>Agenda</b>		<b>Consent</b>	<b>Consent</b>	<b>Consent</b>	<b>Consent</b>	<b>Old</b>
<b>Action</b>		Approve	Approve	Approve	Approve	Table
<b>Motion By</b>		Castin	Castin	Castin	Castin	Cabe
<b>Motion 2nd</b>		Gulley	Gulley	Gulley	Gulley	Castin
<b>Vote</b>		7-0-1	7-0-1	7-0-1	7-0-1	8-0-0
<b>Time</b>		5:35 PM	5:35 PM	5:35 PM	5:35 PM	5:37 PM
<b>Motion Detail</b>						Tabled to 4/13.
<b>Public Comment</b>		0	0	0	0	0

<b>(pg. 2) Planning Commission</b>			<b>Monday, 03/23/2026</b>					
	<b>6) LSD-2025-0019 (RAMAY JR HIGH)</b>		<b>7) ADM-2026-0005 (TOWNE WEST PH 9)</b>		<b>8) CUP-2026-0004 (TANGLEWOOD ASSETS I LLC)</b>	<b>9) CUP-2026-0006 (BAUER)</b>	<b>10) CUP-2026-0007 (RICHARDSON)</b>	<b>11) RZN-2026-0006 (SMALL FISH INVESTMENTS)</b>
<b>Payne</b>								
<b>Brink</b>	1	1	1	1	1	1	1	
<b>Madden</b>	1	1	1	1	1	1	1	
<b>McGetrick</b>	1	1	1	1	1	1	1	
<b>Castin</b>	1	1	1	1	1	1	1	
<b>Werner</b>	1	1	1	1	1	1	1	
<b>Holeyfield</b>	1	1	1	1	1	1	1	
<b>Gulley</b>	1	1	1	1	1	1	1	
<b>Cabe</b>	<b>Recuse</b>		1	1	1	1	1	
<b>Agenda</b>	<b>New</b>		<b>New</b>	<b>New</b>	<b>New</b>	<b>New</b>	<b>New</b>	
<b>Action</b>	Add	Table	Table	Approve	Approve	Approve	Forward	
<b>Motion By</b>	Brink	McGetrick	Cabe	Cabe	Castin	Madden	Castin	
<b>Motion 2nd</b>	McGetrick	Gulley	Gulley	Castin	Gulley	Cabe	Gulley	
<b>Vote</b>	8-0-0	8-0-0	8-0-0	8-0-0	8-0-0	8-0-0	8-0-0	
<b>Time</b>	6:54 PM	7:38 PM	7:56 PM	8:02 PM	8:06 PM	8:10 PM	8:15 PM	
	Added condition for approval to require sidewalks on both sides, tabled to 4/13.		Tabled to 4/13.	In favor of variance, all conditions as recommended by staff.	Approved with all conditions as recommended by staff.	Approved with all conditions as recommended by staff.	Forwarded with recommendation of approval.	
<b>Public Comment</b>	8		0	1	1	0	1	

<b>(pg. 3) Planning Commission</b>		<b>Monday, 03/23/2026</b>				
	<b>12) RZN-2026-0007 (S&amp;L DEVELOPMENT LLC)</b>	<b>13) RZN-2026-0008 (TRI CYCLE FARMS INC)</b>				
<b>Payne</b>						
<b>Brink</b>	1	0				
<b>Madden</b>	1	0				
<b>McGetrick</b>	1	0				
<b>Castin</b>	1	1				
<b>Werner</b>	0	0				
<b>Holeyfield</b>	1	0				
<b>Gulley</b>	1	0				
<b>Cabe</b>	1	1				
<b>Agenda</b>	<b>New</b>	<b>New</b>				
<b>Action</b>	Forward	Denied				
<b>Motion By</b>	Gulley	Cabe				
<b>Motion 2nd</b>	Cabe	Gulley				
<b>Vote</b>	7-1-0	2-6-0				
<b>Time</b>	8:24 PM	8:43 PM				
<b>Motion Detail</b>	Forwarded with recommendation of approval.	Failed.				
<b>Public Comment</b>	0	4				



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Wesley Frank, Planner

**MEETING DATE:** April 13, 2026

**SUBJECT:** **VAC-2026-0001: Vacation (1834 W. KAYWOOD LN/BOLES, 520):**  
Submitted by CONNIE BOLES for property located at 1834 W. KAYWOOD LN. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.26 acres. The request is to vacate 0.05 acres of right-of-way.

**RECOMMENDATION:**

Staff recommends forwarding **VAC-2026-0001** to the City Council with a recommendation of approval.

**RECOMMENDED MOTION:**

*“I move to forward **VAC-2026-0001** to City Council with a recommendation of approval, with all conditions as outlined by staff.”*

**BACKGROUND:**

The subject area is in central Fayetteville approximately 300 feet south of the W. Mitchell St and S. Gabbard Dr intersection. The subject property contains one parcel along W. Kaywood Ln which totals approximately 0.26 of an acre and is undeveloped as of 2022 when a single-family home was demolished. The subject area does not fall within any overlay districts or Master Plan areas. Surrounding land uses and zoning are depicted in *Table 1*.

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

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Single-Family Residential	RMF-24, Residential Multifamily, 24 Units per Acre
South	Two- and Multi-Family Residential	RMF-24, Residential Multifamily, 24 Units per Acre
East	Multi-Family Residential	RMF-24, Residential Multifamily, 24 Units per Acre
West	Two-Family Residential	RMF-24, Residential Multifamily, 24 Units per Acre

*Proposal:* The applicant proposes to vacate a portion of developed street right-of-way totaling 0.05 acres.

**DISCUSSION:**

Staff recommends approval of the request. The right-of-way was originally dedicated in 1964 as part of the Valley Vista Subdivision for a potential semi-cul-de-sac, with the condition that it would revert to the property owner if W. Kaywood Ln were ever extended. Staff does not anticipate any future need to extend the street or construct the cul-de-sac, and vacating this segment will not affect compliance with the Master Street Plan. Returning the right-of-way to the property owner will also allow additional development on the site.

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

<u>Utility</u>	<u>Response</u>
Cox Communications	No objections, provided that any damage or relocation of existing facilities will be at the property owner/developer's expense.
AEP/SWEPCO	No objections and no comments.
Black Hills Energy	No objections and no comments.
AT&T	No objections, but noted that additional easements may be needed dependent on future development.
Ozarks Electric	No objections and no comments.
<u>City of Fayetteville</u>	<u>Response</u>
Water/Sewer	No objections, provided any and all water/sewer lines within the vacated right-of-way shall be granted a 20-foot utility easement centered on the existing utility.
Solid Waste & Recycling	No objections and no comments.
Transportation	No objections and no comments.

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

**RECOMMENDATION:** Staff recommends forwarding **VAC-2026-0001** to City Council with a recommendation of approval, with the following conditions:

**Conditions of Approval:**

1. Any damage or relocation of existing facilities will be at the property owner/developer's expense;
  2. Any existing water or sewer line within the vacated right-of-way shall be granted a 20-foot utility easement, centered on the location of the existing line;
  3. Any easements required for future development shall be dedicated as necessary.
-

<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>
Date: <u>April 13, 2026</u> <input type="checkbox"/> Tabled <input type="checkbox"/> Forwarded <input type="checkbox"/> Denied
<b>Motion:</b>
<b>Second:</b>
<b>Vote:</b>

**BUDGET/STAFF IMPACT:**

None

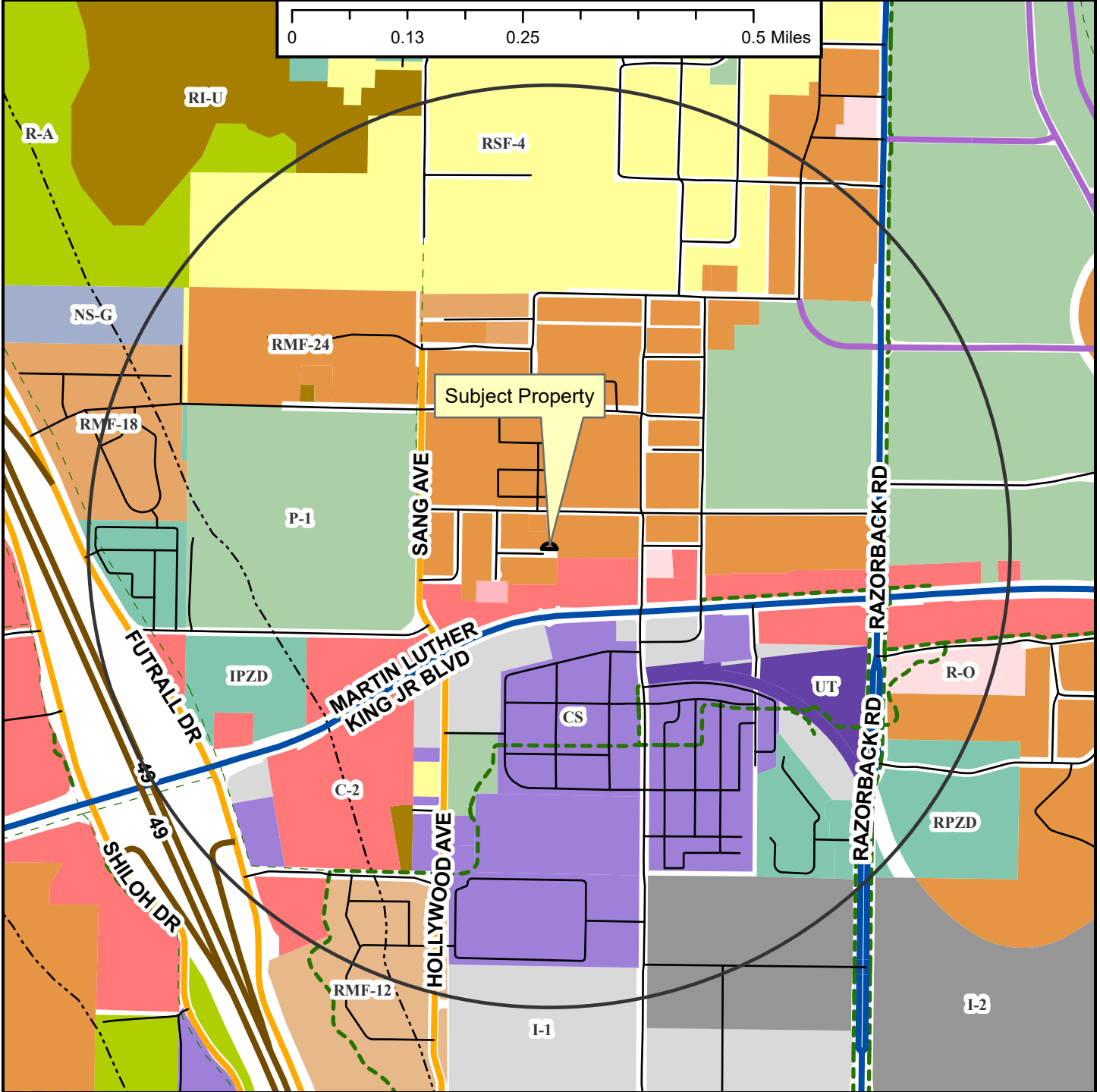
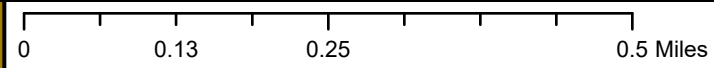
**ATTACHMENTS:**

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

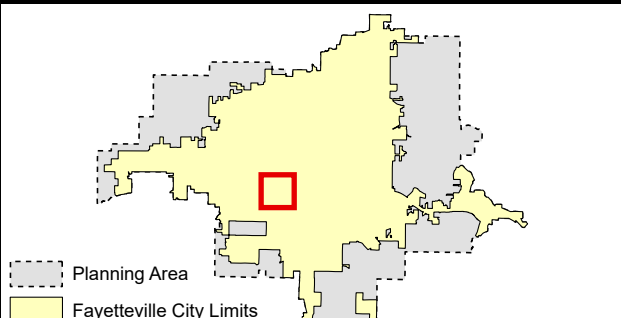
VAC-2026-0001

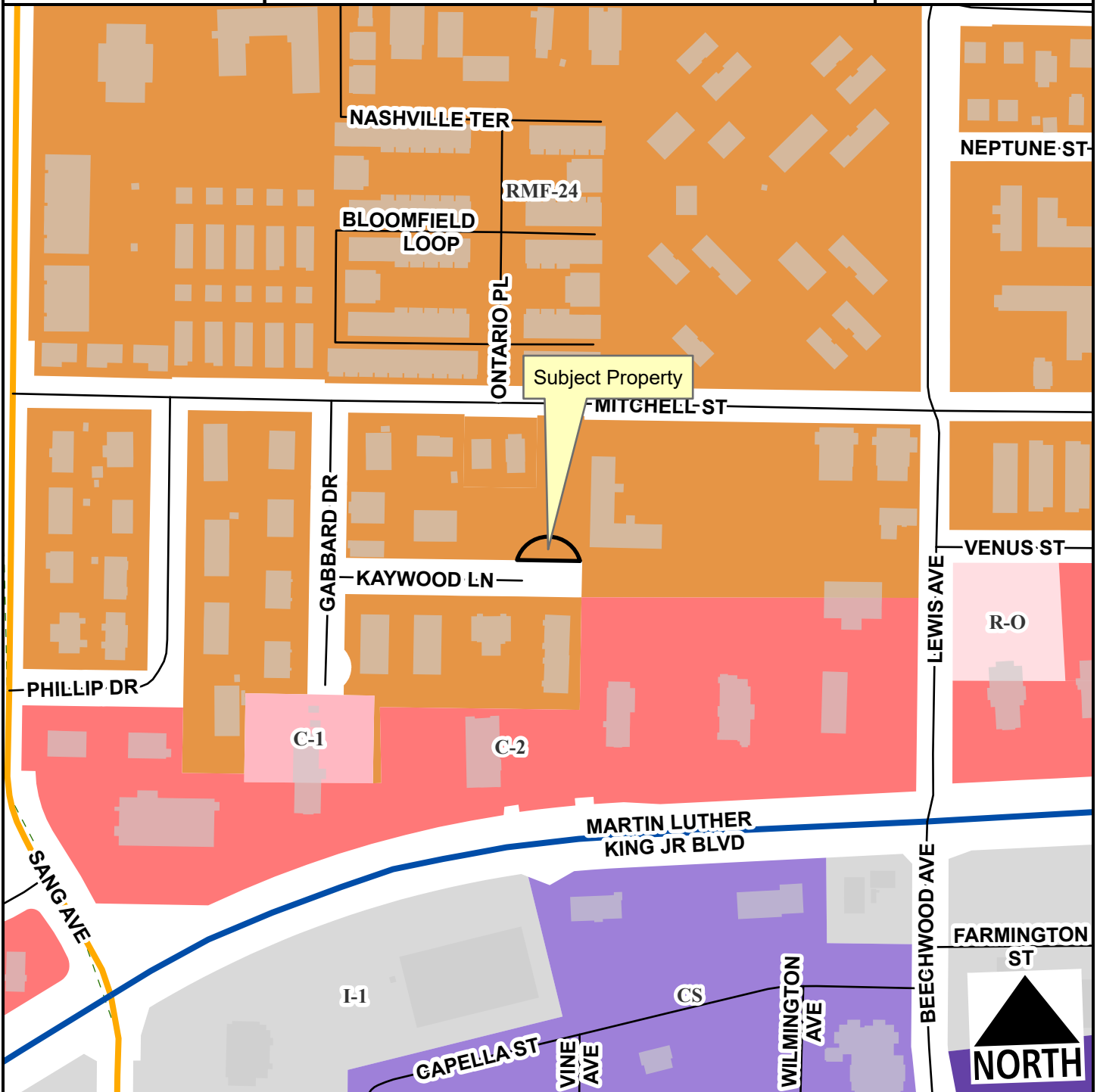
# 1834 W. KAYWOOD LN

One Mile View

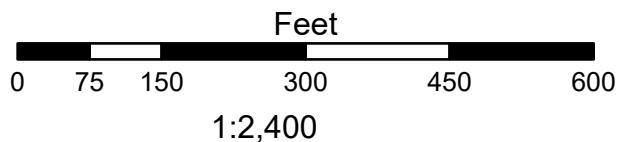


- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area





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



VAC-2026-0001

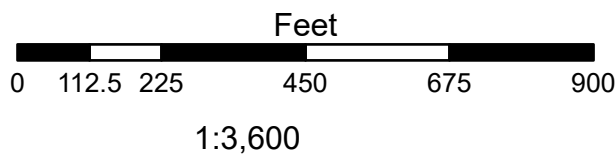
# 1834 W. KAYWOOD LN

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



### FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

To: City of Fayetteville Arkansas  
Planning Commission

From: Connie Boles  
Connie Boles  
Property owner  
1834 Kaywood Ln. Fayetteville Arkansas 72701  
Connie: 719-229-3165  
Giel (husband): 719-229-3125

Dear Planning Commission

I am attempting to have the section of property released back to me, as indicated in the “hatch marks” on the property survey. This will enable me to sell the property in its entirety.

In 1963 this portion of property identified by the “hatch marks” on the property survey was involuntarily transferred to the city of Fayetteville in efforts to expand Kaywood Lane. This plan never came to fruition.

We respectfully request this portion of property be returned to me as owner, Connie Boles, which will enable me to sell the property in its entirety.

Very respectfully,  
Connie Boles  
12567 Handles Peak Way  
Peyton CO, 80831  
Home: 719-592-9187  
Cell: 719-229-3165  
Husband, Giel cell: 719-229-3125

From Connie Boles. Property owner of 1834 Kaywood Lane, Fayetteville Arkansas 72701

PETITION TO VACATE a street right-of-way LOCATED IN Parcel# 765-11672-000, lot 6, block 1, Vista Valley subdivision, CITY OF FAYETTEVILLE, ARKANSAS

TO:

The Fayetteville City Planning Commission and

The Fayetteville City Council

We, the undersigned, being all the owners of the real estate abutting the (alley/street right-of-way) hereinafter sought

to be abandoned and vacated, lying in Parcel# 765-11672-000, lot 6, block 1, in Valley Vista Subdivision Washington County, City of Fayetteville Arkansas, a municipal corporation, petition to vacate a street right-of-way which is described as follows:

**.05 acres as hatched/gray arc describes in legal map indicated by the city of Fayetteville Arkansas.**

the public interest and welfare would not be adversely affected by the abandonment of the portion of the above-described street right-of-way.

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

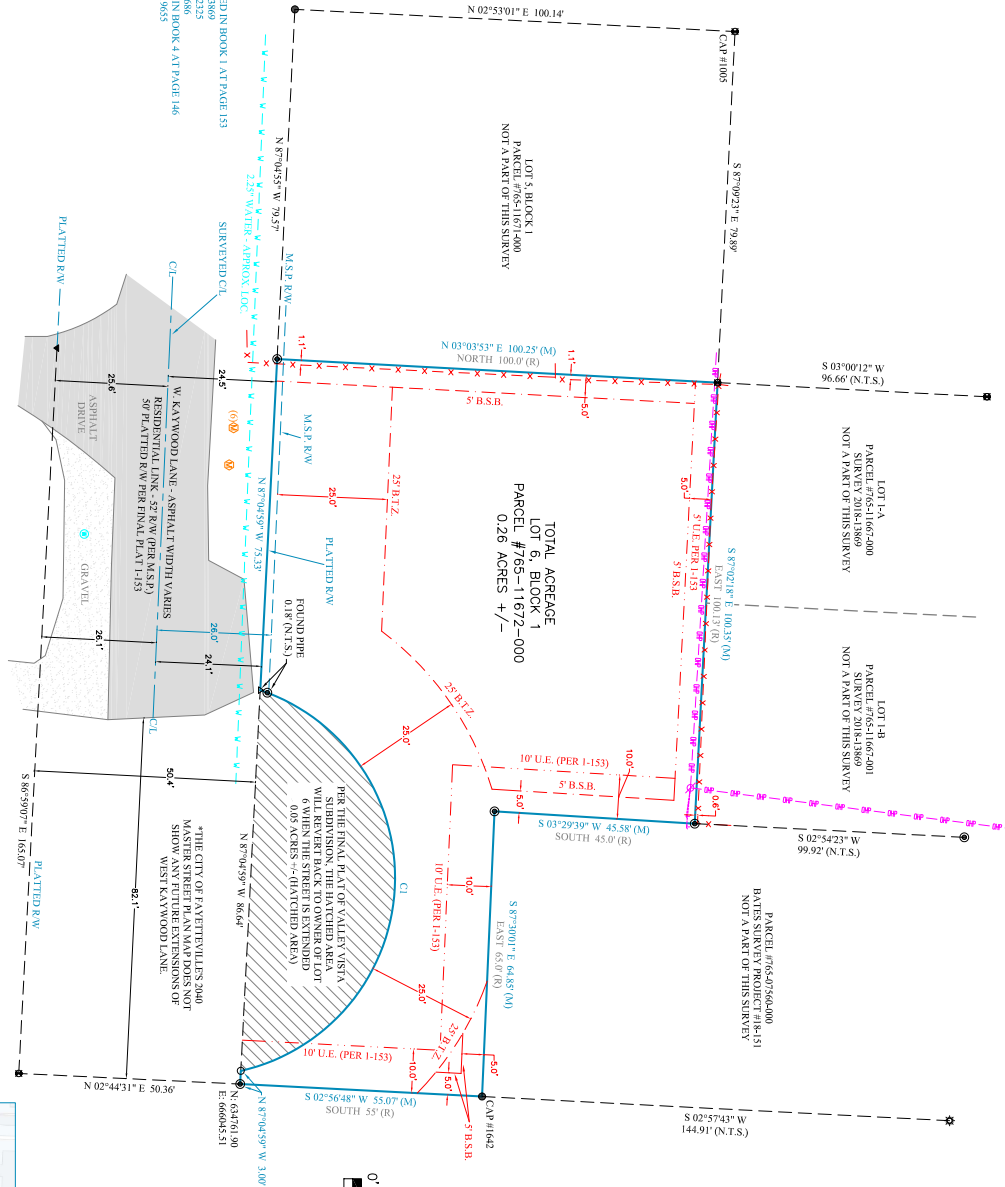
WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject to said utility and sewer easements, and that title to said real estate sought to be abandoned be vested in the abutting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

Dated this 21 day of January, 2026.

Printed Name Connie Boles

Signature Connie Boles

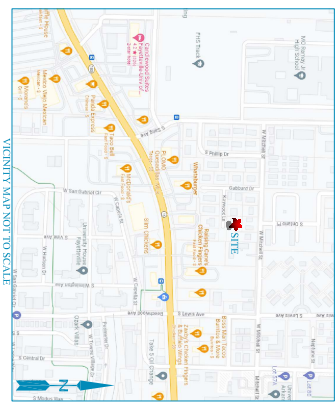
# PLAT OF SURVEY



**TABLE 1**  
CURVE RADII, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE, CHORD BEARING, CHORD BEARING, CHORD BEARING

Curve	Radius	Arc Length	Chord Length	Chord Bearing	Delta Angle	Chord Bearing	Chord Bearing
1	15.00'	16.71'	16.64'	N 87°04'59" W	161.03°	161.03°	161.03°
2	15.00'	16.71'	16.64'	N 87°04'59" W	161.03°	161.03°	161.03°

**PLAT NOTES:**  
 1) RECORDING BEARINGS & DISTANCES ARE SHOWN PER THE FINAL PLAT OF VALLEY VISTA SUBDIVISION (I-153) WHERE POSSIBLE.  
 2) THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND UTILITIES. ALL UTILITIES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION OR DESIGN. SOME UTILITIES LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAN.  
 3) FLOOD CERTIFICATION:  
 NOT DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD (FIRM) PANEL (0614DC025) - DATED 05/16/2009  
 FLOOD ZONE: "V" OR "VE" AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD (FIRM) PANEL (0614DC025) - DATED 05/16/2009



**GRAPHIC SCALE (IN FEET)**  
0' 20' 40' 60'

**LEGEND:**  
 - WATER METER  
 - POWER POLE  
 - GUY ANCHOR  
 - MAILBOX  
 - BOUNDARY LINE (MEASURED)  
 - PARCEL LINE  
 - FORTY LINE-TIE LINE  
 - CENTER LINE OF ROAD  
 - RIGHT-OF-WAY  
 - WATER LINE  
 - OVERHEAD POWER LINE  
 - GUY WIRE  
 - FENCE  
 - UTILITY EASEMENT  
 - BUILDING SETBACK

**IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL SIGNATURE, THE SEAL HAS BEEN ALTERED AND THE ABOVE CERTIFICATION BEARS NO WEIGHT. ANY ALTERATION SHALL BE AN ORIGINAL SEAL AND SIGNATURE.**

**RECIPIENT:**  
 GHEL BOLES  
 1000 W. KAYWOOD LANE  
 FAYETTEVILLE, ARKANSAS

**DATE:** APRIL 17 & 18, 2023

**FIELD WORK:**  
 APRIL 17 & 18, 2023

**DATE OF BEARING:**  
 APRIL 17 & 18, 2023

**BASE OF BEARING:**  
 GRS CONSERVATION - AN NORTH ZONE

**COORDINATE SYSTEM:**  
 NAD83(2011) HORIZONTAL DATUM

**REFERENCE DOCUMENTS:**  
 1) FINAL PLAT OF VALLEY VISTA SUBDIVISION FILED IN BOOK 1 AT PAGE 131  
 2) PLAT OF SURVEY FILED IN BOOK 2018 AT PAGE 1369  
 3) PLAT OF SURVEY FILED IN BOOK 2021 AT PAGE 466  
 4) FINAL PLAT OF BERT LEWIS SUBDIVISION FILED IN BOOK 4 AT PAGE 146  
 5) FINAL PLAT OF BERT LEWIS SUBDIVISION FILED IN BOOK 4 AT PAGE 146  
 6) QUILTAM DEED FILED IN BOOK 2021 AT PAGE 19653

**PROPERTY ZONED:**  
 RWR-24

**BUILDING SETBACKS:**  
 FRONT (SEE SETBACK TABLE)  
 SIDE (SEE SETBACK TABLE)  
 REAR (SEE SETBACK TABLE)  
 0.5' (SINGLE & TWO FAMILY) - SHOWN  
 0.5' (SINGLE & TWO FAMILY) - SHOWN

**\* A BUILDING OR PORTION OF A BUILDING THAT IS LOCATED BETWEEN 0 AND 10 FEET FROM A PLATTED RIGHT-OF-WAY SHALL BE CONSIDERED TO BE A BUILDING THAT IS LOCATED WITHIN A PLATTED RIGHT-OF-WAY. A BUILDING OR PORTION OF A BUILDING THAT IS LOCATED BETWEEN 10 AND 20 FEET FROM THE MASTER STREET PLANNING AND CONSTRUCTION DISTRICT SHALL BE CONSIDERED TO BE A BUILDING THAT IS LOCATED WITHIN A PLATTED RIGHT-OF-WAY. A BUILDING OR PORTION OF A BUILDING THAT IS LOCATED BETWEEN 20 AND 30 FEET FROM THE MASTER STREET PLANNING AND CONSTRUCTION DISTRICT SHALL BE CONSIDERED TO BE A BUILDING THAT IS LOCATED WITHIN A PLATTED RIGHT-OF-WAY. A BUILDING OR PORTION OF A BUILDING THAT IS LOCATED BETWEEN 30 AND 40 FEET FROM THE MASTER STREET PLANNING AND CONSTRUCTION DISTRICT SHALL BE CONSIDERED TO BE A BUILDING THAT IS LOCATED WITHIN A PLATTED RIGHT-OF-WAY. A BUILDING OR PORTION OF A BUILDING THAT IS LOCATED BETWEEN 40 AND 50 FEET FROM THE MASTER STREET PLANNING AND CONSTRUCTION DISTRICT SHALL BE CONSIDERED TO BE A BUILDING THAT IS LOCATED WITHIN A PLATTED RIGHT-OF-WAY. A BUILDING OR PORTION OF A BUILDING THAT IS LOCATED BETWEEN 50 AND 60 FEET FROM THE MASTER STREET PLANNING AND CONSTRUCTION DISTRICT SHALL BE CONSIDERED TO BE A BUILDING THAT IS LOCATED WITHIN A PLATTED RIGHT-OF-WAY. A BUILDING OR PORTION OF A BUILDING THAT IS LOCATED BETWEEN 60 AND 70 FEET FROM THE MASTER STREET PLANNING AND CONSTRUCTION DISTRICT SHALL BE CONSIDERED TO BE A BUILDING THAT IS LOCATED WITHIN A PLATTED RIGHT-OF-WAY. A BUILDING OR PORTION OF A BUILDING THAT IS LOCATED BETWEEN 70 AND 80 FEET FROM THE MASTER STREET PLANNING AND CONSTRUCTION DISTRICT SHALL BE CONSIDERED TO BE A BUILDING THAT IS LOCATED WITHIN A PLATTED RIGHT-OF-WAY. A BUILDING OR PORTION OF A BUILDING THAT IS LOCATED BETWEEN 80 AND 90 FEET FROM THE MASTER STREET PLANNING AND CONSTRUCTION DISTRICT SHALL BE CONSIDERED TO BE A BUILDING THAT IS LOCATED WITHIN A PLATTED RIGHT-OF-WAY. A BUILDING OR PORTION OF A BUILDING THAT IS LOCATED BETWEEN 90 AND 100 FEET FROM THE MASTER STREET PLANNING AND CONSTRUCTION DISTRICT SHALL BE CONSIDERED TO BE A BUILDING THAT IS LOCATED WITHIN A PLATTED RIGHT-OF-WAY.**

**FOR USE AND BENEFIT OF:**  
 GHEL BOLES  
 ADDRESS: 1000 W. KAYWOOD LANE  
 FAYETTEVILLE, ARKANSAS

**DATE:** 05/08/23  
**SCALE:** 1" = 20'  
**SURVEYED:** MB  
**DRAWN:** MB  
**REVIEWED:** DT  
**COA #:** 1336

**Bates & Associates, Inc.**  
 Engineers • Surveyors

2238 S. Pleasant Ridge Dr. • Fayetteville, Arkansas 72716 • 479.442.9350

**LEGEND:**  
 THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING:  
 - DIMENSION BEARING & DISTANCE (DIMENSIONED BEARING & DISTANCE)  
 - FOUND 5" REBAR  
 - FOUND 1/2" REBAR  
 - FOUND REBAR  
 - FOUND LOT/27 REBAR  
 - FOUND MAIL NAIL  
 - COMPUTED POINT  
 - SET 5" REBAR/CAP

**RECORDING NUMBER/DATE**

**PLANNING COMMISSION**  
 April 13, 2026  
 VAC-2026-0001 (BOLES)  
 Page 9 of 9



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Donna Wonsower, Senior Planner

**MEETING DATE:** April 13, 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 approval of **ADM-2026-0005**.

**RECOMMENDED MOTION:**  
*"I move to approve ADM-2026-0005, determining:*

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

**MARCH 23, 2026 PLANNING COMMISSISON MEETING**

At the March 23, 2026 Planning Commission meeting, the Planning Commission voted to table the request in order to provide time to clarify the request by the applicant. In the interim, staff and the applicant met to discuss the proposed modification and recommended conditions of approval.

**BACKGROUND:**

The subject property is located on the west side of Ruple 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. 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 Ruple Road Subdivision on this site. Surrounding land uses and zoning are depicted in *Table 1*.

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

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
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 supportive of the applicant's request to amend their preliminary plat with conditions. 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." While staff has some safety concerns associated with the removal of the alleys, staff also finds that the construction of the alleys is not required by city ordinance and that appropriate conditions can mitigate some of the associated safety considerations.

The streets abutting the lots served by the alleys proposed to be removed are significantly narrower than current master street plan sections with multiple streets having insufficient width to permit on-street parking. 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 fire department has noted ongoing enforcement issues with parking in the area associated with these narrow street widths, which do not support on-street parking for residential streets. "No-Parking- Fire Lane" striping and signage are currently required and their installation would be verified with final plat.

The alleys proposed to be removed are adjacent to a 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 the three adjacent lots. Engineering recommends a condition that if the alleys are removed, the driveways located closest to the roundabout shall be located as far from it as possible, with the driveway edges beginning 10 feet from the eastern property line on lot 166, 5 feet from the southern property line on lot 205, and 10 feet from the western property line on lot 206 as shown on the attached exhibit.

**RECOMMENDATION:** Staff recommends approval of **ADM-2026-0005** with 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 and 50-feet for local streets in line with previously approved plans.*
2. **Planning Commission determination of street improvements.** *Staff recommends the internal streets shall be constructed in line with previously approved plans.*
3. The driveways located closest to the roundabout shall be located as far from it as possible, with the driveway edges beginning no closer to the roundabout than 10 feet from the eastern property line on lot 166, 5 feet from the southern property line on lot 205, and 10 feet from the western property line on lot 206 as shown on the attached exhibit.
4. 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: April 13, 2026

Tabled

Approved

Denied

**Motion:**

**Second:**

**Vote:**

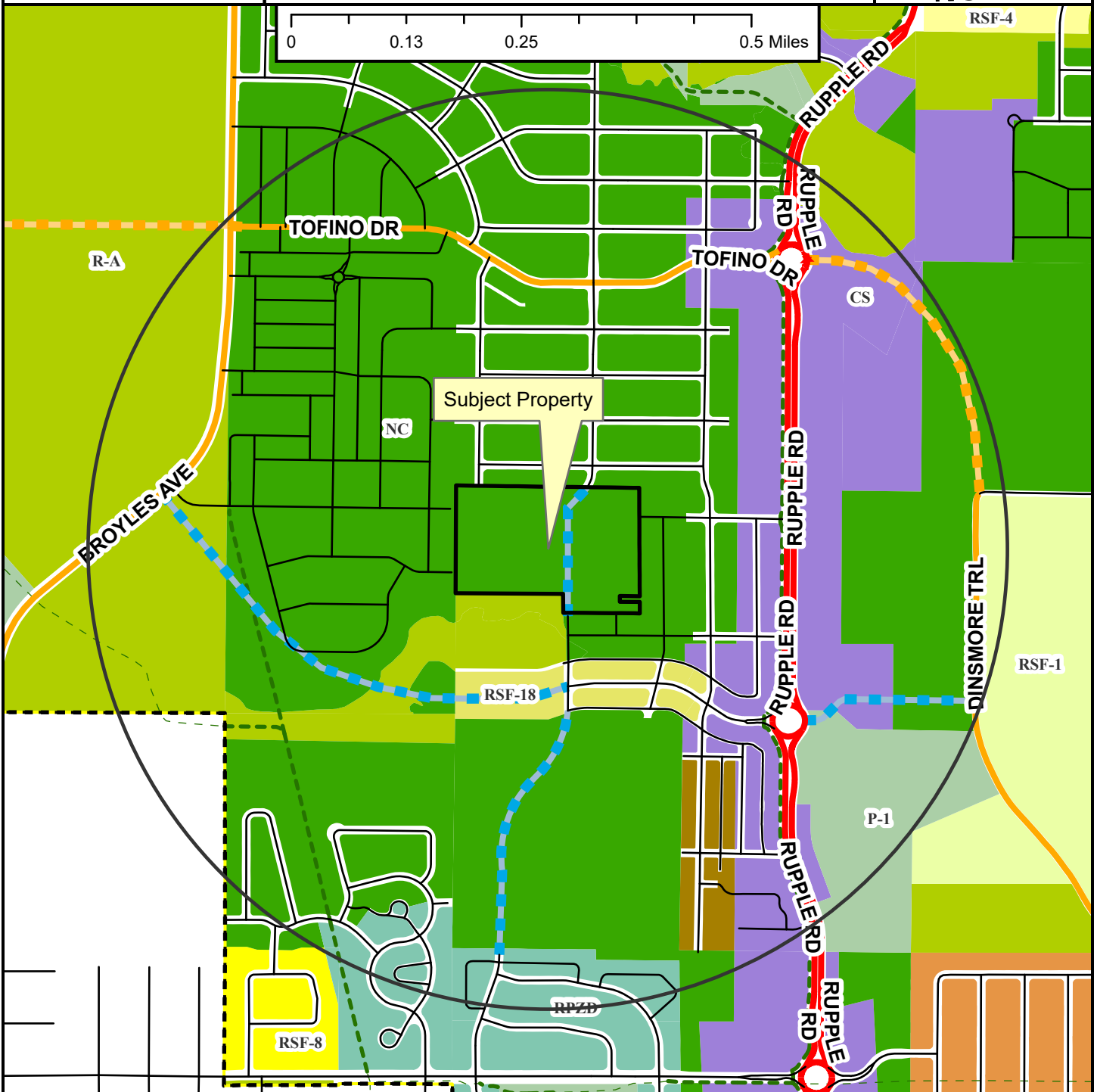
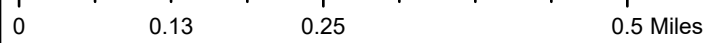
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**BUDGET/STAFF IMPACT:**

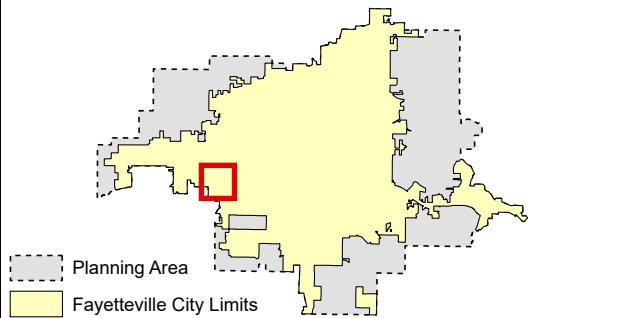
None

**ATTACHMENTS:**

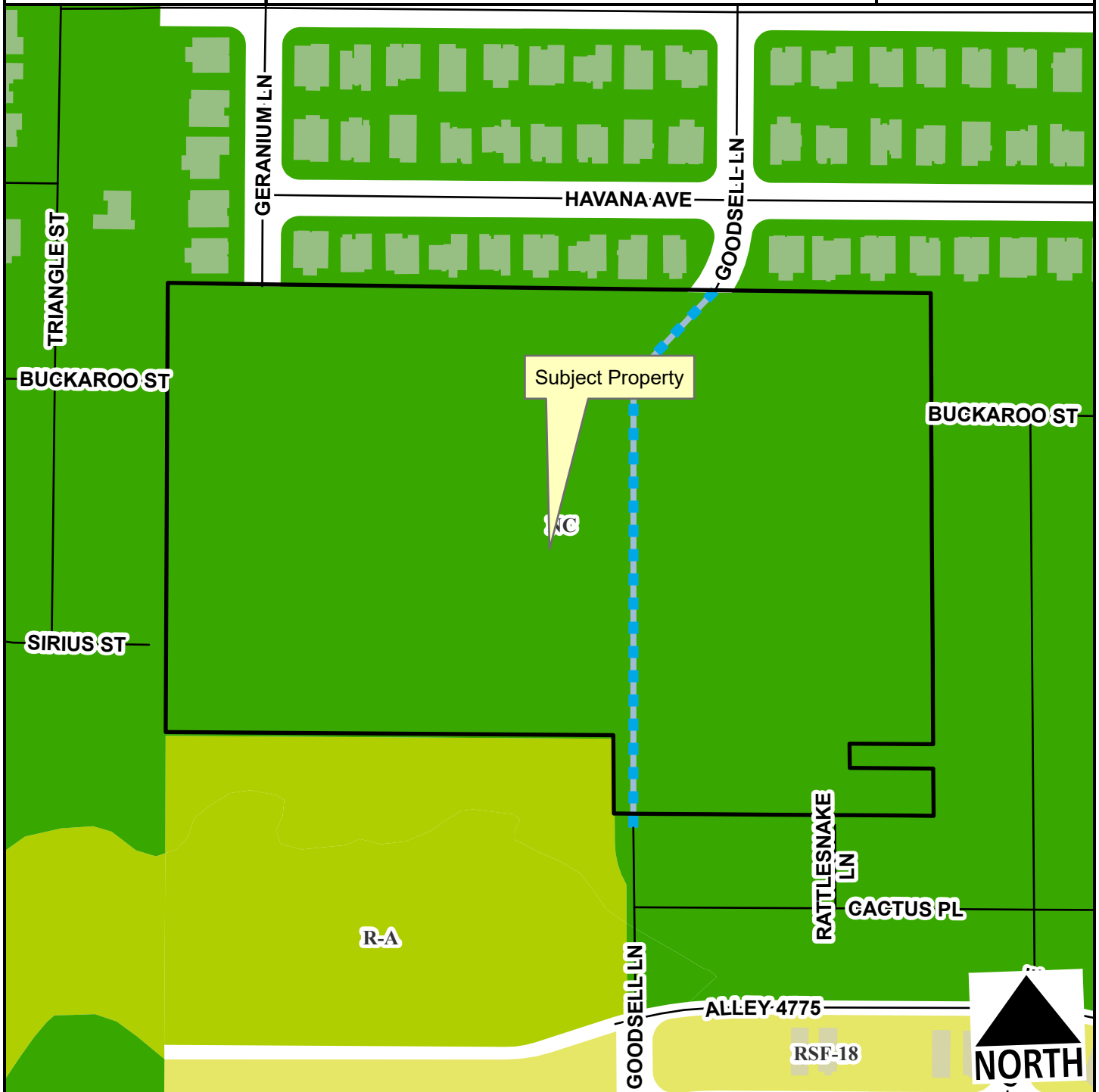
- Project Maps
  - One Mile Map
  - Close-up Map
  - Current Land Use Map
- PPL-18-6521 Conditions of Approval
- Staff Exhibit: Close Ups
- PPL-18-6521 Approved Site Plan
- Applicant Request Letter and Exhibits



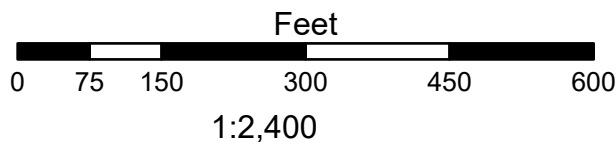
-  Regional Link
-  Neighborhood Link
-  Unclassified
-  Alley
-  Residential Link
-  Planned Neighborhood Link
-  Planned Residential Link
-  Shared-Use Paved Trail
-  Trail (Proposed)
-  Fayetteville City Limits
-  Planning Area



Close Up View



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

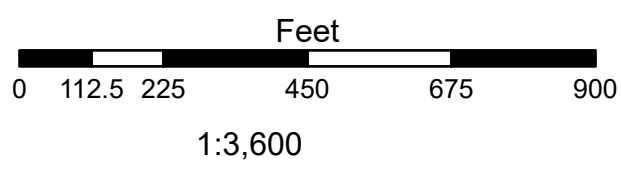




Current Land Use



- 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:**

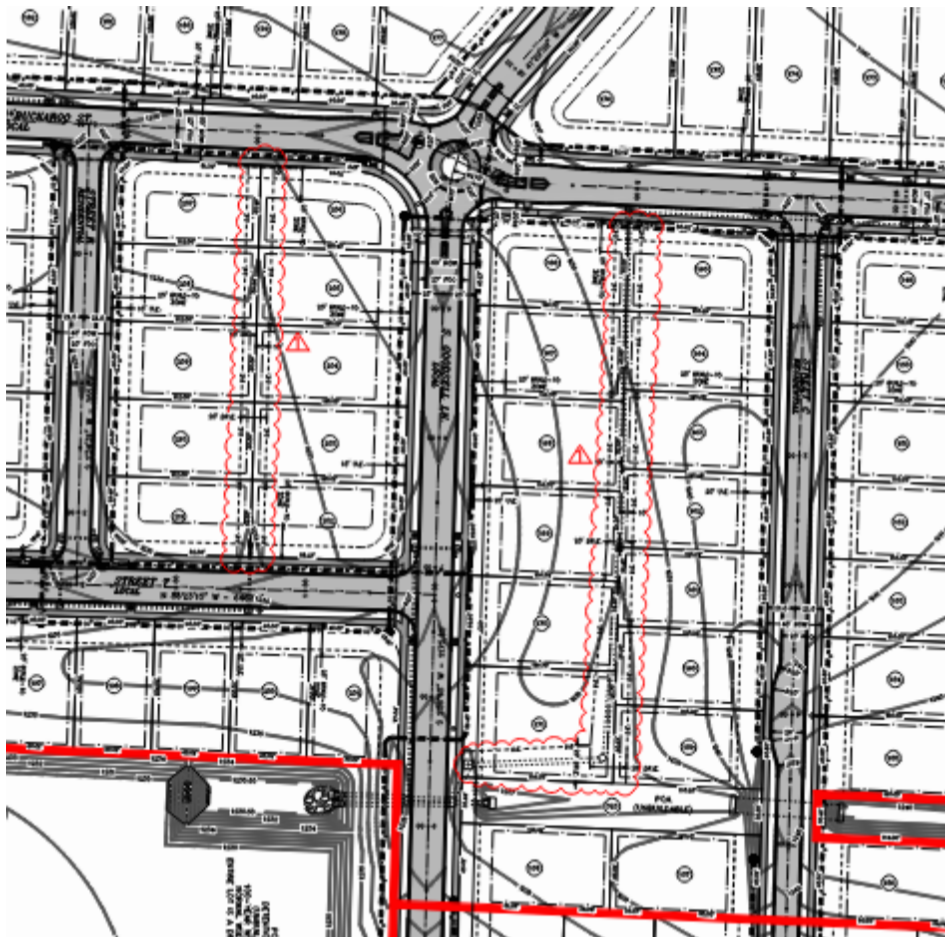
11. All existing overhead utility lines 12kV and under shall be relocated underground. All proposed utilities shall be located underground;

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.

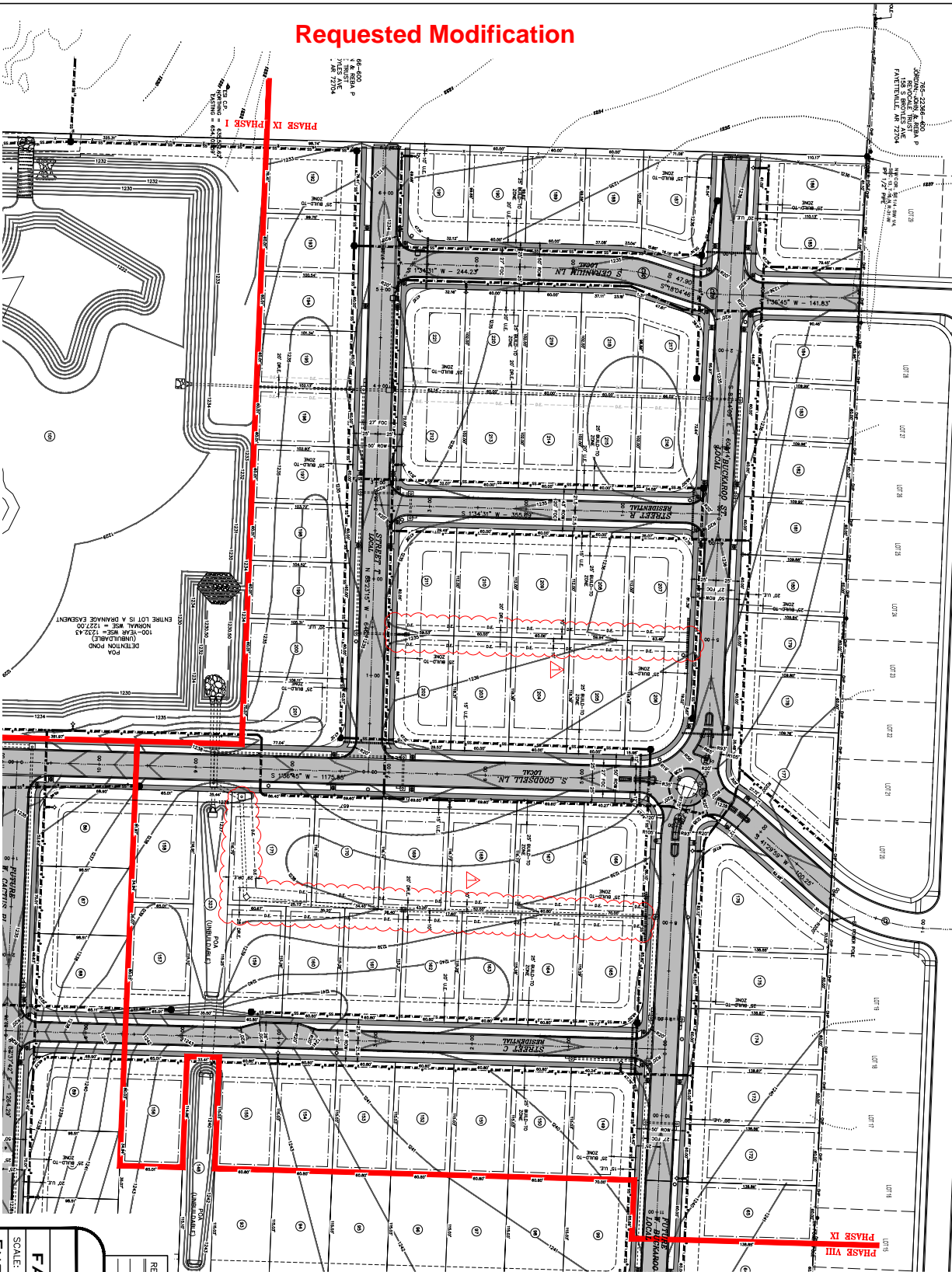
Very truly yours,



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

# Requested Modification



**PHASE 9 LAYOUT**  
**TOWNE WEST**  
**FAYETTEVILLE, ARKANSAS**  
 SCALE: 1"=50' DATE: March 2, 2026 DRAWN BY: JIC  
**ENGINEERING SERVICES, INCORPORATED**  
**SPRINGDALE, ARKANSAS**  
 W.O.# 18951 SHEET 1/1

REVISION	DATE	DESCRIPTION
1	12-19-25	REMOVAL OF ALLEY AND ADJUST LOT LINES

PLAT PAGE 516, 517, 555 & 556

**OWNER:**  
 J&D HOLDINGS LLC  
 400 N. WASHINGTON, SUITE 200  
 JOPLIN, MISSOURI 64501

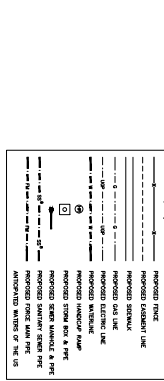
**DEVELOPER:**  
 TITAN DEVELOPMENT, LLC  
 1000 S. WASHINGTON, SUITE 200  
 JOPLIN, MISSOURI 64501

**ENGINEER:**  
 ENGINEERING SERVICES, INC.  
 P.O. BOX 532 MISSOURI RD.  
 SPRINGDALE, AR 72795-0282

**EXISTING ZONING:**  
 NC (NEIGHBORHOOD CONSERVATION)

**SETBACKS:**  
 FRONT: 5'  
 REAR: 5'  
 SIDE: 5'

**PHASE 9 LAYOUT:**  
 16.41 ACRES  
 4.51 LOTS PER ACRE



**LEGEND**

- ROAD CENTERLINE
- LOT LINE
- EASEMENT
- ...

**LOT SIZE TABLE**

LOT #	LOT SIZE (SQ. FT.)	ACRES
101	10,000	0.23
102	10,000	0.23
103	10,000	0.23
104	10,000	0.23
105	10,000	0.23
106	10,000	0.23
107	10,000	0.23
108	10,000	0.23
109	10,000	0.23
110	10,000	0.23
111	10,000	0.23
112	10,000	0.23
113	10,000	0.23
114	10,000	0.23
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121	10,000	0.23
122	10,000	0.23
123	10,000	0.23
124	10,000	0.23
125	10,000	0.23
126	10,000	0.23
127	10,000	0.23
128	10,000	0.23
129	10,000	0.23
130	10,000	0.23
131	10,000	0.23
132	10,000	0.23
133	10,000	0.23
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197	10,000	0.23
198	10,000	0.23
199	10,000	0.23
200	10,000	0.23



**TO:** Fayetteville Planning Commission

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

**MEETING:** April 13, 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.

**MARCH 23, 2026 PLANNING COMMISSION MEETING:**

The Planning Commission voted to table this item at the previous Planning Commission meeting. Prior to the April 13 meeting, the Commission wanted to see modified pedestrian and vehicular safety along E. Ash Street, additional sidewalks installed along Marks Mill Lane to connect to this site, and further information about the potential to complete the trail connection along E. Ash Street to Old Wire. Further, the Commission was seeking clarification about any traffic calming opportunities along E. Ash Street, as well as the exploration of a pedestrian connection through E. Overcrest rather than to Marks Mill Lane. In the interim, the applicant provided a response to the Commission’s requests, and they are attached to this report. This includes a calculation for a fee-in-lieu option for off-site pedestrian improvements, modifications to Ash Street including additional traffic calming, and modifications to the Ash Street connection itself. Staff’s street improvement recommendations have largely stayed the same, overall, but with an added consideration for the additional fee-in-lieu option for off-site pedestrian improvements.

**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, including an additional condition in line with the applicant’s proposed fee-in-lieu assessment for additional off-site pedestrian 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 classified as 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. The applicant has also provided updated traffic calming measures to E. Ash Street with this submittal. 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.\*

\*At the March 23 Planning Commission meeting, commissioners voted on an added condition to require the developer to construct sidewalk through the Marks Mill subdivision where not currently in place. In response to this added condition, the applicant has provided an estimate for a fee-in-lieu based on their expected proportionate share of trail users. Staff's recommendation on offsite sidewalk/trail improvements is that the applicant is meeting their proportionate share by constructing the trail across their property. This cost has been estimated at \$680,000 and would not typically be required. Since the Commission elects to require additional off-site improvement, staff recommends it be required as a fee-in-lieu to be applied within the typical watershed of the school, rather than applied solely to one neighboring subdivision.

*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
- i. Pay fee-in-lieu for sidewalk construction along N. College Avenue in the amount of \$8,751.36.
  - ii. Pay fee-in-lieu for the project's proportionate share of the fourth leg of the new stoplight at N. College & E. Poplar.
  - iii. Complete storm-drainage improvements as outlined in the Engineering memo.
- b. E. Ash Street
- i. Variance requested and supported to not construct a sidewalk along E. Ash Street.
  - ii. Install two pedestrian crosswalks with RRFBs, connecting to on-site pedestrian routes and the adjacent trail
  - iii. Implement updated traffic-calming measures per the Engineering memo.
- c. Construct the Midtown Trail segment across the property within a multi-use trail easement, including a split-rail fence built from harvested on-site wood.
- d. Additional Planning Commission Condition (March 23)
- i. Commissioners added a condition requiring sidewalk construction through the Marks Mill subdivision where missing.
  - ii. Applicant submitted a fee-in-lieu estimate based on proportionate trail-user share.
  - iii. Staff recommends that, if an additional off-site fee is required, it be applied within the school walkshed, not solely within one subdivision, noting the applicant is already meeting their proportional share by constructing the on-site trail (estimated cost \$680,000).
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.
-

<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>			
Date: <u>April 13, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
<b>Motion:</b>			
<b>Second:</b>			
<b>Vote:</b>			

**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
  - UPDATED EXHIBITS
  - 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

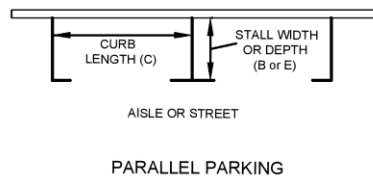
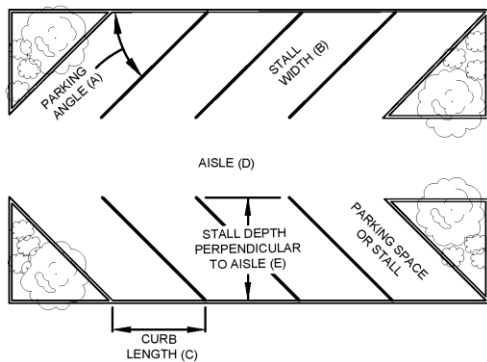
(See: Illustration: Parking Dimension Factors)

...

(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.*

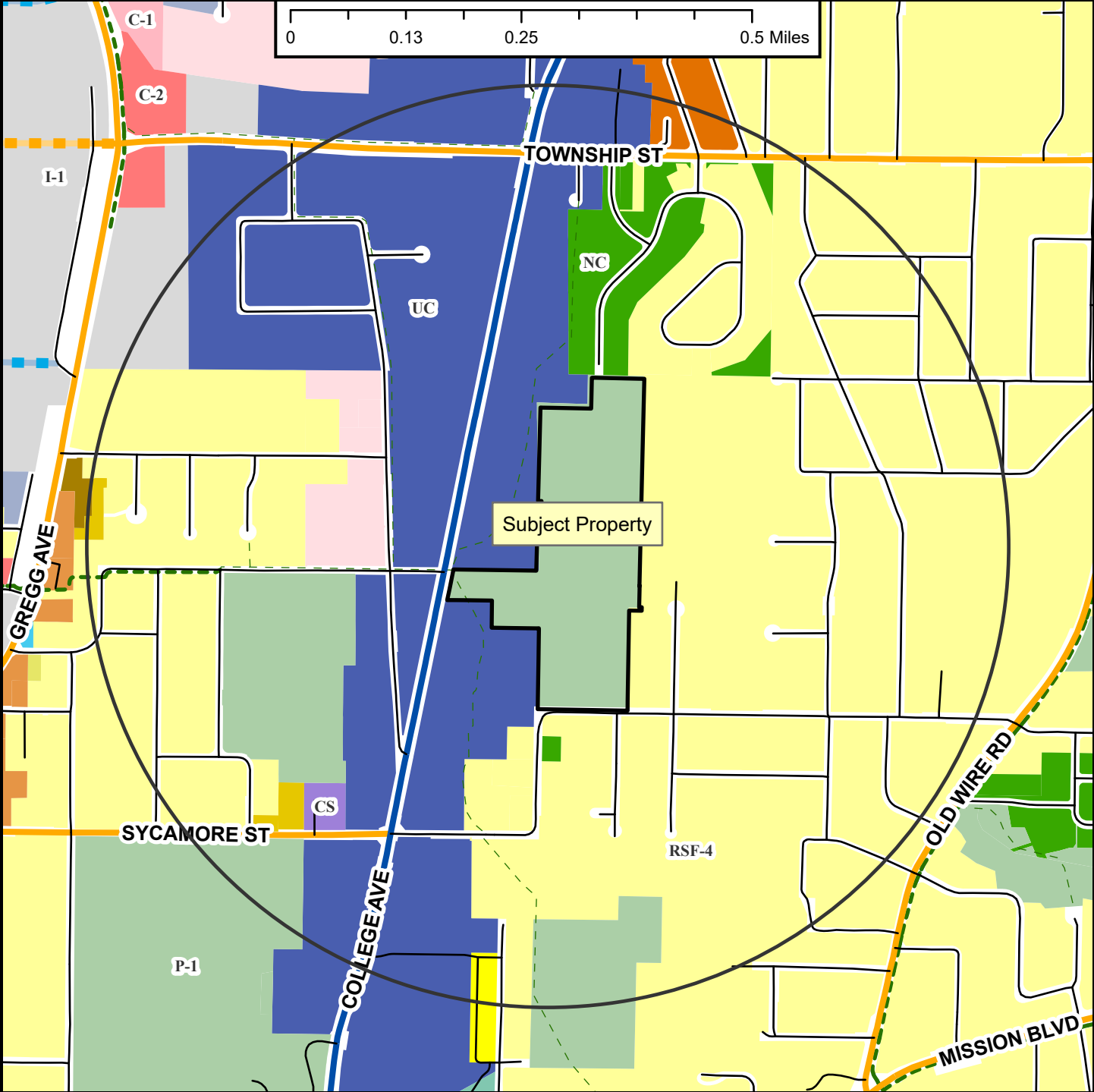
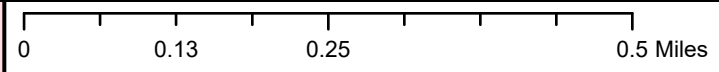
- (1) *Separation of Parking Pads in Multi-Family, and Non-Residential Development.* Parking pads shall be separated by a minimum undisturbed area of 15 feet between parking pads. Streets and access drives are permitted to cross this undisturbed area.
- (2) *Cut and Fill Slopes.* Parking pads should 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)

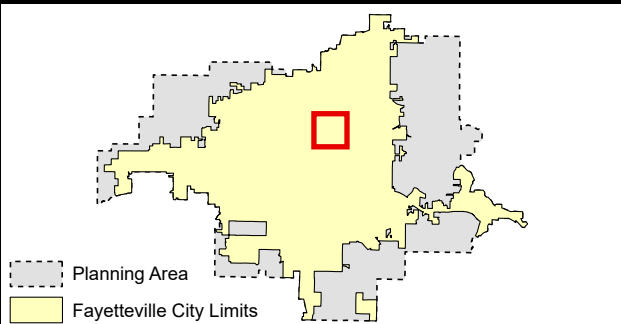
LSD-2025-0019

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

One Mile View



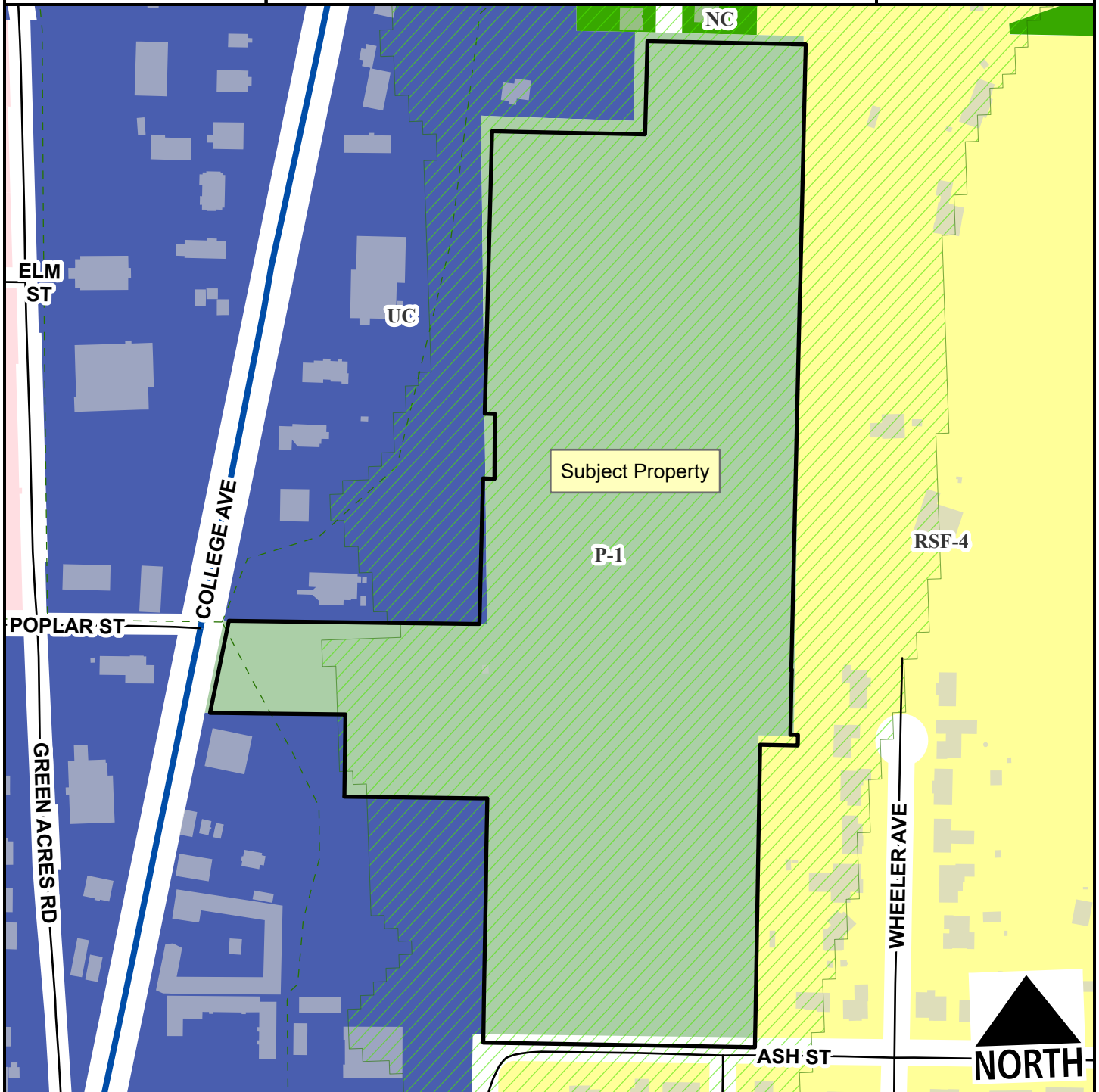
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area



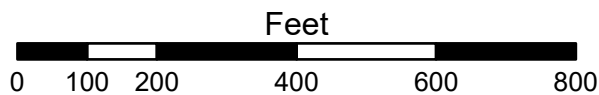
LSD-2025-0019

# 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)



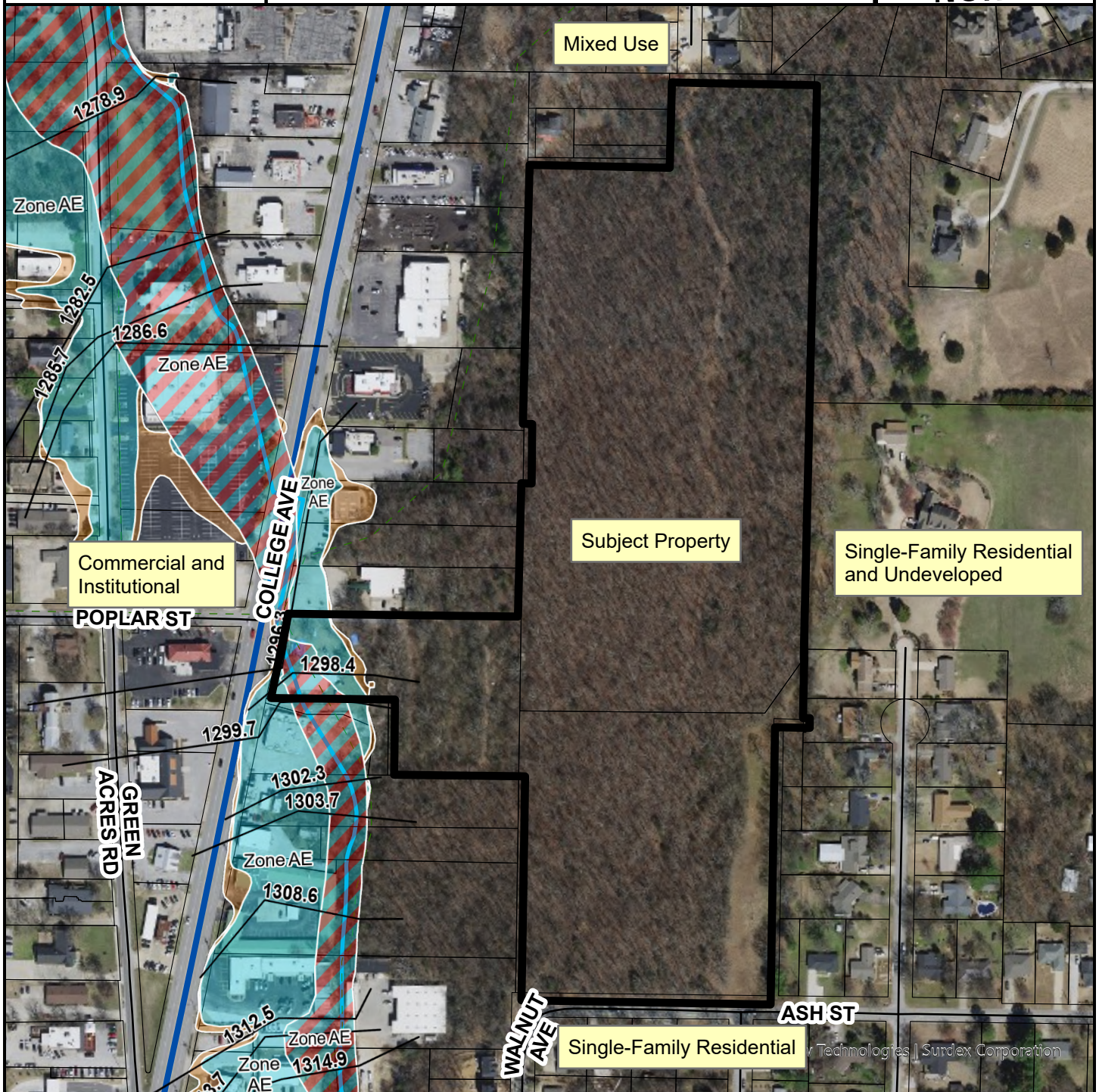
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LSD-2025-0019

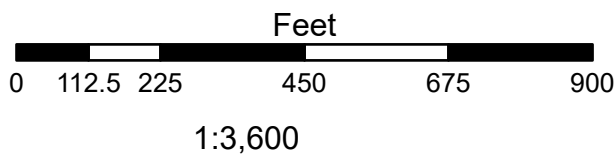
# SOUTH OF N. MARKS MILL LANE AND NORTH OF E. ASH STREET



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~~ Updated April 9, 2026

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

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**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.

