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 Sarah Bunch
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
January 17, 2017

A meeting of the Fayetteville City Council was held on January 17, 2017 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.

1. **City Board of Health Appointment Confirmation.**

   APPROVED.

2. **Presentation of the City of Fayetteville Martin Luther King Brotherhood Award - Kit Williams.**

   APPROVED.

3. **State of the City Address - Mayor Lioneld Jordan.**

   APPROVED.

Agenda Additions

A. Consent:

1. Approval of the January 3, 2017 City Council Meeting Minutes.

   Approved

2. **CREAMER PILOT SERVICES LEASE AGREEMENT:** A resolution to approve a lease agreement with Creamer Pilot Services, LLC for 276 square feet of office space in the airport terminal building in the amount of $253.00 per month through the end of 2017, after which time the lease shall automatically renew on a month-to-month basis.

   PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 28-17

3. **GARVER, LLC TASK ORDER NO. 7:** A resolution to approve Task Order No. 7 with Garver, LLC in the amount of $49,800.00 for preparation of a preliminary engineering report for the Taxiway B Widening and Rehabilitation Project, to express the city's willingness to utilize Federal Aviation Administration Funds for the project, and to approve a budget adjustment.

   PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 29-17

4. **JL BRYSON, INC. CHANGE ORDER NO. 2:** A resolution to approve Change Order No. 2 to the contract with JL Bryson, Inc. in the amount of $23,276.00 for additional structural concrete associated with installation of the Blueingreen Ozone Disinfection System at the Noland Wastewater Treatment Plant, and to approve a budget adjustment.

   PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 30-17

B. Unfinished Business:

1. **AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169:** An ordinance to amend chapters 160, 161, 162, 164, 166, 167, and 169 of the Unified Development Code to create two new zoning districts: residential intermediate - urban and neighborhood services - general and new use unit 12 b. general business and to make further changes to incorporate these amendments into the unified development code.

   PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5945

2. **PRELIMINARY PLAT 16-5642 (PARK MEADOWS) GRANT APPEAL:** A resolution to grant the appeal of City Council Member Adella Gray and to approve preliminary plat 16-5642 (Park Meadows) as amended pursuant to an agreement between planning and the applicant to extend the left turn lane on Huntsville.

   PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 31-17

C. New Business: None

D. City Council Agenda Session Presentations

E. City Council Tour: February 6, 2017 4:30 pm - Preliminary Plat 16-5574 (Mountain Vista Subdivision) Grant Appeal.

Announcements

Adjournment: 6:52 p.m.

City Council Meeting: **January 17, 2017** **Adjourn:** 6:52

Subject:	**Roll**				
	La Tour	✓			
	Long	absent			
	Gray	absent			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
LaTour left at 6:41	**Tennant**	absent			
	Bunch	✓			
	Mayor Jordan	✓			

6-3

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

City Council Meeting: **January 17, 2017** **Adjourn:**

Subject:	**CITY BOARD OF HEALTH APPOINTMENT CONFIRMATION**				
Motion To:	Approve				
Motion By:	Kinion				
Seconded:	Marsh				
Approved	**La Tour**	✓			
	Long	absent			
	Gray	absent			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	absent			
	Bunch	✓			
	Mayor Jordan				

5-0

Subject:	**PRESENTATION OF THE CITY OF FAYETTEVILLE MARTIN LUTHER KING BROTHERHOOD AWARD - KIT WILLIAMS**				
Motion To:					
Motion By:					
Seconded:					
Reports	**La Tour**				
	Long				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Bunch				
	Mayor Jordan				

City Council Meeting: **January 17, 2017** **Adjourn:**

Subject:	**STATE OF THE CITY ADDRESS - MAYOR LIONELD JORDAN**				
Reports	**La Tour**				
	Long				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Bunch				
	Mayor Jordan				

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

City Council Meeting: **January 17, 2017**

Subject:	**Consent**				
Motion To:		Approve			
Motion By:		Marsh			
Seconded:		Kinion			
A. 1- 4	**La Tour**	✓			
	Long	absent			
	Gray	absent			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	absent			
	Bunch	✓			
	Mayor Jordan				

Minutes approved approved 28-17 30-17

5-0

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

City Council Meeting: **January 17, 2017**

Subject:	**AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169**				
Motion To:		2nd	3rd	Pass	
Motion By:		Marsh	Marsh		
Seconded:		Kinion	Kinion		
B. 1 Unfinished Business	**La Tour**	✓	✓	✓	
	Long	absent	absent	absent	
	Gray	absent	absent	absent	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
Approved 5945	**Tennant**	absent	absent	absent	
	Bunch	✓	✓	✓	
	Mayor Jordan	✓	✓		
		6-0	6-0	5-0	

Subject:	**PRELIMINARY PLAT 16-5642 (PARK MEADOWS) GRANT APPEAL**				
Motion To:		Amend exhibit to add trail image	Approve		
Motion By:		Marsh	Petty		
Seconded:		Kinion	Marsh		
B. 2 Unfinished Business	**La Tour**	✓	absent during vote		
	Long	absent	absent		
	Gray	absent	absent		
	Marsh	✓	✓		
	Kinion	✓	✓		
	Petty	✓	✓		
Approved	**Tennant**	absent	absent		
31-17	**Bunch**	✓	✓		
	Mayor Jordan		✓		
		5-0	5-0		

City Council Meeting: **January 17, 2017**

Subject:	NONE				
Motion To:					
Motion By:					
Seconded:					
New Business	**La Tour**				
	Long				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Bunch				
	Mayor Jordan				

Subject:					
Motion To:					
Motion By:					
Seconded:					
New Business	**La Tour**				
	Long				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Bunch				
	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: **January 18, 2017**

RE: **Resolutions and Ordinances prepared by the City Attorney's Office and passed at the City Council meeting of January 17, 2017**

1. A resolution to approve a lease agreement with Creamer Pilot Services, LLC for 276 square feet of office space in the Airport Terminal building in the amount of $253.00 per month through the end of 2017 after which time the lease shall automatically renew on a month-to-month basis.

2. A resolution to approve Task Order No. 7 with Garver, LLC in the amount of $49,800.00 for the preparation of a Preliminary Engineering Report for the Taxiway B Widening and Rehabilitation Project, to express the City's willingness to utilize Federal Aviation Administration funds for the project, and to approve a budget adjustment.

3. A resolution to approve Change Order No. 2 to the contract with JL Bryson, Inc. in the amount of $23,276.00 for additional structural concrete associated with installation of the BlueInGreen ozone disinfection system at the Noland Wastewater Treatment Plant, and to approve a budget adjustment.

4. An ordinance to amend Chapters 160, 161, 162, 164, 166, 167, and 169 of the Unified Development Code to create two new zoning districts: Residential Intermediate-Urban and Neighborhood Services-General and new Use Unit 12b General Business and to make further changes to incorporate these amendments into the Unified Development Code.

5. A resolution to grant the appeal of City Council Member Adella Gray and to approve Preliminary Plat 16-5642 (Park Meadows) as amended pursuant to an agreement between Planning and the applicant to extend the left turn lane on Huntsville.

City of Fayetteville, Arkansas

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

Meeting Agenda - Final Agenda

Tuesday, January 17, 2017

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
Sarah Bunch 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:

1. 2016-0680

CITY BOARD OF HEALTH APPOINTMENT CONFIRMATION

2. 2016-0563

PRESENTATION OF THE CITY OF FAYETTEVILLE MARTIN LUTHER KING BROTHERHOOD AWARD - KIT WILLIAMS

3. 2016-0564

STATE OF THE CITY ADDRESS - MAYOR LIONELD JORDAN

Agenda Additions:

A. Consent:

A. 1 2016-0567

APPROVAL OF THE JANUARY 3, 2017 CITY COUNCIL MEETING MINUTES.

A. 2 2016-0664

CREAMER PILOT SERVICES LEASE AGREEMENT:

A RESOLUTION TO APPROVE A LEASE AGREEMENT WITH CREAMER PILOT SERVICES, LLC FOR 276 SQUARE FEET OF OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF $253.00 PER MONTH THROUGH THE END OF 2017, AFTER WHICH TIME THE LEASE SHALL AUTOMATICALLY RENEW ON A MONTH-TO-MONTH BASIS

Attachments: CREAMER PILOT SERVICES LEASE AGREEMENT

A. 3 2016-0682

GARVER, LLC TASK ORDER NO. 7:

A RESOLUTION TO APPROVE TASK ORDER NO. 7 WITH GARVER, LLC IN THE AMOUNT OF $49,800.00 FOR PREPARATION OF A PRELIMINARY ENGINEERING REPORT FOR THE TAXIWAY B WIDENING AND REHABILITATION PROJECT, TO EXPRESS THE CITY'S WILLINGNESS TO UTILIZE FEDERAL AVIATION ADMINISTRATION FUNDS FOR THE PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: Taxiway B Council Packet

BA

A. 4 2017-0008

JL BRYSON, INC. CHANGE ORDER NO. 2:

A RESOLUTION TO APPROVE CHANGE ORDER NO. 2 TO THE CONTRACT WITH JL BRYSON, INC. IN THE AMOUNT OF $23,276.00 FOR ADDITIONAL STRUCTURAL CONCRETE ASSOCIATED WITH INSTALLATION OF THE BLUEINGREEN OZONE DISINFECTION SYSTEM AT THE NOLAND WASTEWATER TREATMENT PLANT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: JL Bryson Change Order No. 2 Legistar Packet

BA-JL Bryson Change Order #2

B. Unfinished Business:

B. 1 2016-0622

AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169:

AN ORDINANCE TO AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169 OF THE UNIFIED DEVELOPMENT CODE TO CREATE TWO NEW ZONING DISTRICTS: RESIDENTIAL INTERMEDIATE - URBAN AND NEIGHBORHOOD SERVICES - GENERAL AND NEW USE UNIT 12 B. GENERAL BUSINESS AND TO MAKE FURTHER CHANGES TO INCORPORATE THESE AMENDMENTS INTO THE UNIFIED DEVELOPMENT CODE

Attachments: 16-5631 EX A

16-5631 EX B

ADM 16-5631 (UDC CHAPTERS 161 & 162 AMENDMENTS)

At the December 3, 2017 City Council Meeting this ordinance was left on the first reading.

B. 2 2016-0667

PRELIMINARY PLAT 16-5642 (PARK MEADOWS) GRANT APPEAL:

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO APPROVE PRELIMINARY PLAT 16-5642 (PARK MEADOWS) AS AMENDED PURSUANT TO AN AGREEMENT BETWEEN PLANNING AND THE APPLICANT TO EXTEND THE LEFT TURN LANE ON HUNTSVILLE

Attachments: ATTACHED EXHIBIT 2016-0667 - 4 PAGES

PRELIMINARY PLAT 16-5642 (PARK MEADOWS) GRANT APPEAL

At the December 3, 2017 City Council Meeting this resolution was tabled to the January 17, 2017 City Council Meeting.

C. New Business: None

D. City Council Agenda Session Presentations:

E. City Council Tour: FEBRUARY 6, 2017 4:30 PM - PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT APPEAL

F. Announcements:

G. Adjournment

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may appear and address the City Council on Unfinished Business, New Business, and Public Hearings at City Council meetings. If you wish to address the City Council on an agenda item, please wait for the Mayor or Chair to request public comment then queue behind the podium. When the Mayor or Chair recognizes you, approach the podium and give your name and address. Comments are to be addressed to the Mayor or Chair. The Mayor or Chair will direct your comments to the appropriate elected officials, staff, or others for response. Keep your comments respectful, brief, to the point, and relevant to the agenda item being considered. Each speaker from the public will be allowed one turn at the microphone for discussion of an agenda item.

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. City staff, City Council members, and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item.

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. A simple majority of the City Council members, present and voting, may authorize a representative of a Fayetteville citizens' group opposing the ordinance or resolution to present an electronic visual aid not to exceed five minutes, but no other electronic visual aid presentations will be allowed; however, 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's 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 Telecommunications Devise for the Deaf (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 on our website at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas (479) 575-8323.

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

Agenda Session walk on 01/10/17

City of Fayetteville Staff Review Form

2017-0008

Legistar File ID

1/17/2017

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

Tim Nyander	1/6/2017	Utilities Director / Utilities Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

APPROVAL OF CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT WITH JL BRY-SON, INC. IN THE AMOUNT OF $23,276.00 FOR ADDITIONAL STRUCTURAL CONCRETE AND APPROVAL OF BUDGET ADJUSTMENT.

Budget Impact:

5400.730.5800-5801.00	Water/Sewer Fund
Account Number	Fund
10008.1	Disinfection System Replacement (UV)
Project Number	Project Title

Budgeted Item?	Yes	Current Budget	$	495,450.00
		Funds Obligated	$	494,160.31
		Current Balance	$	1,289.69
Does item have a cost?	Yes	Item Cost	$	23,276.00
Budget Adjustment Attached?	Yes	Budget Adjustment	$	21,987.00
		Remaining Budget	$	0.69

V20140710

Previous Ordinance or Resolution # 218-14

Original Contract Number: 2347

Approval Date: _____

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 17, 2017

TO: Mayor Jordan and City Council

THRU: Don Marr, Chief of Staff
Tim Nyander, Utilities Director

FROM: Jim Beavers, Utilities Engineer

DATE: January 6, 2017

SUBJECT: Paul R. Noland WWTP Ozone Disinfection Facilities, Bid 14-45. Approval of Change Order No. 2 to the Construction Contract with JL Bryson Inc. for additional structural concrete, and approval of a budget adjustment.

RECOMMENDATION:
Approval of Change Order No. 2 to the construction contract with JL Bry-son, Inc. in the amount of $23,276.00 for additional structural concrete, and approval of a budget adjustment.

BACKGROUND:
Construction (structural concrete) changes are required due to moving the injection equipment from the north chlorine contact basin to the south chlorine contact basin.

DISCUSSION:
Proposed Change Order No. 2 has been negotiated.

BUDGET/STAFF IMPACT:
Funds for Change Order No. 2 are available from cost savings balance from the in-house construction of water and sanitary sewer for the Regional Park, Project 14015 that is completed.

ATTACHMENTS:
Change Order No. 2
Itemized Breakdown of Costs – Concrete Changes

CHANGE ORDER

Contract Title PAUL R. NOLAND WWTP OZONE DISINFECTION FACILITIES, BID 14-45

Change Order No. 2

Date of Issuance January 6, 2017

To Contractor: J L Bryson, Inc.
The Contract is changed as follows:

ORDINANCE/RESOLUTION:
Effective _____

Additional Concrete required with structural basin changes from the north to south contact basins.

Refer to attached "Concrete Changes" received from J L Bryson, Inc.

Refer to revised drawings S-4, S-5, S-6, S-9 previously issued

Not valid until signed by the Owner

The original Contract Price was	$	867,010.00
Net change by previously authorized change orders	$	56,072.93
The Contract Price prior to this Change Order was	$	923,082.93
The Contract Price will be increased by	$	23,276.00
The new Contract Price including this Change Order will be	$	946,358.93
The Contract Time(s) will be remain unchanged by this CO 2		

NOTE: This summary does not reflect changes in the Contract Price or Time(s) which have been authorized or negotiated in addition to Change Order (CO) No 2.

J.L. Bryson, Inc.

BY 1-6-17 DATE

CITY OF FAYETTEVILLE - UTILITIES DIRECTOR

BY 6 Jan 2017 DATE

CITY OF FAYETTEVILLE - MAYOR

BY DATE

Concrete Changes

		qty	$ per unit		tax (9.75)	
No Demolition	EA	1	-$5,000.00	-$5,000.00		-$5,000.00
Additional Baffle Wall	EA	1	$8,500.00	$8,500.00		$8,500.00
Larger Pump Trucks	EA	1	$1,600.00	$1,600.00		$1,600.00
Elevated Work: Safety and Time	EA	1	$9,800.00	$9,800.00		$9,800.00
Spanall Roof Forms	EA	1	$3,200.00	$3,200.00		$3,200.00
Extra Yardage	EA	1	$1,900.00	$1,900.00		$1,900.00
						$20,000.00
Overhead		$20,000.00	0%	$0.00		$20,000.00
Profit		$20,000.00	15%	$3,000.00		$23,000.00
Bond		$23,000.00	1.20%	$276.00		$23,276.00
Total						**$23,276.00**

City of Fayetteville, Arkansas - Budget Adjustment Form (Legistar)

Budget Year	Division /Org2	WASTEWATER TREATMENT (730)	Adjustment Number
2016	Requestor:	Cheryl Partain	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

A BA is needed in the Disinfection System Replacement (UV) Ozone project to cover the cost for additional structural concrete. Cost will be reflected on the construction contract with JL Byrson. Cost savings from the completed Regional Park project is being moved to cover this additional cost.

COUNCIL DATE: 1/17/2017

LEGISTAR FILE ID#: **2017-0008**

Barbara Fell
1/9/2017 8:39 AM

Budget Director Date

TYPE:

DESCRIPTION:

GLDATE:

RESOLUTION/ORDINANCE

POSTED: /

v.20161021

	Increase / (Decrease)		Project.Sub#			
Account Number	Expense	Revenue	Project	Sub	AT	Account Name
TOTAL	-	-				
5400.730.5800-5801.00	21,987	-	***10008***	***1***	EX	Fixed Assets - :
5400.730.5800-5210.00	(466)	-	***10008***	***1***	EX	Minor Equipment - :
5400.720.5600-5808.00	(21,521)	-	***14015***	***2000***	EX	Water Line Improvements - Water Line In
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				

CityClerk

From: Mitchell <mmitchellm@cox.net>
Sent: Friday, January 06, 2017 6:30 AM
To: Gray, Adella; CityClerk; Kinion, Mark; La Tour, John; Long, Alan; MARSH, Sara; Mayor; Petty, Matthew; Bunch, Sarah; Tennant, Justin
Subject: Mountain Vista Subdivision

Categories: Forwarded

Good Morning Council Members:

Due to road conditions FYV Public Schools have cancelled classes for the day, I therefore, entreat you to take the opportunity to commute
up-n-down 24th Street/Country Club Drive and exit from Askew Drive this morning.

In appreciation for your diligent consideration in this matter, I remain,

Respectfully,

Marie Mitchell
37 E. 29th Circle
Fayetteville AR 72701
479.301.2059

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

Alderman Justin Tennant
Ward 3 Position 1

Alderman Sarah Bunch
Ward 3 Position 2

Alderman John La Tour
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

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

City of Fayetteville Arkansas
City Council Meeting
January 3, 2017

A meeting of the Fayetteville City Council was held on January 3, 2017 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.

<u>Oaths of Office:</u>

Mayor Lioneld Jordan, City Clerk Treasurer, Sondra E. Smith, Sarah Marsh, Alderman Ward 1, Matthew Petty, Alderman Ward 2, Sarah Bunch, Alderman Ward 3, and Alan Long, Alderman Ward 4.

Judge William Storey administrated the oaths of office.

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

Alderman Kinion, Marsh, and Long left early.

Pledge of Allegiance

<u>Mayor's Announcements, Proclamations and Recognitions:</u> None

UNOFFICIAL

City Council Meeting Presentations, Reports, and Discussion Items:

Nominating Committee Report and Housing Authority Board Appointment

Alderman Kinion presented the Nominating Committee report and recommended the appointments as submitted.

A copy of the report is attached.

Alderman Kinion moved to approve the Nominating Committee Report and Housing Authority Board Appointment as read. Alderman Marsh seconded the motion. Upon roll call the motion passed unanimously.

City Council Committee Appointments

A copy of the report is attached.

Alderman Tennant moved to approve the City Council Committee Appointments. Alderman Gray seconded the motion. Upon roll call the motion passed unanimously.

Report of the Firemen's and Policemen's Pension and Relief Fund

Mayor Jordan presented the report on the Firemen's Pension and Policemen's Pension to the City Council.

A copy of the report is attached.

Election of Vice Mayor

Alderman Kinion: I want to nominate Alderman Marsh to continue a second term. I believe offering her a second year would be appropriate.

Alderman Tennant moved to nominate Alderman Alan Long as Vice Mayor. Alderman Kinion moved to nominate Alderman Sarah Marsh. Upon roll call Alderman Alan Long was elected as Vice Mayor with a vote of 5-3. Alderman Bunch, La Tour, Long, Gray, and Tennant voting for Alderman Long. Alderman Marsh, Kinion, and Petty voting for Alderman Marsh.

Alderman Alan Long was elected as Vice Mayor

UNOFFICIAL

Consent:

Approval of the December 20, 2016 City Council Meeting Minutes.

Approved

Gallagher Benefits Services: A resolution to approve a renewal of the contract with Gallagher Benefits Services in the amount of $28,800.00 for the provision of city employee benefits broker services through the second half of 2017.

Resolution 01-17 as recorded in the office of the City Clerk

Pierce Manufacturing, Inc.: A resolution to approve the purchase of a 2017 Arrow XT Fire Engine from Pierce Manufacturing, Inc. of Appleton, Wisconsin in the amount of $540,618.00 pursuant to a Houston-Galveston Area Council cooperative purchasing contract, and to approve a contingency in the amount of $54,061.80.

Resolution 02-17 as recorded in the office of the City Clerk

Bid No. 16-64 Benchmark Construction of NWA, Inc.: A resolution to award Bid No. 16-64 and authorize a contract with Benchmark Construction of NWA, Inc. in the amount of $485,058.00 for the construction of infrastructure and land development necessary for installation of the Fire Department Training Facility, and to approve a project contingency in the amount of $72,758.70.

Resolution 03-17 as recorded in the office of the City Clerk

Bid No. 16-45 Crushed Rock Salt: A resolution to award Bid No. 16-45 and authorize the purchase of bulk crushed rock salt from Central Salt, LLC for $75.00 per ton for materials picked up and $77.68 per ton for materials delivered as needed through July 31, 2017.

Resolution 04-17 as recorded in the office of the City Clerk

Bid No. 17-02 Construction - Curb & Gutter: A resolution to award Bid No. 17-02 and authorize the purchase of curb and gutter construction from Fochtman Enterprises, Inc. as a primary supplier and Tomlinson Asphalt as secondary supplier in variable amounts and for varying unit prices as needed through the end of 2017.

Resolution 05-17 as recorded in the office of the City Clerk

Bid No. 17-04 Concrete Purchase: A resolution to award Bid No. 17-04 and authorize the purchase of concrete from Tune Concrete Company as primary supplier and APAC Central as secondary supplier in variable amounts and to authorize the use of other bidders based on price and availability as needed through the end of 2017.

Resolution 06-17 as recorded in the office of the City Clerk

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Bid No. 17-05 Aggregate Materials: A resolution to award Bid No. 17-05 and authorize the purchase of aggregate materials from Hunt Rogers Materials, LLC as primary supplier and to authorize the use of other bidders based on price and availability as needed through the end of 2017.

Resolution 07-17 as recorded in the office of the City Clerk

Bid No. 17-07 Hillside Gravel: A resolution to award Bid No. 17-07 and authorize the purchase of hillside gravel from Les Rogers, Inc. in varying amounts and for variable unit prices as needed through the end of 2017.

Resolution 08-17 as recorded in the office of the City Clerk

Bid No. 17-08 Plastic Drainage Pipe: A resolution to award Bid No. 17-08 and authorize the purchase of plastic drainage pipe for varying unit prices from various vendors, as needed through the end of 2017.

Resolution 09-17 as recorded in the office of the City Clerk

Bid No. 17-09 Concrete Drainage Pipe: A resolution to award Bid No. 17-09 and authorize the purchase of concrete drainage pipe from Scurlock Industries, Inc. in variable amounts and for varying unit prices as needed through the end of 2017.

Resolution 10-17 as recorded in the office of the City Clerk

Bid No. 17-10 Screened Topsoil: A resolution to award Bid No. 17-10 and authorize the purchase of screened topsoil from Les Rogers, Inc. as primary supplier and Sweetser Construction, Inc. as secondary supplier in variable amounts and for varying prices as needed through the end of 2017.

Resolution 11-17 as recorded in the office of the City Clerk

Bid No. 17-12 Retaining Wall Blocks: A resolution to award Bid No. 17-12 and authorize the purchase of retaining wall blocks for varying unit prices from various vendors as needed through the end of 2017.

Resolution 12-17 as recorded in the office of the City Clerk

Bid No. 17-13 High Performance Cold Mix Asphalt: A resolution to award Bid No. 17-13 and authorize the purchase of high performance cold mix asphalt from Hutchens Construction Co. as primary supplier and Atlas Asphalt, Inc. as secondary supplier in variable amounts and for varying prices as needed through the end of 2017.

Resolution 13-17 as recorded in the office of the City Clerk

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Bid No. 17-16 Tree Grates and Frames: A resolution to award Bid No. 17-16 and authorize the purchase of tree grates and frames for varying unit prices from various vendors and authorizing the use of other bidders based on price and availability as needed through the end of 2017.

Resolution 14-17 as recorded in the office of the City Clerk

Bid No. 17-17 Decorative Fencing: A resolution to award Bid No. 17-17 and authorize the purchase of decorative fencing from Barmac Access Controls LLC d/b/a Modern Fence of NWA as primary supplier and Fence Co., Inc. as secondary supplier and authorizing the use of other bidders based on price and availability as needed through the end of 2017.

Resolution 15-17 as recorded in the office of the City Clerk

Bid No. 17-18 Reflectorized Paint Markings: A resolution to award Bid No. 17-18 and authorize the purchase of reflectorized paint markings from Custom Pavement Maintenance and Safety, LLC in variable amounts and for varying unit prices as needed through the end of 2017.

Resolution 16-17 as recorded in the office of the City Clerk

Bid No. 17-19 Waste Disposal for Construction Debris: A resolution to award Bid No. 17-19 and authorize the purchase of waste disposal services for construction debris from S&R Trucking Winslow, LLC and Holtzclaw Excavating, Inc. in variable amounts and for varying unit prices as needed through the end of 2017.

Resolution 17-17 as recorded in the office of the City Clerk

Bid No. 17-20 Truck Hauling Services: A resolution to award Bid No.17-20 and authorize the purchase of truck hauling services from Garman Trucking, LLC at the rate of $72.50 per hour and to authorize the use of other bidders based on price and availability as needed through the end of 2017.

Resolution 18-17 as recorded in the office of the City Clerk

2017 Proposed Asphalt Overlay Projects: A resolution to approve the Transportation Division Overlay and Sidewalk Projects list for 2017.

Resolution 19-17 as recorded in the office of the City Clerk

Superior Automotive Group - Police Department: A resolution to approve the purchase of a Police Package Chevrolet Tahoe from Superior Automotive Group of Siloam Springs in the amount of $31,262.00, pursuant to a state procurement contract, for use by the Police Department.

Resolution 20-17 as recorded in the office of the City Clerk

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Superior Chevrolet - Police Department: A resolution to approve the purchase of a Chevrolet Traverse from Superior Chevrolet of Siloam Springs in the amount of $23,329.85, pursuant to a state procurement contract, for use by the Police Department.

Resolution 21-17 as recorded in the office of the City Clerk

Superior Chevrolet - Police Department: A resolution to approve the purchase of a Chevrolet Traverse AWD from Superior Chevrolet of Siloam Springs in the amount of $25,188.21, pursuant to a state procurement contract, for use by the Police Department.

Resolution 22-17 as recorded in the office of the City Clerk

Superior Chevrolet - Water and Sewer Operations Division: A resolution to approve the purchase of a Chevrolet Traverse from Superior Chevrolet of Siloam Springs in the amount of $25,578.21, pursuant to a state procurement contract, for use by the Water and Sewer Operations Division.

Resolution 23-17 as recorded in the office of the City Clerk

Susan Sullivan d/b/a Flying Q: A resolution to approve a Special Use Permit allowing Susan Sullivan d/b/a Flying Q to operate a guided horseback trail ride business on the Lake Sequoyah equestrian trails for a fee of $5.00 per horse on each trail ride.

Resolution 24-17 as recorded in the office of the City Clerk

Kessler Mountain Regional Park: A resolution to approve a deed restriction covenant restricting development in certain portions of Kessler Mountain Regional Park as required by the U.S. Army Corps of Engineers Section 404 Nationwide Permit Number 2014-00110.

Resolution 25-17 as recorded in the office of the City Clerk

Seven Hills Homeless Center: A resolution to approve a contract with Seven Hills Homeless Center to provide funding assistance in the amount of $103,000.00 for utilities, maintenance and repairs at the Walker Family Residential Community complex in 2017.

Resolution 26-17 as recorded in the office of the City Clerk

Alderman Marsh moved to accept the Consent Agenda as read. Alderman Long seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion was absent.

Unfinished Business: None

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New Business:

Asphalt Materials: An ordinance to waive the requirements of formal competitive bidding during 2017 for the purchase of asphalt materials for use by the Transportation Division, but to require informal quarterly bids or quotes.

City Attorney Kit Williams read the ordinance.

Terry Gulley, Transportation Services Director gave a brief description of the ordinance.

Alderman Marsh moved to suspend the rules and go to the second reading. Alderman Gray seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion was absent.

City Attorney Kit Williams read the ordinance.

Alderman Long moved to suspend the rules and go to the third and final reading. Alderman Gray seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion was absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Kinion was absent.

Ordinance 5941 as Recorded in the office of the City Clerk

Mark Zweig, Inc.: An ordinance to waive the requirements of formal competitive bidding and approve a cost share agreement with Mark Zweig, Inc. for a water main upgrade along a portion of North Church Avenue between West Spring Street and West Dickson Street with the estimated amount to be paid by the City of Fayetteville not to exceed $103,665.15, and to approve a project contingency in the amount of $20,733.03.

City Attorney Kit Williams read the ordinance.

Tim Nyander, Utilities Director gave a brief description of the ordinance. Staff recommends approval.

Alderman Long moved to suspend the rules and go to the second reading. Alderman Tennant seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion was absent.

City Attorney Kit Williams read the ordinance.

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Alderman Tennant moved to suspend the rules and go to the third and final reading. Alderman Gray seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion was absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Kinion was absent.

Ordinance 5942 as Recorded in the office of the City Clerk

Amend §72.58 Off-Street Parking Facilities; Rules and Rates: An ordinance to amend subsection (I) *Rates for Parking in City Parking Garages* of §72.58 **Off-Street Parking Facilities; Rules and Rates** of the City Code to allow more flexibility for monthly parking rates in the Meadow Street parking garage.

City Attorney Kit Williams read the ordinance.

Justin Clay, Parking Manager gave a brief description of the ordinance.

Alderman Tennant: If these are empty and we can lower rates and maybe increase the revenue it is good for everybody. Thank you for coming up with this.

Alderman La Tour: I like the idea of letting the market set the price. Thank you for bringing this forward.

Alderman Tennant moved to suspend the rules and go to the second reading. Alderman Gray seconded the motion. Upon roll call the motion passed 6-0. Alderman Kinion and Marsh were absent.

City Attorney Kit Williams read the ordinance.

Alderman Tennant moved to suspend the rules and go to the third and final reading. Alderman Gray seconded the motion. Upon roll call the motion passed 6-0. Alderman Kinion and Marsh were absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 6-0. Alderman Kinion and Marsh were absent.

Ordinance 5943 as Recorded in the office of the City Clerk

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Arkansas State Highway and Transportation Department: A resolution to allow the City of Fayetteville to enter into a partnering agreement with the Arkansas State Highway and Transportation Department for improvements to Highway 112 between Razorback Road and Garland Avenue, and to approve the reclassification of Highway 112 between 15th Street and Interstate 49 as a city street.

Chris Brown, City Engineer gave a brief description of the resolution.

Alderman Petty: Whenever we saw this at the Transportation Committee, you were hoping to make a minor revision to the language. If changes we made to the typical cross section resulted in a cost savings, you didn't want to be penalized for them being a little different than the typical section. Did that language get changed to your satisfaction?

Chris Brown: Yes, we were able to get that done. Thank you.

Mayor Jordan stated his appreciation for the work done on the project.

Alderman Long moved to approve the resolution. Alderman Petty seconded the motion. Upon roll call the resolution passed 6-0. Alderman Kinion and Marsh were absent.

Resolution 27-17 as recorded in the office of the City Clerk

RZN 16-5664 (1633 E. Zion Rd./Mayes): An ordinance to rezone that property described in rezoning petition RZN 16-5664 for approximately 0.85 acres located at 1633 East Zion Road from RSF-4, Residential Single Family, 4 units per acre to NS, Neighborhood Services.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff is in favor of the request. The Planning Commission voted 8-0 in favor of the request.

Alderman Long moved to suspend the rules and go to the second reading. Alderman Tennant seconded the motion. Upon roll call the motion passed 6-0. Alderman Kinion and Marsh were absent.

City Attorney Kit Williams read the ordinance.

Alderman Tennant moved to suspend the rules and go to the third and final reading. Alderman Gray seconded the motion. Upon roll call the motion passed 6-0. Alderman Kinion and Marsh were absent.

City Attorney Kit Williams read the ordinance.

Alderman Tennant: As this area of East Fayetteville continues to grow, I hope we will continue to discuss in future meetings whether it be budgeting or sidewalk transportation, a continued

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improvement of the sidewalks down Zion Road. We have made a lot of improvements already, but this area is growing at a high rate from Highway 265 to College. To make the area more walkable is important.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 6-0. Alderman Kinion and Marsh were absent.

Ordinance 5944 as Recorded in the office of the City Clerk

Amend Chapters 160, 161, 162, 164, 166, 167, and 169: An ordinance to amend Chapters 160, 161, 162, 164, 166, 167, and 169 of the Unified Development Code to create two new zoning districts: Residential Intermediate - Urban and Neighborhood Services - General and New Use Unit 12 b. General Business and to make further changes to incorporate these amendments into the Unified Development Code.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff recommends approval. The Planning Commission recommended in favor 9-0. He requested for the ordinance be left on a reading to allow the public more time to review the information.

Alderman La Tour: Thank you for the hard work on this. The more planning districts we have, the greater possibility we have that someone will build a development. The more zones we have, the greater opportunity for innovation to take place.

There was a brief discussion about leaving the item on the First Reading.

This ordinance was left on the First Reading

Preliminary Plat 16-5642 (Park Meadows) Grant Appeal: A resolution to grant the appeal of City Council member Adella Gray and to deny Preliminary Plat 16-5642 (Park Meadows) because such development would create or compound a dangerous traffic condition in violation of §166.02 (C)(2) (a)(iv) of the Unified Development Code.

Jeremy Pate, Director of Development Services gave a brief description of the resolution. The Planning Commission voted to approve the project with a vote of 6-3. He stated there were several recommendations for improvements. He stated the basis of Alderman Gray's appeal centered on traffic concerns of Huntsville Road. He discussed the traffic study that was conducted.

Jesse Fulcher, Rausch Coleman: After looking into this in detail it was determined the turn lanes on Huntsville Road was the most appropriate at the intersection. We have agreed to this and the Planning Commission supports that. The Engineering staff has requested we extend the stacking distance within that turn lane, which we have agreed to do. We will continue to work with the

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Trails Coordinator to make sure bicycle facilities stay in place. We hope you will approve our project and let us move forward.

Alderman Gray: I brought this forward because there were a lot of residents who wanted to talk about it. I did this so they could bring their ideas forward.

Alderman Petty reiterated what Jeremy Pate discussed for clarification.

Jeremy Pate discussed the traffic signal assessment in the final phase. He stated there has been a commitment to continue to look at the intersection regardless of the project and how fast it moves in order to understand when a signal can be warranted in this location.

Alderman Bunch: Did you go out on a tour?

Jeremy Pate: I think the Planning Commission may have gone out. The Council went out individually.

Ralph Nesson, Morningside Drive voiced his concerns about traffic safety and protection of wildlife. He requested an additional warrant traffic analysis be performed to determine the amount of traffic speed and turning events on Huntsville Road and Morningside Drive. He asked that the installation of a traffic light at the intersection be concurrent with the beginning of home construction. He requested two turn lanes from Huntsville Road into the Park Meadows Development be developed. He wants a four way stop sign be placed at the corner of Morningside and McClinton Street. He requested for a wildlife consultant be hired.

Kate Conway, 1007 Morningside Drive thanked staff and City Council for their accessibility. She voiced her concerns about the need of a warrant traffic analysis, sidewalks, four way stop, and preservation of wildlife. She stated that city staff should have the authority to require developers to meet certain standards regardless of the cost to the developer.

Kathy Layman, Janelle Avenue voiced her concerns about intersection traffic concerns on Wood Avenue and bike lanes. She spoke about wildlife concerns.

Robert Billig, 539 McClinton voiced his concerns about traffic on McClinton and Wood.

Stan Lancaster, Morningside Drive stated he would like to see a traffic signal ahead of time at Morningside and Huntsville due to traffic. He spoke about wildlife concerns. He suggested an archeological survey be done on the property.

Mayor Jordan: Have you all looked into the traffic light?

Chris Brown, City Engineer: Yes. The traffic study presented by the developers indicates a signal is not warranted. There is not enough traffic there for a signal. This is based on projected traffic counts and assumptions of where people are going to go as they enter and leave the development. In situations when we are making decisions as a city, we look at actual traffic counts. As the

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development builds out and we see a signal is needed there and meets the traffic thresholds, we could consider adding a signal.

Mayor Jordan: Will the improvements that we are about to make with the extended turning lanes be adequate?

Chris Brown stated yes. He gave a brief description of the turning lanes.

Alderman La Tour: Is it a mathematical formula that there are a certain amount of cars and we have to have a light?

Chris Brown: There are multiples warrants we look at. It is the amount of traffic we have on an hourly basis. If it meets the traffic levels during a certain number of hours during the day, then a signal is warranted.

Alderman La Tour: How many situations over the last two years that we did a calculation and it indicated a light was warranted and we did not install a light?

Chris Brown: I don't know of one where we did a study and there was a need for a signal and the signal was not put in.

Alderman La Tour: We are pretty diligent. If our calculations say we need one, we will get one put in?

Chris Brown: Yes.

Alderman La Tour: What is the lag time from the time we determine it's needed to the time it is operating? Are we talking weeks or months?

Chris Brown: I would say six months. If we did it in house with the Transportation crews, we could probably do it in three or four months. 90 to 120 days is the minimal amount of time.

Alderman La Tour: How much does a typical red light cost?

Chris Brown: Contractor price is about $150,000. If we did it in house with staff, it could be around $100,000.

Alderman Gray: Do you know exactly when the study was done? What I hear citizens saying is that it is the traffic times of the day that are so dangerous.

Chris Brown: The analysis would have been at least a 24 hour count with multiple days of counts. I could look in the traffic study and give you better details when the actual counts were taken.

Alderman Gray: You can assure us without any question that the traffic times were looked at and considered?

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Chris Brown: Yes. We have adequate counts.

City Attorney Kit Williams: Did you look at the level of use and wait times for that intersection?

Chris Brown: That is a different analysis than the signal warrant. You can look at level of service analysis which is a measure of delay at an intersection. The traffic study shows there are adequate levels of service even after the development.

City Attorney Kit Williams: If we did another study after the development was there and they weren't just estimating, would that help us decide to do a traffic signal there if there was inadequate service?

Chris Brown: Yes. What happens with this type of development is there are multiple entrances and exits. There has to be an assumption made as to which way people are going to go. If those assumptions by the traffic engineer prove to be incorrect, then we would look at it at that point.

City Attorney Kit Williams: I drafted a resolution that was requested by Planning after they came to a better agreement with the applicant. The burden is on the appealer in order to overturn the Planning Commission. Normally the resolution says a resolution to approve the appeal and deny the application. In this particular case I drafted a different resolution to reflect the agreement with the additional conditions that Planning and the applicant have agreed too. If your decision is to approve this resolution with new conditions, then there needs to be a motion to amend to this. If it is amended to this and this resolution fails then we are back to the original amendment. We only have five aldermen and the Mayor here currently. It takes five affirmative votes to pass a resolution. The amendment can be passed on a vote of 4-2.

Jeremy Pate: The recommended resolution adds Conditions of Approval that bring the project closer in line to what we were originally recommending. There are additional improvements that are recommended with these added Conditions of Approval.

City Attorney Kit Williams stated the applicant is in the driver's seat until the appeal gets granted. The Planning Commission approved the preliminary plat and it would remain approved. Kit read the body of the resolution where it had been changed.

Jesse Fulcher received clarification about the proposed amended resolution from Kit Williams.

Alderman La Tour: I want the audience to know that this is the best you can hope for. If we don't do anything then the Planning Commission rules. We need to move ahead with something to give some relief.

Alderman Gray moved to amend the resolution to say, "Condition #2 will require that an extended turn lane shall be constructed by the applicant along Huntsville Road from the intersection with Morningside Drive toward the east and amends condition #3 to require that the traffic signal assessment of $18,000 shall not be due until the final plat is approved for the final phase of the project." Alderman La Tour seconded the motion. Upon roll call the

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motion passed 4-1. Alderman Bunch, La Tour, Gray, and Tennant voting yes. Alderman Petty voting no. Alderman Kinion, Marsh, and Long were absent.

Alderman Petty: With the amended version, if we grant the appeal, then the plat is approved. If we deny the appeal, the appeal of the plat is approved?

City Attorney Kit Williams: Yes, that is basically right. I always put the burden on the applicant because that is changing something. If this resolution fails, then that will stand and these new conditions won't apply to that preliminary plat. Is that what you understand?

Alderman Petty: Yes. Prior to amendment if the resolution had passed then the plat would have been denied. Correct?

City Attorney Kit Williams: Yes**.**

A discussion followed about the amended resolution and appeal process.

Alderman Gray: The changes and discussion that has gone on is exactly the reason I did the appeal.

Alderman Petty: I am not sure if I'm asked to vote tonight what I would have done if I had the option to overturn the Planning Commission's decision. I am uncomfortable with the way this has developed through the amendment. I would consider not voting, given the original choice has been removed. If I am asked to vote tonight, given the two choices, which is to impose one extra condition on the applicant relevant to what the Planning Commission said, I would feel obligated to vote yes because it is better. This is highly unusual to amend an appeal in this manner. I would prefer to table it so I wasn't required to vote in a way that wasn't consistent with the way this was put on the agenda.

Alderman La Tour: I'm not for rushing something through and the more discussion we have the better. From your perspective is there a problem with the plat?

Alderman Petty: Yes.

Alderman La Tour: You want to change the plat?

Alderman Petty: I would have preferred from the very beginning to continue the process in negotiation. The position we are in now is either vote to impose one extra condition or vote to go with the original Planning Commission conditions.

Alderman Tennant: I talked to several people who were concerned about some of the details that would be discussed tonight. They appreciated Alderman Gray bringing it forward. At this point this warrants a full Council to discuss and vote on it. I want to vote on this at a future meeting. I would like to hear from the developer if it would be detrimental to delay this for one more meeting.

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Jesse Fulcher: We started this back in October as far as the review process and we are now in our fourth month. It has been slow going. I don't want the Council members voting on something they aren't comfortable with. I would like some direction as to some changes we are overlooking that could be discussed with staff or the City Council. Some of the misunderstandings at the Planning Commission was the amount of time staff had to look at the findings of the traffic report and as it relates to the turn lanes on Huntsville Road. Once they had the opportunity to look at the warrants for the turn lanes on Huntsville Road and how much traffic is actually turning in, those turn lanes weren't warranted. To put one in at the intersection where the majority of traffic is turning, as well as the turn lane we will be installing for northbound traffic on Morningside Drive would provide a lot of benefit in that area. We will be putting money towards a traffic signal at the points where hopefully it will be warranted that the money can be utilized. It is difficult when you are holding property under contract. Time is a challenge when you are trying to maintain a contract, meet deadlines, and spend money with engineers.

Alderman Tennant: I appreciate what you have brought forward and the fact you are willing to invest money which you necessarily wouldn't have to do. I believe this warrants a couple of weeks.

Alderman Petty: I would be happy to talk with you more Jesse. I have a range of concerns.

Alderman Bunch: I am in support of tabling this also. It is an unusual situation with the amendment and it is a little confusing.

Alderman Gray: I'm generally in support of giving plenty of time, but I am in Ward 1 and have received all the calls. I feel we have talked and talked and it is evident our City Attorney and Planning staff has reviewed all of this. I won't be here in two weeks. I hate to hold our developer up any longer. This is a development we very much need in south Fayetteville. None of us wants to give up beautiful green space. None of us wants to increase the traffic problems, but those are problems we have. We need affordable housing in Fayetteville and this is affordable. I would like to vote tonight, but I will agree to what the Council says.

Ralph Nesson thanked the Council for deliberating on the issue and agreeing to further discussion. He requested for a neighborhood representative be included in the discussions within the next two weeks.

Alderman Petty moved to table the resolution to the January 17, 2017 City Council meeting. Alderman Tennant seconded the motion. Upon roll call the motion to table passed 4-1. Alderman Bunch, La Tour, Petty, and Tennant voting yes. Alderman Gray voting no. Alderman Kinion, Marsh, and Long were absent.

This resolution was tabled to the January 17, 2017 City Council meeting.

Preliminary Plat 16-5574 (Mountain Vista Subdivision) Grant Appeal: A resolution to grant the appeal of City Council member Adella Gray and to deny Preliminary Plat 16-5574 (Mountain Vista Subdivision) because such development would create or compound a dangerous traffic condition in violation of §166.02 C)(2)(a)(iv) of the Unified Development Code.

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Jeremy Pate, Director of Development Services gave a brief description of the resolution. The Planning Commission voted to approve the project with a vote of 5-3. He stated there were a number of conditions associated with the approval. He stated the basis of Alderman Gray's appeal centered on water service pressure and the access to Country Club Drive. He stated a speed study was conducted.

Chris Brown, City Engineer stated the initial review of the stopping sight distance at the intersection was based on the 25 mph speed limit and the stopping sight distance was adequate. He gave a brief description formula of traffic counts and speeds. He stated it was determined that it was 9 mph over the speed limit for the northbound direction. He stated the southbound meets the requirement and isn't a concern.

Alderman La Tour: Could a three way stop sign be installed?

Chris Brown: It could be a three way stop. It would only be necessary to make it a two way stop. It would resolve the issue.

Alderman Gray: Please discuss any other speed control items.

Chris Brown: There could be a two way stop, construction of a roundabout, and lane width reductions. There are multiple things in the traffic calming toolbox that could be looked at to try and reduce speeds coming down the hill. I would not recommend vertical deflection, also known as speed tables because of the steepness of the street and curvature. Relocation of the intersection is a final option, but I don't believe that is feasible. The more you move down the hill, the speeds are going to increase, which increases the stopping sight distance and defeats the purpose.

Jeremy Pate: There was discussion about connecting to another street that the property technically has access too. I believe it is 22nd Street and it dead ends. There is considerable slope and is very steep. We would not recommend a street being constructed at that slope. We don't believe it is a feasible or safe connection.

City Attorney Kit Williams: Even if that was an option it would not deny the applicant his right to access 24th Street. He has a right to access 24th Street as a property interest and we can't take that away without compensation. Any additional street access probably wouldn't be used since it is so steep, but wouldn't solve the problem we are looking at now with the intersection into 24th Street.

Mayor Jordan: I have gotten emails about the water pressure. What improvements did we make and how is the water pressure in the area?

Tim Nyander, Utilities Director: At the 24th Street pump station we installed three new fire pumps and two service pumps. Since we can't put an elevated storage tank because of the close proximity to the airport, we had to put concept pressure pumps there. The highest point at the Country Club is where you would test the water for drop in pressure when you are opening fire hydrants. If you drop below 20 psi then that is against the Health Department rules. We ran the fire flow test twice. We opened up two hydrants and we only dropped by 20 pounds down to about 60 pounds of

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pressure. We didn't drop to any danger level. The Fire Marshal would have to speak about the fire flow standards.

Harley Hunt, Fire Marshal: Based on the water flow we were provided from the Water Department there is adequate flow to support single family dwellings up to 3,600 square feet. Anything over that square footage is not significant flow. There is adequate flow up there to it. If you want to exceed 3,600 square feet, the houses can be sprinkled and then that requirement is met through residential sprinkler systems.

Alderman La Tour: When you say sprinkler system, you are talking about indoor fire prevention, not sprinkler systems in the yard?

Harley Hunt: Yes, sir. Residential fire sprinkler systems in the house.

Alderman La Tour: How did you determine that we can't build over 3,600 square feet? Is there a formula?

Harley Hunt: In the Fire Code there is a chart and it is based upon a formula. It is based on your construction type. The chart gives minimum fire flow requirements.

Alderman Gray stated a resident prepared a short PowerPoint and wanted to make a presentation.

Alderman Petty and Mayor Jordan requested to know how long the video is.

City Attorney Kit Williams read the rules about citizens presenting an electronic visual aid and to not exceed five minutes.

Mayor Jordan: If the Council decided to do two of them, could they do that?

City Attorney Kit Williams: The only way they could do that is by suspending the rules which requires six affirmative votes.

Alderman Gray moved to approve a citizen video. Alderman La Tour seconded the motion. Upon roll call the motion passed 5-0. Alderman Kinion, Marsh, and Long were absent.

Alex Mironoff, 159 West 29th Court gave a brief PowerPoint presentation over stopping sight distance. He stated there is not enough stopping sight distance. He stated it is a risk to public safety. He believes the city should protect the public from development that could increase road hazards. He went over a list of possible solutions to relieve traffic. He urged Council to correct dangerous access to the development before it is built.

Steve Clark, 438 East Fairway Lane stated he was appearing at the City Council meeting as an individual citizen and in no other official capacity. He stated he supports the development as it is proposed with the plans. He stated traffic safety is a major concern. He spoke about the large amount of people that frequented the area from April through November and it created additional

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traffic. He voiced his concerns about it being one way in and one way out. He requested for the item to be tabled to allow for more discussion about the safety of the hillside development.

Jeff Bates, Project Engineer: We feel like we have met all the city development requirements. I understand they want another access off of the mountain, but it isn't going to be through this site. The terrain won't allow it. The only place it would is on the backside where we stubbed out and it was still a14% grade which is steeper than the fire trucks want to go up. We agree with city staff that it is in about the best place it can be. There isn't a whole lot of room to move it. We feel it is going to be great for the mountain and it is going to fit in. They underdeveloped it. They could have put a lot more homes and smaller lots.

Alderman La Tour: What would it cost you to slow this down for 30 days?

Jeff Bates: He is paying interest everyday on the land and the engineering fees. I don't know that there is another solution. We have been working with city staff for 60 days.

Alderman La Tour: How do you feel about putting a two or three way stop sign in?

Jeff Bates: It wouldn't hurt our feelings any.

Alderman La Tour: It seems to me that would solve the problem of traffic.

Jeff Bates: Me too. It would stop everybody.

Alderman La Tour: That might just be a Band-Aid because people could run the stop sign.

Jeff Bates: We can't design for all the people breaking the law.

Rita Miller: I've lived in the neighborhood since 1993. At the time we were told the lower access road was being put into the Askew property. Askew looped around and went pass some rent houses on the Askew Estate and it was to connect to that. Shortly after, people were dumping trash. They gated it off and it was abandoned. A little bit of that property belongs to Jerry Sweetser. In order to use that lower access point the city would need to secure the property in some fashion. Kit Williams was on the City Council at the time.

City Attorney Kit Williams: I was on the City Council and we authorized a contract to build that, but we didn't get into the weeds of it. I have talked to Jeremy and Chris. I think between the old road and the current road that land went back to Sweetser. We took some land from Sweetser on the downhill side to straighten the curve out. We vacated a land up above it. We still have the right of way on the curve that is our property. If it was decided by the engineers that it would be a safer location for the intersection, we could use that little hook we still own. If we had to go across Sweetser's land we would be able to obtain the land through condemnation if it was decided it would be the safest location for the road. We have heard our city engineers say it is not the safest location. I am not the expert and I have to defer to our engineers.

UNOFFICIAL

Rita Miller stated she wasn't an expert, but respectfully disagrees with the analysis. She continued to voice her concerns about traffic and safety. She requested the item to be tabled for further evaluation.

Jim Benton, Citizen stated it is a good project and he is in support of the development. He believes the hills are a valid concern and need to be addressed. He believes the development is at a stage where compromises can be made to meet everybody's needs.

Dr. J.B. Hays, Developer: I've been a Fayetteville resident for 45 years and attended the U of A. I try to improve the city in whatever improvements I do. I met with a large number of home owners in the Country Club area. I listened to their suggestions and I followed some of them. The homes will be from $450,000 to one million dollars. A stop sign might be ideal to put in as you come down the hill if it is needed. The city has approved what we have suggested. Most of the people who are interested have no children. This will help the tax base, the Country Club membership, and will help Fayetteville.

Alderman La Tour: Thank you for taking a risk and building our city.

Greg Anderson, 2941 South College Drive: I encourage you to approve this subdivision. There is a new water line in the new subdivision. It will connect to the existing water line on the backside. This will make a loop that should improve the water flow situation. Will it solve the problem with putting out fires?

Mayor Jordan: The Fire Marshal said the fire protection was good. Is that correct?

Harley Hunt, Fire Marshal: Yes, it is adequate for what has been proposed. The additions from the Water Department has made it very adequate.

Mayor Jordan stated improvements have been made in the area.

Greg Anderson stated he hasn't seen water pressure problems in the area.

Todd Devecsery, 2555 South College Drive: My property adjoins what Mr. Hays is wanting to do. This will improve the value of everyone's homes. There is a serious concern for safety. The study was done on two days in which no one goes to the Country Club because of vacationing. For the safety of citizens, table and require the developer to find a different solution other than a stop sign.

Alderman Gray moved to table the resolution to the February 7, 2017 City Council meeting. Alderman Bunch seconded the motion. Upon roll call the motion to table passed 4-1. Alderman Bunch, Gray, Petty, and Tennant voting yes. Alderman La Tour voting no. Alderman Kinion, Marsh, and Long were absent.

This resolution was tabled to the February 7, 2017 City Council meeting.

UNOFFICIAL

Announcements:

Don Marr, Chief of Staff: The city is accepting real Christmas trees through the month of January. Put them out on the day of your recycling and trash.

The city newsletter is on the City of Fayetteville website.

City Attorney Kit Williams welcomed Alderman Sarah Bunch to the City Council.

City Council Agenda Session Presentations: None

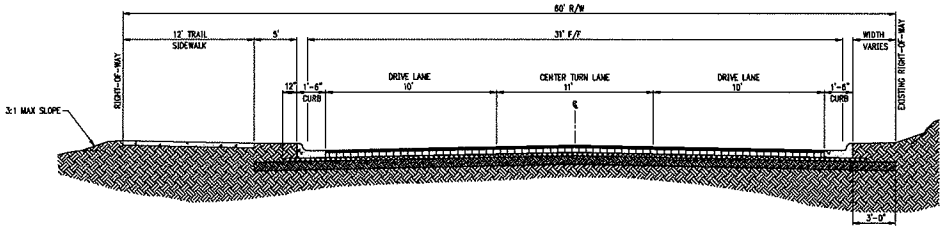
City Council Tour: None

Adjournment: 8:47 p.m.

Lioneld Jordan, Mayor	**Sondra E. Smith, City Clerk Treasurer**

UNOFFICIAL

1-17-17 City Council Meeting Handout B.2 Park Meadows

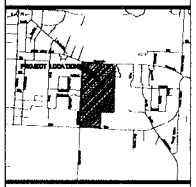


COLLECTOR–PER CITY OF FAYETTEVILLE
NTS

Crafton Tull

GRAPHIC SCALE IN FEET
10 0 30

PARK MEADOWS
FAYETTEVILLE, AR



No.	Revision	Date

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.

PROJECT NO. 16108500
ISSUE DATE: 11/9/16
DRAWN BY: CONTRACT: D. ELLIS
CHECKED BY:

PRELIMINARY PLANS

NOT FOR CONSTRUCTION

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

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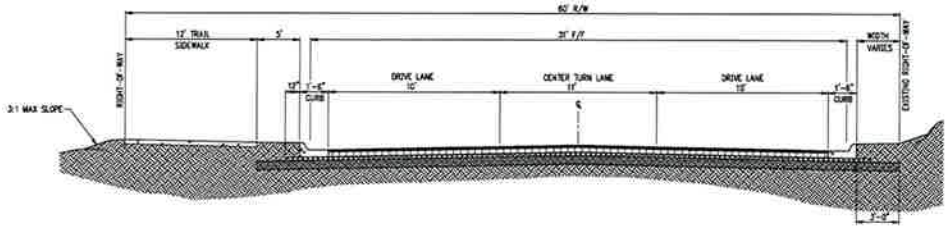
1-17-17 City Council Meeting Handout B.2 Park Meadows



COLLECTOR–PER CITY OF FAYETTEVILLE
NTS

Crafton Tull

GRAPHIC SCALE IN FEET
30' 0 30'

PARK MEADOWS
FAYETTEVILLE, AR

PRELIMINARY PLANS

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL SIGNED AND SEALED DOCUMENT

Added at Agenda Session 1-10-17

Agenda Session walk on 01/10/17

City of Fayetteville Staff Review Form

2017-0008

Legistar File ID

1/17/2017

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

Tim Nyander	1/6/2017	Utilities Director / Utilities Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

APPROVAL OF CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT WITH JL BRY-SON, INC. IN THE AMOUNT OF $23,276.00 FOR ADDITIONAL STRUCTURAL CONCRETE AND APPROVAL OF BUDGET ADJUSTMENT.

Budget Impact:

5400.730.5800-5801.00	Water/Sewer Fund
Account Number	Fund
10008.1	Disinfection System Replacement (UV)
Project Number	Project Title

Budgeted Item?	Yes	Current Budget	$	495,450.00
		Funds Obligated	$	494,160.31
		Current Balance	$	1,289.69
Does item have a cost?	Yes	Item Cost	$	23,276.00
Budget Adjustment Attached?	Yes	Budget Adjustment	$	21,987.00
		Remaining Budget	$	0.69

V20140710

Previous Ordinance or Resolution # 218-14

Original Contract Number: 2347

Approval Date:

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 17, 2017

TO: Mayor Jordan and City Council

THRU: Don Marr, Chief of Staff
Tim Nyander, Utilities Director

FROM: Jim Beavers, Utilities Engineer

DATE: January 6, 2017

SUBJECT: Paul R. Noland WWTP Ozone Disinfection Facilities, Bid 14-45. Approval of Change Order No. 2 to the Construction Contract with JL Bryson Inc. for additional structural concrete, and approval of a budget adjustment.

RECOMMENDATION:
Approval of Change Order No. 2 to the construction contract with JL Bry-son, Inc. in the amount of $23,276.00 for additional structural concrete, and approval of a budget adjustment.

BACKGROUND:
Construction (structural concrete) changes are required due to moving the injection equipment from the north chlorine contact basin to the south chlorine contact basin.

DISCUSSION:
Proposed Change Order No. 2 has been negotiated.

BUDGET/STAFF IMPACT:
Funds for Change Order No. 2 are available from cost savings balance from the in-house construction of water and sanitary sewer for the Regional Park, Project 14015 that is completed.

ATTACHMENTS:
Change Order No. 2
Itemized Breakdown of Costs – Concrete Changes

CHANGE ORDER

Contract Title PAUL R. NOLAND WWTP OZONE DISINFECTION FACILITIES, BID 14-45

Change Order No. 2

Date of Issuance January 6, 2017

To Contractor: J L Bryson, Inc.
The Contract is changed as follows:

ORDINANCE/RESOLUTION:
Effective _____

Additional Concrete required with structural basin changes from the north to south contact basins.

Refer to attached "Concrete Changes" received from J L Bryson, Inc.

Refer to revised drawings S-4, S-5, S-6, S-9 previously issued

Not valid until signed by the Owner

The original Contract Price was	$	867,010.00
Net change by previously authorized change orders	$	56,072.93
The Contract Price prior to this Change Order was	$	923,082.93
The Contract Price will be increased by	$	23,276.00
The new Contract Price including this Change Order will be	$	946,358.93
The Contract Time(s) will be remain unchanged by this CO 2		

NOTE: This summary does not reflect changes in the Contract Price or Time(s) which have been authorized or negotiated in addition to Change Order (CO) No 2.

J L Bryson, Inc.

BY 1-6-17 DATE

CITY OF FAYETTEVILLE - UTILITIES DIRECTOR

BY 6 Jan 2017 DATE

CITY OF FAYETTEVILLE - MAYOR

BY DATE

Concrete Changes

		qty	$ per unit	tax (9.75)	
No Demolition	EA	1	-$5,000.00	-$5,000.00	-$5,000.00
Additional Baffle Wall	EA	1	$8,500.00	$8,500.00	$8,500.00
Larger Pump Trucks	EA	1	$1,600.00	$1,600.00	$1,600.00
Elevated Work: Safety and Time	EA	1	$9,800.00	$9,800.00	$9,800.00
Spanall Roof Forms	EA	1	$3,200.00	$3,200.00	$3,200.00
Extra Yardage	EA	1	$1,900.00	$1,900.00	$1,900.00
					$20,000.00
Overhead		$20,000.00	0%	$0.00	$20,000.00
Profit		$20,000.00	15%	$3,000.00	$23,000.00
Bond		$23,000.00	1.20%	$276.00	$23,276.00
Total					$23,276.00

City of Fayetteville, Arkansas - Budget Adjustment Form (Legistar)

Budget Year	Division /Org2	Adjustment Number
2016	WASTEWATER TREATMENT (730)	
	Requestor: Cheryl Partain	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

A BA is needed in the Disinfection System Replacement (UV) Ozone project to cover the cost for additional structural concrete. Cost will be reflected on the construction contract with JL Byrson. Cost savings from the completed Regional Park project is being moved to cover this additional cost.

COUNCIL DATE: 1/17/2017

LEGISTAR FILE ID#: **2017-0008**

Barbara Fell
1/9/2017 8:39 AM

Budget Director Date

TYPE:

DESCRIPTION:

GLDATE:

POSTED: /

RESOLUTION/ORDINANCE

v.20161021

Account Number	Increase / (Decrease) Expense	Revenue	Project.Sub# Project	Sub	AT	Account Name
TOTAL	-	-				
5400.730.5800-5801.00	21,987	-	***10008***	***1***	EX	Fixed Assets - :
5400.730.5800-5210.00	(466)	-	***10008***	***1***	EX	Minor Equipment - :
5400.720.5600-5808.00	(21,521)	-	***14015***	***2000***	EX	Water Line Improvements - Water Line In
	-	-				
	-	-				
	-	-				
	-	-				
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	-	-				
	-	-				
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	-	-				
	-	-				

City of Fayetteville, Arkansas

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

Meeting Agenda - Tentative Agenda

Tuesday, January 10, 2017

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
Sarah Bunch 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:

1. 2016-0680

CITY BOARD OF HEALTH APPOINTMENT CONFIRMATION

2. 2016-0563

PRESENTATION OF THE CITY OF FAYETTEVILLE MARTIN LUTHER KING BROTHERHOOD AWARD - KIT WILLIAMS

3. 2016-0564

STATE OF THE CITY ADDRESS - MAYOR LIONELD JORDAN

Agenda Additions

A. Consent:

A. 1 2016-0567

APPROVAL OF THE JANUARY 3, 2017 CITY COUNCIL MEETING MINUTES.

A. 2 2016-0664

CREAMER PILOT SERVICES LEASE AGREEMENT:

A RESOLUTION TO APPROVE A LEASE AGREEMENT WITH CREAMER PILOT SERVICES, LLC FOR 276 SQUARE FEET OF OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF $253.00 PER MONTH THROUGH THE END OF 2017, AFTER WHICH TIME THE LEASE SHALL AUTOMATICALLY RENEW ON A MONTH-TO-MONTH BASIS

Attachments: CREAMER PILOT SERVICES LEASE AGREEMENT

B. Unfinished Business:

B. 1 2016-0622

AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169:

AN ORDINANCE TO AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169 OF THE UNIFIED DEVELOPMENT CODE TO CREATE TWO NEW ZONING DISTRICTS: RESIDENTIAL INTERMEDIATE - URBAN AND NEIGHBORHOOD SERVICES - GENERAL AND NEW USE UNIT 12 B. GENERAL BUSINESS AND TO MAKE FURTHER CHANGES TO INCORPORATE THESE AMENDMENTS INTO THE UNIFIED DEVELOPMENT CODE

Attachments: 16-5631 EX A

16-5631 EX B

ADM 16-5631 (UDC CHAPTERS 161 & 162 AMENDMENTS)

At the December 3, 2017 City Council Meeting this ordinance was left on the first reading.

