

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8267



Planning Commission Final Agenda

Monday, September 14, 2026

5:30 PM

City Hall Room 219

Planning Commission Members

Nick Werner, Chair

Andrew Brink, Vice Chair

Ashlyn Holeyfield, Secretary

H. Rice Brewer

Matthew Cabe

Nick Castin

Fred Gulley

Mary Madden

Mary McGetrick

Senior Assistant City Attorney Blake Pennington

Zoom Information

Webinar ID: 891 2428 2386

Registration Link: https://fayetteville-ar.zoom.us/webinar/register/WN_PjKlee1iRYW61yi8d42pkA

Call to Order

Roll Call

Consent

1. **MINUTES:**

Approval of the minutes from the August 24, 2026, Planning Commission Meeting. - Bliss Hyke, Development Coordinator

2. **VAR-2026-0030: Planning Commission Variance (2402 W JUDGE CUMMINGS RD/SOUTH CATO SPRINGS HOLDINGS LLC, 675 & 676):**

Submitted by CRAFTON TULL & ASSOCIATES for property located at 2402 W JUDGE CUMMINGS RD. The property is zoned UT, URBAN THOROUGHFARE and contains 36.78 acres. The request is for a variance to the master street plan. - Jessica Masters, Planning Director

3. **VAR-2026-0033: Planning Commission Variance (465 N BLUE JAY LN/THOMPSON FAMILY TRUST, 473):**

Submitted by L & F CONSTRUCTION LLC for property located at 465 N BLUE JAY LN. The property is zoned R-A, RESIDENTIAL, AGRICULTURAL and contains approximately 36.82 acres. The request is for a variance from the development review/process. - Jessica Masters, Planning Director

4. **PPL-2026-0007: Preliminary Plat (SOUTH OF 3495 E GOFF FARM RD/SASNAKRA LLC, 607 & 646):**

Submitted by BLEW & ASSOCIATES for property located SOUTH OF 3495 E GOFF FARM RD. The property is zoned R-A, RESIDENTIAL, AGRICULTURAL, UN, URBAN NEIGHBORHOOD & NC, NEIGHBORHOOD CONSERVATION and contains approximately 115.90 acres. The request is for the preliminary plat of 169 single-family residential lots, 33 townhome lots, and additional lots reserved for common areas and stormwater detention. - Jessica Masters, Planning Director

5. **LSD-2026-0010: Large Scale Development (1358 E MILLSAP RD/CHRISTIAN LIFE CATHEDRAL OF NORTHWEST ARKANSAS, INC, 213 & 214):**

Submitted by BLEW & ASSOCIATES for a property located at 1358 E MILLSAP RD. The property is zoned P-1, INSTITUTIONAL and contains approximately 1.02 acres. The request is for an additional parking lot with extensions to Hemlock Avenue and existing parking. - Donna Wonsower, Senior Planner

Unfinished Business

6. VAR-2026-0028: Planning Commission Variance (4077 W WEDINGTON DR/CCV DT ROGERS HOLDINGS LLC; DRIVER DEVELOPMENT, 439):

Submitted by GREYDON ENGINEERING LLC for property located 4077 W WEDINGTON DR. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL and contains approximately 1.76 acres. The request is for a variance from the driveway requirements. - Jessica Masters, Planning Director

7. LSD-2026-0016: Large Scale Development (615 S STONE BRIDGE RD/HAMMER-WILLIAMS COMPANY, 527):

Submitted by HARRISON FRENCH AND ASSOCIATES for a property located at 615 S STONE BRIDGE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE & C-2, THOROUGHFARE COMMERCIAL and contains approximately 5.70 acres. The request is for a 4,326 sq. ft. convenience store with gas station. - Donna Wonsower, Senior Planner

8. CUP-2026-0034: Conditional Use Permit (1766 S SMOKEHOUSE TRL/JIMMY J JR HERRING & ROBERT WRIGHT, 595):

Submitted by FAYETTEVILLE E-BIKE COMPANY for property located at 1766 S SMOKEHOUSE TRL. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.42 acres. The request is for the use of a bike shop business in a residential zoning district. - Jessica Masters, Planning Director

New Business

9. ADM-2026-0029: Administrative Item (251 W 19TH ST/SERVE NORTHWEST ARKANSAS INC, 601):

Submitted by NEW BEGINNINGS NWA for property located at 251 W 19TH ST. The property is zoned UC, URBAN CORRIDOR and contains approximately 4.79 acres. The request is to extend a previously approved conditional use permit. - Jessica Masters, Planning Director

10. VAR-2026-0034: Planning Commission Variance (WEST OF S GOODSSELL LN/TOWNE WEST RESIDENCES PROPERTY COMPANY LLC, 516):

Submitted by ESI for property located at WEST OF S GOODSSELL LN. The property is zoned R-A, RESIDENTIAL, AGRICULTURAL & RSF-18,

RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE and contains approximately 9.59 acres. The request is for a variance from the flood plain requirements. - Mark Veasey, Staff Engineer

11. VAR-2026-0020: Planning Commission Variance (701 E MCCLINTON ST/AD&U LLC, 563):

Submitted by ODDLOT DEVELOPMENT for property located at 701 E MCCLINTON ST. The property is zoned UN, URBAN NEIGHBORHOOD and contains 0.11 acres. The request is for a variance to driveway and architectural design standards. - Virginia Whitman, Planner

12. VAC-2026-0012: VACATION (1358 E MILLSAP RD/CHRISTIAN LIFE CATHEDRAL, 213):

Submitted by BLEW & ASSOCIATES for property located at 1358 E MILLSAP RD. The property is zoned P-1, INSTITUTIONAL and contains approximately 1.02 acres. The request is to vacate 0.448 acres of existing right-of-way. - Donna Wonsower, Senior Planner

13. CUP-2026-0036: Conditional Use Permit (1726 N SANG AVE/HAVENLY MCFADDEN LLC, 364):

Submitted by HACKBERRY LANE MANAGEMENT, LLC for property located at 1726 N SANG AVE. The property is zoned RMF-40, RESIDENTIAL MULTI-FAMILY – FORTY UNITS PER ACRE and contains approximately 1.79 acres. The request is for a commercial office. - Donna Wonsower, Senior Planner

14. CUP-2026-0038: Conditional Use Permit (428 W PROSPECT ST/WILLIAM R KENNAN, 445):

Submitted by MAX & KAREN MCALLISTER for property located at 428 W PROSPECT ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.30 acres. The request is for a short-term rental in a residential zoning district. - Donna Wonsower, Senior Planner

15. CUP-2026-0039: Conditional Use Permit (4522 W SWEETGUM LN/MIRANDA RENFROW, 555):

Submitted by MIRANDA RENFROW for property located at 4522 W SWEETGUM LN. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 0.10 acres. The request is for a short-term rental in a residential zoning district. - Virginia Whitman, Planner

16. CUP-2026-0040: Conditional Use Permit (2783 W MCLAREN DR/ROBERT ZACHARY & DAWN ANN LEIN, 285):

Submitted by DAWN LEIN for property located at 2783 W MCLAREN DR. The

property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.20 acres. The request is for a short-term rental in a residential zoning district. - Donna Wonsower, Senior Planner

17. CUP-2026-0041: Conditional Use Permit (SOUTH OF 3365 N COLLEGE/H W ALLEN CO LLC, 213):

Submitted by BENCHMARK DESIGN GROUP for property located SOUTH OF 3365 N COLLEGE. The property is zoned UC, URBAN CORRIDOR and contains approximately 1.16 acres. The request is for a 2,899 sq. ft. drive-thru restaurant. - Donna Wonsower, Senior Planner

18. RZN-2026-0026: Rezoning (243, 319 & 325 W 22ND ST/MAJE INVESTMENTS LLC, 640):

Submitted by AARON DUNN for property located at 243, 319 & 325 W 22ND ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 4.80 acres. The request is to rezone the property to RI-12, RESIDENTIAL-INTERMEDIATE, TWELVE UNITS PER ACRE. - Virginia Whitman, Planner

19. RZN-2026-0029: Rezoning (3504 & 3526 W MOUNT COMFORT RD/LARRY D WEST & GEORGE C JR REVOCABLE TRUST FAUCETTE, 323):

Submitted by ODYSSEY ENGINEERING for property located at 3504 & 3526 W MOUNT COMFORT RD. The property is zoned R-A, RESIDENTIAL, AGRICULTURAL and contains approximately 1.10 acres. The request is to rezone the property to CS, COMMUNITY SERVICES. - Virginia Whitman, Planner

20. RZN-2026-0030: Rezoning (1915 & 1927 W WEDINGTON DR/COLLIN HUGHES & SERINA D ALLEN, 442):

Submitted by COLLIN ALLEN for property located at 1915 & 1927 W WEDINGTON DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.84 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE, URBAN. - Virginia Whitman, Planner

21. RZN-2026-0028: Rezoning (EAST OF 1435 N STARR DR/HARVEY HOLDINGS LLC, 412):

Submitted by BLEW & ASSOCIATES for property located EAST OF 1435 N STARR DR. The property is zoned R-A, RESIDENTIAL, AGRICULTURAL and contains approximately 1.98 acres. The request is to rezone the property to RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE. - Jessica Masters, Planning Director

Items Administratively Approved by Staff

22. LSP-2026-0041: Lot Split (117 N CHURCH AVE/JORDAN HOLDINGS LLC, 484):

Submitted by ODYSSEY ENGINEERING for property located at 117 N CHURCH AVE. The property is zoned DG, DOWNTOWN GENERAL and contains 0.01 acres. The request is to split the property into two lots containing 0.055 and 0.055 acres. - Donna Wonsower, Senior Planner

23. LSP-2026-0042: Lot Split (1601 E PUMP STATION RD/PUMP STATION WAREHOUSE LLC, 643):

Submitted by PHILLIP LEWIS ENGINEERING for property located at 1601 E PUMP STATION RD. The property is zoned I-2, GENERAL INDUSTRIAL and contains 14.58 acres. The request is to split the property into two lots containing 11.90 and 2.67 acres. - Donna Wonsower, Senior Planner

24. LSP-2026-0050: Lot Split (1642 & 1666 N OAKLAND AVE/NWA REAL ESTATE LLC, 405):

Submitted by BATES & ASSOCIATES for property located at 1642 & 1666 N OAKLAND AVE. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE and contains 0.99 acres. The request is to split the properties into four lots containing 0.19, 0.21, 0.28, and 0.31 acres. - Citlali Samano, Planner

25. SIP-2026-0009: Site Improvement Plan (WEST OF 25 E ROCK ST/RIGGINS VENTURES LLC, 523):

Submitted by DANIEL LAZENBY for property located WEST OF 25 E ROCK ST. The property is zoned DG, DOWNTOWN GENERAL and contains approximately 0.59 acres. The request is for twelve single-family residential units. - Citlali Samano, Planner

26. FPL-2026-0006: Final Plat (SOUTH DEAD HORSE MOUNTAIN RD/THE PRESERVE AT STONEBRIDGE, PH. II, 645 & 646):

Submitted by BLEW & ASSOCIATES for properties located along SOUTH DEAD HORSE MOUNTAIN RD. The properties are zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contain approximately 17.79 acres. The request is for the final plat of 51 residential lots and 2 unbuildable lots. - Citlali Samano, Planner

Agenda Session Items

Announcements

Adjournment

NOTICE TO MEMBERS OF THE AUDIENCE

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

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

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

(pg. 1) Planning Commission			Monday, August 24, 2026			
Time: 5:30 PM						
Staff : ☐ Jonathan Curth ☐ Jessie Masters ☒ Donna Wonsower ☒ Citlali Samano ☐ Willa Thomason ☐ Bethany Douglas ☒ Virginia Whitman						
☐ Britin Bostick ☐ Kylee Cole ☐ Chris Brown ☒ Justin Bland ☐ Dayten Moses ☐ Mark Veasey ☐ Alan Pugh ☐ Fire Marshal ☒ City Attorney						
	Roll Call	1) Minutes August 10, 2026	2) VAR-2026-0027 (SI PROPERTY INVESTMENTS LLC)	3) VAR-2026-0029 (2828 MANSFIELD LLC)	4) RZN-2026-0023 (WARREN MISSION LLC)	5) VAR-2026-0028 (CCV DT ROGERS HOLDINGS LLC; DRIVER DEVELOPMENT)
Brewer	1	1	1	1	0	1
Gulley	1	1	1	1	1	1
Madden	0					
Brink	1	1	1	1	1	1
Werner	1	1	1	1	1	1
Holeyfield	0					
McGetrick	1	1	1	1	1	1
Cabe	0					
Castin	1	1	1	1	1	1
Agenda		Consent	Consent	Consent	Unfinished	New
Action		Approve	Approve	Approve	Forward	Table
Motion By		Brewer	Brewer	Brewer	Gulley	Brewer
Motion 2nd		McGetrick	McGetrick	McGetrick	McGetrick	Gulley
Vote		6-0-0	6-0-0	6-0-0	5-1-0	6-0-0
Time		5:34 pm	5:34 pm	5:34 pm	5:52 pm	5:54 pm
Motion Detail					Forward to City Council with no bill of assurance included.	Table to September 14, 2026.

(pg. 2) Planning Commission			Monday, August 24, 2026			
	6) CUP-2026-0034 (JIMMY J JR HERRING & ROBERT WRIGHT)	7) CUP-2026-0037 (JIMMY DALE & NICOLE MAY WHITE)	8) RZN-2026-0025 (FRISCO AR PROPERTIES LLC)	9) RZN-2026-0027 (2C PROPERTIES LLC)	10) CUP-2026-0032 (STI VENTURES LLC)	11) CUP-2026-0036 (HAVENLY MCFADDEN LLC)
Brewer	1	1	1	0		
Gulley	1	1	1	1		
Madden						
Brink	1	1	1	0		
Werner	1	1	1	0		
Holeyfield						
McGetrick	0	1	1	0		
Cabe						
Castin	0	1	1	1		
Agenda	New	New	New	New	WITHDRAWN	WITHDRAWN
Action	Table	Approve	Forward	Forward		
Motion By	Gulley	Brink	Brewer	McGetrick		
Motion 2nd	Brewer	Gulley	McGetrick	Gulley		
Vote	4-2-0	6-0-0	6-0-0	2-4-0		
Time	6:19 pm	6:22 pm	6:27 PM	6:58 pm		
	Table to September 14, 2026.	Approved with all conditions as recommended by staff.	Forward with a recommendation of approval.		September 28, 2026 Planning Commission.	September 14, 2026 Planning Commission.

(pg. 3) Planning Commission				Monday, August 24, 2026		
	12) CUP-2026-0038 (WILLIAM R KENNAN)	13) CUP-2026-0039 (MIRANDA RENFROW)	14) RZN-2026-0026 (MAJE INVESTMENTS LLC)			
Brewer						
Gulley						
Madden						
Brink						
Werner						
Holeyfield						
McGetrick						
Cabe						
Castin						
Agenda	WITHDRAWN	WITHDRAWN	WITHDRAWN			
Action						
Motion By						
Motion 2nd						
Vote						
Time						
Motion Detail	September 14, 2026 Planning Commission.	September 14, 2026 Planning Commission.	September 14, 2026 Planning Commission.			
Public Comment						



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director
Justin Bland, City Engineer

MEETING DATE: September 14, 2026

SUBJECT: **VAR-2026-0030: Planning Commission Variance (2402 W JUDGE CUMMINGS RD/SOUTH CATO SPRINGS HOLDINGS LLC, 675 & 676):**
Submitted by CRAFTON TULL & ASSOCIATES for property located at 2402 W JUDGE CUMMINGS RD. The property is zoned CS, COMMUNITY SERVICES and UT, URBAN THOROUGHFARE and contains 117.19 acres. The request is for a variance to the master street plan.

RECOMMENDATION:

Staff recommends approval of **VAR-2026-0030** based on the findings herein.

RECOMMENDED MOTION:

*"I move to approve **VAR-2026-0030**, determining:*

- In favor of a variance to UDC §166.08(D)(5); and*
- In favor of a variance to UDC §166.08(D)(5); and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is located in southwest Fayetteville just northeast of Kessler Mountain Regional Park and west of Cato Springs Road. The City of Fayetteville has contributed funds to support infrastructure improvements on the property which would serve a planned development for Supporting Lifelong Success (SLS) Community and provide a second point of access to Mount Kessler Regional Park. Those infrastructure improvements are currently under construction (GRD-2024-0067), and changes to the grading permit were submitted in the Spring by the consultant. The project's original approval was entitled under LSIP-2024-0007, and three variances were approved by the Planning Commission in 2024 (VAR-2024-0017). Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Rural Residential; Undeveloped	R-A, Residential-Agricultural; Ag/SF 1, Agricultural/Single-Family Residential, One Unit per Acre (Washington County);
South	Regional Park; Rural Residential	P-1, Institutional; Ag/SF 1, Agricultural/Single-Family Residential, One Unit per Acre (Washington County); R-A, Residential-Agricultural
East	I-49; Rural Residential	R-A, Residential-Agricultural
West	Regional Park	P-1, Institutional

Request: The applicant is requesting a variance from the Unified Development Code in association with street construction project that is currently under construction (GRD-2024-0067).

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

DISCUSSION:

Variance #1: UDC §166.04(B)(4)(c)(i) Widening the street adjacent to the project frontage and construction of all interior streets to meet Master Street Plan standards. Street grading, base, and paving according to existing city standards and specifications as adopted by the City Council. The applicant is requesting a variance to follow a different street section (the Urban/Downtown Street section) rather than the Residential Link Street section that is identified on the Master Street Plan.

Variance #2: UDC §166.08(D)(5), Street Standards. All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted minimum street standards. The applicant is requesting a variance to provide partial improvements along the proposed street extension. As proposed, the portion of the road to the east of the creek will be modified to reflect partial street improvements in line with the Urban/Downtown street classification.

Staff recommendation: Staff is supportive of both requests. While details of future development along the street are clarifying by the developer of the site, the final characteristics have not yet been substantiated or reviewed by staff. That said, the developer's proposed street section would allow future development to meet the master street plan without having to remove and replace previously installed improvements. The plan allows for flexibility with the future development.

RECOMMENDATION: Staff recommends approval of VAR-2026-0030 with the following conditions:

Conditions of Approval:

- 1. Planning Commission determination of a variance to UDC §166.04(B)(4)(c)(i) Street Standards.** *Staff recommends approval of this request for the reasons stated above.*
- 2. Planning Commission determination of a variance to UDC §166.08(D)(5), Street Standards.** *Staff recommends approval of this request for the reasons stated above.*
3. Approval of this item does not constitute approval or acceptance of any City right-of-way dedication that may be required with future development, nor does it constitute approval or any additional variances that may be required that have not yet been reviewed or requested.

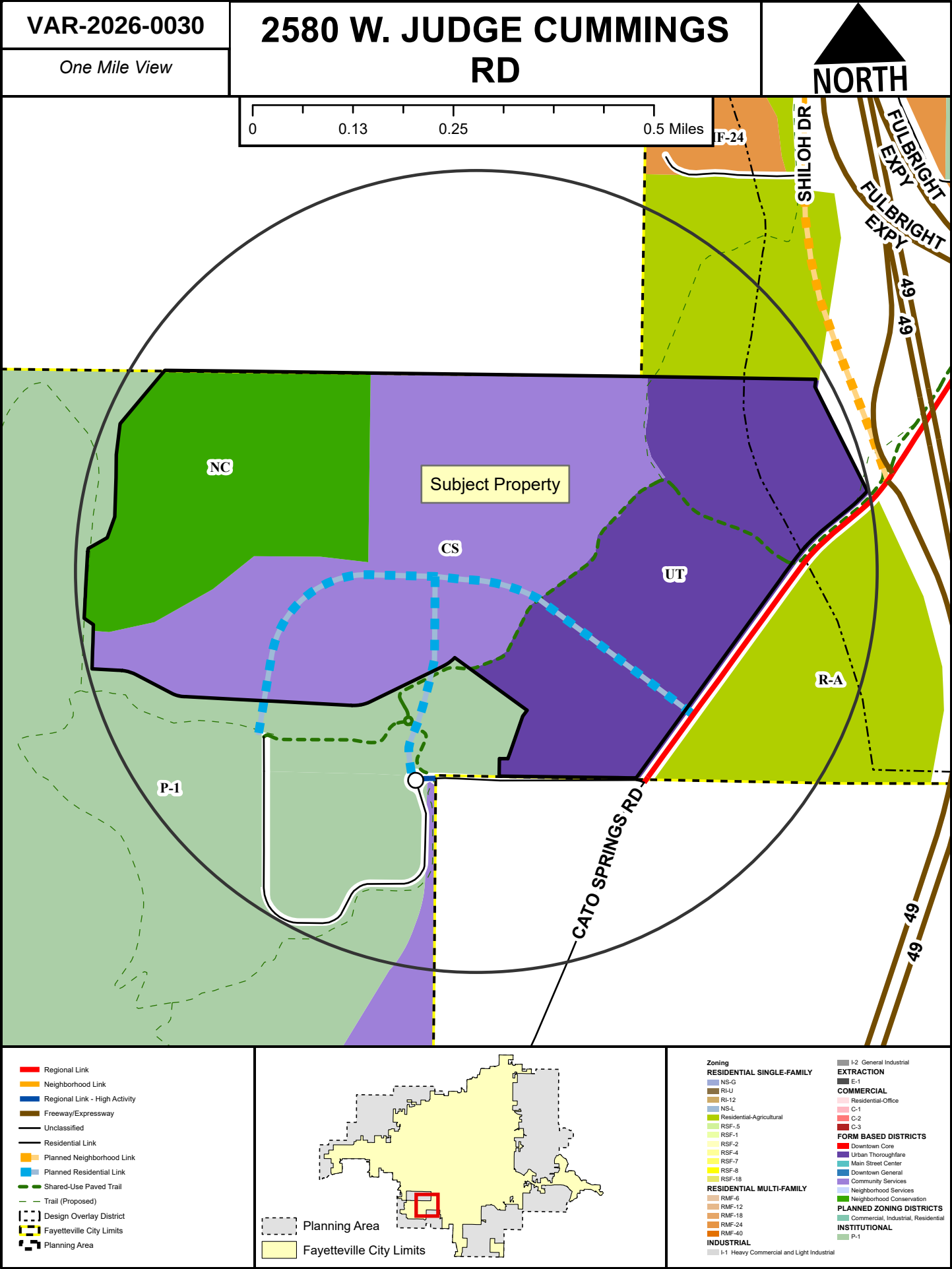
Planning Commission Action:	☐ Approved	☐ Tabled	☐ Denied
Meeting Date: <u>September 14, 2026</u>			
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

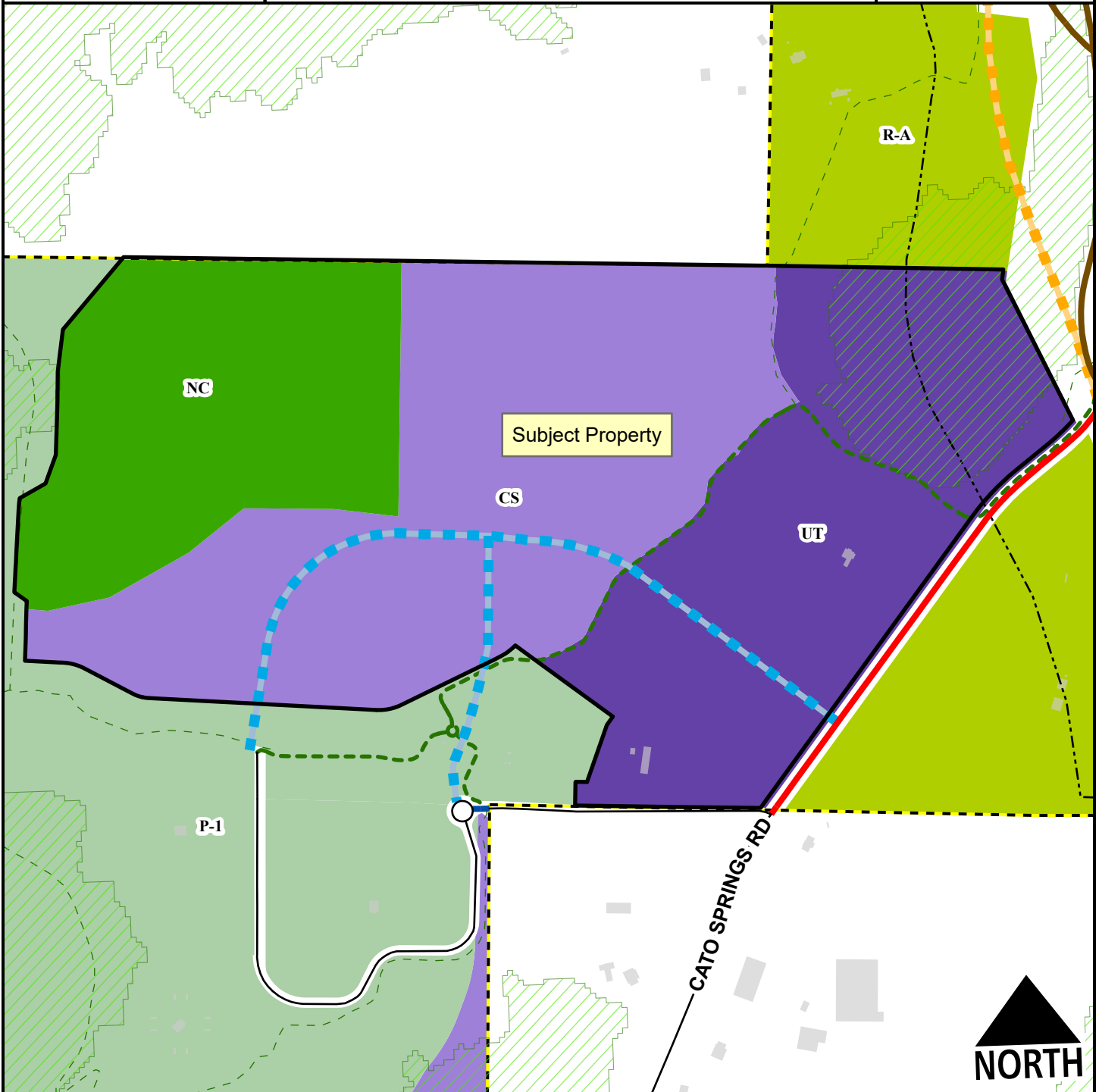
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Unified Development Code:
 - §166.04 Required Infrastructure Improvements – Development in City Limits
 - §166.08 Street Design and Access Management Standards
- Applicant Request Letter
- Civil Plans



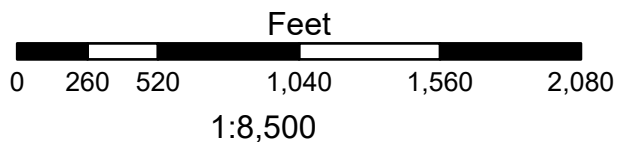
VAR-2026-0030

2580 W. JUDGE CUMMINGS RD

Close Up View



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

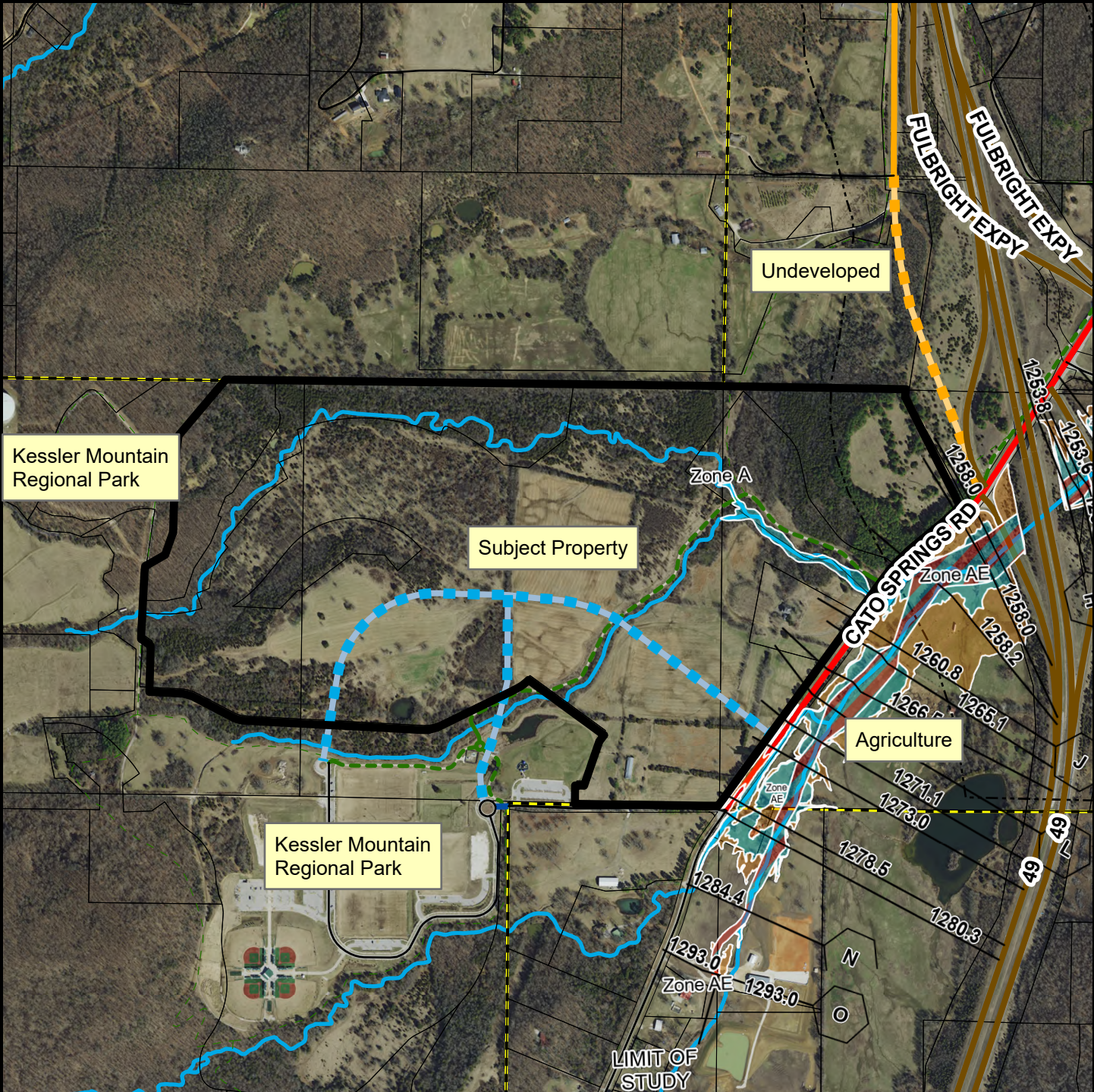


- Residential-Agricultural
- Urban Thoroughfare
- Community Services
- Neighborhood Conservation
- P-1

VAR-2026-0030
<i>Current Land Use</i>

2580 W. JUDGE CUMMINGS RD

An aerial photograph of a forested area. A bright blue line, likely representing a stream or road, runs diagonally from the top left towards the center. Black lines delineate various land parcels. A small white rectangular object, possibly a building, is visible in the upper right quadrant. The terrain is covered in dense, dark green vegetation.



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

 Floodway

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

Feet

0 335 670 1,340 2,010 2,680

1:11,000

166.04 Required Infrastructure Improvements — Development In City Limits

...

- (B) *Minimum Improvements by Application Type.* The property owner/developer shall be responsible for constructing the following minimum improvements.

...

- (4) *Preliminary/Final/Concurrent Plat; Large Scale Development; Large or Small Site Improvement Plan.*

...

(c) *Streets.*

- (i) *On-Site.* Widening the street adjacent to the project frontage and construction of all interior streets to meet Master Street Plan standards. Street grading, base, and paving according to existing city standards and specifications as adopted by the City Council.
- (ii) *Off-Site.* Street widening and/or new street construction off-site may be required to address traffic impacts based on the rough proportion and rational nexus of the impacts of the project. Street grading, base, and paving according to existing city standards and specifications as adopted by the City Council.
- (iii) *Private Street Name Signs.* Where a structure is addressed on a private street or drive, the developer or property owner(s) shall be required to install, maintain, repair and replace all private street name signs. Any private street name sign existing at the time of passage of this ordinance shall be maintained, repaired and replaced as required by this section. Signs shall meet the standards of the Manual on Uniform Traffic Control Devices (MUTCD) and shall be installed at all street/drive intersections. Unless approved otherwise, all signs shall be retroreflective and utilize a white legend on a green background.

166.08 Street Design And Access Management Standards

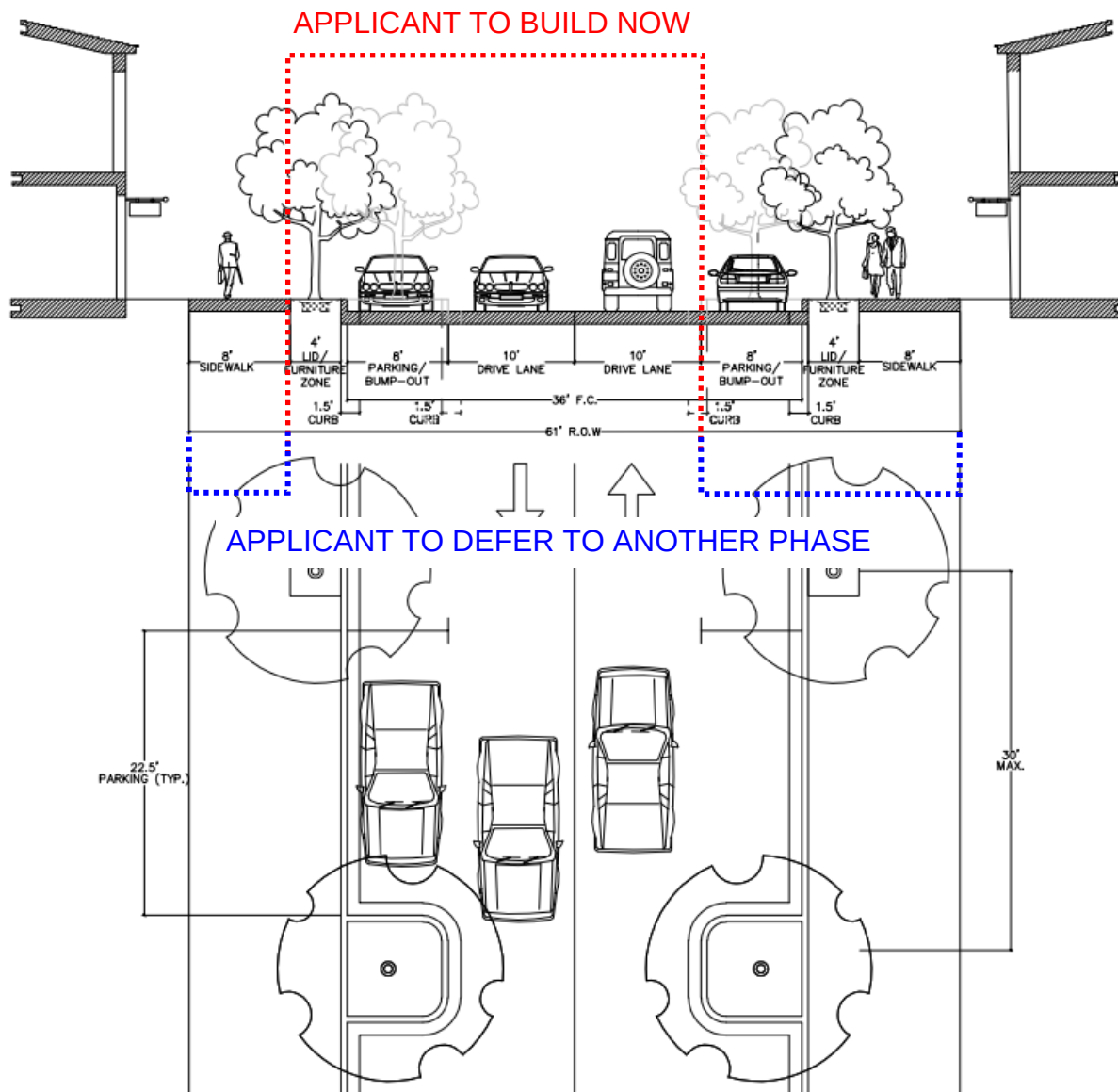
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(D) *Street Design Principles.*

- (1) *Extensions.* All street extensions shall be constructed to minimum street standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such.
- (2) *Substandard Widths.* Developments that adjoin existing streets shall dedicate additional right-of-way to meet the Master Street Plan.
- (3) *Street Names.* Names of streets shall be consistent with natural alignment and extensions of existing streets, and new street names shall not duplicate or be similar to existing street names. Developers shall coordinate the naming of new streets through the GIS Office during the plat review process.
- (4) *Pedestrian.* Pedestrian-vehicular conflict points should be controlled through signalized intersections and proven traffic calming design principles.
- (5) *Street Standards.* All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted minimum street standards.

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

DOWNTOWN/URBAN STREET SECTION





June 2, 2026
Revised September 9, 2026

City of Fayetteville
Engineering Division
113 West Mountain
Fayetteville, AR 72701

Attn: Jessie Masters
Re: South Cato Holdings Road Extension

Ms. Masters,

On behalf of our client, South Cato Holdings LLC, please consider this correspondence as an official request for a revised variance from the City of Fayetteville Master Street Plan. This project received a variance in April 2024. [The revisions represent a return to the Master Street Plan section for a Downtown/Urban street section 'east of the creek'](#). The southern parking area and curb line will still be deferred and constructed with future Large Scale Development submittal(s). The following is the variance letter as submitted in 2024 with revisions in [Blue](#) that reflect proposed revisions to the design because of new stakeholders with a different vision.

Background: Our client has proposed the construction of a roadway that is to be cost shared with the City of Fayetteville. The project will serve as the roadway backbone for a future development and provide a second access to Mt. Kessler Regional Park. The future development is in the master planning stages. The proposed connection is shown on the Master Street Plan as a Residential Link.

Request: We request that the Planning Commission consider variances to three elements of the Master Street Plan/Minimum Street Standards:

1. Chapter 166.08(D)(5) requires that all streets meet requirements set for the City's Master Street Plan and adopted Minimum Street Standards. Per conversations with the Engineering department, two variations to the Master Street Plan typical sections are being requested as outlined below. Right-of-Way will be dedicated with this project in accordance with the Master Street Plan. The applicant understands that future development may require the streets to be brought up to Master Street Plan or require further variance consideration:
 - 'West of the Creek' – In accordance with the cost share agreement between the City of Fayetteville and the developer, west of the creek the roadway section is to include 2-10' driving lanes with 3' gravel shoulders. Curb and gutter and storm sewer will be deferred until future development takes place. In the interim, drainage will be conveyed in roadside ditches.
 - 'East of the Creek' – In this area, the proposed roadway section includes the north half of a future roadway. The north curb line and storm sewer trunk line will be installed now. Construction of the southern curb line, southern driving lanes, and all sidewalk will be deferred until future development takes place. [The attached](#)



typical sections reflect changes to this area. The primary change is where this section is utilized and the width of the parking.

2. Chapter 166.04(B)(4)(c)(i) requires widening of the street adjacent to the project frontage and construction of all interior streets to meet Master Street Plan Standards. The variations requested for the interior streets are outlined in the previous section. The applicant understands that future development may require the streets to be brought up to Master Street Plan or require further variance consideration.

The applicant acknowledges that these elements may be required to construct the deferred elements required to bring the roadway in conformity with the Master Street Plan and Minimum Street Standards.

Rationale: There are three primary factors driving these variance requests:

1. Agreement & Budget – The cost share agreement and associated budget outlines a typical roadway width of 20' with 30' near the intersection with South Cato Springs Road (Hwy 265). The cost-share budget is not sufficient to build a full roadway section that conforms to the Master Street Plan.
2. Future construction impacts – The applicant anticipates that future development would damage/destroy sidewalk in the areas where curb and gutter are to be installed in future build-to areas (UT Zoning).
3. Future Development Unknowns – details of the anticipated development are not sufficiently determined to accurately locate intersections. Future development will inform the design of storm sewer to be deferred 'west of the creek.'

We appreciate your favorable consideration in this matter. Should you have any questions or need additional information, please feel free to contact the undersigned.

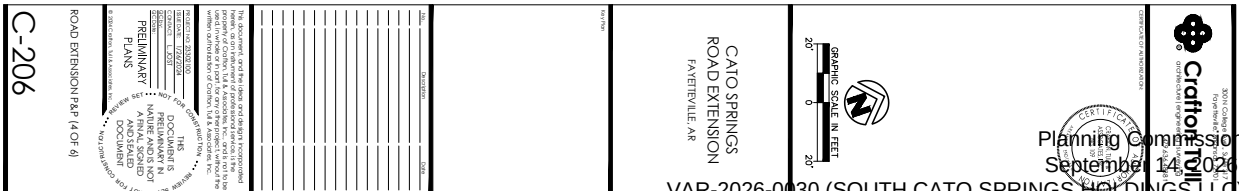
Respectfully,

Luke Jost, PE
Project Manager
Crafton Tull

Attachments:

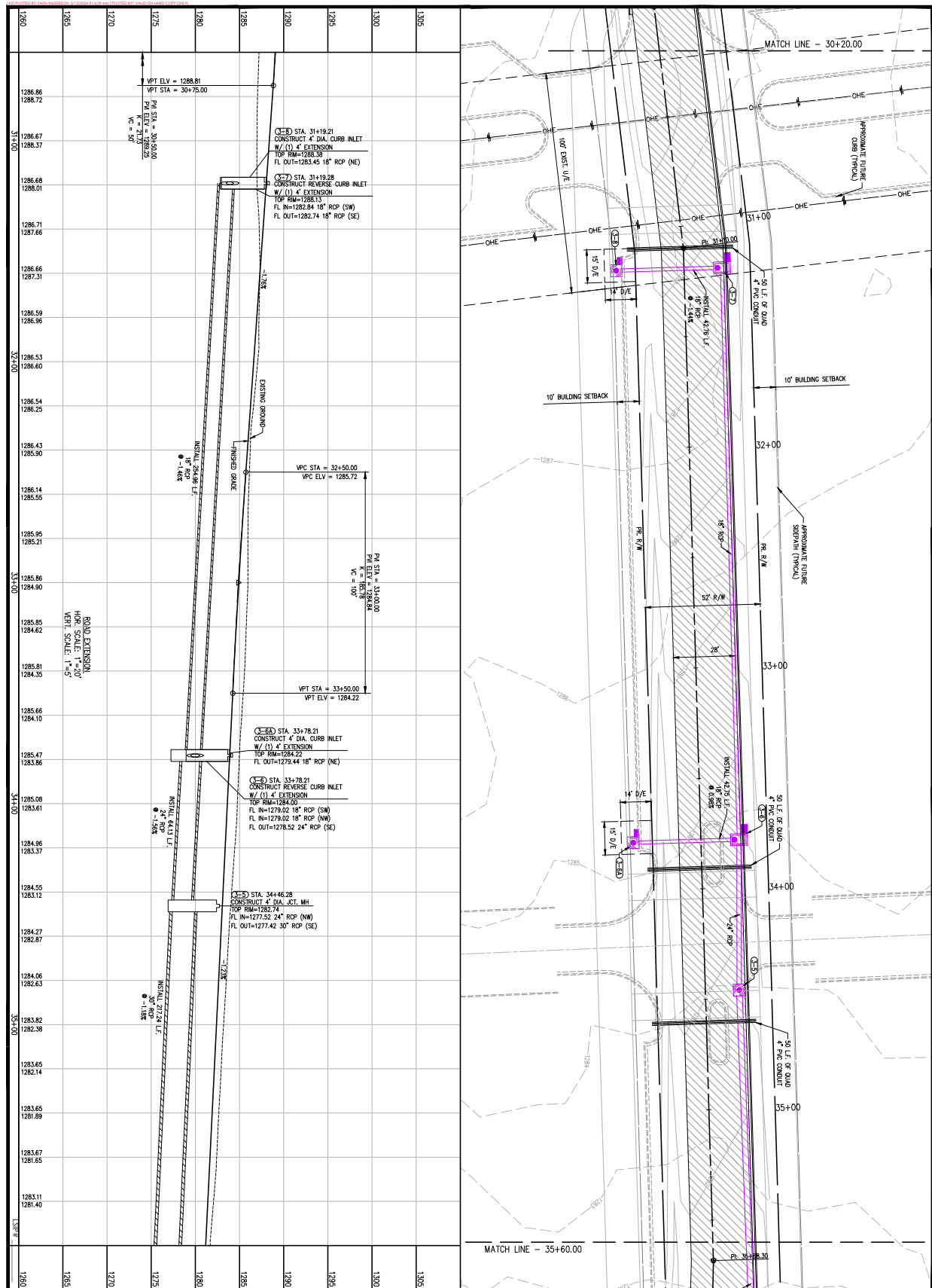
Overall Plan
Typical Street Sections.

DRAWING: G:\223020100_SCATORWAY\INFRASTRUCTURE\DWG\UP&PS.DWG
LAYOUT: ROAD EXTENSION P&P (4 of 4) , LAST SAVED: PWS205, 3/13/2024 9:08:25 AM
LAST PLOTTED BY: FAITH WILKERSON, 3/13/2024 9:29:44 AM (PLOTTED BY: VALID ON HARD COPY ONLY)



ORIGINALLY APPROVED STREET SECTIONS

DRAWING C-2026-0030, SOUTH CATO SPRINGS HOLDINGS, LLC, 14/09/2026
DRAWING C-2026-0030, SOUTH CATO SPRINGS HOLDINGS, LLC, 14/09/2026



C-207

ROAD EXTENSION PLAN (S OF R)

PRELIMINARY
NATURE AND NO
ANNOUNCED
DOCUMENT

THIS
DOCUMENT
IS NOT
FOR CONSTRUCTION

THESE
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AS NECESSARY

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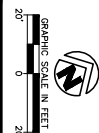
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CATO SPRINGS
ROAD EXTENSION
FAIRVIEW, AR

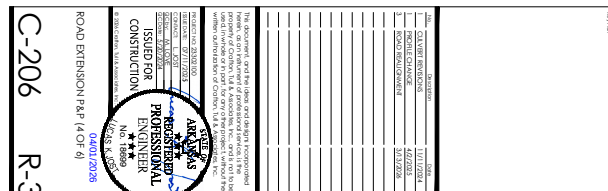


Planning Commission
September 14, 2026

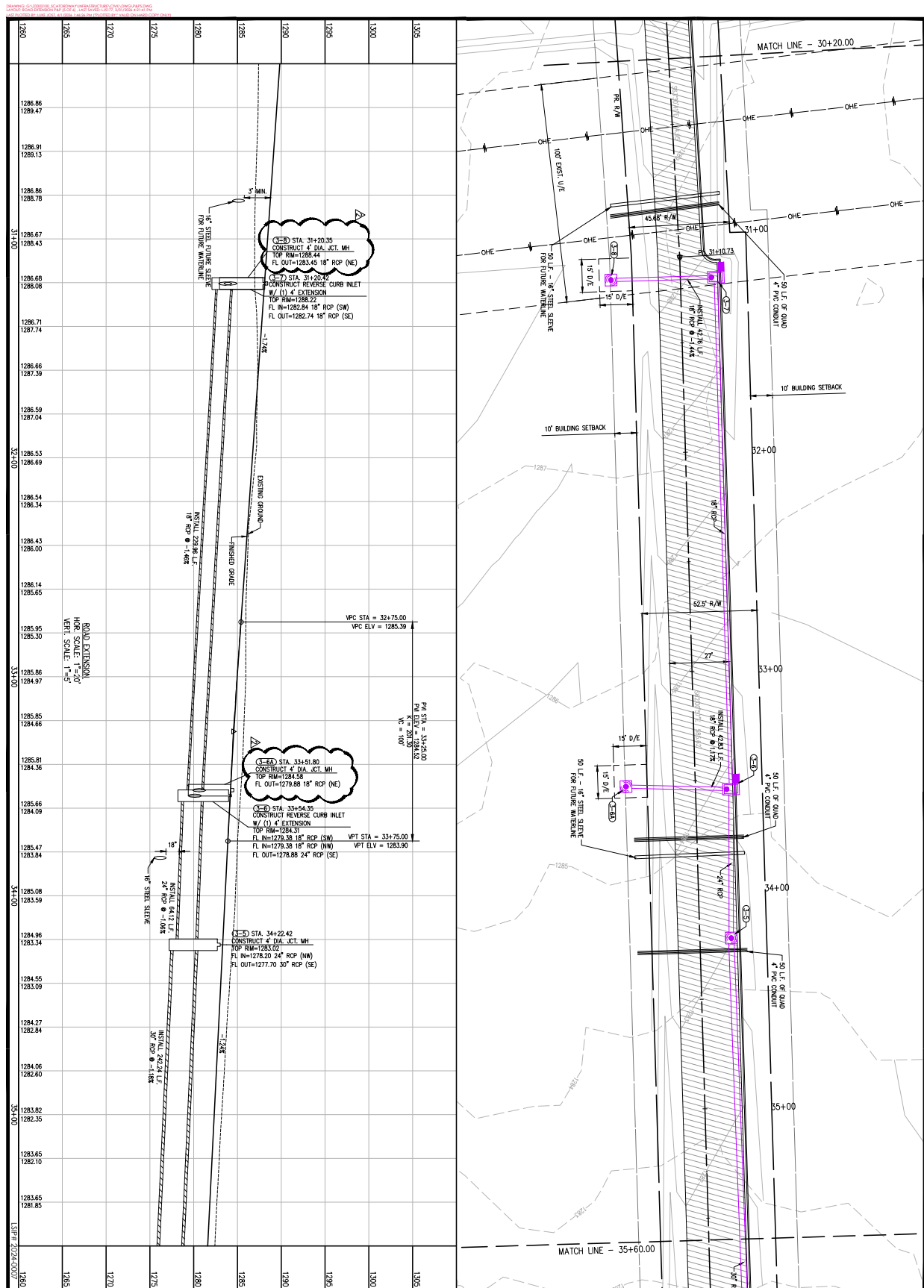
VAR-2026-0030 (SOUTH CATO SPRINGS HOLDINGS LLC)

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LAST PLOTTED BY: FAIRBANKS\KTC\j... 3/13/2024 9:16:01 AM, PLOTTED BY: JALAN ON: LARCO, CORK, OR

DRAWING: G:\23302100_SCAORDWAY\INFRASTRUCTURE\CIVIL\DWG\P&S.DWG
LAYOUT: ROAD EXTENSION P&P (4 of 4) LAST SAVED: L25777, 3/31/2024 4:21:41 PM
LAST PLOTTED: 36 JUL 2024 4:00 PM 3:00 PM 36 JUL 2024 4:00 PM CALI.HDD.CORR.CAD



APPLICANT SUBMITTED PROPOSED CHANGES



C-207 R-3

ROAD EXTENSION (P&T) (S OF R)

04/01/2028

REGISTERED PROFESSIONAL ENGINEER

NO. 10008

STATE OF ARIZONA

CATO SPRINGS

ROAD EXTENSION

FAIRVIEW, AR

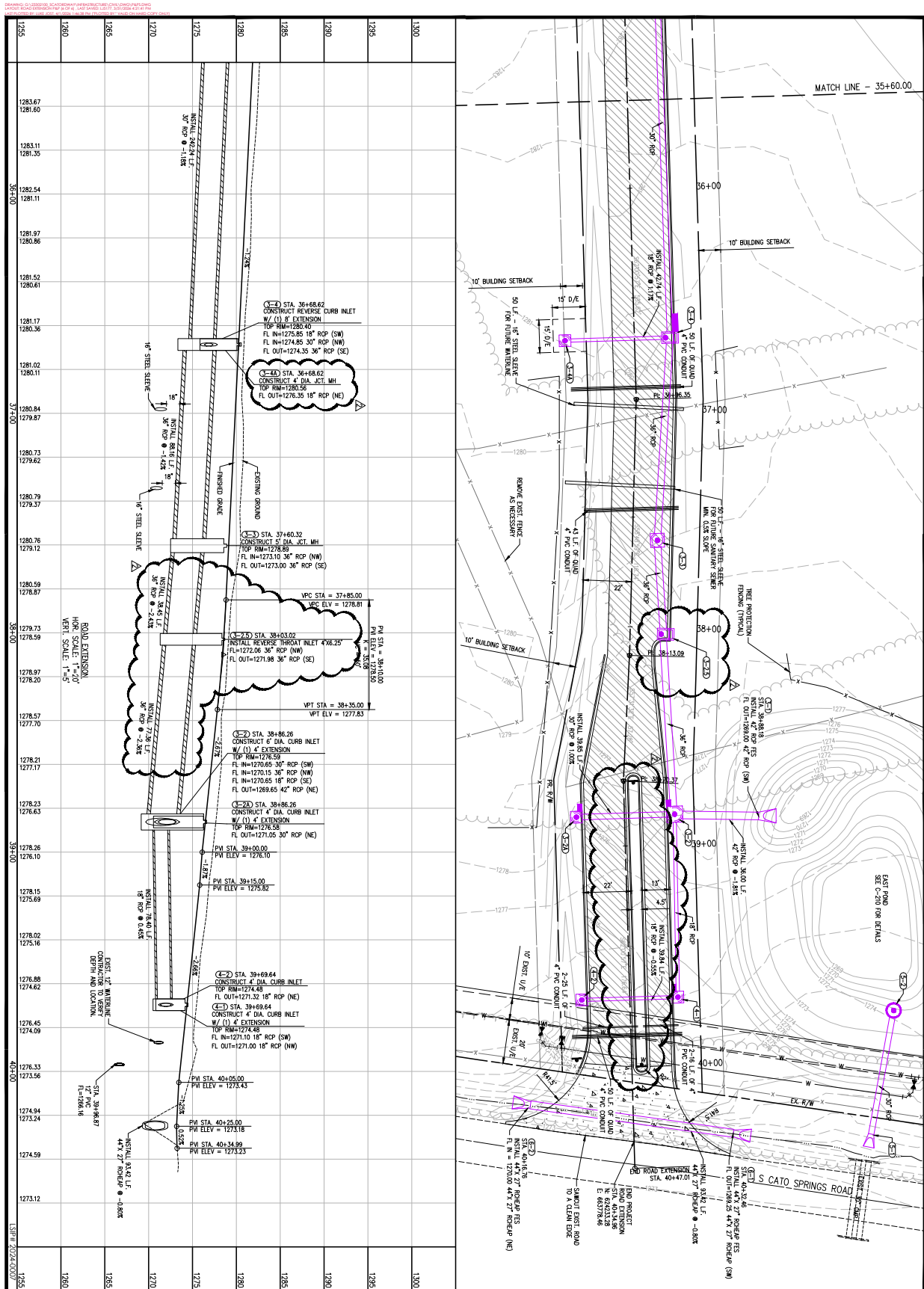
Planning Commission

September 14, 2026

VAR-2026-0030 (SOUTH CATO SPRINGS HOLDINGS LLC)

Page 15 of 18

APPLICANT SUBMITTED PROPOSED CHANGES



C-208 R-2

ROAD EXTENSION (P&T) (6 OF 6)

04/01/2028

REGISTERED PROFESSIONAL ENGINEER

NO. 10000

STATE OF TEXAS

CATO SPRINGS ROAD EXTENSION

FAYATVILLE, AR

GRAPHIC SCALE IN FEET

20' 0' 20'

Planning Commission

September 14, 2026

VAR-2026-0030 (SOUTH CATO SPRINGS HOLDINGS LLC)

Page 16 of 18



TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director

MEETING DATE: September 14, 2026

SUBJECT: **VAR-2026-0033: Planning Commission Variance (465 N BLUE JAY LN/THOMPSON FAMILY TRUST, 473):** Submitted by L&F CONSTRUCTION LLC for property located at 465 N BLUE JAY LN. The property is zoned R-A, RESIDENTIAL, AGRICULTURAL and contains approximately 36.82 acres. The request is for a variance from the development process requirements.

RECOMMENDATION:

Staff recommends approval of **VAR-2026-0033**, with conditions.

RECOMMENDED MOTION:

*"I move to approve **VAR-2026-0033** determining:*

- In favor of the requested variance to UDC §166.01(C)(1), Large scale development requirements;*
- In favor of all conditions as recommended by City staff.*

BACKGROUND:

The subject property is in west Fayetteville, south of W. Wedington Drive, and just north of the city's border with the City of Farmington. Containing approximately 36.82 acres, the property is zoned R-A, Residential-Agricultural. There is no street frontage, or readily available water or sewer access. A portion of the property is within the Streamside Protection Zone, and there are no other zoning overlays that encumber the property. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1: Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Rural Residential/Undeveloped	R-A, Residential-Agricultural
South	Rural Residential/Undeveloped	City of Farmington
East	Rural Residential/Undeveloped	R-A, Residential-Agricultural
West	Rural Residential/Undeveloped	R-A, Residential-Agricultural

Request: The applicant is requesting a variance to the following code section to allow for the development of an approximately 10,000 sq. ft. single-family home and associated amenities and driveway.

- §166.01(C)(1) Large scale development requirements.** Applicant requests an exemption to these requirements.

DISCUSSION:

Variance #1: §166.01(C)(1), Large scale development requirements. A large scale development is generally intended for development on a site of 1 acre or greater in size

and proposes to a development and/or redevelopment area of more than 10,000 square feet of impervious surface and where a corresponding subdivision of land is not proposed. The applicant intends to develop the 37-acre property with one single-family home and associated amenities for a total impervious surface area of over 42,000 square feet.

Staff recommendation: Staff recommends approval. Although projects of this size typically require large-scale development review to ensure compliance with City standards and to evaluate impacts such as traffic, emergency service access, utilities, and other infrastructure needs, the proposed residential use is unlikely to create impacts that warrant full site plan review. Staff finds that waiving the large-scale requirement is appropriate in this case. The project will still be subject to all other applicable standards, including impervious surface, drainage, and tree preservation requirements.

Public Comment: No public comment has been received to date.

RECOMMENDATION: Staff recommends approval of VAR-2026-0033, with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of a variance to §166.01(C)(1), Large scale development requirements. A large scale development is generally intended for development on a site of 1 acre or greater in size and proposes to a development and/or redevelopment area of more than 10,000 square feet of impervious surface and where a corresponding subdivision of land is not proposed. Staff recommends in favor of the variance for the reasons stated above.**
 - a. A concept plan shall be submitted to City staff for a coordinated round of review prior to permit approval to ensure compliance with all necessary ordinances that have not yet been reviewed for.
2. Determination of this variance request is limited to the request as provided by the applicant, and does not provide approval for any associated permits, or other variances not yet identified.

Planning Commission Action:	☐ Approved	☐ Tabled	☐ Denied
------------------------------------	-----------------------------------	---------------------------------	---------------------------------

Meeting Date: <u>September 14, 2026</u>
--

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code:
 - §166.01 Development Categories

- One Mile Map
- Close-Up Map
- Current Land Use Map
- Applicant Request Letter
- Exhibits

166.01 Development Categories

...

(C) *Site Plan.*

- (1) *Large Scale Development.* A large scale development is generally intended for development on a site of 1 acre or greater in size and proposes to a development and/or redevelopment area of more than 10,000 square feet of impervious surface and where a corresponding subdivision of land is not proposed.
 - (a) *Requirement.* The development of the following must be processed in accordance with the requirements for a large-scale development:
 - (i) A site 1 acre or greater in size and developing and/or redeveloping an area of more than 10,000 square feet of impervious surface;
 - (ii) Facilities emitting odors or handling explosives; and
 - (b) *Excluded Developments.* Proposals developing and/or redeveloping an area of 10,000 square feet or less of impervious area or a development on a site in a zoning district subject to administrative approval.

...

(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; Ord. No. 5945, §16, 1-17-17; Ord. No. 6067, §1, 5-1-18; Ord. No. 6446, §8(Exh. C), 6-15-21; Ord. No. 6785, §§ 1—3, 8-20-24; Ord. No. 6833, §4, 1-21-25)

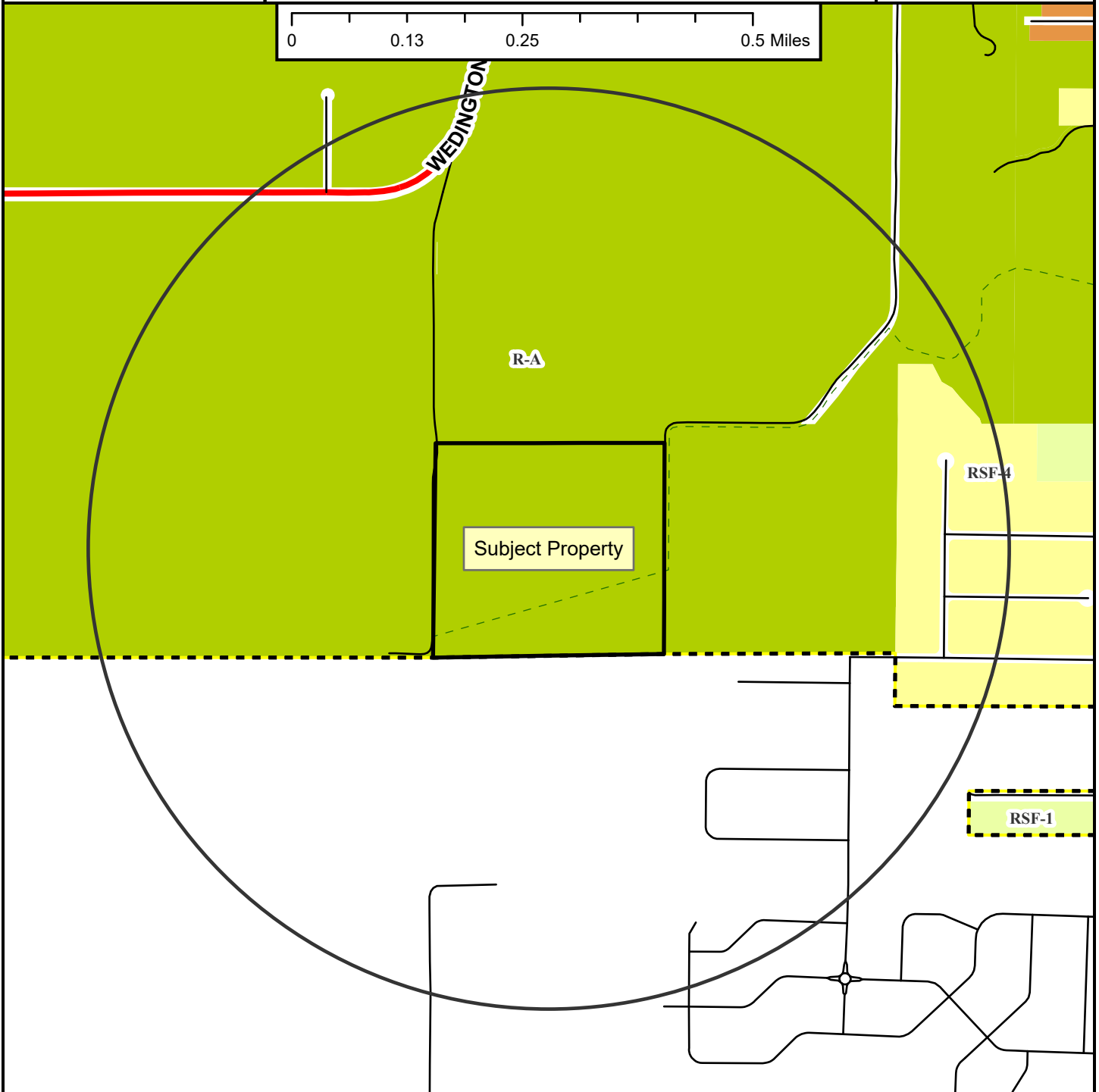
VAR-2026-0033

465 N BLUE JAY LN

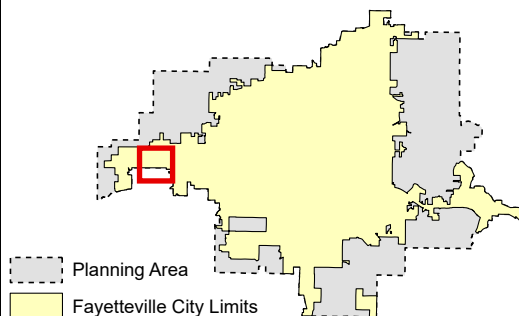
One Mile View



0 0.13 0.25 0.5 Miles



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



Planning Commission

September 14, 2026

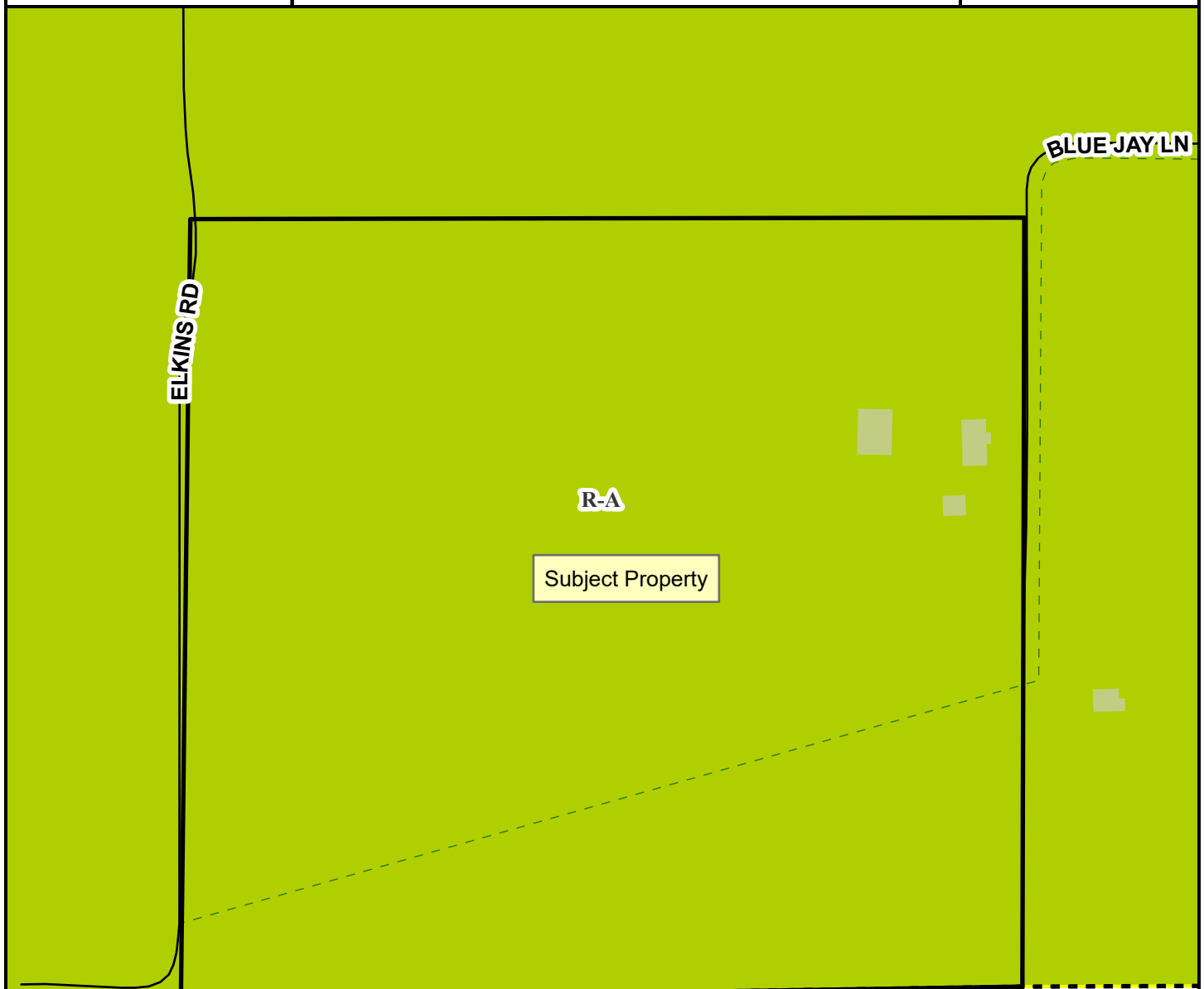
VAR-2026-0033 (THOMPSON FAMILY TRUST)

Page 4 of 22

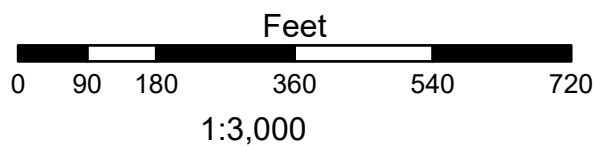
VAR-2026-0033

465 N BLUE JAY LN

Close Up View



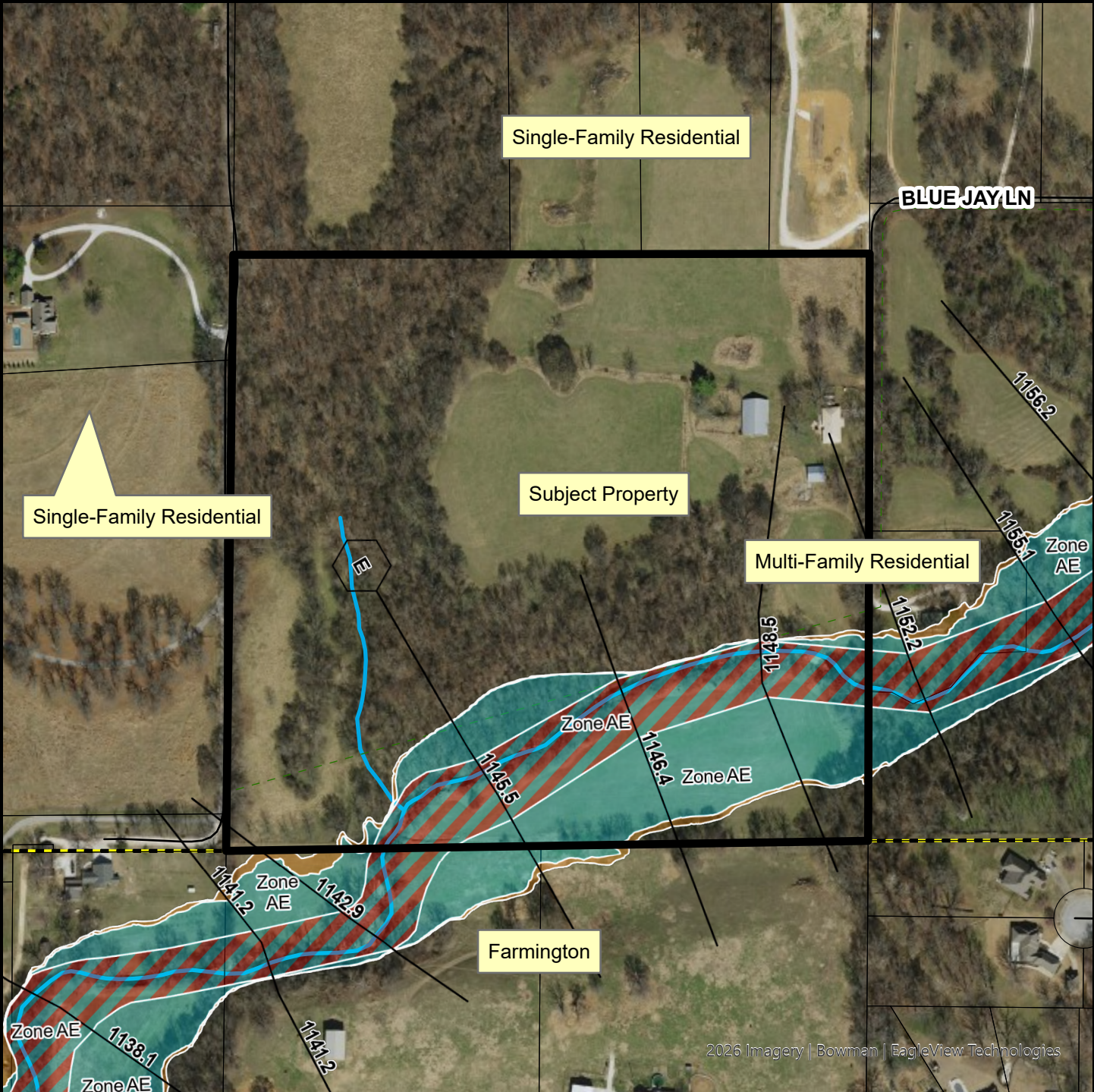
- Unclassified
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)



VAR-2026-0033
<i>Current Land Use</i>

Current Land Use

465 N BLUE JAY LN



 Unclassified
 Trail (Proposed)
 Planning Area
 Fayetteville City Limits

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

 100-Year Floodplain
 Floodway

L&F Construction LLC
2479 E Camelot Pl
Fayetteville, AR 72701
Direct Dial: (479) 437-6471
office@lfconstruction.com

August 4, 2026

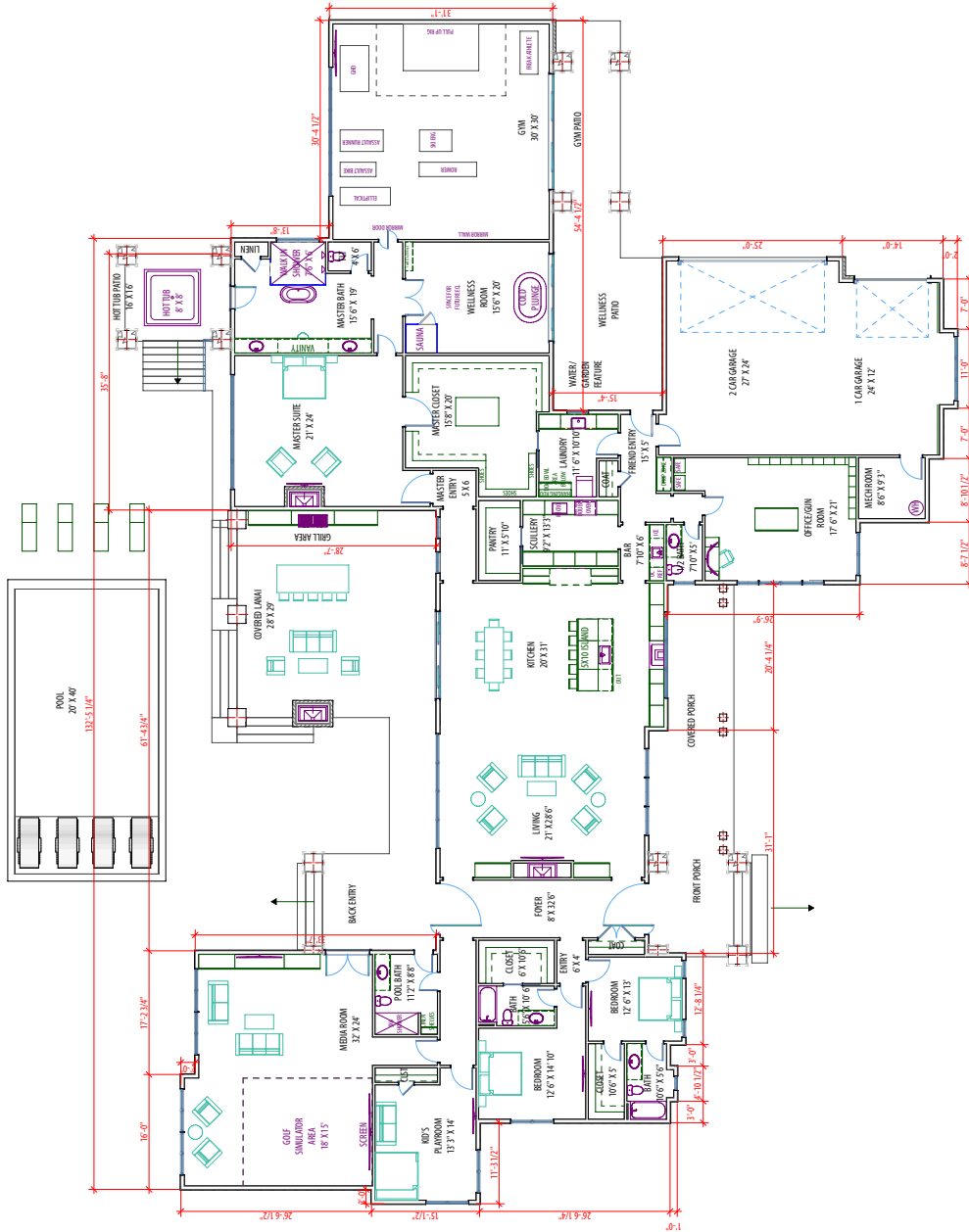
VIA CSS PORTAL

Fayetteville Planning Commission

Re: Thompson Property Variance, 465 N Blue Jay Ln

To Whom It May Concern:

Jeremy and Michelle Thompson request for a variance from the requirements of a large-scale development as laid out in Chapter 166 of the Fayetteville City Code. The imposition of the large-scale development requirements and especially as it relates to impervious surface is causing an undue hardship on the Thompsons in that this is not a classical development that was envisioned when those requirements of the large-scale development ordinance were drafted. Fulfilling the requirements of a large scale development will place undue hardship on the homeowner during the permitting and throughout the building process of their project. Payment will be submitted in conjunction with this request submittal. Further included with this submittal on the portal is the legal description of the parcel and the accompanying survey as well as site plan. I would further state that the granting of these variances by the planning commission will be in line with substantial justice, and the public interest will not have any ill effect on the public nor nullify the intent or purpose of the city's development regulations. I thank you in advance for your consideration.



1 FLOOR PLAN
A1.1
SCALE: 1/8" = 1'-0"

THOMPSON HOME

PARCEL #765-16160-950, 415 BLUE JAY LANE, FAYETTEVILLE, AR 72704



WINDOW SPECIFICATIONS	PELLA
BRAND:	LIFESYSTEM
SERIES:	BLACK/WHITE
COLOR:	INTEGRAL
GRILLE TYPE:	7.8"
GRILLE SIZE:	SLIMLINE
HARDWARE:	

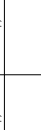
ALL DOORS TO BE PAINT GRADE, SOLID CORE, EMTEK OR BETTER HARDWARE, SATIN NICKEL OR AS SELECTED BY OWNER. EXTERIOR DOORS TO MATCH BRAND, SERIES, AND STYLE OF WINDOWS WITH GLASS AS SHOWN. ALL POCKET DOORS AND SLIDING BYPASS INTERIOR DOORS TO BE TANTALUM SLIDERS AND CARTRIDGE WITH SOFT CLOSE.

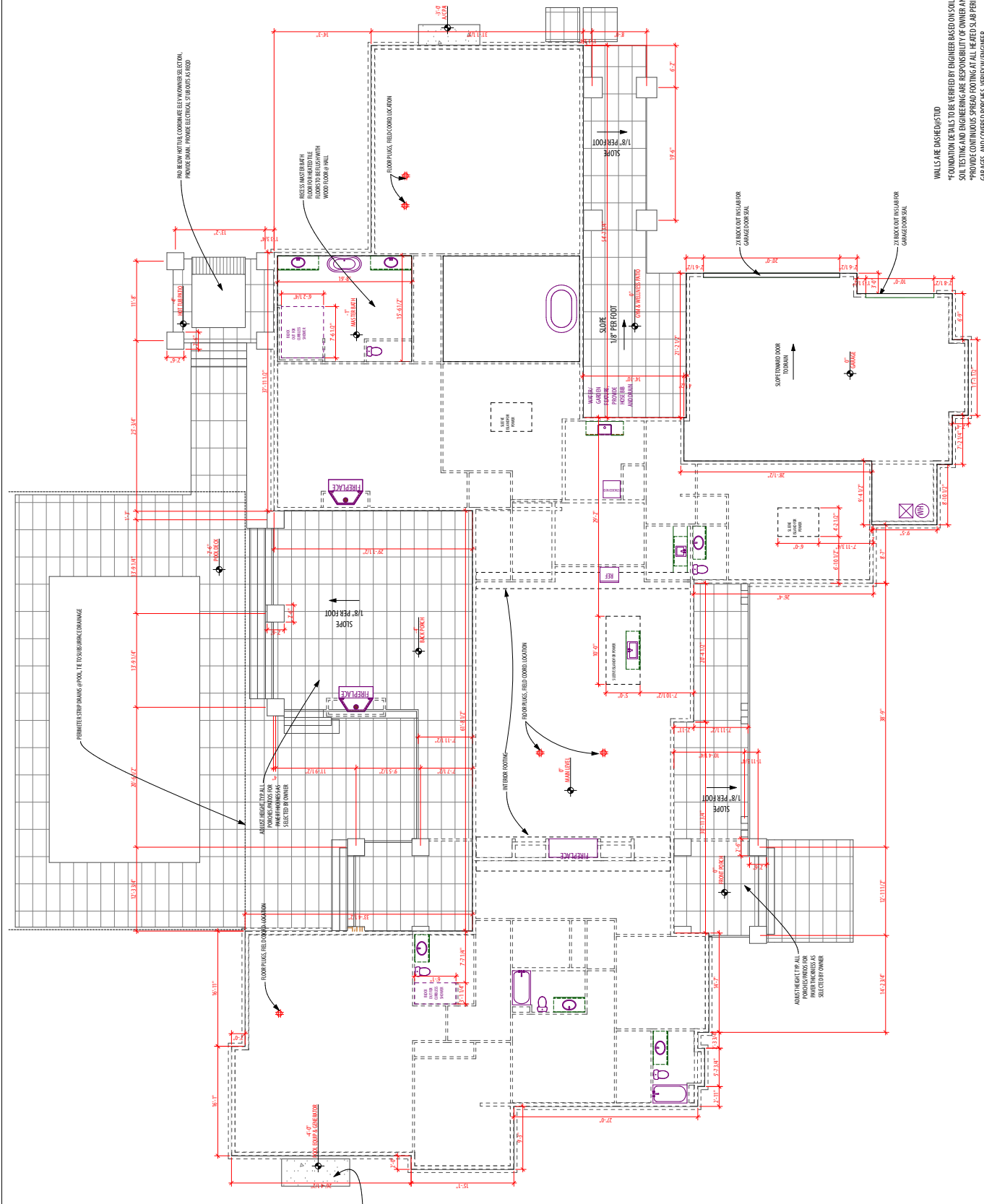
[illegible][illegible]

LOCATION	APPLIANCE/REQUIRE			
	ITEM	MANUFACTURER	MODEL	THROU
WELLHEAD ROOM	COLD STORAGE	TRIO		TRIO
WELLHEAD ROOM	SAUNA	HAMPTON HATH SHAMING		TRIO
SOLARIUM	DOBBIE WALL/SHOWER			TRIO
LABORATORY	LABORATORY WASHBASIN			TRIO
LABORATORY	STAINLESS STEEL SINK			TRIO
KITCHEN	37" FREE STANDING REFRIG			TRIO
KITCHEN	37" FREE STANDING REFRIG			TRIO
KITCHEN	48" RANGE			TRIO
KITCHEN	VENT HOOD			TRIO
KITCHEN	REF			TRIO
BATHROOM	TOILET			TRIO
BATHROOM	GALL			TRIO
BATHROOM	UNDER COUNTER REF			TRIO
BATHROOM	UNDER COUNTER REF			TRIO
BATH	CLASH/SHOWER			TRIO
BATH	CLASH/SHOWER			TRIO

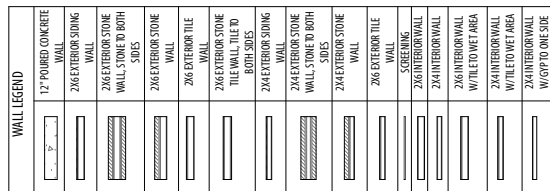
GENERAL NOTES

- It has been suggested that the use of a single, common, standardized measure of the construct of self-esteem is not sufficient to capture the complexity of the construct. In fact, the use of a single measure may be insufficient to capture the complexity of the construct, and the use of multiple measures may be necessary to capture the complexity of the construct. The use of multiple measures may be necessary to capture the complexity of the construct, and the use of multiple measures may be necessary to capture the complexity of the construct.

Table 1		00001 PRC 15													
Table	Empty	Empty	Empty	Empty	Full	1/4 Full	1/2 Full	3/4 Full	1/4 Full	1/2 Full	3/4 Full	1/4 Full	1/2 Full	3/4 Full	Table 3
Table 1		Empty	Empty	Empty	Empty	Full	1/4 Full	1/2 Full	3/4 Full	1/4 Full	1/2 Full	3/4 Full	1/4 Full	1/2 Full	3/4 Full
		Empty	Empty	Empty	Empty	Full	1/4 Full	1/2 Full	3/4 Full	1/4 Full	1/2 Full	3/4 Full	1/4 Full	1/2 Full	3/4 Full
Table 1	Empty	Empty	Empty	Empty	Full	1/4 Full	1/2 Full	3/4 Full	1/4 Full	1/2 Full	3/4 Full	1/4 Full	1/2 Full	3/4 Full	Table 3
Table 1	Empty	Empty	Empty	Empty	Full	1/4 Full	1/2 Full	3/4 Full	1/4 Full	1/2 Full	3/4 Full	1/4 Full	1/2 Full	3/4 Full	Table 3

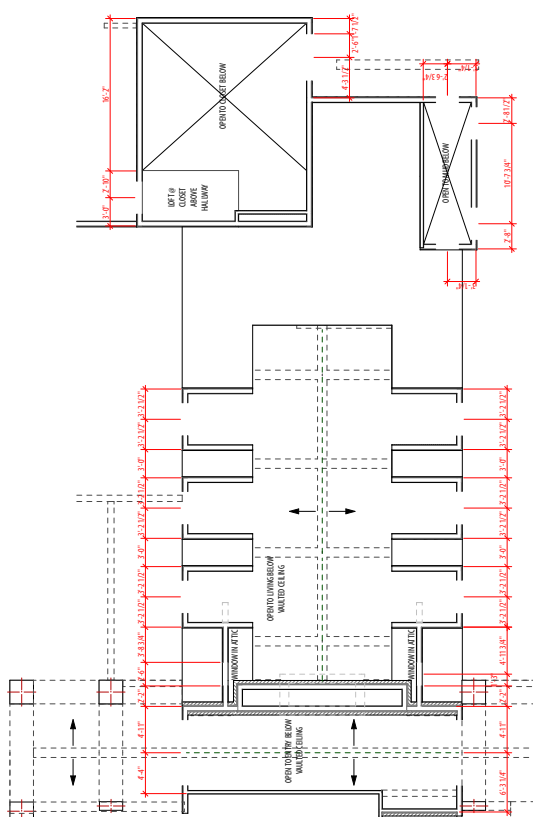
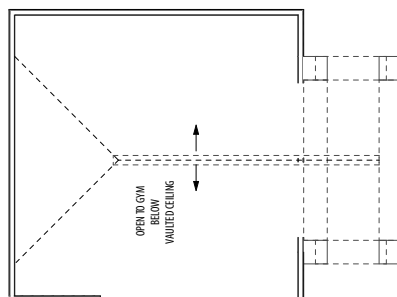


WALLS ARE DASHED STUD



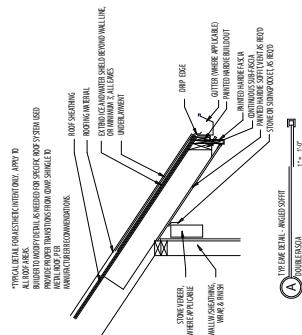
DOWELLING GARAGE FIRE SEPARATION REQUIRED PER 2021 IRC R302.5 & R302.6
SMOKE DETECTORS ARE REQUIRED PER R314 THROUGHOUT THE STRUCTURE
CARBON MONOXIDE DETECTORS ARE REQUIRED TO BE INSTALLED PER R315 THROUGHOUT THE STRUCTURE

WALL LEGEND	
	12" POURED CONCRETE
	WALL
	2x6 EXTERIOR SIDING
	2x6 EXTERIOR STONE
	WALL, STONE TO BOTH SIDES
	2x6 EXTERIOR STONE
	WALL
	2x6 EXTERIOR TILE
	2x6 EXTERIOR STONE
	WALL, TILE TO BOTH SIDES
	2x6 EXTERIOR SIDING
	WALL
	2x6 EXTERIOR STONE
	WALL
	SCREENING
	2x4 INTERIOR WALL
	2x6 INTERIOR WALL
	WALL, TILE TO WET AREA
	2x4 INTERIOR WALL
	2x6 INTERIOR WALL
	WALL, ONE SIDE

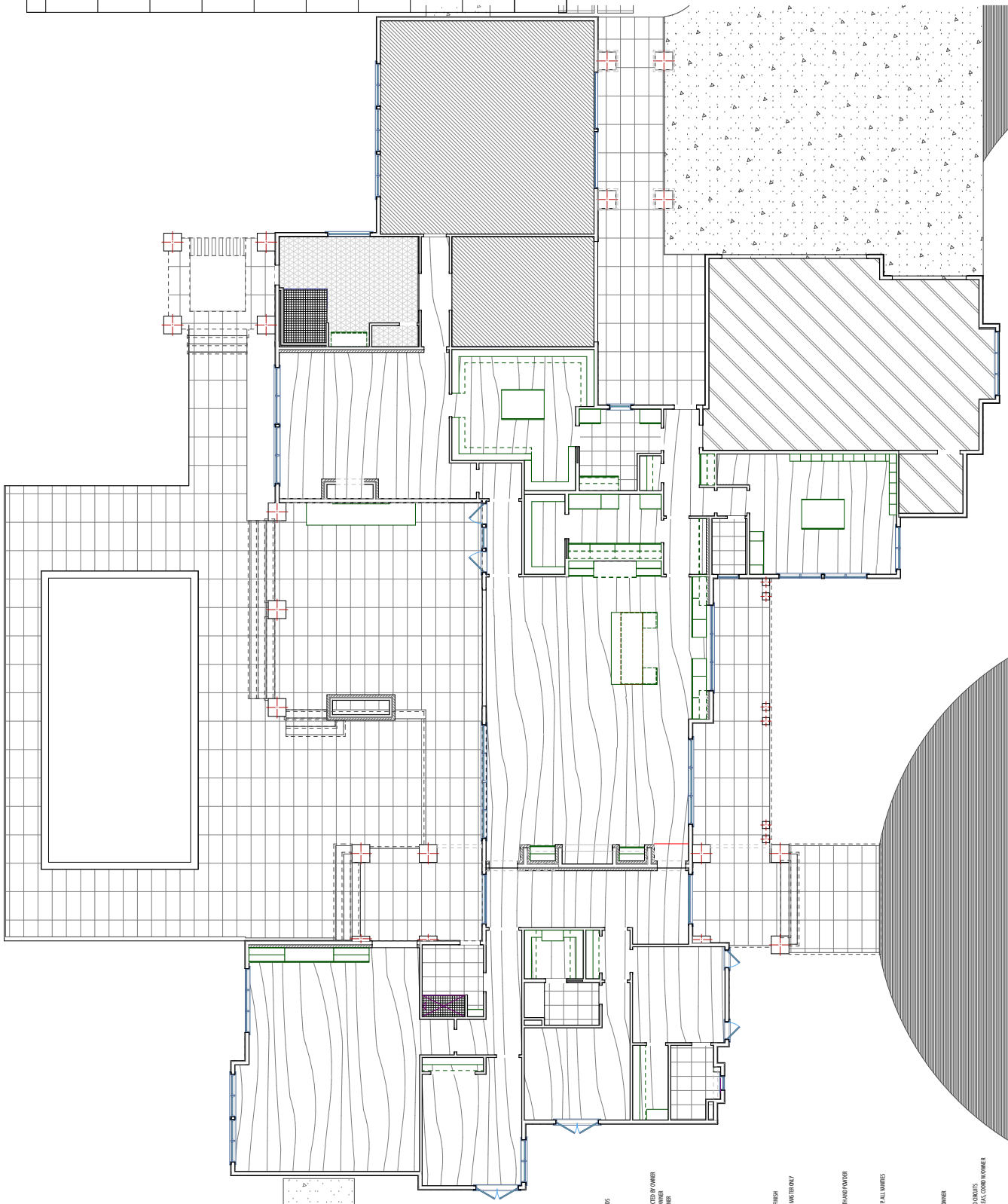


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ALL SHINGLE ROOF RIDGES ARE 10:12, UNLESS OTHERWISE NOTED.
ALL LOBBYING ARE 6" FROM EXTERIOR SURFACE AT METAL ROOFS, AND 1/4" AT SHINGLED ROOFS, UNLESS OTHERWISE NOTED.
PROVIDED GUTTERS ARE TO BE CONFORMANT WITH MINIMUM AND MAXIMUM VALUES
ALL SHINGLED ROOFS TO BE COMPLETED WITH DOWNSPOUTS AS SELECTED BY OWNER. ICE AND WATER SHIELD ON ENTIRE ROOF
ALL ROOF JOISTS TO BE REINFORCED WHERE NECESSARY PRIOR TO INSTALLATION, COORDINATE WITH OWNER FOR ALTERNATE SELECTION IF NEEDED.
ALL SOFFIT, SILL FASCIA, TO BE PAINTED IN A RUST PROTECTIVE COATING.
PROVIDE, NOTICED, AND BRUNN DOWN SPOUTS AT ALL ROOFS, WITH LEAK GUARDS.
ALL DOWNSPOUTS AND SUBSIDIARY DRAINAGE DISCHARGE MINIMUM 10' FROM HOUSE
WOOD MOISTY PILES, CHANGE ROOF DRAINAGE, AND GUTTERS, OR MAKE OTHER MODIFICATIONS AS NEEDED TO ELIMINATE PONDING, SNOW DAMS, OR OTHER LEAK PRONE AREAS
ALL METAL ROOFS TO BE THE FINISHED STANDING SEAM METAL, CENTRAL SPAN OR BETTER, UNLESS NOTED, OR AS SELECTED BY OWNER, ENSURE PROPER INSTALLATION OF PROPER FLASHINGS UNDER METAL AND AT SHINGLE TRANSITIONS TO PREVENT CORROSION.



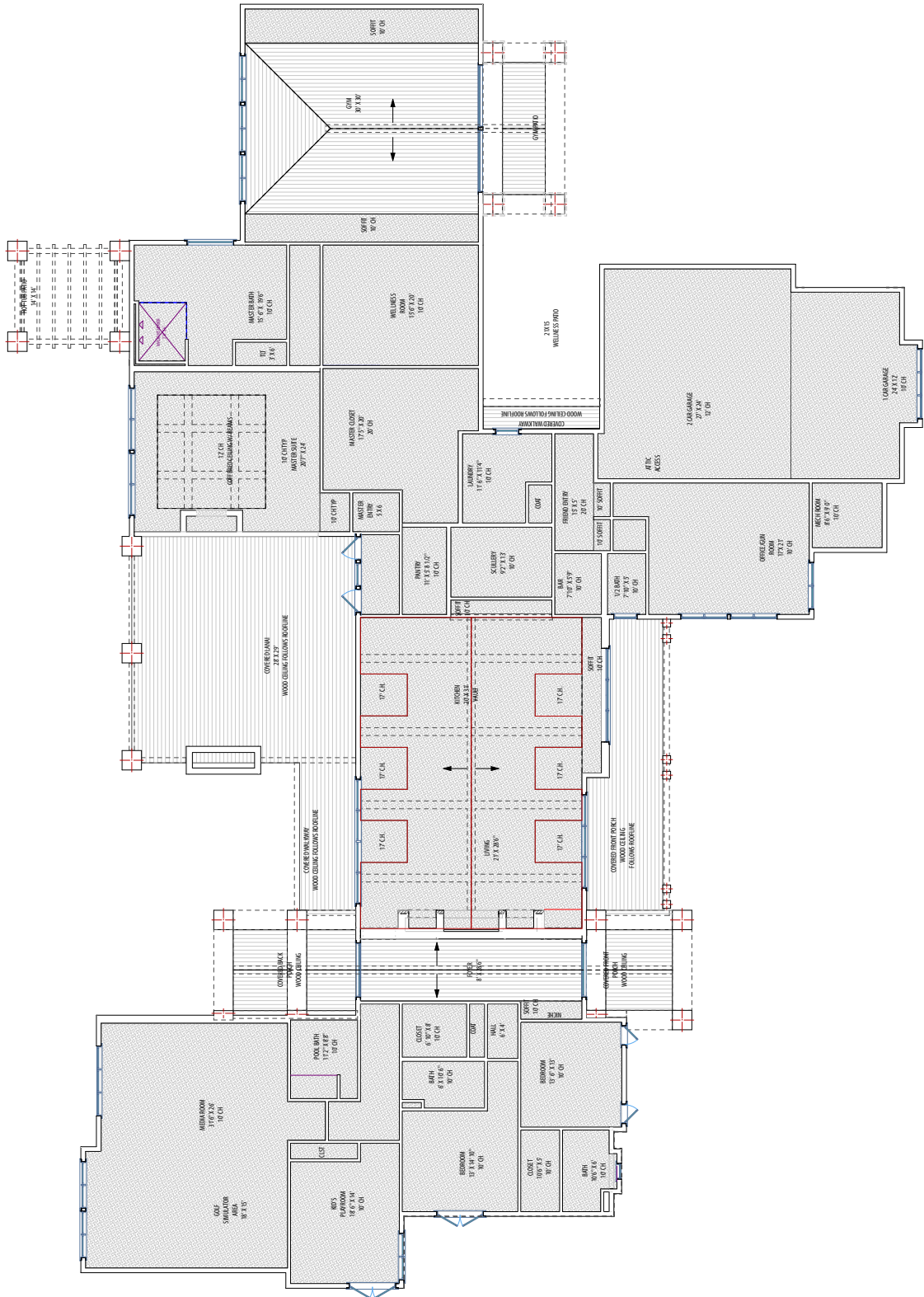
FINISH LEGEND	
	SITE FINISHED ENGINEERED WOOD FLOOR, QUARTERSAWN WHITE OAK, 6" PLANK
	MOSAIC TILE
	TILE FLOOR
	HEATED TILE
	BROWN FINISHED CONCRETE
	PORCELAIN PAVES, GROUTED OVER CONCRETE
	EPOXY
	ASPHALT
	1/2" RUBBER FLOORING
	WATER



SPEC / FINISHES LIST

[illegible]

FINISH LEGEND	
	WOOD CEILING, CAR SIDING W/ RUBIO MONOCOAT FINISH
	GYP CEILING, COMMERCIAL SMOOTH





FULL BED STONE PER CLIENT SELECTION
PROVIDE COSTAL FOR CULTURED STONE

ASPHALT/ARCH COMP SHINGLES/ENDS PER CLIENT SELECTION

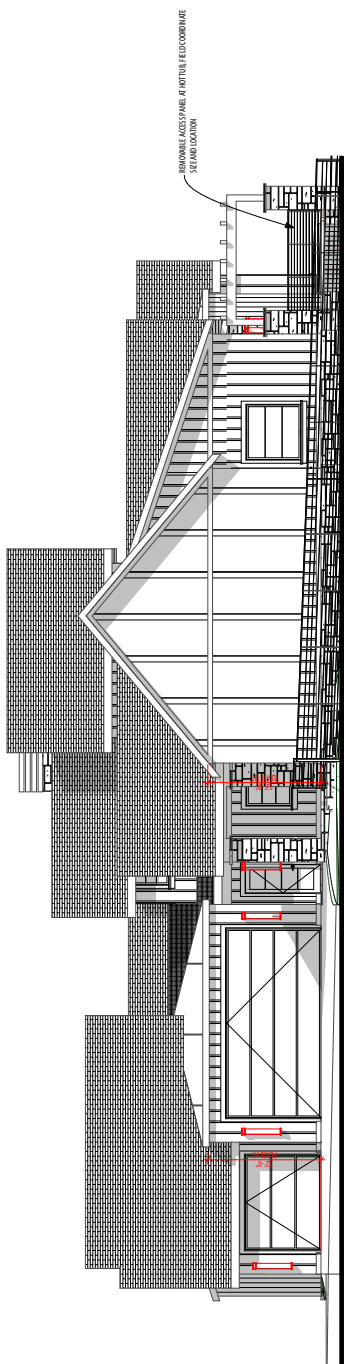
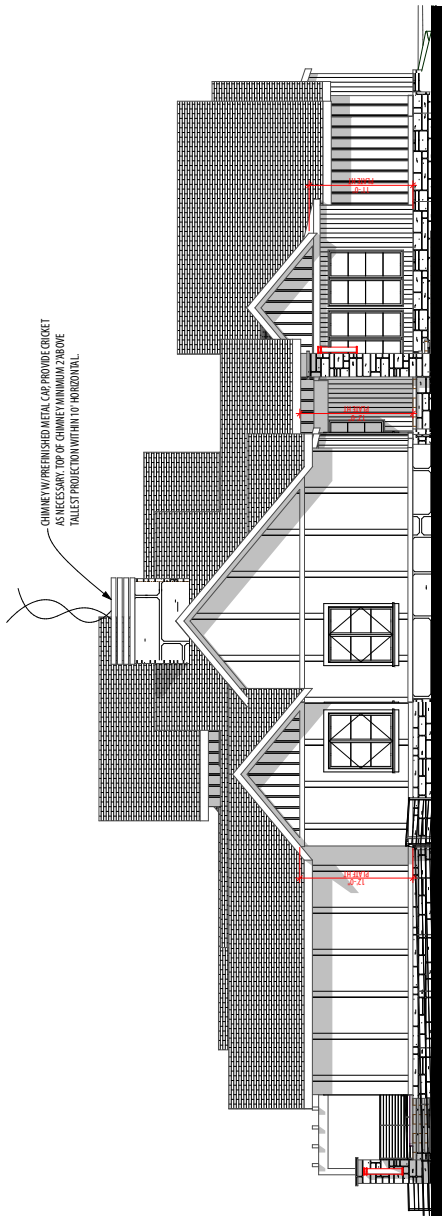
POWDER COATED STEEL PERGOLA PER I.D. OPERATION

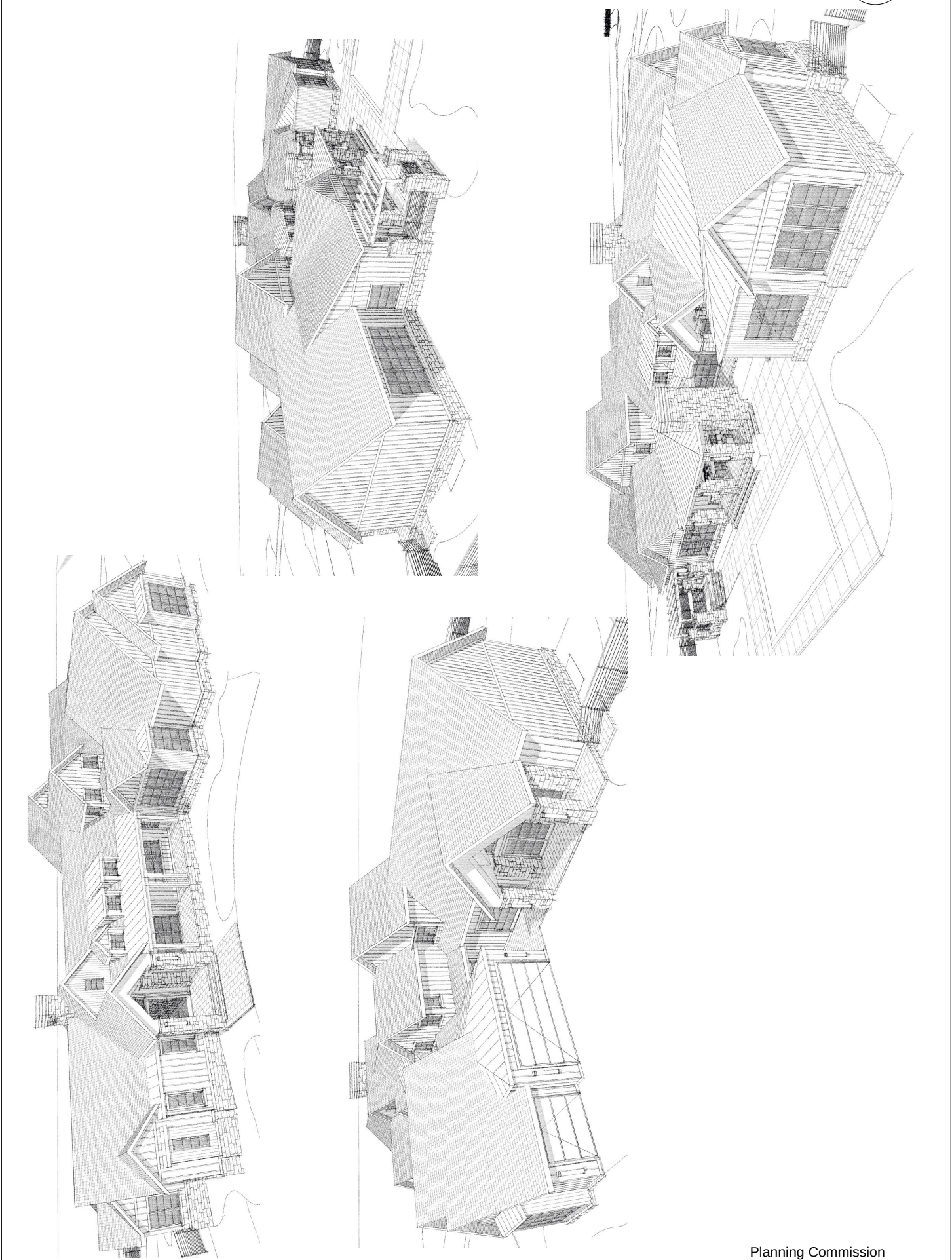
POWDER COATED METAL RAILING PER CLIENT SELECTION, TYP.