**Update:** After further coordination with the Utilities Department the surrounding system conditions have been confirmed. An 8” water line will be constructed across the site connecting from Mark Mills to Ash St. This will provide adequate domestic and fire flow service.

**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.

**Update:** The applicant has proposed the following changes to the Ash Street corridor in response to feedback at the previous meeting:

- The western driveway connection to Ash St. has been shifted west to provide better line of sight along Walnut St.
- The proposed widening of Ash St. to meet Master Street Plan width requirements has been removed and the current proposal is to leave road at existing width. This is a proposed traffic calming measure as wider lanes encourage faster vehicular speeds.
- Speed cushions are now proposed on Ash St. and Walnut St. prior to the crosswalks to encourage slower vehicular speeds.

Engineering staff does not object to these new additions to the plans.

**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.

**Update:** Regarding the Planning Commission's condition for sidewalks on Marks Mill Ln. and the trail along Ash St., the applicant has provided an estimate for a fee-in-lieu based on their expected proportionate share of trail users. Staff's recommendation on offsite sidewalk/trail improvements is that the applicant is meeting their proportionate share by constructing the trail across their property. This cost has been estimated at \$680,000 and would not typically be required. If the Commission elects to require an additional fee for off-site sidewalk/trail improvements, staff recommends for the fee to be applied within the typical watershed of the school, rather than applied solely to one neighboring subdivision.

**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
<b>2025 Existing Traffic</b>																
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
<b>2029 Background Traffic</b>																
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
<b>2029 Background Traffic - with Improvements</b>																
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
<b>2029 Total Traffic</b>																
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 builindgs/parking/ets. 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

<b>5. Tree Preservation Plan Checklist</b> <i>UDC Chapter 167.04H1 and 167.04L1</i>	<b>Tech Plat</b>	<b>Planning Commission</b>	
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		
<b>Tree Protection Methods</b>			
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		
<b>6. Site Analysis Report (if required)</b> <i>UDC Chapter 167.04H4</i>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
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)

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

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

- 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

<b>3. Perimeter Landscaping Requirements</b>	Yes	No	N/A
--	-----	----	-----

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

<b>4. Street Tree Planting Requirements</b>	Yes	No	N/A
---	-----	----	-----

- |  |   |  |   |
|--|---|--|---|
| a. Residential Subdivisions<br>1 Large Shade Species Tree per Lot<br><i>UDC Chapter 177.05B1a</i>  |   |  | X |
| b. Non-Residential Subdivisions<br>1 Large Species Shade Tree every 30' (planted in greenspace)<br><i>UDC Chapter 177.05B2a</i>              | X |  |   |
| c. Urban Tree Well – Urban Streetscapes<br>Trees every 30' (8' sidewalk)<br><i>UDC Chapter 177.05B3a-f</i>                                   |   |  | X |
| d. Structural Soil – Urban Tree Wells<br>Include a note and/or detail of structural soil on Landscape Plan<br><i>UDC Chapter 177.05B3a-f</i> |   |  | X |
| e. Residential Subdivisions<br>Timing of planting indicated on plans<br><i>UDC Chapter 177.05A4</i>  |   |  | X |
| f. Residential Subdivisions<br>Written description for method of tracking planting<br><i>UDC Chapter 177.05A4e</i>                           |   |  | X |

<b>5. Landscape Requirement Totals</b>	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.



UPDATED INFORMATION  
PROVIDED BY APPLICANT

April 6<sup>th</sup>, 2026

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

Re: Planning Commission – LSD 2025-0019  
Ramay Junior High  
Rational Nexus for Offsite Sidewalk & Trail improvements  
Responses to Comments from Commissioners at 3/23 PC Meeting  
CT Job #: 24303600

Dear Ms. Masters,

In response to the Planning Commission’s requests, the Fayetteville Public School District is providing additional information, design revisions, and cost estimates for offsite improvements as follows:

- Exhibit 1: Updated Ash St Improvements, Connection Design, and Signage Plan
  - Adds speed cushions at the top of the hill on Ash St and on Walnut prior to the pedestrian crossing, provides improved sight lines at the connection to Ash at Walnut, and removes street widening, which will help to reduce traffic speeds
- Exhibit 2: New Ramay Junior High’s “Preferred Walk Zone” + Trail User Calculation
  - This area will not typically be served by busses. A conservatively high assumption of future student residences within this area has been used to calculate the percentage of annual trail users generated by the proposed school.
- Exhibit 3: Recent Trail User Counts from Old Wire Cycle-Track (Trail)
- Exhibit 4: Trail Cost Estimates and Percentage Calculations
- Exhibit 5: Ash St Trail Fee in Lieu Calculations
- Exhibit 6: City’s Trail Construction Funding Timeline
- Exhibit 7: Summit Place Sidewalk Length and Cost Calculations
- Exhibit 8: Marwood Place Sidewalk Length Calculations

The requested offsite pedestrian accommodations are estimated at the amounts below:

Cost of offsite sidewalk on Marks Mill & Marwood:	\$ 22,044
<u>Cost of offsite trail on Ash St:</u>	<u>\$ 266,628</u>
<b>Total cost of offsite sidewalk improvements:</b>	<b>\$ 288,672</b>

Using City trail user data and student residences within the District’s preferred walk zone, a rough proportionality assessment determines that **22.4%** of future trail users would be generated from the proposed new Ramay Junior High School at full capacity. At the calculated total cost of \$ 288,672, this equates to **\$ 64,663**.

The School District’s proposal is already providing +/- 1,585 LF of 12’ trail per the design requests of the City’s Active Transportation Manager. Given the steep site conditions, the site contractor is estimating that the retaining walls and earthwork to provide this trail section is approximately **\$680,000**. This connection will link across College Avenue to connect Fayetteville’s two most significant north-south trail corridors – the Razorback Greenway and the Old Wire cycle-track – over a steep ridge at not more than 10% grade.



If so required by the Planning Commission as a condition of approval for LSD-2025-0019, the School District is willing to pay an additional proportional share of off-site improvements, up to the calculated fee in lieu of **\$65,000**.

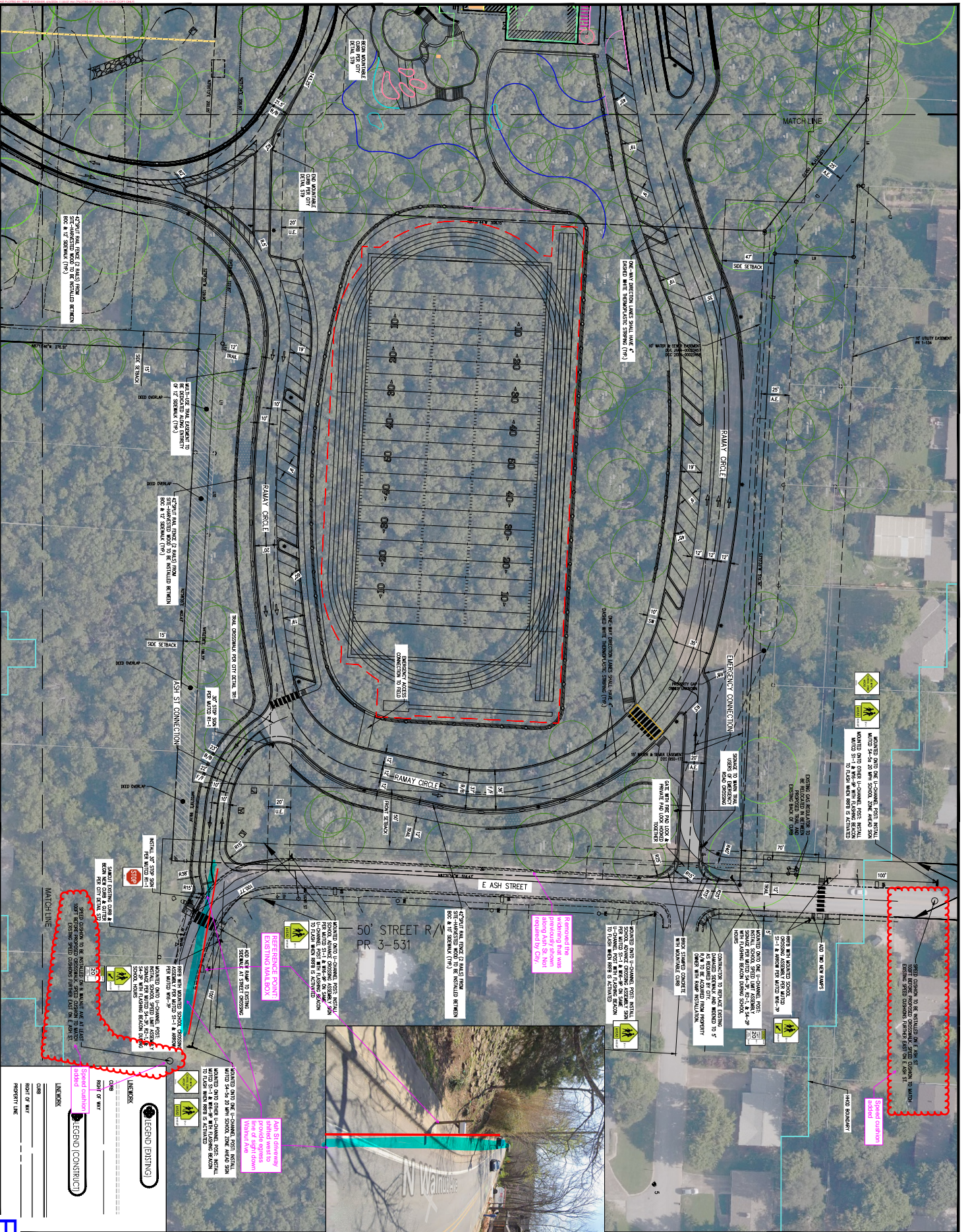
For specific responses to comments from planning commissioners at the 3/23/2026 PC meeting, please see below in red:

- *Ash Street Connection*
  - Shifted west to allow egress traffic line of sight down Walnut
  - See attached updated Site Plan B C-103 with Aerial imagery
- *Additional traffic calming opportunities on Ash*
  - Removed widening of Ash, not required by City and keeping the narrow road will help with traffic calming
  - Added speed cushions on Walnut and Ash, ahead of the proposed crosswalks
  - See attached updated Site Plan B C-103 with Aerial imagery
- *Additional information about how student bussing works (distance from school, etc).*
  - See attachment showing the preferred walk zone where kids will not typically be bused to school. This zone was delineated by the FPS transit department. On the day of opening an estimated maximum of 25 kids will walk, bike, or have their parent's drop off within this proposed preferred walk zone. A highly conservative future maximum of 50 students has been used to calculate trail uses generated.
- *Cost estimates for trail connection to Old Wire*
  - See attached exhibit pages with rational nexus calculation, with a fee in lieu cost of \$266,628.
  - 22.4% of this fee would be = \$59,724.67
- *Finishing out the 4-foot sidewalks through Marks Mill (cost estimates, etc).*
  - See attached exhibit which calculates the missing sidewalk to-date on west side only of Marks Mill Ln & Marwood Ave, totaling 2,136 sq ft, establishing fee in lieu amount of \$22,044.
  - 22.4% of this fee would be = \$4,937.86
- *Clarifying any traffic study questions*
  - Nathan Becknell, Traffic Engineer, to address at 4/13 PC.
- *All other comments issued by City staff on previous submittals*
  - All other comments by Staff have been addressed

Respectfully,

---

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



MONITOR DURING CONSTRUCTION TO BE RELOCATED TO EITHER SIDE OF ROAD TO MATCH WITH EXISTING SIGNAGE

MONITOR DURING CONSTRUCTION TO BE RELOCATED TO EITHER SIDE OF ROAD TO MATCH WITH EXISTING SIGNAGE

MONITOR DURING CONSTRUCTION TO BE RELOCATED TO EITHER SIDE OF ROAD TO MATCH WITH EXISTING SIGNAGE

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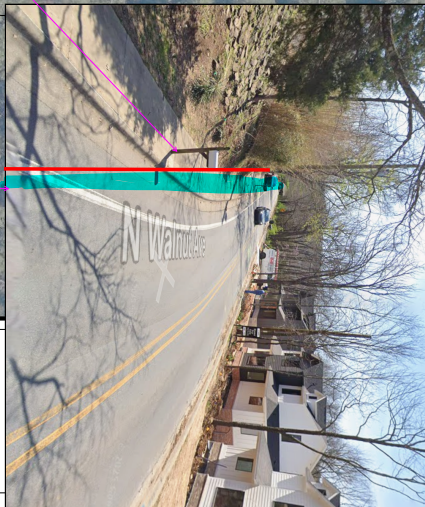
MONITOR DURING CONSTRUCTION TO BE RELOCATED TO EITHER SIDE OF ROAD TO MATCH WITH EXISTING SIGNAGE

**Crifton Tull**  
 PROFESSIONAL LANDSCAPE ARCHITECTS  
 2025 W. 10th Street, Suite 100, Lincoln, NE 68502  
 (402) 441-1111

**PRISM**  
 DESIGN STUDIO  
 CIVIL ENGINEERING  
 2025 W. 10th Street, Suite 100, Lincoln, NE 68502  
 (402) 441-1111

**LAKE FLATO**  
 CIVIL ENGINEERING  
 2025 W. 10th Street, Suite 100, Lincoln, NE 68502  
 (402) 441-1111

Planning Commission  
 April 12, 2026  
 LSD-2025-0019 (RAMAY JR HIGH)  
 Page 27 of 71



**EXHIBIT 1**

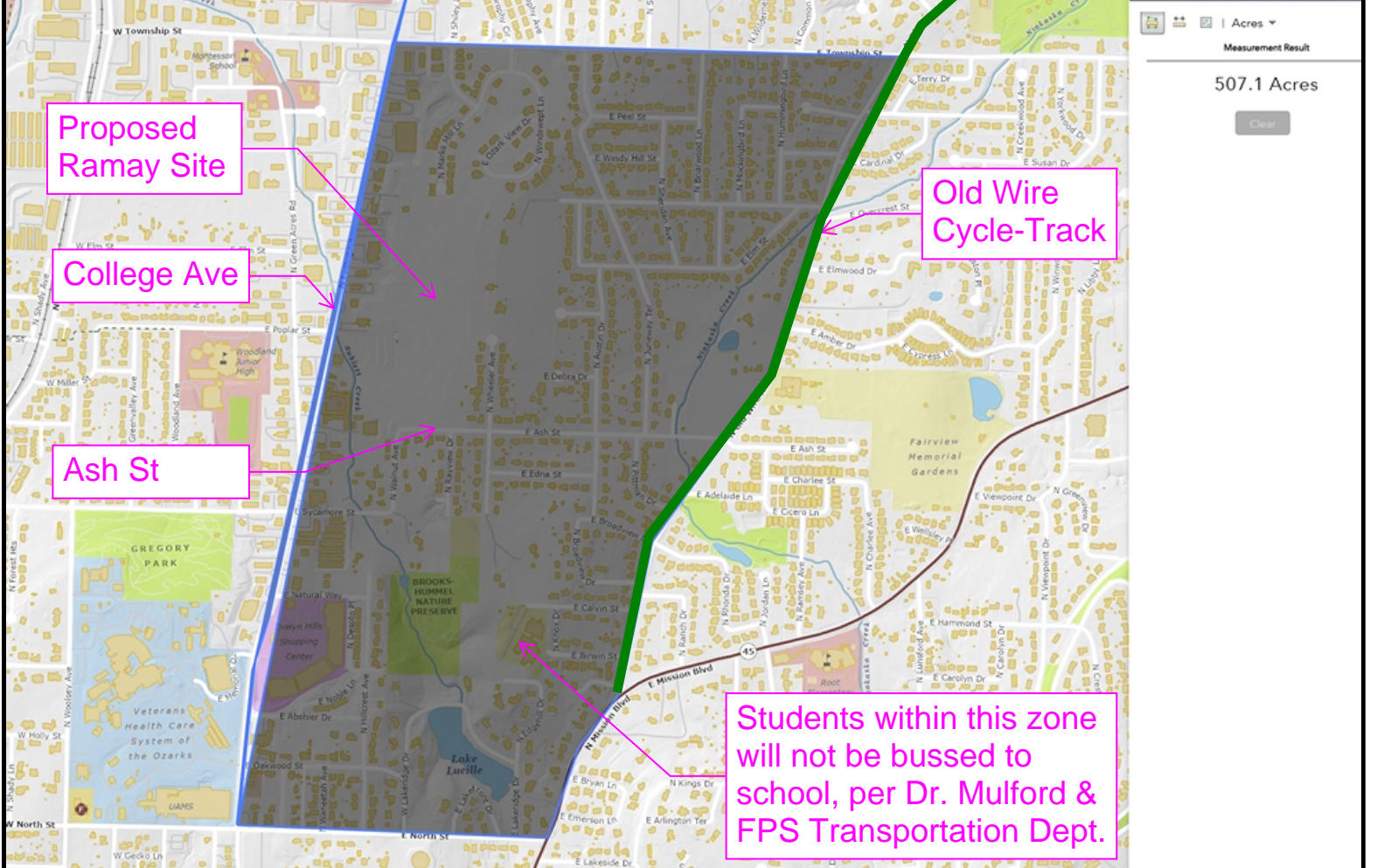
**LEGEND (EXISTING)**

EXISTING ROADWAY  
 EXISTING UTILITY LINES  
 EXISTING TREES  
 EXISTING BUILDINGS  
 EXISTING FENCES  
 EXISTING SIGNAGE

**LEGEND (CONSTRUCTED)**

PROPOSED ROADWAY  
 PROPOSED UTILITY LINES  
 PROPOSED TREES  
 PROPOSED BUILDINGS  
 PROPOSED FENCES  
 PROPOSED SIGNAGE

**DATE:** 11/15/2024  
**SCALE:** AS SHOWN  
**PROJECT:** RAMAY JR HIGH



Area above will not be serviced by busing, per FPS Transit Department's preferred walk zone.

School is in session 169 days, which is 8.45 months. A maximum of **25 students** will walk, bike, or have their parent's drop off within this preferred walk zone. To account for **future student population growth**, this maximum is increased to 50 students. And, it's conservatively assumed that all **50 students** will use the trail to walk or bike to school.

(50 students using the trail to get to school) x (169 days/year) = 8,450 trail users/year generated by the school.

(8.45 months x 3,438 users/month) = 29,501 trail users per year (WHEN SCHOOL IS IN SESSION)

(3.55 months x 2,311 users/month) = 8,205 trail users per year (WHEN SCHOOL IS NOT IN SESSION)

Annual trail usage generated by the City is approximately 37,706 users = (29,501 users + 8,205 users)

Therefore, the proportional share of school's trail usage equals **22.4%** = (8,450 users generated by school / 37,702 users generated by City).



Mihalevich, Matthew <mmihalevich@fayetteville-ar.gov>

To Trent Woessner; Eifling, Dane  
Cc Kelly Freeman; Wes Burgess



Trent,  
Here is monthly trail user counts from the Old Wire trail. This should be a realistic comparison.

**Monthly traffic**

January 1, 2025 - December 31, 2025

Date	Old Wire Cycle Track
January 2025	1,667
February 2025	2,280
March 2025	3,620
April 2025	3,428
May 2025	4,187
June 2025	4,389
July 2025	4,137
August 2025	4,509
September 2025	2,728

Trail user counts received from City Active Transportation Manger, Matt M.  
Average monthly: 3,438 users



The cost to build the 12' trail on site is approximately \$680,000

The fee in lieu for 12' trail offsite along Ash St is approximately \$266,628

Therefore,

Total cost to install trail from College to Old Wire = \$946,628

School District is already paying for 72% (on-site trail).

School District's proportional impact per trail user data is approximately 22.4%.





ATAC Approved  
12/10/25

2026 - 2031 Proposed Shared-Use Paved Trail Construction Projects

2026

		Prioritization Score*	Funding	Rank	Ward	Feet	Miles
Hamestrung Creek Trail	Salem Rd. to Ruppel Rd. (1 Bridge)	45.5	Trail CIP	13	4	2,386	0.45
Wedington Trail	Futral Dr. to West End	N/A	Trail CIP	N/A	2	593	0.11
Alberta Trail	Connection to Farmington Trails	36.3	Trail CIP	22	1	1,816	0.34
Drake Trail Extension to Gordon Long (Contractor)	Gordon Long Park to College Ave. (Includes a bridge over Scull Creek)	49.5	TAP Grant	11	3	4,535	0.86
Maple Street Cycle Track (Contractor)	Razorback Greenway to Garland Ave.	53.8	Safe Streets For All / U of A	3	2	2,699	0.51
Garland Avenue (Contractor)	Poplar to Drake St.	N/A	Trans. Bond & ARDOT	N/A	2	4,554	0.86
Highway 112 (Garland Ave./Howard Nickell) (ARDOT Project)	Truckers Drive to Howard Nickell Includes Clabber Creek Tunnel	N/A	ARDOT & Grants	N/A	4	6,373	1.21
Tsa La Gi Trail (Hwy 62 MLK & I-49) ARDOT Project	Best Way to Lefler Ln. & Shiloh Trail from MLK to 15th St. overpass to Town Branch	56.7	ARDOT & Grants	1	1	9,102	1.72
White River Greenway (River Commons)	St. Paul Trail to Dead Horse Mtn.	N/A	CPRG Grant Funded	N/A	1	12,856	2.43

In-house Constructed: 0.91 Year Total 9.35

2027

Persimmon Trail (Owl Creek Trail)	Betty Jo to Ruppel Road	46.2	Trail CIP	12	4	1,959	0.37
Hwy 62 (MLK Jr. Blvd.) (Schedule dependent on ARDOT)	Lefler Ln. to Ruppel Road and Ozark Trail	56.7	2026 Trail Bond & Developer Build	1	1	3,574	0.68
South of Huntsville Connection	Teal to Fairlane & Swift to Jaybird Floodway issues	50.6	Trail CIP	7	1	884	0.17
Trail Reconstruction	Scull Creek Trail (Frisco to Meadow Valley)	N/A	TAP Grant	N/A	2	6,200	1.17

In-house Constructed: 2.39 Year Total 2.39

2028

Skilern Rd. (Sidepath South Side)	Crossover Rd. to Charleston Crossing	44.2	Trail CIP	23	3	2,320	0.44
Midtown Trail (Ash Side Path)	Woodland to College & Rayview Dr. to Old Wire	52.6	2026 Trail Bond & Ramay School	12	4	2,785	0.53
Clabber Creek Trail	Truckers Drive to Highway 112	47.8	Developer Build	11	4	1,753	0.33
Mission Blvd. Trail (Phase 3)	South of Rush Dr. to Maple St.	49.3	Future Grant Funding	10	2	2,092	0.40
Old Wire/Old Missouri Trail	Gulley Park to Rolling Hills (Includes Hilldale Connection & Crosswalk)	50.9	Undetermined	6	3	3,916	0.74
Trail Reconstruction	Various Locations	N/A	Trail CIP/Bond	N/A	N/A	2,500	0.47

In-house Constructed: 1.61 Year Total 2.91

2029

Shiloh Trail (Wedington to MLK) & Old Farmington to Centennial Park	ARDOT Permit - Watching for Development to occur	52.5	Trail CIP	5	4	7,359	1.39
Mt. Comfort Side Path	Salem Rd. to I-49	45.5	Undetermined	13	4	4,845	0.92
Trail Reconstruction	Various Locations	N/A	Trail CIP/Bond	N/A	N/A	2,500	0.47

In-house Constructed: 1.87 Year Total 2.78

2030

Markham Hill Trail Connector	Razorback Road to Cross Ave.	41.3	Trail CIP	17	4	1,500	0.28
Shiloh Trail (Moore Ln. to Wedington)	ARDOT Permit & Bridge over Hamestrung Watching for Development to occur	52.2	Trail CIP	3	4	5,955	1.13
Trail Reconstruction	Various Locations	N/A	Trail CIP	N/A	N/A	2,500	0.47

In-house Constructed: 1.89 Year Total 1.89

2031

Owl Creek Trail	Existing trail end west of Ruppel Rd. to Broyles Road	46.2	Trail CIP	12	4	2,767	0.52
St. Paul Trail	Razorback Gwy. to St. Paul Trail (includes replacement of existing trail)	44.8	Undetermined	14	1	9,574	1.81
St. Paul Trail (Paddle Park Connection)	Armstrong to Dead House Mtn.	42.9	Undetermined	15	1	4,702	0.89
Trail Reconstruction	Various Locations	N/A	Trail CIP	N/A	N/A	2,500	0.47

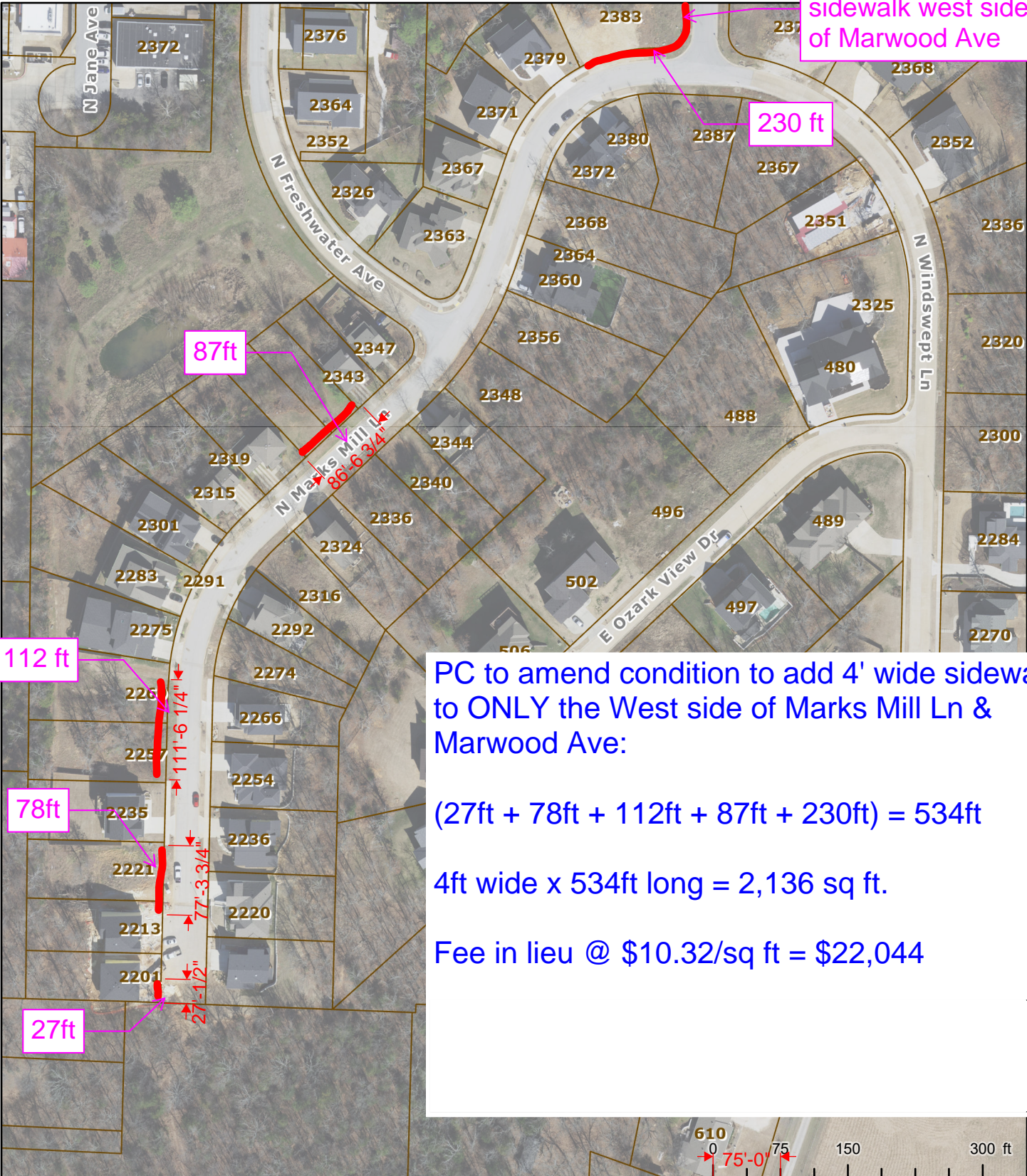
In-house Constructed: 2.81 Year Total 3.70

5 Year Total 117,099 22.18

Notes:

In-House Trail Crew Build	Future Trail Bond Funded Project	Other Funding	Ward 1 Total	42,508	8.05
*Trail development of approximately 2 miles per year is based on continued CIP, Future Bond and Grant funding			Ward 2 Total	16,138	3.06
*Prioritization Score reflects weighting established by ATAC - Maximum score if 56.7			Ward 3 Total	10,771	2.04
			Ward 4 Total	37,682	7.14
				117,099	22.18

see next page for sidewalk west side of Marwood Ave



PC to amend condition to add 4' wide sidewalks to ONLY the West side of Marks Mill Ln & Marwood Ave:

$(27ft + 78ft + 112ft + 87ft + 230ft) = 534ft$

4ft wide x 534ft long = 2,136 sq ft.

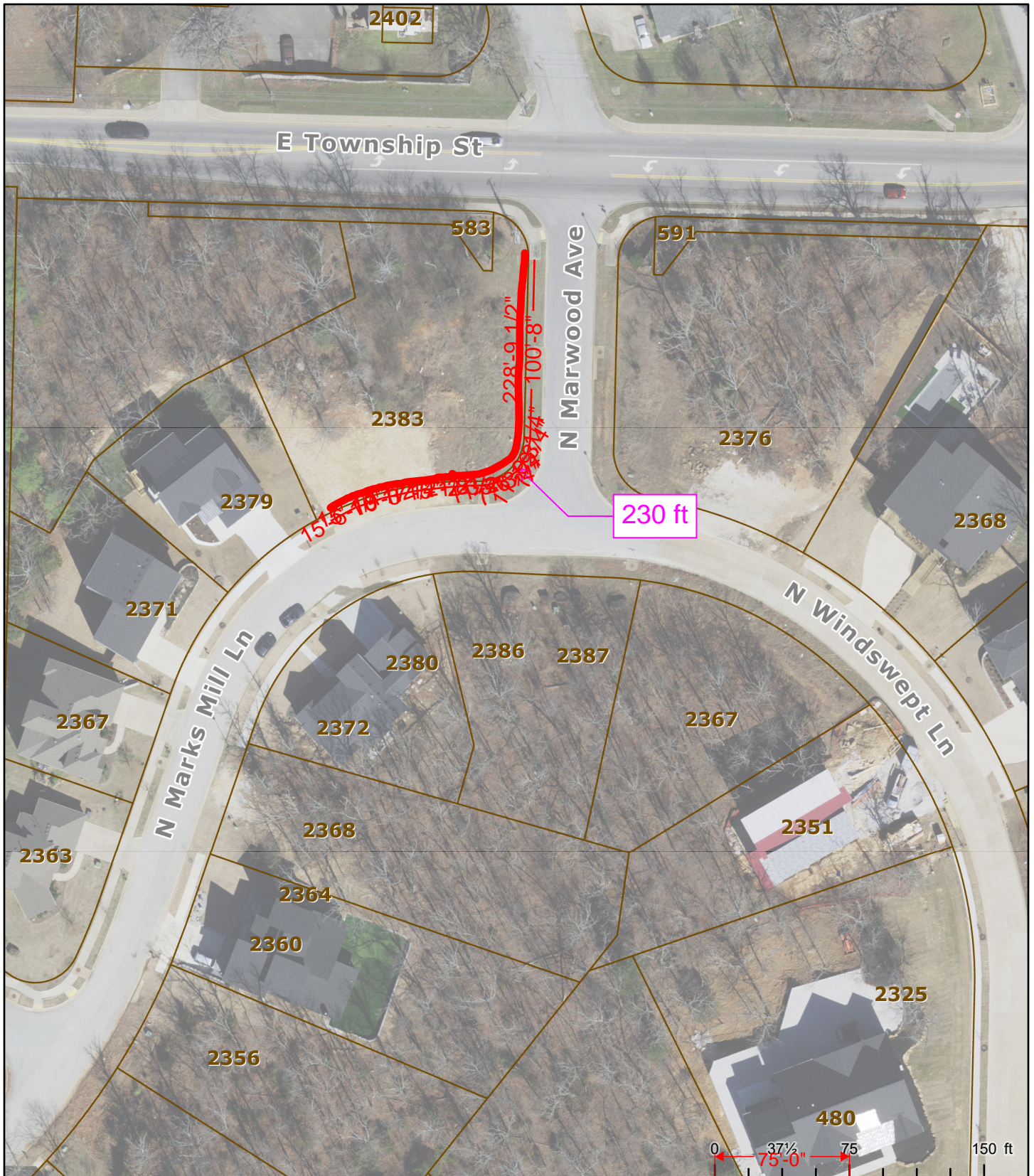
Fee in lieu @ \$10.32/sq ft = \$22,044

**Marks Mill Sidewalk Exhibit**  
Fayetteville, AR

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

Created: 4/6/2026  
Credits: 2025 Imagery | EagleView Technologies | Surdex Corporation, City of Fayetteville  
Map Author:

**EXHIBIT 7**



## Marks Mill Sidewalk Exhibit

Fayetteville, AR

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

Created: 4/6/2026  
 Credits: 2025 Imagery | EagleView Technologies | Surdex Corporation, City of Fayetteville  
 Map Author:

# EXHIBIT 8

Planning Commission  
 April 13, 2026

LSD-2025-0019 (RAMAY JR HIGH)

Page 34 of 71



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](mailto:trent.woessner@craftontull.com)

Sincerely,

---

Trent Woessner, P.E.  
Civil Project Engineer



February 20<sup>th</sup>, 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.*

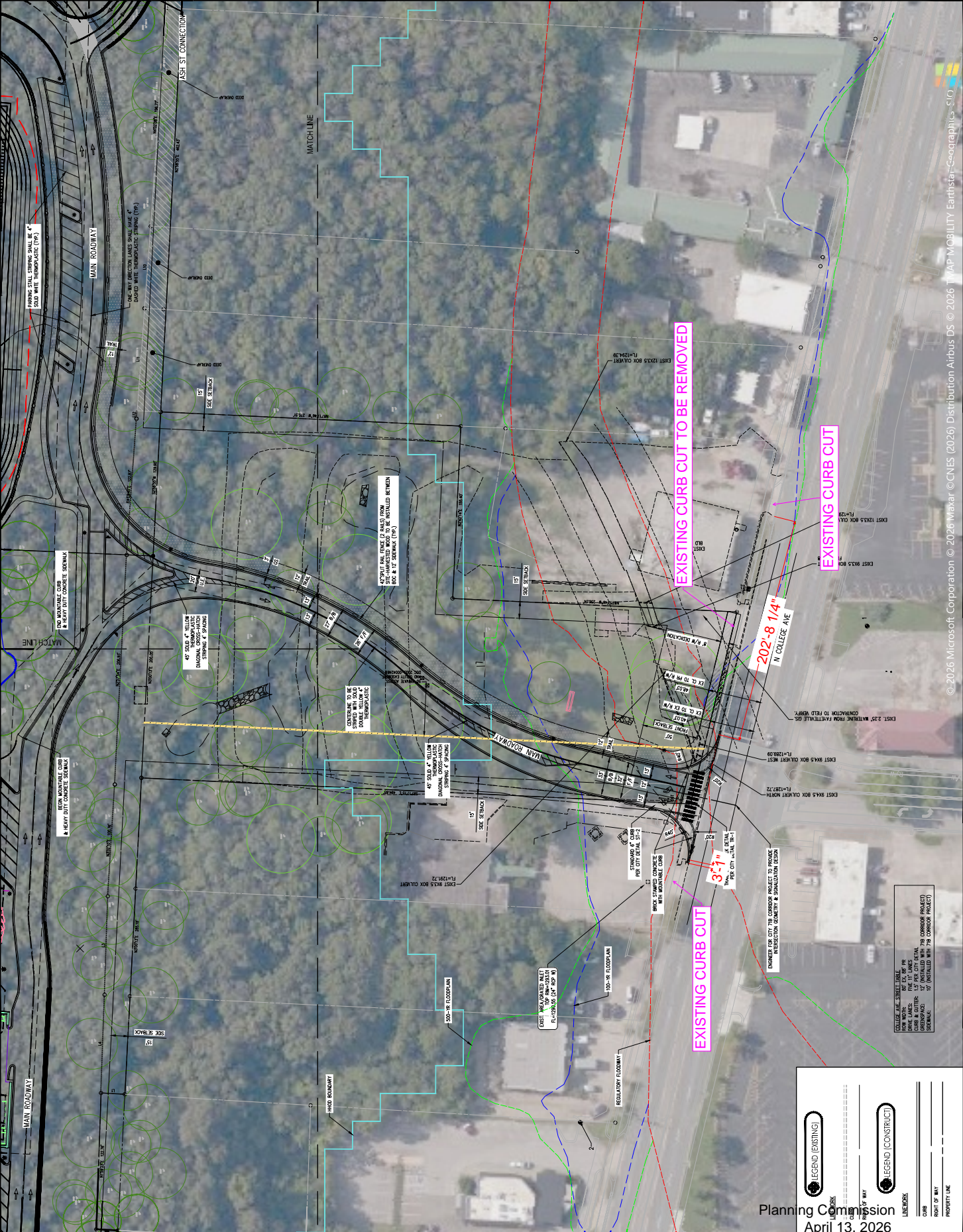
The intent of this code requirement is to protect the hillside from mass grading a large parking lot. We are protecting the hillside with our linear angled parking rows and therefore meeting the intent of the code. These rows are aligned parallel with the existing contours, and they provide the minimum 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.

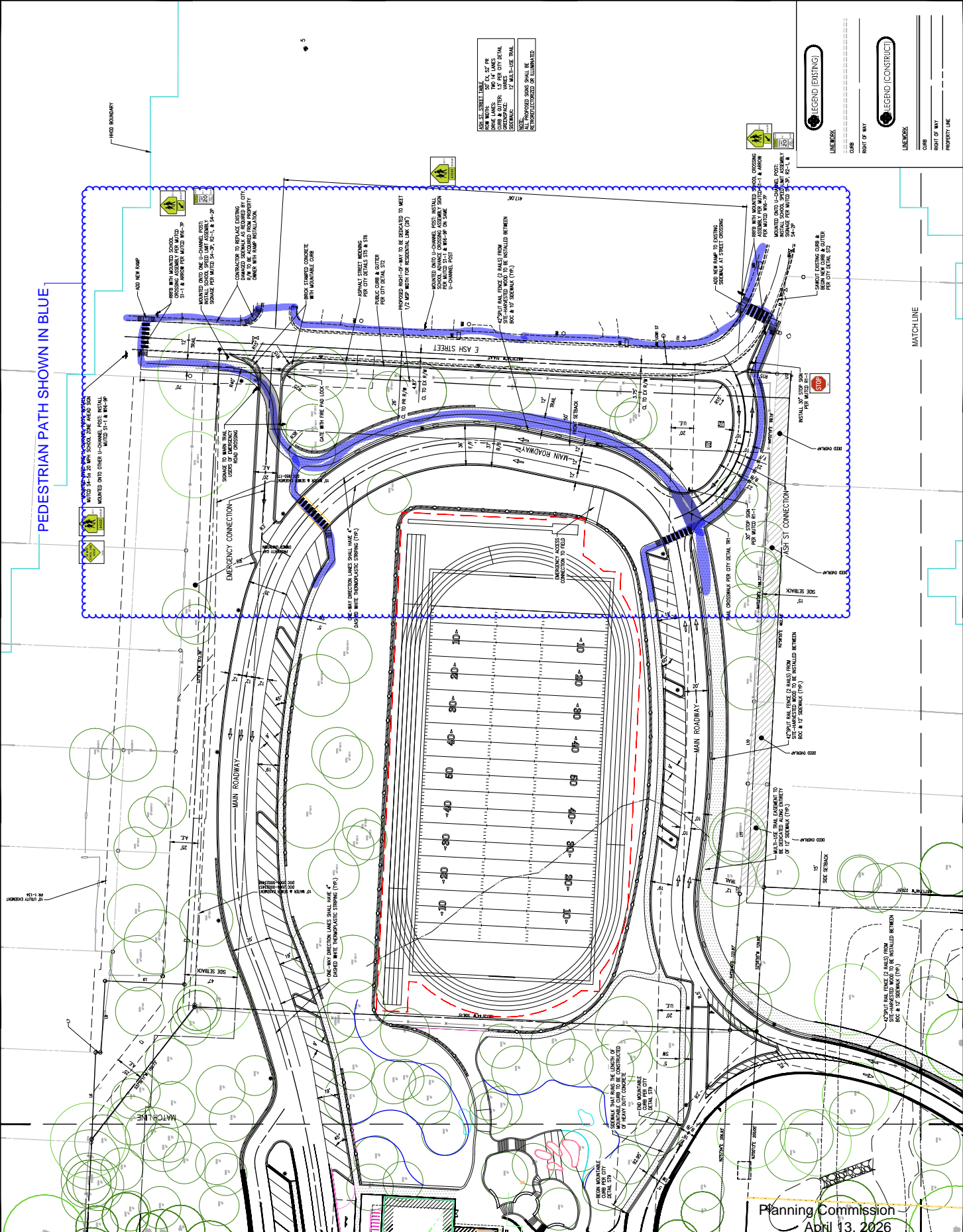
Respectfully,

---

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



PEDESTRIAN PATH SHOWN IN BLUE



AS ST. SCHEDULE  
OF ALL ST. PER  
CITY & MUTUALS: 12" PER CITY DETAIL  
SIGNAGE: 12" PER CITY DETAIL  
NOTE: ALL SIGNAGE SHALL BE  
INSTALLATION OF UNLIMITED

**LEGEND (EXISTING)**

- LANDSCAPE
- RIGHT OF WAY
- PROPERTY LINE

**LEGEND (CONSTRUCT)**

- LANDSCAPE
- RIGHT OF WAY
- PROPERTY LINE



INSTALL 12" PER CITY DETAIL SIGNAGE PER MUTUALS 54-2P

INSTALL 12" PER CITY DETAIL SIGNAGE PER MUTUALS 54-2P

INSTALL 12" PER CITY DETAIL SIGNAGE PER MUTUALS 54-2P

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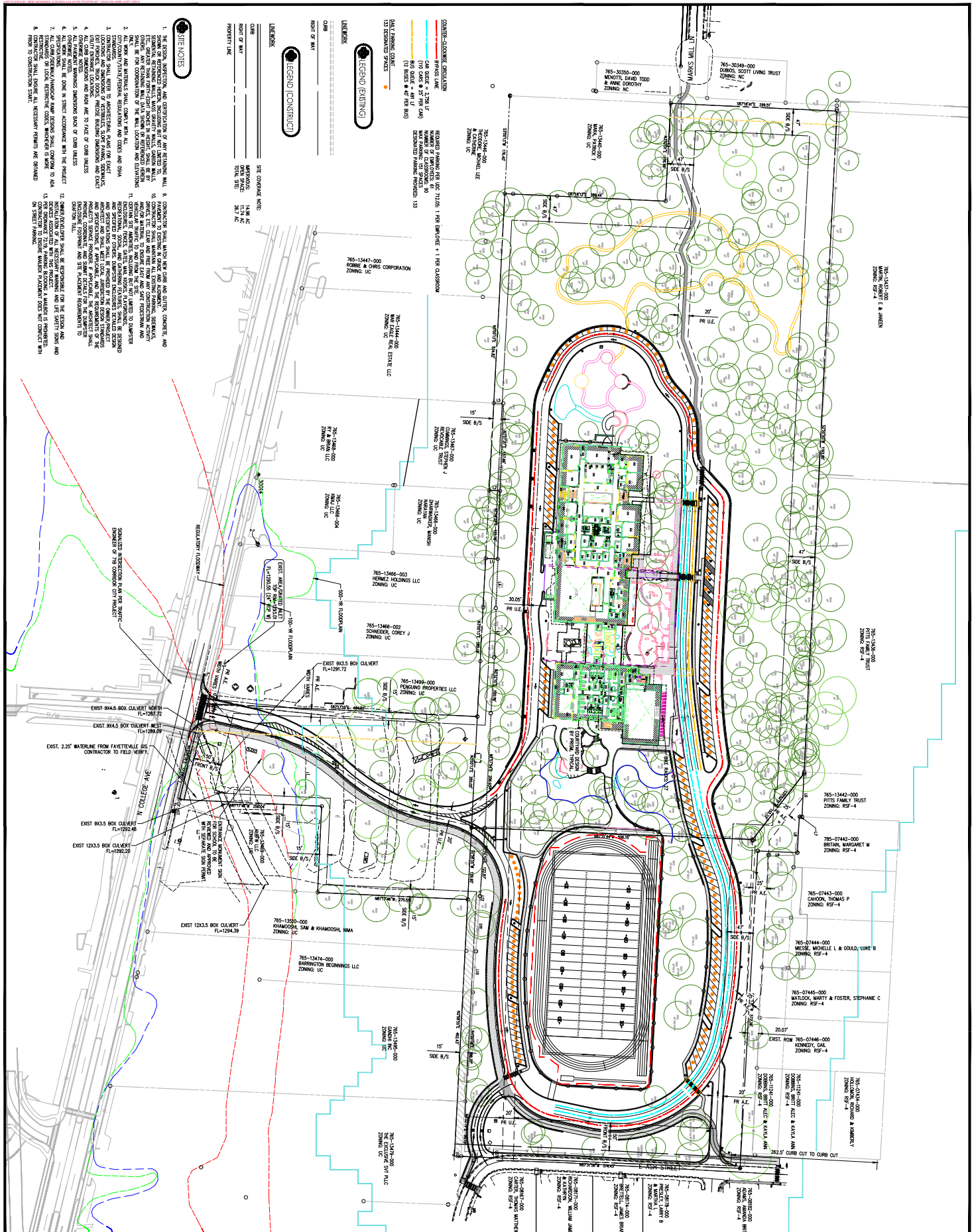
INSTALL 12" PER CITY DETAIL SIGNAGE PER MUTUALS 54-2P

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INSTALL 12" PER CITY DETAIL SIGNAGE PER MUTUALS 54-2P

INSTALL 12" PER CITY DETAIL SIGNAGE PER MUTUALS 54-2P



**CONSTRUCTION SPECIFICATIONS**

CONCRETE: 4000 PSI  
 REINFORCING: #4 BARS @ 18" ON CENTER  
 CURB: 4" HIGH  
 (1) CURB @ 2' 0" ON CENTER  
 (2) CURB @ 2' 0" ON CENTER  
 (3) CURB @ 2' 0" ON CENTER

**LEGEND (EXISTING)**

EXISTING CONSTRUCTION  
 EXISTING UTILITIES  
 EXISTING EASEMENTS

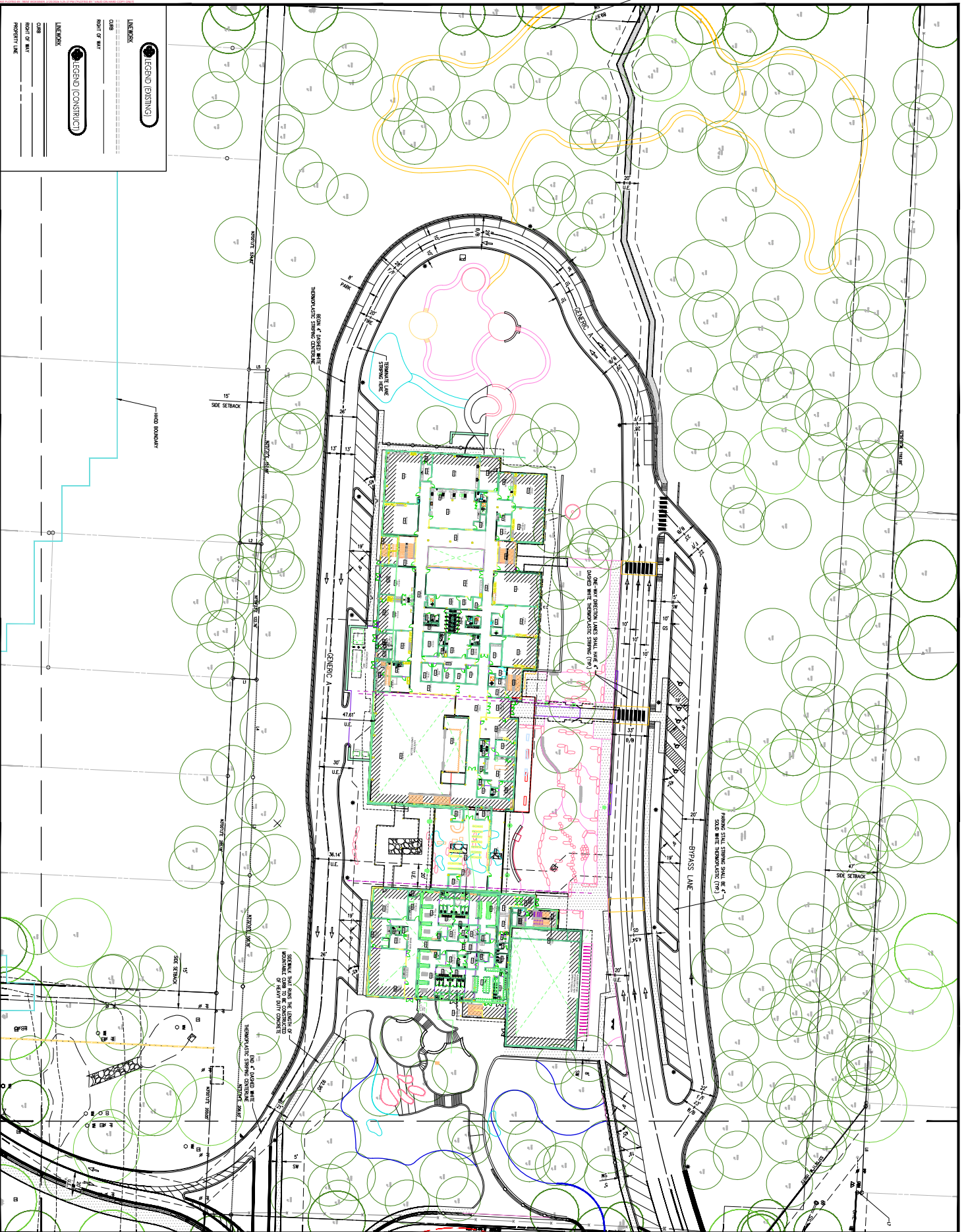
**LEGEND (CONSTRUCT)**

CONSTRUCTED CONSTRUCTION  
 CONSTRUCTED UTILITIES  
 CONSTRUCTED EASEMENTS

**NOTES**

1. THE DESIGN, INSPECTION AND CERTIFICATION OF ANY RETAINING WALL IS THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL MAINTAIN THE EXISTING WALLS, FOUNDATIONS, AND STRUCTURES. ANY RETAINING WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
2. THE CONTRACTOR SHALL MAINTAIN THE EXISTING UTILITIES AND STRUCTURES. ANY UTILITIES SHALL BE PROTECTED AND MAINTAINED. ANY UTILITIES TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
3. THE CONTRACTOR SHALL MAINTAIN THE EXISTING EASEMENTS AND STRUCTURES. ANY EASEMENTS SHALL BE MAINTAINED AND PROTECTED. ANY EASEMENTS TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
4. THE CONTRACTOR SHALL MAINTAIN THE EXISTING CURBS AND STRUCTURES. ANY CURBS SHALL BE MAINTAINED AND PROTECTED. ANY CURBS TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
5. THE CONTRACTOR SHALL MAINTAIN THE EXISTING SIDEWALKS AND STRUCTURES. ANY SIDEWALKS SHALL BE MAINTAINED AND PROTECTED. ANY SIDEWALKS TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
6. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAYS AND STRUCTURES. ANY DRIVEWAYS SHALL BE MAINTAINED AND PROTECTED. ANY DRIVEWAYS TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
7. THE CONTRACTOR SHALL MAINTAIN THE EXISTING PAVEMENT AND STRUCTURES. ANY PAVEMENT SHALL BE MAINTAINED AND PROTECTED. ANY PAVEMENT TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
8. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND STRUCTURES. ANY LANDSCAPE SHALL BE MAINTAINED AND PROTECTED. ANY LANDSCAPE TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
9. THE CONTRACTOR SHALL MAINTAIN THE EXISTING TREES AND STRUCTURES. ANY TREES SHALL BE MAINTAINED AND PROTECTED. ANY TREES TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
10. THE CONTRACTOR SHALL MAINTAIN THE EXISTING FENCES AND STRUCTURES. ANY FENCES SHALL BE MAINTAINED AND PROTECTED. ANY FENCES TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
11. THE CONTRACTOR SHALL MAINTAIN THE EXISTING SIGNAGE AND STRUCTURES. ANY SIGNAGE SHALL BE MAINTAINED AND PROTECTED. ANY SIGNAGE TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
12. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LIGHTING AND STRUCTURES. ANY LIGHTING SHALL BE MAINTAINED AND PROTECTED. ANY LIGHTING TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
13. THE CONTRACTOR SHALL MAINTAIN THE EXISTING SECURITY AND STRUCTURES. ANY SECURITY SHALL BE MAINTAINED AND PROTECTED. ANY SECURITY TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
14. THE CONTRACTOR SHALL MAINTAIN THE EXISTING ACCESS AND STRUCTURES. ANY ACCESS SHALL BE MAINTAINED AND PROTECTED. ANY ACCESS TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.
15. THE CONTRACTOR SHALL MAINTAIN THE EXISTING UTILITIES AND STRUCTURES. ANY UTILITIES SHALL BE MAINTAINED AND PROTECTED. ANY UTILITIES TO BE MOVED SHALL BE MOVED IN ACCORDANCE WITH THE DESIGN AND CERTIFICATION OF THE REGISTERED PROFESSIONAL ENGINEER.





LEGEND (EXISTING)	
LANDSCAPE	EXISTING
CONCRETE	EXISTING
ASPHALT	EXISTING
GRAVEL	EXISTING
SOIL	EXISTING
ROCK	EXISTING
WOOD	EXISTING
PROPERTY LINE	EXISTING

LEGEND (CONSTRUCT)	
CONCRETE	CONSTRUCT
ASPHALT	CONSTRUCT
GRAVEL	CONSTRUCT
SOIL	CONSTRUCT
ROCK	CONSTRUCT
WOOD	CONSTRUCT
PROPERTY LINE	CONSTRUCT



LAKE FLATO

**PRISM**  
DESIGN STUDIO  
Landscape Architecture  
Civil Engineering  
Structural Engineering

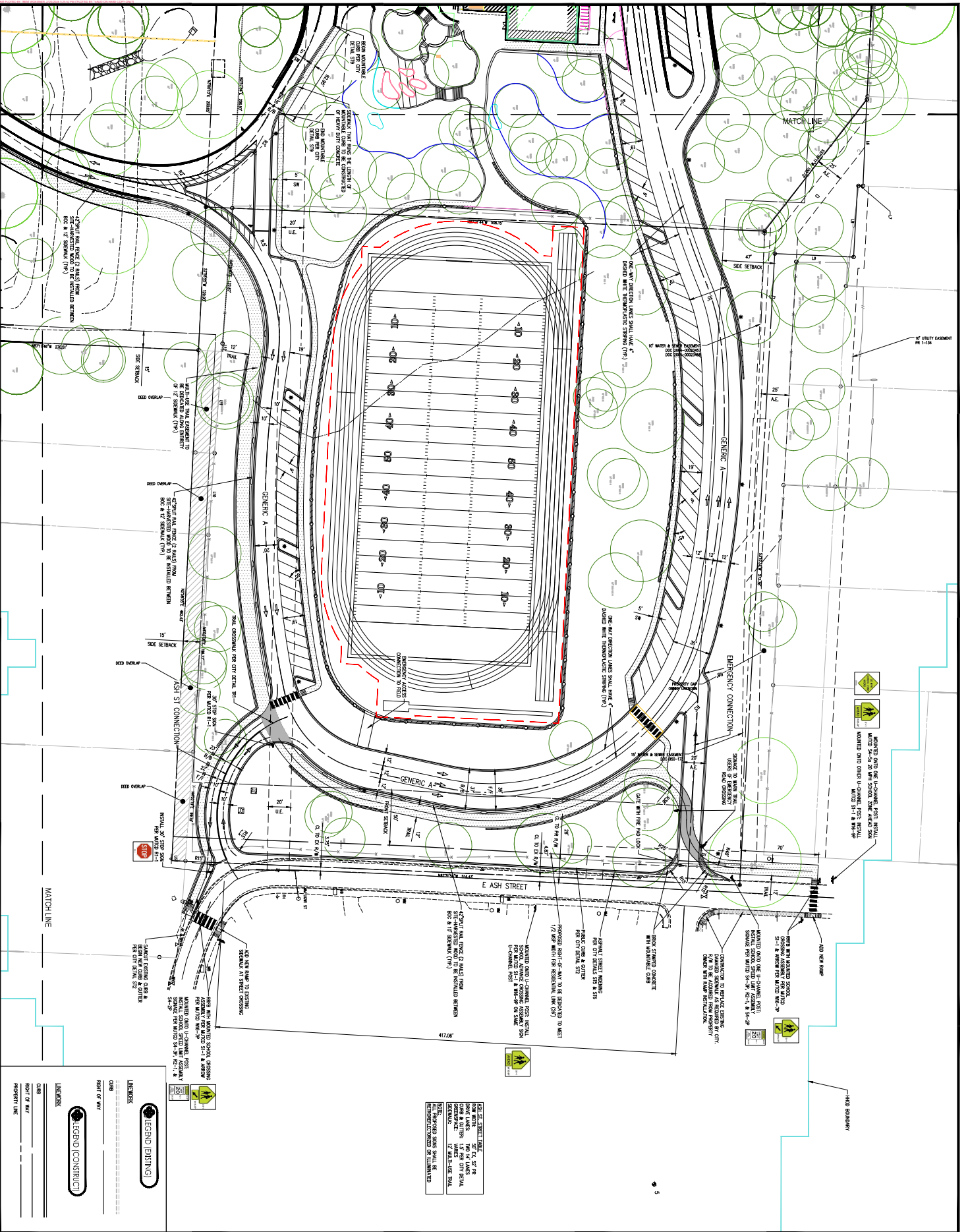
Planning Commission  
April 2026  
LSD-2025-0019 (RAMAY JR HIGH)



RAMAY JUNIOR HIGH  
NORTH COLLEGE AVENUE  
FAVETTEVILLE, AR 72733

NO.	REVISION	DATE

C-102  
SITE PLAN A



WARNING: ONE CHANNEL POSTS SHALL BE MOUNTED ON ONE CHANNEL POST. SHALL BE MOUNTED ON ONE CHANNEL POST. SHALL BE MOUNTED ON ONE CHANNEL POST. SHALL BE MOUNTED ON ONE CHANNEL POST.

CONCRETE TO BE CAST IN PLACE. SHALL BE CAST IN PLACE. SHALL BE CAST IN PLACE. SHALL BE CAST IN PLACE.

CONCRETE TO BE CAST IN PLACE. SHALL BE CAST IN PLACE. SHALL BE CAST IN PLACE. SHALL BE CAST IN PLACE.

CONCRETE TO BE CAST IN PLACE. SHALL BE CAST IN PLACE. SHALL BE CAST IN PLACE. SHALL BE CAST IN PLACE.

**LEGEND (EXISTING)**

LEGEND (CONSTRUCTED)

LEGEND (CONSTRUCTION)

LEGEND (LANDSCAPE)

LEGEND (UTILITIES)

LEGEND (OTHER)

**LEGEND (CONSTRUCTED)**

LEGEND (LANDSCAPE)

LEGEND (UTILITIES)

LEGEND (OTHER)

NO.	DESCRIPTION
1	EXISTING CONCRETE
2	NEW CONCRETE
3	EXISTING ASPHALT
4	NEW ASPHALT
5	EXISTING GRAVEL
6	NEW GRAVEL
7	EXISTING SOIL
8	NEW SOIL
9	EXISTING VEGETATION
10	NEW VEGETATION

NO.	DESCRIPTION
11	EXISTING UTILITY
12	NEW UTILITY
13	EXISTING FENCE
14	NEW FENCE
15	EXISTING SIGN
16	NEW SIGN

NO.	DESCRIPTION
17	EXISTING DRIVEWAY
18	NEW DRIVEWAY
19	EXISTING SIDEWALK
20	NEW SIDEWALK
21	EXISTING CURB
22	NEW CURB

NO.	DESCRIPTION
23	EXISTING LIGHTING
24	NEW LIGHTING
25	EXISTING SECURITY
26	NEW SECURITY

NO.	DESCRIPTION
27	EXISTING PAVING
28	NEW PAVING
29	EXISTING DRAINAGE
30	NEW DRAINAGE

NO.	DESCRIPTION
31	EXISTING LANDSCAPE
32	NEW LANDSCAPE
33	EXISTING TREES
34	NEW TREES

NO.	DESCRIPTION
35	EXISTING UTILITIES
36	NEW UTILITIES
37	EXISTING FENCES
38	NEW FENCES

**LAKE FLATO**

**PRISM DESIGN STUDIO**

**PLANNING CONSULTANTS**

**DESIGNER OF RECORD**

**DATE: APRIL 2026**

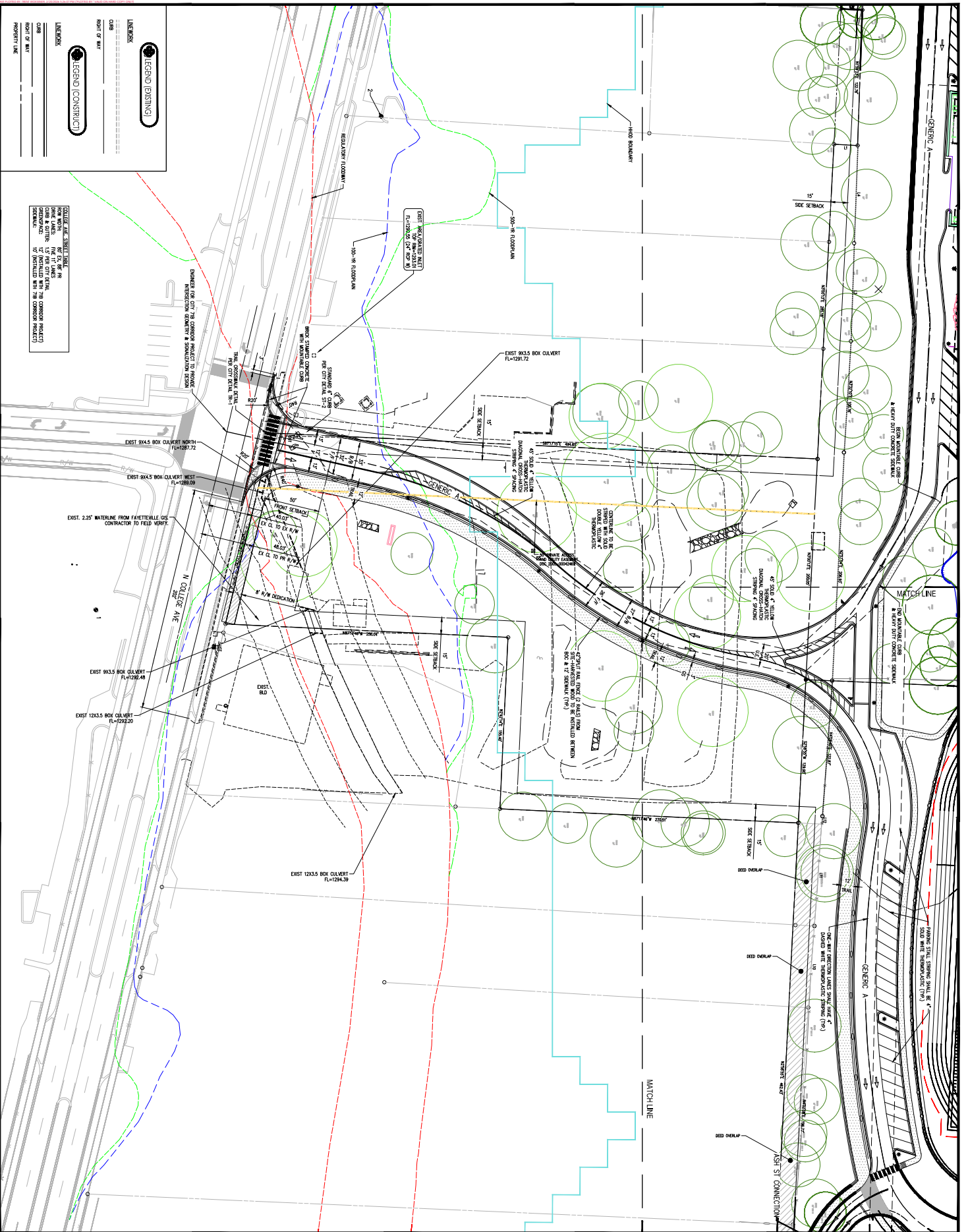
**PROJECT: RAMAY JUNIOR HIGH**

**SCALE: AS SHOWN**

**DATE: APRIL 2026**

**PROJECT: RAMAY JUNIOR HIGH**

C-103



**LEGEND (EXISTING)**

**LEGEND (CONSTRUCT)**

LINEWORK

CLASH

ROAD OF WAY

PROPERTY LINE

CONFLICT AREAS SHALL BE RESOLVED BY THE DESIGNER. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**C-104**

SITE PLAN C

DOCUMENTATION

PRELIMINARY & FINAL RECORD

DATE

BY

REVISION

**PRISM**

DESIGN STUDIO

PLANNING CONSULTANTS

April 2026

LSD-2025-0019 (RAMAY JR HIGH)

**LAKE FLATO**

**Crafton Tull**

PLANNING CONSULTANTS

ARCHITECTS

1000 N. UNIVERSITY AVENUE, SUITE 1000

INDIANAPOLIS, IN 46202

TEL: 317.633.1100

WWW.CRAFTONTULL.COM

RAMAY JUNIOR HIGH

1000 COLLEGE AVENUE

FAYETTEVILLE, IN 47733

**FPS**

FAYETTEVILLE

PUBLIC SCHOOLS

1000 COLLEGE AVENUE

FAYETTEVILLE, IN 47733

**CS**

CIVIL ENGINEERING

1000 COLLEGE AVENUE

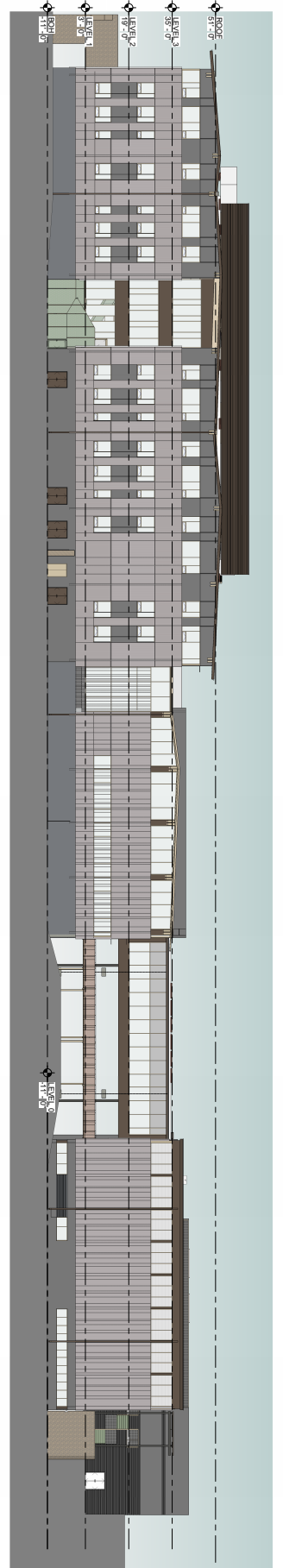
FAYETTEVILLE, IN 47733

TEL: 317.633.1100

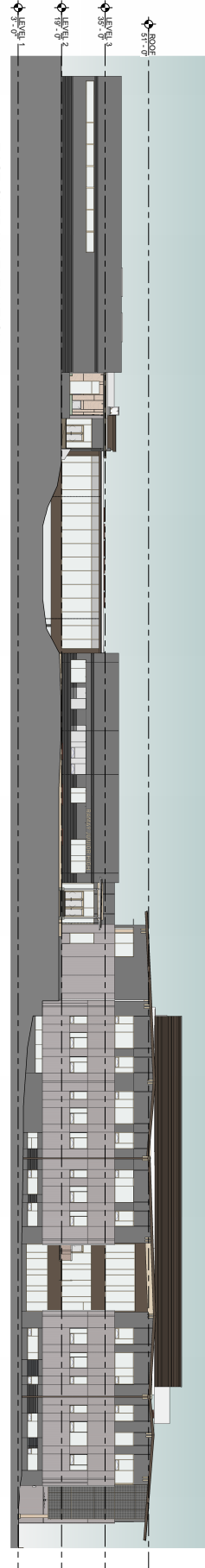
WWW.CRAFTONTULL.COM



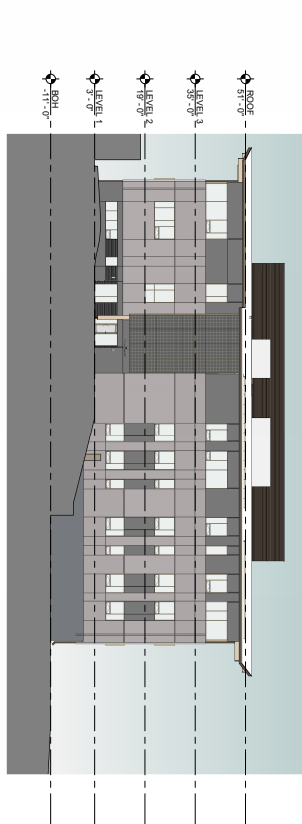




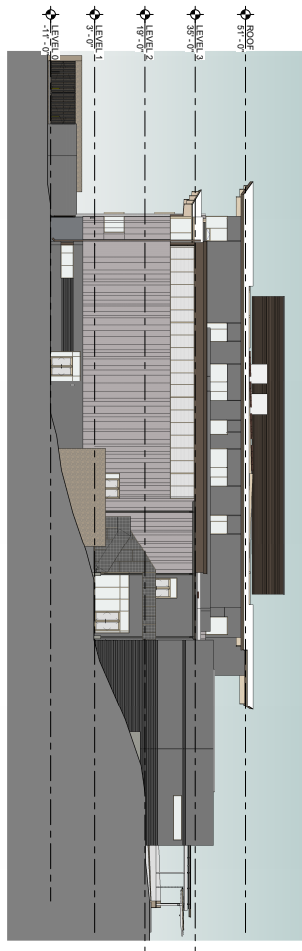
1 WEST OVERALL ELEVATION  
SCALE: 1/8" = 1'-0"



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](mailto:susan12mcdonald@gmail.com)>  
**Sent:** Monday, January 12, 2026 9:14 AM  
**To:** Masters, Jessica <[jmasters@fayetteville-ar.gov](mailto: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](mailto: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](mailto:susan12mcdonald@gmail.com)>  
**Sent:** Friday, January 9, 2026 9:58 PM  
**To:** Berna, Scott <[scott.berna@fayetteville-ar.gov](mailto:scott.berna@fayetteville-ar.gov)>; Bunch, Sarah <[sarah.bunch@fayetteville-ar.gov](mailto:sarah.bunch@fayetteville-ar.gov)>; Moore, Sarah <[sarah.moore@fayetteville-ar.gov](mailto:sarah.moore@fayetteville-ar.gov)>; Stafford, Bob <[bob.stafford@fayetteville-ar.gov](mailto:bob.stafford@fayetteville-ar.gov)>; Jones, D'Andre <[dandre.jones@fayetteville-ar.gov](mailto:dandre.jones@fayetteville-ar.gov)>; Wiederkehr, Mike <[mike.wiederkehr@fayetteville-](mailto:mike.wiederkehr@fayetteville-)

LSD-2025-0019  
Public Comment

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

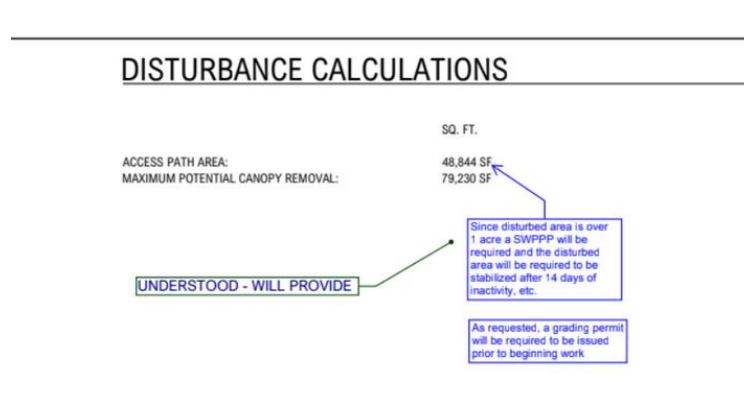
**Subject:** Plan and the Reality

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](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

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.

