

Alderman Adella Gray
Ward 1 Position 1

Alderman Sarah Marsh
Ward 1 Position 2

Alderman Mark Kinion
Ward 2 Position 1

Alderman Matthew Petty
Ward 2 Position 2



Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. Smith

Alderman Justin Tennant
Ward 3 Position 1

Alderman Martin W. Schoppmeyer, Jr.
Ward 3 Position 2

Alderman John La Tour
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

**City of Fayetteville Arkansas
City Council Meeting
February 16, 2016**

A meeting of the Fayetteville City Council was held on February 16, 2016 at 5:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

City Council Meeting Presentations, Reports, and Discussion Items:

Agenda Additions:

A. Consent:

1. Approval of the January 19, 2016 City Council Meeting Minutes.

APPROVED

2. **Mitchell, Williams, Selig, Gates & Woodyard, PLLC Amendment No. 3:** A resolution to approve amendment No. 3 to the contract with Mitchell, Williams, Selig, Gates & Woodyard, PLLC in the amount of \$25,000.00 for additional legal services related to the White River water quality standards petition to the Arkansas Pollution Control and Ecology Commission, and to approve a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION 46-16

B. Unfinished Business: None

C. Public Hearing:

1. **Raze and Removal and Clean-up at 550 W. Skelton Street:** A resolution to order the razing and removal of a dilapidated and unsafe structure and clean-up of unsanitary and unsightly conditions on property owned by U.S. Bank National Association located at 550 W. Skelton Street in the City of Fayetteville, Arkansas, and to approve a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION 47-16

2. **Raze and Removal 1180 E. Huntsville Road:** A resolution to order the razing and removal of a dilapidated and unsafe structure owned by Aaron Kendall Kirk and John Paul Keary located at 1180 E. Huntsville Road in the City of Fayetteville, Arkansas, and to approve a budget adjustment.

THIS RESOLUTION WAS TABLED INDEFINITELY

D. New Business:

1. **Watershed Conservation Resource Center Task Order No. 4:** A resolution to approve Task Order No. 4 with the Watershed Conservation Resource Center in the amount of \$79,500.00 for continued native vegetation establishment efforts and minor adjustments to existing restoration areas to enhance stream channel stability.

PASSED AND SHALL BE RECORDED AS RESOLUTION 48-16

2. **Northwest Arkansas Regional Planning Commission One-Year Contract:** An ordinance to waive the requirements of formal competitive bidding and approve a one-year contract with the Northwest Arkansas Regional Planning Commission in the amount of \$40,017.86 for a Stormwater Education Program for 2016.

PASSED AND SHALL BE RECORDED AS ORDINANCE 5850

3. **Amend the Master Street Plan:** A resolution to amend the Master Street Plan by reclassifying North College Avenue between Maple Street and North Street from five lane principal arterial with an 87 foot right of way to a four lane thoroughfare with a 63 foot right of way.

PASSED AND SHALL BE RECORDED AS RESOLUTION 49-16

4. **VAC 15-5280 (5 W. Appleby RD./WRMC Offices):** An ordinance to approve VAC 15-5280 submitted by USI Consulting Engineers, Inc. for property located at 5 W. Appleby Road to vacate portions of sewer and drainage easements.

PASSED AND SHALL BE RECORDED AS ORDINANCE 5851

5. **VAC 15-5287 (SW Corner of Persimmon & Mtn. Ranch Blvd./Park Hill Mtn. Ranch):** An ordinance to approve VAC 15-5287 submitted by Jorgensen and Associates, Inc. for property located at the southwest corner of Persimmon and Mountain Ranch Boulevard to vacate portions of utility easements.

PASSED AND SHALL BE RECORDED AS ORDINANCE 5852

6. **VAC 16-5303 (4200 W. Mahogany Dr./Bradford):** An ordinance to approve VAC 16-5303 submitted by Reid and Associates, Inc. for property located at 4200 West Mahogany to vacate a portion of utility easement.

PASSED AND SHALL BE RECORDED AS ORDINANCE 5853

7. **RZN 15-5240 (2514 W. Lori Rd./Razorback Golf Course):** An ordinance to rezone that property described in Rezoning Petition RZN 15-5240 for approximately 128 acres located at 2514 West Lori Road from R-A, Residential-Agricultural; RSF-1, Residential Single Family one unit per acre; and RSF-4, Residential Single Family , 4 units per acre to R-A , Residential-Agricultural; RMF-24, Residential Multi-Family, 24 units per acre; NC, Neighborhood Conservation; and NS, Neighborhood Services, subject to a Bill of Assurance.

THIS ORDINANCE WAS LEFT ON THE FIRST READING

8. **Amend §72.58 Off-Street Parking Facilities; Rules and Rates:** An ordinance to Amend §72.58 **Off-Street Parking Facilities; Rules and Rates** (M) to limit the Mayor's authority to assign any city owned paid parking lots or on-street paid parking spaces within the Entertainment District or the closure of city streets for the use of a permitted special event to not more than two (2) days per year without express approval of the City Council.

THIS ORDINANCE WAS LEFT ON THE FIRST READING

E. City Council Agenda Session Presentations:

1. Agenda Session Presentation: Airport update by Johnny Roscoe, Airport Director.
2. Agenda Session Presentation: Quarterly Economic Development Presentation, Chung Tan.

F. City Council Tour:

G. Announcements:

H. Adjournment: 9:07 p.m.

Subject:	ROLL				
<i>Alderman Petty arrived at 5:35 pm</i>	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Mayor Jordan	✓			

9-0

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Schoppmeyer				
	La Tour				
	Long				
	Mayor Jordan				

Subject:	CONSENT				
Motion To:					
Motion By:		<i>Approve</i>			
Motion By:		<i>Marsh</i>			
Seconded:		<i>Gray</i>			
<i>Minutes</i> <i>Approved</i> <i>Approved</i> <i>44-16</i>	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	<i>Absent during the vote.</i>			
	Tennant	<i>Absent during the vote.</i>			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Mayor Jordan				

6-0

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Schoppmeyer				
	La Tour				
	Long				
	Mayor Jordan				

Subject:	RAZE AND REMOVAL AND CLEAN-UP AT 550 W. SKELTON STREET				
Motion To:		<i>Approve</i>			
Motion By:		<i>Gray</i>			
Seconded:		<i>Marsh</i>			
C. 1 Public Hearing <i>Passed</i> <i>47-16</i>	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Mayor Jordan				

8-0

Subject:	RAZE AND REMOVAL 1180 E. HUNTSVILLE ROAD				
Motion To:		<i>Table</i> <i>Indef.</i>			
Motion By:		<i>Marsh</i>			
Seconded:		<i>Long</i>			
C. 2 Public Hearing <i>Tabled</i> <i>Indef.</i>	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Mayor Jordan				

8-0

Subject:	WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO. 4				
Motion To:		<i>Approve</i>			
Motion By:		<i>Gray</i>			
Seconded:		<i>Marsh</i>			
D. 1 New Business <i>passed</i> <i>48-14</i>	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	<i>N</i>			
	Long	✓			
	Mayor Jordan				

7-1

Subject:	NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION ONE-YEAR CONTRACT				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Pass</i>	
Motion By:		<i>Marsh</i>	<i>Gray</i>		
Seconded:		<i>Gray</i>	<i>Marsh</i>		
D. 2 New Business <i>passed</i> <i>5850</i>	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

8-0

Subject:	AMEND THE MASTER STREET PLAN				
Motion To:		<i>Approve</i>			
Motion By:		<i>Petty</i>			
Seconded:		<i>Marsh</i>			
D. 3 New Business <i>passed</i> <i>49-16</i>	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Mayor Jordan				

7-1

Subject:	VAC 15-5280 (5 W. APPLEBY RD./WRMC OFFICES)				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Pass</i>	
Motion By:		<i>Gray</i>	<i>Long</i>		
Seconded:		<i>Long</i>	<i>La Tour</i>		
D. 4 New Business <i>passed</i> <i>58-51</i>	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	<i>absent during the vote</i>	<i>absent during the vote.</i>	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
	Mayor Jordan				

8-0

7-0

7-0

Subject:	VAC 15-5287 (SW CORNER OF PERSIMMON & MTN.RANCH BLVD./PARK HILL MTN. RANCH)				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Pass</i>	
Motion By:		<i>Gray</i>	<i>Gray</i>		
Seconded:		<i>Long</i>	<i>Marsh</i>		
D. 5 New Business <i>passed</i> <i>5852</i>	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	<i>absent during the vote.</i>	✓	✓	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
	Mayor Jordan				
		<i>7-0</i>	<i>8-0</i>	<i>8-0</i>	

Subject:	VAC 16-5303 (4200 W. MAHOGANY DR./BRADFORD)				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Pass</i>	
Motion By:		<i>Marsh</i>	<i>Marsh</i>		
Seconded:		<i>La Tour</i>	<i>Gray</i>		
D. 6 New Business <i>passed</i> <i>5853</i>	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
	Mayor Jordan				
		<i>8-0</i>	<i>8-0</i>	<i>8-0</i>	

Subject:	RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE)				
Motion To:		<i>Amend agenda Add presentation</i>			
Motion By:		<i>Long</i>			
Seconded:		<i>La Tour</i>			
D. 7 New Business <i>Left on the first Reading</i>	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Mayor Jordan				

8-0

Subject:	AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES				
Motion To:					
Motion By:					
Seconded:					
D. 8 New Business <i>Left on the first Reading</i>	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Schoppmeyer				
	La Tour				
	Long				
	Mayor Jordan				



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Patti Mulford
Paralegal

TO: Mayor Jordan

THRU: Sondra Smith, City Clerk

FROM: Kit Williams, City Attorney

DATE: February 17, 2016

RE: Resolutions and Ordinances prepared by the City Attorney's Office and passed at the City Council meeting of February 16, 2016

1. A resolution to approve Amendment No. 3 to the contract with Mitchell, Williams, Selig, Gates & Woodyard, PLLC in the amount of \$25,000.00 for additional legal services related to the White River water quality standards petition to the Arkansas Pollution Control and Ecology Commission, and to approve a budget adjustment.
2. A resolution to order the razing and removal of a dilapidated and unsafe structure and clean-up of unsanitary and unsightly conditions on property owned by U.S. Bank National Association located at 550 W. Skelton Street in the City of Fayetteville, Arkansas, and to approve a budget adjustment.
3. A resolution to approve Task Order No. 4 with the Watershed Conservation Resource Center in the amount of \$79,500.00 for continued native vegetation establishment efforts and minor adjustments to existing restoration areas to enhance stream channel stability.
4. An ordinance to waive the requirements of formal competitive bidding and approve a one-year contract with the Northwest Arkansas Regional Planning Commission in the amount of \$40,888.80 for a Stormwater Education Program for 2016.
5. A resolution to amend the Master Street Plan by reclassifying North College Avenue between Maple Street and North Street from five lane principal arterial with an 87 foot right of way to a four lane thoroughfare with a 63 foot right of way.
6. An ordinance to approve VAC 15-5280 submitted by USI Consulting Engineers, Inc. for property located at 5 W. Appleby Road to vacate portions of sewer and drainage easements.

7. An ordinance to approve VAC 15-5287 submitted by Jorgensen and Associates, Inc. for property located at the southwest corner of Persimmon and Mountain Ranch Boulevard to vacate portions of utility easements.
8. An ordinance to approve VAC 16-5303 submitted by Reid and Associates, Inc. for property located at 4200 West Mahogany to vacate a portion of utility easement.

City of Fayetteville, Arkansas

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



Meeting Agenda - Final Agenda

Tuesday, February 16, 2016

5:30 PM

City Hall Room 219

City Council Meeting

Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith

Call To Order**Roll Call****Pledge of Allegiance****Mayor's Announcements, Proclamations and Recognitions****City Council Meeting Presentations, Reports and Discussion Items:****Agenda Additions:****A. Consent:****A. 1 [2015-0641](#)**

APPROVAL OF THE FEBRUARY 2, 2016 CITY COUNCIL MEETING MINUTES.

A. 2 [2016-0009](#)**MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC
AMENDMENT NO. 3:**

A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE CONTRACT WITH MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC IN THE AMOUNT OF \$25,000.00 FOR ADDITIONAL LEGAL SERVICES RELATED TO THE WHITE RIVER WATER QUALITY STANDARDS PETITION TO THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:

[NEWLY REVISED Mitchell Williams Amendment No. 3 Legistar Packet](#)

[NEWLY REVISED BA - Mitchell Williams Amendment No. 3](#)

[PACKET HAS BEEN REVISED Mitchell Williams Amendment No. 3 Legistar Pa](#)

B. Unfinished Business: None**C. Public Hearing:**

C. 1 [2016-0059](#)**RAZE AND REMOVAL AND CLEAN-UP AT 550 W. SKELTON STREET:**

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE AND CLEAN-UP OF UNSANITARY AND UNSIGHTLY CONDITIONS ON PROPERTY OWNED BY U.S. BANK NATIONAL ASSOCIATION LOCATED AT 550 W. SKELTON STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:[550 Skelton Agenda Packet](#)[BA - 550 Skelton](#)**C. 2** [2016-0058](#)**RAZE AND REMOVAL 1180 E. HUNTSVILLE ROAD:**

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY AARON KENDALL KIRK AND JOHN PAUL KEARY LOCATED AT 1180 E. HUNTSVILLE ROAD IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:[1180 Huntsville Agenda Packet](#)[BA - 1180 Huntsville](#)**D. New Business:****D. 1** [2016-0067](#)**WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO. 4:**

A RESOLUTION TO APPROVE TASK ORDER NO. 4 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF \$79,500.00 FOR CONTINUED NATIVE VEGETATION ESTABLISHMENT EFFORTS AND MINOR ADJUSTMENTS TO EXISTING RESTORATION AREAS TO ENHANCE STREAM CHANNEL STABILITY

Attachments:[2016-0067 Vegetation Restoration and Stability](#)

D. 2 [2016-0056](#)**NORTHWEST ARKANSAS REGIONAL PLANNING
COMMISSION ONE-YEAR CONTRACT:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A ONE-YEAR CONTRACT WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$40,017.86 FOR A STORMWATER EDUCATION PROGRAM FOR 2016

Attachments: [2016-0056 Stormwater Education Agreement](#)

D. 3 [2016-0065](#)**AMEND THE MASTER STREET PLAN:**

A RESOLUTION TO AMEND THE MASTER STREET PLAN BY RECLASSIFYING NORTH COLLEGE AVENUE BETWEEN MAPLE STREET AND NORTH STREET FROM FIVE LANE PRINCIPAL ARTERIAL WITH AN 87 FOOT RIGHT OF WAY TO A FOUR LANE THOROUGHFARE WITH A 63 FOOT RIGHT OF WAY

Attachments: [15-5283 Full CC Packet](#)

D. 4 [2016-0064](#)**VAC 15-5280 (5 W. APPLEBY RD./WRMC OFFICES):**

AN ORDINANCE TO APPROVE VAC 15-5280 SUBMITTED BY USI CONSULTING ENGINEERS, INC. FOR PROPERTY LOCATED AT 5 W. APPLEBY ROAD TO VACATE PORTIONS OF SEWER AND DRAINAGE EASEMENTS

Attachments: [15-5280 Full CC Packet](#)

D. 5 [2016-0060](#)**VAC 15-5287 (SW CORNER OF PERSIMMON & MTN.RANCH
BLVD./PARK HILL MTN. RANCH):**

AN ORDINANCE TO APPROVE VAC 15-5287 SUBMITTED BY JORGENSEN AND ASSOCIATES, INC. FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF PERSIMMON AND MOUNTAIN RANCH BOULEVARD TO VACATE PORTIONS OF UTILITY EASEMENTS

Attachments: [15-5287 CC reports](#)

D. 6 [2016-0062](#)**VAC 16-5303 (4200 W. MAHOGANY DR./BRADFORD):**

AN ORDINANCE TO APPROVE VAC 16-5303 SUBMITTED BY REID AND ASSOCIATES, INC. FOR PROPERTY LOCATED AT 4200 WEST MAHOGANY TO VACATE A PORTION OF UTILITY EASEMENT

Attachments:[16-5303 CC packet](#)**D. 7** [2016-0061](#)**RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5240 FOR APPROXIMATELY 128 ACRES LOCATED AT 2514 WEST LORI ROAD FROM R-A, RESIDENTIAL-AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE; AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO R - A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; AND NS, NEIGHBORHOOD SERVICES, SUBJECT TO A BILL OF ASSURANCE

Attachments:[RZN 15-5240 CC reports](#)**D. 8** [2016-0057](#)**AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:**

AN ORDINANCE TO AMEND § 72.58 **OFF-STREET PARKING FACILITIES; RULES AND RATES** (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

Attachments:[Agenda Request Form § 72.58](#)[Additional Amend 72.58](#)**E. City Council Agenda Session Presentations:**

E. 1 [2015-0587](#)

AGENDA SESSION PRESENTATION: AIRPORT UPDATE BY
JOHNNY ROSCOE, AIRPORT DIRECTOR

E. 2 [2016-0043](#)

AGENDA SESSION PRESENTATION: QUARTERLY ECONOMIC
DEVELOPMENT PRESENTATION, CHUNG TAN

F. City Council Tour:**G. Announcements:****H. Adjournment****NOTICE TO MEMBERS OF THE AUDIENCE**

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

All cell phones must be silenced and may not be used within the City Council Chambers.

Below is a portion of the Rules of Order and Procedure of the Fayetteville City Council pertaining to City Council meetings:

Agenda additions: A new item which is requested to be added to the agenda at a City Council meeting should only be considered if it requires immediate City Council consideration and if the normal agenda setting process is not practical. The City Council may only place such new item on the City Council meeting's agenda by suspending the rules by two-thirds vote. Such agenda addition shall be heard prior to the Consent Agenda.

Consent Agenda: Consent Agenda items shall be read by the Mayor and voted upon as a group without discussion by the City Council. If an Alderman wishes to comment upon or discuss a Consent Agenda item, that item shall be removed and considered immediately after the Consent Agenda has been voted upon.

Old business and new business.

Presentations by staff and applicants. Agenda items shall be introduced by the Mayor and, if an ordinance, read by the City Attorney. City staff shall then present a report. An agenda applicant (city contractor, rezoning or development applicant, etc.) may present its proposal only during this presentation period, but may be recalled by an alderman later to answer questions. Staff and applicants may use electronic visual aids in a City Council meeting as part of their presentation.

Public comments. Public comment shall be allowed for all members of the audience on all items of old and new business and subjects of public hearings. No electronic visual aid presentations shall be allowed, but the public may submit photos, petitions, etc. to be distributed to the City Council. If a member of the public wishes for the City Clerk to distribute materials to the City Council before its meeting, such materials should be supplied to the City Clerk office no later than 9:00 a.m. on the day of the City Council meeting. Any member of the public shall first state his or her name and address, followed by a concise statement of the person's position on the question under discussion. Repetitive comments should be avoided; this applies to comments made previously either to the City Council or to the Planning Commission when those Planning Commission minutes have been provided to the Aldermen. All remarks shall be addressed to the Mayor or the City Council as a whole and not to any particular member of the City Council. No person other than the Aldermen and the person having the floor shall be permitted to enter into any discussions without permission of the Mayor. No questions shall be directed to an Alderman or city staff member except through the Mayor.

Courtesy and respect.

All members of the public, all city staff and elected officials shall accord the utmost courtesy and respect to each other at all times. All shall refrain from rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives or personalities. Any member of the public who violates these standards shall be ruled out of order by the Mayor, must immediately cease speaking and shall leave the podium.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 479-575-8330.

A copy of the complete City Council agenda is available at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.

City of Fayetteville Staff Review Form

2016-0009

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander

2/5/2016

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of Amendment No. 3 to the Contract with Mitchell Williams, Selig, Gates & Woodyard (Mitchell Williams) in the amount of \$25,000 for additional legal services related to the White River Water Quality Standards Petition to the Arkansas Pollution Control and Ecology Commission and approval of a budget adjustment.

Budget Impact:

5400.5700.5314.00		Water/Sewer	
Account Number		Fund	
11014.1102		White River NPDES UAA and APCEC Action	
Project Number		Project Title	
Budgeted Item?	Yes	Current Budget	\$ 33,668.00
		Funds Obligated	\$ 20,235.74
		Current Balance	\$ 13,432.26
Does item have a cost?	Yes	Item Cost	\$ 25,000.00
		Budget Adjustment	\$ 11,568.00
Budget Adjustment Attached?	Yes	Remaining Budget	\$ 0.26

V20140710

Previous Ordinance or Resolution # 80-14

Original Contract Number: 2182

Approval Date:

Comments:

MEETING OF FEBRUARY 16, 2016

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff

FROM: Tim Nyander, Utilities Director

DATE: February 9, 2016

SUBJECT: Amendment No. 3 to the Contract with Mitchell, Williams, Selig, Gates & Woodyard, PLLC, for an additional \$25,000, for the White River Water Quality Standards Petition

RECOMMENDATION:

City Administration recommends approval of Amendment No. 3 to the Contract with Mitchell, Williams, Selig, Gates & Woodyard, PLLC, increasing the compensation by \$25,000 for legal actions relating to the White River Water Quality Standards and negotiations with the ADEQ and the Arkansas Pollution Control & Ecology Commission (APCEC) and approval of a budget adjustment.

BACKGROUND:

The Noland WWTP National Pollutant Discharge Elimination System (NPDES) permit contains limits on Total Dissolved Solids (TDS) and minerals, specifically chloride and sulfate. In that permit, the City was required to complete a Petition to the APCEC to change the local stream standards. If the APCEC does not approve our request, we might be required to complete a very expensive modification to our wastewater treatment plant to comply with the very strict limits of chloride, 20 mg/l; sulfate, 20 mg/l; and TDS, 160 mg/l. The estimated capital cost for this modification is approximately \$45 million. The City's team consists of CH2M HILL and the Mitchell Williams law firm.

DISCUSSION:

The contract between the City and Mitchell Williams was originally set at \$48,000 and was amended in 2013 to \$63,000 and again in 2014 to \$83,000 to help cover un-anticipated costs due to Act 954. However, additional complications have arisen requiring the Mitchell Williams firm to spend more time on the TDS and minerals effort than the amended contract allows for. There are still several tasks to be performed. Below is the list of items that still need to be done:

- Team conference(s) to deal with comments by ADEQ
- Arrange for and meet with ADEQ water and legal division seeking agreement on the requested minerals numbers
- Prepare and file Statement of Basis and Responsiveness Summary (Response to Comments) with the APCEC

- Prepare for and attend (defend) legislative review of the Third-Party Rulemaking by Joint Legislative Public Health and Welfare Committee and the Joint Legislative Rules and Regulations Committee
- Prepare and File with APC&EC the Motion to Adopt Water Quality Standard Changes and the Draft Order adopting same
- Prepare for and attend the APC&EC meeting seeking final adoption of the changes
- Track submission and approval of the water quality changes to EPA

BUDGET/STAFF IMPACT:

Budgeted funds are available within the project budget. Additional budgeted funds are being moved from the Phosphorus Standards Management project due to legal issues for both projects are being worked on with this amendment.

AMENDMENT TO AGREEMENT FOR ENVIRONMENTAL LEGAL SERVICES

CONTRACT AMENDMENT NO. 3

This Contract Amendment No. 3 dated January 13, 2016 shall amend the original contract between the City of Fayetteville, Arkansas, and Mitchell, Williams, Selig, Gates & Woodyard, PLLC., dated April 5, 2011, referred to in the following paragraphs as the original contract.

This Contract Amendment No. 3:

1. Services to be Performed: Adds: Continued actions as required to obtain final approval from the Arkansas Pollution Control and Ecology Commission (APCEC) to modify site specific water quality criteria in the White River, to provide advice and guidance on what actions the City and its consultants need to take to successfully accomplish the task of receiving approval to the petition from two committees of the AR Legislature, and to assist in obtaining relevant approvals from USEPA. The following items are the currently known required actions:

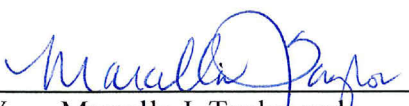
- Team conference(s) to deal with comments by ADEQ.
- Arrange for and meet with ADEQ water and legal division seeking agreement on the requested minerals numbers
- Prepare and file Statement of Basis and Responsiveness Summary (Response to Comments) with the APCEC
- Prepare for and attend (defend) legislative review of the Third-Party Rulemaking by Joint Legislative Public Health and Welfare Committee and the Joint Legislative Rules and Regulations Committee
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- Prepare for and attend the APC&EC meeting seeking final adoption of the changes
- Track submission and approval of the water quality changes to EPA.

8. Compensation: Replaces not exceed compensation amount of \$83,000 with not to exceed compensation amount of \$108,000.

WITNESS OUR HANDS THIS 5th DAY OF February, 2016.

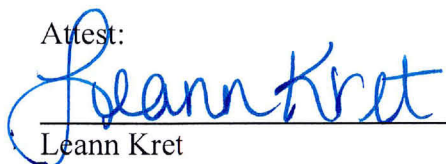
MITCHELL, WILLIAMS, SELIG,
GATES & WOODYARD, PLLC

CITY OF FAYETTEVILLE,
FAYETTEVILLE, ARKANSAS

BY 
Marcella J. Taylor and
Allan Gates

LIONELD JORDAN, Mayor

Attest:



Leann Kret

Mitchell, Williams, Selig, Gates & Woodyard, PLLC
425 West Capitol Avenue, Suite 1800
Little Rock, AR 72201

Attest:

Sondra Smith, City Clerk

City of Fayetteville
113 West Mountain Street
Fayetteville, AR 72701

Budget Year	Division: Utilities Director	Adjustment Number
2016	Dept.: Utilities	
	Requestor: Cheryl Partain	

A BA is needed within the White River NPDES UAA and APCEC Action project. Budgeted funds need to be moved to the environmental Atty for APCEC Rule Change subproject to cover additional legal costs for the project. Additional budgeted funds are being moved from the Phosphorus Standards Management project due to the additional attorney fees are associated with both the APCEC Rule Change and the phosphorus standard management.

[illegible]

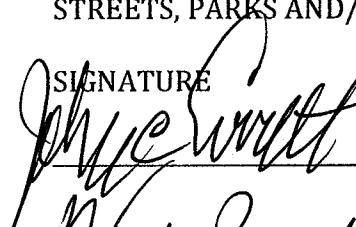
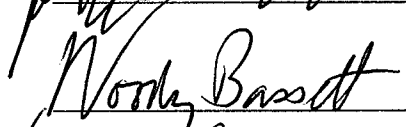
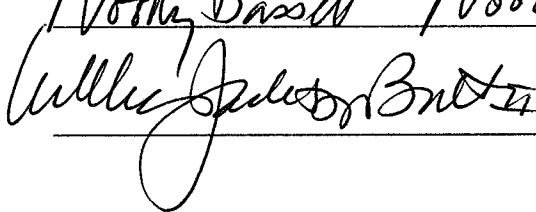
2-16-14

D. 7, Amend 72.58

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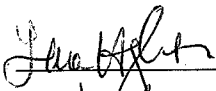
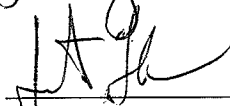
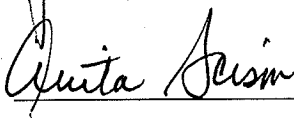
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	JOHN C. EVERETT	YES _____ NO ☒
	Noosy Bassett	YES ☒ NO _____
	Willie Jackson Brister	YES ☒ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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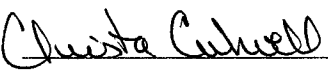
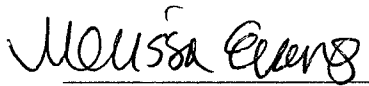
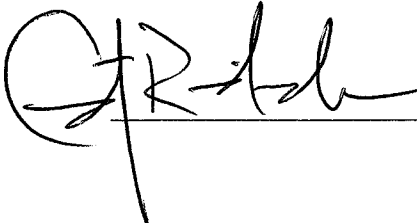
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	LARA HIGHTOWER	YES ☒ NO ☐
	JUSTIN FLETCHER	YES ☒ NO ☐
	ANITA SCISM	YES ☒ NO ☐
_____		YES _____ NO _____
_____		YES _____ NO _____
_____		YES _____ NO _____
_____		YES _____ NO _____
_____		YES _____ NO _____

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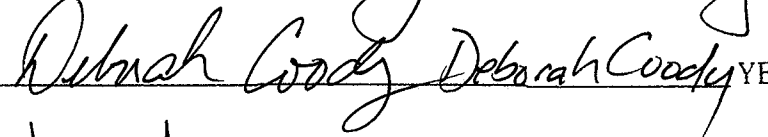
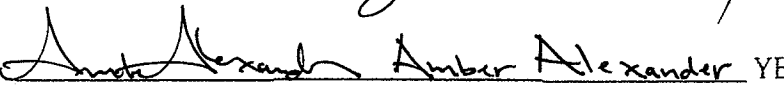
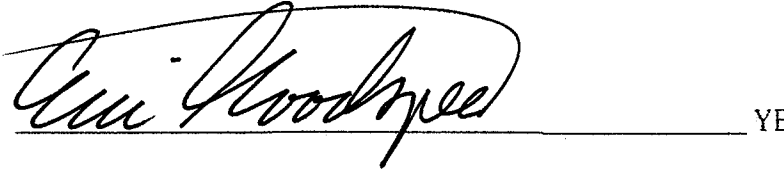
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Stacey Park	YES ☒ NO ☐
	BRET PARK	YES ☒ NO ☐
	Christa Culwell	YES ☐ NO ☒
	Melissa Evans	YES ☒ NO ☐
	Sarah Voorhees	YES ☐ NO ☒
	Alan Ostner	YES ☒ NO ☐
	Curt Richardson	YES ☒ NO ☐

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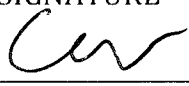
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Dan Coody	YES ☒ NO ☐
	Deborah Coody	YES ☒ NO ☐
	Amber Alexander	YES ☒ NO ☐
	Tim Woodspeed	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

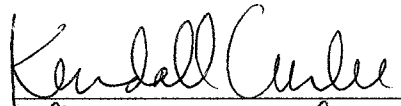
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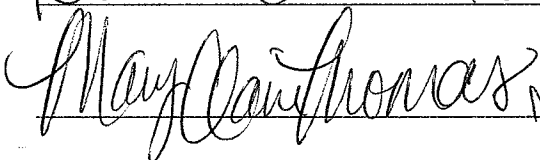
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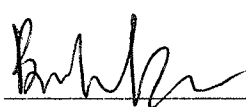
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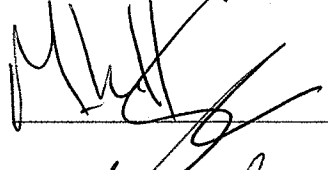
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT	
	Charmi Gooden	YES ☒	NO ☐

	Kendall Curlee	YES ☒	NO ☐
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	MARY CLAIRE THOMAS	YES ☒	NO ☐
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	Brooke Bullock	YES ☒	NO ☐
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	Rachel Murray	YES ☒	NO ☐
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	Mitchell Simpson	YES ☒	NO ☐
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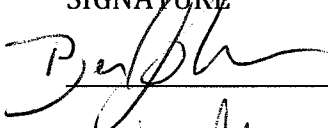
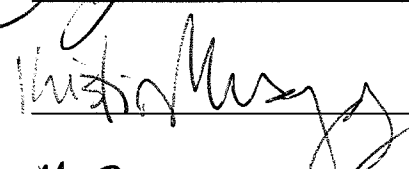
	Jonathan Holder	YES ☒	NO ☐
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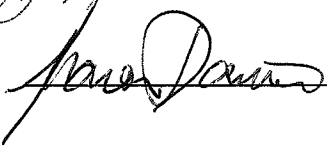
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT	
	Ben Johnson	YES ☒	NO ☐
	Kristin Musgnug	YES ☒	NO ☐
	MARK THOMAS	YES ☒	NO ☐
_____	_____	YES _____	NO _____
_____	_____	YES _____	NO _____
_____	_____	YES _____	NO _____
_____	_____	YES _____	NO _____
_____	_____	YES _____	NO _____

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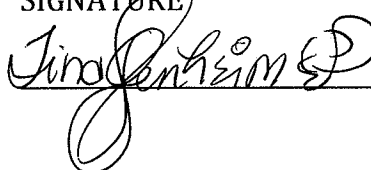
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Joseph Hutton	YES ☒ NO ☐
	Sharon Dawson	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	TINA OPPENHEIMER	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Kellie Rollins</u>	<u>Kellie Rollins</u>	YES ☒ NO ☐
<u>Christine A. Myres</u>	<u>Christine A. Myres</u>	YES ☒ NO ☐
<u>Becca Clark</u>	<u>BECCA CLARK</u>	YES ☒ NO ☐
<u>Erin Crawley</u>	<u>ERIN CRAWLEY</u>	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Frances D. Alexander</u>	<u>FRANCES D. ALEXANDER</u>	YES <u>✓</u> NO <u>✗</u>
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

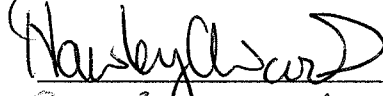
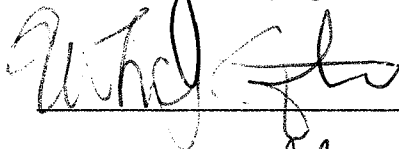
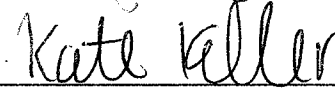
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** own commercial property in downtown Fayetteville at 116 W. Spring.*

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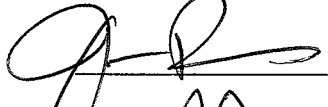
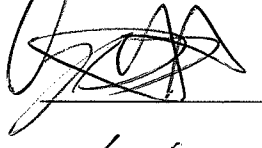
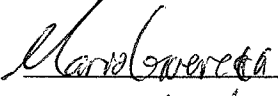
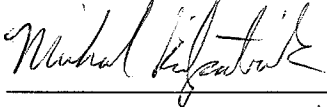
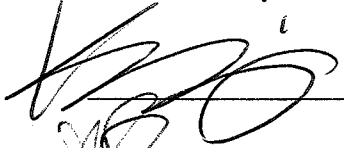
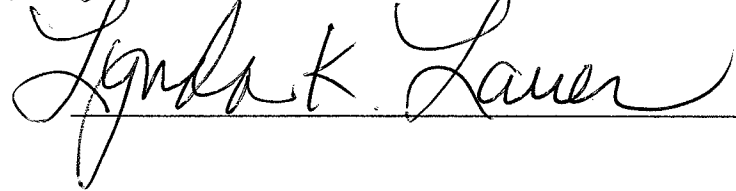
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT	
	N. Alan Hill	YES ☒	NO ☐
	Hawley Woods	YES ☒	NO ☐
	Whitney Johnson	YES ☒	NO ☐
	Kate Keller	YES ☒	NO ☐
_____	_____	YES _____	NO _____
_____	_____	YES _____	NO _____
_____	_____	YES _____	NO _____
_____	_____	YES _____	NO _____

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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	James Reavis	YES ☒ NO ☐
	Patrick Stewart	YES ☒ NO ☐
	Mario Guercia	YES ☒ NO ☐
	Michael Kilpatrick	YES ☒ NO ☐
	KATIE ZWICK	YES ☒ NO ☐
	Sarah Sprague	YES ☒ NO ☐
	Joshua Johnson	YES ☒ NO ☐
	Lynda K. Lauer	YES ☒ NO ☐

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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Cindy Morgan</u>	<u>Cindy Morgan</u>	YES <u>X</u> NO <u> </u>

<u>Megan Lensing</u>	<u>Megan Lensing</u>	YES <u>X</u> NO <u> </u>
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<u>Tonia Squires</u>	<u>Tonia Squires</u>	YES <u>X</u> NO <u> </u>
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<u>Maui King</u>	<u>Maui King</u>	YES <u>X</u> NO <u> </u>
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<u>Kara Iribarren</u>	<u>Kara Iribarren</u>	YES <u> </u> NO <u>X</u>
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<u>David Bassett</u>	<u>David Bassett</u>	YES <u>X</u> NO <u> </u>
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<u>Justin Adams</u>	<u>Justin Adams</u>	YES <u>X</u> NO <u> </u>
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<u>Sherry Dixon</u>	<u>SHERY DIXON</u>	YES <u>X</u> NO <u> </u>
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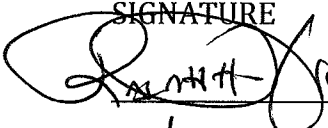
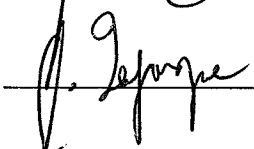
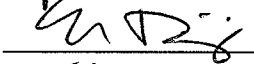
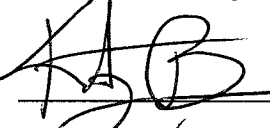
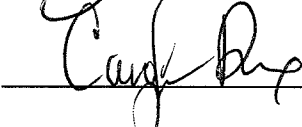
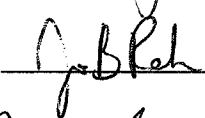
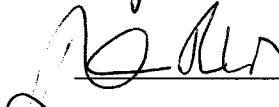
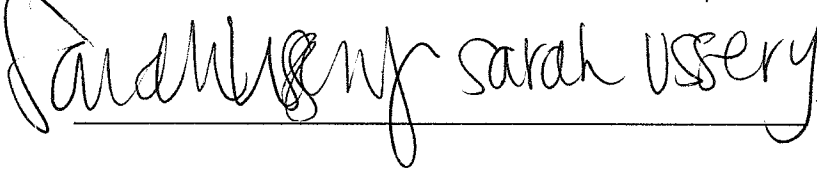
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>George P. Paulson</u>	<u>George P. Paulson</u>	YES ☒ NO ☐
<u>Kathleen W. Paulson</u>	<u>Kathleen W. Paulson</u>	YES ☒ NO ☐
<u>Terry G. Hunt</u>	<u>TERRY G. HUNT</u>	YES ☒ NO ☐
<u>Renee Hunt</u>	<u>Mary Renée Hunt</u>	YES ☒ NO ☐
<u>TOM TERMINELLA</u>		YES ☒ NO ☐
<u>Michael Dishen</u>		YES ☒ NO ☐
<u>Simone Dunn</u>	<u>Simone Dunn</u>	YES ☒ NO ☐
<u>Seymour Butts JR</u>		YES ☐ NO ☒

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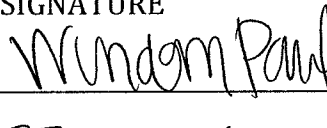
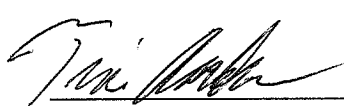
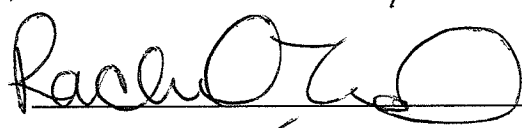
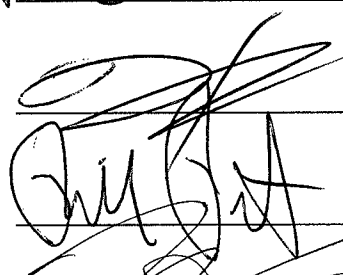
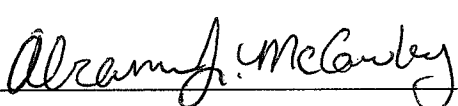
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	BALOH H. NESSON	YES ☒ NO ☐
	Jackson Lafargue	YES ☒ NO ☐
	SAGE BULLIG	YES ☒ NO ☐
	Kathy Brick	YES ☒ NO ☐
	Carolyn Dux	YES ☒ NO ☐
	John B Robinson	YES ☒ NO ☐
	Royal McClayon	YES ☒ NO ☐
	sarah ussery	YES ☒ NO ☐

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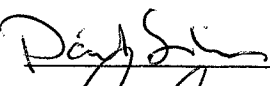
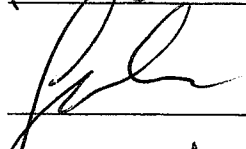
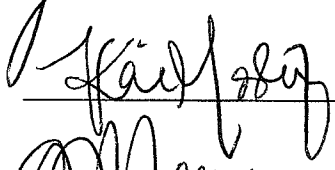
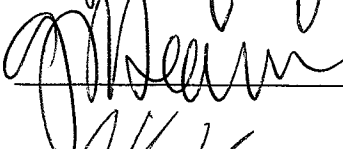
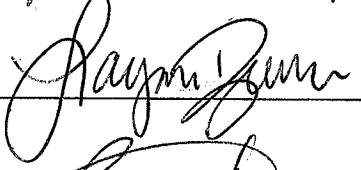
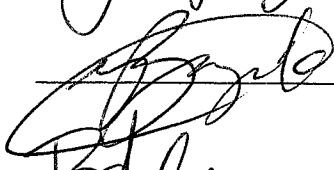
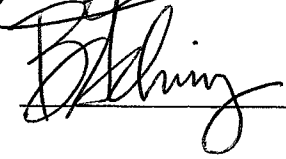
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Windom Paul	YES ☒ NO ☐
	Travis Anderson	YES ☒ NO ☐
		YES ☒ NO ☐
	Bill Putman	YES ☒ NO ☐
		YES ☒ NO ☐
		YES ☒ NO ☐

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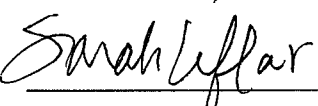
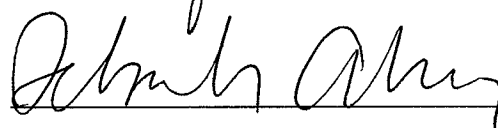
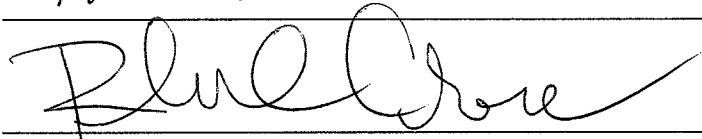
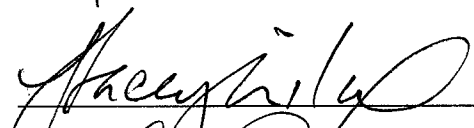
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	David Silva	YES ☒ NO ☐
	John Springer	YES ☒ NO ☐
	Kai Masley	YES ☒ NO ☐
	GREG HERMAN	YES ☒ NO ☐
	Aaron Kelzer	YES ☒ NO ☐
	Jaymi Bowman	YES ☒ NO ☐
	ECEHAN BAYRAK	YES ☒ NO ☐
	BETH SCHWEIGER	YES ☒ NO ☐

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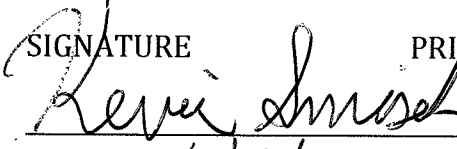
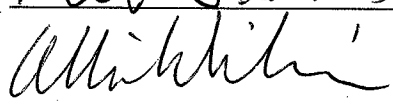
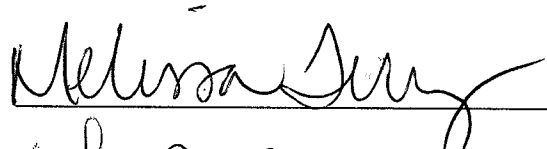
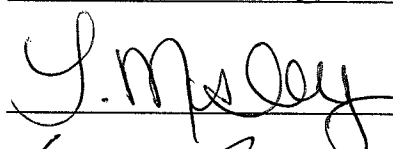
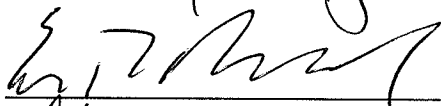
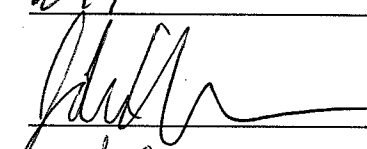
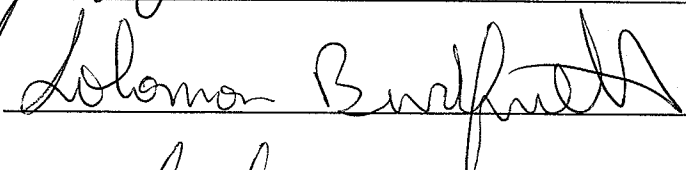
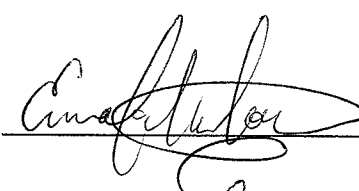
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT	
	Nick Shoups	YES ☒	NO ☐
	SARAH LEFFLAR	YES ☒	NO ☐
	Deborah Ahring	YES ☒	NO ☐
	JILL ANTIES	YES ☒	NO ☐
	Phil Crow	YES ☒	NO ☐
	Tracy Hily	YES ☒	NO ☐
	Phil Crow	YES ☒	NO ☐
	P Mikkelsen	YES ☒	NO ☐

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	Kevin Smisek	YES ☒ NO ☐
		YES ☒ NO ☐
		YES ☒ NO ☐
		YES ☒ NO ☐
		YES ☒ NO ☐
	John Oberle	YES ☒ NO ☐
	Solomon Burdette	YES ☒ NO ☐
	EMMA FULLERTON	YES ☒ NO ☐

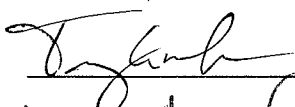
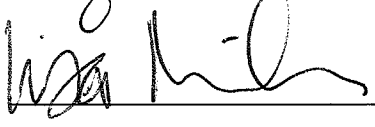
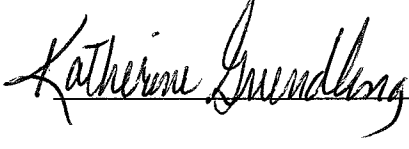
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	Ganna Smith	YES ☒ NO ☐
	Ed NETHERLAND	YES ☒ NO ☐
	Robin Deunir	YES ☒ NO ☐
	TAMMY D. GRAHAM	YES ☐ NO ☒
	LISA MILLER	YES ☐ NO ☒
	Anna Warshaw	YES ☒ NO ☐
	Jimmy Asher	YES ☐ NO ☒
	Katherine Guendling	YES ☒ NO ☐

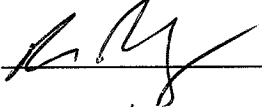
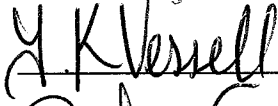
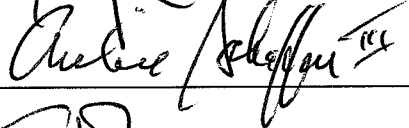
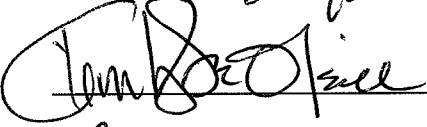
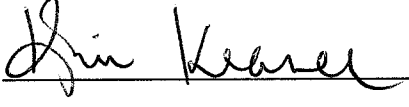
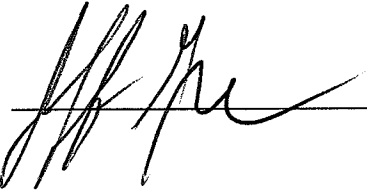
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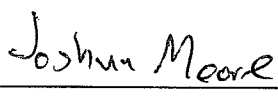
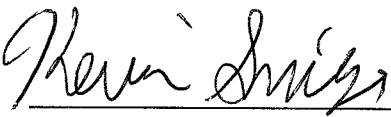
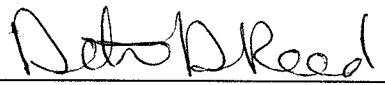
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Drew Rodgers	YES ☒ NO ☐
	Tara Vessell	YES ☒ NO ☐
	ARCHIE SCHAFFER II	YES ☒ NO ☐
	ARCHIE SCHAFFER II	YES ☒ NO ☐ Eureka Springs
	Kim Leslie Owens	YES ☒ NO ☐
	Jim Kearney	YES ☒ NO ☐
	Robert Schumacher	YES ☐ NO ☒
	Jeff Glover	YES ☒ NO ☐

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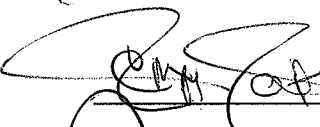
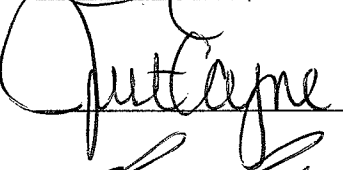
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	RALPH H. NESSON	YES ☒ NO ☐
	JOSHUA MOORE	YES ☒ NO ☐
	LESLIE TABOR	YES ☒ NO ☐
	MATT PARNELL	YES ☒ NO ☐
	KEVIN SMISEK	YES ☒ NO ☐
	COLE LECHTENBERGER	YES ☒ NO ☐
	RENEE BENNETT	YES ☒ NO ☐
	DETRA D REED	YES ☒ NO ☐

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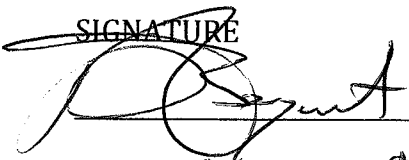
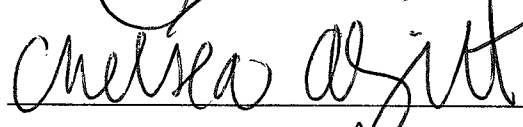
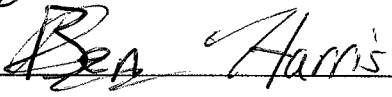
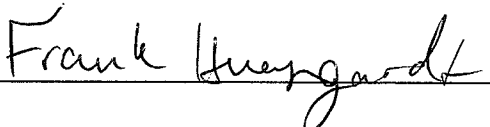
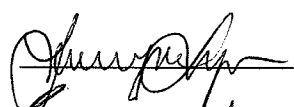
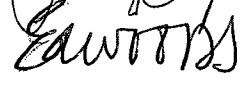
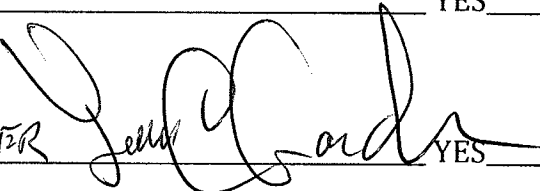
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Gina Bengaist	YES ☒ NO ☐
	Lee Nagel	YES ☒ NO ☐
	Sarah Wendell	YES ☒ NO ☐
	[unclear]	YES ☒ NO ☐
	Patricia C. Mitchell	YES ☒ NO ☐
	Justin Cayne	YES ☒ NO ☐
	[unclear]	YES ☐ NO ☒
	Bruce Bond	YES ☒ NO ☐

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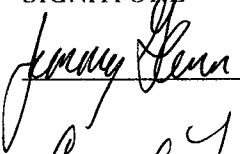
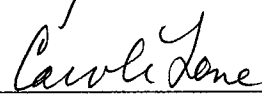
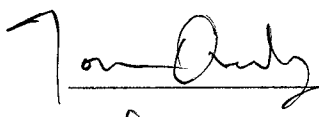
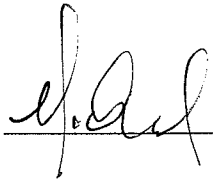
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	RT Berquist	YES ☒ NO ☐
	Chelsea Azitt	YES ☒ NO ☒
	Shannon Harris	YES ☐ NO ☐
	Ben Harris	YES ☒ NO ☐
	Frank Huerigard	YES ☒ NO ☐
	Tamara Lora	YES ☐ NO ☒
	Elizabeth Woods	YES ☒ NO ☐
	JAMES C GARDNER	YES ☐ NO ☒

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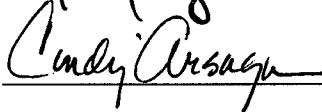
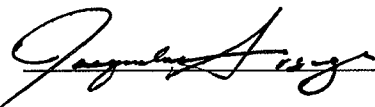
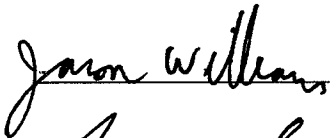
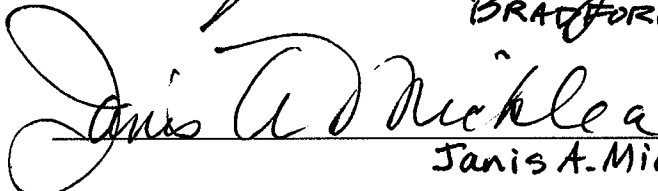
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Jimmy Glenn	YES ☒ NO ☐
	Carole Lane	YES ☒ NO ☐
	Tom Orvby	YES ☒ NO ☐
	Michael Cockran	YES ☒ NO ☐
	DEA SELF	YES ☒ NO ☐
	MATTHEW CROUCHT	YES ☒ NO ☐
	K. EPPERSON	YES ☒ NO ☐

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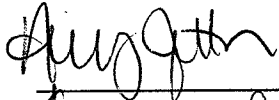
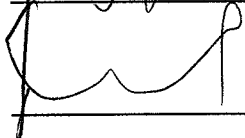
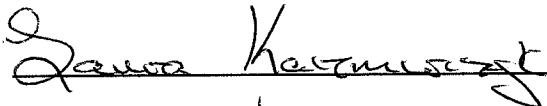
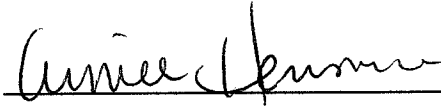
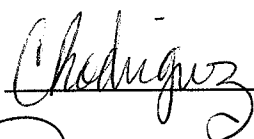
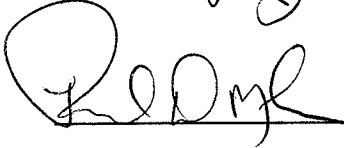
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	AVA ARSAGA	YES ☒ NO ☐
	Cindy Arsaga	YES ☒ NO ☐
	Jacqueline Arsaga	YES ☒ NO ☐
	JASON WILLIAMS	YES ☒ NO ☐
	BRADFORD L. KEYS	YES ☒ NO ☐
	JANIS A. MICKLEA	YES ☐ NO ☒
	GRETA P. AUENDOLF	YES ☒ NO ☐

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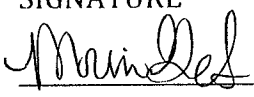
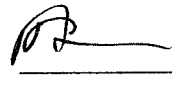
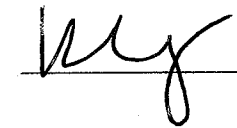
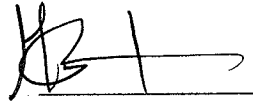
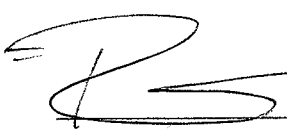
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	K. MARKELL	YES ☒ NO ☐
	Amy Jelton	YES ☒ NO ☐
	BRADLEY EDWARDS	YES ☒ NO ☐
	D. Jones	YES ☒ NO ☐
	Laura Karmus	YES ☒ NO ☒
	Aimee Henson	YES ☒ NO ☐
	Carrie Rodriguez	YES ☒ NO ☐
	Richard Mhoon	YES ☒ NO ☐

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	Marino Galibao	YES ☒	NO ☐
	Paul Deagan	YES ☐	NO ☒
	Tim K. Newman	YES ☒	NO ☐
	Patrick Lane	YES ☒	NO ☐
	Rebecca Iney	YES ☒	NO ☒
	Marcus Goster	YES ☒	NO ☐
	Robyn Bowen	YES ☒	NO ☐

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Bob

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SIGNATURE	PRINTED NAME	YES	NO
<u>Chuck Dithorford</u>	<u>CHUCK RUTHERFORD</u>	YES ☒	NO ☐
<u>Donilyn D Brennan</u>	<u>Donilyn D Brennan</u>	YES ☐	NO ☒
<u>Becky A Hauck</u>	<u>Becky A. HAUCK</u>	YES ☒	NO ☐
<u>Hank Rominsky</u>	<u>HANK ROMINSKY</u>	YES ☒	NO ☐
<u>Carrie M Trinka</u>	<u>CARRIE TRINKA</u>	YES ☒	NO ☐
<u>William J. Browner</u>	<u>WILLIAM J. BROWNER</u>	YES ☒	NO ☐
<u>Kelsy Bishop</u>	<u>Kelsy Bishop</u>	YES ☒	NO ☐
<u>Teresa Maurer</u>	<u>Teresa Maurer</u>	YES ☐	NO ☒

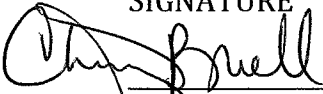
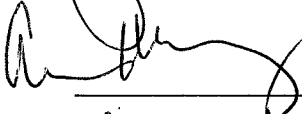
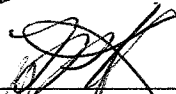
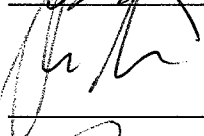
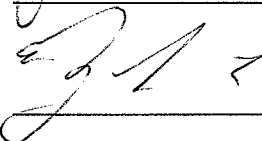
work in Fayetteville

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	CHERYL BUELL	YES _____	NO ☒
	ANDREW MONEY	YES ☒	NO _____
	John Erwin	YES ☒	NO _____
	Peyton Keel	YES ☒	NO _____
	Chad Thurman	YES ☒	NO _____
	Brandon Gill	YES ☒	NO _____
	Barbara Dillon	YES ☒	NO _____
	William Deaton	YES ☒	NO _____

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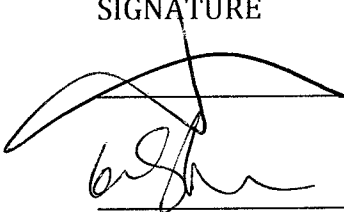
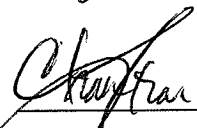
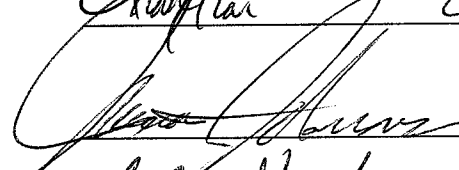
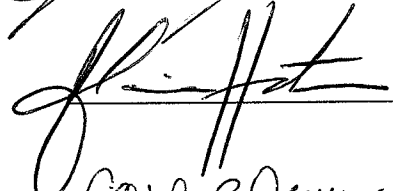
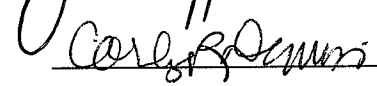
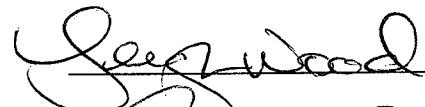
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<u>Cleek</u>	<u>Claire Luchking</u>	YES ☒ NO ☐
<u>W. H. L. L. L.</u>	<u>W. A. Schuss</u>	YES ☐ NO ☒
<u>Art Hobson</u>	<u>Art Hobson</u>	YES ☒ NO ☐
<u>Robert A. Lewis</u>	<u>Robert A. Lewis</u>	YES ☒ NO ☐
<u>James Alexander</u>	<u>James Alexander</u>	YES ☐ NO ☒
<u>Marcia Doney</u>	<u>MARCIA DONEY</u>	YES ☒ NO ☐
<u>Jeff Mitchell</u>	<u>Jeff Mitchell</u>	YES ☒ NO ☐
<u>RMC Cusker</u>	<u>RMC Cusker</u>	YES ☒ NO ☐

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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Jessica McClendon	YES ☒ NO ☐
	BEN STRAWN	YES ☒ NO ☐
	CHAU TRAN	YES ☒ NO ☐
	James Johnson	YES ☒ NO ☐
	Ainaffartmas	YES ☒ NO ☐
	CARLYE R. DENNIS	YES ☒ NO ☐
	Leighwood	YES ☒ NO ☐
	Analee McDell	YES ☒ NO ☐

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SIGNATURE

PRINTED NAME

FAYETTEVILLE RESIDENT

Gallaway

STEPHANIE ALEXANDER GALLAWAY

NO ☒

Greg

GREG SHER

YES

☒

NO

Lowmy

KATHLOWMY

YES

☒

NO

April

APRIL WILSON

YES

☒

NO

Bethany Sebesta

BETHANY SEBESTA

YES

☒

NO

Whitney Rose Chesla

WHITNEY ROSE CHESLA

YES

☒

NO

Lisa Mills

LISA MILLS

YES

☒

NO

Megan Downey

MEGAN DOWNEY

YES

☒

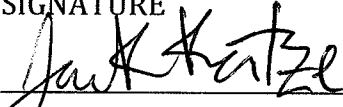
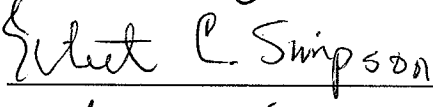
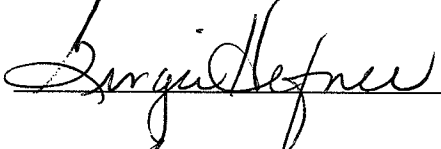
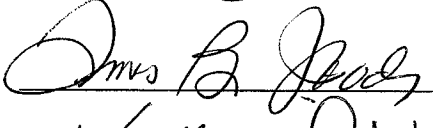
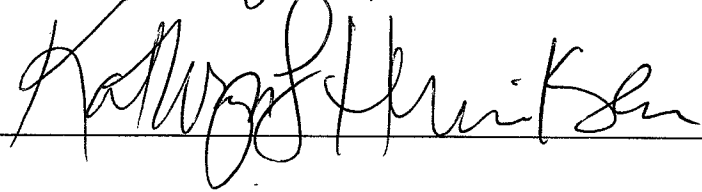
NO

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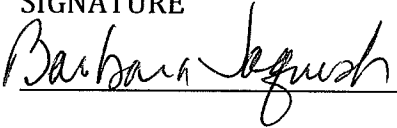
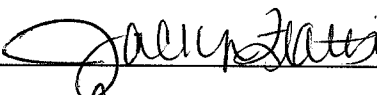
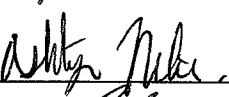
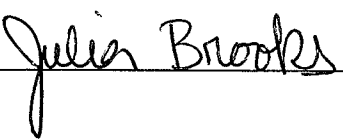
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Jack Katze	YES ☒ NO ☐
	Jennifer Braden	YES ☒ NO ☐
	Ethel C. Simpson	YES ☒ NO ☐
	Lorgine Hefner	YES ☒ NO ☐
	April Reed	YES ☒ NO ☐
	Amanda Grell	YES ☒ NO ☐
	Mrs B. Leeds	YES ☒ NO ☐
	Kathryn Hunkeler	YES ☒ NO ☐

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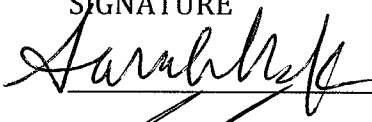
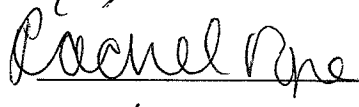
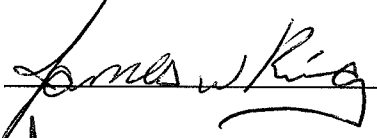
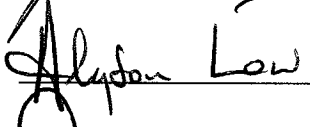
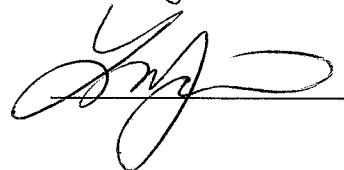
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Barbara Jaguish	YES ☒ NO ☐
	Jacklyn Fratesi	YES ☒ NO ☐
	Stuart Lane	YES ☒ NO ☐
	JOSEPH ENZBY	YES ☒ NO ☐
		YES ☒ NO ☐
	ASHTON NILSEN	YES ☒ NO ☐
	Shawn Corder	YES ☒ NO ☐
	Julia Brooks	YES ☒ NO ☐

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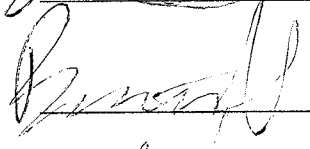
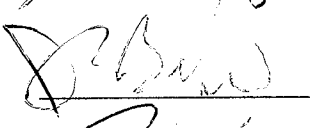
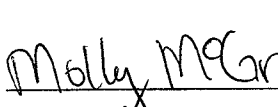
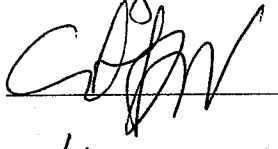
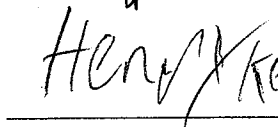
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Sarah McKenna	YES ☒ NO ☐
	David M. Martin	YES ☒ NO ☐
	Rachel Pope	YES ☒ NO ☐
	James King	YES ☒ NO ☐
	Alyson Low	YES ☒ NO ☐
	Justin Lee	YES ☒ NO ☐
	Abby Richards	YES ☒ NO ☐
	Lindsay Wilson	YES ☒ NO ☐

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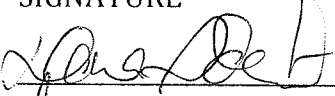
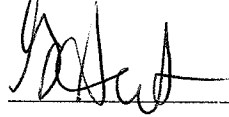
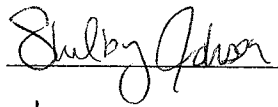
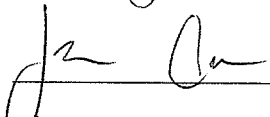
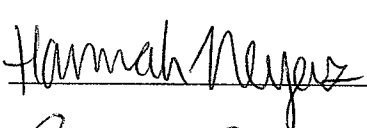
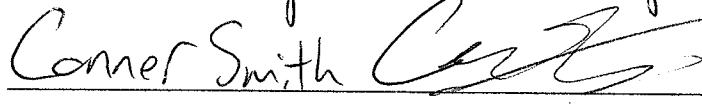
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	James Signorini	YES ☒ NO ☐
	Abigail Southard	YES ☒ NO ☐
	BARRETT LARSON	YES ☒ NO ☐
	John Betew	YES ☒ NO ☐
	Johnathan Jarmon	YES ☒ NO ☐
	Molly McGraw	YES ☒ NO ☐
	Crystal Johnson	YES ☒ NO ☐
	Henry Kessler	YES ☒ NO ☐

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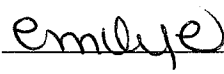
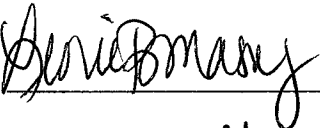
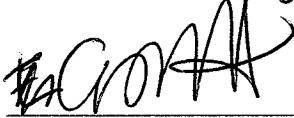
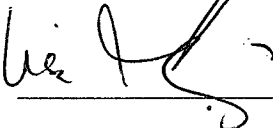
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	DANA IDLET	YES ☒ NO ☐
	Gabrielle Idlet	YES ☐ NO ☒
	SHELBY JOHNSON	YES ☒ NO ☐
	Jackson Cellers	YES ☒ NO ☐
	Sarah Hagopian	YES ☒ NO ☐
	Hannah Neyens	YES ☒ NO ☐
	Comer Smith	YES ☒ NO ☐
	Brittany Paul	YES ☒ NO ☐

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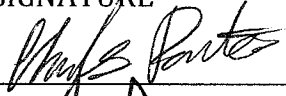
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	emily errin	YES ☒ NO ☐
	Chase Swift	YES ☒ NO ☐
	Leslie Massey	YES ☒ NO ☐
	Eszter Takacs	YES ☒ NO ☐
	Pamish Guy	YES ☒ NO ☐
	Lisa Marsulis	YES ☒ NO ☐
	Mehak Gupta	YES ☒ NO ☐

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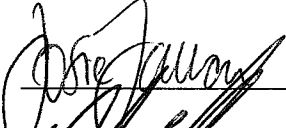
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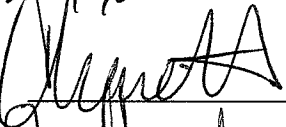
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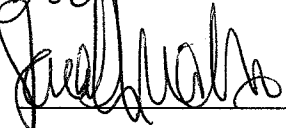
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Chuck Partain	YES ☒ NO ☐

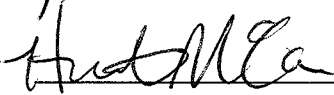
	Susannah Farrar	YES ☒ NO ☐
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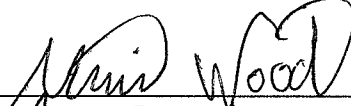
	Josie Farrar	YES ☒ NO ☐
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	Michael Thomas	YES ☒ NO ☐
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	Chandler Martin	YES ☒ NO ☐
---	-----------------	---

	Sarah Nichols	YES ☒ NO ☐
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	HUNTER McCALISTER	YES ☒ NO ☐
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	MARIAN WOOD	YES ☒ NO ☐
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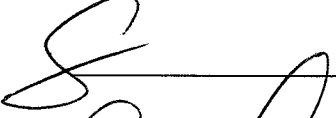
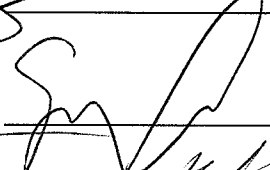
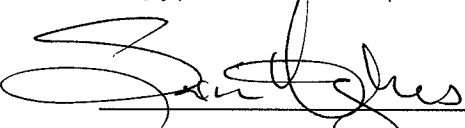
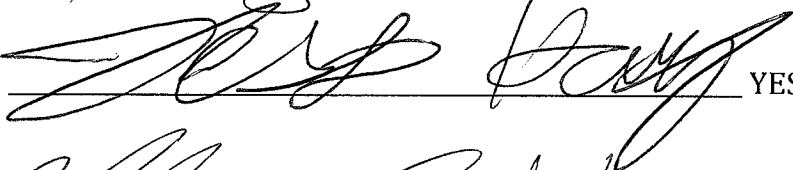
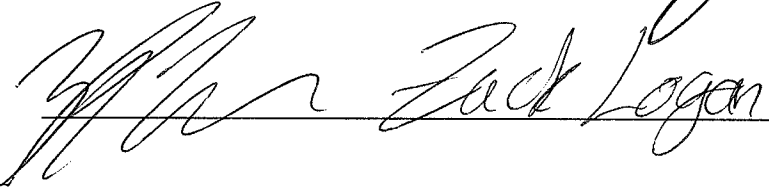
	Jon Braschler	X (yes)
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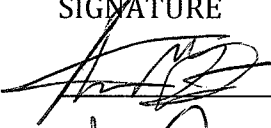
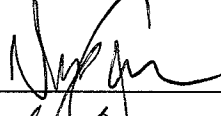
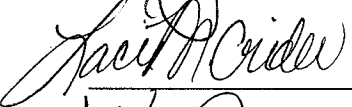
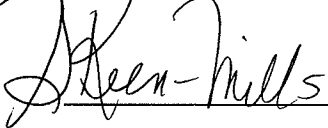
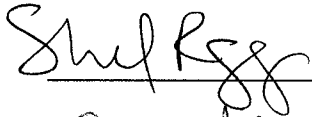
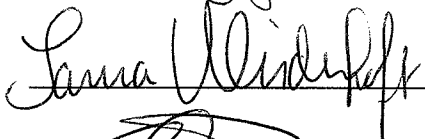
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Susan Robinson	YES ☒ NO ☐
	Casey Harris	YES ☒ NO ☐
	Samantha Hersey	YES ☒ NO ☐
	Al W. Meel	YES ☒ NO ☐
	William Oliver	YES ☒ NO ☐
	Sakitt Highers	YES ☒ NO ☐
	[unclear]	YES ☒ NO ☐
	Zack Logan	YES ☒ NO ☐

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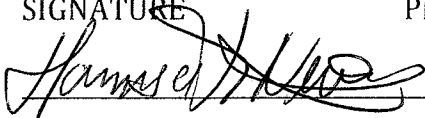
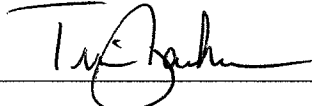
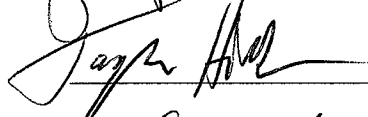
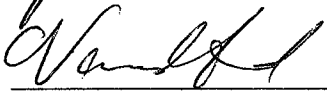
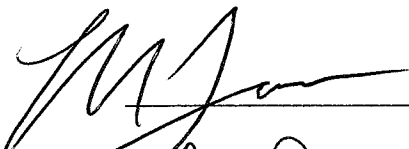
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Anos McDaniel	YES ☒ NO ☐
	Nicholas Clare	YES ☒ NO ☐
	Lacie M. Crider	YES ☒ NO ☐
	Sharla P. Koon-Mills	YES ☒ NO ☐
	Shelby Riggs	YES ☒ NO ☐
	Laura Weidenhof	YES ☒ NO ☐
	Joe A. Roberts	YES ☒ NO ☐
	Green Holmes	YES ☒ NO ☐

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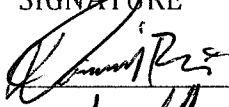
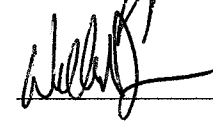
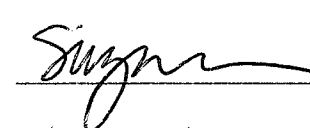
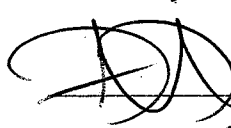
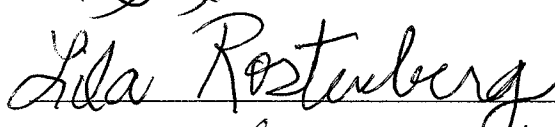
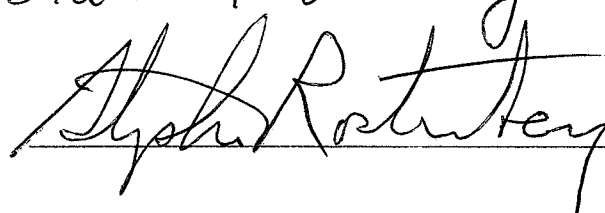
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	^{Newmark} Hamsa Kurthy	YES ☒ NO ☐
Tim PARKER		YES ☒ NO ☐
	Sofia Baygari	YES ☒ NO ☐
	Taylor Hicks	YES ☒ NO ☐
	Vanessa Hubbard	YES ☒ NO ☐
	Madison Jones	YES ☒ NO ☐
	Stenna Green	YES ☒ NO ☐
	Monica Van Wille	YES ☒ NO ☐

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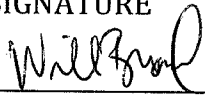
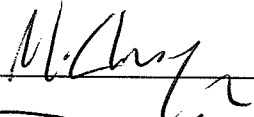
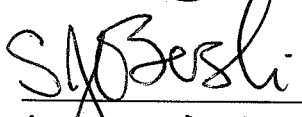
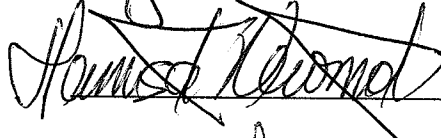
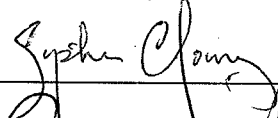
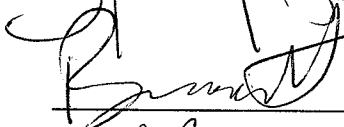
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Daniel Brezinski	YES ☒ NO ☐
	Adam Lettingwell	YES ☒ NO ☐
	William Schreckhise	YES ☒ NO ☐
	Suzannah Schreck	YES ☒ NO ☐
	JARED WIERMAN	YES ☒ NO ☐
	Lila Rostenberg	YES ☒ NO ☐
	Lila Rostenberg	YES ☒ NO ☐
	Lila Rostenberg	YES ☒ NO ☐

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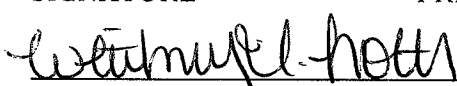
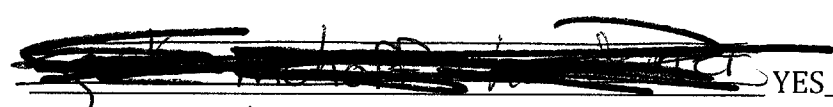
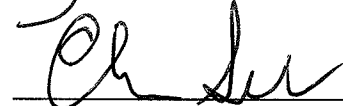
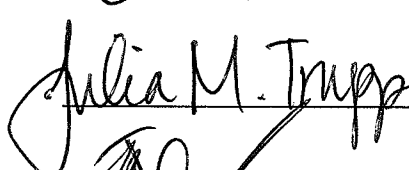
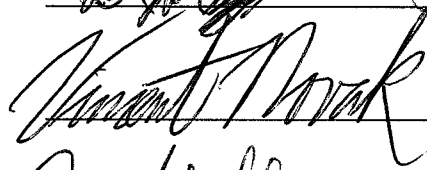
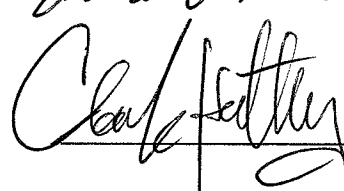
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Will Brand	YES ☒ NO ☐
	M. Clary Wilson	YES ☒ NO ☐
	Robin Starr	YES ☒ NO ☐
	S. John O'Berski	YES ☒ NO ☐
	Hansakorn Khamrath	YES ☒ NO ☐
	Stephen Clowney	YES ☒ NO ☐
	Barrett Larson	YES ☒ NO ☐
	Nathan Baickey	YES ☒ NO ☐

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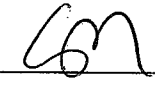
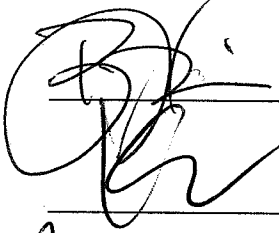
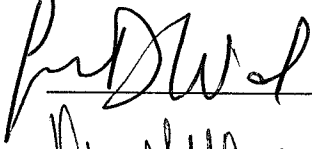
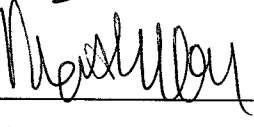
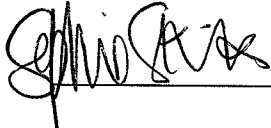
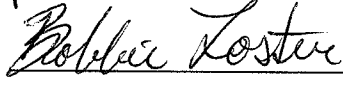
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	WHITNEY INDLE	YES ☒ NO ☐
	Ernest Arambel	YES ☒ NO ☐
		YES ☒ NO ☐
	Chris Selby	YES ☒ NO ☐
	JULIAM. TRUPP	YES ☒ NO ☐
	James B. Schlechte	YES ☒ NO ☐
	Vincent Novak	YES ☒ NO ☐
	CLARK HATTEY	YES ☒ NO ☐

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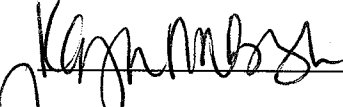
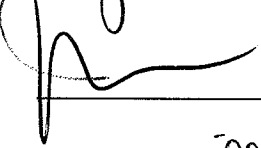
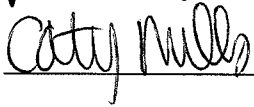
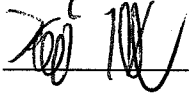
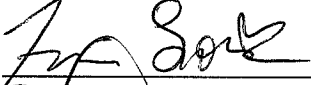
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Sadie McDonald	YES ☒ NO ☐
	William Harris	YES ☒ NO ☐
	Kale Osle	YES ☒ NO ☐
	TERRA WOOD	YES ☒ NO ☐
	Marty Marshall Lane	YES ☒ NO ☐
	Sophie Skinner	YES ☒ NO ☐
	Bobbie Foster	YES ☒ NO ☐
	Caroline Wilbourn	YES ☒ NO ☐

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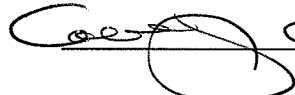
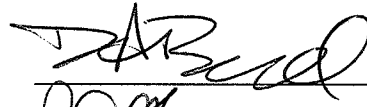
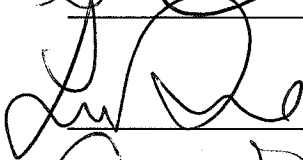
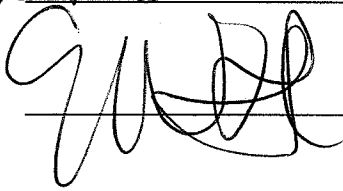
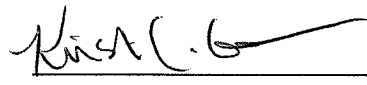
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Kayla Norbush	YES ☒ NO ☐
	Jennifer Howell	YES ☒ NO ☐
	caty mills	YES ☒ NO ☐
	Kaia Hodo	YES ☒ NO ☐
	Travis Lorton	YES ☒ NO ☐
	Sam Childress	YES ☒ NO ☐
	Kelly Miller-lee	YES ☐ NO ☒ Springdale
	olivia West	YES ☒ NO ☐

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	Abel Soster	YES ☒ NO ☐
	Courtney Healy	YES ☒ NO ☐
	Elliott E. Tobin	YES ☒ NO ☐
	Douglas A. Behr	YES ☒ NO ☐
	Sharon Graye-Jandern	YES ☒ NO ☐
	Lauren Daniels	YES ☒ NO ☐
	Erin Wright	YES ☒ NO ☐
	Kirsten Erickson	YES ☒ NO ☐

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SIGNATURE

PRINTED NAME

FAYETTEVILLE RESIDENT

James J. Suber James J. Suber YES ☒ NO ☐

Megan Whit Megan Whit YES ☒ NO ☐

Kimberly Miller Kimberly Miller YES ☒ NO ☐

Nicolas McLeod Nicolas McLeod YES ☒ NO ☐

Charlotte Taylor Charlotte Taylor YES ☒ NO ☐

CHAD MAUPIN CHAD MAUPIN YES ☒ NO ☐

Madelaine Thola Madelaine Thola YES ☒ NO ☐

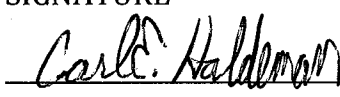
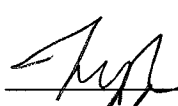
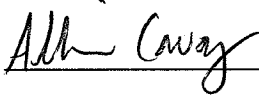
James J. Hass James J. Hass YES ☒ NO ☐

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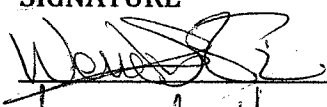
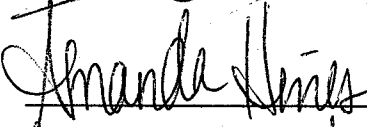
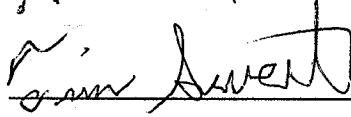
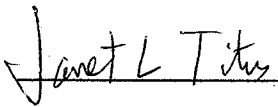
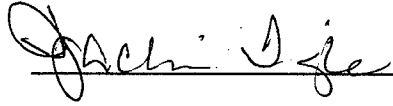
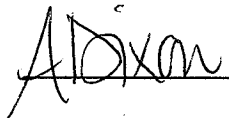
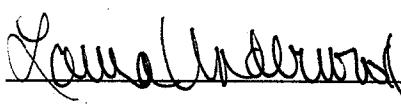
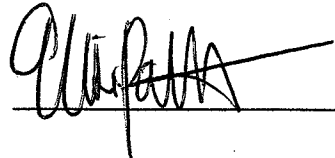
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Carl E. Haldeman	YES ☒ NO ☐
	Taylor Smith	YES ☒ NO ☐
	Mike Milburn	YES ☒ NO ☐
	Brandon Flammang	YES ☒ NO ☐
	Lindsay Albright	YES ☒ NO ☐
	Emily Pullman	YES ☒ NO ☐
	Allison Cavazos	YES ☒ NO ☐
	Sarah Adams	YES ☒ NO ☐

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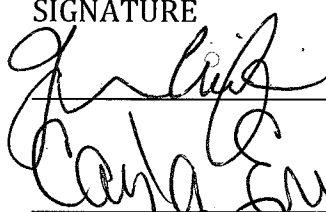
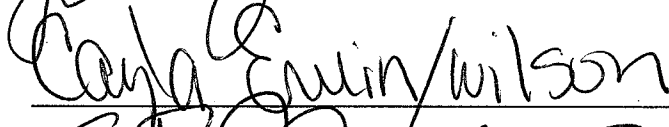
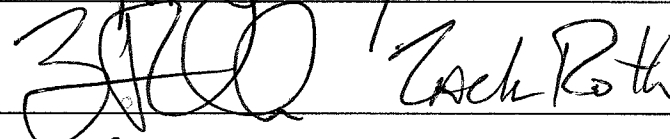
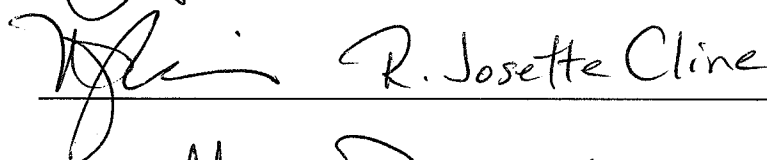
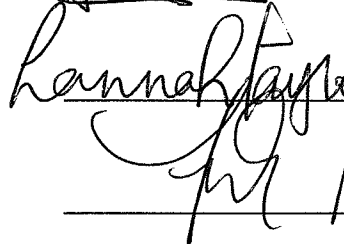
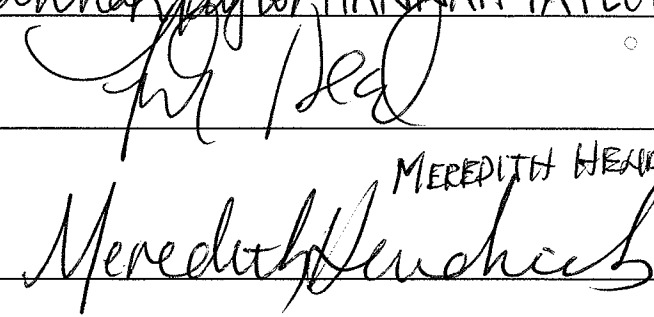
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Wendy Finn	YES ☒ NO ☐
	Amanda Hines	YES ☒ NO ☐
	Tim Sweet	YES ☐ NO ☒
	Janet Titus	YES ☒ NO ☐
	JACK TIGHE	YES ☒ NO ☐
	Amanda Dixon	YES ☒ NO ☐
	Laura Underwood	YES ☐ NO ☒
	Elise Patterson	YES ☒ NO ☐

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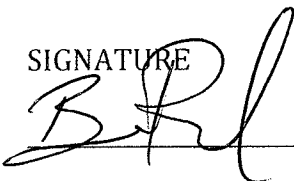
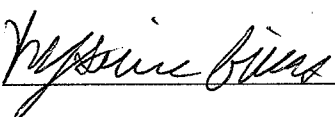
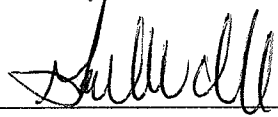
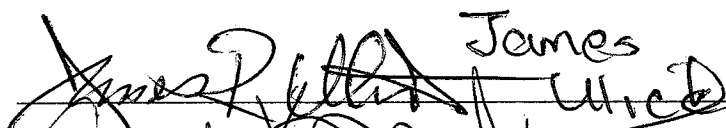
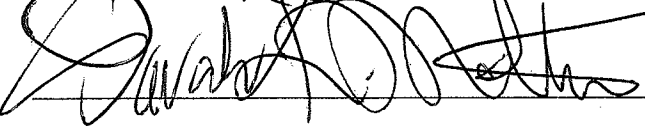
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Grace Crifasi	YES ☒ NO ☐
	Carla Ewing/Wilson	YES ☒ NO ☐
	Zach Roth	YES ☒ NO ☐
	R. Josette Cline	YES ☒ NO ☐
	Ransom Murray	YES ☒ NO ☐
	HANNAH TAYLOR	YES ☒ NO ☐
	MEREDITH HENDRICKS	YES ☒ NO ☐

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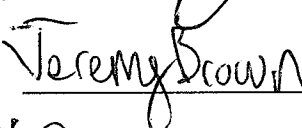
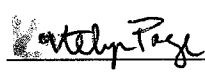
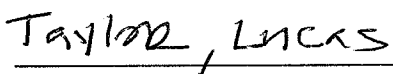
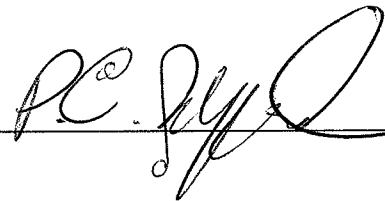
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Ben Poeschl	YES ☒ NO ☐
	Devin Gamache	YES ☒ NO ☐
	Krystina Crites	YES ☒ NO ☐
	[unclear]	YES ☒ NO ☐
	Gabrielle Isaac	YES ☒ NO ☐
	James [unclear]	YES ☒ NO ☐
	[unclear]	YES ☒ NO ☐
	[unclear]	YES ☒ NO ☐