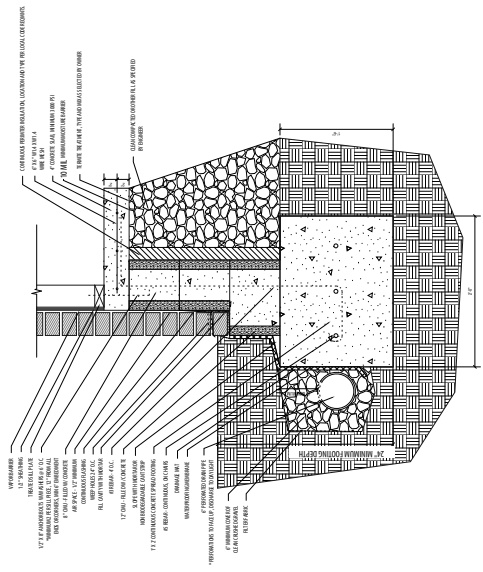
CASE WINDOWS TO APPEAR AS ONE UNIT

MINUTES CHAIRS/TECH. ROOM, TYP. = STONE/CONCRETE/BRICK/STONE

— SEE SITE PLAN —
— SELECTED BY USER —

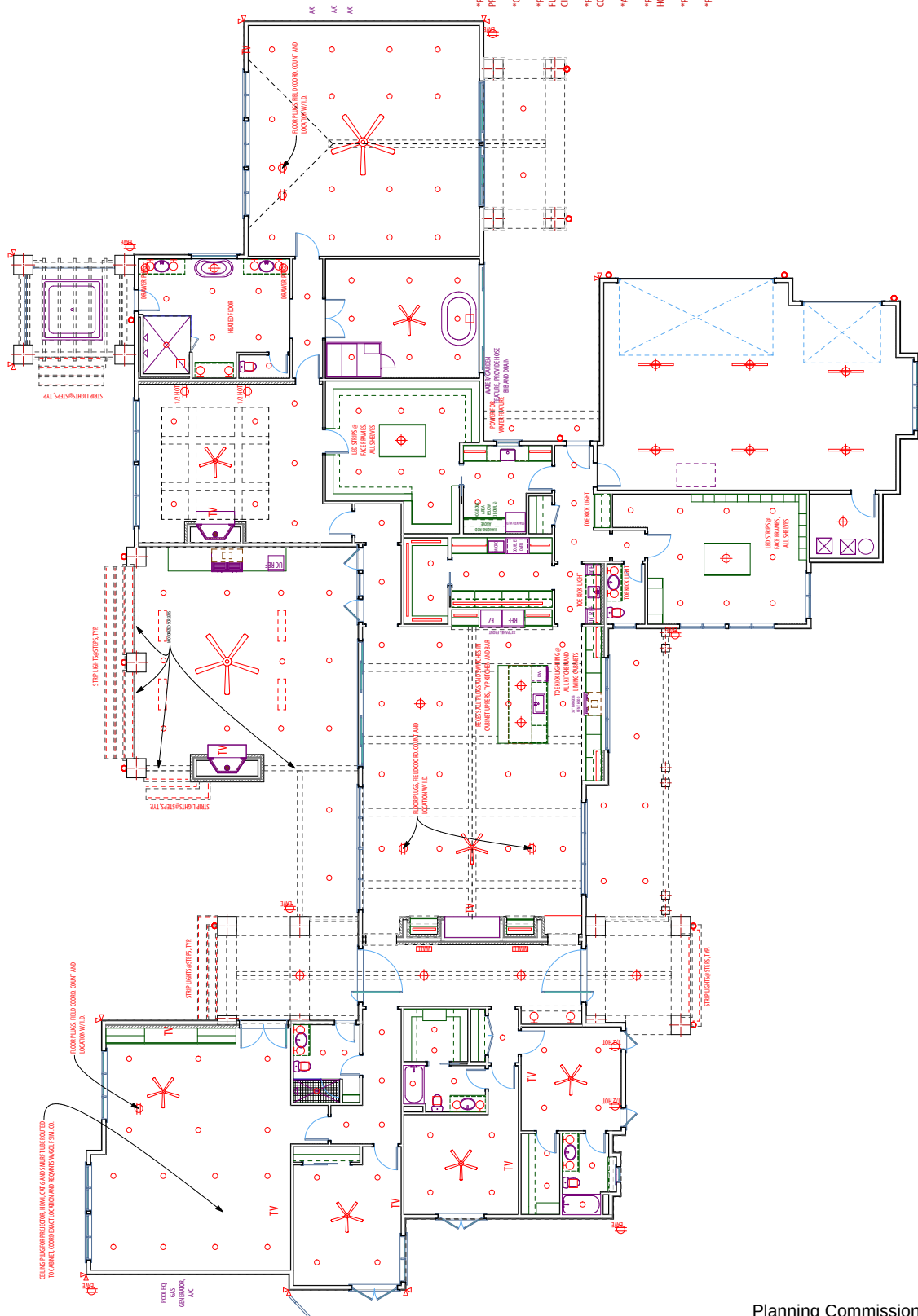






*DETAIL TO BE REVERSED BY ENGINEER BASED ON SOIL CONDITIONS.
SOIL TESTING AND ENGINEERING ARE THE RESPONSIBILITY OF OWNER AND/OR CONTRACTOR
*PROVIDE CONTINUOUS SPIRE AND FOOTING AT ALL HEATED SLAB PERIMETER AREAS, GARAGES, AND COVERED PORCHES, VERIFY BY ENGINEER.

- * PROVIDE SHAWING FOR SPECIAL LOCATIONS ONLY.
- * PROVIDE ALL CONVEYANCE CULLETS PER CODE, EVEN IF NOT SHOWN.
- * COORDINATE W/ OWNER FOR SPECIAL REQUIREMENTS
- * PROVIDE BACK-UP GAS GENERATORS SWITCH, GENERATORS TO POWER ALL FURNACES, REFRIGERATORS, FREEZERS AND BACK EMERGENCY TYPE LIGHTING CIRCUITS.
- * PROVIDE LUTITION LIGHTING CONTROL SYSTEM FOR MAIN AREAS AND EXTERIOR, COORDINATE WITH OWNER FOR ADDITIONAL ZONES
- * ALL OUTLETS AND SWITCHES TO BE WHITE DECORA STYLE, W/ HIDDEN SCREWS
- * PROVIDE SEPARATE LANDSCAPE LIGHTING CIRCUITS FOR FRONT AND REAR OF HOME
- * PROVIDE FAN PLUGS AS NOTED W/ INDICAL TIMERS
- * PROVIDE WIRING FOR MOTORIZED GATE AND RETRACTED LIGHTING, SEE SITE PLAN





TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director
Mark Veasey, Staff Engineer
Bethany Douglas, Urban Forester

MEETING DATE: September 14, 2026

SUBJECT: **PPL-2026-0007: Preliminary Plat (SOUTH OF 3495 E GOFF FARM RD/SASNAKRA LLC, 607 & 646):** Submitted by BLEW & ASSOCIATES for property located SOUTH OF 3495 E GOFF FARM RD. The property is zoned R-A, RESIDENTIAL, AGRICULTURAL, UN, URBAN NEIGHBORHOOD & NC, NEIGHBORHOOD CONSERVATION and contains approximately 115.90 acres. The request is for the preliminary plat of 169 single-family residential lots, 33 townhome lots, and additional lots reserved for common areas and stormwater detention.

RECOMMENDATION:

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

RECOMMENDED MOTION:

*"I move to approve **PPL-2026-0007**, recommending:*

- In favor of recommended right-of-way dedication,*
- In favor of recommended street improvements,*
- In favor of a variance to UDC §166.08(E)(1)(c): Intersection Distance;*
- In favor of a variance to UDC §166.08(E)(3): Connectivity;*
- In favor of a variance to UDC §166.04(B)(4)(f)(i): On-Site Sidewalks;*
- In favor of all other conditions as outlined by staff."*

BACKGROUND:

The subject property is in south Fayetteville and is the site of the Stonebridge Meadows Golf Club. Totalling approximately 115.90 acres, the property is currently zoned a combination of R-A, Residential-Agricultural, UN, Urban Neighborhood, and NC, Neighborhood Conservation. It received this zoning classification earlier in 2026. In the mid-1990s, the property transitioned from a private farm with a horse track on it to the currently operating Stonebridge Meadows Golf Club. Surrounding land uses and zoning are depicted in Table 1.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Golf Course	R-A, Residential-Agricultural
South	Undeveloped	RSF-2, Residential Single-Family, 2 Units per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
West	Undeveloped/Single-Family Residential	R-A, Residential-Agricultural; RSF-4, Residential Single-Family, 4 Units per Acre

Proposal: The applicant proposes a subdivision with 169 single-family lots, 33 townhome lots, and additional lots reserved for common areas and stormwater detention. Three variances from the Unified Development Code have been requested which are described below alongside staff's recommendations.

Variance: UDC §166.08(E)(1)(c): For Residential Link Streets, intersections shall occur at a minimum of one (1) every 660 feet. The applicant requests a looped street with one entrance along E. Goff Farm Road, with another entrance through a connection to the first phases of the overall development through E. Oneida Drive.

- *Staff recommendation: Staff supports this request, acknowledging the unique shape and surroundings of the overall lot in question. The proposed development is nestled inside an existing golf course, and internal to the subdivision, the applicant has met this requirement by providing intersections within the required dimension. The intent of the ordinance is to provide redundancy in the street network, promote walkability, and provide a manner of traffic-calming. Staff finds that for practical reasons, limiting the number of intersections to the surrounding property is justifiable. Further, the applicant has provided one possible street connection (labeled as Street 8) for future connectivity to the existing Pumpkin Ridge Road to the east should redevelopment of the golf course ever occur.*

Variance: UDC §166.08(E)(3): Connectivity. Wherever a proposed development abuts undeveloped land, street stub-outs shall be provided as deemed necessary by the Planning Commission to abutting properties or to logically extend the street system. The applicant requests one street stub out to the southeast, where typically a stub out would be required at the necessary intersection distance outlined above.

- *Staff recommendation: Staff supports this request, for similar reasons to the above request. The property is of a unique shape and has unique surroundings. While connectivity in the future is not likely, staff argues that connectivity in the future is still possible, and the applicant has provided one stub out in the southeast corner of the property to reflect this possibility. The subdivision to the northeast of the site has only one street stub out to S. Pumpkin Ridge Road, and staff finds this is in the more logical place.*

Variance: UDC §166.04(B)(4)(f)(i): On-Site. Sidewalks shall be installed along the property street frontage and along new interior streets according to existing city standards and the Master Street Plan as adopted by the City Council. The applicant requests for the sidewalk alignment to be relocated to only one side of the street to avoid an existing golf cart barn. The applicant is still providing a continuous pedestrian route throughout the development.

- *Staff recommendation: Staff supports this request, finding that the modification is reasonable. There are existing golf cart paths that can double as pedestrian infrastructure, and the applicant's proposed sidewalk network will connect to the City's overall trail network. However, as a condition, staff recommends that the pedestrian connection to the off-site improvements along the north side of E. Goff Farm Road have a rectangular rapid flashing beacon (RRFB) to be installed at the applicant's expense to ensure safety of pedestrian and golf cart crossing at this intersection.*

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

E. Goff Farm Road: Designated as a Residential Link Street, staff recommends right-of-

way dedication along the project's frontage in the amount of 26 feet from street centerline.

All Internal Residential Link Streets: Staff recommends 52-feet of right-of-way dedication to be in line with typical Master Street Plan standards for Residential Link streets.

Street Improvements: Staff recommend street improvements as described below.

E Goff Farm Road: The proposed project has very little street frontage along E. Goff Farm Road, even though this is the proposed main point of entry into the subdivision. To proportionally reflect the project's impact on this existing street, staff recommend an offsite improvement for the applicant to construct an 8-foot sidewalk with 6-foot greenspace along the north side to connect eastward to existing sidewalk that was built with the adjacent subdivision. Further, related to the variances requested above and to ensure safe pedestrian crossing at this location staff recommends the applicant install rectangular rapid flashing beacons (RRFBs) at this intersection.

Street 1: The applicant proposes a Residential Link Street for the proposed Street 1, with typical master street plan standards, aside from the portion of the street where the applicant has requested a variance to modify the alignment of the sidewalk. Staff recommends in favor of the variance, as indicated above.

All other internal streets: The applicant proposes all other internal streets to be constructed to master street plan standards for Residential Link Streets.

Trail Connection: The applicant is proposing to tie in to the City's trail system as shown on the plans. Staff recommends in favor of this route.

Block Length/Connectivity: The applicant is requesting variances to these sections of code, as indicated above. Staff recommends in favor, with conditions as listed above.

Water and Sewer System: The applicant is proposing to install new 8" water mains throughout the subdivision to provide domestic water service and fire hydrants. The project connects to an 8" waterline to the west along Oneida Drive and an 8" waterline stub-out at the end of South Pumpkin Ridge Drive to the east. A stub out is also proposed to the north along the proposed residential link street. Staff support the proposed water extensions and connections. The applicant is proposing to install new 8" sewer mains within the subdivision to provide sanitary sewer service to each lot. There is an existing sewer lift station (LS-49) approximately 50-feet east of the site that the residential area to the east and the Preserve at Stonebridge Phase 1 and 2 sewer mains to the west drain too. The proposed on-site system is proposed to drain to the 8" sewer main from Phase 1 and 2 into LS-49. The sewer flow is then pumped southwest through an 8" force main and connects to a 12" sewer main which eventually flows west to LS-48 near the West Fork White River.

Tree Preservation:

Canopy minimum requirement: 19.6% (weighted between R-A, UN, and NC requirements)

Existing canopy: 1.2%

Preserved canopy: 0.0%

Mitigation required: 83 two-inch caliper trees

Parks: The Parks and Recreation Advisory Board (PRAB) reviewed this proposal at a meeting held on July 6, 2026. The Parks and Recreation Advisory Board recommended fee-in-lieu for this

development in the amount of \$219,978 based on the number of proposed single-family residential lots (202). The final amount of park fees required will be determined and due at the time of final plat.

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

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

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends right-of-way dedication as follows:*
 - a. E Goff Farm Road: 26 feet from street centerline along the property's frontage.
 - b. All internal streets: 52 feet in total width in line with typical master street plan requirements for Residential Link Streets.
2. **Planning Commission determination of street improvements.** *Staff recommend street improvements as follows:*
 - a. E. Goff Farm Road:
 - i. 8-foot sidewalk, 6-foot greenspace on north side of the street as shown on the plans, to connect to existing sidewalk to the east
 - ii. Crosswalk and rectangular rapid flashing beacons (RRFBs) to ensure safe pedestrian crossing at intersection of Street 1 and E. Goff Farm Road
 - b. Street 1: 6-foot sidewalk, 6-foot greenspace on west side of the street until proposed crossing as shown on plans to wrap around existing structure, curb, gutter, street trees and streetlights for both sides of the street as required by code. Sidewalk to continue on both sides of the streets after the first bend in the road.
 - c. All Internal Streets: 6-foot-wide green space, 6-foot-wide sidewalk, street trees, streetlights, and curb and gutter on both sides of the street in line with typical requirements for master street plan.
 - d. Trail Connection: Beginning at the connection with E. Oneida Drive, the applicant is to install trail infrastructure substantially similar to what is shown on the plans. Minor modifications in the proposed route to be coordinated with the City's Active Transportation Manager.
3. **Planning Commission determination of a variance to UDC §166.08(E)(1)(c): Intersection Distance.** *Staff support this variance request.*
4. **Planning Commission determination of a variance to UDC §166.08(E)(3): Connectivity.** *Staff support this variance request, with the condition that a street stub-out be included, as shown for "Street 8" to the southeast.*
5. **Planning Commission determination of a variance to UDC §166.04(B)(4)(f)(i): On-site sidewalks.** *Staff support this variance request, with the condition an RRFB be installed at the intersection of E. Goff Farm Road and Street 1, as indicated above.*
6. Fee-in-lieu of parkland dedication of \$219,978 based on the number of proposed single-family residential lots (202), with the final amount determined and due at the time of final plat;

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

Standard Conditions of Approval:

8. All existing overhead utility lines 12kV and under shall be relocated underground. All proposed utilities shall be located underground;
9. Sidewalk along all commonly owned lots (detention ponds, etc.) shall be constructed prior to final plat. All other sidewalks shall be constructed or guaranteed prior to final plat;
10. All street names shall be approved by the 911 Coordinator and indicated on the final plat. All streets require naming for final addresses. Contact the addressing office at (479) 575-8380 for more details;
11. All lots shall be labeled with addresses as approved by the 911 Coordinator on the final plat;
12. A floodplain development permit is required prior to construction for any grading or structures in the flood zone;
13. Plat Review comments (to include written staff comments provided to the applicant or his/her representative, and all comments from utility representative: Black Hills Energy, AT&T, Ozarks, SWEPCO, Cox Communication);
14. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with City's current requirements; and
15. Preliminary Plat approval shall be valid for one year.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>September 14, 2026</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- UDC Sections:
 - §166.04 Required Infrastructure Improvements — Development In City Limits
 - §166.08 Street Design And Access Management Standards
 - Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Staff Memos
 - Engineering Memo
 - Urban Forestry Memo
 - Parks and Recreation Memo
 - Applicant Exhibits
 - Request Letter
 - Preliminary Plat
-

166.04 Required Infrastructure Improvements — Development In City Limits

(A) *Generally.* Required of developer.

- (1) *On and Off-Site Improvements.* On-site improvements are adjacent to or within a project site; such as widening the street along the project street frontage, constructing interior streets and utilities, etc. Off-site improvements are not adjacent to a project; such as the extension of an off-site sewer line to the property boundary, off-site storm drainage improvements, or an off-site intersection improvement, etc.
- (2) *Standards Applicable.* Any required on- or off-site improvements in the city shall be installed according to the city's standards. The developer shall be required to bear that portion of the cost of off-site improvements which bears a rational nexus to the needs created by the development.
- (3) *Required Infrastructure Improvements.* On and off-site improvements that are roughly proportional and bear a rational nexus to the impact of the development are required for all development within the City of Fayetteville. The developer shall be required to install on and off-site improvements where the need for such improvements is created in whole or in part by the proposed development.
- (4) *Planning Commission and Planning Division.* At the time the Planning Commission or Planning Division (where applicable for administrative approval) grants development approval, the Planning Commission or Planning Division shall determine whether the proposed development creates a need for off-site improvements and the portion of the cost of any needed off-site improvements which the developer shall be required to bear. In determining that portion of the cost of off-site improvements which the developer shall be required to bear, the Planning Commission or Planning Division (where applicable for administrative approval) shall consider the acreage within the proposed development as a percentage of all the acreage which, when fully developed, will benefit from the off-site improvements; provided, the Planning Commission or Planning Division may use a different method of measurement if it determines that use of the acreage standard will not result in the developer bearing that portion of the cost which bears a rational nexus to the needs created by the development.
- (5) *Determining Necessity for Off-Site Improvements.*
 - (a) When a proposed development has access to paved streets or roads only by way of substandard or unimproved roads or streets leading from the development to the paved

streets or roads, the developer shall be responsible for contributing this proportionate share of the cost of improving the substandard access roads or streets to existing city or county standards. The developer's proportionate share of said costs shall be determined by the Planning Commission or Planning Division (where applicable for administrative approval) in accordance with the provisions of 166.04(A) above.

- (b) When a proposed development has direct access to, or fronts on an existing road or street, which is below current standards, the developer shall be responsible for contributing his/her proportionate share of the cost of improving said street or road to existing city or county standards. The Planning Commission or Planning Division (where applicable for administrative approval) shall determine the developer's proportionate share of said costs in accordance with the provisions of 166.04(A) above.
- (c) Off-site drainage improvements shall be required whenever a proposed development causes the need for such improvements.

...

- (B) *Minimum Improvements by Application Type.* The property owner/developer shall be responsible for constructing the following minimum improvements.

...

- (4) *Preliminary/Final/Concurrent Plat; Large Scale Development; Large or Small Site Improvement Plan.*

...

- (f) *Sidewalks.*

- (i) **On-Site.** Sidewalks shall be installed along the property street frontage and along new interior streets according to existing city standards and the Master Street Plan as adopted by the City Council.
- (ii) **Off-Site.** Sidewalks may be required to be installed off-site based on the rough proportionality and rational nexus of the impacts of the development.

166.08 Street Design And Access Management Standards

...

- (E) *Block Layout/Connectivity.*

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

...

- (3) *Connectivity.* Wherever a proposed development abuts undeveloped land, street stub-outs shall be provided as deemed necessary by the Planning Commission to abutting properties or to logically extend the street system.

...

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

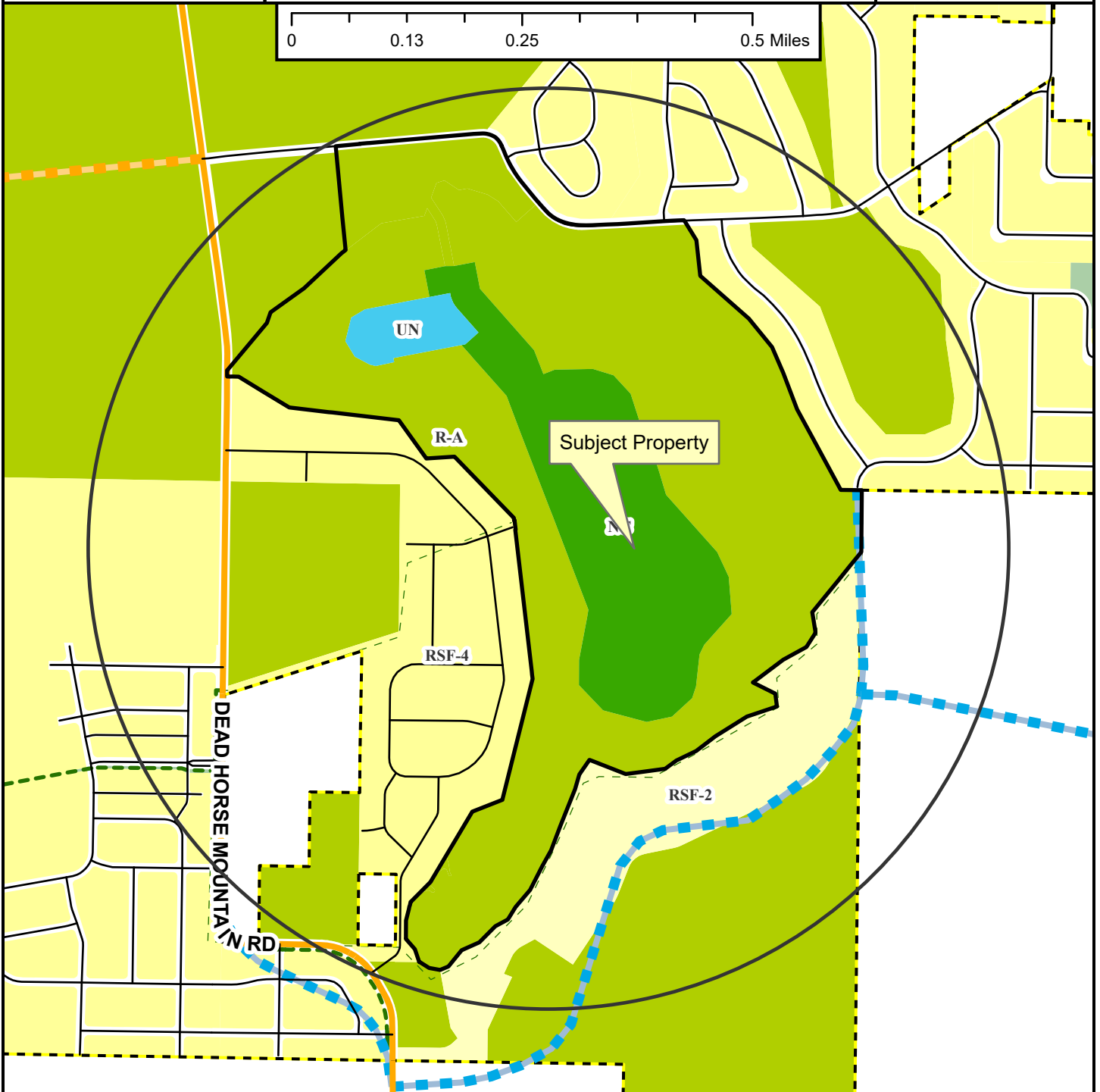
PPL-2026-0007

One Mile View

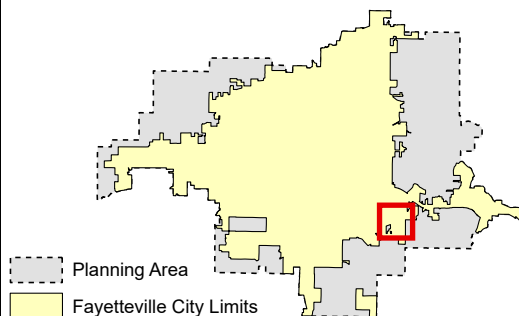
SOUTH OF 3495 E GOFF FARM RD



0 0.13 0.25 0.5 Miles



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

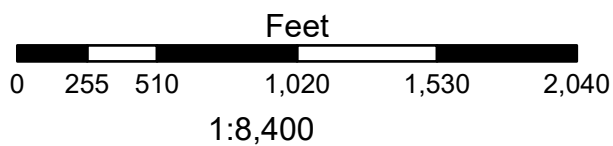


SOUTH OF 3495 E GOFF FARM RD

Close Up View



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







TO: Jessie Masters, Planning Director

FROM: Mark Veasey, Staff Engineer

DATE: September 14, 2026

SUBJECT: **Planning Commission Engineering Comments for
PPL-2026-0007 The Preserve at Stonebridge Phase 3, 4, and 5**

Water: The applicant is proposing to install new 8" water mains throughout the subdivision to provide domestic water service and fire hydrants. The project connects to an 8" waterline to the west along Oneida Drive and an 8" waterline stub-out at the end of South Pumpkin Ridge Drive to the east. A stub out is also proposed to the north along the proposed residential link street. Staff supports the proposed water extensions and connections.

Sewer: The applicant is proposing to install new 8" sewer mains within the subdivision to provide sanitary sewer service to each lot. There is an existing sewer lift station (LS-49) approximately 50-feet east of the site that the residential area to the east and the Preserve at Stonebridge Phase 1 and 2 sewer mains to the west drain too. The proposed on-site system is proposed to drain to the 8" sewer main from Phase 1 and 2 into LS-49. The sewer flow is then pumped southwest through an 8" force main and connects to a 12" sewer main which eventually flows west to LS-48 near the West Fork White River.

A sewer capacity analysis was completed by RJN Group to analyze the hydraulic impact of the Preserve at Stonebridge Development proposed sewer system on the existing sewer system and lift stations. The conclusion of this analysis displayed that the additional flows from the Preserve at Stonebridge did not cause the total flow reaching LS-49 during the design storm to be greater than the capacity of the lift station. No recommendation to increase the capacity of the system is downstream of the development is required.

Streets: The applicant is proposing to install public streets throughout the subdivision based on the typical Residential Link as shown in the overall Preliminary Plat Plan. In addition, there are proposed improvements for E Goff Farm Road. On the north side of E Goff Farm, across the project frontage, half-street improvements are proposed per the Residential Link standard. This includes a crosswalk across E Goff Farm Road at the intersection of the proposed street into the Preserve. An 8' sidewalk and greenspace is proposed from the crosswalk to the east along E Goff Farm to connect to existing sidewalk to the east residential area.

The applicant provided a traffic impact analysis (TIA) and a traffic safety letter with the submittal. In the TIA, the existing traffic volume data was collected, along with an estimate of the future 2027 traffic using historical growth rates. The proposed development traffic was added to the future 2027 traffic to analyze the traffic capacity and determine if any improvements are needed due to the increased traffic. Based on the results, it was determined that no traffic control or geometric

roadway improvements are necessary to continue operating at an acceptable level-of-service. In the traffic safety letter, the engineer of record certified that proposed project will not create or compound a dangerous traffic condition.

Drainage: This development is required to meet the four minimum criteria of Fayetteville's Drainage Criteria Manual. The applicant is proposing to meet these requirements with a permanent pool detention basin. The basin will provide the water quality requirements. Channel protection is proposed to be met by sizing the pond outlet structures to detain and release the runoff from the 1-year, 24-hour storm over a period of 40 hours. Similarly, overbank flood protection and extreme flood protection requirements are proposed to be met by sizing the outlet structures so that peak flows post-development do not exceed pre-development peak flows. Detailed review of the drainage design will be done with grading permit review.

Standard Comments:

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



URBAN FORESTRY TREE PRESERVATION COMMENTS

To: Blew & Associates

From: Bethany Douglas, Urban Forester

CC: Jessie Masters, Senior Planner

Meeting Date: September 14, 2026

Subject: PPL-2026-0007: The Preserve at Stonebridge (South of 3495 E Goff Farm)

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

2. Tree Preservation Calculations

Tree Preservation Calculations:

	Acres	Percent of site
Total Site Area *Minus Right of Way and Easements	44.99	100%
Averaged Zoning Calculated based on NC, UN & R-A	8.82	19.6%
HHOD * Select Below with Drop Down Arrow		
No	0.00	0%
Total canopy for Minimum Preservation Requirements	8.82	19.6%
Existing Tree Canopy *Minus Right of Way and Easements	0.53	1.2%
Tree Canopy Preserved	0.00	0.0%
Tree Canopy Removed *On Site	0.53	1%
Tree Canopy Removed *Off Site	0.00	0%
Tree Canopy Removed Total	0.53	1%
Removed below Minimum	8.82	
Mitigation Requirements	0.53	
Mitigation Requirements in Square Feet	23,087	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority	13,301	61
Low Priority	9,786	22
Total Mitigation Trees Required		83

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

5. Tree Preservation Plan Checklist <i>UDC Chapter 167.04H1 and 167.04L1</i>		Tech Plat	Planning Commission	
a.	5 year Aerial Check on Existing Trees	Yes		
b.	Property Boundary	Yes		
c.	Natural Features (100ft beyond limits of disturbance)	Yes		
d.	Existing Topography and Proposed Grading	Yes		
e.	Soil Types	Yes		
f.	Significant Trees	Yes		
g.	Groupings of Trees	Yes		
h.	Table Inventory List (species, size, health, priority)	Yes		
i.	All Existing and Proposed Utilities	Yes		
j.	All Existing and Proposed Utility Easements and ROW's	Yes		
k.	All Streams (with approximate center line)	N/A		
l.	Floodplains and floodways	N/A		
m.	Existing Street, Sidewalk or Bike Path ROW	Yes		
n.	Submitted Arborist Report (if required)	Yes		
o.	Shows ALL Proposed Site Improvements	Yes		
p.	Delineates trees/canopy to be preserved and removed	Yes		
q.	Tree Preservation Easement/s shown for LSD, LSIP and Commercial PPL projects	N/A		
Tree Protection Methods				
a.	Tree Protection Fencing	Yes		
b.	Limits of Root Pruning	Yes		
c.	Traffic flow on work site	N/A		
d.	Location of material storage	N/A		
e.	Location of concrete wash out	N/A		
f.	Location of construction entrance/exit	N/A		
6. Arborist Report (if required)	<i>UDC Chapter 167.04H4</i>	Yes	No	N/A
a.	Submitted Arborist Report	X		
7. Review Status (See Comments)		Tech Plat	Planning Commission	
	Conditionally Approved	9-14-26		
	Approved			
	Tabled			
	Denied			

Appeal Process: A final administrative determination by the Urban Forester may be appealed in accordance with Chapter 155 of the Unified Development Code.

Comments

1. Address items above marked "No" and all Redlines provided.
2. Prior to grading permit approval, the applicant needs to call out the trees found in arborist report but not shown on the tree preservation plan. If preserving trees please show fencing around trees at least 10 feet from trunk of tree and update mitigation numbers, if removing please just update mitigation numbers.



URBAN FORESTRY
LANDSCAPE PLAN COMMENTS

To: Blew & Associates

From: Bethany Douglas, Urban Forester

CC: Jessie Masters, Planning Director

Meeting Date: September 14, 2026

Subject: PPL-2026-0007: The Preserve at Stonebridge (South of 3495 E Goff Farm)

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

2. Parking Lot Requirements	1 Tree : 12 Parking Spaces	Yes	No	N/A
a. Side and Rear Property Lines (5' Wide Landscape Area) <i>UDC Chapter 177D1</i>				X
b. Wheel Stops/Curbs <i>UDC Chapter 177.04B1</i>				X

- | | |
|---|---|
| c. Narrow Tree Lawn (8' min. width, 37.5' length)
<i>UDC Chapter 177.04C</i> | X |
| d. Tree Island (8' min. width, 18.7' min length, 150 square feet)
<i>UDC Chapter 177.04C</i> | X |
| e. Placement of Trees (either side at entrances and exits)
<i>UDC Chapter 177.04C2</i> | X |

3. Perimeter Landscaping Requirements

Yes No N/A

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

4. Street Tree Planting Requirements

Yes No N/A

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

5. Landscape Requirement Totals

Amount

Mitigation Trees	83
Parking Lot Trees	N/A
Street/Lot Trees	89
Detention Pond – Large Trees (1 Tree/3,000 square feet)	N/A

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

6. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	9-2-26	
Approved		
Tabled		
Denied		

Appeal Process: A final administrative determination by the Urban Forester may be appealed in accordance with Chapter 155 of the Unified Development Code.

Comments
- Address items above marked “No” and all Redlines provided. - Please provide landscape architect stamp. - Please address spacing issues, large shade trees should be planted at least 15’ from building foundation.



CITY OF
FAYETTEVILLE
ARKANSAS

TO: Planning Division

FROM: Zach Foster, Parks Planning

DATE: July 28, 2026

SUBJECT: Parks & Recreation Technical Plat Review Comments

Parks Board Meeting Date: July 6, 2026

Project Title: The Preserve at Stonebridge (Phases 3, 4, and 5)

Project Number: PPL-2026-0007

Project Location: E of Dead Horse Mountain Rd
Parcel # 765-15268-452 and 765-15268-151

Plat Page: 606 and 646

Park Quadrant: SE

Billing Name & Address: Sanskara LLC, PO Box 11115, Fayetteville, AR, 72703

☐ Land Dedication

☒ Fee-in-Lieu

☐ Combination

LAND DEDICATION

Single Family: _____ units x 0.023 acres per unit = 0.00 acres

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

**TOTAL
Acres**

0.0

FEE-IN-LIEU

Single Family: 202 units x \$1,089 per unit = \$219,978

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

**TOTAL
Fees**

\$219,978

SUMMARY

- Project proposes 202 SF Units and 0 MF Units.
- The final amount of fee-in-lieu and/or land dedication needed to satisfy Parkland Dedication requirements will be determined after Planning Commission's approval of this project.
- Current fee-in-lieu and/or land dedication rates will be applied regardless of when project was approved by PRAB.
- Prior to final receipt by the city, all fees must be paid and any deeds for parkland dedication property must be:

- Approved by the City's Land Agent in the Engineering Division.
 - Recorded at the Washington County Courthouse.
- Each additional housing unit that is constructed in Fayetteville places an increased demand on the Parks and Recreation system. The money collected as part of this project will be used to fund future park acquisitions and improvements for this park quadrant.

ASSOCIATED PROJECTS:

September 10, 2026

City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

Attn: Development Services
Re: Preliminary Plat for The Preserve at Stonebridge Phases 3, 4 & 5 (PPL-2026-0007)

For the proposed Preliminary Plat of The Preserve at Stonebridge Phases 3, 4 & 5, please accept this request for a variance from the block length requirements for the roadway connection to the north and the proposed outer loop roadway within the development. Section 166.08(E)(1) of the Unified Development Code (UDC) requires Residential Link Streets to have intersections at intervals not exceeding 660 feet. Also, please accept this request for a variance from Section 116.08(E)(3) for connectivity, which is the requirement for street stub-outs to be provided to abutting undeveloped land.

Due to the site's unique location, the development is bounded on all sides by the Stonebridge Meadows Golf Course, making additional roadway stub-outs at standard intervals impractical. The internal street network has been designed to comply with the UDC block length requirements, and the proposed roadway connection to the existing stub on Oneida Drive will provide connectivity to the surrounding street network. Also, right-of-way is being dedicated for a future extension of Street 8 to the east, providing for future connectivity to Pumpkin Ridge Drive should the roadway be extended. However, because future development along the remaining perimeter of the site is highly unlikely due to the surrounding golf course, no additional street connections are anticipated.

Based on these unique site constraints, we respectfully request approval of this variance from the UDC block length requirements.

Additionally, we respectfully request a variance from UDC Section 166.04(B)(4)(f) regarding the required sidewalk along approximately 600 linear feet of the northeast side of Street 1 at the northern portion of the development.

Due to the proposed alignment of Street 1 between the existing golf course green and golf cart barn, constructing the required sidewalk in this location would significantly reduce the available clearance around the existing golf cart barn. Omitting this segment of sidewalk will allow the roadway to maintain appropriate separation from the existing structure while preserving the intended roadway alignment and minimizing impacts to the existing golf course facilities.

Pedestrian connectivity will be maintained through the proposed 12-foot multi-use trail, which will extend through the development and route around the north side of the existing golf cart barn before connecting to Goff Farm Road. In addition, a 6-foot sidewalk will be constructed along the entire southwestern side of Street 1, providing a continuous pedestrian route along the opposite side of the roadway.

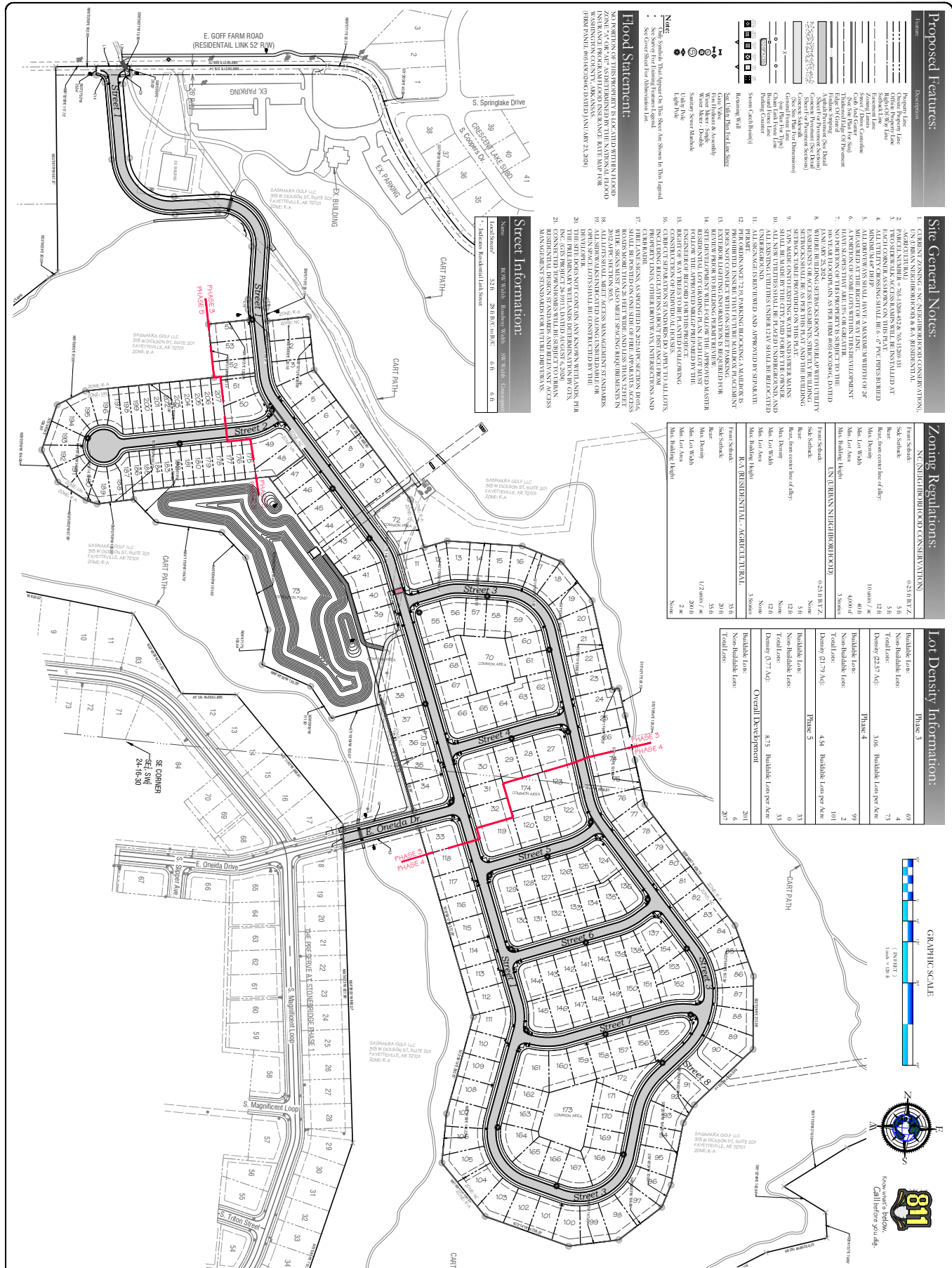
Given the site-specific constraints created by the existing golf course facilities, and the alternative pedestrian facilities proposed in this area, we believe the requested variance will not adversely affect pedestrian circulation, connectivity, or safety within the development.

We respectfully request approval of this variance from UDC Section 166.04(B)(4)(f).

Sincerely;



Charles A. Zardin, PE



Proposed Features:

[illegible]

Site General Notes:

[illegible]

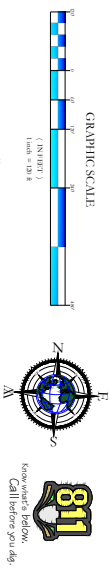
Zoning Regulations

[illegible]

Lot Density Information:

Phase 3		Phase 4		Phase 5		Overall Development	
Buildable lots:	69	99	92	35	201	201	6
Non-buildable lots:	4	2	9	0	3	3	4
Total lots:	73	101	101	35	204	204	10
Density (22.57 A/c):	306	Buildable lots per acre			8.53	Buildable lots per acre	
Buildable lots:							
Non-buildable lots:							
Total lots:							
Density (21.77 A/c):	454	Buildable lots per acre					

GRAPHIC SCALE



Flood Statement:

NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "A1" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR WASHINGTON COUNTY, ARKANSAS.
(FIRM PANEL #05146C0240G DATED JANUARY 25, 2024)

Street Information:

Street Information:				
Name	ROW Width	Roadway Width	SW Width	GreenSpace
Local Streets ^a	52 ft	28 ft B/C to B/C	6 ft	6 ft

^a - Indicates Residential Link Street

NOT FOR
CONSTRUCTION
FOR REVIEW
ONLY!!!

Overall Preliminary Plat
City Plat Page 606, 607 & 646

Preliminary Plat For:
The Preserve at Stonebridge Ph. 3, 4 & 5
E Goff Farm Rd Fayetteville, AR
TABA20 LLC
5519 Hackett Rd, Suite 300
Springdale, AR 72762
(479) 435-2088

[illegible]



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner
Justin Bland, City Engineer
Bethany Douglas, Urban Forester

MEETING: September 14, 2026

SUBJECT: **LSD-2026-0010: Large Scale Development (1358 E MILLSAP RD/CHRISTIAN LIFE CATHEDRAL OF NORTHWEST ARKANSAS, INC, 213 & 214)** Submitted by BATES & ASSOCIATES for a property located at 1358 E MILLSAP RD. The property is zoned P-1, INSTITUTIONAL and contains approximately 1.02 acres. The request is for a parking lot expansion.

RECOMMENDATION:

Staff recommends approval of **LSD-2026-0010** with conditions as noted in the staff report.

RECOMMENDED MOTION: *"I move to approve **LSD-2026-0010**, finding:*

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

BACKGROUND:

The subject area is in north Fayetteville approximately 900 feet southeast of the E. Sain St. and N. Front St. intersection. The property has been developed with a religious facility constructed prior to 1994 per aerial imagery. An associated right-of-way vacation has been submitted to vacate an existing stub-out on E. Millsap (VAC-2026-0012). The subject area does falls within the 71B Corridor Master Plan Area, but no other master planning areas or zoning overlays apply. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Religious Facility	P-1, Institutional
South	Religious Facility Single-Family Residential	P-1, Institutional R-O, Residential Office RSF-4, Residential Single-Family, 4 Units per Acre
East	Religious Facility	P-1, Institutional
West	Religious Facility, Offices	P-1, Institutional R-O, Residential Office

Proposal: The applicant requests Large Scale Development approval to redevelop an existing gravel parking area to include approximately 46,046 square feet of additional paved parking and driveways. No variances have been requested:

Right-of-Way to be Dedicated: Staff does not recommend any additional right-of-way dedication as there is currently sufficient right-of-way in place to complete the Millsap/Hemlock roadway improvements.

Street Improvements: The city will soon begin construction on the Millsap/Hemlock roadway improvement project. This project is expected to take 12 months but will focus on constructing the Hemlock Ave. connection shown on these plans first. Based on the pending start of construction for this roadway project, staff is supportive of the associated request to vacate the eastern end of right-of-way for Millsap Rd. that would be necessary for this development to occur. Staff does recommend that this right-of-way vacation is approved prior to the church beginning construction. No additional improvements are recommended to Millsap, though engineering is in discussions about a potential right-of-way swap for other city work in association with the right-of-way vacation.

Notably, this vacation would effectively create three lots without street frontage, however staff notes that all three lots are owned by Christian Life Cathedral and that a property line adjustment to combine parcels or a rezoning could resolve likely zoning issues created by the lack of frontage.

Access Management/Connectivity: One additional driveway is proposed to the N. Hemlock Ave. extension which appears to comply with driveway separation standards.

Design Standards: No building is proposed with this development. The proposal appears to be substantially complying with §172.04 Parking Lot Design Standards. Parallel parking spaces are proposed within the Millsap Rd. right-of-way proposed to be vacated, and the two-way drive aisle adjacent to these spaces must be widened to 24 feet unless a variance is approved. Design standards will be further reviewed with the grading permit submittal.

Water and Sewer System: There are an existing 8" water line and an existing 8" sewer main along W Millsap Rd. No buildings are proposed with this development.

Drainage: This development is required to meet the four minimum criteria of Fayetteville's Drainage Criteria Manual. Water quality requirements will be met with the use of a hydro-dynamic separator. Channel Protection Volume and Overbank and Extreme Flood Protection will be met with the proposed underground detention structure with an engineered outlet structure. Detailed review of the drainage design will be done with grading permit review.

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

Tree Preservation:

Canopy minimum requirement: 25%

Existing canopy: 44.3%

Preserved canopy: 41.9%

Mitigation required: 0 two-inch caliper trees

Detention Pond – Large Trees: 1

Detention Pond – Small Trees: 4

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

RECOMMENDATION: Staff recommends approval of **LSD-2026-0010** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends no additional right-of-way dedication.*
2. **Planning Commission determination of street improvements.** *Staff recommends no additional street improvements.*
3. Associated right-of-way vacation must be completed prior to the issuance of a grading permit.
4. A property line adjustment to combine parcels or a rezoning shall be required to address creation of lots without street frontage due to proposed vacation. Such shall be required prior to the closure of the grading permit.
5. Conditions of approval from Engineering, GIS and Urban Forestry are included in the official conditions of approval, attached hereto;
 - a. Provide written legal descriptions including area in square feet or acres that read clockwise (Note: If the project is contained in more than one tract, the legal for each individual tract and a total tract description must be provided.) Since easements being dedicated, please include bearing-and-distance calls.

Standard Conditions of Approval:

6. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance. Water and sewer impact fees will be based on the proposed meter size and charged at the time of meter set.
7. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks Electric, SWEPCO, and Cox Communications);
8. 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;
9. Trash enclosures shall be screened on three sides with materials complimentary to and compatible with the principle structure. Containers may also be screened from view of the street by the principal structure or vegetation. Elevations of the proposed dumpster enclosure shall be submitted to the Planning and Solid Waste Divisions for review prior to building permit;
10. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;
11. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with the City's current requirements;

12. All exterior lights shall comply with the City lighting ordinance. Manufacturer's cut-sheets are required for review and approval prior to issuance of a building permit;
 13. 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;
 14. Large scale development shall be valid for one calendar year;
 15. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit. The coordinator has noted that a separate street name is required;
 16. Prior to building permit, a cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy; and
 17. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
 - c. Exterior lighting package must be provided to the Planning Division;
 - d. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - e. Project Disk with all final revisions; and
 - f. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.
 18. Any damage to existing public streets caused by construction shall be repaired or replaced at the owner/developer's expense.
 19. All sidewalks, curb ramps, curb & gutter, and driveway aprons must meet ADA guidelines and be free of damage. Non-compliant or damaged infrastructure must be replaced. Coordinate with Engineering for inspection.
 20. The following items will typically be reviewed at construction plan stage (unless otherwise requested):
 - a. Storm sewer sizing, gutter spread, profiles, utility conflicts
 - b. Sanitary sewer sizing, profiles, utility conflicts
 - c. Waterline fittings and conflicts
 - d. Street profiles
 - e. Fine grading/spot elevations
-

Planning Commission Action: ☐ Forwarded ☐ Tabled ☐ Approved

Meeting Date: September 14, 2026

Motion:

Second:

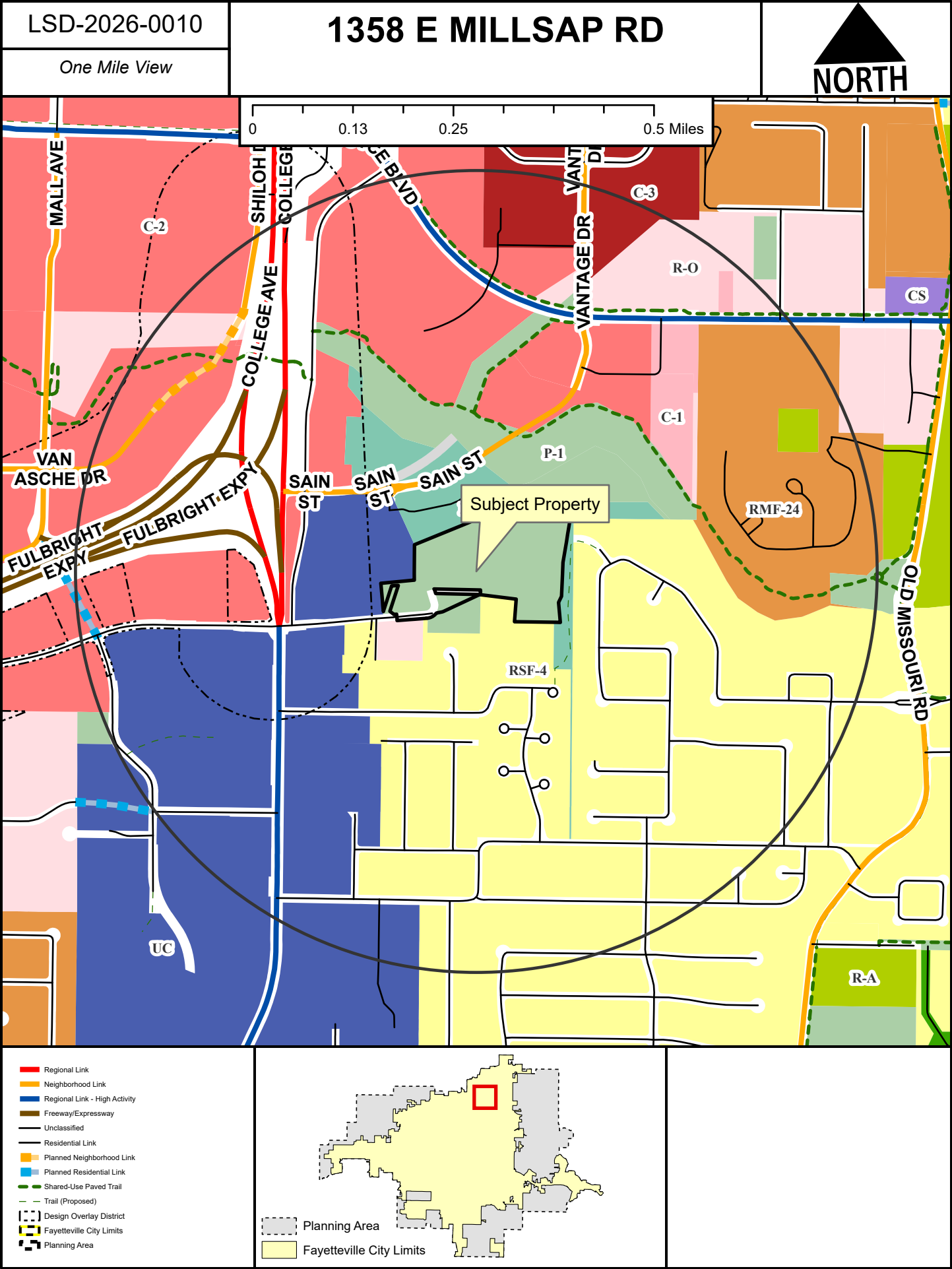
Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Staff Memos
 - Engineering Memo
 - Urban Forestry Memos
- Applicant Exhibits
 - Cover Letter
 - Variance Request Letter
 - Site Plan

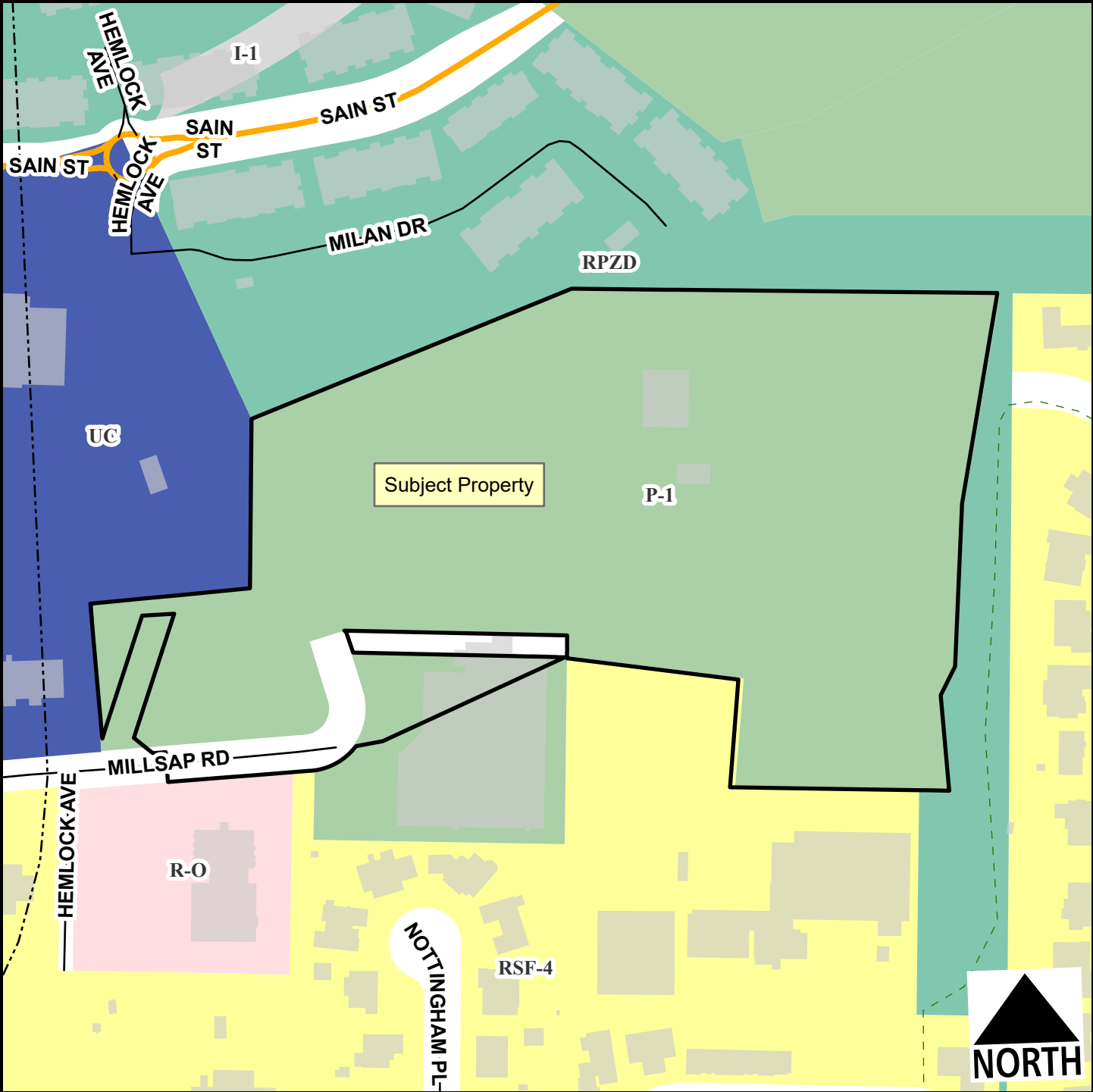


LSD-2026-0010
<i>Close Up View</i>

1358 E MILLSAP RD



A map showing Hemlock Ave and I-1. Hemlock Ave is a vertical road on the left, and I-1 is a horizontal road at the bottom. The intersection is marked with a red dot.



-  Neighborhood Link
-  Residential Link
-  Planning Area
-  Fayetteville City Limits
-  Trail (Proposed)
-  Design Overlay District

Feet

0 75 150 300 450 600

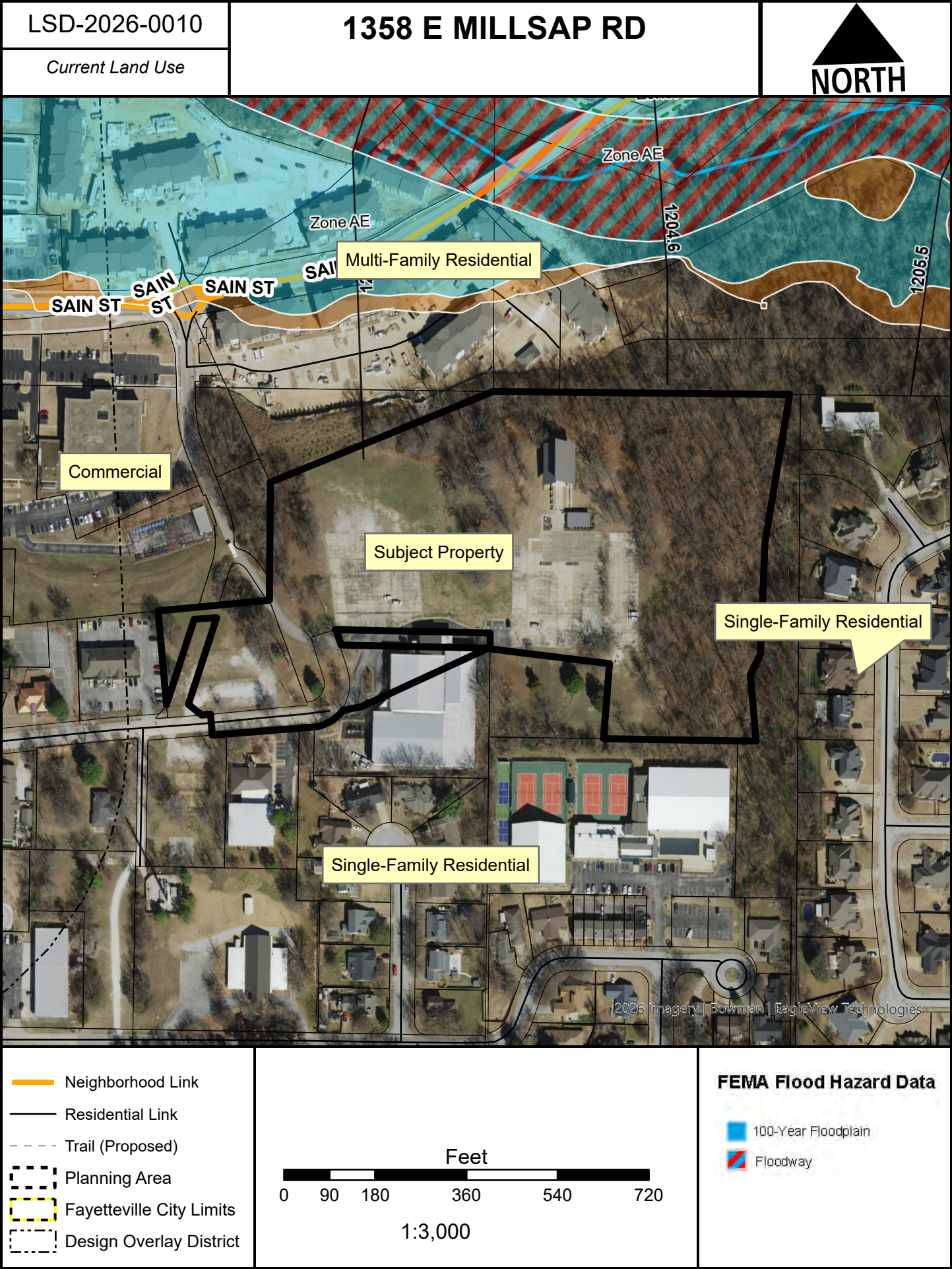
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Planning Commission
September 14, 2026

LSD-2026-0010 (CHRISTIAN LIFE CATHEDRAL OF NORTHWEST ARKANSAS, INC)

Page 7 of 23





TO: Donna Wonsower, Senior Planner

FROM: Justin Bland, City Engineer

DATE: August 5, 2026

SUBJECT: **Planning Commission Engineering Comments for
LSD-2026-0010**

Streets: The city will soon begin construction on the Milsap/Hemlock roadway improvement project. This project is expected to take 12 months but will focus on constructing the Hemlock Ave. connection shown on these plans first. Based on the pending start of construction for this roadway project, staff is supportive of the proposed request to vacate the eastern end of right-of-way for Milsap Rd. **Staff does recommend that this right-of-way vacation is approved prior to the church beginning the proposing roadway work in this right-of-way.**

Drainage: This development is required to meet the four minimum criteria of Fayetteville's Drainage Criteria Manual. Water quality requirements will be met with the use of a hydro-dynamic separator. Channel Protection Volume and Overbank and Extreme Flood Protection will be met with the proposed underground detention structure with an engineered outlet structure. Detailed review of the drainage design will be done with grading permit review.

Standard Comments:

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

- Fine grading/spot elevations



URBAN FORESTRY TREE PRESERVATION COMMENTS

To: Blew & Associates

From: Bethany Douglas, Urban Forester

CC: Donna Wonsower, Senior Planner

Meeting Date: September 14, 2026

Subject: LSD-2026-0010: Christian Life Cathedral (1385 E Millsap Rd)

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

2. Tree Preservation Calculations

Tree Preservation Calculations Square Feet		
	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	60,710	100%
Zoning Designation * Select Below with drop down arrow		
P-1, Institutional	15,178	25%
HHOD * Select Below with Drop Down Arrow		
No	0	0%
Total Canopy for Minimum Preservation Requirements	15,178	25.0%
Existing Tree Canopy * Minus Right of Way and Easements	32,350	53.3%
Tree Canopy Preserved	15,276	25.2%
Tree Canopy Removed *On Site	17,074	28.1%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	17,074	28.1%
Removed Below Minimum	0	
Mitigation Requirements	0	

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

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

5. Tree Preservation Plan Checklist	Tech Plat	Planning Commission
UDC Chapter 167.04H1 and 167.04L1		
a. 5 year Aerial Check on Existing Trees	Yes	

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

Tree Protection Methods

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

6. Site Analysis Report (if required)	Yes	No	N/A
<i>UDC Chapter 167.04H4</i>			

a. Provide Arborist Report showing tree health and structure evaluation, feasibility of preservation, and recommendations and justification	X
---	---

7. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	7-15-26	9-14-26
Approved		
Tabled		
Denied		

Appeal Process: A final administrative determination by the Urban Forester may be appealed in accordance with Chapter 155 of the Unified Development Code.

Comments

1. Address items above marked "No" and all Redlines provided.



URBAN FORESTRY LANDSCAPE PLAN COMMENTS

To: Blew & Associates

From: Bethany Douglas, Urban Forester

CC: Donna Wonsower, Senior Planner

Meeting Date: September 14, 2026

Subject: LSD-2026-0010: Christian Life Cathedral (1385 E Millsap Rd)

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

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

3. Perimeter Landscaping Requirements	Yes	No	N/A
a. Front Property Line (15' wide landscape) and five on sides. <i>UDC Chapter 177.04D2a</i>			X
b. Side and Rear Property Lines (5' Wide Landscape Area) <i>UDC Chapter 177.04D1</i>			X
c. Shade trees planted on south and west sides of parking lots <i>UDC Chapter 177.04D2e</i>			X
d. Screening of parking lot from adjacent residential properties and the street.			X (ROW being vacated)

4. Street Tree Planting Requirements	Yes	No	N/A
a. Residential Subdivisions 1 Large Shade Species Tree per Lot <i>UDC Chapter 177.05B1a</i>			X
b. Non-Residential Subdivisions 1 Large Species Shade Tree every 30' (planted in greenspace) <i>UDC Chapter 177.05B2a</i>			X
c. Urban Tree Well – Urban Streetscapes Trees every 30' (8' sidewalk) <i>UDC Chapter 177.05B3a-f</i>			X
d. Structural Soil – Urban Tree Wells Include a note and/or detail of structural soil on Landscape Plan <i>UDC Chapter 177.05B3a-f</i>			X
e. Residential Subdivisions Timing of planting indicated on plans <i>UDC Chapter 177.05A4</i>			X
f. Residential Subdivisions Written description for method of tracking planting <i>UDC Chapter 177.05A4e</i>			X

5. Landscape Requirement Totals	Amount
Mitigation Trees	0
Parking Lot Trees	7
Street Trees	0
Detention Pond – Large Trees (1 Tree/3,000 square feet)	1

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

6. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	7-15-26	9-14-26
Approved		
Tabled		
Denied		

Appeal Process: A final administrative determination by the Urban Forester may be appealed in accordance with Chapter 155 of the Unified Development Code.

Comments

1. Address items above marked “No” and all Redlines provided.

BLEW

Surveying | Engineering
Environmental

May 13th, 2026

City of Fayetteville -Development Services
Re: Christian Life Cathedral LSD Cover Letter

Please accept this letter as the project narrative required in support of the enclosed Large Scale Development (LSD) application. The following describes the scope, nature, and intent of the proposed improvements.

The proposed project consists of three primary components:

1. **Parking Lot Addition.** We propose to construct a new paved parking lot on a portion of the site currently used as informal grass and gravel parking. The proposed lot will be improved to City standards, including pavement, striping, curbing, stormwater management, and required landscaping in accordance with the Fayetteville Unified Development Code.
2. **Connection to the Hemlock Avenue Extension.** The new parking lot will include a vehicular access point connecting to the city designed Hemlock Avenue extension. Hemlock is proposed to be built by the city. This connection will provide a dedicated ingress/egress point from the public street network and improve overall site circulation and safety.
3. **Connection to the Existing Parking Lot to the North.** Off the stub out from Hemlock Avenue it is proposed to construct an asphalt access road that tie's back into the existing church pavement. A parking lot access road is also proposed off of this road to better allow vehicles to circulate freely around the site and away from mthe dedicated church drop off areas.

No new buildings are proposed as part of this application. The project is intended to formalize and improve existing informal parking conditions while taking advantage of the new public street infrastructure provided by the Hemlock Avenue extension.

Sincerely,

Benjamin Payne, PE



479-443-4506



blewinc.com



3825 N Shiloh Dr.
Planning Commission
Fayetteville, AR 72703
September 14, 2026

September 2nd, 2026

City of Fayetteville -Development Services

Re: Variance Request for Christian Life Cathedral Parking Lot Development

Please accept this request for a variance to 166.25(D)(2). This property is zoned P-1 so it does not technically fall under the heading of this UDC however per staff comment cross access or a cross-access variance would be required for the site.

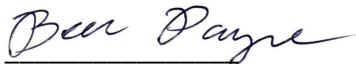
Justification for Variance:

1. Addressing the Hardship Requirement:

The current church property previously had right of way extending towards both the northern and eastern residential parcels. That right of way was previously vacated as connection to either adjacent property would require crossing extremely steep terrain.

The site currently contains an access easement to the adjacent cemetery parcel and the proposed design extends a new access easement along the existing roadway to connect in with this existing easement. No parcel is losing access and no master street plan connection is proposed through this lot for future planning purposes.

Sincerely,



Benjamin Payne, PE

- ### STANDARD QTY MONTHS

Combination of *Wolffia* and *Sagittaria* (June 2017) <http://doi.org/10.1007/s12248-017-0001-0>

CONTRACT	WORK AGREEMENT
----------	----------------

d ONE (1) SET OF AS-BUILT DRAWINGS OF THE INSTALLED UTILITIES AS A HARD COPY AND IN PDF FORMAT.

BE WITHHELD TO ALLOW FOR TESTING ONLY AND TURNED OFF UNTIL THE TCO IS 5.9.0.

P-1 BUILDING SETBACK TABLE	
FRONT	15 FEET
PROFIT IF PARKING IS ALLOWED BEHIND THE FRONT OF LOT AND THE BUILDING	30 FEET
SIDE	10 FEET
SIDE WHEN CONTIGUOUS TO A RESIDENTIAL DISTRICT	15 FEET
REAR	20 FEET

CONCLUSIONS

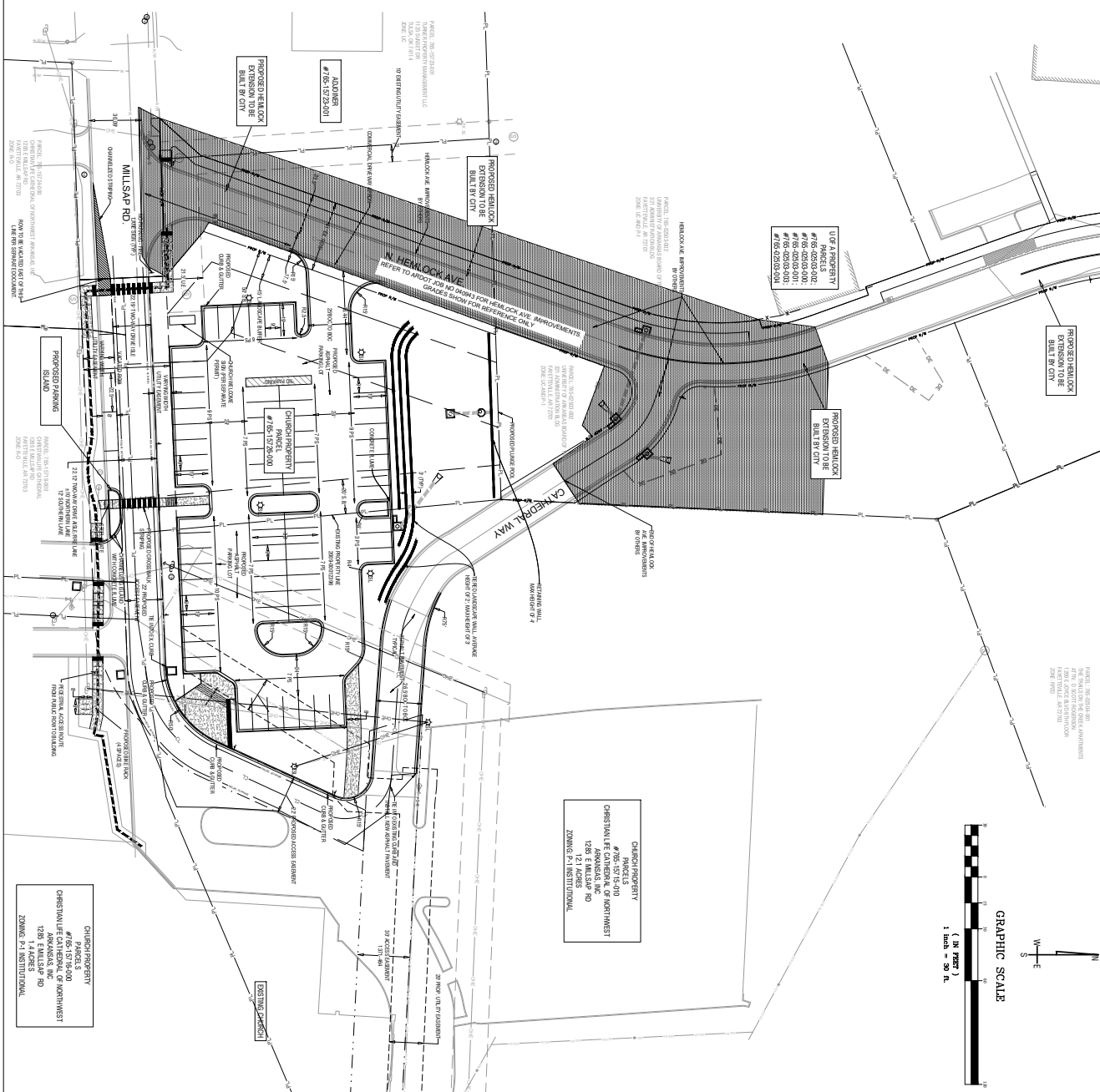
TESTING	PERCENT	TESTING	PERCENT
BASELINE	62.29% (SD 11.11) 10%	BASELINE	64.16% (SD 10.55) 10%
POST-TEST	51.72% (SD 11.11) 10%	POST-TEST	71.03% (SD 11.11) 10%
DEMOGRAPHICS	12.50% (SD 11.11) 10%	DEMOGRAPHICS	12.50% (SD 11.11) 10%
PAYMENT OF CHARGES	20.89% (SD 11.11) 3.25%	PAYMENT OF CHARGES	0.12% (SD 11.11) 0%
QUAL.	1.91% (SD 11.11) 0.25%	QUAL.	22.51% (SD 11.11) 3.41%
NO. OF EMPLOYEES	42,293 (SD 11,111) 72.10%	NO. OF EMPLOYEES	42,293 (SD 11,111) 65.54%
TOTAL EMPLOYEES		TOTAL EMPLOYEES	

PROPOSED USE: CHURCH
CHURCH PLANNING: 10,000 SQ. FT. ASSEMBLY AREA, 1 PER 4 AUTOMOBILE SEATS, UNCHECKED, MORE
BUILDING: 10,000 SQ.
TOTAL LOT AREA: 1,000 SF

CHRYSLER - 1,300 SF
TOTAL: 24,812 SF / 40 SF = 620 MAX PARKING STALLS
EXISTING PARKING STALLS = 277 (14 ADA, 263 STANDARD)
PROVIDED PARKING STALLS = 77
TOTAL PARKING STALLS = 354

Bike Rack Requirements:

4 LINE PAGES PROZAIKOD



GRAPHIC SCALE

1 inch = 50 ft.

(IN FEET)

0 10 20 30 40 50 60 70 80 90 100

N
W E S

JORGENSEN + ASSOCIATES
— A BLEW COMPANY —
3825 N Shiloh Dr.
Fayetteville, AR 72703
Office: 866.937.3111
support@blewinc.com

Planning Commission
September 14, 2026

NORTHWEST ARKANSAS, INC)

PROJECT TITLE:
CHRISTIAN LIFE
CATHEDRAL

PROJECT LOCAT
1285 MILLSAP RD
FAYETTEVILLE, GA

REVISIONS

CONCEPTUAL
NOT FOR CONSTRUCTION

DATE: 26-09-02
DRAWN BY: EAP
PROJECT #2024134
FILE PATH: Z:\S02024134\LS.DWG
SHEET SIZE: 22" x 34"

SHEET TITLE
LARGE SCALE DEVELOPMENT
SHEET NUMBER
C1.1

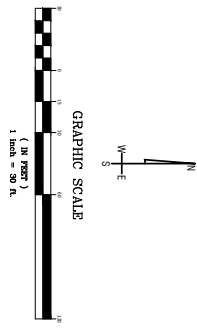
1. ALL BIDDERS ARE REQUIRED BY CONDITIONS OF BIDDING TO BE PRESENT AND NOT A BIDDING, SIGNED SHALL NOT EXCEED 31 BUSINESS DAYS FROM THE DATE OF THE BIDDING. THE BIDDING SHALL BE OPENED AT THE BIDDING LOCATION, SINCE THE BIDDING IS PROVIDED AND APPROVED BY THE PROJECT BINDER AND THE CITY OF KENTMETHUEN ENGINEERING DEPARTMENT.
2. BIDDING WILL BE LIMITED TO THE EVENTS OF THE PROPOSED CONTRACTS.
3. 4-16-VEGETATION SHALL BE REQUIRED TO MEET THE FOLLOWING PERFORMANCE STANDARDS (SOILMENT CONTROLS SHALL REMAIN IN PLACE UNTIL BE REVEALED TO ESTABLISH THE FOLLOWING OFFENSES ALLOWED BY THE CITY OF KENTMETHUEN CITY OF KENTMETHUEN ENGINEERING DEPARTMENT).
4. ALL BIDDING CONTRACTS SHALL BE SIGNED BY THE ENGINEER CONTRACTOR.
5. ALL BIDDING CONTRACTS SHALL BE SIGNED BY THE ENGINEER CONTRACTOR.

- [illegible]

1. WRITE TO THE DIRECTOR, NATIONAL BUREAU OF STANDARDS, THE REQUEST FOR AGRICULTURAL MACHINERY. BE SURE TO INCLUDE THE CITY AND STATE OF THE MANUFACTURER AND TO ASK THE DIRECTOR TO SEND THE REQUEST TO THE APPROPRIATE AGENCIES.
2. WRITE TO THE DIRECTOR, NATIONAL BUREAU OF STANDARDS, THE REQUEST FOR AGRICULTURAL MACHINERY. BE SURE TO INCLUDE THE CITY AND STATE OF THE MANUFACTURER AND TO ASK THE DIRECTOR TO SEND THE REQUEST TO THE APPROPRIATE AGENCIES.
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UNITS OF DISTURBANCE: 29 ACRES

- [illegible]



JORGENSEN + ASSOCIATES
— A BLEW COMPANY —
3825 N Shiloh Dr.
Fayetteville, AR 72703
Office: 1-888-973-3111
support@blewinco.com

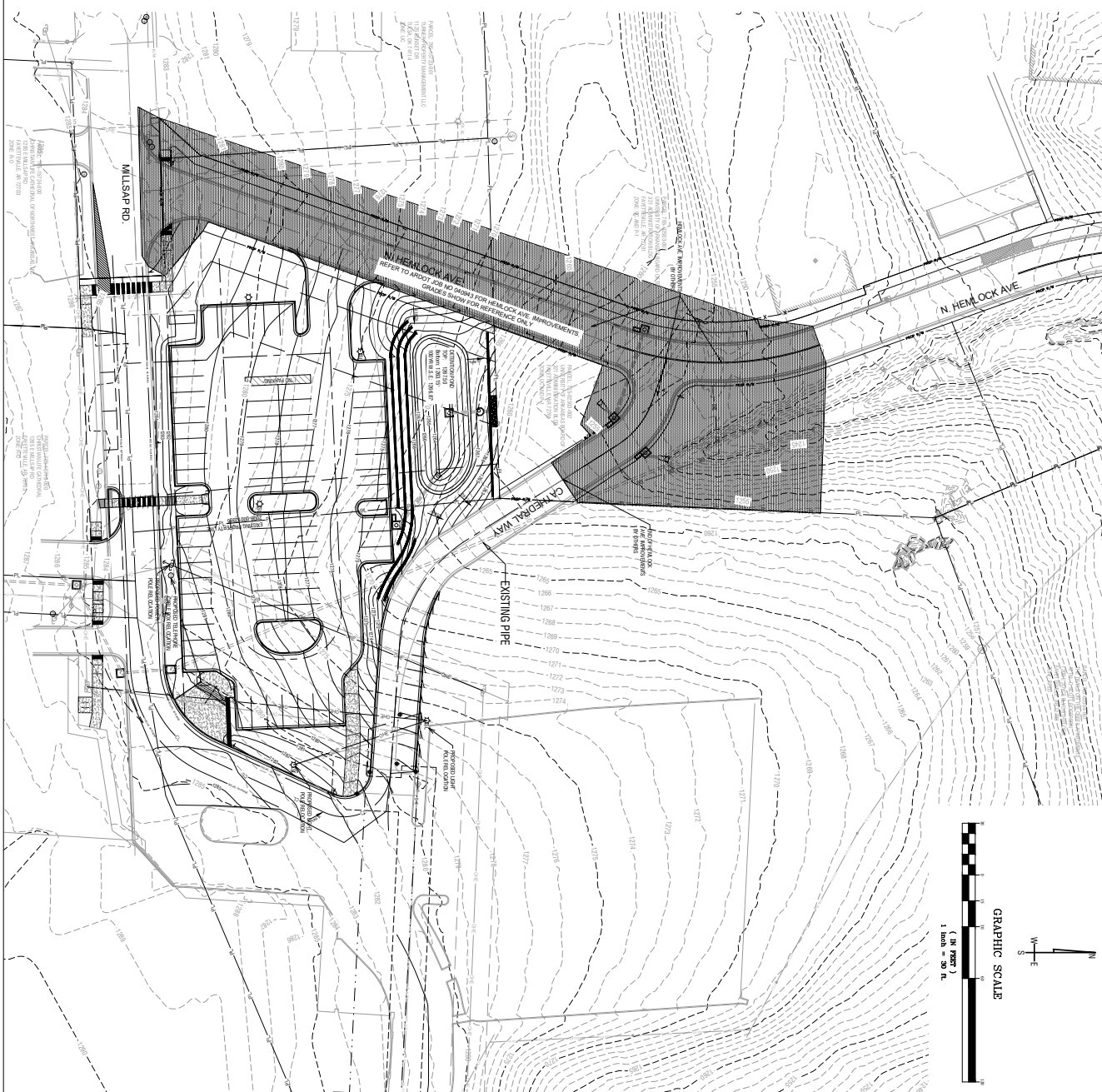
Utility Notes:

GENERAL:

- [illegible]

WATERS

SANITARY SEWER:






PROJECT TITLE:
CHRISTIAN LIFE
CATHEDRAL

PROJECT LOCATION:
1285 MILLSAP RD.
FAKETEVILLE, AR

3825 N Shiloh Dr.
Fayetteville, AR 72703

Planning Commission
September 14, 2026

UTILITY INFORMATION

PLAN

SHEET NUMBER

C14

REVISIONS

PROJECT DETAILS

UTILITY DISCUSSION

DESIGN CONSIDERATION

DESIGN WATERSHED

PROPOSED BY

APPROVED BY

DATE

UTILITY DISCUSSION

DESIGN CONSIDERATION

DESIGN WATERSHED

PROPOSED BY

APPROVED BY

DATE

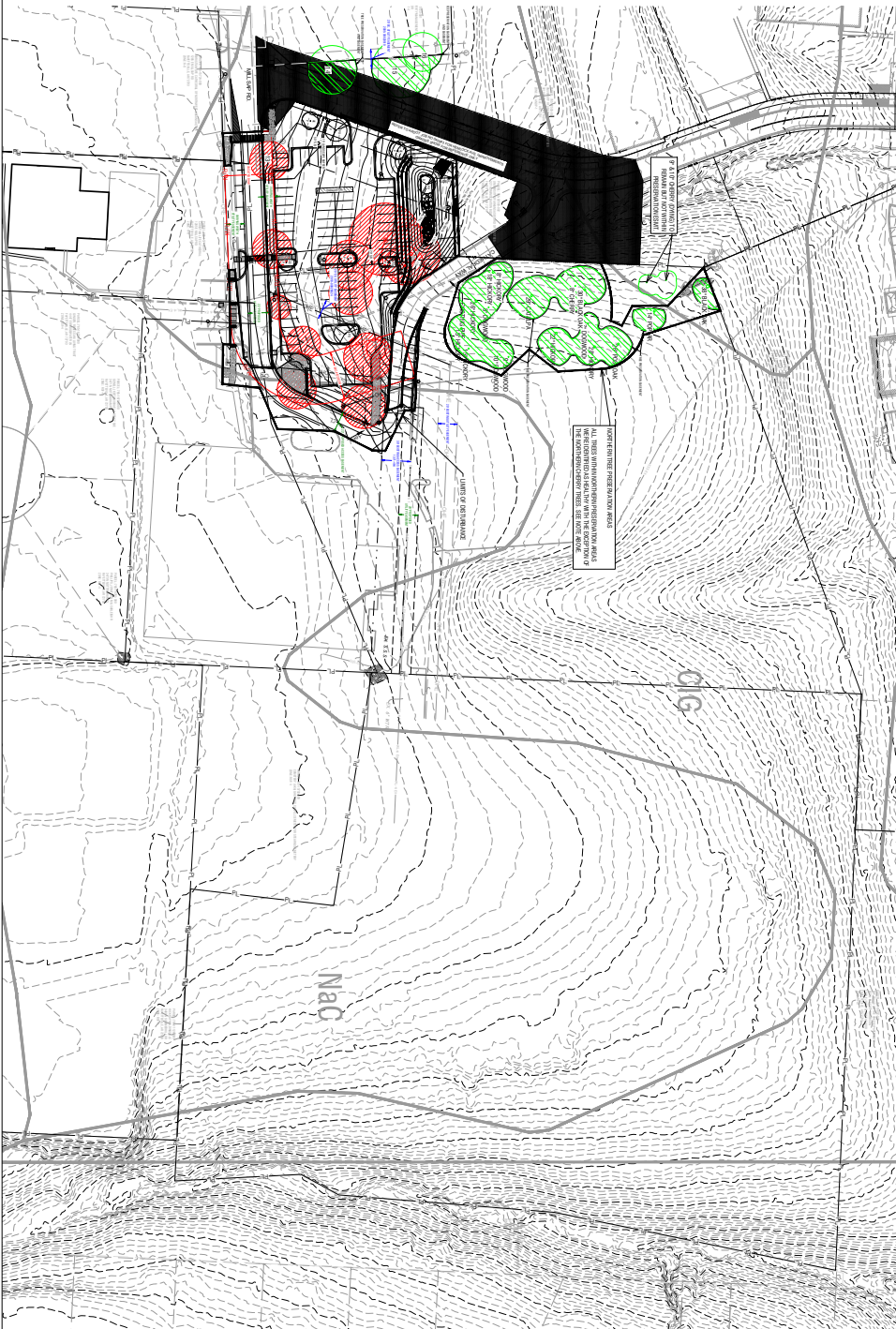
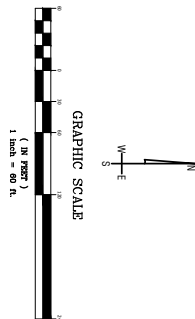
[illegible]

Tree Preservation Calculations Square Feet	
	Square Feet
Limits of Disturbance (LOD)	56,760
Northern Tree Preservation Area	20,998
Easements within LOD	16,548
Site Area for Calculations	60,710

[illegible]

Free inventory & Assessment Exhibits

- | | |
|---------------|---|
| #1 Hickory | DBH: 36" H: 100 ft Spread: 75 ft High Priority / Heritage |
| #2 Red Oak | DBH: 37" H: 80 ft Spread: 60 ft High Priority / Heritage |
| #3 Black Gum | DBH: 22" H: 60 ft Spread: 40 ft High Priority / Heritage |
| #4 Post Oak | DBH: 24" H: 50 ft Spread: 50 ft |
| #5 White Oak | DBH: 40" H: 65 ft Spread: 45 ft DEAD - Hazard 4 |
| #6 Red Oak | DBH: 32" H: 70 ft Spread: 50 ft |
| #7 Hickory | DBH: 18" H: 40 ft Spread: 20 ft |
| #8 Post Oak | DBH: 29" H: 40 ft Spread: 45 ft |
| #9 Hickory | DBH: 17" H: 40 ft Spread: 40 ft |
| #10 Magnolia | DBH: 19" H: 35 ft Spread: 35 ft |
| #11 Redbud | DBH: 16" H: 20 ft Spread: 25 ft |
| #12 Pin Oak | DBH: 24" H: 40 ft Spread: 40 ft Medium Health |
| #13 Maple | DBH: 17" H: 50 ft Spread: 40 ft Good Health |
| #14 Maple | DBH: 32" H: 55 ft Spread: 50 ft Good Health/ Shade |
| #15 Slip Pine | DBH: 34" H: 75 ft Spread: 60 ft Good Health |
| #16 Elm | DBH: 18" H: 45 ft Spread: 40 ft Good Health/ Shade |



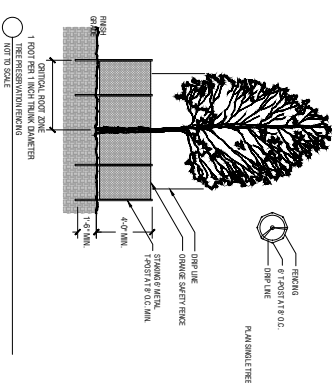
CaC Caplina silt loam, 3 to 8 percent slopes, Type C/D

ClG Chalky like extremely gravelly silt loam, 12 to 60 percent slopes, Type A

NaC Nica very gravelly silt loam, 3 to 8 percent slopes, Type D

Sa Samba silt loam, Type 1

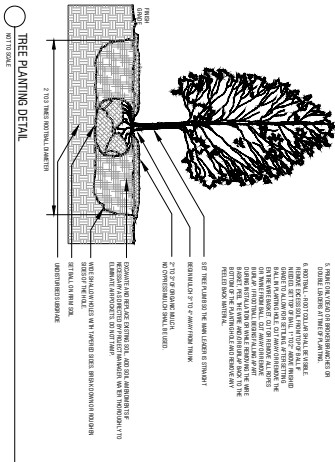
Sn Shban silt loam, 0 to 3 percent slopes, occasionally flooded, Type B/D

[illegible]

[illegible]

Landscape Requirements for Parking Lot Trees				
Number of Parking Stalls	Number of ADA Spaces	Number of ADA Loading Zones	Number of Motor Cycle/Scooter	Required Trees
78	0	0	0	7

Area of Storm Water Facility (SQ. FT.) Times Required (Deciduous or Evergreen)	Shrubs (Large Shrubs or Small Trees 3 gal.)	Grasses (Shrubs or Grasses: 1 gal.)
3500	4	6

[illegible][illegible]



TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director
Justin Bland, City Engineer

MEETING DATE: September 14, 2026

SUBJECT: **VAR-2026-0028: Planning Commission Variance (4077 W WEDINGTON DR/CCV DT ROGERS HOLDINGS LLC; DRIVER DEVELOPMENT, 439):** Submitted by GREYDON ENGINEERING LLC for property located 4077 W WEDINGTON DR. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL and contains approximately 1.76 acres. The request is for a variance from driveway requirements.

RECOMMENDATION:

Staff recommends tabling **VAR-2026-0028 to October 12, 2026** at the applicant's request.

RECOMMENDED MOTION:

*"I move to table **VAR-2026-0028 until October 12, 2026.***

AUGUST 24 PLANNING COMMISSION

The item was tabled by the Planning Commission to give the applicant additional time to explore other alternatives to the driveway location. The applicant is working with the adjacent property owners, and has requested to table the item until October 12. Staff's previous recommendation was to deny the request, and the report still reflects the previous iteration.

BACKGROUND:

The subject property is located in west Fayetteville approximately 200 feet west of the intersection of W. Wedington Dr. and N. Ruppel Road, immediately adjacent to the Catfish Hole restaurant. It is within the Wedington Corridor Master Plan area. The property is zoned C-1, Neighborhood Commercial, and is currently undeveloped. Surrounding land use and zoning is depicted in Table 1.

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

Direction	Land Use	Zoning
North	Undeveloped	CS, Community Services
South	Multifamily Residential/Commercial	CS, Community Services
West	Commercial	C-1, Neighborhood Commercial
East	Commercial	C-1, Neighborhood Commercial

Request: The applicant is requesting one variance to UDC 166.08(F)(2)(a) to provide a full-access driveway within 250 feet of another driveway along a Regional Link Street. The driveway would be associated with a proposed fast food restaurant, which is a by-right use in the current zoning district.

DISCUSSION

Variance #1: UDC §166.08(F)(2)(a) – Regional and Regional High Activity Links. Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When necessary, curb cuts along regional links shall be shared between two (2) or more lots. Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway. The applicant is requesting a second full-access driveway along Wedington Drive within the 250-foot separation distance requirement.

Staff recommendation: Staff recommends denial of this request, finding that there are feasible alternatives for meeting the standard, and that there are safety concerns with granting the request. The attached engineering staff memo explains in full detail the issues with a clustering of driveways within 250 feet of one another, and within a short distance of a major intersection. Existing cross access easements through the adjacent Walgreens property would also provide a secondary point of access via Rupple Road, which also further reduces the need for a new full-access driveway.

Public Comment: Staff has received public comment in opposition to the request and it is attached to this report.

RECOMMENDATION: Staff recommend denial of VAR-2026-0028. Should the Planning Commission approve, staff recommend the following conditions:

Conditions of Approval:

1. **Planning Commission determination of a variance to §166.08(F)(2)(a) – Access Management.** *Staff recommends denial of the requested variance for the reasons outlined above and in the attached Engineering staff memo.*
2. Approval of this variance does not represent overall development entitlement approval for the project, nor grant approval for any associated grading or building permits, nor does it grant final approval of certificate of occupancy.

PLANNING COMMISSION ACTION:	Required	<u>YES</u>
Date: <u>September 14, 2026</u>	☐ Tabled	☐ Approved ☐ Denied
Motion:		
Second:		
Vote:		

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code:
 - §166.08 Street Design And Access Management Standards
- Project Maps
 - One Mile Map

- Close-Up Map
 - Current Land Use Map
 - Engineering Staff Memo
 - Applicant Request and associated exhibits
 - Public Comment
-

166.08 Street Design And Access Management Standards

...

- (F) *Access Management.* Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Residential link streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification, e.g., residential and neighborhood links. In a case where the streets have the same classification, access shall be from the lower volume street, or as determined by the City Engineer.
- (1) *Curb Cut Separation.* For purposes of determining curb cut or street access separation, the separation distance shall be measured along the curb line from the edge of curb cut to the edge of curb cut/intersection. The measurement begins at the point where the curb cut and intersecting street create a right angle, i.e., the intersection of lines drawn from the face-of-curb to face-of-curb. The measurement ends at the point along the street where the closest curb cut or street intersection occurs; again, measured to the point where the curb cut or intersecting streets create a right angle at the intersection of face-of-curb. In all cases curb cuts shall be a minimum of 5 feet from the adjoining property line, unless shared.
 - (2) Separation for two-family, three- and four-family, multi-family and nonresidential development.
 - (a) *Regional and Regional High Activity Links.* Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When necessary, curb cuts along regional links shall be shared between two (2) or more lots. Where a curb cut must access the regional link, it shall be located a minimum of 250 feet from an intersection or driveway.
 - (b) *Neighborhood Links.* Curb cuts shall be located a minimum of 100 feet from an intersection or driveway. When necessary, curb cuts along neighborhood links shall be shared between two (2) or more lots.
 - (c) *Residential Links.* Curb cuts shall be located a minimum of 50 feet from an intersection or driveway. In no case shall a curb cut be located within the radius return of an adjacent curb cut or intersection.

...

