City of Fayetteville, Arkansas

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

Planning Commission Tentative Agenda

Thursday, December 7, 2023

4:30 PM

City Hall Room 111

Planning Commission Members

Sarah Sparkman, Chair
Andrew Brink, Vice Chair
Mary McGetrick, Secretary
Jimm Garlock
Fred Gulley
Joseph Holcomb
Mary Madden
Brad Payne
Porter Winston

Senior Assistant City Attorney Blake Pennington

Call to Order

Roll Call

Consent

1. MINUTES:

Approval of the minutes from the November 27, 2023 Planning Commission. - Mirinda Hopkins, Development Coordinator

2. CCP-2023-0004: Concurrent Plat (3278 W. KESSLER MOUNTAIN/MOLLOY & AUST, 296):

Submitted by JORGENSEN & ASSOCIATES for property located at 3278 W. KESSLER MOUNTAIN. The property is zoned RSF-.5, RESIDENTIAL SINGLE-FAMILY, ONE-HALF UNIT PER ACRE and contains approximately 14.49 acres. The request is for the concurrent plat of two residential lots. - Kylee Hevrdejs, Planner

Unfinished Business

3. VAR-2023-0050: Planning Commission Variance (1301 N. GREGG AVE/1301 N. GREGG, 405):

Submitted by ECOLOGICAL DESIGN GROUP for property located at 1301 N. GREGG AVE. The property is zoned RMF-40, RESIDENTIAL MULTI-FAMILY, FORTY UNITS PER ACRE and contains approximately 4.47 acres. The request is for a variance from parking lot design standards.

ITEM WAS TABLED AT THE NOVEMBER 27, 2023 PLANNING COMMISSION MEETING. THE APPLICANT HAS REQUESTED THIS ITEM TO BE TABLED TILL JANUARY 8, 2024 PLANNING COMMISSION MEETING. - Donna Wonsower, Planner

4. LSD-2023-0018: Large Scale Development (W. MARTIN LUTHER KING JR BLVD & S. SMOKEHOUSE TRL/SWEET BAY AT KESSLER, 595):

Submitted by GAVIN SMITH for property located SOUTHEAST OF W. MARTIN LUTHER KING JR BLVD & S. SMOKEHOUSE TRL. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and UT, URBAN THOROUGHFARE and contains approximately 5.61 acres. The request is for a residential development containing 26 single-family dwellings and associated parking.

ITEM WAS TABLED AT THE NOVEMBER 27, 2023 PLANNING COMMISSION MEETING. - Jessica Masters, Development Review Manager

5. CUP-2023-0141: Conditional Use Permit (240 E. ROCK ST/CITY OF FAYETTEVILLE, YVONNE RICHARDSON COMMUNITY CENTER, 524):

Submitted by OLSSON for property located at 240 E. ROCK ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE and contains approximately 2.94 acres. The request is to expand a cultural and recreational facility in RMF-24 zoning.

ITEM WAS TABLED AT THE NOVEMBER 13, 2023 PLANNING COMMISSION MEETING. - Jessica Masters, Development Review Manager

6. CUP-2023-0157: Conditional Use Permit (725 N. LEWIS AVE/WATKINS, 442):

Submitted by GWEN WATKINS for property located at 725 N. LEWIS AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.30 acres. The request is to use the residence as a short-term rental.

ITEM WAS TABLED AT THE NOVEMBER 27, 2023 PLANNING COMMISSION MEETING. ITEM WITHDRAWN PER APPLICANT'S REQUEST. - Kylee Hevrdejs, Planner

New Business

7. ADM-2023-0044: Administrative Item (NORTHEAST OF W. WEDINGTON DR & N. MEADOWLANDS DR/WIENERSCHNITZEL, 400):

Submitted by BATES & ASSOCIATES for property located NORTHEAST OF W. WEDINGTON DR & N. MEADOWLANDS DR. The property is zoned CS, COMMUNITY SERVICES and contains approximately 3.37 acres. The request is for a major modification to an approved conditional use permit. - Gretchen Harrison, Senior Planner

8. ADM-2023-0047: Administrative Item (SOUTH OF S. LEFLAR WAY/RAZORBACK RV PARK, 596):

Submitted by CRAFTON TULL for property located S. OF S. LEFLAR WAY. The property is split-zoned RSF-4, RESIDENTIAL SINGLE-FAMILY – FOUR UNITS PER ACRE and CS, COMMUNITY SERVICES and contains approximately 43.55 acres. The request it to extend the amended conditional use permit for an RV Park.

ITEM WITHDRAWN DUE TO LACK OF PUBLIC NOTIFICATION. - Donna Wonsower, Planner

9. ADM-2023-0048: Administrative Item (1110 N. GARLAND AVE, ROADRUNNER APPEAL/FAYETTEVILLE STRONG, BARTLETTE, 405):

Submitted by DELANI BARTLETTE for property located at 1110 N. GARLAND AVE. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL and contains

approximately 1.30 acres. The request is for an appeal to an approved grading permit. - Jessica Masters, Development Review Manager

10. CCP-2023-0005: Concurrent Plat (4060 E. HUNTSVILLE RD/FULCHER, 569):

Submitted by BATES & ASSOCIATES for property located at 4060 E. HUNTSVILLE RD. The property is zoned R-A, RESIDENTIAL - AGRICULTURAL and RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE and contains approximately 0.97 acres. The request is for the concurrent plat of two residential lots. - Donna Wonsower, Planner

11. CUP-2023-0166: Conditional Use Permit (WEST OF 219 W. 15TH ST/TRINITAS DEVELOPMENT, 601):

Submitted by BLEW & ASSOCIATES for property located WEST OF 219 W. 15TH ST. The property is zoned MSC, MAIN STREET/CENTER and contains approximately 3.90 acres. The request is for an off-site parking lot. - Jessica Masters, Development Review Manager

12. CUP-2023-0159: Conditional Use Permit (241 W. SPRING ST/FAYETTEVILLE OFFICE PORTFOLIO, 484):

Submitted by HOUSES, INC for property located at 241 W. SPRING ST. The property is zoned MSC, MAIN STREET/CENTER and contains approximately 1.08 acres. The request is for an off-site parking lot.

THE APPLICANT HAS REQUESTED THIS ITEM TO BE TABLED TILL JANUARY 8, 2024 PLANNING COMMISSION MEETING. - Kylee Hevrdejs, Planner

13. RZN-2023-0030: Rezoning (WEST OF 2558 W. VALLEY DR/NIBLOCK, 402):

Submitted by SWOPE CONSULTING for property located WEST OF 2558 W. VALLEY DR. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and consists of one lot containing approximately 0.60 total acres. The request is to rezone the property to RSF-8, RESIDENTIAL SINGLE-FAMILY, EIGHT UNITS PER ACRE.

ITEM WITHDRAWN DUE TO LACK OF PUBLIC NOTIFICATION. - Donna Wonsower, Planner

14. RZN-2023-0033: Rezoning (NORTH OF 3420 W. MOUNT COMFORT RD/WIESE-GODDARD SCHOOL, 323):

Submitted by THE GODDARD SCHOOL for property located NORTH OF 3420 W. MOUNT COMFORT RD. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 3.23 acres. The request is to rezone the property to CS, COMMUNITY SERVICES. - Gretchen Harrison, Senior Planner

15. RZN-2023-0034: Rezoning (WEST OF S. RAZORBACK RD/LOONEY, 599):

Submitted by COMMUNITY BY DESIGN for property located WEST OF S. RAZORBACK RD. The property is zoned NS-L, NEIGHBORHOOD SERVICES-LIMITED and contains approximately 3.06 acres. The request is to rezone the property to R-A, RESIDENTIAL-AGRICULTURAL AND RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

THE APPLICANT HAS REQUESTED THIS ITEM TO BE TABLED TILL JANUARY 8, 2024 PLANNING COMMISSION MEETING. - Gretchen Harrison, Senior Planner

16. CUP-2023-0165: Conditional Use Permit (1751 N. HUNTERS RDG/KIMBRO, 372):

Submitted by KRIS KIMBRO for property located at 1751 N. HUNTERS RDG. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE and contains approximately 0.20 acres. The request is to use the residence as a short-term rental.

ITEM WITHDRAWN DUE TO LACK OF PUBLIC NOTIFICATION. - Donna Wonsower, Planner

Items Administratively Approved by Staff

Agenda Session Items

Announcements

17. December 11, 2023 is the last scheduled Planning Commission Meeting for the calendar year.

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 you 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, Telecomminications 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, 11/27/2023				
Time:	**5:30 PM**					
Staff :	□ Melissa Evans □ John Scott ☒ Jessie Masters ☒ Gretchen Harrison □ Donna Wonsower ☒ Kylee Hevrdejs					
	□ Britin Bostick □ Sherry Smith ☒ Josh Boccaccio □ Melissa Boyd ☒ Fire Marshal/Andrew Horton □ Chris Brown □ Alan Pugh					
	Roll Call	**1) Minutes 11-13-2023**	**2) ADM-2023-0045 (BUFFINGTON WEIR LLC)**	**3) RZN-2023-0027 (DICKSON STREET CAPITAL LLC)**	**4) ADM-2023-0046 (CHURCH & LOCUST TOWNHOMES)**	**5) VAR-2023-0049 (CHURCH & LOCUST TOWNHOMES)**
Madden	**1**	**1**	**1**	**1**		
Payne	**1**	**1**	**1**	**1**		
Gulley	**1**	**1**	**1**	**1**		
Holcomb	**1**	**1**	**1**	**1**		
Winston	**0**					
McGetrick	**1**	**RECUSE**	**RECUSE**	**1**		
Sparkman	**1**	**1**	**1**	**1**		
Brink	**1**	**1**	**1**	**1**		
Garlock	**1**	**1**	**1**	**0**		
Agenda		**Consent**	**Consent**	**Old**	**New**	**New**
Motion By		Brink	Brink	Payne		
Motion 2nd		Payne	Payne	Brink		
Vote		7-0-1	7-0-1	7-1-0		
Action		Approve	Approve	Forward	Withdrawn	Withdrawn
Time		5:35 PM	5:35 PM	5:49 PM		
Motion Detail				With a recommendation of RMF-6 zoning and a recommendation of approval.		
Public Comment		0	0	0		

A video of this meeting is accessible through the link below:
https://reflect-fayetteville-ar.cablecast.tv/CablecastPublicSite/show/8095?site=1

(pg. 2) Planning Commission			Monday, 11/27/2023		
	6) VAR-2023-0050 (1301 N. GREGG)	7) LSD-2023-0018 (SWEET BAY AT KESSLER)	8) CUP-2023-0163 (GEOPFERT)	9) CUP-2023-0154 (MCKEE)	10) CUP-2023-0157 (WATKINS)
Madden	**1**	**1**	**1**	**0**	**1**
Payne	**1**	**0**	**1**	**0**	**1**
Gulley	**1**	**1**	**1**	**1**	**1**
Holcomb	**1**	**1**	**1**	**1**	**1**
Winston					
McGetrick	**1**	**1**	**1**	**1**	**1**
Sparkman	**1**	**1**	**1**	**1**	**1**
Brink	**1**	**1**	**1**	**1**	**1**
Garlock	**1**	**1**	**1**	**0**	**1**
Agenda	**New**	**New**	**New**	**New**	**New**
Motion By	Garlock	Garlock	Payne	Payne	Garlock
Motion 2nd	Madden	Sparkman	Garlock	Sparkman	Gulley
Vote	8-0-0	7-1-0	8-0-0	5-3-0	8-0-0
Action	Table	Table	Approve	Approve	Table
Time	5:52 PM	6:55 PM	7:03 PM	7:32 PM	7:36 PM
Motion Detail	Until Dec. 11th PC Meeting.	Until Dec. 11th PC Meeting.	With all conditions as recommended by staff.	With all conditions as recommended by staff.	Until Dec. 11th PC Meeting.
Public Comment	0	0	0	1	0

(pg. 3) Planning Commission			Monday, 11/27/2023		
	11) CUP-2023-0155 (264 STADIUM DRIVE LLC)	12) CUP-2023-0160 (CHANEY)	13) CUP-2023-0161 (SMITH)	14) CUP-2023-0162 (HARRIS)	
Madden	**1**	**1**	**1**	**1**	
Payne	**1**	**1**	**1**	**1**	
Gulley	**1**	**1**	**1**	**1**	
Holcomb	**1**	**1**	**1**	**1**	
Winston					
McGetrick	**1**	**1**	**1**	**1**	
Sparkman	**1**	**1**	**1**	**1**	
Brink	**1**	**1**	**1**	**1**	
Garlock	**1**	**1**	**1**	**1**	
Agenda	**New**	**New**	**New**	**New**	
Motion By	Garlock	Gulley	Sparkman	Brink	
Motion 2nd	Madden	Brink	Payne	Madden	
Vote	8-0-0	8-0-0	8-0-0	8-0-0	
Action	Approve	Approve	Approve	Approve	
Time	7:42 PM	7:45 PM	7:51 PM	7:56 PM	
Motion Detail	With all conditions as recommended by staff.	With all conditions as recommended by staff.	with all conditions as recommended by staff.	With all conditions as recommended by staff.	
Public Comment	**0**	**0**	**0**	**0**	

A video of this meeting is accessible through the link below:
https://reflect-fayetteville-ar.cablecast.tv/CablecastPublicSite/show/8095?site=1

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Kylee Hevrdejs, Planner

MEETING: December 4, 2023

SUBJECT: **CCP-2023-0004: Concurrent Plat (3278 W. KESSLER MOUNTAIN RD./MOLLOY & AUST, 296):** Submitted by JORGENSEN & ASSOCIATES for property located at 3278 W. KESSLER MOUNTAIN. The property is zoned RSF-.5, RESIDENTIAL SINGLE-FAMILY, ONE-HALF UNIT PER ACRE and contains approximately 14.49 acres. The request is for the concurrent plat of two residential lots.

RECOMMENDATION:
Staff recommends approval of **CCP-2023-0004** with conditions.

RECOMMENDED MOTION: *"I move to approve* **CCP-2023-0004,** *recommending:*

- *In favor of recommended right-of-way dedication and street improvements; and*
- *All other conditions of approval."*

BACKGROUND:
The subject property is in southwest Fayetteville at the boundary of City limits, approximately 0.30 miles from the intersection of S. Cato Springs Rd. and W. Kessler Mountain Rd. Containing approximately 14.19 acres, the property is developed with a 3,742 sq. ft. single-family dwelling constructed in 2011 and several outbuildings. Surrounding land uses and zoning are depicted in *Table 1.*

Table 1 - Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Kessler Mountain Regional Park	P-1, Institutional
South	Undeveloped	Washington County - Ag/SF 1 (Agricultural/Single-family Residential, One Unit per Acre)
East	Single-Family Residential	RSF-.5, Residential Single-Family, One-Half Unit Per Acre
West	Single Family Residential	RSF-.5, Residential Single-Family, One-Half Unit Per Acre

Proposal: The applicant intends to plat two residential lots with 10.90 and 3.45 acres. Having exhausted the number of administrative lot splits permitted from the parent tract, this proposal is required to be reviewed as a concurrent plat.

Water and Sewer System: No access to City of Fayetteville water or sewer is provided to Tract A or Tract B.

Right-of-way to be dedicated: Right-of-way along W. Kessler Mountain Rd. is 30 feet from the centerline. W. Kessler Mountain Rd. is a residential link street and the existing right-of-way exceeds the Residential Link requirement of 26 feet from centerline. Accordingly, staff recommends no additional right-of-way dedication is required.

Street Improvements: Staff does not recommend any street improvements in association with this request.

Tree Preservation: N/A; no development is proposed at this time.

Parkland Fees: Parkland dedication fees will be required in the amount of $1,089 for the addition of another residential lot.

Public Comment: Staff has not received any comments from the public on this item, but did receive one inquiry via phone.

RECOMMENDATION: Staff recommends approval of **CCP-2023-0004,** with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *Staff does not recommend right-of-way dedication.*

   Subdivision Committee recommended in favor.

2. **Planning Commission determination of street improvements.** *Staff does not recommend any street improvements.*

   Subdivision Committee recommended in favor.

3. Parkland dedication fees in the amount of $1,089 must be paid.

   Subdivision Committee recommended in favor.

4. All remaining comments from City divisions, whether Urban Forestry, Fire, or Engineering shall be addressed prior to Planning Commission.

Standard conditions of approval:

5. All lots shall be labeled with addresses as approved by the 911 Coordinator on the final plat (if applicable).

6. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his/her representative, and all comments from utility representative: Black Hills Energy, AT&T, Ozarks, SWEPCO, Cox Communication).

7. 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 the City's current requirements.

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: **December 11, 2023**	❒ **Tabled**	❒ **Approved**	❒ **Denied**
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:
None

Attachments:
- Applicant Cover Letter
- Site Plan
- One Mile Map
- Close-Up Map
- Current Land Use Map

JORGENSEN
+ASSOCIATES
Civil Engineering · Surveying

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
www.jorgensenassoc.com
Established 1985

Oct 2, 2023

City Of Fayetteville

Att; Planning Dept
Re; Concurrent Plat for Stephen Aust on Kessler Mtn Rd. (par #765-16323-503)

Attached herewith please find information pertaining to a concurrent plat for Stephen Aust. The reason for this is to split Tract 2 of a lot split that was completed in 2010. This tract has 14.35 Acres and the plan is to split into two tracts with access to Kessler Mtn Rd. There is no waterline or sewerlines in this area and so a well or springs will used and septic systems. This is in the City Of Fayetteville.

LEGAL DESCRIPTION: (PARCEL #765-16323-503)

A part of the SE1/4 of the NW1/4 and a part of the SW1/4 of the NW1/4 of Section 31, T16N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the SW Corner of said SE1/4, NW1/4, thence N02°47'42"E 23.54 feet, thence S87°17'39"E 12.51 feet, thence S86°41'26"E 73.90 feet to the POINT OF BEGINNING, thence N57°58'41"W 1,000.84 feet, thence N02°37'31"E 141.76 feet, thence S87°10'03"E 1,385.27 feet, thence S12°46'39"W 642.86 feet, thence N86°41'26"W 400.00 feet to the POINT OF BEGINNING: Containing 14.35 acres more or less subject to easements and right of way of record.

LEGAL DESCRIPTION: (TRACT A)

A part of the SE1/4 of the NW1/4 and a part of the SW1/4 of the NW1/4 of Section 31, T16N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the SW Corner of said SE1/4, NW1/4, thence N02°47'42"E 23.54 feet, thence S87°17'39"E 12.51 feet, thence S86°41'26"E 73.90 feet to the POINT OF BEGINNING, thence N35°42'05"W 296.65 feet, thence N58°37'08"W 399.29 feet, thence N02°49'57"E 157.00 feet, thence S87°10'03"E 508.45 feet, thence S02°47'42"W 125.30 feet, thence N87°12'18"W 59.69 feet, thence S02°47'42"W 265.62 feet, thence S35°42'05"E 184.49 feet, thence S72°04'52"E 177.71 feet, thence N86°41'26"W 200.00 feet to the POINT OF BEGINNING: Containing 3.42 acres more or less subject to easements and right of way of record.

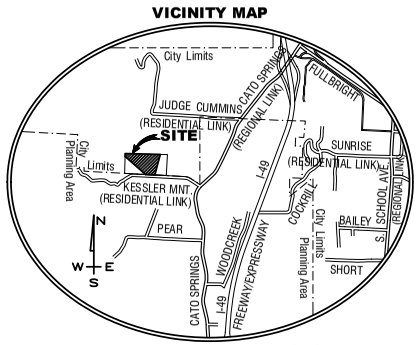
LEGAL DESCRIPTION: (TRACT B)

A part of the SE1/4 of the NW1/4 and a part of the SW1/4 of the NW1/4 of Section 31, T16N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the SW Corner of said SE1/4, NW1/4, thence N02°47'42"E 23.54 feet, thence S87°17'39"E 12.51 feet, thence S86°41'26"E 73.90 feet to the POINT OF BEGINNING, thence N57°58'41"W 1,000.84 feet, thence N02°37'31"E 141.76 feet, thence S87°10'03"E 1,385.27 feet, thence S12°46'39"W 642.86 feet, thence N86°41'26"W 200.00 feet, thence N72°04'52"W 177.71 feet, thence N35°42'05"W 184.49 feet, thence N02°47'42"E 265.62 feet, thence S87°12'18"E 59.69 feet, thence N02°47'42"E 125.30 feet, thence N87°10'03"W 508.45 feet, thence S02°49'57"W 157.00 feet, thence S58°37'08"E 399.29 feet, thence S35°42'05"E 296.65 feet to the POINT OF BEGINNING: Containing 10.93 acres more or less subject to easements and right of way of record.

NOTES:

1. PLAT PAGE #713.
2. CURRENT ZONING: RSF-.5
3. PARCEL #765-16323-503.
4. BASIS OF ROTATION - PREVIOUS SURVEY BY BLEW & ASSOCIATES DATED 5-06-2000.
5. OWNER / DEVELOPER: MARION AUST & EMILY MOLLOY - 3278 W. KESSLER MOUNTAIN ROAD - FAYETTEVILLE, AR. 72701.
6. THIS PROPERTY IS NOT AFFECTED BY THE 100 YEAR FLOOD PLAIN AS PER FIRM #05143C0215F DATED MAY 16, 2008.
7. THE 25' ACCESS EASEMENT IS FOR PERPETUAL ACCESS TO SPRINGS LOCATED ON PARCEL #765-16323-500 AND IS FOR ACCESS TO THESE SPRINGS FOR OWNERS OF PARCEL #765-16323-500, 765-16323-503 & 765-16323-501.
8. ALL SIGNAGE IS REVIEWED AND APPROVED BY SEPARATE PERMIT; ALL UTILITIES UNDER 12kv TO BE MOVED UNDERGROUND.
9. TREE PRESERVATION CALCULATIONS WILL NEED TO BE PROVIDED WITH THE DEVELOPMENT OF EACH LOT AS THEY ARE IN THE HHOD AREA. (THIS WILL OCCUR AT BUILDING PERMIT SUBMITTAL)
10. ONE STREET TREE PER LOT AS REQUIRED BY CH. 177 FOR PUBLIC AND PRIVATE STREETS FOR BUILDING PERMIT APPROVAL FOR EACH LOT.
(THIS WILL OCCUR AT BUILDING PERMIT SUBMITTAL)
11. CITY OF FAYETTEVILLE STANDARD PLANTING NOTES AND DETAILS FOR BUILDING PERMIT APPROVAL FOR EACH LOT.
(THIS WILL OCCUR AT BUILDING PERMIT SUBMITTAL)
12. THERE IS NO ACCESS TO CITY OF FAYETTEVILLE WATER OR SEWER.
13. A TREE PRESERVATION AND LANDSCAPE PLAN IS REQUIRED WHEN EACH LOT IS DEVELOPED.

VICINITY MAP

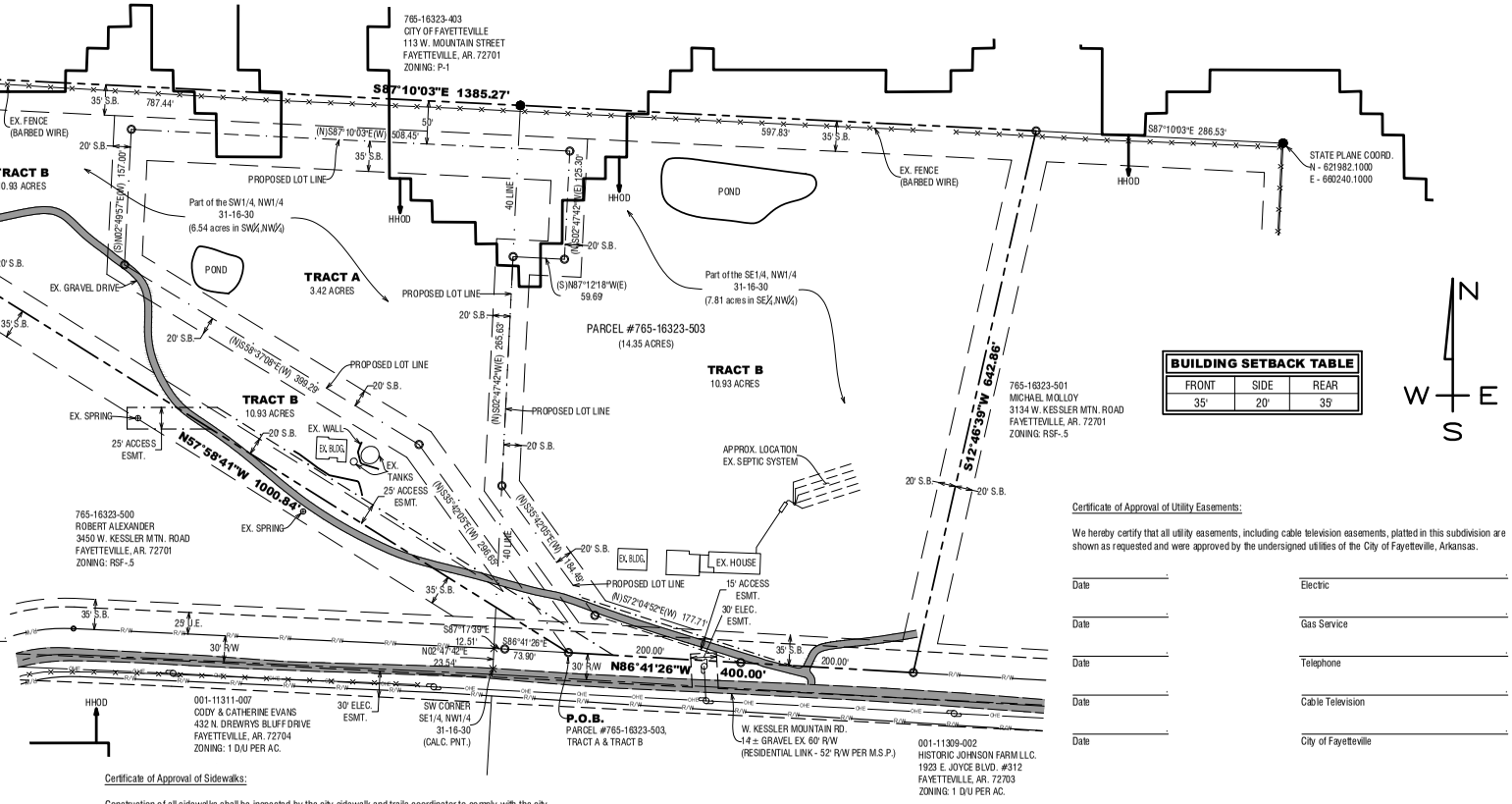


FAYETTEVILLE, ARKANSAS

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.



BUILDING SETBACK TABLE		
FRONT	SIDE	REAR
35'	20'	35'

Certificate of Approval of Water & Sewer System:

The water distribution system and sewage collection system installed in this subdivision are hereby approved and accepted by the City of Fayetteville.

Date _____ City Engineer _____

Certificate of Approval of Streets, Sidewalks, and Drainage:

The streets, sidewalks, and drainage systems installed in this subdivision are hereby approved by the City of Fayetteville.

Date _____ City Engineer _____

Certificate of Approval of Park Land Dedication or Money In-lieu:

I hereby certify that this final plat complies with chapter 166.03(k) with the owner(s) dedication of acres or paying in-lieu $_____.

Warranty deed for park land recorded as follows:
Book #:_____. Page #:_____.

Date _____ Parks & Recreation Representative _____

Certificate of Approval of Building Set-back Dimensions:

I hereby certify that all building setback dimensions shown on this plat are in accordance with the current setback requirements.

Date _____ Zoning & Development Administrator _____

Certificate of Approval for Recording:

This plat was approved administratively by the Fayetteville Planning Division on _____, 2023.

Date _____ Zoning & Development Administrator _____

Certificate of Survey and Accuracy:

I hereby certify that the plan shown and described hereon is a true and correct survey and that the monuments have been placed as stated hereon as required by the subdivision regulations of the City of Fayetteville, Arkansas.

Date _____ Registered Land Surveyor /Professional Land Surveyor _____

Certificate of Approval of Sidewalks:

Construction of all sidewalks shall be inspected by the city sidewalk and trails coordinator to comply with the city specifications. The developer shall be responsible for the construction and completion of all sidewalks shown on this final plat.

Date _____ City Engineer _____

Certificate of Approval of Tree Protection & Preservation:

I hereby certify that this plat has complied with the requirements of the tree protection and preservation ordinance of the City of Fayetteville code.

Date _____ Urban Forester _____

Certificate of Ownership & Dedication:

We, the undersigned owners, representing one hundred percent (100%) ownership of the real estate shown and described herein, do hereby dedicate for public ownership, all streets and alleys as shown on this plat for public benefit as prescribed by law. The owners also dedicate to the City of Fayetteville and to the public utility companies (including any cable television company holding a franchise granted by the City of Fayetteville) the easements as shown on this plat for the purpose of installation of new facilities and the repair of existing facilities. Also established hereby is the right of ingress and egress to said easements, the right to prohibit the erection of buildings, structures, or fences within said easements, and the right to remove or trim trees within said easements.

Date _____ Marion Aust (Owner) _____

Date _____ Emily Molloy (Owner) _____

Certificate of Approval of Utility Easements:

We hereby certify that all utility easements, including cable television easements, platted in this subdivision are shown as requested and were approved by the undersigned utilities of the City of Fayetteville, Arkansas.

Date _____ Electric _____

Date _____ Gas Service _____

Date _____ Telephone _____

Date _____ Cable Television _____

Date _____ City of Fayetteville _____

LEGEND

- CALCULATED POINT
- FOUND IRON PIN
- SET IRON PIN & CAP
- POWER POLE
- EXISTING BOUNDARY LINE
- PROPOSED LOT LINE
- UTILITY EASEMENT
- BUILDING SETBACK
- CENTERLINE RIGHT OF WAY
- STREET RIGHT OF WAY
- OVERHEAD ELECTRIC
- 25' ACCESS EASEMENT
- 40 LINE
- HILLSIDE HILLTOP OVERLAY DISTRICT

JORGENSEN +ASSOCIATES
Civil Engineering + Surveying
124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
www.jorgensenassoc.com
Established 1985

PROJECT TITLE: CONCURRENT PLAT FOR MARION AUST & EMILY MOLLOY
LOCATION: FAYETTEVILLE, ARKANSAS
SHEET TITLE: CONCURRENT PLAT

DRAWN BY: BJR
SHEET SCALE: 1"=100
DATE: OCTOBER 20, 2023 - DATE REVISED: NOVEMBER 22, 2023
PROJECT FILE: Z:\Lots\2021147 - Steve Austfdwg\Concurrent Plat.dwg

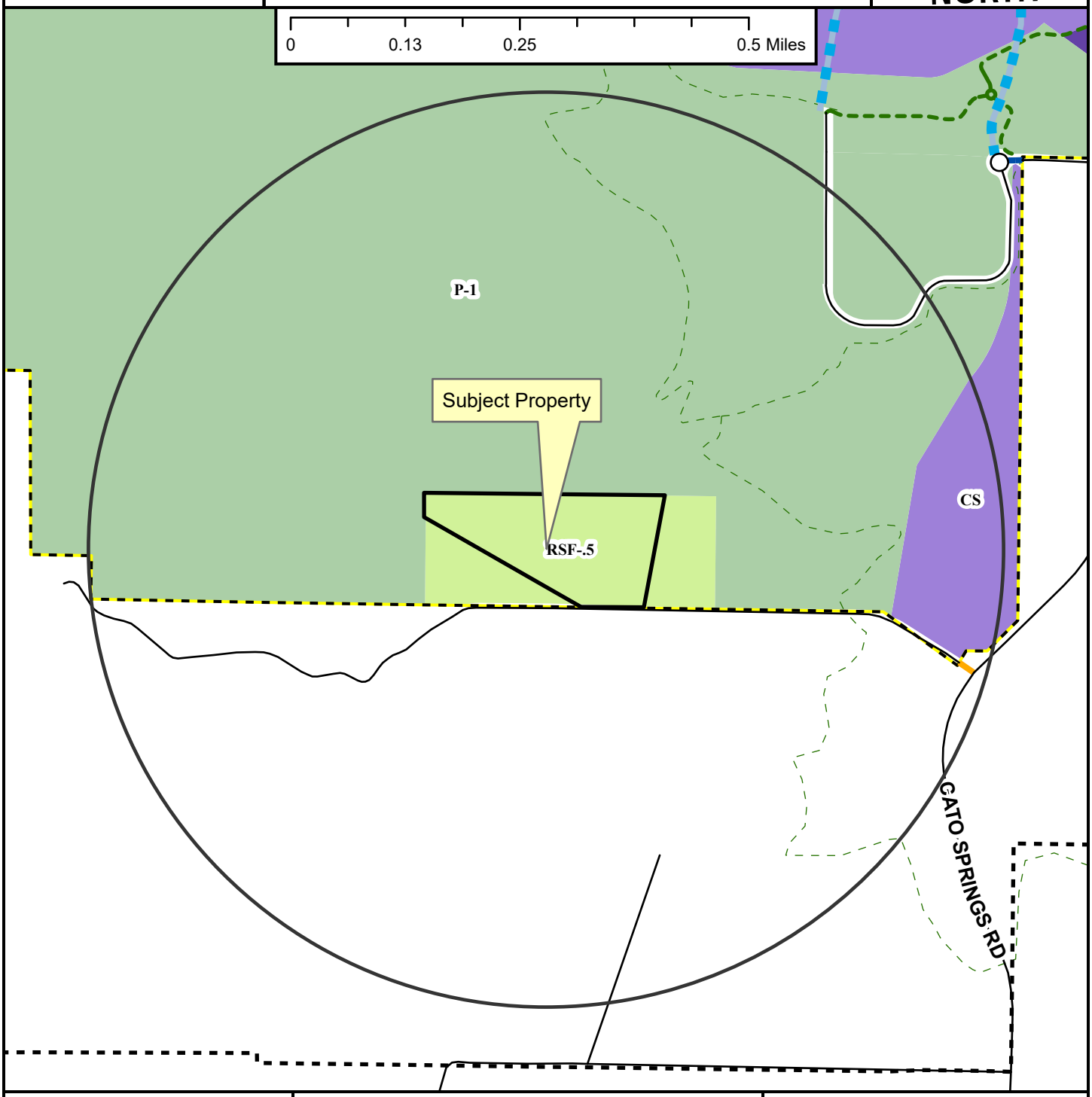
SHEET # 1

CCP-2023-0004

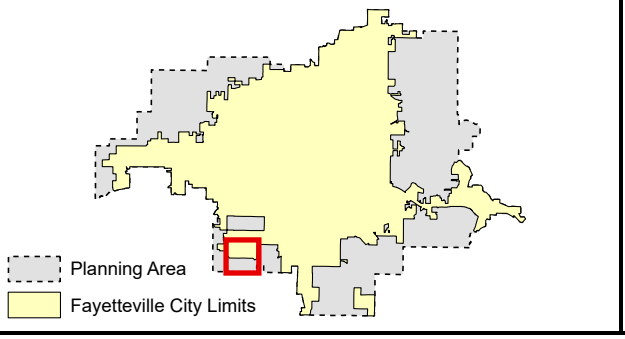
One Mile View

3278 W. KESSLER MOUNTAIN RD

NORTH



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



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

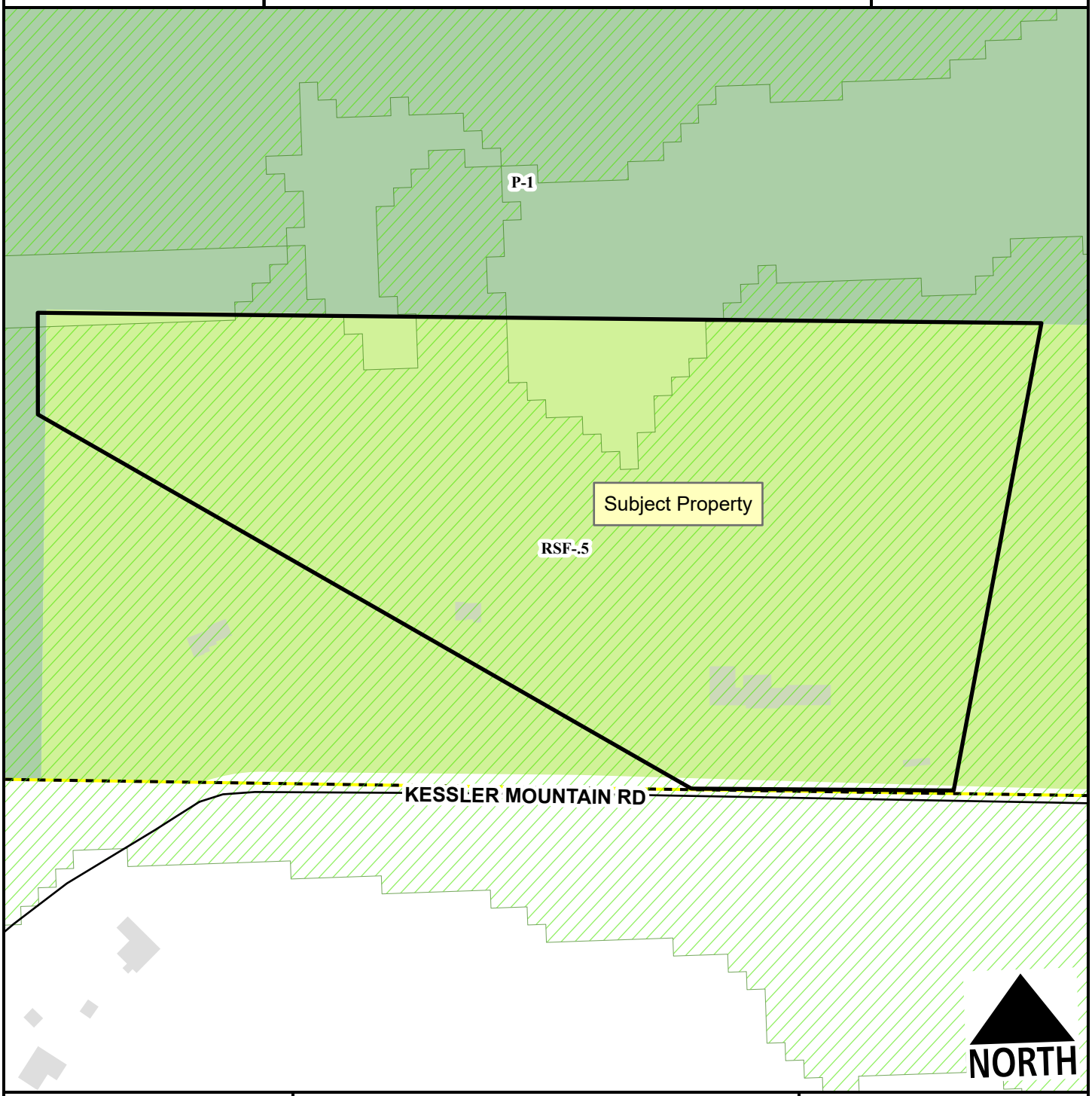
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

CCP-2023-0004

Close Up View

3278 W. KESSLER MOUNTAIN RD



Unclassified
Residential Link
Hillside-Hilltop Overlay District
Planning Area
Fayetteville City Limits

Feet
0 75 150 300 450 600
1:2,400

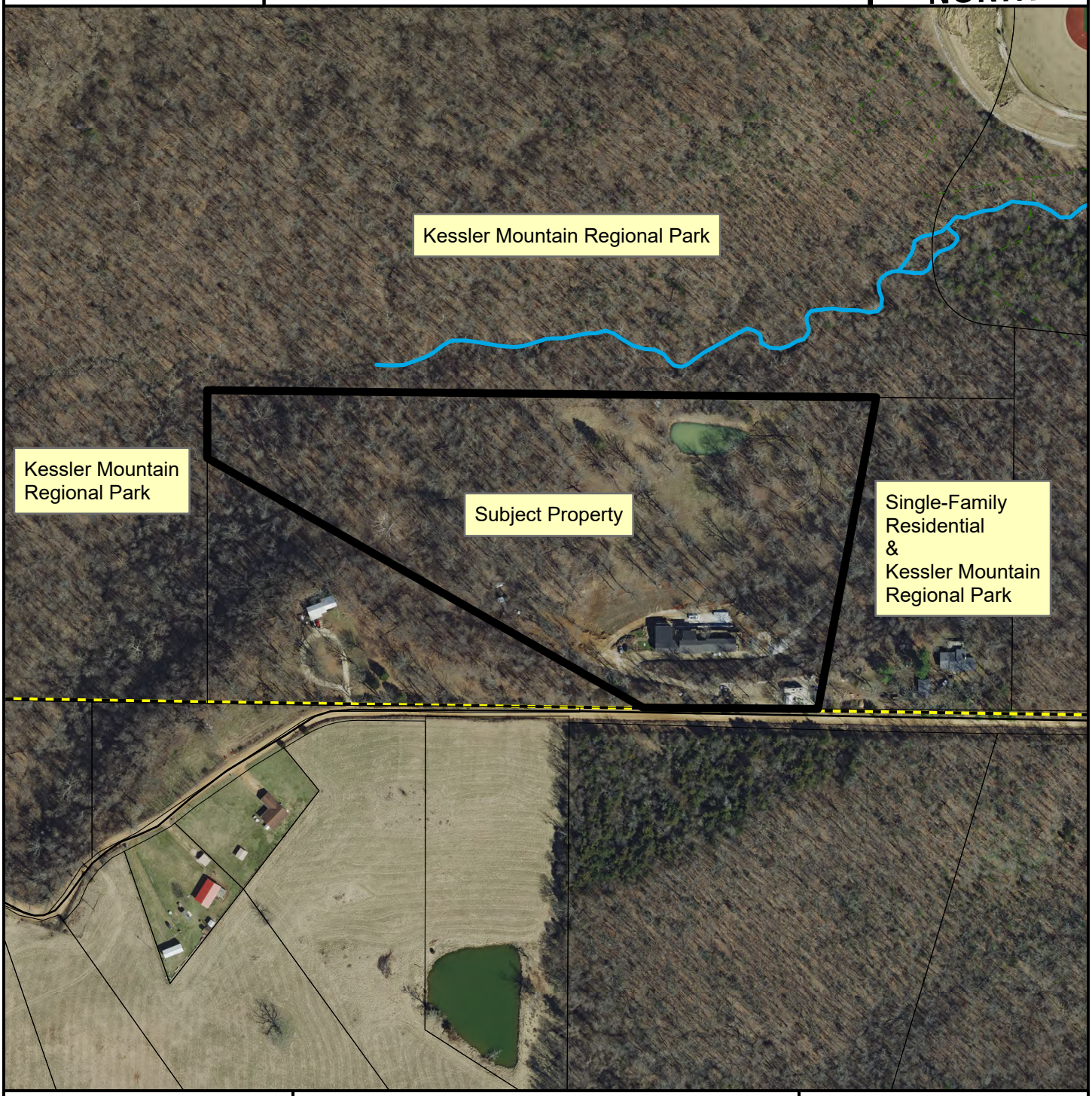
RSF-.5
P-1

CCP-2023-0004

Current Land Use

3278 W. KESSLER MOUNTAIN RD

NORTH



Unclassified

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

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Donna Wonsower, Planner

MEETING DATE: December 11, 2023

SUBJECT: **VAR-2023-0050: Planning Commission Variance (1301 N. GREGG AVE./1301 N. GREGG, 405):** Submitted by ECOLOGICAL DESIGN GROUP for property located at 1301 N. GREGG AVE. The property is zoned RMF-40, RESIDENTIAL MULTI-FAMILY, FORTY UNITS PER ACRE and contains approximately 4.47 acres. The request is for variances from residential design standards and parking lot design standards.

RECOMMENDATION:
Staff recommends denial of **VAR-2023-0050.**

RECOMMENDED MOTION:
*"I move to deny **VAR-2023-0050**."*

NOVEMBER 27, 2023, PLANNIGN COMMISSION MEETING:
This item was tabled at the November 27, 2023 Planning Commission meeting at the applicant's request. In the interim, the variance request for §166.23(C)(4)(a) requiring pedestrian connections to the public sidewalk from ground floor dwelling units has been withdrawn and the variance request for §172.04(D) requiring a maximum of 35% compact spaces was revised from 46.8% to 49%.

BACKGROUND:
The subject property is located on the west side of Gregg Avenue, approximately 650 feet north of the street's intersection with North Street. The property contains one parcel totaling 4.47 acres which currently serves as the site of Central Baptist Church. The parcel was previously two separate parcels, which were separately rezoned from RMF-24, Residential Multi-Family, Twenty-Four Units per Acre to RMF-40, Residential Multi-Family, Forty Units per Acre on April 3, 2023 (Ord. 6652) and June 20, 2023 (Ord. 6671) prior to being combined. The property is partially located within the Hillside/Hilltop Overlay District. Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Multi-Family Residential	RMF-24, Residential Multifamily, 24 Units per Acre
South	Multifamily Residential	RMF-40, Residential Multifamily, 40 Units per Acre
East	Single Family Residential	RSF-4, Residential Single Family, 4 Units per Acre
West	Arkansas Missouri Railroad/ Multifamily Residential	RMF-24, Residential Multifamily, 24 Units per Acre I-1, Heavy Commercial and Light Industrial

Request: The applicant is requesting one variance to **§172.04(D),** which requires that the maximum number of compact spaces may be 35% of total spaces. In the official request, the applicant is taking all permitted reductions to total parking counts allowable by code that apply to multi-family residential developments, including transit proximity, bike, and motorcycle parking. After the permitted reductions, 423 automobile parking spaces are required for 650 bedrooms. Of these, 207 are proposed to be compact (49%).

DISCUSSION:

Variance #1: §172.04(D), Compact Spaces. A maximum of 35% of the total spaces may be compact spaces. The applicant requests that up to 49% of total automobile spaces be permitted to be compact spaces.

Staff recommendation: City staff recommend denial of the applicant's request to vary from the maximum percentage of compact spaces. Overall, the applicant is taking all permitted reductions to total parking counts that apply to multi-family residential developments, including transit proximity, bike, and motorcycle parking, which are allowable by code, outlined below in Table 2.

Table 2
Parking Requirements (Multi-Family Residential)

Parking Requirements	**Number of Bedrooms**	**Number of Required Spaces**
1 space per bedroom	650 bedrooms	650 spaces
By-Right Allowable Reductions		
-15% reduction for proximity to a transit stop		-97 spaces
-10% reduction for additional bike racks		-65 spaces
-10% reduction for additional motorcycle spaces		-65 spaces
	Total:	**423 Required Spaces**
Compact Spaces (35% Permitted, 148 spaces)	**Requested Number of Compact Spaces:**	**207 (49%)**
	Requested Variance	**Additional 59 Compact Spaces**

Parking regulations have a stated intent of facilitating "safe and orderly circulation of motor vehicles within parking lots" and to "provide adequate areas for off-street parking and storage of motor vehicles." While Fayetteville has taken progressive steps to reduce parking requirements and create a community that relieves its citizens of the burdens of car ownership, including the prioritization of car storage as a land-consumptive need, the day-to-day reality of parking management continues to be an ongoing issue. Emergency service providers are faced with an enforcement problem, consistently running into issues of illegal parking, overparking on public streets, blockage of fire lanes, and interference with aerial apparatus access requirements.

While the applicant's request letter cites significant topographic conditions of the site as a hardship warranting additional compact spaces, staff is not clear how the topography is impacting the development and composition of the parking lot given its proposed location. There are areas of extreme topography with slopes as high as 1:1 on the property; however, these areas are largely located on the edges of the parcel boundaries. These areas of steep topography also correlate to the location of most existing tree canopy on the parcel. The 4.512-acre site is currently proposed to be developed at the maximum allowable density (180 units) with most of the interior of the property designed as a combination parking garage/ apartment building. Vehicle access and additional parking are located on the south side of the structure. While zoning permits a maximum residential density, developing a site to its full permitted uses is contingent on the applicant meeting all other development standards. Staff notes that designing the property at a lesser density

could reduce the demand for parking and allow the development to meet the requirements of Chapter 172: Parking and Loading without the need for a variance.

Staff finds that the applicant's request to increase the amount of compact parking above what is permitted is likely to negatively affect residents and visitors of the future apartment complex and create a burden on the provision of emergency services. An over-supply of compact spaces, and associated under-supply of standard vehicle spaces, is likely to contribute to larger, longer vehicles parking in compact spaces where they may not fully fit. As the proposal indicates nearly all of the compact spaces along the edges of the parking garage or adjacent to the entry, staff finds this creates a particular vulnerability for vehicles overhanging into the only entry/exit path into the garage and creating potentially hazardous driving conditions for vehicles navigating encumbered drive lanes within the parking garage.

Additionally, staff has multiple comments relating to the overall design of the parking garage. First, the drive lanes narrow to approximately 16 feet and 18 feet in two locations adjacent to stairs on the eastern side of the parking deck, which does not provide sufficient space for two-way traffic. Second, a line of ten spaces designated as compact in the southwest corner appear to have sufficient depth that they could be utilized as standard spaces. Third, the plans appear to be three spaces short of the indicated 65 motorcycle spaces; however there does appear to be additional clear space to provide these spaces to the east or west of the long block of motorcycle spaces south of the parking garage. Finally, staff has concerns regarding visibility for users of the parking spaces directly abutting the garage entry to the east. Given concerns related to potential for unsafe driving conditions and outstanding functionality questions, staff recommends denial of the proposed variance.

RECOMMENDATION: Staff recommends Planning Commission deny VAR-2023-0050. If approved, staff recommends the following conditions.

Conditions of Approval:

1. **Planning Commission determination of a variance to §172.04(D), which requires that a maximum of 35% of the total automobile spaces may be compact.** *Staff recommends denial of the request for the reasons stated above.*

2. Approval of this variance request is only for the requests as stated above and does not extend approval to any variances not yet reviewed for at this stage or to overall development plans.

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: December 11, 2023	**❒ Tabled**	**❒ Approved**	**❒ Denied**
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:
None

Attachments:

- Unified Development Code:
  - §172.04 Parking Lot Design Standards
  - §172.05 Standards for The Number of Spaces by Use
- Applicant Request Letter
- Applicant Parking Exhibits
- Staff Exhibit: Areas of Concern
- One Mile Map
- Close-up Map
- Current Land Use Map

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.

…..

(D) *Compact Spaces.* A maximum of 35% of the total spaces may be compact spaces. Compact spaces shall be marked either by marking on the pavement or by separate marker.

….

(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)

172.05 Standards For The Number Of Spaces By Use

(A) *Required Parking.*

(1) *Non-Residential Use.* There shall be no minimum number of spaces required for non-residential use. The maximum number of spaces shall be limited based on the ratios in Table 3 and the allowable increases over the baseline ratio as described in subsection 172.05. The applicant shall provide a statement or parking analysis indicating how they will provide adequate parking for the proposed non-residential use to succeed without negatively impacting adjacent properties or creating or compounding a dangerous traffic condition.

(2) *Residential.* The minimum and maximum number of spaces required for residential use shall conform to the parking ratios listed in Table 3. The minimum and maximum number of spaces required for a use not specifically included in this section shall be as required for the most similar use listed or as otherwise determined by the Planning Division utilizing reference standards.

(a) *Reductions for Residential Use.* Residential uses may utilize the following reductions to the minimum number required off-street parking ratios listed in Table 3 when the following standards are met:

(i) *Transit Stops.* Properties located within a ¼ mile radius of a transit stop may further reduce the minimum off-street parking requirements by up to 15%.

(ii) *Motorcycle and Scooter Spaces.* Up to 10% of the required automobile parking spaces may be substituted with motorcycle/scooter parking at a rate of one (1) motorcycle/scooter space for one (1) automobile space.

(iii) *Bike Racks.* Up to 10% of required automobile parking may be substituted with bicycle parking at a rate of one (1) additional bicycle rack for one (1) automobile space. This reduction shall be allowed in addition to other variances, reductions and shared parking agreements.

(iv) *Shared Parking.* Parking requirements may be shared where it can be determined that the peak parking demand of the existing or proposed occupancy occur at different times (either daily or seasonally). Such arrangements are subject to the approval of the Planning Commission.

(1) *Shared Parking Between Developments.* Formal arrangements that share parking between intermittent uses with non-conflicting parking demands (e.g. a church and a bank) are encouraged as a means to reduce the amount of parking required.
(2) *Shared Parking Agreements.* If a privately owned parking facility is to serve two (2) or more separate properties, then a "Shared Parking Agreement" is to be filed with the city for consideration by the Planning Commission.
(3) *Shared Spaces.* Individual spaces identified on a site plan for shared users shall not be shared by more than one (1) user at the same time.

….

TABLE 3
PARKING RATIOS
(Use/Required Spaces)

Residential

Single-family, duplex, triplex	2 per dwelling unit
Multi-family or townhouse	1 per bedroom

…

(Ord. No. 4567, 05-04-04; Ord. No. 4930, 10-03-06; Ord. No. 5118, 3-18-08; Ord. No. 5297, 12-15-09; Ord. No. 5435, 8-16-11; Ord. No. 5801 , §1(Exh. A), 10-6-15)

E | D | G

ECOLOGICAL DESIGN GROUP, INC.
216 West Birch Street
Rogers, AR 72756

November 17, 2023

City of Fayetteville
Planning Commission
125 W. Mountain Street
Fayetteville, AR 72701
479.535.8233

EDG #: 23-031
PROJECT NAME: 1301 N Gregg Ave., Fayetteville, AR 72701
DEVELOPER: XFD Real Estate Partners 2506 Galen Dr #106 Champaign IL 61821

Project Narrative

The 1301 N Gregg Ave. project is located at 1301 Gregg Ave and 1275 N Gregg Ave. and consists of parcel 765-14008-000, totaling approximately 4.35 acres. The site design includes one building with units for lease, site amenities, parking, underground detention, and an elevated courtyard.

Variance Request

EDG is requesting the following variance:

1. Variance to Unified Development Code Chapter 161, Section 161.17 and Chapter 172, Section 172.04

Justification:

a) The design team is requesting a variance for the ratio of typical parking spots to compact parking spots for a proposed multifamily project located at 1301 N Gregg Avenue. Per section 161.17, the total number of parking spaces required for this is 650 spaces, 1:1 with the bed count.

The allowable reductions in parking per zoning code are as follows:

i) Being within ¼ miles of a transit stop (15%)
ii) motorcycle/scooter (10%)
iii) bicycle reductions (10%)

The total maximum reduction of total vehicular spaces to be provided can be reduced by 35% (the sum of the total allowable reductions) bringing the total vehicular spaces required for the project to be 423 spaces.

Per section 172.04, a maximum of 35% of the total vehicular parking spaces are allowed to be compact spaces. This would allow for 148 vehicle spaces to be compact.

We are requesting a variance to increase the maximum percentage of the compact spots by 14%, bringing the total maximum allowable number of compact spaces to 49%.

The hardship for this request is to accommodate the significant topological challenges of the site. See: calculations on the level 00 plan provided.

Please note, if approved, the total required vehicular parking spaces, 423 spaces, will still be achieved; we are only requesting a variance for the ratio of compact spaces to standard spaces allowed to be increased to 49% from 35%.

The increased percentage of compact spaces will incentivize the use of more efficient vehicles, ultimately defining urban spaces in a more adaptable, sustainable, and environmentally conscious manner.

Sincerely,

Brahm Driver, PE
Ecological Design Group, Inc. | 501.944.3090 | bdriver@ecologicaldg.com

PARKING SUMMARY.

