

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8267



Planning Commission Final Agenda

Monday, April 27, 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: 881 7706 5728

Registration Link: https://fayetteville-ar.zoom.us/webinar/register/WN_gFtwSg57TZqZ5KKt646DTQ

Call to Order

Roll Call

Consent

1. **MINUTES:**

Approval of the minutes from the April 13, 2026 Planning Commission Meeting. - Bliss Hyke, Planning Technician

2. **LSD-2026-0005: Large Scale Development (1100 W. 15TH ST/CONAGRA FOODS PACKAGED FOODS LLC, 560& 561):**

Submitted by MCCLELLAND CONSULTING ENGINEERS for a property located at 1100 W. 15TH ST. The property is zoned I-2, GENERAL INDUSTRIAL and contains approximately 46.73 acres. The request is for a 93,561-square-foot renovation, a 6,600-square-foot expansion, and the addition of a 4,500-square-foot receiving dock. - Jessica Masters, Planning Director

Unfinished Business

New Business

3. **ADM-2026-0010: Administrative Item (1236 & 1246 S. SCHOOL AVE/VAUGHN RECYLING, 562):**

Submitted by HALBERT LAW OFFICE for property located at 1236 & 1246 S. SCHOOL AVE. The property is zoned DG, DOWNTOWN GENERAL and contains approximately 2.33 acres. The request is to extend the approval of a conditional use permit and amend its associated conditions. - Donna Wonsower, Senior Planner

4. **LSD-2026-0004: Large Scale Development (NORTH OF N. RAVEN LN & W. AZURITE ST/KTB LIMITED PARTNERSHIP AND UNDERWOOD, CRAIG & LAURA REVOCABLE TRUST, 246 & 285):**

Submitted by CRAFTON TULL for a property located on NORTH OF N. RAVEN LN & W. AZURITE ST. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT, and RPZD, RESIDENTIAL PLANNED ZONING DISTRICT,

and contains approximately 49.33 acres. The request is for a 274-unit residential development with associated parking. - Jessica Masters, Planning Director

5. CUP-2026-0015: Conditional Use Permit (906 W. NORTH ST/INGLE, 405):

Submitted by RANDY INGLE for property located at 906 W. NORTH ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.27 acres. The request is for camping in a residential zoning district. - Donna Wonsower, Senior Planner

6. CUP-2026-0017: Conditional Use Permit (229 S GREGG AVE/TOWN CREEK BUILDERS INC, 522):

Submitted by PEDRO ALVARENGA for property located at 229 S. GREGG AVE. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.55 acres. The request is for the use of a short-term rental in a residential zoning district. - Wesley Frank, Planner

7. CUP-2026-0018: Conditional Use Permit (2662 E. JOYCE BLVD UNIT 2/PARADISE VALLEY INVESTMENT GROUP, 176):

Submitted by CHRISTEN SPAIN for property located at 2662 E. JOYCE BLVD UNIT 2. The property is zoned R-O, RESIDENTIAL OFFICE and contains approximately 1.64 acres. The request is for the use of a massage therapy school. - Citlali Samano, Planner

8. RZN-2026-0010: Rezoning (800 N. HALL AVE/JOHNSON, 443):

Submitted by WILL CLARK for property located at 800 N. HALL AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRES, and P-1, INSTITUTIONAL and contains approximately 0.31 acres. The request is to rezone the property to UN, URBAN NEIGHBORHOOD. - Donna Wonsower, Senior Planner

9. RZN-2026-0011: Rezoning (1002 N. HALL AVE/CENTRAL UNITED METHODIST CHURCH INC, 443):

Submitted by WILL CLARK for property located at 1002 N. HALL AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRES and contains approximately 0.40 acres. The request is to rezone the property to UN, URBAN NEIGHBORHOOD. - Donna Wonsower, Senior Planner

Items Administratively Approved by Staff

10. LSP-2026-0007: Lot Split (N. CROSSOVER RD & E. ZION RD/CHANDLER CROSSING LLC, 138):

Submitted by ENGINEERING SERVICES INC for property located at N. CROSSOVER RD & E. ZION RD. The property is zoned RPZD, RESIDENTIAL

PLANNED ZONING DISTRICT and contains 22.46 acres. The request is to split the property into four lots containing 9.54, 1.45, 1.35 and 10.12 acres. - Jessica Masters, Planning Director

11. LSP-2026-0008: Lot Split (3143 W. TULSA ST/SOUTHERN WOODS PH 4, 557):

Submitted by BATES & ASSOCIATES for property located at 3143 W. TULSA ST. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains 14.07 acres. The request is to split the property into 47 residential lots as part of an associated cluster housing development. - Donna Wonsower, Senior Planner

12. LSP-2026-0014: Lot Split (1414 S WEST AVE/OSAGE CREEK CATTLE COMPANY LLC, 562):

Submitted by SWOPE CONSULTING LLC for property located at 1414 S WEST AVE. The property is zoned RI-U, RESIDENTIAL INTERMEDIATE-URBAN and contains approximately 0.24 acres. The request is to split the property into two lots containing 0.14 and 0.09 acres. - Wesley Frank, Planner

13. LSP-2026-0018: Lot Split (370 S DINSMORE TRL/READING, 517):

Submitted by BLEW & ASSOCIATES for property located at 370 S. DINSMORE TRL. The property is zoned RSF-1, RESIDENTIAL SINGLE-FAMILY, ONE UNIT PER ACRE, CS, COMMUNITY SERVICES, and NC, NEIGHBORHOOD CONSERVATION and contains approximately 58.70 acres. The request is to split the property into two lots containing 30.26 and 27.00 acres. - Citlali Samano, Planner

Agenda Session Items

Announcements

Adjournment

NOTICE TO MEMBERS OF THE AUDIENCE

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

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

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

(pg. 1) Planning Commission		Monday, 04/13/2026					
Time:	5:30 PM						
Staff :	☐ Jonathan Curth ✕ Jessie Masters ✕ Donna Wonsower ✕ Wesley Frank ✕ Citlali Samano ☐ Willa Thomason ✕ Bethany Douglas						
	☐ Britin Bostick ☐ Kylee Cole ☐ Chris Brown ✕ Justin Bland ☐ Melissa Boyd ☐ Dayten Moses ✕ Alan Pugh ✕ Fire Marshal						
	Roll Call	1) Minutes (03/23/2026)	2) VAC-2026-0001 (BOLES)	3) ADM-2026-0005 (TOWNE WEST PH 9)	4) LSD-2025-0019 (RAMAY JR HIGH)		5) RZN-2026-0003 (DUDECK)
Brewer	1	1	1	1	1	1	0
Gulley	1	1	1	1	1	1	1
Madden	1	1	1	1	1	1	1
Brink	0	0	0	1	1	1	1
Werner	1	1	1	1	1	1	1
Holeyfield	1	1	1	1	1	1	1
McGetrick	1	1	1	1	1	1	1
Cabe	1	1	1	1	recuse	recuse	1
Castin	1	1	1	1	1	1	1
Agenda		Consent	Consent	Old	Old		Old
Action		Approve	Approve	Approve	Replace	Approve	Forward
Motion By		Brewer	Brewer	Cabe	Castin	Brink	McGetrick
Motion 2nd		Cabe	Cabe	Castin	McGetrick	Werner	Brink
Vote		8-0-0	8-0-0	9-0-0	8-0-1	8-0-1	8-1-0
Time		5:34 PM	5:34 PM	5:37 PM	7:01: PM	7:03 PM	7:25 PM
Motion Detail					Replaced condition for Marks Mill sidewalks with fee-in-leu of \$49,074 and approved with all conditions as recommended by staff.	Forwarded with recommendation of approval.	
Public Comment			0	0	6		1

(pg. 2) Planning Commission			Monday, 04/13/2026			
	6) VAR-2026-0009 (CREEKSIDE LLC)	7) VAR-2026-0008 (23 W 5TH STREET QOZB LLC)	8) PPL-2025-0006 (J & M CAPITAL VENTURE LLC)	9) PPL-2026-0002 (COLESON BROOK LLC)	10) CUP-2026-0010 (MALEY)	11) CUP-2026-0013 (WEBER)
Brewer	1	1	1	1	1	1
Gulley	1	1	1	1	1	1
Madden	1	1	1	1	1	1
Brink	1	1	1	1	1	1
Werner	1	1	1	1	1	1
Holeyfield	1	1	1	1	1	1
McGetrick	1	1	1	1	1	1
Cabe	1	1	1	Recuse	1	1
Castin	1	1	1	1	1	1
Agenda	New	New	New	New	New	New
Action	Approve	Approve	Approve	Approve	Approve	Approve
Motion By	Castin	Casting	Brink	Brink	Cabe	Cabe
Motion 2nd	Cabe	Cabe	McGetrick	Madden	Castin	Holeyfield
Vote	9-0-0	9-0-0	9-0-0	8-0-1	8-0-1	9-0-0
Time	7:28 PM	7:32 PM	7:51 PM	8:05 PM	8:07 PM	8:12 PM
		Approved with all conditions as recommended by staff.	Approved with all conditions as recommended by staff.	Approved with all conditions as recommended by staff.	Approved with all conditions as recommended by staff.	Approved with all conditions as recommended by staff.
Public Comment	1	0	0	1	0	0

(pg. 3) Planning Commission				Monday, 4/13/2026			
	12) CUP-2026-0009 (OWEN FAMILY TRUST)		13) CUP-2026-0011 (200 NW 142ND LLC)	14) CUP-2026-0012 (HJM INVESTMENTS)	15) RZN-2026-0009 (Puryear)	16) CUP-2026-0008 (54th Street Development)	17) ADM-2026-0006 (City of Fayetteville - UDC)
Brewer	0	0	1	1	1		
Gulley	1	0	1	1	1		
Madden	0	0	1	1	1		
Brink	1	0	1	1	1		
Werner	0	0	1	1	1		
Holeyfield	0	0	1	1	1		
McGetrick	0	0	1	1	1		
Cabe	1	0	1	1	1		
Castin	1	0	1	1	1		
Agenda	New		New	New	New	New	New
Action	Table	Approve	Approve	Approve	Forward	Withdrawn	Withdrawn
Motion By	Cabe	Madden	Castin	Castin	Cabe		
Motion 2nd	Werner	Castin	Cabe	Cabe	Castin		
Vote	4-5-0	0-9-0	9-0-0	9-0-0	9-0-0		
Time	8:37 PM	8:41 PM	8:51 PM	9:02 PM	9:06 PM		
Motion Detail	Motions to table to April 27 and to approve failed.		Approved with all conditions as recommended by staff.	Approved with all conditions as recommended by staff.			
Public Comment	4		0	0	0		

(pg. 4) Planning Commission			Monday, 4/13/2026			
	18) ADM-2026-0007 (City of Fayetteville - UDC)	19) ADM-2026-0009 (City of Fayetteville - UDC)				
Payne						
Brink						
Madden						
McGetrick						
Castin						
Werner						
Holeyfield						
Gulley						
Cabe						
Agenda	New	New				
Action	Withdrawn	Withdrawn				
Motion By						
Motion 2nd						
Vote						
Time						
Motion Detail						
Public Comment						



TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director
Justin Bland, City Engineer
Willa Thomason, Urban Forester

MEETING: April 27, 2026

SUBJECT: **LSD-2026-0005: Large Scale Development (1100 W. 15TH ST/CONAGRA FOODS PACKAGED FOODS LLC, 560& 561):** Submitted by MCCLELLAND CONSULTING ENGINEERS for property located at 1100 W. 15TH ST. The property is zoned I-2, GENERAL INDUSTRIAL and RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 46.73 acres. The request is for a 93,561-square-foot renovation, a 6,600-square-foot expansion, and the addition of a 4,500-square-foot receiving dock.

RECOMMENDATION:

Staff recommends approval of **LSD-2026-0005** with conditions as noted in the staff report.

RECOMMENDED MOTION: *"I move to approve **LSD-2026-0005**, finding:*

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

BACKGROUND:

The subject property is in south Fayetteville, just east of the intersection of S. Razorback Road and W. 15th Street. Containing multiple parcels for a total of 46.73 acres and zoned I-2, General Industrial, the property is developed with a manufacturing facility for Conagra brands. No overlay districts apply to the property. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Undeveloped; Multi-Family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
South	RV Park	P-1, Institutional
East	Mixed-Density Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
West	Railroad/University of Arkansas Athletic Facility	I-2, General Industrial

Proposal: The applicant requests Large Scale Development approval to renovate a 93,561 sq. ft. food-processing line within their existing facility, and add a 6,600 sq. ft. mechanical and electrical room, and a 4,500 sq. foot receiving dock to support this expansion. Associated concrete drive areas and necessary utility upgrades will also be necessary. No variances are being sought with this application.

Right-of-Way to be Dedicated: The subject property has frontage along West 15th Street. Staff recommends a condition that right-of-way be dedicated in the amount of 48-feet from street

centerline along the property's frontage in line with the typical master street plan requirements for a Regional High Activity Link Street.

Street Improvements: The southern frontage of the property is improved with curb and gutter and sidewalk. However, there are many sections of sidewalk that are either damaged or do not meet ADA guidelines. The applicant met on site with staff to identify these panels and is proposing to repair/retrofit the panels so that the entire frontage is ADA compliant. Staff is supportive of this request to satisfy the need for any improvements along the project frontage.

Access Management/Connectivity: Staff determined that the project meets access requirements. While there appear to be driveways into the property that are not in compliance with the typical separation distance requirements of 250 feet from one another, the applicant's proposal is not triggering any of the codified standards for bringing those driveways into compliance.

Design Standards: As an industrial use, this proposal is not subject to Unified Development Code §166.25, Commercial, Office and Mixed-Use Design Standards. All other relevant design standards, such as parking, appear to be met.

Water and Sewer System: There is an existing 12" water line along the south side of the site along W. 15th St. In addition, there are several water main extensions within the site to provide the domestic and fire service for the site. There are not any proposed water main extensions as the existing infrastructure will support the proposed addition. There is an existing 8" sewer line that exits the SW corner of the subject property. The project proposes additional internal private sewer lines that will discharge to this public sewer main. There are not any proposed public sewer mains.

Drainage: A previous expansion of this site in 2018 included a detention basin and an Aquaswirl unit that was sized considering the full development of the entire site. As such, these existing stormwater facilities will satisfy the four criteria required by the drainage manual for the proposed addition.

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

Tree Preservation:

A tree preservation waiver was submitted for this project, and conditionally approved by the Urban Forester. No tree removal is proposed.

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

RECOMMENDATION: Staff recommends approval of **LSD-2026-0005** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends right-of-way dedication in the amount of 48-feet from street centerline, where not currently in place along the property's frontage with W. 15th Street.*
2. **Planning Commission determination of street improvements.** *Staff recommends the following street improvements:*
 - a. *Applicant shall repair/retrofit sidewalk panels as necessary so that the entire frontage is ADA compliant.*

3. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto;

Standard Conditions of Approval:

4. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance. Water and sewer impact fees will be based on the proposed meter size and charged at the time of meter set.
5. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks Electric, SWEPCO, and Cox Communications);
6. 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;
7. 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;
8. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;
9. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements;
10. 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;
11. 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;
12. Large scale development shall be valid for one calendar year;
13. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit. The coordinator has noted that a separate street name is required;
14. 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

15. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
 - c. Exterior lighting package must be provided to the Planning Division;
 - d. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - e. Project Disk with all final revisions; and
 - f. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.
16. Any damage to existing public streets caused by construction shall be repaired or replaced at the owner/developer's expense.
17. All sidewalks, curb ramps, curb & gutter, and driveway aprons must meet ADA guidelines and be free of damage. Non-compliant or damaged infrastructure must be replaced. Coordinate with Engineering for inspection.
18. The following items will typically be reviewed at construction plan stage (unless otherwise requested):
 - a. Storm sewer sizing, gutter spread, profiles, utility conflicts
 - b. Sanitary sewer sizing, profiles, utility conflicts
 - c. Waterline fittings and conflicts
 - d. Street profiles
 - e. Fine grading/spot elevations

Planning Commission Action: ☐ Forwarded ☐ Tabled ☐ Approved

Meeting Date: April 27, 2026

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

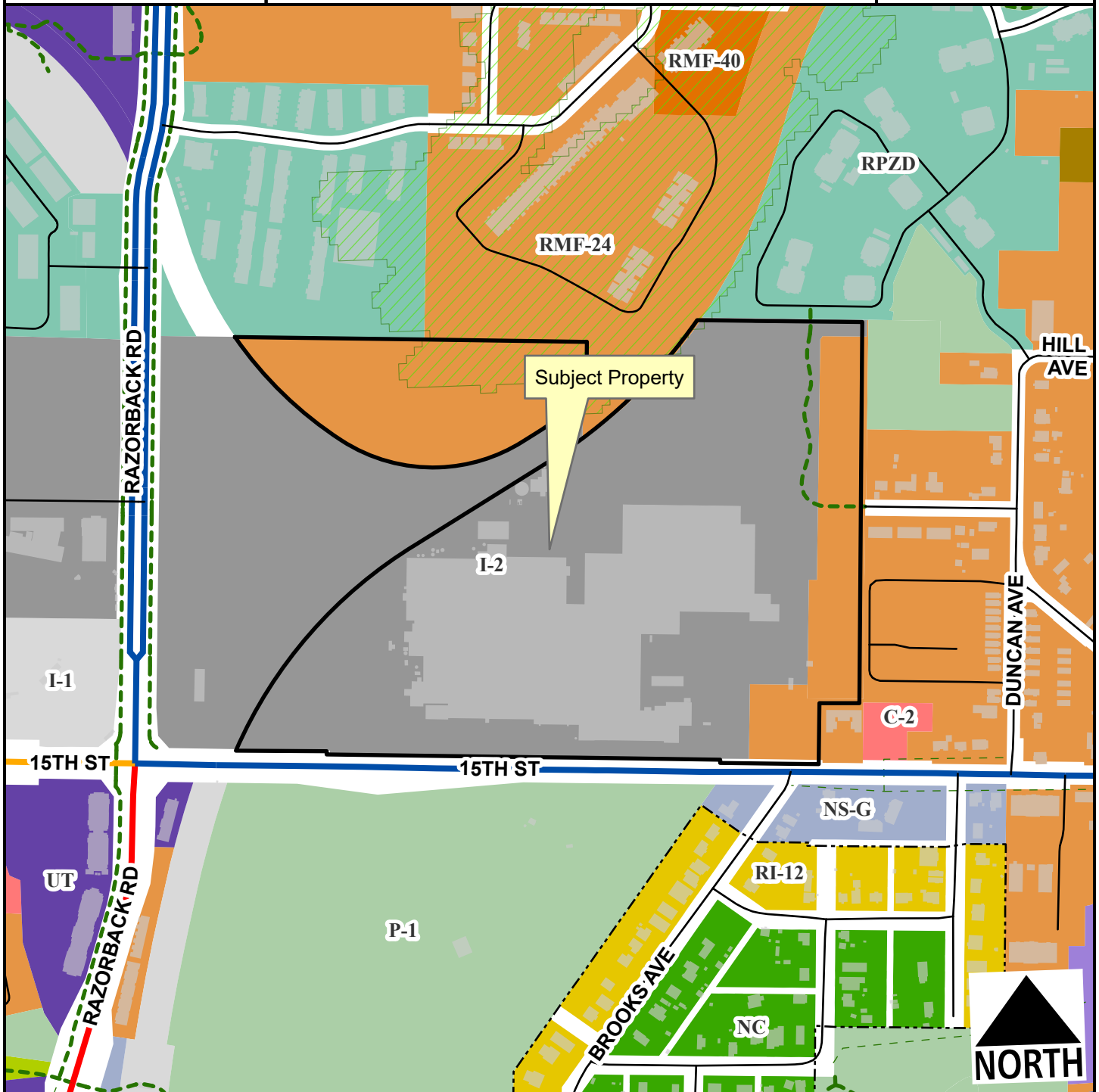
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Staff Memos
 - Engineering Memo

- Urban Forestry Memos
- Applicant Exhibits
 - Request Letter
 - Site Plan
 - Elevations

LSD-2026-0005

1100 W. 15TH ST

Close Up View



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

Feet

0 165 330 660 990 1,320

1:5,400

Planning Commission

April 27, 2026

LSD-2026-0005 (CONAGRA FOODS PACKAGED FOODS LLC)

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TO: Jessie Masters, Planning Director

FROM: Justin Bland, City Engineer

DATE: April 21, 2026

SUBJECT: **Planning Commission Engineering Comments for
LSD-2026-0005**

Water: There is an existing 12" water line along the south side of the site along W. 15th St. In addition, there are several water main extensions within the site to provide the domestic and fire service for the site. There are not any proposed water main extensions as the existing infrastructure will support the proposed addition.

Sewer: There is an existing 8" sewer line that exits the SW corner of the subject property. The project proposes additional internal private sewer lines that will discharge to this public sewer main. There are not any proposed public sewer mains.

Streets: The southern frontage of the property is improved with curb and gutter and sidewalk. However, there are many sections of sidewalk that are either damaged or do not meet ADA guidelines. The applicant met on site with staff to identify these panels and is proposing to repair/retrofit the panels so that the entire frontage is ADA compliant. Staff is supportive of this request to satisfy the need for any improvements along the project frontage.

Drainage: A previous expansion of this site in 2018 included a detention basin and an Aquaswirl unit that was sized considering the full development of the entire site. As such, these existing stormwater facilities will satisfy the four criteria required by the drainage manual for the proposed addition.

Standard Comments:

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

5. Note, the following portions of all projects will typically not be reviewed by the Engineering Division until time of construction-level review (unless specifically requested at plat review):
- Storm Sewer pipe/inlet sizing, gutter spread, profiles, or utility conflicts
 - Sanitary Sewer pipe sizing, profiles, or utility conflicts
 - Waterline fittings, callouts, or utility conflicts
 - Street profiles
 - Fine grading/spot elevations



URBAN FORESTRY LANDSCAPE PLAN COMMENTS

To: McClelland Consulting Engineers, Inc.

From: Willa Thomason, Urban Forester

CC: Jessie Masters, Planning Director

Meeting Date: April 27, 2026

Subject: LSD-2026-0005: Conagra Foods Expansion (1100 W 15th St)

1. General Landscape Plan Checklist		Yes	No	N/A
a.	Irrigation (notes either automatic or hose bib 100' o.c.) <i>UDC Chapter 177.03C7g, 177.04B3a</i>	X		
b.	Species of plant material identified <i>UDC Chapter 177.03C7d,e</i>	X		
c.	Size of plant material (minimum size 2" caliper for trees and 3 gal. shrubs) <i>UDC Chapter 177.03C7b,c</i>	X		
d.	Soil amendments notes include that soil is amended and sod removed <i>UDC Chapter 177.03C6b</i>	X		
e.	Mulch notes indicate organic mulching around trees and within landscape beds <i>UDC Chapter 177.03C6c,d</i>	X		
f.	LSD, LSIP, and Subdivisions (PPL & FPL) plans stamped by a licensed Landscape Architect, others by Landscape Designer <i>UDC Chapter 177.03B</i>		X	
g.	Planting bed contained by edging <i>UDC Chapter 177.03C6f</i>	X		
h.	Planting details according to Fayetteville's Landscape Manual <i>UDC Chapter 177.03C6g</i>	X		
i.	Provide information about 3-Year Maintenance plan. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. <i>UDC Chapter 177.05 A2g</i>	X		
2. Parking Lot Requirements		Yes	No	N/A
1 Tree : 12 Parking Spaces				
a.	Wheel Stops/Curbs <i>UDC Chapter 177.04B1</i>	X		
b.	Narrow Tree Lawn (8' min. width, 37.5' length) <i>UDC Chapter 177.04C</i>			X
c.	Tree Island (8' min. width, 18.7' min length OR 150 square feet) <i>UDC Chapter 177.04C</i>	X		

- d. Placement of Trees (either side at entrances and exits)
UDC Chapter 177.04C2 X

3. Perimeter Landscaping Requirements

Yes No N/A

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

4. Street Tree Planting Requirements

Yes No N/A

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

5. Landscape Requirement Totals

Amount

Mitigation Trees	N/A
Parking Lot Trees	N/A
Street Trees	41 required: 28 existing, 13 proposed
Detention Pond – Large Trees (1 Tree/3,000 square feet)	N/A
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	N/A

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

N/A

6. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	3-31-26	4-16-26
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 TREE PRESERVATION COMMENTS

To: McClelland Consulting Engineers, Inc.

From: Willa Thomason, Urban Forester

CC: Jessie Masters, Planning Director

Meeting Date: April 27, 2026

Subject: LSD-2026-0005: Conagra Foods Expansion (1100 W 15th St)

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

2. Tree Preservation Calculations

N/A; tree preservation waiver submitted

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

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

5. Tree Preservation Plan Checklist	Tech Plat	Planning Commission
<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)	N/A	N/A
d. Existing Topography and Proposed Grading	Yes	Yes
e. Soil Types	Yes	Yes
f. Significant Trees	N/A	N/A
g. Groupings of Trees	N/A	N/A
h. Table Inventory List (species, size, health, priority)	N/A	N/A

i. All Existing and Proposed Utilities	Yes	Yes
j. All Existing and Proposed Utility Easements and ROW's	Yes	Yes
k. All Streams (with approximate center line)	N/A	N/A
l. Floodplains and floodways	N/A	N/A
m. Existing Street, Sidewalk or Bike Path ROW	Yes	Yes
n. Submitted Arborist Assessment (if required)	N/A	N/A
o. Shows ALL Proposed Site Improvements	Yes	Yes
p. Delineates trees/canopy to be preserved and removed	N/A	N/A
q. Tree Preservation Easement/s shown for LSD, LSIP and Commercial PPL projects	N/A	N/A

Tree Protection Methods

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

6. Site Analysis Report (if required) <i>UDC Chapter 167.04H4</i>	Yes	No	N/A
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a. Provide Arborist Report showing tree health and structure evaluation, feasibility of preservation, and recommendations and justification			X
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7. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	3-25-26	4-16-26
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.

Project Narrative

Conagra Brands, Inc. is planning to renovate a food processing line on their property located at 1100 W 15th St, Fayetteville, AR 72701. To support the renovated line, a new Mechanical Room and Receiving dock addition are also planned.

Proposed Building:

The proposed renovation will be +/- 93,561 SF ground level. Demolition of existing equipment, walls, floors, ceilings, and MEPs is underway. New underground, floors, walls, and ceilings for raw product and ingredient storage, dewatering equipment, formulation, forming, batter/breading, fry/oven, IQF spiral freezers, scale mezzanines and bagging, case packing, palletizing, and other rooms are included.

The expansion will include a 6,600 SF Mechanical and Electrical Room Expansion, and a 4,500 SF Receiving Dock Expansion. The new expansions will be 35'-0" tall. We have included site plans, floor plans, building elevations, and renderings for your reference. It is anticipated that the expansion proposed should increase employment by one employee, possibly two employees.

Proposed Sitework:

The site plan will consist of additional concrete drive areas, oil and cryogenic tank pads, and access to all new buildings. Existing storm utilities will need to be rerouted due to this expansion. There will be a new private sanitary sewer service line from the building, however, this service line will be conveyed to the existing on-site treatment facility and will not connect to the public sewer main. An new easement plat with any necessary easements will be provided during the grading permit process.

Drainage Reporting:

During the Pinnacle Foods LSD Building Expansion, Engineering Services, Inc. prepared a drainage report evaluating the site under a master-planned, full buildout condition. Page 163 of that report identifies the area associated with the current expansion as having a curve number (CN) of 96, representing a fully impervious condition.

The improvements proposed with this project will allow portions of the site to remain pervious that were previously assumed to be impervious in the master planning analysis. As a result, the anticipated runoff from the site will be less than what the existing detention pond and associated drainage infrastructure were originally designed to accommodate. Therefore, the proposed improvements are not expected to negatively impact the performance or capacity of the existing drainage infrastructure or detention pond.

Non-Conforming Parking Lot and Access Features:

With respect to UDC 172.08 and UDC 166.08(G), the proposed project does not trigger the thresholds that would require bringing existing non-conforming features into compliance with current standards. Specifically, the project does not rehabilitate the existing structure in excess of 50% of the structure's current replacement cost, does not enlarge or reconstruct the structure by more than 10% of its existing gross floor area, and does not expand the building by more than 50% of the property's appraised or market value as established by the Washington County Assessor's Office.

Accordingly, the existing non-conforming parking lot and non-conforming access features, including items such as curb cut offset, street trees, and sidewalk, should not be required to be upgraded to meet current City code standards. Estimated values supporting this determination are provided below:

Proposed expansion: \$2,503,300

Existing Facility "Market Value": \$32,712,125

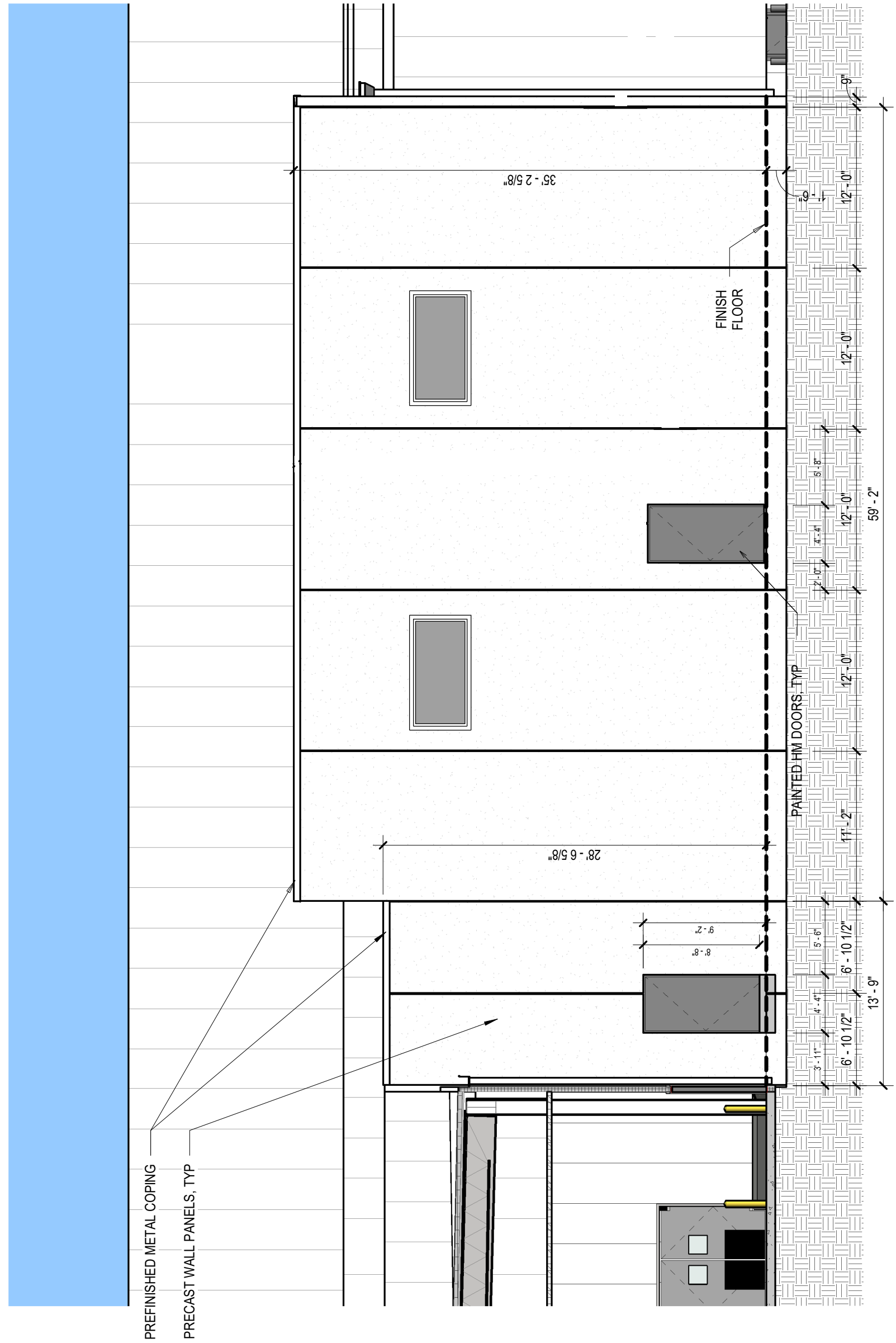
"Replacement value" of the existing building: \$105,536,524

Additional Site Improvements:

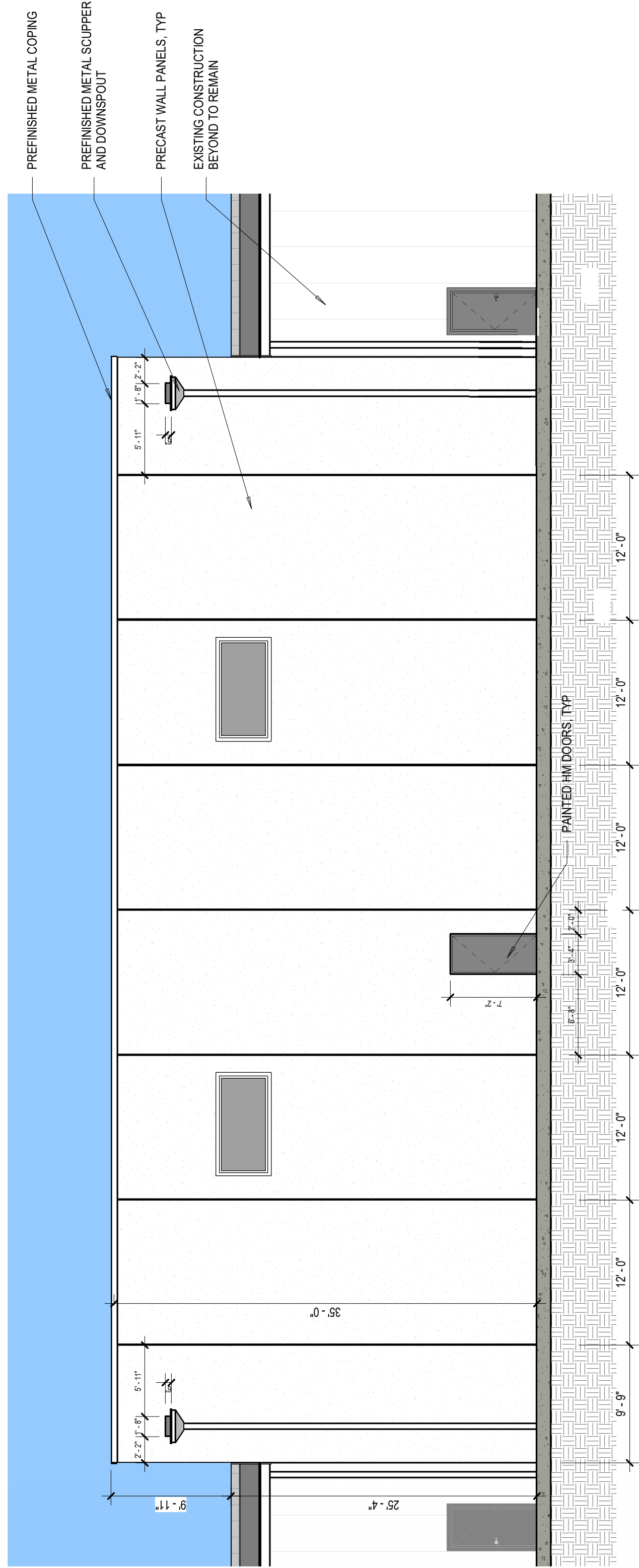
To improve the overall property and enhance the frontage along the existing right-of-way, additional street trees are proposed, along with improvements to the existing sidewalk and ADA driveway ramps along 15th Street to address deficiencies and cracking in the existing sidewalk.

W. 15th Street is classified as a Regional Link – High Activity corridor per the City of Fayetteville Master Street Plan. MCE met on-site with City Engineer Justin Bland on Monday (4/6) to review the existing sidewalk conditions. Several sidewalk panels were observed to be damaged, and multiple sidewalk/driveway ramps do not meet ADA compliance standards. These deficiencies will be addressed as part of the project scope, including removal and replacement where necessary.

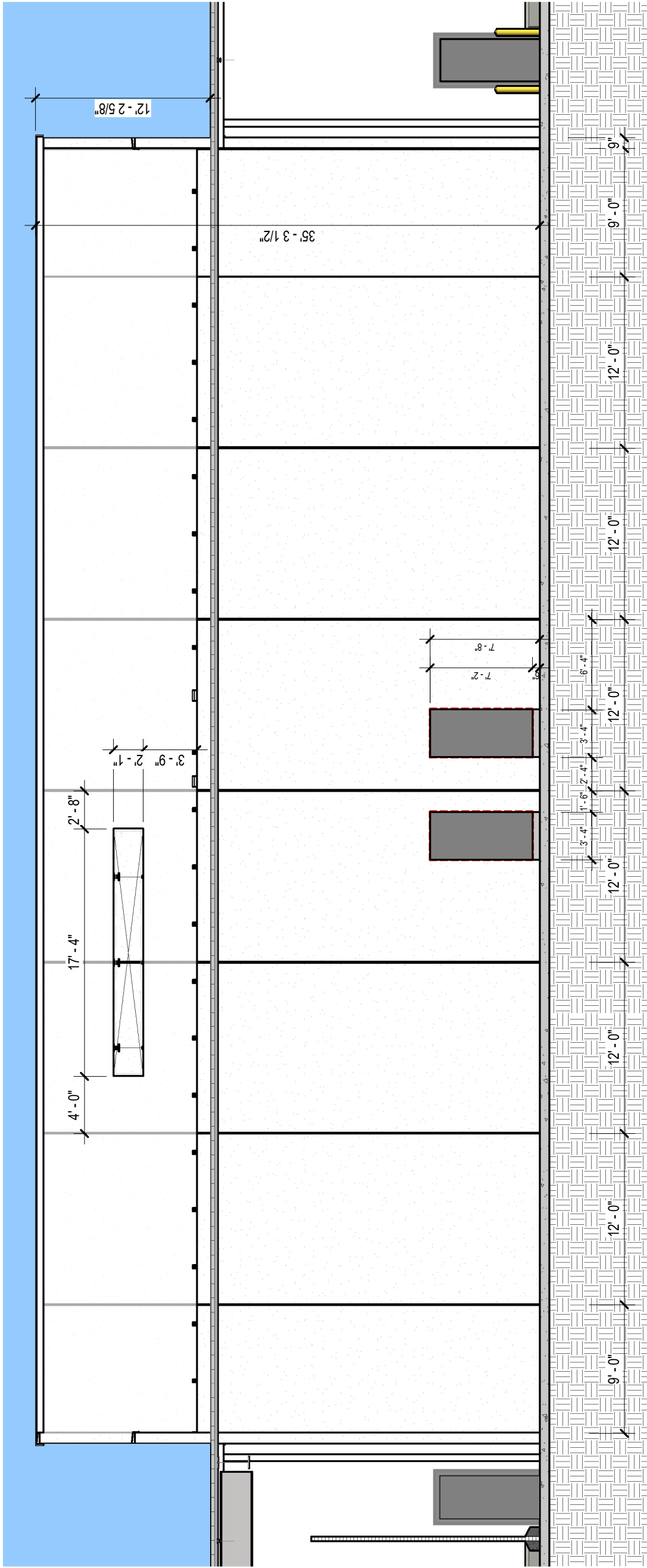
Mr. Bland also indicated that, because the value of the proposed building expansion does not exceed 50% of the existing building's value, no additional street improvements or fee-in-lieu contributions will be required by the City.



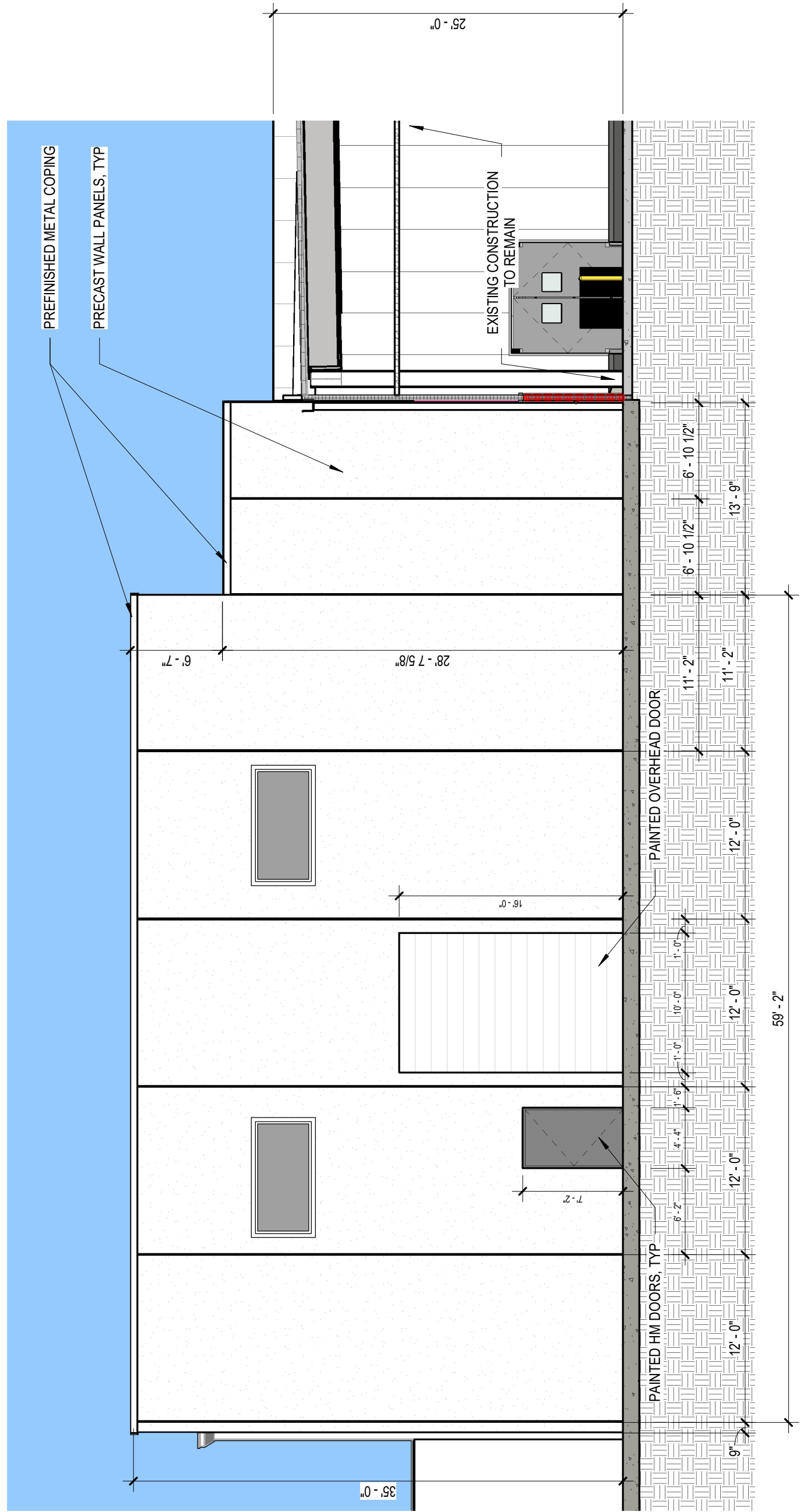
UTILITY BUILDING - SOUTH EXTERIOR ELEVATION



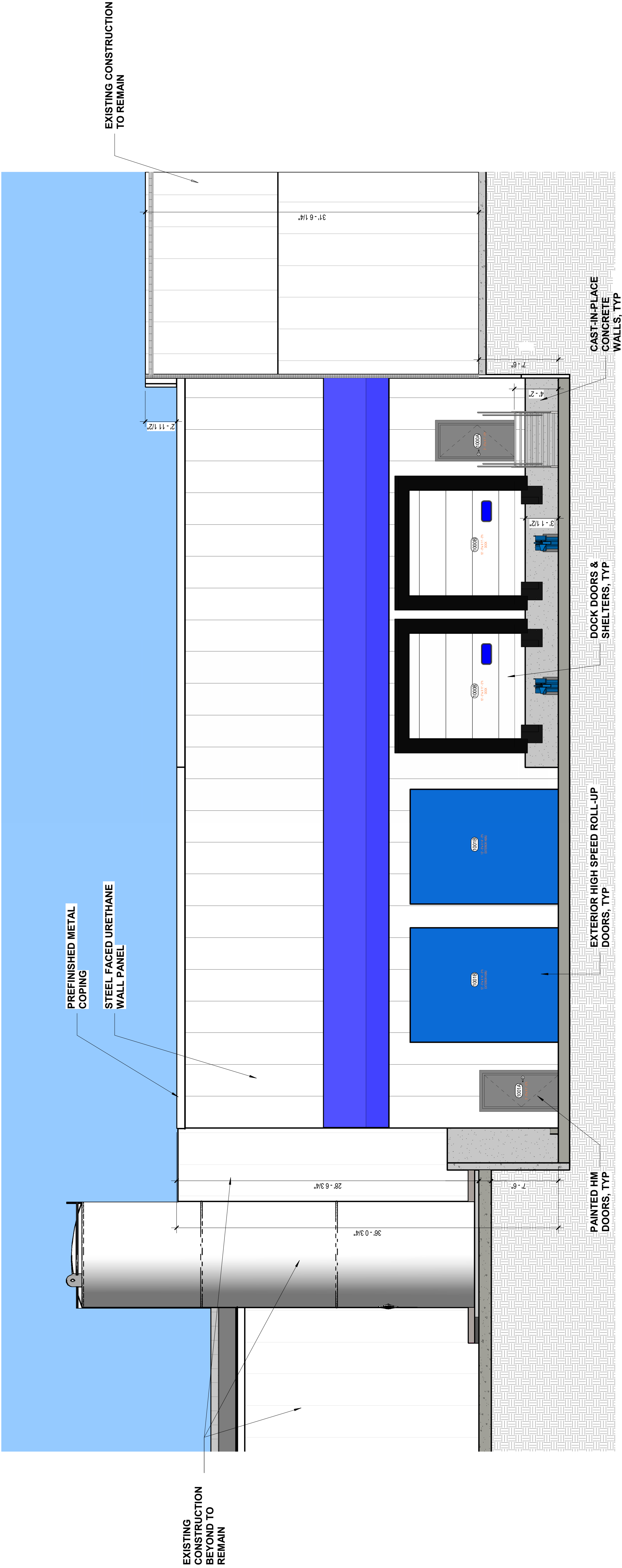
UTILITY BUILDING - EAST EXTERIOR ELEVATION



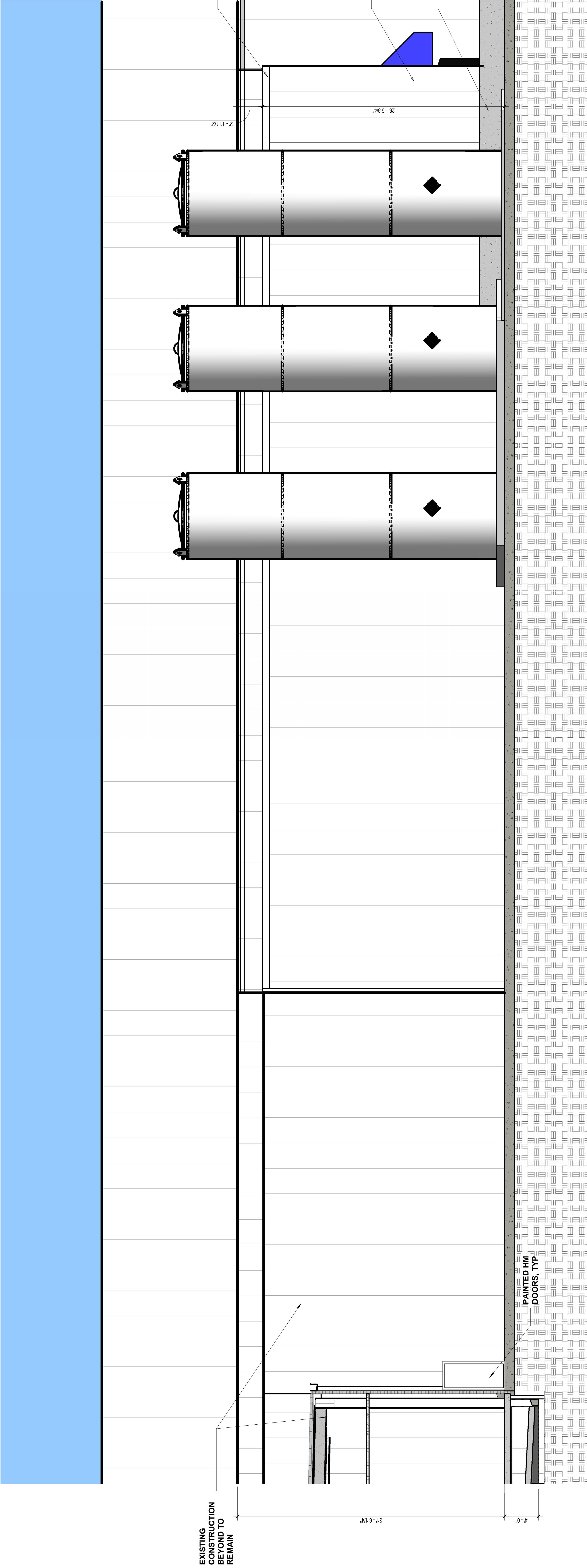
UTILITY BUILDING - WEST INT/EXTERIOR ELEVATION



UTILITY BUILDING - NORTH EXTERIOR ELEVATION



2 DOCK EXPANSION - EAST EXTERIOR ELEVATION
3/16" = 1'-0"



3 DOCK EXPANSION - SOUTH EXTERIOR ELEVATION
3/16" = 1'-0"



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: April 27, 2026

SUBJECT: **ADM-2026-0010: Administrative Item (1236 S. SCHOOL AVE./VAUGHN RECYCLING, 562):** Submitted by HALBERT LAW OFFICE for property located at 1236 & 1246 S. SCHOOL AVE. The property is zoned DG, DOWNTOWN GENERAL and contains approximately 2.33 acres. The request is to extend the approval of a conditional use permit and amend its associated conditions.

RECOMMENDATION:

Staff recommends denial of **ADM-2026-0010**.

RECOMMENDED MOTION:

*"I move to approve **ADM-2026-0010** with all conditions as recommended by staff."*

BACKGROUND:

The subject property is the current site of Vaughn Recycling which is located on the east side of School Avenue about a tenth of a mile north of the street's intersection with 15th Street. The property contains two parcels totaling about 2.33 acres which are developed with a 6,000-square-foot warehouse facility and a 1,488-square-foot service garage which previously operated as C & C Auto Detail. The southern lot has a paved parking area and backyard which previously served as vehicle storage for Bud's Import Auto Parts.

In March of 2008, a conditional use permit (CUP 08-2908) was issued to allow for the operation of a center for the collection of recyclable materials in C-2 zoning. Later that year, the property was rezoned to DG and the conditions of approval for CUP 08-2908 were amended (ADM 08-3128). Specifically, a condition requiring all materials to be sorted, processed, packed, and stored inside the building was revised to read "storage or processing of potentially explosive or combustible materials and/or chemicals shall be prohibited. Indoor processing and long-term storage of all materials shall be required. Customer drop-off and preliminary sorting of materials prior to storage/processing for shipping shall be permitted outside provided that a wood board fence is extended, as shown on the site plan. Materials shall not be visible above the wood board fence and/or from the public right of way."

In February of 2021, staff received a complaint that the recycling business was storing multiple trailers in front of the property and that the operation had expanded to the northern lot without a permit (CVZD-2021-000262). A separate complaint was submitted to the City's Transportation Division due to dirt and mud being tracked onto School Avenue. Multiple inspections confirmed the presence of trailers, debris, and an expanded footprint of the business. A violation letter was issued on April 28, 2021, which notified the property owner that the recycling business was in violation of its conditional use permit. Staff advised the applicant that amending their conditional

use permit was an option to remedy the violation. The property owner applied but their amendment request was subsequently denied by the Planning Commission. The applicant appealed their decision to City Council where the expansion and a one-year extension was granted on October 5, 2021 (Res. 247-21).

In September of 2022, the property owner submitted another request to amend and extend the recycling center's conditional use permit approval. Specifically, the applicant requested permission to expand the loading/processing area to the northern lot, add time for trailers to be parked, remove a requirement for a six-foot privacy fence along the northern property line, and extend the permit's approval in perpetuity provided the business remain in compliance. Their request was approved by the Planning Commission with an added condition that the property not be used as Use Unit 31, Facilities emitting odors and facilities handling explosives (ADM-2022-0048). In September of 2023, the applicant requested and received approval of another one-year extension from the Planning Commission which extended their amended conditional use permit's approval until September 26, 2024 (ADM-2023-0036).

Approval of a large-scale development was required as part of the conditional use permit amendment in 2021. That large scale development application (LSD-2023-0022) was submitted in December 2023. The large-scale development received approval from the Planning Commission in January 2024, and a grading permit was applied for shortly thereafter in March 2024. The grading permit received conditional approval in June 2024, though inspections, which are a prerequisite for permit issuance, were not requested until April 2025. The property owner was then contacted by city staff and told that the grading permit could not be issued because the conditional use permit approval for the project had expired. Since the conditional use permit, large-scale development approvals, and subsequent remedial work were intended to resolve an active violation, staff informed the applicant that they would either need to apply for a new conditional use permit amendment and large-scale development extension, or immediately resolve the violation.

After the applicant confirmed that plans were in place to acquire a property in Washington County, the planning commission ultimately approved a temporary extension to allow the truck scale to remain on the northern parcel for an additional six months with an additional extension request available prior to expiration. As part of that conditional approval, the southern parcel was also required to be brought into conformance with the 2008 conditional use permit within three months. Staff completed two inspections, one at three months and one at six months. At three months, staff found that multiple items required in the 2008 conditional use permit, including fencing along the rear property line, vegetative screening and parking lot restriping had not yet occurred on the southern parcel. At six months, staff found that the parking lot striping had still not occurred on the southern lot and that the northern parcel was being utilized as part of the recycling operation, including the remaining truck scale and material and equipment storage and loading. Subsequently, this additional extension request has now been submitted, with the applicant indicating that relocation is anticipated to take approximately one additional year. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Commercial	DG, Downtown General
South	Commercial	DG, Downtown General
East	Walker Park	P-1, Institutional
West	Commercial	DG, Downtown General

Request: As described above, Vaughn Recycling has an approved conditional use permit (CUP 08-2908) to operate on their property at 1246 S. School Ave. This request is for another extension through the end of calendar year 2027 to allow continued operation while the applicant continues to seek an alternative location.

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

DISCUSSION:

Staff does not support the applicant's request. While the applicant generally remained communicative and submitted all required applications, they have not demonstrated a good faith effort to correct violations in a timely manner. The confirmed violation has continued for five years and required submittals and corrective actions have been repeatedly delayed or allowed to expire. A large-scale development application, which was required as part of the conditions of approval for the 2021 amendment, was not submitted until all allowable extensions had expired, and nearly a year passed after receiving conditional grading permit approval before inspections were scheduled to start corrective site work.

No clear hardship has been demonstrated to justify prior delays or a commitment to completing all steps necessary to bring their expanded site into compliance with their original CUP and previously approved conditions. The 2025 modification permitted only the truck scale to remain on the northern property while the applicant sought to relocate, and multiple inspections have found ongoing business use on this parcel including storage of materials, vehicles, and other operations in direct violation of stated conditions of approval. Documents provided by the applicant, including initial environmental assessments, also indicate the parcel has continued use as a sorting yard. The final corrective item on the southern parcel was not initiated until the week of April 20, 2026.

Staff finds that the applicant has had substantial time to bring the site into compliance and that re-approving the CUP amendment at this time would only prolong ongoing noncompliance of operations. An extension through the end of calendar year 2027 would be nearly seven years from the original date of confirmed violation. For these reasons, staff recommends denial of the request. Denying the request would prompt immediate corrective action and require the site be brought into compliance with the terms of the original CUP and its associated amendment from 2008.

RECOMMENDATION: Staff recommends denial of **ADM-2026-0010**. If approved, staff recommends the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds the proposed use is incompatible with surrounding land uses;*
2. No material or vehicle storage, processing, or other work associated with Vaughn Recycling shall be located on parcel 765-14914-000 except for the existing truck scale and vehicle maneuvering space necessary for its use. Any areas of this parcel not used for vehicle maneuvering shall be reseeded or otherwise stabilized.
3. Vaughn Recycling shall be fully relocated, and the properties brought into a clean and stabilized condition by no later than December 31, 2027. No further extensions shall be permitted.

4. All steps necessary to bring the southern parcel, 765-14905-000, into compliance with the original conditions of approval shall be completed by no later than May 31, 2026. Such conditions shall be verified by staff via site inspection(s). Failure to comply with the conditions of this amendment within required deadlines may constitute grounds for revocation of this conditional use permit to operate as a center for the collection of recyclable materials.
5. Future expansion of the proposed use or redevelopment of the site shall require Planning Commission approval of a separate amendment request and applicable development review, pursuant to ordinance.
6. All other conditions of approval from conditional use permit application and the associated amendment (ADM-2025-0029 and CUP-08-2908) shall remain in effect.