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

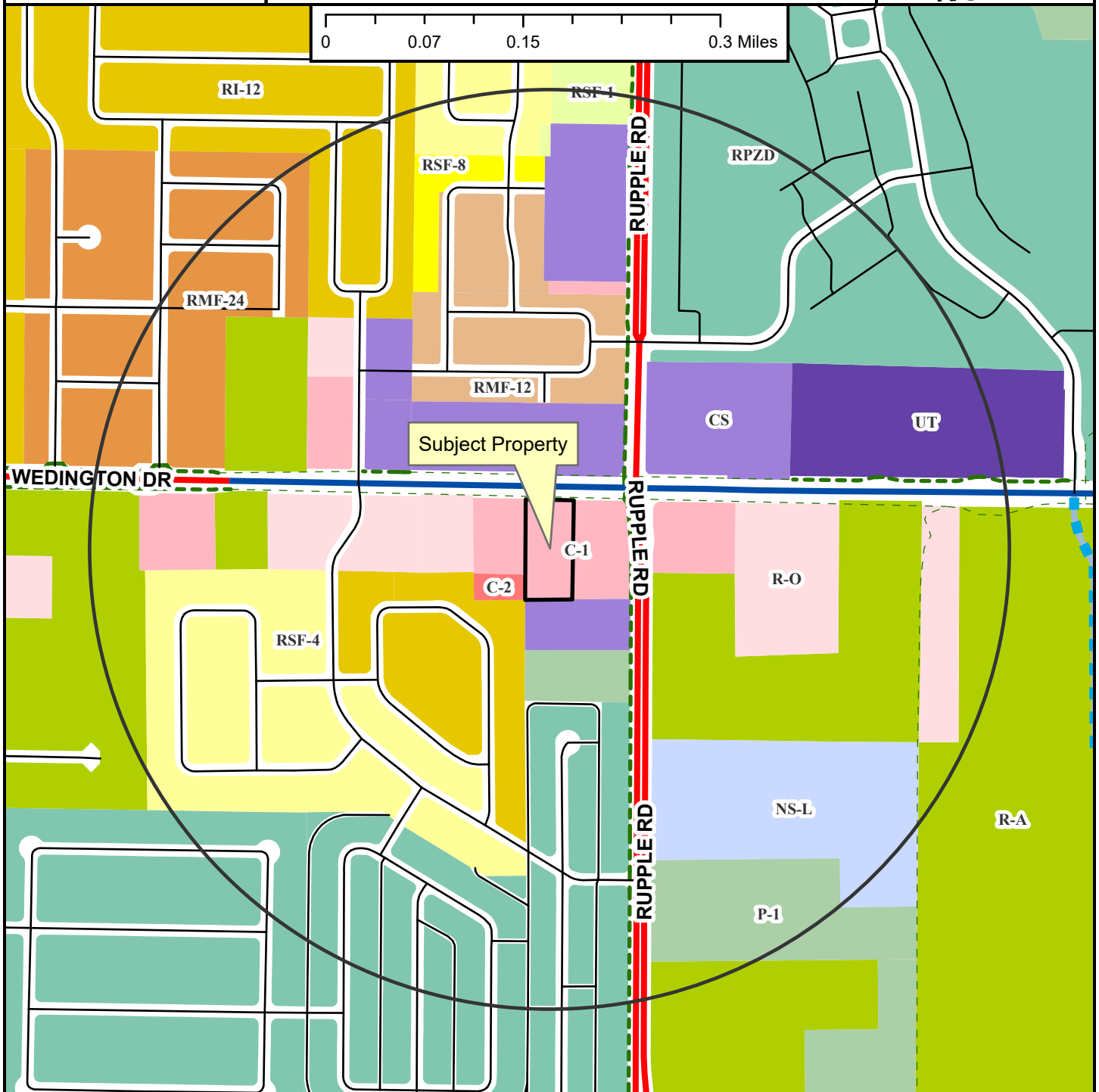
VAR-2026-0028

4077 W WEDINGTON DR

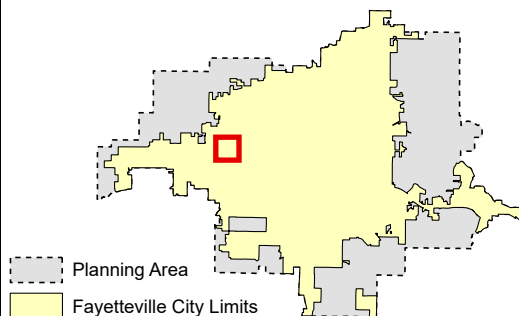
One Mile View



0 0.07 0.15 0.3 Miles



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

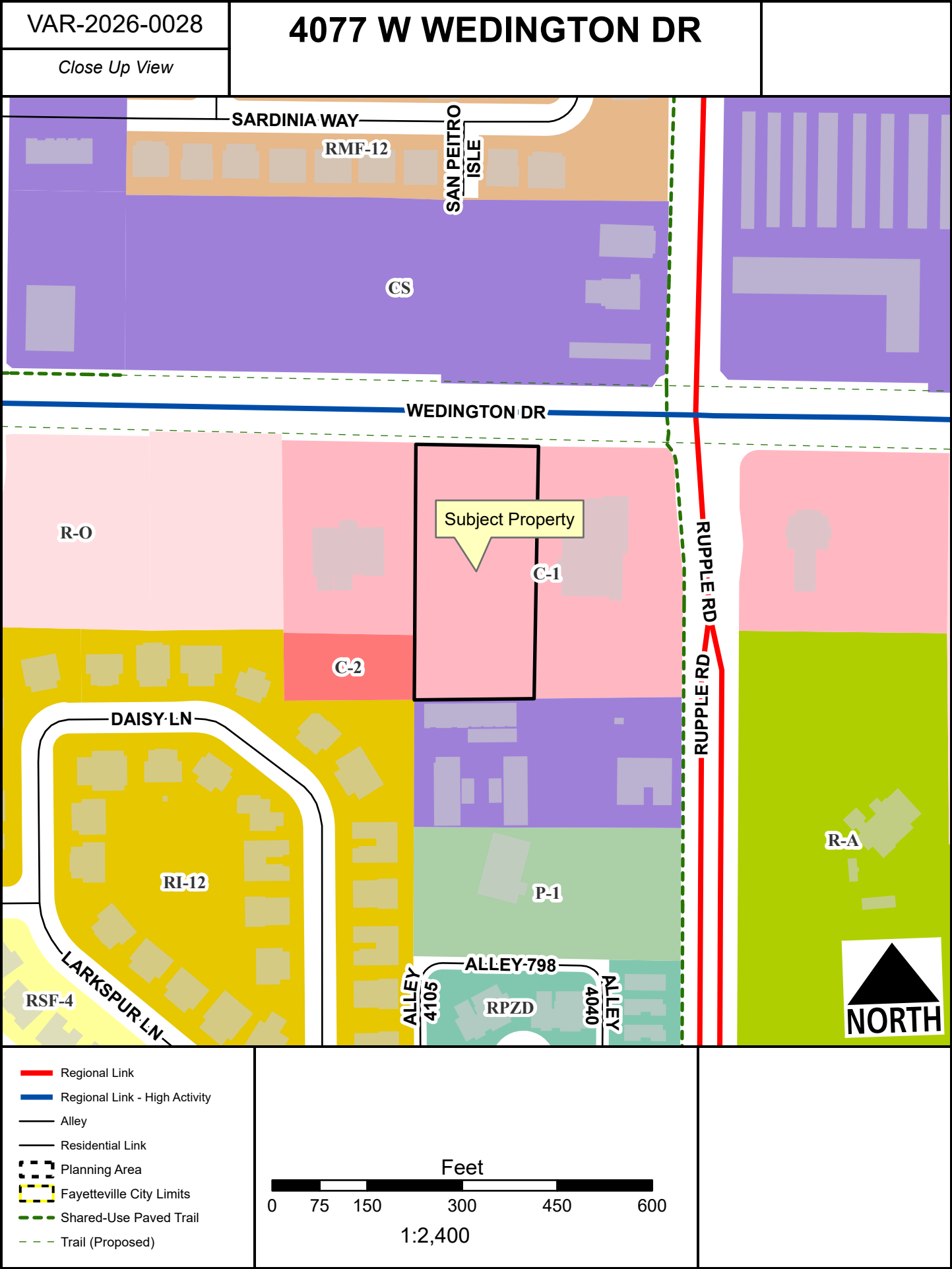


Planning Commission

September 14, 2026

VAR-2026-0028 (DRIVER DEVELOPMENT)

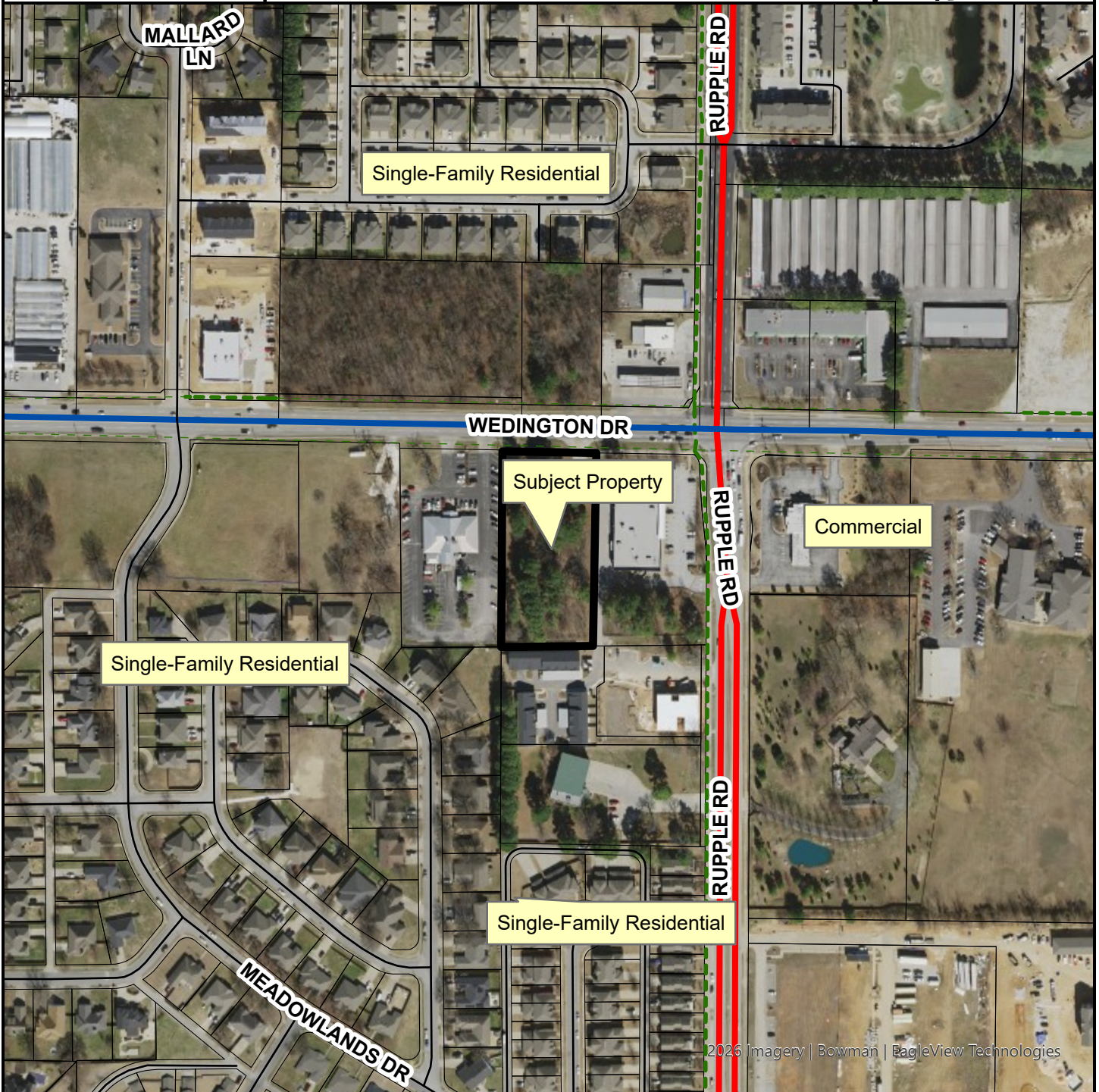
Page 4 of 10



VAR-2026-0028

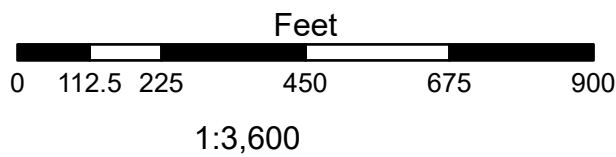
4077 W WEDINGTON DR

Current Land Use



2026 Imagery | Bowman | EagleView Technologies

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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



TO: Jessie Masters, Planning Director

FROM: Justin Bland, City Engineer

DATE: August 19, 2026

SUBJECT: Planning Commission Engineering Comments for
VAR-2026-0008

Engineering staff does not support the variance request from Section 166.08.F.2 of the Unified Development Code which stipulates that nonresidential curb cuts shall be at least 250' apart.

Background

The applicant is proposing a new full access curb cut onto their property which they intend to develop as a fast food restaurant. The site currently has a right-in/right-out drive on the northeast corner of the lot which is a shared access with the adjacent Walgreen's site. It is staff's opinion that this drive satisfies their legal requirement for access on their street frontage. Approximately 160' west of this drive there are two additional full access driveways for the Catfish Hole site. The applicant's proposal to add a full access drive cut at the northwest corner of their property would result in four driveways being within the 250' allotted separation which the UDC requires.

Traffic Impact Study

The applicant has provided a traffic impact study for the proposed project. The study addresses all the items for a typical development. However, the key point it makes in reference to the variance request is that the queuing length in the left-turn lanes during peak traffic hours does not back up enough to block access to the proposed driveway. Staff's concern is that, while that may be true, this does not alone mean the new drive would be safe. Adding the full access drive would create a situation where vehicles would be entering and exiting a very high-volume business while simultaneously crossing at least two lanes of traffic and navigating vehicles leaving the other three driveways in close proximity. Staff contends this would create a new dangerous traffic situation.

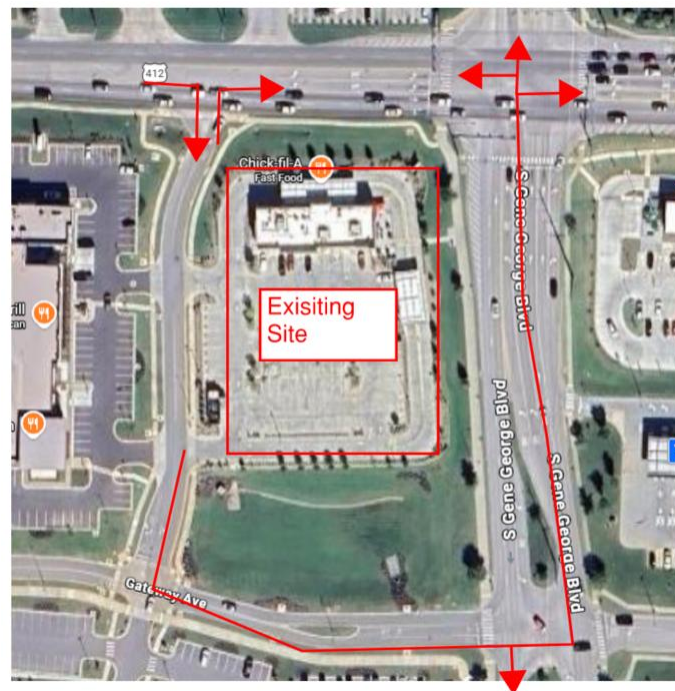
Site Layout

In addition to the right-in/right-out drive in the northeast corner of the site, there are also cross access easements in place across the Walgreen's site. These cross-access easements give the site access for vehicles to enter/exit the site off of Ruppel Dr. as shown below.



Fayetteville Site

This traffic routing is very similar to the applicant's other restaurants in the area as shown below. These other sites effectively have a right-in/right-out drive with direct access to an arterial street. Then, in addition, they have a side access to a stop light which provides a safe location for left turns onto the arterial street. It appears that this approach has worked successfully in these other locations which negates the need for the additional full access drive cut.



Springdale Site



Rogers Site

From: Ted Courdin <tedcourdin@gmail.com>
Sent: Tuesday, August 18, 2026 11:51 AM
To: Thompson, Will <wthompson@fayetteville-ar.gov>
Subject: Chick-fil-A Wedington rd

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

Hi Will, another owner at our townhome complex off of Ruppel road shared the plans of the new chikfila. I own 6 townhomes at that development. I have zero problem with the business going in, but I do not approve of a driveway exiting that business and using ours. I believe we all know how bad the traffic is at the Springdale and Fayetteville Chikfila and it would be a burden on our tenants coming and going not to mention the added noise.

Also I would like to suggest a tall privacy fence between our properties. The business will back up right to our property and be a an eyesore to the tenants and owners. I think that is a must have.

I had left a voicemail at the planning department earlier, if you could give me a call to chat I would appreciate it.

Thank you,

Ted Courdin

479-601-1791



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

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

MEETING: September 14, 2026

SUBJECT: **LSD-2026-0016: Large Scale Development (615 S. STONE BRIDGE RD/HAMMER-WILLIAMS COMPANY, 527):** Submitted by HARRISON FRENCH AND ASSOCIATES for a property located at 615 S STONE BRIDGE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE & C-2, THOROUGHFARE COMMERCIAL and contains approximately 5.70 acres. The request is for a 4,326 sq. ft. convenience store with gas station.

RECOMMENDATION:

Staff recommends approval of **LSD-2026-0016** with conditions.

RECOMMENDED MOTION: *"I move to approve **LSD-2026-0016**, finding:*

- 1. In favor of variance to 172.04(F)((4)(a)(ii), Driveway Width;*
- 2. In favor of variance to 172.04(E), Dimensional Requirements;*
- 3. In favor of recommended right-of-way dedication;*
- 4. In favor of recommended street improvements;*
- 5. All other conditions as recommended by staff."*

AUGUST 10, 2026, PLANNING COMMISSION MEETING

At the August 10, 2026 meeting, the Planning Commission voted to table the item to the September 14, 2026 meeting in order to provide time for the applicant to revise their development plans after three of the four requested variances were denied. A request to access management standards was approved with conditions. In the interim, the applicant has submitted a revised set of plans as well as two updated variance requests. The variance request for driveway widths was reduced from 39 feet to 30 feet, and the variance request for parking lot drive aisle widths was reduced to only include the area east of the fueling station.

BACKGROUND:

The subject property is in east Fayetteville at the northwest corner of the intersection of E. Huntsville Rd. and S. Stone Bridge Rd. approximately 1,200 linear feet southeast of Happy Hollow Elementary School. Except for a small gravel parking area adjacent to the intersection, the subject area is largely undeveloped with tree cover largely located along the property boundaries. The subject area is split zoned between C-2, Throughfare Commercial and RSF-4, Residential Single-Family, Four Units per Acre. No master plan areas or overlay districts apply. An associated property line adjustment has been submitted to combine the existing four parcels into two (PLA-2026-0019). A vacation application has also been submitted to remove / relocate multiple easements in association with utility relocations proposed with this development (VAC-2026-0022). Surrounding land use and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
South	Commercial & Single-Family Residential	R-A, Residential Agricultural; NS-G, Neighborhood Services, General
East	Undeveloped, Gravel Lot	C-2, Thoroughfare Commercial
West	Commercial & Single-Family Residential	C-2, Thoroughfare Commercial UT, Urban Thoroughfare

Proposal: The applicant requests Large Scale Development approval to develop the subject property with an approximately 4,326 sq. ft. convenience store with gas station and associated parking. The applicant is requesting two variances to the Unified Development Code:

- **Variance #1: UDC §172.04(F)(4)(a)(iii). Two-Way Access to Parking Lots. For two (2) way access, the driveway width shall be a minimum 20 feet and a maximum width of 24 feet, unless otherwise required by the Fire Department.** The applicant is requesting a variance to this standard to provide a 30-foot driveway onto S. Stone Bridge Rd. where code would permit a maximum of 24 feet wide for two travel lanes.

- *Staff recommendation: Staff recommends in favor of this request. The applicant has provided a turn-radius exhibit which indicates the need for a wider driveway in order to permit a tanker truck to safely enter and exit the site. Staff finds providing insufficient driveway widths to accommodate tanker truck maneuvering could pose safety risks to the general public by requiring large trucks to jump islands or curbs in order to complete regular maintenance and delivery tasks.*

Further, driveway width variances are extremely common with fuel station developments and have historically been granted by the commission in the past. Variances were granted to permit roughly a 30-foot driveway at the Maverick at the intersection of Hill and Martin Luther King Jr. Blvd (LSD 11-3966); a 40-foot driveway to a Jiffy Trip located at the intersection of Smokehouse Trail and Martin Luther King Jr. Blvd with no added conditions (VAR-2022-0064); and a 41-foot, three-inch driveway to the Road Runner gas station on Mount Comfort and Lindell (VAR-2023-0030). The proposed expansion to two fifteen-foot drive aisles with a right-in / right-out access is substantially similar to the driveway at the Maverick noted above and aligns with ARDOT recommendations for the proposed driveway as provided by the applicant. No additional conditions are recommended.

- **Variance #2: UDC §172.04(E). Dimensional Requirements. Two-way drive aisles adjacent to 90-degree parking spaces shall be 24 feet.** The applicant is proposing a 44-foot drive aisle where 24 feet would be permitted.

- *Staff recommendation: Staff recommends approval of the request with conditions. The applicant has also proposed a roughly 44-foot drive aisle east of the fueling canopy to provide sufficient turning room for the tanker trucks which service the site. The remainder of the site has been reduced to comply with required dimensional standards.*

Similar to the above, parking dimensional standards are common occurrence for fuel station developments and have historically been granted by the commission in the past. Variances were granted to permit roughly drive aisle widths of 39-feet at the Maverick at the intersection of Hill and Martin Luther King Jr. Blvd (LSD 11-3966); nearly 100 feet for the Road Runner gas station on Mount Comfort and

Lindell with conditions for pedestrian improvements (VAR-2023-0030); and roughly 34 to 67-feet for the Jiffy Trip located at the intersection of Smokehouse Trail and Martin Luther King Jr. Blvd with no added conditions (VAR-2022-0064). Staff finds the proposal is in line with similar fuel station request and recommends in favor with no added conditions.

Right-of-Way to be Dedicated: The subject property has frontage along S. School Ave., which has a variable existing ARDOT right-of-way width. This existing width is not clearly dimensioned, and staff recommends typical master street plan standard for a High Activity-Regional Link Street where it does not currently exist, which currently falls at 48 feet from street centerline.

The property also has frontage along S. Stone Bridge Rd., a Residential Link. This existing right-of-way is approximately 22.5 feet from centerline. Staff recommends right-of-way dedication of 26 feet from centerline in line with typical master street plan requirements.

Street Improvements: This property has frontage along E. Huntsville Rd., a Regional Link Street which has been improved with curb, gutter, and sidewalk. Typical improvements would require a 10-foot sidewalk, with a 10-foot greenspace. As the curb location currently exceeds typical master street plan requirements, staff recommends the applicant build a 10-foot sidewalk with 10 feet of green space from the curb, with any sidewalk outside of the master street plan right-of-way to be located within either an access easement or additional right-of-way dedication.

The eastern frontage of the property along Stone Bridge Rd. is improved with curb and gutter for the southern half of the frontage. It then narrows down to a paved roadway without curb and gutter. The applicant proposed to widen out the entire eastern frontage with curb and gutter and a 6-foot sidewalk with 6-foot green space per typical master street plan requirements for a Residential Link Street.

Staff has received feedback from the neighborhood to the north regarding the lack of sidewalk connectivity. Generally speaking, engineering staff does recognize the pedestrian impact a gas station can create in connection with neighboring subdivisions and thinks this can justify off-site improvements. In this case there is a 165' gap in the sidewalk along Stone Bridge Rd. from the site to existing sidewalk along E. Holmes Dr. However, due to the narrow existing right-of-way along Stone Bridge Rd., asking the developer to acquire the right-of-way and build the sidewalk may exceed the proportionality test. Instead, staff recommends assessing a fee-in-lieu of construction the sidewalk. This would allow the city to come at a later date, acquire any needed right-of-way, and then construct the sidewalk. The fee in this case would be \$10,147.50.

Access Management/Connectivity: The applicant is requesting a variance to the typical access management standards for the proposed driveway onto E. Huntsville Rd. Staff recommends in favor with conditions as noted above. A shared driveway is proposed to the west and a cross-access easement is proposed to the north to enable future connectivity.

Design Standards: The proposal is subject to UDC 166.25 Commercial, Office, and Mixed-Use Design Standards. The applicant is largely compliant with these standards and will be fully reviewed with grading and building permits. The applicant complies with parking lot design standards with the exception of the variances requested above.

Water and Sewer System: There is an existing 12" water line along E. Huntsville Rd. and S. Stone Bridge Rd. which the applicant proposes to connect to for their domestic and fire services. There is an existing 8" sewer line that cuts through the site which the applicant proposes to reroute to

avoid the future gas pumps/tanks. The applicant proposes to connect to this line for their domestic service. An easement vacation application has been submitted associated with this proposed rerouting.

Drainage: This development is required to meet the four minimum criteria of Fayetteville's Drainage Criteria Manual. Water quality requirements will be met with the use of bio-retention ponds and isolator rows in the underground detention pond. Channel Protection Volume and Overbank and Extreme Flood Protection will be met with the proposed underground detention structure with an engineered outlet structure. Detailed review of the drainage design will be done with grading permit review.

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

Tree Preservation:

All portions of the proposed developed area are within the C-2 zoning boundary

Canopy minimum requirement: 15%

Existing canopy: 2.5%

Preserved canopy: 0%

Mitigation required: Five 2-inch caliper trees

Public Comment: Two members of the public commented on this request, citing concerns with the need for pedestrian safety improvements, increased traffic, potential impacts to adjacent properties, and the appearance of the structure. Seven members of the public spoke at the previous planning commission against the request, citing similar concerns.

RECOMMENDATION: Staff recommends approval of **LSD-2026-0016** with the following conditions:

Conditions of Approval:

- 1. Planning Commission determination of a variance to §172.04(F)(4)(a)(iii). Two-Way Access to Parking Lots.** Staff recommends in favor with no added conditions.
- 2. Planning Commission determination of a variance to §172.04(E). Dimensional Requirements.** Staff recommends in favor with no added conditions.
- 3. Planning Commission determination of right-of-way dedication.** *Staff recommends right-of-way dedication as follows:*
 - a. E. Huntsville Rd: 48 feet of right-of-way from the street centerline in line with typical Master Street Plan standards for High Activity- Regional Link Streets.
 - b. S. Stone Bridge Rd.: 26 feet of right-of-way from the street centerline in line with typical Master Street Plan standards for Residential Link Streets.
- 4. Planning Commission determination of street improvements.** *Staff recommends the following street improvements:*
 - a. E. Huntsville Rd: Construction of 10-foot sidewalk along property's frontage with a 10-foot green space behind the existing curb. Any sidewalk located outside of the master street plan right-of-way to be located within either an access easement or additional right-of-way dedication.
 - b. S. Stone Bridge Rd.: Street widening to include asphalt, curb and gutter, 6-foot, and 6-foot green space in line with typical Master Street Plan standards for Residential Link Streets.

- c. *Streetlights and street trees as required by ordinance*
 - d. *Fee-in-lieu of \$10,147.50 for 165 linear feet of off-site six-foot-wide sidewalk along S. Stone Bridge Dr.*
- 5. All comments from Planning staff must be addressed prior to grading permit approval;
- 6. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto;

Standard Conditions of Approval:

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

17. Prior to building permit, a cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy; and
18. Prior to the issuance of a building permit the following is required:
- a. Grading and drainage permits;
 - b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
 - c. Exterior lighting package must be provided to the Planning Division;
 - d. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
 - e. Project Disk with all final revisions; and
 - f. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.
19. Any damage to existing public streets caused by construction shall be repaired or replaced at the owner/developer's expense.
20. All sidewalks, curb ramps, curb & gutter, and driveway aprons must meet ADA guidelines and be free of damage. Non-compliant or damaged infrastructure must be replaced. Coordinate with Engineering for inspection.
21. The following items will typically be reviewed at construction plan stage (unless otherwise requested):
- a. Storm sewer sizing, gutter spread, profiles, utility conflicts
 - b. Sanitary sewer sizing, profiles, utility conflicts
 - c. Waterline fittings and conflicts
 - d. Street profiles
 - e. Fine grading/spot elevations

Planning Commission Action: ☐ Forwarded ☐ Tabled ☐ Approved

Meeting Date: September 14, 2026

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- UDC Sections:
 - 172.04 Parking Lot Design Standards
 - Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Staff Memos
 - Variance Approval
 - Recommended Conditions
 - Engineering Memo
 - Urban Forestry Memos
 - Applicant Exhibits
 - Request Letter
 - Site Plan
 - Elevations
 - Public Comment
-

LSD-2026-0016

Conditions of Approval (8-10-2026 Meeting):

1. **Planning Commission determination of a variance to §166.08(F). Access Management.** Staff recommends in favor with the following conditions.
 - a. *Driveway access onto E. Huntsville Rd. shall be limited to right-in-right-out only.*

172.04 Parking Lot Design Standards

(See: Illustration: Parking Dimension Factors)

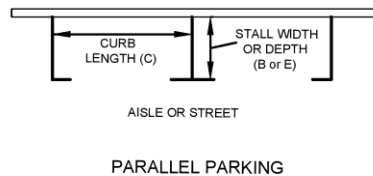
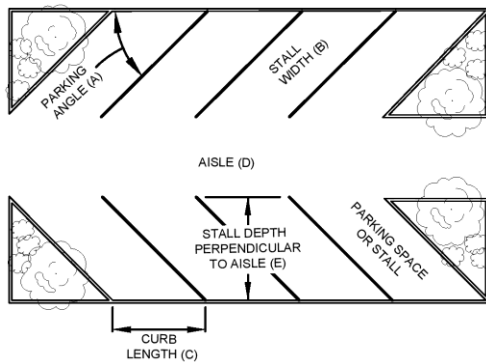
- (A) *Maneuvering.* Parking lots shall be designated, maintained, and regulated so that no parking or maneuvering incidental to parking will encroach into the areas designated for sidewalks, streets, or required landscaping. Parking lots shall be designed so that parking and un-parking can occur without moving other vehicles, unless a valet service has been approved as part of the development plans. Vehicles shall exit the parking lot in a forward motion.

...

(E) *Dimensional Requirements.* (See Table 1)

TABLE 1
DIMENSIONAL REQUIREMENTS

Angle (A)	Type	Width (in ft.) (B)	Curb length (in ft.) (C)	One-way aisle width (in ft.) (D)	Two-way aisle width (in ft.) (D)	Stall depth (in ft.) E)
0°	Standard	8	22.5	12	24	8
Parallel	Compact	7.5	19.5	12	24	7.5
30°	Standard	9	18	12	24	17
	Compact	8	15	12	24	14
45°	Standard	9	12.5	12	24	19
	Compact	8	10.5	12	24	16
60°	Standard	9	10.5	18	24	20
	Compact	8	8.5	15	24	16.5
90°	Standard	9	9	24	24	19
	Compact	8	7.5	22	24	15
	Motorcycle/Scooter	3	3	12-24	24	7.5—9



(F) *Parking Lot Circulation.*

....

- (4) *Entrances and Internal Aisle Design for Parking Lots Containing Nine (9) or More Parking Spaces.* The driveway width into parking lots shall meet the following requirements:

(a) *Entrances.*

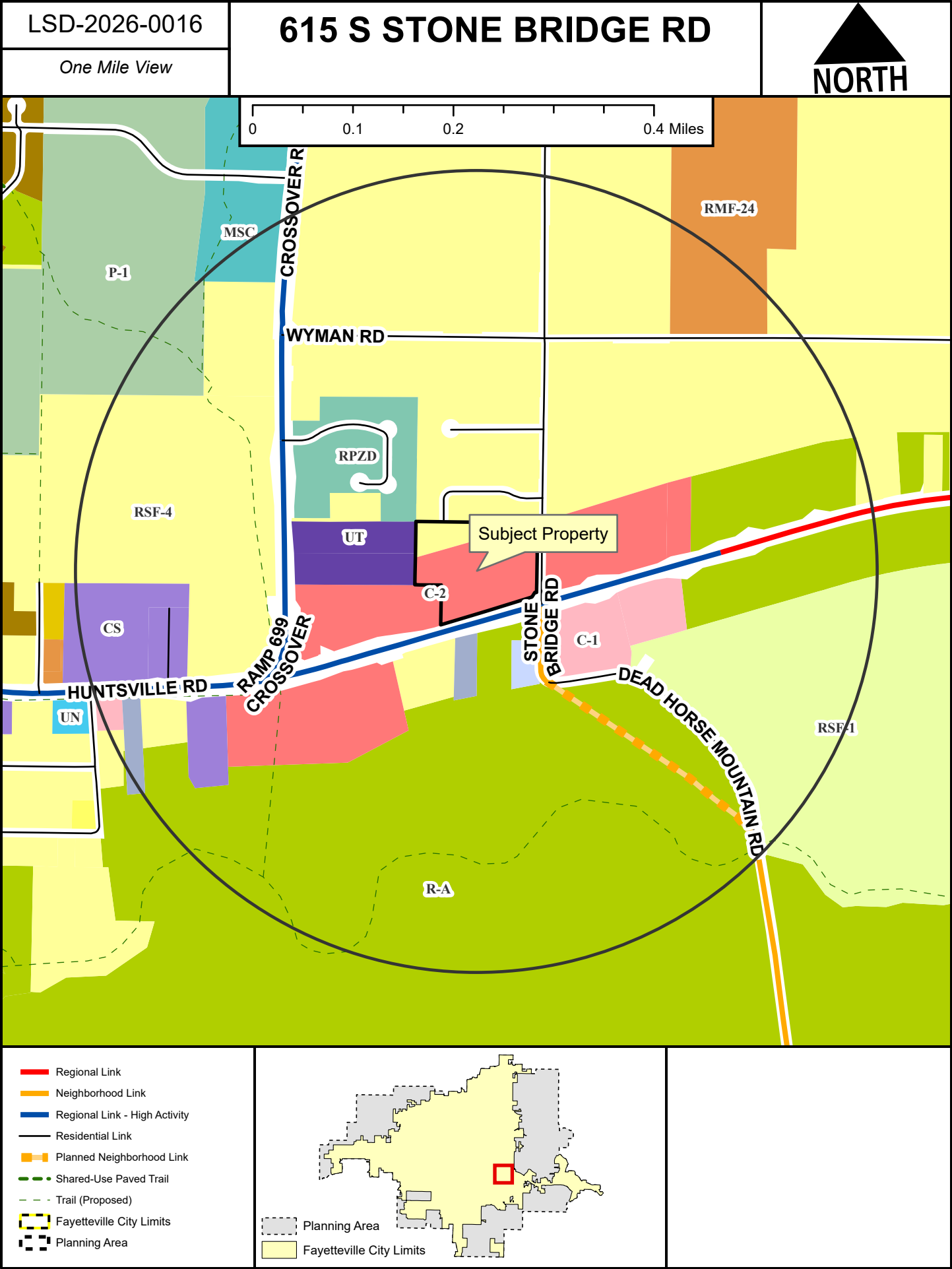
- (i) *One-Way Access to Parking Lots.* If the driveway is a one-way in or one-way out, then the driveway width shall be a minimum of 12 feet and a maximum of 16 feet.
- (ii) *Two-Way Access to Parking Lots.* For two (2) way access, the driveway width shall be a minimum 20 feet and a maximum width of 24 feet, unless otherwise required by the Fire Department.

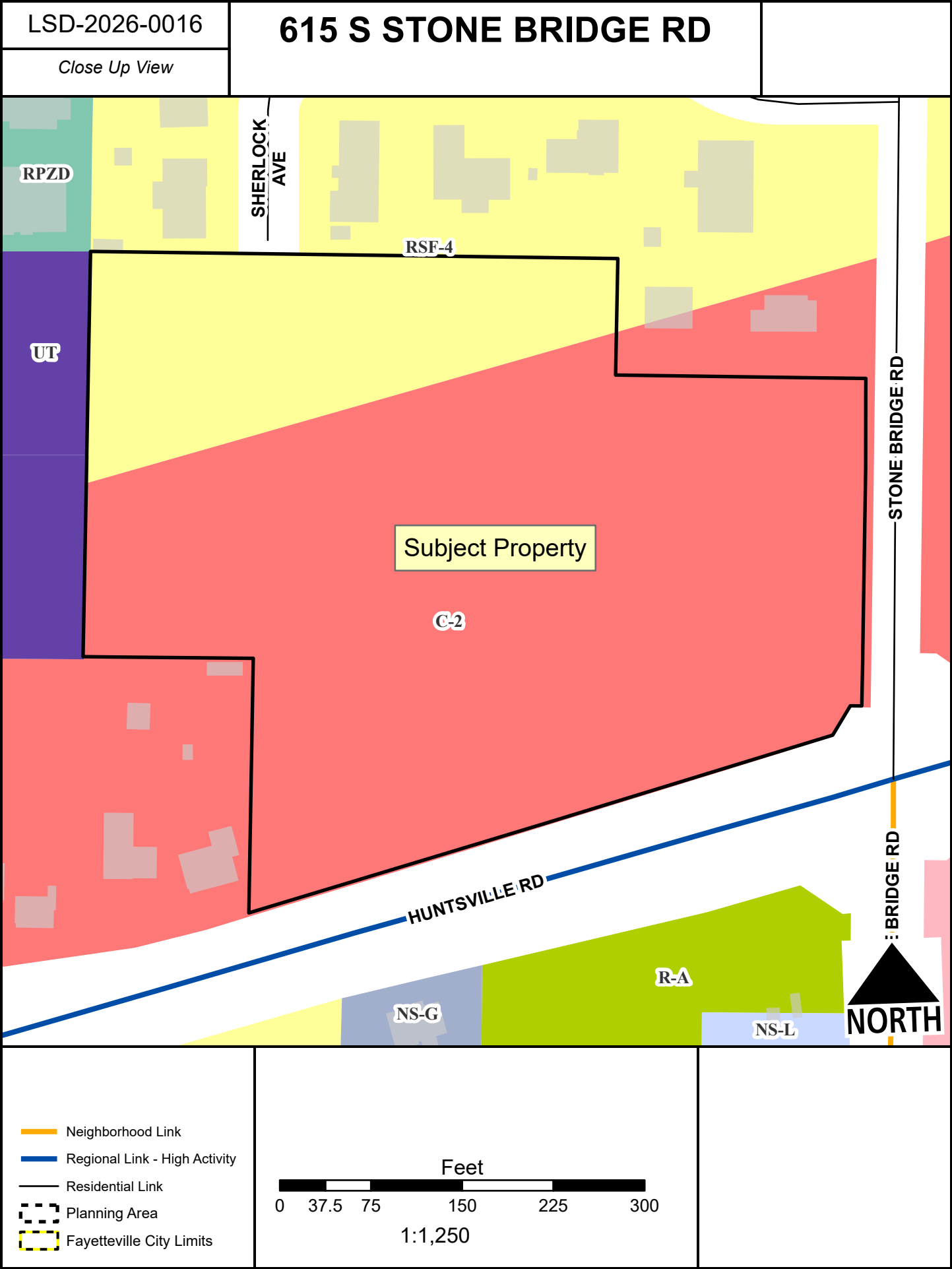
- (iii) *Neighborhood and Regional Links.* Driveways that enter neighborhood and regional link streets may be required to have two (2) outbound lanes (one (1) for each turning direction) and one (1) inbound lane for a maximum total driveway width of 39 feet.
- (iv) *Effective Curb Radius.* All driveways serving nine (9) or more parking spaces shall have an effective curb radius of 15 feet for curb cuts on residential link streets and an effective curb cut radius of 20 feet for neighborhood and regional link streets.
- (b) *Internal Aisle Design.*
 - (i) Aisles shall be designed so that they intersect at 90 degrees with other aisles and driveways where practical.
 - (ii) Aisles shall be designed to discourage cut-through traffic by use of landscape islands, and shall meet the requirements of Chapter 177: Landscape Regulations.
 - (iii) Aisles shall conform to the dimensional requirements of §172.04(C).

Parking Lots With Nine (9) Spaces or More	
	Driveway Dimensional Requirement
One Way Access	12 feet Minimum - 16 feet Maximum
Two Way Access	2 Drive Lanes 10 feet Minimum Each - 24 feet Maximum Total Driveway Width
Neighborhood/Regional Link	3 Drive Lanes - Maximum of 39 feet
Effective Curb Radius - Residential Link	15 feet
Effective Curb Radius - Neighborhood/Regional Link	20 feet

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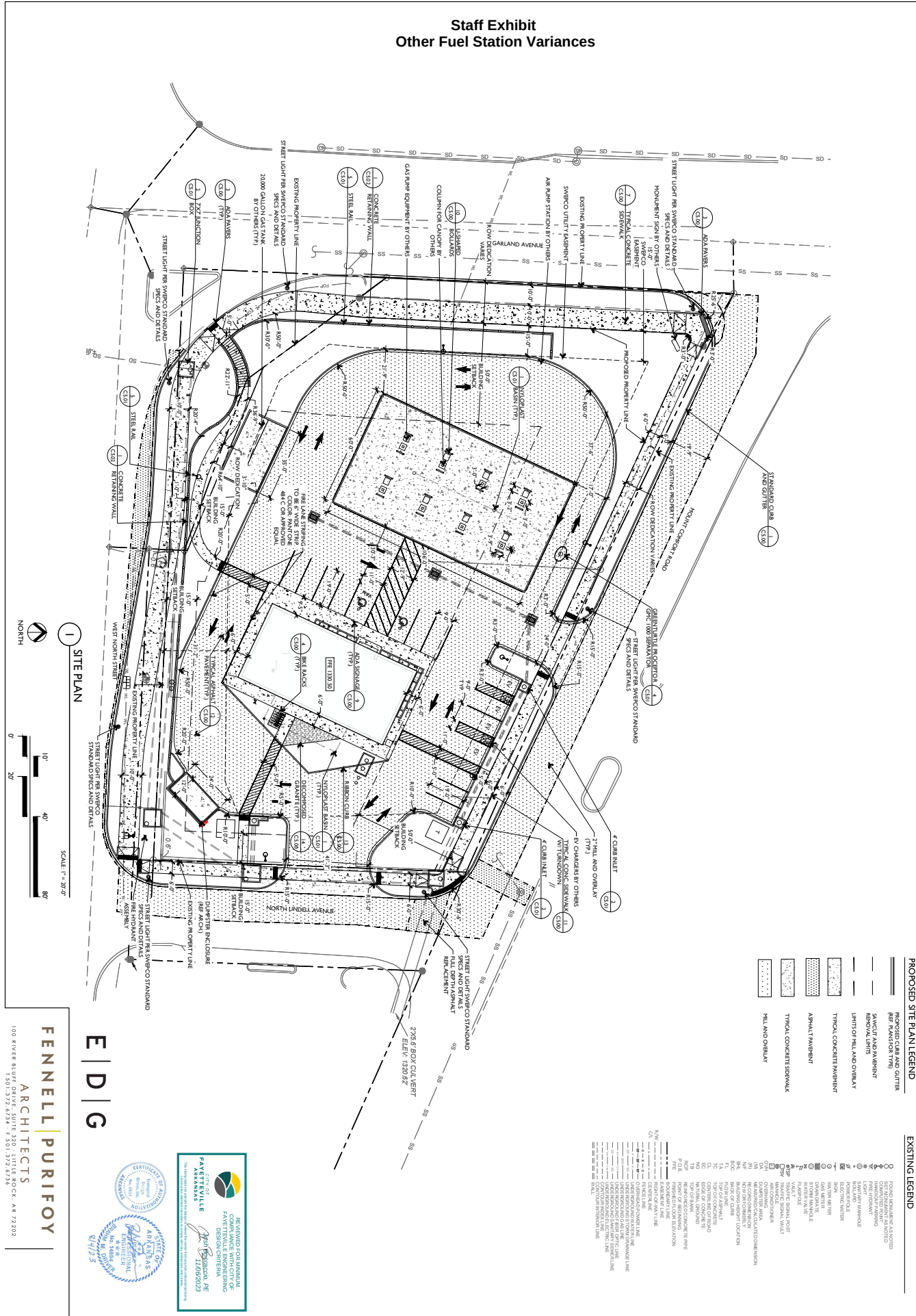
(Ord. No. 4725, 7-19-05; Ord. No. 4855, 4-18-06; Ord. No. 4917, 9-05-06; Ord. No. 5044, 8-07-07; Ord. No. 5079, 11-20-07; Ord. No. 5297, 12-15-09; Ord. No. 5592, 06-18-13; Ord. No. 5680, 4-15-14; Ord. No. 5841, §§1—3, 1-5-16; Ord. No. 5859, §2, 3-15-16; Ord. No. 6325, §1, 6-16-20; Ord. No. 6350, §9(Exh. G), 8-18-20; Ord. No. 6864, §1, 5-6-25)







Staff Exhibit
Other Fuel Station Variances



SITE PLAN
C1.00

100% CONSTRUCTION DOCUMENTS
08.04.23
REVISIONS:
ADD 3 10.11.23

Planning Commission
November 14, 2026
ROAD RUNNER FAYETTEVILLE
LSD-2026-0016 (HAMMER-WILLIAMS COMPANY)
Page 14 of 41

Staff Exhibit
Other Fuel Station Variances

WEST MARTIN LUTHER KING BOULEVARD
(ARCADES STATE HIGHWAY # 62)
(ARCADE WIDTH) RIGHT OF WAY

250'0"

12' ROAD WIDE

10' DRIVE DRIVE

48'0"

TRACT 1
PT NW 1/4, SE 1/4
1.96 ACRES (61,012.9 sq. ft.)

33'0"

50'0"

21'7"

24'2"

31'8"

10'-25' BUILD TO ZONE

Underground Storage Tanks

Trained Access Ramp

Existing Monument

New Matching Trail Monument

Jiffy Trip #731
6,124.0
6,536 S.F.

Tree Preservation Area
2,069 SF

Tree Preservation Area
6,012 SF

Possible Trailhead/Trail Entrance Signage

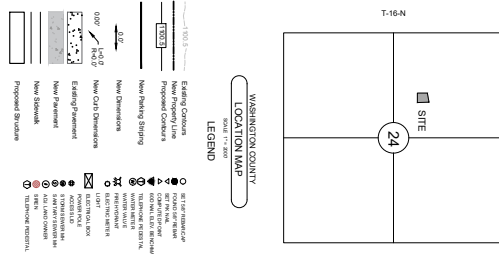
25'0"

25'0"

25'0"

Future Pavilion

Gathering Area/Cycling Maintenance Station w/ Bike Parking



	Site Data
Property Zoning	91.046 s.f.
Proposed Developed Area	2.09 Acres
Proposed Building	6,536 s.f.
Proposed Property Area	6,536 s.f. - 2,800 s.f. = 3,736 s.f.
Existing Allocated	18 Acres
New Parking Space Provided	18 Spaces
ADA Spaces Provided	2 Spaces
Pave Developed	0 s.f.
Existing Impervious Area	91.046 s.f.
Proposed Impervious Area	64,588 s.f.
Proposed Paved	64,588 s.f.
Impervious Area	64,588 s.f.
Previous Area	+64,588 s.f.
Net Impervious Area	+64,588 s.f.
Net Change Percentage	91.046 s.f.
Total Lot Area	64,588 s.f.
Total Impervious Area Added	64,588 s.f.
Total Paved Area	64,588 s.f.
Total Developed Area	64,588 s.f.
Total Lot Area	91.046 s.f.
Percent of Tree Canopy	23.00%

FLOOD NOTE: By graphic platting only, has property in Zone(s) _____ X _____ of the Flood Insurance Rate Map, Community Panel No. _____, which bears an effective date of 8/09/2007, and is in/a special flood hazard area.

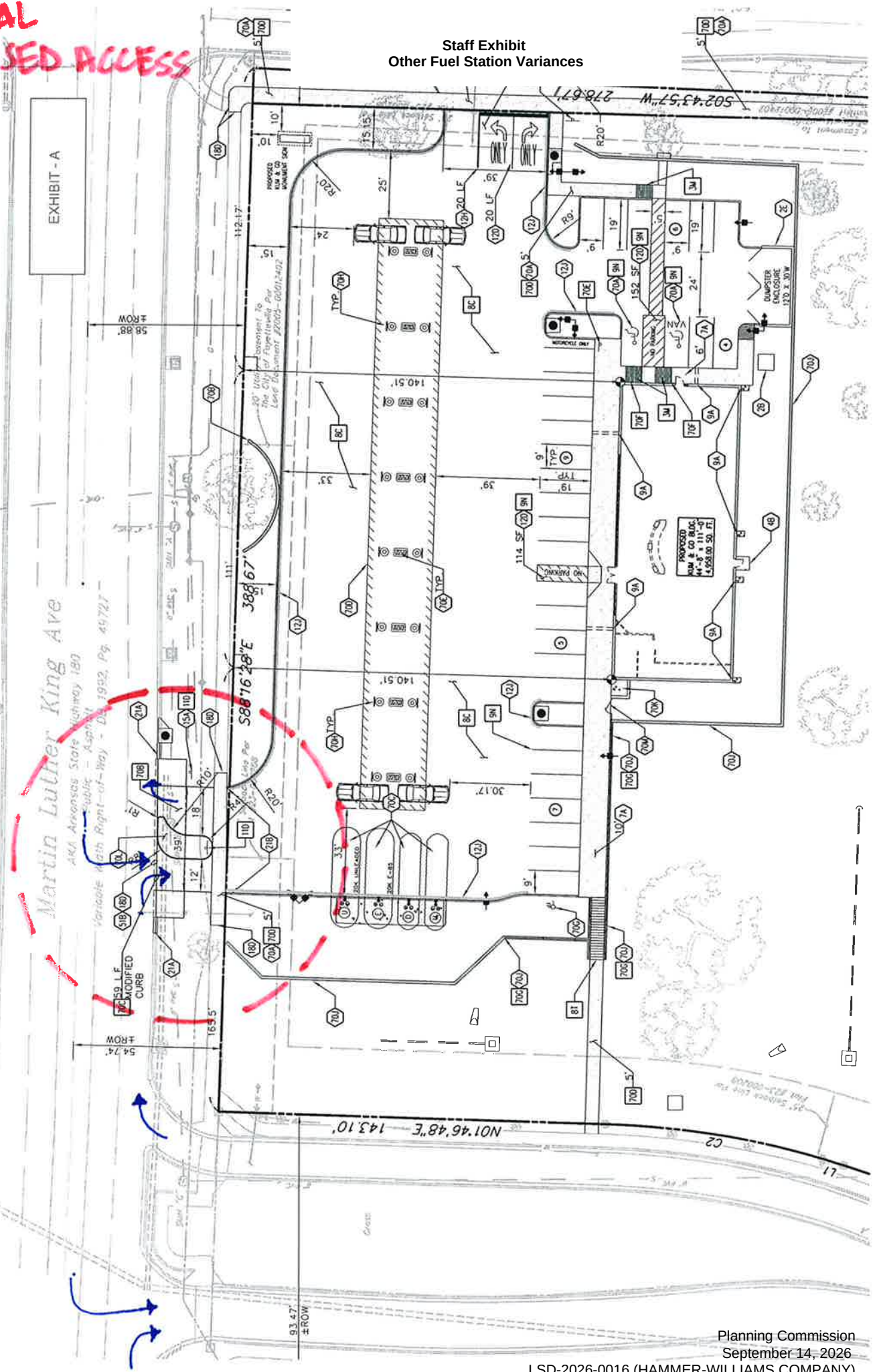
A SPECIAL FLOOD HAZARD AREA USUALLY DEPICTED ON FIRMS AS ABOVE THE 500 YEAR FLOOD ELEVATION MINIMUM FLOOD ELEVATION. DRAINAGE PROBLEMS THAT DON'T WARRANT A DETAIL STUDY OR DESIGNATION AS BASE FLOODPLAIN ZONE IS THE AREA DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD AND PROTECTED BY LEVEE FROM THE 100-YEAR FLOOD.

DATE: March 14, 2023 SCALE: 1"=200' DRAWN BY: C. Burdick CHECKED BY: T. Williams PROJECT NO: 22-284 SHEET NO: C-1	SITE PLAN Jiffy Trip 731 - Fayetteville MLK State Highway 62 & Smokehouse Trail Section 24, Township 16 North Range 31 West, Washington County Arkansas	 HAMMER WILLIAMS COMPANY 1710 West Willow Road Enid, Oklahoma 73703 Phone 580.234.3971	 2100 N. Eleventh Street Enid, Oklahoma 73703 ENVIROTECH ENGINEERING Planning Commission September 14, 2026
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• APPEAL
• PROPOSED ACCESS

EXHIBIT - A

Staff Exhibit
Other Fuel Station Variances





TO: Donna Wonsower, Senior Planner

FROM: Justin Bland, City Engineer

DATE: August 4, 2026

SUBJECT: **Planning Commission Engineering Comments for
LSD-2026-0016**

Water: There is an existing 12" water line along the Huntsville Ave. and Stone Bridge Dr. The applicant proposes to connect to this line for their domestic and fire services.

Sewer: There is an existing 8" sewer line that cuts through the site. The applicant is proposing to reroute this line across their site to avoid the future gas pumps/tanks. The applicant proposes to connect to this line for their domestic service.

Streets: The southern frontage of the property along Huntsville Rd.(Hwy. 16) is an improved with curb and gutter and sidewalk. The eastern frontage of the property along Stone Bridge Rd. is improved with curb and gutter for the southern half of the frontage. It then narrows down to a paved roadway without curb and gutter. The applicant proposed to widen out the entire eastern frontage with curb and gutter and sidewalk per the Master Street Plan cross section.

The applicant has proposed a full access driveway existing the southwest corner of the site. **Staff recommends for this drive to limited to right -in/right-out** for a couple of reasons. The first is due to safety concerns based on how close the drive is to the Stone Bridge Rd. traffic signal. In addition, restricting the drive to right-in/right-out doesn't limit access to the site since there is an additional driveway off Stonebridge Rd. and its corresponding traffic signal. Changing the drive to a right-in/right-out would result in a site very similar to Maverik gas station on Mt. Comfort/Rubble Rd. which has proved to operate very efficiently.

Staff has received feedback from the neighborhood to the north regarding the lack of sidewalk connectivity. Generally speaking, engineering staff does recognize the pedestrian impact a gas station can create in connection with neighboring subdivisions and thinks this can justify off-site improvements. In this case there is a 165' gap in the sidewalk along Stone Bridge Rd. from the site to existing sidewalk along E. Holmes Dr. However, due to the narrow existing right-of-way along Stone Bridge Rd., asking the developer to acquire the right-of-way and build the sidewalk may exceed the proportionality test. Instead, staff recommends assessing a fee-in-lieu of construction the sidewalk. This would allow the city to come at a later date, acquire any needed right-of-way, and then construct the sidewalk. **The fee in this case would be \$10,147.50.**

Drainage: This development is required to meet the four minimum criteria of Fayetteville's Drainage Criteria Manual. Water quality requirements will be met with the use of bio-retention ponds and isolator rows in the underground detention pond. Channel Protection Volume and Overbank and

Extreme Flood Protection will be met with the proposed underground detention structure with an engineered outlet structure. Detailed review of the drainage design will be done with grading permit review.

Standard Comments:

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



URBAN FORESTRY LANDSCAPE PLAN COMMENTS

To: Harrison French and Associates

From: Bethany Douglas, Urban Forester

CC: Donna Wonsower, Senior Planner

Meeting Date: August 10, 2026

Subject: LSD-2026-00016 Jiffy Lube (615 S Stone Bridge Rd)

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

d. Placement of Trees (either side at entrances and exits) <i>UDC Chapter 177.04C2</i>	X		
3. Perimeter Landscaping Requirements	Yes	No	N/A
a. Front Property Line (15' wide landscape) and five on sides. <i>UDC Chapter 177.04D2a</i>	X		
b. Side and Rear Property Lines (5' Wide Landscape Area) <i>UDC Chapter 177.04D1</i>	X		
c. Shade trees planted on south and west sides of parking lots <i>UDC Chapter 177.04D2e</i>	X		
d. Screening of parking lot from adjacent residential properties and the street.	X		
4. Street Tree Planting Requirements	Yes	No	N/A
a. Residential Subdivisions 1 Large Shade Species Tree per Lot <i>UDC Chapter 177.05B1a</i>			X
b. Non-Residential Subdivisions 1 Large Species Shade Tree every 30' (planted in greenspace) <i>UDC Chapter 177.05B2a</i>	X		
c. Urban Tree Well – Urban Streetscapes Trees every 30' (8' sidewalk) <i>UDC Chapter 177.05B3a-f</i>			X
d. Structural Soil – Urban Tree Wells Include a note and/or detail of structural soil on Landscape Plan <i>UDC Chapter 177.05B3a-f</i>			X
e. Residential Subdivisions Timing of planting indicated on plans <i>UDC Chapter 177.05A4</i>			X
f. Residential Subdivisions Written description for method of tracking planting <i>UDC Chapter 177.05A4e</i>			X
5. Landscape Requirement Totals	Amount		
Mitigation Trees	10		
Parking Lot Trees	3		
Street Trees	17		
Detention Pond – Large Trees (1 Tree/3,000 square feet)	1		
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	4		

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

6

6. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	8-10-26	
Approved		
Tabled		
Denied		

Appeal Process: A final administrative determination by the Urban Forester may be appealed in accordance with Chapter 155 of the Unified Development Code.

Comments
1. Address items above marked “No” and all Redlines provided.
2. Please provide detention pond calculations and differentiate between different required trees with abbreviations “S, M, P, or D”



URBAN FORESTRY TREE PRESERVATION COMMENTS

To: Harrison French and Associates

From: Bethany Douglas, Urban Forester

CC: Donna Wonsower, Senior Planner

Meeting Date: July 15, 2026

Subject: LSD-2026-0010: Christian Life Cathedral (1285 E Millsap Rd)

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

2. Tree Preservation Calculations

	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	85,613	100%
Zoning Designation * Select Below with drop down arrow		
C-2, Thoroughfare Commercial	12,842	15%
HHOD * Select Below with Drop Down Arrow		
No	0	0%
Total Canopy for Minimum Preservation Requirements	12,842	15.0%
Existing Tree Canopy * Minus Right of Way and Easements	2,105	2.5%
Tree Canopy Preserved	0	0.0%
Tree Canopy Removed *On Site	2,105	2.5%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	2,105	2.5%
Removed Below Minimum	12,842	
Mitigation Requirements	2,105	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority		
Low Priority	2105	5
Total Mitigation Trees Required	2105	5

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

5. Tree Preservation Plan Checklist	Tech Plat	Planning Commission
UDC Chapter 167.04H1 and 167.04L1		

a. 5 year Aerial Check on Existing Trees	Yes
b. Property Boundary	Yes
c. Natural Features (100ft beyond limits of disturbance)	N/A
d. Existing Topography and Proposed Grading	Yes
e. Soil Types	No
f. Significant Trees	Yes
g. Groupings of Trees	Yes
h. Table Inventory List (species, size, health, priority)	Yes
i. All Existing and Proposed Utilities	Yes
j. All Existing and Proposed Utility Easements and ROW's	Yes
k. All Streams (with approximate center line)	N/A
l. Floodplains and floodways	N/A
m. Existing Street, Sidewalk or Bike Path ROW	Yes
n. Submitted Arborist Assessment (if required)	Yes
o. Shows ALL Proposed Site Improvements	Yes
p. Delineates trees/canopy to be preserved and removed	Yes
q. Tree Preservation Easement/s shown for LSD, LSIP and Commercial PPL projects	Yes

Tree Protection Methods

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

6. Site Analysis Report (if required) <i>UDC Chapter 167.04H4</i>	Yes	No	N/A
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a. Provide Arborist Report showing tree health and structure evaluation, feasibility of preservation, and recommendations and justification	X
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7. Review Status (See Comments)	Tech Plat	Planning Commission
Conditionally Approved	8-10-26	
Approved		
Tabled		
Denied		

Appeal Process: A final administrative determination by the Urban Forester may be appealed in accordance with Chapter 155 of the Unified Development Code.

Comments

1. Address items above marked “No” and all Redlines provided.
2. Please show location of material storage and concrete washout.



8/25/2026

City Of Fayetteville
113 West Mountain Street
Fayetteville AR 72701

HFA-AE, LTD Project #: 06-25-00002

Project Name: Jiffy Trip #732 (Stonebridge Rd.) Fayetteville, AR

Developer: Hammer Williams Company

Project Narrative

Attention Planning Staff,

We are submitting an LSD application for a Jiffy Trip convenience store at the corner of Hwy. 16 and Stonebridge Rd. As part of this project, we are also requesting a Property Line Adjustment to divide the parent tract into two tracts of land. The resulting Tract 1 will be used for development. In addition, we propose vacating a portion of the existing 15-foot water and sewer easement and Southwestern Bell Telephone (ATT) easement along the southern portion of parcel #765-02276-000. Easement Plat information will be provided on the Property Line Adjustment document and will all proposed access and utility easements, along with additional right-of-way required by the City's Master Street Plan. Included with this letter are all items listed on the checklist.

The project includes construction of a 4,326-square-foot store with 10 fuel dispensers and 20 fueling positions sitting on approximately 2.09 acres. The store will offer standard convenience items, along with a variety of prepared food options, including grab-and-go selections and cafeteria-style service. A full commercial kitchen will support in-house preparation of pizzas, salads, sandwiches, smoked barbecue, and desserts. The store will also offer wine, craft beer, and a large walk-in beer cave.

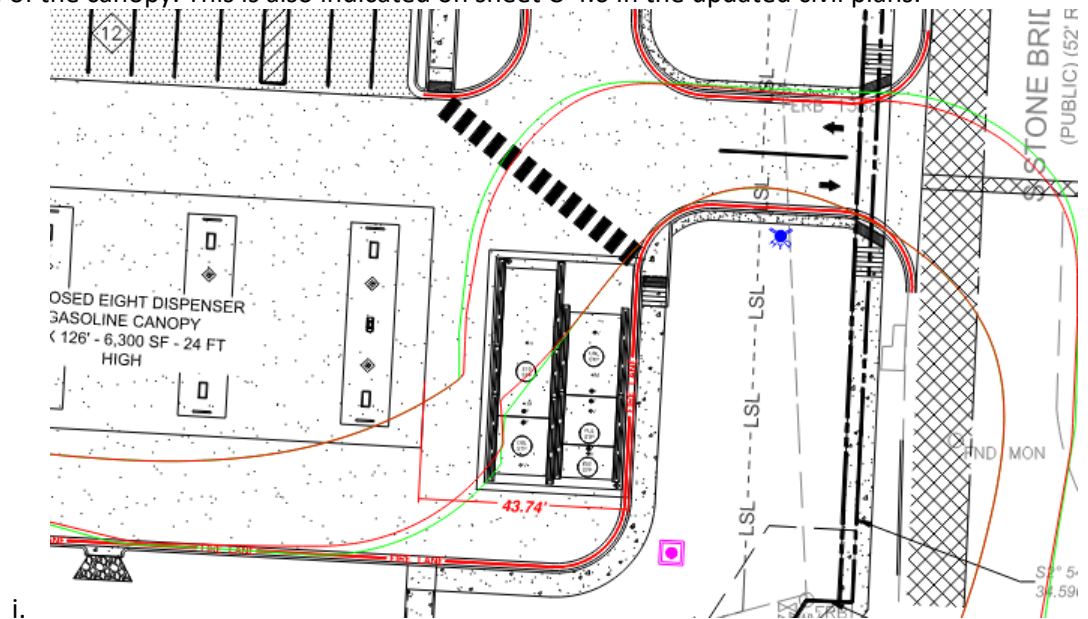
We are requesting two variances for this project: one from the Drive aisle widths standard in UDC 172.04(E), and one for driveway widths standard in UDC 172.04(F)(4)(a)(ii) A vehicle tracking exhibit of the site shows a singular tanker truck requiring an increased amount of pavement on the east side of the fueling canopy only, allowing for internal traverse, and exit of the site. We have reduced all other internal drive aisles to 24 feet.

Our company is committed to supporting the communities in which we operate and are looking forward to our second store in Fayetteville.

Variance Requests

HFA-AE, LTD is requesting the following variances:

1. Variance to the Unified Development Code Chapter 172.04(E) for the Jiffy Trip – Fayetteville (Stonebridge Rd.) project to not require a 24-foot maximum drive aisle width. Our current, updated site plan shows one drive aisle east of the fueling canopy with a width of 43.74 feet. This width has been reduced by 6.26 feet from the previous request of 50' at this location. This is the minimum amount of space needed to allow the fueling truck to safely navigate around the fueling islands without encroaching on a vehicle filling up. All other internal drive aisles within the site have been reduced to meet the 24' max width allowed by code.
 - a. Justification: This site has been laid out so that tanker trucks are able to enter and exit the site safely. The 43.74-foot width ensures tanker trucks have adequate room for refilling the fueling tanks while allowing flow for regular vehicular traffic. A vehicle tracking exhibit of the site shows a singular tanker truck requiring an increased amount of pavement along the east side of the fueling canopy. See snip below showing truck routing along the east side of the canopy. This is also indicated on sheet C-4.6 in the updated civil plans.

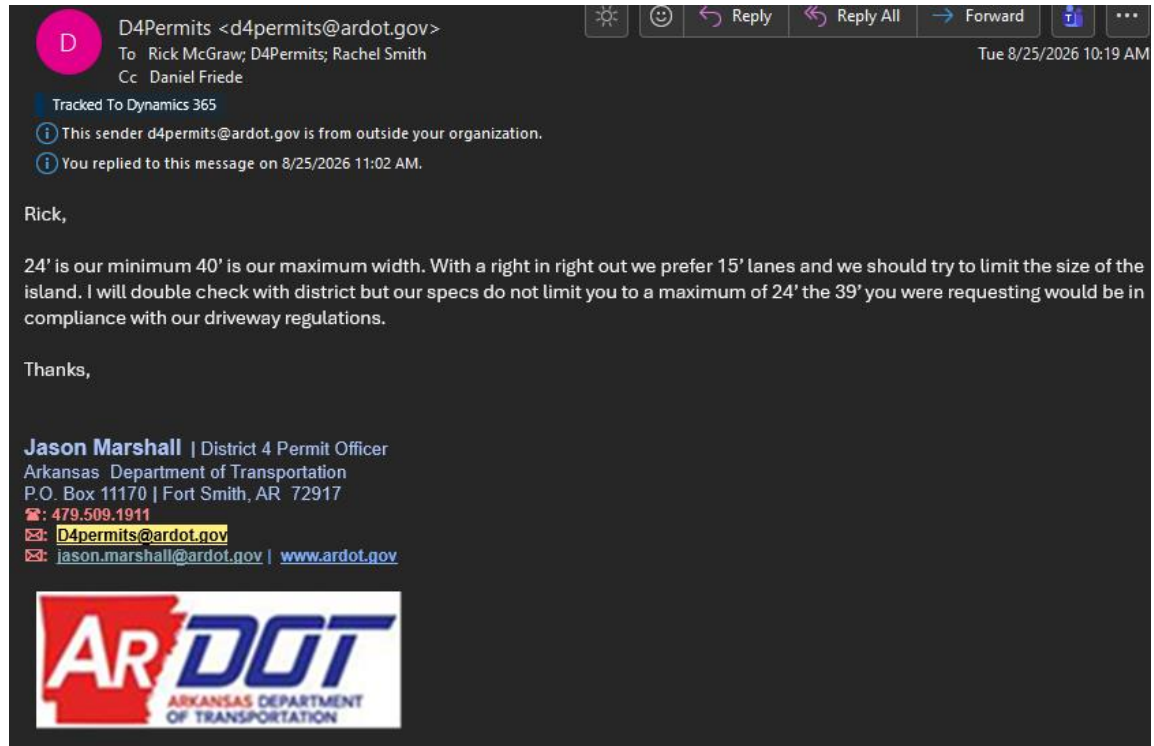


2. Variance to the Unified Development Code Chapter 172.04(F)(4)(a)(ii), for the Jiffy Trip – Fayetteville (Stonebridge Rd.) project to not require a 24-foot maximum driveway width. In our previous submittal, we showed both driveway widths at a total width of 39-feet. We have reduced the driveway width off Stonebridge Rd. down to 24 feet to meet code. We are requesting a variance for the driveway width of 30 feet onto Hwy. 16. The total length of the 30-foot-wide drive is +/-82 feet. We have reduced back to 24 feet wide as soon as possible.

- a. Justification: A semi-truck does not have the ability to safely exit through a 12-foot one way right out only. The truck would occupy the right in lane and jump the island to exit the site. See snip below showing turning study with a 24' wide Right-in Right-out only driveway.



- i.
- b. Justification: In coordination with ARDOT, their preferred drive widths for a Right-in/Right-out only is 15 feet. As such, a 30-foot-wide drive is the minimum width required to meet ARDOTs preference. Below is a snip of the correspondence with ARDOT. A snip of the truck routing is also provided showing the semi-truck remaining within the right-out only lane and not jumping the island upon exiting the site.



i.



ii.



Code Sections

1) 172.04(F)(4)(a)(ii) Driveway Widths

4. Entrances and Internal Aisle Design for Parking Lots Containing Nine (9) or More Parking Spaces. The driveway width into parking lots shall meet the following requirements:

a. Entrances

- i. One-Way Access to Parking Lots. If the driveway is a one-way in or one-way out, then the driveway width shall be a minimum of 12 feet and a maximum of 16 feet.
- ii. Two-Way Access to Parking Lots. For two (2) way access, the driveway width shall be a minimum 20 feet and a maximum width of 24 feet, unless otherwise required by the Fire Department.
- iii. Neighborhood and Regional Links. Driveways that enter neighborhood and regional link streets may be required to have two (2) outbound lanes (one (1) for each turning direction) and one (1) inbound lane for a maximum total driveway width of 39 feet.
- iv. Effective Curb Radius. All driveways serving nine (9) or more parking spaces shall have an effective curb radius of 15 feet for curb cuts on residential link streets and an effective curb cut radius of 20 feet for neighborhood and regional link streets.

2) 172.04(E) - Parking Lot Design Standards

(See: Illustration: Parking Dimension Factors)

(A) Maneuvering. Parking lots shall be designated, maintained, and regulated so that no parking or maneuvering incidental to parking will encroach into the areas designated for sidewalks, streets, or required landscaping. Parking lots shall be designed so that parking and un-parking can occur without moving other vehicles, unless a valet service has been approved as part of the development plans. Vehicles shall exit the parking lot in a forward motion.

(B) Pedestrian Access.

- (1) Pedestrian access shall be provided from the street to the entrance of the structure by way of designated pathway or sidewalk.
- (2) Parking lots may be utilized by restaurants, cafes, and similar uses where pedestrian seating, access, or service does not interfere with safe and functional circulation. If a parking lot utilized for outdoor service is determined to represent a hazard to pedestrian or vehicular use, sites may be required to include an implied or physical barrier with landscaping elements, gated fencing, changes in ground surface texture, material or color, or similar treatments.

(C) Build-to Zone. A portion of a required parking lot may be located within the build-to zone, subject to the following:

- (1) A parking lot located within the build-to zone shall be screened with a masonry screen wall between 32 inches and 42 inches in height and 50% opaque minimum.
- (2) Parking lots that are located within the build-to zone shall comply with Chapter 177: Landscape Regulations, related to landscape setbacks.
- (3) Off-site parking lots shall be prohibited from being located within the build-to zone.
- (4) In urban zoning districts that specify urban form (i.e., a build-to zone) the intent is for drive-thru lanes, parking lot drive aisles, and parking spaces to be located to the side or rear of buildings. In urban zoning districts, a drive-thru lane, parking lot drive aisle, or parking spaces are not permitted to be located in the front yard directly between a building and the Master Street Plan right-of-way.

(D) Compact Spaces. A maximum of 35% of the total spaces are allowed to be compact spaces for



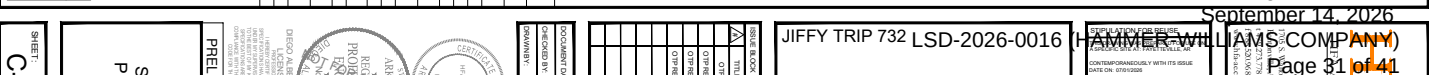
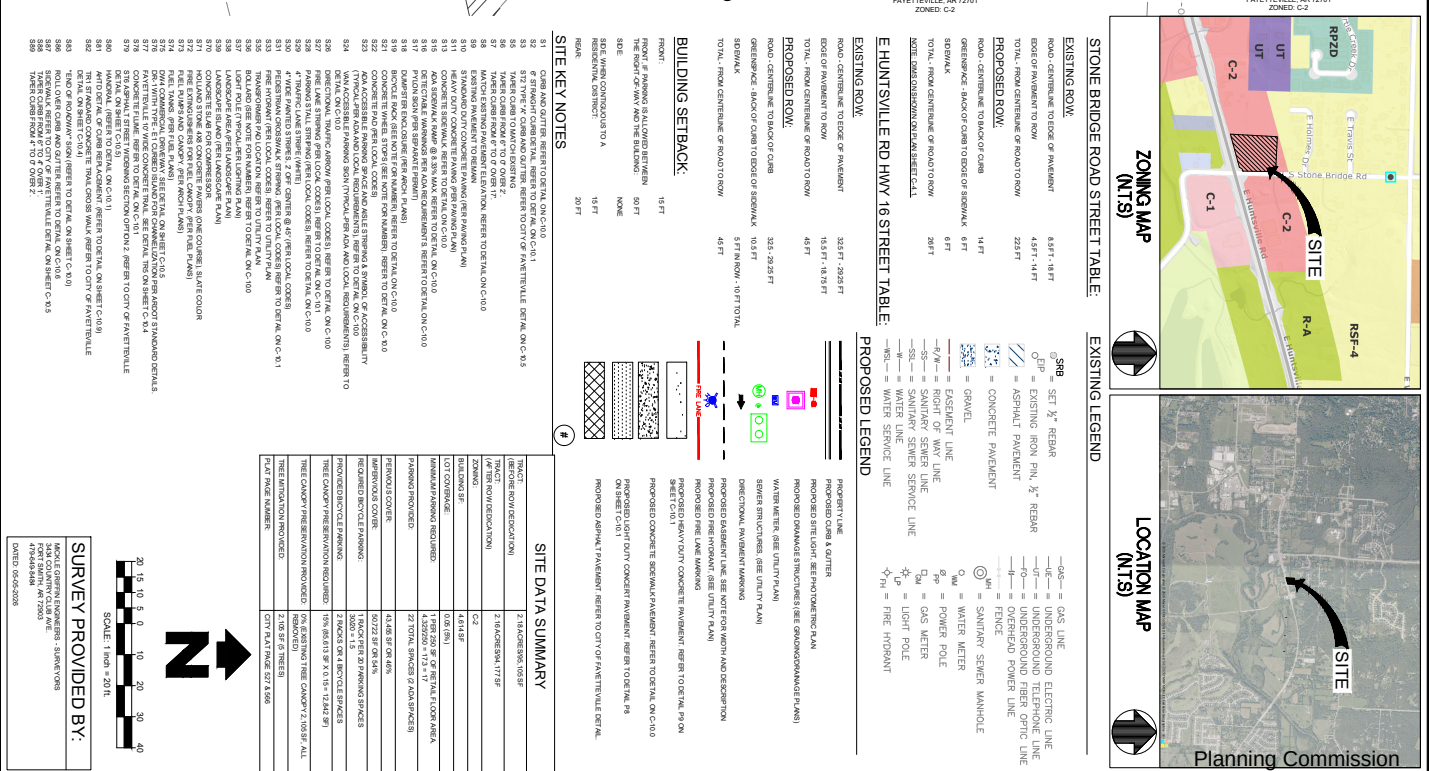
nonresidential uses and a maximum of 20% are allowed to be compact spaces for residential parking. Compact spaces shall be marked either by marking on the pavement or by separate marker.
(E)Dimensional Requirements. (See Table 1) below:

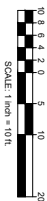
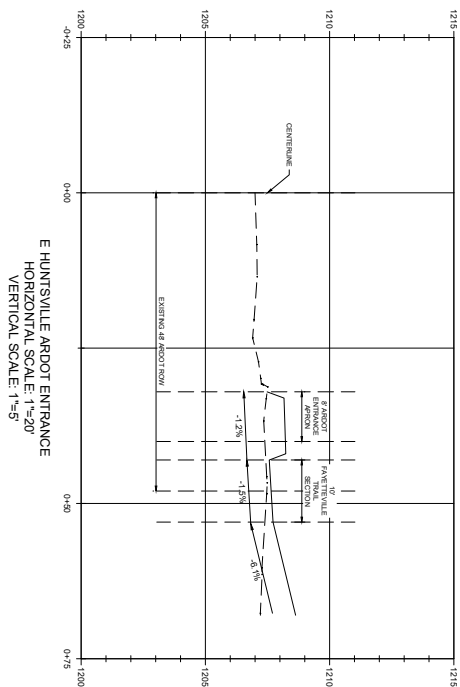
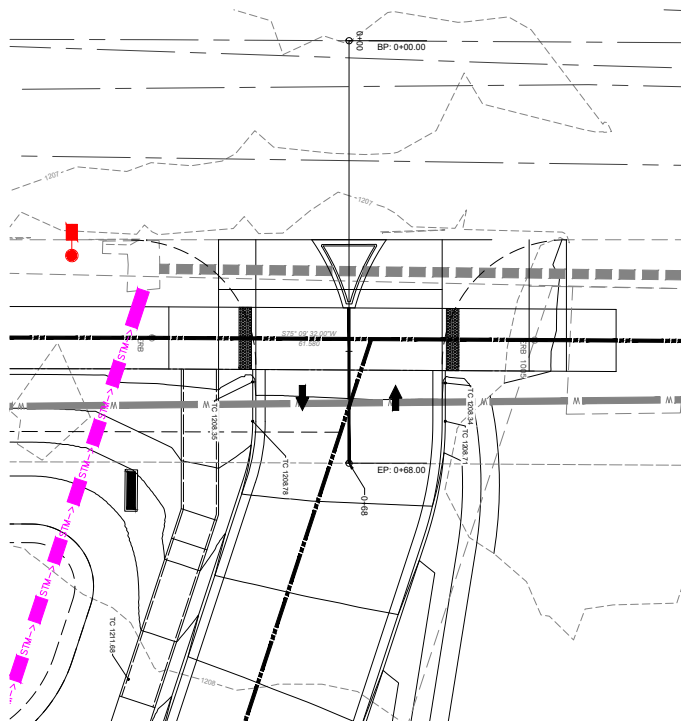
TABLE 1 |
DIMENSIONAL REQUIREMENTS

EXPAND

Angle (A)	Type	Width (in ft.) (B)	Curb length (in ft.) (C)	One-way aisle width (in ft.) (D)	Two-way aisle width (in ft.) (D)	Stall depth (in ft.) (E)
0°	Standard	8	22.5	12	24	8
Parallel	Compact	7.5	19.5	12	24	7.5
30°	Standard	9	18	12	24	17
	Compact	8	15	12	24	14
45°	Standard	9	12.5	12	24	19
	Compact	8	10.5	12	24	16
60°	Standard	9	10.5	18	24	20
	Compact	8	8.5	15	24	16.5
90°	Standard	9	9	24	24	19
	Compact	8	7.5	22	24	15
	Motorcycle/Scooter	3	3	12-24	24	7.5—9

Sincerely,
Don Rose





SURVEY PROVIDED BY:

MOORE & COMPANY ENGINEERS - SALT LAKE CITY, UT
JANUARY 2007
4794848484

DATED: 05-05-2009

CITY PLAT PAGE 27 OF 366

Planning Commission
September 14, 2026

JIFFY TRIP 732 LSD-2026-0016

HAMMER WILLIAMS COMPANY

Page 32 of 41

NO.	DATE	DESCRIPTION
1	05/05/2009	ISSUED FOR PERMIT
2	05/05/2009	ISSUED FOR PERMIT
3	05/05/2009	ISSUED FOR PERMIT
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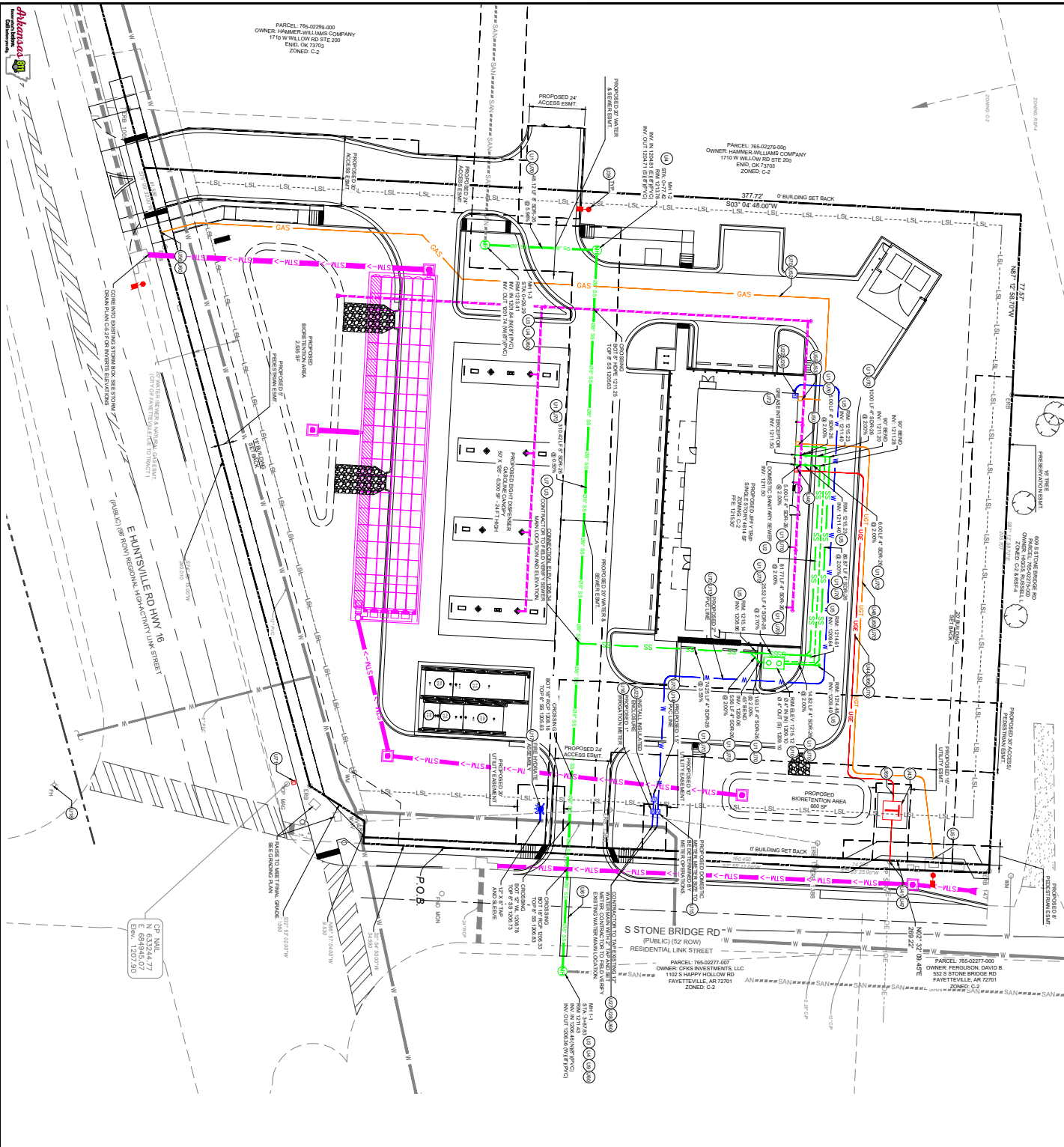
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EXISTING LEGEND

- GAS LINE
- UNDERGROUND ELECTRIC LINE
- EXISTING FROM P.N. 1/2" REBAR
- ASPHALT PAVEMENT
- CONCRETE PAVEMENT
- GRVEL
- DRAINAGE LINE
- RIGHT OF WAY LINE
- UNDERGROUND FIBER OPTIC
- SANITARY SEWER SERVICE LINE
- WATER LINE
- WATER SERVICE LINE
- FIRE HYDRANT

PROPOSED LEGEND

- PROPERTY LINE
- EASEMENT LINE
- DRAINAGE LINE
- TELEPHONE LINE
- WATER LINE
- UNDERGROUND ELECTRIC LINE
- SANITARY SEWER SERVICE LINE
- WATER SERVICE LINE
- FIRE HYDRANT

UTILITY KEY NOTES

- 1. SANITARY SEWER SERVICE LINE (SEE PLAN AND SPECIFICATIONS)
- 2. SANITARY SEWER SERVICE LINE (SEE PLAN AND SPECIFICATIONS)
- 3. SANITARY SEWER SERVICE LINE (SEE PLAN AND SPECIFICATIONS)
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- 97. SANITARY SEWER SERVICE LINE (SEE PLAN AND SPECIFICATIONS)
- 98. SANITARY SEWER SERVICE LINE (SEE PLAN AND SPECIFICATIONS)
- 99. SANITARY SEWER SERVICE LINE (SEE PLAN AND SPECIFICATIONS)
- 100. SANITARY SEWER SERVICE LINE (SEE PLAN AND SPECIFICATIONS)

SURVEY PROVIDED BY:

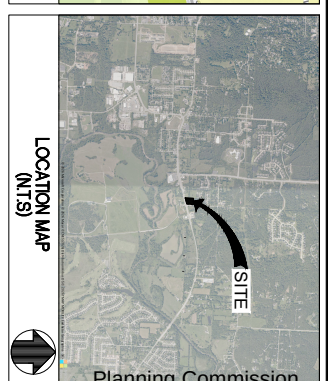
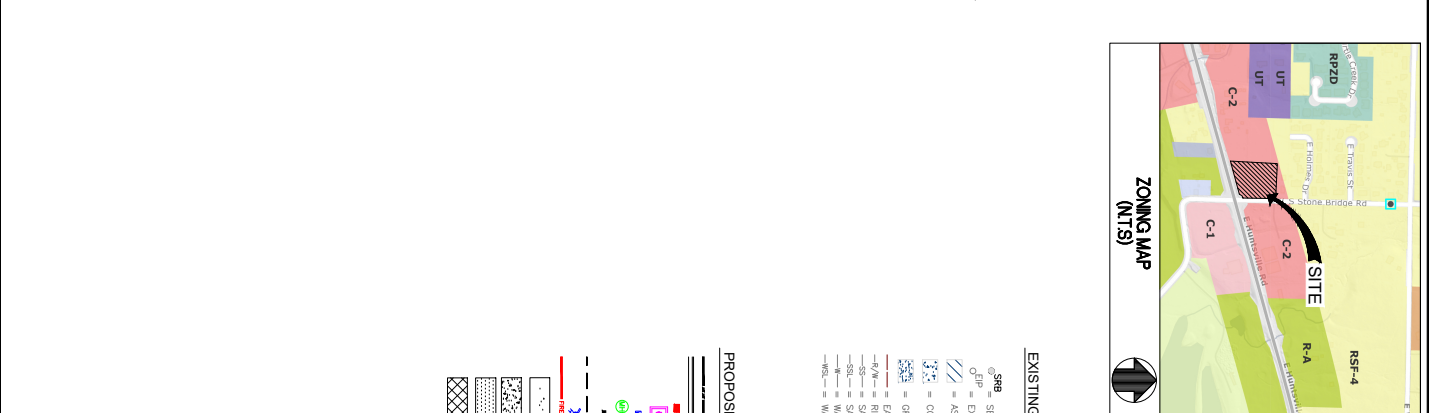
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SCALE: 1"=20'

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JIFFY TRIP 732 LSD-2026-0016 (HAMMER-WILLIAMS COMPANY)

DATE OF ISSUE: _____ DATE OF VALIDITY: _____ DATE OF CANCELLATION: _____ DATE OF RECEIPT: _____ DATE OF DELIVERY: _____ DATE OF RETURN: _____		DATE OF ISSUE: _____ DATE OF VALIDITY: _____ DATE OF CANCELLATION: _____	DATE OF RECEIPT: _____ DATE OF DELIVERY: _____ DATE OF RETURN: _____
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G1	MATCH EXISTING PAVEMENT ELEVATION
G22	CONCRETE FULCRUM. REFER TO DRAWING
G28	RIP RAP P.A.D. REFER TO DETAIL
G36	MATCH EXISTING CURB ELEVATION
G38	TRANSITION CURB FROM 6" TO 4"

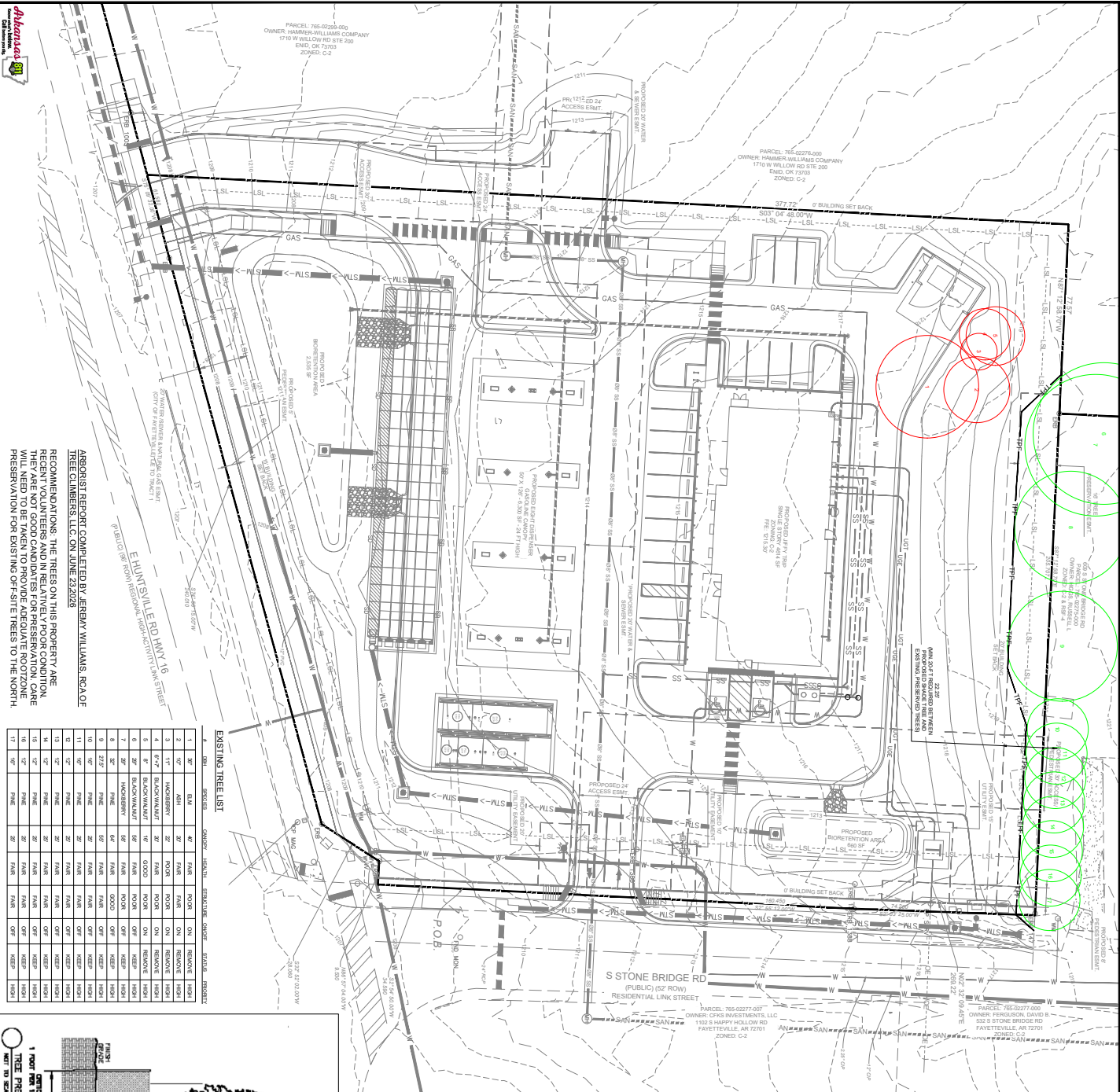
- SRB = SET 1/2" REBAR
- EIP = EXISTING IRON
- = ASPHALT PAVEMENT
- = CONCRETE PAVEMENT
- = GRAVEL
- = EASEMENT LINE
- R/W- = RIGHT OF WAY
- SS- = SANITARY SEWER
- SSL- = SANITARY SEWER
- W- = WATER LINE
- WSL- = WATER SERVICE

20 15 10 5 0 10 20 30

SCALE: 1 inch = 20 ft.

CITY PLAT PAGE 527 & 560

JIFFY TRIP 732 LSD-2026-0016 (HAMMER WILLIAMS COMPANY)

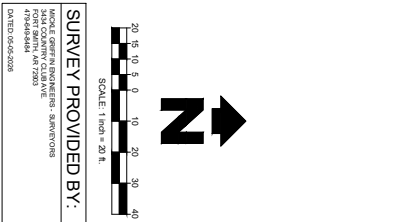
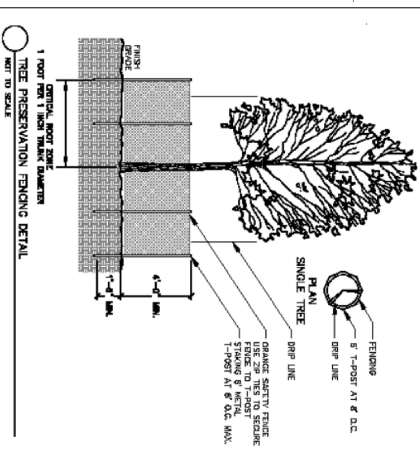


ARBOREST REPORT COMPLETED BY JEREMY WILLIAMS, RCO-OF
TREE CLIMBERS, LLC ON JUNE 23, 2023

RECOMMENDATIONS: THE TREES ON THIS PROPERTY ARE
RECENT VOLUNTEERS AND IN RELATIVELY POOR CONDITION.
THEY ARE NOT GOOD CANDIDATES FOR PRESERVATION. CARE
WILL NEED TO BE TAKEN TO PROVIDE ADEQUATE ROOTZONE
PRESERVATION FOR EXISTING OFF-SITE TREES TO THE NORTH.

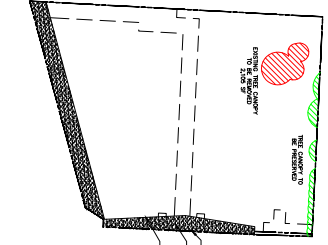
EXISTING TREE LIST

#	DBH	SPECIES	HEIGHT	APPROXIMATE AGE	STATUS	REMARKS
1	30"	SL	40'	POOR	OK	REMOVE
2	30"	SL	40'	POOR	OK	REMOVE
3	11"	HUCKERBERRY	20'	POOR	OK	REMOVE
4	6-7"	BLACK WALNUT	20'	POOR	OK	REMOVE
5	6-7"	BLACK WALNUT	20'	POOR	OK	REMOVE
6	30"	BLACK WALNUT	30'	POOR	OK	REMOVE
7	30"	HUCKERBERRY	30'	POOR	OK	REMOVE
8	30"	SL	40'	POOR	OK	REMOVE
9	30"	SL	40'	POOR	OK	REMOVE
10	11"	SL	20'	POOR	OK	REMOVE
11	11"	SL	20'	POOR	OK	REMOVE
12	11"	SL	20'	POOR	OK	REMOVE
13	11"	SL	20'	POOR	OK	REMOVE
14	11"	SL	20'	POOR	OK	REMOVE
15	11"	SL	20'	POOR	OK	REMOVE
16	11"	SL	20'	POOR	OK	REMOVE
17	11"	SL	20'	POOR	OK	REMOVE



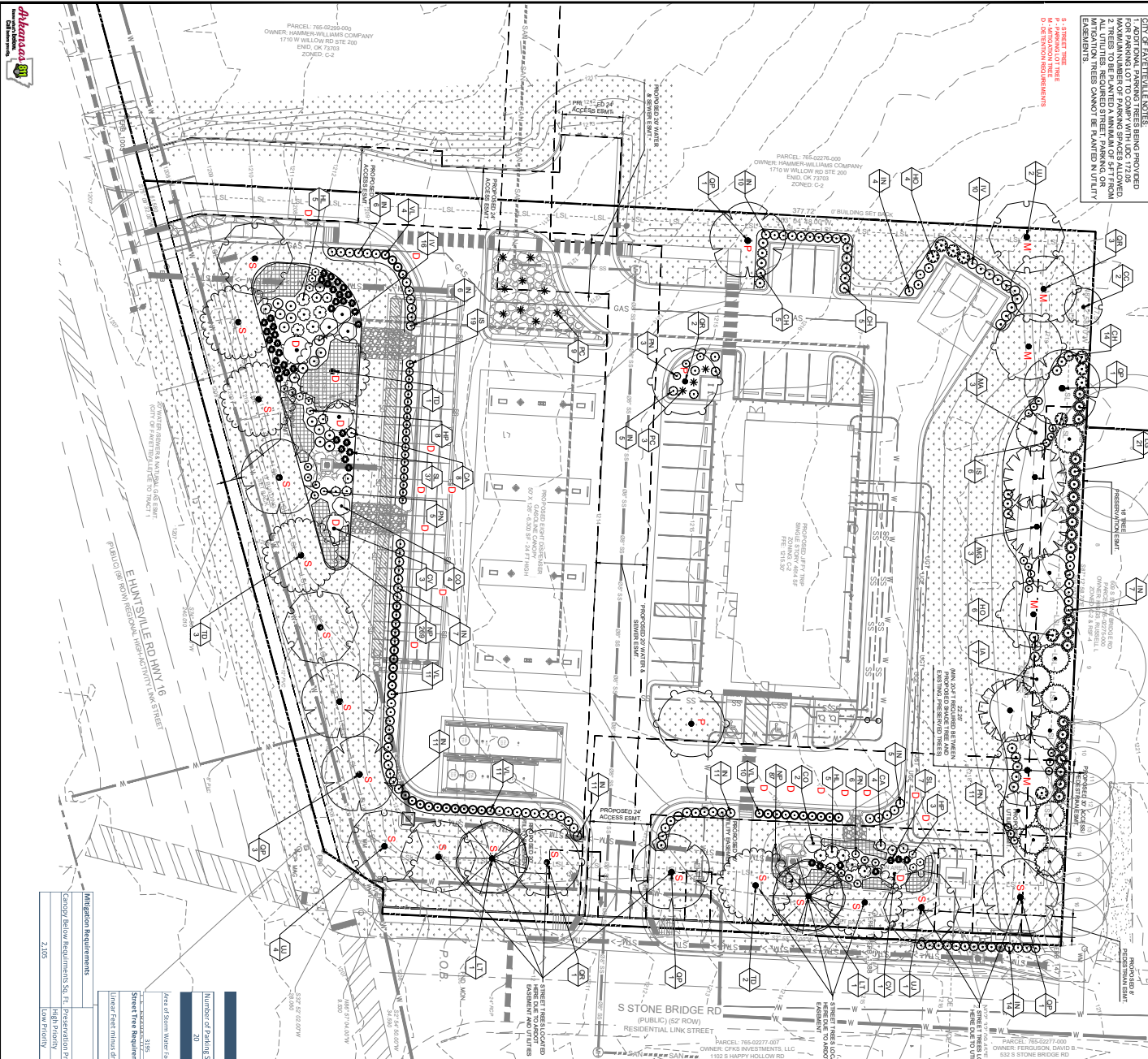
Category	Requirement	Value	Percentage of Site
Total Site Area	Minimum 100,000 sq. ft.	25,413	100%
Tree Canopy	Minimum 10,000 sq. ft.	12,842	15%
Tree Canopy	Minimum 10,000 sq. ft.	0	0%
Tree Canopy	Minimum 10,000 sq. ft.	12,842	15.0%
Tree Canopy	Minimum 10,000 sq. ft.	2,105	2.5%
Tree Canopy	Minimum 10,000 sq. ft.	0	0%
Tree Canopy	Minimum 10,000 sq. ft.	1,050	2.5%
Tree Canopy	Minimum 10,000 sq. ft.	1,050	2.5%
Tree Canopy	Minimum 10,000 sq. ft.	2,105	2.5%
Tree Canopy	Minimum 10,000 sq. ft.	12,842	15.0%
Tree Canopy	Minimum 10,000 sq. ft.	2,105	2.5%

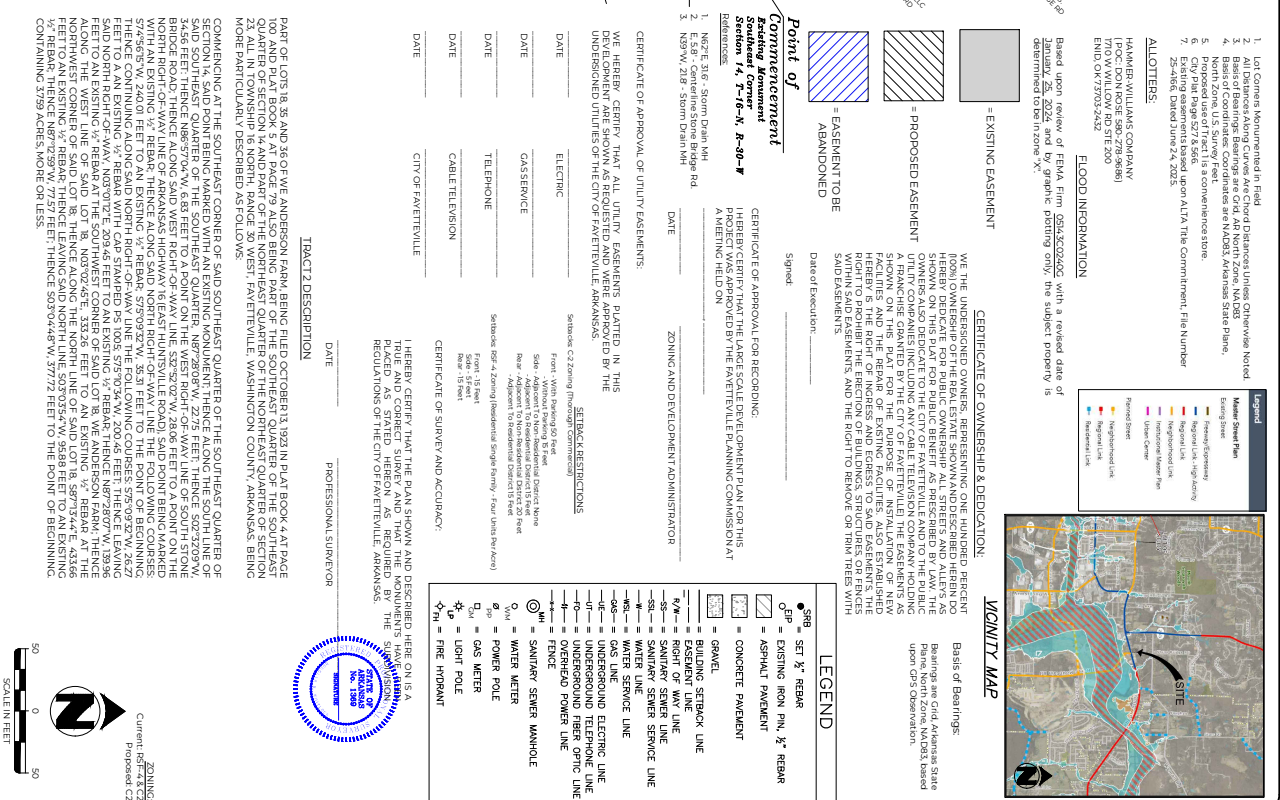
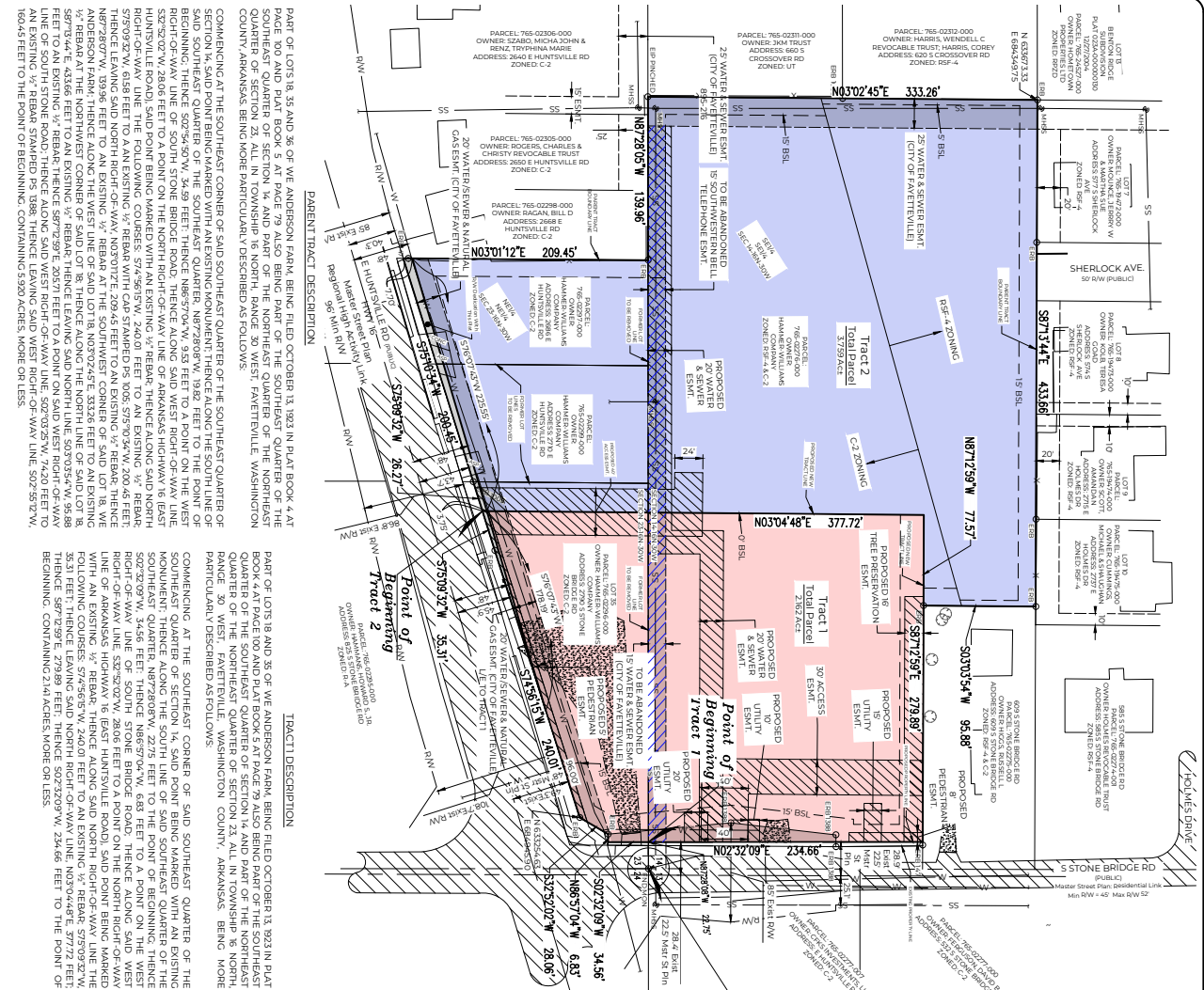
- CITY OF FAYETTEVILLE, AR
1. ALL TREES AND NATURAL AREAS SHOWN ON THIS PLAN TO BE PRESERVED SHALL BE PROTECTED DURING CONSTRUCTION.
 2. PROTECTIVE FENCES SHALL BE INSTALLED PRIOR TO THE START OF ANY SITE PREPARATION WORK AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT.
 3. PROTECTIVE FENCES SHALL BE MAINTAINED PRIOR TO THE START OF ANY SITE PREPARATION WORK AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT.
 4. PROTECTIVE FENCES SHALL BE MAINTAINED PRIOR TO THE START OF ANY SITE PREPARATION WORK AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT.
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 20. PROTECTIVE FENCES SHALL BE MAINTAINED PRIOR TO THE START OF ANY SITE PREPARATION WORK AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT.



TREE PRESERVATION CALCULATION EXHIBIT

CITY OF FALETTUVE NOTES:
1. ADDITIONAL PARKING TREES BEING PROVIDED FOR PARKING LOT TO COMPLY WITH UDC 172.05
MAXIMUM NUMBER OF PARKING SPACES ALLOWED
2 TREES TO BE PLANTED A MINIMUM OF 5-FT FROM ALL UTILITIES. REQUIRED STREET PARKING OR MITIGATION TREES CANNOT BE PLANTED IN UTILITY EXEMPTIONS.