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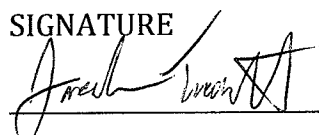
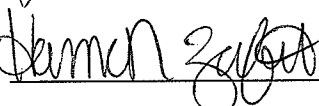
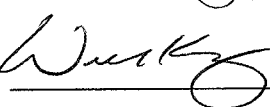
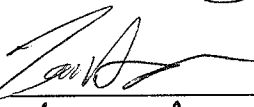
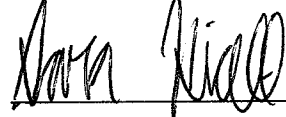
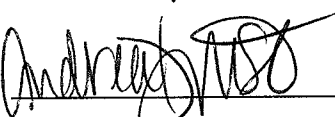
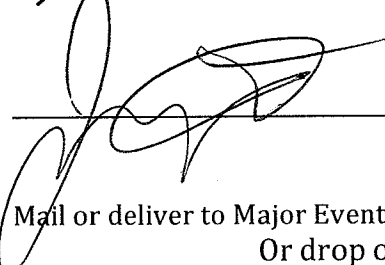
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Marlo Gohla	YES ☒ NO ☐
	Mike C. Kelley	YES ☒ NO ☐
	Jeremy Brown	YES ☒ NO ☐
	Brittany Cusamnek	YES ☒ NO ☐
	Rebekah Schneider	YES ☒ NO ☐
	Katelyn Page	YES ☒ NO ☐
	Lucas Taylor	YES ☒ NO ☐
	Philip C. Shepherd	YES ☒ NO ☐

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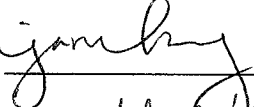
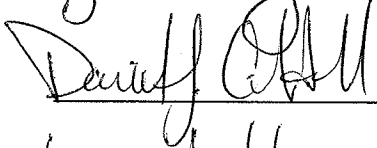
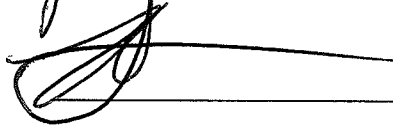
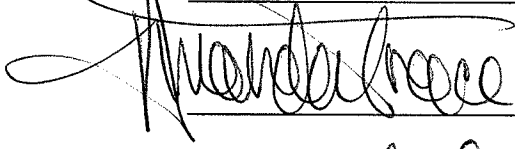
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Jacob Troutt	YES ☒ NO ☐
	Hannah Zolter	YES ☒ NO ☐
	William King	YES ☒ NO ☐
	Zane Adams	YES ☒ NO ☐
	Sara Hiatt	YES ☒ NO ☐
	Andrea Wise	YES ☒ NO ☐
	Sam King	YES ☒ NO ☐
	Joseph Largent	YES ☒ NO ☐

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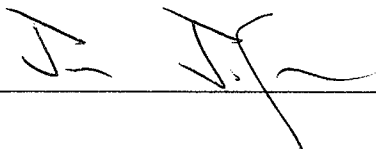
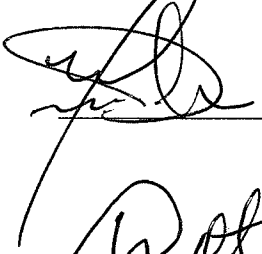
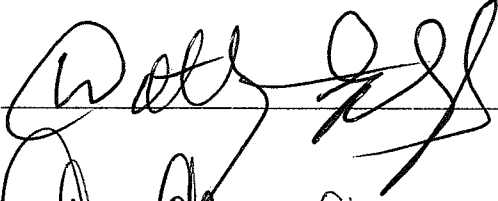
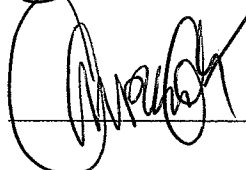
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	JANE KANG	YES ☒ NO ☐
	Daniel Caldwell	YES ☒ NO ☐
	KAR HATT	YES ☒ NO ☐
	Jane Howard	YES ☒ NO ☐
	Brent Miller	YES ☒ NO ☐
	Emily Catclaw	YES ☒ NO ☐
	Amanda Treece	YES ☒ NO ☐
	Karen McSpadden	YES ☒ NO ☐

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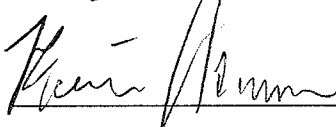
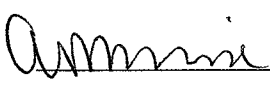
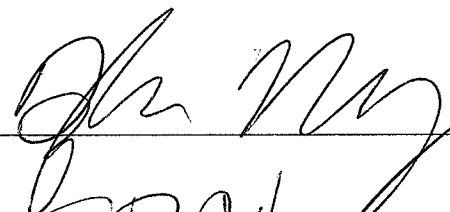
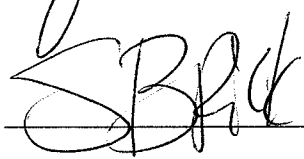
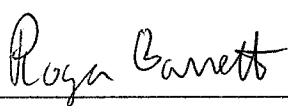
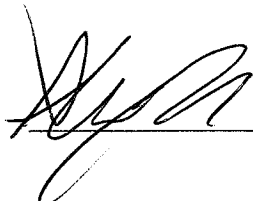
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Paula Ellington	YES ☒ NO ☐
		YES ☒ NO ☐
		YES ☐ NO ☒
	Sharon Ann Wilcox	YES ☒ NO ☐
	Fiona Davidson	YES ☒ NO ☐
		YES ☒ NO ☐
	Christina	YES ☒ NO ☐

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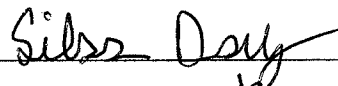
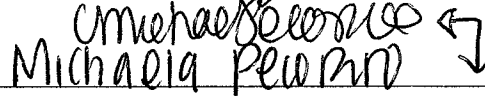
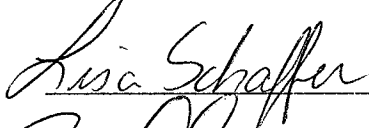
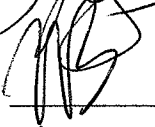
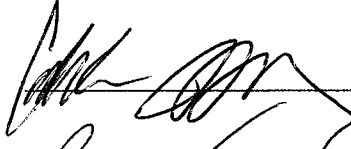
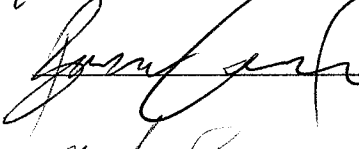
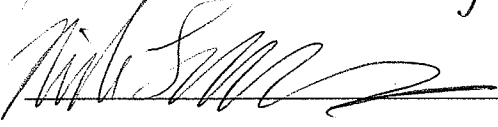
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Whitney Dwyer	YES ☒ NO ☐
	Kourtney	YES ☒ NO ☐
	Ashlea Milburn	YES ☒ NO ☐
		YES ☒ NO ☐
	Savannah Brick	YES ☒ NO ☐
	ROGER BARRETT	YES ☒ NO ☐
	Alex Burlison	YES ☒ NO ☐

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	Silas Day	YES ☒ NO ☐
	Michaela Pewmnd	YES ☒ NO ☐
	Lisa Schaffer	YES ☒ NO ☐
	Barry Ozturk	YES ☒ NO ☐
	Nathan Bailey	YES ☒ NO ☐
	Caleb Mack	YES ☒ NO ☐
	Bryan Lowery	YES ☒ NO ☐
	Nick Finkbeiner	YES ☒ NO ☐

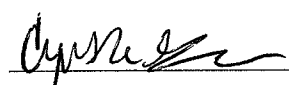
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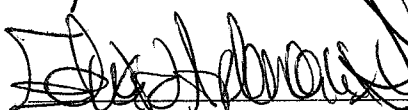
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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Crystal Bardin	YES ☒ NO ☐

	Cynthia Smith	YES ☒ NO ☐
--	---------------	---

	Eric Anderson	YES ☒ NO ☐
---	---------------	---

	K. Vimer	YES ☒ NO ☐
---	----------	---

	Megan Valone	YES ☒ NO ☐
---	--------------	---

	Samuel M. Lemore	YES ☒ NO ☐
---	------------------	---

	Carline Belinfante	YES ☒ NO ☐
---	--------------------	---

	Steven Parson	YES ☒ NO ☐
---	---------------	---

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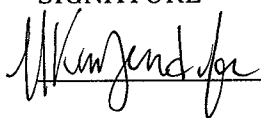
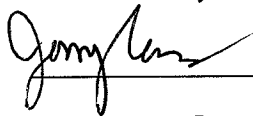
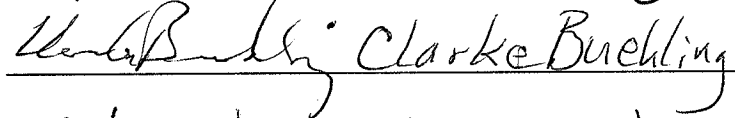
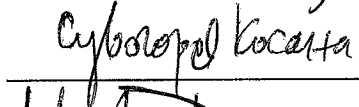
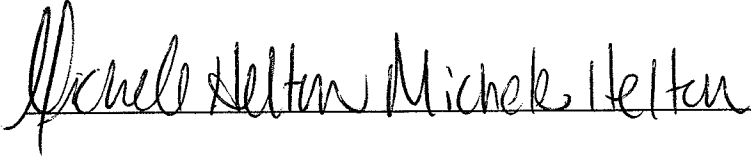
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Alison Wolf</u>	<u>Alison Wolf</u>	YES ☒ NO ☐
<u>Dana Mulhollan</u>	<u>Dana Mulhollan</u>	YES ☒ NO ☐
<u>Emily Kartz</u>	<u>Emily Kartz</u>	YES ☒ NO ☐
<u>Kelly Mulhollan</u>	<u>Kelly Mulhollan</u>	YES ☒ NO ☐
<u>Deborah Keazer</u>	<u>Deborah Keazer</u>	YES ☒ NO ☐
<u>Preston Head</u>	<u>Preston Head</u>	YES ☒ NO ☐
<u>Craig Young</u>	<u>CRAIG Young</u>	YES ☐ NO ☒
<u>Ashley Jolly</u>	<u>Ashley Jolly</u>	YES ☒ NO ☐

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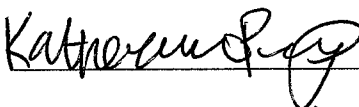
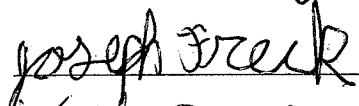
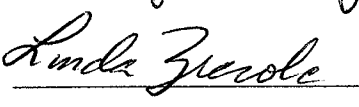
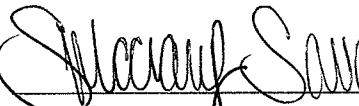
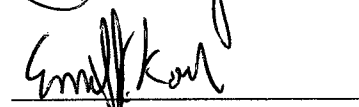
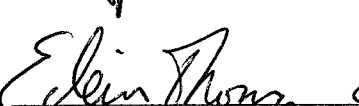
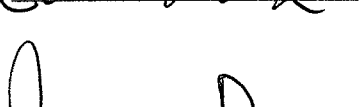
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Maria Korzendorfer	YES ☒ NO ☐
	Jessy Lang	YES ☒ NO ☐
	Clarke Buehling	YES ☒ NO ☐
	SUVOCAREV KOCANA	YES ☒ NO ☐
	MISHA DYER	YES ☒ NO ☐
	Seth Kong	YES ☒ NO ☐
	Cynthia VanBiber	YES ☒ NO ☐
	Michele Helton	YES ☐ NO ☒

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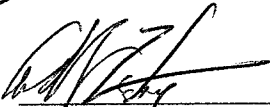
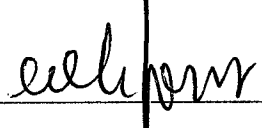
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Katherine Pickap	YES ☒ NO ☐
	Joseph Freck	YES ☒ NO ☐
	KELLY STUCKEY	YES ☒ NO ☐
	Linda Zeecola	YES ☐ NO ☒
	Savannah McCrary	YES ☐ NO ☒
	Emil J Koch	YES ☒ NO ☐
	Eileen Thomas	YES ☒ NO ☐
	Jorgin Rippe	YES ☒ NO ☐

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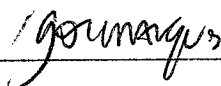
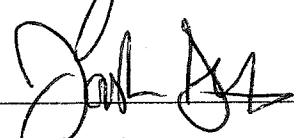
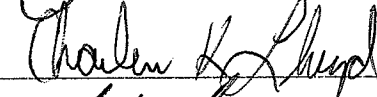
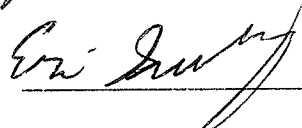
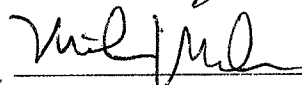
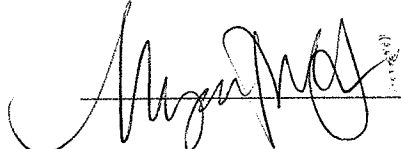
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	Kathleen Biggs	YES ☒ NO ☐
	MARK CAIN	YES ☒ NO ☐
	CALEB CAIN	YES ☒ NO ☐
	Hannah Jones	YES ☐ NO ☒
	Antonio Carpenter	YES ☒ NO ☐
	Eleanor Jones	YES ☐ NO ☒
	Samantha Blackburn	YES ☒ NO ☐
	MARTY SHUTTER	YES ☒ NO ☐

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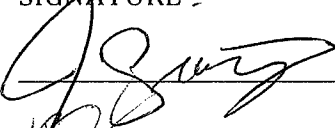
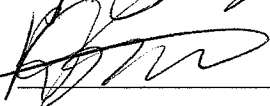
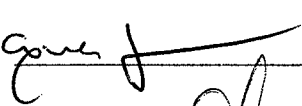
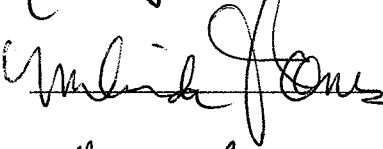
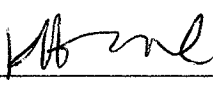
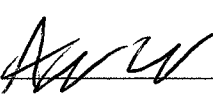
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	Iga Marques	YES ☒ NO ☐
	Amy Gillham	YES ☒ NO ☐
	Josh Stovall	YES ☒ NO ☐
	Charlene K. Lloyd	YES ☒ NO ☐
	Luke Knox	YES ☒ NO ☐
	Eric Saulsbury	YES ☒ NO ☐
	Mike Malone	YES ☒ NO ☐
	Megan Hurley	YES ☒ NO ☐

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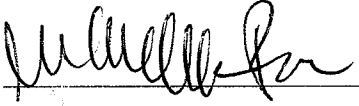
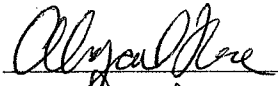
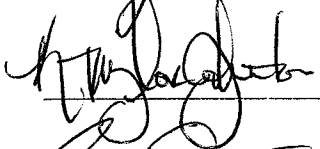
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	Joseph Sims	YES ☒ NO ☐
	Samantha Sigmon	YES ☒ NO ☐
	Lukas Taylor	YES ☐ NO ☒
	Brooke Baker	YES ☒ NO ☐
	Gregory Shorman	YES ☒ NO ☐
	Melinda Jones	YES ☒ NO ☐
	Kelly Hammond	YES ☒ NO ☐
	Andrew Crowe	YES ☒ NO ☐

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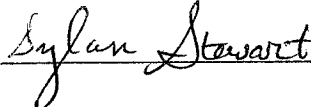
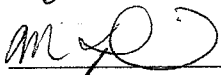
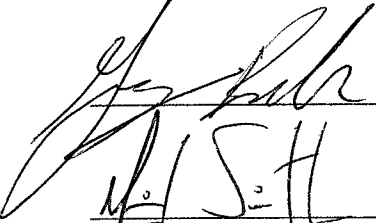
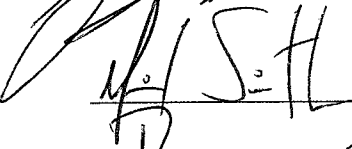
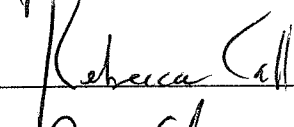
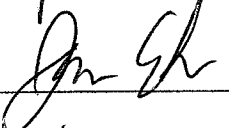
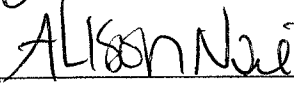
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	Robin Jones	YES ☒ NO ☐
	Michelle Parks	YES ☐ NO ☒
	ABIGAIL ROSE	YES ☒ NO ☐
	K. Taylor Johnston	YES ☒ NO ☐
	Nicholas Grager	YES ☒ NO ☐
	Robin Burch	YES ☒ NO ☐
	Stephanie Mallicote	YES ☒ NO ☐
	Caitlin Turner	YES ☒ NO ☐

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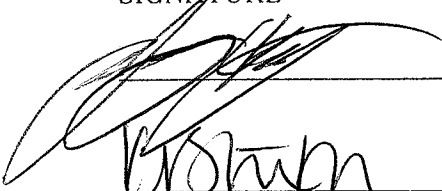
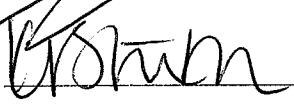
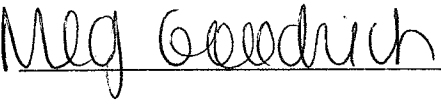
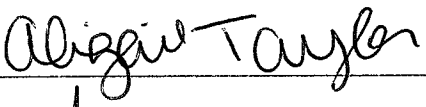
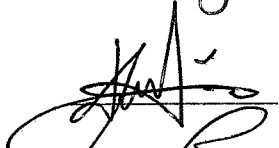
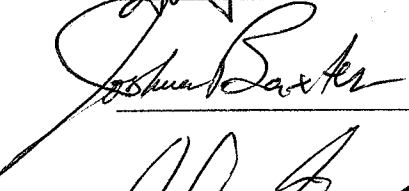
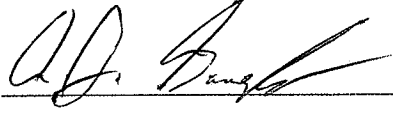
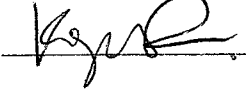
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u></u>	<u>J. Dylan Stewart</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>minam Daniel</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>George Becker</u>	YES <u>✓</u> NO <u> </u>
<u></u>	<u>MICAH SMITH</u>	YES <u>✓</u> NO <u> </u>
<u></u>	<u>Rebecca Call</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>James Cohen</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>Alison Nae</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>RAMEY MOORE</u>	YES <u>X</u> NO <u> </u>

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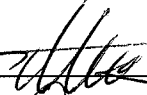
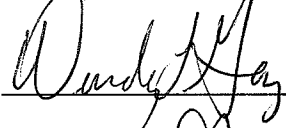
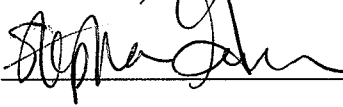
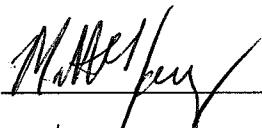
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Jimmy Key	YES ☒ NO ☐
	KIRSTEN BAUER	YES ☒ NO ☐
	Meg Goodrich	YES ☒ NO ☐
	Abigail Taylor	YES ☒ NO ☐
	Andrew Miner	YES ☐ NO ☒
	JOSHUA BAXTER	YES ☒ NO ☐
	A.J. Douglas	YES ☒ NO ☐
	Kagan P. Puy-Reyes	YES ☒ NO ☐

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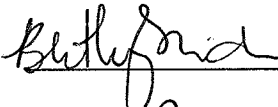
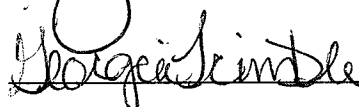
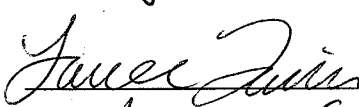
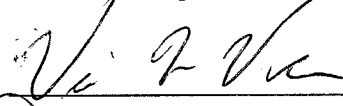
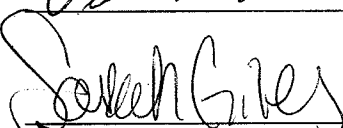
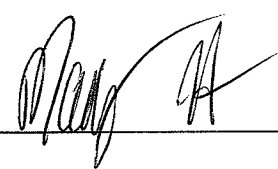
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Brandon Leal	YES ☒ NO ☐
	TIM WALKER	YES ☒ NO ☐
	WENDY GAY	YES ☒ NO ☐
	Stephanie Garman	YES ☒ NO ☐
	Aislinn Beaumont	YES ☒ NO ☐
	Matthew Garrett Young	YES ☒ NO ☐
	Bethie Stephanie Lauricchio	YES ☒ NO ☐
	GRANT ADAMS	YES ☒ NO ☐

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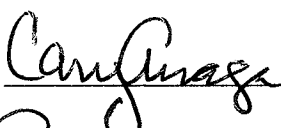
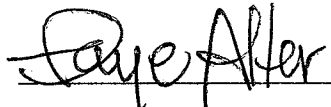
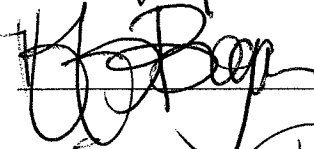
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Bentley Snider	YES ☒ NO ☐
	Bryn Bagwell	YES ☒ NO ☐
	George Trimble	YES ☒ NO ☐
	Lance Lanier	YES ☒ NO ☐
	Victoria Vek	YES ☒ NO ☐
	Sarah Gies	YES ☒ NO ☐
	Adam Driver	YES ☒ NO ☐
	Molly Hatcher	YES ☒ NO ☐

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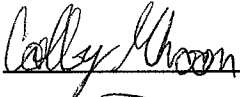
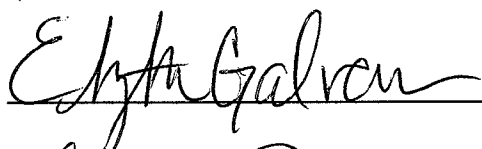
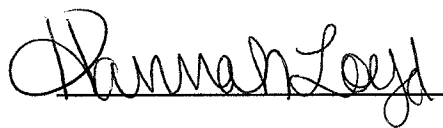
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Jess Harp	YES ☒ NO ☐
	Lanee Mille	YES ☒ NO ☐
	CARY Arsga	YES ☐ NO ☐
	Paula Matthews	YES ☒ NO ☐
	Michele Harrington	YES ☒ NO ☐
	FAYE ALTER	YES ☐ NO ☒ County
	Tiffany Bogan	YES ☒ NO ☐
	ERIC T Noyd	YES ☒ NO ☐

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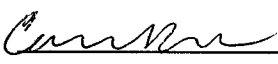
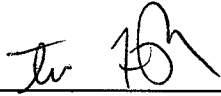
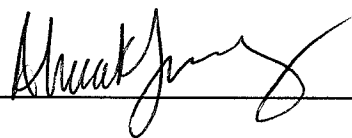
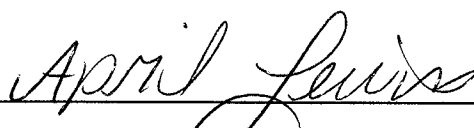
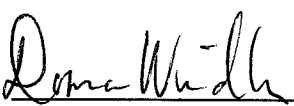
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u></u>	<u>Coby Mhoon</u>	YES ☒ NO ☐
<u></u>	<u>Marcie MacLean</u>	YES ☒ NO ☐
<u></u>	<u>Alondra Guerrero</u>	YES ☒ NO ☐
<u></u>		YES ☒ NO ☐
<u></u>		YES ☒ NO ☐
<u></u>	<u>Erika Kelleck</u>	YES ☒ NO ☐
<u></u>	<u>Geneva Harrington</u>	YES ☒ NO ☐
<u></u>	<u>Hannah Loyd</u>	YES ☒ NO ☐

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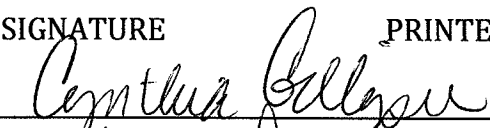
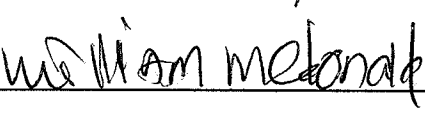
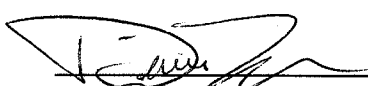
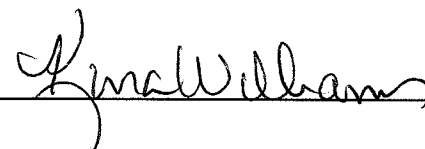
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	Christopher Johnson	YES ☒ NO ☐
	Carmen Taymore	YES ☒ NO ☐
	Ted Fish	YES ☐ NO ☒
		YES ☒ NO ☐
Loretta Bolner	Loretta Bolner	YES ☐ NO ☒
	April Lewis	YES ☐ NO ☒
	Amanda Farts	YES ☐ NO ☒
	Donna Windler	YES ☒ NO ☐

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		YES ☒	NO ☐
		YES ☐	NO ☒
		YES ☒	NO ☐
		YES ☒	NO ☐
		YES ☐	NO ☒
	Lee Clara	YES ☒	NO ☐
	Joe Westfall	YES ☐	NO ☒
		YES ☒	NO ☐

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<u>Aaron Beckman</u>	<u>Aaron Beckman</u>	YES ☒ NO ☐
<u>Steve Gress</u>	<u>Steve Gress</u>	YES ☒ NO ☐
<u>Chris Hale</u>	<u>Chris Hale</u>	YES ☐ NO ☒
<u>Marie Swider</u>	<u>Marie Swider</u>	YES ☒ NO ☐
<u>Emily White</u>	<u>Emily White</u>	YES ☒ NO ☐
<u>Tina Rottmann</u>	<u>Tina Rottmann</u>	YES ☒ NO ☐
<u>Kerry Jones</u>	<u>Kerry Jones</u>	YES ☒ NO ☐
<u>Franklin Welborn</u>	<u>Franklin Welborn</u>	YES ☐ NO ☒

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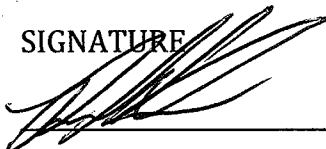
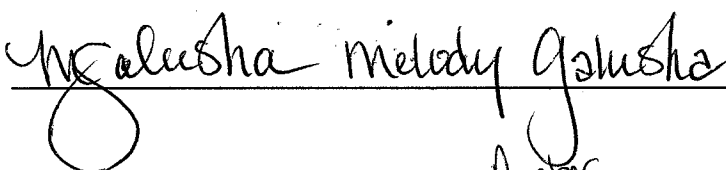
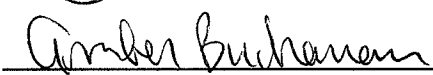
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<u>Cecil Traphagan</u>	<u>CTRAFHAGAN</u>	YES ☒ NO ☐
<u>ggy Frazier</u>	<u>Elizabeth Frazier Gandy</u>	YES ☒ NO ☐
<u>Joseph Abu</u>	<u>Lorehid Benz</u>	YES ☒ NO ☐
<u>Katelyn Morton</u>	<u>Katelyn Morton</u>	YES ☐ NO ☒
<u>Sheryl Grotewold</u>	<u>Sheryl Grotewold</u>	YES ☒ NO ☐
<u>J. Amos</u>		YES ☐ NO ☒
<u>Rexanne Graves</u>	<u>Rexanne Graves</u>	YES ☒ NO ☐
<u>Jennifer Johnston</u>	<u>Jennifer Johnston</u>	YES ☒ NO ☐

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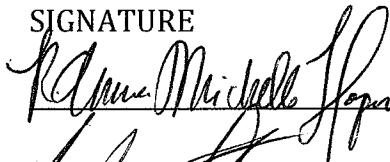
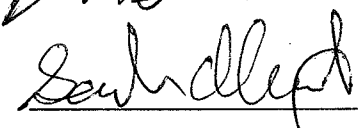
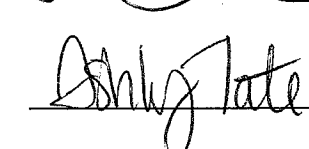
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	Rachel Hetzendorfer	YES ☒ NO ☐
	Cherie Flournoy	YES ☐ NO ☒
	Maggie Mullican	YES ☒ NO ☐
	Marsha Chriss	YES ☒ NO ☐
	Kara Welch	YES ☒ NO ☐
	Melody Galsus	YES ☒ NO ☐
	Amber Buchanan	YES ☒ NO ☐

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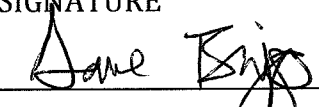
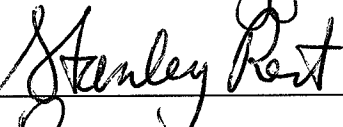
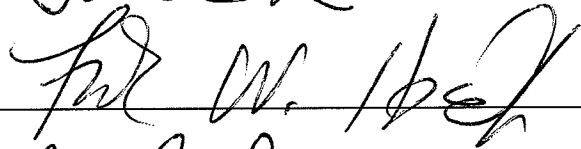
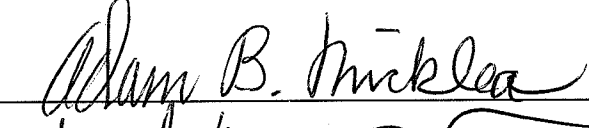
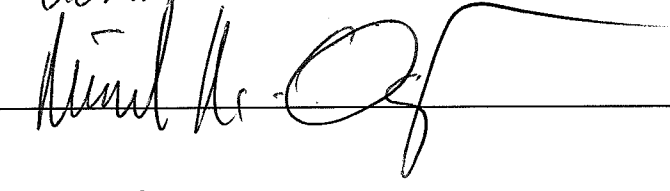
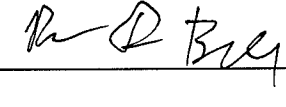
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	R. Anne-Michelle Hopwood	YES ☒ NO ☐
	Josh Stanley	YES ☒ NO ☐
	Sarah Alexander	YES ☒ NO ☐
	Shauntae Treant	YES ☒ NO ☐
	Steve Glean	YES ☒ NO ☐
	ASHLY Tate	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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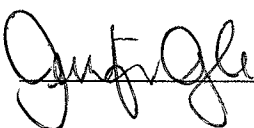
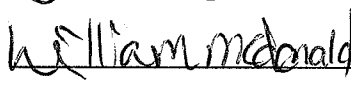
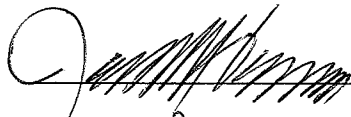
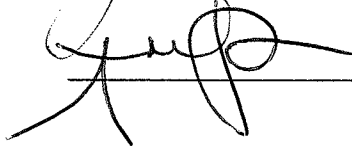
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	DAVE BRIGGS	YES _____ NO ☒
	Stanley Rest	YES ☒ NO _____
	Bruce L. Welsh	YES _____ NO ☒
	Paul W. Bell	YES ☒ NO _____
	Michael Hill	YES _____ NO ☒
	Adam B. Nickless	YES _____ NO ☒
	David R. O'Connell	YES _____ NO ☒
	Braden T. Bull	YES ☒ NO _____

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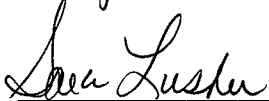
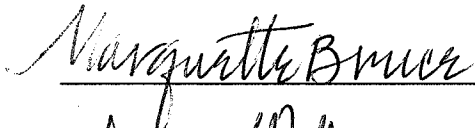
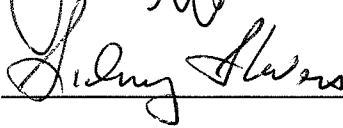
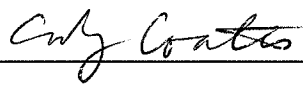
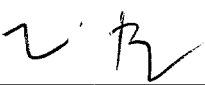
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	Tascha Farris	YES ☒ NO ☐
	Frank Williams	YES ☒ NO ☐
	EDWARD DOWNIE	YES ☒ NO ☐
	JENNIFER OGLE	YES ☐ NO ☒
	William McDonald	YES ☒ NO ☐
	JAMES HORAN	YES ☒ NO ☐
	Aimee Papazian	YES ☒ NO ☐
	Brad Andersen	YES ☒ NO ☐

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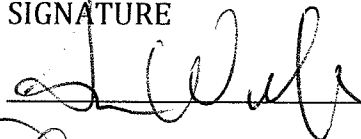
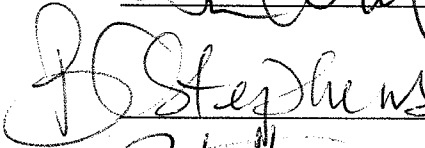
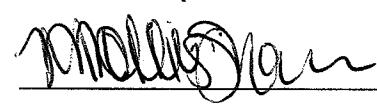
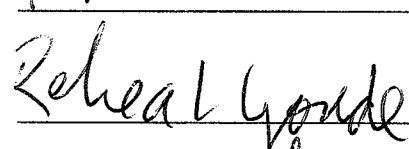
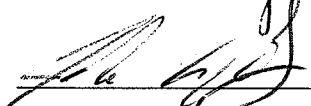
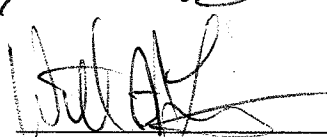
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	Sidney Hall Elkins	YES ☐ NO ☒
	SARA LUSTER	YES ☐ NO ☒
	Andrew Dilatosh	YES ☒ NO ☐
	Marguerite Bruce	YES ☒ NO ☐
	Jackson Wells	YES ☐ NO ☒
	Sidney Stevens	YES ☒ NO ☐
	Andy Coates	YES ☒ NO ☐
	LACIE BRAY	YES ☒ NO ☐

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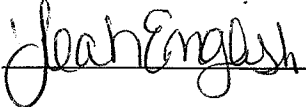
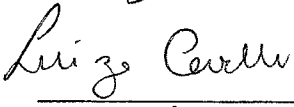
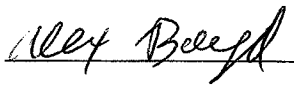
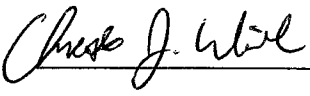
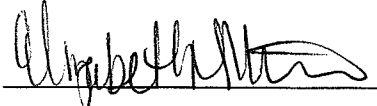
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Sara Wilson	YES ☒ NO ☐
	Brittany Stephenson	YES ☒ NO ☐
	Peter J Hartman	YES ☒ NO ☐
	Mollie Slavin	YES ☒ NO ☐
	Keith Bern	YES ☒ NO ☐
	Reheal Youde	YES ☐ NO ☒
	Josh Carter	YES ☒ NO ☐
	William H. Little	YES ☒ NO ☐

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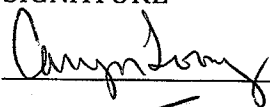
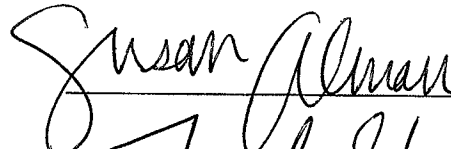
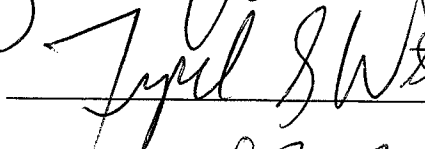
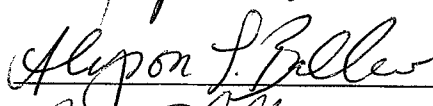
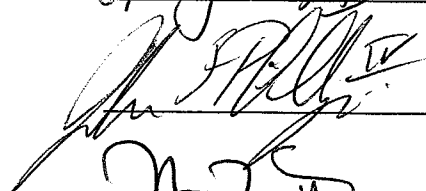
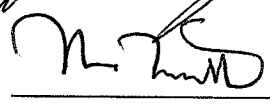
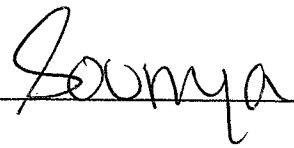
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Leah English	YES ☒ NO ☐
	E.W. Jaust	YES ☒ NO ☐
	LUIZA CARVALHO	YES ☒ NO ☐
	KEVIN HACKLER	YES ☒ NO ☐
	Alex Boyd	YES ☒ NO ☐
	Christine J. Wilson	YES ☒ NO ☐
	Dylan DeWitt	YES ☒ NO ☐
	Elizabeth Miller	YES ☒ NO ☐

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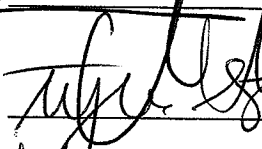
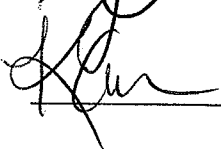
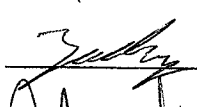
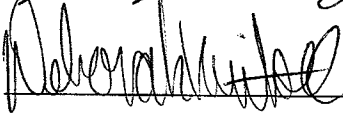
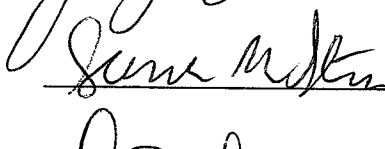
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	Canyon Looney	YES ☒ NO ☐
	Austin Eubanks	YES ☒ NO ☐
	Susan Alman	YES ☒ NO ☐
	Tyrel J. Weston	YES ☒ NO ☐
	Alyson Baller	YES ☒ NO ☐
	John F. Phillips IV	YES ☒ NO ☐
	Tim LaTorrette	YES ☒ NO ☐
	Soumya Chigurupati	YES ☒ NO ☐

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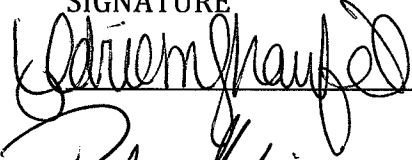
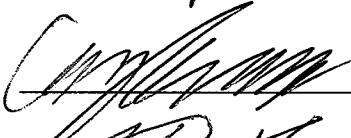
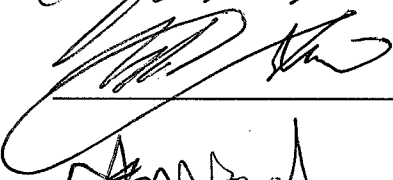
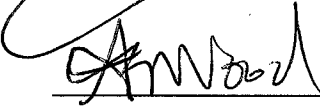
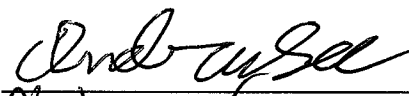
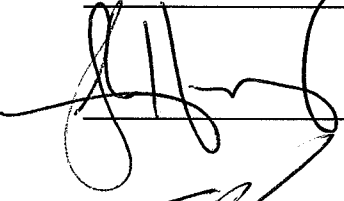
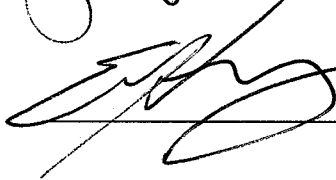
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Emma Hempstead	YES ☒ NO ☐
	Tyler Stolt	YES ☒ NO ☐
	Kathryn Cario	YES ☒ NO ☐
	Zach Hoffman	YES ☒ NO ☐
	Deborah Kintzel	YES ☒ NO ☐
	James Stogton	YES ☒ NO ☐
	Sarah M. Stanley	YES ☒ NO ☐
	Kimberly Dike	YES ☒ NO ☐

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	Adrienne Shaunfield	YES ☒ NO ☐
	Rob Shaunfield	YES ☒ NO ☐
	Cong Emerson	YES ☒ NO ☐
	Adam Garner	YES ☒ NO ☐
	Audrey Best	YES ☒ NO ☐
	Andrew Lee	YES ☒ NO ☐
	S. Hunt	YES ☒ NO ☐
	ERIC HENRY	YES ☒ NO ☐

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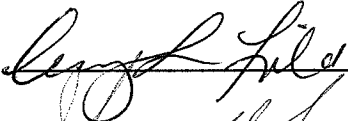
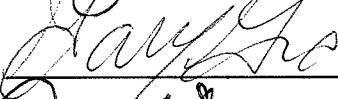
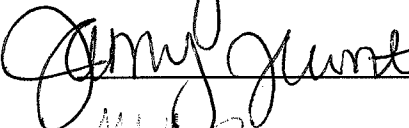
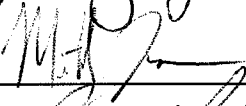
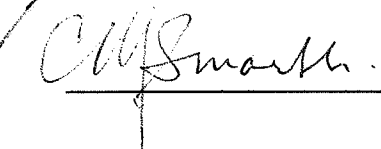
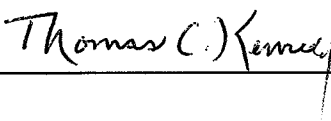
SIGNATURE.	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Katie Nichol</u>	<u>Katie Nichol</u>	YES <u>X</u> NO <u> </u>
<u>[Signature]</u>	<u>Maria Guenard</u>	YES <u>X</u> NO <u> </u>
<u>Gerry Bernard</u>	<u>Gerry Bernard</u>	YES <u>X</u> NO <u> </u>
<u>Christina Lane</u>	<u>Christina Lane</u>	YES <u>X</u> NO <u> </u>
<u>Patricia Lee</u>	<u>Patricia Lee</u>	YES <u>X</u> NO <u> </u>
<u>Devin Stanley</u>	<u>Devin Stanley</u>	YES <u>X</u> NO <u> </u>
<u>Heather Milton</u>	<u>Heather Milton</u>	YES <u>X</u> NO <u> </u>
<u>Emily Field</u>	<u>Emily Field</u>	YES <u>X</u> NO <u> </u>

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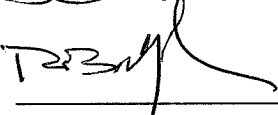
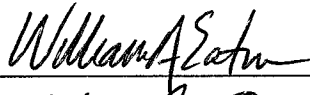
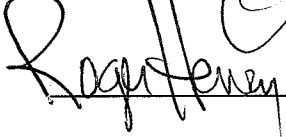
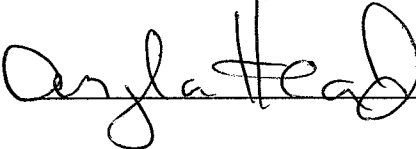
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Amy Field	YES ☒ NO ☐
	GARY GRAY	YES ☒ NO ☐
	CASSANDRA DOMINICK	YES ☒ NO ☐
	Jany Hunter	YES ☒ NO ☐
	Michael Ferrara	YES ☐ NO ☒
	Joseph Chesla	YES ☒ NO ☐
	C. M. SMART	YES ☒ NO ☐
	Thomas C. Kennedy	YES ☒ NO ☐

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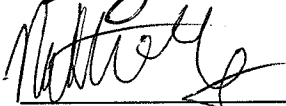
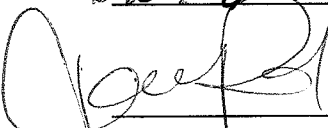
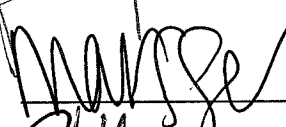
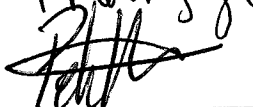
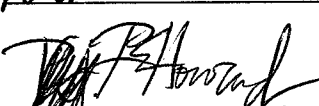
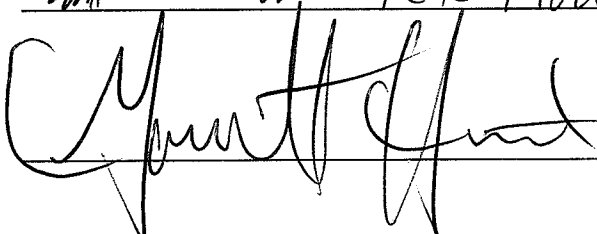
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	William A. Quinn	YES ☒ NO ☐
	ROBERT BILLINGSLEY	YES ☒ NO ☐
	Alan D. Vick	YES ☒ NO ☐
	William Eaton	YES ☒ NO ☐
	MIKE RICKARD	YES ☒ NO ☒
	Patrick Cahway	YES ☒ NO ☐
	ROGER HENRY	YES ☒ NO ☐
	ANGELA HEAD	YES ☒ NO ☐

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	Daniel C.	YES ☒ NO ☐
	Nathan Hardenburg	YES ☒ NO ☐
	Brandon Schmitt	YES ☒ NO ☐
	Jessica Peters	YES ☒ NO ☐
	Marissa Williams	YES ☒ NO ☐
	Peter J. Hartman	YES ☒ NO ☐
	Pete Howard	YES ☒ NO ☐
		YES ☒ NO ☐

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<u>Ann Greenwood</u>	<u>Ann Greenwood</u>	YES <u>X</u> NO <u> </u>
<u>Linda Flores</u>	<u>Linda Flores</u>	YES <u>✓</u> NO <u> </u>
<u>Rehanna Deborah Champagne</u>	<u>Rehanna Deborah Champagne</u>	YES <u>✓</u> NO <u> </u>
<u>Elizabeth Harriss</u>	<u>Elizabeth Harriss</u>	YES <u>✓</u> NO <u> </u>
<u>Edward Deymorek</u>	<u>Edward Deymorek</u>	YES <u>✓</u> NO <u> </u>
<u>Janet Borders</u>	<u>Janet Borders</u>	YES <u>X</u> NO <u> </u>
<u>Adam Butler</u>	<u>Adam Butler</u>	YES <u> </u> NO <u>X</u>
<u>Arden Kate</u>	<u>Arden Kate</u>	YES <u>X</u> NO <u> </u>
<u>Amanda K Harris</u>	<u>Amanda K Harris</u>	YES <u>✓</u> NO <u> </u>

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SIGNATURE

PRINTED NAME

FAYETTEVILLE RESIDENT

Schell Culler Gabriel Culler YES ☒ NO ☐

Elizabeth Bell Elizabeth Bell YES ☒ NO ☐

Am Dawling Support 200% YES ☒ NO ☐

Richard P. Osborne Richard P. Osborne YES ☒ NO ☐

Brandon Carter Brandon Carter YES ☒ NO ☐

Mike E Mike E YES ☒ NO ☐

Natasha Brown Natasha Brown YES ☒ NO ☐

Joe Kelly Joe Kelly YES ☒ NO ☐

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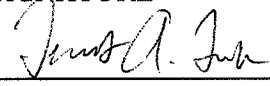
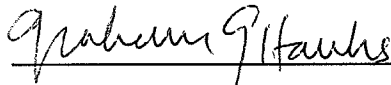
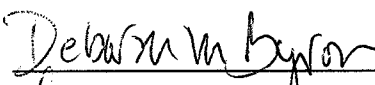
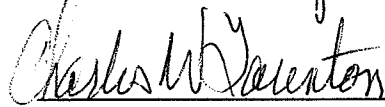
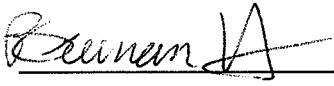
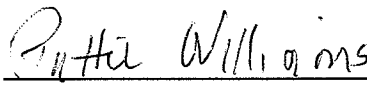
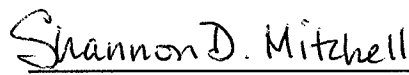
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Grant Hall</u>	<u>Grant Hall</u>	YES ☒ NO ☐
<u>Briana Kordsmeier</u>	<u>Briana Kordsmeier</u>	YES ☒ NO ☐
<u>William Taylor</u>	<u>William TAYLOR</u>	YES ☒ NO ☐
<u>Freddy Dominguez</u>	<u>Freddy DOMINGUEZ</u>	YES ☒ NO ☐
<u>Betty Weber</u>	<u>Betty Weber</u>	YES ☒ NO ☐
<u>Dylan Stewart</u>	<u>Dylan Stewart</u>	YES ☒ NO ☐
<u>Jodi Nimmo</u>	<u>Jodi Nimmo</u>	YES ☒ NO ☐
<u>Gerry Berard</u>	<u>Gerry Berard</u>	YES ☒ NO ☐

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<u></u>	<u>TERZA A. TURNER</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>GRAHAM G. HANKS</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>DEBORAH M. BYRON</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>CHARLES W. TACKSTON</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>Drake Breshers</u>	YES <u>Student</u> NO <u> </u>
<u></u>	<u>Brennan Hicks</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>PATTIE WILLIAMS</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>Shannon D. Mitchell</u>	YES <u>X</u> NO <u> </u>

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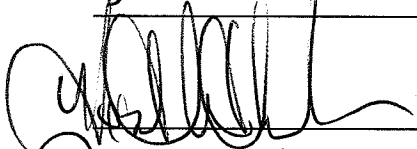
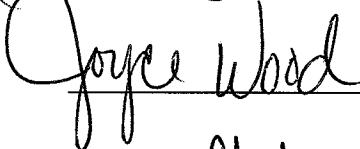
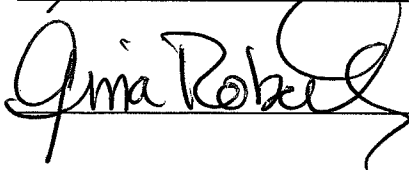
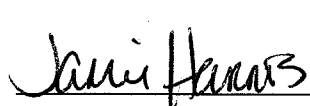
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Brian Herzog</u>	<u>Brian Herzog</u>	YES <u>X</u> NO <u> </u>
<u>Alyson Reaves</u>	<u>Alyson Reaves</u>	YES <u> </u> NO <u>X</u>
<u>Betony Maringer</u>	<u>Betony Wearley-Maringer</u>	YES <u> </u> NO <u>X</u>
<u>LEILANI LAW</u>	<u>LEILANI LAW</u>	YES <u>✓</u> NO <u> </u>
<u>Call Rebecca Suzanne</u>	<u>Call Rebecca Suzanne</u>	YES <u>✓</u> NO <u> </u>
<u>Allyen Lord</u>	<u>Allyen Lord</u>	YES <u>✓</u> NO <u> </u>
<u>BETH C WRO</u>	<u>BETH C WRO</u>	YES <u>✓</u> NO <u> </u>
<u>Kylee Scott</u>	<u>Kylee Scott</u>	YES <u> </u> NO <u>X</u>

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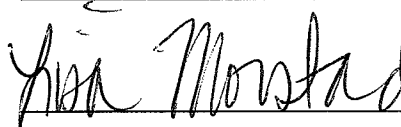
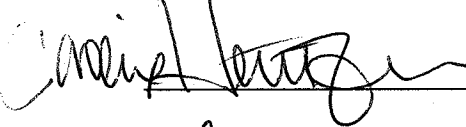
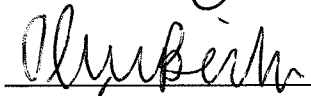
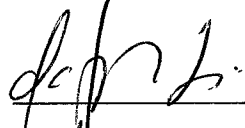
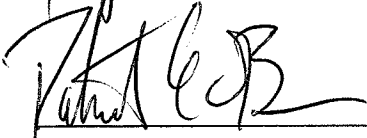
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	Daniel Ferris	YES ☒ NO ☐
	Dave Proctor	YES ☒ NO ☐
	Heather Wilson	YES ☒ NO ☐
	Joyce Wood	YES ☒ NO ☐
	Nick	YES ☒ NO ☐
	Eric Holle	YES ☐ NO ☒
	Gina Robel	YES ☐ NO ☒
	Jamie Harris	YES ☒ NO ☐

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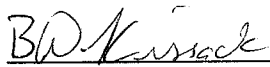
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	Matthew Sheppard	YES ☒ NO ☐
	LISA MORSTAD	YES ☒ NO ☐
	Bill Birnie	YES ☒ NO ☐
	Nicole Shipley	YES ☒ NO ☐
	Caroline Heitzman	YES ☒ NO ☐
	Olivia Becker	YES ☒ NO ☐
	Ian Sheu	YES ☒ NO ☐
	Patrick O'Brien	YES ☒ NO ☐

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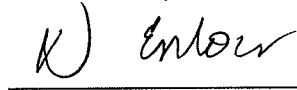
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	Brandon Lissack	YES ☒ NO ☐

	Michelle Hunter	YES ☒ NO ☐
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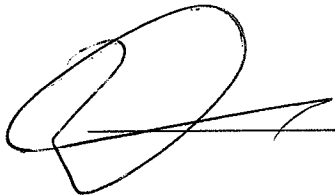
	Terri Ann Howard	YES ☒ NO ☐
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	Elliott E. Tobin	YES ☒ NO ☐
---	------------------	---

	David Enlow	YES ☒ NO ☐
---	-------------	---

	Nancy Buckley	YES ☒ NO ☐
---	---------------	---

	Elizabeth Stripling	YES ☒ NO ☐
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	Zachary Enlow	YES ☒ NO ☐
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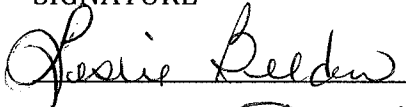
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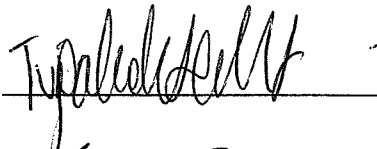
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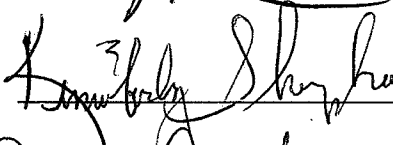
 Leslie Beben YES ☒ NO ☐

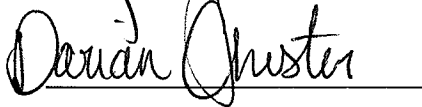
 Marla Steele YES ☒ NO ☐

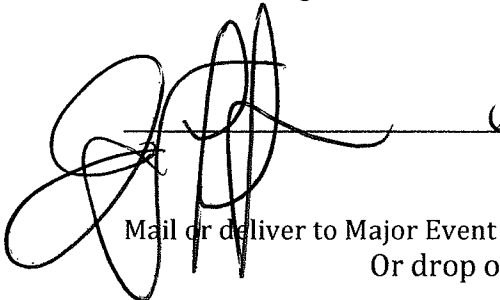
 Eva C. Madison YES ☒ NO ☐

 Tugue Utecht YES ☒ NO ☐

 Kagan D. Puy-Reddy YES ☒ NO ☐

 Kimberly Shepherd YES ☒ NO ☐

 Darian Chester YES ☒ NO ☐

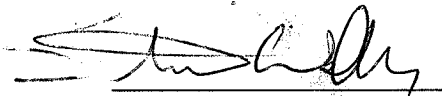
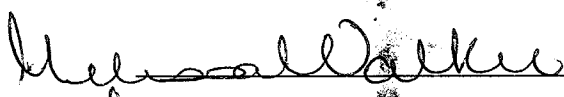
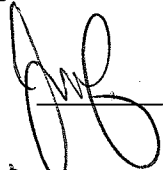
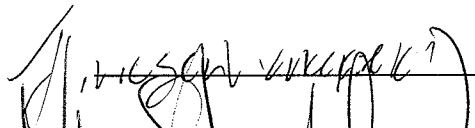
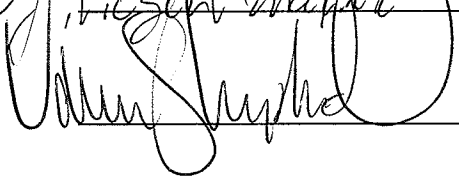
 Terrod Shaffer YES ☒ NO ☐

Mail or deliver to Major Event Ordinance; 3572 S School Suite A; Fayetteville, AR 72701
Or drop off at The Depot, 548 W. Dickson.

At this time, the city of Fayetteville has no forum for citizen input in the permitting process for major events and festivals. If an organization wishes to get a Major Event Permit, they must fill out standard forms and obtain the signature of the Major.

We believe there is a better approach for Fayetteville. If an organization wishes to host an event that would use city parking lots and/or parks and close down public streets for MORE than two days, this should require City Council approval. This process would allow citizens a forum to discuss the value of the event to the city. Major festivals affect our entire city and help define our community. Allowing for citizen input and approval through our elected leaders is fair and appropriate.

THEREFORE, WE THE UNDERSIGNED, REQUEST THE CITY COUNCIL ADOPT AN ORDINANCE THAT REQUIRES CITY COUNCIL APPROVAL AS A FINAL STEP IN THE PERMITTING PROCESS FOR ANY MAJOR EVENT THAT PROPOSES TO CLOSE CITY STREETS, PARKS AND/OR PARKING LOTS FOR TWO OR MORE DAYS.

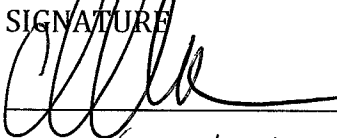
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Constance Hensley Kral	YES ☒ NO ☐
	Stuart Walker	YES ☒ NO ☐
	Melissa Walker	YES ☒ NO ☐
	JIM GOZA	YES ☒ NO ☐
	Derek Dellinger	YES ☒ NO ☐
	INOGEN WAKEFIELD	YES ☒ NO ☐
	Valerie Shepherd	YES ☒ NO ☐
	John Beebe	YES ☒ NO ☐

Mail or deliver to Major Event Ordinance; 3572 S School Suite A; Fayetteville, AR 72701
Or drop off at The Depot, 548 W. Dickson.

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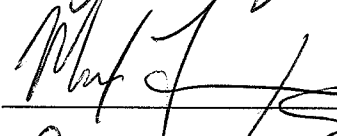
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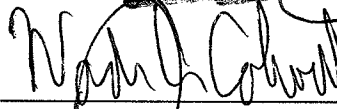
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT	
	CHRIS DYE	YES ☒	NO ☐

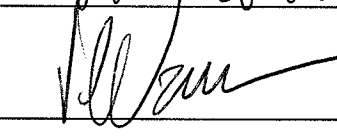
	Beth Stockdell	YES ☒	NO ☐
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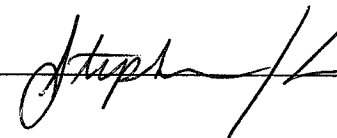
	Bryan Jones	YES ☒	NO ☐
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	Max Fanning	YES ☒	NO ☐
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		YES ☒	NO ☐
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	Wade Colwell	YES ☒	NO ☐
---	--------------	---	-----------------------------

	Van Leems	YES ☒	NO ☐
---	-----------	---	-----------------------------

		YES ☒	NO ☐
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Mail or deliver to Major Event Ordinance; 3572 S School Suite A; Fayetteville, AR 72701
Or drop off at The Depot, 548 W. Dickson.

Alderman Adella Gray
Ward 1 Position 1

Alderman Sarah Marsh
Ward 1 Position 2

Alderman Mark Kinion
Ward 2 Position 1

Alderman Matthew Petty
Ward 2 Position 2



Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. Smith

Alderman Justin Tennant
Ward 3 Position 1

Alderman Martin W. Schoppmeyer, Jr.
Ward 3 Position 2

Alderman John La Tour
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

**City of Fayetteville Arkansas
City Council Meeting
February 2, 2016**

A meeting of the Fayetteville City Council was held on February 2, 2016 at 5:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Mayor Jordan called the meeting to order.

PRESENT: Alderman Adella Gray, Sarah Marsh, Mark Kinion, Matthew Petty, Justin Tennant, Martin Schoppmeyer, John La Tour, Alan Long, Mayor Lioneld Jordan, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

Barrett Baber Proclamation

Mayor Jordan read the proclamation and presented Barrett Baber a key to the City of Fayetteville. Mayor Jordan stated he is a great citizen and friend to the city. He stated Barrett Baber has served the community as an educator and has inspired young minds to dare to dream through artistic expression.

Barrett Baber, Musician: It has been an incredible journey for me the last six months. One of the most gratifying and humbling parts of the journey has been to represent the people of the City of Fayetteville in a way that made them proud. I'm so glad that the people of the City of Fayetteville, the people of Northwest Arkansas, and the people of Arkansas took ownership of my success. It shows the kind of place that we live and the people that live here. I am really proud to call this place my home. Thank you and I am grateful for this honor.

City Council Meeting Presentations, Reports, and Discussion Items: None

Agenda Additions: None

Consent:

Mayor Jordan stated Alderman La Tour would like to pull the **Gulf Coast High Intensity Drug Trafficking Area Funding** item from Consent for discussion.

Approval of the January 19, 2016 City Council Meeting Minutes.

Approved

Animal Services Donation Revenue: A resolution to approve a budget adjustment in the amount of \$21,573.00 representing donation revenue to Animal Services received during the third and fourth quarters of 2015.

Resolution 32-16 as recorded in the office of the City Clerk

Lewis Automotive Group of Fayetteville: A resolution to approve the purchase of a 2016 Dodge Ram 1500 Tradesman Quad Cab 4x4 from Lewis Automotive Group of Fayetteville in the amount of \$22,995.00, pursuant to a state procurement contract, for use by the Engineering Division.

Resolution 33-16 as recorded in the office of the City Clerk

Bid #16-18 Utility Service Company, Inc.: A resolution to award Bid #16-18 and authorize a contract with Utility Service Company, Inc. in the amount of \$1,133,510.00 for the Baxter and Mount Sequoyah Tank Rehabilitation improvements Project, to approve a project contingency in the amount of \$113,351.00, and to approve a budget adjustment.

Resolution 34-16 as recorded in the office of the City Clerk

Environmental Consulting Operations, Inc. Amendment No. 2: A resolution to approve Amendment No. 2 to the contract with Environmental Consulting Operations, Inc. in the amount of \$50,000.00 for wetlands mitigation site monitoring and management through 2016.

Resolution 35-16 as recorded in the office of the City Clerk

KEE, LLC and Servpro of Fayetteville/Springdale: A resolution pursuant to Fayetteville Code of ordinances Section 39.10(C)(4) to authorize the Mayor to pay the amount of \$11,695.64 to KEE, LLC and \$5,290.40 to Servpro of Fayetteville/Springdale for a wastewater damage claim arising at 620 N. Rockcliff Road.

Resolution 36-16 as recorded in the office of the City Clerk

Precision Rescue, LLC Donation Revenue: A resolution to approve a budget adjustment in the amount of \$200.00 representing donation revenue from Precision Rescue, LLC to the Fayetteville Fire Department for the annual employee service awards event.

Resolution 37-16 as recorded in the office of the City Clerk

Fayetteville Firefighters Association Donation Revenue: A resolution to approve a budget adjustment in the amount of \$750.00 representing donation revenue from the Fayetteville Firefighters Association to the Fayetteville Fire Department for the annual employee service awards event.

Resolution 38-16 as recorded in the office of the City Clerk

Grant Thornton LLP: A resolution to approve a contract with Grant Thornton LLP in the amount of \$97,500.00 to provide independent audit services to the City of Fayetteville.

Resolution 39-16 as recorded in the office of the City Clerk

Pacific Vet Group-USA, Inc.: A resolution to approve a budget adjustment for 2015 to appropriate the non-cash repurchase of approximately 24 acres in the Fayetteville Commerce District from Pacific Vet Group-USA, Inc.

Resolution 40-16 as recorded in the office of the City Clerk

Frank Sharum Landscape Design, Inc.: A resolution to award Bid #16-17 and authorize a contract with Frank Sharum Landscape Design, Inc. in the amount of \$148,743.00 for the installation of trees and shrubs within the medians of Crossover Road and Van Asche Drive, and to approve a project contingency in the amount of \$15,000.00.

Resolution 41-16 as recorded in the office of the City Clerk

Ewing Signal Construction, LLC: A resolution to approve a contract with Ewing Signal Construction, LLC of Nixa, Missouri in the amount of \$100,041.50 for the construction of a traffic signal at the intersection of Van Asche Drive and Garland Avenue (Highway 112), and to approve a project contingency in the amount of \$10,000.00.

Resolution 42-16 as recorded in the office of the City Clerk

Arkansas Highway and Transportation Department: A resolution to approve a payment of \$359,587.42 to the Arkansas Highway and Transportation Department for the design and construction of the Highway 45/Old Wire Road Signal and Intersection Improvements Project.

Resolution 43-16 as recorded in the office of the City Clerk

Gulf Coast High Intensity Drug Trafficking Area Funding: A resolution to approve a budget adjustment recognizing funding from the Gulf Coast High Intensity Drug Trafficking Area in the amount of \$136,992.00 for the Police Department.

Removed from the Consent Agenda for discussion

Alderman Marsh moved to accept the Consent Agenda as read with Gulf Coast High Intensity Drug Trafficking Area Funding removed from the Consent Agenda for discussion. Alderman Long seconded the motion. Upon roll call the motion passed unanimously.

The **Gulf Coast High Intensity Drug Trafficking Area Funding** item was pulled from Consent for discussion.

Gulf Coast High Intensity Drug Trafficking Area Funding: A resolution to approve a budget adjustment recognizing funding from the Gulf Coast High Intensity Drug Trafficking Area in the amount of \$136,992.00 for the Police Department.

Alderman La Tour: I pulled this item to give a citizen a chance to speak.

Greg Tabor, Chief of Police gave a brief description of the resolution.

Alderman La Tour: Is this money funding salaries or buying vehicles?

Greg Tabor: It funds officer overtime, there is an allowance for two vehicles, and allows for the purchase of evidence and information.

Chris Deile, Citizen: I am concerned about the public safety as it relates to the issue and specifically of people being court ordered to Alcoholics Anonymous or Narcotics Anonymous. It hasn't stopped DUI's. I don't think the punishment is severe enough. We need more severe laws. When court ordered people come to Alcoholics Anonymous they are told it is a spiritual program, but not religious. It in fact is religious. Alcoholics Anonymous is helpful in many respects, but religion is used in an infusive manner.

Alderman Tennant moved to approve the resolution. Alderman Long seconded the motion. Upon roll call the resolution passed unanimously.

Resolution 44-16 as recorded in the office of the City Clerk

Unfinished Business: None

New Business:

In-House Pavement Improvements Project: A resolution to approve a budget adjustment reappropriating funds in the amount of \$500,000.00 from the Willow Bend Development Cost Share Project to the In-House Pavement Improvements Project for 2016.

Paul Becker, Chief Financial Officer gave a brief description of the resolution.

Mayor Jordan: Did this go through the Transportation Committee?

Alderman Petty: Yes, it did. We reviewed it in detail and there was unanimous support for it.

Mayor Jordan asked Alderman La Tour if he would like to speak on the item.

Alderman La Tour stated that if a lot of money is being spent, he would like for it to be discussed in a public forum instead of placing the item under the Consent section on the agenda.

Alderman Gray: I am delighted for us to do anything we can to help this project move forward.

Alderman Petty moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the resolution passed unanimously.

Resolution 45-16 as recorded in the office of the City Clerk

Rescue Phone, Inc.: An ordinance to waive the requirements of formal competitive bidding and authorize the purchase of a Crisis Response System from Rescue Phone, Inc. in the amount of \$22,985.00 plus applicable taxes for use by the Police Department, and to approve a budget adjustment.

City Attorney Kit Williams read the ordinance.

Greg Tabor, Chief of Police gave a brief description of the ordinance.

Alderman Marsh moved to suspend the rules and go to the second reading. Alderman Schoppmeyer seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Marsh moved to suspend the rules and go to the third and final reading. Alderman Long seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5844 as recorded in the office of the City Clerk

RZN 15-5268 (North of 812 S. College Ave./Cameron): An ordinance to rezone that property described in Rezoning Petition RZN 15-5268 for approximately 0.53 acres located north of 812 South College Avenue from NC, Neighborhood Conservation to RSF-18, Residential Single Family, 18 units per acre.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff is recommending approval. The Planning Commission recommended in favor 9-0 of the rezoning.

Alderman Petty: I will be recusing from this vote. I filed this application and one of the owners of the property will be here tonight to answer your questions.

Zara Niederman, Owner: I am available for any questions you may have.

Alderman Marsh moved to suspend the rules and go to the second reading. Alderman Tennant seconded the motion. Alderman Petty recused. Upon roll call the motion passed 7-0.

City Attorney Kit Williams read the ordinance.

Alderman Gray moved to suspend the rules and go to the third and final reading. Alderman Marsh seconded the motion. Alderman Petty recused. Upon roll call the motion passed 7-0.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Alderman Petty recused. Upon roll call the motion passed 7-0.

Ordinance 5845 as recorded in the office of the City Clerk

VAC 15-5277 (327 S. West Ave./Habitat for Humanity, Washington County): An ordinance to approve VAC 15-5277 submitted by Specialized Real Estate, Inc. for property located at 327 South West Avenue to vacate portions of street and alley rights-of-way.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff and the Planning Commission are recommending approval.

Alderman Marsh moved to suspend the rules and go to the second reading. Alderman Petty seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Tennant moved to suspend the rules and go to the third and final reading. Alderman La Tour seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5846 as recorded in the office of the City Clerk

VAC 15-5279 (660 W. MLK Blvd./Walmart Neighborhood Market): An ordinance to approve VAC 15-5279 submitted by CEI Engineering Associates, Inc. for property located at 660 West Martin Luther King Boulevard to vacate portions of utility easements.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff and the Planning Commission are recommending approval.

Alderman Gray moved to suspend the rules and go to the second reading. Alderman Petty seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Long moved to suspend the rules and go to the third and final reading. Alderman Tennant seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5847 as recorded in the office of the City Clerk

VAC 15-5281 (1211 W. James St./Haven Campus Communities): An ordinance to approve VAC 15-5281 submitted by Blew and Associates, Inc. for property located at 1211 West James Street to vacate portions of utility and drainage easements.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff and the Planning Commission are recommending approval.

Alderman Gray moved to suspend the rules and go to the second reading. Alderman Marsh seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Gray moved to suspend the rules and go to the third and final reading. Alderman Marsh seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5848 as recorded in the office of the City Clerk

ADM 15-5270 (Southwest Corner of Persimmion and Mountain Ranch/Parkhill at Mountain Ranch PZD Modification): An ordinance to modify R-PZD, Residential Planned Zoning District 12-4284 (Parkhill at Mountain Ranch) to slightly reduce the total area and the number of lots and to replace an alley with shared driveways.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff and the Planning Commission are recommending approval.

Alderman Long requested an explanation of replacing an alley with shared driveways.

Dave Jorgensen, Jorgensen & Associates: The reason for the revision to the PZD is that originally the owner had planned on taking the rear of some of the lots in Mountain Ranch Phase I. The new revision makes our west boundary line conform to the east boundary line of Mountain Ranch Phase I. This reduced that amount of property and also reduced the amount of lots that we have on there. In addition, we had complaints from some of the neighbors that they would prefer not to have an alley running the length of the property.

Alderman La Tour: Is it shared because everybody on that property line is going to be using the same driveway?

Dave Jorgensen: Correct.

Alderman La Tour: Does that become cumbersome at some point?

Dave Jorgensen: Sometimes it can be.

City Attorney Kit Williams: There are several shared driveways planned for this, aren't there?

Dave Jorgensen: Yes, on the new version. It is shared by two houses in the case of one or two of them and three houses in the other case. This is an access and utility easement. Problems can arise for a shared drive.

Alderman La Tour: Anybody who purchases in this development understands that they are taking it with a shared driveway.

Dave Jorgensen: Absolutely.

Alderman Long: There will be adequate parking for each house?

Dave Jorgensen: Yes.

Alderman Petty moved to suspend the rules and go to the second reading. Alderman Marsh seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Marsh moved to suspend the rules and go to the third and final reading. Alderman Tennant seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

Ordinance 5849 as recorded in the office of the City Clerk

Announcements:

Alderman Gray: There will be a Ward 1 meeting on February 4, 2016 at the Senior Center.

Jeremy Pate encouraged residents to fill out the Economic Development Strategic Plan survey that can be found on the city website.

City Council Agenda Session Presentations: None

City Council Tour: None

Adjournment: 6:15 p.m.

Lionel Jordan, Mayor

Sondra E. Smith, City Clerk Treasurer

CityClerk

From: Marsh, Sarah
Sent: Tuesday, February 16, 2016 4:46 PM
To: City_Clerk-old
Subject: Fw: Transit Issues for BBB

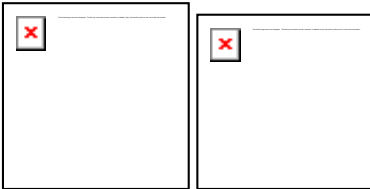
Categories: Forwarded

Sondra,

Please forward this to the other Council Members.

Thanks,
-Sarah

Sarah Marsh, bARCH, LEED AP BD+C
Vice Mayor | City Council Member, Ward 1, Position 2
City of Fayetteville, Arkansas
ward1_pos2@fayetteville-ar.gov | 479.799.0393



From: Jeff Castellano <jeffachadnezzar@gmail.com>
Sent: Tuesday, February 16, 2016 4:16 PM
To: Marsh, Sarah
Subject: Transit Issues for BBB

My name is Jeff Castellano, and during last year's BBB, I was a resident of Ward 2, not far from campus. I was a first-term student, which was an adjustment enough but compounded upon because of my unique obstacles being physically disabled. My mobility issues are unpredictable at best; some days I'm able to walk but must rest often, and bad days leave me entirely dependent on a wheelchair. Usually, this isn't too big of a deal. Fayetteville has the best public transit system anywhere, with the best staff and best conditions you could ask for. Thing is, that means nothing when it's inaccessible.

It may not seem like much, but two days is a lot of time to miss, particularly your first year. BBB is supposed to only be for the weekend, but traffic congestion started on the Tuesday before and got steadily worse until Thursday, when I just gave up and went on a mini-vacation elsewhere until everyone left. By then, it was bad enough the the brown and green lines (the only two that pass near my house on Davidson Street) were disrupted, and without those, myself and probably many other residents couldn't get around the areas around campus and Dickson. You know, two of the most important points in town. It was unnerving and way more

time-consuming than usual when the buses shut down--it normally took about twenty minutes or so to get from the front door of my apartment to Old Main. With no bus service, it took over an hour. More people are willing to behave in traffic for a person in a wheelchair, but apparently not for regular pedestrians, and I observed near-accidents happening more than once. It was so bad that this year, we actually plan on taking the entire week out of town, if possible, because it's a nightmare trying to get around otherwise. I realize that the revenue generated by the event is important, but I live here. I live here for many reasons, but one of those chief reasons is the accessibility for people like me with disabilities.

To say that I'm thrilled that someone is taking this issue seriously is an understatement. I fully support this ordinance--it takes into account the needs of all residents, including the disabled and those who don't use a car as transportation. That's very much in keeping with the values of being an inclusive community, something that Fayetteville does like no place else. Thank you!

(Anonymous, if possible?)

Jeff Castellano

Resident (Address withheld for security reasons.)

Handed out at the City Council
meeting 2-16-16.

Print Form

RZN 15-5240 2514 W. Lori Road
Razorback Golf Course

**BILL OF ASSURANCE
FOR THE CITY OF FAYETTEVILLE, ARKANSAS**

In order to attempt to obtain approval of a request for a zoning reclassification, the owner, developer, or buyer of this property, (hereinafter "Petitioner") JEL Land Acquisitions, LLC, hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, **substantial irreparable damage justifying injunctive relief** has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will **reasonable rely** upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers assurances that Petitioner and Petitioner's property shall be restricted as follows IF Petitioner's rezoning is approved by the Fayetteville City Council.

1. The use of Petitioner's property shall be limited to The Approximately
41 Acres Sought to be rezoned as R-A shall be used only as parkland, greenspace or conservation area.

2. Other restrictions including number and type of structures upon the property are limited to In no event shall more than 730 residential housing units be built upon the entirety of the
approximately 128 Acres sought to be rezoned.

3. Specific activities will not be allowed upon petitioner's property include

4. (Any other terms or conditions)

5. Petitioner specifically agrees that all such restrictions and terms shall run with the land and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, SEL LAND ACQUISITIONS, LLC, as the owner, developer or buyer (Petitioner) voluntarily offer all such assurances and sign my name below.

2/16/16
Date

SEL LAND ACQUISITIONS, LLC
Printed Name

Address

[Signature], MANAGER
Signature

NOTARY OATH

STATE OF ARKANSAS
COUNTY OF WASHINGTON } .ss

And now on this the 16th day of February, 2007, appeared before me, Joy L. Hoops, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

Joy L. Hoops
NOTARY PUBLIC

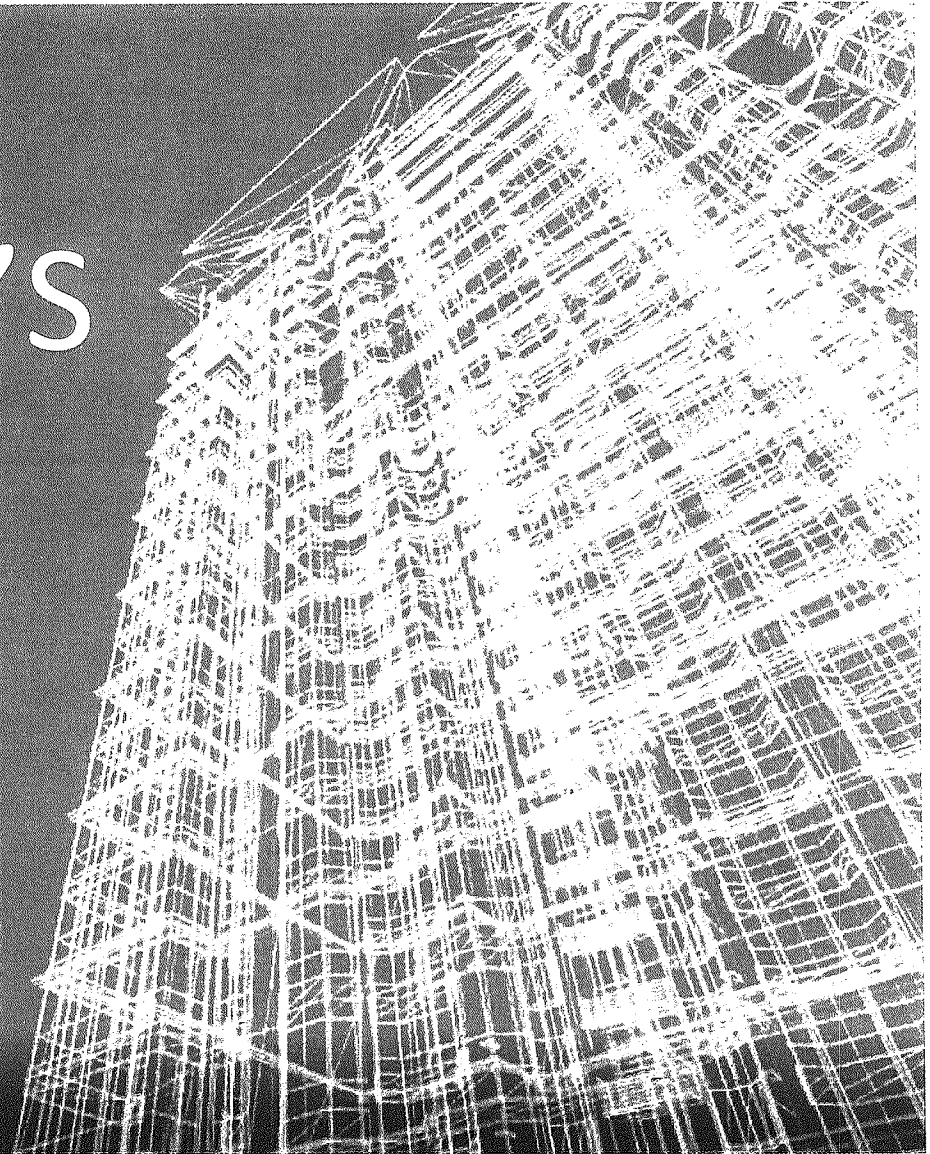
My Commission Expires:

JOY L. HOOPS
Notary Public
Washington County - Arkansas
Commission # 12400437
Expires: September 1, 2024

*Handed out at the City Council meeting 2-16-16
RZN 15-5240 2514 W. Lori Road
Razorback Golf Course*

CONCERNS ABOUT LINDSEY'S RAZORBACK REZONING

On behalf of...



ON BEHALF OF 93 HOUSEHOLDS:

Belclaire Estates

1. Jeff and Dr. Kathleen Reese
2. Kevin and Kim Davison
3. Amanda and Neil Barker
4. Michelle & Keith Lacewell
5. Tim and Leigh Stidham

The Pines

6. Carol Adair
7. Valerie Angel
8. Mark and Janie Baber
9. John and Linda Baird
10. Martha & Vincent Bond
11. Stan Bond
12. Charlene Bootsma
13. Faith Bradley
14. Suzanne Bullard
15. Ray and Annette Cowen

16. Gail Devecsery
17. Jack & Pat Devore
18. Frank & Carolyn Fries
19. Gerald Golden
20. Emma Gordon
21. Marci & Mark Handley
22. Clayton Harbers
23. Jim Harvey
24. Patsy Heptig
25. Ted Herget
26. Hugh & Donna Higginbotham
27. Eleanor Hill
28. Albert & Edith Hume
29. Rodger & Betty Ann Hurt
30. Al & Marguerite Iller
31. Weldon and Ann Johnson
32. Rhonda Kirk
33. Randy Lynch

34. David Michaelis
35. Chris & Cindy Paul
36. Sue Rodemich
37. Alan & Debbie Rudolph
38. Damon Shaw
39. John and Cay Thorn
40. Bill Tucker
41. Audri & Ralph Waddell
42. Paul Waddell
43. Dick and Jane Wakefield
44. Jim & Sherry Watson
45. Bruce & Kay Williams
46. Larry Wood

Cobblestone

47. Sarah White
48. Lindsey and Jared Curry

ON BEHALF OF 93 HOUSEHOLDS:

Clabber Creek

- 49. Hannah Dierks
- 50. Ryan Clark
- 51. Ron and Valerie Green
- 52. Tiffany Cox
- 53. Jacob and Emily Ward

Prairie View Acres

- 54. John Scott and Amy Bull
- 55. Heather and Seth Carter
- 56. Amanda Stevinson
- 57. Shannon and Huy Tran
- 58. Mike & Kim Gasner
- 59. Larry & Barbara Esch
- 60. Brian & Renee Buckley
- 61. Brad and Debbie Payne
- 62. Jay and Amanda Craig
- 63. Creek Meadow
- 64. Amy Linimon

- 65. Sara and Taylor Staley
- 66. Suzette and Terry Bowen
- 67. Troy and Aggie Mack
- 68. Kym and Odie Williams
- 69. Chris and Bailey Nichols
- 70. Brand and Lauren Anderson

Crystal Springs

- 71. Gail Mills
- 72. Bob Hinton
- 73. Harold and Kathy Hubbard
- 74. Zachary and Stephanie Hulett
- 75. Mike and Heather Hammel
- 76. Bryan and Ashley Striegler
- 77. Thomas and Patricia Lucas
- 78. Daniel and Victoria Hennessey
- 79. Gary and Sharon Guthrie
- 80. Ashley Hale
- 81. Jeff and Deja Glover

- 82. Royce & Susan Robertson
- 83. Spencer & Lindsay Smith
- 84. Wes and Sarah Berry
- 85. Jonathan Unwer
- 86. Cassie Rader
- 87. Amanda Stevinson
- 88. Hayzen and Desiree Guynn
- 89. Jim Erwin
- 90. Carly Grace
- 91. Laura and Will Bryant, Salem Village
- 92. Kevin and Amanda Geng, Crofton Manor
- 93. Kelly and Lori Collier, Marigold Dr

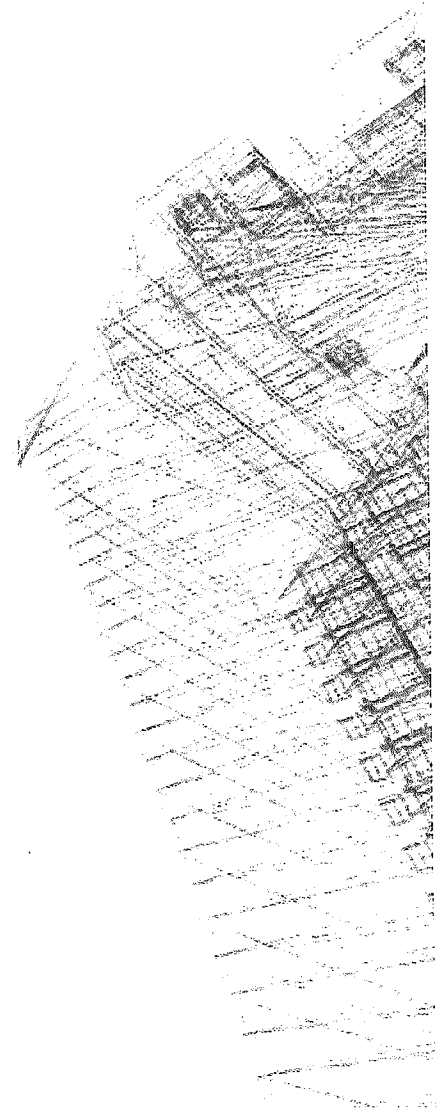
A DIFFERENT LOOK AT COMPATIBILITY

The City Attorney would say that rezoning actions are all about a *determination of compatibility*, but keep in mind that compatibility isn't simply a question of similarity, its a question of if the two areas are "capable of existing together in harmony".

- Lack of capable infrastructure in place to safely support this zoning
 - Roads – adding 2,280+ new vehicles
 - Schools – adding 1,500+ new school age children
- **Flood concerns**
- Environmental impact
- **Crime**
- **Adjacent zoning**

COMMISSIONER HOSKINS' COMMENT

At the first Planning Commission meeting, Commissioner Hoskins stated: "If this is not a plan that people would support, I guess my question is, what kind of plan would they support?"



THE REASON

Lindsey does not develop single family property. Their only interest is in apartments. Therefore, any compromise made by Lindsey would have to preclude apartments.

Further, their contract price on this property apparently prevents them from moving forward with fewer than 480 apartment units, plus the NC & NS units.

This results in a dangerous number of total units for this property and this area.

SIGNIFICANCE OF ZONING SCALE

- 128 acres of total land
- 75 acres of developable land;
roughly 1/5 of a square mile

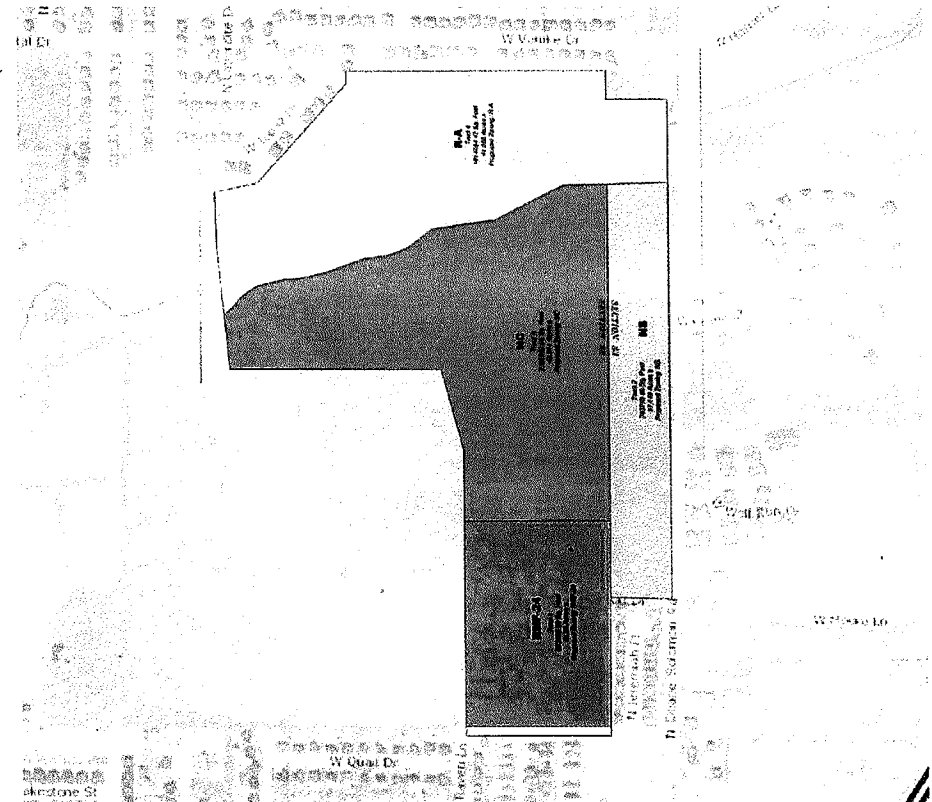
If all 75 acres was zoned	# of Units	Approximate # of Vehicles @ 2 per unit
Current Zoning (128 acres)	220	440
RSF-4	300	600
NC @ 6 units per acre	450	900
Zoning Proposal	1,140	2,280

REFERENCE FOR # OF VEHICLES

**Fayetteville Auto Park: 1,377
vehicles - parked**



**Proposed Zoning: 2,280 vehicles -
moving**



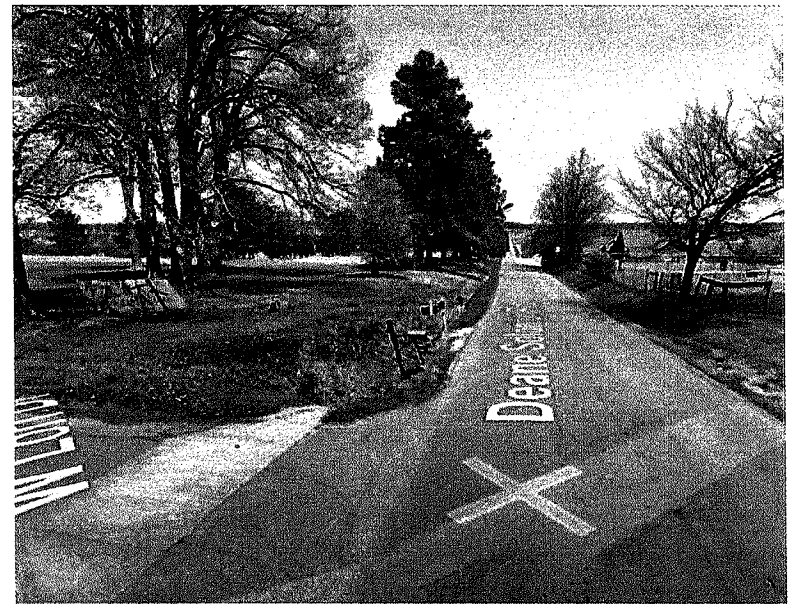
WOULD YOU PUT A SUPERCENTER ON THIS PROPERTY?