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date: <u>April 27, 2026</u>	☐ Tabled	☐ Approved	☐ Denied		
Motion:					
Second:					
Vote:					

BUDGET/STAFF IMPACT:

None

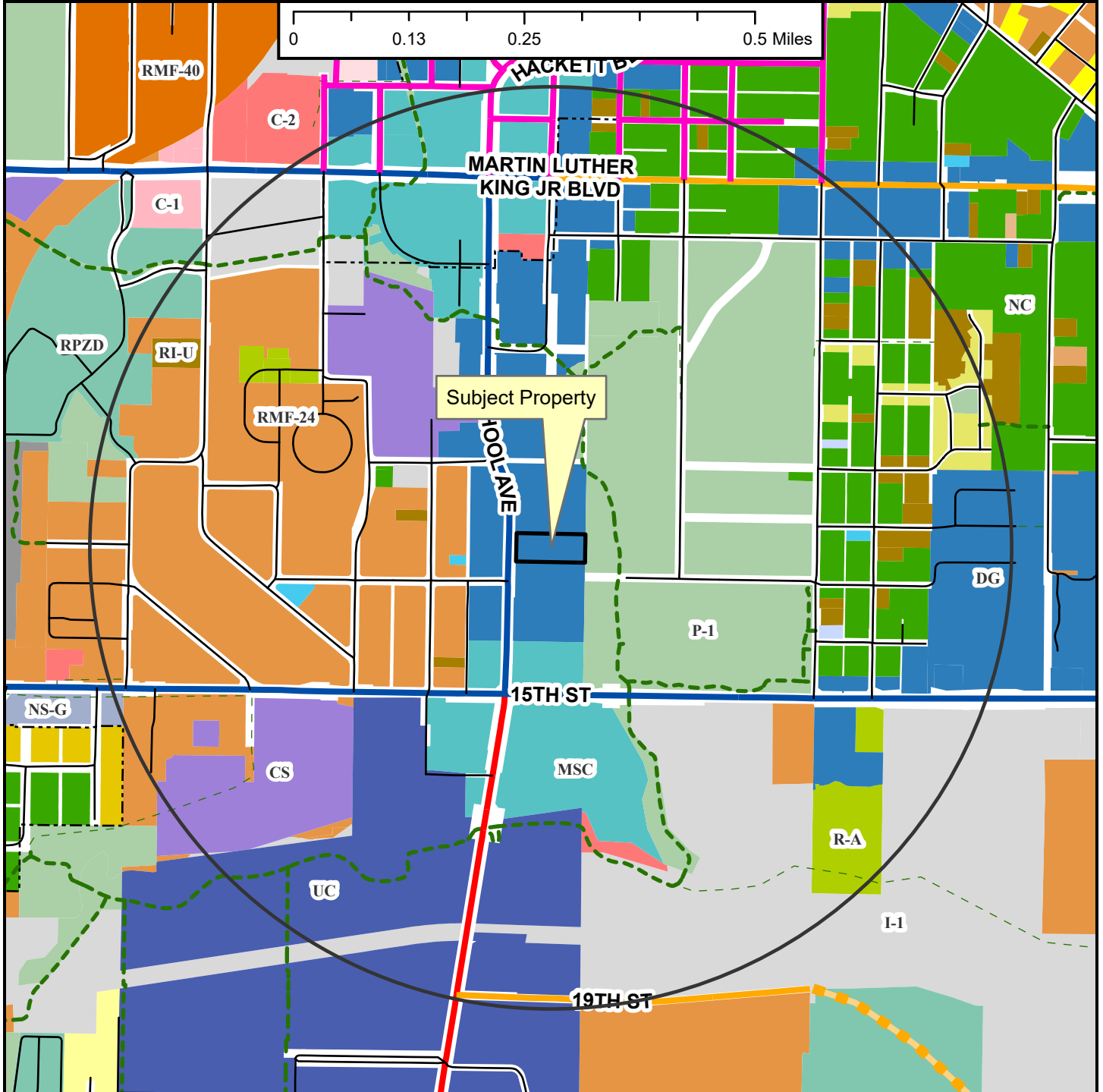
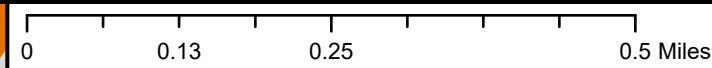
ATTACHMENTS:

- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Previous Approvals
 - CUP 08-2908 Approved Conditions
 - ADM 08-3128 Amended Conditions
 - Res. 247-21 Amended Conditions
 - ADM-2022-0048 Amended Conditions
 - ADM-2023-0036 Approved Conditions
 - ADM-2025-0029 Approved Conditions
- Applicant Request Letter
- Status Update on Relocation
- Supplementary Documents

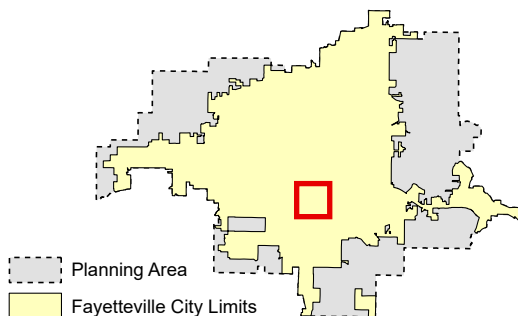
ADM-2026-0010

1236 & 1246 S. SCHOOL AVE

One Mile View



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



Planning Commission

April 27, 2026

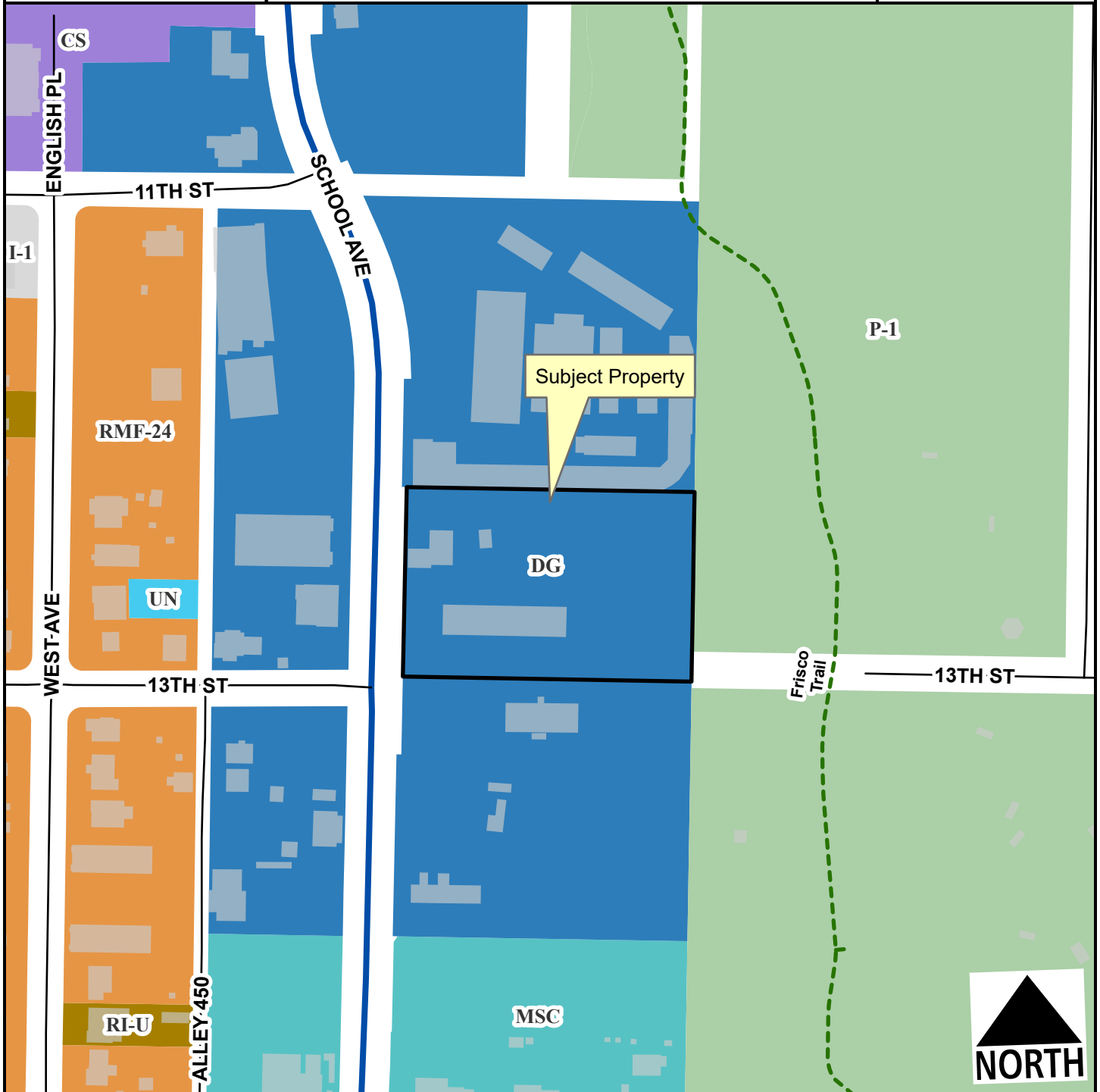
ADM-2026-0010 (VAUGHN RECYCLING)

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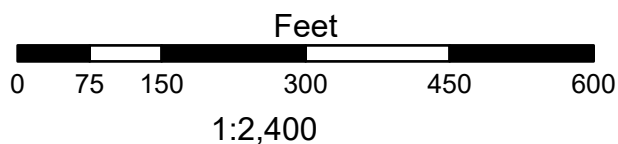
ADM-2026-0010

1236 & 1246 S. SCHOOL AVE

Close Up View



- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail



ADM-2026-0010

1236 & 1246 S. SCHOOL AVE

Current Land Use



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

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CUP-08-2908 Approved Conditions

RECOMMENDED MOTION:

Staff recommends approval of CUP 08-2908 with the following conditions:

1. All materials shall be sorted, processed, packed, and stored inside the building. Storage or processing of potentially explosive or combustible materials and/or chemicals shall be prohibited.
2. Large trailers shall be utilized only for loading and removal of materials from the site, and may not be utilized for storage. Large trailers shall be parked for loading only at the rear of the building, as indicated on the site plan, and shall not be visible from the public right-of-way, until the time of shipping of materials. Any one trailer may be parked at the site for a maximum of five (5) days.
3. The paved maneuvering area shall be extended 12 feet to the east to ensure maneuverability. The applicant shall include a bioswale, east of the paved maneuvering area, for drainage purposes, to be approved by the Engineering Division.

PLANNING COMMISSION CONDITION OF APPROVAL

4. Hours of operation shall be limited to Monday through Friday, 7:30 AM - 5:30 PM, and Saturday, 8:00 AM – 2:00 PM.
5. Staff recommends that a wood board fence, no less than six feet in height, be constructed along a portion of the south property line, as indicated on the site plan, to screen the use from the property to the south. Additionally, staff recommends that the applicant plant a continuous row of evergreen vegetation along the south property line, west of the recommended wood board fence. Staff also recommends that the applicant screen the east side of the proposed maneuvering area located at the eastern portion of the subject property with evergreen trees.
6. As part of the building permit, the applicant shall submit a Site Improvement Plan, Landscape and Tree Preservation Plan for approval pursuant to City Ordinance and in addition to any other plans deemed necessary as part of said review. Adequate vegetative screening shall be provided as required by ordinance or as deemed appropriate by the City Planning Division.
7. Parking in areas identified on the proposed site plan as “loading” or “unloading” areas shall be for day-to-day customer unloading/loading and enforced by the applicant. Should the proposed use require more than the maximum allowable parking on the subject property (8 parking spaces), the applicant shall submit a conditional use request for additional parking.

8. Curb stops or curbing shall be installed along any parking or maneuvering areas adjacent to greenspace, to protect the plants therein.
9. Any existing non-conforming signage shall be removed, together with its supporting structure prior to issuance of a building permit. All new signs shall be permitted according to City codes.
10. 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.
11. Vehicles that access the site must enter and exit in a forward manner, in accordance with city regulations.
12. In compliance with City ordinance, any dumpsters shall be screened with materials compatible with, and complementary to, the principal structure with access not visible from the street.
- * 13. Future expansion of the proposed use or redevelopment of the site shall require Planning Commission approval of a separate conditional use request, Master Street Plan right-of-way dedication, and a Site Improvement Plan or a Large Scale Development request.

ADM 08-3128 Amended Conditions

1. Condition of Approval #1 of CUP 08-2908 shall be revised to the following: Storage or processing of potentially explosive or combustible materials and/or chemicals shall be prohibited. Indoor processing and long-term storage of all materials shall be required. Customer drop-off and preliminary sorting of materials prior to storage/processing for shipping shall be permitted outside provided that a wood board fence is extended, as shown on the site plan. Materials shall not be visible above the woodboard fence and/or from the public right-of-way.
2. All other conditions of approval from conditional use application (CUP 08-2908) shall remain in force.

Res 247-21 Amended Conditions of Approval:

1. City Council determination of compatibility with adjacent properties.
2. All conditions of approval of the associated conditional use permit will remain in effect. The requested area shall be subject to the same conditions of approval including master street plan dedication and approval of a site improvement plan or large scale development.
3. All materials shall be sorted, processed, packed, and stored inside the existing building or an expanded facility. Storage or processing of potentially explosive or combustible materials and/or chemicals shall be prohibited.
4. Large trailers shall be utilized for loading and removal of materials from the site and may not be utilized for storage. Large trailers shall be parked for loading only at the rear of the

building, as indicated on the site plan, and shall not be visible from the public right-of-way, until the time of shipping materials. Any one trailer may be parked at the site for a maximum of five (5) days.

5. The applicant shall include a bioswale, east of the paved maneuvering area, for drainage purposes, to be approved by the Engineering Division.
6. Hours of operation shall be limited to Monday through Friday, 7:30 AM – 5:30 PM, and Saturday, 8:00 AM – 2:00 PM.
7. A wood board fence, no less than six (6) feet in height, shall be constructed along the length of the north property line to screen the use from the adjoining properties. The applicant should plant a continuous row of evergreen vegetation along the north property line, south of the recommended wood board fence and screen any newly proposed maneuvering areas with evergreen trees.
8. As part of the development entitlements, the applicant shall submit a site improvement plan or large scale development, landscape and tree preservation plan for approval pursuant to City ordinances and in addition to any other plans deemed necessary as part of said review. Adequate vegetative screening shall be provided as required by ordinance or as deemed appropriate by the City Planning Division.
9. Parking in areas identified in the original site plan as “loading” or “unloading” areas shall be for day-to-day customer unloading/loading and enforced by the applicant. Should the proposed use require more than the maximum allowable parking on the subject property (8 parking spaces), the applicant shall submit an additional conditional use request for supplementary parking.
10. Curb stops or curbing shall be installed along any parking or maneuvering areas adjacent to greenspace, to protect the plants therein.
11. Any existing non-conforming signage shall be removed, together with its supporting structure prior to issuance of a building permit. All new signs shall be permitted according to City codes.
12. 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.
13. Vehicles that access the site must enter and exit in a forward manner, in accordance with City regulations.
14. In compliance with City ordinance, any dumpsters shall be screened with materials compatible with, and complementary to, the principal structure with access not visible from the street.
15. Future expansion of the proposed use or redevelopment of the site shall require Planning Commission approval of a separate conditional use request, Master Street Plan right-of-way dedication, and a site improvement plan or a large scale development request.
16. The applicant shall allow city staff to inspect the premises monthly with unannounced visits during normal business hours and shall promptly correct any violations of these conditions discovered by city staff.

17. This approval expires after one year (October 5, 2022), but may be extended by the Planning Commission if applicant has consistently complied with these conditions including preventing or promptly cleaning up any mud or debris tracked onto the public right-of-way from this property. The applicant is responsible for applying for and obtaining the Planning Commission's approval to extend this Conditional Use Permit prior to its automatic expiration.

ADM-2022-0048 Amended Conditions of Approval:

1. Planning Commission determination of compatibility with adjacent properties.
2. Storage or processing of potentially explosive or combustible materials and/or chemicals shall be prohibited. Indoor processing and long-term storage of all materials shall be required. Customer drop-off and preliminary sorting of materials prior to storage/processing for shipping shall be permitted outside provided that materials are not visible above the woodboard fence and/or from the public right of way.
3. Large trailers shall be utilized for loading and removal of materials from the site and may not be utilized for storage. Large trailers shall be parked for loading only at the rear of the property and shall be screened from the public right-of-way, until the time of shipping materials. Any one trailer may be parked at the site for a maximum of seven (7) days.
4. The applicant shall construct a bioswale along the entire east boundary of the site for drainage purposes, to be approved by the Engineering Division.
5. Hours of operation shall be limited to Monday through Friday, 7:30 AM – 5:30 PM, and Saturday, 8:00 AM – 2:00 PM.
6. The applicant shall plant a continuous row of evergreen vegetation, no less than six (6) feet in height, along the north and east property lines to screen the use from the adjoining property.
7. As part of the development entitlements, the applicant shall submit the appropriate development review application pursuant to City ordinances and in addition to any other plans deemed necessary as part of said review. Adequate vegetative screening shall be provided as required by ordinance or as deemed appropriate by the City Planning Division.
8. Parking in areas identified in the original site plan as “loading” or “unloading” areas shall be for day-to-day customer unloading/loading and enforced by the applicant. Parking, including the current maximum allowed on the subject property (eight parking spaces), shall be evaluated with a site improvement plan or large scale development proposal.
9. Curbing or curb stops shall be installed along any parking or maneuvering areas adjacent to greenspace, to protect the plants therein.
10. Any existing non-conforming signage shall be removed, together with its supporting structure prior to issuance of a grading permit. All new signs shall be permitted according to City codes.
11. All exterior lights shall comply with the City lighting ordinance.

12. Vehicles that access the site must enter and exit in a forward manner, in accordance with City regulations.
13. In compliance with City ordinance, any dumpsters shall be screened with materials compatible with, and complementary to, the principal structure with access not visible from the street.
14. Future expansion of the proposed use or redevelopment of the site shall require Planning Commission approval of a separate amendment request and applicable development review, pursuant to ordinance.

ADM-2023-0036 Conditions of Approval:

1. A one-year extension for CUP 08-2908 and ADM-2023-0048 will expire on September 26, 2024;
2. All other conditions associated with the conditional use permit and approved modifications not affected by this extension shall remain in effect; and
3. Approval of this conditional use permit extension does not constitute approval of associated permits or development entitlements not fully reviewed at this time.

ADM-2025-0029 Approved Conditions

1. **Planning Commission determination of compatibility.** *Staff finds the proposed use is incompatible with surrounding land uses;*
2. No material or vehicle storage, processing, or other work associated with Vaughn's Recycling shall be located on PID 765-14914-000 with the exception of the existing truck scale and vehicle maneuvering space necessary for its use. Any areas of this parcel not used for vehicle maneuvering shall be reseeded or otherwise stabilized.
3. The truck scale shall be fully removed from the subject property and PID 765-14914-000 fully reseeded or otherwise stabilized by no later than February 25, 2026. If the truck scale is not able to be removed at this time, one additional six-month extension may be brought before the Planning Commission pending determination that satisfactory progress has been made towards its relocation.
4. All steps necessary to bring the southern parcel, PID 765-14905-000, fully into compliance with the original conditions of approval shall be completed by no later than November 25, 2025. Such conditions shall be verified by staff via site inspection(s). Failure to comply with the conditions of this amendment within required deadlines may constitute grounds for revocation of this conditional use permit to operate as a center for the collection of recyclable materials.
 - a. The existing bioswale shall be cleaned and re-established per the previously approved plans. The swale shall be maintained per the approved plans and shall not be utilized for vehicle or material storage.

- b. The applicant shall plant a continuous row of evergreen vegetation, no less than six (6) feet in height, along the north and east property lines to screen the use from the adjoining property.
 - c. Parking in areas identified in the original site plan as “loading” or “unloading” areas shall be for day-to-day customer unloading/loading and enforced by the applicant. Parking, including the current maximum allowed on the subject property (eight parking spaces), shall be evaluated with a site improvement plan or large-scale development proposal. Loading and unloading zones shall be restriped.
 - d. The driveway gate shall include a screening element such as a fabric privacy screen cover that shall visually screen the storage area beyond while the gate is closed. The screen shall be maintained in good condition.
 - e. Storage or processing of potentially explosive or combustible materials and/or chemicals shall be prohibited with the exception of propane cylinders used for fueling equipment. Such vehicle fuel shall be kept in an approved storage container in quantities and placement consistent with fire code.
 - f. Large trailers shall be utilized for loading and removal of materials from the site and may not be utilized for storage. Large trailers shall be parked for loading only at the rear of the property and shall be screened from the public right-of-way, until the time of shipping materials. Any one trailer may be parked at the site for a maximum of seven (7) days.
 - g. Indoor processing and long-term storage of all materials shall be required. Customer drop-off and preliminary sorting of materials prior to storage/processing for shipping shall be permitted outside provided that materials are not visible above the wood board fence and/or from the public right of way.
 - h. All exterior lights shall comply with the City lighting ordinance.
 - i. In compliance with City ordinance, any dumpsters shall be screened with materials compatible with, and complementary to, the principal structure with access not visible from the street.
5. Future expansion of the proposed use or redevelopment of the site shall require Planning Commission approval of a separate amendment request and applicable development review, pursuant to ordinance.
6. All other conditions of approval from conditional use permit application (CUP-08-2908) shall remain in effect.

HALBLERT LAW OFFICES

ATTORNEYS AT LAW

PO BOX 1272

FAYETTEVILLE, AR 72702

PHONE (479) 571-0014

FAX (877) 450-0781

tripp@halbertlaw.net

April 8, 2026

City of Fayetteville
Planning Commission
125 W Mountain St,
Fayetteville, AR 72701

Re: Formal Amendment Request to CUP-08-2908 (ADM-2022-0048)

Commissioners:

Please accept this letter and the enclosed written description on behalf of Vaughn Recycling, LLC in support of its request for a public hearing regarding an amendment to the existing Conditional Use Permit governing its operations at 1236 and 1246 S. School Avenue.

This request is temporary and transitional in nature. Vaughn is not seeking to expand the scope or intensity of its recycling use at the property. Rather, Vaughn seeks limited relief necessary to allow continued operation while it completes the process of relocating the business to a suitable replacement site outside the City of Fayetteville.

Vaughn has been actively working toward that relocation for many months. In July 2025, the School Avenue property went under contract to be sold to a prospective buyer, and Vaughn began working through the diligence process associated with that transaction. Since that time, the parties have gone through substantial investigation and testing, including environmental review, soil-related work, and other due-diligence items customarily associated with a transaction of this type. It became clear through that process that the sale and relocation would not be a quick or simple transition.

At the same time, Vaughn identified a replacement property in Washington County off Highway 412 and pursued that site in good faith as its intended new location. That transaction was also pursued through diligence and preliminary development review, but was ultimately terminated because of the extensive utility-related work and bond requirements associated with the property in upwards of \$400,000.00. In short, Vaughn has not remained idle. It has actively pursued both the sale of its current site and

acquisition of a compliant replacement site, but those efforts have been delayed by practical development, infrastructure, and transactional obstacles.

The financial burden associated with this process has been substantial. In order to maintain operations and position itself to acquire a suitable replacement property, Vaughn was forced to sell Vaughn Battery, another business located within the City on March 6th, 2026. Even with that step, locating and securing an appropriate industrial property for relocation has remained difficult despite the involvement of multiple professionals assisting in the search.

Accordingly, Vaughn respectfully requests that the Planning Commission hear its application for an amendment to the existing CUP to allow temporary continued operation during this relocation period, including limited interim relief associated with the existing truck scale and related site functionality, until a viable replacement site can be secured and developed. The purpose of this request is to facilitate an orderly transition out of the City, not to authorize any permanent expansion of the use.

Vaughn understands the City's concerns and remains committed to continuing to work with staff in good faith regarding interim compliance items, operational restrictions, and a realistic transition timeline. At present, Vaughn's ability to transition is constrained in part by the financial and transactional realities created by the recent sale of Vaughn Battery on March 6, 2026. As a result of that sale, Vaughn is operating under a 1031 exchange deadline and must acquire and close on suitable replacement property within 180 days of March 6, 2026. Vaughn's goal is to close on a viable replacement property before that deadline if reasonably possible. At the same time, the pending sale of the current Vaughn Recycling property has, at the buyer's request, been scheduled for closing in early 2027. Based on those timing realities, Vaughn's present expectation and goal is to complete the transition out of the current facility and into a replacement site by the end of 2027. In the meantime, Vaughn respectfully requests the Commission's consideration of these practical constraints and of Vaughn's active efforts to sell the current property, secure a replacement site, and relocate operations in an orderly and responsible manner.

Thank you for your time and consideration. Please let me know if the Commission or staff would like any additional information or supporting materials in advance of the hearing.

Halbert Law Offices



Charles E. Halbert III

CEH/hdc

cc : Vaughn Recycling, LLC

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April 8, 2026

City of Fayetteville
Planning Commission
125 W Mountain St,
Fayetteville, AR 72701

Re: ADM-2026-0010)

Commissioners:

Please accept this letter as a status update on behalf of Vaughn Recycling regarding its continued efforts to relocate its operations off the current property. Vaughn Recycling, through its affiliated ownership and operating entities, has been working diligently and in good faith to identify, evaluate, and secure suitable replacement property so that operations can be transitioned in an orderly manner. This has not been a passive process. Rather, Vaughn Recycling has spent substantial time, money, and effort pursuing both the sale of its current property and multiple potential replacement sites, while also working with engineers, environmental consultants, utilities, surveyors, architects, and local governmental authorities to determine feasibility.

By way of background, the existing property was placed under contract in July 2025. Under that transaction, the buyer was given time to complete financing, feasibility, inspection, environmental, and related diligence, and the parties later executed a series of written extensions as that work continued. The current closing structure reflects that the closing is to occur on or before January 31, 2027, but not before January 1, 2027. That timeline reflects that the sale process has remained active and ongoing, rather than abandoned, and that both sides have continued to work toward consummating the transaction. Vaughn Recycling has also provided for your review an affidavit from the purchaser's side further confirming the continued efforts being made to move that transaction toward closing.

At the same time, Vaughn Recycling pursued the Aarons Drive property in Springdale as a potential replacement site. That property was placed under contract on July 8, 2025, for approximately 6.53 acres, with an initial closing date of September 15,

2025. The contract and rider gave the buyer a 120-day county feasibility contingency, a 90-day environmental due-diligence right, access for inspection and testing, and up to two 30-day closing extensions. During that feasibility period, Vaughn Recycling undertook substantial diligence and expended upwards of \$30,000.00 on soil testing, utility-location work with Springdale Utilities, work with the City of Springdale regarding large-scale development matters, and work with Bates & Associates on renderings and drawings for potential development of the site.

Unfortunately, that diligence revealed substantial development obstacles. As Vaughn Recycling's consultants and engineers advanced their work, they identified significant utility and subsurface issues, including deep existing water main and utility relocation concerns, uncertainty regarding depth and field conditions, potential loss of usable site area, and extensive historic fill and debris-related subsurface issues. Vaughn Recycling then obtained remediation and relocation estimates, and the projected corrective costs came back at approximately \$200,000.00. After reviewing that information in good faith, Vaughn Recycling determined that the Aarons Drive site was not suitable for its intended use on acceptable terms and formally terminated that transaction on March 19, 2026. That decision was not the result of inaction; it was the result of extensive diligence that showed the site was not economically or practically workable for the intended relocation.

After the Aarons Drive property proved unsuitable, Vaughn Recycling continued pursuing other replacement options. One such property is located on South Industrial Drive in Fayetteville, Arkansas. The contract for that property was executed in late March 2026 and concerns approximately 2.94 acres for a purchase price of \$475,000.00. That contract includes earnest money, provides that closing is to occur within 30 days after waiver or expiration of contingencies, and gives the buyer 90 days to complete financing, feasibility, inspection, environmental, and rezoning/platting/zoning-verification review. In connection with that property, Vaughn Recycling has also been working with the City of Fayetteville to better understand the development burdens associated with the site, including large-scale development requirements and related municipal approvals, so that it can determine whether the property can be realistically developed for its needs. The survey and disclosure materials further reflect that this site has already involved replating and industrial-zoning review.

Vaughn Recycling has also placed under contract another potential replacement property located at 204 Bridle Lane, Monett, Missouri. That contract reflects a purchase price of \$450,000.00, a contemplated closing on or before June 9, 2026, and broad contractual rights for the buyer to conduct due diligence concerning environmental matters, soil conditions, municipal issues, title matters, inspections, and seller records. This again reflects that Vaughn Recycling has continued to pursue alternative replacement locations rather than remain idle.

To assist the Planning Commission and staff in evaluating these efforts, I have supplemented this status update with various supporting documents referenced throughout, including but not limited to inspection reports, environmental testing, and

Phase I and Phase II materials for the selling property as well as the replacement properties. I have also included the purchaser affidavit referenced above for your review and benefit. If there is additional information that would further demonstrate my client's willingness, readiness, and continued good-faith effort to relocate and move operations off the current property, please let me know and I will be happy to supplement the record further.

In sum, Vaughn Recycling has been actively and continuously working to move off the property, but the process has required real-world feasibility analysis, environmental review, governmental coordination, and replacement-property evaluation. One replacement site was pursued extensively but had to be terminated after significant expense and engineering review showed that it was not suitable. Additional replacement properties are now being pursued and evaluated, including properties in Fayetteville and Monett. We respectfully ask the Commission to consider these efforts as evidence of Vaughn Recycling's diligence and good-faith intent to transition off the property as soon as a workable replacement site and related transaction structure can be finalized.

Best,

Halbert Law Offices



Charles E. Halbert III

CEH/hdc

cc : Vaughn Recycling, LLC

AFFIDAVIT OF CAMERON CLARK

STATE OF ARKANSAS)

COUNTY OF WASHINGTON)

I, Cameron Clark, being first duly sworn, state as follows:

1. My name is Cameron Clark. I am over the age of eighteen (18), am of sound mind, and am competent to make this Affidavit. I have personal knowledge of the matters stated herein.
2. I am an authorized representative of CJC Development, LLC and/or Assigns, the Buyer under that certain Real Estate Contract (Commercial) dated July 22, 2025, by and between CJC Development, LLC and/or Assigns, as Buyer, and Vaughn Revocable Trust, as Seller, regarding approximately 2.37 acres located at 1246 and 1236 S. School Avenue, Fayetteville, Washington County, Arkansas.
3. From the date of the contract forward, Buyer and Seller have worked diligently and in good faith to consummate the transaction.
4. Throughout the due diligence and feasibility period, the parties have spent substantial time, effort, and money attempting to move the transaction forward. That work has included, without limitation, environmental review, Phase I work, Phase II work, geothermal studies, feasibility review, inspections, surveys, title work, plans, estimates, and related professional consultation and analysis.
5. To date, Buyer and Seller have collectively spent upwards of Forty Thousand Dollars (\$40,000.00) in connection with the transaction and the due diligence and feasibility efforts associated with the Property.
6. The parties' course of conduct reflects their continuing intent to complete the transaction. The original contract provided for contingencies, and those contingencies were later extended by mutual written agreement on multiple occasions so that the parties could continue working through the diligence and feasibility items necessary to determine how the transaction could proceed.
7. More recently, the parties mutually agreed that closing would occur in 2027, specifically on or before January 31, 2027, but not prior to January 1, 2027.

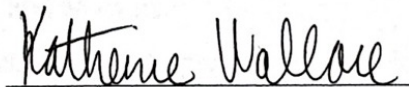
8. The primary reason for extending the closing into 2027 was to allow Buyer, additional time to continue raising the funds necessary to complete the transaction and to finish the remaining due diligence and feasibility work associated with the Property.
9. I have been actively involved in coordinating and advancing the transaction, including efforts related to financing, investigation of the Property, and overall feasibility review. The extension to 2027 was requested chiefly so that those efforts could be completed in an orderly manner and so the parties could preserve the opportunity to close rather than terminate the transaction.
10. The agreed extension also provided a mutual benefit to the parties by allowing additional time to address timing issues associated with bond recycling and the Seller's replacement-property considerations.
11. I am making this Affidavit to provide context regarding the history of this transaction, the diligence undertaken by the parties, the expenditures made in furtherance of the transaction, and the reason the closing has now been set in 2027.

FURTHER AFFIANT SAYETH NOT.



Cameron Clark

SUBSCRIBED AND SWORN TO before me on this 7th day of April, 2026



Notary Public

My Commission Expires: February 18, 2036

[SEAL]





PHASE I ENVIRONMENTAL SITE ASSESSMENT

Prepared For:



**3.37 Acre Tract - S. School Ave
Fayetteville, Arkansas**

Project No. 25-3870
October 3, 2025

1113 E. Davidson Street, Suite 101
Fayetteville, Arkansas 72701

April 27, 2026
ADM-2026-0010 (VAUGHN RECYCLING)
Page 21 of 25

1.0 Executive Summary

This Phase I Environmental Site Assessment (ESA) was conducted following the guidelines established by ASTM E 1527-21 and McClelland Consulting Engineers (MCE) proposal MCE27-192A.R1, authorized on September 9, 2025, signed by Mr. Cameron Clark, Owner | Managing Member with CJC Development. It was not the purpose of this study to determine the actual presence, degree, or to delineate the extent of contamination, if any, on the subject property.

The subject property encompasses approximately 3.37 acres, belonging to three (3) Washington County Parcels with the following Tax ID Numbers: 765-14914-000, 756-14905-000, and 756-14908-000. Further, the subject property is represented by the following physical addresses: 1263 S. School Ave., 1246 S. School Ave., and 1306 S. School Ave., all in Fayetteville, Arkansas. Readily available records suggest that the site has been utilized as a fueling station, auto repair facility, recycling center, and a thrift store. The approximate center of the subject property may be referenced by the following latitude and longitude: 36.050532°N -94.163534°W. A street map and aerial image of the subject property may be referenced in Appendix 1, Figures 1 and 2, respectively.

- **1236 S. School Ave**

The western-most portion of this site was a former fuel station and auto repair facility. The storefront, garage bays, and fueling canopy remain onsite. We understand that the underground storage tanks have been removed/decommissioned. Eastern portions of this parcel are in use as a sorting yard and weight scales for the recycling center. Pavement improvements on this parcel were observed to include asphalt, concrete, and gravel. Vegetation was observed to be very minimal and located primarily in the eastern portions of the site.

- **1246 S. School Ave**

This address contains the recycling center office and warehouse space. Eastern and southern portions of this parcel are being used as a sorting yard for the recycling center. Pavement improvements on this parcel were observed to include asphalt and gravel. Vegetation was observed to be very minimal and located primarily in the eastern portions of the site.

- **1306 S. School Ave**

This address contains a larger commercial structure utilized as a thrift store. Pavement improvements on this parcel were observed to include concrete and gravel. Vegetation was observed to be low to medium cut grass and a few mature trees, located primarily in the eastern portions of the site. Interior access to the existing commercial structure on this property was not permitted at the time of the site reconnaissance.

1.1 On-site Findings

Searches of historical records, provided by EDR, included a review of aerial photographs, fire insurance maps, USGS, and topographic maps. Based upon the review of applicable and reasonably ascertainable government and historical records, a site reconnaissance of the subject property, and interviews with persons knowledgeable about the subject property, **there are two (2) onsite findings identified that constitute a REC in connection with the subject property and two (2) BER.**

- **B&B Auto Detail, Adams Deep Rock Service, Adams Conoco (1236 S. School Ave)**

Oil, fuel spills, and stains inside the building are considered releases and therefore would constitute a REC.

- **Vaughn Recycling, LLC (1236 S. School Ave)**

Diesel spills and stains associated with the AST would constitute a REC.

- **Business Environmental Risks**

Both Vaughn Recycling and Adams Conoco pose a Business Environmental Risk (BER). Vaughn Recycling has the potential for RCRA Metals in the surface soils from the long history of recycling appliances and electronics. Adams Conoco has the potential for diesel, gasoline, and oil releases due to its long history as an auto repair and fuel station.



PHASE II ESA REPORT



Subject Property:

**S. School Ave Development
Fayetteville, Arkansas**

Project No. 25-3883

Prepared For:
CJC Development
11113 E. Davidson St, Suite 101
Fayetteville, Arkansas 72701

Revised February 2026
Revised by: [Name]
April 27, 2026
ADM-2026-0010 (VAUGHN RECYCLING)
Page 23 of 25

1.0 Executive Summary

McClelland Consulting Engineers, Inc. (MCE) has performed this Limited Phase II Environmental Site Assessment (ESA) relevant to the subject property located at 1236, 1246, and 1306 S. School Ave in Fayetteville, Arkansas. The scope of work contained herein is based on the findings and conclusions presented in the Phase I ESA Report for the subject property conducted by MCE (Project #25-3870), dated October 3rd, 2025. The subject property encompasses approximately 3.37 acres, belonging to three (3) Washington County Parcels with the following Tax ID Numbers: 765-14914-000, 756-14905-000, and 756-14908-000.

This Limited Phase II ESA was conducted to investigate portions of the subject property for subsurface impacts as a result of the Recognized Environmental Conditions (REC) that was identified during the Phase I ESA conducted under MCE Project Number 25-3870. At that time, MCE recommended a Limited Phase II ESA be conducted to investigate the potential impact from the REC. More information about the previously conducted Phase I ESA and associated REC may be referenced in Section 3.0 Project Background & Previous Assessments section of this report.

- The scope of this Limited Phase II ESA investigation consisted of seven (7) environmental borings strategically placed in areas of concern around the property and one (1) grab sample from the service pit inside the former gas station.
- Findings identified in the Phase I ESA process indicated that there are (HRECS, RECs, and BERs) associated with the subject property. These included a former gas station and a recycling facility. This limited Phase II ESA targeted areas identified as having an elevated potential for contamination.
- Samples of the environmental media (soil samples) were evaluated on-site via PID readings during sampling as well as visual and olfactory observations of obvious contamination.
- Eight (8) samples were submitted to Eurofins Arkansas for laboratory analysis
 - The requested laboratory analysis consisted of TPH-Full for all collected samples and RCRA Metals for samples collected from ENVB-02 through ENVB-06
- Hand/grab sample ENVS-01, collected from the former service station pit exhibited a TPH concentration of 21,000 mg/kg (ppm), which is well above action levels by AA&E-DEQ and EPA's Risk Based Screening Levels.
 - **MCE recommends that the service pit area exhibiting elevated levels of TPH be remediated as described in section 7.1 of this report.**
- Two (2) samples, ENVB-03 and ENVB-05 exhibited elevated levels of Arsenic when compared to the EPA's Risk Based Screening Levels as well as geochemical data provided by the Arkansas Geological Survey for Arsenic concentrations in this area.
- Two (2) samples, ENVB-03 and ENVB-04 exhibited elevated levels of Total Chromium when compared to the EPA's Risk Based Screening Levels as well as geochemical data provided by the Arkansas Geological Survey for Total Chromium concentrations in this area.
- **In regard to elevated levels of Arsenic and Total Chromium, MCE would recommend capping these soils when feasible. If disturbance is unavoidable, MCE would guide to effective dust control, good hygiene, appropriate PPE, and worker awareness as described in sections 7.2.1 and 7.2.2 to mitigate risks to workers.**

MCE would recommends retaining our services to provide additional environmental services to include Toxicity Characteristic Leaching Procedure (TCLP) analysis of the materials within the service pit and in areas of likely earthwork operations to assist in budgeting for these operations. Additionally, MCE would suggest further analysis to speciate Total Chromium, should it be encountered in additionally collected samples. Additionally, observations should be made during site modifications for areas of possible contamination, such as but not limited to, the presence of underground facilities, buried debris, stained soil, or odorous soil. Should such materials be encountered, further investigation and analysis may be necessary at that time.

2.0 Introduction

McClelland Consulting Engineers, Inc. (MCE) has performed this Limited Phase II Environmental Site Assessment (ESA) relevant to the subject property located at 1236, 1246, and 1306 S. School Ave in Fayetteville, Arkansas. The scope of work contained herein is based on the findings and conclusions presented in the Phase I ESA Report for the subject property conducted by McClelland Consulting Engineers Inc. of Fayetteville, AR (Project #25-3870), dated October 3rd, 2025.

This Limited Phase II ESA was conducted in general accordance with the American Society for Testing and Materials (ASTM) E1903-11 Environmental Site Assessments: Phase II Environmental Site Assessment Process, as well as commonly accepted industry standards.

2.1 Report Reliance

MCE has performed this scope of services for the exclusive use of, and the reports can be relied upon by CJC Development of Fayetteville, Arkansas, their attorneys, and lending institutions. Any use by entities not listed is expressly prohibited without prior written permission from MCE.

2.2 Location & Legal Description

The subject property encompasses approximately 3.37 acres, belonging to three (3) Washington County Parcels with the following Tax ID Numbers: 765-14914-000, 756-14905-000, and 756-14908-000.

Based on Washington County tax records, the parcels represented by the addresses 1236 and 1246 S. School Ave. are owned by the Vaughn Revocable Trust and the parcel represented by 1306 S. School Ave. is owned by the Galloway, Judy L Revocable Trust. The approximate center of the subject property may be referenced by the following latitude and longitude: 36.050532°N -94.163534°W. The property is part of the northeast ¼ of Section 21, Township 16 North, Range 30 West of the Fifth Principal Meridian, Washington County, Arkansas.

2.3 Current Use of the Subject Property

The subject property is developed as a commercial property that includes a former service station, a recycling facility, and a resale shop. Description by address is discussed in the following sections.

2.3.1 1246 S. School Ave

The western-most portion of this site was a former fuel station and auto repair facility. The storefront, garage bays, and fueling canopy remain onsite. Eastern portions of this parcel are in use as a sorting yard and weight scales for the recycling center.

2.3.2 1246 S. School Ave

This address contains the recycling center office and warehouse space. Eastern and southern portions of this parcel are being used as a sorting yard for the recycling center. Pavement improvements on this parcel were observed to include asphalt and gravel.

2.3.3 1306 S. School Ave

This address contains a larger commercial structure utilized as a thrift store. Pavement improvements on this parcel were observed to include concrete and gravel. Vegetation was observed to be low to medium cut grass and a few mature trees, located primarily in the eastern portions of the site.

2.4 Topographic Setting

The subject property is shown on the Fayetteville, AR, Quadrangle. This 7.5-minute Series map was produced by the United States Geological Survey (USGS) and has a scale of 1:24,000 (2000 feet) with a contour interval of 20 feet. The average site elevation, as shown on the 2020 Topographic Map, is 1230 feet above the mean sea level. The topographic setting of the site may be described as flat with a slight slope to the east towards a tributary of Town Branch. The topographic features of the surrounding area are dominated by rolling hills with topographic highs to the north and south of the subject property.



TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director
Justin Bland, City Engineer
Willa Thomason, Urban Forester

MEETING: April 27, 2026

SUBJECT: **LSD-2026-0004: Large Scale Development (NORTH OF N. RAVEN LN & W. AZURITE ST/KTB LIMITED PARTNERSHIP AND UNDERWOOD, CRAIG & LAURA REVOCABLE TRUST, 246 & 285):** Submitted by CRAFTON TULL for a property located on NORTH OF N. RAVEN LN & W. AZURITE ST. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT, and RPZD, RESIDENTIAL PLANNED ZONING DISTRICT, and contains approximately 49.33 acres. The request is for a 274-unit residential development with associated parking.

RECOMMENDATION:

Staff recommends approval of **LSD-2026-0015** with conditions as noted in the staff report.

RECOMMENDED MOTION: *"I move to approve **LSD-2025-0015**, finding:*

- In favor of a variance to ORD 6334; 50% of the Park's full perimeter shall have lots that feature buildings fronting the park*
- In favor of a variance to UDC §166.08(E)(3) – Connectivity*
- In favor of a variance to UDC §166.08(E)(1)(c) – Block Length/Connectivity*
- In favor of right-of-way dedication,*
- In favor of street improvements, and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is in west Fayetteville, immediately south of the recently-dedicated Underwood Park, and north of the recently-completed Crystal Springs subdivision. The overall site contains approximately 49.33 acres and contains two parcels (765-16658-050 and 765-16658-022). The property is split-zoned between two separate planned zoning districts, one of which was approved by City Council in November 2025 (Ord. 6923) and the other is part of the overall Underwood Park PZD which was approved by City Council in July 2020. There is a master street plan connection that runs through the property. No overlay districts apply to the property. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Underwood Park; Undeveloped	CPZD, Commercial Planned Zoning District; RSF-4, Residential Single-Family, 4 Units per Acre
South	Single-Family Residential	CPZD, Commercial Planned Zoning District; RSF-4, Residential Single-Family, 4 Units per Acre
East	Undeveloped	CPZD, Commercial Planned Zoning District
West	Undeveloped	RSF-1, Residential Single-Family, 1 Unit per Acre

Proposal: The applicant requests large scale development approval for a 274-unit single-family development. The intention is for the development to remain on one lot, and for the units to be for rent rather than for sale. Three variances have been requested:

- **Variance #1: ORD 6334, the Underwood Park PZD, requires that 50% of the Park's full perimeter shall have lots that feature buildings fronting the park. Lots may be adjoining the park or separated from the park by a street as long as buildings include front doors to the park. No portion of the perimeter, either developed or undeveloped shall be exempt from this. This shall be a development requirement, with variances subject to Planning Commission consideration.** The applicant is requesting a variance to this standard to allow for homes to front the adjacent streets, rather than the park itself.
 - *Staff recommendation: Staff recommends in favor of the applicant's request. The intent of this ordinance was to align the overall master plan with tenets that are prescribed in Crime Prevention Through Environmental Design. The basic principal that was applied with this design standard was the idea that by providing front doors to the park, this would provide natural surveillance to the park and promote safety for the public. Because of the way the overall site design is working for this project, and to meet the underlying master street plan connectivity standards, there are homes with frontage along both the public street and Underwood Park. From an urban design perspective, it makes more inherent sense for the homes' front doors to be situated along the streetscape, rather than rotating them to meet this standard. Staff finds the intent of the standard is still being met because there are homes that are aligning the parks perimeter, and the applicant has indicated that privacy fences will not be installed, which will still allow for a direct line of site from the homes to the park. Staff recommends a condition of approval that privacy fences shall not be installed along the park's perimeter, and the applicant has committed to meeting this. Further, there is a requirement in the Underwood Park PZD that if a lot both fronts the park or the public street, the developer shall decide which frontage the build-to zone applies to; the applicant's proposal is consistent with that provision.*
- **Variance #2: UDC §166.08(E)(3) – Connectivity. Wherever a proposed development abuts undeveloped land, street stub-outs shall be provided as deemed necessary by the Planning Commission to abutting properties or to logically extend the street system.** The applicant is proposing not to provide street stub-outs to the north or to the west, citing environmental reasons.
 - *Staff recommendation: Staff is supportive of the requested variance. The applicant has indicated that there are likely jurisdictional wetlands along the property's western boundary which are governed by the US Army Corps of Engineers. Avoidance of those wetlands is a key option that is available to the property owner within the necessary mitigation hierarchy for those wetlands, rather than trying to fill them, or replace the lost wetland functions. Maintaining those wetlands where possible protects the important environmental feature they provide. Further, to the north, the property is owned by the Northwest Arkansas Land Trust. A previous determination by the City Council removed a master street plan connection here to maintain the environmentally sensitive area that was set aside for permanent conservation. Finding that connectivity to the west and north would have environmental implications, staff is in favor. Further, the applicant is making a full master street plan connection through their property from the Crystal Springs*

subdivision to the south to N. Deane Solomon to the northeast, with a portion of the master street plan cutting through Underwood Park. Staff recommends as a condition of approval to this variance that the applicant provide pedestrian connections into Underwood Park in the manner requested by Parks Planners from the City's Parks, Recreation, and Cultural Affairs Division to help maintain as much connectivity as possible, even if not vehicular.

- **Variance #3: UDC §166.08(E)(1)(c): Block Length/Connectivity. Residential Link and Downtown/Urban Street. Intersections shall occur at a minimum of one (1) every 660 feet.** The applicant is requesting a variance to this standard by providing private streets that branch off the main public street that transects the property.
 - *Staff recommendation: The ordinance is intended to ensure multiple connection points within a development to support traffic redundancy, walkability, and overall accessibility. Although the applicant proposes private streets for most of the project—consistent with what was shown in the original PZD—this reflects their business model, and those streets will still be located within general access easements, preserving public connectivity. The proposed public street satisfies the Master Street Plan, and all internal intersections meet or exceed required spacing standards. Because the development maintains the intended street network and connectivity, staff finds that the ordinance's purpose is fully met.*

Right-of-Way to be Dedicated: The subject property will be dedicating two streets as public right-of-way (N. Carnelian Lane and N. Raven Lane) to the master street plan standard of 45-foot width. This width aligns with the typical standard for a residential link street with the removal of the seven-foot on-street parking lane. Staff find this acceptable, since the applicant provides off-site parking to serve the overall development, as well as providing parking at each individual home that meets the parking standards.

Street Improvements: The applicant will be providing two public streets throughout the development, which are labeled as N. Carnelian Lane and N. Raven Lane. The applicant is showing compliance with the master street plan by providing two six-foot sidewalks, six-foot greenspaces, adequate curb and gutter, street trees, and streetlights as necessary. Further, staff recommends a condition of approval that the applicant make the final connection to N. Deane Street, as shown on the site plans.

Access Management/Connectivity: The applicant is substantially in compliance with these standards, apart from the variances sought and listed above.

Design Standards: The applicant is meeting all relevant design standards, the majority of which were set forth by their own PZD requirements.

Water and Sewer System: There is an existing 8" water line cutting across the west side of the property, and existing 8" water line stubbed out from the Crystal Spring's subdivision to the south of the property and an existing 12" water line along Deane Solomon. 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 two existing 8" waterlines and the existing 12" waterline to create a loop within the site.

Drainage: This development is required to meet the four minimum criteria of Fayetteville's Drainage Criteria Manual. Criteria #1 for water quality will be met with bio-retention areas dispersed throughout the site. Criteria #2 for channel protection will be met by restricting flow from

the detention basins such that a 40-hour drain time is attained in the 1-year storm event. 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.

Parkland dedication or fee in-lieu: The applicant is dedicating an additional 6.30 acres of parkland in line with the recommendation of the Parks, Natural Resources, and Cultural Affairs Advisory Board, as well as with the typical acreage as required by ordinance. The acreage is derived from a ratio of 0.023 acres per single-family residential unit. This dedication is also in line with the overall Underwood Park master plan.

Tree Preservation:

Canopy minimum requirement: 25%

Existing canopy: 9.4%

Preserved canopy: 4.1%

Mitigation required: (418) two-inch caliper trees

Public Comment: Staff received one public comment on the item which included a request to widen the existing pedestrian connection along the property's northern boundary into the adjacent Underwood Park. Staff evaluated the public comment, and found that the applicant was meeting expectations for connection.

RECOMMENDATION: Staff recommends approval of **LSD-2026-0015** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of a variance to ORD 6334.** *Staff recommends in favor with an added condition that no privacy fences are to be placed between the homes and the park property.*
2. **Planning Commission determination of a variance to UDC §166.08(E)(3) – Connectivity.** *Staff recommends in favor with an added condition that pedestrian connections to the adjacent Underwood Park are provided in line with Parks' staff recommendations and/or in a manner substantially consistent with what the applicant has shown on their site plans.*
3. **Planning Commission determination of a variance to UDC §166.08(E)(1)(c): Block Length/Connectivity.** *Staff recommends in favor with an added condition that all private streets be dedicated within a public access easement, as shown on the plans.*
4. **Planning Commission determination of right-of-way dedication.** *Staff recommends in favor of a 45-foot right-of-way width in line with the master street plan standards for residential link streets without on-street parking.*
5. **Planning Commission determination of street improvements.** *Staff recommends the following street improvements:*
 - a. *Alignment with Master Street Plan standards for a Residential Link Street for N. Carnelian Way and N. Raven Lane. Standards include a 6-foot greenspace, curb and gutter, and a 6-foot sidewalk to be built at the back of the right-of-way, as well as streetlights and street trees as required*

- b. The applicant is to complete the connection of N. Raven Lane to N. Deane Solomon Road.*
6. Parkland Dedication in the amount of 6.30 acres, or a final acreage as indicated with the final permits, shall be dedicated prior to the issuance of building permits.
 7. All comments from Planning staff must be addressed prior to grading permit as issued through the portal.
 8. Conditions of approval from Engineering, Urban Forestry, Fire Marshal, and all other City Division are included in the official conditions of approval.

Standard Conditions of Approval:

9. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance. Water and sewer impact fees will be based on the proposed meter size and charged at the time of meter set.
10. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks Electric, SWEPCO, and Cox Communications);
11. 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;
12. 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;
13. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;
14. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements;
15. 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;
16. 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;
17. Large scale development shall be valid for one calendar year;

18. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit. The coordinator has noted that a separate street name is required;
19. 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
20. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
 - c. Exterior lighting package must be provided to the Planning Division;
 - d. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - e. Project Disk with all final revisions; and
 - f. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.
21. Any damage to existing public streets caused by construction shall be repaired or replaced at the owner/developer's expense.
22. All sidewalks, curb ramps, curb & gutter, and driveway aprons must meet ADA guidelines and be free of damage. Non-compliant or damaged infrastructure must be replaced. Coordinate with Engineering for inspection.
23. The following items will typically be reviewed at construction plan stage (unless otherwise requested):
 - a. Storm sewer sizing, gutter spread, profiles, utility conflicts
 - b. Sanitary sewer sizing, profiles, utility conflicts
 - c. Waterline fittings and conflicts
 - d. Street profiles
 - e. Fine grading/spot elevations

Planning Commission Action: ☐ Forwarded ☐ Tabled ☐ Approved

Meeting Date: April 27, 2026

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- UDC Sections:
 - 166.08 Street Design And Access Management Standards
 - ORD. 6334 (EXCERPT)
 - Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Staff Memos
 - Engineering Memo
 - Urban Forestry Memos
 - Parks Memo
 - Applicant Exhibits
 - Request Letter
 - Variance Request Letter
 - Site Plan
 - Elevations
-

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).

...

- (E) *Block Layout/Connectivity.*
- (1) *Block Length.* Block lengths and street intersections are directly tied to the functional hierarchy of the street pattern that exists or is proposed.
- (a) *Regional and Regional High Activity Links.* Signalized intersections should be located at a minimum of one (1) every 2,640 feet (half a mile) along regional links and should be based on traffic warrants.
- (b) *Neighborhood Links.* Intersections should be located at a minimum of one (1) every 1,320 feet (quarter of a mile) along neighborhood links.
- (c) *Residential Link and Downtown/Urban Street.* Intersections shall occur at a minimum of one (1) every 660 feet.
- (d) *Variances.* Block length standards may be varied by the Planning Commission when terrain, topographical features, existing barriers or streets, size or shape of the lot, or other unusual conditions justify a departure.

- (2) With the exception of corner lots, double-street frontage lots are prohibited except where such lots front on access restricted roadways such as expressways. Alleys are not considered as frontage. Double frontage lots may be permitted by the Planning Commission for topographical problems, feasibility issues relating to the parcel's dimensions, or other good cause which must be established and proven by the developer. The Planning Commission may impose additional landscape requirements along the back of such double-frontage lots. Unless otherwise approved by the Planning Commission, all primary structures shall be oriented toward the higher functional classification street.
- (3) **Connectivity.** Wherever a proposed development abuts undeveloped land, street stub-outs shall be provided as deemed necessary by the Planning Commission to abutting properties or to logically extend the street system.
- (4) **Topography.** Local streets should be designed to relate to the existing topography and minimize the disturbance zone.
- (5) **Dead-End Streets.** Dead end streets are discouraged and should only be used in situations where they are needed for design and development efficiency, reduction of necessary street paving, or where proximity to floodplains, creeks, difficult topography or existing barriers warrant their use. All dead end streets shall end in a cul-de-sac with a radius of 50 feet, or an alternative design approved by the city and the Fire Department. The maximum length of a dead end street (without a street stub-out) shall be 500 feet.

...

(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)



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

Ordinance: 6334



Doc ID: 019351590004 Type: REL
Kind: ORDINANCE
Recorded: 08/03/2020 at 01:22:15 PM
Fee Amt: \$30.00 Page 1 of 4
Washington County, AR
Kyle Sylvester Circuit Clerk

File **2020-00026457**

File Number: 2020-0513

C-PZD 20-7093 (NW OF DEANE SOLOMON RD. & LORI DR./UNDERWOOD DEV.):

AN ORDINANCE TO APPROVE A COMMERCIAL PLANNED ZONING DISTRICT ENTITLED C-PZD 20-7093 FOR APPROXIMATELY 128.54 ACRES LOCATED NORTHWEST OF DEANE SOLOMON ROAD AND LORI DRIVE TO ALLOW A MIXED-USE DEVELOPMENT THAT INCLUDES CITY PARKLAND AND 602 MULTI-FAMILY UNITS WITH ASSOCIATED PARKING

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 approves C-PZD 20-7093 as described in Exhibits 'A', 'B' and 'C' attached to the Planning Division's Agenda Memo.

Section 2: This C-PZD approval is subject to the following conditions:

1. The proposed percent minimum canopy shall be revised to 25% pursuant to §167.04, Tree Preservation and Protection During Development, which requires a 25% minimum canopy preservation for Planned Zoning Districts, unless the applicant receives approval for on-site mitigation or off-site alternatives.
2. The density allowance in Planning Area 1 shall be amended to 24 units per acre without the proposed variable density.
3. Removal of language in Section 1L noting that "Improvements and/or associated fees for the upgrade of Deane Solomon Road shall not be assessed as a result of the development of Planning Area 4." All final street improvements will be determined by the Planning Commission at the time of

development review. An applicant may pursue other avenues to reduce expenses, including a cost-share or similar mechanism that may be considered by City Council.