Wonsower, Donna

From: Wonsower, Donna
Sent: Monday, August 3, 2026 3:59 PM
To: Wonsower, Donna
Cc: 'dennis.n.kolb'
Subject: LSD-2026-0016 Public Comment_Kolb
Attachments: LSD-2026-0016_Kolb.zip

Planning Commissioners,

See attached and the below Dropbox link for public comment on LSD-2026-0016, scheduled to be heard at the August 10, 2026 Planning Commission meeting. Given the extensive number of files, I've included both a ZIP drive and a web link in case one of the options has issues.

I will be including this email with the link to the Dropbox as part of the staff packet and will upload the ZIP drive to the online project software for project records. All of these files have been provided by Dennis Kolb, who I believe intends to attend the meeting as well.

<https://www.dropbox.com/sc/fo/34ptz9gq8dybjkokf80ej/ALlxTz9V7XSiJRon886oHQE?rlkey=h12t7zhwxdek6fvl10adotjt&st=rbiujzod&dl=0>

Donna Wonsower

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



Please note that Planning is currently hiring for two open positions and that communications and review times may increase as a result. Please bear with us in the interim.



TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director

MEETING DATE: September 14, 2026

SUBJECT: **CUP-2026-0034: Conditional Use Permit (1766 S SMOKEHOUSE TRL/JIMMY J JR HERRING & ROBERT WRIGHT, 595):** Submitted by FAYETTEVILLE E-BIKE COMPANY for property located at 1766 S SMOKEHOUSE TRL. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.42 acres. The request is for the use of a bike shop business in a single-family zoning district.

RECOMMENDATION:

Staff recommends denial of **CUP-2026-0034**.

RECOMMENDED MOTION:

*"I move to approve **CUP-2026-0034** with conditions as recommended by staff."*

AUGUST 24, 2026 PC HEARING:

The item was tabled by the Planning Commission at the previous meeting to allow the applicant additional time to revise the site plan and elevations to be more compatible with the surrounding landscape and neighborhood. In the interim, City staff have not received any updated information from the applicant.

BACKGROUND:

The subject property is in southwest Fayetteville on S. Smokehouse Lane, just south of the intersection with W. Martin Luther King Jr. Blvd. The property contains a 1,344 sq. ft. single family home that according to Washington County records was constructed in 2000. Zoned RSF-4, Residential Single-Family, 4 Units per Acre, the property is outside of the Hillside-Hilltop Overlay District, and no other overlays currently encumber the site. Surrounding land uses and zoning are provided in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Commercial	UT, Urban Thoroughfare
South	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
West	Rural/Undeveloped	R-A, Residential Agricultural

City Plan 2040 Future Land Use Designation: City Neighborhood Area

Request: The applicant requests a conditional use permit to build a 2000 sq. ft. commercial space for an e-bike shop for sales and repair. Bicycle shops under 3000 sq. ft. classify as Use Unit 12a,

which are allowed conditionally in the RSF-4 zoning district.

Public Comment: Staff has received comments in opposition to the request, citing concerns about traffic generation, issues with the types and classes of e-bikes being sold by the business, lack of compatibility with the surrounding neighborhood, and conflicts with the existing trail network.

RECOMMENDATION: Staff recommend tabling **CUP-2026-0034**. Should the Planning Commission choose to approve the permit, staff recommends the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds that with adequate addressing of the City's design standards and intentions, the project could be compatible. Having not received any updated information from the applicant however, staff recommends denial.*
2. **This conditional use permit is limited to the use as described in the applicant's request letter. The following specifications apply:**
 - a. Business size: Approximately 2,000 sq. ft.
 - b. Hours of operation: 11:00 AM to 6:00 PM. Closed Thursday.
 - c. Number of Employees: 3
3. **The structure and associated site development shall be subject to 166.25, Commercial, Office, Mixed-use, Design and Development standards;**
4. **The proposed use shall not adversely affect local traffic conditions on the adjoining streets;**
5. **New structures located within a residential zoning district shall incorporate design elements similar to and compatible with those found within the neighborhood, including materials, roof pitch, scale, etc;**
6. **New parking areas or lots, utility equipment and trash enclosures shall be designed to have minimal visual impact to adjacent property owners and to the street. Screening of these elements shall be accomplished with plantings, walls, architectural elements, and/or fencing;**
7. **All new or enlarged structures shall comply with the zoning requirements of the underlying district.**
8. **Approval of this conditional use permit does not ensure approval of a development application. The conditional use permit grants the applicant rights to submit a development proposal based on the conceptual layout included herein. The applicant shall comply with all other development requirements, including but not limited to, tree preservation, drainage, exterior lighting, utility installation, and Fire Department access standards. These details shall be reviewed with the development application;**
9. **Any future expansion or change in the use shall require Planning Commission approval; and**

10. Signs shall be limited to those permitted by UDC §174. Any proposed signage shall be reviewed for compliance with the underlying zoning district.

PLANNING COMMISSION ACTION:	Required	<u>YES</u>	
Date: <u>September 14, 2026</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

A. Applications. The requirements contained herein shall apply to all conditional uses in addition to the specific requirements set forth in each individual conditional use.

B. Authority; Conditions. The Planning Commission shall:

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

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

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

Finding: The applicant has submitted a written application requesting a conditional use permit for Use Unit 12a in the RSF-4 zoning district.

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

Finding: The applicant has paid the required filing fee.

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

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

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

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

Finding: On the balance of considerations, staff finds that granting the requested conditional use may adversely affect the public interest. The placement of small-scale businesses near residential uses is not inherently incompatible; it can promote walkability, ensure convenience and access to services for residents, and contribute to stronger local economies and make areas more vibrant. The applicant's proposed hours of operation and traffic generation are not likely to disrupt the surrounding community, and on its face, an e-bike business located close to the City's trail network is a smart business decision. However, when thinking about compatibility, planners and the Commission should also think about the proposed size, scale, form, design, and overall use. In this instance, the applicant is fully redeveloping the site and proposing a site plan and architectural form that are missing some of the key intentions of the City's design standards. Installing this structure at this location is likely going to conflict with the existing built environment, which is largely wooded, serene, and on a hillside.

(c.) The Planning Commission shall certify:

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

Finding: Under 164.21, Limited Businesses are required to meet a series of standards that are outlined attached to this report. Of the five key elements that are expected of these businesses, the applicant is currently complying with three of them. The applicant's proposal is not likely to adversely affect local traffic conditions, given the expected customer volume and vehicle impact. The applicant's proposal, however, does not incorporate design elements that are similar or compatible in material, roof pitch, or style to what is currently surrounding the property. The applicant is also proposing a parking area that is largely absent from meeting many of the necessary design requirements for parking lots. The hours of operation proposed by the applicant are well within the time frames granted to limited businesses across the board, and the newly proposed structure will meet necessary zoning setbacks and height requirements.

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

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

Finding: The applicant proposes one driveway entrance to a parking lot with 8 spaces. No apparent accommodations have been made for pedestrian access to the site, and there is not currently a sidewalk at 1766 S Smokehouse Trail.

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

Finding: The applicant is proposing an 8-space parking lot but has not provided a design that is substantially compliant with typical parking lot dimensional standards for striping or maneuverability. There is no screening or landscape buffering proposed so there may be negative impacts to adjacent property owners from headlight glare or otherwise.

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

Finding: The applicant has proposed residential cart service with some screening for the proposed bins. It is unclear whether this plan has been vetted by the Recycling and Trash Division for pick up service, though this would have to be finalized at the time of development review.

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

Finding: The property has access to City water and sewer. Any required extensions will be provided at the time of permitting.

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

Finding: Staff recommends landscape screening and buffering in line with the typical standards outlined in chapter 177 for the proposed parking lot, and should generally minimize visual impact to adjacent property owners and to the street.

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

and compatibility and harmony with properties in the district;

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

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

Finding: The proposal appears to be largely compliant with setbacks and other regulations, though a full zoning review would be completed at the time of development review.

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

Finding: As indicated earlier in the report, the applicant's proposed hours of operation and traffic generation are not likely to disrupt the surrounding community, and on its face, an e-bike business located close to the City's trail network is well-matched. However, when thinking about compatibility, planners and the Commission should also think about the proposed size, scale, form, design, and overall use. In this instance, the applicant is fully redeveloping a site and proposing a site plan and architectural form that are missing some of the key intentions of the City's design standards. Installing this structure at this location is likely going to conflict with the existing built environment, which is largely wooded, serene, and on a hillside. Having received no additional information from the applicant, City staff recommend denial.

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

Finding: The placement of small-scale businesses near residential uses is not inherently incompatible with any of the City's long-term plans; it can promote walkability, ensure convenience and access to services for residents, and contribute to stronger local economies and make areas more vibrant. Inserting a small-scale business operation at this location could be very appropriate and compatible with the City's goals, especially if existing conditions were more adequately reflected in the design.

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code
 - §161.07 District RSF-4, Residential Single-Family — Four (4) Units Per Acre
 - §164.21 Limited Business
- One Mile Map
- Close-Up Map
- Current Land Use Map

- Applicant Request Documents
- Public Comment

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

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

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

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

(C) *Density.*

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

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two-family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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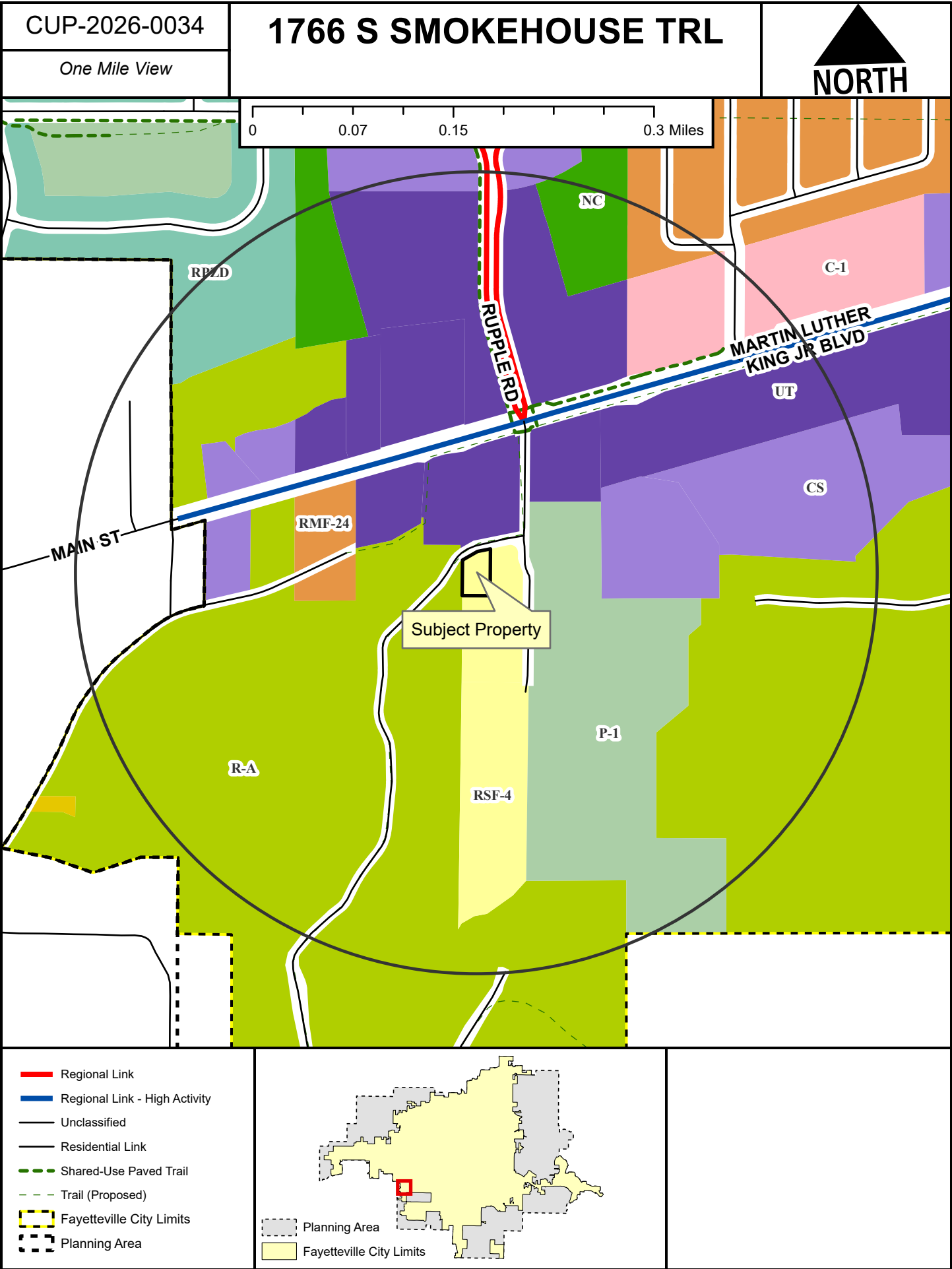
- (G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(Ord. No. 6945, §5(Exh. D), 12-16-25)

164.21 Limited Business

- (A) *Purpose.* These regulations are intended to mitigate the potential adverse impacts associated with commercial uses adjacent to or within residential areas by allowing limited neighborhood commercial uses that are compatible in size, scale, massing and residential appearance with adjoining and surrounding residential uses. The following standards shall apply:
- (1) Enhance and regulate the appearance of neighborhood commercial uses.
 - (2) Protect adjoining properties from the potential adverse impacts associated with commercial uses adjacent to residences such as traffic, noise, appearance, lighting, drainage, and effect on property values.
 - (3) Provide areas for off-street parking that will be appropriate in size, location and scale within residential areas.
 - (4) Provide commercial uses that are accessible for the convenience of individuals living in residential districts.
 - (5) Reduce the length and number of vehicle trips generated by residential development.
- (B) *Applicability.* These standards shall apply to all conditional use requests for Use Unit 12, Limited Business, in any zoning district.
- (C) *Similar Uses Allowed.* When a use is not specifically listed as a permitted use in Use Unit 12 (Limited Business), the use may be permitted if it is determined by the Zoning and Development Administrator that the use is similar to other uses listed. In determining "similarity," the Zoning and Development Administrator shall make all of the following findings:
- (1) The proposed use meets the purpose of this section and the goals and policies of the Comprehensive Land Use Plan.
 - (2) The proposed use shall not adversely impact the public health, safety and general welfare of the neighboring residents;
 - (3) The proposed use shall be similar to the uses listed above considering use intensity and characteristics.
- (D) *Conditions for Approval.* The uses listed may be allowed as a permitted use and shall meet the following conditions:
- (1) The proposed use shall not adversely affect local traffic conditions on the adjoining streets.
 - (2) New structures located within a residential zoning district shall incorporate design elements similar to and compatible with those found within the neighborhood, including materials, roof pitch, scale, etc.
 - (3) New parking areas or lots, utility equipment and trash enclosures shall be designed to have minimal visual impact to adjacent property owners and to the street. Screening of these elements shall be accomplished with plantings, walls, architectural elements, and/or fencing.
 - (4) Hours of operation shall be limited to Sunday through Thursday, 6:00 a.m. to 9:00 p.m., and Friday and Saturday, 6:00 a.m. to 11:00 p.m., unless otherwise further determined by the Planning Commission.
 - (5) All new or enlarged structures shall comply with the zoning requirements of the underlying district.
- (E) *Design Review.* The applicant shall submit the following information to the Planning Division for review, where applicable:
- (1) A site plan drawn to scale showing location of parking, building footprint, and all other improvements.
 - (2) Color elevation drawings of all sides of the structure, indicating the type of materials to be used on the exterior of the building, and proposed sign.
 - (3) Landscape plan showing the location of all proposed landscaping, size and species of plant material.

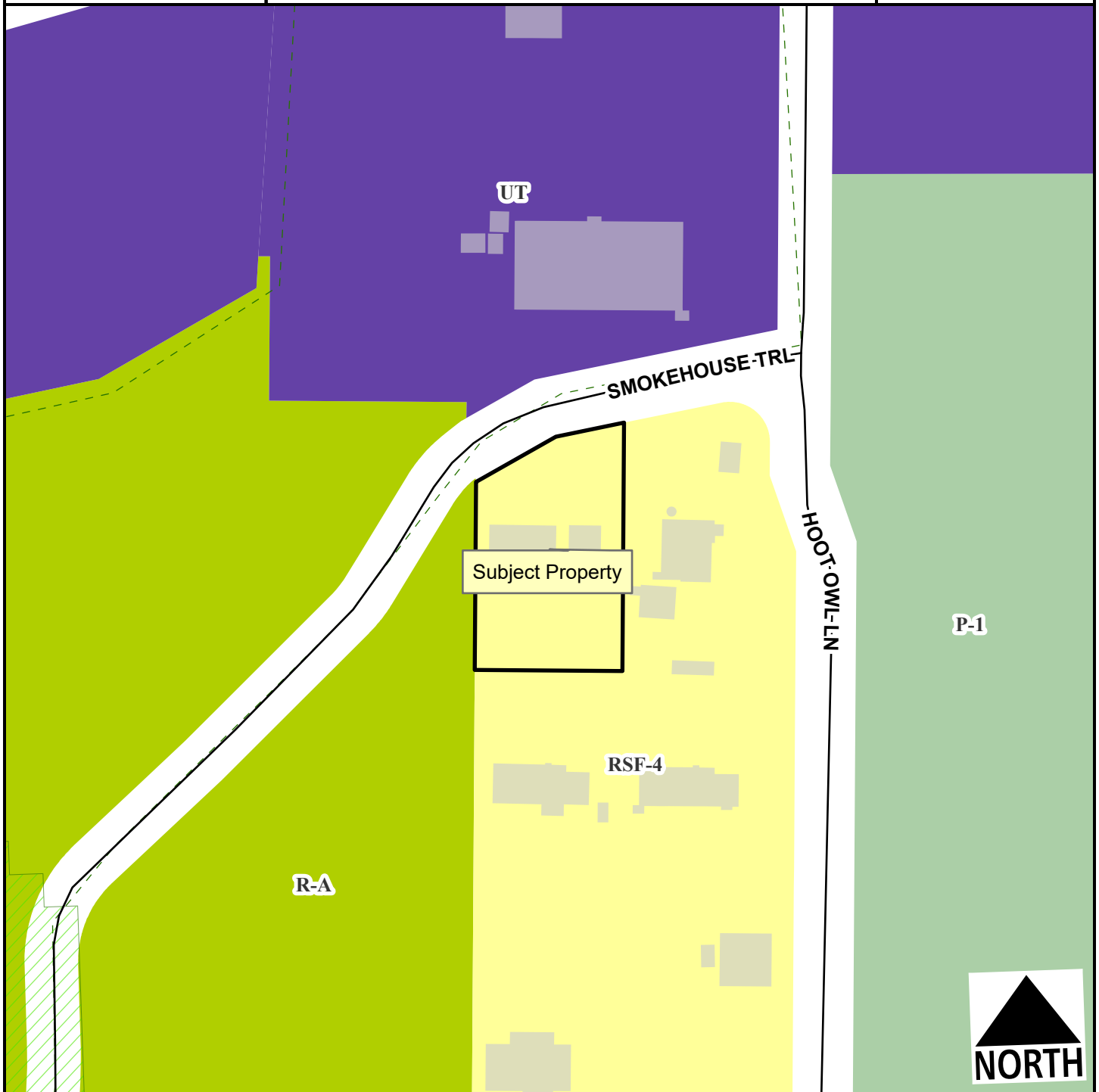
(4) Abbreviated tree preservation plan.
(Ord. No. 5312, 4-20-10; Ord. No. 5375, 12-21-10)



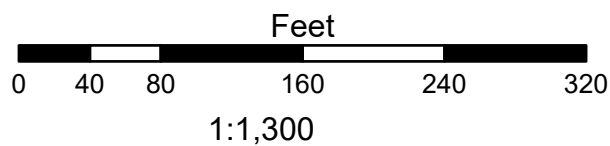
CUP-2026-0034

1766 S SMOKEHOUSE TRL

Close Up View



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



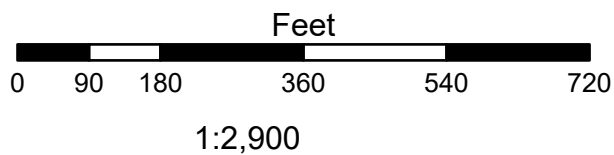
CUP-2026-0034

1766 S SMOKEHOUSE TRL

Current Land Use



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



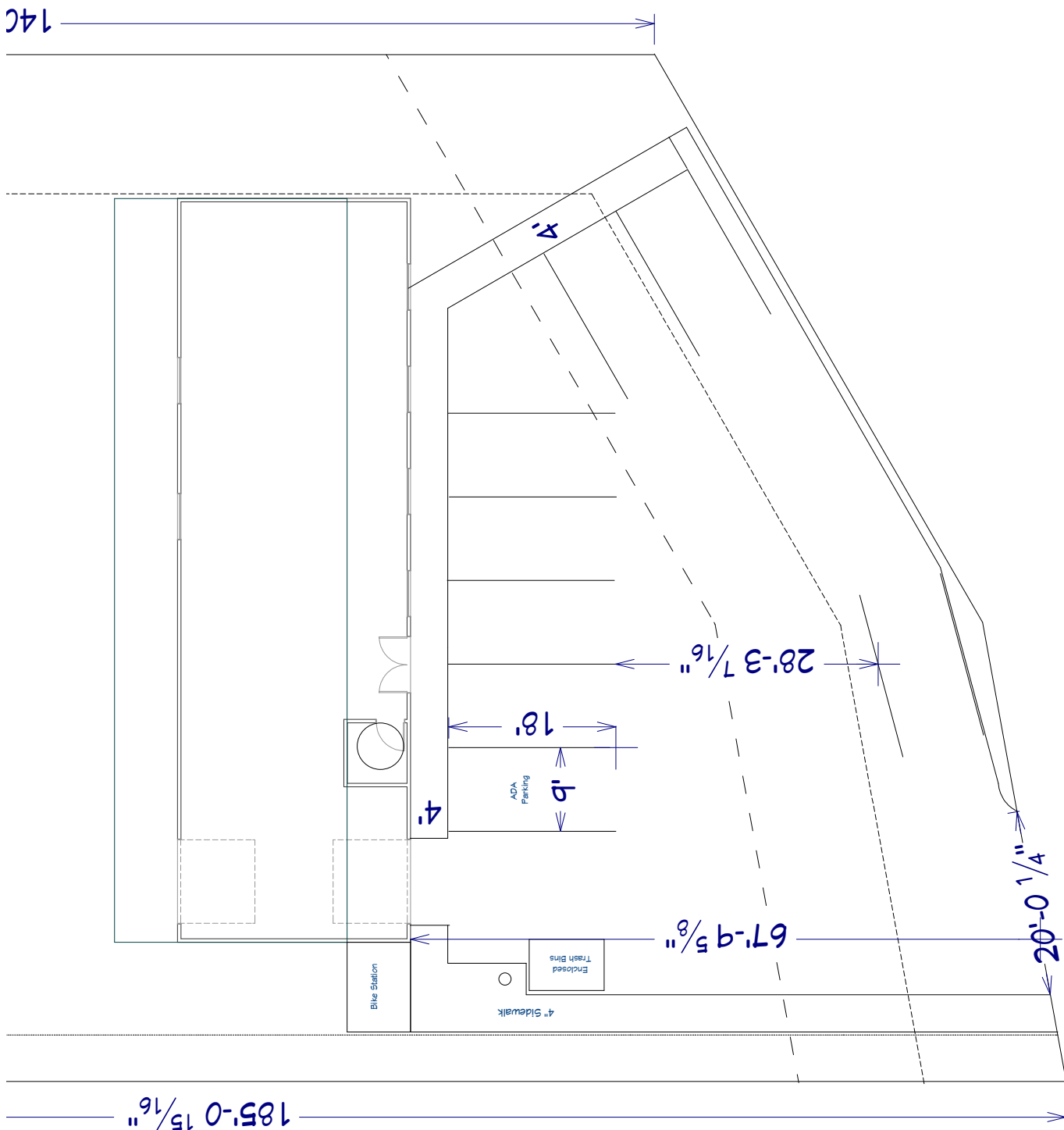
FEMA Flood Hazard Data

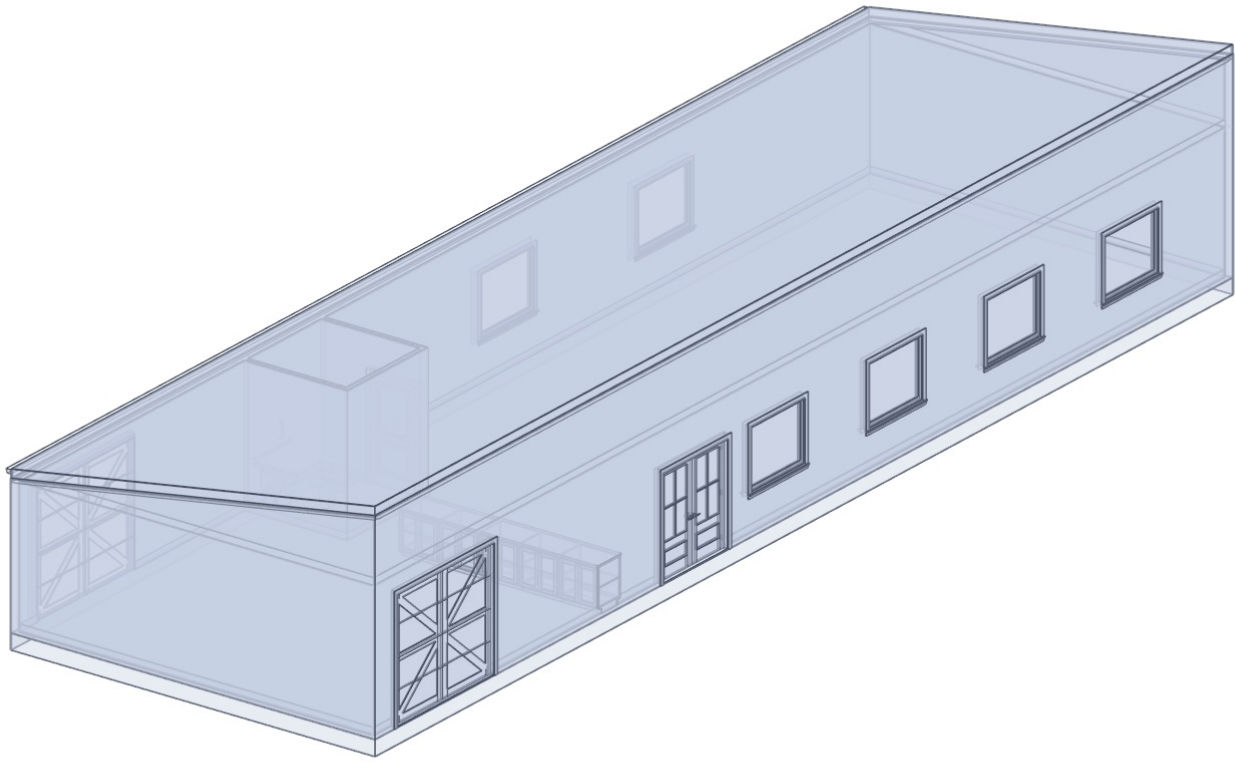
- 100-Year Floodplain
- Floodway

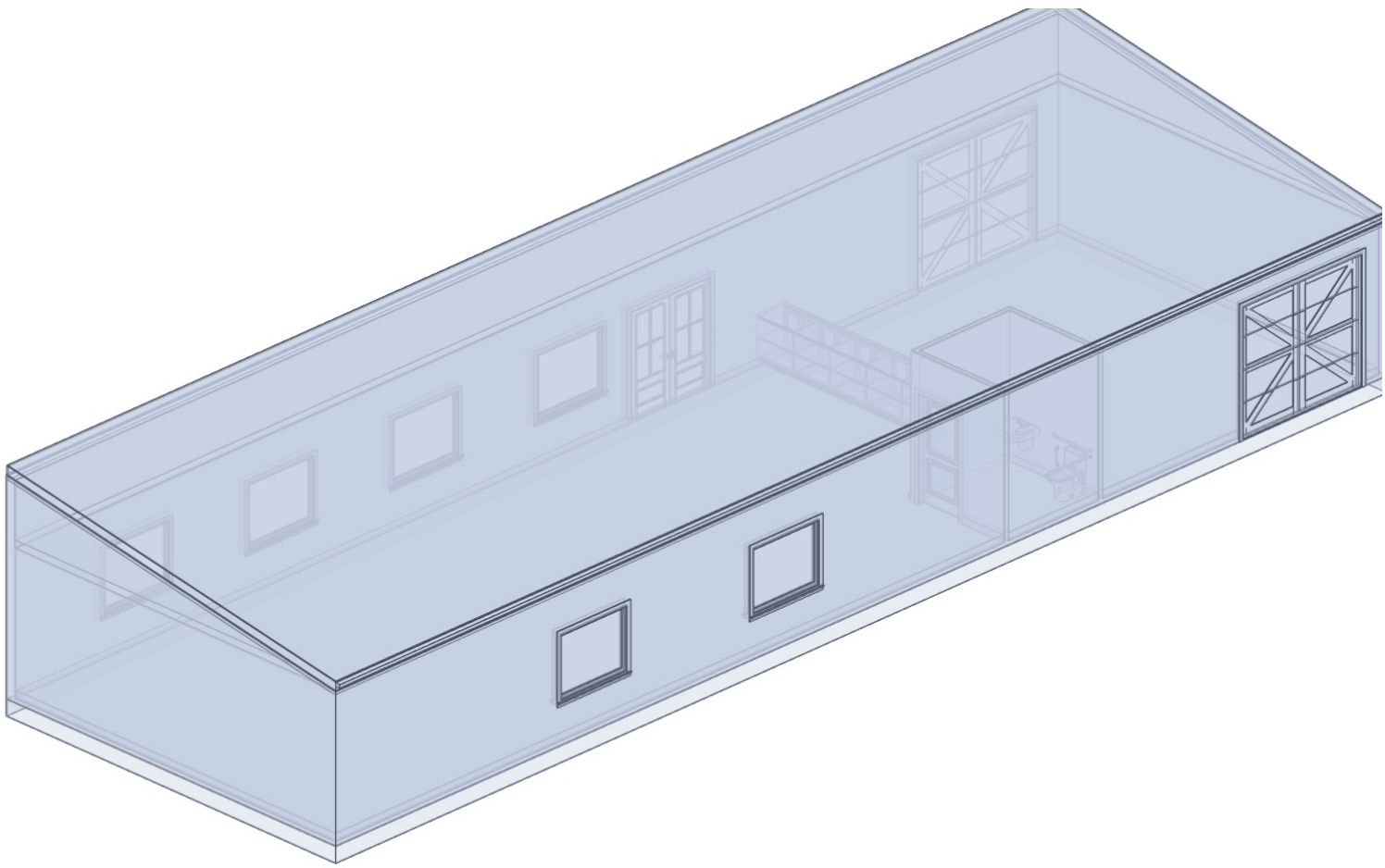
1. Request Letter

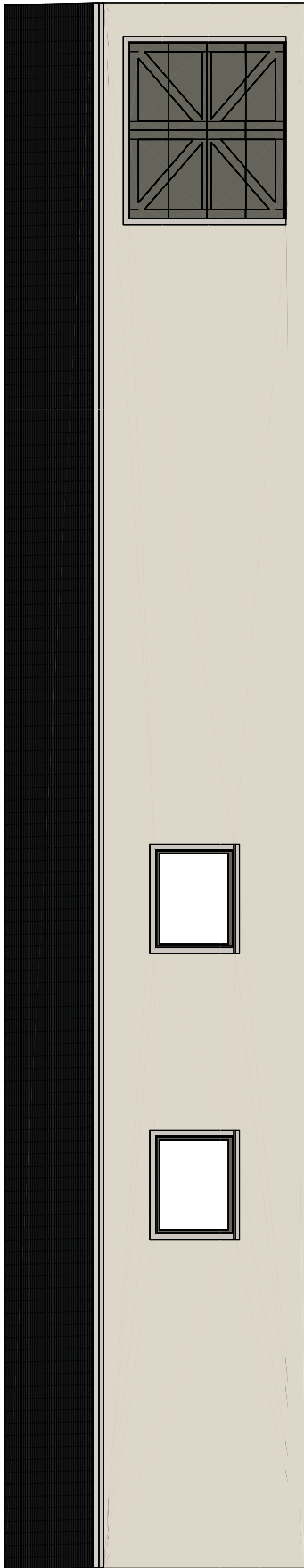
Complete written description of this request (what is proposed by the applicant) to include:

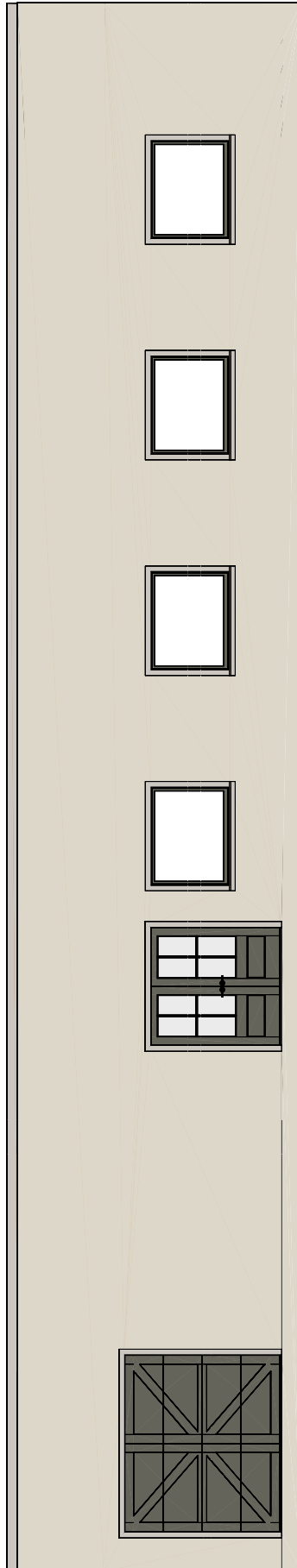
- (a) Building size in square feet; existing and proposed – 1350sqft Proposed 2000sqft
- (b) Color elevations of all exterior sides of the structure (attached)
- (c) Number of off-street parking spaces to be provided / number required – 8 parking spaces
- (d) When request applies to a business or non-residential use:
 - Hours of operation – 11am-6pm daily (closed Thursday)
 - Number of employees – Three Employees
 - Anticipated number of patrons, clients, children, customers, etc. (average per day / peak hour) Average of 5-10 customers per day with occasional higher traffic on weekends during peak season.
- (e) Outdoor lighting – minimal downward facing exterior lighting
- (f) Noise – Minimal noise is anticipated, operations primarily consist of bike sales and repair with non-powered tools.
- (g) Screening or buffering from adjacent properties – there is fencing on the property to the side and back of the proposed location. As well as significant tree and shrub cover on both sides of the property. (See aerial pictures under files)
- (h) Trash and refuse service (with particular reference to visibility from the street and adjacent properties) - Trash will be provided by a commercial waste collection company. Containers will be located behind the building and screened from Adjacent properties.
- (i) Ingress and egress to the property; traffic impacts- Traffic impacts are expected to be minimal due to the low-volume nature of the business, with customer visits spread throughout the day, and no significant increase in traffic is anticipated.
- (j) A response discussing the general compatibility of the proposed use with adjacent properties and other property in the neighborhood – the bicycle shop is compatible with the surrounding properties due to its low volume traffic, limited noise, daytime operating hours, and small number of employees. The business provides services that are less intensive than most commercial uses and is expected to have minimal impact on neighboring properties. The existing screening, landscaping, and fencing further reduce any potential impact on surrounding area.

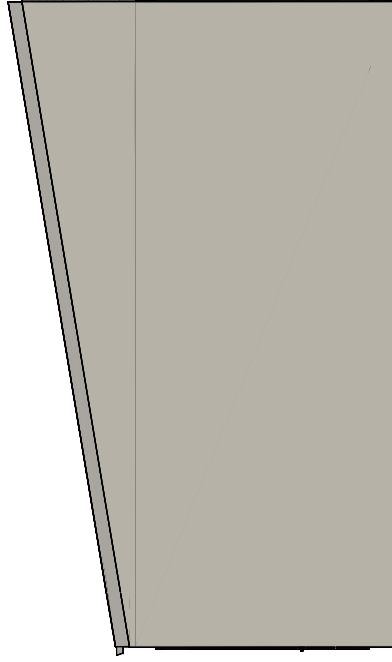


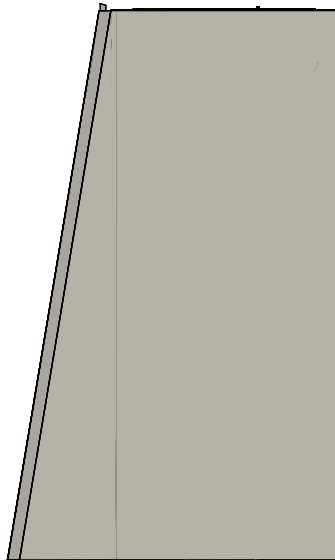


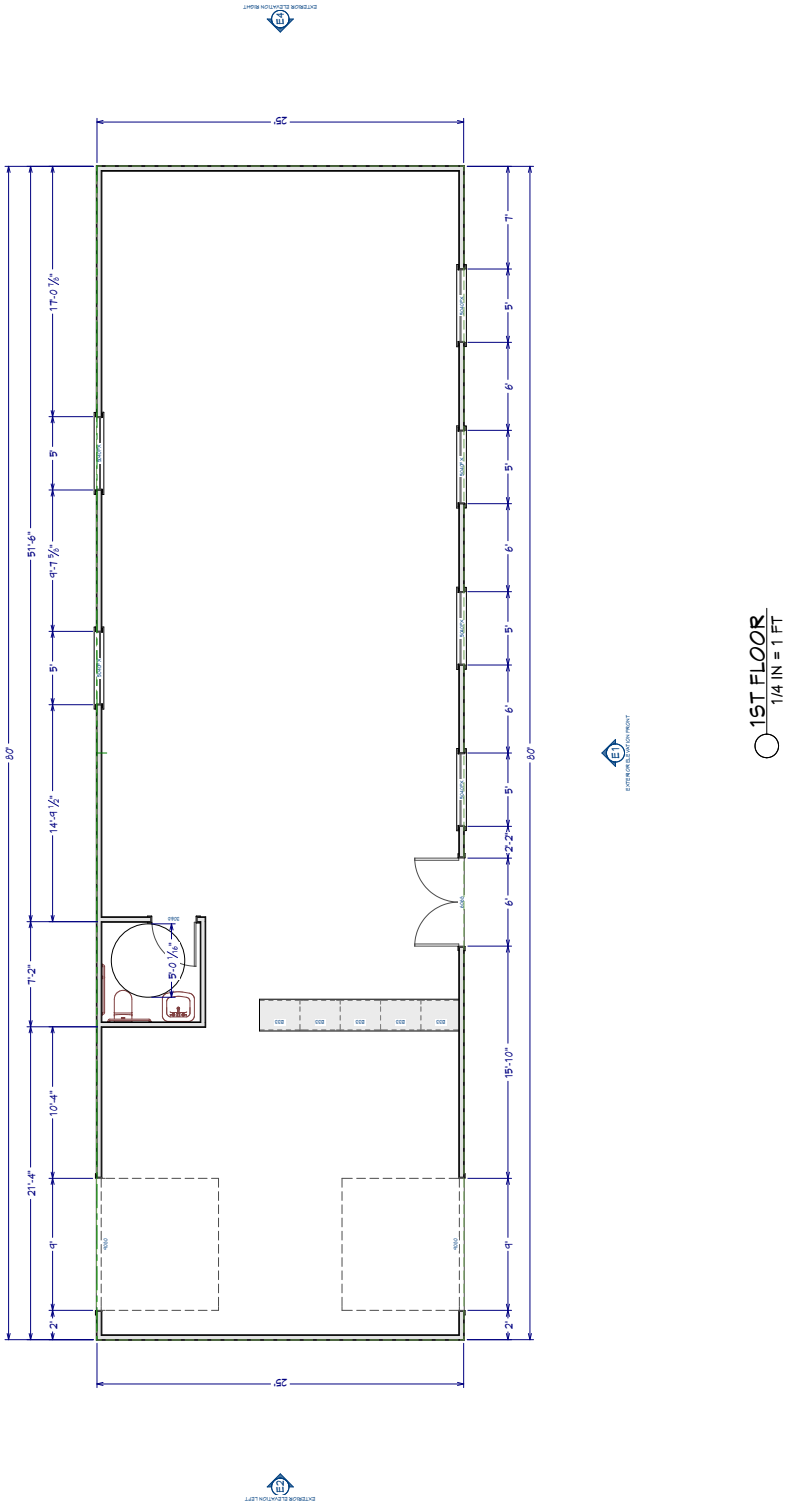












From: yarrid@gmail.com <yarrid@gmail.com>
Sent: Tuesday, July 21, 2026 2:46 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: CUP-2026-0034

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

Dear Planning Commission,

I deeply oppose this request for a Conditional Use Permit (CUP-2026-0034) at 1766 S Smokehouse Trail by Fayetteville E-Bike Company. It is clearly a residential property and should not be used for a clearly and fully commercial purpose. In addition there is already a bike shop, Smokehouse Cycles, directly adjacent to this property that sells and rents Class 1 E-bikes.

This applicant sells electric motor cycles that are not legal for use any of our sidewalks, paved, or soft surface trails. In fact many of these products are not even street legal. Allowing this CPU adjacent to the Mt Kessler soft surface trail system would be disastrous for both public safety and trail maintenance. It is clearly not in the public interest to allow this conditional use.

Thank you,

Clayton Yarri Davis

502 N Washington Ave

Fayetteville AR, 72701

713-614-9107

From: Justin Hoover <j87hoover76@gmail.com>
Sent: Monday, July 27, 2026 3:00 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: E-bike pro in my neighbor hood Smokehouse tr / Mt Kessler / Hoot Owl Ln

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

Public Comment
CUP-2026-0034

Hell this is Justin Hoover. I have lived at 1859 S Hoot Owl Ln since 2011. It's a nice tight community. I do not want businesses opening where families have lived.

From: Kimberly May Knight <kimberlyellwood@gmail.com>

Sent: Sunday, July 26, 2026 1:28 PM

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

Subject: Conditional Use CUP-2026-0034 hearing

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

Hello there,

I'm over at 1809 Hoot Owl Lane, Fayetteville. Right behind the location trying to switch from residential to a business location.

We have two little children and many of our neighbors have littles as well and having a business come into a residential location could cause more traffic, which could cause a higher risk of injury. We keep an eye on our children, but adding more traffic always adds risk.

We already have a gas station coming in right at the end of our road, which will add to traffic.

We also already have a bike shop, Smokehouse Cycles in the Smokehouse.

Why do we need another bike shop?

We are a residential neighborhood in the heart of Mount Kessler full of trails and we really want to preserve that neighborly, woodsy feel.

Please don't let a business come into a residential location! Let's work together to keep this neighborhood as safe as possible.

Thank you!

Public Comment
CUP-2026-0034

Kimberly May Knight

Owner @ Tidying by Kimberly May

Find us on Facebook, Instagram, TikTok, LinkedIn, and Google!

Owner @ Alterations Specialist

Find us on Facebook!

Owner @ Consulting with Kimberly May

Find us on Facebook!

479-966-6885

From: Joanna Beth Person-Michener <resiliencejo73@gmail.com>

Sent: Monday, July 27, 2026 9:59 AM

To: CityClerk <cityclerk@fayetteville-ar.gov>; Moore, Sarah <sarah.moore@fayetteville-ar.gov>; Jones, D'Andre <dandre.jones@fayetteville-ar.gov>; Stafford, Bob <bob.stafford@fayetteville-ar.gov>; Mayors Office <MayorsOffice@fayetteville-ar.gov>; Bunch, Sarah <sarah.bunch@fayetteville-ar.gov>; Jones, Monique <monique.jones@fayetteville-ar.gov>; Berna, Scott <scott.berna@fayetteville-ar.gov>; Wiederkehr, Mike <mike.wiederkehr@fayetteville-ar.gov>; Turk, Teresa <teresa.turk@fayetteville-ar.gov>

Subject: Variance for e-bike business in Kessler Mountain neighborhood

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

Dear Council Members, Mayor Rawn and officials,

I am writing as a resident of the neighborhood regarding the request to allow an e-bike business [CUP-2026-0034 1766 S Smokehouse Trail] to operate from a home within our Residential-Agricultural zoned neighborhood.

I want to be clear that my concern is not with the applicant or with e-bikes. Businesses are an important part of our local economy, and I support opportunities for entrepreneurship. My concern is that a customer-oriented commercial business is not compatible with the purpose and character of this residential neighborhood.

Public Comment
CUP-2026-0034

Our neighborhood is a quiet, forested area where children play outdoors, neighbors walk and bicycle, wildlife is common, and residents enjoy a peaceful setting removed from the commercial activity along the highway. We also serve as the gateway to nearby hiking and biking trails, with trail parking and commercial services already located along the highway where they are intended to be.

Residential-Agricultural zoning exists for a reason. It provides residents with confidence that the character of the neighborhood will be preserved over time. Granting a variance for a commercial business may seem limited in isolation, but it also creates a precedent for future requests that could gradually erode the residential nature of the neighborhood.

I respectfully ask you to consider not only the impacts of this individual request but also the long-term planning principles involved. Protecting the integrity of established zoning helps ensure that businesses locate where the necessary infrastructure exists while preserving the neighborhoods that residents have chosen to call home.

Thank you for your service to our community and for your careful consideration of this matter.

Sincerely,

--

Joanna Person-Michener

UUFF Green Sanctuary Chair

Interfaith Climate Alliance Co-Chair

Citizens Climate Lobby State Coordinator

Climate-aware Therapist, Climate Psychological Alliance of North America

479.225.6803 (m)

-You don't need to do everything. Do what calls your heart; effective action comes from love. It is unstoppable and it is enough. -Joanna Macy

From: Matthew Gerner <mgerner2007@gmail.com>

Sent: Thursday, July 23, 2026 8:21 PM

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

Subject: Feedback on conditional use permit CUP-2026-0034

Public Comment
CUP-2026-0034

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

My name is Matt Gerner and I live at 1939 Hoot Owl Ln, Fayetteville, AR 72701. I am writing regarding the conditional use permit:

CUP-2026-0034 (1766 S SMOKEHOUSE TRL)

This location is currently zoned RSF-4 and should remain so. I am opposed to allowing a bike shop at this location. We have a strong neighborhood community, with monthly neighborhood dinners. Allowing a business at this location will reduce the number of homes and families in our neighborhood and detract from the community we are building together.

Thank you,

Matt Gerner

From: Rachel Gerner <rachel.lynn.gerner@gmail.com>

Sent: Thursday, July 23, 2026 8:26 PM

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

Subject: CUP-2026-0034: Conditional Use Permit (1766 S SMOKEHOUSE TRL)

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

Dear Members of the Fayetteville Planning Commission,

I live on 1939 Hoot Owl Ln, Fayetteville, AR 72701.

I am writing to express my opposition to the proposed rezoning and development of an electric bicycle sales and service center at 1766 S. Smokehouse Trail.

My concern is not with electric bicycles or with supporting locally owned businesses. Rather, I believe this is the wrong location for a commercial business.

The Smokehouse Trail area is a unique part of Fayetteville where homes, protected natural spaces, and community resources exist together. The Ozark Mountain Smokehouse already provides a location for commercial activity, including an existing bicycle business. Expanding commercial uses into neighboring residential properties would change the character of the neighborhood and set a precedent for converting homes into businesses.

Public Comment
CUP-2026-0034

Residents chose this area because it is a peaceful residential community surrounded by natural beauty, including the Kessler Mountain trail system, the Ozark Natural Science Center, and protected forestland. Introducing a retail sales and repair operation into a residence is not compatible with the neighborhood's residential character.

I respectfully ask the Planning Commission to preserve the integrity of this neighborhood by denying this request. Please continue to protect the balance between residential living, conservation, and the limited commercial uses that already exist within the Ozark Mountain Smokehouse.

Thank you for your time and your thoughtful consideration of this matter.

Sincerely,

Rachel Gerner



PO BOX 8981 FAYETTEVILLE, AR 72703

oorc.club@gmail.com

Dear planning commission members,

This letter is in opposition to the requested Conditional Use Permit, CUP-2026-0034, at 1766 S Smokehouse Trail.

The individuals below are trail runners, hikers, mountain bikers, and volunteer trail stewards that utilize the trails of Kessler Mountain directly adjacent to this property on a daily basis, and we have serious concerns regarding the proposed business operations and how it may impact user enjoyment of these trails, trail sustainability, and pedestrian safety in this area.

This location has been an entryway to Kessler Mountain for many years, as well as a gathering place for local organizations at the Kessler Mountain Smokehouse. It is not uncommon to see groups of all ages meeting at the Smokehouse to go for a hike or mountain bike ride, which requires crossing the street to reach the trailhead.

The proposed business would be located directly behind the Smokehouse, creating additional traffic flow in both vehicles and high-powered electric bikes (many of which are banned on soft surface trails under city code section 97.054). This residence is already adjacent to a gas station being constructed at this busy intersection, which will bring additional traffic flow and safety risks for trail users and patrons of Smokehouse.

Additionally, we feel allowing this location to be transitioned from residential to commercial zoning creates an unsustainable precedent for development of commercial operations around soft surface trails, when these trails are a refuge for so many that derive peace from natural, uncommodified spaces. If the proposed business chooses to vacate the space at any time in the future, the door has been opened for another business to open its doors which may be even less compatible or desirable for this space.

We implore you to deny CUP-2026-0034, as an act of preservation of one of Fayetteville's most special places and to protect the interests of generations to come.

Signed,

Rob Reno
Crystal Cox
Hannah Catt
Kevin Cox
Will Landreth

Justin Weiss
Jonathan Shaver

Wonsower, Donna

From: Wonsower, Donna
Sent: Monday, August 24, 2026 5:03 PM
To: Masters, Jessica
Subject: FW: CUP-2026-0034 public comment for PC 8/24/2026 RE: Smokehouse Trail Provisional Use / Rezoning

Commissioners,

See below for public comment on CUP-2026-0034 for tonight's PC agenda.

Donna Wonsower

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



From: Kathryn Remell <kathryn.remell@gmail.com>
Sent: Monday, August 24, 2026 4:14 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Smokehouse Trail Provisional Use / Rezoning

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

Good Afternoon,

While progress is important and small businesses are worth supporting, I strongly feel that a commercial business located within the residential portion of the neighborhood on Smokehouse is not a good idea, even if it is only provisional use.

The roads in that area are not wide enough to support the kind of traffic necessary for a successful small business. It is off the main roads, away from areas ebikes are used, in a small residential area, and the nearby trails prohibit ebikes.

From a broad perspective, rezoning from residential when housing is in need does not make sense either.

Regards,
Kathryn Remell
1849 S Hoot Owl Ln
Fayetteville, AR 72701
479-595-9306



TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director

MEETING DATE: September 14, 2026

SUBJECT: **ADM-2026-0029: Administrative Item (251 W 19TH ST/SERVE NORTHWEST ARKANSAS INC, 601):** Submitted by NEW BEGINNINGS NWA for property located at 251 W 19TH ST. The property is zoned UC, URBAN CORRIDOR and contains approximately 4.79 acres. The request is to extend a previously approved conditional use permit.

RECOMMENDATION:

Staff recommends approval of **ADM-2026-0029**.

RECOMMENDED MOTION:

*"I move to approve **ADM-2026-0029** with conditions as recommended by staff."*

BACKGROUND:

The subject property contains approximately 4.80 acres at the southeast corner of School Avenue and 19th Street. The property is zoned UC, Urban Corridor following a city-initiated rezoning for the 71-B Corridor in 2024. A timeline of development proposals and approvals on the property includes:

- **November 13, 2017:** Planning Commission approves a 5-year conditional use permit for a homeless shelter and campground (CUP 17-5938)
- **October 9, 2018:** Staff administratively grants a one-year extension for CUP 17-5938.
- **February 28, 2019:** Subdivision Committee approves a large scale development (LSD 19-6537)
- **November 25, 2019:** Planning Commission approves a second, and final, one-year extension for CUP 17-5938. Approval includes amendment for project changes and a conditional use permit expiration determined from the time of certificate of occupancy issuance.
- **December 27, 2019:** Conditional grading permit approval granted.
- **February 28, 2020:** Staff administratively grants a one-year extension for LSD 19-6537.
- **October 22, 2020:** Building permit issued.
- **June 30, 2021:** Certificate of occupancy inspections requested.
- **July 26, 2021:** Planning commission approves an amendment to the conditional use permit and large scale development.
- **September 10, 2021:** Certificate of occupancy issued (COMM-2020-000009).
- **March 24, 2024:** Expansion of the program for four additional overnight units and one restroom facility approved by the Planning Commission.
- **September 10, 2026:** Approval of conditional use permit formally expires.

Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	7hills Homeless Center; Industrial	UC, Urban Corridor
South	Commercial	UC, Urban Corridor
East	Undeveloped	RMF-24, Residential Multi-family, 24 Unit per Acre
West	Residential and Undeveloped/ U of A	UC, Urban Corridor

Request: The applicant requests a ten-year extension to the existing use of a campground at 251 W 19th Street.

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

DISCUSSION:

Staff is supportive of the applicant's request to extend their conditional use permit. Staff have not received any formal complaints about the use; no zoning violations are under investigation, nor have the City of Fayetteville police department been in contact with the Planning Division to submit any concerns or issues. Staff finds that the property owner continues to act in good faith on the property, follows the City's ordinances and processes where necessary, and maintains compatibility with the surrounding land uses. Staff also recognizes that the zoning district at this location (and all along 71-B) was modified in 2024; staff finds that this use requires a conditional use permit city-wide, and believes that it is within the public's best interest to maintain this use at this location. Should any further expansions or modifications be needed by the applicant, the Planning Commission shall review and approve as necessary.

RECOMMENDATION: Staff recommends approval of **ADM-2026-0029** with the following conditions:

Conditions of Approval:

1. All conditions of approval of CUP 17-5938 and its subsequent amendments, and LSD 19-6537 not affected by this modification shall remain in effect;
2. The proposed use shall expire 10 years from this approval date, and any extensions shall be approved by the Planning Commission;
3. Any further expansions or major modifications to the proposed use within that time frame shall be reviewed and approved by the Planning Commission;
4. Approval of this conditional use permit extension does not constitute approval of associated permits or development entitlements not fully reviewed at this time.

PLANNING COMMISSION ACTION: Required YES

Date: September 14, 2026 ☐ Tabled ☐ Approved ☐ Denied

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

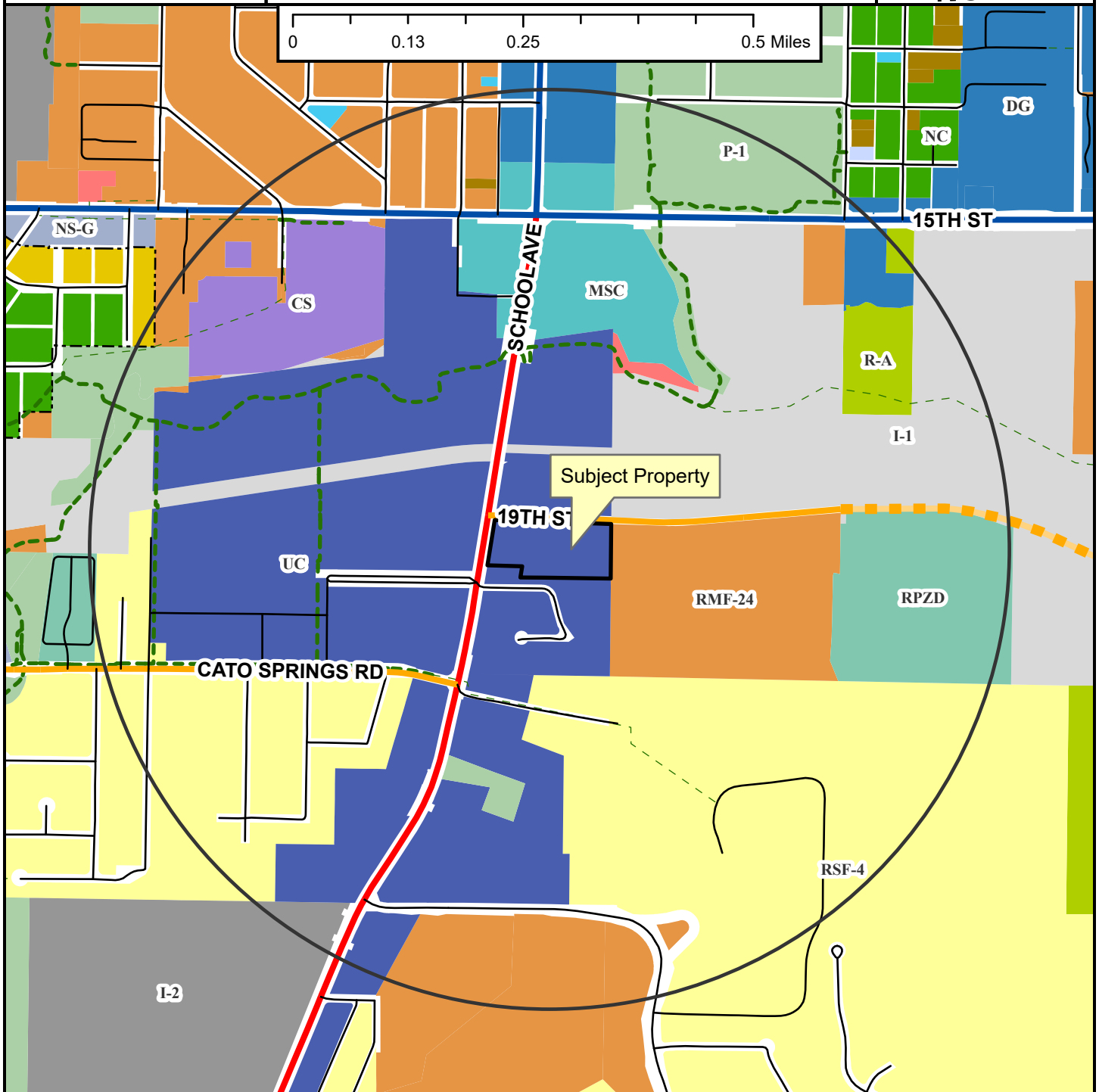
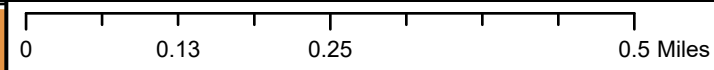
ATTACHMENTS:

- One Mile Map
- Close-Up Map
- Current Land Use Map
- Conditions of Approval:
 - CUP 17-5938
 - LSD 19-6537
 - ADM 19-6923
 - ADM 2021-000053
 - ADM-2024-0010
- Request Letter

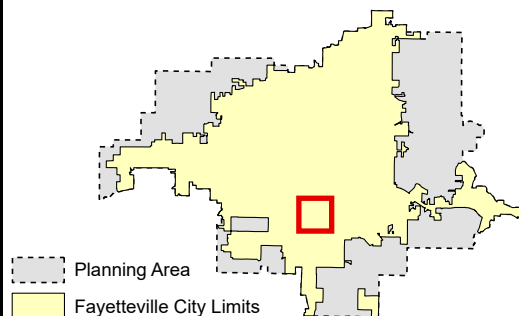
ADM-2026-0029

251 W 19TH ST

One Mile View



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

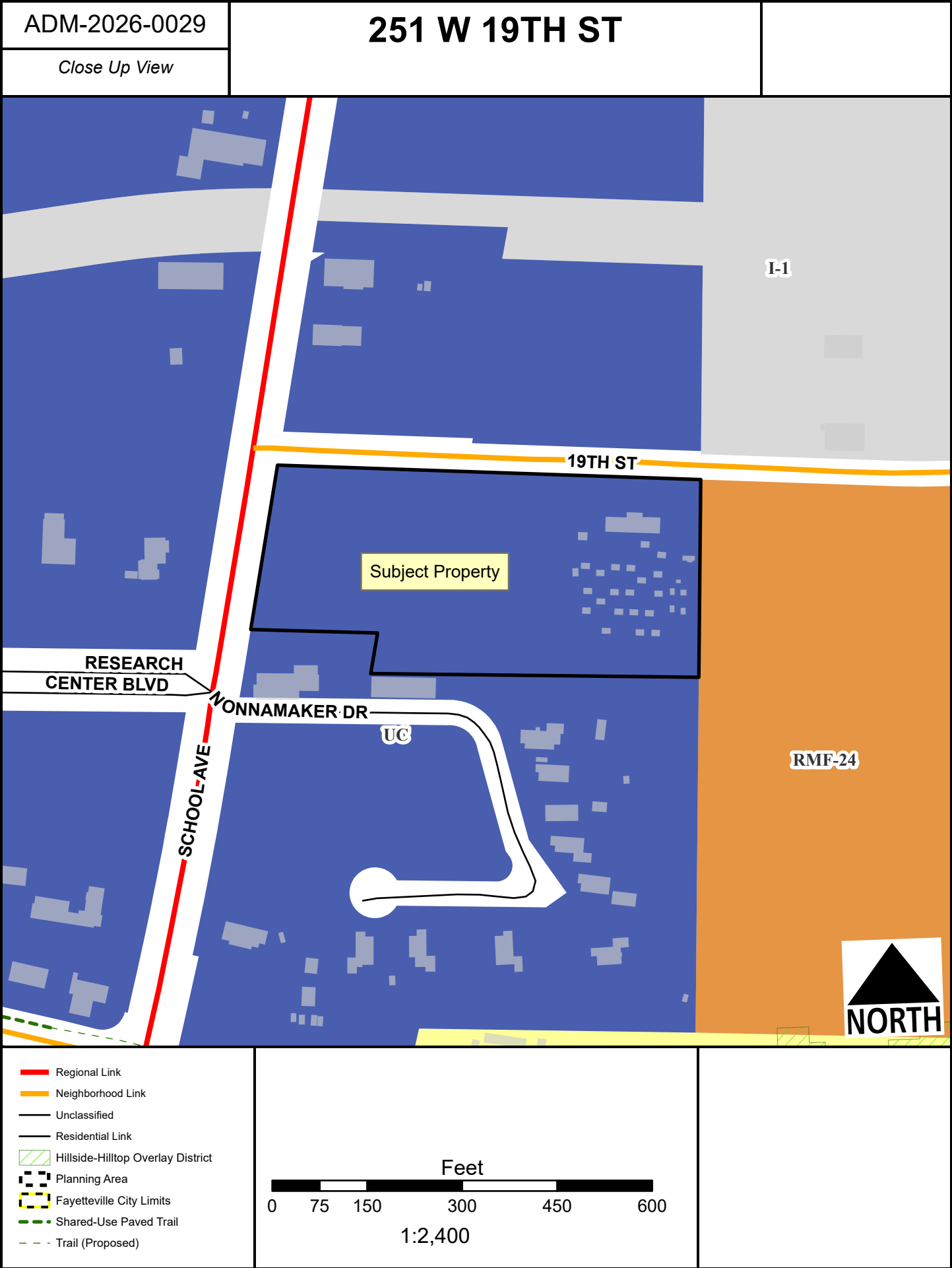


Planning Commission

September 14, 2026

ADM-2026-0029 (SERVE NORTHWEST ARKANSAS INC)

Page 4 of 13





Conditions of Approval

1. **Planning Commission determination of compatibility with adjacent properties,** *Staff recommends approval of the proposed campground facility, finding that the use is compatible with surrounding properties in this largely industrial area of Fayetteville.*
2. **Planning Commission determination of sidewalk improvement pursuant to UDC Section 171.13 (B).** This section of code requires sidewalk to be installed along abutting public street frontages with a conditional use permit. It is anticipated that many of the residents will be accessing the property on foot and 19th Street does not have a sidewalk. However, because this street is a low volume, dead-end street and this campground is installing a minimal amount of infrastructure, staff does not recommend new sidewalk. It is safe for residents to walk in 19th Street.
3. The Conditional Use Permit approval shall be valid for five (5) years from the date of approval, to expire on November 13, 2022.
4. The project may only be expanded by amendment to this Condition Use Permit approval; this approval does not include any future phases.
5. The project shall be submitted for standard Large Scale Development review, according to the requirements of UDC Chapter 166.
6. This conditional use permit is limited to a campground containing no more than 20 wood shelters of 200 square feet or less, a common building/office of 3,000 square feet or less, and occupancy of no more than 30 individuals at one time.
7. The property owner shall be responsible for ensuring that the maximum approved occupancy allowed by this Conditional Use Permit is not exceeded for the entire acreage.
8. The campground shall be operated consistent with the materials submitted by the applicant (attached to this packet), including compliance with "Appendix C: Governance Handbook" which provides rules for residents.
9. Basic sanitation shall be maintained at all times, including adequate potable water, facilities such as sinks and tubs for washing dishes and clothes, trash, bathing, and toilet facilities. Failure to maintain a safe and clean campground shall constitute grounds for revocation of the Conditional Use Permit.
10. A maximum of 6 fire rings shall be allowed subject to Fire Marshal review and approval.
11. Site lighting shall be provided as proposed by the applicant, at public spaces and outside each unit. All lighting must meet the requirements of UDC 176, Outdoor Lighting.
12. Solid Waste and Recycling Department and the City Planning Division shall have final approval regarding trash service type and placement.

13. City staff shall reserve to right to enter the property to conduct noise measurements or ensure compliance with conditions of approval.
14. Driveway access shall be limited to West 19th Street and shall be further reviewed at the time of development to ensure compliance with the City's Access Management Code (UDC 166.08).
15. An informational sign shall be conspicuously posted listing the campground rules and regulations.
16. All lighting shall comply with the City's exterior lighting code (UDC Chapter 176).
17. Music that could be audible at the site's property boundaries shall not be permitted.
18. Vehicle camping is not proposed or permitted with this conditional use permit. Such a proposal would require additional review and approval by the planning commission.
19. The applicant shall provide emergency contact information for the campground to the City. This contact information shall be maintained current at all times.

Added by the Planning Commission with November 13, 2017 Approval

20. The Planning Commission encourages the applicant to work with the Northwest Arkansas Continuum of Care on a regional solution to homelessness.

Conditions of Approval

1. **Subdivision Committee recommendation of street improvements.** *Staff recommends no street improvements as dictated by the associated CUP.*
2. No vehicle parking is to be permitted in front of the building and in the fire lane.
3. Bicycle racks must be given adequate clearance of 8-feet by 9-feet for two bike racks.
4. Conditions of approval from Engineering, Fire, and Urban Forestry (attached) are included in the official conditions of approval.
5. All conditions from the associated Conditional Use Permit (CUP 17-5938) must be met.
6. All building and construction permits for this project must be obtained by the CUP expiration date of November 13, 2019.

Standard conditions of approval:

7. 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).
8. 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.
9. Any proposed signs shall be permitted by a separate sign permit application prior to installation.
10. Add the following standard notes to the site plan and all construction documents:
 - a. All mechanical and utility equipment located on the wall and/or on the ground shall be screened. All roof-mounted utilities and mechanical equipment shall be screened by incorporating screening into the structure utilizing materials compatible with the supporting buildings.
 - b. If visible from the street, trash enclosures shall be screened on three sides with materials complimentary to and compatible with the principal structure. An elevation depicting the materials and colors of the screen will be required to be approved by Planning Division prior to building permit.
11. Large scale development shall be valid for one calendar year.
12. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits
 - b. An on-site inspection by the Urban Forester of all tree protection measures prior to any land disturbance.
 - c. Separate easement plat for this project that shall include the tree preservation area, right-of-way dedication, and all utility easements.

- d. If applicable, a business license shall be obtained.
- e. Project Disk with all final revisions.
- f. One copy of final construction drawings showing landscape plans including tree preservation measures submitted to the Landscape Administrator.
- g. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.

ADM 19-6923

Conditions of Approval

1. A one-year extension for CUP 17-5938 will expire on November 13, 2020
2. The Conditional Use Permit approval shall be valid for five (5) years from the date of certificate of occupancy.
3. All other conditions of approval of the associated large scale development (LSD 19-6537) and conditional use permit (CUP 17-5938) will remain in effect.

ADM-2021-000053

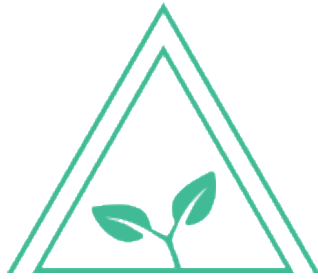
Conditions of Approval

1. All conditions of approval of CUP 17-5938 and its subsequent amendment, and LSD 19-6537 not affected by this modification shall remain in effect; and
2. Approval of this amendment does not represent resolution of outstanding matters associated with certificate of occupancy issuance.

ADM-2024-0010

Conditions of Approval

1. Planning Commission determination of compatibility. Staff finds the proposed expansion to the existing conditional use permit for a camping facility to be compatible with the surrounding area and uses for the reasons described in this report;
2. The conditional use permit is limited to the use for a camping facility as described in the applicant's request letter. The conditional use permit is non-transferable to a different business or property owner. The following specifications apply:
 - a. Number of shelters: 4 shelters and one restroom facility.
 - b. Size: Total area of new structures not to exceed 355 square feet.
3. All conditions of approval of CUP 17-5938 and its subsequent amendment, and LSD 19-6537 not affected by this modification shall remain in effect; and
4. Approval of this conditional use permit extension does not constitute approval of associated permits or development entitlements not fully reviewed at this time.



New Beginnings

BRIDGE HOUSING COMMUNITY

July 18, 2026

City of Fayetteville Planning Division

Attn: Planning Commission
113 West Mountain Street
Fayetteville, AR 72701

Re: Request for Extension of Conditional Use Permit – New Beginnings NWA
Property Address: 251 W. 19th Street, Fayetteville, AR

Dear Members of the Planning Commission,

On behalf of New Beginnings, I respectfully request a 10 year extension of the Conditional Use Permit governing the operation of the New Beginnings Homeless Community located at 251 W. 19th Street.

This request is solely for an extension of the existing Conditional Use Permit. No changes are proposed to the approved use, site layout, operational model, intensity of use, or previously approved improvements. The New Beginnings community will continue to operate in accordance with the conditions established by the Planning Commission and all subsequent amendments and approvals.

Since receiving approval, the New Beginnings campus has become an important component of Fayetteville's response to homelessness by providing shelter, supportive services, and pathways to permanent housing for residents experiencing homelessness. The community continues to fulfill the purpose for which the Conditional Use Permit was originally granted by offering a safe, professionally managed, low-barrier shelter environment while working collaboratively with regional service providers, healthcare organizations, and housing partners to help individuals transition into stable housing.

The use remains compatible with surrounding properties and continues to operate under the established conditions of approval. The site has been developed in accordance with the approved plans, including the previously approved amendments related to the sleeping units, and continues to comply with applicable City regulations. New Beginnings remains committed to maintaining the property, operating responsibly, and serving as a positive community partner.

Extending the Conditional Use Permit will allow this essential community resource to continue providing shelter and housing-focused services without interruption while maintaining the operational standards previously approved by the Planning Commission. The need for emergency shelter and coordinated housing services continues to exist within Fayetteville, and New Beginnings remains committed to operating a safe, orderly, and professionally managed facility that advances the City's goals related to housing stability and community well-being.

We respectfully request approval of this extension and appreciate the Planning Commission's continued partnership in addressing homelessness within our community.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Solomon Burchfield", with a stylized, sweeping flourish at the end.

Solomon Burchfield
Executive Director
New Beginnings
solomon@newbeginningsnwa.org



TO: Fayetteville Planning Commission

FROM: Justin Bland, City Engineer

MEETING DATE: September 14, 2026

SUBJECT: **VAR-2026-0034: Planning Commission Variance (West OF S GOODSSELL LN/TOWNE WEST RESIDENCES PROPERTY COMPANY LLC, 516):** Submitted by ESI for property located at WEST OF S GOODSSELL LN. The property is zoned R-A, RESIDENTIAL, AGRICULTURAL & RSF-18, RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE and contains 9.59 acres. The request is for a variance from the development requirements.

RECOMMENDATION:

Staff recommends approval of **VAR-2026-0034**, with conditions.

RECOMMENDED MOTION:

*"I move to approve **VAR-2026-0034** determining:*

- In favor of the requested variance to UDC §168.10(T)(3), Minimum Buildable Area requirements;*
- In favor of all conditions as recommended by City staff.*

BACKGROUND:

The subject property is in west Fayetteville, west of S. Goodsell Lane, and north of W. Bronco Drive. Containing approximately 9.59 acres, the property is zoned R-A, Residential Agricultural and RSF-18, Residential Single-family – Eighteen Units per Acre. A portion of the property lies within Zone A of the Special Flood Hazard Area (SFHA). The properties are single-family residential development homes fronting W. Bronco Drive. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1: Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	NC, Neighborhood Conservation
South	Undeveloped	NC, Neighborhood Conservation
East	Single-Family Residential	NC, Neighborhood Conservation and RSF-18, Single-Family 18 units per acres
West	Single-Family Residential	NC, Neighborhood Conservation and R-A, Residential Agricultural

Request: The applicant is requesting a variance to the following code section to allow for the development of 28 single-family homes

- §168.10(T)(3) Minimum Buildable Area Requirements.** Applicants request an exemption to these requirements.

DISCUSSION:

Variance #1: §168.10(T)(3), Minimum Buildable Area Requirements. Any lot platted so that a portion of the lot lies in a special flood hazard area shall contain a minimum of 6,000 square feet of buildable area, including setbacks, outside the special flood hazard area, or if it contains less than 6,000 square feet of buildable area, it shall be platted to contain a minimum of 1 acre. The applicant intends to develop the 9.5-acre property with twenty-eight single-family homes. The proposed plat contains lots with sizes ranging from 3,800 to 5,700 square feet. Of the twenty-eight lots, sixteen contain the effective SFHA and accordingly do not meet the requirements of at least 6,000 square feet required by UDC 168.10.T.3. The applicant is requesting a variance from this requirement prior to the completion of the final plat.

Staff recommendation: Staff recommends in favor of the request. The intent of the ordinance is to prevent the subdivision of land where the platted lots would be heavily subjected to flood risk. The minimum buildable area of 6,000 square feet for each lot allows for development that is out of the SFHA and subsequently at lower flood risk. In 2020, the applicant obtained a grading permit for all phases of Towne West subdivision. During the construction of these phases, fill material was placed and leveled in this plat in anticipation of the grade needing to be elevated above the published Base Flood Elevation (BFE) in this area. This requirement comes from §168.11(D)(2) that for all new residential structures, the top surface of the lowest floor and any mechanical equipment must have an elevation 2 feet or more above the BFE, which the pre-development grade did not meet. The applicant has ensured that the lots within the SFHA have been graded to elevations that meet the requirements for removal from the floodplain. No structures are proposed to be constructed below the BFE and all finished floor elevations will comply with city floodplain and engineering requirements. The staff finds that the applicants efforts meet floodplain requirements in §168 Flood Damage Prevention Code, and is in favor of waiving this requirement for this project.

Public Comment: No public comment has been received to date.

RECOMMENDATION: Staff recommends approval of VAR-2026-0034, with the following conditions:

Conditions of Approval:

- 1. Planning Commission determination of a variance to §168.10(T)(3), Minimum Buildable Area Requirements** Any lot platted so that a portion of the lot lies in a special flood hazard area shall contain a minimum of 6,000 square feet of buildable area, including setbacks, outside the special flood hazard area, or if it contains less than 6,000 square feet of buildable area, it shall be platted to contain a minimum of 1 acre. *Staff recommends in favor of the variance for the reasons stated above.*
2. Approval of this variance does not constitute approval of the final plat, any required building permits, or final certificate of occupancy of the proposed single-family homes.
3. Construction may not begin until a representative from the Fire Marshal office conducts a site visit to verify that appropriate fire department access and water supplies are available.
4. Approved fire apparatus access roads and water supplies must be fully in place before any combustible construction materials are brought onto the site.
5. Water main/fire hydrants in the vicinity of the lots are installed, tested, and placed in service prior to any building permit being issued.

6. A Certificate of Occupancy will not be issued for the project until the Final Plat has received official approval.

Planning Commission Action: ☐ Approved ☐ Tabled ☐ Denied

Meeting Date: September 14, 2026

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

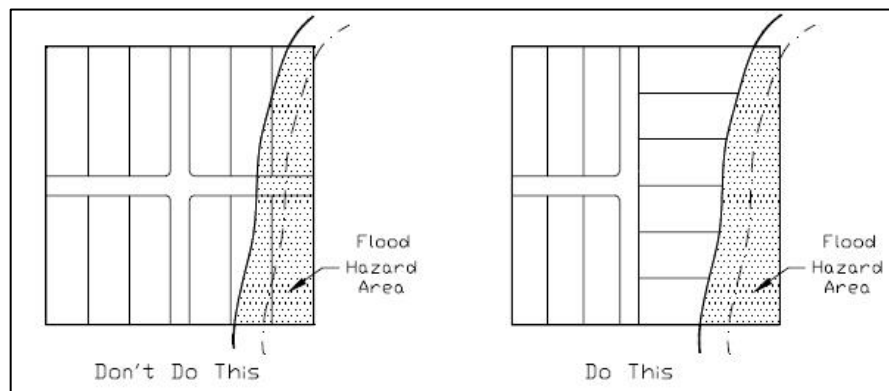
- Unified Development Code:
 - §168.10(T) Standards for Subdivisions
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Applicant Request Letter
 - Exhibits
-

168.10 Provisions for Flood Hazard Reduction

...

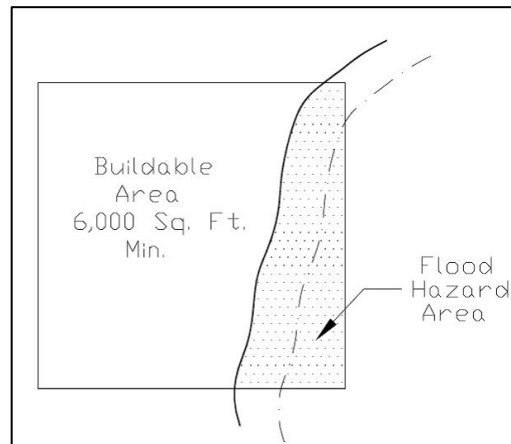
(C) *Standards for Subdivisions: Applications for preliminary, final, and/or concurrent plat approval shall:*

- (3) *To the extent practicable, lot boundaries shall be made to coincide with natural and pre-existing man-made drainage ways within subdivisions to avoid the creation of lots that can be built upon in only by altering such drainage ways. (See illustration: Figure 3.)*



Any lot platted so that a portion of the lot lies in a special flood hazard area shall contain a minimum of 6,000 square feet of buildable area, including setbacks, outside the special flood hazard area, or if it contains less than 6,000 square feet of buildable area, it shall be platted to contain a minimum of 1 acre. Any lot

platted so that the entire lot lies in a special flood hazard area shall contain a minimum of 1 acre. (See illustration: Figure 4.)...

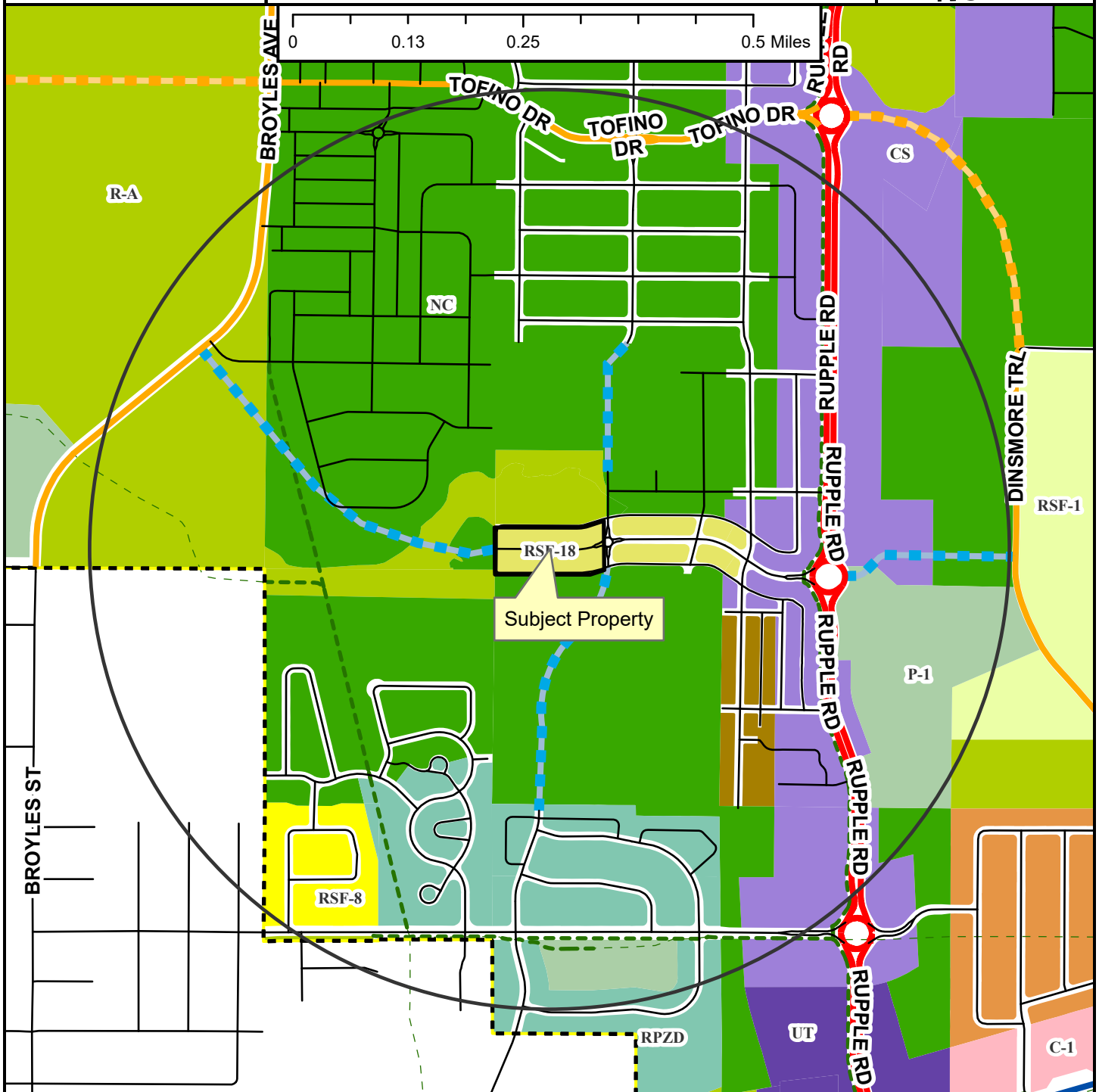


(Ord. No. 5141, 5-6-08; Ord. No. 6446, §10(Exh. E), 6-15-21; Ord. No. 6539, §§9—11, 3-1-22)

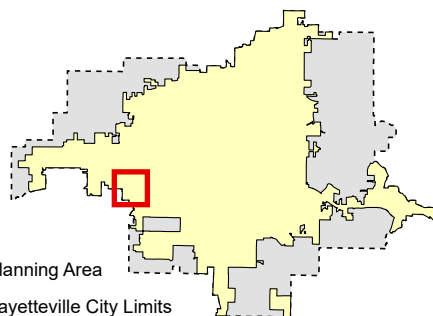
VAR-2026-0034

WEST OF S GOODSELL LN

One Mile View



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



Planning Commission

September 14, 2026

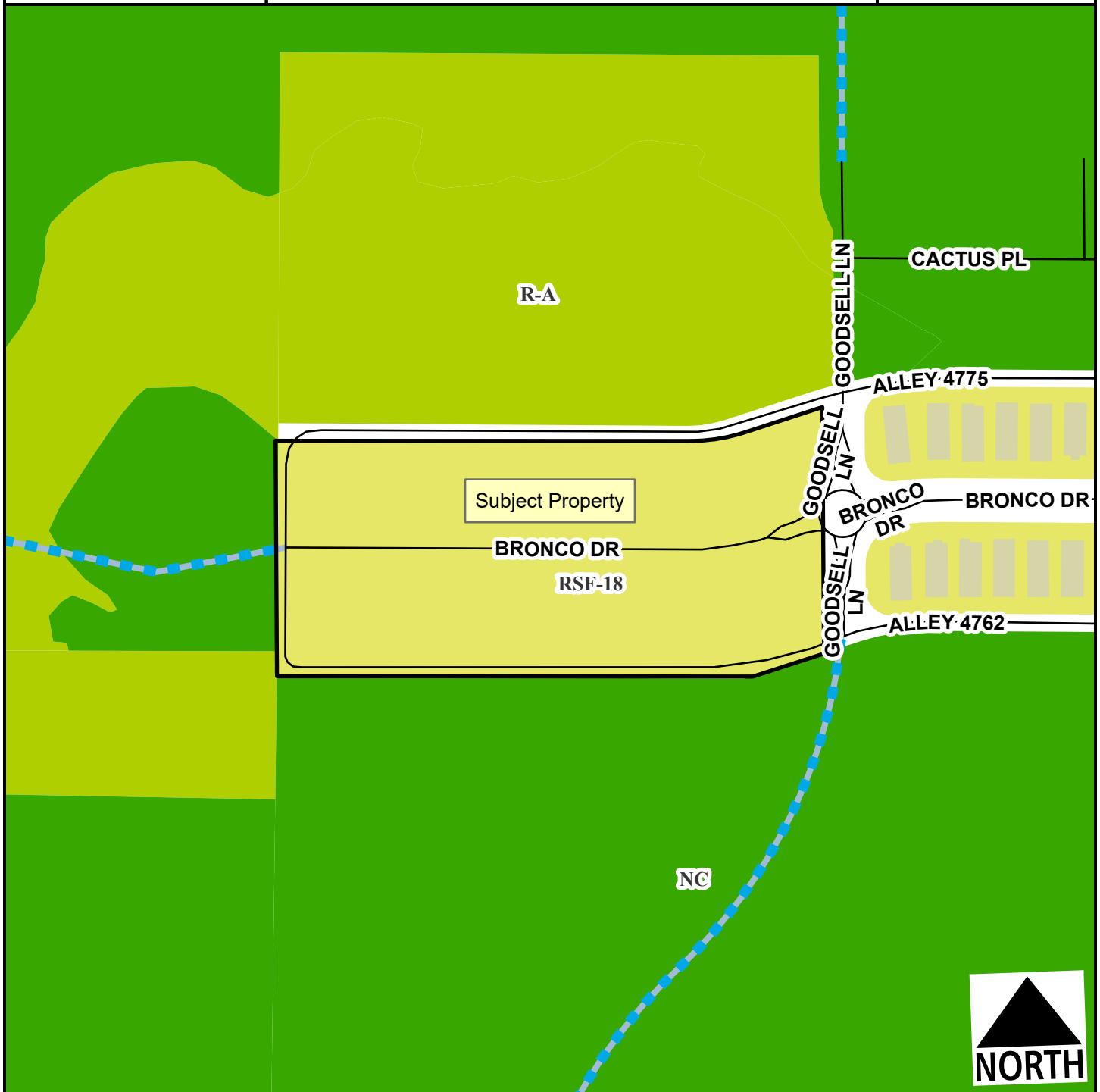
VAR-2026-0034 (TOWNE WEST RESIDENCES PROPERTY COMPANY LLC)

Page 5 of 17

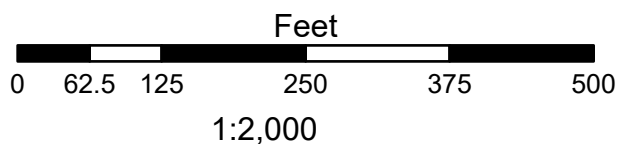
VAR-2026-0034

WEST OF S GOODSELL LN

Close Up View



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

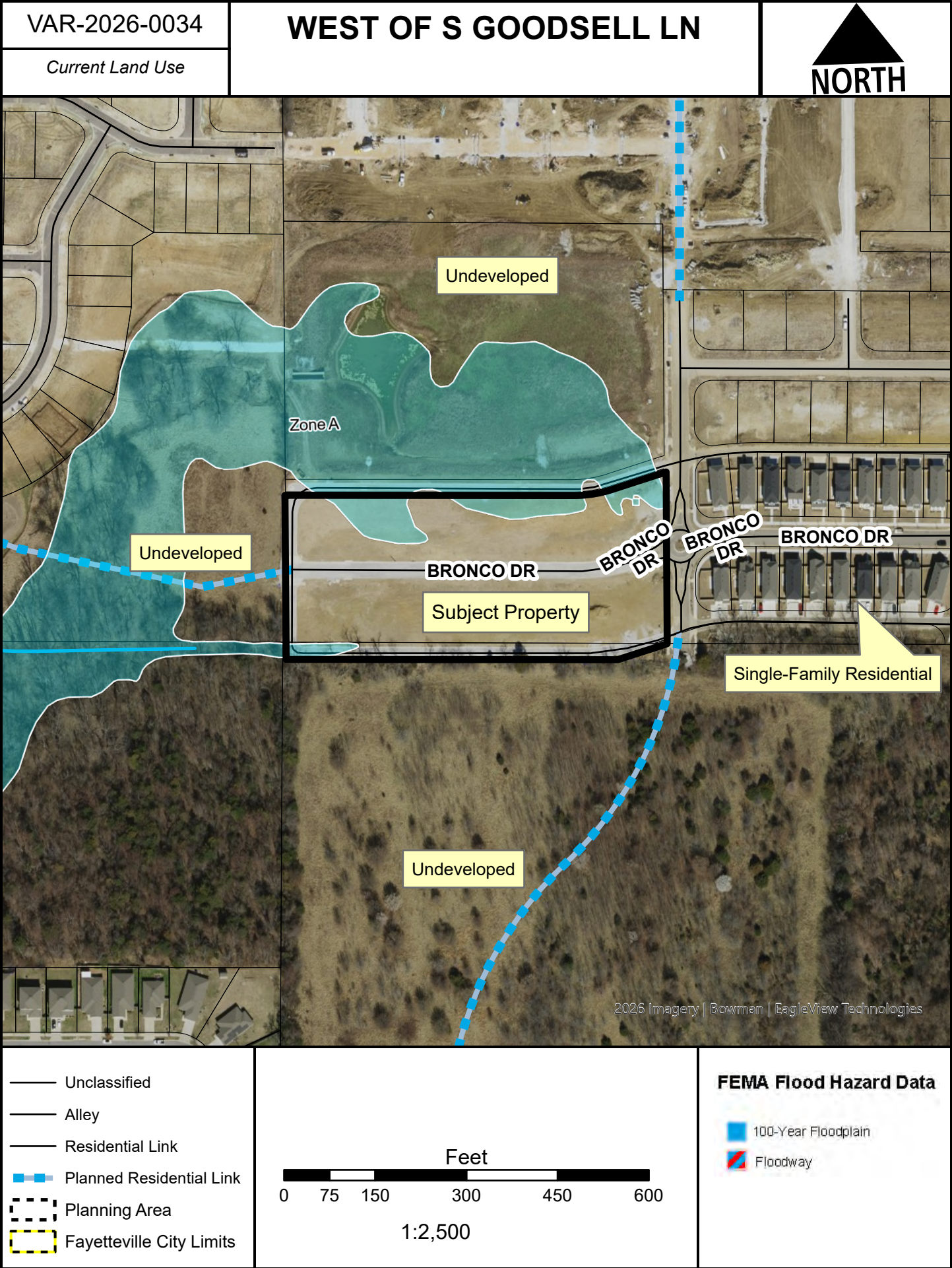


Planning Commission

September 14, 2026

VAR-2026-0034 (TOWNE WEST RESIDENCES PROPERTY COMPANY LLC)

Page 6 of 17



WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

WILLIAM P. WATKINS, III, P.A.
RONALD L. BOYER (OF COUNSEL)
JENNIFER E. GRAY, P.A.*
ANDREW T. CURRY, P.A.
WILL A. KELLSTROM, P.A.
MICHELLE FENDLEY
CATELYN J. GIBBS
* ALSO LICENSED IN MISSOURI

WRITER'S DIRECT E-MAIL
wkellstrom@watkinslawoffice.com

DELYNN HALE, SECRETARY
AMY BENSON, PARALEGAL
WHITNEY DUCKER, OFFICE MANAGER
LIZBETH CHAVEZ, SECRETARY

August 11, 2026

City of Fayetteville
Planning Department
125 W. Mountain St.
Fayetteville, AR 72701

Re: FPL-2026-0004 - Variance to Section 168.10(T)(3) of the Fayetteville Unified Development Code

Dear Planning Staff:

This firm has been retained to represent Titan Construction ("Applicant"), the applicant of record for Phase 7 of the Towne West Subdivision ("Towne West"). The purpose of this letter is to request a variance to Section 168.10(T)(3), which requires as follows:

“Any lot platted so that a portion of the lot lies in a special flood hazard area shall contain a minimum of 6,000 square feet of buildable area, including setbacks, outside the special flood hazard area, or if it contains less than 6,000 square feet of buildable area, it shall be platted to contain a minimum of 1 acre. Any lot platted so that the entire lot lies in a special flood hazard area shall contain a minimum of 1 acre.”

A. Background.

A variance is requested for all lots within Towne West Phase 7. Phase 7 contains floodplain as shown on the FEMA Special Flood Hazard Area ("SFHA") maps. An excerpt from the City of Fayetteville GIS showing said areas has been attached to this letter. A grading permit was issued in 2020 for all phases of Towne West Subdivision. Throughout construction of the other phases of Towne West, fill was brought in from other areas of the project to fill and level Phase 7, in anticipation of the fact that the base flood elevation of Phase 7 would need to be raised in order to remove it from the SFHA zone.

In particular, significant amounts of fill were brought into Phase 7 of Towne West from around the detention pond that was installed at the start of construction of the subdivision. After placement of the fill, the grades of the entirety of Phase 7 located within the SFHA are higher than the Base Flood Elevation of Goose Creek at this location. The high Base Flood Elevation is approximately 1232.8, and the surveyed finished grades on the alley and lots shown within the zone A are all at or above said elevation.

In order to formally remove Phase 7 from the SFHA maps, the Applicant also needs to obtain a Letter of Map Revision Based on Fill ("LOMR-F") from FEMA. However, the applicant is experiencing delay in obtaining said LOMR-F, due to an unforeseen issue in gathering some of the required documentation for said application. Nonetheless, the Applicant has been and remains actively in the process of obtaining said LOMR-F, and is presently coordinating with FEMA and the City of Fayetteville Engineering Department in doing so.

In short, the lots within the SFHA for Phase 7 have been graded to elevations that satisfy the engineering criteria for removal from the SFHA through FEMA's LOMR-F process; or in other words, the lots physically meet the requirements for removal from the flood plain. However, due to the aforementioned delay, they have not been removed from a regulatory standpoint.

B. Variance.

The Applicant is requesting a variance to the provisions of Section 168.10(T)(3). Section 156.02 of the Unified Development Code provides the following standard for variances:

“(B) Requirements for Variance Approval.

(1) Where strict enforcement of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property under consideration; and

(2) Where the applicant demonstrates that the granting of the variance will be in keeping with the spirit and intent of the zoning ordinance.”

The stated purpose of Chapter 168: Flood Damage Prevention Code is as follows:

“The purpose of this chapter is to promote the public health, safety and general welfare, to prevent adverse impacts from any floodplain development activities, and to minimize public and private losses due to flooding events in identified special flood hazard areas.”

Section 168.10(T)(3) serves that purpose by ensuring adequate buildable area exists outside the Special Flood Hazard Area.

If Chapter 168 is strictly enforced, it will cause undue hardship to the Applicant, with no apparent benefit to the City, the neighborhood, or the future homeowners. Strict application of Section 168.10(T)(3) would require complete redesign of an otherwise completed subdivision phase for the purpose flood prevention, notwithstanding that the lots have already been engineered and graded to accomplish that exact purpose. The resulting reduction in buildable lots would impose substantial hardship while providing no corresponding flood-protection benefit.

As stated above, the lots within the SFHA in Phase 7 have all been filled and graded so as to meet the physical requirements for obtaining a LOMR-F from FEMA. No structures are proposed to be constructed below the applicable Base Flood Elevation, and all finished floor elevations will comply with applicable floodplain and engineering requirements. In other words, the purpose of Chapter 168 has been satisfied, and the only flood plain which remains exists only on paper. Accordingly, granting this variance would be in keeping with the spirit and intent of Chapter 168.

For these reasons, the requested variance satisfies the requirements for a variance under Section 156.02. Strict application of Section 168.10(T)(3) would impose an unnecessary hardship resulting solely from the timing of FEMA's administrative map revision, while granting the variance would remain fully consistent with the purpose and intent of the City's flood damage prevention regulations. Accordingly, the Applicant respectfully requests approval of the requested variance.

Sincerely,

/s/ Will A. Kellstrom

Will A. Kellstrom

SFHA EXHIBIT





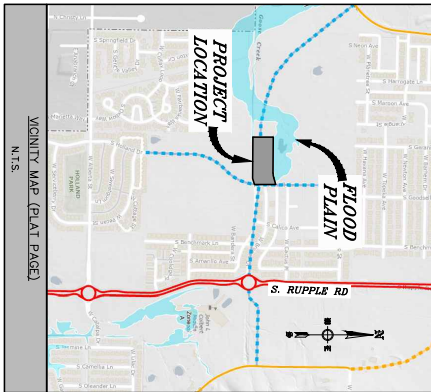
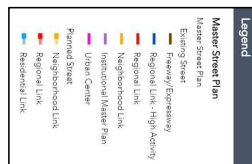
FINAL PLAT FOR
PHASE VII

OF

TOWNE WEST SUBDIVISION
A SUBDIVISION IN THE CITY OF
FAYETTEVILLE, ARKANSAS

INDEX OF SHEETS	
SHEET No.	DESCRIPTION
1 OF 5	COVER
2 OF 5	FINAL PLAT
3 OF 5	MASTER LOT GRADING PLAN
4 OF 5	LANDSCAPE PLAN
5 OF 5	WET PRESERVATION

RECORDING INFORMATION



May 13, 2026

BY

ENGINEERING SERVICES INC.



CONSULTING ENGINEERS

SPRINGDALE, ARKANSAS

PHONE: 479-751-8733

FAX: 479-751-8746

WWW.ENGINEERINGSERVICES.COM

CERTIFICATE OF APPROVAL FOR RECORDATION
I, THE CLERK OF THE CITY OF FAYETTEVILLE, ARKANSAS, DO HEREBY CERTIFY THAT THE FINAL PLAT FOR THE TOWNE WEST SUBDIVISION, PHASE VII, AS SHOWN ON THE MASTER LOT GRADING PLAN, HAS BEEN REVIEWED AND APPROVED BY THE CITY OF FAYETTEVILLE, ARKANSAS, AND IS IN ACCORDANCE WITH THE CURRENT CITY ORDINANCES AND RESOLUTIONS.
DATE: _____ CITY ENGINEER

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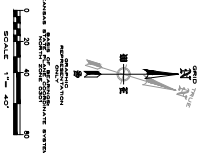
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DATE: _____ CITY ENGINEER

SHEET 1 of 5
PLAT CODE: 500-16N-31W-0-13-320-72-1774



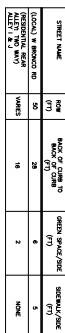
MONTICELLO MAP (PLAT PAGE)
N.T.S.

PROJECT LOCATION

FLOOD PLAIN

S. RUFFLE RD

Planning Commission
September 14, 2026



REVISION	DATE	DESCRIPTION

PLAT CODE: 500-16N-31W-0-13-320-72-1374

FINAL PLAT

FAYETTEVILLE, ARKANSAS

ENGINEERING SERVICES, INCORPORATED
SPRINGDALE, ARKANSAS

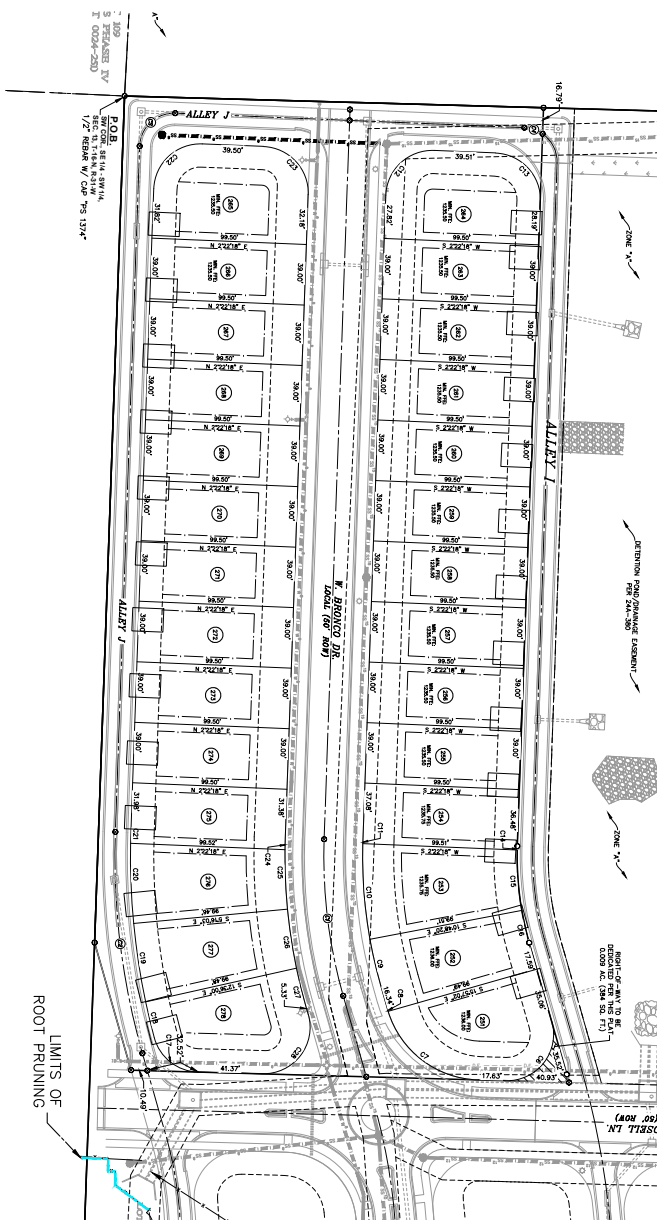
W.O.# 18951	2 OF 3
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PLAT PAGE 516



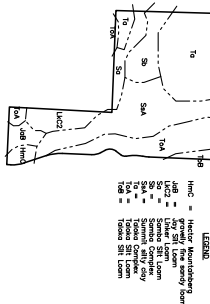
© COPYRIGHT 2026. OUTLINEING BEEN DONE. NO. 513.2155 515 AN
Z/5150/5151 - SURVEY. ROAD 5150/5151. PLAT PM 7/15/2026 -

2 OF 5



LIMITS OF
ROOT PRUNING

SOIL SURVEY MAP



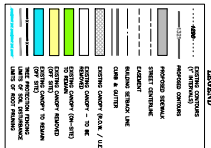
THE NOTES:

HEALTH AND QUALITY OF TREES ON SITE IS GENERALLY FAIR, WITH SOME POOR. PROPOSED CONSTRUCTION IS GENERALLY MINOR AND SECOND GROWTH TREES NOTED IN THE EXISTING TREE AND CANOPY INFORMATION TABLE ON THE TEXT.