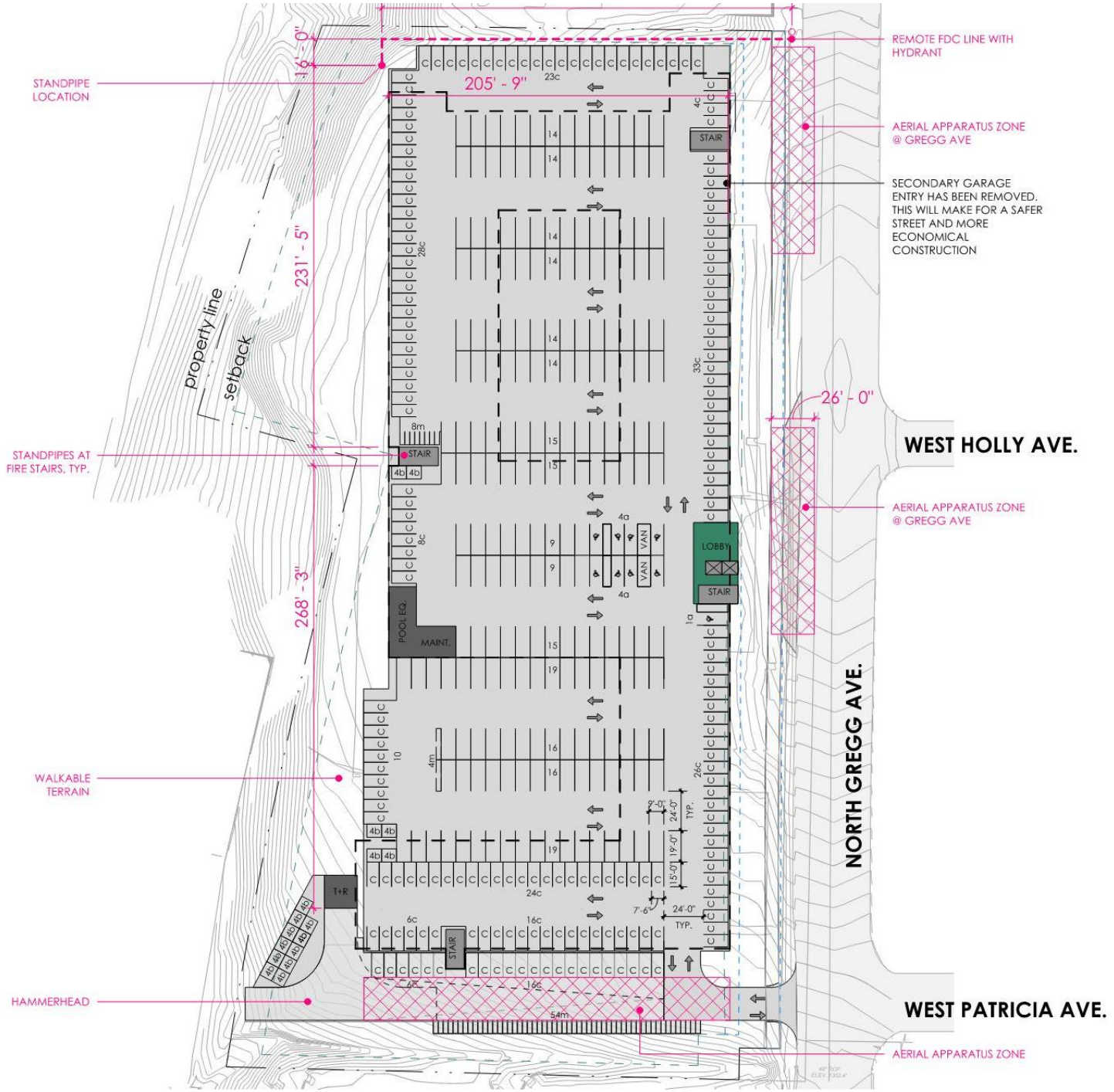
TOTAL BED COUNT:		**650**
TOTAL AUTOMOBILE PARKING REQUIRED:		650
PER SECTION 172.05...		
REDUCTIONS TO AUTOMOBILE PARKING:		
WITHIN 1/4 MILE OF TRANSIT	15%	-097
MOTORCYCLE/SCOOTER SPACES	10%	-065*
BICYCLE SPACES	10%	-065
TOTAL REDUCTION OF SPACES		-227
REVISED AUTOMOBILE PARKING REQUIRED:		**650 - 227 = 423**

AUTOMOBILE SPACES BREAKDOWN:		
ADA	(2%)	009
COMPACT	(49% - VARIANCE REQUEST)**	207
STANDARD	(49%)	207
TOTAL AUTOMOBILE SPACES PROVIDED		**423**

**BICYCLE SPACES SHALL BE PROVIDED PER 172.10 IN THE PARKING GARAGE, BUILDING AND ON SITE*

***A VARIANCE IS BEING REQUESTED TO INCREASE THE TOTAL ALLOWABLE PERCENTAGE OF COMPACT SPACES TO 49%*

APPLICANT PARKING EXHIBITS



SCALE: 1'- 0" = 60'

modus studio
architecture + prototype
479.455.5577
modusstudio.com
contact@modusstudio.com

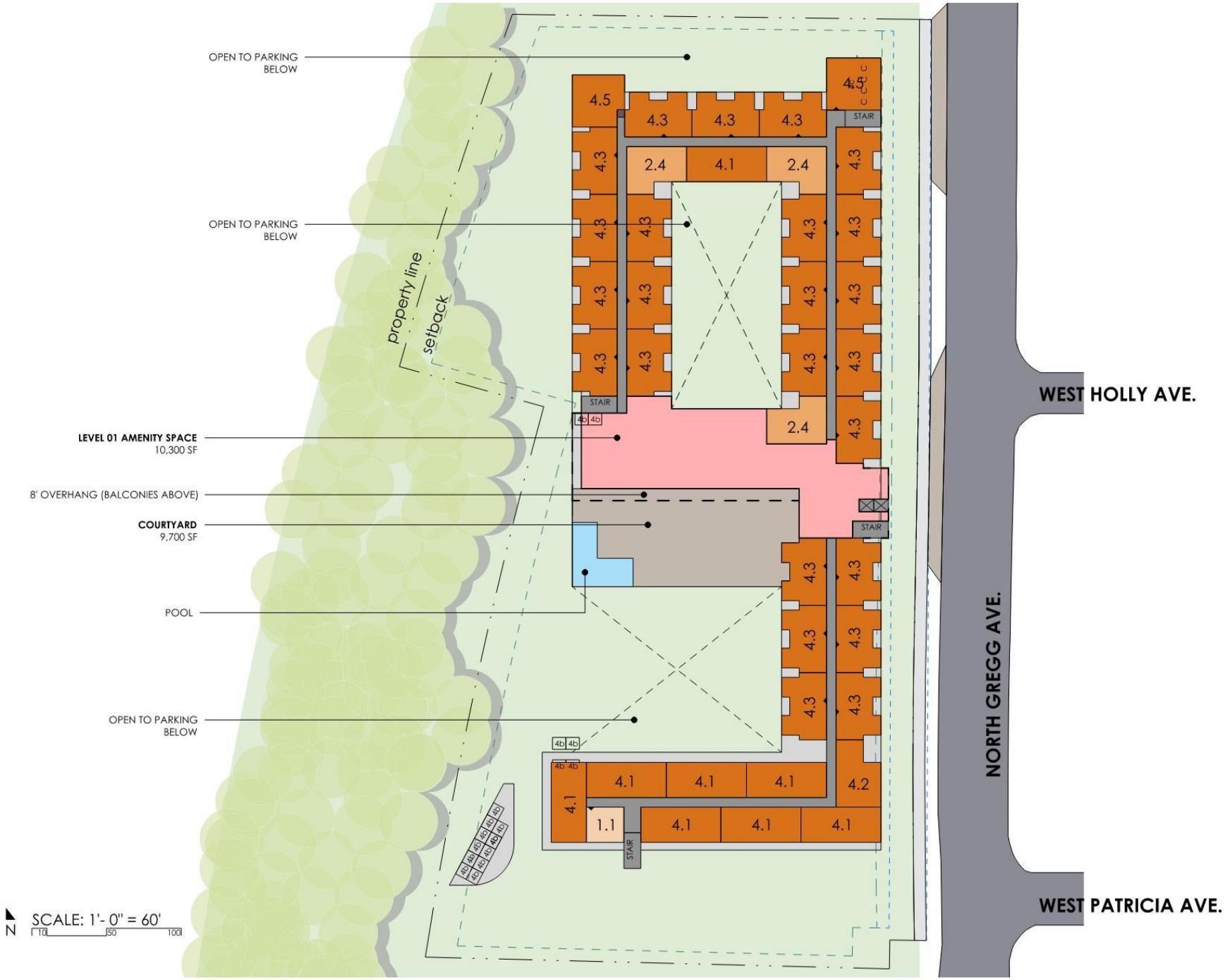
1301 Gregg Avenue
Fayetteville, Arkansas

mark	date	description

DATE. 2023.11.14
PROJ. 23.13

DD - LEVEL 00

s0.0



modus studio
architecture + prototype
479.455.5577
modusstudio.com
contact@modusstudio.com

1301 Gregg Avenue
Fayetteville, Arkansas

mark	date	description

DATE. 2023.10.17
PROJ. 23.13

DD - LEVEL 01

s0.1

modus studio
architecture + prototype
479.455.5577
modusstudio.com
contact@modusstudio.com

1301 Gregg Avenue
Fayetteville, Arkansas

mark	date	description

DATE. 2023.10.17
PROJ. 23.13

DD - LEVEL 02

s0.2

modus studio
architecture + prototype
479.455.5577
modusstudio.com
contact@modusstudio.net

1301 Gregg Avenue
Fayetteville, Arkansas

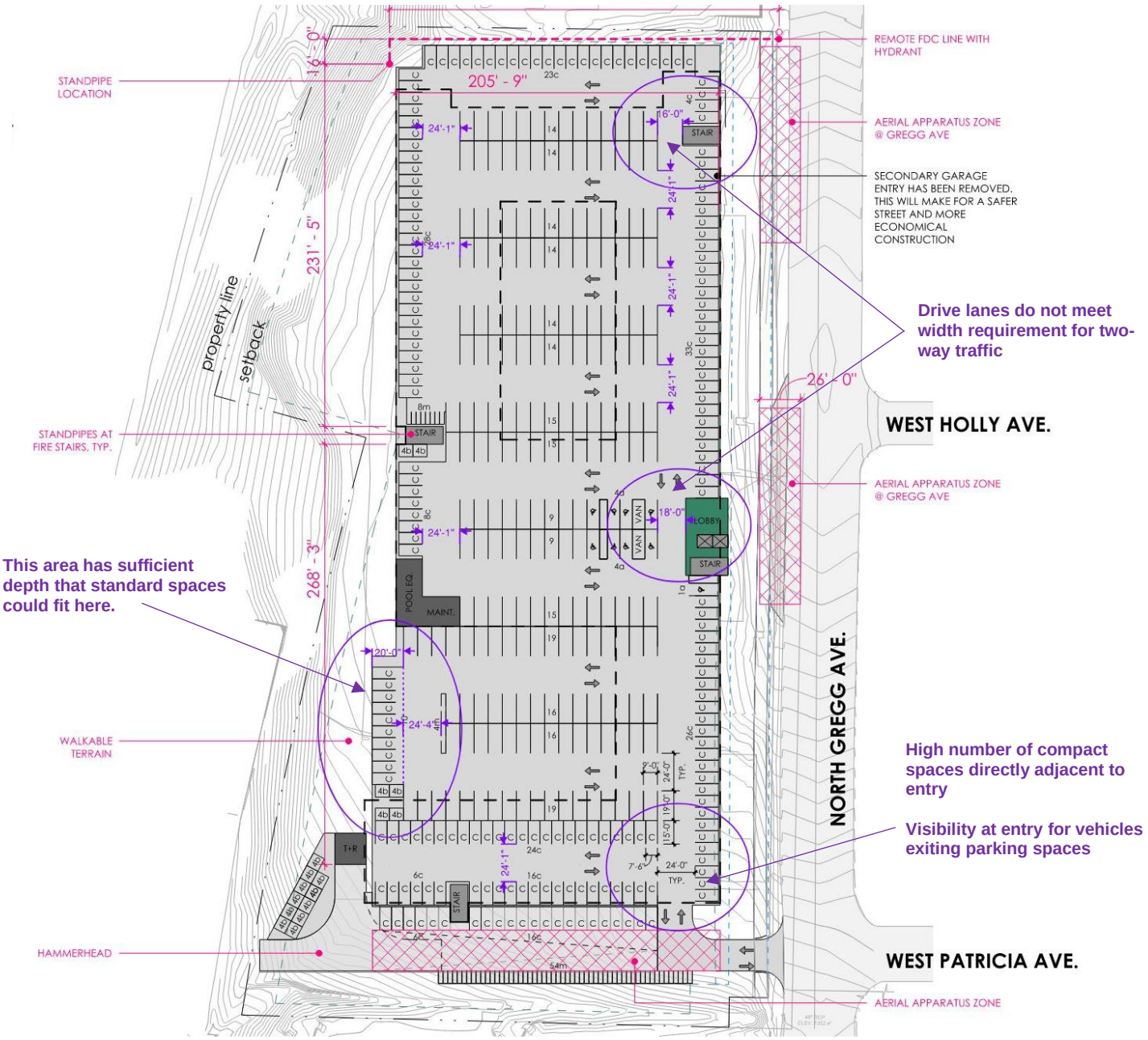
mark	date	description

DATE. 2023.10.17
PROJ. 23.13

DD - LEVELS 03 - 04

s0.3

STAFF EXHIBIT: AREAS OF CONCERN

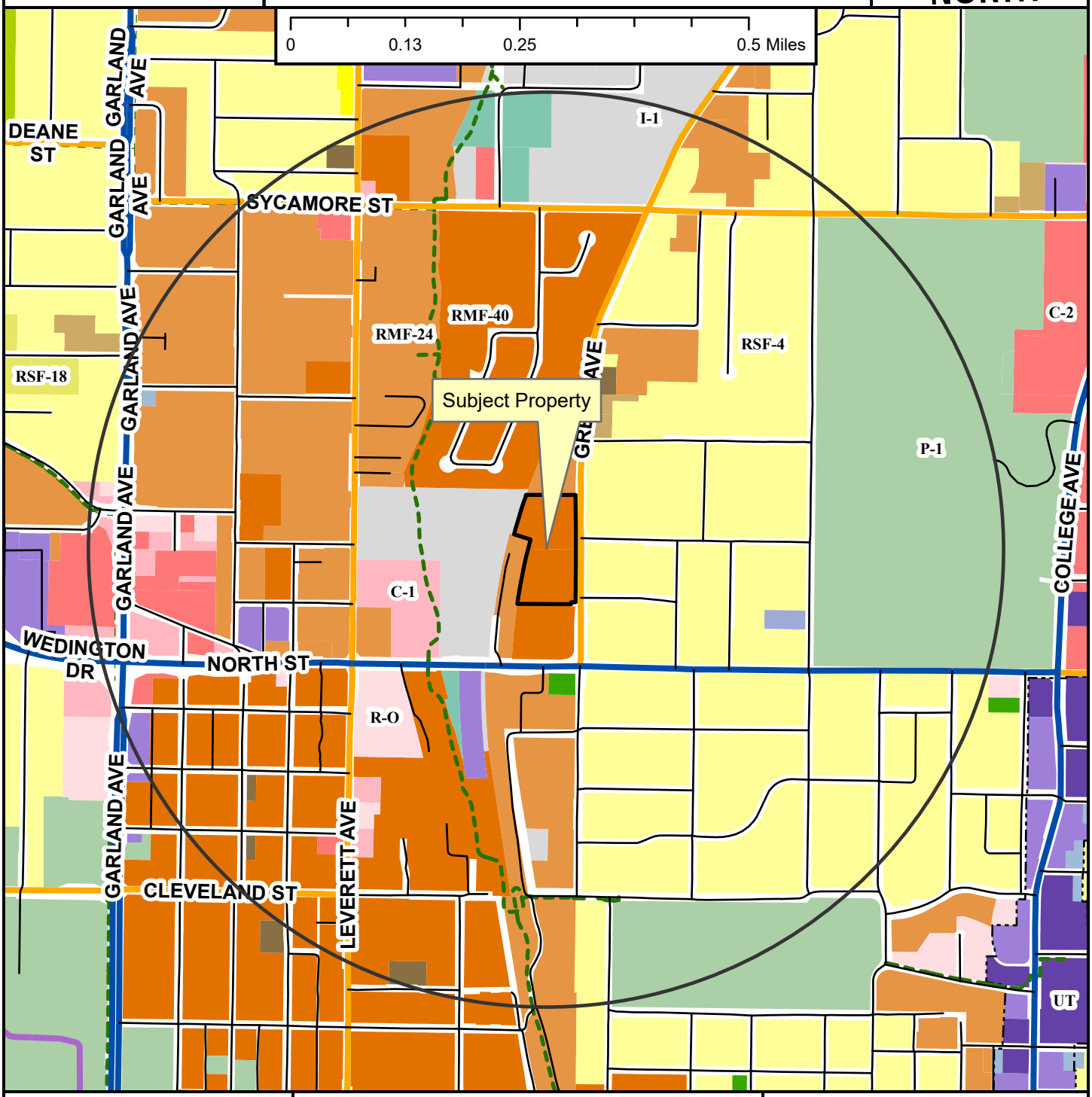


VAR-2023-0050

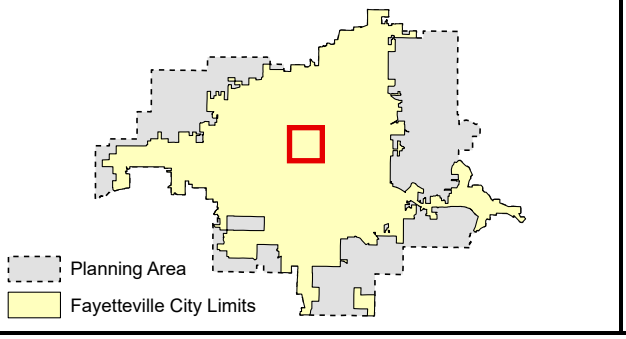
One Mile View

1301 N. GREGG AVE

NORTH



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



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

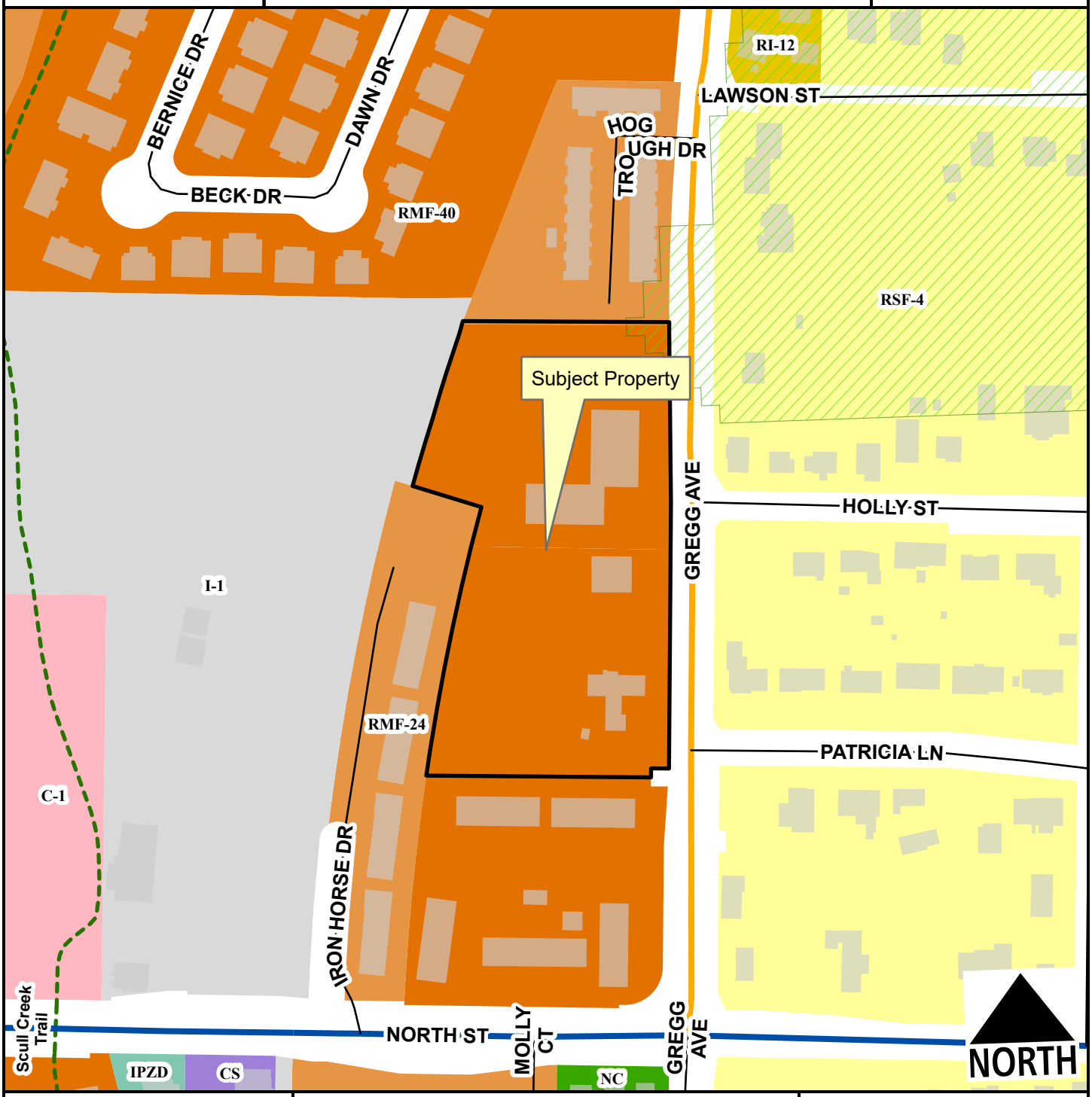
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

VAR-2023-0050

Close Up View

1301 N. GREGG AVE



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

Feet
0 75 150 300 450 600
1:2,400

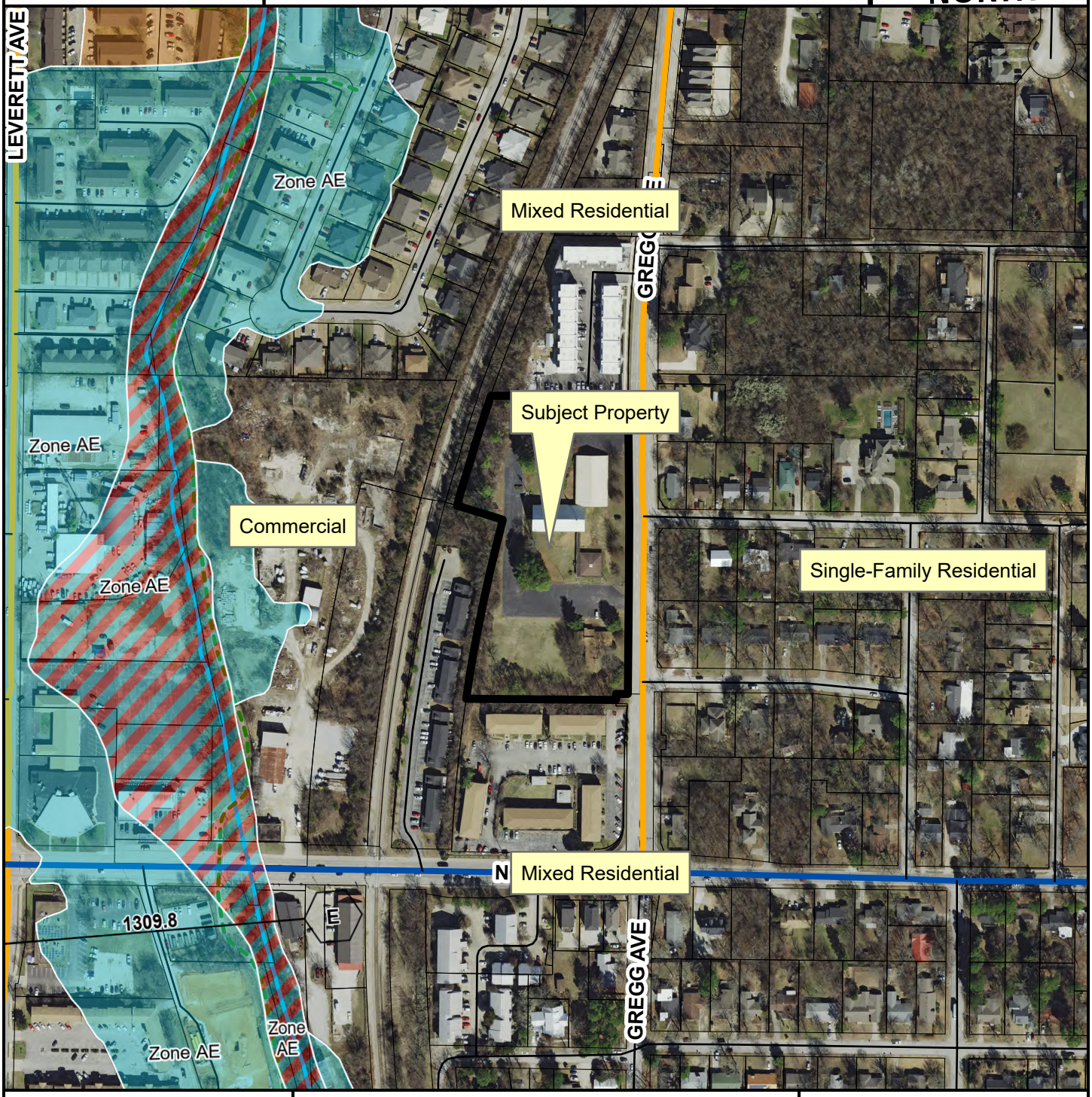
RSF-4
RI-12
RMF-24
RMF-40
I-1 Heavy Commercial and Light Industrial
C-1
Community Services
Neighborhood Conservation
Commercial, Industrial, Residential

VAR-2023-0050

Current Land Use

1301 N. GREGG AVE

NORTH



Neighborhood Link

Regional Link - High Activity

Unclassified

Residential Link

Planning Area

Fayetteville City Limits

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

100-Year Floodplain

Floodway

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

FROM: Jessie Masters, Development Review Manager
Josh Boccaccio, Engineering Development Review Manager
Melissa Evans, Urban Forester

MEETING: November 27, 2023

SUBJECT: **LSD-2023-0018: Large Scale Development (W. MARTIN LUTHER KING JR BLVD & S. SMOKEHOUSE TRL/SWEET BAY AT KESSLER, 595):** Submitted by GAVIN SMITH for property located SOUTHEAST OF W. MARTIN LUTHER KING JR BLVD & S. SMOKEHOUSE TRL. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and UT, URBAN THOROUGHFARE and contains approximately 5.61 acres. The request is for a residential development containing 26 single-family dwellings and associated parking.

RECOMMENDATION:
Staff recommends tabling **LSD-2023-0018** until December 9, 2024 at the applicant's request.

RECOMMENDED MOTION:
*"I move to table **LSD-2023-0018** until the December 9, 2024 Planning Commission meeting.*

NOVEMBER 27, 2023 PLANNING COMMISSION MEETING:
At the November 27, 2023 Planning Commission meeting, the item was tabled to provide time for the applicant to provide the appropriate information needed to ensure adequate sewer provision, as well as to meet with adjacent property owners and staff to discuss potential plans for joint access. In the interim, City staff worked with the applicant to provide dates and times for a meeting, but an agreed upon date was not reached. The applicant did not provide any additional documents for review.

BACKGROUND:
The subject property is located in west Fayetteville, southeast of the intersection of W. Martin Luther King Jr. Blvd and S. Rupple Road. While a leg of the overall property has frontage along W. Martin Luther King Jr. Blvd, and is zoned UT, Urban Thoroughfare, the southern portion of the property received a Planned Zoning District designation in 2023 (Sweet Bay at Kessler). The development in question is about 300 feet south without direct frontage to a public street. Undeveloped and mostly covered in tree canopy, there is an approximately 7% slope upward as the portion of the property in question moves south. The entire property is outside of the Hillside Hilltop Overlay District. Surrounding land uses and zoning is depicted in *Table 1.*

Table 1: Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Undeveloped	UT, Urban Thoroughfare
South	Undeveloped/Single-Family Residential	R-A, Residential-Agricultural

East	Undeveloped	CS, Community Services; R-A, Residential-Agricultural
West	Undeveloped	UT, Urban Thoroughfare; R-A, Residential Agricultural

Proposal: The applicant requests Large Scale Development approval to develop the subject property with 26 single-family dwellings and associated parking. The applicant has requested a variance to the following ordinance:

- **UDC 166.08(F)(2)(a): 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 to install a driveway approximately 72 feet from a proposed adjacent driveway to the west.
    - *Staff recommendation: Staff finds in favor of the request, but would recommend that the driveway be installed with a condition that it is constructed with right-in, right-out only access. While no driveway currently exists to the west, a driveway variance was approved for a three-quarter access to be installed approximately 12 feet from the adjacent property to the west, making future overall separation distance to be approximately 72 feet. Staff finds that one, full access, shared driveway would be the safest approach for access management for these two sites but recognizes that each property has the right to access W. Martin Luther King Jr. Blvd. Staff foresees a potential conflict with the build-to-zone requirement once the future UT section of the site is developed, and shifting the driveway to a shared condition would likely alleviate these concerns for future development. The applicant and the adjacent neighbor do indicate cross access to be provided between the two sites, which, provided the adjacent development begins construction, would allow for access through the gas station to Smokehouse Trail.*

Right-of-Way to be Dedicated: The overall property has frontage along W. Martin Luther King Jr. Blvd., a Regional High-Activity Link Street, and State Highway 62. There is a varying amount of right-of-way along the property's frontage. Staff recommends that right-of-way in the amount of 48 feet from the street centerline is dedicated to match the typical right-of-way requirement for the Regional High-Activity Link Street classification, as indicated on the site plan.

Street Improvements: Staff recommends that the W. Martin Luther King Jr. Blvd. frontage is improved with a 10-foot sidewalk and 10-foot greenspace to accommodate a trail at this location. In between Subdivision Committee and Planning Commission, the applicant clarified that given the location of existing curb within ARDOT right-of-way, the greenspace will be less than 10 feet if the trail is to be built at the back of the right-of-way. Staff recommends that sidewalk be installed in such a manner to provide the necessary 10 feet of greenspace, and that the 10-foot trail be dedicated in a multi-use trail easement if outside of the right-of-way. Otherwise, the applicant will be required to seek a variance from the Planning Commission; a formal request letter has not yet been provided by the applicant.

Access Management/Connectivity: As discussed above, staff has determined that the project does not currently meet access management standards, and a variance is being sought to the access management standards.

Design Standards: The development is subject to the design standards as indicated in the associated Planned Zoning District. Single-family homes are not typically subject to additional

design requirements, and staff finds that the elevations submitted with the applicant's request are substantially compliant with the original PZD. Parking lot design standards also appear to be met with this request.

Water and Sewer System: The applicant is proposing to connect to an existing 18" water main along W. Martin Luther King Jr. Blvd., with an 8" waterline extension to provide fire hydrants and domestic water service. The site does not currently have access to sanitary sewer. The applicant is proposing to extend an 8" sewer main from the west to the intersection of Smokehouse Trail and W. Martin Luther King. Jr. Blvd. From the applicant's plans, it is not currently clear whether there is sufficient easement and separation from the existing 18" water main. Engineering staff recommends that the applicant provide drawings indicating the location of the 18" water main, adequate separation between the water main and proposed sewer, and adequate required easement. Additional easement is the responsibility of the applicant to obtain. Engineering staff have reviewed the submittal from the applicant prior to the Planning Commission meeting, and have found that the applicant is not meeting the conditions that were required by the Subdivision Committee, so is recommending tabling the item until December 11, 2023, since it is not clear how the applicant will be accessing the sewer in a manner that is consistent with code.

Parkland dedication or fee in-lieu: Residential developments are subject to parkland dedication. The project was heard by the Parks and Recreation Advisory Board on October 2, 2023, where fee-in-lieu was recommended in the amount of $28,314 for the construction of 26 single-family dwellings.

Tree Preservation:
Canopy minimum requirement: 27.1% (weighted average of 15% UT and 25% PZD zoning)
Existing canopy: 83.3%
Preserved canopy: 34.8%
Mitigation required: zero 2-inch caliper trees

Public Comment: Staff has not received any public comment on the item to date.

RECOMMENDATION: Staff recommends tabling LSD-2023-0018 to the December 11, 2023 Planning Commission meeting. If Planning Commission chooses to approve, staff recommends the following conditions:

<u>Conditions of Approval:</u>

1. **Planning Commission determination of right-of-way dedication.** *Staff recommends right-of-way dedication in the amount of 48 feet from street centerline along W. Martin Luther King Jr. Blvd;*

Subdivision Committee recommended in favor of the required right-of-way dedication.

2. **Planning Commission determination of street improvements.** *Staff recommends that W. Martin Luther King Jr. Blvd. is improved with a 10-foot sidewalk and 10-foot greenspace in alignment with the typical Master Street Plan standards for a Regional High Activity Link Street. In areas where the trail is outside of the Master Street Plan right-of-way, staff recommends that it be placed within a multi-use trail easement. Streetlights and street trees must also be installed in accordance with code.*

Subdivision Committee did not make a recommendation on this item, since the street improvements were clarified in the interim.

3. **Planning Commission determination of requested variance to UDC §166.08(F) Access Management, which typically requires access to have a higher priority on the lower classification street.** *Staff recommends in favor of the requested variance, with the added conditions that the driveway be limited to a right-in, right-out condition, and that an access easement be dedicated to the west.*

Subdivision Committee did not make a recommendation on this item, since a variance was not yet being requested.

4. The trash enclosure shall be constructed with material that is complimentary to and compatible with the proposed buildings;

5. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto, and including:
    a. Prior to Planning Commission approval, the applicant must provide drawings showing the 18" water main field located (potholed), adequate separation between the 18" water main and proposed sewer and required additional easement. Additional easement is the developer's responsibility to obtain.

<u>Standard Conditions of Approval:</u>

6. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance;

7. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or their representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks, SWEPCO, and Cox Communications);

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, 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;

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. Freestanding pole signs and electronic message boards (direct lighting) are prohibited in the I-540 Design Overlay District;

14. Large scale development approval shall be valid for one year;

15. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit;

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;
    a. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
    b. Project Disk with all final revisions; and
    c. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.

PLANNING COMMISSION ACTION: Required <u>YES</u>

Date: <u>November 27, 2023</u> ❒ **Tabled** ❒ **Forwarded** ❒ **Denied**

Motion:

Second:

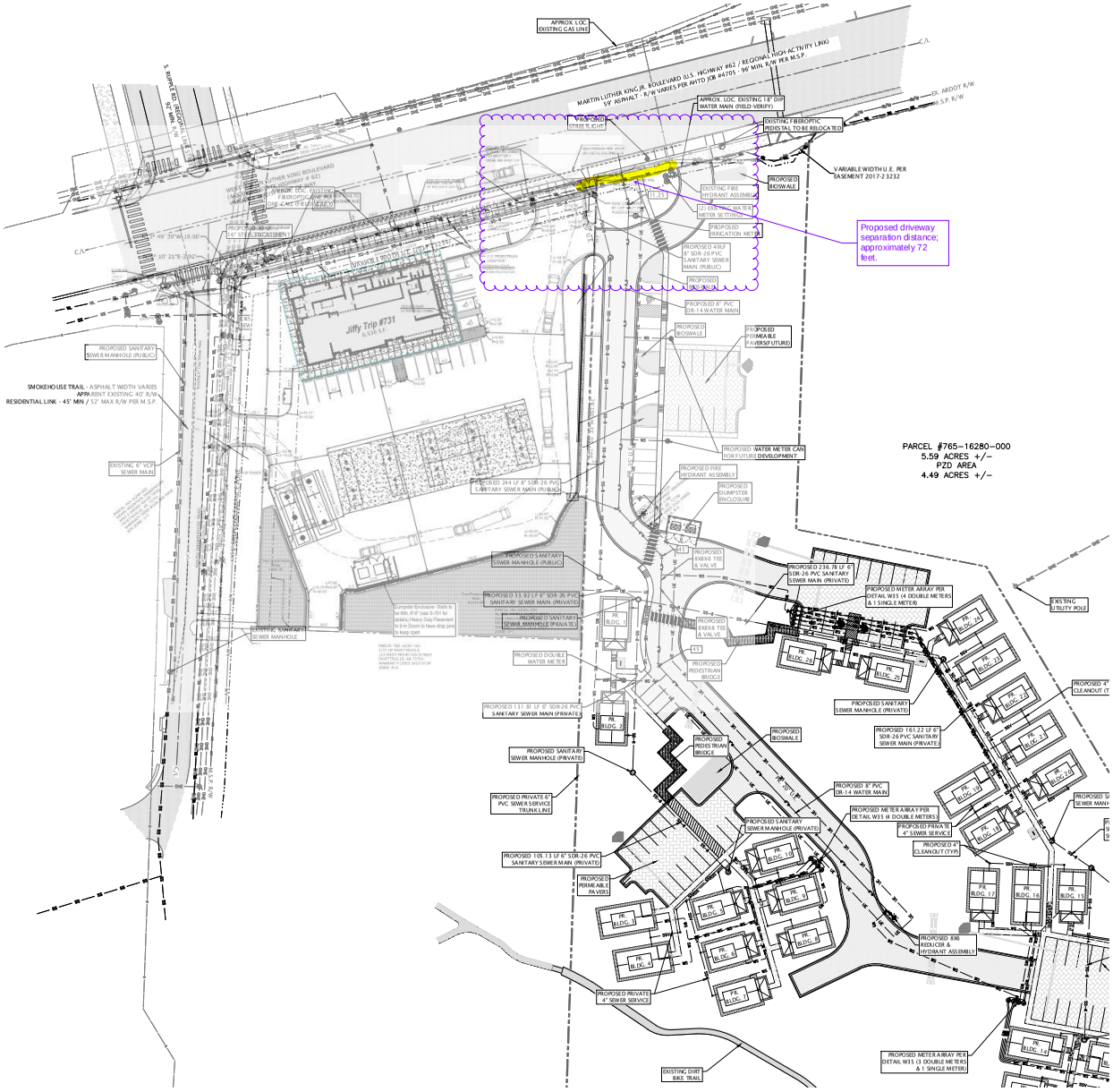
Vote:

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:

- Driveway Separation Distance Exhibit
- Engineering Memo
- Urban Forestry Memo
- Parks Memo
- Request Letter
- Site Plan
- Elevations
- One Mile Map
- Close Up Map
- Current Land Use Map

Driveway Separation Exhibit



1 UTILITY PLAN

PLAT PAGE: 595

GENERAL NOTES

1. LOCATIONS OF THE EXISTING UTILITIES ARE APPROXIMATE. THE CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING ACTUAL LOCATION.
2. CONTRACTOR TO UNCOVER AND MARK UTILITY LINES BEFORE CONSTRUCTION.
3. CONTRACTOR SHALL BEAR ALL RESPONSIBILITY AND COST OF REPAIR OR REPLACEMENT OF EXISTING UTILITIES, DAMAGED OR INTERRUPTED AS A RESULT OF THIS CONSTRUCTION PROJECT.
4. CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER AND THE OWNER OF ANY DAMAGED OR INTERRUPTED UTILITIES IMMEDIATELY.
5. CONTRACTOR SHALL NOTIFY PROJECT ENGINEER PRIOR TO BEGINNING WORK.
6. ALL DISTURBED AREAS NOT WITHIN THE PAVED AREA ARE TO RECEIVE LOOSE STRAW TO PROVIDE EROSION CONTROL IF WORK IS NOT PROGRESSING IN AN ORDERLY MANNER. A RATE OF 1.5 TONS/ACRE IS TO BE APPLIED WITHIN TWO WEEKS OF FINAL GRADING.
7. CONTRACTOR WILL CONTROL AND PREVENT OFF-SITE TRACKING OF CONSTRUCTION RUNOFF AND SEDIMENT TO ADJACENT PROPERTY AND PUBLIC ROADS.
8. CONTRACTOR IS TO PROTECT EXISTING STORM DRAINAGE SYSTEM
9. CONTRACTOR SHALL LOCATE ALL EXISTING UTILITIES IN ACCORDANCE WITH THE ARKANSAS UNDERGROUND FACILITIES DAMAGE PREVENTION ACT. THIS LAW REQUIRES THAT THE CONTRACTOR MAKE A TELEPHONE CALL TO THE ARKANSAS ONE-CALL SYSTEM AT 411 AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION TO ENSURE THAT ANY EXISTING UTILITIES CAN BE LOCATED.
10. SURFACE MATERIALS DISTURBED BY THIS WORK TO BE RETURNED TO SIMILAR OR BETTER CONDITION.
11. IF A DISCREPANCY ARISES BETWEEN THE DRAWINGS AND FIELD CONDITIONS, OR WHERE A DETAIL IS DOUBTFUL OF INTERPRETATION OR AN UNANTICIPATED FIELD CONDITION IS ENCOUNTERED, THE ENGINEER SHALL BE IMMEDIATELY CONTACTED FOR PROCEDURE TO BE FOLLOWED. SUCH INSTRUCTIONS SHALL BE CONFIRMED IN WRITING AND DISTRIBUTED TO ALL EFFECTED PARTIES.

LEGEND

- WATER MAIN (PROPOSED)
- WATER MAIN (PROPOSED)
- WATER SERVICE
- SANITARY SEWER MAIN (EXISTING)
- SANITARY SEWER MAIN (PROPOSED)
- SANITARY SEWER SERVICE
- OVERHEAD POWER
- GAS LINE
- FIBEROPTIC LINE
- HYDRANT (EXISTING)
- HYDRANT (PROPOSED)
- METER (EXISTING)
- METER (PROPOSED)
- VALVE (EXISTING)
- VALVE (PROPOSED)
- MANHOLE (EXISTING)
- MANHOLE (PROPOSED)

SITE PLAN NOTES

1. ALL PAVING, CONCRETE CURB, GUTTER AND SIDEWALK SHALL BE FURNISHED AND INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY REQUIREMENTS.
2. THE CITY DEPARTMENT OF ENGINEERING, AND THE ENGINEER SHALL BE NOTIFIED AT LEAST 48 HOURS PRIOR TO WORK WITHIN THE STREET RIGHT OF WAY (SIDEWALK, STREET OR DRIVEWAYS).
3. BEFORE BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL COMPLY WITH THE EROSION CONTROL PLAN AND/OR PERMIT.
4. THE CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
5. THE CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE OWNER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE APPROPRIATE MUTCD STANDARDS.
6. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
7. THE DUTY OF THE OWNER OR ENGINEER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO REVIEW THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN, OR NEAR THE CONSTRUCTION SITE.
8. ANY SIGN OR FIXTURE REMOVED WITHIN THE RIGHT OF WAY, OR AS PART OF THE SITE WORK SHALL BE REPLACED BY THE CONTRACTOR IN ACCORDANCE WITH THE CITY REQUIREMENTS.
9. CLEAR, GRUB AND REMOVE ALL TREES, VEGETATION AND SITE DEBRIS PRIOR TO GRADING. ALL REMOVED MATERIAL SHALL BE HAULED FROM THE SITE DAILY. ALL CLEARING AND GRUBBING AND REMOVAL'S SHALL BE PERFORMED PER THE CONTRACT SPECIFICATIONS. EROSION CONTROL MEASURES SHALL BE PERFORMED PER THE CONTRACT SPECIFICATIONS.
10. PEDESTRIAN RAMPS SHALL BE PROVIDED AT THE LOCATIONS SHOWN AND SHALL BE ADA COMPLIANT.
11. THE CONTRACTOR SHALL SAW-CUT BITUMINOUS AND CONCRETE PAVEMENTS AS REQUIRED PER THE SPECIFICATIONS.
12. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL PERMITS FROM AUTHORITIES AND REGULATORY AGENCIES HAVING JURISDICTION OVER THIS SITE AND THE ADJACENT RIGHT OF WAYS, AS REQUIRED, PRIOR TO BEGINNING WORK.
13. EXCEPT FOR STRIPPED TOPSOIL AND OTHER MATERIALS INDICATED TO BE STOCKPILED OR OTHERWISE REMAIN OWNER'S PROPERTY, CLEARED MATERIALS SHALL BECOME CONTRACTOR'S PROPERTY AND SHALL BE REMOVED FROM PROJECT SITE.
14. SALVAGEABLE IMPROVEMENTS: CAREFULLY REMOVE ITEMS INDICATED TO BE SALVAGED AND STORE ON OWNER'S PREMISES.
15. DO NOT COMMENCE SITE-CLEARING OPERATIONS UNTIL TEMPORARY EROSION- AND SEDIMENTATION-CONTROL AND PLANT-PROTECTION MEASURES ARE IN PLACE.
16. SOIL STRIPPING, HANDLING, AND STOCKPILING PERFORM ONLY WHEN THE TOPSOIL IS DRY OR SLIGHTLY MOIST.
17. PROTECT AND MAINTAIN BENCHMARKS AND SURVEY CONTROL POINTS FROM DISTURBANCE DURING CONSTRUCTION.
18. LOCATE AND CLEARLY IDENTIFY TREES, SHRUBS, AND OTHER VEGETATION TO REMAIN, OR TO BE RELOCATED.
19. THE INTENT OF THE PROPOSED CONSTRUCTION IS TO PRESERVE AS MUCH OF THE EXISTING PAVEMENT, CURB AND GUTTER AND SIDEWALK AS POSSIBLE. PROTECT EXISTING SITE IMPROVEMENTS TO REMAIN FROM DAMAGE DURING CONSTRUCTION.
20. INTERRUPTING EXISTING UTILITIES: DO NOT INTERRUPT UTILITIES SERVING FACILITIES OCCUPIED BY OWNER OR OTHERS UNLESS PERMITTED UNDER THE FOLLOWING CONDITIONS AND THEN ONLY AFTER ARRANGING TO PROVIDE TEMPORARY UTILITY SERVICES ACCORDING TO REQUIREMENTS INDICATED:
    a. NOTIFY OWNER NOT LESS THAN [TWO] 2 DAYS IN ADVANCE OF PROPOSED UTILITY INTERRUPTIONS.
    b. DO NOT PROCEED WITH UTILITY INTERRUPTIONS WITHOUT OWNER'S WRITTEN PERMISSION.
21. FILL DEPRESSIONS CAUSED BY CLEARING AND GRUBBING OPERATIONS WITH SATISFACTORY SOIL MATERIAL UNLESS FURTHER EXCAVATION OR EARTHWORK IS INDICATED.
22. REMOVE SOD AND GRASS BEFORE STRIPPING TOPSOIL.
23. STRIP TOPSOIL TO FULL DEPTH IN A MANNER TO PREVENT INTERMINGLING WITH UNDERLYING SUBSOIL OR OTHER WASTE MATERIALS.
24. REMOVE SUBSOIL AND NON-SOIL MATERIALS FROM TOPSOIL, INCLUDING CLAY LUMPS, GRAVEL, AND OTHER OBJECTS MORE THAN 2 INCHES IN DIAMETER; TRASH, DEBRIS, WEEDS, ROOTS, AND OTHER WASTE MATERIALS.

GAVIN R SMITH
CIVIL ENGINEERING
FAYETTEVILLE ARKANSAS
(479) 935-0644
www.gsmithcivilengineering.com
gavin@gsmithcivilengineering.com
jason@gsmithcivilengineering.com

PRISM DESIGN STUDIO

ISSUE DATE
9/13/2023 LSD SUBMITTAL
10/18/2023 RESUBMITTAL
11/8/2023 RESUBMITTAL

STATE OF ARKANSAS REGISTERED PROFESSIONAL ENGINEER NO. 18921 GAVIN R. SMITH

UTILITY PLAN

SWEET BAY @ KESSLER
FAYETTEVILLE, ARKANSAS

SHEET
C102

CITY OF
FAYETTEVILLE
ARKANSAS

STAFF MEMO

TO: Jessie Masters, Development Review Manager

FROM: Josh Boccaccio, Engineering Development Review Manager

DATE: November 14, 2023

SUBJECT: **Subdivision Committee Engineering Comments for LSD-2023-0018 Sweet Bay @ Kessler**

Water: The applicant is proposing to connect to an existing 18" water main along MLK and then extend an 8" waterline through the development to provide fire hydrants and domestic water service.

Sewer: The proposed development site does not currently have access to sanitary sewer. The applicant is proposing to extend an 8" sewer main from the west from near the intersection of Smokehouse Trl and Martin Luther King, Jr. Blvd. **It is not clear that there is adequate easement and separation from the existing 18" water main.**

Prior to engineering recommending this project for approval the applicant must provide drawings showing the 18" water main field located (potholed), adequate separation between the 18" water main and proposed sewer and required additional easement. Manholes adjacent to the water main must be 12.5' from the edge of the water main to the outer edge of the manhole. **Additional easement is the developer/applicant's responsibility to obtain.**

It also appears that the "Variable Width U.E." roughly 29', shown on the applicants utility plan is wider than the easement that was recorded, which is roughly 23' wide. **Additional easement is the developer/applicant's responsibility to obtain.**

The interior structures will be served via a 6" private trunk line. This trunk line must be installed per City of Fayetteville sewer specifications but may be closer than 10' to structures.

Natural Features: A small portion of this site is shown to have hydric soils as indicated on the City of Fayetteville's GIS web maps. Hydric soils are an indicator of potential wetlands. Prior to grading permit submittal, a wetland delineation must be provided outlining any potential wetlands and potential jurisdictional status.

Drainage: The proposed development is required to meet the 4 minimum standards outlined in the Drainage Criteria Manual. The applicant is proposing permeable pavement and bioretention features to meet all 4 minimum standards. The permeable pavers will meet portions of the WQv as well as flow attenuation. The bioretention features are proposed to meet water quality requirements. Sizing of the features is still under review and will be finalized during construction level reviews.

Variances: The applicant has proposed a fee-in-lieu of construction of street improvements to the property line. The street improvements will include sidewalk, green space, and an extension of a drainage box culvert. Engineering recommends denial of this variance finding there does not appear to be a hardship in constructing the sidewalk and associated drainage improvements proportional to this development's impact.

Plan Comments:

1. Work within ArDOT right-of-way must have ArDOT approval prior to commencing.
2. The 18" water line must be field located to determine adequate location for sewer main and associated easement.
3. Meter placement will be coordinated through the construction review process.

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/developer's 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 <u>existing</u> 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

CITY OF FAYETTEVILLE ARKANSAS

To: Jason Young, Gavin Smith Civil Engineering

From: Melissa Evans, Urban Forester

CC: Jessie Masters, Development Review Manager

Meeting Date: November 16, 2023

Subject: LSD-2023-0018: Sweet Bay at Kessler: Southeast of W. Martin Luther King Jr. Blvd.

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

2.	Parking Lot Requirements 1 Tree : 12 Parking Spaces	Yes	No	N/A
a.	Side and Rear Property Lines (5' Wide Landscape Area) *UDC Chapter 177D1*	X		

b.	Wheel Stops/Curbs *UDC Chapter 177.04B1*	**X**		
c.	Narrow Tree Lawn (8’ min. width, 37.5’ length) *UDC Chapter 177.04C*			**X**
d.	Tree Island (8’ min. width, 18.7’ min length, 150 square feet) *UDC Chapter 177.04C*		**X**	
e.	Placement of Trees (either side at entrances and exits) *UDC Chapter 177.04C2*		**X**	

3.	**Perimeter Landscaping Requirements**	**Yes**	**No**	**N/A**
a.	Front Property Line (15’ wide landscape) and 5’ on sides and rear. *UDC Chapter 177.04D2a*	**X**		
b.	Shade trees planted on south and west sides of parking lots *UDC Chapter 177.04D2e*	**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 *UDC Chapter 177.05B1a*			**X**
b.	Non-Residential Subdivisions 1 Large Species Shade Tree every 30’ (planted in greenspace) *UDC Chapter 177.05B2a*			**X**
c.	Urban Tree Well – Urban Streetscapes Trees every 30’ (8’ sidewalk) *UDC Chapter 177.05B3a-f*			**X**
d.	Structural Soil – Urban Tree Wells Include a note and/or detail of structural soil on Landscape Plan *UDC Chapter 177.05B3a-f*			**X**
e.	Residential Subdivisions Timing of planting indicated on plans *UDC Chapter 177.05A4*			**X**
f.	Residential Subdivisions Written description for method of tracking planting *UDC Chapter 177.05A4e*			**X**

5. Landscape Requirement Totals	Amount
Mitigation Trees	**0**
Parking Lot Trees	**6 required,** **12 provided**
Street Trees	**4**
Detention Pond – Large Trees (1 Tree/3,000 square feet)	**0**
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	**0**
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)	**0**

6. Review Status (See Comments)	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved	**09-26-23** **10-31-23**	**11-14-23**	
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.

To: Jason Young, Gavin Smith Civil Engineering

From: Melissa Evans, Urban Forester

CC: Jessie Masters, Development Review Manager

Meeting Date: November 16, 2023

Subject: LSD-2023-0018: Sweet Bay at Kessler: Southeast of W. Martin Luther King Jr. Blvd.

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

Tree Preservation Calculations		
	Square Feet	**Percent of site**
UT Zone Total Site Area *Minus Right of Way and Easements	46,393	19%
PZD Zone Total Site Area *Minus Right of Way and Easements	195,605	81%
Overall Site Area *Minus Right of Way and Easements	241,998	100%
*HHOD * Select Below with Drop Down Arrow*		
No	0	0%
Total Canopy for Minimum Preservation Requirements (weighted average of 15% UT & 25% PZD = 27.1%)	65,640	27.1%
Existing Tree Canopy * Minus Right of Way and Easements	201,537	83.3%
Tree Canopy Preserved	84,254	34.8%
Tree Canopy Removed *On Site	117,283	48.5%
Tree Canopy Removed *Off Site	6,655	
Tree Canopy Removed Total	123,938	51.2%
Removed Below Minimum	**0**	
Mitigation Requirements	**6,655**	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority		
Low Priority		
Total Mitigation Trees Required	**0**	**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 *UDC Chapter 167.04H1and 167.04L1*	Tech Plat	Subdivision Committee	Planning Commission
a. 5 year Aerial Check on Existing Trees	**Yes**		
b. Property Boundary	**Yes**		
c. Natural Features (100ft beyond limits of disturbance)	**Yes**		
d. Existing Topography and Proposed Grading	**Yes**		
e. Soil Types	**Yes**		
f. Significant Trees	**Yes**		
g. Groupings of Trees	**Yes**		
h. Table Inventory List (species, size, health, priority)	**Yes**		
i. All Existing and Proposed Utilities	**Yes**		
j. All Existing and Proposed Utility Easements and ROW's	**Yes**		
k. All Streams (with approximate center line)	**N/A**		
l. Floodplains and floodways	**N/A**		
m. Existing Street, Sidewalk or Bike Path ROW	**Yes**		
n. Submitted Site Analysis Plan (if required)	**N/A**		
o. Shows ALL Proposed Site Improvements	**Yes**		
p. Delineates trees/canopy to be preserved and removed	**Yes**		
q. Tree Preservation Easement/s shown for LSD, LSIP and Commercial PPL projects	**Yes**		
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	**Yes**		

6.	**Site Analysis Report (if required)** *UDC Chapter 167.04H4*	**Yes**	**No**	**N/A**
a.	Provide graphic examples of multiple options used to minimize removal of existing canopy			**X**
b.	Submitted Analysis Statement – Note the process, iterations, and approaches to preserve canopy.			**X**

7.	**Review Status (See Comments)**	**Tech Plat**	**Subdivision Committee**	**Planning Commission**
	Conditionally Approved	**09-26-23** **10-31-23**	**11-14-23**	
	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 make sure adjacent landowners are ok with disturbance or removal of their trees (unless it is the same owner).
3.	Please show Tree Preservation Easements to be dedicated (as required for LSD Projects per Ch. 167 of the UDC) on the Tree Preservation Plan as well as the Landscape Plan.

CITY OF FAYETTEVILLE ARKANSAS

TO: Planning Division

FROM: Zach Foster, Parks Planning

DATE: October 24, 2023

SUBJECT: Parks & Recreation Technical Plat Review Comments

****

PRAB Meeting Date:	October 2, 2023
Project Title:	Sweet Bay at Kessler
Project Number:	LSD-2023-0018
Project Location:	SE of Smokehouse Trail and Martin Luther King Blvd
Plat Page:	595
Park Quadrant:	SW
Billing Name & Address:	Bleaux Barnes, PO Box 1146, Farmington, AR 72730

☐ **Land Dedication** ☒ **Fee-in-Lieu** ☐ **Combination**

LAND DEDICATION

									TOTAL Acres
Single Family:	____	units	x	0.023	acres per unit =	0.00	acres		0.0
Multi Family:	____	units	x	0.020	acres per unit =	0.00	acres		

FEE-IN-LIEU

							TOTAL Fees
Single Family:	26	units	x	$1,089	per unit =	$28,314	$28,314
Multi Family:	0	units	x	$952	per unit =	$ 0	

SUMMARY:

- Project proposes **26** 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.
- 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.

GAVIN SMITH
CIVIL ENGINEERING

March 14, 2023

From Jason Young
Project Manager
Gavin Smith Civil Engineering, LLC
393 N Allen Street
Fayetteville, AR 72701

To: City of Fayetteville Planning Division
125 W Mountain St
Fayetteville, AR 72701

RE: Sweet Bay @ Kessler Large Scale Development

Dear Planning Staff,

Gavin Smith Civil Engineering (Applicant), of D&B of Northwest Arkansas (Owner/Developer), has applied for a Large Scale Development on a parcel within the City Limits of Fayetteville Arkansas.

The property subject to the requested development is 5.59 acres on West Martin Luther King Boulevard, approximately 300 feet East of the intersection of South Rupple Road and South Smokehouse Trail, on the south side of West MLK Blvd. The subject property is assigned Washington County Parcel #765-16280-000, and is currently vacant/undeveloped. Directly adjacent to the South and Southwest lies a parcel owned by the City of Fayetteville with trails connecting to the larger park area approximately 1 mile to the South.

The property is divided into two separate zoning designations. The northern 1.10 acres is zoned Urban Thoroughfare, and there is a Residential Planned Zoning District in place on the southern 4.49 acres. The RPZD has a City Ordinance number of 6669 and was put into place on June 6, 2023. Excepting a private drive providing a connection from West MLK Blvd, as well as required utility extensions, the vast majority of this proposed development is confined to the area included in the RPZD. Development of the area zoned Urban Thoroughfare will be proposed at a later date.

The Owner/Applicant is proposing 26 Single-Family dwellings. There are two floor plans proposed with both one- and two-bedroom configurations. The one-bedroom homes will be single-story and will have 800 square feet of living area. The two-bedrooms homes will have two stories and 1200 square feet of livable area. Of the two configurations, 8 homes will be one-bedroom and 18 will be two-bedroom. With connections to the trail system immediately adjacent to the south of the subject property, as well as the proximity to Centennial Park, the location of the proposed development will provide residents with ample outdoor recreational opportunities.

The subject property has significant natural characteristics, and every effort will be made to preserve the existing stream areas as well as existing trees. This will be accomplished by constructing homes at a density that is well under the property's potential, as well as using proposed parking lots as underground detention facilities in lieu of detention ponds. The nature of the cottage-style homes will also allow for their construction as close to existing grade as possible. The Owner/Developer's overall goal for this property is to minimize disturbance and keep the natural character of the property intact.

52 parking spaces are proposed to be distributed throughout the site, meeting the UDC requirement of two spaces per bedroom. 6 bike racks are currently proposed to meet the anticipated need of residents in the area,

There is appoximately 165 linear feet of street frontage along Martin Luther King boulevard. A 26' wide drive is proposed to access the developed area to meet Fire Department access requirements. W MLK is designated as a Regional High-Activity Link per the Master Street Plan, and street improvements will be provided in accordance with current MSP requirements.

Municipal Water and Sewer services will be provided by utility main extensions. An 8" water main will connect to an existing 18" main along the property's street frontage and extend into the developed portion of the property to provide domestic water service and hydrants for fire protection. An 8" sewer main will connect to an existing offsite manhole within South Smokehouse Trail to the west, run along the south street frontage to the site, and extend south to the residential area where it will terminate with a manhole. Sewer services will provided by a 6" trunk line to the proposed manhole, with individual sewer services tying into the 6" line.

As previously mentioned, stormwater detention will be provided by gravel reservoirs under permeable pavers in the parking areas. Stormwater design will meet all requirements as set forth by the Drainage Criteria Manual.

Tree preservation has taken priority in the design of this development. Several significant on-site trees will be preserved. Low-impact wooden pedestrian bridges will be constructed across two stream crossings to provide for greater tree preservation opportunities. Tree preservation easements will be established to ensure that the preserved areas maintain their natural character in perpetuity.

The Applicant and Owner/Developer look forward to discussing this development with Staff throughout the review process. Please contact the Applicant if there are any immediate questions or concerns regarding this Large Scale Development Application.

Thank You,
Jason Young

GAVIN SMITH
CIVIL ENGINEERING

November 20, 2023

From Gavin Smith, PE CFM
Gavin Smith Civil Engineering, LLC
393 N Allen Street
Fayetteville, AR 72701

To: Sarah Sparkman, Chair
Fayetteville Planning Commission

RE: Sweet Bay @ Kessler
Project #: LSD-2023-0018
Request for Variance – Drive Separation

Dear Ms. Sparkman,
I am writing to request a variance for the above referenced project.

Description of request: We request a variance to the requirement for 250' of drive separation for Regional High Activity Link streets because we received the following comment from Planning Staff:

"A variance will need to be sought for this driveway. Please submit a specific request letter to 166.08. Staff will not support a full access driveway at this location, but will recommend right-in, right-out given that there is cross-access available to the property to the west. One, full access shared driveway is still the preferred option by staff..".

Background Information as reported by planning staff on the November 16, 2023 Subdivision Committee agenda:

"Staff has determined that the project does not currently meet access management standards, and the variance will be needed for 166.08 (F)(1)(2) [sic][166.08(F)(2)(a)], which requires a 250-foot curb cut separation distance from an adjacent curb cut along Regional Link Streets. In this instance, a variance has been approved for a three-quarter access driveway to be installed approximately 12 feet from the adjacent property to the west, making future overall separation distance to be approximately 72 feet. Staff would recommend that one, full access, shared driveway be considered for these two sites, but recognizes that each property has the right to access W. Martin Luther King Jr. Blvd. Staff would likely only support a right-in, right-out driveway at this location due to overall public safety concerns. Further, staff foresees a potential conflict with the build-to-zone requirements once the future UT section of the site is developed. The applicant and the adjacent neighbor indicate cross access to be provided between the two sites."

Specific section of code: UDC Chapter 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."

Site Specific Undue Hardship #1:
We first and foremost object to the premise of this requirement. There is not an existing or approved drive on the neighboring property. A variance (VAR-2022-0064) as mentioned was passed, but that same variance also includes the following unambiguous statement in the conditions of approval:

"Approval of this item does not represent approval of any other zoning or development variances, nor does it represent development entitlement approval for the associated project."

Based on the above statement we believe that there is no prior approval for this driveway. We therefore assert that because there is no approved driveway there is no need for a variance. Our proposal as shown in the design plans is UDC compliant. In addition, we have moved our driveway as far east as possible from the proposed Jiffy Trip's driveway. Requiring a variance for our project based on a variance for an unapproved project sets a precedent that projects may hinder and bind neighboring projects by introducing variances prior to approval.

Additionally, requiring a variance for a project under review without including conditional activation of the requirement puts our project in the difficult position of not having full access while/until the neighboring project is built. At the very least the requirements should be contingent on Jiffy Trip going to construction before our project. Projects often pause during approval and never move forward or are approved and never built. All requirements for drive separation should be based on existing approved drives so that development is not limited to full access to their property except through undeveloped properties. A reasonable requirement would be that we are limited to full access until a drive is built on the neighboring property and after the drive is built, we are limited to right-in, right-out, and left-in. In all cases we would agree that left turn out is better through smoke house than trying to cross traffic on MLK, but assert our right to do so without other options available.

<u>Site Specific Undue Hardship #2:</u>
The traffic count for the gas station makes shared drive impractical. Please see the below figure for the trip generation estimate supplied by the Jiffy Trip design team to city staff and presented at tech plat.

TABLE 1
PROJECTED SITE GENERATED TRAFFIC VOLUMES

Building Type (Land Use)	ITE Land Use Code	Approximate Gross Floor Area or Other	Avg. Weekday Vehicle Trip Ends: Per Day (vpd)	Per Peak Hour of Adjacent Street Traffic: One Hour Between 7am & 9am (vph)	Per Peak Hour of Adjacent Street Traffic: One Hour Between 4pm & 6pm (vph)	Average AM Peak Hour Directional Distribution IN	Average AM Peak Hour Directional Distribution OUT	Average AM Peak Hour Directional Volume (vph) IN	Average AM Peak Hour Directional Volume (vph) OUT	Average PM Peak Hour Directional Distribution IN	Average PM Peak Hour Directional Distribution OUT	Average PM Peak Hour Directional Volume (vph) IN	Average PM Peak Hour Directional Volume (vph) OUT
Trip Rate*	960	(fueling positions)	230.52	28.08	22.96	0.50	0.50	197	196	0.50	0.50	161	160
Super Convenience Market/Gas Station		14	3,227	393	321								

Trip Rate Reductions											
Reduction Type	Reduction Amount (%)	AM Peak Hour Reduction IN	AM Peak Hour Reduction OUT	AM Peak Hour Total Development Volume IN	AM Peak Hour Total Development Volume OUT	PM Peak Hour Reduction IN	PM Peak Hour Reduction OUT	PM Peak Hour Total Development Volume IN	PM Peak Hour Total Development Volume OUT
Pass-By Trips**	75	148	147	49	49	121	120	40	40

* Trip Rates from "TRIP GENERATION MANUAL", 10th Ed., Volume 2: Data, Institute of Transportation Engineers.

** Pass-By Trips reduction was based on the latest research data provided in the ITE Trip Generation Handbook, 3rd Edition.

Figure 1 - Trip generation Estimates Supplied By Jiffy Trip

They estimated 3,227 cars per day using the gas station on weekdays, assuming 15' per car, this is a bumper-to-bumper line of cars 9.17 miles long. That would reach well into Prairie Grove. They estimate a peak rate in the morning of 393 vehicles per hour and 321 cars in the evening. That equates to 1 car every 9 seconds in the morning, and 1 car every 11 seconds in the afternoon.

A similar ITE estimate for the Sweet Bay project would generate 0.99 trips per day for each of the 26 single family residences or 25.74 trips per day. The cross-access has been provided in the plans. We are not arguing against a

cross access, but against being required to enter and exit our site through their site. Jiffy Trip would only feel a 0.8%increase in traffic, while Sweet Bay would experience a 12,537% increase by combining drives.

The above assumes a low car length. Just imagine 3 landscaping trucks with 16’ trailers.

<u>Site Specific Undue Hardship #3:</u>
The Jiffy Trip project is cutting into their site 6’ and we are building at grade making the only location for vertical and horizontal cross connection possible due to their site cut, the very front of the site, which means that they can cue traffic that crosses our access and without a stop sign we would not be able to leave or enter except at the mercy of Jiffy Trip clients as they exit the site to MLK.

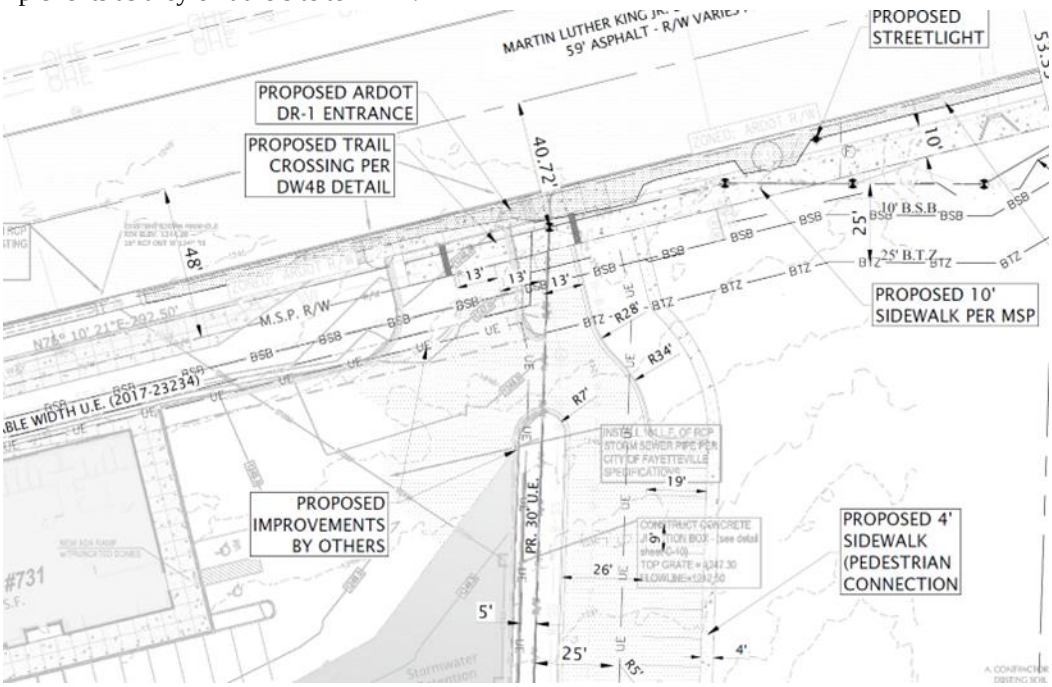


Figure 2 - The proposed shared drive

A shared drive was considered both graphically and conceptually from our point of view. It was designed to accommodate right-out, right-in, and left-in maneuvers per the previous planning commission variance discussion. We approached the neighboring property representative to propose our solution. Their response was that they would agree to a shared drive on the conditions that the shared drive must be fully accessible and include a left turn out option, and that they not be burdened to redesign any of their site as it was shown in their plans concerning their detention area or in any way except directly adjacent to MLK where they agreed we could slide it onto our property. They have since redesigned their detention but have at no time since reached out with any proposals of their own or changed the conditions by which they would agree. Our knowledge of their site is based on information shared by city staff. Staff were emailed, and it was queried whether a shared drive would be fully accessible or would be restricted. They confirmed via email that a shared drive would be full access and could include a left turn out option. We would support a shared drive if it was sufficiently striped or had traffic control signs adequate to allow equal access to both projects. But we cannot support a requirement to navigate from smoke house to Sweet Bay through Jiffy Trip strictly at the mercy of Jiffy Trip customers.

Site Specific Undue Hardship #4:
The requirement of a variance is a disproportionate application of enforcement in that the requirement is not being equally applied to Jiffy Trip. While we are being required to either form a private agreement with a neighboring property or suffer limited access, the following review comment was made to the neighboring property:

"The city recently received development plans for the property immediately to the east of the site which include a new driveway that's located only about 30 feet away from this driveway. Would it be possible to coordinate with the applicant for that project to see if there is a way to share access onto your properties? A screenshot of their site plan showing their proposed driveway location and their contact information is shown here."

While it is very possible much more was said to the neighboring property owner this is the review comment we are privy to, which was shared via the tech plat review. Insisting that we must join our drives to us, while only suggesting it to Jiffy Trip is disproportionate. A disproportionate restriction is an arbitrary and capricious restriction.