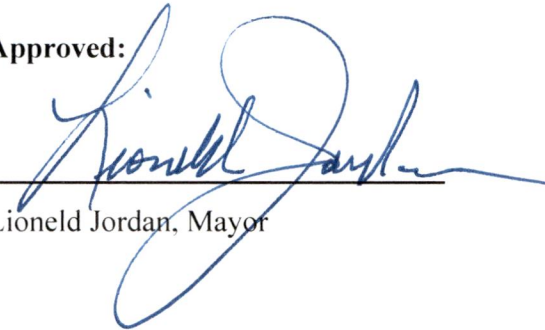
4. 50% of the park's full perimeter shall have lots that feature buildings fronting the park. Lots may be adjoining the park or separated from the park by a street as long as buildings include front doors to the park. No portion of the perimeter, either developed or undeveloped shall be exempt from this. This shall be a development requirement, with variances subject to Planning Commission consideration.

5. In Planning Areas where conventional building setbacks are proposed, these shall be replaced by 0 to 25-foot build-to zones. All Planning Areas shall have a 50% minimum buildable frontage requirement for lots, with contributing built frontage established by adjacency to either public street or parkland. This shall be a zoning requirement, with reductions subject to staff approval and variances subject to Board of Adjustment consideration.

Section 3: That the official zoning map of the City of Fayetteville, Arkansas is hereby approved to reflect the zoning criteria change provided in Section 1 above.

PASSED and APPROVED on 7/21/2020

Approved:



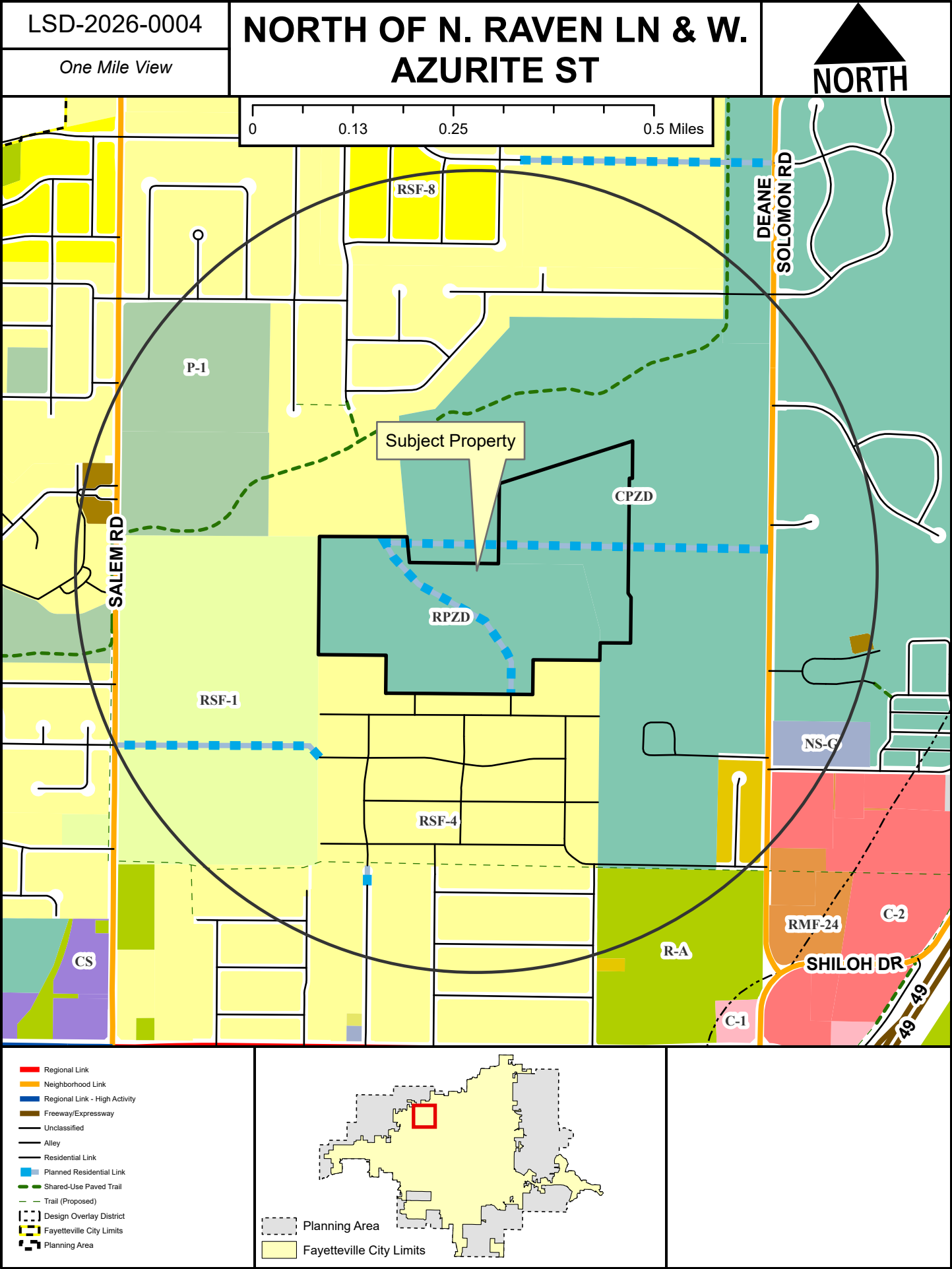
Lioneld Jordan, Mayor

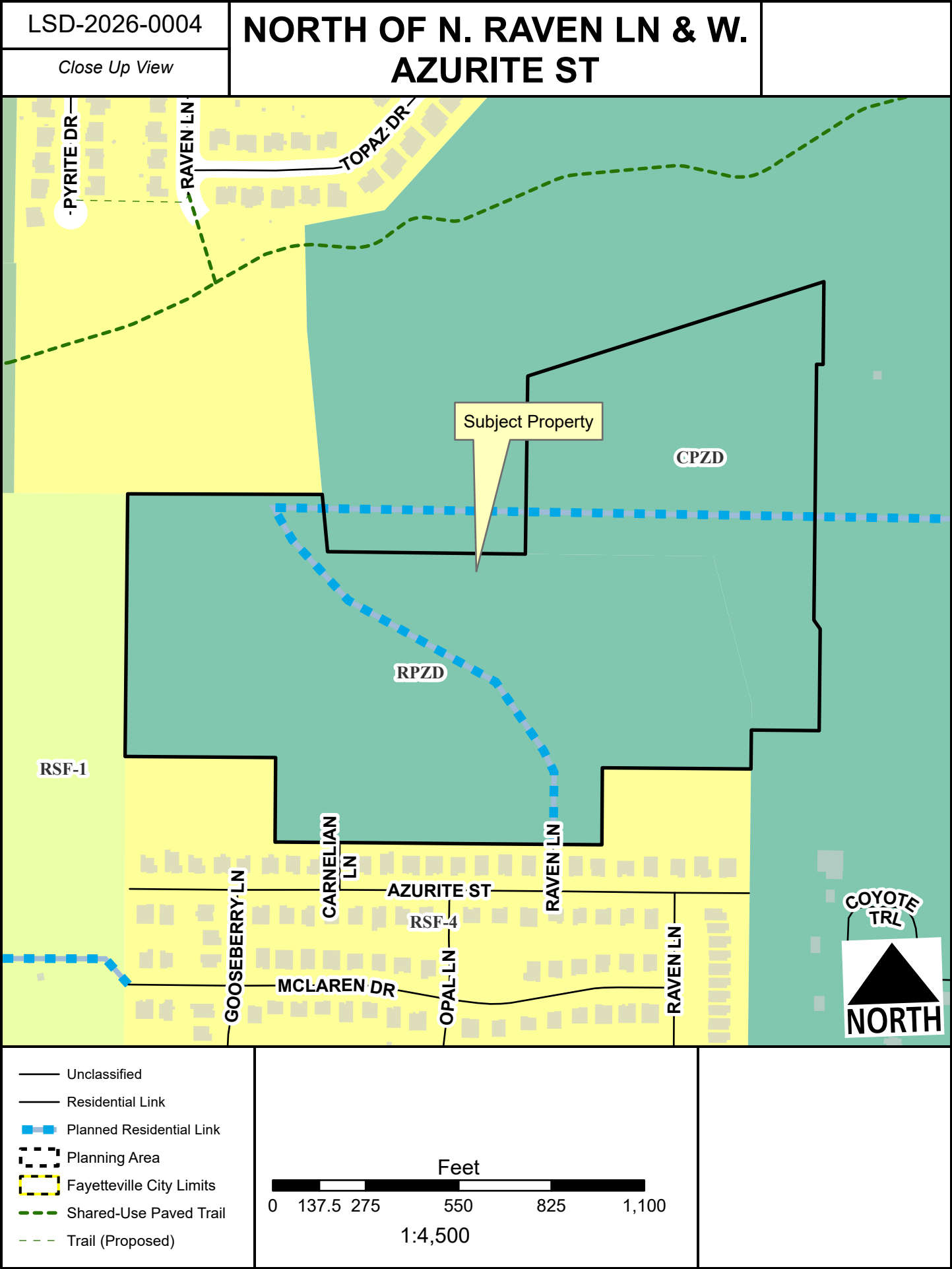
Attest:

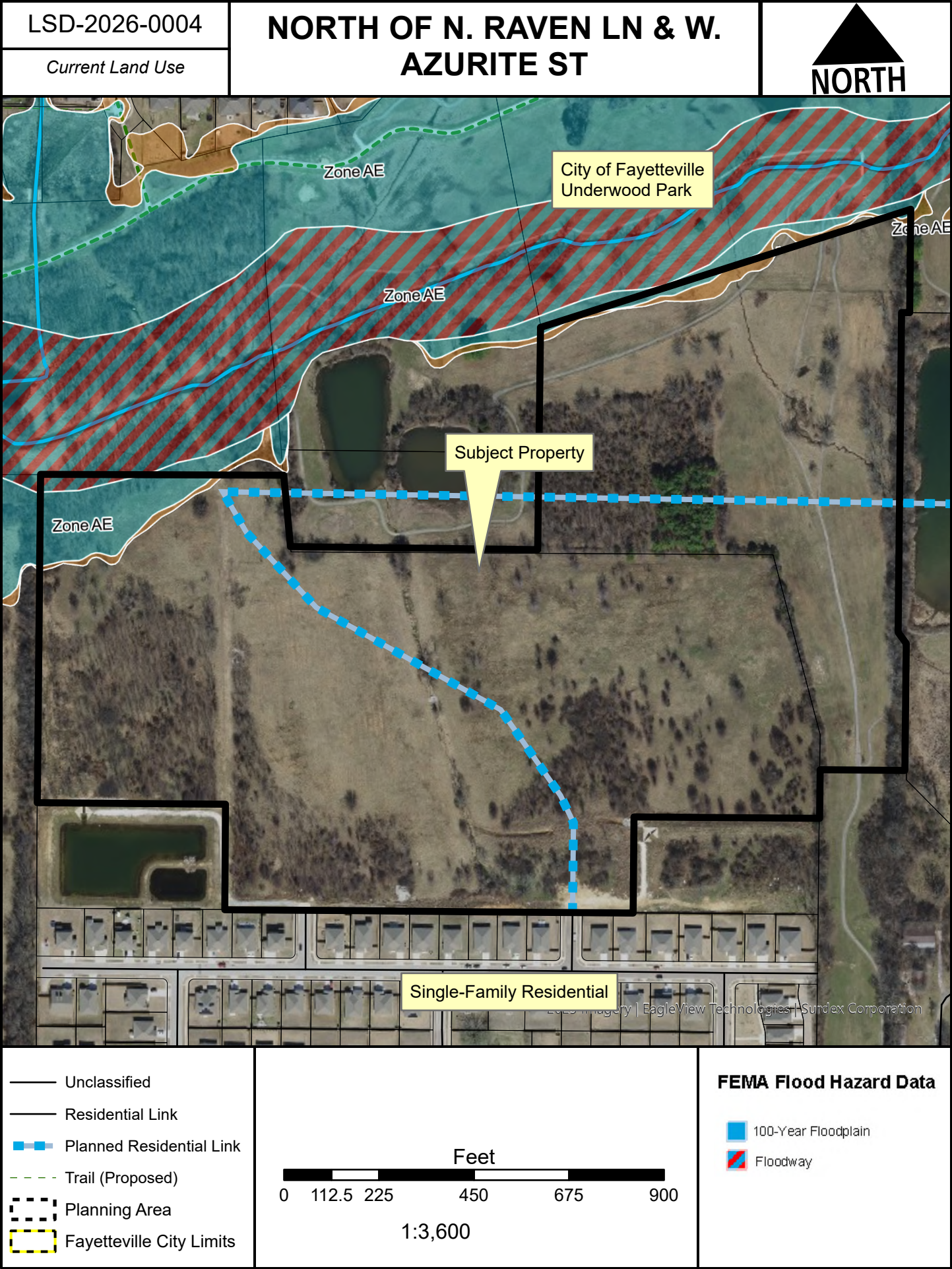


Kara Paxton, City Clerk Treasurer











TO: Jessie Masters, Planning Director

FROM: Justin Bland, City Engineer

DATE: April 21, 2026

SUBJECT: **Planning Commission Engineering Comments for
LSD-2026-0004**

Water: There is an existing 8" water line cutting across the west side of the property, and existing 8" water line stubbed out from the Crystal Spring's subdivision to the south of the property and an existing 12" water line along Deane Solomon. 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 two existing 8" waterlines and the existing 12" waterline to create a loop within the site.

Sewer: There is an existing 10" sewer line cutting across the west side of the property. 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 Raven Ln. and Carnellan Ln. as public Residential Link cross sections. The cross section includes a 21' wide street section, green space and 6' sidewalks on both sides within a 45' right-of-way. The remainder of the streets are proposed to be private streets. The private street cross section will include a 28' wide street section with 4' sidewalk directly behind the curb. The section will be within a 36' wide access easement.

Drainage: This development is required to meet the four minimum criteria of Fayetteville's Drainage Criteria Manual. Criteria #1 for water quality will be met with bio-retention areas dispersed throughout the site. Criteria #2 for channel protection will be met by restricting flow from the detention basins such that a 40-hour drain time is attained in the 1-year storm event. 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.

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: Willa Thomason, Urban Forester

CC: Jessie Masters, Planning Director

Meeting Date: April 27, 2026

Subject: LSD-2026-0004: Next Chapter (N Raven Ln & W Azurite St)

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

2. Tree Preservation Calculations

	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	1,731,698	100%
<i>Zoning Designation * Select Below with drop down arrow</i>		
PZD, Planned Zoning District	432,925	25%
<i>HHOD * Select Below with Drop Down Arrow</i>		
No	0	0%
Total Canopy for Minimum Preservation Requirements	432,925	25.0%
Existing Tree Canopy * Minus Right of Way and Easements	162,648	9.4%
Tree Canopy Preserved	71,603	4.1%
Tree Canopy Removed *On Site	91,045	5.3%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	91,045	5.3%
Removed Below Minimum	361,322	
Mitigation Requirements	91,045	

3. Mitigation Requirements		Canopy below requirement	Number of 2" caliper trees to be planted	
High Priority		91,045	418	
Low Priority				
Total Mitigation Trees Required			418	
4. Mitigation Type		Yes	No	N/A
On-Site Mitigation		X		
Off-Site Mitigation				X

Tree Escrow (See Conditions of Approval)

X

5. Tree Preservation Plan Checklist <i>UDC Chapter 167.04H1 and 167.04L1</i>		Tech Plat	Planning Commission
a. 5 year Aerial Check on Existing Trees		Yes	Yes
b. Property Boundary		Yes	Yes
c. Natural Features (100ft beyond limits of disturbance)		N/A	N/A
d. Existing Topography and Proposed Grading		Yes	Yes
e. Soil Types		Yes	Yes
f. Significant Trees		Yes	Yes
g. Groupings of Trees		Yes	Yes
h. Table Inventory List (species, size, health, priority)		Yes	Yes
i. All Existing and Proposed Utilities		Yes	Yes
j. All Existing and Proposed Utility Easements and ROW's		Yes	Yes
k. All Streams (with approximate center line)		Yes	Yes
l. Floodplains and floodways		Yes	Yes
m. Existing Street, Sidewalk or Bike Path ROW		Yes	Yes
n. Submitted Site Analysis Plan (if required)		Yes	Yes
o. Shows ALL Proposed Site Improvements		Yes	Yes
p. Delineates trees/canopy to be preserved and removed		Yes	Yes
q. Tree Preservation Easement/s shown for LSD, LSIP and Commercial PPL projects		No	Yes
Tree Protection Methods			
a. Tree Protection Fencing		Yes	Yes
b. Limits of Root Pruning		Yes	Yes
c. Traffic flow on work site		No	Yes
d. Location of material storage		No	Yes
e. Location of concrete wash out		No	Yes
f. Location of construction entrance/exit		Yes	Yes
6. Site Analysis Report (if required) <i>UDC Chapter 167.04H4</i>		Yes	No
a. Provide Arborist Report showing tree health and structure evaluation, feasibility of preservation, and recommendations and justification		X	N/A
7. Review Status (See Comments)		Tech Plat	Planning Commission
Conditionally Approved		3-25-26	4/15/26
Approved			

Tabled

2-19-26

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: Crafton Tull

From: Willa Thomason, Urban Forester

CC: Jessie Masters, Planning Director

Meeting Date: April 27, 2026

Subject: LSD-2026-0004: Next Chapter (N Raven Ln & W Azurite St)

1. General Landscape Plan Checklist		Yes	No	N/A
a.	Irrigation (notes either automatic or hose bib 100' o.c.) <i>UDC Chapter 177.03C7g, 177.04B3a</i>	X		
b.	Species of plant material identified <i>UDC Chapter 177.03C7d,e</i>	X		
c.	Size of plant material (minimum size 2" caliper for trees and 3 gal. shrubs) <i>UDC Chapter 177.03C7b,c</i>	X		
d.	Soil amendments notes include that soil is amended and sod removed <i>UDC Chapter 177.03C6b</i>	X		
e.	Mulch notes indicate organic mulching around trees and within landscape beds <i>UDC Chapter 177.03C6c,d</i>	X		
f.	LSD, LSIP, and Subdivisions (PPL & FPL) plans stamped by a licensed Landscape Architect, others by Landscape Designer <i>UDC Chapter 177.03B</i>		X	
g.	Planting bed contained by edging <i>UDC Chapter 177.03C6f</i>	X		
h.	Planting details according to Fayetteville's Landscape Manual <i>UDC Chapter 177.03C6g</i>	X		
i.	Provide information about 3-Year Maintenance plan. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. <i>UDC Chapter 177.05 A2g</i>	X		
2. Parking Lot Requirements		Yes	No	N/A
1 Tree : 12 Parking Spaces				
a.	Wheel Stops/Curbs <i>UDC Chapter 177.04B1</i>	X		
b.	Narrow Tree Lawn (8' min. width, 37.5' length) <i>UDC Chapter 177.04C</i>			X
c.	Tree Island (8' min. width, 18.7' min length OR 150 square feet) <i>UDC Chapter 177.04C</i>			X

- | | |
|---|---|
| d. Placement of Trees (either side at entrances and exits)
<i>UDC Chapter 177.04C2</i> | X |
|---|---|

3. Perimeter Landscaping Requirements

Yes No N/A

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

4. Street Tree Planting Requirements

Yes No N/A

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

5. Landscape Requirement Totals

Amount

Mitigation Trees	481 required, 493 provided
Parking Lot Trees	11 required, 19 provided
Street Trees	270 required, 274 provided
Detention Pond – Large Trees (1 Tree/3,000 square feet)	60

Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	180
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)	360

6. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	3-25-26	4-15-26
Approved		
Tabled	2-11-26	
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.



CITY OF
FAYETTEVILLE
ARKANSAS

TO: Planning Division

FROM: Melissa Evans, Parks Planning

DATE: March 27, 2026

SUBJECT: Parks & Recreation Technical Plat Review Comments

Parks Board Meeting Date: 3/2/2026

Project Title: Next Chapter Neighborhood

Project Number: LSD-2026-0004

Project Location: N. Raven Ln. & W. Azurite St.

Plat Page: 246 & 285

Park Quadrant: NW

Billing Name & Address: KTB Limited Partnership, PO Box 1223,
Fayetteville, AR 72702

☒ **Land Dedication**

☐ **Fee-in-Lieu**

☐ **Combination**

LAND DEDICATION

Single Family: 274 units x 0.023 acres per unit = 6.30 acres

Multi Family: units x 0.020 acres per unit = 0.00 acres

**TOTAL
Acres**

6.30

FEE-IN-LIEU

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

Multi Family: units x \$952 per unit = \$ 0

**TOTAL
Fees**

\$

SUMMARY

- Project proposes 274 SF Units and 0 MF Units.
- The final amount of fee-in-lieu and/or land dedication needed to satisfy Parkland Dedication requirements will be determined after Planning Commission's approval of this project.
- Current fee-in-lieu and/or land dedication rates will be applied regardless of when project was approved by PRAB.

- Prior to final receipt by the city, all fees must be paid and any deeds for parkland dedication property must be:
 - Approved by the City's Land Agent in the Engineering Division.
 - Recorded at the Washington County Courthouse.
- Each additional housing unit that is constructed in Fayetteville places an increased demand on the Parks and Recreation system. The money collected as part of this project will be used to fund future park acquisitions and improvements for this park quadrant.



February 11th 2026

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

Re: Next Chapter LSD

City of Fayetteville Planning Staff,

The purpose of this correspondence is to describe the scope, nature and intent of the above referenced project.

The scope of the proposed development will consist of two planning areas: single-family detached homes and open green space. The nature of the development consists of single-family units that will be leased to tenants, with Next Chapter Holdings, LLC, or a subsidiary of, being the sole property owner. The property will not be parceled off into smaller, separate individual lots. This development will exist on a single 49.33-acre parcel of land, and the PZD herein sets a density requirement of 7 units/acre. The intent is to have an affordable, walkable, vibrant, sustainable, and medium-density neighborhood with useable common open space and a diverse array of housing types. The open space includes stormwater management and shared amenities such as a dog park, playgrounds, community garden, business center, fitness center, pool, and pickleball courts. There are a variety of unit types, ranging from 1-bed with 1 story to 4-bed with 2 stories. It should be noted, however, that the majority of the proposed units will be either 1 or 2 bedrooms.

Sincerely,

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



April 8th, 2026

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

Re: Planning Commission – LSD 2026-0004
Next Chapter Neighborhoods
Variance Request Letter
CT Job #: 25301700

Dear Ms. Masters & Chairman Werner,

Crafton Tull is seeking the following variances from the Fayetteville code of ordinances: block length, cross access, and Ordinance 6334 which requires units to front Underwood Park. Please see those three variance requests described below and re-submitted with LSD-2026-0004.

50% of Underwood Park's total perimeter must be fronted by residential units:

Ordinance 6334 Underwood PZD-20-7093

Condition of Approval #4

50% of the park's full perimeter shall have lots that feature buildings fronting the park. Lots may be adjoining the park or separated by a street as long as buildings include front doors to the park. No portion of the perimeter, either developed or undeveloped, shall be exempt from this. This shall be a development requirement, with variances subject to Planning Commission consideration.

There will be no privacy fencing around these proposed single family detached homes. The intent of this requirement is to provide urban safety through environmental design (CPTED). Because the proposed homes will have no privacy fencing, or any other type of fencing, the environmental design from Underwood Park provides safety via line of sight into the rear of the proposed homes from Underwood Park.

If this variance were not granted, there would be undue hardship on the developer because they would be required to revise all of their architectural plans to have a duplicate version that is flipped 180-degrees and garages would have to be removed or redesigned architecturally to be in the back of the unit. Developer is not normally required to do this—and therefore the burden of that redesign creates the hardship.

Cross Access:

Title XV – Unified Development Code

Chapter 166.08(E)(3) – Connectivity

Cross Access. Cross access shall be required to adjacent developed and undeveloped properties.

Cross Access is being provided to the east and to the south. We cannot provide cross access to the west because the entire western property boundary contains a likely jurisdictional Waters of the U.S., wetland. See Figure #6 from the environmental report attached to this variance letter, which shows the likely jurisdictional wetland along the western property line.



We cannot provide cross access to the north because the northern perimeter of the property is obstructed by the future Underwood Park and also dense riparian streamside zone on south side of Clabber Creek, in the northwest corner of the property. See the Masterplan for Underwood Park, attached to this letter. There used to be a future residential link going north across Clabber Creek on the Master Street Plan, but NWA Land Trust got a MSP variance approved in the recent past that removed this planned residential link from the MSP. See ADM-2024-0048 for the removal of that planned residential link, which is attached to this letter as well.

If the variance is not granted, there will be undue hardship on the property owner because they would be required to disturb the likely jurisdictional wetland to the west, thus triggering a cultural resources study and additional Army Corps of Engineers (Nationwide or Individual) permitting that is not otherwise required. We have carefully designed the site to maintain 0% disturbance of any likely jurisdictional Waters of the U.S. Additionally; a western cross access connection would force the Owner to remove existing tree canopy that's currently proposed to be preserved. On the north side, there is undue hardship on the property owner because they do not own Underwood Park, which is obstructing cross access to the north, and the planned residential link that used to cross Clabber Creek has since been removed from the City's MSP, per ADM-2024-0048.

Block Length:

Title XV – Unified Development Code

Chapter 166.08(E)(1)(c) Block Layout/Connectivity.

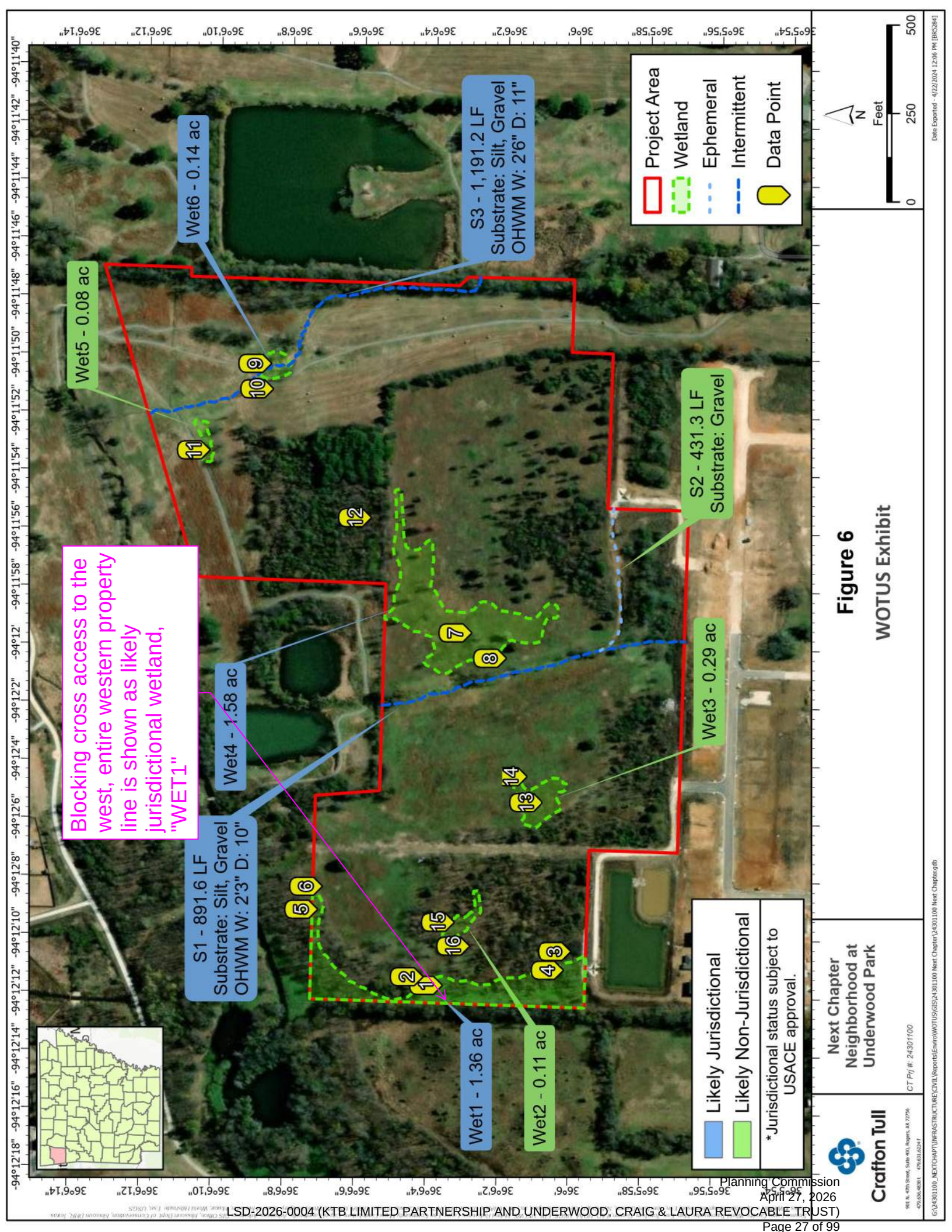
Residential Link and Downtown/Urban Street. Intersections shall occur at a minimum of one (1) every 660 feet.

See attached exhibit, showing the 2,764ft of roadway that is proposed in-between the public N Carnelian Ln and the public N Deane Solomon Rd. There are four private street intersections along this entire stretch of public road. Because private street intersections do not count towards block length and because the developer does not own Underwood Park, the required minimum 660 ft block length cannot be provided. The developer wants to use private streets because they allow flexibility with the typical section to have the homes closer to the road. The style of Next Chapter Neighborhoods is a close knit and connected neighborhood whose units are closer to the road than would be allowed with a public street. Putting the units closer to the road allows for more greenspace behind the units for tree preservation, recreation, and stormwater management.

If this variance is not granted, there would be undue hardship on the property owner because they do not own the offsite Underwood Park property, therefore they do not have the authority to add an intersection in that area. And, there would be undue hardship on the property owner because PZD Ordinances 6334 & 6923 do not require more public street than what's currently being provided. We are still meeting the intent of the code because we have four private street intersections in-between N Carnelian Ln and the property boundary, which provide the intended block length.

Respectfully,

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



UNDERWOOD PARK MASTERPLAN PROGRAM

- 1 Nature Trails
- 2 Playground
- 3 Walking / Jogging Paths
- 4 Open Multi-Use Green Space
- 5 Ecological Restoration Areas
- 6 Entrance + Parking
- 7 Pickleball Courts
- 8 Wetland Boardwalk
- 9 Creek Play Access
- 10 Splashpad
- 11 Pavilion + Rest Rooms (RR)
- 12 Dog Park
- 13 Fishing Piers
- 14 Disc Golf (Partial)
- 15 Entry Plaza + Picnic Area
- 16 Kayak + Paddle Board Access
- 17 City Planted + Cared for Gardens
- 18 Enlarged Pond
- 19 Bird Watching Wildlife Blind
- 20 Art Infused Bridge
- 21 Food Truck Court
- 22 Hammock Pole Area
- 23 Basketball Court
- 24 Performance Space + RR
- 25 Lake Deck
- 26 Buffer Area
- 27 Possible Lake Access
- 28 Historic Interpretation Area
- 29 Possible Access Points
- 30 Sitting / Social Area



Blocking cross access connection to north:
Underwood Park Masterplan which does not show a road entering the park from this side

Blocking cross access connection to north:
dense riparian streamside zone and removal of the old MSP planned residential link crossing Clabber Creek, ADM-2024-0048.

Planning Commission
April 27, 2026



City of Fayetteville, Arkansas

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

Legislation Text

File #: 2025-86

ADM-2024-0048: Administrative Item (SOUTH OF 2861 N. RAVEN LN/RAVEN LANE EXTENSION, 285): Submitted by HALL ESTILL for property located SOUTH OF 2861 N. RAVEN LN. in WARD 4. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 48.50 acres. The request is to modify the Master Street Plan.

A RESOLUTION TO AMEND THE MASTER STREET PLAN BY REMOVING A 0.20-MILE SECTION OF A PLANNED RESIDENTIAL LINK STREET, EXTENDING FROM RAVEN LANE TO JUST SOUTH OF CLABBER CREEK

WHEREAS, the Planning Commission and Transportation Committee recommend approval of an amendment to the Master Street Plan by removing a 0.20-mile section of a planned Residential Link Street between Salem Road and Deane Solomon Road.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby amends the Master Street Plan by removing a section of Planned Residential Link Street as shown in Exhibits A and B attached to the Planning Division's agenda memo.



MEETING OF FEBRUARY 4, 2025

TO: Mayor Rawn and City Council

THRU: Keith Macedo, Interim Chief of Staff
Jonathan Curth, Development Services Director
Jessica Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

SUBJECT: **ADM-2024-0048: Administrative Item (SOUTH OF 2861 N. RAVEN LN/RAVEN LANE EXTENSION, 285): Submitted by HALL ESTILL for property located SOUTH OF 2861 N. RAVEN LN. in WARD 4. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 48.50 acres. The request is to modify the Master Street Plan.**

RECOMMENDATION:

City Planning Staff and the Planning Commission recommend approval of a request to amend the 2040 Master Street Plan to remove a 0.20-mile section of a planned Residential Link Street, extending from Raven Lane to just south of Clabber Creek, as described and shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:

The subject area is located in northwest Fayetteville and situated between Underwood Park and the Gary Hampton Softball Complex. This area encompasses three undeveloped parcels, totaling approximately 48.00 acres. Clabber Creek and the Clabber Creek Trail run east to west through the center of the property. A significant portion of the site lies within a FEMA-designated floodplain, and hydric soils are present throughout the area.

Request: The request is for an amendment to the 2040 Master Street Plan to remove a 0.20-mile section of a planned Residential Link Street, extending from Raven Lane to just south of Clabber Creek.

Public Comment: Staff received one email from a member of the public after the Planning Commission hearing on December 9, 2024, which is attached to the staff report for reference. No public comment was received prior to or at the Planning Commission meeting.

DISCUSSION:

At the December 9, 2024 Planning Commission meeting, a motion to forward this item with a recommendation of approval passed with a vote of 6-3-0. Commissioner Cabe made the motion and Commissioner Madden seconded it. Those opposing the request expressed concerns about completely removing the planned connection and suggested that it be kept or relocated. Commissioners supporting the request emphasized the challenges of making the connection due to its intersection with land owned by the Northwest Arkansas Land Trust, a protected stream, floodplain, and tree preservation easement, and they supported the request for those reasons.

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov

TRANSPORTATION COMMITTEE SUMMARY

At the December 30th Transportation Committee, staff presented the proposal to attending councilmembers, including background and current conditions alongside the Planning Commission and staff's recommendations. Councilmember Stafford made the motion to forward the item to the full City Council recommending approval and Councilmember Moore offered a second. The motion passed with a vote of 3-0-0.

BUDGET/STAFF IMPACT:

N/A

ATTACHMENTS: SRF (#3) , Exhibit A (#4), Exhibit B (#5), Planning Commission Staff Report (#6)

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov

Planning Commission

April 27, 2026

LSD-2026-0004 (KTB LIMITED PARTNERSHIP AND UNDERWOOD, CRAIG & LAURA REVOCABLE TRUST)

Page 32 of 99



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: December 9, 2024 (updated with results)

SUBJECT: **ADM-2024-0048: Administrative Item (SOUTH OF 2861 N. RAVEN LN/RAVEN LANE EXTENSION, 285):** Submitted by HALL ESTILL for property located SOUTH OF 2861 N. RAVEN LN. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 48.50 acres. The request is to modify the Master Street Plan.

RECOMMENDATION:

Staff recommends forwarding **ADM-2024-0048** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **ADM-2024-0048** to City Council with a recommendation of approval."*

BACKGROUND:

The subject area is located in northwest Fayetteville and situated between Underwood Park and the Gary Hampton Softball Complex. This area encompasses three undeveloped parcels, totaling approximately 48.00 acres. Clabber Creek and the Clabber Creek Trail run east to west through the center of the property. A significant portion of the site lies within a FEMA-designated floodplain, and hydric soils are present throughout the area. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
South	Undeveloped	RSF-4, Residential Single-Family, Four Units per Acre CPZD, Commercial Planned Zoning District
West	Undeveloped	RSF-4, Residential Single-Family, Four Units per Acre
East	Undeveloped	RSF-4, Residential Single-Family, Four Units per Acre

Proposal: The applicant is requesting an amendment to the 2040 Master Street Plan to remove a 0.20-mile section of a planned Residential Link Street, extending from Raven Lane to just south of Clabber Creek.

DISCUSSION:

Staff is supportive of the applicant's request. The planned connection has been on the Master Street Plan since 1995 (Resolution 147-95) where it was originally classified as a Collector Street in General Plan 2020's Future Land Use Plan; this is the equivalent of a Neighborhood Link Street

under 2040 Master Street Plan standards. After being reaffirmed as a Collector Street in 2007 under the 2025 Master Street Plan (Resolution 161-07) and again in 2011 under the 2030 Master Street Plan (Resolution 166-11), the connection was downgraded to a Residential Link Street with the adoption of the 2040 Master Street Plan in 2019 (Resolution 15-20).

The Master Street Plan is intended to serve as a policy document to help guide decisions regarding location, form, function, design, and classifications of streets. The Plan considers infrastructure and anticipates where new building developments might occur to plan for possible street connections and capital expenditures. The Master Street Plan is not intended to serve as a formal land acquisition, an allocation of funding, or a construction document, nor does it establish a final alignment.

Given the proposed connection's location on property owned by the Northwest Arkansas Land Trust and its path through a protected stream largely within a FEMA-designated floodplain, staff does not anticipate the construction of this extension in the near future. The proposed connection is intended to enhance north-south connectivity between Salem Road and Deane Solomon Road. While staff acknowledges the City's goal of improving connectivity with a complete, connected grid of streets, Salem and Dean Solomon already provide sufficient north-south access, especially when considering that they are less than a mile apart and have a higher functional classification.

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

RECOMMENDATION: Staff recommends forwarding this item to City Council with a recommendation of approval with the following conditions:

Conditions of Approval:

1. Approval of the removal of this segment of the Master Street Plan connection does not reflect approval of any associated lot split or other planned development; any planned developments must be submitted according to the allowances in relevant city code.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>December 9, 2024</u>	☐ Tabled	☒ Forwarded	☐ Denied
Motion: <u>Cabe</u>		with a recommendation of approval	
Second: <u>Madden</u>			
Vote: <u>6-3-0</u>			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Applicant Request Letter
- General Plan 2020 Future Land Use Map
- 2007 Master Street Plan Exhibit
- 2030 Master Street Plan Exhibit
- 2040 Master Street Plan Exhibit
- Current Land Use Map
- **Public Comment Received After Planning Commission Hearing**

October 15, 2024

Jonathan Curth
Director of Development Services
Email: jcurth@fayetteville-ar.gov

Planning Commission
via Portal

Re: ADM-2024-_____ Removal from the Master Street Plan of part of N. Raven Ln.

Dear Jonathan:

As I mentioned to you when we met on this issue, I represent the Underwoods and NWA Land Trust in this request. If you recall, we discussed their desire to delete from the MSP that extension of N. Raven Lane going south past 2861 N. Raven Lane. Please see the attached screenshot of the GIS Master Street Plan, where the proposed portion to be removed has been encased in a red rectangle.

As we discussed in your office, here are the reasons we believe the City should delete this portion from the MSP: 1) Putting this road in and over Clabber Creek would require cutting through the property owned by the Northwest Arkansas Land Trust. This notion seems expensive and contrary to the City's objectives. 2) Building a bridge to cross the creek would be incredibly expensive. 3) The neighbors to the North have already expressed a lot of concern over the potentiality of building the bridge and extending the street. 4) This extension of North Raven is not necessary for connectivity, one of the City's priorities, as there are two perfectly good North to South streets that already exist, Dean Solomon Road to the East and Salem Road to the West. 5) Both of these aforementioned roads are designated as "neighborhood link" streets allowing for higher traffic and these two parallel arteries are less than 8/10ths of a mile apart. If you recall my clients, at the Parks Department's request, when they gifted Underwood Park, they also provided to the City an East to West access across the property that my client's plan to develop. Again, providing easy access from Dean Solomon into Underwood Park. 6) This road would be going through the floodplain and through a very environmentally sensitive area of natural springs.

Upon receiving an invoice, we shall hand-deliver a check to cover the application fee for this ADM. Procedurally, please tell me if I'm correct that this application, after hopefully garnering staff support, will then go to the Planning Commission for a recommendation and either before or after that go to the Transportation Committee for a recommendation and then finally after that go

Jonathan Curth
October 15, 2024
Page 2

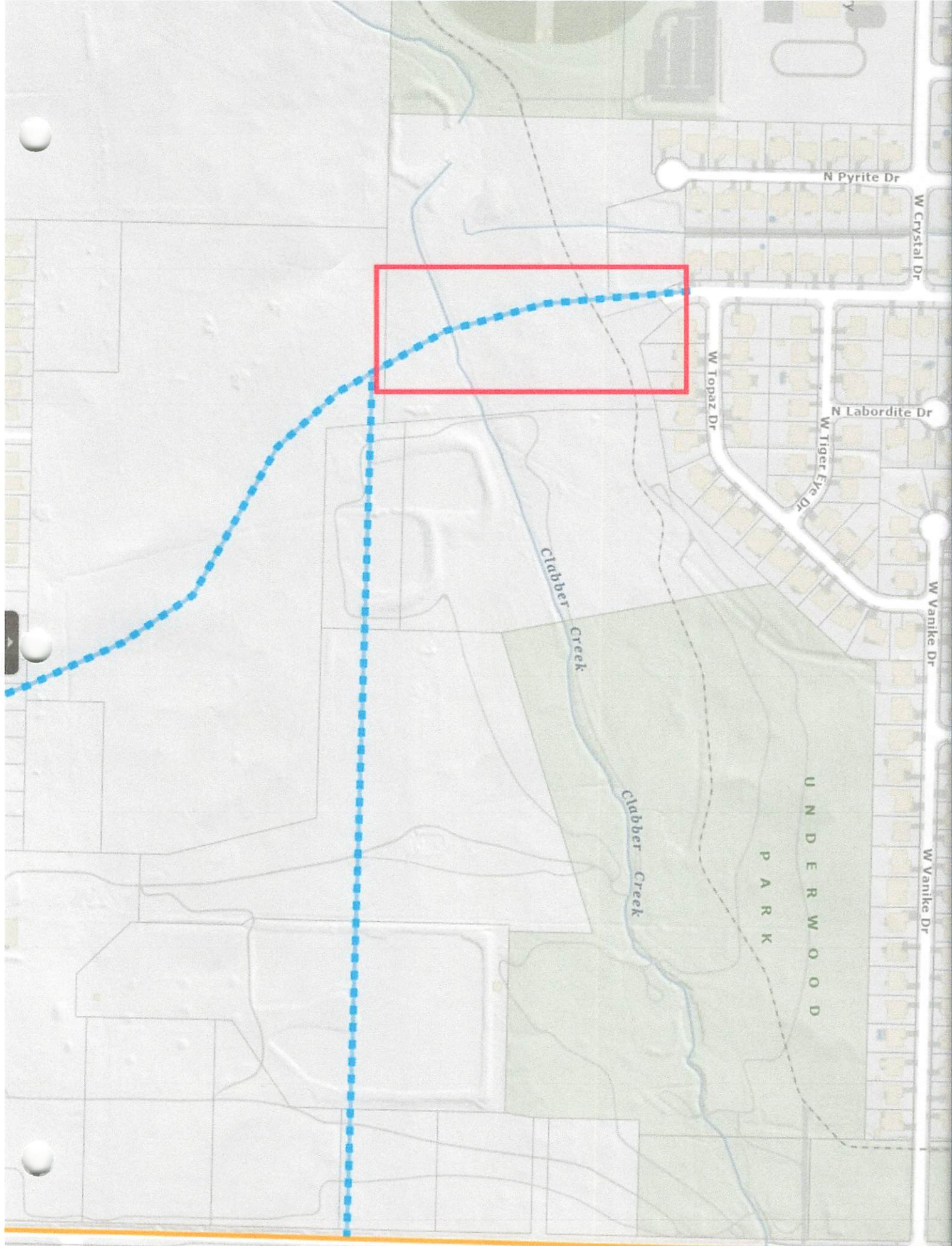
to City Council for a vote. I thank you in advance and look forward to answering any questions you or the staff may have.

Sincerely,

/s/ Robert K. Rhoads

Robert K. Rhoads

RKR:mcm
20586981.1:014788.00001





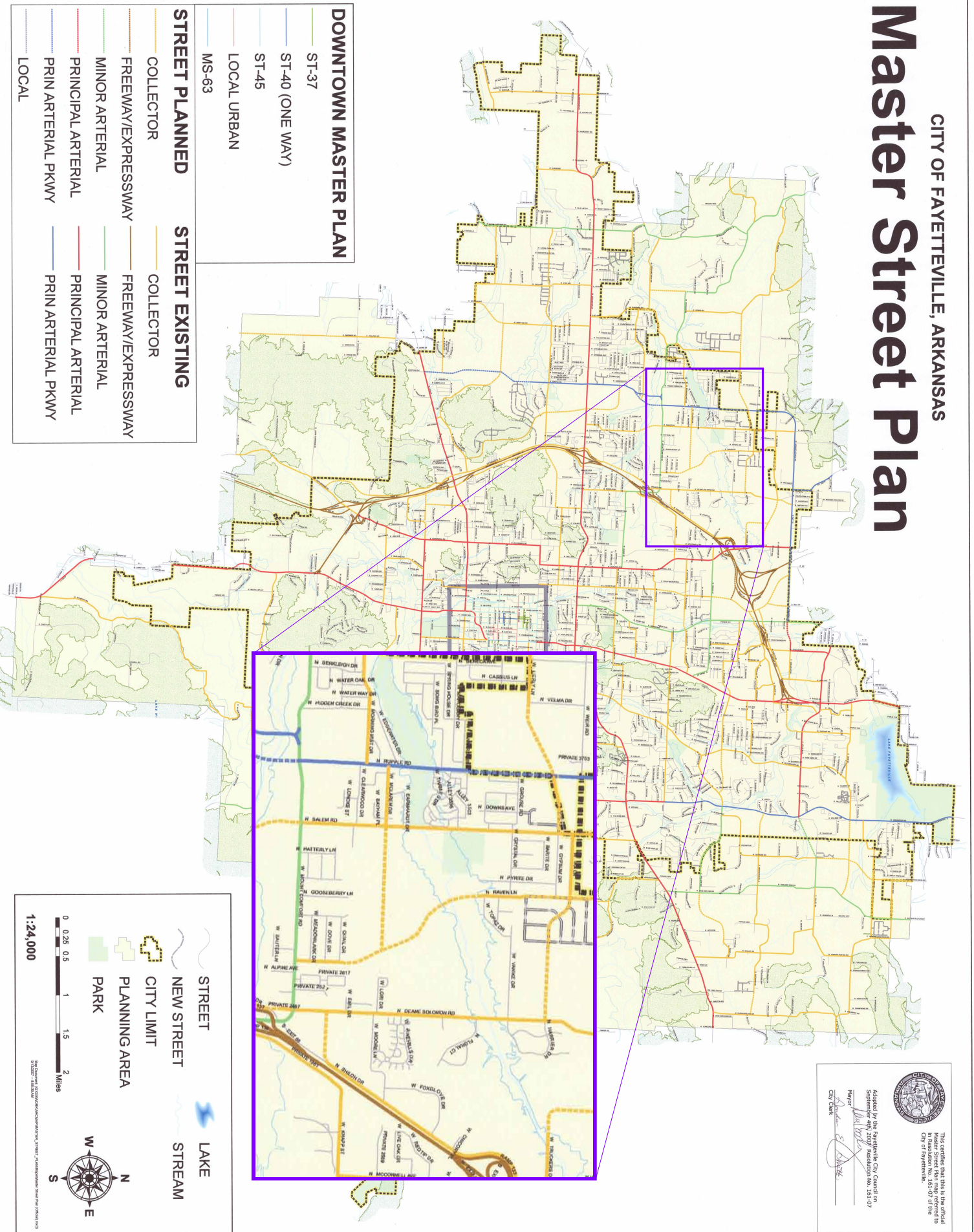
Master Street Plan



This certifies that this is the official Master Street Plan map referred to in Ordinance No. 17 of the City of Fayetteville.

Adopted by the Fayetteville City Council on September 15, 2009 Resolution No. 15-07
Mayor *[Signature]*
City Clerk *[Signature]*

Planning Commission
December 27, 2008



City Plan 2030

Master Street Plan

Downtown Master Plan

ST-4d (ONE WAY)

ST-4d

LOCAL URBAN

LOCAL

MAJOR

EXISTING STREETS

U of A Campus Master Plan

COLLECTOR

FREEWAY/EXPRESSWAY

MINOR ARTERIAL

PRINCIPAL ARTERIAL

PRINCIPAL ARTERIAL

PRINCIPAL ARTERIAL

PLANNED STREETS

COLLECTOR

FREEWAY/EXPRESSWAY

MINOR ARTERIAL

PRINCIPAL ARTERIAL

PRINCIPAL ARTERIAL

LOCAL

Future Trail

Multi-Use Trail-Existing

Railroad Street

Existing Green Network

Stream Playways

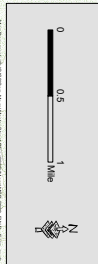
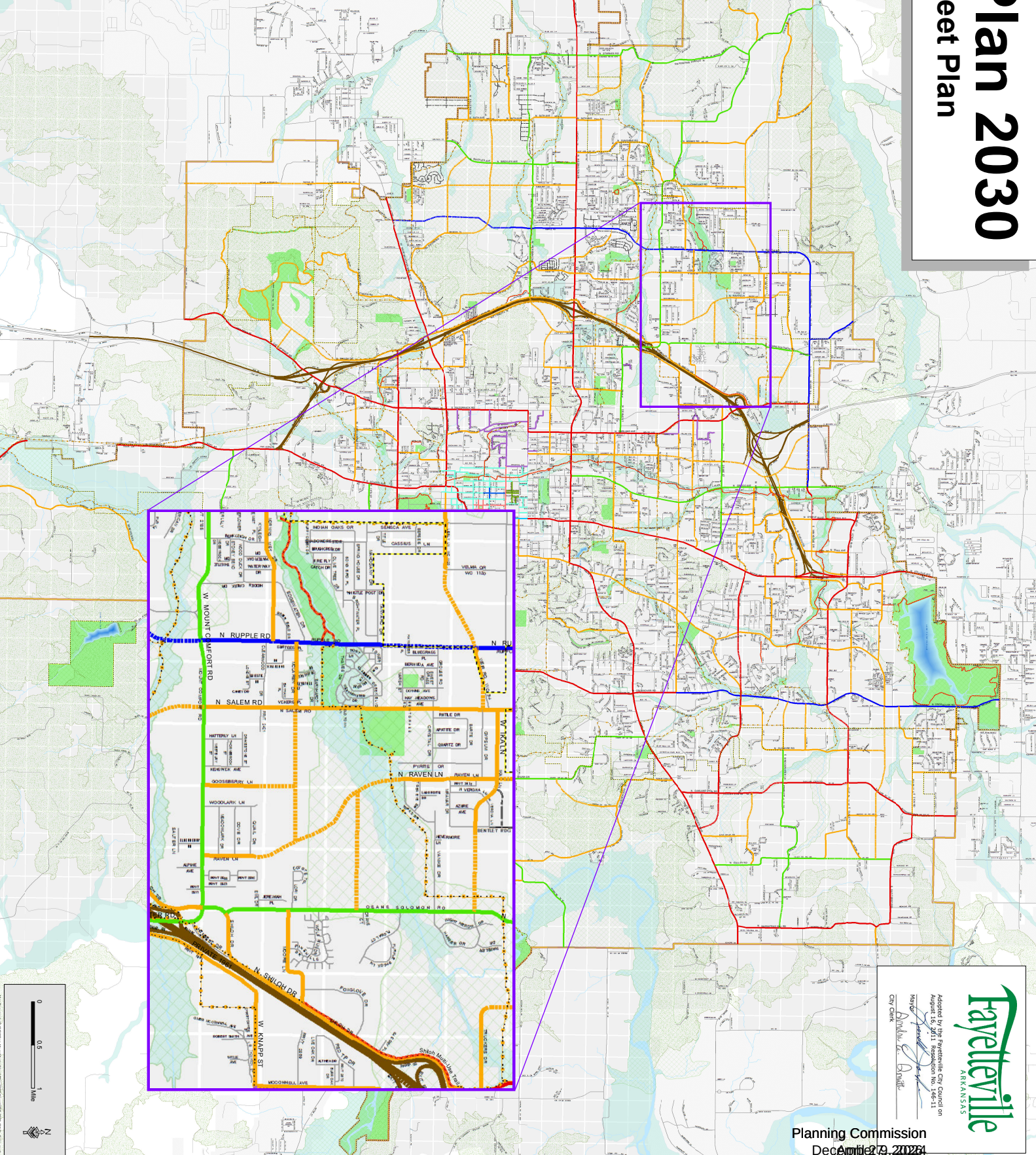
100 YEAR FLOOD

Planning Area Boundary

Park

Other Cities

Quarter Mile Grid



Adopted by the Fayetteville City Council on August 16, 2011 Resolution No. 146-11

[Signature]

City Clerk

Fayetteville

ARKANSAS

Planning Commission
December 7, 2023

City Plan 2040 Master Street Plan

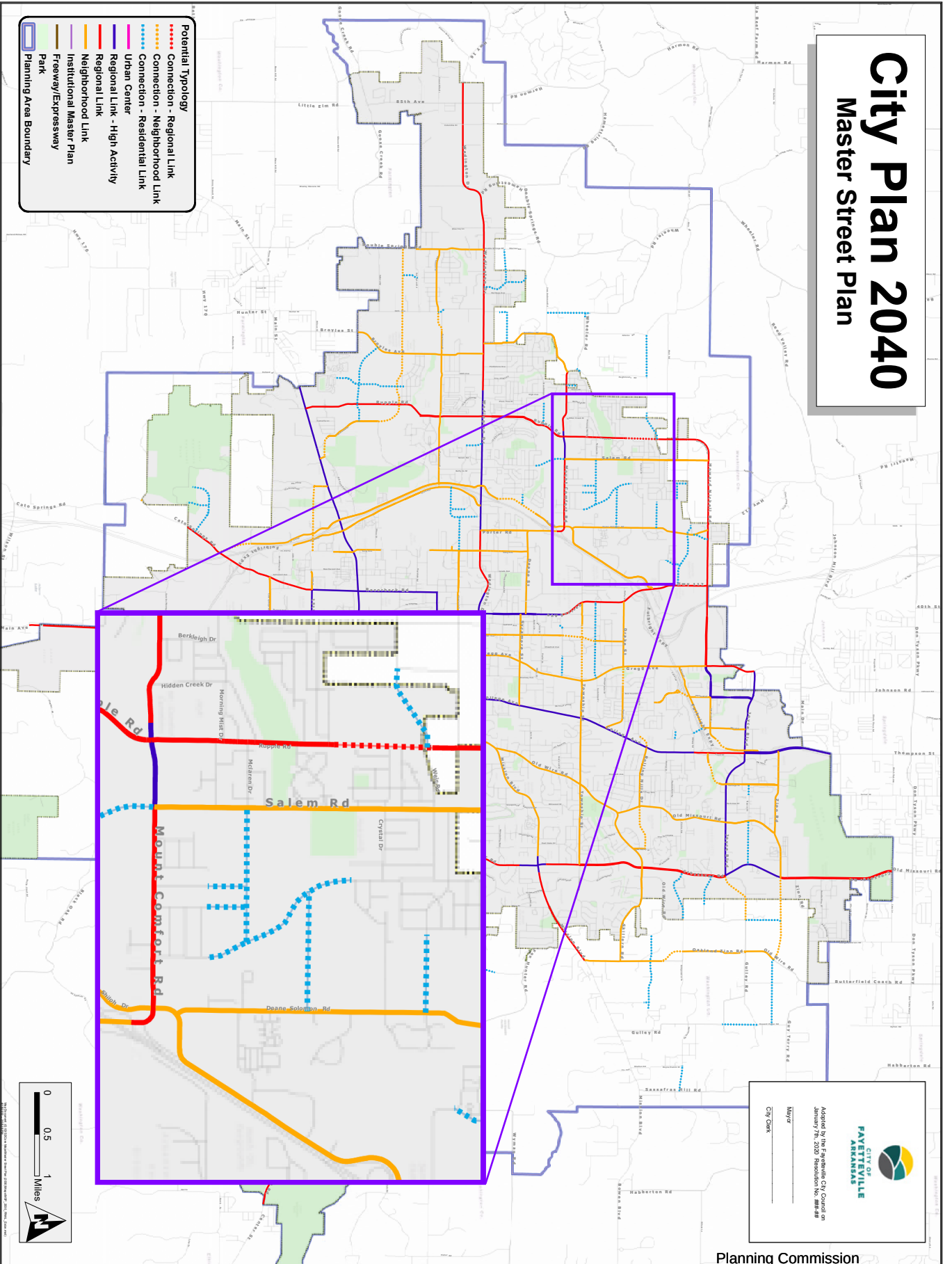
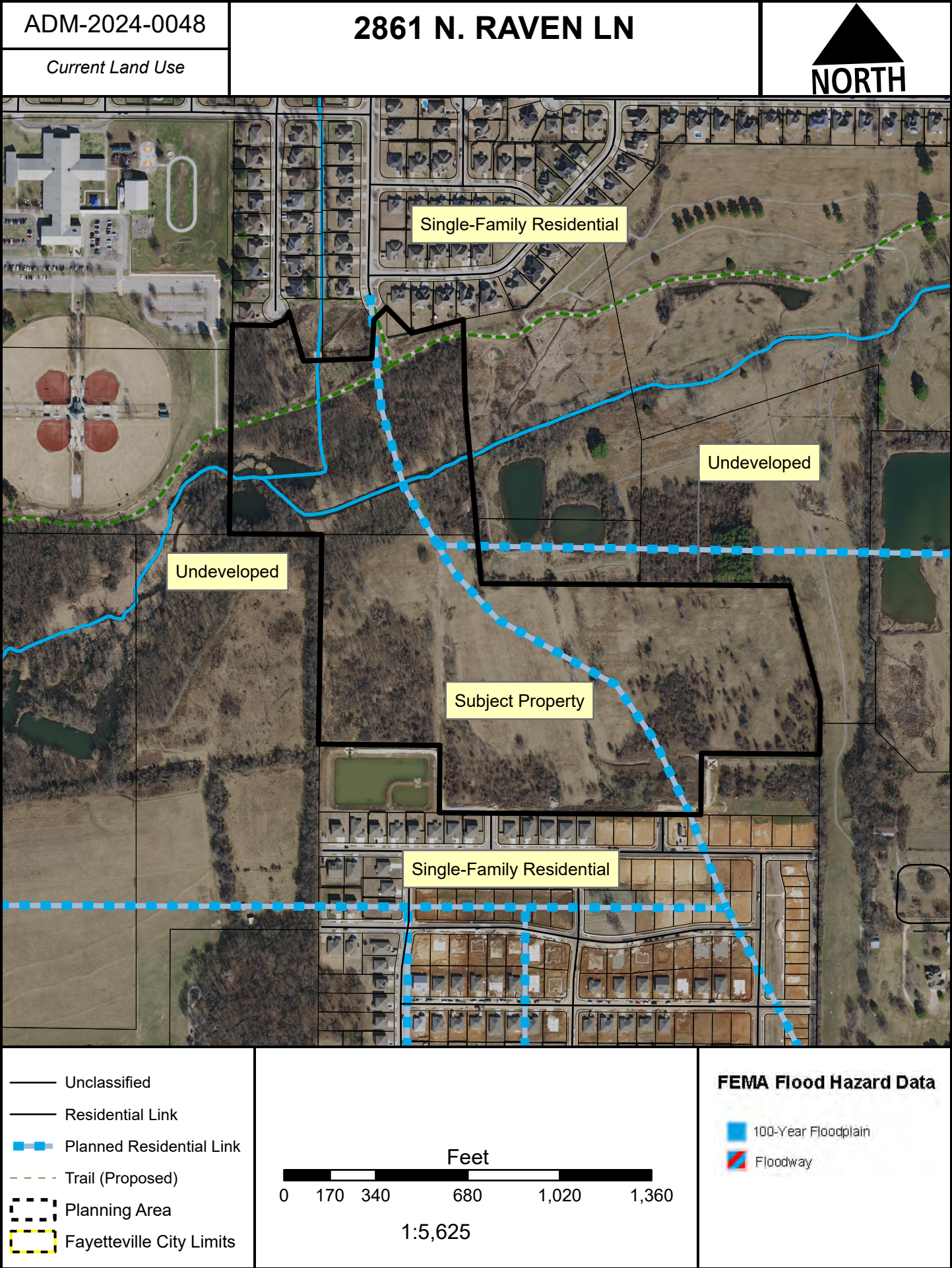


Figure 12.7 - Master Street Plan Map





From: Kyle Smith <kyle.smith@kyle4fay.org>
Sent: Monday, December 30, 2024 10:33 AM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: ADM-2024-0048 (2861 N. RAVEN LN)

I would like to register my opposition to the request to remove a Raven Ln connection from the master street plan (ADM-2024-0048). This area needs MORE advanced planning for connectivity, not less.