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](mailto:lanalharris08@gmail.com)

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

From: Bill Russell <[billrussellark@gmail.com](mailto:billrussellark@gmail.com)>

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

To: Planning Shared <[planning@fayetteville-ar.gov](mailto: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

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.

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](mailto: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](http://www.fayetteville-ar.gov)

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

<image001.png>

**From:** Shelby Rogers <[ShelbyR@GurthetMedia.com](mailto:ShelbyR@GurthetMedia.com)>

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

**To:** Masters, Jessica <[jmasters@fayetteville-ar.gov](mailto:jmasters@fayetteville-ar.gov)>

**Cc:** Curth, Jonathan <[jcurth@fayetteville-ar.gov](mailto:jcurth@fayetteville-ar.gov)>

**Subject:** Re: Planning Commission Meeting February 23rd

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.

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](mailto: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](http://www.fayetteville-ar.gov)

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

<image001.png>

**From:** Shelby Rogers <[ShelbyR@GurthetMedia.com](mailto:ShelbyR@GurthetMedia.com)>

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

**To:** Masters, Jessica <[jmasters@fayetteville-ar.gov](mailto:jmasters@fayetteville-ar.gov)>; Curth, Jonathan <[jcurth@fayetteville-ar.gov](mailto:jcurth@fayetteville-ar.gov)>

**Subject:** Planning Commission Meeting February 23rd

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.

LSD-2025-0019  
Public Comment

Jessie and/or Jonathan,

I have heard a rumor that the Planning Commission meeting scheduled for Monday 23<sup>rd</sup> 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 <[andrea4fournet@gmail.com](mailto:andrea4fournet@gmail.com)>

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

**To:** Masters, Jessica <[jmasters@fayetteville-ar.gov](mailto: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](mailto: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](http://www.fayetteville-ar.gov)

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



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**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](mailto:jcurth@fayetteville-ar.gov)

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

**From:** Dede Peters <[dedepictures.4@gmail.com](mailto:dedepictures.4@gmail.com)>

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

**To:** Masters, Jessica <[jmasters@fayetteville-ar.gov](mailto:jmasters@fayetteville-ar.gov)>; Curth, Jonathan <[jcurth@fayetteville-ar.gov](mailto:jcurth@fayetteville-ar.gov)>; Williams, Kit <[kwilliams@fayetteville-ar.gov](mailto: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

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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



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Public Comment



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Public Comment



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

From: Paige Lorrabeth <[paigelorrabeth@gmail.com](mailto:paigelorrabeth@gmail.com)>

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

To: Planning Shared <[planning@fayetteville-ar.gov](mailto:planning@fayetteville-ar.gov)>

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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

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**From:** Michele Sutton <[msutton12383@hotmail.com](mailto:msutton12383@hotmail.com)>

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

**To:** Planning Shared <[planning@fayetteville-ar.gov](mailto:planning@fayetteville-ar.gov)>

**Subject:** Rethink Ramay

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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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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

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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.

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(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

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**From:** Jennifer Cook <[jpinkertoncook@swbell.net](mailto:jpinkertoncook@swbell.net)>

**Sent:** Monday, March 23, 2026 8:53 AM

**To:** Brink, Andrew <[andrew.brink@fayetteville-ar.gov](mailto:andrew.brink@fayetteville-ar.gov)>; Holeyfield, Ashlyn <[ashlyn.holeyfield@fayetteville-ar.gov](mailto:ashlyn.holeyfield@fayetteville-ar.gov)>; Payne, Brad <[brad.payne@fayetteville-ar.gov](mailto:brad.payne@fayetteville-ar.gov)>; Gulley, Fred <[fred.gulley@fayetteville-ar.gov](mailto:fred.gulley@fayetteville-ar.gov)>; Madden, Mary <[mary.madden@fayetteville-ar.gov](mailto:mary.madden@fayetteville-ar.gov)>; McGetrick, Mary <[mary.mcgetrick@fayetteville-ar.gov](mailto:mary.mcgetrick@fayetteville-ar.gov)>; Castin, Nick <[nick.castin@fayetteville-ar.gov](mailto:nick.castin@fayetteville-ar.gov)>; Werner, Nick <[nick.werner@fayetteville-ar.gov](mailto:nick.werner@fayetteville-ar.gov)>; Planning Shared <[planning@fayetteville-ar.gov](mailto:planning@fayetteville-ar.gov)>

**Subject:** RAMAY LSD - Please leave on first reading

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PLEASE INCLUDE AS A LATE ADDITION TO COMMISSION PACKETS

Hello commissioners,

Agenda information for the Ramay Junior High School LSD was only available to citizens on Friday, March 20. We need more time to review what is proposed for this very important development that will affect us for decades to come. Please leave on the first reading today, March 23.

The district's failure to properly notify residents before the last meeting should not mandate a rush on your part.

In case you do vote tonight, please vote against the variance not to require sidewalk improvements to the south side of Ash Street. This sidewalk is in desperate need of improvement and that will never happen if a development of this magnitude is not required to build it. The trail through the Ramay site will not help connect the part of the neighborhood south of the development and goes against the district's own stated goal to encourage walkability.

In addition, I have serious concerns about this statement by staff on page 4: "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.**"

Why would 166.25, which requires rather than encourages connectivity, not apply to institutional uses? P-1 potentially creates a lot more traffic than many other uses, so 166.25 should absolutely apply. This isn't even in the form of a variance you can affirm or deny. It is just stated as fact.

The district should be required, like any developer, to provide multiple street and sidewalk connections to ensure this is not an isolated site.

In addition, I am very concerned about the district's plans for the three-way intersection of Ash, Walnut and the district's "driveway" to Ash. During drop-off and pick-up, this intersection will create gridlock stretching back to College Avenue and Old Wire Road. I hope you have the design skills to figure out how to mitigate that, if it's even possible.

Thank you,

Jennifer Cook

1848 N. Wheeler Ave.

LSD-2025-0019  
Public Comment

From: Shelby Rogers <[ShelbyR@GurthetMedia.com](mailto:ShelbyR@GurthetMedia.com)>

Sent: Monday, March 23, 2026 2:02 PM

To: Planning Shared <[planning@fayetteville-ar.gov](mailto:planning@fayetteville-ar.gov)>

Cc: CityClerk <[cityclerk@fayetteville-ar.gov](mailto:cityclerk@fayetteville-ar.gov)>

Subject: Ramay LSD

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.

Good afternoon.

I am writing this email as I am out of town. I have adjacent property to this location and have several issues with the plan.

The variances being requested are mostly due to the fact that the planned school for this location is not appropriate and because of that, variances are now being requested after statements were made at rezoning, "that it was suitable for this site".

Drive Aisle Width: so because of heavy traffic you now want to reduce the size of the aisle width! This is going to cause all kinds of problems with radius turning of school busses and car traffic!

Residential Link: so the slope on Ash St is too steep to put in sidewalks and trails and yet a school can be located there????

Higher Classification Street: with there not being a left turn on Ash St, it would seem logical that much more than 2/3 of traffic will be at College. It is inappropriate to allow variances on curb cuts! If Ash is "too steep and narrow and not suitable for main entrance" why should a school be located there?

Cross Access: the FPS' signed the agreement with the seller not to use that entrance and it should not be a variance as FPS was knowledgeable about this issue and still bought the property! This is on FPS not the citizens of Fayetteville. Safety first!!!

Bottom line: FPS and the developers have caused these variance requests by trying to locate a school at an inappropriate location.

This should not move forward!!!

Shelby E Rogers

479-935-5866

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Public Comment

**From:** Brink, Andrew <[andrew.brink@fayetteville-ar.gov](mailto:andrew.brink@fayetteville-ar.gov)>  
**Sent:** Monday, March 23, 2026 5:25 PM  
**To:** Britt Dobbins <[brittd39@gmail.com](mailto:brittd39@gmail.com)>  
**Cc:** Masters, Jessica <[jmasters@fayetteville-ar.gov](mailto:jmasters@fayetteville-ar.gov)>  
**Subject:** Re: LSD-RAMAY- RESIDENT AT 518 E ASH CONCERNS- LIMITS OF DISTURBANCE

Thanks for reaching out, Britt. I'll try to hit on some of those concerns in tonight's meeting. If you're unable to attend, you can watch on Zoom or the City's YouTube Channel. If unable to watch live, you can watch the recording on the City's website.

If you have future or additional questions, I would reach out to City staff. I would start with Jessie Masters, cc'd.

Thanks,

Andrew Brink

Planning Commission

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**From:** Britt Dobbins <[brittd39@gmail.com](mailto:brittd39@gmail.com)>  
**Sent:** Monday, March 23, 2026 4:15:03 PM  
**To:** Brink, Andrew <[andrew.brink@fayetteville-ar.gov](mailto:andrew.brink@fayetteville-ar.gov)>; Holeyfield, Ashlyn <[ashlyn.holeyfield@fayetteville-ar.gov](mailto:ashlyn.holeyfield@fayetteville-ar.gov)>; Payne, Brad <[brad.payne@fayetteville-ar.gov](mailto:brad.payne@fayetteville-ar.gov)>; Gulley, Fred <[fred.gulley@fayetteville-ar.gov](mailto:fred.gulley@fayetteville-ar.gov)>; Madden, Mary <[mary.madden@fayetteville-ar.gov](mailto:mary.madden@fayetteville-ar.gov)>; McGetrick, Mary <[mary.mcgetrick@fayetteville-ar.gov](mailto:mary.mcgetrick@fayetteville-ar.gov)>; Cabe, Matthew <[matthew.cabe@fayetteville-ar.gov](mailto:matthew.cabe@fayetteville-ar.gov)>; Castin, Nick <[nick.castin@fayetteville-ar.gov](mailto:nick.castin@fayetteville-ar.gov)>; Werner, Nick <[nick.werner@fayetteville-ar.gov](mailto:nick.werner@fayetteville-ar.gov)>  
**Subject:** LSD-RAMAY- RESIDENT AT 518 E ASH CONCERNS- LIMITS OF DISTURBANCE

LSD-2025-0019  
Public Comment

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

Hello,

I am writing to share concerns regarding the Ramay Middle School project plans.

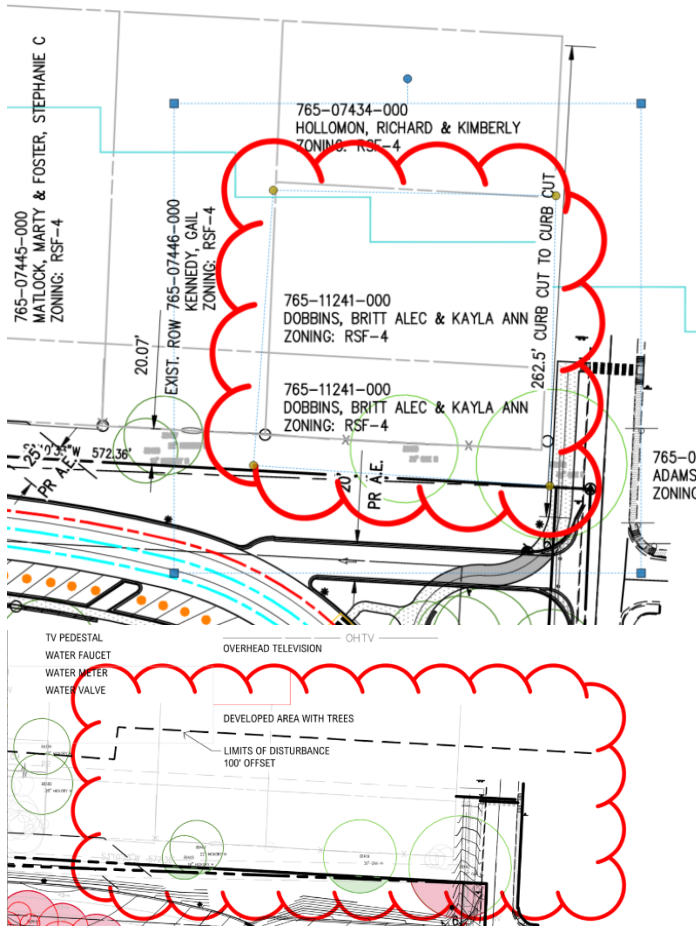
Per plan sheet L-030, the limits of disturbance appear to extend very near to—or potentially onto—my property, where several old-growth trees are located. I ask for clear confirmation of how these limits were established, what protections will be in place to prevent encroachment or damage, and how any impacts to my property would be addressed and remedied if they occur.

I am also concerned that the planned crosswalk construction may encroach on my drive way causing damage. Additionally, the added entrances along E Ash raise concerns about increased traffic, safety, and congestion in the immediate area.

I understand the project is moving forward and recognize its community benefits. I simply ask that property boundaries are respected and impacts to neighboring residents are minimized.

Thank you for your time and attention. I look forward to your response.

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Public Comment



Respectfully,

Britt Dobbins

Resident 518 E Ash Street Fayetteville, AR 72703

518-708-5416



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Donna Wonsower, Senior Planner

**MEETING DATE:** April 13, 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; RI-U, RESIDENTIAL INTERMEDIATE-URBAN; AND CCR, CONSERVATION, CULTURAL, AND RECREATION.

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**RECOMMENDATION:**

Staff recommends forwarding **RZN-2026-0003** to the City Council with a recommendation of approval.

**RECOMMENDED MOTION:**

*“I move to forward **RZN-2026-0003** to City Council with a recommendation of approval.”*

**MARCH 9 AND MARCH 23, 2026 PLANNING COMMISSION 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 prior to the March 23 planning commission meeting; therefore, the project was tabled again to provide time for staff review. In the interim, the project was revised to propose CCR, Conservation, Cultural, and Recreation over the floodplain areas rather than R-A.

**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 Thoroughfare; 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**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
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 portions of the property from NC, Neighborhood Conservation to the following districts: 1.81 acres to CCR, Conservation, Cultural, and Recreation; 1.72 acres to CS, Community Services; and 2.01 acres to RI-U, Residential Intermediate-Urban. The remaining 8.05 acres of the site are proposed to remain within existing zoning districts.

*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 requires **20% minimum canopy preservation**. The proposed zoning districts of CCR, CS, and RI-U, require **80%, 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 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. This intention has not yet happened as development in the area has been primarily single-family detached homes, often with facades facing away from Rupple. Staff is concerned that additional CS would allow for further development of single-family developments given the established precedent. UDC §164.06(C) and §166.08 are intended to prevent a property from fronting two streets and should provide some protection from this issue occurring in the future, however.

The current NC zoning acts as a buffer transition in the area as the property moves east towards Jasmine Lane. The applicant proposes to maintain this lower-intensity buffer, though with an incremental increase in development rights. The southeast corner of the property within floodplain is proposed to remain NC, a portion adjacent to Catalpa is proposed to rezone to R-A, and the remainder is proposed to be upzoned to RI-U. Both RI-U and CS allow single-family homes by right with no density maximums and on lots as narrow as 18 feet, however RI-U has lower height maximums and does not permit many uses that could be compatible adjacent to Rupple but less compatible adjacent to existing neighborhoods such as multifamily structures. 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.

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 additional mixed uses and housing choice in the area and finds that the proposed upzoning paired with downzoning the proposed floodplain boundaries could provide potential for increased services in the area that are compatible with surrounding land uses.

*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. However, staff finds that the inclusion of an RI-U buffer between the proposed CS upzoning and the existing single-family neighborhoods is likely to mitigate that associated impact.

The applicant has provided a preliminary "No Adverse Impact" analysis that shows the effect of potential grading on the property on the existing floodplain. The new location of the floodplain associated with this analysis are largely proposed to be dedicated within the CCR, Conservation, Cultural and Recreation District, the city's zoning district intended for preservation of sensitive environmental areas. Staff notes that neither this study nor the revised floodplain boundaries indicated by a larger floodplain study that was completed as part of the adjacent school development have been submitted to FEMA to complete a formal map revision; therefore, the floodplain boundaries have not yet changed at this time. Additionally, engineering has not yet had a chance to review the proposed modeling.

Staff has historically not supported upzoning within sensitive environmental areas such as floodplain and streamside preservation. Previous iterations of the rezoning included downzoning floodplain adjacent to the southern border of the parcel. This iteration of the request has now excluded that floodplain from the proposed rezoning, which would allow it to remain CS and UT under existing zoning entitlements. also now proposes to rezone 0.76 acres of rezoning adjacent to Catalpa to CCR, which could create approximately 200 feet of street frontage where development is unlikely to occur, limiting the ability of that land to meet city goals for walkable development and street-oriented design. Staff does find that downzoning the proposed floodplain and placing these areas within CCR serves to meet city goals to provide protection for sensitive areas.

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 this section of the subject property at this time. CS and RI-U would permit additional housing choice and potential for mixing of uses adjacent to a public school while CCR would provide permanent protection over portions of the intended floodplain on the site. While the floodplain boundaries have not yet been

finalized, staff finds that the rezoning of the intended floodplain to CCR meets the intent of the district to preserve flood lands.

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

**Finding:** Rezoning the NC portion of the property to a mix of CCR, RI-U, and CS could increase development potential and its associated traffic impact on the site as 3.73 acres is proposed to shift from NC, which has a density limit of 10 units per acre, to CS or RI-U, which have 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 and RI-U have 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 forwarding RZN-2026-0003 to the City Council with a recommendation of approval.

<b>PLANNING COMMISSION ACTION:</b>	Required	<u>YES</u>	
Date: <u>April 13, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion:			
Second:			
Vote:			

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**BUDGET/STAFF IMPACT:**

None

**ATTACHMENTS:**

- Unified Development Code
  - §161.12 RI-U, Residential Intermediate-Urban
  - §161.22 Community Services
  - §161.29 Neighborhood Conservation
  - §161.38 CCR, Conservation, Cultural, And Recreation
- Project Maps
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
  - Future Land Use Map
- Staff Exhibits
  - Floodplain / Zoning Overlay
  - Long Range Planning Memo
- Applicant Exhibits
  - Request Letter
  - Exhibits (Current Floodplain and Floodplain Study)

## 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-family dwellings
Unit 10	Three- and four-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	Side Single & Two-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 setback 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. 6945, §5(Exh. D), 12-16-25)

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

(Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800, §1(Exh. A), 10-6-15; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §§5, 7—9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6223, §1, 9-3-19; Ord. No. 6409 §1, 2-2-21; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21; Ord. No. 6497, §1, 10-19-21; Ord. No. 6879, §2, 5-20-25)

Editor's note(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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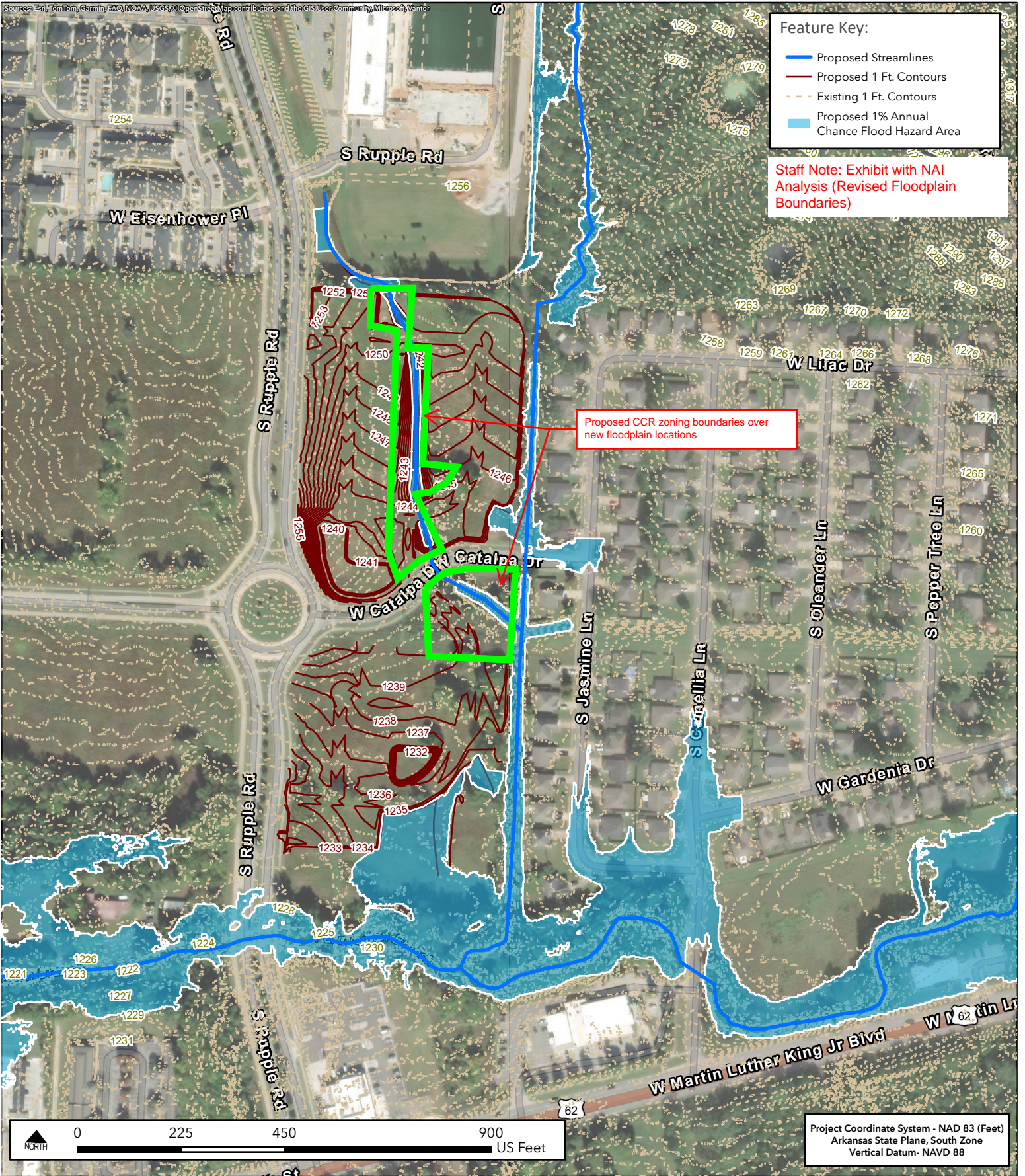
(2) *Lot Area Minimum.* 4,000 square feet

(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.*

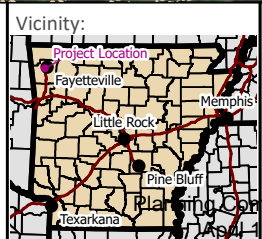
Building Height Maximum	3 stories
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Client Name: <b>Jorgensen</b>	
Project Title: <b>Titan Catalpa Dr NAI Analysis</b>	
Project Location: <b>Catalpa Drive, Fayetteville, Arkansas</b>	Description: <b>Figure 1. Proposed Contours</b>
Date Exported: <b>4/3/2026 2:02 PM</b>	

**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.



Arkansas Commission  
April 13, 2026

(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.

### 161.38 District CCR, Conservation, Cultural, And Recreation

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
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(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

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

(E) *Setback Requirements.*

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

(F) *Height Requirements.*

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

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

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

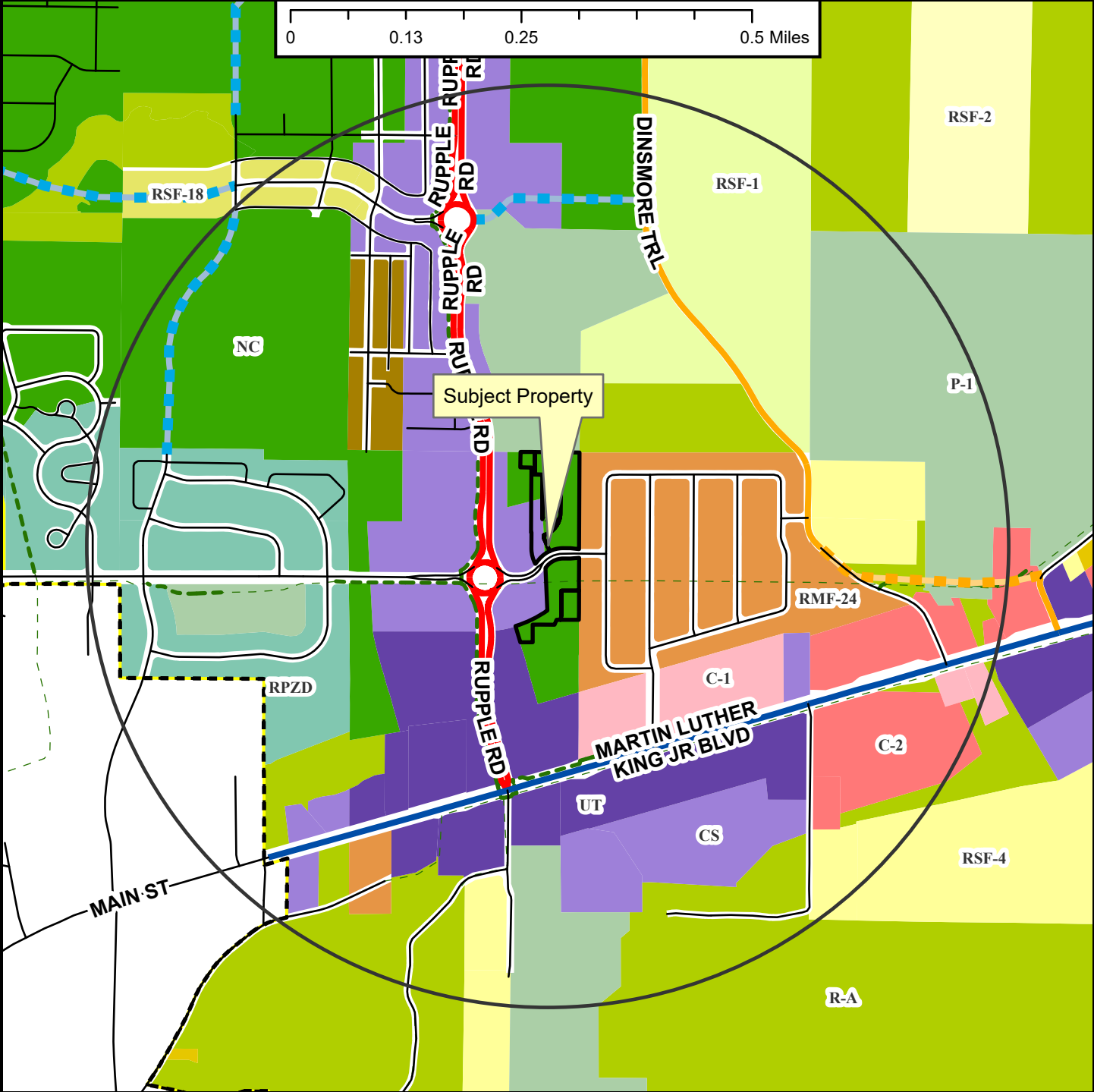
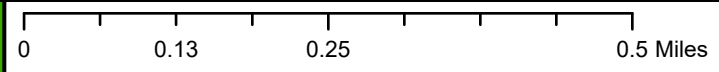
(2) An equivalent legal document that provides permanent protection, if approved by the city.

(Ord. No. 6945, §5(Exh. D), 12-16-25)

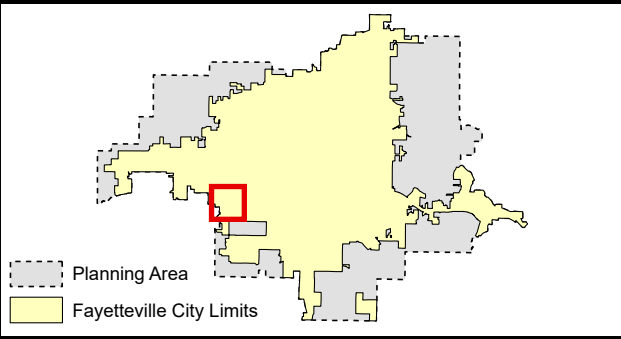
RZN-2026-0003

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

One Mile View

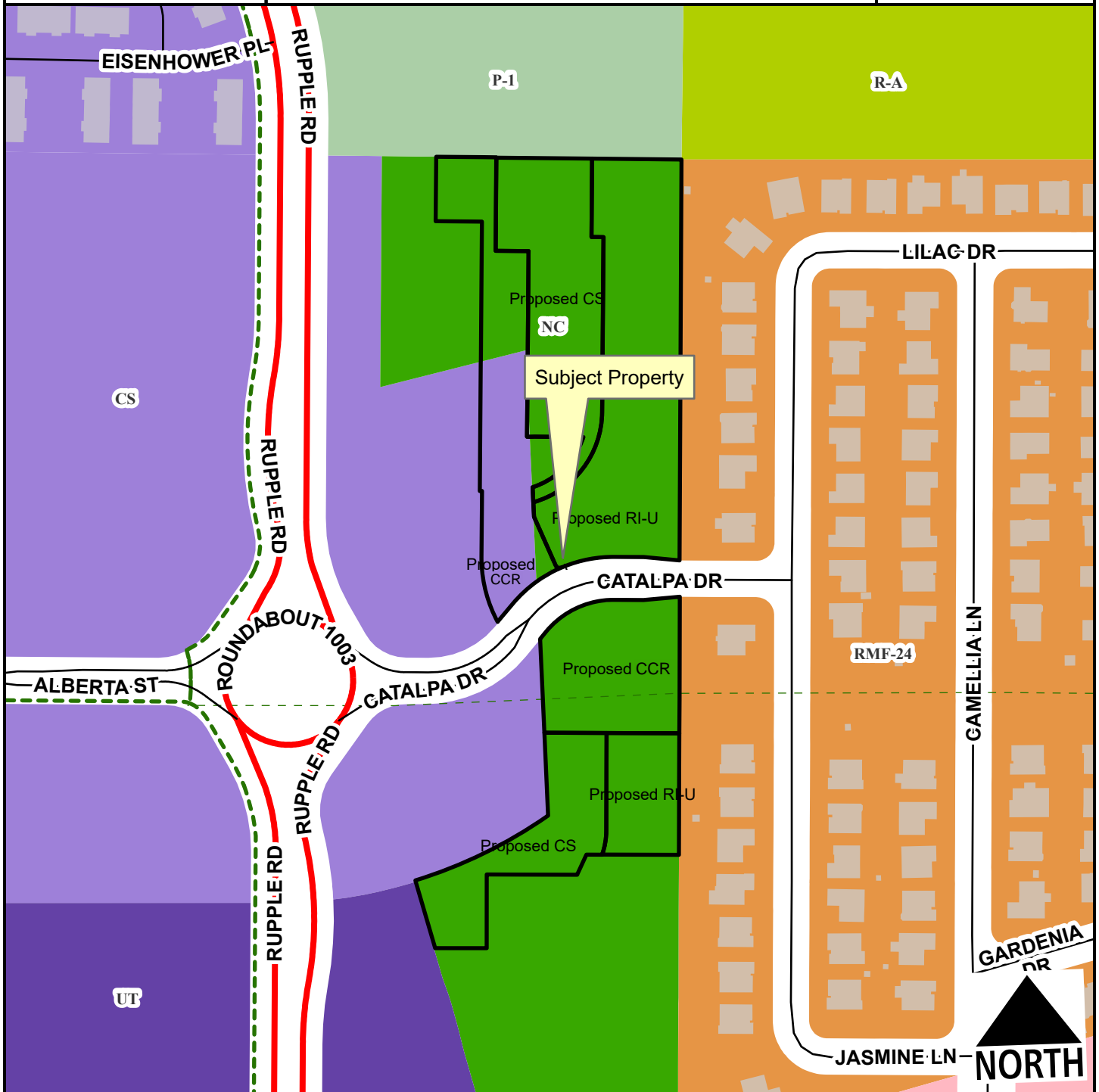


- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- - - Trail (Proposed)
- Fayetteville City Limits
- Planning Area

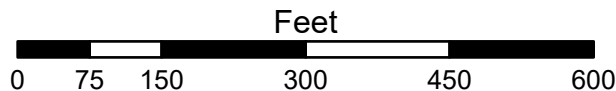


# NORTH & SOUTH OF W. CATALPA DR & S. RUPPLE

Close Up View



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



1:2,400

Zone	Current	Proposed
CS	0.5	1.7
NC	5.0	0.0
CCR	0.0	1.8
RI-U	0.0	2.0

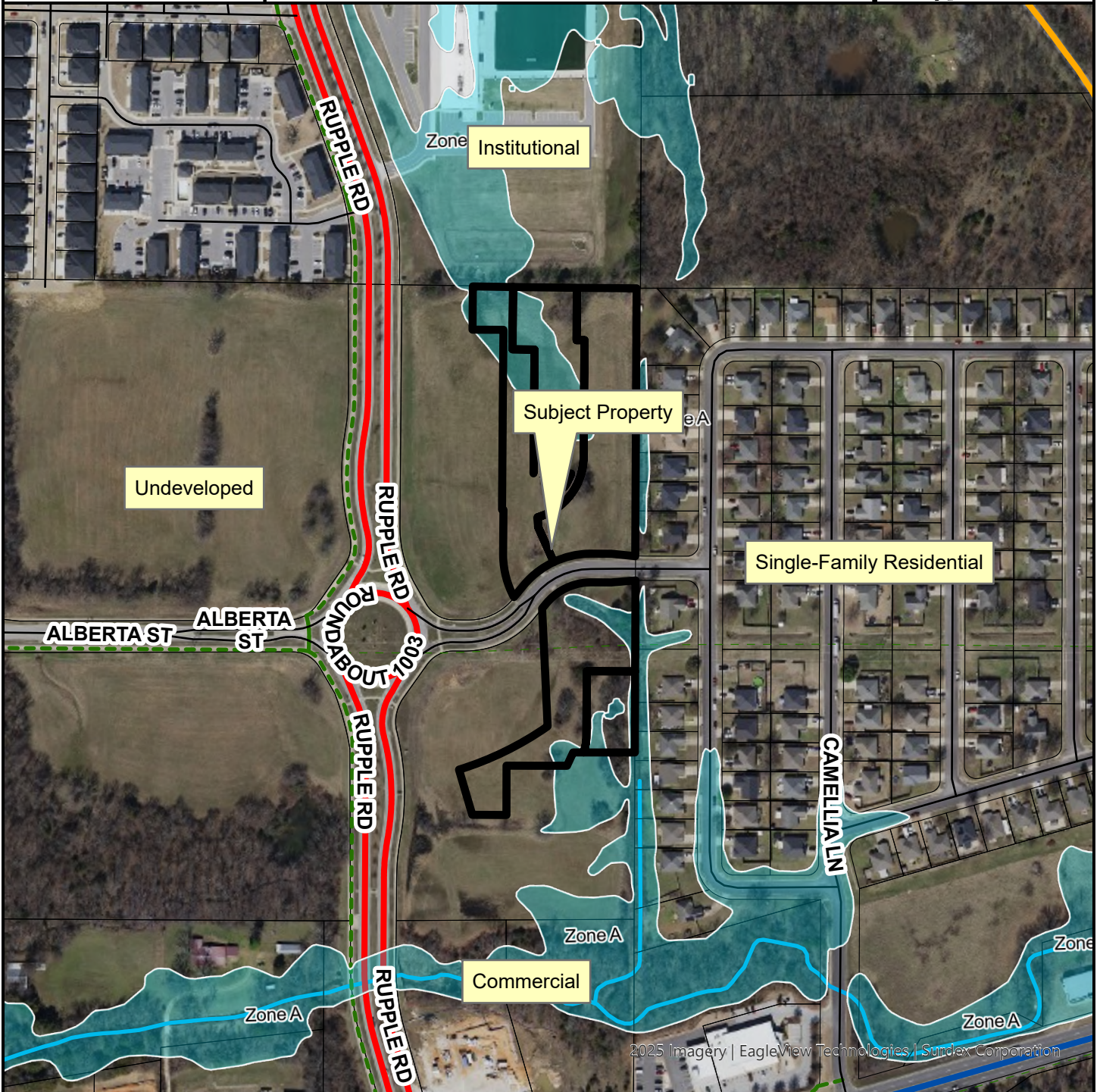
Total 5.5 ac

RZN-2026-0003

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

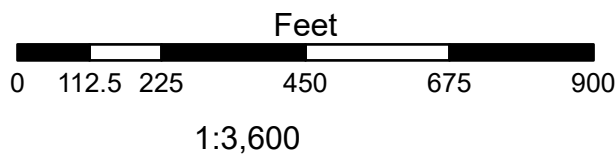


Current Land Use



2025 Imagery | EagleView Technologies | Sundex Corporation

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



### FEMA Flood Hazard Data

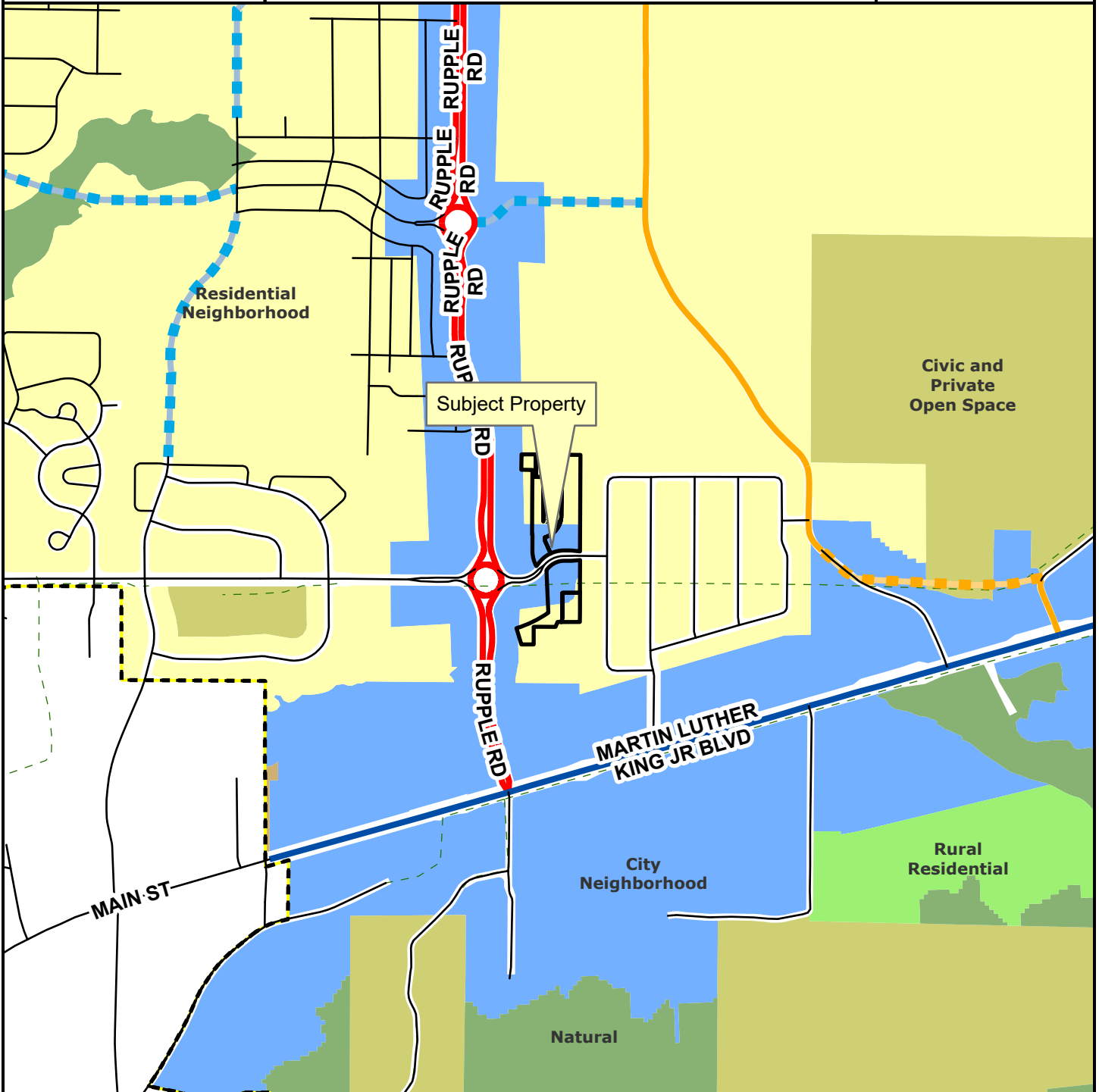
- 100-Year Floodplain
- ▨ Floodway

RZN-2026-0003

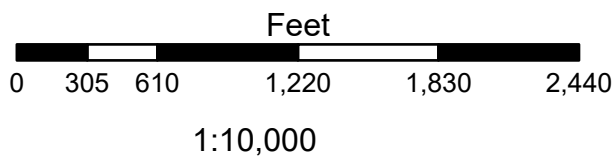
# NORTH & SOUTH OF W. CATALPA DR & S. RUPPLE



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



**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.

## Wonsower, Donna

---

**From:** Blake Jorgensen <blake.jorgensen@blewinc.com>  
**Sent:** Saturday, April 4, 2026 9:21 AM  
**To:** Wonsower, Donna; Pugh, Alan  
**Cc:** bransen\_harris@yahoo.com; Masters, Jessica  
**Subject:** Re: RZN-2026-0003 Discussion Request  
**Attachments:** Figure 1. Proposed Contours.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Thanks for your time on Friday. The attached shows the new proposed floodplain lines from our preliminary LOMR-F and NAI. I'd like to propose that we keep the zoning legals and lines all the same and the only change would be R-A to CCR, this would keep things on track and be in line with the work we have done to-date on the layout and the flood study. See below from McKenzie in regards to the map and the study:

"Blake,

I apologize for the delayed response. We were able to develop proposed grading that would meet the No Adverse Impact condition (no increase to WSE and channel velocities) and compensatory storage requirements for all three streams (North Fork Farmington Branch, North Fork Farmington Branch Tributary 1, and North Fork Farmington Branch Tributary 1 Overflow).

We were able to configure the grading in a way that would not require structures to be placed on piers as discussed previously. I am attaching the proposed grading for your review. The modeling is very sensitive to the grading north of Catalpa Drive, so there is not much wiggle room with those contours, but the southern property is more flexible. I have attached the proposed grading shapefile and a figure with rough mapping based on our modeling results.

I'd be happy to set up a meeting next week to discuss the results and next steps for the project.

Thank you,

**McKenzie Taake, P.E., CFM**  
Olsson Project Engineer / Water



City of Fayetteville

City of Fayetteville  
Development Services  
J+A Project # 2025083  
CoF Project # RZN-2026-0003  
Re: Dudeck Rezoning


Dear Planning Department,

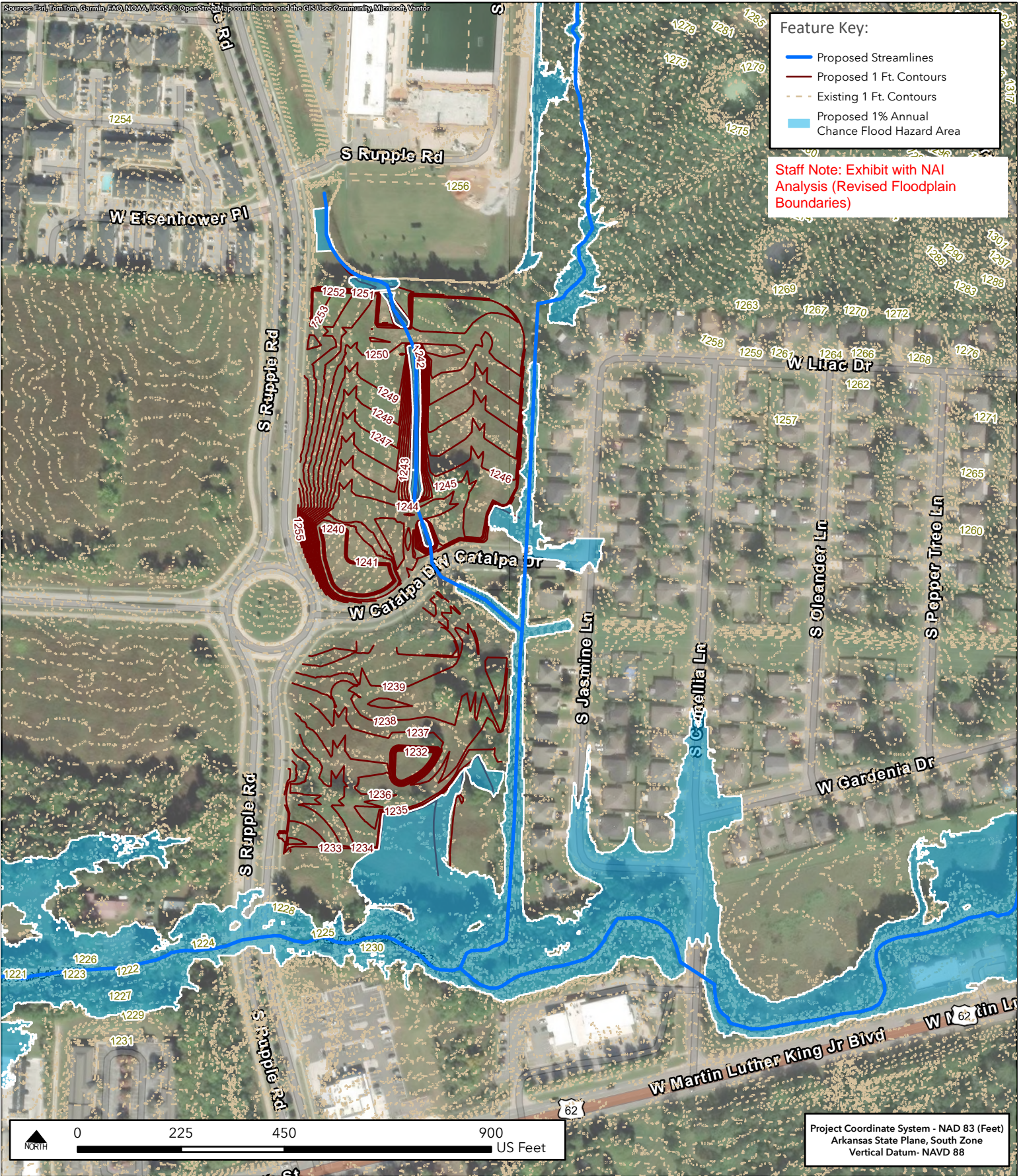
Please accept this request for a rezoning of property parcel #765-16275-032 off of Catalpa and Ruppel Road. The applicant is requesting approval to rezone portions of this property from current zoning to various other zonings (including CS→RA, NC→RA, NC→CS, NC→RIU UT→RA). The various zoning will allow the developer to bring a variety of housing types and potential commercial uses in the future. The RA will be designated for the floodplain: the floodplain boundaries are being redefined by a Letter of Map Amendment that Olsson is performing.

This rezoning request is compatible with the adjacent uses: as a Junior High School is to the north, CS is on the west, UT is on the south, and RMF-24 to the east.

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

Thanks, and we appreciate your consideration.

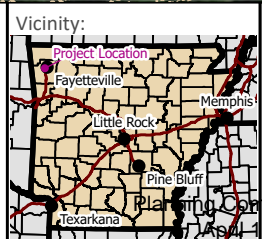
  
\_\_\_\_\_  
Blake Jorgensen, PE



Client Name: <b>Jorgensen</b>	
Project Title: <b>Titan Catalpa Dr NAI Analysis</b>	
Project Location: <b>Catalpa Drive, Fayetteville, Arkansas</b>	Description: <b>Figure 1. Proposed Contours</b>
Date Exported: <b>4/3/2026 2:02 PM</b>	

**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.



Arkansas Planning Commission  
April 13, 2026  
RZN-2026-0003 (DUDECK)  
Page 22 of 23

- NOTES:**
1. PARCEL #765-1675-002
  2. CURRENT ZONING: CS, NC & UT
  3. ROTATION BASED ON ARKANSAS STATE PLANE, NORTH ZONE, NAD83
  4. BOUNDARY BASED ON:
    - 1. QUILLMAN DEED, DEED FILE #2018-0000081
  5. PER AIRCRAFT PLATTING ONLY, THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE "V" AND ZONE "A" AS SHOWN ON FEMA FIRM PANEL #1604 CADDIS BEARING AN APPROXIMATE DATE OF 1/25/2005 AND IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE.
  6. CITY PLAT BOOK PAGE 096

**OWNER / DEVELOPER:**  
 DUDECK, KERRI C.  
 500 ARMY ROAD, SUITE 100  
 COWDAR, AR 72023

**PARCEL #765-1675-002**  
 A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE NORTHEAST CORNER OF THE SAID FORTY ACRE TRACT AND RUNNING THENCE S87°17'10" W 163.00 FEET TO THE NORTHERN RIGHT OF WAY OF WEST CATALPA DRIVE, AND RUNNING ALONG SAID RIGHT OF WAY THE FOLLOWING 7 COURSES: N20°29'00" W 30.00 FEET; S41°49'00" E 80.00 FEET; ALONG A CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 180.51 FEET, AND INSIDE LONG CHORD BEARS S89°58'34" W 152.00 FEET; S41°49'00" E 80.00 FEET; ALONG A CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 118.00 FEET, AND INSIDE LONG CHORD BEARS S87°02'00" W 101.00 FEET; N67°10'00" E 80.00 FEET; ALONG A CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 85.00 FEET, AND INSIDE LONG CHORD BEARS N07°31'00" W 84.00 FEET; TO THE EASTERN RIGHT OF WAY OF WEST CATALPA DRIVE, HAVING A RADIUS OF 120.00 FEET, AND INSIDE LONG CHORD BEARS N07°31'00" W 84.00 FEET; ALONG SAID RIGHT OF WAY THE FOLLOWING 3 COURSES: N07°31'00" W 47.64 FEET; ALONG A CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET, AND INSIDE LONG CHORD BEARS N07°31'00" W 120.00 FEET; AND INSIDE LONG CHORD BEARS N07°31'00" W 120.00 FEET; THENCE LEAVING SAID RIGHT OF WAY S87°26'18" E 484.87 FEET TO THE POINT OF BEGINNING.

**AND**  
 A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE NORTHEAST CORNER OF THE SAID FORTY ACRE TRACT, AND RUNNING S27°17'10" E 102.00 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING LOCATED ON THE SOUTHERN FRONT OF WAY OF WEST CATALPA DRIVE, AND RUNNING THENCE S07°17'10" E 19.00 FEET; THENCE N67°10'00" E 205.00 FEET; THENCE N07°19'00" W 232.00 FEET TO THE EASTERN RIGHT OF WAY OF SOUTH HUPPLE ROAD, AND RUNNING ALONG SAID RIGHT OF WAY THE FOLLOWING 3 COURSES: N07°21'00" E 88.00 FEET; ALONG A CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 473.00 FEET, AND INSIDE LONG CHORD BEARS N07°19'00" W 210.00 FEET; ALONG A CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 518.00 FEET, AND INSIDE LONG CHORD BEARS N09°01'00" W 200.00 FEET; ALONG A CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 85.00 FEET, AND INSIDE LONG CHORD BEARS N12°01'00" W 71.64 FEET; N07°17'00" E 85.00 FEET TO THE SOUTHERN RIGHT OF WAY OF WEST CATALPA DRIVE, AND RUNNING ALONG SAID RIGHT OF WAY THE FOLLOWING 3 COURSES: ALONG A CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 85.00 FEET, AND INSIDE LONG CHORD BEARS N07°17'00" E 150.00 FEET; S41°49'00" E 180.00 FEET; ALONG A CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 182.00 FEET, AND INSIDE LONG CHORD BEARS N07°02'00" E 150.00 FEET; S41°49'00" E 180.00 FEET; ALONG A CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 120.00 FEET, AND INSIDE LONG CHORD BEARS N07°02'00" E 120.00 FEET; S41°49'00" E 180.00 FEET; TO THE POINT OF BEGINNING. Containing 1.62 acres more or less subject to easements and right of way of record.

**LEGAL DESCRIPTION (NC TO RIU #1)**  
 A part of the SW1/4 of the NE1/4 of Section 24, T10N, R31W in Washington County, Arkansas, and being described as follows: Commencing at the NE Corner of said SW1/4, NE1/4, thence N67°10'00" E 123.00 feet to the POINT OF BEGINNING, thence S07°21'00" W 109.21 feet, thence S37°32'42" E 16.59 feet, thence S02°21'00" W 240.83 feet, thence along a curve to the right having a radius of 187.43 feet, bearing and distance of 107°10'00" W 109.21 feet, thence along a non-tangent curve to the left having a radius of 180.00 feet and a chord bearing and distance of S87°10'00" W 109.21 feet, thence S07°21'00" W 109.21 feet, thence S07°21'00" W 109.21 feet to the POINT OF BEGINNING. Containing 1.05 acres more or less subject to easements and right of way of record.

**LEGAL DESCRIPTION (NC TO CS #2)**  
 A part of the SW1/4 of the NE1/4 of Section 24, T10N, R31W in Washington County, Arkansas, and being described as follows: Commencing at the NE Corner of said SW1/4, NE1/4, thence N67°10'00" E 123.00 feet to the POINT OF BEGINNING, thence S07°21'00" W 109.21 feet, thence S37°32'42" E 16.59 feet, thence S02°21'00" W 240.83 feet, thence along a curve to the right having a radius of 187.43 feet, bearing and distance of 107°10'00" W 109.21 feet, thence along a non-tangent curve to the left having a radius of 180.00 feet and a chord bearing and distance of S87°10'00" W 109.21 feet, thence S07°21'00" W 109.21 feet, thence S07°21'00" W 109.21 feet to the POINT OF BEGINNING. Containing 1.05 acres more or less subject to easements and right of way of record.

**LEGAL DESCRIPTION (NC TO R-A #3)**  
 A part of the SW1/4 of the NE1/4 of Section 24, T10N, R31W in Washington County, Arkansas, and being described as follows: Commencing at the NE Corner of said SW1/4, NE1/4, thence N67°10'00" E 123.00 feet to the POINT OF BEGINNING, thence S07°21'00" W 109.21 feet, thence S37°32'42" E 16.59 feet, thence S02°21'00" W 240.83 feet, thence along a curve to the right having a radius of 187.43 feet, bearing and distance of 107°10'00" W 109.21 feet, thence along a non-tangent curve to the left having a radius of 180.00 feet and a chord bearing and distance of S87°10'00" W 109.21 feet, thence S07°21'00" W 109.21 feet, thence S07°21'00" W 109.21 feet to the POINT OF BEGINNING. Containing 1.05 acres more or less subject to easements and right of way of record.

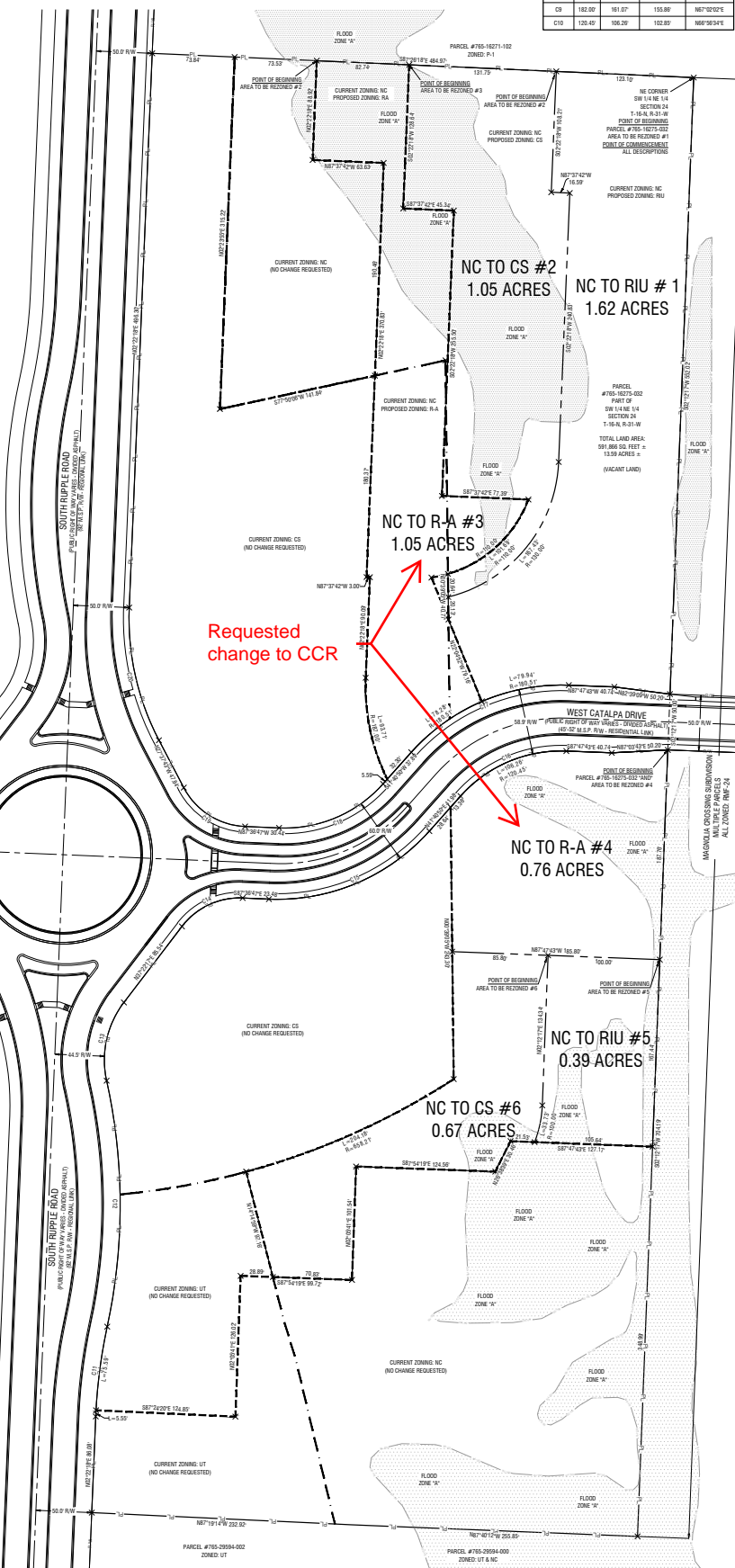
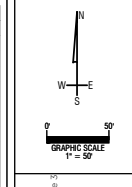
**LEGAL DESCRIPTION (NC TO R-A #4)**  
 A part of the SW1/4 of the NE1/4 of Section 24, T10N, R31W in Washington County, Arkansas, and being described as follows: Commencing at the NE Corner of said SW1/4, NE1/4, thence N67°10'00" E 123.00 feet to the POINT OF BEGINNING, thence S07°21'00" W 109.21 feet, thence S37°32'42" E 16.59 feet, thence S02°21'00" W 240.83 feet, thence along a curve to the right having a radius of 187.43 feet, bearing and distance of 107°10'00" W 109.21 feet, thence along a non-tangent curve to the left having a radius of 180.00 feet and a chord bearing and distance of S87°10'00" W 109.21 feet, thence S07°21'00" W 109.21 feet, thence S07°21'00" W 109.21 feet to the POINT OF BEGINNING. Containing 0.76 acres more or less subject to easements and right of way of record.

**LEGAL DESCRIPTION (NC TO RIU #5)**  
 A part of the SW1/4 of the NE1/4 of Section 24, T10N, R31W in Washington County, Arkansas, and being described as follows: Commencing at the NE Corner of said SW1/4, NE1/4, thence N67°10'00" E 123.00 feet to the POINT OF BEGINNING, thence S07°21'00" W 109.21 feet, thence S37°32'42" E 16.59 feet, thence S02°21'00" W 240.83 feet, thence along a curve to the right having a radius of 187.43 feet, bearing and distance of 107°10'00" W 109.21 feet, thence along a non-tangent curve to the left having a radius of 180.00 feet and a chord bearing and distance of S87°10'00" W 109.21 feet, thence S07°21'00" W 109.21 feet, thence S07°21'00" W 109.21 feet to the POINT OF BEGINNING. Containing 0.39 acres more or less subject to easements and right of way of record.

**LEGAL DESCRIPTION (NC TO CS #6)**  
 A part of the SW1/4 of the NE1/4 of Section 24, T10N, R31W in Washington County, Arkansas, and being described as follows: Commencing at the NE Corner of said SW1/4, NE1/4, thence N67°10'00" E 123.00 feet to the POINT OF BEGINNING, thence S07°21'00" W 109.21 feet, thence S37°32'42" E 16.59 feet, thence S02°21'00" W 240.83 feet, thence along a curve to the right having a radius of 187.43 feet, bearing and distance of 107°10'00" W 109.21 feet, thence along a non-tangent curve to the left having a radius of 180.00 feet and a chord bearing and distance of S87°10'00" W 109.21 feet, thence S07°21'00" W 109.21 feet, thence S07°21'00" W 109.21 feet to the POINT OF BEGINNING. Containing 0.67 acres more or less subject to easements and right of way of record.

**Staff Note: Exhibit with Current Floodplain Boundaries**

CURVE TABLE				
CURVE #	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	180.51	168.27	153.21	S89°58'34"W
C2	118.00	104.47	101.00	S87°02'00"W
C3	85.00	68.07	64.80	N07°31'00"W
C4	230.00	120.00	120.00	N07°31'00"W
C5	473.00	81.41	81.87	N07°17'00"E
C6	518.00	231.70	230.00	N09°01'00"W
C7	85.00	73.87	71.64	N12°01'00"E
C8	85.00	82.47	80.84	N67°10'00"E
C9	182.00	181.07	158.89	N67°02'00"E
C10	120.00	106.29	102.89	N67°02'00"E



**JORGENSEN + ASSOCIATES**  
 1241 W. Sunbridge Drive, Suite 300  
 Fayetteville, AR 72703  
 Office: 479-442-9207  
 Fax: 479-442-9208  
 www.jorgensen-ar.com  
 Civil Engineering + Surveying + Established 1985

- LEGEND**
- ✕ CALCULATED POINT
  - FOUND IRON PIN
  - SET IRON PIN & CAP
  - ⊕ POWER POLE
  - ⊙ CENTERLINE MARKER
  - ⊙ SEWER MANHOLE
  - ⊙ FIRE HYDRANT
  - ⊙ STREET LIGHT
  - EXISTING 8" SEWER LINE
  - PROPOSED 8" SEWER LINE
  - EXISTING WATER LINE
  - PROPOSED 6" WATER LINE
  - CENTERLINE STREET
  - BUILDING SETBACK
  - UTILITY EASEMENT
  - NEW SIDEWALK
  - UTILITY CROSSING
  - EXISTING CONTOUR
  - FINISHED CONTOUR

**PROJECT TITLE:** DUDECK REZONING  
**PROJECT ADDRESS:** WEST CATALPA DRIVE, FAYETTEVILLE, AR  
**PROJECT LOCATION:** FAYETTEVILLE, AR

**REVISIONS**

NO.	DATE	DESCRIPTION

DATE: 3.20.26  
 DRAWN BY: PHILIP JR  
 PROJECT ADDRESS: WEST CATALPA DRIVE  
 SHEET SIZE: 36" x 36"  
 SCALE: 1" = 50'

**CERTIFICATE OF ATTENDANCE**  
 I, **JORGENSEN + ASSOCIATES**, No. 722  
 ARKANSAS - REGISTERED

**REGISTERED PROFESSIONAL ENGINEER**  
 No. 13845  
 J. J. JOHNSON



**TO:** City of Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director  
Chris Brown, Public Works Director

**FROM:** Alan Pugh, Staff Engineer  
Citlali Samano, Planner

**MEETING DATE:** April 13, 2026

**SUBJECT:** **VAR-2026-0009: Planning Commission Variance (3761 N. MALL AVE/D BRIGGS & ASSOCIATES/CREEKSIDE LLC; CITY ELECTRIC, 173):** Submitted by CHAD TEER for property located at 3761 N. MALL AVE. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 8.78 acres. The request is for a variance to the flood damage prevention code.

**RECOMMENDATION:**

Staff recommends approval of **VAR-2026-0009**, based on the findings contained in this report.