B. 2 2016-0667

PRELIMINARY PLAT 16-5642 (PARK MEADOWS) GRANT APPEAL:

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO APPROVE PRELIMINARY PLAT 16-5642 (PARK MEADOWS) AS AMENDED PURSUANT TO AN AGREEMENT BETWEEN PLANNING AND THE APPLICANT TO EXTEND THE LEFT TURN LANE ON HUNTSVILLE

Attachments: ATTACHED EXHIBIT 2016-0667 - 4 PAGES

PRELIMINARY PLAT 16-5642 (PARK MEADOWS) GRANT APPEAL

At the December 3, 2017 City Council Meeting this resolution was tabled to the January 17, 2017 City Council Meeting.

C. New Business:

C. 1 2016-0682

GARVER, LLC TASK ORDER NO. 7:

A RESOLUTION TO APPROVE TASK ORDER NO. 7 WITH GARVER, LLC IN THE AMOUNT OF $49,800.00 FOR PREPARATION OF A PRELIMINARY ENGINEERING REPORT FOR THE TAXIWAY B WIDENING AND REHABILITATION PROJECT, TO EXPRESS THE CITY'S WILLINGNESS TO UTILIZE FEDERAL AVIATION ADMINISTRATION FUNDS FOR THE PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: Taxiway B Council Packet

BA

D. City Council Agenda Session Presentations:

E. City Council Tour:

F. Announcements:

G. Adjournment

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may appear and address the City Council on Unfinished Business, New Business, and Public Hearings at City Council meetings. If you wish to address the City Council on an agenda item, please wait for the Mayor or Chair to request public comment then queue behind the podium. When the Mayor or Chair recognizes you, approach the podium and give your name and address. Comments are to be addressed to the Mayor or Chair. The Mayor or Chair will direct your comments to the appropriate elected officials, staff, or others for response. Keep your comments respectful, brief, to the point, and relevant to the agenda item being considered. Each speaker from the public will be allowed one turn at the microphone for discussion of an agenda item.

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. City staff, City Council members, and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item.

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. A simple majority of the City Council members, present and voting, may authorize a representative of a Fayetteville citizens' group opposing the ordinance or resolution to present an electronic visual aid not to exceed five minutes, but no other electronic visual aid presentations will be allowed; however, 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's 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.

City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0680

Agenda Date: 1/17/2017 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Appointment

Agenda Number: 1.

CITY BOARD OF HEALTH APPOINTMENT CONFIRMATION

City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0563

Agenda Date: 1/17/2017 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Presentation

Agenda Number: 2.

PRESENTATION OF THE CITY OF FAYETTEVILLE MARTIN LUTHER KING BROTHERHOOD AWARD - KIT WILLIAMS

City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0564

Agenda Date: 1/17/2017 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Report

Agenda Number: 3.

STATE OF THE CITY ADDRESS - MAYOR LIONELD JORDAN

City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0567

Agenda Date: 1/17/2017 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Minutes

Agenda Number: A. 1

APPROVAL OF THE JANUARY 3, 2017 CITY COUNCIL MEETING MINUTES.

City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0664

Agenda Date: 1/17/2017 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: A. 2

CREAMER PILOT SERVICES LEASE AGREEMENT:

A RESOLUTION TO APPROVE A LEASE AGREEMENT WITH CREAMER PILOT SERVICES, LLC FOR 276 SQUARE FEET OF OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF $253.00 PER MONTH THROUGH THE END OF 2017, AFTER WHICH TIME THE LEASE SHALL AUTOMATICALLY RENEW ON A MONTH-TO-MONTH BASIS

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 a lease agreement, a copy of which is attached to this Resolution, with Creamer Pilot Services, LLC for 276 square feet of office space in the Airport Terminal building in the amount of $253.00 per month through the end of 2017, after which time the lease shall automatically renew on a month-to-month basis.

City of Fayetteville Staff Review Form

2016-0664

Legistar File ID

1/17/2017

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

Terry Gulley	12/30/2016	Aviation / Transportation Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Staff recommends approval and signature of the Mayor on a lease agreement with Creamer Pilot Services, LLC, Contact: Lance Creamer, 275 South Harvey Dowell Road, Fayetteville, AR, 72701 (479) 841-4262, for office space in the Terminal Building.

Budget Impact:

Account Number	Fund
Project Number	Project Title

Budgeted Item?	NA	Current Budget	$	-
		Funds Obligated	$	-
		Current Balance	$	-
Does item have a cost?	NA	Item Cost		
Budget Adjustment Attached?	NA	Budget Adjustment		
		Remaining Budget	$	-

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 17, 2017

TO: Mayor Lionled Jordan
Fayetteville City Council

THRU: Don Marr, Chief of Staff

FROM: Terry Gulley, Transportation Services Director

DATE: December 16, 2016

SUBJECT: **Creamer Pilot Services Lease Agreement**

RECOMMENDATION:
Staff recommends approval and signature of the Mayor on a lease agreement between the City of Fayetteville and Creamer Pilot Services.

BACKGROUND:
Creamer Pilot Services would like to lease additional office space to operate a charter aircraft service.

DISCUSSION:
Creamer Pilot Services will be utilizing the now vacant space in the terminal for additional office space for himself and partners for his Part 135 operation. This space will be renovated by our Buildings Maintenance department.

BUDGET/STAFF IMPACT:
This lease will provide $3,036 in revenue to the airport for 2017.

Attachments:
SRF
SRM
Terminal Building Lease Agreement
Exhibit A-Terminal Building Layout

LEASE AGREEMENT

between The City of Fayetteville, Arkansas and Creamer Pilot Services, LLC

This Lease Agreement is entered into by the City of Fayetteville, Arkansas ("City") and Creamer Pilot Services, LLC, for the use of space available in the City's Drake Field terminal building:

1. **Leased Premises.** For and in consideration of the rents, covenants and agreements herein entered into and agreed upon by Creamer Pilot Services, LLC as obligations to the City, the City lets, leases and demises unto Creamer Pilot Services, LLC, subject to the terms and conditions contained herein, the following described property (the "Leased Premises") situated in the City of Fayetteville, Washington County, Arkansas:

276 square feet in the Airport terminal identified in Exhibit "A" attached hereto.

2. **Term.** This term shall commence on January 18, 2017, and shall end on December 31, 2017. Thereafter, the lease agreement shall automatically renew on a month-to-month basis unless terminated or changed by either party.

3. **Rent.** Creamer Pilot Services, LLC agrees to pay to City as rental for the term of this lease the sum of $11.00 per square foot for a total amount of $253.00 per month. The first monthly payment shall be paid on January 18, 2017 and shall be prorated. Each monthly payment thereafter is due on or before the fifth business day of the month. A late fee shall be imposed, at the highest rate allowable by law, on all payments which are not received within five business days of the due date.

4. **Use.** Creamer Pilot Services, LLC agrees to use the leased premises for office space related to its charter aircraft service.

5. **Cleaning and Maintenance.** Creamer Pilot Services, LLC shall provide regular janitorial and maintenance services for the Leased Premises. City shall provide regular janitorial services and maintenance services for common areas of the terminal building.

6. **Assignment or Sublease.** Creamer Pilot Services, LLC shall not assign this lease or sublet the Leased Premises without prior written consent of the City. Consent for any assignment or subletting shall only be considered at the same rates as established in Paragraph 3 above. Any such assignment or subletting shall in no way relieve Creamer Pilot Services, LLC from liability for the obligations imposed by this lease. Creamer Pilot Services, LLC may only be released from liability by a specific written release executed by the City.

7. **Holdover.** Creamer Pilot Services, LLC hereby agrees that upon termination of this lease by expiration or by earlier termination for any reason whatsoever, it will remove its property from the Leased Premises immediately.

8. **Termination.** The City hereby reserves the right to terminate this lease at any time during the term of this lease if payment of rent in accordance with Paragraph 3 above is not received within five (5) business days of the due date.

9. **Non-Waiver.** It is agreed that the failure of the City to invoke any of the available remedies under this lease or under law in the event of one or more breaches or defaults by Creamer Pilot Services, LLC under the lease shall not be construed as a waiver of such provisions and conditions and shall not prevent the City from invoking such remedies in the event of any future breach or default.

10. **Succession.** This lease agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, successors and assigns.

11. **Severability.** Each paragraph of this lease agreement is severable from all other paragraphs. In the event any court of competent jurisdiction determines that any paragraph or subparagraph is invalid or unenforceable for any reason, all remaining paragraphs and subparagraphs will remain in full force and effect.

12. **Interpretation.** This lease agreement shall be interpreted according to and enforced under the laws of the State of Arkansas.

13. **Notices.** Notices may be sent to the parties at the following addresses:

City of Fayetteville, Arkansas
ATTN: Airport Manager
4500 S. School Avenue
Fayetteville, Arkansas 72701

Creamer Pilot Services, LLC
ATTN: Lance Creamer
275 South Harvey Dowell Road
Fayetteville, Arkansas 72701

14. **Entire Agreement.** This lease agreement contains the entire agreement of both parties hereto, and no other oral or written agreement shall be binding on the parties hereto. This lease agreement supersedes all prior agreements, contracts and understandings of any kind between the parties relating to the subject matter hereof. This agreement may be executed in all or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN AGREEMENT with all the terms, promises, and conditions set out above, the parties sign their names below this _____ day of January, 2017:

CITY OF FAYETTEVILLE:

By: _____
LIONELD JORDAN, Mayor

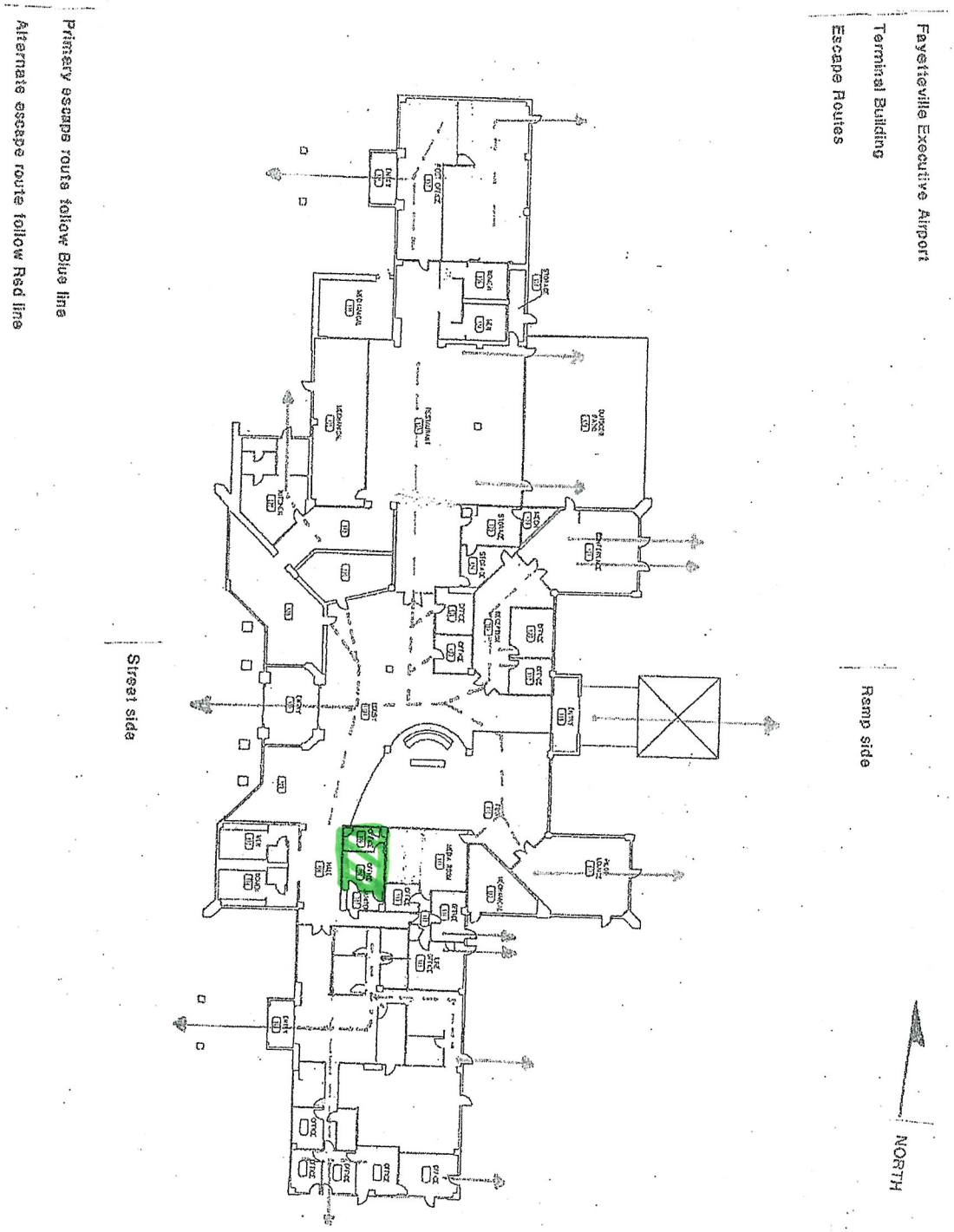
ATTEST:

By: _____
SONDRA SMITH, City Clerk

CREAMER PILOT SERVICES, LLC

By: Lance Creamer
LANCE CREAMER, Manager

Exhibit A



Evacuation Plan diagram for Terminal Building

FAA APPROVED

JUN 16 2015

WM

Agenda Date: 1/17/2017 **Version:** 1 **Status:** First Reading

In Control: City Council Meeting **File Type:** Ordinance

Agenda Number: B. 1

AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169:

AN ORDINANCE TO AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169 OF THE UNIFIED DEVELOPMENT CODE TO CREATE TWO NEW ZONING DISTRICTS: RESIDENTIAL INTERMEDIATE - URBAN AND NEIGHBORHOOD SERVICES - GENERAL AND NEW USE UNIT 12 B. GENERAL BUSINESS AND TO MAKE FURTHER CHANGES TO INCORPORATE THESE AMENDMENTS INTO THE UNIFIED DEVELOPMENT CODE

WHEREAS, the City of Fayetteville determines that there are gaps in existing zoning districts to accommodate a range of multi-unit housing types compatible in size and scale with single-family homes that may help meet the growing demand for walkable urban living; and

WHEREAS, small to medium scaled commercial and mixed-use development that can exist to provide neighborhood services and goods without allowing undesirable, unintended consequences may be facilitated by adding new zoning options; and

WHEREAS, the City of Fayetteville has determined that the two new zoning districts and one use unit would fill these gaps and encourage infill, revitalization, and traditional town form consistent with adopted policy.

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

Section 1. That the City Council of Fayetteville, Arkansas hereby amends §160.01 **Establishment of Districts** in the following manner:

"1) Rename RT-12, Residential Two (2) and Three (3) family to 'RI, Residential Intermediate, Twelve (12) Units Per Acre';
2) Insert 'RI-U, Residential Intermediate - Urban' immediately after RI-12;
3) Rename NS, Neighborhood Services, to 'NS-L, Neighborhood Services - Limited'; and
4) Insert 'NS-G, Neighborhood Services - General' immediately after NS-L"

Section 2. That the City Council of Fayetteville, Arkansas hereby amends §160.01 **Establishment of Districts** by repealing Residential, Commercial, and Industrial Planned Zoning District and enacting and replacing them with "PZD, Planned Zoning District".

Section 3. That the City Council of Fayetteville, Arkansas hereby amends §§161.01(E) and 161.03(F) by

repealing the abbreviation "A-1" and replacing it with the abbreviation "R-A" for Residential Agricultural.

Section 4. That the City Council of Fayetteville, Arkansas hereby amends §161.11 **RT-12, Residential Two (2) and Three (3) Family** by renaming the district "**RI-12, Residential Intermediate, Twelve (12) Units Per Acre**".

Section 5. That the City Council of Fayetteville, Arkansas hereby enacts "§161.12 **RI-U, Residential Intermediate - Urban**" as shown in Exhibit "A" attached hereto and made a part hereof, and renumbers all subsequent sections of **Chapter 161** accordingly.

Section 6. That the City Council of Fayetteville, Arkansas hereby amends §161.18 **Neighborhood Services** by renaming the district "§ 161.18 **NS-L, Neighborhood Services - Limited**" and by modifying the lot width minimum in §161.18(D)(1) to 35 feet for all dwelling types.

Section 7. That the City Council of Fayetteville, Arkansas hereby enacts §**161.19 NS-G, Neighborhood Services - General**" as shown in Exhibit "A" attached hereto and made a part hereof, and renumbers all other sections of **Chapter 161** accordingly.

Section 8. That the City Council of Fayetteville, Arkansas hereby amends **Chapter 161: Zoning Regulations** by replacing "Use Unit 12, Limited Business" with "Use Unit 12a, Limited Business" and by replacing "Use Unit 10, Three (3) Family Dwellings with "Use Unit 10, Three (3) and Four (4) Family Dwellings" in all zoning districts that allow these uses as a Permitted or Conditional Use.

Section 9. That the City Council of Fayetteville, Arkansas hereby amends **Chapter 161: Zoning Regulations** by enacting and inserting Use Unit 41: *Accessory Dwellings* as a Permitted Use in the following zoning districts:

"RI-12, Residential Intermediate Twelve (12) Units Per Acre
RMF-6, Residential Multi-Family, Six (6) Units Per Acre
RMF-12, Residential Multi-Family, Twelve (12) Units Per Acre
RMF-18, Residential Multi-Family, Eighteen (18) Units Per Acre
RMF-24, Residential Multi-Family, Twenty-Four (24) Units Per Acre
RMF-40, Residential Multi-Family, Forty (40) Units Per Acre
R-O, Residential Office
CS, Community Services
DC, Downtown Core
MSC, Main Street/Center
DG, Downtown General"

Section 10. That the City Council of Fayetteville, Arkansas hereby amends **Chapter 162: Use Units** by enacting and inserting "(M) Use Unit 12b. General Business" as shown on Exhibit "B" attached hereto and made a part hereof, and re-lettering all subsequent sections accordingly.

Section 11. That the City Council of Fayetteville, Arkansas hereby amends the table and (J) of § 162.01 to replace Use Unit 10. "Three (3) family dwellings" with Use Unit 10. "Three (3) and four (4) family dwellings", to modify the *Description* in (1) and *Included Uses* in (2) to refer to "three (3) and four (4) family dwellings," and to remove Townhouse development and tri-plexes from the *Included*

Uses.

Section 12. That the City Council of Fayetteville, Arkansas hereby amends §162.01 to replace "Use Unit 12. Limited Business" with "Use Unit 12a. Limited Business".

Section 13. That the City Council of Fayetteville, Arkansas hereby amends §162.01 (Z)(1) *Description* by replacing "three attached dwellings" with "four attached dwellings" and to amend (Z)(2) by renaming it "Included Uses" and changing the "Townhouse" reference to "more than four attached units."

Section 14. That the City Council of Fayetteville, Arkansas hereby amends §162.01 (L), *Limited Business* and (O) Unit 15, *Neighborhood Shopping Goods* to add the following language to the end of the *Description* section:

"...excluding areas dedicated to residential uses."

Section 15. That the City Council of Fayetteville, Arkansas hereby amends §164.11(A) by striking the abbreviation "RT-12" and replacing it with the abbreviation "RI."

Section 16. That the City Council of Fayetteville, Arkansas hereby repeals §166.01(F)(1)(b) and (2)(a) and enacts with the following replacement language:

"§166.01(F)(1)(b) *Requirement*. The construction of more than two (2) single-family residences on one (1) lot within any zoning district other than a single-family district.

§166.01(F)(2)(a) *Excluded Developments*. The construction of two (2) single-family residences, an addition to a single-family residence, or an accessory structure for a single-family residence shall be exempt from the site improvement plan requirements."

Section 17. That the City Council of the Fayetteville, Arkansas hereby amends §167.04(C) *Canopy Area*, Table 1, by renaming "RT-12, Two and Three-family Residential" to "RI-12, Residential Intermediate, Twelve (12) Units Per Acre", by renaming "NS, Neighborhood Services" to "NS-L, Neighborhood Services - Limited" and by enacting and inserting "RI-U, Residential Intermediate - Urban" and "NS-G, Neighborhood Services - General" adjacent to their most similar districts with the following percent minimum canopy:

"RI-U, Residential Intermediate - Urban:	15%
NS-G, Neighborhood Services - General:	20%"

Section 18. That the City Council of Fayetteville, Arkansas hereby amends §169.03(B)(4) by repealing and replacing it with the following language:

"§169.03(B)(4) *Exceptions Where No Grading Permit Is Required. Single-Family/Duplex*. Construction of up to two (2) single-family residences on a single lot, or duplex not located within the one hundred (100) year flood plain, the Hillside/Hilltop Overlay District, or on a slope 15% or greater."

ADM 16-5631 EXHIBIT "A"

§161.12 - District RI-U, Residential Intermediate - Urban

(A) *Purpose.* The RI-U Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a range of housing types compatible in scale with single-family homes and to encourage a diversity of housing types to meet demand for walkable urban living.

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family Dwellings
Unit 36	Wireless communications facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

	Dwelling (all types)
Lot width minimum	18 feet
Lot area minimum	None

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) family	Rear Other Uses	Rear, from centerline of an alley
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	None	5 feet	5 feet	12 feet

(F) *Building Height Regulations.*

Building height maximum	30/45 feet

*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. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

(G) *Building Area*. The area occupied by all buildings shall not exceed 60% of the total lot area.

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

ADM 16-5631 EXHIBIT "A"

§161.19 - Neighborhood Services - General

(A) *Purpose.* The Neighborhood Services, General district is designed to serve as a mixed use area of medium intensity. Neighborhood Services, General 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 (3) and four (4) family dwellings
Unit 12b	General Business
Unit 24	Home occupations
Unit 41	Accessory Dwelling Units
Unit 44	Cluster 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 permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 13	Eating Places
Unit 16	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*. Eighteen (18) or less per acre.

(D) *Bulk and Area Regulations*.

(1) *Lot Width Minimum.*

All Dwellings	35 feet
All other uses	None

(2) *Lot Area Minimum.*

Single-family	4,000 square feet
Two (2) family or more	3,000 square feet per dwelling unit
All other uses	None

(E) *Setback regulations*.

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

(F) *Building Height Regulations.*

Building Height Maximum	45 feet

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

ADM 16-5631 EXHIBIT "B"

§162.01 – Establishment/Listing

(M) Unit 12b. General Business,

(1) *Description.* Unit 12b consists of small-scale establishments offering commercial goods and services that are accessible for the convenience of individuals living in residential districts, while compatible in size, scale and appearance with the surrounding neighborhood. These uses shall be subject to the regulations in Chapter 164. All uses classified under Unit 12b must be within a building containing 8,000 square feet or less, excluding area dedicated to residential uses.

(2) *Included Uses.*

Personal services	•Day Care
	• Dry cleaning
	• Salon/Barber shop
	• Tailoring
Retail	• Antique/home décor sales
	• Apparel
	• Art/Architectural supplies
	• Bakery/Pastry shops
	• Bicycle shop
	• Bookstore
	• Coffee shop
	• Delicatessen
	• Drugstore
	• Florists
	• Food specialty stores
	• Grocery
	• Hardware store
	• Health food store
	• Hobby/Craft shop
	• Ice cream
	• Meat market
	• Restaurant/Café
	• Small Appliance Repair

ADM 16-5631 EXHIBIT “B”

	• Stationary store
	• Toy store
	• Video rental
Professional Offices	• Accountant
	• Architect
	• Attorney
	• Broker
	• Business/Mgmt. Consultant
	• Doctor

City of Fayetteville Staff Review Form

2016-0622

Legistar File ID

12/20/2016

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

Jeremy Pate	12/2/2016	City Planning / Development Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

ADM 16-5631: Administrative Item (UDC CHAPTERS 161 & 162 AMENDMENTS): Submitted by PLANNING STAFF for revisions to several chapters in the Unified Development Code. The proposal is to create two new zoning districts, a new use unit, and include accessory dwellings as a permitted use in several existing districts. The intent of the code changes are to facilitate greater flexibility in medium-intensity commercial and medium-intensity urban residential development.

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 OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF DECEMBER 20, 2016

TO: Fayetteville City Council

THRU: Andrew Garner, City Planning Director

FROM: Jonathan Curth, Senior Planner

DATE: December 2, 2016

SUBJECT: **ADM 16-5631: Administrative Item (UDC CHAPTERS 161 & 162 AMENDMENTS):** Submitted by PLANNING STAFF for revisions to several chapters in the Unified Development Code. The proposal is to create two new zoning districts, a new use unit, and include accessory dwellings as a permitted use in several zoning districts. The intent of the code changes are to facilities greater flexibility in medium-intensity commercial and medium-intensity urban residential development.

RECOMMENDATION:
The Cty Planning staff and Planning Commission recommend approval of an ordinance to amend UDC Chapters 161: Zoning Regulations and 162: Use Units.

BACKGROUND:

Over the past year Planning staff has received feedback from developers, Commissioners, and Alderman that the current zoning districts in the City of Fayetteville need to broadened to provide sufficient flexibility to adequately pursue the goals laid out in City Plan 2030, particularly with regards to the pursuit of appropriate infill and traditional town form. In the interest of facilitating development that is complementary to the City's goals, staff developed the two new zoning districts and a related use unit outlined below:

The first zoning district, **RT-U, Residential Two and Three Family – Urban**, is proposed as a tool to foster infill development in an urban pattern. Staff envisages this district increasing density and housing opportunities in areas with existing services and facilities. A frequent concern in urban areas nationwide, and not an uncommon complaint in Fayetteville, is that there is little in the way of housing variety between detached single-family homes and larger multi-family developments. The RT-U zoning district can potentially address and ameliorate this 'missing middle' and provide another option for attainable housing.

The second proposed district, **NS-G, Neighborhood Services - General**, seeks to address applicant, staff, Commissioner, and Alderman concerns with recommending commercial and mixed-use zoning districts that are compatible in residential neighborhoods, but allow enough intensity to be commercially viable. The most frequent instance of this has been the request for CS, Commercial Services rezonings to allow for specific residentially-sensitive commercial uses that need a greater building size than the 3,000 square feet allowed in NS, Neighborhood

Services. Given the allowance of buildings as large as 25,000 square feet and uses like gas stations and drive-through restaurants in the CS zoning district, this presents potential compatibility issues. The proposed NS-G zoning district and associated Use Unit 12b address these concerns by creating a form-based district with uses determined to be residentially-sensitive and in structures of appropriate size. These code changes are part of a continual effort to calibrate our zoning code to the market, development trends, and adopted City policy. The new districts and use unit provide more refined tools in the City's zoning district 'toolkit,' encouraging a greater degree of compatibility and transition in specific contexts.

DISCUSSION:
This item was discussed at the November 14, 2016 Planning Commission meeting where it was tabled. The commission requested staff to evaluate several of the secondary elements in the proposed NS-G zoning district and existing NS zoning district, including street frontage requirements and the use unit distinction between three- and four-family units. These topics were fully discussed internally within the City Planning Division and after further review revisions were made to reduce the street frontage requirement for two-family dwelling units to the same 35 feet required for single-family dwellings, and modify Use Unit 10 to include both three- and four-family dwellings.

On November 28, 2016 the Planning Commission recommended including three- and four-family dwellings in the 35-foot street frontage requirement shared by one- and two-family dwellings. Staff again revisited the requirement and agreed, revising the NS-G and NS zoning districts' street frontage requirements accordingly.

On November 28, 2016 the Planning Commission forwarded staff's proposal to the City Council with a recommendation for approval with a vote of 9-0-0.

BUDGET/STAFF IMPACT:
N/A

Attachments:
- Proposed code changes as shown in strikethrough/highlight
- Planning Commission Staff Report
- Exhibit 'A':
    - Proposed §161.12 District RT-U, Residential Two (2) and Three (3) UDC 164.19
    - Proposed §161.19 District NS-G, Neighborhood Services – General
- Exhibit 'B':
    - Proposed §162.01 Use Unit 12b. General Business

CHAPTER 160: ZONING DISTRICTS

160.01 - Establishment Of Districts

The following zoning districts are hereby established:

ZONING DISTRICTS

R-A	Residential - Agricultural
RSF-.5	Residential Single-family - One Half (½) Unit per Acre
RSF-1	Residential Single-family - One (1) Unit per Acre
RSF-2	Residential Single-family - Two (2) Units per Acre
RSF-4	Residential Single-family - Four (4) Units per Acre
RSF-7	Residential Single-family - Seven (7) Units per Acre
RSF-8	Residential Single-family - Eight (8)Units per Acre
RSF-18	Residential Single-family - Eighteen (18) Units per Acre
RI-12	Residential Intermediate, Twelve (12) Units per Acre
RI-U	Residential Intermediate - Urban
RMF-6	Residential Multi-family - Six (6) Units per Acre
RMF-12	Residential Multi-family - Twelve (12) Units per Acre
RMF-18	Residential Multi-family - Eighteen (18) Units per Acre
RMF-24	Residential Multi-family - Twenty-Four (24) Units per Acre
RMF-40	Residential Multi-family - Forty (40) Units per Acre
R-O	Residential-Office
NS-L	Neighborhood Services - Limited
NS-G	Neighborhood Services - General
C-1	Neighborhood Commercial
CS	Community Services
C-2	Thoroughfare Commercial
C-3	Central Business Commercial
UT	Urban Thoroughfare
DC	Downtown Core
MSC	Main Street Center
DG	Downtown General
NC	Neighborhood Conservation
I-1	Heavy Commercial and Light Industrial
I-2	General Industrial
P-1	Institutional
E-1	Extraction
DOD	Design Overlay District

~~R-PZD~~	~~Residential Planned Zoning District~~
~~C-PZD~~	~~Commercial Planned Zoning District~~
~~I-PZD~~	~~Industrial Planned Zoning District~~
PZD	Planned Zoning District

(Code 1965, App. A., Art. 5; Ord. No. 1747, 6-29-70; Ord. No. 3115, 9-3-85; Ord. No. 3128, 10-1-85; Code 1991, §§160.015, 160.048; Ord. No. 3792, §1, 5-17-94; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4325, 7-3-01; Ord. No. 4930, 10-03-06; Ord. No. 5312, 4-20-10; Ord. No. 5824 , § 1, 11-17-15)

CHAPTER 161: ZONING REGULATIONS

Sections:

161.01	Application of District Regulations
161.02	Zoning Compliance and Business License
161.03	District R-A, Residential-Agricultural
161.04	District RSF-.5, Residential Single-Family – One Half (½) Unit Per Acre
161.05	District RSF-1, Residential Single-Family – One (1) Unit Per Acre
161.06	District RSF-2, Residential Single-Family – Two (2) Units Per Acre
161.07	District RSF-4, Residential Single-Family – Four (4) Units Per Acre
161.08	District RSF-7, Residential Single-Family – Seven (7) Units Per Acre
161.09	District RSF-8, Residential Single-Family – Eight (8) Units Per Acre
161.10	District RSF-18, Residential Single-Family – Eighteen (18) Units Per Acre
161.11	District RI-12, Residential Intermediate – Twelve (12) Units Per Acre
161.12	District RI-U, Residential Intermediate - Urban
161.13	District RMF-8, Residential Multi-Family – Eight (8) Units Per Acre
161.14	District RMF-12, Residential Multi-Family – Twelve (12) Units Per Acre
161.15	District RMF-18, Residential Multi-Family – Eighteen (18) Units Per Acre
161.16	District RMF-24, Residential Multi-Family – Twenty-Four (24) Units Per Acre
161.17	District RMF-40, Residential Multi-Family – Forty (40) Units Per Acre
161.18	Neighborhood Services - Limited
161.19	Neighborhood Services - General
161.20	District R-O, Residential Office
161.21	District C-1, Neighborhood Commercial
161.22	Community Services
161.23	District C-2, Thoroughfare Commercial
161.24	Urban Thoroughfare
161.25	District C-3, Central Commercial
161.26	Downtown Core
161.27	Main Street/Center
161.28	Downtown General
161.29	Neighborhood Conservation
161.30	District I-1, Heavy Commercial and Light Industrial
161.31	District I-2, General Industrial
161.32	District P-1, Institutional
161.33	District E-1, Extraction
161.34	Reserved
161.35	Planned Zoning Distrct
161.36-161.99	Reserved

161.01 - Application Of District Regulations

Minimum Regulations/Exceptions. The regulations set by this chapter within each district shall be minimum regulations and shall apply uniformly for each class or kind of structure or land, except as hereinafter provided:

(A) *General.* No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all the regulations herein specified for the district in which it was located.

(B) *Limitations* . No building or other structure shall hereafter be erected or altered:

(1) *Height/Bulk.* To exceed the height or bulk;

(2) *Number of Units.* To accommodate or house a greater number of units;

(3) *Lot Area.* To occupy a greater percentage of lot area;

(4) *Setback/Open Spaces.* To have narrower or smaller rear setbacks, front setbacks, side setbacks, or other open spaces than herein required; or

(5) *Other.* In any other manner contrary to the provisions of this chapter.

(C) *Independent Compliance.* No part of a setback, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this chapter shall be included as part of a setback, open space, or off-street parking or loading space similarly required for any other building.

(D) *Effective Date.* No setback or lot existing on June 29, 1970, shall be reduced in dimension or area below the minimum requirements set forth herein. Setbacks or lots created after June 29, 1970, shall meet at least the minimum requirements established by this chapter.

(E) *Annexation.* All territory which may hereafter be annexed to the city shall be considered to be in District ~~A-1~~ R-A until the territory is rezoned as provided herein.

(F) *Measuring Setbacks.*

(1) *Front.* Measured from the street right-of-way, or street right-of-way setback as required by the Master Street Plan.

(2) *Side.* Measured from the side property line.

(3) *Rear.* Measured from the rear property line.

(4) *Corner.* A corner lot has two fronts and two sides.

(G) *Conditional Uses.* These uses are permissible if approved by the Planning Commission. See Chapter 163, Use Conditions.

(H) *Authorized Construction/Use.* Permits issued on the basis of plans and applications approved by the Zoning and Development Administrator or Planning Commission authorize only the use, arrangements, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction.

(Code 1965, App. A., Art. 3; Ord. No. 1747, 6-29-70; Code 1991, §160.016; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 5425, 8-2-11)

161.02 - Zoning Compliance And Business License

(A) *Required.* It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered, or enlarged in its use or structure until a business license has been issued by the Zoning and Development Administrator stating that the proposed use of the building or land conforms to the requirements of this chapter.

(B) *Conforming Uses.* Uses permitted within the underlying zoning district shall be eligible for a business license, subject to §118 of the Fayetteville Code.

(C) *Nonconforming Uses.*

(1) Uses within the following use unit categories established prior to September 7, 2010 and operating in a zoning district that does not currently allow the use, are for the purposes of zoning compliance determined to be an existing nonconforming use, may continue to operate and are eligible to obtain a city business license. The exemption shall not be construed as relieving the owner or operator of such business from the regulations of the business license ordinance, including grounds for suspension and revocation, or from any other applicable federal, state, or city regulations.

Use Units	
3	Public protection facilities
4	Cultural and recreational facilities
5	Government facilities
6	Agricultural
7	Animal husbandry
12	Limited business
13	Eating places
15	Neighborhood shopping goods

24	Home occupation
25	Offices, studios, and related services

(2) Uses within the following use unit categories established prior to July 15, 2003 and operating in a zoning district that does not currently allow the use, are for the purposes of zoning compliance determined to be an existing nonconforming use, may continue to operate and are eligible to obtain a city business license. The exemption shall not be construed as relieving the owner or operator of such business from the regulations of the business license ordinance, including grounds for suspension and revocation, or from any other applicable federal, state, or city regulations.

Use Units	
2	City-wide uses by conditional use permit
14	Hotel, motel and amusement facilities
16	Shopping goods
17	Transportation trades and services
18	Gasoline service stations & drive in/drive
19	Commercial recreation, small sites
20	Commercial recreation, large sites
21	Warehousing and wholesale
22	Manufacturing
23	Heavy industrial
27	Wholesale bulk petroleum storage facilities with
28	Center for collecting recyclable materials
29	Dance halls
30	Extractive uses
31	Facilities emitting odors/handling explosives
32	Sexually oriented businesses
33	Adult live entertainment club or bar
34	Liquor stores
35	Outdoor music establishments
36	Wireless communications facilities
38	Mini-storage units
39	Auto salvage and junk yards
40	Sidewalk cafes
42	Clean technologies
43	Animal boarding and training

(3) Businesses operating in a zoning district that does not allow the use and that cannot provide proof of their establishment in accordance with the criteria above are declared to be incompatible with permitted uses and shall not hereafter continue except in conformity with the regulations of the district in which it is located. These businesses shall not be eligible to obtain a city business license until or unless they are brought into compliance with the zoning district regulations.

(Code 1965, App. A., Art. 9(3), (5); Ord. No. 1747, 6-29-70; Code 1991, §§160.192, 160.194; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 5425, 8-2-11)

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 (½)

(D) *Bulk and Area Regulations.*

Lot width minimum	200 feet
Lot Area Minimum:	
Residential:	2 acres
Nonresidential:	2 acres
Lot area per dwelling unit	2 acres

(E) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

(F) *Height Requirements.* There shall be no maximum height limits in the ~~A-1~~ R-A 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. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5195, 11-6-08; Ord. No. 5238, 5-5-09; Ord. No. 5479, 2-7-12)

...

161.08 - District RSF-7, Residential Single-Family - Seven (7) Units Per Acre

(A) *Purpose* The RSF-7 Residential District is designed to permit and encourage the development of detached dwellings in suitable environments.

(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 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(C) *Density.*

Single-family dwelling units per acre	7 or less

(D) *Bulk and Area Regulations.*

(E) *Lot Width Minimum.*

Single-family	60 feet
Two-family	60 feet
Townhouse, no more than two (2) attached	30 feet

(F) *Lot Area Minimum.*

Single-family	6,000 square feet
Two-family	6,000 square feet
Townhouse, no more than two (2) attached	3,000 square feet

(G) *Land Area Per Dwelling Unit*.

Single-family	6,000 square feet
Two-family	3,000 square feet
Townhouse, no more than two (2) attached	3,000 square feet

(H) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(I) *Building Height Regulations.*

Building Height Maximum	45 feet

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.

(J) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(Code 1991, §160.046; Ord. No. 3792, §4, 5-17-94; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11)

...

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

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

(B) *Uses.*

(1) *Permitted Uses*.

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

(2) *Conditional Uses*.

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

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet

Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations*.

Building Height Maximum	45 feet

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.

(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. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11)

161.08 - District RSF-7, Residential Single-Family - Seven (7) Units Per Acre

(A) *Purpose* The RSF-7 Residential District is designed to permit and encourage the development of detached dwellings in suitable environments.

(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 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities

Unit 44	Cottage Housing Development

(C) *Density.*

Single-family dwelling units per acre	7 or less

(D) *Bulk and Area Regulations.*

(E) *Lot Width Minimum.*

Single-family	60 feet
Two-family	60 feet
Townhouse, no more than two (2) attached	30 feet

(F) *Lot Area Minimum.*

Single-family	6,000 square feet
Two-family	6,000 square feet
Townhouse, no more than two (2) attached	3,000 square feet

(G) *Land Area Per Dwelling Unit*.

Single-family	6,000 square feet
Two-family	3,000 square feet
Townhouse, no more than two (2) attached	3,000 square feet

(H) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(I) Building Height Regulations.

Building Height Maximum	45 feet

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.

(J) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(Code 1991, §160.046; Ord. No. 3792, §4, 5-17-94; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11)

161.09 - District RSF-8, Residential Single-Family - Eight (8) Units Per Acre

(A) *Purpose.* The RSF-8 Residential District is designed to bring historic platted development into conformity and to allow for the development of new single family residential areas with similar lot size, density, and land use as the historical neighborhoods in the downtown area.

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

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

(C) *Density.*

	By Right
Single-family dwelling units per acre	8 or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family	50 feet
Two (2) family	50 feet
Townhouse, no more than two (2) attached	25 feet

(2) *Lot Area Minimum.*

Single-family	5,000 square feet
Two-family	5,000 square feet

(3) *Land Area Per Dwelling Unit*.

Single-family	5,000 square feet
Two-family	5,000 square feet

Townhouse, no more than two (2) attached	2,500 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	5 feet

(F) *Height Regulations.*

Building Height Maximum	45 feet

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area, except when a detached garage exists or is proposed; then the area occupied by all buildings shall not exceed 60% of the total lot area.

(Ord. No. 4783, 10-18-05; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11)

161.10 - District RSF-18, Residential Single-Family - Eighteen (18) Units Per Acre

(A) *Purpose*. The RSF-18 Single-family Residential District is designed to promote and encourage the efficient development of single-family detached residences in a variety of densities.

(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 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(C) *Density.*

Units per acre	Eighteen (18) or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family	30 feet
Two (2) family	30 feet

(2) *Lot Area Minimum.*

Townhouses: individual lot	1,250 square feet
Single-family	2,500 square feet
Two-family	2,000 square feet

(E) *Setback Requirements.*

Front	Side	Side-Zero Lot Line*	Rear
A build-to zone that is located between the front property line and a line 25 ft. from the front property line.	5 feet on both sides	A setback of less than five feet (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side setback(s) shall be 10 feet.	5 feet

* A zero lot line is an alternative to the 5 foot building setback. Applicants should consult the International Building Code when locating a structure in close proximity to property lines and/or adjacent structures.

** At least 5 feet of maintenance area shall be provided along a structure that is within 5 feet of a property line. This may be provided through a perpetual maintenance easement on the adjacent property, or through a combination of a maintenance easement and private property. Walls, fences and customary yard accessories are permitted in the maintenance area.

(F) *Building Height Regulations*.

Building Height Maximum	35 feet

(G) *Building Area.* The area occupied by all buildings shall not exceed 60% of the total lot area.

(H) *Minimum Buildable Street Frontage.* 50% of the lot width for two-family dwellings.

(Ord. No. 5800, § 2(Exh. B), 10-6-15; Ord. No. 5824, § 2, 11-17-15)

161.11 - District RI-12, Residential Intermediate, Twelve (12) Units Per Acre

(A) *Purpose.* The RI-12 Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a development potential between low density and medium density with less impact than medium density development, to encourage the development of areas with existing public facilities and to encourage the development of a greater variety of housing values.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right

Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory Dwellings
Unit 44	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 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	12

(D) *Bulk and Area Regulations.*

	Single-family	Two (2) family	Three (3) family
Lot width minimum	50 feet	50 feet	90 feet
Lot area minimum	5,000 square feet	7,260 square feet	10,890 square feet.

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

Building height maximum	30/45 feet

*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. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

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

(Code 1965, App. A., Art. 5(IIA); Ord. No. 3128, 10-1-85; Code 1991, §160.032; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 06-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.12 - District RI-Urban, Residential Intermediate - Urban

(A) *Purpose.* The RI-U Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a range of housing types compatible in scale with single-family homes and to encourage a diversity of housing types to meet demand for walkable urban living.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory Dwellings
Unit 44	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 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family Dwellings
Unit 36	Wireless communications facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

	Dwelling (all types)
Lot width minimum	18 feet
Lot area minimum	None

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) family	Rear Other Uses	Rear, from centerline of an alley
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	None	5 feet	5 feet	12 feet

(F) *Building Height Regulations.*

Building height maximum	30/45 feet

*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. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 60% of the total lot area.

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

161.13 - District RMF-6, Residential Multi-Family - Six (6) Units Per Acre

(A) *Purpose.* The RMF-6 Multi-family Residential District is designed to permit and encourage the development of multi-family residences at a low density that is appropriate to the area and can serve as a transition between higher densities and single-family residential areas.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory Dwellings
Unit 44	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 12a	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	6 or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single-family	50 feet
Two (2) family	50 feet
Three and more	90 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a Manufactured home park	4,200 square feet
Townhouse: Individual lot	2,500 square feet
Single-family	6,000 square feet
Two-family	7,000 square feet
Three or more	9,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acre

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

Building Height Maximum	30/45 feet

*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. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 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 1 foot for each foot of height in excess of 20 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

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

(Ord. No. 4325, 7-3-01; Ord. No. 5028, 6-19-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 06-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.14 - District RMF-12, Residential Multi-Family - Twelve (12) Units Per Acre

(A) *Purpose.* The RMF-12 Multi-family Residential District is designed to permit and encourage the development of multi-family residences at a moderate density that is appropriate to the area.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory Dwellings
Unit 44	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 12a	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	12 or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single family	45 feet
Two (2) family	45 feet
Three (3) and more	80 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 square feet
Townhouse: Individual lot	2,500 square feet
Single-family	4,500 square feet
Two (2) family	6,000 square feet
Three (3) or more	9,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acre

(3) Land Area Per Dwelling Unit.

Manufactured home	3,000 square feet

(E) *Setback requirements.*

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

(F) *Building Height Regulations.*

Building Height Maximum	30/45 feet*

*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. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 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 1 foot for each foot of height in excess of 20 feet.

(G) Building area. The area occupied by all buildings shall not exceed 50% of the total lot area.

(H) Minimum buildable street frontage. 50% of the lot width.

(Ord. No. 4325, 7-3-01; Ord. No. 5028, 6-19-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.15 - District RMF-18, Residential Multi-Family - Eighteen (18) Units Per Acre

(A) *Purpose.* The RMF-18 Multi-family Residential District is designed to permit and encourage the development of multi-family residences at a medium density that is appropriate to the area.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory Dwellings
Unit 44	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 12a	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	Eighteen (18) or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single-family	40 feet
Two (2) family	40 feet
Three (3) and more	75 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 square feet
Townhouse: Individual lot	2,500 square feet
Single-family	4,000 square feet
Two (2) family	5,000 square feet
Three (3) or more	7,500 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acre

(3) *Land Area Per Dwelling Unit* .

Manufactured Home	3,000 square feet

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

Building Height Maximum	30/45 feet*

*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. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 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 1 foot for each foot of height in excess of 20 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

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

(Ord. No. 4325, 7-3-01; Ord. No. 5028, 6-19-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

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

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

(B) *Uses.*

(1) Permitted Uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory Dwellings
Unit 44	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 12a	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	24 or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

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

(2) *Lot Area Minimum.*

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

(3) *Land Area Per Dwelling Unit* .

Manufactured Home	3,000 square feet

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

Building Height Maximum	30/45/60 feet*

*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 1 foot for each foot of height in excess of 20 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

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

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

161.17 - District RMF-40, Residential Multi-Family - Forty (40) Units Per Acre

(A) *Purpose.* The RMF-40 Multi-family Residential District is designated to protect existing high density multi-family development and to encourage additional development of this type where it is desirable.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory Dwellings
Unit 44	Cottage Housing Development

(2) *Conditional Uses.*

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

(C) *Density.*

Units per acre	Forty (40) or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a Manufactured home park	50 feet
Single-family	30 feet
Two (2) family	30 feet
Three or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 square feet
Townhouses: Individual lot	2,000 square feet
Single-family	2,500 square feet
Two (2) family	3,000 square feet
Three (3) or more	7,000 square feet
Fraternity or Sorority	1 acre

(3) *Land Area Per Dwelling Unit* .

Manufactured Home	3,000 square feet
Fraternity of Sorority	500 square feet per resident

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

Building Height Maximum	30/45/60* feet

*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 1 foot for each foot of height in excess of 20 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

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

(Code 1965, App. A., Art. 5(IV); Ord. No. 2320, 4-5-77; Ord. No. 2700, 2-2-81; Ord. No. 1747, 6-29-70; Code 1991, §160.034; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.18 - Neighborhood Services - Limited

(A) *Purpose.* The Neighborhood Services, Limited district is designed to serve as a mixed use area of low intensity. Neighborhood Services, Limited 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 (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	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	Ten (10) or less

(D) *Bulk and Area.*

(1) *Lot Width Minimum.*

All Dwellings	35 feet
~~Two (2)family~~	~~70 feet~~
~~Three or more~~	~~90 feet~~
All other uses	None

(2) *Lot Area Minimum.*

Single-family	4,000 square feet
Two (2) family or more	3,000 square feet 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 feet

(G) *Building area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of the lot.

(Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.19 - Neighborhood Services - General

(A) *Purpose.* The Neighborhood Services, General district is designed to serve as a mixed use area of medium intensity. Neighborhood Services, General 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 (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12b	General Business
Unit 24	Home occupations
Unit 41	Accessory Dwellings
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 16	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	Eighteen (18) or less

(D) *Bulk and Area.*

(1) *Lot Width Minimum.*

All Dwellings	35 feet
All other uses	None

(2) *Lot Area Minimum.*

Single-family	4,000 square feet
Two (2) family or more	3,000 square feet of lot area per dwelling unit
All other uses	None

(E) *Setback Regulations.*

Front	Side	Side-Zero Lot Line*	Rear	Rear when contiguous to a single-family residential district
A build-to zone that is located between the front property line and a line 25 ft. from the front property line.	5 feet	A setback of less than five feet (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side setback(s) shall be 10 feet.	5 feet	15 feet

(F) *Building height Regulations.*

Building Height Maximum	45 feet

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

* A zero lot line is an alternative to the 5 foot building setback. Applicants should consult the International Building Code when locating a structure in close proximity to property lines and/or adjacent structures.

** At least 5 feet of maintenance area shall be provided along a structure that is within 5 feet of a property line. This may be provided through a perpetual maintenance easement on the adjacent property, or through a combination of a maintenance easement and private property. Walls, fences and customary yard accessories are permitted in the maintenance area.

161.20 - District R-O, Residential Office

(A) *Purpose.* The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses.

(B) *Uses.*

(1) *Permitted uses* .

Unit 1	City-wide uses by right
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 25	Offices, studios, and related services
Unit 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 11	Manufactured home park*
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities*
Unit 42	Clean technologies
Unit 45	Small scale production

(C) *Density* .

Units per acre	24 or less

(D) *Bulk and Area Regulations.* (Per dwelling unit for residential structures)

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single-family	60 feet
Two (2) family	60 feet
Three (3) or more	90 feet

(2) *Lot Area Minimum* .

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 square feet
Townhouses:	
Development	10,000 square feet
Individual lot	2,500 square feet
Single-family	6,000 square feet
Two (2) family	6,500 square feet
Three (3) or more	8,000 square feet
Fraternity or Sorority	1 acre

(3) *Land Area Per Dwelling Unit.*

Manufactured home	3,000 square feet
Townhouses & apartments:	
No bedroom	1,000 square feet

One bedroom	1,000 square feet
Two (2) or more bedrooms	1,200 square feet
Fraternity or Sorority	500 square feet per resident

(E) *Setback Regulations.*

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

(F) *Building Height Regulations.*

Building Height Maximum	60 feet

Height Regulations. 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 1 foot for each foot of height in excess of 20 feet.

(G) *Building Area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot.

(Code No. 1965, App. A., Art. 5(x); Ord. No. 2414, 2-7-78; Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.041; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4726, 7-19-05; Ord. No. 4943, 11-07-06; Ord. No. 5079, 11-20-07; Ord. No. 5195, 11-6-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5735 1-20-15; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.21 - District C-1, Neighborhood Commercial

(A) *Purpose.* The Neighborhood Commercial District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas.

(B) *Uses.*

(1) *Permitted Uses* .

Unit 1	City-wide uses by right
Unit 5	Government Facilities

Unit 13	Eating places
Unit 15	Neighborhood shopping
Unit 18	Gasoline service stations and drive-
Unit 25	Offices, studios, and related services
Unit 44	Cottage Housing Development
Unit 45	Small scale production

(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 16	Shopping goods
Unit 34	Liquor stores
Unit 35	Outdoor music establishments*
Unit 36	Wireless communications facilities*
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density.* None.

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

(E) *Setback Regulations.*

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Side	None
Side, when contiguous to a residential district	10 feet
Rear	20 feet

(F) *Building Height Regulations* .

Building Height Maximum	56 feet*

*Any building which exceeds the height of 20 feet shall be setback from any boundary line of any residential district a distance of 1 foot for each foot of height in excess of 20 feet.

(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1965, App. A., Art. 5(V); Ord. No. 2603, 2-19-80; Ord. No. 1747, 6-29-70; Code 1991, §160.035; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.22 - Community Services

(A) *Purpose.* The Community Services District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas and is intended to provide for adaptable mixed use centers located along commercial corridors that connect denser development nodes. There is a mixture of residential and commercial uses in a traditional urban form with buildings addressing the street. For the purposes of Chapter 96: Noise Control, the Community Services district is a commercial zone. The intent of this zoning district is to provide standards that enable development to be approved administratively.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 15	Neighborhood Shopping goods
Unit 18	Gasoline service stations and drive-
Unit 24	Home occupations
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 41	Accessory Dwellings
Unit 44	Cottage Housing Development
Unit 45	Small scale production

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 19	Commercial recreation, small sites

Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density* . None.

(D) *Bulk and Area Regulations* .

(1) *Lot Width Minimum.*

Dwelling	18 feet
All others	None

(2) *Lot Area Minimum.* None.

(E) *Setback regulations* .

Front:	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.
Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	56 feet

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

(Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.23 - District C-2, Thoroughfare Commercial

(A) *Purpose.* The Thoroughfare Commercial District is designed especially to encourage the functional grouping of these commercial enterprises catering primarily to highway travelers.

(B) *Uses.*

(1) *Permitted Uses* .

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 13	Eating places
Unit 14	Hotel, motel, and amusement facilities
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 18	Gasoline service stations and drive-
Unit 19	Commercial recreation, small sites
Unit 20	Commercial recreation, large sites
Unit 25	Offices, studios, and related services
Unit 33	Adult live entertainment club or bar
Unit 34	Liquor store
Unit 44	Cottage Housing Development
Unit 45	Small scale production

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 21	Warehousing and wholesale
Unit 28	Center for collecting recyclable materials
Unit 29	Dance Halls
Unit 32	Sexually oriented business
Unit 35	Outdoor music establishments
Unit 36	Wireless communications facilities
Unit 38	Mini-storage units
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies
Unit 43	Animal boarding and training

(C) *Density.* None.

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

(E) *Setback Regulations.*

Front	15 feet

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

(F) *Building Height Regulations* .

Building Height Maximum	75 feet*

*Any building which exceeds the height of 20 feet shall be set back from a boundary line of any residential district a distance of 1 foot for each foot of height in excess of 20 feet.

(G) *Building Area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot.

(Code 1965, App. A., Art. 5(VI); Ord. No. 1833, 11-1-71; Ord. No. 2351, 6-2-77; Ord. No. 2603, 2-19-80; Ord. No. 1747, 6-29-70; Code 1991, §160.036; Ord. No. 4034, §3, 4, 4-15-97; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4727, 7-19-05; Ord. No. 4992, 3-06-07; Ord. No. 5028, 6-19-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5353, 9-7-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.24 - Urban Thoroughfare

(A) *Purpose* . The Urban Thoroughfare District is designed to provide goods and services for persons living in the surrounding communities. This district encourages a concentration of commercial and mixed use development that enhances function and appearance along major thoroughfares. Automobile-oriented development is prevalent within this district and a wide range of commercial uses is permitted. For the purposes of Chapter 96: Noise Control, the Urban Thoroughfare district is a commercial zone. The intent of this zoning district is to provide standards that enable development to be approved administratively.

(B) *Uses* .

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation trades and services

Unit 18	Gasoline service stations and drive-
Unit 19	Commercial recreation, small sites
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 34	Liquor store
Unit 41	Accessory Dwellings
Unit 44	Cottage Housing Development
Unit 45	Small scale production

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 20	Commercial recreation, large sites
Unit 21	Warehousing and wholesale
Unit 28	Center for collecting recyclable materials
Unit 29	Dance halls
Unit 33	Adult live entertainment club or bar
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities
Unit 38	Mini-storage units
Unit 40	Sidewalk cafes
Unit 42	Clean technologies
Unit 43	Animal boarding and training

(C) *Density.* None

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family dwelling	18 feet
All other dwellings	None
Non-residential	None

(2) *Lot area minimum.* None

(E) *Setback regulations.*

Front:	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.
Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

(F) *Building Height Regulations* .

Building Height Maximum	56/84 feet*

*A building or a portion of a building that is located between 10 and 15 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 56 feet. A building or portion of a building that is located greater than 15 feet from the master street plan right-of-way shall have a maximum height of 84 feet.

Any building that exceeds the height of 20 feet shall be set back from any boundary line of a single-family residential district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Minimum buildable street frontage.* 50% of the lot width.

(Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5353, 9-7-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.25 - District C-3, Central Commercial

(A) *Purpose.* The Central Commercial District is designed to accommodate the commercial and related uses commonly found in the central business district, or regional shopping centers which provide a wide range of retail and personal service uses.

(B) *Uses.*

(1) *Permitted Uses* .

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 13	Eating places
Unit 14	Hotel, motel, and amusement facilities
Unit 16	Shopping goods
Unit 18	Gasoline service stations & drive-in
Unit 19	Commercial recreation, small sites
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 34	Liquor stores
Unit 44	Cottage Housing Development

Unit 45	Small scale production

(2) *Conditional Uses* .

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 17	Transportation trades and services
Unit 28	Center for collecting recyclable materials
Unit 29	Dance Halls
Unit 35	Outdoor music establishments
Unit 36	Wireless communications facilities
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and Area Regulations.* None

(E) *Setback Regulations.*

	Central Business District	Shopping Center
Front	5 feet	25 feet
Front, if parking is allowed between the right-of-way and the building	50 feet	50 feet
Side	None	None
Side, when contiguous to a residential district	10 feet	25 feet
Rear, without easement or alley	15 feet	25 feet
Rear, from center line of a public alley	10 feet	10 feet

(F) *Building Height Regulations.*

Building Height Maximum	56/84 feet*

*A building or a portion of a building that is located between 0 and 15 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 56 feet. A building or a portion of a building that is located greater than 15 feet from the master street plan right-of-way line shall have a maximum height of 84 feet.

(Code 1965, App. A., Art. 5(VII); Ord. No. 2351, 6-21-77; Ord. No. 2603, 2-19-80; Ord. No. 1747, 6-29-70; Code 1991, §160.037; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4727, 7-19-05; Ord. No. 4863, 5-02-06; Ord. No. 5028, 6-19-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 06-18-13; Ord. No. 5735, 1-20-15; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.26 - Downtown Core

(A) *Purpose.* Development is most intense, and land use is densest in this zone. The downtown core is designed to accommodate the commercial, office, governmental, and related uses commonly found in the central downtown area which provides a wide range of retail, financial, professional office, and governmental office uses. For the purposes of Chapter 96: Noise Control, the Downtown Core district is a commercial zone.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 14	Hotel, motel, and amusement facilities
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 19	Commercial recreation, small sites
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 34	Liquor stores
Unit 41	Accessory Dwellings
Unit 44	Cottage Housing Development
Unit 45	Small scale production

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 29	Dance Halls
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities

Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density* . None.

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

(E) *Setback Regulations* .

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

(F) *Minimum Buildable Street Frontage* . 80% of lot width.

(G) *Building Height Regulations.*

Building Height Maximum	56/168 feet*

*A building or a portion of a building that is located between 0 and 15 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 56 feet. A building or portion of a building that is located greater than 15 feet from the master street plan right-of-way shall have a maximum height of 168 feet.

(Ord. No. 5028, 6-19-07; Ord. No. 5029, 6-19-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.27 - Main Street/Center

(A) *Purpose.* A greater range of uses is expected and encouraged in the Main Street/Center. The Center is more spatially compact and is more likely to have some attached buildings than Downtown General or Neighborhood Conservation. Multi-story buildings in the Center are well-suited to accommodate a mix of uses, such as apartments or offices above shops. Lofts, live/work units, and buildings designed for changing uses over time are appropriate for the Main Street/Center. The Center is within walking distance of the surrounding, primarily residential areas. For the purposes of Chapter 96: Noise Control, the Main Street/Center district is a commercial zone.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities

Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 14	Hotel, motel, and amusement facilities
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 19	Commercial recreation, small sites
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 34	Liquor stores
Unit 41	Accessory Dwellings
Unit 44	Cottage Housing Development
Unit 45	Small scale production

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 18	Gasoline service stations and drive-in/drive
Unit 28	Center for collecting recyclable materials
Unit 29	Dance halls
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density* . None.

(D) *Bulk and Area Regulations* .

(1) *Lot Width Minimum.*

Dwelling (all unit types)	18 feet

(2) *Lot Area Minimum.* None.

(E) *Setback Regulations* .

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

(F) *Minimum Buildable Street Frontage* . 75% of lot width.

(G) *Building Height Regulations.*

Building Height Maximum	56/84 feet*

*A building or a portion of a building that is located between 0 and 15 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 56 feet. A building or a portion of a building that is located greater than 15 feet from the master street plan right-of-way line shall have a maximum height of 84 feet.

(Ord. No. 5028, 6-19-07; Ord. No. 5029, 6-19-07; Ord. No. 5042, 8-07-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.28 - Downtown General

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 24	Home occupations

Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 41	Accessory Dwellings
Unit 44	Cottage Housing Development
Unit 45	Small scale production

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 40	Sidewalk Cafes

(C) *Density* . None.

(D) *Bulk and Area Regulations* .

(1) *Lot Width Minimum.*

Dwelling (all unit types)	18 feet

(2) *Lot Area Minimum.* None.

(E) *Setback Regulations* .

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

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

(G) *Building Height Regulations.*

Building Height Maximum	56 feet

(Ord. No. 5028, 6-19-07; Ord. No. 5029, 6-19-07; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.29 - Neighborhood Conservation

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

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

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

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

(D) *Bulk and Area Regulations* .

(1) *Lot Width Minimum.*

Single Family	40 feet
Two Family	80 feet
Three Family	90 feet

(2) *Lot Area Minimum* . 4,000 square feet

(E) *Setback Regulations* .

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

(F) *Building Height Regulations* .

Building Height Maximum	45 feet

(Ord. No. 5128, 4-15-08; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800 , § 1(Exh. A), 10-6-15>)

161.30 - District I-1, Heavy Commercial And Light Industrial

(A) *Purpose.* The Heavy Commercial District is designed primarily to accommodate certain commercial and light industrial uses which are compatible with one another but are inappropriate in other commercial or industrial districts. The Light Industrial District is designed to group together a wide range of industrial uses, which do not produce objectionable environmental influences in their operation and appearance. The regulations of this district are intended to provide a degree of compatibility between uses permitted in this district and those in nearby residential districts.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 6	Agriculture
Unit 13	Eating places
Unit 17	Transportation trades and services
Unit 18	Gasoline service stations and drive-in/drive
Unit 21	Warehousing and wholesale
Unit 22	Manufacturing
Unit 25	Offices, studios and related services
Unit 27	Wholesale bulk petroleum storage facilities

Unit 42	Clean technologies

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 19	Commercial recreation, small sites
Unit 20	Commercial recreation, large sites
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communications facilities
Unit 38	Mini-storage units
Unit 43	Animal boarding and training

(C) *Density.* None.

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

(E) *Setback Regulations.*

Front, when adjoining A or R districts	50 feet
Front, when adjoining C, I, or P districts	25 feet
Side, when adjoining A or R districts	50 feet
Side, when adjoining C, I, or P districts	10 feet
Rear	25 feet

(F) *Height Regulations.* There shall be no maximum height limits in I-1 District, provided, however, that any building which exceeds the height of 25 feet shall be set back from any boundary line of any residential district a distance of 1 foot for each foot of height in excess of 25 feet.

(G) *Building Area.* None.