Site Specific Undue Hardship #5:
The Jiffy Trip Variance as approved is needlessly dangerous and should be revised, and if revised it would remove the need to restrict our project.

The variance allowed that Jiffy Trip be allowed left-in access, which it already has inherently via smokehouse. To make a left turn in to the proposed entrance a vehicle heading west must block the left turn only lane to enter the site crossing 2 lanes of traffic coming from the west or turning onto MLK from Rupple or Smokehouse. The same car can simply pull forward in the left turn lane, wait till the light allows left turn only and cross the 2 lanes of traffic at less risk. If the entrance was strictly right-in and right-out would a variance have been required here for a separate development that is maximizing the drive distance separation available already?

Figure 3 - both projects are adjacent to the west bound left turn lane

Site Specific Undue Hardship #6:
A shared drive routes a residential neighborhood through a busy gas station triggering a discussion from the fire access point of view. We currently have 26 single family residences. A future proposal considers 12 to 15 multifamily units. This fits within the requirements for fire access as outlined in the State Fire Code appendix D, when you consider that the front multifamily building also adjoins MLK. By requiring access through the gas station it becomes ambiguous whether there would be adequate fire access. While the form-based aspirations of the UT zoning seek to build a denser city scape they have to be balanced with fire access needs. In other locations there would be a neighborhood behind this property from which access could be pulled, but here the project is backed by Kessler and park lands. The park creates a site-specific hardship that requires access through the front. For Fire

access we need a drive onto MLK, we agree to right-in and right-out and left-in (not a big deal for 26 cars a day), we further agree that left-out should go through the gas station (if it is ever built), even though during peak times would it would be nearly impossible, but we have to have a dedicated fire access route.

Site Specific Undue Hardship #7:
We are using an existing curb cut (there are 2 on site). We have moved the drive from the west curb cut to the east curb cut to accommodate a possible Jiffy Trip entrance. (We also can't move further east because of the grading around the drainage channel that goes under the highway) Changing the curb cut adds regulatory burden.

UDC 156.03(A)(1) allows that a regulatory increase can also be considered a hardship. The Sweet Bay Project adjoins Arkansas HWY 62. The connection is subject to ARDOT review and as such would require submission and permitting through ARDOT to demolish and remove the existing curb cut and apply for a new curb cut. This is at times a lengthy and labyrinthine process and adds to the approval pathway of the project.

The proposed curb cut meets the ARDOT standard as shown in the revised ARDOT DR-1 detail for separation: 28' between adjacent drives.

Conclusion:
For these reasons, a variance is warranted, and a hardship exists. The current proposal secures the public interest and departs from regulation only for site specific issues and does not nullify the intent and purpose of the development regulations but satisfies them alternatively.

Thank You Sincerely,
Gavin Smith PE CFM

PLAT PAGE: 595

ZONING TABLE

ZONING: RESIDENTIAL PLANNED ZONING DISTRICT (ORD. 6669, 6/6/2023 PROPOSED USE: SINGLE-FAMILY DWELLINGS (UNIT 8)			
DENSITY	MAXIMUM: 10 UNITS/ACRE	PROPOSED: 9.45 UNITS/ACRE	
BULK AND AREA REGULATIONS	LOT WIDTH MINIMUM: LOT AREA MINIMUM: LOT AREA PER DWELLING UNIT:	NONE RESIDENTIAL: NONE NON	NONRESIDENTIAL: NONE
SETBACKS	FRONT: SIDE: REAR:	15 FEET 15 FEET 15 FEET	
BUILDING HIGHT	REQUIRED: 3 STORIES	PROPOSED: 1 & 2 STORIES	
BUILDING AREA REQUIREMENT	NONE REQUIRED		
MINIMUM BUILDABLE STREET FRONTAGE	NOT APPLICABLE		
PERMITTED USES	UNIT 1 UNIT 3 UNIT 8 UNIT 41	CITY-WIDE USES BY-RIGHT PUBLIC PROTECTION AND UTILITY FACILITIES SINGLE-FAMILY DWELLINGS ACCESSORY DWELLINGS	
CONDITIONAL USES	UNIT 2 UNIT 4 UNIT 24 UNIT 46	CITY-WIDE USES CONDITIONAL USE PERMIT CULTURAL AND RECREATIONAL FACILITIES HOME OCCUPATIONS SHORT-TERM RENTALS	

PARKING TABLE

NUMBER OF REQUIRED PARKING SPACES BY USE: RESIDENTIAL 2 PER UNIT (26 UNITS PROPOSED)	
REQUIRED	52 SPACES TOTAL 1 ADA SPACE PER 25 STANDARD SPACES
PROPOSED	50 STANDARD SPACES* 2 MOTORCYCLE AND SCOOTER SPACES 2 ADA SPACES 54 TOTAL PARKING SPACES
*AN ADDITIONAL 23 PARKING SPACES ARE SHOWN AS PART OF A FUTURE PHASE, WHICH WILL BE PERMITTED SEPARATELY. THESE AREAS ARE SHOWN PER OVERALL DRAINAGE REQUIREMENTS. IF FUTURE DEVELOPMENT IS NOT APPROVED BEFORE CONSTRUCTION OF THIS DEVELOPMENT IS COMPLETED, CURB AND GUTTER WILL BE INSTALLED ALONG EAST SIDE OF ENTRY DRIVE	
NUMBER OF BIKE RACKS REQUIRED BY USE: RESIDENTIAL: 1 PER 30 DWELLING UNITS (26 UNITS PROPOSED)	
REQUIRED	1 BIKE RACK
PROPOSED	4 BIKE RACKS
NUMBER OF MOTORCYCLE & SCOOTER PARKING REQUIRED: 1 PER 25 PARKING SPACES (52 PARKING SPACES PROPOSED)	
REQUIRED	2 MOTORCYCLE & SCOOTER PARKING SPACES
PROPOSED	2 MOTORCYCLE & SCOOTER PARKING SPACES

SITE COVERAGE CALCULATIONS

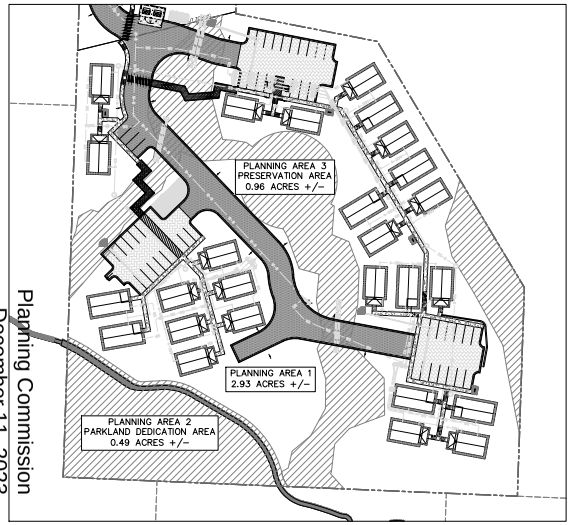
	DESCRIPTION	SQ. FT.	%
EXISTING SITE	GROSS AREA: NET AREA PER M.S.P. R/W DEDICATION:	243,390 242,856	
	EXISTING IMPERMEABLE: EXISTING PERMEABLE:	0 242,856	(0%) (100%)
PROPOSED SITE	PROPOSED BUILDING/DUMPSTER COVERAGE: PROPOSED PERMEABLE PAVERS: PROPOSED CONC/ASPH: PROPOSED LAWN:	25,724 17,880 32,661 166,591	(11%) (7%) (13%) (69%)

PRIVATE STREET TABLE

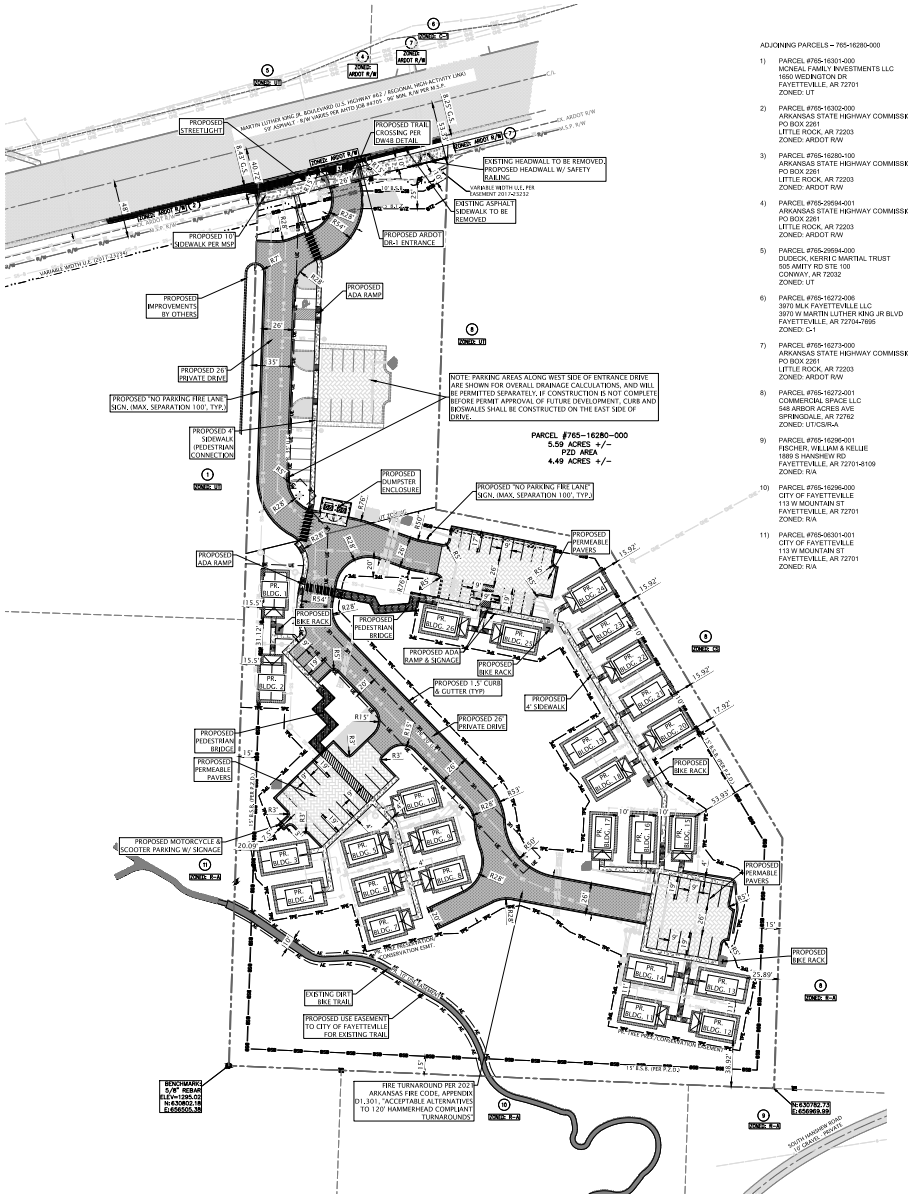
DESCRIPTION	WIDTH	LINEAR FOOTAGE
STREET 1 (UNNAMED ST)	26'	701.94'
STREET 2 (UNNAMED CT)	26'	195.93'
STREET 3 (UNNAMED CR)	26'	195.93'

PUBLIC STREET TABLE

DESCRIPTION	MSP DESIGNATION	MIN. M.S.P. R/W	MIN WIDTH	EX. WIDTH	SIDEWALK	GREENSPACE	FRONTAGE
W MARTIN LUTHER KING BLVD	REGIONAL LINK HIGH-ACTIVITY STREET	92'	56' B/B	59' B/B	10'	10'	165.21'



PZD PLANNING AREA SKETCH (N.T.S.)



1 SITE PLAN

NORTH

GRAPHIC SCALE 1" = 50'

ADJOINING PARCELS – 765-16280-000

1) PARCEL #765-16301-000
MCNEAL FAMILY INVESTMENTS LLC
1650 WEDINGTON DR
FAYETTEVILLE, AR 72701
ZONED: UT

2) PARCEL #765-16302-000
ARKANSAS STATE HIGHWAY COMMISSION
PO BOX 2261
LITTLE ROCK, AR 72203
ZONED: ARDOT R/W

3) PARCEL #765-16280-100
ARKANSAS STATE HIGHWAY COMMISSION
PO BOX 2261
LITTLE ROCK, AR 72203
ZONED: ARDOT R/W

4) PARCEL #765-29594-001
ARKANSAS STATE HIGHWAY COMMISSION
PO BOX 2261
LITTLE ROCK, AR 72203
ZONED: ARDOT R/W

5) PARCEL #765-29594-000
DUDECK, KERRI C MARITAL TRUST
505 AMITY RD STE 100
CONWAY, AR 72032
ZONED: UT

6) PARCEL #765-16273-006
3970 MLK FAYETTEVILLE LLC
3970 W MARTIN LUTHER KING JR BLVD
FAYETTEVILLE, AR 72704-7695
ZONED: C-1

7) PARCEL #765-16273-000
ARKANSAS STATE HIGHWAY COMMISSION
PO BOX 2261
LITTLE ROCK, AR 72203
ZONED: ARDOT R/W

8) PARCEL #765-16272-001
COMMERCIAL SPACE LLC
548 ARBOR ACRES AVE
SPRINGDALE, AR 72762
ZONED: UTICSIR-A

9) PARCEL #765-16296-001
FISCHER, WILLIAM & KELLIE
1888 S HANDSHEW RD
FAYETTEVILLE, AR 72701-8109
ZONED: R/A

10) PARCEL #765-16296-000
CITY OF FAYETTEVILLE
113 W MOUNTAIN ST
FAYETTEVILLE, AR 72701
ZONED: R/A

11) PARCEL #765-06301-001
CITY OF FAYETTEVILLE
113 W MOUNTAIN ST
FAYETTEVILLE, AR 72701
ZONED: R/A

GENERAL NOTES

1. LOCATIONS OF THE EXISTING UTILITIES ARE APPROXIMATE. THE CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING ACTUAL LOCATION.
2. CONTRACTOR TO UNCOVER AND MARK UTILITY LINES BEFORE CONSTRUCTION.
3. CONTRACTOR SHALL BEAR ALL RESPONSIBILITY AND COST OF REPAIR OR REPLACEMENT OF EXISTING UTILITIES, DAMAGED OR INTERRUPTED AS A RESULT OF THIS CONSTRUCTION PROJECT.
4. CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER AND THE OWNER OF ANY DAMAGED OR INTERRUPTED UTILITIES IMMEDIATELY.
5. CONTRACTOR SHALL NOTIFY PROJECT ENGINEER PRIOR TO BEGINNING WORK.
6. ALL DISTURBED AREAS NOT WITHIN THE PAVED AREA ARE TO RECEIVE LOOSE STRAW TO PROVIDE EROSION CONTROL IF WORK IS NOT PROGRESSING IN AN ORDERLY MANNER. A RATE OF 1.5 TONS/ACRE IS TO BE APPLIED WITHIN TWO WEEKS OF FINAL GRADING.
7. CONTRACTOR WILL CONTROL AND PREVENT OFF-SITE TRACKING OF CONSTRUCTION RUNOFF AND SEDIMENT TO ADJACENT PROPERTY AND PUBLIC ROADS.
8. CONTRACTOR IS TO PROTECT EXISTING STORM DRAINAGE SYSTEM
9. CONTRACTOR SHALL LOCATE ALL EXISTING UTILITIES IN ACCORDANCE WITH THE ARKANSAS UNDERGROUND FACILITIES DAMAGE PREVENTION ACT. THIS LAW REQUIRES THAT THE CONTRACTOR MAKE A TELEPHONE CALL TO THE ARKANSAS ONE-CALL SYSTEM AT 411 AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION TO ENSURE THAT ANY EXISTING UTILITIES CAN BE LOCATED.
10. SURFACE MATERIALS DISTURBED BY THIS WORK TO BE RETURNED TO SIMILAR OR BETTER CONDITION.
11. IF A DISCREPANCY ARISES BETWEEN THE DRAWINGS AND FIELD CONDITIONS, OR WHERE A DETAIL IS DOUBTFUL OF INTERPRETATION OR AN UNANTICIPATED FIELD CONDITION IS ENCOUNTERED, THE ENGINEER SHALL BE IMMEDIATELY CONTACTED FOR PROCEDURE TO BE FOLLOWED. SUCH INSTRUCTIONS SHALL BE CONFIRMED IN WRITING AND DISTRIBUTED TO ALL EFFECTED PARTIES.

LEGEND

	PROPERTY BOUNDARY
	RIGHT-OF-WAY (EXISTING)
R/W R/W	M.S.P. RIGHT-OF-WAY (PROPOSED)
BSB BSB	BUILDING SETBACK
	UTILITY EASEMENT (EXISTING)
UE UE	UTILITY EASEMENT (PROPOSED)
AE AE	ACCESS & USE EASEMENT (PROPOSED)
	ASPHALT PAVING
	PERMEABLE PAVERS
	CONCRETE PAVING
	BUILDING WITH OVERHANG

SITE PLAN NOTES

1. ALL PAVING, CONCRETE CURB, GUTTER AND SIDEWALK SHALL BE FURNISHED AND INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY REQUIREMENTS.
2. THE CITY DEPARTMENT OF ENGINEERING, AND THE ENGINEER SHALL BE NOTIFIED AT LEAST 48 HOURS PRIOR TO WORK WITHIN THE STREET RIGHT OF WAY (SIDEWALK, STREET OR DRIVEWAYS).
3. BEFORE BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL COMPLY WITH THE EROSION CONTROL PLAN AND/OR PERMIT.
4. THE CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
5. THE CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE OWNER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE APPROPRIATE MUTCD STANDARDS.
6. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
7. THE DUTY OF THE OWNER OR ENGINEER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO REVIEW THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN, OR NEAR THE CONSTRUCTION SITE.
8. ANY SIGN OR FIXTURE REMOVED WITHIN THE RIGHT OF WAY, OR AS PART OF THE SITE WORK SHALL BE REPLACED BY THE CONTRACTOR IN ACCORDANCE WITH THE CITY REQUIREMENTS.
9. CLEAR, GRUB AND REMOVE ALL TREES, VEGETATION AND SITE DEBRIS PRIOR TO GRADING. ALL REMOVED MATERIAL SHALL BE HAULED FROM THE SITE DAILY. ALL CLEARING AND GRUBBING AND REMOVALS SHALL BE PERFORMED PER THE CONTRACT SPECIFICATIONS. EROSION CONTROL MEASURES SHALL BE PERFORMED PER THE CONTRACT SPECIFICATIONS.
10. PEDESTRIAN RAMPS SHALL BE PROVIDED AT THE LOCATIONS SHOWN AND SHALL BE ADA COMPLIANT.
11. THE CONTRACTOR SHALL SAW-CUT BITUMINOUS AND CONCRETE PAVEMENTS AS REQUIRED PER THE SPECIFICATIONS.
12. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL PERMITS FROM AUTHORITIES AND REGULATORY AGENCIES HAVING JURISDICTION OVER THIS SITE AND THE ADJACENT RIGHT OF WAYS, AS REQUIRED, PRIOR TO BEGINNING WORK.
13. EXCEPT FOR STRIPPED TOPSOIL AND OTHER MATERIALS INDICATED TO BE STOCKPILED OR OTHERWISE REMAIN OWNER'S PROPERTY, CLEARED MATERIALS SHALL BECOME CONTRACTOR'S PROPERTY AND SHALL BE REMOVED FROM PROJECT SITE.
14. SALVAGEABLE IMPROVEMENTS. CAREFULLY REMOVE ITEMS INDICATED TO BE SALVAGED AND STORE ON OWNER'S PREMISES.
15. DO NOT COMMENCE SITE-CLEARING OPERATIONS UNTIL TEMPORARY EROSION- AND SEDIMENTATION-CONTROL AND PLANT-PROTECTION MEASURES ARE IN PLACE.
16. SOIL STRIPPING, HANDLING, AND STOCKPILING: PERFORM ONLY WHEN THE TOPSOIL IS DRY OR SLIGHTLY MOIST.
17. PROTECT AND MAINTAIN BENCHMARKS AND SURVEY CONTROL POINTS FROM DISTURBANCE DURING CONSTRUCTION.
18. LOCATE AND CLEARLY IDENTIFY TREES, SHRUBS, AND OTHER VEGETATION TO REMAIN, OR TO BE RELOCATED.
19. THE INTENT OF THE PROPOSED CONSTRUCTION IS TO PRESERVE AS MUCH OF THE EXISTING PAVEMENT, CURB AND GUTTER AND SIDEWALK AS POSSIBLE. PROTECT EXISTING SITE IMPROVEMENTS TO REMAIN FROM DAMAGE DURING CONSTRUCTION.
20. INTERRUPTING EXISTING UTILITIES: DO NOT INTERRUPT UTILITIES SERVING FACILITIES OCCUPIED BY OWNER OR OTHERS UNLESS PERMITTED UNDER THE FOLLOWING CONDITIONS AND THEN ONLY AFTER ARRANGING TO PROVIDE TEMPORARY UTILITY SERVICES ACCORDING TO REQUIREMENTS INDICATED:
    a. NOTIFY OWNER NOT LESS THAN [TWO] 2 DAYS IN ADVANCE OF PROPOSED UTILITY INTERRUPTIONS.
    b. DO NOT PROCEED WITH UTILITY INTERRUPTIONS WITHOUT OWNER'S WRITTEN PERMISSION.
21. FILL DEPRESSIONS CAUSED BY CLEARING AND GRUBBING OPERATIONS WITH SATISFACTORY SOIL MATERIAL UNLESS FURTHER EXCAVATION OR EARTHWORK IS INDICATED.
22. REMOVE SOD AND GRASS BEFORE STRIPPING TOPSOIL.
23. STRIP TOPSOIL TO FULL DEPTH IN A MANNER TO PREVENT INTERMINGLING WITH UNDERLYING SUBSOIL OR OTHER WASTE MATERIALS.
24. REMOVE SUBSOIL AND NONSOIL MATERIALS FROM TOPSOIL, INCLUDING CLAY LUMPS, GRAVEL, AND OTHER OBJECTS MORE THAN 2 INCHES IN DIAMETER, TRASH, DEBRIS, WEEDS, ROOTS, AND OTHER WASTE MATERIALS.

GAVIN R SMITH
CIVIL ENGINEERING
FAYETTEVILLE ARKANSAS
(479) 935-0644
www.grsmithcivilengineering.com
gavin@grsmithcivilengineering.com
jason@grsmithcivilengineering.com

PRISM DESIGN STUDIO

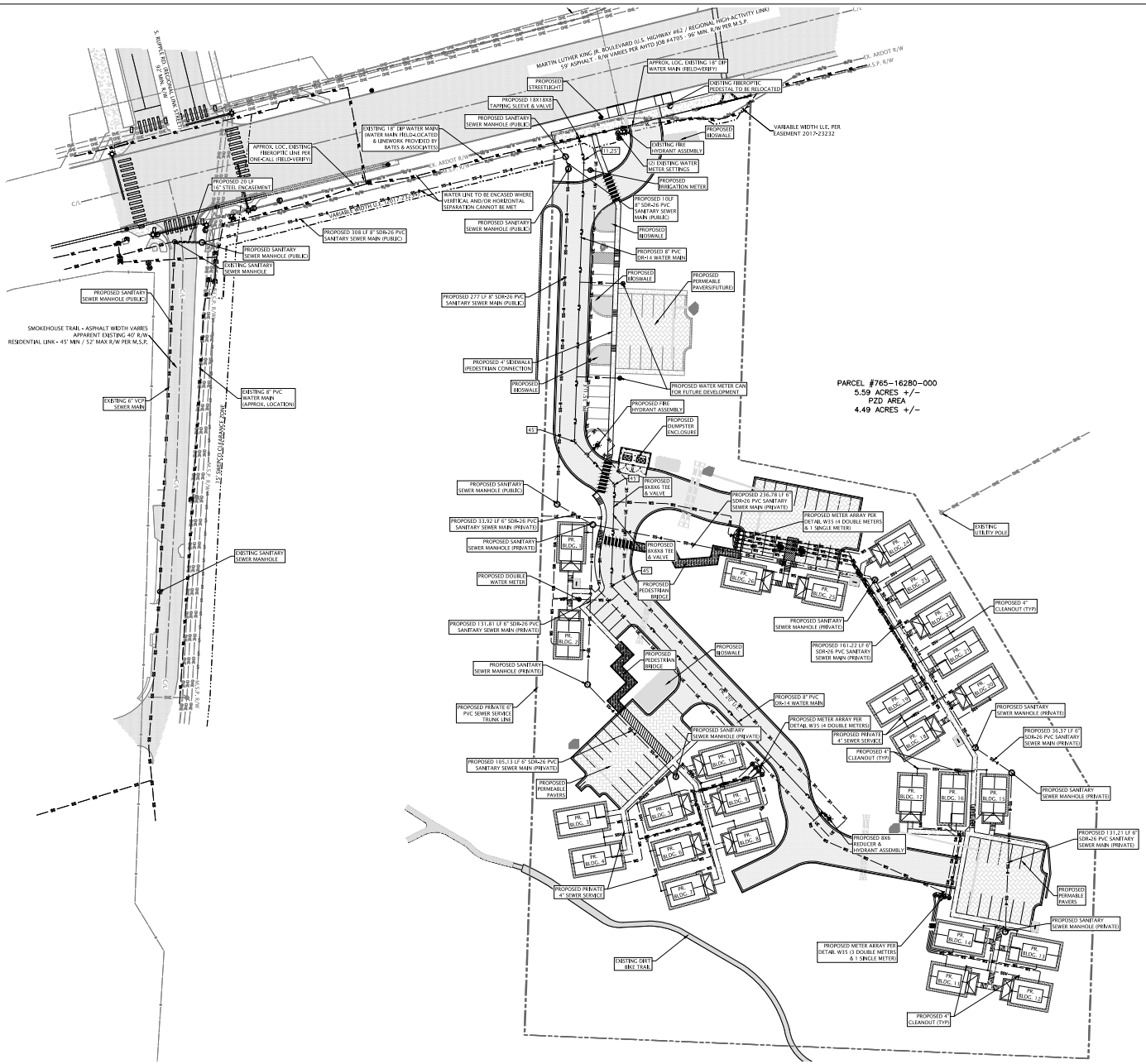
ISSUE DATE
9/13/2023 LSD SUBMITTAL
10/18/2023 RESUBMITTAL
11/8/2023 RESUBMITTAL
11/20/2023 RESUBMITTAL

STATE OF ARKANSAS REGISTERED PROFESSIONAL ENGINEER NO. 18921 GAVIN R. SMITH 11/6/23

SITE PLAN

SWEET BAY @ KESSLER
FAYETTEVILLE, ARKANSAS

SHEET
C101



1 UTILITY PLAN

PLAT PAGE: 595

GENERAL NOTES

1. LOCATIONS OF THE EXISTING UTILITIES ARE APPROXIMATE. THE CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING ACTUAL LOCATION.
2. CONTRACTOR TO UNCOVER AND MARK UTILITY LINES BEFORE CONSTRUCTION.
3. CONTRACTOR SHALL BEAR ALL RESPONSIBILITY AND COST OF REPAIR OR REPLACEMENT OF EXISTING UTILITIES, DAMAGED OR INTERRUPTED AS A RESULT OF THE CONSTRUCTION PROJECT.
4. CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER AND THE OWNER OF ANY DAMAGED OR INTERRUPTED UTILITIES IMMEDIATELY.
5. CONTRACTOR SHALL NOTIFY PROJECT ENGINEER PRIOR TO BEGINNING WORK.
6. ALL DISTURBED AREAS NOT WITHIN THE PAVED AREA ARE TO RECEIVE LOOSE STRAW TO PROVIDE EROSION CONTROL IF WORK IS NOT PROGRESSING IN AN ORDERLY MANNER. A RATE OF 1.5 TONS/ACRE IS TO BE APPLIED WITHIN TWO WEEKS OF FINAL GRADING.
7. CONTRACTOR WILL CONTROL AND PREVENT OFF-SITE TRACKING OF CONSTRUCTION RUNOFF AND SEDIMENT TO ADJACENT PROPERTY AND PUBLIC ROADS.
8. CONTRACTOR IS TO PROTECT EXISTING STORM DRAINAGE SYSTEM
9. CONTRACTOR SHALL LOCATE ALL EXISTING UTILITIES IN ACCORDANCE WITH THE ARKANSAS UNDERGROUND FACILITIES DAMAGE PREVENTION ACT. THIS LAW REQUIRES THAT THE CONTRACTOR MAKE A TELEPHONE CALL TO THE ARKANSAS ONE-CALL SYSTEM AT 411 AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION TO ENSURE THAT ANY EXISTING UTILITIES CAN BE LOCATED.
10. SURFACE MATERIALS DISTURBED BY THIS WORK TO BE RETURNED TO SIMILAR OR BETTER CONDITION.
11. IF A DISCREPANCY ARISES BETWEEN THE DRAWINGS AND FIELD CONDITIONS, OR WHERE A DETAIL IS DOUBTFUL OF INTERPRETATION OR AN UNANTICIPATED FIELD CONDITION IS ENCOUNTERED, THE ENGINEER SHALL BE IMMEDIATELY CONTACTED FOR PROCEDURE TO BE FOLLOWED. SUCH INSTRUCTIONS SHALL BE CONFIRMED IN WRITING AND DISTRIBUTED TO ALL EFFECTED PARTIES.

LEGEND

- WATER MAIN (PROPOSED)
- WATER MAIN (PROPOSED)
- WATER SERVICE
- SANITARY SEWER MAIN (EXISTING)
- SANITARY SEWER MAIN (PROPOSED)
- SANITARY SEWER SERVICE
- OVERHEAD POWER
- GAS LINE
- FIBEROPTIC LINE
- HYDRANT (EXISTING)
- HYDRANT (PROPOSED)
- METER (EXISTING)
- METER (PROPOSED)
- VALVE (EXISTING)
- VALVE (PROPOSED)
- MANHOLE (EXISTING)
- MANHOLE (PROPOSED)

SITE PLAN NOTES

1. ALL PAVING, CONCRETE CURB, GUTTER AND SIDEWALK SHALL BE FURNISHED AND INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY REQUIREMENTS.
2. THE CITY DEPARTMENT OF ENGINEERING, AND THE ENGINEER SHALL BE NOTIFIED AT LEAST 48 HOURS PRIOR TO WORK WITHIN THE STREET RIGHT OF WAY (SIDEWALK, STREET OR DRIVEWAYS).
3. BEFORE BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL COMPLY WITH THE EROSION CONTROL PLAN AND/OR PERMIT.
4. THE CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
5. THE CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE OWNER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE APPROPRIATE MUTCD STANDARDS.
6. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
7. THE DUTY OF THE OWNER OR ENGINEER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO REVIEW THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN, OR NEAR THE CONSTRUCTION SITE.
8. ANY SIGN OR FIXTURE REMOVED WITHIN THE RIGHT OF WAY, OR AS PART OF THE SITE WORK SHALL BE REPLACED BY THE CONTRACTOR IN ACCORDANCE WITH THE CITY REQUIREMENTS.
9. CLEAR, GRUB AND REMOVE ALL TREES, VEGETATION AND SITE DEBRIS PRIOR TO GRADING. ALL REMOVED MATERIAL SHALL BE HAULED FROM THE SITE DAILY. ALL CLEARING AND GRUBBING AND REMOVALS SHALL BE PERFORMED PER THE CONTRACT SPECIFICATIONS, EROSION CONTROL MEASURES SHALL BE PERFORMED PER THE CONTRACT SPECIFICATIONS.
10. PEDESTRIAN RAMPS SHALL BE PROVIDED AT THE LOCATIONS SHOWN AND SHALL BE ADA COMPLIANT.
11. THE CONTRACTOR SHALL SAW-CUT BITUMINOUS AND CONCRETE PAVEMENTS AS REQUIRED PER THE SPECIFICATIONS.
12. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL PERMITS FROM AUTHORITIES AND REGULATORY AGENCIES HAVING JURISDICTION OVER THIS SITE AND THE ADJACENT RIGHT OF WAYS, AS REQUIRED, PRIOR TO BEGINNING WORK.
13. EXCEPT FOR STRIPPED TOPSOIL AND OTHER MATERIALS INDICATED TO BE STOCKPILED OR OTHERWISE REMAIN OWNER'S PROPERTY, CLEARED MATERIALS SHALL BECOME CONTRACTOR'S PROPERTY AND SHALL BE REMOVED FROM PROJECT SITE.
14. SALVAGEABLE IMPROVEMENTS: CAREFULLY REMOVE ITEMS INDICATED TO BE SALVAGED AND STORE ON OWNER'S PREMISES.
15. DO NOT COMMENCE SITE-CLEARING OPERATIONS UNTIL TEMPORARY EROSION- AND SEDIMENTATION-CONTROL AND PLANT-PROTECTION MEASURES ARE IN PLACE.
16. SOIL STRIPPING, HANDLING, AND STOCKPILING: PERFORM ONLY WHEN TOPSOIL IS DRY OR SLIGHTLY MOIST.
17. PROTECT AND MAINTAIN BENCHMARKS AND SURVEY CONTROL POINTS FROM DISTURBANCE DURING CONSTRUCTION.
18. LOCATE AND CLEARLY IDENTIFY TREES, SHRUBS, AND OTHER VEGETATION TO REMAIN, OR TO BE RELOCATED.
19. THE INTENT OF THE PROPOSED CONSTRUCTION IS TO PRESERVE AS MUCH OF THE EXISTING PAVEMENT, CURB AND GUTTER AND SIDEWALK AS POSSIBLE. PROTECT EXISTING SITE IMPROVEMENTS TO REMAIN FROM DAMAGE DURING CONSTRUCTION.
20. INTERRUPTING EXISTING UTILITIES. DO NOT INTERRUPT UTILITIES SERVING FACILITIES OCCUPIED BY OWNER OR OTHERS UNLESS PERMITTED UNDER THE FOLLOWING CONDITIONS AND THEN ONLY AFTER ARRANGING TO PROVIDE TEMPORARY UTILITY SERVICES ACCORDING TO REQUIREMENTS INDICATED:
    a. NOTIFY OWNER NOT LESS THAN [TWO] 2 DAYS IN ADVANCE OF PROPOSED UTILITY INTERRUPTIONS.
    b. DO NOT PROCEED WITH UTILITY INTERRUPTIONS WITHOUT OWNER'S WRITTEN PERMISSION.
21. FILL DEPRESSIONS CAUSED BY CLEARING AND GRUBBING OPERATIONS WITH SATISFACTORY SOIL MATERIAL UNLESS FURTHER EXCAVATION OR EARTHWORK IS INDICATED.
22. REMOVE SOD AND GRASS BEFORE STRIPPING TOPSOIL.
23. STRIP TOPSOIL TO FULL DEPTH IN A MANNER TO PREVENT INTERMINGLING WITH UNDERLYING SUBSOIL OR OTHER WASTE MATERIALS.
24. REMOVE SUBSOIL AND NON-SOIL MATERIALS FROM TOPSOIL, INCLUDING CLAY LUMPS, GRAVEL, AND OTHER OBJECTS MORE THAN 2 INCHES IN DIAMETER, TRASH, DEBRIS, WEEDS, ROOTS, AND OTHER WASTE MATERIALS.

GAVIN R SMITH
CIVIL ENGINEERING
FAYETTEVILLE ARKANSAS
(479) 935-0644
www.grsmithcivilengineering.com
gavin@grsmithcivilengineering.com
jason@grsmithcivilengineering.com

PRISM DESIGN STUDIO

ISSUE DATE
9/13/2023 LSD SUBMITTAL
10/18/2023 RESUBMITTAL
11/8/2023 RESUBMITTAL
11/20/2023 RESUBMITTAL

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
NO. 18921
GAVIN R. SMITH
11/6/23

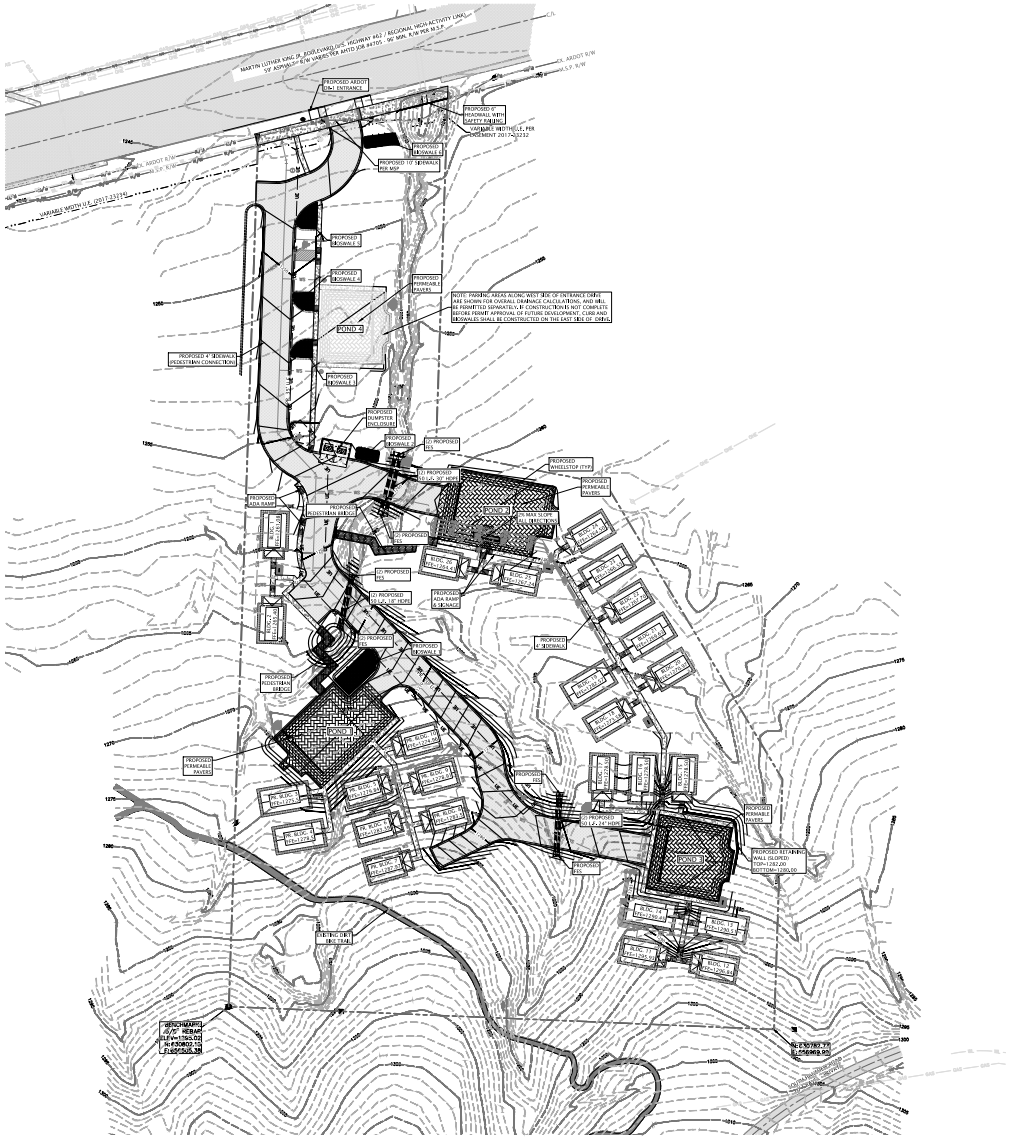
UTILITY PLAN

SWEET BAY @ KESSLER
FAYETTEVILLE, ARKANSAS

SHEET
C102

PLAT PAGE: 595

SITE COVERAGE CALCULATIONS			
	DESCRIPTION	SQ. FT.	%
EXISTING SITE	GROSS AREA: NET AREA PER M.S.P. R/W DEDICATION:	243,390 242,856	
	EXISTING IMPERMEABLE: EXISTING PERMEABLE:	0 242,856	(0%) (100%)
PROPOSED SITE	PROPOSED BUILDING/DUMPSTER COVERAGE: PROPOSED PERMEABLE PAVERS: PROPOSED CONC/ASPH: PROPOSED LAWN:	25,724 17,880 32,661 166,591	(11%) (7%) (13%) (69%)



1 GRADING PLAN

NORTH

50 25 0 50 100
GRAPHIC SCALE 1" = 50'

GENERAL NOTES

1. LOCATIONS OF THE EXISTING UTILITIES ARE APPROXIMATE. THE CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING ACTUAL LOCATION.
2. CONTRACTOR TO UNCOVER AND MARK UTILITY LINES BEFORE CONSTRUCTION.
3. CONTRACTOR SHALL BEAR ALL RESPONSIBILITY AND COST OF REPAIR OR REPLACEMENT OF EXISTING UTILITIES, DAMAGED OR INTERRUPTED AS A RESULT OF THE CONSTRUCTION PROJECT.
4. CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER AND THE OWNER OF ANY DAMAGED OR INTERRUPTED UTILITIES IMMEDIATELY.
5. CONTRACTOR SHALL NOTIFY PROJECT ENGINEER PRIOR TO BEGINNING WORK.
6. ALL DISTURBED AREAS NOT WITHIN THE PAVED AREA ARE TO RECEIVE LOOSE STRAW TO PROVIDE EROSION CONTROL IF WORK IS NOT PROGRESSING IN AN ORDERLY MANNER. A RATE OF 1.5 TONS/ACRE IS TO BE APPLIED WITHIN TWO WEEKS OF FINAL GRADING.
7. CONTRACTOR WILL CONTROL AND PREVENT OFF-SITE TRACKING OF CONSTRUCTION RUNOFF AND SEDIMENT TO ADJACENT PROPERTY AND PUBLIC ROADS.
8. CONTRACTOR IS TO PROTECT EXISTING STORM DRAINAGE SYSTEM
9. CONTRACTOR SHALL LOCATE ALL EXISTING UTILITIES IN ACCORDANCE WITH THE ARKANSAS UNDERGROUND FACILITIES DAMAGE PREVENTION ACT. THIS LAW REQUIRES THAT THE CONTRACTOR MAKE A TELEPHONE CALL TO THE ARKANSAS ONE-CALL SYSTEM AT 411 AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION TO ENSURE THAT ANY EXISTING UTILITIES CAN BE LOCATED.
10. SURFACE MATERIALS DISTURBED BY THIS WORK TO BE RETURNED TO SIMILAR OR BETTER CONDITION.
11. IF A DISCREPANCY ARISES BETWEEN THE DRAWINGS AND FIELD CONDITIONS, OR WHERE A DETAIL IS DOUBTFUL OF INTERPRETATION OR AN UNANTICIPATED FIELD CONDITION IS ENCOUNTERED, THE ENGINEER SHALL BE IMMEDIATELY CONTACTED FOR PROCEDURE TO BE FOLLOWED. SUCH INSTRUCTIONS SHALL BE CONFIRMED IN WRITING AND DISTRIBUTED TO ALL EFFECTED PARTIES.

LEGEND

- PROPERTY BOUNDARY
- BUILDING SETBACK
- EASEMENT
- WATER SERVICE
- 6" SEWER SERVICE
- ASPHALT PAVING
- PERMEABLE PAVERS
- CONCRETE PAVING
- BUILDING FOOTPRINT

SITE PLAN NOTES

1. ALL PAVING, CONCRETE CURB, GUTTER AND SIDEWALK SHALL BE FURNISHED AND INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY REQUIREMENTS.
2. THE CITY DEPARTMENT OF ENGINEERING, AND THE ENGINEER SHALL BE NOTIFIED AT LEAST 48 HOURS PRIOR TO WORK WITHIN THE STREET RIGHT OF WAY (SIDEWALK, STREET OR DRIVEWAYS).
3. BEFORE BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL COMPLY WITH THE EROSION CONTROL PLAN AND/OR PERMIT.
4. THE CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
5. THE CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE OWNER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE APPROPRIATE MUTCD STANDARDS.
6. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
7. THE DUTY OF THE OWNER OR ENGINEER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO REVIEW THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN, OR NEAR THE CONSTRUCTION SITE.
8. ANY SIGN OR FIXTURE REMOVED WITHIN THE RIGHT OF WAY, OR AS PART OF THE SITE WORK SHALL BE REPLACED BY THE CONTRACTOR IN ACCORDANCE WITH THE CITY REQUIREMENTS.
9. CLEAR, GRUB AND REMOVE ALL TREES, VEGETATION AND SITE DEBRIS PRIOR TO GRADING. ALL REMOVED MATERIAL SHALL BE HAULED FROM THE SITE DAILY. ALL CLEARING AND GRUBBING AND REMOVALS SHALL BE PERFORMED PER THE CONTRACT SPECIFICATIONS. EROSION CONTROL MEASURES SHALL BE PERFORMED PER THE CONTRACT SPECIFICATIONS.
10. PEDESTRIAN RAMPS SHALL BE PROVIDED AT THE LOCATIONS SHOWN AND SHALL BE ADA COMPLAINT.
11. THE CONTRACTOR SHALL SAW-CUT BITUMINOUS AND CONCRETE PAVEMENTS AS REQUIRED PER THE SPECIFICATIONS.
12. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL PERMITS FROM AUTHORITIES AND REGULATORY AGENCIES HAVING JURISDICTION OVER THE SITE AND THE ADJACENT RIGHT OF WAYS, AS REQUIRED, PRIOR TO BEGINNING WORK.
13. EXCEPT FOR STRIPPED TOPSOIL AND OTHER MATERIALS INDICATED TO BE STOCKPILED OR OTHERWISE REMAIN OWNER'S PROPERTY, CLEARED MATERIALS SHALL BECOME CONTRACTOR'S PROPERTY AND SHALL BE REMOVED FROM PROJECT SITE.
14. SALVAGEABLE IMPROVEMENTS: CAREFULLY REMOVE ITEMS INDICATED TO BE SALVAGED AND STORE ON OWNER'S PREMISES.
15. DO NOT COMMENCE SITE-CLEARING OPERATIONS UNTIL TEMPORARY EROSION- AND SEDIMENTATION-CONTROL AND PLANT-PROTECTION MEASURES ARE IN PLACE.
16. SOIL STRIPPING, HANDLING, AND STOCKPILING: PERFORM ONLY WHEN THE TOPSOIL IS DRY OR SLIGHTLY MOIST.
17. PROTECT AND MAINTAIN BENCHMARKS AND SURVEY CONTROL POINTS FROM DISTURBANCE DURING CONSTRUCTION.
18. LOCATE AND CLEARLY IDENTIFY TREES, SHRUBS, AND OTHER VEGETATION TO REMAIN, OR TO BE RELOCATED.
19. THE INTENT OF THE PROPOSED CONSTRUCTION IS TO PRESERVE AS MUCH OF THE EXISTING PAVEMENT, CURB AND GUTTER AND SIDEWALK AS POSSIBLE. PROTECT EXISTING SITE IMPROVEMENTS TO REMAIN FROM DAMAGE DURING CONSTRUCTION.
20. INTERRUPTING EXISTING UTILITIES: DO NOT INTERRUPT UTILITIES SERVING FACILITIES OCCUPIED BY OWNER OR OTHERS UNLESS PERMITTED UNDER THE FOLLOWING CONDITIONS AND THEN ONLY AFTER ARRANGING TO PROVIDE TEMPORARY UTILITY SERVICES ACCORDING TO REQUIREMENTS INDICATED:
    a. NOTIFY OWNER NOT LESS THAN [TWO] 2 DAYS IN ADVANCE OF PROPOSED UTILITY INTERRUPTIONS.
    b. DO NOT PROCEED WITH UTILITY INTERRUPTIONS WITHOUT OWNER'S WRITTEN PERMISSION.
21. FILL DEPRESSIONS CAUSED BY CLEARING AND GRUBBING OPERATIONS WITH SATISFACTORY SOIL MATERIAL UNLESS FURTHER EXCAVATION OR EARTHWORK IS INDICATED.
22. REMOVE SOD AND GRASS BEFORE STRIPPING TOPSOIL.
23. STRIP TOPSOIL TO FULL DEPTH IN A MANNER TO PREVENT INTERMINGLING WITH UNDERLYING SUBSOIL OR OTHER WASTE MATERIALS.
24. REMOVE SUBSOIL AND NON-SOIL MATERIALS FROM TOPSOIL, INCLUDING CLAY LUMPS, GRAVEL, AND OTHER OBJECTS MORE THAN 2 INCHES IN DIAMETER, TRASH, DEBRIS, WEEDS, ROOTS, AND OTHER WASTE MATERIALS.

GAVIN R SMITH
CIVIL ENGINEERING
FAYETTEVILLE ARKANSAS
(479) 935-0644
www.grsmithcivilengineering.com
gavin@grsmithcivilengineering.com
jason@grsmithcivilengineering.com

PRISM DESIGN STUDIO

ISSUE DATE
9/13/2023 LSD SUBMITTAL
10/18/2023 RESUBMITTAL
11/8/2023 RESUBMITTAL
11/20/2023 RESUBMITTAL

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
NO. 18921
GAVIN R. SMITH
11/20/23

GRADING PLAN

SWEET BAY @ KESSLER
FAYETTEVILLE, ARKANSAS

SHEET
C103

SURVEY LEGEND

- FOUND 5/8" REBAR
- FOUND 1/2" REBAR
- COMPUTED POINT
- TELEPHONE PEDESTAL
- YARD HYDRANT
- WATER METER
- FIRE HYDRANT
- SANITARY SEWER MH
- POWER POLE
- GAS METER
- LIGHT
- ADJ. LAND OWNER

- BOUNDARY LINE
- ADJACENT PROPERTY LINE
- FORTY LINE/ TIE LINE
- CENTERLINE OF ROAD
- RIGHT-OF-WAY
- WATER LINE
- SEWER LINE
- STORM PIPE
- OVERHEAD POWER LINE
- GAS LINE
- TELEPHONE LINE
- FENCE

LEGEND

- PROPERTY LINE
- EXISTING EASEMENT LIMITS
- ZONING DESIGNATION BOUNDARY
- LIMITS OF DISTURBANCE
- EXISTING CANOPY COVERAGE (MINUS EASEMENTS AND ROW)
- PROPOSED OFF-SITE UTILITY EASEMENT
- CANOPY TO BE REMOVED (OFF-SITE)
- X TREE TO BE REMOVED
- Ø TREE TO BE PRESERVED, BUT NOT INCLUDED IN "PRESERVED CANOPY SQUARE FOOTAGE"
- XX EXISTING TREE OUTLINE AND NUMBER
- XX EXISTING TREE (DEAD) PER TREE SURVEY
- EXISTING INTER AND INDEX CONTOURS (SEE LABELS)
- PROPOSED INTER AND INDEX CONTOURS (SEE LABELS)
- TREE PROTECTION FENCE (SEE DETAIL)

TREE PRESERVATION CALCULATIONS

	Square Feet	Percent of site
Site Area *Minus Right of Way and Easements **(UT Zoning)**	46,393	19%
Site Area *Minus Right of Way and Easements **(PZD Zoning)**	195,605	81%
Overall Site Area *Minus Right of Way and Easements	241,998	100%
*Zoning Designation * Select Below with drop down arrow*		
UT, Urban Thoroughfare	6,959	15%
PZD, Planned Zoning District	58,682	30%
*HHOD * Select Below with Drop Down Arrow*		
No	0	0%
Total Canopy for Minimum Preservation Requirements	65,640	27.1%
Existing Tree Canopy * Minus Right of Way and Easements	201,537	83.3%
Tree Canopy Preserved	84,254	34.8%
Tree Canopy Removed *On Site	117,283	48.5%
Tree Canopy Removed *Off Site	6,655	
Tree Canopy Removed Total	123,938	51.2%
Removed Below Minimum	**0**	
Mitigation Requirements	**6,655**	*

***Project is 'over preserving' 18,614 sf of existing canopy; Therefore mitigation due to off-site removal is not proposed.**

1 TREE PRESERVATION - CALCULATIONS
SCALE: 1"=20'-0"

GAVIN R SMITH
CIVIL ENGINEERING
FAYETTEVILLE ARKANSAS
(479) 935-0664
www.gsmithcivilengineering.com
gavin@gsmithcivilengineering.com

PRISM DESIGN STUDIO
LANDSCAPE ARCHITECTURE + PLANNING
PRISM DESIGN STUDIO, LLC
HUNTSVILLE, AR 72740
W: PRISMDESIGN
P: 479.582.2845

ISSUE DATE

9/13/2023 LSD SUBMITTAL
10/16/2023 RESUBMITTAL
11/8/2023 RESUBMITTAL

Registered Landscape Architect
JENNY C. BURBIDGE
8531
Arkansas
11/09/2023
JENNY C. BURBIDGE, PLA
AR LANDSCAPE ARCHITECT
LICENSE # 8531

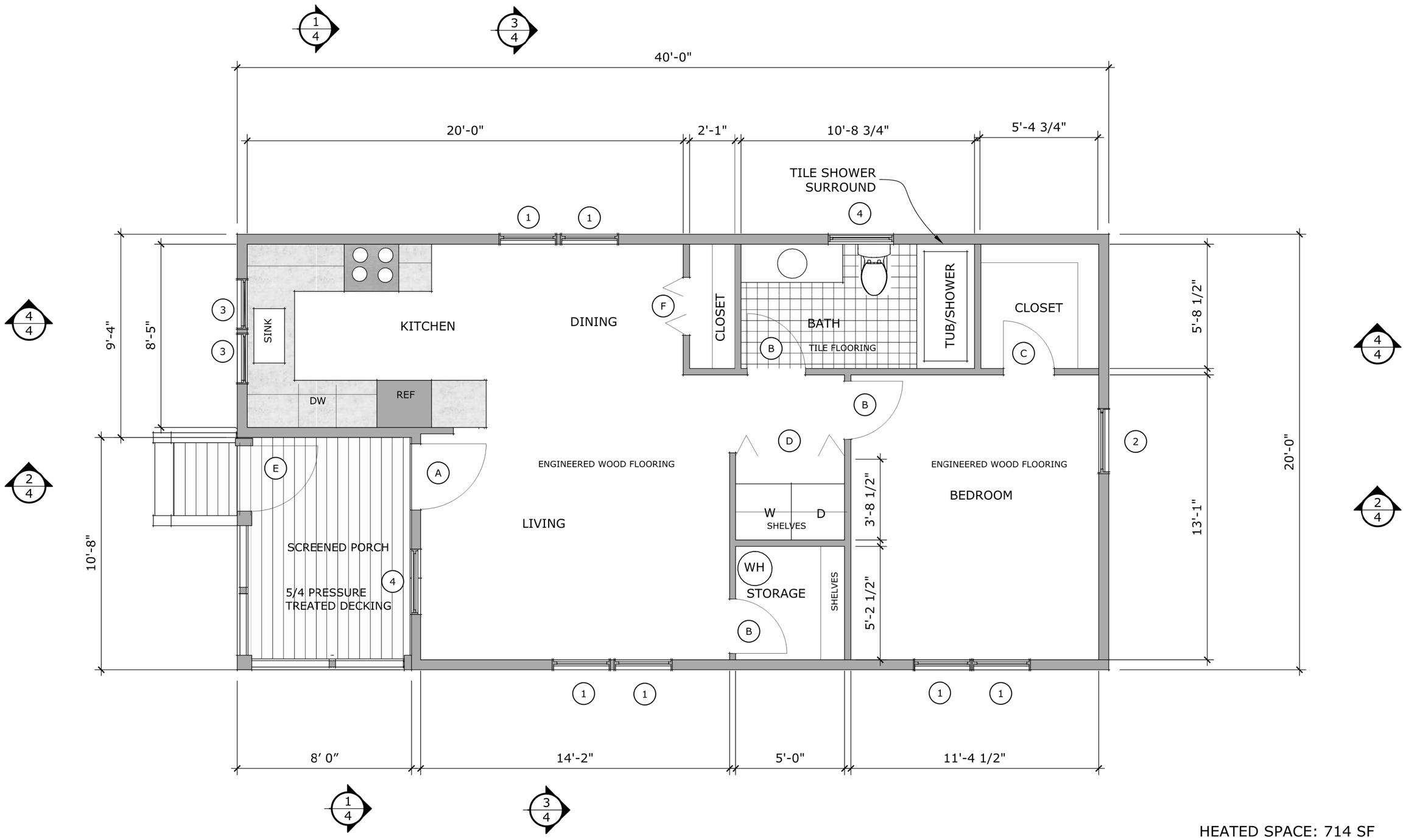
SWEET BAY @ KESSLER
FAYETTEVILLE, ARKANSAS

TREE PRESERVATION

L 0.10

				DOOR SCHEDULE		
SYMBOL	TYPE	WIDTH	HEIGHT	MANUFACTURER	FINISH	NOTES
A	ENTRY	3'0"	6'8"			CRAFTSMAN W/ UPPER LITE
B	INTERIOR	2'8"	6'8"		PAINTED	SINGLE RECESSED PANEL
C	INTERIOR	2'4"	6'8"		PAINTED	
D	INTERIOR BI-FOLD	5'0"	6'8"		PAINTED	
E	SCREENED DOOR	3'0"	6'8"		PAINTED	SOLID LOWER PANEL

				WINDOW SCHEDULE		
SYMBOL	TYPE	WIDTH	HEIGHT	MANUFACTURER	SERIES	NOTES
1	2-DOUBLE HUNG	2'6"	4'6"			GANGED BY MANUAFACTURER
2	DOUBLE HUNG	3'0"	5'0"			EGRESS
3	2- DOUBLE HUNG	2'4"	3'4"			GANGED BY MANUAFACTURER
4	AWNING OR SLIDER	3'0"	2'0"			



HEATED SPACE: 714 SF
PORCH : 86 SF

1/1 1 BEDROOM FLOOR PLAN
SCALE : 1/4" = 1' - 0"

PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

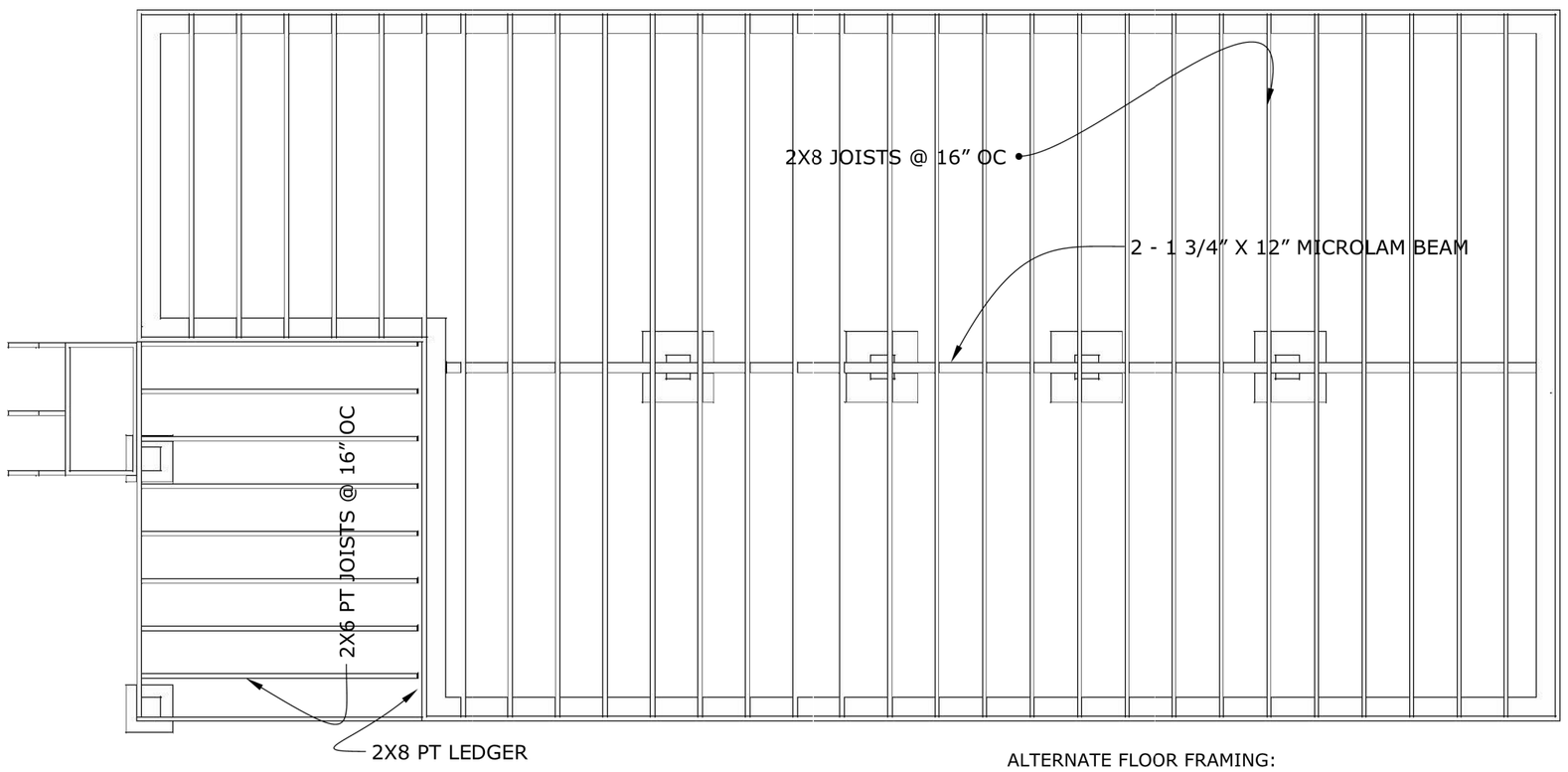
232 Adams Street
Fayetteville, AR 72701

Michael Cockram
479.799.2404
michael@bowbird.com

bowerbird design LLC

SWEET BAY AT KESSLER | ONE BEDROOM COTTAGE PROTO-TYPE
D & B OF NWA

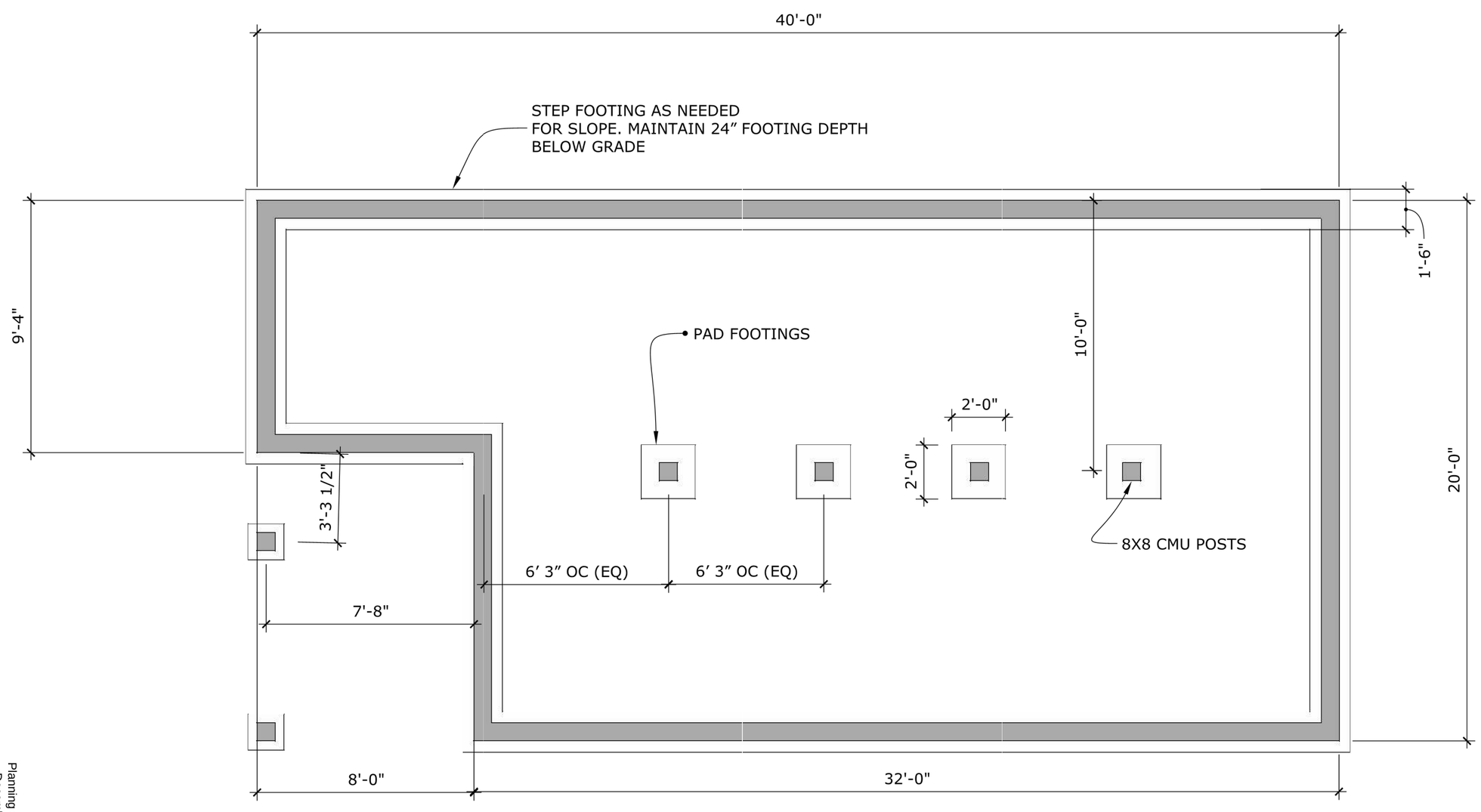
1



ALTERNATE FLOOR FRAMING:
4X2 - 12" DEEP FLOOR TRUSSES
TO ELIMINATE CENTER BEAM AND
CENTRAL PAD FOOTINGS.