**RECOMMENDED MOTION:**

*"I move to approve VAR-2026-0009 with conditions, determining:*

- *The structure is just outside the 100-year floodplain on the property, and;*
- *The provided elevation certificate shows the lowest floor approximately 1.4 feet above the base flood elevation, and;*
- *In favor of all other conditions as recommended by staff."*

**BACKGROUND:**

The subject property is located on the west side of N. Mall Ave north of the intersection of N Mall Ave and E Van Asche Dr. The property totals approximately 8.78 acres and is currently developed with two separate structures connected by a breezeway. Mud Creek flows generally west to east along the southern portion of the site. The creek is on the list of protected streams as identified in the streamside protection map adopted in 2011 along with the streamside protection ordinance. There is currently a regulatory floodplain, Zone AE (100-year) and Shaded Zone X (500-year), associated with the stream as shown on FEMA Flood Insurance Rate Map (FIRM) Panel 05143C0207G date January 25, 2024. Surrounding land uses and zoning is depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Commercial	C-2, C-3 and P-1, see attached project maps
South	Commercial	
East	Commercial	
West	Commercial	

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

**DISCUSSION:**

The applicant is proposing to remodel a unit within a larger building located at 3761 N Mall Ave. The structure has been improved incrementally over the years with renovations to accommodate the tenants. The current proposal would push the structure over the threshold of substantial improvement based on the past 5 years of improvements to the structure and the building value established by county records. Including this project, approximately \$508,000 worth of improvements have been permitted by the City over the last 5 years. As such, the structure would be required to be at least two feet above the base flood elevation or dry flood proofed to an elevation of three feet above the base flood elevation. Based on the submitted elevation certificate, the structure is 1.4 feet above the base flood elevation and further elevation is not feasible. Therefore, flood proofing a portion of the structure would be required. Based on discussions with the owner, they indicated that the structure has not previously flooded nor does the City have record of the structure flooding.

The current applicant is requesting to remodel one unit to support their proposed business and floodproofing a small portion of the structure may not be practical or feasible. Although flooding of any structure within or near the floodplain is a risk, the structure is shown to be 1.4' above the base flood elevation based on the submitted elevation certificate which would provide for some protection against potential future flood losses. As noted, the structure does not have a history of flooding. For those reasons staff would be in support of the current request to complete the renovation of the unit as described in the applicant's letter. However, without knowing what may occur or be proposed with the structure in the future, staff cannot support a blanket variance for the structure for all future improvements.

**RECOMMENDATION:** Staff recommends approval of **VAR-2026-0009** with the following conditions of approval:

**Conditions of Approval:**

1. The variance is for Unit 1A for the proposed restaurant and would not extend to potential future improvements of the structure.
2. The applicant will obtain all necessary permits prior to the construction of the improvements.

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<b>PLANNING COMMISSION ACTION:</b>	<b>Required</b>	<b><u>YES</u></b>		
<b>Date:</b> <u>April 13, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	
<b>Motion:</b>				
<b>Second:</b>				
<b>Vote:</b>				

## FINDINGS OF THE STAFF

### Section 156.03 Development Variances

Certain variances of the development regulations may be applied for as follows:

#### *(C) Consideration by the Planning Commission*

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

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

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

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

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

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

(f) Floodplain variances shall only be issued if:

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

**The applicant is proposing to develop a small portion of an overall structure located just outside the floodplain. However, Chapter 168 does require the structure to be elevated to at least 2' above the base flood elevation or dry flood proofed to an elevation of 3' above the base flood elevation due to presence of 100-year floodplain on the property. Staff does agree that dry flood proofing a small portion of the structure may not be practical or feasible. It is also not likely to be feasible to request the applicant to flood proof the entire structure with their renovation, however, the determination of extraordinary circumstance is ultimately up to the planning commission.**

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

**The applicant is proposing to develop a small portion of an overall structure located just outside the floodplain. However, Chapter 168 does require the structure to be elevated to at least 2' above the base flood elevation or dry flood proofed to an elevation of 3' above the base flood elevation due to presence of 100-year floodplain on the property. Staff does agree that dry floodproofing a small portion of the structure may not be practical or feasible, however, the planning commission may determine if this would pose an exceptional hardship.**

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

**No exterior modifications or obstructions to the floodplain that would otherwise increase flood heights is proposed.**

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

**These items were taken into consideration when outlining this memorandum and included conditions.**

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

**See staff recommended conditions listed above**

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

**N/A to this project.**

(9) *Streamside Protection Zones*

(a) *Undue hardship.* If the provisions of the Streamside Protection Ordinance are shown by the owner or developer to cause undue hardship as strictly applied to the owner or developer's property because of its unique characteristics, the Planning Commission may grant a variance on a permanent or temporary basis from such provision so that substantial justice may be done and the public interest protected, provided that the variance will not have the effect of nullifying the intent and purpose of the Streamside Protection regulations.

**N/A to this project.**

- (b) *Consideration of alternative measures.* The applicant for the variance shall establish that a reasonable rezoning by the City Council or variance request from the Board of Adjustment will not sufficiently alleviate the claimed undue hardship caused by the Streamside Protection regulations.

**N/A to this project.**

- (c) *Conditions and safeguards.* In granting any variance, the Planning Commission may prescribe appropriate conditions and safeguards to substantially secure the objectives and purpose for the regulations so varied and to mitigate any detrimental effects the variance may cause. The Planning Commission should consider the Streamside Protection Best Management Practices Manual and any mitigation recommendations from the City Engineer.

**N/A to this project.**

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**BUDGET/STAFF IMPACT:**

None

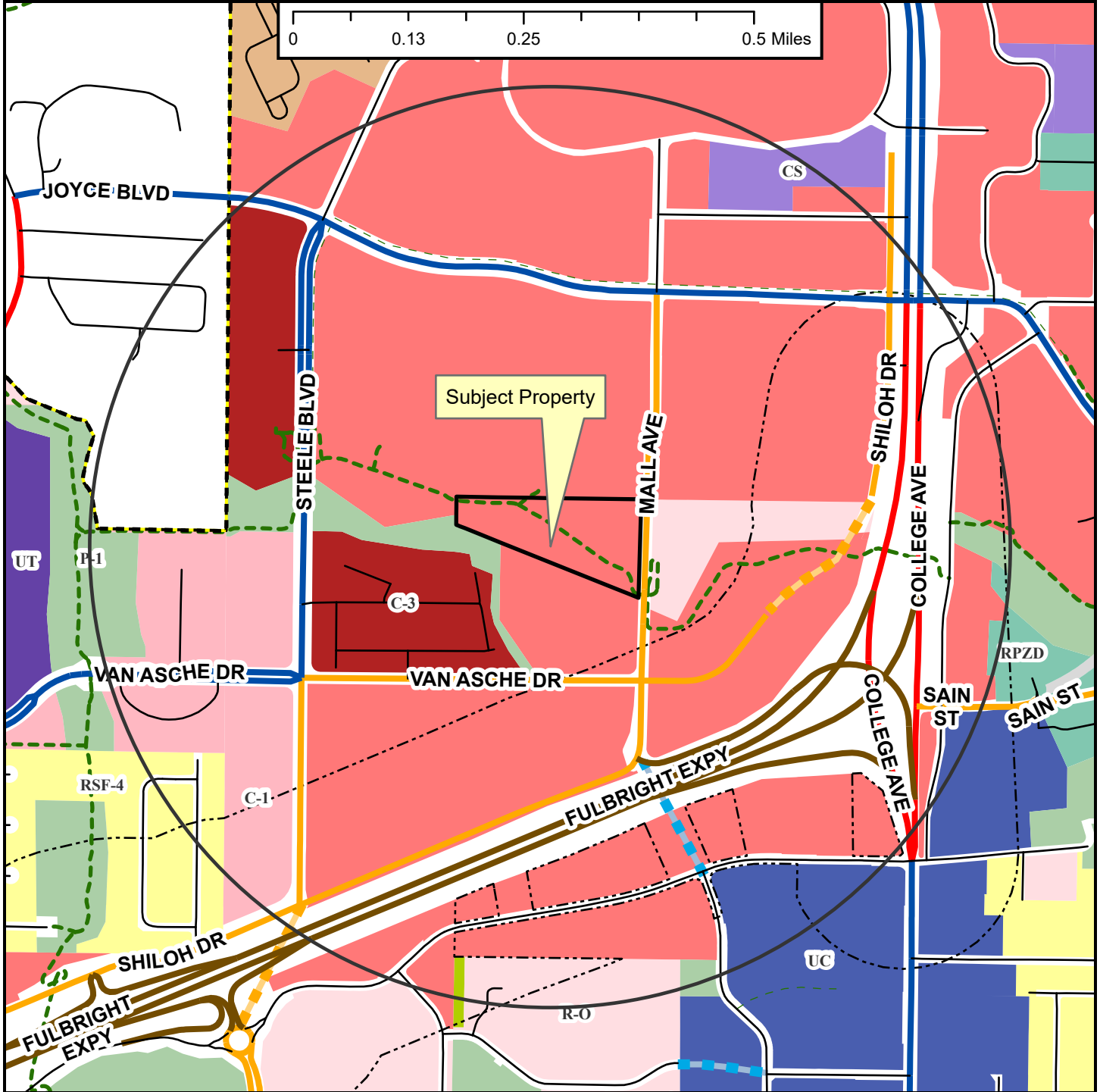
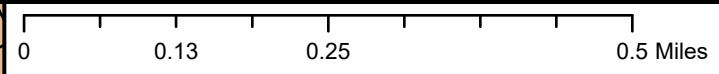
**Attachments:**

- Project Maps
  - One Mile Map
  - Close Up Map
  - Current Land Use Map
- Applicant Exhibits
  - Applicant Request Letter
  - Proposed variance request exhibit

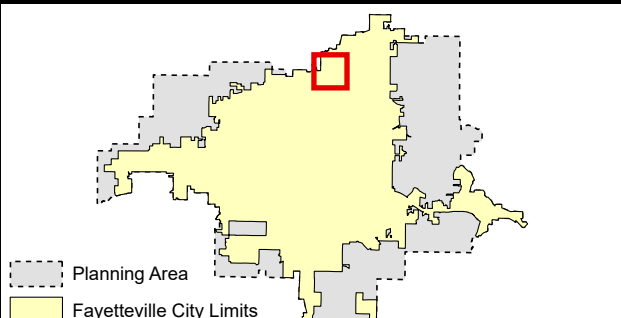
VAR-2026-0009

# 3761 N. MALL AVE

One Mile View



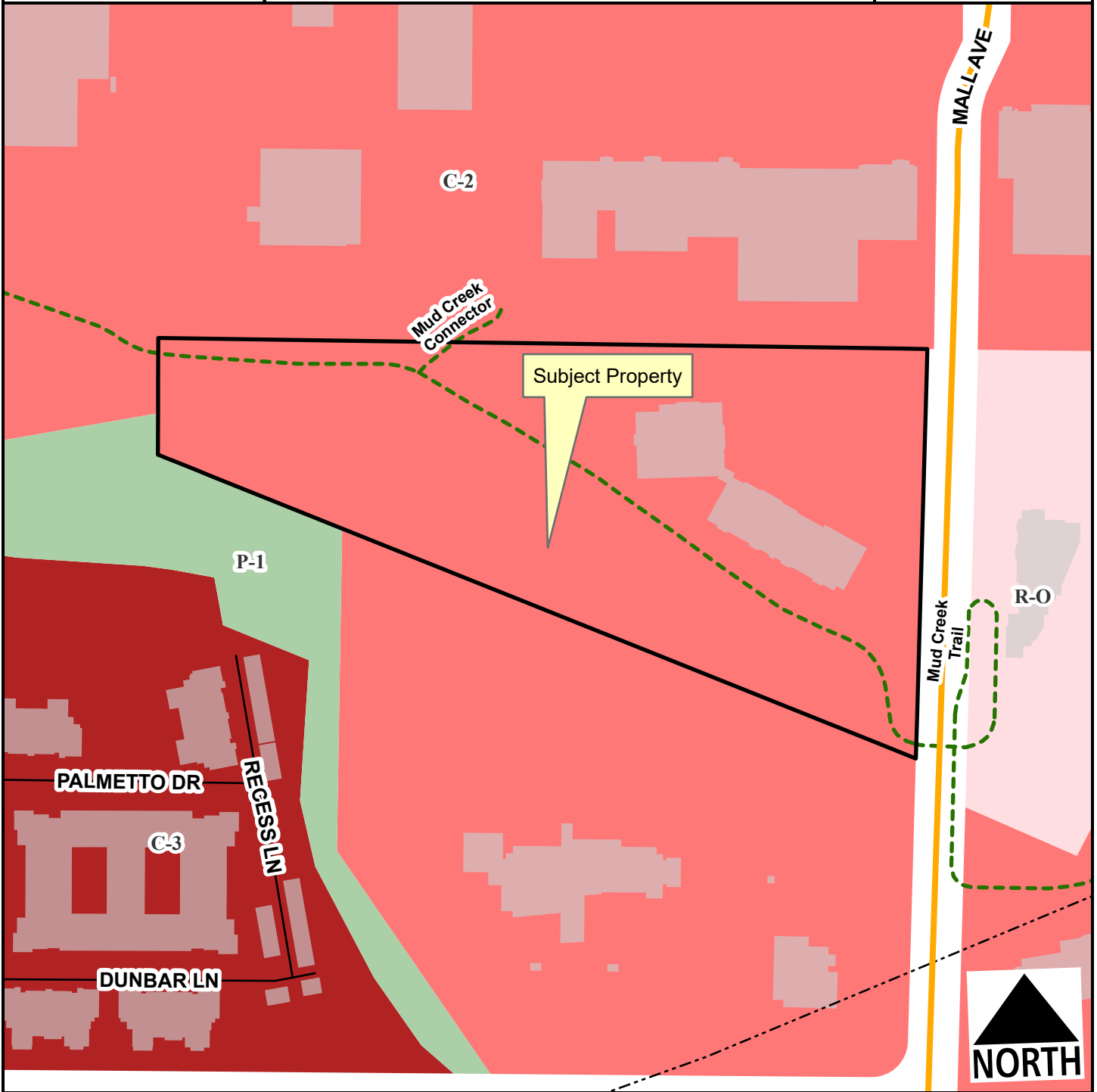
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- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- - - Shared-Use Paved Trail
- - - Trail (Proposed)
- Design Overlay District
- Fayetteville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









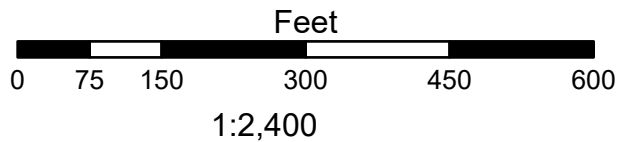
VAR-2026-0009

# 3761 N. MALL AVE

Close Up View



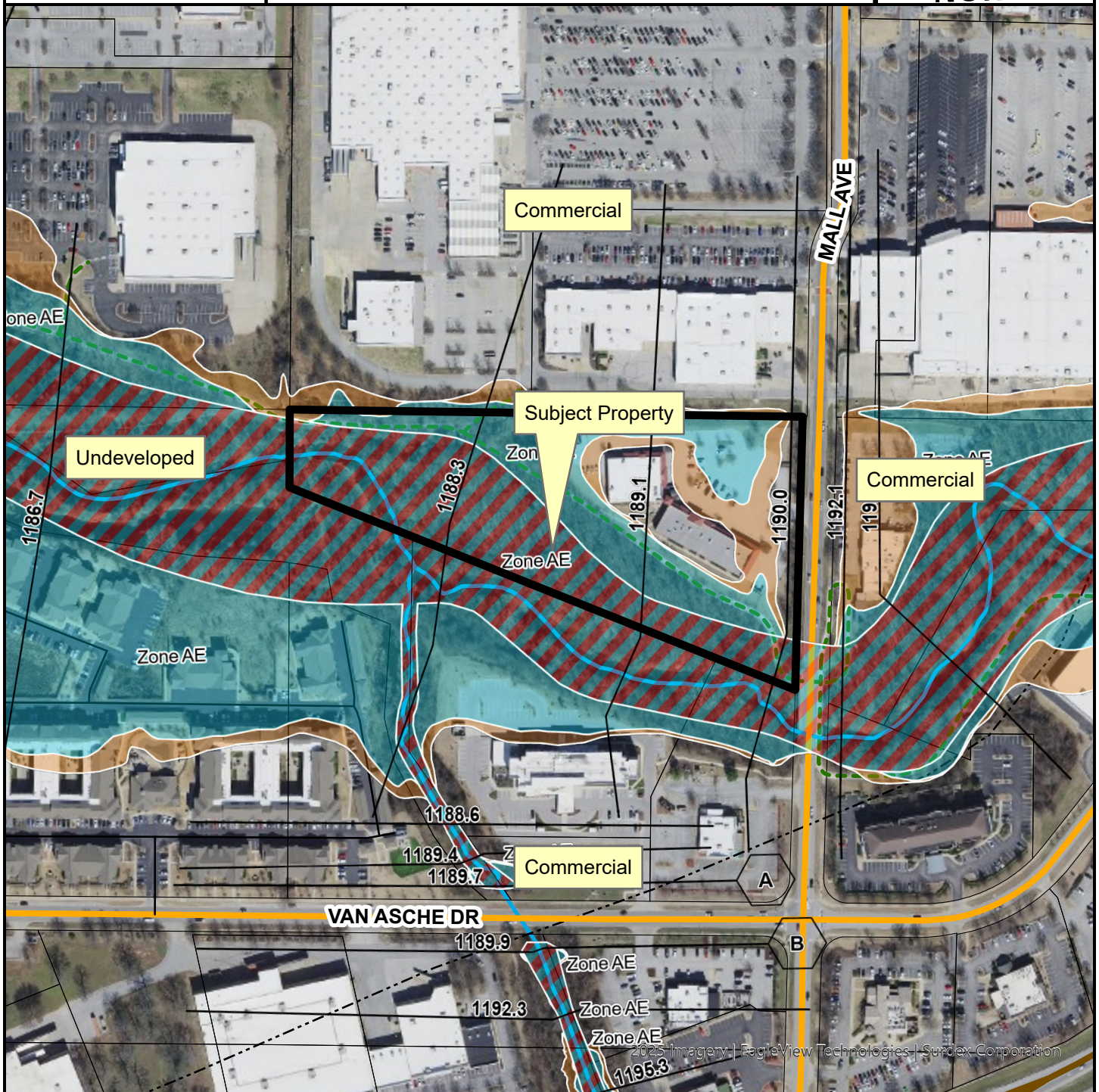
-  Neighborhood Link
-  Unclassified
-  Planning Area
-  Fayetteville City Limits
-  Shared-Use Paved Trail
-  Design Overlay District



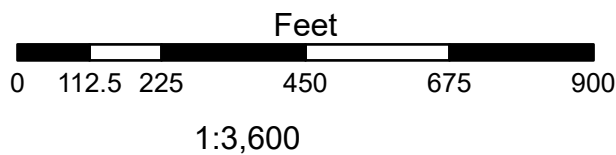
VAR-2026-0009

# 3761 N. MALL AVE

Current Land Use



- Neighborhood Link
- Freeway/Expressway
- Unclassified
- Planning Area
- Fayetteville City Limits
- Design Overlay District



- FEMA Flood Hazard Data**
- 100-Year Floodplain
  - Floodway

Chad Teer  
1718 Ardemagni Rd  
Tontitown, AR 72762  
chad.teer@freshmonkee.com  
(936) 652-1864

March 15, 2026

Chair of Planning Commission  
City of Fayetteville  
113 W Mountain Street  
Fayetteville, AR 72701

**Subject: Request for Waiver of Flood Damage Prevention Code – 3761 N Mall Ave**

Dear Members of the Planning Commission,

I am writing to respectfully request a waiver from the City of Fayetteville Flood Damage Prevention Code for the commercial property located at 3761 N Mall Ave. (Parcel 765-22069-000). The purpose of this request is to allow for release of construction permit for unit 1A, leased to Block T Restaurant Holdings LLC (dba Fresh Monkee).

The base flood elevation of the area is 1189.7'. To meet current code requirements the structure would need to be 2' above that, or 1191.7'. Floor of the structure is 1191.14' with Lowest Adjacent Grade next to the building at 1190.56'. Deficiency of .56' at floor level, or 1.14' at LAG.

Granting this waiver would allow the property to be used in a manner that supports local business activity. Bringing this structure into code compliance would be an undue hardship for both the owner and all tenants, as all potential solutions would be both impractical, requiring major capital, and time, investment and disrupt day-to-day operations of all businesses located in the center.

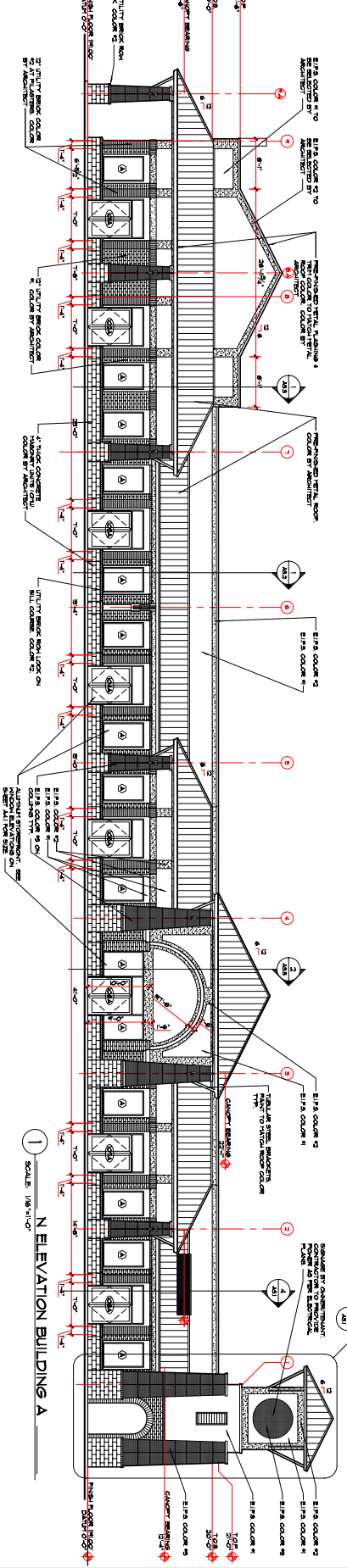
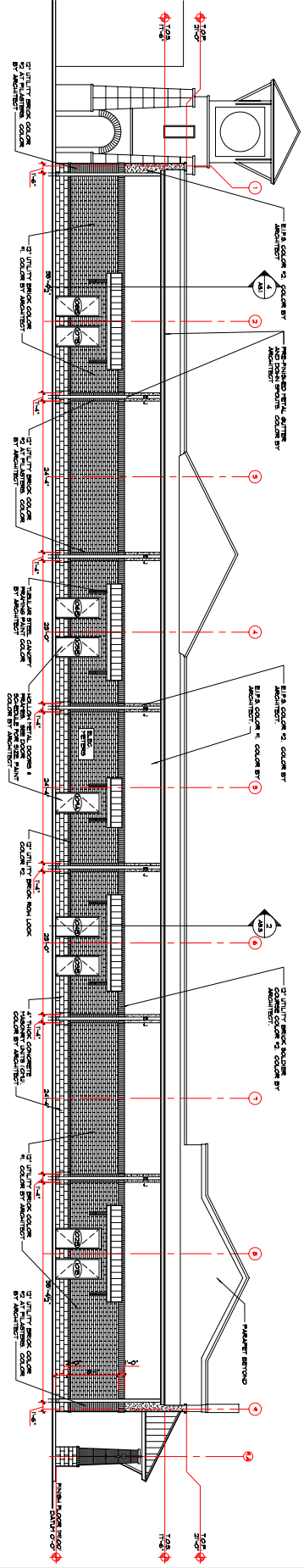
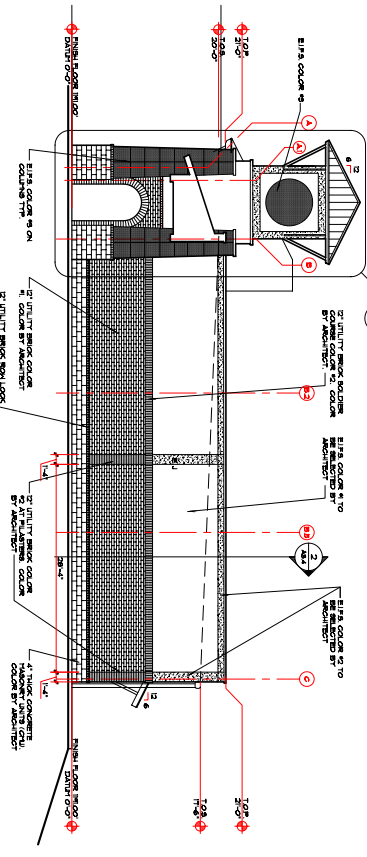
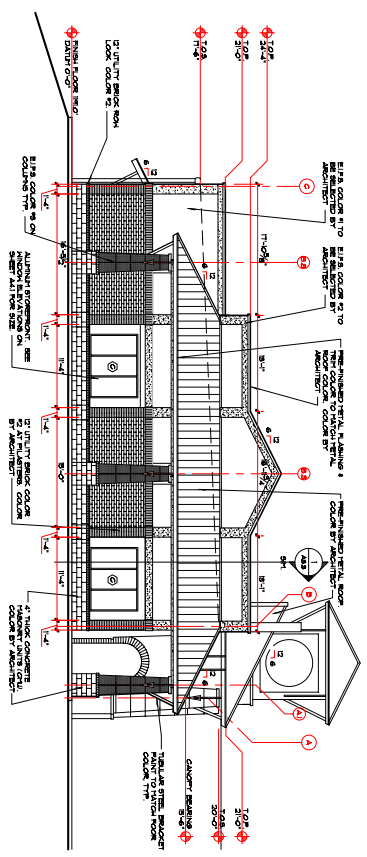
Additionally, the structure is twenty years old, and has never flooded to date.

For these reasons, I respectfully request that the Planning Commission consider approving this waiver. I appreciate the Commission's time and consideration and would be glad to provide any additional information or documentation that may assist in your review.

Thank you for your service to the community.

Sincerely,

Chad Teer



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REV. #	DATE	DESCRIPTION	REV. #	DATE	DESCRIPTION	REV. #	DATE	DESCRIPTION
1	11-06	EIFS COLOR CHANGES						

DATE: 11-06 PROJECT: A2.1 CHECKED BY: [Signature] DRAWN BY: [Signature]	NEW RETAIL SHELL BUILDINGS LOT 12, CMN BUSINESS PARK PHASE 2 FAYETTEVILLE, ARKANSAS 72703  DIXIE DEVELOPMENT LLC, 3715 N. BUSINESS DRIVE, SUITE 201 FAYETTEVILLE, ARKANSAS 72702	REVISED PERMIT SET	 KEY ARCHITECTURE INC. P.O. BOX 748 FAYETTEVILLE ARKANSAS 72702 PH: 479-206-0069 (CREEKSIDE CITY ELECTRIC)	Planning Commission April 13, 2026	SEAL
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**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Citlali Samano, Planner

**MEETING DATE:** April 13, 2026

**SUBJECT:** **VAR-2026-0008: Planning Commission Variance (21 W 5<sup>TH</sup> ST/23 W 5<sup>th</sup> St/ QOZB LLC, 523):** Submitted by ODDLOT DEVELOPMENT for property located at 21 W 5<sup>TH</sup> ST. The property is zoned RI-U, RESIDENTIAL INTERMEDIATE-URBAN and contains approximately 0.09 acres. The request is for a variance to accessory dwelling unit standards.

**RECOMMENDATION:**

Staff recommends approval of **VAR-2026-0008** based on the findings herein.

**RECOMMENDED MOTION:**

*"I move to approve VAR-2026-0008, determining:*

- *In favor of the requested variance to UDC §164.19(C)(1), Maximum Square Feet; and*
- *In favor of all other conditions as recommended by staff."*

**BACKGROUND:**

The subject property is in central Fayetteville approximately ¼ mile northwest of Jefferson Park. Containing approximately 0.09 acres, the property is zoned RI-U, Residential Intermediate-Urban. The subject property contains two single-family dwellings that were constructed in 2022. The property is not within an overlay district. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Two-Family Residential	NC, Neighborhood Conservation
South	Single-Family Residential	NC, Neighborhood Conservation
East	Two-Family Residential	NC, Neighborhood Conservation
West	Single-Family Residential	NC, Neighborhood Conservation

Request: The applicant is requests a variance to UDC §164.19(C)(1). The applicants has two existing homes on this property and is seeking for the alley-loaded unit to be classified as an Accessory Dwelling Unit (ADU) that is at 1,224 square feet. The applicant does not state any construction or expansion to the existing dwelling.

**Variance #1: UDC §164.19(C)(1) Maximum Square Feet. The accessory dwelling unit(s) shall not be greater than 1,200 square feet of habitable space per lot. The applicant is**

requesting to vary from this standard to permit a re-classification of an existing dwelling unit that has an overall habitable space of 1,224 square feet.

*Staff recommendation: Staff supports this variance request. The applicant seeks to reclassify an existing dwelling unit without any expansion or new construction. The request is based on financial considerations, as the applicant intends to downgrade the current entitlement to facilitate the sale of the property. ADU's function similarly to single-family dwellings but are subject to size limitations. Both existing units on the property currently function as single-family dwellings and slightly exceed the ADU size limit of 1,200 square feet. This request applies only to the unit facing the alley, which would be reclassified as an ADU while maintaining its current use. The intent of the ordinance is to increase housing supply while preserving the area's established character and form. No additional conditions are recommended.*

*Public Comment:* To date, staff has received no public comments on this item.

**RECOMMENDATION: Staff recommends approval of VAR-2026-0008 with the following conditions:**

**Conditions of Approval:**

1. **Planning Commission determination of a variance to UDC §164.19(C)(1) Maximum Square.** *Staff recommends approval of this variance for the reasons stated above.*
2. Approval of this item does not constitute approval of the associated building permit, or for other variances that have not yet been reviewed for and/or requested.

<b>Planning Commission Action:</b>	<input type="checkbox"/> Approved	<input type="checkbox"/> Tabled	<input type="checkbox"/> Denied
<b>Meeting Date:</b>	<u>April 13, 2026</u>		
<b>Motion:</b>			
<b>Second:</b>			
<b>Vote:</b>			

**BUDGET/STAFF IMPACT:**

None

**ATTACHMENTS:**

- Unified Development Code:
  - §164.19, Accessory Dwelling Units (ADU)
- Project Maps
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
- Applicant Exhibits
  - Request Letter
  - Site Plan
  - Photographs

## 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— 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.

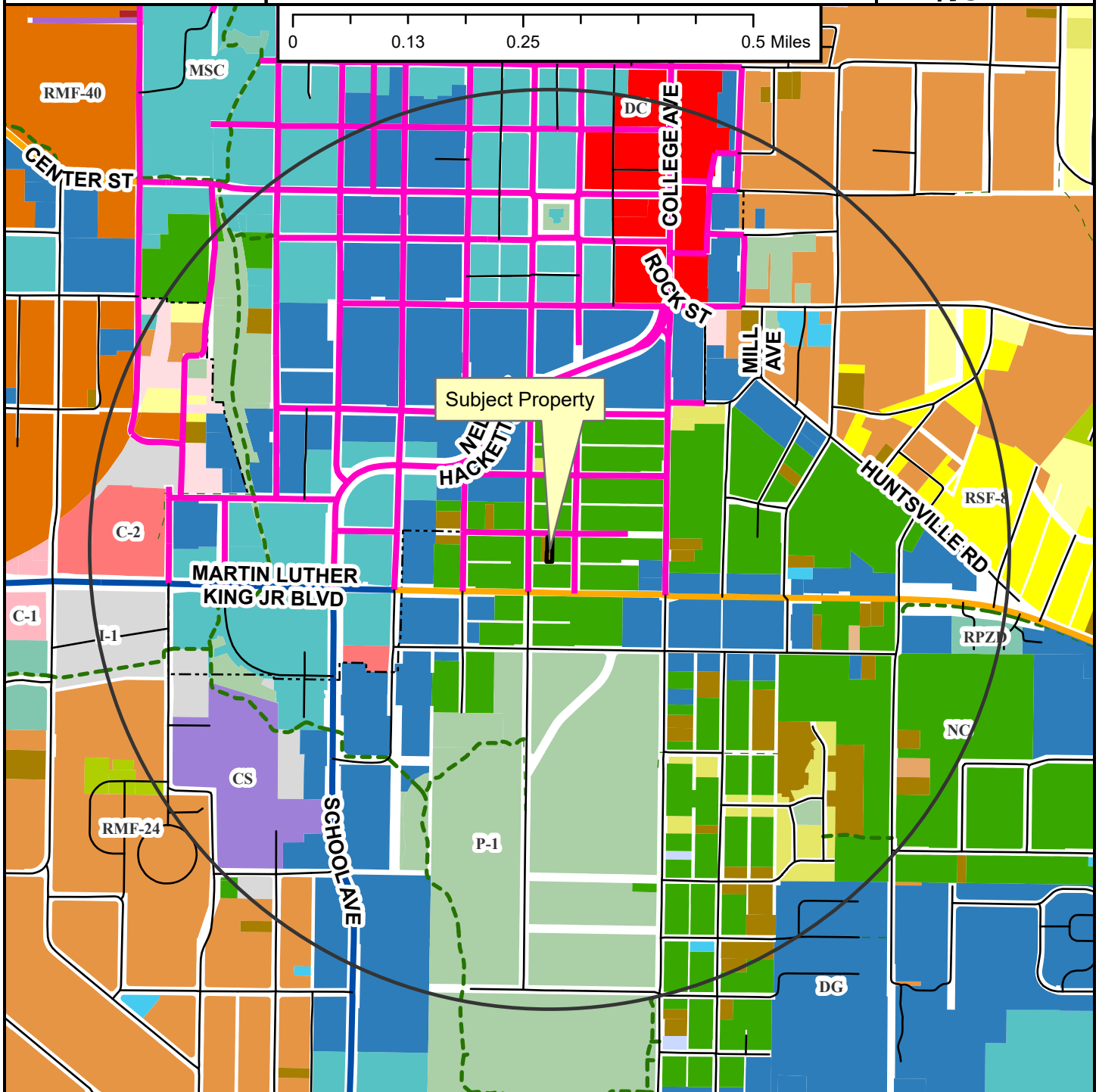
VAR-2026-0008

# 21 W. 5TH ST

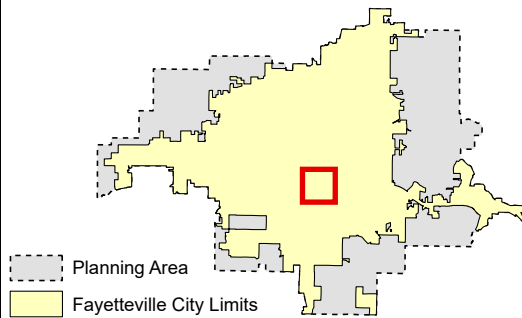
One Mile View



0 0.13 0.25 0.5 Miles



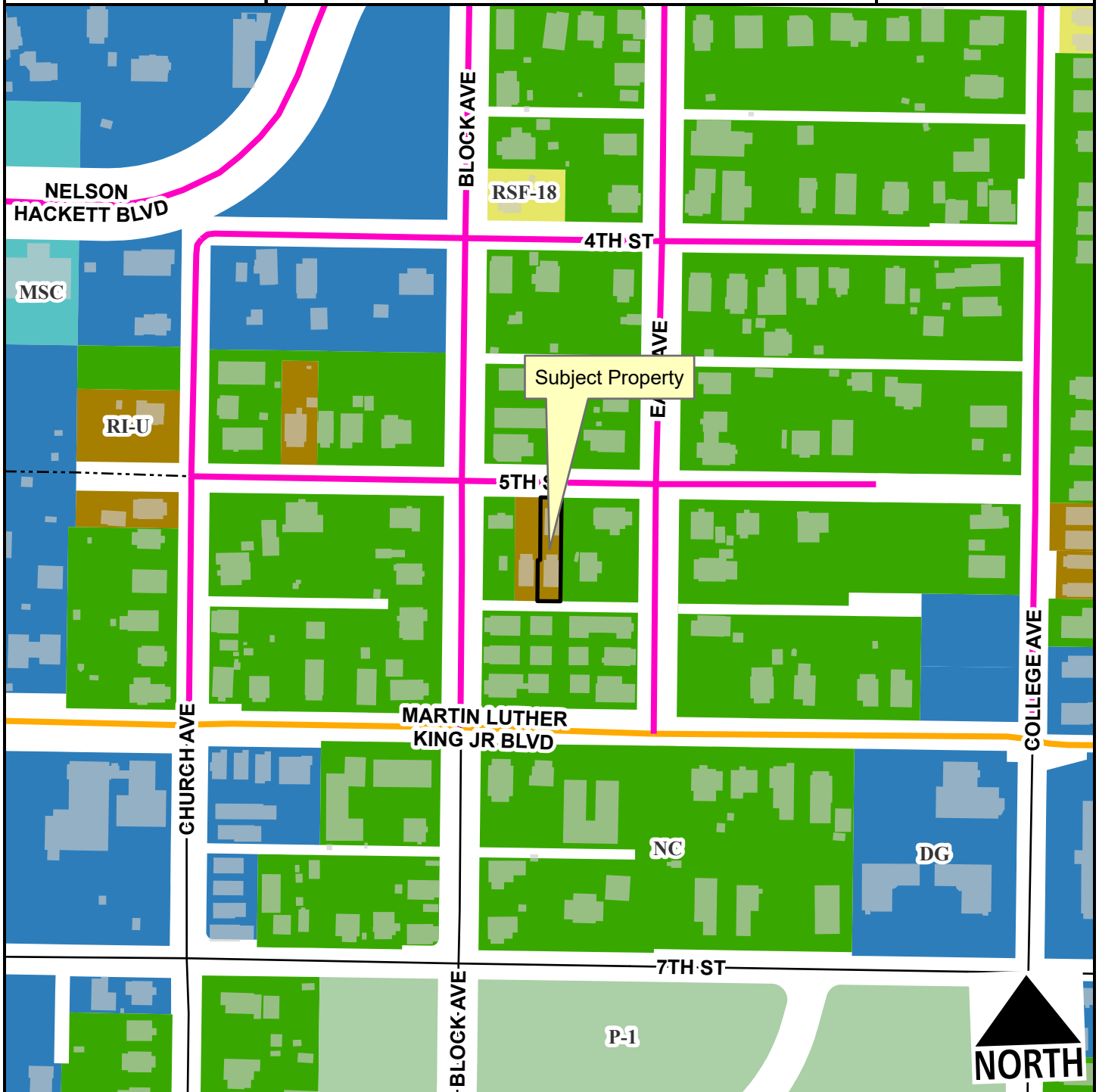
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



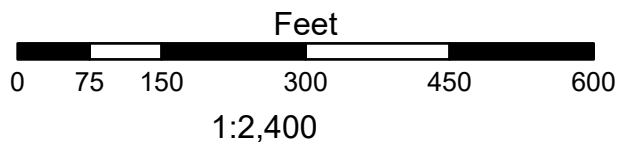
VAR-2026-0008

# 21 W. 5TH ST

Close Up View

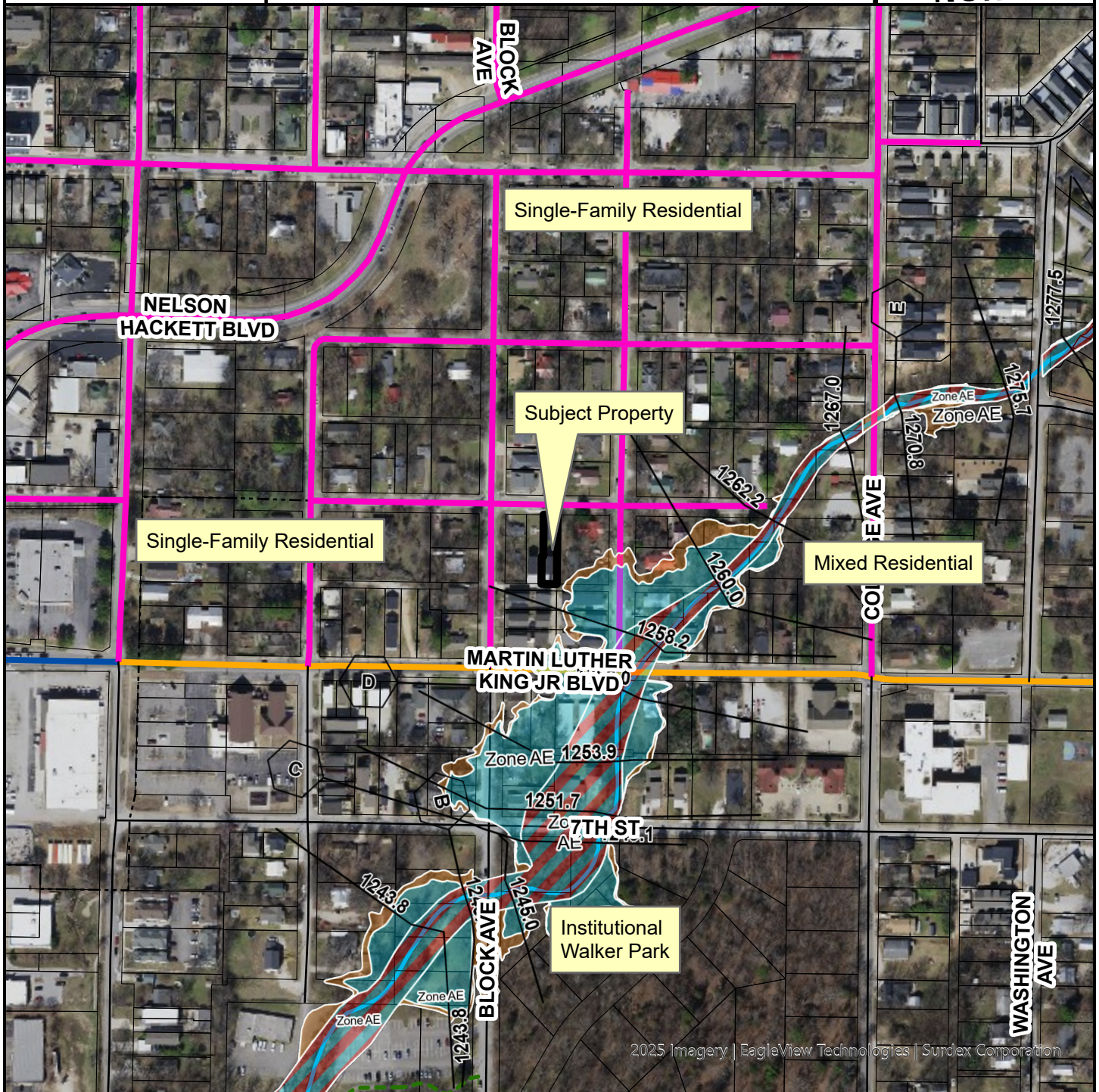


- Neighborhood Link
- Urban Center
- Residential Link
- Planning Area
- Fayetteville City Limits
- Design Overlay District



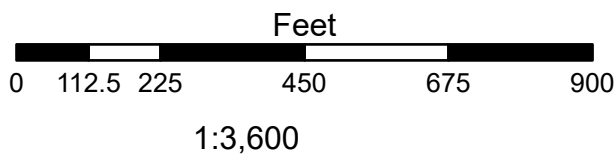


Current Land Use



2025 Imagery | EagleView Technologies | Surdex Corporation

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



**FEMA Flood Hazard Data**

- 100-Year Floodplain
- Floodway

**Chair and Members of the Planning Commission**

Fayetteville Planning Commission

City of Fayetteville

RE: Variance Request – Accessory Dwelling Unit Size

Property Address: 21 W 5th Street

Dear Chair and Commissioners,

The applicant is requesting a variance to allow one of the two existing homes on this property to be classified as an Accessory Dwelling Unit (ADU), even though it exceeds the maximum size typically permitted for an ADU.

The property currently contains two detached homes on one lot. Both homes were built with identical floor plans and are approximately **1,224 square feet** each. The structures already exist and no new construction or expansion is proposed.

The owner is currently attempting to sell the property. A prospective buyer has expressed interest in purchasing both homes, but the buyer's lender has indicated that financing would be more feasible if one of the structures is formally recognized as an ADU. Without this designation, mortgage options are limited and the property becomes significantly more difficult to finance and sell.

Because both homes were constructed at the same size, it is not possible to designate one as an ADU without exceeding the typical size limitation. Granting the variance would allow the property to function as intended without changing the physical character of the site or neighborhood.

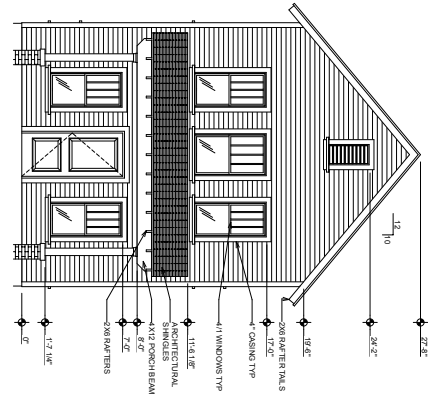
This request does not increase density or alter the existing structures. It simply allows one of the existing homes to be recognized as an ADU so the property can access appropriate financing.

Thank you for your consideration.

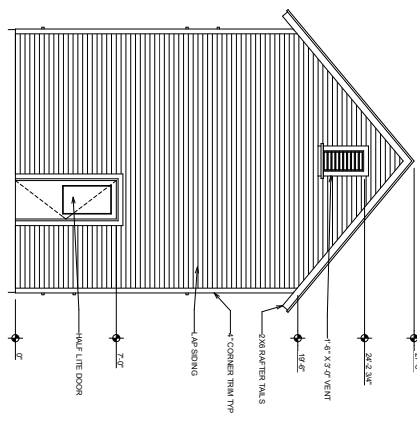
Sincerely,

Wes Bates

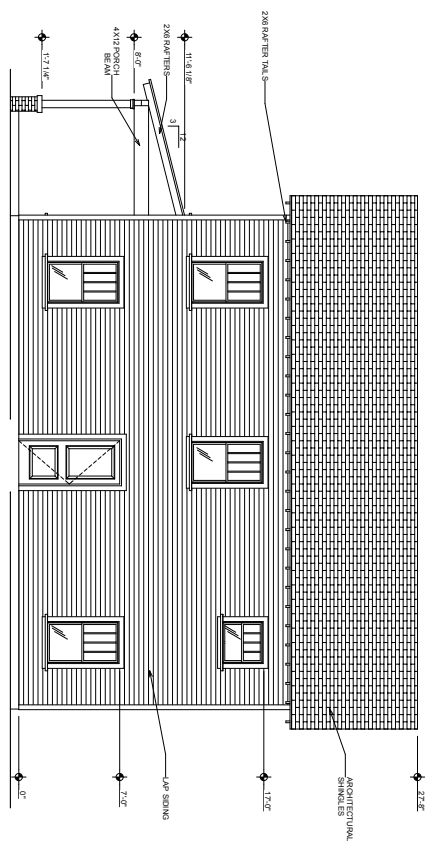




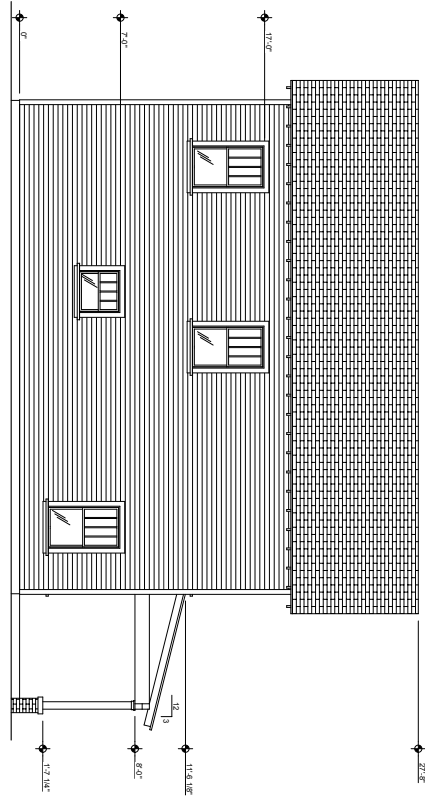
1 NORTH ELEVATION  
SCALE 1/8" = 1'-0"



3 SOUTH ELEVATION  
SCALE 1/8" = 1'-0"



2 WEST ELEVATION  
SCALE 1/8" = 1'-0"



4 EAST ELEVATION  
SCALE 1/8" = 1'-0"

**CASA BIANCA DESIGN**  
LLC, Architecture, Urbanism, Interiors - 479.313.6832

3 E. 4th St. Fayetteville, AR  
Planning Commission

April 13, 2026  
VAR-2026-0008 (23 W. 5TH ST)  
Page 10 of 11

*Casa Bianca Design LLC has provided Schematic Design Documents for this project. These drawings are provided without review from Structural or MEP engineering, and they have not been detailed for water infiltration, air and moisture management, or building systems coordination. The builder assumes full responsibility for these and any other issues related to the construction of this project.*

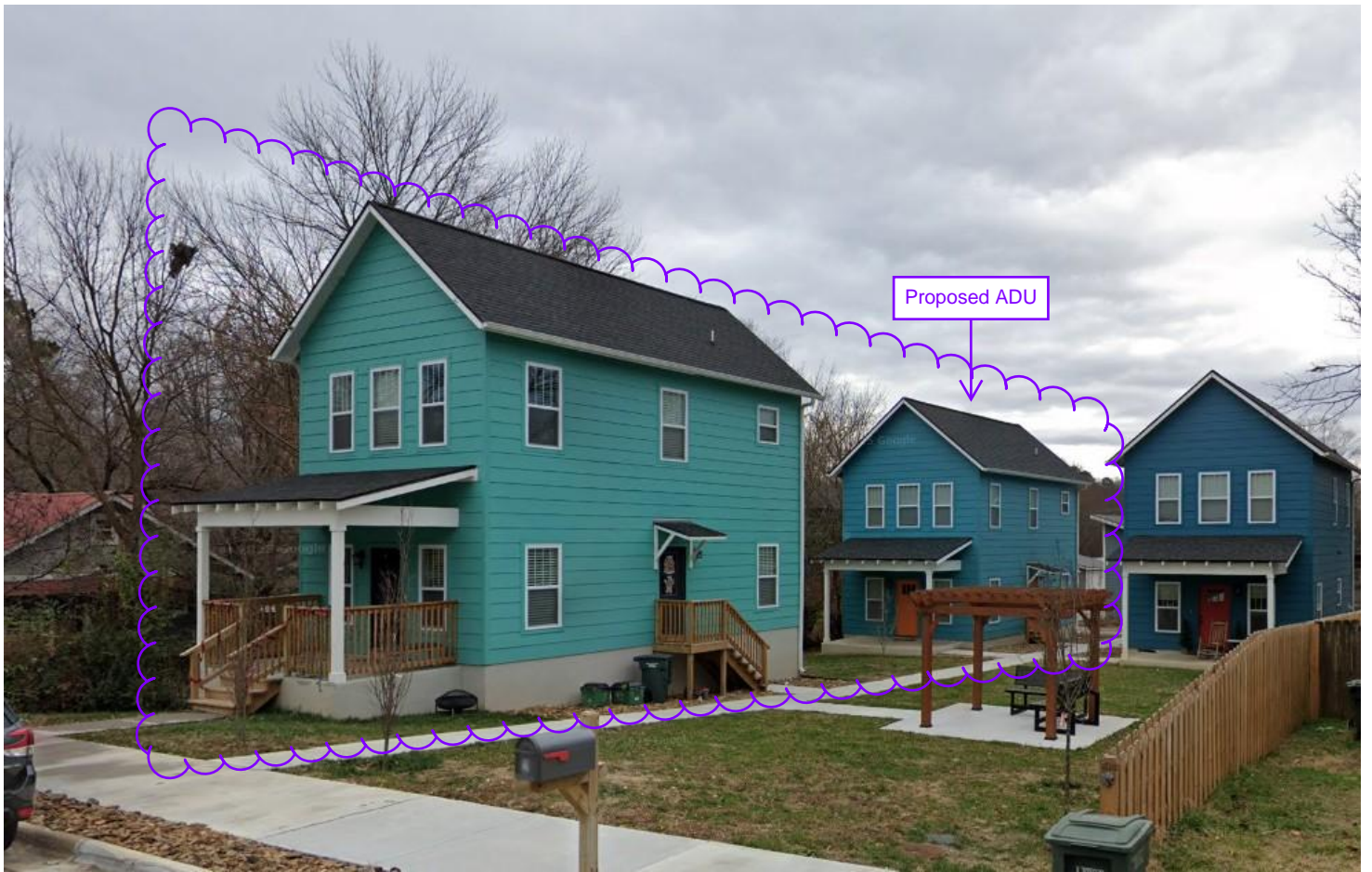
**5th Street Cottages  
Fayetteville AR**

ISSUE DATE  
6/22/21

REVISIONS

SHEET  
CONTENTS  
ELEVATIONS

SHEET  
A-4.5





**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Wesley Frank, Planner  
Justin Bland, City Engineer  
Willa Thomason, Urban Forester

**MEETING:** April 13, 2026

**SUBJECT:** **PPL-2025-0006: Preliminary Plat (NORTH OF 3878 N. CROSSOVER RD/J&M CAPITAL VENTURES/177):** Submitted by JORGENSEN & ASSOCIATES for property located NORTH OF 3878 N. CROSSOVER RD. The property is zoned CS, COMMUNITY SERVICES, and contains approximately 8.80 acres. The request is for the preliminary plat of 62 residential lots and one commercial lot.

**RECOMMENDATION:**

Staff recommends approval of **PPL-2025-0006** with conditions.

**RECOMMENDED MOTION:**

*"I move to approve **PPL-2025-0006**, recommending:*

- *In favor of recommended right-of-way dedication,*
- *In favor of recommended street improvements,*
- *In favor of a variance to UDC §166.04(B)(4)(c)(ii): Minimum Improvements,*
- *In favor of a variance to UDC §166.08(E)(2): Street Design and Access Management Standards,*
- *In favor of a variance to UDC §166.08(F)(2)(c): Access Management Standards,*
- *In favor of the applicant's requested use of Alternative Residential Link Streets, and*
- *In favor of all other conditions as outlined by staff."*

**BACKGROUND:**

The subject property is located in north Fayetteville that fronts both N. Crossover Rd and E. Joyce Blvd, across the street from the proposed Woodland Junior High School. The property contains approximately 8.80 acres and is currently undeveloped. It received its current zoning of CS, Community Services, as a result of a rezoning that was approved in 2025 (RZN-2025-0034). No overlay district or master plan area encumber the subject property. A large site improvement plan (LSIP-2025-0012) has been filed concurrently with this project at this property for a mixed-use office space and multi-family building on Lot #64. A large scale development (LSD-2022-0034) was approved for this site for a residential multi-family development with 112 units and associated parking. Surrounding land uses and zoning are depicted in *Table 1*.

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

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Single- and Multi-Family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre; RSF-4, Residential Single-Family, Four Units per Acre
South	Commercial	C-1, Neighborhood Commercial
East	Proposed school & Single-Family Residential	R-A, Residential-Agriculture; P-1, Institutional
West	Undeveloped & Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre

*Proposal:* The applicant proposes a subdivision with 62 residential lots and one commercial lot. Three variances from the Unified Development Code and a Planning Commission determination regarding the use of the Alternative Residential Link Street were submitted with this request:

**DISCUSSION:**

- **Variance #1: UDC §166.04(B)(4)(c)(i): *Minimum Improvements. 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.*** The applicant is requesting a variance to not develop the portion of right-of-way that fronts the subject property to the east that connects to E. Joyce Blvd.
  - *Staff recommendation: Staff is supportive of this request and has added a condition that the applicant seek a right-of-way vacation. The intent of this ordinance is for the development of right-of-way that would connect streets for easier access for residents between subdivisions and streets. The proposal shows that this connection would not be developed and instead a street would run parallel to it. The applicant has stated that this right-of-way (ROW) lies within significant topography that the applicant claims to be as high as 26%. They then state that this would require substantial development for a street to comply with all city street standards. With this severe topography, the applicant argues should this ROW be developed, there could be no connection between Hillside Terrace and the proposed Jonamac Rd due to a 15-foot height difference, which would require a retaining wall. The applicant has stated that utilities are present here, which would require their own redevelopment. Staff agrees that the hardships present do impact the ROW's potential development and staff has not expressed an interest in developing the ROW for a connection to the north to N. Hillside Terrance because of these issues.*
  
- **Variance #2: UDC §166.08(E)(2): *Street Design And Access Management Standards. With the exception of corner lots, double-street frontage lots are prohibited except where such lots front on access restricted roadways such as expressways.*** The applicant is proposing 10 (Lots #1-10) residential lots that would front N. Crossover Rd and the proposed Braeburn Rd of the subdivision.
  - *Staff recommendation: The intent of the ordinance is to prevent homes having their rear face higher-classification streets as it would be a negative to pedestrians' interactions with the buildings. The applicant proposed this design and has not articulated that a hardship required these lots to be designed in this way. The applicant could convert Braeburn Rd to an alley, which would allow for conformance with having only a single frontage for the proposed lots. In the proposal, Braeburn Rd is requested to be an Alternative Residential Link Street, the narrowest city street designation. Should it be converted into an alley, there*

would be a ROW width reduction of the proposed from 40-feet to 20-feet, narrowing street width from 26-feet to 14-feet, impacting vehicular access, and there is the potential sidewalk loss as alleys do not require them. Although not in agreement with the applicant's request for the variance as the lots are by design, staff could support the variance with appropriate guardrails in place.

- **Variance #3: UDC §166.08(F)(2)(c): Access Management Standards. Curb cut separation for 2-family, 3-, and 4-family, multi-family and nonresidential development is required to be a minimum of 50 feet from an intersection or driveway for a residential link street.** The applicant is proposing three lots that will be built with a 3-family dwelling. Lot #1 is the subject lot whose driveway will be approximately 37 feet from the intersection between Braeburn Rd and McIntosh Rd.
  - *Staff Recommendation: Staff finds the applicant does not necessarily have a hardship in this case as the non-conforming lot was by design, but with appropriate guardrails in place, staff can support the application. The intent of the ordinance is to ensure vehicular, bicycle, and pedestrian safety as vehicles arrive and leave a property. The primary street Lot #1 would use is Braeburn Rd which is designated as an Alternative Residential Link, which is used in low-traffic areas. Although Braeburn Rd has this intent, McIntosh Rd, the intersecting street to Braeburn Rd, will be used to access commercial space, a mixed-used development, and additional housing, which will see more traffic. Staff is in support of the request, but with a recommended condition that any development on Lot #1 will use the driveway design as shown in the proposed site plan to ensure that the drive is at the furthest distance from the intersection.*
  
- **Alternative Residential Link Street Determination. The alternative residential link section shall require Planning Commission approval in areas other than the Hillside/Hilltop Overlay District.** The applicant intends to use Alternative Residential Link streets in three separate areas of the proposed development: Braeburn Rd, Jonamac Rd, and Winesnap Rd.
  - *Staff recommendation: Staff supports the use of the Alternative Residential Link Street section in all three areas. Considerations for use of this section outside of the Hillside/ Hilltop Overlay district 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 developments. While staff finds that items 1 and 3 do not apply to this property, it is clear that items 2, 4, and 5 would. The applicant claims that there is significant topography throughout the site which staff finds. By allowing for the use of this type of street, the development burden is lessened due to its flexibility to contend with steeper topography grades. 10 lots will be alley-loaded, which will access both Braeburn Rd and Jonamac Rd. It is anticipated that the amount of vehicles will be less than 250 vehicles a day as only 34 lots would access the proposed links.*

*Right-of-Way to be Dedicated: Right-of-way is recommended as follows:*

*N Crossover Rd (Regional Link):* *No additional right-of-way is recommended, as the existing right-of-way exceeds the typical master street plan requirement of 48 feet.*

*E Joyce Blvd (Residential Link):* *Staff recommends 26-feet of right-of-way dedication from street centerline to be in line with typical master street plan requirements.*

Internal Residential Link Street - McIntosh Rd: Staff recommends 52-feet of right-of-way dedication from street centerline to be in line with typical master street plan for Residential Link standards.

Internal Alternative Residential Link Streets - Braeburn Rd, Winesnap Rd, and Jonamac Rd: Staff recommends 40-feet of right-of-way dedication to be in line with typical master street plan for Alternative Residential Link standards.

Residential Alley - Snapdragon: Staff recommends 20-feet of right-of-way dedication to be in line with typical master street plan for residential rear alley standards.

Commercial Alley - Goldenseal Valley: Staff recommends 24-feet of right-of-way dedication to be in line with typical master street plan for commercial rear alley standards.

*Street Improvements:* Staff recommends street improvements along the property's frontage as described below.

N Crossover Rd (Regional Link): Staff recommends to build out a 10-foot sidewalk, a 10-foot greenspace, with curb and gutter to be in line with typical master street plan standards for a Regional Link.

E Joyce Blvd (Residential Link): Staff recommends to build out 6-foot greenspace, 6-foot sidewalk, and curb and gutter as per typical master street plan standards for a Residential Link.

Internal Residential Link Street - McIntosh Rd: Staff recommends 26-foot-wide pavement, 6-foot-wide greenspaces, and 6-foot-wide sidewalks in line with typical master street plan requirements for a Residential Link. Streetlights and street trees are also recommended.

Internal Alternative Residential Link Streets - Braeburn Rd, Winesnap Rd, and Jonamac Rd): Staff recommends 26-foot-wide pavement, one side with a 6-foot-wide greenspace and 6-foot-wide sidewalk in line with typical master street plan requirements for an Alternative Residential Link. Streetlights and street trees are also recommended.

Residential Alley - Snapdragon: Staff recommends this alley to be constructed in line with residential rear alley standards (14-foot-wide pavement, 2-foot-wide greenspaces, and 1-foot wide concrete curbs).

Commercial Alley - Goldenseal Valley: Staff recommends this alley to be constructed in line with commercial rear alley standards (18-foot-wide pavement, 2-foot-wide greenspaces, and 1-foot wide concrete curbs,).

*Block Length/Connectivity:* Staff finds that the proposed preliminary plat complies with the City of Fayetteville's block length and connectivity standards. The applicant proposes three Alternative Residential Link streets through Planning Commission determination, one Residential Link street, and two alleys - one commercial and one residential.

*Water and Sewer System:* There is an existing 8" water line along the south side of the property. The applicant is proposing to install new 8" water mains throughout the subdivision to provide domestic water service and fire hydrants. The project connects to the existing 8" waterline in two locations to create a loop within the site. There is an existing 8" sewer line on the property south of the development that will require approximately 120' of off-site sewer main construction. The

applicant is proposing to install new 8" sewer mains from that existing sewer line to the site and within the subdivision to provide sanitary sewer service to each lot.

*Tree Preservation:*

Canopy minimum requirement: 20%

Existing canopy: 63.4%

Preserved canopy: 9.9%

Mitigation required: 176 two-inch caliper trees

*Parks:* The Parks and Recreation Advisory Board (PRAB) reviewed this proposal at a meeting held on January 6, 2026. The PRAB recommended fee-in-lieu for this development which is \$63,826 based on the number of proposed residential lots (42 single-family and 19 multi-family). Parks fees are due at the time of final plat, prior to building permit issuance.

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

**RECOMMENDATION:** Staff recommends approval of **PPL-2025-0006** with the following conditions:

**Conditions of Approval:**

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends no right-of-way dedication with this request.*
  - a. N. Crossover Rd: No additional right-of-way
  - b. E. Joyce Blvd: 26-feet
  - c. Internal Street McIntosh Rd (Residential Link): 52-feet
  - d. Internal Streets Braeburn Rd, Winesnap Rd, and Jonamac Rd (Alternative Residential Link): 40-feet
  - e. Alley Snapdragon: 20-feet
  - f. Alley Goldenseal Valley: 24-feet
2. **Planning Commission determination of street improvements.** *Staff recommends street improvements as follows:*
  - a. N. Crossover Rd: a 10-foot trail, a 10-foot greenspace, with curb and gutter
  - b. E. Joyce Blvd: 6-foot greenspace, 6-foot sidewalk, and curb and gutter
  - c. Internal Street McIntosh Rd (Residential Link): 26-foot-wide pavement, 6-foot-wide greenspaces, curb and gutter, and 6-foot-wide sidewalks
  - d. Internal Streets Braeburn Rd, Winesnap Rd, and Jonamac Rd (Alternative Residential Link): 26-foot-wide pavement, one side with a 6-foot-wide greenspace, curb and gutter, and 6-foot-wide sidewalk
  - e. Alley Snapdragon: 2-foot-wide greenspaces, 1-foot wide concrete curbs, and 14-foot-wide pavement
  - f. Alley Goldenseal Valley: 2-foot-wide greenspaces, 1-foot wide concrete curbs, and 18-foot-wide pavement
  - g. *Street trees and streetlights per ordinance*
3. **Planning Commission determination of a variance to UDC §166.04(B)(4)(c)(i): Minimum Improvements.** *Staff is supportive of this variance request for the reasons outlined above with the following condition.*
  - a. The applicant shall seek and be approved for a right-of-way vacation for the area subject to this variance.

4. **Planning Commission determination of a variance to UDC §166.08(E)(2): Street Design And Access Management Standards.** Staff is supportive of this variance request for the reasons outlined above with the following condition:
  - a. Any developed buildings on Lots 1-10 shall orient the principal façade towards N. Crossover Rd.
5. **Planning Commission determination of a variance to UDC §166.08(F)(2)(c): Access Management Standards. Curb cut separation for 2-family, 3- and 4-family, multi-family and nonresidential development is required to be a minimum of 50 feet from an intersection or driveway for a residential link street.** Staff is supportive for the reasons above with the following condition:
  - a. Any developed building's driveway shall adhere to what is shown on the proposal.
6. **Planning Commission determination of the use of Alternative Residential Link Streets.** *Staff is supportive of this variance request for the reasons outlined above.*
7. Fee-in-lieu of parkland dedication, with the final amount determine and due at the time of final plat.

**Standard Conditions of Approval:**

8. All existing overhead utility lines 12kV and under shall be relocated underground. All proposed utilities shall be located underground;
9. 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;
10. All street names shall be approved by the 911 Coordinator and indicated on the final plat. All streets require naming for final addresses. Contact the addressing office at (479) 575-8380 for more details;
11. All lots shall be labeled with addresses as approved by the 911 Coordinator on the final plat;
12. A floodplain development permit is required prior to construction for any grading or structures in the flood zone;
13. Plat Review comments (to include written staff comments provided to the applicant or his/her representative, and all comments from utility representative: Black Hills Energy, AT&T, Ozarks, SWEPCO, Cox Communication);
14. 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
15. Preliminary Plat approval shall be valid for one year.

<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>			
Date: <u>April 13, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Motion:			
Second:			
Vote:			

**BUDGET/STAFF IMPACT:**

None

**ATTACHMENTS:**

- UDC §166.04 Required Infrastructure Improvements — Development In City Limits
- UDC §166.08(E)(2): Street Design And Access Management Standards
- UDC §166.08(F)(2)(c): Access Management Standards
- Alternative Residential Link
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Engineering Comments
- Urban Forestry Comments
- Parks & Recreation Comments
- Request Letter
- Variance Request Letter
- Preliminary Plat

## 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.

...

## 166.08 Street Design And Access Management Standards

...

### (E) *Block Layout/Connectivity.*

- (1) *Block Length.* Block lengths and street intersections are directly tied to the functional hierarchy of the street pattern that exists or is proposed.
  - (a) *Regional and Regional High Activity Links.* Signalized intersections should be located at a minimum of one (1) every 2,640 feet (half a mile) along regional links and should be based on traffic warrants.
  - (b) *Neighborhood Links.* Intersections should be located at a minimum of one (1) every 1,320 feet (quarter of a mile) along neighborhood links.
  - (c) *Residential Link and Downtown/Urban Street.* Intersections shall occur at a minimum of one (1) every 660 feet.
  - (d) *Variances.* Block length standards may be varied by the Planning Commission when terrain, topographical features, existing barriers or streets, size or shape of the lot, or other unusual conditions justify a departure.
- (2) With the exception of corner lots, double-street frontage lots are prohibited except where such lots front on access restricted roadways such as expressways. Alleys are not considered as frontage. Double frontage lots may be permitted by the Planning Commission for topographical problems, feasibility issues relating to the parcel's dimensions, or other good cause which must be established and proven by the developer. The Planning Commission may impose additional landscape requirements along the back of such double-frontage lots. Unless otherwise approved by the Planning Commission, all primary structures shall be oriented toward the higher functional classification street.

...