(Code 1965, App. A., Art. 5(VIII); Ord. No. 2351, 6-2-77; Ord. No. 2430, 3-21-78; Ord. No. 2516, 4-3-79; Ord. No. 1747, 6-29-70; Code 1991, §160.039; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4992, 3-06-07; Ord. No. 5028, 6-19-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5353, 9-7-10; Ord. No. 5472; 12-20-11; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.31 - District I-2, General Industrial

(A) *Purpose.* The General Industrial District is designed to provide areas for manufacturing and industrial activities which may give rise to substantial environment nuisances, which are objectionable to residential and business use.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 5	Government Facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 18	Gasoline service stations and drive-
Unit 20	Commercial recreation, large sites
Unit 21	Warehousing and wholesale
Unit 22	Manufacturing
Unit 23	Heavy industrial
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 42	Clean technologies
Unit 43	Animal boarding and training

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 31	Facilities emitting odors and facilities
Unit 36	Wireless communications facilities
Unit 38	Mini-storage Units
Unit 39	Auto salvage and junk yards

(C) *Density.* None.

(D) *Bulk and area regulations.* None.

(E) *Setback Regulations.*

Front, when adjoining A or R districts	100 feet
Front, when adjoining C, I or P districts	50 feet
Side, when adjoining A or R districts	50 feet
Side, when adjoining C, I or P districts	25 feet
Rear	25 feet

(F) *Height Regulations.* There shall be no maximum height limits in I-2 Districts, provided, however, that any building which exceeds the height of 25 feet shall be setback from any boundary line of any residential district a distance of one foot for each foot of height in excess of 25 feet.

(G) *Building Area.* None.

(Code 1965, App. A., Art. 5(IX); Ord. No. 2351, 6-21-77; Ord. No. 2516, 4-3-79; Ord. No. 1747, 6-29-70; Code 1991, §160.040; Ord. No. 3971, §2, 5-21-96; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4992, 3-06-07; Ord. No. 5028, 6-19-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5353, 9-7-10; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.32 - District P-1, Institutional

(A) *Purpose.* The Institutional District is designed to protect and facilitate use of property owned by larger public institutions and church related organizations.

(B) *Uses.*

(1) *Permitted Uses* .

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.* None.

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

(E) *Setback Regulations.*

Front	30 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Side	20 feet
Side, when contiguous to a residential district	25 feet
Rear	25 feet
Rear, from center line of public alley	10 feet

(F) *Height Regulations.* There shall be no maximum height limits in P-1 Districts, provided, however, that any building which exceeds the height of 20 feet shall be set back from any boundary line of any residential district a distance of one foot for each foot of height in excess of 20 feet.

(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 60% of the total area of such lot.

(Code 1965, App. A., Art. 5(XI); Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.042; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5073, 11-06-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.33 - District E-1, Extraction

(A) *Purpose* . The Extraction District is designed to provide areas for the commercial removal of natural accumulations of sand, clay, silt, gravel, rock, and any mineral where such removal may cause groundwater problems, noise, dust, traffic problems, erosion, and safety concerns.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 30	Extractive uses

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit

(C) *Density.* None.

(D) *Bulk and area regulations.*

(1) *Lot Width Minimum.*

Lot width minimum	The proposed development shall have at least 200 feet of frontage on a state road or other adequate means of access compatible with sound land use planning principles.

(2) *Lot Area Minimum.*

Lot area minimum	10 acres

(E) *Setback Regulations.*

From all property lines (including street frontage) when contiguous to all R districts	200 feet
From all property lines (including street frontage) when contiguous to P, A, C, and I districts	100 feet

(Code 1991, §160.047; Ord. No. 3546, 4-16-91; Ord. No. 4100, §2 (Ex. A), 6-16-98, Ord. No. 4178, 8-31-99; Ord. No. 5312, 4-20-10; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.34 - Reserved

(Code 1991, §160.048; Ord. No. 3821, §1, 3-5,8-9-94; Ord. No. 38-06, 6-28-94; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4128, §1, 12-15-98; Ord. No. 4725, 7-19-05; Ord. No. 4784, 10-18-05; Ord. No.5312, 4-20-10; Ord. No. 5526, 9-18-12; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.35 - Planned Zoning District

(A) *Applicability.* To be considered for a Planned Zoning District, the applicant shall meet all of the following criteria:

(1) Location. Any property located within the city limits is eligible for a Planned Zoning District. Upon City Council approval, an owner or developer of a specific piece of property located within the City's designated planning area may be authorized to submit a Planned Zoning District application in conjunction with an annexation request, but final approval of the PZD will not be effective until said property is annexed into the City of Fayetteville.

(2) Size. There shall be no minimum or maximum tract size for a PZD application.

(B) *Purpose.* The intent of the Planned Zoning District is to permit and encourage comprehensively planned zoning and development whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or mixed-use planned development and to permit the concurrent processing of zoning and development. The City Council may consider any of the following factors in review of a Planned Zoning District application.

(1) *Flexibility.* Providing for flexibility in the distribution of land uses, in the density of development and in other matters typically regulated in zoning districts.

(2) *Compatibility.* Providing for compatibility with the surrounding land uses.

(3) *Harmony.* Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community.

(4) *Variety.* Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities.

(5) *No Negative Impact.* Does not have a negative effect upon the future development of the area;

(6) *Coordination.* Permit coordination and planning of the land surrounding the PZD and cooperation between the city and private developers in the urbanization of new lands and in the renewal of existing deteriorating areas.

(7) *Open Space.* Provision of more usable and suitably located open space, recreation areas and other common facilities that would not otherwise be required under conventional land development regulations.

(8) *Natural Features.* Maximum enhancement and minimal disruption of existing natural features and amenities.

(9) *Future Land Use Plan.* Comprehensive and innovative planning and design of mixed use yet harmonious developments consistent with the guiding policies of the Future Land Use Plan.

(10) *Special Features.* Better utilization of sites characterized by special features of geographic location, topography, size or shape.

(11) *Recognized Zoning Consideration.* Whether any other recognized zoning consideration would be violated in this PZD.

(C) *Rezoning.* Property may be rezoned to the Planned Zoning District by the City Council in accordance with the requirements of this chapter and Chapter 154, Amendments.

(1) Each rezoning parcel shall be described as a separate district, with distinct boundaries and specific design and zoning standards. Each district shall be assigned a project number or label, along with the designation "PZD". The rezoning shall include the adoption of zoning standards and a specific master plan.

(2) All uses identified within §162 Use Units of the Unified Development Code may be allowed as permissible uses or conditional uses, unless otherwise specified, subject to City Council approval of the Planned Zoning District request.

(3) *Residential Density* . Residential densities shall be determined on the basis of the following considerations:

(a) The densities of surrounding development;

(b) The densities allowed under the current zoning;

(c) The urban development goals and other policies of the city's Future Land Use Plan;

(d) The topography and character of the natural environment; and

(e) The impact of a given density on the specific site and adjacent properties.

(4) Building Setback. There shall be no minimum building setback except as may be determined by the Planning Commission and City Council during review of the zoning plan based on the uses within the development and the proximity of the development to existing or prospective development on adjacent properties. Greater setbacks may be established by the Planning Commission or City Council when it is deemed necessary to provide adequate separation from adjacent properties.

(5) *Building Height.* There shall be no maximum building height except as may be determined by the Planning Commission and City Council during the review of the zoning plan based on the uses within the development and the proximity of the development to existing or prospective development on adjacent properties. A lesser height may be established by the Planning Commission or City Council when it is deemed necessary to provide adequate light and air to adjacent property and to protect the visual quality of the community.

(6) *Building Area.* The Planning Commission and City Council shall review specific proposed lot coverages which generally correspond to the guidelines for lot coverage in the respective residential, office, commercial or industrial district which most depicts said development scheme.

(Ord. No. 4434, §1 (Ex. A), 11-19-02; Ord. No. 4717, 7-5-05; Ord. No. 4764, 09-20-05; Ord. No. 4783, 10-18-05; Ord. No. 5312, 4-20-10; Ord. No. 5675, 4-1-14; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

161.36—161.99 - Reserved

(Ord. No. 4930, 10-03-06 repealed and re-adopted the entire chapter)

CHAPTER 162: USE UNITS

162.01 - Establishment/Listing

The various use units referred to in the zoning district provisions are herein listed in numerical order. Within the use units, the permitted uses are ordinarily listed in alphabetical order. In these use units where there is a preliminary descriptive statement (which may mention specific uses) in addition to the detailed list of uses, the detailed list shall govern. The asterisk (*) next to a specific use indicates that the use has special conditions as required by Chapter 163, Use Conditions and Chapter 164 Supplemental Regulations.

Unit 1	City-wide uses by right
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 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three- and four-family dwellings
Unit 11	Manufactured home park
Unit 12a	Limited business
Unit 12b	General business
Unit 13	Eating places
Unit 14	Hotel, motel and amusement facilities
Unit 15	Neighborhood shopping goods
Unit 16	Shopping goods
Unit 17	Transportation Trades and services
Unit 18	Gasoline service stations and drive-in/drive through restaurants
Unit 19	Commercial recreation, small sites
Unit 20	Commercial recreation, large sites
Unit 21	Warehousing and wholesale
Unit 22	Manufacturing
Unit 23	Heavy industrial
Unit 24	Home occupation
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 27	Wholesale bulk petroleum storage facilities with underground storage
Unit 28	Center for collecting recyclable materials
Unit 29	Dance halls

Unit 30	Extractive uses
Unit 31	Facilities emitting odors & facilities handling explosives
Unit 32	Sexually oriented business
Unit 33	Adult live entertainment club or bar
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communications facilities
Unit 37	Manufactured homes
Unit 38	Mini-storage units
Unit 39	Auto salvage and junk yards
Unit 40	Sidewalk Cafes
Unit 41	Accessory dwellings
Unit 42	Clean technologies
Unit 43	Animal boarding and training
Unit 44	Cottage Housing Development
Unit 45	Small scale production

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(J) *Unit 10. Three (3) and Four (4) Family Dwellings.*

(1) *Description.* Unit 10 is provided in order that three (3) family and four (4) family attached dwellings may be located in appropriate residential areas.

(2) *Included uses.*

Three (3) family dwellings
Four (4) family dwellings

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(L) *Unit 12a. Limited Business.*

(1) *Description.* Unit 12 consists of small-scale establishments offering commercial goods and services that are accessible for the convenience of individuals living in residential districts, while compatible in size, scale and appearance with the surrounding neighborhood. These uses shall be subject to the regulations in Chapter 164. All uses classified under Unit 12 must be within a building containing 3,000 square feet or less, excluding areas dedicated to residential uses.

(2) *Included Uses.*

Personal Services: (Maximum gross floor area of 1500 square feet)	•Day care
	• Dry Cleaning
	• Salon/Barber shop
	• Tailoring
Specialized Retail: (Maximum gross floor area of 2,000 square feet)	• Antique/home decor
	• Apparel
	• Art/architectural
	• Bakery, Pastry shops
	• Bicycle Shops
	• Book store
	• Coffee shop
	• Delicatessen
	• Drugstore
	• Food specialty stores
	• Florist
	• Grocery
	• Hardware
	• Health food store
	• Hobby/Craft Stores
	• Ice cream
	• Meat Market
	• Restaurant/café
	• Small appliance
	• Stationary Store
	• Toy store
	• Video rental
Professional Offices: (Maximum gross floor area of 3000 square feet)	• Accountant
	• Architect
	• Attorney
	• Broker
	• Business/Mgmt
	• Doctor
	• Dentist
	• Engineer
	• Insurance Sales
	• Interior Designer
	• Optometrist

	• Realtor
	• Welfare agency
Studios for:(Maximum gross floor area of 3000 square feet)	• Art
	• Dance
	• Music
	• Photography
	• Pottery

(M) *Unit 12b. General Business.*

(1) *Description.* Unit 12b consists of small-scale establishments offering commercial goods and services that are accessible for the convenience of individuals living in residential districts, while compatible in size, scale and appearance with the surrounding neighborhood. These uses shall be subject to the regulations in Chapter 164. All uses classified under Unit 12b must be within a building containing 8,000 square feet or less, excluding area dedicated to residential uses.

(2) *Included Uses.*

Personal services	•Day Care
	• Dry cleaning
	• Salon/Barber shop
	• Tailoring
Retail	• Antique/home décor sales
	• Apparel
	• Art/Architectural supplies
	• Bakery/Pastry shops
	• Bicycle shop
	• Bookstore
	• Coffee shop
	• Delicatessen
	• Drugstore
	• Florists
	• Food specialty stores
	• Grocery
	• Hardware store
	• Health food store
	• Hobby/Craft shop
	• Ice cream
	• Meat market
	• Restaurant/Café

	• Small Appliance Repair
	• Stationary store
	• Toy store
	• Video rental
Professional Offices	• Accountant
	• Architect
	• Attorney
	• Broker
	• Business/Mgmt. Consultant
	• Doctor

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(O) *Unit 15. Neighborhood Shopping Goods.*

(1) *Description.* Unit 15 includes a variety of frequently purchased commercial goods, where convenience of location is more important than comparative shopping. These uses are grouped in limited areas while prohibiting all others not necessary near the residential districts. All uses classified under Use Unit 15 must be within a building containing 25,000 square feet or less, excluding area dedicated to residential uses.

(2) *Included Uses.*

Personal services	•Barber/Salon
	• Dry cleaning
	• Laundry facility
	• Tailoring
Retail	• Apparel and accessory
	• Bakery, pastry shops
	• Bicycle shop
	• Bookstores
	• Coffee shop
	• Delicatessen
	• Drugstore
	• Electronics
	• Florists
	• Food specialty stores
	• Furniture and Home Decor
	• Grocery

	• Hardware store
	• Health food store
	• Hobby/craft shop
	• Ice cream
	• Jewelry/watch sales and
	• Meat market
	• Music instruments
	• News and magazine stand
	• Optical goods
	• Pet shop
	• Photography Studio
	• Picture framing
	• Shoe store
	• Sporting goods
	• Stationary store
	• Toy store
	• Video rental
Vehicular Sales (interior display	• Automobile
	• ATV/Motorcycle
	• Boat/Personal Watercraft

...

(Z) *Unit 26. Multi-Family Dwellings.*

(1) *Description.* Unit 26 is provided in order that multi-family dwellings and more than ~~three~~ four attached units may be located in appropriate residential areas.

(2) *Included ~~Areas~~ Uses.*

Apartments
Convalescent home
Dormitory
Fraternity/Sorority houses
Multi-family attached dwellings
Rooming/boarding house
Townhouse, more than ~~three~~ four attached units

CHAPTER 164: SUPPLEMENTARY ZONING REGULATIONS

164.11 - Height Or Setback Regulations; Exceptions And Home Protection Requirements

(A) *Side Setbacks-Detached Single-family Units.* In R~~1-12~~ and all multi-family zoning districts that permit detached single-family units, side setbacks may be varied to permit zero lot line development patterns, subject to all applicable building and fire codes and the following standards.

(1) The zero lot line allowance only applies to detached single-family homes.

(2) The side setback opposite of the zero lot line shall be at least 10 feet.

(3) At least 5 feet of maintenance area shall be provided along a structure that is within 5 feet of a property line. This may be provided through a perpetual maintenance easement on the adjacent property, or through a combination of maintenance easement and private property. Walls, fences and customary yard accessories are permitted in the maintenance area.

(B) *Side Setbacks-Attached Townhouse Units.* In zoning districts that permit two, three or other multi-family residential uses, side setbacks may be varied to permit common walls between single family attached/townhouse dwellings, subject to all applicable building and fire codes and the following standards:

(1) The total number of dwelling units on the lot, prior to being subdivided into single family attached/townhouse lots, shall conform to the minimum bulk and area requirements of the underlying zoning district.

(2) The townhouse development shall conform to the zoning district density, exterior setback requirements, height regulations and all other applicable city ordinances.

(3) There shall be a minimum lot width of 18 feet for each dwelling unit.

(4) There shall be no minimum lot area requirement unless otherwise specified by the underlying zoning district.

(C) *Home Protection Requirements.* Regardless of any other setback or build-to zone regulations, new multifamily, commercial, office, parking deck, or mixed use construction exceeding 24 feet in height which adjoins or abuts a single family home being used primarily as a single family residence within the Downtown General or Main Street Center Zoning Districts must at a minimum be set back from the side or rear adjoining property line at least 15 feet. The maximum height of the new building from the 15-foot setback shall be 36-feet for an additional 15-foot stepback from the residence's property line. These setback and stepback requirements are minimums so that, if larger setbacks or stepbacks are required by other zoning laws, the larger setback/stepbacks are controlling.

(D) The height limitations contained in the Zoning Regulation, Chapter 161, do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

(Code 1965, App. A., Art. 8(6); Ord. No 1747, 6-29-70; Ord. No. 2555, 8-21-79; Code 1991, §160.113; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 5225, 3-3-09; Ord. No. 5327, 6-1-10; Ord. No. 5636, 12-03-13; Ord. No. 5800 , § 1(Exh. A), 10-6-15)

CHAPTER 166: DEVELOPMENT

166.01 - Development Categories

(A) *Property Line Adjustment.* A property line adjustment is a transfer or adjustment of a property line or lines between adjoining property owners which does not create a separate, new lot. A property line adjustment cannot dedicate new easements or right-of-way.

(B) *Subdivision of Land.*

(1) *Lot Split.* When a property is to be subdivided into two (2), three (3) or four (4) lots, the application may be processed as a lot split. After the creation of more than four lots from an original parent tract, any subsequent subdivision of the parent or resulting tracts is required to be processed as a preliminary/final plat, or concurrent plat. A lot split may dedicate new easements or right-of-way, and may be combined with an easement plat.

(2) *Preliminary Plat.* When a property is to be subdivided into more than four lots, or when a parent or resulting tract has been subdivided three or more times and is proposed to be further subdivided, the application shall be processed as preliminary plat. A preliminary plat establishes the preliminary location of lot lines, streets, and utility infrastructure, and allows for the applicant to request construction plan approval and install required improvements.

(3) *Final Plat.* After completion of the required infrastructure (water, sewer, storm drainage, utilities, street improvements, etc.) for a preliminary plat, the subdivider may submit an application for approval of the final plat. The final plat application may not be submitted until the final inspection for the required infrastructure has been scheduled with City Engineering staff.

(4) *Concurrent Plat.* A concurrent plat combines the preliminary and final plat into one step. A concurrent plat is permitted when a property is to be subdivided into more than four (4) lots, or when a parent or resulting tract has been subdivided three (3) or more times and is proposed to be further subdivided, and the existing and new parcels do not require construction of new infrastructure.

(C) *Concept Plan.* When a developer intends to subdivide or develop land within the city or city's planning area boundary he/she may submit a concept plan to obtain feedback and recommendations from city staff and the Planning Commission prior to submitting a fully engineered development plan for review.

(D) *Large Scale Development.* A large scale development is generally intended for, but not limited to, a non-residential, mixed use, or multi-family development on a site of 1 acre or greater in size, or the construction of a multi-family building or buildings with twenty-four (24) units where subdivisions of land is not proposed.

(1) *Requirement.* The development of the following must be processed in accordance with the requirements for a large scale development:

(a) A lot or parcel 1 acre or greater in size;

(b) Facilities emitting odors or handling explosives.

(2) *Excluded Developments.* The following shall be excluded from the large scale development review process:

(a) *Single-Family.* A single-family residence, an addition to a single-family residence, or an accessory structure for a single-family residence;

(b) *Additions.* An addition to an existing structure if the addition will not:

(i) Exceed 10,000 square feet; or

(ii) Require more than twenty-five (25) additional parking spaces under the provisions of Chapter 172, Parking and Loading; or

(iii) Require a change in existing ingress or egress.

(c) *Additional Structure.* An additional structure when erected as part of an existing development, subject to the limitations of (D)(2) above.

(d) *Prefabricated Accessory Buildings.* A prefabricated, movable accessory building.

(e) A development on a lot or parcel in a zoning district subject to administrative approval.

(3) *Modifications.*

(a) *Minor Modifications.* The Zoning and Development Administrator may authorize minor modifications in an approved large scale development or subdivision of land. Minor modifications shall include, but not be limited to, substitutions of one approved structural type for another, minor variations in placement of buildings in such a way that the overall limits of approved floor area, open space or rooms per acre are not increased, and minor shifts in property line locations.

(b) *Major Modifications.* In the event that a developer wishes to make major modifications to an approved development, such modifications shall be submitted to the Subdivision Committee or Planning Commission in a form which compares the approved submission with the desired changes. After submission, the Subdivision Committee shall approve or disapprove the requested modifications.

(E) *Large Site Improvement Plan.* A large site improvement plan review is intended for a large scale development that is located on a site within a zoning district that permits administrative approval. A large site improvement plan is subject to the requirements and excluded developments for a large scale development listed in Fayetteville Unified Development Code 166.01 (D). A Large site improvement plan is subject to the modification requirements of a small site improvement plan listed in Fayetteville Unified Development Code §166.01 (F).

(F) *Small Site Improvement Plan.* A small site improvement plan review is intended for a non-residential, mixed use, or multi-family development on a site that is less than one (1) acre in size.

(1) *Requirement.* The development of the following must be processed in accordance with the requirements for a small site improvement plan:

(a) A development that is excluded from large scale development review and requires review by multiple city divisions;

(b) The construction of more than two (2) single-family residences on one (1) lot within any zoning district other than a single-family zoning district.

(2) *Excluded Developments.*

(a) The construction of two (2) single-family residences, an addition to a single-family residence, or an accessory structure for a single-family residence shall be exempt from the site improvement plan requirements.

(b) A development that requires review by a single city division.

(3) *Modifications.*

(a) *Minor Modifications.* The Zoning and Development Administrator may authorize minor modifications to an approved small site improvement plan. Minor modifications shall include, but not be limited to, substitutions of one (1) approved structural type for another or minor variations in placement of buildings in such a way that the overall limits of approved floor area, open space or rooms per acre are not increased.

(b) *Major Modifications.* In the event that a developer wishes to make a major modification to an approved small site improvement plan, such modifications shall be submitted to the Technical Plat Review Committee, in a form which compares the approved submission with the desired changes. After the requests made by the Technical Plat Review Committee have been satisfied, the Zoning and Development Administrator may approve the requested modification.

(Code 1965, App. C., Art. II, §§A—D; Ord. No. 1750, 7-6-70; Ord. No. 2581, 12-4-79; Ord. No. 2789, 1-18-82; Code 1991, §§159.010; 159.11(C), 159.12, 159.13; 159.14; Ord. No. 3781, §1, 4-19-94; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4350, §1, 11-20-01; Ord. No. 5296, 12-15-09; Ord. No. 5653, 01-21-14)

...

166.12 - Structures Not Allowed Within Public Easements

(A) No portion of any building, pool (in-ground or above ground) or other immovable structure shall be built within a public utility easement.

(B) Walls, brick or stone fences (with or without metal portions), monument or pole signs, and other difficult to move structures may only be built within public easements if permitted by the Zoning and Development Administrator after receiving written approval by all utility providers that could access the easement. The written documentation shall be filed of record in the Washington County Circuit Clerk's office. Any related damage or relocation of utilities or the structure in the easement shall be at the owner/developer's expense. The owner shall be responsible at his or her own expense to promptly remove any permitted structure or portion of such structure within the easement if a utility company or the city needs access. A utility company or the city may remove such structure or portion of a structure itself to avoid delaying necessary installation, maintenance or repair work without liability to the property owner who may reinstall the permitted structure at his or her own expense once the installation, repair or maintenance work is finished.

(C) Readily movable fences (field fence, barbed wire, chain link, woodboard privacy, etc.) may encroach upon non-drainage public easements. Although the property owner is legally responsible to remove a fence blocking an easement, the city or utility company may remove such fence blocking an easement if access to the easement is necessary. The city or utility company will reinstall the fence to its approximate pre-removal condition after the maintenance, installation, removal or repair of mains or utility structures is finished. Neither the city nor any utility company shall be liable for damages to any property owner as a result of this subsection.

(D) No fences may be installed in any drainage easement if such installation could impede the drainage through the easement.

(E) No item may be installed within a public easement that could restrict the function, visibility, or access to a utility structure such as a manhole, meter, electrical, phone, or cable box, or other structure as may be built for utility function. No item shall be placed within 3 feet of a fire hydrant or in any way that may restrict visibility, access or use of the hydrant, which includes the clear space around the hydrant from which a pressurized hose may extend when in use.

(Ord. No. 5233, 4-21-09)

CHAPTER 167: TREE PRESERVATION AND PROTECTION

167.04 - Tree Preservation And Protection During Development

...

(C) *Canopy Area.* In all new subdivisions, large scale developments, industrial and commercial developments, and all other improvements listed above, trees shall be preserved as outlined in Table 1 under Percent Minimum Canopy, unless the applicant has been approved for on-site mitigation or off-site alternatives as set forth in subsections I. & J. below. The square foot percentage of canopy area required for preservation in new development is based on the total area of the property for which the applicant is seeking approval, less the right-of-way and park land dedications. An applicant shall not be required to plant trees in order to reach the percent minimum canopy requirement on land where less than the minimum exists prior to development, unless trees have been removed.

Table 1
Minimum Canopy Requirements

ZONING DESIGNATIONS	PERCENT MINIMUM CANOPY
R-A, Residential - Agricultural (nonagricultural uses)	25%
RSF-.5, Single-family Residential - One Half Unit per Acre	25%
RSF-1, Single-family Residential - One Unit per Acre	25%
RSF-2, Single-family Residential - Two Units per Acre	20%
RSF-4, Single-family Residential - Four Units per Acre	25%
RSF-7, Single-family Residential - Seven Units per Acre	20%
RSF-8, Single-family Residential - Eight Units per Acre	20%
RSF-18, Single-family Residential - Eighteen Units per Acre	20%
R-O, Residential -Office	20%
RI-12, Residential Intermediate – Twelve (12) Units per Acre	20%
RI-U, Residential Intermediate – Urban	15%
RMF-6, Multi-family Residential - Six Units per Acre	20%
RMF-12, Multi-family Residential - Twelve Units per Acre	20%
RMF-18, Multi-family Residential - Eighteen Units per Acre	20%
RMF-24, Multi-family Residential - Twenty-Four Units per Acre	20%
RMF-40, Multi-family Residential - Forty Units per Acre	20%
NS-L, Neighborhood Services, Limited	20%
NS-G, Neighborhood Services, General	20%
C-1, Neighborhood Commercial	20%
CS, Community Services	20%
C-2, Thoroughfare Commercial	15%
UT, Urban Thoroughfare	15%

C-3, Central Business Commercial	15%
DC, Downtown Core	10%
MSC, Main Street Center	10%
DG, Downtown General	10%
NC, Neighborhood Conservation	20%
I-1, Heavy Commercial and Light Industrial	15%
I-2, General Industrial	15%
P-1, Institutional	25%
PZD, Planned Zoning District (HHOD)	25% (30%)

...

CHAPTER 169: PHYSICAL ALTERATION OF LAND

169.03 - Permits Required/Exceptions

(A) *Permit Required.* No grading, filling, excavation, or land alteration of any kind shall take place without first obtaining:

(1) A grading permit pursuant to this chapter except as specified in §169.03(B);

(2) A stormwater management, drainage and erosion control permit (hereinafter referred to as a "drainage permit") except as specified in §170.03(C) and §170.03(D); and

(3) An Arkansas Department of Environmental Quality Stormwater Construction Permit and incorporated Stormwater Pollution Prevention Plan, if required by state law.

(4) A grading permit is required by the city for any development occurring within the Hillside/Hilltop Overlay District boundaries. If a parcel of land is divided by the Hillside/Hilltop Overlay District boundary, then only that portion of land lying within the boundary is subject to the requirements of this chapter.

(B) *Exceptions Where No Grading Permit Is Required.* Grading permits are not required for the following:

(1) *Excavation Below Finish Grade.* Excavations below finished grade for basements, swimming pools, hot tubs, septic systems, retaining walls under 4 feet in height, and like structures authorized by a valid building permit.

(2) *Cemetery Graves* . Cemetery graves.

(3) *Refuse Disposal* . Refuse disposal sites controlled by other regulations.

(4) *Single-Family/Duplex* . Construction of up to two (2) single-family residences on a single lot, or duplex not located within the one hundred (100) year flood plain, the Hillside/Hilltop Overlay District, or on a slope 15% or greater.

(5) *Building Additions* . Building additions of less than 2,000 square feet where associated land alteration activities are not beyond the scope of what is necessary to construct said addition and are not located within the one hundred (100) year flood plain, the Hillside/Hilltop Overlay District, or on a slope 15% or greater.

(6) Other minor fill or grading for maintenance purposes such as landscaping, yard grading, maintenance, farming, gardens, and similar activities.

(C) *Grading Permit Application and Approval.* No grading permit shall be issued until the grading plan, endorsed by a registered architect, landscape architect, or engineer, is approved by the City Engineer. A separate permit shall be required for each site; it may cover both excavations and fills. Grading permits may be issued jointly for parcels of land that are contiguous, so long as erosion control measures are in place until project completion. Any application for a required grading permit under this chapter shall be submitted concurrently with the application and calculations for a drainage permit if such a drainage permit is required by §170.03., coordination with Chapter 167. Tree Preservation and Protection is required.

(D) *Permit Posted* . A copy of the grading permit cover page shall be posted at or near the street right-of-way line and shall be clearly visible from the street.

(Code 1991, §161.03; Ord. No. 3551, 6-5-91; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4113, §1, 8-18-98; Ord. No. 4313, 5-15-01; Ord. No. 4855, 4-18-06; Ord. No. 5336, 8-3-10; Ord. No. 5702, Repealed & Replaced Chp. 169, 8-5-14)

CITY OF Fayetteville ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

FROM: Jonathan Curth, Senior Planner and City Planning Division Staff

THRU: Andrew Garner, Planning Director

MEETING DATE: November 28, 2016 **(Updated with Planning Commission Results)**

SUBJECT: **ADM 16-5631: Administrative Item (UDC CHAPTERS 161 & 162 AMENDMENTS):** Submitted by PLANNING STAFF for revisions to several chapters in the Unified Development Code. The proposal is to create two new zoning districts, a new use unit, and include accessory dwellings as a permitted use in several existing districts. The intent of the code changes are to facilitate greater flexibility in medium-intensity commercial and medium-intensity urban residential development.

RECOMMENDATION:
Staff recommends that the Planning Commission discuss and forward **ADM 16-5631** to the City Council with a recommendation of approval.

PROJECT SYNOPSIS:

November 14th Planning Commission: This item was discussed and tabled at the November 14, 2016 Planning Commission meeting. The commission was generally in favor of the proposal. At that meeting the commission requested staff evaluate the potential to reduce the minimum lot width for two-family dwellings in the Neighborhood Services districts (NS-L and NS-G) and to evaluate including four-family dwellings as a use by right in the RT-U zoning district. Staff has evaluated these comments and incorporated them into the proposed code changes, agreeing that they are in line with the intent of the overall proposal. Staff has also modified one of the three dimensional diagrams to incorporate the NS zoning district within the residential single family block as suggested by the commission.

Staff proposes the following code changes:

- Create two new zoning districts, a new use unit, and include accessory structures as a permitted use in appropriate zoning districts to facilitate the goals of City Plan 2030 and supplement the gaps in the existing zoning districts to encourage appropriate medium-intensity residential and commercial development.
    - The **Residential Two (2) and Three (3) Family, Urban (RT-U)**, zoning district is intended to encourage attached and detached housing development that is more urban and walkable than low- and medium-density residential, but with less impact on services or adjacent properties than high-density housing. This district is intended to allow similar development patterns as the DG, Downtown General, zoning district, without the non-residential uses and high density apartment

buildings that can pose compatibility issues when a DG rezoning is proposed in an existing neighborhood.
    - Properties developed under the proposed RT-U zoning district do not have lot area minimums and have reduced setbacks and lot width requirements, facilitating infill and traditional town form.
- The **Neighborhood Services, General (NS-G)** zoning district is a form-based district that permits mixed-use and medium-intensity commercial development that is limited in size and contextually sensitive to residential areas. This district is intended to fill the gap in zoning between the existing NS, Neighborhood Services, and CS, Commercial Services, districts.
    - The commercial uses allowed by right are generally considered to not pose compatibility issues with adjacent residential areas.
    - The increased allowed building size widens the breadth and viability of commercial uses complimentary and adjacent to residential areas.
- **Use Unit 12b, General Business**, fits in between the current Use Units 12 and 15 with regards to the permitted uses and the 8,000 square foot maximum building square footage allowed (UU-12 and -15 allow for 3,000 and 25,000 square feet respectively)
    - Use Unit 12b is proposed as a permitted use in Neighborhood Services, General to permit the aforementioned greater array of allowed activities and building size in between that allowed in the current NS and CS districts.
- The addition of Use Unit 41: Accessory Dwellings, is proposed to be added as a permitted use to those zoning districts that permit single-family dwellings by right.
- The addition of Four (4) Family Dwellings to Use Unit 10, Three (3) Family Dwellings, to facilitate the development of 'middle missing' housing in a wider array of zoning districts.

DISCUSSION:

Over the past year Planning staff has received feedback from developers, Commissioners, and Alderman that the current zoning districts in the City of Fayetteville need to broadened to provide sufficient flexibility to adequately pursue the goals laid out in City Plan 2030, particularly with regards to the pursuit of appropriate infill and traditional town form. In the interest of facilitating development that is complementary to the City's goals, staff developed the two new zoning districts and a related use unit outlined above.

The first zoning district, RT-U, is proposed as a tool to foster infill development in an urban pattern. Staff envisages this district increasing density and housing opportunities in areas with existing services and facilities. A frequent concern in urban areas nationwide, and not an uncommon complaint in Fayetteville, is that there is little in the way of housing variety between detached single-family homes and larger multi-family developments. The RT-U zoning district can potentially address and ameliorate this 'missing middle' and provide another option for attainable housing.

The second proposed district, NS-G, General, seeks to address applicant, staff, Commissioner, and Alderman concerns with recommending zoning districts that do not include uses complimentary to residential areas in order to provide a needed form or function not otherwise allowed. The most frequent instance of this has been the request for CS, Commercial Services rezonings to allow for specific residentially-sensitive commercial uses that need a greater building size than the 3,000 square feet allowed in NS, Neighborhood Services. Given the allowance of buildings as large as 25,000 square feet and uses like gas stations and drive-through restaurants

in the CS zoning district, this presents potential compatibility issues. The proposed NS-G zoning district and associated Use Unit 12b address these concerns by creating a form-based district with uses determined to be residentially-sensitive and in structures of appropriate size. These code changes are part of a continual effort to calibrate our zoning code to the market, development trends, and adopted City policy. The new districts and use unit provide more refined tools in the City's coning district 'toolkit,' encouraging a greater degree of compatibility and transition in specific contexts.

Amendments and changes to the Unified Development Code are proposed as follows:

1. Chapter 160: Zoning Districts. Add RT-U and NS-G zoning districts to the Establishment of Districts table.
2. Chapter 161: Zoning Regulations.
    - Add RT-U, Residential Two (2) and Three (3) Family zoning district. The proposed zoning district requirements are attached.
    - Add NS-G, Neighborhood Services, General zoning district. The proposed zoning district requirements are attached.
    - Amend the NS, Neighborhood Services, zoning district to read "NS-L, Neighborhood Services, Limited"
    - Amend all districts that allow Use Unit 10 as a permitted or conditional use to include the unit's new language (See below).
    - Add Use Unit 41: Accessory Dwellings as a permitted used in all districts that allow a single-family dwelling by right.
3. Chapter 162: Use Units.
    - Amend Unit 10 to read "Three (3) and Four (4) Family Dwellings"
    - Amend Unit 12 to read "Unit 12a" and add Unit 12b.
    - Amend Units 12a and 15 to include language excluding areas dedicated to residential uses from the maximum allowed building size.
    - Add Unit 12b. General Business. The proposed Use Unit requirements are attached.
    - Amend Unit 26 to read "...multi-family dwellings of more than four attached unts..."
4. Chapter 164: Supplementary District Regulations.
    - Amend Section A to read "In RT and all..." rather than "In RT-12 and all..."
5. Chapter 166: Development
    - Amend the "Requirement" and "Excluded Developments" sections of Small Site Improvement Plan to read "...two (2) single-family residences..." rather than "...one (1) single-family residence...
6. Chapter 167: Tree Preservation and Protection
    - In Table 1 of §167.04:
        - Add RT-Urban, Residential Two (2) and Three (3) Family with a 15% minimum canopy requirement.
        - Amend NS, Neighborhood Services, to NS-L, Neighborhood Services, Limited.
        - Add NS-G, Neighborhood Services, General, with a 20% minimum canopy requirement.
7. Chapter 169: Physical Alteration of Land
    - Amend Permits Required/Exceptions to read "Construction of up to two (2) single-family residences on a single lot..." rather than "Construction of one (1) single-family residence..."

RECOMMENDATION:

Staff recommends that the proposed code changes be forwarded to by the Planning Commission to the City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: November 28, 2016	**❒ Tabled**	**☒ Forwarded**	**❒ Denied**
Motion: Autry	**Second: Selby**	**Vote: 9-0-0**	
CITY COUNCIL ACTION:	**Required**	**YES**	
Date:	**❒ Approved**	**❒ Denied**	

BUDGET/STAFF IMPACT:
None

Attachments:

- Proposed zoning districts and use unit:
  - §161.12 RT-U, Residential Two (2) and Three (3) Family, Urban
  - §161.19 NS-G, Neighborhood Services, General
  - §162 Use Unit 12b
- Zoning District Comparisons:
  - RT-12 and RT-U
  - NS-L and NS-G
- Plan view of proposed zoning districts:
  - RT-U
  - NS-G
- Idealized transects of proposed zoning districts:
  - RT-U Traditional Town Form
  - NS-G Traditional Town Form
  - NS-G Vehicular-Oriented/Suburban Development
- ~~Proposed code changes as shown in strikethrough-highlight:~~
  - ~~§160 (Zoning Districts)~~
  - ~~§161 (Zoning Regulations)~~
  - ~~§162 (Use Units)~~
  - ~~§164 (Supplementary District Regulations)~~
  - ~~§166 (Development)~~
  - ~~§167 (Tree Preservation and Protection)~~
  - ~~§169 (Physical Alteration of Land)~~

In the interest of brevity, and not duplicating the provided exhibit, this attachment is not included in the materials for City Council.

ADM 16-5631

Proposed RT-U Zoning District

161.12 - District RT-U, Residential Two (2) And Three (3) Family, Urban

(A) *Purpose.* The RT-U Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a development potential between low density and medium density, but with less impact than high density development, to encourage the development of areas with existing public facilities and to encourage the development of a greater variety of housing.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory dwellings
Unit 44	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 12	Limited business
Unit 24	Home occupations
Unit 26	Multi-family Dwellings
Unit 36	Wireless communications facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

	Dwelling (all types)
Lot width minimum	18 feet
Lot area minimum	None

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) family	Rear Other Uses	Rear, from centerline of an alley
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	None	5 feet	5 feet	12 feet

(F) *Building Height Regulations.*

Building height maximum	30/45 feet

*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. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 60% of the total lot area.

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

ADM 16-5631

Proposed NS-G Zoning District

161.19 - Neighborhood Services, General

(A) *Purpose.* The Neighborhood Services, General district is designed to serve as a mixed use area of medium intensity. Neighborhood Services, General 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 (3) and four (4) family dwellings
Unit 12b	General 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 permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 13	Eating Places
Unit 16	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*. Eighteen (18) or less per acre.

(D) *Bulk and Area Regulations*.

(1) *Lot Width Minimum.*

Single-family	35 feet
Two (2) family	35 feet
Three or more	90 feet

All other uses	None

(2) *Lot Area Minimum*.

Single-family	4,000 square feet
Two (2) family or more	3,000 square feet per dwelling unit
All other uses	None

(E) *Setback regulations*.

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

(F) *Building Height Regulations.*

Building Height Maximum	45 feet

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

ADM 16-5631

Proposed Use Unit 12b

(O) ***Unit 12b. General Business,***

(1) *Description.* Unit 12b consists of small-scale establishments offering commercial goods and services that are accessible for the convenience of individuals living in residential districts, while compatible in size, scale and appearance with the surrounding neighborhood. These uses shall be subject to the regulations in Chapter 164. All uses classified under Unit 12b must be within a building containing 8,000 square feet or less, excluding area dedicated to residential uses.

(2) *Included Uses.*

Personal services	•Day Care
	• Dry cleaning
	• Salon/Barber shop
	• Tailoring
Retail	• Antique/home décor sales
	• Apparel
	• Art/Architectural supplies
	• Bakery/Pastry shops
	• Bicycle shop
	• Bookstore
	• Coffee shop
	• Delicatessen
	• Drugstore
	• Florists
	• Food specialty stores
	• Grocery
	• Hardware store
	• Health food store
	• Hobby/Craft shop
	• Ice cream
	• Meat market
	• Restaurant/Café
	• Small Appliance Repair
	• Stationary store
	• Toy store
	• Video rental
Professional Offices	• Accountant
	• Architect
	• Attorney
	• Broker
	• Business/Mgmt. Consultant
	• Doctor

ADM 16-5631

RT-12 and RT-U Comparison

161.11 - District RT-12, Residential Two (2) And Three (3) Family

(A) *Purpose.* The RT-12 Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a development potential between low density and medium density with less impact than medium density development, to encourage the development of areas with existing public facilities and to encourage the development of a greater variety of housing values.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 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 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	12

(D) *Bulk and Area Regulations.*

	Single-family	Two (2) family	Three (3) family
Lot width minimum	50 feet	50 feet	90 feet
Lot area minimum	5,000 square feet	7,260 square feet	10,890 square feet.

161.12 - District RT-U, Residential Two (2) And Three (3) Family, Urban

(A) *Purpose.* The RT-Urban Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a development potential between low density and medium density, but with less impact than high density development, to encourage the development of areas with existing public facilities and to encourage the development of a greater variety of housing.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory dwellings
Unit 44	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 12	Limited business
Unit 24	Home occupations
Unit 26	Multi-family Dwellings
Unit 36	Wireless communications facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

	Dwelling (all types)
Lot width minimum	18 feet
Lot area minimum	None

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

Building height maximum	30/45 feet

*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. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

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

(Code 1965, App. A., Art. 5(IIA); Ord. No. 3128, 10-1-85; Code 1991, §160.032; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 06-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800, § 1(Exh. A), 10-6-15)

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) family	Rear Other Uses	Rear, from centerline of an alley
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	None	5 feet	5 feet	12 feet

(F) *Building Height Regulations.*

Building height maximum	30/45 feet

*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. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 60% of the total lot area.

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

ADM 16-5631

NS-L and NS-G Comparison

161.18 - Neighborhood Services, Limited

(A) *Purpose.* The Neighborhood Services, Limited district is designed to serve as a mixed use area of low intensity. Neighborhood Services, Limited 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 (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	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	Ten (10) or less

161.19 - Neighborhood Services, General

(A) *Purpose.* The Neighborhood Services, General district is designed to serve as a mixed use area of medium intensity. Neighborhood Services, General 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 (3) and four (4) family dwellings
Unit 12b	General 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 permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 13	Eating Places
Unit 16	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	Eighteen (18) or less

(D) *Bulk and Area.*

(1) *Lot Width Minimum.*

Single-family	35 feet
Two (2)family	35 feet
Three or more	90 feet
All other uses	None

(2) *Lot Area Minimum.*

Single-family	4,000 square feet
Two (2) family or more	3,000 square feet 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 feet

(G) *Building area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of the lot.

(Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800, § 1(Exh. A), 10-6-15)

(D) *Bulk and Area Regulations*.

(1) *Lot Width Minimum.*

Single-family	35 feet
Two (2) family	35 feet
Three or more	90 feet
All other uses	None

(2) *Lot Area Minimum*.

Single-family	4,000 square feet
Two (2) family or more	3,000 square feet per dwelling unit
All other uses	None

(E) *Setback regulations*.

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

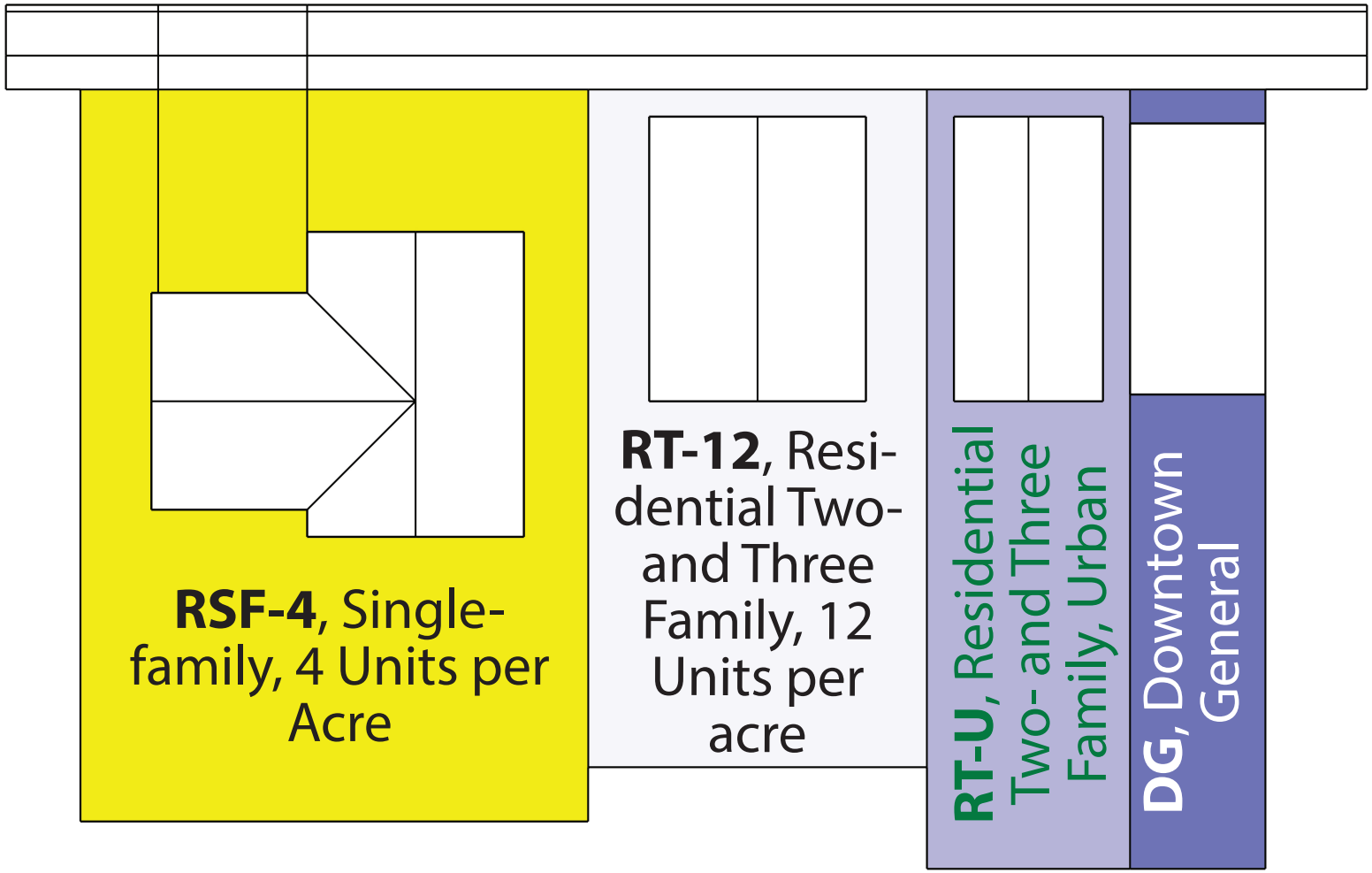
(F) *Building Height Regulations.*

Building Height Maximum	45 feet

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

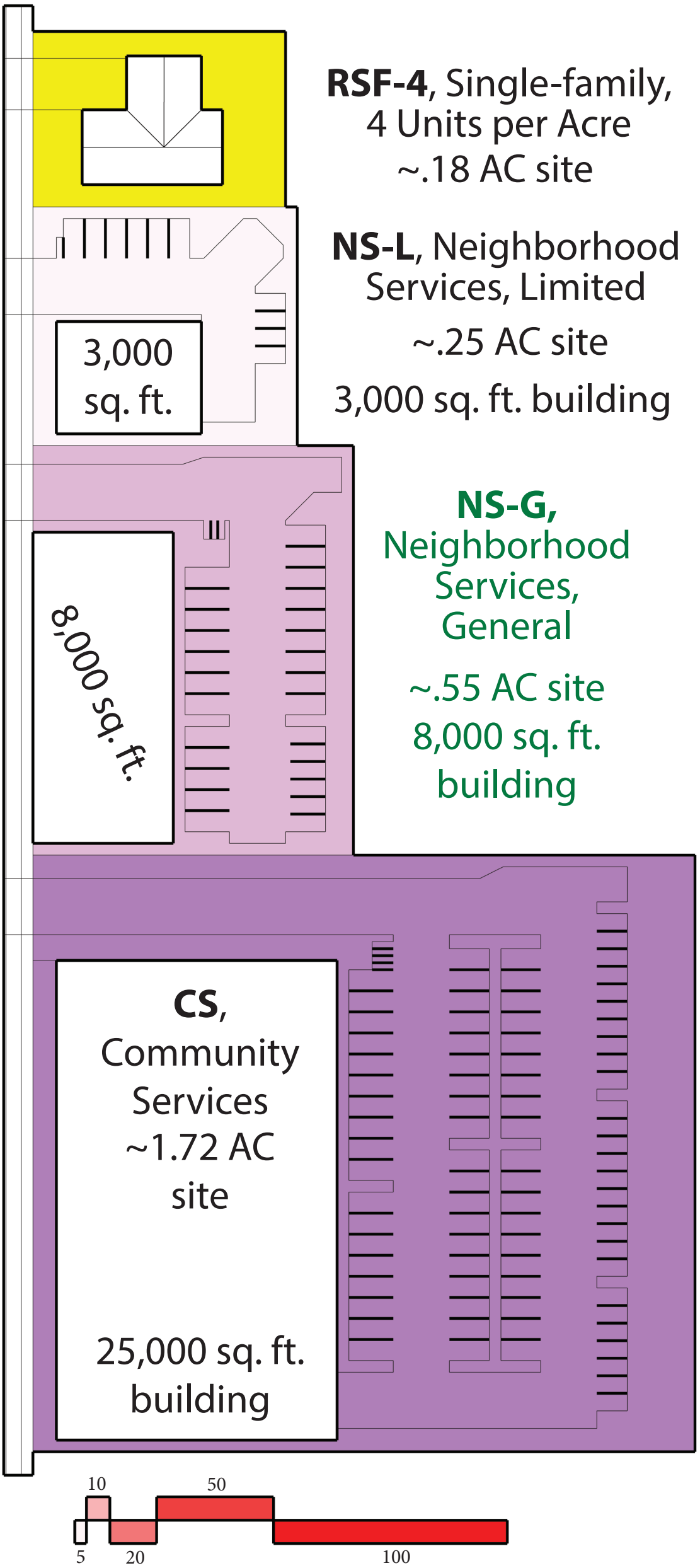
ADM 16-5631

Plan View Transect of Proposed RT-U Zoning District



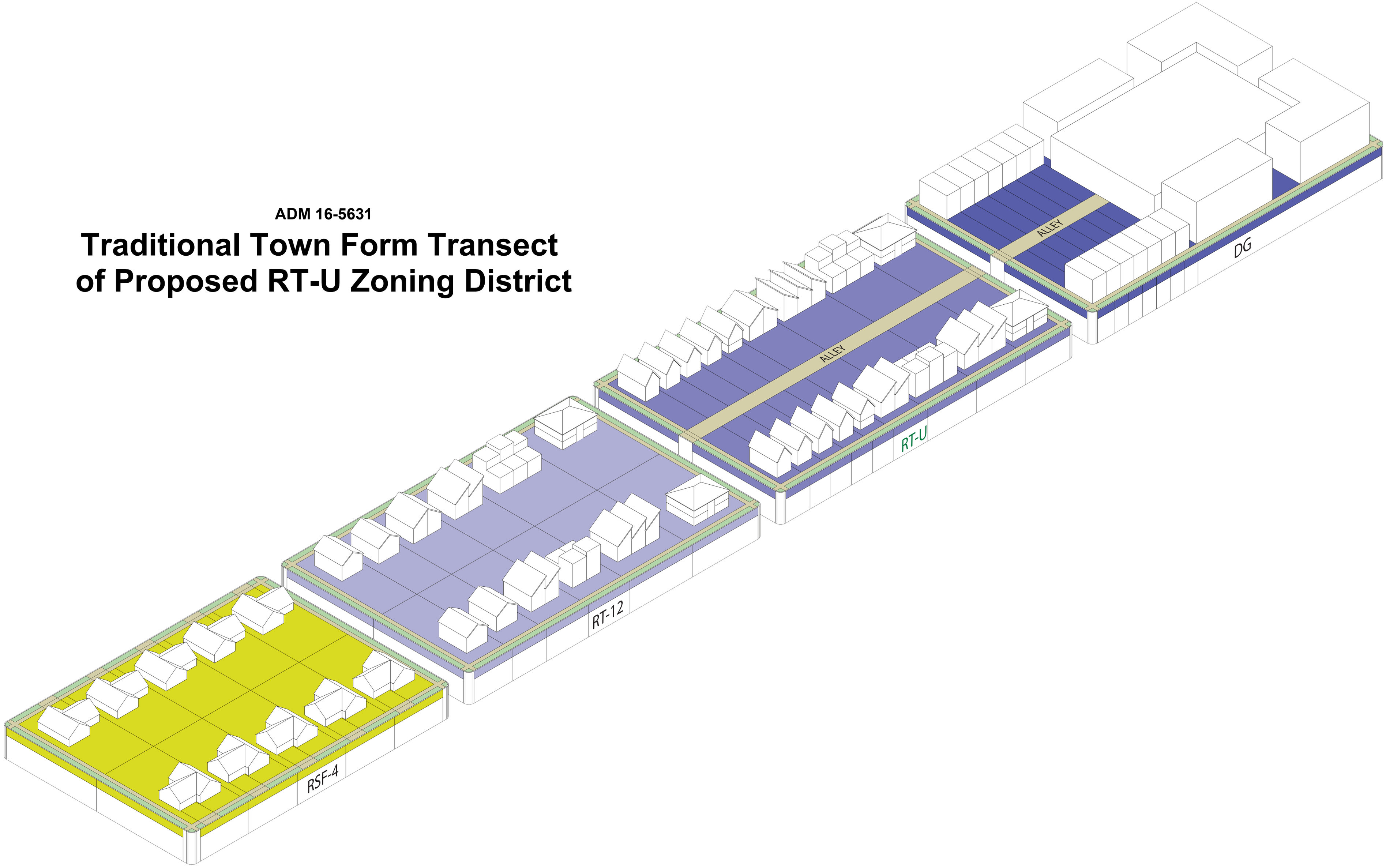
ADM 16-5631

Plan View Transect of Proposed NS-G Zoning District



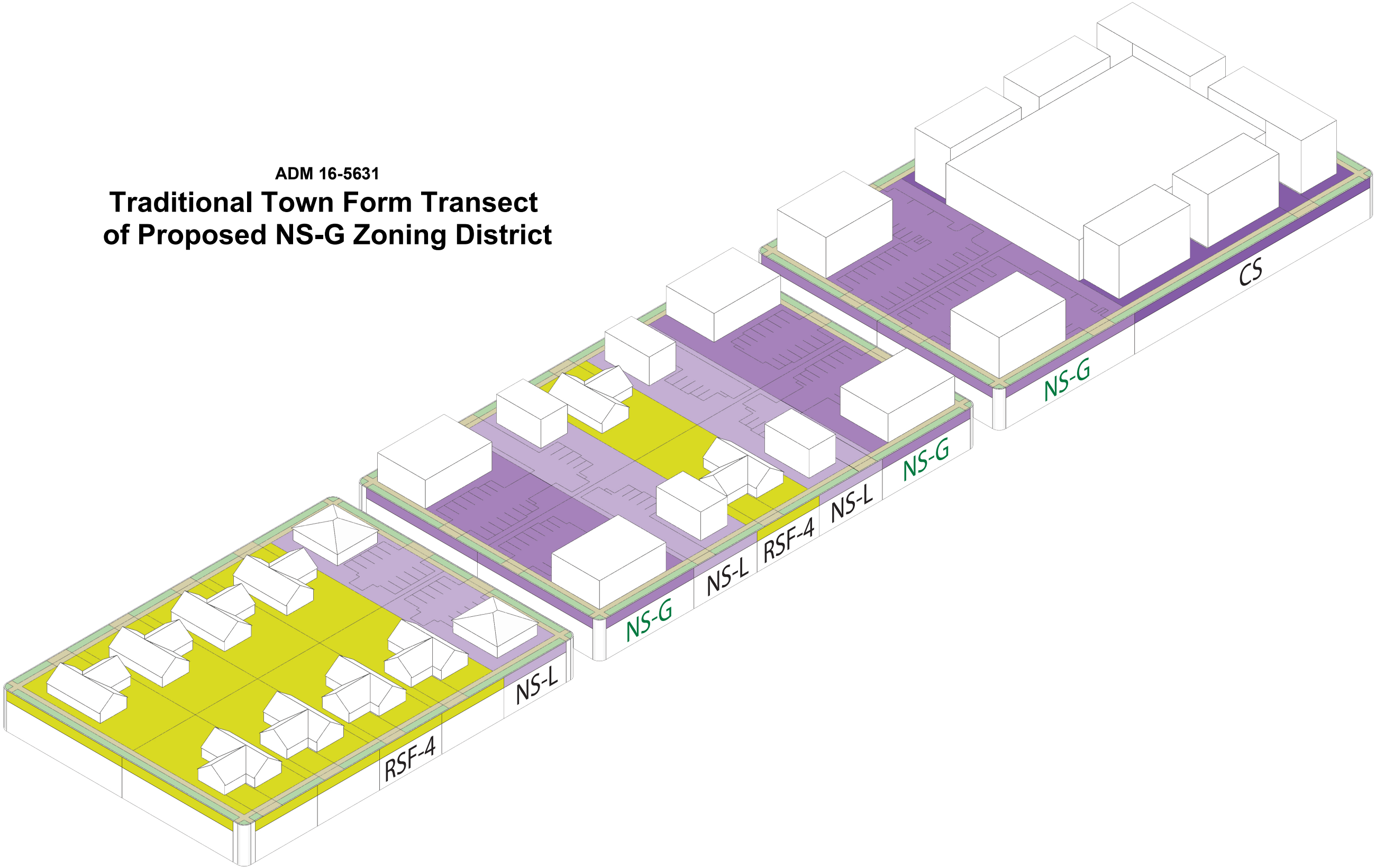
ADM 16-5631

Traditional Town Form Transect of Proposed RT-U Zoning District



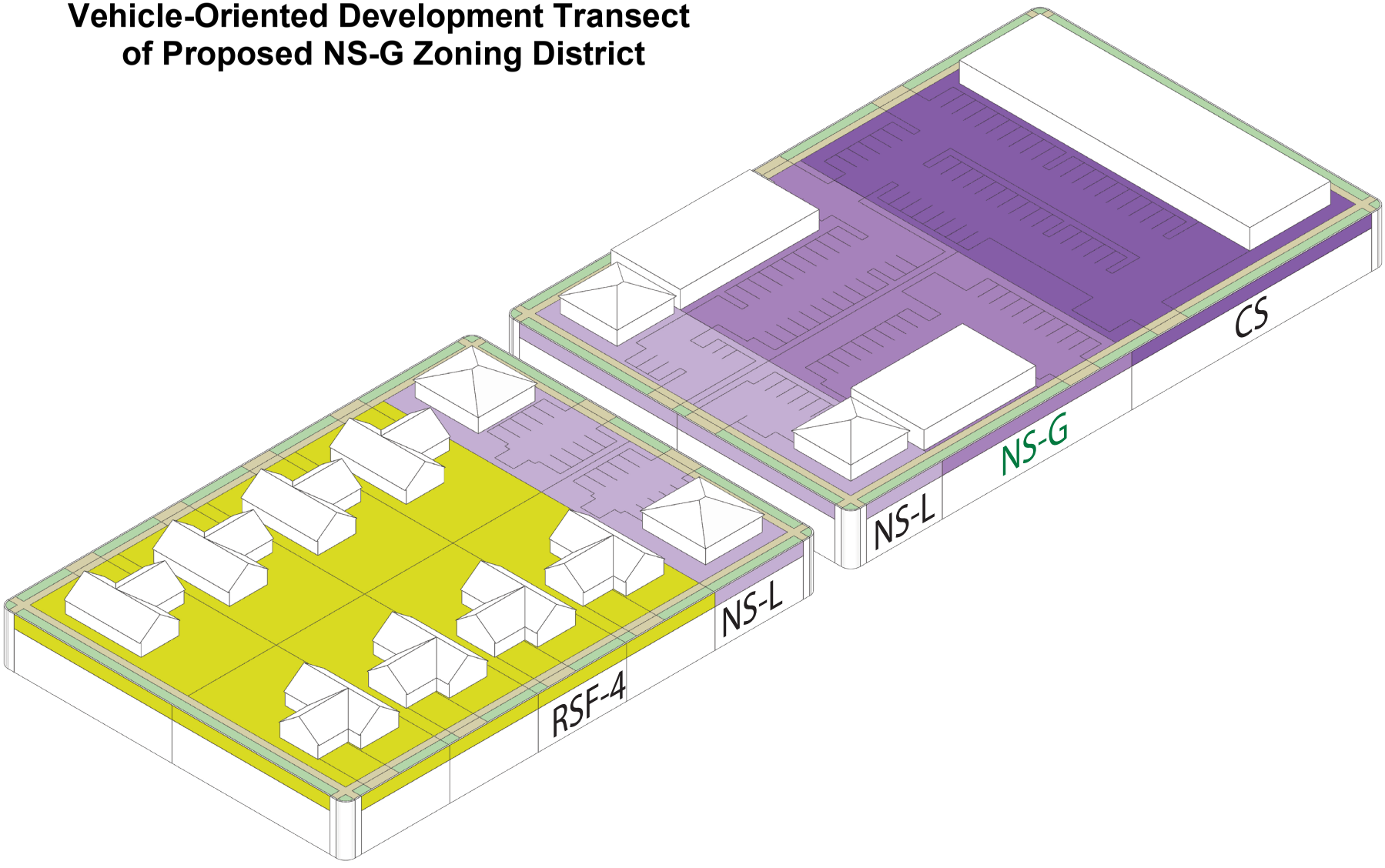
ADM 16-5631

Traditional Town Form Transect of Proposed NS-G Zoning District



ADM 16-5631

Vehicle-Oriented Development Transect of Proposed NS-G Zoning District



City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0667

Agenda Date: 1/17/2017 **Version:** 1 **Status:** Tabled

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: B. 2

PRELIMINARY PLAT 16-5642 (PARK MEADOWS) GRANT APPEAL:

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO APPROVE PRELIMINARY PLAT 16-5642 (PARK MEADOWS) AS AMENDED PURSUANT TO AN AGREEMENT BETWEEN PLANNING AND THE APPLICANT TO EXTEND THE LEFT TURN LANE ON HUNTSVILLE

WHEREAS, the proposed Park Meadow Subdivision shown on Preliminary Plat 16-5642 was approved by the Planning Commission on a split vote; and

WHEREAS, the Planning Commission required the developer to improve all of Morningside Drive adjoining the Park Meadows development, to provide new street accesses to Huntsville Road and 15th Street (Highway 16 East) as well as to Morningside Drive; and

WHEREAS, the Planning Commission also required the developer to pay the 290 home development's estimated share of a possible traffic light at the intersection of Huntsville and Morningside and to create a fairly short left turn lane on Huntsville Road for that intersection; and

WHEREAS, the Applicant now has agreed to widen Huntsville Road with a left turn lane further to the east of Morningside Drive for enhanced traffic safety.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby grants the appeal of City Council Member Adella Gray, but approves Preliminary Plat 16-5642 (Park Meadows) pursuant to the conditions approved by the Planning Commission except that Condition # 2 will require that an extended turn lane shall be constructed by the applicant along Huntsville Road from the intersection with Morningside Drive toward the east as depicted on the attached exhibit and as described in the most recent staff memo attached to this agenda item, and amends Condition # 3 to require that the traffic signal assessment of $18,000.00 shall not be due until the Final Plat is approved for the final phase of the project.