As the old fields in the area continue to develop, this has become an increasingly important issue. Current Planning Commissioners may not remember when the most recent phase of Crystal Springs was proposed in 2018-2019 (nowhere near the existing Crystal Springs and connected to a different subdivision, but named to utilize their banked parkland credits). Residents of Bird Haven and Gooseberry Ln organized to appeal that development specifically on the basis that it was NOT completing the connection of Raven Ln. That connection had been a condition of approval for an expired project entitlement nearly a decade earlier, and the omission on this newer version caused great concern that the connection would never be built.

The development patterns in the area currently force all traffic from many disconnected neighborhoods out onto Mt Comfort to reach nearby Holcomb Elementary - it is nearby geographically, but not by road during morning rushour traffic.

More interconnectedness is a proven way to distribute traffic and provide alternatives to congested routes. It improves walkability, car-pooling, and resilience during times when routes are blocked by accidents or construction. The Planning Commission should absolutely NOT remove planned connections from the MSP, and I would encourage them to identify opportunities for more planned connections throughout the city.

Kyle Smith

2801 W Dove Dr

Crafton Tull
LANDSCAPE ARCHITECTS
10000 N. RAVEN LANE
SUITE 100
FAYETTEVILLE, AR 72701
(501) 845-1111
craftontull.com

CHAD TULL
REGISTERED PROFESSIONAL ENGINEER
ISSUED FOR REVIEW
NO. 23100
EXPIRATION DATE: 12/31/2026
STATE OF ARKANSAS

GRAPHIC SCALE IN FEET
0 50 100

NEXT CHAPTER
NEIGHBORHOOD AT
UNDERWOOD PARK
FAYETTEVILLE, AR

THIS DOCUMENT, ALL INFORMATION AND DESIGN INFORMATION CONTAINED HEREIN, IS THE PROPERTY OF CRAFTON TULL & ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN AUTHORIZATION OF CRAFTON TULL & ASSOCIATES, INC.

LSA-2026-0004
PARKLAND DEDICATION EXHIBIT
C-102



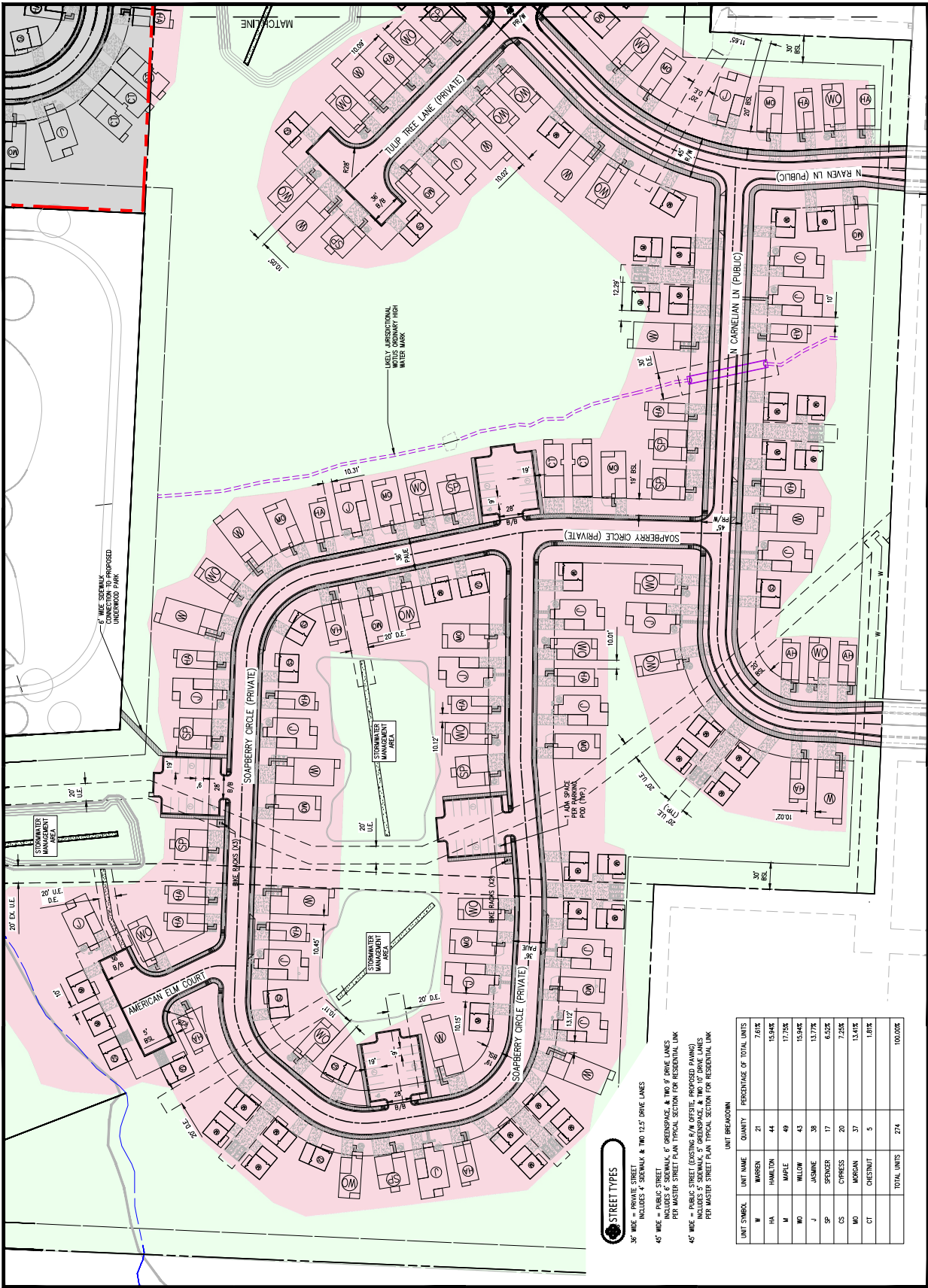
Crafton Tull
PLANNING & DESIGN
10000 N. 10th Avenue, Suite 200
Denver, CO 80231
TEL: 303.755.1100
WWW.CRAFTONTULL.COM

ANDREW S. ADAMS
REGISTERED PROFESSIONAL ENGINEER
ISSUED FOR REVIEW
NO. 21100
STATE OF COLORADO
1-25-2026/0004

PROPOSED PLANNING AREA 1
PROPOSED PLANNING AREA 2
EXISTING COMMERCIAL ZONING
PLANNING AREA 1

GRAPHIC SCALE IN FEET
0 50

NEXT CHAPTER
NEIGHBORHOOD AT
UNDERWOOD PARK
FAYETTEVILLE, AR

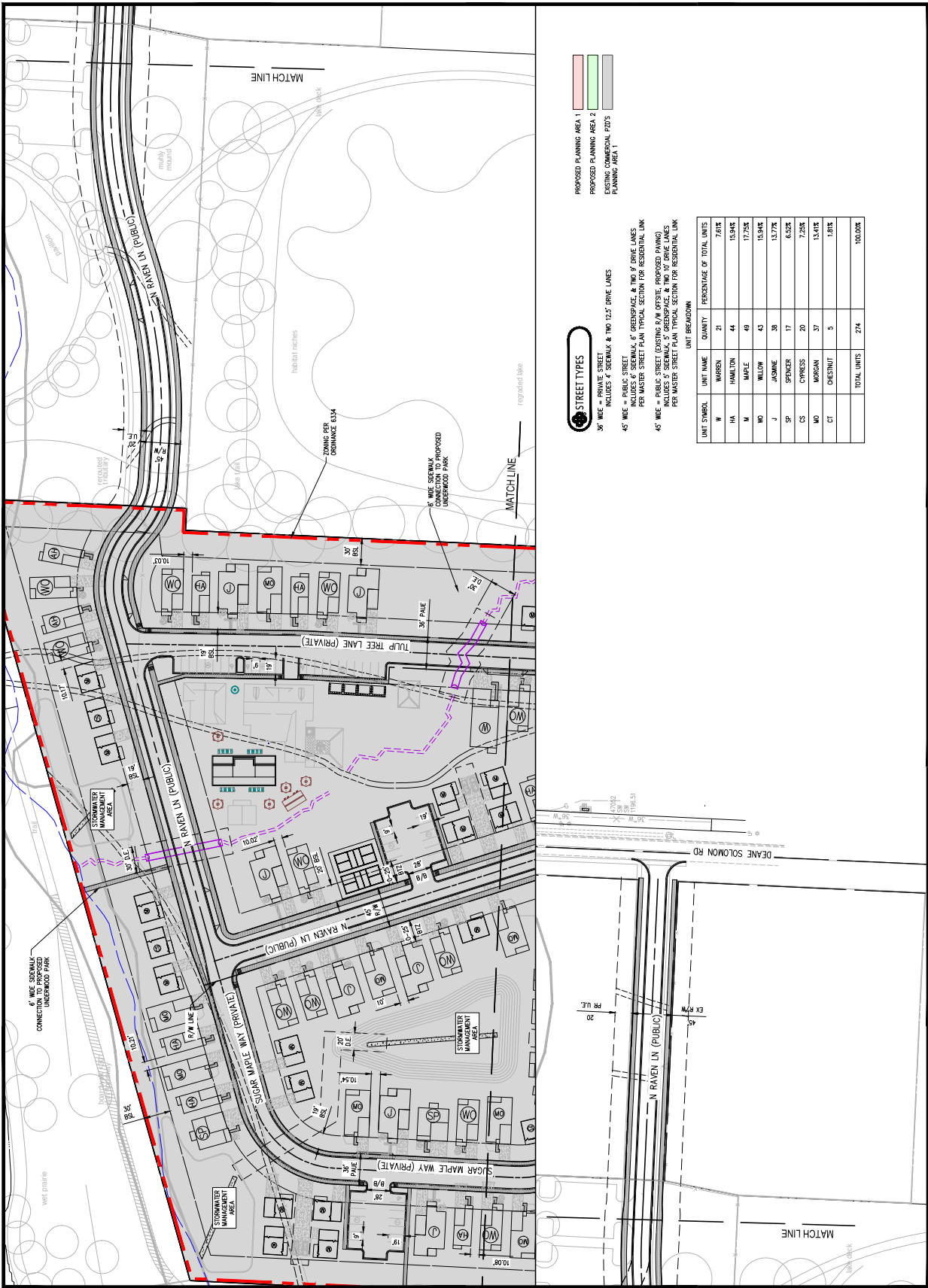


STREET TYPES

- 30' WIDE - PRIVATE STREET
INCLUDES 4' SIDEWALK & TWO 12.5' DRIVE LINES
- 45' WIDE - PUBLIC STREET
INCLUDES 6' SIDEWALK, 6' GREENSPACE, & TWO 9' DRIVE LINES
PER MASTER STREET PLAN TYPICAL SECTION FOR RESIDENTIAL LINK
- 45' WIDE - PUBLIC STREET (EXISTING R/W OFFSITE, PROPOSED PAVING)
INCLUDES 6' SIDEWALK, 5' GREENSPACE, & TWO 10' DRIVE LINES
PER MASTER STREET PLAN TYPICAL SECTION FOR RESIDENTIAL LINK

UNIT BREAKDOWN

UNIT SYMBOL	UNIT NAME	QUANTITY	PERCENTAGE OF TOTAL UNITS
W	WARREN	21	7.6%
HA	HAMILTON	44	15.9%
M	MAPLE	49	17.7%
MO	WILLOW	43	15.9%
J	JASMINE	38	13.7%
SP	SPINER	17	6.3%
CS	CYPRESS	20	7.2%
MO	MORGAN	37	13.4%
CT	CHESTNUT	5	1.8%
TOTAL UNITS		274	100.00%





PROPOSED PLANNING AREA 1



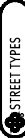
PROPOSED PLANNING AREA 2



EXISTING COMMERCIAL 220'S



PLANNING AREA 1



STREET TYPES

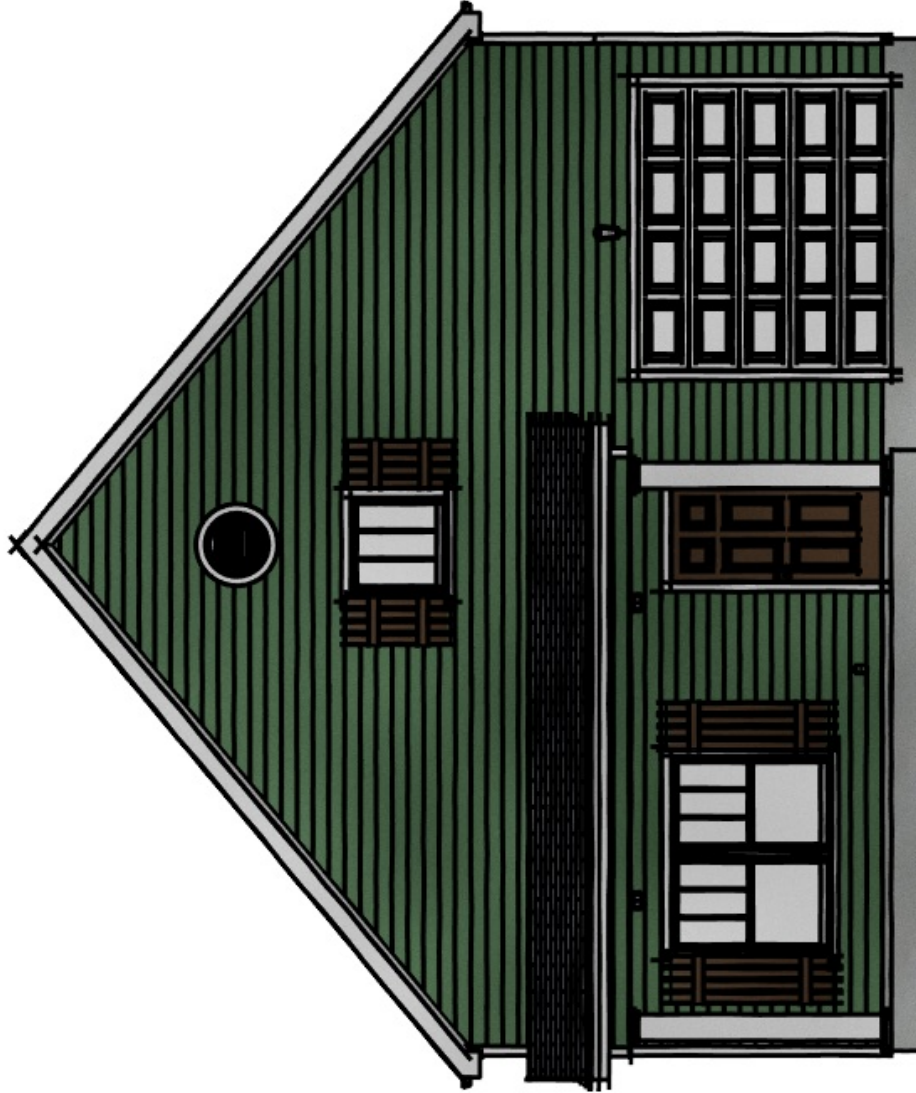
36' WIDE = PRIVATE STREET
INCLUDES 4' SIDEWALK & TWO 12.5' DRIVE LANES

45' WIDE = PUBLIC STREET
INCLUDES 6' SIDEWALK, 6' GREENSPACE, & TWO 9' DRIVE LANES
PER MASTER STREET PLAN TYPICAL SECTION FOR RESIDENTIAL LINK

45' WIDE = PUBLIC STREET (EXISTING 6' W/ OFFSITE, PROPOSED PARKING)
INCLUDES 5' SIDEWALK, 5' GREENSPACE, & TWO 10' DRIVE LANES
PER MASTER STREET PLAN TYPICAL SECTION FOR RESIDENTIAL LINK

UNIT BREAKDOWN			
UNIT SYMBOL	UNIT NAME	QUANTITY	PERCENTAGE OF TOTAL UNITS
W	WARREN	21	7.61%
HA	HAMILTON	44	15.94%
M	MAPLE	49	17.25%
WO	WILLOW	43	15.94%
J	JASMINE	38	13.77%
SP	SPENCER	17	6.52%
CS	CYPRESS	20	7.25%
MO	MORGAN	37	13.47%
CT	CHESNUT	5	1.81%
	TOTAL UNITS	274	100.00%

EXHIBIT D
FLOOR PLANS, ELEVATION
VIEWS, & ISOMETRIC VIEWS
FOR ALL UNIT TYPES



<u>ESTIMATED SQUARE FOOTAGE</u>
1ST FLR HTD- 452 SQFT
2ND FLR HTD- 410 SQFT
TOTAL HTD- 862 SQFT
GARAGE - 222 SQFT
PORCH - 95 SQFT
FOOTPRINT - 784 SQFT
TOTAL FRAMING - 1,291 SQFT

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Andrew M. Woods
awoods@nextchapterconstruction.us
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PROJECT DESCRIPTION:
DM Maple Layout

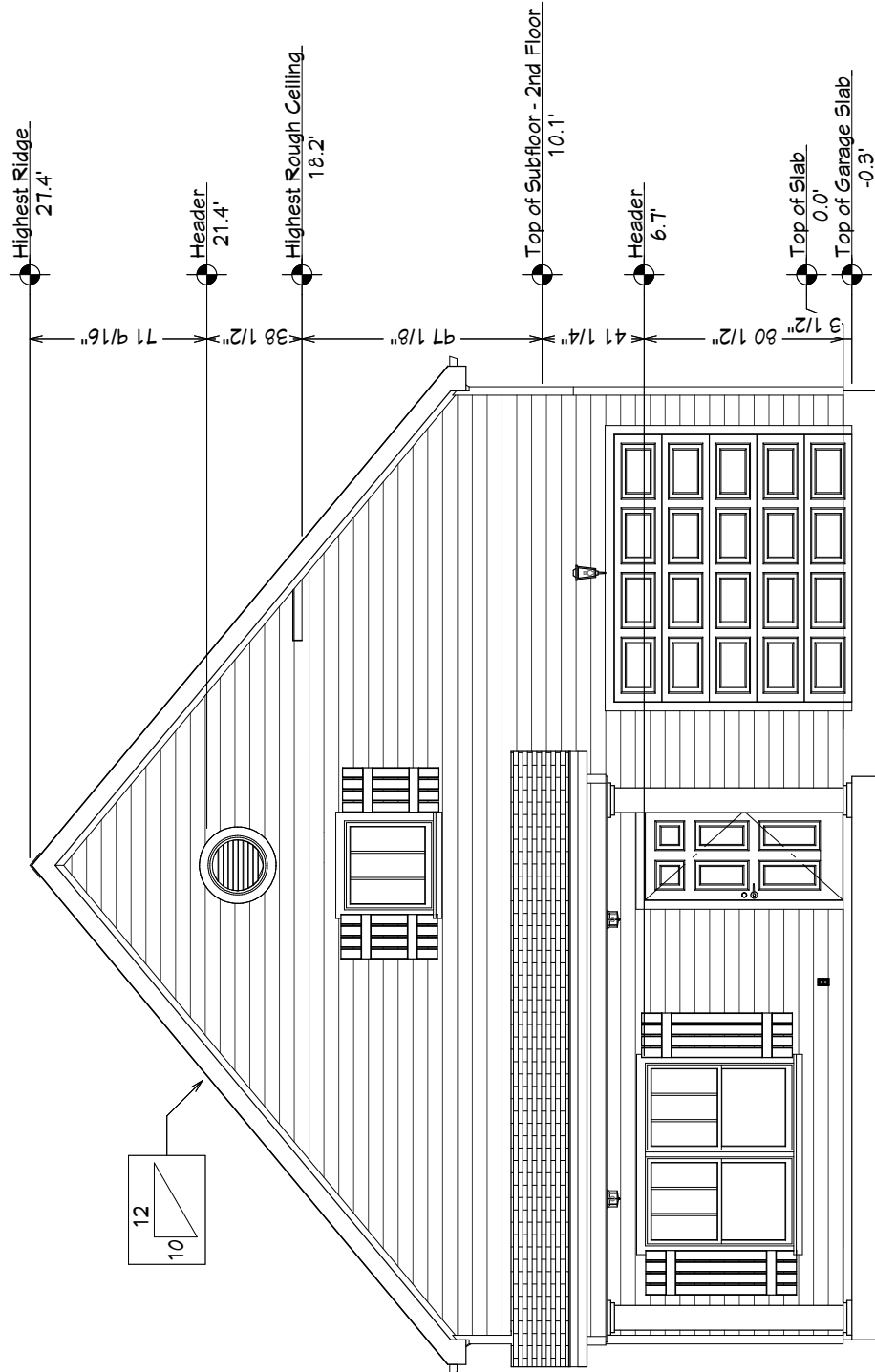
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NO.	DESCRIPTION	BY	DATE

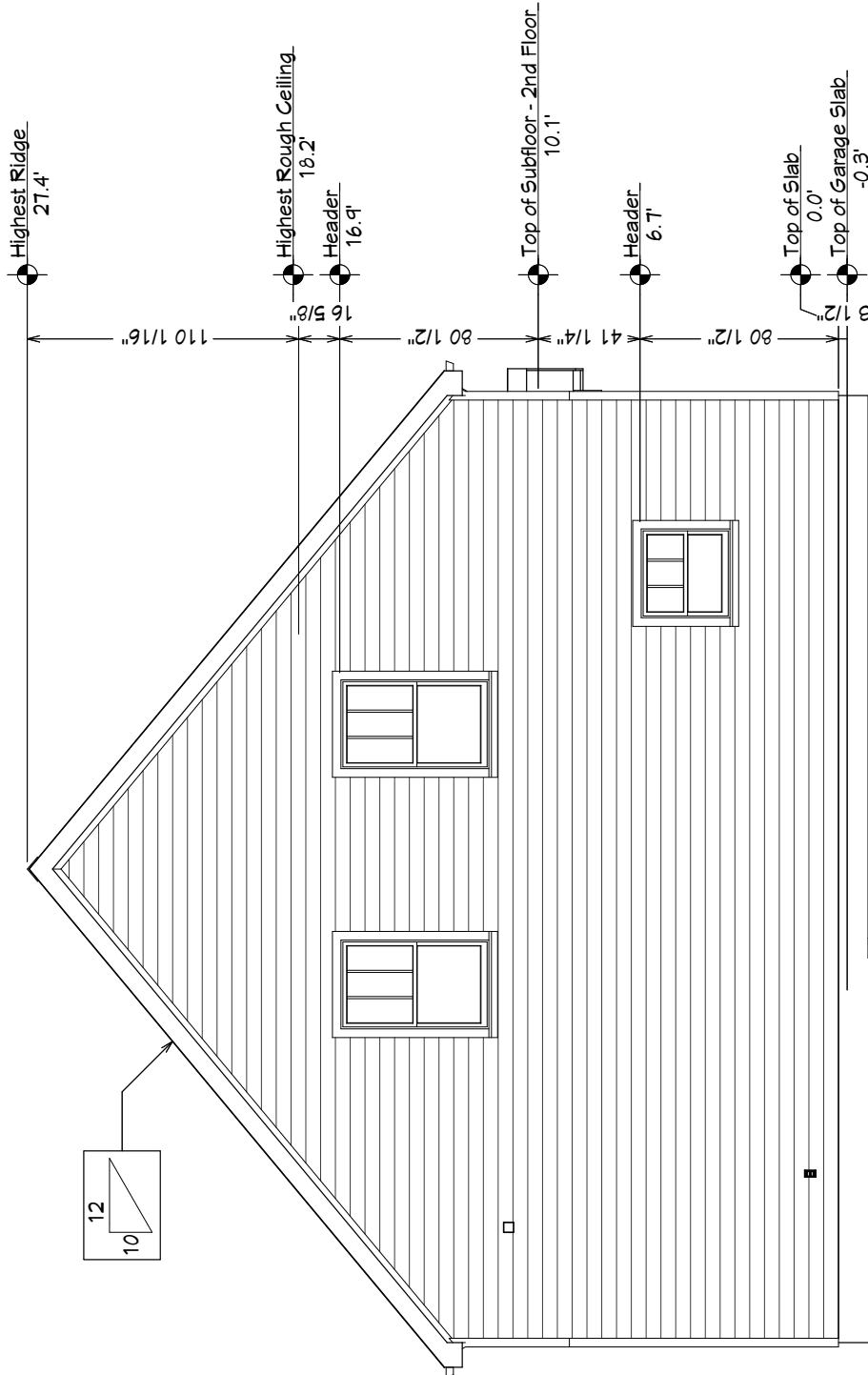
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2/14/2025

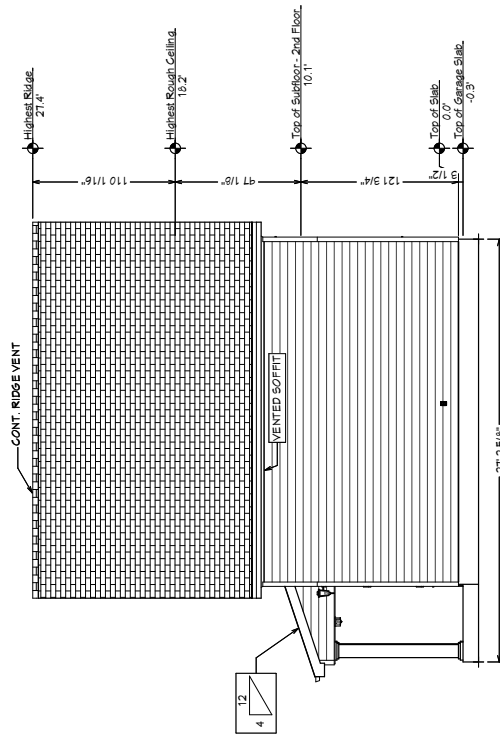
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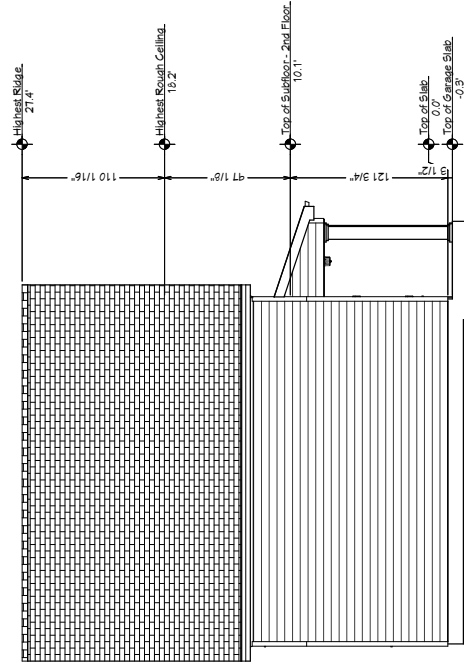
DRAWN BY: Andrew M. Woods a.woods@nextchapterconstruction.us		PROJECT DESCRIPTION: DM Maple Layout		SHEET TITLE: FRONT ELEV.		SCALE: 1/4"=1'		DATE: 2/14/2025		PG 2	
DRAWINGS PROVIDED FOR: Next Chapter Neighborhoods 2500 Trade Center Dr, Evans, GA 30804 706-891-3484 - www.nextchapterneighborhoods.com		PROJECT DESCRIPTION: DM Maple Layout		SHEET TITLE: FRONT ELEV.		SCALE: 1/4"=1'		DATE: 2/14/2025		PG 2	
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RIGHT ELEV.



LEFT ELEV.

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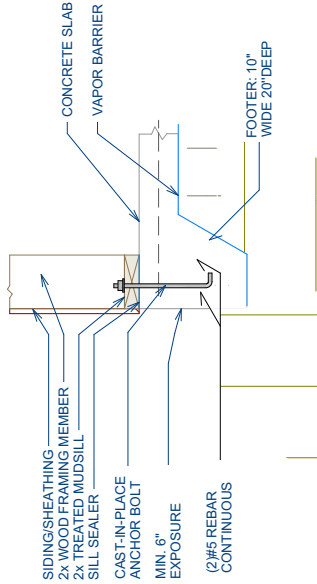
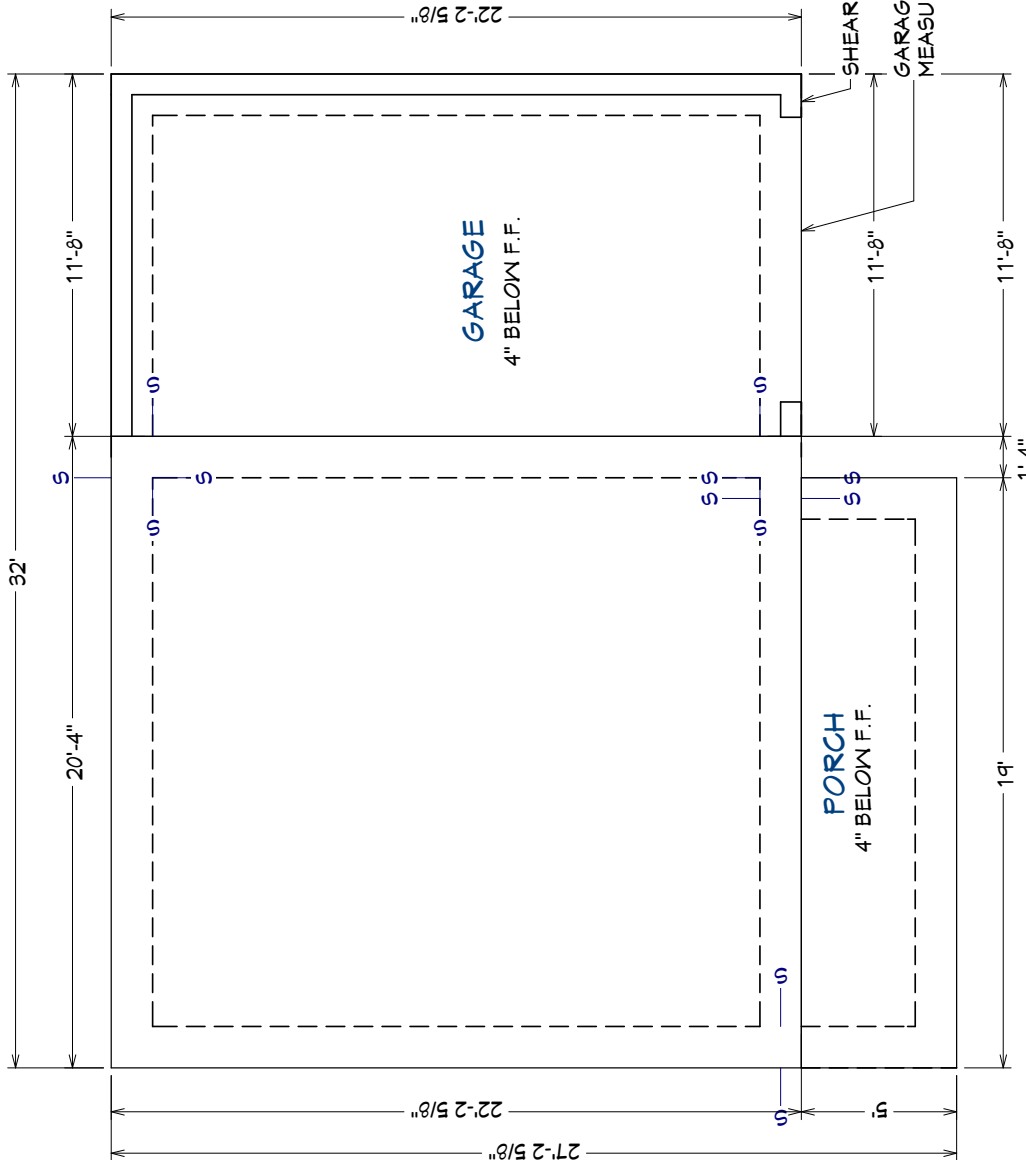
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SHEET TITLE:
SIDE ELEV.

NO.	DESCRIPTION	BY	DATE

SCALE:
1/8"=1'

DATE:
2/14/2025



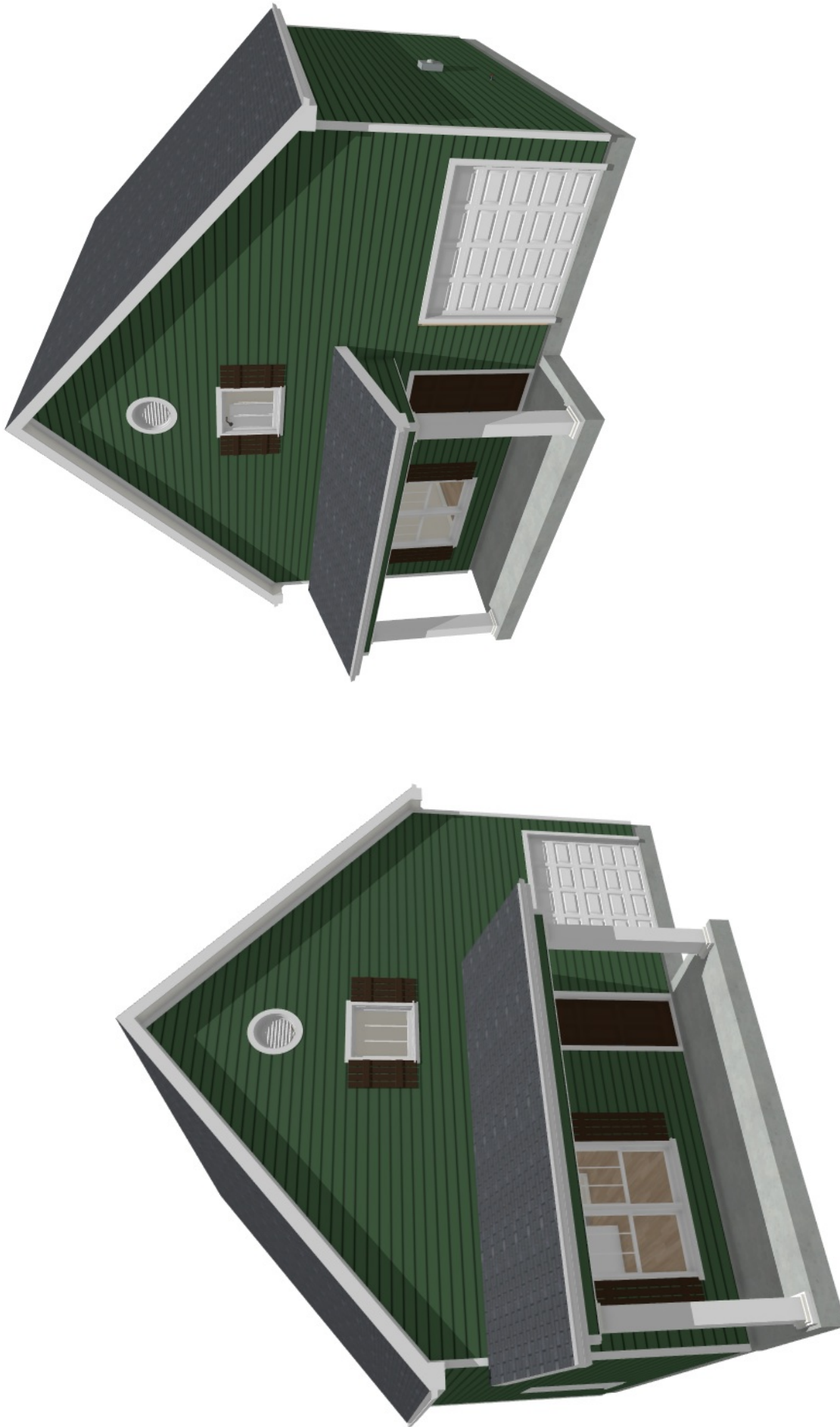
Monolithic Slab Detail

NOTE:
PROVIDE CONTROL JOINTS

NOTE:
DIMENSIONS ARE TO FRAME WALL

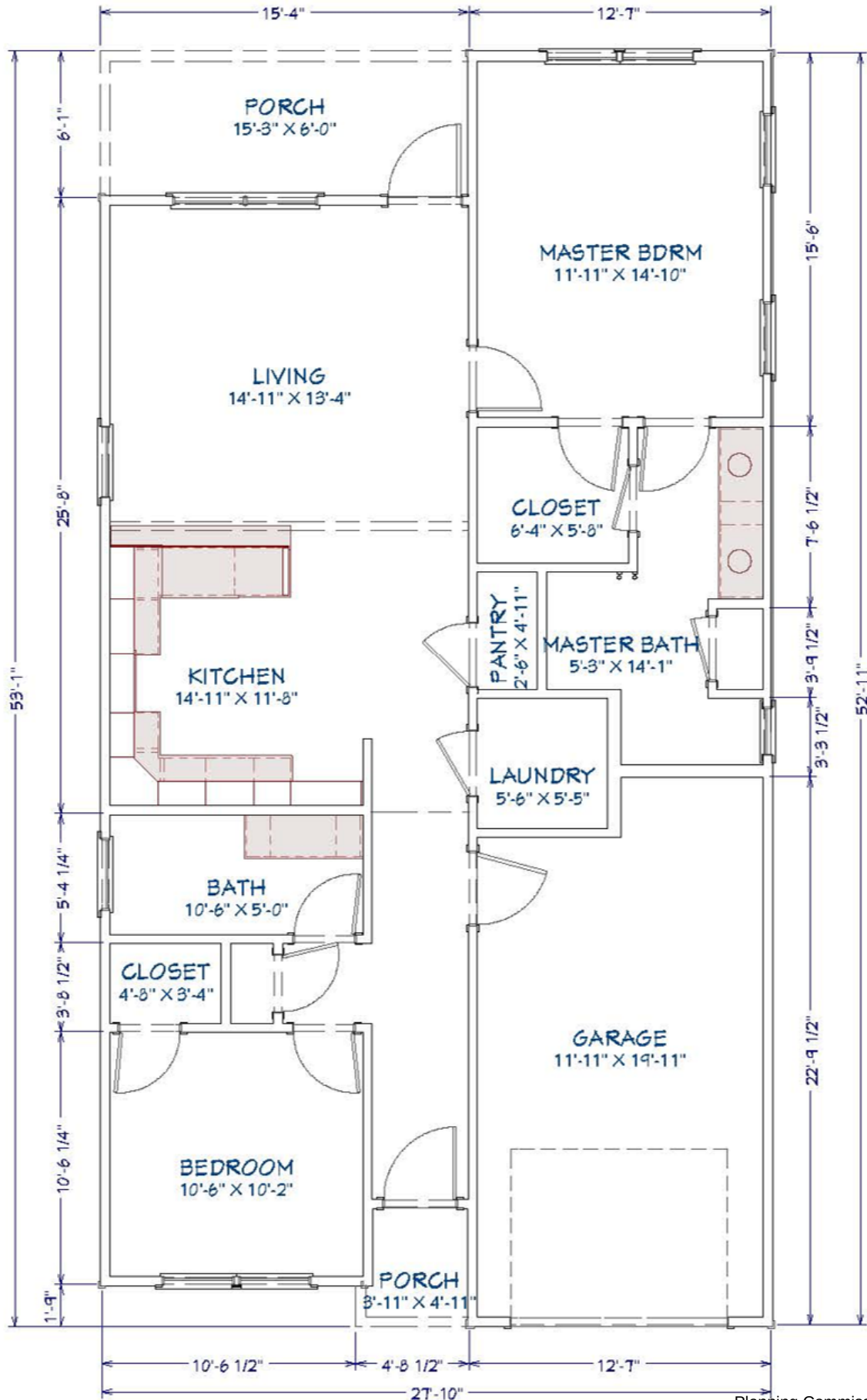
NOTE:
BOLTS TO BE NO FURTHER THAN 18" O.C.
OR 12" AWAY FROM SILL PLATE ENDS

DRAWING PROVIDED FOR:				DRAWING TITLE:			
DRAWN BY: Andrew M. Woods awoods@nextchapterconstruction.us				FOUNDATION PLAN			
PROJECT DESCRIPTION: DM Maple Layout				SHEET TITLE:			
DRAWINGS PROVIDED FOR: Next Chapter Neighborhoods 2500 Trade Center Dr, Evans, GA 30804 706-831-3494 - www.nextchapterneighborhoods.com				PROJECT DESCRIPTION:			
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1				2/14/2025			
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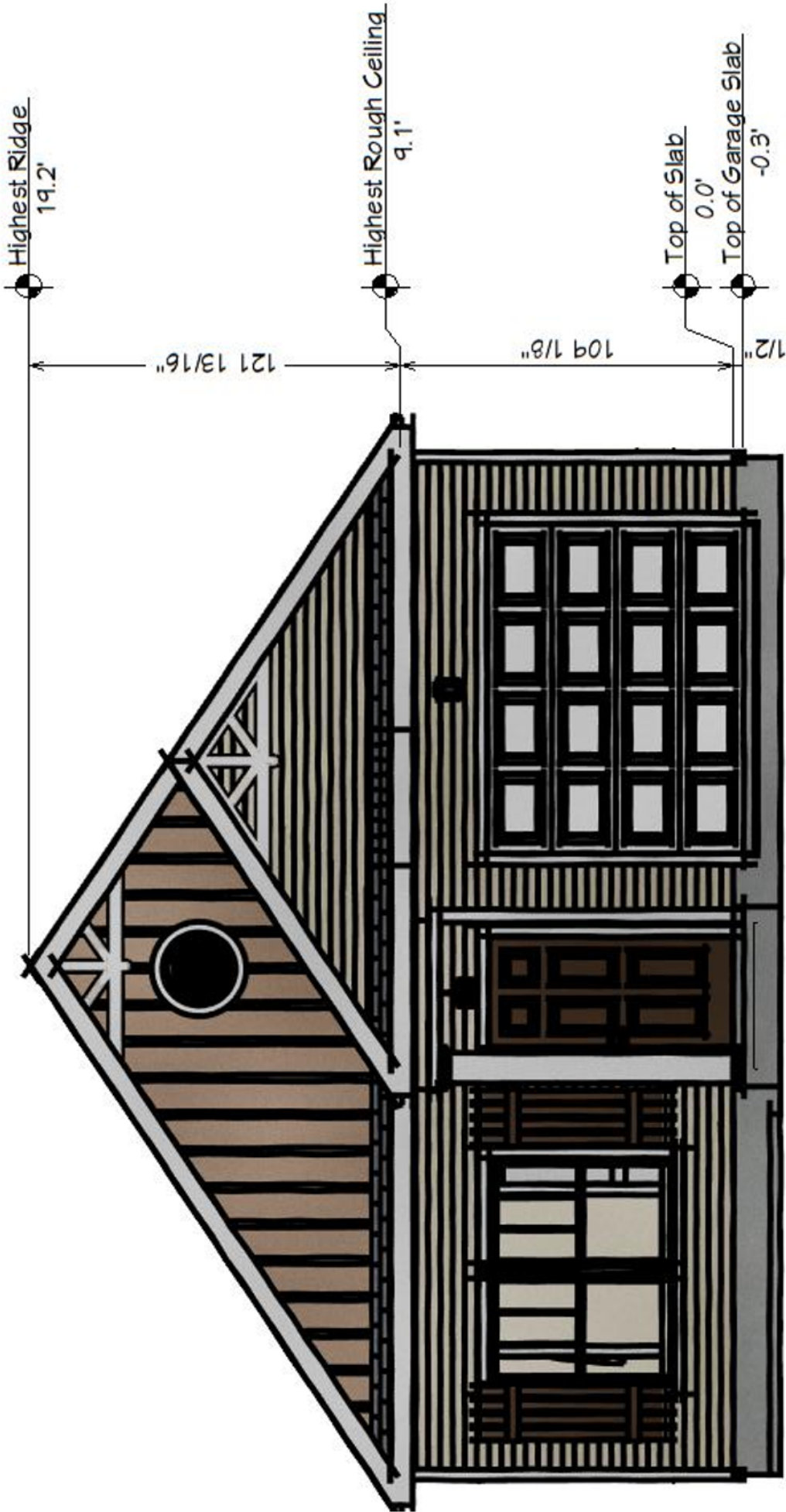