## 166.08 Street Design And Access Management Standards

...

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

...

## Alternative Residential Link Street - Desired Operating Speed: 15-20 mph

The alternative residential link street section is intended to reduce the footprint of the residential street scape while keeping a safe environment for all modes and abilities. Storm drainage infrastructure should have adequate depth or be offset to avoid conflicts with street tree plantings. Low-Impact Development (LID) features in green spaces are recommended best practices to incorporate alternative stormwater treatment techniques.

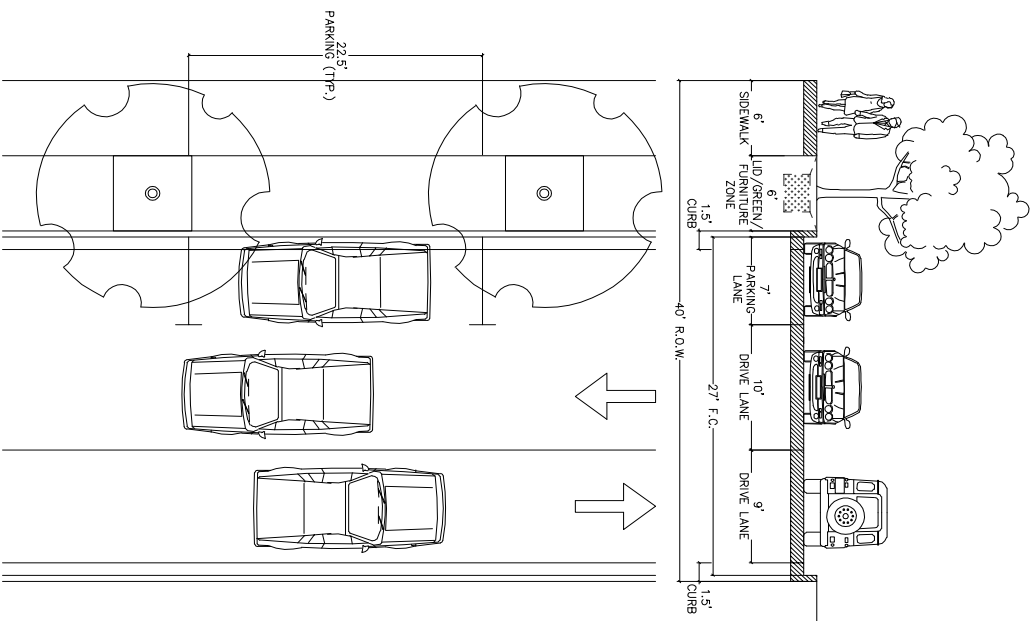


Figure 12.9 - Alternative Residential Link Street

- The alternative residential link street section shall require Planning Commission approval in areas other than the Hilltop-Hillside Overlay District and the following should be taken into consideration:
- Block lengths less than or equal to 400-feet
  - Environmental reasons where no other section is applicable
  - Historic streets for small infill projects
  - Streets with less than 250 vehicles per day
  - Alley-loaded development

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

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

Alternative design elements may be approved administratively and include:

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

Minimum Right-of-Way: 33-feet  
Maximum Right-of-Way: 40-feet



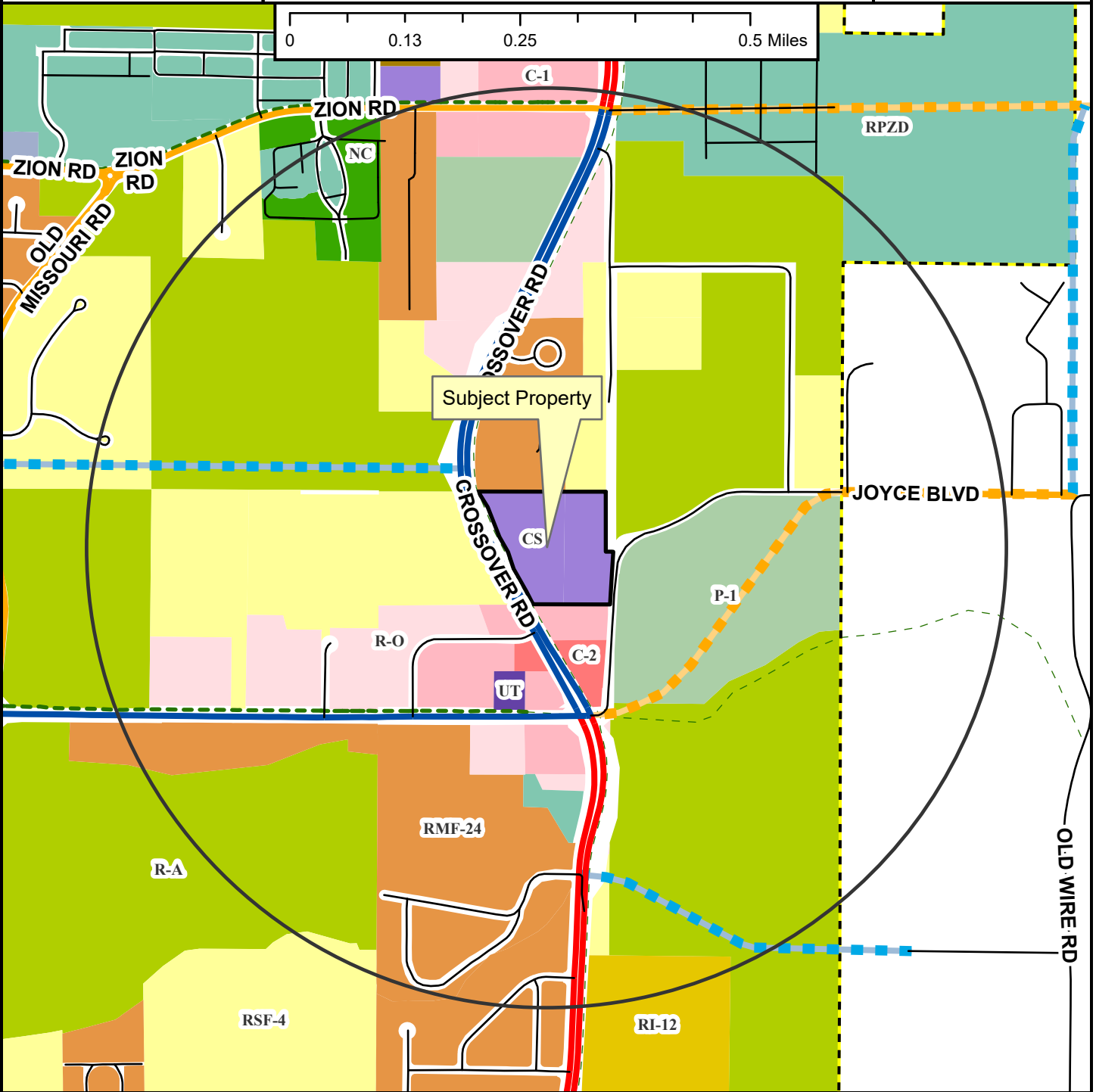
PPL-2025-0006

# NORTH OF 3878 N. CROSSOVER RD

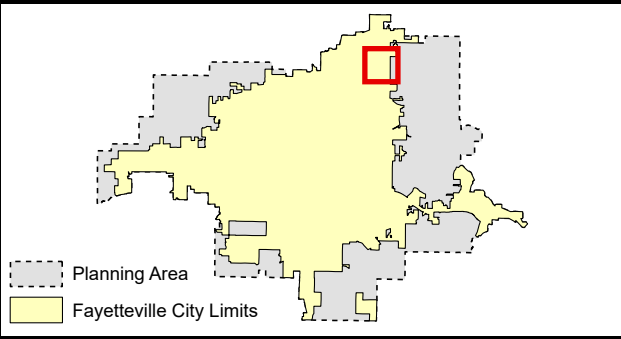
One Mile View



0 0.13 0.25 0.5 Miles



- 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

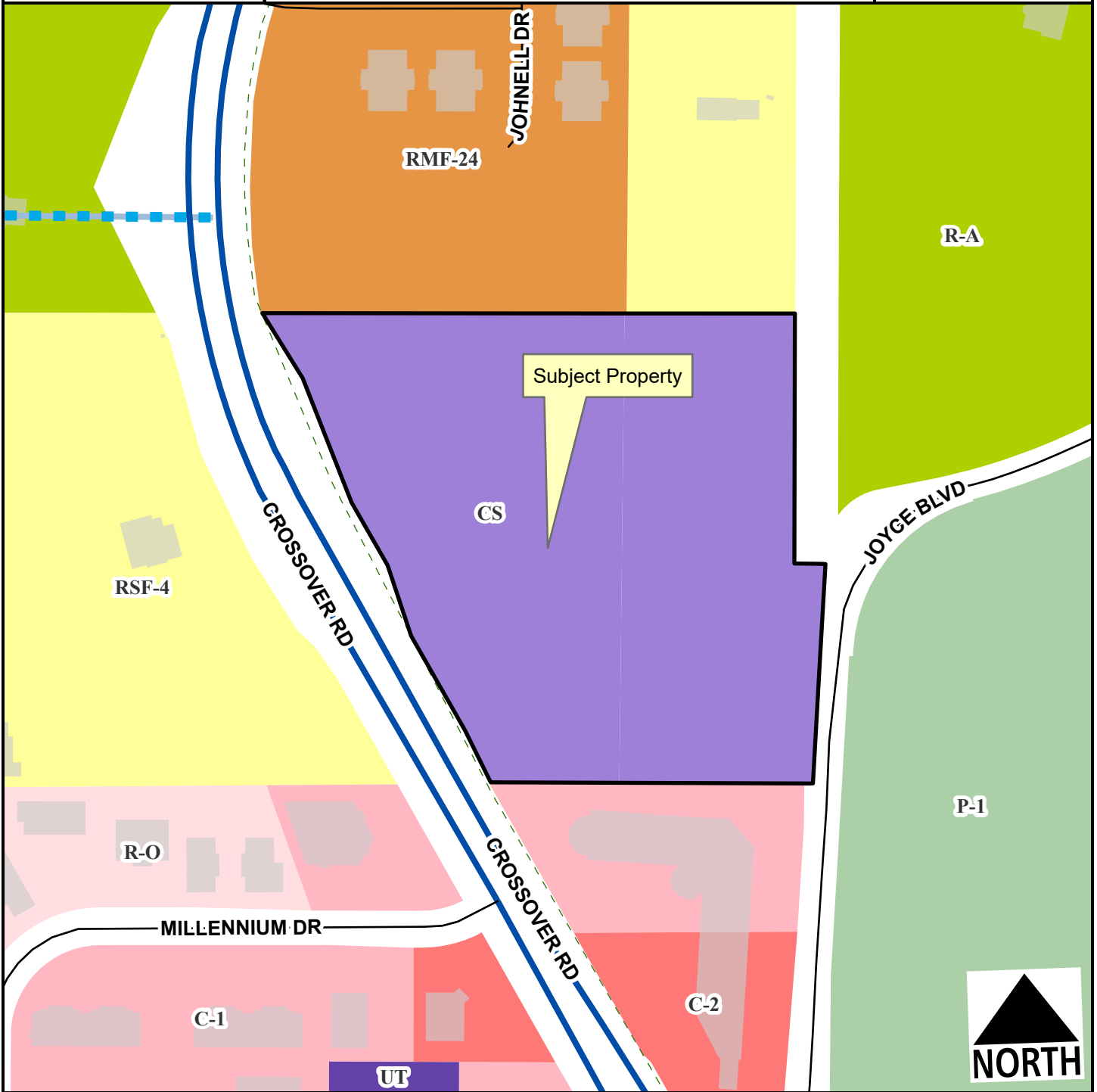


Planning Commission  
April 13, 2026

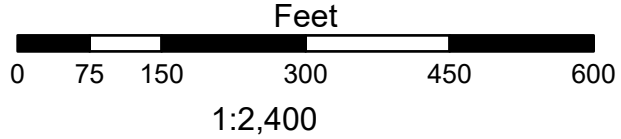
PPL-2025-0006 (J & M CAPITAL VENTURES LLC)

# NORTH OF 3878 N. CROSSOVER RD

Close Up View



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

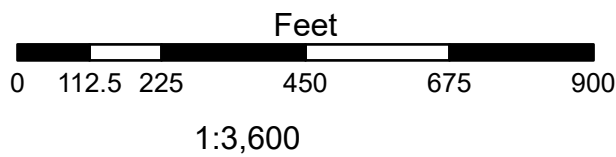




Current Land Use



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



### FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

2025 Imagery | EagleView Technologies | Surdex Corporation



**TO:** Wesley Frank, Planner  
**FROM:** Justin Bland, City Engineer  
**DATE:** April 7, 2026

**SUBJECT: Planning Commission Engineering Comments for  
PPL-2025-0006**

---

**Water:** There is an existing 8" water line along the south side of the property. The applicant is proposing to install new 8" water mains throughout the subdivision to provide domestic water service and fire hydrants. The project connects to the existing 8" waterline in two locations to create a loop within the site.

**Sewer:** There is an existing 8" sewer line on the property south of the development that will require approximately 120' of off-site sewer main construction. The applicant is proposing to install new 8" sewer mains from that existing sewer line to the site and within the subdivision to provide sanitary sewer service to each lot.

**Streets:** The applicant is proposing to install public streets throughout the subdivision primarily based on the alternate and typical Residential Link cross sections. The alternate cross section includes a 28' wide street section and 6' sidewalks on one side within a 40' right-of-way. The typical cross section includes a 28' wide street section and 6' sidewalks on both sides within a 52' right-of-way. In addition, there is a public alley with a 16' paved alley within a 20' right-of-way. On the south side of the property there are private alleys associated with the SIP project that is moving concurrently with this preliminary plat.

There is existing right-of-way on the northeast corner of the site that would theoretically make a connection N. Hillside Terrance to the north. The applicant has requested to not make this connection or stub out to it due to the extreme topography and existing power lines within it. Engineering staff generally agrees with this assessment.

**Drainage:** This development is required to meet the four minimum criteria of Fayetteville's Drainage Criteria Manual. The applicant is proposing to meet these requirements with one dry detention pond and two underground detention ponds. Criteria #1 for water quality will be met with bio-retention in the detention pond and isolator rows in the underground ponds. Criteria #2 for Channel protection is not required due to the low flow rates leaving the site. Criteria #3 and #4 for overbank flood protection and extreme flood protection requirements are proposed to be met by sizing the outlet structures of each pond so that peak flows post-development do not exceed pre-development peak flows. Detailed review of the drainage design will be done with grading permit review.

**Plan Comments:**

1. During grading permit review, if fire flow velocities in the existing 8" water line exceed 10 fps, the existing 8" line will be required to be extend on the east side to be a fully looped 8" connection.

2. All off-site easements for utility and drainage work must be acquired prior to issuance of grading permit.

**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:** Jorgensen & Associates  
**From:** Willa Thomason, Urban Forester  
**CC:** Wesley Frank, Planner  
**Meeting Date:** April 13, 2025  
**Subject:** PPL-2025-0006: Berkshire (3878 N Crossover Rd)

1. Submittal Requirements	Yes	No	N/A
Initial Review with the Urban Forester	X		
Arborist Assessment Submitted (if required)	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	381,366	100%
Zoning Designation * Select Below with drop down arrow		
CS, Community Services	76,273	20%
HHOD * Select Below with Drop Down Arrow		
No	0	0%
Total Canopy for Minimum Preservation Requirements	76,273	20.0%
Existing Tree Canopy * Minus Right of Way and Easements	241,709	63.4%
Tree Canopy Preserved	37,829	9.9%
Tree Canopy Removed *On Site	203,880	53.5%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	203,880	53.5%
Removed Below Minimum	38,444	
Mitigation Requirements	38,444	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority	38,444	176 (86 planted)
Low Priority		
<b>Total Mitigation Trees Required</b>		<b>176</b>

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

<b>5. Tree Preservation Plan Checklist</b>		<b>Tech Plat</b>	<b>Planning Commission</b>
<i>UDC Chapter 167.04H1 and 167.04L1</i>			
a.	5 year Aerial Check on Existing Trees	Yes	Yes
b.	Property Boundary	Yes	Yes
c.	Natural Features (100ft beyond limits of disturbance)	Yes	Yes
d.	Existing Topography and Proposed Grading	Yes	Yes
e.	Soil Types	Yes	Yes
f.	Significant Trees	Yes	Yes
g.	Groupings of Trees	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)	N/A	N/A
l.	Floodplains and floodways	N/A	N/A
m.	Existing Street, Sidewalk or Bike Path ROW	Yes	Yes
n.	Submitted Site Analysis Report (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	Yes	Yes
<b>Tree Protection Methods</b>			
a.	Tree Protection Fencing	Yes	Yes
b.	Limits of Root Pruning	Yes	Yes
c.	Traffic flow on work site	Yes	Yes
d.	Location of material storage	Yes	Yes
e.	Location of concrete wash out	Yes	Yes
f.	Location of construction entrance/exit	Yes	Yes
<b>6. ISA-Certified Arborist Report (if required)</b>		Yes	No
<i>UDC Chapter 167.04H4</i>			
a.	Submitted arborist report with all required components	X	
<b>7. Review Status (See Comments)</b>		<b>Tech Plat</b>	<b>Planning Commission</b>
Conditionally Approved		3-11-26	4-2-26
Approved			
Tabled		1-6-26	
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:** Jorgensen & Associates  
**From:** Willa Thomason, Urban Forester  
**CC:** Wesley Frank, Planner  
**Meeting Date:** April 13, 2025  
**Subject:** PPL-2025-0006: Berkshire (3878 N Crossover 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     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)  
*UDC Chapter 177.04C* X
- e. Placement of Trees (either side at entrances and exits)  
*UDC Chapter 177.04C2* X

<b>3. Perimeter Landscaping Requirements</b>	Yes	No	N/A
--	-----	----	-----

- |   |   |  |  |
|---|---|--|--|
| a. Front Property Line (15' wide landscape) and 5' on sides and rear.<br><i>UDC Chapter 177.04D2a</i> | X |  |  |
| b. Shade trees planted on south and west sides of parking lots<br><i>UDC Chapter 177.04D2e</i>        | X |  |  |
| c. Screening of parking lot from adjacent residential properties.                                     | X |  |  |

<b>4. Street Tree Planting Requirements</b>	Yes	No	N/A
---	-----	----	-----

- |  |   |   |   |
|--|---|---|---|
| a. Residential Subdivisions<br>1 Large Shade Species Tree per Lot<br><i>UDC Chapter 177.05B1a</i>  | X |   |   |
| b. Non-Residential Subdivisions<br>1 Large Species Shade Tree every 30' (planted in greenspace)<br><i>UDC Chapter 177.05B2a</i>              |   |   | X |
| c. Urban Tree Well – Urban Streetscapes<br>Trees every 30' (8' sidewalk)<br><i>UDC Chapter 177.05B3a-f</i>                                   |   |   | X |
| d. Structural Soil – Urban Tree Wells<br>Include a note and/or detail of structural soil on Landscape Plan<br><i>UDC Chapter 177.05B3a-f</i> |   |   | X |
| e. Residential Subdivisions<br>Timing of planting indicated on plans<br><i>UDC Chapter 177.05A4</i>  | X |   |   |
| f. Residential Subdivisions<br>Written description for method of tracking planting<br><i>UDC Chapter 177.05A4e</i>                           |   | X |   |

<b>5. Landscape Requirement Totals</b>	Amount
--	--------

Mitigation Trees	176
Parking Lot Trees	7
Street Trees	71 lot trees/31 street trees
Detention Pond – Large Trees (1 Tree/3,000 square feet)	2

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

8

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

12

6. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	3-13-26	4-2-26
Approved		
Tabled	1-12-25	
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. Fee-in-lieu for lot/street trees requires a PC variance. All required lot trees must be installed. We can administratively approve smaller species, as well as placement behind the sidewalk if necessary.
3. The landscape plan must be stamped by a licensed landscape architect.



CITY OF
FAYETTEVILLE
ARKANSAS

TO: Planning Division
FROM: Zach Foster, Parks Planning
DATE: January 6, 2026
SUBJECT: Parks & Recreation Technical Plat Review Comments

\*\*\*\*\*

Parks Board Meeting Date: May 2, 2022
Project Title: Berkshire (FKA Joyce LSD)
Project Number: PPL-2025-0006
Project Location: North of 3878 N Crossover Rd
Plat Page: 177
Park Quadrant: NE
Billing Name & Address: J&M Capital Ventures LLC
3064 E Joyce Blvd, Fayetteville, AR 72704

Table with 2 columns: FEE-IN-LIEU and TOTAL Fees. Rows include Single Family (42 units x \$1,089 = \$45,738) and Multi Family (19 units x \$952 = \$18,088), totaling \$63,826.

SUMMARY:

- Project proposes 42 SF units and 19 MF units.
The final amount of fee-in-lieu and/or land dedication needed to satisfy Parkland Dedication requirements will be determined after Planning Commission's approval of the Final Plat.
Current fee-in-lieu and/or land dedication rates will be applied regardless of when project was approved by PRAB.
Prior to final receipt by the city, all fees must be paid and any deeds for parkland dedication property must be:
- Approved by the City's Land Agent in the Engineering Division.
- Recorded at the Washington County Courthouse.
Each additional housing unit that is constructed in Fayetteville places an increased demand on the Parks and Recreation system. The money collected as part of this project will be used to fund future park acquisitions and improvements for this park quadrant.

ASSOCIATED PROJECTS:

- LSIP-2025-0012
PPL-2025-0006



124 W Sunbridge Drive, Suite 3  
Fayetteville, AR 72703  
Office: 479.442.9127  
[www.jorgensenassoc.com](http://www.jorgensenassoc.com)  
Established 1985

December 31, 2025

City of Fayetteville  
Development Services  
J+A Project # 2021-173  
CoF Project Previous (#2022-0034 & GRD 2023-0065)  
Re: The Berkshire @ Uptown (PPL + LSIP)


Please accept this request for a PPL and an LSIP for a previous project known as Berkshire @ Uptown. Previously this was one Large Scale Development that gained approval and while applying for our Grading Permit the owner decided to put the project on hold as the market was shifting. Since the project was put on hold, several new developments have occurred, namely the construction of the new Woodland Junior High. With this development and where the market is heading, the owner has decided to now plat individual lots via the Preliminary Plat, and there will be a Large Site Improvement plan for a commercial development in the SW corner.

This proposed development will have a range of townhomes with widths of 20', some duplexes with widths of 20', and some single-family homes with widths of 30'-35'.

The site currently has adequate access to water, sewer, and ample street capacity. Of note, there is some downstream sewer capacity issues; however, we have designed the plans and these improvements are scheduled for this winter.

Please review this application and let us know if there are any questions that we may be able to answer.

Thanks.

  
\_\_\_\_\_  
Blake Jorgensen, PE  
Jorgensen + Associates

April 3, 2026  
City of Fayetteville - Development Services  
J+A Project # 2021-173  
CoF Project (PPL-2025-0006)  
Re: The Berkshire @ Uptown (PPL)

Please accept this resubmittal for the Berkshire PPL. In this resubmittal, we are requesting a few variances:

1. UDC 166.08(F)(c) – Residential Links: Curb cuts shall be located a minimum of 50’ from an intersection or driveway. We are requesting this variance due to the nature of developing townhomes, wherein the units themselves by nature are more narrow, this is causing our first driveway approach to be less than 50’ away. We have flipped the units to get the driveway as far away as possible from our first submittal. This leaves us around 37’ away from the intersection, so we are hopeful that planning commission can approve this variance considering that this development’s roadways will see minimal amount of traffic flow and this development pattern is consistent with townhome developments (This occurs at lot 1).
2. UDC 166.08(E)(2). Lots 1-10 are double frontage lots and we would like a variance for this approval as laid out.
3. UDC 166.04(A)(3): Planning has requested us to build a portion of Hillside Terrace. We were previously told not to build this roadway and we concur with the original assessment that this roadway would be too steep, has several utility conflicts, and would likely not be connected to in the future.
  - a. The roadway, if built, would contain grades as high as 26% (10-5% max is ideal for fire code).
  - b. Existing Power Poles lie within the alignment and could be undermined by the undercut to install the roadway.
  - c. A major gas main runs along this alignment and placement of a roadway along this corridor could be dangerous and be in conflict with this transmission line.
  - d. If the roadway were to be built, our adjacent Road “C” wouldn’t be able to tie into this roadway and would be around 15’ below Hillside Terrace, so no cross connection would be viable, and a major retaining wall will separate the two roads.
4. This development’s intent, is to approach this project in an environmentally sensitive way, and so by utilizing a smaller street section, we can avoid placing larger quantities of impervious surface and create a more compact and complete neighborhood. Many of these lots will be rear loaded and will be utilizing shared access easements. Block lengths are at a smaller interval than normal, and the anticipated traffic load minimal. Request for Alternate Residential Link Streets (42’ ROW with a 28’ wide street, 6’ of greenspace, and 6’ sidewalk) to be used for Road ‘C’.

Please review this application and let us know if there are any questions that we may be able to answer.

Thanks  
Blake Jorgensen, PE



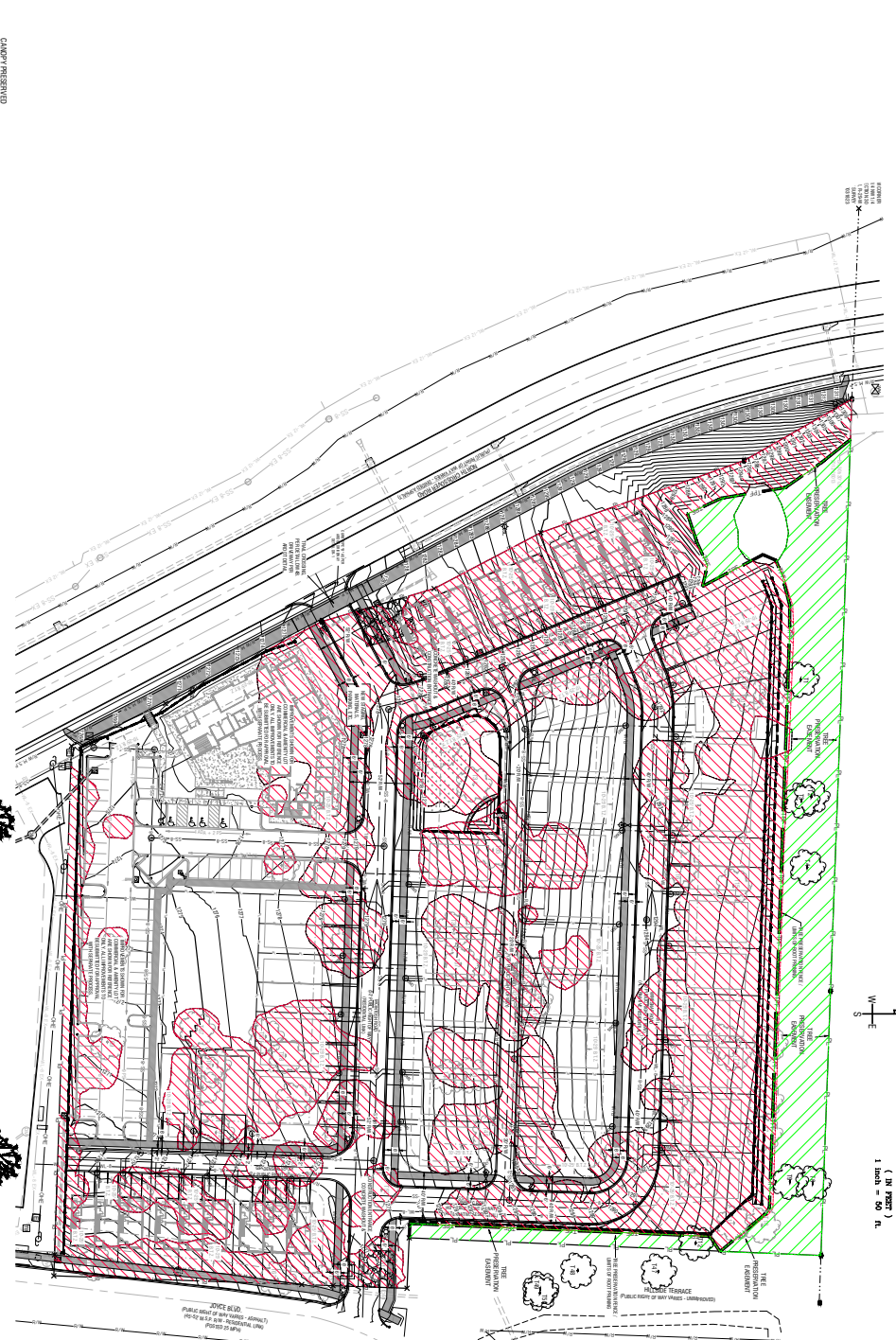




**UNIFIED SOIL CLASSIFICATION**  
 REF: AMERICAN SOCIETY OF CIVIL ENGINEERS  
 800-368-5848 THE AMERICAN SOCIETY OF CIVIL ENGINEERS

1. THESE MATERIALS ARE SHOWN ON THE PLAN AND SECTION, WHICH INDICATE THE LOCATION OF THE MATERIALS TO BE REMOVED OR SUBSTITUTED.
2. THE SOILS SHOWN ARE BASED ON THE DATA PROVIDED BY THE CLIENT AND THE CONSULTANT'S VISUAL INSPECTION OF THE SITE AND THE INFORMATION PROVIDED BY THE CLIENT.
3. THE SOILS SHOWN ARE BASED ON THE DATA PROVIDED BY THE CLIENT AND THE CONSULTANT'S VISUAL INSPECTION OF THE SITE AND THE INFORMATION PROVIDED BY THE CLIENT.
4. SOILS ARE CLASSIFIED AS PER THE UNIFIED SOIL CLASSIFICATION SYSTEM.
5. SOILS ARE CLASSIFIED AS PER THE UNIFIED SOIL CLASSIFICATION SYSTEM.
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10. SOILS ARE CLASSIFIED AS PER THE UNIFIED SOIL CLASSIFICATION SYSTEM.
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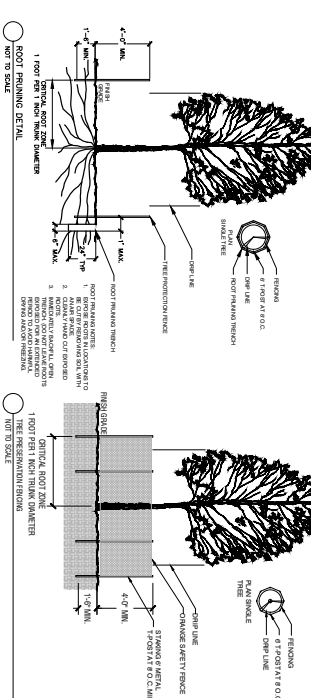
DEPTH	MARKER	TYPE	CONDITION	REMARKS	UNIFIED SOIL CLASSIFICATION	REMARKS
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2	19'-2 1/2"	OK	GOOD	NO	US	HS
3	19'-2 1/2"	OK	GOOD	NO	US	HS
4	19'-2 1/2"	OK	GOOD	NO	US	HS
5	19'-2 1/2"	OK	GOOD	NO	US	HS
6	19'-2 1/2"	OK	GOOD	NO	US	HS
7	19'-2 1/2"	OK	GOOD	NO	US	HS
8	19'-2 1/2"	OK	GOOD	NO	US	HS
9	19'-2 1/2"	OK	GOOD	NO	US	HS
10	19'-2 1/2"	OK	GOOD	NO	US	HS
11	19'-2 1/2"	OK	GOOD	NO	US	HS
12	19'-2 1/2"	OK	GOOD	NO	US	HS
13	19'-2 1/2"	OK	GOOD	NO	US	HS
14	19'-2 1/2"	OK	GOOD	NO	US	HS
15	19'-2 1/2"	OK	GOOD	NO	US	HS
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19	19'-2 1/2"	OK	GOOD	NO	US	HS
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22	19'-2 1/2"	OK	GOOD	NO	US	HS
23	19'-2 1/2"	OK	GOOD	NO	US	HS
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97	19'-2 1/2"	OK	GOOD	NO	US	HS
98	19'-2 1/2"	OK	GOOD	NO	US	HS
99	19'-2 1/2"	OK	GOOD	NO	US	HS
100	19'-2 1/2"	OK	GOOD	NO	US	HS



Category	Area (Sq. Feet)	Percentage (%)
CANOPY PRESERVED	26,272	60%
CANOPY REMOVED	21,493	48%
<b>Total</b>	<b>47,765</b>	<b>100%</b>

**Tree Preservation Calculations Square Feet**

Category	Area (Sq. Feet)	Percentage (%)
Canopy Preserved	26,272	60%
Canopy Removed	21,493	48%
<b>Total</b>	<b>47,765</b>	<b>100%</b>



<p><b>PROJECT TITLE:</b> BERKSHIRE PRELIMINARY PLAT</p> <p><b>PROJECT LOCATION:</b> FAYETTEVILLE, AR</p>	<p><b>JORGENSEN + ASSOCIATES</b>                  124 W Sunbridge Drive, Suite 5                  Fayetteville, AR 72703                  Office: 479-442-9127                  www.jorgensenandassociates.com</p> <p><b>Civil Engineering Planning Commission</b>                  April 13, 2026</p>
<p><b>SHEET TITLE:</b> TREE PRESERVATION PLAN</p> <p><b>SHEET NUMBER:</b> L-1.1</p>	<p><b>DATE:</b> 12/20/23                  DRAWN BY: JM-113                  PLS BY: JMW 2/28/2024 173                  CHECKED BY: JMW                  SCALE: 1" = 50'</p>



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

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

**MEETING:** April 13, 2026

**SUBJECT:** **PPL-2026-0002: Preliminary Plat (NORTHWEST OF N. 54<sup>TH</sup> AVE & W WEDINGTON DR/54<sup>TH</sup> STREET DEVELOPMENT/397):** Submitted by CRAFTON TULL for property located NORTHWEST OF N. 54<sup>TH</sup> AVE. & W WEDINGTON DR. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 12.13 acres. The request is for the preliminary plat of 72 residential lots and 2 unbuildable lots.

**RECOMMENDATION:**

Staff recommends approval of **PPL-2026-0002** with conditions.

**RECOMMENDED MOTION:**

*"I move to approve **PPL-2026-0002**, recommending:*

- *In favor of recommended right-of-way dedication,*
- *In favor of recommended street improvements,*
- *In favor a variance to UDC §166.08(E)(1)(b) & (c) Block Length,*
- *In favor a variance to UDC §172.04(E) Dimensional Standards, and*
- *In favor of all other conditions as outlined by staff."*

**BACKGROUND:**

The subject property is in west Fayetteville, approximately 400 feet north of the intersection of N. 54<sup>th</sup> Ave. and W. Wedington Dr. The property was annexed into Fayetteville city limits in 2021. It contains roughly 12.13 acres and was rezoned to a RPZD, Residential Planned Zoning District in 2024 (PZD-2024-0002). The property is currently undeveloped and is not part of any overlay or master planning areas. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Quarry	Fayetteville Planning Area
South	Single-Family Residential	RA, Residential Agricultural
East	Agricultural Mixed-Density Residential	RA, Residential Agricultural RI-U, Residential Intermediate Urban
West	Single-Family Residential	RI-12, Residential Intermediate, 12 Units per Acre

*Proposal:* The applicant proposes a subdivision with 72 residential lots and 2 unbuildable lots. Two variances from the Unified Development Code have been requested which are described below alongside staff's recommendations.

- **Variance #1: UDC §166.08(E)(1)(c): Block Length. Intersections shall occur at a minimum of one (1) every 660 feet for Residential Link and Downtown/Urban Streets.** The applicant is requesting approval for a residential link street with approximately 850 linear feet between the intersection and northern property boundary.
  - *Staff recommendation: Staff is supportive of this request with conditions. A PZD was approved in 2024 to permit the property to development utilizing private alleys, which do not count towards block length standards. However, staff finds that the proposed private alleys largely meet the intent of the block length and connectivity standards. When considering the alleys, the development complies with block length standards. Staff recommends a condition that sidewalk shall be extended to the northern property line from the proposed pedestrian system in order to facilitate pedestrian connectivity. Additionally, staff recommends an access easement be extended to the northern property line to enable future vehicular connectivity.*
  
- **Variance #2: UDC §172.04(E): Dimensional Standards. Two-way drive aisle widths shall be 24 feet adjacent to 90-degree parking stalls.** The applicant is requesting approval for a drive aisle of 27 feet adjacent to the parking lot near the northern property line.
  - *Staff recommendation: Staff is supportive of this request with conditions. The applicant states the additional width is necessary to provide space for maneuvering in and out of the proposed parking spaces without encumbering adjacent vehicle travel. While the parking is proposed off a private alley with low vehicular counts, two residential structures will have driveways that access the alley directly opposite the parking. Staff finds that the additional width is minimal and could help minimize conflicts between users of the proposed parking lot and adjacent driveways. A condition is recommended that the drive aisles adjacent to the parking shall be limited to a maximum of 27 feet as shown on the plans.*

*Right-of-Way to be Dedicated:* The project includes a mixture of public streets and private alleys. Right-of-way dedication is recommended as follows:

N. 54<sup>th</sup> Ave. (Residential Link): Staff recommends total of 52-feet of right-of-way dedication (26 feet from centerline) in line with Residential Link standards along the southern portion of the site where there is existing right-of-way. Along the northern portion of the site where there is not existing right-of-way, dedication increases to a total 41.63 feet. This dedication maintains the street alignments and is fully within the existing property boundary.

W. Fountain St (Internal Residential Link): Staff recommends 52-feet of right-of-way dedication for internal streets in line with Residential Link standards.

Alleys: No right-of-way dedication is recommended for private alleys. An access easement is recommended over the proposed alleys of sufficient width to cover proposed improvements.

*Street Improvements: Staff recommends street improvements along the property's frontage as described below.*

N. 54<sup>th</sup> Ave. (Residential Link): Staff recommends half street improvements including widening to 22.5-foot-wide pavement, curb and gutter, and six-foot-wide greenspaces in line with typical master street plan requirements for a residential link. In addition, as shown on the Master Trail Plan, an eight-foot-wide trail is proposed along the west side of the N. 54<sup>th</sup> Ave, beginning at a tie-in to the existing trail extension on the east side of the road. Six-foot sidewalk is proposed south of that trail crossing. Streetlights and street trees are recommended.

W. Fountain St (Internal Residential Link): An internal residential link connection is proposed from the existing Fountain St. stub-out to the west to N. 54<sup>th</sup> Ave. to the east. Staff recommends 27-foot-wide pavement, six-foot-wide greenspace, and six-foot-wide sidewalk in line with typical master street plan requirements, as well as streetlights and street trees.

Alleys: Per PZD approval, private alleys will conform to the master street plan except where additional width is required for fire hydrants or access. A commercial rear alley section (two nine-foot travel lanes, one-foot concrete curbs, and two-foot greenspaces) is recommended in order to provide the minimum twenty-foot surface required to meet fire access. Streetlights are also required along the alleys per the PZD.

*Block Length/Connectivity:* The proposed plans include public streets and alleys. A variance has been requested to block length standards which is discussed above.

*Water and Sewer System:* There are existing 8" water lines to the west and south sides of the property. The applicant is proposing to tie to these and install new 8" water mains throughout the subdivision to provide domestic water service and fire hydrants.

There is an existing 8" sewer line on the southeast corner of the property. The applicant is proposing to tie to that line and install new 8" sewer mains within the subdivision to provide sanitary sewer service to each lot.

*Tree Preservation:*

- Canopy minimum requirement: 25%
- Existing canopy: 14.5%
- Preserved canopy: 5.7%
- Mitigation required: 142 two-inch caliper trees (6 proposed to be paid into escrow)

*Parks:* The Parks and Recreation Advisory Board (PRAB) reviewed this proposal at a meeting held on March 4, 2023. The Parks and Recreation Advisory Board recommended fee-in-lieu for this development in the amount of \$69,496 based on the number of proposed residential lots (73 single-family lots). The final amount of park fees required will be determined and due at the time of final plat.

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

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

**Conditions of Approval:**

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends right-of-way dedication as follows:*
  - a. N. 54<sup>th</sup> Ave: 26 feet from centerline adjacent to existing right-of-way. Sufficient right-of-way to accommodate proposed street improvements where there is not existing right-of-way (approximately 41 feet as shown)
  - b. W. Fountain St: 52 total feet
  - c. Alleys: None (private)
  
2. **Planning Commission determination of street improvements.** *Staff recommends street improvements as follows:*
  - a. N. 54<sup>th</sup> Ave: 22.5-foot-wide pavement, curb and gutter on west side, six-foot-wide greenspace, and eight-foot-wide trail with street crossing. Six-foot sidewalk south of trail crossing.
  - b. W. Fountain St: 27-foot-wide pavement, six-foot-wide greenspaces, curb and gutter, and six-foot-wide sidewalks
  - c. Alleys: Two 9-foot travel lanes, 1-foot curbs, 2-foot green spaces per commercial rear alley section except where additional width is required for fire hydrants or access.
  - d. Street trees and streetlights per ordinance, including streetlights within alley per PZD requirements
  
3. **Planning Commission determination of a variance to UDC §166.08(E)(1)(c): Block Length.** *Staff is supportive of this variance request for the reasons outlined above with the following conditions.*
  - a. Alleys shall be constructed approximately in the locations shown on the site plan.
  - b. Sidewalk shall be extended to the northern property line.
  - c. An access easement shall be extended from Bauxite Alley to the northern property line.
  
4. **Planning Commission determination of a variance to UDC §172.04(E): Dimensional Standards** *Staff is supportive of this variance request for the reasons outlined above with the following conditions.*
  - a. Drive aisles adjacent to the northern parking lot shall be limited to a maximum width of 27 feet.
  
5. Fee-in-lieu of parkland dedication, with the final amount determined and due at the time of final plat;
  
6. Any required mitigation trees to paid into tree escrow shall require payment of \$675 per tree, with the final amount determined and due at the time of final plat;
  
7. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto, and including:
  - a. Landscape plans shall be stamped by a licensed landscape architect.

**Standard Conditions of Approval:**

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

9. 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;
10. All street names shall be approved by the 911 Coordinator and indicated on the final plat. All streets require naming for final addresses. Contact the addressing office at (479) 575-8380 for more details;
11. All lots shall be labeled with addresses as approved by the 911 Coordinator on the final plat;
12. A floodplain development permit is required prior to construction for any grading or structures in the flood zone;
13. Plat Review comments (to include written staff comments provided to the applicant or his/her representative, and all comments from utility representative: Black Hills Energy, AT&T, Ozarks, SWEPCO, Cox Communication);
14. 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
15. Preliminary Plat approval shall be valid for one year.

<b>PLANNING COMMISSION ACTION:</b>				<b>Required</b>	<b><u>YES</u></b>
<b>Date:</b> <u>April 13, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied		
<b>Motion:</b>					
<b>Second:</b>					
<b>Vote:</b>					

**BUDGET/STAFF IMPACT:**

None

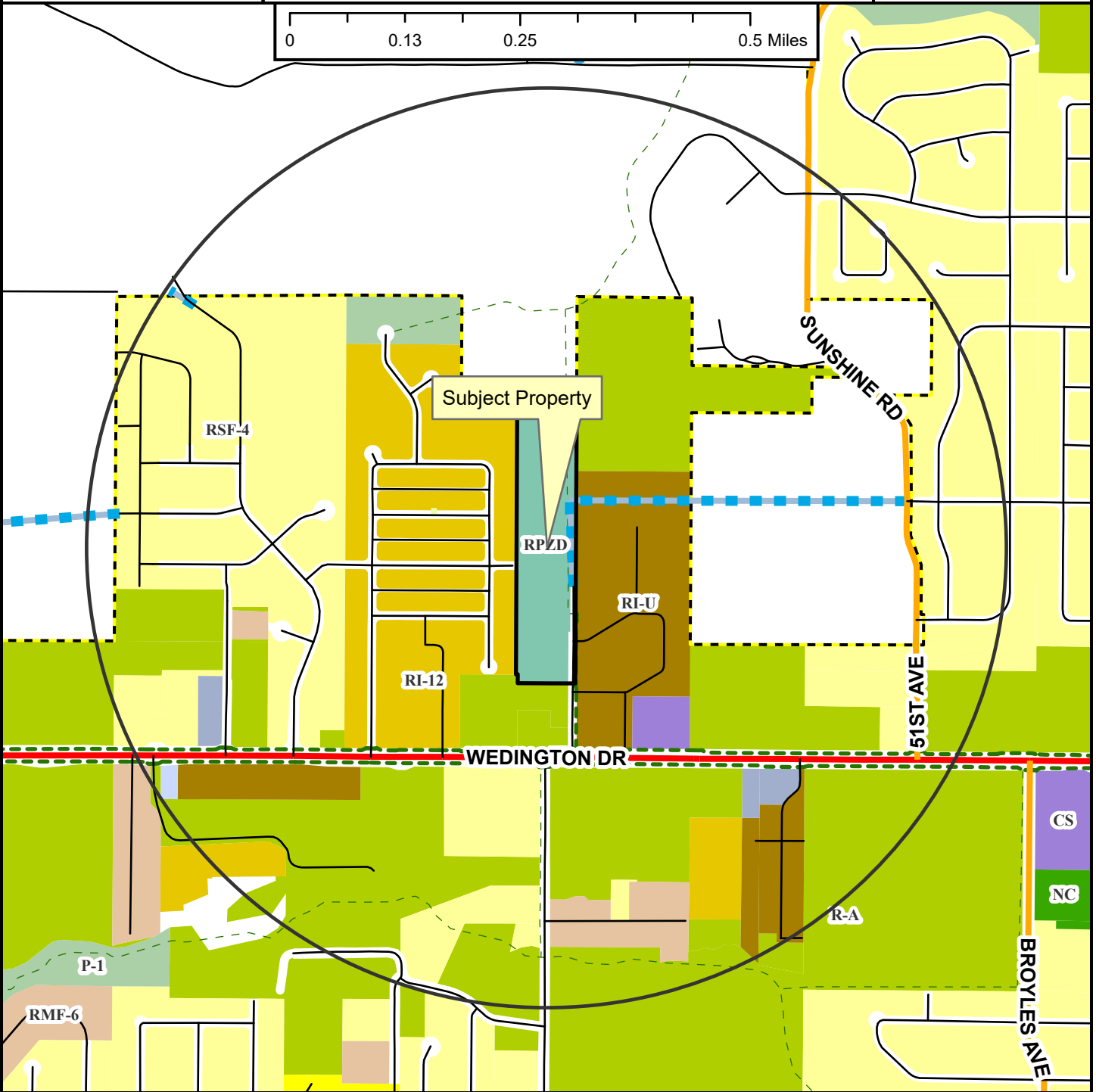
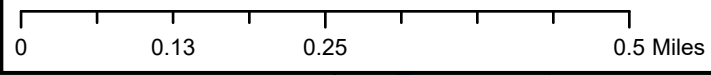
**ATTACHMENTS:**

- Project Maps
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
- Staff Exhibits
  - Existing ROW and Recommendations
  - Engineering Comments
  - Urban Forestry Comments
- Applicant Exhibits
  - Request Letter
  - Variance Request Letter
  - Preliminary Plat

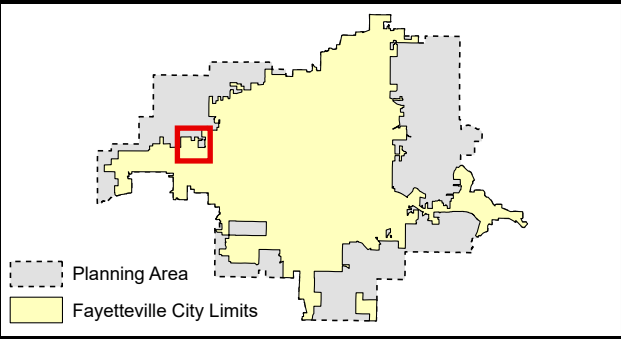
# WEST OF N. 54TH AVE./54TH STREET DEVELOPMENT



One Mile View

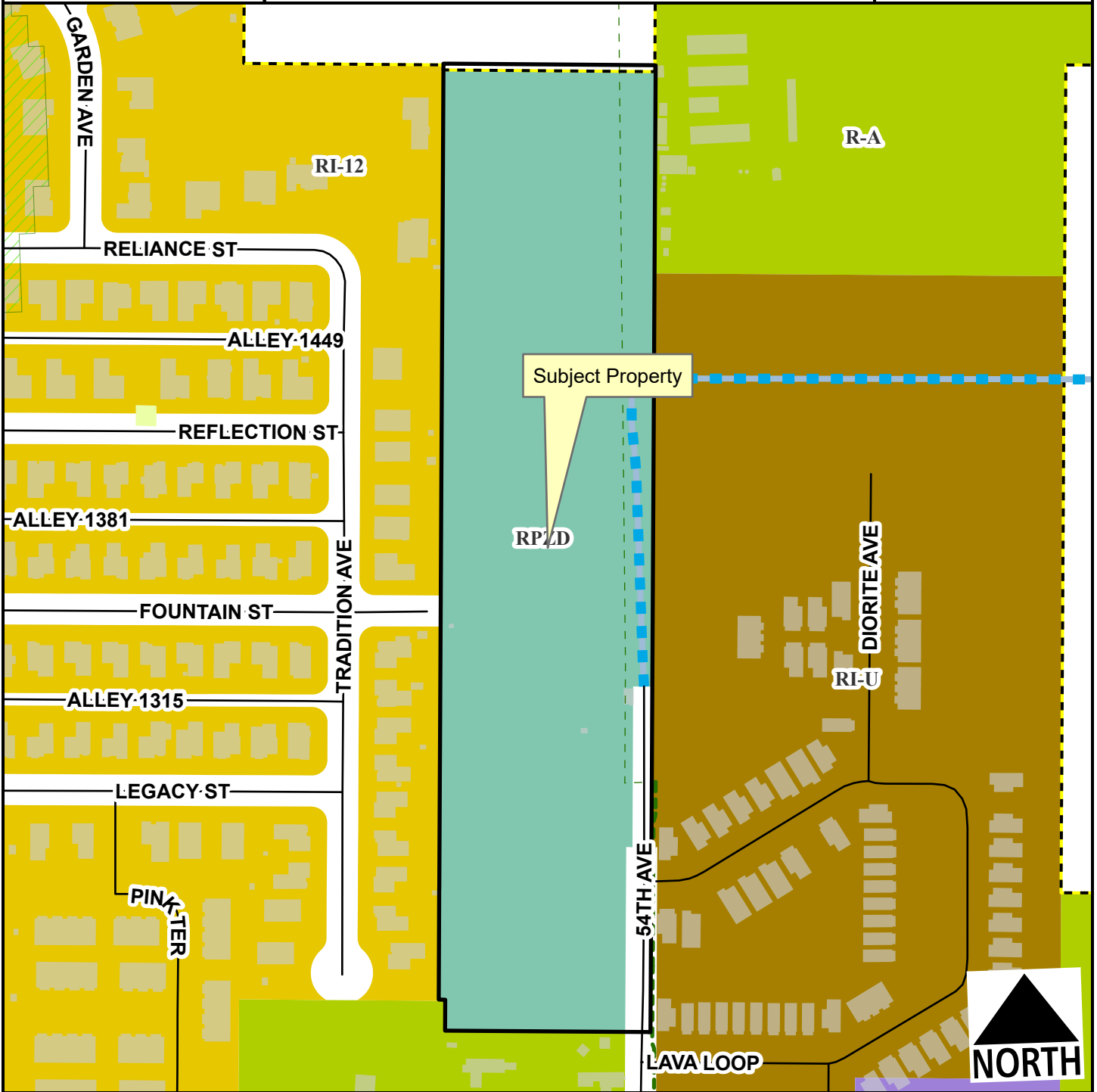


- Regional Link
- Neighborhood Link
- Unclassified
- Alley
- Residential Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area

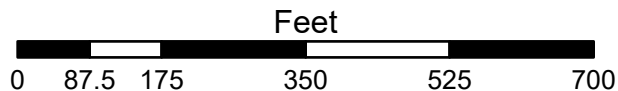


# WEST OF N. 54TH AVE./54TH STREET DEVELOPMENT/397

Close Up View



- Unclassified
- Alley
- Residential Link
- Planned Residential Link
- ▨ Hillside-Hilltop Overlay District
- ▤ Planning Area
- ▭ Fayetteville City Limits
- Shared-Use Paved Trail
- - - Trail (Proposed)



1:2,800

# WEST OF N. 54TH AVE./54TH STREET DEVELOPMENT

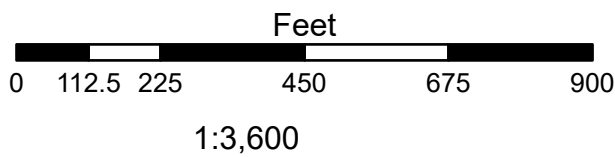


Current Land Use



2025 Imagery | EagleView Technologies | Sureflex Corporation

- Unclassified
- Alley
- Residential Link
- Planned Residential Link
- - - Trail (Proposed)
- ⊞ Planning Area
- ⊞ Fayetteville City Limits



### FEMA Flood Hazard Data

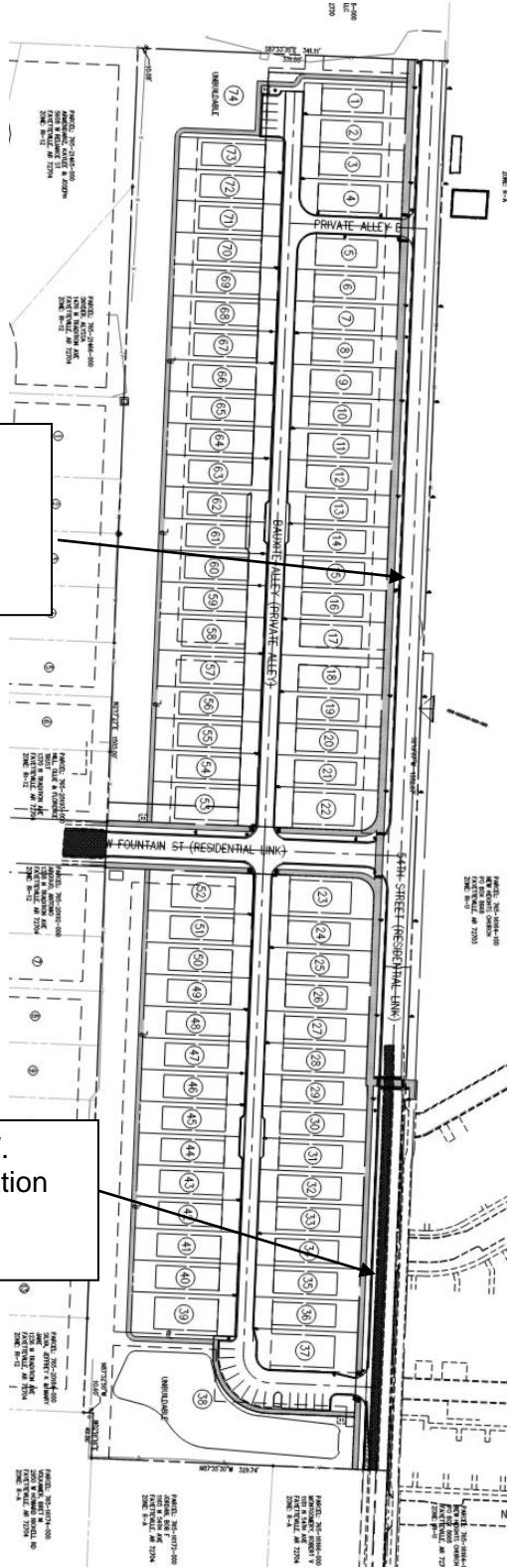
- 100-Year Floodplain
- Floodway

**Staff Exhibit  
Existing ROW**



No Existing ROW.  
Recommendation  
includes sufficient  
width for proposed  
street improvements

Existing ROW.  
Recommendation  
26 feet from  
centerline





**TO:** Donna Wonsower, Senior Planner

**FROM:** Justin Bland, City Engineer

**DATE:** April 7, 2026

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

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**Water:** There are existing 8" water lines to the west and south sides of the property. The applicant is proposing to tie to these and install new 8" water mains throughout the subdivision to provide domestic water service and fire hydrants.

**Sewer:** There is an existing 8" sewer line on the south east corner of the property. The applicant is proposing to tie to that line and install new 8" sewer mains within the subdivision to provide sanitary sewer service to each lot.

**Streets:** The applicant is proposing to install public street improvements within the subdivision based on the typical Residential Link cross section. The typical cross section includes a 28' wide street section and 6' sidewalks on both sides within a 52' right-of-way. For the extension of N. 54<sup>th</sup> Ave. the improvements only include a 22.5' wide paved width and sidewalk/trail on the west side of the roadway. When future development occurs on the east side of the road, that project will construct the remaining improvements across their property frontage. In addition, as shown on the Master Trail Plan, a trail is proposed along the west side of the N. 54<sup>th</sup> Ave. This ties to the existing trail extension on the east side of the road that was extended from Wedington Ave. as part of the Cobblestone project.

The proposed alleys for the project are to be private and include a 20' wide paving width. The alleys will be within access easements rather than public ROW.

**Drainage:** This development is required to meet the four minimum criteria of Fayetteville's Drainage Criteria Manual. The applicant is proposing to meet these requirements with one dry detention pond and one underground detention pond. Criteria #1 for water quality will be met with an aqua-swirl unit in the detention pond and isolator rows in the underground pond. Criteria #2, #3 and #4, for channel protection, overbank flood protection and extreme flood protection, are proposed to be met by sizing the outlet structures of each pond so that peak flows post-development do not exceed pre-development peak flows. Detailed review of the drainage design will be done with grading permit review.

**Plan Comments:**

1. The private alleys will need to be shown within access easements rather than public right-of-way.
2. All improvements on Lots 39-73 must be grading such that they drain back to the private alleys and through the proposed detention ponds.

**Standard Comments:**

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



**URBAN FORESTRY  
TREE PRESERVATION COMMENTS**

**To:** Crafton Tull  
**From:** Bethany Douglas, Urban Forester  
**CC:** Donna Wonsower, Senior Planner  
**Meeting Date:** April 13, 2026  
**Subject:** PPL-2026-0002 54<sup>th</sup> Street Development (NW of N 54th AVE & W Wedington DR)

1. Submittal Requirements	Yes	No	N/A
Initial Review with the Urban Forester	X		
Arborist Analysis 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	314,772	100%
Zoning Designation * Select Below with drop down arrow		
PZD, Planned Zoning District	78,693	25%
HHOD * Select Below with Drop Down Arrow		
No	0	0%
Total Canopy for Minimum Preservation Requirements	78,693	25.0%
Existing Tree Canopy * Minus Right of Way and Easements	45,686	14.5%
Tree Canopy Preserved	18,023	5.7%
Tree Canopy Removed *On Site	27,663	8.8%
Tree Canopy Removed *Off Site	3,291	
Tree Canopy Removed Total	30,954	9.8%
Removed Below Minimum	<b>60,670</b>	
Mitigation Requirements	<b>30,954</b>	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority	<b>30,954</b>	<b>142</b>
Low Priority		

**Total Mitigation Trees Required** **142**

4. Mitigation Type	Yes	No	N/A
On-Site Mitigation	X		
Off-Site Mitigation			X

Tree Escrow (See Conditions of Approval) X

5. Tree Preservation Plan Checklist <i>UDC Chapter 167.04H1 and 167.04L1</i>	Tech Plat		Planning Commission
a. 5 year Aerial Check on Existing Trees	Yes		
b. Property Boundary	Yes		
c. Natural Features (100ft beyond limits of disturbance)	Yes		
d. Existing Topography and Proposed Grading	Yes		
e. Soil Types	Yes		
f. Significant Trees	Yes		
g. Groupings of Trees	Yes		
h. Table Inventory List (species, size, health, priority)	Yes		
i. All Existing and Proposed Utilities	Yes		
j. All Existing and Proposed Utility Easements and ROW's	Yes		
k. All Streams (with approximate center line)	N/A		
l. Floodplains and floodways	N/A		
m. Existing Street, Sidewalk or Bike Path ROW	Yes		
n. Submitted Site Analysis Report (if required)	Yes		
o. Shows ALL Proposed Site Improvements	Yes		
p. Delineates trees/canopy to be preserved and removed	Yes		
q. Tree Preservation Easement/s shown for LSD, LSIP and Commercial PPL projects	N/A		
<b>Tree Protection Methods</b>			
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		
<b>6. Site Analysis Report (if required)</b> <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>7. Review Status (See Comments)</b>	Tech Plat		Planning Commission

Conditionally Approved

3-18-26

4-13-26

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:** Donna Wonsower, Senior Planner  
**Meeting Date:** April 13, 2026  
**Subject:** PPL-2026-0002 54<sup>th</sup> Street Development (NW of N 54th AVE & W Wedington DR)

<b>1. General Landscape Plan Checklist</b>		<b>Yes</b>	<b>No</b>	<b>N/A</b>
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		
<b>2. Parking Lot Requirements</b>		<b>Yes</b>	<b>No</b>	<b>N/A</b>
1 Tree : 12 Parking Spaces				
a.	Side and Rear Property Lines (5' Wide Landscape Area) <i>UDC Chapter 177D1</i>	X		
b.	Wheel Stops/Curbs <i>UDC Chapter 177.04B1</i>			
c.	Narrow Tree Lawn (8' min. width, 37.5' length) <i>UDC Chapter 177.04C</i>			X

- d. Tree Island (8' min. width, 18.7' min length, 150 square feet)  
*UDC Chapter 177.04C* X
- e. 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) and 5' on sides and rear.<br><i>UDC Chapter 177.04D2a</i> |   |  | X |
| b. Shade trees planted on south and west sides of parking lots<br><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<br>1 Large Shade Species Tree per Lot<br><i>UDC Chapter 177.05B1a</i>  | X |  |   |
| b. Non-Residential Subdivisions<br>1 Large Species Shade Tree every 30' (planted in greenspace)<br><i>UDC Chapter 177.05B2a</i>              | X |  |   |
| c. Urban Tree Well – Urban Streetscapes<br>Trees every 30' (8' sidewalk)<br><i>UDC Chapter 177.05B3a-f</i>                                   |   |  | X |
| d. Structural Soil – Urban Tree Wells<br>Include a note and/or detail of structural soil on Landscape Plan<br><i>UDC Chapter 177.05B3a-f</i> |   |  | X |
| e. Residential Subdivisions<br>Timing of planting indicated on plans<br><i>UDC Chapter 177.05A4</i>  |   |  | X |
| f. Residential Subdivisions<br>Written description for method of tracking planting<br><i>UDC Chapter 177.05A4e</i>                           |   |  | X |

5. Landscape Requirement Totals	Amount
---------------------------------	--------

Mitigation Trees	142 (6 trees to be paid into escrow)
Parking Lot Trees	1
Street Trees	72
Detention Pond – Large Trees (1 Tree/3,000 square feet)	7

Detention Pond – Small Tree/Large Shrub **29**  
 (4 small trees or large shrubs/3,000 square feet)

Detention Pond – Small Shrubs/Large Grasses **44**  
 (6 shrubs or grasses (1 gallon)/3,000 square feet)

<b>6. Review Status (See Comments)</b>	<b>Tech Plat</b>	<b>Planning Commission</b>
Conditionally Approved	<b>3-18-26</b>	<b>4-13-26</b>
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.

<b>Comments</b>
<ol style="list-style-type: none"> <li>1. Address items above marked “No” and all Redlines provided.</li> <li>2. Please show landscape architect stamp</li> <li>3. All common area trees should be planted with this submittal, will be required prior to sign off of Final Plat.</li> </ol>



February 11, 2026

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

Re: Preliminary Plat Submittal  
54<sup>th</sup> Street Subdivision  
CT Job #: 23305000

Planning Staff,

On behalf of my client, Coleson Brooks, LLC, we are submitting the referenced preliminary plat application for your consideration. This project was previously considered as PPL-2024-0006.

54<sup>th</sup> Street Subdivision will be 74 lots (72 buildable and 2 open space areas). The subdivision is 12.13 acre located on 54<sup>th</sup> Street, north of Wedington Drive. The current zoning is Residential Planned Zoning District.

We propose to construct the development in one phase. The northern half of the property will drain to underground detention located under the alley then ultimately discharge west. The southern half of the property will drain south to a detention pond then to an aquaswirl. The development will have tree preservation located along the western and southern side of the property.

City master street improvements will include W Fountain Drive being extended east to connect to 54<sup>th</sup> Street and the western half of 54<sup>th</sup> Street. The property east of 54<sup>th</sup> Street has installed a city trail. Per Matt Mihalevich, a trail will not need to be installed on the western half of 54<sup>th</sup> Street. No traffic study has been performed. The anticipated peak traffic is to be less than 100 trips per day.

An 8-inch sanitary sewer and an 8-inch water main will be extended throughout the site to serve the property. The sanitary sewer will gravity drain north to south connecting to an existing manhole on Wedington Drive.

A CUP for parking spaces will be submitted concurrently with this preliminary plat submittal.

We appreciate your consideration in this matter. Please let us know if you have any questions.

Respectfully,

Conlee Hale, P.E.  
Project Manager



March 25, 2026

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

Re: 54<sup>th</sup> Street Subdivision PPL-2026-0002  
CT Job #: 23305000

Planning Staff,

On behalf of my client, Coleson Brooks, LLC, we are requesting two variances from the Unified Development Code on the referenced project.

1. A variance from UDC 166.08(E)(1)(c) requiring intersections at a minimum of spacing of 660 feet.

Requested is to utilize private alleys to facilitate traffic throughout the site, as shown to staff and Planning Commission in the approved RPZD. Alleys are generally not allowed to count toward the intersection block length requirement, but they have been spaced in a manor to allow for less than 660' from adjacent intersections. We believe that this arrangement meets the intent of the code.

2. A variance from UDC 172.04(E) requiring a two-way aisle width of 24' adjacent to parking.

The alleys in the development are 20' in width, which we believe to be adequate to service two-way traffic through the development. We have made two adjustments to the site layout to provide additional drive aisle width adjacent to the parking areas- the drive aisle adjacent to the southern parking area has been bumped out to 24' in width and the northern parking area as been offset from the drive aisle by eight feet to allow room for cars to maneuver in and out of the spaces.

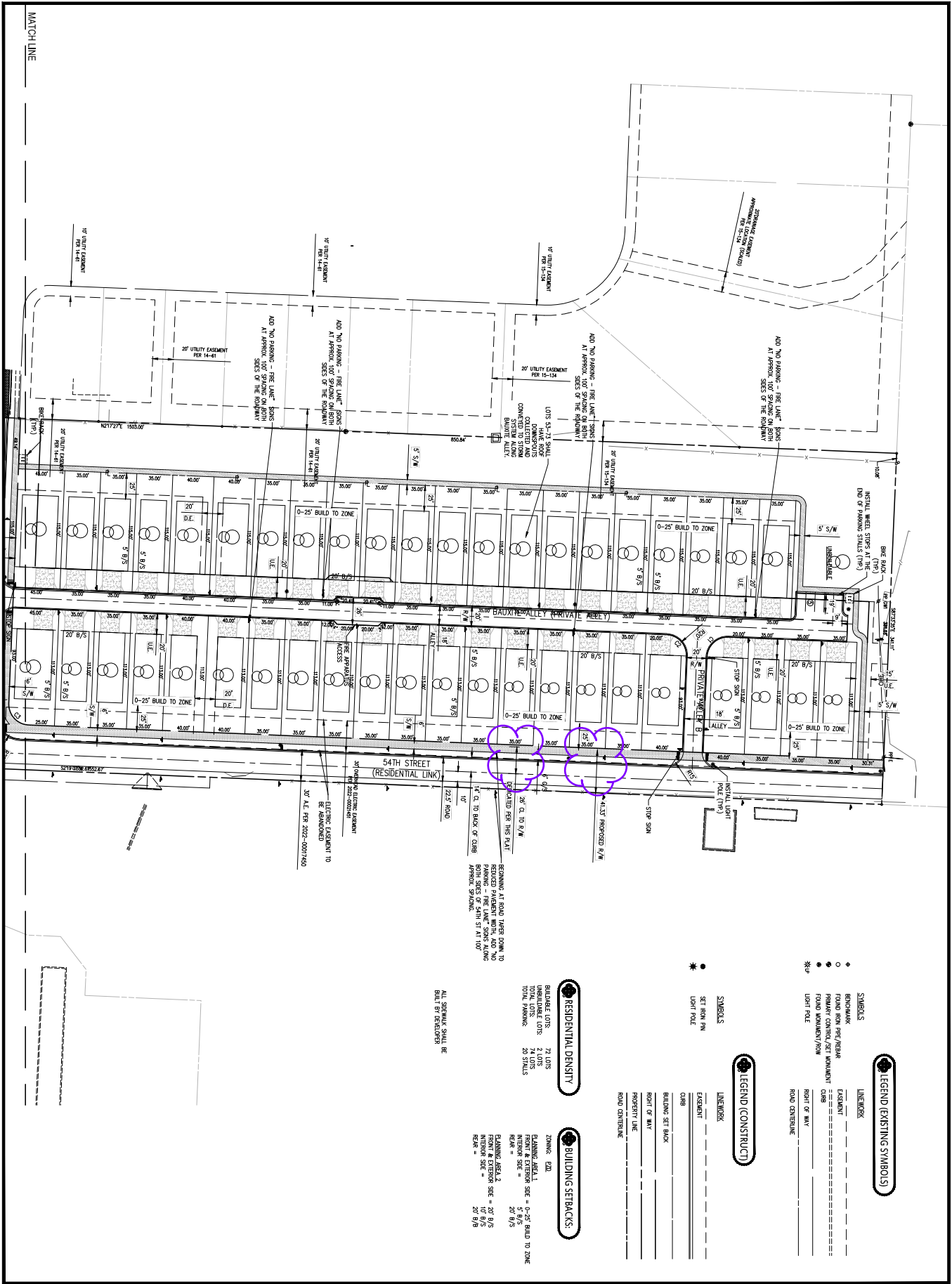
We appreciate your consideration in this matter. Please let us know if you have any questions.