EXHIBIT

Crafton Tull
architecture | engineering | surveying

901 N 47th Street, Suite 200
Rogers, AR 72756

479.636.4838 (ph)
479.631.6224 (fax)

December 15, 2016

City of Fayetteville
Engineering Department
113 West Mountain Street
Fayetteville, AR 72701

Re: Park Meadows Subdivision Traffic Study
Attn: Chris Brown, PE

Mr. Brown,

On behalf of our client, Rausch Coleman Homes, we are submitting the final traffic study related to a 290 lot residential subdivision, which was recently approved by Planning Commission, called Park Meadows. The project is located on a 62.62-acre parcel of land in south Fayetteville, bounded by Huntsville Road on the north, Morningside Road on the west, and 15th street to the south.

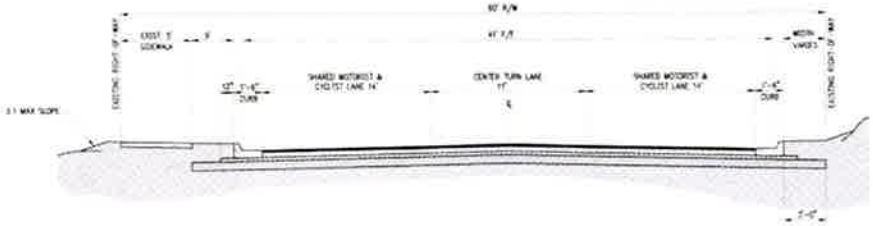
In the estimation of the traffic engineer, Peters and Associates, the anticipated traffic distribution from the proposed development, coupled with existing traffic counts during the PM peak hour, warrant the installation of a left hand turn lane at the intersection of Huntsville and Morningside. However, while the warrant for turn lane was met based on projected traffic counts, the level of service (LOS) along Huntsville Road remains at LOS A without the construction of the turn lane. LOS A is the highest and best level of service that AASHTO recognizes. In spite of the exceptional level of service, post development, we are proposing to construct a left hand turn lane at the intersection of Morningside and Huntsville to help mitigate the concerns of the public regarding the perceived detrimental effect of the development.

It's worth noting that the traffic study is based on a full build out and occupation of the development, meaning that the reported values assume an immediate infusion of 290 residential lots to the existing traffic flows and street conditions. The study does not assume, or address, the more likely scenario of a multi-year build out of phases, nor does it take into account the impact of future street improvements in the area. Specifically, the currently planned and funded widening of 15th Street. The improvements to 15th street are expected to reduce the trip generation from the development traveling north.

We appreciate the dialog and provided by the City Engineering staff during this process.

Sincerely,

Thomas A. Hennelly, PE
Vice President
Crafton Tull



COLLECTOR-PER CITY OF FAYETTEVILLE
NTS

Crafton Tull

PARK MEADOWS
FAYETTEVILLE, AR

PRELIMINARY PLANS

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

EXHIBIT

EXHIBIT

CITY OF Fayetteville ARKANSAS

STAFF MEMO

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director

CC: Andrew Garner, Planning Director

FROM: Chris Brown, P.E., City Engineer CB

DATE: 12/15/2016

SUBJECT: **Park Meadows Subdivision-Appeal of Planning Commission Approval Traffic Study Review and Staff Recommendations**

This memo provides a review of the traffic study completed by Peters and Associates on behalf of the developer of the proposed Park Meadows subdivision located at the southeast corner of Morningside Drive and Huntsville Road. A summary of Staff recommendations for improvements to be made on Huntsville Road in accordance with the traffic study is also provided.

Just prior to the Planning Commission meeting, the city received a preliminary traffic study from Peters & Associates addressing, among other things, the warrants for left turn lanes along Huntsville Road. The findings in the preliminary traffic study were that NO left turn lanes were warranted at any of the three intersections with Huntsville Road (Morningside Drive, plus two additional proposed intersections). After a brief review of the report, Engineering staff disagreed with the findings, made the determination that turn lanes were warranted at all three locations and recommended left turn lanes at each of the three intersections as a condition of approval by the Planning Commission. The Planning Commission ultimately voted to only require a turn lane at Huntsville Road and Morningside Drive, and not at the two proposed new street intersections.

After the Planning Commission meeting, Peters & Associates was able to respond to staff comments and provide a final traffic report which stated that the warrants for a left turn lane were met, but only at the intersection of Huntsville Road and Morningside Drive. City Engineering staff met with Peters & Associates and discussed their methodology and findings in further detail. Based on this meeting, and the explanation provided by Peters and Associates, the single turn lane provided at the intersection of Huntsville and Morningside has been deemed to be adequate (if constructed per specifications that follow), and the Engineering Division recommends upholding the Planning Commission's determination of necessary street improvements.

EXHIBIT

The length of this turn lane should be designed by the applicant's traffic engineer and include adequate length for ALL left turn movements from Huntsville Road into this subdivision. This will provide future capacity at the intersection should the city need to restrict left-turns into the subdivision at the proposed new street intersections at some later date. The street section shall incorporate on-street bike lanes as appropriate, and not create a break in the existing on-street bicycle facility along Huntsville Road.

It must be noted that increasing traffic and turning movements due to the development could result in increased rear-end collisions and congestion along Huntsville Road. However, this increase will not create or exacerbate a dangerous traffic condition to the extent that turn lanes are warranted at these new intersections.

Legistar ID No.: 2016-0667

AGENDA REQUEST FORM

FOR: Council Meeting of January 3, 2017

FROM:
City Council Member Adella Gray

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO DENY PRELIMINARY PLAT 16-5642 (PARK MEADOWS) BECAUSE SUCH DEVELOPMENT WOULD CREATE OR COMPOUND A DANGEROUS TRAFFIC CONDITION IN VIOLATION OF § 166.02 (C)(2) (a)(iv) OF THE UNIFIED DEVELOPMENT CODE

APPROVED FOR AGENDA:

Adella Gray — 12-12-16
City Council Member Adella Gray — Date

Kit Williams — Dec 12, 2016
City Attorney Kit Williams (as to form) — Date

RECEIVED
DEC 12 2016
CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE
12:15 pm

December 12, 2016

Mrs. Sondra Smith. City Clerk
City of Fayetteville
Room 308
113 West Mountain Street
Fayetteville, Arkansas 72701

Dear Mrs. Smith,

Please consider this letter an official appeal of the November 28th, 2016 decision of the Fayetteville Planning Commission to approve to PPL 16-5642 Preliminary Plat, Park Meadows Subdivision (NE of East 15th Street and Morningside Drive).

This appeal is based upon my view that a dangerous traffic condition exists in the Huntsville Road/Morningside Drive area which will be compounded by the addition of 300+ vehicles driven onto these and neighboring streets by property owners within the Park Meadows development. I would like to give the City Planning staff more time to review and comment on the official traffic study of the area completed by Peters Engineering. Such a review may result in recommendations of traffic abatement strategies which in the end will save lives and prevent vehicular congestion and damage.

Sincerely yours,

Adelle Gray

OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE

Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Patti Mulford
Paralegal

TO: **Mayor Jordan**
City Council

CC: **Don Marr**, Chief of Staff
Jeremy Pate, Development Services Director
Andrew Garner, Planning Director

FROM: **Kit Williams**, City Attorney

DATE: **December 13, 2016**

RE: **Appeal of Planning Commission Approval of Preliminary Plat 16-5642 (Park Meadows)**

On a split vote, the Planning Commission approved Preliminary Plat 16-5642 (Park Meadows) with many, but not all, street improvements recommended by the Planning Department. This was appealed on the same ground as the Macey Drive Apartments had originally been denied by the Planning Commission: an allegation that "**the proposed development would create or compound a dangerous traffic condition.**" This is the only issue the City Council may consider in this appeal.

The Unified Development Code further defines what a "dangerous traffic condition" means.

> "(A) dangerous traffic condition shall be construed to mean a traffic condition in which **the risk of accidents involving motor vehicles is significant** due to factors such as, but not limited to, high traffic volume, topography, or the nature of the traffic pattern." *Id.*

Although the developer agreed (and was required by the Planning Commission) to pay its share of a proposed future traffic light at Huntsville and Morningside with intersection improvements including a left turn lane on

Huntsville, major improvements to Morningside, two streets intersecting Huntsville east of Morningside and one street intersecting Highway 16 East (15th Street) east of Morningside, the Planning Department had also recommended widening Huntsville for a continuous left turn lane for about 800 feet east of Morningside.

Such widening would destroy 800 feet of the new sidewalk just finished by our Transportation Department along Huntsville Road and require moving the existing bike lane from Huntsville to be replaced by a multiuse trail along the northern border of Park Meadows subdivision. Planning recommended that all of this widening and the new multiuse trail not only be dedicated on the developer's land, but be built and paid for by the developer.

These costs could exceed One Million Dollars for this 290 home subdivision which I believe is significantly more than what has been required of any similarly sized housing development. These required improvements are called an exaction. We need to ensure this exaction does not exceed the rough proportionality of the impact of these new homes on the city infrastructure, in this case, adjoining streets.

A traffic study had been conducted by the developer at the last moment upon request by the Planning staff or the Planning Commission. What this study establishes or even means was a matter of discussion by City Engineering staff or the developer's engineer. With this appeal, this traffic study can be more closely analyzed by these engineers. Please listen to the engineers as the experts in this field as part of the basis of your decision.

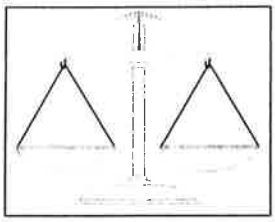
Attached is a copy of my February 9, 2007 memo on approval/rejection criteria for preliminary plats by the City Council. This outlines the legal tests you must use which have remained unchanged for at least 14 years. The key requirement that you must keep in mind is this rule decreed by the Arkansas Supreme Court:

> **"When a subdivision ordinance specifies minimum standards to which a preliminary plat must conform, it is arbitrary as a matter of law to deny approval of a plat that meets those standards."** *Richardson v. City of Little Rock Planning Commission,* 295 Ark. 189, 747 S.W. 2d 116, 117 (1988) (emphasis added).

FAYETTEVILLE
THE CITY OF FAYETTEVILLE, ARKANSAS

KIT WILLIAMS, CITY ATTORNEY
DAVID WHITAKER, ASST. CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



LEGAL DEPARTMENT

TO: **Dan Coody**, Mayor
City Council

CC: **Jeremy Pate**, Director of Current Planning
Planning Commissioners

FROM: **Kit Williams**, City Attorney

DATE: **February 9, 2007**

RE: **Approval/Rejection of Large Scale Developments and Preliminary Plats and Downzoing Residential Property**

APPROVAL OF LARGE SCALE DEVELOPMENTS

The Planning Commission and (on appeal) the City Council can be faced with strong neighborhood opposition to a Large Scale Development (LSD) or Preliminary Plat with compelling arguments that the proposal is incompatible with the existing neighborhood, too dense, likely to devalue adjoining homes, etc. At least as early as June 11, 2002, I have had to inform you that these type of arguments may not be considered when determining whether to approve or reject a Preliminary Plat or LSD.

Attached are my memos of June 22, 2002; October 22, 2002; November 5, 2002; May 11, 2004; and November 10, 2005. All these memos state the same legal requirement. Both the Planning Commission and the City Council must follow the dictates of the Unified Development Code (enacted by the City Council).

We elected officials all took the oath of office promising to abide by the Arkansas Constitution and faithfully fulfill the duties of our offices (which I understand to mean to obey the law as determined by our highest authority, the Arkansas Supreme Court).

The Arkansas Supreme Court has clearly held:

> **"When a subdivision ordinance specifies minimum standards to which a preliminary plat must conform, it is arbitrary as a matter of law to deny approval of a plat that meets those standards."** Richardson v. City of Little Rock Planning Commission, 295 Ark. 189, 747 S.W. 2d 116, 117 (1988).

The six factors you have enacted into the UDC that can be considered are found in §166.05 C.7.d.

> "**d.** The Subdivision Committee or Planning Commission may refuse to approve a large scale development or preliminary plat for any of the following reasons:
>
> **(1).** The preliminary plat or development plan is not submitted in accordance with the requirements of this section.
>
> **(2).** The proposed development would violate a City ordinance, a State statute, or a Federal statute.
>
> **(3).** The developer refuses to dedicate the street right-of-way, utility easements or drainage easements required by this chapter.
>
> **(4).** The proposed development would create or compound a dangerous traffic condition. For the purpose of this section, a "dangerous" traffic condition shall be construed to mean a traffic condition in which the risk of accidents involving motor vehicles is significant due to factors such as, but not limited to, high traffic volume, topography, or the nature of the traffic pattern.
>
> **(5).** City water and sewer is not readily available to the property within the large scale development or preliminary plat and the developer has made no provision for extending such service to the development.

> **(6).** The developer refuses to comply with subsection 7.b. and c. pertaining to required on-site and off-site improvements."

Any objection or reason to deny a Large Scale Development or Preliminary Plat must be included within those six stated reasons to be valid. If a proposed Large Scale Development or Preliminary Plat meets the minimum standards of the Unified Development Code, **it must be approved even if every Commissioner or every Alderman believes it is a terrible development unanimously opposed by the neighbors**.

Although the City Council has clear authority to amend the UDC and change the factors that could be considered beyond the six currently enacted by the City Council, until such an amendment occurs you **must** obey your current Code of Ordinances.

> "A city simply cannot pass procedural ordinances they expect to be followed by their residents and then conveniently ignore them themselves. **A legislative body must substantially comply with its own procedural policies."** Potocki v. City of Fort Smith, 279 Ark. 19, 648 S.W. 2d 462, 464 (1983). (emphasis added)

Similarly, the Arkansas Supreme Court agreed with the Pulaski County Chancery Court that the Little Rock Board of Directors had acted arbitrarily, capriciously and unreasonably in a rezoning case.

> "(N)or does a city have to create a zoning ordinance or a land use plan or adopt planned use districts or planned commercial districts, but once it has done so **it must follow the ordinance until it is repealed or altered**." City of Little Rock v. Pfeifer, 318 Ark. 679, 887 S.W. 2d 296, 298 (1994). (emphasis added)

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 3, 2016

TO: Mayor, Fayetteville City Council

FROM: Andrew Garner, City Planning Director
Chris Brown, City Engineer

DATE: December 13, 2016

SUBJECT: **PPL 16-5642: Preliminary Plat (NE OF 15TH & MORNINGSIDE DR./PARK MEADOWS SD, 564):** Submitted by CRAFTON TULL & ASSOCIATES, INC. for properties located NE OF 15TH & MORNINGSIDE DR. The property is zoned with a mixture of NC, NEIGHBORHOOD CONSERVATION, CS, COMMUNITY SERVICES, and RA, RESIDENTIAL-AGRICULTURAL and contain approximately 68.00 acres. The request is for 290 single-family lots.

RECOMMENDATION:
The Planning Commission approved this proposed subdivision without a turn lane on Huntsville Road as recommended by staff at the Planning Commission meeting. Adella Gray has appealed this decision to City Council on behalf of a citizen.

BACKGROUND:
The subject property contains 68 acres located on the east side of Morningside Drive between Huntsville Road and 15th Street. A small portion of the parcel extends to the south side of 15th Street. The property is undeveloped pasture, and remains in agricultural use. The site contains flood plain, and a string of ponds that become a protected stream immediately to the south. These valuable natural resources are classified as Natural Area on the 2030 Future Land Use Plan. The property was recently rezoned to CS, Community Services, NC, Neighborhood Conservation, and R-A, Residential Agricultural. The property is subject to a Bill of Assurance to protect and limit disturbance to the riparian corridor that flows north-south through the site.

Request: The proposal is to develop the site with a 290 residential lot subdivision.

Public Comments: At the November 17, 2016 Subdivision Committee and November 28, 2016 Planning Commission meeting several members of the public spoke about a number of issues, primarily centered around traffic safety. A copy of the meeting minutes from Planning Commission meeting are attached.

DISCUSSION:

At the November 28, 2016 Planning Commission, discussion centered around street improvements and traffic safety. After approximately two hours of discussion and two motions,

the project was approved by a vote of 6-3-0 (Commissioners Cook, Hoffman, and Quinlan voted 'no'). The following street improvements were required with the approval:

Street improvements required by Planning Commission:

1. Improve Morningside Drive as recommended by staff.
2. No improvements to Huntsville Road except for a turn lane at the intersection of Morningside Drive.
3. Payment of assessment for proportional contribution to a traffic signal at Huntsville/Morningside with payment by project phase as recommended by staff.
4. No multi-use trail improvements are required to be constructed by the applicant. Dedication of land to the city for the planned multi-use trail internal to the site to be provided to the city in a fee simple transaction prior to final plat. The applicant shall be given parkland credit for the dedication of land for this trail.

Turn lane recommended by City staff:

- After a brief review of the draft traffic study provided just prior to the Planning Commission meeting, staff recommended that a center turn lane be provided into the site's two access points on Huntsville Road. At the time of the Planning Commission meeting, staff had concerns that a potentially dangerous traffic condition could be created by this subdivision without a turn lane. The applicant opposed this recommendation and the Planning Commission agreed with the applicant.

After the Planning Commission, the applicant's traffic engineer finalized the traffic study and met with staff to discuss the findings. The City Engineering Division has provided a technical memo (attached) evaluating the final traffic study.

BUDGET/STAFF IMPACT:
N/A

Attachments:
- City Engineering Memo
- Applicant's Letter
- Proposed Morningside/Huntsville Intersection Turn Lane
- Traffic Study
- Planning Commission Staff Report
- November 28, 2016 Planning Commission minutes

CITY OF Fayetteville ARKANSAS

STAFF MEMO

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director

CC: Andrew Garner, Planning Director

FROM: Chris Brown, P.E., City Engineer CB

DATE: 12/15/2016

SUBJECT: **Park Meadows Subdivision-Appeal of Planning Commission Approval Traffic Study Review and Staff Recommendations**

This memo provides a review of the traffic study completed by Peters and Associates on behalf of the developer of the proposed Park Meadows subdivision located at the southeast corner of Morningside Drive and Huntsville Road. A summary of Staff recommendations for improvements to be made on Huntsville Road in accordance with the traffic study is also provided.

Just prior to the Planning Commission meeting, the city received a preliminary traffic study from Peters & Associates addressing, among other things, the warrants for left turn lanes along Huntsville Road. The findings in the preliminary traffic study were that NO left turn lanes were warranted at any of the three intersections with Huntsville Road (Morningside Drive, plus two additional proposed intersections). After a brief review of the report, Engineering staff disagreed with the findings, made the determination that turn lanes were warranted at all three locations and recommended left turn lanes at each of the three intersections as a condition of approval by the Planning Commission. The Planning Commission ultimately voted to only require a turn lane at Huntsville Road and Morningside Drive, and not at the two proposed new street intersections.

After the Planning Commission meeting, Peters & Associates was able to respond to staff comments and provide a final traffic report which stated that the warrants for a left turn lane were met, but only at the intersection of Huntsville Road and Morningside Drive. City Engineering staff met with Peters & Associates and discussed their methodology and findings in further detail. Based on this meeting, and the explanation provided by Peters and Associates, the single turn lane provided at the intersection of Huntsville and Morningside has been deemed to be adequate (if constructed per specifications that follow), and the Engineering Division recommends upholding the Planning Commission's determination of necessary street improvements.

The length of this turn lane should be designed by the applicant's traffic engineer and include adequate length for ALL left turn movements from Huntsville Road into this subdivision. This will provide future capacity at the intersection should the city need to restrict left-turns into the subdivision at the proposed new street intersections at some later date. The street section shall incorporate on-street bike lanes as appropriate, and not create a break in the existing on-street bicycle facility along Huntsville Road.

It must be noted that increasing traffic and turning movements due to the development could result in increased rear-end collisions and congestion along Huntsville Road. However, this increase will not create or exacerbate a dangerous traffic condition to the extent that turn lanes are warranted at these new intersections.

Crafton Tull
architecture | engineering | surveying

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Rogers, AR 72756

479.636.4838 (ph)
479.631.6224 (fax)

December 15, 2016

City of Fayetteville
Engineering Department
113 West Mountain Street
Fayetteville, AR 72701

Re: Park Meadows Subdivision Traffic Study
Attn: Chris Brown, PE

Mr. Brown,

On behalf of our client, Rausch Coleman Homes, we are submitting the final traffic study related to a 290 lot residential subdivision, which was recently approved by Planning Commission, called Park Meadows. The project is located on a 62.62-acre parcel of land in south Fayetteville, bounded by Huntsville Road on the north, Morningside Road on the west, and 15th street to the south.

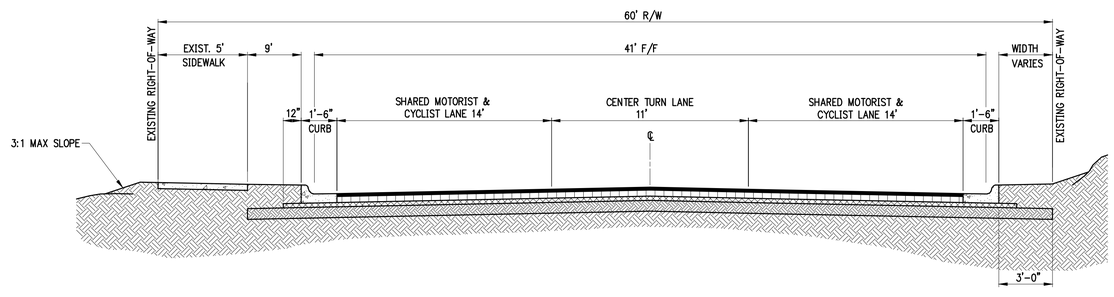
In the estimation of the traffic engineer, Peters and Associates, the anticipated traffic distribution from the proposed development, coupled with existing traffic counts during the PM peak hour, warrant the installation of a left hand turn lane at the intersection of Huntsville and Morningside. However, while the warrant for turn lane was met based on projected traffic counts, the level of service (LOS) along Huntsville Road remains at LOS A without the construction of the turn lane. LOS A is the highest and best level of service that AASHTO recognizes. In spite of the exceptional level of service, post development, we are proposing to construct a left hand turn lane at the intersection of Morningside and Huntsville to help mitigate the concerns of the public regarding the perceived detrimental effect of the development.

It's worth noting that the traffic study is based on a full build out and occupation of the development, meaning that the reported values assume an immediate infusion of 290 residential lots to the existing traffic flows and street conditions. The study does not assume, or address, the more likely scenario of a multi-year build out of phases, nor does it take into account the impact of future street improvements in the area. Specifically, the currently planned and funded widening of 15th Street. The improvements to 15th street are expected to reduce the trip generation from the development traveling north.

We appreciate the dialog and provided by the City Engineering staff during this process.

Sincerely,

Thomas A. Hennelly, PE
Vice President
Crafton Tull



COLLECTOR-PER CITY OF FAYETTEVILLE

NTS

901 N. 47th St., Suite 200
Rogers, Arkansas 72756

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architecture | engineering | surveying

479.636.4838 t 479.631.6224 f
www.craftontull.com

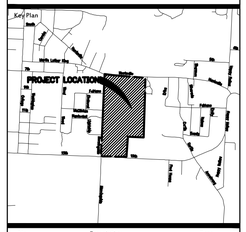
CERTIFICATE OF AUTHORIZATION:

CERTIFICATE OF AUTHORIZATION
CRAFTON, TULL & ASSOCIATES, INC.
No. 109
ARKANSAS ENGINEER

GRAPHIC SCALE IN FEET
30' 0 30'

PARK MEADOWS

FAYETTEVILLE, AR



No.	Description	Date

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PROJECT NO: 16108500
ISSUE DATE: 11/9/16
CONTACT: D. ELLIS
CHECKED BY:

PRELIMINARY PLANS

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

REVIEW SET - NOT FOR CONSTRUCTION

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Traffic Study

Park Meadows Residential Development

prepared for:

Crafton, Tull & Associates, Inc.

Huntsville Road
and
Morningside Drive

Fayetteville, Arkansas

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
ERNEST J. PETERS
No. 4682

PETERS & ASSOCIATES
ENGINEERS, INC.
• CIVIL & TRAFFIC ENGINEERING •
5507 Ranch Drive - Suite 205 (501) 868-3999
Little Rock, Arkansas 72223 Fax (501) 868-9710

Project No.: P-1846

REVISED: December 15, 2016

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APPENDIX

- Site Plan
- Trip Generation Data
- Vehicle Turning Movement Count Data
- Capacity and Level of Service Calculations
- Traffic Signal Warrants Results
- Left-Turn Lane Analysis

EXECUTIVE SUMMARY

Peters & Associates Engineers, Inc., has conducted a traffic engineering study relating to a proposed single-family residential development (Park Meadows) in Fayetteville, Arkansas. The development is proposed to consist of an approximate 290 lot single-family residential subdivision to be located on the south side of Huntsville Road and on the east side of Morningside Drive. E. 15th Street is along the south side of the site. Access to the site is proposed via two new streets to intersect Huntsville Road (Street "F" and Street "L") and four new streets to intersect Morningside Drive (Street "K", Street "E", Street "J" and Street "B"). The primary focus of this report is to assess traffic operational characteristics of the nearby intersection of Huntsville Road and Morningside Drive and the proposed new street intersections along Huntsville Road and along Morningside Drive.

Existing 24-hour traffic counts were made in the vicinity of the development at the approaches to the intersection of Huntsville Road at Morningside Drive. Existing vehicle turning movement counts were also gathered by this consultant for the intersection of Huntsville Road at Morningside Drive during the AM and PM peak hours.

Projected vehicle traffic volumes were calculated for the proposed residential development. These projected site-generated vehicle trips were added to the existing traffic volumes. Existing and projected traffic volumes at the study intersections were calculated and traffic operations were analyzed.

Findings of this study are summarized as follows:

- Approximately 2,761 vehicle trips (combined in and out) per average weekday are projected to be generated by the proposed residential subdivision at full build. Of this total, approximately 218 vehicle trips are estimated during the traffic conditions of the AM peak hour and approximately 290 vehicle trips are estimated during the traffic conditions of the PM peak hour.

- All vehicle movements for existing traffic conditions at the study intersection of Huntsville Road and Morningside Drive presently operate at what calculates as an acceptable LOS "D" or better for the AM and PM peak hours.

- All vehicle movements for the projected traffic conditions at the study intersections are expected to operate at what calculates as an acceptable LOS "D" or better for the AM and PM peak hours except for the northbound vehicle movements on Morningside Drive at Huntsville Road during the AM peak hour (LOS "E"). The 95th percentile calculated vehicle queue length for the northbound Morningside Drive approach to Huntsville Road is only 90 feet, and the average vehicle delay for that vehicle movement is only 49 seconds per vehicle. Furthermore, the average seconds per vehicle delay and intersection capacity utilization are expected to continue to operate at acceptable levels with existing lane geometry and "Stop" sign control for the intersection of Huntsville Road and Morningside Drive during the AM and PM peak hours for these projected traffic conditions.

- It was found that traffic signal warrants are not projected to be met for the intersection of Huntsville Road and Morningside Drive with projected traffic volumes associated with the Park Meadows development as proposed. Traffic signal warrants analysis for this intersection indicates volumes are not expected to be sufficient to satisfy any warrants at the completion of the development.

- It was found that a westbound left-turn lane on Huntsville Road at Morningside Drive is not warranted for the AM peak hour. AM peak hour westbound left-turn volume is only 1.5 percent of the westbound approach volume. Furthermore, this projected left-turn volume is only 14 vehicles during the AM peak hour.

- It was found that the PM peak hour westbound left-turn volume on Huntsville Road at Morningside Drive is 5.8 percent of the westbound approach volume. With the eastbound approaching volume of 833 vehicles during the PM peak hour, the 444 advancing volume is greater than the threshold volume of 136 vehicles posted on Table 4-27 referenced in this report. This result indicates a westbound left-turn lane on Huntsville Road approach to Morningside Drive projected to be warranted. The Table 4-27 values are based on 40 miles per hour. However, the table does not provide data for the much lower posted speed limit of 25 miles per hour. The projected left-turn volume is only 23 vehicles during the PM peak hour and the westbound vehicle movements are expected to operate acceptably with or without the addition of a westbound left-turn lane at this location. All westbound thru / left-turn vehicle movements for the projected traffic conditions on Huntsville Road at Morningside Drive are expected to continue to operate at what calculates as an acceptable LOS "A" for the AM and PM peak hours as indicated by the capacity and level of service calculations conducted as a part oft his study. A westbound left-turn lane on Huntsville Road at Morningside Drive is found to be warranted but not be necessary for acceptable traffic operations with full build-out of the proposed Park Meadows development. Also, with left-turn volumes even lower on Huntsville Road at Street "L" and at Street "F" than at Morningside Drive, left-turn lanes are not expected to be warranted or necessary at these locations with maximum left-turn volumes of only 7 and 9 vehicles respectively during the PM peak hour.

INTRODUCTION

Peters & Associates Engineers, Inc., has conducted a traffic engineering study relating to a proposed single-family residential development (Park Meadows) in Fayetteville, Arkansas. The development is proposed to consist of an approximate 290 lot single-family residential subdivision to be located on the south side of Huntsville Road and on the east side of Morningside Drive. E. 15th Street is along the south side of the site. Access to the site is proposed via two new streets to intersect Huntsville Road (Street "F" and Street "L") and four new streets to intersect Morningside Drive (Street "K", Street "E", Street "J" and Street "B"). The primary focus of this report is to assess traffic operational characteristics of the nearby intersection of Huntsville Road and Morningside Drive and the proposed new street intersections along Huntsville Road and along Morningside Drive. A reduced copy of the subdivision plat is included in the Appendix for reference.

This is a report of methodology and findings relating to a traffic engineering study undertaken to:

- Evaluate existing traffic conditions at the study intersection of Huntsville Road and Morningside Drive.
- Determine projected vehicular traffic volumes entering and exiting the proposed development at the nearby study intersections in the vicinity of the site.
- Identify the effects on traffic operations for existing traffic in combination with site-generated traffic associated with the development as proposed.
- Evaluate traffic operations for the study intersections in the vicinity of the site and make recommendations for mitigative improvements which may be necessary and appropriate for acceptable traffic operations.

In the following sections of this traffic study report are traffic data, study methods, findings and recommendations. The study is technical in nature. Analysis techniques employed are those most commonly used in the traffic engineering profession for traffic impact analysis. Certain data and calculations relative to traffic operational analysis are referenced in the report. Complete calculations and data are included in the Appendix of the report.

THE SITE

The proposed development is within the city limits of Fayetteville in Washington County, Arkansas. The development is proposed to be located on the south side of Huntsville Road and on the east side of Morningside Drive. E. 15th Street is along the south side of the site. The proposed development site location and vicinity are shown on Figures 1 and 2, which follow.

Access to the site is proposed via two new streets to intersect Huntsville Road (Street "F" and Street "L") and four new streets to intersect Morningside Drive (Street "K", Street "E", Street "J" and Street "B"). This development, as shown on the attached site plan, calls for the construction of 290 single-family residential lots plus new streets proposed to serve the site.

Huntsville Road, in the vicinity of Morningside Drive, is a two-lane roadway. On the north and south side of Huntsville Road, east of Morningside Drive, there is a bike lane in the roadway (plus a separate sidewalk along the south side).

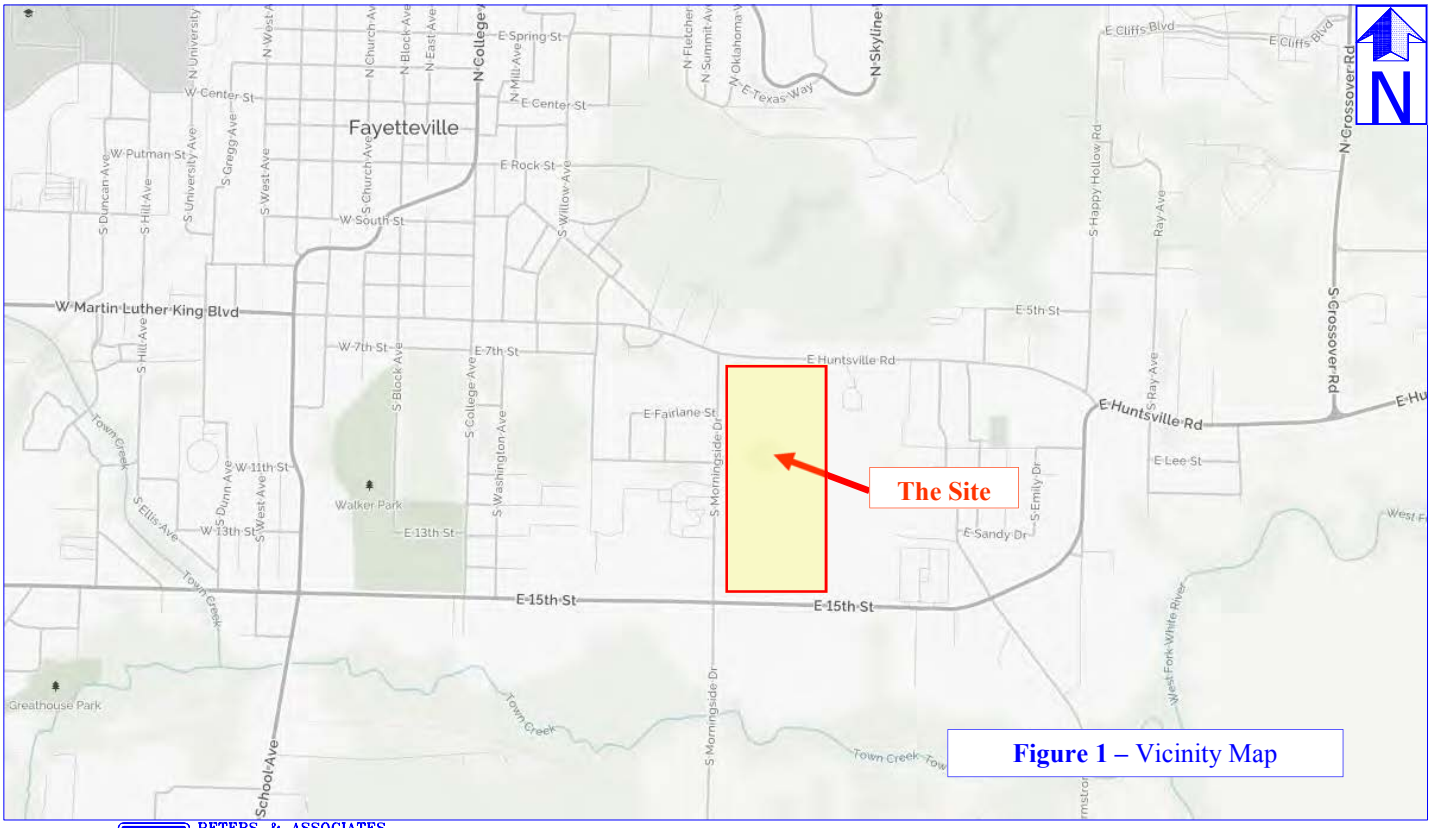


Figure 1 – Vicinity Map

Figure 2 – Site Location Map

The speed limit on Huntsville Road at Morningside Drive is 25 miles per hour and increases to 35 miles per hour approximately 1,000 feet east of Morningside Road. Huntsville Road is classified as a Collector Street on the Fayetteville Master Street Plan (MSP).

Morningside Drive, in the vicinity of Huntsville Road, is a two-lane roadway. The speed limit on Morningside Drive at the site is 25 miles per hour. Morningside Drive is classified as a Collector Street on the Fayetteville Master Street Plan.

The following photos show the general layout of the study intersection of Huntsville Road and Morningside Drive. Photos were taken at locations as indicated on the captions.

Huntsville Road and Morningside Drive

Looking east on Huntsville Road toward Morningside Drive.

Morningside Drive

Site

Looking north on Morningside Drive toward Huntsville Road.

Huntsville Road

EXISTING TRAFFIC CONDITIONS

Hourly, 24-hour traffic counts were made at the following locations in the vicinity of the site by this consultant as a part of this study:

STREET	TWO-WAY VOLUME	TABLE & CHART
Huntsville Road Approaches to Morningside Drive (Two-Way)	13,447	Table 1/Chart 1
Morningside Drive Northbound Approach to Huntsville Road	483	Table 2/Chart 2

Hourly 24-hour traffic count data for these locations are summarized on Tables and Charts 1 and 2.

Other traffic count data collected as a part of this study include AM and PM peak hours vehicle turning movement counts at the intersection of Huntsville Road and Morningside Drive.

The AM and PM peak hours vehicle turning movement counts made as a part of this study are shown on Figure 3A, "Existing Traffic Volumes - AM Peak Hour," and Figure 3B, "Existing Traffic Volumes - PM Peak Hour." The peak hours vehicle turning movement count data for these intersections are presented in more detail in the Appendix of this report.

TIME	Huntsville Road Approaches to Morningsdie Drive		
	Eastbound	Westbound	EB + WB
01:00 PM	428	386	814
02:00 PM	355	298	653
03:00 PM	488	467	955
04:00 PM	719	430	1149
05:00 PM	739	414	1153
06:00 PM	457	308	765
07:00 PM	380	204	584
08:00 PM	319	167	486
09:00 PM	193	123	316
10:00 PM	134	86	220
11:00 PM	97	51	148
12:00 AM	60	15	75
01:00 AM	30	16	46
02:00 AM	30	18	48
03:00 AM	14	16	30
04:00 AM	15	37	52
05:00 AM	63	134	197
06:00 AM	125	434	559
07:00 AM	295	911	1206
08:00 AM	397	765	1162
09:00 AM	269	443	712
10:00 AM	337	298	635
11:00 AM	360	357	717
12:00 PM	418	347	765
24-Hour Total:	**6722**	**6725**	**13447**

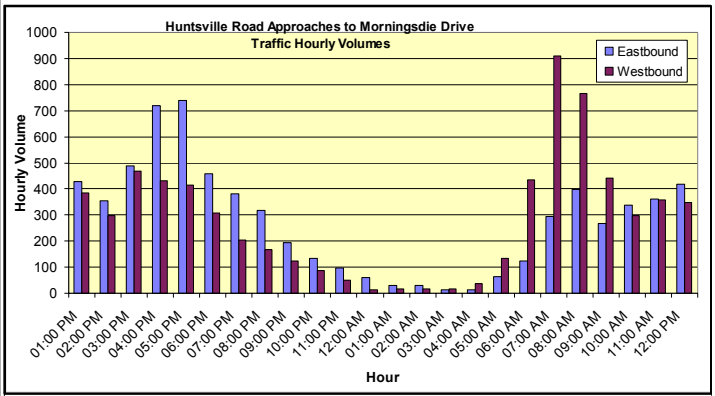


Table 1—Chart 1 24-Hour Traffic Counts
Huntsville Road Approaches to Morningside Drive

TIME	Morningside Drive NB Approach to Huntsville Road
	Northbound
01:00 PM	30
02:00 PM	29
03:00 PM	34
04:00 PM	42
05:00 PM	30
06:00 PM	32
07:00 PM	30
08:00 PM	28
09:00 PM	16
10:00 PM	8
11:00 PM	7
12:00 AM	5
01:00 AM	3
02:00 AM	1
03:00 AM	2
04:00 AM	3
05:00 AM	6
06:00 AM	15
07:00 AM	20
08:00 AM	33
09:00 AM	26
10:00 AM	24
11:00 AM	26
12:00 PM	33
24-Hour Total:	**483**

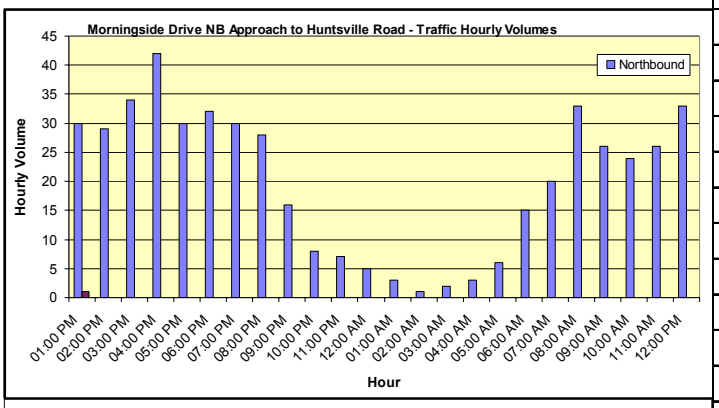


Table 2—Chart 2 24-Hour Traffic Counts
Morningside Drive Northbound Approach
to Huntsville Road

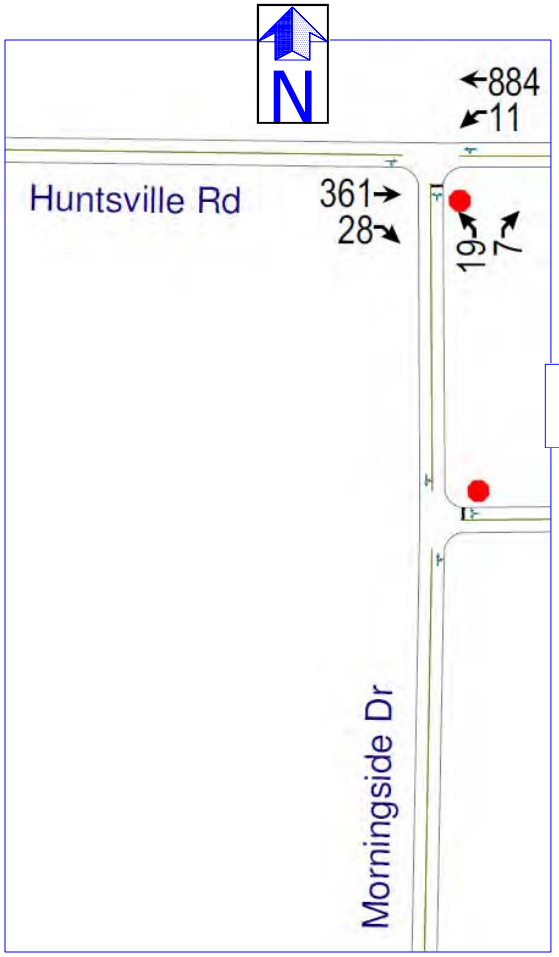


Figure 3A
Existing Traffic Volumes - AM Peak Hour

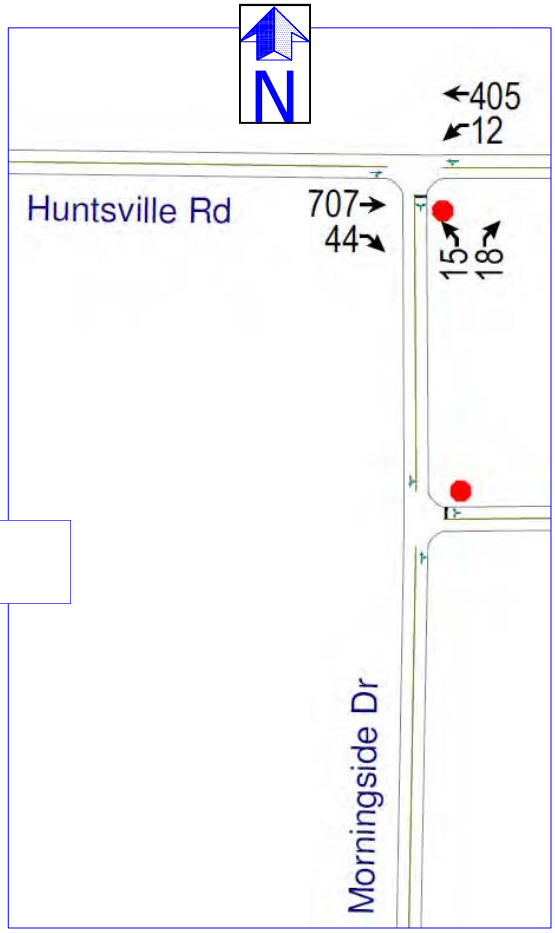


Figure 3B
Existing Traffic Volumes - PM Peak Hour

TRIP GENERATION and SITE TRAFFIC PROJECTIONS

The Trip Generation, an Informational Report, published by the Institute of Transportation Engineers (ITE) and The Trip Generation Manual by Trafficware, LLC (9th Edition), 2012, were utilized in calculating the magnitude of traffic volumes expected to be generated by full build-out of the proposed land-use of a 290 single-family lot residential development. These are reliable sources for this information and are universally used in the traffic engineering profession.

Using the selected trip generation rates, calculations were made as a part of this study to provide a reliable estimate of traffic volumes that can be expected to be associated with the proposed full build-out of the development of the proposed Park Meadows. These calculations entail applying the appropriate trip-generation rates to the land use proposed for the development. Results of these calculations are summarized on Table 3, "Summary of Trip Generation."

PARK MEADOWS			24-HOUR TWO-WAY WEEKDAY VOLUME	AM PEAK HOUR VOLUME		PM PEAK HOUR VOLUME	
LAND USE	APPROXIMATE SIZE	ITE CODE		ENTER	EXIT	ENTER	EXIT
Single-Family Residential	290 Lots	210	2,761	55	163	183	107
			TOTAL ENTERING + EXITING	218		290	

Table 3 – Summary of Trip-Generation

These calculations indicate that approximately 2,761vehicle trips (combined in and out) per average weekday are projected to be generated by the proposed residential lots land use on this site. Of this total, approximately 218 vehicle trips are estimated during the traffic conditions of the AM peak hour and approximately 290 vehicle trips are estimated during the traffic conditions of the PM peak hour.

Residential traffic, as will be the traffic associated with this site, ordinarily does contribute to the adjacent street traffic conditions during the on-street AM peak traffic hour and the PM peak traffic hour. Accordingly, the AM and PM peak traffic periods of the adjacent streets in the immediate vicinity of the site are the traffic operating conditions which have warranted primary traffic analysis as a part of this study.

TRAFFIC VOLUME ASSIGNMENTS

Once projected traffic was estimated for the site, directional distributions were made to reflect the percent of thru, left and right-turns at the study intersections and new site streets proposed to serve the site. Directional distribution percentages used in this report are shown on Figure 4, "Directional Distribution - Site Traffic."

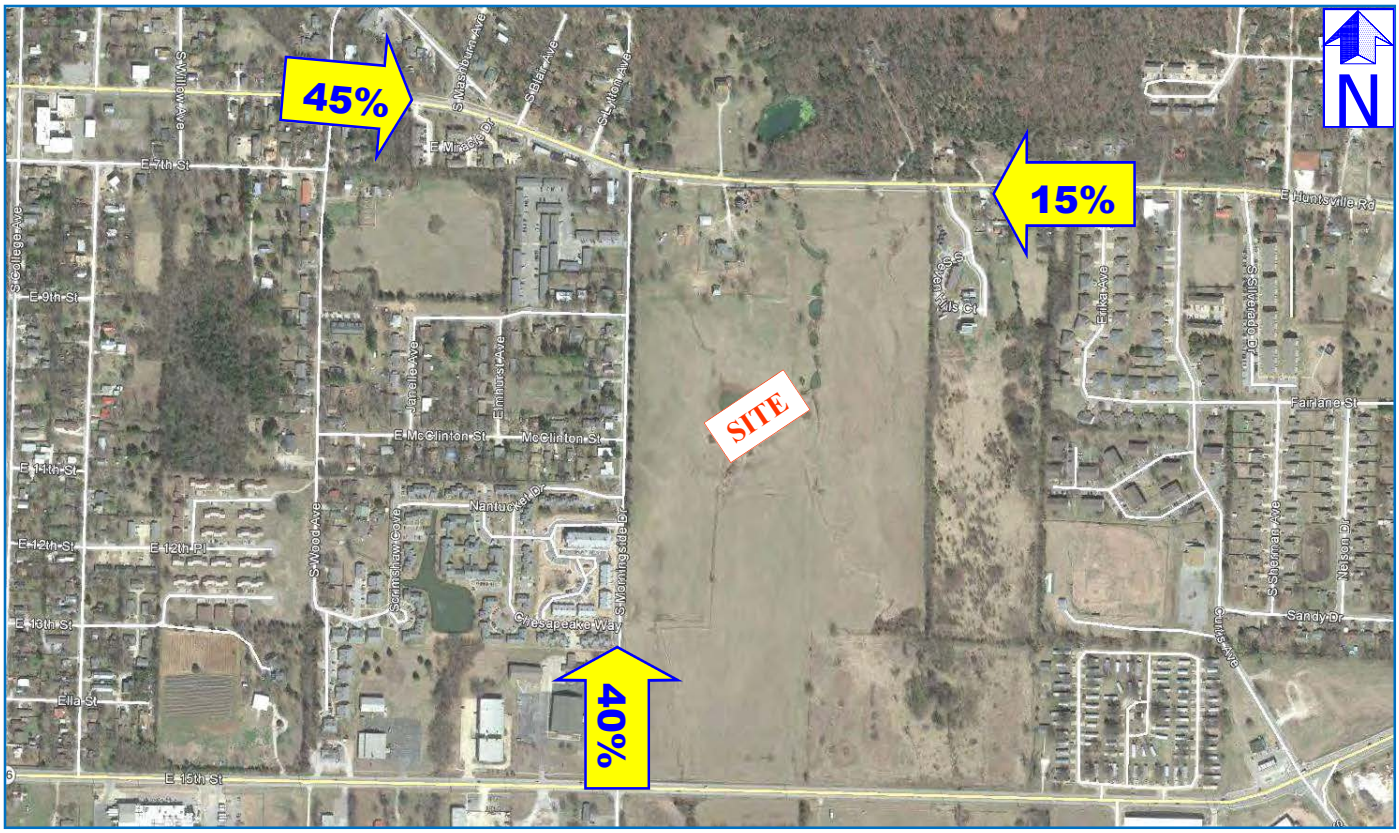


Figure 4
Directional Distribution
Site Traffic

The directional distribution percentages for site traffic have been equated to percentage turns for each movement at the study intersections. The site-generated traffic volumes result from applying the directional distribution percentages to the corresponding projected site-generated traffic volumes summarized on Table 3, "Summary of Trip-Generation." The site-generated traffic volumes at the study intersections along Huntsville Road are shown on Figure 5A, "Site-Generated Traffic Volumes - AM Peak Hour," and Figure 5B, "Site-Generated Traffic Volumes - PM Peak Hour."

The site-generated traffic volumes and corresponding existing background traffic volumes have been combined and the results are depicted on Figure 6A, "Projected Traffic Volumes - AM Peak Hour," and Figure 6B, "Projected Traffic Volumes - PM Peak Hour."

Traffic volumes shown on Figures 3A, 3B, 6A and 6B are the values used in capacity and level of service calculations conducted as a part of this study. The effect of existing background traffic (i.e. the adjacent street non-site traffic which exists) and projected traffic associated with the site development has thus been accounted for in this analysis.

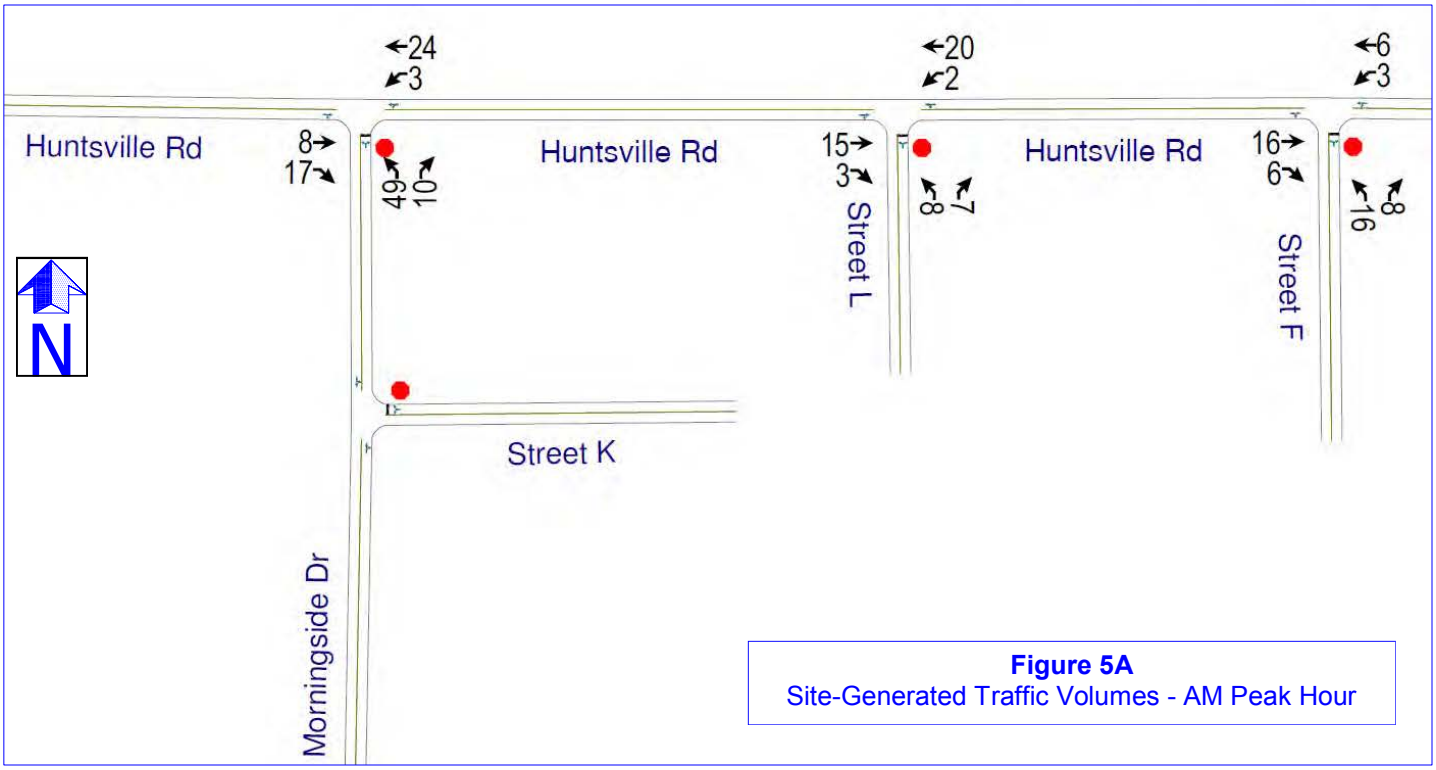


Figure 5A
Site-Generated Traffic Volumes - AM Peak Hour

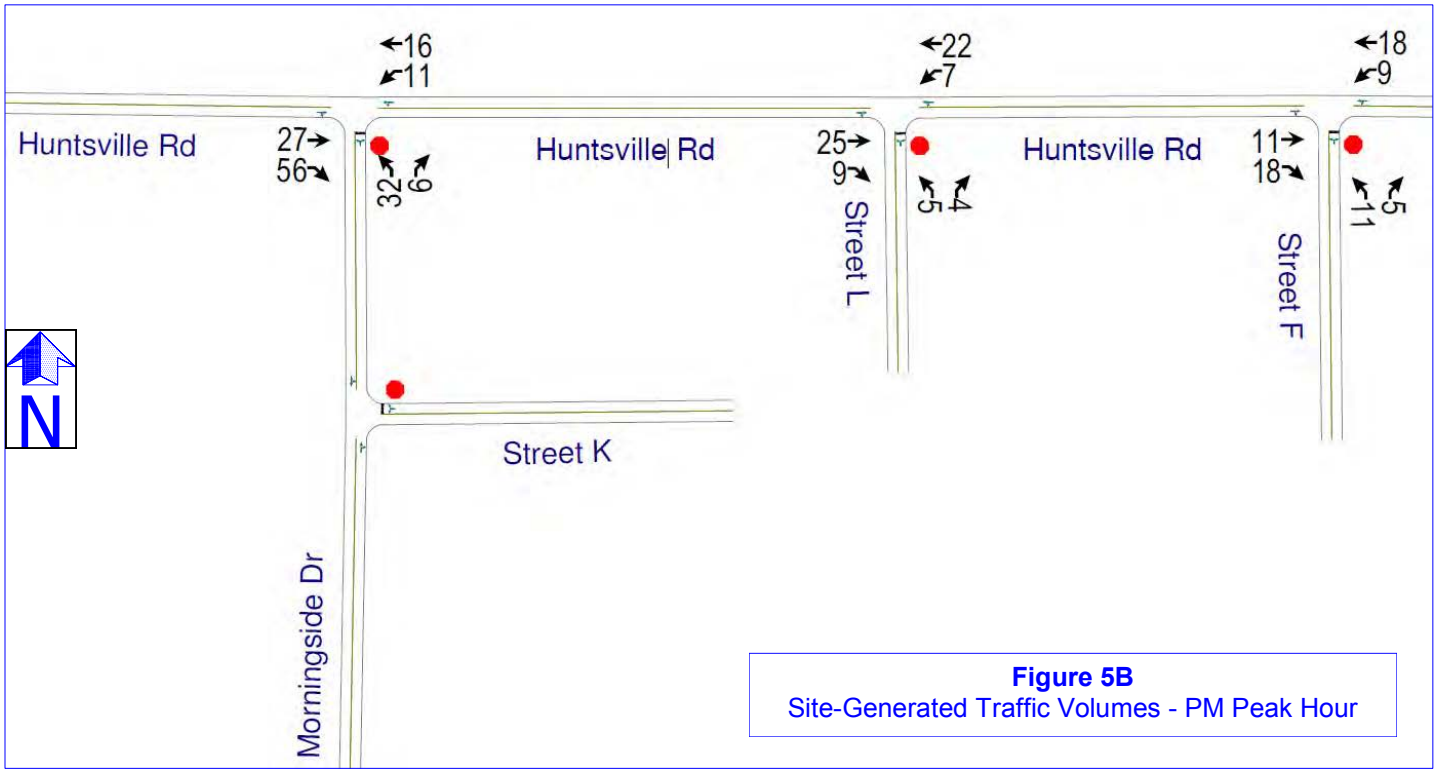


Figure 5B
Site-Generated Traffic Volumes - PM Peak Hour

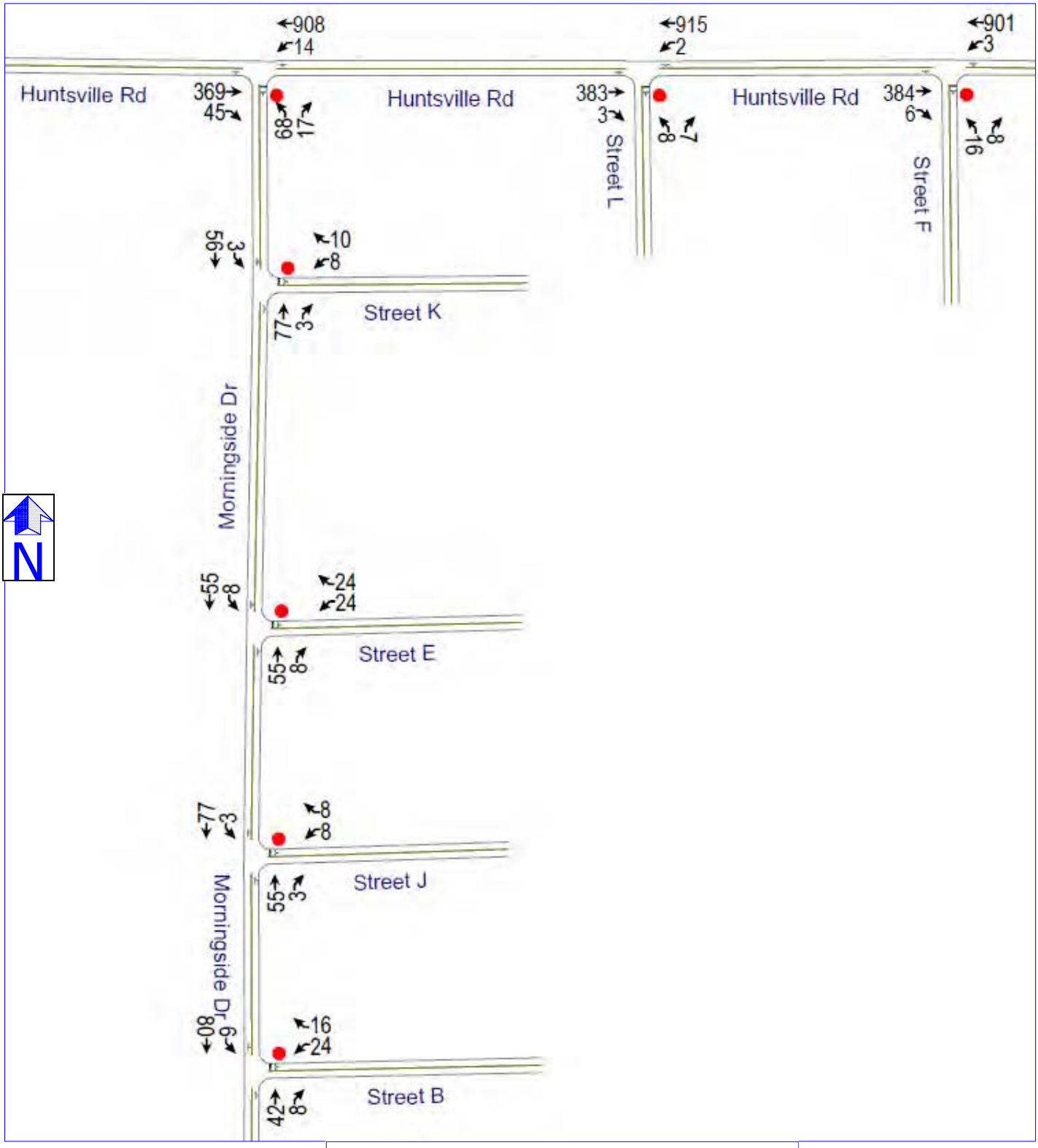


Figure 6A
Projected Traffic Volumes - AM Peak Hour

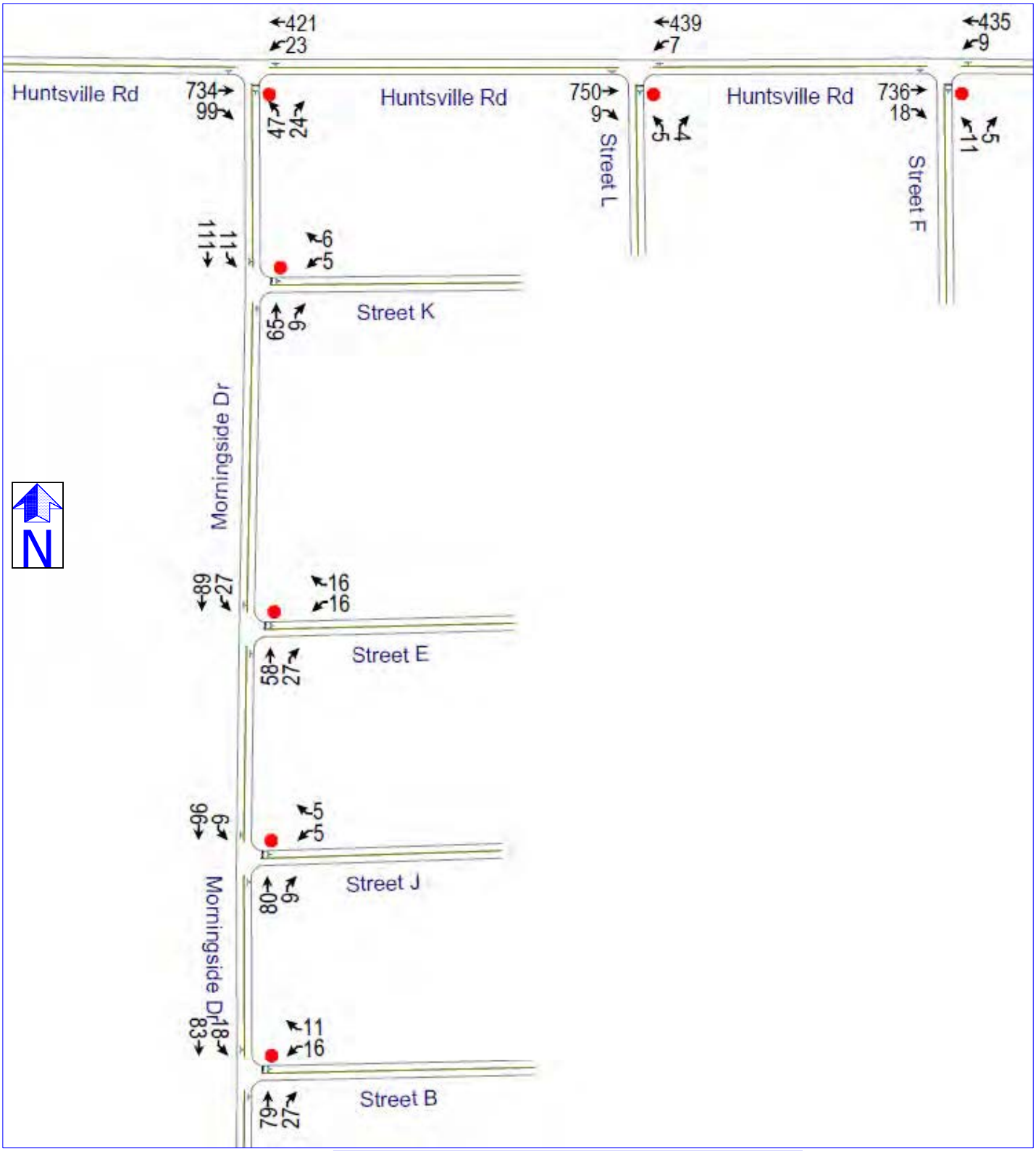


Figure 6B
Projected Traffic Volumes - PM Peak Hour

CAPACITY and LEVEL OF SERVICE

Generally, the "capacity" of a street is a measure of its ability to accommodate a certain magnitude of moving vehicles. It is a rate as opposed to a quantity, measured in terms of vehicles per hour. More specifically, street capacity refers to the maximum number of vehicles that a street element (e.g. an intersection) can be expected to accommodate in a given time period under the prevailing roadway and traffic conditions.