**Walmart Supercenter: 10,000
visits per day***



*The Institute of Transportation Engineers estimates that one Walmart Supercenter receives 10,000 car visits per day.

**Zoning Proposal: 9,120 entries or
exits per day****



**Assumes 2 trips per day per vehicle with 2,280 vehicles.

THE NUMBERS

Zoning request adds:

1,140 living units

2,280 vehicles

Current in the immediate area:

500+ residences

1,000+ vehicles

Combined:

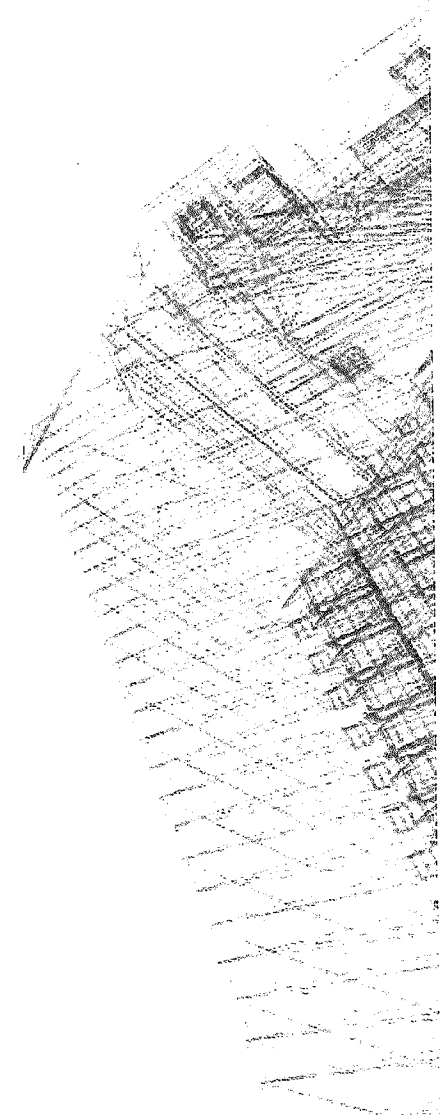
1,640+ units

3,280+ vehicles

Result: @ 2 trips per day, that is **13,120** vehicles traveling Deane Solomon each day.

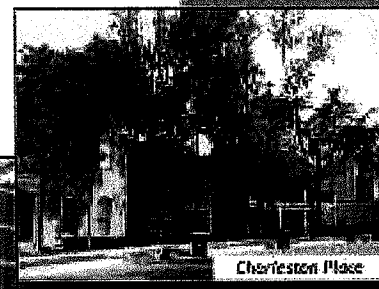
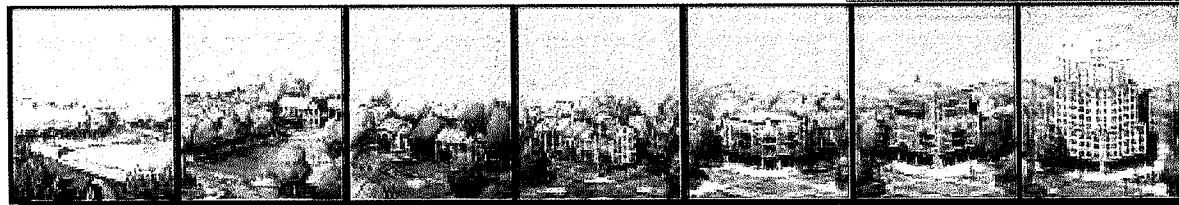
HARMONY WITH ROADS

Is it safe to approve 13,000+ vehicles per day on a residential street?



12

Guiding Policies



- 12.1 Future Land Use Plan
- 12.2 Master Street Plan
- 12.3 Annexation

**CITY
PLAN
2030**

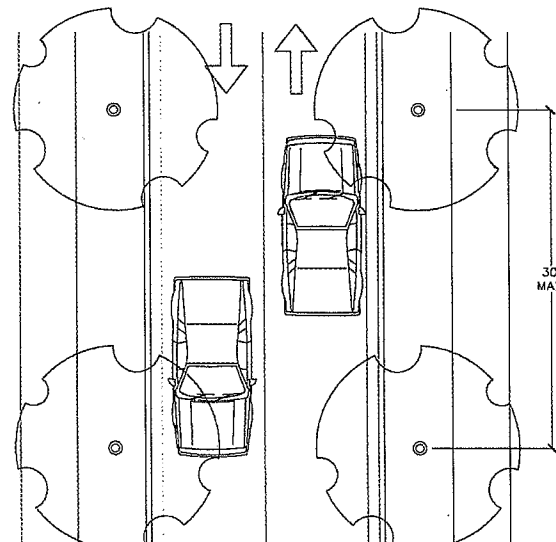
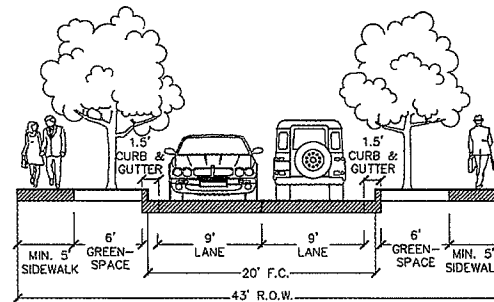
12.2.2 RESIDENTIAL STREETS

RESIDENTIAL STREETS provide for the lowest level of traffic and service. They provide access to residential property and are intended to be used only by local traffic. A high degree of street connectivity is required for easy dispersal of traffic. Residential Street block lengths shall not exceed 600 feet. Residential streets have a low level of access management, with curb cuts permitted every 50 feet.

2a RESIDENTIAL:

Design Service Volume:	< 300 vpd
Desired Operating Speed:	15-20 mph
Travel Lanes:	Two 9' lanes
Parking:	Not Allowed
Paved Width:	20' from face of curb
Right of Way:	43'
Sidewalks:	Both sides of street, min. 5' wide, located in R.O.W. at R.O.W. line
Greenspace:	Both sides of street, min. 6' wide

* ST 37 may substitute for the Residential Street cross-section urban condition.



**CITY
PLAN
2030**

12.2.5

MINOR ARTERIAL STREETS

MINOR ARTERIAL STREETS provide mobility throughout the city, encouraging multiple modes of transportation within the arterial network. Access should be limited to controlled intersections where possible. They have a moderate level of access management.

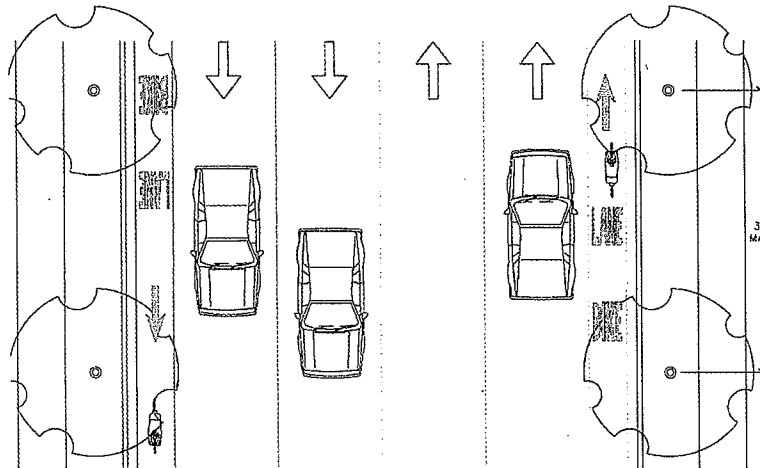
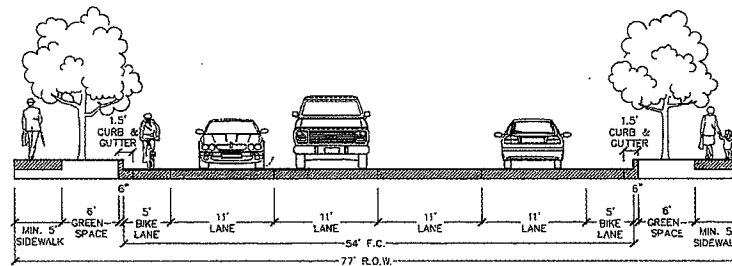
5 MINOR ARTERIAL:

Design Service Volume: < 12,200 vpd
Desired Operating Speed: 30-40 mph
Travel Lanes: Four 11' lanes
Bicycle Lanes: 5' wide, both sides of street next to curb

Parking: None
Paved Width: 54' from face of curb

Right of Way: 77'
Sidewalks: Both sides of street, min. 5' wide, located in R.O.W. at R.O.W. line

Greenspace: Both sides of street, min. 6' wide



**CITY
PLAN
2030**

INFRASTRUCTURE: STREET WIDTH

Master Transportation Plan Guiding Policies

- Residential Street: **20 ft**
- Minor Arterial Street: **54 ft**

Deane Solomon Current Width

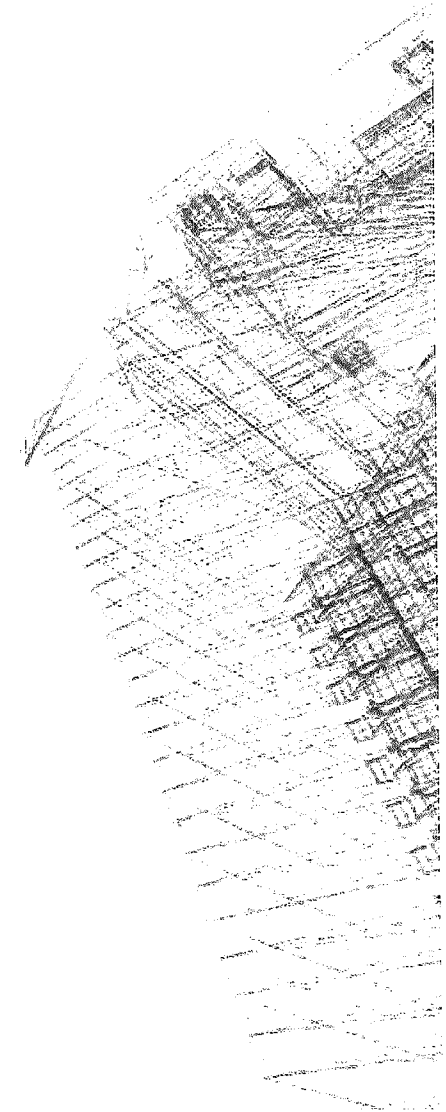
- North end near Hwy 112 intersection: **20 ft**
- At bridge near Vanike: **22.5 ft**
- At North entrance to RMF-24/Clubhouse: **18 ft**
- At South entrance to RMF-24/Emil Rd: **20 ft**

STREET STRUCTURE

Scenario	Width	Vehicles Per Day
Deane Solomon Today	20 ft	~2,000
Guiding Policy: Residential Street	20 ft	< 300
Guiding Policy: Minor Arterial Street	54 ft	< 12,200
Zoning Scenario	20 ft	13,300+

HARMONY WITH DRAINAGE

A development of this magnitude can only worsen an already significant flooding problem



FLOODING ON DECEMBER 27TH

Before



After



FLOODING ON DECEMBER 27TH

Before

After



FLOODING ON DECEMBER 27TH

Before

After



FLOODING ON DECEMBER 27TH

Before



After



POLICE CLOSE DEANE SOLOMON RD



FLOODING LAST JUNE: MODEST RAIN



FLOODING LAST JUNE: MODEST RAIN

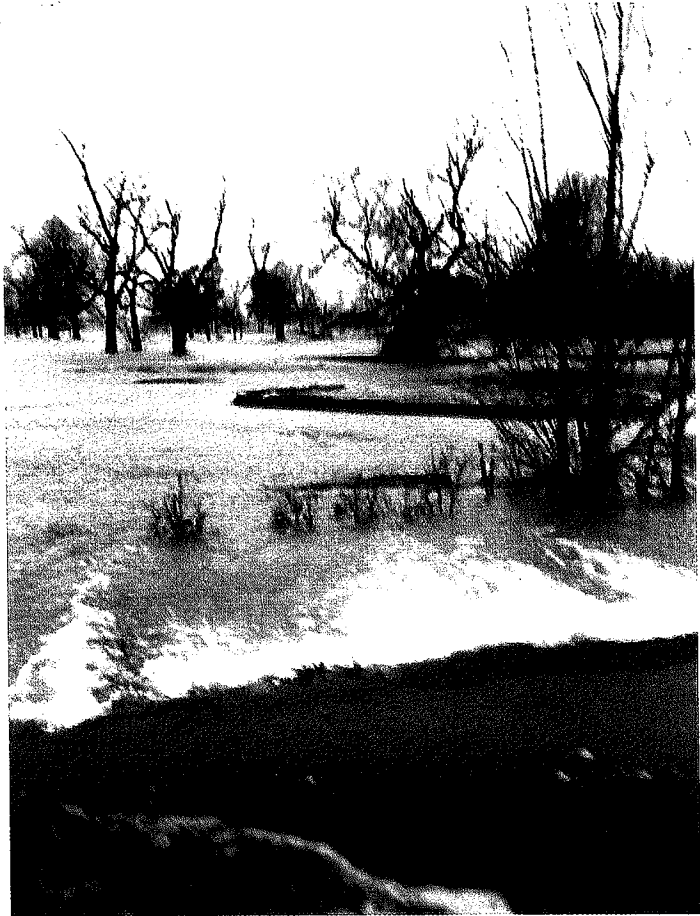
After



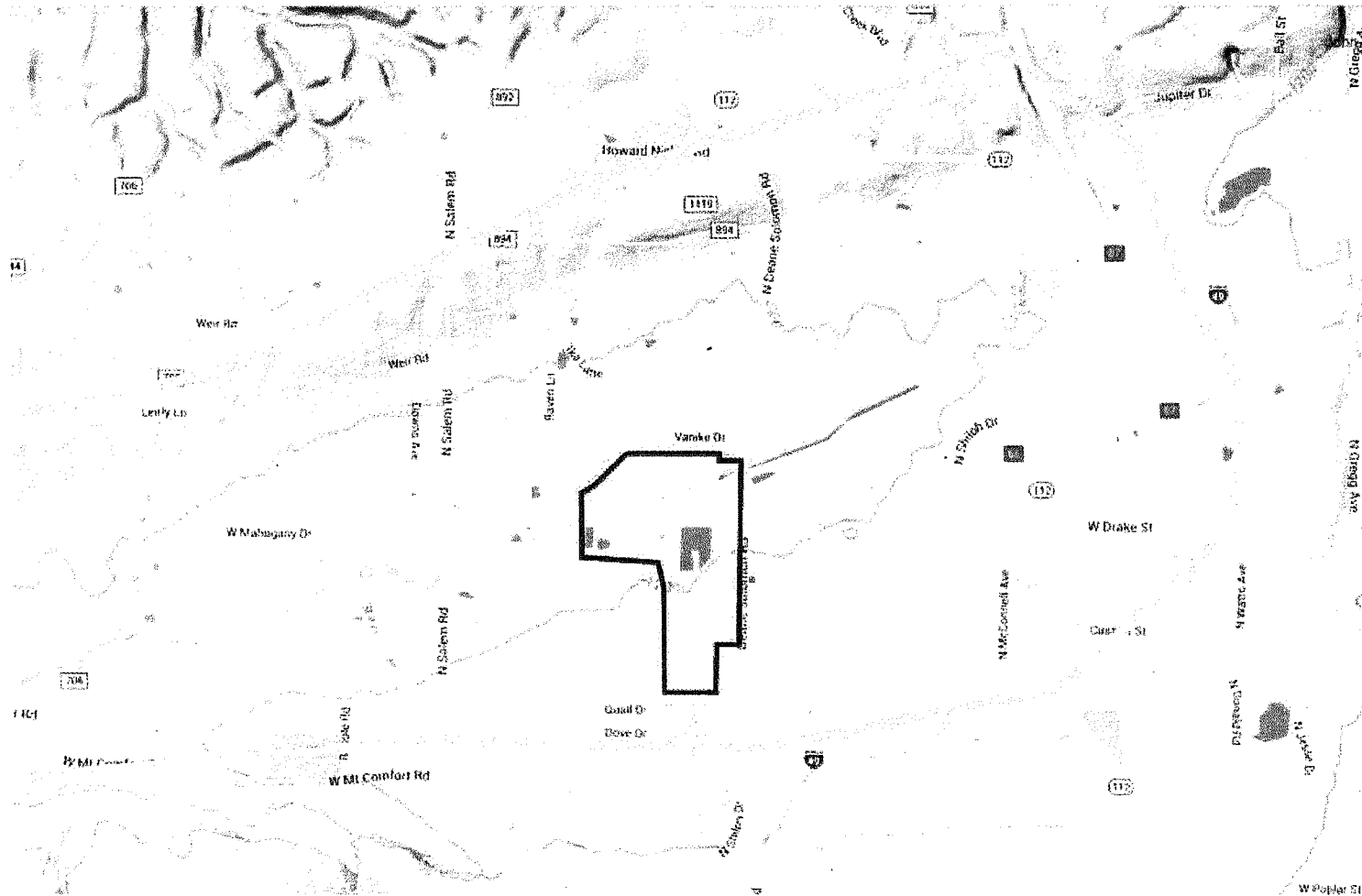
A week later



FLOODING LAST JUNE: MODEST RAIN

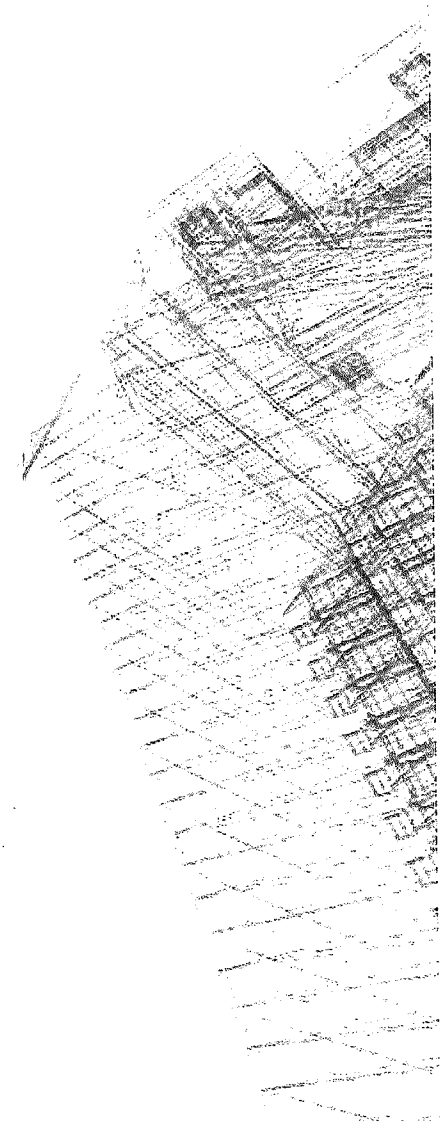


THE FLOOD PROBLEM: DRAINAGE BASIN



HARMONY WITH CRIME

If crime will increase between 700% and 1,900% due to this zoning, is that compatible?



FAYETTEVILLE CRIME DATA 2014-2015

**Surrounding
Shiloh Apartments:**

265 acres

938 calls

3.54 calls per acre

**Surrounding
The Links:**

1,280 acres

1,919 calls

1.5 calls per acre

**Surrounding
The Greens:**

370 acres

1,456 calls

3.94 calls per acre

**Surrounding
Razorback Golf Course:**

1,585 acres

330 calls

.21 calls per acre

Source: FOIA request fulfilled by the Fayetteville Police Department



Other

- No other RMF-24 developments within the watershed area.
- Vast majority of zoning and development in the area is RSF-4 or less.
- Potentially Spot Zoning.

- No other RMF-24 developments within the watershed area.
- Vast majority of zoning and development in the area is RSF-4 or less.
- Potentially Spot Zoning.

IN CONCLUSION

We continue to believe that RMF zoning does not fit this property on the basis of compatibility with:

- Infrastructure
 - Roads
 - Schools
- Safety concerns
- Flooding
- Environmental impact
- Crime risk
- Current zoning



**NORTHWEST ARKANSAS
LAND TRUST**

TO: Fayetteville City Council

FROM: Terri Lane, Executive Director
Northwest Arkansas Land Trust

RE: Rezoning of Razorback Golf Course

2/16/16

The **Northwest Arkansas Land Trust**, a local non-profit conservation organization, owns the Wilson Springs Preserve, a 121-acre wetland adjacent to the proposed redevelopment site. Wilson Springs is a protected remnant of what was once a much larger wet prairie ecosystem.

The preserve and other lands around it provide important ecosystem services, including water purification, flood control and scenic value. The Clabber Creek bottomlands are a key piece of enduring green network for Fayetteville.

The job of a wetland/floodplain is to slow and filter storm water before it reaches our waterways. In doing so, the area buffers against stream erosion and creates habitat for many unique plant and animal species, including the Arkansas darter, a small fish which is a candidate for Federal Endangered Species listing.

We ask that city council consider this important opportunity to find a win-win between a profitable and attractive built environment and the needs and role of the unique natural environment as well.

Whatever development ultimately occurs on this site must certainly go above and beyond in considering a low density, low-impact design, and the preservation of habitat.

Thank you for your consideration,

Terri Lane
Executive Director
tlane@nwalandtrust.org

*Handed out at the City Council
meeting 2-16-16
Amend 72:58 Off-Street Parking Facilities*

Event Permit Application Instructions/Rules

These instructions are intended to help you complete your event permit application and all associated forms. Please take the time to read these instructions prior to completing your application. If you have any questions, please do not hesitate to contact us. All information must be legible and printed. Please do not use a pencil in completing this application. It is very important that our organization, as well as others, is able to read the information submitted. We want to make sure that your event is successful and without problems.

Application must be submitted with the appropriate fee amount **21 days prior to the event date.** Applicable fees may be paid by cash or check. Checks must be payable to the City of Fayetteville. Application fees are refundable if an event is cancelled or if the event permit is denied.

There are three (3) permit forms provided for the event permit application. The size and activities of your event will determine which forms you will need to submit.

- **Section I – Event Permit Application:** This form will need to be submitted for all events that take place on City property or require City resources (police assistance, parking lots, street closings, etc.).
- **Section II – Major Event Permit Application:** This form will need to accompany the Event Permit Application if your event involves certain activities such as alcoholic beverages, street closings, vendor booths, carnival rides, etc.
- **Section III – Request for Noise Ordinance Variance:** This form will need to accompany the two forms listed above and is required if your event may possibly involve sound levels that may exceed the normal requirements of the City of Fayetteville Noise Ordinance.

Return event permit applications to:

City of Fayetteville
Parking Management Division
113 W. Mountain Street
Fayetteville, AR 72701
Fax 479-575-8250
parking@ci.fayetteville.ar.us

Direct questions and inquiries to:

Parking Management Office
479-575-8280
479-575-8250 (fax)
parking@ci.fayetteville.ar.us

Event Permit Application

If at any time the application form does not provide adequate space, provide the additional information on a separate sheet and write “see attached” on the application form. Please do not write on the back side of any page of this form. When additional sheets are attached, place the event name and event date at the top of each additional sheet.

For example: **Lights of the Ozarks 11/24/04**

Event Name: Enter the name of the event. This name should be the one that you are using to advertise or promote your event.

Event Producer: Enter the name of the organization, corporation, neighborhood group, etc. that is producing the event. If the organization, corporation or group contracts with a firm or agency to produce the event, the event producer is the firm/agency contracted.

Primary Contact: Enter the name of the primary person who is to be contacted regarding the application or event.

Address, City, State, and Zip: Enter the mailing address information in these blanks of the primary contact.

Phone: Enter the telephone numbers and email address of the primary contact. It is important that the city has the ability to contact this person at all times during the event to ensure it runs smoothly and successfully.

Secondary Contact: Enter name of one additional person who can be contacted regarding application or event.

Phone: Enter telephone numbers and email address of the secondary contact. It is important that the city has the ability to contact the primary or secondary person at all times during the event to ensure it runs smoothly and successfully.

Event Location: Describe where the event will be held. *If you will be using one of the City Parks or Trails, you must complete a Special Event Application through the Parks and Recreation Department.*

Event Type: Check all boxes that apply to your event.

Event Description: Give a brief description of the event. Please describe any unique characteristics of your event (use additional page if necessary; please **do not write on the back** side of any page of this application).

Event Duration: (Starting Date, Ending Date): Enter the dates that the event will be open and closed for attendance.

Hours of operation: Enter the hours the event site will open for attendance.

Site Preparation: Enter the starting date and time that you will start to prepare the event site. If no preparation is necessary, enter the Starting Date and Time of the event.

Dismantling & Cleanup: This is the date and time it will take to dismantle and cleanup the event site. Enter the date and time when the dismantling and cleanup will be completed and the streets/or sidewalks opened again.

Total Attendance: Enter the total number of attendees that you expect for your entire event, beginning to end.

Peak Attendance: Enter the highest number of attendees you expect at any one time during the event.

Event Features: Review list of possible features and check all that apply to your event. *If you have checked any of these features, you must also complete Section II – Major Event Permit Application.*

Hold Harmless Clause: No application will be processed or permit issued for an event without the hold harmless clause being signed by the agent duly authorized by the event applicant. Proof of liability insurance may be required for a major event.

SECTION II - Major Event Permit Application

Site Map Requirement: Regardless of event location, a site map must be submitted showing the location of the event and the event features. Please review the site map requirements section of the application for all items that are required on the site map.

Street Closure: Enter the date and time of any requested street closures and the date and time the street will be reopened to traffic. Please contact the Transportation Division at 479-575-8228 to make arrangements for barricades and safety cones.

Security: It is the responsibility of an event producer to provide adequate security for an event. If security is being provided complete the security section of the event permit application.

Emergency Medical Assistance: The local Fire Chief or Fire Marshal may determine that an Emergency Response Team shall be required for major events. The fee for this service will be determined, if needed, upon review of this application.

Vendors: If you are having vendors set up at your event, then fill out this section.

Alcoholic Beverages: If you are selling alcoholic beverages, then fill out this section. Please contact the Alcoholic Beverage Control Division at 501-682-1105 to apply for a permit. When alcohol is on site, the City requires security to be present at all times. The number of security officers varies based on attendance per event. The Police Department has specific guidelines for the sale of alcohol.

Fireworks: Per City Code 94.05, Fireworks may only be discharged July 1st – July 4th. See Ordinance for times.

Electrical Service: If electrical service is required, then complete this section. Events needing more than 120 amps electricity will be required to provide an alternate power source or generators for power. Otherwise, event producers may use the City's active electrical outlets for minimal requirements. The event producer is responsible to ensure proper usage of all electrical

services, and is responsible for all electrician fees, including fees for servicing/repairing blown electrical services due to improper use of electrical supply.

Restroom Facilities: If groups of 500 or more are attending an event, the City requires the producer to supply portable restrooms. If restroom facilities (portalets) are being provided, then complete this section.

Trash, Recycling, and Clean Up Plans/Procedures: Any event producer holding an event on City property is responsible for trash removal during the event, and clean up and removal of debris after the event is concluded. Although it is not mandatory that recycling be a part of your event, it is highly recommended if aluminum or plastic drink containers will be a part of the event. Please contact the Solid Waste Division at 479-575-8397 or 479-601-4368 for all your events refuse and recycling needs.

Parking lots and vendor booth areas must be cleaned, swept, washed, and restored to its original set up once the event is concluded. Sub-contractors must load out at end of event unless pre-arranged with the City (i.e. ice merchandisers, staging, lights and sound, soft drink dispensers, signage, decorations, tables, chairs, vehicles, delivery and supply trucks, portable restrooms, etc.). Any items left will result in a day rental charge for space occupancy.

A clean up deposit is required of all major events and is payable in advance to the City of Fayetteville.

ADDITIONAL RULES

Reservation Policy: Any event that occurs annually and has had at least 3 successful events in the past 3 consecutive years, will automatically be reserved a spot on the City event reservation calendar for the event dates that are normal to the event. The producer of the "Established Event" will still be responsible for submission of all applicable permit applications by the appropriate deadlines. All other event requests submitted will be considered on a first-come-first-serve basis.

Barricades and Fencing: The event producer is responsible for placement of all required barricades, cones, fencing, etc. The producer may borrow these items by checking them out and picking them up at the Transportation Division located at 1525 Happy Hollow Road. Please call the Transportation Division at 479-575-8228 to make arrangements.

Towing of Vehicles: If the producer expects the possible need to tow any vehicles during an event, this information must be submitted with the permit application. All areas that may require towing of a vehicle must have proper signage (approved by the City) prominently displayed at each site that a vehicle(s) may be towed. If towing is necessary where the proper signage is not displayed, the producer must contact the Fayetteville Police Department at 479-587-3555 to see if they can legally tow or relocate the vehicle.

Pavement Markings: Pavement markings are strictly prohibited except with temporary spray chalk material that is approved by the City. Spray chalk can be purchased in the Parking Management Office located at 113 W. Mountain Street.

Pavement Holes/Marring: Drilling into pavement (parking lots, streets, sidewalks, curbs, etc.) is strictly prohibited. All signage and anchoring must be accomplished with weights such as sandbags or concrete filled barrels. Any holes or damage made to public property will be charged at cost to the producer of the event, but not less than \$100.00 per hole and/or marring of pavement.

Banners and Flyers: All banners and flyers must be pre-approved by the City including wording on banners and placement of banners.

Sales Tax and HMR Tax: All vendors conducting sales at the event must report and pay all applicable state and local sales taxes, including HMR taxes.

Noise Ordinance Variance: Instructions for requesting for a Noise Ordinance Variance are provided with the application in Section III.

Important Telephone Numbers:

Alcoholic Beverage Control Division	501-682-1105
Event Permit Applications (Parking Office)	479-575-8280
Farmer's Market on the Square	479-236-2910
Fire Department – Fayetteville	479-575-8365
Lights of the Ozarks	479-521-5776
Parking Management Office	479-575-8280
Police Department – Fayetteville	479-587-3555
Police Department – Univ. of Ark.	479-575-2222
Solid Waste & Recycling Division	479-575-8397
State Fire Marshal – Little Rock	501-618-8624
Transportation Division	479-575-8228
Walton Arts Center	479-443-9216

City of Fayetteville website: www.accessfayetteville.org



City of Fayetteville, Arkansas
Event Permit Application
Section I

Please read the Event Permit Application Instructions & Rules prior to completing the Event Permit Application.

I have read and understand the Instructions & Rules (signature required):

Signature of Applicant

Date

Event Name: _____

Event Date(s): _____

Event Producer: _____

***Required**

Primary Contact: _____

Primary contact is person who is to be contacted regarding the application or event

Address: _____

City: _____

State: _____

Zip: _____

Phone:

Day: _____

Night: _____

Cell: _____

Fax: _____

Email: _____

Secondary Contact: _____

Phone:

Day: _____

Night: _____

Cell: _____

Fax: _____

Email: _____

Event Location:

Event Types: Check all that apply

☐

Not for Profit

☐

Wedding Ceremony

☐

Walk/Run Footrace

☐

For Profit

☐

Wedding Reception

☐

Competition

☐

Public

☐

Meeting/Dinner

☐

Parade

☐

Private

☐

Press Conference

☐

Rally/Demonstration

☐

Concert

☐

Auction

☐

Festival

☐

Trade Show/Expo

☐

Block Party

If you will be using one of the City Parks or Trails, you must complete a Special Event Application through the Parks & Recreation Department. Phone: 479-444-3471

Event Description:

--

Event Duration:	Hours of Operation:	Start	End
Starting Date: _____	Day 1	_____	_____
Ending Date: _____	Day 2	_____	_____
	Day 3	_____	_____
Site Preparation:	Starting Date: _____	Time: _____	_____
Dismantle/Cleanup	Ending Date: _____	Time: _____	_____
Total Attendance: _____	Peak Attendance: _____	Time: _____	

Event Features: Check all that apply

☐ Alcoholic Beverages Served ☐ Alcoholic Beverages Sold ☐ Carnival Rides ☐ Crowd Control Required ☐ Elevated Noise Levels * * Section III Required ☐ EMS Required	☐ Fireworks ** ** See City Code 94.05 ☐ Parade/March ☐ Parking Lot/Spaces Needed ☐ Security Required ☐ Street Closings	☐ Temporary Electrical Service ☐ Temporary Restrooms ☐ Tents *** ☐ Vendor Booths *** ☐ Vendor Food ***
---	--	---

If you have checked any of the features above, please continue with Section II – Major Event Permit Application.

*** Refer to Temporary Structure Safety Requirements under Special Event Permits & Information / Event Permit Resources.

Hold Harmless Clause:

The City shall not be liable to user's employees, agents, invitees, licensee, visitors, or to any other person, for injury to person or damage to property on or about the leased premises caused by the negligence or misconduct of user, its agents, servant or employees, or of any other person entering upon the leased premises under express or implied invitation by user, or caused by the building improvements located on the leased premises becoming out of repair, or caused by leakage of gas, oil, water, smoke, or steam or by electricity emanating from the lease premises. The event producer agrees to indemnify and hold harmless the City from any loss, attorney's fees, and expenses or claims arising out of any such damage or injury. The City reserves the right to revoke this application at any time.

The applicant ensures compliance with the following:

- The observance of applicable laws and ordinances;
- Any stipulations or restrictions of the permit;
- Any stipulations or rules outlined in the Event Permit Application Instructions/Rules;
- The applicant assumes all liabilities that may arise by street closing and related activity.

Permit applied for and all terms and stipulations agreed to by (signature required):

Signature: _____ Date: _____

Return completed form to: parking@fayetteville-ar.gov or Fax 479.575.8250
 Parking Management, 113 W Mountain St, Fayetteville, AR 72701 / Phone 479.575.8280



SECTION II

Major Event Permit Application

Site Map Required:

Major events require a site map. Indicate on map the exact placement of the following items, if applicable.

> Gate(s)/Official Entrance(s)	> Money Rooms	> Emergency Medical Tent(s)
> Restroom Facilities/Portable Toilets	> Fencing	> Sign/Banner Placement
> Performance Areas/Lighting	> Food Areas	> Street Closures/Barricades
> Dumpsters & Trash Containers	> Alcohol Areas	> Communication Center
> Event Headquarters	> Security Tent(s)	> Communication Center
> Vendor Booths/Tents		> Parking Lot/Spaces Needed

Street Closure:

Date: _____ Time: _____

Reopen:

Date: _____ Time: _____

All businesses must be notified in writing of the street closure(s). A copy of the written notification must accompany the Event Permit Application.

List streets to be closed (Map Required):

Security:

It is the responsibility of an event producer to provide adequate security for an event, and to ensure that an adequate number of security personnel are present to manage the expected size of the event's crowd. Security must include proper crowd control. Security personnel must meet the requirements of the Fayetteville Police Department.

Number of off-duty police or private security personnel being provided: _____

Organization providing off-duty or private security: _____

Contact: _____ Phone: _____

Type of Security	Number of Personnel	Check if not Needed
Gate Security		☐
Alcohol Sales Security		☐
Money Handling Security		☐
Stage/Artists Security		☐
Parking Lot Security		☐
Overnight Security (outside of event hours)		☐

Emergency Response/Fire Team:

Special emergency response team required? Yes _____ No _____

Type of response unit required: _____ Fee: \$ _____

Vendors:

List types of vendor booths (food, clothing, crafts, etc.):

Alcoholic Beverages:

Alcoholic Beverage Vendor(s): _____

ABC License Number: _____

Fireworks:

Fireworks Provider/Handler: _____

Fireworks Permit Number: _____

Electrical Service:

How will electrical service be supplied : Public Utilities _____ Generator _____

On-call Electrician: _____

Business Phone: _____ Emergency Phone (during event): _____

Restroom Facilities:

Number of permanent facilities: _____ Number of portable facilities: _____

Company Supplying Portables: _____

Contact: _____ Phone: _____

Trash, Recycling, and Clean Up Plans/Procedures:

Please contact the Recycling and Trash Collection Division for all your events refuse and recycling needs at 479-575-8397. Event Recycling Guidelines & Tips can be found under Special Event Permits & Information / Event Recycling.

Name of trash and recycling coordinator: _____

Name of clean up coordinator: _____

Number of people on clean-up crew: _____

Number and Size of Dumpsters: _____ Type of Dumpsters: _____

Number of times to be serviced: _____

Briefly describe plan for trash and recycle removal (how will trash be collected and disposed of?):

Briefly describe plan for clean up after event is concluded:

Clean Up Deposit Required: \$500.00

This fee is payable in advance to the City of Fayetteville for clean up and removal of debris. An inspection of the event location will be performed by City personnel within 24 hours after the ending date and time of the event as established in this permit. Upon establishment of a satisfactory inspection of the site of the clean up performed by the event producer, the clean up deposit will be refunded within thirty (30) days of the inspection. If said clean up was not totally successful, then all or a portion of the deposit may be forfeited to the City in order to pay for the appropriate clean up efforts. Clean up tasks performed by the City are charged out at \$50.00 per hour. If cleanup efforts performed by the City exceed \$500.00, the event producer will be billed the additional cost.

Clean Up Deposit Received:

Date: _____ Amount: _____ Check #: _____

Refundable to:

Name: _____

Address: _____

City, St, Zip: _____

Telephone No.: _____

Return completed form to: parking@fayetteville-ar.gov or Fax 479.575.8250

Parking Management, 113 W Mountain St, Fayetteville, AR 72702 / Phone 479.575.8280

INSTRUCTIONS

CITY OF FAYETTEVILLE NOISE ORDINANCE VARIANCE REQUEST

In order for your request for a variance from the City of Fayetteville Noise Ordinance to be completed properly and meet your needs, please read the following directions:

1. The City needs to receive the completed Request for Variance application at least two (2) weeks before the date you are requesting your event to begin, but earlier if possible.
2. Carefully read Ordinance No. 3926 (the last two pages of this packet). If you do not fully understand any section, please call the Mayor's Office at 479-575-8330.
3. All requests for Variance from the Noise Ordinance must be submitted along with an Event Permit Application (Section I and II).

Once your request has been returned to the City of Fayetteville, it will follow these procedures before it is approved:

1. Your request will be sent to the Parking/Events Division, Police Department, Fire Department, and Transportation Division (respectively) for their review, comments, and approval.
2. After it has been reviewed by these departments, it is given to the Mayor or his designate for final approval.
3. **If the request is approved**, you will be contacted by phone to pick up your original request at the Parking Management Office. Please keep this approval request with you during the event in case the Police Department receives a complaint and they are sent to your event. You will need to show them the approved variance to avoid any confusion.
4. **If the Variance Request is not approved**, you will be notified immediately. However, Sections I and II of your Event Permit Application may still be approved for all other aspects of the event.

ORDINANCE NO.

AN ORDINANCE REPEALING §96.04 OF THE CODE OF FAYETTEVILLE AND SUBSTITUTING A NEW §96.04 LIMITING NOISE LEVELS WITHIN LAND USE CATEGORIES, ESTABLISHING NOISE LEVELS FOR TRANSIENT AND CONSTRUCTION SOUNDS AND PROVIDING FOR RELATED MATTER AND ADDING §96.05(D) TO THE CODE OF FAYETTEVILLE PROHIBITING OPERATION OF ANY SOUND AMPLIFICATION DEVICE WITHIN A VEHICLE PLAINLY AUDIBLE AT A DISTANCE OF 30 FEET.

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

Section 1. Section 96.04 of the Code of Fayetteville is hereby repealed and the following is hereby substituted in its place:

§96.04 LIMITATIONS BY LAND USE CATEGORY.

A. No person shall operate or cause to be operated, or permit, contract or allow to be operated on premises on public or private property any identifiable source of sound in such a manner as to create a sound level within the use districts in Table 1 as measured at any point on the boundary of the property from which the sound or noise is emanating. A complaint under this section must be brought by a property owner or leaseholder affected by excessive noise on their property.

<u>Use Districts</u>	<u>Time</u>	<u>Maximum Noise Levels</u>
All Residential Zones	11:00 PM to 7:00 AM	55 dB(A)
	7:00 AM to 11:00 PM	60 dB(A)
All Commercial Zones	7:00 AM to 11:00 PM	75 dB(A)
	11:00 PM to 7:00 PM	70 dB(A)
All Industrial Zones	11:00 PM to 7:00 AM	75 dB(A)
	7:00 AM to 11:00 PM	80 dB(A)

All measurements shall be taken with a sound level meter in its fast or peak level setting.

B. District Boundaries. When a noise source can be identified and its noise measured in more than one use district, the noise limits of the most restrictive use district shall apply at that district boundary.

C. Commercial Source. Notwithstanding the zoning classification of the underlying parcel, restaurants, night clubs, private clubs, auditoriums, dance halls, and rehearsal studios are defined as commercial sound sources existing in commercial zones for the purposes of this ordinance.

D. Transient Source. For a transient sound emanating in any land use category, the peak noise level shall not exceed 20 decibels above the limit set in Table 1 above.

E. Construction. Construction projects shall be subject to the limitations specified for industrial zones for the period of time allowed by the building permit.

Section 2. If any part of this ordinance or the application of the same to any person or set of circumstances, is for any reason held to be void or invalid, the validity of the remaining parts of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby.

Section 3. §96.05(D) is hereby added to the Code of Fayetteville:

§96.05 Motor Vehicle and Motorcycle Sound Limit.

D. Operating or causing to operate any sound amplification device from within a vehicle so that the sound is plainly audible at a distance of thirty feet (30) feet or more from the vehicle whether in a street, a highway, an alley, parking lot or driveway, whether public or private property is prohibited and declared to be a noise disturbance in violation of this ordinance.

PASSED AND APPROVED this 3rd day of October, 1995.

APPROVED:

By: _____
Fred Hanna, Mayor

ATTEST:

By: _____
Traci Paul, City Clerk



SECTION III
REQUEST FOR VARIANCE FROM
CITY OF FAYETTEVILLE NOISE ORDINANCE

Note: This form must be accompanied by Section I of the Event Permit Application

Section I: General Variance Information

1. Variance is requested for (date and time): _____
2. The decibel level will not exceed: _____
3. Place of event:

4. Event will be held (*check one*): Indoors ☐ Outdoors ☐
5. Number of people expected to attend: _____
6. Sound system to be used: _____
7. Description of entertainment planned:

8. Why do you **not** expect to be able to comply with normal requirements of the Noise Ordinance?

9. Actions planned by organization/applicant to assure compliance with the Noise Ordinance or with restrictions designated in Variance, if granted:

Section II: Submission

1. This request is submitted on behalf of organization/applicant by:

Name

Phone No.

Signature

e-mail address

Section III: Approvals

1. *(This Section applies only if prior approval from the University of Arkansas Student Services is required.)*

The foregoing request has been submitted and reviewed by the Office of Student Services and the Director of Arkansas Union.

Signature, Director of Campus Activities

Date

Return completed form to: parking@fayetteville-ar.gov or Fax 479.575.8250
Parking Management, 113 W Mountain St, Fayetteville, AR 72701 / Phone 479.575.8280

*Handed out at the City Council
meeting 2-16-16*

Smith, Lorinda

Amend 72.58 Off-Street Parking Facilities

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 3:34 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: annhenry1@me.com
Subject: FW: Please forward to members of council

Please review the email below. Thanks!

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov

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

From: Ann Henry [mailto:annhenry1@me.com]
Sent: Tuesday, February 16, 2016 2:43 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Please forward to members of council

I support proposed amendment to parking ordinance to city of Fayetteville current laws.

We should be transparent about what is being proposed and for how long when we close public right of way and block streets in front of businesses.

Thank you for your consideration.
Ann henry

Sent from my iPhone

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 12:21 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: kevin@ftownlongboards.com
Subject: FW: Major Events Ordinance

Please see the email below.

Thanks!

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov

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

From: Kevin Higgins [mailto:kevin@ftownlongboards.com]
Sent: Tuesday, February 16, 2016 12:07 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major Events Ordinance

To Whom it may concern at the City of Fayetteville,

First of all, as a business owner in the city, I appreciate your service to the city where I choose to locate my business.

I have been in copy on the majority of emails regarding a push to introduce the ordinance listed below which has a potential to impact the legacy major events as well as attract new events to the city. As a business owner in Fayetteville, I Do NOT support this proposal. I see this as an attempt for a small group of businesses to try and decide what is good for the city and in fact, discriminate against people that attend these events. I have heard of such things on social media regarding Bikes Blues and BBQ like, "those kind are not good for Fayetteville".

Bikes, Blues, and BBQ does have a negative impact on the traffic I see come through my door. However, I see the positive impact an event like this has on the city, my fellow business owners, and the charities they support. Events like this also bring together families and friends for a time of fellowship. This year we are looking at how, as a business, we

can take advantage of these major events to drive business to our store, or how we go to them with product they would purchase, again generating revenue for the city.

The Joe Martin Stage Race, Bikes Blues and BBQ, and other events bring significant sales tax revenue to Fayetteville. A small group of businesses who believe it's detrimental to their stores, haven't figured out how to capitalize on the events, or rather they do not like the biker culture to be specific, should not be able to decide what is good for this city.

In closing, even though we see traffic slow through our doors, I do NOT support this ordinance and hope everyone votes with the city's best interest in mind and not those of a very small group of businesses who appear to want to discriminate against certain events and are using this proposal to do just that.

Best regards,
Kevin Higgins
F-Town Longboards LLC

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 12:18 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: casey@greylinecreative.com
Subject: FW: Major Event Ordinance

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*



From: Casey Mayer [mailto:casey@greylinecreative.com]
Sent: Monday, February 15, 2016 8:22 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major Event Ordinance

Dear Aldermen,

I support the proposed Major Event Ordinance to provide for input by citizens and businesses for major events that fit Fayetteville. I am a small business owner in town, with my photography studio located on the square, and I am forced to shut down during Bikes, Blues and BBQ specifically. The size and traffic of this particular event keeps me from being able to use my studio, or meet clients there. It averages around a \$1200 loss for me each year. I would hope that we, citizens and business owners, could possibly find new ways to accommodate everyone for events of this size. Thank you-

Sondra Smith, City Clerk ssmith@fayetteville-ar.gov

Ward 1	Sarah Marsh	(479) 287-4054	ward1_pos2@fayetteville-ar.gov
Ward 2	Mark Kinion	(479) 442-7868	ward2_pos1@fayetteville-ar.gov

Ward 2	Matthew Petty	(479) 595-8703	citycouncil@matthewpetty.org
Ward 3	Justin Tennant	(479) 387-8462	ward3_pos1@fayetteville-ar.gov
Ward 3	Martin Schoppmeyer	(479) 935-4605	ward3_pos2@fayetteville-ar.gov
Ward 4	John La Tour	(479) 443-7878	ward4_pos1@fayetteville-ar.gov
Ward 4	Alan Long	(479) 304-0585	ward4_pos2@fayetteville-ar.gov

AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:

AN ORDINANCE TO AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

WHEREAS, the Mayor is authorized to assign any and all city owned paid parking lots in the Entertainment District Parking Lot by special event permit for up to sixteen (16) days per calendar year; and

WHEREAS, multi-day special events that close parking facilities and city streets significantly impact citizens, businesses, and institutions as well as the quality of life in our community and therefore citizens should have the opportunity for input in the decision-making process; and

WHEREAS, special events that request or need to occupy and use such city parking lots or city streets more than two (2) days should not only receive the Mayor's express approval through the Mayor's issuance of a special event permit, but must receive express approval of the City Council for any and all city owned parking lots or city street closures needed beyond the two-day limit.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby repeals § 72.58 (M) and enacts a replacement § 72.58 (M) as shown below:

"(M) Special Event Permits Needed To Use City Owned Parking Lots, paid on- street parking spaces, or to close city streets

(1) Events needing the use of city owned parking lots for two days or less.

The Mayor is empowered by the issuance of a special event permit to assign any and all city owned paid parking lots and some or all on-street paid parking spaces within the Entertainment District Parking Zone for up to two days per special event for the use of a permitted special event or other necessary reason for not more than a total of sixteen (16) days per calendar year.

(2) Events requesting the use of city owned parking lot or on-street paid parking spaces or to close city streets for more than two days in a calendar year.

Subject to the overall limit of 16 days per calendar year, the Mayor may propose and the City Council may agree to or reject an expanded special event permit which would authorize the special event to use city owned paid parking lots or on-street paid parking in the Entertainment District Parking Zone for more than two and up to five days per year. The Mayor may also propose the closure of city streets for more than two days for a special event. The approval and any conditions imposed for such approval by the City Council shall be by City Council Resolution. Proposed special event permits shall be evaluated by the City Council on the basis of, but not limited to, weighing the potential benefits and detriments to the community, impact to public services, including City, schools, transportation, and medical services, and the effect on the overall quality of life to residents and businesses. Any violation of the City Council required conditions shall subject the special event permit authorization beyond two days to be voided and withdrawn by the Mayor."

Casey Mayer, Artist/Photographer
Greyline Creative
100 E Center Street Ste. 001
Fayetteville, AR 72701

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 11:54 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: adheinz1@gmail.com
Subject: FW: Major ordinance

Please see the email below.

Thanks!

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov

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

From: Andrew Heinzlmann [mailto:adheinz1@gmail.com]
Sent: Tuesday, February 16, 2016 6:56 AM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major ordinance

I support the major ordinance proposal that allows citizens' via their ward alderman input on city events.
Thank you
Andy Heinzlmann

Sent from my iPhone

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 11:53 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Subject: FW: Major Event Ordinance

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*

CITY OF

www.fayetteville-ar.gov

From: John Eldridge [mailto:johne@eldridgelawfirm.com]
Sent: Monday, February 15, 2016 11:11 AM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major Event Ordinance

I support the proposed Major Event Ordinance to provide for input by citizens and businesses for major events that fit Fayetteville. Please distribute to all council members.

Thanks,
John

John R. Eldridge, III
Attorney at Law
P. O. Box 580
Fayetteville, AR 72702-0580
479.443.0908
479.443.2713 fax
johne@eldridgelawfirm.com

To ensure compliance with IRS requirements, we inform you that any tax advice contained in this communication is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

This email message and any attachments are confidential. If you are not the intended recipient, please immediately reply to the sender and delete the message from your email system.

Thank you.

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 11:52 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: jayy@dcf-fay.com
Subject: FW: Please review, take action, and forward to your friends

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*



From: Jay Young [mailto:jayy@dcf-fay.com]
Sent: Monday, February 15, 2016 9:27 AM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: FW: Please review, take action, and forward to your friends

Sondra,

I am a Fayetteville resident and business owner with office located downtown.

I concur with the statements in the email below.

**Allen "Jay" Young
Development Consultants Inc.**

From: Tom Overbey [mailto:t1t1ott@gmail.com]
Sent: Monday, February 15, 2016 9:19 AM
To: Tom Overbey
Subject: Please review, take action, and forward to your friends

Major Event Ordinance for Fayetteville

Attached below is the text of a proposed ordinance that will be presented for first reading at the City Council meeting Tuesday at 5:30.

The goal is to have our city resources applied to events that promote Fayetteville in a positive way and fit within our culture. Events lasting more than two days have a significant effect on the residents and businesses. The current procedure for major events is a checklist with no opportunity for comments (unless you go directly to the mayor). A better approach for Fayetteville would be to require an event that wants to use city parking lots and/or close down public streets for more than two days be required to obtain City Council approval. This would allow our citizens to have a forum to discuss the value of the event to the city. Festivals or rallies that our city adopts help to define our community. Allowing for citizen input and approval through its elected leaders only seems fair and appropriate.

Please send an email to the Fayetteville City Council members today! Suggested wording is below. Send it to Sondra Smith, City Clerk, and it will go to all aldermen. Or, select your alderman from the list.

It is important to make a comment if a major event impacts you or your business. Several of the aldermen have said that they have not had any comments on how major events impact businesses. They have assumed the major events are all neutral or beneficial. If you have a different view, please express it. If you leave town during major events, please express your concerns.

Then, please forward this email to your friends. Thanks so much.

I support the proposed Major Event Ordinance to provide for input by citizens and businesses for major events that fit Fayetteville.

Sondra Smith, City Clerk

ssmith@fayetteville-ar.gov

Ward 1	Sarah Marsh	(479) 287-4054	ward1_pos2@fayetteville-ar.gov
Ward 2	Mark Kinion	(479) 442-7868	ward2_pos1@fayetteville-ar.gov
Ward 2	Matthew Petty	(479) 595-8703	citycouncil@matthewpetty.org
Ward 3	Justin Tennant	(479) 387-8462	ward3_pos1@fayetteville-ar.gov
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Ward 4	John La Tour	(479) 443-7878	ward4_pos1@fayetteville-ar.gov
Ward 4	Alan Long	(479) 304-0585	ward4_pos2@fayetteville-ar.gov

AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:

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WHEREAS, the Mayor is authorized to assign any and all city owned paid parking lots in the Entertainment District Parking Lot by special event permit for up to sixteen (16) days per calendar year; and

WHEREAS, multi-day special events that close parking facilities and city streets significantly impact citizens, businesses, and institutions as well as the quality of life in our community and therefor citizens should have the opportunity for input in the decision-making process; and

WHEREAS, special events that request or need to occupy and use such city parking lots or city streets more than two (2) days should not only receive the Mayor's express approval through the Mayor's issuance of a special event permit, but must receive express approval of the City Council for any and all city owned parking lots or city street closures needed beyond the two-day limit.

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Tom Overbey
T1TLOTT@gmail.com

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 1:40 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: jromine@nwark.com
Subject: FW: major event ordinance

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*



From: Jim Romine [mailto:jromine@nwark.com]
Sent: Tuesday, February 16, 2016 1:18 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: major event ordinance

I support the major event ordinance to provide for input by citizens and businesses

James C. Romine

CityClerk

From: Marsh, Sarah
Sent: Tuesday, February 16, 2016 4:46 PM
To: City_Clerk-old
Subject: Fw: Transit Issues for BBB

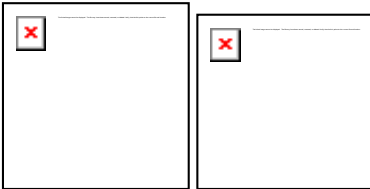
Categories: Forwarded

Sondra,

Please forward this to the other Council Members.

Thanks,
-Sarah

Sarah Marsh, bARCH, LEED AP BD+C
Vice Mayor | City Council Member, Ward 1, Position 2
City of Fayetteville, Arkansas
ward1_pos2@fayetteville-ar.gov | 479.799.0393



From: Jeff Castellano <jeffachadnezzar@gmail.com>
Sent: Tuesday, February 16, 2016 4:16 PM
To: Marsh, Sarah
Subject: Transit Issues for BBB

My name is Jeff Castellano, and during last year's BBB, I was a resident of Ward 2, not far from campus. I was a first-term student, which was an adjustment enough but compounded upon because of my unique obstacles being physically disabled. My mobility issues are unpredictable at best; some days I'm able to walk but must rest often, and bad days leave me entirely dependent on a wheelchair. Usually, this isn't too big of a deal. Fayetteville has the best public transit system anywhere, with the best staff and best conditions you could ask for. Thing is, that means nothing when it's inaccessible.

It may not seem like much, but two days is a lot of time to miss, particularly your first year. BBB is supposed to only be for the weekend, but traffic congestion started on the Tuesday before and got steadily worse until Thursday, when I just gave up and went on a mini-vacation elsewhere until everyone left. By then, it was bad enough the the brown and green lines (the only two that pass near my house on Davidson Street) were disrupted, and without those, myself and probably many other residents couldn't get around the areas around campus and Dickson. You know, two of the most important points in town. It was unnerving and way more

time-consuming than usual when the buses shut down--it normally took about twenty minutes or so to get from the front door of my apartment to Old Main. With no bus service, it took over an hour. More people are willing to behave in traffic for a person in a wheelchair, but apparently not for regular pedestrians, and I observed near-accidents happening more than once. It was so bad that this year, we actually plan on taking the entire week out of town, if possible, because it's a nightmare trying to get around otherwise. I realize that the revenue generated by the event is important, but I live here. I live here for many reasons, but one of those chief reasons is the accessibility for people like me with disabilities.

To say that I'm thrilled that someone is taking this issue seriously is an understatement. I fully support this ordinance--it takes into account the needs of all residents, including the disabled and those who don't use a car as transportation. That's very much in keeping with the values of being an inclusive community, something that Fayetteville does like no place else. Thank you!

(Anonymous, if possible?)

Jeff Castellano

Resident (Address withheld for security reasons.)

City of Fayetteville, Arkansas

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



Meeting Agenda - Tentative Agenda

Tuesday, February 9, 2016

4:30 PM

City Hall Room 326

City Council Agenda Session

Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions

A. Consent:

A. 1 [2015-0641](#)

APPROVAL OF THE FEBRUARY 2, 2016 CITY COUNCIL MEETING MINUTES.

A. 2 [2016-0009](#)

**MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC
AMENDMENT NO. 3:**

A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE CONTRACT WITH MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC IN THE AMOUNT OF \$14,000.00 FOR ADDITIONAL LEGAL SERVICES RELATED TO THE WHITE RIVER WATER QUALITY STANDARDS PETITION TO THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

Attachments:

[Mitchell Williams Amendment No. 3 Legistar Packet](#)

A. 3 [2016-0067](#)

**WATERSHED CONSERVATION RESOURCE CENTER TASK
ORDER NO. 4:**

A RESOLUTION TO APPROVE TASK ORDER NO. 4 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF \$79,500.00 FOR CONTINUED NATIVE VEGETATION ESTABLISHMENT EFFORTS AND MINOR ADJUSTMENTS TO EXISTING RESTORATION AREAS TO ENHANCE STREAM CHANNEL STABILITY

Attachments:

[2016-0067 Vegetation Restoration and Stability](#)

B. Unfinished Business: None

C. Public Hearing:

C. 1 [2016-0059](#)

RAZE AND REMOVAL AND CLEAN-UP AT 550 W. SKELTON STREET:

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE AND CLEAN-UP OF UNSANITARY AND UNSIGHTLY CONDITIONS ON PROPERTY OWNED BY U.S. BANK NATIONAL ASSOCIATION LOCATED AT 550 W. SKELTON STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [550 Skelton Agenda Packet](#)
 [BA - 550 Skelton](#)

C. 2 [2016-0058](#)

RAZE AND REMOVAL 1180 E. HUNTSVILLE ROAD:

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY AARON KENDALL KIRK AND JOHN PAUL KEARY LOCATED AT 1180 E. HUNTSVILLE ROAD IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [1180 Huntsville Agenda Packet](#)
 [BA - 1180 Huntsville](#)

D. New Business:

D. 1 [2016-0056](#)

NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION ONE-YEAR CONTRACT:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A ONE-YEAR CONTRACT WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$40,017.86 FOR A STORMWATER EDUCATION PROGRAM FOR 2016

Attachments: [2016-0056 Stormwater Education Agreement](#)

D. 2 [2016-0065](#)

AMEND THE MASTER STREET PLAN:

A RESOLUTION TO AMEND THE MASTER STREET PLAN BY RECLASSIFYING NORTH COLLEGE AVENUE BETWEEN MAPLE STREET AND NORTH STREET FROM FIVE LANE PRINCIPAL ARTERIAL WITH AN 87 FOOT RIGHT OF WAY TO A FOUR LANE THOROUGHFARE WITH A 63 FOOT RIGHT OF WAY

Attachments: [15-5283 Full CC Packet](#)

D. 3 [2016-0064](#)

VAC 15-5280 (5 W. APPLEBY RD./WRMC OFFICES):

AN ORDINANCE TO APPROVE VAC 15-5280 SUBMITTED BY USI CONSULTING ENGINEERS, INC. FOR PROPERTY LOCATED AT 5 W. APPLEBY ROAD TO VACATE PORTIONS OF SEWER AND DRAINAGE EASEMENTS

Attachments: [15-5280 Full CC Packet](#)

D. 4 [2016-0060](#)

VAC 15-5287 (SW CORNER OF PERSIMMON & MTN.RANCH BLVD./PARK HILL MTN. RANCH):

AN ORDINANCE TO APPROVE VAC 15-5287 SUBMITTED BY JORGENSEN AND ASSOCIATES, INC. FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF PERSIMMON AND MOUNTAIN RANCH BOULEVARD TO VACATE PORTIONS OF UTILITY EASEMENTS

Attachments: [15-5287 CC reports](#)

D. 5 [2016-0062](#)

VAC 16-5303 (4200 W. MAHOGANY DR./BRADFORD):

AN ORDINANCE TO APPROVE VAC 16-5303 SUBMITTED BY REID AND ASSOCIATES, INC. FOR PROPERTY LOCATED AT 4200 WEST MAHOGANY TO VACATE A PORTION OF UTILITY EASEMENT

Attachments: [16-5303 CC packet](#)

D. 6 [2016-0061](#)

RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5240 FOR APPROXIMATELY 128 ACRES LOCATED AT 2514 WEST LORI ROAD FROM R-A, RESIDENTIAL-AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE; AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO R-A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; AND NS, NEIGHBORHOOD SERVICES, SUBJECT TO A BILL OF ASSURANCE

Attachments: [RZN 15-5240 CC reports](#)

D. 7 [2016-0057](#)

AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:

AN ORDINANCE TO AMEND § 72.58 **OFF-STREET PARKING FACILITIES; RULES AND RATES** (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

Attachments: [Agenda Request Form § 72.58](#)

E. City Council Agenda Session Presentations:

E. 1 [2015-0587](#)

AGENDA SESSION PRESENTATION: AIRPORT UPDATE BY JOHNNY ROSCOE, AIRPORT DIRECTOR

E. 2 [2016-0043](#)

AGENDA SESSION PRESENTATION: QUARTERLY ECONOMIC DEVELOPMENT PRESENTATION, CHUNG TAN

F. City Council Tour:

G. Announcements:

H. Adjournment

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

All cell phones must be silenced and may not be used within the City Council Chambers.

Below is a portion of the Rules of Order and Procedure of the Fayetteville City Council pertaining to City Council meetings:

Agenda additions: A new item which is requested to be added to the agenda at a City Council meeting should only be considered if it requires immediate City Council consideration and if the normal agenda setting process is not practical. The City Council may only place such new item on the City Council meeting's agenda by suspending the rules by two-thirds vote. Such agenda addition shall be heard prior to the Consent Agenda.

Consent Agenda: Consent Agenda items shall be read by the Mayor and voted upon as a group without discussion by the City Council. If an Alderman wishes to comment upon or discuss a Consent Agenda item, that item shall be removed and considered immediately after the Consent Agenda has been voted upon.

Old business and new business.

Presentations by staff and applicants. Agenda items shall be introduced by the Mayor and, if an ordinance, read by the City Attorney. City staff shall then present a report. An agenda applicant (city contractor, rezoning or development applicant, etc.) may present its proposal only during this presentation period, but may be recalled by an alderman later to answer questions. Staff and applicants may use electronic visual aids in a City Council meeting as part of their presentation.

Public comments. Public comment shall be allowed for all members of the audience on all items of old and new business and subjects of public hearings. No electronic visual aid presentations shall be allowed, but the public may submit photos, petitions, etc. to be distributed to the City Council. If a member of the public wishes for the City Clerk to distribute materials to the City Council before its meeting, such materials should be supplied to the City Clerk office no later than 9:00 a.m. on the day of the City Council meeting. Any member of the public shall first state his or her name and address, followed by a concise statement of the person's position on the question under discussion. Repetitive comments should be avoided; this applies to comments made previously either to the City Council or to the Planning Commission when those Planning Commission minutes have been provided to the Aldermen. All remarks shall be addressed to the Mayor or the City Council as a whole and not to any particular member of the City Council. No person other than the Aldermen and the person having the floor shall be permitted to enter into any discussions without permission of the Mayor. No questions shall be directed to an Alderman or city staff member except through the Mayor.

Courtesy and respect.

All members of the public, all city staff and elected officials shall accord the utmost courtesy and respect to each other at all times. All shall refrain from rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives or personalities. Any member of the public who violates these standards shall be ruled out of order by the Mayor, must immediately cease speaking and shall leave the podium.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 479-575-8330.

A copy of the complete City Council agenda is available at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.



City of Fayetteville, Arkansas

Tentative Agenda
February 09, 2016
113 West Mountain Road, Suite 8 of 279
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0009

Agenda Date: 2/16/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 2

MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC AMENDMENT NO. 3:

A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE CONTRACT WITH MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC IN THE AMOUNT OF \$14,000.00 FOR ADDITIONAL LEGAL SERVICES RELATED TO THE WHITE RIVER WATER QUALITY STANDARDS PETITION TO THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

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 approves Amendment No. 3 to the contract with Mitchell, Williams, Selig, Gates & Woodyard, PLLC in the amount of \$14,000.00 for additional legal services related to the White River water quality standards petition to the Arkansas Pollution Control and Ecology Commission.

City of Fayetteville Staff Review Form

2016-0009

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Tim Nyander

1/27/2016

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of Amendment No. 3 to the Contract with Mitchell Williams, Selig, Gates & Woodyard (Mitchell Williams) in the amount of \$14,000 for additional legal services related to the White River Water Quality Standards Petition to the Arkansas Pollution Control and Ecology Commission.

Budget Impact:

5400.5700.5314.00		Water/Sewer	
Account Number		Fund	
11014.1102		White River NPDES UAA and APCEC Action	
Project Number		Project Title	
Budgeted Item?	Yes	Current Budget	\$ 38,625.76
		Funds Obligated	\$ 23,628.19
		Current Balance	\$ 14,997.57
Does item have a cost?	Yes	Item Cost	\$ 14,000.00
Budget Adjustment Attached?	No	Budget Adjustment	
		Remaining Budget	\$ 997.57

V20140710

Previous Ordinance or Resolution # 80-14

Original Contract Number: 2182

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 16, 2016

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff

FROM: Tim Nyander, Utilities Director *TN*

DATE: January 27, 2016

SUBJECT: Amendment No. 3 to the Contract with Mitchell, Williams, Selig, Gates & Woodyard, PLLC, for an additional \$14,000, for the White River Water Quality Standards Petition

RECOMMENDATION:

City Administration recommends approval of Amendment No. 3 to the Contract with Mitchell, Williams, Selig, Gates & Woodyard, PLLC, increasing the compensation by \$14,000 for legal actions relating to the White River Water Quality Standards and negotiations with the ADEQ and the Arkansas Pollution Control & Ecology Commission (APCEC).

BACKGROUND:

The Noland WWTP National Pollutant Discharge Elimination System (NPDES) permit contains limits on Total Dissolved Solids (TDS) and minerals, specifically chloride and sulfate. In that permit, the City was required to complete a Petition to the APCEC to change the local stream standards. If the APCEC does not approve our request, we might be required to complete a very expensive modification to our wastewater treatment plant to comply with the very strict limits of chloride, 20 mg/l; sulfate, 20 mg/l; and TDS, 160 mg/l. The estimated capital cost for this modification is approximately \$45 million. The City's team consists of CH2M HILL, and the Mitchell, Williams law firm.

DISCUSSION:

The contract between the City and Mitchell, Williams was originally set at \$48,000 and was amended in 2013 to \$63,000 and again in 2014 to \$83,000 to help cover un-anticipated costs due to Act 954. However, additional complications have arisen requiring the Mitchell, Williams firm to spend more time on the TDS and minerals effort than the amended contract allows for. There are still several tasks to be performed. Below is the list of items that still need to be done:

- Team conference(s) to deal with comments by ADEQ
- Arrange for and meet with ADEQ water and legal division seeking agreement on the requested minerals numbers
- Prepare and file Statement of Basis and Responsiveness Summary (Response to Comments) with the APCEC

- Prepare for and attend (defend) legislative review of the Third-Party Rulemaking by Joint Legislative Public Health and Welfare Committee and the Joint Legislative Rules and Regulations Committee
- Prepare and File with APC&EC the Motion to Adopt Water Quality Standard Changes and the Draft Order adopting same
- Prepare for and attend the APC&EC meeting seeking final adoption of the changes
- Track submission and approval of the water quality changes to EPA

BUDGET/STAFF IMPACT:

Funds are available within the project budget.

AMENDMENT TO AGREEMENT FOR ENVIRONMENTAL LEGAL SERVICES

CONTRACT AMENDMENT NO. 3

This Contract Amendment No. 3 dated January 13, 2016 shall amend the original contract between the City of Fayetteville, Arkansas, and Mitchell, Williams, Selig, Gates & Woodyard, PLLC., dated April 5, 2011, referred to in the following paragraphs as the original contract.

This Contract Amendment No. 3:

1. Services to be Performed: Adds: Continued actions as required to obtain final approval from the Arkansas Pollution Control and Ecology Commission (APCEC) to modify site specific water quality criteria in the White River, to provide advice and guidance on what actions the City and its consultants need to take to successfully accomplish the task of receiving approval to the petition from two committees of the AR Legislature, and to assist in obtaining relevant approvals from USEPA. The following items are the currently known required actions:

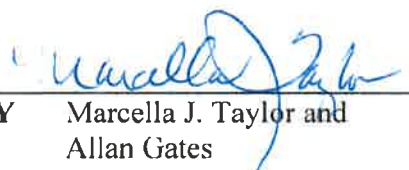
- Team conference(s) to deal with comments by ADEQ.
- Arrange for and meet with ADEQ water and legal division seeking agreement on the requested minerals numbers
- Prepare and file Statement of Basis and Responsiveness Summary (Response to Comments) with the APCEC
- Prepare for and attend (defend) legislative review of the Third-Party Rulemaking by Joint Legislative Public Health and Welfare Committee and the Joint Legislative Rules and Regulations Committee
- Prepare and File with APC&EC the Motion to Adopt Water Quality Standard Changes and the Draft Order adopting same
- Prepare for and attend the APC&EC meeting seeking final adoption of the changes
- Track submission and approval of the water quality changes to EPA.

8. Compensation: Replaces not exceed compensation amount of \$83,000 with not to exceed compensation amount of \$97,000.

WITNESS OUR HANDS THIS _____ DAY OF _____, 2016.

MITCHELL, WILLIAMS, SELIG,
GATES & WOODYARD, PLLC

CITY OF FAYETTEVILLE,
FAYETTEVILLE, ARKANSAS

BY  _____
Marcella J. Taylor and
Allan Gates

LIONELD JORDAN, Mayor

Attest:



Leann Kret

Mitchell, Williams, Selig, Gates & Woodyard, PLLC
425 West Capitol Avenue, Suite 1800
Little Rock, AR 72201

Attest:

Sondra Smith, City Clerk

City of Fayetteville
113 West Mountain Street
Fayetteville, AR 72701



City of Fayetteville, Arkansas

Tentative Agenda
February 09, 2016
113 West Mountain Parkway
Fayetteville, AR 72701
(479) 575-8323
Page 14 of 279

Text File

File Number: 2016-0067

Agenda Date: 2/16/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 3

WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO. 4:

A RESOLUTION TO APPROVE TASK ORDER NO. 4 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF \$79,500.00 FOR CONTINUED NATIVE VEGETATION ESTABLISHMENT EFFORTS AND MINOR ADJUSTMENTS TO EXISTING RESTORATION AREAS TO ENHANCE STREAM CHANNEL STABILITY

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 approves Task Order No. 4 with the Watershed Conservation Resource Center in the amount of \$79,500.00 for continued native vegetation establishment efforts and minor adjustments to existing restoration areas to enhance stream channel stability.

City of Fayetteville Staff Review Form

2016-0067

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Chris Brown

2/2/2016

Engineering /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of Task Order No. 04 in the amount of \$79,500 with the Watershed Conservation Resource Center for continuing native vegetation establishment efforts and performing minor adjustments within the stream as necessary to ensure the continued success of completed restoration projects.

Budget Impact:

4470.9470.5314.00 and 5400.5800.5314.00

4470-Sales Tax Capital Improvements and 5400 -
Water and Sewer

Account Number

Fund

02097.2015 and 13018.1501

Stormwater Quality Management (Stormwater
Quality Mgmt/Nutrient Reduct) and Wastewater
Treatment / Water Quality Improvements

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 115,985.98

Funds Obligated \$ 36,485.98

Current Balance \$ 79,500.00

Does item have a cost? Yes

Item Cost \$ 79,500.00

Budget Adjustment Attached? No

Budget Adjustment \$ -

#

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution # 126-13

Original Contract Number:

Approval Date:

Comments:

CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 16, 2016

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director
Chris Brown, City Engineer

FROM: Alan Pugh, Staff Engineer

DATE: February 2, 2016

SUBJECT: Approval of Task Order No. 04 in the amount of \$79,500 with the Watershed Conservation Resource Center for continuing native vegetation establishment efforts and performing minor adjustments within the stream as necessary to ensure the continued success of completed restoration projects.

RECOMMENDATION:

Staff recommends approval of Task Order No. 04 in the amount of \$79,500 with the Watershed Conservation Resource Center for continuing native vegetation establishment efforts and performing minor adjustments within the stream as necessary to ensure the continued success of completed restoration projects.

BACKGROUND:

On January 7, 2014, City Council approved Resolution Number 5645 to waive competitive bidding and enter into a memorandum of understanding (MOU) with the Watershed Conservation Resource Center (WCRC) expressing the City's desire to work jointly with the WCRC to identify, fund and completed stream restoration project and work together on nonpoint source (NPS) related issued associated with reducing nutrients and improving riparian and other natural areas. To that degree, the City and WCRC have completed several restoration projects though this partnership. These projects included, but are not limited to, the White River Riverbank Stabilization Project, Niokaska Creek within Sweetbriar Park, Niokaska Creek within Gulley Park and the West Fork of White River Airport Site

DISCUSSION:

The MOU (Effective date January 9, 2014) outlines a process by which task orders can be developed for various activities that are in line with the goal of reducing NPS pollution and restoring the City's streams. Task Order No 04 is presented pursuant to the MOU and consists of continuing efforts to establish and maintain dense native vegetation as well as make minor modifications as necessary to the stream to ensure the continued success of the completed restoration projects.

Establishment of a high-density riparian zone consisting of native vegetation is critical in creating stream and river restoration project that will, upon maturity of the vegetation, be able to withstand the power of future flood events. This can take several growing seasons to achieve and ensure the native species are not overrun with invasive species. Also, minor adjustments

occasionally need to be conducted within the stream or river channel restoration area to prevent cumulative degradation of the restoration project. This task order will provide funding to the WCRC to conduct activities that help to ensure establishment healthy, native vegetation and the channel stability of the restoration projects. This in turn will help to project the investments made by the City of Fayetteville to improve water quality, habitat and recreational values of our local streams and water bodies.

BUDGET/STAFF IMPACT:

The Stormwater Quality Management/Nutrient Reduction project has been designated in part to fund projects that improve stormwater quality in the City of Fayetteville and would be proposed as the source for a portion of the matching funds (\$65,500). Funding from this project also includes participation from the Water and Sewer Department (\$14,000) as they are directly impacted by the work included in the task order. Task Order #4 totals \$79,500 for one year of maintenance services.

Attachments:

Task Order No. 04

Ordinance 5354

Memorandum of Understanding

City of Fayetteville - Purchase Order Request (PO) (Not a Purchase Order) All PO Requests shall be scanned to the Purchasing e-mail: Purchasing@fayetteville-ar.gov. Purchase shall not be made until an actual PO has been issued.							Requisition No.: Date: Tentative Agenda February 09, 2016 2/2/2016 Page 18 of 279			
Vendor #: 16441 Vendor Name: Watershed Conservation Resource Center (WCRC)							P.O Number:			
Address:					FOB Point:		Mail ☐ Yes ☐ No		Legistar#: 2016-0067 Expected Delivery Date:	
City:			State:		Zip Code:		Ship to code:			
Requester: Alan Pugh					Requester's Employee #: 4073		Extension: 8208			
Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number	Project.Sub#	Inventory #	Fixed Asset #	
1	Niokaska at Gulley	1	Lot	2,500.00	\$2,500.00	4470.9470.5314.00	02097.2015	Niokaska at Gulley		
2	Niokaska at Sweetbriar	1	Lot	5,000.00	\$5,000.00	4470.9470.5314.00	02097.2015	Niokaska at Sweetbriar		
3	White River Stabilization	1	Lot	14,000.00	\$14,000.00	5400.5800.5314.00	13018.1501	White River Stabilization		
4	West Fork at Airport	1	Lot	58,000.00	\$58,000.00	4470.9470.5314.00	02097.2015	West Fork at Airport		
5					\$0.00					
6					\$0.00					
7					\$0.00					
8					\$0.00					
9					\$0.00					
10					\$0.00					
*	Shipping/Handling		Lot		\$0.00					
Special Instructions:							Subtotal: <u>\$79,500.00</u> Tax: <u>\$0.00</u> Total: <u><u>\$79,500.00</u></u>			
Approvals: Mayor: _____ Chief Financial Officer: _____ Dispatch Manager: _____ Department Director: _____ Budget Director: _____ Utilities Manager: _____ Purchasing Manager: _____ IT Director: _____ Other: _____										

TASK ORDER NO. 4

VEGETATION AND CHANNEL STABILITY ESTABLISHMENT CITY OF FAYETTEVILLE STREAM AND RIVER RESTORATION PROJECTS

STATE OF ARKANSAS

COUNTY OF WASHINGTON

This Task Order is written pursuant to the Memorandum of Understanding (MOU) as described in Ordinance No. 5354 executed on January 9, 2014. The referenced MOU pertains to potential stream restoration projects and associated services with the Watershed Conservation Resource Center (WCRC). This Task Order entered into and executed on the date indicated below the signature block by and between the City of Fayetteville and Watershed Conservation Resource Center sets forth the project description, project schedule and associated fees for these services related to maintaining and caring for stream and river restoration projects previously constructed that were funded by the City and grant funds.

Section I - Project Description

This project consists of maintaining stream and river restoration projects whose original implementation was funded in-part with City funds. Establishment of a high-density riparian zone consisting of native vegetation is critical in creating stream and river restoration projects that will, upon maturity of the vegetation, be able to withstand the power of future flood events. Also, minor adjustments need to be occasionally conducted within the stream or river channel restoration area to prevent cumulative degradation of the restoration project. The WCRC has constructed several stream and river restoration projects using City funds in combination with federal and state grant funding sources over the past 5 years. To insure the long-term success of these projects, the WCRC has continued to maintain and care for the projects after the expiration of the original grant, without financial support from any outside entities. This project will provide funding to the WCRC to conduct activities that help to establish healthy, native vegetation and channel stability of the restoration projects in order to protect the investments that the City has made to improve water quality, habitat, and recreational values of streams located within the City.

Section II - Project Timeframe

The project will be conducted from February 17, 2016 to February 16, 2017.

Section III - Scope of Services

The WCRC will perform services that are targeted to maintain and improve the long-term functionality of the restoration projects that have been implemented utilizing City Funding. These services include two major components: 1) Stream restoration activities that help to

create long-term stability and 2) Vegetation Management. Stream restoration activities include but will not be limited to 1) minor hand repairs of structural components of the restoration 2) removal of unintended gravel deposition within the project site 3) repair of soil mattresses and 4) re-setting of boulders that may become displaced. Vegetation maintenance and management activities include but are not limited to 1) irrigation of vegetation during summer months 2) removal of invasive vegetation and 3) planting additional native plants to enhance vegetation density. These funds are intended to cover costs associated with minor and routine maintenance of the sites. Repair of damages of projects resulting from infrequent flood events are generally not covered under this agreement and will be addressed under supplemental agreements. But, if necessary, these funds can be used towards major repairs.

Section IV - Fees and Payments

WCRC will perform the above-referenced Scope of Services amounts not to exceed \$79,500 for this one year agreement.

Section V - Memorandum of Understanding in Effect

Except as amended specifically herein, the Memorandum of Understanding Fayetteville shall remain in full force as originally approved.

IN WITNESS WHEREOF, the parties hereto have caused this TASK ORDER to be duly executed as of the date and year first herein written.

FOR THE CITY OF FAYETTEVILLE

By: _____
Mayor Lioneld Jordan

Attest: _____
Sondra Smith, City Clerk

Date: _____

FOR WATERSHED CONSERVATION RESOURCE CENTER

By: _____
Sandi Formica

Attest: _____
Aaron Thomason

Date: Feb 2, 2016

Stream Restoration Project	Project Construction Completion Date	Annual Budget for Maintenance & Small Repairs	Project Establishment Timeline	Duration of Capital Funding (years)	Long-term (Perpetual) Management Expense**	Recommended Reserved Funds for Major Storm Damage***	WCRC Match for long term management (pending)
Niokaska at Gulley	12/1/2008	\$2,500	11/2014 - 10/2016	2	\$2,500	\$10,000	2500
Niokaska at Sweetbriar	4/1/2011	\$5,000	11/2014 - 10/2018	3 to 4	\$3,000	\$35,000	3000
White River Stabilization	6/1/2012	\$14,000	11/2014 - 10/2018	3 to 4	\$4,000	\$50,000	
West Fork at Fayetteville Municipal Airport	5/15/2012	\$58,000	11/2014 - 10/2020	5 to 7	\$8,000	\$250,000	
		\$79,500			\$17,500	\$345,000	5500

Total annual fund

\$85,000

*Recommend these numbers be evaluated bi-annually

** Long-term management includes vegetation management expense to maintain native vegetation and remove invasive native vegetation after project establishment period has been completed and inspection of structures after major storm events.

***Would seek other funders to help cover expense of major repair

ds

ORDINANCE NO. 5645

AN ORDINANCE WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVING A FIVE YEAR MEMORANDUM OF UNDERSTANDING WITH THE WATERSHED CONSERVATION RESOURCE CENTER TO JOINTLY SEEK FUNDING AND USE SUCH FUNDING TO DESIGN AND CONSTRUCT STREAM RESTORATION PROJECTS

WHEREAS, the City of Fayetteville has long worked with the Watershed Conservation Resource Center (WCRC) and funded quality stream restoration projects successfully completed by the Center; and

WHEREAS, the provisions of the attached Memorandum of Understanding meet the City of Fayetteville's need for continuing stream restoration projects at little or no cost to the City; and

WHEREAS, the Watershed Conservation Resource Center can efficiently and effectively provide this service at a significant savings to the citizens of Fayetteville.

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

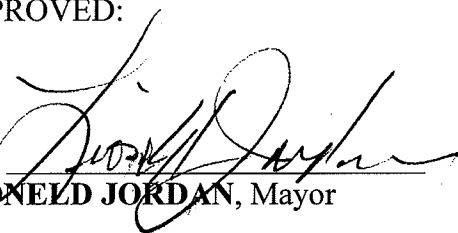
Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and approves a Memorandum of Understanding (marked as Exhibit "A" attached hereto and made a part hereof) between the City of Fayetteville, Arkansas and the Watershed Conservation Resource Center to jointly seek funding and use such funding to design and construct stream restoration projects and authorizes Mayor Jordan to sign such Memorandum.

PASSED and APPROVED this 7th day of January, 2014.

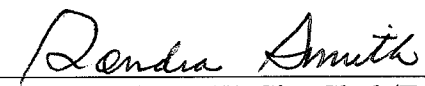
APPROVED:

ATTEST:

By:


LIONEL JORDAN, Mayor

By:


SONDRA E. SMITH, City Clerk/Treasurer



MEMORANDUM OF UNDERSTANDING

Between

Watershed Conservation Resource Center

And

City of Fayetteville

This Memorandum of Understanding (MOU) is entered into and executed on the date indicated below the signature block, by and between the Watershed Conservation Resource Center, hereinafter referred to as WCRC, and the CITY OF FAYETTEVILLE.

A. PURPOSE

The purpose of this MOU is to establish a general framework for cooperation between the WCRC and the CITY OF FAYETTEVILLE to 1) seek funding and conduct stream restoration projects to achieve the common goal of restoring unstable sections of streams to a morphologically stable form utilizing a natural channel design approach and 2) to work together on nonpoint source (NPS) related issues associated with reducing nutrients and improving riparian and other natural areas. Innovative approaches will be used in designing and implementing stream restorations that will result in improved water quality of the City's watersheds and will address severe streambank erosion, while restoring aquatic and terrestrial habitat and maintaining a sustainable, natural hydrology. Such cooperation will serve the parties' mutual interest.

B. STATEMENT OF MUTUAL INTERESTS AND BENEFITS

The WCRC is a nonprofit organization that strives to protect, conserve, and restore natural resources by utilizing the watershed approach, conducting environmental outreach, and providing planning and technical assistance to landowners, communities, and government. The WCRC principals are regional experts and local leaders in implementing natural channel design-based stream restorations that meet multiple local and regional objectives relating to river channel instability, water quality, and ecological services. This MOU is of benefit to the CITY OF FAYETTEVILLE because these activities will help to meet the objectives of the City's Nutrient Reduction Plan and will lead to both aquatic and terrestrial habitat restoration, improved water quality in the form of both phosphorus and sediment reductions, reduced streambank erosion, and improve aesthetics of local streams and rivers. This effort will also help to promote the use of alternatives to traditional channel modifications in both urbanizing and rural areas.

The WCRC and the CITY OF FAYETTEVILLE partnered and have obtained several grants for restoring streams within the City and surrounding areas and for assessing streams for stability and contaminant reduction. These projects have brought over \$2,300,000 to the City for water quality and other environmental improvements and have helped to create local partnerships and outreach opportunities in the areas of river restoration, riparian enhancement, and watershed planning. Four stream and streambank restoration projects have been implemented that have resulted in over 4000 tons of sediment and 3,700 lbs of total phosphorus reductions, annually from streambank erosion, restored both aquatic and terrestrial habitat, protected City

infrastructure, and improved aesthetics of City Parks and other properties. The WCRC currently has three active projects with the City and other partners to conduct more river restoration and assess urban streams and riparian areas to identify priority sites in need of restoration. In addition, the WCRC continues to monitor and maintain the four implemented stream restoration sites.

C. FEES AND PAYMENTS

No fee is associated with this MOU. As projects are identified by the City, a Task Order establishing the scope, fee, and payment terms for the project will be developed. The basis of this fee and justification for the fee shall be contained in an Appendix attached to each Task Order. Adjustment of the fee may be made should WCRC establish and the CITY OF FAYETTEVILLE agree that there has been, or is to be, a significant change in scope, complexity or character of the services to be performed; or if the CITY OF FAYETTEVILLE decides to shorten the duration of work from the time period specified in the Agreement for completion of work and such modification warrants such adjustment.

In consideration of the above premises, the parties agree as follows:

D. THE WCRC:

1. Shall seek funding opportunities for stream restoration projects and other projects related to reduction of non-point source pollution.
2. Upon approval of specific Task Orders by the Mayor or City Council, as required by the City's procurement requirements, shall provide the services detailed in each Task Order. Said tasks may include:
 - a. Identification of stream reaches that could benefit from stream restoration and prioritize, in streams within the City limits.
 - b. Estimation of phosphorous reduction that would be realized for each priority stream restoration project.
 - c. Assistance in developing grant applications for identified stream restorations and other non-point source pollution assessment projects.
 - d. Assistance to the CITY OF FAYETTEVILLE in addressing other NPS related issues.
3. Shall accomplish other specific tasks as detailed in each Task Order

E. THE CITY OF FAYETTEVILLE:

1. Shall coordinate all activities within the City of Fayetteville Divisions and Departments and between the CITY OF FAYETTEVILLE and the WCRC.
2. Shall assist with project activities and tasks.
3. Shall provide review and input into the final restoration designs.
4. Shall oversee activities and coordinate staff needed for implementation of the restoration designs.
5. Shall provide documentation of all project activities and associated matching funds.
6. Recognizes that their participation in stream restoration and NPS projects acquired is an integral component in carrying out a successful project that will result in improved water quality and habitat restoration.
7. Shall accomplish other specific tasks as detailed in each Task Order.