Tree Preservation Calculations	Square Feet	Percent of Site
Total Site Area * Minus Right of Way and Easements	3,279,557	100%
Zone Designation * Select Below with Drop Down Arrow	655,551	20%
Tree Canopy Removal Services	0	0%
Tree Canopy Removal Services	655,551	20.00%
Building Tree Canopy * Minus Right of Way and Easements	1,797,070	5.50%
Tree Canopy Preserved	61,443	1.9%
Tree Canopy Removal Services	117,627	3.6%
Tree Canopy Preserved	117,627	3.6%
Tree Canopy Removal Services	504,508	
Tree Canopy Preserved	117,627	

Mitigation Requirements	Forestation Base Priority	Number of 2" Caliper Trees to be Planted
Category Below Requirements: 1. Preservation Priority Type	20	156
Category Below Requirements: 2. Low Priority	456	20

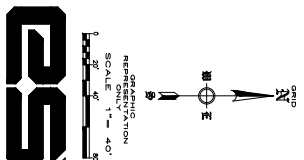
THE NOTES:
-CONTRACTOR SHALL MAINTAIN TREE DISTANCE WITHIN 10' OF A TREE TO BE REMOVED. THESE DISTANCES ARE SHOWN IN THESE PLANS. FOR WITHIN THE SCOPES OF THESE PLANS.



PARCEL NUMBER: 765-16271-100, 765-22366-700	OWNER: REYNOLDS, GARY A. & GERALD W. JR.
DEVELOPER: TOWN WEST RESIDENTIAL LLC	ENGINEER: BOB ROBERTS, INC.
NET GROSS AREA: 4,776.29 ACRES	EXISTING ZONING: NC-R-1, R-1, R-2
CURRENT BUILDING LOT: 170	CURRENT BUILDING LOT: 170
FUTURE BUILDING LOT: 170	

THE PRESERVATION NOTES:
1. ALL CONSTRUCTION ACTIVITIES SHALL BE CONDUCTED WITHIN CITY OF FAYETTEVILLE ORDINANCES AND REGULATIONS.
2. ALL CONSTRUCTION ACTIVITIES SHALL BE CONDUCTED WITHIN CITY OF FAYETTEVILLE ORDINANCES AND REGULATIONS.
3. ALL CONSTRUCTION ACTIVITIES SHALL BE CONDUCTED WITHIN CITY OF FAYETTEVILLE ORDINANCES AND REGULATIONS.
4. ALL CONSTRUCTION ACTIVITIES SHALL BE CONDUCTED WITHIN CITY OF FAYETTEVILLE ORDINANCES AND REGULATIONS.
5. ALL CONSTRUCTION ACTIVITIES SHALL BE CONDUCTED WITHIN CITY OF FAYETTEVILLE ORDINANCES AND REGULATIONS.

REVISION	DATE	DESCRIPTION
1		
2		
3		
4		
5		



TREE PRESERVATION PLAN

TOWNE WEST PHASE 7

FAYETTEVILLE, ARKANSAS

ENGINEERING SERVICES, INCORPORATED

SPRINGDALE, ARKANSAS

SCALE: 1"=40' DATE: May 13, 2026 DRAWN BY: PBS

W.O.# 18951 5 OF 5

Consent of Owner Form

PROPERTY OWNER(S) / AUTHORIZED AGENT: By signing below, I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have authorized this application and consent to its filing.

PLEASE NOTE:

- Property Owners: Attach additional info/documentation if necessary.
- Authorized Agents: If signing on behalf of a Property Owner, a letter from each Property Owner must be provided indicating that the agent is authorized to act on their behalf.

Associated Project (required field):

Towne West Phase 7 Variance

Name or description of proposal

Property Owner 1:

☒ Bransen Harris

Name of person signing [printed]

bransen_harris@yahoo.com

Contact Email

1211 WOODLAND CREEK CIR VAN BUREN AR 72956

Mailing Address

Property Owner Signature

TOWNE WEST RESIDENCES PROPERTY COMPANY LLC

Entity/Company signator legally owns or represents

c/o 479-751-8733

Contact Phone

Date

8-14-26

Property Owner 2: (if needed)

☐

Name of person signing [printed]

Entity/Company signator legally owns or represents

Contact Email

Contact Phone

Mailing Address

Property Owner Signature

Date

Property Owner 3: (if needed)

☐

Name of person signing [printed]

Entity/Company signator legally owns or represents

Contact Email

Contact Phone

Mailing Address

Property Owner Signature

Date

Property Owner 4: (if needed)

☐

Name of person signing [printed]

Entity/Company signator legally owns or represents

Contact Email

Contact Phone

Mailing Address

Property Owner Signature

Date



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Citlali Samano, Planner
Willia Thomason, Urban Forester

MEETING DATE: September 14, 2026

SUBJECT: **VAR-2026-0020: Planning Commission Variance (701 E MCCLINTON ST/AD&U LLC, 563)** Submitted by ODDLOT DEVELOPMENT for property located 701 E MCCLINTON. The property is zoned UN, URBAN NEIGHBORHOOD and contains approximately 0.11 acres. The request is for a variance from architectural design standards.

RECOMMENDATION:

Staff recommends in partial favor of **VAR-2026-0020**.

RECOMMENDED MOTION:

"I move to partially approve VAR-2026-0020, recommending:

- In favor of a variance to UDC §172.11(D),*
- In denial of a variance to UDC §172.11(G)(2),*
- In favor of a variance to UDC §164.23(B)(1),*
- In favor of a variance to UDC§177.05(A)*
- In favor of a variance to UDC §177.05(B)(1), and*
- In favor of all conditions as recommended by staff."*

BACKGROUND:

The subject property is in central Fayetteville approximately ¼ mile south of the intersection of E. Huntsville Rd. and S. Morningside Dr. The property is part of a recent lot split (LSP-2026-0023) that has recently been recorded with the County. The parent tract is approximately 0.11 acres whereas subject property is for solely 0.04 acres though it is entirely within the Walker Park Master Plan area. The property received its current zoning designation of UN, Urban Neighborhood on February 17, 2026 (ORD 6976). Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

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

Request: The applicant is requesting five variances to from the Unified Development Code in association with architectural design standards.

DISCUSSION

Variance 1: UDC §172.11(D) Use of Front Yard Area for a Driveway and Off-Street Parking. Motor vehicles shall be parked in a driveway or off-street parking area that is clearly defined by pavement, a change in materials, edging, or other means. Driveways and off-street parking areas shall be limited to a maximum of 40% of the front yard area and shall meet the maintenance requirements as identified by this chapter. The applicant is requesting to vary from this standard with a driveway approximately 20 feet in width which would exceed 40% of the lot width given the lot width of approximately 34.06 feet.

Staff recommendation: Staff is in support of this request. The intent of limiting front-yard paving to 40% is to minimize storm runoff, preserve green space, and prevent streetscape from being dominated from vehicle parking. Given the size of the lot, staff finds the 40% maximum would restrict the property to only allow 13.62 feet of driveway clearance which would solely allow for 1 car in width. Given the constraints of this narrow lot, staff finds the variance request to be the minimum necessary relief required to facilitate functional residential parking while keeping with the spirit of code.

Variance 2: UDC §172.11(G)(2) Driveway Standards. Driveways Beyond the Property Line. Driveways shall be paved from the property line and/or master street plan right-of-way with asphalt, concrete, brick or stone pavers, or other solid surface and shall extend 18 feet (length) into the property. To prevent vehicles from parking over the public sidewalk, garages and carports shall be positioned to provide at least 18 feet between the sidewalk or Master Street Plan right-of-way line and the garage or carport. The applicant is requesting to vary from this standard by only accounting for a 5-foot driveway outside of the proposed garage and not providing adequate driveway space between the Master Street Plan right-of-way line to the proposed garage.

Staff recommendation: Staff is not in support of this request. The intent of the 18-foot length requirement is to ensure public safety and pedestrian accessibility by preventing parked vehicles from hanging over public sidewalks or projecting into the Master Street Plan right-of-way. Shortening this distance to 5 feet guarantees that any vehicle parked outside the garage will unsafely obstruct the pedestrian right-of-way. Staff cannot support a variance that directly compromises public pedestrian infrastructure and conflicts with the safety objectives of code. Presently, there is no sidewalk in front of the property that any parked vehicle might obstruct, therefore limiting the immediate risk to pedestrians. Development could seek a fee-in-lieu for the sidewalk, preventing any immediate sidewalk obstruction that the driveway length might cause. In the case that a variance is approved by Planning Commission, an added condition of approval is recommended by limiting parking to two spaces within the garages to limit any potential hazards to pedestrians.

Variance 3: UDC §164.23(B)(1) Small Lot Design Standards. Each home shall have a clearly defined front door and windows on the façade facing the street. This is only required on one (1) side of a home where there is more than one (1) street frontage. The applicant is requesting a variance from the standard design because the lot's narrow width cannot accommodate both the required parking and the existing driveway location, noting that a side-facing configuration would instead establish a functional and identifiable entrance on the west side of the property.

Staff recommendation: Staff is in support of this variance. Regulating entrance orientation is traditionally intended to maintain a clear visual connection to the street and establish a cohesive streetscape. Placing the primary entrance on the western side facade provides distinct site-planning advantages for this property while fully respecting the spirit of the zoning code. Because this layout achieves the fundamental intent of the regulations without disrupting the surrounding neighborhood, staff finds that requiring a reconfiguration to a traditional front-facing facade is unnecessary.

Variance 4: UDC§177.05(A) Street Tree Planting. The applicant is requesting a variance to §177.05(A), waiving the requirement to provide a street tree within or along the right-of-way between the sidewalk and the curb.

Staff recommendation: Staff is in support of this request as the intent of the street tree requirement is to shade the sidewalk and provide a buffer between the pedestrians and vehicles; however, the small lot size and constrained street frontage cannot accommodate any additional trees. Any available planting space within the existing right-of-way along McClinton Street adjacent to this parcel will be encumbered by a 5-foot utility easement and an 18-foot-wide proposed driveway.

Variance 5: UDC §177.05(B)(1) Street Tree Planting. The applicant is requesting a variance to §177.05(B)(1), waiving the requirement to provide a street tree within or along the right-of-way between the sidewalk and the curb.

Staff recommendation: Staff is in support of this request with the previous variance as the intent of the street tree requirement is to shade the sidewalk and provide a buffer between the pedestrians and vehicles. Any available planting space within the existing right-of-way along the property frontage will be hindered by a utility easement and proposed driveway.

Public Comment: Staff has 1 public comment in favor of the variances.

RECOMMENDATION: Staff recommend partial approval of VAR-2026-0020 with the following conditions.

Conditions of Approval:

1. **Planning Commission determination of a variance to §172.11(D), Front Yard Area for Driveway and Off-Street Parking.** *Staff recommends approval of the requested variance for the reasons stated above with no added conditions.*
2. **Planning Commission determination of a variance to §172.11(G)(2), Driveway Standards.** *Staff recommends denial of the requested variance for the reasons stated above with the following condition:*
 - a. *Maximum of two-parking spaces, not to be permitted on the driveway.*
3. **Planning Commission determination of a variance to §164.23(B)(1), Front Door and Street-Facing Façade.** *Staff recommends approval of the requested variance for the reasons stated above with no added conditions.*
4. **Planning Commission determination of a variance to §177.05(A), Street Tree Planting.** *Staff recommends approval of the requested variance for the reasons stated above with no added conditions.*
5. **Planning Commission determination of a variance to §177.05(B)(1), Street Tree Planting.** *Staff recommends approval of the requested variance for the reasons stated above with no added conditions.*
6. Approval of this variance does not represent overall development entitlement approval for the project, nor grant approval for any associated grading or building permits, nor does it grant final approval of certificate of occupancy.

PLANNING COMMISSION ACTION: Required YES

Date: September 14, 2026

☐ Tabled

☐ Approved

☐ Denied

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code:
 - §172.11, Driveway and Parking Standards for Four (4) or Less Parking Spaces
 - §164.23, Small Lot Design Standards
 - §177.05, Street Tree Planting Standards
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Staff Exhibit
 - Urban Forestry Memo
- Applicant Exhibits
 - Cover Letter
 - Site Plan
- Public Comments

172.11 - Driveway And Parking Standards For Four (4) Or Less Parking Spaces

(A) *Purpose.* The purpose of this ordinance section is to promote the public health, safety and general welfare, to prevent the adverse impacts associated with excess parking and over-occupancy of homes in single-family districts, and to ensure that compatibility of land uses within single-family districts remain intact.

(B) *Applicability.* The following requirements shall apply to properties that require four (4) or less parking spaces. The regulations herein do not apply to motor vehicles located completely within or underneath garages or carports, nor to properties zoned Residential Agricultural.

(C) *Maximum number of parking spaces permitted.* Unless otherwise permitted herein, a maximum of four (4) motor vehicles may be parked outdoors on a property containing a single-family home(s) at any time, including driveways and other designated off-street parking areas. Parking for all other permitted uses shall conform to the Parking Ratio Table contained within this chapter.

(D) *Use of Front Yard Area for a Driveway and Off-Street Parking.* Motor vehicles shall be parked in a driveway or off-street parking area that is clearly defined by pavement, a change in materials, edging, or other means. Driveways and off-street parking areas shall be limited to a maximum of 40% of the front yard area and shall meet the maintenance requirements as identified by this chapter.

(E) *Parking of Non-Motorized Vehicles in Front Yard Area.* If parked within the front yard area of a property (including driveways), non-motorized recreational vehicles, trailers, and boats shall be counted toward the maximum total of four (4) motor vehicles permitted on the property.

(F) *Off-Street Parking on City Street Right-of-Way.* The off-street parking of any motor vehicle, non-motorized recreational vehicle, boat or trailer shall be prohibited within the street right-of-way, which includes any sidewalk, greenspace or other area from the edge of the paved street through the width of the dedicated street right-of-way. On-street parking within properly designated areas of the street right-of-way may be permitted, in accordance with current traffic regulations.

(G) *Driveway Standards.*

(1) *Driveway approach to property line.* The driveway approach shall extend to the property line and/or master street plan right-of-way from the paved street and shall be designed, permitted, and paved with concrete in accordance with §171.13 Sidewalk and Driveway Specifications.

(2) *Driveways Beyond the Property Line.* Driveways shall be paved from the property line and/or master street plan right-of-way with asphalt, concrete, brick or stone pavers, or other solid surface and shall extend 18 feet (length) into the property. To prevent vehicles from parking over the public sidewalk, garages and carports shall be positioned to provide at least 18 feet between the sidewalk or Master Street Plan right-of-way line and the garage or carport.

(3) *Driveways Beyond 18 Feet into the Property.* Driveways beyond 18 feet into the property may be paved or unpaved and shall be clearly defined by landscaping or edging.

(4) *Unpaved Streets.* These requirements are waived where the street to which the driveway connects is not paved.

(Ord. No. 5044, 8-07-07; Ord. No. 5304, 1-19-10; Ord. No. [5800](#), §5, 10-6-15; Ord. No. [6864](#), §4, 5-6-25)

164.23 - Small Lot Design Standards

(A) *Purpose.* The purpose of these standards is to better maintain visibility, security, safety and aesthetics for pedestrians, drivers and the residents of homes built on relatively narrow lots.

(B) *Applicability.* These standards apply to new detached single-family homes with street frontage of 50 feet or less.

(1) Each home shall have a clearly defined front door and windows on the façade facing the street. This is only required on one (1) side of a home where there is more than one (1) street frontage.

(2) Garage openings that are on the same side of the home as the front door shall not protrude forward past the edge of the principal façade.

(3) The garage opening shall be less than 50% of the principal façade length unless the house has a second story with windows facing the street or has a balcony, deck, or similar feature which projects at least flush with the garage opening toward the street.

(Ord. No. [5800](#), §4(Exh. D), 10-6-15; Ord. No. [5895](#), §1, 8-16-16)

177.05 - Street Tree Planting Standards

(A) *Applicability.* All new developments that create or develop along a public or private street shall be required to establish street trees in accordance with the standards and procedures provided for in this section and the adopted policies of the Landscape Manual and Fayetteville's Tree Ordinance.

(1) All street tree planting plans shall follow the submittal criteria set forth in Ch. [177.03](#) Landscape Plan Requirements.

(2) *Street Tree Planting Requirements.*

(a) Street trees are intended to be planted in a greenspace strip between the curb and sidewalk or in urban tree wells in accordance with the Master Street Plan. The intent of the street tree planting location is to shade the sidewalk, provide a barrier between vehicles on the street and pedestrians, increase motorized traffic and pedestrian safety, and spatially frame the street. Existing trees within the build-to-zone shall be counted towards the required number of street trees. When there is not adequate greenspace between the curb and sidewalk and urban tree wells are not appropriate, or there are utilities or other structural conflicts in the greenspace strip between the curb and sidewalk, the Urban Forester may permit street trees in greenspace behind the sidewalk and on private property.

(b) Plans shall indicate the spacing of trees along all newly created public and private streets within the development site. At the request of the developer, the Urban Forester may exempt specific areas from required tree planting where the terrain or existing trees make the planting of new trees impracticable. Examples include, but are not limited to:

- (i) Where the finish grade slope in the planting area between the top back of the street curb and the property line is in excess of 30%.
- (ii) Where bedrock is encountered within 30 inches of finish grade in the planting area between the top back of the curb and the property line.
- (iii) (iii) Where existing healthy trees that are shown to be preserved within the right-of-way are in such close proximity they would prevent a new tree from establishing a full canopy when mature.

(c) Plans shall identify the species of trees to be planted, which must be selected from the Landscape Manual or otherwise approved by the Urban Forester. Street trees shall be large

species canopy trees.

(d) Plans shall identify the size and quality of trees which must meet or exceed the standards adopted in the Landscape Manual.

(e) Indicate the location of all points of access (driveways, sidewalks and public & private utilities) within the proposed development. The developer shall ensure that driveways, sidewalks, utilities, etc. will not endanger the livelihood of the proposed trees, and shall plan accordingly.

(f) A maintenance agreement and landscape establishment guarantee shall be established. All plans shall include a binding three (3) year maintenance and monitoring plan, which shall hold the developer responsible for the health of all planted trees.

(g) Approval of a maintenance agreement and landscape establishment guarantee shall be contingent upon the developer depositing with the City of Fayetteville a surety or contract, as outlined in [177.10](#).

(h) Upon completion of the three (3) year landscape establishment period, the Urban Forester shall inspect the site and determine whether 90% percent of the trees are healthy and have a reasonable chance of surviving to maturity. Upon such a finding, the City of Fayetteville shall release the currency, bond or letter of credit.

(i) In the absence of such a finding, the developer shall be notified to replace any unhealthy or dead trees, or take other appropriate action as approved by the Urban Forester. If the developer does not take remedial steps to bring the property into compliance, the City of Fayetteville shall use the necessary monies from the landscape establishment guarantee to do so.

(j) In the event trees are injured or destroyed by natural disasters, including but not limited to, tornadoes, straight-line winds, ice storms, fire, floods, hail or lightning strikes, or through the independent actions of their parties, the developer shall be relieved of the responsibility of replanting the tree or trees so affected.

(k) Contain such other information as may be required to reflect how the plan addresses the remaining policies within the Landscape Manual.

...

(B) *Street Tree Planting Plan Requirements for Proposed Residential and Non-Residential Subdivisions.*

(1) *Residential Subdivisions.* Submittals for all proposed residential subdivisions shall include a street tree planting plan at the time of final plat submittal.

(a) Street trees shall be planted one (1) tree per lot, and lots with multiple street frontages shall be planted at one (1) tree per street frontage.

(b) Street trees shall be planted within or along the right-of-way; where possible, between the sidewalk and the curb. Location shall be approved by the Urban Forester. Refer to the Landscape Manual for spacing requirements.

...

(Ord. No. 4917, 9-05-06; Ord. No. 5003, 4-17-07; Ord. No. 5057, 9-04-07; Ord. No. 5513, 7-17-12; Ord. No. 5818, 10-20-15; Ord. No. [5859](#), §4, 5, 3-15-16; [Ord. No. 6579](#), §1, 6-21-22)

172.11 - Driveway And Parking Standards For Four (4) Or Less Parking Spaces

(A) *Purpose.* The purpose of this ordinance section is to promote the public health, safety and general welfare, to prevent the adverse impacts associated with excess parking and over-occupancy of homes in single-family districts, and to ensure that compatibility of land uses within single-family districts remain intact.

(B) *Applicability.* The following requirements shall apply to properties that require four (4) or less parking spaces. The regulations herein do not apply to motor vehicles located completely within or underneath garages or carports, nor to properties zoned Residential Agricultural.

(C) *Maximum number of parking spaces permitted.* Unless otherwise permitted herein, a maximum of four (4) motor vehicles may be parked outdoors on a property containing a single-family home(s) at any time, including driveways and other designated off-street parking areas. Parking for all other permitted uses shall conform to the Parking Ratio Table contained within this chapter.

(D) *Use of Front Yard Area for a Driveway and Off-Street Parking.* Motor vehicles shall be parked in a driveway or off-street parking area that is clearly defined by pavement, a change in materials, edging, or other means. Driveways and off-street parking areas shall be limited to a maximum of 40% of the front yard area and shall meet the maintenance requirements as identified by this chapter.

(E) *Parking of Non-Motorized Vehicles in Front Yard Area.* If parked within the front yard area of a property (including driveways), non-motorized recreational vehicles, trailers, and boats shall be counted toward the maximum total of four (4) motor vehicles permitted on the property.

(F) *Off-Street Parking on City Street Right-of-Way.* The off-street parking of any motor vehicle, non-motorized recreational vehicle, boat or trailer shall be prohibited within the street right-of-way, which includes any sidewalk, greenspace or other area from the edge of the paved street through the width of the dedicated street right-of-way. On-street parking within properly designated areas of the street right-of-way may be permitted, in accordance with current traffic regulations.

(G) *Driveway Standards.*

(1) *Driveway approach to property line.* The driveway approach shall extend to the property line and/or master street plan right-of-way from the paved street and shall be designed, permitted, and paved with concrete in accordance with §171.13 Sidewalk and Driveway Specifications.

(2) *Driveways Beyond the Property Line.* Driveways shall be paved from the property line and/or master street plan right-of-way with asphalt, concrete, brick or stone pavers, or other solid surface and shall extend 18 feet (length) into the property. To prevent vehicles from parking over the public sidewalk, garages and carports shall be positioned to provide at least 18 feet between the sidewalk or Master Street Plan right-of-way line and the garage or carport.

(3) *Driveways Beyond 18 Feet into the Property.* Driveways beyond 18 feet into the property may be paved or unpaved and shall be clearly defined by landscaping or edging.

(4) *Unpaved Streets.* These requirements are waived where the street to which the driveway connects is not paved.

(Ord. No. 5044, 8-07-07; Ord. No. 5304, 1-19-10; Ord. No. [5800](#), §5, 10-6-15; Ord. No. [6864](#), §4, 5-6-25)

164.23 - Small Lot Design Standards

(A) *Purpose.* The purpose of these standards is to better maintain visibility, security, safety and aesthetics for pedestrians, drivers and the residents of homes built on relatively narrow lots.

(B) *Applicability.* These standards apply to new detached single-family homes with street frontage of 50 feet or less.

(1) Each home shall have a clearly defined front door and windows on the façade facing the street. This is only required on one (1) side of a home where there is more than one (1) street frontage.

(2) Garage openings that are on the same side of the home as the front door shall not protrude forward past the edge of the principal façade.

(3) The garage opening shall be less than 50% of the principal façade length unless the house has a second story with windows facing the street or has a balcony, deck, or similar feature which projects at least flush with the garage opening toward the street.

(Ord. No. [5800](#), §4(Exh. D), 10-6-15; Ord. No. [5895](#), §1, 8-16-16)

177.05 - Street Tree Planting Standards

(A) *Applicability.* All new developments that create or develop along a public or private street shall be required to establish street trees in accordance with the standards and procedures provided for in this section and the adopted policies of the Landscape Manual and Fayetteville's Tree Ordinance.

(1) All street tree planting plans shall follow the submittal criteria set forth in Ch. [177.03](#) Landscape Plan Requirements.

(2) *Street Tree Planting Requirements.*

(a) Street trees are intended to be planted in a greenspace strip between the curb and sidewalk or in urban tree wells in accordance with the Master Street Plan. The intent of the street tree planting location is to shade the sidewalk, provide a barrier between vehicles on the street and pedestrians, increase motorized traffic and pedestrian safety, and spatially frame the street. Existing trees within the build-to-zone shall be counted towards the required number of street trees. When there is not adequate greenspace between the curb and sidewalk and urban tree wells are not appropriate, or there are utilities or other structural conflicts in the greenspace strip between the curb and sidewalk, the Urban Forester may permit street trees in greenspace behind the sidewalk and on private property.

(b) Plans shall indicate the spacing of trees along all newly created public and private streets within the development site. At the request of the developer, the Urban Forester may exempt specific areas from required tree planting where the terrain or existing trees make the planting of new trees impracticable. Examples include, but are not limited to:

- (i) Where the finish grade slope in the planting area between the top back of the street curb and the property line is in excess of 30%.
- (ii) Where bedrock is encountered within 30 inches of finish grade in the planting area between the top back of the curb and the property line.
- (iii) (iii) Where existing healthy trees that are shown to be preserved within the right-of-way are in such close proximity they would prevent a new tree from establishing a full canopy when mature.

(c) Plans shall identify the species of trees to be planted, which must be selected from the Landscape Manual or otherwise approved by the Urban Forester. Street trees shall be large

species canopy trees.

(d) Plans shall identify the size and quality of trees which must meet or exceed the standards adopted in the Landscape Manual.

(e) Indicate the location of all points of access (driveways, sidewalks and public & private utilities) within the proposed development. The developer shall ensure that driveways, sidewalks, utilities, etc. will not endanger the livelihood of the proposed trees, and shall plan accordingly.

(f) A maintenance agreement and landscape establishment guarantee shall be established. All plans shall include a binding three (3) year maintenance and monitoring plan, which shall hold the developer responsible for the health of all planted trees.

(g) Approval of a maintenance agreement and landscape establishment guarantee shall be contingent upon the developer depositing with the City of Fayetteville a surety or contract, as outlined in [177.10](#).

(h) Upon completion of the three (3) year landscape establishment period, the Urban Forester shall inspect the site and determine whether 90% percent of the trees are healthy and have a reasonable chance of surviving to maturity. Upon such a finding, the City of Fayetteville shall release the currency, bond or letter of credit.

(i) In the absence of such a finding, the developer shall be notified to replace any unhealthy or dead trees, or take other appropriate action as approved by the Urban Forester. If the developer does not take remedial steps to bring the property into compliance, the City of Fayetteville shall use the necessary monies from the landscape establishment guarantee to do so.

(j) In the event trees are injured or destroyed by natural disasters, including but not limited to, tornadoes, straight-line winds, ice storms, fire, floods, hail or lightning strikes, or through the independent actions of their parties, the developer shall be relieved of the responsibility of replanting the tree or trees so affected.

(k) Contain such other information as may be required to reflect how the plan addresses the remaining policies within the Landscape Manual.

...

(B) Street Tree Planting Plan Requirements for Proposed Residential and Non-Residential Subdivisions.

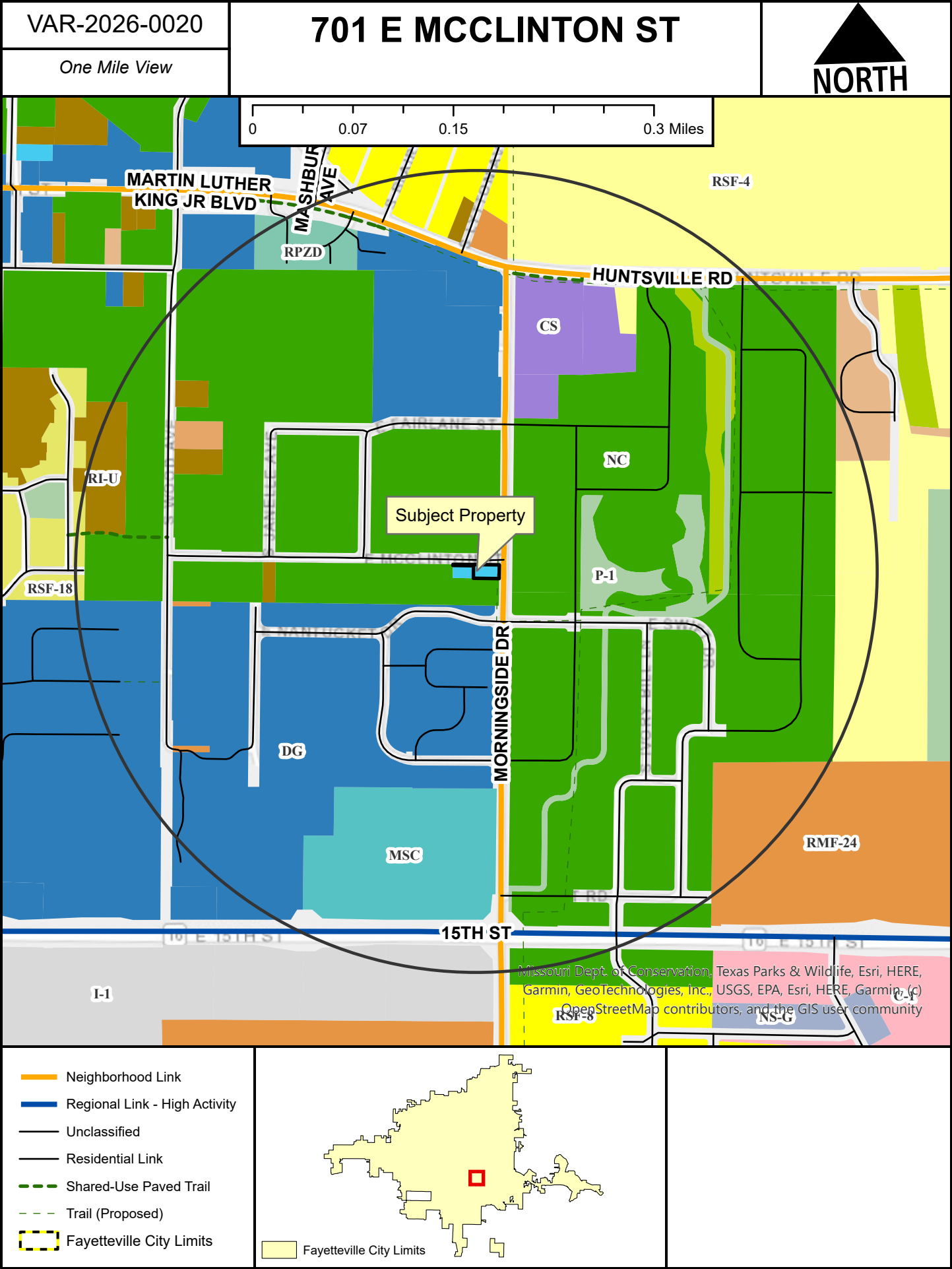
(1) Residential Subdivisions. Submittals for all proposed residential subdivisions shall include a street tree planting plan at the time of final plat submittal.

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(b) Street trees shall be planted within or along the right-of-way; where possible, between the sidewalk and the curb. Location shall be approved by the Urban Forester. Refer to the Landscape Manual for spacing requirements.

...

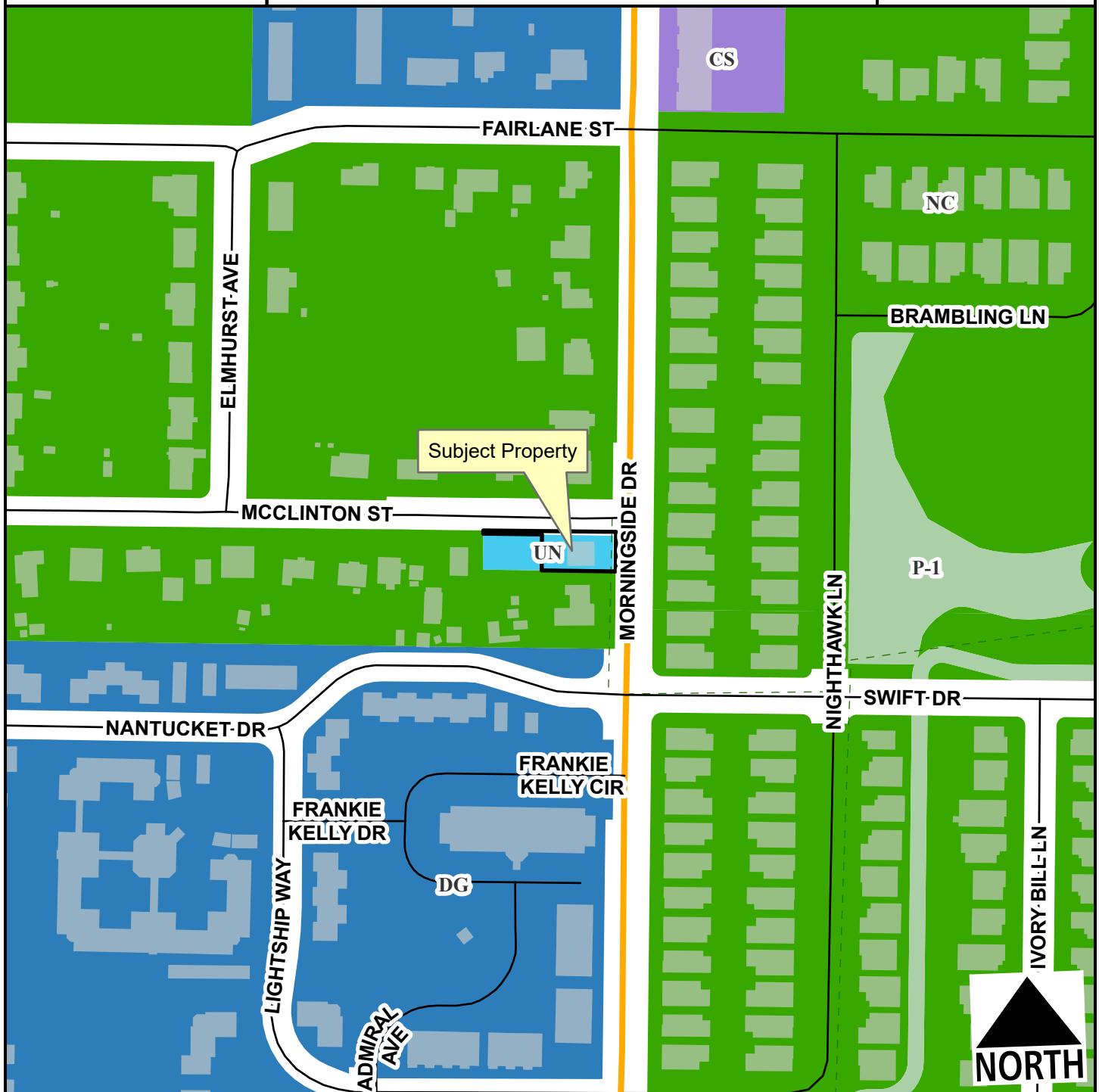
(Ord. No. 4917, 9-05-06; Ord. No. 5003, 4-17-07; Ord. No. 5057, 9-04-07; Ord. No. 5513, 7-17-12; Ord. No. 5818, 10-20-15; Ord. No. [5859](#), §4, 5, 3-15-16; [Ord. No. 6579](#), §1, 6-21-22)



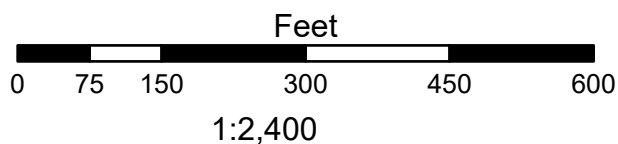
VAR-2026-0020

701 E MCCLINTON ST

Close Up View



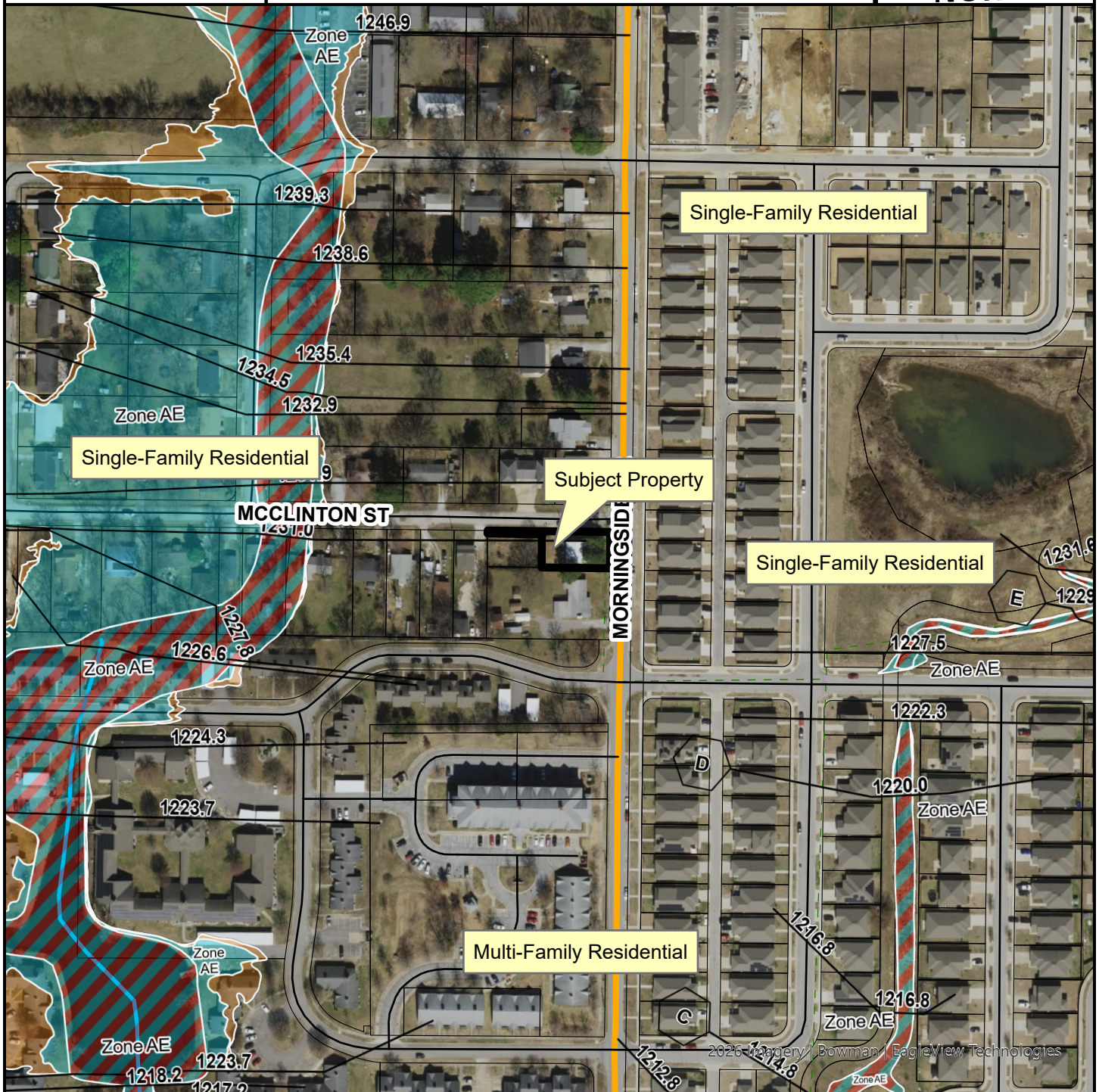
- Neighborhood Link
- Unclassified
- Residential Link
- Fayetteville City Limits
- Trail (Proposed)



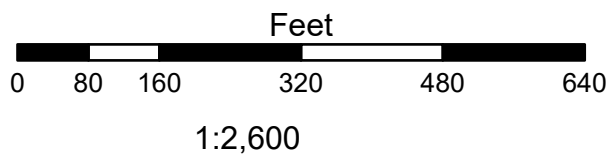
VAR-2026-0020

701 E MCCLINTON ST

Current Land Use



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



Planning Commission Memo

TO: Fayetteville Planning Commission

THRU: Virginia Whitman, Planner

FROM: Willa Thomason, Urban Forester

MEETING DATE: September 14, 2026

SUBJECT: **VAR-2026-0020: 701 E MCCLINTON ST** - Submitted by ODDLOT DEVELOPMENT for property located at 701 E MCCLINTON ST. The property is zoned UN, URBAN NEIGHBORHOOD and contains 0.11 acres. The request is for a variance to the driveway. PP 563

RECOMMENDATION: Urban forestry staff recommends approval of VAR-2026-0020, a variance to §177.05(A) & (B), Street Tree Requirements.

DISCUSSION: The applicant is requesting a variance to §177.05(A) & (B), Street Tree Requirements, waiving the requirement to provide a street tree within or along the right-of-way between the sidewalk and the curb. The intent of the street tree requirement is to shade the sidewalk and provide a buffer between pedestrians and vehicles; however, the exceptionally small lot size and constrained street frontage associated with this site cannot accommodate any additional trees. Any available planting space within the existing right-of-way along McClinton Street adjacent to this parcel will be encumbered by a 5' utility easement and an 18' wide proposed driveway. Because of these site-constraints, urban forestry staff recommends approval of the requested variance.

Variance Request – Fayetteville UDC §172.11(G)(2)

Requested Variance:

Reduce the required driveway length between the property line/right-of-way and garage from 18 feet to approximately 5 feet.

Hardship and Justification

The subject property is an exceptionally small infill lot containing approximately 1,648 square feet. Compliance with the 18-foot driveway requirement would create a significant hardship by consuming a substantial portion of the buildable area and making reasonable development of the property difficult.

Historically, the site contained a garage served by an existing driveway that terminated approximately 5 feet from the right-of-way. That garage was removed, but the driveway location remains established and has recently been repaired. The proposed home is designed to utilize this existing driveway location and maintain a building alignment consistent with surrounding development.

Strict application of the ordinance would require approximately 18 feet of parking area between the right-of-way and the garage. On a lot of this size, that requirement would dedicate roughly 500 square feet of the site to vehicle storage and maneuvering area, significantly reducing the land available for the residence itself. The resulting building would either be substantially smaller or forced into a less practical configuration.

Granting the variance would:

- Allow reasonable residential use of an unusually small lot.
- Utilize an existing driveway location that has historically served the property.
- Maintain a building placement that aligns with neighboring structures and the established streetscape.
- Support infill development and efficient land use within the urban area.
- Avoid unnecessary site modifications and reconstruction of existing improvements.

The requested variance is the minimum necessary to alleviate the hardship. A 5-foot setback reflects the historical condition of the site and allows the proposed house to be positioned similarly to surrounding homes while preserving adequate space for residential use of the property.

The variance will not adversely affect public health, safety, or welfare, nor will it substantially alter the character of the neighborhood. The request simply allows redevelopment of the site in a manner consistent with its historical use and the existing development pattern of the area.

N JUNEWAY TERRACE
(NEIGHBORHOOD LINK)

POWER POLE

OHE

OHE

OHE

OHE

OHE

OHE

OHE

OHE

OHE

OHE

OHE

OHE

OHE

OHE

McCLINTON STREET
(RESIDENTIAL LINK)

1248'

1249'

34.06'

5'
B.S.B.

9.22'

28.83'
BUILDING DEPTH

5'
U.E.

5.43'

23.44'

BUILDING WIDTH

5.56'

18'
DRIVEWAY WIDTH

48.13'

0.038 ACRES
(1648 SQFT)

PORCH

EXISTING HOUSE

25' BUILD-TO-ZONE

GARAGE

UP

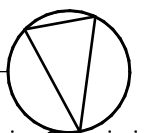
23.44'
DRIVEWAY DEPTH

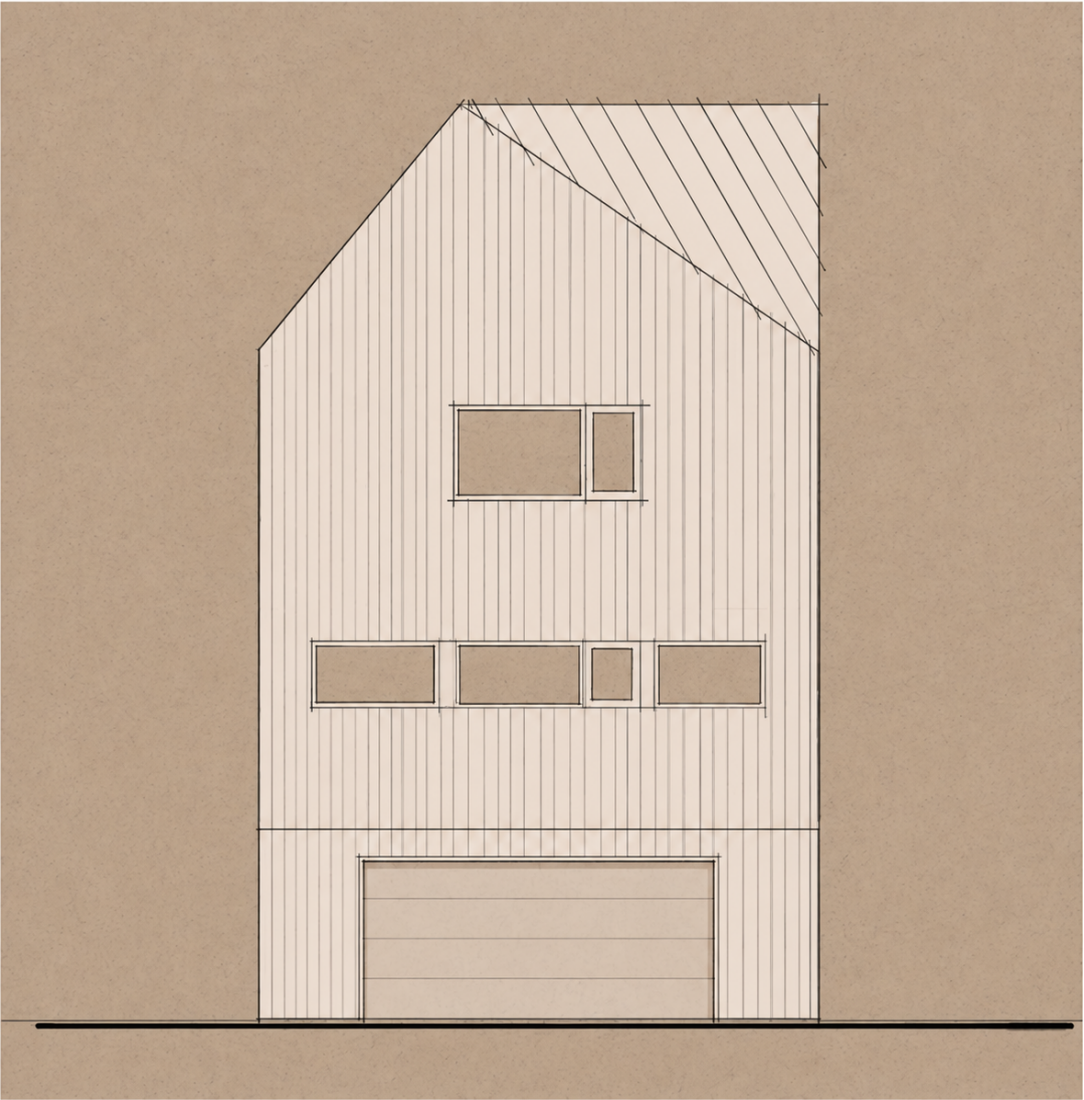
26'
R.O.W.

POWER POLE

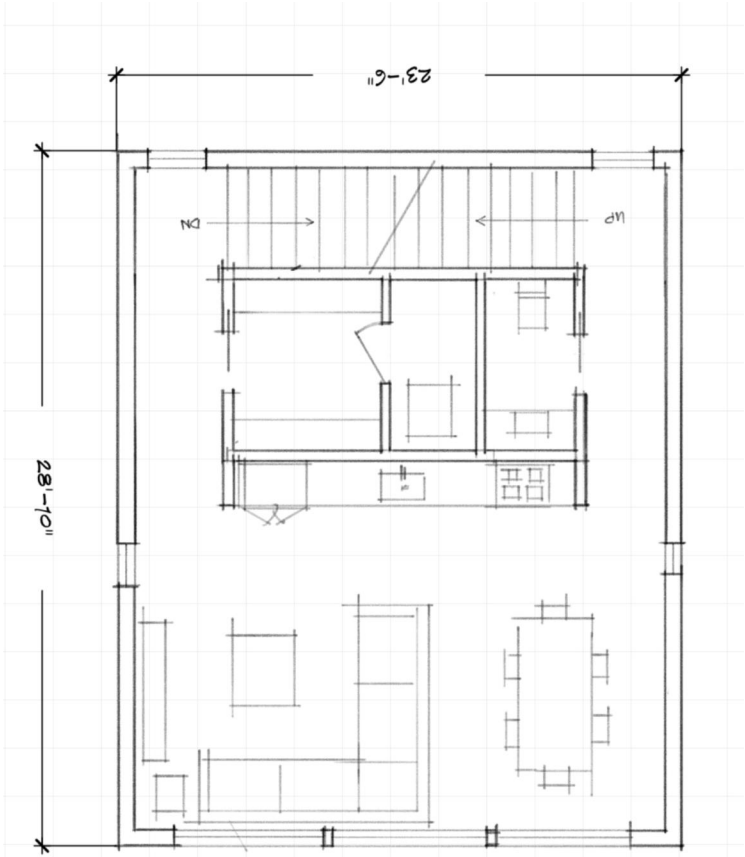
McCLINTON SITE PLAN

SCALE: 1/8" = 1'-0"

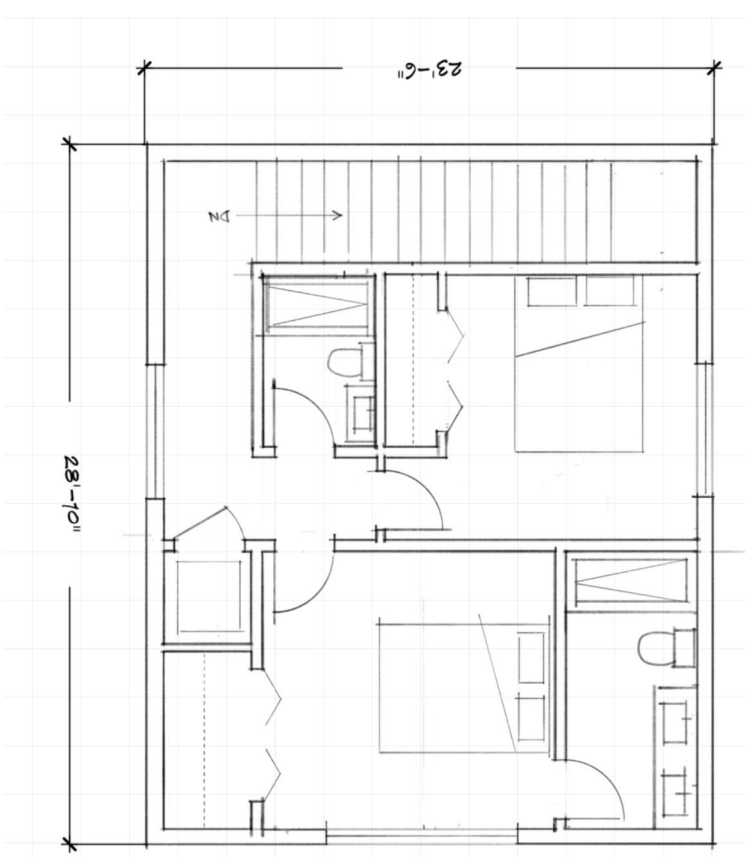




1 NORTH ELEVATION 1/8" = 1'-0"



2 SECOND FLOOR 1/8" = 1'-0"



3 THIRD FLOOR 1/8" = 1'-0"

PARK-UNDER DESIGN CONCEPT

1355 SQ. FT. HEATED / COOLED



VAR-2026-0020 RE: Letter of support for 701 McClinton.

From Hyke, Bliss <ehyke@fayetteville-ar.gov>

Date Wed 9/2/2026 9:19 AM

To Raed Khairy <rnkhairy@gmail.com>

Cc Samano, Citlali <csamano@fayetteville-ar.gov>; Whitman, Virginia <vwhitman@fayetteville-ar.gov>

I'm forwarding your public comment to the Planners.

Bliss Hyke
Development Coordinator
Development Services
City of Fayetteville, Arkansas
479.575.8267

www.fayetteville-ar.gov

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



From: Raed Khairy <rnkhairy@gmail.com>
Sent: Tuesday, September 1, 2026 7:34 PM
To: Hyke, Bliss <ehyke@fayetteville-ar.gov>
Subject: Letter of support for 701 McClinton.

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

Dear Bliss,

To Whom It May Concern,

I am writing in support of the variance requests for the proposed home at 701 McClinton.

I appreciate the thoughtful approach being taken with the development of this small lot. The proposed design is considerate of the surrounding homes and neighborhood, and I believe the project will bring positive energy and thoughtful infill to the area.

I support the requested variances and look forward to seeing the property thoughtfully developed.

Thank you,

Raed Khairy MD

KNN Properties LLC
Owner of 691 E McClinton Rd

Planning Commission

September 14, 2026

Fayetteville, Arkansas 72701
Phone number 479-652-7973



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: September 14, 2026

SUBJECT: **VAC-2026-0012: Vacation (EAST OF 1358 E. MILLSAP RD/CHRISTIAN LIFE CATHEDRAL OF NORTHWEST ARKANSAS, INC, 213):** Submitted by BLEW & ASSOCIATES for property located EAST OF 1088 E. MILLSAP RD. The property is zoned P-1, INSTITUTIONAL and contains approximately 1.02 acres. The request is to vacate 0.448 acres of existing right-of-way.

RECOMMENDATION:

Staff recommends tabling **VAC-2026-0012** to the September 28, 2026 Planning Commission meeting.

RECOMMENDED MOTION:

*"I move to table **VAC-2026-0012** to the September 28, 206 Planning Commission meeting.*

BACKGROUND:

The subject area is in north Fayetteville approximately 900 feet southeast of the E. Sain St. and N. Front St. intersection. The subject right-of-way contains approximately 0.448 acres and is partially developed with asphalt and curb and gutter. An associated large-scale development has been submitted to develop the area with additional parking for the Christian Life Cathedral (LSD-2026-0010). The subject area does falls within the 71B Corridor Master Plan Area, but no other master planning areas or zoning overlays apply. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Religious Facility	P-1, Institutional
South	Religious Facility Single-Family Residential	P-1, Institutional R-O, Residential Office RSF-4, Residential Single-Family, 4 Units per Acre
East	Religious Facility	P-1, Institutional
West	Religious Facility, Offices	P-1, Institutional R-O, Residential Office

Proposal: The applicant proposes to vacate a portion of developed street right-of-way totaling 0.448 acres.

DISCUSSION:

Staff recommends tabling of the request pending receipt of all required utility signoffs. In considering the request generally, a city-initiated project is currently under works to realign and

extend N. Hemlock Rd. to Millsap directly west of the proposed vacation area. This right-of-way is currently a dead-end that is duplicative of that recently acquired ROW. While this vacation would effectively create three lots without street frontage, staff notes that all three lots are owned by Christian Life Cathedral and that a property line adjustment to combine parcels or a rezoning could resolve likely zoning issues created by the lack of frontage. It also appears the vacation may leave a portion of unconnected right-of-way to the east, but staff still finds that the proposal would more accurately reflect existing street plans. Returning the right-of-way to the property owner will also allow additional development on the site.

Vacation Approval: The applicant has not submitted all the required vacation approval forms to relevant city departments and franchise utility companies. Responses received are outlined below.

<u>Utility</u>	<u>Response</u>
Cox Communications	No objections, provided that any damage or relocation of existing facilities will be at the property owner/developer's expense.
AEP/SWEPCO	No objections, provided that any damage or relocation of existing facilities will be at the property owner/developer's expense.
Black Hills Energy	No objections and no comments.
AT&T	No objections and no comments.
Ozarks Electric	No objections and no comments.
<u>City of Fayetteville</u>	<u>Response</u>
Water/Sewer	Not provided
Solid Waste & Recycling	No objections and no comments.
Transportation	Not provided

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

RECOMMENDATION: Staff recommends tabling **VAC-2026-0012** to the September 28, 2026 Planning Commission meeting. If forwarded, staff recommends the following conditions:

Conditions of Approval:

1. Associated right-of-way vacation must be completed prior to the issuance of a grading permit.
2. A property line adjustment to combine parcels or a rezoning shall be required to address creation of lots without street frontage due to proposed vacation. Such shall be required prior to the closure of the grading permit.
3. Any damage or relocation of existing facilities will be at the property owner/developer's expense;
4. Any easements required for future development shall be dedicated as necessary.

5. Any additional conditions provided by the remaining utility providers shall be met.

PLANNING COMMISSION ACTION: **Required** **YES**

Date: September 14, 2026

☐ Tabled

☐ Forwarded

☐ Denied

Motion:

Second:

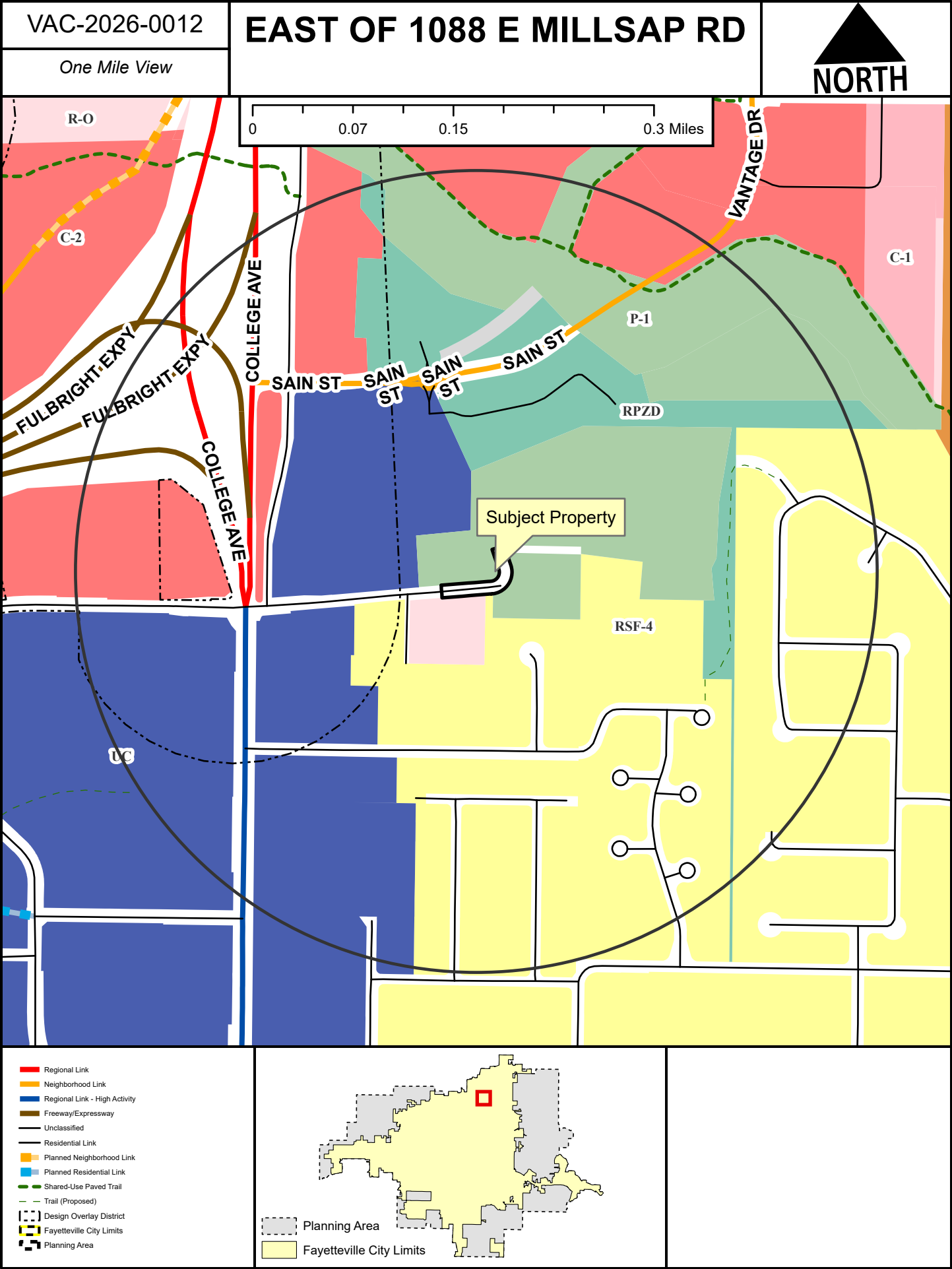
Vote:

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

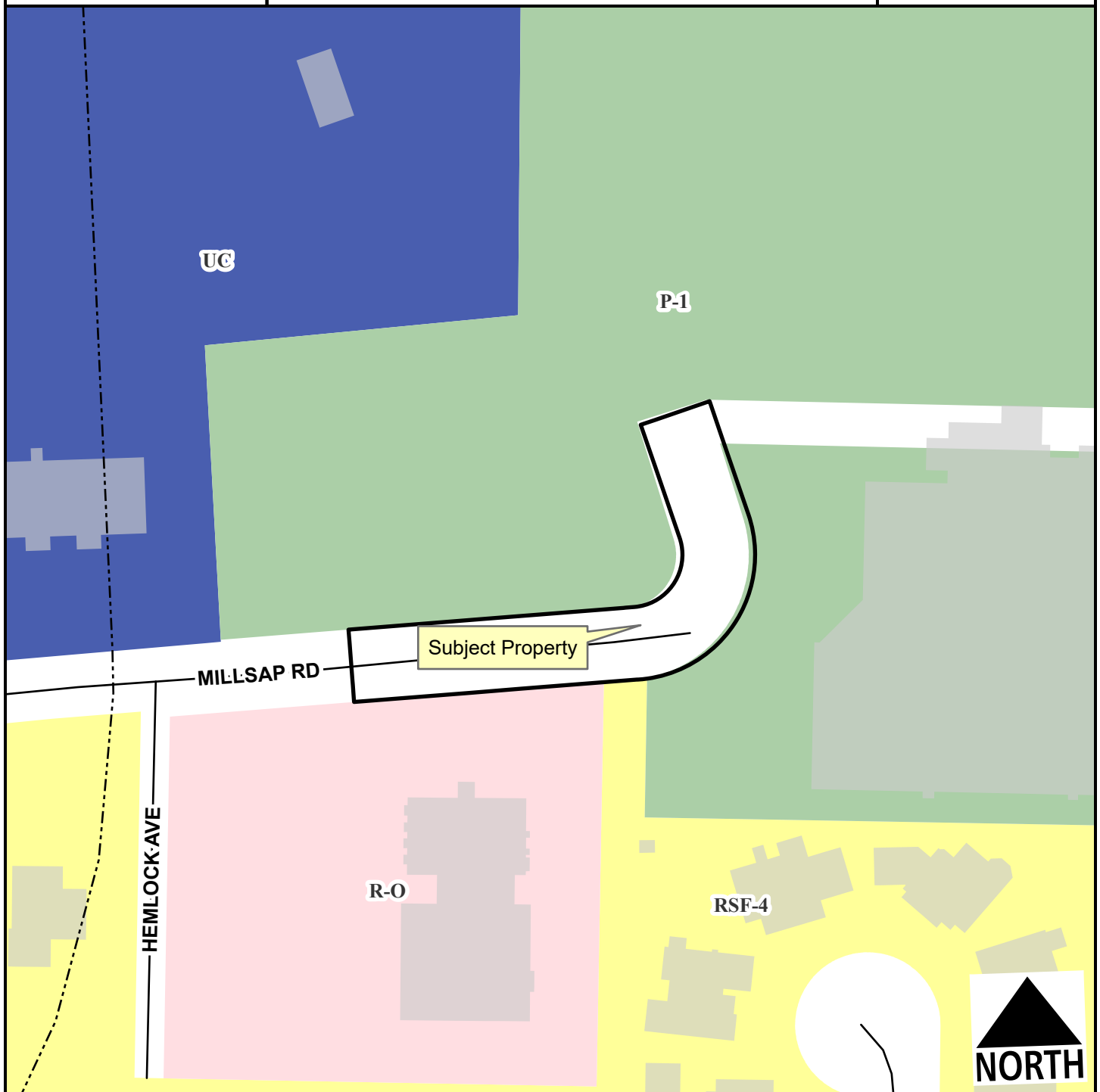
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Staff Exhibit
 - Millsap Road Realignment Plan Excerpts
- Applicant Exhibits
 - Request Letter
 - Petition to Vacate
 - Survey – Right-of-way to be Vacated



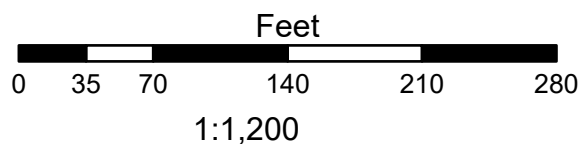
VAC-2026-0012

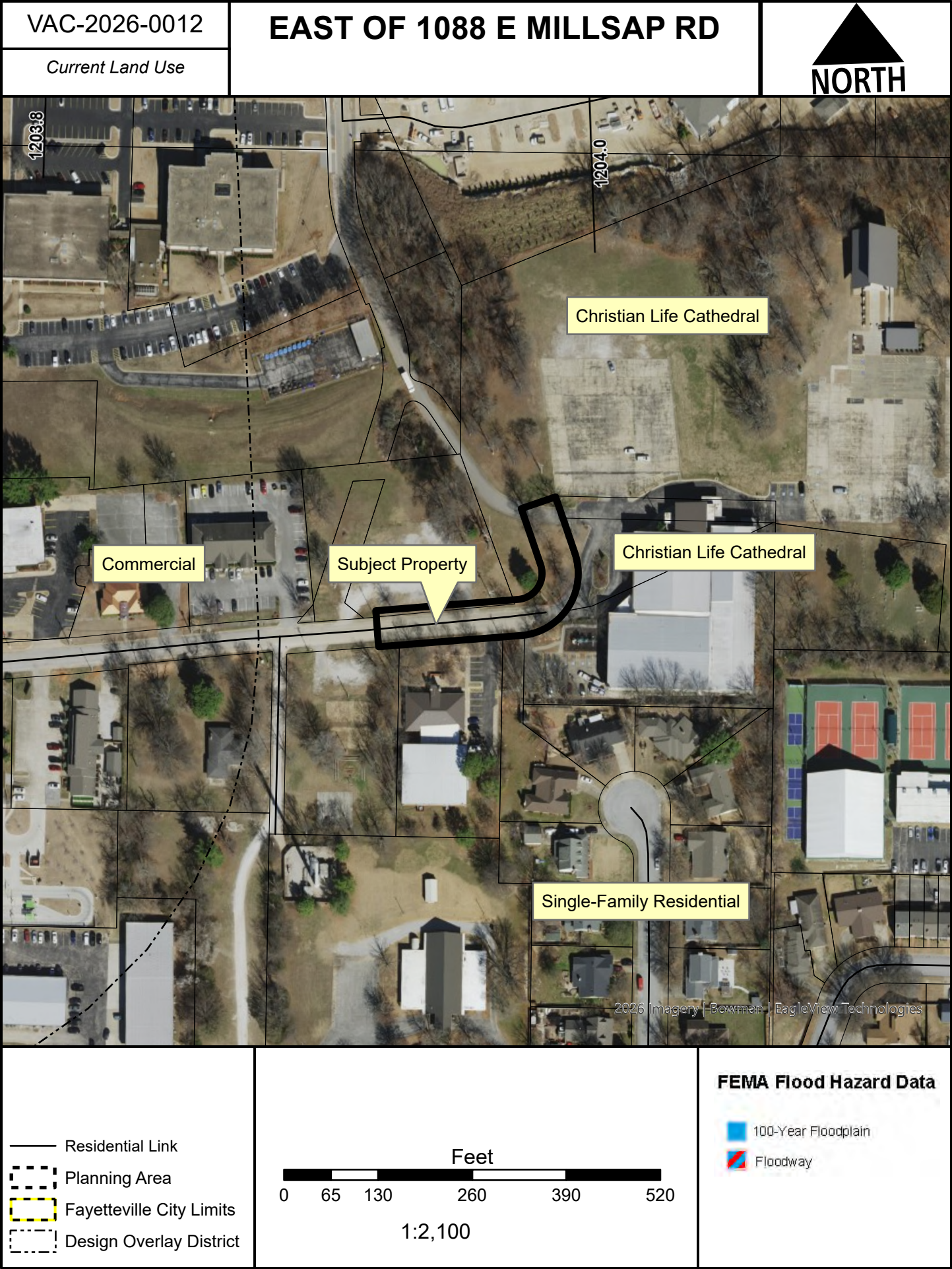
EAST OF 1088 E MILLSAP RD

Close Up View



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

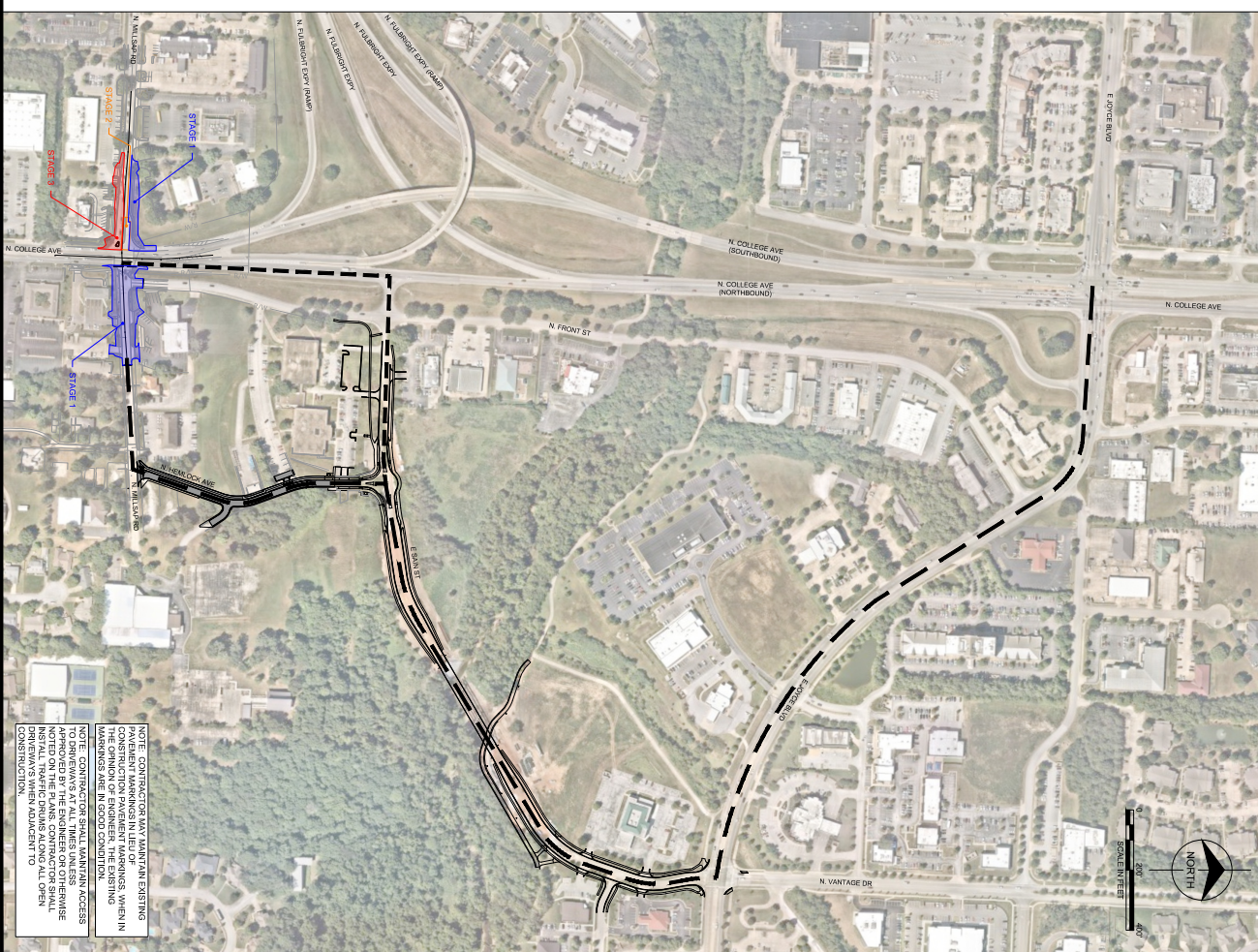
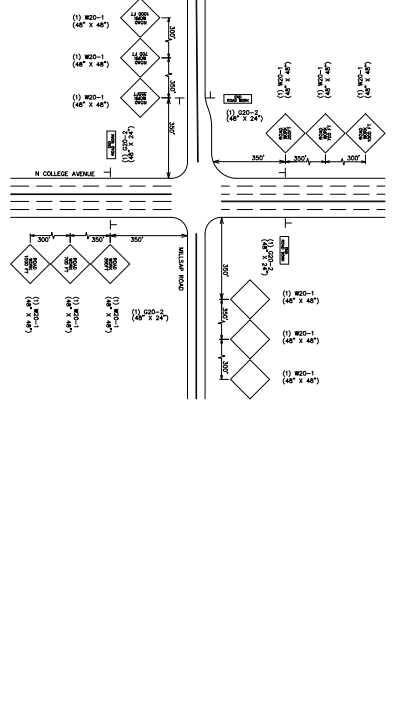
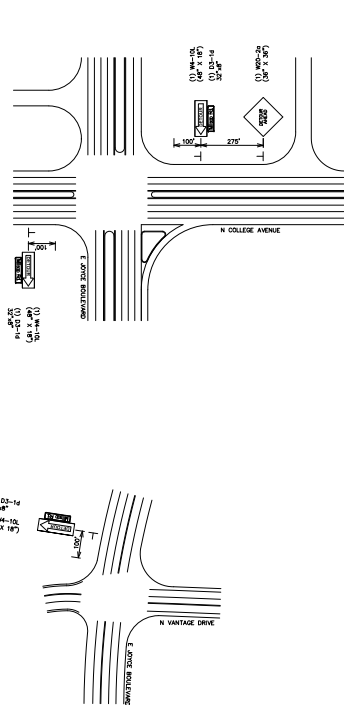




1 2 3 4 5 6 7 8 9 10 11 12 13

MAINTENANCE OF TRAFFIC - MILLSAP ROAD EAST OF N COLLEGE AVENUE	
STAGE	SCOPE
1	TRAFFIC PLAN TRAFFIC DETOURED UTILIZING ROUTES DESCRIBED BELOW AND DETICED ON THE DETOUR PLAN DRIVERS APPROACHING FROM THE NORTH ON COLLEGE AVE. WILL BE DIRECTED TO MILLSAP ROAD BY A DETOUR THAT TAKES THEM EAST ON JOYCE BOULEVARD TO VANTAGE DRIVE, THEN SOUTH ON VANTAGE DRIVE/MAIN STREET TO HEMLOCK AVE., THEN SOUTH ON HEMLOCK AVE. TO MILLSAP ROAD. DRIVERS APPROACHING FROM THE SOUTH ON COLLEGE AVE. AND FROM THE WEST ON MILLSAP ROAD WILL BE DIRECTED TO MILLSAP ROAD BY A DETOUR THAT CONTINUES NORTH ON COLLEGE AVE. TO SAN STREET, THEN EAST ON SAN STREET TO HEMLOCK AVE., THEN SOUTH ON HEMLOCK AVE. TO MILLSAP ROAD.

MAINTENANCE OF TRAFFIC - MILLSAP ROAD WEST OF N COLLEGE AVENUE	
STAGE	SCOPE
1	NOTCH AND WIDEN NORTHERN PORTION OF MILLSAP ROAD WEST OF N COLLEGE AVENUE SINGLE WESTBOUND LANE, EASTBOUND LEFT TURN LANE AND COMBINED THROUGH/RIGHT TURN LANE
2	PORTION OF MILLSAP ROAD WEST OF N COLLEGE AVENUE SINGLE WESTBOUND LANE, EASTBOUND LEFT TURN LANE AND COMBINED THROUGH/RIGHT TURN LANE
3	NOTCH AND WIDEN SOUTHERN PORTION OF MILLSAP ROAD WEST OF N COLLEGE AVENUE SINGLE WESTBOUND LANE, EASTBOUND LEFT TURN LANE AND COMBINED THROUGH/RIGHT TURN LANE
4	FINAL OVERLAY OF MILLSAP ROAD WEST OF N COLLEGE AVENUE FLAGGING CREW TO DIRECT TRAFFIC.

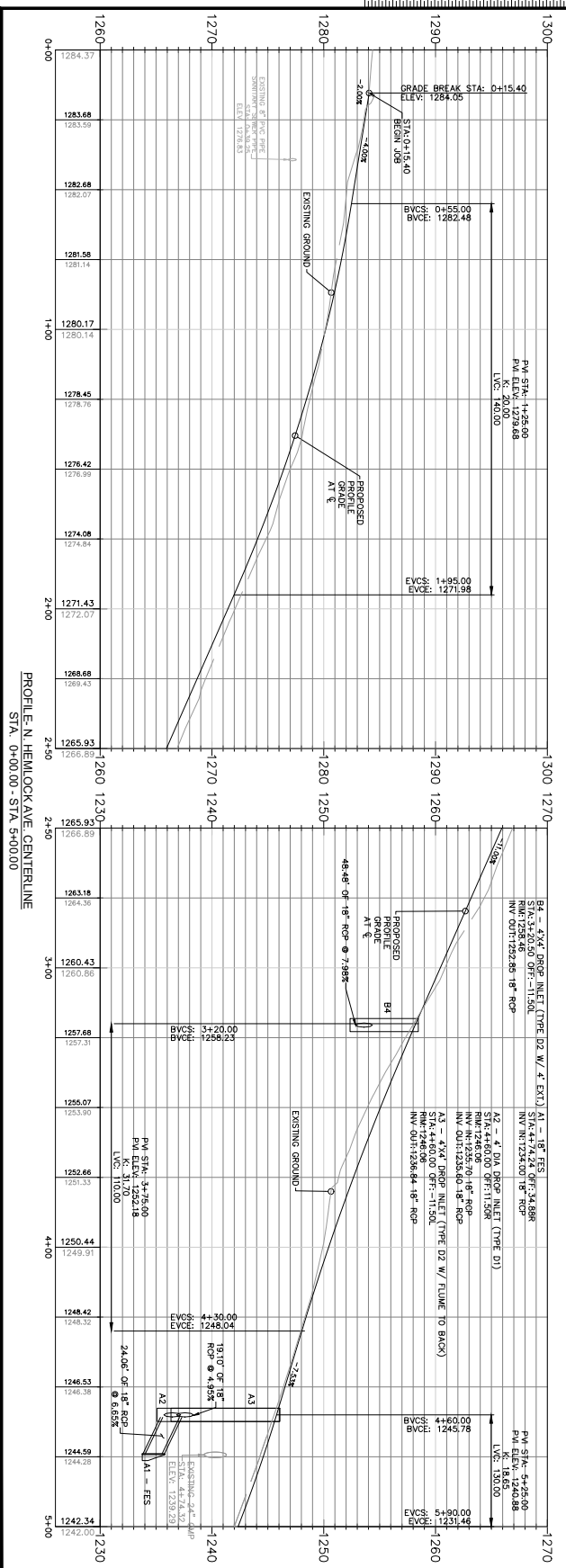
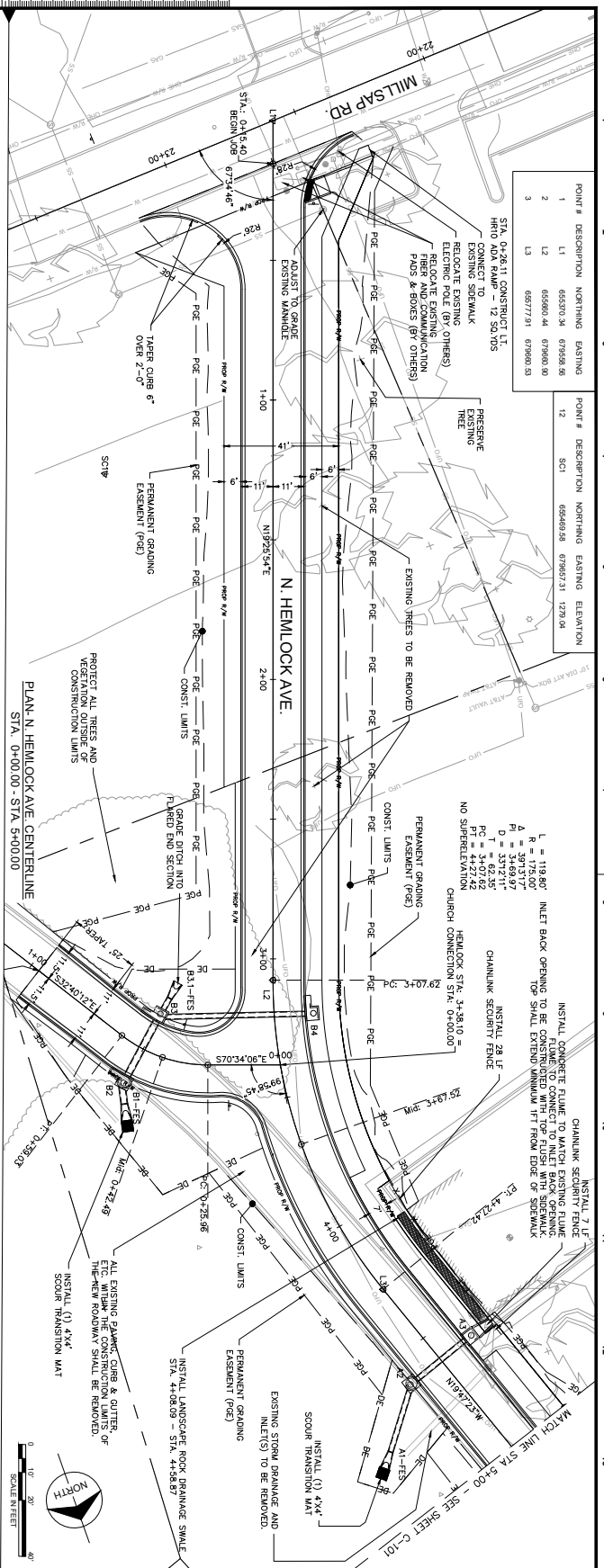


ISSUED FOR BID	STATE OF ARKANSAS REGISTERED PROFESSIONAL ENGINEER No. 14022 J. A. HAN 5/14/2025	BURNS MCDONNELL	DESIGNED 4/23/25 TRN	CHECKED TRN	DATE 4/23/25	PROJECT 136268	CONTRACT 040943	PROJECT C-200	DATE 00	SHEET 12	OF 64	SHEETS
CITY OF FAYETTEVILLE MILLSAP COLLEGE INTERSECTION IMPROVEMENTS												
MAINTENANCE OF TRAFFIC (OVERALL) MAINTENANCE OF TRAFFIC PLANS - 01												
NOTE: CONTRACTOR SHALL MAINTAIN EXISTING PAVEMENT MARKINGS IN LIEU OF NEW MARKINGS UNLESS OTHERWISE NOTED ON THE PLANS. CONTRACTOR SHALL INSTALL TRAFFIC DEVICES ALONG ALL OPEN CONSTRUCTION AREAS TO MAINTAIN TRAFFIC IN GOOD CONDITION.												
NOTE: CONTRACTOR SHALL MAINTAIN EXISTING PAVEMENT MARKINGS IN LIEU OF NEW MARKINGS UNLESS OTHERWISE NOTED ON THE PLANS. CONTRACTOR SHALL INSTALL TRAFFIC DEVICES ALONG ALL OPEN CONSTRUCTION AREAS TO MAINTAIN TRAFFIC IN GOOD CONDITION.												

Planning Commission
September 14, 2025
VAC-2026-0012 (CHRISTIAN LIFE CATHEDRAL)

POINT #	DESCRIPTION	NORTHING	EASTING	ELEVATION
1	L1	655370.34	679359.36	
2	L2	655860.44	679660.30	
3	L3	656777.91	679960.03	

POINT #	DESCRIPTION	NORTHING	EASTING	ELEVATION
12	SC1	658469.58	679672.31	1279.04



ISSUED FOR BID

REGISTERED PROFESSIONAL ENGINEER
No. 14082
J. HAN

5/14/2028

Planning Commission
September 14, 2028

VAC-2026-0012 (CHRISTIAN LIFE CATHEDRAL)

Project: 130208

Contract: 040943

Sheet: 3 of 28

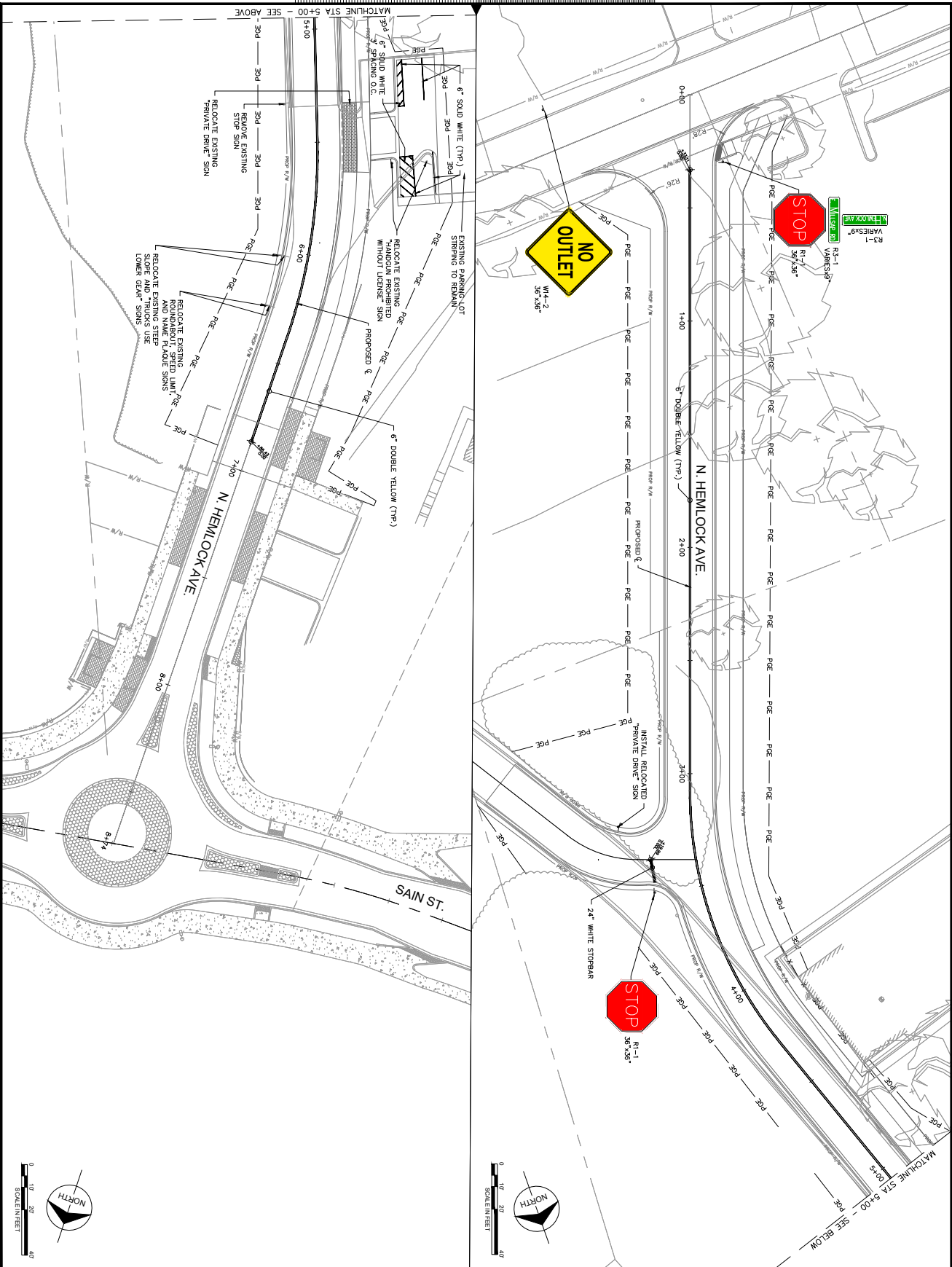
City of Fayetteville
N. Hemlock Ave. Project

PLAN AND PROFILE - 1

Drawn: 4/23/26

Designed: AHB

Checked: SRB



PROJECT: 136268 CONTRACT: 040943 DRAWING: C-400 REV: 00 SHEET: 10 OF 28		STRIPING AND SIGNAGE PLAN - 1 CITY OF FAYETTEVILLE N. HEMLOCK AVE PROJECT		DATE: 4/23/26 DESIGNED: TRN CHECKED: SFB		BURNS & MCDONNELL REGISTERED PROFESSIONAL ENGINEER STATE OF ARKANSAS NO. 14032 5/14/2026		ISSUED FOR BID		DATE: 04-24-26 BY: TRN CHKD: JME DESCRIPTION: ISSUED FOR BID	
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Planning Commission
September 14, 2026

VAC-2026-0012 (CHRISTIAN LIFE CATHEDRAL)

Written request and narrative Millsap Street Right-of-Way Vacation City of Fayetteville, Arkansas

To: The Fayetteville City Planning Commission and The Fayetteville City Council

On behalf of the landowners, I am petitioning the Fayetteville City Planning Commission and the Fayetteville City Council to vacate the entirety of the Millsap Street Right-of-Way, as described below:

A part of the NE1/4 of the SE1/4 of Section 26, T17N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the NE Corner of said NE1/4, SE1/4, thence S02°29'35"W 476.61 feet, thence N86°58'31"W 306.13 feet to the POINT OF BEGINNING: thence S16°58'31"E 82.16 feet, thence along a curve to the right 158.47 feet, said curve having a radius of 86.09 feet and a chord bearing and distance of S35°47'27"W 137.03 feet, thence S87°30'03"W 195.59 feet, thence N02°28'44"W 49.88 feet, thence N87°28'07"E 197.47 feet, thence along a curve to the left 65.41 feet, said curve having a radius of 36.07 feet and a chord bearing and distance of N35°00'57"E 56.81 feet, thence N16°58'31"W 82.16 feet, thence N73°01'29"E 50.00 feet to the POINT OF BEGINNING: Containing 19,518.34 square feet or 0.448 acres more or less.

Christian Life Cathedral is the only abutting landowner to the said right-of-way sought to be vacated. By granting this vacation request, the current owners would benefit by having less public traffic route through the private street located between the existing Hemlock avenue ROW and the existing Millsap avenue ROW, and no other landowner would be adversely affected.

A Utilities Easement will be retained for existing utilities that will need to remain within the said right-of-way.

The public interest and welfare would not be adversely affected by granting this vacation request.

The vacation of the said Millsap Street right-of-way will remove a right-of-way that bisects a group of otherwise contiguous church parcels. Millsap Street begins at College Avenue and extend eastward to a point where it is otherwise wholly surrounded by church property, and terminates within church property. The initial purpose of the right-of-way when established



was for cross connectivity with adjacent single family parcels on the north and east side of the property. However due to terrain difficulties the city has since adjusted the master street plan to no longer desire those connections. The northern portion of this ROW has been vacated with this sliver remaining. Now that Hemlock Avenue will connect with Millsap directly, the removal of this ROW and the addition of an access and utility easement in its place will still allow for life safety operations while directing a bulk of the vehicular traffic further from the front of the building which has heavy pedestrian traffic during church operations.

The vacation of the right-of-way described above would benefit the City of Fayetteville by removing this street from required city maintenance, repair, or replacement, thus saving the taxpayers and allowing money allocated for this purpose to be used where needed elsewhere. It will also help with public safety by separating vehicular traffic from pedestrian traffic a bit more.

Included in the Petition Packet is:

- 1 Application and Payment of applicable fees for processing the application
- 2 Legal description of areas to be vacated
- 3 Exhibit Maps
- 4 This Letter
- 5 Owner's consent
- 6 Authorization Letter
- 7 County Parcel Map Copies
- 8 Petition to Vacate ROW
- 9 Utility Company Comments



Ben Payne

PETITION

PETITION TO VACATE A STREET RIGHT-OF-WAY LOCATED IN 26-17-30 FAYETTEVILLE OUTLOTS, CITY OF FAYETTEVILLE, ARKANSAS.

TO: The Fayetteville City Planning Commission and
The Fayetteville City Council

We, the undersigned, being all the owners of the real estate abutting the street right-of-way hereinafter sought to be abandoned and vacated, lying in 26-17-30 Fayetteville Outlots, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate an easement which is described as follows:

A part of the NE1/4 of the SE1/4 of Section 26, T17N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the NE Corner of said NE1/4, SE1/4, thence S02°29'35"W 476.61 feet, thence N86°58'31"W 306.13 feet to the POINT OF BEGINNING: thence S16°58'31"E 82.16 feet, thence along a curve to the right 158.47 feet, said curve having a radius of 86.09 feet and a chord bearing and distance of S35°47'27"W 137.03 feet, thence S87°30'03"W 195.59 feet, thence N02°28'44"W 49.88 feet, thence N87°28'07"E 197.47 feet, thence along a curve to the left 65.41 feet, said curve having a radius of 36.07 feet and a chord bearing and distance of N35°00'57"E 56.81 feet, thence N16°58'31"W 82.16 feet, thence N73°01'29"E 50.00 feet to the POINT OF BEGINNING: Containing 19,518.34 square feet or 0.448 acres more or less.

That the abutting real estate affected by said abandonment of the street right-of-way are part of 26-17-30 Fayetteville Outlots, City of Fayetteville used by the public for a period of many years, and that the public interest and welfare would not be adversely affected by the abandonment of the portion of the above-described street right-of-way.

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

The petitioners further pray that the above-described real estate be vested in the abutting property owners as provided by law.

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

Dated this 14th day of September, 2026.

Rebecca J. Ginger

Printed Name

Rebecca J. Ginger

Signature

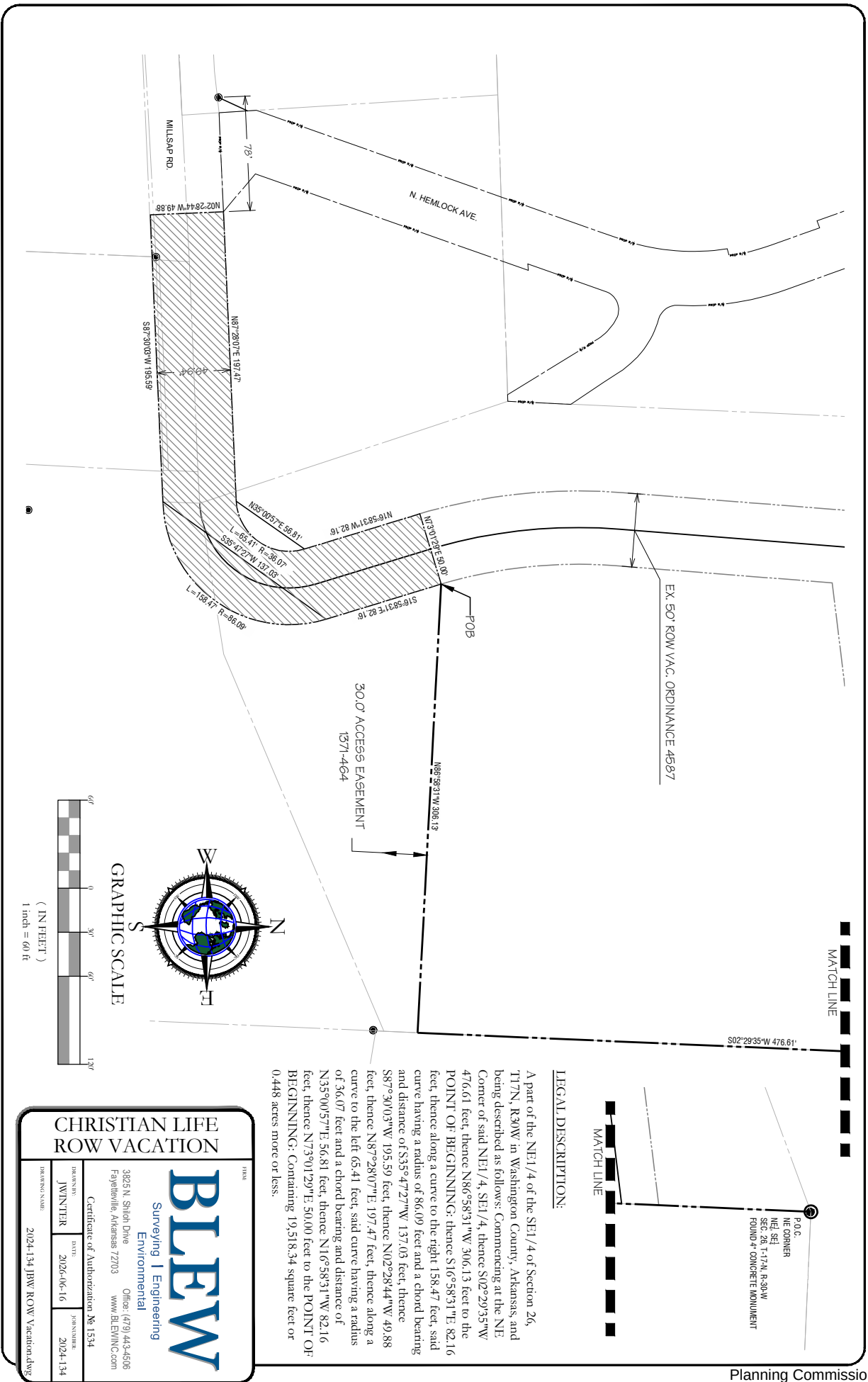
John D. Ginger

Printed Name

John D. Ginger

Signature

Gres Dixon
J. Dixon



CHRISTIAN LIFE ROW VACATION

BLEW

Surveying | Engineering
Environmental

3625 N. Shiloh Drive Office: (479) 443-4506
Fayetteville, Arkansas 72703 www.BLEWINC.com

Certificate of Authorization No. 1534

DRAWN BY	DATE	JOIN NUMBER
JWINTER	2026-06-16	2024-134

DRAWING NAME: 2024-134 JBW ROW Vacation.dwg



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: July 14, 2025

SUBJECT: **CUP-2026-0036: Conditional Use Permit (1726 N SANG AVE /HAVENLY MCFADDEN LLC, 364):** Submitted by HACKBERRY LANE MANAGEMENT LLC for property located at 1726 N. SANG AVE. The property is zoned RMF-40, RESIDENTIAL MULTIFAMILY, 40 UNITS PER ACRE and contains approximately 1.79 acres. The request is for a temporary leasing office.

RECOMMENDATION:

Staff recommends approval of **CUP-2026-0036** with conditions.

RECOMMENDED MOTION:

*"I move to approve **CUP-2026-0036**, finding:*

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

BACKGROUND:

The subject property is located on the southeast corner of the intersection between W. Deane Street and N. Sang Ave. The property currently includes four two-family dwellings which were constructed in 2017. The property is not part of any overlay district or master planning area, and contains no hydric soils, floodplain, or streamside protection areas per city records. Surrounding land uses and zoning are provided in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	University of Arkansas Agri Farm	R-A, Residential Agricultural
South	Multifamily Residential	RMF-40, Residential Multifamily, 40 Units per Acre
East	Two-Family Residential	RMF-40, Residential Multifamily, 40 Units per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre

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

Request: The applicant requests a conditional use permit to allow for one side of an existing duplex to be utilized as a temporary leasing office (Use Unit 2).

- Business size: Approximately 2,000 sq. ft.
- Hours of operation: Monday – Friday, 10:00 AM to 5:00 PM.
- Number of Employees: 1 or 2
- Patrons: Average per day during peak time: 1-5

Public Comment: Staff has not received any public comment on this item.

RECOMMENDATION: Staff recommend approval of **CUP-2026-0036**. Should the Planning Commission choose to approve the permit, staff recommends the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds the temporary use of 1726 N. Sang Ave. as a leasing office to be compatible with the surrounding area and uses for the reasons described in this report;*
2. **This conditional use permit is limited to the use for a temporary leasing office as described in the applicant's request letter. The following specifications apply:**
 - a. Business size: Approximately 2,000 sq. ft.
 - b. Hours of operation: Monday – Friday, 10:00 AM to 5:00 PM.
 - c. Number of Employees: 1 or 2
 - d. Patrons: Average per day during peak time: 1-5
3. **Conditional use permit shall expire six months after the date of approval.**
4. **If the use of the structure as a temporary office exceeds 180 days after license issuance, a commercial permit for a change in occupancy is required.**
5. **A general fire code inspection will be required for the Business License.**
6. **Parking shall follow all requirements of UDC 172.11 Driveway and Parking Standards for Four (4) Or Less Parking Spaces, including location and maintenance.**
7. **Approval of this conditional use permit does not ensure approval of a development application. The conditional use permit grants the applicant rights to submit a development proposal based on the conceptual layout included herein. The applicant shall comply with all other development requirements, including but not limited to, tree preservation, drainage, exterior lighting, utility installation, and Fire Department access standards. These details shall be reviewed with the development application;**
8. **Any future expansion or change in the use shall require Planning Commission approval; and**
9. **Signs shall be limited to those permitted by UDC §174. Any proposed signage shall be reviewed for compliance with the underlying zoning district through separate permit(s).**

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>September 14, 2026</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

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

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

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

Finding: The applicant has submitted a written application requesting a conditional use permit for Use Unit 2 in the RMF-40 zoning district.

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

Finding: The applicant has paid the required filing fee.

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

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

Finding: The Planning Commission is empowered under Unified Development Code §161.17 to grant the requested conditional use permit.

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

Finding: Staff finds that granting the requested conditional use is unlikely to adversely affect the public interest. The proposal is located within an existing structure that was constructed in 2017. A general fire code inspection shall be required prior to the issuance of a business license, and the Building Safety and the Fire Marshal's office have jointly recommended a condition that a commercial building permit for a change of use be required

should the commercial use exceed a period of 180 days. Given the low number of anticipated employees and guests, staff finds there is likely to be minimal traffic impact to the public realm and that required safety inspections should minimize the potential for public harm.

(c.) The Planning Commission shall certify:

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

Finding: There are no specific rules that govern Use Unit 2 for temporary uses of this type.

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

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

Finding: Existing access to the property occurs through the shared driveway off West Deane Street. No change to the existing access features is being proposed, and no changes are recommended by staff given that no major improvements are being made to the site. Given the low volume of anticipated customers and employees, staff finds the adjacent traffic impact is likely to be similar to that of a residential use.

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

Finding: Based on the provided plans, there appears to be sufficient space for two vehicles within the existing driveway. The structure also includes a two-car garage. Staff recommends a condition that on-site parking shall follow all requirements of UDC 172.11 Driveway and Parking Standards For Four (4) Or Less Parking Spaces, including location and maintenance.

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

Finding: The property is currently served by residential trash carts. Staff finds the proposed use as a leasing office is not likely to substantially alter trash and recycling needs.

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

Finding: The property has access to City water and sewer. Any required extensions will be provided at the time of permitting.