Traffic operational analysis for the study intersections were evaluated based on the methodologies outlined in the Highway Capacity Manual, 2010 Edition, published by the Transportation Research Board. The operating conditions at an intersection are graded by the "level of service" experienced by drivers. Level of service (LOS) describes the quality of traffic operating conditions and is rated from "A" to "F". LOS "A" represents the most desirable condition with free-flow movement of traffic with minimal delays. LOS "F" generally indicates severely congested conditions with excessive delays to motorists. Intermediate grades of B, C, D, and E reflect incremental increases in the average delay per stopped vehicle. Delay is measured in seconds per vehicle. The table below shows the upper limit of delay associated with each level of service for signalized and un-signalized intersections.

Intersection Level of Service Delay Thresholds

Level of Service (LOS)	Signalized	Un-Signalized
A	< 10 Seconds	< 10 Seconds
B	< 20 Seconds	< 15 Seconds
C	< 35 Seconds	< 25 Seconds
D	< 55 Seconds	< 35 Seconds
E	< 80 Seconds	< 50 Seconds
F	≥ 80 Seconds	≥ 50 Seconds

The LOS rating deemed acceptable varies by community, facility type and traffic control device. LOS "D" is the desirable goal for movements at un-signalized intersections that must yield to other movements; however, a LOS "E" or "F" is often accepted for low to moderate traffic volumes where the installation of a traffic signal is not warranted by the conditions at the intersection or the location is deemed undesirable for signalization for other reasons. Other reasons may include the close proximity of an existing traffic signal or the presence of a convenient alternative route. For signalized intersections, level of service and average delay relate to all vehicles using the intersection. LOS "D" is the typical desirable standard for signalized intersections. All study intersections were evaluated using the Synchro analysis software package based on Highway Capacity Manual methods. This computer program has been proven to be reliable when used to analyze capacity and levels of traffic service under various operating conditions. Detailed results for all capacity calculations are included in the Appendix. The adjacent street weekday AM and PM peak traffic periods were used for these calculations. Factors included in the analysis are as follows

- Existing traffic volumes and patterns.
- Directional distribution of projected traffic volumes.
- Existing and proposed intersection geometry (including elements such as turn lanes, curb radii, etc.).
- Existing background traffic volumes and projected site-generated volumes for projected traffic conditions.
- Existing or proposed traffic control.

CAPACITY ANALYSIS

Level of Service Analysis Results

Existing Traffic Conditions

Capacity and level of service analysis was performed for existing traffic volumes, lane geometry and traffic control for the AM and PM peak hours for the intersection of Huntsville Road and Morningside Drive.

As indicated in Table 4, "Level of Service Summary – Existing Traffic Conditions," all vehicle movements for existing traffic conditions at the study intersection of Huntsville Road and Morningside Drive presently operate at what calculates as an acceptable LOS "D" or better for the AM and PM peak hours.

Traffic volumes used for this analysis are shown on Figure 3A, "Existing Traffic Volumes - AM Peak Hour," and Figure 3B, "Existing Traffic Volumes - PM Peak Hour."

EXISTING TRAFFIC CONDITIONS		Traffic Control	Eastbound Left-Turn	Eastbound Thru	Eastbound Right-Turn	Westbound Left-Turn	Westbound Thru	Westbound Right-Turn	Northbound Left-Turn	Northbound Thru	Northbound Right-Turn	Southbound Left-Turn	Southbound Thru	Southbound Right-Turn	Overall Intersection	Avg. Control Delay Seconds / Vehicle	Intersection Capacity Utilization (%)
INTERSECTION	PEAK HR		PEAK HOUR - LEVEL OF SERVICE														
Huntsville Road and Morningside Drive	AM	"STOP" SIGN		A	A		D		D						n/a	0.7	65.3%
	PM			A	A		C		C						n/a	0.7	49.9%

Table 4 - Level of Service Summary - Existing Traffic Conditions

Projected Traffic Conditions

Capacity and LOS analysis was performed for projected traffic conditions for the AM and PM peak hours for the following intersections:

- Huntsville Road and Morningside Drive
- Huntsville Road and Street "L"
- Huntsville Road and Street "F"
- Morningside Drive and Street "K"
- Morningside Drive and Street "E"
- Morningside Drive and Street "J"
- Morningside Drive and Street "B."

Traffic volumes used for analysis of projected traffic conditions are shown on Figure 6A, "Projected Traffic Volumes - AM Peak Hour," and Figure 6B, "Projected Traffic Volumes - PM Peak Hour." The operating conditions projected to exist at the study intersections are summarized in Table 5, "Level of Service Summary - Projected Traffic Conditions."

As indicated in Table 5, all vehicle movements for the projected traffic conditions at the study intersections are expected to operate at what calculates as an acceptable LOS "D" or better for the AM and PM peak hours except for the northbound vehicle movements on Morningside Drive at Huntsville Road during the AM peak hour (LOS "E"). The 95th percentile calculated vehicle queue length for the northbound Morningside Drive approach to Huntsville Road is only 90 feet, and the average vehicle delay for that vehicle movement is only 49 seconds per vehicle. Furthermore, the average seconds per vehicle delay and intersection capacity utilization are expected to continue to operate at acceptable levels with existing lane geometry and "Stop" sign control for the intersection of Huntsville Road and Morningside Drive during the AM and PM peak hours for these projected traffic conditions.

PROJECTED TRAFFIC CONDITIONS		Traffic Control	Eastbound Left-Turn	Eastbound Thru	Eastbound Right-Turn	Westbound Left-Turn	Westbound Thru	Westbound Right-Turn	Northbound Left-Turn	Northbound Thru	Northbound Right-Turn	Southbound Left-Turn	Southbound Thru	Southbound Right-Turn	Overall Intersection	Avg. Control Delay Seconds / Vehicle	Intersection Capacity Utilization (%)
INTERSECTION	PEAK HR		PEAK HOUR - LEVEL OF SERVICE														
Huntsville Road and Morningside Drive	AM	"STOP" SIGN		A		A			E		E				n/a	3.2	70.5%
	PM			A		A			D		D				n/a	2.2	55.4%
Huntsville Road and Street L	AM	"STOP" SIGN		A		A			C		C				n/a	0.3	59.7%
	PM			A		A			C		C				n/a	0.3	50.0%
Huntsville Road and Street F	AM	"STOP" SIGN		A		A			D		D				n/a	0.5	59.8%
	PM			A		A			C		C				n/a	0.4	49.8%
Morningside Drive and Street K	AM	"STOP" SIGN				A		A		A		A			n/a	1.2	15.4%
	PM					A		A		A		A			n/a	0.9	23.1%
Morningside Drive and Street E	AM	"STOP" SIGN				A		A		A		A			n/a	2.9	19.6%
	PM					A		A		A		A			n/a	2.2	22.8%
Morningside Drive and Street J	AM	"STOP" SIGN				A		A		A		A			n/a	1.1	16.5%
	PM					A		A		A		A			n/a	0.8	22.2%
Morningside Drive and Street B	AM	"STOP" SIGN				A		A		A		A			n/a	2.4	19.2%
	PM					A		A		A		A			n/a	1.7	22.0%

Table 5 - Level of Service Summary - Projected Traffic Conditions

TRAFFIC SIGNAL WARRANTS ANALYSIS

In evaluating the need for a traffic signal, certain established warrants must be examined by a comprehensive investigation of traffic conditions and physical characteristics of the location. The decision to install a traffic signal at a particular location must be evaluated quantitatively relative to these warrants. These warrants, as specified in the Manual on Uniform Traffic Control Devices (MUTCD), are described in detail in the appendix of this report. They are summarized as follows:

- **Warrant One: Eight-Hour Vehicular Volume**
- **Warrant Two: Four-Hour Vehicular Volume**
- **Warrant Three: Peak Hour**
- **Warrant Four: Pedestrian Volume**
- **Warrant Five: School Crossing**
- **Warrant Six: Coordinated Signal System**
- **Warrant Seven: Crash Experience**
- **Warrant Eight: Roadway Network**

Traffic signal warrants analysis was made for projected traffic conditions for the intersection of Huntsville Road and Morningside Drive.

As stated in *MUTCD Section 4C.01, Studies Factors for Justifying Traffic Control Signals, the study should consider the effects of the right-turn vehicles from the minor-street approaches. Engineering judgment should be used to determine what, if any, portion of the right-turn traffic is subtracted from the minor-street traffic count when evaluating the count against the signal warrants*. As a part of the traffic signal warrants analysis for the intersection of Huntsville Road and Morningside Drive included in this study, none of the northbound right-turns have been factored out for analysis of projected traffic conditions to be conservative.

It was found that traffic signal warrants are not projected to be met for the intersection of Huntsville Road and Morningside Drive with projected traffic volumes associated with the Park Meadows development as proposed. Traffic signal warrants analysis for this intersection indicates volumes are expected to not be sufficient to satisfy any warrants at the completion of the development. The traffic signal warrants analysis results for this intersection are summarized in Table 6, "Traffic Signal Warrants Results - Huntsville Road and Morningside Drive – Projected Traffic Conditions."

FINAL RESULTS: **Traffic Signal Warrants Analysis**

Projected Traffic Conditions
W/ RTs Not Factored Out

Major St.: Huntsville Road
Minor St.: Morningside Drive

Hour warrant was met:

HOUR	SUM MAJOR	MAX. MINOR	VOLUME 1A	VOLUME 1B	COMB. #8-1	COMB. 1AB	COMB. #8-2	4 Hr. 2	Peak 3
			500	750	400		600		
			150	75	120		60		
7:00	1307	86	0	1	0	0	1	1	0
8:00	1219	85	0	1	0	0	1	1	0
9:00	747	52	0	0	0	0	0	0	0
10:00	665	44	0	0	0	0	0	0	0
11:00	754	46	0	0	0	0	0	0	0
12:00	811	61	0	0	0	0	1	0	0
13:00	867	62	0	0	0	0	1	0	0
14:00	699	54	0	0	0	0	0	0	0
15:00	1002	59	0	0	0	0	0	0	0
16:00	1222	76	0	1	0	0	1	0	0
17:00	1263	69	0	0	0	0	1	0	0
18:00	836	63	0	0	0	0	1	0	0
19:00	630	55	0	0	0	0	0	0	0
20:00	520	43	0	0	0	0	0	0	0
21:00	350	31	0	0	0	0	0	0	0
			0	3		0		2	0

This intersection DOES NOT SATISFY the warrants for signalization as outlined in the "M.U.T.C.D."

Table 6
Traffic Signal Warrants Results
Huntsville Road and
Morningside Drive
Projected Traffic Conditions

LEFT-TURN LANE ANALYSIS

Currently, Arkansas State Highway and Transportation Department (AHTD) nor the City of Fayetteville does not have specific design standards for warranting a left-turn lane. However, there are some general guidelines in the traffic engineering industry that could serve as a basis for a decision by the City of Fayetteville for the need for the addition of a left-turn lane by analyzing the left-turn vehicle volumes vs the opposing vehicle volumes. In evaluating the need for a westbound left-turn lane on Huntsville Road at Morningside Drive, auxiliary lane warrants for a left-turn lane on a two-lane highway were examined using a method in the Kansas Department of Transportation (KDOT) Access Management Policy in Section 4.5.2 - Auxiliary Lane Warrants - Left-Turn Lanes. A copy of Section 4.5.2 of the KDOT Access Management Policy is included in the Appendix of this report. This is a well established and accepted method in analyzing the need for a left-turn lane. Section 4.5.2.a - Two-Lane Highways of the KDOT Access Management Policy states the following:

> ***4.5.2.a Two-lane highways***
> *The four key data elements required for this analysis are:*
>
> - *Opposing volume (Vo) in vehicles per hour (vph)—includes the right-turning and through vehicles in the opposite direction of the left-turning vehicles.*
> - *Advancing volume (Va) in vph—includes the right-turn, left-turn, and through movements in the same direction as the left-turning vehicles (do not include right turns if a dedicated right-turn lane exists).*
> - *Speed in miles per hour (mph)—often indicated as the operating speed 85th-percentile speed (posted speed is acceptable if the 85th-percentile speed is not available).*
> - *Percentage of left turns in the advancing volume.*
>
> *To use Table 4-27, do the following:*
> - *Locate opposing traffic volume, Vo, and operating speed on chart.*
> - *Determine the percentage of the advancing volume that is expected to turn left.*

If the associated advancing traffic volume, Va, is greater than the value shown, then a left-turn lane is warranted. As an example, for a two-lane highway with an opposing volume of 600 vph, a speed of 50-mph, a left-turn percentage of 10 percent, and an advancing volume of 200 vph, a left-turn lane is warranted since 200 vph > 117 vph.

Table 4-27. Recommended left-turn lane warrants for two-lane highways

Opposing Volume V_o (vph)	Advancing Volume V_a (vph)			
	5% Left turns	10% Left turns	20% Left turns	30% Left turns
40-mph speed				
800	136	99	74	65
700	159	116	87	76
600	186	135	101	88
500	218	158	119	103
400	255	185	139	121
300	301	218	164	143
200	356	259	194	169
100	426	309	232	202
50-mph speed				
800	118	86	64	56
700	138	100	75	66
600	161	117	88	77
500	188	137	103	90
400	221	161	120	105
300	260	189	142	124
200	309	224	168	147
100	369	268	201	175
60-mph speed				
800	96	70	53	46
700	113	82	61	54
600	131	95	72	63
500	154	112	84	73
400	181	131	98	86
300	213	154	116	101
200	252	183	137	120
100	301	219	164	143
70-mph speed				
800	68	50	37	32
700	80	58	43	38
600	93	68	51	44
500	109	79	59	52
400	128	93	70	61
300	150	109	82	72
200	178	129	97	85
100	213	155	116	101

Source: Adapted from Van Schalkwyk, I., and V. Stover. Revisiting Existing Warrants for Left-Turn Lanes at Unsignalized Intersections on Two-Way Roadways, TRB 2007 Annual Meeting CD-ROM, National Research Council, Washington, D.C. (2007).

Note: Critical gap = 8.0 seconds, time to turn left = 4.3 seconds, time to clear lane = 3.2 seconds

Table 4-27
Recommended Left-Turn Lane Warrants for Two-Lane Highways

The posted speed limit on the two-lane highway of Huntsville Road is 25 miles per hour in the vicinity Morningside Drive. However, 40 miles per hour is the minimal speed limit shown on Table 4-27 and is the value included in these calculations. Projected traffic volumes during the AM and PM Peak Hours are as follows:

AM Peak Hour

- Eastbound approach = 414 vehicles.
- Westbound left-turns = 14 vehicles.
- Westbound advancing (includes left-turns) = 922 vehicles.

AM peak hour westbound left-turn volume is only 1.5 percent of the westbound approach volume and far less than the minimum 5 percent left-turns shown on Table 4-27. Furthermore, this projected left-turn volume is only 14 vehicles during the AM peak hour.

PM Peak Hour

- Eastbound approach = 833 vehicles.
- Westbound left-turns = 23 vehicles.
- Westbound thru = 444 vehicles.

It was found that the PM peak hour westbound left-turn volume on Huntsville Road at Morningside Drive is 5.8 percent of the westbound approach volume. With the eastbound approaching volume of 833 vehicles during the PM peak hour, the 444 advancing volume is greater than the threshold volume of 136 vehicles posted on Table 4-27 referenced in this section. This result indicates a westbound left-turn lane on Huntsville Road approach to Morningside Drive projected to be warranted. The Table 4-27 values are based on 40 miles per hour. However, the table does not provide data for the much lower posted speed limit of 25 miles per hour. The projected left-turn volume is only 23 vehicles during the PM peak hour and the westbound vehicle movements are expected to operate acceptably with or without the addition of a westbound left-turn lane at this location. All westbound thru

/ left-turn vehicle movements for the projected traffic conditions on Huntsville Road at Morningside Drive are expected to continue to operate at what calculates as an acceptable LOS "A" for the AM and PM peak hours as indicated by the capacity and level of service calculations conducted as a part oft his study. A westbound left-turn lane on Huntsville Road at Morningside Drive is found to be warranted but not be necessary for acceptable traffic operations with full build-out of the proposed Park Meadows development. Also, with left-turn volumes even lower on Huntsville Road at Street "L" and at Street "F" than at Morningside Drive, left-turn lanes are not expected to be warranted or necessary at these locations with maximum left-turn volumes of only 7 and 9 vehicles respectively during the PM peak hour.

SUMMARY OF FINDINGS

Findings of this study are summarized as follows:

- Approximately 2,761 vehicle trips (combined in and out) per average weekday are projected to be generated by the proposed residential subdivision at full build. Of this total, approximately 218 vehicle trips are estimated during the traffic conditions of the AM peak hour and approximately 290 vehicle trips are estimated during the traffic conditions of the PM peak hour.

- All vehicle movements for existing traffic conditions at the study intersection of Huntsville Road and Morningside Drive presently operate at what calculates as an acceptable LOS "D" or better for the AM and PM peak hours.

- All vehicle movements for the projected traffic conditions at the study intersections are expected to operate at what calculates as an acceptable LOS "D" or better for the AM and PM peak hours except for the northbound vehicle movements on Morningside Drive at Huntsville Road during the AM peak hour (LOS "E"). The 95th percentile calculated vehicle queue length for the northbound Morningside Drive approach to Huntsville Road is only 90 feet, and the average vehicle delay for that vehicle movement is only 49 seconds per vehicle. Furthermore, the average seconds per vehicle delay and intersection capacity utilization are expected to continue to operate at acceptable levels with existing lane geometry and "Stop" sign control for the intersection of Huntsville Road and Morningside Drive during the AM and PM peak hours for these projected traffic conditions.

- It was found that traffic signal warrants are not projected to be met for the intersection of Huntsville Road and Morningside Drive with projected traffic volumes associated with the Park Meadows development as proposed. Traffic signal warrants analysis for this intersection indicates volumes are expected to not be sufficient to satisfy any warrants at the completion of the development.

- It was found that a westbound left-turn lane on Huntsville Road at Morningside Drive is not warranted for the AM peak hour. AM peak hour westbound left-turn volume is only 1.5 percent of the westbound approach volume. Furthermore, this projected left-turn volume is only 14 vehicles during the AM peak hour.

- It was found that the PM peak hour westbound left-turn volume on Huntsville Road at Morningside Drive is 5.8 percent of the westbound approach volume. With the eastbound approaching volume of 833 vehicles during the PM peak hour, the 444 advancing volume is greater than the threshold volume of 136 vehicles posted on Table 4-27 referenced in this report. This result indicates a westbound left-turn lane on Huntsville Road approach to Morningside Drive projected to be warranted. The Table 4-27 values are based on 40 miles per hour. However, the table does not provide data for the much lower posted speed limit of 25 miles per hour. The projected left-turn volume is only 23 vehicles during the PM peak hour and the westbound vehicle movements are expected to operate acceptably with or without the addition of a westbound left-turn lane at this location. All westbound thru / left-turn vehicle movements for the projected traffic conditions on Huntsville Road at Morningside Drive are expected to continue to operate at what calculates as an acceptable LOS "A" for the AM and PM peak hours as indicated by the capacity and level of service calculations conducted as a part oft his study. A westbound left-turn lane on Huntsville Road at Morningside Drive is found to be warranted but not be necessary for acceptable traffic operations with full build-out of the proposed Park Meadows development. Also, with left-turn volumes even lower on Huntsville Road at Street "L" and at Street "F" than at Morningside Drive, left-turn lanes are not expected to be warranted or necessary at these locations with maximum left-turn volumes of only 7 and 9 vehicles respectively during the PM peak hour.

APPENDIX

Site Plan

LEGEND (EXISTING)

SYMBOLS	LINEWORK
FOUND IRON PIN	EASEMENT
LIGHT POLE	CURB
TREE	RIGHT OF WAY
	ROAD CENTERLINE

LEGEND (CONSTRUCT)

SYMBOLS	LINEWORK
SET IRON PIN	EASEMENT
LIGHT POLE	CURB
	BUILDING SET BACK
	RIGHT OF WAY
	PROPERTY LINE
	ROAD CENTERLINE
	FLOODPLAIN
	SIDEWALK

BUILDING SETBACKS:

ZONING: NC
FRONT = BUILD TO 0'-25'
SIDE = 5' B/S
REAR = 12' B/S

PARCEL LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	39.98'	S87° 25' 38"E
L2	12.06'	S2° 34' 22"W
L3	73.63'	S80° 42' 49"E
L4	122.44'	S82° 19' 53"E
L5	73.58'	S83° 28' 46"E
L6	24.72'	S86° 22' 28"E
L7	91.39'	S87° 40' 43"E
L8	76.00'	N41° 04' 43"W
L9	12.60'	N87° 21' 17"W
L10	39.90'	S87° 15' 39"E
L11	39.39'	S2° 44' 21"W
L12	57.04'	S86° 56' 01"E
L13	12.55'	N46° 16' 12"E

CENTERLINE CURVE TABLE					
CURVE #	RADIUS	LENGTH	CHORD LENGTH	START POINT	END POINT
C20	50.00	78.54	70.71	(677455.57,631620.75)	(677507.82,631668.39)
C21	50.00	78.54	70.71	(677632.96,631202.62)	(677685.21,631250.26)
C22	50.00	78.54	70.71	(677711.02,631808.74)	(677763.27,631856.38)
C23	120.00	188.50	169.71	(678060.51,631842.65)	(678185.92,631956.98)
C24	90.00	141.37	127.28	(677746.23,632278.33)	(677831.98,632184.27)
C25	90.00	141.37	127.28	(678033.65,632128.03)	(677947.90,632222.09)
C26	50.00	78.54	70.71	(678247.41,633287.90)	(678199.77,633340.16)
C27	50.00	78.54	70.71	(677223.89,631749.83)	(677276.15,631797.47)
C28	170.00	128.08	125.07	(677715.60,633379.12)	(677675.01,633497.42)
C29	170.00	128.08	125.07	(677675.01,633497.42)	(677634.42,633615.72)
C30	50.00	78.54	70.71	(677643.56,632903.23)	(677695.82,632950.87)

PROPERTY DESCRIPTION

PART OF THE W 1/2 OF THE NE 1/4 OF SECTION 22, TOWNSHIP 16 NORTH RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

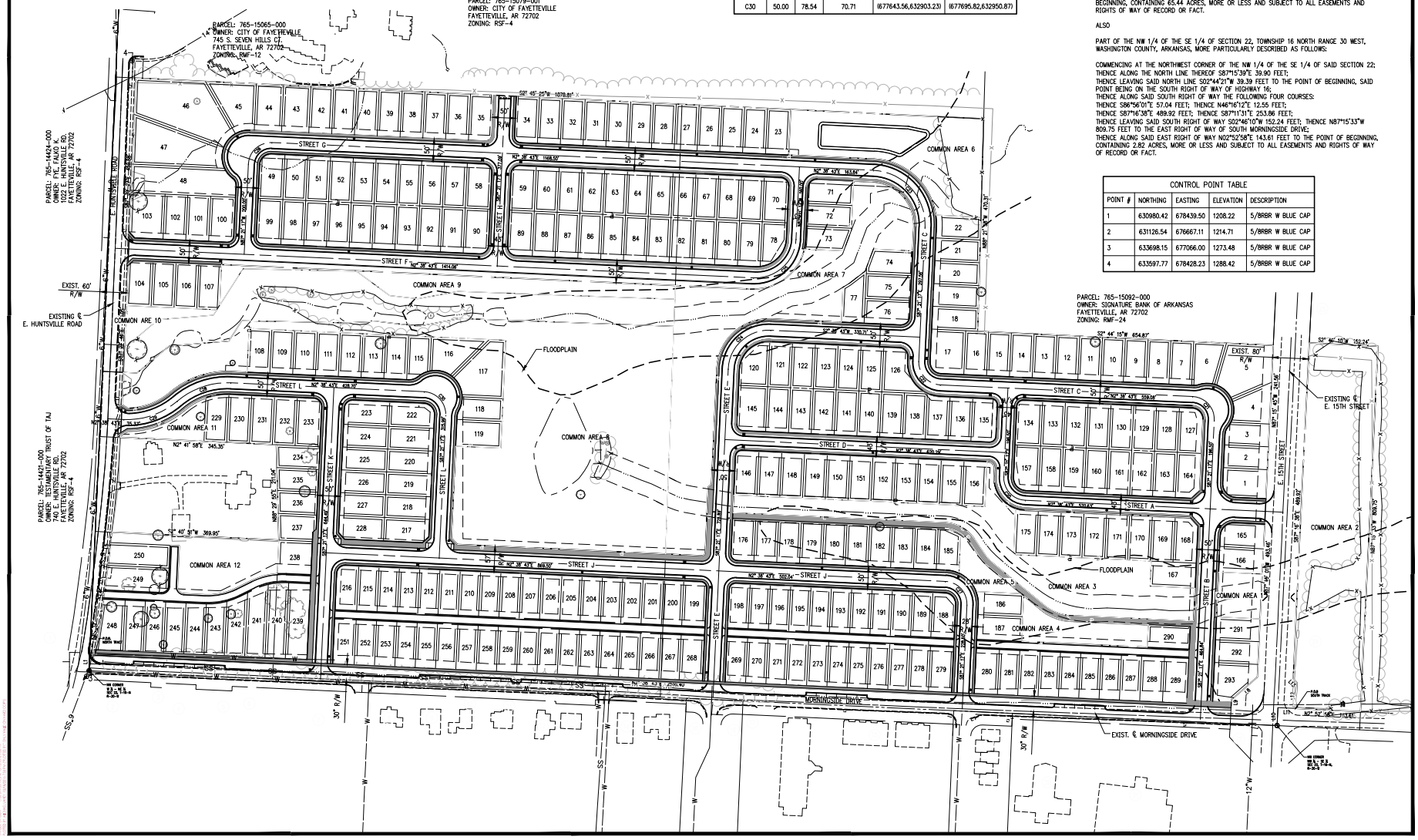
COMMENCING AT THE NORTHWEST CORNER OF THE W 1/2 OF THE NE 1/4 OF SAID SECTION 22; THENCE ALONG THE NORTH LINE THEREOF S87°25'38"E 39.98 FEET; THENCE LEAVING SAID NORTH LINE S02°34'22"W 12.06 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT OF WAY OF EAST HUNTSVILLE ROAD; THENCE ALONG SAID SOUTH RIGHT OF WAY THE FOLLOWING THREE COURSES: THENCE S80°42'49"E 73.63 FEET; THENCE S82°19'53"E 122.44 FEET; THENCE S83°28'46"E 73.58 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY S02°40'51"W 369.95 FEET; THENCE N88°29'55"E 211.04 FEET; THENCE N02°41'58"E 345.35 FEET TO THE SOUTH RIGHT OF WAY OF EAST HUNTSVILLE ROAD;THENCE ALONG SAID SOUTH RIGHT OF WAY THE FOLLOWING FOUR COURSES:THENCE S86°22'28"E 24.72 FEET; THENCE S87°40'43"E 91.39 FEET; THENCE S87°27'46"E 220.05 FEET; THENCE S87°39'27"E 459.88 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY S02°45'25"W 1878.81 FEET; THENCE N88°22'07"W 470.33 FEET; THENCE S02°44'15"W 654.87 FEET TO THE NORTH RIGHT OF WAY OF HIGHWAY 16; THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING FOUR COURSES:THENCE N87°15'53"W 241.56 FEET; THENCE N87°15'01"W 493.46 FEET; THENCE N41°04'43"W 76.00 FEET; THENCE N87°21'17"W 12.60 FEET TO THE EAST RIGHT OF WAY OF SOUTH MORNINGSIDE DRIVE; THENCE ALONG SAID EAST RIGHT OF WAY N02°38'43"E 2516.40 FEET TO THE POINT OF BEGINNING, CONTAINING 65.44 ACRES, MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR FACT.

ALSO

PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 22, TOWNSHIP 16 NORTH RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 22; THENCE ALONG THE NORTH LINE THEREOF S87°15'39"E 39.90 FEET; THENCE LEAVING SAID NORTH LINE S02°44'21"W 39.39 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT OF WAY OF HIGHWAY 16; THENCE ALONG SAID SOUTH RIGHT OF WAY THE FOLLOWING FOUR COURSES: THENCE S86°56'01"E 57.04 FEET; THENCE N46°16'12"E 12.55 FEET; THENCE S87°16'38"E 489.92 FEET; THENCE S87°11'31"E 253.86 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY S02°46'10"W 152.24 FEET; THENCE N87°15'33"W 809.75 FEET TO THE EAST RIGHT OF WAY OF SOUTH MORNINGSIDE DRIVE; THENCE ALONG SAID EAST RIGHT OF WAY N02°52'58"E 143.61 FEET TO THE POINT OF BEGINNING, CONTAINING 2.82 ACRES, MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR FACT.

CONTROL POINT TABLE				
POINT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
1	630980.42	678439.50	1208.22	5/8RBR W BLUE CAP
2	631126.54	676667.11	1214.71	5/8RBR W BLUE CAP
3	633698.15	677066.00	1273.48	5/8RBR W BLUE CAP
4	633597.77	678428.23	1288.42	5/8RBR W BLUE CAP



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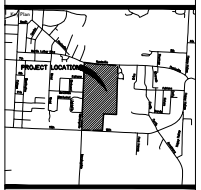
CERTIFICATE OF AUTHORIZATION

CERTIFICATE OF AUTHORIZATION
CRAFTON, TULL & ASSOCIATES, INC.
No. 109
ARKANSAS

GRAPHIC SCALE IN FEET
100' 0 100'

PARK MEADOWS
FAYETTEVILLE, AR



No.	Description	Date

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PROJECT NO: 16108500
ISSUE DATE: 10/13/16
CONTACT: D. ELLIS
CHECKED BY:

PRELIMINARY PLANS

NOT FOR CONSTRUCTION
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OVERALL PRELIMINARY PLAT

C-102

Trip-Generation Data

Park Meadows
Fayetteville, Arkansas

P1846

PARK MEADOWS			24-HOUR TWO-WAY WEEKDAY VOLUME	AM PEAK HOUR VOLUME		PM PEAK HOUR VOLUME	
LAND USE	APPROXIMATE SIZE	ITE CODE		ENTER	EXIT	ENTER	EXIT
Single-Family Residential	290 Lots	210	2,761	55	163	183	107
			TOTAL ENTERING + EXITING	218		290	

Trip Generation Summary - Single-Family Residential

Project: Park Meadows
Alternative: Single-Family Residential

Open Date: 11/8/2016
Analysis Date: 11/8/2016

ITE	Land Use	Average Daily Trips			AM Peak Hour of Adjacent Street Traffic			PM Peak Hour of Adjacent Street Traffic		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
210	SFHOUSE 1	1381	1380	2761	55	163	218	183	107	290
	290 Dwelling Units									
Unadjusted Volume		0	0	0	0	0	0	0	0	0
Internal Capture Trips		0	0	0	0	0	0	0	0	0
Pass-By Trips		0	0	0	0	0	0	0	0	0
Volume Added to Adjacent Streets		0	0	0	0	0	0	0	0	0

Total AM Peak Hour Internal Capture = 0 Percent

Total PM Peak Hour Internal Capture = 0 Percent

Source: Institute of Transportation Engineers, Trip Generation Manual 9th Edition, 2012

PETERS & ASSOCIATES
ENGINEERS, INC.

Vehicle Turning Movement Count Data

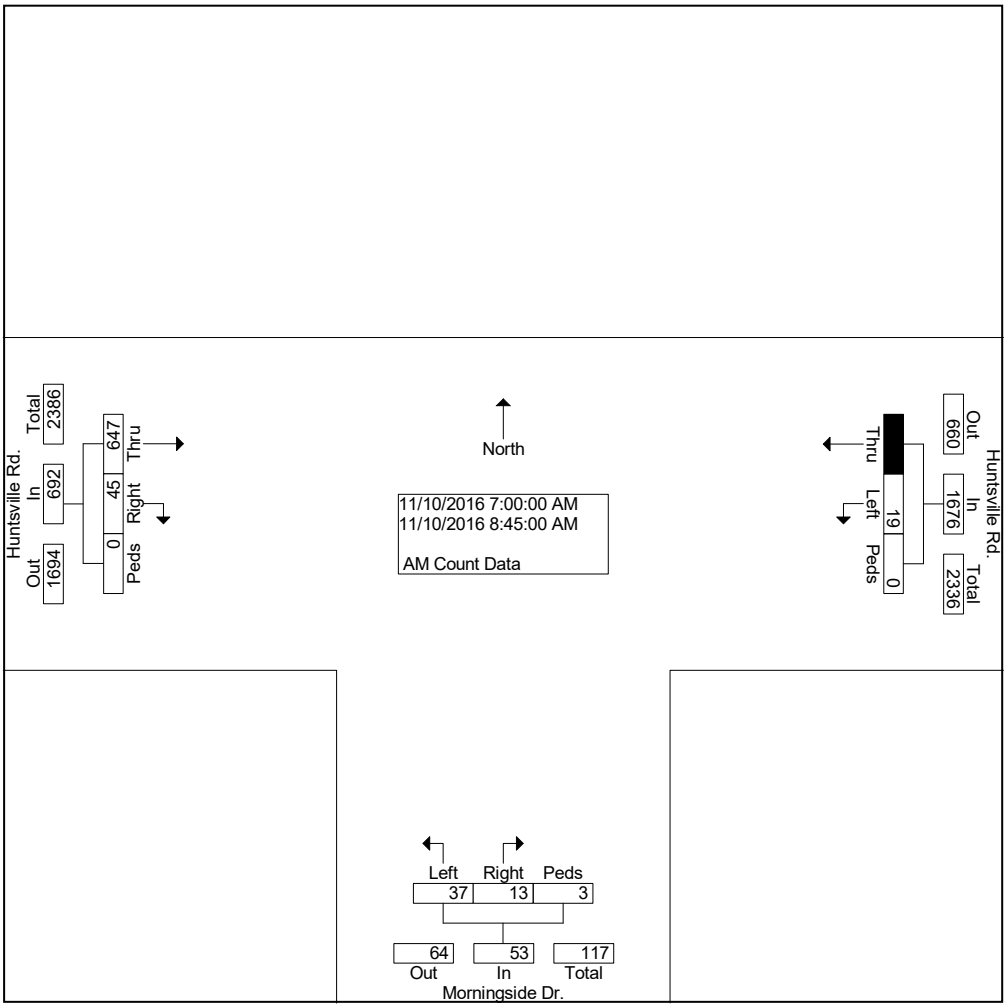
Peters & Associates Engineers, Inc.
Peak Hours Turning Movement Count Data

AM Hour Turning Movment Count Data
Huntsville Road and Morningside Drive
Fayetteville, AR
P1846

File Name : AM-TM
Site Code : 00000000
Start Date : 11/10/2016
Page No : 1

Groups Printed- AM Count Data

	Huntsville Rd. From East				Morningside Dr. From South					Huntsville Rd. From West				
Start Time	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Peds	App. Total	Int. Total
Factor	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0		
07:00 AM	205	2	0	207	1	0	1	0	2	1	50	0	51	260
07:15 AM	194	2	0	196	0	0	2	1	3	4	72	0	76	275
07:30 AM	237	3	0	240	3	0	6	0	9	4	77	0	81	330
07:45 AM	260	8	0	268	2	0	4	0	6	7	80	0	87	361
Total	896	15	0	911	6	0	13	1	20	16	279	0	295	1226
08:00 AM	193	1	0	194	1	0	2	2	5	9	75	0	84	283
08:15 AM	213	2	0	215	1	0	4	0	5	4	100	0	104	324
08:30 AM	218	0	0	218	3	0	9	0	12	8	106	0	114	344
08:45 AM	137	1	0	138	2	0	9	0	11	8	87	0	95	244
Total	761	4	0	765	7	0	24	2	33	29	368	0	397	1195
Grand Total	1657	19	0	1676	13	0	37	3	53	45	647	0	692	2421
Apprch %	98.9	1.1	0.0		24.5	0.0	69.8	5.7		6.5	93.5	0.0		
Total %	68.4	0.8	0.0	69.2	0.5	0.0	1.5	0.1	2.2	1.9	26.7	0.0	28.6	

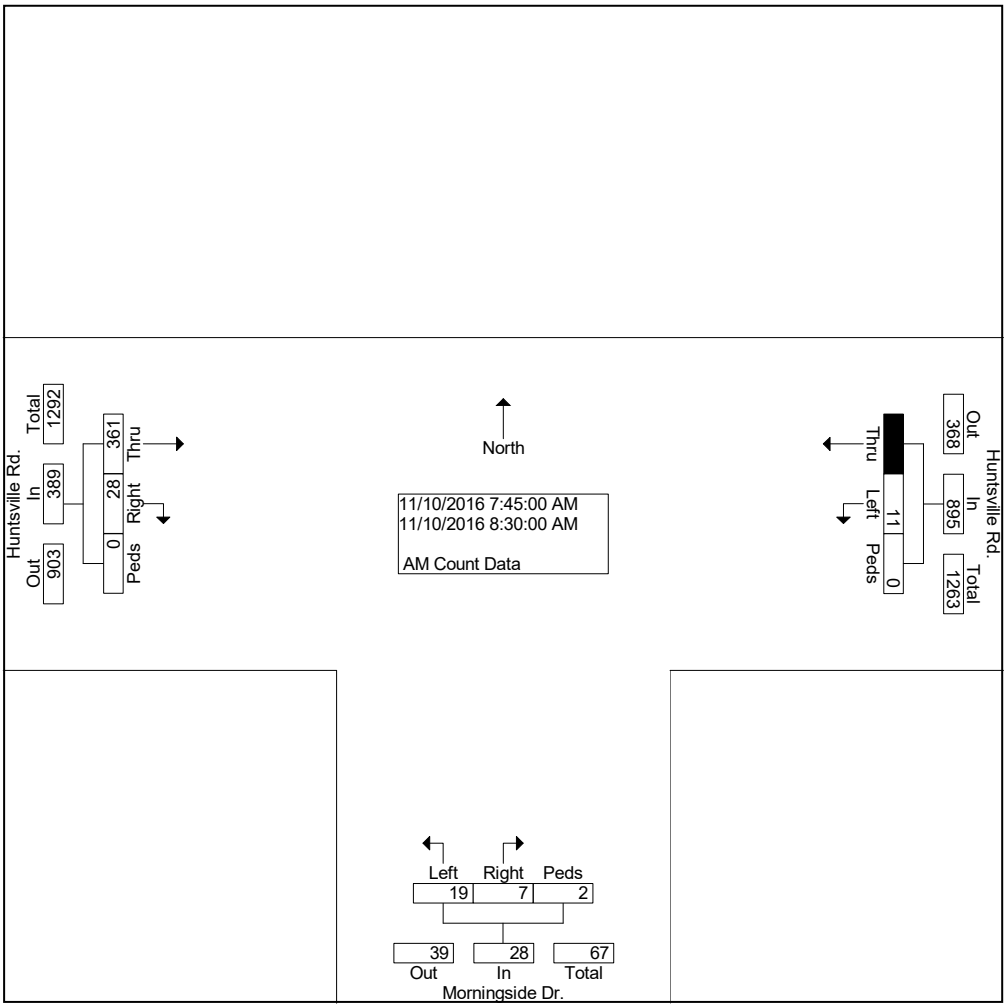


Peters & Associates Engineers, Inc.
Peak Hours Turning Movement Count Data

AM Hour Turning Movment Count Data
Huntsville Road and Morningside Drive
Fayetteville, AR
P1846

File Name : AM-TM
Site Code : 00000000
Start Date : 11/10/2016
Page No : 2

	Huntsville Rd. From East				Morningside Dr. From South					Huntsville Rd. From West				
Start Time	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Peds	App. Total	Int. Total
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1														
Intersection	07:45 AM													
Volume	884	11	0	895	7	0	19	2	28	28	361	0	389	1312
Percent	98.8	1.2	0.0		25.0	0.0	67.9	7.1		7.2	92.8	0.0		
07:45 Volume	260	8	0	268	2	0	4	0	6	7	80	0	87	361
Peak Factor														0.909
High Int.	07:45 AM				08:30 AM					08:30 AM				
Volume	260	8	0	268	3	0	9	0	12	8	106	0	114	
Peak Factor				0.835					0.583				0.853	



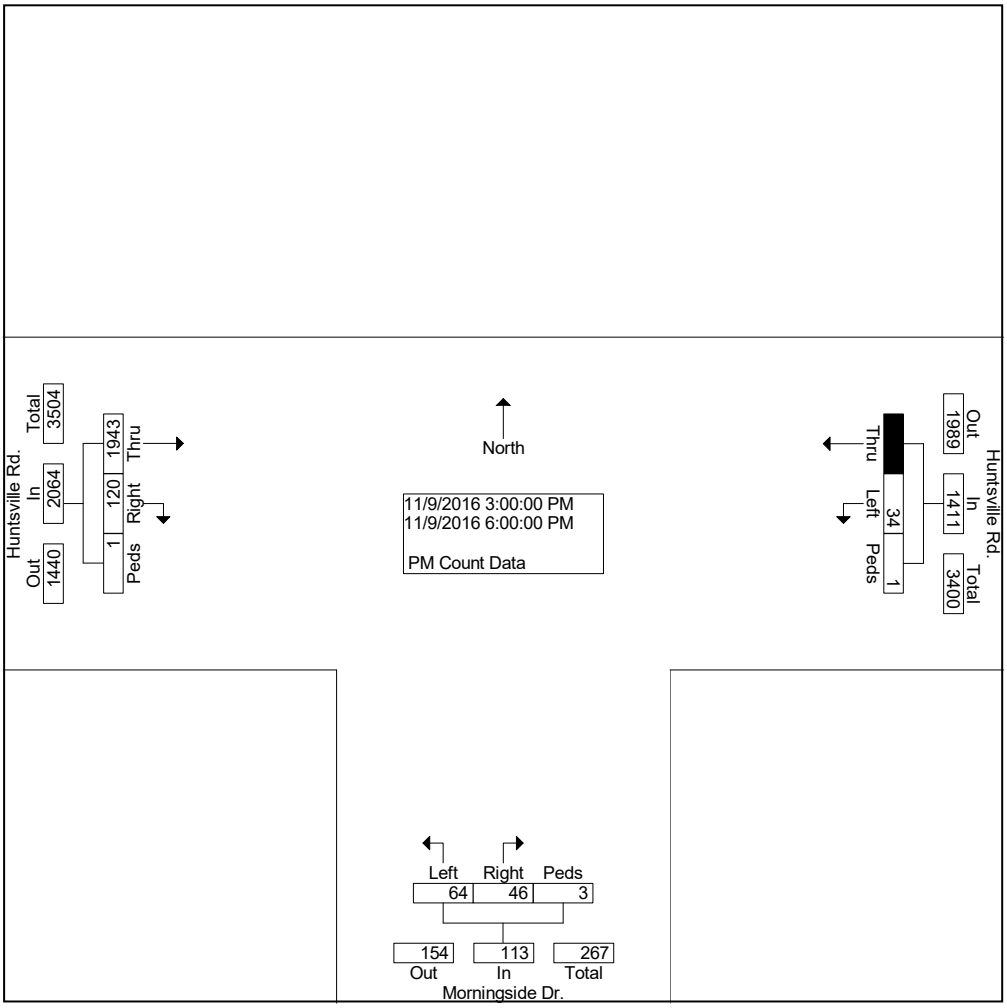
Peters & Associates Engineers, Inc.
Peak Hours Turning Movement Count Data

PM Hour Turning Movment Count Data
Huntsville Road and Morningside Drive
Fayetteville, Ar
P1846

File Name : PM-TM
Site Code : 00000000
Start Date : 11/09/2016
Page No : 1

Groups Printed- PM Count Data

	Huntsville Rd. From East				Morningside Dr. From South				Huntsville Rd. From West				
Start Time	Thru	Left	Peds	App. Total	Right	Left	Peds	App. Total	Right	Thru	Peds	App. Total	Int. Total
Factor	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		
03:00 PM	101	3	1	105	1	5	0	6	3	113	1	117	228
03:15 PM	121	6	0	127	1	8	0	9	11	112	0	123	259
03:30 PM	118	1	0	119	4	7	2	13	11	120	0	131	263
03:45 PM	112	4	0	116	3	3	0	6	6	111	0	117	239
Total	452	14	1	467	9	23	2	34	31	456	1	488	989
04:00 PM	121	2	0	123	2	9	0	11	8	180	0	188	322
04:15 PM	110	2	0	112	3	5	0	8	9	168	0	177	297
04:30 PM	89	2	0	91	7	5	1	13	10	167	0	177	281
04:45 PM	100	4	0	104	4	6	0	10	13	164	0	177	291
Total	420	10	0	430	16	25	1	42	40	679	0	719	1191
05:00 PM	94	3	0	97	6	3	0	9	13	174	0	187	293
05:15 PM	108	4	0	112	3	1	0	4	9	196	0	205	321
05:30 PM	103	1	0	104	5	5	0	10	9	173	0	182	296
05:45 PM	100	1	0	101	3	4	0	7	10	155	0	165	273
Total	405	9	0	414	17	13	0	30	41	698	0	739	1183
06:00 PM	99	1	0	100	4	3	0	7	8	110	0	118	225
Grand Total	1376	34	1	1411	46	64	3	113	120	1943	1	2064	3588
Apprch %	97.5	2.4	0.1		40.7	56.6	2.7		5.8	94.1	0.0		
Total %	38.4	0.9	0.0	39.3	1.3	1.8	0.1	3.1	3.3	54.2	0.0	57.5	

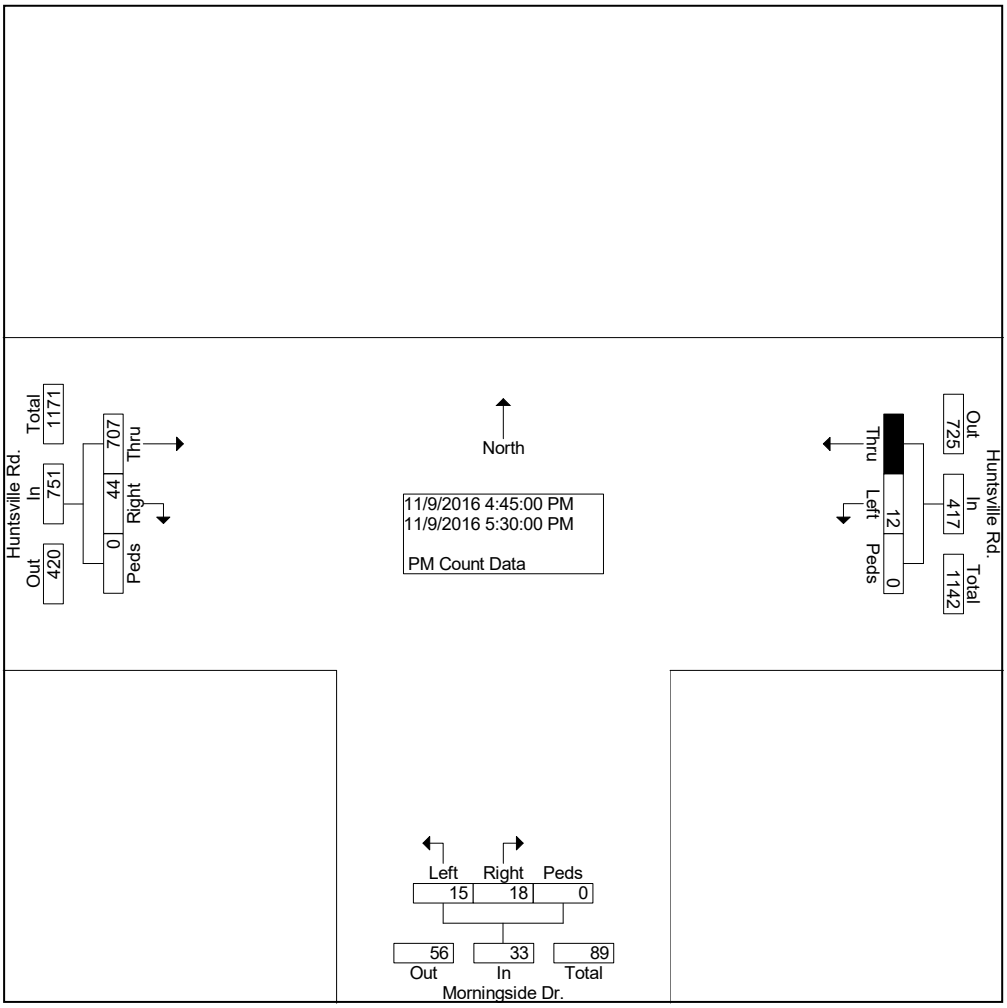


Peters & Associates Engineers, Inc.
Peak Hours Turning Movement Count Data

PM Hour Turning Movment Count Data
Huntsville Road and Morningside Drive
Fayetteville, Ar
P1846

File Name : PM-TM
Site Code : 00000000
Start Date : 11/09/2016
Page No : 2

	Huntsville Rd. From East				Morningside Dr. From South				Huntsville Rd. From West				
Start Time	Thru	Left	Peds	App. Total	Right	Left	Peds	App. Total	Right	Thru	Peds	App. Total	Int. Total
Peak Hour From 03:00 PM to 06:00 PM - Peak 1 of 1													
Intersection	04:45 PM												
Volume	405	12	0	417	18	15	0	33	44	707	0	751	1201
Percent	97.1	2.9	0.0		54.5	45.5	0.0		5.9	94.1	0.0		
05:15 Volume	108	4	0	112	3	1	0	4	9	196	0	205	321
Peak Factor													0.935
High Int.	05:15 PM				04:45 PM				05:15 PM				
Volume	108	4	0	112	4	6	0	10	9	196	0	205	
Peak Factor				0.931				0.825				0.916	

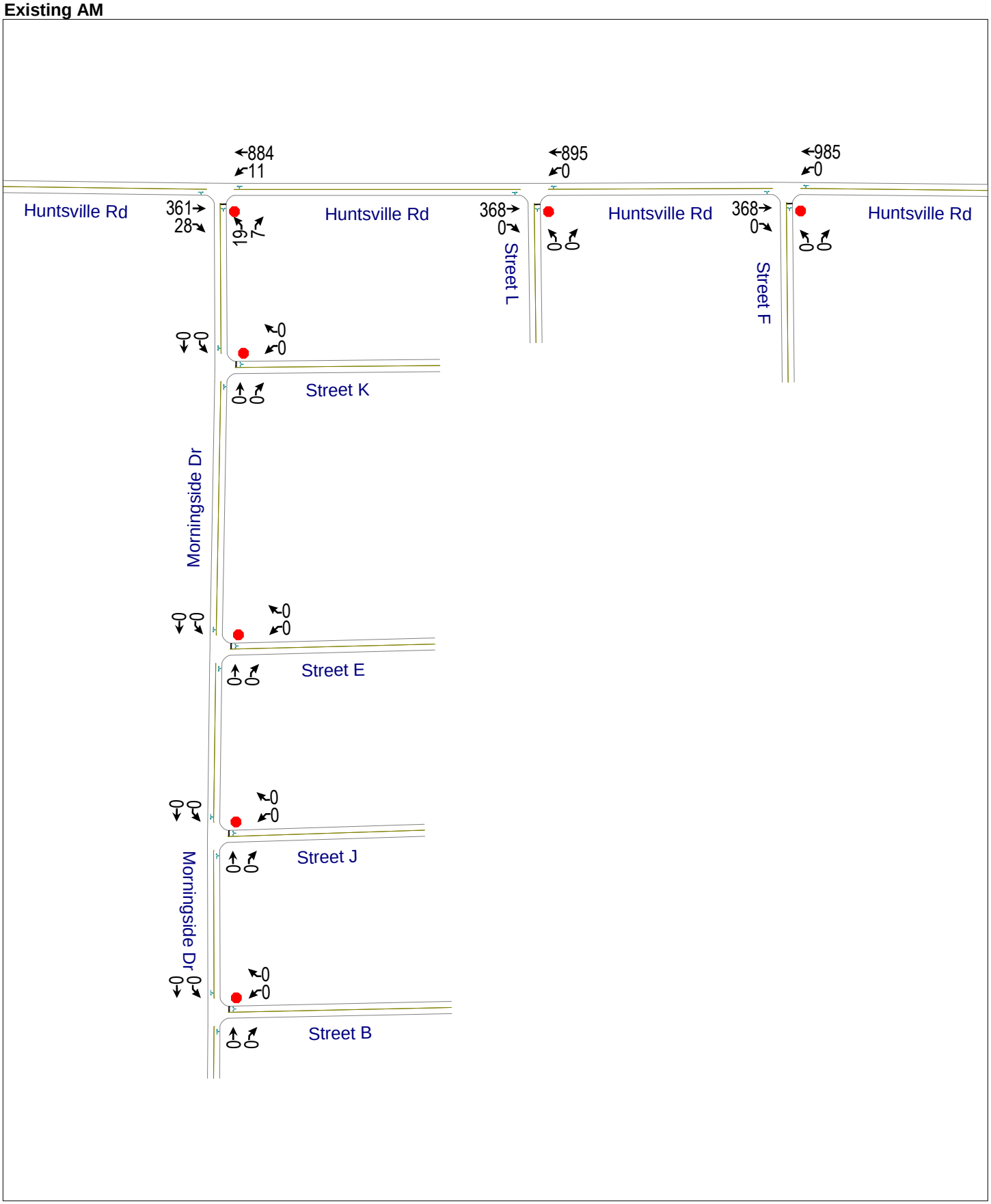


PETERS & ASSOCIATES
ENGINEERS, INC.