Respectfully,

Conlee Hale, P.E.  
Project Manager







- SYMBOLS**
- BOUNDARY
  - FRONT ROW PAVEMENT
  - FRONT ROW CURB/SETBACK
  - FRONT ROW CURB/SETBACK
  - FRONT ROW CURB/SETBACK
  - LIGHT POLE
- LEGEND (EXISTING SYMBOLS)**
- EXISTENT
  - FRONT ROW CURB/SETBACK
  - CURB
  - RIGHT OF WAY
  - ROAD CENTERLINE
- SYMBOLS**
- SET ROW PM
  - LIGHT POLE
- LEGEND (CONSTRUCT)**
- EASEMENT
  - CURB
  - BUILDING SET BACK
  - RIGHT OF WAY
  - PROPERTY LINE
  - ROAD CENTERLINE

**RESIDENTIAL DENSITY**

BUILDABLE LOTS: 72 LOTS  
 UNBUILDABLE LOTS: 2 LOTS  
 TOTAL PARKING: 20 STALLS

**BUILDING SETBACKS**

ZONING: E2D  
 PLANNING AREA 1  
 FRONT & EXTERIOR SIDE = 0'-2' BUILD TO ZONE  
 REAR SIDE = 5' B/S  
 PLANNING AREA 2  
 FRONT & EXTERIOR SIDE = 20' B/S  
 REAR SIDE = 20' B/S

ALL SETBACKS SHALL BE BUILT BY DEVELOPER

BEGINNING AT ROAD THRESH DOWN TO REDUCED PAVEMENT WIDTH, ADD NO PARKING ZONES TO THE LANE SIDE ALONG APPROX. SPACING:

**54TH STREET  
PARKVIEW/LE AR**

**C-102**

PRELIMINARY PLATA

Graphic Scale in Feet

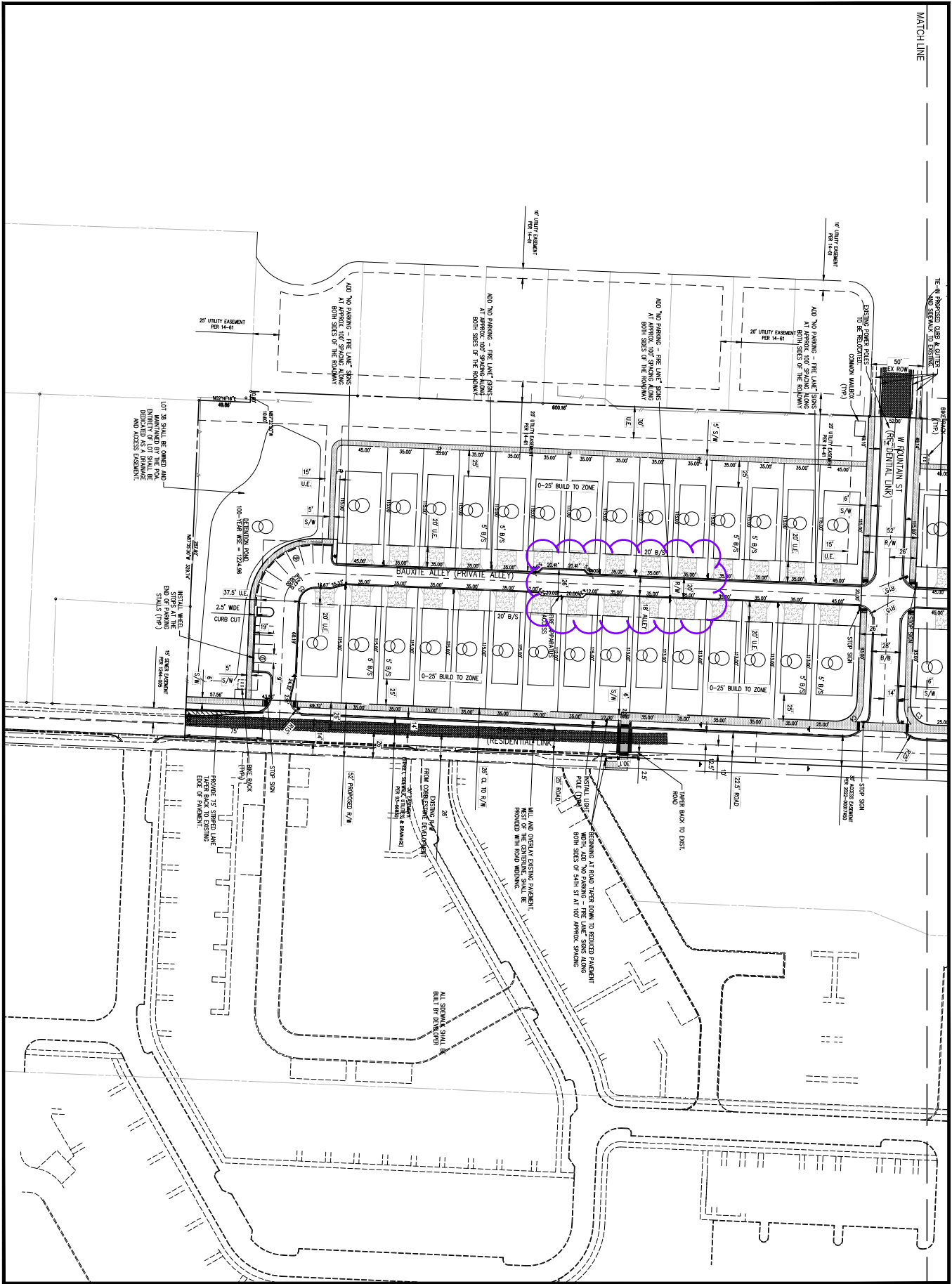
40' 0 40'

**Crafton Tull**

PLANNING COMMISSION  
APRIL 13, 2026

PPL-2026-002 (COLESON BROOK LLC)

Page 23 of 29



**C-103**

PRELIMINARY PLAT B

S4TH STREET  
FAVENTUE AVE

Graphic Scale in Feet  
0 40'

Planning Commission  
April 13, 2026  
PPL-2026-0002 (COLESON BROOK LLC)

**Crafton Tull**  
 3000 Colquhoun Ave., Suite 300  
 Houston, Texas 77058  
 Phone: 281.416.2200  
 Fax: 281.416.2202

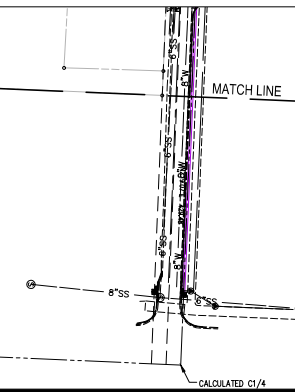
CELESTIAL  
 COMMUNITY DEVELOPMENT  
 ENGINEERS, P.C.  
 1200000 - SANITARY INFRASTRUCTURE FOR COLESON  
 PRELIMINARY PLANNING  
 PREPARED BY: HERRING CONSULTANTS & ENGINEERS

1200000 - SANITARY INFRASTRUCTURE FOR COLESON  
 PRELIMINARY PLANNING  
 PREPARED BY: HERRING CONSULTANTS & ENGINEERS



**UTILITY NOTES**

1. THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THIS PLAN IS BASED ON RECORD DRAWINGS, FIELD SURVEY, AND VISUAL INSPECTION. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND/OR STATE AGENCIES. THE CONTRACTOR SHALL NOTIFY THE UTILITY PROVIDERS AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST INFORMATION REGARDING THE LOCATION AND DEPTH OF EXISTING UTILITIES. THE CONTRACTOR SHALL NOTIFY THE UTILITY PROVIDERS AT LEAST 72 HOURS BEFORE CONSTRUCTION TO ANY EXISTING FACILITIES. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
2. ALL UTILITIES SHALL BE INSTALLED, PROTECTED, AND MAINTAINED IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS. ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY LOCAL AND/OR STATE AGENCIES SHALL BE OBTAINED PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND/OR STATE AGENCIES. THE CONTRACTOR SHALL NOTIFY THE UTILITY PROVIDERS AT LEAST 72 HOURS BEFORE CONSTRUCTION TO ANY EXISTING FACILITIES. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
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**C-105**

OVERALL UTILITY PLAN

54TH STREET  
FAVETVILLE AR

Graphic Scale in Feet

0 60'

North Arrow

PROJECT: COLESON BROOK TOWNHOMES PHASE 1A

SHEET: GENERAL UTILITY PLAN - 5TH FLOOR

DATE: 02/27/2026

DESIGNER: [Name]

CHECKER: [Name]

APPROVED: [Signature]

PREPARED BY: [Name]

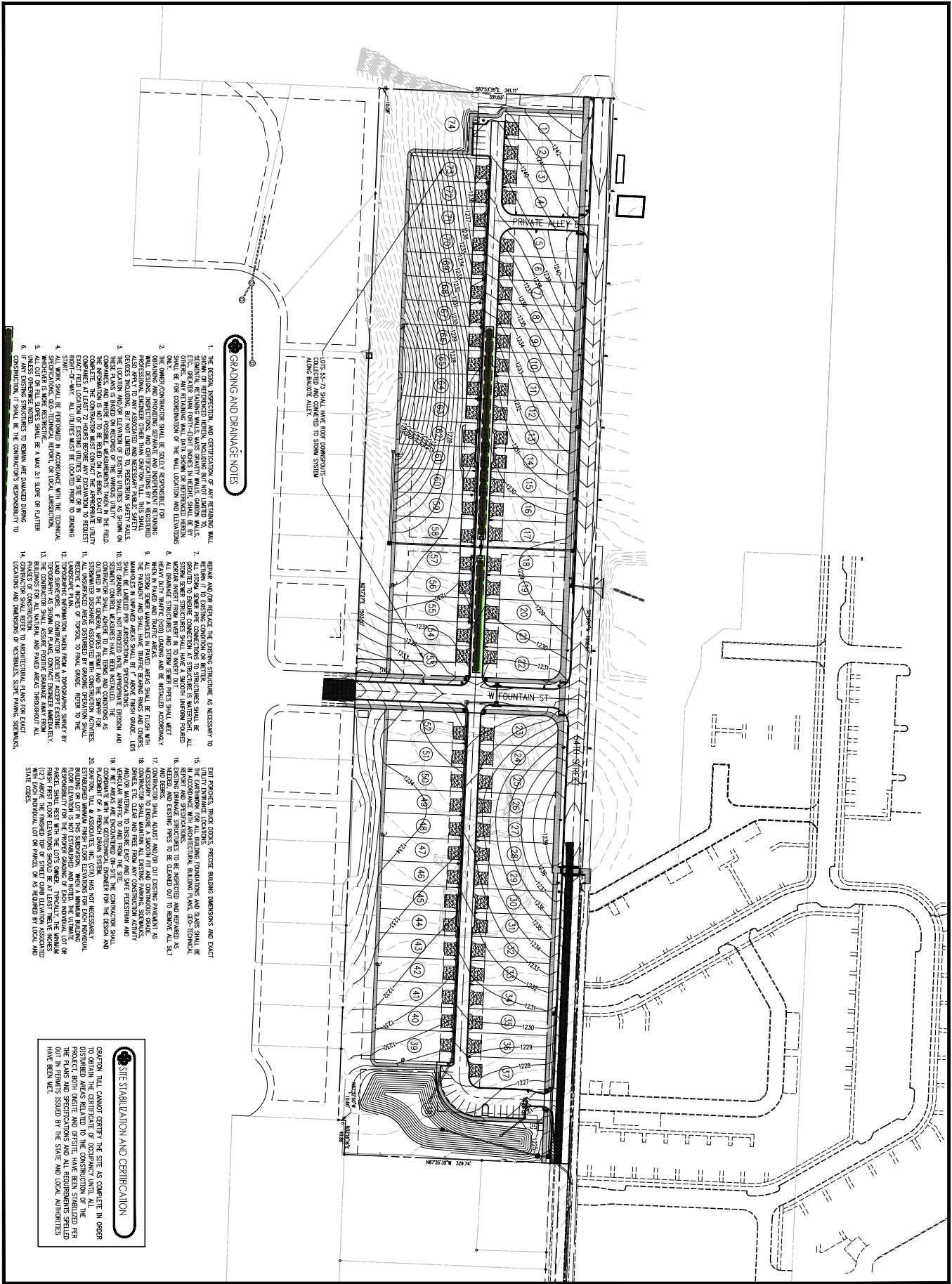
SCALE: AS SHOWN

Planning Commission  
April 13, 2026

PPL-2026-0002 (COLESON BROOK LLC)

**Crafton Tull**

3000 Colquhoun Ave, Suite 300  
Fayetteville, Arkansas 72701  
937.222.2222



**GRADING AND DRAINAGE NOTES**

1. THE DESIGN, INSPECTION, AND CERTIFICATION OF ANY REMAINING WALL SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
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4. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE TECHNICAL SPECIFICATIONS AND REQUIREMENTS OF THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
6. IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS NECESSARY TO RETURN IT TO EXISTING CONDITION OR BETTER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
8. ALL EXISTING UTILITIES AND STRUCTURES SHALL BE MAINTAINED AND PROTECTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
9. ALL STORM SEWER MANHOLE IN-PAVED AREAS SHALL BE LOCATED WITHIN THE EXISTING PAVED AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
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**SITE STABILIZATION AND CERTIFICATION**

CONTRACTOR SHALL OBTAIN THE CERTIFICATE OF OCCUPANCY FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

C-108

54TH STREET  
 PARKVILLE, MO

GRAPHIC SCALE IN FEET  
 0 60'

PLANING COMMISSION  
 APRIL 13, 2026

Crafton Tull  
 ARCHITECTS AND ENGINEERS  
 3000 Chaffin Ave., Suite 300  
 Parkville, Missouri 64151

PRELIMINARY ARCHITECTURAL/ENGINEERING/CONTRACTOR GRADING PLANS

OVERALL GRADING PLAN









**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Citlali Samano, Planner

**MEETING DATE:** April 13, 2026

**SUBJECT:** **CUP-2026-0010: Conditional Use Permit (3229 W. MICA ST/MALEY, 401):** Submitted by DANA MALEY for property located at 3229 W. MICA ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.17 acres. The request is for the use of a short-term rental in a residential zoning district.

**RECOMMENDATION:**

Staff recommends approval of **CUP-2026-0010** with conditions.

**RECOMMENDED MOTION:**

*"I move to approve **CUP-2026-0010**, 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 ¼ mile west of the Harps grocery store. It contains one parcel totaling 0.17 acres which is developed with a single-family home that was built in 1991 as part of the Walnut Heights subdivision. 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**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Multi-Family Residential	RMF-24, Residential Mult-Family, Twenty-Four Units per Acre
South	Multi-Family Residential	R-O, Residential Office
East	Multi-Family Residential	RMF-24, Residential Mult-Family, Twenty-Four Units per Acre
West	Multi-Family Residential	RMF-24, Residential Mult-Family, Twenty-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-2026-0010** 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. Approval of the conditional use permit does not ensure approval of a business license application. The applicant must still be able to comply with all other applicable requirements in city code;
3. Per UDC §166.20, Expiration of Approved Plans and Permits, a business license must be obtained within one year of conditional use permit approval;
4. Per ordinance, the number of occupants is limited to a maximum of two people per bedroom when the property is operated as a short-term rental;
5. Special events including, but not limited to, weddings, receptions, anniversaries, private parties, fundraisers, and business seminars are prohibited from occurring in the short-term rental;
6. No recreational vehicle, trailer, other vehicle, or structure not classified as a permanent residential dwelling may be used as a short-term rental;
7. All trash receptacles shall be screened from view of the right-of-way;
8. All outdoor lighting shall meet requirements as outlined in UDC Chapter 176, Outdoor Lighting;
9. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs; and
10. Per Business Regulations §120.02(A), the owners of only short-term rentals shall be required to designate and register their landlord's representative into the Landlord's Representative Registry.

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<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>
Date: <u>April 13, 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 W. Mica St.**

- (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 for the entire unit 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 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 four off-street spaces on the property. To ensure that there is sufficient space for fire access, no vehicles will be permitted to park on W. Mica St.**

- 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 3229 W Mica St. 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 April 08, 2026, the City had issued 456 Type 2 short-term rental business licenses. Approval of this CUP would not violate the City’s density cap. 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. Mica St appears to be about 29 feet wide, which would allow for on-street parking in accordance to Master Street Plan standards. City records indicate that three other units within a quarter-mile radius of the property have a business license to operate as a Type 2 short-term rental along with one pending license. 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 six 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.

(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 currently operating along W. Mica St. 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.

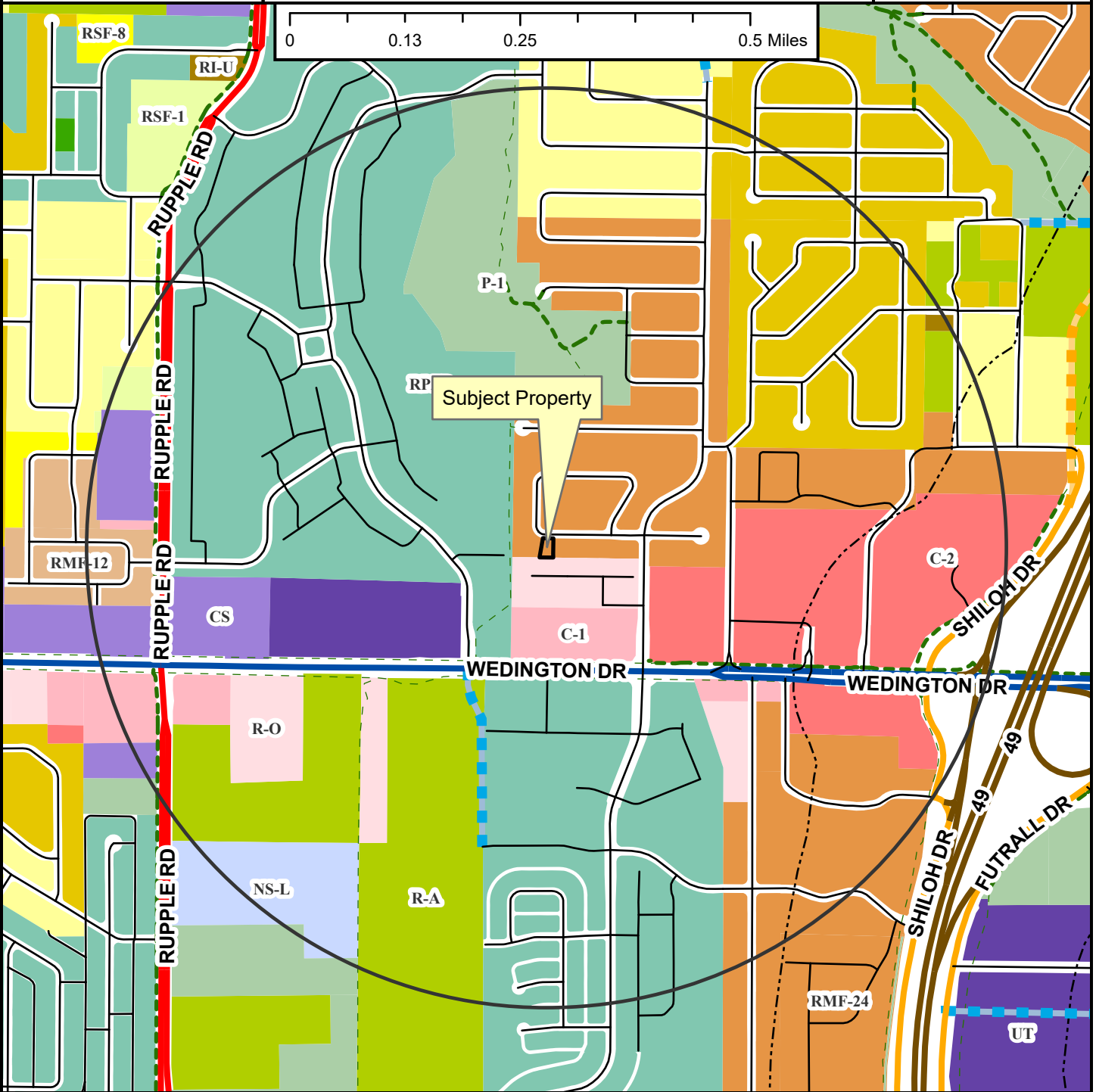
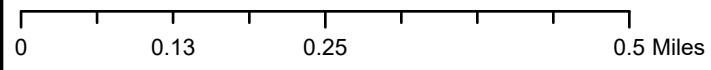
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**BUDGET/STAFF IMPACT:**

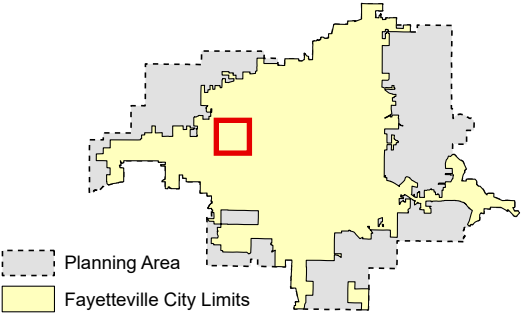
None

**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
  - §161.16 District RMF-24, Residential Multi-Family – Twenty-Four (24) Units Per Acre
- Applicant Exhibits
  - Applicant Request Letter
  - Site Plan
  - Floor Plan
  - Building Elevations



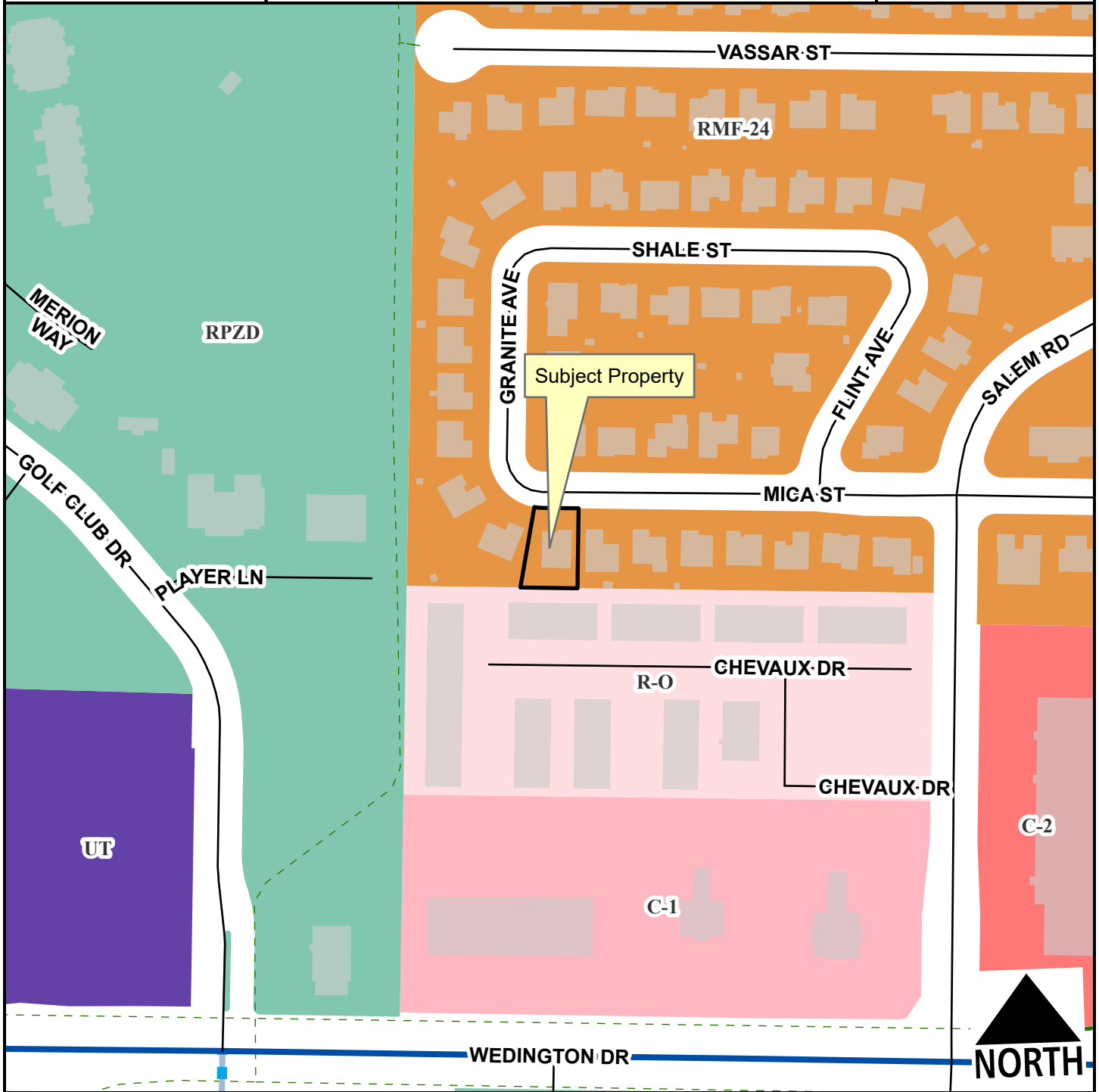
- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- - - Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



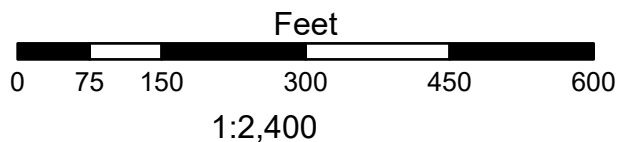
CUP-2026-0010

# 3229 W. MICA ST

Close Up View



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



CUP-2026-0010

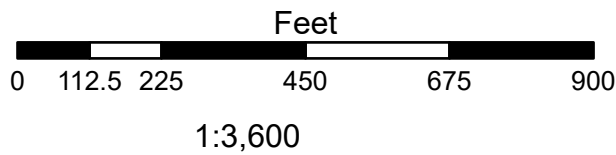
3229 W. MICA ST



Current Land Use



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



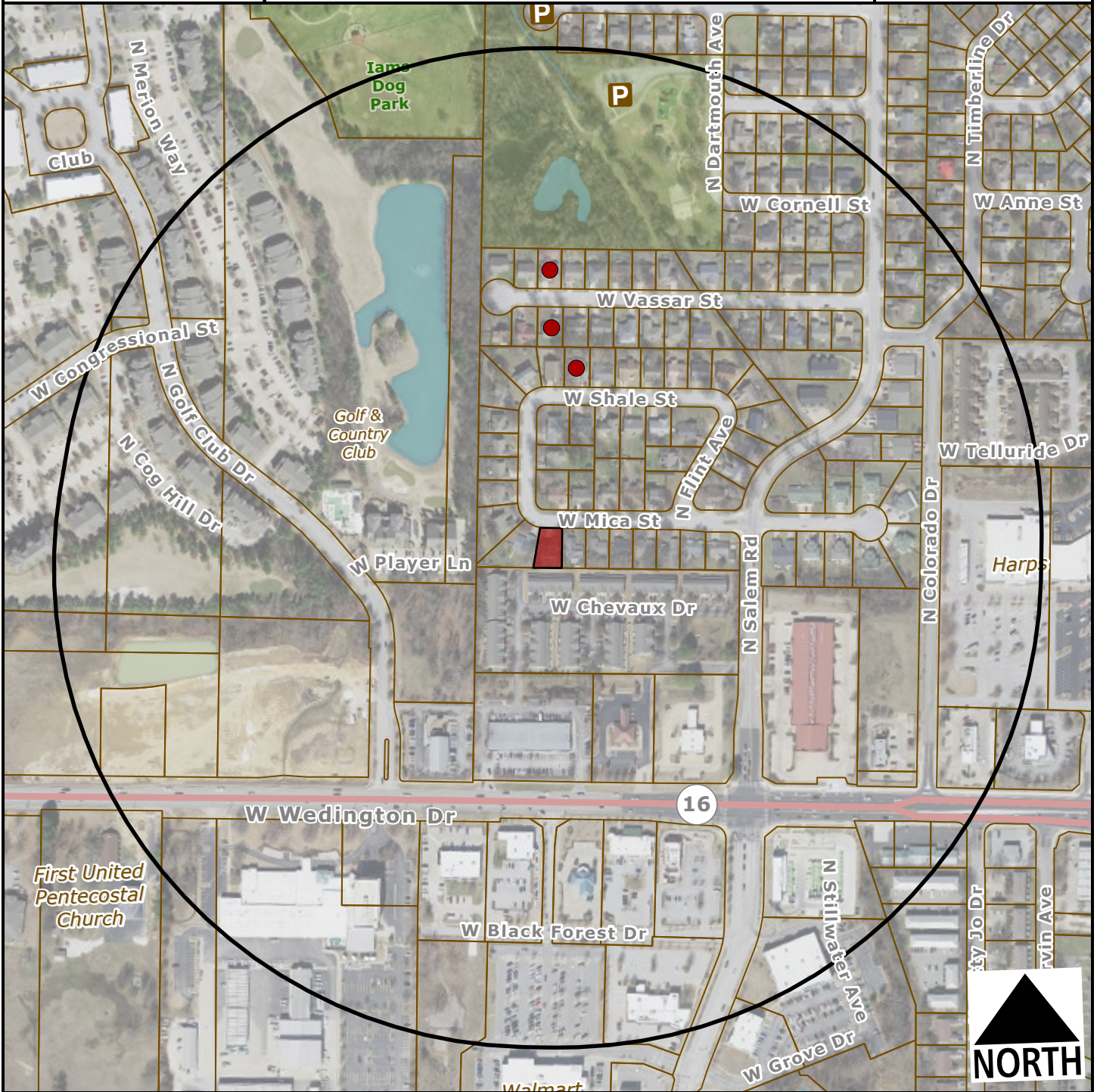
**FEMA Flood Hazard Data**

- 100-Year Floodplain
- Floodway

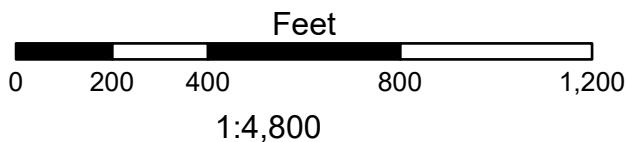
CUP-2026-0010

# 3229 W. MICA ST

STRs Within 1/4 Mile



- Subject Property
- Short Term Rental, Type 2



**Within 1/4 Mile**

Type 2 STRs: 3

Occupiable Residential Addresses (Estimated Housing Units): 472

## §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 (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) *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 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) 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 the Unified Development Code including the regulations contained in §163.18 and §164.26 and must successfully obtain a business license prior to operation.

### 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

**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.

**161.16 - District RMF-24, Residential Multi-Family — Twenty-Four (24) Units Per Acre**

(A) *Purpose.* The RMF-24 Multi-family Residential District is designed to permit and encourage the developing of a variety of dwelling types in suitable environments in a variety of densities.

(B) *Uses.*

(1) *Permitted Uses*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three- and four-family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12a	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities
Unit 48	Private dormitories

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a Manufactured home park	50 feet
Single-family	35 feet
Two-family	35 feet
Three-family or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 square feet
Townhouses: Individual lot	2,000 square feet
Single-family	3,000 square feet
Two-family	4,000 square feet
Three-family or more	7,000 square feet

(3) *Land Area Per Dwelling Unit.*

Manufactured Home	3,000 square feet
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(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two-family	Rear Other Uses	Rear Single-family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 feet	5 feet	20 feet	5 feet

(F) *Building Height Regulations.*

Building Height Maximum	2 stories/3 stories/5 stories*
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\* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories, between 10—20 feet from the master street plan right-of-way a maximum height of three (3) stories and buildings or portions of the building setback greater than 20 feet from the master street plan right-of-way shall have a maximum height of five (5) stories.

If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single-family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

H) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Ord. No. [6945](#), §5(Exh. D), 12-16-25)

**To Whom It May Concern:**

I am writing to request approval for a Short-Term Rental permit for my property located at 3229 W Mica St.

This was the first home I purchased in 2015, and I have invested significant time and effort into maintaining and improving it. Shortly after moving in, the neighboring property at 3243 W Mica St became available. Because it offered a larger yard, I decided to purchase that home and relocate there. I decided to keep my original home, and operate it as a rental home. I currently reside next door, which places me in a unique position to actively manage and oversee the rental.

At present, the home is occupied by tenants on a 12-month lease. However, I am seeking this permit to allow flexibility if they decide not to renew. I have been a landlord for seven years and have consistently prioritized clear communication, prompt attention to maintenance issues, and responsible property management.

The home is 1,308 square feet and includes a driveway that accommodates two vehicles, as well as a two-car garage. The driveway is the sole access point to the property. The backyard is fully fenced. There is a streetlamp located between the two homes, and exterior lighting is installed along the side of the house to illuminate the concrete slab area.

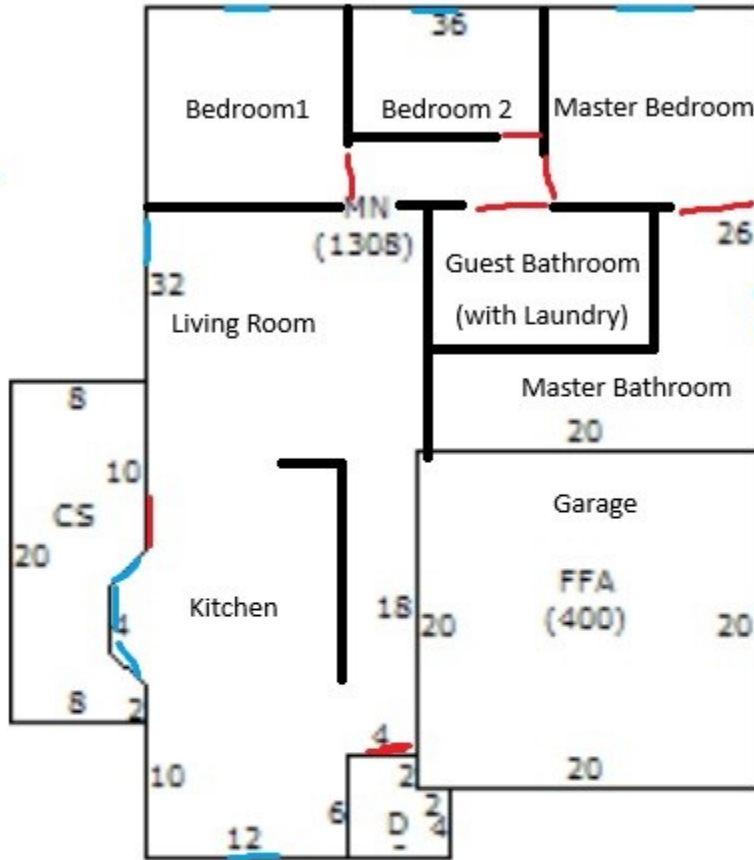
Because I live immediately next door, I am able to respond quickly to any concerns and ensure the property is operated responsibly and in compliance with local regulations.

Thank you for your time and consideration.

Sincerely,  
Dana Maley  
870-404-1321  
Maleyde@gmail.com



Doors  
Windows





Front of House (facing North)

East Side of House (below)



West Side of House (below)



Rear of House (below/ South Facing)



Aerial View





**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Citlali Samano, Planner

**MEETING DATE:** April 13, 2026

**SUBJECT:** **CUP-2026-0013: Conditional Use Permit (3229 W. MONTRAIL PL/WEBER):** Submitted by COLE WEBER for property located at 3229 W. MONTRAIL PL. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE and contains approximately 0.10 acres. The request is for the use of a short-term rental in a residential zoning district.

**RECOMMENDATION:**

Staff recommends approval of **CUP-2026-0013** with conditions.

**RECOMMENDED MOTION:**

*"I move to approve **CUP-2026-0013**, 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 200 feet north of the Harps grocery store. The property is within one parcel totaling 3.9 acres but is developed as a two-family home that is a part of the Wyngate Townhomes with the sole short-term rental request for half of the duplex that totals 0.10 acres. 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**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Multi-Family Residential	RMF-24, Residential Multi-Family, Twenty-Four Units per Acre
South	Multi-Family Residential	RMF-24, Residential Multi-Family, Twenty-Four Units per Acre
East	Multi-Family Residential	RMF-24, Residential Multi-Family, Twenty-Four Units per Acre
West	Multi-Family Residential	RMF-24, Residential Multi-Family, Twenty-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-2026-0013** 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. Approval of the conditional use permit does not ensure approval of a business license application. The applicant must still be able to comply with all other applicable requirements in city code;
3. Per UDC §166.20, Expiration of Approved Plans and Permits, a business license must be obtained within one year of conditional use permit approval;
4. Per ordinance, the number of occupants is limited to a maximum of two people per bedroom when the property is operated as a short-term rental;
5. Special events including, but not limited to, weddings, receptions, anniversaries, private parties, fundraisers, and business seminars are prohibited from occurring in the short-term rental;
6. No recreational vehicle, trailer, other vehicle, or structure not classified as a permanent residential dwelling may be used as a short-term rental;
7. All trash receptacles shall be screened from view of the right-of-way;
8. All outdoor lighting shall meet requirements as outlined in UDC Chapter 176, Outdoor Lighting;
9. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs; and
10. Per Business Regulations §120.02(A), the owners of only short-term rentals shall be required to designate and register their landlord's representative into the Landlord's Representative Registry.

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<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>
Date: <u>April 13, 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 W. Montrail Pl.**

- (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 for the entire unit when operated as a short-term rental.

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

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

**Finding: Parking for single-family dwellings is required to be provided at a rate of two spaces per unit and up to four vehicles are permitted to be parked on the property at any given time. The applicant indicated that there is space for one off-street spaces in the driveway and one in the garage.**

- 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 3229 W Montrail Pl. 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 April 08, 2026, the City had issued 456 Type 2 short-term rental business licenses. Approval of this CUP would not violate the City's density cap. 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. Montrail Place is a private street that does not appear to have sufficient space for on-street parking. City records indicate that seven other units within a quarter-mile radius of the property have a business license to operate as a Type 2 short-term rental along with one pending license. 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)**

- (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 four guests, which would not be out of character with the use of the property for residential purposes.

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

**Finding:** A total of two off-street parking spaces are available on the paved driveway and in the garage, as per exhibits received by the applicant. 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.

(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 currently operating along W. Montrail Pl. 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.

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**BUDGET/STAFF IMPACT:**

None

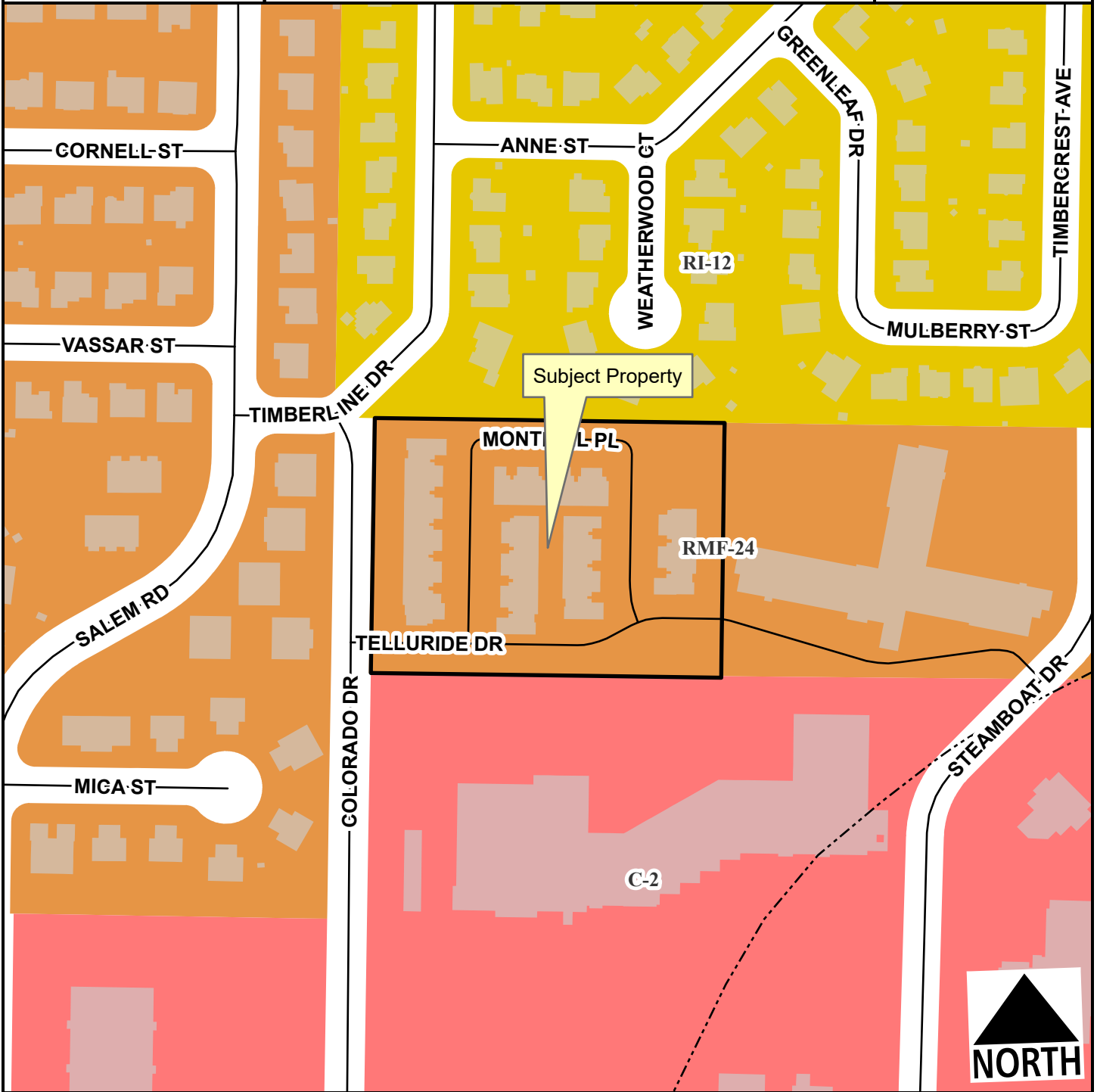
**ATTACHMENTS:**

- Project Maps
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
  - STRs within ¼ Mile Map
- Business Regulations
  - §118.01 Business Registry and License
  - §163.18 Type 2 Short-Term Rentals in Residential Zoning Districts
- Unified Development Code
  - §161.16 District RMF-24, Residential Multi-Family – Twenty-Four (24) Units Per Acre
- Applicant Exhibits
  - Applicant Request Letter
  - Site Plan
  - Floor Plan
  - Building Elevations

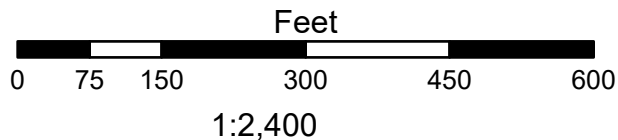
CUP-2026-0013

# 3229 W. MONTRAIL PL

Close Up View



- Unclassified
- Residential Link
- ⋯ Planning Area
- ⋯ Fayetteville City Limits
- ⋯ Design Overlay District



CUP-2026-0013









3229 W. MONTRAIL PL

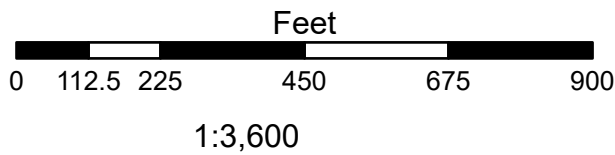


Current Land Use





2025 Imagery | EagleView Technologies | Surdex Corporation

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



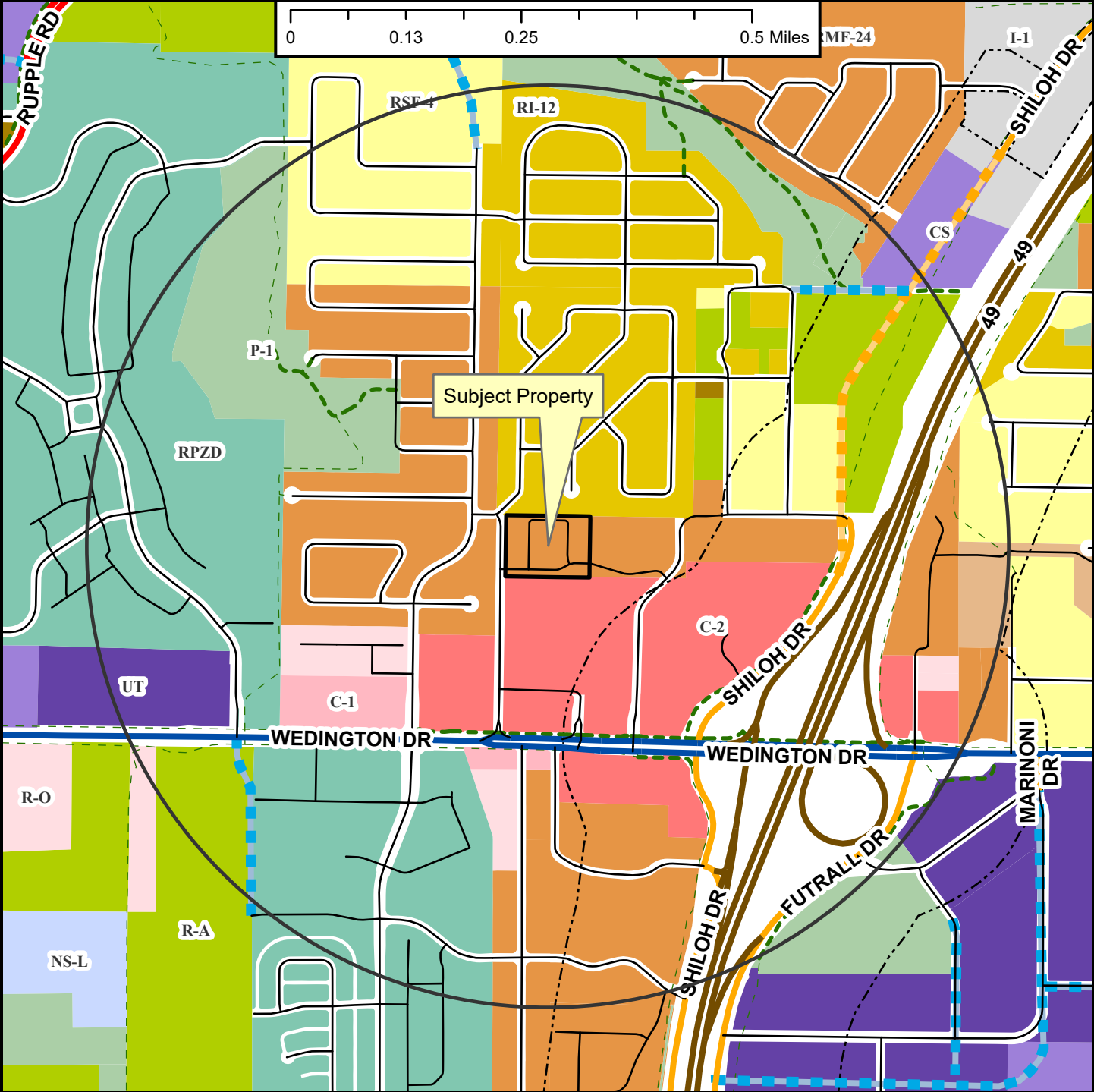
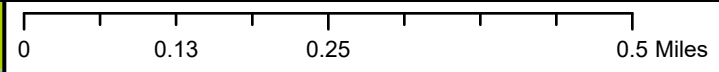
**FEMA Flood Hazard Data**

-  100-Year Floodplain
-  Floodway

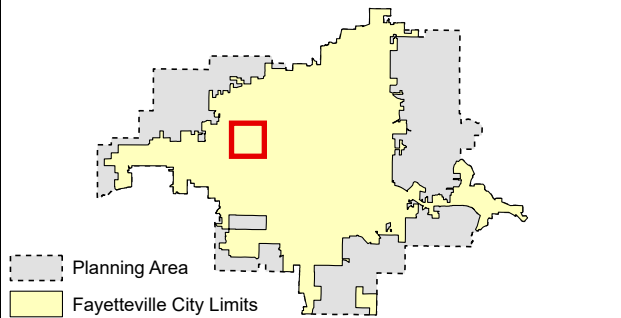
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# 3229 W. MONTRAIL PL

One Mile View



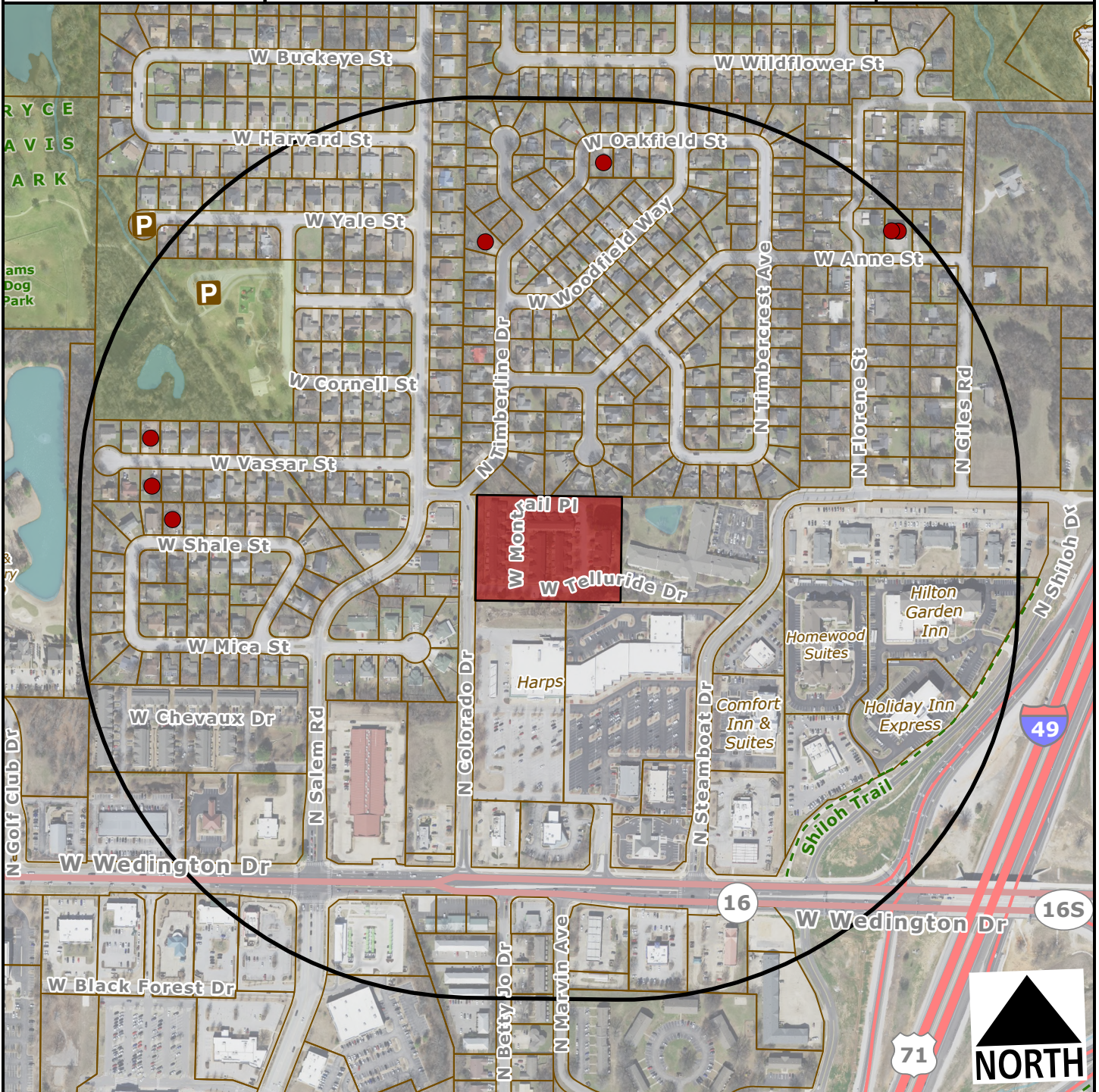
- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



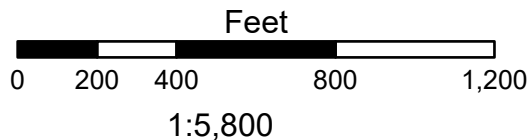
CUP-2026-0013

# 3229 W. MONTRAIL PL

STRs Within 1/4 Mile



- Subject Property
- Short Term Rental, Type 2



### Within 1/4 Mile

Type 2 STRs: 7

Occupiable  
Residential  
Addresses  
(Estimated  
Housing Units): 642

## §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 (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) *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 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) 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 the Unified Development Code including the regulations contained in §163.18 and §164.26 and must successfully obtain a business license prior to operation.

### 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

**161.16 - District RMF-24, Residential Multi-Family — Twenty-Four (24) Units Per Acre**

(A) *Purpose.* The RMF-24 Multi-family Residential District is designed to permit and encourage the developing of a variety of dwelling types in suitable environments in a variety of densities.

(B) *Uses.*

(1) *Permitted Uses*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three- and four-family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12a	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities
Unit 48	Private dormitories

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a Manufactured home park	50 feet
Single-family	35 feet
Two-family	35 feet
Three-family or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
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Lot within a mobile home park	4,200 square feet
Townhouses: Individual lot	2,000 square feet
Single-family	3,000 square feet
Two-family	4,000 square feet
Three-family or more	7,000 square feet

(3) *Land Area Per Dwelling Unit.*

Manufactured Home	3,000 square feet
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(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two-family	Rear Other Uses	Rear Single-family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 feet	5 feet	20 feet	5 feet

(F) *Building Height Regulations.*

Building Height Maximum	2 stories/3 stories/5 stories*
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\* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories, between 10—20 feet from the master street plan right-of-way a maximum height of three (3) stories and buildings or portions of the building setback greater than 20 feet from the master street plan right-of-way shall have a maximum height of five (5) stories.

If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single-family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

H) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Ord. No. [6945](#), §5(Exh. D), 12-16-25)

**Request Letter – Conditional Use Permit for Short-Term Rental**

Property Address:  
3229 W Montrail Place  
Fayetteville, Arkansas 72704

To Whom It May Concern,

I am submitting this request for a Conditional Use Permit to allow the operation of a short-term rental at the property located at **3229 W Montrail Place, Fayetteville, Arkansas.**

The property is a **2-bedroom, 2.5-bathroom townhome containing approximately 1,250 square feet** located within the **Brook Hollow Horizontal Property Regime**. The structure is consistent with surrounding residential units and maintains the same exterior design and materials as adjacent properties in the development.

**Parking**

The unit includes an attached garage and designated off-street parking spaces that will be available for guest use. These spaces will accommodate guest vehicles without impacting surrounding streets.

**Outdoor Lighting**

Exterior lighting is limited to standard residential fixtures intended for safety and visibility. Lighting is directed downward and designed to minimize impact on neighboring properties.

**Noise**

Guests will be required to comply with house rules that prohibit excessive noise and disturbances. Quiet hours will be enforced to maintain the residential character of the neighborhood.

**Screening and Buffering**

The property is located within an established residential development with landscaping and spacing between buildings that provides natural buffering from adjacent units and properties.

**Trash and Refuse**

Trash service is provided through the development’s existing residential waste service. Waste containers will be maintained in their designated areas and serviced regularly.

**Ingress and Egress / Traffic**

Access to the property is provided via Montrail Place within the Brook Hollow development. Guest traffic will remain consistent with normal residential use and is not expected to create measurable traffic impacts.

**Compatibility with Adjacent Properties**

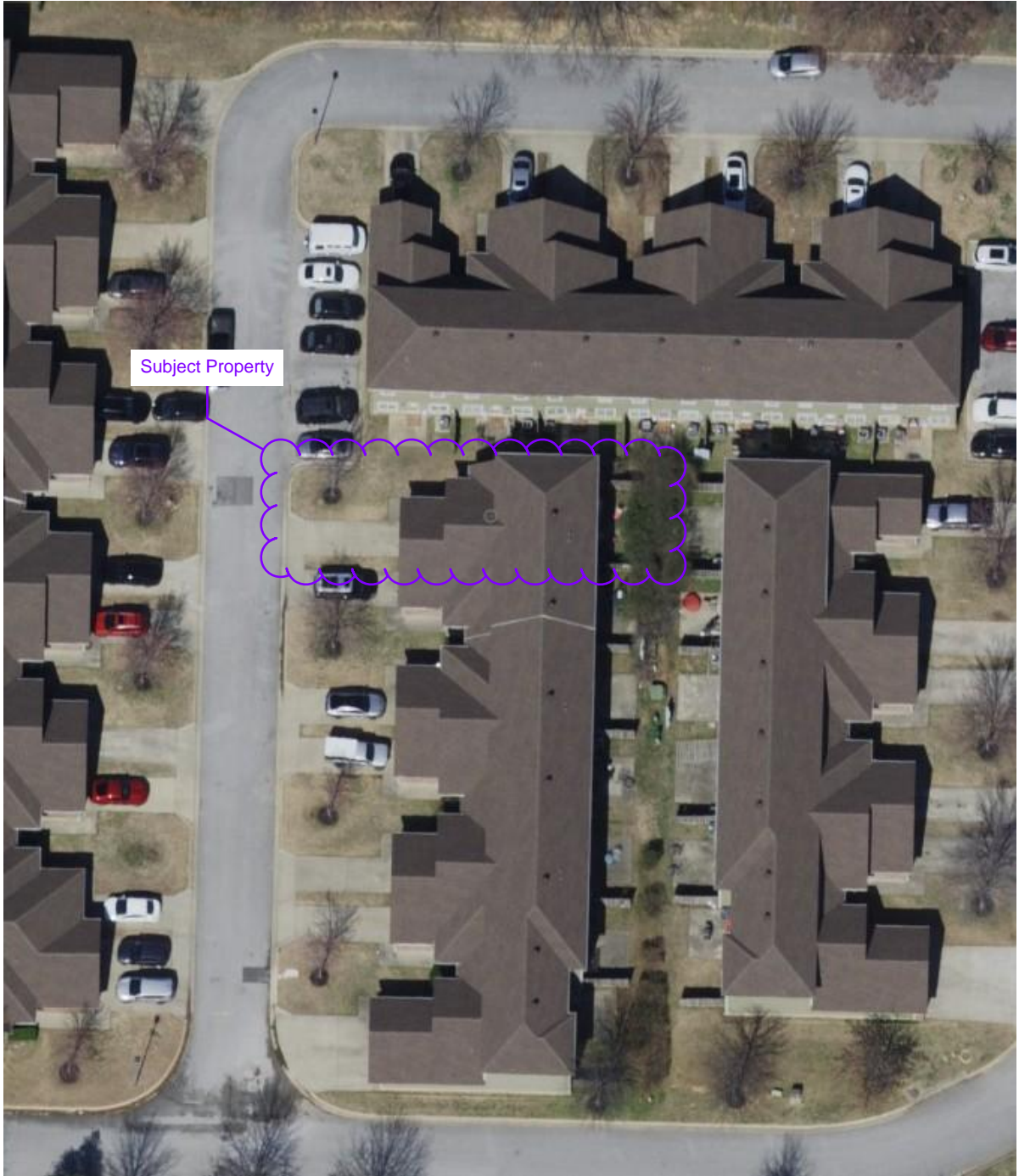
The proposed short-term rental will operate in a manner consistent with the residential nature of the surrounding neighborhood and will be managed responsibly to respect neighboring properties and community standards.

Thank you for your consideration of this request.

Sincerely,

Johnny Weber

Property Owner







West Side



North Side



South Side



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Citlali Samano, Planner

**MEETING DATE:** April 13, 2026

**SUBJECT:** **CUP-2026-0009: Conditional Use Permit (3105 N. OLD WIRE RD/OWEN FAMILY TRUST, 255):** Submitted by BEN SHERMAN for property located at 3105 N. OLD WIRE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 8.72 acres. The request is for a childcare facility.

**RECOMMENDATION:**

Staff recommends approval of **CUP-2026-0009** with conditions.

**RECOMMENDED MOTION:**

*"I move to approve **CUP-2026-0009** with conditions, determining:*

- *In favor of variance to §163.05(C), Number of Children;*
- *In favor of compatibility with adjacent properties; and*
- *In favor of all other conditions as recommended by staff."*

**BACKGROUND:**

The subject property is in northeast Fayetteville approximately 300 feet northeast of Fire Station 5 along N Crossover Rd. The property is currently developed with a 2,040 square foot single-family dwelling constructed in 1966 per the Washington County Assessor. The intent is split the lot in two, with the proposed childcare facility to operate on the southern parcel. The property is zoned RSF-4, Residential Single-Family, Four Units per Acre with no applicable overlay districts. Surrounding land uses and zoning is depicted in *Table 1*.

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

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
South	Single-Family Residential	RPZD, Residential Planned Zoning District
East	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre; R-A, Residential Agricultural
West	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre

*Proposal:* The applicant requests a conditional use permit to develop a childcare facility in the RSF-4, Residential Single-Family, Four Units per Acre zoning district. This use would be classified as Use Unit 4: Cultural and Recreational Facilities, which is a conditional use in the RSF-4 zoning district. One variance has been requested.

**Variance #1: UDC §163.05(C), Number of Children.** To allow more than the number of conditionally approved children allowed listed at ten (10) children, or the number of children approved by the state’s licensing board, whichever is fewer, within an RSF zoning district. The applicant is proposing 200 children at peak summer months, and 165 during regular school months.

- a. Staff recommendation: Staff also acknowledges that the applicant is requesting approval to exceed the maximum number of conditionally permitted children as established by UDC §163.05(C). However, several site-specific factors support this request. The subject property encompasses approximately 8.72 acres, providing substantial space to accommodate the proposed increase while minimizing potential impacts. Additionally, per UDC §163.05(A), the minimum lot size required for 200 children is 1.14 acres; the proposed site significantly exceeds this standard. The site is located near a major corridor, N. Crossover Road, and the surrounding area currently lacks adequate childcare services. The intent of the ordinance is to limit the number of children in residential neighborhoods where higher activity levels may negatively affect nearby properties. In this case, staff finds that the large lot size and the predominantly low-density residential character of the surrounding area mitigate such concerns. While properties to the south are zoned RPZD, the overall context remains compatible with the proposed use. In addition, a rezoning option is available to the applicant as well; however, however, a Conditional Use Permit provides greater flexibility for incremental design considerations and site-specific conditions that may be imposed by the Planning Commission, flexibility that is not typically available through a rezoning request. Based on these considerations, staff finds that the request is consistent with the intent of the ordinance and supports approval of the variance.

The applicant has described the business as follows:

- *Business will occur in approximately a 8,700 sq proposed building with associated parking and an exterior playground*
- *Parking: Parking lot with 41 spaces*
- *Number of employees: 10 to 15 or approximately 1 employee per 20 children*
- *Number of customers: Average = 165 children / Peak Summer = 200 children*
- *Hours of operation:*
  - *Weekdays during school months: 3 PM – 6 PM*
  - *Summer Months (June to August): 8 AM – 6 PM*
- *Drop off and Pickup Times: 7:30 AM and 5 PM*
- *Outdoor lighting: N/A but will meet code*
- *Noise: Some noise associated children playing outside*
- *Screening: N/A but will meet code*
- *Trash:1 Dumpster*
- *Ingress/Egress: Two driveways along N. Old Wire Rd*

*City Plan 2040 Future Land Use Designation: Residential Neighborhood and Natural Area*

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

**RECOMMENDATION:** Staff recommends approval of **CUP-2025-0009** with the following conditions:

**Conditions of Approval:**

1. **Planning Commission determination of compatibility for a childcare facility in RSF-4 zoning.** *Staff finds the proposed use to be compatible with adjacent properties for the reasons outlined above.*
2. **This conditional use permit shall be as described in the applicant's request letter. The following specifications apply:**
  - Size of the business: Approx. 8,700 sq ft proposed building with associated parking and an exterior playground
  - Hours of Operation:
    - Weekdays during school months: 3 PM – 6 PM
    - Summer Months (June to August): 8 AM – 6 PM
  - Number of children: Up to 200 during peak summer hours
  - Parking: Parking lot with 41 spaces
  - Number of employees: 10 to 15
3. A business license shall be obtained for the proposed business at this location prior to building permit approval;
4. All required state licenses shall be obtained for the proposed business at this location prior to building permit approval;
5. Any future expansion or change in the use shall require Planning Commission approval;
6. Trash collection shall be coordinated with the City's Trash and Recycling Division;
7. All trash receptacles shall be screened from view of the right-of-way when not at the curb for pickup;
8. Signs shall be limited to those permitted by UDC Chapter 174, Signs. Any proposed signage shall be reviewed for compliance with the underlying zoning district and shall be permitted by a separate sign permit prior to installation; and
9. Approval of this conditional use permit does not constitute approval of any associated building plans or permits. The applicant shall coordinate with the City's Building Safety and Engineering Divisions to ensure that all proposed building and site renovations are meeting applicable permitting requirements.

<b>PLANNING COMMISSION ACTION:</b>				<b>Required</b>	<b><u>YES</u></b>
<b>Date:</b> <u>April 13, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied		
<b>Motion:</b>					
<b>Second:</b>					
<b>Vote:</b>					

**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 4: Cultural and Recreational Facilities in RSF-4 zoning.**

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

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

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

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

**Finding: The Planning Commission is empowered under Unified Development Code §161.07 to grant the requested conditional use permit.**

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

**Finding: Staff finds the conditional use is unlikely to adversely affect the public interest. Although the site is zoned RSF-4, its proximity to a major corridor supports a slightly higher intensity of use. The childcare facility is generally compatible with the neighborhood, and while increased traffic and staffing may add some activity, the impacts are expected to be manageable and offset by the benefit of providing nearby childcare services.**

(c.) The Planning Commission shall certify:

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

**Finding:** There are specific rules governing childcare establishments, as follows:

**§163.05. CHILD CARE; NURSERY SCHOOL**

- A. **Minimum Lot Area.** Contain a minimum lot area of 250 square feet per child.

**Finding:** The applicant is requesting to care for up to two hundred (200) children per state licensure, which would require 50,000 square feet (or 1.14 acres). The subject parcel exceeds this requirement with approximately 379,843 square feet (or 8.72 acres).

- B. **Minimum Outdoor Play Space.** Provide a minimum outdoor play space of 75 square feet per child, calculated on the basis of the number of children occupying the outdoor play space at one (1) time.

**Finding:** The applicant is requesting to care for up to 200 children per state licensure, which would require 15,000 sq ft of outdoor play space. The applicant currently proposes 8,700 sq ft, which would allow up to 116 children to play outdoors at one time.

- C. **Number of Children.** In an RSF zone, a child care facility may be approved as a conditional use of no more than ten (10) children, or the number of children approved by the state's licensing board, whichever is fewer.

**Finding:** While the childcare facilities in an RSF zoning district has a maximum of ten children, the applicant is requesting a variance to exceed this standard. Staff finds that the unique characteristics of the subject mitigate potential impacts typically associated with higher enrollment.