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

Finding: Staff does not recommend any additional screening at this time.

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

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

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

Finding: The proposed use is within a temporary structure that appears to be complying with setback and other standards. Full evaluation of RMF-40 requirements will be made at the time of permitting.

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

Finding: Staff finds that the proposed use is compatible with the surroundings with no apparent nuisance or adverse impacts. A leasing office is generally a low intensity use and the temporary nature of the request minimized the chances of long-term impacts to the surrounding properties.

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

Finding: Staff finds the proposed use to be generally compatible with the goals and intent of the City's adopted land use, transportation, and other strategic plans. While city documents do not speak directly to temporary uses, the use of existing infrastructure to accommodate small commercial needs is in line with overall city goals to promote adaptive reuse and facilitate development where city infrastructure already exists. Using an existing building removes the need for either temporary structures or potentially expensive office space, which could have some benefit to housing affordability.

BUDGET/STAFF IMPACT:

None

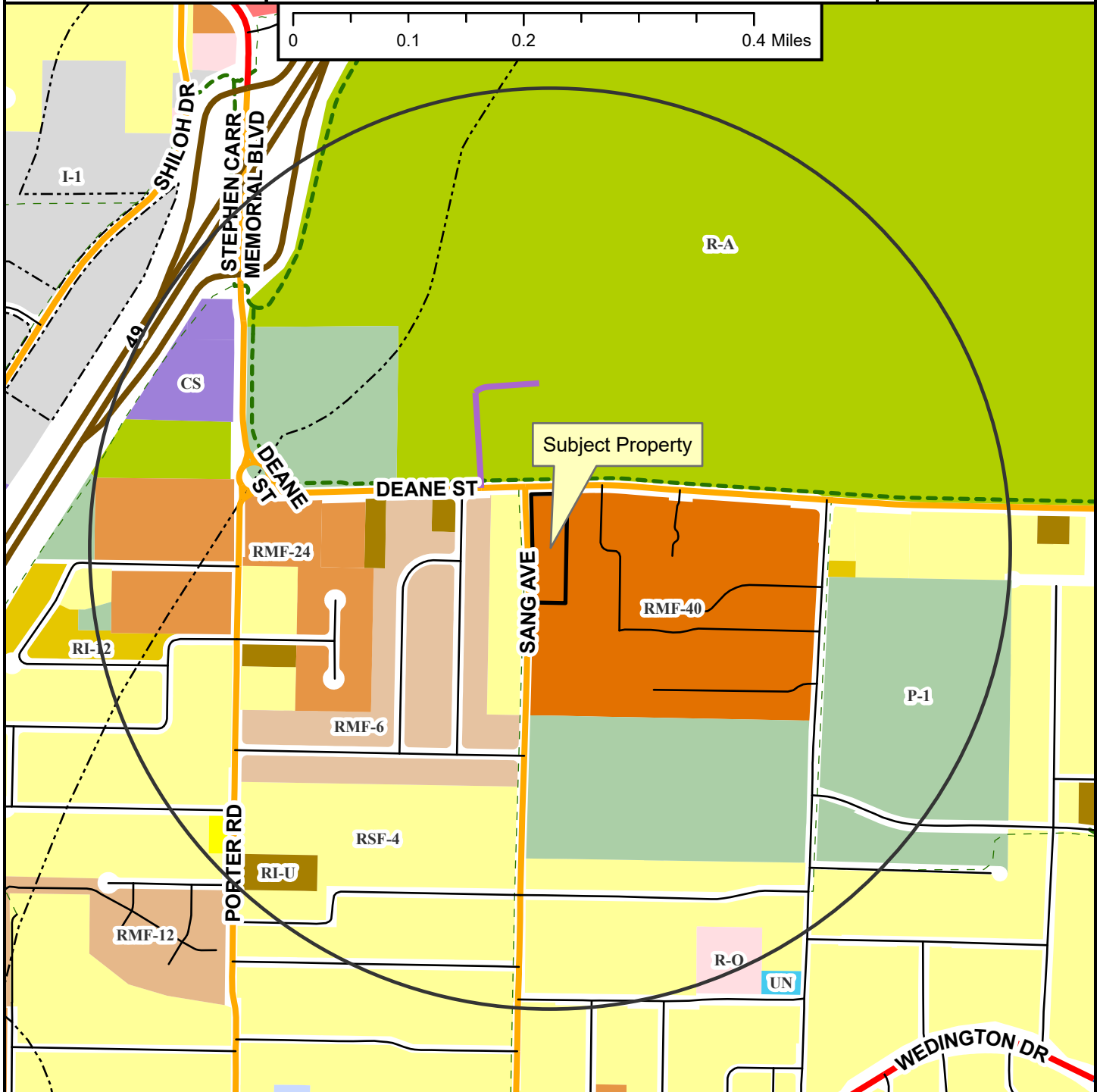
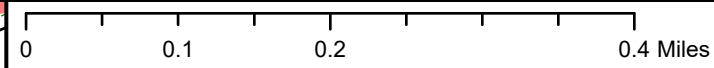
Attachments:

- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Unified Development Code
 - § 161.17 Residential Multifamily, 40 Units per Acre
- Staff Exhibits
 - Site Plan
 - Google Street View
- Applicant Request Documents
 - Request Letter

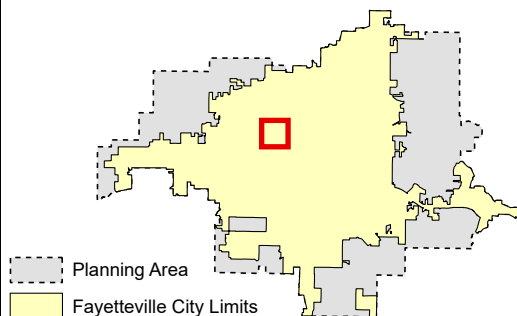
CUP-2026-0036

1726 N SANG AVE

One Mile View



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

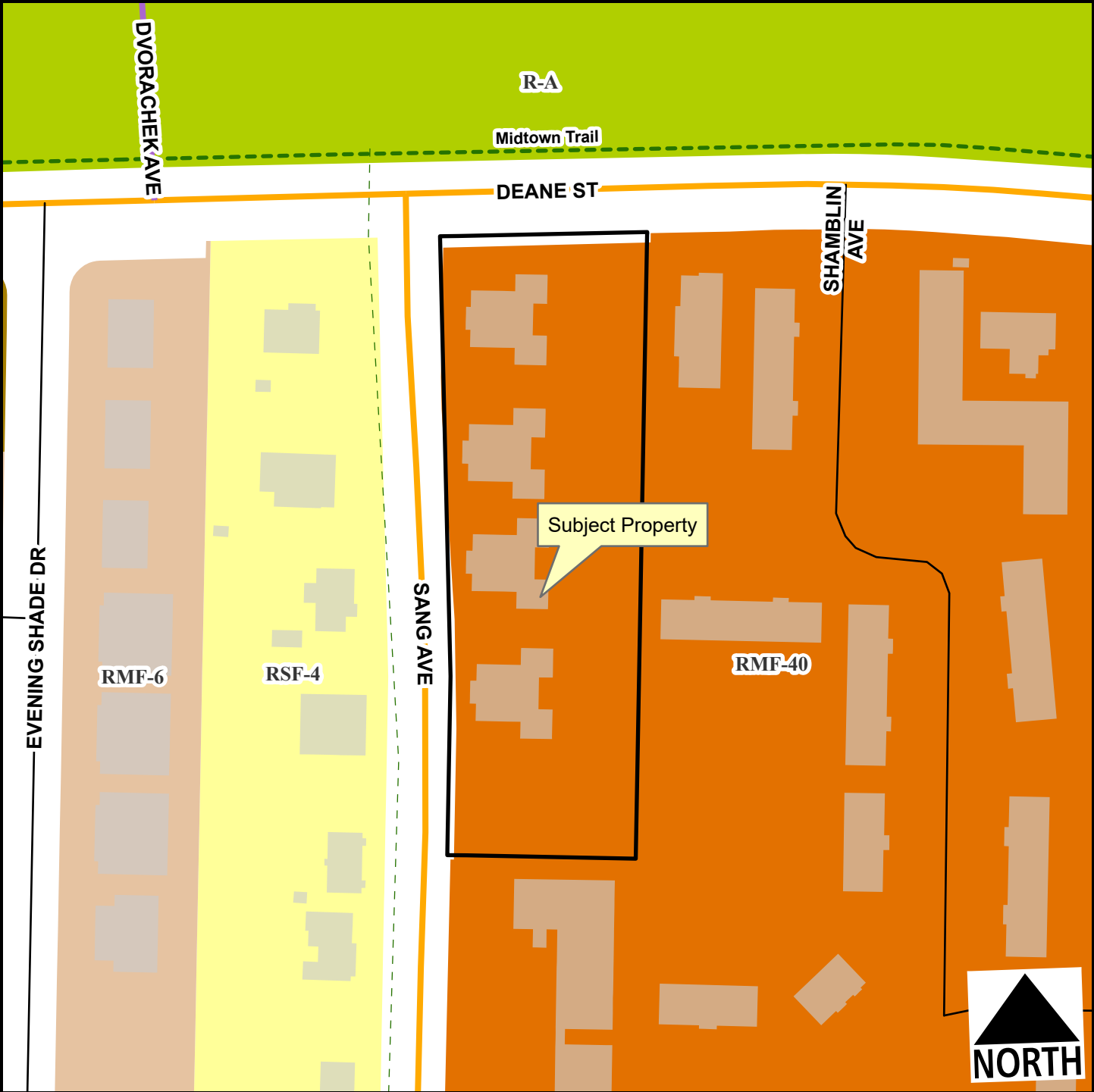


Planning Commission

September 14, 2026

CUP-2026-0036 (HAVENLY MCFADDEN LLC)

Page 7 of 18



- Neighborhood Link - Institutional Master Plan - Unclassified - Residential Link - Planning Area - Fayetteville City Limits - Shared-Use Paved Trail - Trail (Proposed)	Feet 0 40 80 160 240 320 1:1,400	Planning Commission September 14, 2026 CUP-2026-0036 (HAVENLY MCFADDEN LLC) Page 8 of 18
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CUP-2026-0036

1726 N SANG AVE

Current Land Use



- Neighborhood Link
- Institutional Master Plan
- Unclassified
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits
- Design Overlay District



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

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

(2) *Conditional Uses.*

Unit 2	City-wide uses by 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
Unit 48	Private dormitories

(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-family	30 feet
Three-family or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

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

Fraternity or Sorority	1 acre
------------------------	--------

(3) *Land Area Per Dwelling Unit.*

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

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

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

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

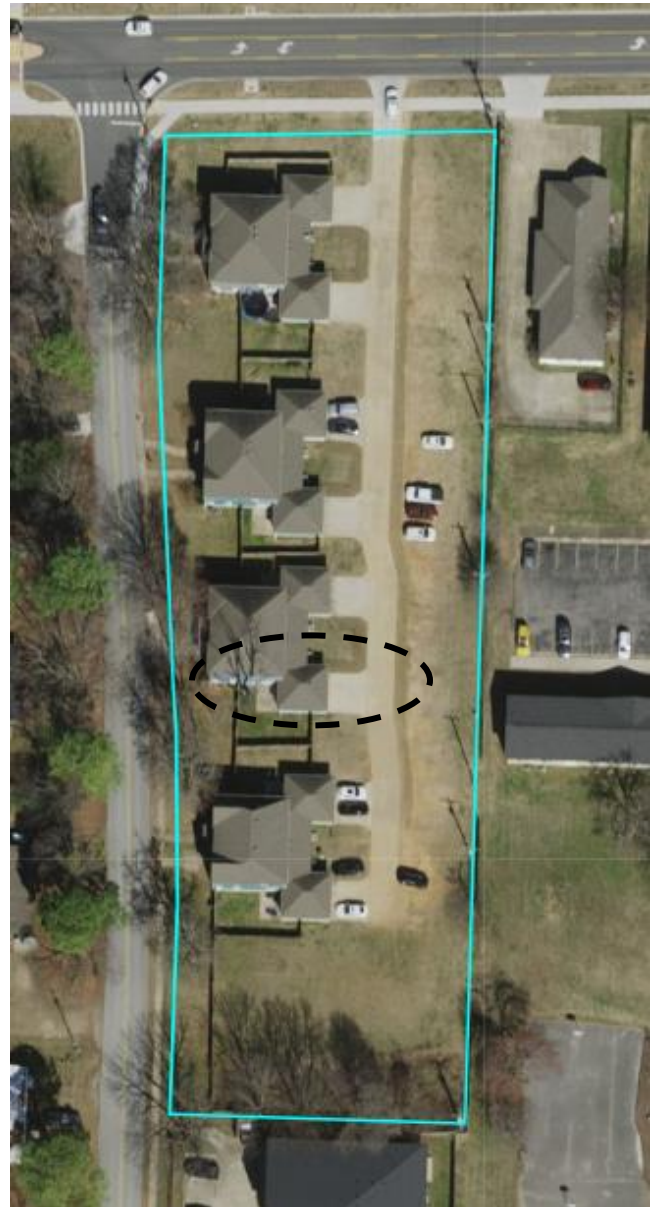
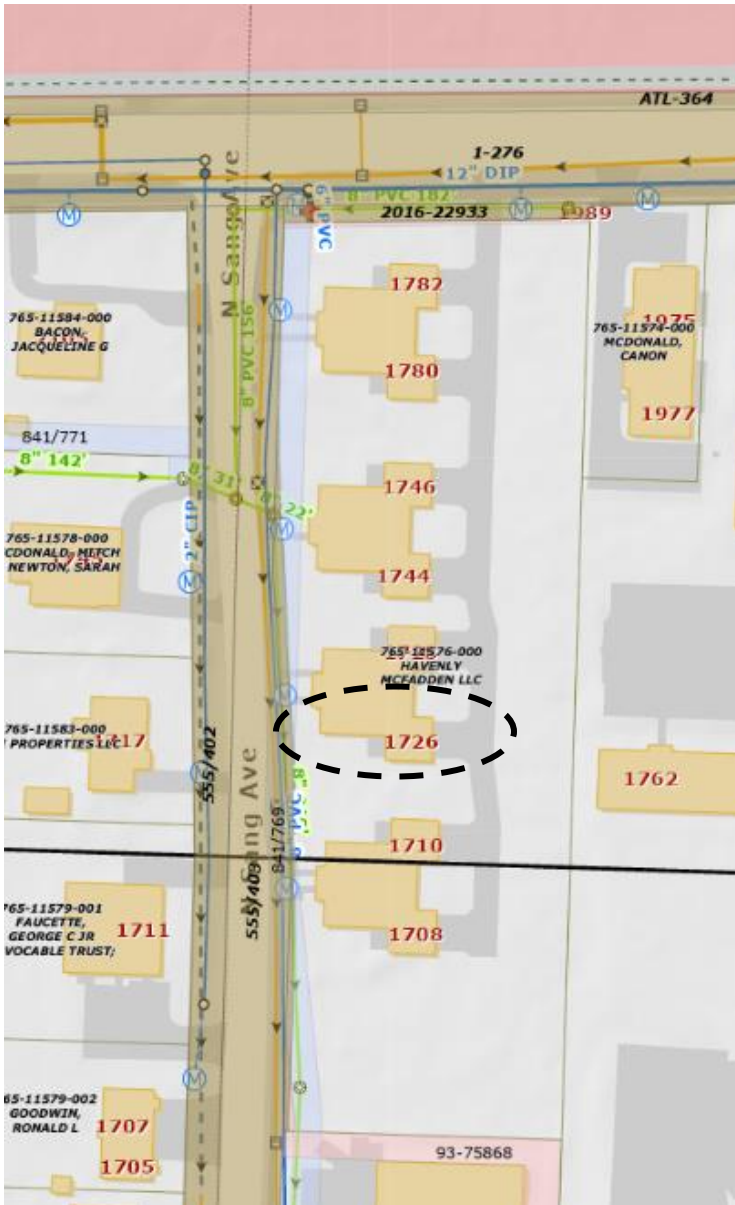
If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single-family district. The amount of additional setback for the portion of the building over two (2) stories shall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

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

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

(Ord. No. 6945, §5(Exh. D), 12-16-25)

STAFF EXHIBIT GIS SITE PLANS



**STAFF EXHIBIT
GOOGLE STREET VIEW**





Havenly McFadden LLC

September 1, 2026

City of Fayetteville, Arkansas
Development Services / Planning Division
125 W. Mountain Street
Fayetteville, AR 72701

RE: Request for Conditional Use Permit — 1726 N. Sang Avenue, Fayetteville, AR

To Whom It May Concern:

Havenly McFadden LLC ("Owner"), respectfully submits this letter in support of the application for a Conditional Use Permit to allow the property located at 1726 N. Sang Avenue, Fayetteville, Arkansas ("the Property") to be used as a temporary business office. This letter provides the written description of the proposed use and addresses each item required by the City's conditional use permit application checklist.

1. Written Description of Request

The Applicant proposes to use the structure at 1726 N. Sang Avenue as a temporary office for six months to support its local. The proposed use is administrative and office-based in nature (staff workstations, meetings, and general business operations) and does not involve retail sales, manufacturing, or on-site customer service beyond occasional scheduled visits.

(a) Building Size: The existing structure contains approximately 2,000 square feet. No expansion of the building footprint is proposed. The structure is a duplex split into two addresses: 1726 N Sang and 1728 N Sang. 1726 will be used entirely as the office space and 1728 N Sang will be used as a rental residence.

(b) Color Elevations: Color elevations of all exterior sides of the structure (front, rear, and both sides) are attached as Exhibit [A]. No exterior color or material changes are proposed as part of this request; the building will retain its existing exterior.

(c) Off-Street Parking: The Property provides (2) off-street parking spaces.

(d) Business Operations: Hours of Operation: The office is anticipated to operate by appointment only. Appointments will be offered 5 days a week, Monday – Friday, between the hours of 10:00 AM – 5:00 PM. Number of Employees: The Applicant anticipates 1-2 employees working on site at any given time. Patrons/Visitors: Given the administrative nature of the use, the Property is not open to walk-in customers or the general public. The Applicant anticipates an average of 1 scheduled visitors per day/week, with a peak of approximately 5 during peak hours (e.g., resident tours, vendor meetings, or interviews).

(e) Outdoor Lighting: No new or additional outdoor lighting is proposed.

(f) Noise: The proposed office use will not generate noise beyond that typical of a standard business office (e.g., conversation, telephone use, printers/copiers, and incidental HVAC operation). No amplified sound, outdoor speakers, or mechanical equipment beyond standard building systems will be used. No noise impacts to adjacent properties are anticipated.

(g) Screening/Buffering: No changes to existing screening or buffering are proposed.

(h) Trash and Refuse Service: Trash and refuse will be collected in alignment with normal trash pickups.

(i) Ingress, Egress, and Traffic Impacts: Vehicular access to the Property is provided via the existing driveway/curb cut on N. Sang Avenue, with no changes to existing ingress or egress proposed. Given the low number of employees and absence of regular customer traffic, the proposed office use is expected to generate minimal traffic impact — comparable to or less than a single-family residential use — and no roadway or intersection improvements are anticipated to be necessary.

(j) Compatibility with the Neighborhood: The proposed temporary office use is a low-intensity, low-traffic use that is compatible with the character of the surrounding area. The use will not alter the exterior appearance of the structure, will not introduce additional noise, lighting, or traffic beyond what is typical of the existing neighborhood context, and will operate during standard daytime business hours. The Applicant believes the proposed use will have no adverse impact on adjacent properties or the surrounding neighborhood.

Sincerely,

Catherine Fernandez

Principal – Operations

77,470 ± SQUARE FEET, OR 1.778 ± ACRES

THE PROPERTY HEREON DESCRIBED IS THE SAME AS TRACT 1 DESCRIBED IN MOBILITY NATIONAL TITLE INSURANCE COMPANY, TITLE COMMITMENT NO. 26-338480-1, WITH A COMMITMENT DATED OF FEBRUARY 4, 2026 AT 07:00 A.M.

SCHEDULE A DESCRIPTION

[illegible]

NOTES CORRESPONDING TO SCHEDULE B

- [illegible]

RANGE SPACES
 TOTAL = 8

ZONE "X" - AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON MAPS AS ABOVE THE 500 YEAR FLOOD LEVEL. ZONE "X" IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEES FROM 100-YEAR FLOOD.

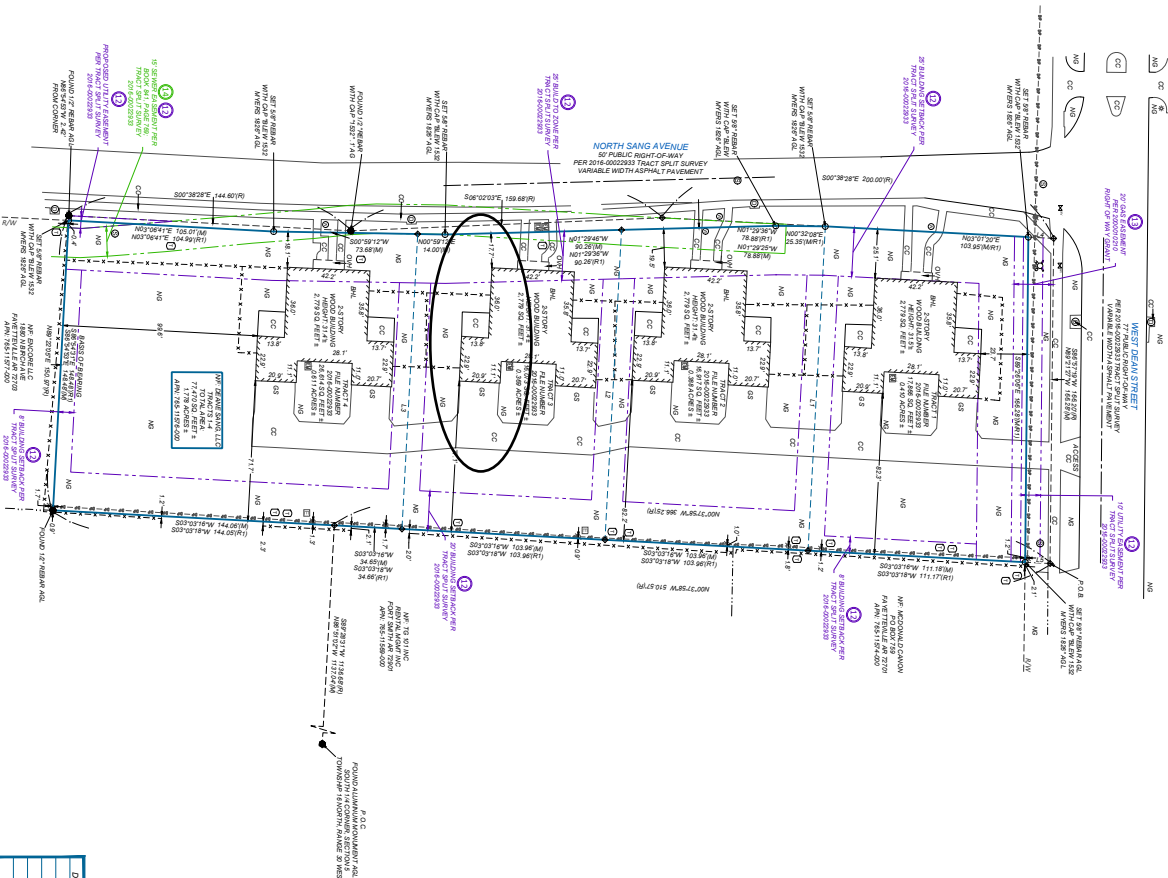
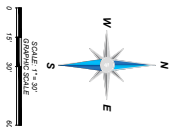
THE SUBJECT PROPERTY, THIS BEARING IS DEFINED AS S86°54'57"E PER GAS COORDINATE
CASSERVIOUS AIRWAYS STATE PLANE, NORTH ZONE NAD83.
LATITUDE = 36°05'03.1743"
LONGITUDE = -94°11'18.3380"
CONVERGENCE ANGLE = 01°16'24.3669"

ANONE OBSERVED AT THE TIME OF THE AL TANISS SURVEY

GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.

AT THE TIME OF THE ALTA SURVEY NO ZONING REPORT OR LETTER HAS BEEN PROVIDED TO THE SURVEYOR BY THE CLIENT OR THE CLIENT'S DESIGNATED REPRESENTATIVE IN ORDER TO LIST (TABLE A ITEM 6(A)) OR GRAPHICALLY DEPICT (TABLE 6(B)) THE ZONING REQUIREMENTS HEREON.

LINE TABLE



WASHINGTON COUNTY, FAYETTEVILLE, ARKANSAS 72701
LOCATED IN: SECTION 5, TOWNSHIP 16 NORTH, RANGE 30 WEST, 5TH P.M.

Map of the proposed site location in the North End of Portland, Maine. The map shows the intersection of N Porter Rd and N Stephen Ave, with Willowbrook Dr and Evening Shade Dr to the west. The proposed site is located on N Sang Ave, between Willowbrook Dr and Evening Shade Dr. The map also shows the intersection of N Sang Ave and N Shambles Ave, and the intersection of N Sang Ave and N Resolute Dr. The site is located on the east side of N Sang Ave, between Willowbrook Dr and Evening Shade Dr. The map includes a north arrow and a scale bar.

1. SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY.
2. DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF.

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THIS IS TO CERTIFY THAT THIS MAP OF PLAT AND THE SURVEY ON WHICH IT IS BASED
WAS MADE IN ACCORDANCE WITH THE 2025 METRIC STANDARD AND THE REQUIREMENTS
FOR FILING LAND TITLE SURVEYS, 2025 METRIC STANDARD AND ADOPTED BY ALA AND
MS, AND INCLUDES ITEMS 2, 3, 4, 6(A), 6(B), 7(A), 7(B), 7(C), 8, 9, 10, 14, 16, 17, AND 19
OF THE ALABAMA TITLE FIELD BOOK, WHICH WAS COMPLETED ON 03/31/2026.

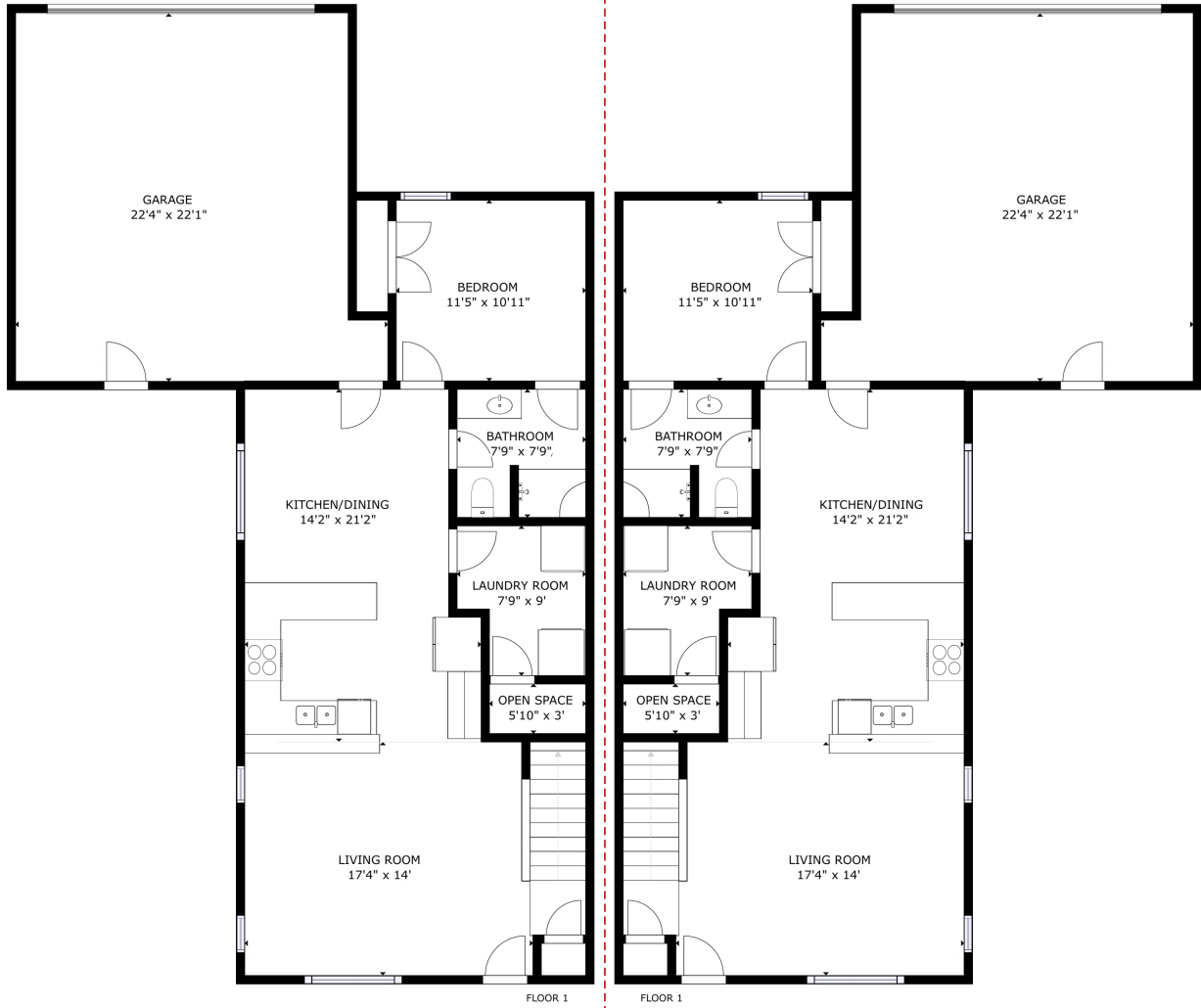
DATE OF PLAT OR MAP: 04/08/2024



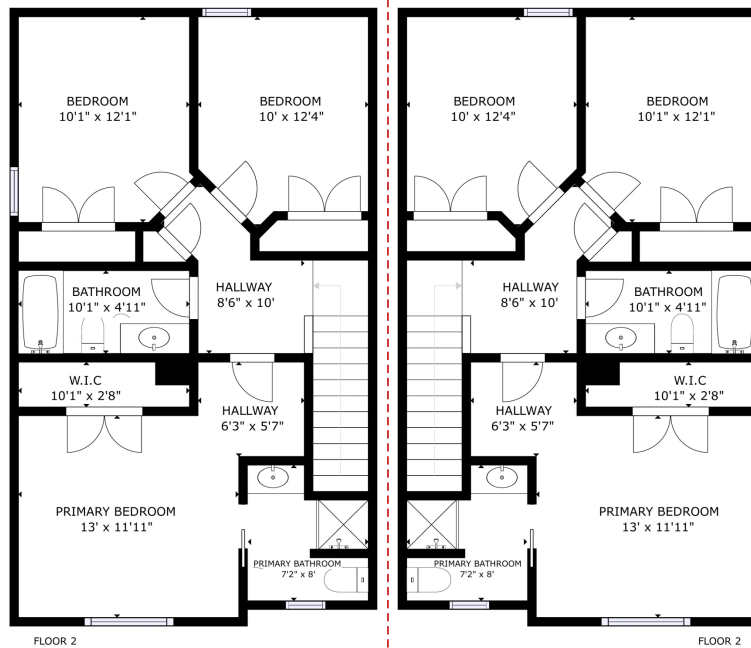
BLEW
Surveying | Engineering | Environmental
3030 N. GARDEN ROAD • FORT MYERS, FL 33903

DATE	REVISION HISTORY	

Old Row on Sang Townhome Floor 1



Old Row on Sang Townhome Floor 2





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: September 14, 2026

SUBJECT: **CUP-2026-0038: Conditional Use Permit (428 W PROSPECT ST/WILLIAM R KENNAN, 445):** Submitted by MAX & KAREN MCALLISTER for property located at 428 W PROSPECT ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.30 acres. The request is for a short-term rental in a residential zoning district.

RECOMMENDATION:
Staff recommends approval of **CUP-2026-0038**.

RECOMMENDED MOTION:
*"I move to approve **CUP-2026-0038**, determining:*

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

BACKGROUND:
The subject property is located in central Fayetteville on the south side of Wilson Park approximately 150 feet west of the intersection of W. Prospect St. and N. Vandeventer Ave. The property is zoned RSF-4, Residential Single-Family, 4 Units per Acre, and is not encumbered in any overlay districts or master plan areas. The 0.20-acre parcel has been developed with a 1,312 sq. ft. single-family structure built in 1952 per the Washington County Assessor. Two zoning violations have previously been found on the property. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 16, 2025, City Council amended the ordinance to enact new requirements for short-term rentals. On July 6, 2023, City Council amended the Type 2 short-term rental density cap from two percent of all dwelling units to 475 units city wide, and on March 19, 2024 City Council further amended the ordinance to clarify separation standards. This report reflects those changes. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
South	Wilson Park	P-1, Institutional
East	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre

City Plan 2040 Future Land Use Designation: Residential Neighborhood

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

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

RECOMMENDATION: Staff recommends approval of **CUP-2026-0038** with the following conditions:

Conditions of Approval:

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

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>September 14, 2026</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

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

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

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

Finding: The applicant has paid the required filing fee. There is one outstanding public notification fee that remains unpaid.

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

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

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

Finding: Staff finds that granting the requested conditional use is unlikely to adversely affect the public interest. The applicant has indicated that two spaces will be available within the existing driveway for guests with an additional space available within the garage. The street does not appear to be of sufficient width to permit on-street parking. Staff finds the size and scale of the property are aligned with the character of the surrounding area along N. Sherman Ave. and that the request is likely substantially similar to existing conditions. Applicable business license requirements, including a

required building safety inspection, and applicable density caps on Type 2 short-term rentals are likely to minimize additional negative impacts.

(c.) The Planning Commission shall certify:

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

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

§163.18. SHORT-TERM RENTALS.

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

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

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

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

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

Finding: Parking for single-family dwellings is required to be provided at a rate of two spaces per unit and up to four vehicles are permitted to be parked outside on the property at any given time. The applicant has indicated that three spaces will be available on-site, split between two in the existing driveway and one in the garage. The street does not appear to be of sufficient width to permit on-street parking.

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

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

E. Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle,

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

Finding: The application is for use of the property at 428 W. Prospect St. Staff recommends a condition confirming that no recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

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

Finding: Type 2 short-term rentals are subject to a city-wide density cap at 475 units. As of August 27, 2026, the City had issued 472 Type 2 short-term rental business licenses, with 446 contributing to the cap. Approval of this CUP would not violate the City's density cap. Granting a conditional use permit for this location would give the applicant the zoning entitlement necessary to apply for a business license, but it would not guarantee approval of a business license.

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

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

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

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

Finding: City records indicate there are nine other units within a quarter-mile radius of the property has a business license to operate as a Type 2 short-term rental (1.9% of residential units). The property complies with specific density or separation requirements outlined for single-family structures. There are no private or public schools within 1,000 feet of a school's boundary line. There has been two prior zoning violation on this property. One was for

operating a short-term rental without a license. The initial violation began on October 29, 2024. In the interim, listings for short-term rental reservations were revised to meet a minimum 30 day stay, and a business license and conditional use permit have been applied for. There was also a zoning violation on this property in 2025 for noncompliant political signage.

There appears to be adequate parking available to support the use of the property as a short-term rental based on the applicant's submittal. The applicant has indicated that two spaces will be available within the existing driveway for guests with an additional space available within the garage. As the unit is limited to six-guests, staff finds on-site parking is likely sufficient.

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

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

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

Finding: One driveway is available to accommodate vehicular ingress and egress; with two driveway spaces and one garage space available for guest parking. The use of the property would be limited to a maximum of six guests which would not be out of character with the use of the property for residential purposes.

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

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

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

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

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

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

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

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

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

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

(g.) Required yards and other open space;

Finding: The house is an existing nonconforming structure. RSF-4 zoning requires a five-foot side setback, which the structure appears to be fully encroaching into along the western property line. Existing nonconforming structures are regulated per UDC 164.12(A).

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

Finding: Staff finds the proposed use to be compatible with surrounding properties as proposed. There are nine other licensed Type 2 short-term rentals within a quarter-mile radius and adequate parking appears to be available.

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

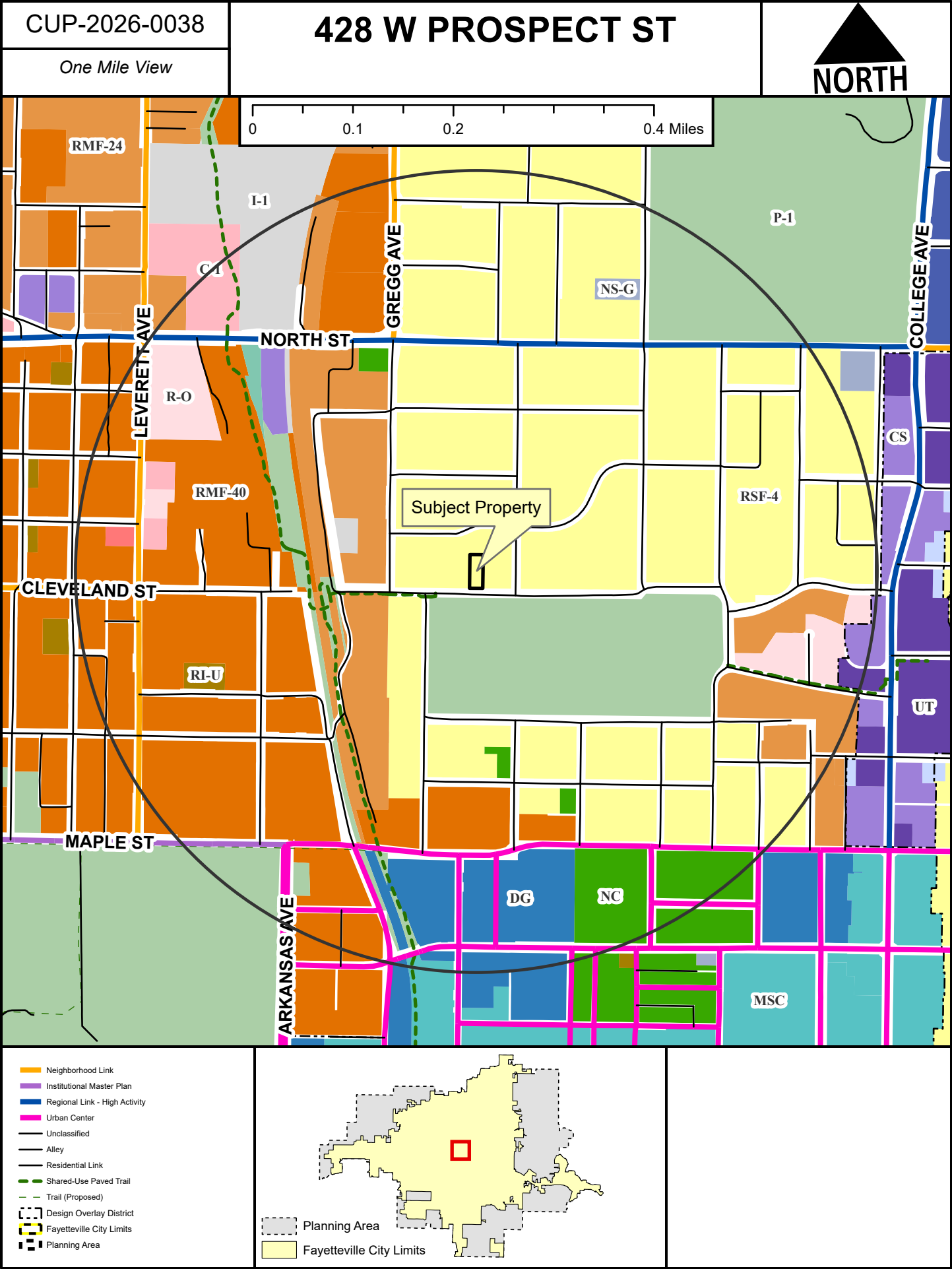
Finding: Staff finds the proposed use to be somewhat compatible with the goals and intent of the City's adopted land use, transportation, and other strategic plans since it does clearly support the stated goals in those plans. However, there are safeguards in place that limit how short-term rentals operate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

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

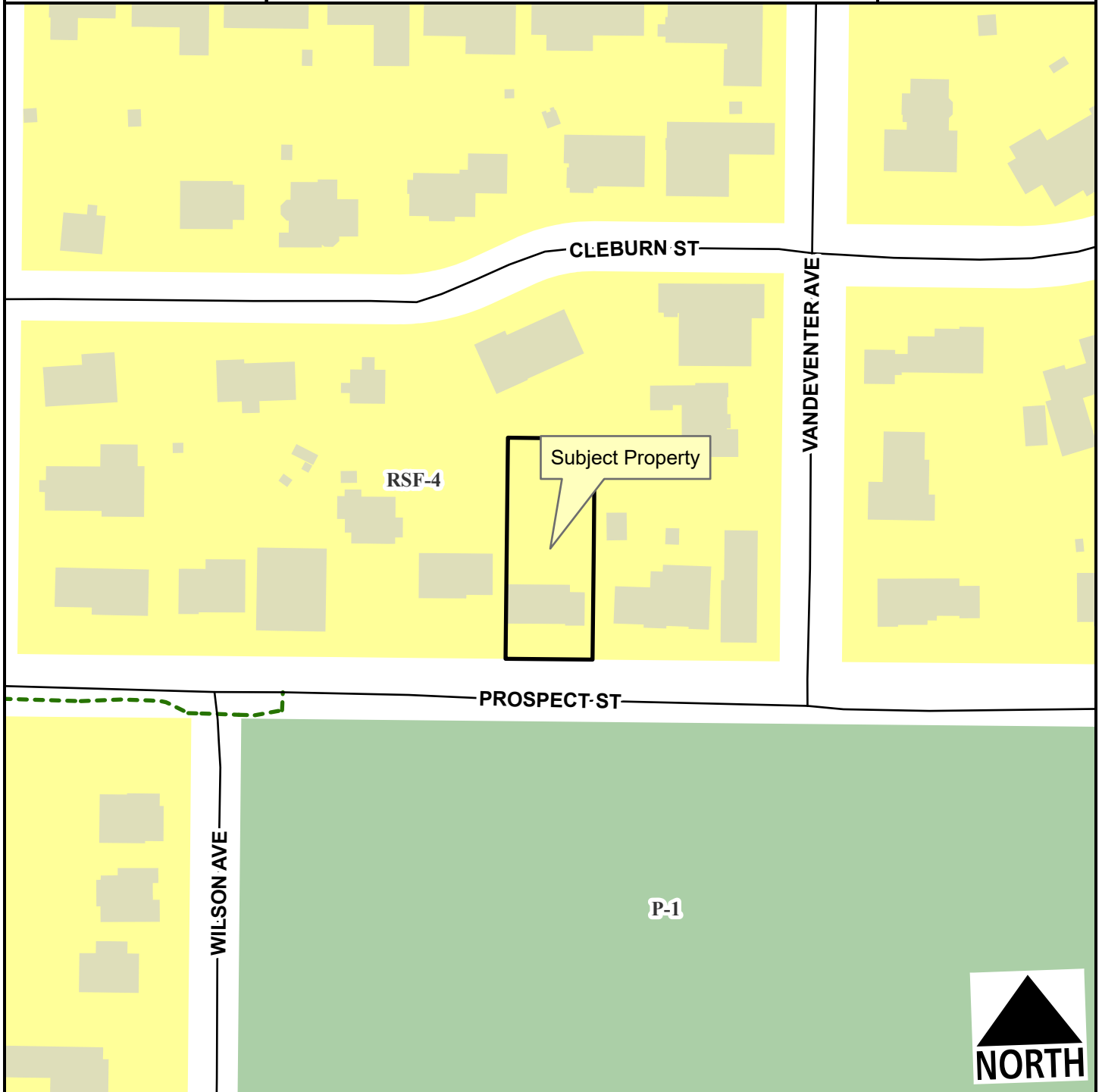
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - STRs within ¼ Mile Map
- Business Regulations
 - §118.01 Business Registry and License
 - §163.18 Type 2 Short-Term Rentals in Residential Zoning Districts
- Unified Development Code
 - §161.07 District RSF-24, Residential Single-Family –Four (4) Units Per Acre
- Applicant Exhibits
 - Applicant Request Letter
 - Building Elevations
 - Site Plan



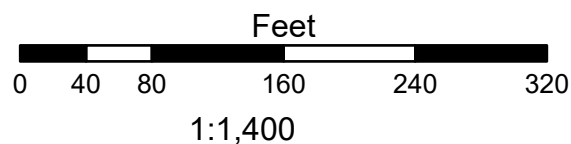
CUP-2026-0038

428 W PROSPECT ST

Close Up View



- Residential Link
- - - Planning Area
- ▭ Fayetteville City Limits
- - - Shared-Use Paved Trail



CUP-2026-0038

428 W PROSPECT ST

Current Land Use



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

Feet
0 90 180 360 540 720
1:3,000

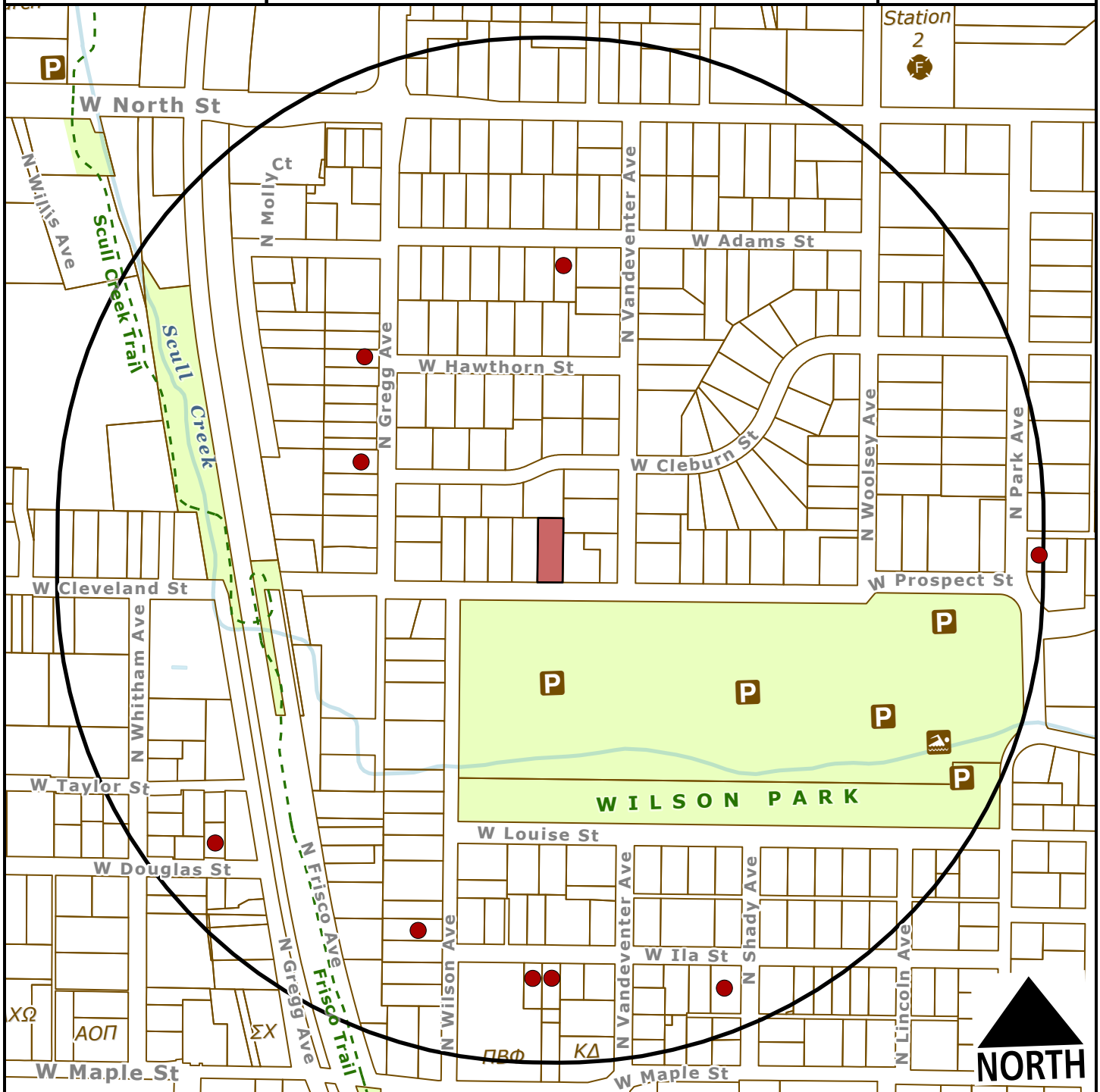
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CUP-2026-0038

428 W PROSPECT ST

STRs Within 1/4 Mile



Station
2
F

WILSON PARK

NORTH

Within 1/4 Mile

Type 2 STRs: 9

Occupiable
Residential
Addresses
(Estimated
Housing Units): 484

-  Subject Property
-  Short Term Rental, Type 2

Feet

0 200 400 800 1,200

1:4,800

§118.01 Applicability

(E) *Short-Term Rentals.* A residential dwelling unit, portion of a dwelling unit, or bedroom within a residential dwelling unit, leased and/or rented to a guest(s), for a period of less than thirty (30) consecutive days.

(1) *Short-Term Rental, Type 1.* A short-term rental is where the owner or long-term tenant occupies the principal dwelling or the accessory dwelling unit as their primary full-time residence for at least nine (9) months of each calendar year and rents the remaining portion of their residence or their accessory dwelling unit as a short-term rental. An applicant for a Type 1 short-term rental shall provide a copy of the property's Homestead Tax Credit, long-term lease agreement or other comparable evidence of long-term residency to the city to prove the long-term residency requirement. The long-term occupant of the property is responsible for the management and control of occupants in the short-term rental, Type 1 to ensure no adverse effects or problems are inflicted upon residential neighbors.

(2) *Short-Term Rental, Type 2.* If a desired short-term rental does not qualify as a short-term rental, Type 1, a property owner may seek to be approved as a short-term rental, Type 2. A new short-term rental, Type 2 may be permitted in residential zoning districts pursuant to the requirements of §163.18 and in non-residential and mixed-use zoning districts pursuant to §164.26. All short-term rentals, Type 2 must also comply with requirements of §118.01(E).

(3) *License Required.* No dwelling unit in the city shall be used as a short-term rental unless:

(a) The owner of the dwelling unit or operator of the short-term rental possess a valid and current business license for the dwelling unit, and fully complies with all legal requirements and duties imposed herein with respect to each and every short-term rental; and

(b) The owner has designated an agent, where said agent fully complies with all legal requirements and duties imposed herein with respect to every short-term rental. The owner may serve as their own agent.

(c) The owner of the dwelling unit or operator of the short-term rental provides proof of a valid and current homeowners insurance rider policy which fully covers each unit when operated as short-term rental unit.

(4) A separate business license shall be required for each dwelling unit used as a short-term rental.

(5) Any change in ownership requires a new or amended business license.

(6) If any required contact information changes for the associated business license, the person to whom the license was issued shall immediately notify the Development Services Department in writing.

(7) *License Application.* The application for a business license shall include at minimum, the following information from applicants:

(a) The property owner's information including legal name, mailing address, immediate contact phone number, and immediate contact E-mail address.

(b) Information for the dwelling unit subject to the application, inclusive of the physical street address assigned by the city.

(c) The type and total number of dwelling units located on the lot of record containing the dwelling unit subject to the application.

(d) If the owner is not their own agent, the owner designated agent's information including legal name, mailing address, immediate contact phone number and immediate contact E-mail address.

(e) Documentation of approval of a life safety and egress inspection by the City Building Safety Division for the dwelling unit subject to the application.

(f) Proof of application for remittance of hotel, motel and restaurant tax to the City of Fayetteville, and verification that all sales, use, and hotel, motel and restaurant taxes are current.

(g) Any additional data as deemed necessary or desirable for permit approval by the Development Services Director.

(8) *License Renewals.* Business licenses for short-term rentals shall be renewed in accordance with Chapter 118 of the Business Regulations (Business Registry and Licenses).

(9) *Legal Duties of License Holders.* An owner possessing a short-term rental license shall comply at all times with the following requirements:

(a) *Occupancy.* Short-term rentals shall be subject to, and may not exceed, the occupancy limits approved with the business license.

(b) *Advertisements.* A short-term rental shall not be advertised if it violates occupancy, density, safety, and any of the other provisions of the Fayetteville Code. No short-term rental unit shall be advertised prior

to having obtained a business license and the business license number shall be included in the advertisement listing.

(c) *Information and Posting.* Business licensees shall provide to guests and post conspicuously in the common area of the short-term rental unit the city phone number to report a safety complaint.

(10) *Owner or Agent Accessibility.* The property owner shall ensure that they or a designated agent are available at all times during guest occupancy, including nights and weekends, in order to facilitate compliance with this section. For the purposes of these regulations, "availability" means that the owner or agent is accessible by telephone, and, able to be physically present at the short-term rental within three (3) hours of being contacted.

(11) *Guest Records.* The owner shall maintain summary guest registration records, which shall contain the actual dates of occupancy, total number of guests per party per stay, and the rate(s) charged, but shall not contain any personally identifiable information about guests. Such records shall be maintained for three (3) years and shall be provided to the city upon request.

(12) *Health and Safety.* The owner shall ensure that each dwelling unit governed by this section complies with the applicable provisions of the Unified Development Code Chapter 173, Building Regulations.

(13) *Criminal Activity.* The owner shall timely report any known or reasonably suspected criminal activity by a guest to the Fayetteville Police Department within twelve (12) hours maximum.

(14) *Taxes and Fees.* Except for those instances in which a hosting platform bears the responsibility for collecting and remitting taxes and fees applicable to short-term rentals, the property owner shall timely remit in full Fayetteville Hotel, Motel and Restaurant tax and other applicable local, state, and federal taxes and city fees owed in connection with any short-term rental. The failure of a hosting platform to collect and remit taxes and fees shall not relieve an owner of the obligation to pay taxes and fees owed pursuant to this section.

(15) *Authorization to Occupy, Use, and Operate.* Authorization to operate a short-term rental may be granted by the Development Services Director through the issuance of a City of Fayetteville Business Registry and License (Business License).

(16) *Density For Type 2 Short-Term Rentals.* A city-wide density cap of four hundred seventy-five (475) dwelling units may be Type 2 rentals. A conditional use permit may not permit:

(a) More Type 2 short-term rentals than what is allowed by the city-wide density cap.

(b) More than 10% or a single unit whichever is greater; of total dwelling units as Type 2 rentals within a multi-family dwelling complex.

(c) Individual 2-, 3- and 4-family buildings that are owned by the same person or entity and are not a part of a multi-family complex shall have no more than one (1) Type 2 short-term rental unit per building complex.

(d) Where attached residential units are held separately through condominium association, horizontal property regime, fee simple, or similar ownership structure, no cap shall be applied to buildings with attached residential dwellings. Structures of attached residential dwellings where applicants seek more than 10% of total units for licensing as Type 2 rentals shall be evaluated by the Building Safety Director and/or Fire Marshal for adequate fire protection as defined by the adopted Arkansas Fire Prevention Code. Where inadequate fire protection is identified, improvements may be required prior to issuance of a business license.

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

(18) Short-term rentals must comply with the Unified Development Code including the regulations contained in §163.18 and §164.26 and must successfully obtain a business license prior to operation.

163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

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

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

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

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

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

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

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

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

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

(C) *Density.*

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

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two-family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(Ord. No. 6945, §5(Exh. D), 12-16-25)

1. Request Letter for type 2 permit CUP application

428 W Prospect St, Fayetteville, AR 72701

Representative: Karen McAllister; karenormax@gmail.com or 425-322-6161

Zoning: Residential

This is a request for a Type 2 short term rental permit at the above stated property.

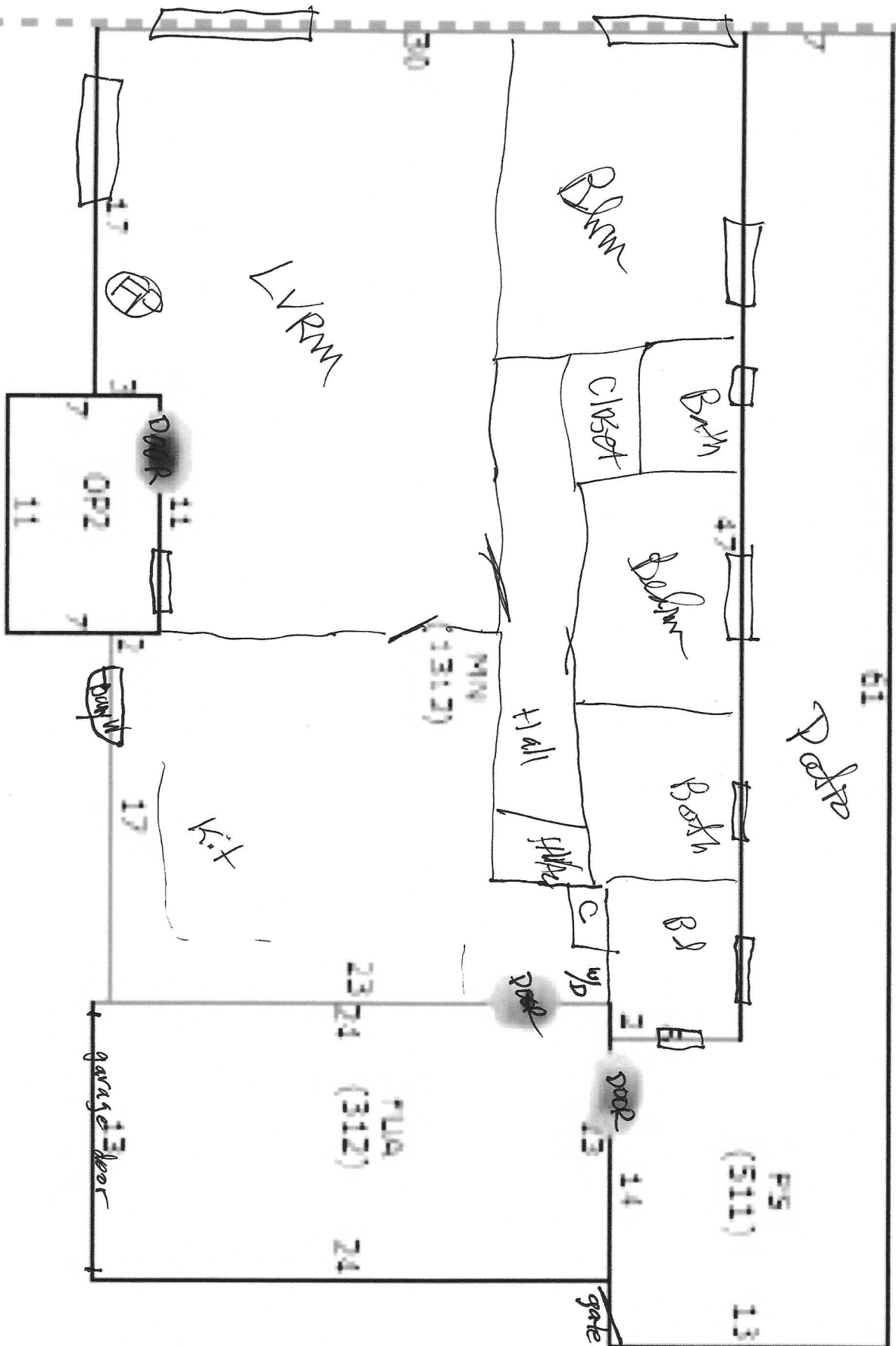
- A. The property is a 1312 square feet home with 3 bedrooms, 2 baths, and is a single-family structure. No physical alterations, expansions, or structural changes are proposed for the exterior of the dwelling or lot, ensuring the property maintains its original residential character and remains entirely compatible with the surrounding residential neighborhood.
- B. Exterior is celery green with rock accents and siding
- C. Two spaces for Guest parking is available on the street in addition to two in the driveway and one in the garage.
- D. Hours of operation will be daily with an anticipated 8 guests maximum per day. There are no employees; only service contractors.
- E. The only outdoor lighting is the front porch light
- F. Local noise ordinance will be clearly posted in the home in the guest manual. Quiet hours will be enforced from 11pm to 7am per city regulations.
- G. The property entrance has a railing with boxwoods and a wooden fence in the back yard to maintain privacy.
- H. Trash and recycle are placed out Tuesday night for a Wednesday pick up and otherwise receptacles are up by the side of the garage.
- I. Ingress and egress will be at the front door or garage entrance with no traffic impact.
- J. To ensure the rental operates seamlessly within the neighborhood and prevents any adverse impacts on adjacent residents, the property will be managed under strict house rules in full compliance with Fayetteville's STR ordinances. There is a strict no-event policy with occupancy limited to city allowed two persons per bedroom, plus two additional for maximum of 8 overnight guests.

See the Airbnb website to show I am currently representing the owner, Bill Kennan, for long term rentals over 30 days.

<http://airbnb.com/h/cozyrazorbackcottage>



DataScout, LLC



Details

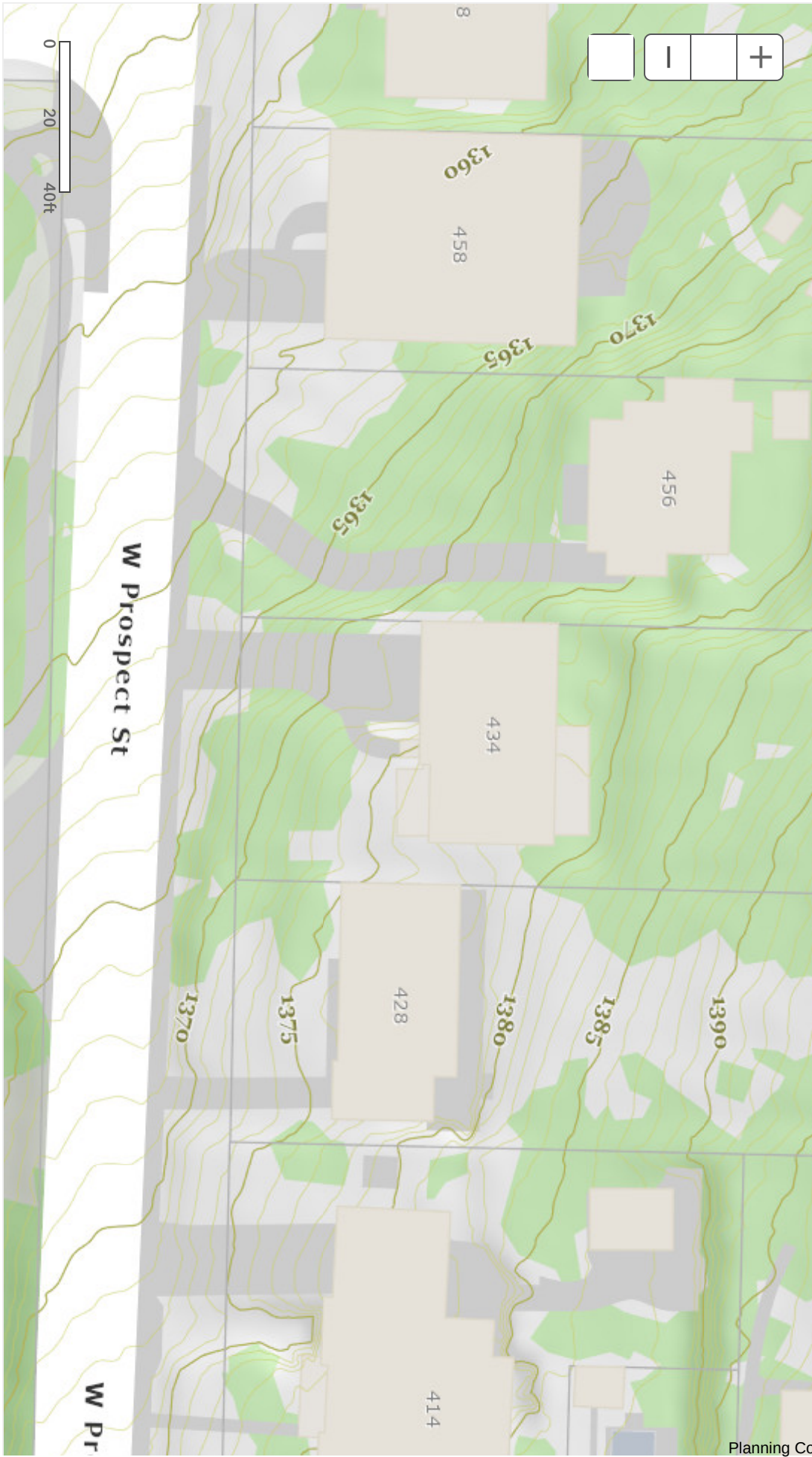
Basemap

Share

Print

Measure

Find address or









TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Citlali Samano, Planner

MEETING DATE: September 14, 2026

SUBJECT: **CUP-2026-0039: Conditional Use Permit (4522 W SWEETGUM LN/MIRANDA RENFROW):** Submitted by MIRANDA RENFROW for property located at 4522 W SWEETGUM LN. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 0.10 acres. The request is for a short-term rental in a residential zoning district.

RECOMMENDATION:

Staff recommends approval of **CUP-2026-0039**.

RECOMMENDED MOTION:

*"I move to approve **CUP-2026-0039**, determining:*

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

BACKGROUND:

The subject property is located in west Fayetteville, approximately 350 feet north of Holland Park. The property is zoned RPZD, Residential Planned Zoning District through Ordinance 4639 that was adopted on 11/16/2004. The 0.10-acre parcel has been developed with a 1,498 sq. ft. single-family structure built in 2011 per the Washington County Assessor. The subject property is not in any overlay districts or master plan areas. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 16, 2025, City Council amended the ordinance to enact new requirements for short-term rentals, and on July 6, 2023, City Council amended the Type 2 short-term rental density cap from two percent of all dwelling units to 475 units city wide. This report reflects those changes. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RPZD, Residential Planned Zoning District
South	Single-Family Residential	RPZD, Residential Planned Zoning District
East	Single-Family Residential	RPZD, Residential Planned Zoning District
West	Single-Family Residential	RPZD, Residential Planned Zoning District

City Plan 2040 Future Land Use Designation: Residential Neighborhood

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

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

RECOMMENDATION: Staff recommends approval of **CUP-2026-0039** with the following conditions:

Conditions of Approval:

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

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>September 14, 2026</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

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

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

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

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

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

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

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

Finding: **Staff finds that granting the requested conditional use is unlikely to adversely affect the public interest as it is not apparent how parking needs would be met. The applicant has indicated that two spaces will be available within the existing driveway for guests with an additional two spaces available within the garage and potential to utilize the street for overflow parking. Staff finds the size and scale of the property are aligned with the character of the surrounding area along W. Sweetgum Ln. and that the request is likely substantially similar to existing conditions. Applicable business license requirements, including a required building safety**

inspection, and applicable density caps on Type 2 short-term rentals are likely to minimize additional negative impacts.

(c.) The Planning Commission shall certify:

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

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

§163.18. SHORT-TERM RENTALS.

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

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

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

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

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

Finding: Parking for single-family dwellings is required to be provided at a rate of two spaces per unit and up to four vehicles are permitted to be parked outside on the property at any given time. The applicant has indicated that two spaces will be available within the existing driveway for guests with an additional two spaces available within the garage and potential to utilize the street for overflow parking.

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

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

E. Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle,

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

Finding: The application is for use of the property at 4522 W Sweetgum Ln. Staff recommends a condition confirming that no recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

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

Finding: Type 2 short-term rentals are subject to a city-wide density cap at 475 units. As of August 27, 2026, the City had issued 472 Type 2 short-term rental business licenses, with 446 contributing to the cap. Approval of this CUP would not violate the City's density cap. Granting a conditional use permit for this location would give the applicant the zoning entitlement necessary to apply for a business license, but it would not guarantee approval of a business license.

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

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

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

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

Finding: City records indicate there are three other units within a quarter-mile radius of the property has a business license to operate as a Type 2 short-term rental. The property complies with specific density or separation requirements outlined for single-family structures. There have been no prior zoning or code violations on this property and there are no private or public schools within 1,000 feet of a school's boundary line.

There appears to be adequate parking available to support the use of the property as a short-term rental based on the applicant's submittal. The applicant has indicated that two spaces will be available within the existing driveway for guests with an additional two spaces available within the garage. As the unit is limited to four guests, staff finds on-site parking is likely sufficient.

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

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

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

Finding: One driveway is available to accommodate vehicular ingress and egress; with two driveway spaces and two garage spaces available for guest parking. The use of the property would be limited to a maximum of four guests which would not be out of character with the use of the property for residential purposes.

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

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

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

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

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

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

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

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

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

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

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

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

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

Finding: Staff finds the proposed use to be compatible with surrounding properties as proposed. There are three other licensed Type 2 short-term rentals within a quarter-mile radius and adequate parking appears to be available.

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

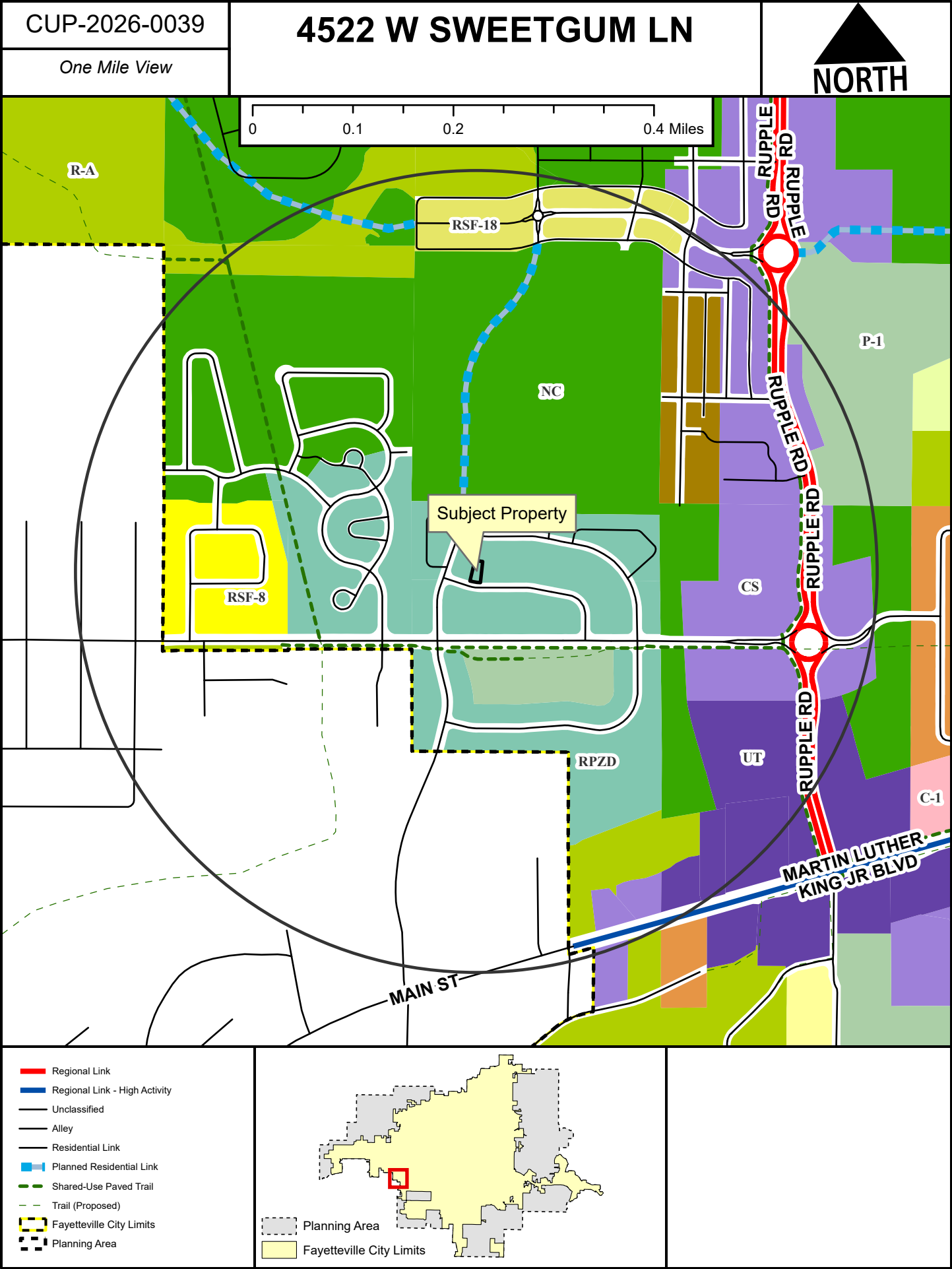
Finding: Staff finds the proposed use to be somewhat compatible with the goals and intent of the City's adopted land use, transportation, and other strategic plans since it does clearly support the stated goals in those plans. However, there are safeguards in place that limit how short-term rentals operate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

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

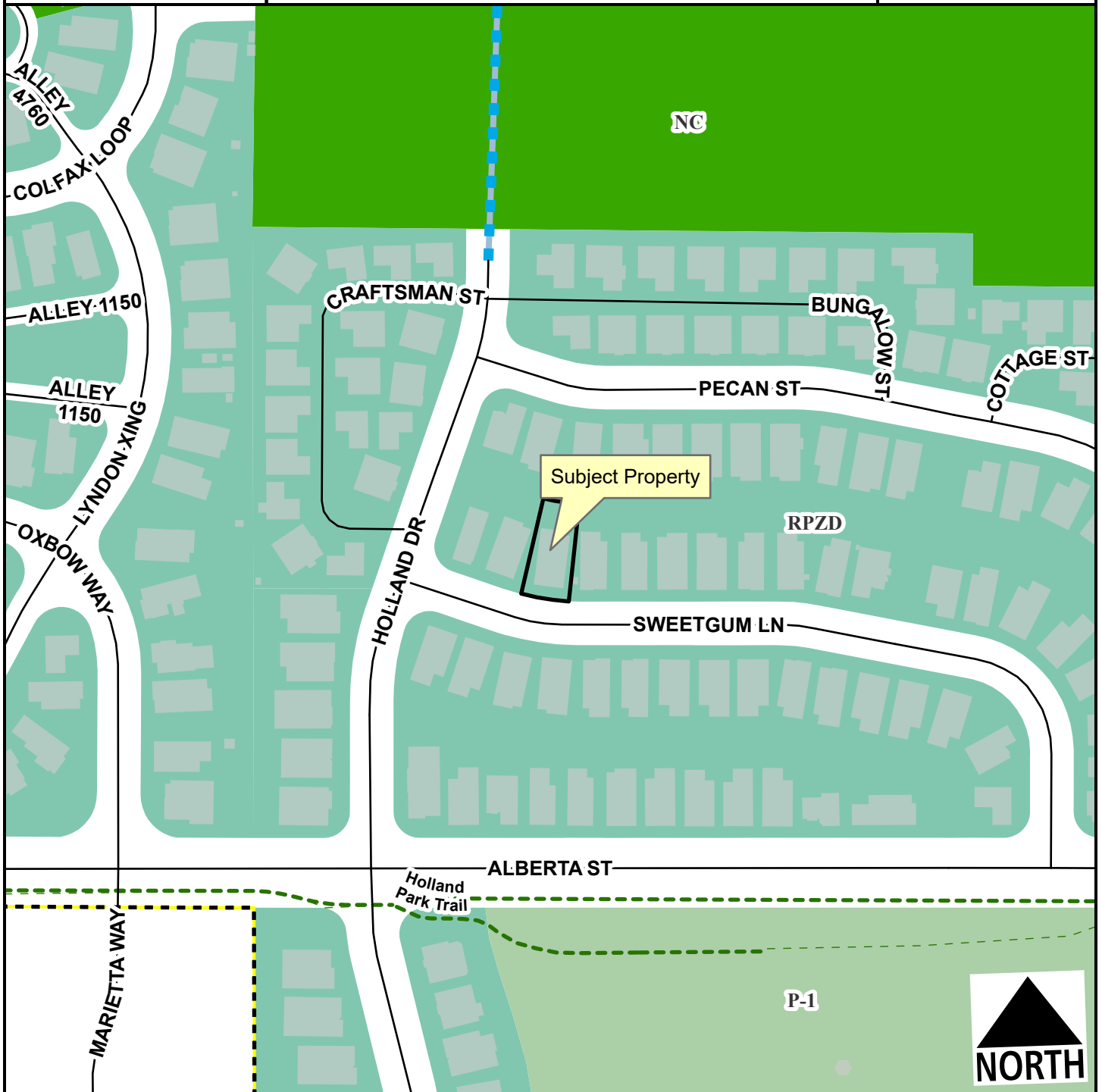
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - STRs within ¼ Mile Map
- Business Regulations
 - §118.01 Business Registry and License
 - §163.18 Type 2 Short-Term Rentals in Residential Zoning Districts
- RPZD, Ordinance 4639
 - Permitted Uses
 - Site Plan
- Applicant Exhibits
 - Applicant Request Letter
 - Floor Plan
 - Building Elevations



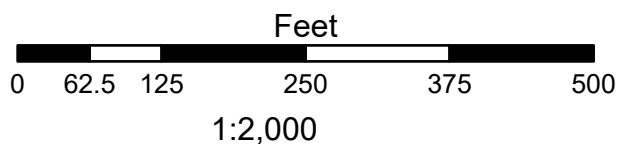
CUP-2026-0039

4522 W SWEETGUM LN

Close Up View



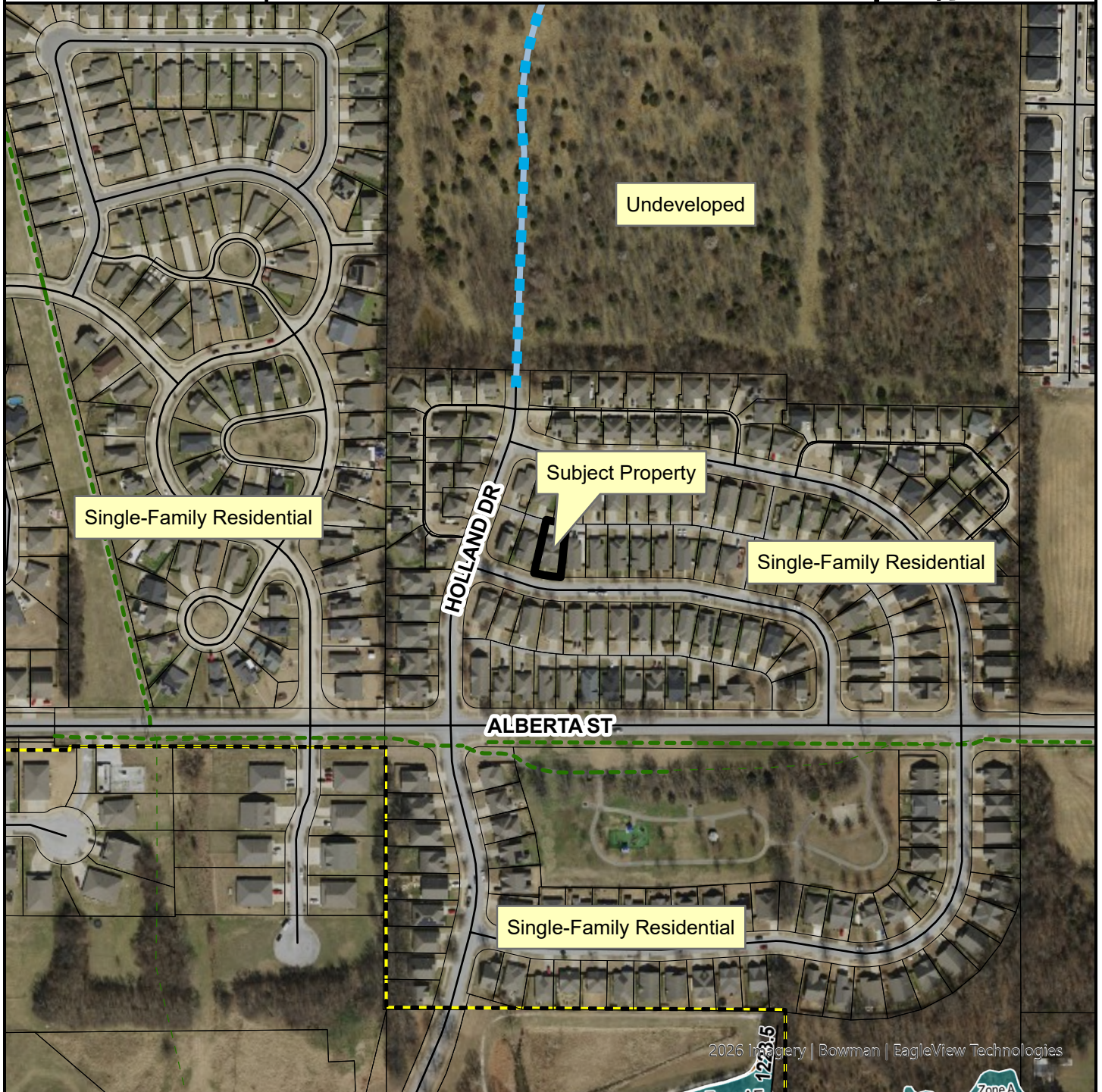
- Unclassified
- Alley
- Residential Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail
- Trail (Proposed)



CUP-2026-0039

4522 W SWEETGUM LN

Current Land Use



2026 Imagery | Bowman | EagleView Technologies

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

Feet

0 112.5 225 450 675 900

1:3,600

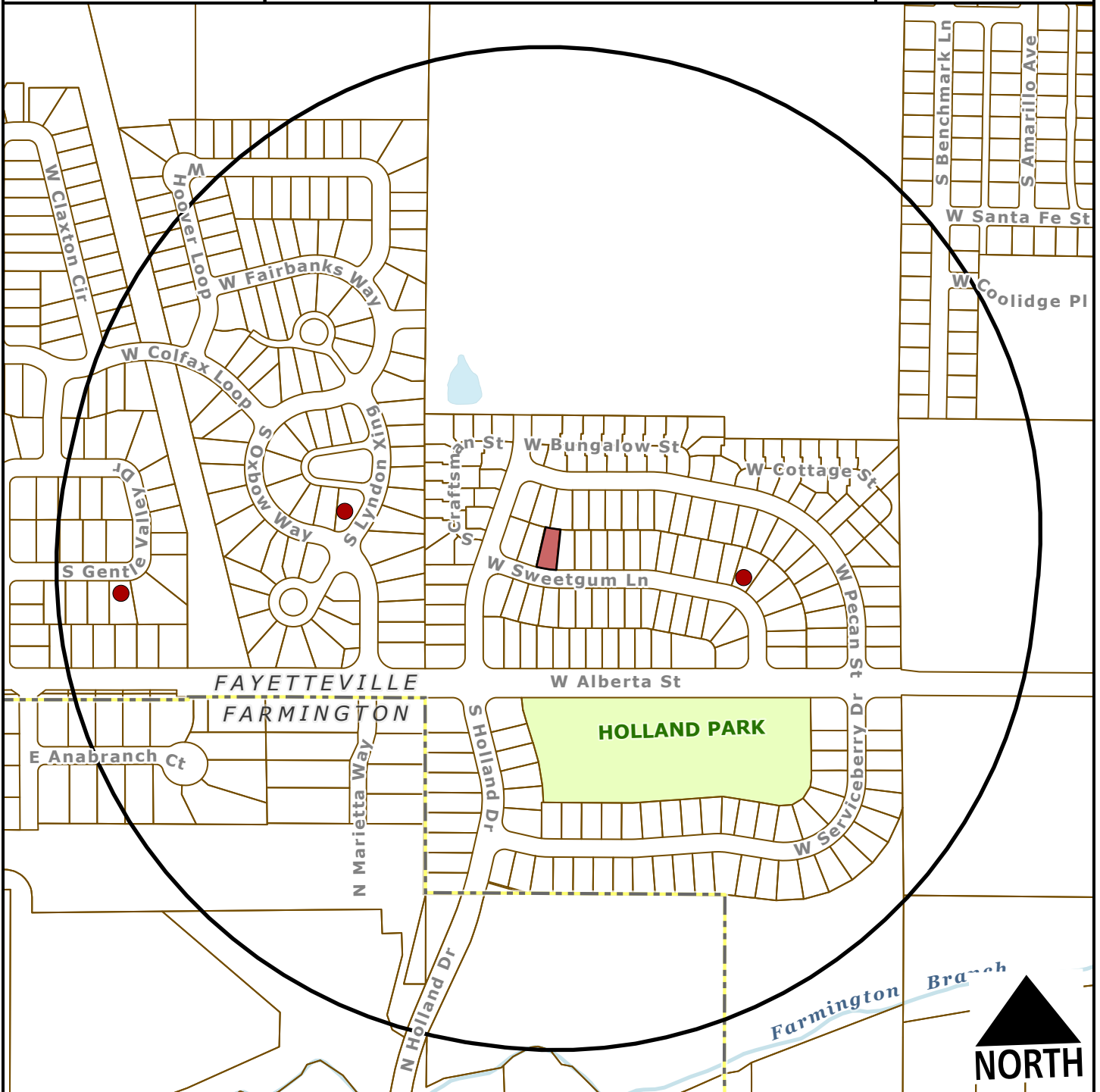
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

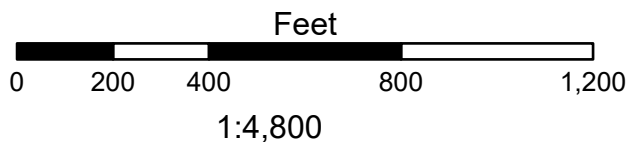
CUP-2026-0039

4522 W SWEETGUM LN

STRs Within 1/4 Mile



-  Subject Property
-  Short Term Rental, Type 2



Within 1/4 Mile

Type 2 STRs: 3

Occupiable
Residential
Addresses
(Estimated
Housing Units): 358

§118.01 Applicability

(E) *Short-Term Rentals*. A residential dwelling unit, portion of a dwelling unit, or bedroom within a residential dwelling unit, leased and/or rented to a guest(s), for a period of less than thirty (30) consecutive days.

(1) *Short-Term Rental, Type 1*. A short-term rental is where the owner or long-term tenant occupies the principal dwelling or the accessory dwelling unit as their primary full-time residence for at least nine (9) months of each calendar year and rents the remaining portion of their residence or their accessory dwelling unit as a short-term rental. An applicant for a Type 1 short-term rental shall provide a copy of the property's Homestead Tax Credit, long-term lease agreement or other comparable evidence of long-term residency to the city to prove the long-term residency requirement. The long-term occupant of the property is responsible for the management and control of occupants in the short-term rental, Type 1 to ensure no adverse effects or problems are inflicted upon residential neighbors.

(2) *Short-Term Rental, Type 2*. If a desired short-term rental does not qualify as a short-term rental, Type 1, a property owner may seek to be approved as a short-term rental, Type 2. A new short-term rental, Type 2 may be permitted in residential zoning districts pursuant to the requirements of §163.18 and in non-residential and mixed-use zoning districts pursuant to §164.26. All short-term rentals, Type 2 must also comply with requirements of §118.01(E).

(3) *License Required*. No dwelling unit in the city shall be used as a short-term rental unless:

(a) The owner of the dwelling unit or operator of the short-term rental possess a valid and current business license for the dwelling unit, and fully complies with all legal requirements and duties imposed herein with respect to each and every short-term rental; and

(b) The owner has designated an agent, where said agent fully complies with all legal requirements and duties imposed herein with respect to every short-term rental. The owner may serve as their own agent.

(c) The owner of the dwelling unit or operator of the short-term rental provides proof of a valid and current homeowners insurance rider policy which fully covers each unit when operated as short-term rental unit.

(4) A separate business license shall be required for each dwelling unit used as a short-term rental.

(5) Any change in ownership requires a new or amended business license.

(6) If any required contact information changes for the associated business license, the person to whom the license was issued shall immediately notify the Development Services Department in writing.

(7) *License Application*. The application for a business license shall include at minimum, the following information from applicants:

(a) The property owner's information including legal name, mailing address, immediate contact phone number, and immediate contact E-mail address.

(b) Information for the dwelling unit subject to the application, inclusive of the physical street address assigned by the city.

(c) The type and total number of dwelling units located on the lot of record containing the dwelling unit subject to the application.

(d) If the owner is not their own agent, the owner designated agent's information including legal name, mailing address, immediate contact phone number and immediate contact E-mail address.

(e) Documentation of approval of a life safety and egress inspection by the City Building Safety Division for the dwelling unit subject to the application.

(f) Proof of application for remittance of hotel, motel and restaurant tax to the City of Fayetteville, and verification that all sales, use, and hotel, motel and restaurant taxes are current.

(g) Any additional data as deemed necessary or desirable for permit approval by the Development Services Director.

(8) *License Renewals*. Business licenses for short-term rentals shall be renewed in accordance with Chapter 118 of the Business Regulations (Business Registry and Licenses).

(9) *Legal Duties of License Holders*. An owner possessing a short-term rental license shall comply at all times with the following requirements:

(a) *Occupancy*. Short-term rentals shall be subject to, and may not exceed, the occupancy limits approved with the business license.

(b) *Advertisements*. A short-term rental shall not be advertised if it violates occupancy, density, safety, and any of the other provisions of the Fayetteville Code. No short-term rental unit shall be advertised prior

to having obtained a business license and the business license number shall be included in the advertisement listing.

(c) *Information and Posting.* Business licensees shall provide to guests and post conspicuously in the common area of the short-term rental unit the city phone number to report a safety complaint.

(10) *Owner or Agent Accessibility.* The property owner shall ensure that they or a designated agent are available at all times during guest occupancy, including nights and weekends, in order to facilitate compliance with this section. For the purposes of these regulations, "availability" means that the owner or agent is accessible by telephone, and, able to be physically present at the short-term rental within three (3) hours of being contacted.

(11) *Guest Records.* The owner shall maintain summary guest registration records, which shall contain the actual dates of occupancy, total number of guests per party per stay, and the rate(s) charged, but shall not contain any personally identifiable information about guests. Such records shall be maintained for three (3) years and shall be provided to the city upon request.

(12) *Health and Safety.* The owner shall ensure that each dwelling unit governed by this section complies with the applicable provisions of the Unified Development Code Chapter 173, Building Regulations.

(13) *Criminal Activity.* The owner shall timely report any known or reasonably suspected criminal activity by a guest to the Fayetteville Police Department within twelve (12) hours maximum.

(14) *Taxes and Fees.* Except for those instances in which a hosting platform bears the responsibility for collecting and remitting taxes and fees applicable to short-term rentals, the property owner shall timely remit in full Fayetteville Hotel, Motel and Restaurant tax and other applicable local, state, and federal taxes and city fees owed in connection with any short-term rental. The failure of a hosting platform to collect and remit taxes and fees shall not relieve an owner of the obligation to pay taxes and fees owed pursuant to this section.

(15) *Authorization to Occupy, Use, and Operate.* Authorization to operate a short-term rental may be granted by the Development Services Director through the issuance of a City of Fayetteville Business Registry and License (Business License).

(16) *Density For Type 2 Short-Term Rentals.* A city-wide density cap of four hundred seventy-five (475) dwelling units may be Type 2 rentals. A conditional use permit may not permit:

(a) More Type 2 short-term rentals than what is allowed by the city-wide density cap.

(b) More than 10% or a single unit whichever is greater; of total dwelling units as Type 2 rentals within a multi-family dwelling complex.

(c) Individual 2-, 3- and 4-family buildings that are owned by the same person or entity and are not a part of a multi-family complex shall have no more than one (1) Type 2 short-term rental unit per building complex.

(d) Where attached residential units are held separately through condominium association, horizontal property regime, fee simple, or similar ownership structure, no cap shall be applied to buildings with attached residential dwellings. Structures of attached residential dwellings where applicants seek more than 10% of total units for licensing as Type 2 rentals shall be evaluated by the Building Safety Director and/or Fire Marshal for adequate fire protection as defined by the adopted Arkansas Fire Prevention Code. Where inadequate fire protection is identified, improvements may be required prior to issuance of a business license.

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

(18) Short-term rentals must comply with the Unified Development Code including the regulations contained in §163.18 and §164.26 and must successfully obtain a business license prior to operation.

163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

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

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

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

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

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

Proposal: The applicant requests a rezoning and preliminary plat approval for a residential subdivision within a unique R-PZD zoning district. The proposed use of the site is for a single family and cluster home development consisting of 136 single family lots and 59 cluster homes (two-family dwelling units). A 5.02-acre public park is proposed, as well as a large tree preservation area along the floodplain of the creek.

Proposed Land Uses:

- Use Unit 1: City-wide Uses by Right
- Use Unit 8: Single Family Dwellings
- Use Unit 9: Two-family Dwellings
- Use Unit 10: Three-Family Dwellings
- Use Unit 26: Multi-Family Dwellings

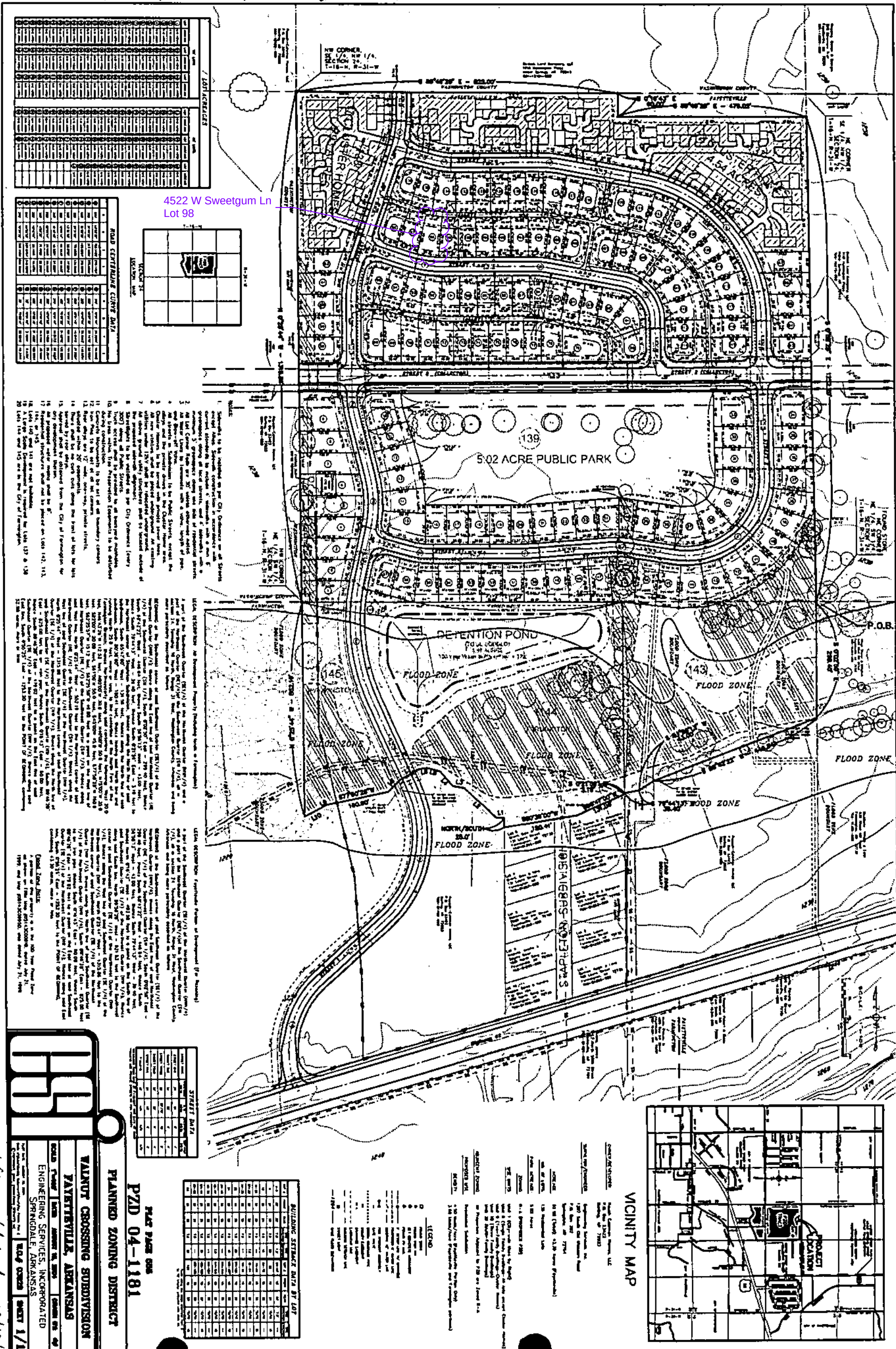
Proposed Uses: R-PZD, Residential Planned Zoning District

	Proposed Land Use
Lots 1-136	Single Family Residential (Maximum 136 units) Use Unit 8
Lots 137-138	"Cluster Homes" (Maximum 59 total units) Use Unit 9, 10, 26
Lot 139	City Park, 5.02 Acres
Lots 140-141	Tree Preservation Areas
Lots 142-145	Open Space Tree Preservation, Detention, Farmington Branch creek, potential trail system No residential structures permitted

Total proposed dwelling units on the 43.30-acre site requested for rezoning is 195, therefore the proposed density for the R-PZD is **4.50 DU/acre**. *(On the real property, including the acreage within the City of Farmington, acreage equals 52.98 acres, thus real density is 3.68 DU/acre).* The developer proposes a mixture of lot sizes and types. Some of the lots are arranged such that they face onto the public street; others are accessed from rear alleys. Typical lot sizes and proposed setbacks are much smaller than those allowed in standard zoning districts, thus the need for processing a Planned Zoning District. Two of the large lots are proposed for "cluster homes," in two-family units, consisting of a total of 59 cluster homes (units). Both of these lots will require large scale development approval, as final designs have not been formulated. However, the conceptual plans indicated are intended to provide an idea of the development to occur there in the future.

Water & Sewer: Water and sewer lines are being extended to serve the development.

Access/Connectivity: The sole existing access is from Hwy 62 to the south, through the City of Farmington jurisdiction. The applicant has been in contact with the City of Farmington, and will present the project to both the Planning Commission and City Council there prior to final approvals from the City of Fayetteville. The Master Street Plan currently indicates an east-west Collector Street in the area of the proposed development. The proposed development intends to meet this Plan, only moving the connection to a more feasible location, approximately 600 feet



I, Miranda Renfrow, am the owner of 4522 W SWEETGUM LN, Parcel ID 765-25864-000. My name is on the deed. See attached.

I request a Conditional Use Permit for at Type II STR License at this parcel.

Regards,

Miranda Renfrow

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

Short Term Rental Type II

- (a) Building size in square feet; existing and proposed See Attached
- (b) Color elevations of all exterior sides of the structure See Attached
- (c) Number of off-street parking spaces to be provided / number required 4
- (d) When request applies to a business or non-residential use:
 - Hours of operation Consistent with Short Term Rental
 - Number of employees - 0
 - Anticipated number of patrons, clients, children, customers, etc. (average per day / peak hour) - 4
- (e) Outdoor lighting – N/A Consistent with Residential House – No Change
- (f) Noise – N/A Consistent with Residential House – No Change
- (g) Screening or buffering from adjacent properties – N/A Consistent with Residential House – No Change
- (h) Trash and refuse service (with particular reference to visibility from the street and adjacent properties) – N/A Consistent with Residential House – No Change
- (i) Ingress and egress to the property; traffic impacts – N/A Consistent with Residential House – No Change
- (j) A response discussing the general compatibility of the proposed use with adjacent properties and other property in the neighborhood – N/A Consistent with Residential House – No Change



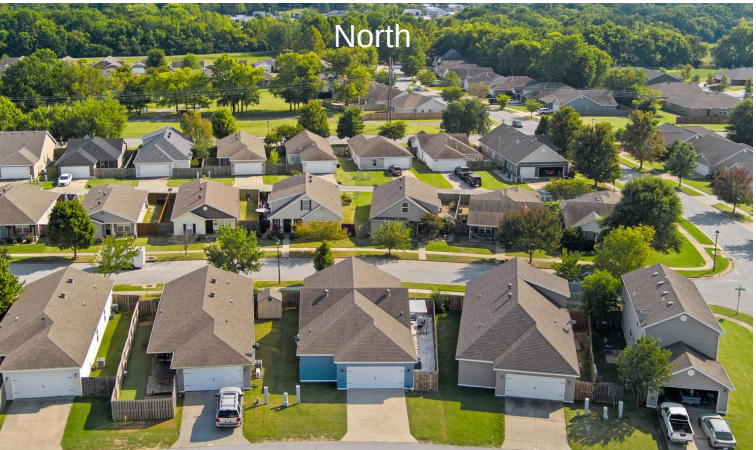
Layout Is Approximate And Is For Informational Purposes Only



North



South



North



South



West



East



West



East



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: September 14, 2026

SUBJECT: **CUP-2026-0040: Conditional Use Permit (2783 W MCLAREN DR/ROBERT ZACHARY & DAWN ANN LEIN, 285):** Submitted by DAWN LEIN for property located at 2783 W MCLAREN DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.20 acres. The request is for a short-term rental in a residential zoning district.

RECOMMENDATION:
Staff recommends approval of **CUP-2026-0040**.

RECOMMENDED MOTION:
*"I move to approve **CUP-2026-0040**, determining:*

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

BACKGROUND:
The subject property is located in north Fayetteville on the south side of W. McClaren Dr. The property is zoned RSF-4, Residential Single-Family, 4 Units per Acre, and is not encumbered in any overlay districts or master plan areas. The 0.20-acre parcel has been developed with a 1,949 sq. ft. single-family structure built in 2024 per the Washington County Assessor. A violation for operating without a short-term rental license was issued on March 19, 2025. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 16, 2025, City Council amended the ordinance to enact new requirements for short-term rentals. On July 6, 2023, City Council amended the Type 2 short-term rental density cap from two percent of all dwelling units to 475 units city wide, and on March 19, 2024 City Council further amended the ordinance to clarify separation standards. This report reflects those changes. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

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

City Plan 2040 Future Land Use Designation: Residential Neighborhood

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

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

RECOMMENDATION: Staff recommends approval of **CUP-2026-0040** with the following conditions:

Conditions of Approval:

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

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>September 14, 2026</u>	☐ Tabled	☐ Approved	☐ Denied
Motion:			
Second:			
Vote:			

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

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

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

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

Finding: The applicant has paid the required filing fee.

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

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

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

Finding: Staff finds that granting the requested conditional use is unlikely to adversely affect the public interest. The applicant has indicated that two spaces will be available within the existing driveway for guests with an additional two spaces available within the garage, as well as on-street parking for overflow needs. Staff finds the size and scale of the property are aligned with the character of the surrounding area along N. Sherman Ave. and that the request is likely substantially similar to existing conditions. Applicable business license requirements, including a required building

safety inspection, and applicable density caps on Type 2 short-term rentals are likely to minimize additional negative impacts.

(c.) The Planning Commission shall certify:

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

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

§163.18. SHORT-TERM RENTALS.

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

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

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

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

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

Finding: Parking for single-family dwellings is required to be provided at a rate of two spaces per unit and up to four vehicles are permitted to be parked outside on the property at any given time. The applicant has indicated that four spaces will be available, split evenly between the existing driveway and garage. The street appears to be of sufficient width to permit on-street parking as well.