Capacity & Level of Service Calculations

P1846 **11/11/2016**

Existing AM



HCM Unsignalized Intersection Capacity Analysis
3: Morningside Dr & Huntsville Rd

11/21/2016

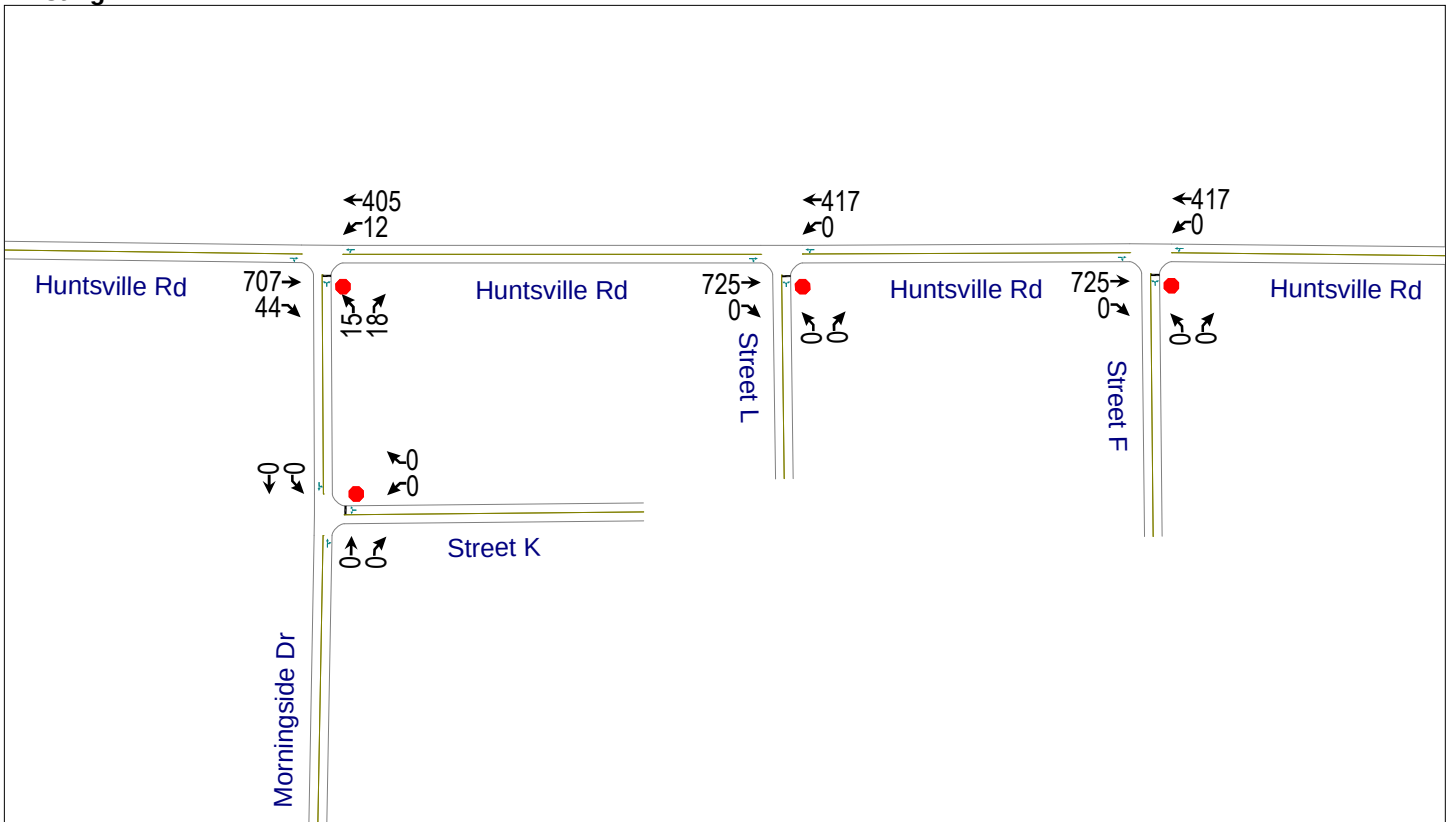
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Volume (veh/h)	361	28	11	884	19	7
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	392	30	12	961	21	8
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume			423		1392	408
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			423		1392	408
tC, single (s)			4.1		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.2		3.5	3.3
p0 queue free %			99		87	99
cM capacity (veh/h)			1136		155	644

Direction, Lane #	EB 1	WB 1	NB 1
Volume Total	423	973	28
Volume Left	0	12	21
Volume Right	30	0	8
cSH	1700	1136	194
Volume to Capacity	0.25	0.01	0.15
Queue Length 95th (ft)	0	1	12
Control Delay (s)	0.0	0.3	26.6
Lane LOS		A	D
Approach Delay (s)	0.0	0.3	26.6
Approach LOS			D

Intersection Summary			
Average Delay	0.7		
Intersection Capacity Utilization	65.3%	ICU Level of Service	C
Analysis Period (min)	15		

P1846
Existing PM

11/11/2016



HCM Unsignalized Intersection Capacity Analysis
3: Morningside Dr & Huntsville Rd

11/21/2016

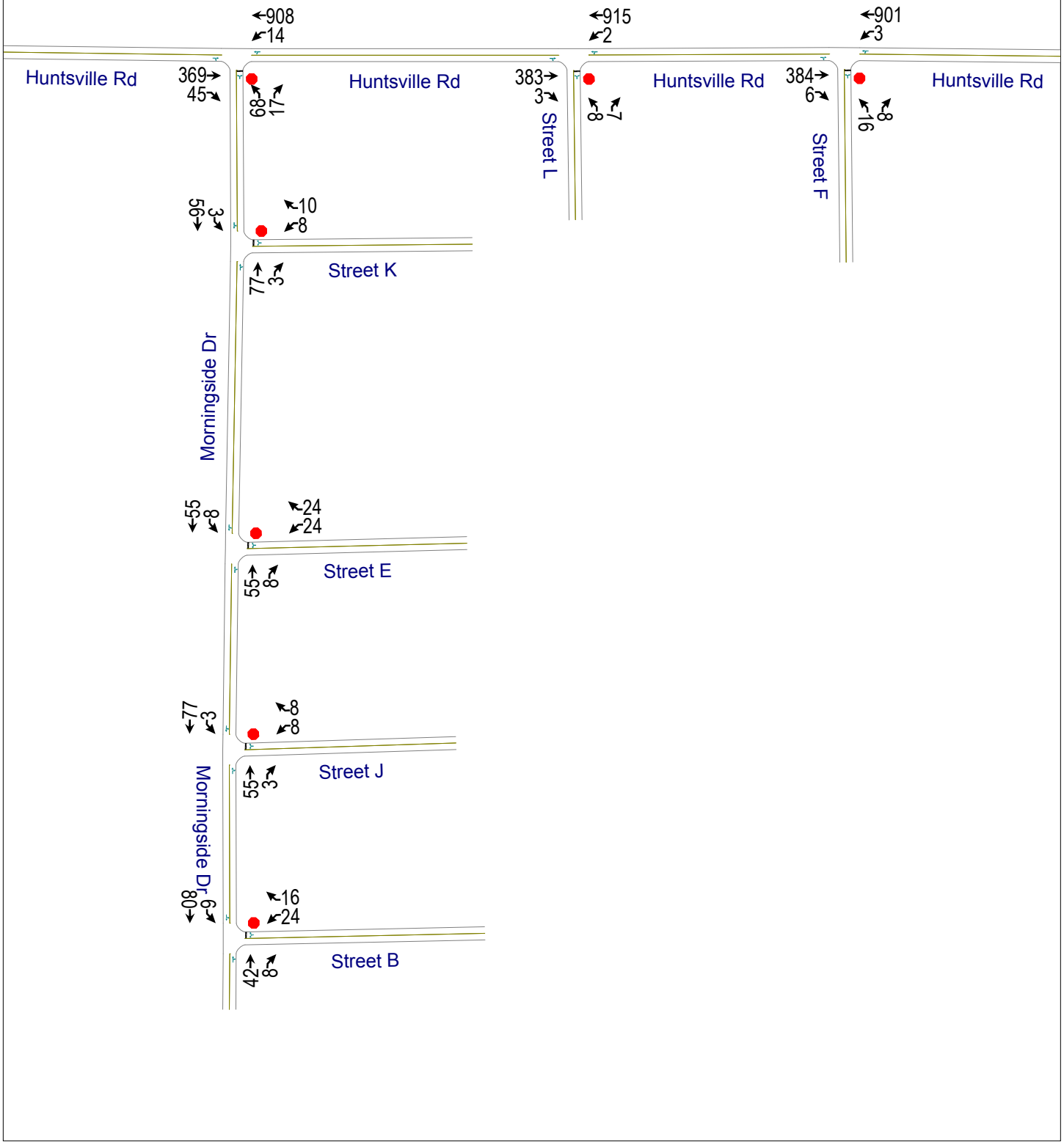
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Volume (veh/h)	707	44	12	405	15	18
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	768	48	13	440	16	20
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume			816		1259	792
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			816		1259	792
tC, single (s)			4.1		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.2		3.5	3.3
p0 queue free %			98		91	95
cM capacity (veh/h)			811		185	389

Direction, Lane #	EB 1	WB 1	NB 1
Volume Total	816	453	36
Volume Left	0	13	16
Volume Right	48	0	20
cSH	1700	811	259
Volume to Capacity	0.48	0.02	0.14
Queue Length 95th (ft)	0	1	12
Control Delay (s)	0.0	0.5	21.1
Lane LOS		A	C
Approach Delay (s)	0.0	0.5	21.1
Approach LOS			C

Intersection Summary			
Average Delay	0.7		
Intersection Capacity Utilization	49.9%	ICU Level of Service	A
Analysis Period (min)	15		

P1846
Projected AM

11/11/2016
Site Generated + Ex AM



HCM Unsignalized Intersection Capacity Analysis
3: Morningside Dr & Huntsville Rd

11/11/2016

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Volume (veh/h)	369	45	14	908	68	17
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	401	49	15	987	74	18
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume			450		1443	426
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			450		1443	426
tC, single (s)			4.1		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.2		3.5	3.3
p0 queue free %			99		49	97
cM capacity (veh/h)			1110		144	629

Direction, Lane #	EB 1	WB 1	NB 1
Volume Total	450	1002	92
Volume Left	0	15	74
Volume Right	49	0	18
cSH	1700	1110	170
Volume to Capacity	0.26	0.01	0.54
Queue Length 95th (ft)	0	1	70
Control Delay (s)	0.0	0.4	49.0
Lane LOS		A	E
Approach Delay (s)	0.0	0.4	49.0
Approach LOS			E

Intersection Summary			
Average Delay	3.2		
Intersection Capacity Utilization	70.5%	ICU Level of Service	C
Analysis Period (min)	15		

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	24	16	42	8	6	80
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	26	17	46	9	7	87
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	150	50			54	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	150	50			54	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	97	98			100	
cM capacity (veh/h)	838	1018			1551	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	43	54	93
Volume Left	26	0	7
Volume Right	17	9	0
cSH	902	1700	1551
Volume to Capacity	0.05	0.03	0.00
Queue Length 95th (ft)	4	0	0
Control Delay (s)	9.2	0.0	0.5
Lane LOS	A		A
Approach Delay (s)	9.2	0.0	0.5
Approach LOS	A		

Intersection Summary			
Average Delay	2.4		
Intersection Capacity Utilization	19.2%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	8	8	55	3	3	77
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	9	9	60	3	3	84
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	152	61			63	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	152	61			63	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	99	99			100	
cM capacity (veh/h)	838	1004			1540	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	17	63	87
Volume Left	9	0	3
Volume Right	9	3	0
cSH	914	1700	1540
Volume to Capacity	0.02	0.04	0.00
Queue Length 95th (ft)	1	0	0
Control Delay (s)	9.0	0.0	0.3
Lane LOS	A		A
Approach Delay (s)	9.0	0.0	0.3
Approach LOS	A		

Intersection Summary			
Average Delay	1.1		
Intersection Capacity Utilization	16.5%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	24	24	55	8	8	55
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	26	26	60	9	9	60
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	141	64			68	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	141	64			68	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	97	97			99	
cM capacity (veh/h)	847	1000			1533	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	52	68	68
Volume Left	26	0	9
Volume Right	26	9	0
cSH	917	1700	1533
Volume to Capacity	0.06	0.04	0.01
Queue Length 95th (ft)	5	0	0
Control Delay (s)	9.2	0.0	1.0
Lane LOS	A		A
Approach Delay (s)	9.2	0.0	1.0
Approach LOS	A		

Intersection Summary			
Average Delay	2.9		
Intersection Capacity Utilization	19.6%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	8	10	77	3	3	56
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	9	11	84	3	3	61
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	153	85			87	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	153	85			87	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	99	99			100	
cM capacity (veh/h)	837	974			1509	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	20	87	64
Volume Left	9	0	3
Volume Right	11	3	0
cSH	908	1700	1509
Volume to Capacity	0.02	0.05	0.00
Queue Length 95th (ft)	2	0	0
Control Delay (s)	9.1	0.0	0.4
Lane LOS	A		A
Approach Delay (s)	9.1	0.0	0.4
Approach LOS	A		

Intersection Summary			
Average Delay	1.2		
Intersection Capacity Utilization	15.4%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Volume (veh/h)	383	3	2	915	8	7
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	416	3	2	995	9	8
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume			420		1417	418
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			420		1417	418
tC, single (s)			4.1		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.2		3.5	3.3
p0 queue free %			100		94	99
cM capacity (veh/h)			1140		151	635

Direction, Lane #	EB 1	WB 1	NB 1
Volume Total	420	997	16
Volume Left	0	2	9
Volume Right	3	0	8
cSH	1700	1140	234
Volume to Capacity	0.25	0.00	0.07
Queue Length 95th (ft)	0	0	6
Control Delay (s)	0.0	0.1	21.5
Lane LOS		A	C
Approach Delay (s)	0.0	0.1	21.5
Approach LOS			C

Intersection Summary			
Average Delay	0.3		
Intersection Capacity Utilization	59.7%	ICU Level of Service	B
Analysis Period (min)	15		

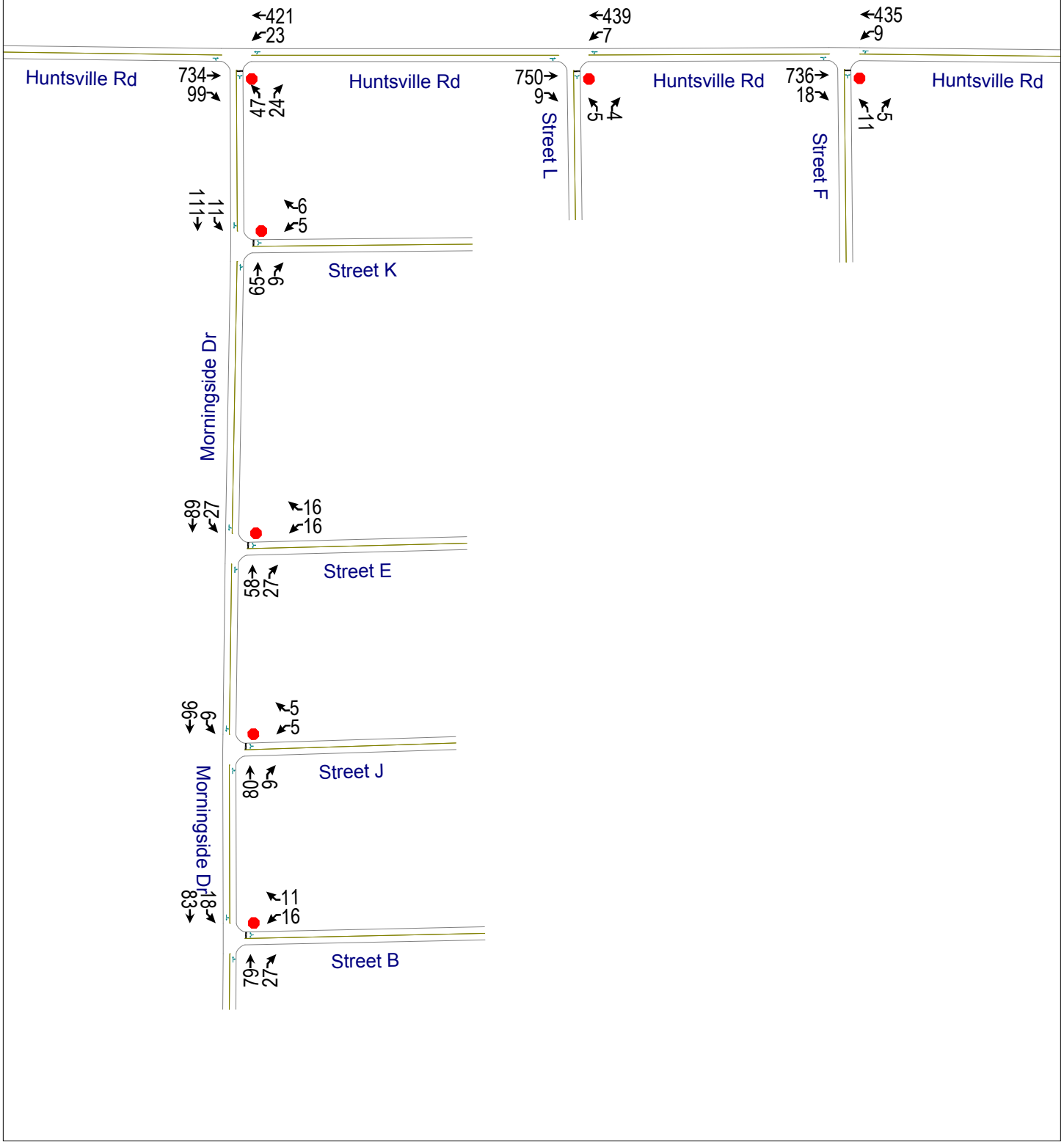
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Volume (veh/h)	384	6	3	901	16	8
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	417	7	3	979	17	9
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume			424		1407	421
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			424		1407	421
tC, single (s)			4.1		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.2		3.5	3.3
p0 queue free %			100		89	99
cM capacity (veh/h)			1135		153	633

Direction, Lane #	EB 1	WB 1	NB 1
Volume Total	424	983	26
Volume Left	0	3	17
Volume Right	7	0	9
cSH	1700	1135	205
Volume to Capacity	0.25	0.00	0.13
Queue Length 95th (ft)	0	0	11
Control Delay (s)	0.0	0.1	25.2
Lane LOS		A	D
Approach Delay (s)	0.0	0.1	25.2
Approach LOS			D

Intersection Summary			
Average Delay	0.5		
Intersection Capacity Utilization	59.8%	ICU Level of Service	B
Analysis Period (min)	15		

P1846
Projected PM

11/11/2016
Site Generated + Ex PM



HCM Unsignalized Intersection Capacity Analysis
3: Morningside Dr & Huntsville Rd

11/11/2016

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Volume (veh/h)	734	99	23	421	47	24
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	798	108	25	458	51	26
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume			905		1359	852
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			905		1359	852
tC, single (s)			4.1		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.2		3.5	3.3
p0 queue free %			97		68	93
cM capacity (veh/h)			751		158	360

Direction, Lane #	EB 1	WB 1	NB 1
Volume Total	905	483	77
Volume Left	0	25	51
Volume Right	108	0	26
cSH	1700	751	195
Volume to Capacity	0.53	0.03	0.40
Queue Length 95th (ft)	0	3	44
Control Delay (s)	0.0	0.9	35.0
Lane LOS		A	D
Approach Delay (s)	0.0	0.9	35.0
Approach LOS			D

Intersection Summary			
Average Delay	2.2		
Intersection Capacity Utilization	55.4%	ICU Level of Service	B
Analysis Period (min)	15		

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	16	11	79	27	18	83
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	17	12	86	29	20	90
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	230	101			115	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	230	101			115	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	99			99	
cM capacity (veh/h)	748	955			1474	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	29	115	110
Volume Left	17	0	20
Volume Right	12	29	0
cSH	821	1700	1474
Volume to Capacity	0.04	0.07	0.01
Queue Length 95th (ft)	3	0	1
Control Delay (s)	9.5	0.0	1.4
Lane LOS	A		A
Approach Delay (s)	9.5	0.0	1.4
Approach LOS	A		

Intersection Summary			
Average Delay	1.7		
Intersection Capacity Utilization	22.0%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	5	5	80	9	9	96
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	5	87	10	10	104
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	216	92			97	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	216	92			97	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	99	99			99	
cM capacity (veh/h)	767	966			1497	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	11	97	114
Volume Left	5	0	10
Volume Right	5	10	0
cSH	855	1700	1497
Volume to Capacity	0.01	0.06	0.01
Queue Length 95th (ft)	1	0	0
Control Delay (s)	9.3	0.0	0.7
Lane LOS	A		A
Approach Delay (s)	9.3	0.0	0.7
Approach LOS	A		

Intersection Summary			
Average Delay	0.8		
Intersection Capacity Utilization	22.2%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	16	16	58	27	27	89
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	17	17	63	29	29	97
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	233	78			92	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	233	78			92	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	98			98	
cM capacity (veh/h)	740	983			1502	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	35	92	126
Volume Left	17	0	29
Volume Right	17	29	0
cSH	845	1700	1502
Volume to Capacity	0.04	0.05	0.02
Queue Length 95th (ft)	3	0	1
Control Delay (s)	9.4	0.0	1.9
Lane LOS	A		A
Approach Delay (s)	9.4	0.0	1.9
Approach LOS	A		

Intersection Summary			
Average Delay	2.2		
Intersection Capacity Utilization	22.8%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	5	6	65	9	11	111
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	7	71	10	12	121
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	220	76			80	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	220	76			80	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	99	99			99	
cM capacity (veh/h)	762	986			1517	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	12	80	133
Volume Left	5	0	12
Volume Right	7	10	0
cSH	870	1700	1517
Volume to Capacity	0.01	0.05	0.01
Queue Length 95th (ft)	1	0	1
Control Delay (s)	9.2	0.0	0.7
Lane LOS	A		A
Approach Delay (s)	9.2	0.0	0.7
Approach LOS	A		

Intersection Summary			
Average Delay	0.9		
Intersection Capacity Utilization	23.1%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Volume (veh/h)	750	9	7	439	5	4
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	815	10	8	477	5	4
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume			825		1312	820
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			825		1312	820
tC, single (s)			4.1		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.2		3.5	3.3
p0 queue free %			99		97	99
cM capacity (veh/h)			805		173	375

Direction, Lane #	EB 1	WB 1	NB 1
Volume Total	825	485	10
Volume Left	0	8	5
Volume Right	10	0	4
cSH	1700	805	228
Volume to Capacity	0.49	0.01	0.04
Queue Length 95th (ft)	0	1	3
Control Delay (s)	0.0	0.3	21.5
Lane LOS		A	C
Approach Delay (s)	0.0	0.3	21.5
Approach LOS			C

Intersection Summary			
Average Delay	0.3		
Intersection Capacity Utilization	50.0%	ICU Level of Service	A
Analysis Period (min)	15		

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Volume (veh/h)	736	18	9	435	11	5
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	800	20	10	473	12	5
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume			820		1302	810
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			820		1302	810
tC, single (s)			4.1		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.2		3.5	3.3
p0 queue free %			99		93	99
cM capacity (veh/h)			809		175	380

Direction, Lane #	EB 1	WB 1	NB 1
Volume Total	820	483	17
Volume Left	0	10	12
Volume Right	20	0	5
cSH	1700	809	211
Volume to Capacity	0.48	0.01	0.08
Queue Length 95th (ft)	0	1	7
Control Delay (s)	0.0	0.3	23.6
Lane LOS		A	C
Approach Delay (s)	0.0	0.3	23.6
Approach LOS			C

Intersection Summary			
Average Delay	0.4		
Intersection Capacity Utilization	49.8%	ICU Level of Service	A
Analysis Period (min)	15		

Traffic Signal Warrants Results

Traffic Signal Warrants Analysis

			INTERSECTION CONFIGURATION					Required Vol. for Warrant:	major	minor
								Warrant		
CITY:	Fayetteville, AR	No. Lanes	Major:	1	Minor:	1		1A	500	150
CO.:	Washington			---		---		1B	750	75
HWY.,Mjr.:	Huntsville Road	Accidents > 5/yr?		(Y or N)		N		1AB (80% 1 & 2)	400	120
ST.,Minor:	Morningside Drive	Speed =>40, or Pop. < 10 K				N			600	60
	Projected Traffic Conditior	Factor out "RTs" (Y or N)?: Yes						2 (4 Hr.)	(see formula)	
	W/ RTs Not Factored Out		Major:	EB	N	WB	N	3 (Peak Hr.)	" "	
November 21, 2016	Study peformed b	RMT	Minor:	NB	Y	SB	n/a	Adj. Factor:	1	

MAJOR ST. (direction)

Direction:	EB			WB			
	Factor		100%	Factor		100%	
STARTING TIME	Existing + Proj	man.	results	Existing + Proj	man.	results	RESULTS SUM
7:00	357		357	950		950	1307
8:00	423		423	795		795	1219
9:00	289		289	458		458	747
10:00	355		355	310		310	665
11:00	385		385	369		369	754
12:00	447		447	363		363	811
13:00	462		462	405		405	867
14:00	386		386	312		312	699
15:00	521		521	481		481	1002
16:00	772		772	450		450	1222
17:00	826		826	437		437	1263
18:00	510		510	326		326	836
19:00	411		411	218		218	630
20:00	344		344	176		176	520
21:00	218		218	132		132	350

MINOR ST. (direction)

	NB			SB				
Factor:		100%	Factor:		100%	Minor vol. for 4Hr. War.	Peak Hr. War.	
Existing + Proj	man.	results	Existing + Proj	man.	results	'#2'	"#3	
86		86	0		0	80	130	
85		85	0		0	80	148	
52		52	0		0	168	304	
44		44	0		0	196	340	
46		46	0		0	166	301	
61		61	0		0	148	277	
62		62	0		0	133	255	
54		54	0		0	184	325	
59		59	0		0	102	208	
76		76	0		0	80	148	
69		69	0		0	80	139	
63		63	0		0	141	267	
55		55	0		0	209	357	
43		43	0		0	253	412	
31		31	0		0	333	508	

* Note: Manual value is used if available.
Results have been factored for machine count error.

Traffic Signal Warrants Analysis

CITY: Fayetteville, AR
CO.: Washing
HWY.,Mjr.: Huntsville Road
ST.,Minor: Morningside Drive
Projected Traffic Conditions
W/ RTs Not Factored Out

FINAL RESULTS:
Projected Traffic Conditions
W/ RTs Not Factored Out

Traffic Signal Warrants Analysis

Hour warrant was met:

Major St.: Huntsville Road
Minor St.: Morningside Drive

			VOLUME		COMB.		4 Hr.	Peak
			500	750	400	600		
			150	75	120	60		
					#8-1	#8-2		
HOUR	SUM MAJOR	MAX. MINOR	1A	1B	1AB		2	3
7:00	1307	86	0	1	0	0 1	1	0
8:00	1219	85	0	1	0	0 1	1	0
9:00	747	52	0	0	0	0 0	0	0
10:00	665	44	0	0	0	0 0	0	0
11:00	754	46	0	0	0	0 0	0	0
12:00	811	61	0	0	0	0 1	0	0
13:00	867	62	0	0	0	0 1	0	0
14:00	699	54	0	0	0	0 0	0	0
15:00	1002	59	0	0	0	0 0	0	0
16:00	1222	76	0	1	0	0 1	0	0
17:00	1263	69	0	0	0	0 1	0	0
18:00	836	63	0	0	0	0 1	0	0
19:00	630	55	0	0	0	0 0	0	0
20:00	520	43	0	0	0	0 0	0	0
21:00	350	31	0	0	0	0 0	0	0
			0	3		0	2	0

This intersection DOES NOT SATISFY the warrants for signalization as outlined in the "M.U.T.C.D."

CHAPTER 4C. TRAFFIC CONTROL SIGNAL NEEDS STUDIES

Section 4C.01 Studies and Factors for Justifying Traffic Control Signals

Standard:

01 **An engineering study of traffic conditions, pedestrian characteristics, and physical characteristics of the location shall be performed to determine whether installation of a traffic control signal is justified at a particular location.**

02 **The investigation of the need for a traffic control signal shall include an analysis of factors related to the existing operation and safety at the study location and the potential to improve these conditions, and the applicable factors contained in the following traffic signal warrants:**

Warrant 1, Eight-Hour Vehicular Volume
Warrant 2, Four-Hour Vehicular Volume
Warrant 3, Peak Hour
Warrant 4, Pedestrian Volume
Warrant 5, School Crossing
Warrant 6, Coordinated Signal System
Warrant 7, Crash Experience
Warrant 8, Roadway Network
Warrant 9, Intersection Near a Grade Crossing

03 **The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.**

Support:

04 Sections 8C.09 and 8C.10 contain information regarding the use of traffic control signals instead of gates and/or flashing-light signals at highway-rail grade crossings and highway-light rail transit grade crossings, respectively.

Guidance:

05 *A traffic control signal should not be installed unless one or more of the factors described in this Chapter are met.*

06 *A traffic control signal should not be installed unless an engineering study indicates that installing a traffic control signal will improve the overall safety and/or operation of the intersection.*

07 *A traffic control signal should not be installed if it will seriously disrupt progressive traffic flow.*

08 *The study should consider the effects of the right-turn vehicles from the minor-street approaches. Engineering judgment should be used to determine what, if any, portion of the right-turn traffic is subtracted from the minor-street traffic count when evaluating the count against the signal warrants listed in Paragraph 2.*

09 *Engineering judgment should also be used in applying various traffic signal warrants to cases where approaches consist of one lane plus one left-turn or right-turn lane. The site-specific traffic characteristics should dictate whether an approach is considered as one lane or two lanes. For example, for an approach with one lane for through and right-turning traffic plus a left-turn lane, if engineering judgment indicates that it should be considered a one-lane approach because the traffic using the left-turn lane is minor, the total traffic volume approaching the intersection should be applied against the signal warrants as a one-lane approach. The approach should be considered two lanes if approximately half of the traffic on the approach turns left and the left-turn lane is of sufficient length to accommodate all left-turn vehicles.*

10 *Similar engineering judgment and rationale should be applied to a street approach with one through/left-turn lane plus a right-turn lane. In this case, the degree of conflict of minor-street right-turn traffic with traffic on the major street should be considered. Thus, right-turn traffic should not be included in the minor-street volume if the movement enters the major street with minimal conflict. The approach should be evaluated as a one-lane approach with only the traffic volume in the through/left-turn lane considered.*

11 *At a location that is under development or construction and where it is not possible to obtain a traffic count that would represent future traffic conditions, hourly volumes should be estimated as part of an engineering study for comparison with traffic signal warrants. Except for locations where the engineering study uses the satisfaction of Warrant 8 to justify a signal, a traffic control signal installed under projected conditions should have an engineering study done within 1 year of putting the signal into stop-and-go operation to determine if the signal is justified. If not justified, the signal should be taken out of stop-and-go operation or removed.*

12 *For signal warrant analysis, a location with a wide median, even if the median width is greater than 30 feet, should be considered as one intersection.*

Option:

13 At an intersection with a high volume of left-turn traffic from the major street, the signal warrant analysis may be performed in a manner that considers the higher of the major-street left-turn volumes as the "minor-street" volume and the corresponding single direction of opposing traffic on the major street as the "major-street" volume.

14 For signal warrants requiring conditions to be present for a certain number of hours in order to be satisfied, any four sequential 15-minute periods may be considered as 1 hour if the separate 1-hour periods used in the warrant analysis do not overlap each other and both the major-street volume and the minor-street volume are for the same specific one-hour periods.

15 For signal warrant analysis, bicyclists may be counted as either vehicles or pedestrians.

Support:

16 When performing a signal warrant analysis, bicyclists riding in the street with other vehicular traffic are usually counted as vehicles and bicyclists who are clearly using pedestrian facilities are usually counted as pedestrians.

Option:

17 Engineering study data may include the following:

A. The number of vehicles entering the intersection in each hour from each approach during 12 hours of an average day. It is desirable that the hours selected contain the greatest percentage of the 24-hour traffic volume.
B. Vehicular volumes for each traffic movement from each approach, classified by vehicle type (heavy trucks, passenger cars and light trucks, public-transit vehicles, and, in some locations, bicycles), during each 15-minute period of the 2 hours in the morning and 2 hours in the afternoon during which total traffic entering the intersection is greatest.
C. Pedestrian volume counts on each crosswalk during the same periods as the vehicular counts in Item B and during hours of highest pedestrian volume. Where young, elderly, and/or persons with physical or visual disabilities need special consideration, the pedestrians and their crossing times may be classified by general observation.
D. Information about nearby facilities and activity centers that serve the young, elderly, and/or persons with disabilities, including requests from persons with disabilities for accessible crossing improvements at the location under study. These persons might not be adequately reflected in the pedestrian volume count if the absence of a signal restrains their mobility.
E. The posted or statutory speed limit or the 85th-percentile speed on the uncontrolled approaches to the location.
F. A condition diagram showing details of the physical layout, including such features as intersection geometrics, channelization, grades, sight-distance restrictions, transit stops and routes, parking conditions, pavement markings, roadway lighting, driveways, nearby railroad crossings, distance to nearest traffic control signals, utility poles and fixtures, and adjacent land use.
G. A collision diagram showing crash experience by type, location, direction of movement, severity, weather, time of day, date, and day of week for at least 1 year.

18 The following data, which are desirable for a more precise understanding of the operation of the intersection, may be obtained during the periods described in Item B of Paragraph 17:

A. Vehicle-hours of stopped time delay determined separately for each approach.
B. The number and distribution of acceptable gaps in vehicular traffic on the major street for entrance from the minor street.
C. The posted or statutory speed limit or the 85th-percentile speed on controlled approaches at a point near to the intersection but unaffected by the control.
D. Pedestrian delay time for at least two 30-minute peak pedestrian delay periods of an average weekday or like periods of a Saturday or Sunday.
E. Queue length on stop-controlled approaches.

Section 4C.02 Warrant 1, Eight-Hour Vehicular Volume

Support:

01 The Minimum Vehicular Volume, Condition A, is intended for application at locations where a large volume of intersecting traffic is the principal reason to consider installing a traffic control signal.

02 The Interruption of Continuous Traffic, Condition B, is intended for application at locations where Condition A is not satisfied and where the traffic volume on a major street is so heavy that traffic on a minor intersecting street suffers excessive delay or conflict in entering or crossing the major street.

03 It is intended that Warrant 1 be treated as a single warrant. If Condition A is satisfied, then Warrant 1 is satisfied and analyses of Condition B and the combination of Conditions A and B are not needed. Similarly, if Condition B is satisfied, then Warrant 1 is satisfied and an analysis of the combination of Conditions A and B is not needed.

Standard:

04 **The need for a traffic control signal shall be considered if an engineering study finds that one of the following conditions exist for each of any 8 hours of an average day:**

A. The vehicles per hour given in both of the 100 percent columns of Condition A in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection; or

B. The vehicles per hour given in both of the 100 percent columns of Condition B in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection.

In applying each condition the major-street and minor-street volumes shall be for the same 8 hours. On the minor street, the higher volume shall not be required to be on the same approach during each of these 8 hours.

Option:

05 If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the traffic volumes in the 70 percent columns in Table 4C-1 may be used in place of the 100 percent columns.

Guidance:

06 *The combination of Conditions A and B is intended for application at locations where Condition A is not satisfied and Condition B is not satisfied and should be applied only after an adequate trial of other alternatives that could cause less delay and inconvenience to traffic has failed to solve the traffic problems.*

Standard:

07 **The need for a traffic control signal shall be considered if an engineering study finds that both of the following conditions exist for each of any 8 hours of an average day:**

A. The vehicles per hour given in both of the 80 percent columns of Condition A in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection; and

B. The vehicles per hour given in both of the 80 percent columns of Condition B in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection.

These major-street and minor-street volumes shall be for the same 8 hours for each condition; however, the 8 hours satisfied in Condition A shall not be required to be the same 8 hours satisfied in Condition B. On the minor street, the higher volume shall not be required to be on the same approach during each of the 8 hours.

Table 4C-1. Warrant 1, Eight-Hour Vehicular Volume

Condition A—Minimum Vehicular Volume

Number of lanes for moving traffic on each approach		Vehicles per hour on major street (total of both approaches)				Vehicles per hour on higher-volume minor-street approach (one direction only)			
Major Street	Minor Street	100%[a]	80%[b]	70%[c]	56%[d]	100%[a]	80%[b]	70%[c]	56%[d]
1	1	500	400	350	280	150	120	105	84
2 or more	1	600	480	420	336	150	120	105	84
2 or more	2 or more	600	480	420	336	200	160	140	112
1	2 or more	500	400	350	280	200	160	140	112

Condition B—Interruption of Continuous Traffic

Number of lanes for moving traffic on each approach		Vehicles per hour on major street (total of both approaches)				Vehicles per hour on higher-volume minor-street approach (one direction only)			
Major Street	Minor Street	100%[a]	80%[b]	70%[c]	56%[d]	100%[a]	80%[b]	70%[c]	56%[d]
1	1	750	600	525	420	75	60	53	42
2 or more	1	900	720	630	504	75	60	53	42
2 or more	2 or more	900	720	630	504	100	80	70	56
1	2 or more	750	600	525	420	100	80	70	56

[a] Basic minimum hourly volume

[b] Used for combination of Conditions A and B after adequate trial of other remedial measures

[c] May be used when the major-street speed exceeds 40 mph or in an isolated community with a population of less than 10,000

[d] May be used for combination of Conditions A and B after adequate trial of other remedial measures when the major-street speed exceeds 40 mph or in an isolated community with a population of less than 10,000

Option:

08 If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the traffic volumes in the 56 percent columns in Table 4C-1 may be used in place of the 80 percent columns.

Section 4C.03 Warrant 2, Four-Hour Vehicular Volume

Support:

01 The Four-Hour Vehicular Volume signal warrant conditions are intended to be applied where the volume of intersecting traffic is the principal reason to consider installing a traffic control signal.

Standard:

02 **The need for a traffic control signal shall be considered if an engineering study finds that, for each of any 4 hours of an average day, the plotted points representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the higher-volume minor-street approach (one direction only) all fall above the applicable curve in Figure 4C-1 for the existing combination of approach lanes. On the minor street, the higher volume shall not be required to be on the same approach during each of these 4 hours.**

Option:

03 If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, Figure 4C-2 may be used in place of Figure 4C-1.

Section 4C.04 Warrant 3, Peak Hour

Support:

01 The Peak Hour signal warrant is intended for use at a location where traffic conditions are such that for a minimum of 1 hour of an average day, the minor-street traffic suffers undue delay when entering or crossing the major street.

Standard:

02 **This signal warrant shall be applied only in unusual cases, such as office complexes, manufacturing plants, industrial complexes, or high-occupancy vehicle facilities that attract or discharge large numbers of vehicles over a short time.**

03 **The need for a traffic control signal shall be considered if an engineering study finds that the criteria in either of the following two categories are met:**

- **A. If all three of the following conditions exist for the same 1 hour (any four consecutive 15-minute periods) of an average day:**
  1. **The total stopped time delay experienced by the traffic on one minor-street approach (one direction only) controlled by a STOP sign equals or exceeds: 4 vehicle-hours for a one-lane approach or 5 vehicle-hours for a two-lane approach; and**
  2. **The volume on the same minor-street approach (one direction only) equals or exceeds 100 vehicles per hour for one moving lane of traffic or 150 vehicles per hour for two moving lanes; and**
  3. **The total entering volume serviced during the hour equals or exceeds 650 vehicles per hour for intersections with three approaches or 800 vehicles per hour for intersections with four or more approaches.**
- **B. The plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the higher-volume minor-street approach (one direction only) for 1 hour (any four consecutive 15-minute periods) of an average day falls above the applicable curve in Figure 4C-3 for the existing combination of approach lanes.**

Option:

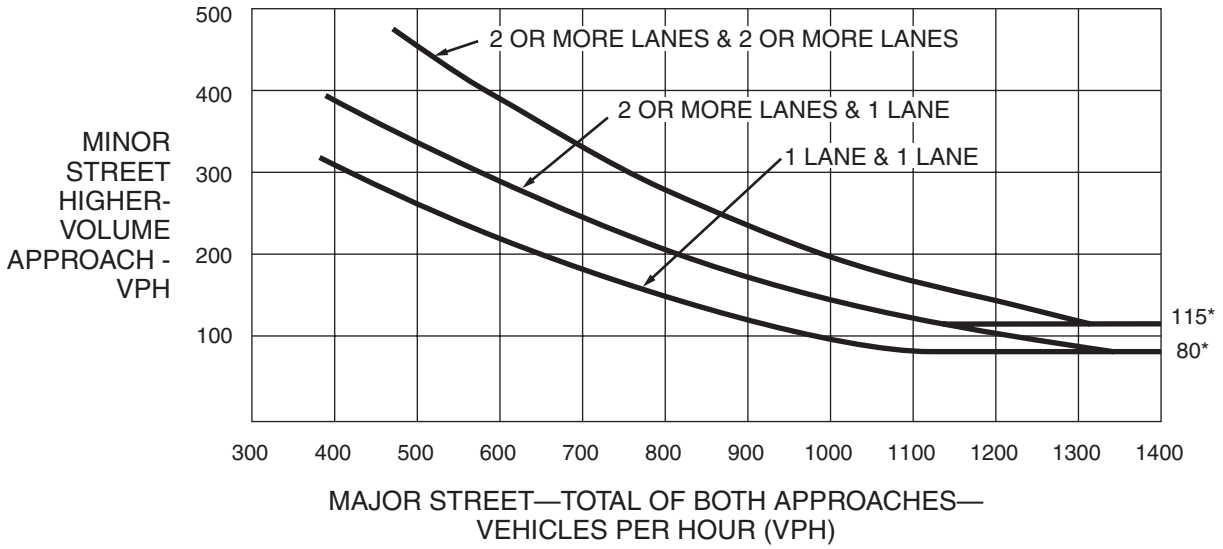
04 If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, Figure 4C-4 may be used in place of Figure 4C-3 to evaluate the criteria in the second category of the Standard.

05 If this warrant is the only warrant met and a traffic control signal is justified by an engineering study, the traffic control signal may be operated in the flashing mode during the hours that the volume criteria of this warrant are not met.

Guidance:

06 *If this warrant is the only warrant met and a traffic control signal is justified by an engineering study, the traffic control signal should be traffic-actuated.*

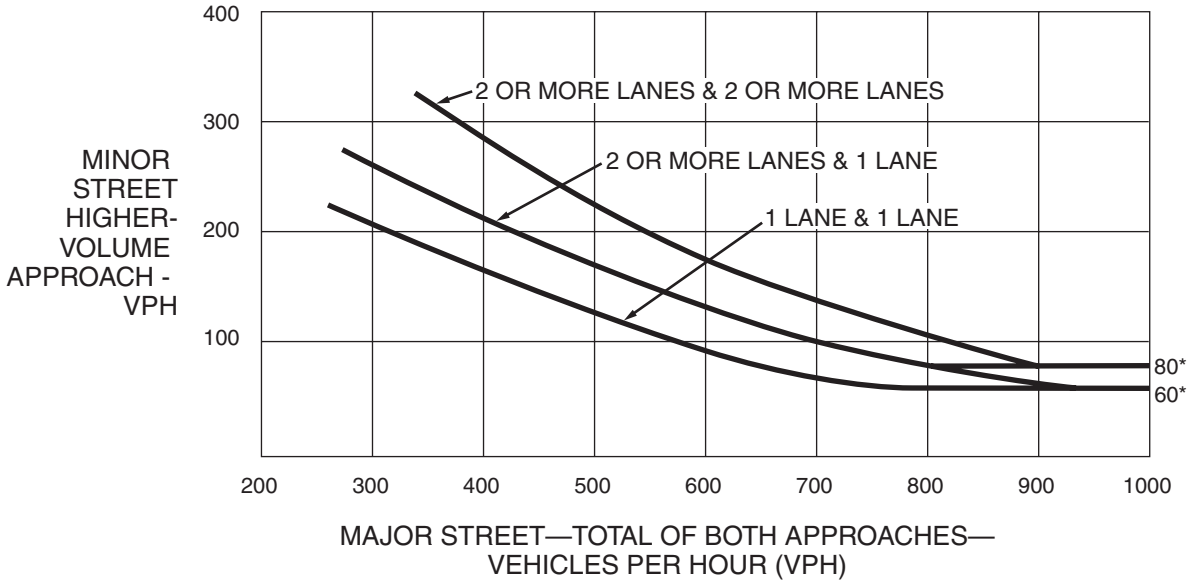
Figure 4C-1. Warrant 2, Four-Hour Vehicular Volume



*Note: 115 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 80 vph applies as the lower threshold volume for a minor-street approach with one lane.

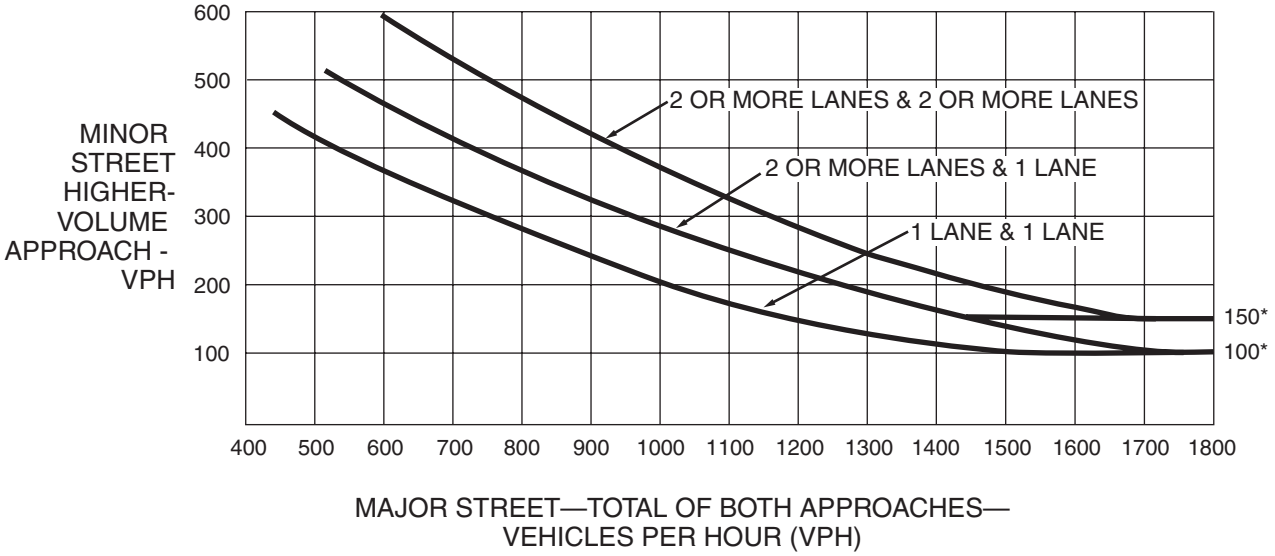
Figure 4C-2. Warrant 2, Four-Hour Vehicular Volume (70% Factor)

(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 40 MPH ON MAJOR STREET)



*Note: 80 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 60 vph applies as the lower threshold volume for a minor-street approach with one lane.

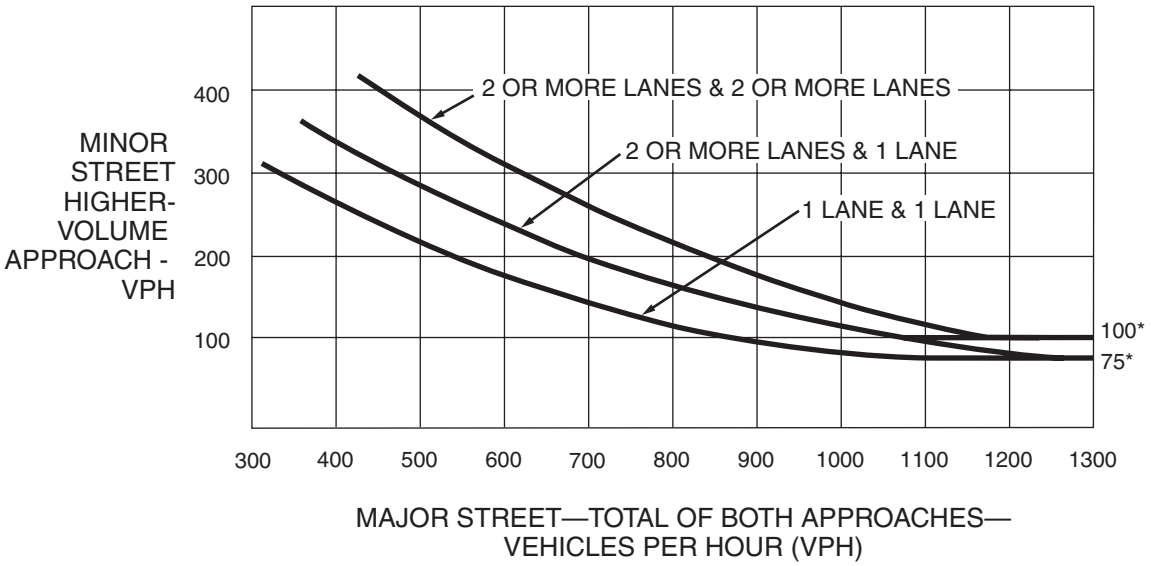
Figure 4C-3. Warrant 3, Peak Hour



*Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

Figure 4C-4. Warrant 3, Peak Hour (70% Factor)

(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 40 MPH ON MAJOR STREET)



*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.

Section 4C.05 Warrant 4, Pedestrian Volume

Support:

01 The Pedestrian Volume signal warrant is intended for application where the traffic volume on a major street is so heavy that pedestrians experience excessive delay in crossing the major street.

Standard:

02 **The need for a traffic control signal at an intersection or midblock crossing shall be considered if an engineering study finds that one of the following criteria is met:**

A. For each of any 4 hours of an average day, the plotted points representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) all fall above the curve in Figure 4C-5; or

B. For 1 hour (any four consecutive 15-minute periods) of an average day, the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) falls above the curve in Figure 4C-7.

Option:

03 If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 35 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, Figure 4C-6 may be used in place of Figure 4C-5 to evaluate Criterion A in Paragraph 2, and Figure 4C-8 may be used in place of Figure 4C-7 to evaluate Criterion B in Paragraph 2.

Standard:

04 **The Pedestrian Volume signal warrant shall not be applied at locations where the distance to the nearest traffic control signal or STOP sign controlling the street that pedestrians desire to cross is less than 300 feet, unless the proposed traffic control signal will not restrict the progressive movement of traffic.**

05 **If this warrant is met and a traffic control signal is justified by an engineering study, the traffic control signal shall be equipped with pedestrian signal heads complying with the provisions set forth in Chapter 4E.**

Guidance:

06 *If this warrant is met and a traffic control signal is justified by an engineering study, then:*

A. If it is installed at an intersection or major driveway location, the traffic control signal should also control the minor-street or driveway traffic, should be traffic-actuated, and should include pedestrian detection.

B. If it is installed at a non-intersection crossing, the traffic control signal should be installed at least 100 feet from side streets or driveways that are controlled by STOP or YIELD signs, and should be pedestrian-actuated. If the traffic control signal is installed at a non-intersection crossing, at least one of the signal faces should be over the traveled way for each approach, parking and other sight obstructions should be prohibited for at least 100 feet in advance of and at least 20 feet beyond the crosswalk or site accommodations should be made through curb extensions or other techniques to provide adequate sight distance, and the installation should include suitable standard signs and pavement markings.

C. Furthermore, if it is installed within a signal system, the traffic control signal should be coordinated.

Option:

07 The criterion for the pedestrian volume crossing the major street may be reduced as much as 50 percent if the 15th-percentile crossing speed of pedestrians is less than 3.5 feet per second.

08 A traffic control signal may not be needed at the study location if adjacent coordinated traffic control signals consistently provide gaps of adequate length for pedestrians to cross the street.

Section 4C.06 Warrant 5, School Crossing

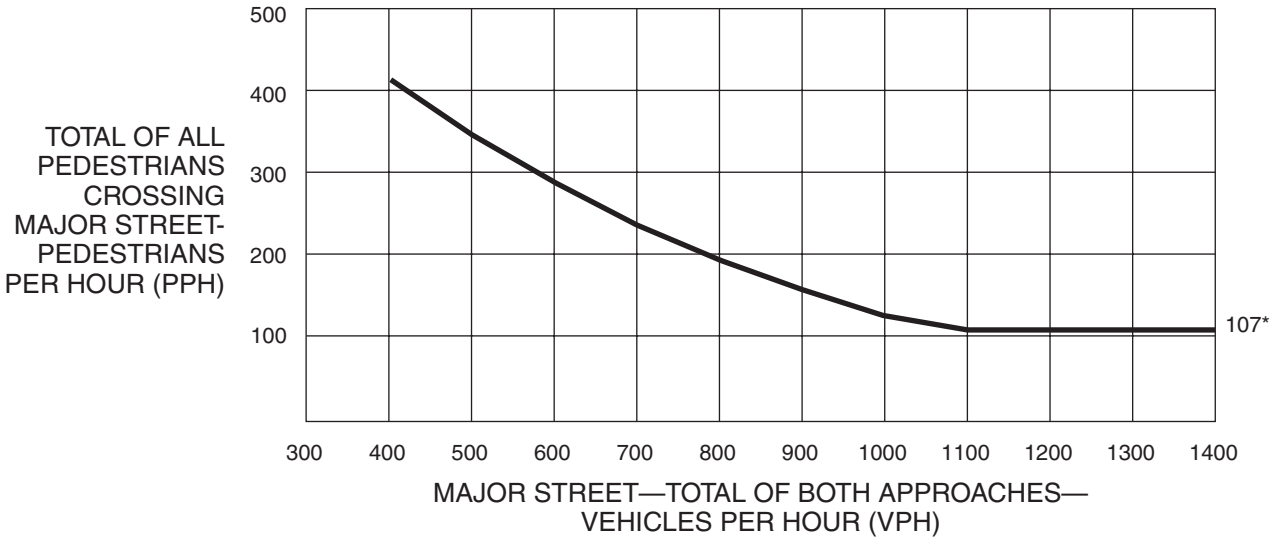
Support:

01 The School Crossing signal warrant is intended for application where the fact that schoolchildren cross the major street is the principal reason to consider installing a traffic control signal. For the purposes of this warrant, the word “schoolchildren” includes elementary through high school students.

Standard:

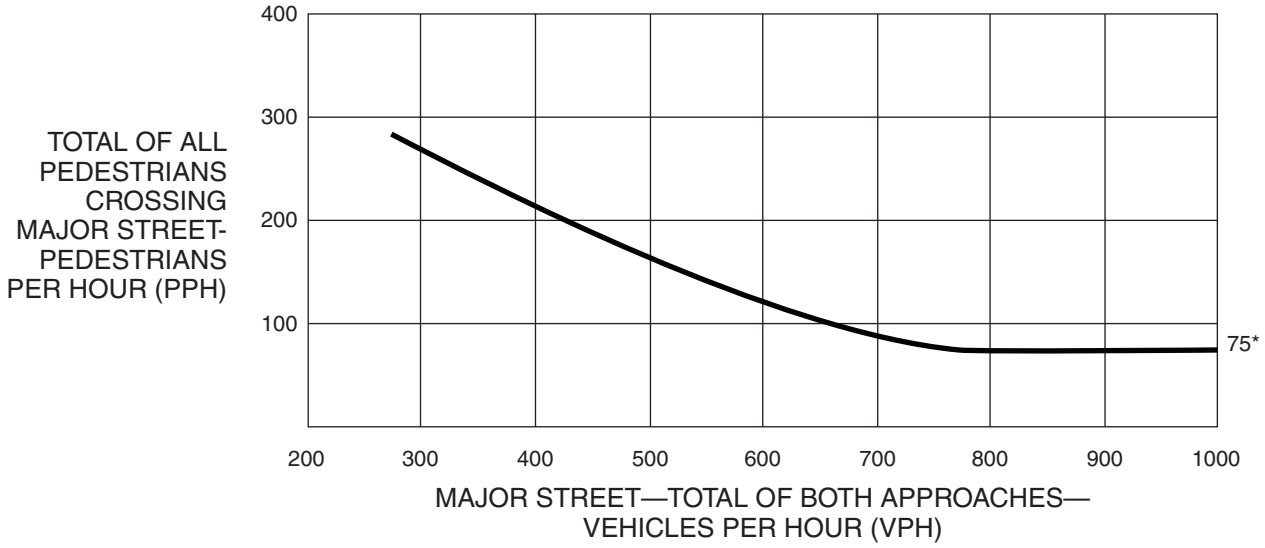
02 **The need for a traffic control signal shall be considered when an engineering study of the frequency and adequacy of gaps in the vehicular traffic stream as related to the number and size of groups of schoolchildren at an established school crossing across the major street shows that the number of adequate gaps in the traffic stream during the period when the schoolchildren are using the crossing is less than the number of minutes in the same period (see Section 7A.03) and there are a minimum of 20 schoolchildren during the highest crossing hour.**

Figure 4C-5. Warrant 4, Pedestrian Four-Hour Volume



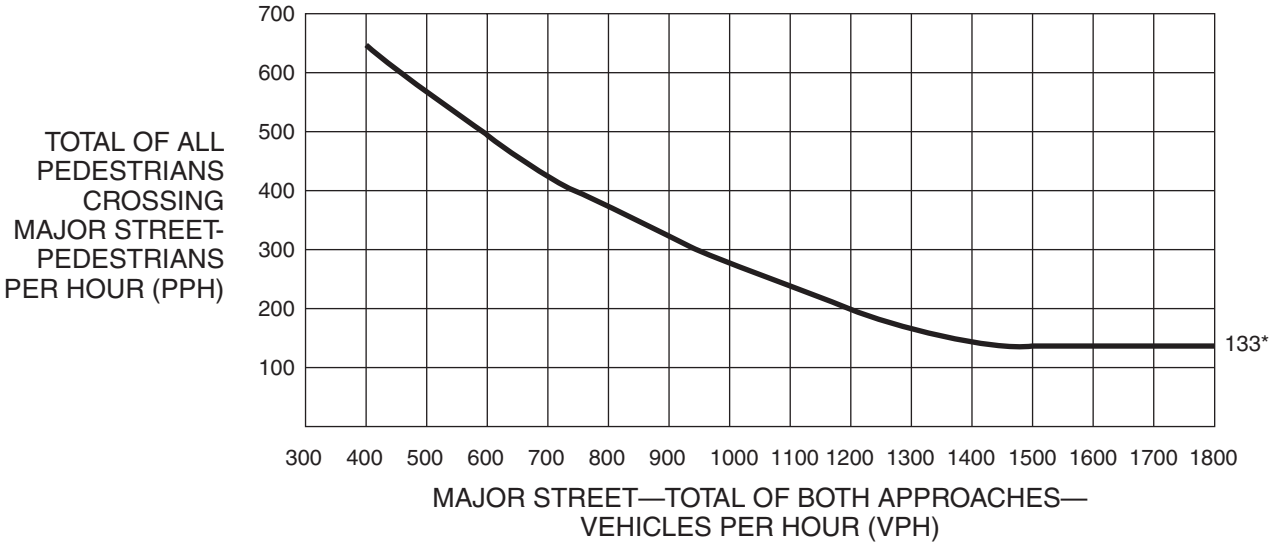
*Note: 107 pph applies as the lower threshold volume.

Figure 4C-6. Warrant 4, Pedestrian Four-Hour Volume (70% Factor)



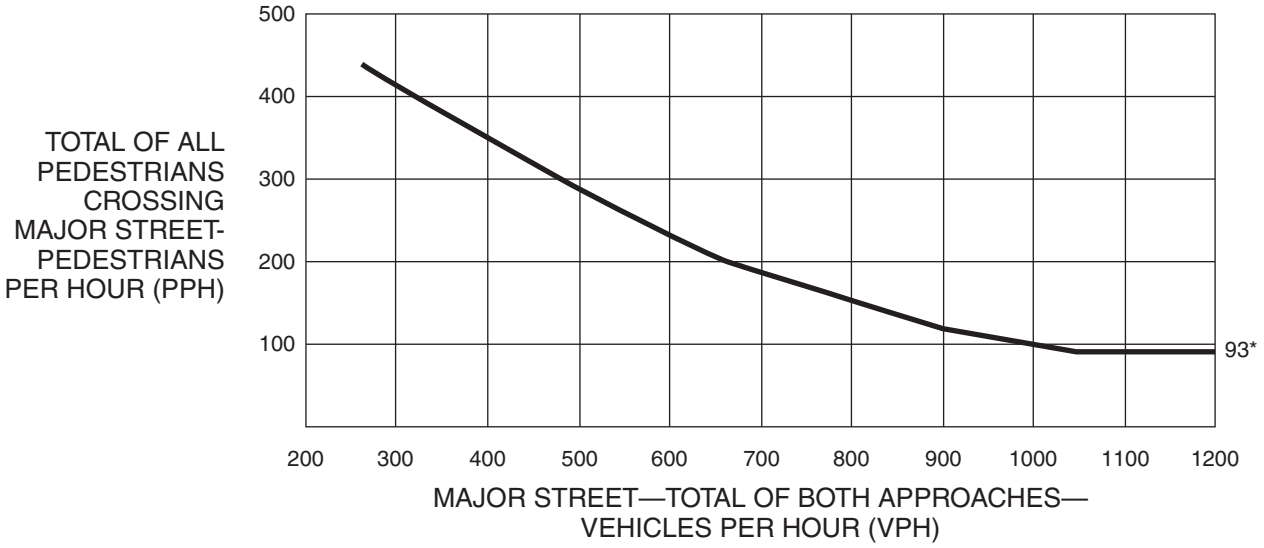
*Note: 75 pph applies as the lower threshold volume.

Figure 4C-7. Warrant 4, Pedestrian Peak Hour



*Note: 133 pph applies as the lower threshold volume.

Figure 4C-8. Warrant 4, Pedestrian Peak Hour (70% Factor)



*Note: 93 pph applies as the lower threshold volume.

03 **Before a decision is made to install a traffic control signal, consideration shall be given to the implementation of other remedial measures, such as warning signs and flashers, school speed zones, school crossing guards, or a grade-separated crossing.**

04 **The School Crossing signal warrant shall not be applied at locations where the distance to the nearest traffic control signal along the major street is less than 300 feet, unless the proposed traffic control signal will not restrict the progressive movement of traffic.**

Guidance:

05 *If this warrant is met and a traffic control signal is justified by an engineering study, then:*

A. If it is installed at an intersection or major driveway location, the traffic control signal should also control the minor-street or driveway traffic, should be traffic-actuated, and should include pedestrian detection.

B. If it is installed at a non-intersection crossing, the traffic control signal should be installed at least 100 feet from side streets or driveways that are controlled by STOP or YIELD signs, and should be pedestrian-actuated. If the traffic control signal is installed at a non-intersection crossing, at least one of the signal faces should be over the traveled way for each approach, parking and other sight obstructions should be prohibited for at least 100 feet in advance of and at least 20 feet beyond the crosswalk or site accommodations should be made through curb extensions or other techniques to provide adequate sight distance, and the installation should include suitable standard signs and pavement markings.

C. Furthermore, if it is installed within a signal system, the traffic control signal should be coordinated.

Section 4C.07 Warrant 6, Coordinated Signal System

Support:

01 Progressive movement in a coordinated signal system sometimes necessitates installing traffic control signals at intersections where they would not otherwise be needed in order to maintain proper platooning of vehicles.

Standard:

02 **The need for a traffic control signal shall be considered if an engineering study finds that one of the following criteria is met:**

A. On a one-way street or a street that has traffic predominantly in one direction, the adjacent traffic control signals are so far apart that they do not provide the necessary degree of vehicular platooning.

B. On a two-way street, adjacent traffic control signals do not provide the necessary degree of platooning and the proposed and adjacent traffic control signals will collectively provide a progressive operation.

Guidance:

03 *The Coordinated Signal System signal warrant should not be applied where the resultant spacing of traffic control signals would be less than 1,000 feet.*

Section 4C.08 Warrant 7, Crash Experience

Support:

01 The Crash Experience signal warrant conditions are intended for application where the severity and frequency of crashes are the principal reasons to consider installing a traffic control signal.

Standard:

02 **The need for a traffic control signal shall be considered if an engineering study finds that all of the following criteria are met:**

A. Adequate trial of alternatives with satisfactory observance and enforcement has failed to reduce the crash frequency; and

B. Five or more reported crashes, of types susceptible to correction by a traffic control signal, have occurred within a 12-month period, each crash involving personal injury or property damage apparently exceeding the applicable requirements for a reportable crash; and

C. For each of any 8 hours of an average day, the vehicles per hour (vph) given in both of the 80 percent columns of Condition A in Table 4C-1 (see Section 4C.02), or the vph in both of the 80 percent columns of Condition B in Table 4C-1 exists on the major-street and the higher-volume minor-street approach, respectively, to the intersection, or the volume of pedestrian traffic is not less than 80 percent of the requirements specified in the Pedestrian Volume warrant. These major-street and minor-street volumes shall be for the same 8 hours. On the minor street, the higher volume shall not be required to be on the same approach during each of the 8 hours.

Option:

03 If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the traffic volumes in the 56 percent columns in Table 4C-1 may be used in place of the 80 percent columns.

Section 4C.09 Warrant 8, Roadway Network

Support:

01 Installing a traffic control signal at some intersections might be justified to encourage concentration and organization of traffic flow on a roadway network.

Standard:

02 **The need for a traffic control signal shall be considered if an engineering study finds that the common intersection of two or more major routes meets one or both of the following criteria:**

- **A. The intersection has a total existing, or immediately projected, entering volume of at least 1,000 vehicles per hour during the peak hour of a typical weekday and has 5-year projected traffic volumes, based on an engineering study, that meet one or more of Warrants 1, 2, and 3 during an average weekday; or**
- **B. The intersection has a total existing or immediately projected entering volume of at least 1,000 vehicles per hour for each of any 5 hours of a non-normal business day (Saturday or Sunday).**

03 **A major route as used in this signal warrant shall have at least one of the following characteristics:**

- **A. It is part of the street or highway system that serves as the principal roadway network for through traffic flow.**
- **B. It includes rural or suburban highways outside, entering, or traversing a city.**
- **C. It appears as a major route on an official plan, such as a major street plan in an urban area traffic and transportation study.**

Section 4C.10 Warrant 9, Intersection Near a Grade Crossing

Support:

01 The Intersection Near a Grade Crossing signal warrant is intended for use at a location where none of the conditions described in the other eight traffic signal warrants are met, but the proximity to the intersection of a grade crossing on an intersection approach controlled by a STOP or YIELD sign is the principal reason to consider installing a traffic control signal.

Guidance:

02 *This signal warrant should be applied only after adequate consideration has been given to other alternatives or after a trial of an alternative has failed to alleviate the safety concerns associated with the grade crossing. Among the alternatives that should be considered or tried are:*

- *A. Providing additional pavement that would enable vehicles to clear the track or that would provide space for an evasive maneuver, or*
- *B. Reassigning the stop controls at the intersection to make the approach across the track a non-stopping approach.*

Standard:

03 **The need for a traffic control signal shall be considered if an engineering study finds that both of the following criteria are met:**

- **A. A grade crossing exists on an approach controlled by a STOP or YIELD sign and the center of the track nearest to the intersection is within 140 feet of the stop line or yield line on the approach; and**
- **B. During the highest traffic volume hour during which rail traffic uses the crossing, the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the minor-street approach that crosses the track (one direction only, approaching the intersection) falls above the applicable curve in Figure 4C-9 or 4C-10 for the existing combination of approach lanes over the track and the distance D, which is the clear storage distance as defined in Section 1A.13.**

Guidance:

04 *The following considerations apply when plotting the traffic volume data on Figure 4C-9 or 4C-10:*

- *A. Figure 4C-9 should be used if there is only one lane approaching the intersection at the track crossing location and Figure 4C-10 should be used if there are two or more lanes approaching the intersection at the track crossing location.*

Left-Turn Lane Analysis

4.5.2 Auxiliary lane warrants—left-turn lanes

A three-tiered warrant criterion was developed by the AMU based upon research performed by national access management researcher, for this AMP update.[1]

- **Safety warrant**—The safety criterion is triggered if one of the following occurs:
  - An existing access point (public intersection or driveway) has a crash rate (crashes per 10 million entering vehicles) statistically significant above the statewide average (critical crash rate).
  - A proposed access point (public intersection or driveway) is located within an existing highway corridor with a crash rate (crashes per million vehicle miles traveled) statistically significant above the statewide average (critical crash rate).
  - A pattern of turn/rear-end crashes is present at an existing access point along a corridor and the addition of a left-turn lane would be expected to reduce those crashes.
- **Special circumstances warrant**—The special circumstances criterion is triggered if one of the following occurs:
  - Consider the construction of left turn lanes at locations where site geometry (horizontal/vertical alignment, sight distance, access configuration, other) would improve the operational and/or safety aspects of the highway.
  - Construct left-turn lanes at all new educational institutions and medical facilities located on or adjacent to a highway with a posted speed limit of greater than 45 mph.
  - Construct left-turn lanes when special circumstances known by the District Engineer are present at the specific access location.
- **Operational warrant**—The operational criterion is triggered if one of the following occurs:
  - **Left-turn lane warrants for two-lane highways**—Utilize the information provided in Table 4-23 for guidance based on operations.
  - **Left-turn lane warrants for four-lane highways**—Utilize the information provided in Table 4-24 for guidance based on operations.

4.5.2.a Two-lane highways

The four key data elements required for this analysis are:

- Opposing volume (V_o) in *vehicles per hour* (vph)—includes the right-turning and through vehicles in the opposite direction of the left-turning vehicles.
- Advancing volume (V_a) in vph—includes the right-turn, left-turn, and through movements in the same direction as the left-turning vehicles (do not include right turns if a dedicated right-turn lane exists).
- Speed in miles per hour (mph)—often indicated as the operating speed 85th-percentile speed (posted speed is acceptable if the 85th-percentile speed is not available).
- Percentage of left turns in the advancing volume

[1] Research study by Dr. Karen Dixon, educator at Oregon State University and national access management researcher, entitled *KDOT Proposed Left-Turn Warrants* (February 2012) .

To use Table 4-27, do the following:

- Locate opposing traffic volume, V_o, and operating speed on chart
- Determine the percentage of the advancing volume that is expected to turn left

If the associated advancing traffic volume, V_a, is greater than the value shown, then a left-turn lane is warranted. As an example, for a two-lane highway with an opposing volume of 600 vph, a speed of 50-mph, a left-turn percentage of 10 percent, and an advancing volume of 200 vph, a left-turn lane is warranted since 200 vph > 117 vph.

4.5.2.b Four-lane highways

For four-lane highways, left-turn lanes are not warranted if the opposing volume, V_o, is less than 400 vph unless the advancing volume, V_a, is greater than 400 vph. For values above these thresholds, Table 4-28 can be used to assess four-lane undivided and four-lane divided highway configurations.

An additional key data element required for this analysis is

- Left-turn volume (V_L) in vph—the left-turn volume in the advancing direction during the peak hour

To use Table 4-28, do the following:

- Determine if the four-lane road is divided or undivided and select the applicable column
- Identify the opposing traffic volume, V_o, and locate on the chart

If the corresponding left-turn volume, V_L, is greater than the value shown, then a left-turn lane is warranted. As an example, for an undivided four-lane highway with an opposing volume of 870 vph and a left-turn volume of 10 vph, a left-turn lane is warranted since 10 vph > 6 vph (the corresponding V_L). Note: for a divided highway with similar traffic volumes, the turn lane would not be warranted since 10 vph < 14 vph (the corresponding V_L). The divided highway is assumed to allow at least one vehicle of storage in the median area resulting in less stringent warrant criteria.

KDOT follows a three-tiered warrant evaluation (safety, special circumstances, and operational) when considering left-turn lanes at an access. Left-turn lanes should be considered if one or more of the three warrants are met; however, meeting one or more of the warrants does not <u>require</u> the installation of left-turn lanes.