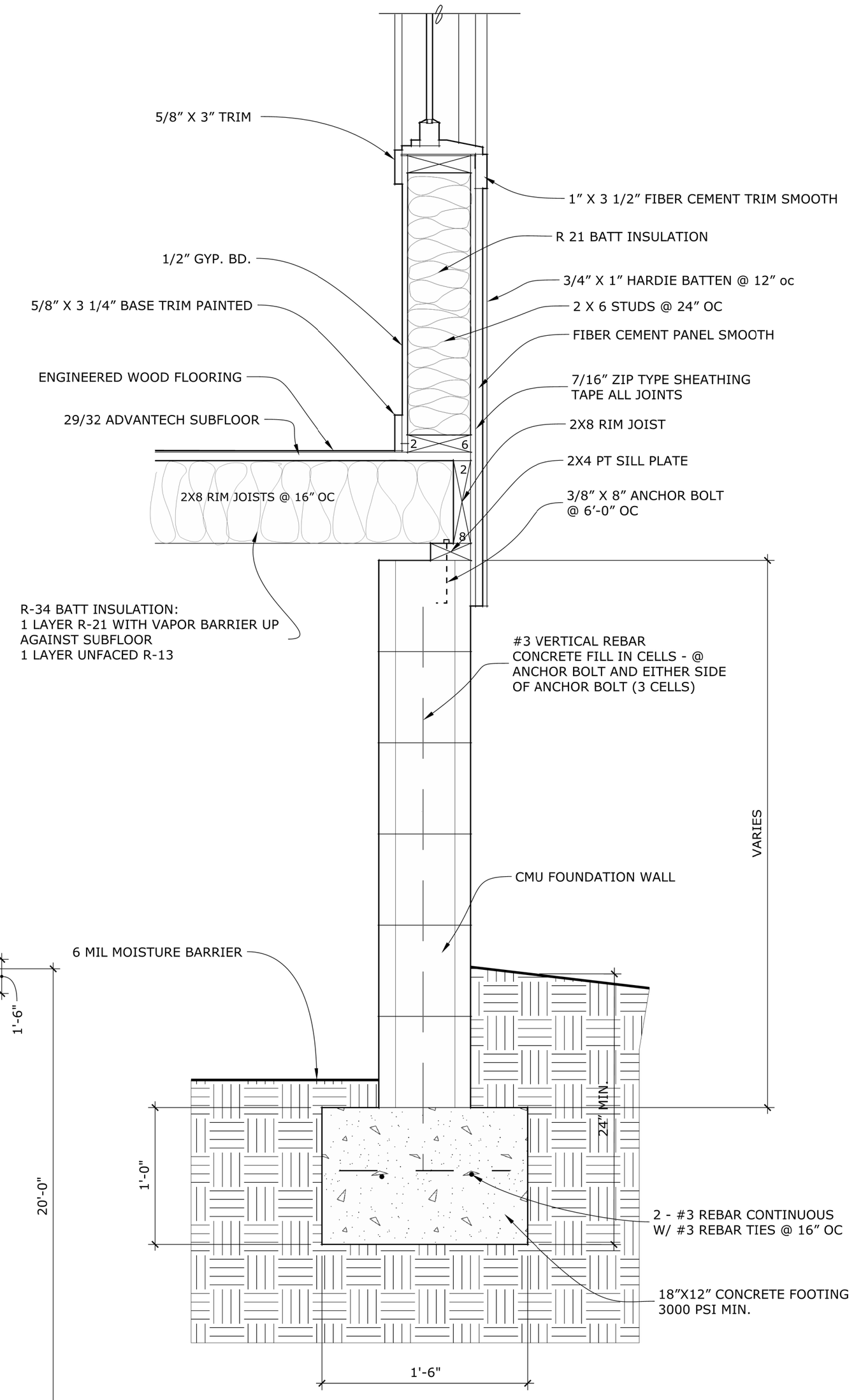
2/2 FLOOR FRAMING

SCALE : 1/4" = 1' - 0"



1/2 FOUNDATION PLAN

SCALE : 1/4" = 1' - 0"



3/2 LOWER WALL SECTION

SCALE : 1/4" = 1' - 0"

PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

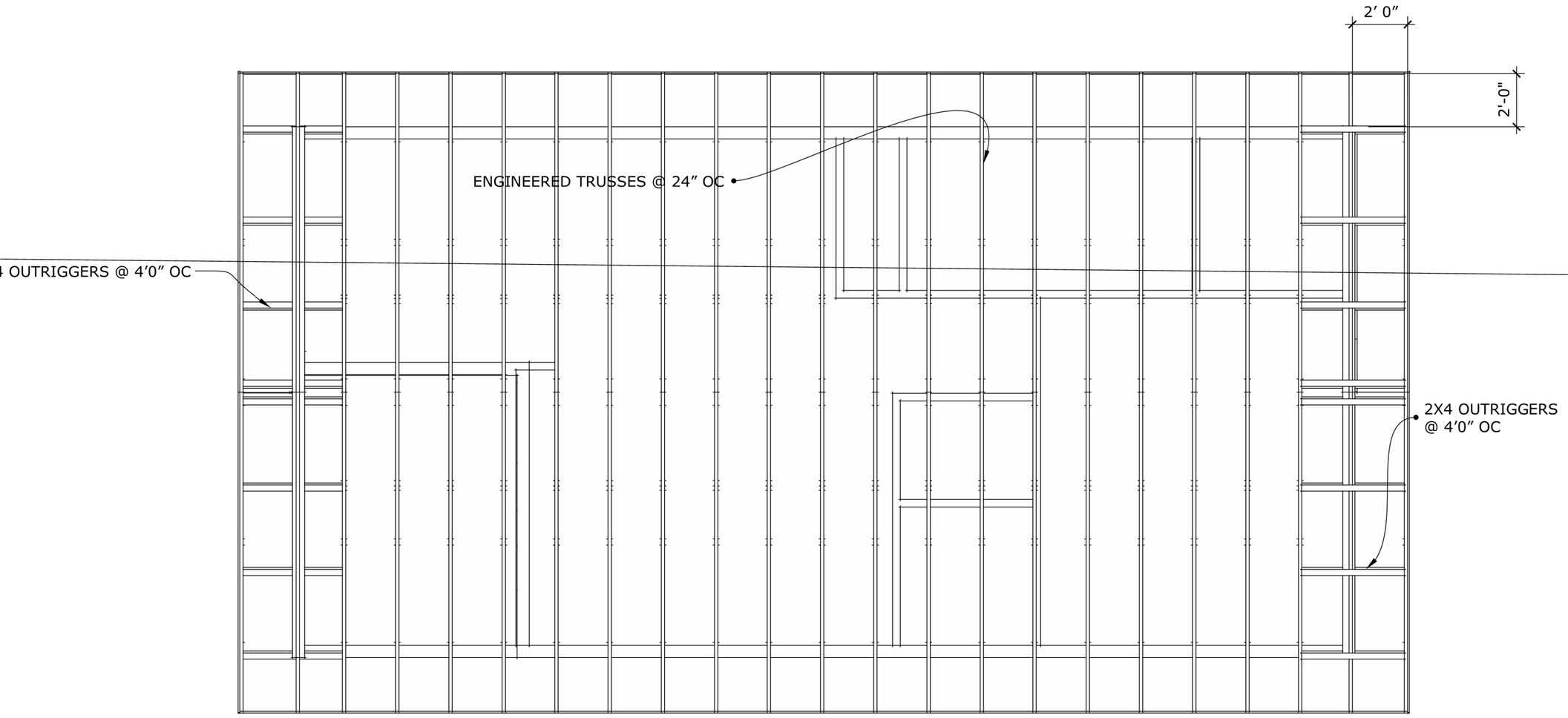
232 Adams Street
Fayetteville, AR 72701

Michael Cockram
479.799.2404
michael@bowbird.com

bowerbird design LLC

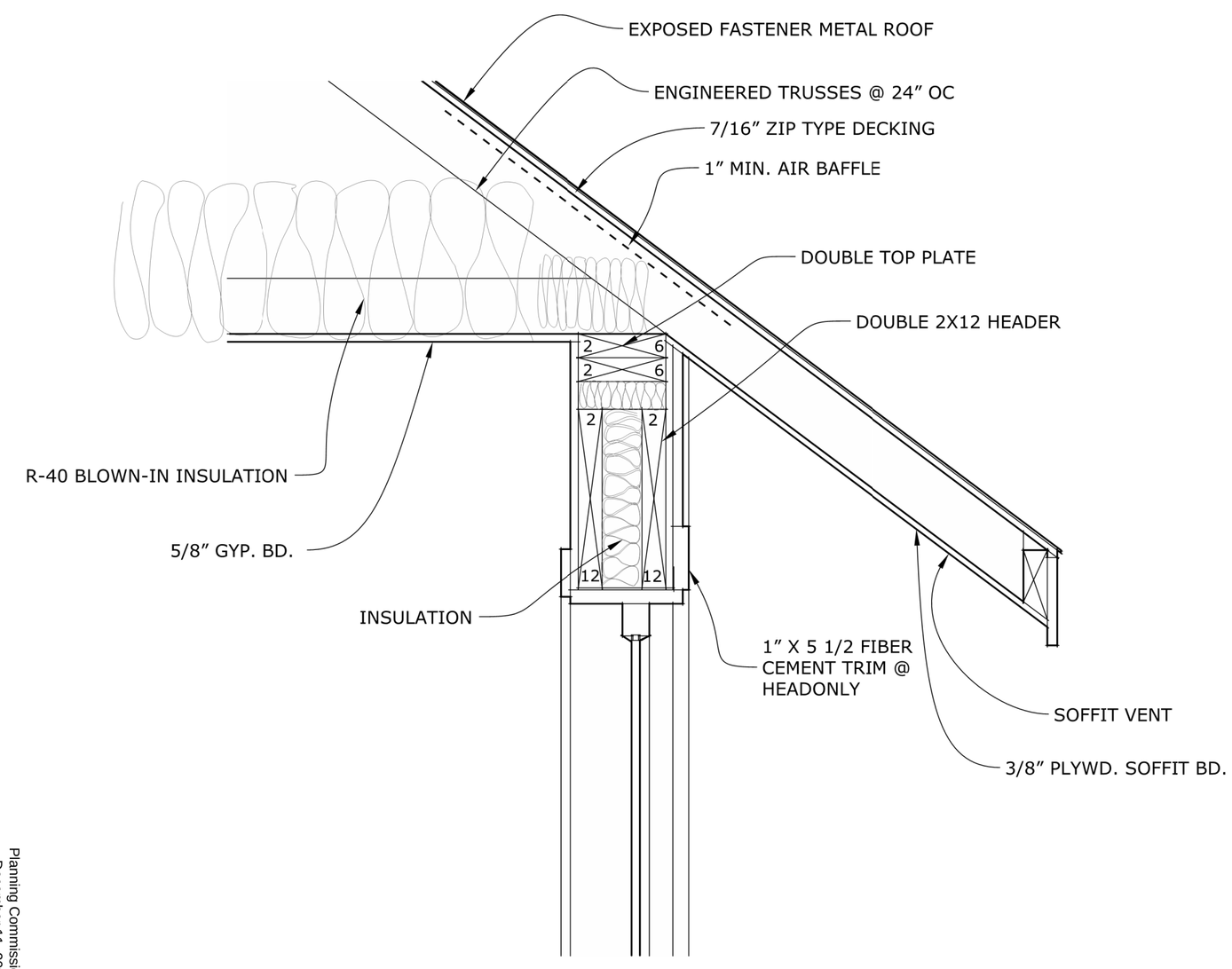
SWEET BAY AT KESSLER | ONE BEDROOM COTTAGE PROTO-TYPE
D & B OF NWA

2



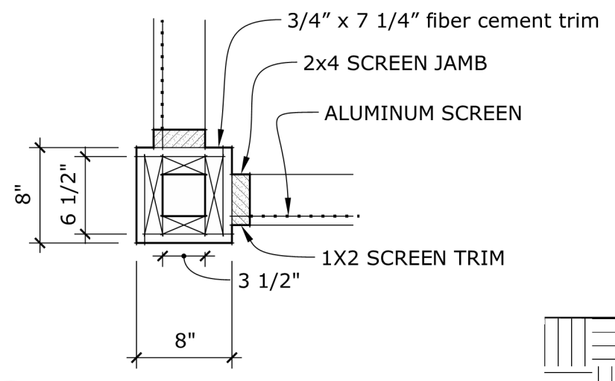
1/3 ROOF FRAMING

SCALE : 1/4" = 1' - 0"



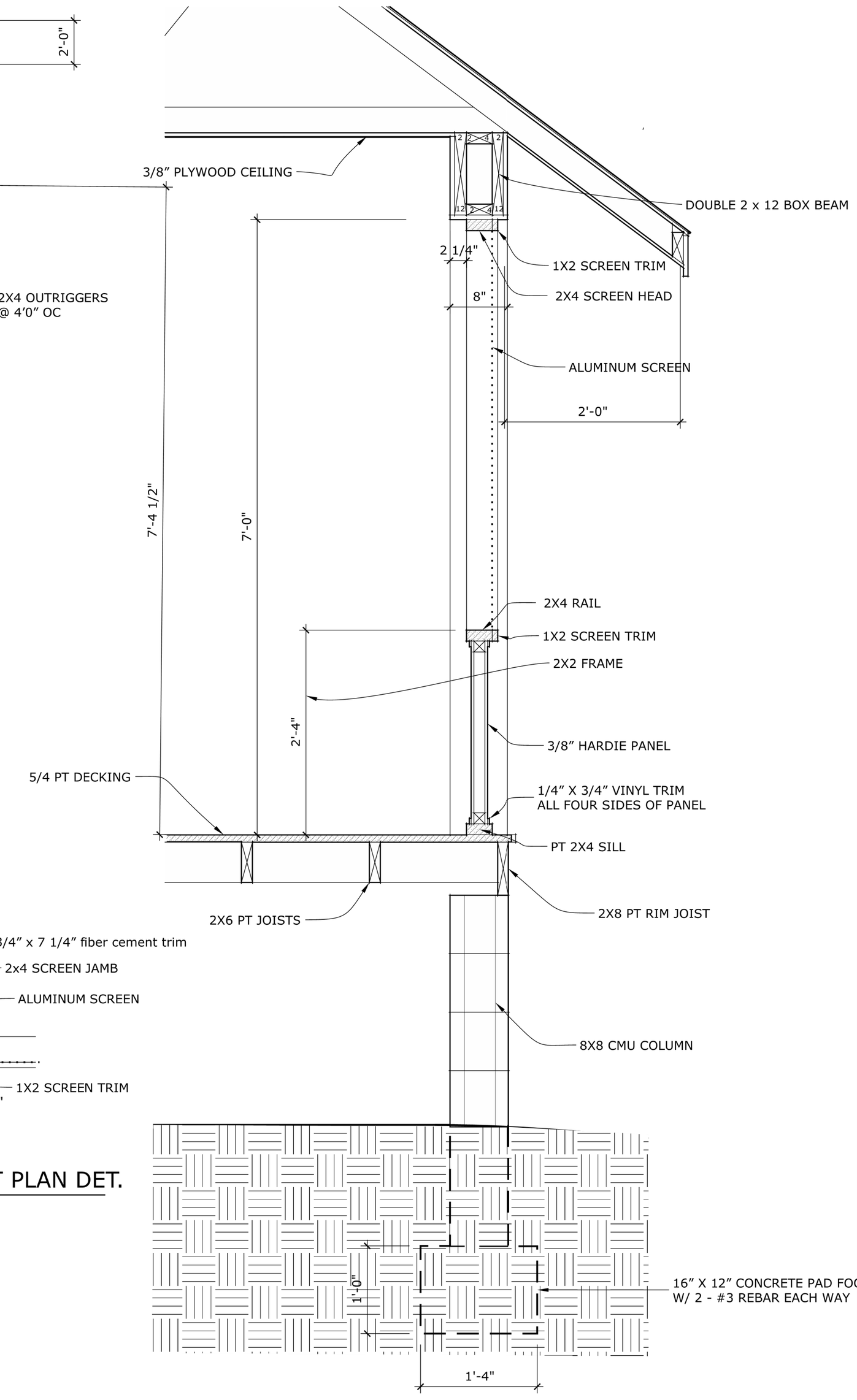
2/3 HEADER/EAVE DETAIL

SCALE : 1/2" = 1' - 0"



A/1 PORCH POST PLAN DET.

SCALE : 1" = 1' - 0"



A/1 SCREENED PORCH WALL SECTION

SCALE : 1" = 1' - 0"

PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

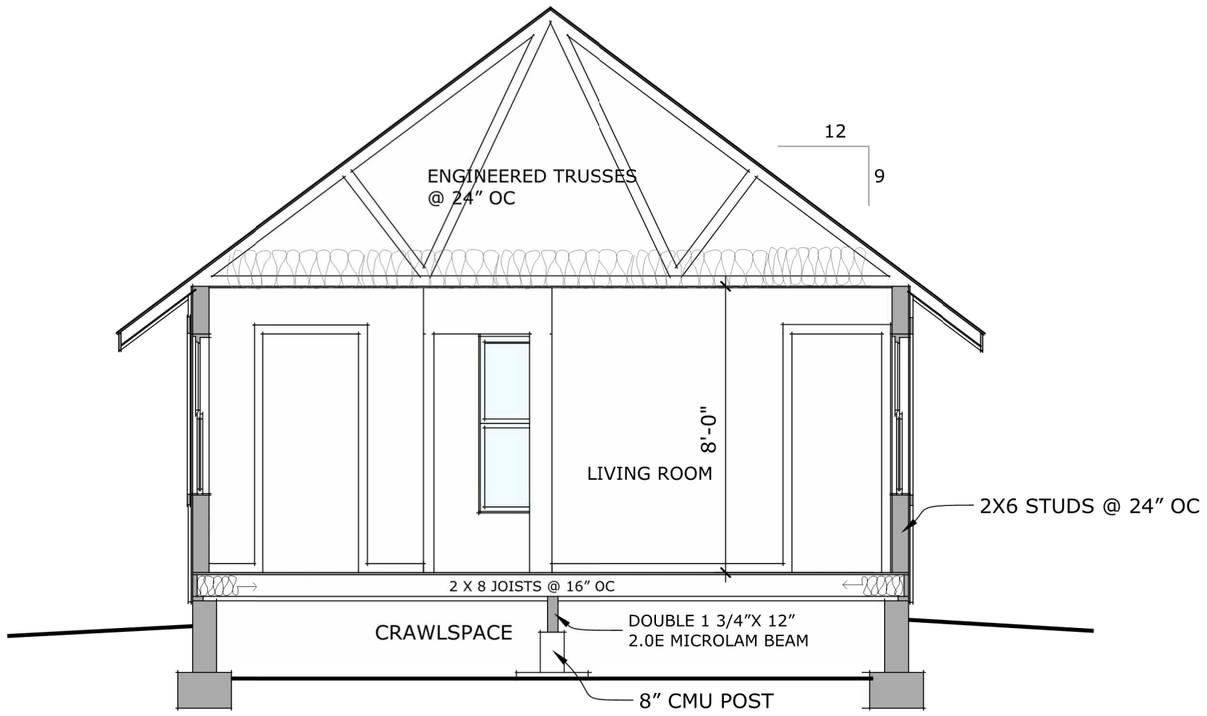
232 Adams Street
Fayetteville, AR 72701

Michael Cockram
479.799.2404
michael@bowbird.com

bowerbird design LLC

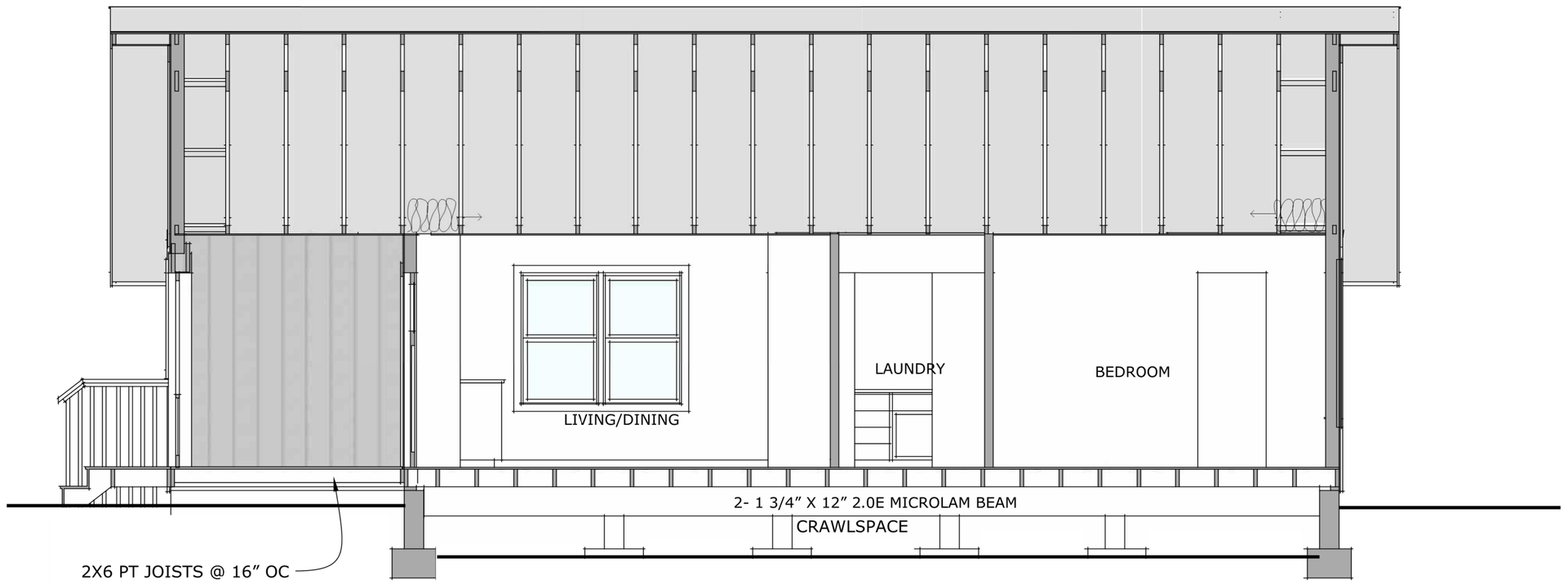
SWEET BAY AT KESSLER | ONE BEDROOM COTTAGE PROTO-TYPE
D&B OF NWA

3



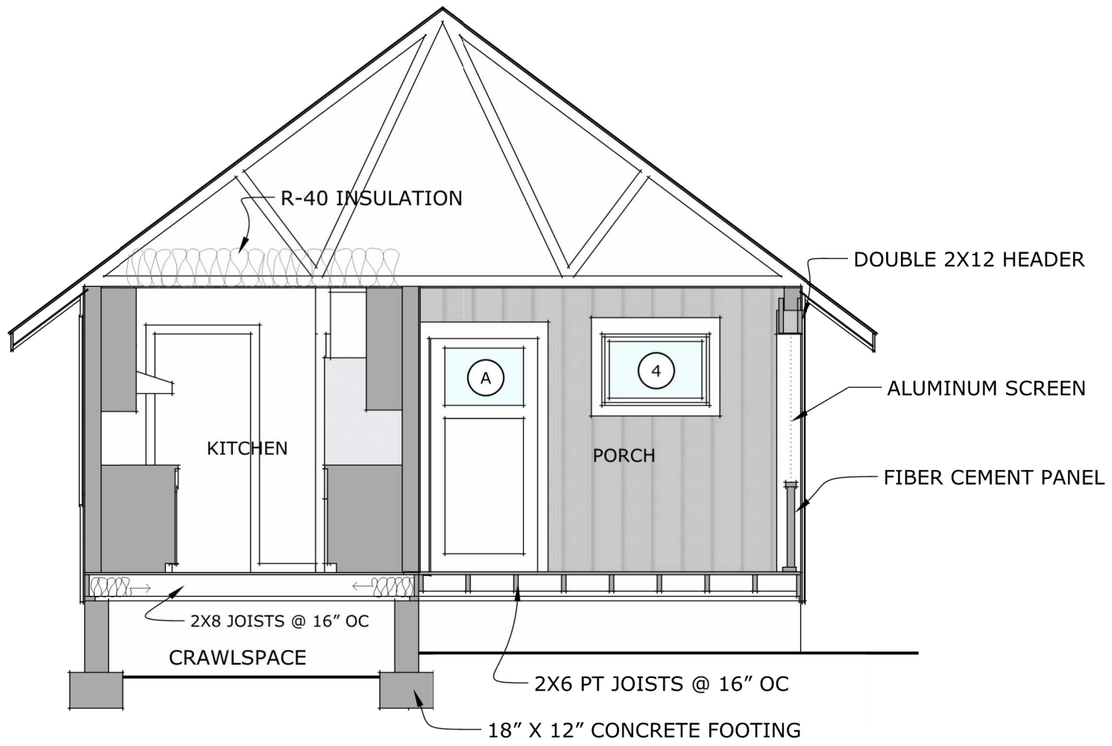
1/4 1 BEDROOM SECTION

SCALE : 1/4" = 1' - 0"



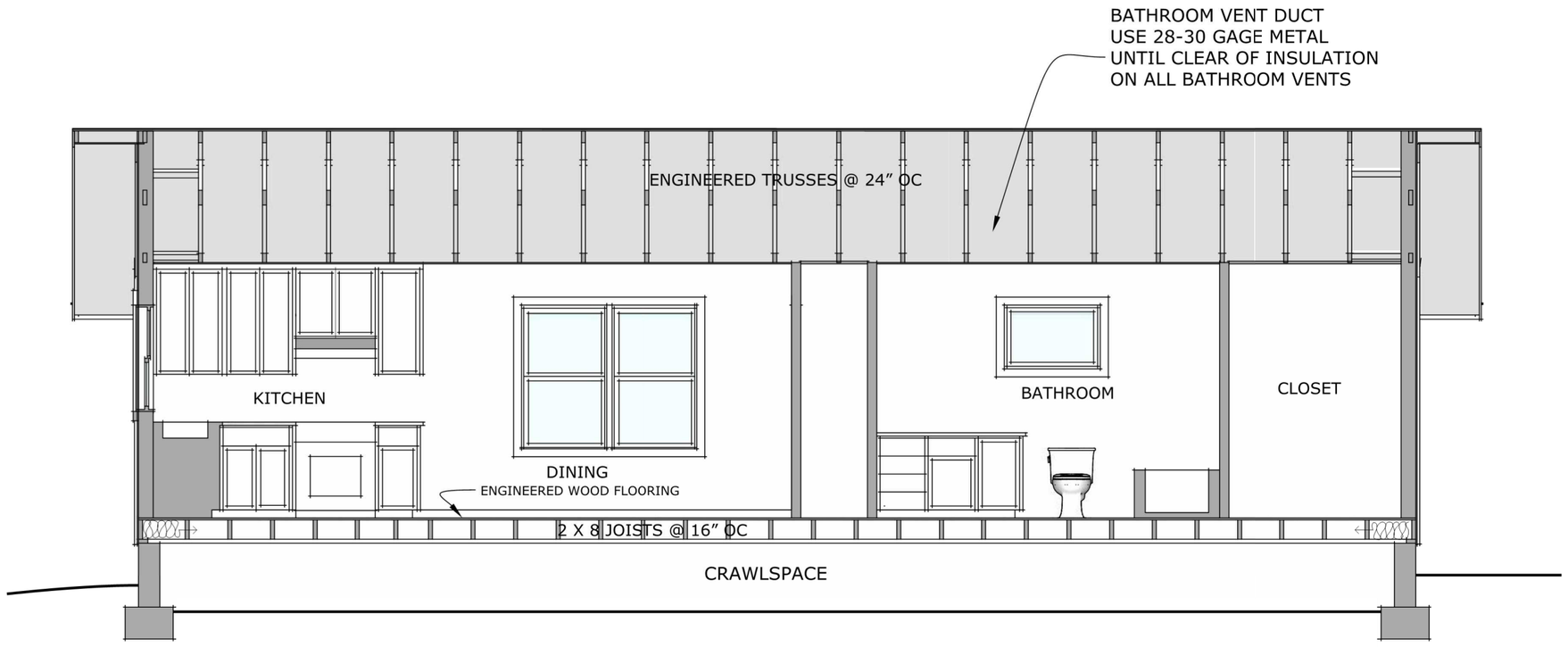
2/4 SECTION @ LIVING/BEDROOM

SCALE : 1/4" = 1' - 0"



3/4 1 BEDROOM SECTION

SCALE : 1/4" = 1' - 0"



4/4 1 BEDROOM SECTION

SCALE : 1/4" = 1' - 0"

PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

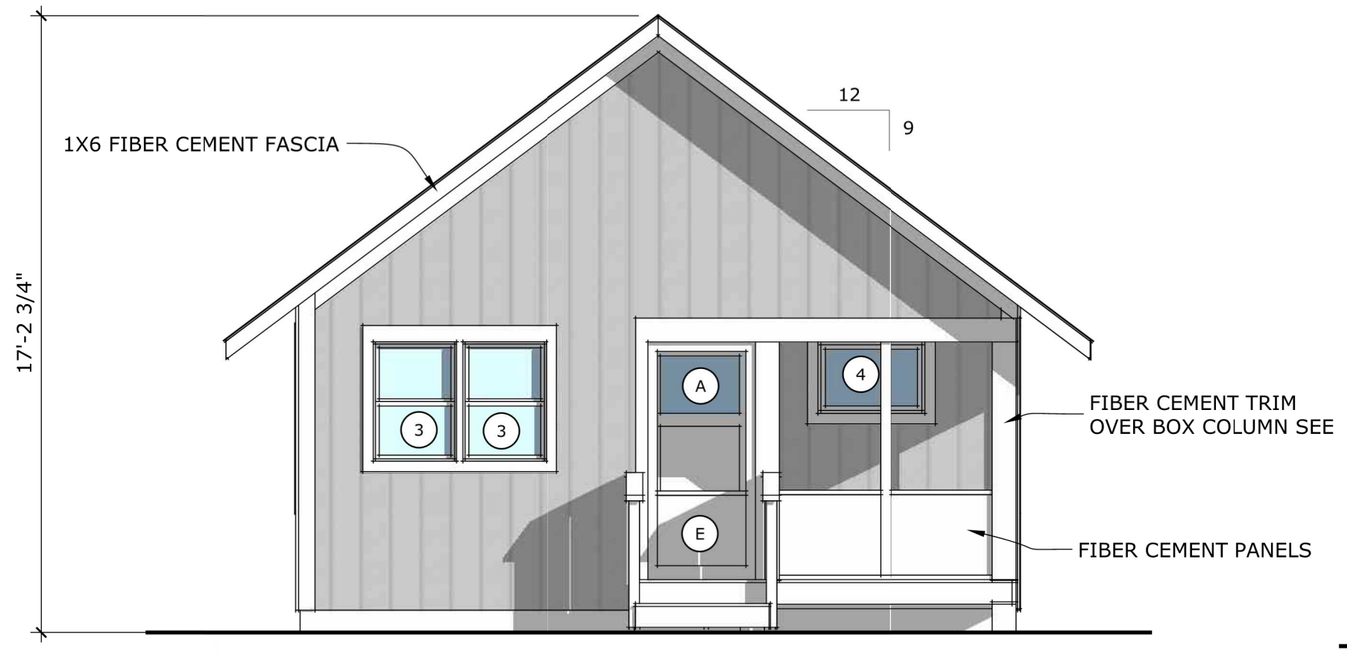
232 Adams Street
Fayetteville, AR 72701

Michael Cockram
479.799.2404
michael@bowbird.com

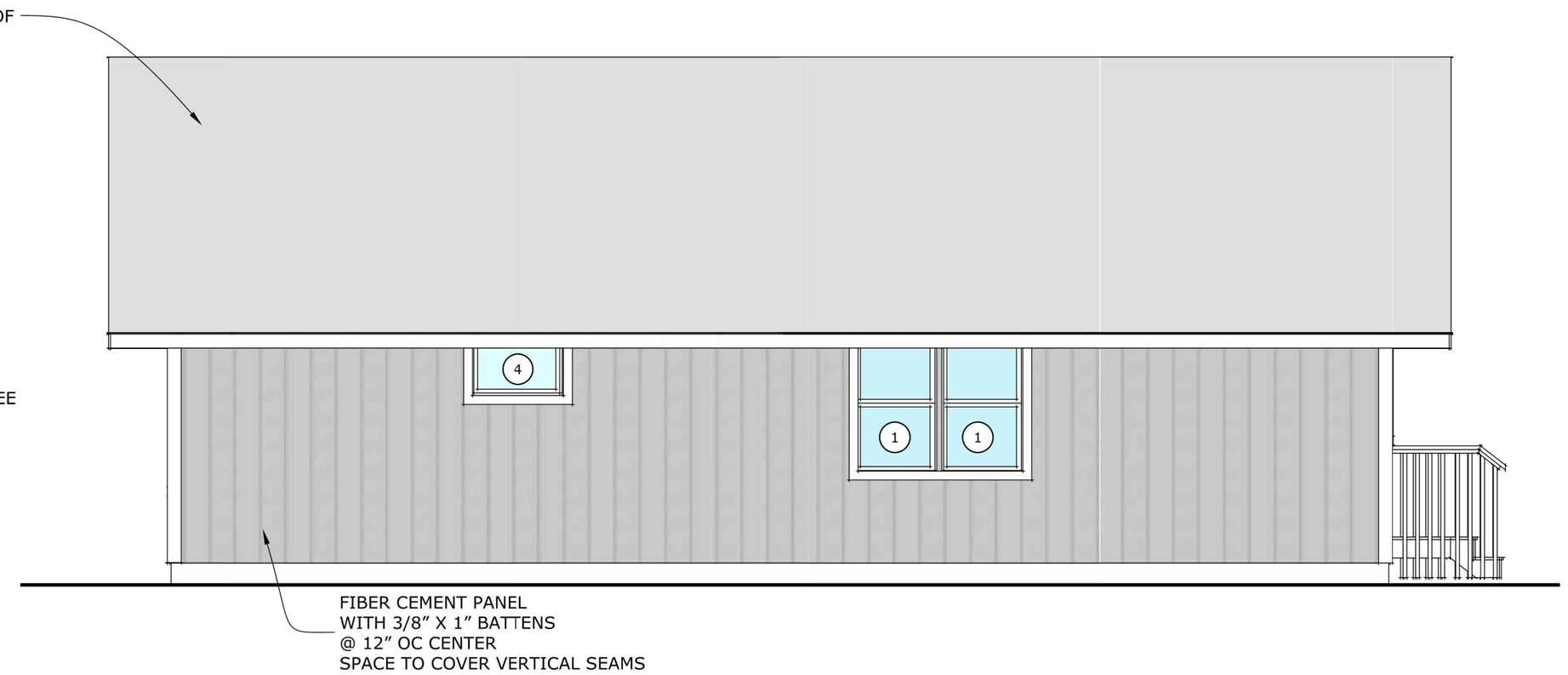
bowerbird design LLC

SWEET BAY AT KESSLER | ONE BEDROOM COTTAGE PROTO-TYPE
D&B OF NWA

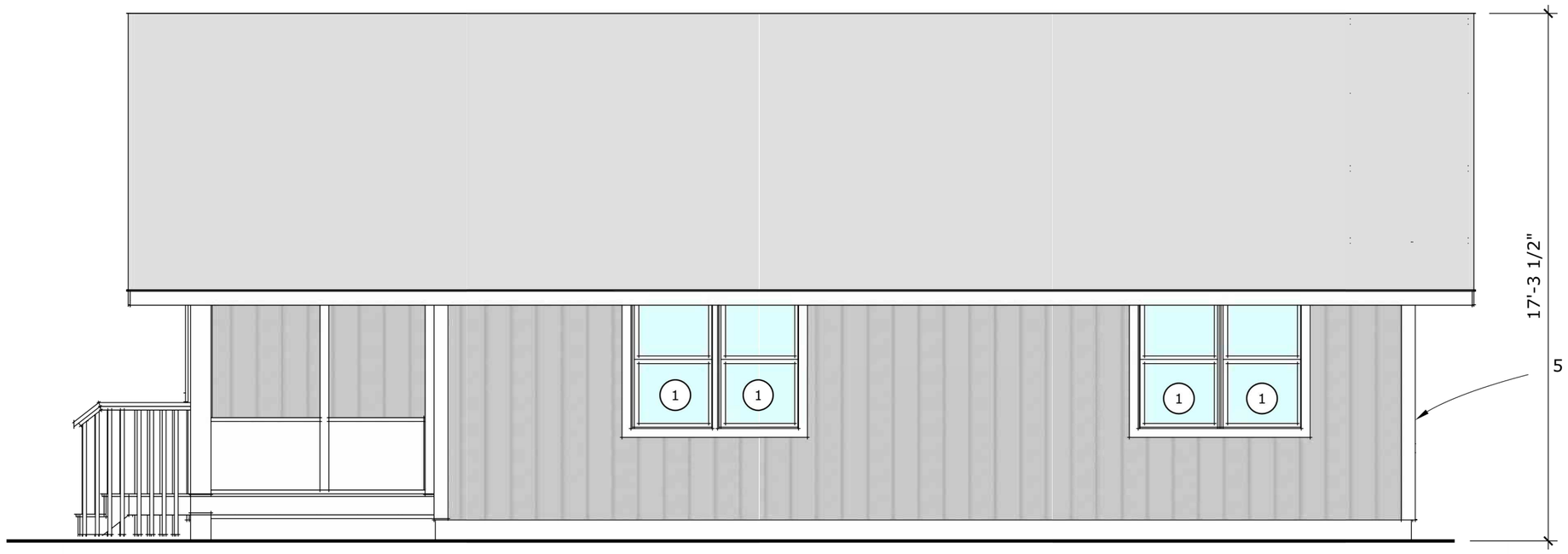
4



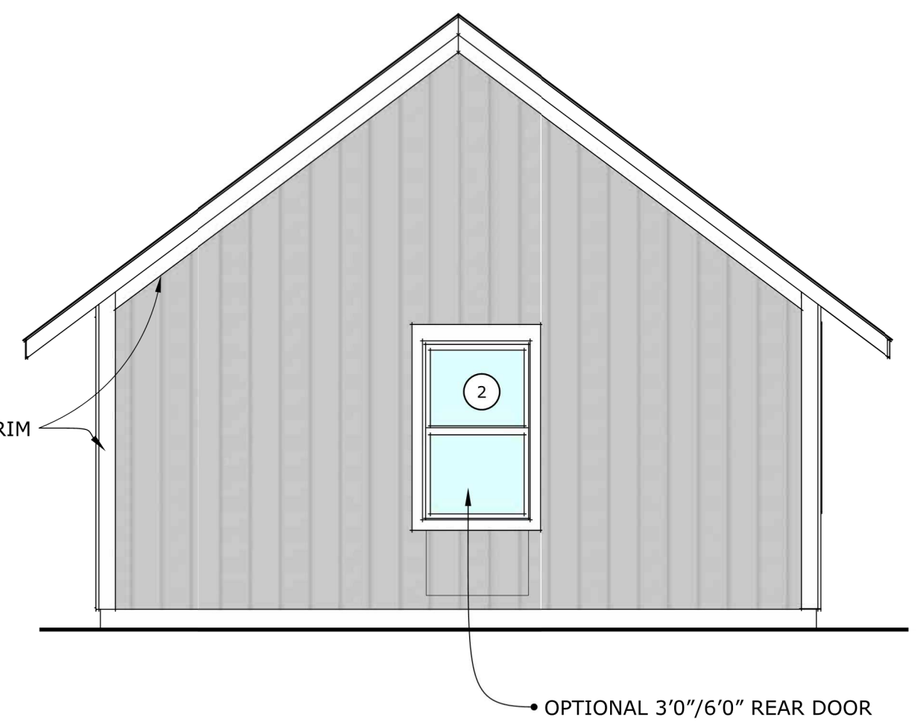
1/5 FRONT ELEVATION
SCALE : 1/4" = 1' - 0"



2/5 LEFT ELEVATION
SCALE : 1/4" = 1' - 0"



3/5 RIGHT ELEVATION
SCALE : 1/4" = 1' - 0"



4/5 REAR ELEVATION
SCALE : 1/4" = 1' - 0"

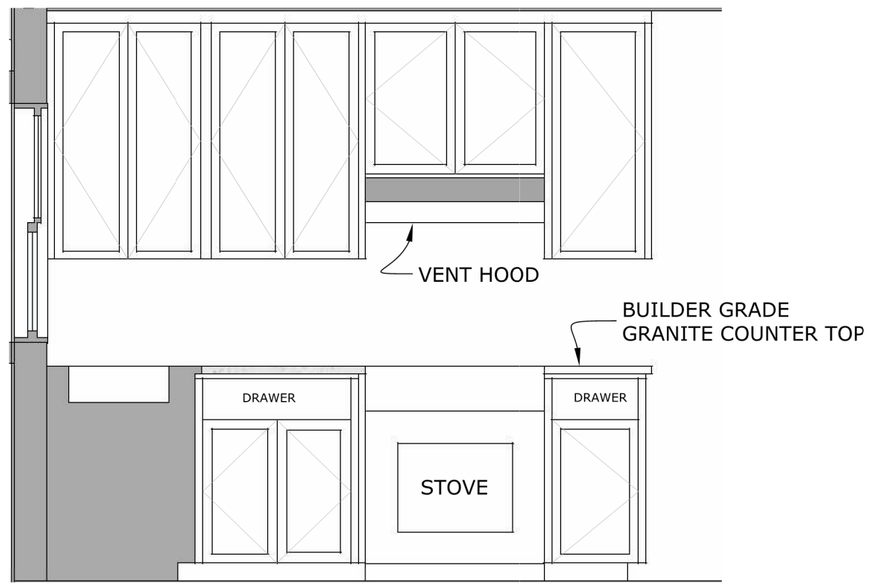
PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

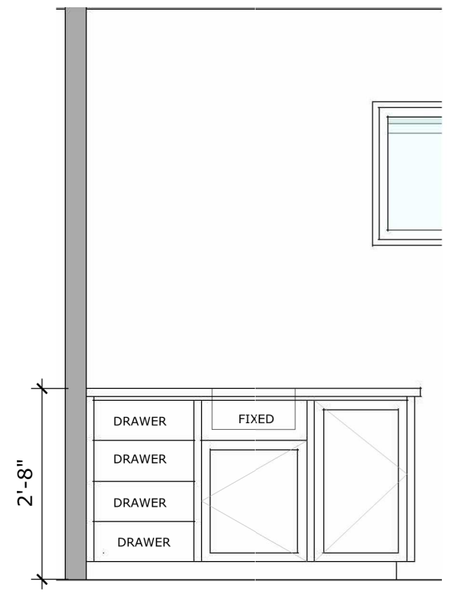
232 Adams Street
Fayetteville, AR 72701
Michael Cockram
479.799.2404
michael@bowbird.com
bowerbird design LLC

SWEET BAY AT KESSLER | ONE BEDROOM COTTAGE PROTO-TYPE
D & B OF NWA

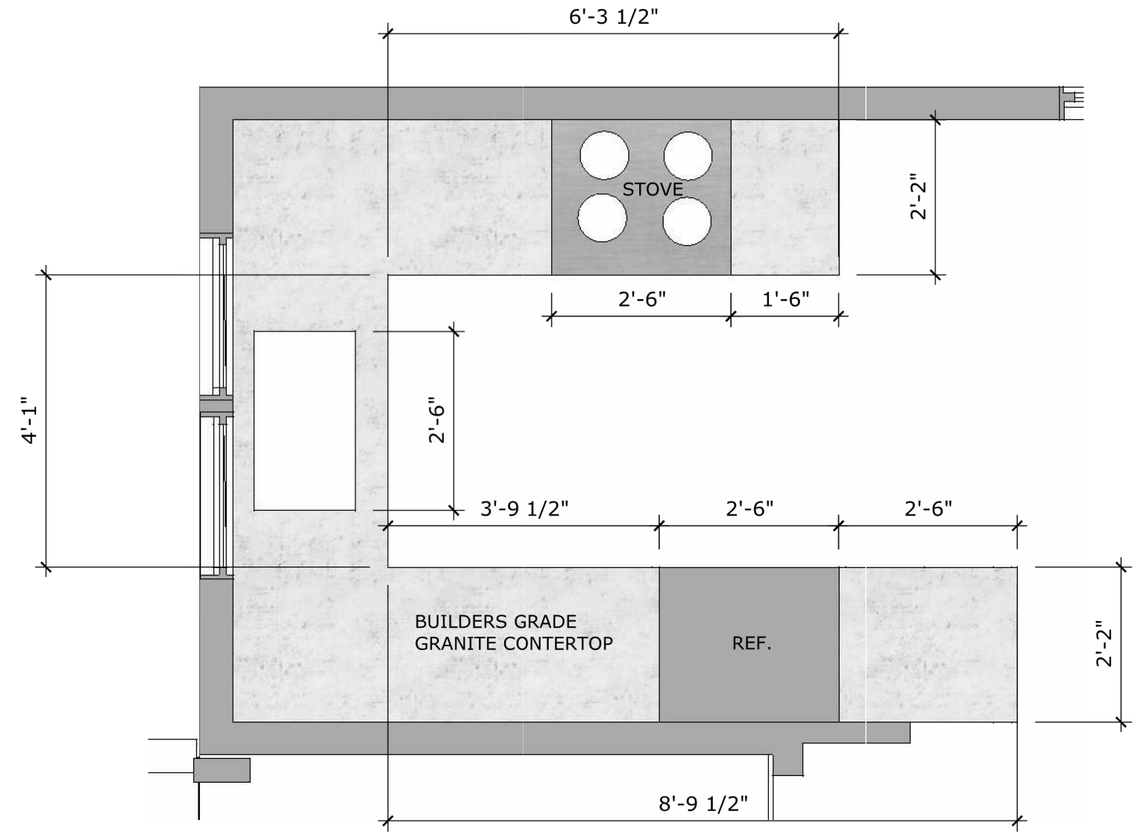
5



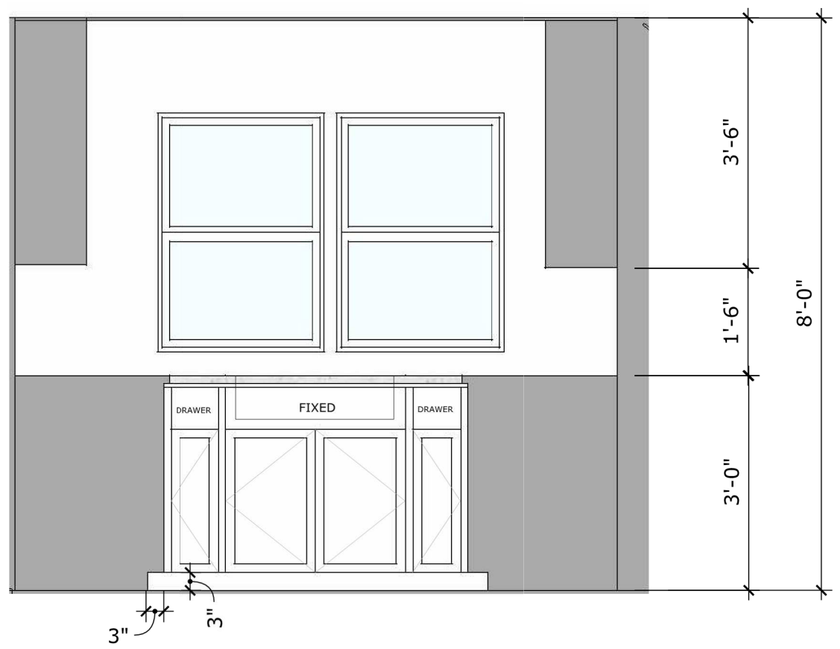
4/6 CABINET ELEVATION
SCALE : 1/2 ″ = 1′ - 0″



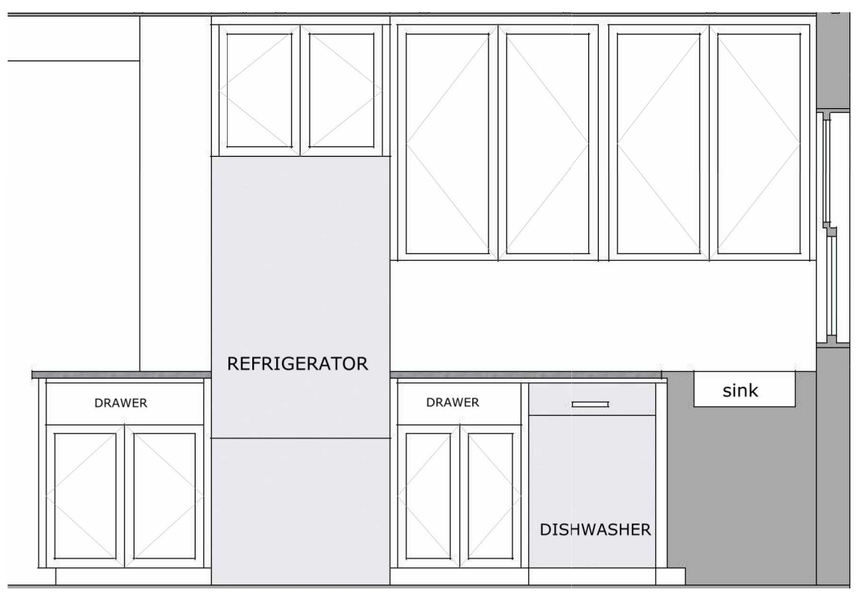
3/6 BATH VANITY ELEVATION
SCALE : 1/2 ″ = 1′ - 0″



2/6 KITCHEN CABINET PLAN
SCALE : 1/2″ = 1′ - 0″



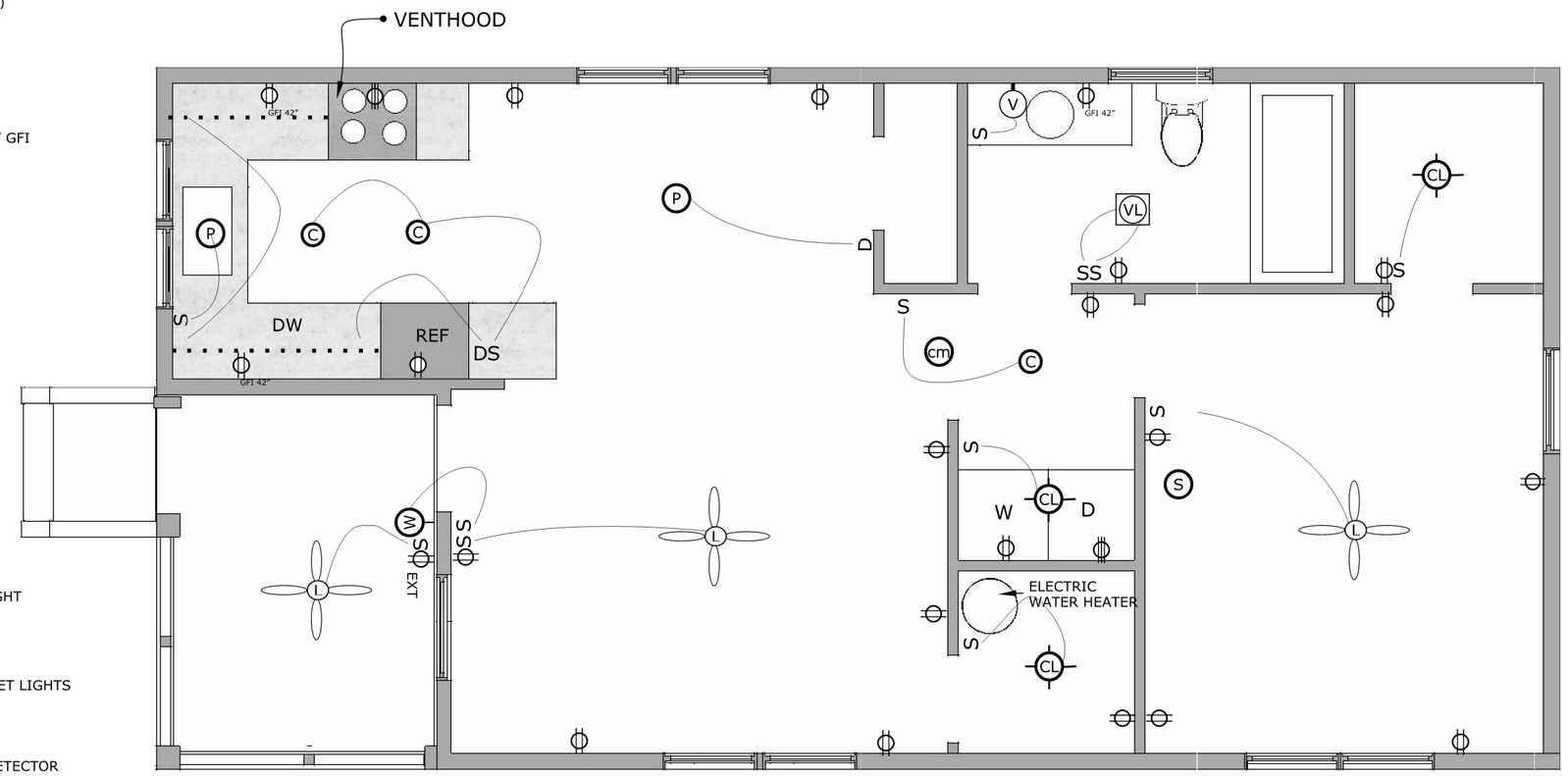
5/6 CABINET ELEVATION
SCALE : 1/2 ″ = 1′ - 0″



6/6 CABINET ELEVATION
SCALE : 1/2″ = 1′ - 0″

ELECTRICAL KEY

- S SWITCH
- S3 3 WAY SWITCH (two switches)
- D DIMMER
- DUPLEX OUTLET
- EXT DUPLEX OUTDOOR OUTLET GFI
- 220 OUTLET
- C CAN LIGHT
- CL CEILING LIGHT
- W WALL LIGHT
- P PENDANT LIGHT
- VL CEILING VENT LIGHT
- V VANITY WALL LIGHT
- L CEILING FAN W/ LIGHT
- LED UNDER CABINET LIGHTS
- S SMOKE DETECTOR
- cm CARBON MONOXIDE DETECTOR



1/6 ELECTRICAL PLAN
SCALE : 1/4″ = 1′ - 0″

PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

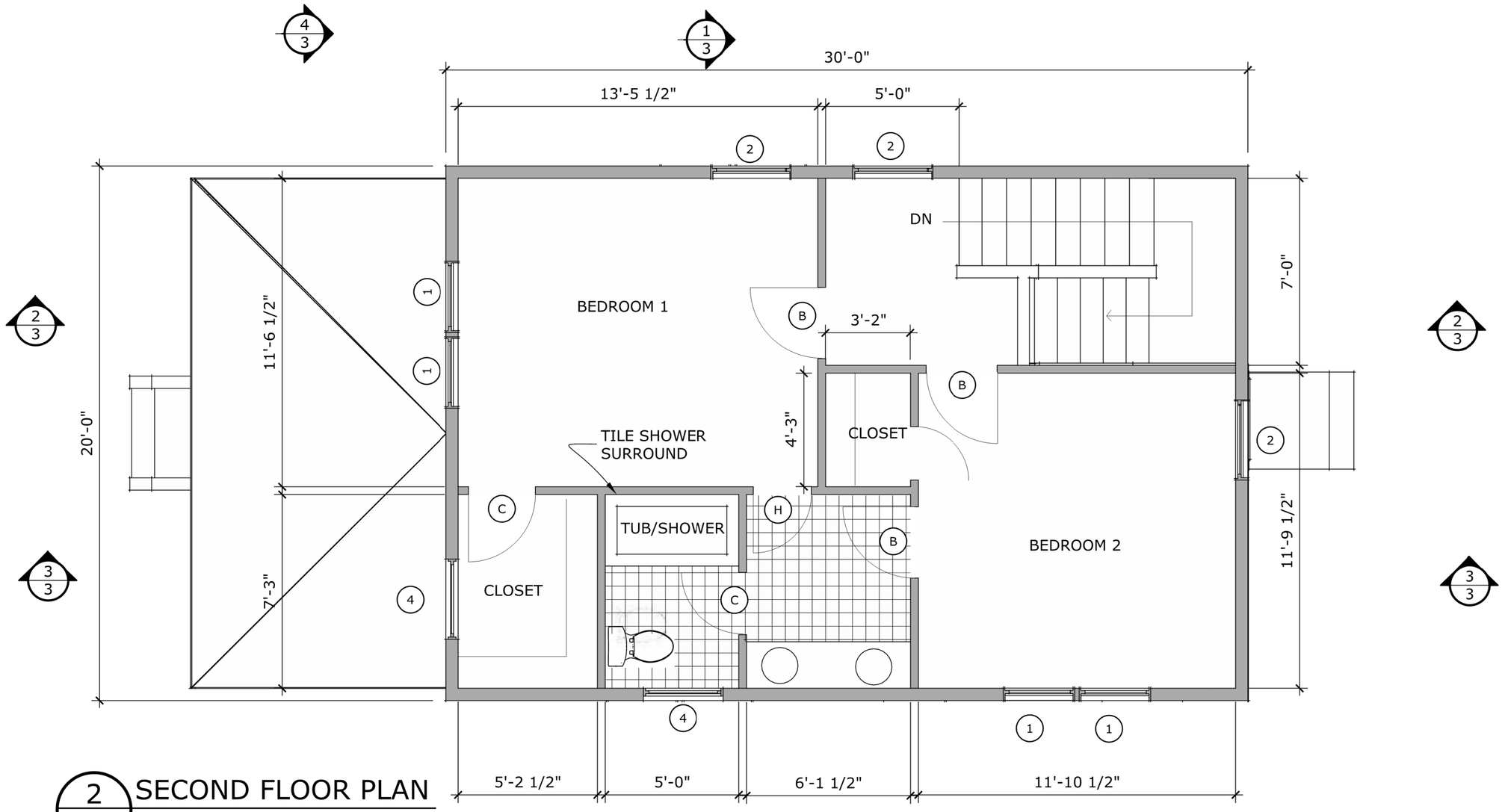
232 Adams Street
Fayetteville, AR 72701
Michael Cockram
479.799.2404
michael@bowbird.com
bowerbird design LLC

SWEET BAY AT KESSLER | ONE BEDROOM COTTAGE PROTO-TYPE
D&B OF NWA

6

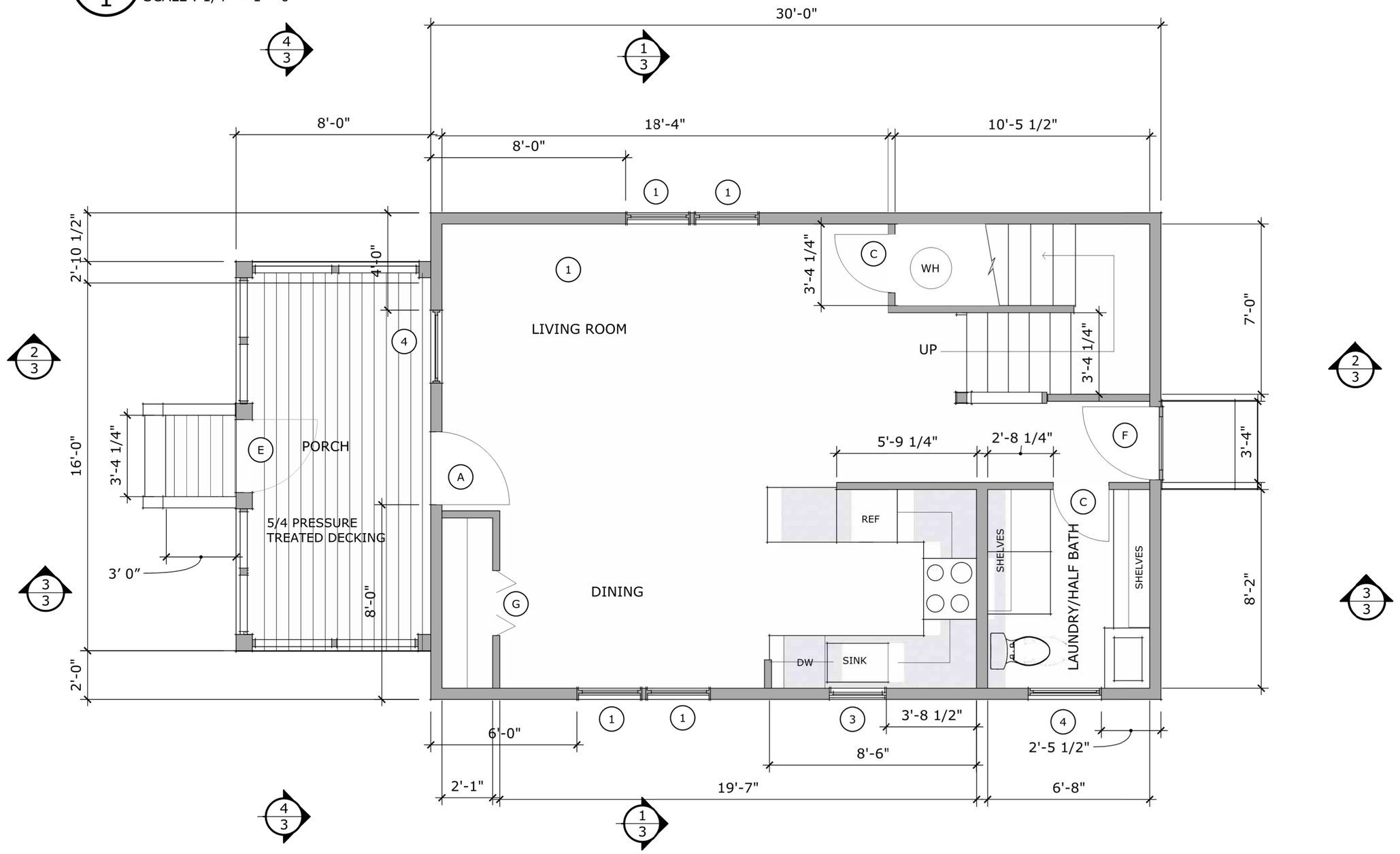
DOOR SCHEDULE						
SYMBOL	TYPE	WIDTH	HEIGHT	MANUFACTURER	FINISH	NOTES
A	ENTRY	3'0"	6'8"		PAINTED	CRAFTSMAN W/ UPPER LITE
B	INTERIOR	2'8"	6'8"		PAINTED	SINGLE RECESSED PANEL
C	INTERIOR	2'4"	6'8"		PAINTED	SINGLE RECESSED PANEL
D	INTERIOR BI-FOLD	5'0"	6'8"		PAINTED	
E	SCREENED DOOR	3'0"	6'8"		PAINTED	SOLID LOWER PANEL
F	EXT.DOOR	3'0"	6'8"		PAINTED	HALF LITE
G	INTERIOR BI-FOLD	2'8"	6'8"		PAINTED	
H	INTERIOR	2'2"	6'8"		PAINTED	SINGLE RECESSED PANEL