F. IT IS MUTUALLY AGREED AND UNDERSTOOD BY ALL PARTIES THAT:

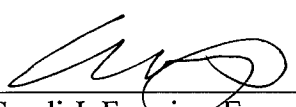
1. FREEDOM OF INFORMATION ACT (FOIA). CITY OF FAYETTEVILLE contract and documents prepared while performing city contractual work are subject to the Arkansas Freedom of Information Act. If a Freedom of Information Act request is presented to the CITY OF FAYETTEVILLE, the WCRC will do everything possible to provide the documents in a prompt and timely manner as prescribed in the Arkansas Freedom of Information Act (A.C.A. §25-19-101 et. seq.) Only legally authorized photocopying costs pursuant to the FOIA may be assessed for this compliance. Any information furnished to the WCRC under this instrument is subject to the Freedom of Information Act (5 U.S.C. 552).
2. MODIFICATION. Modifications within the scope of the instrument shall be made by mutual consent of the parties. Changes, modifications, or amendments in scope (other than as specifically established in this MOU), price or fees to this agreement shall not be allowed without a prior formal contract amendment approved by the Mayor and/or the City Council in advance of the change in scope, cost or fees.
3. PARTICIPATION IN SIMILAR ACTIVITIES. This instrument in no way restricts the WCRC or the CITY OF FAYETTEVILLE from participating in similar activities with other public or private agencies, organizations, and individuals.
4. COMMENCEMENT/EXPIRATION DATE. The instrument is executed as of the date of the last signature and is effective for five years.
5. PRINCIPAL CONTACT. The principal contacts for this instrument are:

Sandi Formica, Executive Director
Watershed Conservation Resource Center
380 West Rock Street
Fayetteville, AR 72701
Office Phone: 479-444-1916
Cell Phone: 501-352-5252
Office Fax: 928-396-2546
E-mail: formica@watershedconservation.org

Chris Brown, P.E., City Engineer
City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701
Phone: 479-575-8206
Fax: 479-575-8202
E-mail: cbrown@ci.fayetteville.ar.us

Sarah Wrede, E.I., Staff Engineer
City of Fayetteville
Phone: 479-575-8206
E-mail: swrede@ci.fayetteville.ar.us

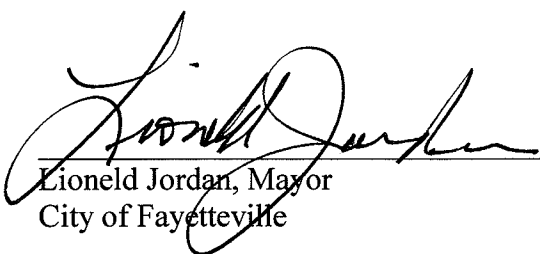
6. NONDISCRIMINATION. During the performance of this agreement, all parties will abide by the terms of Executive Order 11246 on nondiscrimination and will not discriminate against any person because of age, race, color, religion, sex, national origin, or disability.

For S.E.


Sandi J. Formica, Executive Director
Watershed Conservation Resource Center

12/18/13

Date



Lioneld Jordan, Mayor
City of Fayetteville

1/9/14

Date

Sondra E. Smith

Sondra E. Smith, City Clerk/Treasurer
City of Fayetteville

01-09-14

Date



City of Fayetteville Item Review Form

2013-0244

Legistar File Number

1/7/2014

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Sarah Wrede

Submitted By

Development Services

Department

Action Required:

An ordinance to waive competitive bidding and to enter into a Memorandum of Understanding with the Watershed Conservation Resource Center to establish a general framework for cooperation to seek funding and conduct stream restoration projects and to work together on nonpoint source related issues.

Does this item have a cost? ☐ No

\$0.00

Cost of this request

\$0.00

Category or Project Budget

n/a

Program or Project Name

n/a

Account Number

\$0.00

Funds Used to Date

n/a

Program or Project Category

n/a

Project Number

\$0.00

Remaining Balance

n/a

Fund Name

Budgeted Item? ☐

Budget Adjustment Attached? ☐ No

V20130812

Previous Ordinance or Resolution #

Original Contract Number:

Comments:

[Signature]

12-19-13

Paul A. Behn 12-19-2013

[Signature] 12-19-13

[Signature] 12/20/13

12-18-13 90:52 RCVD

[Signature]





www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS
DEPARTMENT CORRESPONDENCE

CITY COUNCIL AGENDA MEMO

Council Meeting of January 7, 2014

To: Mayor and City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director
Chris Brown, City Engineer

From: Sarah Wrede, Staff Engineer

Date: December 18, 2013

Subject: An ordinance to waive competitive bidding and renew a Memorandum of Understanding with the Watershed Conservation Resource Center to continue a general framework for cooperation to seek funding and conduct stream restoration projects and to work together on nonpoint source related issues.

PROPOSAL

The purpose of this Memorandum of Understanding (MOU) is to establish a general framework for cooperation between the Watershed Conservation Resource Center (WCRC) and the City of Fayetteville to 1) seek funding and conduct stream restoration projects to achieve the common goal of restoring unstable sections of streams to a morphologically stable form utilizing a natural channel design approach and 2) to work together on nonpoint source (NPS) related issues associated with reducing nutrients and improving riparian and other natural areas.

The WCRC is a nonprofit organization that strives to protect, conserve, and restore natural resources by utilizing the watershed approach, environmental outreach, and providing planning and technical assistance to landowners, communities, and government. The WCRC principals are regional experts and local leaders in implementing natural channel design-based stream restorations that meet multiple local and regional objectives relating to river channel instability, water quality, and ecological services. The WCRC and the City have successfully partnered to receive over \$2,300,000 in federal grants for water quality and other environmental improvements. WCRC has been instrumental in securing these funds due to their relationships with Federal grant agencies and their proven track record of successful stream restoration projects. This MOU will establish a continued partnership between the City and WCRC whereby the WCRC will actively seek grant funding for stream restoration projects in the City of Fayetteville, and will allow the City the opportunity to quickly take advantage of opportunities identified. The MOU is effective for a period of five years.

RECOMMENDATION

Staff recommends approval of an ordinance to waive competitive bidding and to renew a Memorandum of Understanding with the Watershed Conservation Resource Center to continue a general framework for cooperation to seek funding and conduct stream restoration projects and to work together on nonpoint source related issues.

BUDGET IMPACT

The proposed agreement will cause no budget impact. As tasks are identified, a Task Order, with associated fee, will be developed for approval by the Mayor and City Council.

ORDINANCE NO. _____

AN ORDINANCE WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVING A FIVE YEAR MEMORANDUM OF UNDERSTANDING WITH THE WATERSHED CONSERVATION RESOURCE CENTER TO JOINTLY SEEK FUNDING AND USE SUCH FUNDING TO DESIGN AND CONSTRUCT STREAM RESTORATION PROJECTS

WHEREAS, the City of Fayetteville has long worked with the Watershed Conservation Resource Center (WCRC) and funded quality stream restoration projects successfully completed the Center; and

WHEREAS, the provisions of the attached Memorandum of Understanding meet the City of Fayetteville's need for continuing stream restoration projects at little or no cost to the City; and

WHEREAS, the Watershed Conservation Resource Center can efficiently and effectively provide this service at a significant savings to the citizens of Fayetteville.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and approves a Memorandum of Understanding (marked as Exhibit "A" attached hereto and made a part hereof) between the City of Fayetteville, Arkansas and the Watershed Conservation Resource Center to jointly seek funding and use such funding to design and construct stream restoration projects and authorizes Mayor Jordan to sign such Memorandum.

PASSED and APPROVED this 7th day of January, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer



City of Fayetteville, Arkansas

Tentative Agenda
February 09, 2016
113 West Mountain Road, Suite 101 of 279
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0059

Agenda Date: 2/16/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 1

RAZE AND REMOVAL AND CLEAN-UP AT 550 W. SKELTON STREET:

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE AND CLEAN-UP OF UNSANITARY AND UNSIGHTLY CONDITIONS ON PROPERTY OWNED BY U.S. BANK NATIONAL ASSOCIATION LOCATED AT 550 W. SKELTON STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, U.S. Bank National Association is the record owner of the real property located at 550 W. Skelton Street, City of Fayetteville, Washington County, Arkansas, legally described as follows:

The East Half of Lot 23, all of Lots 24, 25, 26 and part of Lot Number 27, thence North 210 feet, thence West 175 feet, thence South 210 feet, thence East 175 feet, to the point of beginning, all in J.W. Skelton's Subdivision of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section Twenty-Eight (28) in Township Sixteen (16) North of Range Thirty (30) West, as per plat on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas; and

WHEREAS, the City Council has determined that the structure located on said property is dilapidated, unsightly, unsafe, and detrimental to the public welfare; and

WHEREAS, the City Council has determined that the said property is unsightly and unsanitary because of the presence of garbage, trash, rubbish, abandoned furniture and appliances, junk and debris which are harmful to the health of the community; and

WHEREAS, U.S. Bank National Association, having been properly served with Violation Notices via Certified Mail, Return Receipt Requested, and given thirty (30) days to correct said violations, has refused to repair, or raze and remove said dilapidated, unsightly, and unsafe structure or remove the garbage, rubbish and other unsanitary and unsightly articles from the property.

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

Section 1: That, by the authority granted pursuant to A.C.A. §14-56-203, and in accordance with the provisions of Section 173.09 of the Fayetteville Code of Ordinances, U.S. Bank National Association is hereby ordered to raze and remove forthwith, the dilapidated, unsightly, and unsafe structure located on the aforementioned real property. The manner of removing said structure shall be: dismantle by hand or

bulldozer, and haul all debris to a landfill.

Section 2: That, if U.S. Bank National Association does not comply with this order, the Mayor is hereby directed to cause the dilapidated, unsightly, and unsafe structure to be razed and removed; and a lien against the real property shall be granted and given the City, pursuant to A.C.A. §14-54-904, for the costs associated therewith.

Section 3: That, by the authority granted pursuant to A.C.A. § 14-54-901, and in accordance with the provisions of Section 95.01 of the Fayetteville Code of Ordinances, U.S. Bank National Association is hereby ordered to remove the garbage, trash, rubbish, brush, limbs, furniture, appliances, junk and other unsanitary and unsightly articles from the property.

Section 4: That, if U.S. Bank National Association does not comply with this order, the Mayor is hereby directed to enter upon the property and remove the unsanitary and unsightly articles described above; and a lien against the real property shall be granted and given the City, pursuant to A.C.A. § 14-54-903.

Section 5: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2016-0059

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Yolanda Fields

1/29/2016

Community Resources /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A Resolution ordering the Razing and Removal of a dilapidated and unsafe structure and a Large Scale Clean-Up of the property owned by US Bank National Association located at 550 W. Skelton Street in the City of Fayetteville, Arkansas, and approving a budget adjustment.

Budget Impact:

1010.6420.5315.04

1010 - General

Account Number

Fund

50033.1602

Raze and Removal

Project Number

Project Title

Budgeted Item? No

Current Budget

Funds Obligated

\$ -

Current Balance

\$ -

Does item have a cost? Yes

Item Cost

\$ 14,500.00

Budget Adjustment Attached? Yes

Budget Adjustment

\$ 14,500.00

Remaining Budget

\$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: Staff recommends approval of the Resolution and Budget Adjustment. The \$14,500 would be needed only in the event the property owner does not raze the structure by the time the resolution is in effect.

CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 16, 2016

TO: Mayor and City Council
THRU: Jeremy Pate, Development Services Department Director
FROM: Yolanda Fields, Community Resources Director
DATE: January 29, 2016
SUBJECT: **Large Scale Clean-Up & Raze and Removal of Structures at 550 W. Skelton**

RECOMMENDATION:

Staff recommends approval of the Resolution ordering the Raze and Removal/Large Scale Clean-up of dilapidated and unsafe structures and junk & debris located at 550 W Skelton St. and to approve a budget adjustment in the amount of \$14,500.00 for the Raze and Removal/Large Scale Clean-Up.

BACKGROUND:

Service Request #154588, Case #21522: Code Compliance responded to a request concerning the structures located at 550 W Skelton St. The structures appeared to be in violation of Subsection 173.09(A), Unsafe Buildings, of the City Code of Ordinances. The Chief Building Official inspected the property and determined that the structures was in violation of Subsection 179.09(A), Unsafe Buildings, of the City Code of Ordinances. Specifically, the Chief Building Official observed: *The main structures has portions that have collapsed and deteriorated due to exposure. There is excessive and dangerous debris in and around the structures. The accessory structures have also collapsed and are derelict.*

On October 19, 2015, an Unsafe Building Notice of Violation was received by the property owner. By ordinance, the property owner was given until November 19, 2015 to acquire a building permit or to Raze and Remove the structures.

Service Request #154587, Case #21523: Code Compliance responded to a request concerning the junk & debris on the property located at 550 W Skelton St. The property was inspected by Code Compliance and found to be in violation of Subsection 95.01, Unsightly or Unsanitary Conditions on Real Property, of the City Code of Ordinances.

On October 19, 2015, the Notice of Violation was received by the property owner. By ordinance, the property owner was given until October 30th, 2015 to bring the property into compliance.

On January 28, 2016, a Notice of Public Hearing was sent to the property owner informing them of the February 16, 2016 Public Hearing.

DISCUSSION:

This parcel contains a single story 2142 square foot single family dwelling, along with 2 accessory structures of undetermined square footage. The parcel also contains large amounts of junk & debris that are a danger to public welfare. Property owners have been unresponsive as to any intentions for abatement. No building permits have been issued for the property.

BUDGET/STAFF IMPACT:

If the property owner does not comply with the Raze and Removal/Large Scale Clean-Up order, all costs will be expensed at the current budget. A Lien will be placed on the property for the incurred costs. The current budget balance is \$2,300.00, but is expected to be expended with another raze and removal project. Therefore, we are requesting a budget adjustment for the entire total of \$14,500.00.

Attachments:

Attachments include the Receipt of Bids and bids received, a Budget Adjustment, and a packet including notifications, property records, and photos.

RECEIPT OF BIDS

OWNER(S): City of Fayetteville – Community Resources Division

ADDRESS: 550 W. Skelton PROJECT No: Bid#16-21522

PROJECT TITLE: Code Compliance Program

BID CLOSING DAY/DATE/TIME: January 25, 2016 at 4:00 pm

CONTRACTOR: Redline Contractors BID AMOUNT: \$16,675

CONTRACTOR: Leigh Earthworks LLC BID AMOUNT: \$47,540

CONTRACTOR: M+M Excavating BID AMOUNT: \$14,500

CONTRACTOR: _____ BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

Certified by: CRCJ Date: 25 Jan 2016

Witness: [Signature] Date: 1.25.16



CITY OF FAYETTEVILLE

**113 W. Mountain St.
Fayetteville, AR 72701**

INVITATION TO BID

Bid# 16-21522

**Community Resources Division
Code Compliance Program
(479) 575-8260**

BID#: 16-21522

DATE ISSUED: 1-10-2016

DATE & TIME OF OPENING: Monday, January 25, 2016 4:00pm

CONTACT: David Carver—(479) 444-3451

RAZE & REMOVAL and LARGE SCALE CLEAN-UP PROJECT
BID#16-21522

ADMINISTRATOR: David Carver (email: dcarver@fayetteville-ar.gov)
PHONE # 479.444.3451 or 479.575.8260 **FAX #** 479.444.3445

PROJECT LOCATION: 550 W. Skelton St., Fayetteville, AR 72701
WC Parcel # 765-10802-000

CONTRACTOR'S SCOPE OF WORK

• **RAZE&REMOVAL**

1. Completely tear down the entire dwelling.
2. Haul all contents inside the structure(s), debris from the structure(s), and other debris from the parcel to a legal landfill. All non-load bearing concrete associated with the structure(s) shall be removed from the lot (footings and slabs).
3. Mow and clean up parcel.

• **LARGE SCALE CLEAN-UP**

1. Remove & properly dispose of all garbage, trash, rubbish, brush, limbs, furniture, appliances, junk and/or debris from parcel, including the right-of-way and utility easements.
2. Mow and clean up parcel.

• **CLEANUP & DISPOSAL**

1. Provide proof, such as receipts, that the debris was hauled to a legal landfill.
2. The city encourages the bidder to consider all waste diversion methods for materials collected. Any methods of disposal, excluding a legal landfill, must be deemed acceptable by the city prior to bid submittal.
3. The yard shall be semi-level and mow-able when the demo & clean-up work is completed and before payment will be made.
4. Contractor shall be responsible for capping wells, utilities and/or any other requirements pertaining to the demolition permit.

• **MISCELLANEOUS**

1. A Demolition Permit from the City of Fayetteville must be obtained before work begins. Demolition Permits are obtained through the Building Safety Division, 479-575-8233.
2. Proof of no less than \$250,000 liability insurance shall be provided by the contractor before work begins.
3. State Contractor License is required. A City Business License is required if your business is located in the city limits of Fayetteville.
4. If the situation is resolved by the property owner during the 30 day notice & comment period bids may be considered null & void.



BID PROPOSAL FORM

BID 16-21522

DATE ISSUED: January 10, 2016

ADMINISTRATOR'S NAME: David Carver

PROJECT ADDRESS: 550 W. Skelton St., Fayetteville, AR 72701

DATE OF OPENING: Monday, January 25, 2016 at 4:00pm

My total bid price for the Raze & Removal and Large Scale Clean-Up

Project is: \$ 14,500.00

(Bid will be valid for 120 days from Date of Opening)

Upon signing this Bid, the bidder certifies that they have viewed the property, read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

Date: 1.25.16

Complete Business Address:

Name of Firm: MIM Excavating LLC Phone # 479-841-9285
Street address or P O Box # _____

City / State/ Zip Code 377 Sulphur City Rd. Fay AR 72701

Printed Name: Marcus Barker

Signature: [Signature] Title: Owner

Federal Tax ID # 26-2611207 or Social Security # _____

State Contractor # 23914 City Business License # _____

This page must be returned to the Community Resources Division in a sealed envelope marked with the project number and contractors name on or before the Bid Closing date and time.

* Bid is for scope of work on bid description any extra *
permits or fees will be extra.

Mailing Address:
113 W. Mountain Street
Fayetteville, AR 72701

COMMUNITY RESOURCES
www.fayetteville-ar.gov



BID PROPOSAL FORM

BID 16-21522

DATE ISSUED: January 10, 2016

ADMINISTRATOR'S NAME: David Carver

PROJECT ADDRESS: 550 W. Skelton St., Fayetteville, AR 72701

DATE OF OPENING: Monday, January 25, 2016 at 4:00pm

My total bid price for the Raze & Removal and Large Scale Clean-Up

Project is: \$ 16,675

(Bid will be valid for 120 days from Date of Opening)

Upon signing this Bid, the bidder certifies that they have viewed the property, read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

Date: 01.25.16

Complete Business Address:

Name of Firm: Redline Contractors Phone # 479-841-3526
Street address or P O Box # P.O. Box 1893

City / State/ Zip Code Lowell, AR 72745

Printed Name: Kyle Sargent

Signature: [Signature] Title: General Manager
Federal Tax ID # 74-3070281 or Social Security # N/A

State Contractor # 133140515 City Business License # N/A

This page must be returned to the Community Resources Division in a sealed envelope marked with the project number and contractors name on or before the Bid Closing date and time.



BID PROPOSAL FORM

BID 16-21522

DATE ISSUED: January 10, 2016

ADMINISTRATOR'S NAME: David Carver

PROJECT ADDRESS: 550 W. Skelton St., Fayetteville, AR 72701

DATE OF OPENING: Monday, January 25, 2016 at 4:00pm

My total bid price for the Raze & Removal and Large Scale Clean-Up

Project is: \$ 475400.00

(Bid will be valid for 120 days from Date of Opening)

\$475400.00

Upon signing this Bid, the bidder certifies that they have viewed the property, read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

Date: 1-25-16

Complete Business Address:

Name of Firm: Leigh Earthworks L.L.C. Phone # 479-634-7657
Street address or P O Box # 16726 Sunset Rd.

City / State / Zip Code Winslow, AR 72959

Printed Name: William Henson

Signature: William Henson Title: Owner
Federal Tax ID # 80-0610828 or Social Security # _____

State Contractor # 0213470516 City Business License # _____

This page must be returned to the Community Resources Division in a sealed envelope marked with the project number and contractors name on or before the Bid Closing date and time.

LEIGH EARTHWORKS L.L.C.

16726 Sunset Rd. Winslow, AR 72959

Office: (479) 841-7657 Fax: (479) 634-7212

PROPOSAL

Date: January 25, 2016

Company: City of Fayetteville

Project: Demo of 550 W. Skelton St

Attention: David Carver

Location: Fayetteville, AR

Address: Fayetteville, AR

We propose to furnish all material, equipment, and labor necessary to perform and complete the following:

DESCRIPTION:	QUANTITY:	Unit:	Unit Cost:	COST:
Dumpsters	30	ea	@ \$ 750.00	\$22,500.00
Labor	72	hrs	@ \$ 15.00	\$1,080.00
Trackhoe	40	hrs	@ \$ 130.00	\$5,200.00
Skidster	32	hrs	@ \$ 85.00	\$2,720.00
Bulldozer	8	hrs	@ \$ 130.00	\$1,040.00
Abestos Removal	1	ls	@ \$ 10,000.00	\$10,000.00
Paint Removal	1	ls	@ \$ 4,000.00	\$4,000.00
Mobilization	1	ls	@ \$ 1,000.00	\$1,000.00
				\$0.00
If no abestos is found only the cost of testing will apply to the proposal.				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00

We propose to furnish all material, equipment, and labor, complete in accordance with the above specifications, for the sum of:

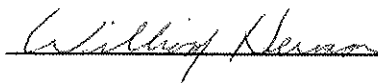
Dollars \$47,540.00 **Page 1 Total**

\$47,540.00 **Proposal Total**

Payments to be made as follows:

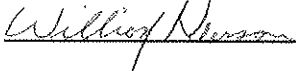
Monthly Progress Payments for Percentage of Work Complete.

Contractors Signature:



Acceptance of proposal - The above pricing, specifications, and conditions are satisfactory and are hereby accepted. Leigh Earthworks L.L.C. is authorized to perform the work as specified. Payments to be made as outlined above.

* Above Pricing is guaranteed for 30 Days from date of this document, If Proposal remains unsigned after 30 calendar days from date specified, pricing is subject to change.

Owner / Agent Signature: 

Date Approved: 1-24-16



January 27, 2016

US Bank National Association
350 Highland Drive
Lewisville, TX 75067

RE: Enforcement of Fayetteville Code 173.09
Arkansas Code Ann. 14-56-203

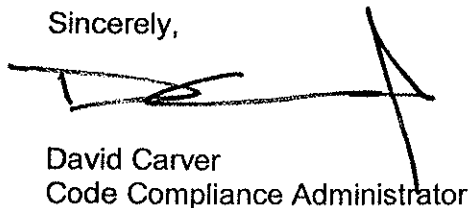
NOTICE TO PROPERTY OWNERS

Pursuant to A.C.A 14-56-203 as 173.09 of the Fayetteville Code, you are placed upon Notice that the Fayetteville City Council will conduct a public hearing to determine if the dwelling located at **550 W Skelton St. (Parcel #765-10802-000)**, should be Razed and Removed.

You are free to appear at this hearing to present any evidence or statements. If you need additional information concerning this process or if you have information that we are not aware of, please call the Code Compliance Office at (479) 575-0860.

The hearing will be part of a regular City Council meeting on **February 16, 2016** beginning at 5:30pm at the City Administration Building, 113 W. Mountain St., Fayetteville, AR 72701. The City Council Meetings are advertised in local newspapers and will contain an item concerning this hearing. You may also call the Fayetteville City Clerk's Office (479-575-8323) for information confirming the date of the public hearing.

Sincerely,



David Carver
Code Compliance Administrator

Cc: file

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
\$
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage
\$
Total Postage and Fees
\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

1-27-16

Postmark
Here

21522

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Mailing Address:
113 W. Mountain Street
Fayetteville, AR 72701

CODE COMPLIANCE
www.fayetteville-ar.gov

City of Fayetteville
113 West Mountain Street
Fayetteville, Arkansas 72701



Office of Code Compliance
Phone 479-575-8260
Fax 479-444-3445

VIOLATION NOTICE

October 07, 2015

Owner US BANK NATIONAL ASSOCIATION
350 HIGHLAND DRIVE

LEWISVILLE, TX 75067

RE: Property @ 550 W SKELTON ST, Fayetteville, AR

WC Parcel # 765-10802-000

Case # 21522

Dear Property Owner:

It appears that your property contains a violation of the Fayetteville Unified Development Ordinance. 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)444-3451.

Suspected Violation That Needs Correction:

§173.09 Unsafe Buildings. No persons, partnership, corporation or association, hereinafter referred to as "owner", shall keep or maintain any house or building within the corporate limits of the City which has become dilapidated, unsafe, unsanitary, or detrimental to the public welfare.

How This Violation Can Be Voluntarily Corrected:

By making repairs as needed or razing the structure and remove all debris from the lot. A building permit may be required, based on review of the Building Safety Director.

Potential Penalties:

If this violation is not corrected within thirty (30) days from the service of this notice, you can be issued a Criminal Citation for the above violation and be summoned to appear in court. Our office can also suggest the structure be razed and removed. The costs shall be charged to the owner(s) of the property and the city shall have a lien against such property for such costs. If you disagree with our conclusion that your property contains a violation of our ordinances, you have the right to appeal to the appropriate City Board, Commission or City Council. Please see Chapter 155 of the Unified Development Code.

If the residence is owner occupied and meets certain income requirements, you may qualify for federal assistance under our Community Development Block Grant. For more information on this program, please call (479) 575-8270 or 575-8240.

Sincerely,

DAVID CARVER
Code Compliance Officer

Cc: file

VIOLATION NOTICE

October 07, 2015

Owner US BANK NATIONAL ASSOCIATION
350 HIGHLAND DRIVE

LEWISVILLE, TX 75067

RE: Property @ 550 W SKELTON ST, Fayetteville, AR

WC Parcel # 765-10802-000

Case # 21523

Dear Property Owner:

It appears that your property contains a violation of the Fayetteville Unified Development Ordinance. It is our goal to notify and assist property owners to correct violations of city codes 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)444-3451.**

Suspected Violation That Needs Correction:

§95.01 Unsightly or Unsanitary Conditions on Real Property; order and notice to correct

How This Violation Can Be Voluntarily Corrected

Remove the garbage, trash, rubbish, brush, limbs, furniture, appliances, junk and/or debris from your property, including the right-of-way and utility easements.

Penalties:

If this violation is not corrected within ten (10) days from the service of this notice, our office is authorized to enter upon the property and do whatever is necessary to correct or remove the conditions described above. The costs of correcting said conditions shall be charged to the owner(s) of the property and the city shall have a lien against such property for such costs. You can also be issued a Criminal Citation for the above violation and be summoned to appear in court. If you disagree with our conclusion that your property contains a violation of the city code listed above, please contact our office.

Multiple offenses of this specific code violation may result in your property being declared a Public Nuisance.

If the residence is owner occupied and meets certain income requirements, you may qualify for federal assistance under our Community Development Block Grant. For more information on this program, please call (479) 575-8270 or 575-8240.

Sincerely,

DAVID CARVER

Code Compliance Officer

Cc: file

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | | |
|--|----|--|
| ☐ Return Receipt (hardcopy) | \$ | |
| ☐ Return Receipt (electronic) | \$ | |
| ☐ Certified Mail Restricted Delivery | \$ | |
| ☐ Adult Signature Required | \$ | |
| ☐ Adult Signature Restricted Delivery | \$ | |

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

10.7.15

Postmark
Here

21522

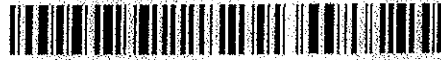
21523

7015 0640 0006 9397 5039

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

US BANK NATIONAL ASSOCIATION
350 HIGHLAND DRIVE
LEWISVILLE, TX 75067



9590 9401 0044 5071 8086 40

2 Article Number (Transfer from service label)

7015 0640 0006 9397 5039

PS Form 3811, April 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature February 09, 2016
Page 47 of 279
X
B. Received by (Printed Name) Larry Harry
Date of Delivery 14 OCT 2015
Address different from item 1? ☐ Yes
or delivery address below: ☐ No

RECEIVED

OCT 19 2015

CR DIVISION

3. Service Type
- ☐ Adult Signature
 - ☐ Adult Signature Restricted Delivery
 - ☒ Certified Mail®
 - ☐ Certified Mail Restricted Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Mail Restricted Delivery (over \$500)
 - ☐ Priority Mail Express®
 - ☐ Registered Mail™
 - ☐ Registered Mail Restricted Delivery
 - ☐ Return Receipt for Merchandise
 - ☐ Signature Confirmation
 - ☐ Signature Confirmation Restricted Delivery

DC 21522/21523 Domestic Return Rec



Code Compliance Program Unsafe Building Violation Determination

Address / Location: 550 Skelton

WC Parcel # 765-10802-000

I have determined that the structure above has become dilapidated, unsafe, unsanitary, or detrimental to the public welfare.



I recommend the raze and removal of the structure.



I recommend securing the structure.

[Signature] Building Official

Observations: THE MAIN STRUCTURE HAS PORTIONS THAT HAVE COLLAPSED AND DETERMINED DUE TO EXPOSURE. THERE IS EXCESSIVE AND DANGEROUS DEBRIS IN AND AROUND THE STRUCTURES THE ACCESSORY STRUCTURES HAVE ALSO COLLAPSED AND ARE DERELICT. UN 8-14-15

I have determined that the structure above is not in violation of Subsection 173.09 (A) of the Fayetteville Code Of Ordinances.

[Signature] Building Official



I recommend pursuing a Property Nuisance, City Code 173.09 (B)
(Checking this box requires the completion of CC Form 603)

PLEASE RETURN THIS FORM TO CODE COMPLIANCE

Date Sent: 8/13/2015

SR# 152768

Date Received: 8/14/15

Case# 21340

[Signature] Community Resources Division Director

user name or email		Log in	Register
--------------------	--	--------	----------

Forgot your password?

Washington County, Arkansas

Public Records

actDataScout

Real Property	Personal Property	Commercial Personal	Collector Tax Roll	Information		Pro Search
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Return to Results Page

New Search

1 of 1

Options:

Print Friendly
Quick Print
Pro Map Viewer
Tax Detail
Ledger
Prev. Ledger
Latest Deed

Washington County
Assessor's Office

Last Update: 1/26/2016

Russell Hill
Assessor, Washington County

Welcome to the Washington County Assessor's Office real property records online. Please use the Search feature to find your property of interest. If you have questions or comments, please call our office.

 479-444-1500 (Real Prop.)
479-444-1520 (Pers. Prop.)

Email Us

Millage Rates

Need Help

Print	Quick Print	Ledger	Prev. Ledger	Map It	Tax Detail	Latest Deed
-------	-------------	--------	--------------	--------	------------	-------------

Parcel: 765-10802-000
Prev. Parcel: 144024-000-00
As of: 1/26/2016

ID: 45653

Washington County Report

Property Owner

Name: US BANK NATIONAL ASSOC C/O WELLS FARGO BANK NA

Mailing Address: 3476 STATEVIEW BLVD
FORT MILL, SC 29715

Type: (R) - Res. Improv.

Tax Dist: (011) - FAYETTEVILLE SCH, FAY

Millage Rate: 54.75

Legal: E 1/2 LOT 23 LOTS 24-26 PT LOT 27 BLOCK 1

Property Information

Physical Address: 550 W SKELTON ST

Subdivision: SKELTONS S/D

Block / Lot: 001 / 024

S-T-R: 28-16-30

Size (in Acres): 0.000

Market and Assessed Values:

	Estimated Market Value	Full Assessed (20% Market Value)	Taxable Value
Land	\$46,500	\$9,300	\$9,300
Building	\$30,150	\$6,030	\$6,030
Total	\$76,650	\$15,330	\$15,330

Homestead Credit: 0.00 Note: Tax amounts are estimates only. Contact the county/parish tax collector for exact amounts.

Land:

Land Use	Size	Units
	1.000	House Lot
	0.400	Acres

Deed Transfers:

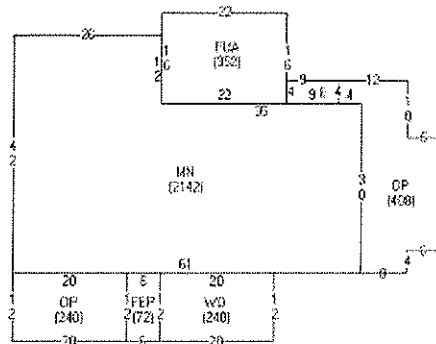
Document Images brought to you by your County Circuit Clerk, Kyle Sylvester

Date	View Deed	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
7/8/2014		2014	17388	MtgDeed			US BANK NATIONAL ASSOC		
7/31/2001		2001	90662	Quit Claim	0.00	\$0	WRIGHT, JOHNNIE A & DEBRA L		
1/23/1977		928	726	Warr. Deed	8.80	\$8,000	WRIGHT, JOHNNIE A	Unval.	

Details for Residential Card 1

Occupancy	Story	Finish	1st Liv Area	Other Liv Area	Total Liv Area	Grade	Year Built	Age	Condition	Beds
Single Family	ONE	Frame Siding Std.	2142	0	2142	4-10	1970	45	Average	N/A
Exterior Wall: FS					Plumbing: Full: 2					
Foundation: Closed Piers					Fireplace: N/A					
Floor Struct: Wood with subfloor					Heat/Cool: Central					
Floor Cover: Carpet & Tile					Basement: N/A					

Insulation: Ceilings Walls
Roof Cover: Asphalt Shingle
Roof Type: Gable
Basement Area: N/A
Year Remodeled: N/A
Style: N/A

DataScout, LLC**Base Structure:**

Item	Label	Description	Area
A	MN	Main Living Area	2142
B	FUA	Garage - frame unfinished, att	352
C	OP	Porch, open	240
D	WD	Wood deck	240
E	FEP	Frame enclosed porch	36
F	OP	Porch, open	408
G	FEP	Frame enclosed porch	72

Outbuildings and Yard Improvements:

Item	Type	Size/Dim	Unit Multi.	Quality	Age
Garage - frame unfinished, detach		14x28	1		26
Pole Shed		8x24	1		
Outbuilding, frame		8x12			

Map:

Copy

Type: REAL ESTATE Page 51 of 279
Kind: DEED
Recorded: 7/11/2014 12:55:29 PM
Fee Amt: \$60.00 Page 1 of 10
Washington County, AR
Kyle Sylvester Circuit Clerk

This Instrument Prepared By:
WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

File# 2014-00017388

RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)

Johnnie A. Wright and Debra L. Wright

GRANTEE(s)

U.S. Bank, National Association, as Trustee for the
Certificateholders of the Banc of America
Funding Corporation, 2008-FT1 Trust, Mortgage
Pass-Through Certificates, Series 2008-FT1

MORTGAGEE'S DEED

WHEREAS, on October 4, 2002, Johnnie A. Wright and Debra L. Wright executed and delivered to Bank of America, N.A. a mortgage, recorded October 15, 2002, as Instrument No. 2002153698 in the real estate records of Washington County, Arkansas, whereby, for the purpose of securing the payment of certain indebtedness set out in said mortgage, they did grant, sell, and convey to the said mortgagee the following-described property, situated, lying, and being in the County of Washington, State of Arkansas:

The East Half of Lot 23, all of Lots 24, 25, 26 and part of Lot Number 27, thence North 210 feet, thence West 175 feet, thence South 210 feet, thence East 175 feet, to the point of beginning, all in J.W. Skelton's Subdivision of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section twenty-eight (28) in Township sixteen (16) North of Range thirty (30) West, as per Plat on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

Commonly known as: 550 West Skelton Street, Fayetteville, Arkansas 72701

AND, WHEREAS, default has been made in the payment of said indebtedness and U.S. Bank, National Association, as Trustee for the Certificateholders of the Banc of America Funding Corporation, 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1, has since said default elected to sell said property in accordance with the provisions of Ark. Code Ann. §18-50-101, *et seq.*, as amended (the "Act") for the purpose of paying said indebtedness;

AND, WHEREAS, Wilson & Associates, P.L.L.C. was appointed by U.S. Bank, National Association, as Trustee for the Certificateholders of the Banc of America Funding Corporation, 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1, pursuant to Act 983 of 1999 as its attorney-in-fact to sell said property pursuant to the Act;

COPY

AND, WHEREAS, notice of the time, place, and terms of such sale, as prescribed by the terms of the Act, was given by mailing of the requisite Mortgagee's Notice of Default and Intention to Sell within thirty (30) days of the recording of said Notice, said Notice being published in a local newspaper of general circulation in Washington County four (4) times for four consecutive weeks, with the last publication being no more than ten (10) days prior to the sale, and by posting notice of such sale, pursuant to Act 983 of 1999, by a third-party posting provider, at the place in the courthouse for Washington County, Arkansas where notices of judicial sales are customarily posted; see also the Affidavit of Mailing and Compliance with Statutory Notice Requirements filed in this matter and incorporated herein by reference;

AND, WHEREAS, pursuant to Act 885 of 2011, the undersigned received certification that Johnnie A. Wright and Debra L. Wright had not applied or was ineligible for loan modification or forbearance assistance, and that notice of such ineligibility was sent in compliance with Act 885 of 2011

AND, WHEREAS, pursuant to the provisions of said Act, U.S. Bank, National Association, as Trustee for the Certificateholders of the Banc of America Funding Corporation, 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1, by its attorney-in-fact, Wilson & Associates, P.L.L.C., proceeded to sell said property at public auction, at the Washington County Courthouse, on or about June 30, 2014 at 10:00 A.M.;

AND, WHEREAS, at the time and place aforesaid, such sale was conducted pursuant to Act 983 of 1999 by a third-party auctioneer and said property was sold to U.S. Bank, National Association, as Trustee for the Certificateholders of the Banc of America Funding Corporation, 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1 for the price and sum of \$52,223.45, it being the best and highest bid.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that U.S. Bank, National Association, as Trustee for the Certificateholders of the Banc of America Funding Corporation, 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1, by its attorney-in-fact, Wilson & Associates, P.L.L.C., by virtue of the powers granted by the Act, and in consideration of the foregoing premises and of the sum of \$52,223.45, paid by the said U.S. Bank, National Association, as Trustee for the Certificateholders of the Banc of America Funding Corporation, 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1, the receipt whereof is hereby acknowledged (which said sum of money has been applied according to the directions of the Act), does GRANT, SELL, AND CONVEY unto the said U.S. Bank, National Association, as Trustee for the Certificateholders of the Banc of America Funding Corporation, 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1 and its successors and assigns forever the following-described property, situated in the County of Washington, State of Arkansas, to-wit:

The East Half of Lot 23, all of Lots 24, 25, 26 and part of Lot Number 27, thence North 210 feet, thence West 175 feet, thence South 210 feet, thence East 175 feet, to the point of beginning, all in J.W. Skelton's Subdivision of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section twenty-eight (28) in Township sixteen (16) North of Range thirty (30) West, as per Plat on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

Commonly known as: 550 West Skelton Street, Fayetteville, Arkansas 72701

Tax Parcel No.: 765-10802-000

Copy

TO HAVE AND TO HOLD the said property, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said U.S. Bank, National Association, as Trustee for the Certificateholders of the Banc of America Funding Corporation, 2008-FTI Trust, Mortgage Pass-Through Certificates, Series 2008-FTI, its successors, and assigns forever. And for and on behalf of the said Grantor(s) of said mortgage, and their heirs, executors, administrators, and assigns, the undersigned does hereby bind the said Johnnie A. Wright and Debra L. Wright, their heirs, executors, administrators, and assigns to warrant and forever defend, all and singular, said premises, unto the said U.S. Bank, National Association, as Trustee for the Certificateholders of the Banc of America Funding Corporation, 2008-FTI Trust, Mortgage Pass-Through Certificates, Series 2008-FTI, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED on this 8 day of JULY, 2014.

U.S. Bank, National Association, as Trustee for the Certificateholders of the Banc of America Funding Corporation, 2008-FTI Trust, Mortgage Pass-Through Certificates, Series 2008-FTI, by its attorney-in-fact, Wilson & Associates, P.L.L.C.

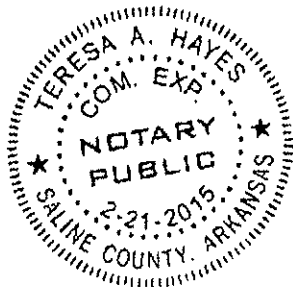
By: [Signature]
Kate Lachowsky 2012039
Attorney

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Kate Lachowsky, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be an Attorney (or other such officer authorized to execute the instrument) of Wilson & Associates, P.L.L.C., attorney-in-fact for U.S. Bank, National Association, as Trustee for the Certificateholders of the Banc of America Funding Corporation, 2008-FTI Trust, Mortgage Pass-Through Certificates, Series 2008-FTI, and that such officer executed the foregoing instrument for the purposes therein contained by personally signing his name thereto.

Witness my hand and seal at office in Little Rock, Arkansas this 8th day of July, 2014.

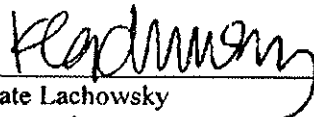


[Signature]
Notary Public

My Commission Expires: 2-21-2015

CERTIFICATE OF COMPLIANCE

I certify under penalty of false swearing that the legally correct amount of documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.



Kate Lachowsky
Agent of Grantee
1521 Merrill Drive, Suite D-220
Little Rock, AR 72211

Grantee's Address:

Nationstar Mortgage, LLC
350 Highland Drive
Lewisville, TX 75067

Tax Parcel No. 765-10802-000

Copy

EXHIBIT "A"

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF Arkansas

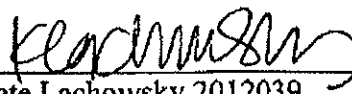
COUNTY OF Pulaski

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned, who states as follows:

1. I am the Attorney with a certain mortgage, dated October 4, 2002, recorded, October 15, 2002, as Instrument No. 2002153698, in the real estate records of Washington County, Arkansas, executed by Johnnie A. Wright and Debra L. Wright in favor of Bank of America, N.A. to secure the payment of a promissory note to Bank of America, N.A..
2. To the best of my knowledge and belief, the mortgagors holding an interest in the above-described property were (1) not members of the Armed Forces of the United States of America and had not been members of any such entities for at least twelve (12) months prior to the date of the foreclosure sale the subject hereof or (2) were members Armed Forces of the United States of America at the time the security instrument was executed, and therefore enforcement of the same is not subject to the provisions of the SCRA. See attached Department of Defense, DMDC status report.
3. As such, foreclosure of this property will not be subject to the provisions of 50 U.S.C. §501, *et seq.* (the Servicemembers Civil Relief Act).

FURTHER AFFIANT SAYETH NOT.

DATED this 8 day of July, 2014.



Kate Lachowsky 2012039
Attorney

Copy



Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: WRIGHT

First Name: JOHNNIE

Middle Name: A

Active Duty Status As Of: Jul-08-2014

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

This response reflects the individual's active duty status based on the Active Duty Status Date

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA

This response reflects whether the individual or his/her unit has received early notification to report for active duty

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22350

Copy



Status Report Pursuant to Servicemembers Civil Relief Act

Last Name: WRIGHTFirst Name: JOHNNIEMiddle Name: AActive Duty Status As Of: Jul-08-2014

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individual's active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Mary M. Snavelly-Dixon

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22350

Copy

Certificate of Publication

FORECLOSURES PLACEMENT SERVICES, INC

State of Arkansas }
County of Pulaski } ss.

I, WILLIAM F. RECTOR, JR., do solemnly swear that I am the President of Foreclosure Placement Services, Inc, whose business it is to place foreclosure sale notice information in newspapers in compliance with A.C.A. 18-50-105(1). I was President at and during the time Foreclosure Placement Services, Inc was employed to place the publication and posting of such foreclosure sale notice information in the matter of:

Borrower Debra L. Wright, Johnnie A. Wright
Address 550 West Skelton Street , Fayetteville, AR 72701

I hereby certify that the foreclosure sale notice information was published in the Northwest Arkansas Newspapers, a general circulation newspaper , one time a week for four consecutive weeks, the last of which was not more than ten (10) days prior to the sale date.

I hereby certify that the publication of said foreclosure sale notice information strictly complies with Ark. Code Ann. § 18-50-105(1). At the time of said placement, Foreclosure Placement Services, Inc was not affiliated with the Trustee or Mortgagee.



William F. Rector, Jr., President

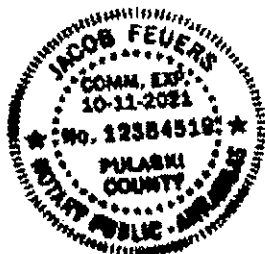
Subscribed and sworn to before me this June, 23 2014



Notary Public

My commission expires the 11th day of October, 2021.

52-243239





ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION Real Property Transfer Tax Affidavit of Compliance Form

Grantee (Purchaser) Name U.S. Bank, National Association, as Trustee for the Certificate Certificateholders			Grantor (Seller) Name Johnnie A. Wright and Debra L. Wright		
Address 350 Highland Drive			Address 103 Cynthia Avenue		
City Lewisville	State TX	Zip Code 75067	City Farmington	State AR	Zip Code 72730

Date of real property transfer (as reflected on the transfer instrument): Jun 30, 2014

Washington County, AR
I certify this instrument was filed on
7/11/2014 12:55:29 PM
and recorded in REAL ESTATE

Name of the county where the property is located: Washington County

File# 2014-00017388
Kyle Sylvester - Circuit Clerk

Amount of the full consideration for the transaction: \$0.00

Please select the appropriate exemption below:

- ☐ A transfer to or from the United States, the State of Arkansas, or any of the instrumentalities, agencies, or political subdivisions of the United States or the State of Arkansas.
- ☐ Any instrument or writing given solely to secure a debt.
- ☐ Any instrument solely for the purpose of correcting or replacing an instrument that has been previously recorded with full payment of the tax having been paid at the time of the previous recordation.
- ☐ An instrument conveying land sold for delinquent taxes.
- ☐ An instrument conveying leasehold interest in land only.
- ☐ An instrument, including a timber deed, that conveys or grants the right to remove timber from land if the instrument grants or conveys the right to remove timber for a period of not to exceed twenty-four (24) months.
- ☐ An instrument given by one (1) party in a divorce action to other party to the divorce action as a division of marital property whether by agreement or order of the court.
- ☐ An instrument given in any judicial proceeding to enforce any security interest in real estate when the instrument transfers the property to the same person who is seeking to enforce the security interest.
- ☒ An instrument given to a secured party in lieu of or to avoid a judicial proceeding to enforce a security interest in real estate.
 - An instrument conveying a home financed by the Federal Housing Administration, the United States Department of Veterans Affairs, or the United States Department of Agriculture Rural Development, if the sale price of the home is sixty thousand dollars (\$60,000) or less and the seller files with the county recorder of deeds a sworn statement by the buyer stating that neither the buyer nor the spouse of the buyer has owned a home within three (3) years of the date of closing and also stating the sale price of the home.
 - An instrument conveying land between corporations, partnerships, limited liability companies, or other business entities or between a business entity and its shareholder, partner or member incident to the organization, reorganization, merger, consolidation, capitalization, asset distribution, or liquidation of a corporation, partnership, limited liability company, or other business entity.
- ☐ A beneficiary deed under ACA 18-12-608.
- ☐ Consideration of \$100 or less
- ☒ Other (Explain): Deed from non-judicial foreclosure sale; No consideration exchanged; Credit Bid

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.

Jera Mossalli

(Print Name)

(Signature of Requestor)

07/03/2014

(Date)











08.12.2015 10:59



08.12.2015 10:59









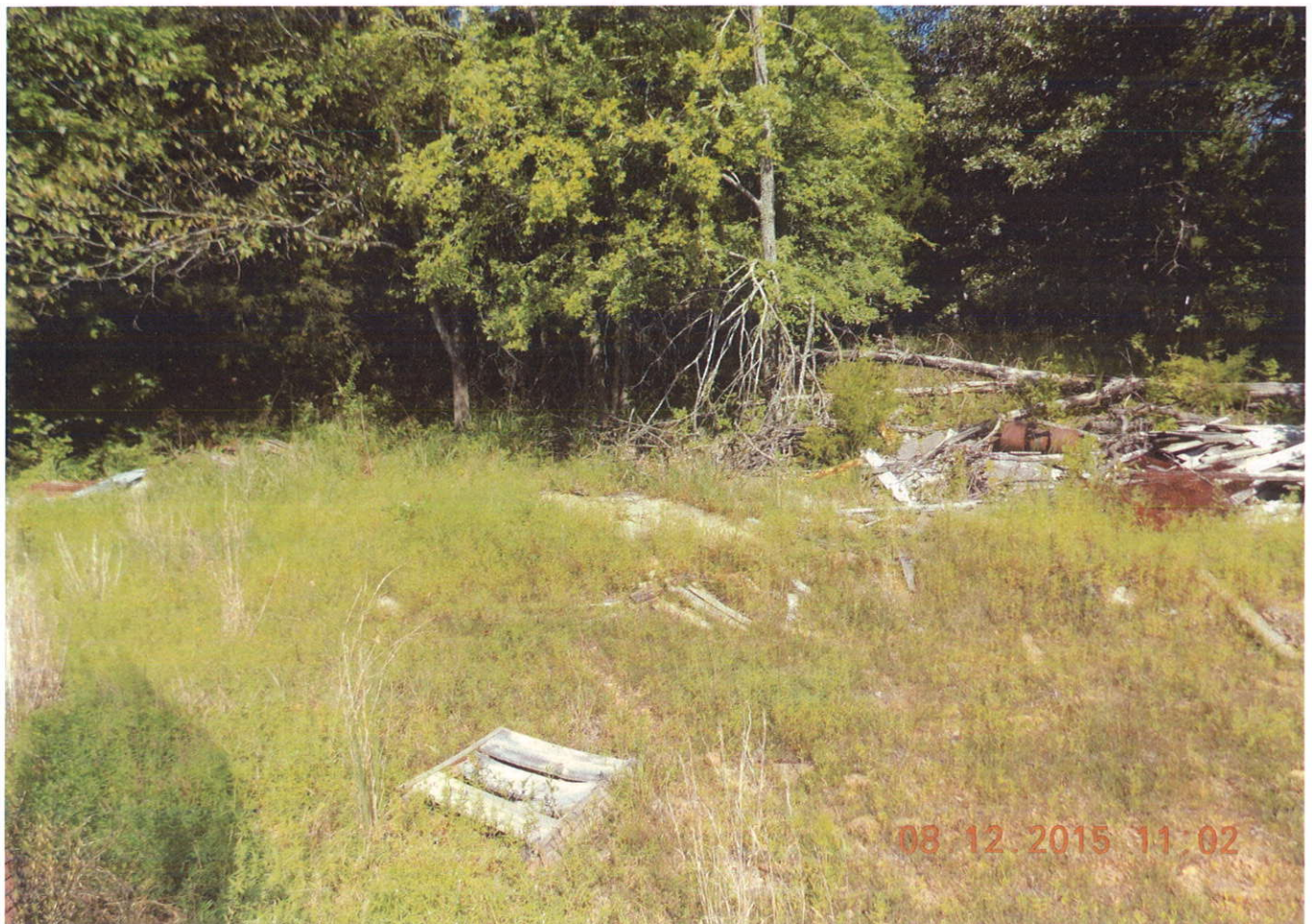




















City of Fayetteville, Arkansas - Budget Adjustment Form (Legistar)

Tentative Agenda
February 09, 2016
Page 79 of 279

Budget Year	Division: Community Resources	Adjustment Number
2016	Dept.: Development Services	
	Requestor: Cherrell Lee	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

Moving funds in preparation of non-compliance to the Raze and Removal request for 550 W. Skelton St. Funds from the Use of Funds Balance will cover the project as there are no expected funds to be left in the Raze and Removal account.

RESOLUTION/ORDINANCE	COUNCIL DATE:	2/16/2016
	LEGISTAR FILE ID#:	2016-0059
	<i>Barbara Fell</i>	
	1/28/2016 1:28 PM	
	Budget Director	Date
	TYPE:	
	DESCRIPTION:	
	GLDATE:	
	POSTED:	/

TOTAL	14,500	14,500					v.20150925
	Increase / (Decrease)		Project.Sub#				
Account Number	Expense	Revenue	Project	Sub	AT	Account Name	
1010.6420.5315.04	14,500	-	50033	1602	EX	Raze And Removals	
1010.0001.4999.99	-	14,500			RE	Use of Fund Balance	
	-	-					
	-	-					
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City of Fayetteville, Arkansas

Tentative Agenda
February 09, 2016
113 West Mountain Road
Fayetteville, AR 72701
(479) 575-8323
Page 80 of 279

Text File

File Number: 2016-0058

Agenda Date: 2/16/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 2

RAZE AND REMOVAL 1180 E. HUNTSVILLE ROAD:

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY AARON KENDALL KIRK AND JOHN PAUL KEARY LOCATED AT 1180 E. HUNTSVILLE ROAD IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, Aaron Kendall Kirk and John Paul Keary are the record owners of the real property located at 1180 E. Huntsville Road, City of Fayetteville, Washington County, Arkansas, Parcel No. 765-14412-000; and

WHEREAS, the City Council has determined that the structure located on said property is dilapidated, unsightly, unsafe, and detrimental to the public welfare; and

WHEREAS, Aaron Kendall Kirk and John Paul Keary, having been properly served with a Violation Notice via Certified Mail, Return Receipt Requested, and given thirty (30) days to correct said violation, have refused to repair, or raze and remove said dilapidated, unsightly, and unsafe structure.

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

Section 1: That, by the authority granted pursuant to A.C.A. §14-56-203, and in accordance with the provisions of Section 173.09 of the Fayetteville Code of Ordinances, Aaron Kendall Kirk and John Paul Keary are hereby ordered to raze and remove forthwith, the dilapidated, unsightly, and unsafe structure located on the aforementioned real property. The manner of removing said structure shall be: dismantle by hand or bulldozer, and haul all debris to a landfill.

Section 2: That, if Aaron Kendall Kirk and John Paul Keary do not comply with this order, the Mayor is hereby directed to cause the dilapidated, unsightly, and unsafe structure to be razed and removed; and a lien against the real property shall be granted and given the City, pursuant to A.C.A. §14-54-904, for the costs associated therewith.

Section 3: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2016-0058

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Yolanda Fields

1/29/2016

Community Resources /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A Resolution ordering the Razing and Removal of a dilapidated and unsafe structure owned by Aaron Kendal Kirk and John Paul Keary located at 1180 E. Huntsville Road in the City of Fayetteville, Arkansas, and approving a budget adjustment.

Budget Impact:

1010.6420.5315.04

1010 - General

Account Number

Fund

50033.1601

Raze and Removal

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 2,300.00

Funds Obligated \$ -

Current Balance \$ 2,300.00

Does item have a cost? Yes

Item Cost \$ 6,400.00

Budget Adjustment Attached? Yes

Budget Adjustment \$ 4,100.00

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: Staff recommends approval of the Resolution and Budget Adjustment. The \$6,400 would be needed only in the event the property owner does not raze the structure by the time the resolution is in effect.

CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 16, 2016

TO: Mayor and City Council

THRU: Jeremy Pate, Development Services Department Director

FROM: Yolanda Fields, Community Resources Director

DATE: January 29, 2016

SUBJECT: Raze and Removal of Structure at 1180 E Huntsville Rd.

RECOMMENDATION:

Staff recommends approval of the Resolution ordering the Raze and Removal of a dilapidated and unsafe structure located at 1180 E Huntsville Rd and to approve a budget adjustment in the amount of \$6,400.00 for the balance of the project.

BACKGROUND:

Service Request #149753, Case #21113: Code Compliance responded to a request concerning the structure located at 1180 E Huntsville. The structure appeared to be in violation of Subsection 173.09(A), Unsafe Buildings, of the City Code of Ordinances. The Chief Building Official inspected the property and determined that the structure was in violation of Subsection 179.09(A), Unsafe Buildings, of the City Code of Ordinances. Specifically, the Chief Building Official observed: *Exterior load bearing is bowing out and roof has shown sign of collapse. Building is not structurally safe nor sanitary for habitation.*

On July 24, 2015, an Unsafe Building Notice of Violation was posted on the property. By ordinance, the property owner was given until August 31, 2015 to acquire a building permit or to Raze and Remove the structure.

On January 28, 2016, a Notice of Public Hearing was sent to the property owner informing them of the February 16, 2016 Public Hearing.

DISCUSSION:

This parcel contains a single story 860 square foot single family dwelling. Property owners have been unresponsive as to any intentions for abatement. No building permits have been issued for the property.

BUDGET/STAFF IMPACT:

If the property owner does not comply with the Raze and Removal order, Raze and Removal costs will be expensed at the current budget. A Lien will be placed on the property for the incurred costs. The current budget balance is \$2,300.00, therefore, we are requesting a budget adjustment of \$4,100.00.

Attachments:

Attachments include the Receipt of Bids and bids received, a Budget Adjustment, and a packet including notifications, property records, and photos.

RECEIPT OF BIDS

OWNER(S): City of Fayetteville – Community Resources Division

ADDRESS: Citywide

PROJECT No: Bid#15-21113

PROJECT TITLE: Raze and Removal at 1180 Huntsville Rd.

BID CLOSING DAY/DATE/TIME: November 9, 2015 at 4:00 pm

CONTRACTOR:

D + R LLC

BID AMOUNT: \$6,400

1.26.16 - DC - SPOKE w/ JERRY RAMSEY + CONFIRMED BID
IS STILL VALID @ \$6,400 -

CONTRACTOR:

Redline Contractors

BID AMOUNT: \$7,687.50

CONTRACTOR:

HDI

BID AMOUNT: \$9,000

CONTRACTOR:

Evans Const + Remodeling LLC

BID AMOUNT: \$19,950

CONTRACTOR:

BID AMOUNT:

Certified by:

CMC

Date: 9 Nov 2015

Witness:

[Signature]

Date: 11.9.15

RAZE & REMOVAL PROJECT

BID#15-21113

ADMINISTRATOR: David Carver (email: dcarver@fayetteville-ar.gov)

PHONE # 479.444.3451 or 479.575.8260 **FAX #** 479.444.3445

PROJECT LOCATION: 1180 E. Huntsville Rd., Fayetteville, AR 72701
WC Parcel # 765-14412-000

CONTRACTOR'S SCOPE OF WORK

- **RAZE&REMOVAL**

1. Completely tear down the entire dwelling.
2. Haul all contents inside the structure(s), debris from the structure(s), and other debris from the parcel to a legal landfill. All non-load bearing concrete associated with the structure(s) shall be removed from the lot (footings and slabs).
3. Mow and clean up parcel.

- **CLEANUP & DISPOSAL**

1. Provide proof, such as receipts, that the debris was hauled to a legal landfill.
2. The city encourages the bidder to consider all waste diversion methods for materials collected. Any methods of disposal, excluding a legal landfill, must be deemed acceptable by the city prior to bid submittal.
3. The yard shall be semi-level and mow-able when the demo work is completed and before payment will be made.
4. Contractor shall be responsible for capping wells, utilities and/or any other requirements pertaining to the demolition permit.

- **MISCELLANEOUS**

1. A Demolition Permit from the City of Fayetteville must be obtained before work begins. Demolition Permits are obtained through the Building Safety Division, 479-575-8233.
2. Proof of no less than \$250,000 liability insurance shall be provided by the contractor before work begins.
3. State Contractor License is required. A City Business License is required if your business is located in the city limits of Fayetteville.
4. If the situation is resolved by the property owner during the 30 day notice & comment period bids may be considered null & void.



BID PROPOSAL FORM

BID 15-21113

DATE ISSUED: October 25, 2015

ADMINISTRATOR'S NAME: David Carver

PROJECT ADDRESS: 1180 E. Huntsville Rd., Fayetteville, AR 72701

DATE OF OPENING: Monday, November 9, 2015 at 4:00pm

My total bid price for the Raze & Removal Project is: \$ 6,400⁰⁰
(Bid will be valid for 120 days from Date of Opening)

Upon signing this Bid, the bidder certifies that they have viewed the property, read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

Complete Business Address: P.O. Box 561 Bentonville, AR Date: 11-9-15

Name of Firm: D+R LLC Phone # (479) 381-4300
Street address or P O Box # P.O. Box 561 Bentonville, AR 72712

City / State / Zip Code Bentonville, AR 72712

Printed Name: Jerry Ramsey

Signature: [Signature] Title: Member
Federal Tax ID # 57-1237570 or Social Security # _____

State Contractor # 0177410316 City Business License # 2377 Crossett, AR

This page must be returned to the Community Resources Division in a sealed envelope marked with the project number and contractors name on or before the Bid Closing date and time.



BID PROPOSAL FORM

BID 15-21113

DATE ISSUED: October 25, 2015

ADMINISTRATOR'S NAME: David Carver

PROJECT ADDRESS: 1180 E. Huntsville Rd., Fayetteville, AR 72701

DATE OF OPENING: Monday, November 9, 2015 at 4:00pm

My total bid price for the Raze & Removal Project is: \$ 7,687.50
(Bid will be valid for 120 days from Date of Opening)

Upon signing this Bid, the bidder certifies that they have viewed the property, read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

Date: 11.09.15

Complete Business Address:

Name of Firm: REDLINE CONTRACTORS Phone # 479.841.3526
Street address or P O Box # P.O. Box 1873

City / State/ Zip Code LOWELL, AR 72745

Printed Name: KYLE SARGENT

Signature: [Signature] Title: GENERAL MANAGER
Federal Tax ID # 74-3070281 or Social Security # [Signature]

State Contractor # 16377 City Business License # 0133140516

This page must be returned to the Community Resources Division in a sealed envelope marked with the project number and contractors name on or before the Bid Closing date and time.



BID PROPOSAL FORM

BID 15-21113

DATE ISSUED: October 25, 2015

ADMINISTRATOR'S NAME: David Carver

PROJECT ADDRESS: 1180 E. Huntsville Rd., Fayetteville, AR 72701

DATE OF OPENING: Monday, November 9, 2015 at 4:00pm

My total bid price for the Raze & Removal Project is: \$ 9,000
(Bid will be valid for 120 days from Date of Opening)

Upon signing this Bid, the bidder certifies that they have viewed the property, read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

Date: 11-9-2015

Complete Business Address:

Name of Firm: H/DI Contractors Phone # 479 466 6920
Street address or P O Box # 4227 Broomsgge Dr

City / State/ Zip Code Fayetteville AR 72701

Printed Name: Jacob Brewer

Signature: Jacob Brewer Title: VP
Federal Tax ID # 710724148 or Social Security # _____

State Contractor # 0007240416 City Business License # _____

This page must be returned to the Community Resources Division in a sealed envelope marked with the project number and contractors name on or before the Bid Closing date and time.

BID PROPOSAL FORM

BID 15-21113

DATE ISSUED: October 25, 2015

ADMINISTRATOR'S NAME: David Carver

PROJECT ADDRESS: 1180 E. Huntsville Rd., Fayetteville, AR 72701

DATE OF OPENING: Monday, November 9, 2015 at 4:00pm

My total bid price for the Raze & Removal Project is: \$ 19,950
(Bid will be valid for 120 days from Date of Opening)

Upon signing this Bid, the bidder certifies that they have viewed the property, read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

Date: 10/30/15

Complete Business Address:

Name of Firm: Evans Construction Phone # 530-0801
Street address or P O Box # 1123 Crutcher St

City / State/ Zip Code Springdale AR 72764

Printed Name: Randall C Evans

Signature: Randall C Evans Title: _____

Federal Tax ID # 27-0484352 or Social Security # _____

State Contractor # 0204640516 City Business License # 8435 Springdale

This page must be returned to the Community Resources Division in a sealed envelope marked with the project number and contractors name on or before the Bid Closing date and time.



BID PROPOSAL FORM

BID 15-21113

DATE ISSUED: October 25, 2015

ADMINISTRATOR'S NAME: David Carver

PROJECT ADDRESS: 1180 E. Huntsville Rd., Fayetteville, AR 72701

DATE OF OPENING: Monday, November 9, 2015 at 4:00pm

My total bid price for the Raze & Removal Project is: \$ 20,500
(Bid will be valid for 120 days from Date of Opening)

Upon signing this Bid, the bidder certifies that they have viewed the property, read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

Date: 11-6-15

Complete Business Address:

Name of Firm: T+T Backhoe Service Inc. Phone # (501) 786-3148
Street address or P O Box # 8290 U.S. 79 / PO Box 198

City / State/ Zip Code Pison, Arkansas 71665

Printed Name: Timothy Brock

Signature: Timothy Brock Title: President
Federal Tax ID # 47-4802209 or Social Security # _____

State Contractor # _____ City Business License # _____

This page must be returned to the Community Resources Division in a sealed envelope marked with the project number and contractors name on or before the Bid Closing date and time.



January 27, 2016

Aaron Kendal Kirk, John Paul Keary
257 W 22nd Street, Apt. A
Fayetteville, AR 72701

RE: Enforcement of Fayetteville Code 173.09
Arkansas Code Ann. 14-56-203

NOTICE TO PROPERTY OWNERS

Pursuant to A.C.A 14-56-203 as 173.09 of the Fayetteville Code, you are placed upon Notice that the Fayetteville City Council will conduct a public hearing to determine if the dwelling located at **1180 E HUNTSVILLE RD (PARCEL #765-14412-000)**, should be Razed and Removed.

You are free to appear at this hearing to present any evidence or statements. If you need additional information concerning this process or if you have information that we are not aware of, please call the Code Compliance Office at (479) 575-0860.

The hearing will be part of a regular City Council meeting on **February 16, 2016** beginning at 5:30pm at the City Administration Building, 113 W. Mountain St., Fayetteville, AR 72701. The City Council Meetings are advertised in local newspapers and will contain an item concerning this hearing. You may also call the Fayetteville City Clerk's Office (479-575-8323) for information confirming the date of the public hearing.

Sincerely,

David Carver
Code Compliance Administrator

Cc: file

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	1-27-16 Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Mailing Address:
113 W. Mountain Street
Fayetteville, AR 72701

CODE COMPLIANCE
www.fayetteville-ar.gov

City of Fayetteville
113 West Mountain Street
Fayetteville, Arkansas 72701



Office of Code Compliance
Phone 479-575-8260
Fax 479-444-3445

VIOLATION NOTICE

June 30, 2015

Owner AARON KENDALL KIRK; JOHN PAUL KEARY
1224 E HUNTSVILLE

FAYETTEVILLE, AR 72701

RE: Property @ 1180 E HUNTSVILLE RD, Fayetteville, AR

WC Parcel # 765-14412-000

Case # 21113

Dear Property Owner:

It appears that your property contains a violation of the Fayetteville Unified Development Ordinance. 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 .**

Suspected Violation That Needs Correction:

§173.09 Unsafe Buildings. No persons, partnership, corporation or association, hereinafter referred to as "owner", shall keep or maintain any house or building within the corporate limits of the City which has become dilapidated, unsafe, unsanitary, or detrimental to the public welfare.

How This Violation Can Be Voluntarily Corrected:

By making repairs as needed or razing the structure and remove all debris from the lot. A building permit may be required, based on review of the Building Safety Director.

Potential Penalties:

If this violation is not corrected within thirty (30) days from the service of this notice, you can be issued a Criminal Citation for the above violation and be summoned to appear in court. Our office can also suggest the structure be razed and removed. The costs shall be charged to the owner(s) of the property and the city shall have a lien against such property for such costs. If you disagree with our conclusion that your property contains a violation of our ordinances, you have the right to appeal to the appropriate City Board, Commission or City Council. Please see Chapter 155 of the Unified Development Code.

If the residence is owner occupied and meets certain income requirements, you may qualify for federal assistance under our Community Development Block Grant. For more information on this program, please call (479) 575-8270 or 575-8240.

Sincerely,

BRIAN DUNCAN
Code Compliance Officer

Cc: file



Code Compliance Program Unsafe Building Violation Determination

Address / Location: 1180 Huntsville Road

WC Parcel # 765-14412-000

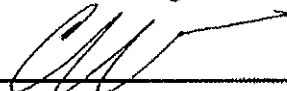
I have determined that the structure above has become dilapidated, unsafe, unsanitary, or detrimental to the public welfare.

☒

I recommend the raze and removal of the structure.

☐

I recommend securing the structure.

 Building Official

Observations:

exterior load ~~bearing~~ bowing out
and roof has shown sign of collapse.
Building is not structurally safe nor
sanitary for habitation

I have determined that the structure above is not in violation of Subsection 173.09 (A) of the Fayetteville Code Of Ordinances.

 Building Official

☐

I recommend pursuing a Property Nuisance, City Code 173.09 (B)

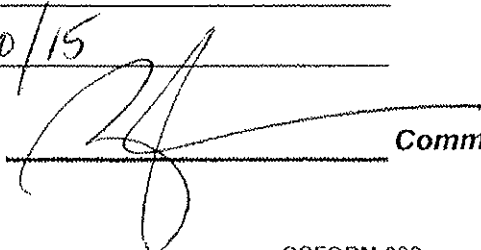
PLEASE RETURN THIS FORM TO CODE COMPLIANCE

Date Sent: 5/13/2015

SRI# 149753

Date Received: 6/30/15

Case# 21113

 Community Resources Division Director

user name or email Log in Register

Forgot your password?

Washington County, Arkansas

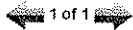
Public Records

actDataScout 

Real Property	Personal Property	Commercial Personal	Collector Tax Roll	Information		Pro Search
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 Return to Results Page

New Search

 1 of 1

Options:

Print Friendly
Quick Print
Pro Map Viewer
Tax Detail
Ledger
Prev. Ledger
Latest Deed

Washington County
Assessor's Office

Last Update: 1/26/2016



Russell Hill
Assessor, Washington County

Welcome to the Washington County Assessor's Office real property records online. Please use the Search feature to find your property of interest. If you have questions or comments, please call our office.

 479-444-1500 (Real Prop.)
479-444-1520 (Pers. Prop.)

 Email Us

 Millage Rates

 Need Help

Print Quick Print Ledger Prev. Ledger Map It Tax Detail Latest Deed

Parcel: 765-14412-000
Prev. Parcel: 147521-000-00
As of: 1/26/2016

ID: 50463

Washington County Report

Property Owner

Name: KIRK, AARON KENDALL; KEARY, JOHN PAUL

Mailing Address: 257 W 22ND ST APT A
FAYETTEVILLE, AR 72701

Type: (RM) - Res. Misc. Improv.

Tax Dist: (011) - FAYETTEVILLE SCH, FAY

Millage Rate: 54.75

Legal: PT SE SE 0.40 A.

Property Information

Physical Address: 1180 E HUNTSVILLE RD

Subdivision: 15-16-30 FAYETTEVILLE OUTLOTS

Block / Lot: -- / --

S-T-R: 15-16-30

Size (in Acres): 0.000

Market and Assessed Values:

	Estimated Market Value	Full Assessed (20% Market Value)	Taxable Value
Land	\$30,000	\$6,000	\$6,000
Building	\$0	\$0	\$0
Total	\$30,000	\$6,000	\$6,000

Homestead Credit: 0.00 Note: Tax amounts are estimates only. Contact the county/parish tax collector for exact amounts.

Land:

Land Use	Size	Units
	1.000	House Lot

Deed Transfers:

Document Images brought to you by your County Circuit Clerk, Kyle Sylvester

Date	View Deed	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
4/18/2002		2002	56739	Warr. Deed	148.50	\$45,000	KIRK, AARON KENDALL; KEARY, JOHN PAUL	Additional Properties	Improved
3/9/2001		2001	24974	Quit Claim	0.00	\$0	JOHNSON, LARRY STEVEN & LAURA M		
12/4/1998		98	106762	Warr. Deed	66.00	\$20,000	JOHNSON, LARRY STEVEN & LAURA M	Inc. Additional Prop.	Improved
8/12/1988		97	35081	Warr. Deed	22.00	\$10,000	AVALEAR, MARK A & MARY	Additional Properties	Improved
8/12/1988		1283	244-5		0.00	\$0	AVALEAR, MARK A & MARY V (CONTRACT)		

Details for Residential Card 1

Exterior Wall:	SIDING	Plumbing:	Full: 1
Foundation:	Closed Piers	Fireplace:	Type: 1s Sgl.
Floor Struct:	Wood with subfloor	Heat/Cool	F/W/Furn
Floor Cover:	Carpet & Tile	Basement:	N/A
Insulation:	N/A	Basement Area:	N/A
Roof Cover:	Asphalt Shingle	Year Remodeled:	N/A
Roof Type:	Gable	Style:	N/A

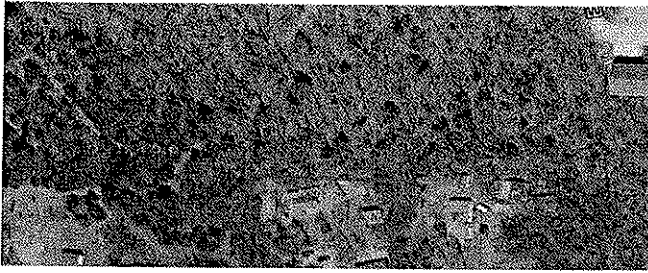
Base Structure:

Item	Label	Description	Area
A	MN	Main Living Area	860
B	OP2	Porch, half open	36

Outbuildings and Yard Improvements:

Item	Type	Size/Dim	Unit	Multi.	Quality	Age
Asphalt Driveway				1		
Outbuilding, frame		8x12				
Wall, masonry (brick or stone)						

Map:



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21113
 06-30-15
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PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7015 0640 0006 9397 6029

PLACE STICKER AT TOP OF ENVELOPE TO THE
 OF THE RETURN ADDRESS, FOLD AT DOTTED

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

KIRK, AARON KENDALL; KEARY, JOHN PAUL
 257 W 22ND ST APT A
 FAYETTEVILLE, AR 72701



9590 9401 0044 5071 8102 54

2. Article Number (Transfer from service label)

7015 0640 0006 9397 6029

PS Form 3811, April 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
 If yes, enter delivery address below: ☐ No

RECEIVED
 JUL 24 2015

CR DIVISION

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
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- ☐ Collect on Delivery Restricted Delivery
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- ☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

4481025

21113

19D

Yetteville
ARKANSAS

ETTEVILLE, ARKANSAS
TAIN
R 72701-6083

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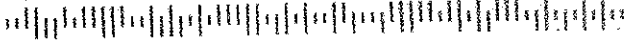
KIRK, AARON KENDALL; KEARY, JOHN PAUL
257 W 22ND ST APT A
FAYETTEVILLE, AR 72701

NIXIE 722 DE 1009 0007/21/15

RETURN TO SENDER
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UNABLE TO FORWARD

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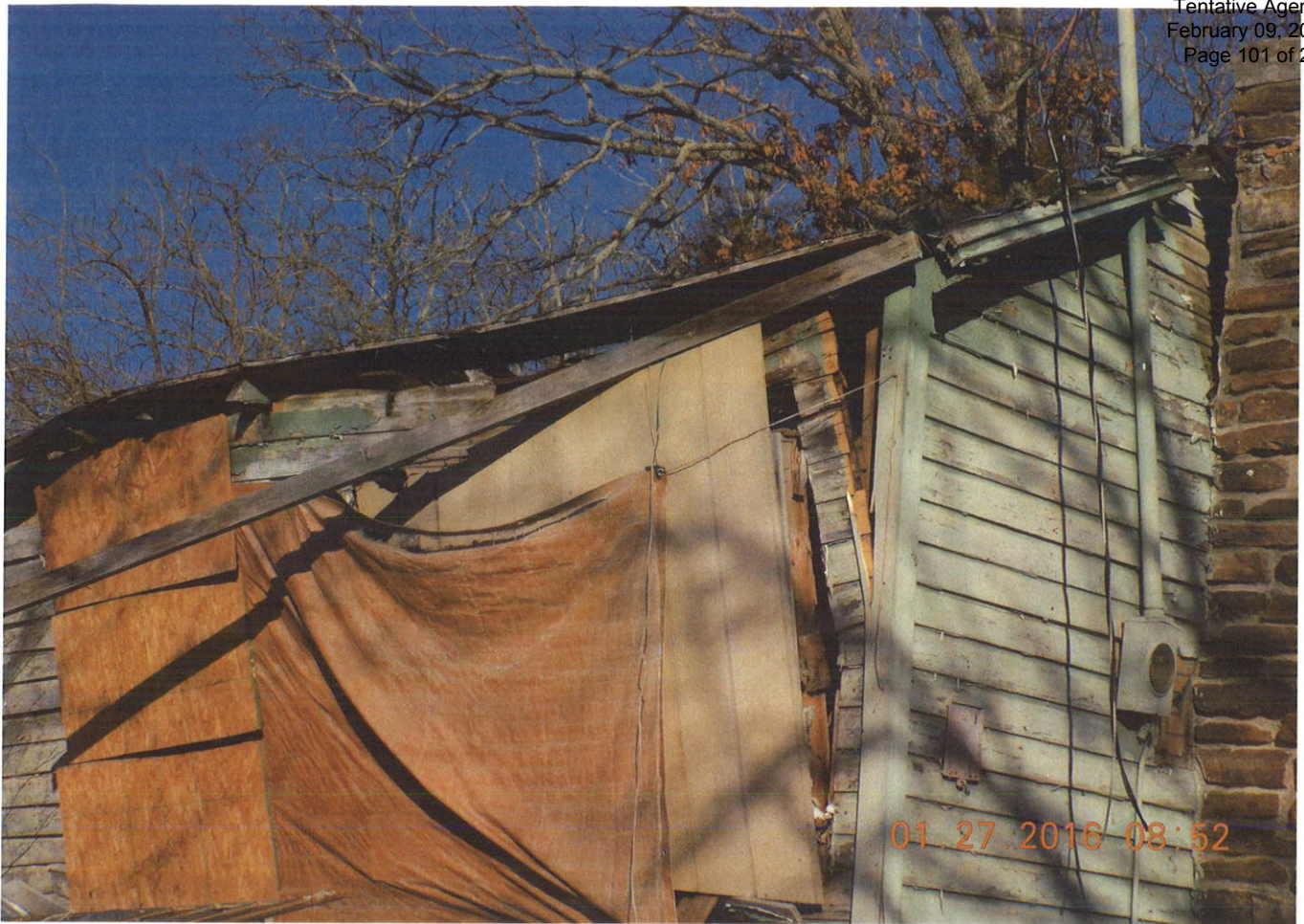


12-1-15











Tentative Agenda
February 09, 2016
Page 103 of 279

Budget Year 2016	Division: Community Resources Dept.: Development Services Requestor: Cherrell Lee	Adjustment Number
---------------------	--	-------------------

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

Moving funds in preparation of non-compliance to the Raze and Removal request for 1180 Huntsville Rd.

	COUNCIL DATE:	2/16/2016
	LEGISTAR FILE ID#:	2016-0058
	<i>Barbara Fell</i>	
	<i>1/28/2016 2:19 PM</i>	
	Budget Director	Date
	TYPE:	
	DESCRIPTION:	
	GLDATE:	
	POSTED:	/
RESOLUTION/ORDINANCE		

[illegible]



City of Fayetteville, Arkansas

Tentative Agenda
February 09, 2016
Page 04 of 279
113 West Mountain Road
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0056

Agenda Date: 2/16/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 1

NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION ONE-YEAR CONTRACT:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A ONE-YEAR CONTRACT WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$40,017.86 FOR A STORMWATER EDUCATION PROGRAM FOR 2016

WHEREAS, the City of Fayetteville, along with seventeen other cities in Northwest Arkansas, has been operating under the Environmental Protection Agency's federally mandated Phase II Stormwater Regulations as a Municipal Separate Storm Sewer System; and

WHEREAS, the Northwest Arkansas Planning Commission has determined that a regional approach to certain minimum control measures required for renewal of Municipal Separate Storm Sewer System permits - specifically Public Education and Outreach, Public Involvement and Participation, and the education component of Pollution Prevention/Good Housekeeping - is both logical, cost effective and appropriate, and this approach has been approved by the Arkansas Department of Environmental Quality; and

WHEREAS, the Northwest Arkansas Planning Commission has endorsed a proposal from the University of Arkansas Cooperative Extension Service to design and provide a stormwater education program to all Municipal Separate Storm Sewer Systems in Northwest Arkansas; and

WHEREAS, the cost of the agreement to the City for 2016 exceeds \$20,000.00 and would otherwise require competitive bidding unless the requirement is waived.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and authorizes the Mayor to sign a Memorandum of Understanding, a copy of which is attached hereto and made a part hereof, between the City and the Northwest Arkansas Regional Planning Commission in the amount of \$40,488.80 for a Stormwater Education Program to be provided by the University of Arkansas Cooperative Extension Service to satisfy portions of the Environmental Protection Agency's Phase II Stormwater Regulations.

City of Fayetteville Staff Review Form

2016-0056

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Chris Brown

1/29/2016

Engineering /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Waiving competitive bidding and approving of a one-year agreement in the amount of \$40,488.80 with the Northwest Arkansas Regional Planning Commission for a Stormwater Education Program to be provided by the University of Arkansas Cooperative Extension service to satisfy portions of the NPDES Phase II Stormwater Permit requirements

Budget Impact:

4470.9470.5817.00

4470 - Sales Tax Capital Improvements

Account Number

Fund

02097.1

Stormwater Quality Management (Stormwater
Quality Mgmt/Nutrient Reduct)

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 200,000.00

Funds Obligated \$ -

Current Balance \$ 200,000.00

Does item have a cost? Yes

Item Cost \$ 40,488.80

Budget Adjustment Attached? No

Budget Adjustment

#

Remaining Budget \$ 159,511.20

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 16, 2016

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director
Chris Brown, City Engineer

FROM: Alan Pugh, Staff Engineer

DATE: January 27, 2016

SUBJECT: Waiving competitive bidding and approving of a one-year agreement in the amount of \$40,488.80 with the Northwest Arkansas Regional Planning Commission for a Stormwater Education Program to be provided by the University of Arkansas Cooperative Extension service to satisfy portions of the NPDES Phase II Stormwater Permit requirements

RECOMMENDATION:

Staff recommends waiving competitive bidding and approving of a one-year agreement in the amount of \$40,488.80 with the Northwest Arkansas Regional Planning Commission for a Stormwater Education Program to be provided by the University of Arkansas Cooperative Extension service to satisfy portions of the NPDES Phase II Stormwater Permit requirements.

BACKGROUND:

The City of Fayetteville has participated in the educational program provided by the University of Arkansas Cooperative Extension since its inception. This program has been very successful and a valuable asset to the public as well as the city.

DISCUSSION:

Since 2003, the cities of Bentonville, Bethel Heights, Elkins, Elm Springs, Farmington, Fayetteville, Greenland, Johnson, Little Flock, Lowell, Springdale and Rogers along with Benton and Washington Counties and the University of Arkansas have been operating under EPA's federally mandated Phase II Stormwater regulations as Municipal Separate Storm Sewer Systems (MS4s). The cities of Bella Vista, Cave Springs, Centerton, Pea Ridge, Prairie Grove, and Tontitown were recently designated as MS4s based on the 2010 census and these cities are joining the education program this year. While these jurisdictions obtained separate National Pollutant Discharge Elimination System (NPDES) permits, they jointly contracted with Cooperative Extension Service (CES) through the NWA Regional Planning Commission as a successful and cost-effective means of implementing the following minimum control measures required in their Phase II permits as well as ensure uniformity in the message presented to residents of Northwest Arkansas:

- 1) Public Education and Outreach
- 2) Public Involvement and Participation
- 6) Pollution Prevention and Good Housekeeping (training for municipal employees)

Positive feedback from ADEQ and participating MS4s has led to the CES and the NWARPC partnering for an additional urban stormwater education program in support of the MS4s' new 2014-2019 stormwater management permits. This contract is for participation in a 1-Year Regional Stormwater Education and Coordination Program.

BUDGET/STAFF IMPACT:

Funding in the amount of \$40,488.80 is available in the Stormwater Quality Management and Nutrient Reduction Plan Budget. These funds are proposed to be utilized to satisfy the terms of the agreement.

Attachments:

Memorandum of Understanding
Urban Stormwater Education Program 2015-2019 Summary
Cost Allocation Summary

City of Fayetteville - Purchase Order Request (PO) (Not a Purchase Order) All PO Requests shall be scanned to the Purchasing e-mail: Purchasing@fayetteville-ar.gov. Purchase shall not be made until an actual PO has been issued.							Requisition No.: _____		Date: _____	
							P.O Number: _____			
Vendor #: 8810			Vendor Name: NWA Regional Planning Commission				Mail ☒ Yes ☐ No		Legistar#: 2016-0056	
Address: _____					FOB Point: _____		Taxable ☐ Yes ☒ No			
City: _____			State: _____		Zip Code: _____		Ship to code: _____		Expected Delivery Date: _____	
					Quotes Attached ☐ Yes ☐ No					
Requester: Alan Pugh					Requester's Employee #: 4073		Extension: 8208			
Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number	Project.Sub#	Inventory #	Fixed Asset #	
1	2016 Stormwater Education	1	LOT	40,488.80	\$40,488.80	02097.1				
2					\$0.00					
3					\$0.00					
4					\$0.00					
5					\$0.00					
6					\$0.00					
7					\$0.00					
8					\$0.00					
9					\$0.00					
10					\$0.00					
*	Shipping/Handling		Lot		\$0.00					
Special Instructions:							Subtotal: <u>\$40,488.80</u> Tax: <u>\$0.00</u> Total: <u><u>\$40,488.80</u></u>			
Approvals:										
Mayor: _____			Department Director: _____			Purchasing Manager: _____				
Chief Financial Officer: _____			Budget Director: _____			IT Director: _____				
Dispatch Manager: _____			Utilities Manager: _____			Other: _____				

**MEMORANDUM OF UNDERSTANDING FOR THE MS4
JURISDICTIONS OF NORTHWEST ARKANSAS AND
THE NORTHWEST ARKANSAS REGIONAL PLANNING
COMMISSION**

WHEREAS, eighteen cities in Benton and Washington Counties, the counties themselves, and the University of Arkansas meet the U.S. Environmental Protection Agency's "small" urbanized area municipal separate storm sewer (MS4) criteria, and must comply with national Phase II Stormwater Regulations; and

WHEREAS, the Arkansas Department of Environmental Quality (ADEQ), the state agency authorized by EPA to issue National Pollutant Discharge Elimination System (NPDES) permits requiring and ensuring compliance, will establish dates for affected entities to be covered under Arkansas' general permit for MS4s; and

WHEREAS, said permit requires development, implementation, and evaluation of a stormwater management plan, that addresses each of the six minimum control measures identified in the Phase II Storm Water Regulations contained in 40 CFR 122.26 and outlined in Part I.B.; and

WHEREAS, the Northwest Arkansas Regional Planning Commission (NWARPC) has coordinated meetings between representatives of affected jurisdictions in an effort to determine, in the interest of economy and efficiency, whether certain stormwater permit components could be addressed collectively, rather than individually; and

WHEREAS, it has been determined that a cost effective, regional approach to certain minimum control measures required as part of the permit – namely Public Education and Outreach, Public Involvement and Participation, and the education component of Pollution Prevention/Good Housekeeping – is both logical and appropriate; and

WHEREAS, the NWARPC previously requested and received statements of qualifications from interested institutions and firms with demonstrated water quality educational expertise, and has, in cooperation with representatives of affected MS4 jurisdictions, endorsed the attached proposal from the University of Arkansas Cooperative Extension Service; and

WHEREAS, the ADEQ has endorsed the regional concept and proposal for addressing said minimum control measures; and

WHEREAS, said representatives of affected MS4s have also endorsed the distribution of costs associated with the proposal as shown on the attached cost allocation plan; and

FAYETTEVILLE

WHEREAS, the Board of Directors of the NWARPC have authorized the Commission to act as the financial clearinghouse and primary contractor, on behalf of said MS4s, in connection with said proposal.

NOW, THEREFORE BE IT RESOLVED THAT WE, THE UNDERSIGNED MS4 JURISDICTION, AND THE BOARD OF DIRECTORS OF THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION, AGREE AS FOLLOWS:

SECTION 1. To participate in a 1-Year Regional Stormwater Education and Coordination Program (January 1, 2016 – December 31, 2016), to be carried out by the University of Arkansas Cooperative Extension Service through an engagement with the Northwest Arkansas Regional Planning Commission, with costs based on a Base cost and each jurisdiction's pro-rated share of the region's 2010 urbanized area population; it being understood that said services to be provided shall satisfy requirements for the federally-mandated minimum control measures referenced herein. Commitments for participation in said program in future years will require governing body approval on a year-to-year basis.