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MORGAN FLOOR PLAN



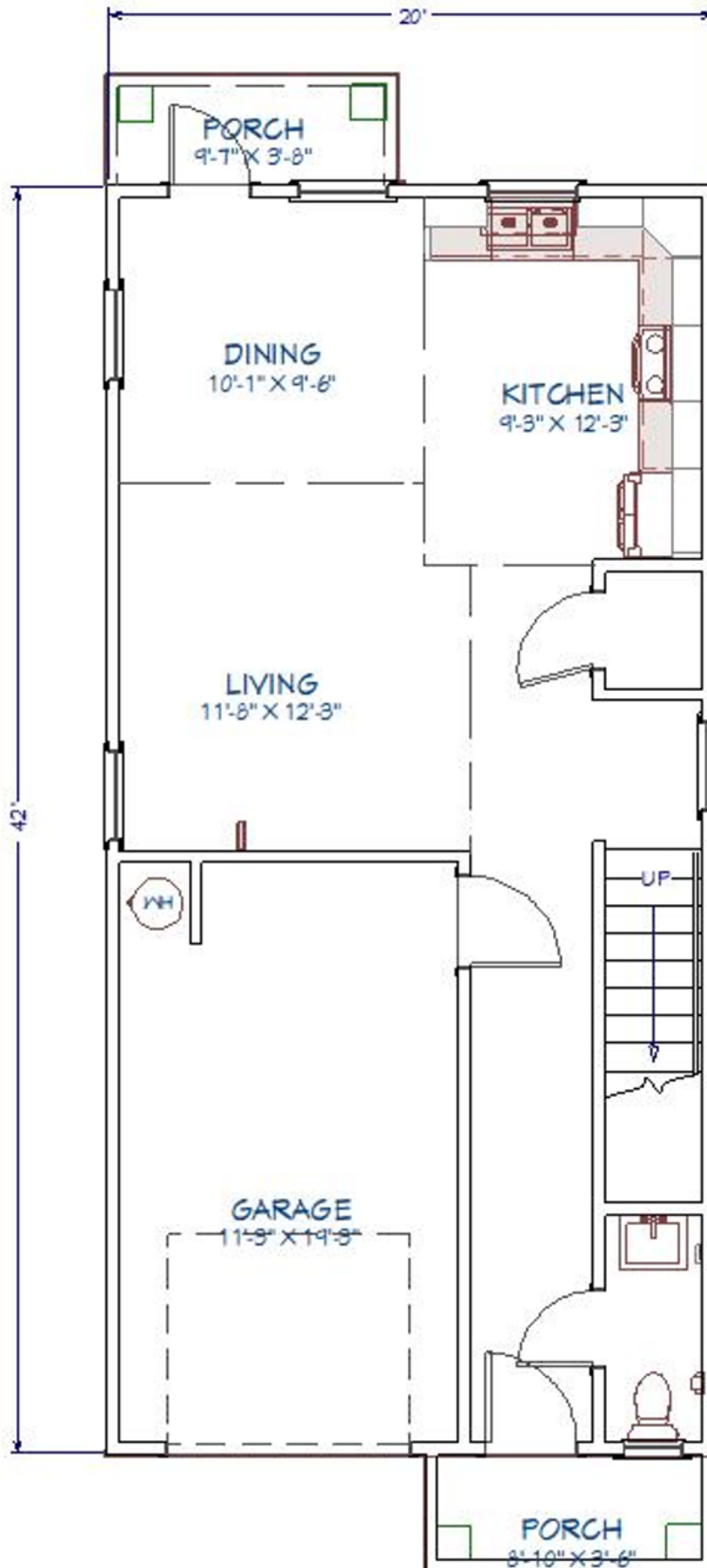
MORGAN FRONT ELEVATION



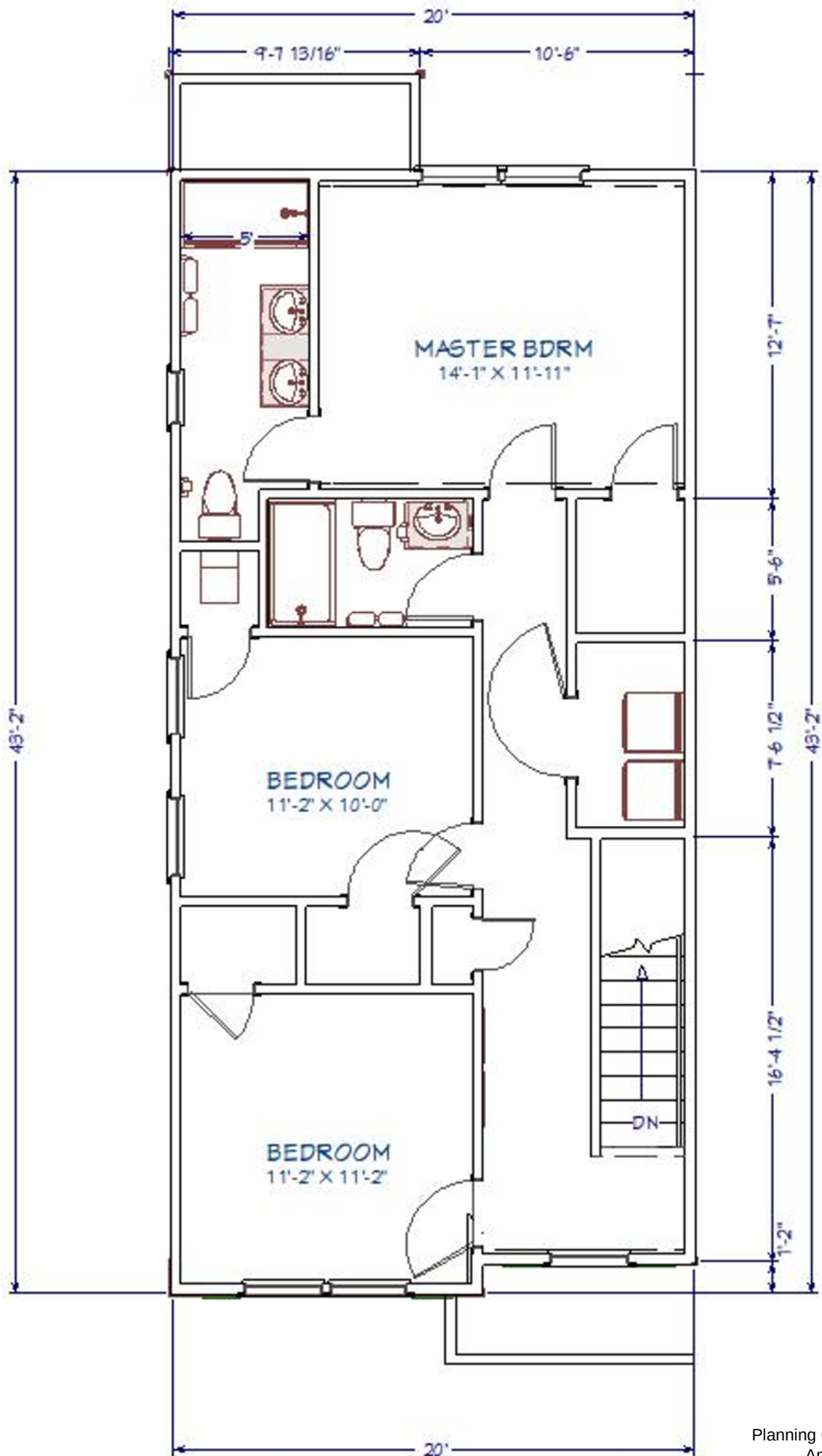
MORGAN RENDERING



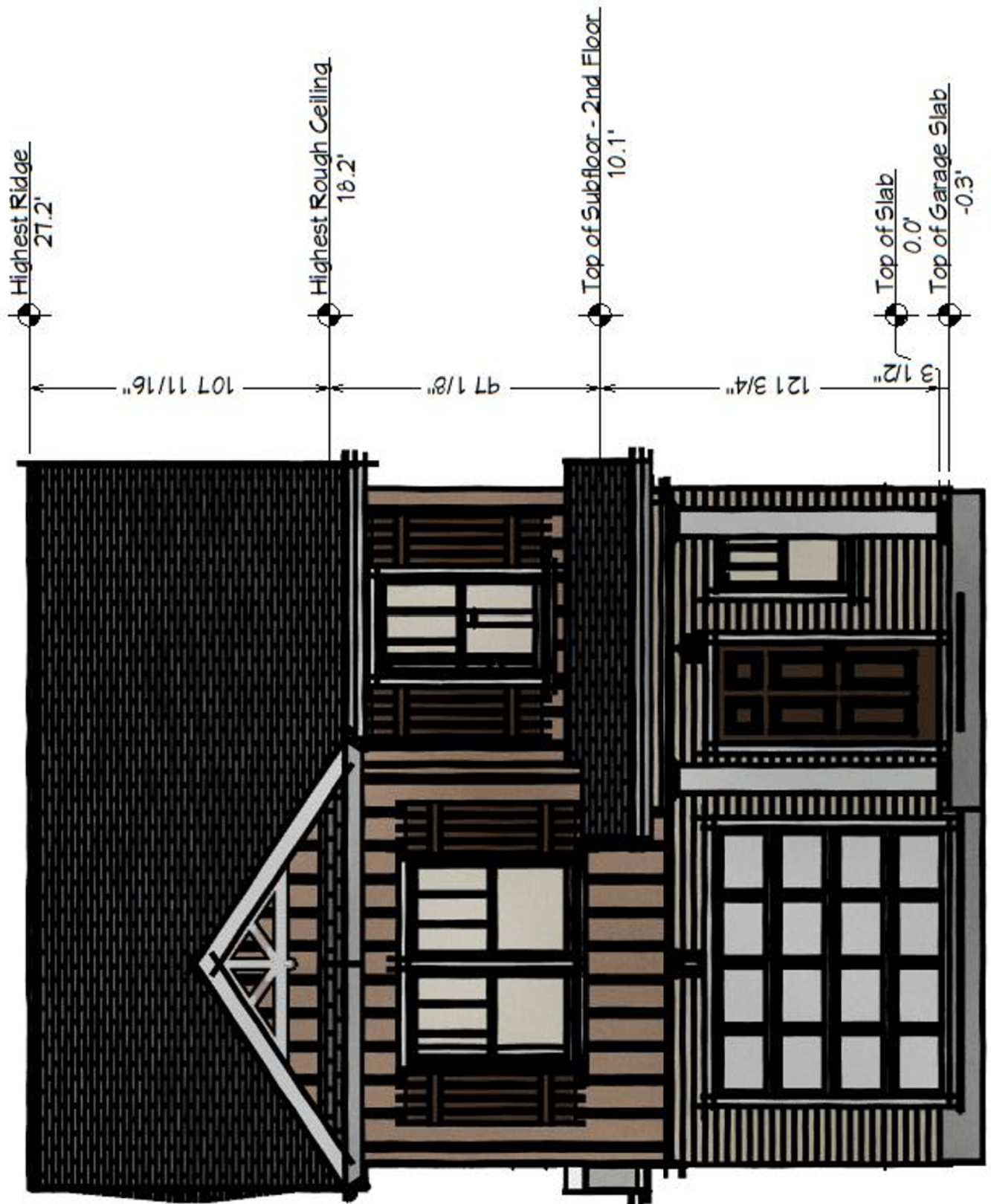
Hamilton 1st Floor



Hamilton 2nd Floor



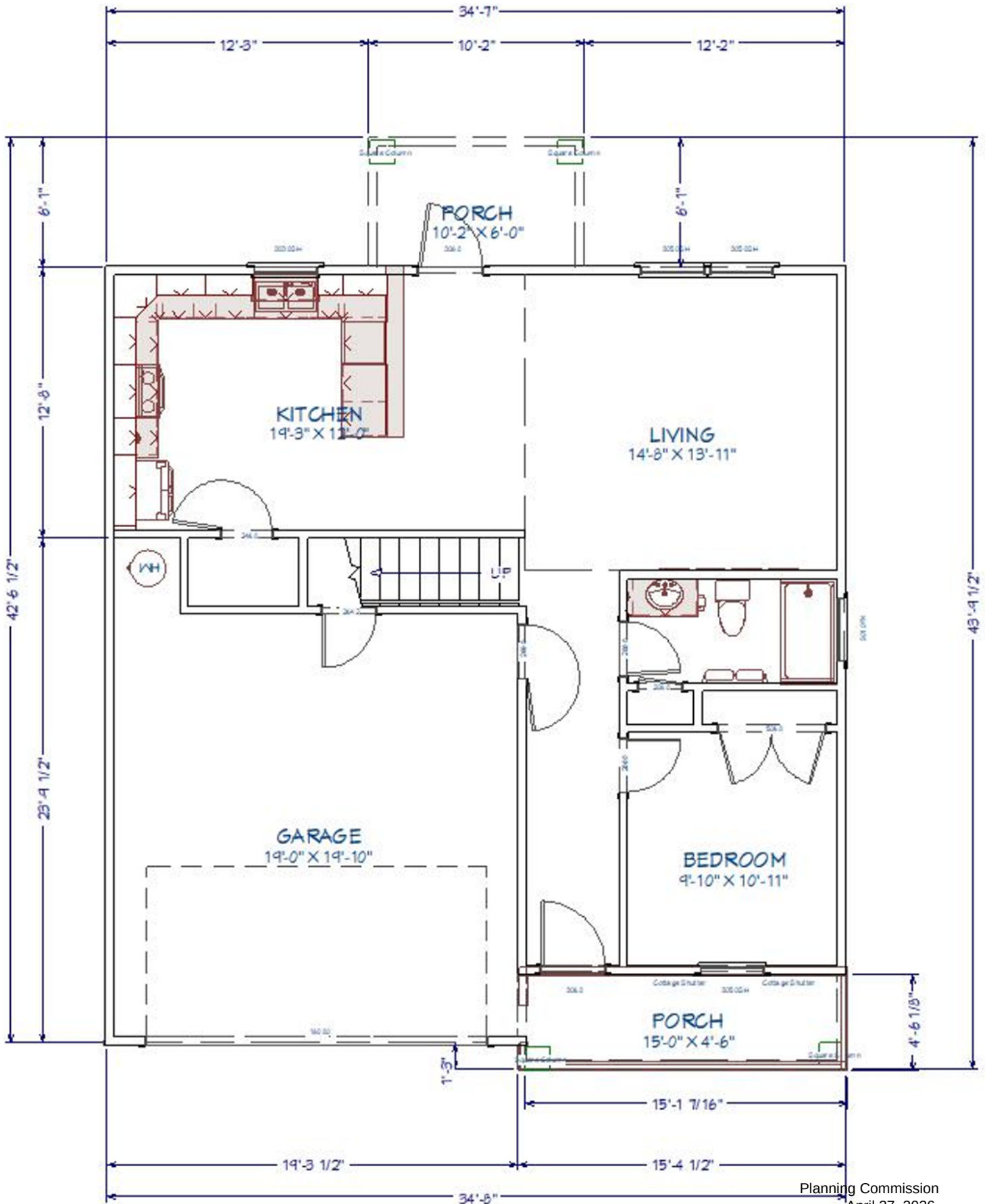
Hamilton FRONT ELEVATION



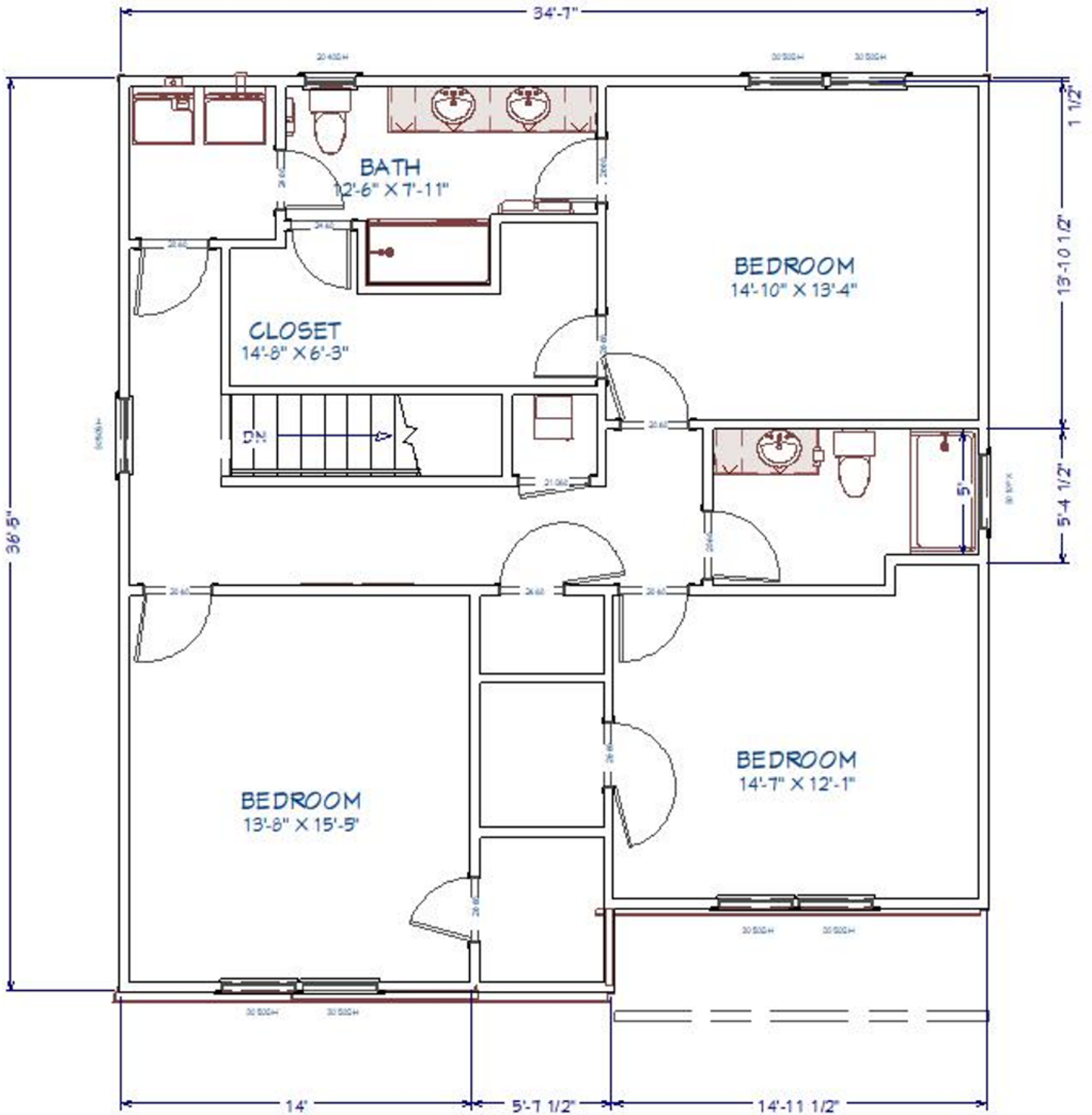
HAMILTON RENDERINGS



SPENCER (FIRST FLOOR)



SPENCER (SECOND FLOOR)



SPENCER FRONT ELEVATION



SPENCER RENDERINGS



The Spencer

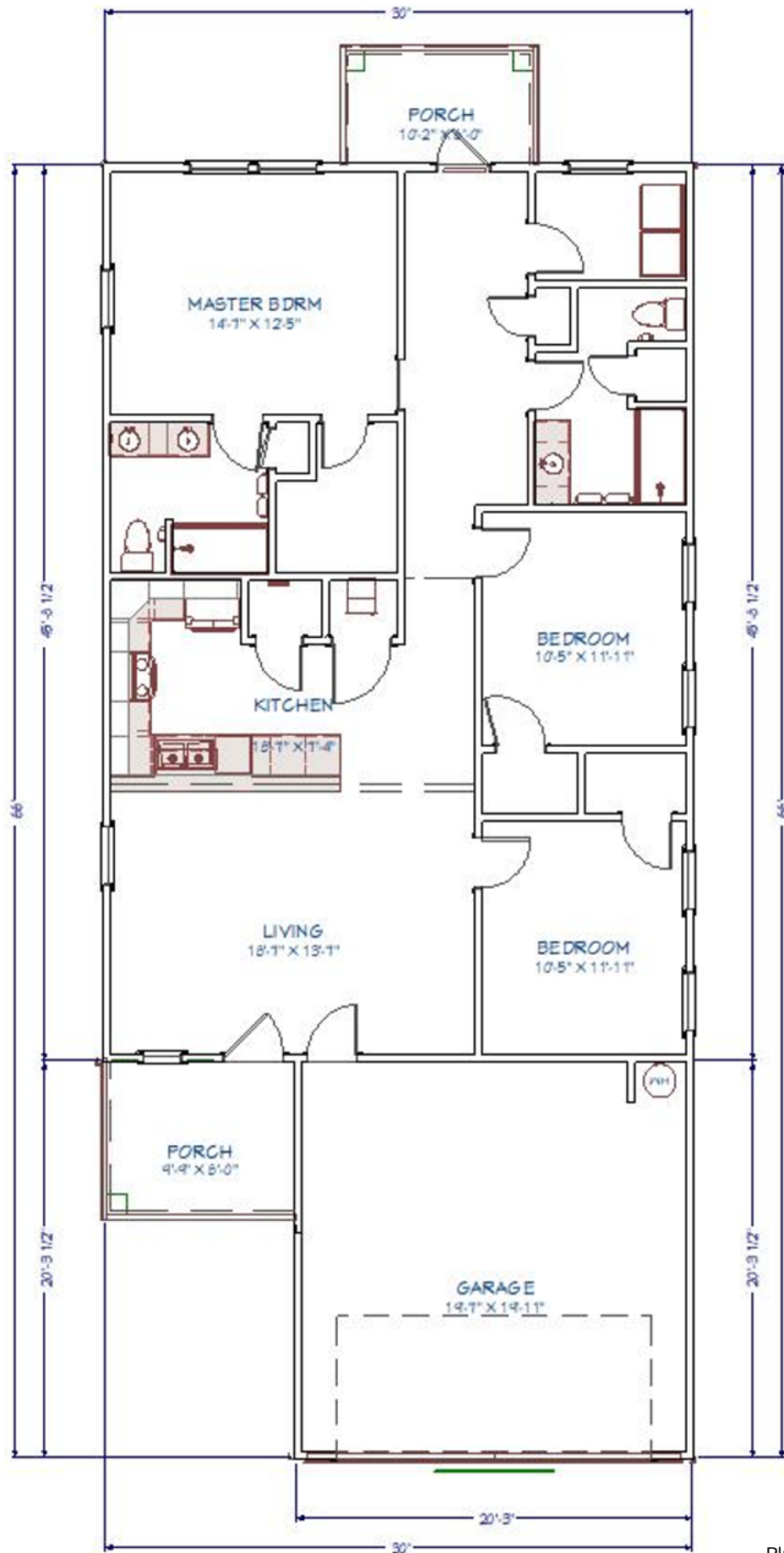
LSD-2026-0004 (KTB LIMITED PARTNERSHIP AND UNDERWOOD, CRAIG & LAURA REVOCABLE TRUST)

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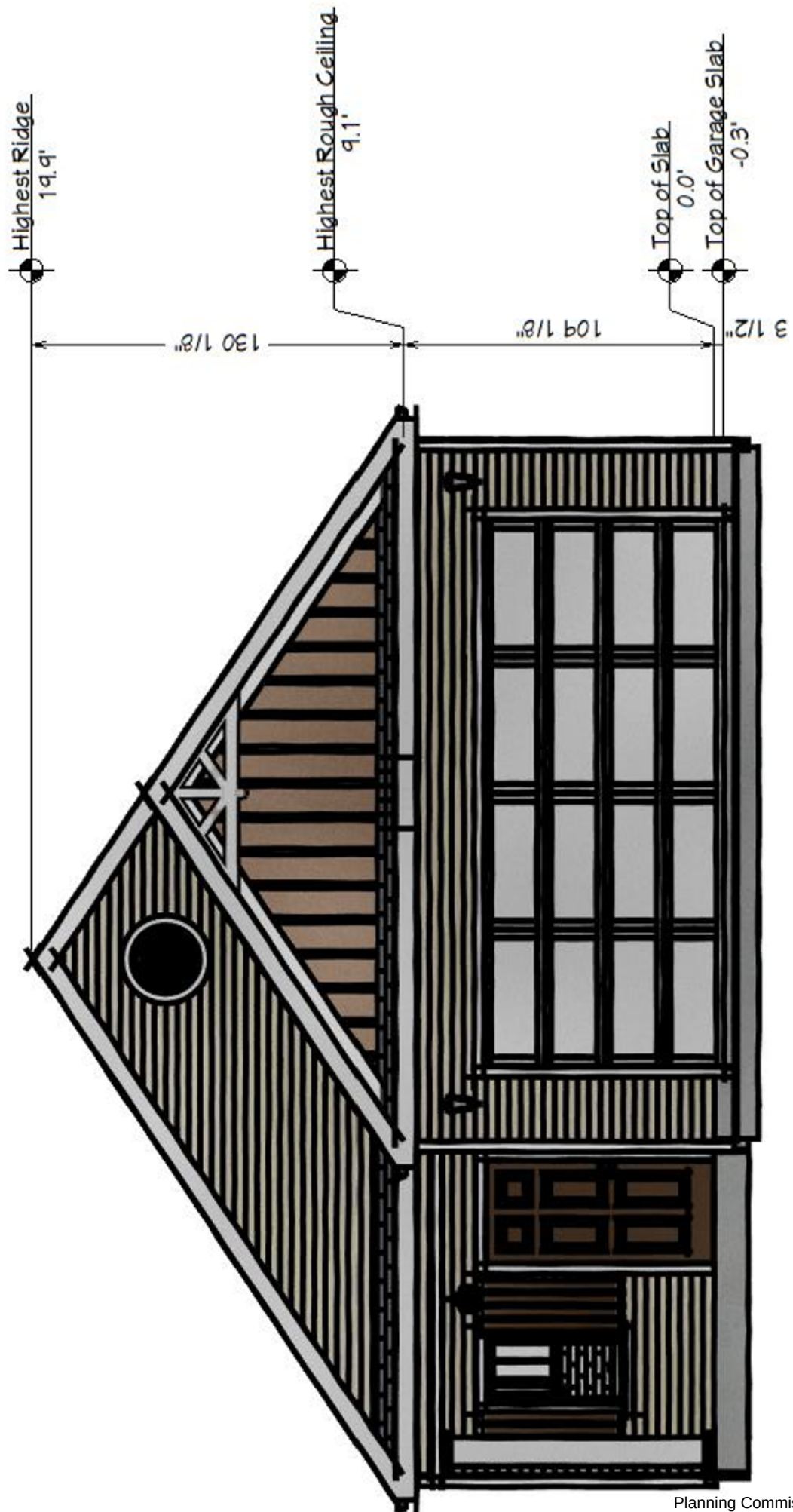
April 27, 2026

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Warren FLOOR PLAN



WARREN FRONT ELEVATION



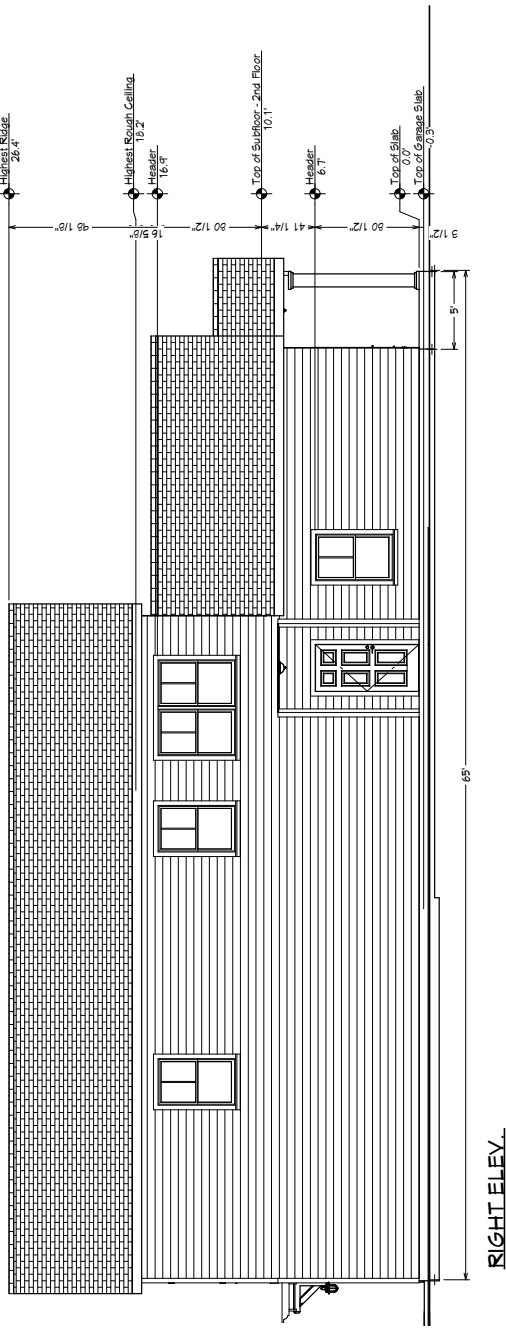
WARREN RENDERING



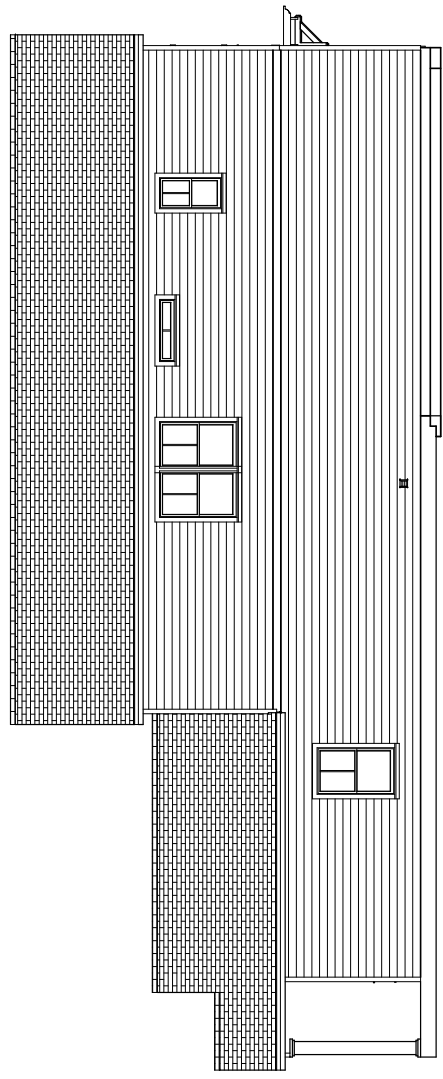
Architectural drawing of the front elevation of a building. The drawing shows a gabled roof with a ridge line at 26'4". The main body of the building is 22' wide. The roof pitch is indicated by a triangle with a vertical side of 12 and a horizontal side of 8. The building has two windows on the left side, each with a header at 16'9". The right side of the building features a large door with a header at 7'0". The top of the slab is at 0'0", and the top of the subfloor is at 10'1". The drawing is labeled "FRONT ELEV." and "1/4"=1'".

FRONT ELEV.
1/4"=1'

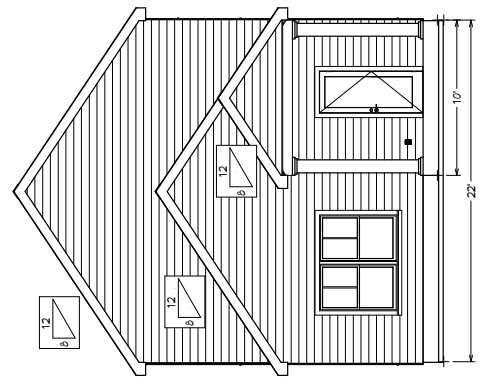
DRAWN BY: Shane M. Malek shane@nextchapterneighborhoods.com		DRAWINGS PROVIDED FOR: Next Chapter Neighborhoods 2500 Trade Center Dr, Evans, GA 30804 706-831-3464 - www.nextchapterneighborhoods.com		PROJECT DESCRIPTION: Chestnut- Porch Right		SHEET TITLE: ELEVATIONS		NO.		DESCRIPTION		BY		DATE		SCALE:		DATE: 5/27/2022		PG 1	
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RIGHT ELEV.



LEFT ELEV.



REAR ELEV.

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DRAWN BY:
 Shane M. Malek
shane@nextchapterneighborhoods.com

PROJECT DESCRIPTION:
 Chestnut- Porch Right

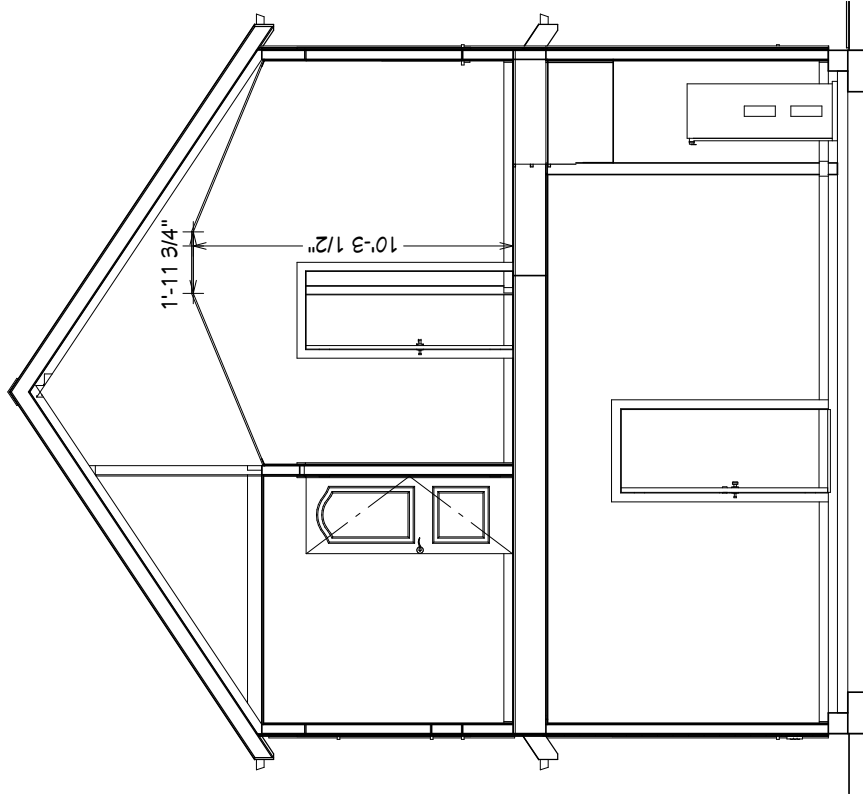
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 ELEVATIONS

NO. **DESCRIPTION** **BY** **DATE**

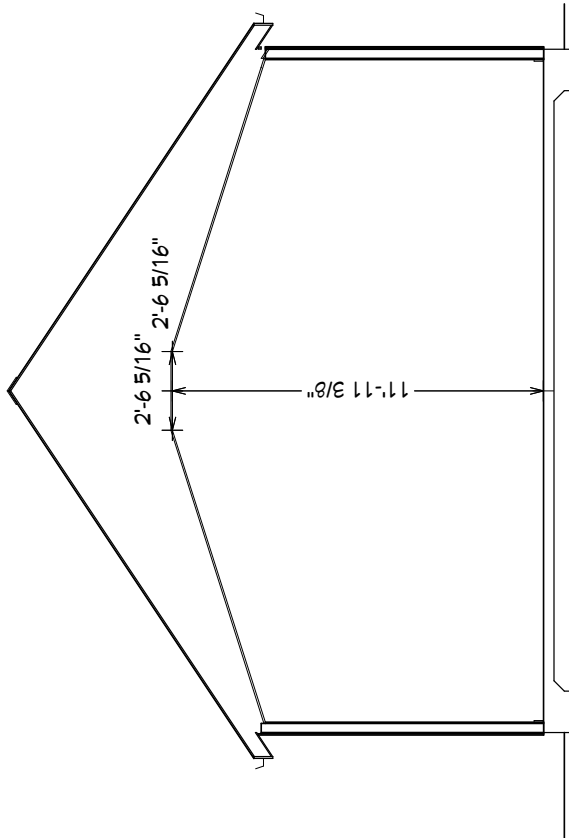
SCALE:
 1/8" = 1'

DATE:
 5/27/2022

PG 2



TYP. VAULT CROSS SECTION V2



TYP. VAULT CROSS SECTION V1



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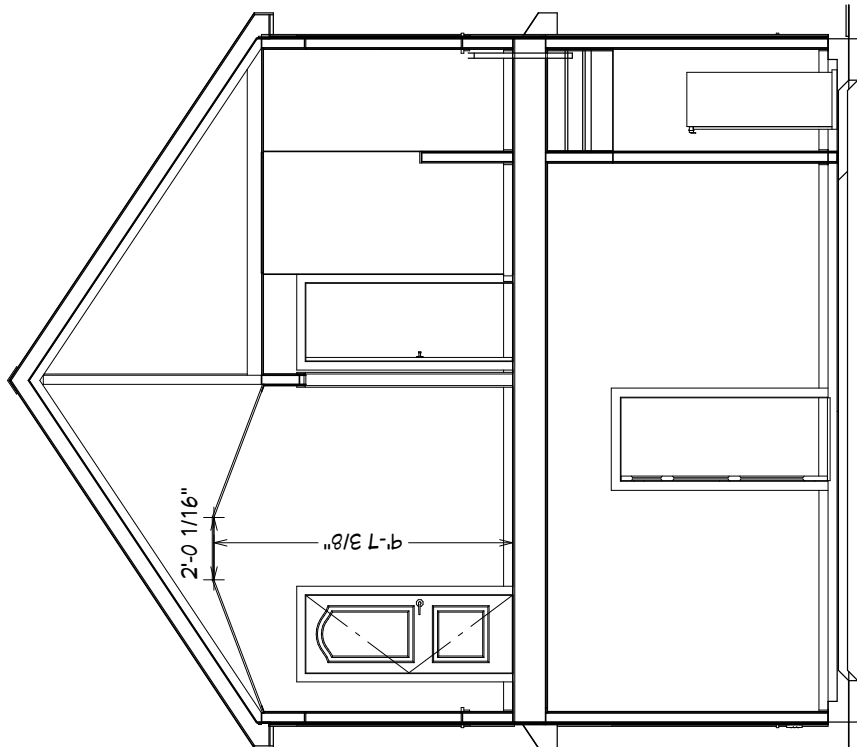
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SHEET TITLE:
CROSS SECTIONS

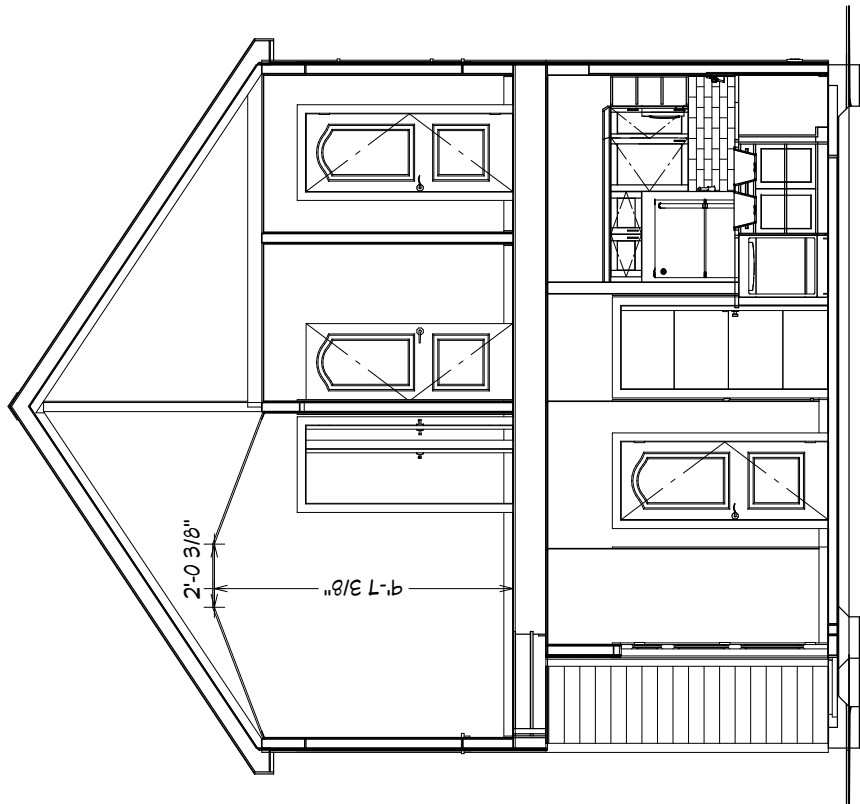
NO.	DESCRIPTION	BY	DATE

SCALE:
1/4" = 1'

DATE:
5/27/2022



TYP. VAULT CROSS SECTION V3



TYP. VAULT CROSS SECTION V4



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PROJECT DESCRIPTION:
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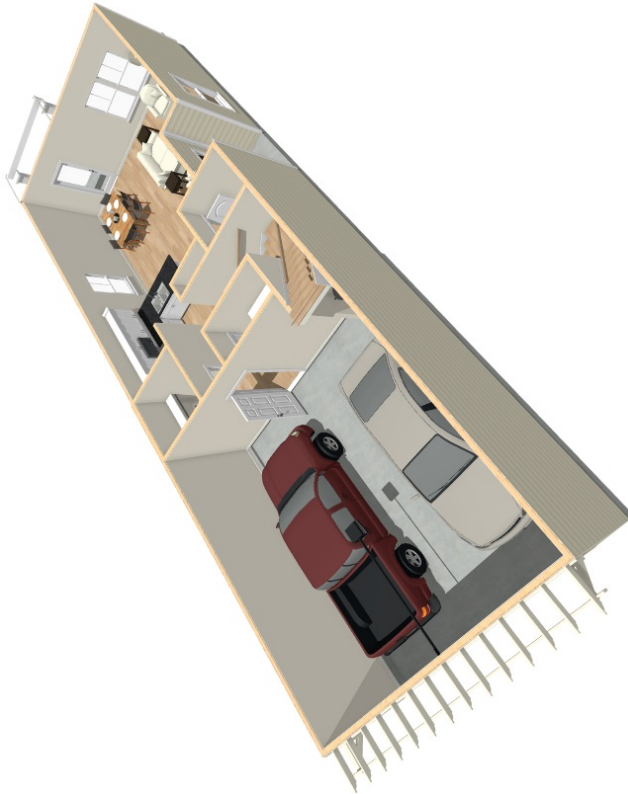
SHEET TITLE:
CROSS SECTIONS

NO.	DESCRIPTION	BY	DATE

SCALE:
1/4" = 1'

DATE:
5/27/2022

PG 11



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PROJECT DESCRIPTION:
Chestnut- Porch Right

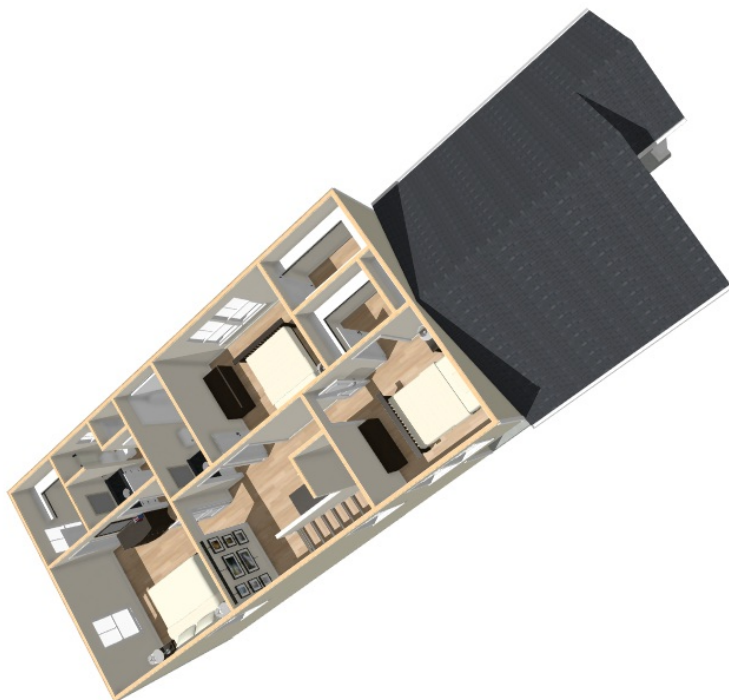
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1ST FLOOR ISO

NO.	DESCRIPTION	BY	DATE

SCALE:

DATE:
5/27/2022

PG 12



Planning Commission

April 27, 2026

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PROJECT DESCRIPTION:
Chestnut- Porch Right

SHEET TITLE:
2ND FLOOR ISO

NO.	DESCRIPTION	BY	DATE

SCALE:

DATE:

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PG 13



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Chestnut- Porch Right

SHEET TITLE:
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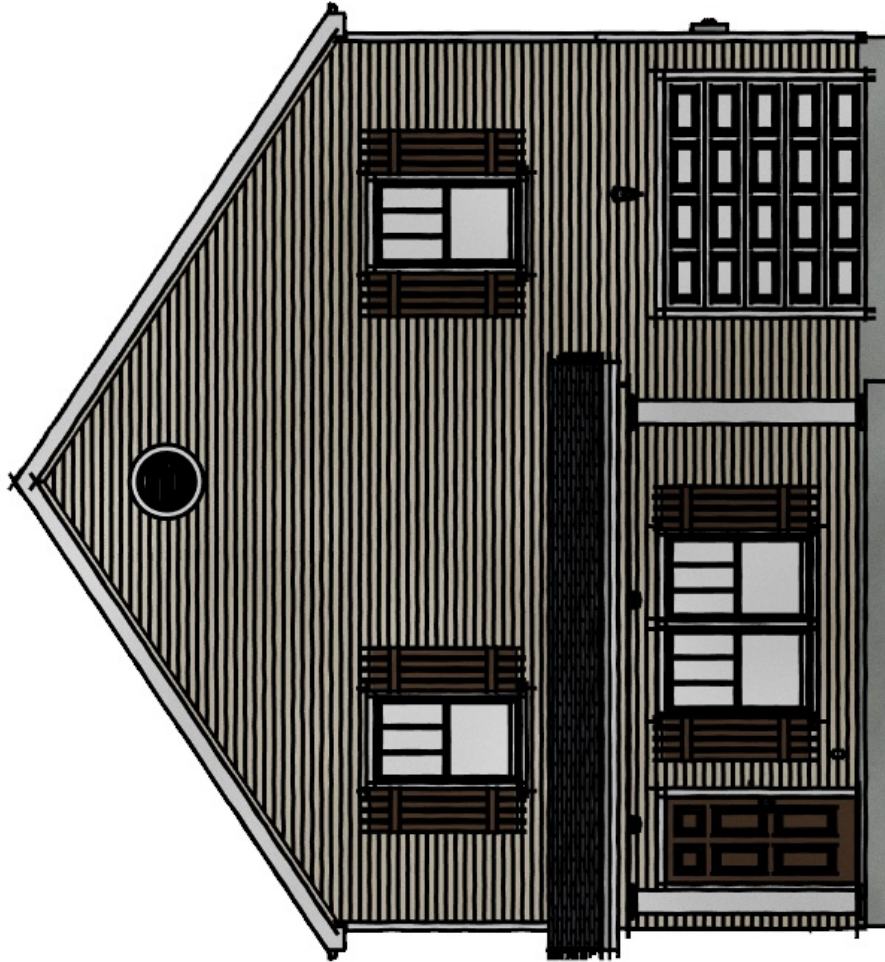
NO.	DESCRIPTION	BY	DATE

SCALE:

DATE:

5/27/2022

PG 14



<u>ESTIMATED SQUARE FOOTAGE</u>
1ST FLR HTD- 452 SQFT
2ND FLR HTD- 632 SQFT
TOTAL HTD- 1,082 SQFT
GARAGE - 222 SQFT
PORCH - 95 SQFT
FOOTPRINT - 784 SQFT
TOTAL FRAMING - 1,291 SQFT



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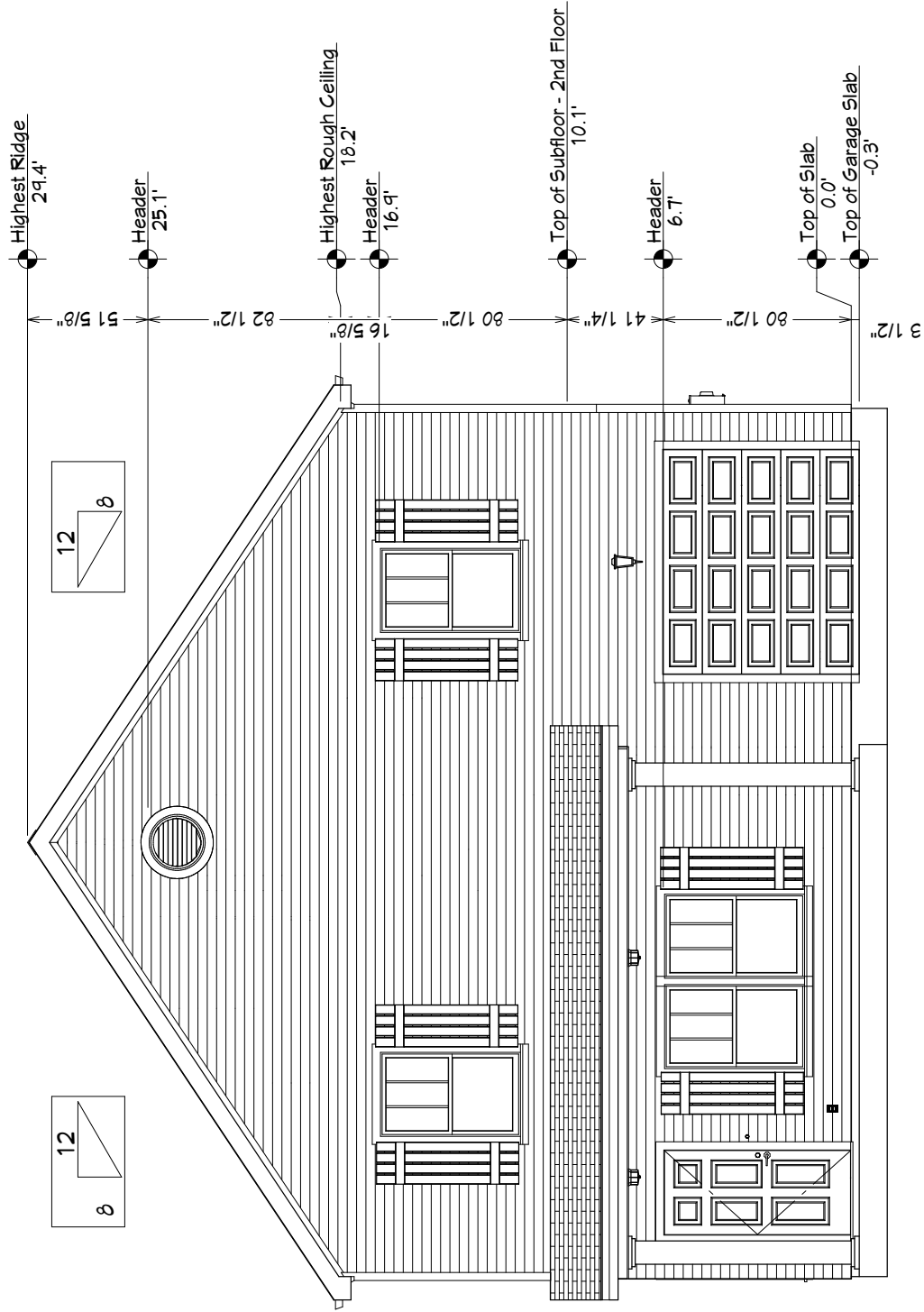
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NO.	DESCRIPTION	BY	DATE

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DATE:
 6/13/2022

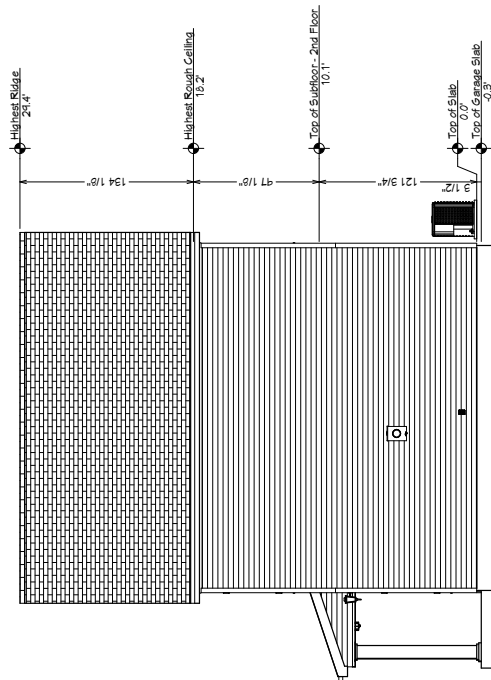


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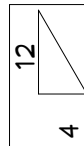
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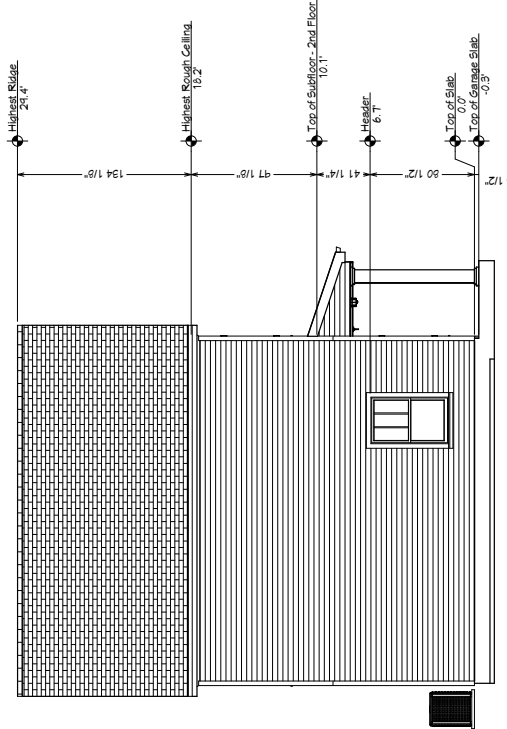
CONT. RIDGE VENT



RIGHT ELEV.



LEFT ELEV.



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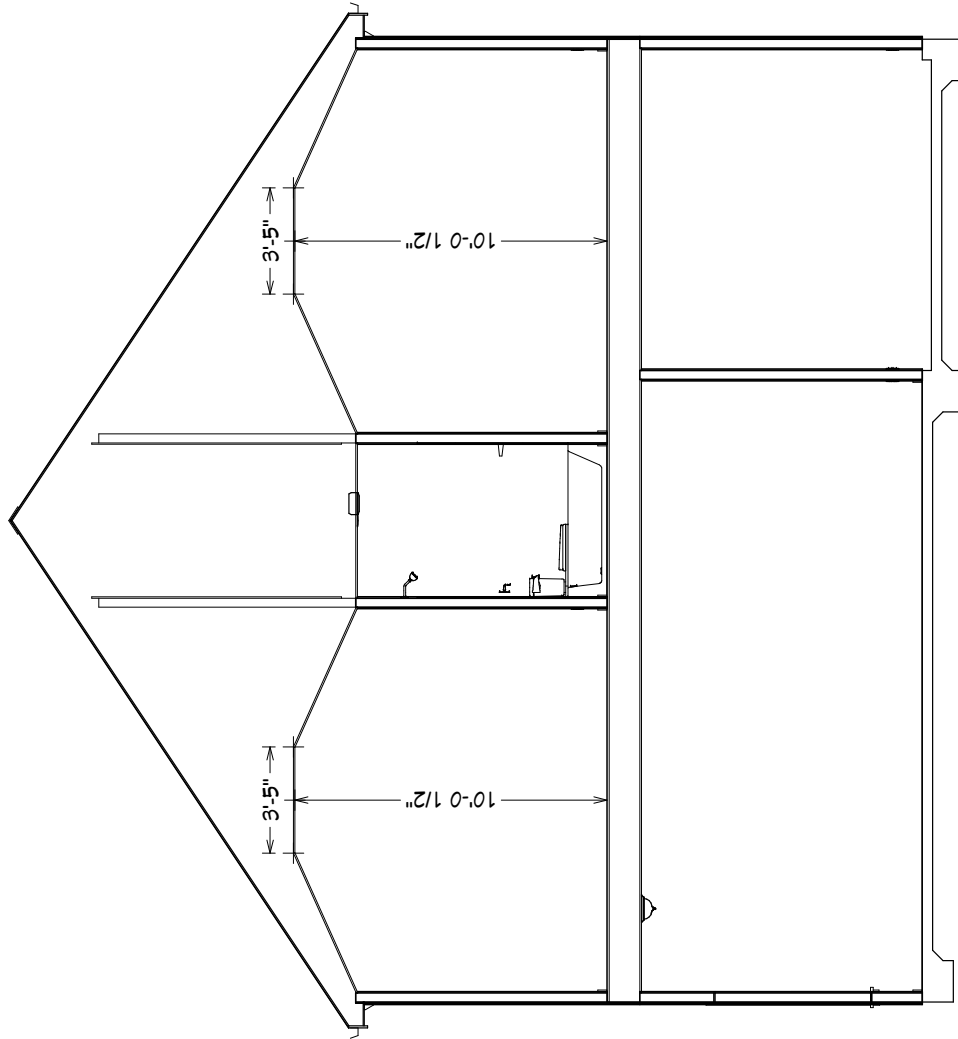
SHEET TITLE:
 SIDE ELEV.

NO.	DESCRIPTION	BY	DATE

SCALE:
 1/8"=1'

DATE:
 6/13/2022

PG 4



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April 27, 2026



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SHEET TITLE:
 ISO VIEWS

NO.	DESCRIPTION	BY	DATE

SCALE:
 NO SCALE

DATE:
 6/13/2022

PG 14



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PROJECT DESCRIPTION:

Cypress Layout Garage Right

SHEET TITLE:

ISO VIEWS

NO.

DESCRIPTION

BY

DATE

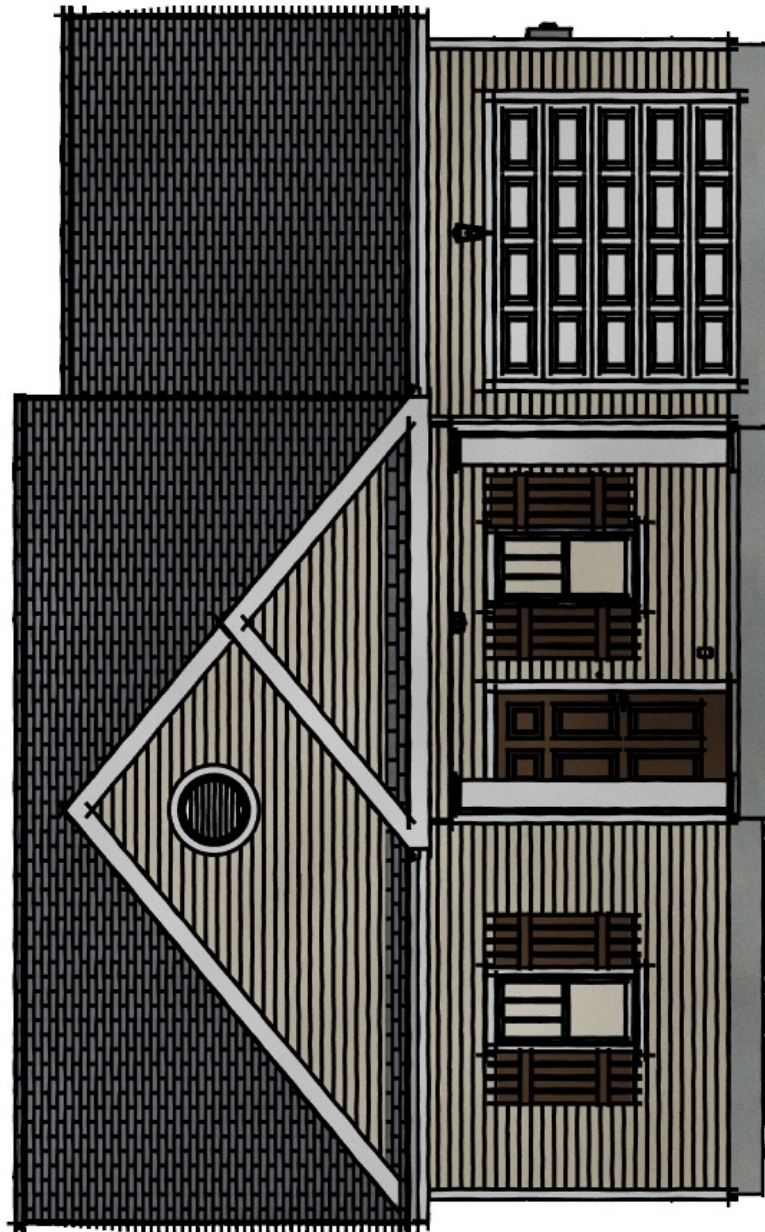
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DATE:

6/13/2022

PG 15



ESTIMATED SQUARE FOOTAGE
TOTAL HTD- 1,288 SQFT
GARAGE - 247 SQFT
PORCH - 137 SQFT
FOOTPRINT - 1,538 SQFT
TOTAL FRAMING - 1,675 SQFT
MONO SLAB CONC.- 38 CuYd
ROOFING- 27 SQ
SIDING- 23 SQ
FLOORING- 1,288 SQFT
DRYWALL- 6,618 SQFT



Planning Commission

April 27, 2026

LSD-2026-0004 (KTB LIMITED PARTNERSHIP AND UNDERWOOD, CRAIG & LAURA REVOCABLE TRUST)

Page 86 of 99

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PROJECT DESCRIPTION:
Jasmine

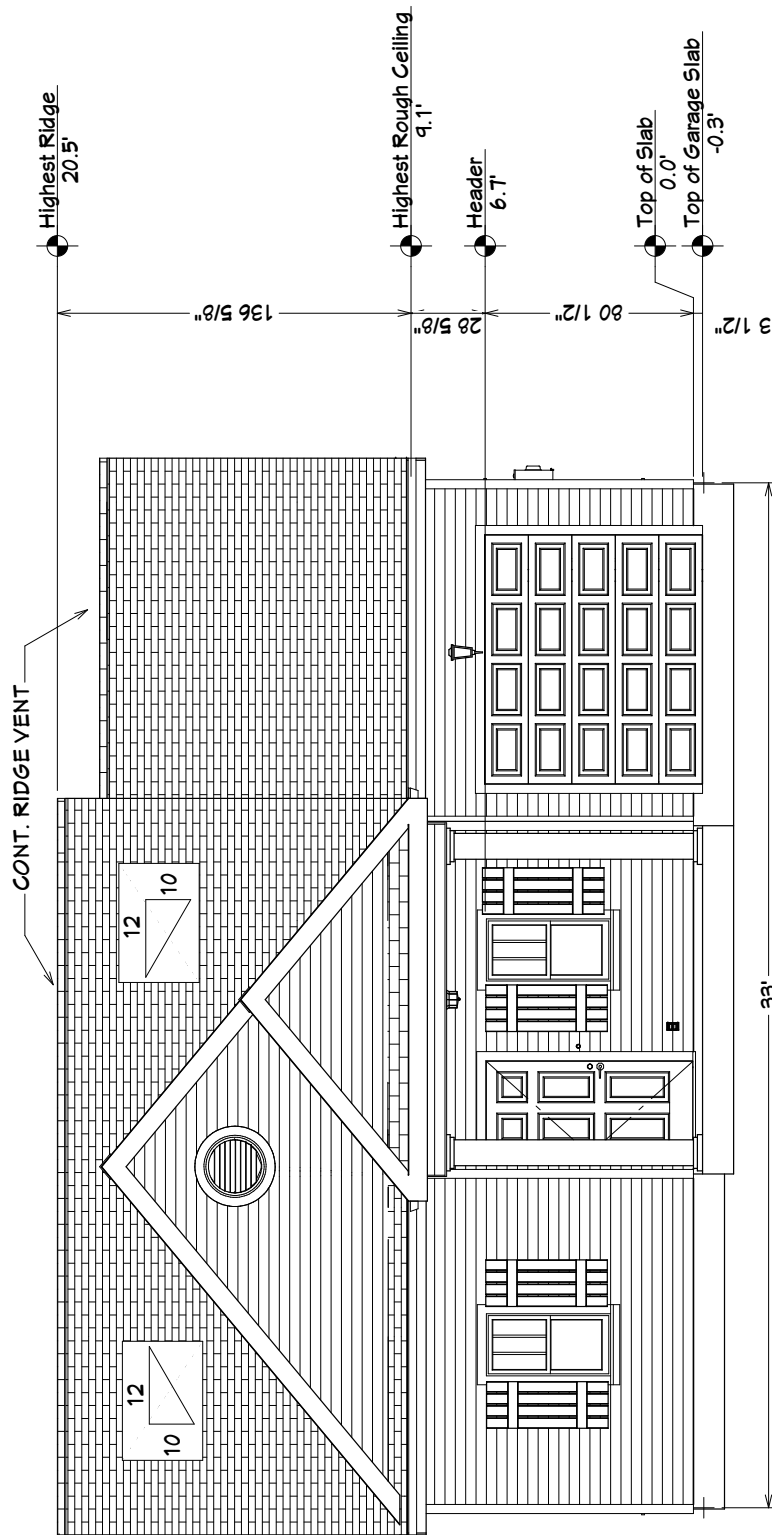
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NO.	DESCRIPTION	BY	DATE

SCALE:
NO SCALE

DATE:
5/25/2022

PG 1



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PROJECT DESCRIPTION:
Jasmine

SHEET TITLE:
FRONT ELEV.