WINDOW SCHEDULE						
SYMBOL	TYPE	WIDTH	HEIGHT	MANUFACTURER	SERIES	NOTES
1	2-DOUBLE HUNG	2'6"	4'6"			GANGED BY MANUAFACTURER
2	DOUBLE HUNG	3'0"	5'0"			EGRESS
3	2- DOUBLE HUNG	2'4"	3'4"			GANGED BY MANUAFACTURER
4	AWNING OR SLIDER	3'0"	2'0"			



2/1 SECOND FLOOR PLAN

SCALE : 1/4" = 1' - 0"



HEATED SPACE: 1200 SF
PORCH : 128 SF

1/1 FIRST FLOOR PLAN

SCALE : 1/4" = 1' - 0"

PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

232 Adams Street
Fayetteville, AR 72701

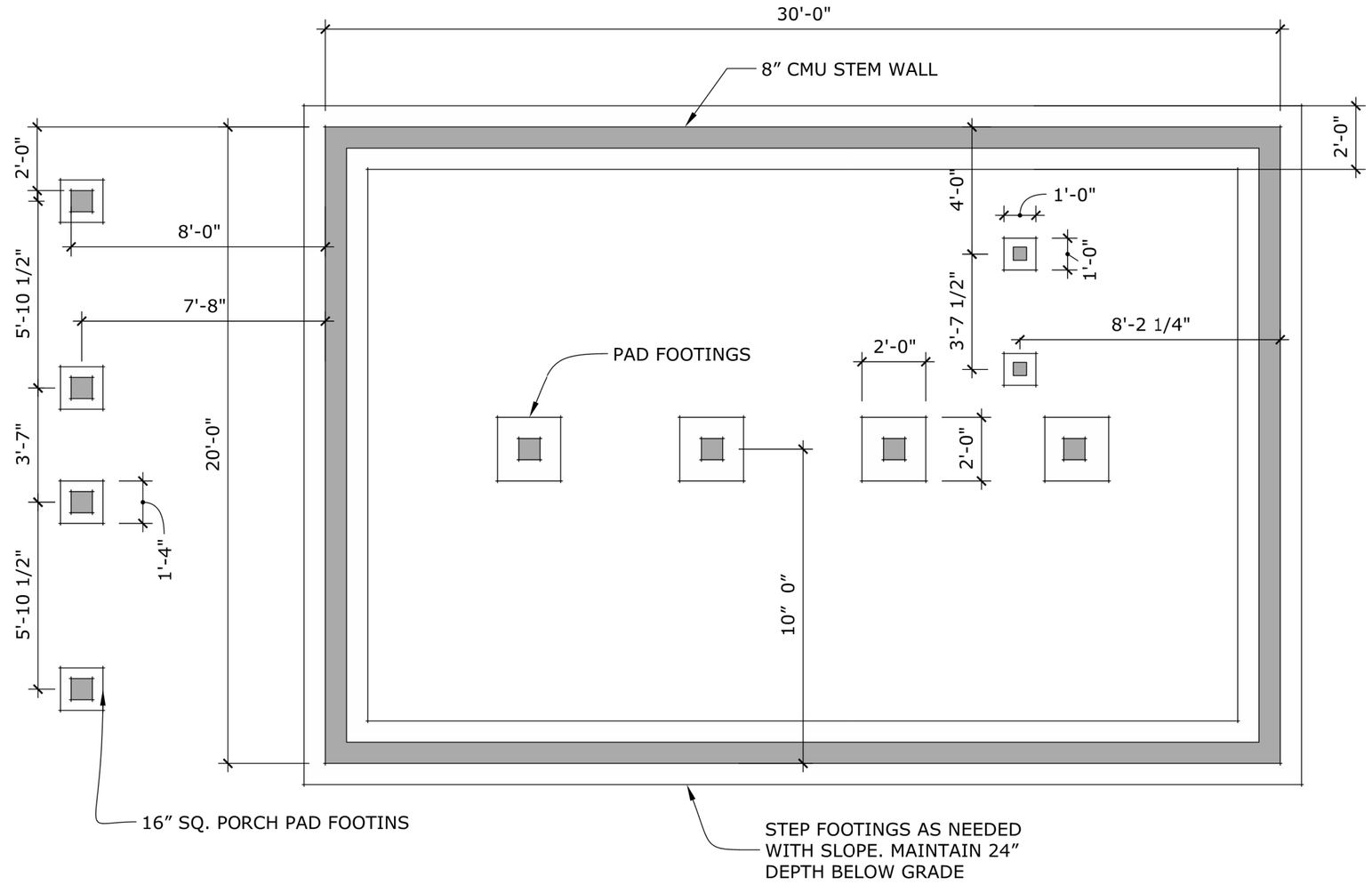
Michael Cockram
479.799.2404
michael@bowbird.com

bowerbird design LLC

SWEET BAY AT KESSLER | TWO BEDROOM COTTAGE PROTO-TYPE

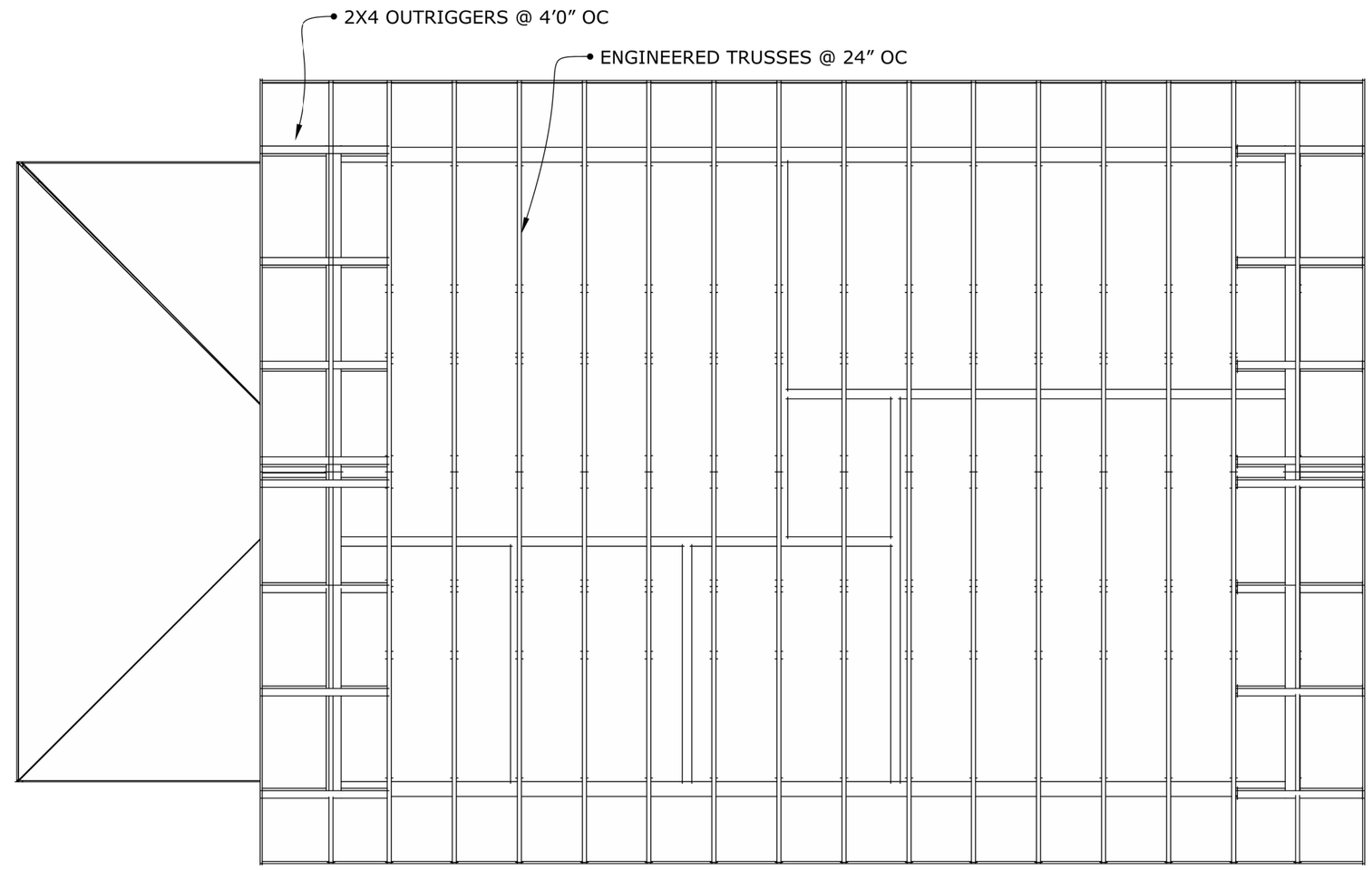
D & B OF NWA

1



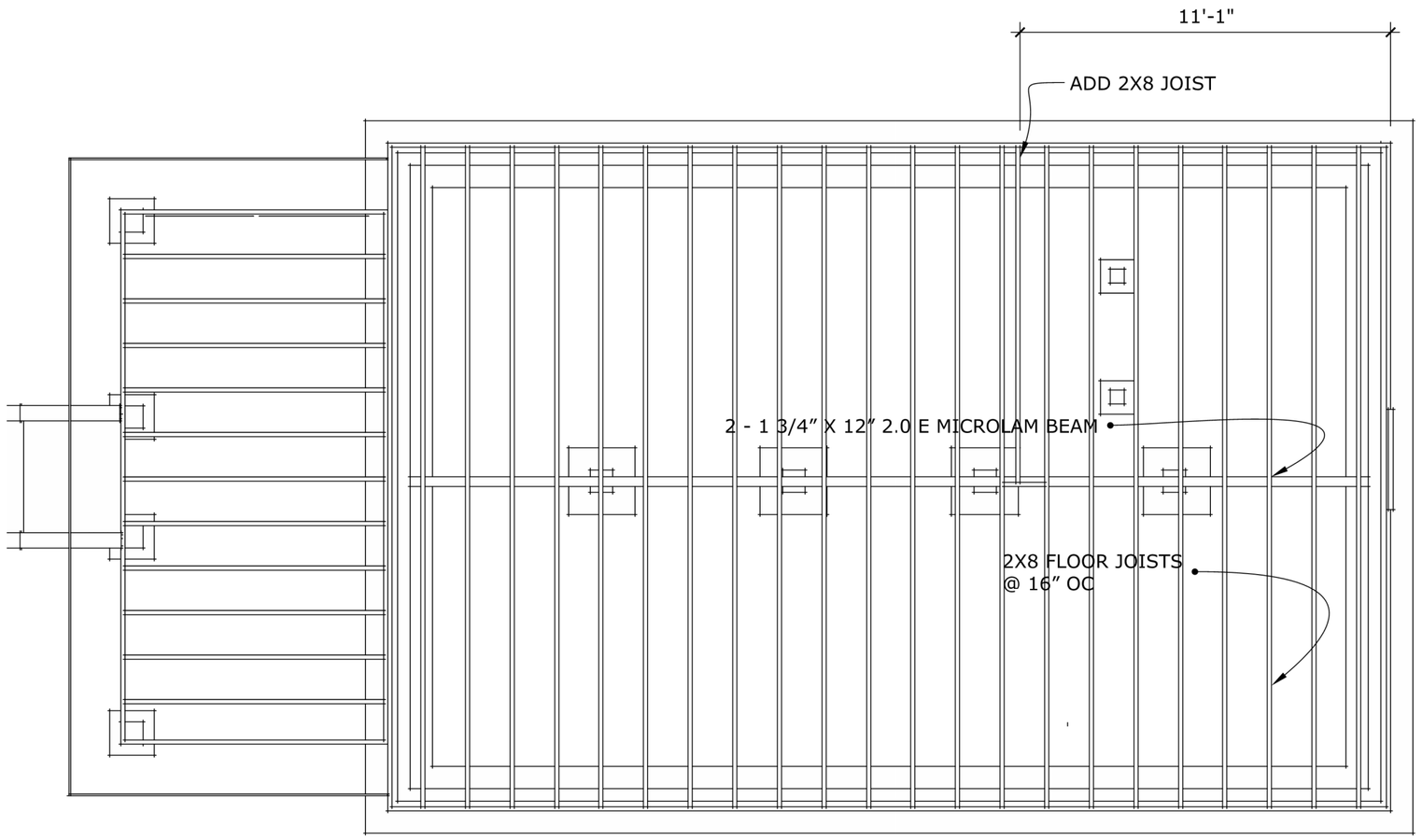
1/2 FOUNDATION PLAN

SCALE : 1/4" = 1' - 0"



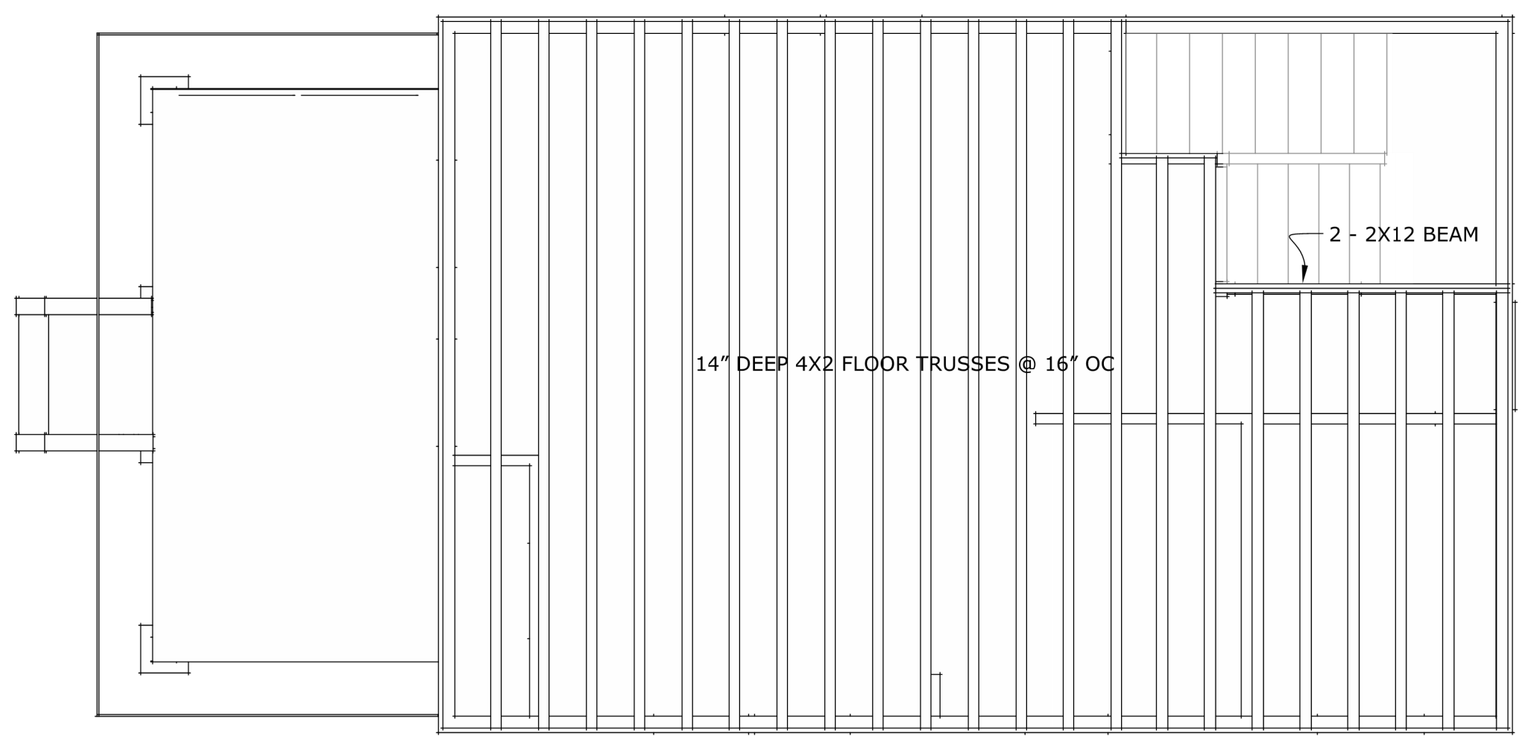
2/2 ROOF FRAMING

SCALE : 1/4" = 1' - 0"



3/2 FIRST FLOOR FRAMING

SCALE : 1/4" = 1' - 0"



4/2 SECOND FLOOR FRAMING

SCALE : 1/4" = 1' - 0"

PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

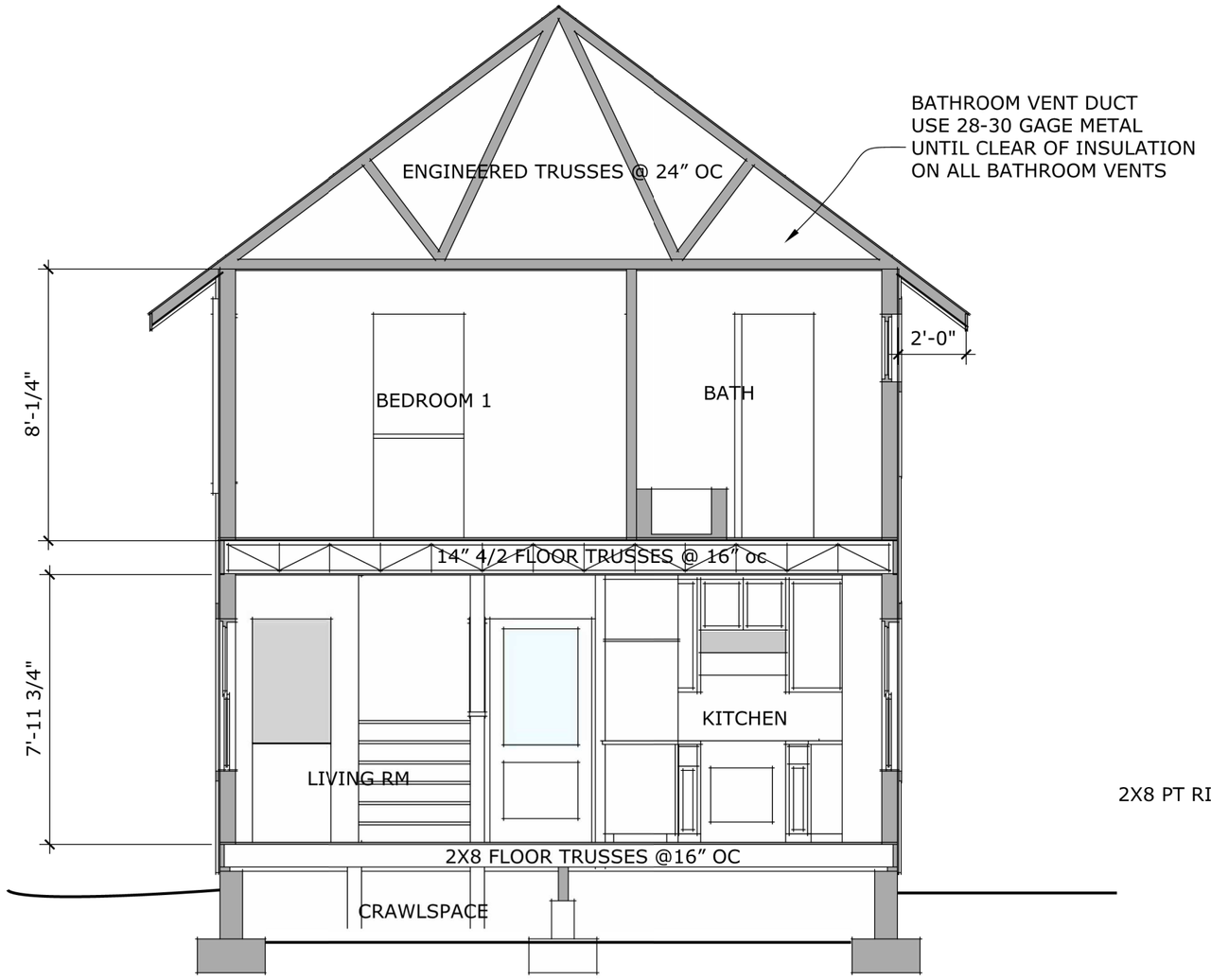
232 Adams Street
Fayetteville, AR 72701

Michael Cockram
479.799.2404
michael@bowbird.com

bowerbird design LLC

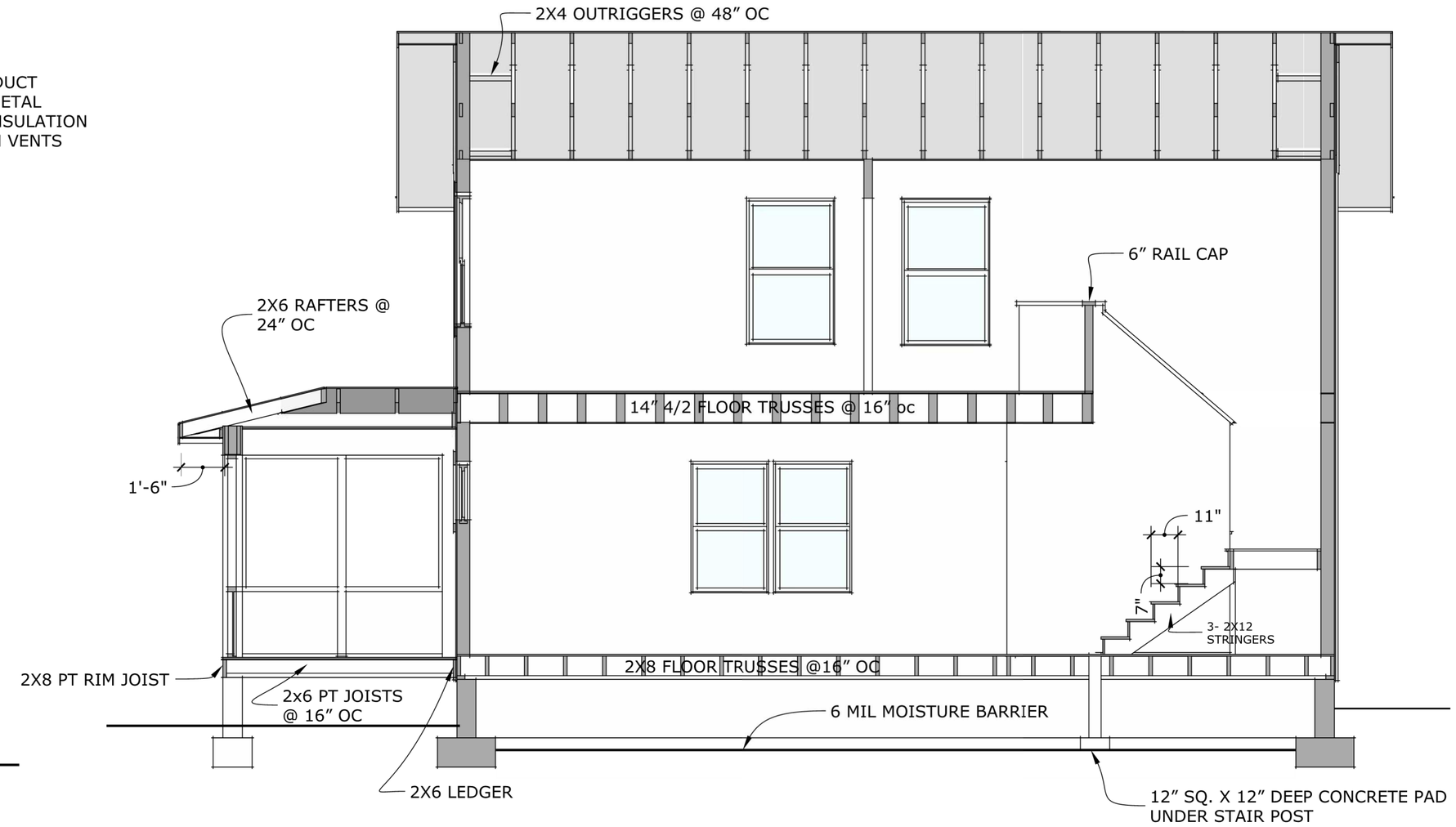
SWEET BAY AT KESSLER | TWO BEDROOM COTTAGE PROTO-TYPE
D & B OF NWA

2



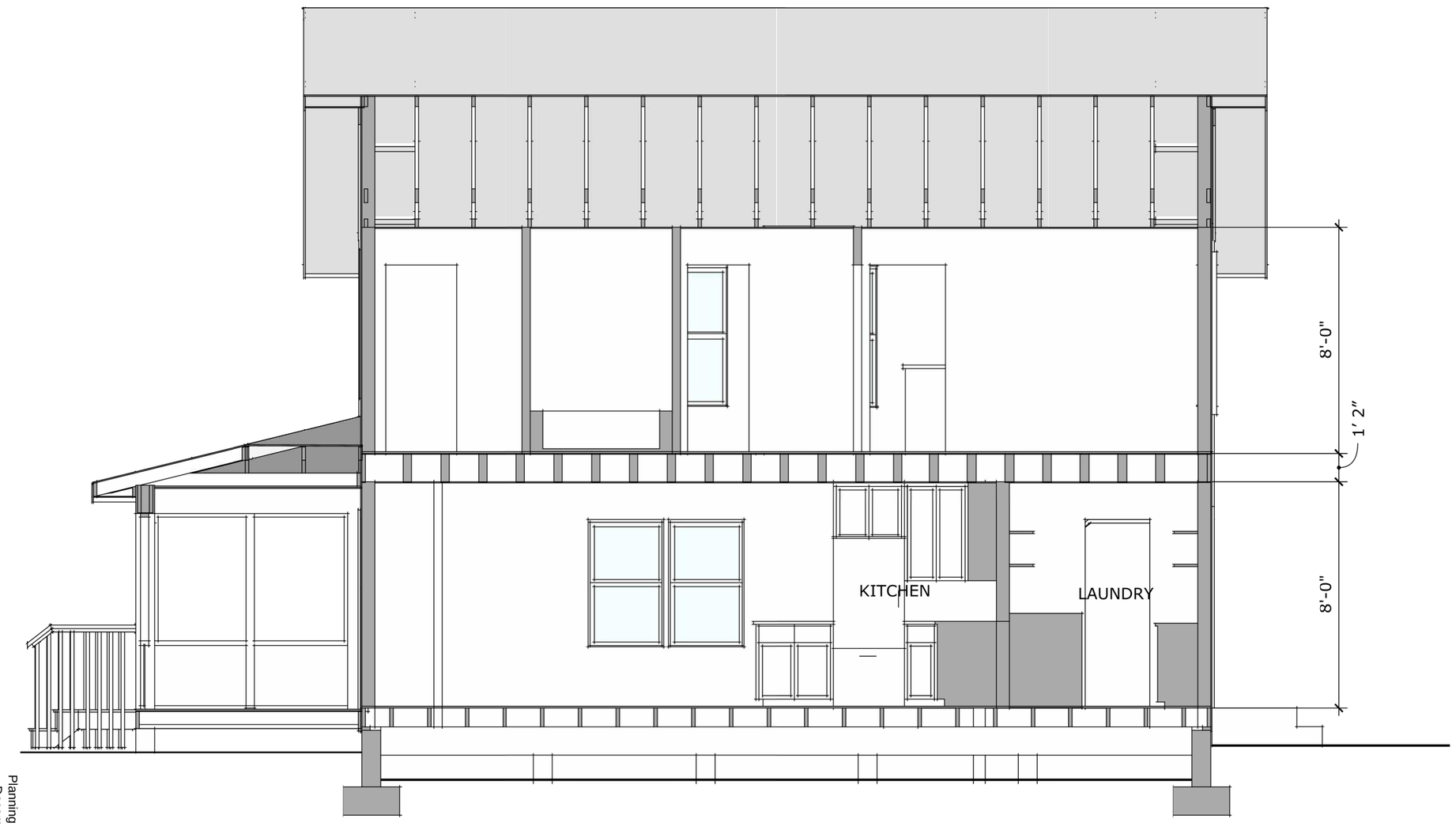
1/3 LIVING / BEDROOM SECTION

SCALE : 1/4" = 1' - 0"



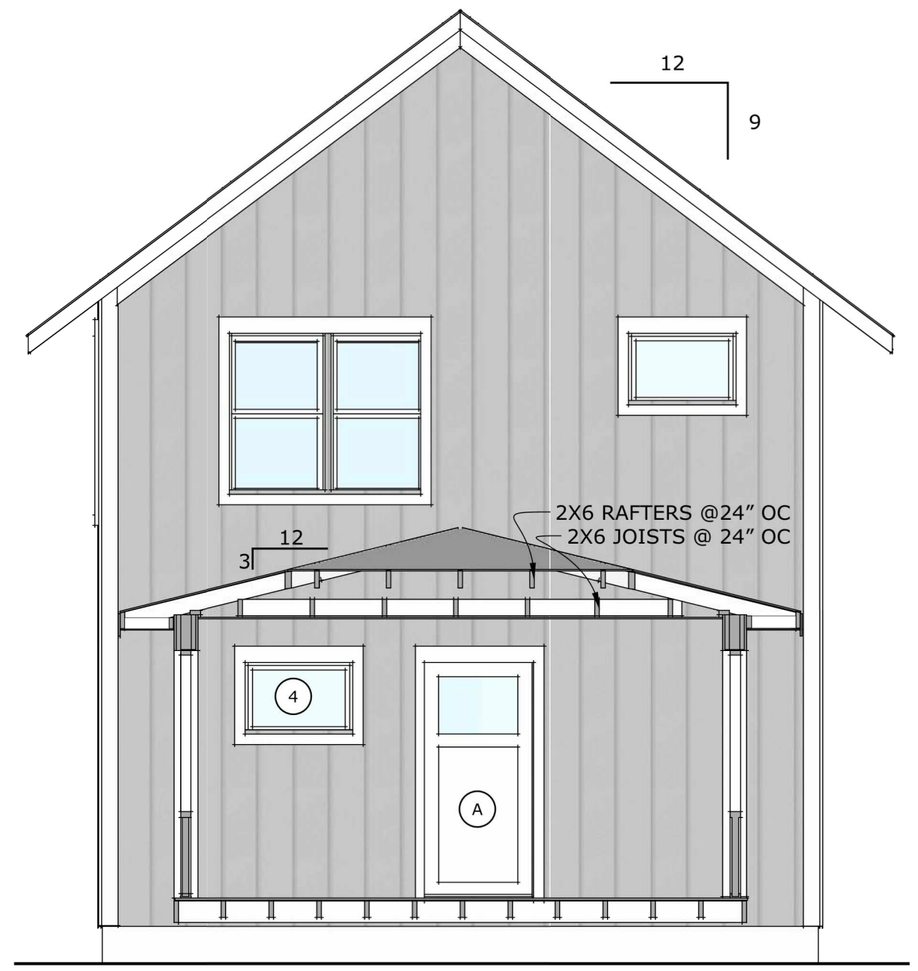
2/3 LIVING / STAIR SECTION

SCALE : 1/4" = 1' - 0"



3/3 KITCHEN/LAUNDRY SECTION

SCALE : 1/4" = 1' - 0"



4/3 SECTION AT SCREENED PORCH

SCALE : 1/4" = 1' - 0"

PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

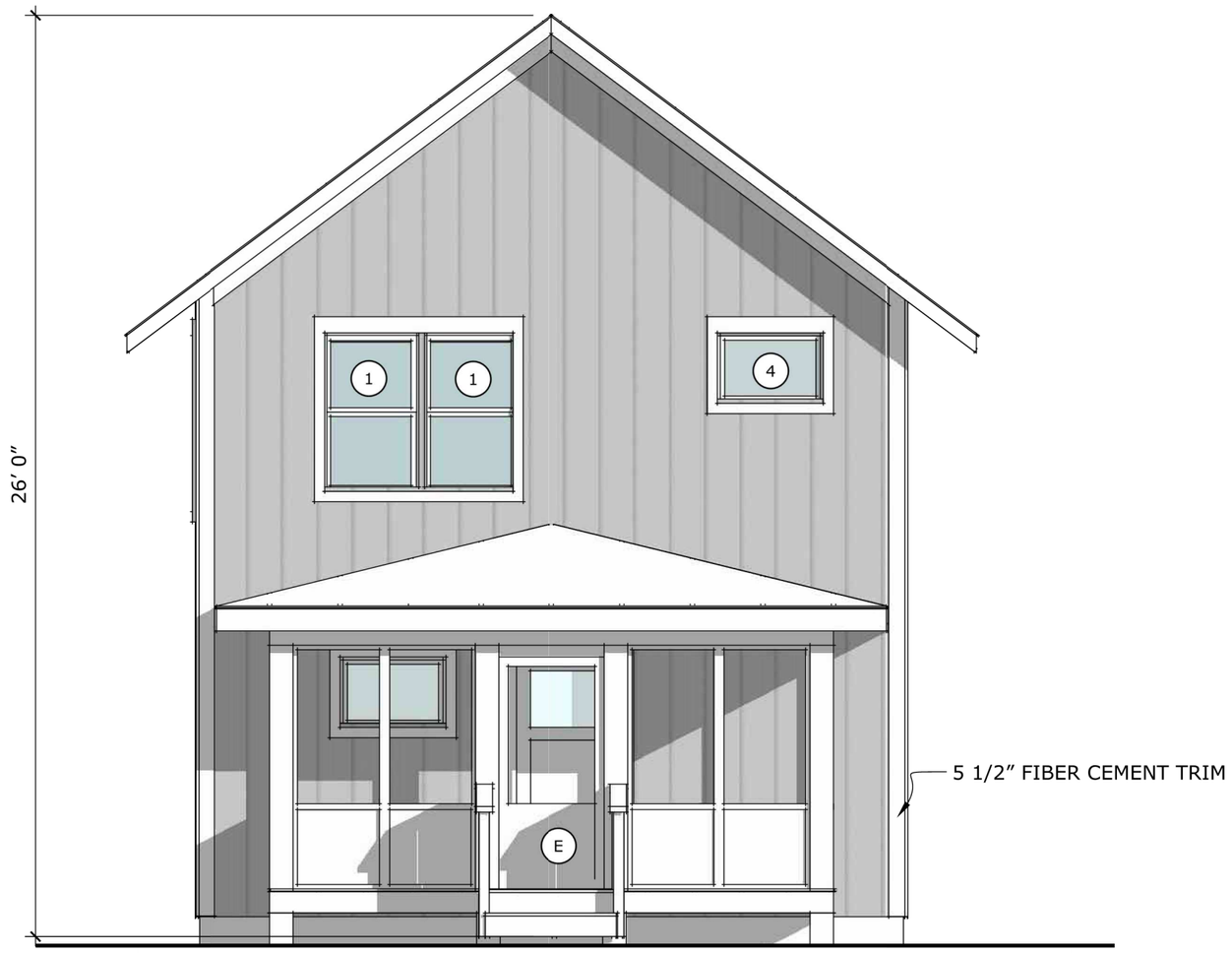
232 Adams Street
Fayetteville, AR 72701

Michael Cockram
479.799.2404
michael@bowbird.com

bowerbird design LLC

SWEET BAY AT KESSLER | TWO BEDROOM COTTAGE PROTO-TYPE
D & B OF NWA

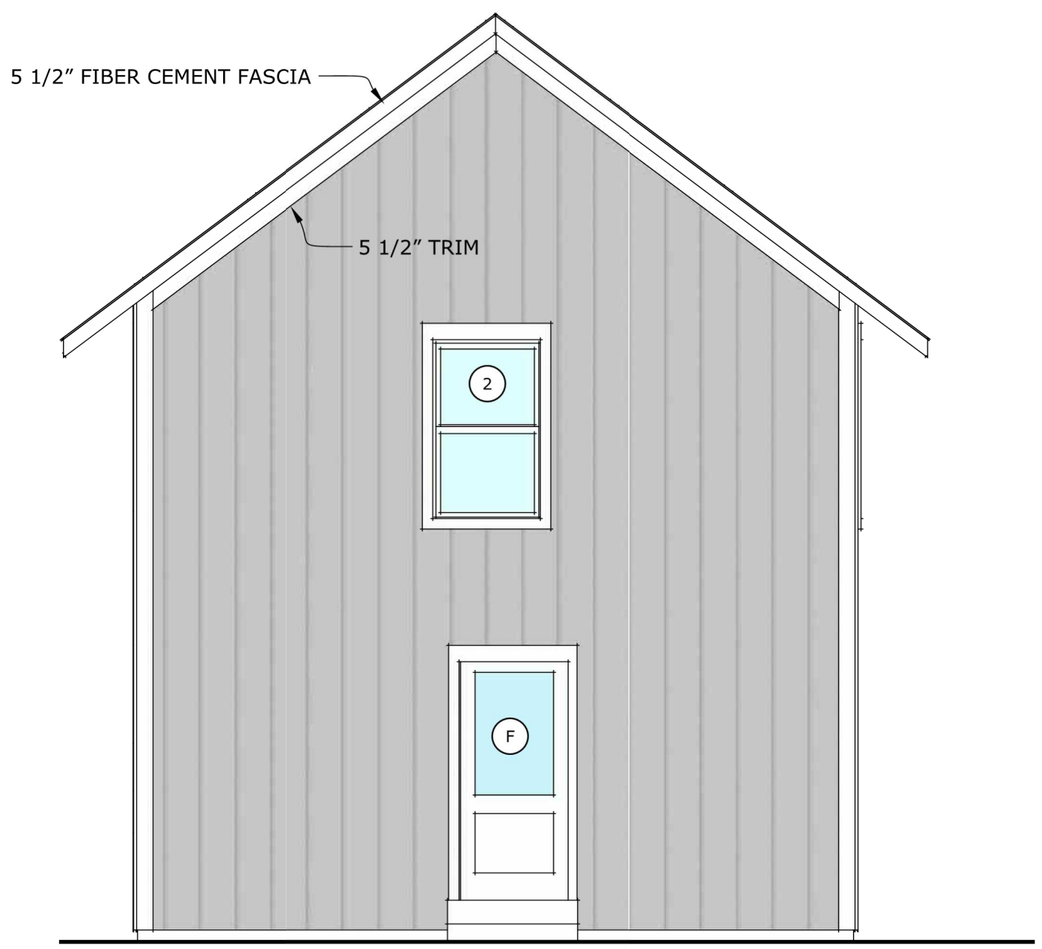
3



1/4 FRONT ELEVATION
SCALE : 1/4" = 1' - 0"

2/4 LEFT ELEVATION
SCALE : 1/4" = 1' - 0"

3/4 RIGHT ELEVATION
SCALE : 1/4" = 1' - 0"



4/4 LEFT ELEVATION
SCALE : 1/4" = 1' - 0"

PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

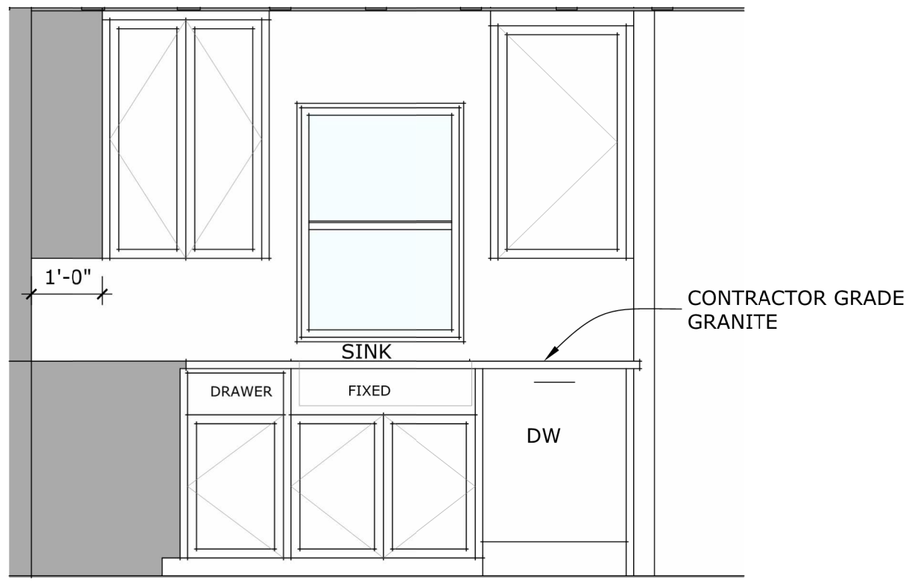
232 Adams Street
Fayetteville, AR 72701

Michael Cockram
479.799.2404
michael@bowbird.com

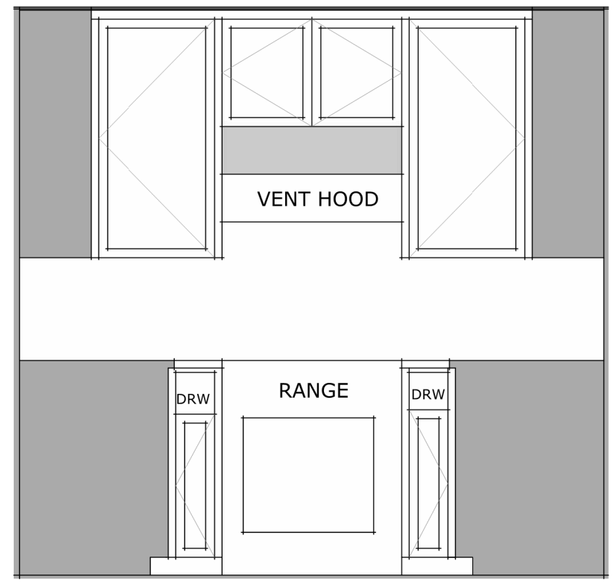
bowerbird design LLC

SWEET BAY AT KESSLER | TWO BEDROOM COTTAGE PROTO-TYPE
D & B OF NWA

4

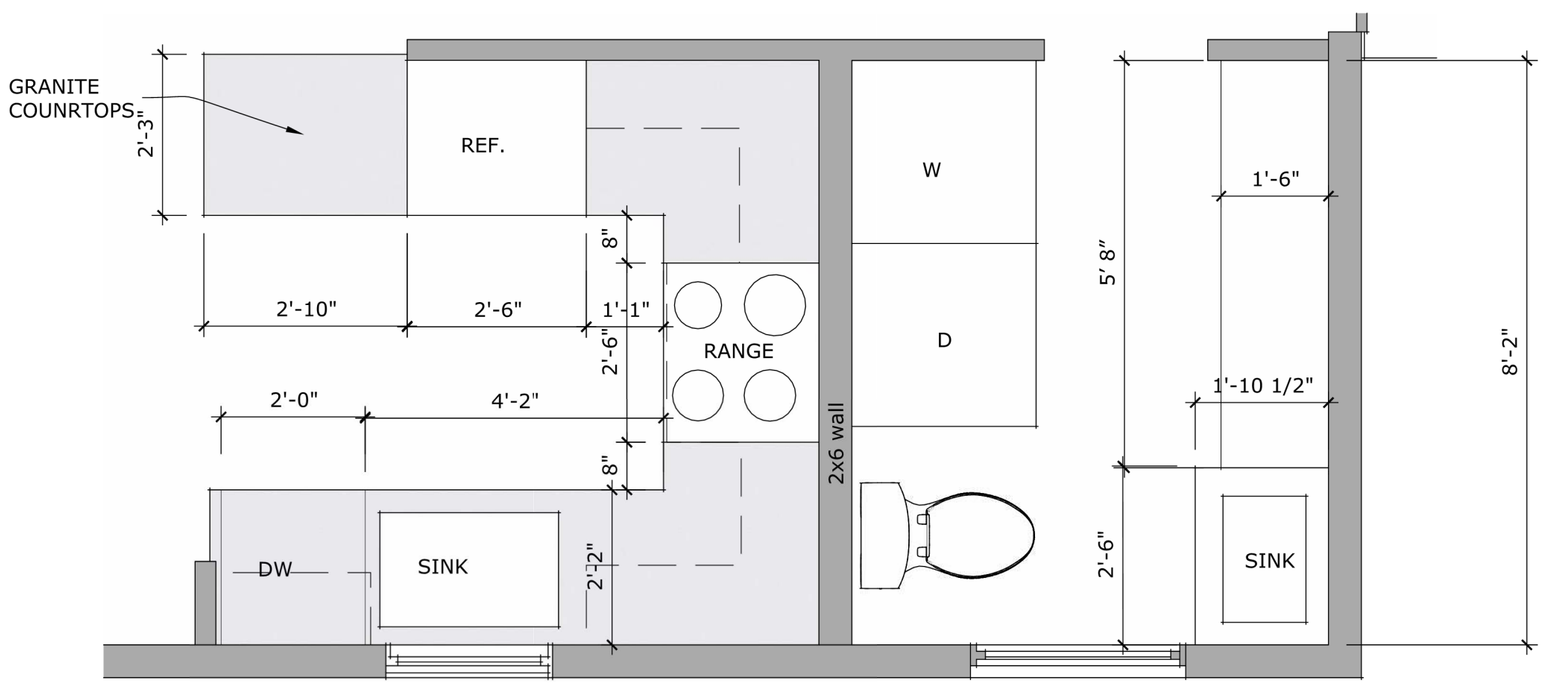


1/5 KITCHEN CAB. ELEVATION
SCALE : 1/2" = 1' - 0"

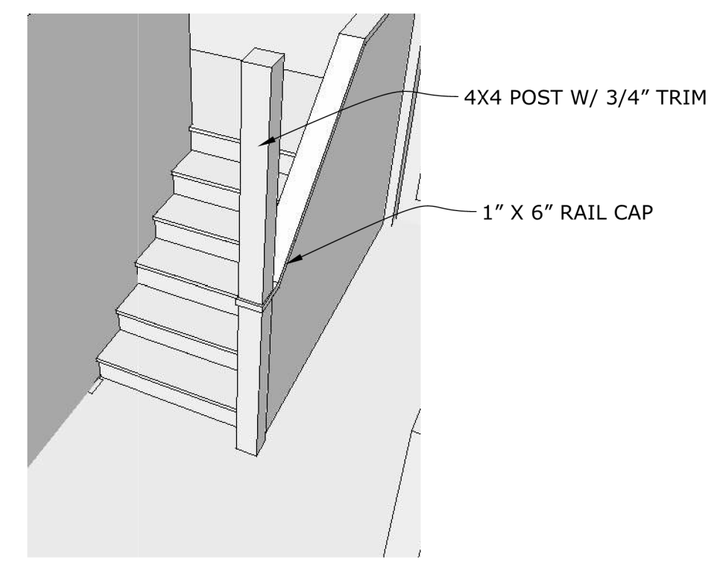


2/5 KITCHEN CAB. ELEVATION
SCALE : 1/2" = 1' - 0"

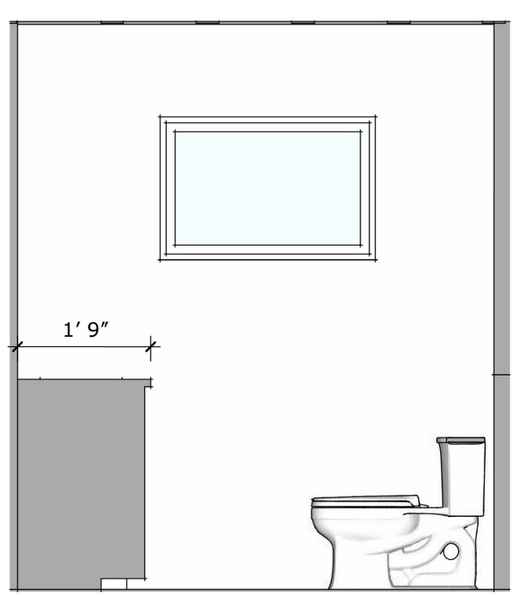
3/5 KITCHEN CAB. ELEVATION
SCALE : 1/2" = 1' - 0"



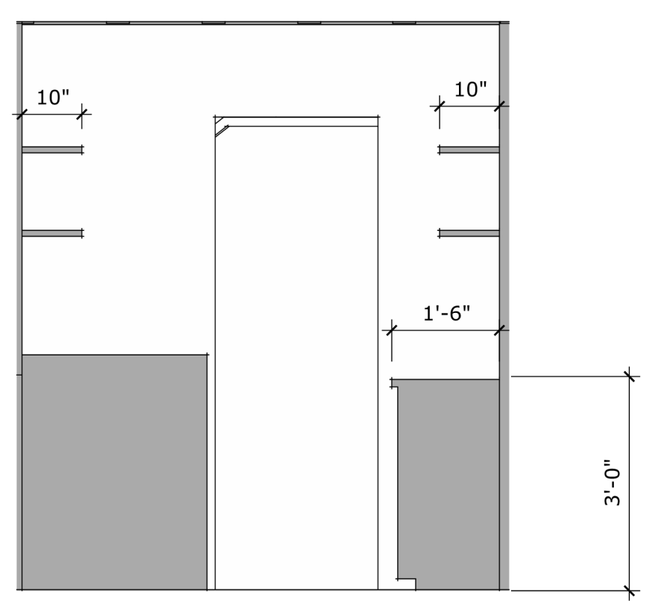
4/5 KITCHEN CAB. ELEVATION
SCALE : 1/2" = 1' - 0"



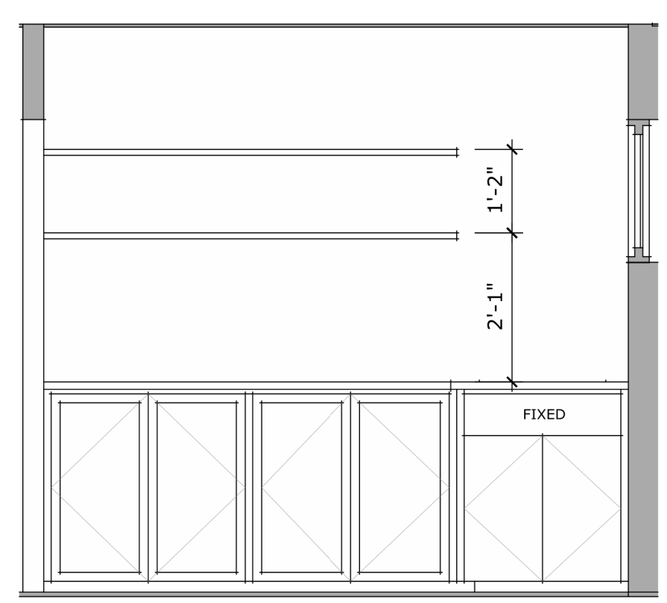
5/5 STAIR DETAIL



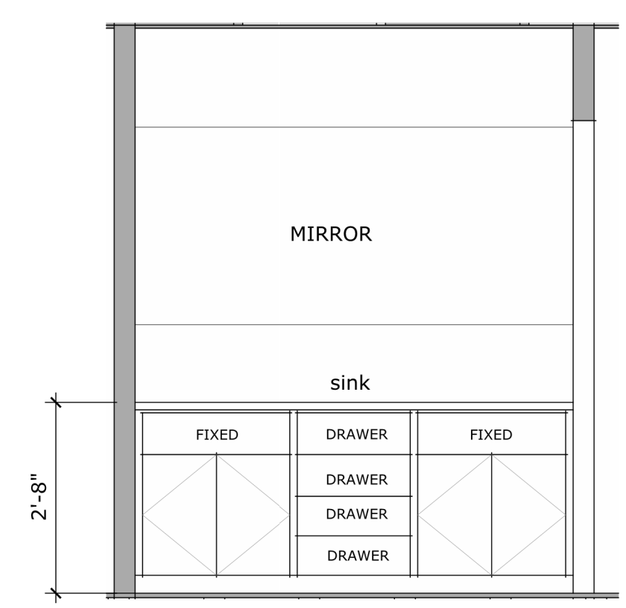
6/5 KITCHEN CAB. ELEVATION
SCALE : 1/2" = 1' - 0"



7/5 KITCHEN CAB. ELEVATION
SCALE : 1/2" = 1' - 0"



8/5 KITCHEN CAB. ELEVATION
SCALE : 1/2" = 1' - 0"



9/5 KITCHEN CAB. ELEVATION
SCALE : 1/2" = 1' - 0"

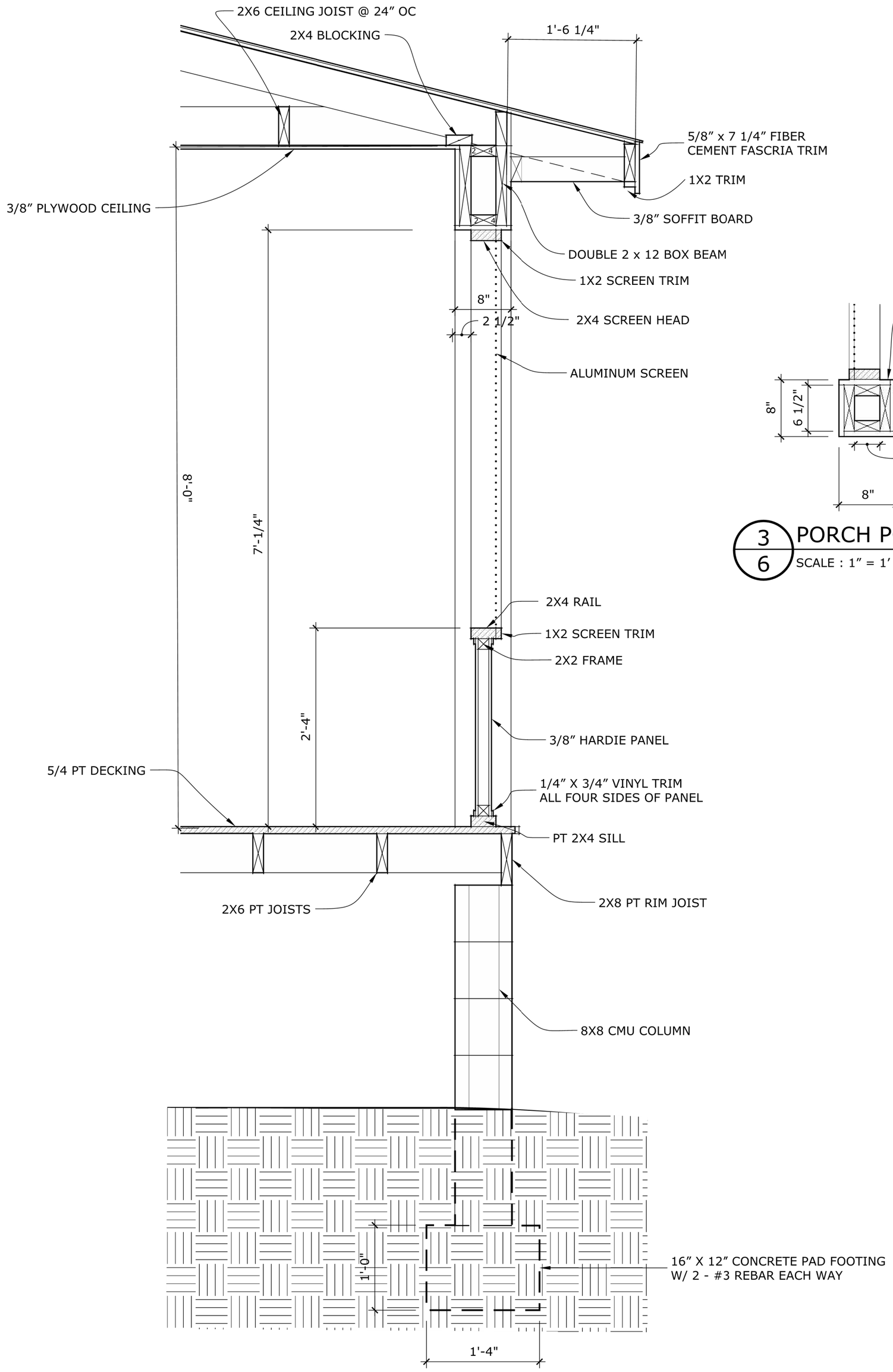
PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

232 Adams Street
Fayetteville, AR 72701
Michael Cockram
479.799.2404
michael@bowbird.com
bowerbird design LLC

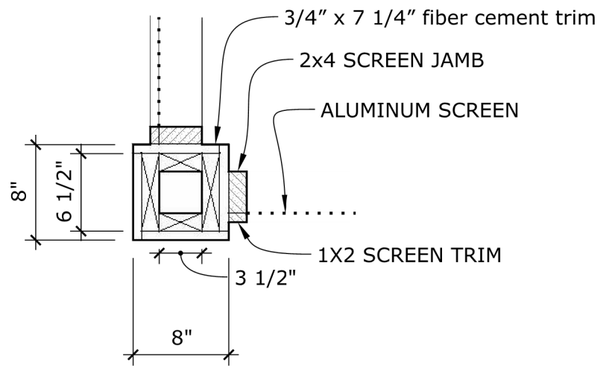
SWEET BAY AT KESSLER | TWO BEDROOM COTTAGE PROTO-TYPE
D & B OF NWA

5



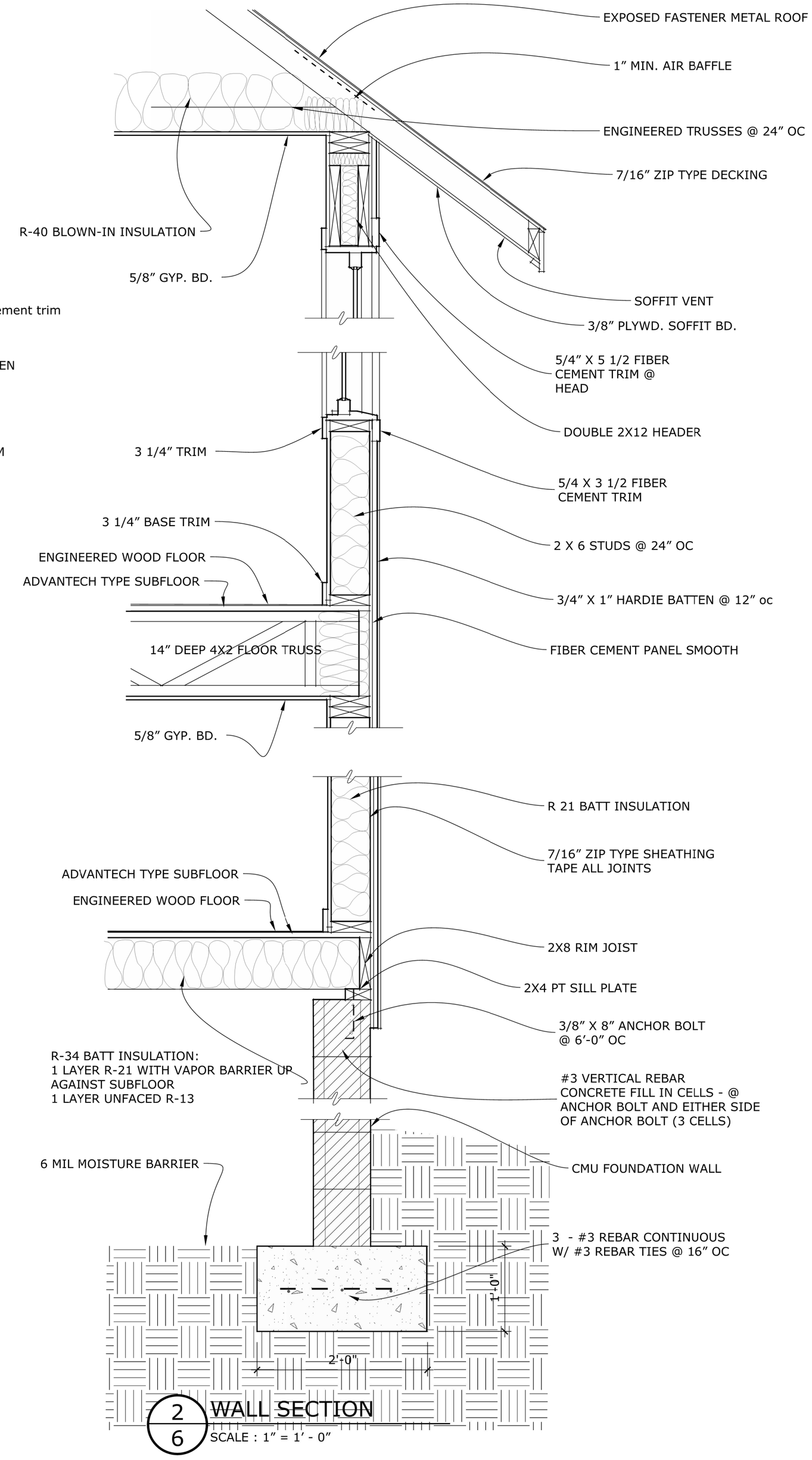
1/6 SCREENED PORCH WALL SECTION

SCALE : 1" = 1' - 0"



3/6 PORCH POST PLAN DET.