SECTION 2. To participate financially in accordance with the attached cost allocation plan. Any increases in the costs allocated to the undersigned MS4 due to the failure of other MS4 jurisdictions to participate shall be subject to the approval of the undersigned MS4.

SECTION. 3. That all funds received by NWARPC from MS4s shall be utilized in their entirety for stormwater management program services and coordination activities in connection with EPA Phase II Stormwater Program requirements, and shall be accounted for separately from all other Commission funds.

Dated this _____ day of _____, 2015.

FAYETTEVILLE



Jeff Hawkins NWARPC

2016 Cost Allocation* of U of A Cooperative Extension Service Regional Stormwater Education and NWA Regional Planning
Commission Stormwater Coordination for NWA MS4 Jurisdictions

MS4 Cost = \$2,000 Base cost + (Remaining Program Cost x % NWA Urbanized Area Population)
Using 2010 US Census Urban Block Data for the 21 MS4 Collaborating Jurisdictions

Jurisdiction	Urbanized Area Population	Total Population	% Urbanized Area Population	\$2,000 Base with % Urbanized Area
Greenland	721	1,294	0.24%	\$2,423.95
Elm Springs	973	1,535	0.33%	\$2,572.13
Cave Springs	969	1,931	0.33%	\$2,569.77
Bethel Heights	2,359	2,372	0.80%	\$3,387.09
Tontitown	71	2,460	0.02%	\$2,041.75
Little Flock	1,742	2,585	0.59%	\$3,024.30
Elkins	1,991	2,648	0.67%	\$3,170.71
Johnson	3,123	3,354	1.06%	\$3,836.33
Prairie Grove	69	4,380	0.02%	\$2,040.57
Pea Ridge	4,298	4,794	1.46%	\$4,527.23
Farmington	4,964	5,974	1.68%	\$4,918.84
Lowell	6,574	7,327	2.23%	\$5,865.52
Centerfon	9,135	9,515	3.10%	\$7,371.39
Bella Vista	22,841	26,461	7.74%	\$15,430.54
U of A	5,801	27,503	1.97%	\$5,411.00
Bentonville	33,801	35,301	11.45%	\$21,875.03
Washington County [†]	1,868	203,065	0.63%	\$3,098.39
Benton County [†]	5,339	221,339	1.81%	\$5,139.34
Rogers	54,897	58,895	18.60%	\$34,279.51
Springdale	68,088	70,747	23.07%	\$42,035.83
Fayetteville	65,457	73,580	22.18%	\$40,488.80
Program Totals	295,081		100.00%	\$215,508.00

2016

Note: Budget year runs from January 1 through December 31 of each calendar year

* These dollar breakouts assume all jurisdictions participate

† Total population reflects the total county population including all incorporated areas

A. Minimum Control Measure #1: Public Education and Outreach on Stormwater Impacts

Permit Requirements: Regulation 40 CFR 122.34(b)(1): “The permittee must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.”

Decision Process

The City of Fayetteville participates in monthly meetings of the NWA Stormwater Compliance Group. We also have representation on the NWA Stormwater Education Steering committee (public membership comprised of diverse backgrounds/interests) convenes at least once each year to review and evaluate program accomplishments and plan next steps. Both groups provide the localized input used to identify critical stormwater issues and target audiences and program methods and public relations strategies.

Applicable Public Education/Outreach BMPs

Develop and distribute electronic and printed educational materials

Input from both the MS4 Stormwater Compliance Group and Education Steering Committee guides the emphases of electronic and printed educational materials. Once topics have been identified, materials will be developed, adapted, and/or gathered for distribution at public meetings, in support of presentations, and with educational displays. Examples may include fact sheets, podcasts, e-learning modules, website content, newsletters, press releases, and PSAs.

Measureable Goals:

A minimum of 20 electronic and printed educational materials will be developed.

The number of educational materials distributed will be documented.

MS4 Stormwater Compliance Group and Education Steering Committee meetings attendance will be documented.

Create displays and staff educational booths

Displays highlighting the annual topics of emphasis will be created and set up/staffed at libraries, banks, schools, local festivals, county fairs, etc.

Measureable Goal:

Stormwater displays will be created and used at a minimum of 5 events/locales

Conduct stormwater programs for adult audiences

Educational presentations will be given to illustrate stormwater dynamics, identify potential pollutants and pathways, describe techniques to reduce stormwater pollution and encourage voluntary BMP implementation according to the annual topic/audience emphases outlined in the SWMP.

Measureable Goal:

At least 10 stormwater education programs will be conducted for adult audiences

Conduct hand-on youth stormwater/water quality education programs

Educational programs for school youth will focus on the water cycle, watersheds, stormwater dynamics, water quality and pollution prevention using the EnviroScape surface runoff model, groundwater simulator, hands-on exercises from Project WET, Project WILD, and Project Learning Tree and creekside classrooms. Programs conducted will support the Arkansas State Frameworks/Common Core required curriculum.

Measureable Goals:

At least 20 stormwater education programs will be conducted for youth audiences

Responsible Party

The Northwest Arkansas Regional Planning and the University of Arkansas Cooperative Extension Service has contracted with the municipality to be responsible for the development and implementation of the public education efforts. A copy of that agreement is included in this plan.

Performance Standard:

Urban stormwater outreach/education programs will reach at least 32,729 residents (50% of the urbanized area population).

**Minimum Control Measure #1:
5 Year Implementation Schedule**

2015	2016	2017	2018	2019
<i>Topic Emphases:</i> Yard and garden management	<i>Topic Emphasis:</i> Automotive maintenance	<i>Topic Emphasis:</i> Septic system and pool maintenance	<i>Topic Emphasis:</i> Litter/trash management	<i>Topic Emphasis:</i> Irrigation management to minimize runoff/disconnecting impervious surfaces
<i>Target Audience:</i> Homeowners and garden enthusiasts	<i>Target Audience:</i> Vehicle owners	<i>Target Audience:</i> Homeowners with septic systems/pools	<i>Target Audience:</i> General public, homeowners	<i>Target Audience:</i> Homeowners and businesses with irrigation systems and guttering
<i>Rationale:</i> Improper yard waste disposal can clog storm drains and excess fertilizer and pesticide applications can contaminate stormwater with nutrients and chemicals	<i>Rationale:</i> Leaking automotive fluids and washing vehicles on paved surfaces allow oil, grease and chemicals to be carried in stormwater to local waterways	<i>Rationale:</i> Malfunctioning septic systems, improper handling and disposal of pool chemicals and emptying chlorinated pool water can impact stormwater quality	<i>Rationale:</i> Improper handling and disposal of litter can allow it to enter the storm drain system and impact stormwater quality	<i>Rationale:</i> Efficient irrigation conserves water and prevents it from entering the storm drain system while disconnecting impervious surfaces minimizes runoff by enhancing infiltration

B. Minimum Control Measure #2:

Public Involvement/Participation

Permit Requirements: The permittee must, at a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program.

Decision Process

The City of Fayetteville participates in monthly meetings of the NWA Stormwater Compliance Group. We also have representation on the Stormwater Education Steering committee (public membership comprised of diverse backgrounds/interests) convenes at least once each year to review and evaluate program accomplishments and plan next steps. Both groups provide the localized input used to identify critical stormwater issues and target audiences and program methods and public relations strategies.

Applicable BMPs

Engage Residents in Stormwater Policy Development

Input from both the MS4 Stormwater Compliance Group and Education Steering Committee guides the emphases of electronic and printed educational materials. Once topics have been identified, materials will be developed, adapted, and/or gathered for distribution at public meetings, in support of presentations, and with educational displays. Examples may include fact sheets, podcasts, e-learning modules, website content, newsletters, press releases, and PSAs. (This item to be tracked and documented within Public Education/Outreach, MCM #1)

Measureable Goals:

The number of educational/announcements materials distributed will be documented. (see MCM #1)

MS4 Stormwater Compliance Group and Education Steering Committee meetings attendance will be documented. (see MCM #1)

Train and Utilize Volunteer Educators

“Train-the-trainer” processes will be used to engage public volunteers and educators in teaching stormwater and pollution prevention (e.g. Benton and Washington County Master Gardeners, Master Naturalists, LakeSmart Leaders, etc.)

Measureable Goal:

At least 5 train-the-trainer programs will be conducted.

Conduct Public Participation/Involvement Events

Citizen and youth groups will participate in public involvement events (litter pick up, establishing demonstration rain gardens, planting riparian vegetation, stenciling storm drain inlets, etc.).

Measureable Goal:

At least 5 public participation events will be coordinated.

Responsible Parties

The jurisdiction is responsible for the development and implementation of the public involvement and participation efforts, utilizing the services of the University of Arkansas Cooperative Extension Service (contracted through the Northwest Arkansas Regional Planning Commission).

Performance Standard

At least 5 public participation and involvement activities will be conducted.

Minimum Control Measure #2: 5 Year Implementation Schedule

2015	2016	2017	2018	2019
<i>Program Emphasis:</i> Engage organizations (such as Master Gardeners, POAs and lawn care/landscaping professionals) to promote stormwater pollution prevention education	<i>Program Emphasis:</i> Engage HHW Collection Centers and automotive shops to promote their vehicle fluid collection	<i>Program Emphasis:</i> Partner with POAs, Health Department and watershed organizations to promote proper septic system function through inspections and regular pumping	<i>Program Emphasis:</i> Coordinate clean up events (potential locations: creek, lake, park, trail or roadway)	<i>Program Emphasis:</i> Partner with the Arkansas Irrigation Association to promote proper irrigation system use/maintenance
<i>Target Audience:</i> Homeowners, lawn care/landscaping professionals	<i>Target Audience:</i> Vehicle owners, automotive maintenance professionals	<i>Target Audience:</i> Homeowners with septic systems or swimming pools	<i>Target Audience:</i> MS4 residents	<i>Target Audience:</i> Homeowners and businesses with irrigation systems
<i>Rationale:</i> Improper management of grass clippings and leaves can clog storm drains and excess fertilizer and pesticide applications can contaminate stormwater with nutrients and chemicals	<i>Rationale:</i> Improper handling/disposal of automotive fluids allow oil, gasoline and other vehicle fluids to be transported in stormwater to local waterways	<i>Rationale:</i> Malfunctioning septic systems, improper handling and disposal of pool chemicals and emptying chlorinated pool water can impact stormwater quality	<i>Rationale:</i> Improper handling and disposal of litter can allow it to enter the storm drain system and impact stormwater quality	<i>Rationale:</i> Efficient irrigation conserves water and prevents it from entering storm drain systems



City of Fayetteville, Arkansas

Tentative Agenda
February 09, 2016
113 West Mountain Road, Suite 100
Fayetteville, AR 72701
(479) 575-8323
Page 17 of 279

Text File

File Number: 2016-0065

Agenda Date: 2/16/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: D. 2

AMEND THE MASTER STREET PLAN:

A RESOLUTION TO AMEND THE MASTER STREET PLAN BY RECLASSIFYING NORTH COLLEGE AVENUE BETWEEN MAPLE STREET AND NORTH STREET FROM FIVE LANE PRINCIPAL ARTERIAL WITH AN 87 FOOT RIGHT OF WAY TO A FOUR LANE THOROUGHFARE WITH A 63 FOOT RIGHT OF WAY

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 reclassifying North College Avenue between Maple Street and North Street from Principal Arterial, with five travel lanes and minimum 5 foot sidewalks in an 87 foot right of way, to an ST-63 classification, with four travel lanes and minimum 8 foot sidewalks in a 63 foot right of way.

City of Fayetteville Staff Review Form

2016-0065

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jeremy Pate

1/28/2016

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ADM 15-5283: Administrative Item (NORTH COLLEGE AVENUE BETWEEN MAPLE ST. & NORTH ST./MSP AMENDMENT, 446): Submitted by PLANNING STAFF for NORTH COLLEGE AVENUE BETWEEN MAPLE ST. & NORTH ST. The request is to amend the Master Street Plan and re-classify this section of N. College Avenue to an "ST 63" street classification.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 16, 2016

TO: Mayor and City Council
THRU: Andrew Garner, City Planning Director
FROM: Jesse Fulcher, Senior Planner
DATE: January 29, 2016

SUBJECT: ADM 15-5283: Administrative Item (NORTH COLLEGE AVENUE BETWEEN MAPLE ST. & NORTH ST./MSP AMENDMENT, 446): Submitted by PLANNING STAFF for NORTH COLLEGE AVENUE BETWEEN MAPLE ST. & NORTH ST. The request is to amend the Master Street Plan and re-classify this section of N. College Avenue to an "ST 63" street classification.

RECOMMENDATION:

Staff and Planning Commission recommend approval of an ordinance to amend the Master Street Plan and reclassify N. College Avenue to a ST-63 cross section between Maple Street and North Street, as shown on Exhibit "A" attached hereto, subject to the following recommendations by the Planning Commission:

1. Re-classify this section of N. College Avenue to an "ST-63" street classification.
2. Before beginning construction on the sidewalks along the west side of the road, the City should engage its chosen transportation planning consultant (Nelson Nygaard) in a detailed study of HWY 71 in and around downtown Fayetteville. This study should assess the efficacy of a road diet, lane width reductions, and other measures that are consistent with a contextually based "complete streets" approach.
3. In recognition of the important role that streets play in land-use, the City should consider not just the engineering implications, but more importantly the potential impact any transportation infrastructure might have on Goals 1-6 in City Plan 2030.

BACKGROUND:

The subject section of N. College Avenue is located between Maple Street and North Street. The City of Fayetteville is currently designing improvements for the east side of this section, similar to the improvements that were made between Maple Street and Rock Street in 2009. The project will include new 10-foot sidewalks, street lights, and tree wells. Additionally, existing driveways will be reconstructed, and at times, combined to better facilitate traffic movements. A new pedestrian crossing at Trenton Street and Rebecca Street is also under evaluation. Construction will be performed by City crews with funding from the Transportation Bond Fund.

DISCUSSION:

City staff is recommending that the Planning Commission and City Council vote to reclassify N. College Avenue between Maple Street and North Street from a Principal Arterial Street to a ST-63 street cross section. This is more consistent with the anticipated full-build out of the street in the near future with four lanes and a 10-foot urban sidewalk, compared to the existing designation that has a five-lane arterial, greenspace and a 5-foot sidewalk.

For many decades all of N. College Avenue has been classified as a Principal Arterial Street as it is a state highway that connects directly through the center of the City. The only exception is the section between Rock and Maple that was classified as an ST-63 Street with the adoption of the Downtown Master Plan in 2006. The ST-63 street section is consistent with the 60-feet of right-of-way that was platted between Rock and North Streets and the urban development pattern that still exists in downtown Fayetteville.

BUDGET/STAFF IMPACT:

None

Attachments:

- Exhibit "A"
- Planning Commission Staff Report

CUP15-5283

COLLEGE AVE. MSP AMENDMENT

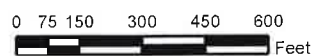
Current Land Use



Overview

Legend

- Fayetteville City Limits
- Footprints 2010





PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jesse Fulcher, Senior Planner

MEETING DATE: January 25, 2016

SUBJECT: **ADM 15-5283: Administrative Item (NORTH COLLEGE AVENUE BETWEEN MAPLE ST. & NORTH ST./MSP AMENDMENT, 446):** Submitted by PLANNING STAFF for NORTH COLLEGE AVENUE BETWEEN MAPLE ST. & NORTH ST. The request is to amend the Master Street Plan and re-classify this section of N. College Avenue to an "ST 63" street classification.

RECOMMENDATION:

Staff recommends forwarding **ADM 15-5283** to the City Council with a recommendation for approval.

BACKGROUND:

This item was tabled at the January 11, 2016 Planning Commission meeting.

The subject section of N. College Avenue is located between Maple Street and North Street. The City of Fayetteville is currently designing improvements for the east side of this section, similar to the improvements that were made between Maple Street and Rock Street in 2009. The project will include new 10-foot sidewalks, street lights, and tree wells. Additionally, existing driveways will be reconstructed, and at times, combined to better facilitate traffic movements. A new pedestrian crossing at Trenton Street and Rebecca Street is also under evaluation. Construction will be performed by City crews with funding from the Transportation Bond Fund.

DISCUSSION:

City staff is recommending that the Planning Commission and City Council vote to reclassify N. College Avenue between Maple Street and North Street from a Principal Arterial Street to a ST-63 street cross section. This is more consistent with the anticipated full-build out of the street in the near future with four lanes and a 10-foot urban sidewalk, compared to the existing designation that has a five-lane arterial, greenspace and a 5-foot sidewalk.

For many decades all of N. College Avenue has been classified as a Principal Arterial Street as it is a state highway that connects directly through the center of the City. The only exception is the section between Rock and Maple that was classified as an ST-63 Street with the adoption of the Downtown Master Plan in 2006. The ST-63 street section is consistent with the 60-feet of right-of-way that was platted between Rock and North Streets and the urban development pattern that still exists in downtown Fayetteville.

RECOMMENDATION:

Staff recommends forwarding **ADM 15-5283** to the City Council.

PLANNING COMMISSION ACTION: Required			
Date: <u>January 25, 2016</u>	☐ Tabled	☒ Forwarded	☐ Denied
Motion: Hoffman	Second: Chesser	Vote: 8-1-0	
Notes: _____			

The Planning Commission recommends the following:

1. Re-classify this section of N. College Avenue to an "ST-63" street classification.
2. Before beginning construction on the sidewalks along the west side of the road, the City should engage its chosen transportation planning consultant (Nelson Nygaard) in a detailed study of HWY 71 in and around downtown Fayetteville. This study should assess the efficacy of a road diet, lane width reductions, and other measures that are consistent with a contextually based "complete streets" approach.
3. In recognition of the important role that streets play in land-use, the City should consider not just the engineering implications, but more importantly the potential impact any transportation infrastructure might have on Goals 1-6 in City Plan 2030.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Street Improvement Plans
- ST-63 and Principal Arterial Street Sections
- Close Up Map



COLLEGE AVENUE SIDEWALK PROJECT – MAPLE TO NORTH FACT SHEET

This project will include the construction of sidewalks along College Avenue from Maple Street to North Street. The concept for this project includes the following:

1. 10' wide concrete sidewalks located directly behind the curb line along both sides of the highway.
2. Installation of decorative street lights.
3. Installation of trees located in grated tree wells.
4. Modification of the traffic signals at Maple and North to accommodate 4- way pedestrian crossings.
5. Reduction in the number and width of driveway curb cuts (where possible).
6. Removal of overhead electric lines (where feasible).
7. Evaluation of a pedestrian crossing in the vicinity of Trenton and Rebecca. A crossing must be permitted by the Arkansas Highway and Transportation Department.

Sidewalks will be constructed in phases, with the east side planned for 2016, and the west in 2017. Sidewalks north of North Street are planned for future years.

Construction will be by City crews with funding from the Transportation Bond Fund.

Road Diet:

City staff has conducted a preliminary review and analysis of the feasibility of a "road diet" (reducing the cross section from 4 lanes to 3) on the segment of College Avenue between Maple and North. This review quickly determined that a road diet is not feasible due to the traffic count (27,000 vehicles per day) on this segment. The Federal Highway Administration (FHWA) recommends the maximum threshold of 20,000 vpd. The FHWA document "Road Diet Informational Guide" provides information about local various local jurisdictions who have considered road diets on their streets; the maximum traffic count for any of those jurisdictions was 25,000 vpd.

In order for the City to implement a road diet on Highway 71B, the Arkansas Highway and Transportation Department (AHTD) would have to give its approval. With the above information in mind, it is very unlikely that any such approval would be given.



Pedestrian Considerations:

The lack of safe pedestrian crossings between Maple and North is an issue that will be addressed by the project, to the extent that the AHTD will permit. A pedestrian crossing, or potentially a full signal in the vicinity of Rebecca Street is under consideration, and is being discussed with the AHTD.



COMMENT FORM

COLLEGE AVENUE SIDEWALK PROJECT – MAPLE TO NORTH PUBLIC INPUT MEETING AUGUST 11, 2015

Please answer the following questions and provide comments regarding the sidewalk improvements proposed along College Avenue. Please provide your Name, Address, and email address along with your comments so that we may contact you for clarification, if needed. You can leave your comments with City Staff or email them to engineering@fayetteville-ar.gov.

Name: _____

Address: _____

Email Address: _____

1. Are you in favor of the installation of a pedestrian crossing of College Avenue in the vicinity of Trenton and Rebecca? What would you use this crossing to access?

2. Do you use sidewalks in/near the project area? If so, when using the sidewalks, what are some of your usual destinations? What destinations would you like to be able to access?

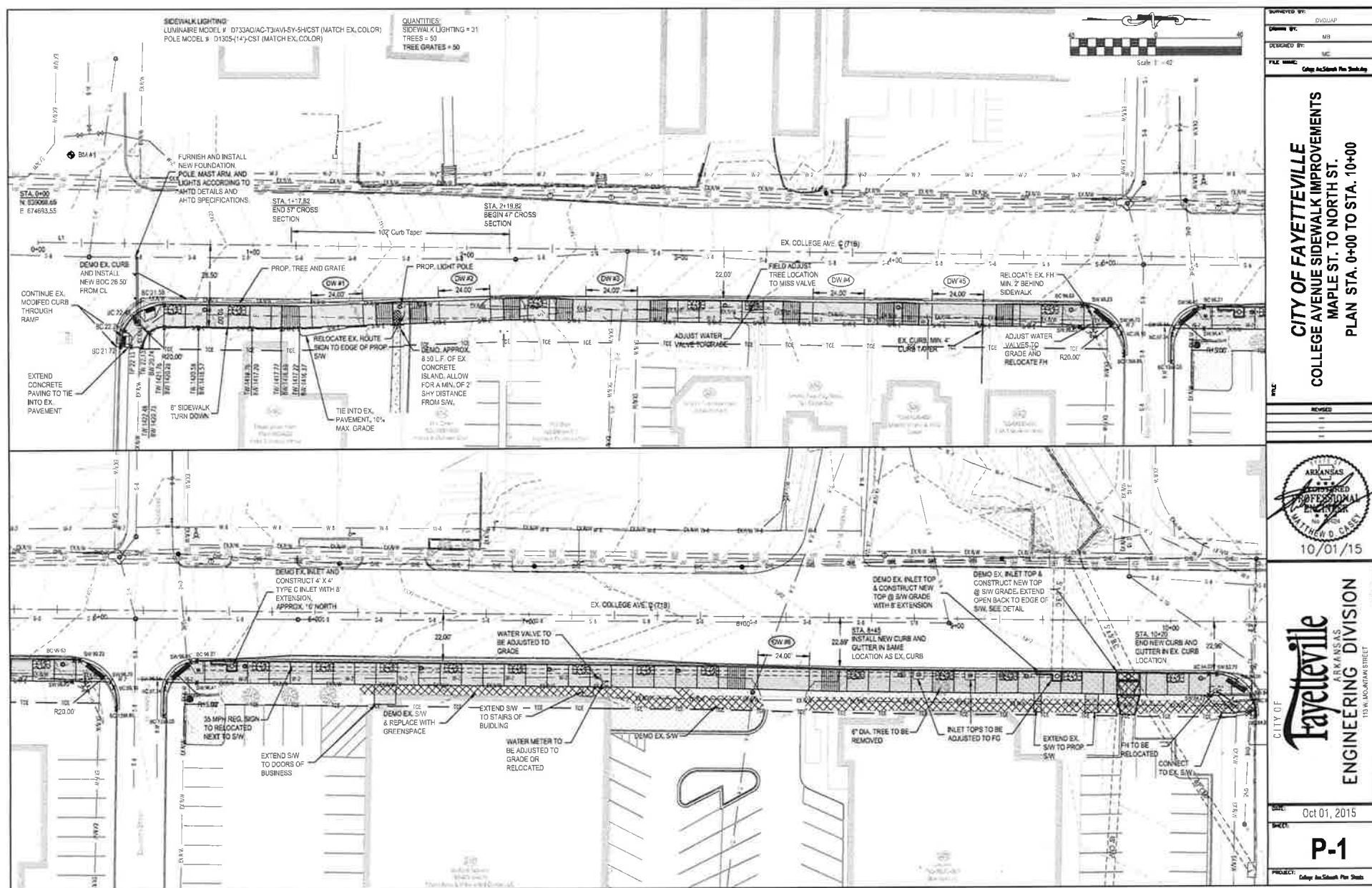


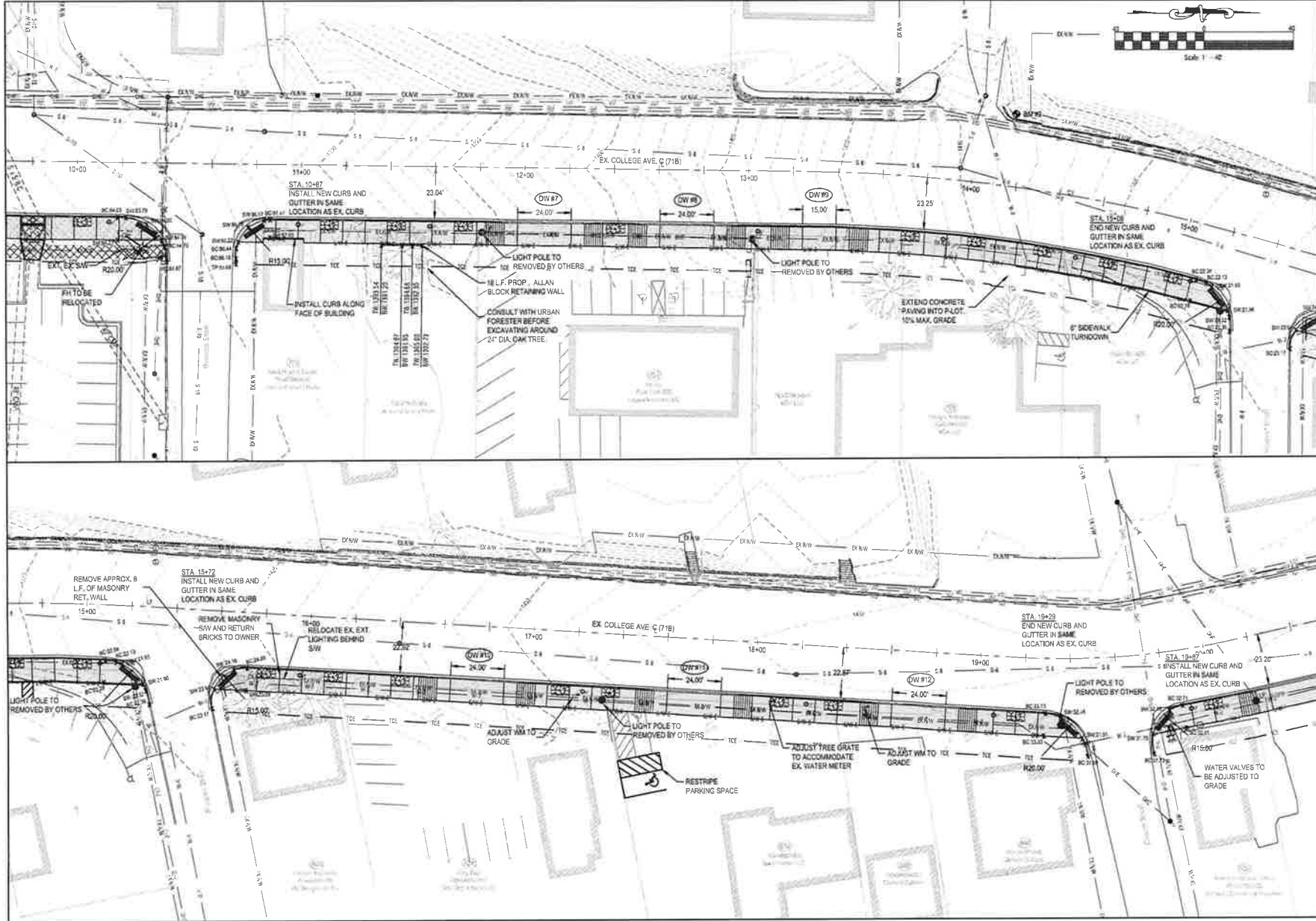
COMMENT FORM

COLLEGE AVENUE SIDEWALK PROJECT – MAPLE TO NORTH PUBLIC INPUT MEETING AUGUST 11, 2015

3. What other things would you like for the City to consider with the design of this project?

4. Please provide additional comments regarding this project below; including comments related to construction phasing.





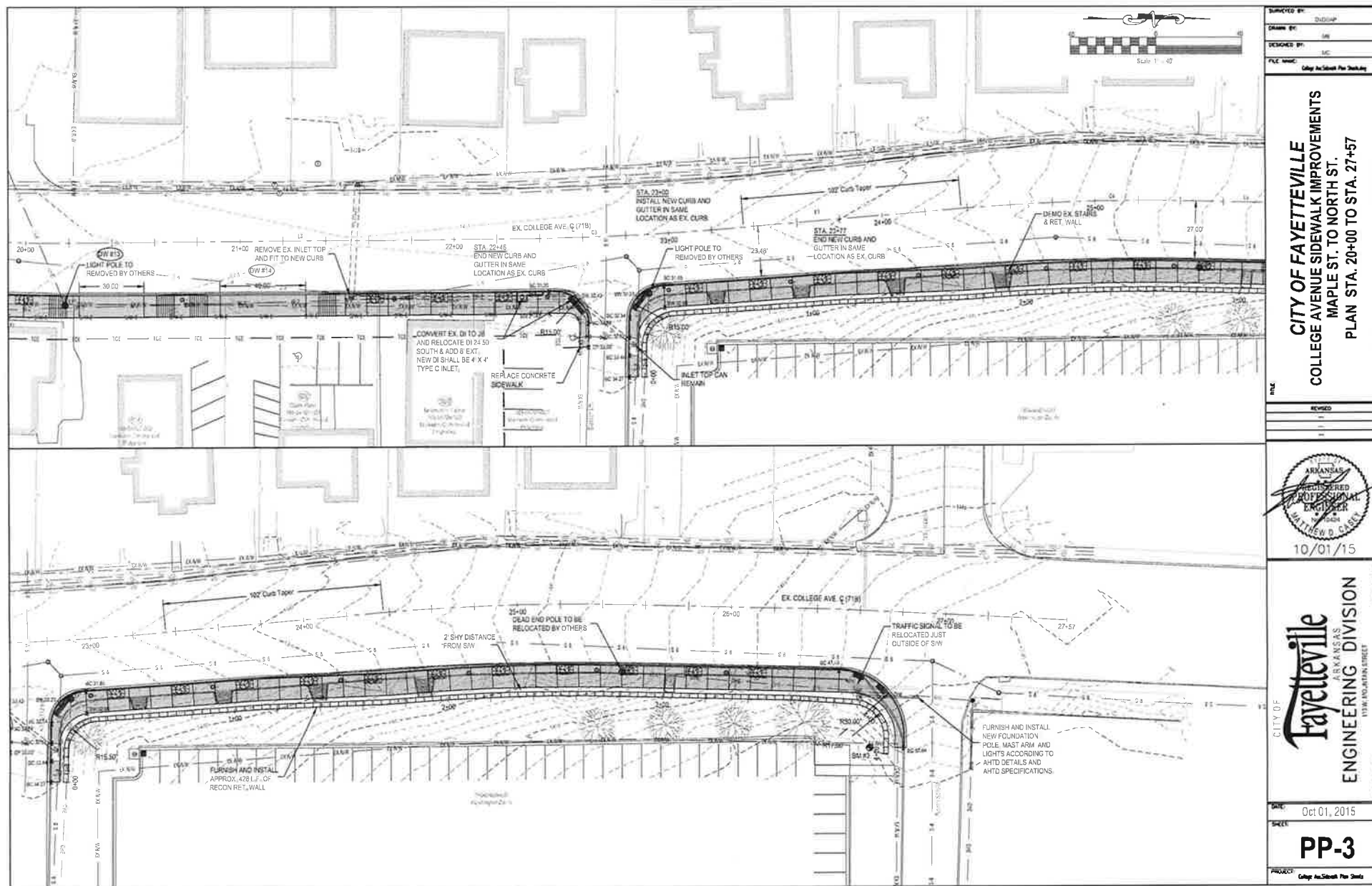
DESIGNED BY:	DK/DA/JP
DESIGNED BY:	MB
DESIGNED BY:	MC
FILE NAME:	College Ave Sidewalk Plan Study.dwg

CITY OF FAYETTEVILLE
COLLEGE AVENUE SIDEWALK IMPROVEMENTS
MAPLE ST. TO NORTH ST.
PLAN STA. 10+00 TO STA. 20+00

10/01/15

Fayetteville
ENGINEERING DIVISION
 113 W. MOUNTAIN STREET

DATE: Oct 01, 2015
 SHEET: PP-2
 PROJECT: College Ave Sidewalk Plan Study



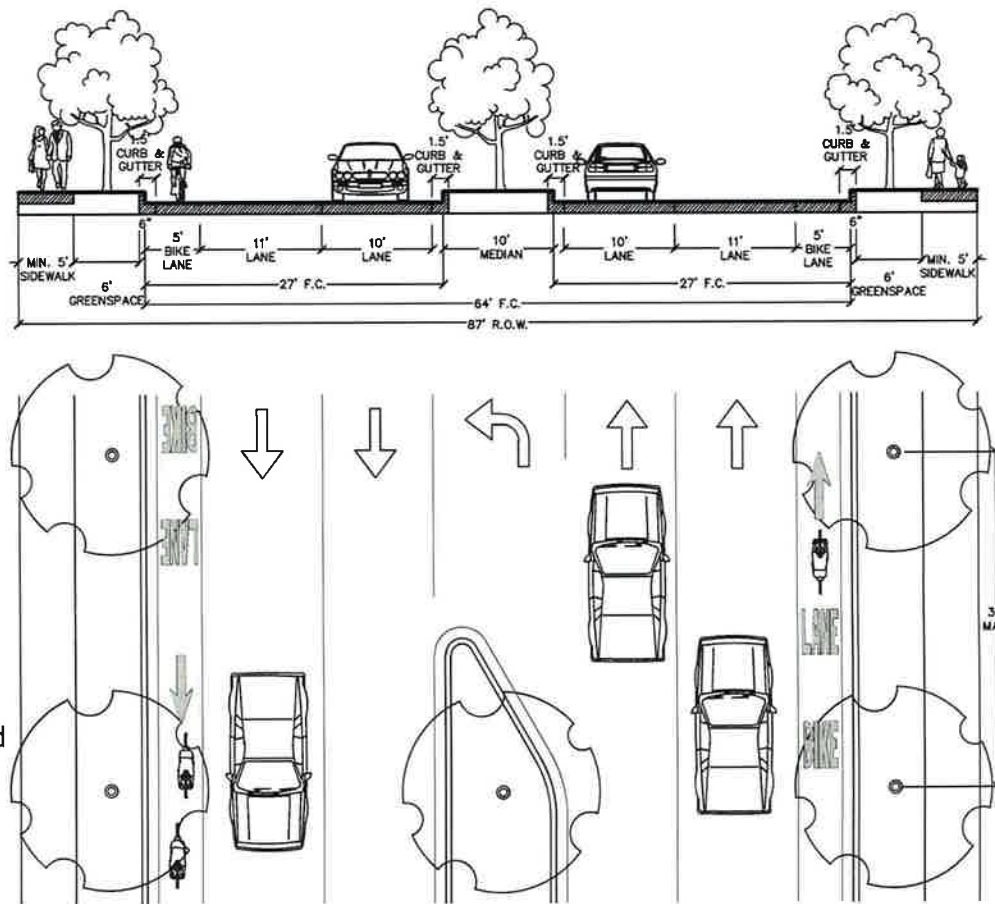
12.2.6

PRINCIPAL ARTERIAL STREETS

PRINCIPAL ARTERIAL STREETS carry high volumes of through traffic. They are designed as boulevards for beauty and safety. They have a high level of access management and access should be primarily by way of cross-streets rather than individual curb cuts.

6 PRINCIPAL ARTERIAL BOULEVARD (WITH BICYCLE LANES) :

Design Service Volume: < 17,600 vpd
Desired Operating Speed: 30-40 mph
Travel Lanes: Four 11' lanes
Bicycle Lanes: 5' wide, both sides of street next to curb
Median: 10', 12' turn lane at intersections
Parking: None
Paved Width: 27' from face of curb
64' entire width including median
Right of Way: 87'
Sidewalks: Both sides of street, min. 5' wide, located in R.O.W. at R.O.W. line
Greenspace: Both sides of street, min. 6' wide

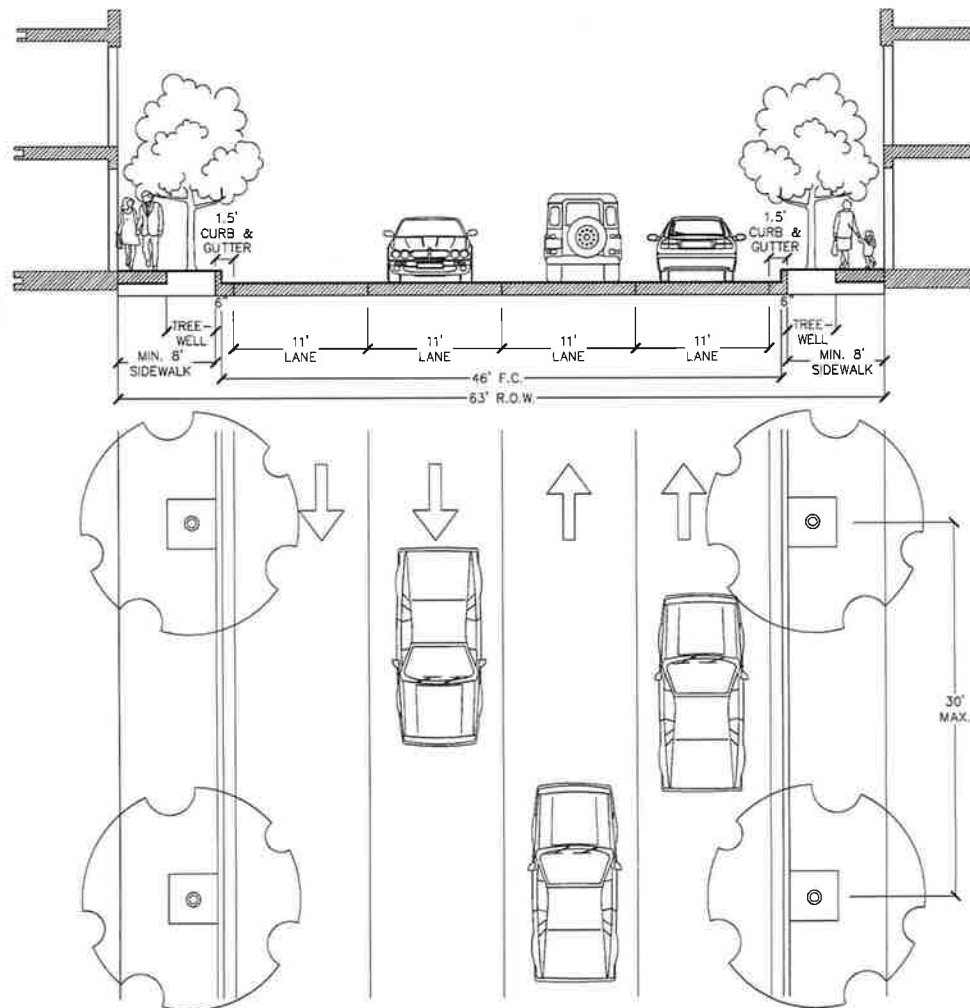


**CITY
PLAN
2030**

EXHIBIT B

9d ST 63 11/11/11/11

Design Service Volume: <17,600 vpd
Traffic Lanes: Four 11' lanes
Bicycle Lanes: None
Parking: None
Paved Width: 46' from face of curb
Right of Way: 63'
Sidewalks: Both sides of street, min. 8' wide with grated tree wells against curb
Greenspace: Both sides of street, tree wells



**CITY
PLAN
2030**

CUP15-5283

COLLEGE AVE. MSP AMENDMENT

Current Land Use



Overview

Legend

- Fayetteville City Limits
- Footprints 2010





City of Fayetteville, Arkansas

Tentative Agenda
February 09, 2016
Page 64 of 279
113 West Mountain Road
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0064

Agenda Date: 2/16/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 3

VAC 15-5280 (5 W. APPLEBY RD./WRMC OFFICES):

AN ORDINANCE TO APPROVE VAC 15-5280 SUBMITTED BY USI CONSULTING ENGINEERS, INC. FOR PROPERTY LOCATED AT 5 W. APPLEBY ROAD TO VACATE PORTIONS OF SEWER AND DRAINAGE EASEMENTS

WHEREAS, the City Council has the authority under A.C.A. § 14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes; and

WHEREAS, the City Council has determined that the following described sewer and drainage easements are not required for corporate purposes.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby vacates portions of the sewer and drainage easements as described in Exhibit B attached to the Planning Department's memo.

Section 2. A copy of this Ordinance duly certified by the City Clerk along with the map attached as Exhibit A to the Planning Department's memo shall be filed in the office of the Washington County Circuit Clerk.

Section 3. This vacation approval is subject to the following conditions:

1. Vacation of the sewer and drainage easements shall not be valid until such time that new easements have been filed of record covering the new utility locations.
2. Any costs associated with relocation of or damage to the sewer and drainage and new easement dedication shall be at the owner/developer's expense.

City of Fayetteville Staff Review Form

2016-0064

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jeremy Pate

1/29/2016

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

VAC 15-5280: Vacation (5 W. APPLEBY RD./WRMC OFFICES, 251): Submitted by USI CONSULTING ENGINEERS, INC. for properties located at 5 W. APPLEBY RD. The properties are zoned R-O, RESIDENTIAL OFFICE, and contain approximately 4.80 acres. The request is to vacate portions of sewer and drainage easements.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 16, 2016

TO: Fayetteville City Council

THRU: Andrew Garner, City Planning Director

FROM: Jesse Fulcher, Senior Planner

DATE: January 29, 2016

SUBJECT: **VAC 15-5280: Vacation (5 W. APPLEBY RD./WRMC OFFICES, 251):**
Submitted by USI CONSULTING ENGINEERS, INC. for properties located at 5 W. APPLEBY RD. The properties are zoned R-O, RESIDENTIAL OFFICE, and contain approximately 4.80 acres. The request is to vacate portions of sewer and drainage easements.

RECOMMENDATION:

Staff and Planning Commission recommend approval of **VAC 15-5280** with the following conditions:

1. Vacation of the sewer and drainage easements shall not be valid until such time that a new easements have been filed of record, covering the new utility locations.
2. Any relocation or damage to utilities and associated new easement dedication shall be at the owner/developer's expense.

BACKGROUND:

The subject property is located at the southeast corner of Appleby Road and Bob Younkin Drive. A large scale development for Washington Regional Hospital was recently approved for the property.

The applicant proposes to vacate an existing sewer easement and drainage easement as shown in Exhibit "A" and described in Exhibit "B" attached hereto. The applicant has approval through the large scale development application to relocate the sewer line and reconfigure the existing drainage utilities on the property.

DISCUSSION:

On January 25, 2016 the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 8-0-0 as a consent item.

BUDGET/STAFF IMPACT:

N/A

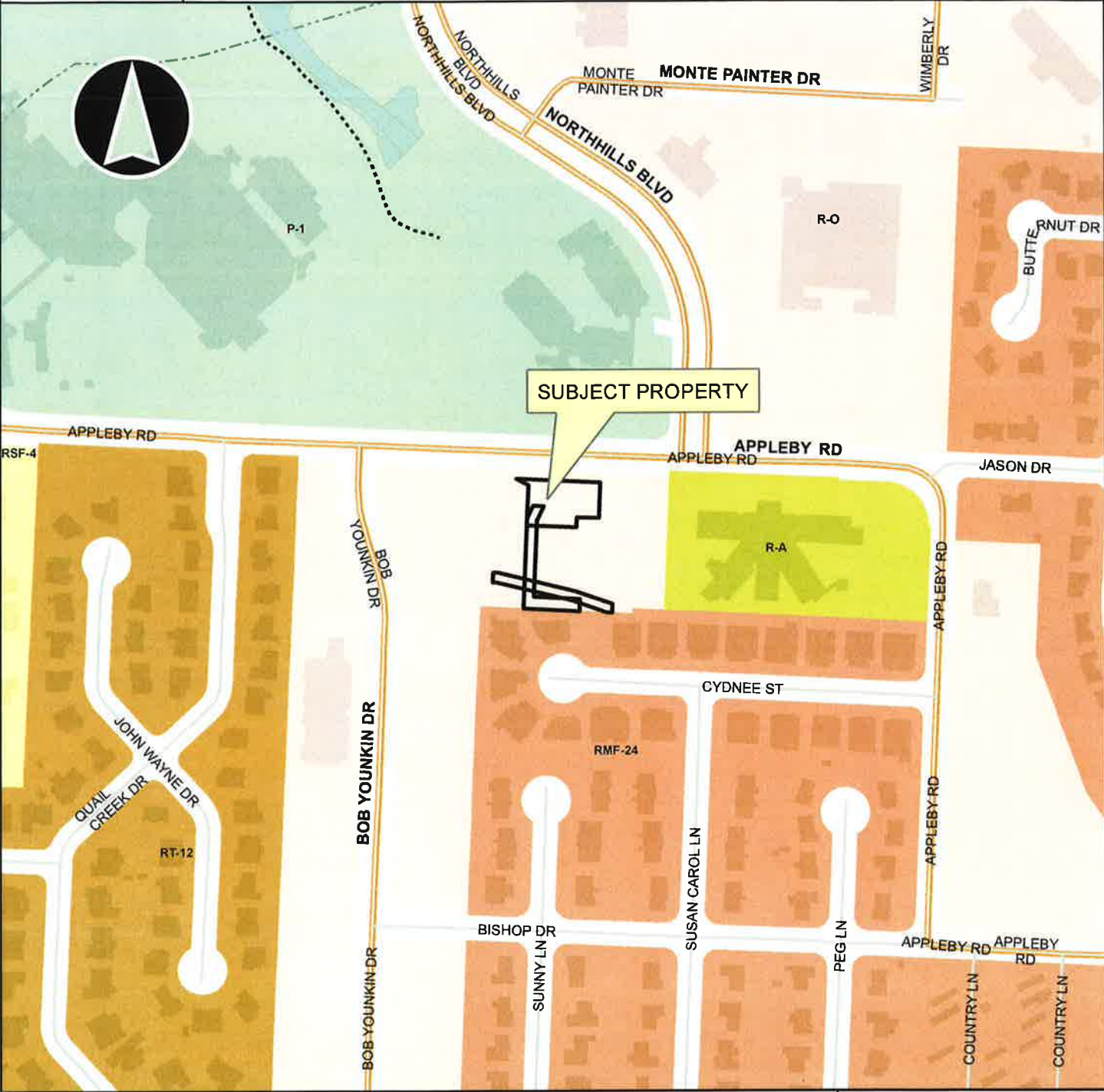
Attachments:

CC Ordinance
Exhibit A

Exhibit B
Application
Planning Commission Staff Report

EXHIBIT 'A'
15-5280

VAC15-5280	WRMC OFFICES
Close Up View	



Overview Legend VAC15-5280 Fayetteville City Limits Design Overlay District Planning Area		
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EXHIBIT 'B'
15-5280

LEGAL DESCRIPTION (VACATED DRAINAGE EASEMENT 1)

PART OF THE SOUTH HALF (S1/2) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 35, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NW CORNER OF THE S1/2 OF THE NW1/4 OF THE NW1/4 OF SAID SECTION 35; THENCE ALONG THE NORTH LINE OF SAID 20 ACRE TRACT S87°23'29"E 383.82 FEET; THENCE LEAVING SAID NORTH LINE S02°31'13"W 33.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF APPLEBY ROAD;

THENCE S02°30'44"W 282.46 FEET; THENCE S87°14'19"E 87.13 FEET TO THE POINT OF BEGINNING;

THENCE N02°33'10"E 183.69 FEET; THENCE N25°26'38"E 28.00-FEET; THENCE S88°29'11"E 21.88-FEET; THENCE S25°26'38"W 32.83-FEET; THENCE S02°33'10"W 154.70- FEET; THENCE S87°13'36"E 94.12- FEET; THENCE S02°45'41"W 25.00- FEET; THENCE N87°14'19"W 114.03 FEET TO THE POINT OF BEGINNING, CONTAINING 0.15 ACRES OR 6,595 SQUARE FEET, MORE OR LESS AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

LEGAL DESCRIPTION (VACATED DRAINAGE EASEMENT 2)

PART OF THE SOUTH HALF (S1/2) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 35, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NW CORNER OF THE S1/2 OF THE NW1/4 OF THE NW1/4 OF SAID SECTION 35; THENCE ALONG THE NORTH LINE OF SAID 20 ACRE TRACT S87°23'29"E 383.82 FEET; THENCE LEAVING SAID NORTH LINE S02°31'13"W 33.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF APPLEBY ROAD; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF APPLEBY ROAD S87°32'07"E 61.15- FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE S02°27'53"W 20.00- FEET TO THE POINT OF BEGINNING;

THENCE S87°32'07"E 171.58- FEET; THENCE S02°09'19"W 72.61- FEET; THENCE N87°55'34"W 45.50- FEET; THENCE S02°04'26"W 20.35- FEET; THENCE N87°54'08"W 101.27- FEET; THENCE N02°47'44"E 81.86- FEET; THENCE N62°29'59"W 28.50- FEET TO THE POINT OF BEGINNING, CONTAINING 0.30 ACRES OR 12,894 SQUARE FEET MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

LEGAL DESCRIPTION (VACATED SEWER EASEMENT 1)

PART OF THE SOUTH HALF (S1/2) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 35, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NW CORNER OF THE S1/2 OF THE NW1/4 OF THE NW1/4 OF SAID SECTION 35; THENCE ALONG THE NORTH LINE OF SAID 20 ACRE TRACT S87°23'29"E 383.82 FEET; THENCE LEAVING SAID NORTH LINE S02°31'13"W 33.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF APPLEBY ROAD;

THENCE S02°30'44"W 282.46 FEET; THENCE S87°14'19"E 255.75- FEET TO THE POINT OF BEGINNING;

THENCE N70°41'40"W 72.85- FEET; THENCE N76°22'03"W 157.87- FEET; THENCE N87°34'32"W 9.02- FEET; THENCE N02°25'28"E 20.00- FEET; THENCE S87°34'32"E 10.96- FEET; THENCE S76°22'03"E 160.83- FEET; THENCE S70°41'40"E 79.80- FEET; THENCE S02°54'23"W 17.47- FEET; THENCE N87°14'19"W 11.34- FEET TO THE POINT OF BEGINNING, CONTAINING 0.12 ACRES OR 5,011 SQUARE FEET MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

CITY OF FAYETTEVILLE, ARKANSAS

Right-of-Way, Easement or Alley VACATION

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Project Number:

Public Hearing Date:

FEE: \$200.00

Sign Fee: \$5.00

S-T-R:

PP#:

Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: _____ Applicant ☒ Representative

Applicant (person making request):

Name: Washington Regional Medical System

Address: 3215 N. North Hills Blvd
Fayetteville, AR 72703

Phone: (479) 463-5003

Email: lshackelford@wregional.com

Fax: ()

Representative (engineer, surveyor, realtor, etc.):

Name: USI Consulting Engineers, Inc.

Address: 4847 Kaylee Avenue
Springdale, AR 72762

Phone: (479) 872-7115

Email: ffourie@usi-ce.com

Fax: ()

Site Address / Location: 5 W. and 21 W. Appleby Road

Legal description of area to be vacated (attach separate sheet if necessary):
Attached

Current Zoning District: R-O

Assessors Parcel Number(s) for subject property: 765-15950-002

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

Washington Regional Medical System

APPLICANT REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein make all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submission of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Ferdinand Fourie, P.E. Date: 12-1-2015
Signature: 

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Owners (attach additional info if necessary):

Name (printed): LARRY SHACKELFORD Address: 3215 N. North Hills Blvd
Signature:  Fayetteville, AR 72703
Date: 12-2-15 Phone: (479) 463-5003

Name (printed): _____ Address: _____
Signature: _____
Date: _____ Phone: () _____

Vacation Checklist:

Attach the following items to this application:

- (1) Payment in full of applicable fees for processing the application:
\$200.00 application fee
\$5.00 public notification sign fee
- (2) Metes and bounds legal description of the area to be vacated, not the entire property (this may be included on the survey plat).
- (3) Survey of the site depicting the perimeter property lines and area within the property to be vacated.
- (4) CD containing a copy of the legal description in MS Word and PDF copies of the signed application and all other items submitted with this project.
- (5) A surveyor should stake the area on the site to be vacated for utility company review on their site visit.
- (6) A letter addressed to the Planning Commission and City Council describing the scope, nature, and intent of the request.
- (7) Abstractor's Certificate of Ownership stating names of all owners of property adjacent to the street right-of-way, alley, or easement to be vacated (this document is obtained from a title company).
- (8) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website (www.co.washington.ar.us). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, Planning Director

FROM: Jesse Fulcher, Senior Planner

MEETING DATE: ~~January 25, 2016~~ Updated January 28, 2016

SUBJECT: **VAC 15-5280: Vacation (5 W. APPLEBY RD./WRMC OFFICES, 251):**
Submitted by USI CONSULTING ENGINEERS, INC. for properties located at 5 W. APPLEBY RD. The properties are zoned R-O, RESIDENTIAL OFFICE, and contain approximately 4.80 acres. The request is to vacate portions of sewer and drainage easements.

RECOMMENDATION:

Staff recommends forwarding **VAC 15-5280** with conditions of approval.

BACKGROUND:

The subject property is located at the southeast corner of Appleby Road and Bob Younkin Drive. A large scale development for Washington Regional Hospital was recently approved for the property. Surrounding land use and zoning is depicted in Table 1.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Washington Regional Campus	P-1, Institutional
South	Undeveloped	R-O, Residential Office
East	Single-family Attached Townhouses & North Hills Life Care and Rehab	RMF-24, Residential Multi-family & R-A, Residential Agricultural
West	Medical Office	R-O, Residential Office

Proposal: The applicant proposes to vacate an existing sewer easement and drainage easement. The applicant has approval through the large scale development application to relocate the sewer line and reconfigure the existing drainage utilities on the property.

DISCUSSION:

Vacation Approval: The applicant has submitted the required vacation forms to the City utility departments and applicable franchise utilities, with the following responses:

UTILITIES

RESPONSE

Cox Communications

NA

AEP/SWEPCO

NA

Source Gas NA
AT&T NA
Ozarks Electric NA

CITY OF FAYETTEVILLE

RESPONSE

Water/Sewer No objections with conditions
Trash & Recycling No objections
Transportation No objections

Public Comment:

No public comment has been received.

RECOMMENDATION: Staff recommends forwarding VAC 15-5280 with the following conditions:

Conditions of Approval:

1. Vacation of the sewer and drainage easements shall not be valid until such time that a new easements have been filed of record, covering the new utility locations.
2. Any relocation or damage to utilities and associated new easement dedication shall be at the owner/developer's expense.

Planning Commission Action: ☐ Approved ☒ Forwarded ☐ Denied

Meeting Date: January 25, 2016

Motion: Cook

Second: Autry

Vote: 8-0-0 (Consent)

BUDGET/STAFF IMPACT:

None.

Attachments:

- Petition to Vacate
- Utility Approvals
- Easement Vacation Exhibit
- One Mile Map
- Close Up Map



Engineering the Future

December 2, 2015

Jesse Fulcher
Senior Planner
City of Fayetteville
113 West Mountain Street
Fayetteville, AR 72701
Phone : (479) 575-8262

Ferdinand Fourie, P.E.
Project Manager
4847 Kaylee Avenue-Suite B
Springdale, Arkansas 72762
479.872.7115 Telephone
479.872.7118 Facsimile
www.usi-ce.com
ffourie@usi-ce.com

**Re: Easement Vacation Request
Washington Regional Medical System
Appleby Landing Medical Office Buildings**

Dear Mr. Fulcher:

Please find enclosed submittal items as a request to vacate existing Drainage and Sewer Easement on the property for the proposed Appleby Landing Medical Office Buildings at the southeast corner of the Appleby Road and Bob Younkin Drive intersection. The Large Scale Development for this project was approved at the November 9, 2015 Planning Commission meeting as LSD 15- 5184.

The request is for vacating easement along the existing 36-inch reinforced concrete drainage pipe and detention pond, as well as a sewer easement provided for a future connection under a previous project.

The existing concrete drainage pipe will be relocated and the detention pond has been redesigned and will be reconstructed. Drainage easement will be recorded for the proposed relocated drainage pipe and detention pond under this project.

Proposed sewer lines under this project will be private service lines.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ferdinand Fourie', is written over a horizontal line.

Ferdi Fourie, P.E.
Project Manager

PETITION TO VACATE AN EASEMENT LOCATED AT 5. WEST AND 21 WEST APPLEBY ROAD

CITY OF FAYETTEVILLE, ARKANSAS

TO: The Fayetteville City Planning Commission and Fayetteville City Council

We, the undersigned, being all the owners of the real estate abutting the easement hereinafter sought to be abandoned and vacated, lying in 5 West Appleby and 21 West Appleby Road, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate an easement which is described as follows:

20-FEET AND 25-FEET DRAINAGE EASEMENT : FILE NO 0023-00000263

PART OF THE SOUTH HALF (S1/2) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 35, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:
COMMENCING AT THE NW CORNER OF THE S1/2 OF THE NW1/4 OF THE NW1/4 OF SAID SECTION 35; THENCE ALONG THE NORTH LINE OF SAID 20 ACRE TRACT S87°23'29"E 383.82 FEET; THENCE LEAVING SAID NORTH LINE S02°31'13"W 33.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF APPLEBY ROAD;
THENCE S02°30'44"W 282.46 FEET; THENCE S87°14'19"E 87.13 FEET TO THE POINT OF BEGINNING;
THENCE N02°33'10"E 183.69 FEET; THENCE N25°26'38"E 28.00-FEET; THENCE S88°29'11"E 21.88- FEET; THENCE S25°26'38"W 32.83- FEET; THENCE S02°33'10"W 154.70- FEET; THENCE S87°13'36"E 94.12- FEET; THENCE S02°45'41"W 25.00- FEET; THENCE N87°14'19"W 114.03 FEET TO THE POINT OF BEGINNING, CONTAINING 0.15 ACRES OR 6,595 SQUARE FEET, MORE OR LESS AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

VARIABLE WIDTH DRAINAGE EASEMENT : FILE NO 0023-00000263

PART OF THE SOUTH HALF (S1/2) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 35, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:
COMMENCING AT THE NW CORNER OF THE S1/2 OF THE NW1/4 OF THE NW1/4 OF SAID SECTION 35; THENCE ALONG THE NORTH LINE OF SAID 20 ACRE TRACT S87°23'29"E 383.82 FEET; THENCE LEAVING SAID NORTH LINE S02°31'13"W 33.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF APPLEBY ROAD; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF APPLEBY ROAD S87°32'07"E 61.15- FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE S02°27'53"W 20.00- FEET TO THE POINT OF BEGINNING;
THENCE S87°32'07"E 171.58- FEET; THENCE S02°09'19"W 72.61- FEET; THENCE N87°55'34"W 45.50- FEET; THENCE S02°04'26"W 20.35- FEET; THENCE N87°54'08"W 101.27- FEET; THENCE N02°47'44"E 81.86- FEET; THENCE N62°29'59"W 28.50- FEET TO THE POINT OF BEGINNING, CONTAINING 0.30 ACRES OR 12,894 SQUARE FEET MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

20-FEET SEWER EASEMENT : FILE NO 0023-00000263

PART OF THE SOUTH HALF (S1/2) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 35, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:
COMMENCING AT THE NW CORNER OF THE S1/2 OF THE NW1/4 OF THE NW1/4 OF SAID SECTION 35; THENCE ALONG THE NORTH LINE OF SAID 20 ACRE TRACT S87°23'29"E 383.82 FEET; THENCE LEAVING SAID NORTH LINE S02°31'13"W 33.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF APPLEBY ROAD;
THENCE S02°30'44"W 282.46 FEET; THENCE S87°14'19"E 255.75- FEET TO THE POINT OF BEGINNING;
THENCE N70°41'40"W 72.85- FEET; THENCE N76°22'03"W 157.87- FEET; THENCE N87°34'32"W 9.02- FEET; THENCE N02°25'28"E 20.00- FEET; THENCE S87°34'32"E 10.96- FEET; THENCE S76°22'03"E 160.83- FEET; THENCE S70°41'40"E 79.80- FEET; THENCE S02°54'23"W 17.47- FEET; THENCE N87°14'19"W 11.34- FEET TO THE POINT OF BEGINNING, CONTAINING 0.12 ACRES OR 5,011 SQUARE FEET MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

That the abutting real estate affected by said abandonment of the alley are at 5 West Appleby and 21 West Appleby Road, City of Fayetteville used by the public for a period of many years, and that the public interest and welfare would not be adversely affected by the abandonment of the portion of the above described easement.

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

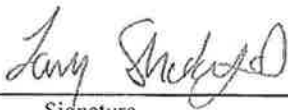
The petitioners further pray that the above described real estate be vested in the abutting property owners as provided by law.

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

Dated this 2nd day of December, 2015.

LARRY SHACKELFORD

Printed Name



Signature

TRANSPORTATION

APPLICANT PHONE: 479-872-7115

☐ **Street right-of-way**

** 5.W and 21 W. Appleby Rd(SE of Appleby&Bob Younklin intersection,
Fayetteville, AR 72703

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

11 No objections provided the following conditions are met:

Assistant Transportation Manager.
Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: December 2, 2015

UTILITY COMPANY: City of Fayetteville - Solid Waste

APPLICANT NAME: USI Consulting Engineers, Inc. APPLICANT PHONE: 479-872-7115

REQUESTED VACATION (*applicant must check all that apply*):

- ☒ Utility Easement **Sewer and Drainage Easement**
- ☐ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- ☐ Alley
- ☐ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

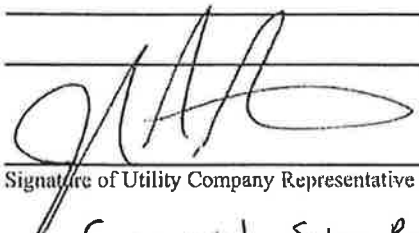
General location / Address (referring to attached document- must be completed**)

**** 5.W and 21 W. Appleby Rd (SE of Appleby&Bob Younkin intersection,**
Fayetteville, AR 72703
(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

- ☒ No objections to the vacation(s) described above.
- ☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

☐ No objections provided the following conditions are met:



Signature of Utility Company Representative

Commercial Sales Rep- R & TC

Title

UTILITY APPROVAL FORM
FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: December 2, 2015

UTILITY COMPANY: City of Fayetteville - Water and Sewer
USI Consulting Engineers, Inc.
APPLICANT NAME: _____ APPLICANT PHONE: 479-872-7115
REQUESTED VACATION (*applicant must check all that apply*):

- ☒ Utility Easement Drainage and Sewer Easement
- ☐ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- Alley
- ☐ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address (referring to attached document- must be completed**)

**** 5.W and 21 W. Appleby Rd (SE of Appleby&Bob Younkin intersection,**
Fayetteville, AR 72703
(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

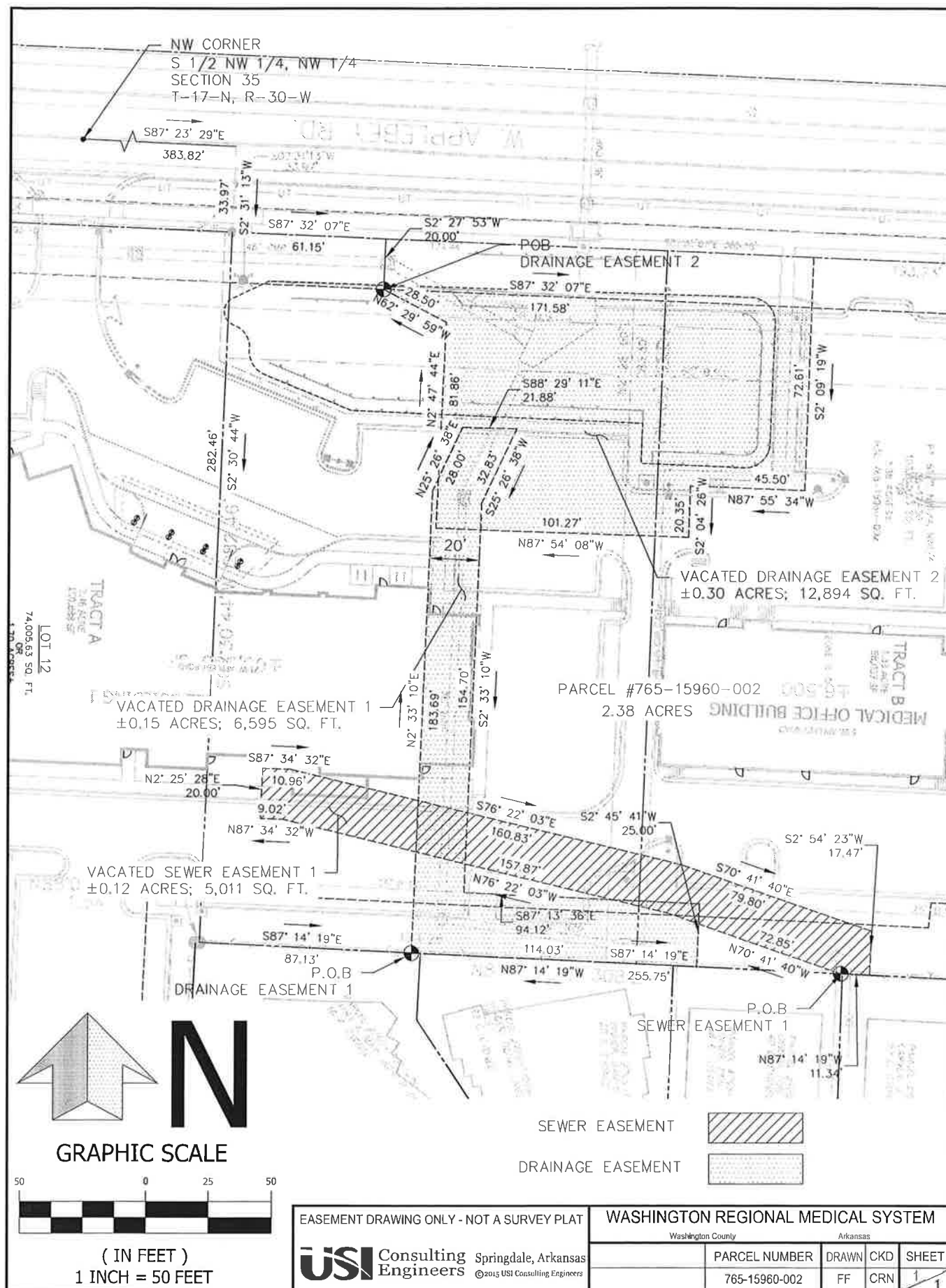
UTILITY COMPANY COMMENTS:

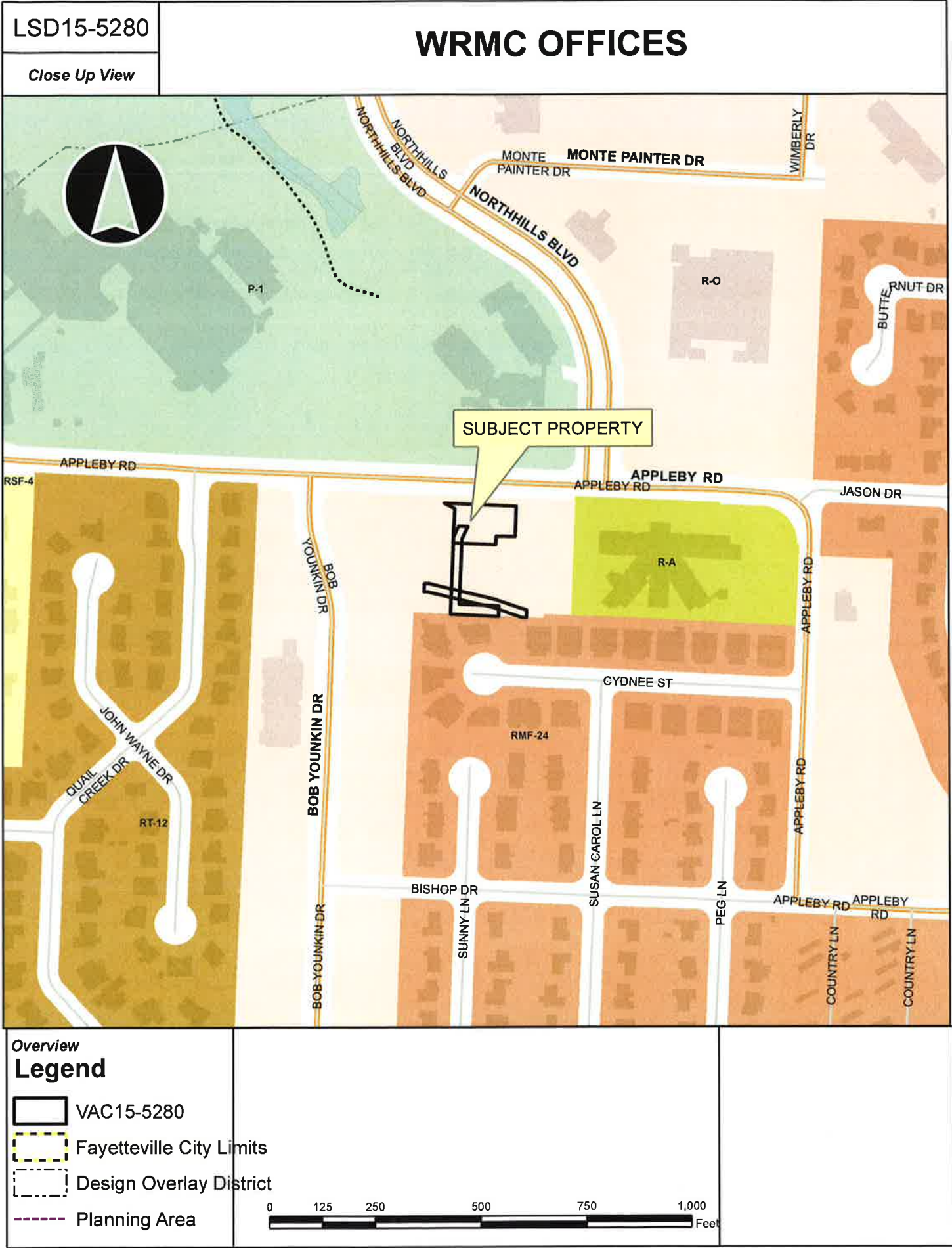
- ☒ No objections to the vacation(s) described above.
- ☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

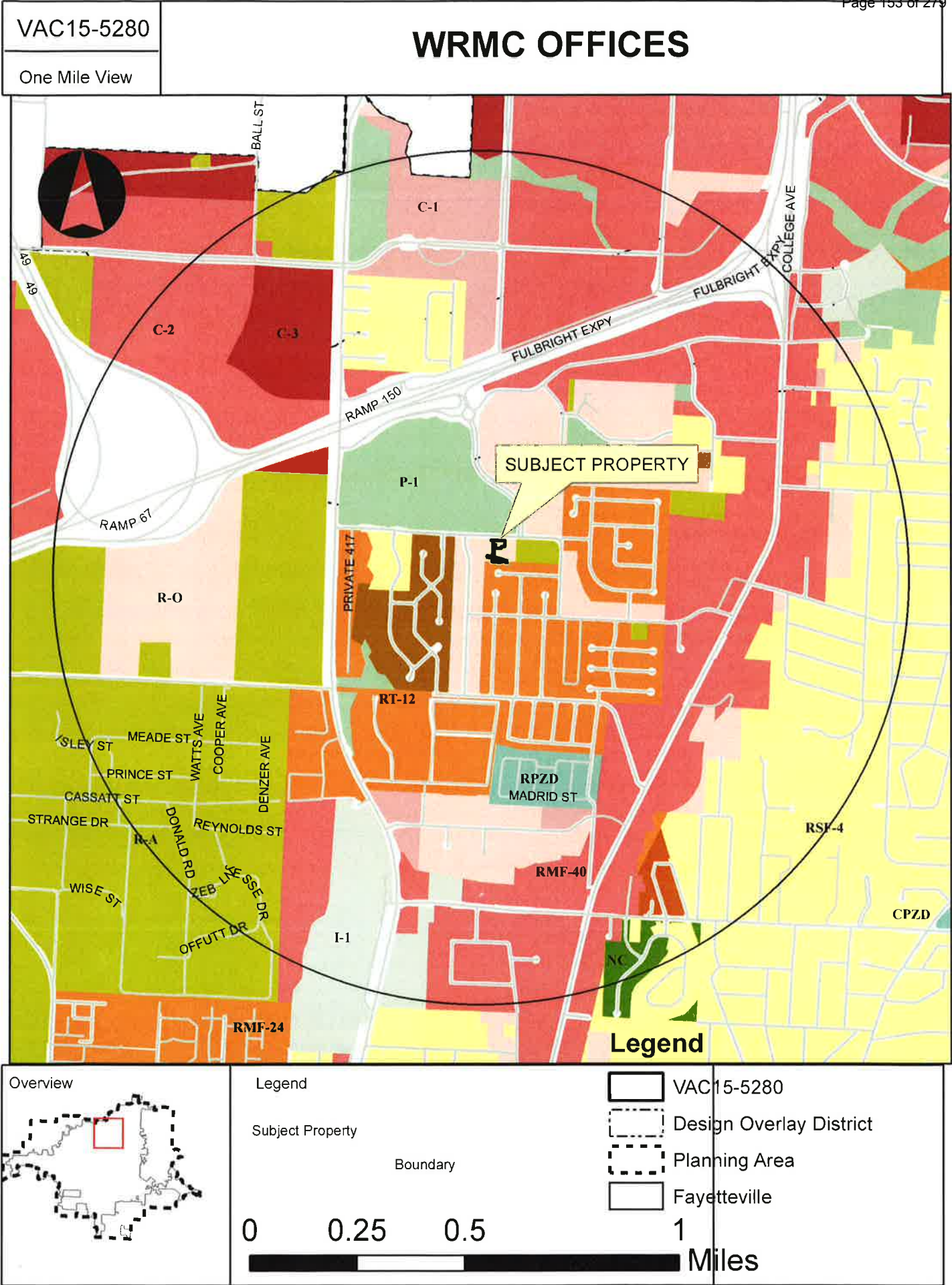
☐ No objections provided the following conditions are met:


Signature of Utility Company Representative

W&S OPERATIONS MANAGER
Title









City of Fayetteville, Arkansas

Tentative Agenda
February 09, 2016
113 West Mountain Road, Suite 100
Fayetteville, AR 72701
(479) 575-8323
Page 154 of 279

Text File

File Number: 2016-0060

Agenda Date: 2/16/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 4

VAC 15-5287 (SW CORNER OF PERSIMMON & MTN.RANCH BLVD./PARK HILL MTN. RANCH):

AN ORDINANCE TO APPROVE VAC 15-5287 SUBMITTED BY JORGENSEN AND ASSOCIATES, INC. FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF PERSIMMON AND MOUNTAIN RANCH BOULEVARD TO VACATE PORTIONS OF UTILITY EASEMENTS

WHEREAS, the City Council has the authority under A.C.A. § 14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes; and

WHEREAS, the City Council has determined that the following described utility easements are not required for corporate purposes.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby vacates portions of utility easements as described in Exhibit B attached to the Planning Department's memo.

Section 2. A copy of this Ordinance duly certified by the City Clerk along with the map attached as Exhibit A to the Planning Department's memo shall be filed in the office of the Washington County Circuit Clerk.

Section 3. This vacation approval is subject to the following condition:

1. Any costs associated with relocation of or damage to utilities and new easement dedication shall be at the owner/developer's expense.

City of Fayetteville Staff Review Form

2016-0060

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jeremy Pate

1/29/2016

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

VAC 15-5287: Vacation (SW CORNER OF PERSIMMON & MTN. RANCH BLVD./PARK HILL AT MTN. RANCH SD, 479): Submitted by JORGENSEN & ASSOCIATES, INC. for properties located at the SW CORNER OF PERMISSON & MTN. RANCH BLVD. The properties are zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT and contain approximately 1.80 acres. The request is to vacate portions of utility easements.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	NA	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	No	Item Cost	
Budget Adjustment Attached?	NA	Budget Adjustment	
		Remaining Budget	\$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 16, 2016

TO: Fayetteville City Council

FROM: Andrew Garner, City Planning Director

DATE: January 29, 2016

SUBJECT: **VAC 15-5287: Vacation (SW CORNER OF PERSIMMON & MTN. RANCH BLVD./PARK HILL AT MTN. RANCH SD, 479):** Submitted by JORGENSEN & ASSOCIATES, INC. for properties located at the SW CORNER OF PERMISSON & MTN. RANCH BLVD. The properties are zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT and contain approximately 1.80 acres. The request is to vacate portions of utility easements.

RECOMMENDATION:

Staff and Planning Commission recommend approval of **VAC 15-5287** with the following condition:

1. Any relocation or damage to utilities and associated new easement dedication shall be at the owner/developer's expense.

BACKGROUND:

The property is located at the southwest corner of Mountain Ranch Boulevard and Persimmon Street. The Park Hill at Mountain Ranch Residential Planned Zoning District for development of 10 single family homes was approved for this property in 2013 (R-PZD 12-4284). Construction of homes has not yet begun. The applicant proposes vacation of portions of platted utility easements as shown in Exhibit "A" and described in Exhibit "B". This vacation would allow construction of homes closer to the public street in accordance with the concept in the approved PZD. The approved PZD has a 5-foot front building setback, however there is an existing 20-foot utility easement that was platted with the original Mountain Ranch Subdivision. There is also an unnecessary utility easement that was platted on the side property lines between two lots.

DISCUSSION:

On January 25, 2016 the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 8-0-0 as a consent item.

BUDGET/STAFF IMPACT:

N/A

Attachments:

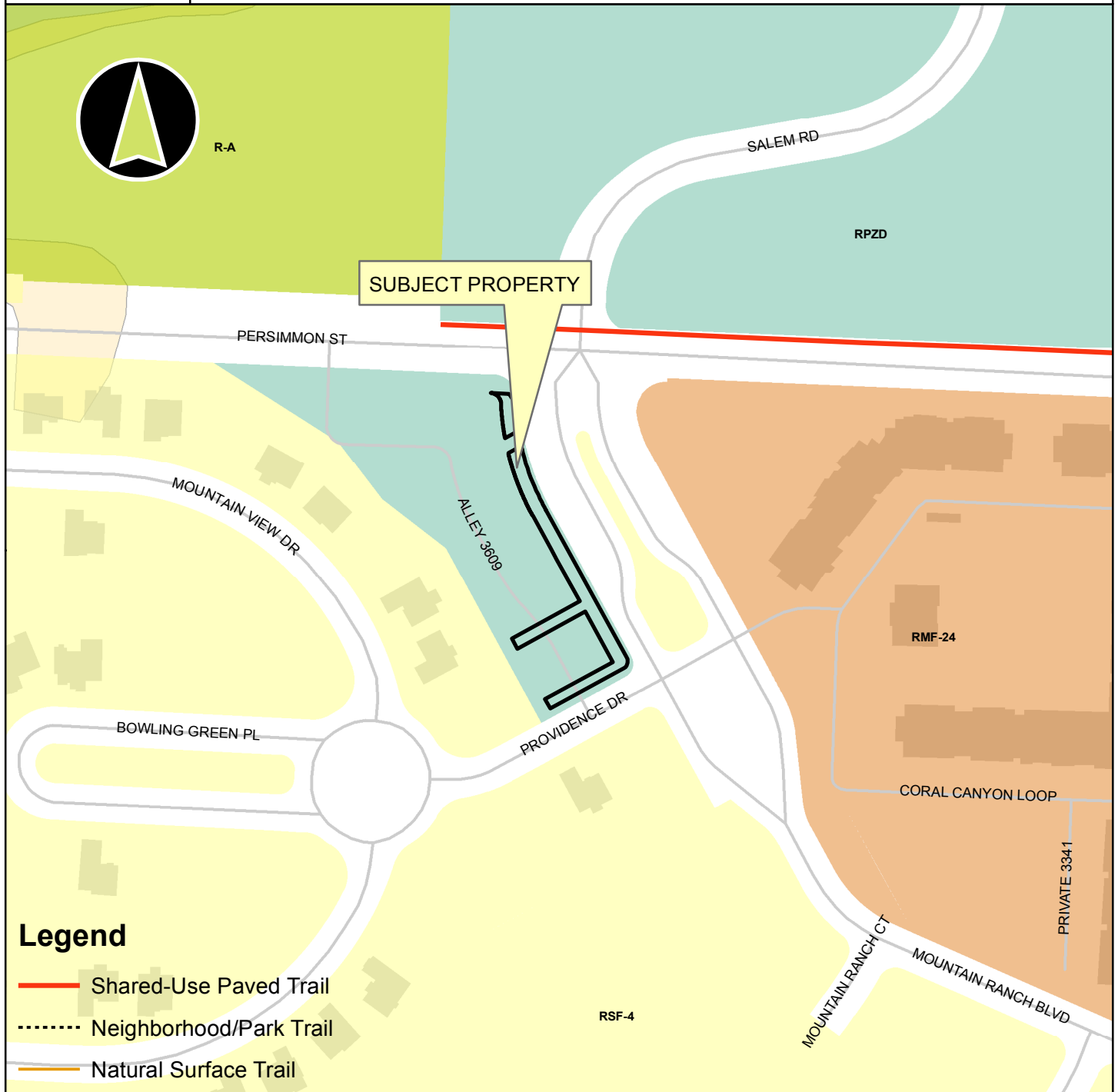
Exhibit A
Exhibit B
Application

Planning Commission Staff Report

VAC15-5287

Close Up View

PARK HILL AT MTN. RANCH



Legend

- Shared-Use Paved Trail
- - - Neighborhood/Park Trail
- Natural Surface Trail

Overview

VAC15-5287

- Hillside-Hilltop Overlay District
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- - - Planning Area

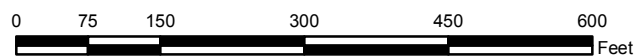


EXHIBIT 'B'
15-5287

Legal Description:

A portion of an existing utility easement along the east side of Lots 118, 94, 95, and 96, and the east and south side of Lot 97: also the 16' utility easement situated between Lots 96 and 97 of Mountain Ranch Subdivision, Phase I as per plat on file in the Circuit Clerk's Office of Washington County, Arkansas.

CITY OF FAYETTEVILLE, ARKANSAS

Right-of-Way, Easement or Alley VACATION

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Project Number:

Public Hearing Date:

FEE: \$200.00

Sign Fee: \$5.00

S-T-R:

PP#:

Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: _____ Applicant ☒ Representative

Applicant (person making request):

Name: Cobblestone Homes

Address: PO Box 180428
Fr. Smith, Ar 72918

Phone: () _____

Email: _____

Fax: () _____

Site Address / Location: SW Corner Persimmon & Mon Ranch Blvd

Representative (engineer, surveyor, realtor, etc.):

Name: JORGENSEN & ASSOCIATES, INC.
ENGINEERS & SURVEYORS

Address: 124 W. SUNBRIDGE DRIVE, SUITE 5
FAYETTEVILLE, AR 72703

Phone: () 442-9127

Email: _____

Fax: () 582-4807

Legal description of area to be vacated (attach separate sheet if necessary):

See Attached

Current Zoning District: R-PED

Assessors Parcel Number(s) for subject property: _____

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Aaron Wirth Date: 11/19/15
Signature: [Signature]

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Owners (attach additional info if necessary):

Name (printed): Aaron Wirth Address: _____
Signature: [Signature] _____
Date: 11/19/15 Phone: () _____

Name (printed): _____ Address: _____
Signature: _____
Date: _____ Phone: () _____

Vacation Checklist:

Attach the following items to this application:

- (1) Payment in full of applicable fees for processing the application:
\$200.00 application fee
\$5.00 public notification sign fee
- (2) Metes and bounds legal description of the area to be vacated, not the entire property (this may be included on the survey plat).
- (3) Survey of the site depicting the perimeter property lines and area within the property to be vacated.
- (4) CD containing a copy of the legal description in MS Word and PDF copies of the signed application and all other items submitted with this project.
- (5) A surveyor should stake the area on the site to be vacated for utility company review on their site visit.
- (6) A letter addressed to the Planning Commission and City Council describing the scope, nature, and intent of the request.
- (7) Abstractor's Certificate of Ownership stating names of all owners of property adjacent to the street right-of-way, alley, or easement to be vacated (this document is obtained from a title company).
- (8) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website (www.co.washington.ar.us). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.

PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

FROM: Andrew Garner, City Planning Director

MEETING DATE: January 25, 2016

SUBJECT: **VAC 15-5287: Vacation (SW CORNER OF PERSIMMON & MTN. RANCH BLVD./PARK HILL AT MTN. RANCH SD, 479):** Submitted by JORGENSEN & ASSOCIATES, INC. for properties located at the SW CORNER OF PERMISSON & MTN. RANCH BLVD. The properties are zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT and contain approximately 1.80 acres. The request is to vacate portions of utility easements.

RECOMMENDATION:

Staff recommends forwarding **VAC 15-5287** with conditions of approval.

BACKGROUND:

The property is located at the southwest corner of Mountain Ranch Boulevard and Persimmon Street. The Park Hill at Mountain Ranch Residential Planned Zoning District for development of 10 single family homes was approved for this property in 2013 (R-PZD 12-4284). Construction of homes has not yet begun. The surrounding zoning and land uses are depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Vacant	R-A, Residential Agricultural, C-PZD (Forest Hills)
South and West	Single family residential	RSF-4, Residential Single Family, 4 units/acre
East	Mountain Ranch Apartments	RMF-24, Residential Multi-Family, 24 units/acre

Proposal: The applicant proposes vacation of portions of platted utility easements to allow construction of homes closer to the public street in accordance with the concept in the approved PZD. The approved PZD has a 5-foot front building setback, however there is an existing 20-foot utility easement that was platted with the original Mountain Ranch Subdivision. There is also an unnecessary utility easement that was platted on the side property lines between two lots.

DISCUSSION:

Vacation Approval: The applicant has submitted the required vacation forms to the City utility departments and applicable franchise utilities, with the following responses:

UTILITIES

Cox Communications

RESPONSE

No objections with conditions

AEP/SWEPCO	No objections
Source Gas	No objections
AT&T	No objections with conditions
Ozarks Electric	No objections with conditions

CITY OF FAYETTEVILLE

RESPONSE

Water/Sewer	No objections
Trash & Recycling	No objections
Transportation	No objections

Public Comment:

No public comment has been received.

RECOMMENDATION: Staff recommends forwarding VAC 15-5287 with the following conditions:

Conditions of Approval:

1. Any relocation or damage to utilities and associated new easement dedication shall be at the owner/developer's expense

Planning Commission Action: ☐ Approved ☒ Forwarded ☐ Denied

Meeting Date: January 25, 2016

Motion: Cook

Second: Autry

Vote: 8-0-0 (on consent agenda)

BUDGET/STAFF IMPACT:

None.

Attachments:

- Request Letter
- Petition to Vacate
- Utility Approvals
- Easement Vacation Exhibit
- One Mile Map
- Close Up Map



124 W. Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
Fax: 479.582.4807
www.jorgensenassoc.com

November 17, 2015

City of Fayetteville
113 W. Mountain
Fayetteville, AR. 72701

Att: Planning Dept.
Re: Easement Vacation Parkhill @ Mountain Ranch

Attached please find information pertaining to an easement vacation. This is for Parkhill at Mt. Ranch a PZD.

Please call concerning any questions you may have.

Thank You.

Sincerely;



David L. Jorgensen, P.E.

**PETITION TO VACATE a portion of a utility easement
LOCATED IN the CITY OF FAYETTEVILLE, ARKANSAS**

TO: The Fayetteville City Planning Commission and
The Fayetteville City Council

We, the undersigned, being the owners of the real estate sought to be vacated as shown on attached easement vacation plat, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate said portion of an easement as shown.

(SEE ATTACHED)

That the abutting real estate affected by said vacation would not be adversely affected.

The petitioners pray that the City of Fayetteville, Arkansas, abandon and vacate said portion of easement, and that the above described real estate be used for their respective benefit and purpose as now approved by law.

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

Dated this 19 day of Nov, 2015.

S. Aaron WERTH

Printed Name

[Signature]

Signature

Printed Name

Signature

UTILITY APPROVAL FORM
FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: 12/16/2015

UTILITY COMPANY: Cox Communications

APPLICANT NAME: Combesone Homes APPLICANT PHONE: Call Dave J.
@ 442-9127

REQUESTED VACATION (applicant must check all that apply):

- ☒ Utility Easement
- ☐ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- ☐ Alley
- ☐ Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

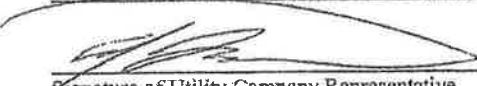
General location / Address SW Corner Persimmon E. Mtn Ranch Blvd.