Table 4-27. Recommended left-turn lane warrants for two-lane highways

Opposing Volume V_o (vph)	Advancing Volume V_a (vph)			
	5% Left turns	10% Left turns	20% Left turns	30% Left turns
40-mph speed				
800	136	99	74	65
700	159	116	87	76
600	186	135	101	88
500	218	158	119	103
400	255	185	139	121
300	301	218	164	143
200	356	259	194	169
100	426	309	232	202
50-mph speed				
800	118	86	64	56
700	138	100	75	66
600	161	117	88	77
500	188	137	103	90
400	221	161	120	105
300	260	189	142	124
200	309	224	168	147
100	369	268	201	175
60-mph speed				
800	96	70	53	46
700	113	82	61	54
600	131	95	72	63
500	154	112	84	73
400	181	131	98	86
300	213	154	116	101
200	252	183	137	120
100	301	219	164	143
70-mph speed				
800	68	50	37	32
700	80	58	43	38
600	93	68	51	44
500	109	79	59	52
400	128	93	70	61
300	150	109	82	72
200	178	129	97	85
100	213	155	116	101

Source: Adapted from Van Schalkwyk, I., and V. Stover. Revisiting Existing Warrants for Left-Turn Lanes at Unsignalized Intersections on Two-Way Roadways, TRB 2007 Annual Meeting CD-ROM, National Research Council, Washington, D.C. (2007).

Note: Critical gap = 8.0 seconds, time to turn left = 4.3 seconds, time to clear lane = 3.2 seconds

Table 4-28. Recommended left-turn lane warrants for four-lane highways

Left-Turn Volume V_L (vph)	4-Lane Undivided Opposing Volume V_o (vph)	4-Lane Divided Opposing Volume V_o (vph)
≥ 29	Turn lane not warranted unless V_a > 400 vph	Turn lane not warranted unless V_a > 400 vph
28		422
26		474
24		530
22		589
20		652
18		719
16		793
14		873
12	414	962
10	542	1062
8	690	1179
6	867	1319
4	1094	1499
2	1429	1762

Source: Adapted from Harmelink, M. D. Volume Warrants for Left-Turn Storage Lanes at Unsignalized Grade Intersections, Highway Research Record, No. 211, Highway Research Board, National Research Council, Washington, D.C. (1967), pp. 1-18.

Note: Critical gap = 8.0 seconds, time to turn left = 5.3 seconds

4.5.3 Auxiliary lane design

As Figure 4-65 and Figure 4-66 illustrate, the length of an *auxiliary lane* has four parts—*through-lane taper*, *bay taper*, deceleration length, and *storage length*. The width of auxiliary lanes for either right- or left-turn lanes should equal the width of the through lanes (typically 12 feet). The Traffic Engineering Section of KDOT's Bureau of Transportation Safety and Technology should be contacted for details regarding the design of double left-turn auxiliary lanes (not covered in this Policy).

Figure 4-65. Components of auxiliary lanes (left-turn lane)

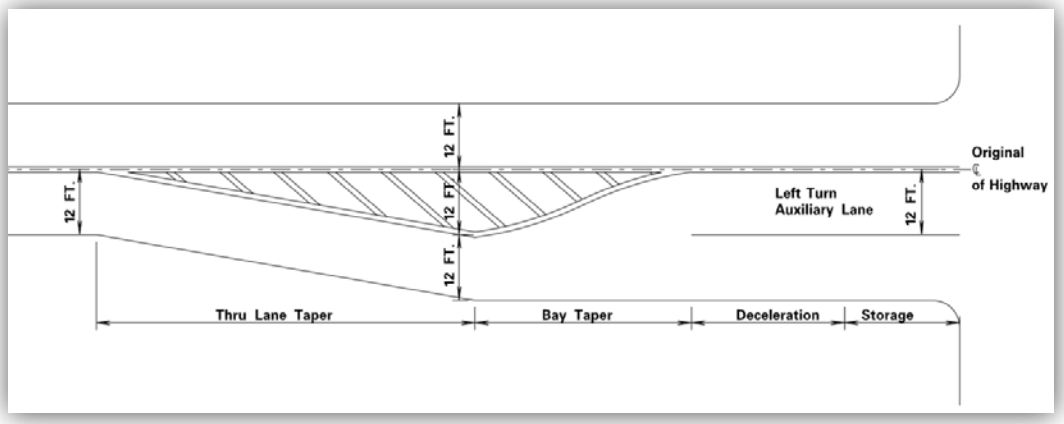
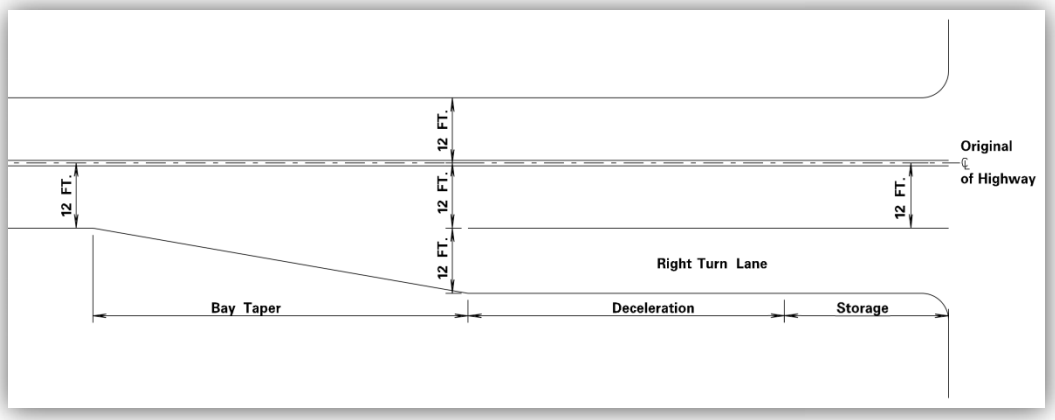


Figure 4-66. Components of auxiliary lanes (right-turn lane)



4.5.3.a Right-turn lane design

The components of a right-turn lane including storage length, deceleration length and bay taper are discussed in detail below.

Storage Length—The *storage length* is dependent on the traffic control condition at the access—signalized or unsignalized.

Signalized—The storage length depends on the signal cycle length, signal phasing arrangement, and the rate of arrivals and departures of turning vehicles. The storage is based on 2 times the 95th percentile back of queue as determined by traffic modeling software, such as Synchro.

Unsignalized—The storage length is based on the number of vehicles likely to arrive in an average 2-minute period within the peak hour of the highway.

All peak-hour turning counts are projected design-year traffic volumes (typically 20 years). Each vehicle is assumed to occupy 25 feet of storage space. The minimum storage length is 50 feet (based on a minimum of storing two vehicles) and should be adjusted to account for high truck traffic according to Table 4-29.

The auxiliary lane should be long enough to store the number of vehicles likely to accumulate during a critical period. Through traffic should not block the turn lane.

Table 4-29. Queue storage length adjustments for trucks

Percent Trucks	Storage Length (ft)
≤ 5	25
10	30
15	35

Deceleration length—The recommended deceleration distances for left-turn lanes and signalized right-turn lanes are based on the need to stop before turning (0 mph), while unsignalized right-turn lanes are based on being able to turn at 15 mph.—**KDOT's policy is to utilize the recommended deceleration distances provided in Table 4-30** for left-turn lanes and signalized right-turn lanes **, which are based on all deceleration occurring in the *auxiliary lane* and are based on drivers traveling at the posted speed limit.**

Table 4-30. Guideline to determine deceleration distance for auxiliary lanes

Posted Highway Speed (mph)	Recommended Deceleration Distance (feet) (to turn at 0 mph)	Recommended Deceleration Distance (feet) (to turn at 15 mph)
20	40	40
25	60	40
30	90	40
35	135	105
40	190	150
45	265	205
50	310	265
55	400	335
60	490	415
65	600	505
70	705	600
75	815	700

Source d2: Modified version of TRB, Access Management Manual, 2003, p. 172

Bay taper—The *bay taper* is needed for the driver to move from the through lane into the auxiliary lane, normally at the same speed of through traffic. Bay tapers are present for both left-turn and right-turn auxiliary lanes. A pair of symmetrical reverse curves, or a straight line, can be used to create the bay taper. Typically, designers use symmetrical reverse curve bay tapers in developed areas with speeds at 45 mph or less and straight line tapers in undeveloped areas with speeds of 50 mph or greater. However, both can be used interchangeably based on local preference. Example bay tapers are shown in AASHTO's *A Policy on Geometric Design of Highways and Streets*, 2011 edition (page 9-130).

PETERS & ASSOCIATES
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Meeting Minutes
Planning Commission
November 28, 2016
5:30 PM
113 W. Mountain, Room 219

Members: Kyle Cook (Chair), Ron Autry (Vice Chair), Matthew Hoffman (Secretary), Tracy Hoskins, Janet Selby, Ryan Noble, Tom Brown, Leslie Belden, and Allison Thurmond Quinlan

Call to Order: *5:30 PM, Kyle Cook*

In Attendance:

Members: Kyle Cook (Chair), Ron Autry (Vice Chair), Matthew Hoffman (Secretary), Tracy Hoskins, Janet Selby, Ryan Noble, Tom Brown, Leslie Belden, and Allison Thurmond Quinlan **Absent:** none.

Staff: Andrew Garner, City Planning Director; Jonathan Curth, Senior Planner; Quin Thompson, Planner; Harry Davis, Planner, and Corey Granderson, Engineering.

City Attorney: Kit Williams

PPL 16-5642: Preliminary Plat (NE OF 15TH & MORNINGSIDE DR./PARK MEADOWS SD, 564): Submitted by CRAFTON TULL & ASSOCIATES, INC. for properties located NE OF 15TH & MORNINGSIDE DR. The property is zoned with a mixture of NC, NEIGHBORHOOD CONSERVATION, CS, COMMUNITY SERVICES, and RA, RESIDENTIAL-AGRICULTURAL and contain approximately 68.00 acres. The request is for 290 single-family lots.

Quin Thompson, Planner: Gave the staff report.

Jesse Fulcher, Applicant: Said the project has taken a long time. He noted that the street improvements are the most important part of this project. The traffic study has provided more concrete information since Subdivision Committee. What we should talk about in terms of concern for traffic study, is that we are generating 5 left hand turns in the AM form Huntsville and 12 in the evening. I can't imagine why the turn lane would be required. The previous developer was proposing 200 lots without significant street improvements. The question is, how much per lot is typical for street improvements. Other developments are coming in in the hundreds of dollars per unit. Our projection is for $3000 per unit.

The Links at Fayetteville had the most required improvements, and also the most development.

Sub-division Committee was a recommendation, this is a determination, with planning staff recommending denial if the improvements aren't made.

Huntsville is more than restriping, but rather adding width to the north side. This is the highest cost per unit required ever for a subdivision.

The level of service is currently an 'A' and will remain an 'A' after this development. There is no justification for the added turn lane. It is not rational.

We did not realize we needed to add further stub outs, we will look at that. There is flood plain to the east.

Public Comment:

Kate Conway, Neighbor: Have lived across the street for 37 years. We have concerns about traffic and safety, especially with 600-1200 people moving into the area. There will be no east access, every car will use 15th street and Huntsville. Adding a light at Huntsville and Morningside is very important. There will two streets that are already existing Fairlane and xx and if we could make those four way stops, it would help slow down traffic on Morningside.

Inaudible: I like the idea of the park, and that it will be public and people can have access to. There is a lot of wildlife in that field, deer, rabbits, geese, and coyote. What happens to those animals? Are they relocated? What is normally done?

Rodney Hicks, Neighbor: My biggest concern is for traffic on Morningside. It is already horrendous. The street cannot handle that traffic. Trees will need to be removed, and a traffic light definitely needs to be installed. Spent 5 minutes waiting at that intersection tonight. Traffic is my main concern.

Ralph Nesson, Neighbor: Lived across the street for 37 years. We have known that the land would be developed. We hope that the traffic speed and safety will be taken into account. Speeding is a very serious issue on Morningside. We encourage you to make sure we get improvements and a traffic signal along with this development. The density concerns us, less than .23 acres per lot. This will create a large number of homes on a small area. Would like to see as many traffic safety measures as possible. There is a large amount of wildlife, we hope that preservation will take place.

Chris McGill, Neighbor: Thanks to the Planning staff and to the Commission for their concern and looking out for neighbors. This is a big development, and I do appreciate you looking into it in such detail. There is only one chance to get it right.

No more public comment was presented.

Tracy Hoskins, Commissioner: How much are parks fees?

Thompson: $269,560.

Hoskins: parks fees, trail easement, and build the trail?

As a developer, I am stunned by the amount of improvements required by staff. I don't see how they can make it work. Huntsville Road is a narrow road with steep ditch. Trees, telephone poles, will need to be removed. I am surprised that we are requiring a traffic signal. I think all three of us thought it was way too much. I can see the improvements on Morningside, without a doubt. Huntsville Road improvements are not warranted. I am amazed by the requirements.

Matthew Hoffman, Commissioner: Thanks to the public for the well-considered comments. I think it is important that we maintain and improve the walk ability of this part of town. Morningside: Traffic speeds are marked at 25 miles per hour now, people don't follow that. We

need to balance capacity with traffic speed. These are independent of each other. Easiest thing to do is to add on-street parking. Is that being proposed?

Andrew Garner, Planning Director: yes. On the east side of the street.

Hoffman: Have concerns about traffic calming if we use the 30 foot section. Question to Fulcher: Excited by the number of alley loaded homes. Why can't we have it on the east side too? Would it be possible to get some alleys there?

Fulcher: We are being squeezed out of space for more alleys. The small increments of space being removed for easement, street ROW, et c have resulted in small lots.

Hoffman: We are asking a lot of these parcels. They will have lame backyards, with 24' wide auto storage at the front of 50 foot wide lots. It would be easier to understand backing off on some traffic related improvements if we are able to provide a more walkable development. I could forego traffic improvements if trail is provided.

Alison Quinlan, Commissioner: I think you could provide more rear loaded lots. That could be to your benefit. I agree completely with you [Fulcher] about no need to improve Huntsville Road. I do support a traffic signal. Why doesn't the developer get credit for parks fees and trail?

Thompson: There is not parkland being dedicated.

Garner: Actually there is parkland being dedicated. The parks fees numbers are estimates if no land is dedicated.

Hoskins: Developers are still paying whether they are dedicating land or paying parks fees or building trail. The developer is paying. I would Ike to understand how creating more alleys reduces a need to street improvements.

Quinlan: Alley loaded homes increase pedestrian traffic by creating traditional neighborhood developments.

Leslie Belden, Commissioner: I love Disney World and go there often. I would love to live in utopia. Not many people can afford to go to Disney Land often. I don't want to compromise safety ever, while making it as beautiful as it can be without adding cost to the developer and be passed along to the buyer. Morningside improvements have to be done.

Tom Brown, Commissioner: What street section is Huntsville Road?

Garner: Collector.

Brown: This property is unlike other recent subdivisions on the edge of town. It is really close to downtown. We need to do the improvements to Morningside. We do need a stoplight at Huntsville Road. We should not rip up recent improvements to improve Huntsville road. I like the phasing approach. I think that if we don't require the trail, we should still require the dedication of land so that the City does not have to acquire the ROW. Is it possible to move the street by the park to the west a few feet? And add more alleys for rear loaded homes?

Quinlan: Are the proposed alleys required to be dedicated or could they be put into access easements?

Garner: Either.

Kit Williams, City Attorney: Do we have a plan for AHTD improvements?

Thompson: Yes.

Williams: Why should we approve a plat that may have 11 unbuildable lots? Does the street parallel to 15th street meet separation requirements?

Garner: Meets street design standards.

Williams: is it safe in your opinion?

Garner: it meets development code.

Williams: As to trail dedication, the Planning Commission cannot require dedication for trail. It is unconstitutional. Trails have been dedicated as a part of park land dedication. If the trail dedication is required, then we should give them credit towards the parks fees.

As to the traffic signal: It is unlikely that it will be built and money will have to be returned.

Quinlan: Project should be tabled.

Fulcher: If the project is tabled, then we are likely to see the same recommendations from staff and same proposal from Rausch Coleman. I don't think that we have enough direction to be tabled.

Garner: I'm not sure what tabling would accomplish. I think this is ready for a vote.

Brown: If I get some feedback from the applicant that they will look at the additional alleys.

Quinlan: There is a very wide discrepancy in what staff is recommending and what the subdivision committee recommended for street improvements.

Garner: Discussed traffic safety and staff's overall recommendations for street improvements. He restated that Huntsville road improvements are the priority from a public safety standpoint because of the volume of traffic and turning movements. If the commission is prioritizing traffic safety, Huntsville Road should be the very last to be removed to ensure that it remains safe because of the potential for rear end collisions and left turning movements into and out of this subdivision on Huntsville Road that would be mitigated with turn lanes. Improvements to Morningside Drive while important, are not as critical from a safety standpoint because of the lower volumes and traffic speeds. If Morningside remains unimproved and a car slides off into the ditch it is not as much of a safety problem created by turning movements into and out of this subdivision on Huntsville without turn lanes.

Corey Granderson, Staff Engineer: Said that he had reviewed the traffic study, and noted that City Eng staff disagreed with the applicant's analysis. He said that the traffic consultant misread the report that they generated. He said that the warrants are in fact met on Huntsville road and the Huntsville/Morningside intersection. During peak hours, Huntsville has a vehicle every 4

seconds. Because of high volume, if the tables are read correctly, the turning lane is warranted. Intersection is the first priority for safety, and second the turn lane on Huntsville Road.

Tom Hennelly, Applicant's Engineer: Discussed the traffic study, there is no way to read the table as indicated by the City. According to the traffic study and distribution model according to our consultant, the warrants are not met. Perhaps we could decide that we will make the improvements that are warranted.

Hoskins: We were discussing rational nexus. We had decided that improvements were necessary to Morningside. Were you suggesting that improvements to Huntsville would be in lieu of improvements to Morningside?

Williams: What I was saying was that there is a rough proportionality to improvements, and given that our planning director has said that the Huntsville improvements are the most important for safety, the PC will have to decide which improvement is more important. Mr. Peters has presented to us many times, and I have sometimes disagreed with his analysis. Planning Commission will have to determine what is most important for a traffic safety point of view, and will have to apply the appropriate amount of money to that improvement.

Hoskins: I am leaning toward including the traffic signal assessment.

Cook: I am going to retract my statement about tabling, and vote to table.

Belden: We had discussed a three way stop at the intersection, and it works at Mission and Maple. The transportation division determines where stop signs go.

Brown: The improvements to Morningside are critical to the developer and the image of the neighborhood they want to project. They won't just want a ditch in front of those homes, so they are going to do this improvement.

Fulcher: On Huntsville, the improvements recommended on Huntsville are only for those turning into and out of our development. There are more turns at the intersection. This is where the traffic is. This should be a balance of safety and cost. The north side of Huntsville has open ditch. Expansion there will be expensive. We should provide turn lanes where they are needed.

Motion #1:

Commissioner Quinlan made a motion to **table PPL 16-5642** for two weeks. **Commissioner Hoffman** seconded the motion. **Upon roll call the motion failed with a vote of 3-6-0 (Commissioners Noble, Selby, Autry, Hoskins, Belden, Brown voted 'no').**

Motion #2:

Commissioner Hoskins made a motion to **approve PPL 16-5642** with the following conditions:

Street improvements
-Improve Morningside Drive as recommended by staff.
-No improvements to Huntsville Road except for a turn lane at the intersection of Morningside Drive.
-Payment of assessment for proportional contribution to a traffic signal at Huntsville/Morningside with payment by project phase as recommended by staff.

-No multi-use trail improvements are required to be constructed by the applicant. Dedication of land to the city for the planned multi-use trail internal to the site to be provided to the city in a fee simple transaction prior to final plat.

Other Conditions of Approval:
#1. Approve the block length variance between Fairlane and McClinton Streets and require an additional street stub-out to the east between Street 'H' and Street 'B'.
#2. Approve variances for all double frontage lots as requested by the applicant.
#3. Recommend a combination of land dedication and money in lieu to satisfy the parkland dedication requirements. This includes the acceptance of land dedicated for the multi-use trail corridor internal through the site to be deeded fee simple to the City as parkland.

- Including all other conditions of approval as recommended by staff.

Commissioner Selby seconded the motion. **Upon roll call the motion passed with a vote of 6-3-0 (Commissioners Cook, Hoffman, Quinlan voted 'no').**

CITY OF Fayetteville ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Andrew, Garner, City Planning Director

FROM: Quin Thompson, Current Planner
Corey Granderson, Staff Engineer

MEETING: November 28, 2016 ***Updated 11-29-2016***

SUBJECT: **PPL 16-5642: Preliminary Plat (NE OF 15TH & MORNINGSIDE DR./PARK MEADOWS SD, 564):** Submitted by CRAFTON TULL & ASSOCIATES, INC. for properties located NE OF 15TH & MORNINGSIDE DR. The property is zoned with a mixture of NC, NEIGHBORHOOD CONSERVATION, CS, COMMUNITY SERVICES, and RA, RESIDENTIAL-AGRICULTURAL and contain approximately 68.00 acres. The request is for 290 single-family lots.

RECOMMENDATION:
Staff recommends approval of **PPL 16-5642** with conditions of approval.

BACKGROUND:
Property and background: The subject property is a 68 acre parcel located on the northeast corner of Morningside Drive and 15th Street. A small portion of the parcel extends to the south side of 15th Street. The property is undeveloped pasture, and remains in agricultural use. The parcel contains some flood plain, and a string of ponds that become a protected stream immediately to the south. These valuable natural resources are classified as Natural Area on the 2030 Future Land Use Plan. Surrounding land use and zoning is depicted on *Table 1.*

Table 1
SURROUNDING LAND USE AND ZONING:

Direction from Site	Land Use	Zoning
North	Residential	RSF-4, Single Family Residential
South	Undeveloped	RSF-8, Single Family Residential
East	Commercial	RSF-4, Single Family Residential/RMF-12, Multi-family Residential
West	Residential	NC, Neighborhood Conservation/DG, Downtown General

Proposal: The proposal is to develop the property with a subdivision of 290 residential lots.

Public Comment: One neighbor provided comments at the Subdivision Committee meeting, saying that traffic volume and speeds are a problem on Morningside Drive currently, and that left turns on Huntsville Road are very difficult at certain times of day.

INFRASTRUCTURE:

Water and Sewer System: The property has access to existing public water service on Morningside Drive, 15th Street, and Huntsville Road. Pubic sewer service is available on Morningside and Huntsville Road.

Adjacent streets and right-of-way: This site is adjacent to Master Street Plan (MSP) designated Collector Streets Morningside Drive and Huntsville Road, and 15th Street, a MSP designated Principal Arterial street.

Street Improvements: Significant street improvements are warranted given the unimproved nature of surrounding streets, existing congestion and traffic safety issues and traffic generated by this development. Morningside Drive is approximately 22 feet wide and has curb, gutter, and sidewalk on the west side. Huntsville Road in this location is approximately 26 feet wide and has recent sidewalk, curb, and gutter improvements on the south side constructed by the City. The recommended improvements and phasing for each street and are listed in condition of approval #1.

Traffic Signal at Huntsville and Morningside. According to the applicant's preliminary traffic study, left turns from Morningside onto Huntsville would increase significantly during peak hours because of this development. A traffic signal warrants analysis should be performed at this intersection based on projected traffic volumes to determine if a signal needs to be installed in the near future.

i. The traffic numbers provided by the applicant indicate this project would generate 12% of the volume through this intersection. Based on the current estimated cost of a traffic signal at $150,000.00, staff recommends an assessment of **$18,000.00** (12% of the cost of a traffic signal) by paid by the applicant for all phases of the development. This amount may change with submittal and review of the final traffic study.
ii. It should be noted that from a safety and traffic function standpoint, the **critical improvement** to Morningside Drive is the inclusion of turn lanes at the intersections with Huntsville Road and 15th Street.

Internal multi-use trail on the Active Transportation Plan. Right-of-way should be dedicated and multi-use trail should be built running north-south from 15th Street to Huntsville Road internal to this subdivision consistent with the general trail alignment on the Active Transportation Plan:

i. All street and alley crossing should be accomplished by using the city's standard detail for trail crossings. This includes red-dye concrete, and no changes in elevation or ramps. See standard details.
ii. The trail geometry proposed shows several harsh 90-degree turns with no radius proposed. This alignment will not be approved due to concerns for pedestrian safety.
iii. A 50-foot centerline radius should be used for all changes in horizontal alignment of the trail where feasible, according to AASHTO design guidelines.
iv. Any areas that cannot achieve a 50-foot radius must provide the maximum radius possible and be reviewed/approved by the City Engineer.

Tree Preservation:
Canopy minimum requirement: 20%
Existing canopy: 4.4%
Preserved canopy: 3.7%
Mitigation required: 22,953 Sq. Ft. / 105 mitigation trees

Block Length/Connectivity: The subject development will be accessed via seven new public streets and two alleys connecting the site to existing public roads. The site is approximately 2,600 linear feet from north-south along east property line. Adjacent land to the east is undeveloped farmland. Connectivity is proposed by way of two future street stub outs to undeveloped land to the east, breaking up the 2,600 linear feet of the site's eastern property line into large blocks.

The subdivision design as proposed would require variances of the Block Length requirement (§166.08.E.1) for a blocks longer than 660 feet.

- A block is proposed between Fairlane and McClinton Streets of approximately 740 feet. Staff supports the variance, finding that there are safety benefits to aligning the proposed streets with existing streets on Morningside Drive. In order to mitigate the lack of connectivity on this block, staff recommends an east-west mid-block alley connecting Morningside Drive to street 'J'.
- The block between Street 'H' and Street 'B' is approximately 1,600 feet without a street stub-out to the east or south. Staff recommends at least one additional stub-out to undeveloped property to the east in this area of the site.

The development seeks a variance of (§166.08.E.2) for double-fronted lots. Three double-fronted lots (Lots 46-48) along Huntsville Road, a Collector Street. Staff finds that the layout is justified by steep topography that makes building near Huntsville Road unfeasible in this case.

Multi-use Trail Improvement: The Fayetteville Active Transportation Plan identifies a 12-foot wide shared use paved trail within the project site running north and south between Huntsville Ave and 15th Street.

Parks: On September 12, 2016, the Park and Recreation Advisory Board (PRAB) recommended accepting a combination of land and money in lieu to satisfy the parkland dedication requirements for this proposed subdivision. The exact amount of land to be deeded to the city and amount of fees to be paid to be calculated based on the final number of units prior to final plat.

RECOMMENDATION: Staff recommends approval of PPL 16-5642 with the following conditions. Given the Subdivision Committee's disagreement with staff's recommended street improvements, it is advisable that the street improvements be voted on in a separate motion from the overall project.

<u>Street Improvements Conditions of Approval:</u>

Planning Commission determination of street improvements. The Planning and Engineering divisions have assessed the size and scope of the proposed development and the impacts on adjacent streets and traffic patterns. As a result of staff's recommendations during the technical plat review meeting, the applicant provided a preliminary traffic study for review. *In consideration of all this information, staff recommends the following improvements to be delivered with each proposed phase of development.*

1. **Street Improvements required with Phase I (76 lots)**

   A. Assessment for a traffic signal / improvements at the intersection of Morningside and Huntsville Road based on the amount of traffic expected with this phase in the amount of $4,716.56 for 76 lots.

2. **Street Improvements required with Phase II (87 lots)**

   A. **Huntsville Road** shall be re-striped to create a safe turn lane for vehicles turning left into and out of the new proposed street intersections and the existing Morningside/Huntsville Road intersection. The existing striped bike lanes will be removed along this section of Huntsville Road and be replaced as follows:

      i. A 12-foot wide multi-use trail shall be constructed along Huntsville Road on the south side of the street, the existing sidewalk may be widened to the south to accomplish this if possible. The trail would extend from Morningside Drive to Seven Hills Drive.

      ii. Striping and signage shall be used to direct bicycle traffic off of the street and onto the south side of Huntsville Road onto a 12-foot wide multi-use trail.

      iii. This section of trail would be a logical extension of the city's plan to have a multi-use trail on the south side of Huntsville Road just west of this block.

   B. Assessment for a traffic signal / improvements at the intersection of Morningside and Huntsville Road based on the amount of traffic expected with this phase in the amount of $5,399.22 for 87 lots.

   C. A trail easement shall be dedicated, centered on the final alignment of the trail. The applicant shall construct a 12-foot wide Multi-use Trail through the natural/common area from Huntsville Road to Street 'E'.

3. **Street Improvements required with Phase III (80 lots)**

   A. **Morningside Drive** shall be fully improved as a Collector Street per the master street plan (30-feet from face-of-curb to face-of-curb) along the entire Phase III frontage, approximately 1,359 linear feet. This will include road widening, curb/gutter, sidewalk, and storm drainage to provide improved street frontage along the lots facing Morningside Drive.

   A. Assessment for a traffic signal / improvements at the intersection of Morningside and Huntsville Road based on the amount of traffic expected with this phase in the amount of $4,964.80 for 80 lots.

   B.

4. **Street Improvements required with Phase IV (47 lots)**

   B. **Morningside Drive** should be fully improved as a Collector Street per the master street plan (30-feet from face-of-curb to face-of-curb) along the entire Phase IV frontage, approximately 1,175 linear feet. This will include road widening,

curb/gutter, sidewalk, and storm drainage to provide improved street frontage along the lots facing Morningside Drive.

C. Assessment for a traffic signal / improvements at the intersection of Morningside and Huntsville Road based on the amount of traffic expected with this phase in the amount of $2,916.82 for 47 lots.

D. A trail easement shall be dedicated, centered on the final alignment of the trail. The applicant shall construct a 12-foot wide Multi-use Trail through the natural/common area from Street 'E' to Street 'B'.

15th Street/AR HWY 16 East: This development site contains approximately 800 feet of street frontage on the north side and 800 feet of street frontage on the south side of 15th Street. No improvements are recommended to 15th Street. The Arkansas State Highway and Transportation Department has a funded project to widen 15th Street along this property frontage and build sidewalks. The applicant should coordinate with AHTD to determine appropriate right-of-way dedication and turn radius onto Morningside Drive; current plans seem to indicate that insufficient right-of-way as shown which will impact the size and feasibility of lots along 15th street.

Subdivision Committee recommended the following street improvements:

1. ***Against improvements to Huntsville Road;***
2. ***Against improvements for a traffic signal at Huntsville/Morningside;***
3. ***In favor of improvements to Morningside; and***
4. ***Against all multi-use trail improvements except for dedicating an easement for the internal multi-use trail through the site.***

At the level of improvements currently recommended by the Subdivision Committee, staff finds that the size and impact of this development will overburden the existing infrastructure Huntsville Road and will create a dangerous traffic condition. For that reason, staff would recommend denial of the PPL without further improvements to mitigate the impact of this 290 lot subdivision.

Other Conditions of Approval:

1. Planning Commission determination of variances to the Block Length requirement (§166.08.E.1) for a blocks longer than 660 feet.
   - A block is proposed between Fairlane and McClinton Streets of approximately 740 feet. *Staff supports the variance, finding that there are safety benefits to aligning the proposed streets with existing streets on Morningside Drive. In order to mitigate the lack of connectivity on this block, staff recommends an east-west mid-block alley connecting Morningside Drive to street 'J'.*
   - The block between Street 'H' and Street 'B' is approximately 1,600 feet without a street stub-out to the east or south. *Staff recommends at least one additional stub-out to undeveloped property to the east in this area of the site.*

   Subdivision Committee recommended in favor of these variances.

2. Planning Commission determination of a variance to allow lots 46, 47, and 48 to be platted as double frontage lots. *Staff recommends in favor of the variance, finding that the lots will have steep topography that justifies that proposed lot layout.*
   Subdivision Committee recommended in favor of this variance.

3. Planning Commission determination of parkland dedication or fees-in-lieu. *The Park and Recreation Advisory Board (PRAB) and Parks Department staff recommends a combination of land and money in lieu to satisfy the parkland dedication requirements. The exact amount of land to be deeded and money to be paid to the city to be calculated based on the final number of units and completed prior to final plat.*

4. All internal streets and alleys shall be constructed in accordance with City development code including street lights along all interior and exterior adjacent streets at street intersections and spaced every 300 feet in accordance with code.

5. Right-of-way dedication is required along the site's Morningside and Huntsville Road frontages in the amount of 35 feet from centerline for a Collector Street with a turn lane and 29.5 feet from centerline where the turn lane is not required; 43.5 feet from centerline right-of-way to be dedicated along the site's 15th Street frontage; 50 feet total width and 43 feet total width for the new interior streets as indicated on the preliminary plat.

6. Direct access to Huntsville Road, Morningside Road, and 15th Street shall not be permitted for individual lots. This note shall be included on the final plat.

Standard conditions of approval:

7. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance.

8. Future street connection signs shall be placed at the street connectivity points prior to final plat.

9. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: AR Western Gas, SWBT, Ozarks, SWEPCO, Cox Communications).

10. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with City's current requirements.

11. All exterior lights shall comply with the City lighting ordinance. Manufacturer's cut-sheets are required for review and approval prior to issuance of a building permit.

12. All mechanical/utility equipment (roof and ground mounted) shall be screened using materials that are compatible with and incorporated into the structure. A note shall be clearly placed on the plat and all construction documents indicating this requirement.

13. All freestanding and wall signs shall comply with ordinance specifications for location, size, type, number, etc. Any proposed signs shall be permitted by a separate sign permit application prior to installation. Freestanding pole signs and electronic message boards (direct lighting) are prohibited in the Design Overlay District.

14. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground.

15. Preliminary plat approval is valid for one year. All permits to complete construction for all lots within this preliminary plat are required to be obtained within one (1) year, subject to extensions in accordance with the Unified Development Code.

16. All tree preservation, landscape, engineering and fire department conditions included herein shall apply. All revisions shall be addressed prior to construction plan approval.

Planning Commission Action: X ☐ **Approved** ☐ **Forwarded** ☐ **Denied**

Meeting Date: **November 28, 2016**

Motion: ***HOSKINS; MOTION TO APPROVE PPL 16-5642 WITH THE FOLLOWING CONDITIIONS:***
Street improvements
-Improve Morningside Drive as recommended by staff.
-No improvements to Huntsville Road except for a turn lane at the intersection of Morningside Drive.
-Payment of assessment for proportional contribution to a traffic signal at Huntsville/Morningside with payment by project phase as recommended by staff.
-No multi-use trail improvements are required to be constructed by the applicant. Dedication of land to the city for the planned multi-use trail internal to the site to be provided to the city in a fee simple transaction prior to final plat.

Other Conditions of Approval:
#1. Approve the block length variance between Fairlane and McClinton Streets and require an additional street stub-out to the east between Street 'H' and Street 'B'.
#2. Approve variances for all double frontage lots as requested by the applicant.
#3. Recommend a combination of land dedication and money in lieu to satisfy the parkland dedication requirements. This includes the acceptance of land dedicated for the multi-use trail corridor internal through the site to be deeded fee simple to the City as parkland.
#5. Including all other conditions of approval as recommended by staff.

Second: ***SELBY***

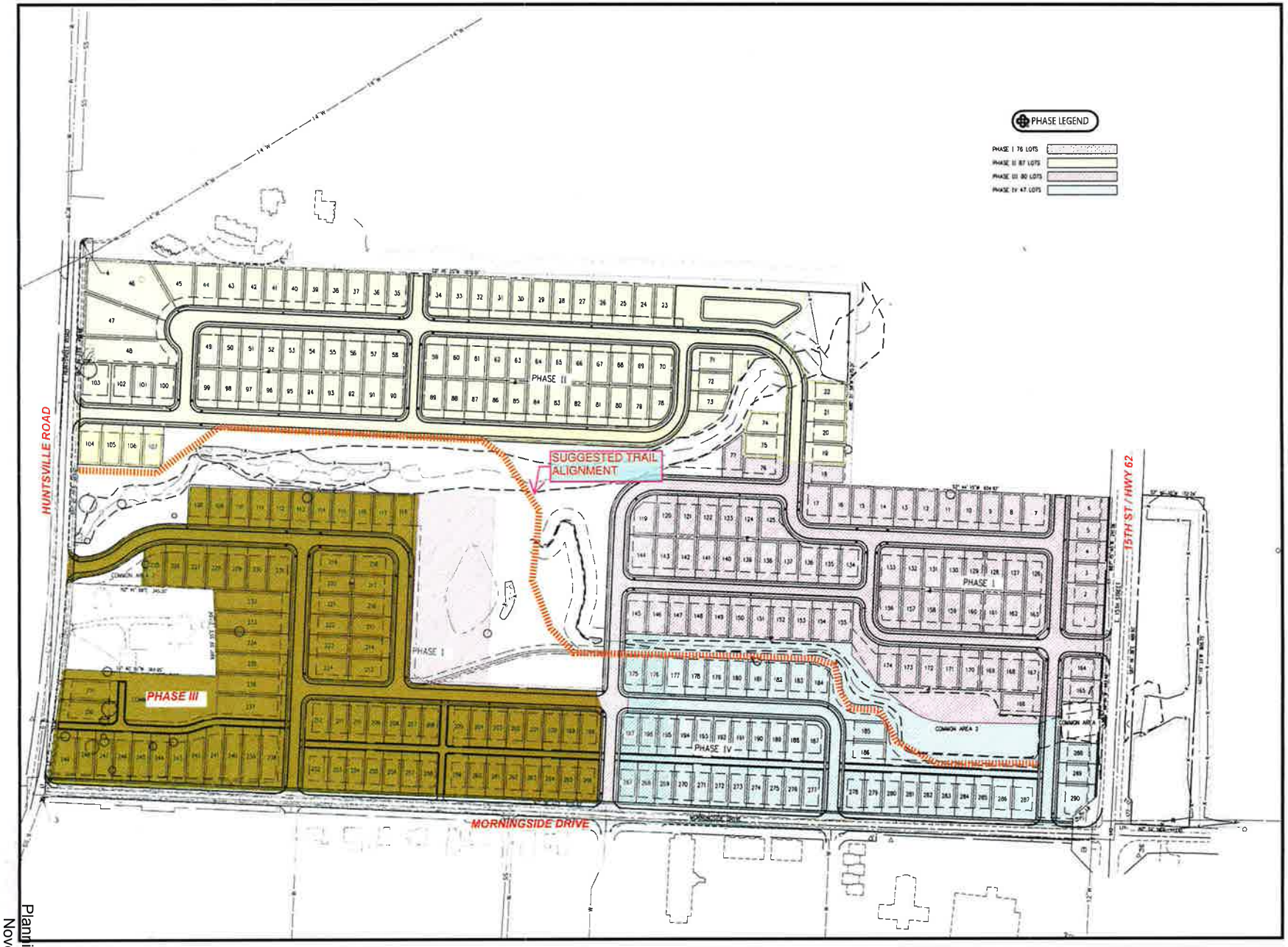
Vote: ***6-3-0, WITH COMMISSIONERS COOK, QUINLAN, AND HOFFMAN VOTING AGAINST.***

BUDGET/STAFF IMPACT:
None.

Attachments:

- Parks Department comments
- City Engineering Division comments
- Urban Forestry comments
- Fire Department comments

- Applicant's letter
- Site Plan
- Close up Map
- One Mile Map



Crafton Tull

GRAPHIC SCALE IN FEET
100' 0 100'

PARK MEADOWS
FAYETTEVILLE, AR

PRELIMINARY PLANS

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL SIGNED AND SEALED DOCUMENT

MASTER PHASE PLAN (PLOT TO COLOR)

C-005

CITY OF Fayetteville ARKANSAS

Date: November 23, 2016 **Planning Commission Staff Memo**

To: Quin Thompson, Current Planner

From: Corey Granderson, Staff Engineer

Re: Plat Review Comments

Development: PPL 16-5642: PARK MEADOWS SD

Engineer: Crafton Tull

Comments - Traffic & Street Improvements:

1. To avoid duplication, please refer to the planning staff report for recommendations on street improvements. The planning and engineering division are in agreement on all recommendations and have worked together to create the language presented in the planning report. If the engineering division has different opinions as the project moves forward, those will be outlined in an updated memo.
2. The engineering division has reviewed a draft traffic study from Peter's and Associates dated 11/22/2016 that was submitted late on this project. The traffic study states that signal and turn lane warrants are NOT met at any location on this project.
    a. Based on preliminary review of this information, the engineering division disagrees with the findings and finds that (using the same methodology and source references) that all left turn lanes along Huntsville Road are warranted.
    b. A preliminary review of the traffic signal warrants for the intersection of Morningside Drive and Huntsville Road has not been completed at this time.

Comments – Drainage:

No protected streams exist onsite based on the City's adoption of the Streamside Protection areas map. However, corps permitting must be obtained for modifications to any streams or wetlands onsite under the jurisdiction of the Army Corps of Engineers. The applicant is aware of this and has already begun the permitting process with the corps.

Standard Comments:

1. All designs are subject to the City's latest design criteria (water, sewer, streets and drainage). Review for plat approval is not approval of public improvements, and all proposed improvements are subject to further review at the time construction plans are submitted.
2. Any damage to the existing public street due to construction shall be repaired/replaced at the owner/developers expense
3. Any water main upgrades that parallel a smaller or older waterline are required to relocate all existing service connections to the new water main and abandon the old water main.
4. Water and sewer impact fees will apply for the additional impact to the system. The fees will be based on the proposed meter size and will be charged at the time of meter set.
5. Note, the following portions of all projects will typically not be reviewed by the Engineering Division until time of construction-level review (unless specifically requested at plat review):

- Storm Sewer pipe/inlet sizing, gutter spread, profiles, or utility conflicts
- Sanitary Sewer pipe sizing, profiles, or utility conflicts
- Waterline fittings, callouts, or utility conflicts
- Street profiles
- Fine grading/spot elevations

6. The Engineer of Record shall:
    a. Review and approve material submittals. Approved submittals shall be submitted to the City for concurrence before grading permit is issued.
    b. Perform "Full Time" Inspection for the utility installation and shall be "In- Charge" of the approval testing.
    c. Provide a qualified representative for all testing and inspection.
    d. Schedule testing with the Public Works Inspector.
    e. Authorize geotechnical testing laboratory to provide reports directly to City in PDF format. Reports shall be submitted in a timely manner.
    f. Prepare material data sheets and test reports required by the specifications.
    g. Insure that daily inspection reports and data sheets are submitted to the City of Fayetteville's public works inspector weekly in PDF format.
7. 2012 Standard Water & Sanitary Sewer Specifications & Details apply
8. Demolition shall not begin until the appropriate erosion control measures and required tree preservation fencing are installed
9. Prior to **Project Acceptance** (Final Plat) the following items must be performed or provided to the satisfaction of the Engineering Department:
    h. The work shown on the civil site package must be complete and the items on the final punch list completed.
    i. Vegetation must be established and perimeter erosion controls removed.
    j. One (1) set of as-built drawings of the complete project (excluding details) as a hard copy, digital file .dwg, and PDF format;
        i. Public infrastructure and services shall be surveyed after installation in relation to easements, property lines, and rights-of-way.
            1. More than 2 ft deviation of design alignment of shall require new easement dedication or adjustment of the utility/storm drain.
        ii. Sanitary Sewer, and Storm Drainage (Including Private) elevations must be verified and updated. (Elevations out of design tolerance must be corrected)
        iii. Street Centerline, Width, Profiles and Cross slopes shall be verified.
            1. More than 6 inches deviation of design alignment of shall require new right of way dedication or adjustment of the street section.
        iv. Adequate verification survey to confirm accuracy of drainage report.
        v. As-builts should include the following information in a table; Linear Feet of new public streets, sidewalk (categorized by width), waterline, and sanitary sewer. Square feet of newly dedicated right-of-way.
    k. Unit price construction costs for review and approval and a single 2 year maintenance bonds in the amount of 25% of the public improvements;
    l. Certification that the streets, sidewalk, storm sewer, water, fire line, and sewer lines, etc., were installed per approved plans and City of Fayetteville requirements;
        i. Provide all Inspection Reports; approved submittals; Data Forms from Utility Specifications (Including Consultants sewer TV report); compaction test results, etc…
    m. Certification that the designed retaining walls were installed per approved plans and City of Fayetteville requirements(Inspection and Testing Reports required);

n. Cross Sections, Volume Calculations, and Certification Retention/Detention Ponds are in accordance with the approved Drainage Report.
o. Surveyor's Certification of Compliance for monuments and property pins.
p. The As- Built Final Drainage Report in PDF format updated per as-built invert, slope, inlet opening, road profile, cross slope, etc…
q. Bond, guarantee, or letter of credit for all sidewalks not constructed prior to final plat approval (150% of the estimated cost of construction);
r. Cross Sections, contours, spot elevations, and Certification that the site has been graded per the approved MRLGP within the right of way, drainage easements, and utility easements.

CITY OF
Fayetteville
ARKANSAS

PARKS AND RECREATION

TO: Planning Division

FROM: Ken Eastin, Park Planner II

DATE: November 14, 2016

SUBJECT: Parks & Recreation Subdivision Committee Review Comments

****

Meeting Date:	November 17, 2016
Item:	16-5642 PPL NE of 15th St. & Morningside Dr. (Park Meadows SD) 564
Park District:	SE
Zoned:	NC
Billing Name & Address:	Rausch Coleman Homes Jesse Fulcher 4058 N. College Fayetteville, AR 72703

	Current Land Dedication Requirement	***Money in Lieu***
Single Family	293 @ 0.023 acre per unit = 6.74 acres	293 @ $920 per unit = $269,560
Multi Family	_____ @ 0.014 acre per unit = ____ acres	_____ @ $560 per unit = $_____

COMMENTS:

- Applicant is proposing 293 single family lots on about 68 acres.
- On September 12, 2016, PRAB reviewed the project and recommended accepting a combination of land and money in lieu for 293 single-family lots to satisfy the park land dedication ordinance due to the development's proximity to Walker Park and the existing trails system.
- A combination of land and money in-lieu to satisfy parkland dedication requirements will be due before signing of the final plat.
- The actual amount of acreage and money in-lieu for the Park Meadows Development will be determined by the actual number of units and the parks fee formula at Planning Commission approval of the Preliminary Plat.

CITY OF
Fayetteville
ARKANSAS

LANDSCAPE REGULATIONS – Chapter 177

To: Jesse Fulcher, Rausch Coleman Homes and Daniel Ellis, Crafton & Tull

From: John J. Scott, Urban Forestry

CC: Quin Thompson, Planner

Date: November 14, 2016

Subject: PPL 16-5642 NE of 15th St. & Morningside Dr. | Park Meadows | Subdivision Comments

Applicable Requirements:

NA	**Site Development & Parking Lot Standards**
Y	**Street Tree Planting Standards**
Y	**Stormwater Facilities**

Plan Checklist:

Yes = submitted by applicant
No = required by City Code but not included on submitted plan
N/A = not applicable

Tech Plat	SC	PC	All Landscape Plans
Y	Y		**Irrigation** *notes either automatic or hose bib 100' o.c.* (177.03A.7.g & 177.04.B.3.a)
Y	Y		**Species of plant material identified** (177.03.A.7.d & e)
Y	Y		**Size of plant material at time of installation indicated** minimum size *2" caliper for trees and 3 gal. shrubs* ([177.03.A.7.b & c)
Y	Y		**Soil amendments** *notes include that soil is amended and sod removed* (177.03.C.6.b)
Y	Y		**Mulch** *notes indicate organic mulching around trees and within landscape beds* (177.03.C.6.c & d)
Y	Y		**LSD and Subdivisions plans stamped by a licensed Landscape Architect, others by Landscape Designer** (177.03.B)
NA	Na	Na	**Planting bed contained by edging** (177.03.C.6.f)
Y	Y		**Planting details according to Fayetteville's Landscape Manual** (177.03.C.6.g)

Tech Plat	SC	PC	Site Development & Parking Lot Standards
NA	Na	Na	**Wheel stops/ curbs** (177.04.B.1) –
NA	Na	Na	**Interior landscaping (**177.04.C) *Narrow tree lawn (8' min width, 37.5' min length/ 1 tree per 12 spaces)* OR *Tree island (8' min. width, 18.7' min. length/1 tree per 12 spaces)* *All parking lot trees must be deciduous (*177.04.C.3)
NA	Na	Na	**Placement of Trees (**177.04.C.2) *Either side at points of access (entrance/exit)*
NA	NA	NA	**Perimeter landscaping** (177.04.D) *Side and rear property lines (5' wide landscaped)* *Front property line (15' wide landscape)* (177.04.D.2.a) Shade trees planted on south and west sides of parking lots (177.04.D.2.e) *Parking lot adjacent to R.O.W.- continuous row planting of shrubs - 50% evergreen. Remaining landscaping to be ground cover and / or turf.)* (177.04.D.4a) *NOTE: Shade trees are described in street tree planting standards*
Tech Plat			**Street Tree Planting Standards** *(time of F.P. or permit)* (177.05)
Y	Y		**Residential Subdivisions - 1 large species shade tree/ lot** *tree planted within R.O.W. if possible*
NA	Na	Na	**Nonresidential Subdivision- 1 large species shade tree/30 L.F.** *tree planted within 15-25' greenspace*
NA	Na	Na	**Urban Tree Wells-***urban streetscape only- 8' sidewalk* , trees every 30 L.F. (177.05.B.3.a-f)
NA	Na	Na	**Structural Soil-***if urban wells are used, a note or detail of structural soil must be indicated on the landscape plan and inspected at time of construction.*
N	N		**Timing of planting indicated on plans (subdivisions only)** (177.05.A.4)
N	N		**Written description of the method for tracking plantings** (177.05.A.4.e)
N	Y		**Plan contains 3-year Maintenance and Monitoring Agreement. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate.** (177.05.A.2.e)
Tech Plat	SC	PC	**Stormwater Facilities** *(time of F.P. or permit)* (177.06.A – C)
Y	Y		**1 deciduous or evergreen tree/ 3000 square feet**
Y	Y		**4 large shrubs or small trees (3 gal) / 3000 square feet**
Y	Y		**6 shrubs or grasses (1 gal) / 3000 square feet**
tbd			**Ground cover unless seed or sod is specified –**
tbd			**50% of facility planted with grass or grass like plants –**

Landscape Requirements Table		
105	Mitigation Trees	Surety or Contract per 177.10 required
TBD	Street Trees (*one per residential lot and at 30' interval spacing on common street frontages. Where existing trees are to be preserved adjacent to common street frontage, new street trees may not be required).*	Surety or Contract per 177.10 required

CITY OF
Fayetteville
ARKANSAS

TREE PRESERVATION AND PROTECTION – Chapter 167

To: Jesse Fulcher, Rausch Coleman Homes and Daniel Ellis, Crafton & Tull

From: John J. Scott, Urban Forestry

CC: Quin Thompson, Planner

Date: November 14, 2016

Subject: PPL 16-5642 NE of 15th St. & Morningside Dr. | Park Meadows | Subdivision Comments

Requirements Submitted:

Y	Initial Review with the Urban Forester
NA	Site Analysis Map Submitted (if justification is needed)
NA	Site Analysis Written Report Submitted (if justification is needed)
Y	Complete Tree Preservation Plan Submitted
Y	Tree Mitigation Table on Plans
NA	Tree Preservation Wavier Submitted

Tree Preservation Calculations		
	Square Feet	**Percent of site**
Total Site Area *Minus Right of Way and Easements	2,970,345	100%
*Zoning Designation * Select Below with drop down arrow*		
NC-Neighborhood Conservation	594,069	20%
*HHOD * Select Below with Drop Down Arrow*		
No	0	0%
Total Canopy for Minimum Preservation Requirements	594,069	20.0%
Existing Tree Canopy * Minus Right of Way and Easements	131,792	4.4%
Tree Canopy Preserved	108,839	3.7%
Tree Canopy Removed *On Site	22,953	0.8%
Tree Canopy Removed *Off Site		
Tree Canopy Removed Total	22,953	0.8%
Removed Below Minimum	**485,230**	
Mitigation Requirements	**22,953**	

- Total Site Area* is property line minus Master Street Plan ROW, existing easements, and Dedicated Parkland
- Existing Tree Canopy* is total tree canopy minus Master Street Plan ROW and existing easements

Tree Canopy Mitigation: 105 Mitigation trees are required at this time and this will change prior to Planning Commission.

Canopy Below Required	Preservation Priority/Type	Forestation Base Density (ft2)	Number of 2" caliper trees to be planted
22953 ft2	High Priority	218	105
ft2	Mid Priority	290	0
ft2	Low Priority	436	0
Total Mitigation			

Mitigation Type Requested	Qty	Each	Total Cost
On-site Mitigation			
Off-site Mitigation			
Tree Escrow		$675	
Total Mitigation			

Mitigation Type Requested:
☒ On-Site ☐ Off-Site ☐ Tree Escrow ☐ Not Requested Yet

Mitigation Type Requested Approved: ☐ YES ☐ NO

TREE PROTECTION PLAN CHECKLISTS AND COMMENTS:

Plan Checklist:

NA = not applicable
Yes = submitted by applicant
No = required by City Code but not included on submitted plan

The Site Analysis Plan [167.04(H)(1)]

Tech Plat	SD	PC	Site Analysis Plan Components
Y	Y		5 year aerial check on existing trees
Y	Y		Property Boundary – not shown fully in NE corner
Y	Y		Natural Features 100ft beyond property line shown
N	Y		Existing Topography with *slopes ≤ 15% highlighted*
N	Y		Soils
Y	Y		Significant Tree(s): 24", 18" and 8" DBH all shown graphically on plan
Y	Y		Table listing Sig. Trees with species, size, health, priority
Y	Y		Grouping of Trees: all other trees that do not meet significant requirements
Y	Y		Table listing Grouped Trees with average species, size, health, priority
N	Y		All existing utilities
Y	Y		All perennial and intermittent streams with approximate center line
Y	Y		Floodplains/Floodways and Streamside Protection Zone line
Y	Y		Existing street, sidewalk or bike path ROW
NA	Na	Na	Submitted Site Analysis Plan

The Analysis Plan Report [167.04(H)(4)]

Tech Plat	SD	PC	Analysis Plan Report Components

0	**Parking Trees**
TBD	**Detention Large Trees**
TBD	**Detention Small Trees / Large Shrubs**
TBD	**Detention Small Shrubs**

Urban Forestry recommends approval with the following conditions:

1. Address all items above marked "N" and all Redlines on plan.
2. Please include detention pond calculations. The mitigation numbers are shown but not stormwater calculations.
3. Please include street tree calculations, a note with lot numbers.
4. Please locate the additional 54 mitigation trees that are needed in common areas.
5. The following apply and shall be added to the Landscape Plan:
    a. Prior to approval of Final Plat, any street trees fronting commonly owned properties must be planted and have a 3-year maintenance surety, or contract per 177.10, submitted to ensure maintenance and survival through the 3-year establishment period. This surety must be accompanied by a completed Landscape Surety Form.
    b. Prior to approval of Final Plat, any required mitigation trees must be planted and have a 3-year maintenance surety, or contract per 177.10, submitted to ensure maintenance and survival through the 3-year establishment period. The surety must be accompanied by a completed Landscape Surety Form.
    c. Prior to approval of Final Plat, a landscape performance surety (letter of credit, bond or cash) must be provided on all street trees adjacent to homes. This surety must be accompanied by a completed Landscape Surety Form. A cost estimate from a professional landscaping or contracting company must be provided to the Urban Forester in order to determine the required amount of the performance bond. The final surety amount is 150% of the approved cost estimate.
    d. Planting of LOT trees adjacent to homes may be deferred until completed construction of individual homes; however, the timing must be specified in conjunction with the phased completion of homes. For example, after the completion of (xx) homes, these trees must transition from a performance surety to a 3-year maintenance surety or contract per 177.10. This can be specified by the number of homes, the percentage of completion of the overall development, or simply on a time scheduled basis. The developer is required to determine this timing and state on the plat how these plantings and subsequent surety submittals will occur.

Na	Na		Detail Design Approaches used to minimize damage to OR removal of existing canopy
Na	Na		Justification for removal of individual or groupings of trees/canopy
NA	Na		Details providing information on on-site mitigation OR off-site alternatives
Na	Na		Submitted Analysis Report

Tree Preservation Plan [167.04(H)(2)]

Tech Plat	SD	PC	Tree Preservation Plan Components
Y	N		Shows ALL Proposed Site Improvements
Y	Y		Delineates trees/canopy to be preserved and removed
Y	Y		Delineates existing and proposed grading
Y	Y		Depict limits of soil disturbance
			Detail methods that will be used to protect trees during construction:
N	Y		1. Tree Protection Fencing
Na	Na	Na	2. Limits of Root Pruning
Y	Y		3. Traffic flow on work site
Y	Y		4. Location of material storage
Y	Y		5. Location of concrete wash out
Y	Y		6. Location of construction entrance/exit
Y	Y		Location of ALL existing and new utility/drainage easements

Urban Forestry recommends approval with the following conditions:

1. Address any items above marked "N" and all Redlines on plan.
2. Please include soil types if this is on another plan just include in a note on the Tree Preservation Plan.
3. Please adjust the grading plan to preserve the trees noted in the Northwest corner to preserve them or adjust the calculations to show removed.
4. Please show a building foot print in the Northwest corner where trees are on the lots.
5. The following apply and shall be added to the Landscape Plan:
    a. Prior to approval of Final Plat, any street trees fronting commonly owned properties must be planted and have a 3-year maintenance surety, or contract per 177.10, submitted to ensure maintenance and survival through the 3-year establishment period. This surety must be accompanied by a completed Landscape Surety Form.
    b. Prior to approval of Final Plat, any required mitigation trees must be planted and have a 3-year maintenance surety, or contract per 177.10, submitted to ensure maintenance and survival through the 3-year establishment period. The surety must be accompanied by a completed Landscape Surety Form.
    c. Prior to approval of Final Plat, a landscape performance surety (letter of credit, bond or cash) must be provided on all street trees adjacent to homes. This surety must be accompanied by a completed Landscape Surety Form. A cost estimate from a professional landscaping or contracting company must be provided to the Urban Forester in order to determine the required amount of the performance bond. The final surety amount is 150% of the approved cost estimate.
    d. Planting of LOT trees adjacent to homes may be deferred until completed construction of individual homes; however, the timing must be specified in conjunction with the phased completion of homes. For example, after the completion of (xx) homes, these trees must transition from a performance surety to a 3-year maintenance surety or contract per 177.10. This can be specified by the number of homes, the percentage of completion of the overall development, or simply on a time scheduled

basis. The developer is required to determine this timing and state on the plat how these plantings and subsequent surety submittals will occur.

CITY OF
Fayetteville
ARKANSAS

TO: Jonathan Curth, Planner

FROM: Deputy Fire Marshal Brian Sloat

DATE: November 14, 2016

SUBJECT: 16-5642 PPL NE of 15th St. & Moriningside Dr. (Park Meadows SD)

Comments made by the fire department during Technical Plat review have not been placed on subsequent submittals.

1. **AFPC 2012 D103.6.1 Roads 20 to 26 feet in width. Fire lane signs as specified in D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide. In addition signs must meet spacing requirements of AFPC 2012 503.3**
2. **AFPC 2012 D103.6.2 Roads more than 26 feet in width. Fire lane signs as specified in D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide and less than 32 feet wide. In addition signs must meet spacing requirements of AFPC 2012 503.3**

FAYETTEVILLE FIRE MARSHAL'S OFFICE
833 N. Crossover Road
Fayetteville, AR 72701-2701

Crafton Tull
architecture | engineering | surveying

901 N 47th Street, Suite 200
Rogers, AR 72756

479.636.4838 (ph)
479.631.6224 (fax)

November 9, 2016

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

RE: Park Meadows
CT Job No. 16108500

To the chair of the Planning Commission,

A variance is being requested to allow 14 lots to front two streets, 11 of them to the south between Fifteenth St. and Street B, and 3 of them to the northeast between Huntsville Rd. and Street G. For the northeast corner of the site, the existing grades make it difficult to front lots only on Huntsville Rd. Instead the back yards will be against Huntsville with a large separation down to the house to get out of the steeper grades. To the south, connectivity to Morningside and Fifteenth require the lots to front two streets. These lots will not be allowed to directly access Fifteenth St. or Huntsville Rd.

A second variance is needed to allow a block length to exceed the maximum 660 feet between Streets K and E. This will allow us to align these two streets with existing streets across Morningside Dr.

A third variance will be requested to allow the removal of curb and gutter along the common area adjacent to Streets J and F. The goal is to remove the need for traditional storm sewer along these streets and allow runoff to sheet flow off the street, through a grass buffer strip and into the existing creek.

Should you have any questions, or require any additional information, please contact us at your convenience.