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

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

E. Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle,

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

Finding: The application is for use of the property at 2783 W. McClaren Dr. Staff recommends a condition confirming that no recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

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

Finding: Type 2 short-term rentals are subject to a city-wide density cap at 475 units. As of August 27, 2026, the City had issued 472 Type 2 short-term rental business licenses, with 446 contributing to the cap. Approval of this CUP would not violate the City's density cap. Granting a conditional use permit for this location would give the applicant the zoning entitlement necessary to apply for a business license, but it would not guarantee approval of a business license.

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

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

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

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

Finding: City records indicate there are two other units within a quarter-mile radius of the property has a business license to operate as a Type 2 short-term rental. The property complies with specific density or separation requirements outlined for single-family structures. There are no private or public schools within 1,000 feet of a school's boundary line. There has been one prior zoning violation on this property for operating a short-term rental without a

license. The initial violation began on March 19, 2025. In the interim, listings for short-term rental reservations were removed and a business license and conditional use permit have been applied for.

There appears to be adequate parking available to support the use of the property as a short-term rental based on the applicant's submittal. The applicant has indicated that two spaces will be available within the existing driveway for guests with an additional two spaces available within the garage. As the unit is limited to eight-guests, staff finds on-site parking is likely sufficient.

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

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

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

Finding: One driveway is available to accommodate vehicular ingress and egress; with two driveway spaces and two garage spaces available for guest parking. The use of the property would be limited to a maximum of eight guests which would not be out of character with the use of the property for residential purposes.

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

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

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

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

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

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

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

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

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

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

(g.) Required yards and other open space;

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

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

Finding: Staff finds the proposed use to be compatible with surrounding properties as proposed. There are two other licensed Type 2 short-term rentals within a quarter-mile radius and adequate parking appears to be available.

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

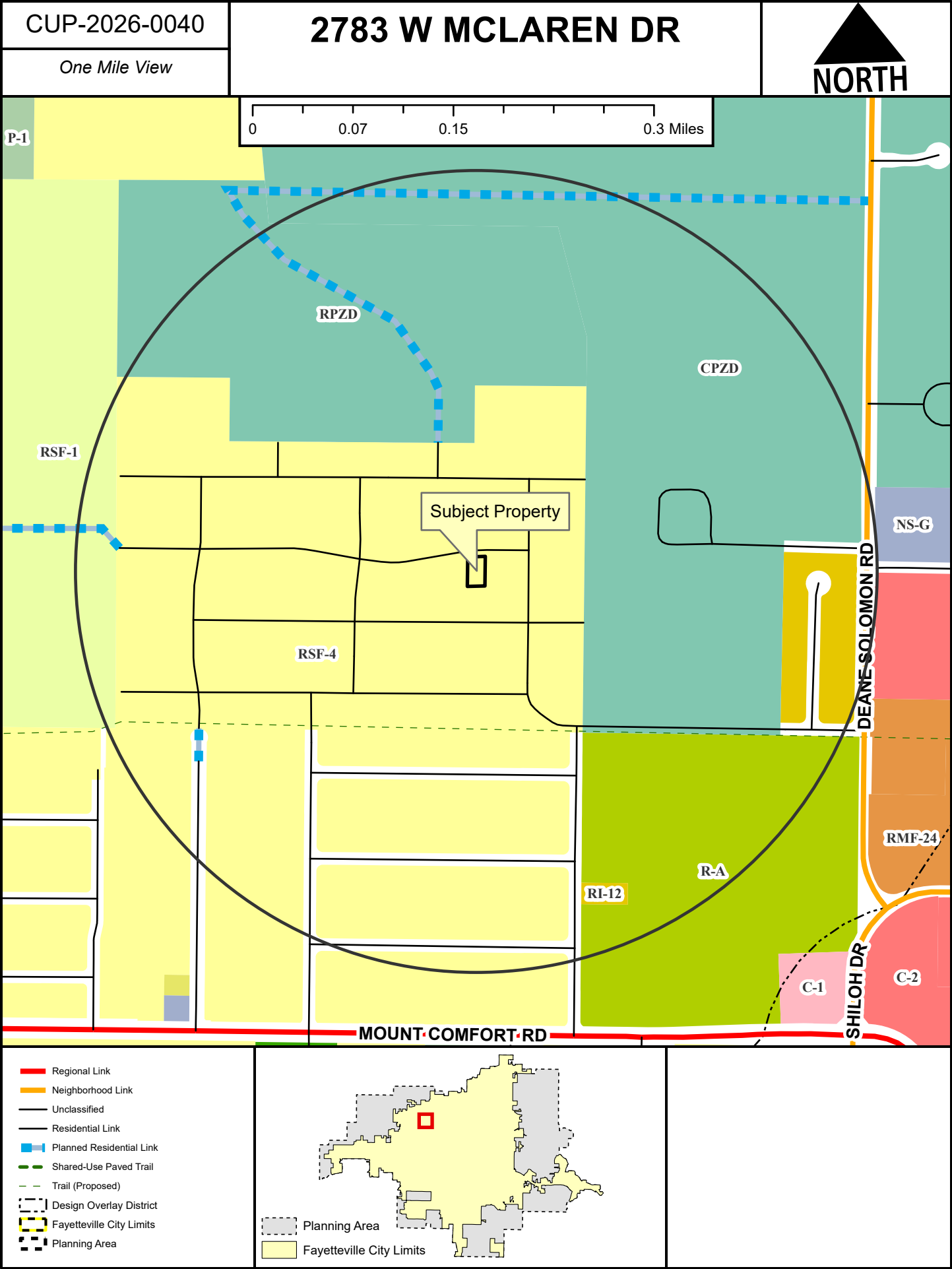
Finding: Staff finds the proposed use to be somewhat compatible with the goals and intent of the City's adopted land use, transportation, and other strategic plans since it does clearly support the stated goals in those plans. However, there are safeguards in place that limit how short-term rentals operate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

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

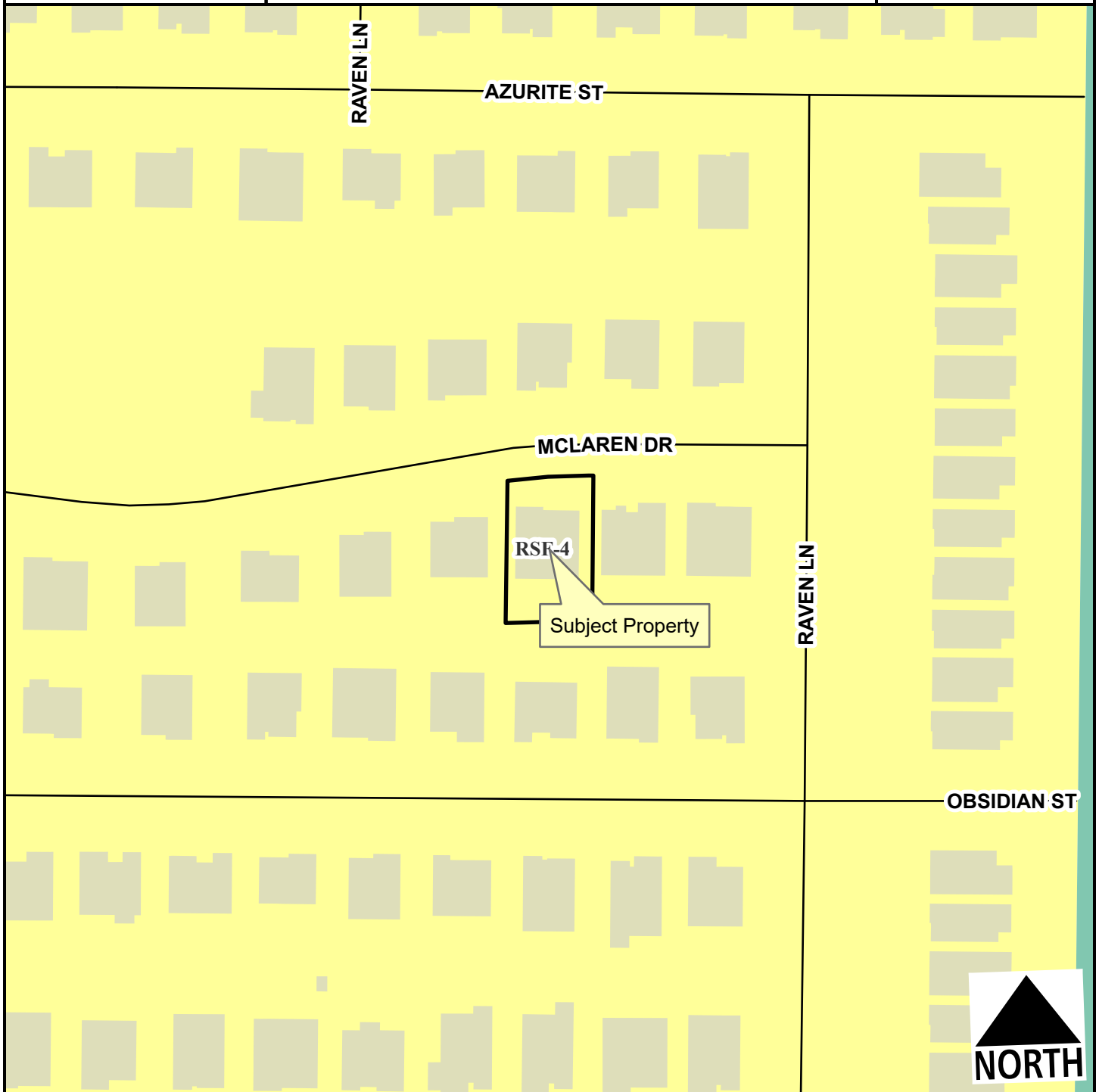
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - STRs within $\frac{1}{4}$ Mile Map
- Business Regulations
 - §118.01 Business Registry and License
 - §163.18 Type 2 Short-Term Rentals in Residential Zoning Districts
- Unified Development Code
 - §161.07 District RSF-24, Residential Single-Family –Four (4) Units Per Acre
- Applicant Exhibits
 - Applicant Request Letter
 - Building Elevations
 - Site Plan



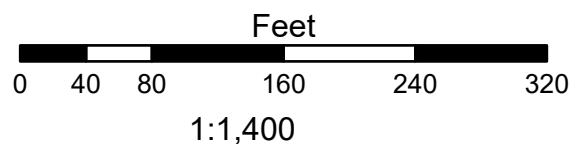
CUP-2026-0040

2783 W MCLAREN DR

Close Up View



- Residential Link
- Planning Area
- Fayetteville City Limits

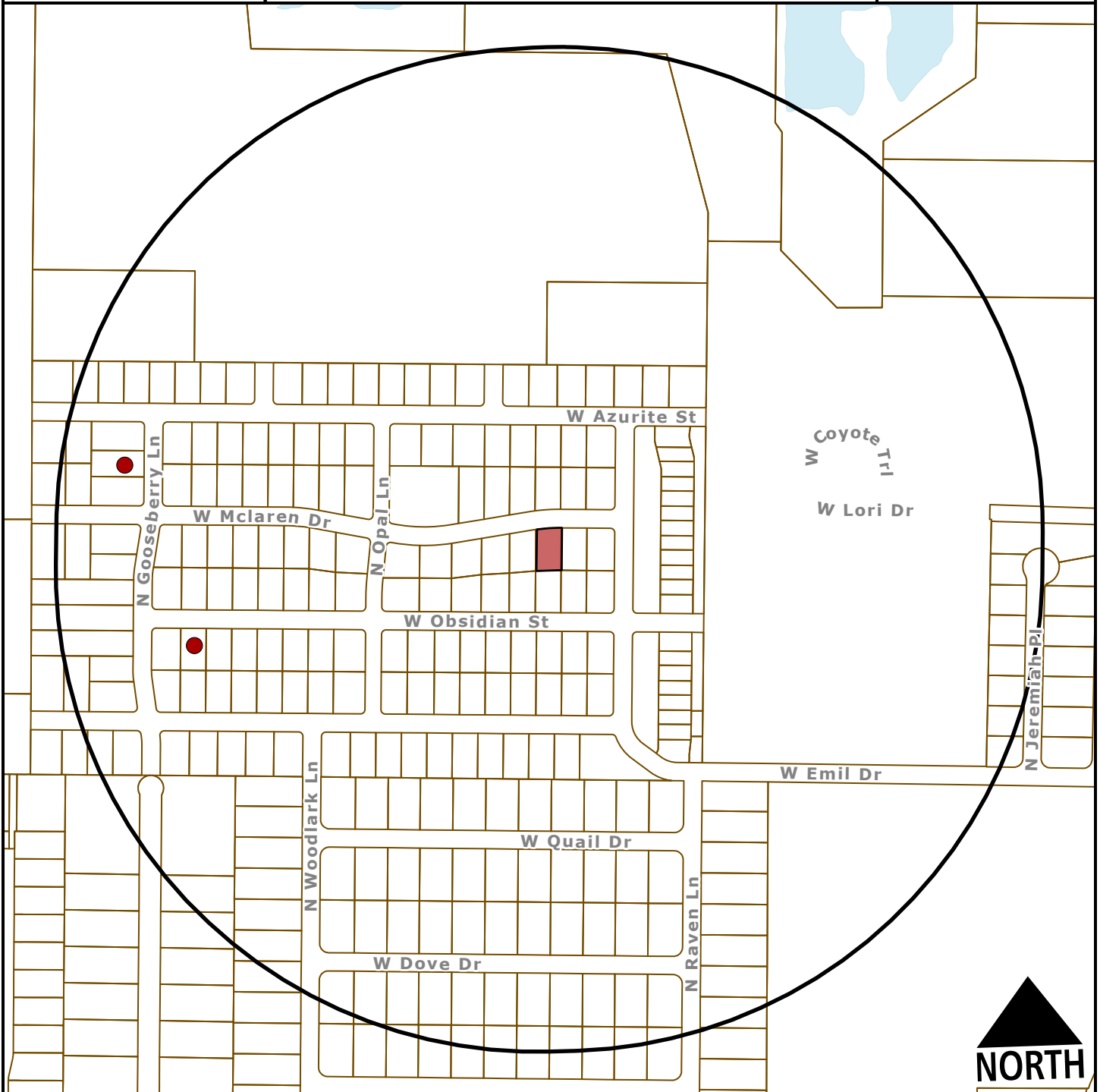




CUP-2026-0040

2783 W MCLAREN DR

STRs Within 1/4 Mile

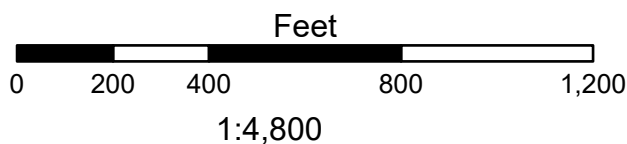


Within 1/4 Mile

Type 2 STRs: 2

Occupiable
Residential
Addresses
(Estimated
Housing Units): 280

-  Subject Property
-  Short Term Rental, Type 2



CODE CASE HISTORY REPORT CVZD-2025-0148 FOR CITY OF FAYETTEVILLE

Changed On	User	Description	Before	After	Additional Info
03/10/2025	Zoe Walker	Code Case added			Code Case (CVZD-2025-0148)
03/10/2025	Zoe Walker	Code Case Note added			Code case note text: (https://www.vrbo.com/4126237?adults=2&selected=107362351&regionId=1271&dateless=true)
03/14/2025	Zoe Walker	Code Case Description	Host compliance - noncompliant type 1 str	Host compliance - noncompliant type 2 str	Code Case (CVZD-2025-0148)
03/14/2025	Zoe Walker	Attachment added			Attachment (0148 NOV.pdf)
	Zoe Walker	Attachment added			Attachment (0148 NOV2.pdf)
	Zoe Walker	Attachment added			Attachment (0148 NOV3.pdf)
03/21/2025	Zoe Walker	Attachment added			Attachment (0148 delivered.PNG)
03/21/2025	Zoe Walker	Code Case Note added			Code case note text: (NOV delivered on 3/19/2025 (see files))
03/21/2025	Zoe Walker	Code Case Workflow Step Start Date	[none]	3/21/2025	Code Case Workflow Step (Notice of Violation)
	Zoe Walker	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Notice of Violation)
	Zoe Walker	Code Case Workflow Step Action Start Date	[none]	3/21/2025	Code Case Workflow Step Action (Tracking Notice of Violation)
	Zoe Walker	Code Enforcement Activity added			Code Enforcement Activity Additional Info
	Zoe Walker	Action Workflow Status	Not Started	Started	Code Case Workflow Step Action (Tracking Notice of Violation)
03/26/2025	Zoe Walker	Code Case Note added			Code case note text: (no contact or change to listing 3/26)
08/19/2025	Bliss Hyke	AssignedTo	Walker, Zoe	Hyke, Bliss	Code Case (CVZD-2025-0148)
08/19/2025	Bliss Hyke	Contact added			Contact (Dawn Lein)
	Bliss Hyke	Contact added			Contact (Dawn Lein)
08/20/2025	Bliss Hyke	Attachment added			Attachment (CVZD-2025-0148 EMAIL TO OWNER.pdf)
08/20/2025	Bliss Hyke	Action Workflow Status	Started	Passed	Code Case Workflow Step Action (Tracking Notice of Violation)
12/16/2025	Bliss Hyke	Code Case Note added			Code case note text: (See File)
12/16/2025	Bliss Hyke	Code Case Note added			Code case note text: (See File. Has till end of week to respond or I forward with utility shut off.)
12/19/2025	Bliss Hyke	Code Case Note added			Code case note text: (I tried calling Dawn but no answer.)
12/19/2025	Bliss Hyke	Code Case Note added			Code case note text: (I left another voicemail for Dawn regarding the utility shut off for this property. I also let her know that I would email this as well.)
12/19/2025	Bliss Hyke	Attachment added			Attachment (Business License Application Instructions.pdf)
12/19/2025					

CODE CASE HISTORY REPORT CVZD-2025-0148

Changed On	User	Description	Before	After	Additional Info
	Bliss Hyke	Attachment added			Attachment (12.19.2025 RE CVZD-2025-0148 (2783 W MCLAREN DR Fayetteville, AR 72704).pdf)
12/26/2025	Bliss Hyke	Code Case Note added			Code case note text: (STR-1091-2025 • Student Success Spaces (2783 W MCLAREN DR FAYETTEVILLE, AR 72704))
12/26/2025	Bliss Hyke	Attachment added			Attachment (12.26.2025 RE CVZD-2025-0148 (2783 W MCLAREN DR Fayetteville, AR 72704).pdf)
12/26/2025	Bliss Hyke	Attachment added			Attachment (12.26.2025 HC Rental Unit Record.pdf)
	Bliss Hyke	Attachment added			Attachment (12.26.2025 Perfect Game Day & Parents Weekend! Spacious 4-Bedroom -Just 8 Minutes from UARK - Fayetteville _ Vrbo.pdf)
01/02/2026	Bliss Hyke	Attachment added			Attachment (01.02.2026 NOT LISTED Fayetteville Vacation Rentals, Arkansas_ house rentals & more _ Vrbo.pdf)
	Bliss Hyke	Attachment added			Attachment (01.02.2026 HC Inaccurate Rental Unit Record.pdf)
	Bliss Hyke	Attachment added			Attachment (12.26.2025 HC Rental Unit Record.pdf)
	Bliss Hyke	Attachment added			Attachment (12.26.2025 Perfect Game Day & Parents Weekend! Spacious 4-Bedroom -Just 8 Minutes from UARK - Fayetteville _ Vrbo.pdf)
01/02/2026	Bliss Hyke	Date Closed	[none]	1/2/2026	Code Case (CVZD-2025-0148)
	Bliss Hyke	Code Case Status	In Progress	Closed - Resolved	Code Case (CVZD-2025-0148)
	Bliss Hyke	Complete	No	Yes	Code Case (CVZD-2025-0148)
	Bliss Hyke	Code Case Note added			Code case note text: (Listing has been removed and BL has been applied for.)

§118.01 Applicability

(E) *Short-Term Rentals.* A residential dwelling unit, portion of a dwelling unit, or bedroom within a residential dwelling unit, leased and/or rented to a guest(s), for a period of less than thirty (30) consecutive days.

(1) *Short-Term Rental, Type 1.* A short-term rental is where the owner or long-term tenant occupies the principal dwelling or the accessory dwelling unit as their primary full-time residence for at least nine (9) months of each calendar year and rents the remaining portion of their residence or their accessory dwelling unit as a short-term rental. An applicant for a Type 1 short-term rental shall provide a copy of the property's Homestead Tax Credit, long-term lease agreement or other comparable evidence of long-term residency to the city to prove the long-term residency requirement. The long-term occupant of the property is responsible for the management and control of occupants in the short-term rental, Type 1 to ensure no adverse effects or problems are inflicted upon residential neighbors.

(2) *Short-Term Rental, Type 2.* If a desired short-term rental does not qualify as a short-term rental, Type 1, a property owner may seek to be approved as a short-term rental, Type 2. A new short-term rental, Type 2 may be permitted in residential zoning districts pursuant to the requirements of §163.18 and in non-residential and mixed-use zoning districts pursuant to §164.26. All short-term rentals, Type 2 must also comply with requirements of §118.01(E).

(3) *License Required.* No dwelling unit in the city shall be used as a short-term rental unless:

(a) The owner of the dwelling unit or operator of the short-term rental possess a valid and current business license for the dwelling unit, and fully complies with all legal requirements and duties imposed herein with respect to each and every short-term rental; and

(b) The owner has designated an agent, where said agent fully complies with all legal requirements and duties imposed herein with respect to every short-term rental. The owner may serve as their own agent.

(c) The owner of the dwelling unit or operator of the short-term rental provides proof of a valid and current homeowners insurance rider policy which fully covers each unit when operated as short-term rental unit.

(4) A separate business license shall be required for each dwelling unit used as a short-term rental.

(5) Any change in ownership requires a new or amended business license.

(6) If any required contact information changes for the associated business license, the person to whom the license was issued shall immediately notify the Development Services Department in writing.

(7) *License Application.* The application for a business license shall include at minimum, the following information from applicants:

(a) The property owner's information including legal name, mailing address, immediate contact phone number, and immediate contact E-mail address.

(b) Information for the dwelling unit subject to the application, inclusive of the physical street address assigned by the city.

(c) The type and total number of dwelling units located on the lot of record containing the dwelling unit subject to the application.

(d) If the owner is not their own agent, the owner designated agent's information including legal name, mailing address, immediate contact phone number and immediate contact E-mail address.

(e) Documentation of approval of a life safety and egress inspection by the City Building Safety Division for the dwelling unit subject to the application.

(f) Proof of application for remittance of hotel, motel and restaurant tax to the City of Fayetteville, and verification that all sales, use, and hotel, motel and restaurant taxes are current.

(g) Any additional data as deemed necessary or desirable for permit approval by the Development Services Director.

(8) *License Renewals.* Business licenses for short-term rentals shall be renewed in accordance with Chapter 118 of the Business Regulations (Business Registry and Licenses).

(9) *Legal Duties of License Holders.* An owner possessing a short-term rental license shall comply at all times with the following requirements:

(a) *Occupancy.* Short-term rentals shall be subject to, and may not exceed, the occupancy limits approved with the business license.

(b) *Advertisements.* A short-term rental shall not be advertised if it violates occupancy, density, safety, and any of the other provisions of the Fayetteville Code. No short-term rental unit shall be advertised prior

to having obtained a business license and the business license number shall be included in the advertisement listing.

(c) *Information and Posting.* Business licensees shall provide to guests and post conspicuously in the common area of the short-term rental unit the city phone number to report a safety complaint.

(10) *Owner or Agent Accessibility.* The property owner shall ensure that they or a designated agent are available at all times during guest occupancy, including nights and weekends, in order to facilitate compliance with this section. For the purposes of these regulations, "availability" means that the owner or agent is accessible by telephone, and, able to be physically present at the short-term rental within three (3) hours of being contacted.

(11) *Guest Records.* The owner shall maintain summary guest registration records, which shall contain the actual dates of occupancy, total number of guests per party per stay, and the rate(s) charged, but shall not contain any personally identifiable information about guests. Such records shall be maintained for three (3) years and shall be provided to the city upon request.

(12) *Health and Safety.* The owner shall ensure that each dwelling unit governed by this section complies with the applicable provisions of the Unified Development Code Chapter 173, Building Regulations.

(13) *Criminal Activity.* The owner shall timely report any known or reasonably suspected criminal activity by a guest to the Fayetteville Police Department within twelve (12) hours maximum.

(14) *Taxes and Fees.* Except for those instances in which a hosting platform bears the responsibility for collecting and remitting taxes and fees applicable to short-term rentals, the property owner shall timely remit in full Fayetteville Hotel, Motel and Restaurant tax and other applicable local, state, and federal taxes and city fees owed in connection with any short-term rental. The failure of a hosting platform to collect and remit taxes and fees shall not relieve an owner of the obligation to pay taxes and fees owed pursuant to this section.

(15) *Authorization to Occupy, Use, and Operate.* Authorization to operate a short-term rental may be granted by the Development Services Director through the issuance of a City of Fayetteville Business Registry and License (Business License).

(16) *Density For Type 2 Short-Term Rentals.* A city-wide density cap of four hundred seventy-five (475) dwelling units may be Type 2 rentals. A conditional use permit may not permit:

(a) More Type 2 short-term rentals than what is allowed by the city-wide density cap.

(b) More than 10% or a single unit whichever is greater; of total dwelling units as Type 2 rentals within a multi-family dwelling complex.

(c) Individual 2-, 3- and 4-family buildings that are owned by the same person or entity and are not a part of a multi-family complex shall have no more than one (1) Type 2 short-term rental unit per building complex.

(d) Where attached residential units are held separately through condominium association, horizontal property regime, fee simple, or similar ownership structure, no cap shall be applied to buildings with attached residential dwellings. Structures of attached residential dwellings where applicants seek more than 10% of total units for licensing as Type 2 rentals shall be evaluated by the Building Safety Director and/or Fire Marshal for adequate fire protection as defined by the adopted Arkansas Fire Prevention Code. Where inadequate fire protection is identified, improvements may be required prior to issuance of a business license.

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

(18) Short-term rentals must comply with the Unified Development Code including the regulations contained in §163.18 and §164.26 and must successfully obtain a business license prior to operation.

163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

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

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

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

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

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

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

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

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

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

(C) *Density.*

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

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two-family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(Ord. No. 6945, §5(Exh. D), 12-16-25)

REQUEST FOR CONDITIONAL USE PERMIT

Short-Term Rental

Property Address: 2783 W. McLaren Drive, Fayetteville, AR 72704

Parcel Number: 765-34258-000

Zoning: RSF-4 (Residential Single-Family – 4 Units Per Acre)

Current Use: Existing Single-Family Residence - 4 Bedroom/2 Bath

Proposed Use: Short-Term Rental

Request

The applicant respectfully requests approval of a Conditional Use Permit to operate the existing single-family residence located at **2783 W. McLaren Drive** as a short-term rental.

The property is an existing single-family home located within the RSF-4 zoning district. This request does **not** include any new construction, additions, exterior alterations, grading, utility improvements, or other site modifications. The request is limited solely to allowing the existing residence to operate as a short-term rental in accordance with the City of Fayetteville Short-Term Rental Ordinance and all applicable local, state, and federal regulations.

(a) Building Size

- **Existing Building:** Approximately **1,940 square feet**
- **Proposed Building:** No change.

(b) Color Elevations of All Exterior Sides of the Structure

No exterior modifications are proposed. The existing architectural design, exterior materials, colors, roofline, and landscaping will remain unchanged. Photograph of the existing residence are included with this application.

(c) Number of Off-Street Parking Spaces Provided

The property provides **four off-street parking spaces**, consisting of:

- Two-car attached garage
- Two-car driveway

On-street parking is available in accordance with applicable City regulations if additional parking is needed.

(d) Business Information

Hours of Operation

The property will operate as a short-term rental with guest check-in and check-out occurring during 3pm-11am.

Employees

There are no on-site employees. Cleaning and maintenance services will be performed between guest stays by the owner or independent contractors.

Guest Occupancy

Maximum occupancy will comply with all applicable City of Fayetteville Short-Term Rental regulations.

Property Management

The property will be owner-managed by **Dawn Lein**, with day-to-day oversight provided by her son, **Carson Lein**, who resides one street from the property. Carson will serve as the local contact and will be available to respond promptly to guest questions, maintenance needs, or any neighborhood concerns.

The property will be marketed through established short-term rental platforms, including **VRBO** and **Airbnb**. The applicant will utilize each platform's guest screening and review tools and will require guests to acknowledge the property's house rules prior to check-in.

Guests will receive written house rules addressing:

- Parking
- Occupancy limits
- Noise
- Trash disposal
- Respect for neighboring properties
- Compliance with all applicable City of Fayetteville ordinances

(e) Outdoor Lighting

Existing residential exterior lighting will remain unchanged. No additional outdoor lighting is proposed.

(f) Noise

Guests will be required to comply with all City noise ordinances and established quiet hours. Parties, large gatherings, and outdoor amplified music will not be permitted.

(g) Screening or Buffering

Existing landscaping, setbacks, and residential buffering will remain unchanged. No additional screening or buffering is proposed because no exterior improvements are planned.

(h) Trash and Refuse Service

Residential trash collection will continue through the existing sanitation provider. Trash containers will be stored in their designated location behind the backyard gate on the right hand side except on scheduled collection days. Guests will receive written instructions regarding proper trash disposal and collection procedures.

(i) Ingress and Egress / Traffic Impacts

Access to the property will remain via the existing driveway from W. McLaren Drive.

The proposed use is not expected to generate traffic materially different from that of a typical single-family residence. Adequate off-street parking is provided on-site to accommodate guests.

(j) Compatibility with Adjacent Properties

The proposed use is compatible with the surrounding residential neighborhood because the request involves only the operation of an existing single-family residence as a short-term rental.

No additions, exterior alterations, changes to the building footprint, increased building intensity, or site modifications are proposed. The residential appearance and character of the property will remain unchanged.

The property provides adequate off-street parking through the attached two-car garage and driveway. The property will be owner-managed by **Dawn Lein**, with local oversight provided by

Carson Lein, who resides one street from the property and is available to respond promptly to any concerns or emergency situations.

Guests will be required to comply with all house rules and City ordinances regarding parking, occupancy, noise, and trash collection. The use of established booking platforms with guest screening and review systems, combined with local management, will help ensure the property operates responsibly and remains compatible with neighboring homes.

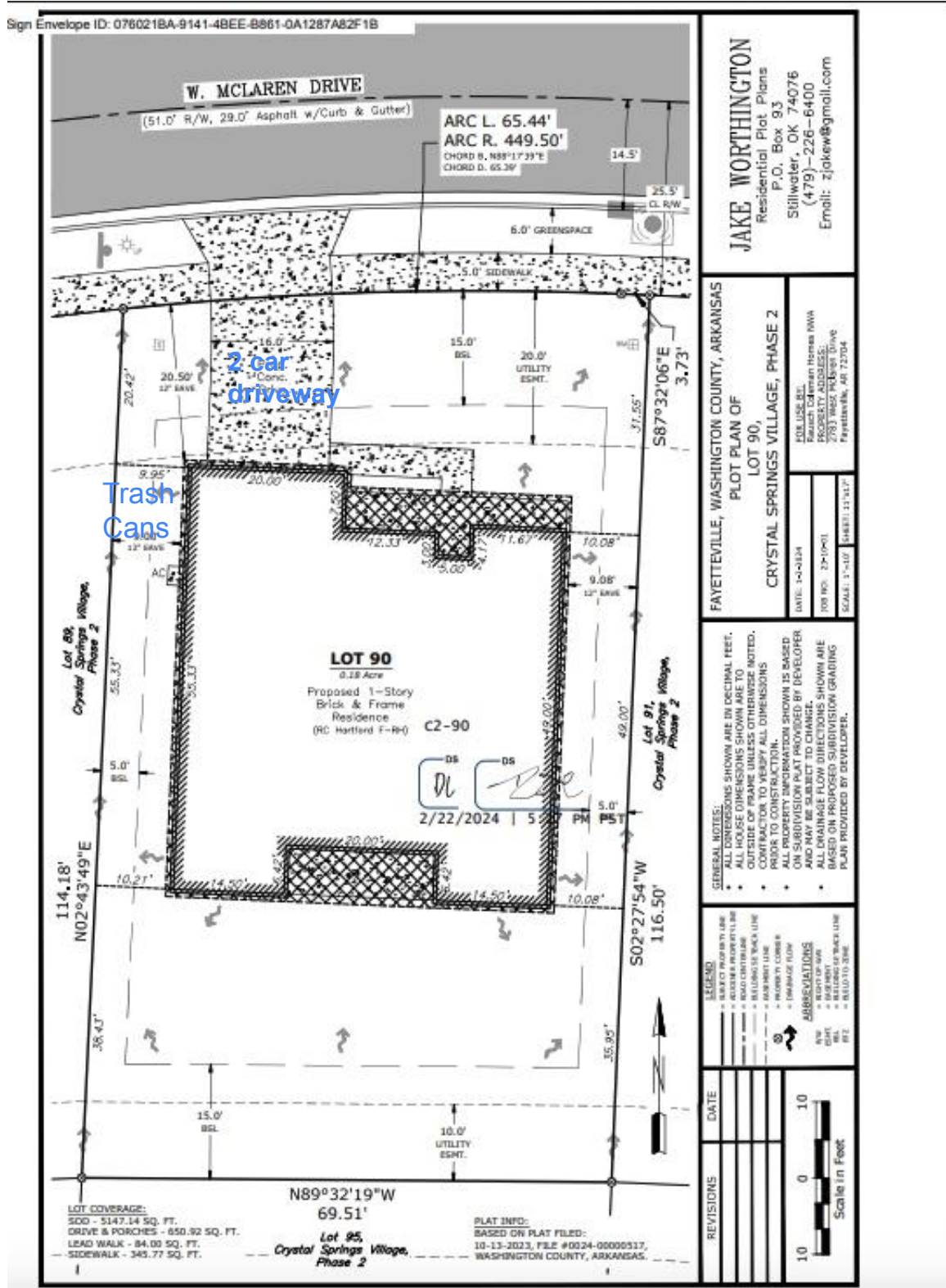
The requested Conditional Use Permit involves only a change in the permitted use of an existing residence. No physical changes to the property are proposed, and the residential character of the neighborhood will be preserved.

Conclusion

The applicant respectfully requests approval of this Conditional Use Permit to allow the operation of an existing single-family residence as a short-term rental.

The applicant is committed to responsible local management, maintaining open communication with neighboring property owners, complying with all applicable City regulations, and preserving the residential character of the neighborhood. Through local oversight, clear guest expectations, and the use of established booking platforms, the applicant is committed to operating the property in a manner that is respectful of the surrounding community.

For these reasons, the applicant respectfully requests approval of the Conditional Use Permit.





- 2 Cars can park in garage.
- 2 cars can park in driveway.
- Trash is placed behind gate when not trash day.





TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Donna Wonsower, Senior Planner

MEETING DATE: September 14, 2026

SUBJECT: **CUP-2026-0041: Conditional Use Permit (SOUTH OF 3365 N COLLEGE /H W ALLEN CO LLC, 213):** Submitted by BENCHMARK DESIGN GROUP for property located SOUTH OF 3365 N COLLEGE. The property is zoned UC, URBAN CORRIDOR and contains approximately 1.16 acres. The request is for a 2,899 sq. ft. drive-thru restaurant.

RECOMMENDATION:

Staff recommends approval of **CUP-2026-0041** with conditions as outlined by staff.

RECOMMENDED MOTION:

*"I move to approve **CUP-2026-0041** with conditions, determining:*

- In favor of compatibility of Use Unit 18: Gasoline Service Stations and Drive-in/Drive-through Restaurants; and*
- In favor of all other conditions as recommended by staff."*

BACKGROUND:

The subject property is in north Fayetteville off N. College Ave. and is the former site of a Lewis Ford Car Dealership. A 26,564-square-foot commercial building constructed in 1970 and a 666-square-foot car wash on-site were both removed per a demolition permit issued on May 7, 2024 (DEMO-2024-0022). A concurrent plat was approved in June 2024 further subdividing the parent tract (CCP-2024-0004). The subject area is part of the 71B Corridor Plan boundaries but is not subject to any overlay district. The subject area was included in the overall 71B Corridor rezoning to UC, Urban Corridor, approved by City Council on October 15, 2024. Surrounding land uses and zoning are depicted in Table 1.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Financial Institution / Undeveloped	UC, Urban Corridor
South	Automotive Repair	UC, Urban Corridor
East	Mixed Commercial	UC, Urban Corridor
West	Undeveloped	UC, Urban Corridor

City Plan 2040 Future Land Use Designation: **Urban Center**

Proposal: The applicant requests conditional use permit approval for a drive-through restaurant within the UC, Urban Corridor zoning district. Drive-throughs are considered use unit 18, which requires a conditional use permit within this zoning district. No variances have been requested.

Public Comment: The adjacent property owner to the south provided public comment to staff, objecting to the proposed use of an access easement and citing traffic danger and congestion.

RECOMMENDATION: Staff recommends approval of **CUP-2026-0041** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility for Use Unit 18: Gasoline Service Stations and Drive-in/Drive-through Restaurants.** *Staff finds the proposed use to be compatible with the neighborhood based on the findings in this report;*
2. Development shall provide one pedestrian-oriented element per the requirements outlined in UDC 166.24(E).
3. Pedestrian cross access shall be provided to the northern, southern and western property lines through designated path(s).
4. Driveway access between the building and public right-of-way (shown under canopy) shall be limited to exit only lane(s) and shall include a raised pedestrian crossing.
5. Screening of the drive-through aisles and parking lot shall be provided substantially as shown on the plans.
6. Approval of the conditional use permit does not ensure approval of a development application. The conditional use grants the applicant rights to submit a development proposal based on the conceptual layout included herein. However, the applicant must still be able to comply with all other development requirements, including but not limited to, tree preservation, drainage, utility installation and Fire Department access. These details shall be reviewed with the development application. The final project design shall follow the general layout and design of the conditional use concept plan;
7. Per UDC §166.20, Expiration of Approved Plans and Permits, conditional use permit approval is valid for one year; and
8. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs.

PLANNING COMMISSION ACTION: Required <u>YES</u>
Date: <u>September 14, 2026</u> ☐ Tabled ☐ Approved ☐ Denied
Motion:
Second:
Vote:

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

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

Finding: The applicant has submitted a written application requesting conditional use approval for Use Unit 18: Gasoline Service Stations and Drive-in/Drive-through Restaurants in the UC zoning district.

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

Finding: The applicant has paid the required filing fee.

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

Finding: The Planning Commission is empowered under Unified Development Code §161.36 to grant the requested conditional use permit.

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

Finding: Staff finds that granting the requested conditional use permit is not likely to adversely affect the public interest. The property is along a high-activity regional link that can likely support additional traffic and the design incorporates a large queuing distance, minimizing potential impact onto the greater public. The design generally complies with design standards of the urban form district. To maintain compatibility with the City's long-term land

use goals for the corridor, staff recommends a condition that the development shall provide one pedestrian-oriented space per the requirements of pedestrian oriented elements outlined in UDC 166.24(E). Staff finds the proposal is unlikely to create a safety hazard.

(c.) The Planning Commission shall certify:

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

Finding: There are no specific rules governing Use Unit 18: Gasoline Service Stations and Drive-through Restaurants.

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

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

Finding: As proposed, the drive-through restaurant will have access onto an existing shared driveway onto N. College Ave. to the north and a proposed shared driveway to the west. Cross access is also proposed to an existing parking lot to the south. The queue space is of sufficient length to hold approximately 23 vehicles before queuing would impact the parking lot. The connection to the shared driveway north of the is located underneath a proposed canopy that extends from the restaurant space to a large façade wall within the build-to-zone.

Staff recommends a condition that this driveway space beneath the canopy be limited to exit only lane(s) and shall include a raised pedestrian crossing. Removing the entry lane for this driveway would 1) minimize vehicle/pedestrian conflict for users entering the site from the public right-of-way, and 2) eliminate the potential of vehicles seeking to turn left into the parking lot causing vehicle stacking within the shared driveway. As shown, a vehicle turning left into the driveway would leave space for only two additional cars within the shared driveway before stacking extended into public right-of-way. Shifting the entry of the site to the western access driveway would permit much greater stacking before impacts to the public right-of-way would be triggered.

Staff also recommends a condition that pedestrian cross access shall be provided to all property lines to enable safe pedestrian circulation. Compliance with the City's access management and public safety standards will be fully considered as part of the associated development review.

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

Finding: The submitted site plan includes an off-street parking lot with a mix of vehicle spaces intended for in-restaurant dining, mobile orders, and drive-through queuing. Parking currently exceeds permitted allowances, triggering the need for a variance to UDC 172.05 unless reduced. No variances have been requested with this conditional use permit.

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

Finding: The applicant has indicated the development is intended to be served with two residential trash and recycling enclosures. The enclosure appears to be of sufficient size for the placement of two (2) front-end load dumpsters. The City's ability to serve the development will be fully reviewed at the time of development entitlement.

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

Finding: Utilities are currently available at or near the site. An eight-inch sewer main is available within directly abutting the site to the west and a six-inch water main is available within N. College Ave. Determinations of capacity or the need for improvements will be made with development submittal.

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

Finding: A mix of evergreen and deciduous shrub screening is indicated along the majority of north, east, and south boundaries of the parking lot, along with additional landscaping throughout the site. Any parking lots within a build-to-zone shall be screened with a masonry screen wall between 32 inches and 42 inches in height and 50% opaque minimum. Staff recommends a condition that screening of the drive-through aisles and parking lot shall be provided to the north and west in order to provide screening for any future residential developments of the adjacent vacant land.

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

Finding: All signage shall be reviewed separately in accordance with UDC Chapter 174. Of note, the red one numerical symbol on the façade adjacent to the right-of-way would be categorized as a sign per the city's ordinances and would be subject to these signage standards.

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

Finding: Review of the submitted site plan indicates that the required open space of the overall property are likely being provided. All separation and setback requirements will be fully reviewed for compliance with development

entitlement and associated building permits.

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

Finding: Staff finds the applicant's proposal to be compatible with adjacent properties. The 71B Corridor is starting to experience redevelopment under the new UC, Urban Corridor zoning district. The adjacent bank to the north was approved just before the new zoning standards went into effect. Staff finds that as redevelopment of the corridor continues, the built environment will start to better align with the intent of that zoning district to establish a walkable urban environment with buildings located close to the street. The previous roughly 7.3-acre auto-dealership on the property was recently demolished, and any new development on the remainder of the subject parcel would be required to comply with urban form development standards. The plans will be further reviewed for compliance with applicable design standards with development entitlement and approval of the conditional use permit does not constitute of any variances not specifically requested.

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

Finding: Staff finds that the proposed development to be generally incompatible with the goals and intent of the City's adopted land use, transportation, and other strategic plans. The property is designated an urban center on the city's future land use map, which is described as "contain the most intense and dense development patterns within the City and allow for the tallest and greatest variety of buildings." The future land use plan also calls for vacant properties to be "developed into traditional mixed-use centers, allowing people to live, work and shop in the same area." The property is also near a Tier 2 center per City Plan 2040's Growth Concept Plan. Commercial developments within Tier 2 centers are intended to be mixed-use.

The 71B Corridor Plan further calls for the corridor to be "a high density, high-rise, primarily mixed-use development, designed primarily for movement by active modes: walking, biking, transit," and implementation of this plan led to the establishment of the Urban Corridor zoning district and the associated rezoning of 586 acres along N. College Ave. and S. School Ave. This new district added housing as a by-right use and made auto-oriented uses a conditional use after consistent public feedback indicated a strong desire to move away from a car-dominated environment and towards walkable urban neighborhoods. Staff finds a single-use auto-oriented development is not consistent with the stated goals of the city.

However, while staff finds that drive-through restaurants are not aligned with many city goals and development plans for the area, staff acknowledges they still provide a nonresidential amenity and their provision in a form-based district with a conditional use permit subjects their development to stricter standards that better align their use with a more walkable, urban city.

BUDGET/STAFF IMPACT:

None

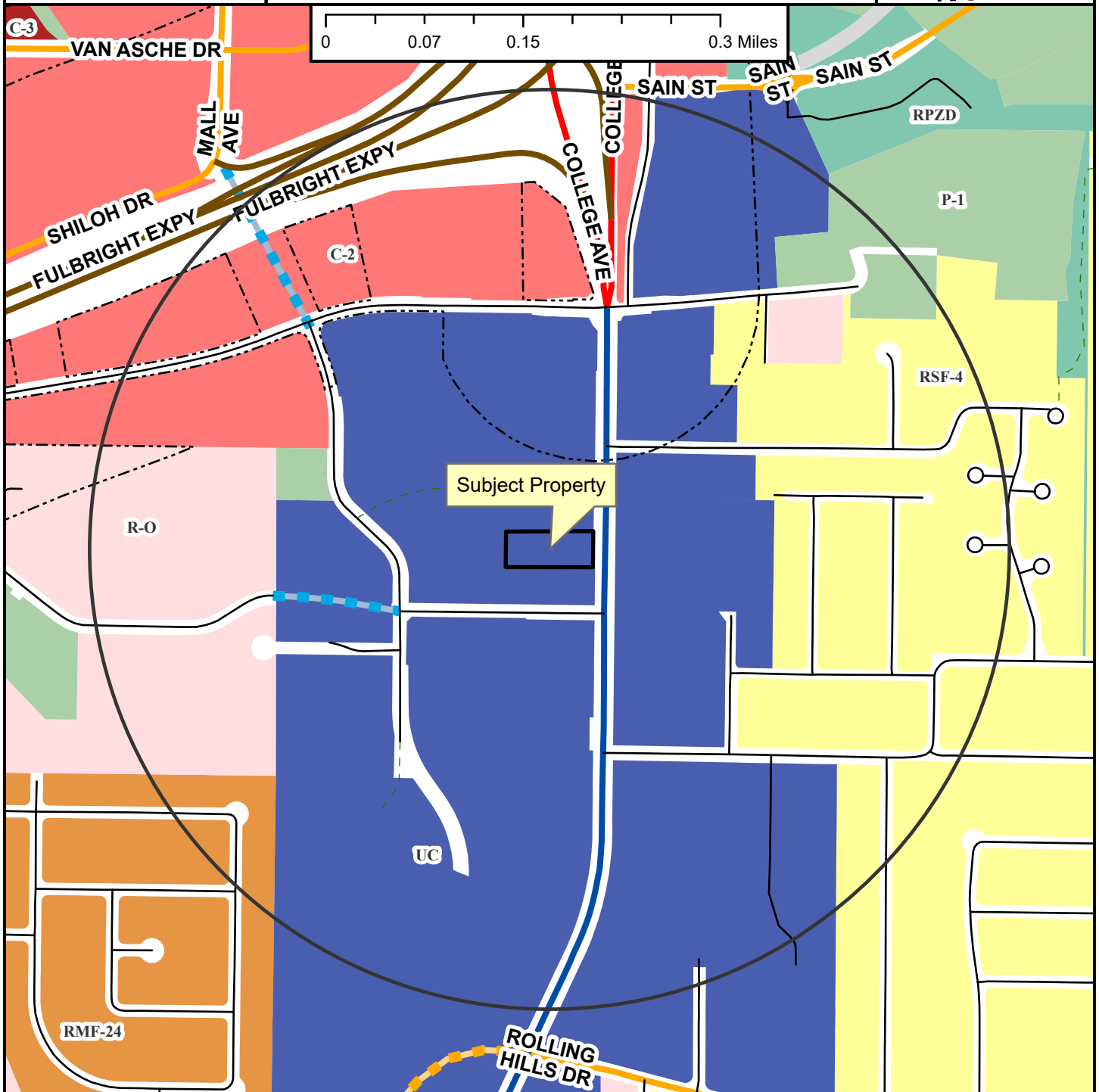
ATTACHMENTS:

- Unified Development Code
 - §161.36 – Urban Corridor
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
- Staff Exhibit
 - Impact of Right-of-Way
- Applicant Exhibits
 - Request Letter
 - Site Plans
 - Floor Plans & Elevations

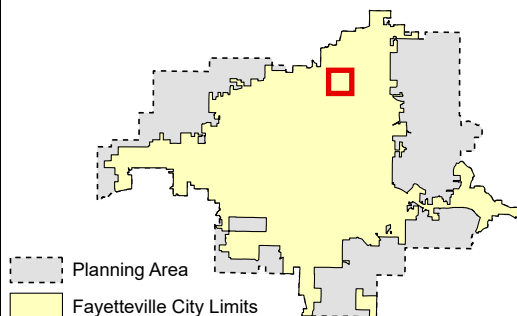
CUP-2026-0041

SOUTH OF 3365 N COLLEGE

One Mile View



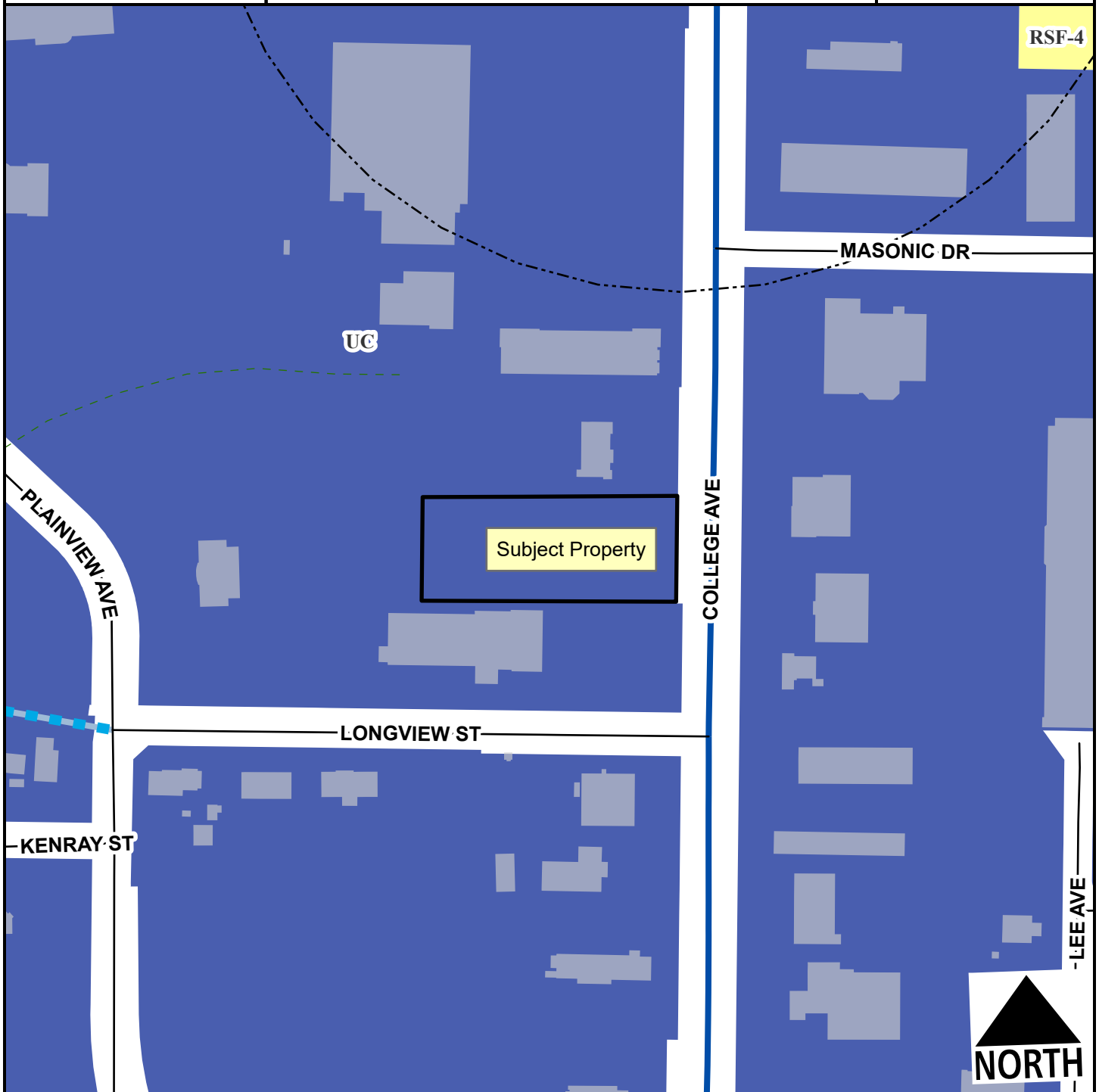
- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



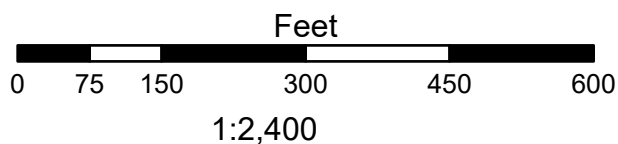
CUP-2026-0041

SOUTH OF 3365 N COLLEGE

Close Up View



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



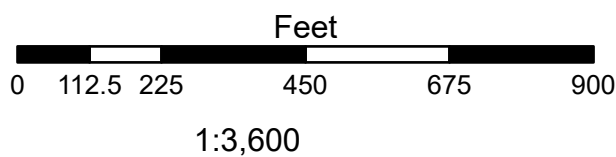
CUP-2026-0041

SOUTH OF 3365 N COLLEGE

Current Land Use



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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

161.36 Urban Corridor

(A) *Purpose.* The Urban Corridor District is designed to provide a mix of commercial uses and housing along corridors that provide multi-modal transportation options. The district encourages walkable commercial, residential, and mixed-use developments in urban form that enhance function, economic vitality, and appearance along major urban thoroughfares.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 10	Three- and Four-Family Dwellings
Unit 13	Eating places
Unit 14	Hotel, Motel, and Amusement Facilities
Unit 16	Shopping Goods
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 40	Sidewalk Cafes
Unit 41	Accessory Dwellings
Unit 45	Small scale production
Unit 46	Short-term rentals

Note: Any combination of the 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 8	Single-Family Dwellings
Unit 9	Two-Family Dwellings
Unit 17	Transportation trades and services
Unit 18	Gasoline Service Stations and Drive-Thru Restaurants
Unit 20	Commercial Recreation, Large Sites
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 communication facilities
Unit 38	Mini-Storage Units
Unit 42	Clean Technologies
Unit 43	Animal Boarding and Training
Unit 44	Cluster Housing Development
Unit 48	Private dormitories

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.* None.

(2) *Lot Area Minimum.* None.

(E) *Setback Regulations.*

Front	A build-to zone that is located between the front property line and a line 30 feet from the front property line.
Side and rear	None
Side or rear, when contiguous to a single-family residential district	15 feet

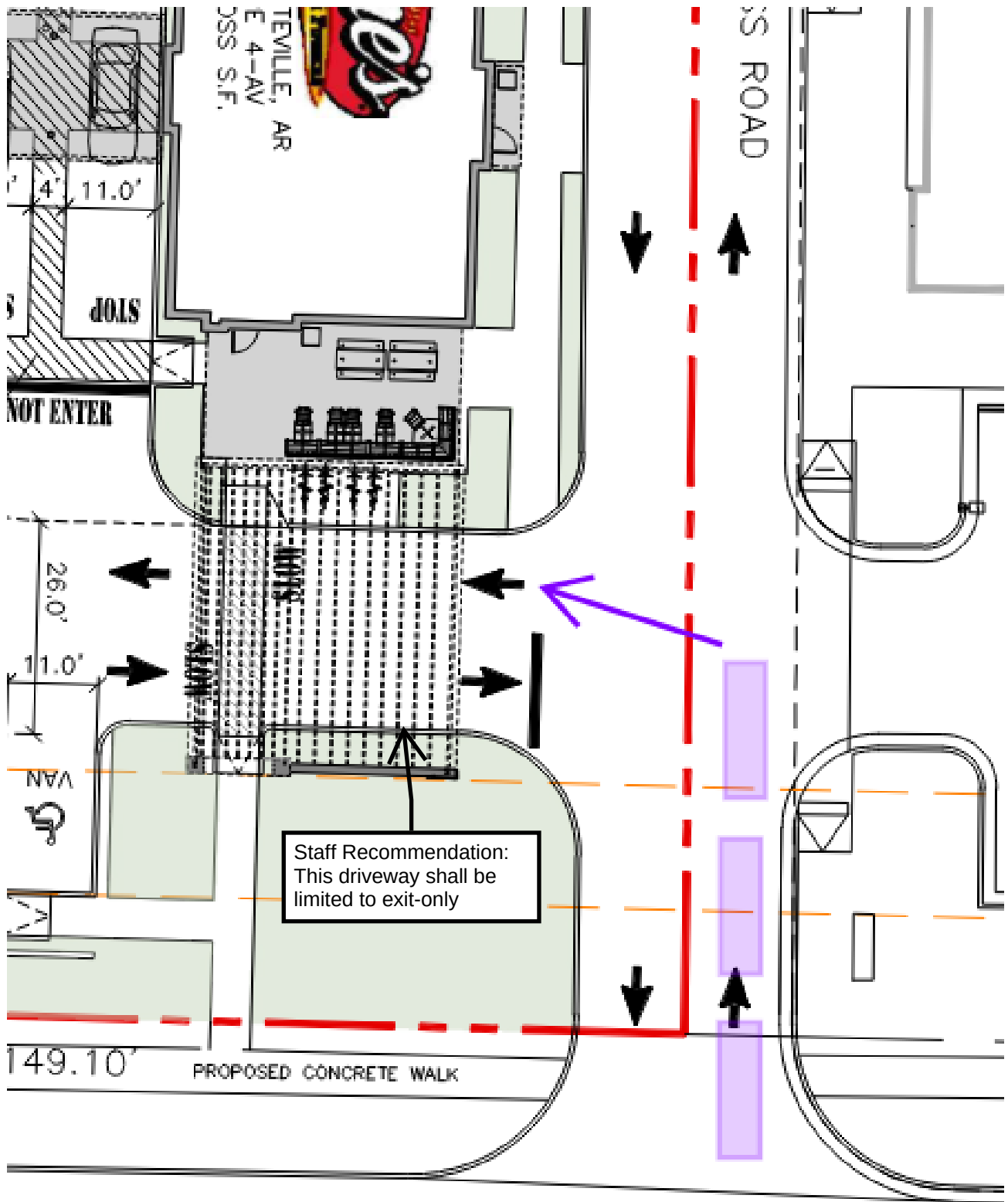
(F) *Minimum Buildable Street Frontage.* 50% of lot width.

(G) *Building Height Regulations.*

Building Height Maximum	8 stories
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(Ord. No. 6945, §5(Exh. D), 12-16-25)

STAFF EXHIBIT DRIVEWAY IMPACT ON RIGHT-OF-WAY



7/31/2026

City of Fayetteville
113 West Mountain Street
Fayetteville, Ar. 72701
Attn: Bliss Hyke

phone 479-575-8267
ehyke@fayetteville-ar.gov

RE: **RC 1432 – Proposed Use Narrative**
CUP Request Letter
Benchmark project number 2025.014

To whom it may concern,

Please accept this letter as the request for a conditional use permit to allow a drive thru restaurant to be constructed at this location.

The proposed development is a new freestanding Raising Cane's Chicken Fingers quick-service restaurant. The project includes a 2,899-square-foot building with indoor seating for approximately 45 guests, an outdoor patio, 31 customer/employee parking spaces located on-site, pedestrian connections to the right-of-way as well as adjacent lots, landscaped areas, and a dual-lane drive-thru. This location is estimated to employ approximately 75 employees and serve approximately 1,300 daily customers. The project is estimated to be completed in 200 days after construction begins. The proposed use is consistent with the existing commercial character of the region and is intended to complement the surrounding mix of retail, restaurant, and service-oriented businesses by providing an additional dining option for customers already visiting other buildings in the area.

Raising Cane's (Cane's) is a quick-service restaurant specializing in freshly prepared chicken-finger meals, offering dine-in, carryout, online ordering, and drive-thru service. The limited menu and efficient operational model are designed to deliver fast, high-quality customer service while minimizing wait times and maintaining orderly vehicle circulation throughout the site. Cane's typical hours of operation are from 9:30 am to 1:30 am Sunday through Thursday, and 9:30 am to 3:00 am on Friday and Saturday. Cane's is always mindful of and in compliance with local noise ordinances and operates all restaurants with respect to those ordinances.

The development is designed to complement the surrounding commercial area through quality architectural materials, attractive landscaping, coordinated site lighting that meets the ordinance, and professionally designed signage that complies with applicable city requirements. The project also utilizes the existing internal circulation system and supporting infrastructure serving the area while providing adequate parking, internal circulation, utility infrastructure, and landscaping. This development will also provide any necessary screening or buffering from adjacent properties, and the trash enclosure is located near the rear of the development and faces away from all public streets.

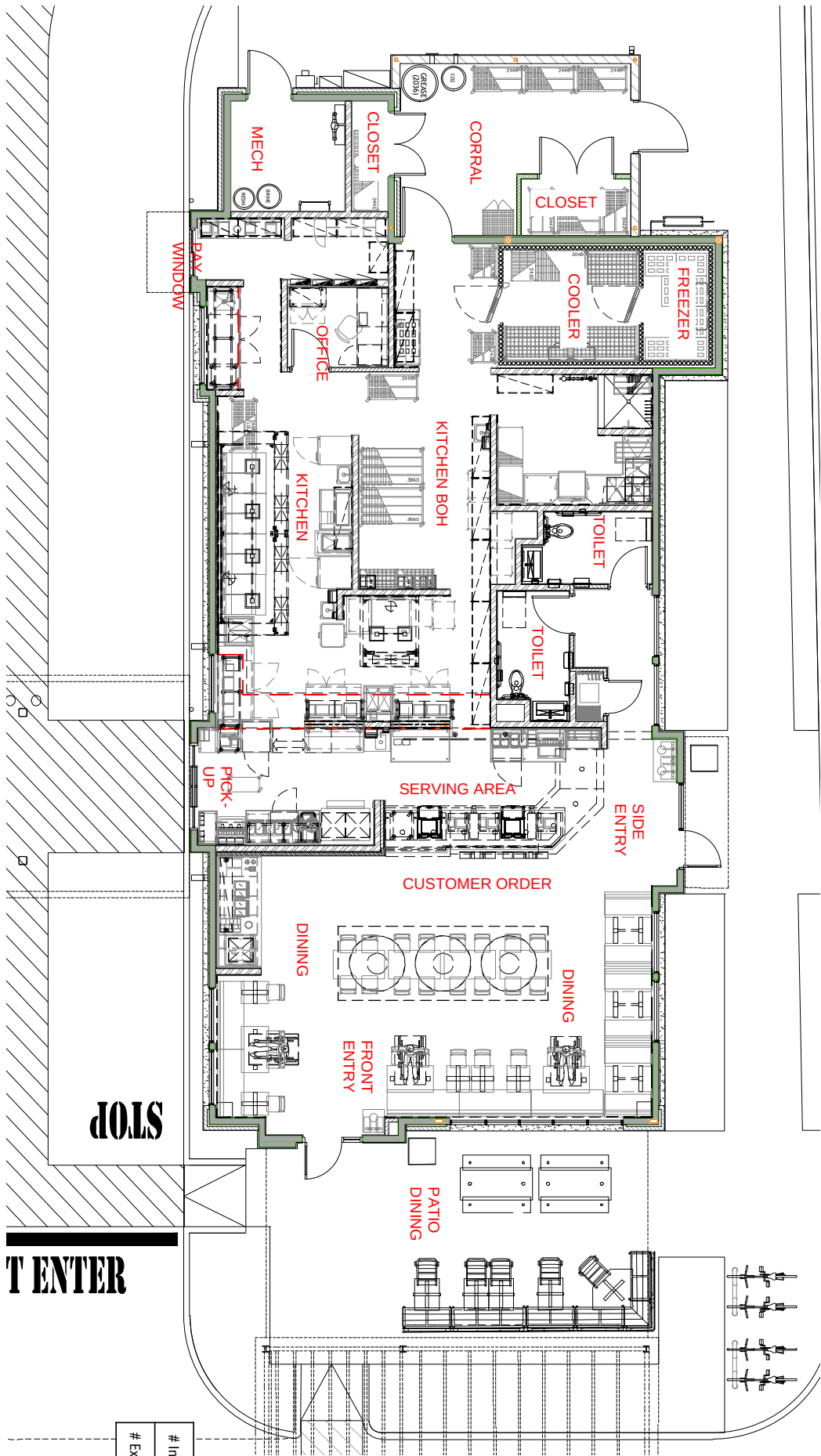
"Achieving Goals by Design"

Benchmark appreciates this opportunity to be of service and welcomes any questions or comments.

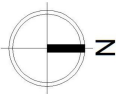
Respectfully submitted,
BENCHMARK DESIGN GROUP, LLC

Ryan Davis
Ryan Davis, PE





# Interior Seats	50
# Exterior Seats	16

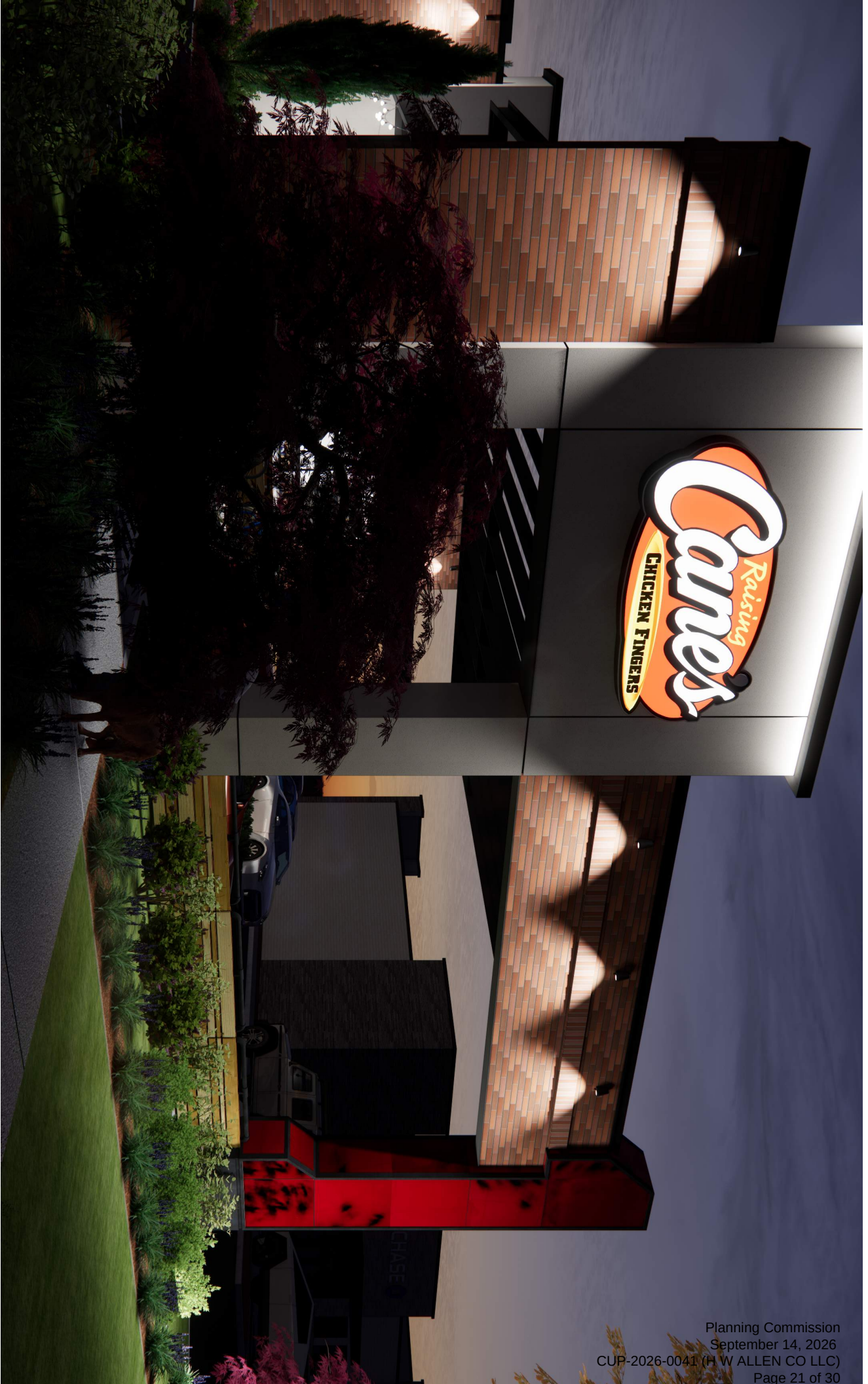


PROTOTYPE 4-AV KITCHEN (EXTENDED FRONT PATIO)
 C1432 – College & Longview – Fayetteville, AR | June 15, 2026

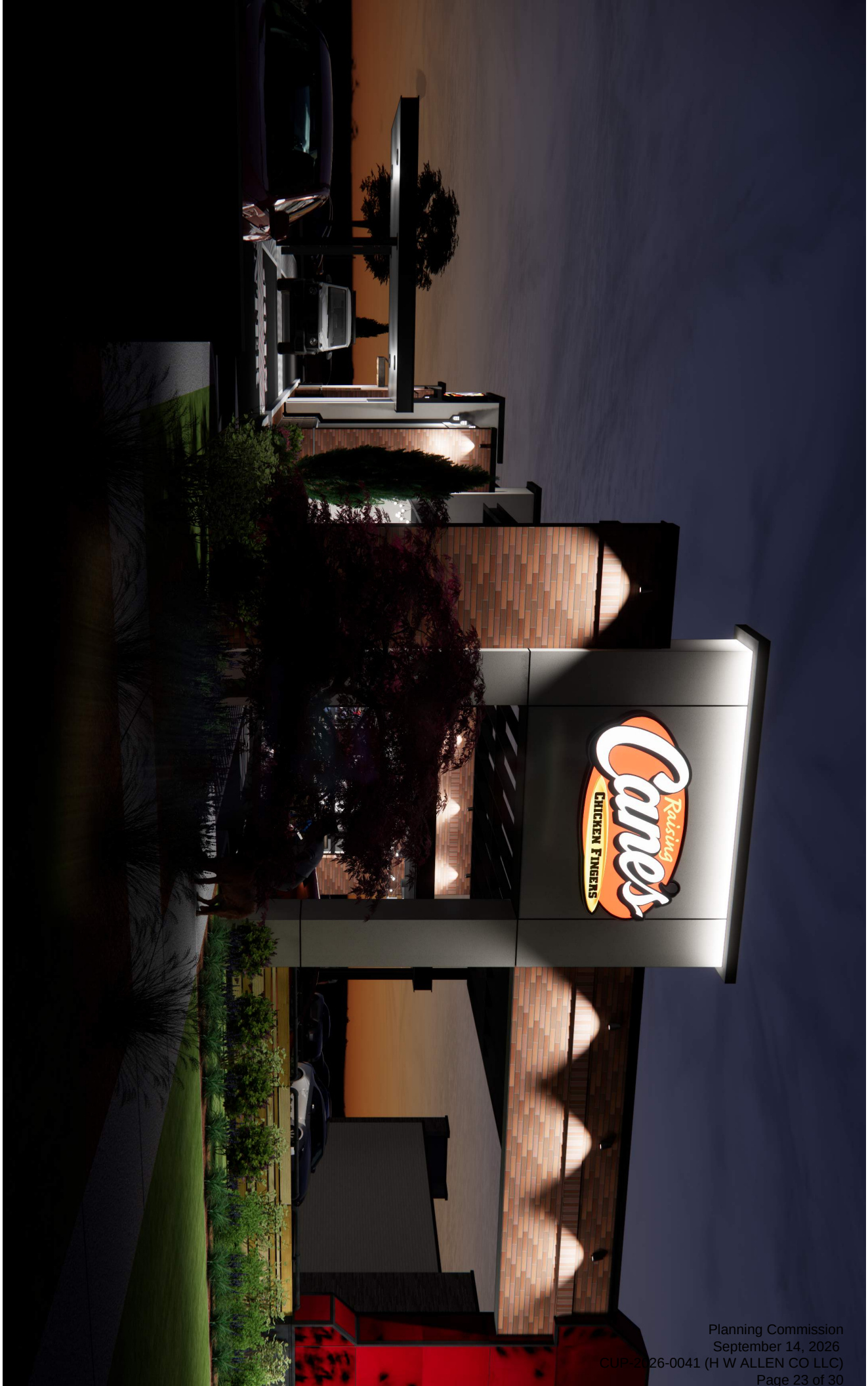




























TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Citlali Samano, Planner

MEETING DATE: September 14, 2026

SUBJECT: **RZN-2026-0026: Rezoning (243, 319 & 325 W 22ND ST/MAJE INVESTMENTS LLC, 640)** Submitted by AARON DUNN for property located at 243, 319 & 325 W 22ND ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 4.80 acres. The request is to rezone the property to RI-12, RESIDENTIAL-INTERMEDIATE, TWELVE UNITS PER ACRE.

RECOMMENDATION:

Staff recommends forwarding **RZN-2026-0026** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2026-0026** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in south Fayetteville and is approximately 315 feet east of the intersection of S School Avenue and W Cato Springs Road. The property contains four parcels totaling approximately 4.80 acres which are currently zoned RSF-4, Residential Single-Family, Four Units per Acre. The property contains three single-family dwellings, two of which are of historic age (325 and 275 W 22nd St.) but none are eligible for inclusion on the National Register of Historic Places. The subject property is partially within the Hillside-Hilltop Overlay District to the east and south. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Residential	RSF-4 Residential, Single-Family, Four Units per Acre
South	Residential	RSF-4 Residential, Single-Family, Four Units per Acre
East	Undeveloped	RSF-4 Residential, Single-Family, Four Units per Acre
West	Residential and Undeveloped	UC, Urban Core

Request: The request is to rezone the subject property from RSF-4, Residential Single-Family, Four Units per Acre to RI-12, Residential-Intermediate, Twelve Units per Acre.

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

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

- Streets:** The subject property has frontage along West 22nd Street. West 22nd Street is a partially improved Residential Link Street with asphalt paving and open ditches. Any additional improvements or requirements for drainage will be determined at time of development.
- Water:** Public water is available to the subject area. There is an existing 4-inch water main along West 22nd Street.
- Sewer:** Sanitary sewer is available to the subject area. There is an existing 6-inch sewer main along West 22nd Street.
- Drainage:** No capacity issues that would impact development. A portion of the subject area does lie within the Hillside-Hilltop Overlay District. Additional restrictions will apply at the time of building permit submittal, as well as grading, erosion control and abbreviated tree preservation plans. No protected streams, FEMA Floodplain, nor are there any hydric soils present in the subject area.
- Fire:** Station 9, located at 2250 S School Ave., protects this site. The property is located approximately 0.2 miles from the fire station with an anticipated drive time of approximately 2 minutes using existing streets. The anticipated response time would be approximately 4.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.
- Police:** The Police Department did not comment on this request.

Tree Preservation:

The current zoning district of RSF-4, Residential Single-Family, Four Units per Acre, requires **25% minimum canopy preservation**. The proposed zoning district of RI-12, Residential-Intermediate, Twelve Units per Acre, requires **20% minimum canopy preservation**.

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

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

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of **5-7** for this site with a weighted score of **8**. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 9, 2250 S School Ave.)
- Near Sewer Main (6" along W 22nd St.)

- Near Water Main (4" along W 22nd St.)
- Near City Park (Cato Springs Trail Corridor and Frisco Trail Corridor)
- Near Paved Trail (Side-Path Trail)
- Near ORT Bus Stop (School & Cato Springs - Southbound)
- Appropriate Future Land Use

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: ***Land Use Compatibility:*** Staff finds the request to be compatible with the surrounding context. The surrounding property is generally characterized by residential and undeveloped land but in close proximity to S School Avenue which was part of the extensive 71B Corridor rezoning and is a mix of commercial and residential uses. While the current RSF-4 district is strictly residential with traditional setbacks and no form-based requirements, the proposed RI-12 introduces form-based standards and conditionally permits low-intensity commercial uses. Notably, RI-12 requires at least 50% of a building façade to sit within a 0-to-25-foot build-to-zone (though per UDC 164.12, existing nonconforming structures can expand by up to 49% before triggering compliance). Staff finds the request to rezone the property to RI-12 keeps the residential use whilst shifting to urban-form that is found commonly in City Neighborhood Area designations. Because properties to the north, east, and south are primarily residential—and those to the east are low-intensity commercial or undeveloped—this rezoning appropriately establishes a transitional buffer between the intensive uses permitted in the UC, Urban Corridor, district along S. School Avenue and W. Cato Springs Rd.

Land Use Plan Analysis: Staff finds the request consistent with adopted land use policies, the Future Land Use Map, and the goals of *City Plan 2040*. The property is designated as a City Neighborhood Area, which encourages varied commercial uses that include residential components. Rezoning to RI-12 maintains residential viability while granting flexibility for conditional, low-intensity commercial uses. Additionally, the parcel is located 315 feet east of a Tier 3 Center at W. Cato Springs Road and S. School Avenue. *City Plan 2040* intends these centers to serve small, localized markets, supporting a broad mix of housing with mixed-use cores spanning one to several blocks. The parcel's relatively high weighted infill score of 8 indicates it can support increased density and a wider range of uses. However, it is critical to note that W. 22nd Street does not currently meet Master Street Plan standards, which may trigger required off-site improvements during the development review process.

In recent years, the City Council has actively worked to reduce single-use residential or commercial zoning along major corridors, exemplified by the recent 586-acre rezoning along the 71B corridor to the new mixed-use UC district. Rezoning this property to RI-12 aligns with these citywide modernization goals.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: Staff finds the proposed zoning is justified at this time. Although this property was excluded from the recent 71B corridor rezoning due to its distance from the Regional Link, applying an urban-form district here creates an ideal transitional zone between the high-intensity UC district and the low-intensity RSF-4 district. The city's broader shift toward form-based zoning within a ¼ mile of S. School Avenue further justifies the timing of this request.

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

Finding: Staff finds that rezoning from RSF-4 to RI-12 could potentially increase traffic danger or congestion given the property's location and current substandard road conditions. RI-12 allows density to triple from four units per acre to twelve units per acre. To mitigate this, specific site impacts (including parking, drainage, tree preservation, and street compliance) will be thoroughly evaluated against City standards during the formal development review phase.

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

Finding: Rezoning the property from RSF-4 to RI-12 will alter local population density to a moderate degree, increasing the maximum allowable density from four units per acre to twelve units per acre. While the existing water, sewer, and S. School Avenue utility infrastructure can likely support this increase, exact service capacities will be fully re-evaluated during the development review process. Fayetteville Public Schools did not provide comments on this request.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
 - a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

RECOMMENDATION: Planning staff recommends forwarding RZN-2026-0026 to City Council with a recommendation of approval.

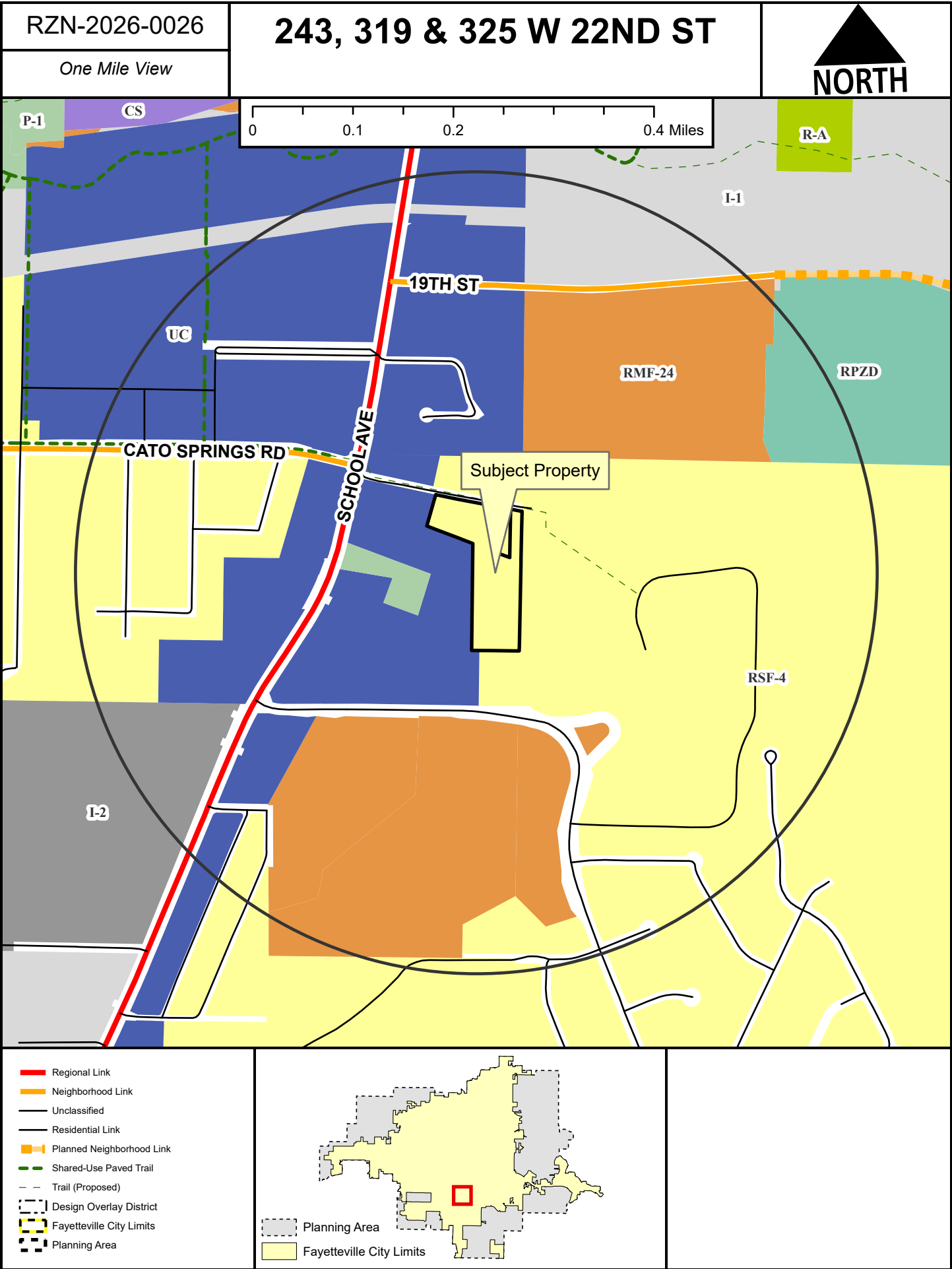
PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>September 14, 2026</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

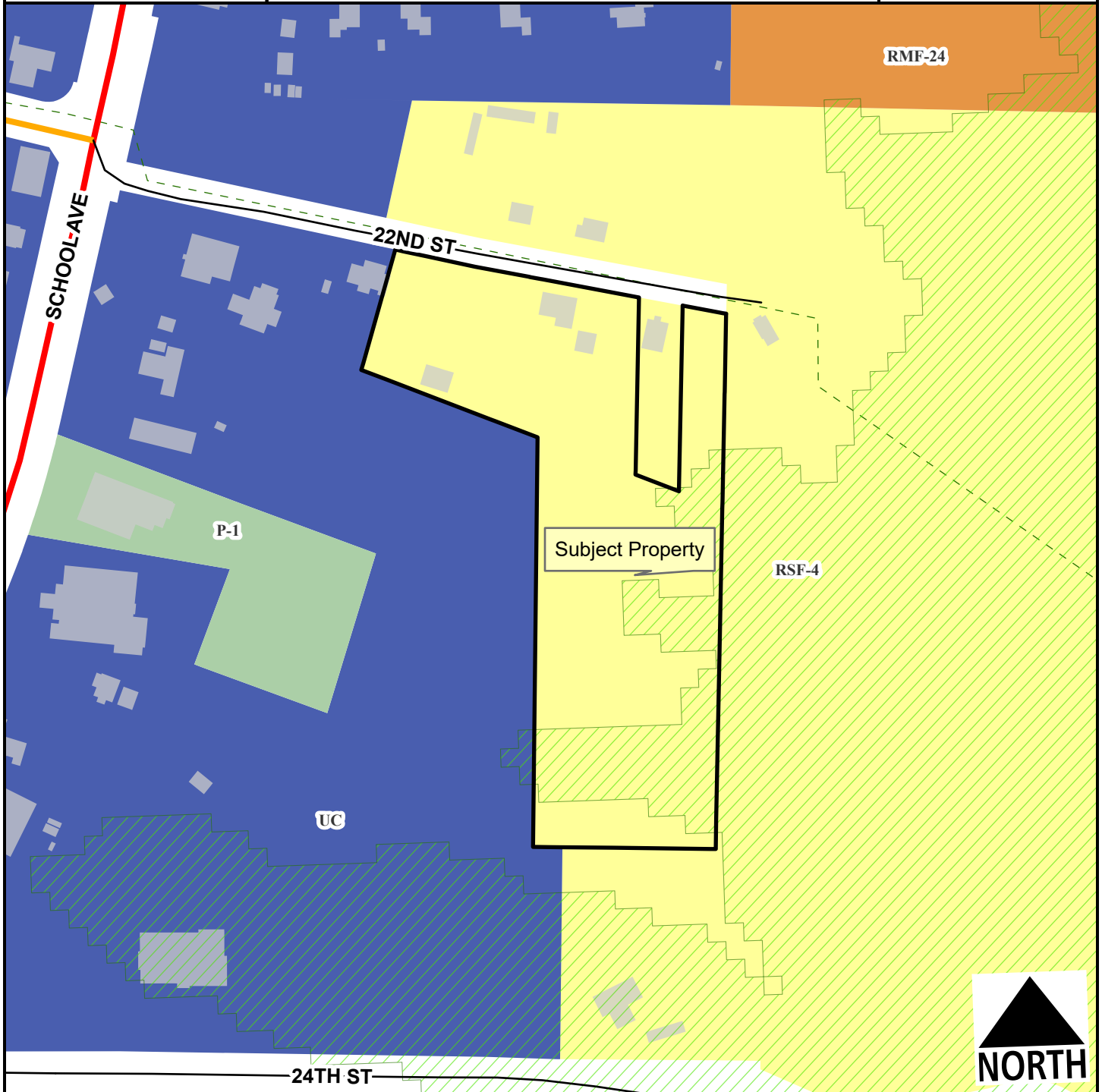
- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
 - Unified Development Code
 - §161.07 District RSF-4, Residential Single-Family, Four Units per Acre
 - §161.11 District RI-12, Residential Intermediate, Twelve Units per Acre
 - Staff Exhibits
 - Long-Range Planning Memo
 - Applicant Exhibits
 - Request Letter
-



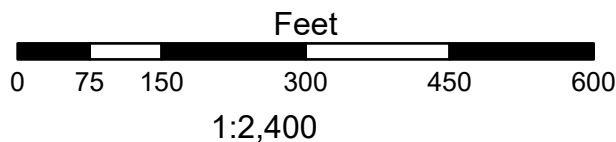
RZN-2026-0026

243, 319 & 325 W 22ND ST

Close Up View



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



Zone	Current	Proposed
RSF-4	5.1	0.0
UC	0.0	5.1

Total 5.1 ac

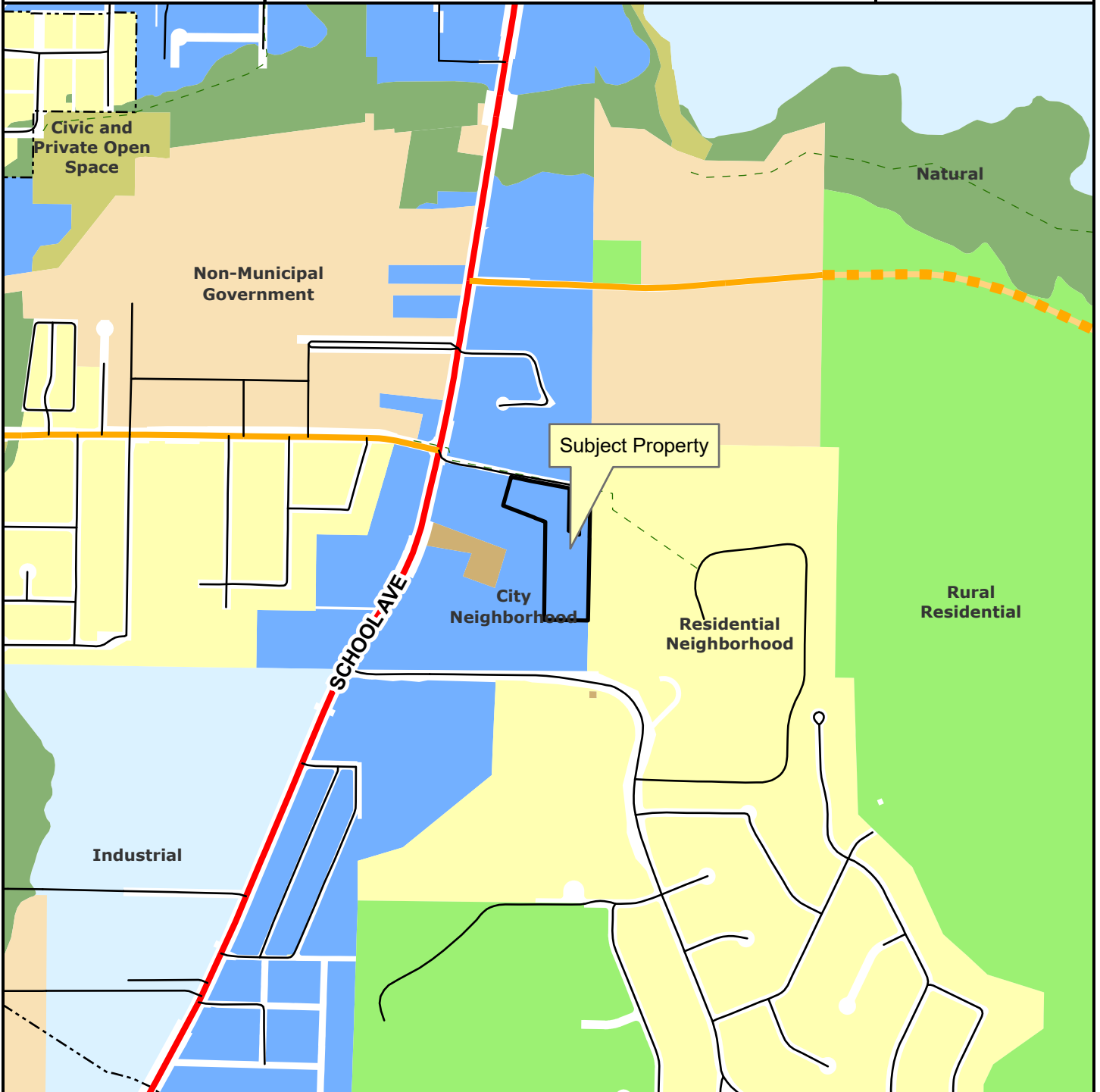


RZN-2026-0026

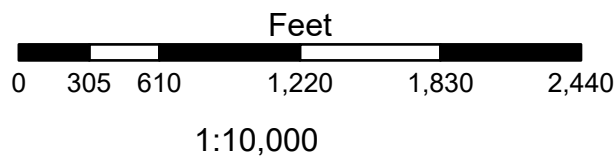
243, 319 & 325 W 22ND ST



Future Land Use



- Regional Link
- Neighborhood Link
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Design Overlay District



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

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

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

(B) *Uses.*

(1) *Permitted Uses*

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

(2) *Conditional Uses.*

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

(C) *Density.*

	Single-family dwellings
Units per acre	4 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §8, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; [Ord. No. 6245](#), §2, 10-15-19; [Ord. No. 6427](#), §§1(Exh. C), 2, 4-20-21)

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

161.11 - 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-family dwellings
Unit 10	Three- and four-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) Conditional Uses.

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

(C) *Density.*

Units per acre	12
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(D) *Bulk and Area Regulations.*

(1) Lot Width Minimum.

	Single-family	Two-family	Three- and four-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

(2) *Lot area minimum.* None

(E) *Setback regulations.*

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

(F) *Building Height Regulations.*

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

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

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

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



TO: Citlali Samano, Planner

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: September 14, 2026

SUBJECT: Long Range Planning Comments Regarding RZN-2026-0026

BACKGROUND:

The applicant requests to rezone approximately 4.80 acres from RSF-4, Residential Single-Family, Four Units Per Acre to RI-12, Residential Intermediate – Twelve Units Per Acre. Two long range planning documents are relevant when evaluating this request: *City Plan 2040* and the *Heritage & Historic Preservation Plan*.

City Plan 2040 (2020):

City Plan 2040 includes several relevant plan goals and objectives:

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

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

Heritage & Historic Preservation Plan (2023):

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

Heritage and Historic Preservation Master Plan Relevant Goals and Action Items

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

DISCUSSION:

Zoning History:

This property was annexed in 1961 (Ord. 1258). Modern zoning began with Ordinance 1747 approved on June 29, 1970 which enacted a new zoning map and set of districts and zoning requirements for the city. This map shows the subject property as being zoned into the low-density "R-1" zoning district, which was subsequently translated to "RSF-4" with the adoption of the city's Unified Development Code.

City Plan 2040 and Future Land Use Plan:

This area is designated as a City Neighborhood area, which are "more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses." This area supports a wide variety of primarily residential in nature and support a wide variety of housing types of appropriate scale and context." This land use designation also encourages the incorporation of a variety of housing options beyond just single-family and new commercial uses which would contribute to creating complete neighborhoods (Goals 3 & 6). The request for RI-12 aligns with goals 1, 2, and 6 of City Plan 2040 by creating opportunities for denser development and a variety of housing types in an area already served by infrastructure. Opportunities for some limited business is available with a conditional use permit under the requested zoning district, supporting goal 3 for complete neighborhoods.

Property History:

The subject property contains single-family dwellings constructed ca. 1951 (325 W. 22nd St), 1961 (319 W. 22nd St.), ca. 1951 (275 W. 22nd St.) according to Washington County Tax Assessor records. Two buildings are of historic age and are not eligible for inclusion on the National Register of Historic Places. This area was included in Phase 1 of the citywide survey of historic properties and were not field surveyed after being determined ineligible during desktop review. The building at 275 W. 22nd St. is not visible via Google Street View due to vegetation.



319 W. 22nd St.



325 W. 22nd St.

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

RE: Rezoning Request – 243, 275, 319, and 325 W. 22nd Street (Parcel Nos. 765-15340-001, 765-15350-000, 765-15348-000, and 765-15327-000), Fayetteville, AR – Request to Rezone from RSF-4 to Residential Intermediate (RI-12)

To Whom it May Concern:

Maje Investments, LLC (“Applicant”) submits this letter in support of its application to rezone the four parcels referenced above, located along W. 22nd Street in Fayetteville, from RSF-4 (Residential Single-Family, 4 units per acre) to RI-12 (Residential Intermediate, 12 units per acre). The Applicant has also recently closed on the purchase of an adjoining 2-acre tract from Barry Baker, immediately to the north/west (that transaction has not yet been reflected in county records), which is zoned UC. This letter addresses the compatibility of the proposed rezoning with neighboring property and explains why it will not unreasonably adversely affect or conflict with surrounding land uses.

Compatibility with Neighboring Property

The subject property is compatible with its neighboring property because RI-12 allows a modest, appropriately scaled increase in density above the existing RSF-4 designation while remaining consistent with the residential character of W. 22nd Street. This is particularly true given the property's setback from S. School Avenue, which supports a measured step up in density rather than a more intensive designation. The requested rezoning also aligns with the Applicant's recent acquisition of the adjoining 2-acre tract to the north/west, supporting a cohesive residential development pattern along this stretch of W. 22nd Street.

No Unreasonable Adverse Effect on Surrounding Uses

RI-12 caps residential density at 12 units per acre and carries standard residential development standards, which will help ensure that development of the subject property remains compatible in scale and character with the surrounding neighborhood. Because W. 22nd Street itself may require improvement to adequately serve additional development, this measured increase in density is appropriately calibrated for the site and will not unreasonably conflict with surrounding land uses.

Utilities

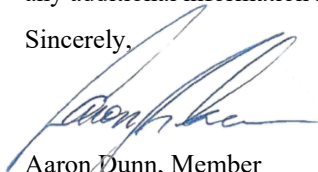
Water and sewer service are both present in W. 22nd Street. The Applicant recognizes that these lines may require upsizing to adequately serve future development of the site. The Applicant also understands that the existing sanitary sewer connection does not run directly along W. 22nd Street to S. School Avenue, but instead bends north through private property via easements before connecting through Nonnamaker Drive. The Applicant does not currently have full detail regarding those easements and acknowledges that a more direct sewer connection to S. School Avenue via W. 22nd Street may need to be established in the future. The Applicant understands that the specific scope of any required utility upsizing or reconfiguration is more appropriately evaluated at the time of development review.

Transportation

W. 22nd Street itself may also require improvements to adequately serve future development of the site. The specific scope of any such improvements is not yet known and would be more appropriately determined during development review, once a specific project is proposed.

For the reasons above, the Applicant respectfully requests approval of the proposed rezoning from RSF-4 to RI-12 for the four parcels identified above. We appreciate the City's consideration of this request and are happy to provide any additional information needed.

Sincerely,



Aaron Dunn, Member
Maje Investments, LLC



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Virginia Whitman, Planner

MEETING DATE: September 14, 2026

SUBJECT: **RZN-2026-0029: Rezoning (3504 & 3526 W MOUNT COMFORT RD/ODYSSEY ENGINEERING, 323.):** Submitted by ODYSSEY ENGINEERING for property located at 3504 & 3526 W MOUNT COMFORT RD. The property is zoned R-A, RESIDENTIAL, AGRICULTURAL and contains approximately 1.10 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

RECOMMENDATION:

Staff recommends forwarding **RZN-2026-0029** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2026-0029** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in west Fayetteville eastward of the intersection of W Mount Comfort Rd and N Ruppel Rd. The property contains two parcels totaling 1.1 acres which are currently zoned R-A, Residential Agricultural. The property is not subject to any overlay districts. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Undeveloped	RPZD, Residential Planned Zoning District (Ord. 6742), CS Community Services
South	Developing Multifamily Residential	CS, Community Services
East	Commercial	CS, Community Services
West	Residential	CS, Community Services

Request: The request is to rezone the subject property from R-A, Residential Agricultural, to CS, Community Services.

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

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

- Streets:** The subject area has a road frontage along W Mount Comfort Rd. W Mount Comfort Road is a fully improved Regional Link – High Activity Street with asphalt paving, sidewalk and curb and gutter. Any street improvements required in these areas would be determined at the time of the development proposal. Any additional improvements or requirements for drainage will be determined at time of development.
- Water:** Public water is available to the subject area. Existing 12-inch water main is present in the along the south side of W Mount Comfort Rd.
- Sewer:** Sanitary sewer is available to the subject area. Existing 8-inch sewer mains are present along north side of W Mount Comfort Rd. There are known wet weather sewer capacity issues identified in the City's 2025 Sewer that appear in the system 1251 feet southwest of the subject property.
- Drainage:** No protected streams or FEMA Floodplain. No hydric soils present and the property is not within the Hillside/Hilltop Overlay District.
- Fire:** Station 7, located at 835 N Ruppel Rd, protects this site. The property is located approximately 1.4 miles from the fire station with an anticipated driving time of approximately 5 minutes using existing streets. The anticipated response time would be approximately 7.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.
- Police:** The Police Department did not comment on this request.

Tree Preservation:

The current zoning district of R-A, Residential Agricultural, requires **25% minimum canopy preservation**. The proposed zoning district of CS, Community Services, requires **20% minimum canopy preservation**.

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

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

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of 7 for this site with a weighted score of 7.5. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 7, 835 N Ruppel Rd)
- Near Sewer Main (8 in gravity line, W Mount Comfort Rd)
- Near Water Main (12 in line, W Mount Comfort Rd)
- Near Public School (Holt Middle School)
- Near City Park (Bryce Davis Park)
- Near Paved Trail (W Mount Comfort Rd, N Ruppel Rd)
- Appropriate Future Land Use

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: ***Land Use Compatibility:*** From a current land use standpoint, the request is highly compatible with its immediate surroundings. The property is primarily surrounded by parcels which are zoned as Community Service and which contain a mix of commercial and residential uses, as well as a large undeveloped lot to the north zoned RPZD and which allows for mixed development. R-A zoning imposes no limits on building height, but this is limited by requiring additional setbacks equal to the additional height of each story and along borders adjacent to residential districts. This limits the functionality of the site, as any higher use compatible with surrounding properties could be inhibited by height and setback regulations that are designed for smaller or more withdrawn properties. The site is directly located on W Mount Comfort Rd, designated as a Regional Link - High Activity Street, which is intended to support higher-intensity commercial activity and serve as a major transportation corridor. Given this classification, commercial uses enabled by CS zoning represent the highest and best use of the property. The district encourages a concentration of commercial and mixed-use development that enhances both function and appearance along major thoroughfares, a function that CS better serves than the current zoning.

Land Use Plan Analysis: Staff finds that the request is consistent with adopted land use policies, the Future Land Use Map designation (City Neighborhood Area). Given the site's location along a high-activity arterial roadway and its adjacency to commercially zoned properties, a mixed-use zoning district such as CS provides a more appropriate combination between established commercial activity and residential areas which aligns with the intentions of the City Neighborhood designation. Furthermore, CS implements a build-to zone and requires minimum frontage of 50% of lot width. These design standards offer enhanced pedestrian-level engagement more appropriate for the commercial and higher-density surrounding uses and zoning. Additionally, the site's infill score suggests a preparedness for mixed uses and aligns with City Plan 2040 Goal #3 by promoting compact, complete, and connected development patterns. The proposed use would contribute to economic activity, provide a needed service to the community, and reinforce the established development pattern of the corridor.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: A rezone from R-A to CS is more appropriate for the surrounding uses, which are primarily CS, as well as more aligned with the Future Land Use designation as a City Neighborhood Area.

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

Finding: Rezoning the property from R-A to CS would increase the allowable density on the site, as R-A has a low density of ½ units per acre while CS has no density limits. Both zones permit housing, but CS allows for a greater diversity and density of housing types as well as commercial properties. Although W Mount Comfort Rd is a fully improved Regional Link – High Activity Street with multimodality, its current estimated Average Daily Traffic is 18,000 vehicles per day, while the Master Street Plan states a designed service volume of approximately 17,600 vehicles per day for streets of this classification. As such, developments that increase demand or local population are likely to result in a greater increase of traffic through this area which will continue to exceed the designed service volume of the street, possibly creating traffic delays or issues. However, no developments for this site are in review at the time. At the time of development for this site, staff will recommend a closer consideration of traffic safety to determine if street improvements will be necessary for safety.

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

Finding: Rezoning the property from R-A to CS would likely increase the potential population at the site following residential developments, but staff does not find that it would be to an undesirable degree; staff finds that given the City's growth and strong infill score, this rezoning would be an incremental step in providing more housing or commercial amenities. Although wet weather and sewer capacity issues were identified at this site, staff finds that a closer inspection can be conducted and potential mitigations may be implemented at the time of a future development proposal.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:

- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
- b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

RECOMMENDATION: Planning staff recommends forwarding RZN-2026-0029 to City Council with a recommendation of approval.