NO.	DESCRIPTION	BY	DATE

SCALE:
1/4" = 1'

DATE:
5/25/2022

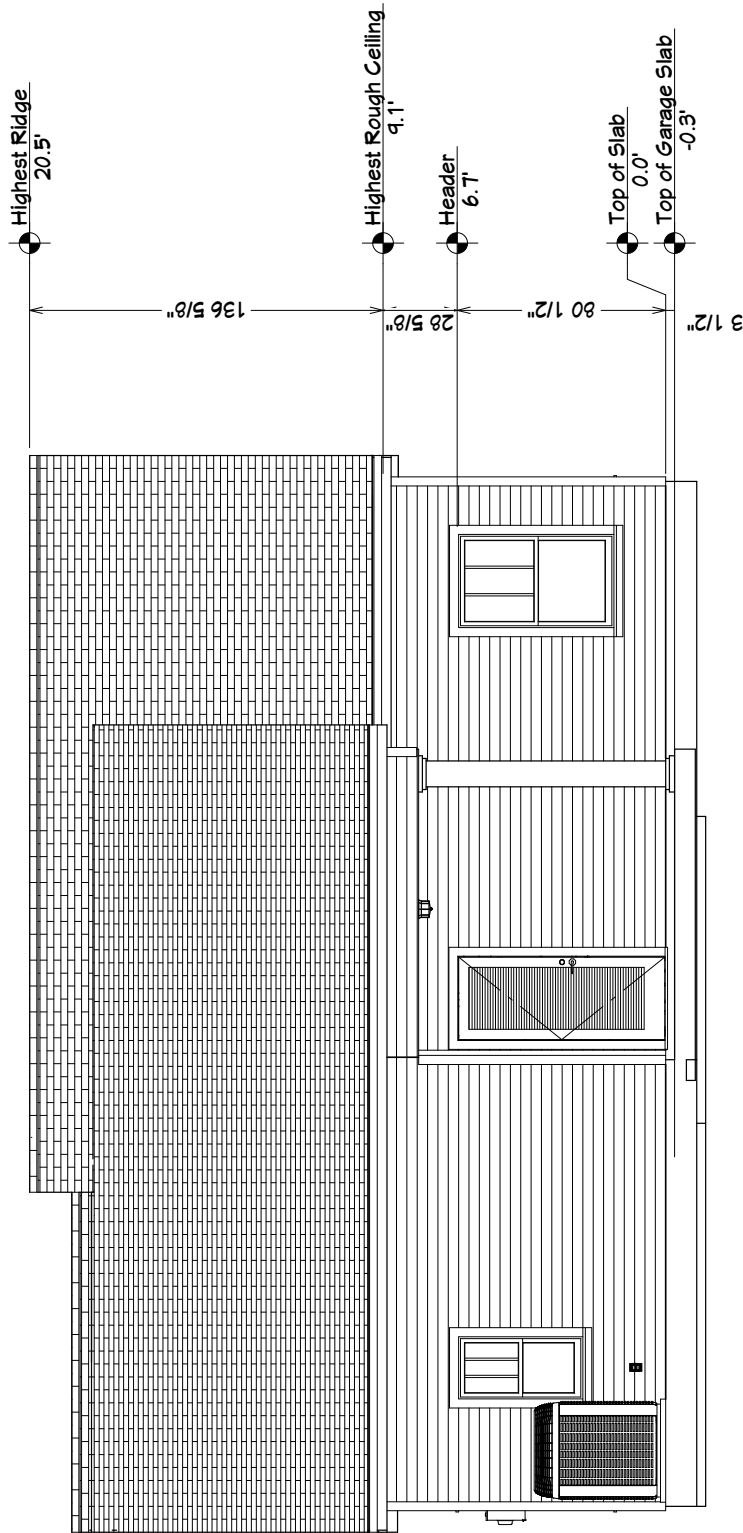
PG 2

Planning Commission

April 27, 2026

LSD-2026-0004 (KTB LIMITED PARTNERSHIP AND UNDERWOOD, CRAIG & LAURA REVOCABLE TRUST)

Page 87 of 99



Planning Commission

April 27, 2026

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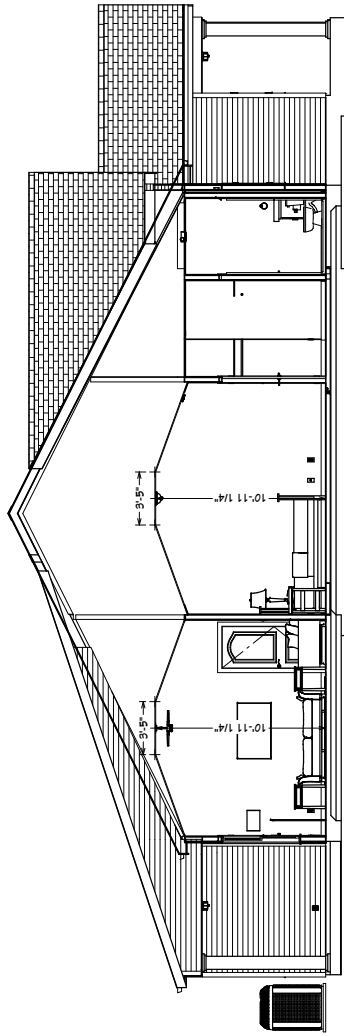
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REAR ELEV.

NO.	DESCRIPTION	BY	DATE

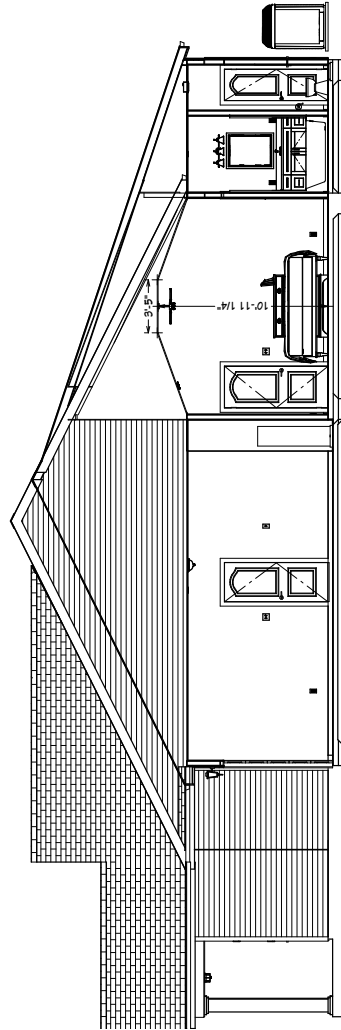
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P63



LEFT CROSS SECTION



RIGHT CROSS SECTION



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PROJECT DESCRIPTION:
Jasmine

SHEET TITLE:
CROSS SECTIONS

NO.	DESCRIPTION	BY	DATE

SCALE:
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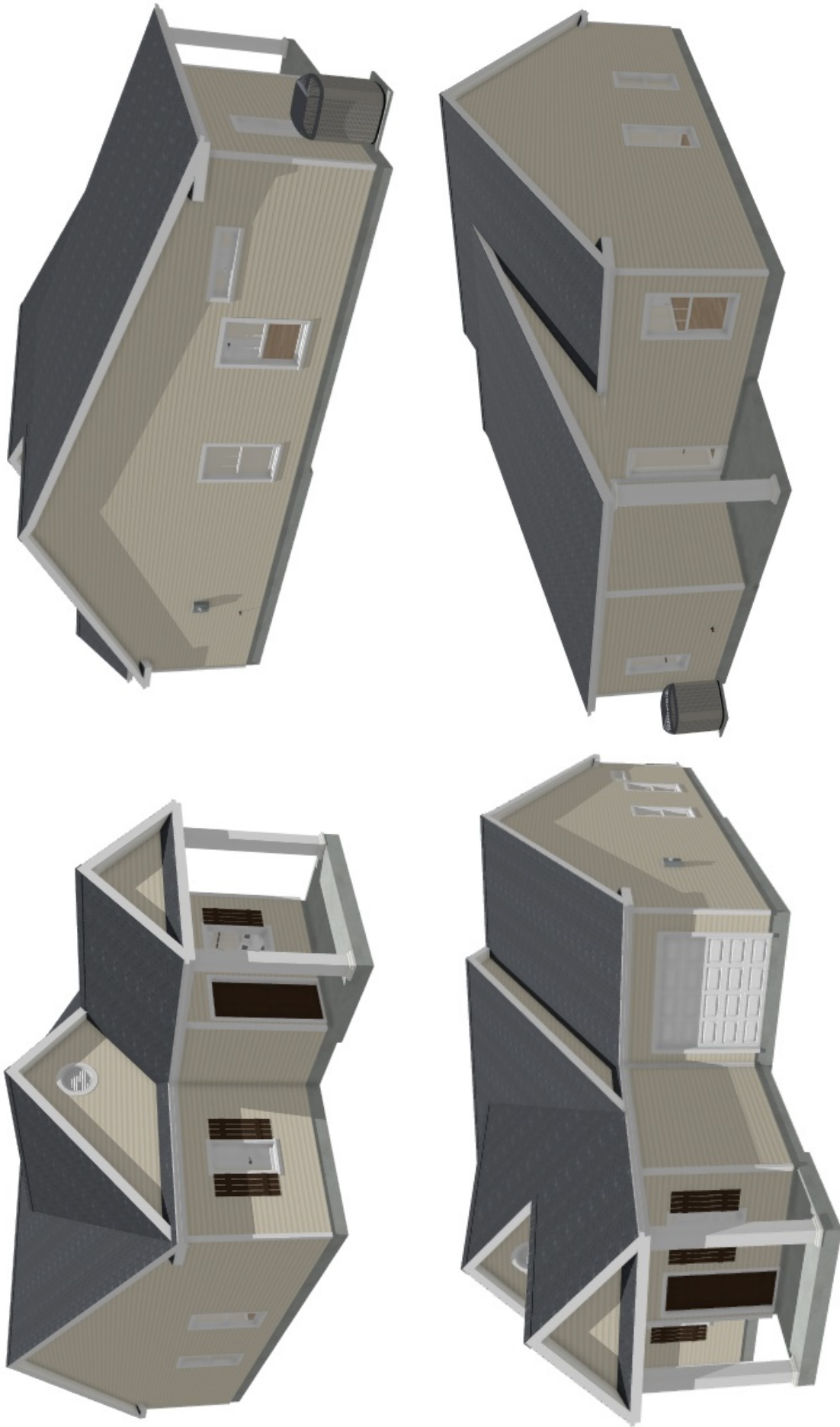
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5/25/2022

PG 11



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Planning Commission

April 27, 2026

LSD-2026-0004 (KTB LIMITED PARTNERSHIP AND UNDERWOOD, CRAIG & LAURA REVOCABLE TRUST)

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PROJECT DESCRIPTION:

Jasmine

SHEET TITLE:

ISO VIEWS

NO.	DESCRIPTION	BY	DATE

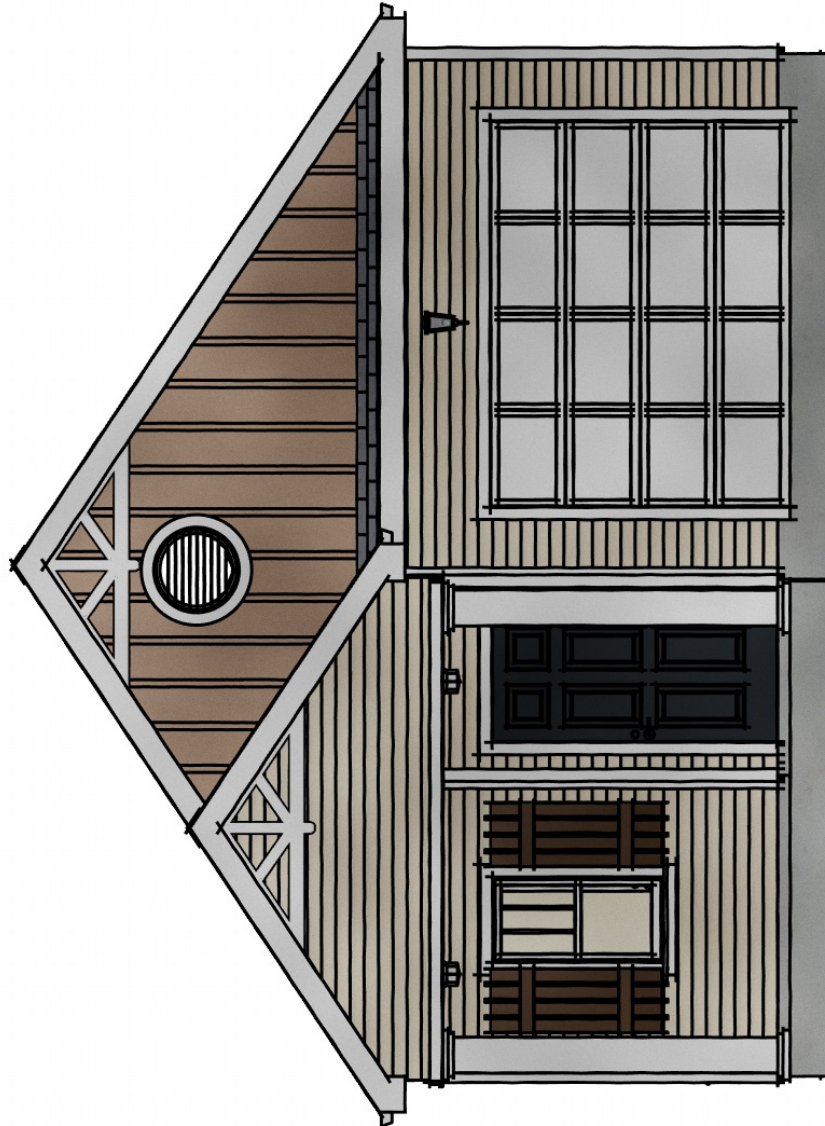
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DATE:

5/25/2022

PG 13



<u>ESTIMATED SQUARE FOOTAGE</u>
TOTAL HTD- 810 SQFT
GARAGE - 219 SQFT
PORCH - 147 SQFT
FOOTPRINT - 1,177 SQFT
FLOORING- 810 SQFT



Planning Commission

April 27, 2026

LSD-2026-0004 (KTB LIMITED PARTNERSHIP AND UNDERWOOD, CRAIG & LAURA REVOCABLE TRUST)

Page 93 of 99

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PROJECT DESCRIPTION:
WILLOW

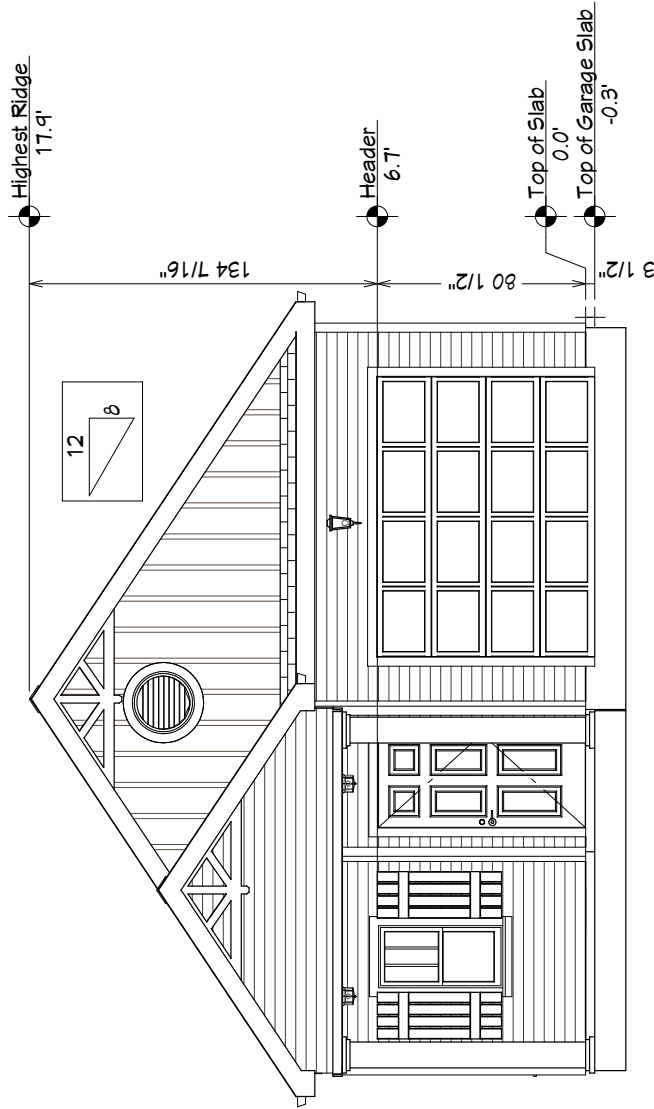
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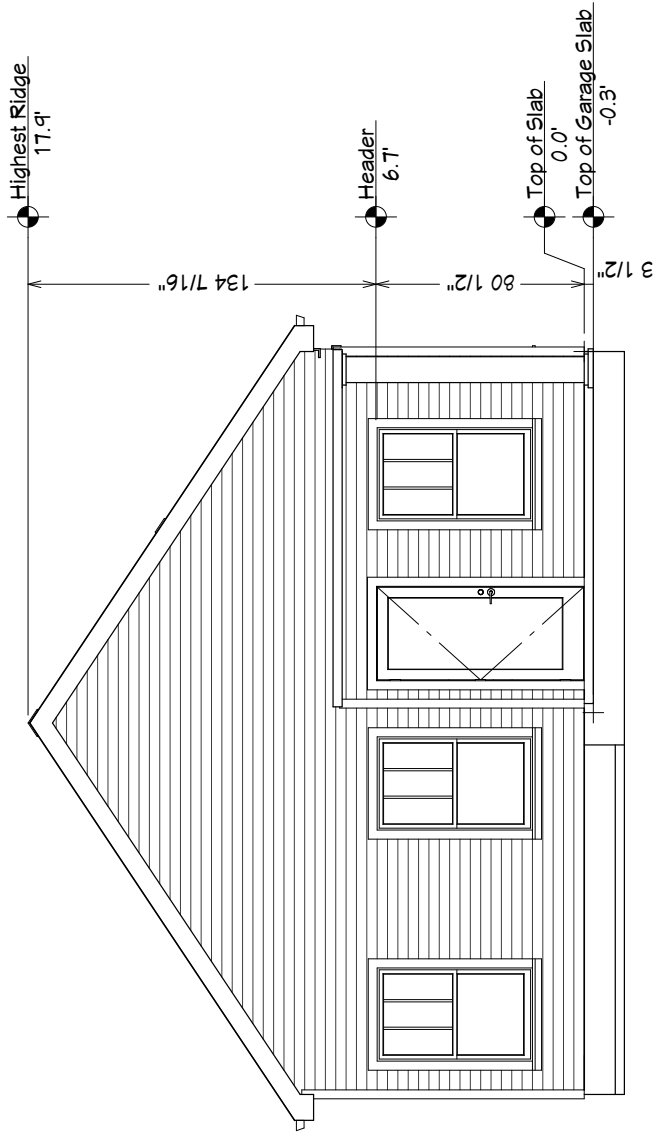
DATE:
4/23/2025

PG 1



DRAWN BY: Preston Parfitt Preston@nextchapterneighborhoods.com				DRAWINGS PROVIDED FOR: Next Chapter Neighborhoods 2500 Trade Center Dr, Evans, GA 30804 706-891-3494 - www.nextchapterneighborhoods.com				PROJECT DESCRIPTION: WILLOW				SHEET TITLE: FRONT ELEV.				NO. DESCRIPTION BY DATE				SCALE: 1/4" = 1'				DATE: 4/23/2025				PG 2			
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PROJECT DESCRIPTION:
WILLOW

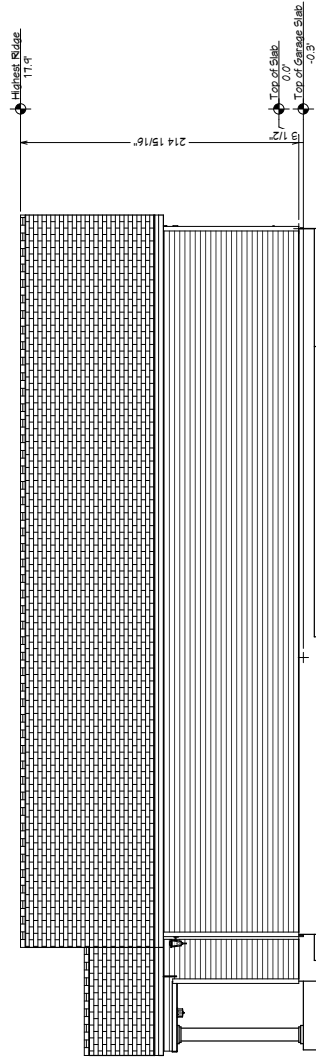
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NO.	DESCRIPTION	BY	DATE

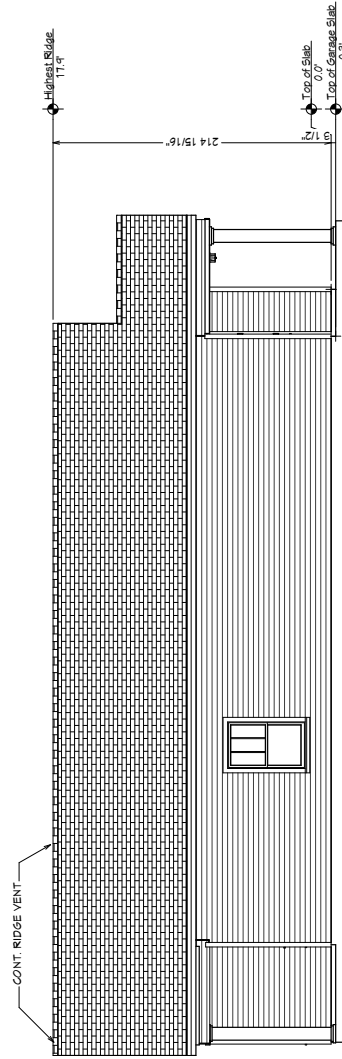
SCALE:
1/4"=1'

DATE:
4/23/2025

PG 3



RIGHT ELEV.



LEFT ELEV.



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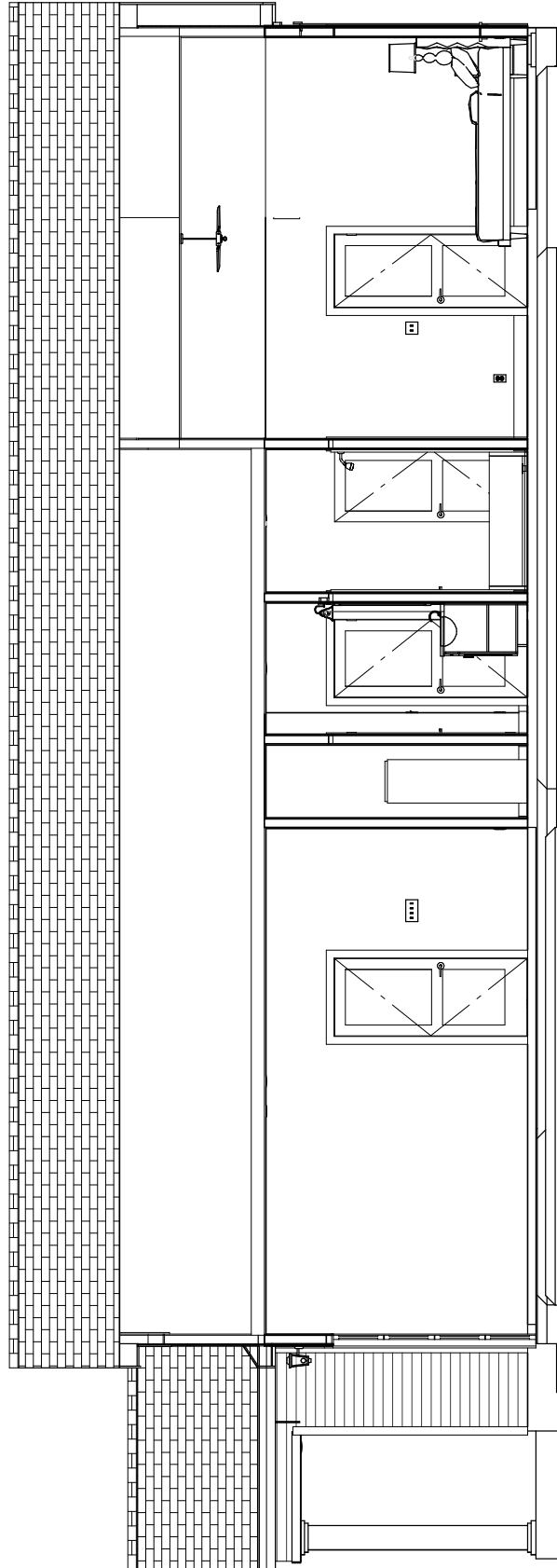
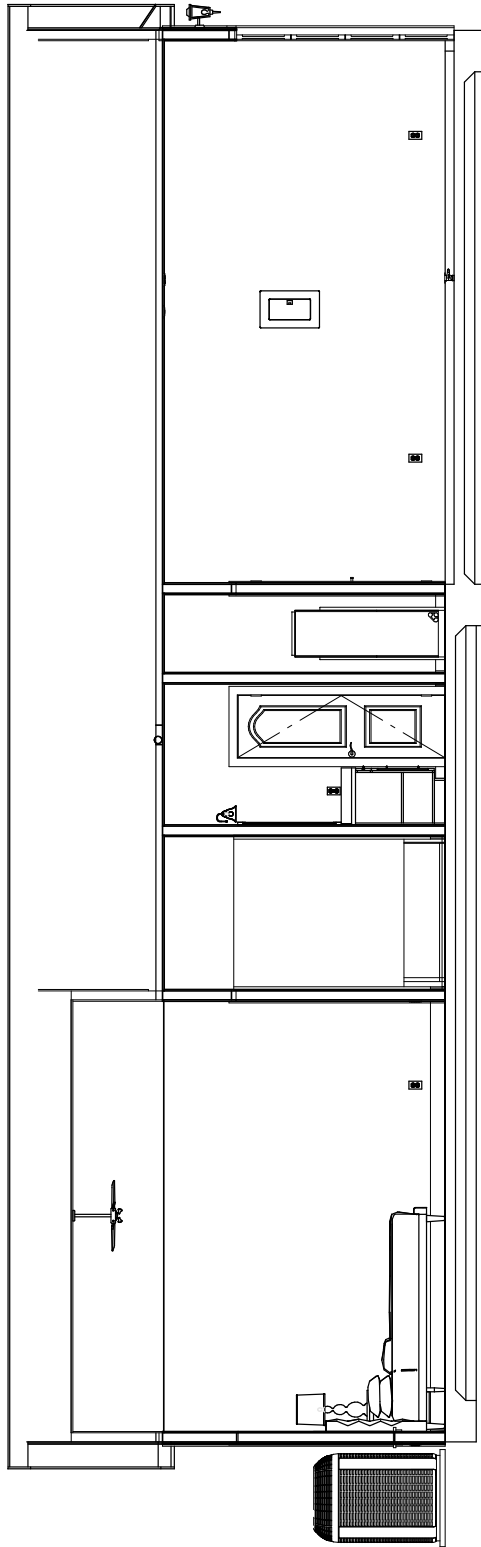
PROJECT DESCRIPTION:
WILLOW

SHEET TITLE:
SIDE ELEV.

NO.	DESCRIPTION	BY	DATE

SCALE:
1/8"=1'

DATE:
4/23/2025



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PROJECT DESCRIPTION:
WILLOW

SHEET TITLE:
CROSS SECTIONS

NO.	DESCRIPTION	BY	DATE

SCALE:
1/4" = 1'

DATE:
4/23/2025

PG 11



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PROJECT DESCRIPTION:
WILLOW

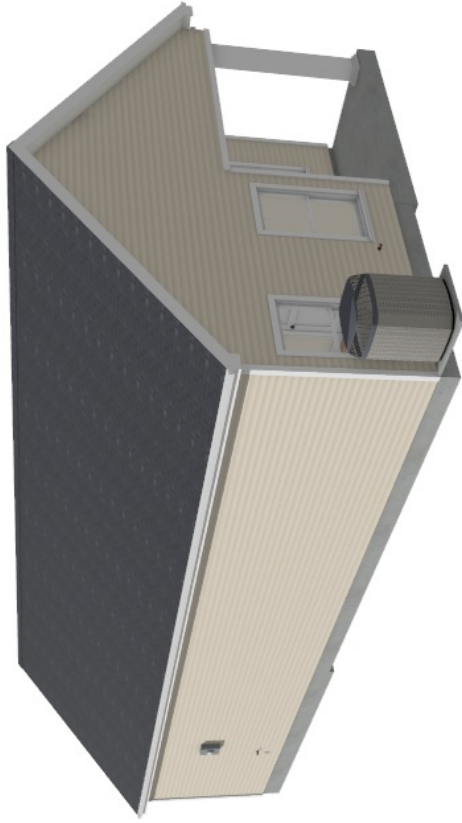
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ISO VIEWS

NO.	DESCRIPTION	BY	DATE

SCALE:
NO SCALE

DATE:
4/23/2025

PG 12



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PROJECT DESCRIPTION:
WILLOW

SHEET TITLE:

NO.	DESCRIPTION	BY	DATE

SCALE:

DATE:

4/23/2025

PG 13



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: April 27, 2026

SUBJECT: **CUP-2026-0015: Conditional Use Permit (906 W NORTH ST./INGLE, 405):** Submitted by RANDY INGLE for property located at 906 W. NORTH ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.27 acres. The request is for camping in a residential zoning district.

RECOMMENDATION:

Staff recommends approval of **CUP-2026-0015**.

RECOMMENDED MOTION:

*"I move to approve **CUP-2026-0015** with conditions, 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 central Fayetteville at the northwest corner of the intersection of W. North St. and N. Storer Ave. The subject property contains approximately 0.27 acres and is currently developed with a 2,681 square foot single-family structure per Washington County records.

The current owner of the property has maintained ownership since 1976. According to city records, staff began investigating a potential zoning violation (CVZD-2024-0730) in July of 2024 after a report of illegal camping was submitted to staff following an incident between a neighbor and the property owner's dog. A notice of violation letter was issued by staff for illegal camping in August of 2024 and the violation was forwarded to the city prosecutor in November of 2024. Two associated criminal summons are currently active for camping without an associated conditional use permit from December 27, 2024 to March 25, 2025, and March 26, 2025 to February 23, 2026 (CR-26-939 and CR-26-940). A plea bargain meeting is expected to take place on May 20, 2026. 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	CS, Community Services
South	Multifamily Residential (Under Construction)	RMF-24, Residential Multifamily, 24 Units per Acre
East	Parking Lot	RMF-24, Residential Multifamily, 24 Units per Acre
West	Two-Family Residential	CS, Community Services

City Plan 2040 Future Land Use Designation: City Neighborhood

Proposal: The applicant requests approval of a conditional use permit to allow an RV to be parked on the property in perpetuity for the applicant's daughter. Campgrounds, including RVs, are classified in city code as Use Unit 2: City-Wide Uses by Conditional Use Permit and are thus subject to Planning Commission approval. The applicant has described the campground as follows:

- *Occupancy: One RV*
- *Parking: Within existing driveway*

Public Comment: Staff has not received any public comment currently, aside from the initial code complaints.

RECOMMENDATION: Staff recommends approval of **CUP-2026-0015** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility with adjacent properties;**
Staff finds that the proposed use is compatible with surrounding properties given the findings contained in this report;
2. This conditional use permit is limited to the campground use as described in this report. The following specifications apply:
 - *Occupancy: One RV*
 - *Parking: Within existing driveway*
3. Conditional use permit approval shall be limited to six months from the date of initial approval, upon which the applicant may submit an extension subject to Planning Commission's approval.
4. The proposed campground use shall be limited to a single Recreational Vehicle (RV).
5. Approval of the conditional use permit does not constitute approval of any other associated permits.
6. All RV users shall be guaranteed 24-hour access to restroom facilities. If access to the indoor bathroom cannot be guaranteed, then a portable outdoor facility must be provided.
7. The RV shall be licensed, operable, and parked in a manner that does not encroach into the public sidewalk or right-of-way. The RV shall count towards the maximum of four vehicles permitted by UDC 172.11.
8. Noise emissions shall be limited as described in Chapter 96: Noise Control.
9. The proposed RV shall comply with the setbacks established by the underlying RMF-24 zoning district, including an 8-foot side setback.
10. Any campfires on the property shall be regulated with any applicable fire codes, local, state, or otherwise, including those listed under Chapter 94, Fire Prevention.

11. Trash and recycling containers should be screened from view of the right-of-way when not placed at the curb for pick-up.

12. Any future expansion or change in the use shall require Planning Commission approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>April 27, 2026</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS, PROCEDURES

B. Authority; Conditions. The Planning Commission shall:

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

C. Procedures. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: **The applicant has submitted a written application requesting a conditional use permit for a campground, or Use Unit 2: City-Wide Uses by Conditional Use Permit, 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 Unified Development Code §161.16 to grant the requested conditional use permit.

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

Finding: Staff find that granting this conditional use permit will protect the public interest. The use of an RV as temporary shelter during a period of transition can offer an affordable and practical way for a resident to remain near essential non-residential services, family support, or other stabilizing factors. Based on the information available, staff does not anticipate significant negative impacts from allowing a single RV to serve as a long-term residence, particularly with the recommended conditions in place, including a defined 6-month duration to help ensure stability and prevent additional disruptions. At the same time, staff recognizes that this situation originated from a neighborhood complaint and understands that approving this permit may not fully resolve the concerns of nearby residents who have already experienced the RV's presence as a disturbance. While the proposed conditions aim to balance compassion with community expectations, staff acknowledge the challenge of addressing both needs in a way that protects the peace of the surrounding area. Staff also recognize that the surrounding neighborhood has been informed of this item through public notification, and at this point have not received any complaint or opposition.

- (c.) The Planning Commission shall certify:

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

Finding: There are specific rules governing campgrounds, as follows:

§163.12. CAMPGROUNDS.

- A. Campgrounds may be permitted citywide as a conditional use subject to the following minimum conditions:

1. **Consent.** The property owner shall provide written consent.

Finding: The property owner has provided their written consent for the requested conditional use.

2. **Contact.** The owner of the property shall ensure current contact information is provided to the City for the owner or a responsible party.

Finding: **The owner of the property has provided their current contact information to the City.**

3. **Owner or agent accessibility.** The property owner shall ensure that they or a designated agent are available at all times the property is being used for camping, 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 location within three hours of being contacted.

Finding: **The request is proposed at the site of the property owner’s permanent residence. Either the property owner or a designated agent shall be available at all times that the property is being used for camping, including nights and weekends, in order to facilitate compliance with ordinance.**

4. **Sanitation.** Provisions shall be made to ensure any person camping on the property has access to sanitary facilities, including restroom and potable water.

Finding: **Inspection of the property during the initial code compliance investigation found that the RV had been connected to utility hookups. The applicant has also stated that the facilities within the residence are available for use by his daughter, the current resident of the RV. Approval of the conditional use permit does not constitute approval of any other required permits.**

5. **Waste.** The owner of the property shall ensure the provision of adequate garbage services such that no accumulation of solid waste occurs.

Finding: **The applicant has stated that waste is collected in residential trash carts that are picked up by the city weekly. Staff recommends a condition that trash and recycling carts shall be screened when not at the curb for pickup.**

6. **Setbacks.** The owner shall ensure that any facilities, tents, or vehicles used for camping comply with the setback requirements of the applicable zoning district.

Finding: **Staff recommends that the RV shall comply with the setback requirements of the underlying RMF-24 zoning district, which include an eight-foot setback from side property lines.**

7. **Access by the City.** The City shall be authorized to enter the property to ensure compliance with the City’s ordinances and any conditions of approval.

Finding: **The applicant is aware that the City would be authorized to enter the property to ensure compliance with city ordinances and any conditions of approval.**

- B. In addition to the factors set forth in §163.02(C)(3), campgrounds are further subject to approval, denial, or additional conditions based on the Planning Commission’s findings on the following factors:

1. **Duration.** Where appropriate, conditions may be applied limiting the duration of the conditional use permit or the duration of stay by campground users.

Finding: The property owner has not stated a duration limit for the proposed RV. Staff recommends a condition that the conditional use permit shall be valid for six months in order to permit evaluation of compliance with the associated conditions of approval at that time.

2. **Natural Hazards.** Potential natural hazards, including flooding and slopes, shall be considered in siting of camping areas and may be a factor for denial of a conditional use permit.

Finding: The subject property slopes down adjacent to W. North Street but is otherwise relatively flat and located in an area of minimal flood hazard.

3. **Separation and Screening.** The Planning Commission may require greater separation from adjacent properties than the minimum setbacks applicable to the zoning district. The Planning Commission may also require screening.

Finding: The underlying RMF-24 zoning district requires a minimum side setback of eight feet and would require the RV to maintain that distance from the property line. The RV is located within a driveway located off a public alley. Staff finds that there are a substantial number of vehicles parked adjacent to this alley. As such, no additional screening is recommended.

4. **Occupancy Limits.** The Planning Commission should consider limits on the number of occupants on the property with considerations for factors including, but not limited to, the acreage of the property, the proximity of adjacent structures, and the capacity of utilities available on site.

Finding: Staff recommends that the number of RVs permitted on the property shall be limited to one.

5. **Campfires.** Where appropriate, conditions may be applied limiting campfires or other open burning, with review and approval by the Fire Marshal.

Finding: Any campfires on the property shall be regulated with any applicable fire codes, local, state, or otherwise, including those listed under Chapter 94, Fire Prevention.

6. **Noise.** The Planning Commission may apply conditions limiting noise emissions from the campground.

Finding: Staff recommends that noise emissions be limited as described in Chapter 96: Noise Control. Since RMF-24 is a residential zoning district, maximum noise levels would be limited to 60 dB(A) from 7:00 a.m. to 11:00 p.m. and to 55 dB(A) from 11:00 p.m. to 7:00 a.m.

7. **Storage.** Where appropriate, conditions may be applied to ensure that any person camping on the property has access to securable storage for personal items.

Finding: Staff finds an additional condition regarding secured storage is unnecessary in this instance.

§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: Ingress and egress to the property is provided through an existing driveway off of a public alley. The property has frontage along W. North Street and N. Storer Ave., both of which are improved streets with sidewalks.

- (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: On-street parking is available along N. Storer Ave nearby and it appears that the existing driveway has sufficient space to provide parking for both an RV and additional vehicles. UDC 172.11 limits the maximum number of vehicles that may be parked outside to four, which the RV would count towards.

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

Finding: The existing residence and RV are served by residential trash cart services. Staff does not anticipate that any change in service associated with the addition of a single RV. Staff recommends a condition that containers are screened from view of the public right-of-way when not placed at the curb for residential pick-up.

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

Finding: Utilities are currently available to the subject property and its use as a campground is not expected to impact the provision of utilities.

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

Finding: Staff finds that the drop in grade from W. North Street largely limits the visual impact of the RV from the public right-of-way. Given the high degree of parking utilization along the public alley, no additional conditions regarding screening are recommended.

- (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: Staff recommends a condition requiring that all vehicles used for camping comply with the required setbacks of the RMF-24 zoning district. RMF-24 requires an eight-foot side setback for anything that is not a single- or two-family structure, and a front build-to zone. This particular property is a corner lot and so therefore does not have a rear setback.

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

Finding: Staff find the proposed use of an RV as a long-term residence to be compatible with adjacent properties and others in the RMF-24 zoning district based on information provided in the request letter. No tent camping is proposed, and adequate utility hookups and sanitation facilities appear to be available to ensure that the use is not a hazard to the health, safety, and welfare of either the campers or adjacent residents. Further, the RV is parked in a manner consistent with the rest of the alley, in that it does not appear to intrude into the public right-of-way, or conflict with the visual aesthetic of the existing alley. Staff recognize that outside issues, such as animal control, or other police matters, raise concerns about whether this particular location can consistently support the use in a way that protects the health, safety, and welfare of the neighborhood. That said, staff acknowledges the importance of ensuring that individuals in transition have access to safe shelter.

- (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 of an RV as a long-term residence to be consistent with the goals and intent of the City's adopted land use and other strategic plans. As noted in City Plan 2040, there is a shortage of affordable housing in the City of Fayetteville, and RVs could serve as a temporary solution that could support Goal 6 of City Plan 2040 by creating opportunities for housing and shelter. RVs are a more affordable entry point for shelter, and staff finds adequate provisions for sanitation, waste, and storage are proposed for the requested campground.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.16 – District RMF-24, Residential Multi-Family – Twenty-Four (24) Units Per Acre
 - §163.12 – Campgrounds
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Staff Exhibits
 - Site Plan
 - Site Photographs
 - CVZD-2024-0730 Exhibits
- Applicant Request Letter and Photographs

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 (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

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

(C) *Density.*

Units per acre	24 or less
----------------	------------

(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 or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 square feet
Townhouses: Individual lot	2,000 square feet
Single-family	3,000 square feet
Two (2) family	4,000 square feet
Three (3) or more	7,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acres

(3) *Land Area Per Dwelling Unit.*

Manufactured Home	3,000 square feet
-------------------	-------------------

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 feet	5 feet	20 feet	5 feet

(F) *Building Height Regulations.*

Building Height Maximum	2 stories/3 stories/5 stories*
-------------------------	--------------------------------

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

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

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

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

(Code 1965, App. A., Art. 5(III); Ord. No. 2320, 4-6-77; Ord. No. 2700, 2-2-81; Code 1991, §160.033; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5079, 11-20-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5495, 4-17-12; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800, §1(Exh. A), 10-6-15; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §§5, 8, 9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6245, §2, 10-15-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

163.12 Campgrounds

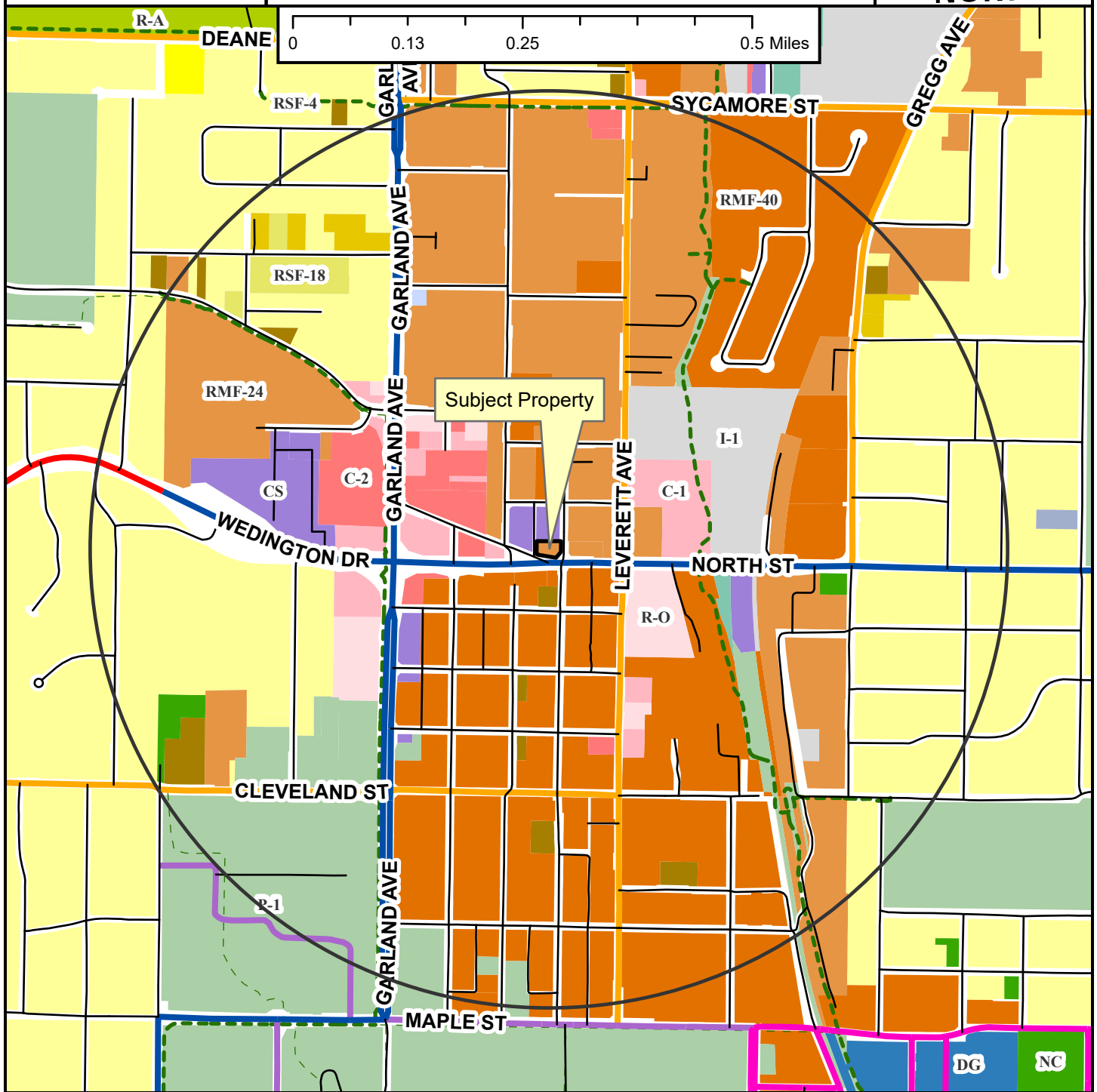
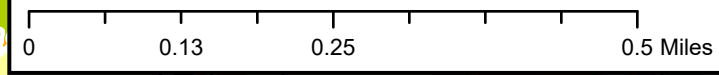
- (A) Campgrounds may be permitted citywide as a conditional use subject to the following minimum conditions:
- (1) *Consent.* The owner of the property shall provide written consent.
 - (2) *Contact.* The owner of the property shall ensure current contact information is provided to the city for the owner or a responsible party.
 - (3) *Owner or Agent Accessibility.* The property owner shall ensure that they or a designated agent are available at all times the property is being used for camping, 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 location within three (3) hours of being contacted.
 - (4) *Sanitation.* Provisions shall be made to ensure any person camping on the property has access to sanitary facilities, including restroom and potable water.
 - (5) *Waste.* The owner of the property shall ensure the provision of adequate garbage services such that no accumulation of solid waste occurs.
 - (6) *Setbacks.* The owner shall ensure that any facilities, tents, or vehicles used for camping comply with the setback requirements of the applicable zoning district.
 - (7) *Access by the City.* The city shall be authorized to enter the property to ensure compliance with the city's ordinances and any conditions of approval.
- (B) In addition to the factors set forth in subsection 163.02(C)(3), campgrounds are further subject to approval, denial, or additional conditions based on the Planning Commission's findings on the following factors:
- (1) *Duration.* Where appropriate, conditions may be applied limiting the duration of the conditional use permit or the duration of stay by campground users;
 - (2) *Natural Hazards.* Potential natural hazards, including flooding and slopes, shall be considered in siting of camping areas and may be a factor for denial of a conditional use permit;
 - (3) *Separation and Screening.* The Planning Commission may require greater separation from adjacent properties than the minimum setbacks applicable to the zoning district. The Planning Commission may also require screening.
 - (4) *Occupancy Limits.* The Planning Commission should consider limits on the number of occupants on the property with consideration for factors including, but not limited to, the acreage of the property, the proximity of adjacent structures, and the capacity of utilities available on site.
 - (5) *Campfires.* Where appropriate, conditions may be applied limiting campfires or other open burning, with review and approval by the Fire Marshal.
 - (6) *Noise.* The Planning Commission may apply conditions limiting noise emissions from the campground.
 - (7) *Storage.* Where appropriate, conditions may be applied to ensure that any person camping on the property has access to securable storage for personal items.
- (C) The requirements and limitations of this section shall not apply to or affect the limited camping authorizations of §97.068, Camping Prohibited in the Parks and Recreation Chapter of the Fayetteville Code.

(Ord. No. 6659, §2, 5-2-23)

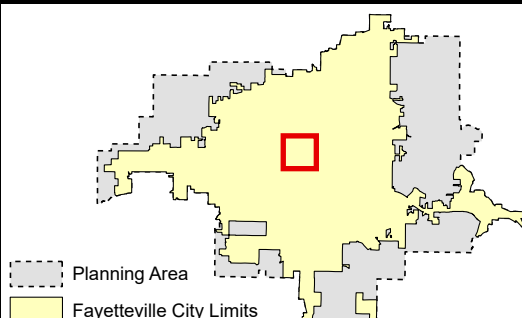
CUP-2026-0015

906 W. NORTH ST

One Mile View



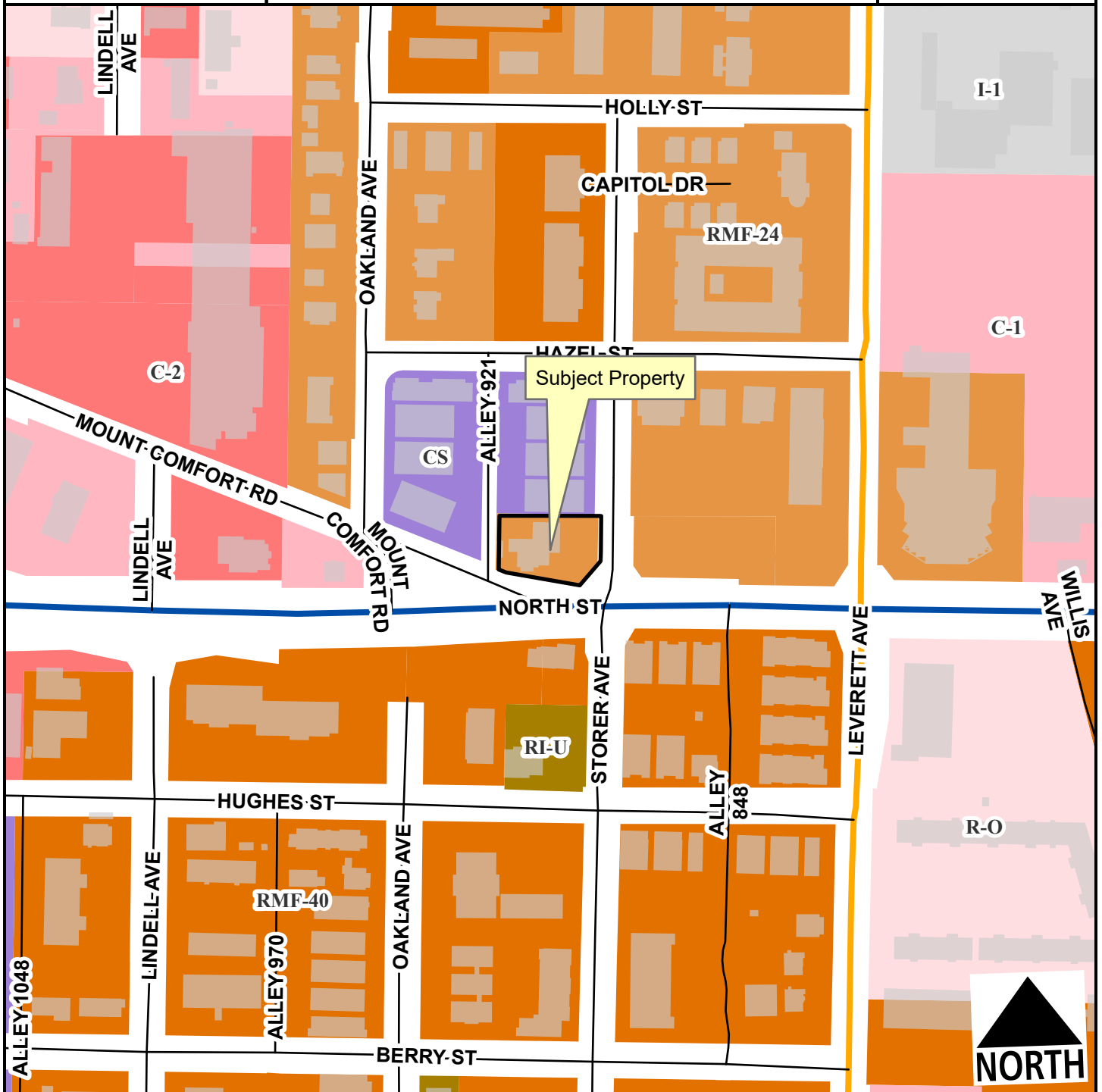
- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



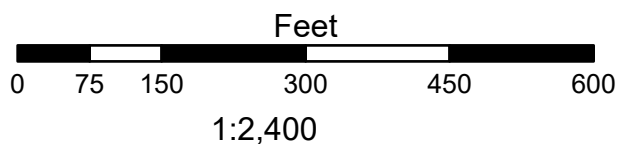
CUP-2026-0015

906 W. NORTH ST

Close Up View



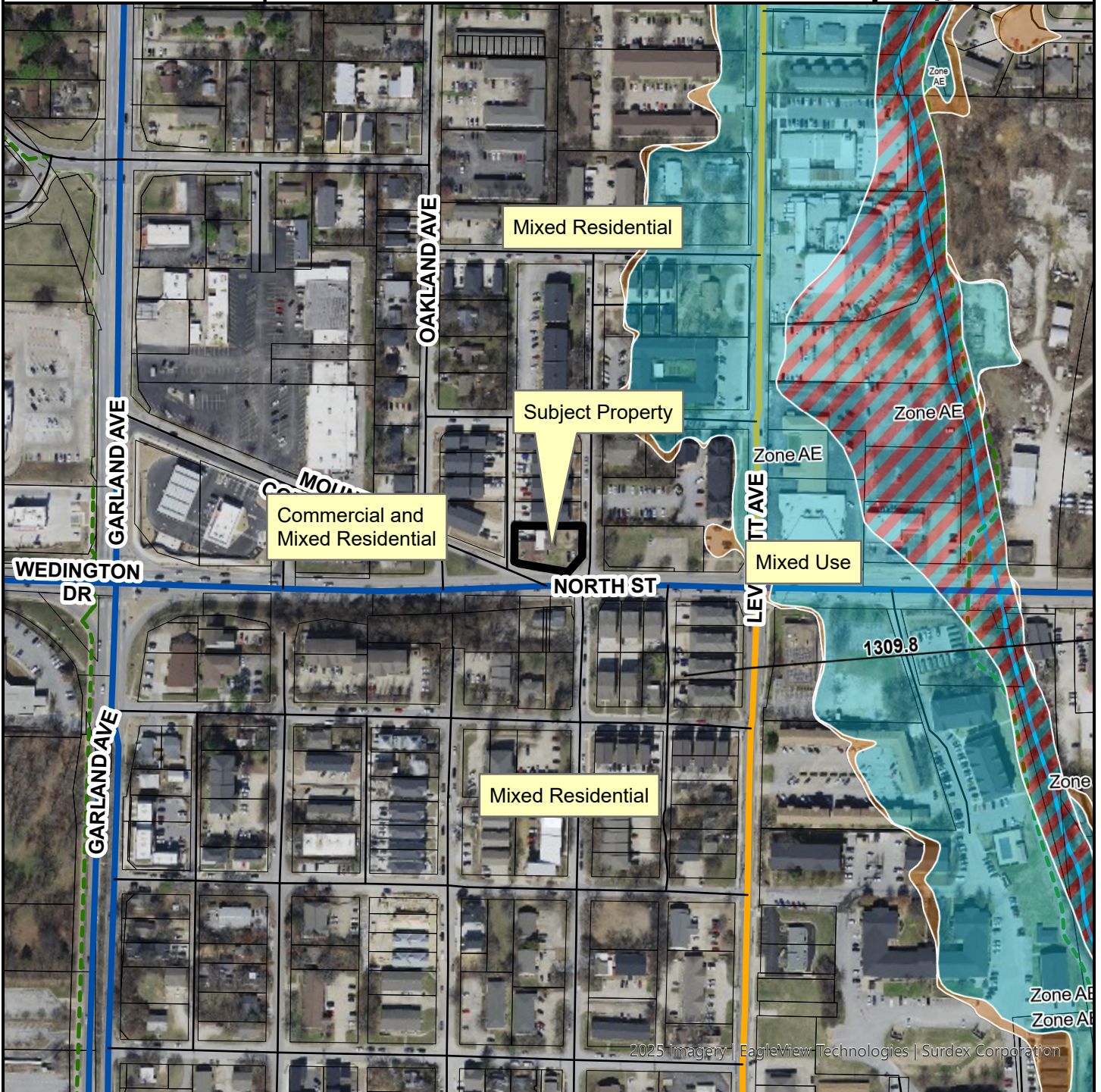
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits



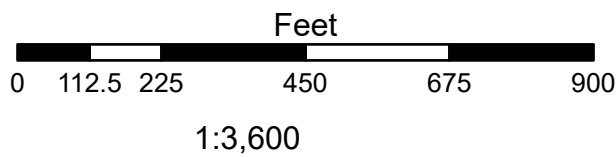
CUP-2026-0015

906 W. NORTH ST

Current Land Use



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

Staff Exhibit:
Site Plan



Staff Exhibit:
Site Photos









CITY OF
FAYETTEVILLE
ARKANSAS

VIOLATION NOTICE

August 13, 2024

INGLE, RONALD RANDY
906 W NORTH ST
FAYETTEVILLE, AR 72701-1868

Re: Zoning Violation CVZD-2024-0730

Dear Property Owners:

City Staff received a complaint, and it appears that your property, located at 906 W NORTH ST, contains a violation of the Fayetteville Code of Ordinances. It is our goal to notify and assist property owners to correct violations of city ordinances before taking actual enforcement actions. If you need clarification of this notice or advice on how to correct the problem, please call our office at (479) 575-8362 or by email at ehyke@fayetteville-ar.gov.

Violations:

§161.16 and §163.02 of the City of Fayetteville Unified Development Code.

Remedial action(s) needed for compliance:

- Cease all camping on private property or.
- Take the first action and apply for Conditional Use permit (CUP) for Use Unit 2 via our Citizen Self Service Portal www.Fayetteville-ar.gov/mycitybusiness.

Penalty:

If this violation is not corrected within thirty (30) days from the service of this notice, this notice and all documents related to this case shall be turned over to the City Prosecutor's Office. If you disagree with our conclusion that your property contains a violation of our ordinances, you have the right to an appeal. Please see Chapter 155 of the Unified Development Code.

The City of Fayetteville is a truly beautiful and unique place to live and work and we rely on all our citizens and the business community to help us to maintain the high quality of life we have all come to expect. Thank you for your contributions to that quality of life and for resolving the violation in a timely manner.

Sincerely,

A handwritten signature in purple ink, appearing to read "Bliss Hyke", is written over a horizontal line.