SCALE : 1" = 1' - 0"



2/6 WALL SECTION

SCALE : 1" = 1' - 0"

PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

232 Adams Street
Fayetteville, AR 72701

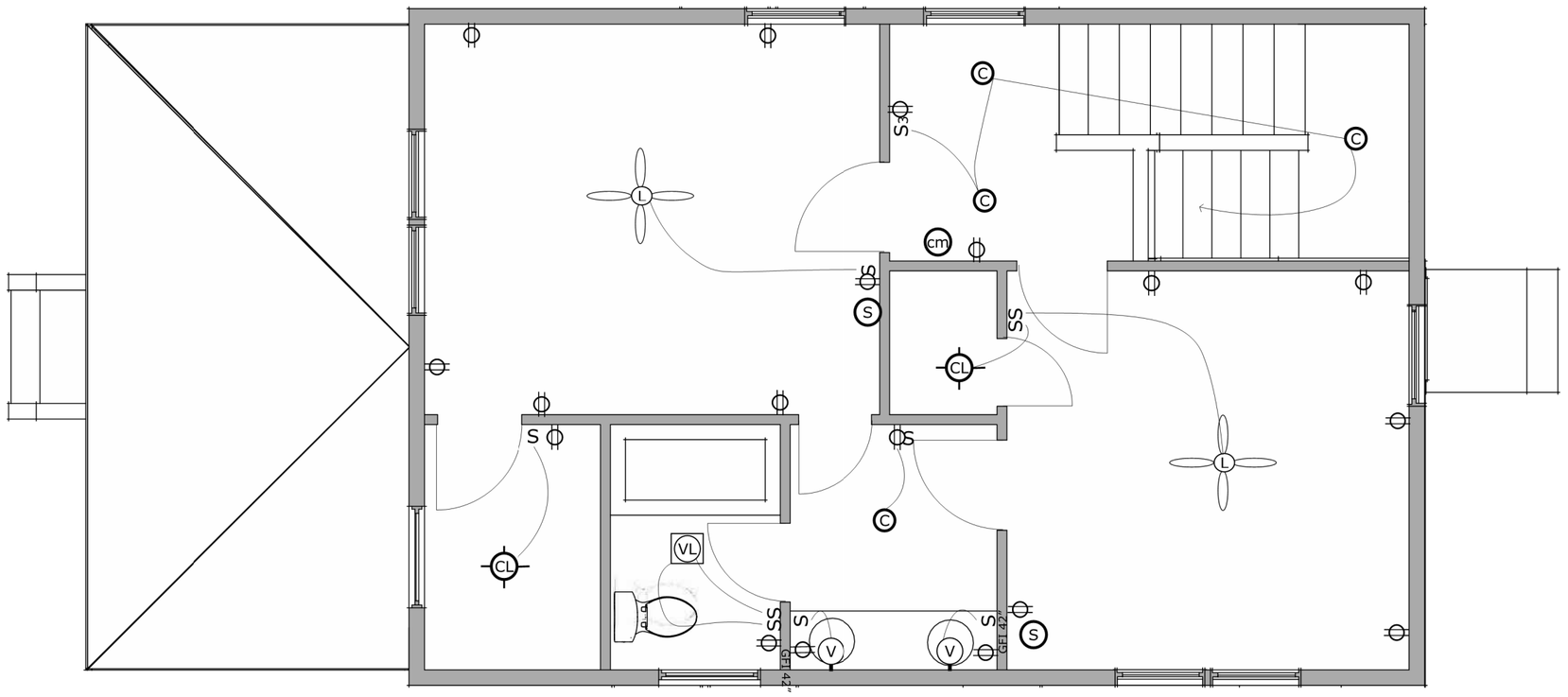
Michael Cockram
479.799.2404
michael@bowbird.com

bowerbird design LLC

SWEET BAY AT KESSLER | TWO BEDROOM COTTAGE PROTO-TYPE

D & B OF NWA

6

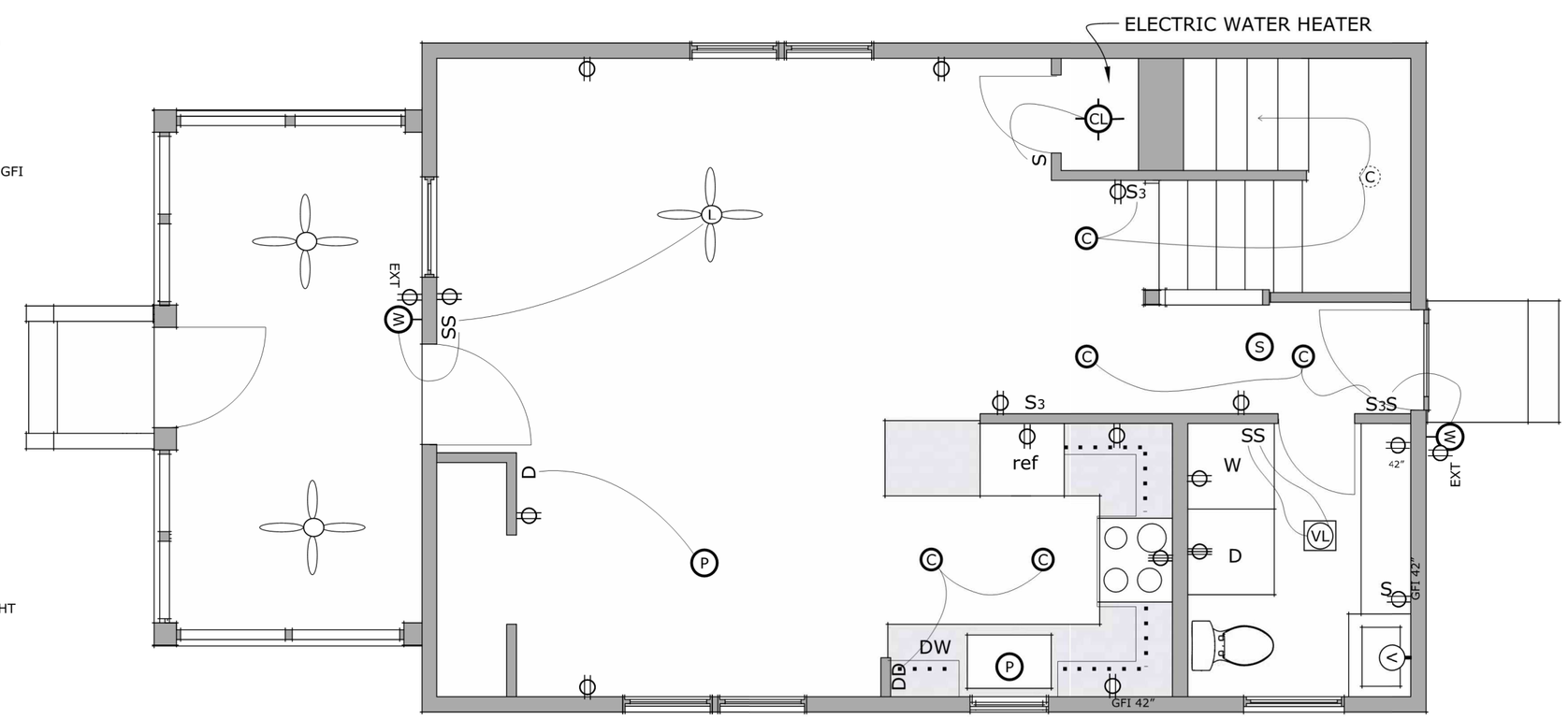


1/7 SECOND FLOOR ELECTRICAL PLAN

SCALE : 1/4" = 1' - 0"

ELECTRICAL KEY

- S SWITCH
- S3 3 WAY SWITCH (two switches)
- D DIMMER
- DUPLEX OUTLET
- EXT DUPLEX OUTDOOR OUTLET GFI
- 220 OUTLET
- C CAN LIGHT
- CL CEILING LIGHT
- W WALL LIGHT
- P PENDANT LIGHT
- VL CEILING VENT LIGHT
- V VANITY WALL LIGHT
- L CEILING FAN W/ LIGHT
- CEILING FAN
- LED UNDER CABINET LIGHTS
- S SMOKE DETECTOR
- cm CARBON MONOXIDE DETECTOR



2/7 FIRST FLOOR ELECTRICAL PLAN

SCALE : 1/4" = 1' - 0"

PRELIMINARY - NOT FOR CONSTRUCTION

9.12.23

232 Adams Street
Fayetteville, AR 72701

Michael Cockram
479.799.2404
michael@bowbird.com

bowerbird design LLC

SWEET BAY AT KESSLER | TWO BEDROOM COTTAGE PROTO-TYPE
D & B OF NWA

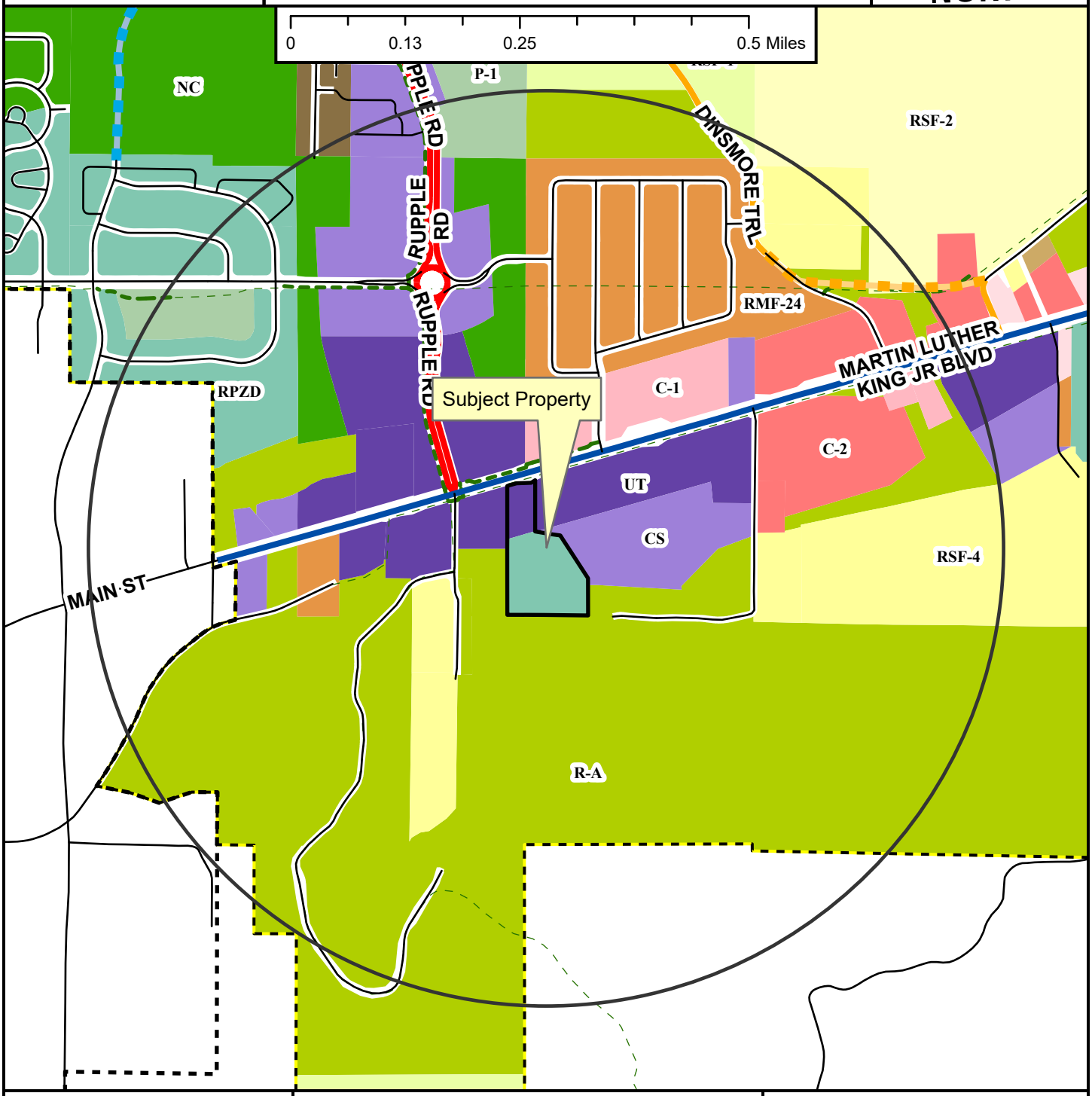
7

LSD-2023-0018

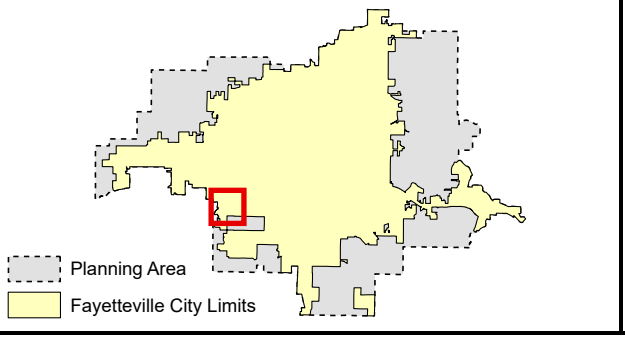
One Mile View

W. MARTIN LUTHER KING JR BLVD AND S. SMOKEHOUSE

NORTH



- 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



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

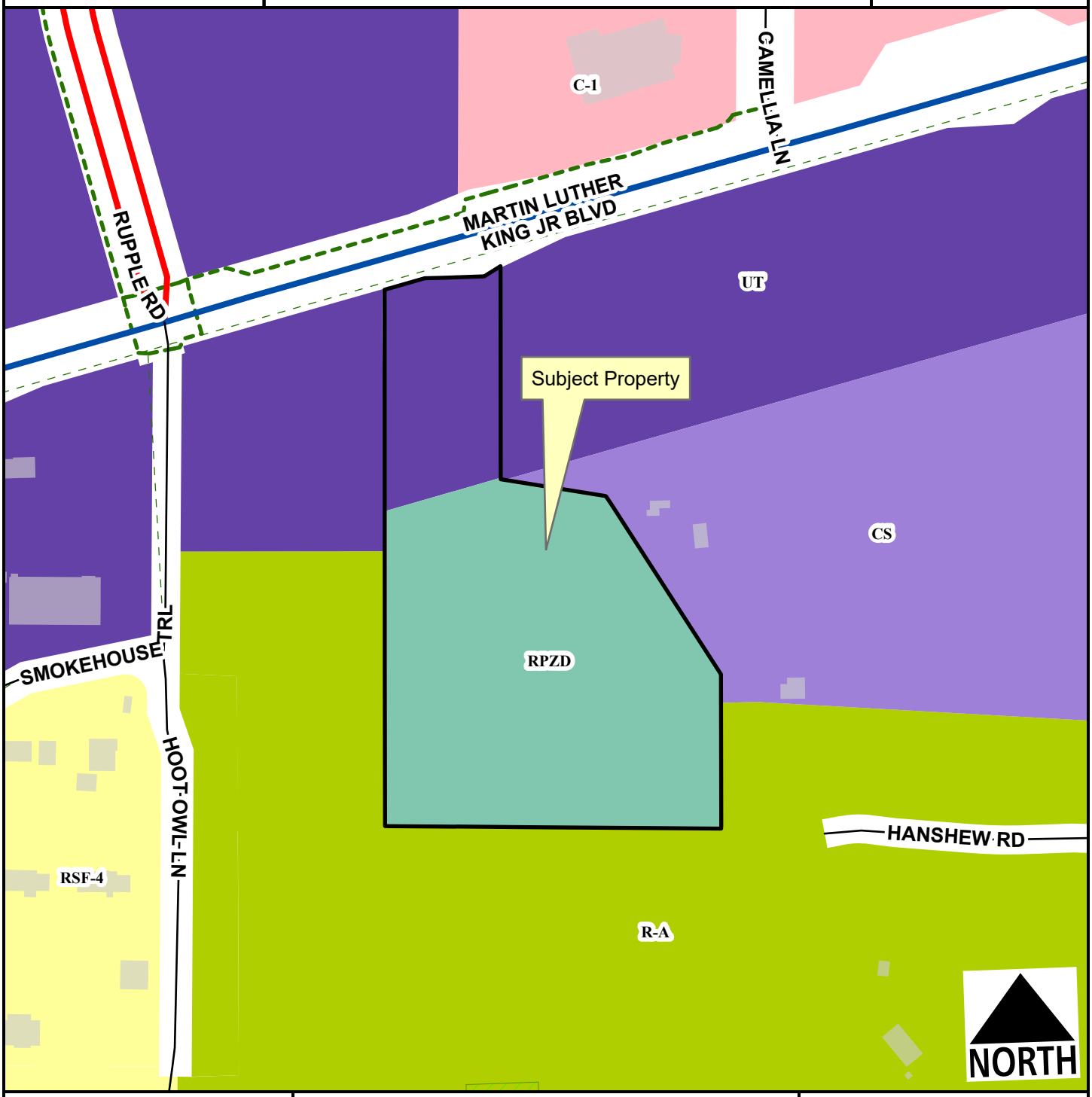
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

LSD-2023-0018

Close Up View

W. MARTIN LUTHER KING JR BLVD AND S. SMOKEHOUSE



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

Feet

0 75 150 300 450 600

1:2,400

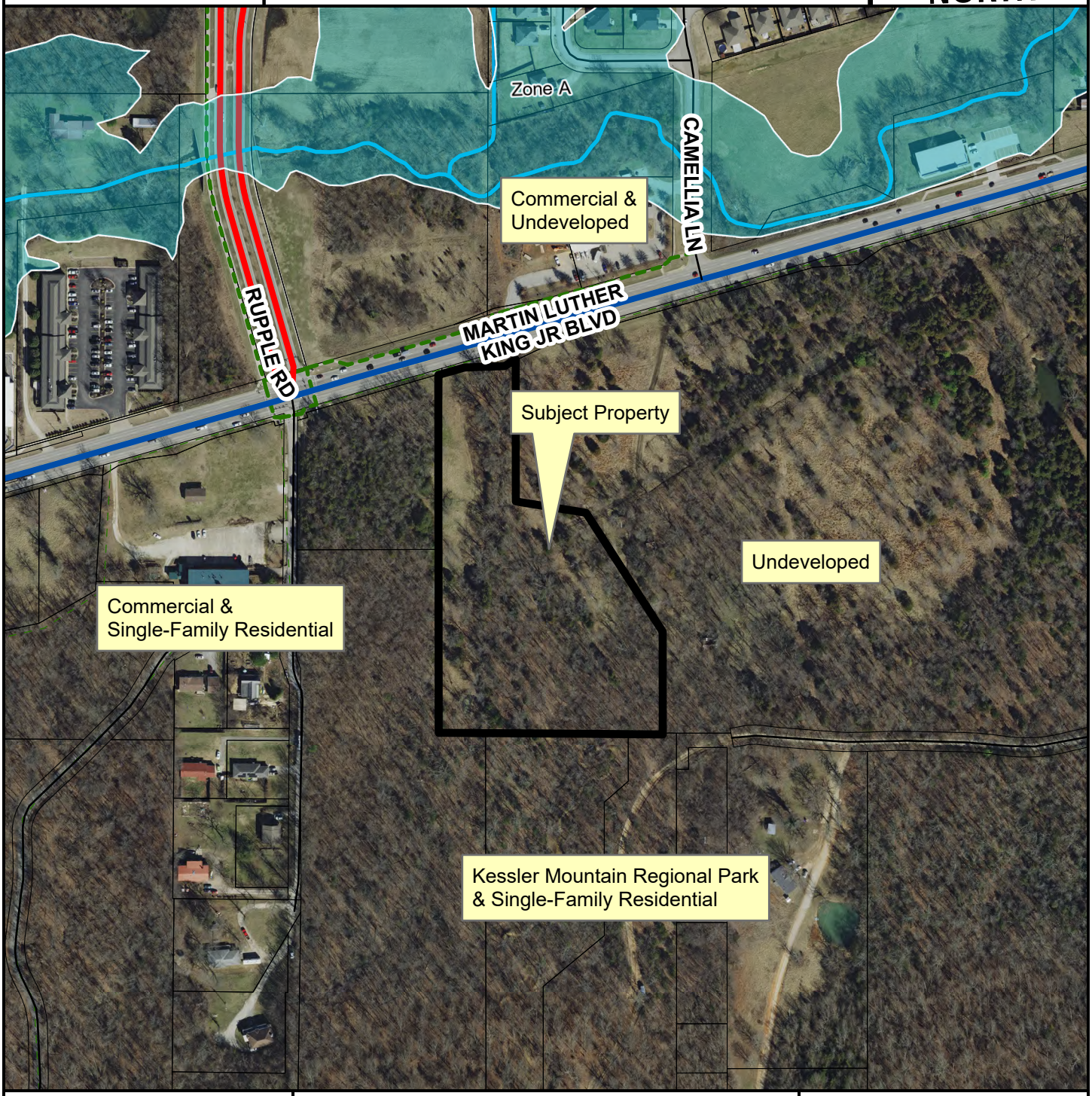
- Residential-Agricultural
- RSF-4
- C-1
- Urban Thoroughfare
- Community Services
- Commercial, Industrial, Residential

LSD-2023-0018

Current Land Use

W. MARTIN LUTHER KING JR BLVD AND S. SMOKEHOUSE TRL

NORTH



Regional Link

Regional Link - High Activity

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

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

FROM: Jessie Masters, Development Review Manager
Alan Pugh, Staff Engineer
Melissa Evans, Urban Forester
Britin Bostick, Long Range Planning/Special Projects Manager

MEETING DATE: December 11, 2023

SUBJECT: **CUP-2023-0141: Conditional Use Permit (240 E. ROCK ST/CITY OF FAYETTEVILLE, 524):** Submitted by OLSSON for property located at 240 E. ROCK ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY FOUR UNITS PER ACRE and contains approximately 2.94 acres. The request is to expand a cultural and recreational facility in RMF-24 zoning.

RECOMMENDATION:
Staff recommends approval of **CUP-2023-0141** with conditions, based on the findings contained in this report.

RECOMMENDED MOTION:
*"I move to approve **CUP-2023-0141**, determining:*

- *In favor of a variance to **168.12(E)(2)(f),** to allow buildings and accessory structures with a building footprint of larger than 150 feet within a streamside protection zone;*
- *In favor of a variance to **168.10(T)(5**), to allow for a development to occur within a Zone A floodplain without an associated flood study;*
- *In favor of compatibility with adjacent properties; and*
- *In favor of all other conditions as recommended by staff."*

NOVEMBER 13, 2023 PLANNING COMMISSION MEETING
At the November 13, 2023 Planning Commission meeting, a vote to table the item until December 11 was approved with a vote of 7-2-0 (Commissioners Brink and Payne did not vote to table). A representative of NWA Black Heritage spoke at the meeting, who indicated that they were in the process of establishing a Black Historic District and requested consideration for the proposed design in alignment with that effort. Commissioners also had concerns regarding the provision of parking at the community center. The Planning Commission voted to table the item to grant additional time for coordination with the group organizing the creation of an historic district, provide additional information to the public via boards and renderings of the proposed expansion inside the YRCC, and understand the inclusion of any on-street parking along Mill Street.

In the interim, staff met with a consultant retained by NWA Black Heritage, who has provided a project update on the historic district establishment effort, in the form of a presentation that was given to City Council on October 3, 2023, and clarification of the overall project's status was given by the City's Long Range Planning Manager; information can be found in the attachments to this packet. At that October City Council meeting, a resolution to authorize the Mayor to purchase real

estate to be returned to the NWA Black Heritage Association was tabled indefinitely, in order for the group to begin the process of establishing a comprehensive plan for the neighborhood in the form of an historic district. Finally, Parks' staff have placed informational boards within the YRCC about the project's proposal, and have provided additional information regarding the proposed on-street parking on Mill Street. This information is also attached to the staff packet.

BACKGROUND:
The subject property is the site of the existing Yvonne Richardson Community Center (YRCC) and Ralph "Buddy" Hayes Park, located just west of downtown Fayetteville on E. Rock Street, and overall consisting of 2.94 acres. While Ralph "Buddy" Hayes Park is currently zoned P-1, Institutional, the YRCC site is zoned RMF-24, Residential Single-Family, 24 Units per Acre. The YRCC was constructed in 1995, and the City underwent a public engagement process in 2021 and 2022 to discuss options for expansion and rehabilitation. No conditional use permit was issued for the Center's original construction, making the use an existing non-conformity. No overlay districts currently govern the site. Surrounding land use and zoning are depicted in Table 1.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Mixed-Density Residential	RMF-24, Residential Multi-Family, 24 Units per Acre; DG, Downtown General
South	Mixed-Density Residential; Ralph "Buddy" Hayes Park	RI-U, Residential Intermediate – Urban; P-1, Institutional; RMF-24, Residential Multi-Family, 24 Units per Acre
East	Church; Multi-Family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
West	Mixed- Density Residential	DG, Downtown General

City Plan 2040 Future Land Use Designation: Civic and Private Open Space

Proposal: The applicant requests conditional use permit approval for Use Unit 4, a cultural and recreational facility, for a 3,853 sq. ft. expansion to the 9,481 sq. ft. Yvonne Richardson Community Center, for a total of 13,334 sq. ft. The expansion will include classroom facilities and a community kitchen.

Hours of operation: 10:00 AM – 6:00 PM, Monday – Friday
10:00 AM – 2:00 PM, Saturday
Rentals available 6:00 PM – 11:00 PM Monday – Saturday,
Rentals only available on Sunday.
Occupant Load: 268 total, including employees, patrons, clients, and customers.

The applicant has also indicated that the future pavilions in Buddy Hayes Park may incorporate outdoor music. No outdoor music establishment proposal is being considered yet with this request, as plans for that use are still being finalized.

Public Comment: One member of the public spoke at the November 13 Planning Commission meeting, comments of which have been summarized above. In the interim, the same member of the public provided a request to table the item until June 2024. The City Attorney's office issued a memo, attached to this packet, to outline the items for the Planning Commission's consideration, and advised that the Planning Commission should proceed with a vote on this item rather than hold for several months. Staff has not received any other public comment on the item.

RECOMMENDATION: Staff recommends approval of **CUP-2023-0141,** subject to the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds the proposed expansion to be compatible with the surroundings for the reasons outlined in this report.*

2. **Planning Commission determination of a variance to 168.12(E)(2)(f), which prohibits buildings and accessory structures with a building footprint of larger than 150 feet from streamside protection zones.** *Staff recommends in favor of the request for the reasons outlined in this report, with the following conditions:*
    a. *Applicant to obtain all necessary permits associated with the development.*
    b. *Applicant to preserve the streamside zones outside of the areas of proposed encroachment shown on the attached exhibit.*
    c. *Applicant shall submit final plans for the park to staff for review and approval prior to any encroachment taking place and plan should include bank stabilization/restoration of the stream in the park.*

3. **Planning Commission determination of a variance to 168.10(T)(5), which prohibits development in a Zone A floodplain where a detailed study has not been provided.** *FEMA has recently completed a flood study for Spout Spring which proposes to remove the structure from the floodplain. Staff recommends in favor of the request for the reasons outlined in this report, with the following condition:*
    a. *Applicant respects the flood boundaries as defined by the revised FEMA mapping dated January 25, 2024. If encroachments into the special flood hazard area as shown on the revised mapping, a flood study may be required.*

4. Bike racks shall be installed in a manner consistent with the form and dimensional standards as outlined in 172.10.

5. Approval of the conditional use permit does not ensure approval of a development application. The conditional use permit grants the applicant the right 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 plan;

6. Per UDC §166.20, Expiration of Approved Plans and Permits, conditional use permit approval is valid for one year.

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: November 13, 2023	❒ **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 Use Unit 4, Cultural and Recreational Facilities in the RMF-24 zoning district.

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

Finding: The applicant has paid the required filing fee.

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

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

Finding: The Planning Commission is empowered under Unified Development Code §161.16, District RMF-24, Residential Multi-Family, 24 Units per Acre, 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 not likely to adversely affect the public interest. A public engagement process was undertaken by the Parks, Natural Resources, and Cultural Affairs Department to identify needed programming and a design scheme. The expansion is community-driven and a necessary improvement to benefit the existing neighborhood and the greater Fayetteville community. While two variances are being sought, staff finds that the level of impact these

variances are requesting is consistent with the level of encroachment and impervious surface already existing on the site, and not likely to negatively affect the public interest. With added improvements to the stream and the modification of the FEMA floodplain maps, staff finds that the public interest is still protected. The added capacity will allow for additional programming and space for members of the public to use. Further, in response to Planning Commission and public comments at the November 13, 2023 meeting, staff has solicited feedback from the group that is working on the establishment of the Black Historic District in the area. The Long-Range Planning Division has issued a memo regarding the steps that have been taken, and has spoken to the compatibility of the proposed design, including finding that the proposed design is both consistent with current land use surroundings as well as future long-range goals as established at this time.

(c.) The Planning Commission shall certify:

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

Finding: **There are no specific rules governing specific cultural and recreational facilities, but the applicant has requested a variance to the Streamside Protection Ordinance, as well as to the typical floodplain development requirements.**

- **§168.12(E)(2)(f), Buildings and accessory structures with a building footprint of larger than 150 feet are prohibited from streamside protection zones.** The applicant is requesting a variance from the streamside protection zone standards.
    - *Staff recommendation: Staff is supportive of this variance request. The current building and parking area encroach into the streamside zones as the original development occurred prior to 2011, when the ordinance was passed. The proposed development would include conversion of the existing parking area into additional building with two ADA spaces adjacent to E. Rock Street. The proposed building would be slightly smaller than the existing parking area with the exception of a small corner near E Rock St as shown on the attached exhibit. Staff would also anticipate that more pollutants would be discharged to the stream from the existing parking area than the proposed building. The project will eventually include the redevelopment of Ralph "Buddy" Hayes Park on the south side of E. Rock St. While the plans have not been fully developed, an example of the amphitheater can been seen on the attachments. This may not be the ultimate location for the encroachment, but it would be of similar size and scale. The actual location will be determined with the final plans for the park although a bank stabilization project would be required in conjunction with the amphitheater. The applicant has also agreed to work toward a holistic stream restoration of the section of Spout Springs spanning from E. Mountain Street to the north and the south side of Buddy Hayes Park to the south. Several areas appear in need of stream bank restoration and the corridor has many invasive species. Given*

this information regarding streamside protection, staff is in support of the request.

- **§168.10(T)(5), In all areas designated as a Zone A on the FIRM where a detailed study has not been completed to specify the floodway and base flood elevations, no development shall be located within the Zone A area.** The applicant is requesting a variance from this standard to not supply a flood study.
    - *Staff recommendation: Staff is supportive of this variance request. The applicant has requested a variance from the requirement to provide a flood study on the grounds that a flood study has recently been performed by FEMA and the mapping associated with the study will become effective on January 25, 2024. This is similar in request to other developments on Spout Springs Branch and staff would be in support of the request to recognize the upcoming FEMA mapping and not providing a flood study with the development.*

§163.02. AUTHORITY; CONDITIONS; PROCEDURES. Continued.

(ii.) 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 existing facility has two separate parking lots, one of which will be closed off with this addition, and two on-street ADA parking spaces will be added in place of where the former driveway was located. Members of the public have access from the existing parking lot (10 spaces) through a pedestrian bridge over Spout Spring. The removal of one non-conforming driveway will improve pedestrian access to the facility overall. All necessary fire and life safety codes will be reviewed for with the necessary permits. The structure itself has a primary entrance along the southern façade.**

(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: **With the removal of on-site parking to accommodate this addition, the new center will have access to 12 parking spaces, including 2 on-street ADA parking spaces. Based on 172.05, Community and Recreational Facilities require a maximum of 1 space per 250 sq. ft. of GFA, or 53 spaces. Given this facility's proximity to residences, downtown uses, and available on-street parking, staff finds this is likely adequate to serve the facility and it will not be overparked. Further, the applicant is investigating locations for added bike racks to the center for individuals who may choose to use alternative transportation. Staff recommends that bike racks are installed in a location**

that aligns with typical requirements under 172.10. No improvements are being implemented to the existing parking lot, so staff does not recommend any additional screening for the existing parking. In the intervening time between the November 13 Planning Commission and this one, staff has received additional information from Parks that 9 on-street public parking spaces are planned to be constructed along S. Mill Street with the future improvements to Ralph "Buddy" Hayes Park to help offset the removal on on-site parking. While these spaces will not be set aside specifically for the use of the YRCC, they will contribute to the available parking ecology in the area.

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

Finding: **The applicant intends to continue using an existing dumpster which is located in the existing eastern parking lot. Staff does not recommend any additional screening.**

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

Finding: **Utilities are currently available to the site, and only private service extensions are needed including a sewer line, underground electric, water line, and fire line. The applicant has provided a utility exhibit for the Planning Commission's consideration, and utility provision will be evaluated in accordance with code with the relevant permit applications.**

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

Finding: **The applicant has provided a landscape plan which shows the addition of landscape beds around the addition, and in the areas proposed for pavilions in the Buddy Hayes Park portion of the site. Urban Forestry also recommends the consideration of native plantings, and tree preservation where possible to assist in added buffering between adjacent residential properties.**

(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 and exterior lighting in common areas will be subject to the City's ordinances and all the regulations therein. While a permit is not necessary for signage on City projects, the signage ordinance is still required to be met as far as setbacks, size, and other requirements.**

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

Finding: **The submitted conceptual plan suggests that the open space requirements can be met. The RMF-24 zoning district has a build-to-zone, and the**

applicant's addition appears to be meeting that requirement and bringing the existing non-conforming structure into compliance. All required yards and open spaces will be fully reviewed at the time of development submittal, though setbacks appear to be generally met with this proposal. Further, Long-Range Planning has indicated that the

(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 and those in the surrounding neighborhood. While a community center commonly requires a conditional use permit in residential zoning districts, staff finds that the use generally is compatible with the surrounding area. The scale of the addition is in line with the surrounding properties and does not overwhelm the existing residential uses. When considering the intent of the Yvonne Richardson Center which has historically served this neighborhood and the surrounding areas, staff finds that the improvements will likely be a welcome addition.**

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

Finding: **Staff finds that granting the requested conditional use is compatible with the goals and intent of the City's adopted land use, transportation, and other strategic plans. The property has been developed as the Yvonne Richardson Community Center since 1995. While initial steps have been taken to establish an historic district with codified design standards in the area, staff finds that there are no established guidelines against which to weigh the project's proposed design. Granting the requested conditional use permit would allow for a 3500 sq. ft expansion that would permit the existing land use, which staff finds to be consistent with existing development patterns and the City's future land use plans.**

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:

- Unified Development Code
  - §161.16 District RMF-24, Residential Multi-Family - Twenty-Four (24) Units Per Acre
  - §168 – Flood Damage Prevention Code
- Engineering Memo
- Urban Forestry Memo
- Parks, Natural Resources, and Cultural Affairs Exhibit
- Assistant City Attorney Memo
- Long-Range Planning Memo
- October 2, 2023 NWA Black Heritage Exhibit
- Applicant Request Letter
- Variance Request Letter and Exhibits

- Site Plan
- Utility Plan
- Landscape Plan
- Outdoor Lighting Plan
- Building Elevations
- Bike Rack Options
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map

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

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

(B) *Uses.*

(1) Permitted Uses.

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

(2) *Conditional Uses.*

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

(C) *Density.*

Units per acre	24 or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a Manufactured home park	50 feet
Single-family	35 feet
Two (2) family	35 feet

Three (3) family or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

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

(3) *Land Area Per Dwelling Unit*.

Manufactured Home	3,000 square feet

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

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

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

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

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

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

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

Editor's note(s)—Ord. No. 6625 , §1 adopted December 6, 2022, "determines that Section 2 of Ordinance 6427 (Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on December 31, 2023, unless prior to that date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section."

168.10 Provisions For Flood Hazard Reduction

General Standards. The following standards apply to all developments in special flood hazard areas, regardless of the type of proposed development or the risk zone of the proposed site.

…

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

(5) In all areas designated as a Zone A on the FIRM where a detailed study has not been completed to specify the floodway and base flood elevations, no development shall be located within the Zone A area.

…

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

168.12 Streamside Protection Zones

(A) *Streamside Best Management Practices Manual.* The City of Fayetteville's *Streamside Best Management Practices Manual,* which may be administratively changed by the City Engineer, shall be used in support of this chapter to explain specific objectives and principles.

…

(2) Establishment of the following uses/activities after the effective date of this ordinance shall be prohibited in both streamside protection zones, except where necessary to allow an activity permitted by subsection (E)(1).

(a) Grading, dredging, dumping, filling, or similar construction activities.
(b) Landfills, junkyards, salvage yards.
(c) Clearing of non-invasive woody vegetation.
(d) Storage of hazardous materials or chemicals unless within waterproof containers and within a structure.
(e) Parking lots.
(f) Buildings and accessory structures with a building footprint larger than 150 square feet.
(g) Parking or storage of motor vehicles.
(h) Septic systems and/or lateral lines.
(i) In-ground pools.
(j) Animal feedlots or kennels.
(k) Housing, grazing or other maintenance of livestock.
(l) Land application of biosolids.

(Ord. No. 5390, 3-1-11; Ord. No. 6410 §§1, 2, 2-2-21; Ord. No. 6446 , §10(Exh. E), 6-15-21)

CITY OF
FAYETTEVILLE
ARKANSAS

STAFF MEMO

TO: Jessie Masters, Development Review Manager

FROM: Alan Pugh, Staff Engineer

DATE: November 9, 2023

SUBJECT: **Planning Commission Engineering Comments for CUP-2023-0141 Yvonne Richardson Community Center**

DISCUSSION:
As noted in the letter, the City of Fayetteville is currently working on plans to expand the YRCC with a one story building adjacent to the existing structure as well as an amphitheater located in Ralph "Buddy" Hayes Park. As noted, the current building and parking area do encroach into the streamside zones as the original development occurred prior to 2011. The proposed development would include conversion of the existing parking area into additional building with two parking areas stalls adjacent to E Rock Street. The proposed building would be slightly smaller than the existing parking area with the exception of a small corner near E Rock St as shown on the attached exhibit. Staff would also anticipate that more pollutants would be discharged to the stream from the existing parking area than the proposed building.

The project will eventually include the redevelopment of Ralph "Buddy" Hayes Park on the south side of E Rock St. While the plans have not been fully developed, as example of the amphitheater can been seen on the attachments. This may not be the ultimate location for the encroachment, but it would be of similar size and scale. The actual location will be determined with the final plans for the park although a bank stabilization project would be required in conjunction with the amphitheater.

The applicant has also agreed to work toward a holistic stream restoration of the section of Spout Springs spanning from E Mountain Street to the north and the south side of Buddy Hayes Park to the south. Several areas appear in need of stream bank restoration and the corridor has many invasive species. Given this information regarding streamside protection, staff would be in support of the request.

Lastly, the applicant has requested a variance from the requirement to provide a flood study on the grounds that a flood study has recently been performed by FEMA and the mapping associated with the study will become effective on January 25, 2024. This is similar in request to other developments on Spout Springs Branch and staff would be in support of the request to recognize the upcoming FEMA mapping and not providing a flood study with the development.

RECOMMENDATION: Staff recommends approval of the streamside variance associated with **CUP-2023-0141** with the following conditions of approval:

Conditions of Approval:

1. Applicant obtain all necessary permits associated with the development.
2. Applicant preserve the streamside zones outside of the areas of proposed encroachment shown on the attached exhibit.
3. Applicant shall submit final plans for the park to staff for review and approval prior to any encroachment taking place and plan should include bank stabilization/restoration of the stream in the park.
4. Applicant respects the flood boundaries as defined by the revised FEMA mapping dated January 25, 2024. If encroachments into the special flood hazard area as shown on the revised mapping, a flood study may be required.

YRCC REVISED FEMA FLOODPLAIN

CITY OF FAYETTEVILLE ARKANSAS

Planning Commission Memo

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Melissa Evans, Urban Forester

MEETING DATE: November 13, 2023

SUBJECT: **CUP-2023-0141 Conditional Use Permit (Yvonne Richardson Community Center, 240 E. Rock St.):** Submitted by Olsson for property located at 240 E. Rock St. The property is zoned RMF-24p, MULTI-FAMILY RESIDENTIAL, and contains approximately 2.40 acres. The request is for a Conditional Use Permit.

RECOMMENDATION:
Urban Forestry Staff recommends approval of CUP-2023-0141. It is recommended that the applicant preserve as many trees as possible to follow City standards as set forth in Chapter 167 of the Code, Tree Preservation and Protection, and remove invasive plant material (as they have stated in their request).

Urban Forestry also recommends that the trees along the property lines be preserved, per Chapter 167.01(B)(1) which states “Preservation shall be the first, best, and standard approach”. If tree trunks are located near the property line on the adjacent property owner’s lot, the applicant will need to follow 167.05(B) which states, “Tree protection measures shall also protect any off-site trees, and the roots of which extend onto the site of the proposed construction” unless an agreement otherwise has been made with the adjacent owner.

It is also recommended that native plant material be specified for the proposed plant material and that it be drought tolerant, particularly in the areas where there will not be irrigation.

BACKGROUND:
The minimum tree preservation requirement for RMF-40 zoning is 20% of the site area minus existing ROW and easements. Preservation is achieved by no or minimal impact to the root zone of the tree. The root zone area can be roughly determined by projecting the outermost canopy edges down to the ground.

Preserving trees on this site will help keep the character of the neighborhood and buffer the property from the residential house to the west. To preserve trees that are on the neighbor’s property close to the property line, a 10’ wide minimum buffer from the tree trunks must be provided adjacent any construction.

Summary of public input sessions – YRCC Expansion Project

In January of 2021 the City began working with MBL on seeking additional public input to be used for the design scheme of the YRCC expansion. A steering committee of YRCC users/partners/collaborators was created to aid in the process.

A survey was created by City staff and the committee to be used to gather public input. The survey was distributed door to door to low-income housing area identified by the Friends of YRCC board. This data collection was facilitated by FOYRCC board members and graduate student volunteers from a Recreation & Sport Management (RESM) research class. 67 responses were collected through this method. 70% had annual income levels <$20,000. 33% African American, 10% Hispanic, and 40% Caucasian.

An online survey was also used to collect data from September-December of 2021. 21% had annual income levels <$35,000. 73% Caucasian, 11% African American, and 7% Mixed Race. 57% were from Ward 1 & 2.

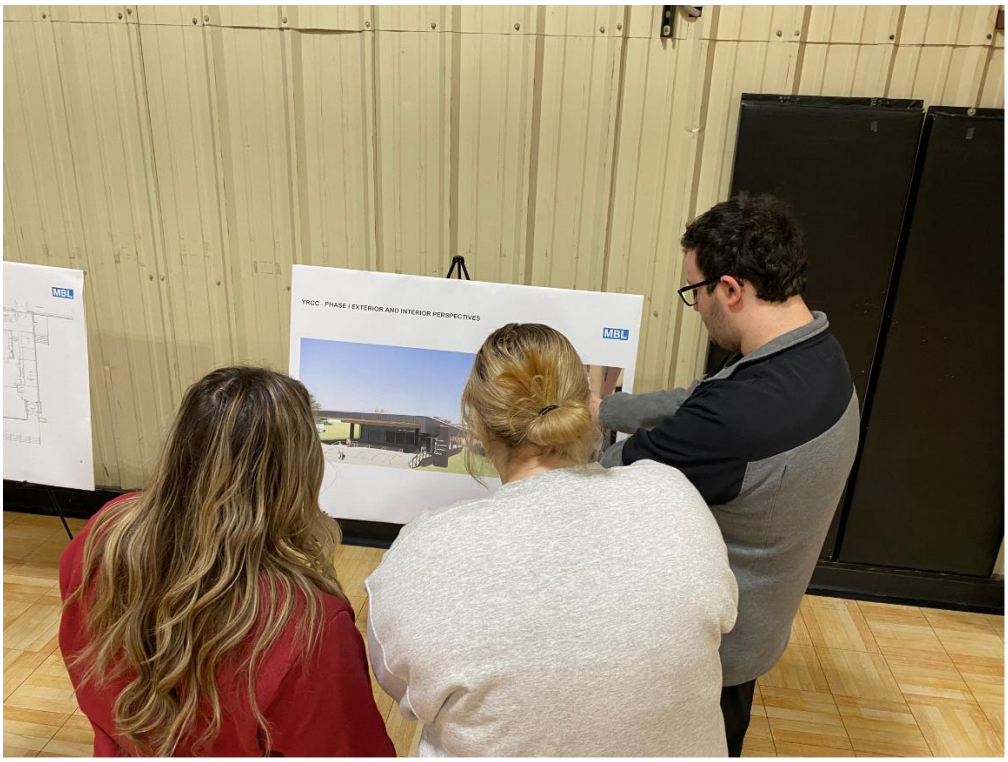
Public meetings were also held at the YRCC on June 8 and July 22, 2021. Public input meetings and surveys confirmed the interest in the expansion project needing to include a classroom/multi-purpose room, a kitchen, bus connections, and trail connections. Types of programs that ranked popular were those that could take place in the above-mentioned spaces, i.e. cooking classes, job prep classes, tutoring, and family programs.

In January of 2022, an update was provided to the Steering Committee that overviewed the survey data collected and included the proposed design direction. Three public meeting and listening sessions were held in February of 2022, showcasing the design concept created based on survey data. In addition, a phased plan and dream scheme concepts were created by MBL and shared with the City in May of 2022.

CUP-2023-0141
Information Provided by City of Fayetteville Parks, Natural Resources and Cultural Affairs

Updated Information:

Renderings of the project's overall plan and status were posted at the YRCC on Saturday, December 2, in line with a Holiday Bingo event.



CUP-2023-0141
Information Provided by City of Fayetteville Parks, Natural Resources and Cultural Affairs

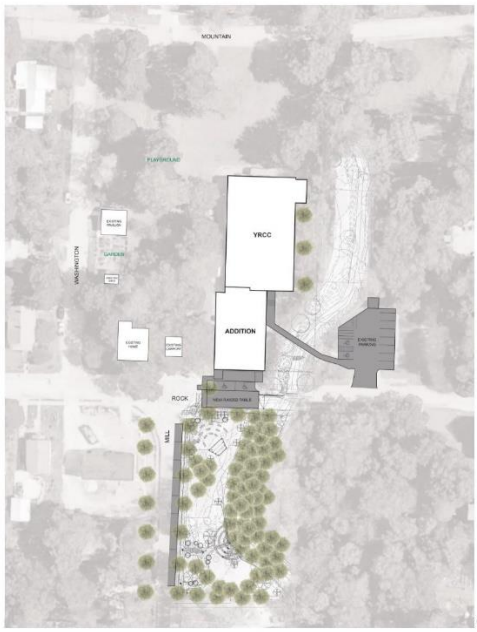
CUP-2023-0141
Information Provided by City of Fayetteville Parks, Natural Resources and Cultural Affairs

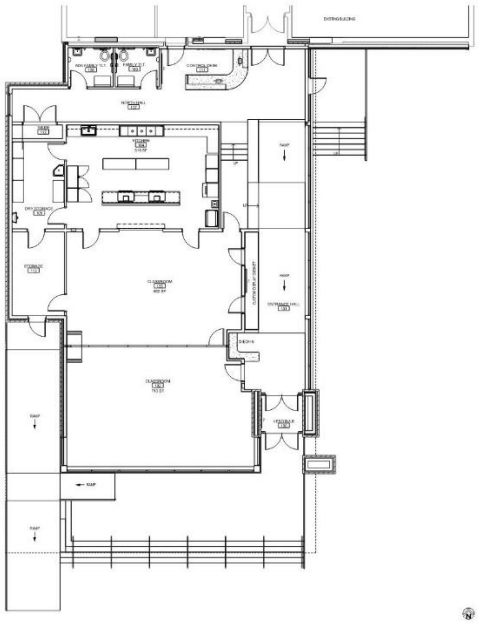
CUP-2023-0141
Information Provided by City of Fayetteville Parks, Natural Resources and Cultural Affairs

The boards included the information below:

YRCC - OVERALL SITE PLAN FLOOR PLAN

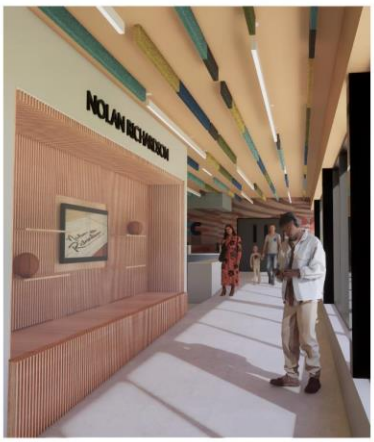
MBL





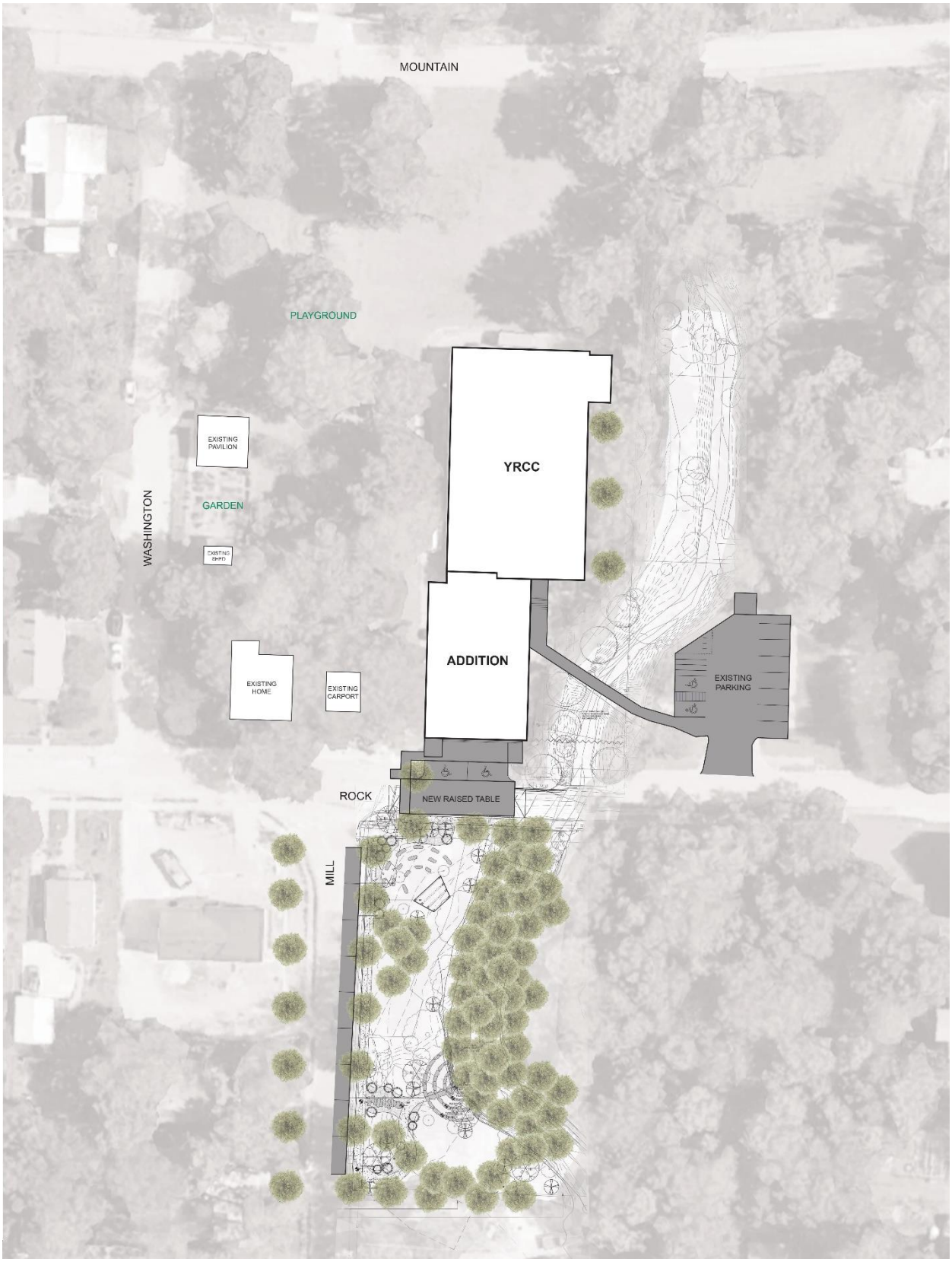
YRCC - PHASE I EXTERIOR AND INTERIOR PERSPECTIVES

MBL



CUP-2023-0141
Information Provided by City of Fayetteville Parks, Natural Resources and Cultural Affairs

Parking along Mill Street:



DEPARTMENTAL CORRESPONDENCE

OFFICE OF THE
CITY ATTORNEY

Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Jodi Batker
Paralegal

TO: **Planning Commission**

FROM: **Blake Pennington**, Senior Assistant City Attorney

DATE: **December 5, 2023**

RE: **Yvonne Richardson Community Center CUP Application**

The City has received a request that the Planning Commission table the variances associated with the YRCC conditional use permit application until June of 2024. I assume that is a request to table the entire application because there is no way to table only a portion of an application. For the reasons explained below, I recommend that the Planning Commission proceed with a vote on the project rather than hold it hostage for several months.

Background

A timeline of activities on the YRCC expansion may be helpful in explaining why such a delay is inappropriate:

- **April 9, 2019** – Fayetteville voters approve more than $226 million in sales tax bonds for park improvement projects and other city projects
- **September 3, 2019** – City Council approves issuance of 2019 Series bonds
- **October 6, 2020** – City Council approves architecture contract with Miller Boskus Lack for programming and schematic design
- **January 2021** – City works with Miller Boskus Lack on process for additional public input; steering committee of YRCC users, partners, and collaborators created to aid the process.
- **June 8 and July 22, 2021** – City hosts public input meetings at the YRCC
- **September-December 2021** – City conducts online and in-person public surveys
- **February 2022** – City hosts three public meeting and listening sessions showcasing the design concept created by Miller Boskus Lack

- **July 5, 2022** – City Council authorizes an application for a matching Walton Family Foundation grant to help fund construction
- **July 19, 2022** – City Council approves issuance of 2022 Series bonds
- **August 16, 2022** – City Council accepts Walton Family Foundation Grant of up to $1.4 million for the YRCC expansion
- **August 16, 2022** – City Council approves amended architectural services contract with Miller Boskus Lack for entire Phase 1 project scope
- **March 7, 2023** – City Council approves construction manager contract with Nabholz for pre-construction services

Project Funding and Associated Risks

Phase 1 of the YRCC expansion is a project partially funded by $1.3 million in bond funds that were authorized by Fayetteville voters and a matching grant from the Walton Family Foundation.

The Walton Family Foundation grant contains certain terms that may put the City at risk of defaulting on the grant agreement. A default could lead to a demand by the Foundation that the City repay the funds and may risk the City's ability to apply for funds in the future. For example, the grant agreement provides that a certificate of occupancy for the first phase of the expansion must be issued by December 1, 2024. If a decision on the CUP is delayed until June of next year, the project must still go through the development entitlement process which would almost certainly push the project past the December 1, 2024 certificate of occupancy deadline.

Bond funds also have certain deadlines that must be met. The $1.3 million in bond funds allocated for construction were part of the 2022 Series issued in June of that year. The bond documents state, in relevant part:

> "The City hereby covenants to use its best efforts to acquire, construct and equip each portion of the Projects being financed with proceeds of the Bonds with all reasonable dispatch and to use its best efforts to cause the acquisition, construction and equipping of such portion of each Project to be completed as soon as may be practicable, **but in any case within a period not to exceed three years after the issuance of the applicable series of bonds**…"

Failure to comply with the three-year deadline can cause the City to lose the tax advantages of such bonds and may also subject the City to other penalties under

federal law. That bond deadline is June of 2025 and there is a significant risk of violating the terms of the bonds if the CUP is delayed by several more months.

Planning Commission's Role

The Planning Commission's role is to analyze a project and decide whether it meets the standards of the Unified Development Code. In this instance, you are determining:

1. Is an expansion of the YRCC compatible with surrounding properties, will it have an adverse impact on the public, and does it meet the other requirements for conditional uses?
2. Does the request meet the standards for the requested variances to the streamside protection ordinance and floodplain ordinance?

Will tabling the project help you answer those questions? You have been presented, as part of the CUP application, a design that has been considered and approved by the City Council, City staff, the general public through surveys and community engagement meetings, and the Friends of the YRCC board of directors.

The City has held several public meetings on this project prior to the submission of the CUP application. The Planning Commission will have had two meetings at which the public is able to appear and make comment. As mentioned in the timeline above, on March 7, 2023, the City Council approved a contract with Nabholz Construction Corporation for pre-construction services but has not considered the larger construction services change order, which will give the public yet another opportunity to review and comment on the project.

Unless the City Council or City staff requests a hold on the project, the Planning Commission should continue to consider this application as it does on every other development. No other project considered by the Planning Commission has ever tabled for several months without an applicant's consent and that has not been given here. Because of the practical effect of such tabling (including risking millions of dollars in current and future bond and grant funds), this would likely be considered a constructive denial.

The Planning Commission should answer the questions above based on the application you have before you and the Unified Development Code as it exists right now and vote on the project – up or down - without further delay.

CITY OF
FAYETTEVILLE
ARKANSAS

PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Britin Bostick, Long Range Planning/Special Projects Manager

MEETING DATE: December 11, 2023

SUBJECT: **CUP-2023-0141: Conditional Use Permit (240 E. ROCK ST/CITY OF FAYETTEVILLE, 524):** Submitted by OLSSON for property located at 240 E. ROCK ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY FOUR UNITS PER ACRE and contains approximately 2.94 acres. The request is to expand a cultural and recreational facility in RMF-24 zoning.

BACKGROUND:
Long Range Planning staff are the administrative support to the City of Fayetteville's Black Heritage Preservation Commission and Historic District Commission, support the city's historic preservation program, and coordinate with the Arkansas Historic Preservation Program (AHPP) on grant funding opportunities, properties and projects related to the National Register of Historic Places, and requirements for the establishment of local historic districts. Long Range staff have worked with NWA Black Heritage Association, the City Council, both historic commissions, and community members since May 2023 on proposals to protect the historic Spout Spring neighborhood. A proposal to establish a Black Historic District in the Spout Spring neighborhood was presented to the Council in their meeting on October 3, 2023. Since that time Long Range Planning staff have worked with NWA Black Heritage Association, AHPP, and both historic commissions on the state's requirements and expected process to establish the historic district, and anticipate beginning the process to establish the district with the Historic District Commission once the required number of signatures to form the district are collected and submitted. The petition process is underway, and staff are preparing to begin the local historic district establishment process as early as March 2024 with the Fayetteville Historic District Commission.

Once the Historic District Commission has reviewed the proposed district and issued a report, the report will be conveyed to both AHPP and the Fayetteville Planning Commission for comment. The Planning Commission will have 60 days to review the report and provide comment. If no comments are provided the Commission's concurrence with the report will be assumed. After the 60 days have passed and a public hearing with the Historic District Commission is held, the Historic District Commission will forward the report to the City Council for their consideration. Long Range Planning staff are prepared to present the report to the Planning Commission and discuss the details and proposed boundary area as well as any public comments received during the 60 day period, and to assist in preparing and communicating any comments the Planning Commission may wish to make.

At this time the work for a local historic district encompassing the Spout Spring neighborhood is focused on the required petition signatures and the development of the design standards for the

district, and Long Range Planning staff does not have proposed design standards to present.

DISCUSSION:
There are two CUP criteria that may relate the most to the overall design of the proposed addition in the context of considering the compatibility of the addition with the historic neighborhood:

- h. General compatibility with adjacent properties and other property in the district; and
- i. General compatibility with the goals and intent of the city's adopted land-use, transportation, and other strategic plans.

Long Range Planning's assessment of the proposed addition with those two criteria in mind is:

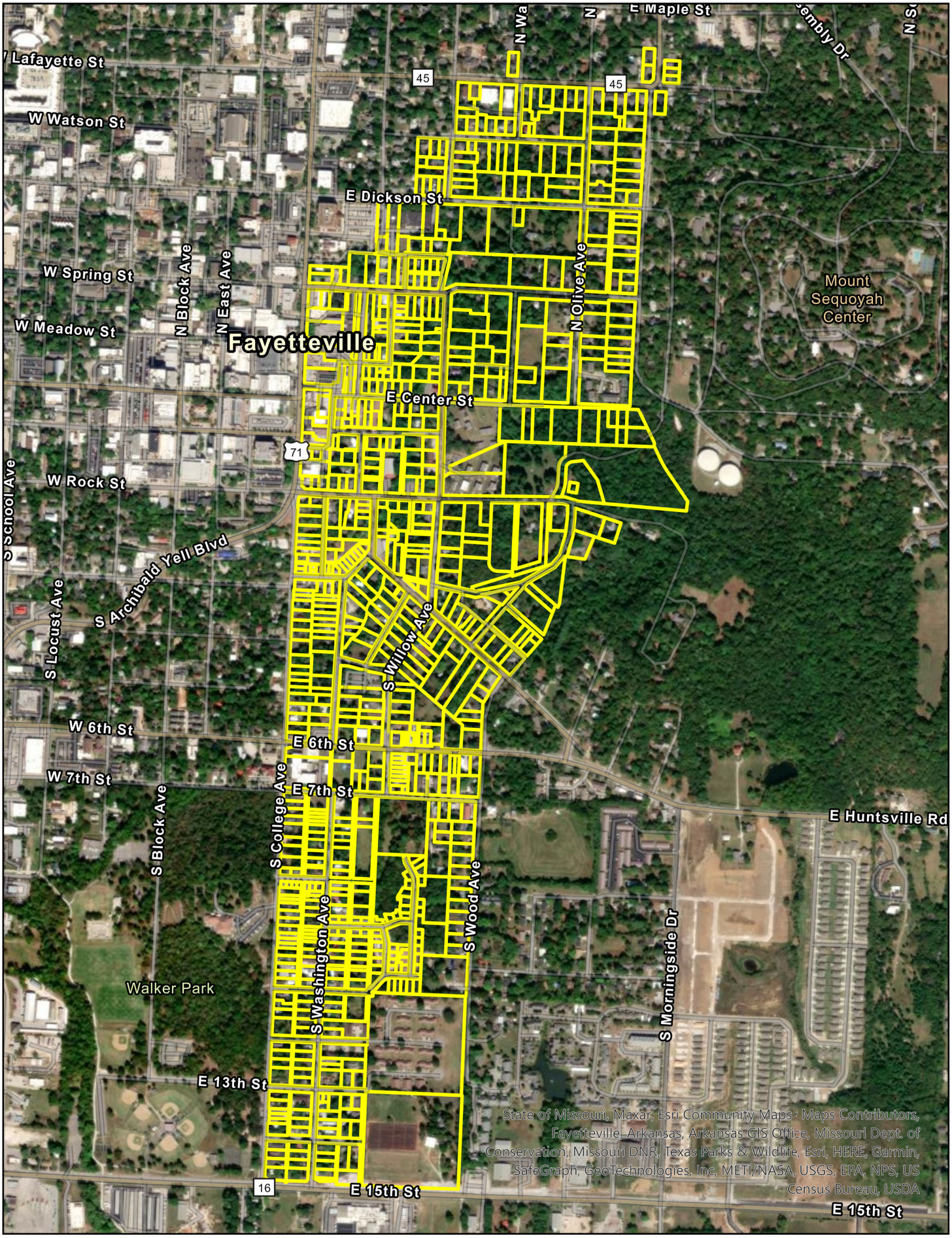
- The proposed addition is similar in style and materials to the existing building, maintains the single-story height of the existing building, and creates a wide front porch that also brings the building closer to the street – consistent with policies adopted over the last several years through a series of changes to the Unified Development Code (UDC) and promoted via a series of adopted plans and/or planning documents. The design of the addition emulates characteristics of other properties in the area or district, including residential properties with low pitched roofs and front porches. In that way Long Range Planning views the addition as meeting criteria "h" and being compatible.
- For criteria "i" and in looking at other adopted strategic plans, the "general compatibility" would be general in this case since there is not a neighborhood plan adopted for this area at this time. Since this is an expansion of an existing building and representing less than half of the existing square footage, and since the programming and design have been a multi-year effort with the community, Long Range Planning views the addition as meeting the compatibility standard.

The proposed addition was planned, discussed, funded, and designed prior to the current work to define the future of this neighborhood and formally establish a historic district in a neighborhood known to be a deeply important historic space. Long Range Planning is actively working on the establishment of the proposed local historic district, including submitting an application for a Certified Local Government grant from AHPP for a historic context statement for the Spout Spring neighborhood to research and identify historic development patterns and architectural styles and characteristics of the neighborhood. This context statement project is planned to engage with the community as they articulate a vision for the future of the neighborhood. As this work is current in progress there are not, at the time of this application, adopted or proposed design standards for the historic area for the Planning Commission to consider.