**§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:** Vehicular ingress and egress to the property is proposed via two driveways with direct access onto N. Old Wire Road at the east and south ends of the facility. Driveways serving commercial uses along Neighborhood Link Streets are required to maintain a minimum separation of 100 feet from adjacent driveways, which the proposed configuration appears to meet. However, Old Wire Road does not appear to be sufficiently wide to accommodate on-street parking. Sidewalks are also not currently present along either side of N. Old Wire Road. Staff finds that the proposed use is

likely to exacerbate existing traffic and circulation constraints due to the scale of the development and the number of children anticipated to be transported to and from the site. Additional information regarding proposed drop-off and pick-up times is needed to fully evaluate potential impacts. While traffic impacts are anticipated, it is noted that during the development phase, the site design may be modified to consolidate access to a single driveway onto N. Old Wire Road. Such a revision could help reduce traffic conflicts and lessen overall impacts to the surrounding roadway network.

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

**Finding:** The applicant has indicated up to forty (40) parking spaces within the proposed development. Childcare centers have a maximum parking ratio of “1 per employee plus on-site loading and unloading spaces at a rate of 1 per 10 children accommodated.” With 15 employees, 200 children and a by-right increase of 15%, the parking maximum is 40 spaces. Staff finds that proposal is unlikely to lead to negative traffic impacts given the number of parking spaces but it is uncertain at this time of the traffic impacts given the variable drop-off/pick-up times.

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

**Finding:** The applicant plans to utilize a dumpster. Staff recommends for Trash collection to be coordinated with the City’s Trash and Recycling Division.

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

**Finding:** There is an existing 6” water line that runs along the proposed development. However, there is no sewer access to the property and an expansion will be needed for its use as a daycare given the expected impact.

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

**Finding:** Staff recommends that dumpsters be screened so that they are not visible from public right-of-way.

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

**Finding:** Any 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 existing residence appears to be meeting relevant setbacks.

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

**Finding:** Staff finds the proposed use to be compatible with surrounding properties. Based on the information provided by the applicant, the proposed childcare facility is unlikely to generate or worsen traffic hazards. The proposed facility is located close to a major intersection and is compatible in size, scale, and appearance with surrounding neighborhoods while providing necessary services to the surrounding residents.

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

**Finding:** Staff finds the proposed use to be compatible with the goals and intent of the City's adopted plans. The City Plan 2040 Future Land Use Map designates the property as Residential Neighborhood, which encourages development which "incorporates low-intensity nonresidential uses intended to serve the surrounding neighborhoods such as retail and offices, on corners and along connecting corridors." Staff further finds that childcare facilities are an essential service with a high demand and that adding this service furthers city goals for complete neighborhoods.

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**BUDGET/STAFF IMPACT:**

None

**ATTACHMENTS:**

- Project Maps
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
- Unified Development Code
  - §161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre
  - §163.15 Child Care; Nursery School
- Applicant Exhibits
  - Request Letter
  - Variance Request Letter
  - Building Elevations
  - Site Plan

**Variance #1: UDC §163.05(C), Number of Children.** To allow more than the number of conditionally approved children allowed listed at ten (10) children, or the number of children approved by the state’s licensing board, whichever is fewer, within an RSF zoning district. The applicant is proposing

- a. Staff recommendation: Staff acknowledges that the applicant is requesting approval to exceed the maximum number of conditionally permitted children as established by UDC §163.05(C). However, several site-specific factors support this request. The subject property encompasses approximately 8.72 acres, providing substantial space to accommodate the proposed increase while minimizing potential impacts. Additionally, the site is located near a major corridor, N. Crossover Road, and the surrounding area currently lacks adequate childcare services. The intent of the ordinance is to limit the number of children in residential neighborhoods where higher activity levels may negatively affect nearby properties. In this case, staff finds that the large lot size and the predominantly low-density residential character of the surrounding area mitigate such concerns. While properties to the south are zoned RPZD, the overall context remains compatible with the proposed use. Staff finds, with the previous considerations, that the request is consistent with the intent of the ordinance and supports approval of the variance.

The applicant has described the business as follows:

- *Business will occur in approximately a 8,700 sq proposed building with associated parking and an exterior playground*
- *Parking: Parking lot with 41 spaces*
- *Number of employees: 10 to 15 or approximately 1 employee per 20 children*
- *Number of customers: Average = 165 children / Peak Summer = 200 children*
- *Hours of operation:*
  - *Weekdays during school months: 3 PM – 6 PM*
  - *Summer Months (June to August): 8 AM – 6 PM*
- *Drop off and Pickup Times: 7:30 AM and 5 PM*
- *Outdoor lighting: N/A but will meet code*
- *Noise: Some noise associated children playing outside*
- *Screening: N/A but will meet code*
- *Trash:1 Dumpster*
- *Ingress/Egress: Two driveways along N. Old Wire Rd*

*City Plan 2040 Future Land Use Designation: Residential Neighborhood and Natural Area*

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

**RECOMMENDATION:** Staff recommends approval of **CUP-2025-0009** with the following conditions:

**Conditions of Approval:**

1. **Planning Commission determination of compatibility for a childcare facility in RSF-4 zoning.** *Staff finds the proposed use to be compatible with adjacent properties for the reasons outlined above.*
2. **This conditional use permit shall be as described in the applicant’s request letter. The following specifications apply:**
  - *Size of the business: Approx. 8,700 sq ft proposed building with associated parking*

- *and an exterior playground*
  - *Hours of Operation:*
    - Weekdays during school months: 3 PM – 6 PM
    - Summer Months (June to August): 8 AM – 6 PM
  - Number of children: Up to 200 during peak summer hours
  - Parking: Parking lot with 41 spaces
  - Number of employees: 10 to 15
3. A business license shall be obtained for the proposed business at this location prior to building permit approval;
  4. All required state licenses shall be obtained for the proposed business at this location prior to building permit approval;
  5. Any future expansion or change in the use shall require Planning Commission approval;
  6. Trash collection shall be coordinated with the City’s Trash and Recycling Division;
  7. All trash receptacles shall be screened from view of the right-of-way when not at the curb for pickup;
  8. Signs shall be limited to those permitted by UDC Chapter 174, Signs. Any proposed signage shall be reviewed for compliance with the underlying zoning district and shall be permitted by a separate sign permit prior to installation; and
  9. Approval of this conditional use permit does not constitute approval of any associated building plans or permits. The applicant shall coordinate with the City’s Building Safety and Engineering Divisions to ensure that all proposed building and site renovations are meeting applicable permitting requirements.

<b>PLANNING COMMISSION ACTION:</b>				<b>Required</b>	<b><u>YES</u></b>
<b>Date:</b> <u>April 13, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied		
<b>Motion:</b>					
<b>Second:</b>					
<b>Vote:</b>					

**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 4: Cultural and Recreational Facilities in RSF-4 zoning.**

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

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

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

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

**Finding: The Planning Commission is empowered under Unified Development Code §161.07 to grant the requested conditional use permit.**

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

**Finding: Staff finds the conditional use is unlikely to adversely affect the public interest. Although the site is zoned RSF-4, its proximity to a major corridor supports a slightly higher intensity of use. The childcare facility is generally compatible with the neighborhood, and while increased traffic and staffing may add some activity, the impacts are expected to be manageable and offset by the benefit of providing nearby childcare services.**

(c.) The Planning Commission shall certify:

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

**Finding: There are specific rules governing childcare establishments, as follows:**

**§163.05. CHILD CARE; NURSERY SCHOOL**

**A. Minimum Lot Area.** Contain a minimum lot area of 250 square feet per child.

**Finding:** The applicant is requesting to care for up to two hundred (200) children per state licensure, which would require 50,000 square feet (or 1.14 acres). The subject parcel exceeds this requirement with approximately 379,843 square feet (or 8.72 acres).

- B. Minimum Outdoor Play Space.** Provide a minimum outdoor play space of 75 square feet per child, calculated on the basis of the number of children occupying the outdoor play space at one (1) time.

**Finding:** The applicant is requesting to care for up to 200 children per state licensure, which would require 15,000 sq ft of outdoor play space. The applicant currently proposes 8,700 sq ft, which would allow up to 116 children to play outdoors at one time.

- C. Number of Children.** In an RSF zone, a child care facility may be approved as a conditional use of no more than ten (10) children, or the number of children approved by the state's licensing board, whichever is fewer.

**Finding:** N/A

#### **§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:** Vehicular ingress and egress to the property is proposed via two driveways with direct access onto N. Old Wire Road at the east and south ends of the facility. Driveways serving commercial uses along Neighborhood Link Streets are required to maintain a minimum separation of 100 feet from adjacent driveways, which the proposed configuration appears to meet. However, Old Wire Road does not appear to be sufficiently wide to accommodate on-street parking. Sidewalks are also not currently present along either side of N. Old Wire Road. Staff finds that the proposed use is likely to exacerbate existing traffic and circulation constraints due to the scale of the development and the number of children anticipated to be transported to and from the site. Additional information regarding proposed drop-off and pick-up times is needed to fully evaluate potential impacts. While traffic impacts are anticipated, it is noted that during the development phase, the site design may be modified to consolidate access to a single driveway onto N. Old Wire Road. Such a revision could help reduce traffic conflicts and lessen overall impacts to the surrounding roadway network.

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

**Finding:** The applicant has indicated up to forty (40) parking spaces within the proposed development. Childcare centers have a maximum parking ratio of “1 per employee plus on-site loading and unloading spaces at a rate of 1 per 10 children accommodated.” With 15 employees, 200 children and a by-right increase of 15%, the parking maximum is 40 spaces. Staff finds that proposal is unlikely to lead to negative traffic impacts given the number of parking spaces but it is uncertain at this time of the traffic impacts given the variable drop-off/pick-up times.

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

**Finding:** The applicant plans to utilize a dumpster. Staff recommends for Trash collection to be coordinated with the City’s Trash and Recycling Division.

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

**Finding:** There is an existing 6” water line that runs along the proposed development. However, there is no sewer access to the property and an expansion will be needed for its use as a daycare given the expected impact.

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

**Finding:** Staff recommends that dumpsters be screened so that they are not visible from public right-of-way.

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

**Finding:** Any 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 existing residence appears to be meeting relevant setbacks.

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

**Finding:** Staff finds the proposed use to be compatible with surrounding properties. Based on the information provided by the applicant, the proposed childcare facility is unlikely to generate or worsen traffic hazards. The proposed facility is located close to a major intersection and is compatible in size, scale, and appearance with surrounding neighborhoods while providing necessary services to the surrounding residents.

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

**Finding:** Staff finds the proposed use to be compatible with the goals and intent of the City's adopted plans. The City Plan 2040 Future Land Use Map designates the property as Residential Neighborhood, which encourages development which "incorporates low-intensity nonresidential uses intended to serve the surrounding neighborhoods such as retail and offices, on corners and along connecting corridors." Staff further finds that childcare facilities are an essential service with a high demand and that adding this service furthers city goals for complete neighborhoods.

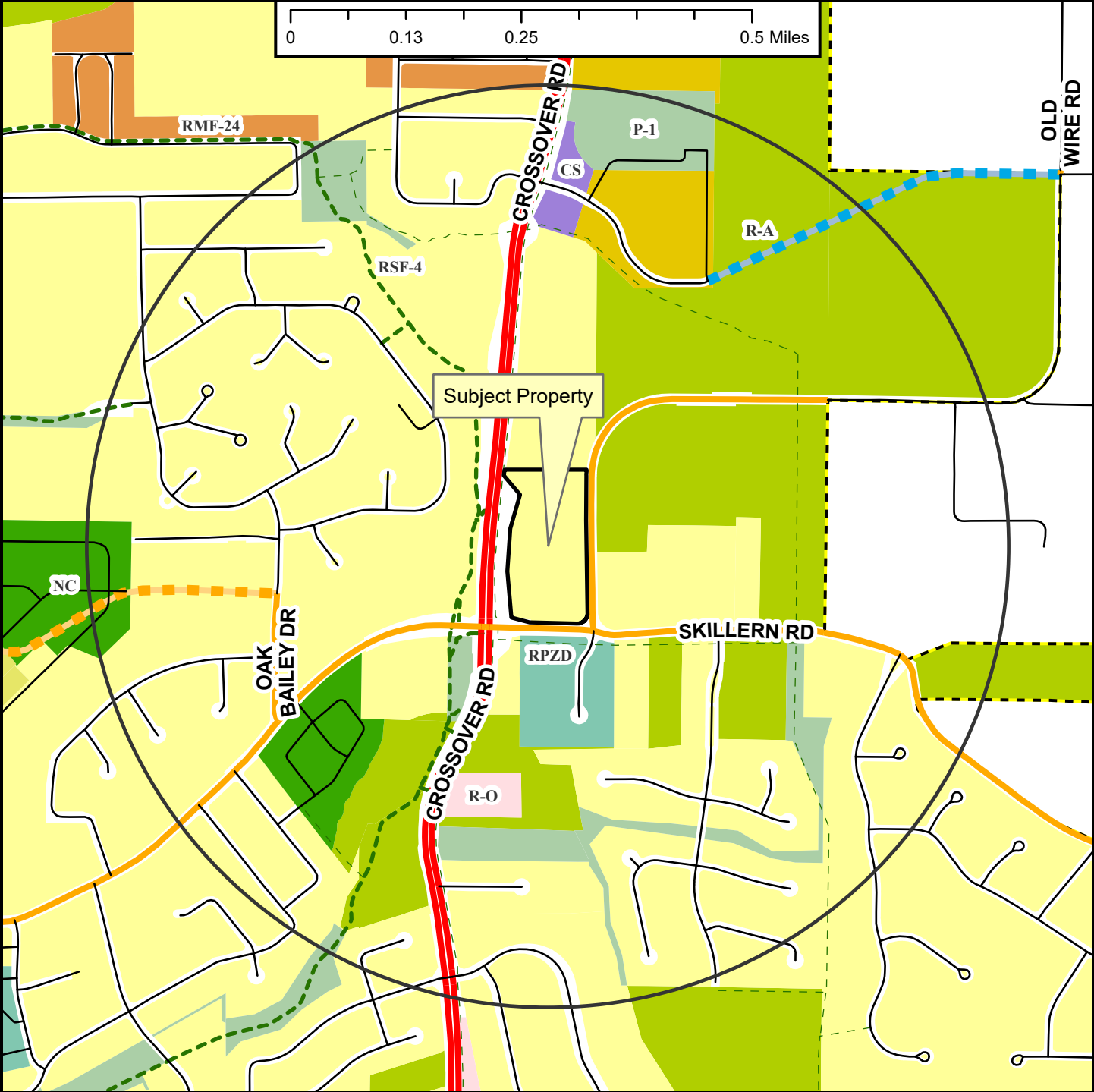
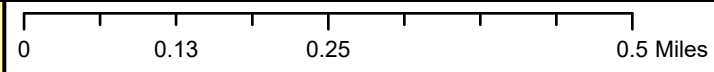
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**BUDGET/STAFF IMPACT:**

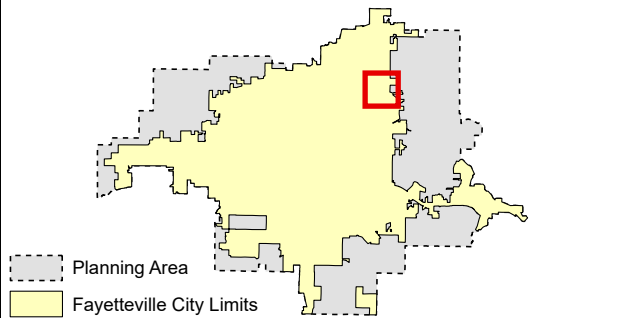
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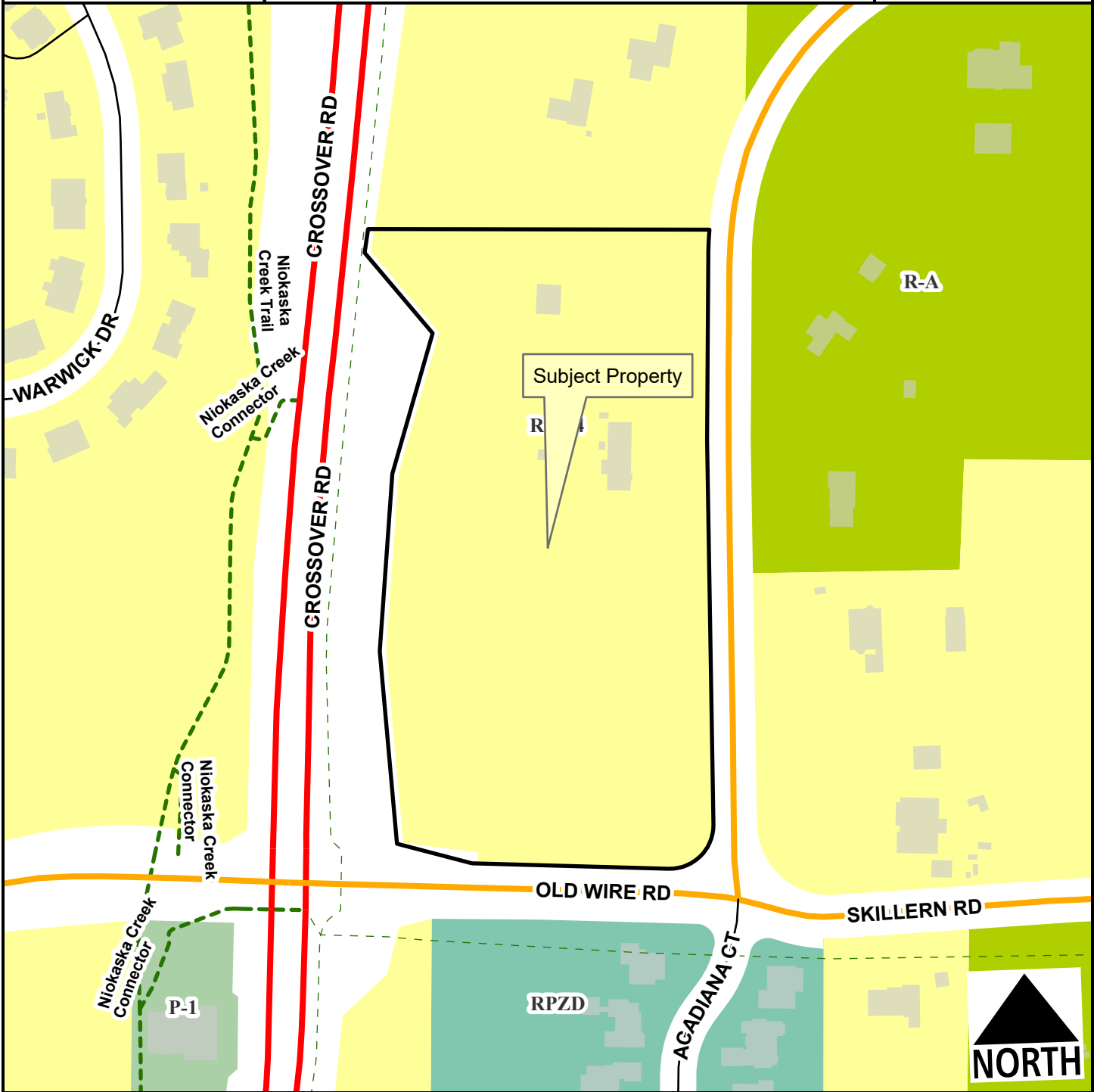
**ATTACHMENTS:**

- Project Maps
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
- Unified Development Code
  - §161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre
  - §163.15 Child Care; Nursery School
- Applicant Exhibits
  - Request Letter
  - Variance Request Letter
  - Building Elevations
  - Site Plan

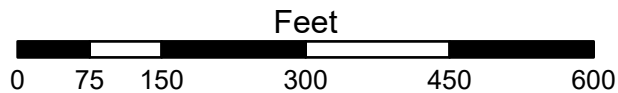


- Regional Link
- Neighborhood Link
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area





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



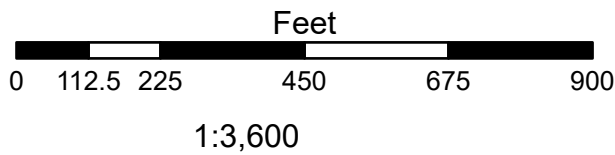
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Current Land Use



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



**FEMA Flood Hazard Data**

- 100-Year Floodplain
- Floodway

**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
-------------------------	-----------

(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.

### **163.05 Child Care; Nursery School**

All such establishments, other than Registered Child Care Family Homes authorized pursuant to Section 164.24 of the Unified Development Code, shall be located on lots which:

- (A) *Minimum Lot Area.* Contain a minimum lot area of 250 square feet per child.
- (B) *Minimum Outdoor Play Space.* Provide a minimum outdoor play space of 75 square feet per child, calculated on the basis of the number of children occupying the outdoor play space at one (1) time.
- (C) *Number of Children.* In an RSF zone, a child care facility may be approved as a conditional use of no more than ten (10) children, or the number of children approved by the state's licensing board, whichever is fewer.

(Code 1965, App. A., Art. 7 (7); Ord. No. 1747, 6-29-70; Ord. No. 2604, 2-19-80; Code 1991, §160.082; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4489, 6-3-03; Ord. No. 6440, §3, 5-18-21; Ord. No. 6689, §2, 10-3-23)



# 4iE Engineering

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P.O. Box 56, Cave Springs, AR 72718 Phone: (479)381-1066 Email: [ffourie@4ie.engineering](mailto:ffourie@4ie.engineering)

March 2, 2026

Planning Division  
Development Services Building  
125 West Mountain Street  
Fayetteville, AR 72701

**RE: Mobius Learning Academy  
Conditional Use Permit  
Fayetteville, AR**

To whom this may concern:

I am writing on behalf of my client, Mobius Learning Academy, Inc. to request a Conditional Use Permit to allow a Use Unit 4 – After Scholl Facility in an RSF-4 zoning district.

- a) Building Size = approximately 8,700 sq.ft.
- b) Example building is attached to this request
- c) 41 Parking Spaces are provided for this development
- d) Business Operations
  - Hours of Operation - During school months: Week days 3:00 pm – 6:00 pm. Summer months varies: 9:00 am -12:00 pm, 1:00 pm – 5:00 pm, all day summer camps, etc..
  - Number of Employees - 10-15. At least 1 employee per 20 children.
  - Number of Children: Avg per day = 165. Peak summer = 200
- e) Outdoor lighting as specified by code
- f) Noise
- g) Appropriate screening methods will be provided per code
- h) Trash (Dumpster) will be provided and screening appropriately the code requirements.
- i) The Site plan shows the ingress/egress for parents/staff/buses.
- j) This after school program will fit within the neighborhood offering a service to parents that live in the vicinity.

A copy of the preliminary site plan is attached to this submittal along with a copy of the county parcel map.

Please let me know if you have any questions. Thank you.

Sincerely,

Jason Appel, P.E.



# 4iE Engineering

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P.O. Box 56, Cave Springs, AR 72718 Phone: (479)381-1066 Email: [ffourie@4ie.engineering](mailto:ffourie@4ie.engineering)

April 9, 2026

Planning Division  
Development Services Building  
125 West Mountain Street  
Fayetteville, AR 72701

**RE: Mobius Learning Academy  
Variance Request  
Fayetteville, AR**

To whom this may concern:

I am writing on behalf of my client, Mobius Learning Academy, Inc. to request a Variance to accompany the requested Conditional Use Permit to allow a Use Unit 4 – After School Facility (Daycare) in an RSF-4 zoning district.

City code states in [UDC 163.05 - Child Care; Nursery School](#) that a maximum of 10 children can be approved conditionally in an RSF zone. We are respectfully requesting a variance to increase this maximum allowable capacity to **200 children** during peak operating hours.

### **Justification and Supporting Factors:**

- The overall size and topography of the subject property are significantly larger than the standard RSF-4 lot, providing ample space for safe drop-off zones, outdoor recreation, and buffered transitions that mitigate impact on neighboring residences.
- The site is located in immediate proximity to N. Crossover Road, a major arterial corridor.
- There are limited licensed childcare and after-school facilities in this immediate area. Increasing capacity allows the Mobius Learning Academy to address this need.

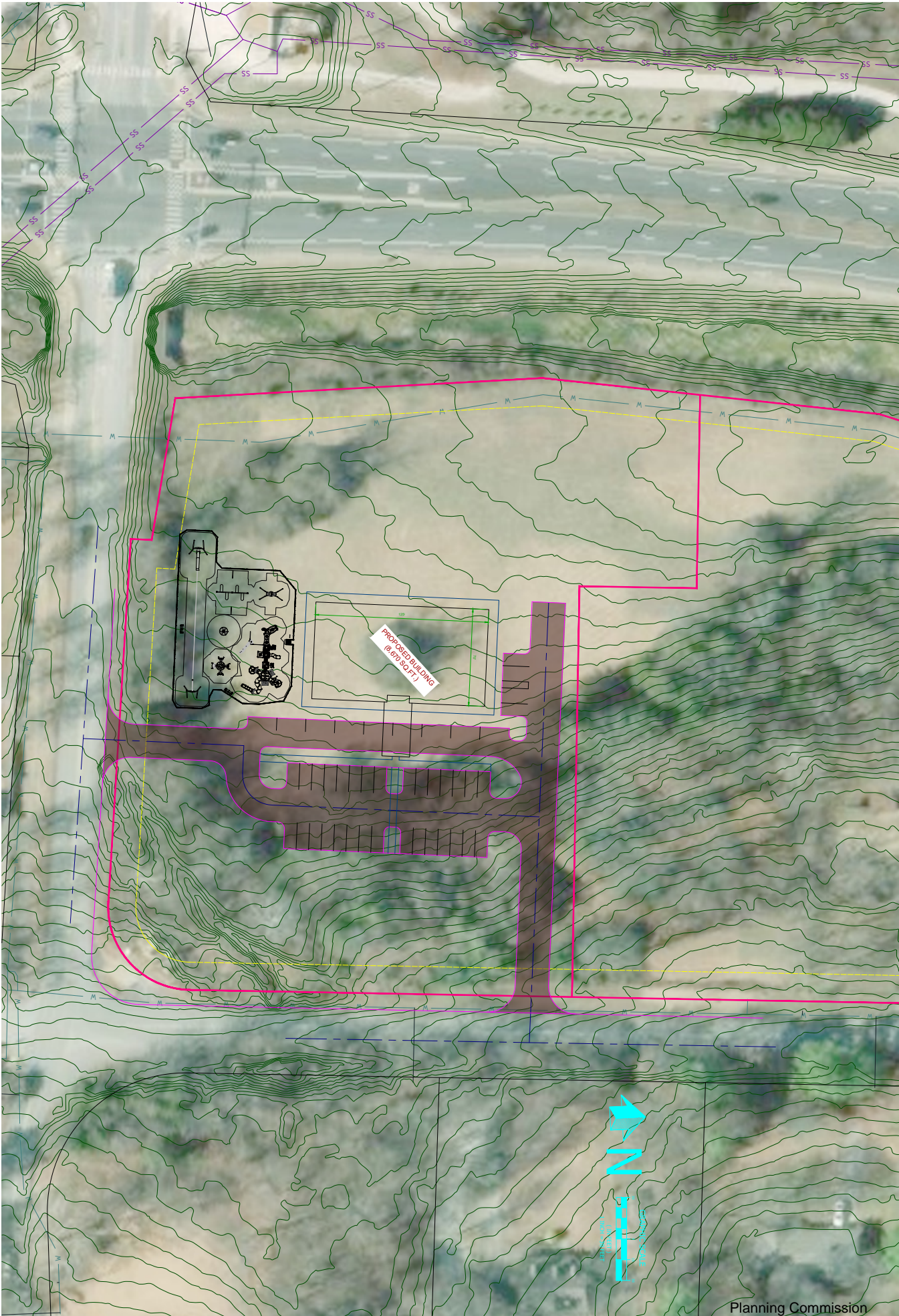
This variance will allow Mobius Learning Academy to provide a high-quality educational environment at a scale that is economically viable and community-focused. We look forward to discussing this project and let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jason Appel'.

Jason Appel, P.E.







**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Citlali Samano, Planner

**MEETING DATE:** April 13, 2026

**SUBJECT:** **CUP-2026-0011: Conditional Use Permit (1925 N. BIRCH AVE/MLK RETAIL PARTNERS LLC; 200 NW 142ND LLC, 367)** Submitted by SCOTT RICHARDSON for property located at 1925 N. BIRCH AVE. The property is zoned I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contains approximately 0.82 acres. The request is for a bar, lounge, and small site recreational facility.

**RECOMMENDATION:**

Staff recommends approval of **CUP-2026-0011** with conditions.

**RECOMMENDED MOTION:**

*"I move to approve **CUP-2026-0011**, determining:*

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

**BACKGROUND:**

The subject property is located in north Fayetteville at the intersection of N. Birch Avenue and W. Poplar Street. The site encompasses approximately 0.82 acres and includes three commercial buildings. The request pertains specifically to the northern unit within the middle building. The property is zoned I-1, Heavy Commercial and Light Industrial and is not within an overlay district. Surrounding land uses and zoning are provided in *Table 1*.

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

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Commercial	I-1, Heavy Commercial and Light Industry
South	Commercial	I-1, Heavy Commercial and Light Industry
East	Commercial	I-1, Heavy Commercial and Light Industry
West	Commercial	I-1, Heavy Commercial and Light Industry

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

*Proposal:* The applicant requests a conditional use permit to operate a golfing simulator business on the subject property. These are classified as Use Unit 19, Commercial Recreation, Small Sites, which require a CUP in I-1 zoning. The applicant has described the business as follows:

- *Size of business: Utilizing an existing 3,000 sq. ft. building*
- *Parking: 8 designated off-street parking spaces*
- *Hours of operation*

- Sun – Thurs, 9 AM – 9 PM and Fri – Sat, 9 AM – 11 PM
- Number of employees: 5 employees
- Number of customers: 50 per day or 24 at peak hours
- Noise: Minimal
- Outdoor Lighting: In front of building and side of building over the outdoor patio
- Trash: Utilizing roll carts

*Public Comment:* Staff has not received any public comment regarding the proposed request.

**RECOMMENDATION:** Staff recommends approval of **CUP-2026-0011** with the following conditions:

**Conditions of Approval:**

1. **Planning Commission determination of compatibility.** *Staff finds the proposed use is compatible with adjacent properties based on the findings in this report.*
2. **This conditional use permit is limited to the use for Looper’s Lounge as described in the applicant’s request letter. The following specifications apply:**
  - Size of the business: Utilizing an existing 3,000 sq. ft. building
  - Hours of operation: Sun – Thurs, 9 AM – 9 PM and Fri – Sat, 9 AM – 11 PM
  - Parking: 8 designated parking spaces
  - Number of employees: 5 employees
3. **A commercial business license shall be obtained for the proposed business at this location prior to occupancy of the property;**
4. **Approval of conditional use permit does not constitute approval for any needed building permits or development entitlement;**
5. **Any required permits must be obtained within 1 year of conditional use permit approval;**
6. **Proposed parking area for 8 vehicles shall meet the requirements for parking lot standards as outlined in 172.04;**
7. **Trash shall remain screened at the rear of the property and out of view from the right-of-way outside of typical trash collection times.**
8. **Any future expansion or change in the conditional use shall require Planning Commission approval;**
9. **Signs shall be limited to those permitted by Unified Development Code §174. Any proposed signage shall be reviewed for compliance with the underlying zoning district and shall be permitted by a separate sign permit prior to installation; and**
10. **Outdoor lighting shall comply with Unified Development Code §176.**

<b>PLANNING COMMISSION ACTION:</b>	<b>Required</b>	<b><u>YES</u></b>	
Date: <u>April 13, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
<b>Motion:</b>			
<b>Second:</b>			
<b>Vote:</b>			

**§163.02. AUTHORITY; CONDITIONS; PROCEDURES.**

**B. Authority; Conditions.** The Planning Commission shall:

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

**C.** A conditional use shall not be granted by the Planning Commission unless and until:

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

**Finding: The applicant has submitted a written application requesting conditional use approval of a commercial and recreational business in I-1 zoning.**

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

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

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

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

**Finding: The Planning Commission is empowered under Unified Development Code §161.07 to grant the requested conditional use permit.**

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

**Finding:** Staff finds that granting the proposed conditional use is not likely to adversely affect the public interest. The property is located across the street from Merchant Park which includes a restaurant and bar.

- (c.) The Planning Commission shall certify:

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

**Finding:** N/A; there are no specific rules governing this request.

- (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:** Vehicular ingress and egress to the property is provided via an existing curb cut along N Birch Ave to a paved, unstriped parking lot. N Birch Ave does not currently meet MSP standards for a Residential Link and is not striped with bicycle lanes, nor are there any existing sidewalks present on the westbound side of the street. The property owner has indicated plans to update and improve parking lots for surrounding properties along N Birch Ave and has provided an overall parking site plan reflecting these potential improvements. It should be noted that any expansion of impervious surface area exceeding 6,000 square feet will trigger development review and may be subject to MSP right-of-way dedication requirements.

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

**Finding:** The applicant has stated the utilization of the existing paved parking lot containing 8 parking spaces. There is no on-street parking available along N Birch Ave given the current street width. Any additional parking or expansion of parking areas must comply with UDC 172.04 standards and may be subject to development review if impervious surface thresholds are exceeded, as previously note.

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

**Finding:** As proposed, the applicant will utilize roll carts. Staff recommends that trash remain screened at the rear of the property and out of view from the right-of-way outside of typical trash collection times.

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

**Finding:** The property has access to City water but not to sewer. A 6-inch water main is present along N Birch Ave.

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

**Finding:** Staff recommends proposed rolling carts remain screened and at the rear of the property and any utility equipment to be screened from 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 UDC §174 and all the regulations therein.

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

**Finding:** N/A

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

**Finding:** Staff finds the proposed use as a health wellness business to be compatible with adjacent properties and other properties in the I-1 zoning district. The proposed hours of operation, its proximity to other and the provision for off-street parking should limit any adverse impacts on businesses in the surrounding area.

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

**Finding:** Staff finds the proposed use to be compatible with the goals and intent of the City's adopted plans. The City Plan 2040 Future Land Use Map designates the property as a City Neighborhood Area. City Neighborhoods are more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses. Non-residential and commercial uses are primarily located at street intersections and along major corridors

**BUDGET/STAFF IMPACT:**

None

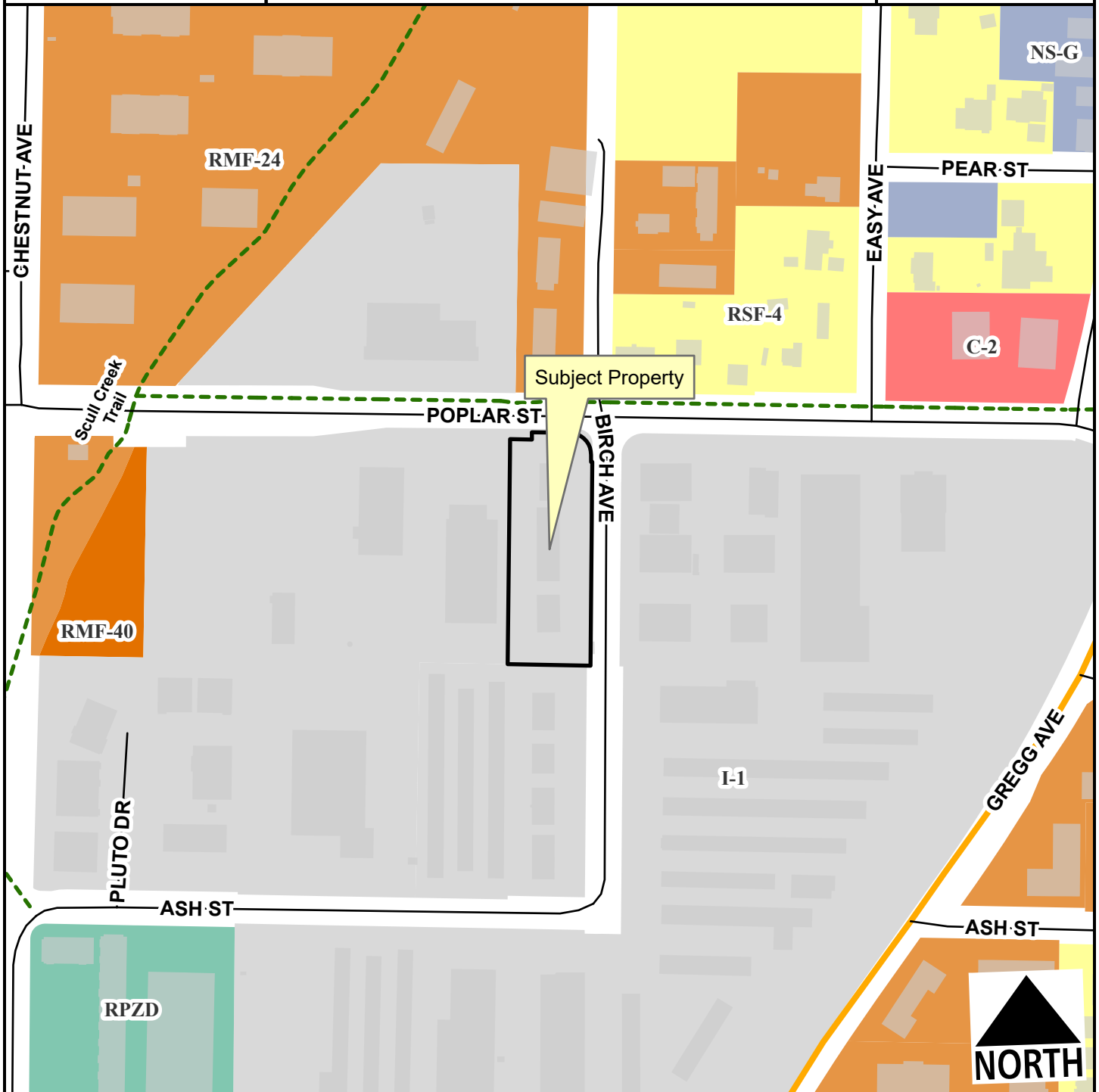
**ATTACHMENTS:**

- Project Maps
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
- Unified Development Code
  - §161.30 District I-1, Heavy Commercial and Light Industrial
- Applicant Exhibits
  - Request Letter
  - Site Plan
  - Composite Parking Site Plan
  - Floor Plan
  - Exterior Photos

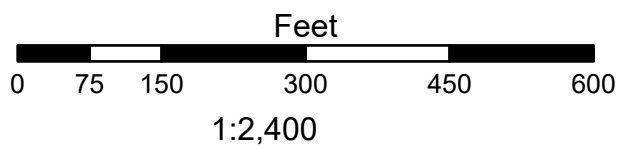
CUP-2026-0011

# 1925 N. BIRCH AVE

Close Up View



- Neighborhood Link
- Unclassified
- Residential Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail








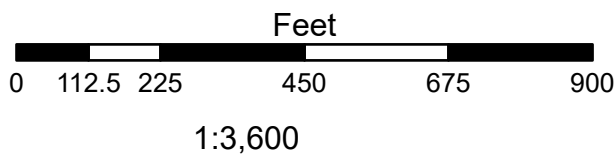
CUP-2026-0011

# 1925 N. BIRCH AVE



Current Land Use



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



### FEMA Flood Hazard Data

-  100-Year Floodplain
-  Floodway

Planning Commission

April 13, 2026

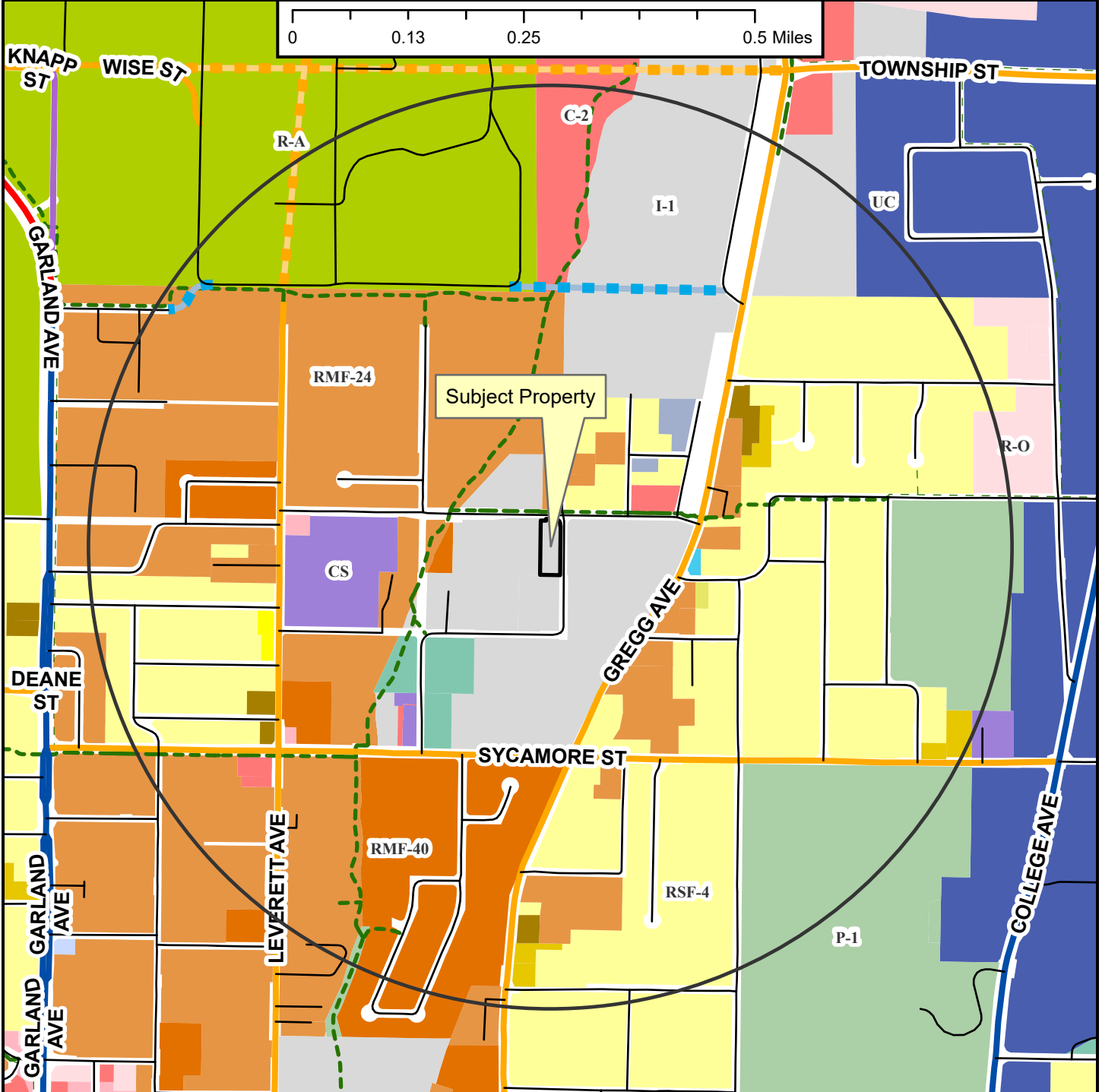
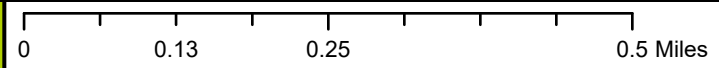
CUP-2026-0011 (MLK RETAIL PARTNERS LLC; 200 NW 142ND LLC)













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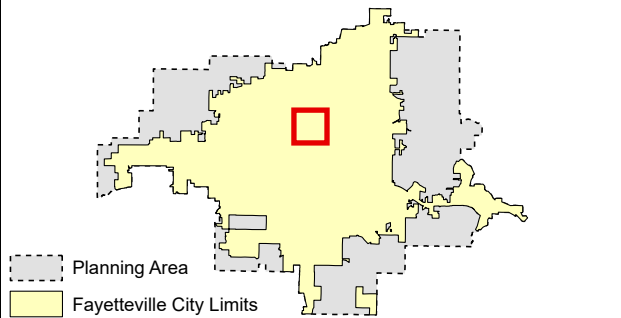
CUP-2026-0011

# 1925 N. BIRCH AVE

One Mile View



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



**161.30 - District I-1, Heavy Commercial And Light Industrial**

(A) *Purpose.* The Heavy Commercial District is designed primarily to accommodate certain commercial and light industrial uses which are compatible with one another but are inappropriate in other commercial or industrial districts. The Light Industrial District is designed to group together a wide range of industrial uses, which do not produce objectionable environmental influences in their operation and appearance. The regulations of this district are intended to provide a degree of compatibility between uses permitted in this district and those in nearby residential districts.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 6	Agriculture
Unit 13	Eating places
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 21	Warehousing and wholesale
Unit 22	Manufacturing
Unit 25	Offices, studios and related services
Unit 27	Wholesale bulk petroleum storage facilities with underground storage tanks
Unit 42	Clean technologies
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 19	Commercial recreation, small sites
Unit 20	Commercial recreation, large sites
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communications facilities
Unit 38	Mini-storage units
Unit 43	Animal boarding and training

(C) *Density.* None.

(D) *Bulk and Area Regulations.* None.

(E) *Setback Regulations.*

Front, when adjoining A or R districts	50 feet
Front, when adjoining C, 1, or P districts	25 feet
Side, when adjoining A or R districts	50 feet
Side, when adjoining C, 1, or P districts	10 feet
Rear	25 feet

(F) *Height Regulations.* There shall be no maximum height limits in I-1 District, provided, however, that if a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* None.

(Ord. No. [6945](#), §5(Exh. D), 12-16-25)

# **City of Fayetteville**

## **Looper's Lounge**

### **Letter of Intent**

March 03, 2026

Addressed to: Fayetteville Planning Department

**RE: Looper's Lounge**

It is requested that this property be granted conditional use as "Commercial recreation, small sites" within an I-1 Heavy Commercial And Light Industrial Zone at the existing structure at 925 N Birch St, Fayetteville, Arkansas (Parcel # **765-09495-000**). It is the owner's intent to operate a golf simulator facility of approximately 3,000 square feet including 5 simulator bays, a lounge, and a bar. Further site and operational details can be found below.

- (a) Building size in square feet; existing and proposed: 3,000 sq. ft existing.
- (b) Elevations of all exterior sides of structure: 1266.42 FFE
- (c) Number of off-street parking spaces/number required: 8 provided.
- (d) Hours of operation: Sunday – Thursday 9am-9pm, Friday-Saturday 9am-11pm  
Number of employees: Maximum of 5 hires  
Anticipated patrons per day: 50 (not all present at the same time)  
Anticipated patrons per peak hour 24 (maximum at one time)  
Noise will be minimal and not disrupt neighboring properties.
- (e) Outdoor lighting will be added along the front of the building and side of the building over the outdoor patio.
- (f) Noise will be minimal & not disrupt neighboring properties.
- (g) Screening or buffering: current desire is to maintain existing conditions of screening and buffering within the subdivision.
- (h) Trash and refuse service: plan to utilize roll carts.
- (i) Ingress and egress to the property: traffic will increase based on expected occupancy.
- (j) General compatibility of the proposed use with adjacent properties: Commercial recreation, small sites would integrate seamlessly with existing uses and businesses, creating a stronger recreation and entertainment destination that benefits all tenants through shared customer base and minimal operational conflicts.

Therefore, we are requesting that the above named property be approved for a Conditional Use Permit.

We are requesting the project be heard at the Fayetteville Planning Commission on March 4<sup>th</sup>, 2026.

Sincerely,

**Dylan Summerville**

Phillip Lewis Engineering

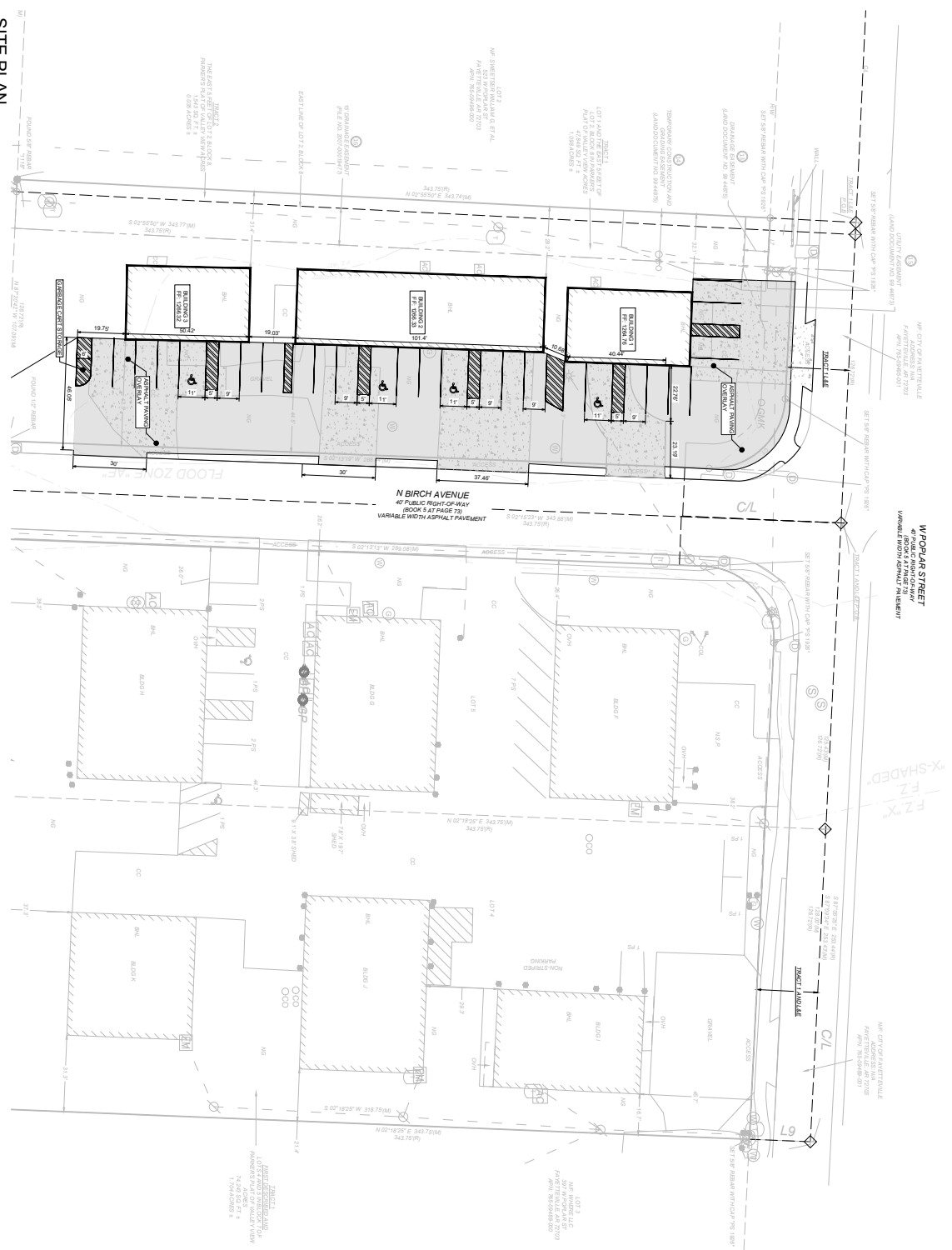
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Bryant, AR 72022

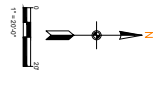
(501)-326-0662



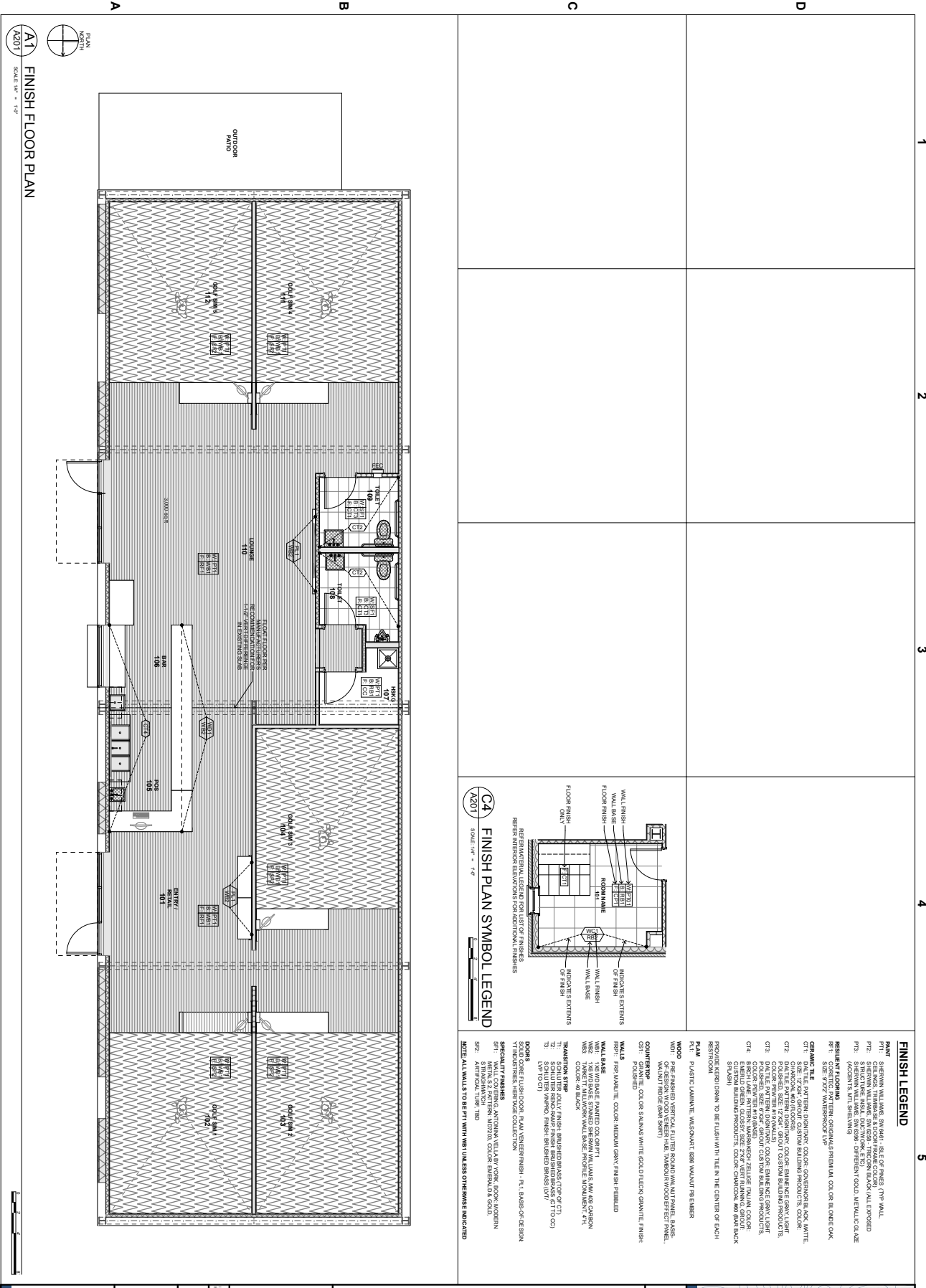
CONCEPT PLAN - NOT CURRENTLY UNDER REVIEW



- SITE PLAN**
1. ALL EXISTING CONCRETE TO BE OVERLAIN BY ASPHALT PAVING.
  2. ALL DIMENSIONS ARE TO THE FACE OF CURB AND/OR DOOR OR WALL UNIT UNLESS OTHERWISE NOTED.
  3. ALL DIMENSIONS ARE TO THE FACE OF CURB AND/OR DOOR OR WALL UNIT UNLESS OTHERWISE NOTED.
  4. CONSTRUCTION SHALL BE REMAINED IN THE RESPONSIBILITY OF THE CONTRACTOR OR OCCUPANT.
  5. ALL STORM WATER MANAGEMENT AND PAVING SHALL CONFORM TO THE REQUIREMENTS OF THE ARKANSAS DEPARTMENT OF TRANSPORTATION AND PAVING SHALL CONFORM TO THE REQUIREMENTS OF THE ARKANSAS DEPARTMENT OF TRANSPORTATION.
  6. ALL STORM WATER MANAGEMENT AND PAVING SHALL CONFORM TO THE REQUIREMENTS OF THE ARKANSAS DEPARTMENT OF TRANSPORTATION AND PAVING SHALL CONFORM TO THE REQUIREMENTS OF THE ARKANSAS DEPARTMENT OF TRANSPORTATION.



<p>Know your's below Call before you dig</p>	<p><b>N BIRCH DEVELOPMENT</b></p> <p>FAYETTEVILLE, ARKANSAS</p>		<p>PHILLIP LEWIS ENGINEERING, INC.</p> <p>Structural &amp; Civil Engineers</p> <p>23622 April 13, 2026 2501 S. 10th St., Fayetteville, AR 72703</p>
	<p>CUP-2026-0011 (MLK RETAIL PARTNERS LLC; 200 NW 742ND LLC)</p>		
<p>PROJECT NUMBER: C1.1</p>	<p>DATE: 04-13-2026</p>	<p>PROJECT TITLE: SITE PLAN</p>	<p>SHEET NUMBER: C1.1</p>



	11 HURST LYN BELLEVILLE, MO 63114 803.316.0752 bpa@bpa.com	<p>LEFLER CAPITAL  <b>LOOPER'S LOUNGE</b>          FAYETTEVILLE, AR</p>	<p>PROJECT ARCHITECT  <b>BRIAN PHILLIPS, AIA</b>          SHEET REVISION HISTORY          REVISION DATED 2/19/26</p>	JOB NUMBER      DATE <b>25.025</b> <b>2/13/26</b> SHEET NUMBER <b>A201</b> FINISH FLOOR PLAN
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**TO:** Fayetteville Planning Commission

**FROM:** Jessie Masters, Planning Director

**THRU:** Wesley Frank, Planner

**MEETING DATE:** April 13, 2026

**SUBJECT:** **CUP-2026-0012: Conditional Use Permit (2108 W. STONE ST/HJM INVESTMENTS, 520):** Submitted by ODYSSEY ENGINEERING for property located at 2108 W. STONE ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE, and contains approximately 0.81 acres. The request is for a 15-unit student housing development.

**RECOMMENDATION:**

Staff recommends approval of **CUP-2026-0012** with conditions.

**RECOMMENDED MOTION:**

*“I move to approve **CUP-2026-0012**, determining:*

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

**BACKGROUND:**

The subject property is in central Fayetteville, immediately north of Ramay Junior High School at the corner of S. Sang Ave and W. Stone St. The property is developed with a single-family home that was built in 1956. In total, the property contains about 0.81 of an acre and is currently RMF-24, Residential Multi-Family, 24 Units per Acre. The property is slightly encumbered by the Hillside/Hilltop Overlay District to the north. A site improvement plan (SIP-2026-0004) was submitted for a 15-unit student housing development at this site, and is under review. Surrounding land uses and zoning are depicted in *Table 1*.

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

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Multi-family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
South	Ramay Junior High School	P-1, Institutional
East	Single-family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
West	Multi-family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre

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

*Request:* The applicant requests approval of a conditional use permit to allow for the development of a private dormitory, Use Unit 48, which is a conditional use in the RMF-24 zoning district.

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

**RECOMMENDATION:** Staff recommends approval of **CUP-2026-0012** with the following conditions:

**Conditions of Approval:**

1. **Planning Commission determination of compatibility with adjacent properties.**  
*Staff finds the proposed private dormitory to be compatible based on the findings contained herein;*
2. Any necessary improvements to water, sewer, or streets, will be determined at the time of development entitlement;
3. Nearby bus stops and any necessary improvements to them based on the impact of this proposal shall be evaluated at the time of development;
4. Compliance with UDC §166.23, Urban Residential Design Standards shall be fully reviewed at the time of large-scale development;
5. All outdoor lighting shall meet the requirements as outlined in UDC Chapter 176, Outdoor Lighting; and
6. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs.

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<b>PLANNING COMMISSION ACTION:</b>	<b>Required</b>	<b><u>YES</u></b>	
<b>Date:</b> <u>April 13, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
<b>Motion:</b>			
<b>Second:</b>			
<b>Vote:</b>			

**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 Use Unit 48: Private Dormitories in the RMF-24 zoning district.

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

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

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

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

**Finding:** The Planning Commission is empowered under UDC §161.16 to grant the requested conditional use permit to allow Use Unit 48 in the RMF-24 zoning district.

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

**Finding:** Staff find that granting the requested conditional use is not likely to adversely affect public interest. Student housing is defined as a shared living space and cooking area with three or more private bedrooms with their own bathroom. Per Ordinance 6879, private dormitories were classified as Use Unit 48, a conditional use, in response to the sharp increase of student-oriented housing developments that have impacted the city's infrastructure and local area's character. Requiring Use Unit 48 to be listed as conditional use allows for additional review to determine infill and transportation impact as well as how it addresses the City's housing needs.

The area is developed with multiple multi-family developments, highlighting consistency with the area's character, and is located in an area that has been historically student-oriented housing. The area's infrastructure, nearby multi-family and student-oriented developments, and future land use map appear to suggest that a private dormitory will be compatible at this location. The property is already zoned for multi-family development (RMF-24); a conditional use permit would not be necessary if a developer chose to construct a building that did not meet the definition of a private dormitory as outlined in code. Given this and the additional scrutiny availed to the public and the Commission about this proposal, staff find that the public interest is protected.

(c.) The Planning Commission shall certify:

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

**Finding:** There are specific rules governing private dormitories:

**§161.16 Private Dormitories.** Private Dormitories may be allowed as a conditional use where they are permitted subject to the following conditions:

- A. **Subject to Residential Parking Standards.** Dormitories shall be subject to Section 172 — Parking and Loading and shall be subject to residential parking requirements.

**Finding:** Multi-family developments, including student housing projects, are required to meet a parking ratio of one space per bedroom. The development is intending to have 60 bedrooms, which would require 60 parking spaces. As outlined in 172.05(B)(1)(b), the developer has the by-right allowance to reduce the total required spaces by 20%, resulting in 48 spaces. To accommodate this decrease, the applicant is using alternative transportation options to lessen the impact caused by this reduction.

- B. **Neighborhood Compatibility.** General compatibility with adjacent properties and surrounding neighborhood will be measured by analyzing surrounding land uses, scale, neighborhood character, and concentration of other student-oriented developments. The ground level street frontage may be required to be designed for active ground floor uses that are not residential, such as civic, retail, restaurant, or working spaces.

**Finding:** Staff finds the applicant's request is compatible with surrounding land uses. The subject property is in a mixed-use area with multi-family developments to the north and west, and a variety of residential types to the south and east, and Ramay Junior High School to the south. Mixed-dwelling developments began largely in 1965 and with similarly scaled multi-family developments in 1998. The subject area is developed with student-oriented residential units within close proximity of the University of Arkansas, 1,600 feet to the east of the subject property. Although the area is mixed-income and mixed-demographic with the Lewis Plaza public housing complex to the east, developing an additional student-oriented development is not likely to overburden the area due to the existing housing intended for students. To the north was the proposed Haskall Heights residential development (PZD-2024-0006 & PZD-2025-0004), which would have included potential for student-oriented housing. Staff supported this proposed planned zoning district to allow for this development though was denied by Planning Commission citing development concerns. This proposal is smaller in scale and would have a lessened impact on the area compared to the Haskall Heights proposal, whose subject property was 34 acres. The City's Future Land Use designates this area as City Neighborhood which calls for high-density development. Aside from 6 on-street parking spaces that the public can use, no other uses that may benefit the overall public – public space or mixed-use - have been proposed by the applicant.

- C. **Traffic and Infrastructure Impacts.** The project developer shall provide a traffic and infrastructure impact assessment and management plan that

demonstrates the project will not unreasonably burden street or transit networks and that the existing street, sidewalk, bike, and bus infrastructure is sufficient to support the proposed bedroom density per acre.

**Finding:** The applicant did not provide an initial site analysis identifying available bus routes and trail access; however, staff does not expect one at this time given the size of the development. Staff does not anticipate substantial traffic generation from the proposed development that would impact the area. Given the available street networks, staff finds the applicant's request will not unreasonably burden the existing infrastructure. Existing street corridors appear to be adequate to service this development, though street improvement recommendations for the site will be finalized during the entitlement process.

(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:** Vehicular access is proposed from curb cuts along S. Sang Ave to the north and W. Stone St to the south, and both appear to meet relevant separation distance requirements. Pedestrian paths appear throughout the site plan. Any necessary fire access or traffic control would be further evaluated at the time of permitting but given the availability of ingress and egress that access existing street networks, staff does not anticipate any issues that could not be addressed during development.

(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:** Off-street parking will primarily be provided in garages with others being provided by designated parking spaces, which are oriented away from nearby properties, preventing spillover. Staff find that typical requirements in code for screening will help offset any nuisance issues that could arise unintended effects, and typical drainage and water quality requirements will have to be met for the added impervious surface.

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

**Finding:** The applicant intends to use a dumpster for the development's trash collection. Screening will be required for this dumpster per City requirements.

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

**Finding:** There is a 24-inch water line along the east side of the property; a 2.25-inch line along the south; and a 6-inch line along the southeast of the property. There is a 6-inch sewer line available to the site at the south side of the property. During entitlement review, any connection will be analyzed to determine if these lines are adequate or if additional improvements are needed.

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

**Finding:** Staff does not recommend any screening beyond what would be required in code, with particular focus on the proposed surface parking lots and any proposed trash receptacles or mechanical equipment.

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

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

(g.) Required yards and other open space;

**Finding:** Based on the applicant's submittal, the proposed structure will adhere to the build-to-zone requirements in the RMF-24 zoning district. Full compliance with the City's tree preservation and landscape requirements will be evaluated at the time of development submittal.

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

**Finding:** Staff finds the applicant's request to be compatible with adjacent properties. Several mixed-density residential buildings and multi-family developments exist surrounding this property making this proposed housing type and design consistent with the character of the surrounding area. Design standards for multi-family residential developments will also apply.

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

**Finding:** Staff finds that the proposed use generally aligns with the goals and intent of the city's adopted land use plans. Goal 6 of City Plan 2040 encourages the provision of a wide range of housing types to encourage housing affordability and diversity. While private dormitories do not address the City's affordable housing needs, approving private dormitories in suitable areas may help contribute to the overall provision of housing in the City. By allowing additional student housing closer to the University, the traffic impact is lessened due to the lessened reliance on personal vehicle

transportation needs. City Plan 2040's Future Land Use Map also designates this site as City Neighborhood Area, indicating that it is also an appropriate location for higher-density residential development.

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**BUDGET/STAFF IMPACT:**

None

**ATTACHMENTS:**

- Ordinance 6879
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Student Housing Proximity Map
- Engineering Memo
- Applicant Exhibits
  - Request Letter
  - Site Plan
  - Floor Plan



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

**Ordinance: 6879**

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**File Number: 2025-628**

**AN ORDINANCE TO AMEND § 151.01 DEFINITIONS, CHAPTER 161 ZONING REGULATIONS, § 162.01 ESTABLISHMENT/LISTING, § 164.11 HEIGHT OR SETBACK REGULATIONS; EXCEPTIONS AND HOME PROTECTION REQUIREMENTS; AND § 172.05 STANDARDS FOR THE NUMBER OF SPACES BY USE OF THE UNIFIED DEVELOPMENT CODE, AND TO ENACT § 163.19 PRIVATE DORMITORIES TO ESTABLISH REGULATIONS FOR PRIVATE DORMITORIES AS A NEW CONDITIONAL USE, AND TO DECLARE AN EMERGENCY**

**WHEREAS**, on April 2, 2024, the City Council unanimously adopted Resolution 117-24 to declare a housing crisis, and stated our desire for “a full range of housing stock in a variety of forms and price points”; and

**WHEREAS**, the City Council has budgeted \$650,000 for the creation of a new Downtown Master Plan to update the design goals and long-term infrastructure needs in the heart of the City that will be completed this year; and

**WHEREAS**, City Plan 2040 adopted goals of appropriate infill and revitalization, a livable transportation network, and opportunities for attainable housing and use conditions are an effective way to align development outcomes with those stated goals; and

**WHEREAS**, the redevelopment of existing neighborhoods may result in the loss of affordable housing and/or the displacement of residents; and

**WHEREAS**, the private market has been providing off-campus housing for students enrolled at the University of Arkansas since the university’s establishment in 1871; and

**WHEREAS**, the University of Arkansas has increased enrollment from 17,269 students in fall 2004 to 33,610 students in fall 2024 while providing approximately 6,200 beds on campus; and

**WHEREAS**, large apartment buildings designed as private dormitories and marketed to student occupants have become the private market response to the demand for additional student housing, and that demand is expected to increase as student enrollment increases, thus initiating a definition for this new housing type in the city with associated zoning and development requirements.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby amends § 151.01 **Definitions** by amending the current definition of dormitory and enacting a new definition of private dormitory as follows:

*“Dormitory, Institutional (zoning). A building or group of buildings designed or altered for the purpose of accommodating students or members of religious orders with sleeping quarters, with or without communal kitchen*

facilities, and administered by educational or religious institutions.