Bliss Hyke
Planning Technician



CODE CASE DETAILED REPORT CVZD-2024-0730 FOR CITY OF FAYETTEVILLE

Case Type: Zoning/Development
Status: Escalated to Prosecutor
Assigned To: Bliss Hyke

Project:
District: Default
Description: PZ180 I received a complaint from a citizen regarding 906 W North St. They said it appears that people are living in a camper on the property. Just forwarding this onto you all. Billy Bryant

Opened Date: 07/22/2024
Closed Date: NOT CLOSED

Parcel: 765-03981-000	Main	Address: 906 W North St Fayetteville, AR 72701	Main	Zone: RMF-24 (RMF-24)
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Violator	Owner
Randy Ingle	Randy Ingle
906 West North Street Fayetteville, AR 72701	906 West North Street Fayetteville, AR 72701
Home: (479) 521-1002	Home: (479) 521-1002
Business: (479) 521-1002	Business: (479) 521-1002
Mobile: (479) 466-2740	Mobile: (479) 466-2740

Note	Created By	Date and Time Created
1. Added By Jason Swetnam • 07/26/2024 10:16 AM Note: Very confrontational tenants. Said I was not allowed on property . Said their dog will attack me. Very large RV at rear of property with appearance of being lived in and hooked up. Tried to get decent photos but tenants were screaming at me during inspection. Gave one of tenants BH contact card.	Bliss Hyke	7/26/2024 4:25 pm
2. EMAIL RESPONSE FROM Randy <randy822@aol.com> : My Daughter uses that to store stuff! She lives with us in our house!	Bliss Hyke	8/26/2024 1:41 pm
3. 09/16/2024 THEN SEND TO CHAD. VIOLATOR HAD TIL 8/29/24 TO APPEAL AND DID NOT.	Bliss Hyke	9/13/2024 4:25 pm
4. I emailed Chad Ball.	Bliss Hyke	10/18/2024 4:41 pm
5. Forwarded two emails regarding this case to Chad Ball, see attached files.	Bliss Hyke	11/14/2024 2:50 pm
6. I confirmed with Chad via Teams message which codes to enforce, that the ones on the NOV are correct.	Bliss Hyke	11/21/2024 10:53 am
7. Letter sent, criminal summons will be sent.	Bliss Hyke	4/3/2025 9:15 am
8. #19959388 09/09/2025 9:23 PM Unsanctioned Camping: There is an RV parked on this property with people living in it. Random people come and go at all times of the day. I do not believe that this RC complies with zoning laws in the city of fayetteville	Bliss Hyke	9/23/2025 10:28 am
9. Received an inquiry from Robert Ringle stating that he was unaware of the violation or need for a permit, was having difficulty completing the application as "a 80 year old Viet Nam vet", and didn't understand the nature of the infraction. Mr. Ringle may stop by Planning in person to receive assistance in completing the application for a CUP.	Zak Tamijani	3/5/2026 1:47 pm
10. CUP-2026-0015 (906 W NORTH ST FAYETTEVILLE, AR 72701) Planning Commission April 27, 2026. Will go to district court week of 04/06 to plead guilty so he doesn't have to go to his arraignment on 04/13/2026.	Bliss Hyke	3/9/2026 2:25 pm
11. Two criminal summons for Mr. Ingle 1st is 12-27-2024 to 03-25-2025 and 2nd is 03-26-2025 to 02-23-2026 camping without a CUP §163.02. He has arraignment date of 04/13/2026. But thought he was going to plead guilty to get the arraignment pushed out or stopped. CR-26-939 and CR-26-940 Set for Arraignment on 4/13/26 at 8am before the Judge	Bliss Hyke	4/9/2026 4:39 pm

CODE CASE DETAILED REPORT (CVZD-2024-0730)

Activity Type	Activity Number	Activity Name	User	Created On
Notice of Violation Tracking	PRE-1635-2024	70212720000005579764-	Bliss Hyke	08/13/2024
Inspection Number	Inspection Type	Inspection Status	Inspection Date	
INSP-024097-2024	Investigative Inspection	Inspected	07/26/2024 10:14 am	
Inspector: Jason Swetnam				
Checklist Comments:				

1. Request Letter

Complete written description of this request (what is proposed by the applicant) to include:

- (a) Building size in square feet; existing and proposed
 - a. About 200 sq ft.
- (b) Color elevations of all exterior sides of the structure
 - a. NA RV parked in backyard.
- (c) Number of off-street parking spaces to be provided / number required
 - a. NA
- (d) When request applies to a business or non-residential use: NA – not a business
 - Hours of operation NA
 - Number of employees NA
 - Anticipated number of patrons, clients, children, customers, etc. (average per day / peak hour)
- (e) Outdoor lighting
 - Security light with swepco
- (f) Noise
 - NA residential RV.
- (g) Screening or buffering from adjacent properties
 - Wooden fence 6 ft high.
- (h) Trash and refuse service (with particular reference to visibility from the street and adjacent properties)
 - Hidden by wooden fence
- (i) Ingress and egress to the property; traffic impacts



(j) A response discussing the general compatibility of the proposed use with adjacent properties and other property in the neighborhood.

- The RV would not impact the neighborhood. There are rental townhouses around the property.

RV at 906 West North Fayetteville, AR 72701

SQUARE FOOTAGE: 250

NO GENERATOR

UTILITIES: ELECTRICAL PLUG FOR RV.

PHOTOS PROVIDED.

A handwritten signature in blue ink, appearing to read "R. Ingle".

RANDY INGLE

Wonsower, Donna

From: Randy <randy822@aol.com>
Sent: Tuesday, March 31, 2026 4:37 PM
To: Wonsower, Donna
Subject: Re: CUP-2026-0015 (906 W NORTH ST FAYETTEVILLE, AR 72701)

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.

They normally shower in my home. very little cooking is done in the RV mostly quick meals and snacks. Generally 6 months but lately all year long. Waste is disposed my my garbage can.
On Tuesday, March 31, 2026 at 03:28:38 PM CDT, Wonsower, Donna <dwonsower@fayetteville-ar.gov> wrote:

Good Afternoon,

Could you please clarify the timeframe you are requesting for the RV? Is the intent for the RV to be a permanent residence or for it to be used for a shorter term (example: 3 months, 6 months, etc.)?

Additionally, could you please clarify if the RV has a shower and cooking facilities and how you dispose of waste?

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



**CITY OF
FAYETTEVILLE
ARKANSAS**

From: Hopkins, Mirinda <mhopkins@fayetteville-ar.gov>
Sent: Monday, March 30, 2026 9:23 AM
To: randy822@aol.com
Cc: Hyke, Bliss <ehyke@fayetteville-ar.gov>; Wonsower, Donna <dwonsower@fayetteville-ar.gov>
Subject: CUP-2026-0015 (906 W NORTH ST FAYETTEVILLE, AR 72701)

Randy, please revise your submittal letter with the attached notes.

Thank you

Applicant Exhibit:
RV Photos





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Wesley Frank, Planner

MEETING DATE: April 27, 2026

SUBJECT: **CUP-2026-0017: Conditional Use Permit (229 S. GREGG AVE. /ALVARENGA, 522):** Submitted by PEDRO ALVARENGA for property located at 229 S. GREGG AVE. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 0.55 acres. The request is for the use of a short-term rental in a residential zoning district.

RECOMMENDATION:

Staff recommends approval of **CUP-2026-0017** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CUP-2026-0017**, 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 central Fayetteville approximately 900 feet south of the S. Gregg Ave and W. Center St intersection. This subject parcel contains approximately 0.48 acres which is developed with a 13-unit condominium that was built in 1995 as part of the South Gregg Avenue - HPR. Two conditional use permits (CUP-2022-0022 & CUP-2022-0051) had been approved at the subject property for to allow for two short-term rentals for other units. CUP-2022-0022 was approved for the subject unit, but this expired when the business license associated with the property expired in 2023. The overall property has 7 active Type 2 STR business licenses; 6 of these licenses were approved during the grace period that waived the CUP requirement. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 20, 2022, City Council amended the ordinance to enact new requirements for short-term rentals, and on July 6, 2023, City Council amended the Type 2 short-term rental density cap from two percent of all dwelling units to 475 units city wide. This report reflects those changes. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RMF-24, 24 Units per Acre
South	Single-Family Residential; Lower Ramble	R-O, Residential-Office; P-1, Institutional
East	Lower Ramble	P-1, Institutional
West	Single-Family Residential; Railroad	RMF-24, 24 Units per Acre; R-O, Residential-Office

City Plan 2040 Future Land Use Designation: City 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-2026-0017** with the following conditions:

Conditions of Approval:

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

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>April 27, 2026</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

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

C. Procedures. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

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

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

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

- (c.) The Planning Commission shall certify:

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

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

§163.18. SHORT-TERM RENTALS.

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

Finding: The request is to operate a Type 2 short-term rental in the RMF-24 zoning district which requires a conditional use permit.

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

Finding: The unit contains one bedroom which would limit occupancy to a maximum of two 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 the attached 3-family dwellings is a minimum of 2 parking spaces per dwelling unit with a maximum of 4. The applicant has indicated that 1 parking space is assigned to the unit and that there are 12 additional shared parking spaces in the development. With the unit only having 1 bedroom which caps the occupancy at 2, it is not anticipated that there will be a negative parking impact on the property.

- 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 229 S. Gregg Ave. 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 §118.01 that apply to Type 2 short-term rentals in residential zoning districts. Applicable business licensing requirements will be reviewed by staff and confirmed by the applicant at the time of licensing.**

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

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

Finding: There appears to be adequate parking available to support the use of the property as a short-term rental based on the applicant's submittal. With a total 13 off-street parking spaces (1 assigned and 12 shared) available, the overall property would be able to adequately meet the parking standards for the subject unit. S Gregg Avenue is classified as an Urban Center street, which does allow for on-street parking. However, there appears to be insufficient street width (20 feet) to allow for safe parking and fire access. City records indicate that 36 other units, or roughly 3% of estimated housing units, within a quarter-mile radius of the property have a business license to operate as a Type 2 short-term rental. 7 of these licenses are on the same property as the subject unit, creating a cluster. Staff is concerned with this concentration as of the 13 condominium units on the property, over half are used as Type-2 rentals. There are two code cases associated with this unit, both filed in 2025. The first was an issued violation (CVZD-2025-0146) for listing an unlicensed Type 2 short-term rental, which resulted in the applicant ceasing the renting of the unit. A second code case (CVZD-2025-1515) was opened as the STR was actively listed but no violation was issued when the applicant applied for the Type 2 waitlist and began listing the unit for the 30-day rental minimum. The property is not within 1,000 feet of a public or private K-12 school. Staff finds the applicant's request to be suitable with the nearby properties.

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

(2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

(a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

Finding: One driveway is used to access the shared parking space and there appears to be sufficient space to allow for adequate 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 two 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 13 off-street parking spaces (1 assigned and 12 shared) are available to the subject unit.

(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 unit 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 36 other licensed Type 2 short-term rental within a quarter-mile radius. There appears to be adequate parking to accommodate the number of permitted guests and staff does not anticipate any adverse traffic impacts with this request.**

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

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

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- One Mile Map
- Close-Up Map
- Current Land Use Map
- STRs within ¼ Mile Map
- Business Regulations
 - §118.01 Applicability
 - §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 Request Letter
- Site Plan
- Elevations
- Building Floor Plans

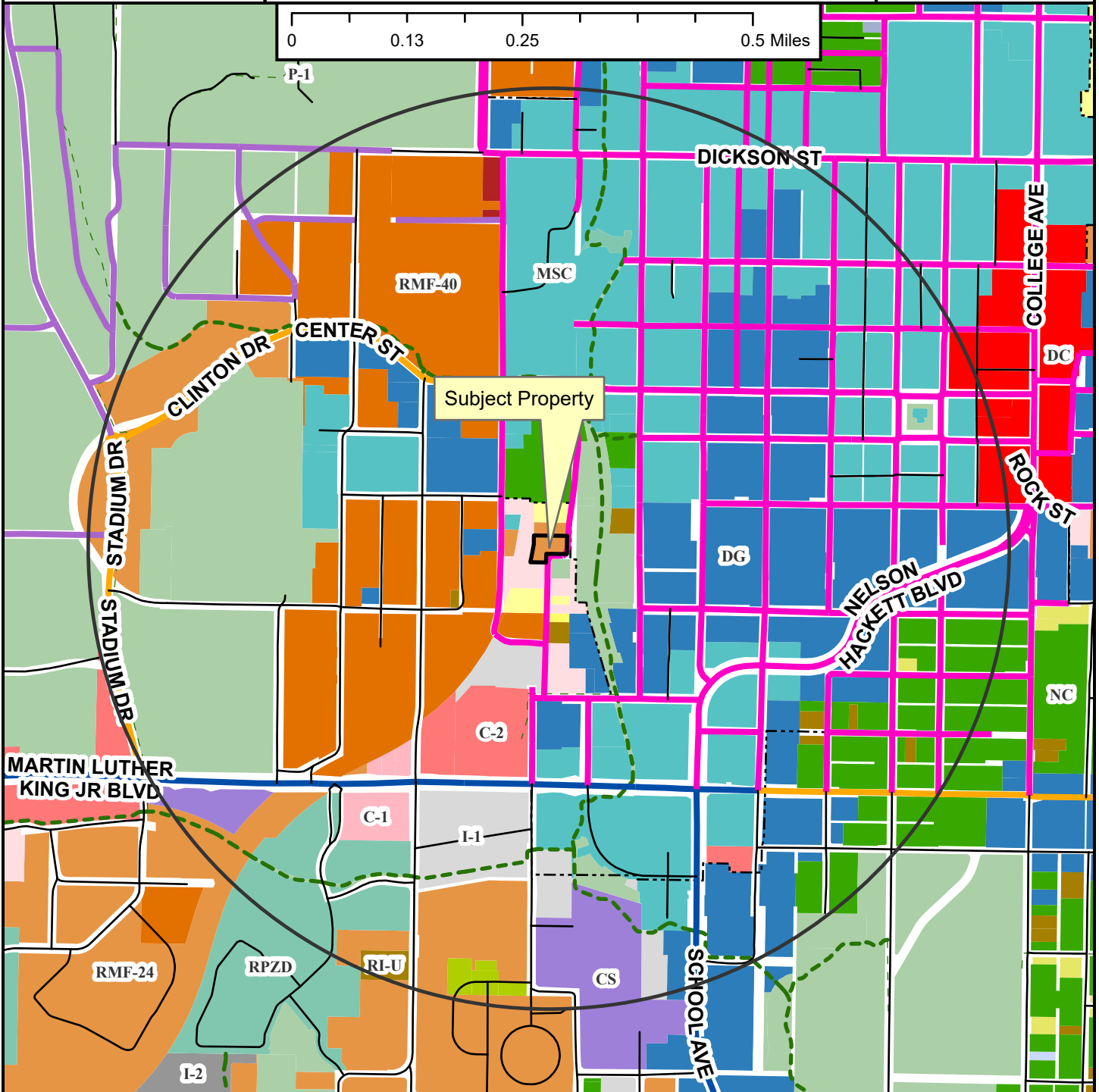
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229 S GREGG AVE

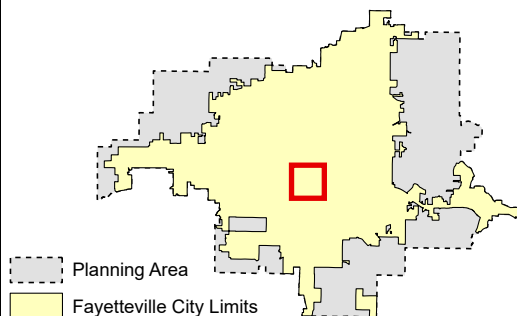
One Mile View



0 0.13 0.25 0.5 Miles



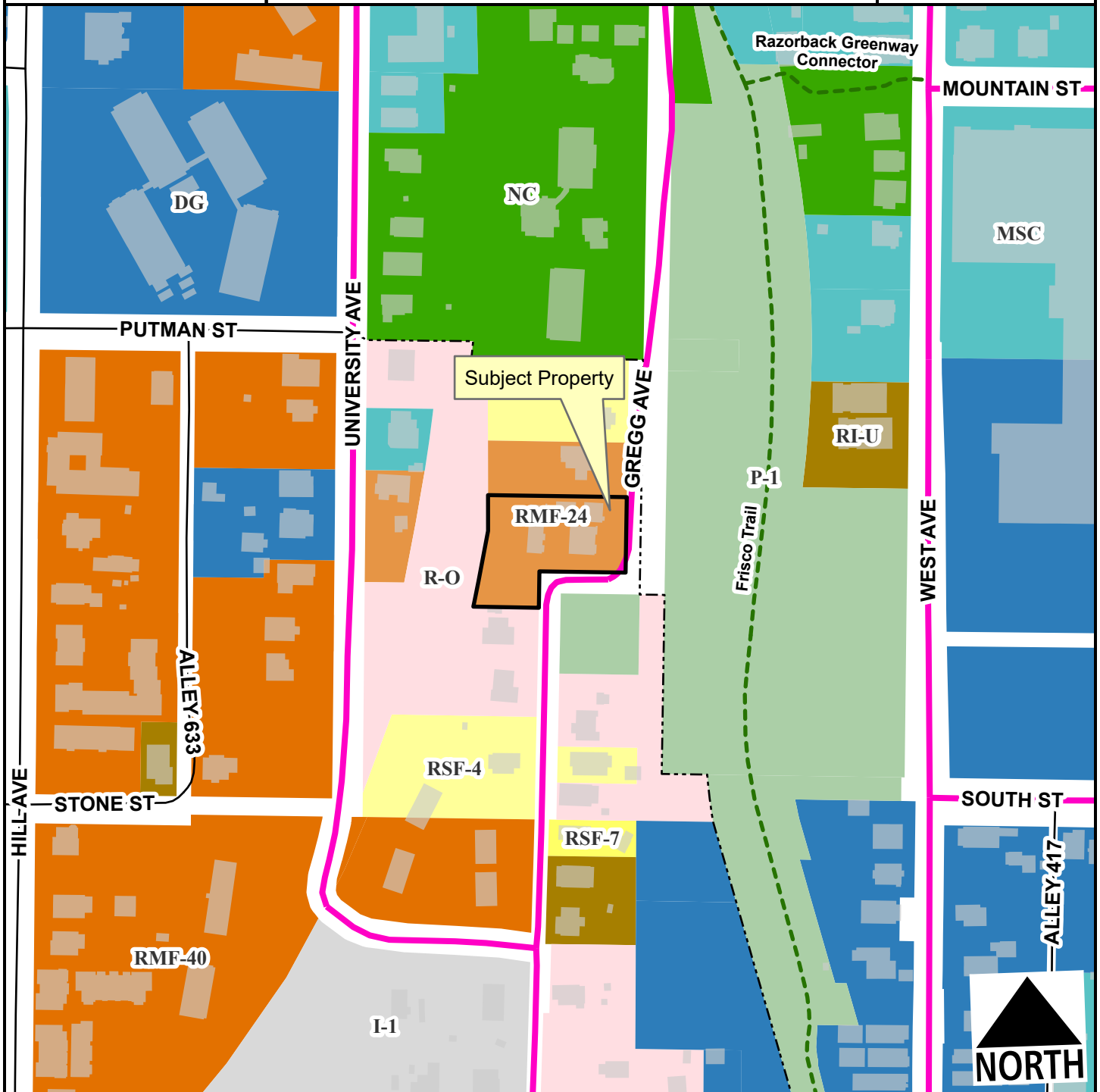
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



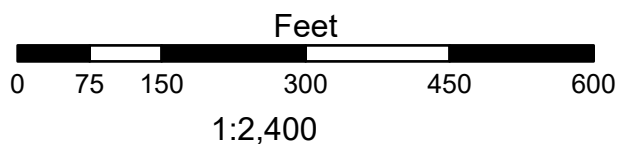
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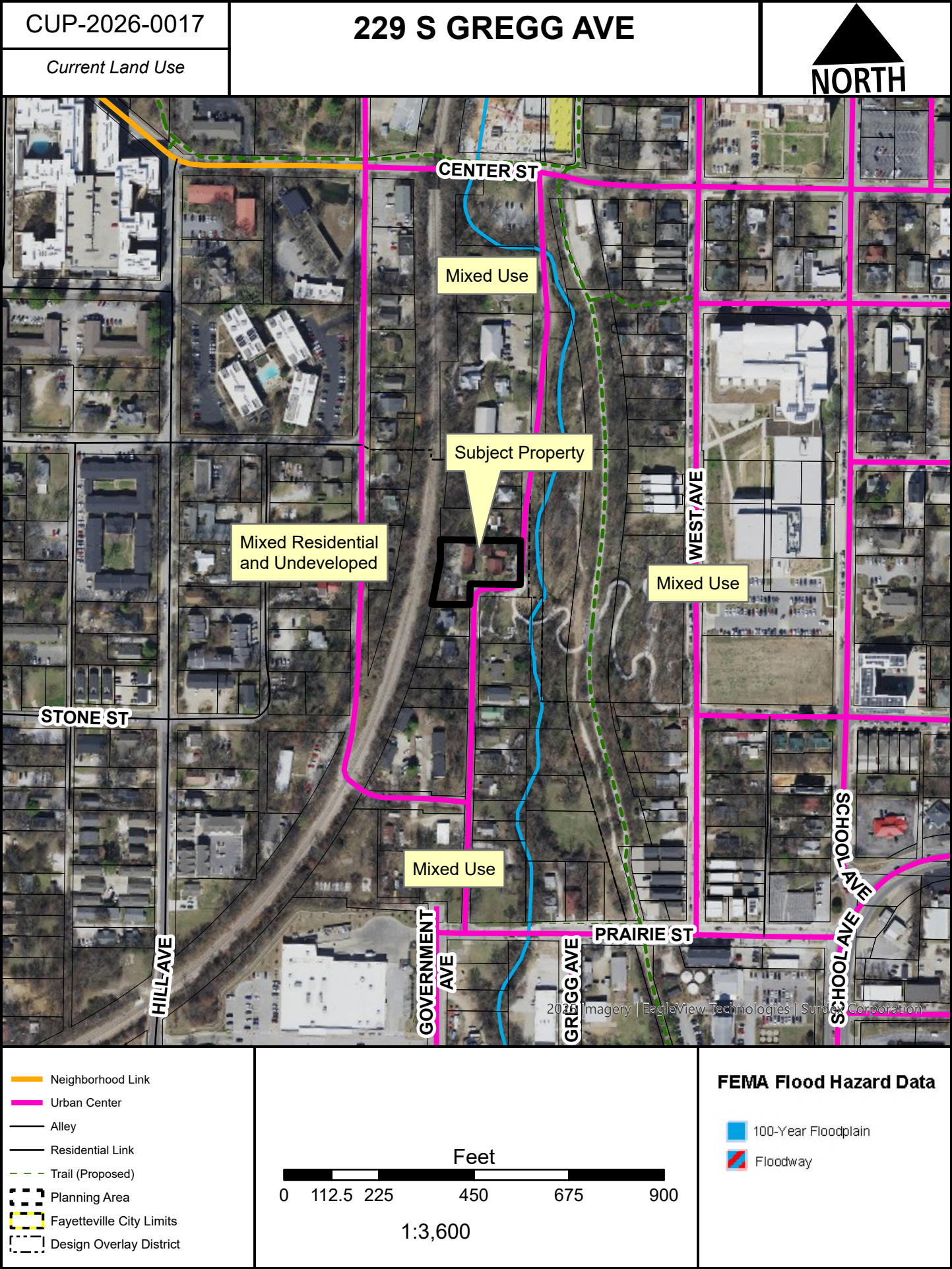
229 S GREGG AVE

Close Up View



- Urban Center
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail
- Design Overlay District

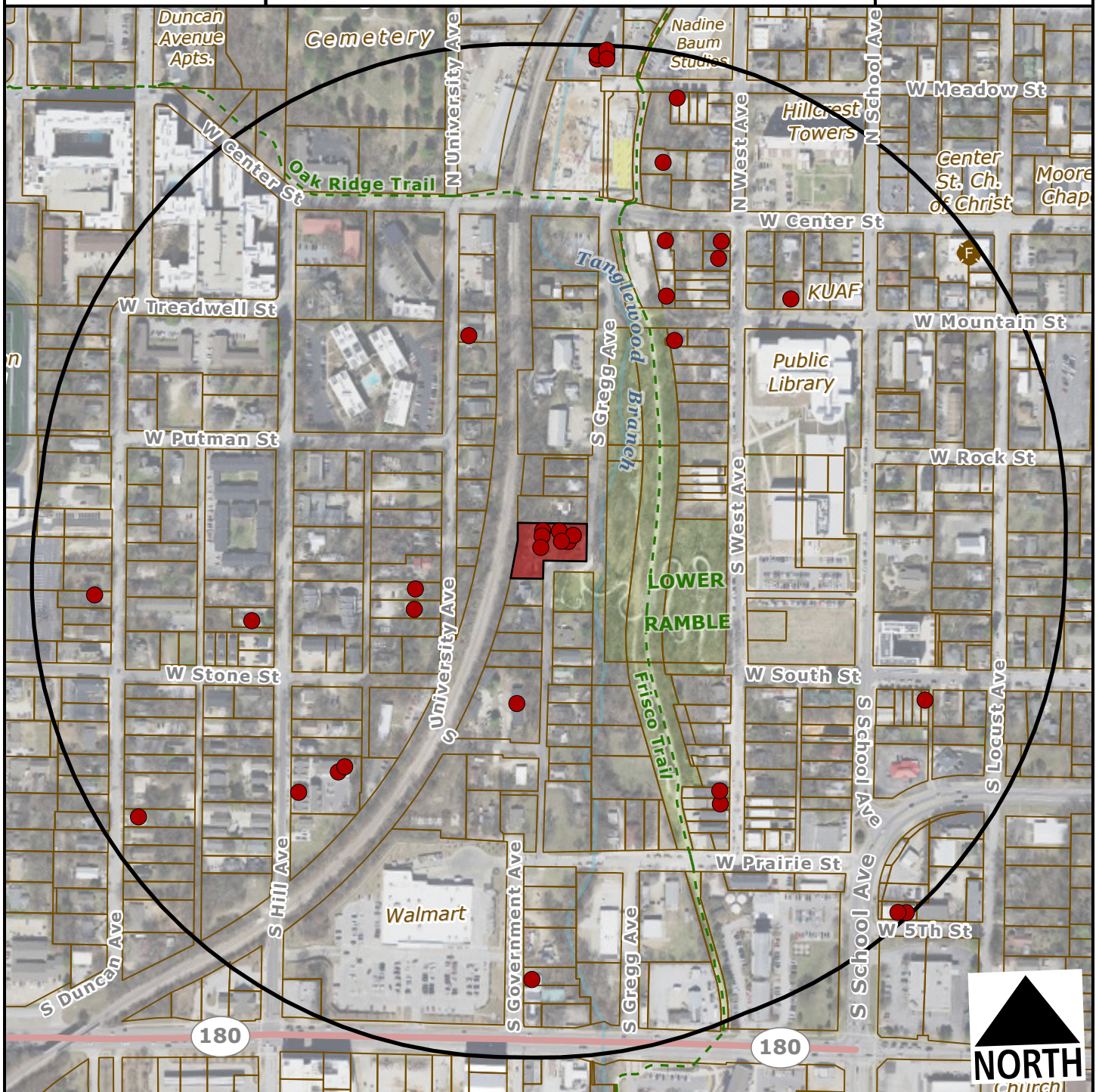




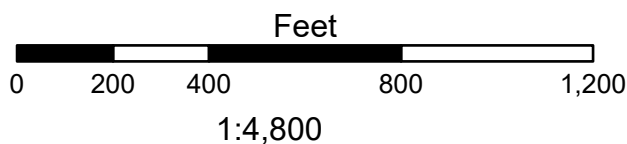
CUP-2026-0017

229 S GREGG AVE

STRs Within 1/4 Mile



-  Subject Property
-  Short Term Rental, Type 2



Within 1/4 Mile

Type 2 STRs: 36

Occupiable
Residential
Addresses
(Estimated
Housing Units): 981

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

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

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

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12a	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities
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 (2) family	35 feet
Three (3) family or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 square feet
Townhouses: Individual lot	2,000 square feet
Single-family	3,000 square feet
Two (2) family	4,000 square feet
Three (3) family or more	7,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acres

(3) *Land Area Per Dwelling Unit.*

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

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 feet	5 feet	20 feet	5 feet

(F) *Building Height Regulations.*

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

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

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

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

(Code 1965, App. A., Art. 5(III); Ord. No. 2320, 4-6-77; Ord. No. 2700, 2-2-81; Code 1991, §160.033; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5079, 11-20-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5495, 4-17-12; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800, §1(Exh. A), 10-6-15; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §§5, 8, 9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6245, §2, 10-15-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21; Ord. No. 6658, §6(Exh. E), 5-2-23; Ord. No. 6879, §2, 5-20-25)

Editor's note(s)—Ord. No. 6888, §1, adopted June 17, 2025 determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause), Ordinance 6710 (extending the Sunset Clause), and Ordinance 6820 (extending the Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on November 30, 2025 unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

REQUEST LETTER

Conditional Use Permit – Short Term Rental

229 Gregg Ave C-1

Fayetteville, AR 72701

To the City of Fayetteville Planning Division,

The applicant respectfully requests approval of a Conditional Use Permit to allow the operation of a short term rental within the existing residential condominium unit located at 229 Gregg Ave C-1 in Fayetteville, Arkansas. The unit will be used to provide short term lodging accommodations for visitors while maintaining the residential character of the property and surrounding neighborhood.

The property is located within an established residential condominium development and will remain residential in appearance and use. No exterior modifications, new construction, or commercial signage are proposed as part of this request.

a) Building Size

The existing residential condominium unit contains approximately 527 square feet of finished living area and includes two levels consisting of a living room and kitchen on the main level and one bedroom and bathroom on the upper level. No additions or structural changes are proposed.

b) Color Elevations of All Exterior Sides

The exterior of the structure is an existing residential condominium building constructed with hardboard siding and a composition shingle roof. Photographs of the exterior elevations are included with this application and accurately reflect the current appearance of the structure. No changes to the exterior design or materials are proposed.

c) Off Street Parking

The unit includes one assigned parking space reserved specifically for the unit. The development also contains a shared parking lot with approximately twelve additional parking spaces and visitor parking provided through the homeowners association. The available parking exceeds the anticipated needs of guests staying at the unit.

d) Outdoor Lighting

Existing residential exterior lighting will remain in place. No additional exterior lighting will be installed as part of this request. Lighting will remain consistent with typical residential lighting found throughout the development.

e) Noise

Guests staying at the property will be required to comply with all City of Fayetteville noise and nuisance ordinances. House rules will require guests to maintain respectful noise levels and avoid disturbances to neighboring properties, particularly during nighttime hours.

f) Screening or Buffering from Adjacent Properties

The property is located within an established residential condominium development with existing landscaping and spacing consistent with the surrounding neighborhood. No additional screening or buffering is proposed.

g) Trash and Refuse Service

Trash service is provided through the existing residential sanitation services serving the development. Trash containers will be handled in accordance with HOA and city requirements and will not remain visible from the street except on designated collection days.

h) Ingress and Egress / Traffic Impacts

Access to the unit is provided through the existing internal drives and parking areas within the development. Traffic generated by the short term rental is expected to be minimal and comparable to normal residential use.

i) Compatibility with Adjacent Properties and the Neighborhood

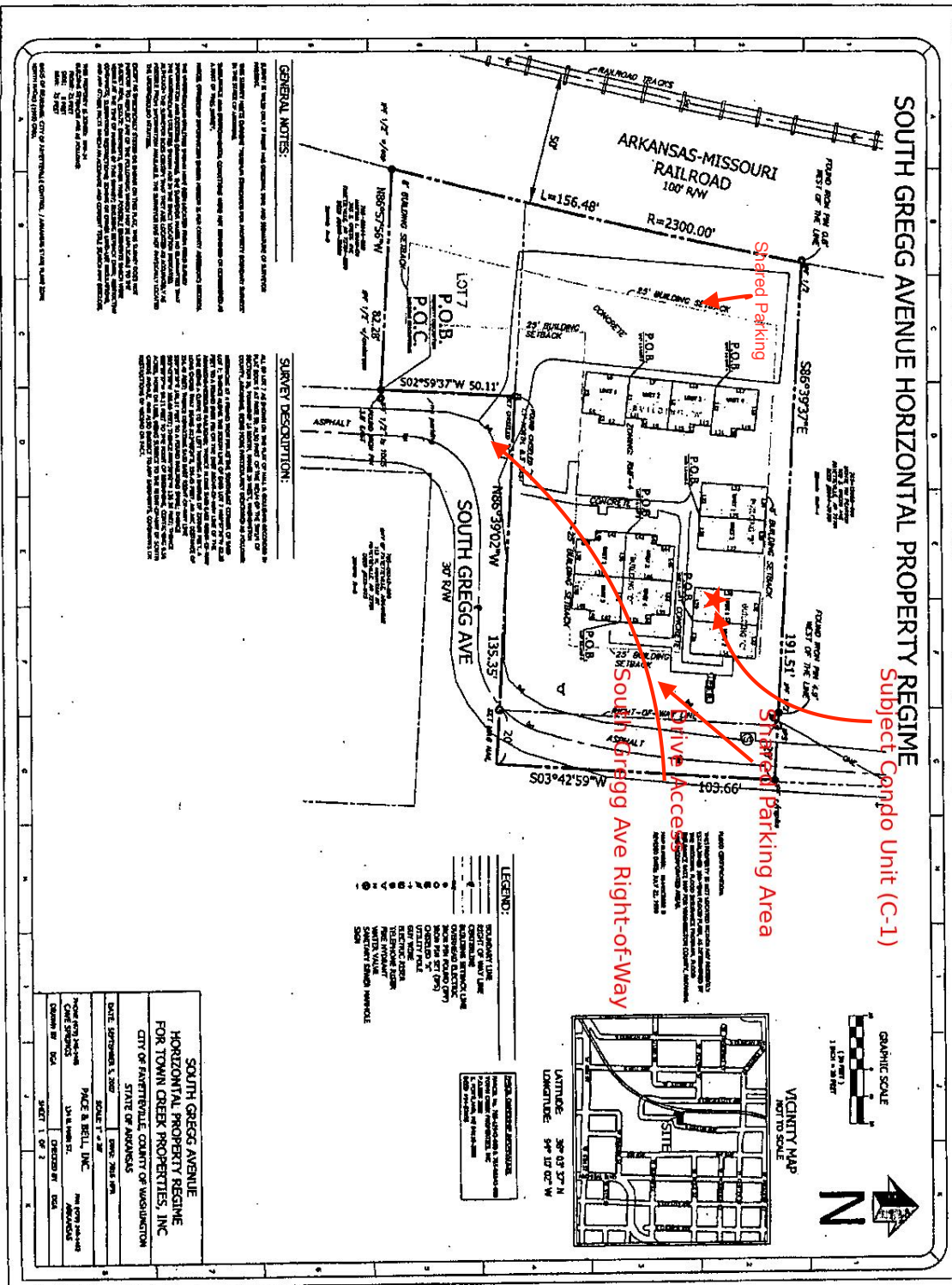
The proposed short term rental use is compatible with surrounding residential properties and uses within the neighborhood. The unit will maintain the appearance and function of a typical residential dwelling. Operational standards including occupancy limits, parking requirements, and guest conduct rules will help ensure minimal impact on neighboring properties while maintaining the character of the neighborhood.

The maximum occupancy of the unit will be limited to four guests, utilizing one bedroom on the upper level and a pull out bed located in the living area.

Thank you for your consideration of this request.

Sincerely,

Pedro Alvarenga



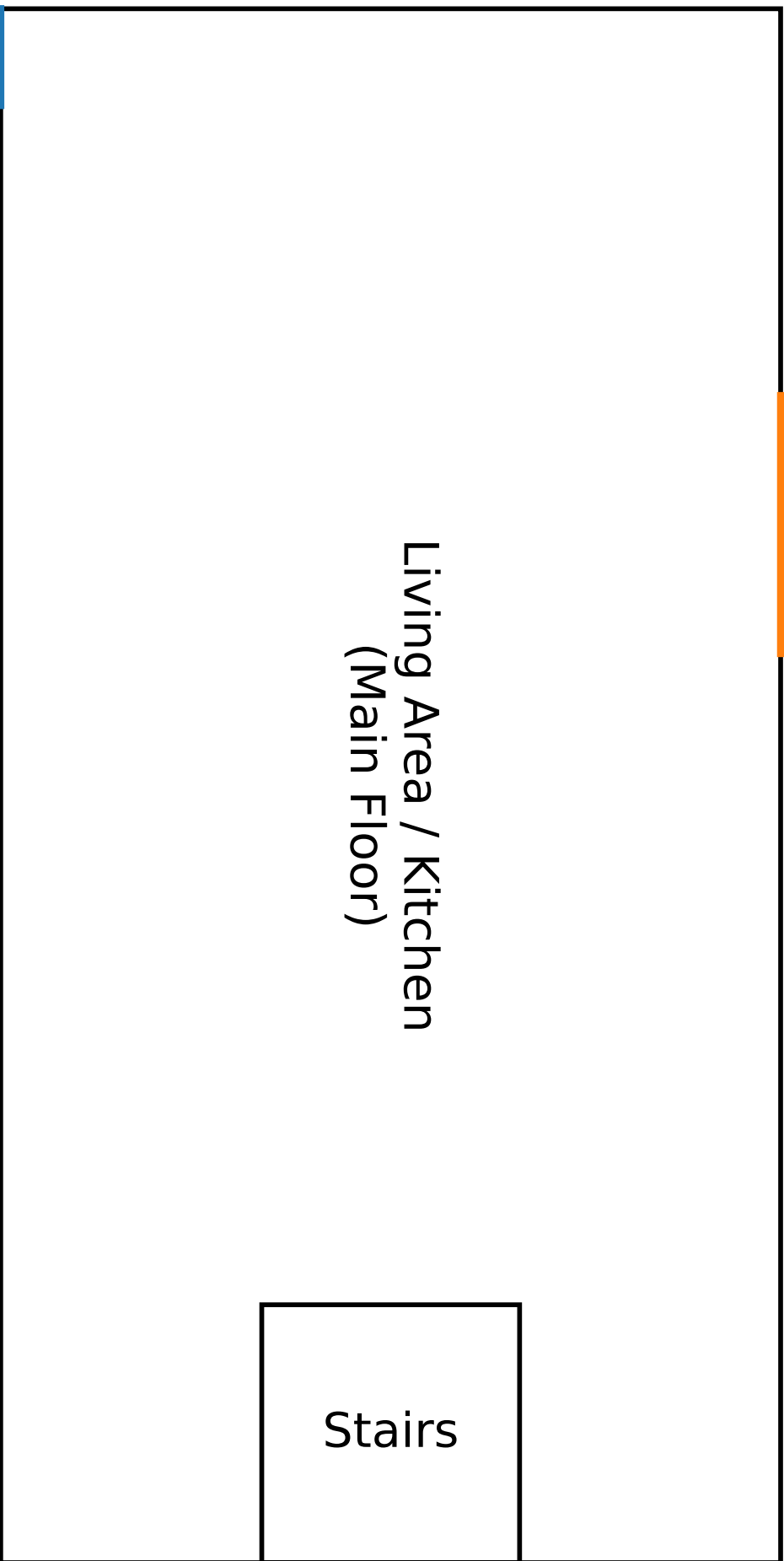
Reviewed by Captain Jason Hood
Fayetteville Fire Marshal's Office

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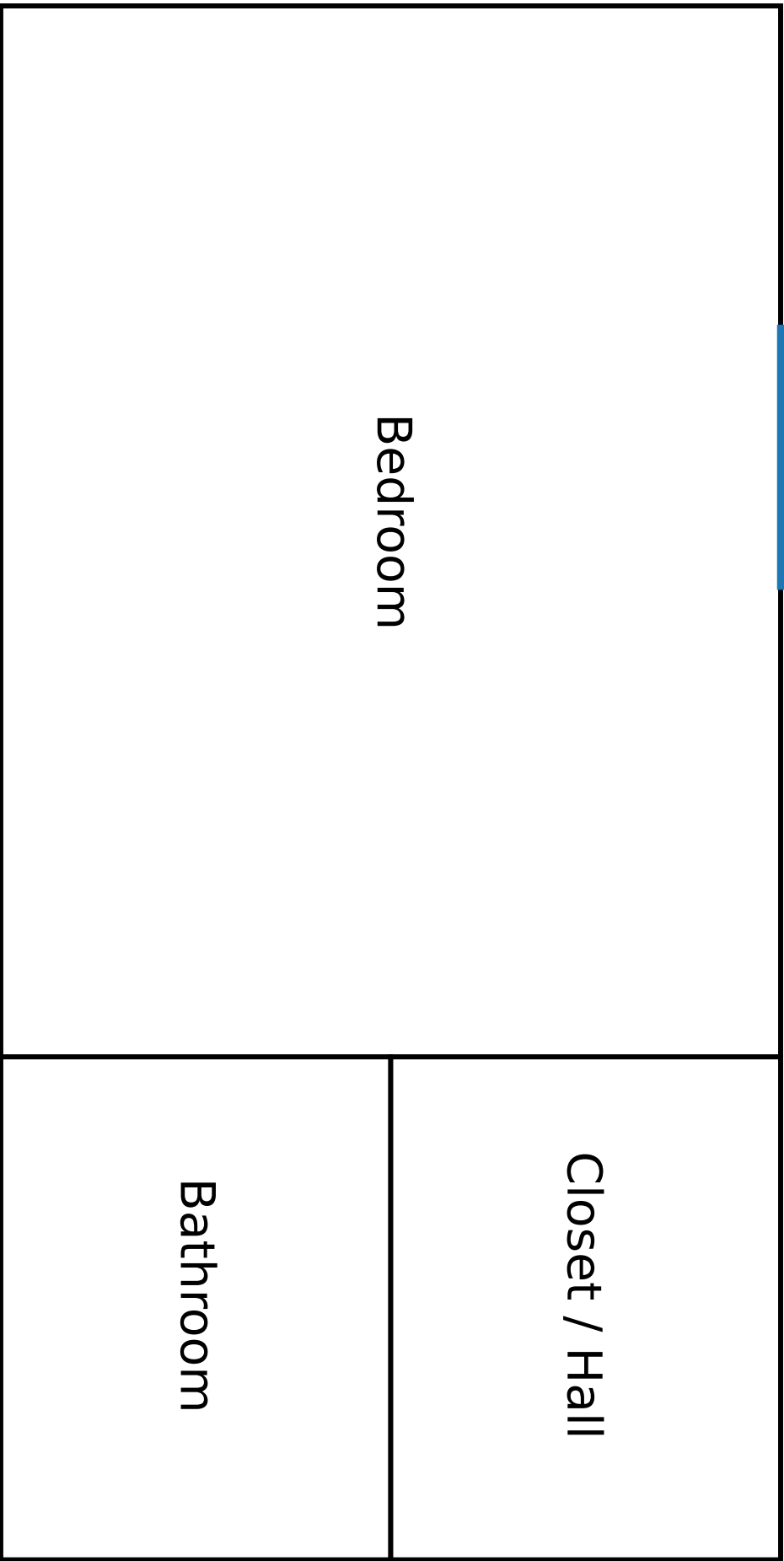


Preliminary Floor Plan – Main Level
229 Gregg Ave C-1
Window



Entry Door

Preliminary Floor Plan - Upper Level
229 Gregg Ave C-1
Window





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Citlali Samano, Planner

MEETING DATE: April 27, 2026

SUBJECT: **CUP-2026-0018: Conditional Use Permit (2662 E JOYCE BLVD UNIT 2/PARADISE VALLEY INVESTMENT GROUP, 176):** Submitted by CHRISTEN SPAIN for property located at 2662 E JOYCE BLV UNIT 2. The property is zoned R-O, RESIDENTIAL OFFICE and contains approximately 1.64 acres. The request is for a massage therapy school.

RECOMMENDATION:

Staff recommends approval of **CUP-2026-0018** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CUP-2026-0018**, 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 approximately ¼ mi northwest of the intersection of N Crossover Rd and E Joyce Blvd. The property is within one parcel that is approximately 1.64 acres and contains 3 buildings. The subject property is within building 3 and solely unit 2 contains approximately 1450 sq ft. The proposed business will be an extension of the Bodyworks Massage & Wellness business. The property is zoned R-O, Residential Office and is not within an overlay district. Surrounding land uses and zoning are provided in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Undeveloped	R-O, Residential Office
South	Commercial	R-O, Residential Office
East	Commercial	R-O, Residential Office
West	Commercial	R-O, Residential Office

City Plan 2040 Future Land Use Designation: City Neighborhood Area

Proposal: The applicant requests a conditional use permit to operate a massage therapy school on the subject property, which would be classified as Use Unit 4, Cultural and Recreational Facility. The applicant has described the business as follows:

- Size of business: 1450 sq ft*
- Hours of operation: Monday through Saturday, 9 AM to 3 PM*
- Parking: Utilizing shopping center parking lot, no reserved spaces*

- *Number of employees: 1*
- *Number of Students: 4-6 and meeting 2-3 days a week*
- *Outdoor Lighting: Existing outdoor lighting*
- *Trash: Existing dumpsters trash*

Public Comment: Staff has not received any public comment regarding the proposed request.

RECOMMENDATION: Staff recommends approval of **CUP-2026-0018** 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 as described in the applicant's request letter. The following specifications apply:**
 - Size of the business: 1450 sq ft
 - Hours of operation: Monday through Saturday, 9 AM to 3 PM
 - Parking: Utilizing shopping center parking lot, no reserved spaces
 - Number of employees: 1
 - Number of students: 4-6 and meeting 2-3 days a week
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. **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.**
7. **Any future expansion or change in the conditional use shall require Planning Commission approval;**
8. **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**
9. **Outdoor lighting shall comply with Unified Development Code §176.**

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date: <u>April 27, 2026</u>	☐ Tabled	☐ Approved	☐ Denied		
Motion:					
Second:					
Vote:					

§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 an educational facility in R-O 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, as the business will solely have 4-6 students at a time and will meet 2-3 days during hours of operation at Bodyworks Massage & Wellness.

(c.) The Planning Commission shall certify:

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

Finding: N/A

- (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 two existing curb cuts along E Joyce Blvd to a paved parking lot approximately 13 feet from the right-of-way. E Joyce Blvd is not striped with on-street bicycle lanes but there are existing sidewalks present on the both sides of the E Joyce Blvd.

- (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, shared parking lot. There are no reserved spots for this business. Any additional parking would need to follow UDC 172.04 standards.

- (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 2 existing dumpsters, which are shared by tenants of the commercial complex.

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

Finding: The property has access to City water and sewer. A 8-inch water main and a 8-inch sewer main are present along E Joyce Blvd.

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

Finding: Staff does not recommend any additional screening.

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

Finding: Any proposed signage will be subject to UDC §174 and all the regulations therein.

(g.) Required yards and other open space; and

Finding: The subject property lies within an existing structure that does not meet a rear setback of 25 feet as listed for an R-O zoning district. No rehabilitation or expansion is proposed with this permit. Any changes to the building may of 50% or more may be subject to meet code as listed in UDC 164.12.

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

Finding: Staff finds the proposed use as a massage therapy school to be compatible with adjacent properties and other properties in the R-O zoning district. The proposed hours of operation, its proximity to commercial and public properties, and the provision for off-street parking should limit any adverse impacts on 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. The City Neighborhood Area designation supports a wide range 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. The proposed use is consistent with these designations by maintaining the commercial use character of the area while preserving and protecting adjacent residential neighborhoods.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.20 District R-O, Residential Office
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Applicant Exhibits
 - Request Letter
 - Site Plan
 - Floor Plan

161.20 - District R-O, Residential Office

(A) *Purpose.* The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses. The intent of this district is to allow administrative approval if the developer decides to use urban form, in compliance with the build-to zone and minimum buildable street frontage as specified herein.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 25	Offices, studios, and related services
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 11	Manufactured home park*
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities*
Unit 42	Clean technologies
Unit 45	Small scale production
Unit 48	Private dormitories

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and Area Regulations.* (Per dwelling unit for residential structures)

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single-family	60 feet
Two-family	60 feet
Three-family or more	90 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 square feet
Townhouses:	
Development	10,000 square feet
Individual lot	2,500 square feet

Single-family	6,000 square feet
Two-family	6,500 square feet
Three-family or more	8,000 square feet
Fraternity or Sorority	1 acre

(3) *Land Area Per Dwelling Unit.*

Manufactured home	3,000 square feet
Townhouses & apartments:	
No bedroom	1,000 square feet
One bedroom	1,000 square feet
Two (2) or more bedrooms	1,200 square feet
Fraternity or Sorority	500 square feet per resident

(E) *Setback Regulations.*

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Front, in the Hillside Overlay District	15 feet
Side	10 feet
Side, when contiguous to a residential district	15 feet
Side, in the Hillside Overlay District	8 feet
Rear, without easement or alley	25 feet
Rear, from center line of public alley	10 feet
Rear, in the Hillside Overlay District	15 feet

Urban Form Setback Regulations:

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line
Side	5 feet
Side-zero lot line*	A setback of less than 5 feet (zero lot line) is permitted on one (1) interior side, provided a maintenance agreement is filed.** The remaining side setback(s) shall be 10 feet
Rear	None
Rear when contiguous to a single-family residential district	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	5 stories
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If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single-family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

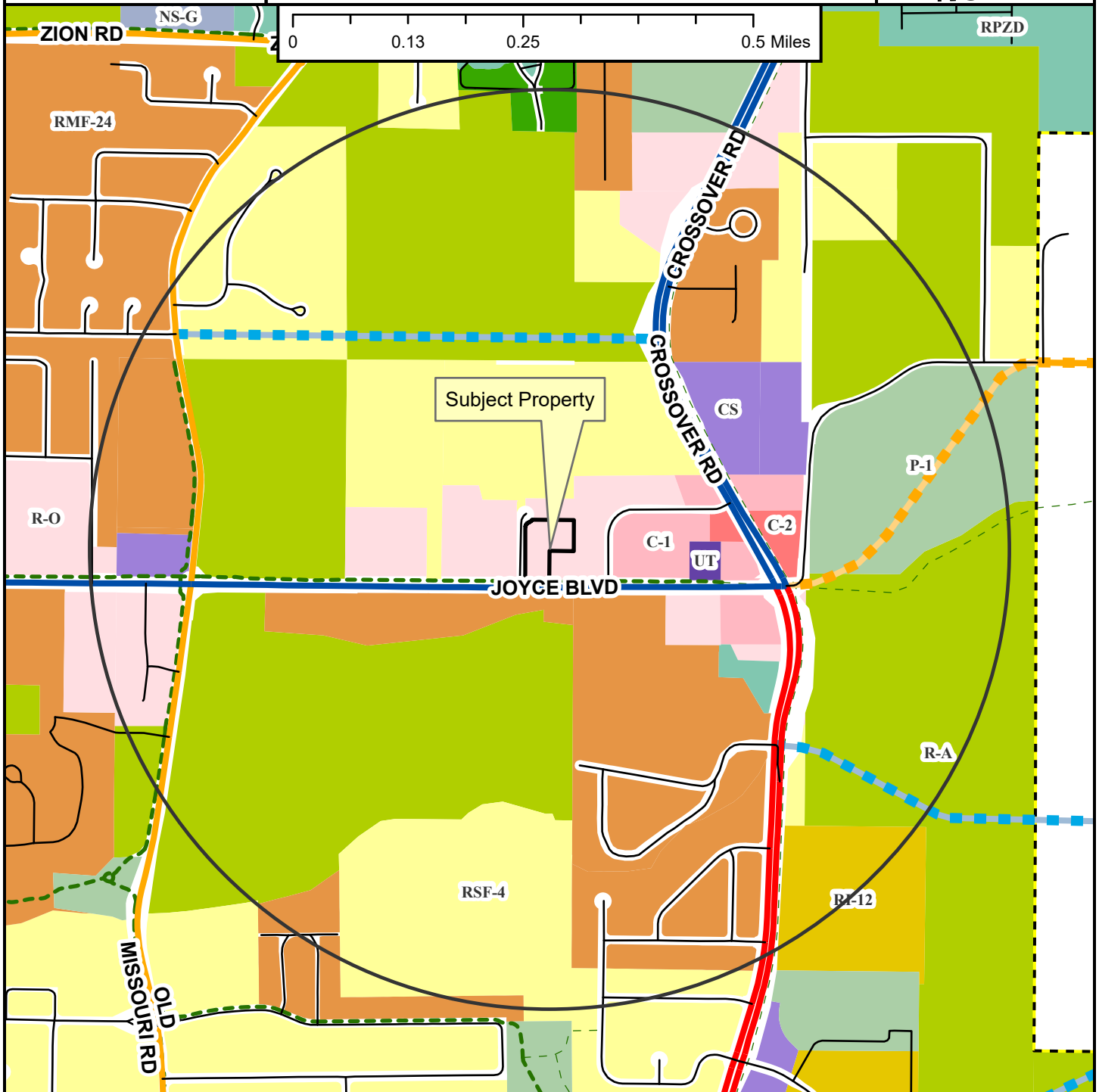
(H) *Urban form minimum buildable street frontage.* 50% of the lot width.

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

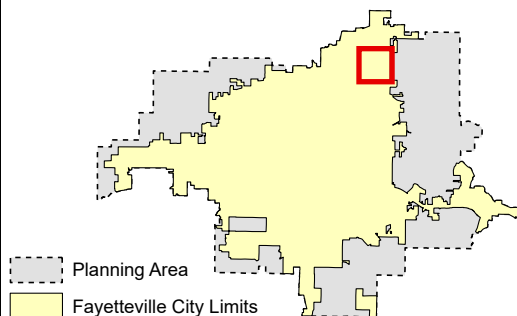
CUP-2026-0018

2662 E. JOYCE BLVD UNIT 2

One Mile View



- Regional Link
- 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



Planning Commission

April 27, 2026

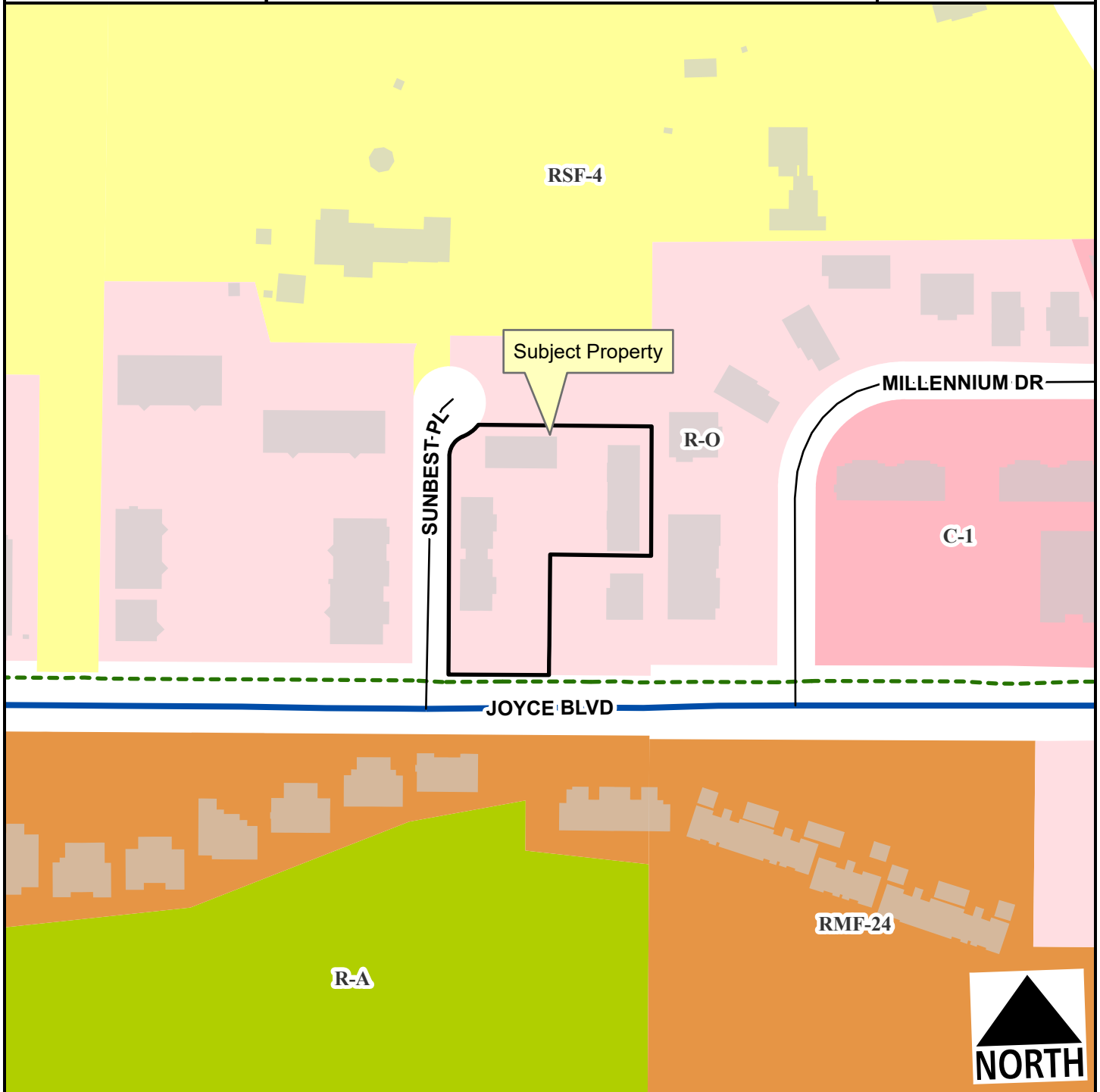
CUP-2026-0018 (PARADISE VALLEY INVESTMENT GROUP)

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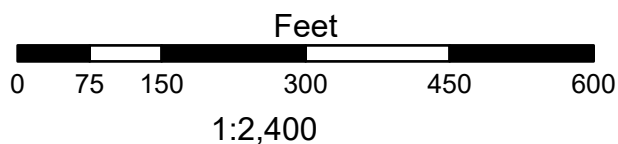
CUP-2026-0018

2662 E. JOYCE BLVD UNIT 2

Close Up View



- Regional Link - High Activity
- Residential Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail



Planning Commission

April 27, 2026

CUP-2026-0018 (PARADISE VALLEY INVESTMENT GROUP)

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Conditional Use Permit Narrative

Fayetteville School of Massage

2662 E. Joyce Blvd, Suite 2

Fayetteville, AR 72703

a. Building Size

The tenant space is approximately 1,450 square feet. The proposed use will occupy the existing space currently used by Bodyworks Massage & Wellness. No expansion or structural modifications are proposed.

b. Exterior Elevations

No exterior changes are proposed. The building will remain as currently constructed and maintained.

c. Off-Street Parking

Parking is provided within the existing shared parking lot serving the commercial complex. No reserved spaces are designated for this tenant space.

d. Hours of Operation / Employees / Patrons

Hours of operation will be Monday through Saturday, 9:00 AM – 3:00 PM. The business will have one employee. Classes are anticipated to include 4–6 students, meeting approximately 2–3 days per week during operating hours.

e. Outdoor Lighting

Existing site lighting will remain. No additional lighting is proposed.

f. Noise

No noise impacts beyond typical indoor conversation levels are anticipated.

g. Screening or Buffering

No additional screening or buffering is proposed.

h. Trash and Refuse Service

Trash service is provided by two dumpsters located on the premises, which are shared by tenants of the commercial complex.

i. Ingress/Egress and Traffic

The property is served by two entrances and exits to the commercial complex. Due to the limited class size and schedule, traffic impacts are expected to be minimal.

j. Compatibility with Adjacent Properties

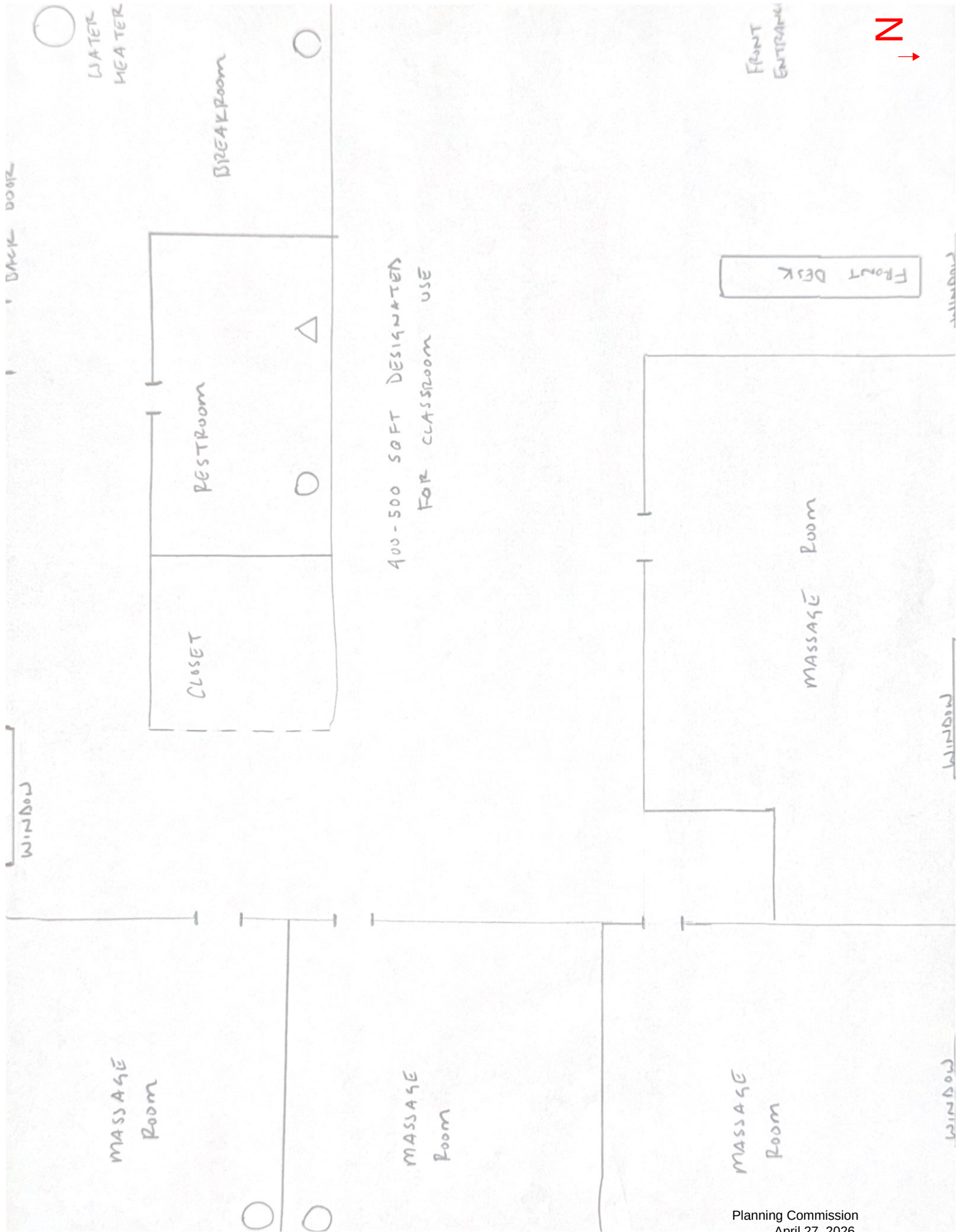
The proposed use is a low-intensity educational use operating within an existing wellness business and is compatible with surrounding commercial uses in the area. The small class size and daytime operating hours are expected to have minimal impact on neighboring tenants and nearby properties.