☒ (ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

- ☐ No objections to the vacation(s) described above, and no comments.
- ☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

☒ No objections provided the following conditions are met:
Previous vacate on this property must be addressed before we can grant any further vacates on this
property. Once other vacate has been paid and relocated, we will grant this vacate.



Signature of Utility Company Representative

Construction & Planning Manager

Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 12-9-15

UTILITY COMPANY: SWEPCO - AEP

APPLICANT NAME: Cobblesone Homes APPLICANT PHONE: Call Dave J.

REQUESTED VACATION (applicant must check all that apply):

@ 442-9627

- ☒ Utility Easement
- ☐ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- ☐ Alley
- ☐ Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

General location / Address SW Corner Persimmon & Mtn Ranch Blvd.

☒ (ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

- ☒ No objections to the vacation(s) described above, and no comments.
- ☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Truong Le
Signature of Utility Company Representative

DISTRIBUTION Engineer
Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT-OF-WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 12/4/15

UTILITY COMPANY: Source GAS

APPLICANT NAME: Cobblestone Homes APPLICANT PHONE: Call Dave J. 442-9127

REQUESTED VACATION (applicant must check all that apply):

- ☐ Utility Easement
- ☐ Right-of-way for alley or streets and all utility easements located within the vacated right-of-way.
- ☐ Alley
- ☐ Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

General location / Address SW Corner Persimmon & Mtn Ranch Blvd.

- ☐ (ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

- ☒ No objections to the vacation(s) described above, and no comments.
- ☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

- ☐ No objections provided the following conditions are met:

Bruce A. Dept
Signature of Utility Company Representative

Supervisor- Division Operations
Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 12/15/2015
UTILITY COMPANY: City of Fayetteville Water/Sewer
APPLICANT NAME: Cobblestone Homes APPLICANT PHONE: Call Dave J.
@ 442-9127
REQUESTED VACATION (applicant must check all that apply):

- ☒ Utility Easement
☐ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
☐ Alley
☐ Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

General location / Address SW Corner Persimmon & Mon Ranch Blvd.

☒ (ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

- ☒ No objections to the vacation(s) described above, and no comments.
☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

☐ No objections provided the following conditions are met:

Mark Rogers
Signature of Utility Company Representative

WE'S OPERATIONS MANAGER
Title

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 12/15/2015

UTILITY COMPANY: AT&T

APPLICANT NAME: Colleen Homes

APPLICANT PHONE: Call Dave J.

REQUESTED VACATION (applicant must check all that apply):

@ 442-9127



Utility Easement



Right-of-way for alley or streets and all utility easements located within the vacated right-of-way.



Alley



Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

General location / Address

SW Corner Persimmon & Mtn Ranch Blvd.



(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:



No objections to the vacation(s) described above, and no comments.



No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)



No objections provided the following conditions are met:

IF ANY AT&T FACILITIES ARE REQUIRED TO BE RELOCATED OR

ARE DAMAGED WILL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER

Signature of Utility Company Representative

MGR OSP PLNG & ENGRG DESIGN

Title

December 2014
Page 5

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 12-9-2015

UTILITY COMPANY:

Ozark's Electric

APPLICANT NAME:

Cobblesone Homes

APPLICANT PHONE:

Call Dave J.

@ 442-79127

REQUESTED VACATION (applicant must check all that apply):

☒

Utility Easement

☐

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

☐

Alley

☐

Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

General location / Address

SW Corner Persimmon & Mon Ranch Blvd.

☒

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

☐

No objections to the vacation(s) described above, and no comments.

☐

No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

☒

No objections provided the following conditions are met:

There is a street light at the corner Providence Drive and M.R Blvd. which might need to be

relocated into the new easement. Any relocation of existing facilities will be at owners expense.

Greg McGee

Signature of Utility Company Representative

Lead Staking Tech

Title

UTILITY APPROVAL FORM

FOR RIGHT-OF-WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: _____

UTILITY COMPANY: City of Fayetteville Solid Waste

APPLICANT NAME: Cobblesome Homes APPLICANT PHONE: Call Dave J.

@ 442-9127

REQUESTED VACATION (applicant must check all that apply):

- ☒ Utility Easement
- ☐ Right-of-way for alley or streets and all utility easements located within the vacated right-of-way.
- ☐ Alley
- ☐ Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

General location / Address SW Corner Persimmon & Mtn Ranch Blvd.

☒ (ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

- ☒ No objections to the vacation(s) described above, and no comments.
- ☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Signature of Utility Company Representative

CoF Commercial Sales Rep/Recycling & Trash

Title

UTILITY APPROVAL FORM
FOR RIGHT-OF-WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: 12-4-15

UTILITY COMPANY: City Of Fayetteville Transportation

APPLICANT NAME: Cobblestone Homes APPLICANT PHONE: Call Dave J.

@ 442-9627

REQUESTED VACATION (applicant must check all that apply):

☒ Utility Easement

☐ Right-of-way for alley or streets and all utility easements located within the vacated right-of-way.

☐ Alley

☐ Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

General location / Address SW Corner Persimmon & Mtn Ranch Blvd.

☒ (ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

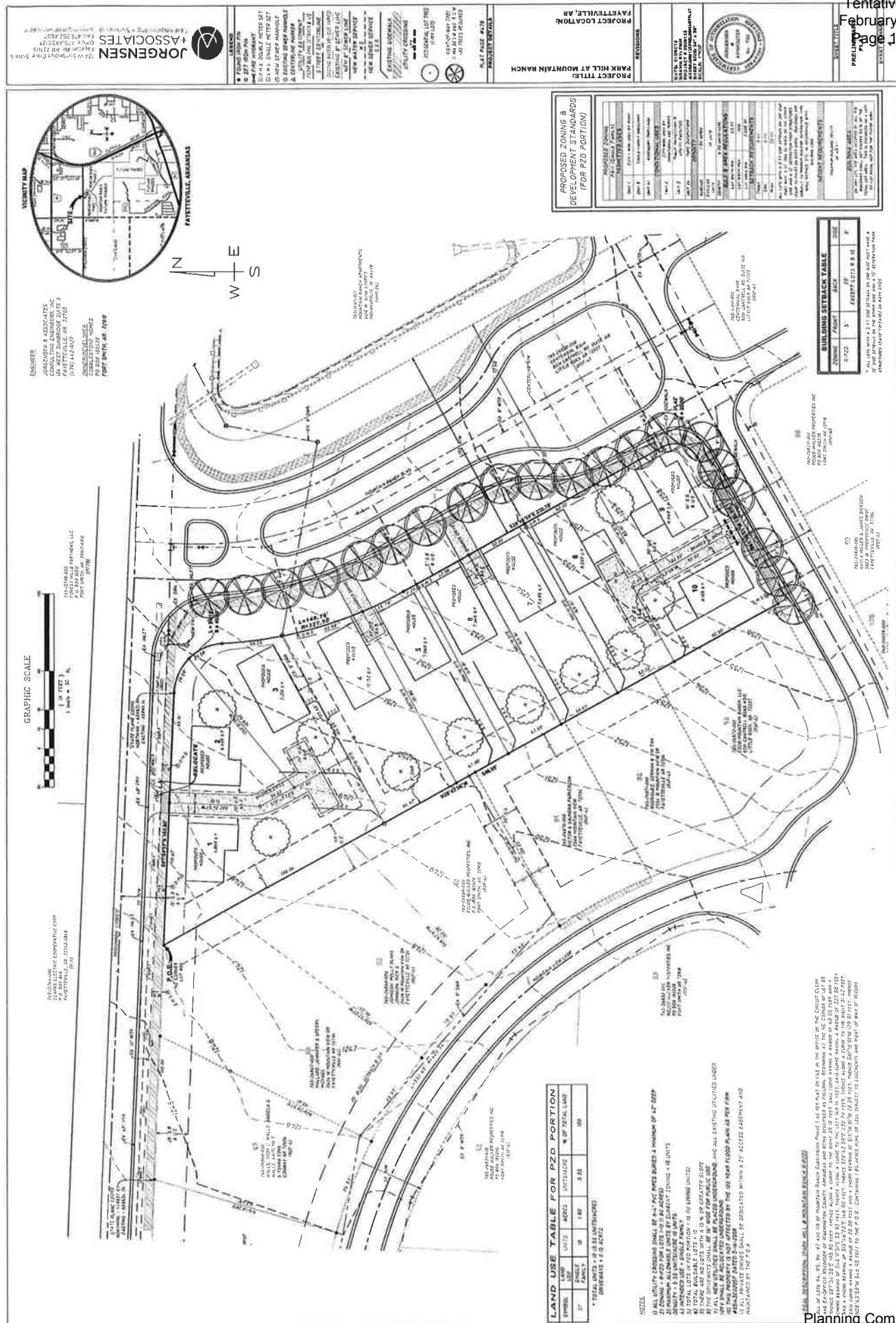
☒ No objections to the vacation(s) described above, and no comments.

☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

☐ No objections provided the following conditions are met:

Joey Smith
Signature of Utility Company Representative

Assistant Transportation Manager
Title

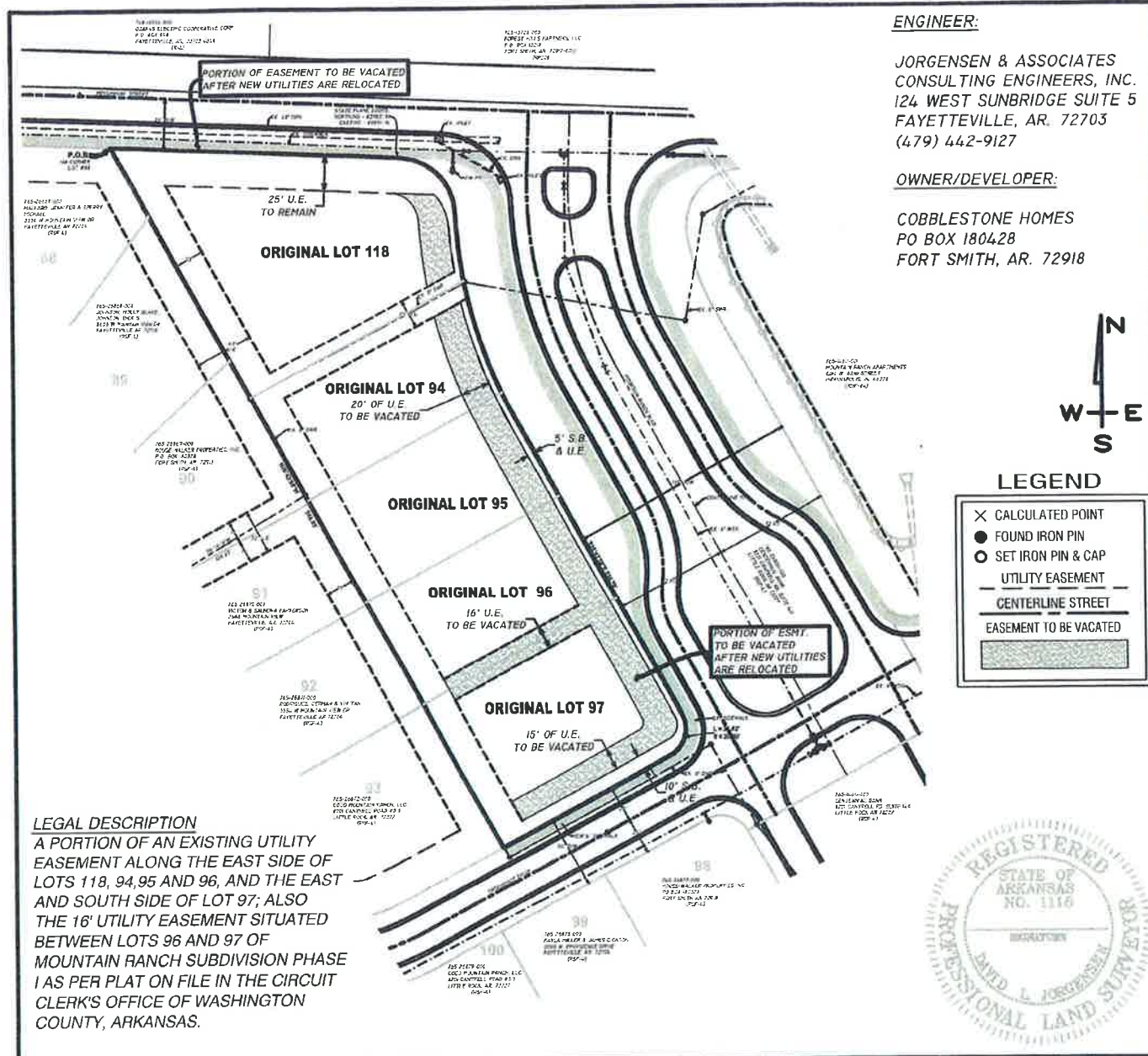


ENGINEER:

**JORGENSEN & ASSOCIATES
CONSULTING ENGINEERS, INC.**
124 WEST SUNBRIDGE SUITE 5
FAYETTEVILLE, AR. 72703
(479) 442-9127

OWNER/DEVELOPER:

COBBLESTONE HOMES
PO BOX 180428
FORT SMITH, AR. 72918



LEGAL DESCRIPTION

A PORTION OF AN EXISTING UTILITY EASEMENT ALONG THE EAST SIDE OF LOTS 118, 94, 95 AND 96, AND THE EAST AND SOUTH SIDE OF LOT 97; ALSO THE 16' UTILITY EASEMENT SITUATED BETWEEN LOTS 96 AND 97 OF MOUNTAIN RANCH SUBDIVISION PHASE I AS PER PLAT ON FILE IN THE CIRCUIT CLERK'S OFFICE OF WASHINGTON COUNTY, ARKANSAS.



**JORGENSEN
+ ASSOCIATES**
Civil Engineering + Surveying

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
Fax: 479.582.4807
www.jorgensenassoc.com

124 WEST SUNBRIDGE, SUITE 5 • FAYETTEVILLE, ARKANSAS 72703 • (479) 442-9127 • FAX (479) 582-4807

SCALE: 1"=100'

DATE REVISED

CHECKED BY:

DRAWN BY: PMM

DATE: 09DEC15

DLJ

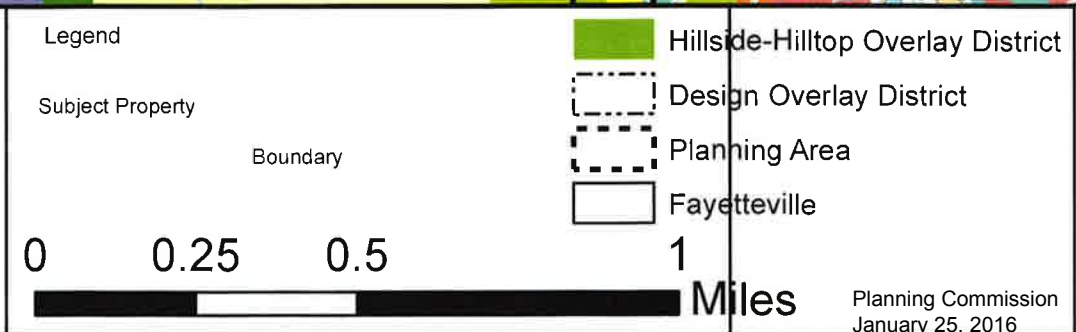
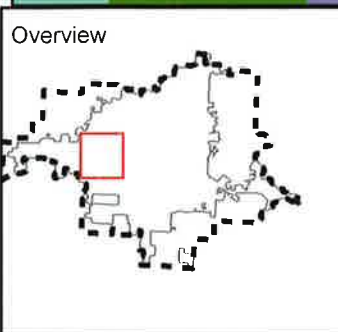
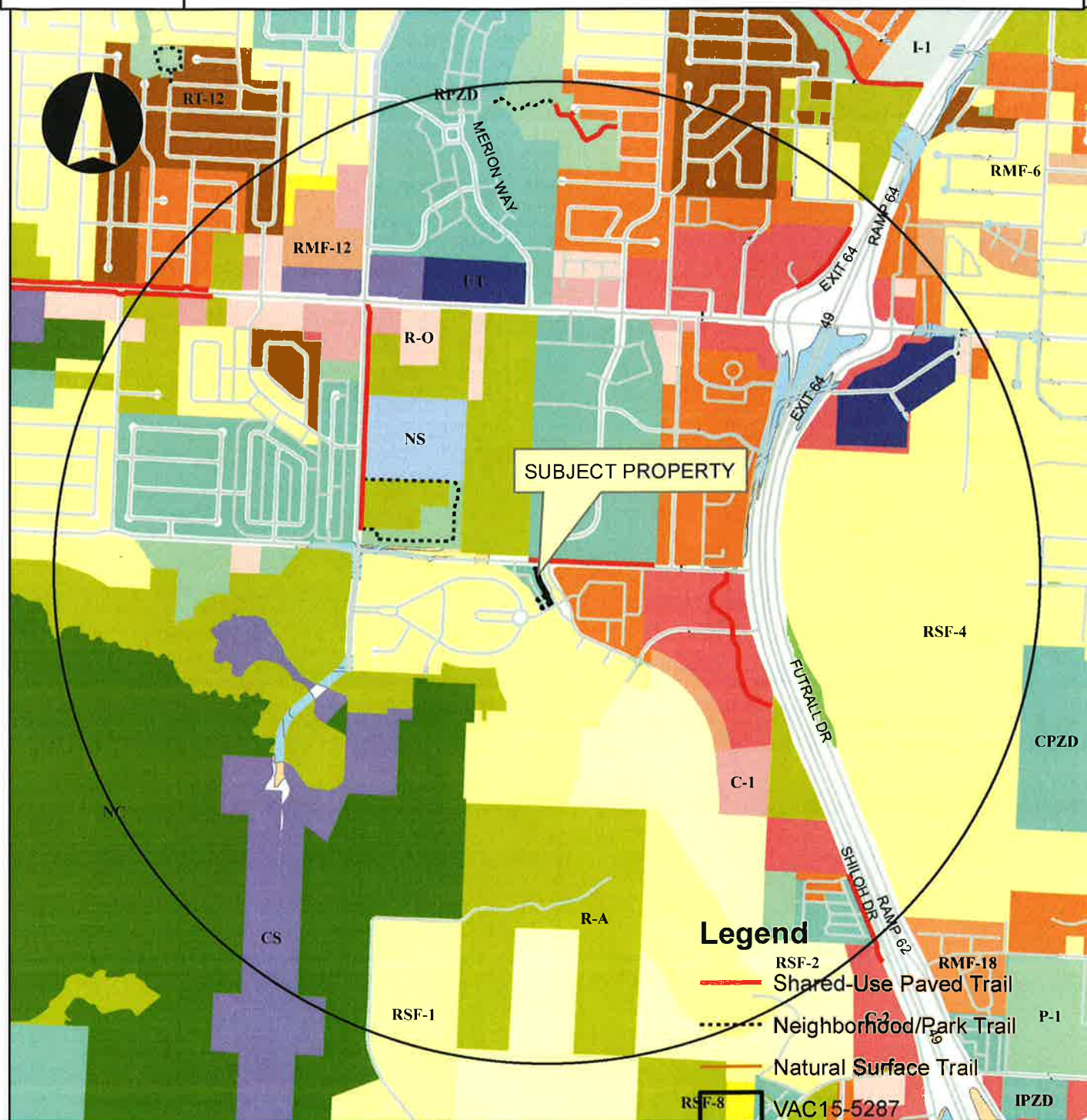
Z:\SUBD\2008135\UEVACATION

EASEMENT VACATION EXHIBIT "A"

VAC15-5287

PARK HILL AT MTN. RANCH

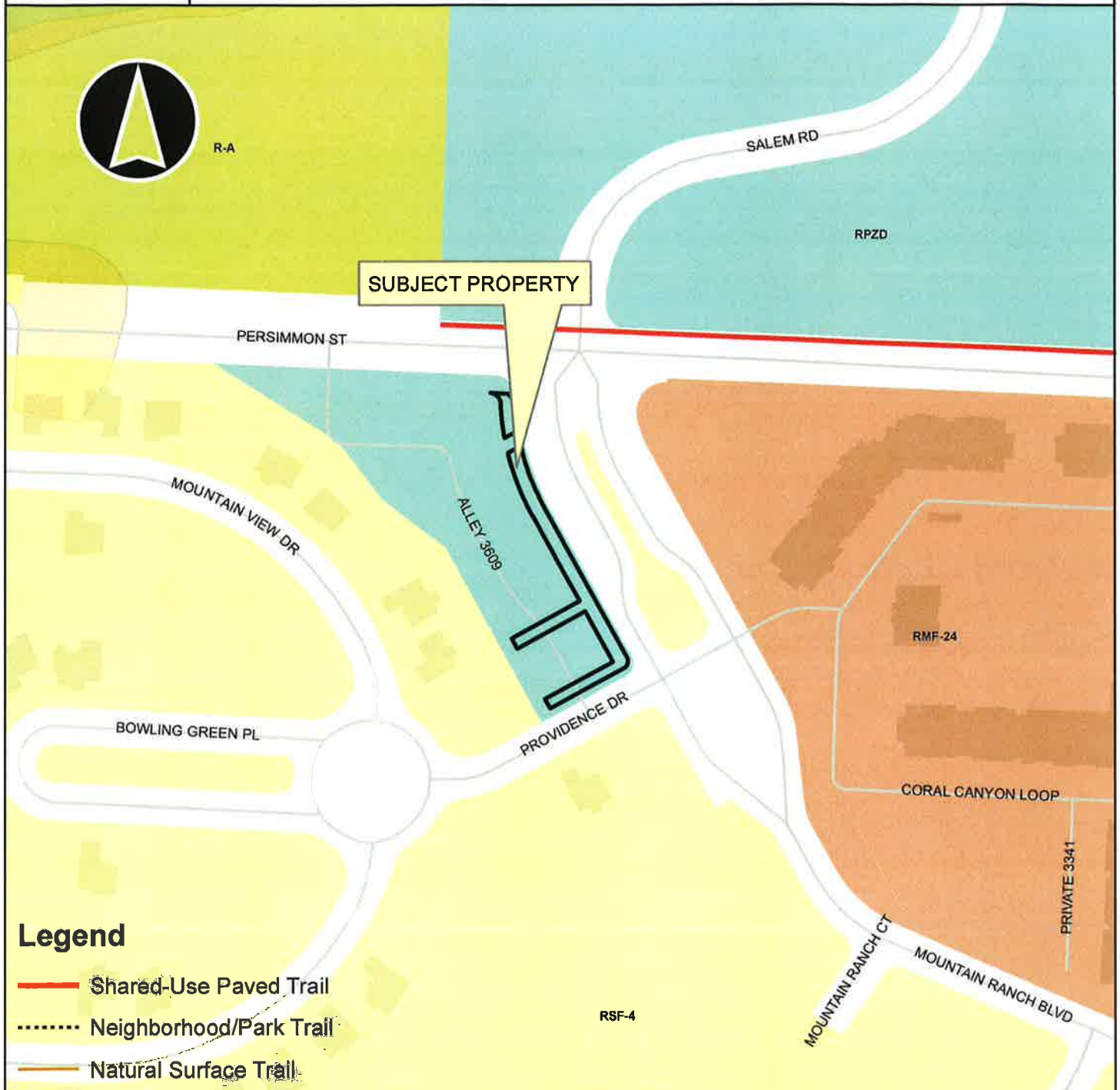
One Mile View



VAC15-5287

PARK HILL AT MTN. RANCH

Close Up View



Legend

- Shared-Use Paved Trail
- - - - - Neighborhood/Park Trail
- Natural Surface Trail

Overview

VAC15-5287

Hillside-Hilltop Overlay District

Fayetteville City Limits

Footprints 2010

Design Overlay District

- - - - - Planning Area



Planning Commission
January 25, 2016



City of Fayetteville, Arkansas

Tentative Agenda
February 09, 2016
113 West Mountain Road, Suite 100
Fayetteville, AR 72701
(479) 575-8323
Page 18 of 279

Text File

File Number: 2016-0062

Agenda Date: 2/16/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 5

VAC 16-5303 (4200 W. MAHOGANY DR./BRADFORD):

AN ORDINANCE TO APPROVE VAC 16-5303 SUBMITTED BY REID AND ASSOCIATES, INC. FOR PROPERTY LOCATED AT 4200 WEST MAHOGANY TO VACATE A PORTION OF UTILITY EASEMENT

WHEREAS, the City Council has the authority under A.C.A. § 14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes; and

WHEREAS, the City Council has determined that the following described utility easement is not required for corporate purposes.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby vacates a portion of utility easement as described in Exhibit B attached to the Planning Department's memo.

Section 2. A copy of this Ordinance duly certified by the City Clerk along with the map attached as Exhibit A to the Planning Department's memo shall be filed in the office of the Washington County Circuit Clerk.

Section 3. This vacation approval is subject to the following conditions:

1. Any costs associated with relocation of or damage to utilities and new easement dedication shall be at the owner/developer's expense.
2. Owner is responsible for any damage to existing AT&T facilities.

City of Fayetteville Staff Review Form

2016-0062

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jeremy Pate

1/29/2016

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

VAC 16-5303: Vacation (4200 W. MAHOGANY DR./BRADFORD, 283): Submitted by REID & ASSOCIATES, INC. for property located at 4200 W. MAHOGANY. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, and contains approximately 0.21 acres. The request is to vacate a portion of a utility easement.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 16, 2016

TO: Fayetteville City Council

THRU: Andrew Garner, City Planning Director

FROM: Quin Thompson, Planner

DATE: January 29, 2016

SUBJECT: **VAC 16-5303: Vacation (4200 W. MAHOGANY DR./BRADFORD, 283):**
Submitted by REID & ASSOCIATES, INC. for property located at 4200 W. MAHOGANY. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, and contains approximately 0.21 acres. The request is to vacate a portion of a utility easement.

RECOMMENDATION: Planning staff and the Planning Commission recommend approval of VAC 16-5303 with the following conditions:

Conditions of Approval:

1. Any relocation or damage to utilities and associated new easement dedication shall be at the owner/developer's expense.
2. Owner is responsible for any damage to existing AT&T facilities.

BACKGROUND:

The property is located at 4200 W. Mahogany Drive. The property is currently developed with a single-family home that was built in 2009 and contains approximately 1,694 square feet. The home was partially built within a platted utility easement along the east side, encroaching approximately 1.2 feet into the easement.

The applicant proposes vacation of a portion of utility easement (comprising 126 square feet) as depicted in Exhibit 'A' and described in Exhibit 'B' to bring the residence into compliance with code.

DISCUSSION:

On January 25, 2016 the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 8-0-0 as a consent item.

BUDGET/STAFF IMPACT:

N/A

Attachments:

CC Ordinance, Exhibit A, Exhibit B, Application, Planning Commission Staff Report

EXHIBIT 'A'

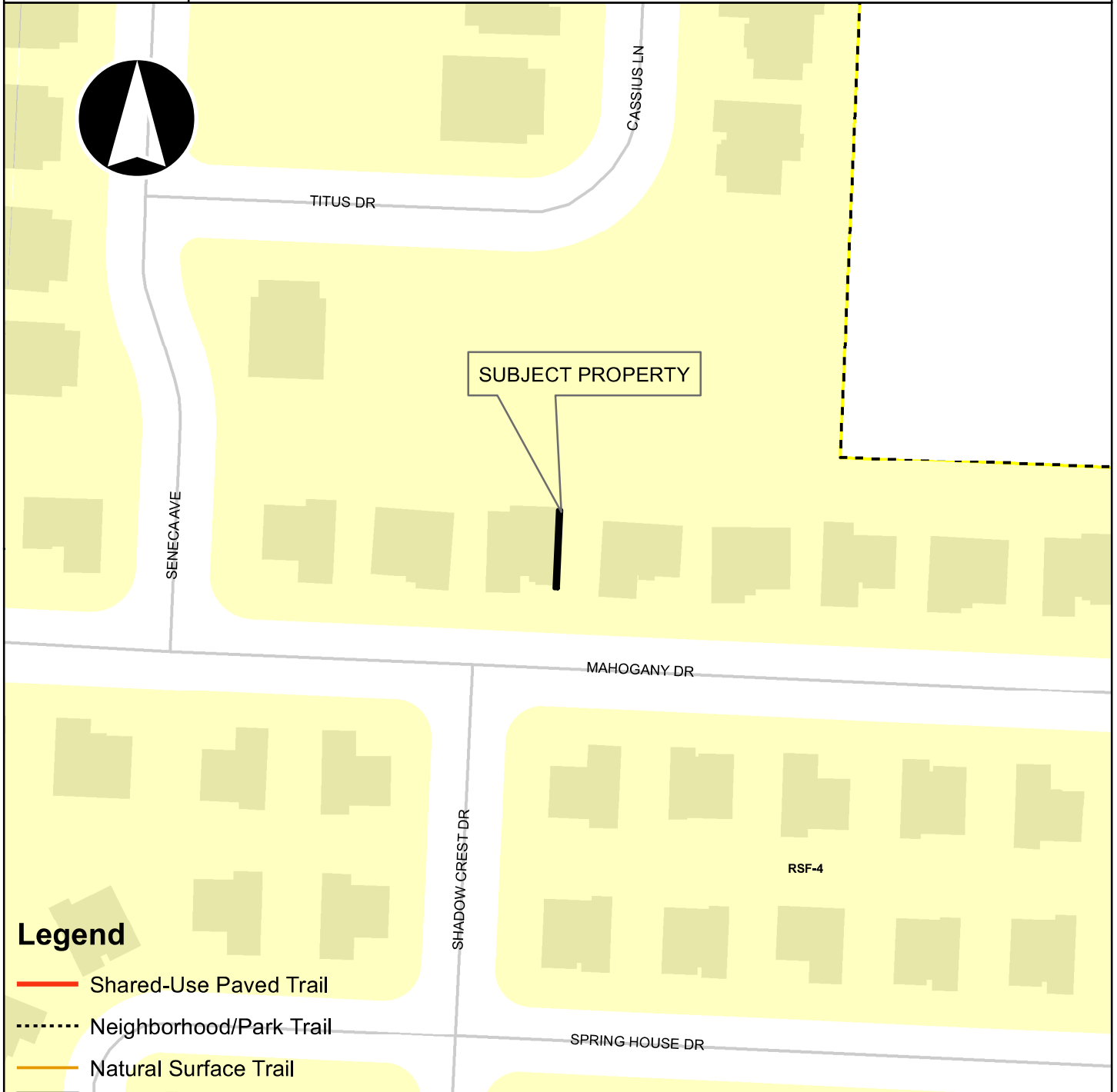
16-5303

Tentative Agenda
February 09, 2016
Page 181 of 279

VAC16-5303

BRADFORD

Close Up View



Legend

- Shared-Use Paved Trail
- ⋯ Neighborhood/Park Trail
- Natural Surface Trail

Overview

VAC16-5303

 Hillside-Hilltop Overlay District

 Fayetteville City Limits

 Footprints 2010

 Design Overlay District

--- Planning Area

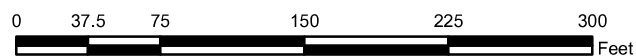


EXHIBIT 'B'
16-5303

DESCRIPTION OF EASEMENT ENCROACHMENT:

A PART OF LOT NUMBERED 219, CLABBER CREEK, PHASE 5, FAYETTEVILLE, ARKANSAS, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 23A AT PAGE 270, PLAT RECORDS OF WASHINGTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 219, SAID POINT BEING AN EXISTING IRON REBAR; THENCE N02°36'16"E 29.88 FEET ALONG THE EAST LINE OF SAID LOT 219 TO A POINT; THENCE LEAVING THE EAST LINE OF SAID LOT 219, N87°23'44"W 12.60 FEET TO THE INTERSECTION OF THE SOUTH AND EAST ROOF OVERHANGS OF AN EXISTING HOUSE FOR THE TRUE POINT OF BEGINNING; THENCE N87 ° 25'26"W 2.40 FEET ALONG THE SOUTH ROOF OVERHANG TO A POINT ON THE WEST LINE OF A FIFTEEN FOOT WIDE UTILITY EASEMENT; THENCE N02°36'16"E 53.15 FEET ALONG SAID WEST EASEMENT LINE TO A POINT ON THE NORTH ROOF OVERHANG OF SAID HOUSE; THENCE S87°31'44"E 2.34 FEET ALONG SAID NORTH ROOF OVERHANG TO THE INTERSECTION OF THE NORTH AND EAST ROOF OVERHANGS; THENCE S02°32'16"W 53.15 FEET ALONG SAID EAST ROOF OVERHANG TO THE POINT OF BEGINNING, CONTAINING 126.0 SQUARE FEET, MORE OR LESS.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, Planning Director

FROM: Quin Thompson, Current Planner

MEETING DATE: ~~January 25, 2016~~ **UPDATED JANUARY 28, 2016**

SUBJECT: **VAC 16-5303: Vacation (4200 W. MAHOGANY DR./BRADFORD, 283):**
Submitted by REID & ASSOCIATES, INC. for property located at 4200 W. MAHOGANY. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, and contains approximately 0.21 acres. The request is to vacate a portion of a utility easement.

RECOMMENDATION:

Staff recommends forwarding **VAC 16-5303** with conditions of approval.

BACKGROUND:

The property is located at 4200 W. Mahogany Drive. The property is currently developed with a single-family home that was built in 2009 and contains approximately 1,694 square feet. The home was partially built within a platted utility easement along the east side, encroaching approximately 1.2 feet into the easement.

The surrounding zoning and land uses are depicted in *Table 1*.

Table 1 - Surrounding Zoning and Land Use

Direction from Site	Land Use	Zoning
North	Single-family Residential	RSF-4, Single-family Residential
South	Single-family Residential	RSF-4, Single-family Residential
East	Single-family Residential	RSF-4, Single-family Residential
West	Single-family Residential	RSF-4, Single-family Residential

Proposal: The applicant proposes vacation of a portion of utility easement as described above and depicted in an exhibit provided by the applicant (comprising 126 square feet) to bring the residence into compliance with code.

DISCUSSION:

Vacation Approval: The applicant has submitted the required vacation forms to the City utility departments and applicable franchise utilities, with the following responses:

<u>Utility</u>	<u>Response</u>
Cox Communications	No objections with conditions
AEP/SWEPCO	No objections
Source Gas	No objections
AT&T	No objections
Ozarks Electric	No objections
<u>City of Fayetteville</u>	<u>Response</u>
Water/Sewer	No objections

Public Comment:

No public comment has been received.

RECOMMENDATION: Staff recommends forwarding VAC 16-5303 with the following conditions:

Conditions of Approval:

1. Any relocation or damage to utilities and associated new easement dedication shall be at the owner/developer's expense.
2. Owner is responsible for any damage to existing AT&T facilities.

Planning Commission Action: ☐ Approved ☒ Forwarded ☐ Denied

Meeting Date: January 25, 2016

Motion: COOK

Second: AUTRY

Vote: 8-0-0

BUDGET/STAFF IMPACT:

None.

Attachments:

- Request Letter
- Petition to Vacate
- Utility Approvals
- Easement Vacation Exhibit
- One Mile Map
- Close Up Map



Alan Reid
& ASSOCIATES
PROFESSIONAL
LAND
SURVEYORS

INTENT OF REQUEST

January 6, 2016

Planning Commission / City Council
City of Fayetteville
113 W. Mountain Street
Fayetteville, Arkansas 72701

Re: Easement Vacation

Dear Commissioners / Council Members,

On behalf of my client, James Bradford, I am submitting for your approval the vacation of a portion of an existing Utility Easement of the property located at 4200 W. Mahogany Drive. Due to the incorrect placement of the structure at the time of construction, a portion of the house encroaches onto a fifteen (15) foot wide utility easement along and inside the East boundary of Lot 219, Clabber Creek, Phase 5 Subdivision to the City of Fayetteville, Arkansas. Mr. Bradford seeks approval of the vacation of that portion of easement where the house encroachment exists.

Respectfully,

A handwritten signature in black ink, appearing to read 'Alan Reid'.

Alan Reid
Professional Land Surveyor

PETITION TO VACATE A PORTION OF A FIFTEEN (15) FOOT WIDE UTILITY EASEMENT ALONG THE EAST BOUNDARY IN LOT 219, CLABBER CREEK, PHASE 5 TO THE CITY OF FAYETTEVILLE, ARKANSAS.

To: The Fayetteville City Planning Commission and
The Fayetteville City Council

We, the undersigned, being all the owners of the real estate abutting the utility easement hereinafter sought to be abandoned and vacated, lying Lot 219, Clabber Creek, Phase 5, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate a portion of said easement which is described as follows:

DESCRIPTION OF EASEMENT ENCROACHMENT

A PART OF LOT NUMBERED 219, CLABBER CREEK, PHASE 5, FAYETTEVILLE, ARKANSAS, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 23A AT PAGE 270, PLAT RECORDS OF WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 219, SAID POINT BEING AN EXISTING IRON REBAR; THENCE N02°36'16"E 29.88 FEET ALONG THE EAST LINE OF SAID LOT 219 TO A POINT; THENCE LEAVING THE EAST LINE OF SAID LOT 219, N87°23'44"W 12.60 FEET TO THE INTERSECTION OF THE SOUTH AND EAST ROOF OVERHANGS OF AN EXISTING HOUSE FOR THE TRUE POINT OF BEGINNING; THENCE N87°25'26"W 2.40 FEET ALONG THE SOUTH ROOF OVERHANG TO A POINT ON THE WEST LINE OF A FIFTEEN FOOT WIDE UTILITY EASEMENT; THENCE N02°36'16"E 53.15 FEET ALONG SAID WEST EASEMENT LINE TO A POINT ON THE NORTH ROOF OVERHANG OF SAID HOUSE; THENCE S87°31'44"E 2.34 FEET ALONG SAID NORTH ROOF OVERHANG TO THE INTERSECTION OF THE NORTH AND EAST ROOF OVERHANGS; THENCE S02°32'16"W 53.15 FEET ALONG SAID EAST ROOF OVERHANG TO THE POINT OF BEGINNING, CONTAINING 126.0 SQUARE FEET, MORE OR LESS.

That no other abutting real estate is affected by said abandonment of the general utility easement and that the public interest and welfare would not be adversely affected by the abandonment of the above described portion of the utility easement.

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, and as to that particular land the owners be free from the easements of the public for the use of said utility easement.

Dated this 6 day of January, 2016

JAMES BRADFORD

Printed name

X

James Bradford

Signature

Printed name

Signature

CERTIFICATE OF AUTHORIZATION
ALAN REID & ASSOCIATES
COA # 23588
ARKANSAS



LEGEND

- ⊙ CABLE TV PEDESTAL
- ⊞ ELECTRIC BOX
- ⊞ ELECTRIC METER
- EXISTING IRON REBAR
- ⊙ GAS METER
- * LAMP POST
- ⊙ SANITARY SEWER MANHOLE
- SET 1/2" IRON REBAR
- ⊙ WATER METER
- CENTERLINE ROAD
- RIGHT-OF-WAY LINE
- PRIVACY FENCE
- BUILDING LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- PROPERTY LINE



PLAT NOTES:
EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE:
EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS OR OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.
THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDED THE SEAL AND SIGNATURE OF THE SURVEYOR.
THIS SURVEY MEETS OR EXCEEDS THE CURRENT ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS.
DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THE SURVEY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.

SURVEY DESCRIPTION OF HOUSE ENCROACHMENT
A PART OF LOT 219 CLABBER CREEK PHASE 5, FAYETTEVILLE, ARKANSAS, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 23A AT PAGE 270, PLAT RECORDS OF WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 219, SAID POINT BEING AN EXISTING IRON REBAR; THENCE N02°36'16"E 29.88 FEET ALONG THE EAST LINE OF SAID LOT 219 TO A POINT; THENCE LEAVING THE EAST LINE OF SAID LOT 219, N87°23'44"W 12.60 FEET TO THE INTERSECTION OF THE SOUTH AND EAST ROOF OVERHANGS OF AN EXISTING HOUSE FOR THE "RULE POINT" OF BEGINNING; THENCE N87°25'26"W 2.40 FEET ALONG THE SOUTH ROOF OVERHANG TO A POINT ON THE WEST LINE OF A FIFTEEN FOOT WIDE UTILITY EASEMENT; THENCE N02°36'16"E 53.15 FEET ALONG SAID WEST EASEMENT LINE TO A POINT ON THE NORTH ROOF OVERHANGS OF SAID HOUSE; THENCE S87°31'44"E 2.34 FEET ALONG SAID NORTH ROOF OVERHANG TO THE INTERSECTION OF THE NORTH AND EAST ROOF OVERHANGS; THENCE S02°32'16"W 53.13 FEET ALONG SAID EAST ROOF OVERHANG TO THE POINT OF BEGINNING, CONTAINING 126.0 SQUARE FEET, MORE OR LESS.

BUYER: DEAL, ANDY
SELLER: BRADFORD, JAMES CASEY & BRADFORD, JAMES C.
ADDRESS: 4200 W. MAHOGANY DR., FAYETTEVILLE, ARKANSAS

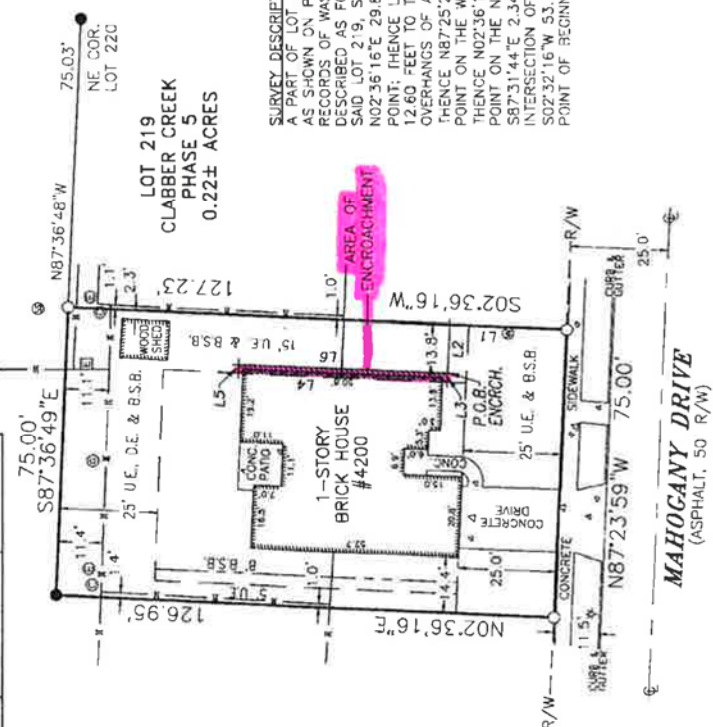
Alan Reid & Associates
118 South College Avenue
Fayetteville, Arkansas 72701
(479) 444-8784

DATE: 12/07/15
SCALE: 1" = 30'
REVISED:
DRAWN BY: JC
PROJECT NO. 15313

JAMES BRADFORD



LINE	BEARING	DISTANCE
L1	N02°36'16"E	29.88'
L2	N87°23'44"W	12.60'
L3	N87°25'26"W	2.40'
L4	N02°36'16"E	53.15'
L5	S87°31'44"E	2.34'
L6	S02°32'16"W	53.15'



SURVEY DESCRIPTION:
LOT 219 CLABBER CREEK PHASE 5 TO THE CITY OF FAYETTEVILLE, ARKANSAS, AS PER PLAT ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

UTILITY APPROVAL FORM

FOR RIGHT-OF-WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 12/18/2015

UTILITY COMPANY: AEP/SWEP CO

APPLICANT NAME: James Bradford APPLICANT PHONE: 479-283-7935

REQUESTED VACATION (*applicant must check all that apply*):

- ☒ Utility Easement
- ☐ Right-of-way for alley or streets and all utility easements located within the vacated right-of-way.
- ☐ Alley
- ☐ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 4200 West Mahogany Drive, Fayetteville, Arkansas 72704

- ☐ (*ATTACH legal description and graphic representation of what is being vacated-SURVEY*)

UTILITY COMPANY COMMENTS:

- ☒ No objections to the vacation(s) described above, and no comments.
- ☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

- ☐ No objections provided the following conditions are met:

John Berger
Signature of Utility Company Representative

Distribution Engineer
Title

December 2014
Page 5

UTILITY APPROVAL FORM
FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: 12/18/2015

UTILITY COMPANY: AT&T

APPLICANT NAME: James Bradford APPLICANT PHONE: 479-283-7935

REQUESTED VACATION (*applicant must check all that apply*):

- ☒ Utility Easement
☐ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
☐ Alley
☐ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 4200 West Mahogany Drive, Fayetteville, Arkansas 72704

☐ (*ATTACH legal description and graphic representation of what is being vacated-SURVEY*)

UTILITY COMPANY COMMENTS:

- ☐ No objections to the vacation(s) described above, and no comments.
☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

☒ No objections provided the following conditions are met:

The property owner is responsible for any damage to AT&T facilities currently present.

Layne Rhodes

Digitally signed by Layne Rhodes
DN: cn=Layne Rhodes, o=AT&T, ou=Construction and
Engineering, email=1597@att.com, c=US
Date: 2015.12.21 06:49:19 -06'00'

Signature of Utility Company Representative

Manager-Engineering Design

Title

December 2014
Page 5

UTILITY APPROVAL FORM
FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: 12/18/2015

UTILITY COMPANY: Cox Communications

APPLICANT NAME: James Bradford

APPLICANT PHONE: 478-283-7935

REQUESTED VACATION (*applicant must check all that apply*):

- ☒ Utility Easement
- ☐ Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- ☐ Alley
- ☐ Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 4200 West Mahogany Drive, Fayetteville, Arkansas 72704

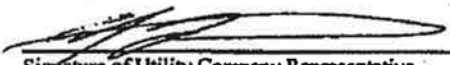
☐ (*ATTACH legal description and graphic representation of what is being vacated-SURVEY*)

UTILITY COMPANY COMMENTS:

- ☐ No objections to the vacation(s) described above, and no comments.
- ☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

☒ No objections provided the following conditions are met:
No objection to vacating the portion of easement where the encroachment is.

Any damage to or relocation of existing facilities will be at the owners/developers expense.



Signature of Utility Company Representative

Construction and Planning Manager

Title

December 2014
Page 3

UTILITY APPROVAL FORM
FOR RIGHT-OF-WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: 12/18/2015

UTILITY COMPANY: OZARKS ELECTRIC CO-OP

APPLICANT NAME: James Bradford APPLICANT PHONE: 479-283-7935

REQUESTED VACATION (applicant must check all that apply):

- ☒ Utility Easement
- ☐ Right-of-way for alley or streets and all utility easements located within the vacated right-of-way.
- ☐ Alley
- ☐ Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

General location / Address 4200 West Mahogany Drive, Fayetteville, Arkansas 72704 A PORTION
OF THE 15' 4" ALONG THE EAST PROPERTY LINE OF LOT 219

☐ (ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

- ☒ No objections to the vacation(s) described above, and no comments.
- ☐ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

☐ No objections provided the following conditions are met:

Mike Phelps 12-21-15
Signature of Utility Company Representative

System Staking Tech
Title

December 2014
Page 3

UTILITY APPROVAL FORM
FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: 12/18/2015

UTILITY COMPANY: Source Gas

APPLICANT NAME: James Bradford

APPLICANT PHONE: 479-283-7935

REQUESTED VACATION (*applicant must check all that apply*):



Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address 4200 West Mahogany Drive, Fayetteville, Arkansas 72704



(*ATTACH legal description and graphic representation of what is being vacated-SURVEY*)

UTILITY COMPANY COMMENTS:



No objections to the vacation(s) described above, and no comments.

No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Quai A. Darpent
Signature of Utility Company Representative

Title

SUPERVISOR - DIVISION OPERATIONS

December 2014
Page 5

UTILITY APPROVAL FORM
FOR RIGHT- OF- WAY, ALLEY, AND
UTILITY EASEMENT VACATIONS

DATE: 12/18/2016

UTILITY COMPANY: CITY OF FAYETTEVILLE

APPLICANT NAME: James Bradford APPLICANT PHONE: 479-283-7935

REQUESTED VACATION (applicant must check all that apply):

☒ Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

Street right-of-way

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:

General location / Address 4200 West Mahogany Drive, Fayetteville, Arkansas 72704

☐ (ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

☐ No objections to the vacation(s) described above, and no comments.

☒ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

13.8' UTILITY EASEMENT ON THE EAST SIDE
OF LOT 219 TO REMAIN

☐ No objections provided the following conditions are met:

[Signature]
Signature of Utility Company Representative

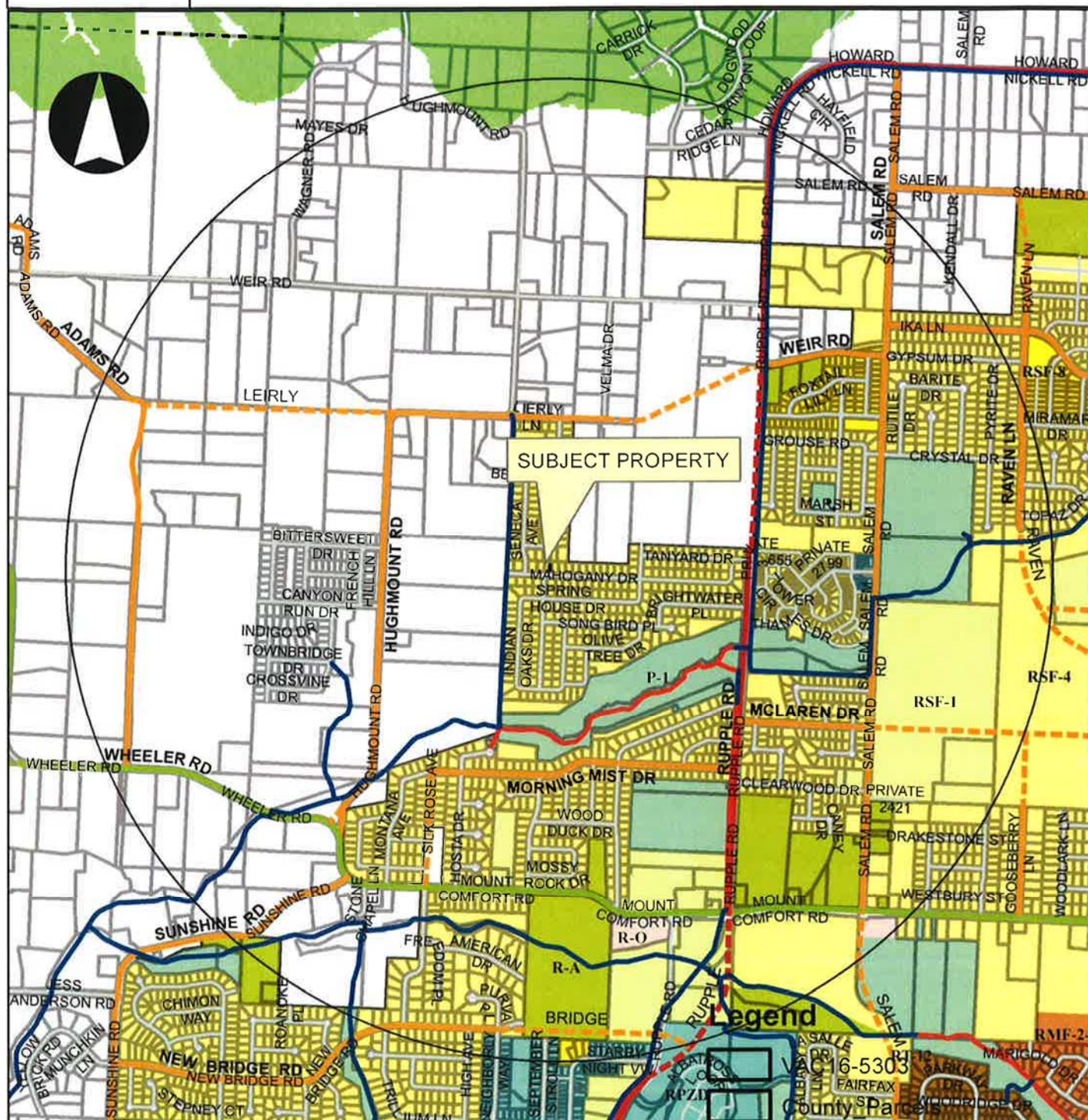
WFS OPERATIONS MANAGER
Title

December 2014
Page 5

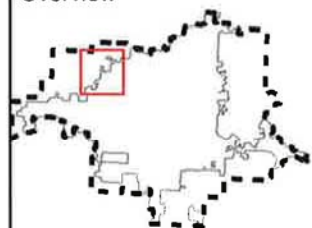
VAC16-5303

BRADFORD

One Mile View



Overview



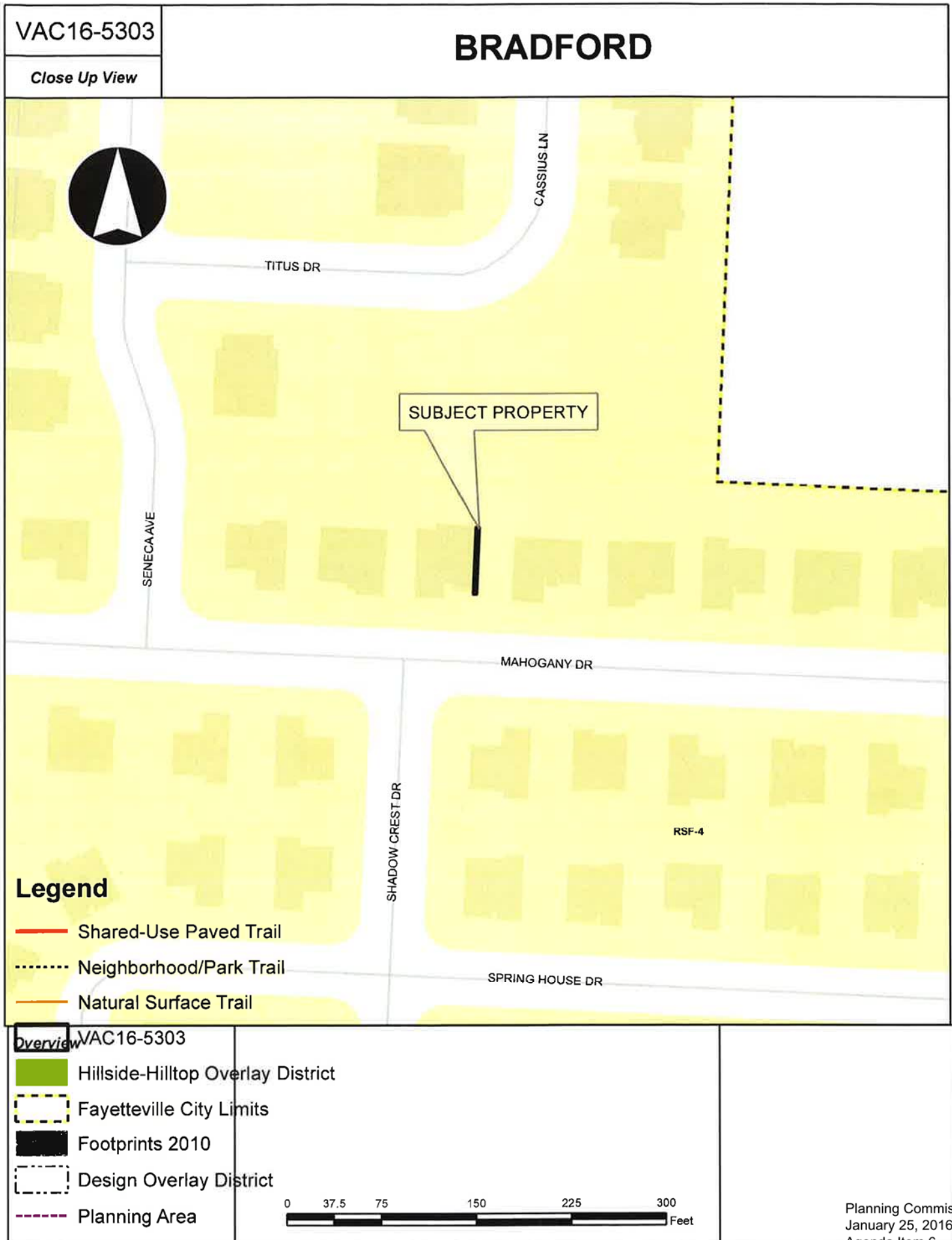
Legend

Subject Property

Boundary

- Hillside-Hilltop Overlay District
- Design Overlay District
- Planning Area
- Fayetteville

0 0.25 0.5 1 Miles





City of Fayetteville, Arkansas

Tentative Agenda
February 09, 2016
Page 16 of 279
113 West Mountain Road
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0061

Agenda Date: 2/16/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 6

RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5240 FOR APPROXIMATELY 128 ACRES LOCATED AT 2514 WEST LORI ROAD FROM R-A, RESIDENTIAL-AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE; AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO R-A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; AND NS, NEIGHBORHOOD SERVICES, SUBJECT TO A BILL OF ASSURANCE

WHEREAS, after three lengthy meetings with substantial public comment and opposition from neighbors in surrounding residential single family neighborhoods, the Planning Commission in a split vote recommended denial of the applicant's request for RMF-24 and approval of the remainder of the proposed rezoning; and

WHEREAS, the applicant continues to seek rezoning of the southern 20 acre portion to RMF-24.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo from R-A, Residential-Agricultural; RSF-1, Residential Single Family One Unit Per Acre; and RSF-4, Residential Single Family, 4 Units Per Acre to R-A, Residential-Agricultural; RMF-24, Residential Multi-Family, 24 Units Per Acre; NC, Neighborhood Conservation; and NS, Neighborhood Services, subject to a Bill of Assurance.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

City of Fayetteville Staff Review Form

2016-0061

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jeremy Pate

1/29/2016

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 15-5240: Rezone (2514 W. LORI RD./RAZORBACK GOLF COURSE, 285): Submitted by BLEW & ASSOCIATES, INC. for properties located at 2514 W. LORI RD. The properties are zoned R-A, RESIDENTIAL-AGRICULTURAL, RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE, AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 128.54 acres. The request is to rezone the properties to R-A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; and NS, NEIGHBORHOOD SERVICES, subject to a Bill of Assurance.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	NA	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	No	Item Cost	
Budget Adjustment Attached?	NA	Budget Adjustment	
		Remaining Budget	\$ -

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:

CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 16, 2016

TO: Fayetteville City Council

FROM: Andrew Garner, City Planning Director

DATE: January 29, 2016

SUBJECT: **RZN 15-5240: Rezone (2514 W. LORI RD./RAZORBACK GOLF COURSE, 285):** Submitted by BLEW & ASSOCIATES, INC. for properties located at 2514 W. LORI RD. The properties are zoned R-A, RESIDENTIAL-AGRICULTURAL, RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE, AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 128.54 acres. The request is to rezone the properties to R-A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; and NS, NEIGHBORHOOD SERVICES, subject to a Bill of Assurance.

RECOMMENDATION:

- The Planning Commission recommend approval of an ordinance to rezone the property to R-A, Residential Agricultural; NC, Neighborhood Conservation; and NS, Neighborhood Services, they recommend denial of the request to rezone a portion of the property to RMF-24, Residential Multi-family 24 units per acre.
- Staff recommends approval to rezone the entire property as requested, including the RMF-24 tract.

BACKGROUND:

The subject property contains approximately 128.54 acres located north of Mount Comfort Road and west of Deane Solomon Road. The property has been used for many years for the Razorback Golf Course that has closed for business in recent months. The land has been cleared for decades for golf greens, fairways and paved golf course paths. There are some mature stands of trees in various areas, several ponds and water features, with Clabber Creek and its associated floodplain along the northern portion of the site. The property is zoned RSF-4, Residential Single Family Four Units per Acre; R-A, Residential Agricultural; and RSF-1, Residential Single Family One Unit per Acre.

The applicant requests to rezone the property as listed in *Table 1* and depicted on Exhibits 'A' and 'B' (attached), subject to a Bill of Assurance (attached). The applicant has indicated the intention to develop the property with multi-family along the southern portion of the site and single family on other portions of the site. The applicant is proposing to rezone a significant portion of the site (41.66 acres) to R-A. In discussions with the applicant, including review of a conceptual development layout for the site, the R-A zoning is intended for open space conservation and creation of a greenbelt along the Clabber Creek floodplain areas and areas north of the creek all the way the Crystal Springs Subdivision. This intention has been verified in writing with the

applicant submitting a Bill of Assurance indicating permanent conservation in this portion of the property. 17.12 contiguous acres adjacent to Deane Solomon Road in the southern portion of the site are proposed to be rezoned to NS, Neighborhood Services, which is a form-based zoning district that allows a mix of small scale non-residential uses as well as single, two, and three family residential dwellings. The balance of the site is proposed to be zoned to NC which is a single family zoning that provides additional variety of lot sizes and opportunity for increased density up to ten units per acre.

Table 1
Proposed Zoning

Proposed Zoning	Acres (approximate)
R-A, Residential Agricultural	41.66
NC, Neighborhood Conservation	48.81
RMF-24, Residential Multi-Family 24 Units per Acre	20.06
NS, Neighborhood Services	17.12
TOTAL	127.65*

**numbers do not add up to the total acreage of the 128.54-acre parent tract because the parent tract includes land within the very southern portion of the site that is not proposed to be rezoned*

Surrounding Land Use Compatibility: The proposed zoning is compatible with the surrounding residential properties to the north, east, and west by proposing similar single family detached zoning. Rezoning the southern 20.06 acres for multi-family residential is compatible with surrounding residential uses and zonings including multi-family to the east in the Pines at Springwoods development, a neighborhood of duplexes to the south in the Coyote Trail subdivision, and undeveloped land zoned for single family residential zoning to the west. Compatibility does not mean that the zoning has to be identical in terms of the actual zoning district, building typology allowed, or use. It refers to the ability of various zoning districts and uses being able to existing in harmony with surrounding neighborhoods. In staff's opinion, the proposal is not only compatible, it is complimentary and adds to the variety and mix of residential dwelling types and potential for small scale non-residential uses that could be a benefit to the surrounding neighborhoods.

Land Use Plan and Policy Analysis: The rezoning is consistent with planning objectives, principles, and policies put forward in City Plan 2030 and the FLUM. The FLUM designates a majority of this site as Civic and Private Open Space/Parks Areas to recognize the historical use of this site as a private golf course. This designation does not prevent the property from being rezoned and redeveloped for a different land use consistent with overall City policy. The rezoning is consistent with goals and policies of City Plan 2030 to discourage suburban sprawl by encouraging development in an area surrounded by developed neighborhoods and roadways. The proposed use of the RMF-24, NS, and NC zoning districts are consistent with the goal to make traditional town form the standard as these districts are form-based districts that have a build-to zone for buildings to define space along streets. Additionally, mixing a variety of residential zoning districts provides the opportunity for a variety of price points for residents that creates opportunities for attainable housing. The area of NS zoning along Deane Solomon Road a allows the opportunity for live-work studios or other small scale non-residential goods and services to be integrated in appropriate areas of the neighborhood. Finally, as discussed earlier in this report, the proposal to rezone 41.66 acres of the site to R-A in the configuration proposed will help assemble an enduring green network providing a benefit to the natural environment and

contributing to quality of life for residents. The proposal is consistent with the FLUM designation of Natural Area on the Clabber Creek floodplain portion of the site.

DISCUSSION:

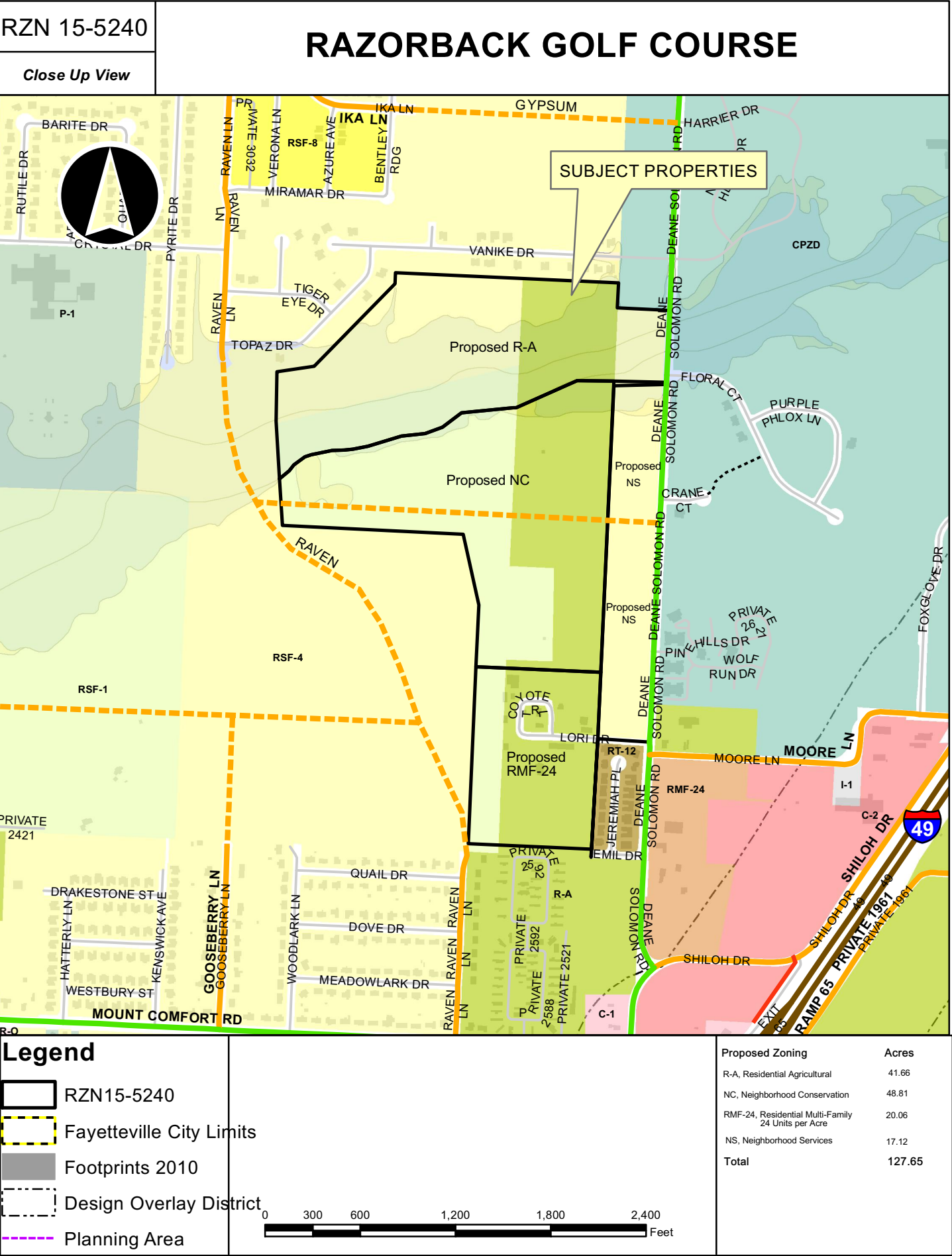
Staff has received a substantial amount of public comments and petitions from single family neighborhoods in the area and several people spoke in person at the December 14, 2015, January 11, 2016, and January 25, 2016 Planning Commission meetings. Comments are generally opposed to the proposal to rezone the entire property for development citing concerns with a number of issues including traffic safety, drainage, use compatibility, and overall quality of life. However, there were neighbors who spoke at the January 25, 2016 meeting in favor of the request, discussing that the conservation of such a large portion of greenspace would be a benefit to them and the greater community.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- Exhibit A
- Exhibit B
- Bill of Assurance
- Application
- Planning Commission Staff Report



RZN 15-5240
EXHIBIT 'B'

TRACT 1 (PROPOSED RMF-24)

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N03°11'57"E 50.00' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N87°27'18"W 777.35', THENCE N02°31'33"E 1115.77', THENCE S87°28'27"E 786.26', THENCE S02°36'38"W 416.97', THENCE S03°11'57"W 699.11' TO THE POINT OF BEGINNING. CONTAINING 20.06 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

TRACT 2 (PROPOSED NS)

A PART OF THE SOUTHWEST QUARTER AND A PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N03°11'57"E 749.11' FROM THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 17 NORTH, RANGE 30 WEST AND RUNNING THENCE N86°11'43"W 329.80', THENCE N02°36'38"E 2253.77', THENCE S88°55'11"E 329.85', THENCE S02°36'38"W 2269.45' TO THE POINT OF BEGINNING. CONTAINING 17.12 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

TRACT 3 (PROPOSED NC)

A PART OF THE SOUTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N03°11'57"E 749.11' AND N02°37'18"E 416.97' FROM THE SOUTHEAST CORNER OF SAID SECTION 32 AND RUNNING THENCE N87°28'27"W 786.26', THENCE N02°31'33"E 390.21', THENCE N12°21'28"W 456.73', THENCE N87°14'46"W 1142.02', THENCE N03°19'05"W 294.76', THENCE N49°45'57"E 79.22', THENCE N38°48'25"E 46.21', THENCE N54°03'36"E 86.63', THENCE N70°31'18"E 41.74', THENCE N78°34'03"E 133.74', THENCE N88°20'05"E 77.89', THENCE N83°41'25"E 53.54', THENCE N79°03'12"E 97.69', THENCE N72°57'01"E 220.69', THENCE N83°49'04"E 150.28', THENCE N69°47'21"E 115.98', THENCE N53°40'33"E 150.23', THENCE N84°12'39"E 245.44', THENCE N85°15'50"E 81.81', THENCE N86°12'19"E 18.70', THENCE N65°48'05"E 418.87', THENCE S88°55'11"E 233.73', THENCE S02°36'38"W 1836.81' TO THE POINT OF BEGINNING. CONTAINING 48.81 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

TRACT 4 (PROPOSED R-A)

A PART OF THE SOUTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF SECTION 32, AND A PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 23, THENCE N87°30'16"W 596.72', THENCE N87°17'30"W 180.05', THENCE N02°31'33"E 1555.97', THENCE N12°21'28"W 456.73', THENCE N87°14'46"W 1142.02', THENCE N03°19'05"W 294.76' TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE N03°19'05"W 363.46', THENCE N00°43'22"E 310.72', THENCE N81°11'30"E 239.40', THENCE N44°22'50"E 726.00', THENCE N02°52'12"E 69.27', THENCE S87°23'56"E 1406.05', THENCE S02°35'43"W 157.10', THENCE S87°19'28"E 330.00', THENCE S02°36'38"W 453.69', THENCE N88°55'11"W 329.85', THENCE N88°55'11"W 233.73', THENCE S65°48'05"W 418.87', THENCE S86°12'19"W 18.70', THENCE S85°15'50"W 81.81', THENCE S84°12'39"W 245.44', THENCE S53°40'33"W 150.23', THENCE S69°47'21"W 115.98', THENCE S83°49'04"W 150.28', THENCE S72°57'01"W 220.69', THENCE S79°03'12"W 97.69', THENCE S83°41'25"W 53.54', THENCE S88°20'05"W 77.89', THENCE S78°34'03"W 133.74', THENCE S70°31'18"W 41.74', THENCE S54°03'36"W 86.63', THENCE S38°48'25"W 46.21', THENCE S49°45'57"W 79.22' TO THE POINT OF BEGINNING. CONTAINING 41.66 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

BILL OF ASSURANCE FOR THE CITY OF FAYETTEVILLE, ARKANSAS

In order to attempt to obtain approval of a request for a zoning reclassification, the owner, developer, or buyer of this property, (hereinafter "Petitioner") JEL Land Acquisitions, LLC, hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, **substantial irreparable damage justifying injunctive relief** has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will **reasonable rely** upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers assurances that Petitioner and Petitioner's property shall be restricted as follows **IF** Petitioner's rezoning is approved by the Fayetteville City Council.

1. The use of Petitioner's property shall be limited to THOSE AREAS SOUGHT TO BE RE-ZONED AS R-A SHALL BE USED ONLY AS GREENSPACE, CONSERVATION AREAS, PARK LAND OR TRAILS.

2. Other restrictions including number and type of structures upon the property are limited to NO STRUCTURES SHALL BE BUILT ON THE AREAS SOUGHT TO BE RE-ZONED AS R-A OTHER THAN THOSE STRUCTURES INCIDENTAL TO THE USES LISTED ABOVE.

3. Specific activities will not be allowed upon petitioner's property include RESIDENTIAL, COMMERCIAL, INDUSTRIAL, WAREHOUSE, OR OTHER USES NOT CONSISTENT WITH PARAGRAPH 1 ABOVE.

4. (Any other terms or conditions) _____

5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, JEL LAND ACQUISITIONS, LLC, as the owner, developer or buyer (Petitioner) **voluntarily offer** all such assurances and sign my name below.

1/25/16

Date

1200 E. JOYCE BLVD.

Address

FAYETTEVILLE, AR 72701

JEL LAND ACQUISITIONS, LLC

Printed Name

[Signature]
Signature

NOTARY OATH

STATE OF ARKANSAS }

} .ss

COUNTY OF WASHINGTON }

And now on this the 25th day of January, 2016, appeared before me, James Earl "Lyndy" Lindsey, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

[Signature]
NOTARY PUBLIC

My Commission Expires:

JOY L. HOOPS Notary Public Washington County - Arkansas Commission # 12400437 Expires: September 1, 2024

CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY	FEE: \$325.00
Date Application Submitted:	Sign Fee: \$5.00
Date Accepted as Complete:	S-T-R:
Case / Appeal Number:	PP#:
Public Hearing Date:	Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: ☐ Applicant ☒ Representative

Applicant (person making request):

Representative (engineer, surveyor, realtor, etc.):

Name: LW Ren Corp Inc

Name: Blew & Associates

Buckley Blew

Address: 2514 W. Lori Drive
Fayetteville, AR

Address: 524 W. Sycamore Ste. 4 Fayetteville, AR

E-mail:

E-mail: buckley@blewinc.com

Phone:

Phone:

(479) 443-4506

Fax:

Fax:

Site Address / Location: Razorback Golf Course 2514 W. Lori Drive & 2595 W. Lori Drive

Current Zoning District: R-A, RSF-4

Requested Zoning District: RSP-4, RMF-24, R-A, N-C

Assessor's Parcel Number(s) for subject property: 765-16658-020, 765-24095-000, 765-15865-000, 765-16658-011,
765-24102-000, 765-16658-000, 765-16657-000, 765-16657-002

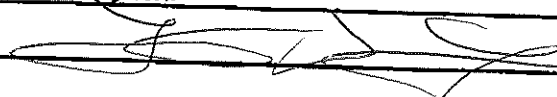
FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Buckley Blew

Date: 10/13/2015

Signature: 

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Property Owners of Record (attach additional info if necessary):

Name (printed):

Address:

Signature:

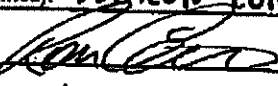
Phone:

Date:

()

Name (printed): LENTON CORP., INC.

Address:

Signature: 

Phone:

Date: 10-14-15

()

Rezoning Checklist:

Attach the following items to this application:

- (1) Payment in full of applicable fees for processing the application:
\$325.00 application fee
\$5.00 public notification sign fee
- (2) A legal description of the property to be rezoned. A survey may be required if the property description can not accurately be platted or if it is described by referring to other deeds.
- (3) CD containing a copy of the legal description in MS Word and all required submittal items should be also included on the CD in PDF format.
- (4) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website (www.co.washington.ar.us). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.



PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

FROM: Andrew Garner, City Planning Director

MEETING DATE: January 25, 2016 Updated with Planning Commission results

SUBJECT: **RZN 15-5240: Rezone (2514 W. LORI RD./RAZORBACK GOLF COURSE, 285):** Submitted by BLEW & ASSOCIATES, INC. for properties located at 2514 W. LORI RD. The properties are zoned R-A, RESIDENTIAL-AGRICULTURAL, RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE, AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 128.54 acres. The request is to rezone the properties to R-A, RESIDENTIAL-AGRICULTURAL, RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION, and NS, NEIGHBORHOOD SERVICES.

RECOMMENDATION:

Staff recommends forwarding **RZN 15-5240** to the City Council with a recommendation for approval.

BACKGROUND:

January 11, 2016 and December 14, 2015 Planning Commission Meetings: This item was tabled at the December 14, 2015 Planning Commission to give the applicant time to revise their request to address comments and concerns from the Planning Commission. The applicant submitted a revised request that was discussed again the January 11, 2016 Planning Commission meeting where the item was tabled again. The applicant has submitted another revised request as described herein and depicted on the attached rezoning exhibit.

Property Background: The subject property contains approximately 128.54 acres located north of Mount Comfort Road and west of Deane Solomon Road. The property has been used for many years for the Razorback Golf Course that has closed for business in recent months. The land has been cleared for decades for golf greens, fairways and paved golf course paths. There are some mature stands of trees in various areas, several ponds and water features, with Clabber Creek and its associated floodplain along the northern portion of the site. The property is zoned RSF-4, Residential Single Family Four Units per Acre; R-A, Residential Agricultural; and RSF-1, Residential Single Family One Unit per Acre. The surrounding land use and zoning is depicted in Table 1.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Crystal Springs Subdivision	RSF-4, Residential Single Family Four Units per Acre
South	Mobile home park; Bird Haven Subdivision (single family); Coyote Trail Subdivision (two-family)	R-A, Residential Agricultural; RT-12, Residential Two and Three Family
East	Pines at Springwoods (two- and four-family); horse farm; Prairie View Acres; conservation area	C-PZD, Springwoods (equivalent to RSF-4 and RMF-18); R-A, Residential Agricultural
West	Undeveloped	RSF-4, Residential Single Family Four Units per Acre

DISCUSSION:

Request: The applicant requests to rezone the property as listed in *Table 2* and depicted in the attached rezoning exhibit. The applicant has indicated the intention to develop the property with multi-family along the southern portion of the site and single family on other portions of the site. The applicant is proposing to rezone a significant portion of the site (41.66 acres) to R-A. In discussions with the applicant, including review of a conceptual development layout for the site, the R-A zoning is intended for open space conservation and creation of a greenbelt along the Clabber Creek floodplain areas and areas north of the creek all the way the Crystal Springs Subdivision. 17.12 contiguous acres adjacent to Deane Solomon Road in the southern portion of the site are proposed to be rezoned to NS, Neighborhood Services, which is a form-based zoning district that allows a mix of small scale non-residential uses as well as single, two, and three family residential dwellings. The balance of the site is proposed to be zoned to NC which is a single family zoning that provides additional variety of lot sizes and opportunity for increased density up to ten units per acre.

Table 2
Proposed Zoning

Proposed Zoning	Acres (approximate)
R-A, Residential Agricultural	41.66
NC, Neighborhood Conservation	48.81
RMF-24, Residential Multi-Family 24 Units per Acre	20.06
NS, Neighborhood Services	17.12
TOTAL	127.65*

**numbers do not add up to the total acreage of the 128.54-acre parent tract because the parent tract includes land within the very southern portion of the site that is not proposed to be rezoned*

Public Comment: Staff has received a substantial amount of public comments and petitions from single family neighborhoods in the area and several people spoke in person at the January 11, 2016 and December 14, 2015 Planning Commission meeting. Comments are generally opposed to the proposal to rezone the entire property for development siting concerns with a number of issues including traffic safety, drainage, use compatibility, and overall quality of life.

INFRASTRUCTURE:

Streets: The subject parcel has access to Deane Solomon Road. Along the subject parcels' frontage, the eastern half of Deane Solomon Road is fully improved with curb, gutter, sidewalk, and storm drainage. The western half is unimproved with an open earth ditch. The subject parcels also have access to Lori Drive and Emil Drive via existing street stub outs to the southeast. Street construction and dedication of right of way would be required if connections were made here. Improvements to Deane Solomon and other streets/intersections would be evaluated at the time of development.

Water: Public water is available to the site. A 12" public main is located within the Deane Solomon Road right of way and an 8" public main exists along the southernmost parcel line of the subject parcels.

Sewer: Sanitary Sewer is available to the site. An 8" public main is located within the Deane Solomon Road right of way and an 8" public main exists along the southernmost parcel line of the subject parcels.

Drainage: Any additional improvements or requirements for drainage will be determined at time of development. Clabber Creek runs east-west through the northern portion of these parcels. Clabber Creek is a protected stream per city ordinances and contains FEMA regulated floodways and Zone AE floodplains. Floodplain development permits would be required in these locations. No portions of these parcels are located within the HHOD.

Fire: This development will be protected by Engine 7 located at 835 Ruppel Road. It is 3 miles from the station to the study area with an anticipated response time of 7 minutes to the beginning of the study area. The Fire Department does not feel this rezoning will affect calls for service or response times.

Police: The Police Department have not expressed concerns with this request.

PLANNING COMMISSION ACTION: Required		
Date: <u>December 14, 2015</u> ☒ Tabled ☐ Forwarded ☐ Denied		
Motion: <u>Hoffman</u>		
Second: <u>Cook</u>		
Vote: <u>8-0-1 (Selby recused)</u>		
Date: <u>January 11, 2016</u> ☒ Tabled ☐ Forwarded ☐ Denied		
Motion: <u>Chesser</u>		
Second: <u>Hoffman</u>		
Vote: <u>8-1-1 (Commissioner Autry voted 'no'; Commissioner Selby recused)</u>		
Date: <u>January 25, 2016</u> ☐ Tabled ☒ Forwarded ☐ Denied		
Motion #1 Motion: Chesser Second: Noble Vote: 4-4-1 (Commissioners Autry, Hoskins, Cook, and Bunch voted 'no', Commissioner Selby recused) MOTION FAILED <i>"Forward with a recommendation for approval as proposed by the applicant."</i>	Motion #2 Motion: Hoskins Second: Autry Vote: 5-3-1 (Commissioners Chesser, Brown, and Noble voted 'no', Commissioner Selby recused) MOTION PASSED <i>"Forward with a recommendation for denial of the RMF-24 zoning on Tract 1."</i>	Motion #3 Motion: Hoffman Second: Hoskins Vote: 5-3-1 (Commissioners Chesser, Cook, and Noble voted 'no', Commissioner Selby recused) MOTION PASSED <i>"Forward with a recommendation for NC zoning on Tract 3, NS on Tract 3, NS on Tract 2, and R-A zoning on Tract 4."</i>

CITY PLAN 2030 FUTURE LAND USE PLAN:

The City Plan 2030 Future Land Use Plan map (FLUM) identifies this area primarily as a **Civic and Private Open Space/Parks Area** with **Natural Area** in the Clabber Creek floodplain area and **Residential Neighborhood Area** north of Clabber Creek.

The site is designated as Civic and Private Open Space/Parks Area because of its historical use as a private golf course. However, this designation does not limit the property from being able to be redeveloped and transition over time into a different land use.

The study area is identified as having a high level of natural resources by the Fayetteville Natural Heritage Association (FNHA), a local non-profit group. Some habitat in the study area is classified by the FNHA as seasonal wetlands¹. As a result of the FNHA work and other City staff research, this study area was included on the Enduring Green Network (EGN) map. The EGN map resulted in designation of portions of this area as Natural Area on the FLUM. However, site specific environmental study of the project area has not been conducted to staff's knowledge. It should be noted that golf courses have had a long reputation of being harmful to the environment because of the use of chemicals (fertilizer, pesticides, herbicides, etc.), water, and other resources to maintain pristine golfing conditions.²

The applicant's proposal to rezone 41.66 acres to R-A, Residential Agricultural directly follows and expands the Natural Area designation along Clabber Creek. In addition, the R-A designation includes preservation of a large area north of Clabber Creek outside the floodplain. This provides the opportunity for future development of this site to fully meet the intent of Goal 5 of City Plan 2030, "We will assemble an enduring green network".

¹ Fayetteville Natural Heritage Association Environmental Working Group Map 2008-2009

² Audobon International. Golf and the Environment Fact Sheet. Accessed December 2015.
www.audoboninternational.org

- **Civic and Private Open Space/Parks Areas** are sites that are permanently dedicated to open space or park land. Guiding Policies for this areas are as follows:
 - a. Encourage parkland dedication and conservation easements for trails that support the Fayetteville Alternative Trails and Transportation Plan, the 10-Year Parks Master Plan and the Enduring Green Network.
 - b. Provide an integrated network of open space areas throughout the City to serve local residents as well as provide a regional asset and visitor attraction.
 - c. Plan for the long-term preservation and enhancement of open space (including undeveloped natural areas, utility corridors, and key scenic corridors) within the Fayetteville green network.
 - d. Conserve open space within the Fayetteville green network through private acquisition and other acceptable conservation methods.
 - e. Encourage the creation of connected trails and walkways between community activity areas and neighborhoods and enhance with kiosks and rest stations.
 - f. Encourage community-based “green” infrastructure such as rain gardens, vegetated drainages and bio-retention facilities.
 - g. Encourage pocket parks, especially in the urban center areas.
- **Natural Areas** consist of lands approximating or reverting to a wilderness condition, including those with limited development potential due to topography, hydrology, vegetation or value as an environmental resource. These resources can include stream and wildlife corridors, as well as natural hubs and cores, as identified in the FNHA study, many of which make up the backbone of the enduring green network. A **Natural Area** designation would encourage a development pattern that requires conservation and preservation, prevents degradation of these areas, and would utilize the principles of low impact development for all construction.

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: **Surrounding Land Use Compatibility:** The proposed zoning is compatible with the surrounding residential properties to the north, east, and west by proposing similar single family detached zoning. Rezoning the southern 20.06 acres for multi-family residential is compatible with surrounding residential uses and zonings including multi-family to the east in the Pines at Springwoods development, a neighborhood of duplexes to the south in the Coyote Trail subdivision, and undeveloped land zoned for single family residential zoning to the west. Compatibility does not mean that the zoning has to be identical in terms of the actual zoning district, building typology allowed, or use. It refers to the ability of various zoning districts and uses being able to existing in harmony with surrounding neighborhoods. In staff's opinion, the proposal is not only compatible, it is complimentary and adds to the variety and mix of residential dwelling types and potential for small scale non-residential uses that could be a benefit to the surrounding neighborhoods.

Land Use Plan and Policy Analysis: The rezoning is consistent with planning objectives, principles, and policies put forward in City Plan 2030 and the FLUM. The FLUM designates a majority of this site as **Civic and Private Open Space/Parks Areas** to recognize the historical use of this site as a private golf course. This designation does not prevent the property from being rezoned and redeveloped for a different land use consistent with overall City

policy. The rezoning is consistent with goals and policies of City Plan 2030 to discourage suburban sprawl by encouraging development in an area surrounded by developed neighborhoods and roadways. The proposed use of the RMF-24, NS, and NC zoning districts are consistent with the goal to make traditional town form the standard as these districts are form-based districts that have a build-to zone for buildings to define space along streets. Additionally, mixing a variety of residential zoning districts provides the opportunity for a variety of price points for residents that creates opportunities for attainable housing. The area of NS zoning along Deane Solomon Road allows the opportunity for live-work studios or other small scale non-residential goods and services to be integrated in appropriate areas of the neighborhood. Finally, as discussed earlier in this report, the proposal to rezone 41.66 acres of the site to R-A in the configuration proposed will help assemble an enduring green network providing a benefit to the natural environment and contributing to quality of life for residents. The proposal is consistent with the FLUM designation of *Natural Area* on the Clabber Creek floodplain portion of the site.

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

Finding: Staff finds that the proposed zoning is justified and needed to accommodate development of this area. The golf course on the project site has gone out of business similar to trends across the nation with the golf industry on the decline. Given this site's proximity to existing roads, utility infrastructure, and surrounding development, it is justified to rezone the property for higher residential density.

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

Finding: This rezoning will create the opportunity for development that could substantially increase traffic on surrounding roads over the existing zoning that is RSF-1, RSF-4, and R-A. Deane Solomon Road is an unimproved two-lane road and will need to be improved with any development. In addition, a bridge over Clabber Creek to the west of this site is indicated on the Master Street Plan and development of this property may need to contribute an assessment towards that offsite improvement. Mount Comfort Road/Porter Road is a Minor Arterial roadway that has been recently improved by the City and Arkansas State Highway and Transportation Department (AHTD), including signalization and interchange improvements at I-49. Mount Comfort and Deane Solomon Road will serve a large proportion of traffic in and out of this property. With on and off-site improvements required as part of development, an appreciable increase in traffic danger and congestion should not result.

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 would increase the potential population density over the existing zoning, but is unlikely to undesirably increase the load on public services. An analysis of impact to city services has been included in the overall recommendation included throughout this staff report. The Police Department expressed no objections to the proposal. The Fire Department does not feel that this zoning will negatively affect service times to area. Members of the public have commented to staff that this rezoning will result in overcrowding of nearby schools. The Fayetteville School District is notified of all rezonings by the City but does not typically provide comments and have provided no input on this application.