Design standards for local historic districts do, however, typically treat additions to existing buildings – whether historic or not – with a preference for additions that are similar in style, scale, and materials to the existing building, but distinct enough to be understood as a later addition. With that in mind, the drawings for the proposed addition show a similar scale, roof pitch, and materials to the existing building, and the design incorporates an important feature of historic residential buildings in the neighborhood – a front porch.

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:
Map of Spout Spring Historic Context Statement Proposed Project Area submitted with the 2024 CLG grant application



Spout Spring Historic Context Statement - Proposed Project Area

PARCEL selection

0 0.05 0.1 0.2 Miles

N

NORTHWEST ARKANSAS BLACK HERITAGE

OVERVIEW OF
THE PROPOSED BLACK HISTORIC DISTRICT AT SPOUT SPRING BRANCH

PRESENTED TO FAYETTEVILLE CITY COUNCIL

I. Acknowledgment of the Legacy of American Slavery and Land Acknowledgement

NWA Black Heritage acknowledges that we all live in a system that American Slavery built and that each of us is responsible for doing our part to dismantle it.

NWA Black Heritage acknowledges the Osage, Caddo, and Quapaw peoples, and their elders past, present, and future, for their ancestral stewardship of the land dating from time immemorial and upon which we now live. It is within the responsibility of our educational mission and our commitment to diversity and inclusion that we discuss the intersection of their history with ours as forced cultivators of the NWA landscape from which they were removed in the early 19th century.

II. Introduction

Intricately involved in raising and building the region when they were trafficked as enslaved labor to Northwest Arkansas (NWA) in the early 1820s, Black Arkansans cut timber to clear the landscape upon which they built the homes, roads, and schools that the first Fayettevillians walked on and learned in. The only place to build community in this region fully built on their labor, Black people remained or moved to Fayetteville to make their home. In response, decision-makers chose to write residents of the Spout Spring Branch community out of city plans, systematically erasing them and the legacy of the original builders. NWA Black Heritage believes that stopping the erasure of African American culture and community and building up the local Historic Black District of Spout Spring Branch will bring pride of place to the entire region. Fayetteville will automatically become an example of real progress in the reach for justice and equity.

Fayetteville has struggled through social and civic justice in Arkansas since its founding. As other parts of the state battled racial tensions, Fayetteville's residents practiced a version of tolerance over exclusion, even if imperfect. A multi-use historic district along Spout Spring Branch is an opportunity to honor Fayetteville's tenacity and Black legacy by restoring stewardship to the community.

III. Historical Legacy of The Branch

The legacy of the Spout Spring Branch community reaches back generations. Black people were brought to the region by Native and white traders, primarily as enslaved laborers before the city's incorporation in 1841. After the legal end of slavery, they quickly learned that Fayetteville was as safe as could be expected in the region. The city on the hill was buttressed by sundown towns like Bentonville, Cane Hill, Springdale, and Rogers, with Greenwood and Harrison not far away.[1]

The original community was located on the edge of the scenic East Mountain and named for the spring-fed creek that runs through it, Spring Branch. Though Fayetteville's Black residents dealt with racism and ostracisation at their own doorsteps, they built this community up and made it home. Ranging from alternative naming schemes to segregated neighborhood

schools and forced removal by urban renewal, Black Fayetteville has overcome countless obstacles before and since the city's founding. Alternative names for the community, "Tin Cup" or worse, reflect the perspective of white travelers and passersby who only saw the community as a watering hole as they passed through or came into the community for entertainment.[2]

The first public school in the state, Henderson School, PS-1, was opened in Fayetteville in 1866 by the American Missionary Association to teach Black children. Black students attended this school for the next 73 years. Meanwhile, in 1932, a new school, Jefferson Elementary was built in the heart of Spout Spring Branch yet, exclusively served white students. Each day, Black students in the community walked past this new institution on the way to their studies at their own school. Consider the damage done to the Black students of Spout Spring Branch who had to make sense of their alternative education when a new school was in their neighborhood. Developers seemed to address the issue by opening the Lincoln School in 1939, which served only Black students but pushed Black residents farther south and out of the community. Furthermore, since no secondary schools in Fayetteville accepted Black students, any Black child seeking further education past elementary school was shipped to and boarded in nearby towns like Ft. Smith where they could attend high school.[3] A little more than a decade later, Fayetteville chose community over conflict in 1954 when they were one of the first Arkansas high schools to prepare for desegregation publicly. Though this is a significant highlight in the history of the town, this occasion was one of many formative events that shaped the town and this district.

What remains of the Spout Spring community, the bedrock of Black Fayetteville, is still home to generations of American history within a few city blocks. A walk, ride, or drive down Willow, Rock, Lafayette, and Olive streets reveals the shared buildings of the Historic St. James Baptist Church and Historic St. James Methodist Church, a Confederate Cemetary, the East Mountain Cemetery, and multiple stops on the Green Book Route for Black Motorists.[4][5][6] Each of these sites holds hundreds of years of tremendous historical value for the community and future generations.

Through a selective effort to build up some parts of the city and diminish others, Black Fayetteville has been crushed. As evidenced in city plans that stretch back to at least 1945, decision-makers in Fayetteville have at best, ignored the potential damage to communities and at worst, targeted one of the oldest, least supported communities in town. Without a large investment like the suggested historic district, the community will continue to deteriorate according to the plan. The codification of the Spout Spring Branch community as a historic district will preserve these important elements of history and provide significant, sustained investment into the community.

IV. Inspiration for the Historic District at Spout Spring Branch

NWA Black Heritage envisions the district as a mission-driven community of growing families, businesses, and cutting-edge scholarship and culture. The Fayetteville Historic Preservation Commission has identified myriad ways that historic preservation benefits the city.

- Historic preservation contributes to job creation, development, and income generation, directly and indirectly.
- Historic preservation provides economic opportunities related to heritage tourism.
- Small businesses benefit from historic preservation.
- Historic preservation fosters civic pride and identity.
- Historic preservation attracts newcomers and retains current residents.
- Historic preservation encourages interest in local history.

The plans envisioned for the district support each of these benefits. Like the example districts discussed below, the Historic District at Spout Spring Branch will be an asset to the community and the city. In nearby Tulsa, Houston, and Kansas City, communities have significantly benefited from restoring their historic districts.

Greenwood Historic District- Tulsa, Oklahoma

The Greenwood District, remembered as home to "Black Wall Street", was a bustling community filled with entrepreneurs, educators, and entertainers in the early 20th century. When racial tensions boiled over in the spring of 1921, the community became the site of "the worst racial violence in American history".[7] Over time, the community tried to rebuild but never reached the same level of success because of systemic barriers. As community members aged and urban renewal forced the dispersal of neighbors and homeowners, the district fell into disrepair. Recently, a team of concerned community members worked with the City of Tulsa and numerous other organizations to build and restore several sites in the Historic Greenwood District. Greenwood Rising, an award-winning history center located within the district, provides a narrative-centered experience of Tulsa's Historic Greenwood District. Exhibits showcase the best, worst, and brightest moments in Tulsa's history, taking note of the tenacious Oklahomans whose perseverance through racial violence and systemic injustice continues to this day.[8] Tourism brings dollars back into the community and moreover, the story of Black Wall Street has been brought back from recessed memories to the forefront. Like the Greenwood organizers, the team behind the Historic District at Spout Spring Branch seeks to recover and rejuvenate the space to restore and uplift erased histories.

Independence Heights- Houston, Texas

In early 1905, the Wright Land Company developed and sold plots of land to African Americans moving to what is now the northern part of Houston. By 1915, Independence Heights was home to about 600 Black people and established itself as the first municipality incorporated by African Americans in the State of Texas.[9] Education, religion, and community networks were

pivotal in this early Black community. They established schools, churches, and black-owned businesses. The independent municipality held space for grocery stores, restaurants, a lumber company, a watch repair shop, ice cream parlors, beauty shops, barber shops, a drug store, a blacksmithing shop, law offices, and other services. Its citizens were business owners, teachers, attorneys, craftsmen, longshoremen, railroad workers, and more. Unfortunately, the city dissolved in 1929 and was absorbed into the municipality of Houston.

Today, the Independence Heights Redevelopment Council works with the City of Houston to advocate for community interests.[10] A multi-ethnic community, Independence Heights is a place where people honor the past and use lessons from those original incorporators to grow today. Recently, the Houston Endowment bestowed the organization with a large grant to support program development and restoration of the community.[11]

18th & Vine Historic Jazz District- Kansas City, Missouri

Black Kansans established communities around 18th & Vine in the late 1800s. By the 1920s, it "was a thriving commercial, residential and entertainment center".[12] Prohibited by redlining from spreading throughout the city, Black Kansans moving to the city were forced to settle in the district which, in turn, spurred its transformation into "the heart of Kansas City's Black Business". Black architects and builders laid out blocks of entertainment, housing, and business spaces. The district flourished as Black professionals, doctors, lawyers, dentists, and teachers chose to live, shop, and enjoy any number of the over 600 thriving Black-owned businesses housed there. In addition, the historic 18th and Vine District is credited with developing Kansas City's unique jazz stylings. In its day, the Gem Theater, platformed jazz greats like Count Basie, Charlie "Bird" Parker, and Ella Fitzgerald.

Today, the 18th & Vine Jazz District is built around two acclaimed museums, the Negro Leagues Baseball Museum and the American Jazz Museum and the Historic Gem Theater.[13] Flanked by a host of restaurants, shops, and other experiences, the district serves as a point of pride for Kansas Citians and an immersive educational experience for visitors. The city uses funds garnered within the district to sustain and develop new businesses and attractions to maintain a positive growth cycle.

These are three examples of Historic districts that offer opportunities for visitors and community members to learn and engage with their shared histories.

V. Vision for the Historic District at Spout Spring Branch

Communities are stronger when neighbors feel connected. The Historic District at Spout Spring Branch will offer residents space to learn, build, and grow together. Beyond the significant capital investment and job creation expected from this project, the Historic District at Spout Spring Branch will deliver economic and community benefits by reaching a long-underserved segment of the population directly and indirectly, supporting the city overall with new developments.

The survey that supported the Heritage and Historic Preservation Plan (2019) revealed that Jefferson Elementary School, churches, East Mountain Cemetary, South Fayetteville, and historic neighborhoods in general were among the top considerations of community members for Historic preservation. This project supports at least 3 of the 5 stated goals of the strategic plan: to identify and protect historic properties, provide public learning opportunities, and promote and protect cultural heritage. The vision for the Historic District at Spout Spring Branch is organized around three pillars: education, housing & economic development, and environmental equity.

Afrofuturist Museum and Meditative Space

Following the framework of other successful districts, the Historic District at Spout Spring Branch will be anchored by an Afrofuturist museum and meditative space dedicated to the community and its future. The space will serve as a protective zone and memorial for the numerous unmarked Black burial grounds currently violated by pedestrian traffic and dog-marking in the area. At the heart of the concept, Afrofuturism is a perspective wherein artists, activists, and other creators have dreamed of and built worlds and civilizations rooted in Black people's freedom and thought. Rather than beginning the Black American experience with slavery, Afrofuturism extends the bounds of time and space past, before, and beyond the forced bondage of Africans and Americans. Curators at the National Museum of African American History and Culture describe Afrofuturism as "the expression of notions of freedom, agency, and Black identity through art, creative works, and activism that envision liberated futures for Black life".[14] The notion of Afrofuturism is not foreign to the City of Fayetteville. Indeed, the integration experience of the Black students in the 1954 class was different from the experience in districts further south. Fayetteville's residents, some Black and white, made a conscious effort to move past the fear of difference to achieve a peaceful coexistence that Arkansans outside of the region could only imagine. It was the future in real-time. Unfortunately, the equal and opposing force of systemic racism has existed alongside progress every step of the way. An Afrofuturist museum honors the courage of those and the many other community members who lived what other Arkansans could only dream of.

Housing and Economic Development

Economic development is a key outcome of historical designation. The Historic District at Spout Spring Branch will attract tourism, scholarship, and new business. These ventures will create jobs and other opportunities for sustainable economic infrastructure within the community. Today, like the first Black community members, Fayetteville's Black neighborhoods are almost cordoned off by lack of access to resources. Black Arkansans face an unemployment rate of 4.1% while the general rate is closer to 2.7%.[15] In March of 2023, the Arkansas Democrat-Gazette reported that the average home price in Washington County has increased over 20% since the second half of 2021.[16] Up from $311,572 to an average home price of around $376,018, the housing market is impenetrable for many Arkansans. The average home price is about ten times the median income for Black Arkansans statewide and five times as much as the median income for Black Arkansans in Benton County and surrounding areas.[17] This gulf results

in lower homeownership rates overall. Arkansans have about a 44% homeownership rate with Black Arkansans having the smallest rates of ownership in some NWA counties like Benton and Sebastian. The local historic district would protect the interests of existing homeowners and make affordable housing more accessible.

Historic districts attract serious developers because they know their investment will be protected over time. Dedicated funding through municipal ordinances ensures the continued care and prioritization of the neighborhood and the designation protects community members from predatory developers by holding them to a standard of completion, contractually obligated to use funds for their directed purposes. Black developers make up about 5-9% of the national market while Black Americans make up roughly 14% of the country's population.[18] This district will once again, put Fayetteville in a place to lead in racial equity. Encouraging and protecting Black developments in the district will set a standard in the region for how cities can attract and support Black businesses and residents. Portions of the non-contiguous district lie within one of the two Opportunity Zones in Fayetteville. A historic distinction would open up the area to more funding to develop the area.[19]

Environmental Equity

Consistently ranked one of America's best places to live, Fayetteville has invested in significant infrastructure to support sustainable lifestyles, including extensive walking and biking trails throughout the city. Walkability is a key indicator of community health and a driver of decreased exhaust emissions.[20] The historic designation would pair well with the city's plans to increase mobility in and out of the community.

The proposed district will support multiple city initiatives surrounding transportation and planning. In the Active Transportation Plan drafted in 2019, there are proposed shared-use paved trails and bicycle trails laid out in the area.[21] The district would tie the space together, providing an opportunity for education and beautification. Additionally, the district is an opportunity to chip away at goals for City Plan 2040 which include creating mixed-use/walkable neighborhoods, green networks, and attainable housing.[22] A whopping 85.64% of Fayetteville Residents who responded to the city's survey considered "preservation of historic structures" important/very important.[22] Fayetteville's residents see these historic communities as "appropriate infill" to prioritize by the city.

Overall, the Historic District at Spout Spring Branch designation would improve the quality of life of Fayetteville residents and provide constituents with a readily identifiable service from Fayetteville city officials.

VI. Establishing the Historic District at Spout Spring Branch

The community of Spout Spring Branch is home to important historical sites from the founding of the city, to the Civil War and Civil Rights Movement. The city should create the South Fayetteville Historic District to preserve the community and boost the local economy. The district could be funded with a bond to restore and redevelop historic buildings in the new historic district. The city and community should actively collaborate to develop a plan for the district that meets the current and anticipated needs of residents and businesses including goals and performance indicators. Both city officials and community partners should co-monitor the progress of the district, evaluate the metrics after a certain period of time, and make any needed adjustments to meet the predetermined goals or metrics.

Legal advice from the City of Fayetteville (2017) on Arkansas state code recommends the following steps be taken to secure the district:

1. One of the following conditions must be satisfied in order to begin the process of placing restrictions on historic districts
    a. The majority of property owners in the proposed district must sign a petition agreeing that their property shall be included in the historic district OR
    b. Boundaries of a proposed historic district are identical to and encompass the area of a National Register of Historic Places Historic District.
    c. While there are some smaller districts included in the outlined area, the majority of the area is uncategorized. This will take a modest volunteer effort on NWA BH behalf. We will launch volunteers to do door-to-door canvassing and tabling events to gather signatures and educate the community on the district.
2. Once a simple majority of signatures (approximately 350) have been collected from stakeholders, the Historic District Commission investigates the historical significance of the district through surveying and other methods.
3. Their report is then sent to the Arkansas Historic Preservation Program and the Fayetteville Planning Commission for review
4. The Historic District Commission will announce and hold a public meeting in accordance with city codes and ordinances.
5. The Historic District Commission's Final report with recommendations and ordinance draft with a complete description and a map of the exact boundaries of the new district.
6. The city council then accepts returns with revisions or rejects the report.

This process will require a collective effort by the city government, community members, and leaders but the payout will return with dividends in community satisfaction.

VII. Funding the Historic District at Spout Spring Branch

The Historic District at Spout Spring Branch would require significant planning and investment to reach its fullest potential. We recommend the City of Fayetteville levy a bond to fund the restoration and redevelopment of historic buildings including improvements to infrastructure and public spaces. Using bond issues to fund community improvement projects is a common practice in the United States. In 2021, state and local governments issued $394 billion in bonds for infrastructure projects. This funding helped to improve roads, bridges, schools, and other vital infrastructure.

Fayetteville's residents have voted to support bond issues funding infrastructure projects. In recent years, the city has used bond issues to fund the construction of a new high school, a new convention center, and a new baseball stadium. Additionally, these funds could be used to acquire property to include in the district, public art displays and to spur economic development in the area. In 2019, the citizens of Fayetteville voted to use bonds to invest in much-needed infrastructure and arts development around the city. Without raising taxes, the city budgeted improvements for roads, trails, parks, public safety, job creation, and construction of the new Cultural Arts Corridor. A similar process could be used to educate the community on their contribution and support the district.

VIII. Conclusion

A historic district in the Spout Spring Branch is a win-win for the city and the community. The city of Fayetteville has used the historic preservation ordinances to give dwellings to a number of nonprofits, including the Fayetteville Public Library Foundation, the Fayetteville Arts Council, and the Fayetteville Historical Society. These nonprofits have renovated the dwellings and turned them into community spaces, such as libraries, performing arts venues, and museums. The city of Fayetteville's policy of giving dwellings for historic preservation is a positive step in the preservation of the city's historic heritage.

The Historic District at Spout Spring Branch would add value to the city by preserving important historical and cultural elements, attracting tourists and businesses, and improving the quality of life for residents. This would be the first Afrofuturist museum in the state, a laudable feat. The City of Fayetteville could fund this district like it has funded others, with a TIF or a bond to fund the restoration and redevelopment of historic buildings and space. Improvements to this community will reverberate with a positive impact through the hills of the city and region.

Appendix

Image 1: Submitted by Northwest Arkansas Black Heritage. Shows the new historic district in purple and other important landmarks and designations.

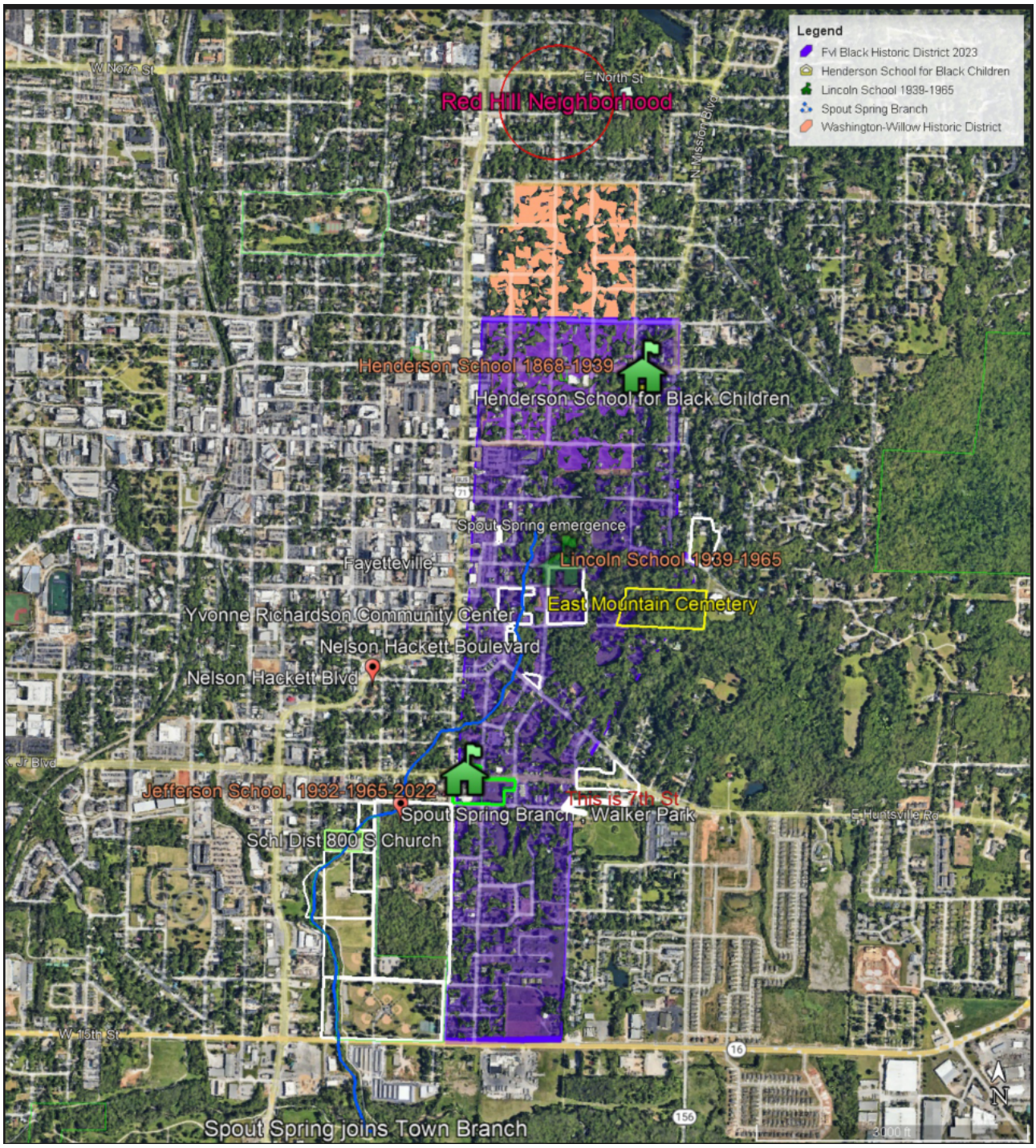
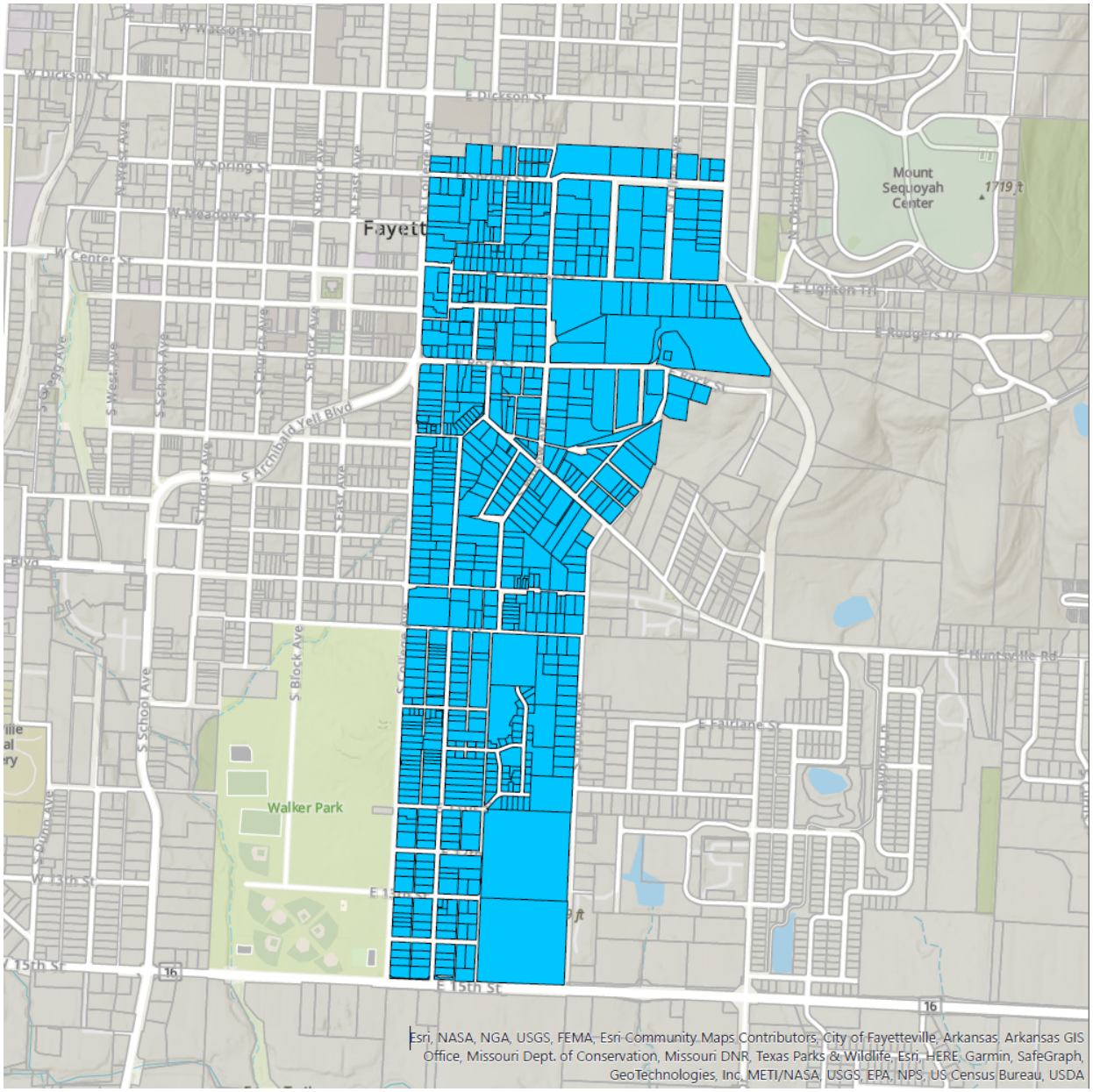


Image 2: Submitted by the City of Fayetteville. Shows the 690 parcels within the suggested historic district.

A



Endnotes

1. Loewen, J. (2023, July 7). *Sundown Towns*. Encyclopedia of Arkansas. https://encyclopediaofarkansas.net/entries/sundown-towns-3658/

2. Named by white settlers who would stop in the community and drink from the spring, https://shilohmuseum.org/spout-spring/

3. Brill, A. (2006). Brown in Fayetteville: Peaceful Southern School Desegregation in 1954. *The Arkansas Historical Quarterly*, *65*(4), 337. https://doi.org/10.2307/40028090

4. Cemeteries. (2023.). https://nwablackheritage.org/cemeteries

5. Communities. (2023). https://nwablackheritage.org/communities

6. Green Book https://transcription.si.edu/project/7955

7. Johnson, H. B. (n.d.). *Greenwood District*. The Encyclopedia of Oklahoma History and Culture. https://www.okhistory.org/publications/enc/entry.php?entry=GR024

8. Greenwood Rising . (2021). Greenwood Rising. https://www.greenwoodrising.org/about

9.Houston Texas, C. of. (n.d.). *Super neighborhood 13 - Independence Heights*. https://www.houstontx.gov/superneighborhoods/13.html#:~:text=1915%20%2D%20On%20January%2017%2C%201915,today%20located%20at%20700%20E.

10. IHRC. (n.d.). Independence Heights Redevelopment Council. https://ihrchouston.org/

11. Houston Endowment . (2022, August 15). *Houston Endowment has awarded $20 million to local organizations working to achieve racial equity and social justice in Houston*. Houston Endowment. https://www.houstonendowment.org/announcements/houston-endowment-has-awarded-20-million-to-local-organizations-working-to-achieve-racial-equity-and-social-justice-in-houston/

12. The Kansas City Public Library . (n.d.). *Why did the area of 18th and Vine become famous?*. KC History. https://kchistory.org/faq/why-did-area-18th-and-vine-become-famous

13. Green, Z. (n.d.). 18th & Vine Historic District. African American Heritage Trail of Kansas City. https://aahtkc.org/18thandvine

14.NMAAHC. (2023, September 8). *Afrofuturism*. National Museum of African American History and Culture. https://nmaahc.si.edu/explore/exhibitions/afrofuturism

15. Moore, K. (2023). Black unemployment levels off after a historic drop; labor market remains strong overall. State Unemployment by Race and Ethnicity . https://www.epi.org/indicators/state-unemployment-race-ethnicity/

16. Magsam, J. (2023, March 15). *Northwest Arkansas home prices up, sales dip slightly*. Arkansas Online. https://www.arkansasonline.com/news/2023/mar/15/nw-home-prices-up-sales-dip-slightly/

17. Smithwick, K. (n.d.). *Families: Median Income*. Aspire Arkansas. https://www.aspirearkansas.org/families/median-household-income?rc=1#racial-equity

18.Abrams, A. (2021, April 1). *Black developers call for reckoning in real estate*. The Washington Post. https://www.washingtonpost.com/business/2021/04/01/black-developers-call-reckoning-real-estate/

19. Fayetteville, C. of. (n.d.). *Opportunity Zones within the City of Fayetteville*. Opportunity Zones. https://www.fayetteville-ar.gov/3670/Opportunity-Zones

20. Kotifani, A. (2021, April 28). What is walkability? (and why it matters for health, resilience, happiness). Blue Zones. https://www.bluezones.com/2020/05/what-is-walkability-and-why-it-matters-for-health-resiliency-happiness-and-sustainability/#:~:text=Walkability%20is%20economic%20health.,according%20to%20CEOs%20for%20Cities

21. City of Fayetteville Active Transportation Plan Map 2019 https://www.fayetteville-ar.gov/DocumentCenter/View/19921/Active-Transportation-Plan-Map-11-21-19

22. Fayetteville City Plan 2040 https://www.fayetteville-ar.gov/1216/City-Plan-2040

23. Fayetteville City Plan Survey Results https://www.fayetteville-ar.gov/DocumentCenter/View/19623/Survey-results-CP2040

November 6, 2023

City of Fayetteville Planning Department
City of Fayetteville Planning Commission
125 West Mountain Street
Fayetteville, Arkansas 72701

RE: Letter of Intent for Conditional Use Permitting ±2.14 Ac. of Parcels 765-06383-000, 765-06384-000, 765-06385-000, 765-06386-000, 765-06387-000, 765-12797-001, 765-12798-000, 765-12799-000, 765-12799-001, 765-12800-000, 765-12805-000, 765-12808-000. And Buddy Hayes Park Parcels 765-02963-000, 765-02964-000, 765-06330-000

Property Information:	**SWC of S Washington Ave. and E Rock St.** **NWC of S Mill Ave. and E Rock St.** **Tract Size:** ±2.14 Ac. Total **Proposed Use:** Community Services Building **Existing Zoning:** Residential Multi-Family - RMF-24
Current Owner:	City of Fayetteville 113 W Mountain Street, Fayetteville, Arkansas 72701
Applicant:	Olsson, Inc. 302 E Millsap Road, Fayetteville, Arkansas 72703

This letter serves as a request for conditional use of the Yvonne Richardson Community Center and Buddy Hayes Park in the currently zoned RMF-24 property including the following parcels. Parcels from the northern section of the project for the expansion: 765-06383-000, 765-06384-000, 765-06385-000, 765-06386-000, 765-06387-000, 765-12797-001, 765-12798-000, 765-12799-000, 765-12799-001, 765-12800-000, 765-12805-000, 765-12808-000. Parcels from the southern section of the project for park improvements: 765-02963-000, 765-02964-000, 765-06330-000. This parcel is located on the southwest portion of the intersection of South Washington Avenue and East Rock Street. And across E Rock Street in the Northwest portion of South Mill Avenue and East Rock Street in Fayetteville.

Property Description for Conditional Use Permit

TYPE OF BUSINESS
The expansion to this establishment would provide the community center with four classroom areas, fitness area, dance room and more services to the community center for developmental and recreational services. The existing building has a floor area of 9,481 square feet. The

addition will add an additional 3,853 square feet of floor space making the total structure 13,334 square feet.

DAYS AND HOURS OF OPERATION
The Community Center is anticipated to keep their hours of operation 10:00 AM – 6:00 PM, Monday-Friday with rentals available 6:00 PM to 11:00 PM, Saturday 10:00 AM – 2:00 PM with rentals available, and available for rentals only Sunday.

TRAFFIC GENERATION
The number of employees and logistical flow is dependent on the tenant but anticipated to minimally increase, if at all. The buildings occupant load is 268 persons for the entire structure after the addition, the anticipated number of employees, patrons, clients, customers, is set to be accommodatable by this occupant load. Traffic is anticipated to remain approximately the same as existing but could slightly increase traffic minimally if any.

PARKING REQUIREMENTS
For community centers, 1 parking space is required for every 250 square feet of GFA. The proposed addition will be adding two (2) on-street ADA parking stalls for a total of 12 parking spaces for the facility and will not be adding additional off-street parking.

SIGNAGE
The access drive will be located where currently existing on E Rock Street. One access drive is closing and two (2) ADA parking spaces are being installed where a driveway previously existed. The district permit officer has been notified. No additional signage is needed to accommodate for the development.

TRASH AND RECYCLING
The existing dumpster located near the bridge walkway in the southwest corner of the existing parking lot across the creek will be used (see attached Site Plan Exhibit).

UTILITY PROVISIONS
There are no Public Utility Extensions needed, only private “Service” extensions. Private service extensions include, sewer line, underground electric line, water line, fire line (see attached Utility Exhibit).

BIKE RACK AMENITY
Two options for the location of bike racks are being considered (see attached Bike Rack Options).

LANDSCAPING
Landscaping is proposed for the community center and Buddy Hayes Park (see attached Landscape Design Documents).

OUTDOOR LIGHTING
Outdoor lighting is being proposed. There will be one new light pole added (see attached Outdoor Lighting Plan).

AMPHITHEATERS AND PAVILION
Two native stone amphitheaters and a pavilion are being proposed in Buddy Hayes Park. Per the historic significance of this park and the neighborhood feedback we received, music will be a prominent feature of these improvements. In addition to being used as an outdoor music venue, it will also provide an opportunity for an outdoor classroom for the Yvonne Richardson Community Center.

MISCELLANIOUS INFORMATION
There is currently no intention of screening in the property, addition of light to the surroundings is anticipated to be minimal, noise addition would come in the form of reversing trucks. The presence of hazardous or flammable materials is unknown at this time and will depend on the tenant. If such materials are present, the necessary precautions will be followed in accordance with and as outlined in the development and building code to reduce the hazards.

Conditional Use Request:

Section 161.16 of the Unified Development Code lists cultural and recreational facilities as one of the conditional uses for RMF-24 zoning. The Yvonne Richardson Community Center falls within this category. Allowing the conditional use of this community center will provide recreational, educational, social, and ecological benefits to the surrounding area. Along with providing social and educational opportunities to the community, this proposed expansion will provide green infrastructure and increase awareness and connection with the nearby stream. A Conditional Use Permit would allow for more community friendly amenities to be available to the community.

With these factors in mind, we believe the Yvonne Richardson Community Center is compatible with the development in the immediate area and will not have an adverse impact on the surrounding properties.

Sincerely,

Matthew K. Loos, PE
Olsson Project Manager

November 6, 2023

City of Fayetteville
Attn: Board of Adjustments
113 W. Mountain St.
Fayetteville, AR 72701

RE: Proposed Community Center Expansion
240 E Rock Street
Variance Request – Streamside Protection Zone

Dear Board Members,

The City of Fayetteville is proposing to expand the existing Yvonne Richardson Community Center with the addition of a one-story building adjacent to the existing community center as well as an amphitheater located in Buddy Hayes Park. The existing community center is located at 240 E Rock Street in Fayetteville, Arkansas. The existing site spans roughly 2.4 acres, including the Buddy Hayes Park across E Rock Street. The building addition proposes a floor area of 3,853 square feet, bringing the total area of the Community Center Building to 13,334 square feet. The project also includes the addition of two on-street ADA parking spots and other improvements to facilitate the use of the community center.

The addition of the one-story structure, the south trail extension, two amphitheaters, and a pavilion will provide amenities to the surrounding area, further improving the community impact of the existing space.

Chapter 168.12 of the Fayetteville Unified Development Code establishes Streamside Protection Zones that regulate uses, structures, and activities within delineated streamside areas in accordance with the City of Fayetteville's Streamside Best Management Practices Manual. The intent of the manual is to reduce pollutants in the waterways, preserve flood capacity, and protect the integrity of a natural resource.

The site is posed with the challenge of close proximity to the nearby Spout Spring Branch that flows through the property. Upon meeting with Floodplain Coordinator, Alan Pugh, the Streamside Protection Zone was determined and is depicted on the attached exhibit. The total Streamside Protection Zone, comprised of Zone 1 and Zone 2, extends 50 feet from the top of bank toward the proposed site. Prohibited uses in either zone include buildings larger than 150 square feet, parking lots, grading, and other construction activities. Strict adherence to the Streamside Protection regulations would prevent the expansion of the community center at this site. Alternative locations for the proposed community center were considered and the location shown in the attached exhibit was found to be the most feasible considering the site layout and

existing facilities. **This is a request to reduce the Streamside Protection Zones to allow the proposed building expansion, trail segments and amphitheater. Variance requests are as follows:**

Variance Request #1

Variance to allow the encroachment of the building addition on Streamside Protection Zones 1 and 2.

Variance Request #2

Variance to allow the encroachment of two amphitheaters, a pavilion, and trail on Streamside Protection Zones 1 and 2.

Variance Request #3

Variance to allow the adoption of the new FEMA flood maps (Code Sec. 186-10U)

Encroachments

A portion of the proposed building addition and trail extension encroach upon the Stream Protection Zones as shown in the exhibit. The encroachment consists of a 3,418.72 sf building addition and other impervious area in Zone 1 and 2; an 825.97 sf trail segment to the south in Zones 1 and 2; two native stone amphitheaters totaling 1115.45 sf, and a 189 sf pavilion in Zones 1 and 2. The entire building addition footprint will be built over an existing parking lot that currently has the same encroachment.

Community Benefits and Justification

The development offers multiple recreational, educational, social and ecological benefits to the community. Along with increased awareness and connection with the stream, site improvements provide opportunities for use as an outdoor classroom and ecological studies. Other educational and ecological benefits include collection and treatment of stormwater runoff from the roof of the addition through the use of green infrastructure in contrast to the current condition, where stormwater runoff drains untreated directly from the parking lot to the stream.

The property will be maintained in an ecologically sensitive manner, with the intent to improve eroded areas and eradicate invasive plant species. Information on stream sections in this area will be collected, and the owner will work to identify areas in need of armoring or stabilization enhancements. Armoring and stabilization measures will be taken to resolve any issues identified in all areas of city owned property outside of the proposed encroachment. On the east side of the stream in areas where the stream bank is actively mowed, this activity will cease in favor of native plantings and stabilization along the bank. The intent of the stream side area adjacent to the city owned property on both sides of the stream is to remove invasive species

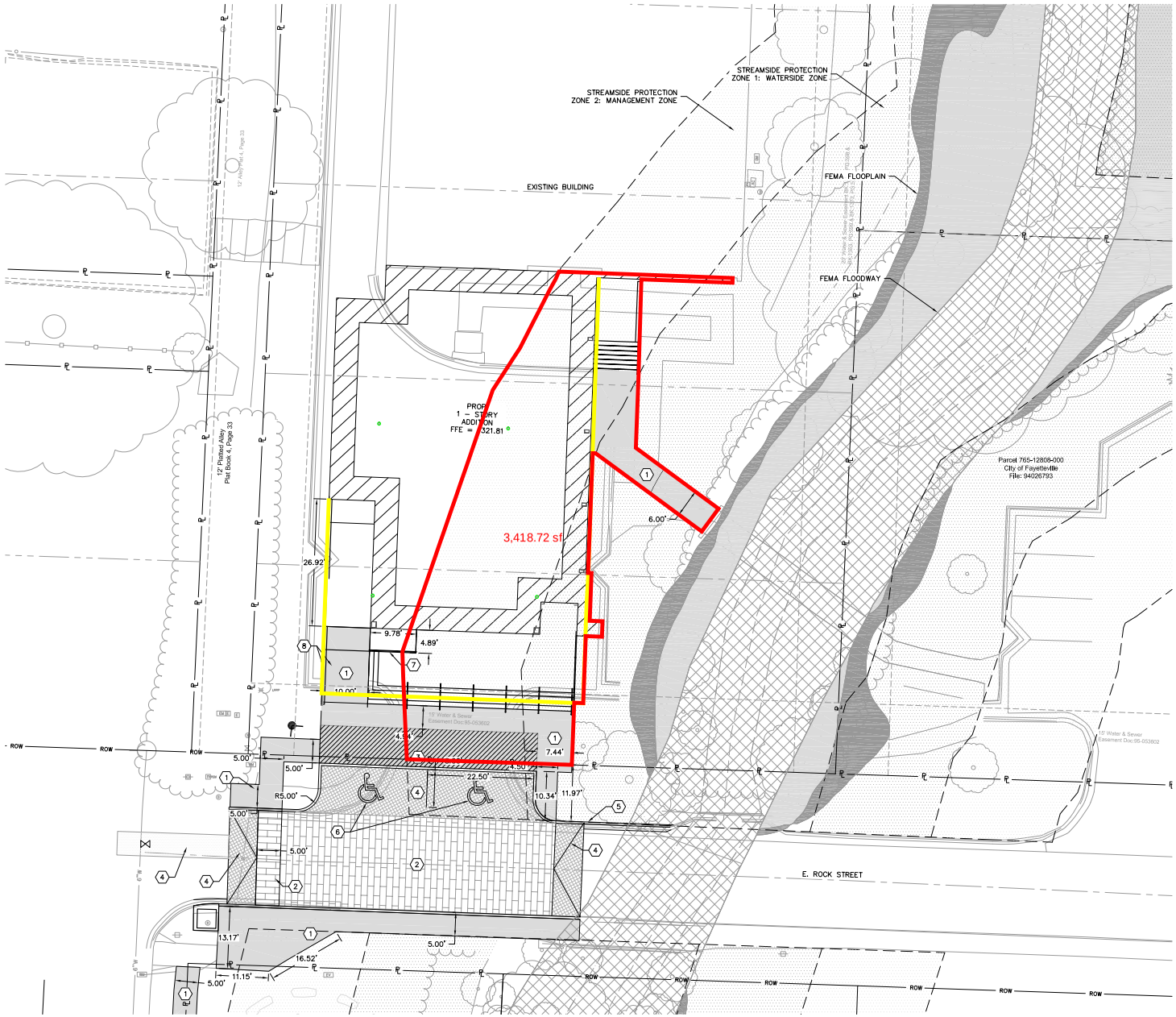
and plant native species. We believe these efforts will provide a holistic benefit to the stream and surrounding area and satisfy the intent of the Streamside Protection Best Practices Manual.

The Streamside Protection Best Practices Manual states that “the entire community has a responsibility to ensure the protection of Fayetteville’s waterways”. In the same way, the City of Fayetteville shares the responsibility of the Yvonne Richardson Community Center mission of “shaping today’s youth for tomorrow's challenges”. The community center accomplishes this by providing recreational, educational, and social opportunities for the community. A variance to Chapter 168.12 of the Fayetteville Municipal Code as well as the Streamside Protection Best Practices Manual would allow this reputable community center to expand its services and more effectively serve the nearby community in the heart of Fayetteville.

For these reasons, **we are requesting an allowance for the encroachment of the proposed building addition, trail segments, two native stone amphitheaters and a pavilion on Streamside Protection Zones 1 and 2. Additionally, we are requesting a variance to adopt the new FEMA flood maps (Code Sec. 186-10U).**
Should you have any questions, please contact me at 501.733.2240 or at mloos@olsson.com.

Sincerely,

Matthew K. Loos, P.E.
Olsson Project Manager



KEYNOTES:

1. INSTALL 4" CONCRETE SIDEWALK
2. INSTALL DECORATIVE REINFORCED HEAVY DUTY CONCRETE PAVEMENT 7" PCC W/ WWF 6X6–W1.4XW1.4 WIRE MESH OVER 4" ARDOT CLASS 7 BASE
3. ADA AND GENERAL PURPOSE LOADING ZONE
4. INSTALL 3" HEAVY DUTY ASPHALT PAVEMENT (SEE DETAIL SHEET 2 C4.01)
5. CONSTRUCT STANDARD CURB & GUTTER
6. 22.5'x8' ACCESSIBLE VAN PARKING SPACE & BOLLARD MOUNTED SIGNAGE
7. SIDEWALK RAMP W/ HANDRAIL
8. LOADING RAMP W/ HANDRAIL

LEGEND

- ROW — RIGHT–OF–WAY LINE
- PROPERTY LINE
- BUILDING SETBACK
- UTILITY EASEMENT
- FIRE LANE STRIPING
- CENTER LINE
- BUILDING OVERHANG
- EXIST. TRANSFORMER
- EXIST. WATER METER
- EXIST. POWER POLE W/ LIGHT
- EXIST. WATER VALVE
- EX. FIRE HYDRANT
- EX. WATER METER
- EX. COMMUNICATION BOX
- EX. TRANSFORMER
- EX. ELECTRICAL BOX
- EX. LIGHT POLE
- EX. POWER POLE
- EX. SIGN
- EX. STORM SEWER MANHOLE
- EX. GAS METER
- EX. SANITARY SEWER MANHOLE
- EX. DECIDUOUS TREE
- EX. EVERGREEN TREE

NOTES:

1. DIMENSIONS SHOWN ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. THE OUTER EDGE OF SIDEWALK WAS SET ON THE ROW, TYP.
3. ADDITIONAL ACCESS EASEMENTS TO BE PRELIMINARY DEDICATED BUT NOT BUILT OUT.
4. ALL HVAC AND OTHER MECHANICAL EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR

Yvonne Richardson Community Center Addition

240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

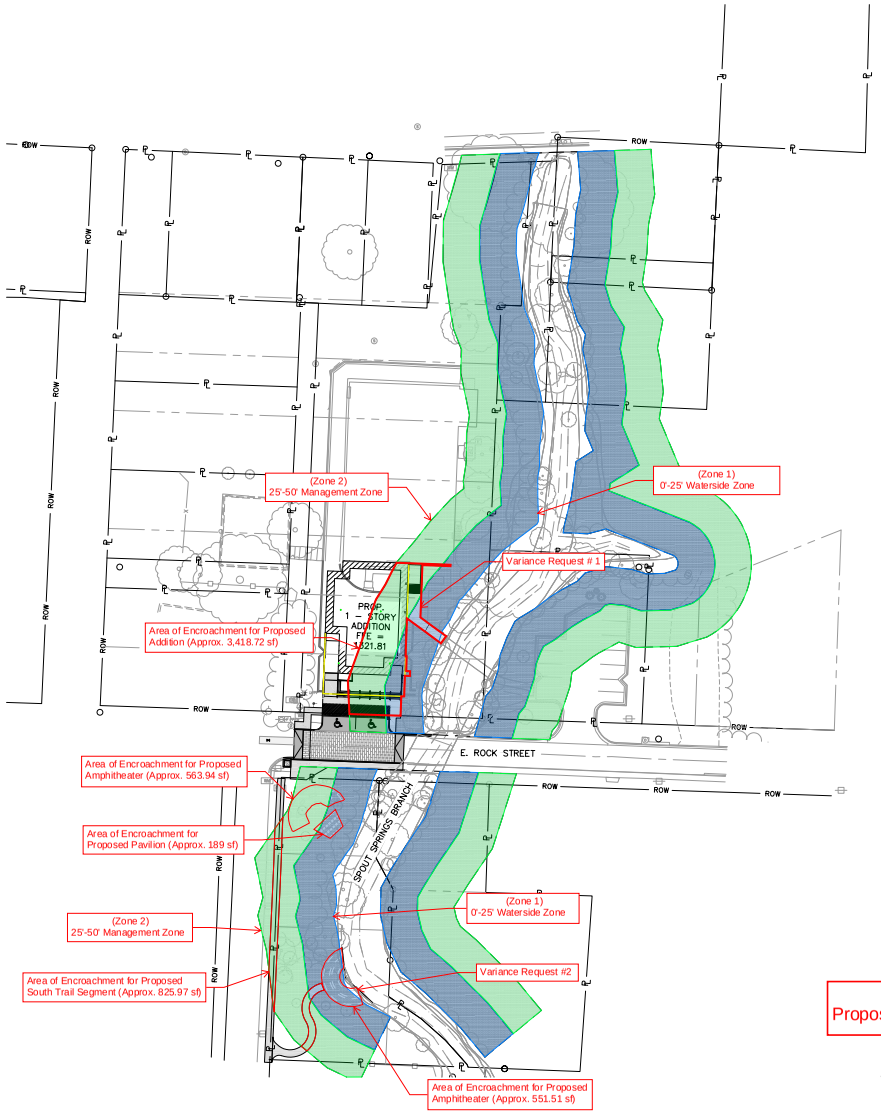
MBL JOB NO.
200012

ISSUE DATE
10-27-2023

SHEET CONTENTS
SITE PLAN I

SHEET
C1.01

THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MBL ARCHITECTURE. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY MBL ARCHITECTURE IS FORBIDDEN WITHOUT WRITTEN CONSENT.



PAVEMENT MARKING NOTES:

1. DO NOT APPLY PAVEMENT MARKING PAINT UNTIL LAYOUT, COLORS AND PLACEMENT HAVE BEEN VERIFIED WITH THE ARCHITECT.

2. ALLOW CONCRETE PAVING TO AGE FOR 28 DAYS BEFORE MARKING.

3. ALL PAVEMENT SURFACES SHALL BE CLEANED/CLEARED OF ANY DEBRIS OR CURING COMPOUNDS IN ACCORDANCE WITH MANUFACTURES REQUIREMENTS PRIOR TO ANY MARKING APPLICATIONS.

4. DETAILS NOT SHOWN SHALL BE IN CONFORMITY WITH THE STATE STANDARDS FOR TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS, AND SIMILAR REQUIREMENTS ESTABLISHED BY THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION.

5. ALL PARKING LOT STRIPING SHALL BE SINGLE LINE 4" WIDE AS PER THE SITE PLANS.

6. PAINT FOR MARKING PAVEMENT SHALL CONFORM TO FEDERAL HIGHWAY MARKING STANDARDS. USE SHERWIN WILLIAMS PROFESSIONAL FAST DRY ACRYLIC LATEX TRAFFIC MARKING PAINT OR EQUAL, USE WHITE, BLUE OR YELLOW, WHERE APPROPRIATE. UNLESS OTHERWISE DIRECTED, USE THE FOLLOWING:
A. BLACKTOP OR BITUMINOUS ASPHALT PAVING: USE WHITE COLOR.
B. PORTLAND CEMENT CONCRETE PAVING: USE WHITE COLOR.
C. ADA ACCESSIBLE PARKING AND ENTRYWAYS: USE BLUE COLOR.
D. PROVIDE PAINTED CURBS AT FIRE LANE DESIGNATIONS PER FIRE MARSHAL REQUIREMENTS.

7. APPLY ALL MARKINGS USING APPROVED MECHANICAL EQUIPMENT (WITH PROVISIONS FOR CONSTANT AGITATION OF PAINT), CAPABLE OF APPLYING THE MARKING WIDTHS AS SHOWN. PROVIDE A MINIMUM WET FILM THICKNESS OF 15 MILS. USE PNEUMATIC SPRAY GUNS FOR HAND APPLICATION OF PAINT. ALL PAINTING EQUIPMENT AND OPERATIONS SHALL BE UNDER THE CONTROL OF EXPERIENCED TECHNICIANS THOROUGHLY FAMILIAR WITH EQUIPMENT AND MATERIALS AND MARKING LAYOUTS.

8. DETAIL PAVEMENT MARKINGS SHALL BE THAT MARKING, EXCLUSIVE OF ACTUAL TRAFFIC LANE MARKING, AT EXIT AND ENTRANCE ISLANDS AND TURNOUTS, ON CURBS, AT CROSSWALKS, AT PARKING BAYS AND AT SUCH OTHER LOCATIONS AS SHOWN. ADA ACCESSIBLE PARKING SPACES SHALL BE MARKED BY THE INTERNATIONAL ACCESSIBLE SYMBOL AT INDICATED PARKING SPACES. USE A SUITABLE TEMPLATE THAT WILL PROVIDE A PAVEMENT MARKING WITH TRUE, SHARP EDGES AND ENDS.

LEGEND

- ROW — RIGHT-OF-WAY LINE
- PROPERTY LINE
- BUILDING SETBACK
- UTILITY EASEMENT
- FIRE LANE STRIPING
- CENTER LINE
- BUILDING OVERHANG
- EXIST. TRANSFORMER
- EXIST. WATER METER
- EXIST. POWER POLE W/ LIGHT
- EXIST. WATER VALVE
- EX. FIRE HYDRANT
- EX. WATER METER
- EX. COMMUNICATION BOX
- EX. TRANSFORMER
- EX. ELECTRICAL BOX
- EX. LIGHT POLE
- EX. POWER POLE
- EX. SIGN
- EX. STORM SEWER MANHOLE
- EX. GAS METER
- EX. SANITARY SEWER MANHOLE
- EX. DECIDUOUS TREE
- EX. EVERGREEN TREE

Exhibit A
Proposed Community Center Expansion

GENERAL NOTES:

1. CONTRACTOR SHALL HAVE ONE (1) SIGNED COPY OF THE PLANS (APPROVED BY CITY OF FAYETTEVILLE, AR) AND ONE (1) COPY OF THE APPROPRIATE DESIGN AND CONSTRUCTION STANDARDS & SPECIFICATIONS AT THE SITE AT ALL TIMES.

2. ALL REFERENCES CONTAINED WITHIN THESE PLANS TO THE OWNER'S ENGINEER ARE HEREBY REFERENCED OLSSON, INC.

3. THE EXISTING UTILITY LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND MAY NOT INCLUDE ALL LINES PRESENT. THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL 811 OR 1-800-482-8998, AND COORDINATE FIELD LOCATION OF EXISTING UNDERGROUND UTILITIES PRIOR TO BEGINNING GRADING ACTIVITIES. !!STOP!! CALL BEFORE YOU DIG!!

4. UTILITIES AS SHOWN WERE OBTAINED FROM INFORMATION INDICATED ON THE SURVEY OR BY FIELD OBSERVATION. CONTRACTOR SHALL FIELD VERIFY ALL HORIZONTAL AND VERTICAL LINES AND GRADES OF EXISTING UTILITIES PRIOR TO THE CONSTRUCTION OF IMPROVEMENTS. CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY UPON DISCOVERY OF A DISCREPANCY BETWEEN THE CONTRACT DRAWINGS AND ACTUAL FIELD CONDITIONS.

5. CONTRACTOR SHALL NOT CHANGE OR DEVIATE FROM THE PLANS WITHOUT FIRST OBTAINING WRITTEN APPROVAL FROM THE OWNER AND ENGINEER.

6. CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL PERMITS AND PAY ALL FEES AS REQUIRED BY THE CONSTRUCTION COVERED IN THESE PLANS.

7. ALL WORK AND MATERIALS SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE OWNER OR THE OWNER'S REPRESENTATIVE.

8. ANY ESTIMATES OF QUANTITIES ARE FOR INFORMATIONAL PURPOSES ONLY. CONTRACTOR AND SUBCONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING ALL QUANTITIES. CONTRACTOR SHALL PROVIDE ALL WORK AND MATERIALS TO COMPLETE CONSTRUCTION AS SHOWN ON PLANS.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE RESTORATION OF THE RIGHT-OF-WAY AND FOR DAMAGED IMPROVEMENTS SUCH AS CURBS, SIDEWALKS, STREET LIGHT AND TRAFFIC SIGNAL JUNCTION BOXES, TRAFFIC SIGNAL LOOP LEAD INS, SIGNAL POLES, ETC. DAMAGED IMPROVEMENTS SHALL BE REPAIRED IN CONFORMANCE WITH THE LATEST CITY STANDARDS AND TO THE CITY'S SATISFACTION.

10. CONTRACTOR SHALL TAKE CARE NOT TO DAMAGE ANY EXISTING STREET, CURB AND GUTTER, SIDEWALK, DRIVEWAYS OR STRUCTURE UNLESS SHOWN TO BE REMOVED.

11. ALL WORK WITHIN ROAD RIGHT-OF-WAY SHALL CONFORM TO THE CITY OF FAYETTEVILLE, AR REQUIREMENTS, UNLESS OTHERWISE NOTED.

12. ALL TRAFFIC CONTROL SHALL BE IN CONFORMANCE WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD)

13. CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL PROPERTY CORNERS. ANY PROPERTY CORNER DISTURBED OR DAMAGED BY GRADING ACTIVITIES SHALL BE RESET BY A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF ARKANSAS, AT THE CONTRACTORS EXPENSE.

14. CONTRACTOR AND SUBCONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING ALL EARTHWORK QUANTITIES. CONTRACTOR SHALL PROVIDE ALL WORK AND MATERIALS AS SHOWN TO COMPLETE CONSTRUCTION SHOWN ON PLANS.

15. THE CONTOUR LINES, SPOT ELEVATIONS AND BUILDING FLOOR ELEVATIONS SHOWN ARE TO FINISH GRADE FOR TOP OF PAVEMENT, SIDEWALKS, CURBS AND FLOOR SLABS, ETC. REFER TO TYPICAL SECTIONS FOR PAVING, SLAB AND AGGREGATE BASE THICKNESS TO DEDUCT FOR GRADING LINE ELEVATIONS.

16. CONTRACTOR SHALL FINISH GRADE SLOPES AS SHOWN NO STEEPER THAN 1 FOOT VERTICAL IN 3 FEET HORIZONTAL.

17. THE CONTRACTOR SHALL GRADE LANDSCAPED AREAS AT A MIN. OF 1% TO PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS AND SIDEWALKS WHEN FINISH LANDSCAPE MATERIALS ARE IN PLACE, UNLESS SPECIFIED OTHERWISE.

18. ALL BACKFILL SHALL BE TAMPED. BACKFILL WITHIN THE RIGHT-OF-WAY SHALL BE COMPACTED TO 95% MAX. DENSITY AS PER ASTM-D698 (STANDARD PROCTOR COMPACTION)

19. THE CONTRACTOR IS RESPONSIBLE FOR ATTENDING TO AND CORRECTING UNSUITABLE SOIL CONDITIONS RELATED TO PLOW ZONES, WET SOILS AND OTHER CONDITIONS. THE UNSUITABLE CONDITIONS MUST BE CORRECTED PER THE GEOTECHNICAL ENGINEER'S REPORT, WHERE REQUIRED, TO MEET PROJECT NEEDS.

20. ALL EXTERIOR CONCRETE SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 4000 PSI AND BE AIR ENTRAINED. FLY ASH IS NOT A SUITABLE REPLACEMENT FOR PORTLAND CEMENT.

21. CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING THE PUBLIC STREETS IN THE VICINITY OF THE JOB SITE CLEAN AND FREE OF ROCKS, SOIL/MUD AND DEBRIS DURING ALL PHASES OF CONSTRUCTION.

22. CONTRACTOR SHALL CLEAN OUT ALL EXISTING AND PROPOSED INLETS, PIPES AND MANHOLES OF DEBRIS AND SEDIMENTATION AT COMPLETION OF SITEWORK. THIS WORK SHALL BE DONE TO THE SATISFACTION OF THE OWNER AND THE CITY OF FAYETTEVILLE, AR.

23. CONTRACTOR SHALL RETAIN FLOATABLE WIND BLOWN MATERIALS ON SITE BY STORING ALL TRASH AND BUILDING MATERIAL WASTE IN ENCLOSURES UNTIL PROPER DISPOSAL AT AN OFF-SITE FACILITY. CONTRACTOR TO CHECK ADJACENT AREAS DAILY AND PICK UP CONSTRUCTION WASTE MATERIALS AND DEBRIS THAT HAVE BLOWN OR WASHED OFF-SITE.

24. CONTRACTOR IS RESPONSIBLE FOR PROVIDING BERMS, SILT FENCES, OR OTHER MEANS TO PREVENT ERODED MATERIALS FROM REACHING THE PUBLIC RIGHT-OF-WAY AND ADJACENT PROPERTIES. IN THE EVENT THE PREVENTION MEASURES ARE NOT EFFECTIVE, THE CONTRACTOR SHALL REMOVE ANY DEBRIS, SILT, OR MUD AND RESTORE THE RIGHT-OF-WAY TO ORIGINAL OR BETTER CONDITION.

25. CONTRACTOR SHALL BE RESPONSIBLE TO CONTROL DOWNSTREAM EROSION AND SILTATION DURING ALL PHASES OF CONSTRUCTION. EROSION CONTROL PROCEDURES SHALL BE IN PLACE PRIOR TO BEGINNING GRADING ACTIVITIES.

26. CONSTRUCTION ACCESS TO THE SITE SHALL BE LIMITED TO THE APPROVED TEMPORARY CONSTRUCTION ENTRANCE(S) AS SHOWN ON SHEET 4.00.

27. TEMPORARY CONSTRUCTION ENTRANCE SHALL HAVE SHOT ROCK FOR ITS SURFACE.

28. EROSION CONTROL DEVICES SHALL BE MAINTAINED DURING THE WHOLE CONSTRUCTION PERIOD BY THE CONTRACTOR.

29. CONTRACTOR SHALL PROTECT ANY STORM INLETS FROM SEDIMENT THAT TAKE STORM WATER FROM THE AREA OF CONSTRUCTION.

30. ALL DISTURBED AREAS SHALL BE STABILIZED IN ACCORDANCE WITH THE APPROVED EROSION CONTROL PLAN.

BENCHMARKS

BM #1 FOUND REBAR W. CAP "PS1642" ON SOUTH SIDE OF EAST ROCK STREET, EAST OF THE STREAM
ELEV. = 1313.15'
N: 635730.538
E: 675231.949

N

0' 20' 40' 80'
SCALE IN FEET

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR

Yvonne Richardson Community Center Addition

240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

MBL JOB NO.
200012

ISSUE DATE
11-02-2023

SHEET CONTENTS
OVERALL SITE PLAN

SHEET
C1.00

THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MBL ARCHITECTURE AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF MBL ARCHITECTURE.

KEYNOTES:

1. INSTALL 4" CONCRETE SIDEWALK
2. INSTALL DECORATIVE REINFORCED HEAVY DUTY CONCRETE PAVEMENT 7" PCC W/ WWF 6X6–W1.4XW1.4 WIRE MESH OVER 4" ARDOT CLASS 7 BASE
3. ADA AND GENERAL PURPOSE LOADING ZONE
4. INSTALL 3" HEAVY DUTY ASPHALT PAVEMENT (SEE DETAIL SHEET 2 C4.01)
5. CONSTRUCT STANDARD CURB & GUTTER
6. 22.5'x8' ACCESSIBLE VAN PARKING SPACE & BOLLARD MOUNTED SIGNAGE
7. SIDEWALK RAMP W/ HANDRAIL
8. LOADING RAMP W/ HANDRAIL

LEGEND

- ROW — RIGHT–OF–WAY LINE
- PROPERTY LINE
- BUILDING SETBACK
- UTILITY EASEMENT
- FIRE LANE STRIPING
- CENTER LINE
- BUILDING OVERHANG
- EXIST. TRANSFORMER
- EXIST. WATER METER
- EXIST. POWER POLE W/ LIGHT
- EXIST. WATER VALVE
- EX. FIRE HYDRANT
- EX. WATER METER
- EX. COMMUNICATION BOX
- EX. TRANSFORMER
- EX. ELECTRICAL BOX
- EX. LIGHT POLE
- EX. POWER POLE
- EX. SIGN
- EX. STORM SEWER MANHOLE
- EX. GAS METER
- EX. SANITARY SEWER MANHOLE
- EX. DECIDUOUS TREE
- EX. EVERGREEN TREE

NOTES:

1. DIMENSIONS SHOWN ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. THE OUTER EDGE OF SIDEWALK WAS SET ON THE ROW, TYP.
3. ADDITIONAL ACCESS EASEMENTS TO BE PRELIMINARY DEDICATED BUT NOT BUILT OUT.
4. ALL HVAC AND OTHER MECHANICAL EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW

N

0' 5' 10' 20'
SCALE IN FEET

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

MBL

City of Fayetteville, AR

Yvonne Richardson Community Center Addition

240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

MBL JOB NO.
200012

ISSUE DATE
11-1-2023

SHEET CONTENTS
EXHIBIT

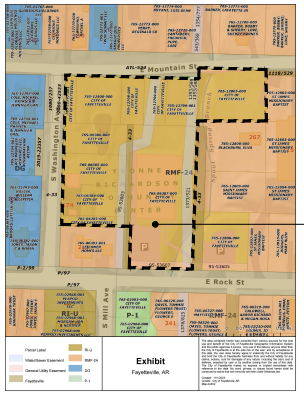
SHEET

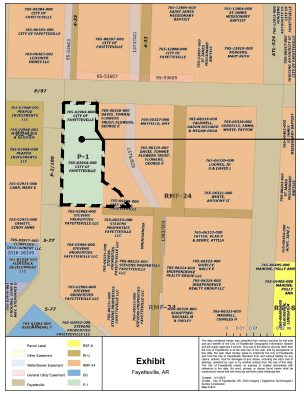
THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MBL ARCHITECTURE. REPRODUCTION OR REUSE WITHOUT WRITTEN CONSENT IS PROHIBITED. For copyright weighting contact us.