Sincerely,

Taylor Lindley, E.I.
Project Engineer

LEGEND (EXISTING)

SYMBOLS	LINEWORK
FOUND IRON PIN	EASEMENT
LIGHT POLE	CURB
TREE	RIGHT OF WAY
	ROAD CENTERLINE

LEGEND (CONSTRUCT)

SYMBOLS	LINEWORK
SET IRON PIN	EASEMENT
LIGHT POLE	CURB
	BUILDING SET BACK
	25' BUILD TO ZONE
	RIGHT OF WAY
	PROPERTY LINE
	ROAD CENTERLINE
	FLOODPLAIN
	SIDEWALK

BUILDING SETBACKS:

ZONING: NC
FRONT = BUILD TO 0'-25
SIDE = 5' B/S
REAR = 12' B/S

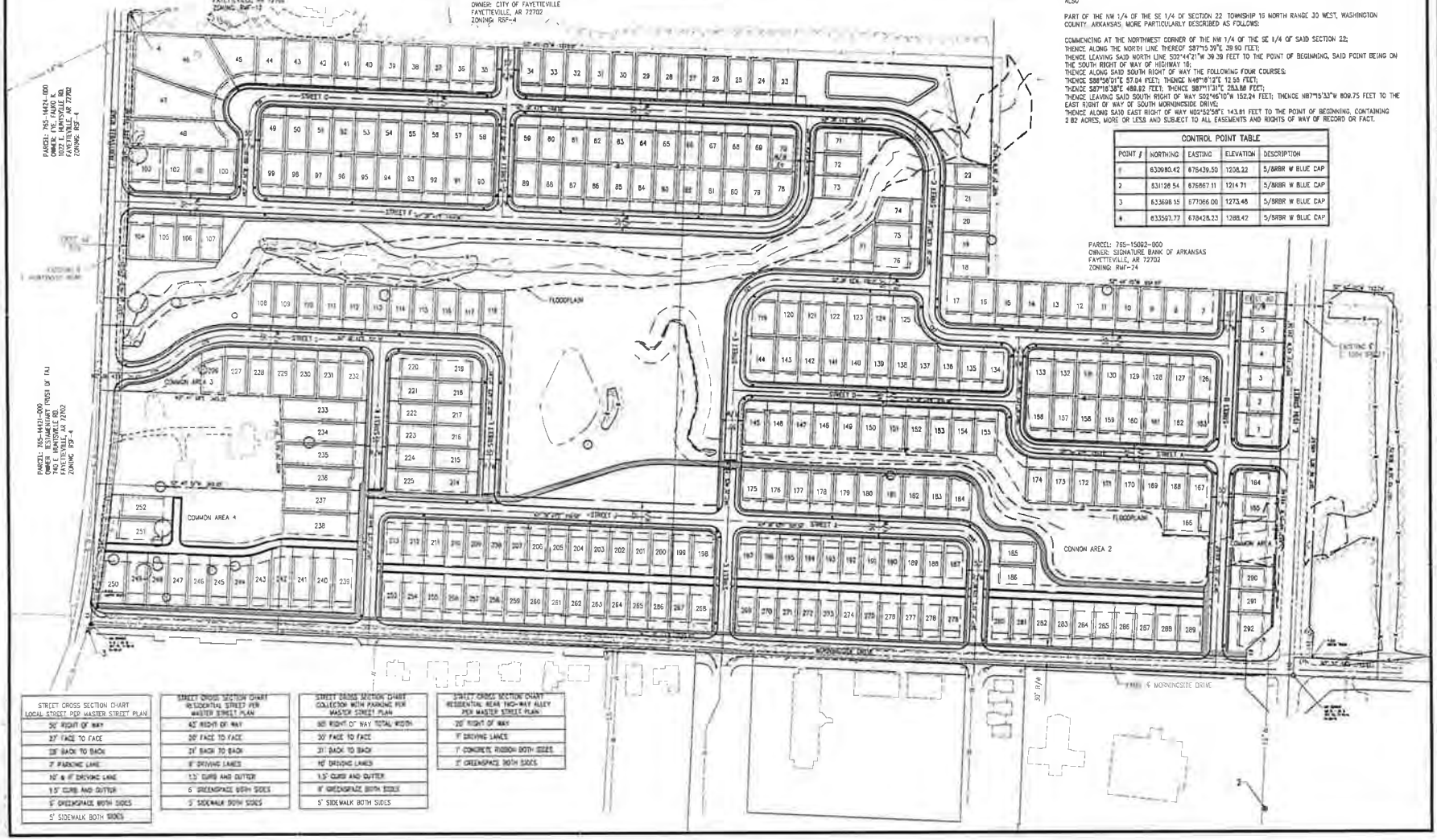
PARCEL: 765-14074-000
OWNER: CITY OF FAYETTEVILLE
765 S SEVEN HILLS ST
FAYETTEVILLE, AR 72703
ZONING: RMF-12

PARCEL: 765-15079-001
OWNER: CITY OF FAYETTEVILLE
FAYETTEVILLE, AR 72702
ZONING: RSF-4

PARCEL: 765-14071-000
OWNER: PIC FAVRO K.
1022 E. HUNTSVILLE RD.
FAYETTEVILLE, AR 72702
ZONING: RSF-4

PARCEL: 765-14031-000
OWNER: RESIDENTIAL TRUST OF FAY
1000 E. HUNTSVILLE RD.
FAYETTEVILLE, AR 72702
ZONING: RSF-4

PARCEL: 765-15092-000
OWNER: SIGNATURE BANK OF ARKANSAS
FAYETTEVILLE, AR 72702
ZONING: RMF-24



STREET CROSS SECTION CHART LOCAL STREET PER MASTER STREET PLAN
50' RIGHT OF WAY
27' FACE TO FACE
28' BACK TO BACK
7' PARKING LANE
10' & 11' DRIVING LANE
1.5' CURB AND GUTTER
6' GREENSPACE BOTH SIDES
5' SIDEWALK BOTH SIDES

STREET CROSS SECTION CHART RESIDENTIAL STREET PER MASTER STREET PLAN
63' RIGHT OF WAY
30' FACE TO FACE
31' BACK TO BACK
11' DRIVING LANES
1.5' CURB AND GUTTER
6' GREENSPACE BOTH SIDES
5' SIDEWALK BOTH SIDES

STREET CROSS SECTION CHART COLLECTOR WITH PARKING PER MASTER STREET PLAN
68' RIGHT OF WAY TOTAL WIDTH
30' FACE TO FACE
31' BACK TO BACK
10' DRIVING LANES
1.5' CURB AND GUTTER
6' GREENSPACE BOTH SIDES
5' SIDEWALK BOTH SIDES

STREET CROSS SECTION CHART RESIDENTIAL REAR TWO-WAY ALLEY PER MASTER STREET PLAN
20' RIGHT OF WAY
9' DRIVING LANES
7' CONCRETE RIBBON BOTH SIDES
2' GREENSPACE BOTH SIDES

PARCEL LINE TABLE

LINE #	LENGTH	DIRECTION
L1	[illegible]	[illegible]
L2	[illegible]	[illegible]
L3	[illegible]	[illegible]
L4	[illegible]	[illegible]
L5	[illegible]	[illegible]
L6	[illegible]	[illegible]
L7	[illegible]	[illegible]
L8	[illegible]	[illegible]
L9	[illegible]	[illegible]
L10	[illegible]	[illegible]
L11	[illegible]	[illegible]
L12	[illegible]	[illegible]
L13	[illegible]	[illegible]

CENTERLINE CURVE TABLE

CURVE #	RADIUS	LENGTH	CHORD LENGTH	START POINT	END POINT
C20	50.00	78.54	70.71	(677455.57,631820.75)	(677507.82,631868.38)
C22	50.00	78.54	70.71	(677711.02,631808.74)	(677763.27,631856.38)
C23	120.00	188.50	169.71	(678062.51,631642.65)	(678165.92,631658.96)
C24	90.00	141.37	127.28	(677746.23,632278.33)	(677831.98,632184.27)
C25	90.00	141.37	127.28	(678033.85,632128.03)	(677947.90,632222.09)
C26	50.00	78.54	70.71	(678247.61,633287.90)	(678199.77,633340.18)
C27	50.00	78.54	70.71	(677223.88,631749.63)	(677276.15,631797.47)
C28	170.00	128.08	125.07	(677715.60,633379.12)	(677675.01,633497.42)
C29	170.00	128.08	125.07	(677675.01,633497.42)	(677634.42,633615.72)

PROPERTY DESCRIPTION

PART OF THE W 1/2 OF THE NE 1/4 OF SECTION 22, TOWNSHIP 16 NORTH RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE W 1/2 OF THE NE 1/4 OF SAID SECTION 22;
THENCE ALONG THE NORTH LINE THEREOF S87°25'38"E 39.98 FEET;
THENCE LEAVING SAID NORTH LINE S09°34'22"W 12.06 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT OF WAY OF EAST HUNTSVILLE ROAD;
THENCE ALONG SAID SOUTH RIGHT OF WAY THE FOLLOWING THREE COURSES:
THENCE S80°42'49"E 73.63 FEET; THENCE S82°19'53"E 122.44 FEET;
THENCE S83°28'46"E 73.56 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY S02°40'51"W 389.98 FEET; THENCE N88°29'55"E 211.04 FEET; THENCE N02°40'56"E 345.35 FEET TO THE SOUTH RIGHT OF WAY OF EAST HUNTSVILLE ROAD; THENCE ALONG SAID SOUTH RIGHT OF WAY THE FOLLOWING FOUR COURSES: THENCE S88°22'26"E 24.72 FEET; THENCE S87°40'43"E 91.30 FEET; THENCE S87°27'40"E 220.05 FEET; THENCE S87°30'21"E 458.06 FEET;
THENCE LEAVING SAID SOUTH RIGHT OF WAY S02°46'26"W 1078.81 FEET; THENCE N88°32'01"W 478.33 FEET;
THENCE S02°44'15"W 654.67 FEET TO THE NORTH RIGHT OF WAY OF HIGHWAY 16;
THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING FOUR COURSES: THENCE N87°15'53"W 241.56 FEET;
THENCE N87°15'01"W 493.46 FEET; THENCE N41°04'43"W 78.00 FEET;
THENCE N87°11'17"W 12.50 FEET TO THE EAST RIGHT OF WAY OF SOUTH MORNINGSIDE DRIVE;
THENCE ALONG SAID EAST RIGHT OF WAY N02°36'43"E 2516.40 FEET TO THE POINT OF BEGINNING, CONTAINING 65.44 ACRES, MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR FACT

ALSO

PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 22 TOWNSHIP 16 NORTH RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 22;
THENCE ALONG THE NORTH LINE THEREOF S87°15'39"E 39.90 FEET;
THENCE LEAVING SAID NORTH LINE S02°44'21"W 39.39 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT OF WAY OF HIGHWAY 16;
THENCE ALONG SAID SOUTH RIGHT OF WAY THE FOLLOWING FOUR COURSES:
THENCE S88°58'01"E 57.04 FEET; THENCE N48°16'12"E 12.55 FEET;
THENCE S87°15'38"E 488.82 FEET; THENCE S87°11'31"E 203.58 FEET;
THENCE LEAVING SAID SOUTH RIGHT OF WAY S02°46'10"W 152.24 FEET; THENCE N87°15'53"W 809.75 FEET TO THE EAST RIGHT OF WAY OF SOUTH MORNINGSIDE DRIVE;
THENCE ALONG SAID EAST RIGHT OF WAY N02°52'58"E 143.81 FEET TO THE POINT OF BEGINNING, CONTAINING 2.82 ACRES, MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR FACT.

CONTROL POINT TABLE

POINT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
1	630980.42	676439.50	1208.22	5/8RBR W BLUE CAP
2	631128.54	676867.11	1214.71	5/8RBR W BLUE CAP
3	633698.15	677066.00	1273.46	5/8RBR W BLUE CAP
4	633597.77	678428.23	1288.42	5/8RBR W BLUE CAP

Crafton Tull
Civil Engineering | Land Development | Land Surveying
www.craftontull.com

CERTIFICATE OF AUTHORIZATION

GRAPHIC SCALE IN FEET
1:00 0 100

PARK MEADOWS
FAYETTEVILLE, AR

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton, Tull & Associates, Inc., and is not to be used in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.

PRELIMINARY PLANS

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

OVERALL PRELIMINARY PLAT

C-102

SITE STABILIZATION AND CERTIFICATION

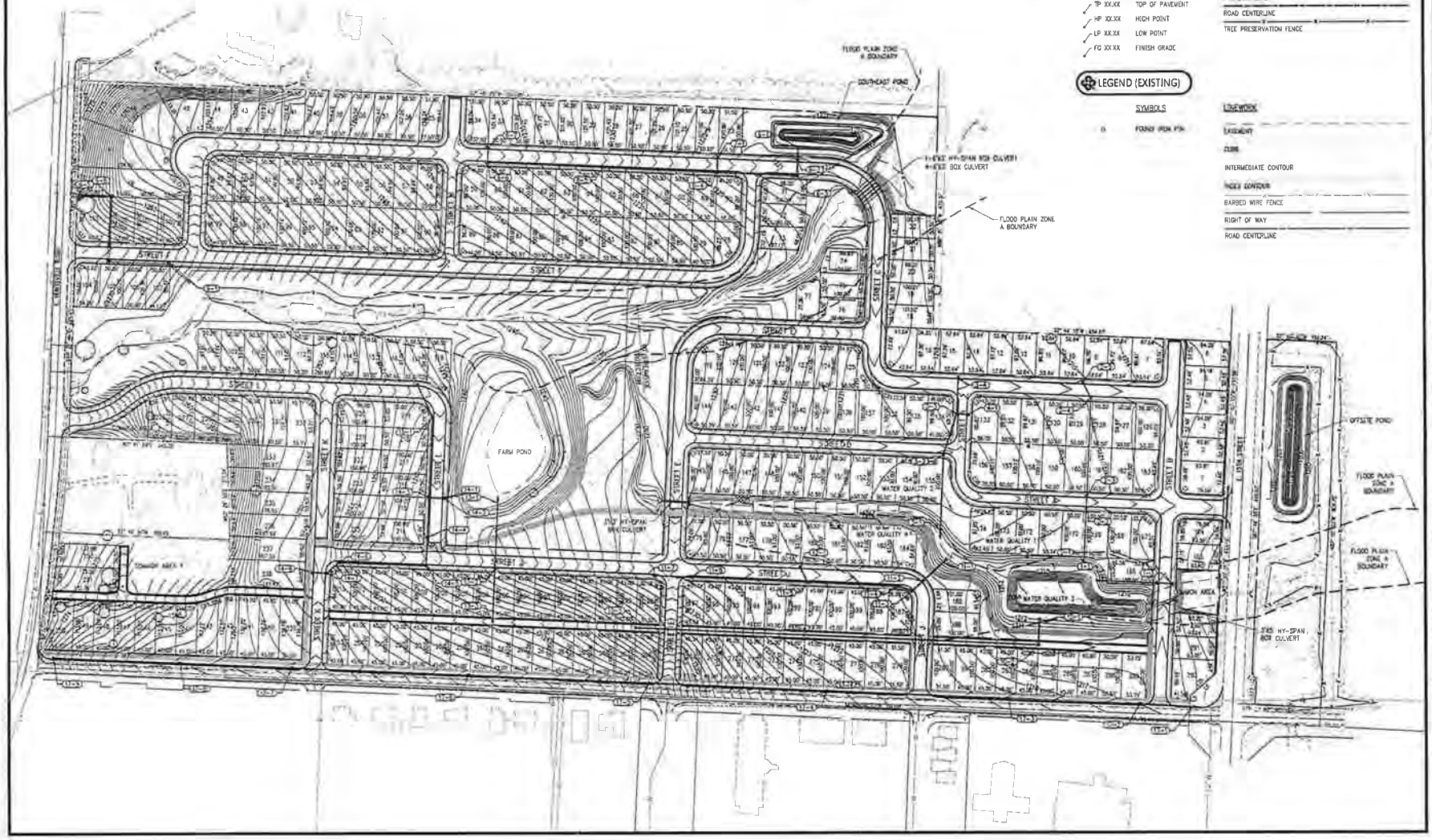
CRAFTON TULL CANNOT CERTIFY THE SITE AS COMPLETE IN ORDER TO OBTAIN THE CERTIFICATE OF OCCUPANCY UNTIL ALL DISTURBED AREAS RELATED TO THE CONSTRUCTION OF THE PROJECT, BOTH ONSITE AND OFFSITE, HAVE BEEN STABILIZED PER THE PLANS AND SPECIFICATIONS AND ALL REQUIREMENTS SPELLED OUT IN PERMITS ISSUED BY THE STATE AND LOCAL AUTHORITIES HAVE BEEN MET

LEGEND (CONSTRUCT)

SYMBOLS		LINEWORK
	SET IRON PIN	EASEMENT
	STORM SEWER PIPE	CURB
	STRUCTURE NUMBER	INTERMEDIATE CONTOUR
	RECTANGULAR DROP INLET, GRATED INLET OR JUNCTION BOX (SPECIFY ON PLAN SHEET)	INDEX CONTOUR
	CIRCULAR DROP INLET, GRATED INLET OR JUNCTION BOX (SPECIFY ON PLAN SHEET)	BARBED WIRE FENCE
TC XX.XX	TOP OF CURB	RIGHT OF WAY
TP XX.XX	TOP OF PAVEMENT	PROPERTY LINE
HP XX.XX	HIGH POINT	ROAD CENTERLINE
LP XX.XX	LOW POINT	TREE PRESERVATION FENCE
FG XX.XX	FINISH GRADE	

LEGEND (EXISTING)

SYMBOLS		LINEWORK
	FOUND IRON PIN	EASEMENT
		CURB
		INTERMEDIATE CONTOUR
		INDEX CONTOUR
		BARBED WIRE FENCE
		RIGHT OF WAY
		ROAD CENTERLINE



Crafton Tull

PARK MEADOWS
FAYETTEVILLE AR

PRELIMINARY PLANS

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

OVERALL GRADING PLAN

C-112

ONSITE CANOPY TO BE PRESERVED

ONSITE CANOPY TO BE REMOVED

OFFSITE CANOPY TO BE PRESERVED

R.O.W. CANOPY TO BE REMOVED

FLOWLINE EASEMENT

Mitigation Requirements			
Canopy Below Requirements Sq. Ft.	Preservation Priority Type	Forestation Base Density	Number of 2" Caliper Trees to be Planted
22953.3	High Priority	218	105
0	Mid Priority	290	0
0	Low Priority	436	0
*High Priority is defined as containing significant trees, native woodlands, riparian buffers and canopied slopes.	*Mid Priority is defined as containing contguous woodlands, non-native woodlands, and used as buffers	*Low Priority is defined as containing invasive species, relic orchards and less desireable species.	

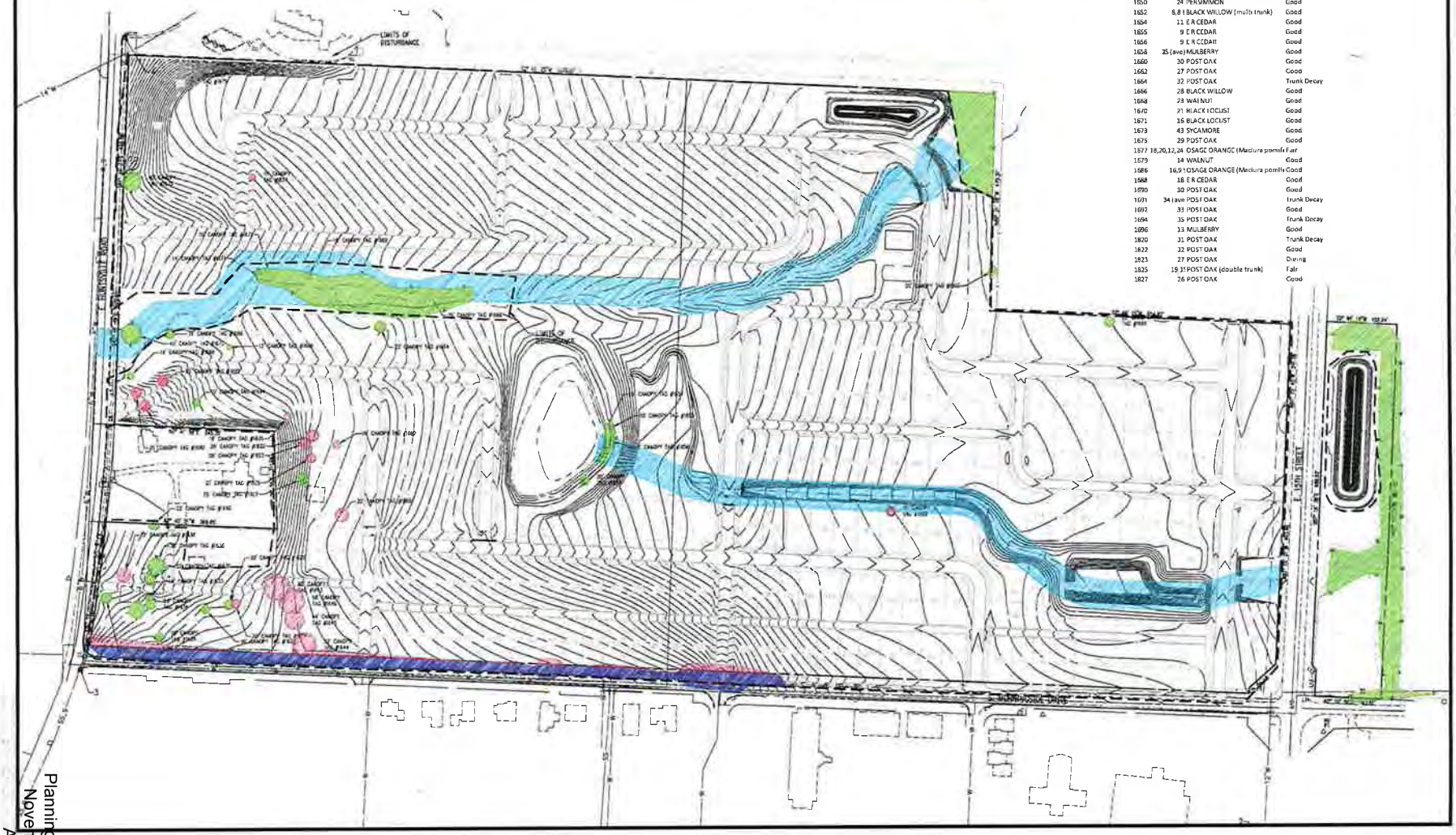
Tree Preservation Calculations		
	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	7,227,727	100%
*Zoning Designation * Select Below with drop down arrow*		
NC Neighborhood Conservation	545,545	20%
HOOD * Select Below with Drop Down Arrow		
No	0	0%
Total Canopy for Minimum Preservation Requirements	545,545	20.0%
Existing Tree Canopy * Minus Right of Way and Easements	131,792	4.8%
Tree Canopy Preserved	109,839	4.0%
Tree Canopy Removed *On Site	22,953	0.8%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	22,953	0.8%
Removed Below Minimum	436,707	
Mitigation Requirements	22,953	

PARK MEADOWS TREE INVENTORY

12/14/2016

GEREN & ASSOCIATES, PLLC

TAG #	DBH inch	SPECIES	CONDITION & REMARKS	CANOPY (Diam ft) (if alive)
1624	33	CHASAPEA	Good	
1625	33	CHASAPEA	Good	
1626	32	CALLARY PEAR	Dieing	
1628	10	ASH	Good	
1630	12,14,15,12	S MAGNOLIA (4 trunk)	Good	
1631	31	HACKBERRY	Trunk Decay	
1633	28	CATALPA	Good	
1634	21	SILVER MAPLE	Fair	
1635	33	SILVER MAPLE	Poor	
1636	22	WALNUT	Good	
1638	21+17	S MAGNOLIA (double trunk)	Good	
1640	18	MULBERRY	Mostly Dead	
1642	31	POST OAK	Trunk Decay	
1644	30	POST OAK	Good	
1645	28	POST OAK	Trunk Decay	
1646	39	POST OAK	Trunk Decay	
1648	32,53	OSAGE ORANGE (Maclura pomife	Good	
1650	24	PERSIMMON	Good	
1652	8,8	BLACK WILLOW (multi trunk)	Good	
1654	11	E R CEDAR	Good	
1655	9	E R CEDAR	Good	
1656	9	E R CEDAR	Good	
1658	25 (ave)	MULBERRY	Good	
1660	30	POST OAK	Good	
1662	27	POST OAK	Good	
1664	32	POST OAK	Trunk Decay	
1666	28	BLACK WILLOW	Good	
1668	23	WALNUT	Good	
1670	21	BLACK LOCUST	Good	
1671	16	BLACK LOCUST	Good	
1673	43	SYCAMORE	Good	
1675	29	POST OAK	Good	
1677	18,20,12,24	OSAGE ORANGE (Maclura pomife	Fair	
1679	14	WALNUT	Good	
1686	16,9	OSAGE ORANGE (Maclura pomife	Good	
1688	18	E R CEDAR	Good	
1690	30	POST OAK	Good	
1691	34 (ave	POST OAK	Trunk Decay	
1692	33	POST OAK	Good	
1694	35	POST OAK	Trunk Decay	
1696	13	MULBERRY	Good	
1820	31	POST OAK	Trunk Decay	
1822	32	POST OAK	Good	
1823	27	POST OAK	Dieing	
1825	19,31	POST OAK (double trunk)	Fair	
1827	26	POST OAK	Good	



Crafton Tull

DRAWING SCALE IN FEET
100' 0 100'

PARK MEADOWS
FAYETTEVILLE, AR

PRELIMINARY PLANS

TREE PRESERVATION PLAN

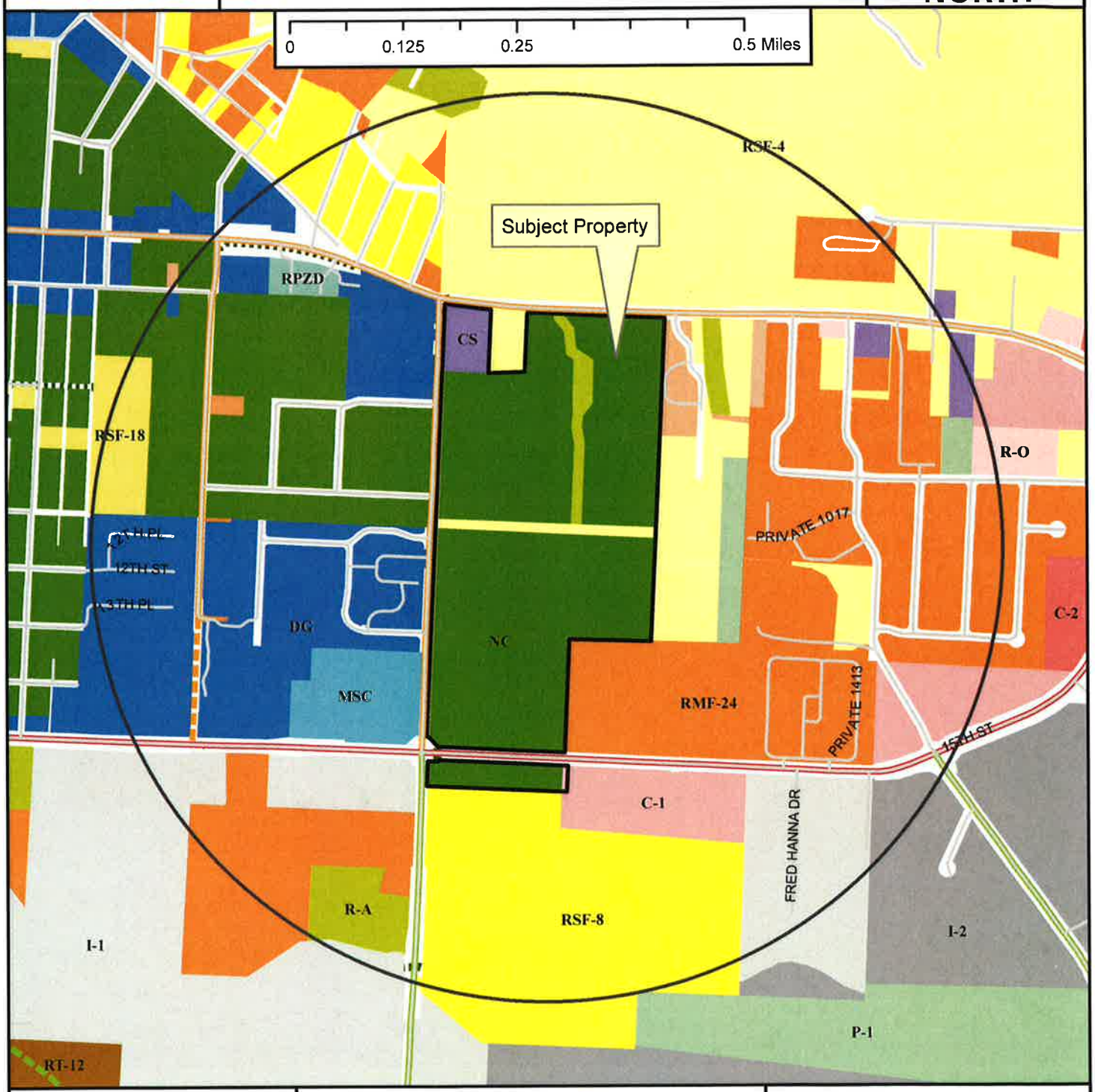
L-100

PPL 16-5642

One Mile View

PARK MEADOWS SD

NORTH



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint

Zoning

RESIDENTIAL SINGLE-FAMILY
- Residential-Agricultural
- RSF-5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RT-12 Residential Two and Three-family
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

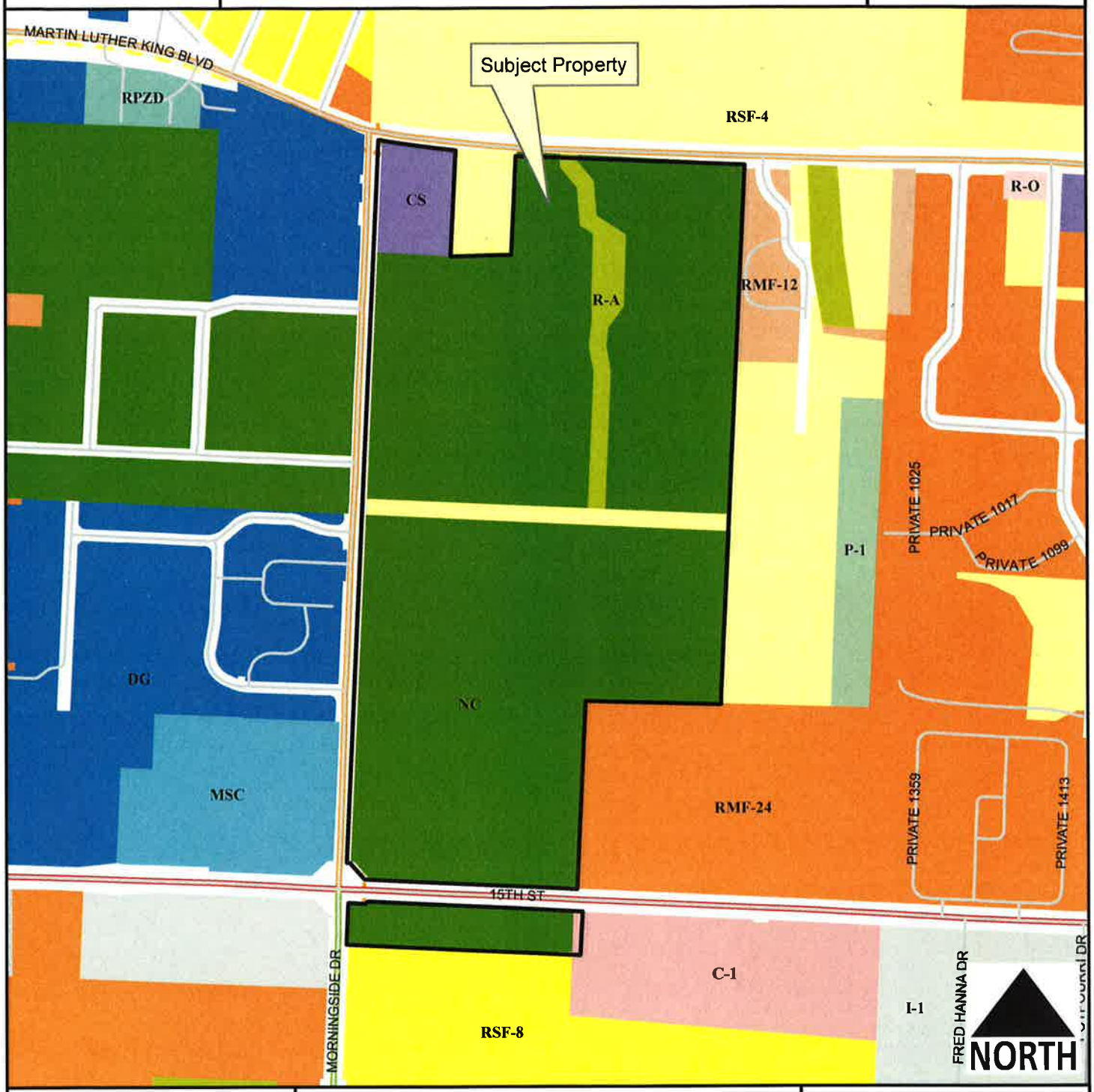
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

PPL 16-5642

Close Up View

PARK MEADOWS SD



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint

Feet

0 180 360 720 1,080 1,440

1 inch = 500 feet

- Residential-Agricultural
- RSF-4
- RSF-8
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial
- Residential-Office
- C-1
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Conservation
- Commercial, Industrial, Residential
- P-1

City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0682

Agenda Date: 1/17/2017 **Version:** 1 **Status:** Agenda Ready

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: C. 1

GARVER, LLC TASK ORDER NO. 7:

A RESOLUTION TO APPROVE TASK ORDER NO. 7 WITH GARVER, LLC IN THE AMOUNT OF $49,800.00 FOR PREPARATION OF A PRELIMINARY ENGINEERING REPORT FOR THE TAXIWAY B WIDENING AND REHABILITATION PROJECT, TO EXPRESS THE CITY'S WILLINGNESS TO UTILIZE FEDERAL AVIATION ADMINISTRATION FUNDS FOR THE PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

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. 7 with Garver, LLC in the amount of $49,800.00 for the preparation of a Preliminary Engineering Report for the Taxiway B Widening and Rehabilitation Project.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby expresses the City's willingness to utilize Federal Aviation Administration funds for all phases of the Taxiway B Widening and Rehabilitation Project.

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

2016-0682

Legistar File ID

1/17/2017

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

Terry Gulley	12/29/2016	Aviation / Transportation Services Department
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Staff requests approval of a Resolution expressing the willingness to utilize Federal Aviation Administration (FAA) funds and allow the Aviation Division to execute a task order in the amount of $49,800.00 for Garver, LLC to prepare a preliminary engineering report (PER) for the Taxiway B Widening and Rehabilitation project that is included in the airport's FAA capital improvement plan (CIP). Staff is also requesting approval of a budget adjustment.

Budget Impact:

5550.760.3960.5314.00	Airport
Account Number	Fund
15029	Airport Engineering Consultant Services
Project Number	Project Title

Budgeted Item?	No	Current Budget		
		Funds Obligated	$	-
		Current Balance	$	-
Does item have a cost?	Yes	Item Cost	$	49,800.00
Budget Adjustment Attached?	Yes	Budget Adjustment	$	49,800.00
		Remaining Budget	$	-

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____ Approval Date: _____

Comments: Total amount will be reimbursed upon receipt of grant funds.

CITY OF Fayetteville ARKANSAS

CITY COUNCIL AGENDA MEMO

MEETING OF JANUARY 17, 2017

TO: Mayor Lioneld Jordan
Fayetteville City Council

THRU: Don Marr, Chief of Staff

FROM: Terry Gulley, Transportation Services Director

DATE: December 29, 2016

SUBJECT: **Taxiway B Widening and Rehabilitation**

RECOMMENDATION:

Staff requests approval of a Resolution expressing the willingness to utilize Federal Aviation Administration (FAA) funds and allow the Aviation Division to execute a task order in the amount of $49,800.00 for Garver, LLC to prepare a preliminary engineering report (PER) for the Taxiway B Widening and Rehabilitation project that is included in the airport's FAA capital improvement plan (CIP).

BACKGROUND:

The airport currently has charter flights that operate at the airfield with a Boeing 737-800 and Boeing 757-200 aircraft. These aircraft cannot taxi from the terminal apron to the Runway 16 threshold without crossing the runway due to current width of Taxiway B north of Taxiway D. In addition, these aircraft cannot taxi to the Runway 34 threshold without utilizing judgmental oversteering to maneuver the final turn on the south end of Taxiway B.

In an effort to provide adequate taxiway width to promote safe taxiing operations for the large charter aircraft, the airport included a taxiway widening project in their FAA CIP. In addition to the widening of the taxiway, the rehabilitation of pavement adjacent to all taxiway widened as part of the project will also be included. The project was originally scheduled to be completed in 2019. However, the FAA has recently notified the airport that additional funding was secured and construction will be moved to 2018. The FAA has requested that a PER be completed as part of this project and due to the adjustment in project schedule, the PER submittal deadline is March 31, 2017.

DISCUSSION:

Following the FAA approval of the PER, Aviation Division will execute a task order to complete design and bidding services related to the Taxiway B Widening and Rehabilitation project. All costs associated with the PER, Design, and Bidding Services will be included in an FAA design-only grant application that will be submitted to the FAA in June 2017. Prior to submission and execution, the task order and grant application will be submitted for Council approval.

BUDGET/STAFF IMPACT:

The project will advertise for bids in spring 2018. A task order for construction phase services and FAA grant application will be submitted for Council approval in summer 2018 and construction will begin after the FAA grant has been executed. Below is a summary of the costs and funding breakdown for each upcoming grant.

2017 FAA Grant (Design-Only)

Preliminary Engineering Report:	$49,800.00	FAA:	$135,000.00
Design and Bidding Services (estimated):	$100,200.00	ADA:	$15,000.00
TOTAL:	**$150,000.00**	City:	$0.00
		TOTAL:	**$150,000.00**

2018 FAA Grant (Construction)

Construction Phase Services (estimated):	$100,000.00	FAA:	$1,480,500.00
Construction (estimated):	$1,500,000.00	ADA:	$164,500.00
TOTAL:	**$1,650,000.00**	City:	$5,000.00
		TOTAL:	**$1,650,000.00**

Attachments:
Staff Review Form
City Council Memo
Garver Task Order 07

APPENDIX A-7

TASK ORDER 07
FAYETTEVILLE – DRAKE FIELD (FYV)
TAXIWAY B WIDENING AND REHABILITATION

This TASK ORDER is made as of _____, 2017 by and between the CITY OF FAYETTEVILLE of Fayetteville, Arkansas hereinafter referred to as "CITY OF FAYETTEVILLE," and GARVER, LLC, hereinafter referred to as "GARVER", in accordance with the provisions of the AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES executed on April 21, 2015.

Under this Task Order, the CITY OF FAYETTEVILLE intends to make the following improvements for the FYV Taxiway B Widening and Rehabilitation project.

> Widen portions of Taxiway B to bring them into TDG 3 standards and rehabilitation of pavement on Taxiway B adjacent to the proposed widening.

GARVER will provide professional services related to these improvements as described herein.

SECTION 1 - SCOPE OF SERVICES

GARVER will provide services as detailed in Exhibit A-7.

SECTION 2 – PAYMENT

For the work described under SECTION 1 - SCOPE OF SERVICES, the CITY OF FAYETTEVILLE will pay GARVER on a lump sum basis. The CITY OF FAYETTEVILLE represents that funding sources are in place with the available funds necessary to pay GARVER.

The table below presents a summary of the fee amounts and fee types for this contract.

WORK DESCRIPTION	FEE AMOUNT	FEE TYPE
Geotechnical Investigation	$10,000	Lump Sum
Surveys	$6,800	Lump Sum
Preliminary Engineer's Report	$33,000	Lump Sum
TOTAL FEE	**$49,800**	

The lump sum amount to be paid under this agreement is $49,800. For informational purposes, a breakdown of GARVER's estimated costs is included in Exhibit B-7 with approximate current hourly rates for each employee classification.

Additional Services (Extra Work). For work not described or included in Section 1 – Scope of Services but requested by the CITY OF FAYETTEVILLE in writing, the CITY OF FAYETTEVILLE will pay GARVER, for time spent on the project, at the rates shown in Exhibit B-7 for each classification of GARVER's personnel, plus overhead, plus 15% profit, plus reimbursable expenses including but not limited to printing, courier service, reproduction, and travel. The rates shown in Exhibit B-7 will be increased annually with the first increase effective on or about July 1, 2017.

SECTION 3 –EXHIBITS

3.1 The following Exhibits are attached to and made a part of this Agreement:
- 3.1.1 Exhibit A-7 Scope of Services
- 3.1.2 Exhibit B-7 Rate Schedule & Fee Tables
- 3.1.3 Exhibit C-7 Project Exhibit

This Agreement may be executed in two (2) or more counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

Approval and acceptance of this Task Order, including attachments listed in SECTION 3 –EXHIBITS, shall incorporate this document as part of the Agreement. Garver is authorized to begin performance upon receipt of a copy of this Task Order signed by the CITY OF FAYETTEVILLE. The effective date of this Task Order shall be the last date written below.

CITY OF FAYETTEVILLE, ARKANSAS

By :_____
Mayor, Lioneld Jordan

ATTEST:

By:_____
City Clerk

GARVER

By: Michael J. Griffin Digitally signed by Michael J. Griffin Date: 2016.12.27 09:06:43-06'00'

Title: Senior Vice President

EXHIBIT A-7 – SCOPE OF SERVICES
FAYETTEVILLE – DRAKE FIELD (FYV)
TAXIWAY B WIDENING AND REHABILITATION

1.1 General

Generally, the scope of services includes review of aircraft operations, pavement condition review, drainage analysis, and field investigations to develop a Preliminary Engineering Report (PER) that provides widening and rehabilitation recommendations for portions of Taxiway B at Fayetteville – Drake Field.

1.2 Review of Operational Activity

GARVER will perform a review of aviation activity at the airport as detailed in the 2006 Airport Master Plan. GARVER will coordinate with the airport staff and review ATADS data to determine the current aircraft fleet and operational levels by aircraft type and Runway Design Code (RDC). This final fleet mix will be used to developing aircraft turning movements for fillet design and in the rehabilitation analysis with the FAA pavement design software, FAARFIELD.

1.3 Pavement Condition Analysis

1.3.1 Records Research

Prior to obtaining field data, GARVER will perform a thorough review of Taxiway B's historic construction data, design considerations, test results, as-built drawings, pavement design reports, airport layout plan, and maintenance history.

1.3.2 Pavement Condition Survey

GARVER will utilize ASTM D5340 procedures to perform a PCI Survey of the portion of Taxiway B planned for rehabilitation. A PCI will be developed for each separate portion of Taxiway B planned for rehabilitation. The PCI and distresses found will be used to determine the best rehabilitation approach.

1.4 Field Investigations

1.4.1 Geotechnical Investigation

GARVER will use a subconsultant (Grubbs, Barton, Hoskyn, & Wyatt) to perform 8 subsurface borings equally spaced along the portions of Taxiway B that will be widened and rehabilitated to a depth sufficient to determine the material properties of the existing pavement section and natural subgrade. Four borings shall be taken at locations where widening is expected, and four borings will be taken at locations were rehabilitation is expected.

Prior to the geotechnical investigation, GARVER will assist the subconsultant in reviewing previous utility plans and located existing utility lines and ducts.

A geotechnical investigation report will be completed from the on-site investigation and will include, at a minimum, the following:

- Summary of laboratory tests and methods
- Field CBR values from material obtained from the borings
- Layout of borings
- Log of all borings that includes pavement section thicknesses and water content, atterburg limits, soil classifications, and the percentage of fines of the subgrade material

1.4.2 Survey

GARVER will provide field survey data from field work for designing the project, and this survey will be tied to the CITY OF FAYETTEVILLE's control network. GARVER will conduct field surveys, utilizing radial topography methods, at intervals and for distances at and/or along the project site as appropriate for modeling the existing ground, including locations of pertinent features or improvements. Buildings and other structures, drainage features, visible utilities as well as those underground utilities marked by their owners and/or representatives, and any other pertinent topographic features that may be present at and/or along the project site, will be located. If necessary, control points will be established for use during construction. GARVER will also survey the existing runway centerline and west pavement edge for correlation with the taxiway centerline elevation.

1.5 Environmental Coordination

GARVER will work with the FAA in order to obtain a categorical exclusion for the project. Coordination will include completion of a documented CATEX questionnaire in accordance with FAA SOP No. 500 and submission to the FAA's environmental specialist for approval.

1.6 DBE Coordination

GARVER will coordinate with the FAA's Office and Civil Rights and complete a three year DBE goal for the planned construction grant. If required by the FAA, GARVER will also update the airport's overall DBE program and develop a Small Business Element to conform to the most recent Part 39 revisions.

1.7 Preliminary Engineer's Report

Garver will develop a Preliminary Engineer's Report (PER) to document the proposed design decisions for both the Taxiway B widening and rehabilitation. The PER will include all sections listed below.

1.7.1 General Scope / Project Background
1.7.2 Project Photographs
1.7.3 List of Applicable AIP Standards
1.7.4 Construction Safety and Phasing
1.7.5 Geometric Design
1.7.6 Pavement Design
1.7.7 Drainage Design
1.7.8 Airfield Lighting and Signage
1.7.9 Environmental Considerations
1.7.10 Engineer's Estimate of Project Cost and Project Schedule

1.8 Design Services

To be added via Work Order Amendment or subsequent work order.

1.9 Bidding Services

To be added via Work Order Amendment or subsequent work order.

1.10 Construction Phase Services

To be added via Work Order Amendment or subsequent work order.

1.11 Materials Testing Services

To be added via Work Order Amendment or subsequent work order.

1.12 Closeout Services

To be added via Work Order Amendment or subsequent work order.

1.13 Project Deliverables

The following will be submitted to the CITY OF FAYETTEVILLE, or others as indicated, by GARVER:

1. One copy of the Preliminary Engineer's Report to CITY OF FAYETTEVILLE and FAA.
2. Electronic files as requested.

1.14 Extra Work

The following items are not included under this agreement but will be considered as extra work:

1. Redesign for the CITY OF FAYETTEVILLE's convenience or due to changed conditions after previous alternate direction and/or approval.
2. Submittals or deliverables in addition to those listed herein.
3. Preparation of Plans and Specifications.
4. Preparation of a Storm Water Pollution Prevention Plan (SWPPP).
5. Construction Phase Services or Materials Testing.
6. Environmental Handling and Documentation, including wetlands identification or mitigation plans or other work related to environmentally or historically (culturally) significant items.
7. Coordination with FEMA and preparation/submittal of a CLOMR and/or LOMR.
8. Services after construction, such as warranty follow-up.

Extra Work will be as directed by the CITY OF FAYETTEVILLE in writing for an additional fee as agreed upon by the CITY OF FAYETTEVILLE and GARVER.

1.15 Schedule

GARVER shall begin work immediately upon receipt of the executed task order and shall complete the work within a mutually agreeable schedule.

Exhibit B-7
FYV Taxiway B Widening and Rehabilitation
Garver Hourly Rate Schedule

Classification	Rates
Engineers / Architects	
E-1	$ 32.70
E-2	$ 37.90
E-3	$ 45.90
E-4	$ 53.60
E-5	$ 65.40
E-6	$ 82.00
E-7	$ 108.00
Planners / Environmental Specialist	
P-1	$ 39.40
P-2	$ 49.40
P-3	$ 61.50
P-4	$ 69.70
P-5	$ 81.00
P-6	$ 92.20
Designers	
D-1	$ 30.60
D-2	$ 35.80
D-3	$ 42.50
D-4	$ 49.40
Technicians	
T-1	$ 23.80
T-2	$ 30.20
T-3	$ 36.80
Surveyors	
S-1	$ 14.60
S-2	$ 19.30
S-3	$ 26.00
S-4	$ 37.30
S-5	$ 49.40
S-6	$ 56.20
2-Man Crew (Survey)	$ 56.60
3-Man Crew (Survey)	$ 71.20
2-Man Crew (GPS Survey)	NA
3-Man Crew (GPS Survey)	NA
Construction Observation	
C-1	$ 28.80
C-2	$ 37.00
C-3	$ 45.30
C-4	$ 55.70
Management / Administration	
M-1	$ 108.00
X-1	$ 18.70
X-2	$ 25.40
X-3	$ 35.40
X-4	$ 45.10
X-5	$ 55.40
X-6	$ 70.00

Exhibit B-7

FAYETTEVILLE - DRAKE FIELD
TAXIWAY B WIDENING AND REHABILITATION

GEOTECHNICAL INVESTIGATION

WORK TASK DESCRIPTION	E-4	E-3	E-2	E-1	D-2	T-2	T-1
	$53.60	$45.90	$37.90	$32.70	$35.80	$30.20	$23.80
	hr	hr	hr	hr	hr	hr	hr
1. Civil Engineering							
Subconsultant Coordination		1		2			
Utility Coordination		1		2			5
Report Review		2		4			
Subtotal - Civil Engineering	**0**	**4**	**0**	**8**	**0**	**0**	**5**
Hours	**0**	**4**	**0**	**8**	**0**	**0**	**5**
Salary Costs	$0.00	$183.60	$0.00	$261.60	$0.00	$0.00	$119.00

SUBTOTAL - SALARIES:		**$564.20**
LABOR AND GENERAL ADMINISTRATIVE OVERHEAD		**$1,084.73**
DIRECT NON-LABOR EXPENSES		
Document Printing/Reproduction/Assembly	$25.00	
Postage/Freight/Courier	$21.72	
Travel Costs	$0.00	
SUBTOTAL - DIRECT NON-LABOR EXPENSES:		**$46.72**
SUBTOTAL:		**$1,695.65**
SUBCONSULTANTS FEE (GRUBBS):		**$7,000.00**
PROFESSIONAL FEE		**$1,304.35**
TOTAL FEE:		**$10,000.00**

Exhibit B-7

FAYETTEVILLE - DRAKE FIELD
TAXIWAY B WIDENING AND REHABILITATION

SURVEYS

WORK TASK DESCRIPTION	E-4	E-3	E-2	E-1	S-5	S-4	2-Man Crew (Survey)	T-1
	$53.60	$45.90	$37.90	$32.70	$49.40	$37.30	$56.60	$23.80
	hr	hr	hr	hr	hr	hr	hr	hr
1. Surveys - Topographic								
Survey Coordination		1			2	2		
Utility Coordination		1		4	1	2		5
Topographic Surveys							20	
Data Processing/DTM Preparation				1	1	4		
Subtotal - Surveying	**0**	**2**	**0**	**5**	**4**	**8**	**20**	**5**
Hours	**0**	**2**	**0**	**5**	**4**	**8**	**20**	**5**
Salary Costs	$0.00	$91.80	$0.00	$163.50	$197.60	$298.40	$1,132.00	$119.00

SUBTOTAL - SALARIES:		**$2,002.30**
LABOR AND GENERAL ADMINISTRATIVE OVERHEAD		**$3,849.62**
DIRECT NON-LABOR EXPENSES		
Document Printing/Reproduction/Assembly	$11.12	
Postage/Freight/Courier	$0.00	
Travel Costs	$50.00	
SUBTOTAL - DIRECT NON-LABOR EXPENSES:		**$61.12**
SUBTOTAL:		**$5,913.04**
SUBCONSULTANTS FEE:		**$0.00**
PROFESSIONAL FEE		**$886.96**
TOTAL FEE:		**$6,800.00**

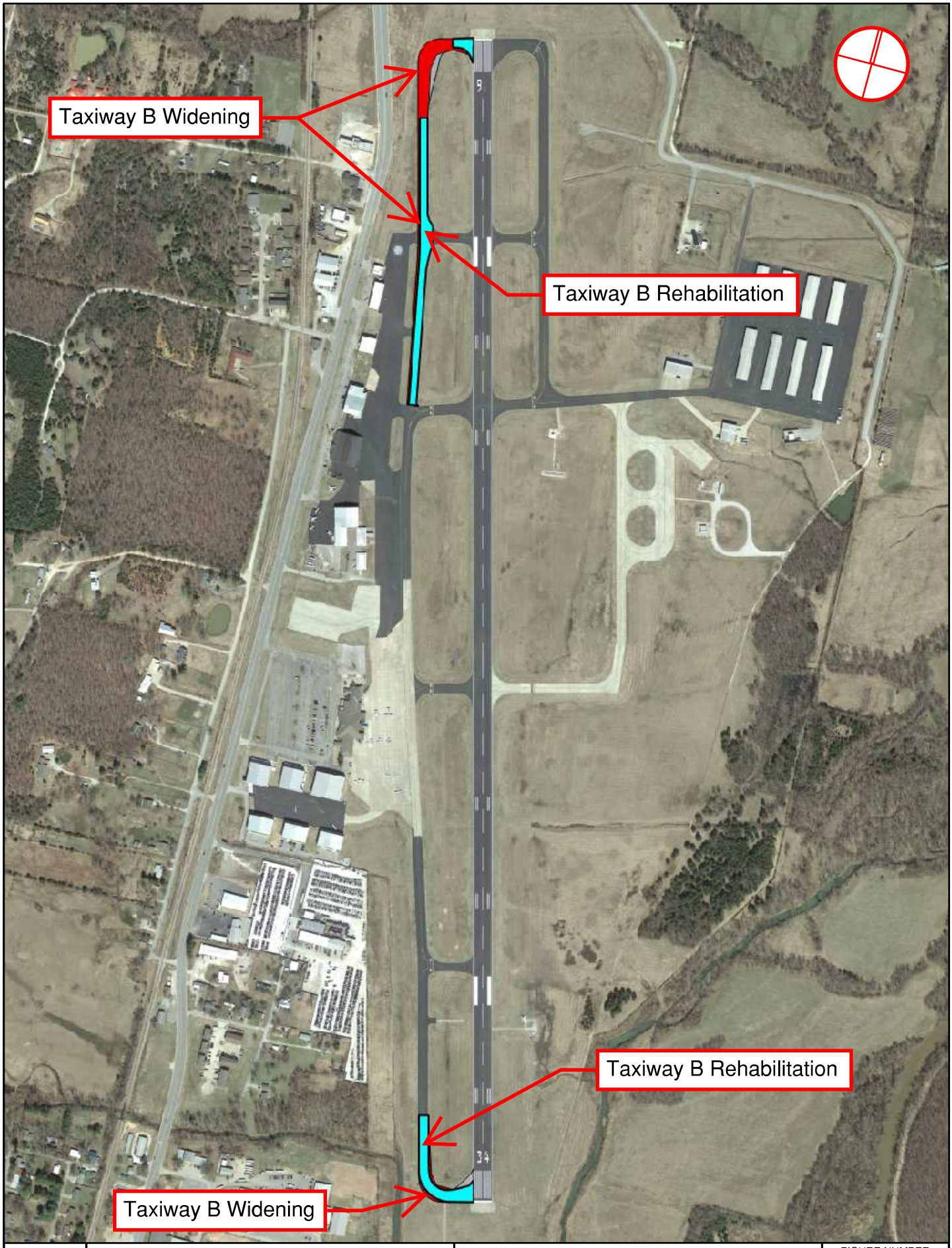
Exhibit B-7

FAYETTEVILLE - DRAKE FIELD
TAXIWAY B WIDENING AND REHABILITATION

PRELIMINARY ENGINEER'S REPORT

WORK TASK DESCRIPTION	E-4	E-3	E-2	E-1	D-2	T-2	T-1
	$53.60	$45.90	$37.90	$32.70	$35.80	$30.20	$23.80
	hr	hr	hr	hr	hr	hr	hr
1. Civil Engineering							
Review of Operational Activity		2		8			
Pavement Condition Analysis							
Records Research		2		4			
PCI Survey		2		8			8
Rehabilitation Analysis		2		8			
Fleet Mix Review		4		8			
Geometric Design		4		8			8
Aircraft Turning Analysis		2		8			8
FAARField and COMFAA Review		4		12			
Rehabilitation Methods		4		4			
Drainage Review		2		4			
Preliminary Engineer's Report (PER)							
Narrative		8		16			
Aeroturn Exhibits		2		4			8
Plan & Profile Sheets		2		4			16
Typical Sections		2		4			10
Drainage Layout		1		2			4
CATEX Coordination		1		2	4		
DBE Coordination		1		8			
Floodplain Coordination		2		4	8		
Engineer's Opinion of Probable Cost		2		4			
Subtotal - Civil Engineering	**0**	**49**	**0**	**120**	**12**	**0**	**62**
2. Electrical Engineering							
Site Visit	5			5			
Lighting Layout	2			8			8
Preliminary Engineer's Report (PER)	2			8			
Engineer's Opinion of Probable Cost	2			4			
Subtotal - Electrical Engineering	**11**	**0**	**0**	**25**	**0**	**0**	**8**
Hours	**11**	**49**	**0**	**145**	**12**	**0**	**70**
Salary Costs	$589.60	$2,249.10	$0.00	$4,741.50	$429.60	$0.00	$1,666.00

SUBTOTAL - SALARIES:		**$9,675.80**
LABOR AND GENERAL ADMINISTRATIVE OVERHEAD		**$18,602.69**
DIRECT NON-LABOR EXPENSES		
Document Printing/Reproduction/Assembly	$222.16	
Postage/Freight/Courier	$75.00	
Travel Costs	$120.00	
SUBTOTAL - DIRECT NON-LABOR EXPENSES:		**$417.16**
SUBTOTAL:		**$28,695.65**
SUBCONSULTANTS FEE:		**$0.00**
PROFESSIONAL FEE		**$4,304.35**
TOTAL FEE:		**$33,000.00**



GARVER

FAYETTEVILLE - DRAKE FIELD
FAYETTEVILLE, ARKANSAS

Taxiway B Widening and Rehabilitation

PROJECT EXHIBIT

FIGURE NUMBER

C-7

City of Fayetteville, Arkansas - Budget Adjustment Form (Legistar)

Budget Year	Division /Org2	Adjustment Number
2017	AIRPORT SERVICES (760)	
	Requestor: Dee McCoy	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

Increase Engineering Services Budget for the preparation of a preliminary engineering report (PER) for the Taxiway B widening and Rehab project. Funds will be returned to fund balance upon receiving grant funding.

COUNCIL DATE: 1/17/2017

LEGISTAR FILE ID#: **2016-0682**

Barbara Fell
1/5/2017 8:49 AM

Budget Director Date

TYPE:

DESCRIPTION:

GLDATE:

POSTED: /

RESOLUTION/ORDINANCE

v.20161220

Account Number	Increase / (Decrease) Expense	Revenue	Project.Sub# Project	Sub	AT	Account Name
TOTAL	49,800	49,800				
5550.760.3960-5314.00	49,800	-	***15029***	***1***	EX	Professional Services - :
5550.760.3940-4999.99	-	49,800			RE	Use Fund Balance - Current
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				

Agenda Session 1-10-17

City of Fayetteville, Arkansas

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

February 6
4:30
City Council Tour

Meeting Agenda - Tentative Agenda

Tuesday, January 10, 2017

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
Sarah Bunch 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:

1. 2016-0680

CITY BOARD OF HEALTH APPOINTMENT CONFIRMATION

2. 2016-0563

PRESENTATION OF THE CITY OF FAYETTEVILLE MARTIN LUTHER KING BROTHERHOOD AWARD - KIT WILLIAMS

3. 2016-0564

STATE OF THE CITY ADDRESS - MAYOR LIONELD JORDAN

Agenda Additions

A. Consent:

A. 1 2016-0567

APPROVAL OF THE JANUARY 3, 2017 CITY COUNCIL MEETING MINUTES.

A. 2 2016-0664

CREAMER PILOT SERVICES LEASE AGREEMENT:

A RESOLUTION TO APPROVE A LEASE AGREEMENT WITH CREAMER PILOT SERVICES, LLC FOR 276 SQUARE FEET OF OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF $253.00 PER MONTH THROUGH THE END OF 2017, AFTER WHICH TIME THE LEASE SHALL AUTOMATICALLY RENEW ON A MONTH-TO-MONTH BASIS

Attachments: CREAMER PILOT SERVICES LEASE AGREEMENT

B. Unfinished Business:

B. 1 2016-0622

AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169:

AN ORDINANCE TO AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169 OF THE UNIFIED DEVELOPMENT CODE TO CREATE TWO NEW ZONING DISTRICTS: RESIDENTIAL INTERMEDIATE - URBAN AND NEIGHBORHOOD SERVICES - GENERAL AND NEW USE UNIT 12 B. GENERAL BUSINESS AND TO MAKE FURTHER CHANGES TO INCORPORATE THESE AMENDMENTS INTO THE UNIFIED DEVELOPMENT CODE

Attachments: 16-5631 EX A

16-5631 EX B

ADM 16-5631 (UDC CHAPTERS 161 & 162 AMENDMENTS)

At the December 3, 2017 City Council Meeting this ordinance was left on the first reading.

B. 2 2016-0667

PRELIMINARY PLAT 16-5642 (PARK MEADOWS) GRANT APPEAL:

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO APPROVE PRELIMINARY PLAT 16-5642 (PARK MEADOWS) AS AMENDED PURSUANT TO AN AGREEMENT BETWEEN PLANNING AND THE APPLICANT TO EXTEND THE LEFT TURN LANE ON HUNTSVILLE

Attachments: ATTACHED EXHIBIT 2016-0667 - 4 PAGES

PRELIMINARY PLAT 16-5642 (PARK MEADOWS) GRANT APPEAL

At the December 3, 2017 City Council Meeting this resolution was tabled to the January 17, 2017 City Council Meeting.

C. New Business:

Consent C. 1 2016-0682

GARVER, LLC TASK ORDER NO. 7:

A RESOLUTION TO APPROVE TASK ORDER NO. 7 WITH GARVER, LLC IN THE AMOUNT OF $49,800.00 FOR PREPARATION OF A PRELIMINARY ENGINEERING REPORT FOR THE TAXIWAY B WIDENING AND REHABILITATION PROJECT, TO EXPRESS THE CITY'S WILLINGNESS TO UTILIZE FEDERAL AVIATION ADMINISTRATION FUNDS FOR THE PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: Taxiway B Council Packet

BA

D. City Council Agenda Session Presentations:

Add: JL Bryson

E. City Council Tour:

Consent

F. Announcements:

G. Adjournment

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may appear and address the City Council on Unfinished Business, New Business, and Public Hearings at City Council meetings. If you wish to address the City Council on an agenda item, please wait for the Mayor or Chair to request public comment then queue behind the podium. When the Mayor or Chair recognizes you, approach the podium and give your name and address. Comments are to be addressed to the Mayor or Chair. The Mayor or Chair will direct your comments to the appropriate elected officials, staff, or others for response. Keep your comments respectful, brief, to the point, and relevant to the agenda item being considered. Each speaker from the public will be allowed one turn at the microphone for discussion of an agenda item.

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. City staff, City Council members, and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item.

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. A simple majority of the City Council members, present and voting, may authorize a representative of a Fayetteville citizens' group opposing the ordinance or resolution to present an electronic visual aid not to exceed five minutes, but no other electronic visual aid presentations will be allowed; however, 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's 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.

Pre Agenda Meeting 1-4-17

City of Fayetteville, Arkansas

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

Meeting Agenda - Tentative Agenda

Tuesday, January 10, 2017

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
Sarah Bunch 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:

1. 2016-0564

STATE OF THE CITY ADDRESS - MAYOR LIONELD JORDAN

2. 2016-0563

PRESENTATION OF THE CITY OF FAYETTEVILLE MARTIN LUTHER KING BROTHERHOOD AWARD - KIT WILLIAMS

3. 2016-0680

CITY BOARD OF HEALTH APPOINTMENT CONFIRMATION

Agenda Additions

A. Consent:

A1 2016-0567

APPROVAL OF THE JANUARY 3, 2017 CITY COUNCIL MEETING MINUTES.

A2 **2016-0664**

CREAMER PILOT SERVICES LEASE AGREEMENT:

A RESOLUTION TO APPROVE A LEASE AGREEMENT WITH CREAMER PILOT SERVICES, LLC FOR 276 SQUARE FEET OF OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF $253.00 PER MONTH THROUGH THE END OF 2017, AFTER WHICH TIME THE LEASE SHALL AUTOMATICALLY RENEW ON A MONTH-TO-MONTH BASIS

Attachments: CREAMER PILOT SERVICES LEASE AGREEMENT

A 3 2016-0682

GARVER, LLC TASK ORDER NO. 7:

A RESOLUTION TO APPROVE TASK ORDER NO. 7 WITH GARVER, LLC IN THE AMOUNT OF $49,800.00 FOR PREPARATION OF A PRELIMINARY ENGINEERING REPORT FOR THE TAXIWAY B WIDENING AND REHABILITATION PROJECT, AND TO EXPRESS THE CITY'S WILLINGNESS TO UTILIZE FEDERAL AVIATION ADMINISTRATION FUNDS FOR THE PROJECT

Attachments: Taxiway B Council Packet

B. Unfinished Business:

B 1 2016-0622

AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169:

AN ORDINANCE TO AMEND CHAPTERS 160, 161, 162, 164, 166, 167, AND 169 OF THE UNIFIED DEVELOPMENT CODE TO CREATE TWO NEW ZONING DISTRICTS: RESIDENTIAL INTERMEDIATE - URBAN AND NEIGHBORHOOD SERVICES - GENERAL AND NEW USE UNIT 12 B. GENERAL BUSINESS AND TO MAKE FURTHER CHANGES TO INCORPORATE THESE AMENDMENTS INTO THE UNIFIED DEVELOPMENT CODE

Attachments: 16-5631 EX A

16-5631 EX B

ADM 16-5631 (UDC CHAPTERS 161 & 162 AMENDMENTS)

At the December 3, 2017 City Council Meeting this ordinance was left on the first reading.

B 2 2016-0667

PRELIMINARY PLAT 16-5642 (PARK MEADOWS) GRANT APPEAL:

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO APPROVE PRELIMINARY PLAT 16-5642 (PARK MEADOWS) AS AMENDED PURSUANT TO AN AGREEMENT BETWEEN PLANNING AND THE APPLICANT TO EXTEND THE LEFT TURN LANE ON HUNTSVILLE

Attachments: ATTACHED EXHIBIT 2016-0667 - 4 PAGES

PRELIMINARY PLAT 16-5642 (PARK MEADOWS) GRANT APPEAL

At the December 3, 2017 City Council Meeting this resolution was tabled to the January 17, 2017 City Council Meeting.

C. New Business: None

D. City Council Agenda Session Presentations:

E. City Council Tour:

F. Announcements:

G. Adjournment

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may appear and address the City Council on Unfinished Business, New Business, and Public Hearings at City Council meetings. If you wish to address the City Council on an agenda item, please wait for the Mayor or Chair to request public comment then queue behind the podium. When the Mayor or Chair recognizes you, approach the podium and give your name and address. Comments are to be addressed to the Mayor or Chair. The Mayor or Chair will direct your comments to the appropriate elected officials, staff, or others for response. Keep your comments respectful, brief, to the point, and relevant to the agenda item being considered. Each speaker from the public will be allowed one turn at the microphone for discussion of an agenda item.

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. City staff, City Council members, and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item.

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. A simple majority of the City Council members, present and voting, may authorize a representative of a Fayetteville citizens' group opposing the ordinance or resolution to present an electronic visual aid not to exceed five minutes, but no other electronic visual aid presentations will be allowed; however, 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's 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.