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

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Existing and proposed zoning criteria
- Applicant's request letter
- Rezoning exhibit
- Public comment
- Current land use map
- Close up map
- Future land use map
- One mile map

161.03 District R-A, Residential-Agricultural

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

(B) *Uses.*

(1) *Permitted uses.*

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

(2) *Conditional uses.*

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

(C) *Density.*

Units per acre	One-half
----------------	----------

(D) *Bulk and area regulations.*

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

(E) *Setback requirements.*

Front	Side	Rear
35 ft.	20 ft.	35 ft.

(F) *Height requirements.* There shall be no maximum height limits in the A-1 District, provided, however, that any building which exceeds the height of 15 feet shall be setback from any boundary line of any residential district a distance of 1.0 foot for each foot of height in excess of 15 feet. Such setbacks shall be measured from the required setback lines.

(G) *Building area.* None.

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

161.05 District RSF-1, Residential Single-Family – One Unit Per Acre

(A) *Purpose.* A district having single-family detached residences on lots with a minimum size of one unit per acre. The district is designed to permit and encourage the development of very low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(C) *Permitted uses.*

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

(D) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(E) *Density.*

Units per acre	1
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(F) *Bulk and area regulations.*

Lot width minimum	150 ft.
Lot area minimum	35,720 Sq. Ft.
Land area per dwelling unit	35,720 Sq. Ft.

(G) *Setback requirements.*

Front	Side	Rear
35 ft.	20 ft.	35 ft.

(H) *Building height regulations.*

Building Height Maximum	45 ft.
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Height regulations. Structures in this District are limited to a building height of 45 feet. Existing structures that exceed 45 feet in height shall be grandfathered in, and not considered nonconforming uses, (ord. # 4858).

(I) *Building area.* None.

(Code 1965, §160.44; Ord. No. 3792, §4, 5-17-94; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. 4858, 4-18-06; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5224, 3-3-09; Ord. 5462, 12-6-11)

161.07 District RSF-4, Residential Single-Family – Four 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

(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 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage 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 ft.	80 ft.
Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.
Hillside Overlay District Lot minimum width	60 ft.	70 ft.
Hillside Overlay District Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.

(E) *Setback requirements.*

Front	Side	Rear
15 ft.	5 ft.	15 ft.

(F) *Building height regulations.*

Building Height Maximum	45 ft.
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Height regulations. Structures in this District are limited to a building height of 45 feet. Existing structures that exceed 45 feet in height shall be grandfathered in, and not considered nonconforming uses, (ord. # 4858).

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 4858, 4-18-06; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5224, 3-3-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11)

161.14 District RMF-24, Residential Multi-Family – Twenty-Four 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-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

(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 12	Limited business
Unit 25	Professional offices
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(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 ft.
Lot within a Manufactured home park	50 ft.
Single-family	60 ft.
Two-family	60 ft.
Three or more	90 ft.
Professional offices	100 ft.

(2) *Lot area minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 sq. ft.
Townhouses:	
Development	10,000 sq. ft.
Individual lot	2,500 sq. ft.
Single-family	6,000 sq. ft.
Two-family	7,000 sq. ft.
Three or more	9,000 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

(3) *Land area per dwelling unit.*

Manufactured home	3,000 sq. ft.
Apartments:	
No bedroom	1,700 sq. ft.
One bedroom	1,700 sq. ft.
Two bedroom	2,000 sq. ft.

Fraternity or Sorority	1,000 sq. ft. per resident
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(E) *Setback requirements.*

Front	Side	Rear
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 ft.	25 ft.

Cross reference(s)--Variance, Ch. 156.

(F) *Building height regulations.*

Building Height Maximum	30/45/60ft.*
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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 30 feet, between 10-20 feet from the master street plan right-of-way a maximum height of 45 feet 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 60 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* None.

(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. 5028, 6-19-07; Ord. 5079, 11-20-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5495, 4-17-12; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

161.26 Neighborhood Conservation

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

(B) *Uses.*

(1) *Permitted uses.*

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

(2) *Conditional uses.*

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

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

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single Family	40 ft.
Two Family	80 ft.
Three Family	90 ft.

(2) *Lot area minimum.* 4,000 Sq. Ft.

(E) *Setback regulations.*

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

(F) *Building height regulations.*

Building Height Maximum	45 ft.
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(Ord. 5128, 4-15-08; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

161.16 Neighborhood Services

- (A) *Purpose.* The Neighborhood Services district is designed to serve as a mixed use area of low intensity. Neighborhood Services promotes a walkable, pedestrian-oriented neighborhood development form with sustainable and complementary neighborhood businesses that are compatible in scale, aesthetics, and use with surrounding land uses. For the purpose of Chapter 96: Noise Control, the Neighborhood Services district is a residential zone.

(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-family dwellings
Unit 12	Limited Business
Unit 24	Home occupations
Unit 41	Accessory dwelling units
Unit 44	Cottage Housing Development

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
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 19	Commercial recreation, small sites
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 36	Wireless communication facilities*
Unit 40	Sidewalk cafes
Unit 45	Small scale production

(C) *Density.*

Units per acre	10 or less
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(D) *Bulk and Area*

(1) *Lot width minimum*

Single-family	35 feet
Two-family	70 feet
Three or more	90 feet
All other uses	None

(2) *Lot area minimum.*

Single-family	4,000 sq. ft.
Two-family or more	3,000 sq. ft. of lot area per dwelling unit
All other permitted and conditional uses	None

(E) *Setback regulations*

Front:	A build-to zone that is located between 10 and 25 feet from the front property line.
Side	5 feet
Rear	15 feet

(F) *Building height regulations.*

Building Height Maximum	45 ft.
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- (G) *Building area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of the lot. (Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14; Ord. 5735, 1-20-15)



Blew & Associates, P.A.

Professional Land Surveyors

524 W. Sycamore Street, Suite #4, Fayetteville, AR 72703
PH: 479-443-4506 * FAX: 479-582-1883 <http://www.blewinc.com>

RE: Rezone request for Razorback Park Golf Course

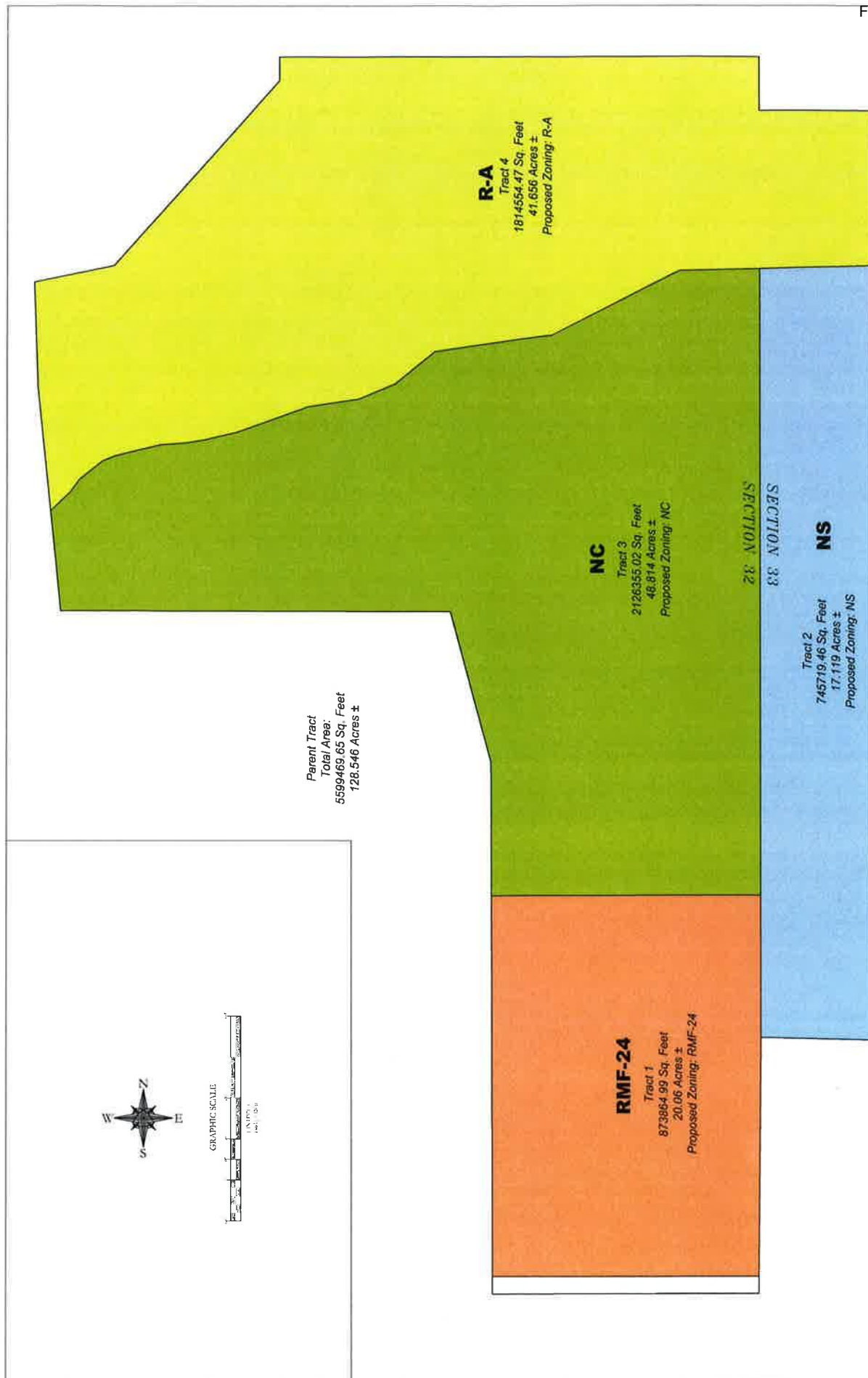
October 14, 2015

To whom it may concern:

We would like to request a rezone of the Razorback Park Golf Course from its current mix of zoning regulations (RSF-4, R-A, R-1) to a more usable mix of (RSF-4, R-A, NC, RMF-24). The current use of the property as a golf course is no longer in use. We feel that the mix of zoning regulations that we are asking for fit the cities master plan intent by providing multiple uses across a large acreage parcel located inside the City of Fayetteville. At the same time the requested R-A zoning will provide green space to connect each zoning district to the creek, future city trail, and the other green spaces provided on site. The property currently has access to all public utilities either adjacent to or located within its borders.

Sincerely,

Buckley Blew



PUBLIC COMMENT

Garner, Andrew

From: Carly Grace <carly.grace@gmail.com>
Sent: Tuesday, December 08, 2015 1:18 PM
Subject: Razorback golf course in regard to the 2030 plan

Dear Planning Staff,

I'm certain you have received plenty of communication about next week's item on the agenda of rezoning the parcel of land that is known as the Razorback Golf Course. I'd like to add to that.

Although I think there are many reasons to deny a rezoning request for this property, the main reason is because looking at the 2030 plan, neighborhoods do not fit. The parcel is planned to be private and civic parks. I understand that a lot of this land is currently zoned rsf-4, which is not parks. If the zoning changes, it should move more toward the 2030 plan, which would not include zoning for housing.

I know that the 2030 plan can be flexible, since the golf course closed, BUT I live in this area. I bike to parks in this area. I have 2 small children. For how dense the housing really is there are hardly enough park areas. The 2030 plan did well to plan the Razorback golf course to be parks/civic/private. Maybe they expected the golf course to still be there. But maybe it was providence that they planned it to be zoned that way! It's right along the proposed trail in progress. It needs to be a park.

The only park around there is salem park, which is on the other side of Salem about a mile away. Salem park is small and enclosed in a neighborhood--no room for expansion there. Holcomb elementary facilities can only be accessed during non-school hours--not helpful with little kids. The area needs more park space over there, as it is filling up with more and more houses and families. Let's stick with the 2030 plan. That area is so large. It would be perfect for a future city pool, large park comparable to Gulley park for the west side of town. Please stick to the plan and do not change the zoning toward more houses or apartments. Even though the golf course is gone, let's stick to the vision of the 2030 plan!

Carly Grace
4966 W. Chimon Way
Fayetteville, AR 72704

Garner, Andrew

From: Craig, Amanda <Amanda.Craig@tyson.com>
Sent: Monday, December 14, 2015 3:59 PM
To: Garner, Andrew
Cc: jaycraig93@yahoo.com
Subject: Razorback Golf Course Development

Dear Mr. Garner,

I am writing you to express my family's concern around the potential development of the former Razorback Golf Course. We live near the property in Prairie View Acres Subdivision on Crane Court.

We are very saddened at the potential loss of such a beautiful piece of green space in our city. Losing this land to development will destroy natural grass lands and endangered fish habitats along with many tall, lovely pine trees. West Fayetteville is an underserved area with respect to parks and green space and would be benefit from preservation of this space for residents' use.

If development is going to happen, there are several issues that must be considered when determining the amount of new residents the area can accommodate. Namely, the amount of increased traffic, flooding issues and influx of students to the public schools. The infrastructure of the area is inadequate and therefore, hazardous to traffic along the Dean Solomon corridor. Adding +2,500 residents to the area will only exacerbate the issue. Also, flooding in and around this property is a problem almost every time it rains for any period of time. Water covers part of Dean Solomon Rd. near of Vanike Dr. at times and many residents deal with inches of standing water in their yards on a continual basis. Additional dense development will increase frequency and greatly worsen these instances. Lastly, both of my children attend Holcomb Elementary and its potential overcrowding and possible future rezoning is very worrisome to our family.

To date, none of the potential developer's nor the City's plans regarding this development adequately address any of the above concerns. If this beautiful, historic, unique piece of land must be developed, it needs to be done wisely. **Please keep the current zoning of no more than 4 units per acre to minimize the negative impacts to our community.**

Thank you,

Amanda and Jay Craig
2372 Crane Ct.
Fayetteville, AR 72704

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Mr. Garner,

I hope this reaches you. We don't know each other but I would like to express my concerns about the possibility of a new apartment/housing community at Razorback golf course. This situation reminds me of when Lindsey Management built their cornerstone apartments off of Porter road. They made a pond that doesn't drain properly and got away with it because of who they are. That pond still causes problems for the row of homes behind it on Megan Drive. The people went to the city but it didn't matter because Lindsey Management usually gets what it wants. Now when it rains that pond overflows into the backyards of many homes. Also, it's created a noticeable mosquito problem due to stagnant water standing behind this street. My wife and I live in Fayetteville but commute to work. When we drive to get on the highway or 112 in the mornings there is already a line of traffic down porter attempting to get to campus or on the highway. Can you imagine what 600 more apartments would do? You would have hundreds of college students trying to get to campus under a single lane bridge or jump on the highway which would be equally difficult. As you know, this will ruin the housing value of anyone who lives on the golf course. But if there's one thing that Lindsey Management lacks, it is compassion. They have zero of it. My wife and I both have lived in different Lindsey rental here in Fayetteville and Fort Smith and it was truly the worst experience ever. They don't care about their tenants or their property, they care about rental income. I love Fayetteville and believe in growth but this isn't the right option. I could give you a list of reasons why this shouldn't go through but this should suffice for now. My self and others will pray you will do what's right for this community.

Merry Christmas

Garner, Andrew

From: galileo81580@gmail.com on behalf of Kyle Smith <KyleSmith@projectgalileo.net>
Sent: Monday, December 14, 2015 7:56 PM
To: Garner, Andrew
Subject: Razorback rezoning photos

I spoke half-heartedly about the rezoning request at Razorback golf course. If we can guarantee the water flow issues are resolved without damage to Clabber Creek and the Wilson Springs preservation area, then I look forward to inviting new neighbors to the best part of Fayetteville.

I hope you will forward this to the planning commission. After work today, when it had stopped raining for a few hours, I went out to look around. The standing water covers a vast land area even before any roofs or pavement are added. This was not one of those 100-year rain events; this is the standard condition. Consider, also, the impact of anticipated residential development to the west of the property (the planned Raven connection).

This seems like a daunting problem but I hope it can be resolved in a way that results in responsible density increase and happy neighbors.

<https://goo.gl/photos/MsJpGtCY5zUYrahR9>

Kyle Smith
2801 W Dove Dr

Petition: Deny rezoning request for Razorback Golf Course



We are Fayetteville citizens who have an interest in the outcome of the rezoning of Razorback Golf Course from Residential-Agricultural to multiple designations, including Residential Multi-Family 24.

In short, we are extremely concerned about the impact of 2,500+ additional residents to an area with underdeveloped infrastructure and ongoing flooding hazards. **We think that changing the zoning to allow more density in the area will have an adverse impact on our safety and overall quality of life.**

Deane Solomon Road is a narrow with open ditches. The north end intersects with Highway 112 and presents additional hazards - such as poor visibility and a challenging s-turn. As residents of the area, our fear is that with increased traffic load comes more dangerous driving conditions. To remedy these fears it will take significant improvements to the entire length of Deane Solomon, not just the portion adjacent to the golf course property.

Flooding on the north end of the property is an ongoing problem. Clabber Creek crosses under Deane Solomon and occupies some of the lowest ground in all of Fayetteville. Groundwater sits near the surface for the majority of the year, even creating flood situations during modest rain events. We are concerned that residential construction on this part of the golf course property will create flooding issues for the existing homes to the north on Topaz and Vanike drives.

We are also concerned about the volume of storm water produced by dense development (i.e., apartments allowed under RMF-24) on the south end of the property. Rooftops and asphalt parking lots built to accommodate such a large number of residents will drive storm water downhill to Clabber Creek, towards existing and future homes.

We are of course sad to lose one of the last remaining green spaces inside Fayetteville city limits. Those of us who live near the property can attest to its natural beauty and the variety of animal species that call the area home. Wilson Springs - just upstream from the golf course property - is one of the last remaining tall grass prairies and perennial wetlands in Northwest Arkansas. It's home to the Arkansas Darter fish, a testament to just how unique and special the area is.

We are concerned that dense infill will have an adverse impact on the biological balance of the natural areas surrounding the golf course property.

Ideally the property could be preserved as an open space. The Northwest Arkansas Regional Planning Commission recently put together an open space plan for the area, and according to the Northwest Arkansas Democrat Gazette (11/28/15) there are numerous benefits to maintaining open space in our cities:

"Some recognized benefits to preserving open space in communities include creating a high quality of life that attracts tax-paying businesses and residents; stimulating commercial growth and promoting city revitalization; boosting local economies by attracting tourists and supporting outdoor recreation; floodplain protection; protecting agricultural land to safeguard the future of farming economies and communities; and safeguarding drinking water and clean air, according to regional planners."

The current owner of the golf course has no doubt been through some trying economic times in the golf industry. We do not doubt that business has been tough. We do support the current owner's right to sell and/or develop his property.

However, we feel that if development is going to take place it is in the best interest of Fayetteville as a whole to restrict the development of the golf course property to no more than four (4) units per acre.

Petition: Deny rezoning request for Razorback Golf Course

Printed on Monday, 12/14/15, 10:18am

Number	Name	City	State	Postal Code	Country	Signed On
1	Brian Sorensen	Fayetteville	Arkansas	72704	United States	11/30/2015
2	Greg Smith	Fayetteville	Arkansas	72704	United States	11/30/2015
3	Huipeng Yap	Fayetteville	Arkansas	72704	United States	11/30/2015
4	Beth Emmanuel	Fayetteville	Arkansas	72704	United States	11/30/2015
5	Ashley Hale	Fayetteville	Arkansas	72704	United States	11/30/2015
6	Taylor Staley	Fayetteville	Arkansas	72704	United States	11/30/2015
7	Jeff Reese	Fayetteville	Arkansas	72704	United States	11/30/2015
8	John Thorn	Fayetteville	Arkansas	72704	United States	11/30/2015
9	Pam Doss	Fayetteville	Arkansas	72703	United States	11/30/2015
10	Lindsay Smith	Fayetteville	Arkansas	72704	United States	11/30/2015
11	Julie Preddy	Fayetteville	Arkansas	72701	United States	11/30/2015
12	Timothy Stidham	Fayetteville	Arkansas	72704	United States	11/30/2015
13	Barri Tulgetske	Fayetteville	Arkansas	72704	United States	11/30/2015
14	Ashley Striegler	Fayetteville	Arkansas	72704	United States	11/30/2015
15	Sara Staley	Springdale	Arkansas	72764	United States	11/30/2015
16	Tim Taylor	Fayetteville	Arkansas	72704	United States	11/30/2015
17	Sarah Winders	Fayetteville	Arkansas	72701	United States	11/30/2015
18	Amanda Barker	Fayetteville	Arkansas	72704	United States	11/30/2015
19	Deborah Ahring	Fayetteville	Arkansas	72701	United States	11/30/2015
20	Gary Guyhrir	Fayetteville	Arkansas	72704	United States	11/30/2015
21	Joe Emmanuel	Fayetteville	Arkansas	72704	United States	11/30/2015
22	Kyle Joyce	Fayetteville	Arkansas	72704	United States	11/30/2015
23	Amanda Stevinson	Fayetteville	Arkansas	72704	United States	11/30/2015
24	Spencer Smith	Fayetteville	Arkansas	72704	United States	11/30/2015
25	Brenda Hoyt	Fayetteville	Arkansas	72704	United States	11/30/2015
26	Adam Stevinson	Fayetteville	Arkansas	72701	United States	11/30/2015
27	Peggy Logan	Fayetteville	Arkansas	72704	United States	11/30/2015
28	Zachary Hulett	Fayetteville	Arkansas	72704	United States	11/30/2015
29	Kathleen Reese	Fayetteville	Arkansas	72704	United States	11/30/2015
30	Amanda Harris	Fayetteville	Arkansas	72701	United States	11/30/2015
31	Sara Young	Fayetteville	Arkansas	72704	United States	11/30/2015
32	Atina King	Fayetteville	Arkansas	72704	United States	11/30/2015
33	Amy Linimon	Fayetteville	Arkansas	72704	United States	11/30/2015
34	Melinda Mock	Fayetteville	Arkansas	72703	United States	11/30/2015
35	Sarah White	Fayetteville	Arkansas	72704	United States	11/30/2015
36	Chris Nichols	Fayetteville	Arkansas	72704	United States	11/30/2015
37	Lori Collier	Fayetteville	Arkansas	72704	United States	11/30/2015
38	Lori Bremer	Fayetteville	Arkansas	72704	United States	11/30/2015
39	Suzette Bowen	Fayetteville	Arkansas	72703	United States	11/30/2015
40	Holly White	Fayetteville	Arkansas	72704	United States	11/30/2015
41	Kathleen Stocker	Fayetteville	Arkansas	72703	United States	11/30/2015
42	Terrell Bowen	Fayetteville	Arkansas	72704	United States	11/30/2015
43	Daniel Hennessey	Fayetteville	Arkansas	72704	United States	11/30/2015
44	Kevin White	Fayetteville	Arkansas	72704	United States	12/1/2015

45	Adam Schaffer	Bentonville	Arkansas	72712	United States	12/1/2015
46	Elaine Wade	Fayetteville	Arkansas	72701	United States	12/1/2015
47	Jacob Ward	Fayetteville	Arkansas	72704	United States	12/1/2015
48	Mark Baber	Fayetteville	Arkansas	72704	United States	12/1/2015
49	Stephanie Hulett	Fayetteville	Arkansas	72704	United States	12/1/2015
50	Megan Sorensen	Fayetteville	Arkansas	72704	United States	12/1/2015
51	Remington Hendrix	Fayetteville	Arkansas	72704	United States	12/1/2015
52	Lori Mertensmeyer	Fayetteville	Arkansas	72704	United States	12/1/2015
53	Karen Rorex	Fayetteville	Arkansas	72703	United States	12/1/2015
54	Casey Pianalto	Fayetteville	Arkansas	72702	United States	12/1/2015
55	Carmen Hennelly	Fayetteville	Arkansas	72701	United States	12/1/2015
56	Shannon Lee	Fayetteville	Arkansas	72704	United States	12/1/2015
57	Tiffany Yee	Fayetteville	Arkansas	72704	United States	12/1/2015
58	Tara Hoffman	Fayetteville	Arkansas	72704	United States	12/1/2015
59	Amy Bradley	Fayetteville	Arkansas	72704	United States	12/1/2015
60	Aaron Gibson	Fayetteville	Arkansas	72701	United States	12/1/2015
61	Don Lee	Siloam Springs	Arkansas	72761	United States	12/1/2015
62	Todd Halley	Fayetteville	Arkansas	72701	United States	12/1/2015
63	Heather Hammel	Fayetteville	Arkansas	72704	United States	12/1/2015
64	Amy Johnson	Springdale	Arkansas	72762	United States	12/1/2015
65	Melinda Smith	Fayetteville	Arkansas	72703	United States	12/1/2015
66	Jim Van Horn	Fayetteville	Arkansas	72704	United States	12/1/2015
67	Sarah Berry	Fayetteville	Arkansas	72704	United States	12/1/2015
68	Murry Owens	Fayetteville	Arkansas	72704	United States	12/1/2015
69	Jenny Sachs	Springdale	Arkansas	72764	United States	12/1/2015
70	Linda Starr	Fayetteville	Arkansas	72701	United States	12/1/2015
71	Brad Mize	Fayetteville	Arkansas	72701	United States	12/1/2015
72	Laura Bryant	Fayetteville	Arkansas	72704	United States	12/1/2015
73	Cori Falkner	Fayetteville	Arkansas	72704	United States	12/1/2015
74	Harold Hubbard	Fayetteville	Arkansas	72703	United States	12/1/2015
75	Jim Erwin	Fayetteville	Arkansas	72704	United States	12/1/2015
76	Victoria Hennessey	Fayetteville	Arkansas	72704	United States	12/1/2015
77	Samantha Barnes	Fayetteville	Arkansas	72704	United States	12/1/2015
78	Kathy Hubbard	Fayetteville	Arkansas	72704	United States	12/1/2015
79	Linda Fricke	Fayetteville	Arkansas	72701	United States	12/1/2015
80	Josh Garner	Fayetteville	Arkansas	72703	United States	12/1/2015
81	Kalyn Cavalier	Fayetteville	Arkansas	72704	United States	12/1/2015
82	Lora Horne	Fayetteville	Arkansas	72704	United States	12/1/2015
83	Rob Qualls	Fayetteville	Arkansas	72703	United States	12/1/2015
84	Anne Skinner	Fayetteville	Arkansas	72701	United States	12/1/2015
85	Tyler McCartney	Fayetteville	Arkansas	72704	United States	12/1/2015
86	Carlisle McCartney	Fayetteville	Arkansas	72704	United States	12/1/2015
87	Hayzen Guynn	Fayetteville	Arkansas	72704	United States	12/1/2015
88	Jennifer McGill	Fayetteville	Arkansas	72701	United States	12/1/2015
89	John Cardinal	Fayetteville	Arkansas	72704	United States	12/1/2015
90	Kayla Gussy	Fayetteville	Arkansas	72703	United States	12/1/2015
91	Georgia Lance	Elkins	Arkansas	72727	United States	12/1/2015

92	Huy Tran	Fayetteville	Arkansas	72704	United States	12/1/2015
93	Norman Delavega	Fayetteville	Arkansas	72704	United States	12/1/2015
94	Aneth Delavega	Fayetteville	Arkansas	72704	United States	12/1/2015
95	Kathleen Smoot	Fayetteville	Arkansas	72704	United States	12/1/2015
96	Korin Cardinal	Fayetteville	Arkansas	72704	United States	12/1/2015
97	Doug Chambers	Fayetteville	Arkansas	72704	United States	12/1/2015
98	Carly Grace	Fayetteville	Arkansas	72704-6960	United States	12/1/2015
99	Mark Fougerousse	Bethany	Oklahoma	73008	United States	12/1/2015
100	Suzanne Clark	Fayetteville	Arkansas	72701	United States	12/1/2015
101	Linda marquess	Fayetteville	Arkansas	72704	United States	12/1/2015
102	Kimberly Gasner	Fayetteville	Arkansas	72704	United States	12/1/2015
103	Deja Glover	Fayetteville	Arkansas	72704	United States	12/1/2015
104	Jamie Sparks	Fayetteville	Arkansas	72704	United States	12/1/2015
105	John Calhoun	Fayetteville	Arkansas	72704	United States	12/1/2015
106	Sarah Martin	Fayetteville	Arkansas	72704	United States	12/1/2015
107	Ryan Green	Fayetteville	Arkansas	72704	United States	12/1/2015
108	Jeremy Sparks	Fayetteville	Arkansas	72704	United States	12/1/2015
109	Leigh Stidham	Fayetteville	Arkansas	72704	United States	12/1/2015
110	Ryan Grace	Fayetteville	Arkansas	72703	United States	12/1/2015
111	Cassie Rader	Springdale	Arkansas	72762	United States	12/1/2015
112	Linda Estopy	Fayetteville	Arkansas	72703	United States	12/1/2015
113	Robert Gibson	Fayetteville	Arkansas	72704	United States	12/1/2015
114	Bethany Pautsch	Fayetteville	Arkansas	72704	United States	12/1/2015
115	Amy Webb	Fayetteville	Arkansas	72704	United States	12/1/2015
116	Keala Noel	Pāhoa	Hawaii	96778	United States	12/1/2015
117	Sandra Ware	Fayetteville	Arkansas	72704	United States	12/1/2015
118	Anthony Sinbandhit	Fort Smith	Arkansas	72904	United States	12/1/2015
119	Wade Story	Fayetteville	Arkansas	72703	United States	12/1/2015
120	Amanda Quinn	Fayetteville	Arkansas	72704	United States	12/1/2015
121	Matt Hall	Fayetteville	Arkansas	72704	United States	12/1/2015
122	Ginny Fuller	Siloam Springs	Arkansas	72761	United States	12/1/2015
123	Staci Ledford	Fayetteville	Arkansas	72703	United States	12/1/2015
124	Lynda Yoon	Fayetteville	Arkansas	72704	United States	12/1/2015
125	Staci Coston	Fayetteville	Arkansas	72704	United States	12/1/2015
126	Jennifer Haas	Fayetteville	Arkansas	72704	United States	12/1/2015
127	Ashley Nail	Fayetteville	Arkansas	72704	United States	12/1/2015
128	Sarah Green	Fayetteville	Arkansas	72704	United States	12/1/2015
129	Chantal Buslot	Hasselt	Texas	78756	United States	12/1/2015
130	Billie Hall	Fayetteville	Arkansas	72704	United States	12/1/2015
131	Julie Tran	Fayetteville	Arkansas	72704	United States	12/1/2015
132	Lay vilayvanh	Fayetteville	Arkansas	72704	United States	12/1/2015
133	Brittney Wheeler	Fayetteville	Arkansas	72704	United States	12/1/2015
134	Dawn Green	Fayetteville	Arkansas	72701	United States	12/1/2015
135	Billy Townsend	Fayetteville	Arkansas	72704	United States	12/1/2015
136	Vance Brock	Springdale	Arkansas	72764	United States	12/1/2015
137	Patricia Lucas	Fayetteville	Arkansas	72704	United States	12/1/2015
138	Michelle Peng	FAYETTEVILLE	Arkansas	72703	United States	12/1/2015

139	Hugh Starr	Fayetteville	Arkansas	72701	United States	12/1/2015
140	Darby Barton	Fayetteville	Arkansas	72703	United States	12/1/2015
141	Brittany Smith	Chicago	Illinois	60602	United States	12/1/2015
142	Brian Buckley	Fayetteville	Arkansas	72704	United States	12/1/2015
143	Matthew Wilson	Fayetteville	Arkansas	72701	United States	12/1/2015
144	Brandy Kinghorn	Fayetteville	Arkansas	72703	United States	12/1/2015
145	Laura Duke	Fayetteville	Arkansas	72704	United States	12/1/2015
146	Lynn Gardner	Fayetteville	Arkansas	72704	United States	12/1/2015
147	Christopher Shields	Fayetteville	Arkansas	72703	United States	12/1/2015
148	Susan Rausch	Fayetteville	Arkansas	72701-0497	United States	12/1/2015
149	Joan Philip	Fayetteville	Arkansas	72701	United States	12/1/2015
150	Leslie Smith	Fayetteville	Arkansas	72704	United States	12/1/2015
151	Patrick Smith	Fayetteville	Arkansas	72704	United States	12/1/2015
152	Jacqueline Presley	Fayetteville	Arkansas	72704	United States	12/1/2015
153	Laura Carver	Fayetteville	Arkansas	72704	United States	12/1/2015
154	mary may	Fayetteville	Arkansas	72703	United States	12/1/2015
155	Rahat Hussain	Fayetteville	Arkansas	72703	United States	12/1/2015
156	Kara Cullins	Fayetteville	Arkansas	72704	United States	12/1/2015
157	Thomas Sawyer	Fayetteville	Arkansas	72703	United States	12/1/2015
158	Grant Williams	Fayetteville	Arkansas	72701	United States	12/1/2015
159	Alex Graham	Little Rock	Arkansas	72205	United States	12/1/2015
160	Sara Sawyer	Fayetteville	Arkansas	72703	United States	12/1/2015
161	Angela Gardner	Fayetteville	Arkansas	72701	United States	12/1/2015
162	Seth Carter	Fayetteville	Arkansas	72704	United States	12/1/2015
163	Floyd Estopy	Fayetteville	Arkansas	72701	United States	12/1/2015
164	Mary Eikenberry	Fayetteville	Arkansas	72704	United States	12/1/2015
165	Pauline Parnell	Fayetteville	Arkansas	72704	United States	12/1/2015
166	John Longinotti	Fayetteville	Arkansas	72704	United States	12/1/2015
167	Paula Melody	Fayetteville	Arkansas	72701	United States	12/1/2015
168	scott young	Fayetteville	Arkansas	72704	United States	12/1/2015
169	Elizabeth Houston	Fayetteville	Arkansas	72704	United States	12/1/2015
170	Alvin Rosario	Fayetteville	Arkansas	72704	United States	12/1/2015
171	Valerie Green	Fayetteville	Arkansas	72704	United States	12/2/2015
172	Christy Dugger	Fayetteville	Arkansas	72704	United States	12/2/2015
173	Michael Wray	Fayetteville	Arkansas	72704	United States	12/2/2015
174	Tai Estopy	Fayetteville	Arkansas	72703	United States	12/2/2015
175	Hannah Dierks	Fayetteville	Arkansas	72704	United States	12/2/2015
176	David Clark	Fayetteville	Arkansas	72704	United States	12/2/2015
177	Thad Scott	Fayetteville	Arkansas	72704	United States	12/2/2015
178	Stephanie Scott	Fayetteville	Arkansas	72704	United States	12/2/2015
179	Amanda Craig	Fayetteville	Arkansas	72704	United States	12/2/2015
180	Steve Smith	Stillwater	Oklahoma	74074	United States	12/2/2015
181	Celeste Brazil	Fayetteville	Arkansas	72704	United States	12/2/2015
182	Mitzi Traxson	Fayetteville	Arkansas	72704	United States	12/2/2015
183	April Hudson	Fayetteville	Arkansas	72704	United States	12/2/2015
184	Rachel Eikenberry	Fayetteville	Arkansas	72704	United States	12/2/2015
185	Gena Bumgarner	Fayetteville	Arkansas	72704	United States	12/2/2015

186	suzy randall	fayetteville	Arkansas	72701	United States	12/2/2015
187	Jason Dustman	Fayetteville	Arkansas	72704	United States	12/2/2015
188	Lorrie Bayles	Springdale	Arkansas	72764	United States	12/2/2015
189	Monica Holland	Springdale	Arkansas	72762	United States	12/2/2015
190	Stacy Dustman	Fayetteville	Arkansas	72704	United States	12/2/2015
191	Karen Sinbandhit	Fort Smith	Arkansas	72904	United States	12/2/2015
192	Tamisha Fields	Fayetteville	Arkansas	72704	United States	12/2/2015
193	Charles Adkins	Fayetteville	Arkansas	72704	United States	12/2/2015
194	Nikki vulcano	Fayetteville	Arkansas	72704	United States	12/2/2015
195	Matt Bedwell	Fayetteville	Arkansas	72704	United States	12/2/2015
196	Ashley Jones	Fayetteville	Arkansas	72704	United States	12/2/2015
197	Jake Wheeler	Fayetteville	Arkansas	72704	United States	12/2/2015
198	Aaron Bell	Fayetteville	Arkansas	72704	United States	12/2/2015
199	Amanda Niccum	Fayetteville	Arkansas	72704	United States	12/2/2015
200	Kimberly Jarboe	Springdale	Arkansas	72764	United States	12/2/2015
201	Daniel Sherwood	Fayetteville	Arkansas	72701	United States	12/2/2015
202	Robert Kienzle	Fayetteville	Arkansas	72704	United States	12/2/2015
203	Nancy Burris	Fayetteville	Arkansas	72703	United States	12/2/2015
204	Jody Davis	Fayetteville	Arkansas	72701	United States	12/2/2015
205	Peggy LaMendola	West Fork	Arkansas	72774	United States	12/2/2015
206	Kim Fuhrman	Fayetteville	Arkansas	72704	United States	12/2/2015
207	Jeff Glover	Fayetteville	Arkansas	72704	United States	12/2/2015
208	Kevin Fitzpatrick	Fayetteville	Arkansas	72704	United States	12/2/2015
209	Heather Carter	Fayetteville	Arkansas	72704	United States	12/2/2015
210	Lisa Guthrie	Stillwater	Oklahoma	74074	United States	12/2/2015
211	Patricia Smith	Fayetteville	Arkansas	72704	United States	12/2/2015
212	Amanda Coussoule	Fayetteville	Arkansas	72704	United States	12/2/2015
213	Ali Guthrie	Fayetteville	Arkansas	72703	United States	12/2/2015
214	Larry Esch	Fayetteville	Arkansas	72704	United States	12/2/2015
215	Lauren Ainsley	Fayetteville	Arkansas	72705	United States	12/2/2015
216	Chong Thor	Summers	Arkansas	72769	United States	12/2/2015
217	Brandon Shumard	Springdale	Arkansas	72762	United States	12/2/2015
218	Tamara Dingleberry	Fayetteville	Arkansas	72703	United States	12/2/2015
219	John Berry	Fayetteville	Arkansas	72704	United States	12/2/2015
220	Kenneth Cox	Fayetteville	Arkansas	72704	United States	12/2/2015
221	Angie Watkins	Fayetteville	Arkansas	72704	United States	12/2/2015
222	Susan Robertson	Fayetteville	Arkansas	72704	United States	12/2/2015
223	Troy Mack	Fayetteville	Arkansas	72704	United States	12/2/2015
224	Gary Doss	Fayetteville	Arkansas	72704	United States	12/2/2015
225	Drew Henley	Fayetteville	Arkansas	72703	United States	12/2/2015
226	Sarah Smith	Fayetteville	Arkansas	72704	United States	12/2/2015
227	elizabeth phillips	Fayetteville	Arkansas	72703	United States	12/2/2015
228	Richard Hopkins	Oklahoma City	Oklahoma	73125	United States	12/2/2015
229	Mary Gocio	Fayetteville	Arkansas	72701	United States	12/3/2015
230	Chalice Suratt	Fayetteville	Arkansas	72704	United States	12/3/2015
231	Jimmy Litton	Fayetteville	Arkansas	72704	United States	12/3/2015
232	Travis Hawkins	Fayetteville	Arkansas	7404	United States	12/3/2015

233	cozart don	Fayetteville	Arkansas	72703	United States	12/3/2015
234	Jessica Brooks	Fayetteville	Arkansas	72704	United States	12/3/2015
235	Elsa Nail	Fayetteville	Arkansas	72704	United States	12/3/2015
236	suzannah garrison	Fayetteville	Arkansas	72701	United States	12/3/2015
237	Jennifer Rambo	Spokane	Washington	99037	United States	12/3/2015
238	Tamara Green	Fayetteville	Arkansas	72704	United States	12/3/2015
239	Catherine Thomas	Fayetteville	Arkansas	72701	United States	12/3/2015
240	Denise Garner	Fayetteville	Arkansas	72703	United States	12/4/2015
241	kellie rollins	Fayetteville	Arkansas	72703	United States	12/4/2015
242	Emily Ironside	Fayetteville	Arkansas	72704	United States	12/4/2015
243	Candy Clark	Fayetteville	Arkansas	72701	United States	12/4/2015
244	Shay Hopper	Fayetteville	Arkansas	72701	United States	12/4/2015
245	Sasha hagle	fayetteville	Arkansas	72704	United States	12/4/2015
246	JONATHAN UNWER	Fayetteville	Arkansas	72701	United States	12/4/2015
247	Benjamin Harrison	Fayetteville	Arkansas	72701	United States	12/4/2015
248	Holly Davidson	Fayetteville	Arkansas	72704	United States	12/4/2015
249	Janie Agee	Fayetteville	Arkansas	72703	United States	12/4/2015
250	Kyle Smith	Fayetteville	Arkansas	72704	United States	12/4/2015
251	Jon Tomandao	Fayetteville	Arkansas	72704	United States	12/4/2015
252	Lacy Lynch	Fayetteville	Arkansas	72704	United States	12/4/2015
253	Jim Beard	Fayetteville	Arkansas	72701	United States	12/4/2015
254	Kim Daniel	Fayetteville	Arkansas	72701	United States	12/4/2015
255	Julie Schultz	Fayetteville	Arkansas	72703	United States	12/4/2015
256	Kathi Cash	Fayetteville	Arkansas	72704	United States	12/4/2015
257	Beth Lowrey	Fayetteville	Arkansas	72704	United States	12/4/2015
258	Craig Honchell	McPherson	Kansas	67460	United States	12/4/2015
259	Mistie Oglesbee	Springdale	Arkansas	72762	United States	12/4/2015
260	Michael Oglesbee	Fayetteville	Arkansas	72704	United States	12/4/2015
261	Paula Shockley	Springdale	Arkansas	72762	United States	12/4/2015
262	Charlie Radcliffe	Fayetteville	Arkansas	72703	United States	12/4/2015
263	Wayne Oglesbee	Springdale	Arkansas	72762	United States	12/4/2015
264	David Lencho	Springdale	Arkansas	72764	United States	12/4/2015
265	Lydia Fields	Springdale	Arkansas	72762	United States	12/4/2015
266	Terry Parson	Fayetteville	Arkansas	72704	United States	12/4/2015
267	Deborah Weddle	Fayetteville	Arkansas	72704	United States	12/4/2015
268	Gustavo Gomez	Springdale	Arkansas	72764	United States	12/4/2015
269	Kim Peters	Fayetteville	Arkansas	72704	United States	12/4/2015
270	Jim Harvey	Fayetteville	Arkansas	72704	United States	12/4/2015
271	Jane Steinkraus	Fayetteville	Arkansas	72701	United States	12/4/2015
272	Jerry Bailey	Fayetteville	Arkansas	72701-6141	United States	12/5/2015
273	James Barron	Fayetteville	Arkansas	72704	United States	12/5/2015
274	Andrea Williams	Fayetteville	Arkansas	72704	United States	12/5/2015
275	Emma Lee Gordon	Fayetteville	Arkansas	72704	United States	12/5/2015
276	Charlene Bootsma	Fayetteville	Arkansas	72704	United States	12/5/2015
277	Lary Walker	Fayetteville	Arkansas	72701	United States	12/5/2015
278	Nick Davidson	Fayetteville	Arkansas	72704	United States	12/5/2015
279	Vivian Hill	Fayetteville	Arkansas	72703	United States	12/6/2015

280	Cindy Stokes	Brevard	North Carolina	28712	United States	12/6/2015
281	Brooke English	Fayetteville	Arkansas	72701	United States	12/6/2015
282	Luke Reardon	Fayetteville	Arkansas	72704	United States	12/6/2015
283	Elizabeth Reardon	Fayetteville	Arkansas	72704	United States	12/6/2015
284	Katie Austin	Springdale	Arkansas	72764	United States	12/7/2015
285	Jennifer Vaughn	Fayetteville	Arkansas	72703	United States	12/7/2015
286	Julie Rheay	Springdale	Arkansas	72762	United States	12/7/2015
287	Joe McClung	Fayetteville	Arkansas	72704	United States	12/7/2015
288	Julie Davis	Fayetteville	Arkansas	72704	United States	12/8/2015
289	Louise Mann	Fayetteville	Arkansas	72701	United States	12/8/2015
290	Amanda Bittinger	Fayetteville	Arkansas	72704	United States	12/8/2015
291	Jaye T Marshall	Fayetteville	Arkansas	72704	United States	12/8/2015
292	Leslie Oelsner	Fayetteville	Arkansas	72701	United States	12/8/2015
293	Alfred J. Iller	Fayetteville	Arkansas	72704	United States	12/8/2015
294	Marquette Bruce	Fayetteville	Arkansas	72701	United States	12/8/2015
295	Jeff Sandore	Fayetteville	Arkansas	72704	United States	12/9/2015
296	Nancy Wells	Fayetteville	Arkansas	72701	United States	12/9/2015
297	Deron Reese	Rogers	Arkansas	72758	United States	12/9/2015
298	BRAD JETT	Springdale	Arkansas	72762	United States	12/9/2015
299	Connie Leagon	Prairie Grove	Arkansas	72753	United States	12/9/2015
300	Marilyn Winberry	Springdale	Arkansas	72764	United States	12/9/2015
301	Karin Womack	Springdale	Arkansas	72762	United States	12/9/2015
302	HEATHER GWIN	Fayetteville	Arkansas	72704	United States	12/10/2015
303	John Bull	Fayetteville	Arkansas	72704	United States	12/10/2015
304	Ryan Dugger	Fayetteville	Arkansas	72704	United States	12/10/2015
305	Michelle Lacewell	Fayetteville	Arkansas	72704	United States	12/10/2015
306	Sara Chance	Fayetteville	Arkansas	72704	United States	12/10/2015
307	Lori Chalmers	Fayetteville	Arkansas	72704	United States	12/10/2015
308	Whitney Fitts	Fayetteville	Arkansas	72704	United States	12/10/2015
309	Joel Schleiff	Fayetteville	Arkansas	72703	United States	12/10/2015
310	Michelle Gray	Fayetteville	Arkansas	72704	United States	12/10/2015
311	Mike Harper	Fayetteville	Arkansas	72701	United States	12/10/2015
312	Rhonda Dillard	Fayetteville	Arkansas	72703	United States	12/10/2015
313	Jammie Fisher	Fayetteville	Arkansas	72704	United States	12/10/2015
314	Michelle Hale	Fayetteville	Arkansas	72703	United States	12/10/2015
315	Justin Parker	Fayetteville	Arkansas	72704	United States	12/10/2015
316	Abbie Stalnaker	Fayetteville	Arkansas	72704	United States	12/10/2015
317	Britten Stone	Fayetteville	Arkansas	72704	United States	12/10/2015
318	Shelby Holland	Fayetteville	Arkansas	72704	United States	12/10/2015
319	jacob craig	Fayetteville	Arkansas	72701	United States	12/10/2015
320	Shannon Price	Fayetteville	Arkansas	72703	United States	12/10/2015
321	Kimberly McCubbin	Fayetteville	Arkansas	72704	United States	12/11/2015
322	joel eikenberry	Fayetteville	Arkansas	72704	United States	12/11/2015
323	Joey Head	Fayetteville	Arkansas	72704	United States	12/11/2015
324	Beth Adams	Fayetteville	Arkansas	72704	United States	12/11/2015
325	Kelly Fougerousse	Fayetteville	Arkansas	72704	United States	12/11/2015
326	Rajiv Sabherwal	Fayetteville	Arkansas	72704	United States	12/11/2015

327	Christie Hancock	Springdale	Arkansas	72762	United States	12/11/2015
328	Deborah Payne	Fayetteville	Arkansas	72704	United States	12/11/2015
329	Brad Payne	Fayetteville	Arkansas	72701	United States	12/11/2015
330	David Rader	Fayetteville	Arkansas	72704	United States	12/11/2015
331	Vonita Carpenter	Fayetteville	Arkansas	72704	United States	12/11/2015
332	Sandra Kisor	Fayetteville	Arkansas	72704	United States	12/11/2015
333	Nora Lucey	Springdale	Arkansas	72762	United States	12/11/2015
334	Albert Campos	Fayetteville	Arkansas	72704	United States	12/11/2015
335	Derrick Gray	Fayetteville	Arkansas	72704	United States	12/11/2015
336	Catherine Dattilo	Hernando	Mississippi	38632	United States	12/12/2015
337	Rebecca Williams Lencho	Springdale	Arkansas	72764	United States	12/12/2015
338	Harlen Sams	Fayetteville	Arkansas	72703	United States	12/12/2015
339	Mike Nail	Fayetteville	Arkansas	72703	United States	12/12/2015
340	Susan Baldwin	Fayetteville	Arkansas	72704	United States	12/13/2015
341	Royce Robertson	Fayetteville	Arkansas	72704	United States	12/13/2015
342	Michael Johnson	Fayetteville	Arkansas	72701	United States	12/13/2015
343	Agnieszka Mack	Fayetteville	Arkansas	72701	United States	12/13/2015
344	Linda Clark	Fayetteville	Arkansas	72704	United States	12/14/2015

change.org

Fayetteville citizens against rezoning Razorback Golf Course

Recipient: William Chesser, Ryan Noble, Tom Brown, Ron Autry, Tracy Hoskins, Kyle Cook, Matthew Hoffman, Janet Selby, Andrew Garner, and Sarah Bunch

Letter: Greetings,

I recently signed the petition to deny the rezoning request for Razorback Golf Course. Thank you for taking my concerns about the rezoning request in consideration.

Comments

Name	Location	Date	Comment
Greg Smith	Fayetteville, AR	2015-11-30	This area does not have the infrastructure to support the apartment complex.
Elizabeth Emmanuel	Fayetteville, AR	2015-11-30	I'm signing because I live adjacent to Razorback Golf Course on Deane Soloman Road.
Tim Taylor	Fayetteville, AR	2015-11-30	I live right off the Razorback golf course and our area and roads can't handle the influx of people
Sarah Winders	Rogers, AR	2015-11-30	I think putting more apartments in that area is a horrible idea and will bring the value of the homes already built there down a considerable amount.
Sharon guthrie	fayetteville, AR	2015-11-30	Infrastructure will not support 2500 plus more people in this area . Flooding is also a big concern!
Kyle Joyce	Fayetteville, AR	2015-11-30	I am opposed to the rezoning request.
Brenda Hoyt	Fayetteville, AR	2015-11-30	No one in the Salem community wants apartments in our area. It increases traffic much more than housing would. It will increase crime as well and our property value will decrease. Please do not consider this and vote against any apartment complexes being built...no matter where they position them on the property.
Adam Stevinson	Fayetteville, AR	2015-11-30	I believe this will adversely affect property values in this area.
Zachary Hulett	Fayetteville, AR	2015-11-30	Environmental issues (flooding and damage to endangered species nearby) and logistical issues (traffic and already overfull schools in this zone), and
Kathleen Reese	Fayetteville, AR	2015-11-30	This is just wrong. Flooding. Overcrowding at the school. Too much traffic for the infrastructure. Why? Because Lindsey wants it and no one cares about the families who purchased homes around here. Who cares about them?
Melinda Mock	Fayetteville, AR	2015-11-30	there are too many nice homes right there to have that rental property destroy good neighborhoods.
Lori Collier	Fayetteville, AR	2015-11-30	The negative impact this will have on the infrastructure, lack of adequate roads and parks on this side of town already are of great concern. The streets that this will border are already extremely busy and in no way can handle an additional 2500 residents. This rezoning is not a good fit for this area of Fayetteville.
Lori Bremer	Fayetteville, AR	2015-11-30	We must start doing infrastructure planning to coincide with development.
Kathleen Stocker	Fayetteville, AR	2015-11-30	The infrastructure is not in place to handle the additional traffic which will be caused by the development of this area.
Terrell Bowen	Fayetteville, AR	2015-11-30	I'm worried about flood control, traffic congestion and decreased property values for existing home owners.
Mark Baber	Fayetteville, AR	2015-12-01	The density issues and potential flooding hazards need to be ntelligently addressed.
Lori Mertensmeyer	Fayetteville, AR	2015-12-01	Lack of infrastructure to support this type of development. Roads, flooding, etc.
Casey Pianalto	Fayetteville, AR	2015-12-01	I own property that will be affected
Don Lee	Siloam Springs, AR	2015-12-01	Because my daughter lives in that area
Melinda Smith	Fayetteville, AR	2015-12-01	I live near by
Jim Van Horn	Fayetteville, AR	2015-12-01	Opposed to losing this open to multi-family

Name	Location	Date	Comment
Harold Hubbard	Fayetteville, AR	2015-12-01	I do not believe we have infrasture to support this kind of development, nor has a thorough environmental study been completed. Everything from roads, drainage, schools, other utility services. Also this growth in this are was not depicted on Fayetteville's growth plan. We want (if required) to have comparable (our size or larger) housing which keeps home values in check. Density should be the same or smaller as existing.
Jim Erwin	Fayetteville, AR	2015-12-01	This basically the same design as in the density as before. It us very muss leading that they dont put on the actually house per vone.
John Cardinal	Fayetteville, AR	2015-12-01	The local roads, especially both ends of Deane Soloman Rd, won't be able to handle the increase in traffic.
Mark Fougrousse	Bethany, OK	2015-12-01	I do not want this development going in beside my neighborhood. We built oue dreamhome here 4 years ago. Moving from Springdale, and with this, now beginning to wish had never move here, especially if this plan passes.
Linda marquess	Fayetteville, AR	2015-12-01	We are building our home on Topaz and I am concerned about all the water that stands on the land. The impact this zoining would do to the home owner. Dean Solomon road can not handle this much traffic.
Kimberly Gasner	Fayetteville, AR	2015-12-01	We built across the street two years ago this month. I can not believe they want to change the area from an R1/R4 to apartments! Neither the schools nor the roads can accommodate so many apartments and row homes. We were told the plans, to rezone for appartments, were no longer on the table - WRONG!
Deja Glover	Fayetteville, AR	2015-12-01	Traffic, over developing of Fayetteville, overburdening of schools in area, flooding in the area. Leave it be!
John Calhoun	Fayetteville, AR	2015-12-01	Please oppose the Rezoning request for the Razorback Golf Course property on December 14th for the following reasons: · Adding housing will cause massive traffic/safety issues at the Deane Solomon and HWY 112 Intersection. - o This intersection is already crowded and dangers due to the sharp turn just a few feet away near Howard Nickell Rd. - o This would also further create problems and delays for travelers on Howard Nickell Rd. · This does not stick with the current growth plan for the city of Fayetteville to create more park & open space on the future land use maps · More apartments or multi-family housing will hurt property owners home values in the area. · No additional funding has been offered by the developer to account for the traffic issues this will cause

Name	Location	Date	Comment
Jeremy Sparks	Fayetteville, AR	2015-12-01	I'm a concerned resident of this area and understand first hand that the infrastructure required to support the additional homes/units is not in place. This will have a negative impact.
Robert Gibson	Fayetteville, AR	2015-12-01	Lindsey doesn't need another "biggest, best" apt complex when the links on Wedington still has enough room for the biggest and best. Many people have spent a lot of their hard earned money building nice homes in that area, to not live by an apt complex. I am not against progress, but I am against building multi-family units in an area that doesn't have them or need them.
Amy Webb	Fayetteville, AR	2015-12-01	The infrastructure is not set up for the increased traffic. The area already floods and the development will increase flooding. Holcomb school is already full and children will have to be bused to other districts. Bad idea. Lindsey developments always eventually increase crime. Lindsey just sucks in general. Do we really want more of Jim's projects in Fayetteville? I think maybe he has enough money. Lindsey is a terrible company that cares nothing about its residents or the community as a whole. This doesn't need to happen.
Anthony Sinbandhit	FORT SMITH, AR	2015-12-01	Lindsey Properties in this area will become a dump in 10-15 years and all those people that spent several hundreds of thousands of dollars to live in a single unit family development will be subjected to living in what will be eventually a run down neighborhood that will look like the greens at lakeside because they only care to build 2 styles of apartments of which the traditional one is more profitable so they'll stick with that one. Once the 15 years past, it will be a mainstay for HUD housing which there is nothing wrong with helping others, but it's a scheme they run so they don't have to maintain the property as well and then find their next bigger and "better" development. Tax Writeoffs? They have no creativity. They don't care about their tenants - I was one and my apt leaked for an entire month before they fixed it at vantage apartments which by the way are about 5 years old. Top it off they found a way to take all my deposit because us little voices don't have time or money to fight his legion of lawyers. This is my chance to voice against them and their poor and corrupted scheme/development/crime ring.
Amanda Quinn	Springdale, AR	2015-12-01	I live in the area of this proposed development and do not want to see it adversely impacted. I also have a child at Holcomb Elementary and it is already overflowing to other schools. It couldn't possibly handle a development like that.
Barrie Fuller	Siloam Springs, AR	2015-12-01	my parents live right by this course and the land her is very wet also this is a beautiful neighborhood that does not need a busy road going through it
Vance Brock	Springdale, AR	2015-12-01	Traffic Traffic Traffic
Patricia Lucas	Fayetteville, AR	2015-12-01	It will negatively impact my neighborhood.
Matthew Wilson	Fayetteville, AR	2015-12-01	I just hate golf courses.
Brandy Kinghorn	Fayetteville, AR	2015-12-01	I'm definitely sad to see the golf course go, but I do not want to see another dilapidated Lindsey apartment in like 5 years. The amount of traffic that would create would be a nightmare in that location. Dang, I hope this doesn't happen.
mary may	Fayetteville, AR	2015-12-01	I'm looking at a home in the area, but having second thoughts.
John Longinotti	Fayetteville, AR	2015-12-01	I agree that the area is not yet ready for additional residents. There need to be more ways to access this area before adding, or it will clog mount comfort road. Connect wedington and mount comfort somewhere nearer to I49. Can the green space not be maintained somehow.

Name	Location	Date	Comment
Alvin Rosario	Fayetteville, AR	2015-12-01	We choice this place coz we love the natural environment , quite and peaceful. If this plan will push through we are very worried that we will much affected with traffic, possible of flood coz we are in low area and our safety specially our children.
Michael Wray	Fayetteville, AR	2015-12-02	This will ruin the neighborhood!!!
Amanda Craig	Fayetteville, AR	2015-12-02	Because I live on Dean Solomon road and vehemently oppose this development as currently laid out. There is no infrastructure and school capacity to support the influx of residents of this magnitude. There are also major flooding concerns that have yet to be addressed. Furthermore, this amounts to destruction and waste of a beautiful piece of green space they makes our city wonderful.
Steve Smith	Stillwater, OK	2015-12-02	Single family homes would be the best fit for this area. I do not support an apartment complex on this property.
Jason Dustman	Fayetteville, AR	2015-12-02	As former tenant of Lindsey Apartments and now home owner on Deane Solomon I do not support a new apartment complex going in. I moved to this area of Fayetteville for the beautiful green space in the area. I love seeing the wild life in the area and know an increase of population will ruin this. If the area is to be developed it should be done with larger lots and much of the creek area left as green space.
Charles Adkins	Fayetteville, AR	2015-12-02	Opposed to the development of the Razorback Golf Course into apartments, single, or multi unit housing. In addition to the reasons stated in the petition, Holcomb Elementary School will not be able to absorb the additional students as there is no room for further expansion. Additionally, traffic conditions in Crystal Springs are already unsafe during Holcomb Drop Off and Pick Up times, especially on Salem Road and Crystal Drive. Any increase in traffic will make current conditions extremely dangerous.
Aaron bell	Fayetteville, AR	2015-12-02	I live in this area and oppose this matter.
Nancy Burris	Fayetteville, AR	2015-12-02	My word I am signing.....we have got to stop jamming in so many homes. It has happened to me.....a very helpless feeling. I am trying so hard to accept what has happened in my neighborhood.....working on it. Whew, I get so frustrated, I dont' want this to happen to anyone else
Jeff Glover	Fayetteville, AR	2015-12-02	Open green space in Fayetteville is becoming a scarcity. Our growth needs to be balanced with preserving our unique landscape for now and the future. West Fayetteville is not prepared for this type of development.
Chong Thor	Summers, AR	2015-12-02	Will increase traffic in the area where there are a lot of elementary aged students.
John Berry	Fayetteville, AR	2015-12-02	The infrastructure this development would require is not in place and there are no plans to build it. It simply does not make sense to agree to this at this time.
Kenneth Cox	Fayetteville, AR	2015-12-02	I would like to maintain a greenbelt space within the Fayetteville city limits.
Lindsay Smith	Fayetteville, AR	2015-12-02	A project of this scale would increase traffic and flooding in the area, while decreasing preserved wildlife habitats, a large portion of Fayetteville's only remaining green space, and property values. Let us be reminded that when concerned residents asked a Lindsey representative why we should support this proposal he said "I am not sure why you would".
			#thenaturalstate #keepfayettevillefunky
Richard Hopkins	Oklahoma City, OK	2015-12-02	I feel the proposed building on the Razorback golf course will adversely affect my property value. The Golf course is also partially flood plain which I would like to see saved.

Name	Location	Date	Comment
cozart don	Fayetteville, AR	2015-12-03	without extensive work on north end of property it will increase an already bad problem of flooding the developer has already stated they are not concerned about north portion, only apartments on the south portion the south part is uphill to the north part and no amount of retention ponds will help if the drainage on north part is not addressed.
Tamara Green	Fayetteville, AR	2015-12-03	We do not need YET another Lindsey Apt complex!!!!
Denise Garner	Fayetteville, AR	2015-12-04	We need to meet infrastructure needs before new apartments.
Emily Ironside	Fayetteville, AR	2015-12-04	I enjoy the beautiful green space near our home and am concerned about increased traffic on N. Raven and Deane Solomon as well as the overcrowding of area schools. Better infrastructure is needed before dense residential growth.
Janie Agee	Fayetteville, AR	2015-12-04	We need the wetlands.
Kyle Smith	Fayetteville, AR	2015-12-04	Complete Density vs. Travel Island Leapfrogging high density development over undeveloped land is cheap, but far from does not amount to a meaningful increase in density. Concentrating dense pockets of residents far from the city core only encourages more cross-town traffic. This area is surrounded by neighborhoods and sensitive wetlands. It lacks infrastructure for the traffic it will generate, and it's impact on the neighborhood elementary enrollment should be considered. Commercial opportunities in the immediate area are limited to car dealerships, mini-storage units, Sam's Club, and a horse veterinarian. There isn't even a gas station nearby (yet). There is literally nothing but houses within walking distance, and it is currently beyond the reach of any public transit options. This sort of development should be reconsidered for a more appropriately positioned property with ready access to the amenities necessary for the residents it will attract. Should it be approved here, it should only be on the strong condition that developers implement LID efforts to minimize environmental impact to Clabber Creek, invest in significant neighborhood infrastructure connectivity improvements in accordance with the city's master street plan, and commit a substantial portion of the property to parks which are sorely lacking on the west side of town. Otherwise, it is clearly incompatible with the surrounding neighborhood.
Lacy Lynch	Fayetteville, AR	2015-12-04	I live in this area and feel this construction will be a disaster for a lot of reasons.
John Doe	McPherson, KS	2015-12-04	We are putting a huge project on a road that was not build to handle this amount of traffic. Fayetteville FINALLY has a reasonable interchange at the intersection of Mt. Comfort & Shiloh Dr. The additional road traffic from this proposed development, being brought through this intersection, would compound the congestion already being encountered along Mt. Comfort heading south. Let's be honest here, the majority of anyone living in this development will be driving south toward the university. The only way that a project this size could/would be reasonable would be to require a PZD which would require the developer to work on a cost share to make road improvements that would keep pace with the development. Just when residents on the west side thought that traffic was finally navigational, along comes another massive development to set our roads back another 20 years. We can't even get safe passage onto Ruppel Rd. and that road was improvement was talked about, and paid for I think, over ten years ago.

Name	Location	Date	Comment
Mistie Oglesbee	Springdale, AR	2015-12-04	Everything listed within this article is completely legit reasoning and my house supports that the resigning is not in the best interest of the home owners already in the area. We have been in our home for 10 years and love the small community it's been for us. We specifically selected this area for its out if main traffic and high population and traffic!
Michael Oglesbee	Fayetteville, AR	2015-12-04	Building apartments in this area is not a good idea. Nearby schools and roads can't accommodate the extra traffic.
Wayne Oglesbee	Springdale, AR	2015-12-04	I like golf & it would add extra traffic.
Lydia Fields	Fayetteville, AR	2015-12-04	I live in this area and when school is letting out it is already hard to get to and from my home. Apartments will increase this problem, and impact the reselling price of my home
James Barron	Fayetteville, AR	2015-12-05	The lack of and cost of infrastructure has not been adequately considered and is not fair to be paid for by the citizens of the city, especially when it will result in a loss of property values and quality of life for the neighborhood.
Vivian Hill	Fayetteville, AR	2015-12-06	I want us to invest in repairing our current infrastructure and I don't want us to become an apartment community like places in Texas. I do not believe there is a genuine need for more multi family housing.
Cindy Stokes	Denver, NC	2015-12-06	I care about over populating and taking over green space with high density housing.
Joe McClung	Fayetteville, AR	2015-12-07	I'm currently purchasing a home in the neighborhood and am greatly opposed to this development.
Alfred J. Iller COL USA (Ret)	Fayetteville, AR	2015-12-08	I totally agree with what is stated and a zoning of RSF-4 would be more compatible with surrounding area single family home developments which enhance the community.
Marquette Bruce	Fayetteville, AR	2015-12-08	I want us to save all the green areas we can!!!!
John Bull	Fayetteville, AR	2015-12-10	The density of this project will have a horrible impact on the quality of life of the neighboring communities and nature.
Michelle Lacewell	Fayetteville, AR	2015-12-10	The area cannot support the traffic. It floods any time it rains, and it is also part of a nature preserve.
Whitney Key	Fayetteville, AR	2015-12-10	This will diminish the property values of the homes near this. It's an attractive part of town currently and this would change that.
Joel Schleiff	Fayetteville, AR	2015-12-10	The development type does not suit the development site.
Jammie Fisher	Fayetteville, AR	2015-12-10	I am a current resident in this area and a lifelong resident of Fayetteville. Also I totally agree with the issues and concerns of this petition! !!
Kelly Fougerousse	Fayetteville, AR	2015-12-11	I want to keep Fayetteville beautiful. I don't want to turn this area into ugly Springdale - like most of Springdale. This area cannot support any more traffic flow. We need a beautiful conservation trail through this area so we can enjoy the full beauty. Due to the flooding in this area with rain, it would only cause potential lawsuits to the city for allowing housing to go on here. This would be problematic to the city in the future
Nora Lucey	Springdale, AR	2015-12-11	Too much traffic, Fayetteville Arkansas is no longer the natural state, traffic here is a nightmare any time of the day.
Derrick Gray	Fayetteville, AR	2015-12-11	My home will greatly affected. Property value, traffic, over crowded and shools for my children
Catherine Dattilo	Hernando, MS	2015-12-12	I do not approve of the development for this area
Rebecca Williams Lencho	Springdale, AR	2015-12-12	Traffic congestion...needs to be single family housing or better yet a park!

Name	Location	Date	Comment
Harlen Sams	Fayetteville, AR	2015-12-12	I am against having apartments next to my property
Royce Robertson	Fayetteville, AR	2015-12-13	The area needs to be preserved for a future park
Agnieszka Mack	Fayetteville, AR	2015-12-13	I'm concerned about the environmental and infrastructural impact this project will have on one of the last open spaces in our beautiful town. Take your project elsewhere, Lindsey!
Linda Clark	Fayetteville, AR	2015-12-14	I own property near this golf course and am appalled by the narrow road and the creek area being deteriorated by Apartments and more housing.



Recipient: Adella Gray, Sarah Marsh, Mark Kinion, Matthew Petty, Justin Tennant, Martin W. Schoppmeyer Jr., Alan Long, John La Tour, Lioneld Jordan, Don Marr, Tom Brown, Ron Autry, Tracy Hoskins, Sarah Bunch, William Chesser, Ryan Noble, Kyle Cook, Matthew Hoffman, and Janet Selby

Letter: Greetings,

As a Fayetteville resident, I am asking you to vote to stop Lindsey's development of Razorback Golf Course with multi-family units.

This development has many negative impacts to the community. Some include: negative impact to current resident's property value, overcrowding, infrastructure issues with roads, infrastructure issues with schools, environmental impact on the Clabber Creek area and Wilson Springs Preserve, and a significant risk of increased flash flooding that will damage adjacent property.

I respectfully ask you to maintain the current zoning and vote against anything that supports Lindsey's ability to build multi-family and high density units on this property.

Comments

Name	Location	Date	Comment
Lindsay Smith	Fayetteville, AR	2015-06-18	I'm signing to voice my opposition in order to save a Fayetteville landmark and preserve the large protected wildlife species that exist there. This project goes against the sustainable nature of the Fayetteville that I know and love. #keepfayettevillefunky not a #concretejungle
Carly Grace	Fayetteville, AR	2015-06-18	Population density, traffic flow, drainage, conservation; This are is all residential single family homes. We want it to stay that way. The current zoning fits the 2030 plan. VOTE NO to re-zone!
Bob hinton	Fayetteville, AR	2015-06-18	I live just north of the golf course
Kathleen Reese	Fayetteville, AR	2015-06-18	I am signing because these development will significantly impact traffic on Hwy 112 (I live in Belclaire off Hwy 112) and traffic is already too heavy for the small, curving road with no shoulders. The entire area will be adversely affected by this development.
Odie & Kym Williams	Fayetteville, AR	2015-06-18	We are opposed to the proposed development by Lindsey on the Razorback Golf Course.
Amy Bradley	Fayetteville, AR	2015-06-18	I'm signing because I frequently use Mt. Comfort to stay away from the already too crowded Wedington Dr. If this project is approved, Mt. Comfort will be worse than Wedington and traffic in West Fayetteville will be ridiculous.
Brandon colley	Fayetteville, AR	2015-06-18	no more Lindsey apartments. They are an eye sore for Fayetteville.
G Mills	Rogers, AR	2015-06-18	I bought my home on a golf course. I do not believe this area can properly handle all the people and the traffic it would bring in
Sarah Harrell	Fayetteville, AR	2015-06-18	I'm signing because a multi-family development in this area would severely decrease the quality of living currently established in the surrounding neighborhoods.
Harold Hubbard	Fayetteville, AR	2015-06-18	I am opposed to the plan being proposed for several reasons.
Kari Larson	Wichita, KS	2015-06-18	I live in Belclaire Estates and don't feel this will benefit my property value and the increase in traffic will be a detriment to this 112 road.
Kathy Foster	Fayetteville, AR	2015-06-18	Very against this TYPE of development.
Barbara Hinton	Fayetteville, AR	2015-06-18	I'm signing this petition because I have family members and friends who have invested in homes in that area. They will be negatively impacted if the developmént is allow to continue as it now is designed.
Tim Stidham	Fayetteville, AR	2015-06-18	multi unit in this area will devalue the property of people who have decided to make the Deane Solomon area home.
Troy Mack	Fayetteville, AR	2015-06-18	I am signing this because I am building a home down the street and I am very worried about property devaluation, infrastructure issues, and environment issues. This is a horrible idea and needs to be stopped.
Ben Matthews	Fayetteville, AR	2015-06-18	This will increase the impermeable surface area of the city and cause an increase in excess water runoff/erosion when the storms come. Also, we need to keep at least some areas undeveloped and natural.
Sasha hagle	fayetteville, AR	2015-06-18	This a grave concern for this area.
Jenny Sachs	Springdale, AR	2015-06-18	Before any additional developments, especially those including multi family housing/apartments begin I believe we need to address educational and infrastructure issues to ensure we keep Fayetteville a great place to live and raise our families.

Name	Location	Date	Comment
Lindsey Curry	Fayetteville, AR	2015-06-18	I'm signing this because I feel as if it greatly effects my children. First of all, Holcomb Elementary is already full and I think putting apartment complexes would make it to where permanent residents of the area could lose their "spot" to people that live in this school district temporarily. Also, we moved to this area because it is away from the college students population. The fact that rentals would be so close by would make property values decrease. Also, the roads cannot handle the amount of traffic already. Bringing more people in would make it that much worse, especially since Lindsey Co has already mentioned that they would only widen the road in that one particular area or put in turning lanes. This could potentially make Deane Solomon a dangerous street, which is a huge concern for me and my family. I just really wish they would reconsider and go somewhere that could handle the traffic, school overflow, etc.
Edward Jackson	Fayetteville, AR	2015-06-18	i agree with the above points
Renee Gadberry	Priair Grove, AR	2015-06-18	This is the only open golf course without having to be a member. And I have friends that live near this
Tammy Martin	Fayetteville, AR	2015-06-18	I agree with the infrastructure aspect, also, it is definitely more compatible with single family homes
Kevin Davison	Fayetteville, AR	2015-06-18	this type of development is the worst thing for that particular area. DS road's junction with Hwy 112 is already a death trap waiting to happen. This kind of traffic load added to that situation would be asking for lots of issues that aren't pleasant.
Ashley Hale	Fayetteville, AR	2015-06-18	I am signing this petition because of my concerns over what this housing project will do to the property values of the current residents, the lack of infrastructure for this type of housing and the severe impact this WOULD have on the environment.
Laura Merts	Fayetteville, AR	2015-06-18	lindsey is taking over Fayetteville and driving down home values.
Joe Emmanuel	Fayetteville, AR	2015-06-18	There are too many issues for this development to be successful and would be detrimental to existing residents in the area on many levels (traffic, safety, schools, environmental, etc....)
Elizabeth Emmanuel	Fayetteville, AR	2015-06-18	I live at the corner of Crane Court and Deane Solomon. Though I always knew development of the golf course was a possibility, I never imagined we'd be fighting against 600+ apartments and rental row houses Lindsey intends to market to college students. Other than the fact my family and our "forever home" would be adjacent from rental row houses (as shown in Lindsey's current plan), there is not proper infrastructure in place in our neighborhood to handle the traffic, increased school enrollment, and water runoff which will worsen our already often flooded neighborhood.
Lona Robertson	Fayetteville, AR	2015-06-18	I am concerned about the ability of the schools, roads and other utilities to support the addition of the number of people who would live in the multi-family units.
Lynda Bembenek	Fayetteville, AR	2015-06-18	Compatibility with surrounding neighborhoods
Dorothy Mangold	Fayetteville, AR	2015-06-18	For all the reasons stated in the Petition.
Sara chance	Fayetteville, AR	2015-06-18	Our neighborhood school is very important to us (Holcomb). We love it. But it's already full and I don't want the problem of overflow any more than we already have.

Name	Location	Date	Comment
Jin Ma	Fayetteville, AR	2015-06-18	As a resident of Creek Meadow subdivision, right next to the Razorback golf course, I oppose the Lindsey Razorback Apartments development for the following reasons: 1. Property Devaluation 2. Infrastructure Issues related to the addition of 2,000 - 3,000 additional residents in this ~1 square mile area. 3. Environmental Impact 4. This project contradicts the City's 2030 Plan.
Sarah White	Fayetteville, AR	2015-06-18	I live in an adjacent neighborhood and think this plan is a very bad idea!!
Lauren Anderson	Fayetteville, AR	2015-06-18	I am building a home in Creek Meadow and this is the last thing West Fayetteville needs. Is another Lindsey complex the best thing for our overgrown town that is already in need of infrastructure?
Elizabeth gibbons	Fayetteville, AR	2015-06-18	I am against this development
Mindy Kazery	Fayetteville, AR	2015-06-18	I do not want these apartments built near my neighborhood.
Dan england	Fayetteville, AR	2015-06-18	fayetteville needs less development
Tim Taylor	Fayetteville, AR	2015-06-18	I own a house right off the golf course in Crystal Springs and I don't want to see this because of more traffic in my area and decrease the value of my home
Christie Hancock	Fayetteville, AR	2015-06-18	I am a land owner near the proposed apartments.
Jillian Weinreber	Fayetteville, AR	2015-06-18	I use the 112 exit daily for my commute to/from Rogers for work. When traffic is backed up too far on I49, I reroute and take 112 all the way to Rogers. There is no way I want to compete with this type of traffic for an already stressful commute.
Steven Fortner	Fayetteville, AR	2015-06-18	This will cause entirely too much traffic to this area. I am all for building and progress, but just don't think this is a great location for this type of development. I would rather see much more row homes and less apartments.
Shaheen Ghahremanpour	Fayetteville, AR	2015-06-18	I have a home in that area and I am worried the new development will have negative repercussions.
molly hogue	Dallas, TX	2015-06-18	for Jennifer!
Leslie Lancaster-Smith	Fayetteville, AR	2015-06-18	We do not have the infrastructure (roads, schools, etc) to support his development.
Ryan Green	Fayetteville, AR	2015-06-18	Opposed to this development
Barrett Baber	Fayetteville, AR	2015-06-18	The most important comment I feel I need to voice is that I/We the people who own property and live in and around this golf course are not against development. We are against this particular plan. I have long believed that the Razorback Golf Course was space that is not being utilized to its fullest potential. The space offers TONS of options that could benefit both the community and a developer like Lindsey management. I will fully support development of this land if it's done responsibly. It is my belief that this current proposal is not responsible for the many reasons listed in this petition. Please listen to the people who this directly effects. I own a house that backs up to the golf course. This development will financially ruin many citizens as property values will surely decline. I am certain that with proper planning EVERYONE can benefit including Lindsey Management, The City of Fayetteville and the people who live around the property now. Lets take a second and figure out a way for all of us to win. That's all we're asking for. Diligence. Please be an advocate for diligence
Mark Baber	Fayetteville, AR	2015-06-18	I care about the environment of the neighborhood and I care for the wildlife who don't get to sign petitions.

Name	Location	Date	Comment
Sandra Ware	Fayetteville, AR	2015-06-18	I believe in all the items detailed in the petition.
Amy Webb	Fayetteville, AR	2015-06-18	This housing development will effect the quality of my neighborhood, my property values and the my son's ability to remain at the same school.
Collin Allen	Fayetteville, AR	2015-06-18	This development is a bad idea in the current location.
Barbara Still	Fayetteville, AR	2015-06-18	I do not want the traffic and overcrowding nor do I want my property devalued because of the transient nature of Lindsey's traditional renters.
Michelle Burnett	Fayetteville, AR	2015-06-18	I agree with the roads, schools, and flooding concerns sited in the perition.
Staci Ledford	Fayetteville, AR	2015-06-18	Roads. Traffic. Schools. Property devaluation.
Sheri acuff	Fayetteville, AR	2015-06-18	I don't want Lindsey to build any apartments on this property!
Chris Nichols	Fayetteville, AR	2015-06-18	I oppose the development plans
Valerie Green	Fayetteville, AR	2015-06-18	I don't want this Lindsey development to take over our sweet West side neighborhoods!
Ryan Dugger	Fayetteville, AR	2015-06-18	there are too many multi-family and apartment complexes on the west side already and not enough infrastructure to support what already exists.
Leigh Ann Sandlin	Fayetteville, AR	2015-06-18	this would be terrible for the local residents.
John Berry	Fayetteville, AR	2015-06-18	thr proposed project will drive down my property value. I purchased my home due to the zoning around it and I see no reason for it to change.
Allison Dolan	Tampa, FL	2015-06-18	This will hurt the schools at capacity and our property values
Angela Dunkum	Fayetteville, AR	2015-06-18	I drive this road to work everyday, it is a country road and barely able to handle the traffic it gets already. This is not an area for apartments and extra people.
Lynn Waldren	Fayetteville, AR	2015-06-18	I live in the planning zone of the city off Mt. Comfort. I have no city representation but am heavily impacted by what this development will do. Another cookie cutter Lindsey development is not compatible with this area.
Tj Scarlett	Fayetteville, AR	2015-06-18	Will drive property values down
Carole Masterson	Fayetteville, AR	2015-06-18	Impact on environment and quality of neighborhood
Sharon Guthrie	fayetteville, AR	2015-06-18	Many many reasons
Jake Fout	Fayetteville, AR	2015-06-18	I'm sick of Lindsey and their trashy apartments.
Casey Pianalto	Fayetteville, AR	2015-06-18	i own a duplex on Jeremiah street and the view now is the 18th fair way and my rents enjoy that. I don't want an apartment building behind them.
Tanya Stewart	Fayetteville, AR	2015-06-18	i live in the area and dont want the value of my home minimized
Lisa Spears	Fayetteville, AR	2015-06-18	An apartment complex is a terrible idea for this area.
Pablo Reznicek Hammond	Fayetteville, AR	2015-06-18	I am part of the affected community.
Lacy Lynch	Fayetteville, AR	2015-06-18	I do not want this construction to happen.
Jenny Rainey	Fayetteville, AR	2015-06-18	Need better infrastructure first
Clenton Cash	Fayetteville, AR	2015-06-18	I am a concerned, responsible, voting citizen and stand for what's best for our wonderful city and community.
Gina Broyles	Fayetteville, AR	2015-06-18	I am a teacher at Holcomb Elementary and am well aware of the problem of overcrowding in our school. I have had to send many "overflow" students across the district to attend schools where they have room. The addition of a multi-family development of this size would greatly exacerbate this overcrowding problem. I am also building a house in Creek Meadow while trying to sell our current home in Salem Village and am greatly concerned about what this development will do to our property values.

Name	Location	Date	Comment
Shannon lee	Fayetteville, AR	2015-06-18	I am signing because I live across from the golf course and in so many ways it just wrong to bulid apts and rental home in the nice neighborhood thru dean soloman and surrounding areas!
Jamie Sparks	Fayetteville, AR	2015-06-18	Because this is going to create a huge mess with schools, traffic, safety for our childern.
Matt Jones	Fayetteville, AR	2015-06-18	I am concerned about the lack of infrastructure in our area. I also believe a development like this will devalue the property and resale market in our neighborhood.
Eleanor Hill	Fayetteville, AR	2015-06-18	I'm concerned about the environment, infrastructure impact, and property values of surrounding residential areas.
Clarice Whitmore	Fayetteville, AR	2015-06-18	All the reasons stated above.
Dale Cullins	Fayetteville, AR	2015-06-18	I don't feel this development as proposed is good for the community. Too many single family homes and the watershed would be adversely affected by this large of a development.
Bryan Striegler	Fayetteville, AR	2015-06-18	I don't believe this development is good for the city, the area, or the current residents.
Brittany Acuff	Fayetteville, AR	2015-06-18	I'm signing because my family is moving to a house right off Mount Comfort this month and this proposed development concerns me for the reasons listed in this petition.
Rustin Treat	Fayetteville, AR	2015-06-18	very concerned about this proposed high density development and connection to my street, Raven Ln. Houses and condos on the course would be a great idea, but not 600+ apartment units. I'm firmly opposed to that type of development and the effects on surrounding neighborhoods, infrastructure, and environment should be carefully considered.
Carmen Hennelly	Fayetteville, AR	2015-06-18	Another beautiful parcel in Fayetteville fallen victim to apartments?! Please no! Your permanent residents deserve to retain their property values. As council members, I hope that you will listen to the needs of permanent residents of Fayetteville as opposed to the more transient apartment dwellers. We have enough apartments in Fayetteville!
Jennifer Page	Fayetteville, AR	2015-06-18	I just bought a house in Belclaire. Street noise and traffic from hwy 112 is awful already. The roads can't handle the extra traffic.
Brittney Mohr	Fayetteville, AR	2015-06-18	This area is a nice peaceful area full of wildlife. We don't need any more developments, as this will take away from my purpose in living in this area.
Ron Green	Fayetteville, AR	2015-06-18	This type of development does not fit in the proposed location and will cause not only congestion but also lowered property values.
Don Lee	Siloam Springs, AR	2015-06-18	Signing to support my daughter's neighborhoods
Michael Riha	Fayetteville, AR	2015-06-18	i believe further discussion and thoughtful development is needed before proceeding.
Claudia Cueto	Fayetteville, AR	2015-06-18	afecta la comunidad!
Bruce Schaffer	Fayetteville, AR	2015-06-18	If approved, I would like to see the city name changed to Apartmentville. Too much strain on infrastructure from multiple dwellings!

Name	Location	Date	Comment
Kelly Freeze	Fayetteville, AR	2015-06-18	I oppose this particular development for multiple reasons. This proposal contradicts the city's 2030 plan, which many homeowners relied on when purchasing their houses. If the city chooses to change it's 2030 plan, which was developed with careful consideration for what we want our city to look like 15 years from now, many of these homeowners will owe more on their homes than what they'll become worth. I am also concerned about the environmental impact this proposal will have. The nearby wetlands and forested areas have already shrunk substantially. Putting 2,000-3,000 new residents next to this protected area is irresponsible. Finally, as mentioned in the petition, the infrastructure to support such a high-density development does not exist. While I'm sure that many residents living near the golf course would prefer that it remain green space, we also understand that this is not necessarily feasible and that the property owner has the right to sell and develop his land. We only ask that the property be developed responsibly and in accordance with current zoning laws.
ANITA BREWER	Fayetteville, AR	2015-06-18	Don't want apartments in area.
Tara Vessell	Fayetteville, AR	2015-06-18	We love the area and are concerned for the environmental impact.
Barbara Esch	Fayetteville, AR	2015-06-18	This was the perfect spot for us to build our new house here in Fayetteville. We liked that this area was neither heavily developed nor congested and it had the scenic aesthetics of the golf course but still convenient to the interstate. Please help us in the area preserve the reason why so many of us chose to live here. A development such as what Lindsey proposed has no advantage except to make them more profitable.
Pauline Prude	Springdale, AR	2015-06-18	Unsafe for our kids, bring property values down
Carolyn Fox	Fayetteville, AR	2015-06-18	Carolyn Fox
Ken Beaner	Fayetteville, AR	2015-06-18	it may not be the best use of the land and the plan may be too ad hoc without proper concern of the environment, infrastructure and the Fayettevill 2030 plan
John Rock	Fayetteville, AR	2015-06-18	The infrastructure will not be able to support the rapid growth in this area.
Alex Spinks	Fayetteville, AR	2015-06-18	I don't believe that the city should allow endangerment of the environmental preserve. In addition, it would be an egregious slap in the face to all of the property owners along Deane Solomon road and the east end of Mt. Comfort road having dealt with years of construction and property value erosion associated with the road widening. Fayetteville is in need of more housing, but the growth brought about by a new Lindsey property will not hold value. Property developers should be investing in quality, not speed and cheap housing.
Jared Phillips	Prairie Grove, AR	2015-06-18	I'm a concerned member of the Fayetteville non-profit community.
Joannie Hance	Conway, AR	2015-06-18	home owner
Amy Bull	Fayetteville, AR	2015-06-18	I am a resident of this area and am very concerned about the negative effects of this development, such as the school district and decrease in property value.
Casey Kehoe	Fayetteville, AR	2015-06-18	It's not the right type of development for the area and I care dearly about Fayetteville.
Paula Lee	Syracuse, NY	2015-06-18	I'm signing in support of my friends that live in this area.
Daniel scarbrough	Fayetteville, AR	2015-06-18	The infrastructure for this addition doesn't exist. Please improve mt comfort, 112, and the ingress/egress to i49 before creating additional load on the roads.