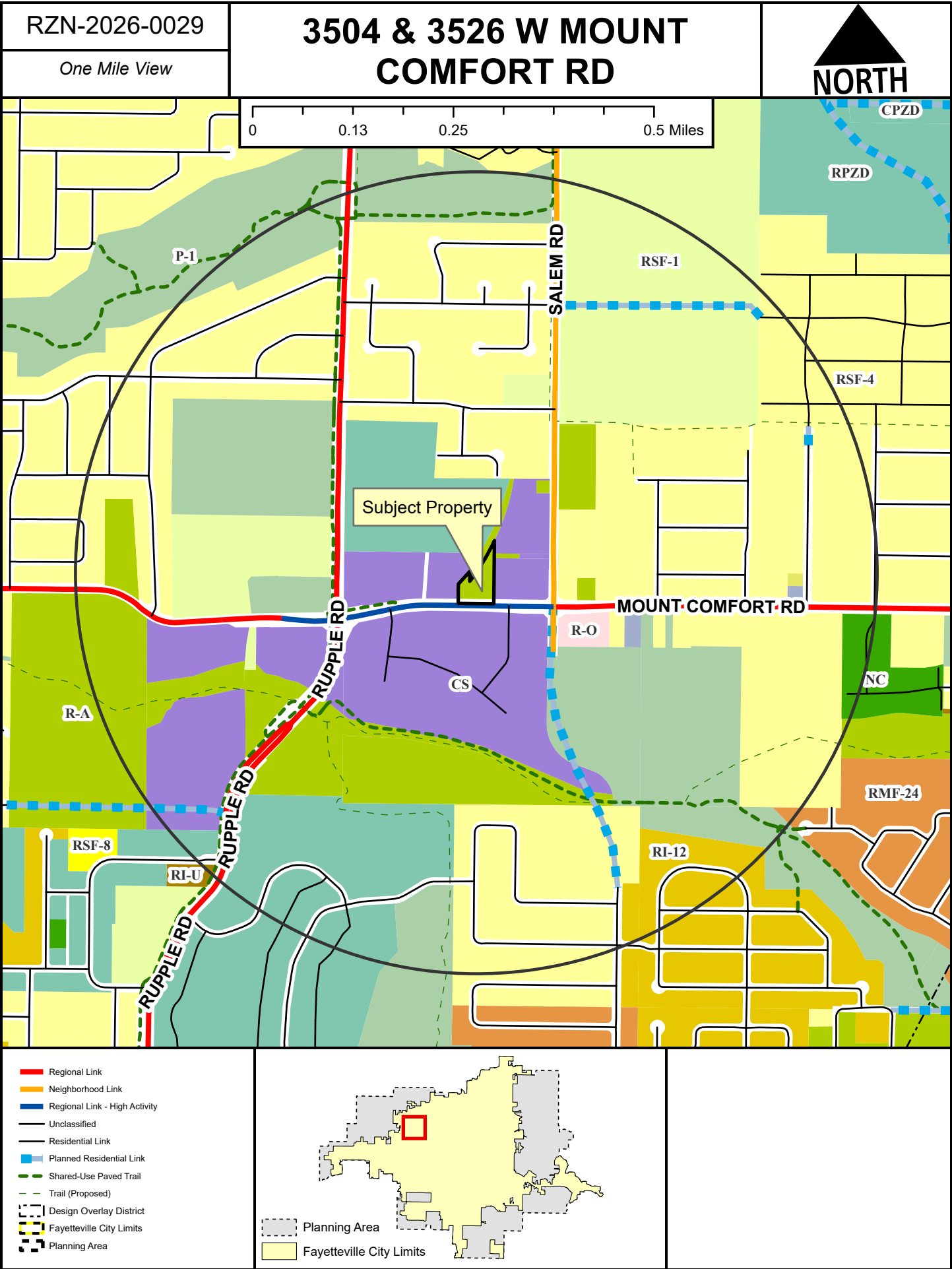
PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>September 14, 2026</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

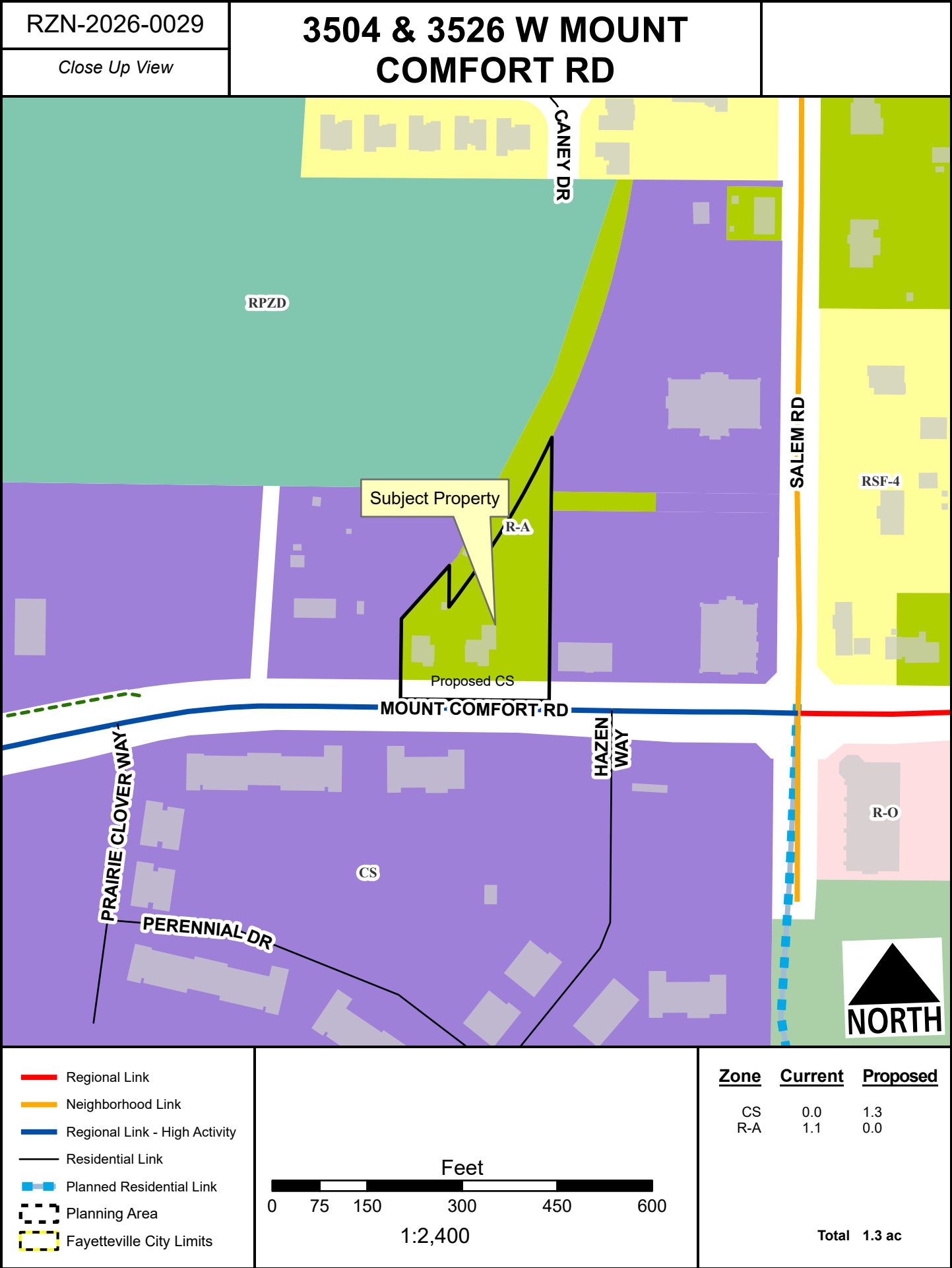
BUDGET/STAFF IMPACT:

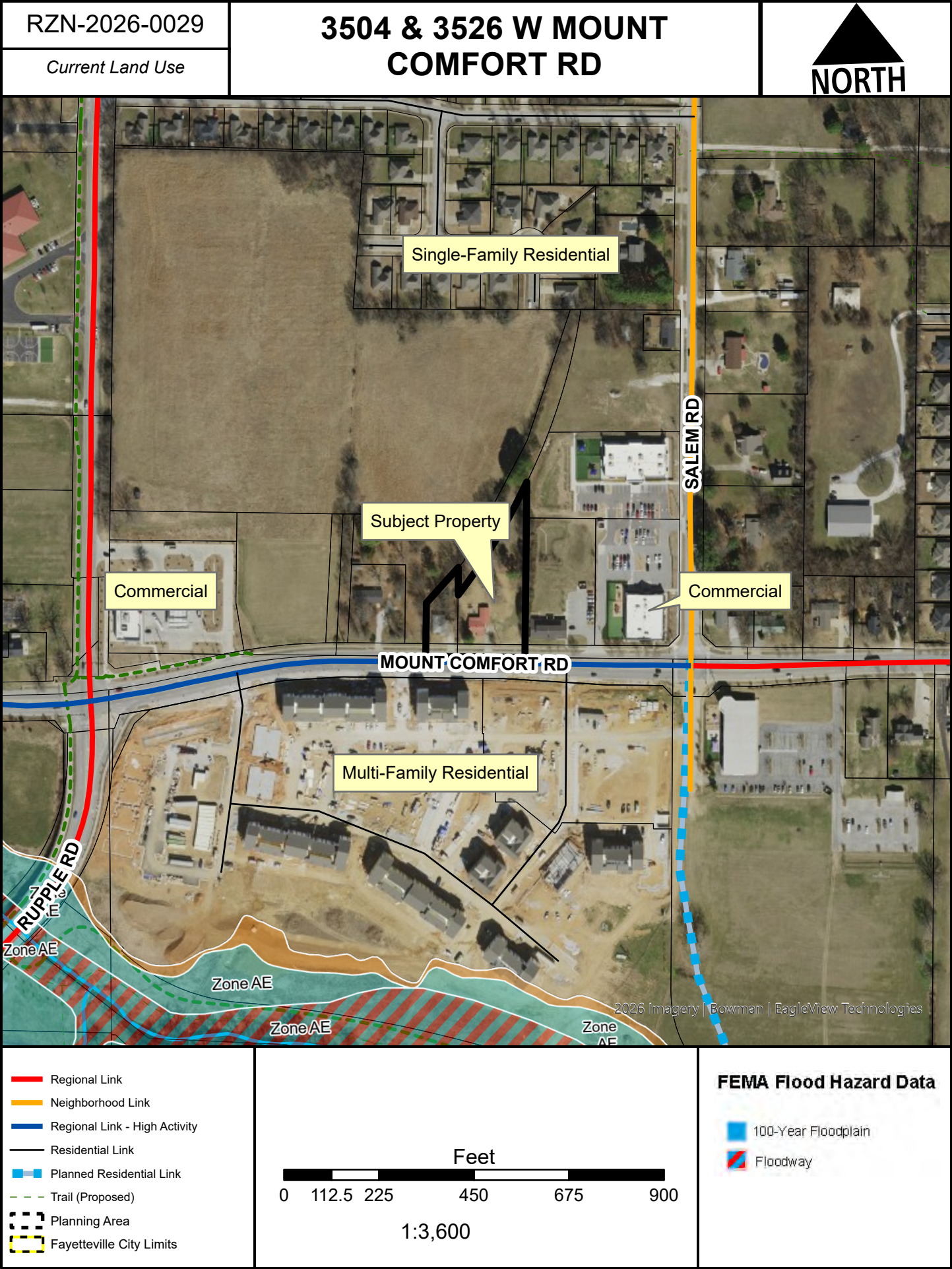
None

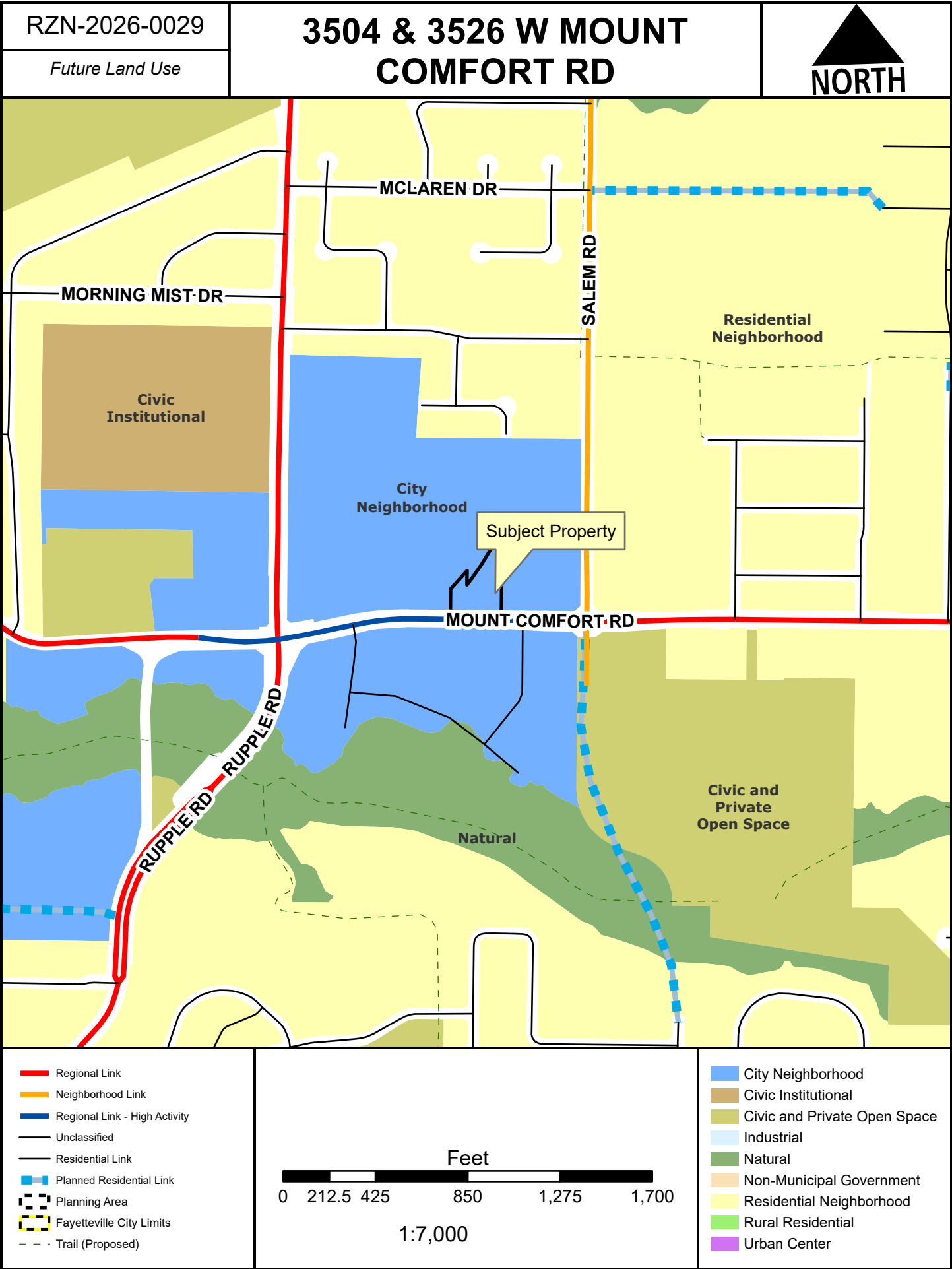
ATTACHMENTS:

- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
 - Unified Development Code
 - §161.03 District R-A, Residential - Agricultural
 - §161.22 District CS, Community Services
 - Applicant Exhibits
 - Request Letter
-









161.03 - District R-A, Residential-Agricultural

(A) *Purpose.* The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 20	Commercial recreation, large sites
Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

Units per acre	One-half (½)
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(D) *Bulk and Area Regulations.*

Lot width minimum	200 feet
Lot area minimum	2 acres
Residential:	2 acres
Non-Residential:	2 acres
Lot area per dwelling unit	2 acres

(E) *Setback Requirements.*

Front	35 feet
Side	20 feet
Rear	35 feet

(F) *Height Requirements.* There shall be no maximum height limits in the R-A District, provided, however, if a building exceeds the height of one (1) story, the portion of the building over one (1) story shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over one (1) story shall be equal to the difference between the total height of that portion of the building and one (1) story.

(G) *Building Area.* None.

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

161.22 – Community Services

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

(B) *Uses.*

(1) Permitted Uses.

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three- and four-family dwellings
Unit 13	Eating places
Unit 15	Neighborhood Shopping goods
Unit 24	Home occupations
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 40	Sidewalk Cafes
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals

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

(2) Conditional Uses.

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

Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 42	Clean technologies
Unit 48	Private dormitories

(C) *Density.* None

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Dwelling	18 feet
All others	None

(2) *Lot area minimum.* None

(E) *Setback regulations.*

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

(F) *Building Height Regulations.*

Building Height Maximum	5 stories
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(G) *Minimum buildable street frontage.* 50% of the lot width.

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



TO: Jessica Masters, Planning Director

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: September 14, 2026

SUBJECT: Long Range Planning Comments Regarding RZN-2026-0029

BACKGROUND:

The applicant requests to rezone approximately 1.10 acres from R-A, Residential Agricultural to CS, Community Services. Two long range planning documents are relevant when evaluating this request: *City Plan 2040* and the *Heritage & Historic Preservation Plan*.

City Plan 2040 (2020):

City Plan 2040 includes several relevant plan goals and objectives:

- Goal 1 – We will make appropriate infill and revitalization our highest priority.
- Goal 2 – We will discourage suburban sprawl.
- Goal 3 – We will make compact, complete, and connected development the standard.
- Goal 6 – We will create opportunities for attainable housing.

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

Heritage & Historic Preservation Plan (2023):

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

Heritage and Historic Preservation Master Plan Relevant Goals and Action Items

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

DISCUSSION:

Zoning History:

This property was annexed in 1982 (Ord. 2857). "Modern" zoning began on June 29, 1970 which enacted a new zoning map and zoning requirements. This map shows the subject property as being zoned into the agricultural "A-1" zoning district, which was subsequently translated to "R-A" with the adoption of the city's Unified Development Code.

City Plan 2040 and Future Land Use Plan:

This area is designated as a City Neighborhood area, which are “more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses.” This area supports a wide variety of primarily residential in nature and support a wide variety of housing types of appropriate scale and context.” This land use designation also encourages the incorporation of a variety of housing options beyond just single-family and new commercial uses which would contribute to creating complete neighborhoods (Goals 3 & 6). The request for CS aligns with goals 1, 2, and 6 of City Plan 2040 by creating opportunities for denser development and a variety of housing types and businesses in an area already served by infrastructure (Goal 1 & 2).

Property History:

The subject property contains two single-family dwellings constructed ca. 1964 (3526 W. Mt. Comfort Rd.) and ca. 1951 (3504 W. Mt. Comfort Rd.) according to Washington County Tax Assessor records. The two buildings are of historic age and are not individually eligible for inclusion on the National Register of Historic Places. This area has not yet been surveyed as part of the citywide survey of historic properties.



3526 W. Mt. Comfort Rd.



3504 W. Mt. Comfort Rd.

Since rezoning requests often precede redevelopment plans, the property owner and/or applicant should consult with Long Range & Preservation Planner prior to demolition or alteration of historic-age structures to capture photo documentation. Documentation of historic resources is an effective way to mitigate against the loss of historic structures when regulatory tools are not available.

May 3, 2026

ODY-0184

Letter of Zoning Compatibility

The rezoning of parcels 765-13598-000 and 765-13602-000 from RA to CS is compatible with the adjacent land, as the properties to the south, east and west are all currently zoned CS, and the property to the north is a Residential PZD with a variety of density. This property sits along a Regional Link street, and the CS zoning would align with the "City Neighborhood" designation in the future land use plan. With either existing or proposed commercial developments on 3 sides of these parcels, this zoning designation is compatible with adjacent active uses.



Connor Threet, P.E.
Principal Engineer



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Planning Director

FROM: Virginia Whitman, Planner

MEETING DATE: September 14, 2026

SUBJECT: **RZN-2026-0030: Rezoning (1915 & 1927 W WEDINGTON DR/COLLIN HUGHES & SERINA D ALLEN, 442):** Submitted by COLLIN ALLEN for property located at 1915 & 1927 W WEDINGTON DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.84 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE, URBAN.

RECOMMENDATION:

Staff recommends forwarding **RZN-2026-0030** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **RZN-2026-0030** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is in central Fayetteville on the southern side of W Wedington Dr southwest of the W Wedington Dr and N Vista Pl intersection. The property contains two parcels totaling 0.84 acres which are currently zoned RSF-4, Residential Single-Family – Four (4) Units per Acre. The property is not subject to any overlay districts. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Residential	Residential Single-Family – Four (4) Units per Acre
South	Residential	Residential Single-Family – Four (4) Units per Acre
East	Residential	Residential Single-Family – Four (4) Units per Acre
West	Residential	Residential Single-Family – Four (4) Units per Acre

Request: The request is to rezone the subject property from, Residential Single-Family – Four (4) Units per Acre to RI-U, Residential Intermediate – Urban.

Public Comment: Staff has received two public comments in opposition, citing concerns with stormwater drainage.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

- Streets:** The subject area has road frontage along W Wedington Dr. W Wedington Dr is a fully improved Regional Link Street with asphalt paving, sidewalk and curb and gutter. Any street improvements required in these areas would be determined at the time of the development proposal. Any additional improvements or requirements for drainage will be determined at time of development.
- Water:** Public water is available to the subject area. Existing 8-inch water main is present along the south side of W Wedington Dr.
- Sewer:** Sanitary sewer is available to the subject property. There is an existing 6-inch sewer main along the south side of the properties. There are known wet weather sewer capacity issues identified in the City's 2025 Sewer that appear in the system 412 feet west of the subject property.
- Drainage:** No protected streams or FEMA Floodplain. The site is not within the Hillside/Hilltop Overlay District. However, there are hydric soils present in the subject area. Hydric soils are a known indicator of wetlands. However, for an area to be classified as wetlands, it may also need other characteristics such as hydrophytes (plants that grow in water), and shallow water during parts of the year. Hydric Soils can be found across many areas of Fayetteville, including valleys, floodplains, and open prairies. It's important to identify these natural resources during development, so when these soils are identified on a property, further environmental studies will be required at the time of development. Before permits will be issued for the property a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE Determination of Jurisdictional Wetlands will be required at the time of development submittal.
- Fire:** Station 8, located at 2266 W Deane St, protects this site. The property is located approximately 0.8 miles from the fire station with an anticipated drive time of approximately 2 minutes using existing streets. The anticipated response time would be approximately 4.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.
- Police:** The Police Department did not comment on this request.
- Tree Preservation:**
The current zoning district of RSF-4, Residential Single-Family – Four (4) Units per Acre, requires **25% minimum canopy preservation**. The proposed zoning district of RI-U, Residential Intermediate – Urban, requires **15% minimum canopy preservation**.

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

Residential Neighborhood Areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context: single-family, duplexes, rowhouses, multifamily

and accessory dwelling units. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhoods, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of 7-8 for this site with a weighted score of 9.5. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 8, 2266 W Deane St)
- Near Sewer Main (6 in gravity line, south of properties)
- Near Water Main (8 in line, W Wedington Dr)
- Near Public School (Asbell Elementary School)
- Near UA Main Campus
- Near City Park (Lewis Soccer Complex)
- Near Paved Trail (W Lawson St)
- Near Razorback Bus Stop (W Wedington & N Sang Ave)

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: ***Land Use Compatibility:** From a current land use standpoint, the request is compatible with its immediate surroundings. The property is surrounded by residentially zoned parcels and is located along a major corridor. The site is directly located on W. Wedington Dr, designated as a Regional Link Street, which is intended to support higher-intensity commercial activity and serve as a significant transportation corridor. Given this classification, RI-U is an appropriate use to maintain the residential character of the street while allowing opportunities for moderately denser housing, such as duplexes and townhomes, which are easily accommodated by higher activity streets. As such, any increases in traffic to this site attributed to the addition of one or more families to the site would be negligible and thus maintain the current compatibility. Furthermore, structures permitted by RI-U are highly similar in design to structures permitted by the current RSF-4 zoning: both districts permit up to a maximum height of 3 stories and have side setbacks of 5 feet for single and two-family uses, resulting in no significant impacts on the privacy of adjacent lots. RI-U does permit a maximum building area of no more than 60% of the total lot area, while RSF-4 limits the building area to no more than 40% of the lot area, but in the event that any future development would increase the impervious surface of the lots, a stormwater management assessment could be conducted for the proposed development to avoid exacerbating existing drainage concerns. Any reassessment brought on by such a development could directly lead to existing drainage concerns being addressed, rather than leaving them as*

untreated. Secondly to building area limits, the greatest difference between the current zoning and the suggested RI-U zone would be the front setbacks, as RSF-4 imposes a front setback of 15 feet while RI-U imposes a build-to zone of 25 feet. Although many properties on W Wedington Dr have opted for more reclusive setbacks, many other properties, including nearby on the north side of the N Eva Ave and W Wedington Dr intersection, are already built within 25 feet of the front property line. City Council has recently approved the rezoning of similar properties in the area which signals a policy direction favoring moderate increases in density along the corridor.

Land Use Plan Analysis: Staff finds that the request is consistent with adopted land use policies, the Future Land Use Map designation (Residential Neighborhood). The Residential Neighborhood designation reflects an intent to maintain residential uses, including, “single-family, duplexes, rowhouses, multifamily and accessory dwelling units,” as explicitly stated by City Plan 2040. Given the site’s location along a high-activity arterial roadway, residential areas intended for higher densities are easily accommodated. Additionally, the site’s infill score is excellent, and improving housing opportunities in established parts of the city promotes more sustainable growth over opting for housing solutions in currently undeveloped or unprepared parts of the city.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: A rezone from RSF-4 to RI-U maintains the agreement with the Future Land Use designation of Residential Neighborhood.

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

Finding: Rezoning the property from RSF-4 to RI-U would increase the allowable density on the site from up to 7 or less to no limit. However, staff does not find that the ultimate added density would appreciably increase traffic danger or congestion at this location due to W Wedington Drive’s existing capacity and traffic. Furthermore, given the size of the parcels and the codes and design standards which regulate multifamily properties, it is unlikely that any future home(s) on these properties will be able to increase the density far beyond densities already permitted in RSF-4. To reiterate on staff’s previous finding, the increases in traffic that might occur will likely be negligible due to the existing high volume of traffic on W Wedington Drive. Traffic concerns presented by future property developments or alterations will be appropriately assessed and addressed at the time of development as needed, should they occur.

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

Finding: Rezoning the property from RSF-4 to RI-U would increase the potential population at the site, but staff does not find that it would be to an

undesirable degree; staff finds that given the City's growth and moderate infill score, this rezoning would be an incremental step in meeting the growing housing demand in a manner that prevents sprawl without relying on the construction and maintenance of new utilities, streets, and services.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

RECOMMENDATION: Planning staff recommends forwarding RZN-2026-0030 to City Council with a recommendation of approval.

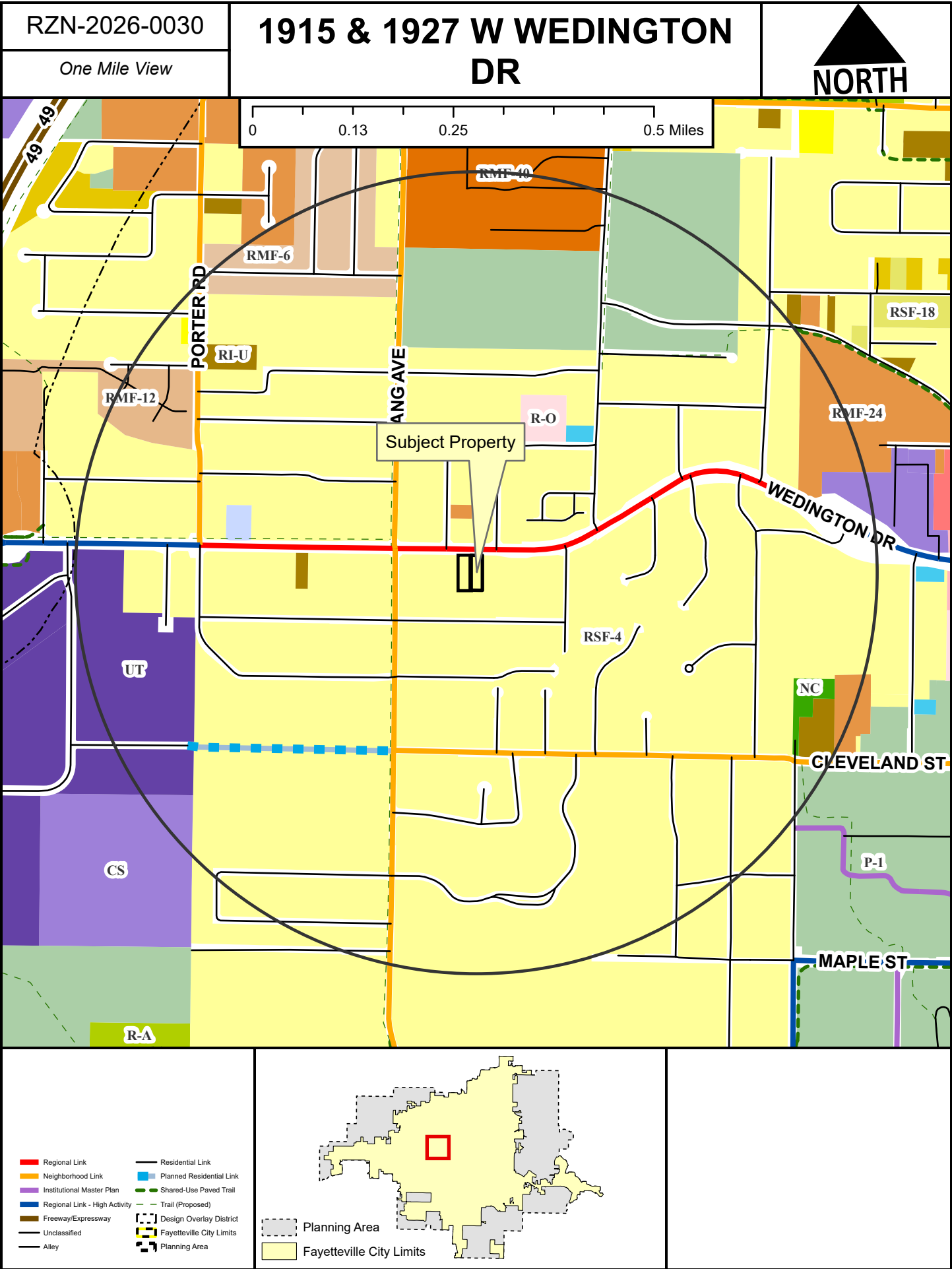
PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>September 14, 2026</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

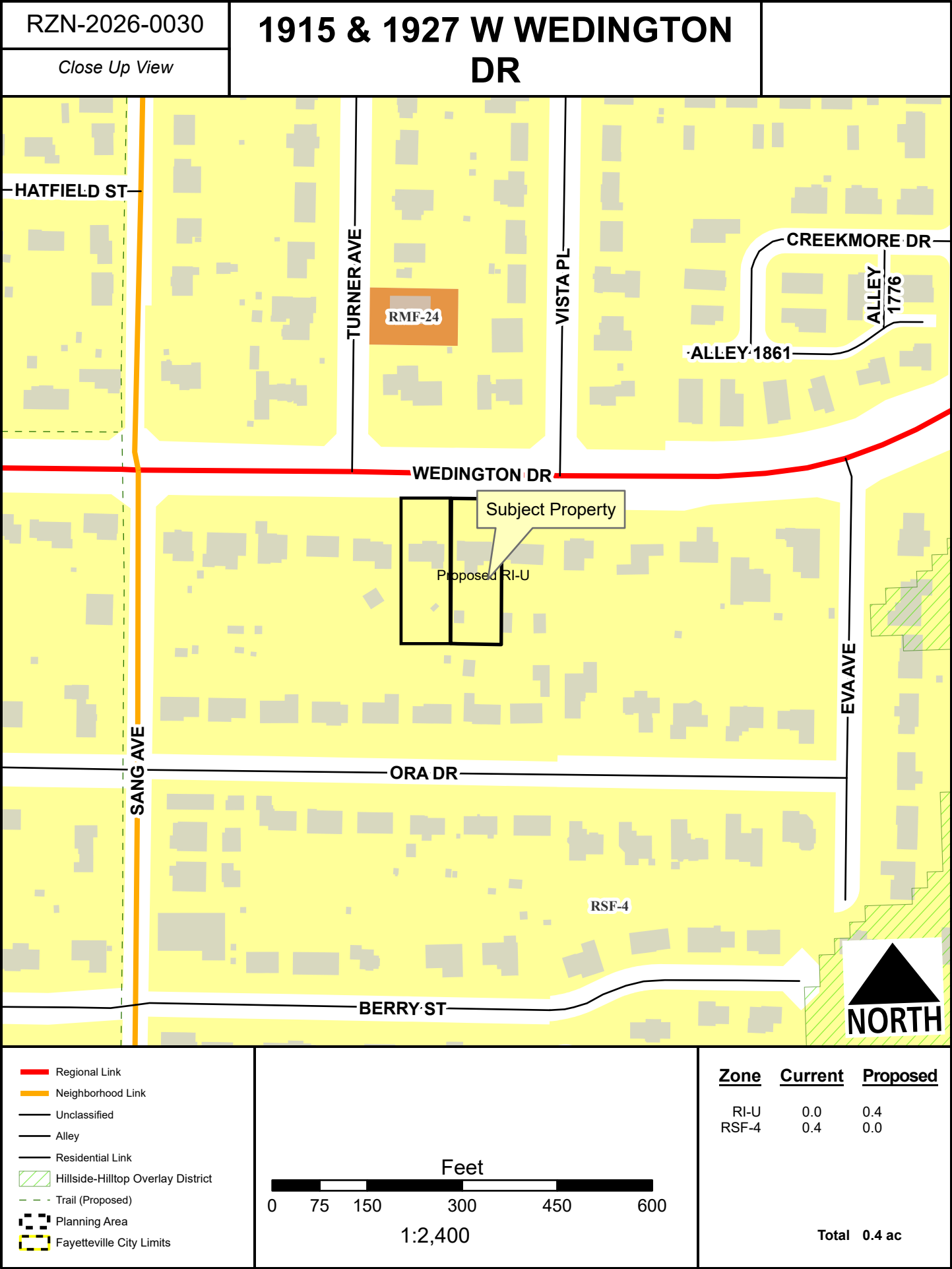
BUDGET/STAFF IMPACT:

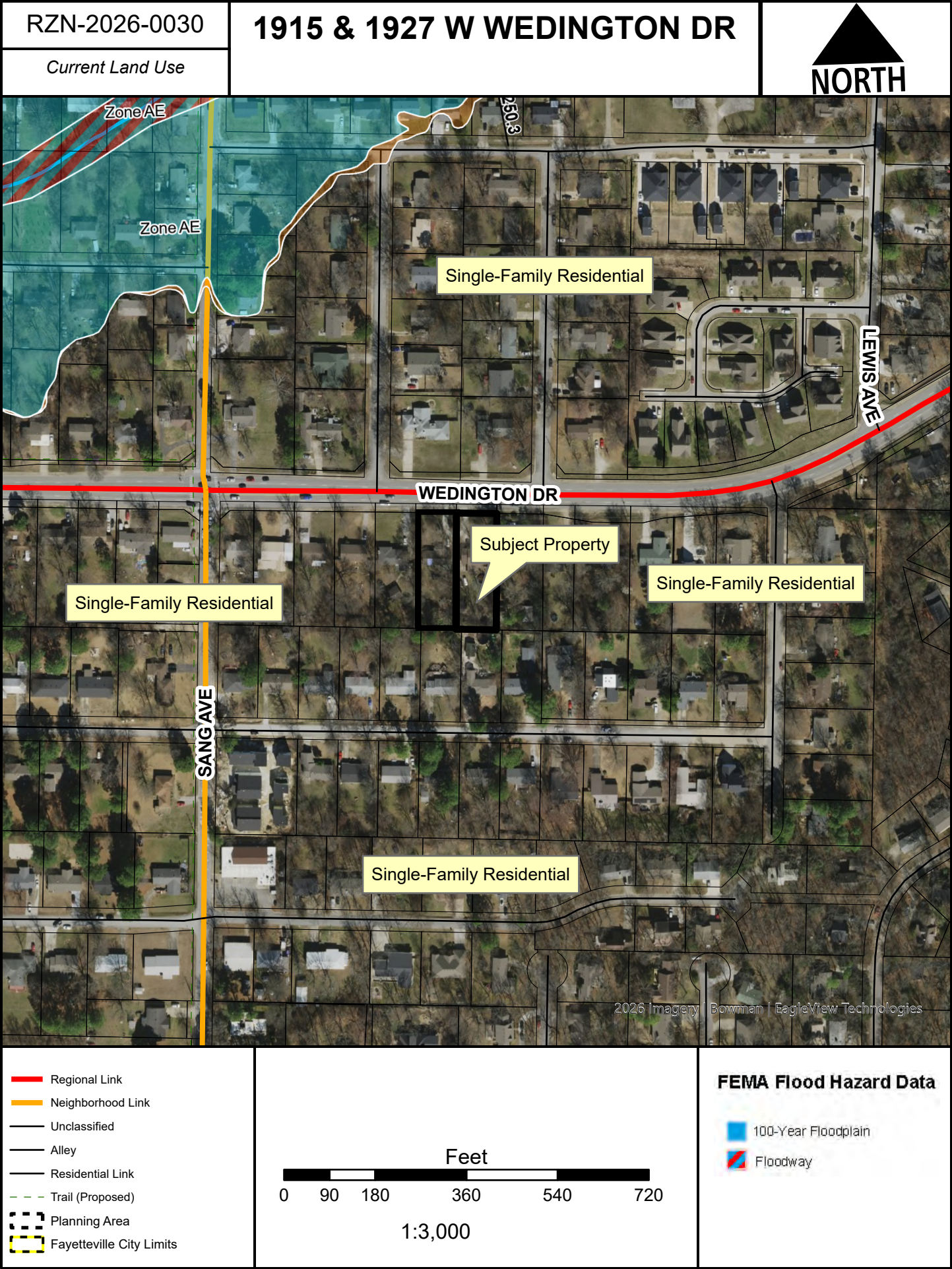
None

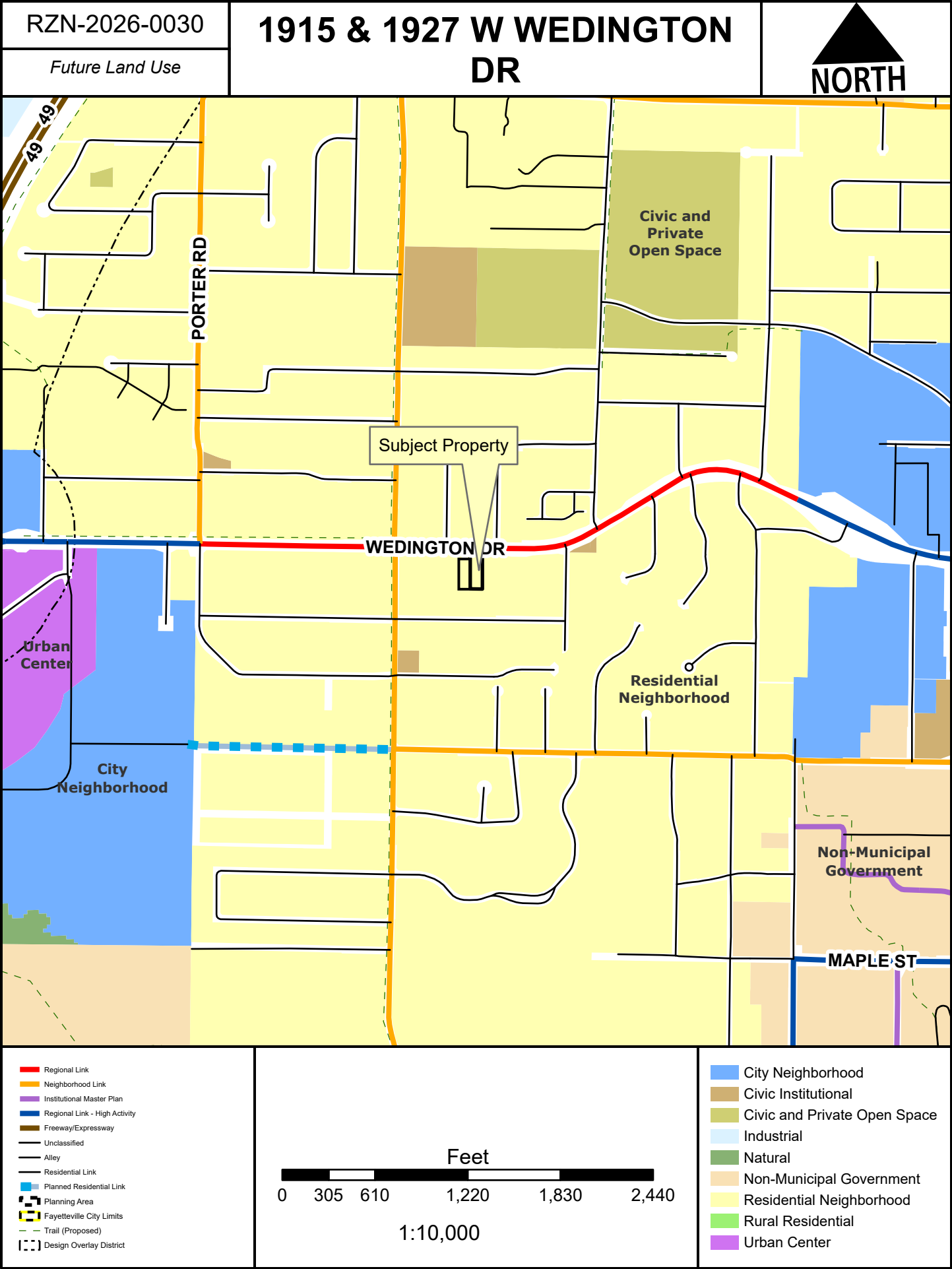
ATTACHMENTS:

- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
 - Unified Development Code
 - §161.07 District RSF-4, Residential Single-Family – Four (4) Units per Acre
 - §161.12 District RI-U, Residential Intermediate — Urban
 - Applicant Exhibits
 - Request Letter
 - Public Comments
-









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

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

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

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

(C) *Density.*

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

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two-family dwellings
Lot minimum width	4 or less	7 or less
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 Regulations.*

Front	15 feet
Side	5
Rear	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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- (G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

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

161.12 - District RI-U, Residential Intermediate — Urban

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

- (B) *Uses.*

(1) Permitted Uses

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

(2) Conditional Uses.

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities
Unit 48	Private dormitories

- (C) *Density.* None.

- (D) *Bulk and Area Regulations.*

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

- (E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

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

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

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

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

Statement of Compatibility with Surrounding Land Uses

1915 & 1927 Wedington Dr. RI-U Re-zoning request:

The proposed rezoning of the properties located at 1915 and 1927 Wedington Drive from RSF-4, Residential Single-Family, 4 Units per Acre to RI-U, Residential Intermediate – Urban is consistent with the City of Fayetteville's adopted planning policies and will not unreasonably adversely affect or conflict with surrounding land uses.

The subject properties are located along the Wedington Drive corridor, a principal arterial roadway that serves a diverse mix of residential, commercial, institutional, and higher-density residential uses. The requested RI-U zoning represents a logical and compatible transition within this established urban corridor and is consistent with the surrounding development pattern. The rezoning does not introduce a new or incompatible land use; rather, it continues to support residential development while allowing housing types and densities that are appropriate for an urban corridor served by existing public infrastructure.

The proposal is consistent with the goals and policies of City Plan 2040, which encourages strategic infill development, increased housing opportunities, efficient land use, and development patterns that make better use of existing streets, utilities, and public services. By directing new residential development toward areas that are already urbanized and adequately served by infrastructure, the City reduces pressure for outward expansion while promoting sustainable growth within the existing city limits.

The subject properties are ideally suited for this type of infill development. They are located just minutes from the University of Arkansas, with a public transit stop directly across Wedington Drive providing convenient access to the university campus and other destinations throughout the city. The properties are also within walking distance of grocery stores, restaurants, retail businesses, fuel stations, pharmacies, and other everyday services. This level of accessibility supports the City's vision of creating connected, walkable neighborhoods where residents have convenient access to employment, education, shopping, dining, and public transportation without relying exclusively on automobiles.

The requested RI-U zoning also supports the City's efforts to increase the availability of diverse housing options. As Fayetteville continues to experience population growth, providing additional housing opportunities in appropriate locations is an important objective of both the Unified Development Code and City Plan 2040. Allowing additional residential density along major transportation corridors, near employment centers and the University of Arkansas, helps accommodate growth while preserving established single-family neighborhoods elsewhere in the city.

Furthermore, any future development on these properties will remain subject to all applicable provisions of the Fayetteville Unified Development Code, including standards governing site design, building setbacks, landscaping, buffering, parking, stormwater management, access management, lighting, and other development requirements. These regulations are specifically intended to ensure that new development is compatible with adjacent properties and minimizes potential impacts on neighboring land uses.

Because the subject properties are located on an established arterial corridor, served by existing public utilities and transportation infrastructure, and situated within a highly walkable area with excellent transit access and proximity to the University of Arkansas, the requested rezoning represents a logical and responsible land use decision. The proposal advances the City's long-term planning objectives by encouraging infill development, expanding housing opportunities, promoting walkability and transit use, and making efficient use of existing public investments.

For these reasons, the proposed rezoning from R-4 to RI-U will not unreasonably adversely affect or conflict with surrounding land uses. Instead, it is compatible with the existing character of the Wedington corridor, consistent with the Fayetteville Unified Development Code and City Plan 2040, and furthers the City's adopted goals for orderly growth, infill development, transportation efficiency, and housing diversity.



RE: Opposition to RZN-2026-0030 — Rezoning of 1915 & 1927 W. Wedington Drive from RSF-4 to RI-U

From Planning Shared <planning@fayetteville-ar.gov>

Date Tue 9/8/2026 8:51 AM

To Shannon Raley <miss.shannon.raleigh@gmail.com>; Planning Shared <planning@fayetteville-ar.gov>

Cc Whitman, Virginia <vwhitman@fayetteville-ar.gov>; Masters, Jessica <jmasters@fayetteville-ar.gov>

Received and forwarding your public comment to the Planner Virginia Whitman.

Bliss Hyke
Development Coordinator
Development Services
City of Fayetteville, Arkansas
479.575.8267

www.fayetteville-ar.gov

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



From: Shannon Raley <miss.shannon.raleigh@gmail.com>

Sent: Sunday, September 6, 2026 8:00 AM

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

Subject: RE: Opposition to RZN-2026-0030 — Rezoning of 1915 & 1927 W. Wedington Drive from RSF-4 to RI-U

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

Dear Members of the Planning Commission,

I am writing as a resident at 1794 W. Ora Avenue to respectfully urge the Commission to deny RZN-2026-0030, the request to rezone the properties at 1915 and 1927 W. Wedington Drive from RSF-4 (Residential Single-Family, Four Units per Acre) to RI-U (Residential Intermediate, Urban).

My primary concern is stormwater drainage and flooding. This area already experiences flooding during periods of heavy rain, and the RSF-4 designation currently limits the density and corresponding amount of impervious surface — rooftops, driveways, and parking — that can be built on this site. Rezoning to RI-U would allow substantially higher-density, multi-family development, which typically brings significantly more paved and covered surface area. Without that surface to absorb and slow rainfall, runoff volume and velocity will increase, and I believe it is reasonable to expect that existing flooding conditions in the

surrounding neighborhood would worsen.

I ask the Commission to consider the following before acting on this request:

1. Existing drainage capacity. Has the City's engineering staff evaluated whether the stormwater infrastructure serving this stretch of W. Wedington Drive and the adjacent residential streets has capacity to handle the increased runoff a higher-density development would generate?
2. Cumulative impact. This parcel does not sit in isolation — it is part of a watershed that already struggles with flooding. Any analysis should account for cumulative downstream effects, not just the site itself.
3. Consistency with surrounding zoning. The surrounding area remains predominantly RSF-4. Introducing a materially denser use here, without addressing the drainage question, is premature.

For these reasons, I respectfully request that the Commission deny RZN-2026-0030 as submitted.

Thank you for your time and consideration.

Sincerely,

Shannon Raley
1794 W. Ora Avenue
Fayetteville, AR 72701

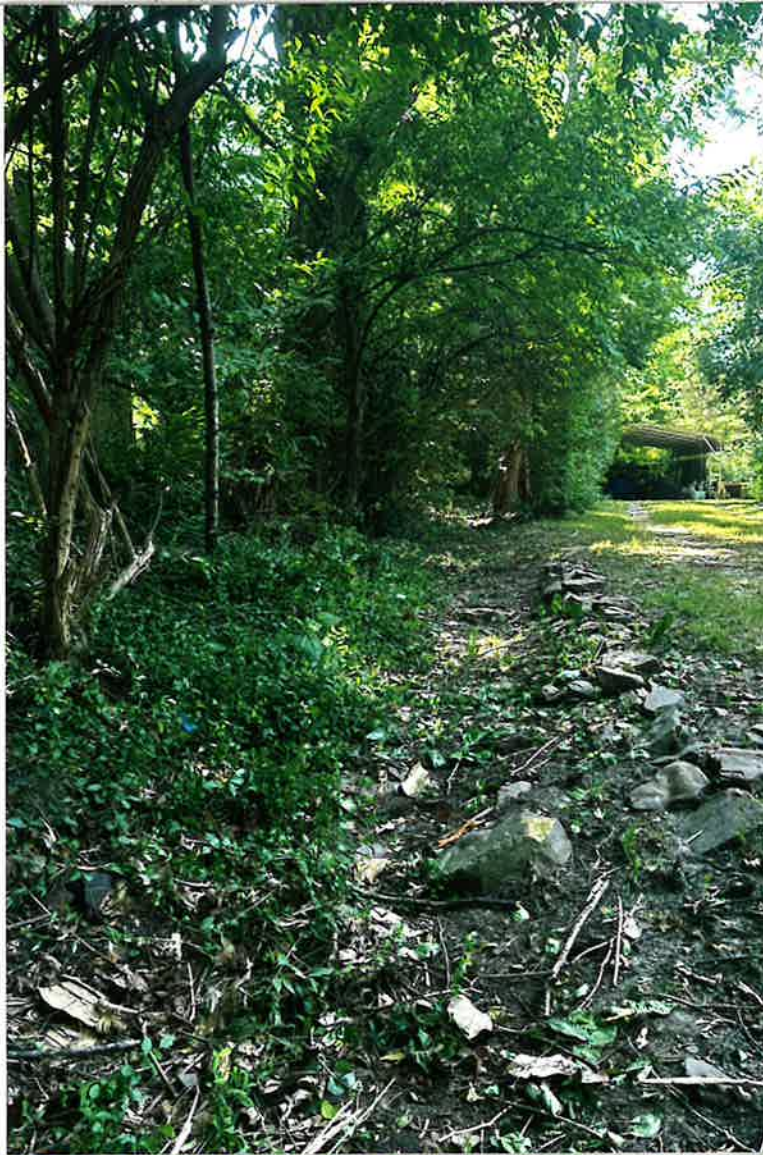
9/4/2026

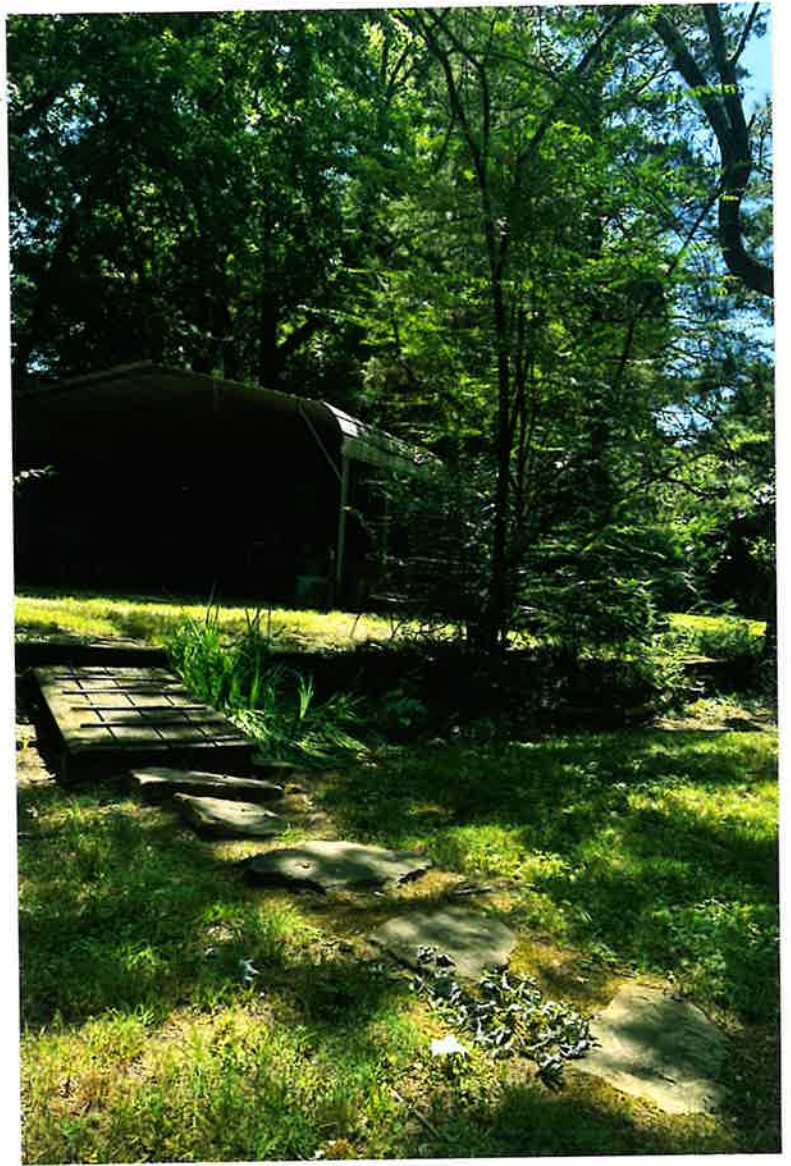
In-Person Comment

Neta Winston

Owner of 1903 W Wedington Dr, resident of 2877 S Leo Ammons Rd

In **opposition** of rezoning request, citing drainage concerns that downhill development could bring if elevation of property is increased.





9 loads (dumptruck)

7 in 1996

2 since to

Build up

1' 5" to

reinforce
drainage
ditch



dump truck
9 loads

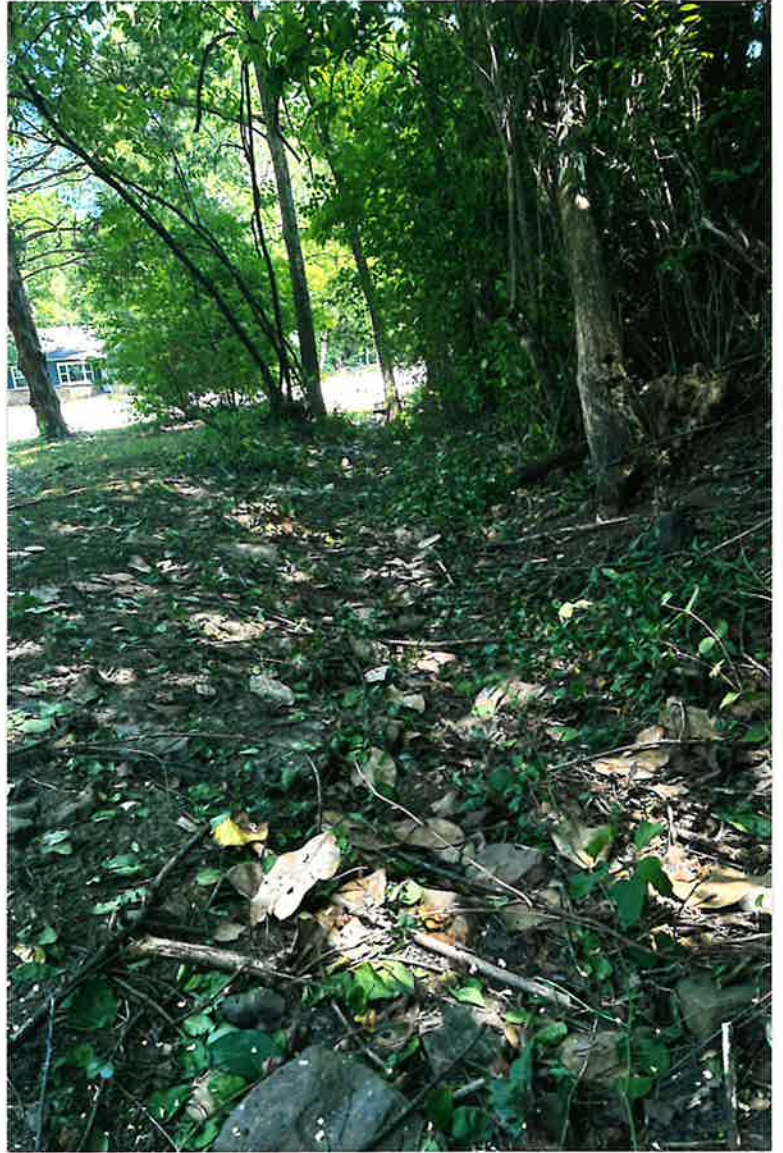
7 in 1996

2 since to

Build up

1' 5"

to reinforce
east prop. line
drainage
from Eva



North to
42" inlet
into storm
drain

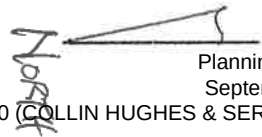
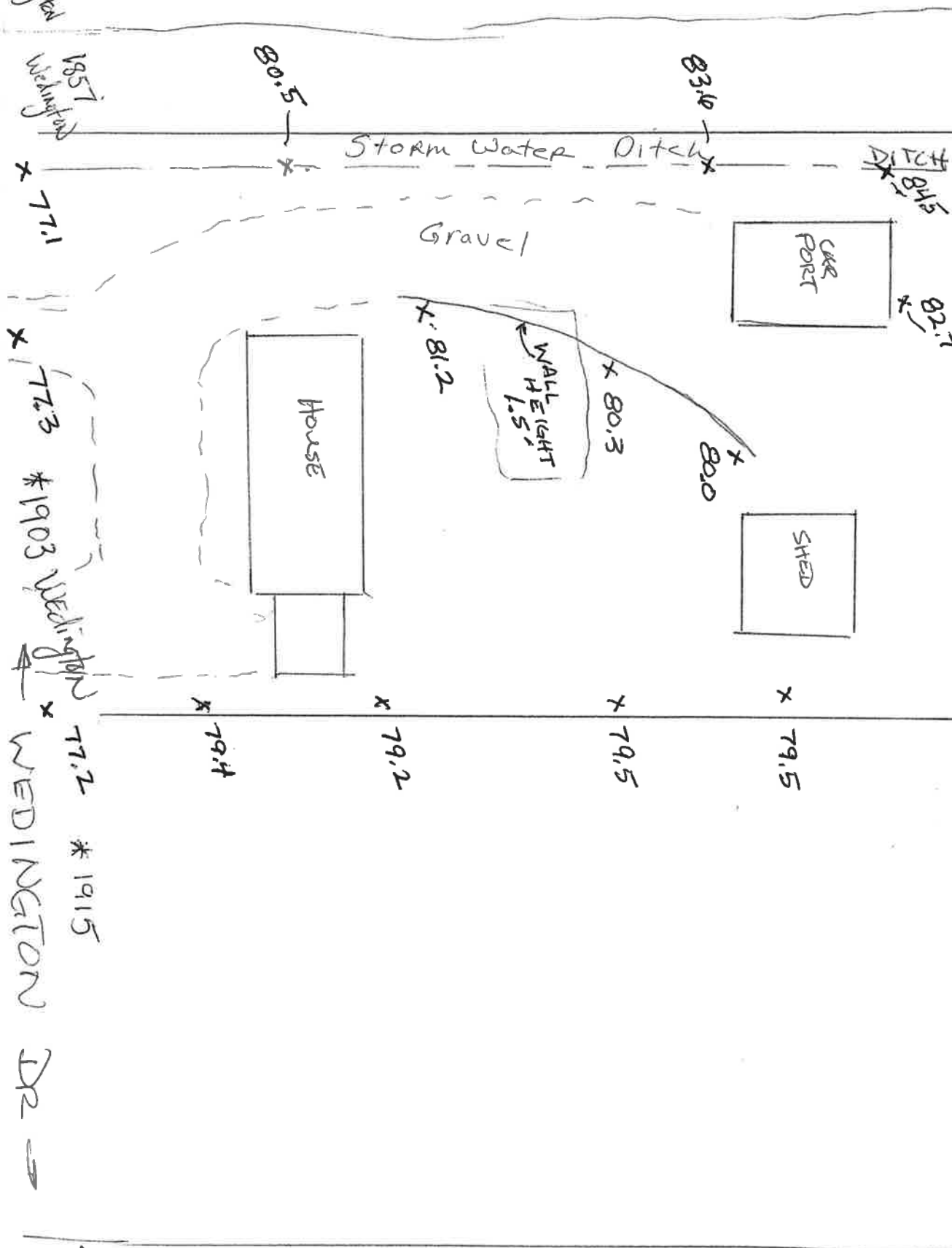


1996 Inlet enlarged
by Ardot



3p

* 1921
WEDINGTON



INTER OFFICE MEMORANDUM

DATE: March 24, 1995

TO: Mr. Paul H. DeBusk, Engineer of Roadway Design Division

FROM: Don L. Potter, Engineer of Hydraulics *DLP*

SUBJECT: Job 4976
Hwy. 71 - Garland Avenue
Hwy. 112 S., Sec. 05
Washington County

HYDRAULICS' REFERENCE NUMBER HYD 4-18⁴

We have completed our review of the drainage at Sta. 546+00 Lt. on the above referenced project. The existing drainage patterns have been maintained as much as practical.

The existing 24" cross drain at Sta. 545+85 picks up a drainage basin of approximately 10.9 acres. The Q_{10} discharge at this point is approximately 47 cfs. The existing pipe will convey approximately 15 cfs before the water breaks out of a shallow ditch on the south side of Hwy. 112 S, then sheet flows across the highway. The existing outfall ditch, which crosses a vacant lot north of the highway, is not adequate. This results in shallow flooding across the property. The water apparently flows to a ditch between Hwy. 112 S. and Holly Street then to and along the south side of Holly Street to the west. The adequacy of this ditch is unknown.

The proposed 36" outfall line of the storm drainage system is at Sta. 546+00 Lt. This system picks up a drainage basin of approximately 12.7 acres. The increase in the drainage basin of 1.8 acres is due to widening the highway and shifting it to the north. Part of the runoff from the additional area (approximately 50%) will reach the main ditch between Hwy. 112 S. and Holly Street through a culvert under Lewis Street. The Q_{10} discharge at Sta. 546+00 is approximately 55 cfs. **The* proposed pipe will convey all of the water without roadway overtopping. The existing outfall ditch across the vacant lot will remain inadequate with a slight increase in depth of flow.

The only apparent alternate outfall for the storm drain is located off highway right-of-way. The outfall could be piped along the west side of Lewis Street approximately 300 feet to the open ditch between Hwy. 112 S. and Holly Street. This ditch may require improvements for an unknown distance downstream.

We are forwarding a location sketch along with this memo.

If you have any questions regarding the information in this memo, please contact Ronnie Smith in the Hydraulics Section.

DLP
DLP/RS:cr

cc: file: Job *4*

July 5, 1996

Mr. Ronnie Smith, P.E.
Arkansas Highway Transportation Department
10324 I-30 Room 601
Little Rock, AR 72209

RE: The drainage map for the existing culvert (Lewis Ave.)
Hwy. 71- Garland Ave. Job 4976

Dear Mr. Smith:

Please find enclosed one (1) drainage map for the existing culvert just west of Lewis Ave. At this location AHTD has proposed a D.I. at Station 546+00 on the left. This D.I. has a 36" RCP F.E.S. outfall for your proposed flows of 55cfs. According to our phone conversation on June 12, 1996 your drainage area for this outfall is 10.9 acres. Your runoff coefficient for this area is 0.87 with a rainfall intensity of 5.80 iph. I am requesting that you observe the drainage area that I have outlined and compare this with your calculations. Please be aware that this boundary is the existing condition. With the new construction, the drainage area would be larger. This extra area would be the left portion of the Highway from approximately Station 546+00 to Station 567+50. I am not being critical, however, I am not sure how we can justify increasing the drainage area at this outfall with more impervious conditions and replace ditches with storm sewer pipes without increasing the peak flow at this outfall. The velocity at this F.E.S. due to piping and the proposed slopes will cause some problems and I do not detect any energy dissipators on the plans.

Please review the map and see if my approximate drainage area is correct. I am proposing an alternative to what is planned by the AHTD and will hope that the City and the Department cooperate in this matter. We have people that are concerned with the proposed scenario and hopefully we can help the existing drainage and prevent an even more intense drainage problem.

I would like to see the D.I. at Station 546+00 on the left to have an eighteen inch F.E.S. elevated above the invert to receive only a portion of the higher peak flows. This would require a storm sewer to proceed westward on the left side of the highway down to Vista (see map). At that intersection the flow would run parallel to Vista via storm sewer to Holly and eventually to an outfall at Sang. The ultimate outfall would be the drainage channel west of Sang. An important note is that the runoff from this area goes to the intersection of Holly and Vista whether it is via underground or overland. Therefore, the outfall conveyance location would not be changed. However, if there is an increase in the peak flow, this scenario could handle it much better than the overland condition proposed on the plans. See if you agree with this plan and if the AHTD

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

would be willing to provide an inlet at the intersection of Wedington and Vista to accommodate the Vista storm sewer and provide storm sewer along Wedington to that inlet at the intersection.

After reviewing this information, please forward the proposed plan to Keith Merritt for his use. He was interested in the alternative plan. Thank you for your cooperation regarding this matter. If you have any questions, please contact this office at 501-444-3417.

Sincerely,



Albert Wayne Ledbetter
Staff Engineer

Enclosures
cc: File

RAILWAY

INTER OFFICE MEMORANDUM

DATE: July 24, 1996

TO: Mr. Phillip L. McConnell, Engineer of Roadway Design Division

FROM: *for* Don L. Potter, Engineer of Hydraulics *CFW*

SUBJECT: Job 4976
Hwy. 71 - Garland Ave. (Fayetteville) (F)
Route 112S, Section 0S
Washington County

The City of Fayetteville has reviewed drainage plans for the above referenced project and have addressed two items of concern for our proposed outfall at Sta. 546+00 LT. Enclosed is a copy of the letter to this office.

1. The City provided the Hydraulics Section with a detailed topographic map showing a larger drainage basin to the outfall at Sta. 546+00 LT. We concur with their findings. We recommend that the flowlines of the drop inlets at Sta. 548+00 RT and LT be lowered 1294.00 feet and 1291.81 feet respectively to correct the hydraulics of the system.
2. The City also requested that we review the possibility of extending the storm drainage system from the outfall at Sta. 546+00 LT to Sta. 540+70 LT at Vista Place. From there the City proposes to provide an outfall north along Vista Place to Holly Street and beyond. This would help remedy a drainage concern as addressed in our memo to Roadway Design on March 4, 1995 (copy attached). Enclosed are "mark ups" of plans for the proposed storm drainage extension. The exact size of the outfall (36" or 42") has not been determined as of this date. We are forwarding hydraulic models of the system to the City to coordinate the appropriate design of the outfall if the City's proposal is accepted by the Department.

If you have any questions, please contact Ronnie Smith in the Hydraulics Section.

RS
DLP/RS:cr
CW

cc: file: Job 4976
file: Job HYD 4-184

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT



Dan Flowers
Director
Telephone (501) 569-2000

P.O. Box 2261
Little Rock, Arkansas 72203-2261
Telefax (501) 569-2400

July 24, 1996

Mr. Albert Wayne Ledbetter
Staff Engineer
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

RE: AHTD Job 4976
Hwy. 71 - Garland Ave.
Hwy. 112S, Section 0S
Washington County

Dear Mr. Ledbetter:

We have reviewed the City's drainage concerns at the outfall of the proposed drainage system at Sta. 546+00 LT. We concur with the drainage area as indicated on the topographic map submitted to this office by letter dated July 5, 1996. We have corrected the proposed drainage system to accommodate the increase in discharge.

We have also reviewed the City's proposal to provide an alternative outlet along Vista Place. An alternative design as proposed in your July 5th letter has been forwarded to Roadway Design for their consideration.

Per your telephone conversation with Ronnie Smith of the Hydraulics Section on July 23, 1996, we are enclosing preliminary hydraulic models reflecting the City's proposal. Our initial study using physical data from the topographic map provided by the City indicates that a 42" outfall along Vista Place would be appropriate. Detailed physical data is needed to refine the hydraulic design of the outfall.

If you have any questions, please contact Ronnie Smith at (501) 569-2470.

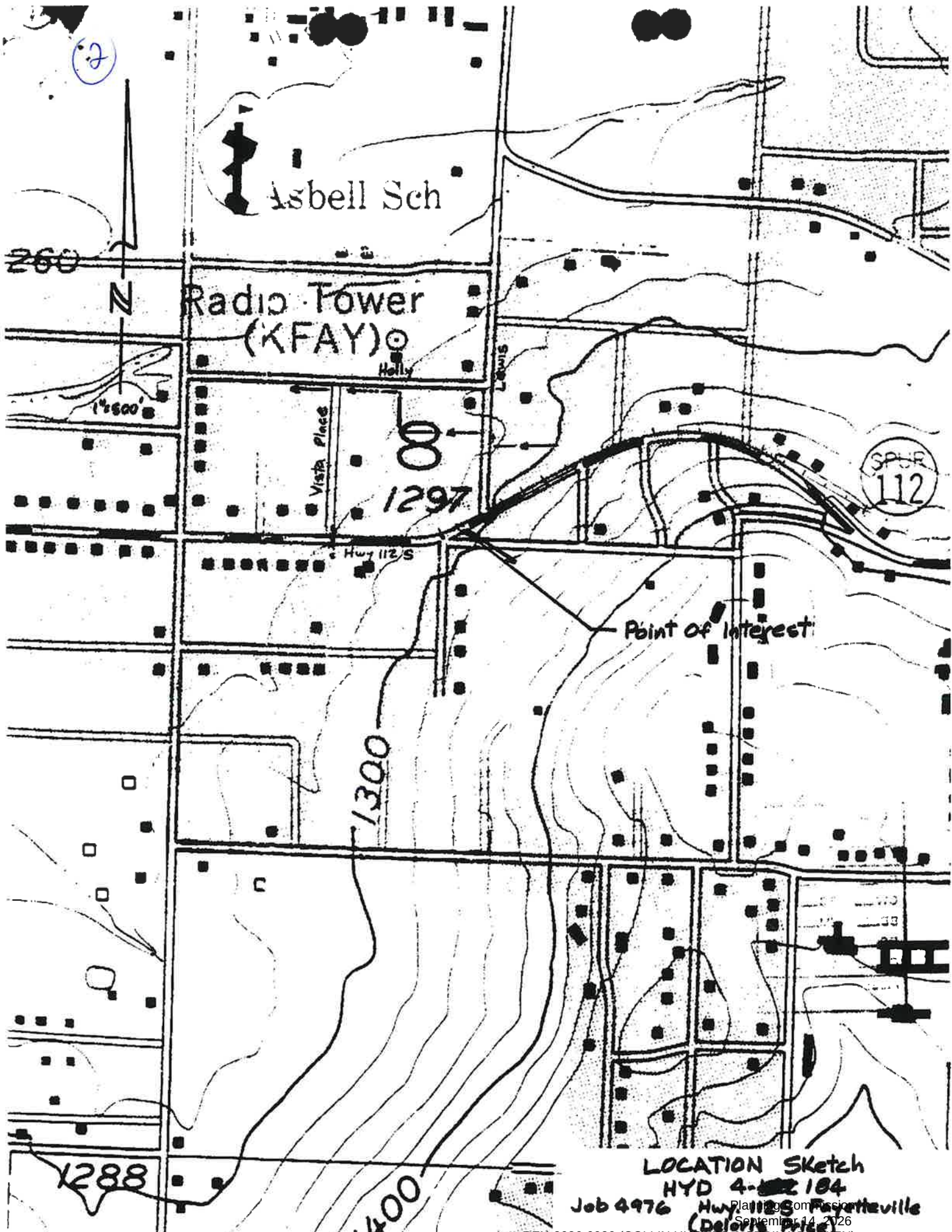
Sincerely,

Charles F. Wilson

for Don L. Potter
Engineer of Hydraulics

RS
DLP/RS:cr

cc: Mr. Phillip McConnell
Job: file 4976



LOCATION SKETCH

HYD 4-112104

Job 4976 Hwy 112 S Fayetteville
(Delaware)

INTER OFFICE MEMORANDUM

DATE: October 22, 1996

TO: Mr. Phillip L. McConnell, Engineer of Roadway Design Division

FROM: Brooks Booher, Engineer of Hydraulics

SUBJECT: Job 4976
Hwy. 71 - Garland Ave. (Fayetteville)(F)
Route 112S, Section 0S
Washington County

We have completed our review of drainage improvements proposed by the City of Fayetteville that would provide an alternate outfall at Vista Place, as addressed under item 2 in our July 24, 1996 I.O.M. (copy attached). The proposed outfall system is acceptable and will not adversely effect the drainage on Highway 112S.

A copy of the proposed plans are also attached.

If you have any questions, please contact Ronnie Smith in the Hydraulics Section.

BB/RS:cr

cc: Job 4976
Job HYD 4-184

DATE: August 21, 1996

TO: FILE

From: Michael D. Fugett, Senior Design Engineer, Roadway Design

Subject: 4976 - DRAINAGE AT "PRICE" PROPERTY

Conversation between Phillip McConnell and Charlie Venable

Phillip McConnell discussed proposed storm water sewer changes as requested by the City of Fayetteville near the Price property. A decision was made to not include the proposed changes in the job due to the cities inability to commit at this time. It was discussed that during construction a change order may be submitted in order to construct the proposed changes as discussed and evaluated.

VISTA PLACE DRAINAGE CONCERNS

June 28, 2001 Neighborhood Meeting

FAYETTEVILLE (Hwy 112s – Wedington Drive)

The last discussion with Rep. Judy was verification that she would like to meet with Commissioner Barnett, AHTD DE Harold Beaver, and Mayor Dan Coody of Fayetteville at about 5:00 to view the area of the concerns and then a neighborhood meeting would follow at about 6:00. I will try to learn more about the location and time for the events and give further updates as I know them.

In conjunction with the widening of the section of Hwy 112s (Wedington Drive) from I-540 (formerly Hwy 71) to Hwy 112 (Garland Avenue) in Fayetteville as Job No. 4976, a hydraulic study was undertaken in early 1995 by the Hydraulic Section of the Roadway Design Division. The study was to verify the adequacy of a proposal by the City of Fayetteville that would bring a 36" stormwater outfall to intersect with a stormwater system to be constructed as part of Job 4976.

Essentially, the City was proposing to construct drainage improvement that would begin at the northeast corner of Hwy 112s (Wedington Drive) and Vista Place. The proposed 36" outfall to have been constructed by the City was then to proceed along the east side of Vista Place until reaching Holly Street and then westward along the south side of Holly Street as an open ditch past Sang to end at an existing natural drainage channel.

The review found that the City's proposal would not result in any adverse affect to the Department's highway facility or structures. There was an understanding at the time of designing the highway construction project that an underground drainage structure would be constructed along the north side of Hwy 112s (Wedington Drive) from the cross-drain structure at Sta. 546+00 westward to a junction structure at Vista Place to connect to the City's outfall system.

In August of 1996, subsequent to that agreement, but prior to the beginning of the State construction project, Charles Venable, Director of Public Works for the City of Fayetteville, advised Phil McConnell, AHTD Division Head of Roadway Design, that the City was not going to be able to commit to

file 112s
Wash Co.

completion of their outfall, due to problems obtaining drainage easements. Since installing a structure within the AHTD right of way along the north side of Hwy 112s and terminating it at Vista Place would have resulted in a significantly worse drainage problem for the City, the joint decision was made to allow the drainage outfall from the cross-drain at Sta. 546+00 to continue to follow the existing drainage pattern and proceed to the northwest across the wooded area between Lewis and Vista Place.

Subsequent to that time, and after the highway construction project was completed, at the request of Rep. Judy, District Engineer Harold Beaver met with Charles Venable to discuss concerns that had been raised by neighborhood citizens. Mr. Venable advised at that time that it appeared that the AHTD had fulfilled its agreements but that the problem would have to be addressed from that point by the City of Fayetteville.

Rep. Judy has indicated to the DE that she also had discussions with Mr. Venable and is aware that the Department would not be in a position to solve the drainage situation at this point. She has indicated to Commissioner Barnett and the DE that she just wants us there to hear the concerns and relate the history of the matter to date.

Harold Beaver
District Four Engineer
Monday, June 25, 2001

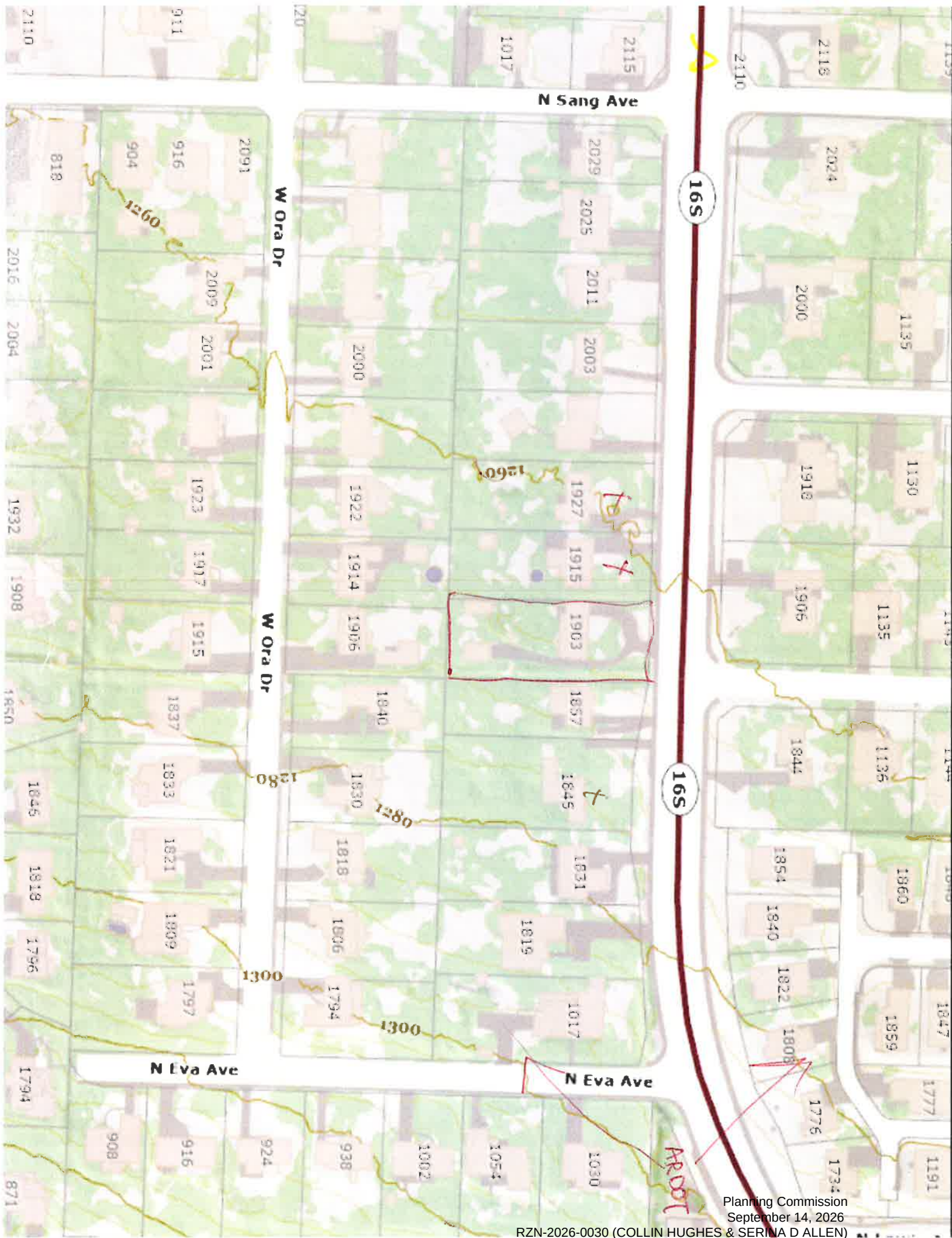
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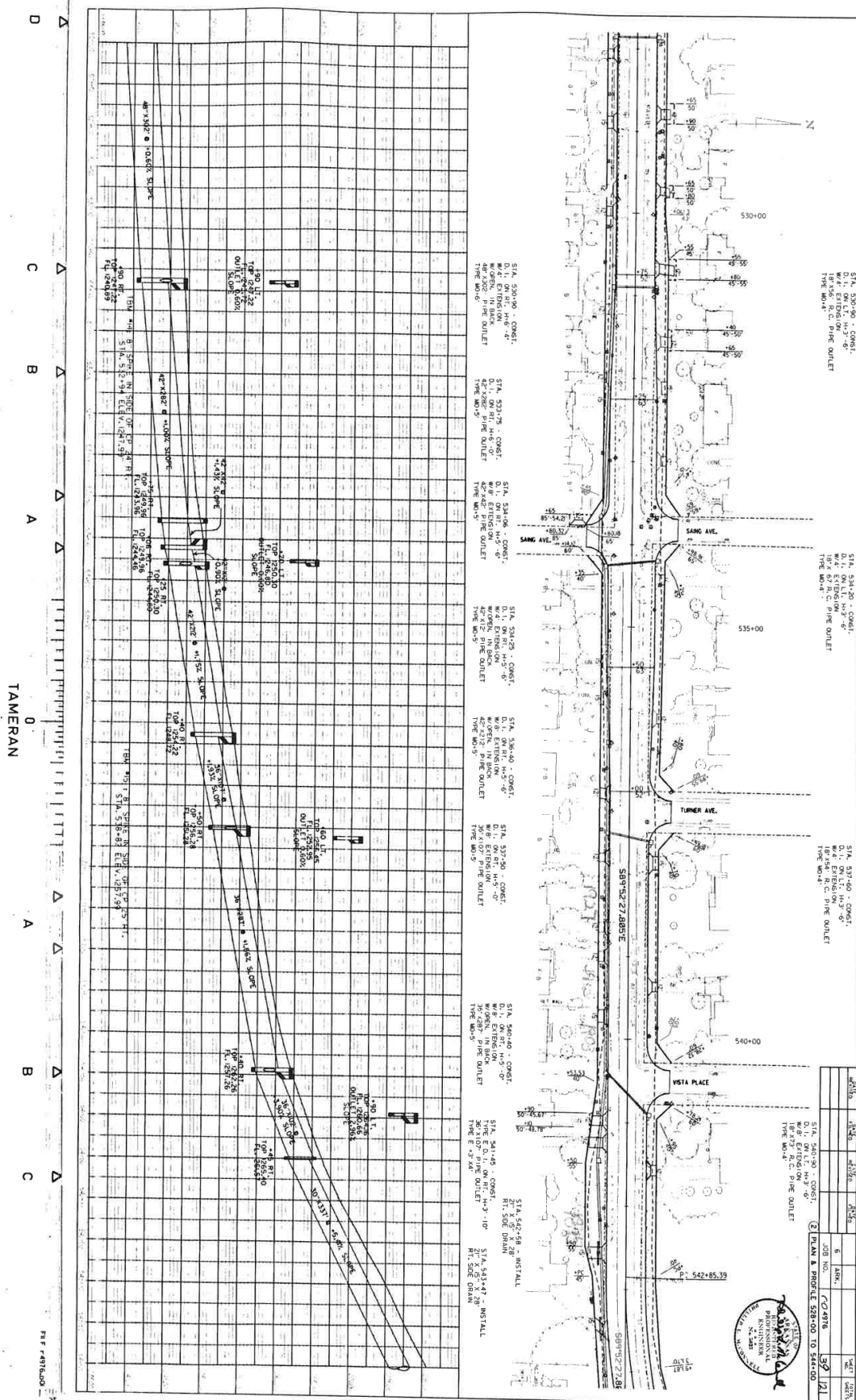
Ledington Dr

W Wedington Dr

165









TO: Fayetteville Planning Commission

FROM: Jessie Masters, Planning Director

MEETING DATE: September 14, 2026

SUBJECT: **RZN-2026-0028: Rezoning (EAST OF 1435 N STARR DR/HARVEY HOLDINGS LLC, 412):** Submitted by BLEW & ASSOCIATES for property located EAST OF 1435 N STARR DR. The property is zoned R-A, RESIDENTIAL, AGRICULTURAL and contains approximately 1.98 acres. The request is to rezone the property to RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE.

RECOMMENDATION:
Staff recommends denial of **RZN-2026-0028**.

RECOMMENDED MOTION:
*"I move to forward **RZN-2026-0028** to City Council with a recommendation of approval."*

BACKGROUND:
The subject property is in east Fayetteville on the City's border with unincorporated Washington County. The 2.0-acre parcel is zoned R-A, Residential-Agricultural and is currently undeveloped but for some former agricultural outbuildings. The property is not subject to any overlay districts, except for a portion which is included in the Hillside-Hilltop Overlay District. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Low-Density Residential	Washington County
South	Low-Density Residential	R-A, Residential Agricultural
East	Low-Density Residential	Washington County
West	Low-Density Residential	R-A, Residential Agricultural

Request: The request is to rezone the subject property from R-A, Residential Agricultural to RSF-4, Residential Single-Family, 4 Units per Acre. The applicant has listed an intent to develop single-family residential homes here.

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

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject area has street frontage along North Starr Drive. North Starr Drive is a partially improved Residential Link Street with asphalt paving and open ditches. Any street improvements required in these areas would be determined at the time of the development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

Water: Public water is available to the subject area. An existing 2.25-inch water main is present in the southwest side of the subject property, and an existing 8-inch water main is present along North Starr Drive.

Sewer: Sanitary sewer is not available to the subject area.

Drainage: There are no protected streams, floodplain or floodway, or hydric soils present on the site. However, a portion of the site is within the Hillside-Hilltop Overlay District, which means that additional restrictions will apply at the time of development. Engineered footing designs will be required at the time of building permit submittal, as well as grading, erosion control and abbreviated tree preservation plans.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 5, located at 2979 N. Crossover Rd., protects this site. The property is located approximately 2.6 miles from the fire station with an anticipated drive time of approximately 7 minutes using existing streets. The anticipated response time would be approximately 9.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

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

Tree Preservation:

The current zoning district of R-A, Residential-Agricultural requires **25% minimum canopy preservation**. The proposed zoning district of RSF-4, Residential Single-Family, 4 Units per Acre, requires **25% minimum canopy preservation**.

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

Rural Residential Areas recognize existing low-density large lot development but are identified to encourage the conservation and preservation of woodlands, grasslands, or agricultural lands that are sparsely settled. These areas may or may not have adequate street and water infrastructure or public services, such as police and fire protection to support urban or suburban densities and development patterns.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of **1-2** for this site with a weighted score of **2**. The following elements of the matrix contribute to the score:

- Near Water Main (8" water line across N. Starr Drive)
- Near City Park (Trammel Park; Barrington Park Subdivision)

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: ***Land Use Compatibility:*** The property is surrounded by low-density residential and agricultural uses, with very little available infrastructure currently in place. Bordered by Washington County on two sides, which typically has a 1-acre minimum for lot size, the lot in question is currently meeting the R-A zoning district bulk and area regulations. R-A, Residential Agricultural allows for low-density, 2-acre minimum lots, and agricultural uses. RSF-4 is primarily a single-family zoning district, often reflected in the City's suburban-style environments, which allows for up to 4 units per acre and minimum lot sizes of 8,000 sq. ft. Acknowledging that the future of the property may not be solely agricultural, the City has lower-density residential zoning districts that may be more harmonious with the large lots that currently surround the site, such as RSF-1 or RSF-2.

Land Use Plan Analysis: Staff finds that the request is not fully consistent with adopted land use policies or the Future Land Use Map designation (Rural Residential). Adding additional density at this location would run counter to the City's stated goals of promoting infill and discouraging suburban sprawl by placing additional units at a location that may not be set up to support them, which may place a higher burden on City services in the long run.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: A rezone from R-A to RSF-4 does not maintain the site's agreement with the "Rural Residential Area" designation, which calls for "low-density large lot development" and to "encourage the conservation and preservation of woodlands, grasslands, or agricultural lands that are sparsely settled. RSF-4, while certainly not high density, is a more traditional, suburban form of residential development that does not reflect this stated future trajectory. Further, there are few amenities in this area on the direct edge of town.

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

Finding: Rezoning the property from R-A to RSF-4 would not likely appreciably increase traffic danger and congestion here, given the size of the overall parcel (2.0 acres). However, E. Starr Drive is a county road, so if a residential subdivision were to be developed here, the City would have little influence on how the streets would be improved at this location due to the lack of control over subdivision regulations in what was formerly the City's planning area.

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

Finding: Rezoning the property from R-A to RSF-4 would increase the potential population at the site, but not to an undesirable degree. There is currently no viable way to provide sewer service to this property, so the lots must be subdivided to accommodate septic. The Arkansas Department of Health

typically requires a minimum lot size of 1.5 acres in these cases, which may self-regulate the amount of development that could occur on this site overall, regardless of the zoning district that is applied to it.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

RECOMMENDATION: Planning staff recommends forwarding RZN-2026-0028 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:			
Required	<u>YES</u>		
Date: <u>September 14, 2026</u>	☐ Tabled	☐ Forwarded	☐ Denied
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Project Maps
 - One Mile Map
 - Close-Up Map
 - Current Land Use Map
 - Future Land Use Map
- Unified Development Code
 - §161.03 District R-A, Residential-Agricultural
 - §161.07 District RSF-4, Residential Single-Family — Four (4) Units Per Acre
- Long Range Planning Memo
- Request Letter

161.03 District R-A, Residential-Agricultural

(A) *Purposes.* The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 20	Commercial recreation, large sites
Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

Units per acre	One-half (½)
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(D) *Bulk and Area Regulations.*

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

(E) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

(F) *Height Requirements.* There shall be no maximum height limits in the R-A District, provided, however, if a building exceeds the height of one (1) story, the portion of the building over one (1) story shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over one (1) story shall be equal to the difference between the total height of that portion of the building and one (1) story.

(G) *Building area.* None.

(Ord. No. 6945, §5(Exh. D), 12-16-25)

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

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

(B) *Uses.*

(1) *Permitted Uses.*

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

(2) *Conditional Uses.*

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

(C) *Density.*

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

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two-family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(Ord. No. 6945, §5(Exh. D), 12-16-25)

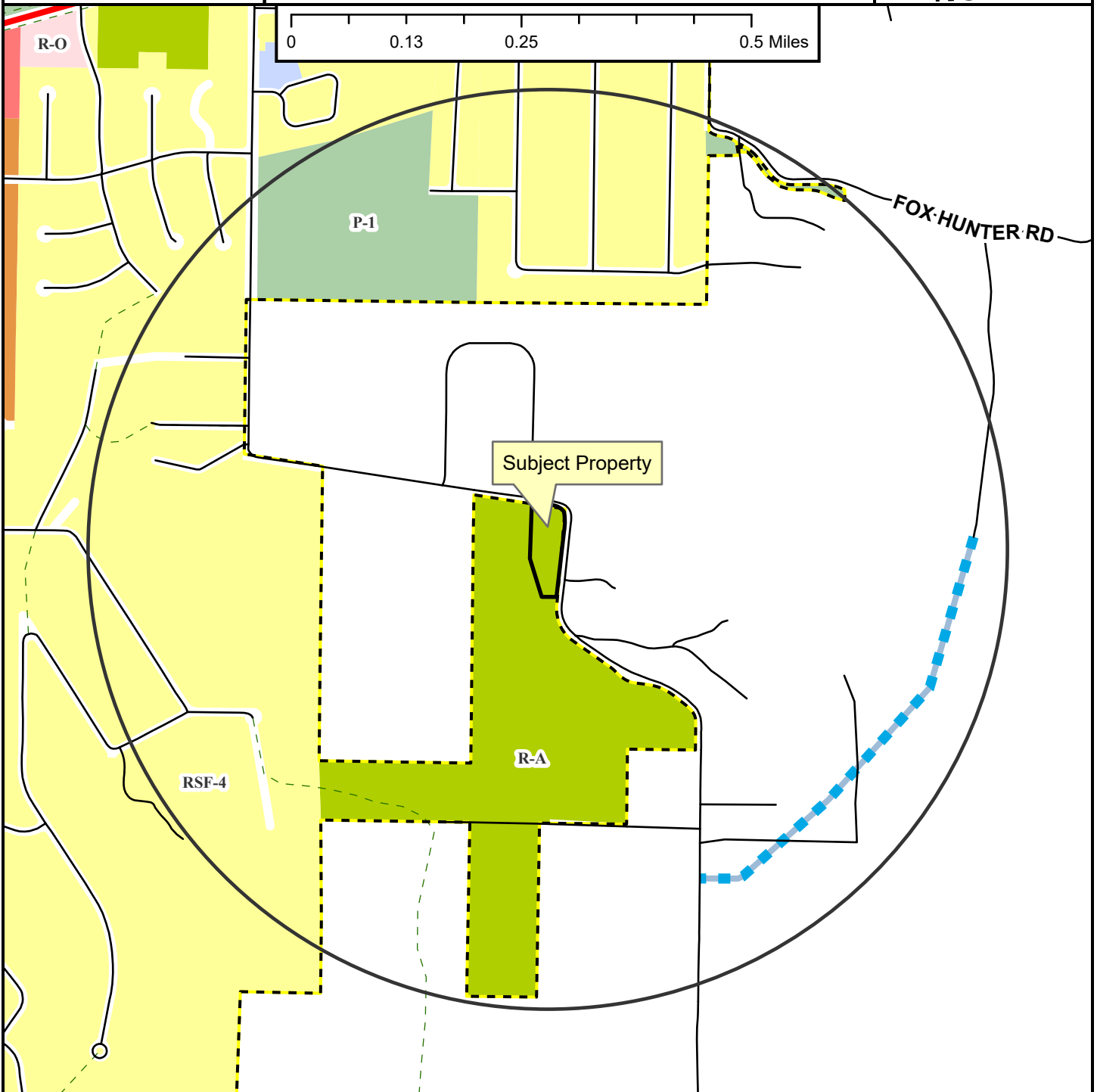
RZN-2026-0028

EAST OF 1435 N STARR DR

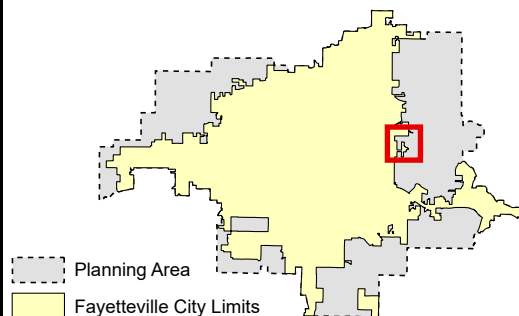
One Mile View



0 0.13 0.25 0.5 Miles



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



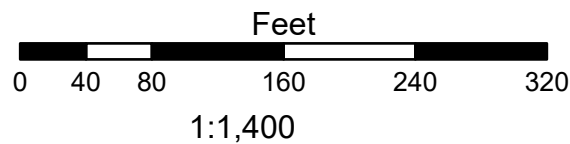
RZN-2026-0028

EAST OF 1435 N STARR DR

Close Up View



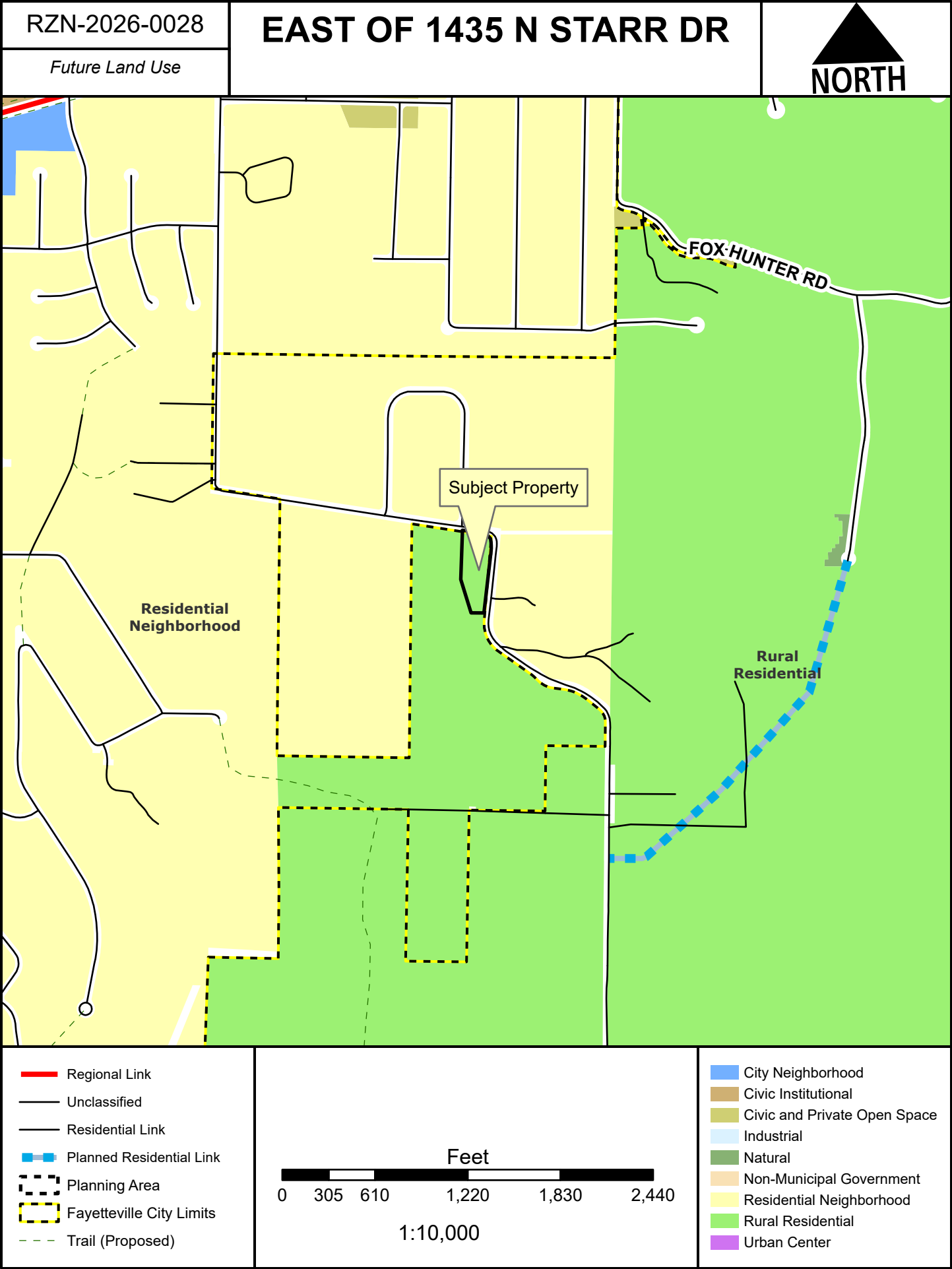
- Unclassified
- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits



Zone	Current	Proposed
R-A	1.9	0.0
RSF-4	0.0	2.0

Total 2.0 ac







TO: Jessica Masters, Planning Director

FROM: Kylee Cole, Long Range & Preservation Planner

MEETING DATE: September 14, 2026

SUBJECT: Long Range Planning Comments Regarding RZN-2026-0028

BACKGROUND:

The applicant requests to rezone approximately 1.98 acres from R-A, Residential Agricultural to RSF-4, Residential Single-Family, Four Units Per Acre.

City Plan 2040 (2020):

City Plan 2040 includes several relevant plan goals and objectives:

- Goal 1 – We will make appropriate infill and revitalization our highest priority.
- Goal 2 – We will discourage suburban sprawl.
- Goal 3 – We will make compact, complete, and connected development the standard.
- Goal 6 – We will create opportunities for attainable housing.

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

DISCUSSION:

Zoning History:

This property was annexed in 1971 (Ord. 1839). "Modern" zoning began on June 29, 1970 which enacted a new zoning map and zoning requirements. This map shows the subject property as being zoned into the agricultural "A-1" zoning district, which was subsequently translated to "R-A" with the adoption of the city's Unified Development Code.

City Plan 2040 and Future Land Use Plan:

This area is designated as a Rural Residential area, which recognize "existing low-density large lot development" and "are identified to encourage the conservation and preservation of... lands that are sparsely settled." Areas may not have infrastructure or public services "to support urban or suburban densities and development patterns," as is the case here (lack of sewer and a long fire response time). The request for RSF-4, a suburban density, may increase infrastructure demands that create additional burden on city services and may result in safety issues. This request would run counter for goals to discourage urban sprawl, by increasing the potential density on the city's periphery beyond what the infrastructure can handle at this time. It does not advance other goals for attainable housing (goal 6) or goals for creating compact, complete and connected development. There are alternatives to the request that may be more suitable, such as RSF-1 or RSF-2, which may alleviate concerns about added density on the city's periphery, but concern about a lack of sewer access and emergency service response time would still exist.

BLEW

Surveying | Engineering | Environmental

APPLICANT:

BLEW SURVEYING

3825 N SHILOH DRIVE, FAYETTEVILLE, AR 72704

479-443-4506

CLIENT:

BEN HARVEY

HARVEY HOLDINGS LLC

4034 N OLD WIRE ROAD, FAYETTEVILLE, AR 72703

TO:

FAYETTEVILLE PLANNING DIVISION

CITY OF FAYETTEVILLE

113 W. MOUNTAIN STREET, FAYETTEVILLE, AR 72701

RE: RE-ZONING FOR PARCEL 765-14226-003, N STARR (WC 350) DR

DEAR PLANNING DIVISION,

I AM WRITING TO FORMALLY SUBMIT A RE-ZONING REQUEST FOR PARCEL 765-14226-003, LOCATED AT N STARR (WC 350) DR, FAYETTEVILLE, AR 72701. THE REQUEST IS TO REZONE THE PROPERTY FROM R-A TO RSF-4.

THE ZONE RSF-4 IS A MORE SUITABLE ZONING DISTRICT FOR LOW-DENSITY SINGLE-FAMILY HOMES. THERE ARE NO FARMING ACTIVITIES ON THE SUBJECT PROPERTY.

THE REZONE WOULD ALSO ALLOW THE PROPERTY TO BE SPLIT WHILE STILL MEETING THE MINIMUM SQUARE FOOTAGE REQUIREMENT OF 10,000 SQUARE FEET.

THANK YOU FOR YOUR CONSIDERATION,

TANNER NEWKIRK

BLEW SURVEYING 479-443-4506



479-4434506



blewinc.com



3825 N Shiloh Dr.

Fayetteville, AR 72703

RZN-2026-0028 (HARVEY HOLDINGS LLC)

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