Map



Copyright Text Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Legal Document





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: April 27, 2026

SUBJECT: **RZN-2026-0010: Rezoning (800 N HALL AVE/JOHNSON, 443)**
Submitted by WILL CLARK for property located at 800 N. HALL AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRES, and P-1, INSTITUTIONAL and contains approximately 0.31 acres. The request is to rezone the property to UN, URBAN NEIGHBORHOOD.

RECOMMENDATION:

Staff recommends approval of **RZN-2026-0010**.

RECOMMENDED MOTION:

*"I move to forward **RZN-2026-0010** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is located in central Fayetteville on N. Hall Ave. directly abutting the University of Arkansas campus to the west and Leverett Elementary School to the south and east. The 0.31-acre parcel has been developed with a 1,080 square foot single-family residence which was constructed in 1931 per the Washington County Assessor. The property is not subject to any overlay districts, and does not contain hydric soils, streamside protection, and FEMA floodplain. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	P-1, Institutional RSF-4, Residential Single-Family, Four Units per Acre
South	Leverett Elementary School	P-1, Institutional
East	Leverett Elementary School	P-1, Institutional
West	University of Arkansas Single-Family Residential	P-1, Institutional RSF-4, Residential Single-Family, Four Units per Acre

Request: The request is to rezone 0.31 acres from RSF-4, Residential Single-Family, Four Units per Acre and P-1, Institutional to UN, Urban Neighborhood.

Public Comment: One member of the public has stated opposition to the request, citing concern about increased traffic if the property is developed with commercial uses, existing speeding and use of the street as a cut-through, and a change in the nature of the neighborhood.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

- Streets:** The subject area has a road frontage along N. Hall Ave., a fully improved residential link with asphalt paving, sidewalk and Curb & Gutter. Any street or drainage 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 6-inch water main is present along N. Hall Ave.
- Sewer:** Sanitary Sewer is available to the Subject area. Existing 6-inch sewer main is present along N. Hall Ave. 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, and does not contain hydric soils, streamside protection areas, or FEMA floodplain.
- Fire:** Station 2, located at 138 W. North St., protects this site. The property is located approximately 1.3 miles from the fire station with an anticipated drive time of approximately 4 minutes using existing streets. The anticipated response time would be approximately 6.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.
- Police:** The Police Department did not comment on this request.

Tree Preservation:

The current zoning districts of RSF-4 and P-1 require **25% minimum canopy preservation**. The proposed zoning district of UN requires **15% minimum canopy preservation**.

CITY PLAN 2040 FUTURE LAND USE PLAN: The City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **City Neighborhood**.

City Neighborhood Areas are more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single family to multi-family. Non-residential and commercial uses are primarily located at street intersections and along major corridors. Ideally, commercial uses would have a residential component and vary in size, variety and intensity. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Building setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of **11** for this site with a weighted score of **14.5**. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 2, W. North St.)
- Near Sewer Main (6 inch main, N. Hall Ave.)
- Near Water Main (6 inch main, N. Hall Ave.)
- Near Grocery Store (Harps)

- Near Public School (Leverett Elementary School)
- Near U of A Campus
- Near City Park (Lewis Soccer Complex)
- Near Paved Trail (Garland Ave. Side Path)
- Near ORT Bus Stop (Union Station)
- Near Razorback Bus Stop (Hotz Hall, Lot 108)
- 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:*** The subject property is surrounded by primarily public schools, with Leverett Elementary School to the east and south and the University of Arkansas to the west. Single-family dwellings abut the property to the north with nonresidential amenities such as grocery stores, restaurants, and retail located along Garland Ave. and W. Wedington Dr. Staff finds the proposed UN rezoning compatible with surrounding uses. UN permits a mix of low-intensity residential types, including up to four-unit buildings, with a minimum lot width of 12 feet. UN permits missing middle housing types with smaller lot size requirements, encouraging compatible infill development without disrupting neighborhood scale. UN would also require a 0'-25' build-to zone, which aligns with historic development patterns in the area. Additionally, staff finds that parking, drainage, tree preservation and other requirements will likely limit the development potential of the parcel.

Additionally, UN permits low-intensity commercial uses such as restaurants, sidewalk cafes, offices, and general business such as small retail establishments. Staff finds these uses to be compatible with adjacent uses and that the insertion of small-scale commercial adjacent to public schools could contribute to walkable neighborhoods.

Long-range planning notes that the structure is not eligible for state or National Register of Historic Places due to loss of its original materials but that it does retain its original form. While the city does not have any regulations pertaining to the demolition of historic structures, long-range planning requests that the property owner and/or applicant consult with their division prior to demolition or alteration of historic structures in order to capture photo documentation of the existing building.

Land Use Plan Analysis: Staff finds the proposed zoning to be consistent with the property's Future Land Use Map designation as a City Neighborhood Area. While surrounding housing is currently primarily single-family dwellings, the area is largely surrounded by large institutional uses including the University of Arkansas and Leverett Elementary School. The UN zoning district would bring the property's zoning into closer alignment with surrounding permitted uses. The property has a high infill

score of 11 with a weighted score of 14.5, indicating it is a suitable location for infill development. Infill in this area could help support Goals 1 and 3 by promoting moderate infill in an area that is highly walkable and near transit routes and a high degree of nonresidential services, including schools and grocery stores.

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. Staff finds that the existing portion of the property zoned P-1 is not consistent with the property's existing use and that it is unlikely to be used for institutional uses in the future. As such, there is justification to alter the zoning district to one which permits alternative uses. UN allows for mixed use developments and increased housing typologies with small lot sizes, potentially enabling homeownership of smaller, more attainable dwelling units in an area of town with a relatively high concentration of services and amenities.

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 and P-1 to UN could increase development potential and its associated traffic impact on the site the rezoning would remove the current density maximum of four units per acre. However, staff find the small size of the property is likely to naturally limit development potential and that the ultimate added density is unlikely to 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 UN has smaller lot sizes and no density maximums, potentially increasing population density. However, the property is small and directly adjacent to a public school and the University of Arkansas, both of 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-2026-0010 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>April 27, 2026</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.07 Residential Single-Family, Four Units per Acre
 - §161.32 P-1, Institutional
 - §161.37 UN, Urban Neighborhood
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
- Staff Exhibits
 - Long Range Planning Memo
- Applicant Request Letter

161.07 District RSF-4, Residential Single-Family — Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two-family dwellings
Units per acre	4 or less	7 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)

161.32 District P-1, Institutional

(A) *Purpose.* The Institutional District is designed to protect and facilitate use of property owned by public and religious institutions. Larger facilities and institutions may still use historical setback regulations, but public and religious institutions may also choose to use urban form with build-to zones and minimum buildable street frontage allowing administrative approval.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 12b	General business
Unit 20	Commercial recreation, large sites
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities
Unit 42	Clean technologies
Unit 48	Private dormitories

(C) *Density.* None.

(D) *Bulk and Area Regulations.* None.

(E) *Setback Regulations.*

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Side	None
Side, when contiguous to a residential district	15 feet
Rear	20 feet

Urban Form 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 and rear, when contiguous to a single-family residential district	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	6 stories*
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* If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from side boundary line of an adjacent residential district.

The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area*. On any lot the area occupied by all buildings shall not exceed 60% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) *Urban form minimum buildable street frontage*. 50% of the lot width.

(Ord. No. 6945, §5(Exh. D), 12-16-25)

161.37 Urban Neighborhood

(A) *Purpose.* The Urban Neighborhood District is designed to serve as a mixed-use area of medium intensity and provide a transition into residential neighborhoods from more intense, mixed-use districts. Urban Neighborhood promotes a walkable, pedestrian-oriented neighborhood development form with a variety of housing options and complementary neighborhood businesses that are compatible in scale and use with surrounding land uses. For the purpose of Chapter 96: Noise Control, the Urban Neighborhood District is a residential zone.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three- and four-family dwellings
Unit 12b	General business
Unit 13	Eating places
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 40	Sidewalk cafes
Unit 41	Accessory dwelling units
Unit 44	Cluster housing development
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 5	Government facilities
Unit 14	Hotel, motel and amusement services
Unit 15	Neighborhood shopping goods
Unit 36	Wireless communication facilities
Unit 45	Small scale production
Unit 48	Private dormitories

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

All dwellings	12 feet
All other uses	None

(2) *Lot Area Minimum.* None.

(E) *Setback Regulations.*

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
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Side	None
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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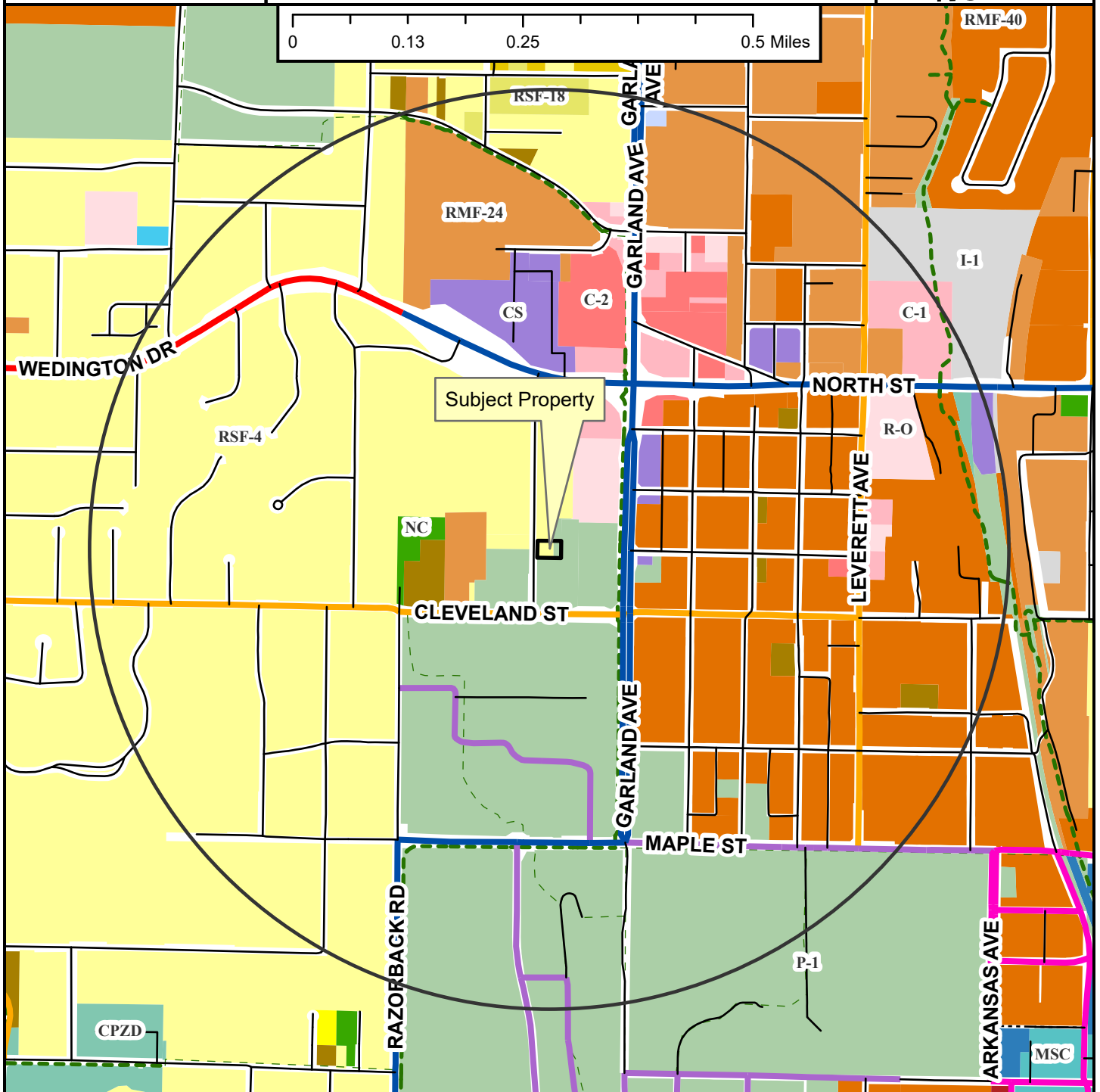
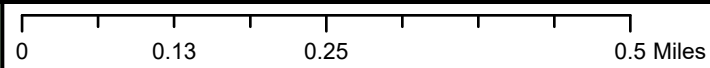
(G) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Ord. No. 6945, §5(Exh. D), 12-16-25)

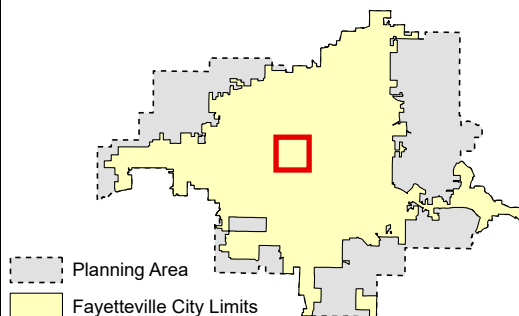
RZN-2026-0010

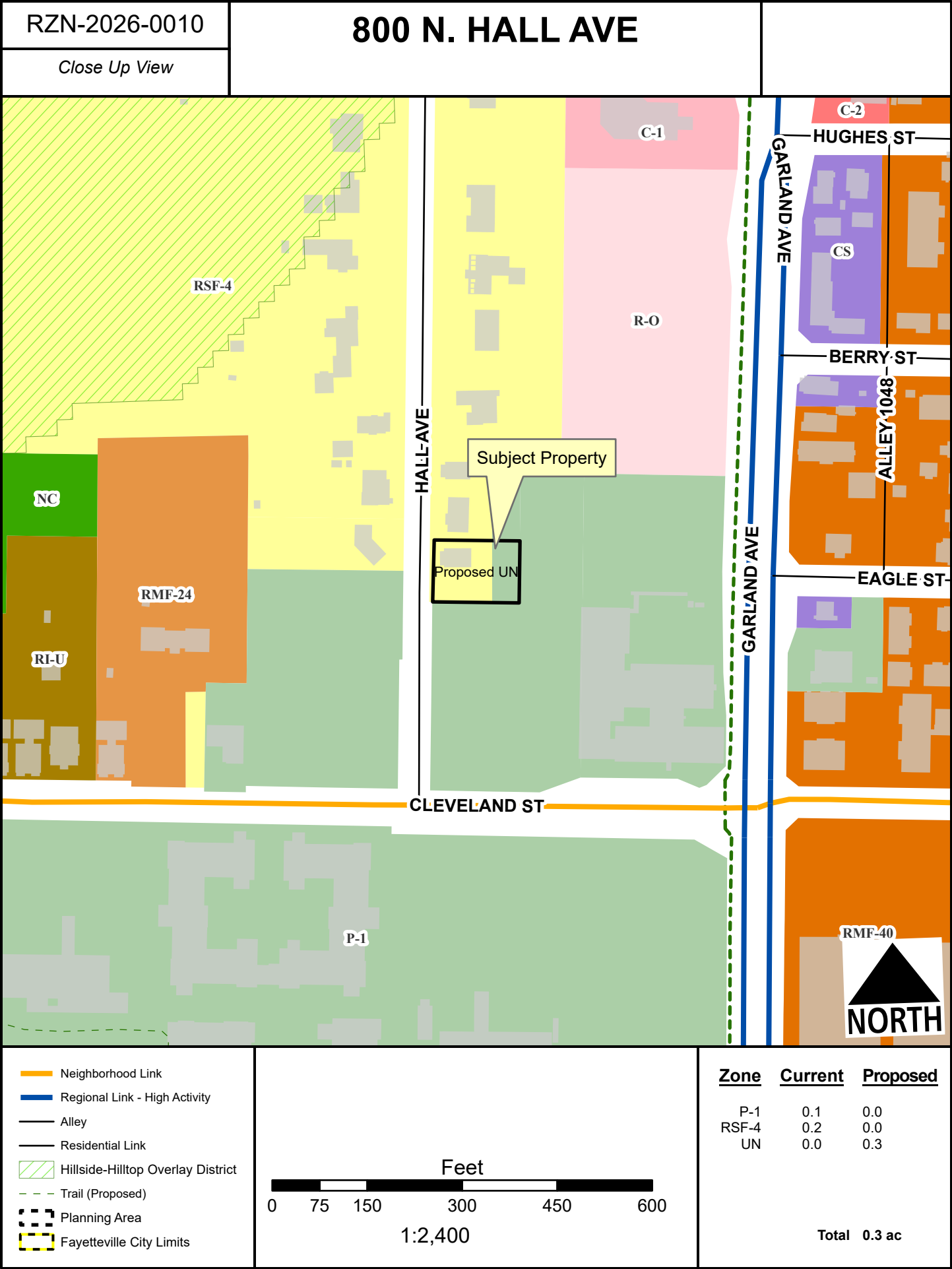
800 N. HALL AVE

One Mile View

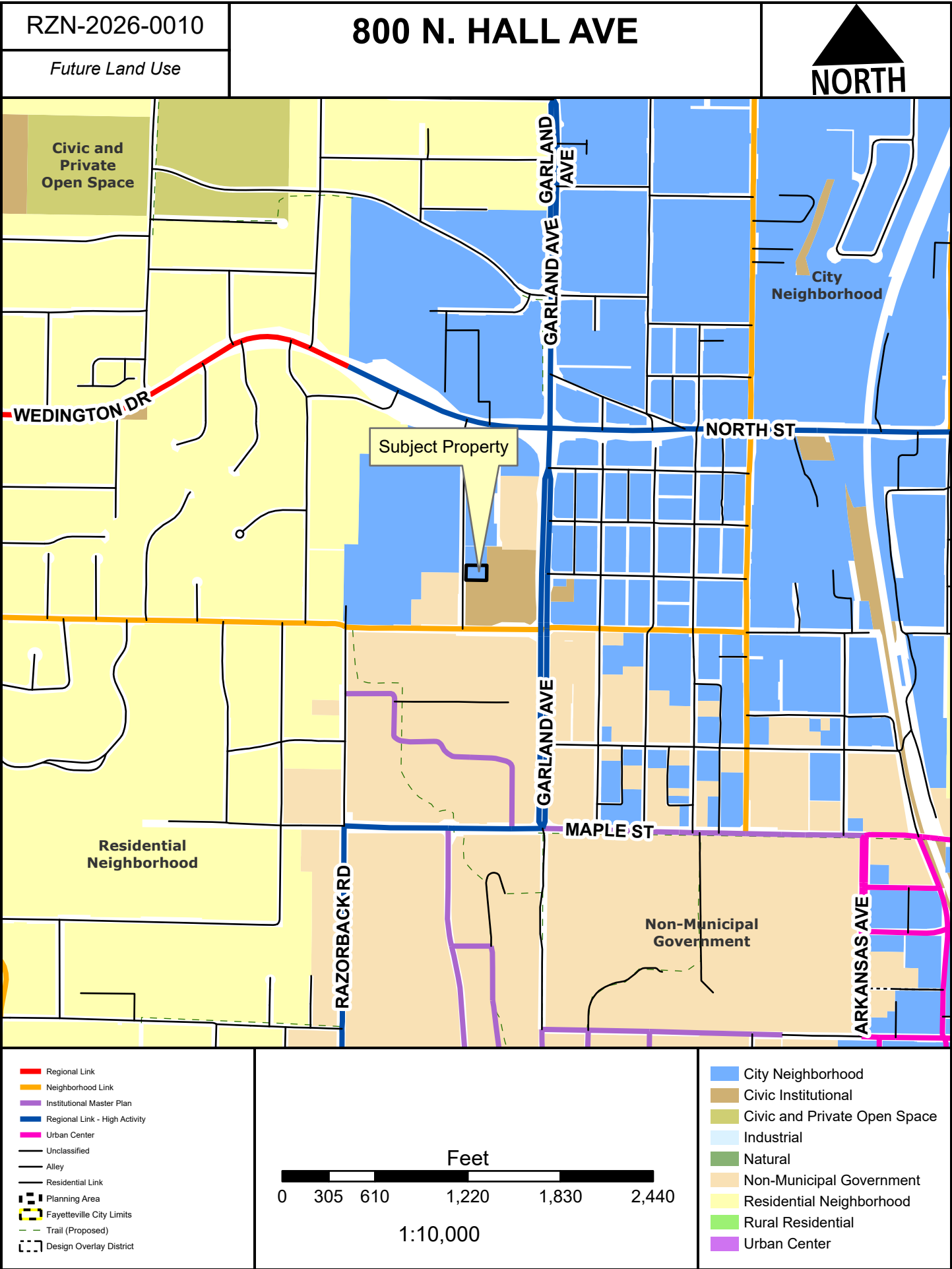


- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area











TO: Donna Wonsower, Senior Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: April 27, 2026

SUBJECT: Long Range Planning Comments Regarding RZN-2026-0010

BACKGROUND:

The applicant requests to rezone approximately 0.32 acres from RSF-4, Residential Single-Family, Four Units Per Acre and P-1, Institutional to UN, Urban Neighborhood. Two long range planning documents are relevant when evaluating this request: *City Plan 2040* and the *Heritage & Historic Preservation Plan*.

City Plan 2040 (2020):

City Plan 2040 includes several relevant plan goals and objectives:

- Goal 1 – We will make appropriate infill and revitalization our highest priority.
- Goal 2 – We will discourage suburban sprawl.
- Goal 3 – We will make compact, complete, and connected development the standard.
- Goal 6 – We will create opportunities for attainable housing.
 - 3.6.1 - Increase housing choices by encouraging a mixture of housing types and sizes dispersed throughout the city and in proximity to transit and active transportation networks. (p.45)

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

Heritage & Historic Preservation Plan (2023):

The City's *Heritage & Historic Preservation Plan* was initiated by City Plan 2040.

Heritage and Historic Preservation Master Plan Relevant Goals and Action Items

1.9	Plan Review	Include historic preservation staff in review of proposed major projects and zoning changes to determine impacts to historic resources.
1.10	Demolition Ordinance	Pass an ordinance to allow for the review of proposed demolitions for resources forty-five years or older. Staff to evaluate each property for significance. Work with property owner to discourage demolition. Reviews should be taken up by HDC as needed.
4.9	Community Engagement: Transparency	Publish information about historic preservation reviews and demolitions of historic properties to increase transparency.

Property History:

The subject property, a single-family front-gabled dwelling constructed ca. 1931, is not eligible for state or National Register of Historic Places due to loss of original materials (siding, windows, doors) but does retain the overall original form.



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 City Neighborhood area, which are “more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses.” This area supports a wide variety of 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 a variety of housing options beyond just single-family and new commercial uses which would contribute to creating complete neighborhoods (Goals 3 & 6). UN would also serve as a transition between the University of Arkansas and adjacent neighborhoods. 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.

4/01/2026

Fayetteville Planning Commission, Andrew Brink, Chair

City of Fayetteville, Arkansas

113 W. Mountain Street

Fayetteville, AR 72701

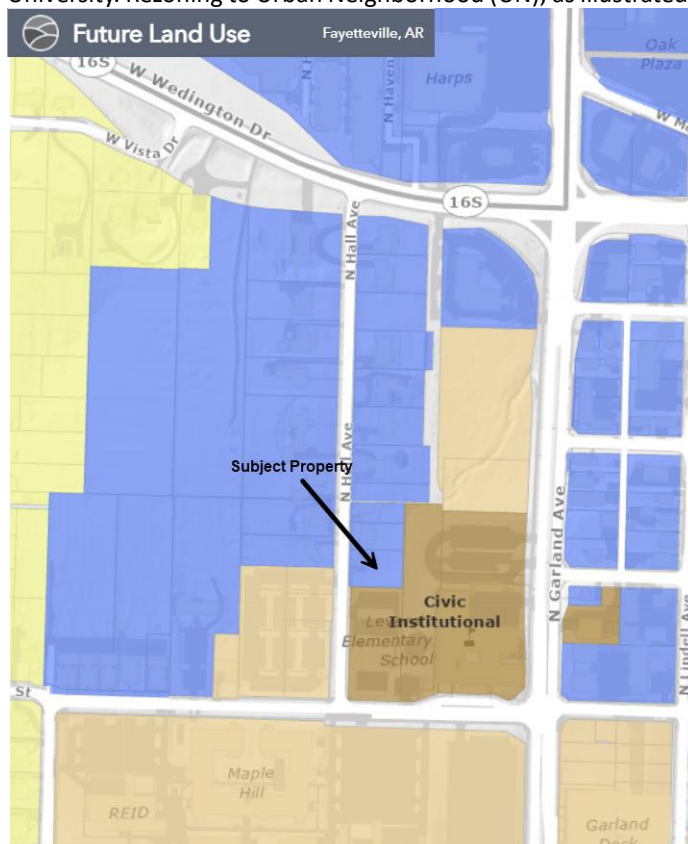
RE: Rezoning Request – 800 N Hall Avenue

Dear Andrew Brink, Chair, Members of the Planning Commission -

We respectfully submit this letter requesting the rezoning of property located at 800 North Hall Avenue in Fayetteville, Arkansas from RSF-4 (Residential Single-Family – 4 Units per Acre) to UN (Urban Neighborhood).

This parcel sits in an area adjacent to the UA and commercial development and redevelopment, where the character of the area is gradually evolving. RSF-4 supports low-density single-family homes, it does not fully reflect the broader mix of housing and neighborhood activity emerging between the Mt Comfort/Garland intersection and the University. Rezoning to Urban Neighborhood (UN), as illustrated in the city's **Future Land Use**, would allow properties

to transition in a thoughtful way that is a better use of the land, helps add stock to our shortage of housing, yet remains compatible with the surrounding neighborhood renaissance.



Compatibility with Surrounding Properties

The proposed rezoning provides for logical transition between existing land uses in the area. The **Subject Property** at the south end of N Hall Avenue, being the first privately owned property adjacent to Fayetteville Public Schools, large parking lots and the UA; just west of the intersection of Cleveland and Garland Avenue, a commercial and institutional area that functions as a corridor where residential properties meet a broader mix of housing types, rentals, commercial stores and eateries, and neighborhood-scale activity. The Urban Neighborhood district is specifically intended for this type of setting by allowing modestly increased residential flexibility while maintaining neighborhood character.

For these reasons, the proposed rezoning is in keeping with the City Council-approved Future Land Use Plan and will not unreasonably or adversely affect or conflict with surrounding land uses. Any future development would still be required to meet the City's development standards for setbacks, landscaping, building placement, and site design, ensuring compatibility with nearby homes.

Supporting Fayetteville's Planning Vision

The City of Fayetteville, Arkansas has emphasized policies that encourage thoughtful infill development, expanded housing options, and efficient use of existing infrastructure. Rezoning these parcels to Urban Neighborhood supports those goals by allowing additional housing opportunities within an established area already served by streets, utilities, and city services.

Housing That Serves the Broader Community

Another important benefit of this rezoning is the opportunity to create housing that serves a broader range of Fayetteville residents. Areas near the university often face development pressure for large-scale high-occupancy student housing. While student housing plays an important role in the city, the Urban Neighborhood district encourages housing types that are more balanced and neighborhood oriented.

Allowing modestly scaled infill housing can provide options for young professionals, small families, and long-time residents who want to remain in central Fayetteville, helping maintain a more stable and diverse residential environment.

A Natural Next Step for the Area

Rezoning 800 North Hall Avenue from RSF-4 to UN represents a reasonable and measured adjustment that aligns with Fayetteville's planning vision. The change supports responsible infill redevelopment, maintains compatibility with surrounding properties, and helps provide housing options that better serve the community.

Thank you for your time and consideration of this request. I appreciate the Planning Commission's continued commitment to thoughtful growth in Fayetteville, Arkansas.

Sincerely,

William F. Clark

DAVIS, BUTT, TAYLOR & CLARK, PLC

75 N. East Ave, Suite 402

P.O. Box 1224

Fayetteville, AR 72702-1224

(479) 521-7600 (phone)

(479) 521-7661 (fax)

www.dbtcfirm.com



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: April 27, 2026

SUBJECT: **RZN-2026-0011: Rezoning (1002 N HALL AVE/ CENTRAL UNITED METHODIST CHURCH INC, 443)** Submitted by WILL CLARK for property located at 1002 N. HALL AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRES and contains approximately 0.40 acres. The request is to rezone the property to UN, URBAN NEIGHBORHOOD

RECOMMENDATION:

Staff recommends approval of **RZN-2026-0011**.

RECOMMENDED MOTION:

*"I move to forward **RZN-2026-0011** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is located in central Fayetteville at the southeast corner of N. Hall Ave. and W. Wedington Dr. The 0.40-acre parcel has been developed with a 2,206 square foot single-family residence which was constructed in 1980 per the Washington County Assessor. The property is not subject to any overlay districts, and does not contain hydric soils, streamside protection, and FEMA floodplain. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Multifamily Residential	CS, Community Services
South	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
East	Mixed Commercial	C-1, Neighborhood Commercial
West	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre

Request: The request is to rezone this property from RSF-4, Residential, Single-Family Four Units per Acre to UN, Urban Neighborhood.

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

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

- Streets:** The subject area has street frontage along W. Wedington Dr., a fully improved high activity regional link with asphalt paving, sidewalk, and curb and gutter. The property also has frontage along N. Hall Ave., a fully improved residential link with asphalt paving, sidewalk and curb and gutter. Any street or drainage 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 12-inch water main is present along W. Wedington Dr. and 6-inch water main is present along N. Hall Ave.
- Sewer:** Sanitary sewer is available to the subject area. Existing 8-inch water main is present along W. Wedington Dr. and 6-inch sewer main is present along N. Hall Ave. 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, and does not contain hydric soils, streamside protection areas, or FEMA floodplain.
- Fire:** Station 2, located at 138 W. North St., protects this site. The property is located approximately 1.3 miles from the fire station with an anticipated drive time of approximately 4 minutes using existing streets. The anticipated response time would be approximately 6.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.
- Police:** The Police Department did not comment on this request.

Tree Preservation:

The current zoning districts of RSF-4 requires **25% minimum canopy preservation**. The proposed zoning district of UN requires **15% minimum canopy preservation**.

CITY PLAN 2040 FUTURE LAND USE PLAN: The City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **City Neighborhood**.

City Neighborhood Areas are more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single family to multi-family. Non-residential and commercial uses are primarily located at street intersections and along major corridors. Ideally, commercial uses would have a residential component and vary in size, variety and intensity. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Building setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of **10** for this site with a weighted score of **12.5**. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 2, W. North St.)
- Near Sewer Main (6 inch main, N. Hall Ave.)

- Near Water Main (6 inch main, N. Hall Ave.)
- Near Grocery Store (Harps)
- Near Public School (Leverett Elementary School)
- Near U of A Campus
- Near City Park (Lewis Soccer Complex)
- Near Paved Trail (Garland Ave. Side Path)
- Near Razorback Bus Stop (Harps)
- 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:*** The subject property abuts W. Wedington Dr., a high-activity regional link, and is close to non-residential uses such as grocery stores, restaurants, and retail located at the intersection of Garland Ave. and W. Wedington. Surrounding housing is a mix of primarily single-family dwellings south of W. Wedington Dr. with more diverse housing types including multifamily structures to the north. There are also large institutional uses including the University of Arkansas and Leverett Elementary School nearby. UN permits a mix of low-intensity residential types, including up to four-unit buildings, with a minimum lot width of 12 feet. UN permits missing middle housing types with smaller lot size requirements, encouraging compatible infill development without disrupting neighborhood scale. UN would also require a 0'-25' build-to zone, which is somewhat inconsistent with housing immediately adjacent to the property, but which does align with housing located further south adjacent to the university. Additionally, staff finds that parking, drainage, tree preservation and other requirements will likely limit the development potential of the parcel.

UN also permits low-intensity commercial uses such as restaurants, sidewalk cafes, offices, and general business such as small retail establishments. Staff finds these uses to be compatible with adjacent uses and that the insertion of small-scale commercial adjacent to a high-activity regional link and near public schools could contribute to walkable neighborhoods. No historic structures are located on the property which could be negatively impacted by future development or redevelopment.

Land Use Plan Analysis: Staff finds the proposed zoning to be consistent with the property's Future Land Use Map designation as a City Neighborhood Area. Staff finds the UN zoning district would bring the property's zoning into closer alignment with these surrounding permitted uses than the current single-family only district.

Further, the intersection of Wedington and Garland, less than 300 feet to the east, is defined as a Tier 2 Center per City Plan 2040. Tier 2 Centers are described as "characterized by housing that ranges from one- to three- story

detached dwellings, duplexes, row houses, and mid-rise apartments. Commercial uses will be mixed-use and office buildings.” The property has a high infill score of 10 with a weighted score of 12.5, indicating it is a suitable location for infill development. Staff finds that UN is consistent with this designation as a Tier 2 center and that infill in this area could help support City Plan 2040 Goals 1 and 3 by promoting moderate infill in an area that is highly walkable, near transit routes, and which include a high degree of nonresidential services.

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. UN allows for mixed use developments and increased housing typologies with small lot sizes, potentially enabling homeownership of smaller, more attainable dwelling units in an area of town with a high concentration of services and amenities.

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 UN could increase development potential and its associated traffic impact on the site the rezoning would remove the current density maximum of four units per acre. However, staff find the small size of the property is likely to naturally limit development potential and that the ultimate added density is unlikely to appreciably increase traffic danger or congestion at this location. Further, the property has frontage on a high-activity regional link that can likely support additional traffic.

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 UN has smaller lot sizes and no density maximums, potentially increasing population density. However, the property is small in size and directly adjacent to a major street. The property is also near a public K-12 school and the University of Arkansas, both of 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-2026-0011 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required YES

Date: April 27, 2026

☐ Tabled

☐ Forwarded

☐ Denied

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.07 Residential Single-Family, Four Units per Acre
 - §161.37 UN, Urban Neighborhood
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
- Staff Exhibits
 - Long Range Planning Memo
- Applicant Request Letter

161.07 District RSF-4, Residential Single-Family — Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two-family dwellings
Units per acre	4 or less	7 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)

161.37 Urban Neighborhood

(A) *Purpose.* The Urban Neighborhood District is designed to serve as a mixed-use area of medium intensity and provide a transition into residential neighborhoods from more intense, mixed-use districts. Urban Neighborhood promotes a walkable, pedestrian-oriented neighborhood development form with a variety of housing options and complementary neighborhood businesses that are compatible in scale and use with surrounding land uses. For the purpose of Chapter 96: Noise Control, the Urban Neighborhood District is a residential zone.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
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Unit 26	Multi-family dwellings
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Unit 41	Accessory dwelling units
Unit 44	Cluster housing development
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
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Unit 36	Wireless communication facilities
Unit 45	Small scale production
Unit 48	Private dormitories

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

All dwellings	12 feet
All other uses	None

(2) *Lot Area Minimum.* None.

(E) *Setback Regulations.*

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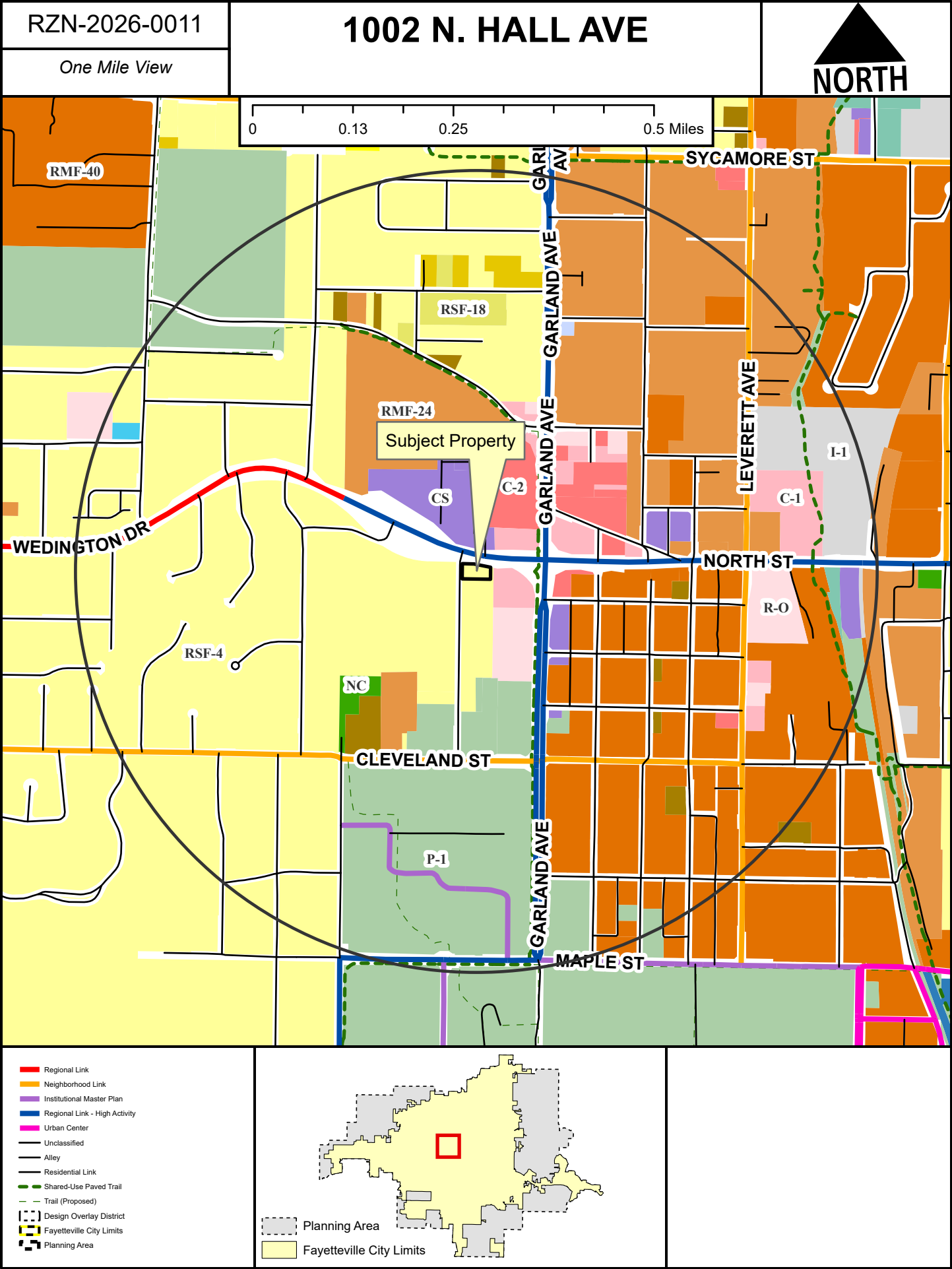
Side	None
Rear	5 feet
Rear, from center line of an alley	12 feet

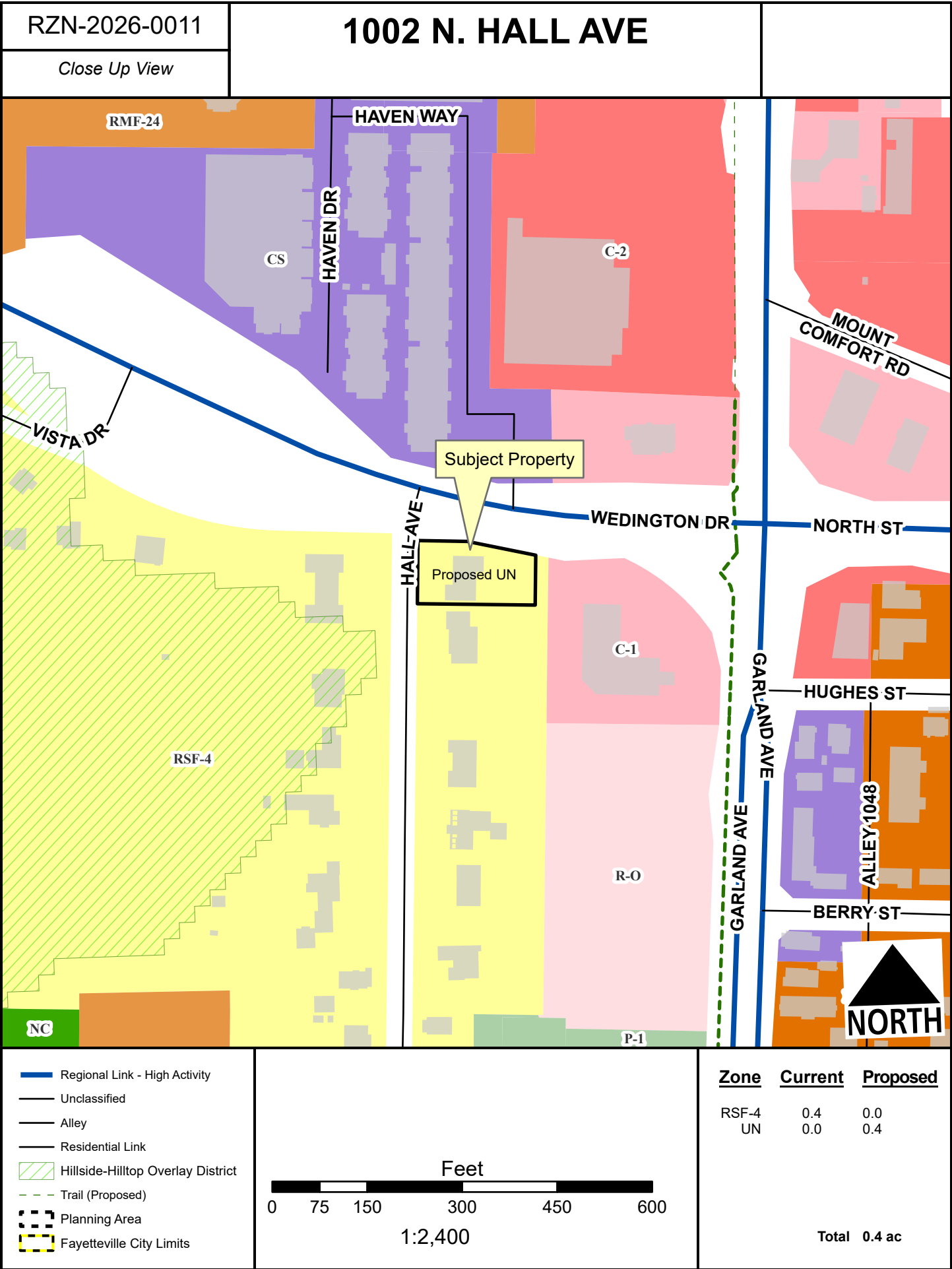
(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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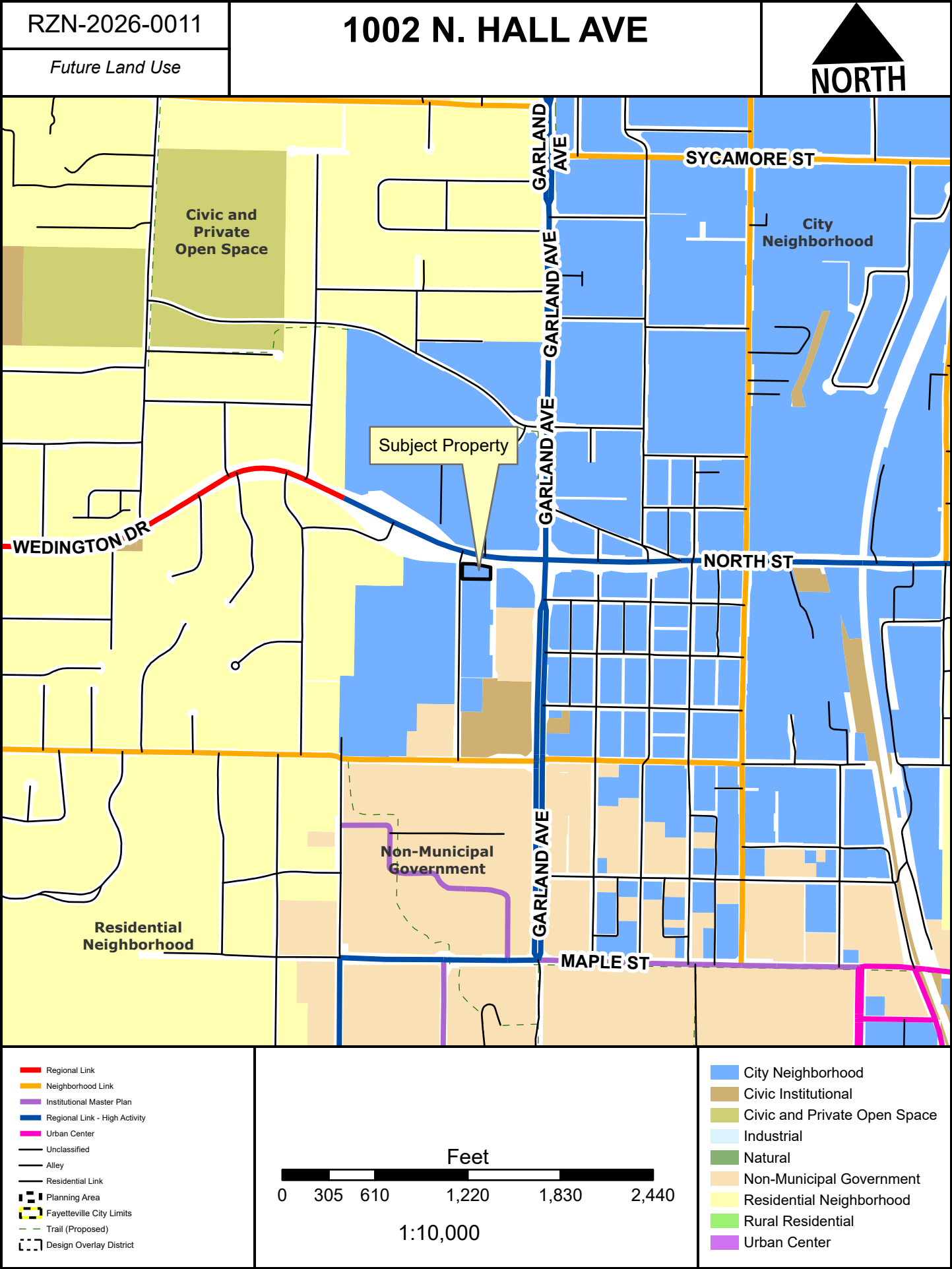
(G) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Ord. No. 6945, §5(Exh. D), 12-16-25)











TO: Donna Wonsower, Senior Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: April 27, 2026

SUBJECT: Long Range Planning Comments Regarding RZN-2026-0011

BACKGROUND:

The applicant requests to rezone approximately 0.40 acres from RSF-4, Residential Single-Family, Four Units Per Acre to UN, Urban Neighborhood. Two long range planning documents are relevant when evaluating this request: *City Plan 2040* and the *Heritage & Historic Preservation Plan*.

City Plan 2040 (2020):

City Plan 2040 includes several relevant plan goals and objectives:

- Goal 1 – We will make appropriate infill and revitalization our highest priority.
- Goal 2 – We will discourage suburban sprawl.
- Goal 3 – We will make compact, complete, and connected development the standard.
- Goal 6 – We will create opportunities for attainable housing.
 - 3.6.1 - Increase housing choices by encouraging a mixture of housing types and sizes dispersed throughout the city and in proximity to transit and active transportation networks. (p.45)

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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.

Property History:

The subject property, a single-family front-gabled dwelling constructed in 1980, is not of historic age and not eligible for state or National Register of Historic Places.

**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 City Neighborhood area, which are “more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses.” This area supports a wide variety of 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 a variety of housing options beyond just single-family and new commercial uses which would contribute to creating complete neighborhoods (Goals 3 & 6). UN would also serve as a transition between the University of Arkansas and adjacent neighborhoods, or as a transition from Wedington into the 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.

4/01/2026

Fayetteville Planning Commission, Andrew Brink, Chair

City of Fayetteville, Arkansas

113 W. Mountain Street

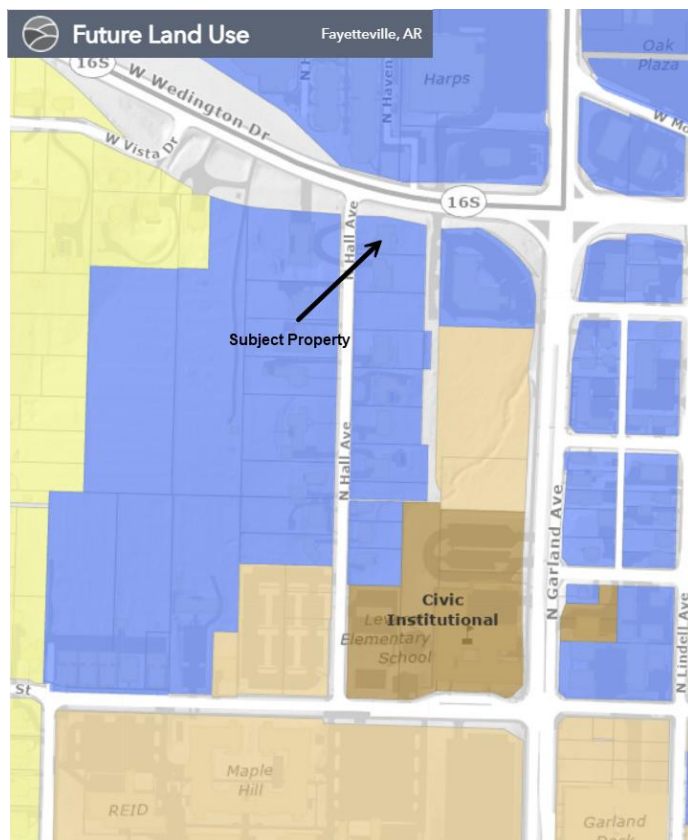
Fayetteville, AR 72701

RE: Rezoning Request – 1002 N Hall Avenue

Dear Andrew Brink, Chair, Members of the Planning Commission -

We respectfully submit this letter requesting the rezoning of property located at 1002 North Hall Avenue in Fayetteville, Arkansas from RSF-4 (Residential Single-Family – 4 Units per Acre) to UN (Urban Neighborhood).

This parcel sits in an area adjacent to the UA and commercial development and redevelopment, where the character of the area is gradually evolving. RSF-4 supports low-density single-family homes, it does not fully reflect the broader mix of housing and neighborhood activity emerging between the Mt Comfort/Garland intersection and the University. Rezoning to Urban Neighborhood (UN), as illustrated in the city's **Future Land Use**, would allow properties



to transition in a thoughtful way that is a better use of the land, helps add stock to our shortage of housing, yet remains compatible with the surrounding neighborhood renaissance.

Compatibility with Surrounding Properties

The proposed rezoning provides for logical transition between existing land uses in the area. The **Subject Property** at the corner of Wedington/Hwy 16w and N Hall Avenue, adjacent to the major intersection of Wedington/Hwy 16w and Garland Avenue, a commercial and institutional area that functions as a corridor where residential properties meet a broader mix of housing types, multifamily rentals, large-scale student housing, commercial stores and eateries. The Urban Neighborhood district is specifically intended for this type of setting by allowing modestly increased residential flexibility while maintaining neighborhood character.

For these reasons, the proposed rezoning is in keeping with the City Council-approved Future Land Use Plan and will not unreasonably or adversely affect or conflict with surrounding land uses. Any future development would still be required to meet the City's development standards for setbacks, landscaping, building placement, and site design, ensuring compatibility with nearby homes.

Supporting Fayetteville's Planning Vision

The City of Fayetteville, Arkansas has emphasized policies that encourage thoughtful infill development, expanded housing options, and efficient use of existing infrastructure. Rezoning these parcels to Urban Neighborhood supports those goals by allowing additional housing opportunities within an established area already served by streets, utilities, and city services.

Housing That Serves the Broader Community

Another important benefit of this rezoning is the opportunity to create housing that serves a broader range of Fayetteville residents. Areas near the university often face development pressure for large-scale high-occupancy student housing. While student housing plays an important role in the city, the Urban Neighborhood district encourages housing types and mixed uses that are more balanced and neighborhood oriented.

Allowing modestly scaled infill housing can provide options for young professionals, small families, and long-time residents who want to remain in central Fayetteville, helping maintain a more stable and diverse residential environment.

A Natural Next Step for the Area

Rezoning 1002 North Hall Avenue from RSF-4 to UN represents a reasonable and measured adjustment that aligns with Fayetteville's planning vision. The change supports responsible infill redevelopment, maintains compatibility with surrounding properties, and helps provide housing options that better serve the community.

Thank you for your time and consideration of this request. I appreciate the Planning Commission's continued commitment to thoughtful growth in Fayetteville, Arkansas.

Sincerely,

William F. Clark

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