*“Dormitory, Private (zoning). A building or group of buildings not located on an academic or religious campus that provides housing for students of those institutions. Units generally consist of suites with shared living and cooking areas and three or more private bedrooms, each with its own bathroom. Private dormitories shall be treated as multi-family for the purpose of zoning and development regulations where it is not separately identified.”*

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends the following sections in Chapter 161 **Zoning Regulations** by inserting **Use Unit 48 - Private Dormitories** as a conditional use in subsection (B)(2) for the following zoning districts:

- 161.12 District RI-U, Residential Intermediate-Urban
- 161.13 District RMF-6, Residential Multi-Family – Six (6) Units Per Acre
- 161.14 District RMF-12, Residential Multi-Family – Twelve (12) Units Per Acre
- 161.15 District RMF-18, Residential Multi-Family – Eighteen (18) Units Per Acre
- 161.16 District RMF-24, Residential Multi-Family – Twenty-Four (24) Units Per Acre
- 161.17 District RMF-40, Residential Multi-Family – Forty (40) Units Per Acre
- 161.18 NS-L, Neighborhood Services – Limited
- 161.19 NS-G, Neighborhood Services – General
- 161.20 District R-O, Residential Office
- 161.22 Community Services
- 161.24 Urban Thoroughfare
- 161.25 District C-3, Central Commercial
- 161.26 Downtown Core
- 161.27 Main Street/Center
- 161.28 Downtown General
- 161.32 District P-1, Institutional
- 161.36 Urban Corridor
- 161.37 Urban Neighborhood

Section 3: That the City Council of the City of Fayetteville, Arkansas hereby amends § 162.01 Establishment/Listing by: 1) adding Unit 48 – Private Dormitories to the introductory table; 2) changing Dormitory under subsection (D) Unit 4 to “Institutional Dormitory”; 3) striking Dormitory under subsection (AA) Unit 26. Multi-Family Dwellings; and 4) enacting a new subsection (WW) for private dormitories as follows:

*“(WW) Unit 48. Private dormitories.*

(1) *Description.* Unit 48 consists of uses related to facilities constructed for the purpose of housing students.

(2) *Included Uses.*

Private dormitories

Section 4: That the City Council of the City of Fayetteville, Arkansas hereby enacts § 163.19 **Private Dormitories** as follows:

“163.19 Private Dormitories

*Private Dormitories.* Private Dormitories may be allowed as a conditional use where they are permitted subject to the following conditions:

(A) *Subject to Residential Parking Standards.* Dormitories shall be subject to Section 172 – Parking and Loading and shall be subject to residential parking requirements.

(B) *Neighborhood Compatibility.* General compatibility with adjacent properties and surrounding neighborhood will be measured by analyzing surrounding land uses, scale, neighborhood character, and concentration of other student-oriented developments. The ground level street frontage may be required to be designed for active ground floor uses that are not residential, such as civic, retail, restaurant, or working spaces.

(C) *Traffic and Infrastructure Impacts.* The project developer shall provide a traffic and infrastructure impact assessment and management plan that demonstrates the project will not unreasonably burden street or transit networks and that the existing street, sidewalk, bike, and bus infrastructure is sufficient to support the proposed bedroom density per acre.

Section 5: That the City Council of the City of Fayetteville, Arkansas hereby amends § 164.11 **Height or Setback Regulations; Exceptions and Home Protection Requirements** by inserting “private dormitory” in the first sentence of subsection (C) following “new multifamily.”

Section 6: That the City Council of the City of Fayetteville, Arkansas hereby amends § 172.04 **Standards for the Number of Spaces by Use** by changing “College dormitory” to “Institutional dormitory” in Table 3, Public and Institutional Uses.

Section 7: Emergency Clause: That the City Council of the City of Fayetteville, Arkansas hereby determines that this ordinance should become effective without delay because the University of Arkansas has increased enrollment from 17,269 students in fall 2004 to 33,610 students in fall 2024 while providing only approximately 6,200 beds on campus. As a result, large apartment buildings designed as private dormitories marketed to student occupants have become the private market response to the demand for additional student housing, the demand for which is expected to increase as student enrollment increases, which has created a need to define this new housing type in the city with associated zoning and development requirements. Furthermore, the redevelopment of existing neighborhoods may result in the loss of affordable housing and the displacement of current residents. Therefore, passage of this ordinance is necessary for the public peace as well as the health and safety of Fayetteville residents and the City Council hereby declares an emergency exists such that this ordinance shall become effective immediately upon its passage and approval.

PASSED and APPROVED on May 20, 2025

**Approved:**



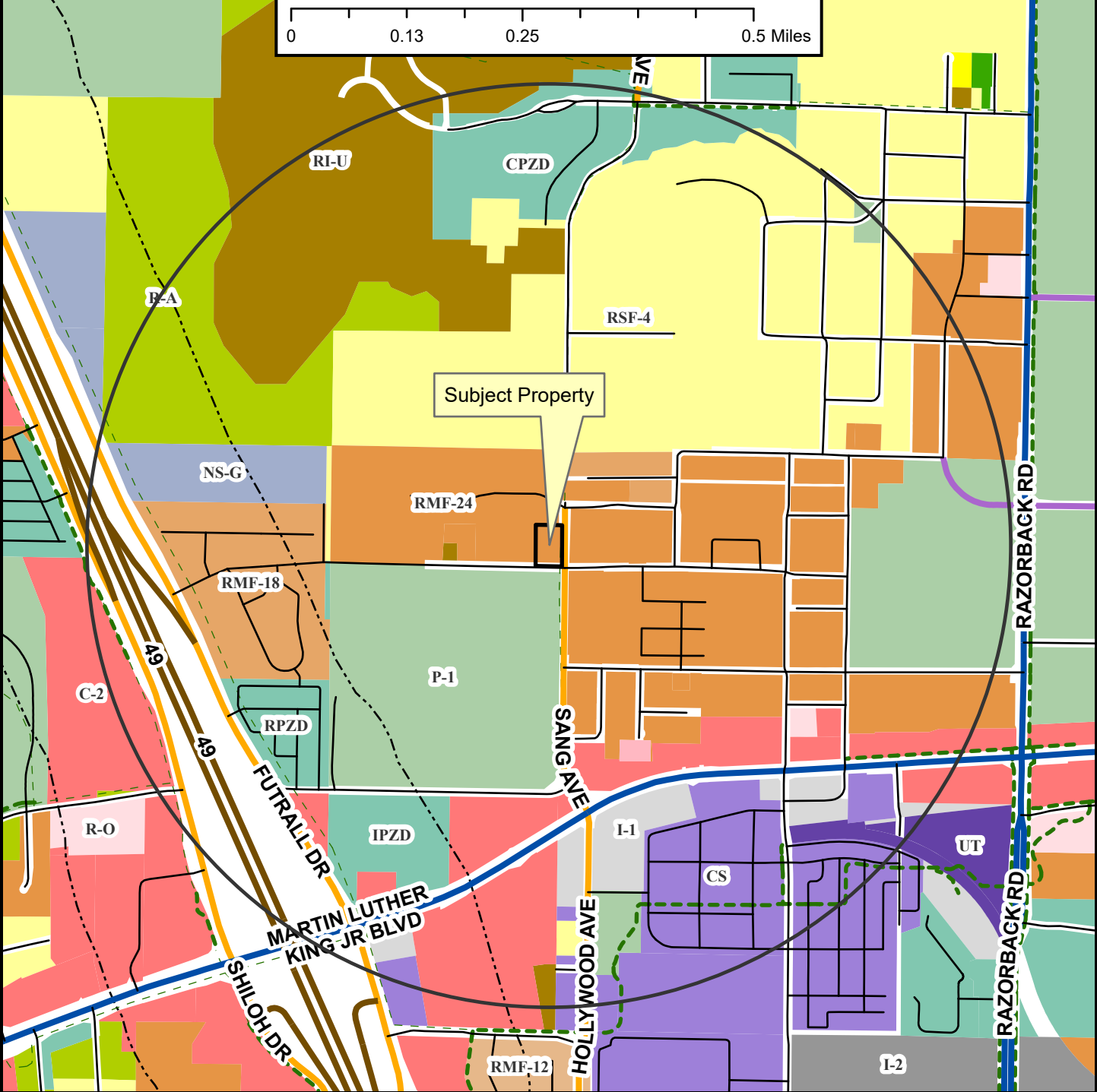
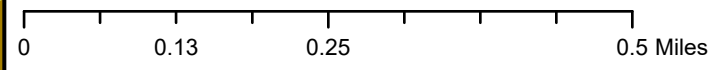
Molly Rawn, Mayor

**Attest:**

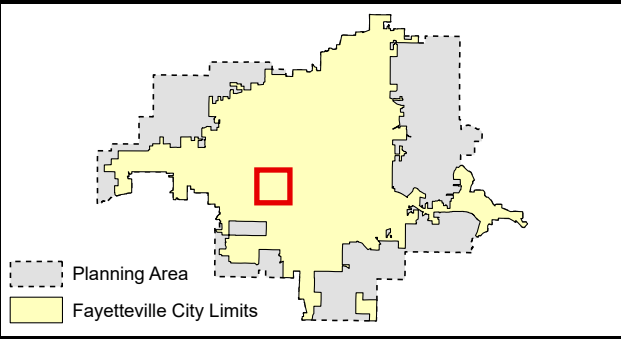


Kara Paxton, City Clerk Treasurer

This publication was paid for by the City Clerk-Treasurer of the City of Fayetteville, Arkansas. Amount Paid: \$568.48



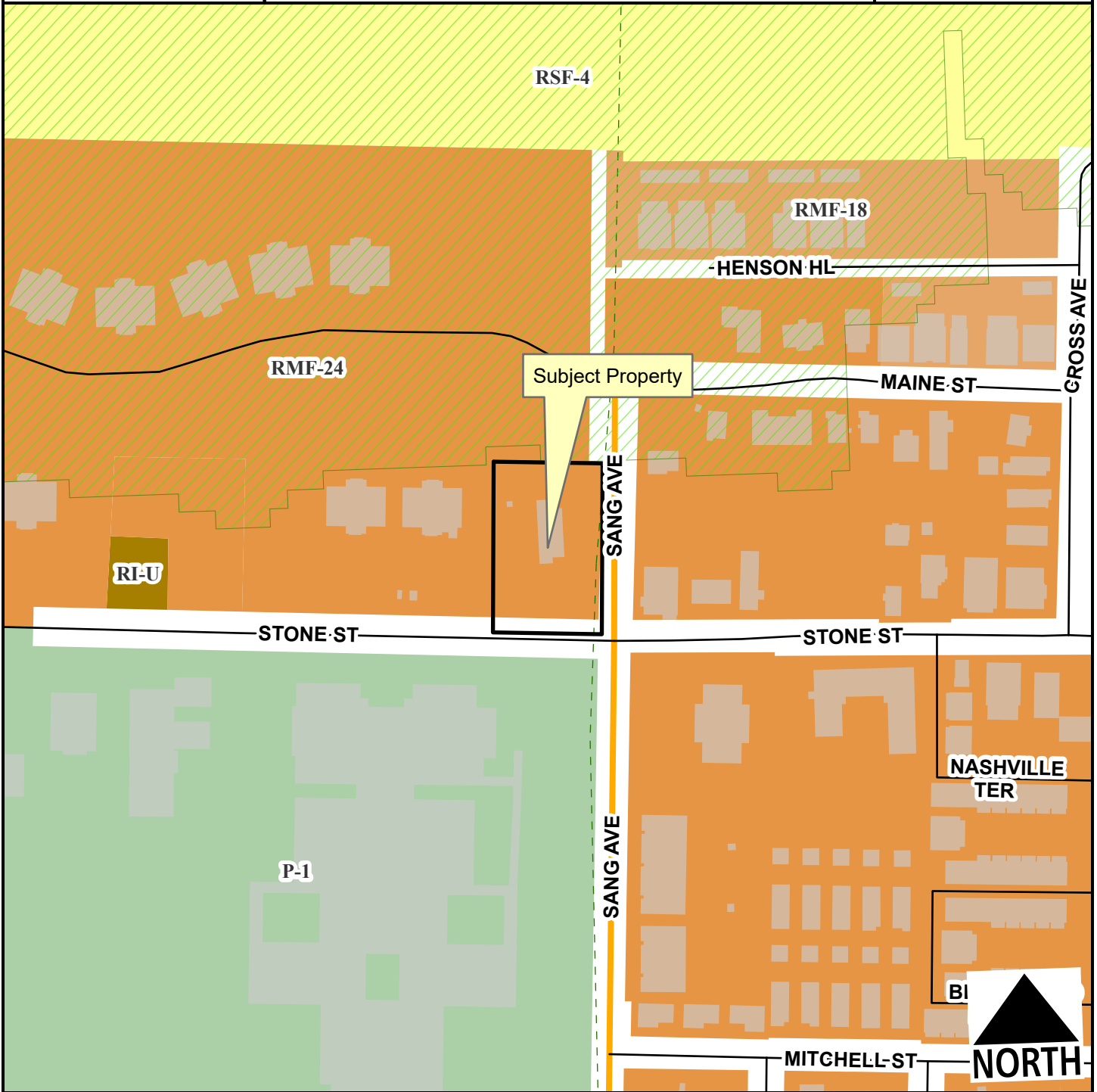
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



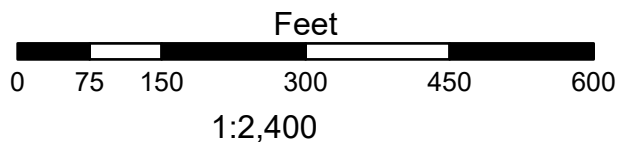
CUP-2026-0012

# 2108 W. STONE ST

Close Up View



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



CUP-2026-0012








2108 W. STONE ST

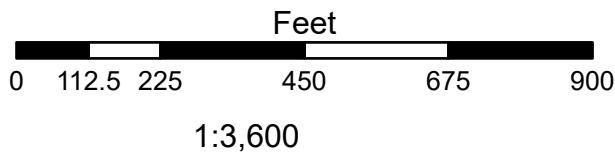


Current Land Use





2025 Imagery | EagleView Technologies | Surdex Corporation

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



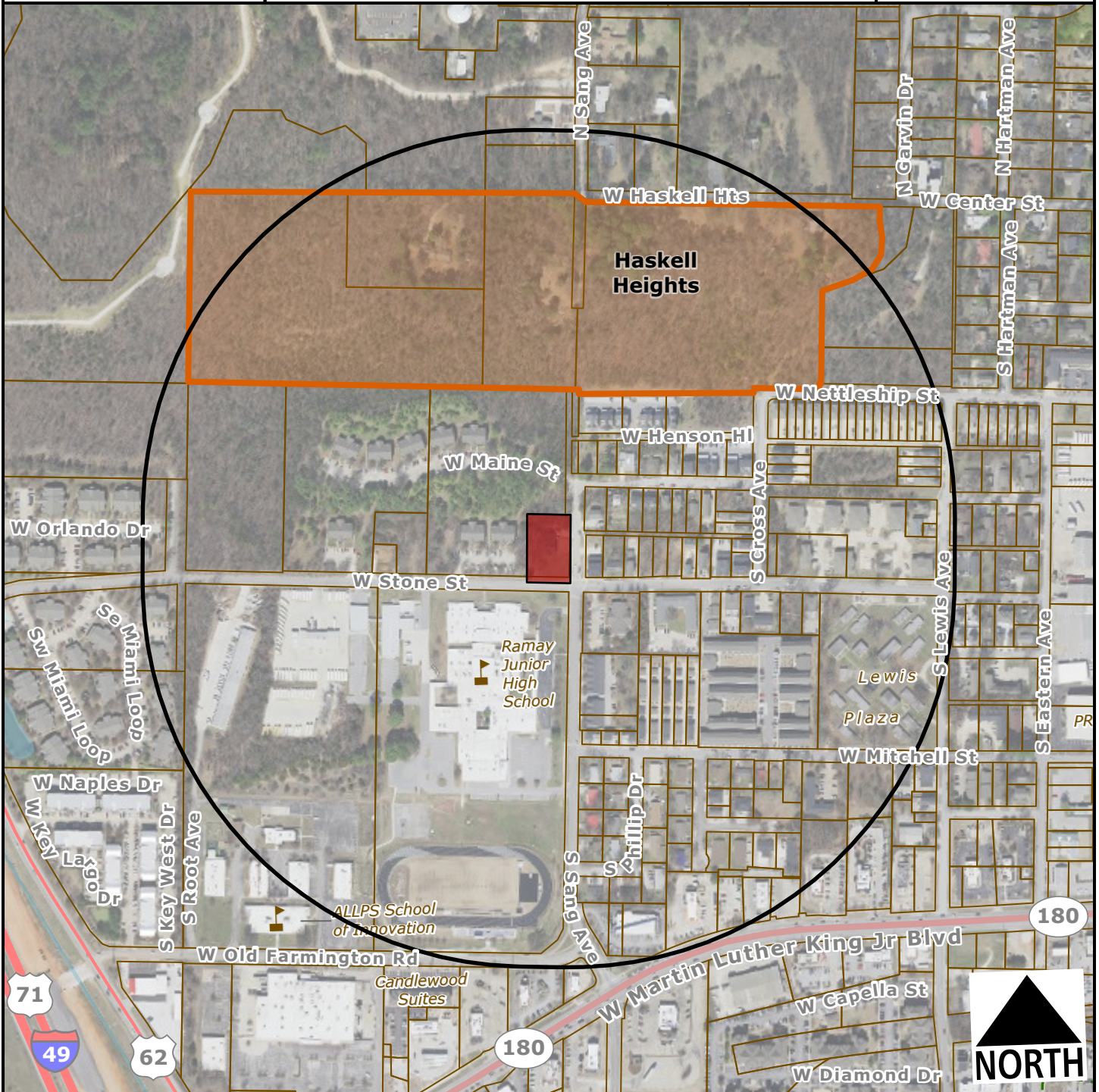
**FEMA Flood Hazard Data**

-  100-Year Floodplain
-  Floodway

CUP-2026-0012

# 2108 W. STONE ST

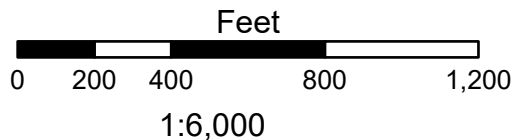
Purpose-Built Student Housing (PBSH) Within 1/4 Mile



Subject Property

### PBSH

- Conceptual
- In Review
- Under Construction
- Completed
- Denied



### PBSH Within 1/4 Mile

Conceptual: 0  
 In Review: 0  
 Under Construction: 0  
 Completed: 0  
 Denied: 1





**TO:** Wesley Frank, Planner

**FROM:** Justin Bland, Engineering Development Review Manager

**DATE:** April 7, 2026

**SUBJECT: Planning Commission Engineering Comments for  
CUP-2026-0012**

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**Water:** There is currently a 24" water line along the east side of the property, a 2.25" water line along the south side and a 6" water line to the southeast side of the property. These existing lines should be adequate to provide domestic and fire flow service.

**Sewer:** There is an existing 6" sewer line across the south side of the site which appears to be adequate to serve this property.

**Streets:** On the east side of the site, Sang Ave. is an improved asphalt street with curb and gutter and sidewalks. On the south side of the site, Stone St. is an improved asphalt street with curb and gutter, and sidewalks. Street improvement recommendations for the site will be finalized during the entitlement phase, however, these existing street corridors appear to be adequate to service this development.

That applicant did not provide a traffic study for this project; however, it would not typically be expected for this size of development. Staff is confident that the small volume of traffic generated by this project can be accommodated by the existing street grid in the area.

April 9, 2026

Dear Planning Commission Members,

On behalf of the property owner, we respectfully submit this letter in support of a Conditional Use Permit request for use unit-48 for a proposed private dormitory multi-family development on the subject property, currently zoned RMF-24.

**(a) Building Size – Existing and Proposed**

The existing structure on the property is a single-family residence, which will be demolished as part of this project. The proposed development consists of two multifamily buildings:

- One eight-unit (8-plex) building, with each unit containing four (4) bedrooms and four (4) bathrooms.
- One seven-unit (7-plex) building, with each unit containing four (4) bedrooms and four (4) bathrooms.

(Exact square footages for each building are provided on the submitted plans.)

**(b) Color Elevations**

Color elevations of all exterior sides of both proposed buildings have been provided with the Site Improvement Plan (SIP) submittal.

**(c) Parking – Provided vs. Required**

Each unit will include a two-car garage. Select units will also have two-car driveways. In addition, six (6) on-street parking spaces are available along the adjacent frontage. The development also provides two (2) additional off-street parking spaces and on-site bicycle racks to accommodate alternative transportation options.

The proposed development includes a total of 60 bedrooms, which would typically require 60 parking spaces under Table 3. The applicant is requesting utilization of the 20% parking reduction and has provided a parking plan demonstrating that adequate parking will be available without negatively impacting surrounding properties or creating unsafe traffic conditions. The project provides 30 off-street parking spaces within two-car garages, two off street parking spaces, and 6 on-street parking spaces along the adjacent street, which has an existing 27-foot width that safely accommodates on-street parking while maintaining adequate travel lanes and emergency access. In addition, the development incorporates two bicycle racks on-site to encourage alternative transportation. The property is also located within approximately 1000 feet of two Razorback Transit stops, providing convenient access to public transportation and reducing reliance on personal vehicles. Based on the availability of garage parking, safe on-street parking capacity, bicycle accommodations, and immediate proximity to public transit, the applicant believes the proposed parking supply will adequately serve the residential use without creating adverse impacts on adjacent properties or surrounding neighborhoods.

**(e) Outdoor Lighting**

All exterior lighting will be full cutoff (BUG-rated) fixtures designed to minimize glare and light spill. No parking lot pole lighting is proposed. Lighting will be residential in character and designed to avoid impact on adjacent properties.

**(f) Noise**

No unusual or commercial noise-generating activities are anticipated. The development is expected to generate only typical residential noise consistent with surrounding multifamily properties.

**(g) Screening and Buffering**

No additional screening or buffering is proposed. The property is surrounded by existing multifamily development, and the proposed use is consistent with the established character of the area.

**(h) Trash and Refuse Service**

The property will have an on-site dumpster enclosure for solid waste.

**(i) Ingress, Egress, and Traffic Impacts**

The property will have two points of access: one from Stone Street and one from Sang Avenue. Both access points are located an appropriate distance from nearby intersections to ensure safe vehicular movement. Based on the scale and residential nature of the project, no significant traffic impacts are anticipated.

**(j) Compatibility with Adjacent Properties**

The property is zoned RMF-24 and is surrounded by existing multifamily development. A junior high school is located across the street to the south, and the site is within approximately 2,000 linear feet of the University of Arkansas. Given the surrounding land uses and proximity to the university, the proposed density and building type are consistent with the established development pattern in the area. The project supports infill development in an already urbanized corridor and aligns with the intended character of the zoning district.

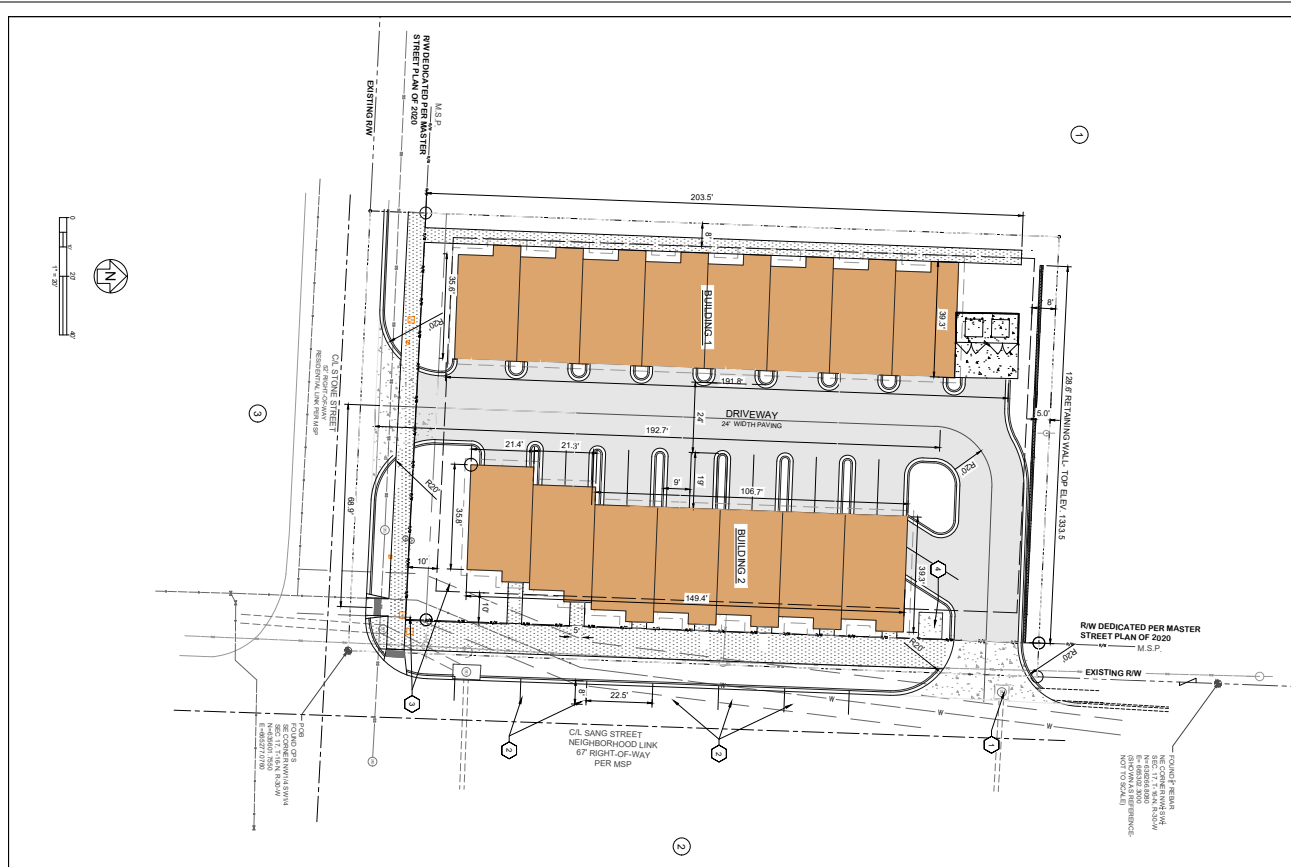
For these reasons, we respectfully request approval of the Conditional Use Permit.

Sincerely,



---

Jake Chavis



**LEGEND**

- EXISTING PROPERTY LINE
- EXISTING EASEMENT
- EXISTING PAVEMENT
- EXISTING CURB
- SETBACK LINE
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING UNDERGROUND ELECTRIC
- EXISTING ELECTRIC POLE
- EXISTING WATER LINE
- EXISTING HYDRANT
- EXISTING VALVE
- EXISTING GAS LINE
- EXISTING SEWER LINE
- EXISTING SEWER MANHOLE
- EXISTING STORM SEWER
- CONTROL POINT
- PROPOSED PROPERTY LINE
- PROPOSED EASEMENT
- PROPOSED SIDEWALK
- PROPOSED CURB & GUTTER
- PROPOSED WATER LINE
- PROPOSED HYDRANT
- PROPOSED VALVE
- PROPOSED SEWER LINE
- PROPOSED SEWER MANHOLE
- PROPOSED STORM SEWER
- PROPOSED STORM STRUCTURES
- PROPOSED STREET LIGHT
- PROPOSED SIGN
- PROPOSED CONCRETE
- PROPOSED BUILDING
- PROPOSED ASPHALT PAVING

**ADJACENT PROPERTY OWNER INFORMATION**

#	PARCEL #	ADJACENT PROPERTY OWNER	ZONING
1	86-1848-00	WILL LOGG BOND INVESTMENT SERVICES	CD
2	86-1848-00	FAYETTEVILLE CITY	CD
3	86-1848-00	FAYETTEVILLE CITY	CD
4	86-1848-00	FAYETTEVILLE CITY	CD

**KEYNOTES**

- CONVERT EXISTING STORM BOX LID TO GRATE INLET
- CONSTRUCT NEW ON-STREET PARKING (6 SPACES)
- EXISTING WATER EASEMENT # 86-04-7856
- CONSTRUCT 8' X 9' BIKE RACK PAD PER CITY OF FAYETTEVILLE REQUIREMENTS

**AREA OF IMPERVIOUS PAVING:**  
ASPHALT PAVING - 873 SF

**FOUNDATION REQUIREMENTS:**  
MULTIFAMILY (1 SPACE PER BEDROOM REQUIRED)

**PARKING REQUIREMENTS:**

# OF BEDROOMS	TOTAL # OF BEDROOMS (SPACES REQUIRED)	MINIMUM REQUIRED (SPACES REQUIRED)	MINIMUM REQUIRED (SPACES REQUIRED)
60	60	48	48
12	72	30	30
2	62	2	2
48	110	48	48

**BUILDING FRONTAGE CALCULATIONS**

STONE (SQ FT)	55' @ (86.00) = 4,730	148' @ (86.00) = 12,708	TOTAL = 17,438
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**ADDITIONAL INFORMATION:**

- ALL WORK, MATERIALS, AND DETAILS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE CITY OF FAYETTEVILLE SPECIFICATIONS.
- ALL TIMES DURING CONSTRUCTION SHALL BE ON SITE AT ALL TIMES DURING CONSTRUCTION FOR REFERENCE.
- EXISTING UTILITY LOCATIONS SHALL BE IN ACCORDANCE WITH ALL LOCAL REGULATIONS AND GUIDELINES.
- ON-SITE NETWORK OF OBSERVATION: NAVSTAR VERTICAL DATUM
- BASIS OF BEARING: GRS OBSERVATION, ANGLE NORTH ZONE MAGNETIC (2011) HORIZONTAL DATUM
- BASIS OF ELEVATION: ON-SITE NETWORK OF OBSERVATION, NAVSTAR VERTICAL DATUM
- FLOOD CERTIFICATION: NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X-CORNER INSURANCE RATE MAP FOR WASHINGTON COUNTY, ARKANSAS (PREPARED BY: 803-542-0000, DATE: 01/20/2024)

**ODYSSEY ENGINEERING**  
117 PARKWOOD STREET, SUITE 101  
LOWELL, AR 72745  
(479) 631-2031  
AR COA # 4188

**STONE STREET TOWNHOMES PRELIMINARY**  
2108 W. STONE STREET  
FAYETTEVILLE, AR 72704

**REVISIONS**

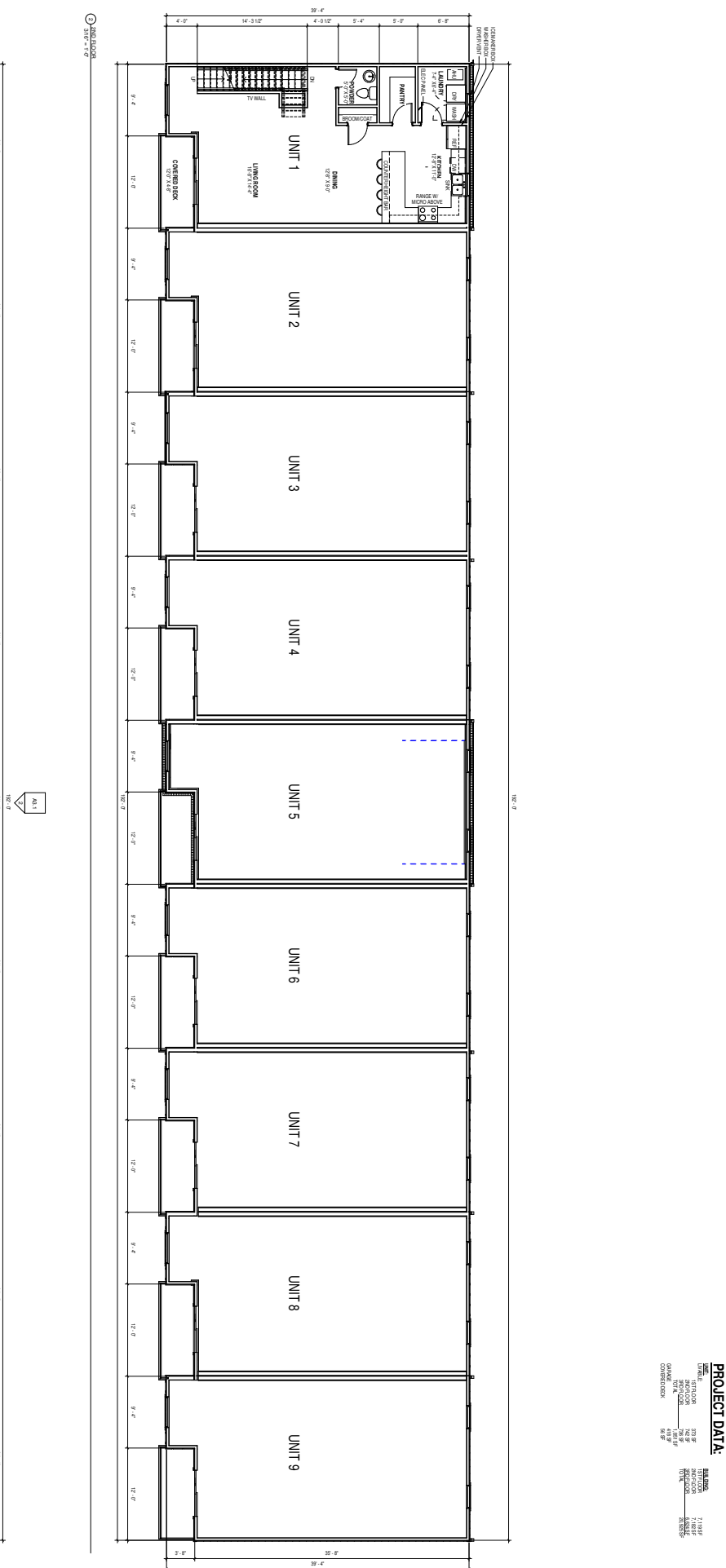
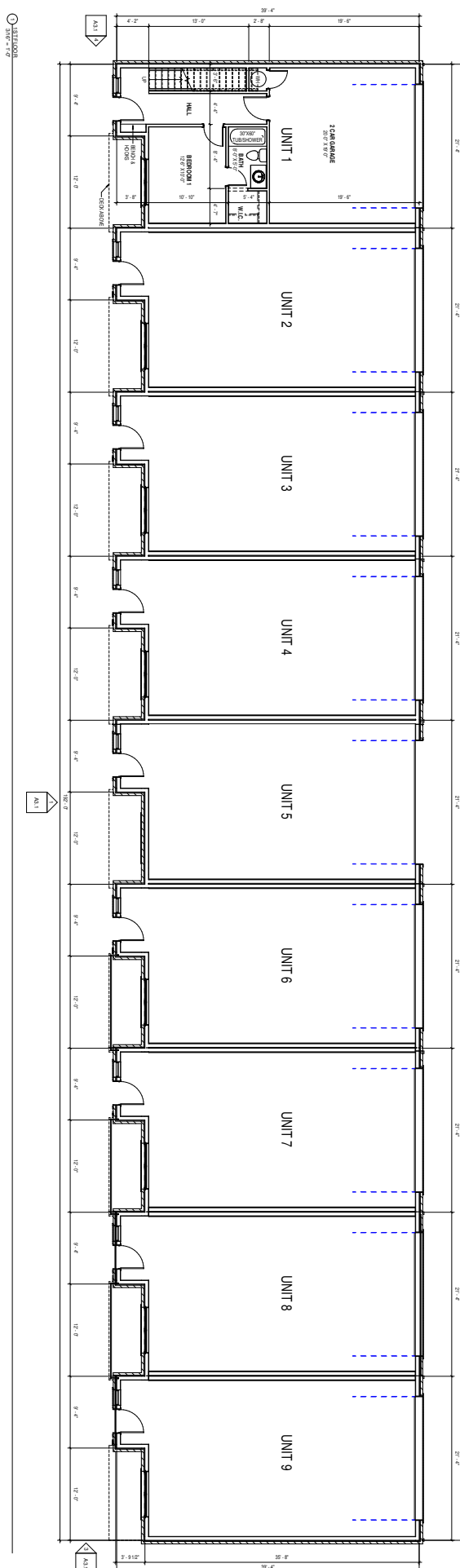
NO.	DATE	PER CITY	REVISION/COMMENTS
1	3/14/2025		

**PROFESSIONAL SEAL**

Planning Commission  
April 13, 2026

CUP-2026-0012 (HJM INVESTMENTS)  
Page 18 of 24

**PROJECT NO.:** 18200000000000000000  
**COMPILED BY:** JH  
**SHEET NAME:** C  
**SHEET NO.:** C1.0



**PROJECT DATA**

UNIT #	1	DATE	7/18/24
PROJECT #	25-037	SCALE	3/16" = 1'-0"
OWNER	STONE ST TOWNHOMES	DRAWN BY	DS
DESIGNER	SIDES ARCHITECTURAL	CHECKED BY	DS
DATE	7/18/24	PROJECT #	25-037
SCALE	3/16" = 1'-0"	OWNER	STONE ST TOWNHOMES
DRAWN BY	DS	DESIGNER	SIDES ARCHITECTURAL
CHECKED BY	DS	DATE	7/18/24

**STONE ST TOWNHOMES BUILDING ONE**

2108 W STONE ST  
FAYETTEVILLE, AR 72701

Planning Commission  
 April 13, 2026  
 CUP-2026-0012 (HUNTSVILLE INVESTMENTS)

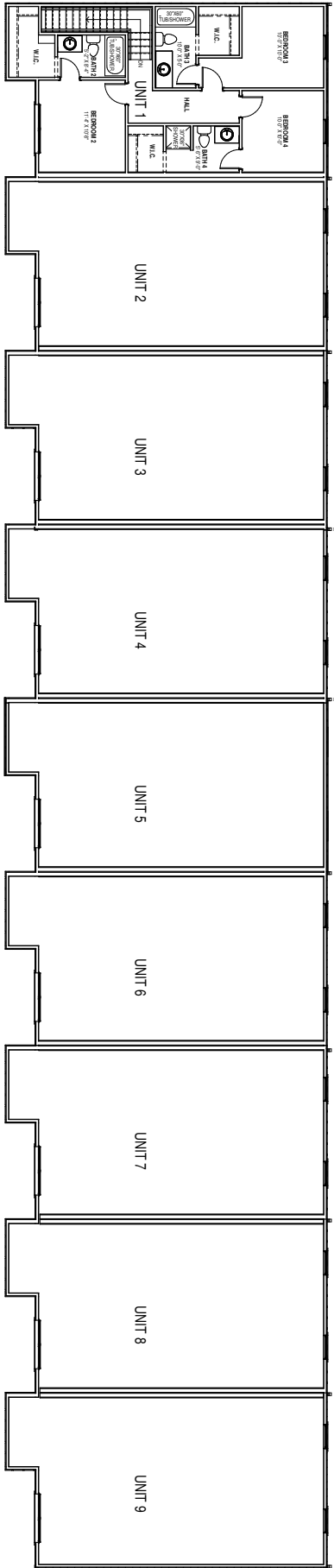
**SHEET: A2.1**

Architectural Floor Plans

PROJECT #:	25-037
SCALE:	3/16" = 1'-0"
DATE:	3.3.2026
DRAWN BY:	DS
CHECKED BY:	DS

Documents prepared by Sides Architectural Design are to be used only for the specific project and specific use to which they are intended. Any extension of use to other projects, by owner or other party, without the expressed, written consent of Sides Architectural Design is done at the user's own risk. If used in a way other than that specifically intended, user will hold Sides Architectural Design harmless from all claims and losses.

0.11.25  
 3.11.25  
 3.11.25



STONE ST TOWNHOMES BUILDING ONE

2108 W STONE ST  
 FAYETTEVILLE, AR 72701

PROJECT #:	25-037
SCALE:	3/16" = 1'-0"
DATE:	3.3.2026
DRAWN BY:	DS
CHECKED BY:	DS

Documents prepared by Sides Architectural Design are to be used only for the specific project and specific use to which they are intended. Any extension of use to other projects, by owner or any other party, without the expressed, written consent of Sides Architectural Design is done at the user's own risk. If used in a way other than that specifically intended, user will hold Sides Architectural Design harmless from all claims and losses.

SHEET: **A2.2**  
 ARCHITECTURAL FLOOR PLANS

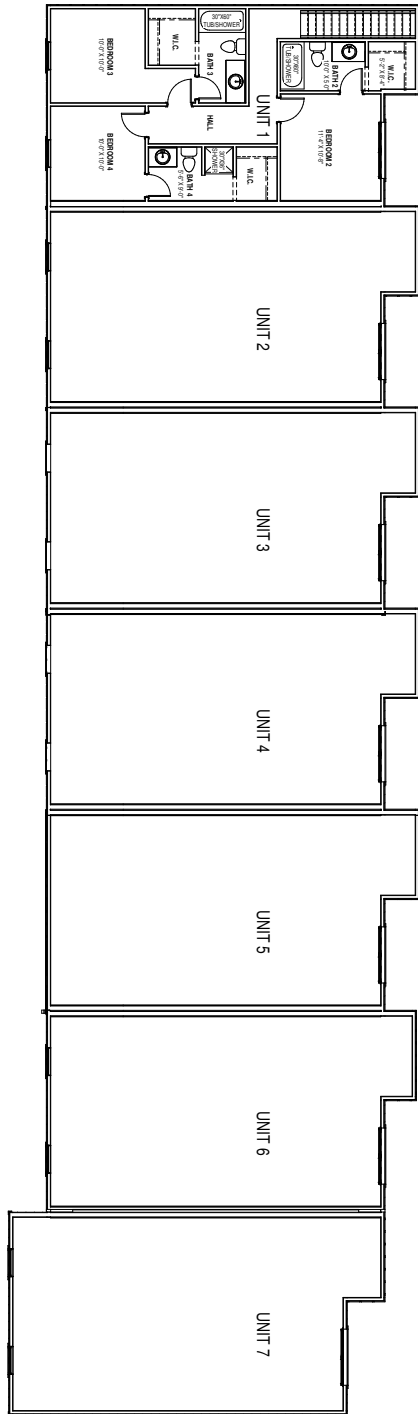
Planning Commission  
 April 13, 2026  
 CUP-2026-0012 (HUNTSVILLE INVESTMENTS)

DESIGN  
 120' 100' 50' 25'  
 1" = 10'





SECTION  
SHEET 1 OF 2



STONE ST TOWNHOMES BUILDING TWO

PROJECT #:	25-037
SCALE:	3/16" = 1'-0"
DATE:	3.3.2026
DRAWN BY:	Author
CHECKED BY:	Checker

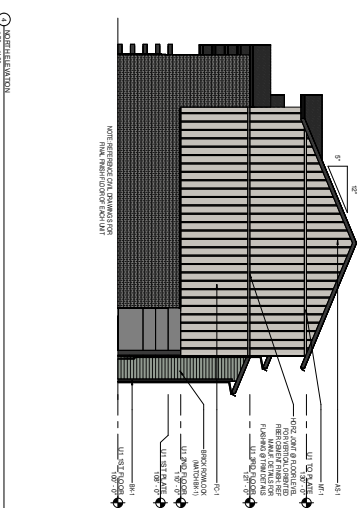
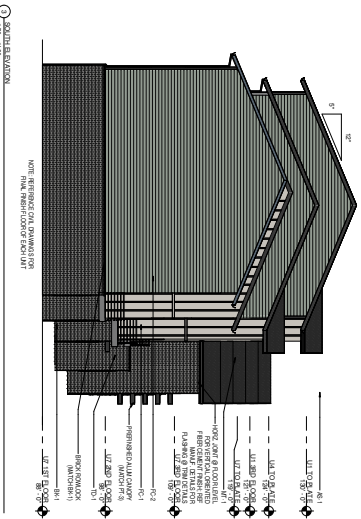
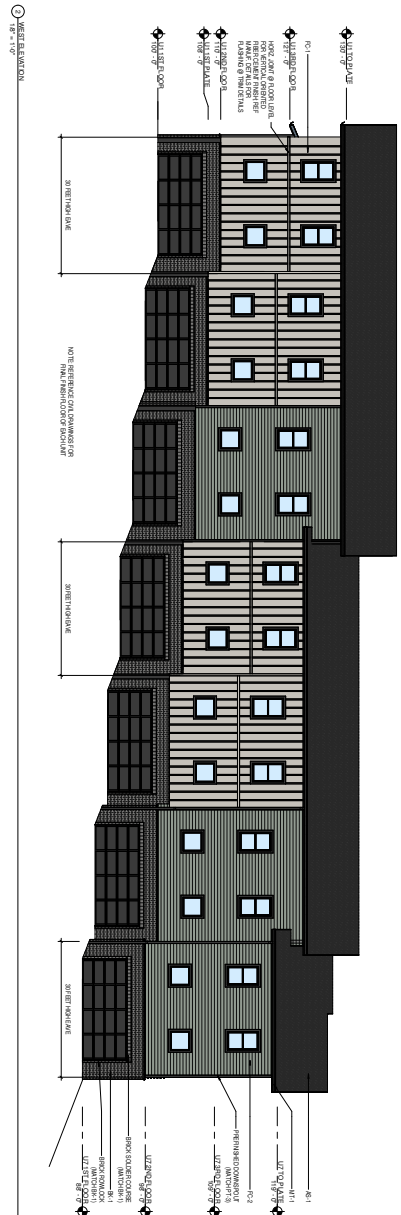
2108 W STONE ST  
FAYETTEVILLE, AR 72701


 Planning Commission  
 April 13, 2026  
 CUP-2026-0012 (HUNTSVILLE INVESTMENTS)

SHEET: **A22**  
ARCHITECTURAL FLOOR PLANS

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REVISION  
NO. | DATE | BY



NO.	TYPE	COLOR	FINISH	COMMENTS
01	EXTERIOR WALL	CHARCOAL	SMOOTH	
02	EXTERIOR WALL	CHARCOAL	SMOOTH	
03	EXTERIOR WALL	CHARCOAL	SMOOTH	
04	EXTERIOR WALL	CHARCOAL	SMOOTH	
05	EXTERIOR WALL	CHARCOAL	SMOOTH	
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99	EXTERIOR WALL	CHARCOAL	SMOOTH	
100	EXTERIOR WALL	CHARCOAL	SMOOTH	



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Citlali Samano, Planner

**MEETING DATE:** April 13, 2026

**SUBJECT:** **RZN-2026-0009: Rezoning (1660 W PALMER PL/PURYEAR, 521)**  
 Submitted by SCOTT PURYEAR for property located at 1660 W PALMER PL. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.38 acres. The request is to rezone the property to RSF-8, RESIDENTIAL SINGLE-FAMILY, 8 UNITS PER ACRE.

**RECOMMENDATION:**

Staff recommends forwarding **RZN-2026-0009** to City Council with a recommendation of approval.

**RECOMMENDED MOTION:**

*“I move to forward **RZN-2026-0009** to City Council with a recommendation of approval.”*

**BACKGROUND:**

The subject property is in central Fayetteville and is approximately ¼ west of the Bud Walton Arena. The property contains one parcel totaling 0.38 acres which is currently zoned RSF-4, Residential Single-Family, Four Units per Acre and contains a single-family dwelling constructed in 1978 per Washington County Assessor records. The property is not subject to any overlay districts. Surrounding land uses and zoning are depicted in *Table 1*.

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

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Single-Family Residential	RSF-4, Residential Single-Family, Four Units Per Acre
South	Multi-Family Residential	RMF-24, Residential Multi-Family, Twenty-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

*Request:* The request is to rezone the subject property from RSF-4, Residential Single-Family, Four Units per Acre to RSF-8, Residential Single-Family, Eight Units per Acre.

*Public Comment:* Staff has received 1 public comment from a neighbor citing water runoff issues as the property lies on an incline. At this time no development has been received by staff but water runoff will be evaluated during any development reviews.

## INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

**Streets:** The subject property has frontage to West Palmer Place which 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 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 2.25-inch water main along West Palmer Place.

**Sewer:** Sanitary Sewer is available to the subject property. There is an existing 6-inch sewer main along West Palmer Place.

**Drainage:** There are known wet weather sewer capacity issues identified in the City's 2025 Sewer Master Plan that appear in the system 484 feet southwest of this property. 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 6, located at 900 S Hollywood Ave., protects this site. The property is located approximately 1 miles from the fire station with an anticipated drive time of approximately 3 minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

### **Tree Preservation:**

The current zoning district of zoned RSF-4, Residential Single-Family, Four Units per Acre, requires **25% minimum canopy preservation**. The proposed zoning district of zoned RSF-8, Residential Single-Family, Eight Units per Acre, requires **20% minimum canopy preservation**.

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

**Residential Neighborhood Areas** are primarily residential in nature and support a wide variety of housing types of appropriate scale and context: 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 non-residential 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 9 for this site with a weighted score of 11.5. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station #6, 900 S Hollywood Ave)
- Near Sewer Main (6 in gravity line, W Palmer Pl)
- Near Water Main (2.25", W Palmer Pl)
- Near Public School (Ramay Junior High School)
- Near U of A Campus (Main Campus)
- Near City Park (Hotz Park, Neighborhood Park)
- Near Paved Trail (Markham Trail)
- Near ORT Bus Stop (Lot 56, W Carlson Dr)
- Near Razorback Bus Stop (Lot 222, S Graham Ave and W Nettleship St)

#### 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:* From a current land use standpoint, the request is compatible with its immediate surroundings. The property is surrounded by residential zoned districts. The site is directly located on W. Palmer Place, designated as a Residential Link Street, which is intended to support neighborhood and low-volume areas outside of downtown. Given this classification, residential uses represent the highest and best use of the property. The site's direct access to a minor roadway minimizes traffic impacts on local residential streets and supports safe ingress and egress. A rezone to RSF-8 contains the same uses by right and conditional uses as RSF-4 but allows for smaller lot width and lot area minimums.

*Land Use Plan Analysis:* Staff finds that the request is fully consistent with adopted land use policies, the Future Land Use Map designation (Residential Area) and aligns with certain goals of City Plan 2040. Additionally, given the infill score and the properties proximity to the U of A main campus, the potential for infill development assists in housing development and availability. Allowing this rezoning would strengthen residential options near the university and supports multiple City Plan 2040 Goals by allowing attainable infill housing to discourage suburban sprawl.

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

**Finding:** A rezone from RSF-4 to RSF-8 is justified given that both are residential and offer the same by-right and conditional uses.

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

**Finding:** Rezoning the property from RSF-4 to RSF-8 would have minimal changes in the allowable density on the site with RSF-4 listing four single-family dwelling per acre whereas RSF-8 allows eight. The lot width and lot area minimums are lowered, with RSF-8 listing 50 feet lot width minimums (25 feet for townhomes) and a 5,00 square feet lot area. 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:** Rezoning the property from RSF-4 to RSF-8 would increase the potential population at the site, but staff does not find that it would be to an undesirable degree; staff finds that given the City's growth and moderate infill score, this rezoning would be an incremental step in providing more residential housing.

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-2026-0009 to City Council with a recommendation of approval.

---

<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>
<b>Date:</b> <u>April 13, 2026</u> <input type="checkbox"/> Tabled <input type="checkbox"/> Forwarded <input type="checkbox"/> Denied
<b>Motion:</b>
<b>Second:</b>
<b>Vote:</b>

---

**BUDGET/STAFF IMPACT:**

None

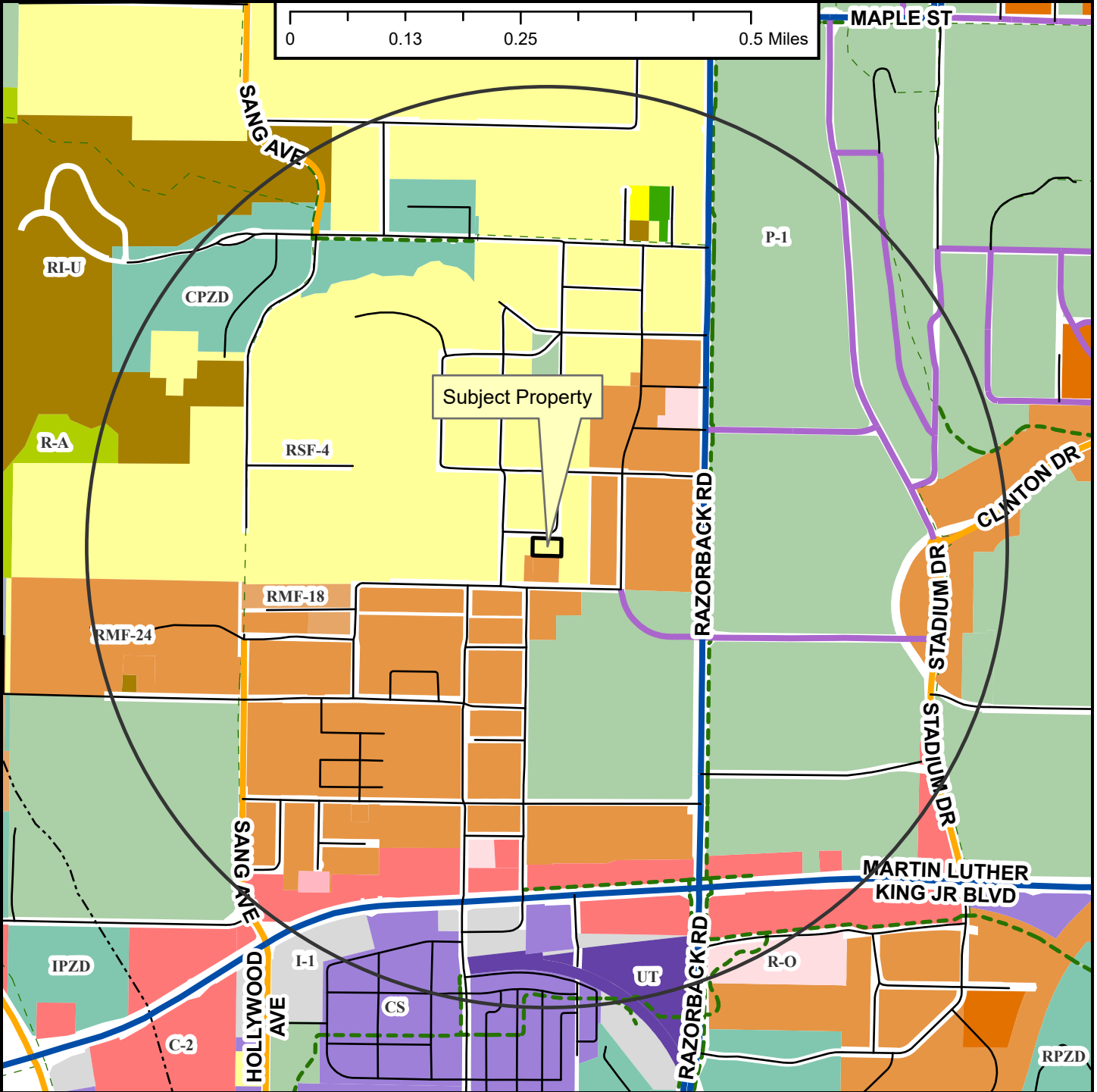
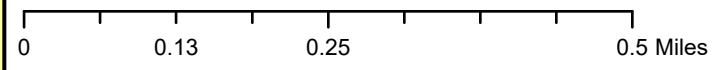
**ATTACHMENTS:**

- 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
    - §161.09 District RSF-8, Residential Single-Family, Eight Units per Acre
  - Staff Exhibits
    - Long-Range Planning Memo
  - Applicant Exhibits
    - Request Letter
-

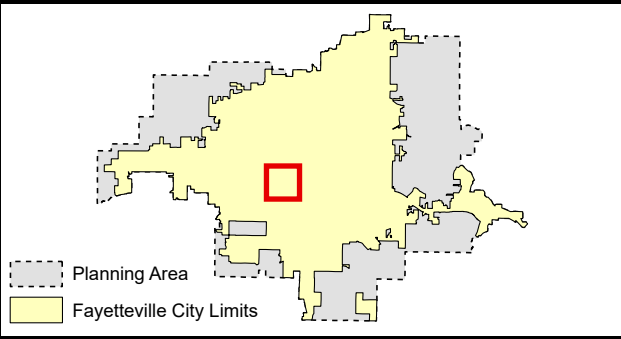
RZN-2026-0009

# 1660 W. PALMER PL

One Mile View



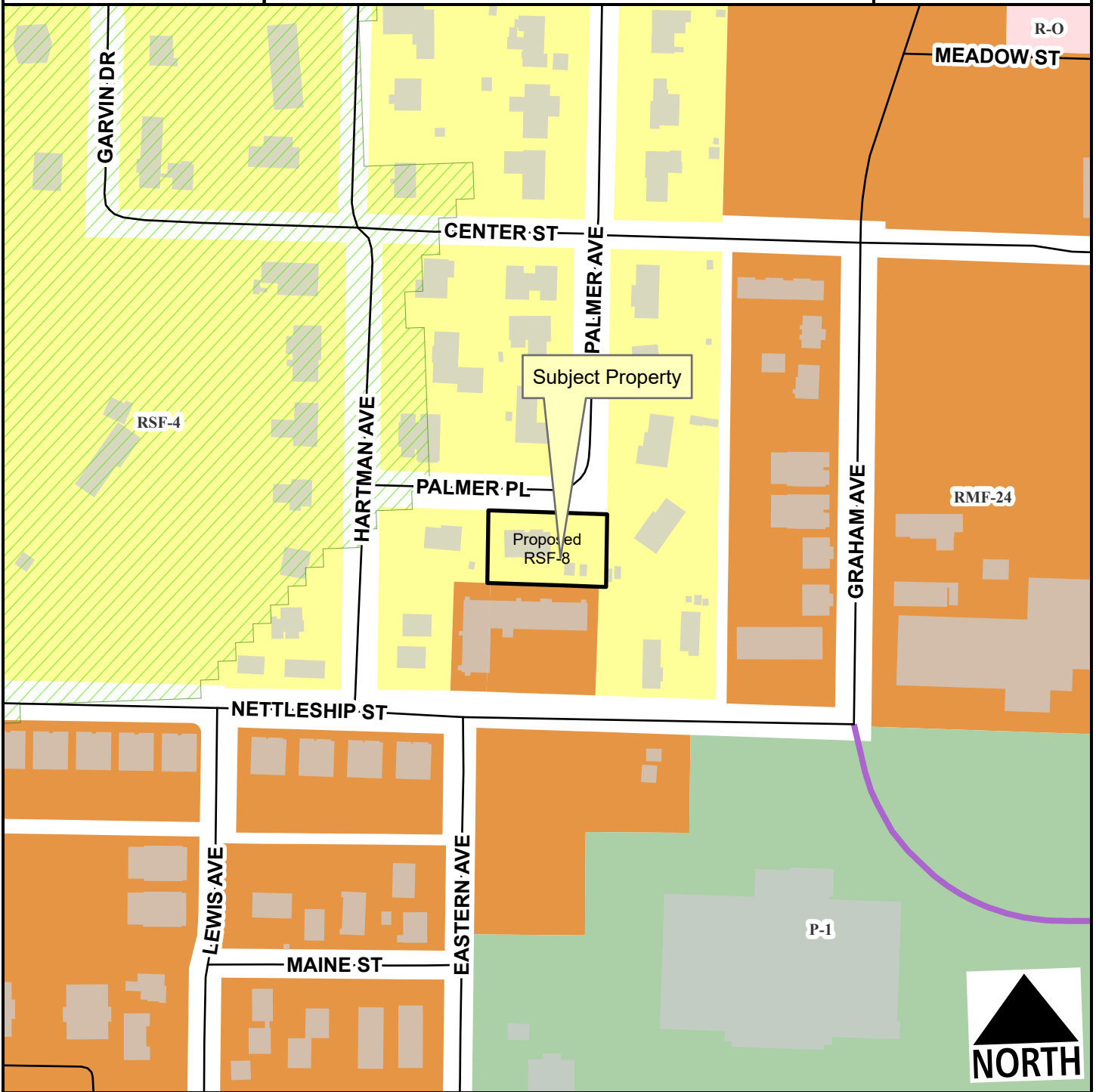
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



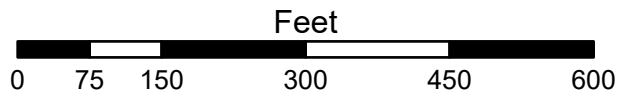
RZN-2026-0009

# 1660 W. PALMER PL

Close Up View



- Institutional Master Plan
- Unclassified
- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits



1:2,400

<u>Zone</u>	<u>Current</u>	<u>Proposed</u>
RSF-4	0.4	0.0
RSF-8	0.0	0.4







**Total 0.4 ac**

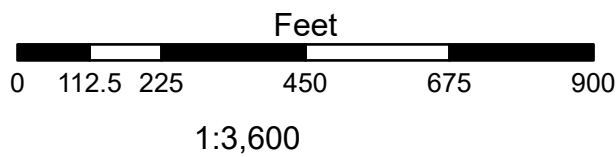
RZN-2026-0009

# 1660 W. PALMER PL



Current Land Use



-  Institutional Master Plan
-  Regional Link - High Activity
-  Unclassified
-  Residential Link
-  Planning Area
-  Fayetteville City Limits

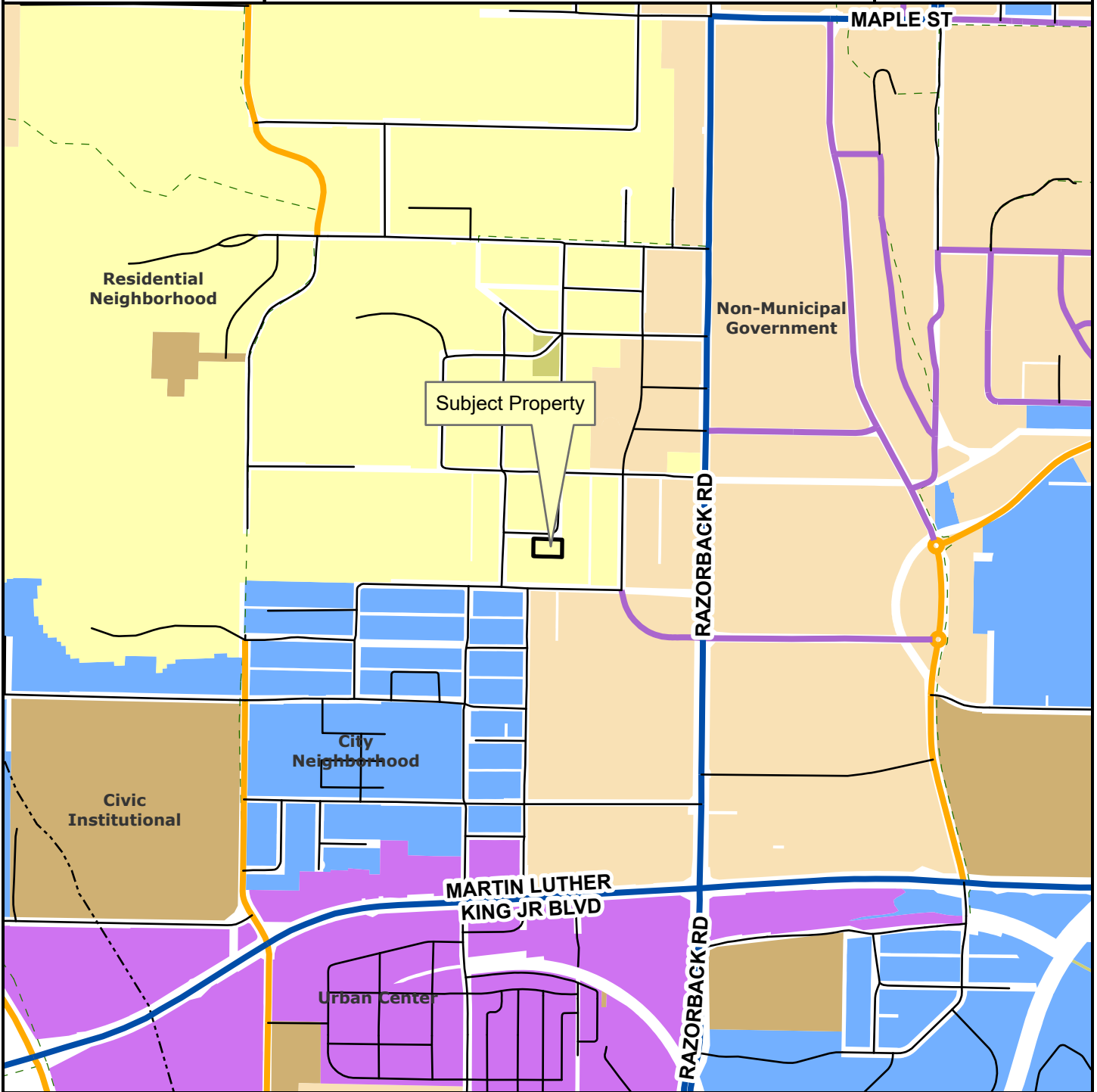


### FEMA Flood Hazard Data

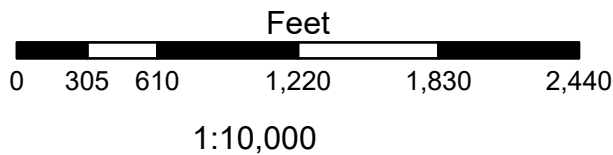
-  100-Year Floodplain
-  Floodway



Future Land Use



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



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

**161.07 - District RSF-4, Residential Single-Family — Four (4) Units Per Acre**

(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
Units per acre	4 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two-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.

(Ord. No. [6945](#), §5(Exh. D), 12-16-25)

**161.09 - District RSF-8, Residential Single-Family — Eight (8) Units Per Acre**

(A) *Purpose.* The RSF-8 Residential District is designed to bring historic platted development into conformity and to allow for the development of new single-family residential areas with similar lot size, density, and land use as the historical neighborhoods in the downtown area.

(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
Units per acre	8 or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family	50 feet
Two-family	50 feet
Townhouse, no more than two (2) attached	25 feet

(2) *Lot Area Minimum.*

Single-family	5,000 square feet
Two-family	5,000 square feet

(3) Land Area per Dwelling Unit

Single-family	5,000 square feet
Two-family	5,000 square feet
Townhouse, no more than two (2) attached	2,500 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	5 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area, except when a detached garage exists or is proposed; then 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.

(Ord. No. [6945](#), §5(Exh. D), 12-16-25)



**TO:** Citlali Samano, Planner

**FROM:** Kylee Cole, Long Range & Preservation Planner

**MEETING DATE:** April 13, 2026

**SUBJECT:** Long Range Planning Comments Regarding RZN-2026-0009

**BACKGROUND:**

The applicant requests to rezone approximately 0.38 acres from RSF-4, Residential Single-Family, Four Units Per Acre to RSF-8, Residential Single-Family, Eight Units Per Acre. Four long range planning documents are relevant when evaluating this request: *City Plan 2040*, the *Heritage & Historic Preservation Plan*, and *University Heights and Haskell Heights Historic Context Statement*

**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.

**University Heights and Haskell Heights Historic Context Statement (2023):**

The subject property was included in the study of the University Heights and Haskell Heights neighborhoods. The subject property, a single-family contemporary home constructed in 1978, is not of historic age and was not identified as being eligible for the National Register of Historic Places. Although the area is identified as a potential location for a local historic district, and petition efforts are underway, nothing has been submitted to Long Range Planning at this time.



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 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.<sup>1</sup> The request aligns with this designation by slightly increasing the density of single-family detached housing on the property, while retaining the single-family development patterns in the neighborhood. Additional uses may be considered with a conditional use permit such as two-family dwellings and limited business that would contribute to a complete neighborhood. The request aligns with goals 1, 2, and 6 of City Plan 2040 by creating opportunities for denser development in an area of the center of the city that is already served by infrastructure.

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<sup>1</sup> City Plan 2040, 128.

## Rezone Request – 1660 W Palmer, Fayetteville 72701

I am requesting a rezone from RSF-4 to RSF-8 for this parcel to support slightly higher density and potential small-scale redevelopment. The subject site currently has unused excess land and has strong potential to add additional single family structures to support infill development near the University of Arkansas campus. Under the current zoning a lot split is not possible despite adequate lot width/street frontage due to the location of the existing home on the site.

There are two development scenarios I would consider if a rezone was approved.

- 1.) Complete a standard lot split keeping the existing home and construct a second lot/home on the excess land to the east, or 2.) Raise the existing home and split the existing lot into 3 new residential lots for the purpose of constructing 3 new medium sized homes.

I believe either scenario would be conforming to both the immediate neighborhood and surrounding area. Higher density development (RMF-24) is located both to the East and South of the subject parcel, however, I don't believe multifamily zoning or structures would be appropriate for the subject street despite nearby multi-unit developments. Currently I don't see any adverse effects a rezone could have on surrounding properties.