Name	Location	Date	Comment
Heather Stanley	Fayetteville, AR	2015-06-19	Lindsey apartments in place of razorback golf course is not realistic. We do not have the road infrastructure. The school is also at 100% capacity for this area
Erica White	Fayetteville, AR	2015-06-19	Devalue of housing
Nate Pettz	Fayetteville, AR	2015-06-19	i live on Mt Comfort road and traffic is already congested enough. The proposed development would create a traffic situation that people have moved to Fayetteville from larger cities to get away from. With the ever growing population I think we need to locate such developments in areas that can handle the influx, if that area even exists
Lydia Fields	Fayetteville, AR	2015-06-19	I travel down Deane Solomon road when out during school drop off/pick up times because it takes 30 minutes to get to my house if I travel down Salem Rd. Dean Solomon road is not wide enough to support more traffic. It is barely wide enough when there is bad weather. I have fallen in the ditch due to traffic during snow/ice on the road for the last 2 years.
Lesley Helms	Fayetteville, AR	2015-06-19	I do not agree with this
Vance brock	Fayetteville, AR	2015-06-19	schools and the roads. Let's be honest... Try dropping of one of you kids at Holcomb or Holt. It's a two lane road. I really feel bad for people with no kids that have to head that way to go to work. No way to pass. Just sit in the long line.
Amy Jetton	Fayetteville, AR	2015-06-19	I'm signing because the traffic on Mt Comfort is already ridiculous. Furthermore Lindsey should rebuild their older apartments before building new ones.
thomas branch	Fayetteville, AR	2015-06-19	I'm tired of looking at apartments in Fayetteville. And for reasons stated.
Pat Sandlin	Fayetteville, AR	2015-06-19	We need the golf course more than more apartments which are threatening to take over Fayetteville
Patty Vicknair	Fayetteville, AR	2015-06-19	I don't want the apartments near my home cause of traffic.
Mellissa Wood	Fayetteville, AR	2015-06-19	Please consider an alternative plan!
Matt Prude	Fayetteville, AR	2015-06-19	We just went from renting for the past 3 years to FINALLY purchasing our 1st home. We did this to change our surroundings from 'high density housing' to an area where people take ownership and pride in their living spaces.
			In 3 years I never witnessed 1 time ANYONE who took time to invest, maintain, or even develop the space they occupied in either of the 2 Lindsey apartments we lived in. Please do not let Lindsey come in and ruin our area and the investment my wife and I have sacrificed so much to have.
Eric Barnes	Fayetteville, AR	2015-06-19	I am a resident of Salem Village and am concerned about the increased traffic, population, and impact to property values that this development would have.
Derrick Drake	Elkins, AR	2015-06-19	As a lifetime, local resident this development cannot be sustained for all reasons presented in the petition. Really a bad idea overall.
David Hopper	Fayetteville, AR	2015-06-19	I want to see smart development, not greed driven.
Amanda Niccum	Fayetteville, AR	2015-06-19	I love in Crystal Springs and feel this would be detrimental to the area.
Maria Baez de Hicks	Fayetteville, AR	2015-06-19	the density of the development on the west side corridor is not sustainable with the current infrastructure. The schools are already at capacity and homes are not appreciating at the same rate as the east side corridor due to this. we need to rethink this project
Karah Fogerty	Fayetteville, AR	2015-06-19	I'm signing this because I live over there and don't wanna see apartments!! It's a beautiful green space and I thought that is what Fayettevilles all about!!
Todd Hastings	Fayetteville, AR	2015-06-19	We need more green space on the west side the local infrastructure will not handle that many people traffic is already congested

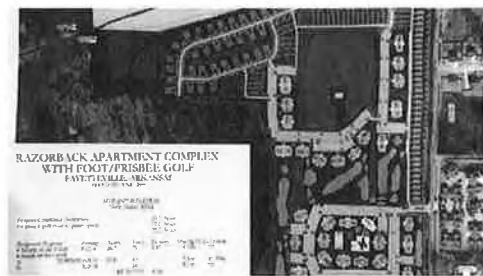
Name	Location	Date	Comment
Linda marquess	Fayetteville, AR	2015-06-20	I was at the last meeting and from what I heard from the people who presented this to all of us who live in and around where Lindsey is plan to build these apartments, row homes and condo's this would be terrible. Right now going any direction north or south there is always traffic trying to get on Mt Comfort or Hwy 112. I feel this would be a very bad place to build a complex like this with only one road in or out. All the other complexes like what they are wanting to build have access in & out from 2 or 3 different streets not just one. If they were to build such a complex and there were a fire or something that required fireman & police it would be almost impossible for them & the people living there or around there to safely get to a main road. Please consider these facts when you make your vote.
Laura Carver	fayetteville, AR	2015-06-20	Property owner in Salem Heights. Development must be limited to single family residences. Porter Road cannot handle 2 to 3 K additional residents nor can the existing neighborhood schools.
Audri Waddell	Fayetteville, AR	2015-06-20	I'm signing because I live in the condos across from the golf course and feel building of these units will decrease the areas security, openness, and the protected wildlife area will be at more risk because of more population in an already established area. This community is established with nice, developed homes and families have/are investing in them. A very nice neighborhood of new homes has just been developed close to this-why would you put apartments in a residential area that would overcrowd the neighborhood and schools?
Darlene Cassat	Fayetteville, AR	2015-06-20	Too many apartments. Holcomb is already crowded.
Brian Sorensen	Fayetteville, AR	2015-06-20	I'm signing this petition because I live next to this proposed development and I do not believe multi-family housing is an acceptable zoning when the impact to surrounding communities is considered. The current zoning is more than appropriate for future development of this property.
Doris Hastings	Fayetteville, AR	2015-06-20	These plans will have a tremendous negative impact and create an added burden to the existing infrastructure of the west side. The road planning/congestion, drainage, and green space are all major concerns in this area. Razorback Golf Course should be dedicated as a park for the West side tax paying citizens of Fayetteville like Gully, Walker and Wilson.
John Davenport	Fayetteville, AR	2015-06-20	I wish to keep as much green space in Fayetteville as possible.
jacob craig	Fayetteville, AR	2015-06-21	There are too many apartments in Fayetteville already.
Gerald Golden	Fayetteville, AR	2015-06-22	Dean Solomon Road is no place for multiple family housing. The Pines is a carefully planned and maintained community. Large expensive home are being built just North of the golf course. Multiple unites will have a negative impact on the value of everything on DSR.
Alfred J. Iller COL USA (Ret)	Fayetteville, AR	2015-06-22	For the reasons stated!
John Morgan	Fayetteville, AR	2015-06-22	This area simply cannot support such an influx of new residents!
Wendy Golden	Fayetteville, AR	2015-06-22	Infrastructure is not substantial to support this.
Faith Bradley	Fayetteville, AR	2015-06-22	Against the development
Lauren Doan	Little Rock, AR	2015-06-22	I am sick of these complexes!
David Lencho	Springdale, AR	2015-06-23	Because I strongly oppose the Lendsey development of Razorback Golf Course.
Rebecca Williams Lencho	Springdale, AR	2015-06-23	Road congestion. Too much traffic will be generated from this much housing
Carolyn Fries	Fayetteville, AR	2015-06-23	This area is not suited for this type of development.

Name	Location	Date	Comment
Mark Fougrousse	Fayetteville, AR	2015-06-23	I don't want 600+ apartments across the street from our house that I saved up 30 years to be able to now have!
Diana Barnes	Ft Collins, CO	2015-06-23	My family lives in Fayetteville and would impact them. We come to Arkansas all the time. Please do what is responsible for the community!
Terrell Bowen	Fayetteville, AR	2015-06-24	i agree with the details noted and believe that the surrounding home owners will be adversely impacted if the Lindsey expansion project is allowed to proceed as currently proposed.
suzette bowen	Eureka Springs, AR	2015-06-24	Needs to be single family, or have the city buy it for park place.
Van Dolah Glowaina	Fayetteville, AR	2015-06-24	I bought my home recently for the area and the family atmosphere. If zoning is in place for a reason....then it shouldn't be changed when there are those of us counting on it to protect our investments.
Jeannie True-Jenkins	Fayetteville, AR	2015-06-24	I am concerned about the environmental impact on the area as well as the over crowding at Holcomb Elementary over crowding busing students to other Fayetteville schools.
Jordan Meckem	Fayetteville, AR	2015-06-25	Will devalue my investment (house).
Mitchell Gwin	Lowell, AR	2015-06-25	This site is being developed right beside wetland habitat that currently sustains multiple animal species. I have personally seen deer, coyotes, turkey, various bird species, and bobcats on this land. Additionally, I live in this area and am concerned of the effects this development would have on property values.
Laura Bays	Fayetteville, AR	2015-06-25	Nearby resident in support of petition.
Brooke Peterson	Fayetteville, AR	2015-06-25	I don't believe this area can or should support a development of this magnitude.
Emma Lee Gordon	Fayetteville, AR	2015-06-27	I live in the condos directly across from the golf course, and I do not want apartments built due to the significant increase in traffic and decrease of my property value.
Kathleen Stocker	Fayetteville, AR	2015-06-29	I believe the points made are valid.
Samantha Stocker	Fayetteville, AR	2015-06-29	I agree with the points in this petition and support this.
Sarah Cox	King, NC	2015-06-29	I agree with all reasons listed, especially the traffic issues and the property devaluation and the school issues.
Mike Threlkeld	Fayetteville, AR	2015-06-29	This multi-family development would devalue my single family home and acreage. And this area can not handle that much extra traffic and people.
Gracie Pendleton	Fayetteville, AR	2015-06-30	I prefer the golf course view. I see NO need for more apartments, homes and the constant traffic in our decent neighborhood. We are fantastic the way we are. Gracie Pendleton
Donna Gwaltney	Fayetteville, AR	2015-06-30	I do not think the area roads, schools and neighborhoods can support this type of growth.
Brooke Culp	Fayetteville, AR	2015-06-30	I'm concerned about the increased traffic and property values.
Jim Waselues	Fayetteville, AR	2015-06-30	Jim Waselues
Tanya Floyd	Fayetteville, AR	2015-07-01	TOO much overbuilding, TOO much environmental impact, NOT right for existing schools
Kim Peters	Fayetteville, AR	2015-07-03	Too much density in the space and don't like the apartments in the middle of all the SFR's in the area!
Tyler Parson	Fayetteville, AR	2015-07-05	i do not want this development to proceed.

Name	Location	Date	Comment
Elizabeth Post	Fayetteville, AR	2015-07-08	Too much extra traffic and would hurt the property value of the homes. We would rather have established more permanent neighborhoods here than transient ones.
Angela Bradach	Fayetteville, AR	2015-07-13	I live near this property and I do not want this area to become more congested.
Angie Sikes	Fayetteville, AR	2015-07-15	The road feasibility study hadn't been done. The additional 2-3k is a low estimate for additional people. During previous reading they didn't even have their facts straight - @ first they were building single family homes. They now say they Lindsey won't be building the homes as previously stated. The lots will be sold off. There is a shortage of apts for college students move down towards the old
Kimberly Gasner	Fayetteville, AR	2015-07-17	Apartments plus 8-9 houses per acre is not what that area is zoned for. I built my home across the street from the golf course because of the ambience. If the oldest public golf course in NWA must be destroyed, please do so with a housing addition comparable to Prairie Acres across the street. This area (schools) can not accommodate the number of people 36 apartment complexes and 52+ row homes will add. Thank you
April Hudson	Fayetteville, AR	2015-07-18	My children attend Holcomb elem and will later attend Holt. Holcomb is overflowing already and does not have room for this many more students. Also, Dean Solomon and surrounding areas are not equipped to accommodate that much more traffic. Thank you for your time.
Elizabeth W.P.-Bretland	Delft, Netherlands	2015-07-24	Only handful and wealthy people are using golf courses. This is snobs habit, no any sport. This in indeed stupid and antisocial plan !!
Joshua Enoch	Fayetteville, AR	2015-07-26	I'm signing because I'm concerned about the traffic and the value of my home.
John Cardinal	Fayetteville, AR	2015-07-28	I'm really concerned about the ability of local roads to handle this influx of residents. Even widening Deane Soloman will not address the issues re getting to I-49.
Russ Chalmers	Springdale, AR	2015-07-31	This is not well suited for the area.
Jammie Fisher	Fayetteville, AR	2015-08-02	There is enough congestion all around town already!!!!
Brian Reed	Fayetteville, AR	2015-08-05	I'm signing this petition because I believe the current zoning of the property is of the best interest for all parties involved: NW Fayetteville residents, current wildlife, and the inevitable infrastructure issues (roads/schools).
Erin Bradford	Fayetteville, AR	2015-08-08	I live in a neighborhood near Razorback golf course and worry what an apartment complex would do to our property values.
Adam Stevinson	Fayetteville, AR	2015-08-09	As an affected property owner I am deeply concerned. This development seems completely inconsistent with the zoning and planning of the area. Also, the infrastructure is woefully inadequate to support anything close to the amount of proposed added drivers. I strongly oppose this zoning change and the accompanying development.
Mat Rawls	Fayetteville, AR	2015-08-10	We're the natural state, why the hurry to cover at the natural with buildings and golf courses?
Mark Shaffer	Rogers, AR	2015-08-13	I believe it will have a negative impact to an already established single/dual family residential community.
Jacob Ward	Fayetteville, AR	2015-08-16	I have concerns about traffic and the environmental impact (flooding) in the area.
David Rader	Tulsa, OK	2015-08-18	I own a house and my daughters own houses in the neighborhood north of the golf course. This is not consistent with the development of that part of the city to date, not consistent with the city's long term plan and completely unreasonable for the area and the available infrastructure. The city needs to keep its word with respect to future development.

Name	Location	Date	Comment
Clint Blackwood	Fayetteville, AR	2015-09-02	I live in the Crystal Springs neighborhood and this will directly affect me and all of those around me. The traffic is already getting bad with the new houses that have been added to the area, this proposed plan would make the traffic unbearable. Part of the reason I chose to purchase a house in this area was because It was not as congested as the Wedington corridor, and this plan would bring all of that congestion right on top of us. I also believe it would devalue the home that I bought a few years ago, and make this area not near as a desirable place to live. I beg our city council to reject this proposal, and leave our neighborhood and incredibly nice green areas out of Lindsey control. They are only concerned with money and how many apartments they can build, not with how they will negatively effect the lives of the residents already living in these areas. REJECT
Susan Robertson	Fayetteville, AR	2015-09-21	All of the above reasons and we just built a house on the north end of the Razorback Golf Course. Wish the city or someone would buy it and keep it as a golf course as their isn't a public course in Northwest Arkansas. The wildlife from our patio is just amazing - at this moment we are watching a Great Blue Heron and yesterday a hawk landed on our fence

Petition: Vote to stop Lindsey's development of Razorback Golf Course with multi-family units



We are a group of Fayetteville citizens who have grave concerns regarding Lindsey's proposed Razorback Apartments project on Deane Solomon Road.

As a community, we have a loud voice. Our City Council has a desire and responsibility to listen to that voice, as they are tasked with improving our city for its residents. By signing this Change.org petition, you are telling our City Council that you are opposed to this development, so long as it includes multi-family housing units.

General Considerations:

1. We understand and support that the course owners have a right to manage their business as they see fit, and sell the course if needed. No one should be held hostage to lose money, as they are now. We just need to do it responsibly and take all stakeholders into account.
2. We are not completely against development on the course, but it needs to be planned carefully. The key is to minimize the impact it has on the environment and community. We believe that multi-family units will impact both excessively.

Reasons why we oppose this development

Point 1: Property Devaluation

- a) The residents in the immediate area have made substantial investments in their homes. While development of the course is a clear possibility, a high density multifamily development will have a stark impact. This type of development will certainly devalue their investment, negatively impacting the well-being of hundreds of Fayetteville residents.
- b) As property values decline, property tax declines as well. Even though this isn't a top priority, it does impact the city. Further, the homes being built will be of lower value and pay less property tax than a more appropriate development.
- c) The current zoning (agricultural/single family) is more compatible with the surrounding neighborhoods, which are dominated by single family housing in the 1,400 - 3,600 sq ft range. There are a handful of multi-family units in the area, but they are either very low density, or upscale and supported by a homeowners association. An apartment project like the one Lindsey is proposing doesn't make sense for the area. If the land is destined for development, we think it's better served by the existing zoning.

Point 2: Infrastructure Issues related to the addition of 2,000 - 3,000 additional residents in this ~1 square mile area.

- a) Roads. The area's infrastructure is severely underdeveloped and cannot support 2,000 - 3,000 additional residents and the associated traffic. Deane Solomon Road is not - and was never intended to be - a major arterial road in Fayetteville (see http://gis2.accessfayetteville.org/GISP.../Master_Street_Plan/). This is one of the primary reasons the City of Fayetteville decided not to build a second high school on property owned by the school board on the north end of Deane Solomon. A project like the one Lindsey is proposing needs to be on a major road like Crossover Road or Wedington Drive, not a skinny country road flanked by wetlands and single family housing.
- b) Traffic. Neither the Shiloh/Mt. Comfort intersection, nor the new I49 interchange are designed to handle the amount of traffic this development will immediately generate. Widening Deane Solomon Road does not solve the issues that this development will cause near I49. Again, the road design was not intended to support this and cannot.
- c) Schools. With the influx of 2-3k people comes the need to educate around 1,000 young people. Holcomb is at 110% capacity and will be difficult to expand. If a significant development is built, students will be sent across town to Washington and Root Elementary as overflow.
- d) Flooding. See Environmental Impact below.

Point 3: Environmental Impact

- a) Wilson Springs Preserve is a protected wetlands, watershed for our area, and the headwaters of Clabber Creek - a tributary of the Illinois River. The preserve is directly adjacent to Razorback Golf Course, and the proposed development.

Here is an official statement from the NW Arkansas Land Trust, who manage Wilson Springs Preserve: “The Northwest Arkansas Land Trust encourages the permanent preservation of land the Clabber Creek headwater area surrounding the Wilson Springs Preserve. This region includes sensitive and important ecosystems and wildlife habitats, including seasonal wetlands, prairie remnants, seeps, springs, streams, groundwater and riparian areas. Increased development has drastically reduced these habitats and led to increased stormwater runoff, pollution, and flooding. Any development that goes into the Clabber Creek headwater area should be low-density and must go above and beyond the status quo in regards to low-impact design, green infrastructure preservation and storm water protection.”

b) Flooding issues are severe on the North end of the property. The purpose of a watershed is to collect rainwater from the area, filter it, and deliver it to a stream, lake or river. Green space and vegetation is important because it slows the runoff to the watershed collection area. Replacing permeable land with so many rooftops and extraordinary amounts of asphalt will send more and more storm water to this area - which is adjacent to many homes. There are many, many homeowners who are worried about storm water runoff and flooding on their properties. We've already seen it. We have the pictures to prove it. We don't want it to get any worse than it already is.

c) Both Wilson Springs and the Clabber Creek area, just downstream, are the habitat for two threatened species, which are designated for review to add to the endangered species list. Runoff, pollution and even construction will put that habitat at risk.

Point 4: This project contradicts the City's 2030 Plan.

a) Our city planners took much time to develop a plan for the future of Fayetteville. Their plan did not include highly dense development for this area of town. Only Residential Neighborhoods, Civic & Private Open Space/Parks and a touch of Civic Institutional (presumably a potential school site). Their plan took many things into consideration and their conclusion matches the community's current recommendation.

b) 2030 Plan Overview: <http://www.fayetteville-ar.gov/372/City-Plan-2030>

c) Land Use and Zoning info: <http://www.fayetteville-ar.gov/DocumentCenter/Home/View/1223>

d) Future Land Use Map: <http://www.fayetteville-ar.gov/DocumentCenter/Home/View/1231>

Petition: Vote to stop Lindsey's development of Razorback Golf Course with multi-family units

Number	Name	City	State	Postal Code	Country	Signed On
1	John Bull	Fayetteville	Arkansas	72704	United States	6/16/2015
2	Jared clark	Fayetteville	Arkansas	72704	United States	6/17/2015
3	Linda fricke	Fayetteville	Arkansas	72701	United States	6/17/2015
4	Lindsay Smith	Fayetteville	Arkansas	72704	United States	6/17/2015
5	Taylor Nash	Fayetteville	Arkansas	72703	United States	6/17/2015
6	Carly Grace	Fayetteville	Arkansas	72704	United States	6/17/2015
7	Amy Linimon	Fayetteville	Arkansas	72704	United States	6/17/2015
8	michelle gray	Fayetteville	Arkansas	72704	United States	6/17/2015
9	Bob hinton	Fayetteville	Arkansas	72704	United States	6/17/2015
10	Murry Owens	Fayetteville	Arkansas	72704	United States	6/17/2015
11	Jennifer Holland	Fayetteville	Arkansas	72703	United States	6/17/2015
12	Kathleen Reese	Fayetteville	Arkansas	72704	United States	6/17/2015
13	Hilary Selby	Fayetteville	Arkansas	72704	United States	6/17/2015
14	scott young	Fayetteville	Arkansas	72704	United States	6/17/2015
15	Jeff reese	Fayetteville	Arkansas	72704	United States	6/17/2015
16	Odie & Kym Williams	Fayetteville	Arkansas	72704	United States	6/17/2015
17	Amy Bradley	Fayetteville	Arkansas	72704	United States	6/17/2015
18	Brandon colley	Fayetteville	Arkansas	72701	United States	6/17/2015
19	Taylor Staley	Fayetteville	Arkansas	72703	United States	6/17/2015
20	gail mills	Fayetteville	Arkansas	72704	United States	6/17/2015
21	Sarah Harrell	Fayetteville	Arkansas	72704	United States	6/17/2015
22	Harold Hubbard	Fayetteville	Arkansas	72704	United States	6/17/2015
23	Jordan Eddy	Fayetteville	Arkansas	72704	United States	6/17/2015
24	Shaunna Nastasi	Fayetteville	Arkansas	72704	United States	6/17/2015
25	Kari Larson	Wichita	Kansas	67211	United States	6/17/2015
26	Larry Esch	Fayetteville	Arkansas	72704	United States	6/17/2015
27	Trina Carmon	Fayetteville	Arkansas	72704	United States	6/17/2015
28	Lauren Suggs	Springdale	Arkansas	72762	United States	6/17/2015
29	John Gossett	Fayetteville	Arkansas	72704	United States	6/17/2015
30	Susan Rausch	Fayetteville	Arkansas	72701	United States	6/17/2015
31	Kathy Foster	Fayetteville	Arkansas	72704	United States	6/17/2015
32	Lisa Guthrie	Fayetteville	Arkansas	72704	United States	6/17/2015
33	Megan Sorensen	Fayetteville	Arkansas	72704	United States	6/17/2015
34	Barbara Hinton	Fayetteville	Arkansas	72701	United States	6/17/2015
35	Tim Stidham	Fayetteville	Arkansas	72704	United States	6/17/2015
36	Troy Mack	Fayetteville	Arkansas	72704	United States	6/17/2015
37	Julie Parker	Fayetteville	Arkansas	72704	United States	6/17/2015
38	Tanya Burkin	Fayetteville	Arkansas	72704	United States	6/17/2015
39	Brian Buckley	Fayetteville	Arkansas	72704	United States	6/17/2015
40	Ben Matthews	Fayetteville	Arkansas	72703	United States	6/17/2015
41	Richard Holt	Fayetteville	Arkansas	72704	United States	6/17/2015
42	jason young	fayetteville	Arkansas	72704	United States	6/17/2015
43	Sasha Hagle	Fayetteville	Arkansas	72701	United States	6/17/2015
44	holly farlin	Fayetteville	Arkansas	72704	United States	6/17/2015

45	Matt Davis	Fayetteville	Arkansas	72701	United States	6/17/2015
46	Katie Jackson	Fayetteville	Arkansas	72704	United States	6/17/2015
47	Jenny Sachs	Springdale	Arkansas	72762	United States	6/17/2015
48	Linds�y Curry	Fayetteville	Arkansas	72704	United States	6/17/2015
49	Edward Jackson	Fayetteville	Arkansas	72704	United States	6/17/2015
50	Renee Gadberry	Prairie Grove	Arkansas	72753	United States	6/17/2015
51	Mark Griesse	Fayetteville	Arkansas	72704	United States	6/17/2015
52	Stephen thomas	Fayetteville	Arkansas	72704	United States	6/17/2015
53	Emily Rappe	Fayetteville	Arkansas	72703	United States	6/17/2015
54	Tammy Martin	Fayetteville	Arkansas	72704	United States	6/17/2015
55	spencer Smith	Fayetteville	Arkansas	72704	United States	6/17/2015
56	Carson roncketto	Fayetteville	Arkansas	72701	United States	6/17/2015
57	Justin Lipsmeyer	Fayetteville	Arkansas	72704	United States	6/17/2015
58	Candice Evans Gray	Fayetteville	Arkansas	72701	United States	6/17/2015
59	Jennifer Ford	Fayetteville	Arkansas	72704	United States	6/17/2015
60	Wendy Alexander	Fayetteville	Arkansas	72703	United States	6/17/2015
61	Sara Young	Fayetteville	Arkansas	72704	United States	6/17/2015
62	Kevin Davison	Fayetteville	Arkansas	72704	United States	6/17/2015
63	Chelsea Green	Fayetteville	Arkansas	72703	United States	6/17/2015
64	Dr. John Stiefer	Fayetteville	Arkansas	72703	United States	6/17/2015
65	Patrick Hagle	Fayetteville	Arkansas	72704	United States	6/17/2015
66	amanda barker	Fayetteville	Arkansas	72704	United States	6/17/2015
67	Sheena Calvert	Fayetteville	Arkansas	72704	United States	6/17/2015
68	Barri Tulgetske	Fayetteville	Arkansas	72704	United States	6/17/2015
69	Janie Montgomery	Fayetteville	Arkansas	72704	United States	6/17/2015
70	Agnieszka Mack	Fayetteville	Arkansas	72701	United States	6/17/2015
71	Sarah Berry	Fayetteville	Arkansas	72704	United States	6/17/2015
72	Karl Krotke	Fayetteville	Arkansas	72701	United States	6/17/2015
73	Ashley Hale	Fayetteville	Arkansas	72794	United States	6/17/2015
74	Tyler McMahan	Fayetteville	Arkansas	72704	United States	6/17/2015
75	Lori Mertensmeyer	Fayetteville	Arkansas	72704	United States	6/17/2015
76	Joe Emmanuel	Fayetteville	Arkansas	72704	United States	6/17/2015
77	Gregory Lopez	Fayetteville	Arkansas	72704	United States	6/17/2015
78	Alex Clark	Fayetteville	Arkansas	72704	United States	6/17/2015
79	Amanda Nichols	Fayetteville	Arkansas	72701	United States	6/17/2015
80	Kelly Way	Fayetteville	Arkansas	72704	United States	6/17/2015
81	Elizabeth Emmanuel	Fayetteville	Arkansas	72701	United States	6/17/2015
82	Lona Robertson	Fayetteville	Arkansas	72704	United States	6/17/2015
83	William Bryant	Fayetteville	Arkansas	72704	United States	6/17/2015
84	Lynda Bembenek	Fayetteville	Arkansas	72704	United States	6/17/2015
85	Dorothy Mangold	Fayetteville	Arkansas	72703	United States	6/17/2015
86	Sara chance	Fayetteville	Arkansas	72704	United States	6/17/2015
87	Jin Ma	Fayetteville	Arkansas	72704	United States	6/17/2015
88	Sarah White	Fayetteville	Arkansas	72704	United States	6/17/2015
89	Lauren Chesney Anderson	Fayetteville	Arkansas	72704	United States	6/17/2015
90	Cori Falkner	Fayetteville	Arkansas	72704	United States	6/17/2015
91	Krista Langston	Fayetteville	Arkansas	72701	United States	6/17/2015

92	Huy Tran	Fayetteville	Arkansas	72704	United States	6/17/2015
93	Elizabeth gibbons	Fayetteville	Arkansas	72704	United States	6/17/2015
94	Mindy Kazery	Fayetteville	Arkansas	72704	United States	6/17/2015
95	Sarah White	Fayetteville	Arkansas	72701	United States	6/17/2015
96	Jason Kaundart	Fayetteville	Arkansas	72704	United States	6/17/2015
97	Tai Le	Fayetteville	Arkansas	72704	United States	6/17/2015
98	Stefanie McReynolds	Fayetteville	Arkansas	72704	United States	6/17/2015
99	Dan england	Fayetteville	Arkansas	72703	United States	6/17/2015
100	Tim Taylor	Fayetteville	Arkansas	72704	United States	6/17/2015
101	Christie Hancock	Fayetteville	Arkansas	72703	United States	6/17/2015
102	Gennie Hirschy	Fayetteville	Arkansas	72701	United States	6/17/2015
103	Jillian Weinreber	Fayetteville	Arkansas	72703	United States	6/17/2015
104	Sarah Baber	Fayetteville	Arkansas	72704	United States	6/17/2015
105	Sarah Green	Fayetteville	Arkansas	72704	United States	6/17/2015
106	Laura Jane Baber	Fayetteville	Arkansas	72701	United States	6/17/2015
107	Danielle Allen	Fayetteville	Arkansas	72701	United States	6/17/2015
108	Grant Stephens	Fayetteville	Arkansas	72704	United States	6/17/2015
109	Lori Collier	Fayetteville	Arkansas	72704	United States	6/17/2015
110	Karen Treat	Flippin	Arkansas	72634	United States	6/17/2015
111	Jim Erwin	Miamisburg	Ohio	45342	United States	6/17/2015
112	Teresa Wilder	Fayetteville	Arkansas	72701	United States	6/17/2015
113	Katie Kirk	Fayetteville	Arkansas	72704	United States	6/17/2015
114	Anna ryneer	Fayetteville	Arkansas	72794	United States	6/17/2015
115	Steven Fortner	Fayetteville	Arkansas	72704	United States	6/17/2015
116	Greg Guillot	Fayetteville	Arkansas	72704	United States	6/17/2015
117	Shaheen Ghahremanpour	Fayetteville	Arkansas	72704	United States	6/17/2015
118	Thomas Fulcher	Fayetteville	Arkansas	72704	United States	6/17/2015
119	Rachel Fulcher	Fayetteville	Arkansas	72701	United States	6/17/2015
120	Carrie Rodriguez	Fayetteville	Arkansas	72704	United States	6/17/2015
121	Jeb Huckeba	Fayetteville	Arkansas	72704	United States	6/17/2015
122	Jami Huckeba	Fayetteville	Arkansas	72704	United States	6/17/2015
123	Tamisha fields	Fayetteville	Arkansas	72704	United States	6/17/2015
124	Sarah hoffmann	Fayetteville	Arkansas	72703	United States	6/17/2015
125	Kelly Pianalto	Fayetteville	Arkansas	72704	United States	6/17/2015
126	Molly hogue	Cambridge	Massachusetts	2139	United States	6/17/2015
127	Leslie Lancaster-Smith	Fayetteville	Arkansas	72704	United States	6/17/2015
128	Patrick Smith	Fayetteville	Arkansas	72704	United States	6/17/2015
129	Joshua Johnson	Fayetteville	Arkansas	72704	United States	6/17/2015
130	Ryan Green	Fayetteville	Arkansas	72704	United States	6/17/2015
131	Michelle yount	Fayetteville	Arkansas	72704	United States	6/17/2015
132	Barrett Baber	Fayetteville	Arkansas	72704	United States	6/17/2015
133	Kristin Grilli	Fayetteville	Arkansas	72704	United States	6/17/2015
134	Kelly Williams	Fayetteville	Arkansas	72704	United States	6/17/2015
135	Amanda Craig	Fayetteville	Arkansas	72704	United States	6/17/2015
136	Jennifer Simmons	Fayetteville	Arkansas	72704	United States	6/17/2015
137	Jael Fields	Fayetteville	Arkansas	72704	United States	6/17/2015
138	Brandon Corn	Fayetteville	Arkansas	72704	United States	6/17/2015

139	Shannon Knotts	Fayetteville	Arkansas	72704	United States	6/17/2015
140	Mark Baber	Fayetteville	Arkansas	72704	United States	6/17/2015
141	Sandra Ware	Fayetteville	Arkansas	72704	United States	6/17/2015
142	Amy Yearry	Fayetteville	Arkansas	72704	United States	6/17/2015
143	Nick Conyac	Springdale	Arkansas	72764	United States	6/17/2015
144	Kate Davis	Fayetteville	Arkansas	72703	United States	6/17/2015
145	Collin Allen	Fayetteville	Arkansas	72701	United States	6/17/2015
146	Staci Coston	Fayetteville	Arkansas	72704	United States	6/17/2015
147	Kirstin Morgan	Fayetteville	Arkansas	72704	United States	6/17/2015
148	Barbara Still	Fayetteville	Arkansas	72704	United States	6/17/2015
149	Michelle Burnett	Fayetteville	Arkansas	72703	United States	6/17/2015
150	Channin Tacito	Fayetteville	Arkansas	72704	United States	6/17/2015
151	Sara Staley	Fayetteville	Arkansas	72704	United States	6/17/2015
152	Staci Ledford	Fayetteville	Arkansas	72703	United States	6/17/2015
153	Katie Austin	Fayetteville	Arkansas	72704	United States	6/17/2015
154	Kevin Erby	Fayetteville	Arkansas	72704	United States	6/17/2015
155	Sheri acuff	Fayetteville	Arkansas	72703	United States	6/17/2015
156	Chris Nichols	Fayetteville	Arkansas	72704	United States	6/17/2015
157	Julie harmon	Springdale	Arkansas	72762	United States	6/17/2015
158	John Thorn	Fayetteville	Arkansas	72704	United States	6/17/2015
159	Meredith Henson	Fayetteville	Arkansas	72704	United States	6/17/2015
160	Valerie Green	Fayetteville	Arkansas	72704	United States	6/17/2015
161	Megan Hampel	Fayetteville	Arkansas	72704	United States	6/17/2015
162	Jeff Sanford	Fayetteville	Arkansas	72703	United States	6/17/2015
163	Hannah Dierks	Fayetteville	Arkansas	72704	United States	6/17/2015
164	Rick Betsch	Fayetteville	Arkansas	72704	United States	6/17/2015
165	Kari Fitch	Fayetteville	Arkansas	72704	United States	6/17/2015
166	Sue Ann Fulcher	Fayetteville	Arkansas	72704	United States	6/17/2015
167	LAUREN ETGES	Fayetteville	Arkansas	72701	United States	6/17/2015
168	Adam Harmon	Fayetteville	Arkansas	74704	United States	6/17/2015
169	Ron Green	Fayetteville	Arkansas	72704	United States	6/17/2015
170	Renae Hightower	Fayetteville	Arkansas	72704	United States	6/17/2015
171	Amber Rickman	Fayetteville	Arkansas	72704	United States	6/17/2015
172	Ryan Dugger	Fayetteville	Arkansas	72704	United States	6/17/2015
173	Kelly marconi	Fayetteville	Arkansas	72701	United States	6/17/2015
174	Mary Eikenberry	Fayetteville	Arkansas	72704	United States	6/17/2015
175	Leigh Ann Sandlin	Fayetteville	Arkansas	72704	United States	6/17/2015
176	John Berry	Fayetteville	Arkansas	72704	United States	6/17/2015
177	Rebekah Murphy Cox	Fayetteville	Arkansas	72704	United States	6/17/2015
178	Tammi Lea	Springdale	Arkansas	72762	United States	6/17/2015
179	Jared Curry	Fayetteville	Arkansas	72704	United States	6/17/2015
180	Kevin White	Fayetteville	Arkansas	72704	United States	6/17/2015
181	Anne Skinner	Fayetteville	Arkansas	72704	United States	6/18/2015
182	Katie Breahears	Fayetteville	Arkansas	72701	United States	6/18/2015
183	Allison Dolan	Tampa	Florida	33618	United States	6/18/2015
184	Michelle Fyfe	Fayetteville	Arkansas	72701	United States	6/18/2015
185	Angela Dunkum	Fayetteville	Arkansas	72701	United States	6/18/2015

186	kevin smith	Fayetteville	Arkansas	72704	United States	6/18/2015
187	Lynn Waldren	Fayetteville	Arkansas	72704	United States	6/18/2015
188	Paula Stephens	Fayetteville	Arkansas	72704	United States	6/18/2015
189	Marrienne Tullis	Fayetteville	Arkansas	72704	United States	6/18/2015
190	Ashley Striegler	Fayetteville	Arkansas	72704	United States	6/18/2015
191	Cassie ross	Lowell	Arkansas	72745	United States	6/18/2015
192	Tj Scarlett	Fayetteville	Arkansas	72704	United States	6/18/2015
193	Bruce williams	Fayetteville	Arkansas	72702	United States	6/18/2015
194	Carole Masterson	Fayetteville	Arkansas	72704	United States	6/18/2015
195	Sharon Guthrie	fayetteville	Arkansas	73704	United States	6/18/2015
196	Jane Corrigan	Fayetteville	Arkansas	72701	United States	6/18/2015
197	David Clark	Fayetteville	Arkansas	72704	United States	6/18/2015
198	Jake Fout	Fayetteville	Arkansas	72704	United States	6/18/2015
199	Casey Pianalto	Fayetteville	Arkansas	72702	United States	6/18/2015
200	Jennifer Vaughn	Fayetteville	Arkansas	72703	United States	6/18/2015
201	Gustavo Gomez	Fayetteville	Arkansas	72703	United States	6/18/2015
202	Tanya stewart	Fayetteville	Arkansas	72704	United States	6/18/2015
203	Lisa Spears	Fayetteville	Arkansas	72704	United States	6/18/2015
204	Christy Dugger	Fayetteville	Arkansas	72703	United States	6/18/2015
205	Pablo Reznicek	Fayetteville	Arkansas	72704	United States	6/18/2015
206	Ali Guthrie	Fayetteville	Arkansas	72704	United States	6/18/2015
207	Julie tran	Fayetteville	Arkansas	72704	United States	6/18/2015
208	Franklin Jennings	Fayetteville	Arkansas	72704	United States	6/18/2015
209	Ashley Jones	Fayetteville	Arkansas	72704	United States	6/18/2015
210	Janet Selby	Fayetteville	Arkansas	72704	United States	6/18/2015
211	Lacy Lynch	Fayetteville	Arkansas	72704	United States	6/18/2015
212	Solomon Burchfield	Fayetteville	Arkansas	72701	United States	6/18/2015
213	Stephania Russell	Fayetteville	Arkansas	72705	United States	6/18/2015
214	Alex Nichols	Fayetteville	Arkansas	72704	United States	6/18/2015
215	James yoes	Fayetteville	Arkansas	72704	United States	6/18/2015
216	Jenny Rainey	Fayetteville	Arkansas	72703	United States	6/18/2015
217	Lindsey Griesse	Fayetteville	Arkansas	72704	United States	6/18/2015
218	Sheilah Cornwell	Fayetteville	Arkansas	72704	United States	6/18/2015
219	Lauren Willey	Fayetteville	Arkansas	72704	United States	6/18/2015
220	Jennifer Ware	Fayetteville	Arkansas	72704	United States	6/18/2015
221	Clenton Cash	Fayetteville	Arkansas	72704	United States	6/18/2015
222	Eli Ivy	Fayetteville	Arkansas	72703	United States	6/18/2015
223	Pamela Waldren	Fayetteville	Arkansas	72704	United States	6/18/2015
224	Gina Broyles	Fayetteville	Arkansas	72704	United States	6/18/2015
225	Shannon lee	Fayetteville	Arkansas	72704	United States	6/18/2015
226	Lynda Yoon	Fayetteville	Arkansas	72704	United States	6/18/2015
227	drew turner	Fayetteville	Arkansas	72703	United States	6/18/2015
228	Jennifer Moreland	Fayetteville	Arkansas	72704	United States	6/18/2015
229	Shannon Raffaelli	Fayetteville	Arkansas	72703	United States	6/18/2015
230	Robert curtner	Fayetteville	Arkansas	72704	United States	6/18/2015
231	Jonathan Unwer	Fayetteville	Arkansas	72704	United States	6/18/2015
232	Gena bumgarner	Fayetteville	Arkansas	72704	United States	6/18/2015

233	Kelly Wolfe	Fayetteville	Arkansas	72704	United States	6/18/2015
234	Serena Jeffery	Fayetteville	Arkansas	72704	United States	6/18/2015
235	Jamie Sparks	Fayetteville	Arkansas	72704	United States	6/18/2015
236	Maureen Brown	Fayetteville	Arkansas	72704	United States	6/18/2015
237	April Goodlander	Fayetteville	Arkansas	72703	United States	6/18/2015
238	Anita Ulrich	Fayetteville	Arkansas	72704	United States	6/18/2015
239	John Schafer	Fayetteville	Arkansas	72704	United States	6/18/2015
240	Matt Jones	Fayetteville	Arkansas	72704	United States	6/18/2015
241	Ryan Dejarnette	Fayetteville	Arkansas	72703	United States	6/18/2015
242	Stacey Buff	Fayetteville	Arkansas	72704	United States	6/18/2015
243	Wendy McCain	West Fork	Arkansas	72774	United States	6/18/2015
244	Robert Shaw	Fayetteville	Arkansas	72704	United States	6/18/2015
245	Eleanor Hill	Fayetteville	Arkansas	72704	United States	6/18/2015
246	Tiffany Yee	Fayetteville	Arkansas	72704	United States	6/18/2015
247	Clarice Whitmore	Fayetteville	Arkansas	72704	United States	6/18/2015
248	Casey Dolan	Fayetteville	Arkansas	72703	United States	6/18/2015
249	Ashley Nail	Fayetteville	Arkansas	72704	United States	6/18/2015
250	William Cullins	Fayetteville	Arkansas	72704	United States	6/18/2015
251	Craig Pearce	Fayetteville	Arkansas	72704	United States	6/18/2015
252	Micah Stewart	Fayetteville	Arkansas	72704	United States	6/18/2015
253	Bryan Striegler	Fayetteville	Arkansas	72704	United States	6/18/2015
254	Eldridge Henley	Fayetteville	Arkansas	72704	United States	6/18/2015
255	Brittany Acuff	Fayetteville	Arkansas	72704	United States	6/18/2015
256	mary konig	Springdale	Arkansas	72764	United States	6/18/2015
257	Jordan Douglas	Fayetteville	Arkansas	72701	United States	6/18/2015
258	Stephanie Hulett	Fayetteville	Arkansas	72704	United States	6/18/2015
259	Sean Wetzal	Fayetteville	Arkansas	72704	United States	6/18/2015
260	katie carr	Fayetteville	Arkansas	72704	United States	6/18/2015
261	Bonnie King	Fayetteville	Arkansas	72704	United States	6/18/2015
262	Rustin Treat	Fayetteville	Arkansas	72704	United States	6/18/2015
263	Daniel Balls	Fayetteville	Arkansas	72703	United States	6/18/2015
264	Kelly Brown	Fayetteville	Arkansas	72703	United States	6/18/2015
265	Tu Phan	Fayetteville	Arkansas	72704	United States	6/18/2015
266	Gary guthrie	Fayetteville	Arkansas	72704	United States	6/18/2015
267	Carmen Hennelly	Fayetteville	Arkansas	72701	United States	6/18/2015
268	Jennifer Page	Fayetteville	Arkansas	72704	United States	6/18/2015
269	Melanie Johnson	Fayetteville	Arkansas	72704	United States	6/18/2015
270	Merrisa Purnomo	Fayetteville	Arkansas	72701	United States	6/18/2015
271	Megan Leslie	Fayetteville	Arkansas	72704	United States	6/18/2015
272	Adrienne Burris	Fayetteville	Arkansas	72704	United States	6/18/2015
273	Abbie Stalnaker	Fayetteville	Arkansas	72704	United States	6/18/2015
274	Wincie Esch	Fayetteville	Arkansas	72704	United States	6/18/2015
275	Brittney Mohr	Fayetteville	Arkansas	72703	United States	6/18/2015
276	Kristin Higgins	Fayetteville	Arkansas	72704	United States	6/18/2015
277	Jami williams	Livingston	Texas	77351	United States	6/18/2015
278	Ariel Segal	Fayetteville	Arkansas	72701	United States	6/18/2015
279	Don Lee	Siloam Springs	Arkansas	72761	United States	6/18/2015

280	Sara Anderson	Fayetteville	Arkansas	72704	United States	6/18/2015
281	Austin Wise	Bristol	Georgia	31518	United States	6/18/2015
282	Kevin Kirkpatrick	Fayetteville	Arkansas	72704	United States	6/18/2015
283	Shana Martin	Fayetteville	Arkansas	72704	United States	6/18/2015
284	Michael Riha	Fayetteville	Arkansas	72703	United States	6/18/2015
285	Paige Zaloudek	Fayetteville	Arkansas	72703	United States	6/18/2015
286	Tracee Williams	Fayetteville	Arkansas	72704	United States	6/18/2015
287	Helen Eaton	Fayetteville	Arkansas	72704	United States	6/18/2015
288	Becca Reinhard	Fayetteville	Arkansas	72704	United States	6/18/2015
289	Claudia Cueto	Fayetteville	Arkansas	72704	United States	6/18/2015
290	Bruce Schaffer	Fayetteville	Arkansas	72703	United States	6/18/2015
291	Kelly Freeze	Fayetteville	Arkansas	72703	United States	6/18/2015
292	Catherine Koehler	Fayetteville	Arkansas	72704	United States	6/18/2015
293	Shannon Matlock	Fayetteville	Arkansas	72703	United States	6/18/2015
294	Bethany Pautsch	Fayetteville	Arkansas	72704	United States	6/18/2015
295	Jonathan Stalnaker	Fayetteville	Arkansas	72704	United States	6/18/2015
296	Frank Ching	Fayetteville	Arkansas	72704	United States	6/18/2015
297	ANITA BREWER	Fayetteville	Arkansas	72704	United States	6/18/2015
298	Heather Bowen	Fayetteville	Arkansas	72701	United States	6/18/2015
299	Billy Townsend	Fayetteville	Arkansas	72704	United States	6/18/2015
300	Kylie Ward	Fayetteville	Arkansas	72703	United States	6/18/2015
301	Jennifer Penne	Fayetteville	Arkansas	72704	United States	6/18/2015
302	Tara Vessell	Fayetteville	Arkansas	72704	United States	6/18/2015
303	Barbara Esch	Fayetteville	Arkansas	72704	United States	6/18/2015
304	Jacob taylor	Fayetteville	Arkansas	72703	United States	6/18/2015
305	Mitzi Traxson	Fayetteville	Arkansas	72704	United States	6/18/2015
306	Alison Ashworth	Fayetteville	Arkansas	72704	United States	6/18/2015
307	Deidre leonard	Fayetteville	Arkansas	72704	United States	6/18/2015
308	Jennifer Bryant	Fayetteville	Arkansas	72704	United States	6/18/2015
309	Pauline Prude	Fayetteville	Arkansas	72704	United States	6/18/2015
310	Cara stewart	Fayetteville	Arkansas	72704	United States	6/18/2015
311	Carolyn Fox	Fayetteville	Arkansas	72704	United States	6/18/2015
312	Andrew Corn	Fayetteville	Arkansas	72703	United States	6/18/2015
313	Amy Beaty	Rogers	Arkansas	72758	United States	6/18/2015
314	Britte Stone	Fayetteville	Arkansas	72701	United States	6/18/2015
315	Kimberly Betts	Fayetteville	Arkansas	72704	United States	6/18/2015
316	Jenna Mendoza	Fayetteville	Arkansas	72704	United States	6/18/2015
317	Josh Packwood	Fayetteville	Arkansas	72704	United States	6/18/2015
318	Jacob Snelson	Fayetteville	Arkansas	72704	United States	6/18/2015
319	Will Gilchrist	Bentonville	Arkansas	72712	United States	6/18/2015
320	Catherine Barginear	Fayetteville	Arkansas	72704	United States	6/18/2015
321	Samantha Barnes	Fayetteville	Arkansas	72704	United States	6/18/2015
322	Brandon Sheard	Fayetteville	Arkansas	72704	United States	6/18/2015
323	Margaret Logan	Fayetteville	Arkansas	72704	United States	6/18/2015
324	Ken Beaner	Fayetteville	Arkansas	72704	United States	6/18/2015
325	Kelly Crenshaw	Fayetteville	Arkansas	72701	United States	6/18/2015
326	John Beebe	Fayetteville	Arkansas	72702	United States	6/18/2015

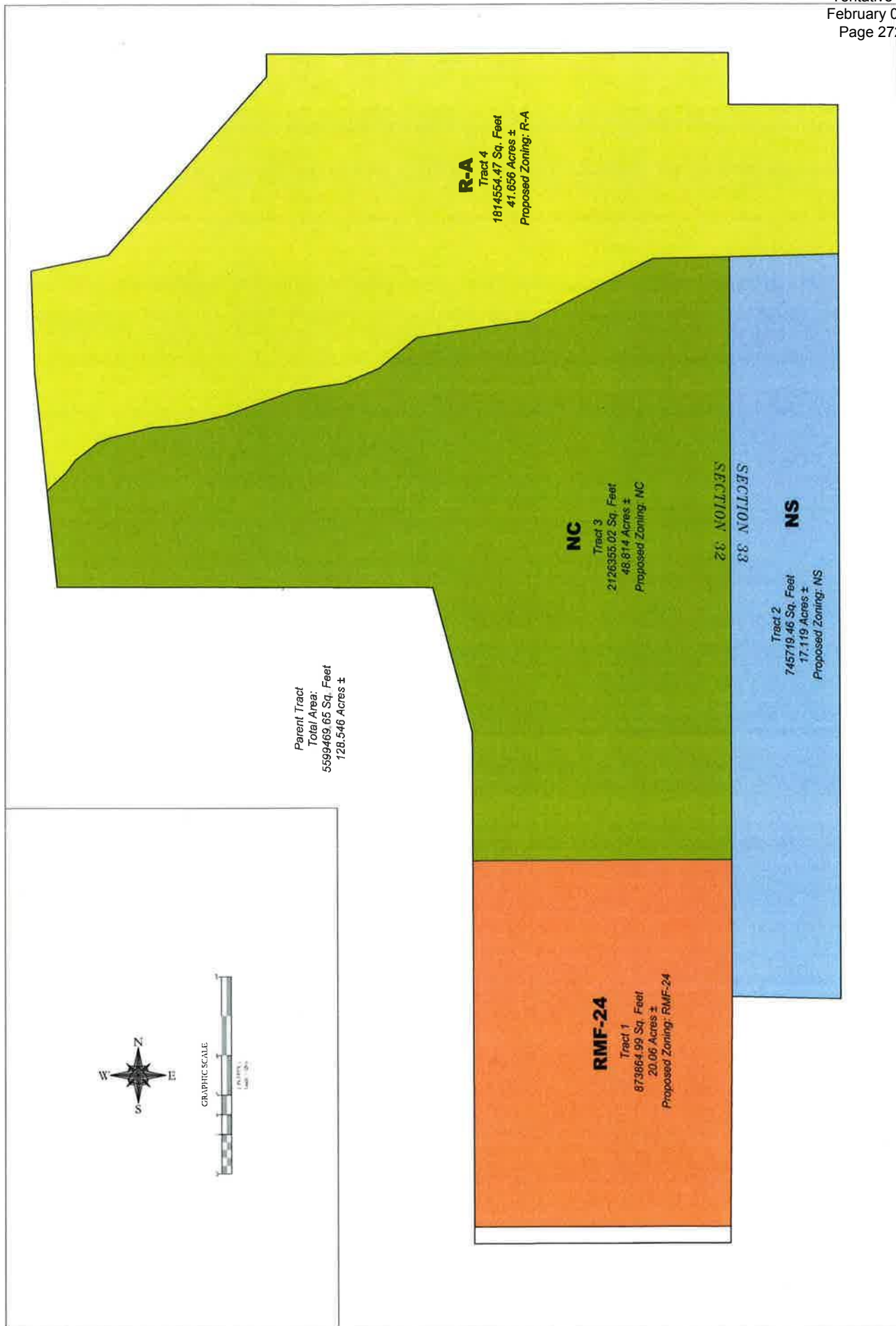
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330	Kim Davison	Fayetteville	Arkansas	72704	United States	6/18/2015
331	Michael Spinks	Fayetteville	Arkansas	72701	United States	6/18/2015
332	Ellery King	Fayetteville	Arkansas	72704	United States	6/18/2015
333	Jared Phillips	Fayetteville	Arkansas	72701	United States	6/18/2015
334	Alexandra Foster	Fayetteville	Arkansas	72704	United States	6/18/2015
335	Kris honey	Fayetteville	Arkansas	72704	United States	6/18/2015
336	Joannie Hance	Conway	Arkansas	72034	United States	6/18/2015
337	Amy Bull	Fayetteville	Arkansas	72704	United States	6/18/2015
338	Chase Priest	Fayetteville	Arkansas	72704	United States	6/18/2015
339	Casey Kehoe	Fayetteville	Arkansas	72701	United States	6/18/2015
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342	Heather stanley	Fayetteville	Arkansas	72704	United States	6/18/2015
343	Steve Stewart	Fayetteville	Arkansas	72704	United States	6/18/2015
344	Valerie Rankin	Fayetteville	Arkansas	72704	United States	6/18/2015
345	Drew McKinnon	Fayetteville	Arkansas	72704	United States	6/18/2015
346	Susan Perkins	Bella Vista	Arkansas	72715	United States	6/18/2015
347	Michael Rouse	Fayetteville	Arkansas	72704	United States	6/18/2015
348	Andi philley	Fayetteville	Arkansas	72704	United States	6/18/2015
349	Erica White	Fayetteville	Arkansas	72704	United States	6/18/2015
350	Cathy Magee	Fayetteville	Arkansas	72704	United States	6/18/2015
351	Rebecca Garrett	Fayetteville	Arkansas	72704	United States	6/18/2015
352	Donald Conley	Fayetteville	Arkansas	72704	United States	6/18/2015
353	Kori Wheatley	Fayetteville	Arkansas	72704	United States	6/18/2015
354	Nate Pettz	Fayetteville	Arkansas	72704	United States	6/18/2015
355	Deb Williams	Fayetteville	Arkansas	72704	United States	6/18/2015
356	Whitney Branch	Fayetteville	Arkansas	72704	United States	6/18/2015
357	Carmina salazar	Fayetteville	Arkansas	72704	United States	6/18/2015
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359	Cheri Coley	Fayetteville	Arkansas	72704	United States	6/18/2015
360	Suzanne Owens	Fayetteville	Arkansas	72703	United States	6/18/2015
361	Lydia Fields	Fayetteville	Arkansas	72704	United States	6/18/2015
362	Taylor Sigler	Fayetteville	Arkansas	72704	United States	6/18/2015
363	Leslie Brashears	Fayetteville	Arkansas	72701	United States	6/18/2015
364	Lesley Helms	Fayetteville	Arkansas	72704	United States	6/18/2015
365	Sarah Smith	Fayetteville	Arkansas	72704	United States	6/18/2015
366	James McCormack	Fayetteville	Arkansas	72704	United States	6/18/2015
367	Helen Urban	Fayetteville	Arkansas	72704	United States	6/18/2015
368	Vance brock	Fayetteville	Arkansas	72704	United States	6/18/2015
369	Mandy Polley	Fayetteville	Arkansas	72704	United States	6/18/2015
370	Whitney Key	Fayetteville	Arkansas	72704	United States	6/19/2015
371	Rachael reid	Little Rock	Arkansas	72223	United States	6/19/2015
372	Ashley Pettz	Fayetteville	Arkansas	72704	United States	6/19/2015
373	Amy Jetton	Fayetteville	Arkansas	72704	United States	6/19/2015

374	Cara Hartfield	Fayetteville	Arkansas	72704	United States	6/19/2015
375	bo branch	Fayetteville	Arkansas	72704	United States	6/19/2015
376	Kevin Vicknair	Fayetteville	Arkansas	72704	United States	6/19/2015
377	Michelle Hartman	Fayetteville	Arkansas	72704	United States	6/19/2015
378	Gina Yeager	Fayetteville	Arkansas	72704	United States	6/19/2015
379	Pat Sandlin	Fayetteville	Arkansas	72704	United States	6/19/2015
380	Hayzen Guynn	Fayetteville	Arkansas	72704	United States	6/19/2015
381	Heather Pribislavski	Fayetteville	Arkansas	72704	United States	6/19/2015
382	Patty Vicknair	Fayetteville	Arkansas	72704	United States	6/19/2015
383	Mellissa Wood	Fayetteville	Arkansas	72704	United States	6/19/2015
384	Linda Gaddy	Fayetteville	Arkansas	72764	United States	6/19/2015
385	Matt Prude	Fayetteville	Arkansas	72704	United States	6/19/2015
386	Eric Barnes	Fayetteville	Arkansas	72704	United States	6/19/2015
387	Gina Sorrell	Fayetteville	Arkansas	72704	United States	6/19/2015
388	Justin Parker	Fayetteville	Arkansas	72704	United States	6/19/2015
389	Derrick Drake	Elkins	Arkansas	72727	United States	6/19/2015
390	Sean Bimm	Springdale	Arkansas	72764	United States	6/19/2015
391	Suzanne Clark	Fayetteville	Arkansas	72704	United States	6/19/2015
392	Macklin Jenkins Joyce	Fayetteville	Arkansas	72704	United States	6/19/2015
393	Melissa McKinnon	Fayetteville	Arkansas	72704	United States	6/19/2015
394	Chris Sellers	Fayetteville	Arkansas	72701	United States	6/19/2015
395	Elizabeth Vanzant	Fayetteville	Arkansas	72703	United States	6/19/2015
396	David Hopper	Fayetteville	Arkansas	72703	United States	6/19/2015
397	Michael Jordan	Fayetteville	Arkansas	72704	United States	6/19/2015
398	Amanda Niccum	Fayetteville	Arkansas	72704	United States	6/19/2015
399	Cristina Priest	Fayetteville	Arkansas	72704	United States	6/19/2015
400	Maria Baez de Hicks	Fayetteville	Arkansas	72704	United States	6/19/2015
401	Karah Fogerty	Fayetteville	Arkansas	72704	United States	6/19/2015
402	Brandon Fogerty	Fayetteville	Arkansas	72704	United States	6/19/2015
403	Todd Hastings	Fayetteville	Arkansas	72704	United States	6/19/2015
404	Kelli Strachan	Fayetteville	Arkansas	72703	United States	6/19/2015
405	Kari Lawson	Fayetteville	Arkansas	72704	United States	6/19/2015
406	Shannon Grise	Fayetteville	Arkansas	72704	United States	6/19/2015
407	Jonathan Vogler	Fayetteville	Arkansas	72701	United States	6/19/2015
408	Michelle Allen	Springdale	Arkansas	72762	United States	6/19/2015
409	Kate Keller	Fayetteville	Arkansas	72704	United States	6/19/2015
410	Melissa richardson	Fayetteville	Arkansas	72703	United States	6/19/2015
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413	Holly Davidson	Fayetteville	Arkansas	72704	United States	6/19/2015
414	Laura Carver	fayetteville	Arkansas	732704	United States	6/20/2015
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416	Darlene Cassat	Fayetteville	Arkansas	72704	United States	6/20/2015
417	Brian Sorensen	Fayetteville	Arkansas	72704	United States	6/20/2015
418	Doris Hastings	Fayetteville	Arkansas	72704	United States	6/20/2015
419	Jamie Adams	Springdale	Arkansas	72764	United States	6/20/2015
420	John Davenport	Fayetteville	Arkansas	72704	United States	6/20/2015

421	Jacob Craig	Fayetteville	Arkansas	72701	United States	6/20/2015
422	Shain Hardin	Fayetteville	Arkansas	72703	United States	6/20/2015
423	Suzy Randall	Fayetteville	Arkansas	72701	United States	6/20/2015
424	Janet Konig	Fayetteville	Arkansas	72701	United States	6/21/2015
425	Lance Spanke	Fayetteville	Arkansas	72704	United States	6/22/2015
426	Connie McGill	Fayetteville	Arkansas	72704	United States	6/22/2015
427	Cay Thorn	Fayetteville	Arkansas	72704	United States	6/22/2015
428	Gerald Golden	Fayetteville	Arkansas	72704	United States	6/22/2015
429	Alfred J. Iller COL USA (Ret)	Fayetteville	Arkansas	72704-0856	United States	6/22/2015
430	Marcella Handley	Farmington	Arkansas	72730	United States	6/22/2015
431	James Harvey	Fayetteville	Arkansas	72704	United States	6/22/2015
432	John Morgan	Fayetteville	Arkansas	72701	United States	6/22/2015
433	Wendy Golden	Fayetteville	Arkansas	72704	United States	6/22/2015
434	Faith Bradley	Fayetteville	Arkansas	72704	United States	6/22/2015
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436	Linda Baird	Fayetteville	Arkansas	72704	United States	6/22/2015
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443	Mark Fougerousse	Fayetteville	Arkansas	72704	United States	6/23/2015
444	Diana Barnes	Fort Collins	Colorado	80528	United States	6/23/2015
445	John Baird	Fayetteville	Arkansas	72704	United States	6/23/2015
446	Jim Watson	Fayetteville	Arkansas	72704	United States	6/23/2015
447	Jennifer Milam	Fayetteville	Arkansas	72704	United States	6/23/2015
448	Matthew Heckmann	Fayetteville	Arkansas	72701	United States	6/23/2015
449	Michelle Lacewell	Fayetteville	Arkansas	72704	United States	6/23/2015
450	Salem Algarni	Fayetteville	Arkansas	72704	United States	6/24/2015
451	Terrell Bowen	Fayetteville	Arkansas	72704	United States	6/24/2015
452	Frank McDuffee	Fayetteville	Arkansas	72704	United States	6/24/2015
453	Suzette Bowen	Fayetteville	Arkansas	72704	United States	6/24/2015
454	HEATHER GWIN	Fayetteville	Arkansas	72704	United States	6/24/2015
455	Van Dolah Glowaina	Fayetteville	Arkansas	72704	United States	6/24/2015
456	Julie Priest	Fayetteville	Arkansas	72703	United States	6/24/2015
457	Libbi Heintz	Fayetteville	Arkansas	72704	United States	6/24/2015
458	Jeannie True-Jenkins	Fayetteville	Arkansas	72704	United States	6/24/2015
459	Carol Adair	Fayetteville	Arkansas	72704	United States	6/25/2015
460	Jordan Meckem	Fayetteville	Arkansas	72704	United States	6/25/2015
461	Mitchell Gwin	Lowell	Arkansas	72745	United States	6/25/2015
462	Laura Bays	Fayetteville	Arkansas	72704	United States	6/25/2015
463	Jesdica Johnson	Fayetteville	Arkansas	72704	United States	6/25/2015
464	Amy Higdon	Fayetteville	Arkansas	72704	United States	6/25/2015
465	Courtney Bailless	Fayetteville	Arkansas	72704	United States	6/25/2015
466	Kathi Cash	Fayetteville	Arkansas	72704	United States	6/25/2015
467	Oren Bailless	Fayetteville	Arkansas	72704	United States	6/25/2015

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469	Michael Evans	Fayetteville	Arkansas	72704	United States	6/25/2015
470	Brooke Peterson	Fayetteville	Arkansas	72704	United States	6/25/2015
471	Arturo Stocker	Fayetteville	Arkansas	72704	United States	6/25/2015
472	Kyle Watson	Fayetteville	Arkansas	72703	United States	6/26/2015
473	Emma Lee Gordon	Fayetteville	Arkansas	72704	United States	6/27/2015
474	Brenda Hoyt	Fayetteville	Arkansas	72704	United States	6/29/2015
475	Lisa Wheat	Fayetteville	Arkansas	72704	United States	6/29/2015
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480	Katharine Lindsey	Bella Vista	Arkansas	72715	United States	6/29/2015
481	Mike Threlkeld	Fayetteville	Arkansas	72704	United States	6/29/2015
482	Megan Muncie	Fayetteville	Arkansas	72701	United States	6/29/2015
483	Trudy Tolley	Fayetteville	Arkansas	72704	United States	6/29/2015
484	Barbara Waselues	Fayetteville	Arkansas	72704	United States	6/30/2015
485	Gracie Pendleton	Fayetteville	Arkansas	72704	United States	6/30/2015
486	John Goddard	Fayetteville	Arkansas	72703	United States	6/30/2015
487	Donna Gwaltney	Fayetteville	Arkansas	72704	United States	6/30/2015
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493	Sandra Kilpatrick	Fayetteville	Arkansas	72704	United States	7/1/2015
494	Hollianne Holt	Fayetteville	Arkansas	72704	United States	7/1/2015
495	Anna Shaw	Fayetteville	Arkansas	72704	United States	7/1/2015
496	Tanya Floyd	Fayetteville	Arkansas	72703	United States	7/1/2015
497	Marilyn Braswell	Fayetteville	Arkansas	72704	United States	7/1/2015
498	Kim Peters	Fayetteville	Arkansas	72704	United States	7/3/2015
499	Tyler Parson	Fayetteville	Arkansas	72704	United States	7/5/2015
500	Diane Morgan	Fayetteville	Arkansas	72704	United States	7/5/2015
501	Rhonda Kirk	Fayetteville	Arkansas	72704	United States	7/7/2015
502	Elizabeth Post	Fayetteville	Arkansas	72704	United States	7/8/2015
503	Royce Robertson	Fayetteville	Arkansas	72704	United States	7/8/2015
504	Angela Bradach	Fayetteville	Arkansas	72704	United States	7/13/2015
505	Joel Brown	Fayetteville	Arkansas	72704	United States	7/14/2015
506	Angie Sikes	Fayetteville	Arkansas	72703	United States	7/15/2015
507	Kimberly Gasner	Fayetteville	Arkansas	72704	United States	7/17/2015
508	Jeremy Braziel	Fayetteville	Arkansas	72704	United States	7/17/2015
509	Linda Estopy	Fayetteville	Arkansas	72703	United States	7/17/2015
510	Doreen Brock	Fayetteville	Arkansas	72704	United States	7/17/2015
511	Dawn Green	Fayetteville	Arkansas	72701	United States	7/17/2015
512	Rick Upton	Fayetteville	Arkansas	72703	United States	7/18/2015
513	April Hudson	Fayetteville	Arkansas	72704	United States	7/18/2015
514	Angie Ellington	Fayetteville	Arkansas	72703	United States	7/18/2015

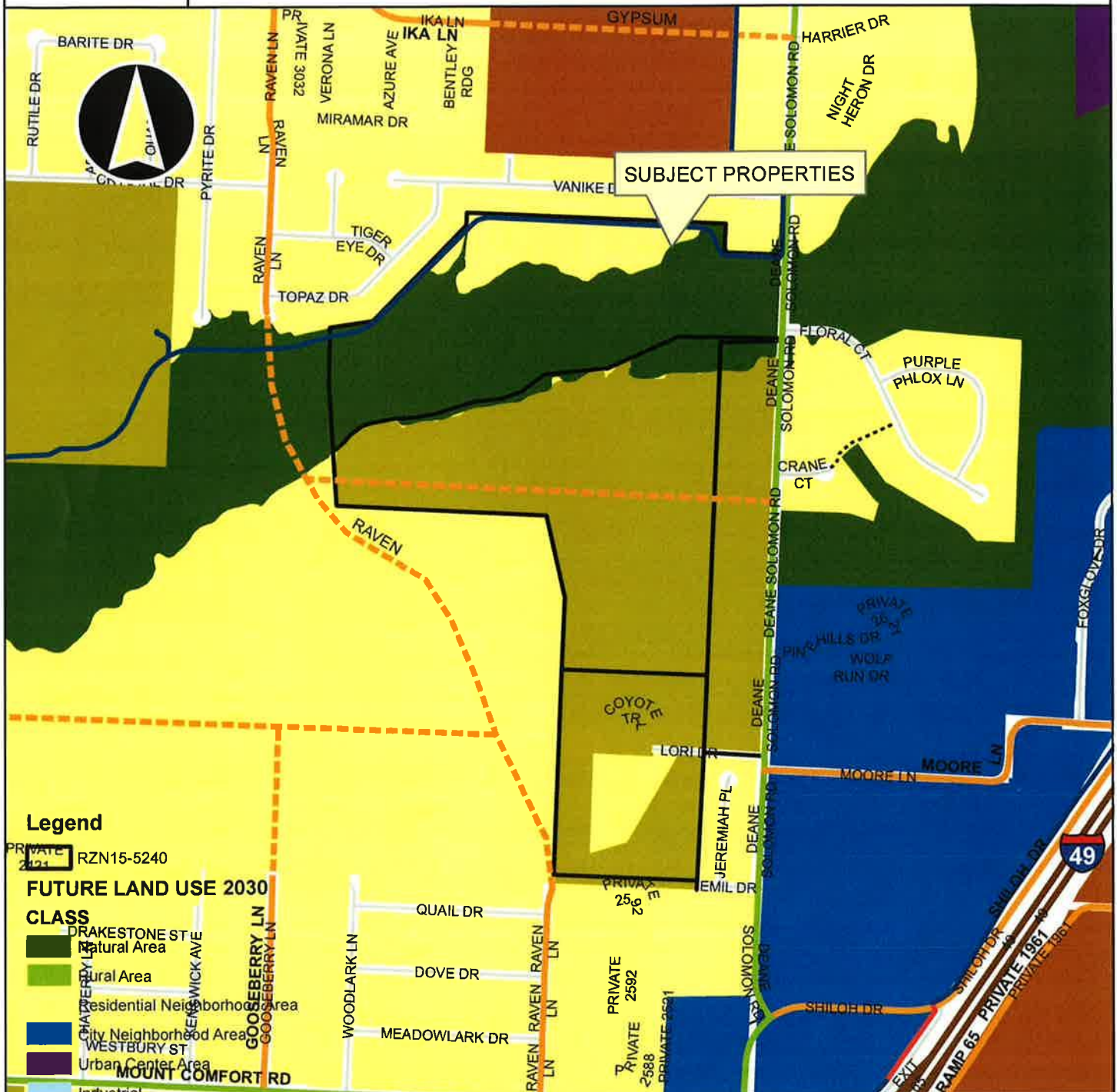
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517	Jamie Sparks	Fayetteville	Arkansas	72704	United States	7/22/2015
518	Elizabeth W.P.-Bretland	Delft			Netherlands	7/24/2015
519	Joshua Enoch	Fayetteville	Arkansas	72704	United States	7/26/2015
520	Brian Kenworthy	Fayetteville	Arkansas	72704	United States	7/28/2015
521	John Cardinal	Fayetteville	Arkansas	72704	United States	7/28/2015
522	gaylon estopy	Fayetteville	Arkansas	72701	United States	7/30/2015
523	Russ Chalmers	Springdale	Arkansas	72764	United States	7/31/2015
524	Natalie Stuckey	Fayetteville	Arkansas	72703	United States	7/31/2015
525	Jammie Fisher	Fayetteville	Arkansas	72704	United States	8/2/2015
526	Brian Reed	Fayetteville	Arkansas	72704	United States	8/5/2015
527	julie rheay	Fayetteville	Arkansas	72704	United States	8/5/2015
528	Mitch laningham	Fayetteville	Arkansas	72701	United States	8/5/2015
529	Amy Webb	Fayetteville	Arkansas	72704	United States	8/5/2015
530	Kathy Hubbard	Fayetteville	Arkansas	72704	United States	8/6/2015
531	Jason Stewart	Fayetteville	Arkansas	72704	United States	8/6/2015
532	Tyler McCartney	Fayetteville	Arkansas	72704	United States	8/8/2015
533	Erin Bradford	Fayetteville	Arkansas	72704	United States	8/8/2015
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535	Todd Charna	Fayetteville	Arkansas	72704	United States	8/8/2015
536	Kathryn Charna	Fayetteville	Arkansas	72704	United States	8/8/2015
537	Amanda Stevinson	Fayetteville	Arkansas	72704	United States	8/9/2015
538	Adam Stevinson	Fayetteville	Arkansas	72701	United States	8/9/2015
539	Heather Carter	Fayetteville	Arkansas	72704	United States	8/9/2015
540	Lauren Ainsley	Fayetteville	Arkansas	72704	United States	8/9/2015
541	Mary Broglen	Fayetteville	Arkansas	72704	United States	8/9/2015
542	Mat Rawls	Fayetteville	Arkansas	72703	United States	8/10/2015
543	Hugh Starr	Fayetteville	Arkansas	72701	United States	8/10/2015
544	David Baldwin	Fayetteville	Arkansas	72704	United States	8/12/2015
545	Kelly McCarty	Fayetteville	Arkansas	72704	United States	8/12/2015
546	Mark Shaffer	Rogers	Arkansas	72758	United States	8/13/2015
547	Jacob Ward	Fayetteville	Arkansas	72704	United States	8/16/2015
548	David Rader	Fayetteville	Arkansas	72704	United States	8/18/2015
549	Schneider Richard	Fayetteville	Arkansas	72704	United States	8/18/2015
550	Mary Lrwadowski	Fayetteville	Arkansas	72703	United States	8/29/2015
551	Angela DuBois	Fayetteville	Arkansas	72704	United States	9/1/2015
552	Clint Blackwood	Fayetteville	Arkansas	72704	United States	9/2/2015
553	Nicholas Wells	Fayetteville	Arkansas	72704	United States	9/2/2015
554	Dan Phillips	Fayetteville	Arkansas	72704	United States	9/9/2015
555	Cassidy hodes	Fayetteville	Arkansas	72704	United States	9/20/2015
556	Susan Robertson	Fayetteville	Arkansas	72704	United States	9/21/2015



RZN15-5240

RAZORBACK GOLF COURSE

Future Land Use



Legend

RZN15-5240

FUTURE LAND USE 2030

CLASS

- Drakestone St. Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area
- Industrial

- Complete Neighborhood Plan
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- Fayetteville City Limits
- Planning Area
- Design Overlay District

0 300 600 1,200 1,800 2,400 Feet

RZN 15-5240

RAZORBACK GOLF COURSE

Current Land Use



Legend

Overview

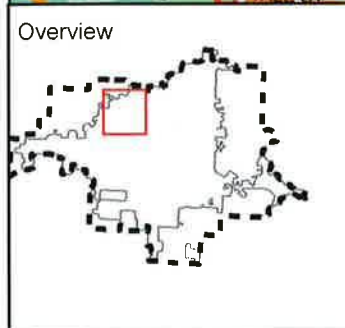
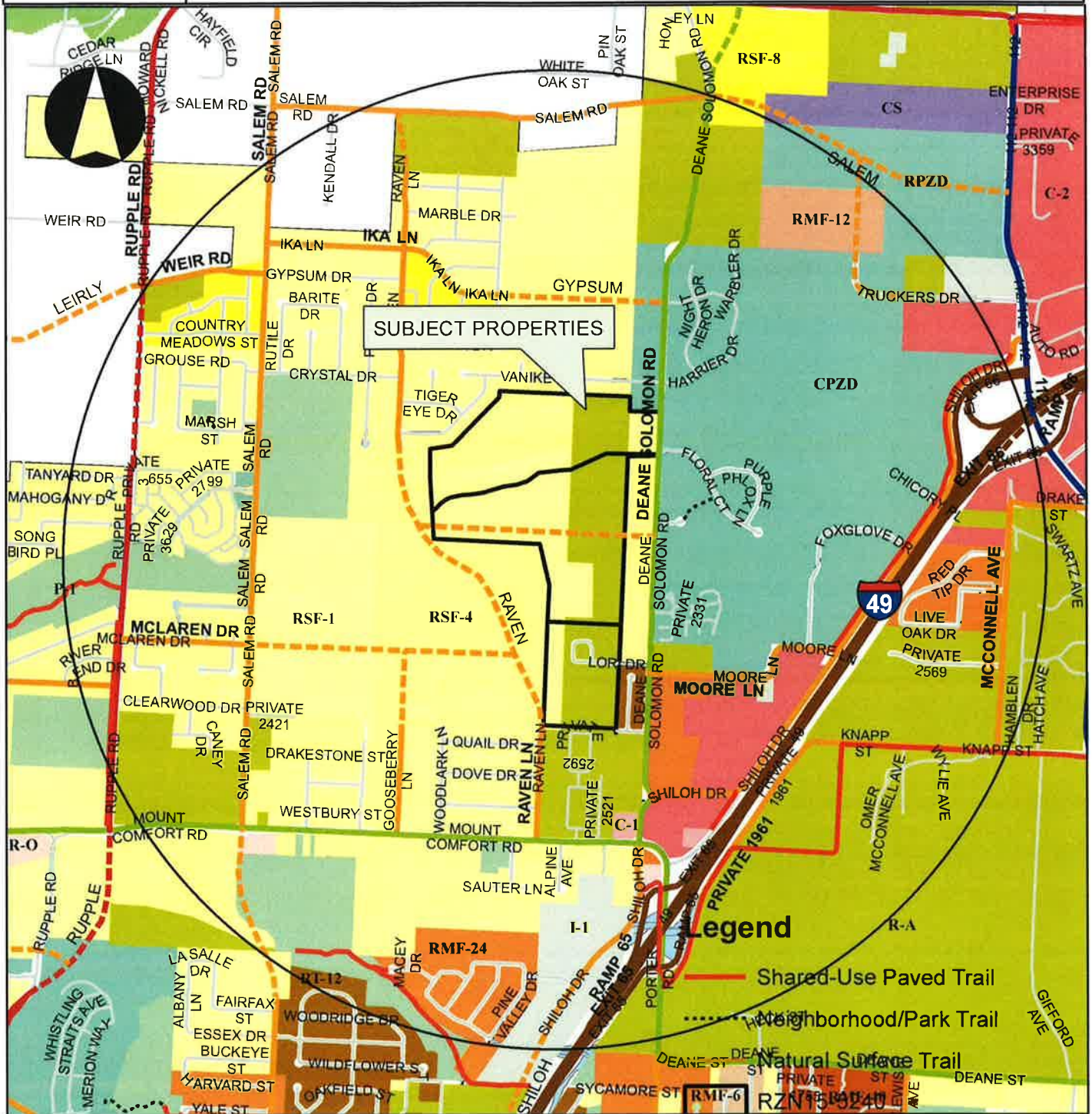
- RZN15-5240
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area



RZN 15-5240

RAZORBACK GOLF COURSE

One Mile View





City of Fayetteville, Arkansas

Tentative Agenda
February 09, 2016
Page 27 of 279
113 West Mountain Road
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0057

Agenda Date: 2/16/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 7

AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:

AN ORDINANCE TO AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

WHEREAS, the Mayor is authorized to assign any and all city owned paid parking lots in the Entertainment District Parking Lot by special event permit for up to sixteen (16) days per calendar year; and

WHEREAS, multi-day special events that close parking facilities and city streets significantly impact citizens, businesses, and institutions as well as the quality of life in our community and therefor citizens should have the opportunity for input in the decision-making process; and

WHEREAS, special events that request or need to occupy and use such city parking lots or city streets more than two (2) days should not only receive the Mayor's express approval through the Mayor's issuance of a special event permit, but must receive express approval of the City Council for any and all city owned parking lots or city street closures needed beyond the two day limit.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby repeals § 72.58 (M) and enacts a replacement § 72.58 (M) as shown below:

“(M) Special Event Permits Needed To Use City Owned Parking Lots, paid on- street parking spaces, or to close city streets

(1) Events needing the use of city owned parking lots for two days or less.

The Mayor is empowered by the issuance of a special event permit to assign any and all city owned paid parking lots and some or all on-street paid parking spaces within the Entertainment District Parking Zone for up to two days per special event for the use of a permitted special event or other necessary reason for not more than a total of sixteen (16) days per calendar year.

(2) Events requesting the use of city owned parking lot or on-street paid parking spaces or to close city streets for more than two days in a calendar year.

Subject to the overall limit of 16 days per calendar year, the Mayor may propose and the City Council may agree to or reject an expanded special event permit which would authorize the special event to use city owned paid parking lots or on-street paid parking in the Entertainment District Parking Zone for more than two and up to five days per year. The Mayor may also propose the closure of city streets for more than two days for a special event. The approval and any conditions imposed for such approval by the City Council shall be by City Council Resolution. Proposed special event permits shall be evaluated by the City Council on the basis of, but not limited to, weighing the potential benefits and detriments to the community, impact to public services, including City, schools, transportation, and medical services, and the effect on the overall quality of life to residents and businesses. Any violation of the City Council required conditions shall subject the special event permit authorization beyond two days to be voided and withdrawn by the Mayor.”

Legistar ID No.: 2016-0057

AGENDA REQUEST FORM

FOR: Council Meeting of February 16, 2016

FROM: City Council Member Sarah Marsh

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

AN ORDINANCE TO AMEND § 72.58 **OFF-STREET PARKING FACILITIES; RULES AND RATES (M)** TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

APPROVED FOR AGENDA:



City Council Member Sarah Marsh

1/28/2016

Date



City Attorney Kit Williams
(as to form)

January 27, 2016

Date

2-9-16 Agenda Session

City of Fayetteville, Arkansas

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



Meeting Agenda - Tentative Agenda

Tuesday, February 9, 2016

4:30 PM

City Hall Room 326

City Council Agenda Session

Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4

ELECTED OFFICIALS:
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City Attorney Kit Williams
City Clerk Sondra Smith

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions

A. Consent:

A. 1 2015-0641

APPROVAL OF THE FEBRUARY 2, 2016 CITY COUNCIL MEETING MINUTES.

A. 2 2016-0009

**MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC
AMENDMENT NO. 3:**

*Need new
resolution*

A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE CONTRACT WITH MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC IN THE AMOUNT OF \$14,000.00 FOR ADDITIONAL LEGAL SERVICES RELATED TO THE WHITE RIVER WATER QUALITY STANDARDS PETITION TO THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

*incorrect
amount*

Attachments:Mitchell Williams Amendment No. 3 Legistar PacketA. 3 2016-0067

NB #1

**WATERSHED CONSERVATION RESOURCE CENTER TASK
ORDER NO. 4:**

A RESOLUTION TO APPROVE TASK ORDER NO. 4 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF \$79,500.00 FOR CONTINUED NATIVE VEGETATION ESTABLISHMENT EFFORTS AND MINOR ADJUSTMENTS TO EXISTING RESTORATION AREAS TO ENHANCE STREAM CHANNEL STABILITY

Attachments:2016-0067 Vegetation Restoration and Stability

B. Unfinished Business: None**C. Public Hearing:****C.1** **2016-0059****RAZE AND REMOVAL AND CLEAN-UP AT 550 W. SKELTON STREET:**

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE AND CLEAN-UP OF UNSANITARY AND UNSIGHTLY CONDITIONS ON PROPERTY OWNED BY U.S. BANK NATIONAL ASSOCIATION LOCATED AT 550 W. SKELTON STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:550 Skelton Agenda PacketBA - 550 Skelton**C.2** **2016-0058****RAZE AND REMOVAL 1180 E. HUNTSVILLE ROAD:**

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY AARON KENDALL KIRK AND JOHN PAUL KEARY LOCATED AT 1180 E. HUNTSVILLE ROAD IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:1180 Huntsville Agenda PacketBA - 1180 Huntsville**D. New Business:****D.1** **2016-0056****NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION ONE-YEAR CONTRACT:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A ONE-YEAR CONTRACT WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$40,017.86 FOR A STORMWATER EDUCATION PROGRAM FOR 2016

Attachments:2016-0056 Stormwater Education Agreement

D. 2**2016-0065****AMEND THE MASTER STREET PLAN:**

A RESOLUTION TO AMEND THE MASTER STREET PLAN BY RECLASSIFYING NORTH COLLEGE AVENUE BETWEEN MAPLE STREET AND NORTH STREET FROM FIVE LANE PRINCIPAL ARTERIAL WITH AN 87 FOOT RIGHT OF WAY TO A FOUR LANE THOROUGHFARE WITH A 63 FOOT RIGHT OF WAY

Attachments:15-5283 Full CC Packet**D. 3****2016-0064****VAC 15-5280 (5 W. APPLEBY RD./WRMC OFFICES):**

AN ORDINANCE TO APPROVE VAC 15-5280 SUBMITTED BY USI CONSULTING ENGINEERS, INC. FOR PROPERTY LOCATED AT 5 W. APPLEBY ROAD TO VACATE PORTIONS OF SEWER AND DRAINAGE EASEMENTS

Attachments:15-5280 Full CC Packet**D. 4****2016-0060****VAC 15-5287 (SW CORNER OF PERSIMMON & MTN.RANCH BLVD./PARK HILL MTN. RANCH):**

AN ORDINANCE TO APPROVE VAC 15-5287 SUBMITTED BY JORGENSEN AND ASSOCIATES, INC. FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF PERSIMMON AND MOUNTAIN RANCH BOULEVARD TO VACATE PORTIONS OF UTILITY EASEMENTS

Attachments:15-5287 CC reports**D. 5****2016-0062****VAC 16-5303 (4200 W. MAHOGANY DR./BRADFORD):**

AN ORDINANCE TO APPROVE VAC 16-5303 SUBMITTED BY REID AND ASSOCIATES, INC. FOR PROPERTY LOCATED AT 4200 WEST MAHOGANY TO VACATE A PORTION OF UTILITY EASEMENT

Attachments:16-5303 CC packet

~~D.6~~2016-0061**RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5240 FOR APPROXIMATELY 128 ACRES LOCATED AT 2514 WEST LORI ROAD FROM R-A, RESIDENTIAL-AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE; AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO R-A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; AND NS, NEIGHBORHOOD SERVICES, SUBJECT TO A BILL OF ASSURANCE

Attachments:RZN 15-5240 CC reports~~D.7~~2016-0057**AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:**

AN ORDINANCE TO AMEND § 72.58 **OFF-STREET PARKING FACILITIES; RULES AND RATES** (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

Attachments:Agenda Request Form § 72.58**E. City Council Agenda Session Presentations:**~~E.1~~2015-0587

AGENDA SESSION PRESENTATION: AIRPORT UPDATE BY JOHNNY ROSCOE, AIRPORT DIRECTOR

~~E.2~~2016-0043

AGENDA SESSION PRESENTATION: QUARTERLY ECONOMIC DEVELOPMENT PRESENTATION, CHUNG TAN

F. City Council Tour:**G. Announcements:****H. Adjournment****NOTICE TO MEMBERS OF THE AUDIENCE**

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Old business and new business.

Presentations by staff and applicants. Agenda items shall be introduced by the Mayor and, if an ordinance, read by the City Attorney. City staff shall then present a report. An agenda applicant (city contractor, rezoning or development applicant, etc.) may present its proposal only during this presentation period, but may be recalled by an alderman later to answer questions. Staff and applicants may use electronic visual aids in a City Council meeting as part of their presentation.

Public comments. Public comment shall be allowed for all members of the audience on all items of old and new business and subjects of public hearings. No electronic visual aid presentations shall be allowed, but the public may submit photos, petitions, etc. to be distributed to the City Council. If a member of the public wishes for the City Clerk to distribute materials to the City Council before its meeting, such materials should be supplied to the City Clerk office no later than 9:00 a.m. on the day of the City Council meeting. Any member of the public shall first state his or her name and address, followed by a concise statement of the person's position on the question under discussion. Repetitive comments should be avoided; this applies to comments made previously either to the City Council or to the Planning Commission when those Planning Commission minutes have been provided to the Aldermen. All remarks shall be addressed to the Mayor or the City Council as a whole and not to any particular member of the City Council. No person other than the Aldermen and the person having the floor shall be permitted to enter into any discussions without permission of the Mayor. No questions shall be directed to an Alderman or city staff member except through the Mayor.

Courtesy and respect.

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Pre Agenda Meeting 2/3/16

City of Fayetteville, Arkansas

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



Meeting Agenda - Tentative Agenda

Tuesday, February 9, 2016

4:30 PM

City Hall Room 326

City Council Agenda Session

Adella Gray Ward 1
Sarah Marsh Ward 1
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Alan Long Ward 4

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

move to 3/1 mtg.
①. 2015-0639

2015 4TH QUARTER FINANCIAL REPORT

Agenda Additions

A. Consent:

A.1 ✓ 2015-0641

APPROVAL OF THE FEBRUARY 2, 2016 CITY COUNCIL MEETING MINUTES.

A.2 ✓ 2016-0009

MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC
AMENDMENT NO. 3:

A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE CONTRACT WITH MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC IN THE AMOUNT OF \$14,000.00 FOR ADDITIONAL LEGAL SERVICES RELATED TO THE WHITE RIVER WATER QUALITY STANDARDS PETITION TO THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

Attachments:

Mitchell Williams Amendment No. 3 Legistar Packet

A✓3

2016-0067

**WATERSHED CONSERVATION RESOURCE CENTER TASK
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A RESOLUTION TO APPROVE TASK ORDER NO. 4 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF \$79,500.00 FOR CONTINUED NATIVE VEGETATION ESTABLISHMENT EFFORTS AND MINOR ADJUSTMENTS TO EXISTING RESTORATION AREAS TO ENHANCE STREAM CHANNEL STABILITY

Attachments:

2016-0067_Vegetation Restoration and Stability

B. Unfinished Business: None**C. Public Hearing:**

C✓1

2016-0059

RAZE AND REMOVAL 550 W. SKELTON STREET:

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY U.S. BANK NATIONAL ASSOCIATION LOCATED AT 550 W. SKELTON STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:

550 Skelton Agenda Packet

BA - 550 Skelton

C✓2

2016-0058

RAZE AND REMOVAL 1180 E. HUNTSVILLE ROAD:

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Attachments:

1180 Huntsville Agenda Packet

BA - 1180 Huntsville

D. New Business: (None)

DV1

2016-0056**NORTHWEST ARKANSAS REGIONAL PLANNING
COMMISSION ONE-YEAR CONTRACT:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A ONE-YEAR CONTRACT WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$40,017.86 FOR A STORMWATER EDUCATION PROGRAM FOR 2016

Attachments:2016-0056 Stormwater Education Agreement

DV2

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Attachments:15-5283 Full CC Packet

D. 3

2016-0061**RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE):**

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Attachments:RZN 15-5240 CC reports

D.V.4 2016-0064

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Attachments:

15-5280 Full CC Packet

D.V.5 2016-0060

VAC 15-5287 (SW CORNER OF PERSIMMON & MTN.RANCH BLVD./PARK HILL MTN. RANCH):

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Attachments:

15-5287 CC reports

D.V.6 2016-0062

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Attachments:

16-5303 CC packet

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Attachments:Agenda Request Form § 72.58

*Move to
9/1
Remove
Per Matthew
Quilly? Jimmy*
(D. 8)2016-0063**AMEND § 164.19 ACCESSORY DWELLING UNITS (C):**

AN ORDINANCE TO AMEND § 164.19 (C) OF THE FAYETTEVILLE CODE TO REMOVE THE 5,000 SQUARE FOOT MINIMUM LOT AREA REQUIREMENT FOR AN ACCESSORY DWELLING UNIT

Attachments:Agenda Request Packet § 164.19 (C)**E. City Council Agenda Session Presentations:****E. 1** 2015-0587

AGENDA SESSION PRESENTATION-AIRPORT UPDATE BY
JOHNNY ROSCOE, AIRPORT DIRECTOR

E. 2 2016-0043

AGENDA SESSION PRESENTATION: QUARTERLY ECONOMIC
DEVELOPMENT PRESENTATION, CHUNG TAN

F. City Council Tour:**G. Announcements:****H. Adjournment**

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