LEVEL ONE DEVELOPMENT UNDER 1,200 SF NEW IMPERVIOUS AREA

VICINITY MAP

ADJACENT ZONING + PROPERTY OWNERS





GSP:

Table 1. Proposed Development Thresholds

Development Threshold	City-wide Standard	Grading and Drainage / Stormwater Documentation	Water Quality, Flood, and Tree Mitigation Measures
Level 1	< or = 1,200 sf of IA	• Exempt from Grading and Drainage provisions except for those still associated with the Building Permit process such as HHOD.	• Exempt
Level 2	1,201 - 6,000 sf of IA	• Completed Green Stormwater Practice (GSP) Worksheet, demonstrating Runoff Reduction via Better Site Design. • GSP Operation & Maintenance (O & M) Agreement to ensure the long-term functionality of these practices.	• 2 or more measures from Step 1 of Table 2 that Reduce Runoff via Better Site Design • 1 or more Green Stormwater Practice (GSP) measures from Step 2 of Table 2 as required to treat 100% of the developed portion of the site
Level 3	6,001 – 10,000 sf of IA	• Same as Level 2.	• Same as Level 2 • As needed GSP measures from Step 3 to further reduce runoff • Abbreviated Tree Preservation Plan

Levels 2 and 3 are required to select two of these measures to implement while designing the site:

Table 2. Water Quality, Flood, and Tree Mitigation Measures by Step

Mitigation Steps	Mitigation Measures
Step 1	**Reduce Runoff via Better Site Design.**
	Conservation of Natural Features and Resources (if they exist on the property): • Preserve Riparian Buffers (i.e. no variances). • Avoid Developing in Floodplains and on Steep Slopes (greater than 15%)
	Tree Preservation: • Preserve Natural Areas with at least one significant tree. The removal, relocation, destruction or abuse in any manner of a significant tree(s) to be preserved is prohibited. • Protection of Street Trees. The removal, relocation, destruction or abuse in any manner of a street tree(s) to be preserved is prohibited.
	Lower Impact Site Design Techniques: • Reduce Limits of Clearing and Grading to preserve at least 10% of the open space of the site
	Reduction of Impervious Cover: • Use multi-story buildings to reduce building footprints • Create Parking Lot Stormwater "Islands" • Use pervious surfaces for parking, sidewalks and trails, where feasible.
	Utilization of Natural Features for Stormwater Management: • Use soil restoration practices to improve native soils and reduce over compaction • Use native plants and naturalistic landscapes (yards that do not have to be mowed and are planted with perennials, etc) and rain gardens.

NOT APPLICABLE

Levels 2 and 3 are required to select at least one of these measures sized appropriately by the GSP worksheet that will be provided by the City:

Step 2	Reduce Runoff via Green Stormwater Practices (GSPs)
GSP-02	Urban Bioretention
GSP-03	Permeable Pavement
GSP-04	Infiltration Trench
GSP-12	Green Roof

NOT APPLICABLE

ZONE
RMF-24: RESIDENTIAL MULTIFAMILY - 24 UNITS PER ACRE
P-1: INSTITUTIONAL
ENDURING GREEN NETWORK (PORTIONS)

MINIMUM TREE PRESERVATION PERCENTAGE REQUIREMENT
(PER LANDSCAPE MANUAL APPENDIX PAGE 17):
RMF-24: 20%
P-1: 25%

MAY HAVE ADDITIONAL STREAMSIDE PROTECTION ZONE
BECAUSE OF STEEP BANKS (PER CITY GIS)

LEGEND

- PROPERTY LINE
- EXISTING MSPRW
- BTZ
- SEWER
- WATER
- MAJOR CONTOUR
- MINOR CONTOUR

NOTES
1. CODES/DOCUMENTS REFERENCED:
-TREE PRESERVATION & LANDSCAPE MANUAL, 2016
-UNIFIED DEVELOPMENT CODE, CHAPTER 167
2. PRUNING SHALL BE PERFORMED BY OR UNDER THE SUPERVISION OF A CERTIFIED ARBORIST
3. DO NOT PRUNE OFF- SITE
4. NO TREE PRESERVATION REQUIRED, UNDER 6,000 SF NEW IMPERVIOUS AREA

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

MBL JOB NO.
200012
ISSUE DATE
Feb. 6, 2023

SHEET CONTENTS
CONTEXT + GSP

SHEET
L0.0

THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MILLER BOSKUS LACK ARCHITECTS, P.A. AND MAY NOT BE REPRODUCED WITHOUT WRITTEN CONSENT.

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR

Yvonne Richardson Community Center Addition

240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

MBL JOB NO. **200012**

ISSUE DATE **Feb. 6, 2023**

SHEET CONTENTS **EXISTING SITE**

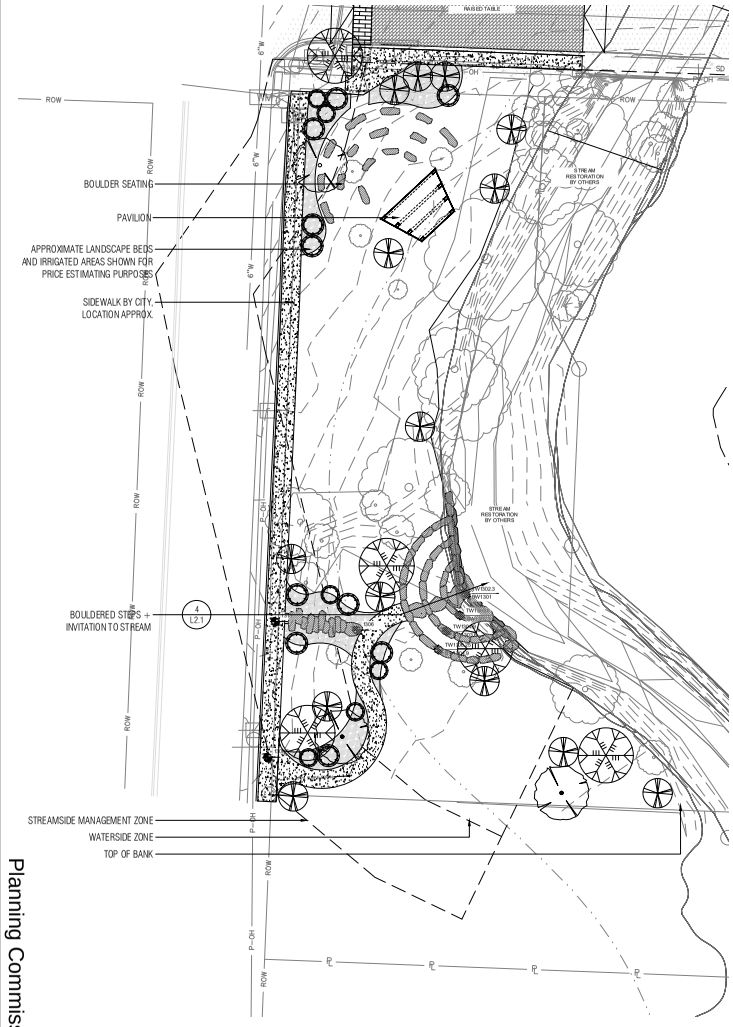
SHEET **L0.1**

These drawings and specifications are the property and copyright of MBL Architecture and shall not be used on any other work except by agreement in writing by MBL Architecture.

1 EXISTING SITE - YRCC
SCALE 1/16"=1'-0"

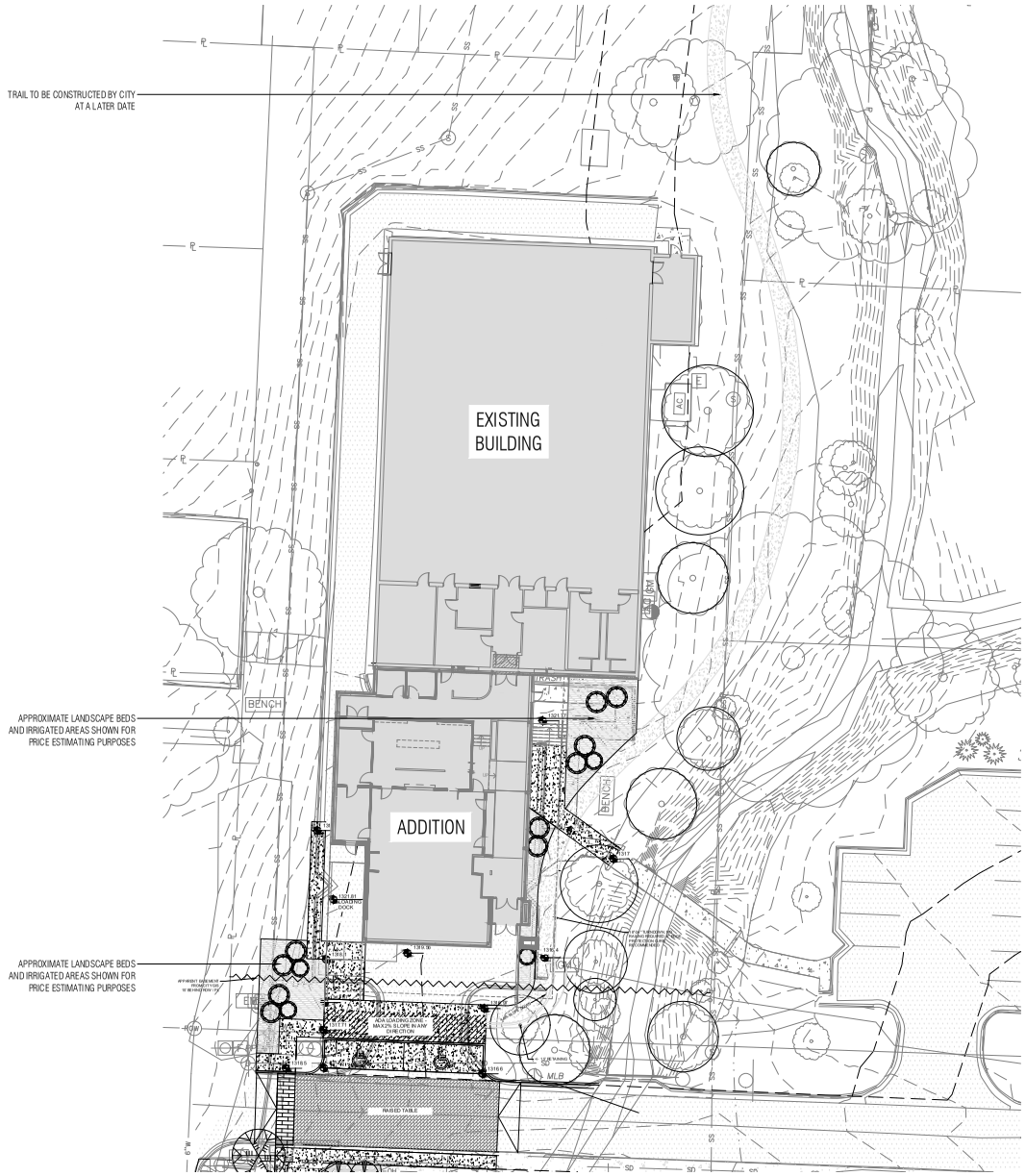
2 EXISTING SITE - BUDDY HAYES PARK
SCALE 1/16"=1'-0"

SURFACING, STRUCTURES, STREAM		
TYPE	SIZE	QTY
Sidewalk - Concrete		1,673 SF
Raised Speed Table with Patterned Concrete		1,500 SF
Boulders + Beam Rock		600 SF
Pavilion		200 SF
Stream Restoration	Up to	800 LF



2 SITE PLAN - BUDDY HAYES PARK
SCALE 1/16" = 1'-0"

NORTH



1 SITE PLAN - YRCC
SCALE 1/16" = 1'-0"

NORTH

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

MBL JOB NO.
200012

ISSUE DATE
Feb. 6, 2023

SHEET CONTENTS
SITE PLAN

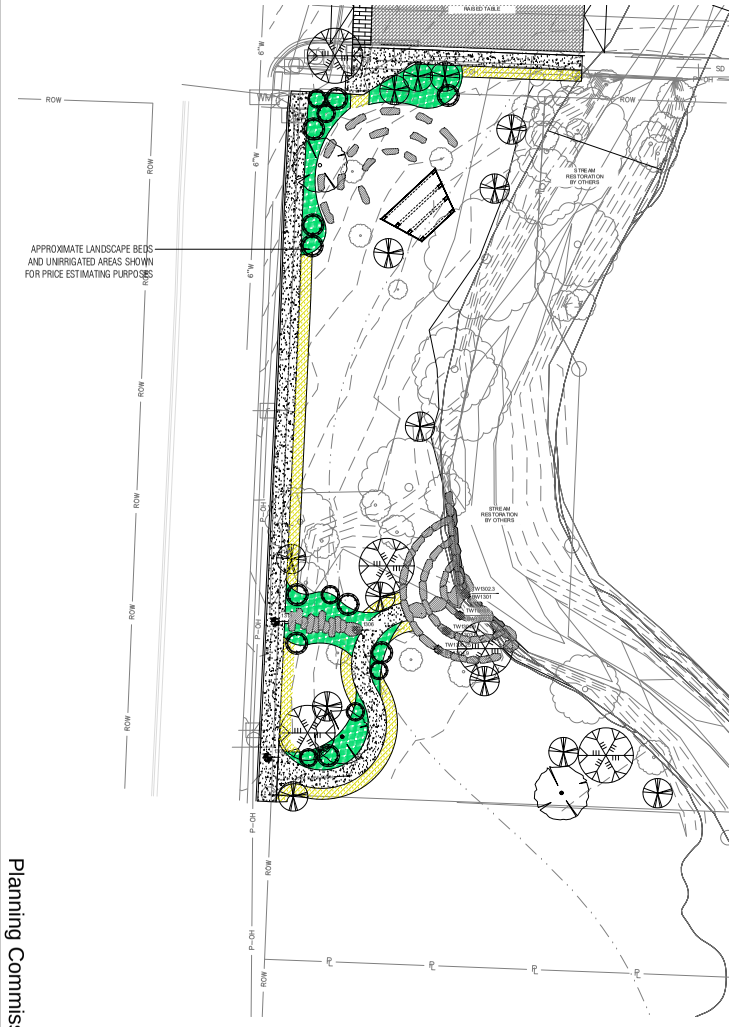
SHEET
L1.0

THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MILLER BERGER LACK ARCHITECTS, P.A. COPYRIGHT 2023 ALL RIGHTS RESERVED WITHOUT WRITTEN CONSENT.

PLANT SCHEDULE		
TYPE	SIZE	QTY
Trees	2-3" CAL	21
Shrubs	3 gal	30
Perennial Plugs Area - Irrigated	Plugs at 8"	1,172 SF
Perennial Plugs Area - Unirrigated	Plugs at 8"	900 SF
Seed + Straw		3,220 SF
Tree Preservation Fencing		750 LF

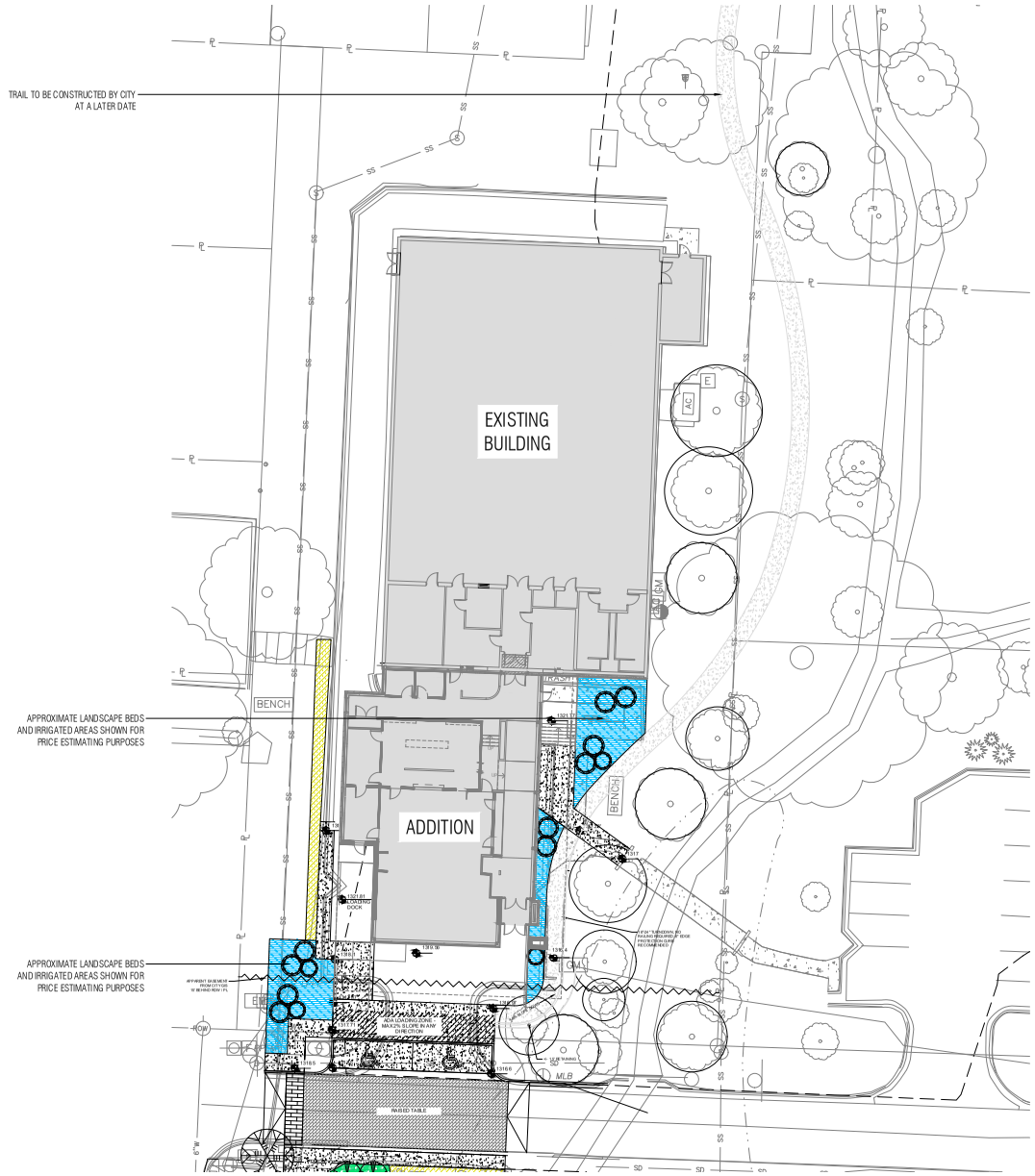
LEGEND

- PERENNIAL PLUG + SHRUBS - IRRIGATED
- PERENNIAL PLUG + SHRUBS - UNIRRIGATED
- SEED + STRAW
- TREES TO PRESERVE



2 PLANTING PLAN - BUDDY HAYES PARK
SCALE 1/16" = 1'-0"

NORTH



1 PLANTING PLAN - YRCC
SCALE 1/16" = 1'-0"

NORTH

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

MBL JOB NO.
200012

ISSUE DATE
Feb. 6, 2023

SHEET CONTENTS
PLANTING PLAN

SHEET
L1.1

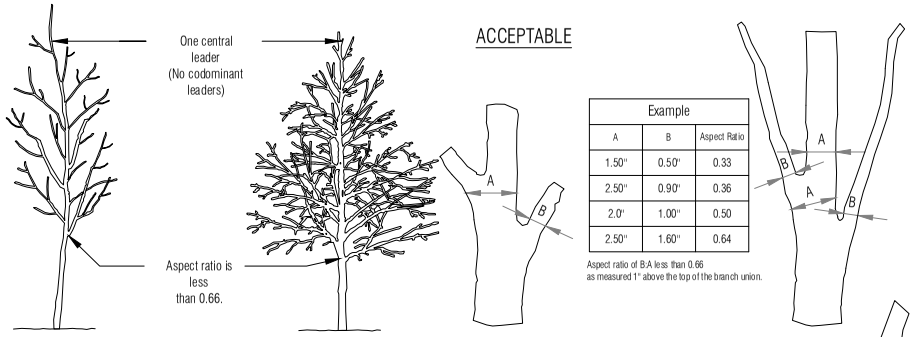
THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MILLER BERGER LACK ARCHITECTS, P.A. COPYRIGHT 2023 ALL RIGHTS RESERVED WITHOUT WRITTEN CONSENT.

SOIL PREPARATION

1. Soil preparation of a landscape design is a critical factor in creating a healthy and long-lasting landscape. Remove existing topsoil and stockpile on site. Topsoil to be incorporated back into the soil at a later date. Contractor to conduct a soil evaluation to determine the soil's composition,compaction rate, nutrient qualities, organic content, PH levels, and water holding capabilities. The ideal particle soil mix is approximately 45% sand, 40% silt, 10% clay and 5% organic material with a PH level near seven.
2. Prior to the installation of the landscape and irrigation system, contractor to prepare soil to ensure a proper environment for plant root development.
3. Contractor to de-compact soils in planting areas by roto-tilling, disking or ripping to a depth of 6 - 8" minimum and preferably a depth of 12" - 18". De-compaction of small planter areas, such as those in parking lot areas, may require the removal of the compacted soil to a depth of 18" or more and then re-installed loosely with required amendments. Always remove debris over 2" in size from the soil.
4. When performing soil de-compaction, multiple passes across the area will be required and, when possible, should be at varying angles to ensure adequate coverage. When using disc or ripping equipment, it is required that the final passes over the area be made with a roto-tiller to break up any large clumps to make final grading easier.
5. After initial soil de-compaction procedures are performed, soil amendments should be added. The addition of soil amendments is determined from soil tests conducted prior to work commencing. Soil amendment may include inorganic material such as sand, silt or clay, which help improve soil texture. Organic material such as compost, manure, and peat moss may also be used and help improve soil structure. Other amendments such as fertilizer improve nutrient content and sulfur adjusts the soil PH level. Sulfur shall be incorporated at the rate of one pound of sulfur per 100 square feet.
6. All amendments should be mixed thoroughly with existing soil and an additional soil test will be taken to ensure proper soil conditions prior to planting.
7. During the remainder of the landscape installation, various areas of the site may be re-compacted the soil. This compaction is typically limited to the upper 4"-6" f the soil. Prior to the installation of plant material in these areas, the compaction shall be reduced to 80% or less using previously described methods

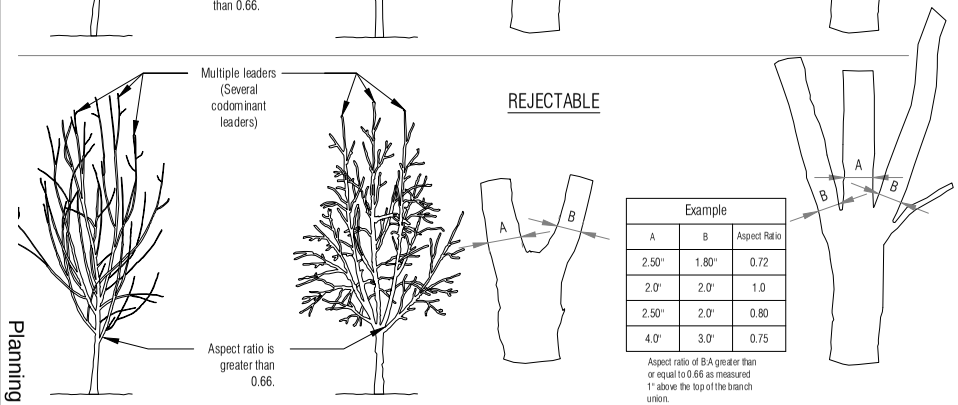
LANDSCAPE PLANTING NOTES

1. Refer to utility and grading and drainage plans for utility location and drainage information. Refer to Civil Engineers grading plans for grading information. If actual site conditions vary from what is shown on the plans or if there are discrepancies between the plans, contact the Landscape designer for direction as to how to proceed.
2. Verify locations of pertinent site improvements installed under other sections. If any part of this plan cannot be followed due to site conditions, contact Landscape Architect for instructions prior to commencing work.
3. Exact locations of plant materials to be approved by the Landscape designer in the field prior to installation.
4. Landscape designer reserves the right to adjust plants to exact location in field.
5. Verify plant counts and square footages: Quantities are provided as Owner information only. If quantities on plant list differ from graphic indications, then graphics shall prevail.
6. Contact the local underground utility services for utility location and identification.
7. Perform excavation in the vicinity of underground utilities with care and if necessary, by hand. The Contractor bears full responsibility for this work and disruption or damage to utilities shall be repaired immediately at no expense to the Owner.
8. Trees shall bear same relation to finished grade as it bore to existing.
9. Trees to be planted a minimum of 4 feet from face of building, or pavement, except as approved by Landscape designer.
10. Provide matching forms and sizes for plant materials within each species and size designated on the drawings.
11. Prune newly planted trees only as directed by Landscape designer.
12. Align and equally space in all directions trees and shrubs so designated per these notes and drawings.
13. Finish grades of planter areas shall be 2 inches below adjacent paving or top of wall unless otherwise noted.
14. Provide specified edging as divider between planting beds.
15. Remove entire wire cage from rootball. Cut and remove burlap from top 1/3 of ball.
16. Landscape designer to review plant materials at source or by photographs prior to digging or shipping of plant materials



Example		
A	B	Aspect Ratio
1.50"	0.50"	0.33
2.50"	0.90"	0.36
2.0"	1.00"	0.50
2.50"	1.60"	0.64

Aspect ratio of B:A less than 0.66 as measured 1" above the top of the branch union.



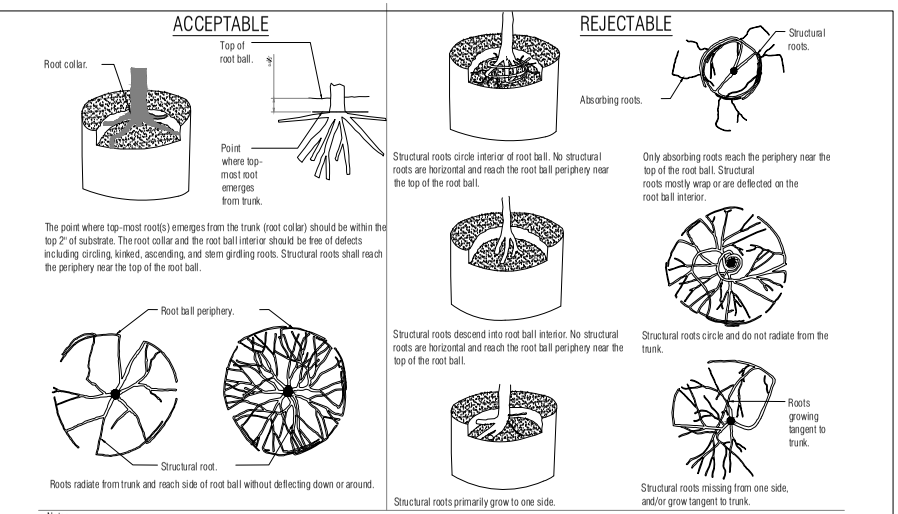
Example		
A	B	Aspect Ratio
2.50"	1.80"	0.72
2.0"	2.0"	1.0
2.50"	2.0"	0.80
4.0"	3.0"	0.75

Aspect ratio of B:A greater than or equal to 0.66 as measured 1" above the top of the branch union.

Notes:
1- Aspect ratio shall be less than 0.66 on all branch unions. Aspect ratio is the diameter of branch (B) divided by the diameter of the trunk (A) as measured 1" above the top of the branch union.

2- Any tree not meeting the crown observations detail may be rejected.

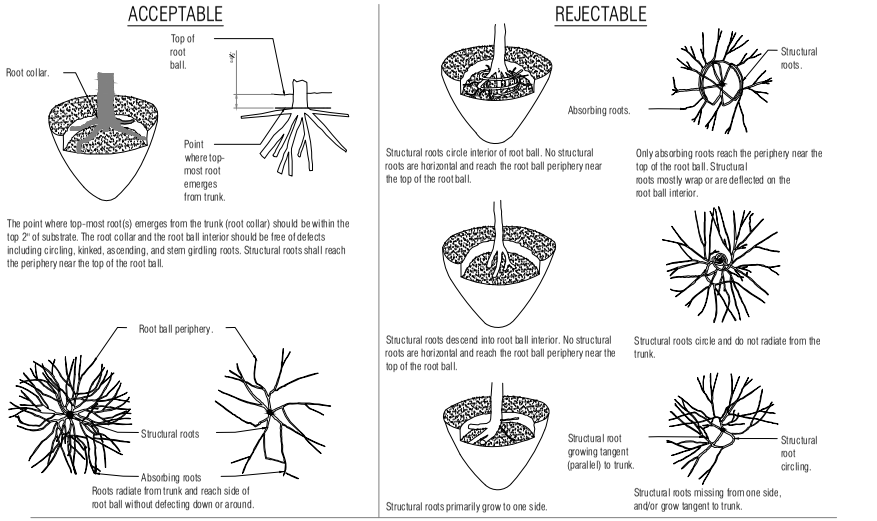
3 / L-2.0 ACCEPTABLE STREET TREE CROWN
SCALE: NTS



The point where top-most root(s) emerges from the trunk (root collar) should be within the top 2" of substrate. The root collar and the root ball interior should be free of defects including circling, kinked, ascending, and stem girdling roots. Structural roots shall reach the periphery near the top of the root ball.

Notes:
1- Observations of roots shall occur prior to acceptance. Roots and substrate may be removed during the observation process; substrate/soil shall be replaced after observation has been completed.
2- Small roots (¼" or less) that grow around, up, or down the root ball periphery are considered a normal condition in container production and are acceptable however they should be eliminated at the time of planting. Roots on the periphery can be removed at the time of planting. (See root ball shaving container detail).
3- See specifications for observation process and requirements.

1 / L-2.0 ACCEPTABLE TREE ROOT BALL - CONTAINER GROWN
SCALE: NTS



The point where top-most root(s) emerges from the trunk (root collar) should be within the top 2" of substrate. The root collar and the root ball interior should be free of defects including circling, kinked, ascending, and stem girdling roots. Structural roots shall reach the periphery near the top of the root ball.

Notes:
1- Observations of roots shall occur prior to acceptance. Roots and soil may be removed during the observation process; substrate/soil shall be replaced after the observations have been completed.
2- See specifications for observation process and requirements.

2 / L-2.0 ACCEPTABLE STREET TREE ROOT BALL - FIELD GROWN
SCALE: NTS

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

MBL JOB NO.
200012
ISSUE DATE
Feb. 6, 2023

SHEET CONTENTS
LANDSCAPE DETAILS

SHEET
L2.0

THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MILLER BISHOP LACK ARCHITECTS, P.A. COPYRIGHT 2023 ALL RIGHTS RESERVED WITHOUT WRITTEN CONSENT

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

MBL JOB NO. **200012**
ISSUE DATE **Feb. 6, 2023**

SHEET CONTENTS **LANDSCAPE + SITE DETAILS**

SHEET **L2.1**

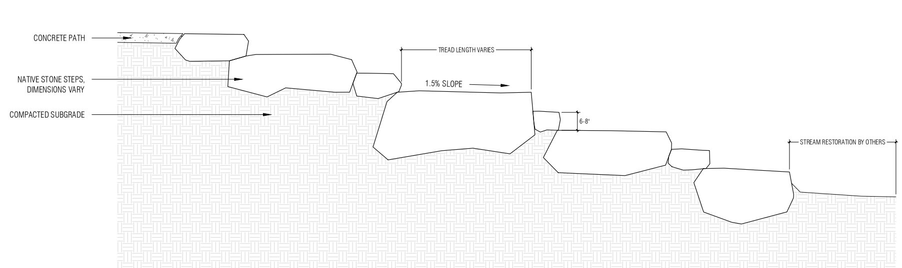
THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MILLER BOSKUS LACK ARCHITECTS, P.A. USE OR REPRODUCTION IS PROHIBITED WITHOUT WRITTEN CONSENT.©

LANDSCAPE NOTES

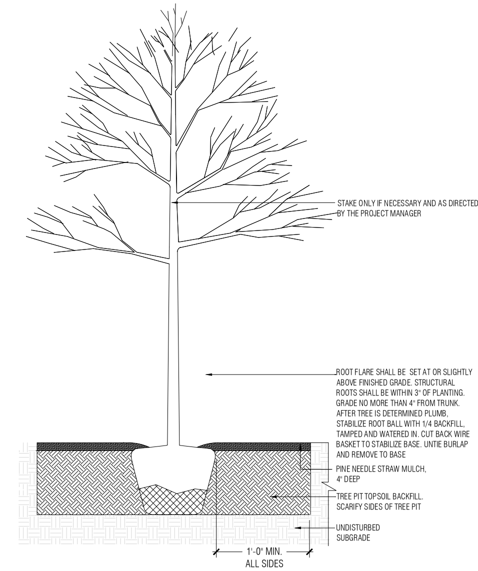
1. CONTRACTOR SHALL CONFIRM THE LOCATION OF ALL UTILITIES PRIOR TO STARTING ANY WORK. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ARKANSAS ONE-CALL TO CONFIRM ALL UTILITIES.
2. ALL PLANTS MUST BE HEALTHY, VIGOROUS AND FREE OF PESTS AND DISEASE.
3. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
4. ALL PLANTS MUST BE CONTAINER GROWN OR BALLED AND BURLAPPED AS INDICATED ON THE PLANT LIST.
5. ALL REQUIRED TREES SHALL BE 2" MINIMUM CALIPER WITH A SINGLE DOMINATE CENTRAL LEADER. MULTI-LEADERED TREES WILL NOT BE ACCEPTABLE WITHOUT PRIOR APPROVAL FROM URBAN FORESTRY.
6. ALL TREES MUST BE STRAIGHT TRUNKED AND FULL HEADED, UNLESS SPECIFIED OTHERWISE, AND MUST MEET ALL REQUIREMENTS SPECIFIED ON PLANS.
7. ALL TREES AND SHRUBS SHALL BE INSTALLED PER STANDARD CITY OF FAYETTEVILLE PLANTING DETAILS.
8. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER CONSTRUCTION.
9. ALL PLANTING AREAS MUST BE COMPLETELY MULCHED WITH A 4" LAYER OF ORGANIC HARDWOOD MULCH. MULCH SHALL NOT BE PLACED IMMEDIATELY ADJACENT TO TREE TRUNKS, BUT SHALL BE KEPT AT LEAST 3" FROM ROOT COLLAR AT THE SOIL LINE.
10. ALL PROPOSED PLANTING AREAS COVERED BY GRASS SHALL HAVE THE SOD COMPLETELY REMOVED BEFORE PLANTING BEGINS.
11. ALL PLANTING BEDS SHALL BE CONTAINED BY EDGING MATERIAL OTHER THAN VEGETATION.
12. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE LANDSCAPE CONSTRUCTION AT NO COST TO THE OWNER.
13. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
14. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING MATERIAL (INCLUDING BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) IN ALL PLANTING AREAS AND LAWN AREAS UNTIL THE WORK IS ACCEPTED IN TOTAL BY THE OWNER.
15. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR BEGINNING ON THE DATE OF TOTAL ACCEPTANCE. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE GUARANTEE PERIOD.
16. ANY PLANT MATERIAL WHICH DIES, TURNS BROWN, OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS.
17. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE OF ANY LAYOUT DISCREPANCIES PRIOR TO ANY PLANTING. LOCATE ALL UTILITIES AND SITE LIGHTING CONDUITS BEFORE CONSTRUCTION BEGINS.
18. ALL DISTURBED AREAS SHALL BE SEEDED WITH A GRASS SEED MIX CONSISTING OF 70% TURF TYPE FESCUE, 20% PERENNIAL RYE, AND 10% BERMUDA GRASS AT 5 POUNDS PER 1,000 FEET.
19. CONTRACTOR SHALL PROVIDE DRIP IRRIGATION SYSTEM TO ALL PLANT MATERIALS. CONTRACTOR IS TO SUBMIT SHOP DRAWINGS OF IRRIGATION SYSTEM DESIGN FOR LANDSCAPE ARCHITECT REVIEW AND APPROVAL PRIOR TO INSTALLATION OF SYSTEM.
20. MAINTENANCE: THE CURRENT OWNER OF THE PROPERTY SHALL BE RESPONSIBLE FOR THE ONGOING MAINTENANCE OF REQUIRED LANDSCAPING.
21. LIVING MATERIAL, SUCH AS LAWN, GRASS OR HERBACEOUS GROUNDCOVERS LIKE JUNIPER OR LIRIOPE, ETC., SHALL COVER MINIMUM OF EIGHTY PERCENT OF THE PLANTING ISLANDS. ONE HUNDRED PERCENT OF LIVING MATERIALS IS STRONGLY ENCOURAGED.
22. REPLACEMENT LANDSCAPING: REQUIRED LANDSCAPING THAT DIES OR IS DAMAGED SHALL BE REMOVED AND REPLACED BY THE CURRENT OWNER OF THE PROPERTY. THE OWNER SHALL HAVE 60 DAYS FROM THE RECEIPT OF WRITTEN NOTICE ISSUED BY THE CITY TO REMOVE AND REPLACE ANY REQUIRED LANDSCAPING THAT DIES OR IS DAMAGED.
23. THREE (3) YEAR MAINTENANCE SURETY SHALL BE DEPOSITED FOR EACH REQUIRED STREET AND MITIGATION TREE.
24. ANY STRUCTURAL SOIL REQUIRED MUST BE INDICATED ON PLAN, HAVE CERTIFIED DOCUMENTATION, AND BE INSPECTED BY URBAN FORESTER AT TIME OF INSTALLATION.
25. MAINTAIN 5' MIN HORIZONTAL SEPARATION BETWEEN TREE PLANTINGS AND UTILITY LINES.
26. ALL PLANTING DETAILS ARE ACCORDING TO THE CITY OF FAYETTEVILLE LANDSCAPE MANUAL.
27. TREES SHALL NOT BE TOPPED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES.
28. HEALTHY TREES SHALL NOT BE REMOVED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF THE ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES.

BOULDER PLACEMENT NOTES

1. PLACEMENT OF NATIVE FIELDSTONE STEPS + BOULDERS IS INTENDED TO CREATE A SCRAMBLE THAT PROTECTS THE STREAM BANK WHILE CREATING OPPORTUNITIES FOR CLIMBABLE CREEK ACCESS (AT USERS' OWN RISK).
2. THE PLACEMENT OF INDIVIDUAL STONES WILL NECESSARILY DEPEND ON THE SIZE + SHAPES AVAILABLE. THE MASON HAS FLEXIBILITY TO ADAPT TO USABLE MATERIAL. DRAWINGS HERE SHOW DESIGN INTENTION.
3. CONCRETE WALLS ARE INTENDED TO CREATE A BASE STRUCTURE. STONES MAY BE PLACED IN FRONT OF, ATTACHED TO, AND/OR ON TOP OF WALL FOOTINGS TO CREATE THE DESIRED EFFECT. WALL FOOTINGS WILL BE INSTALLED ENTIRE AND CONTINUOUS BEFORE THE PLACEMENT OF NATIVE FIELDSTONE STEPS AND BOULDERS. VERTICAL PORTIONS OF WALLS WILL BE FORMED AND POURED AFTER THE PLACEMENT OF STONE. PRE-CONSTRUCTION COORDINATION BETWEEN CONCRETE CONTRACTOR, MASON, AND LANDSCAPE ARCHITECT IS ESSENTIAL.
4. ALL STONES SHALL BE FIXED IN PLACE.
5. LOWER STEPS AND OUTCROPS SHOULD BE ASSEMBLED TO BE VULNERABLE TO PERIODIC FLOODING.
6. ALL NATIVE STONE TO BE SOURCED FROM SAME OR SIMILAR LOCAL SOURCES. FIELDSTONE VENEER, BEAM ROCK, AND LANDSCAPE BOULDERS TO BE FROM FLAGSTONE HEIGHTS, PRAIRIE GROVE, OR APPROVED ALTERNATE. STONE SHOULD RESEMBLE WEATHERED FIELDSTONE, DISPLAYING A RANGE OF COLORS FROM BROWNS TO WARM GRAYS AND WITH SURFACE TEXTURE AND VARIATION. REPRESENTATIVE SAMPLES FOR EACH STONE TYPE LISTED BELOW SHALL BE SUBMITTED TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO CONFIRMING STONE ORDER.
7. LANDSCAPE BOULDERS: STONE SHALL BE HARD, DURABLE LANDSCAPE BOULDERS, IRREGULAR IN SHAPE, RESISTANT TO WEATHERING AND TO WATER ACTION, FREE FROM OVERBURDEN, SPOIL, SHALE, AND ORGANIC MATERIAL. NEITHER BREADTH NOR THICKNESS OF ANY SINGLE STONE SHALL BE LESS THAN ONE-THIRD ITS LENGTH. RECTANGULAR, ANGULAR STONE, SHALE, AND STONE WITH SHALE SEAMS ARE NOT ACCEPTABLE.

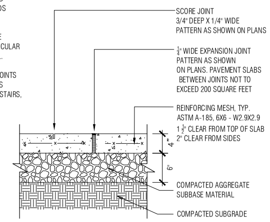


4 / L2.1 BOULDER STEPS + INVITATION TO STREAM
SCALE: 1/2" = 1'

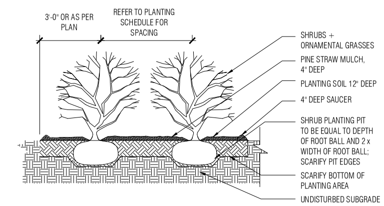


1 / L-2.1 TREE PLANTING DETAIL
SCALE: NTS

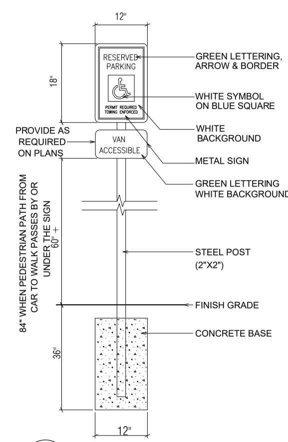
NOTES:
1. SIDEWALK SHALL BE DEIGNED FOR A LIVE LOAD OF ONE HUNDRED POUNDS PER SQUARE FOOT.
2. PROVIDE SOFT BRISTLE BROOM FINISH PERPENDICULAR TO DIRECTION OF TRAVEL.
3. PROVIDE EXPANSION JOINTS WHERE PAVEMENT ABUTS WALLS, CURBS, RAMPS, STAIRS, PAVEMENTS.



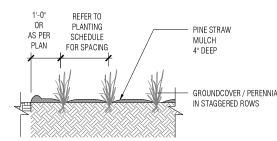
5 / L2.1 CONCRETE WALK
SCALE: 1" = 1'-0"



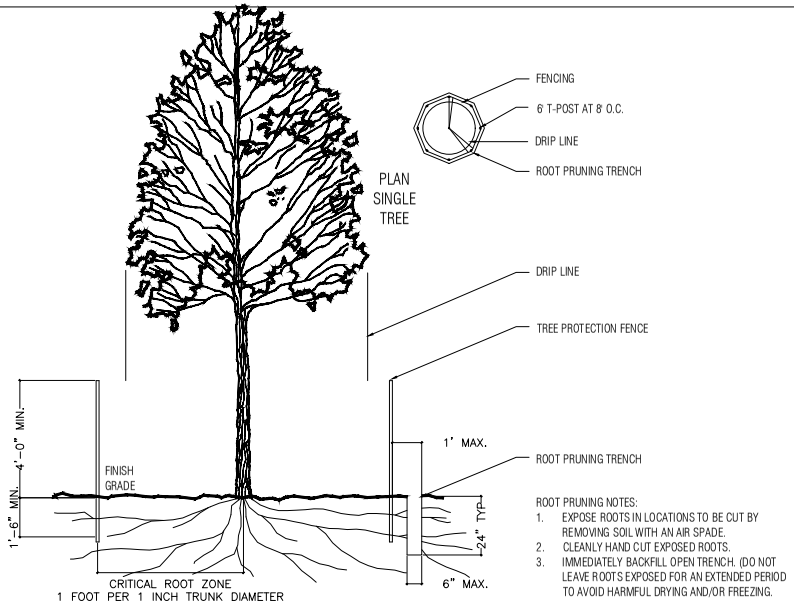
2 / L-2.1 SHRUB + ORNAMENTAL GRASS PLANTING DETAIL
SCALE: NTS



6 / L2.1 HANDICAPPED PARKING SIGN
SCALE: NTS



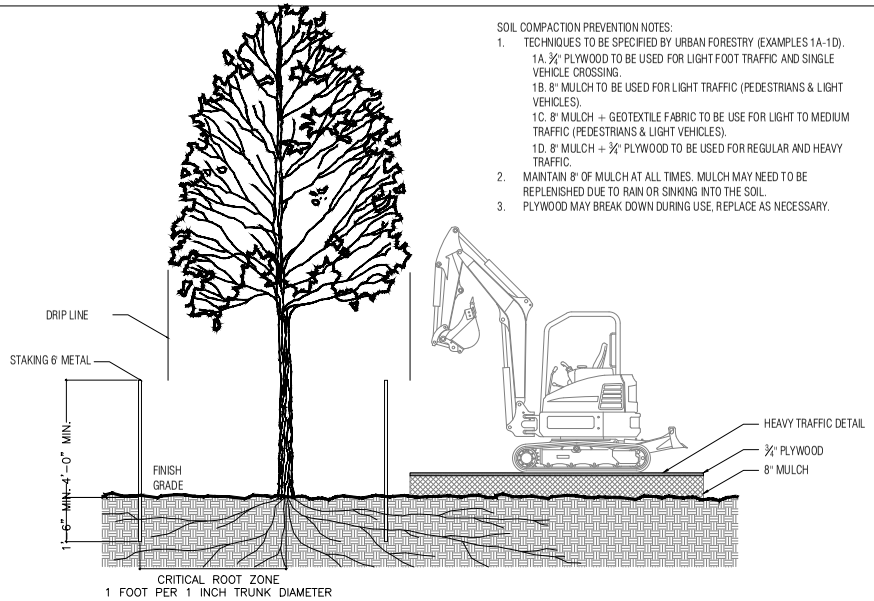
3 / L-2.1 GROUNDCOVER PLANTING
SCALE: NTS



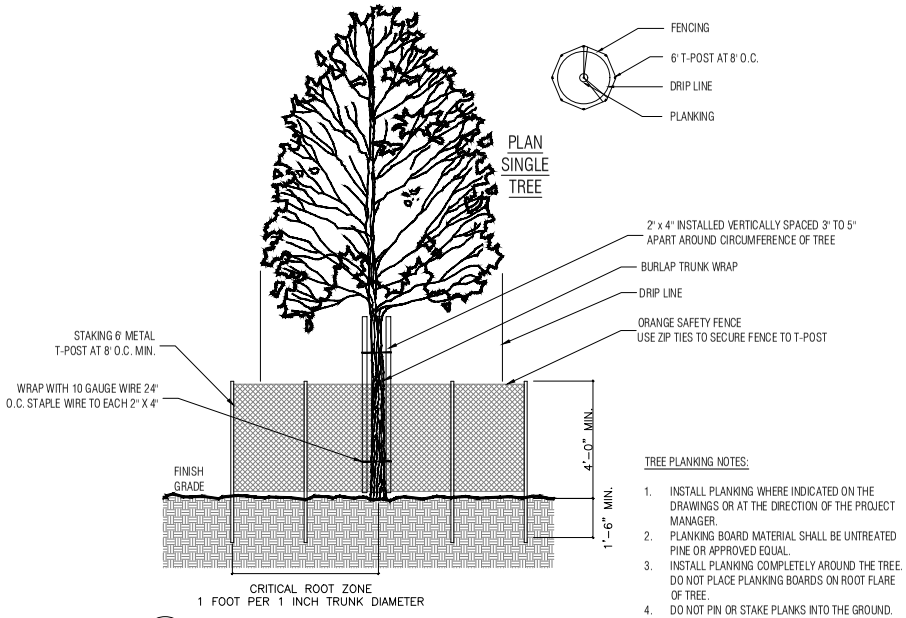
ROOT PRUNING NOTES:
1. EXPOSE ROOTS IN LOCATIONS TO BE CUT BY REMOVING SOIL WITH AN AIR SPADE.
2. CLEANLY HAND CUT EXPOSED ROOTS.
3. IMMEDIATELY BACKFILL OPEN TRENCH. (DO NOT LEAVE ROOTS EXPOSED FOR AN EXTENDED PERIOD TO AVOID HARMFUL DRYING AND/OR FREEZING.

3 / L-2.2 ROOT PRUNING DETAIL
SCALE: 1/2" = 1'-0"

SOIL COMPACTION PREVENTION NOTES:
1. TECHNIQUES TO BE SPECIFIED BY URBAN FORESTRY (EXAMPLES 1A-1D).
   1A. ¾" PLYWOOD TO BE USED FOR LIGHT FOOT TRAFFIC AND SINGLE VEHICLE CROSSING.
   1B. 8" MULCH TO BE USED FOR LIGHT TRAFFIC (PEDESTRIANS & LIGHT VEHICLES).
   1C. 8" MULCH + GEOTEXTILE FABRIC TO BE USE FOR LIGHT TO MEDIUM TRAFFIC (PEDESTRIANS & LIGHT VEHICLES).
   1D. 8" MULCH + ¾" PLYWOOD TO BE USED FOR REGULAR AND HEAVY TRAFFIC.
2. MAINTAIN 8" OF MULCH AT ALL TIMES. MULCH MAY NEED TO BE REPLENISHED DUE TO RAIN OR SINKING INTO THE SOIL.
3. PLYWOOD MAY BREAK DOWN DURING USE, REPLACE AS NECESSARY.

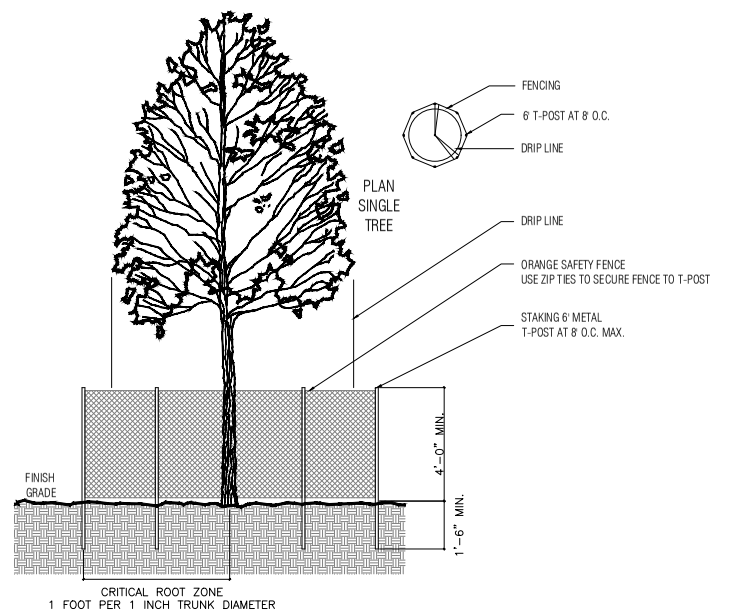


1 / L-2.2 SOIL COMPACTION PREVENTION DETAIL
SCALE: 1/2" = 1'-0"



TREE PLANKING NOTES:
1. INSTALL PLANKING WHERE INDICATED ON THE DRAWINGS OR AT THE DIRECTION OF THE PROJECT MANAGER.
2. PLANKING BOARD MATERIAL SHALL BE UNTREATED PINE OR APPROVED EQUAL.
3. INSTALL PLANKING COMPLETELY AROUND THE TREE. DO NOT PLACE PLANKING BOARDS ON ROOT FLARE OF TREE.
4. DO NOT PIN OR STAKE PLANKS INTO THE GROUND.
5. DO NOT FASTEN PLANKS TO TREES.

4 / L-2.2 TREE PROTECTION PLANKING DETAIL
SCALE: 1/2" = 1'-0"



2 / L-2.2 TREE PRESERVATION FENCE DETAIL
SCALE: 1/2" = 1'-0"

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

MBL JOB NO.
200012
ISSUE DATE
Feb. 6, 2023

SHEET CONTENTS
TREE PRESERVATION DETAILS

SHEET
L2.2

THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MILLER BISHOP LACK ARCHITECTS, P.A. COPYRIGHT 2023 ALL RIGHTS RESERVED WITHOUT WRITTEN CONSENT.

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

MBL

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

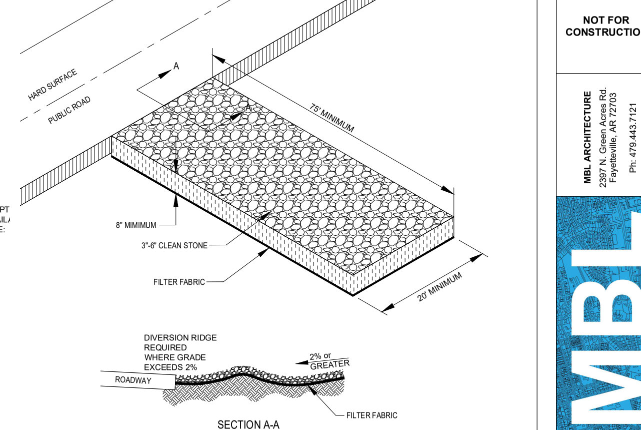
REVISIONS

MBL JOB NO. **200012**
ISSUE DATE **Feb. 6, 2023**

SHEET CONTENTS
CITY STANDARD DETAILS

SHEET **L2.3**

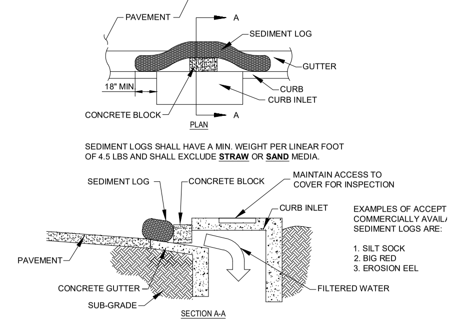
THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MILLER BOSKUS LACK ARCHITECTS, P.A. USE OR REPRODUCTION IS PROHIBITED WITHOUT WRITTEN CONSENT ©



NOTES:

1. REPLACE CONTAMINATED STONE AS REQUIRED TO PREVENT TRACKING OF SEDIMENT OR MUD ON PUBLIC STREETS.
2. CLEAN STREETS DAILY WITH BROOM (NO POWER BROOM) AND SHOVEL. THE USE OF WATER IS PROHIBITED.
3. ALL VEHICLES MUST USE CONSTRUCTION EXIT.
4. IF WHEEL WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

1 / L-2.3 CONSTRUCTION EXIT
SCALE: NTS



NOTES:

1. PLACE DEVICES AROUND PERIMETER OF GRATE/AREA INLET, WITH ENDS OF ADJACENT SEDIMENT LOGS OVERLAPPING 12" MIN.
2. PLACEMENT OF DEVICES SHALL EXTEND 12" MIN BEYOND THE LIMITS OF THE CURB INLET STRUCTURE ON BOTH SIDES.
3. IF ROAD OR PARKING AREA IS OPEN TO PUBLIC, VERIFY SUITABILITY OF BMP WITH CITY OF FAYETTEVILLE ENGINEERING DIVISION.

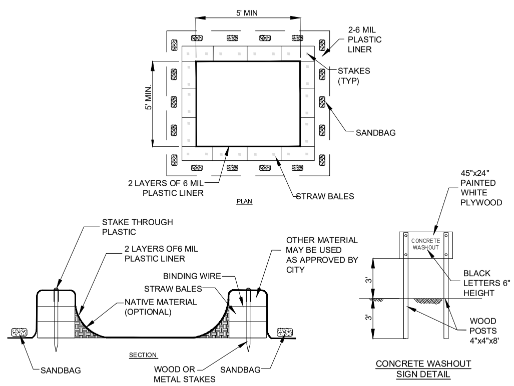
MAINTENANCE NOTES:

4. INLET PROTECTION DEVICES MUST BE INSPECTED FOR SEDIMENT ACCUMULATION WITHIN THE CATCH BASIN OR UPGRADIENT OF THE INLET.
7. ANY SEDIMENT ACCUMULATED IN OR ADJACENT TO A STORM DRAIN INLET MUST BE REMOVED AS SOON AS PRACTICABLE BUT NOT LATER THAN 3 DAYS AFTER DISCOVERY.
8. INLET PROTECTION DEVICES SHALL BE INSPECTED FOR UNINTENDED BYPASS OR IMPROPER FLOW-RATES THAT MAY CAUSE DOWNSTREAM FLOODING.
9. CONTACT THE PUBLIC WORKS INSPECTOR AND/OR ENGINEER FOR ALTERNATE INLET PROTECTION IF THE DESIGNED PROTECTION MAY IMPACT DOWNSTREAM BMPS, ADJACENT SLOPES, ETC., DUE TO PONDING ISSUES. ENSURE THAT NO UNDERMINING OF INLET PROTECTION DEVICES HAS OCCURRED.
10. INLET PROTECTION DEVICES AND BARRIERS SHALL BE REPAIRED OR REPLACED IF THEY SHOW SIGNS OF UNDERMINING OR DETERIORATION.

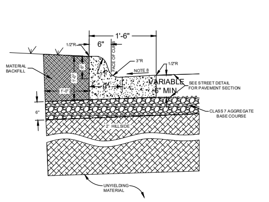
3 / L-2.3 SEDIMENT LOG CURB INLET PROTECTION
SCALE: NTS

NOTES:

1. NO WASHING OUT OF CONCRETE TRUCKS OR WASHING OF SWEEPINGS FROM EXPOSED AGGREGATE CONCRETE INTO STORM DRAINS, OPEN DITCHES, STREETS, OR STREAMS IS ALLOWED.
2. EXCESS CONCRETE IS NOT ALLOWED TO BE DUMPED ON-SITE, EXCEPT IN DESIGNATED TEMPORARY CONCRETE WASHOUT PIT AREAS.
3. ON-SITE TEMPORARY CONCRETE WASHOUT AREAS SHALL BE LOCATED AT LEAST 50 FEET FROM STORM DRAINS, OPEN DITCHES, OR WATER BODIES.
4. TEMPORARY CONCRETE WASHOUT FACILITIES SHALL BE CONSTRUCTED AND MAINTAINED IN SUFFICIENT QUANTITY AND SIZE TO CONTAIN ALL LIQUID AND CONCRETE WASTE GENERATED BY WASHOUT OPERATIONS.
5. WASHOUT FACILITIES SHALL BE CLEANED OUT OR REPLACED ONCE THE WASHOUT IS 75% FULL.
6. PLASTIC LINING MATERIAL SHALL BE MINIMUM OF 10 MIL POLYETHYLENE SHEETING AND SHALL BE FREE OF HOLES, TEARS, OR OTHER DEFECTS.
7. WHEN WASHOUT FACILITIES ARE NO LONGER REQUIRED FOR WORK, THE HARDENED CONCRETE SHALL BE REMOVED AND DISPOSED OF OFFSITE. MATERIALS USED TO CONSTRUCT TEMPORARY CONCRETE WASHOUT FACILITIES WILL BE REMOVED FROM THE SITE AND DISPOSED OF PROPERLY (*i.e.* PERMITTED FACILITY OR RECYCLED).



5 / L-2.3 STRAW BALE CONCRETE WASHOUT
SCALE: NTS



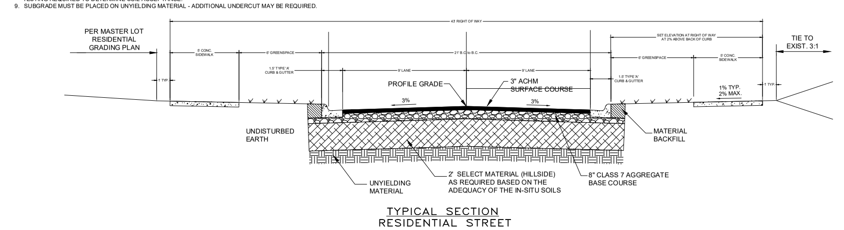
CURB & GUTTER NOTES:

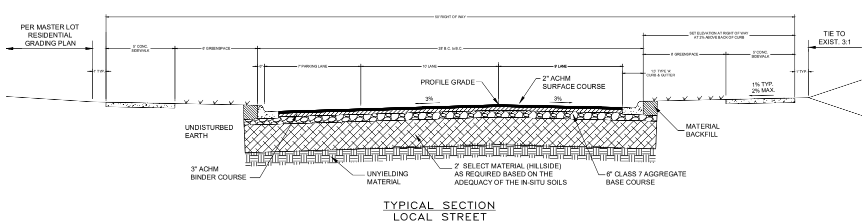
1. CONTRACTION JOINTS SHALL BE 1/8" TO 3/8" X 1 1/2" AT 15 FT. INTERVALS. ALL CONTRACTION JOINTS AND COLD JOINTS SHALL BE FILLED WITH JOINT SEALANT TO FINISHED GRADE.
2. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI.
3. EXPANSION MATERIAL SHALL BE REQUIRED AT AT ALL STATIONARY STRUCTURES AND ENDS OF CURB RETURNS. THE EXANSION MATERIAL SHALL BE 1/2" ASPHALT IMPREGNATED FIBERBOARD CONFORMING TO AASHTO M-213. EXPANSION JOINT MATERIAL SHALL BE LEFT 1/2" LOWER THAN GRADE OR TRIMMED 1/2" LOWER THAN GRADE.
4. EXPANSION JOINTS SHALL BE FILLED WITH JOINT SEALANT SHAPED TO THE CROSS SECTION OF THE CURB AND CONSTRUCTED AT RIGHT ANGLES WITH THE CURB LINE.
5. FINISH SHALL BE MEDIUM BROOM FINISH.
6. CONCRETE CURING COMPOUND SHALL BE SEALTIGHT 1600-WHITE MANUFACTURED BY W.R. MEADOWS, OR AN APPROVED EQUAL.
7. CONCRETE JOINT SEALANT SHALL BE SONNEBORN "SONOLASTIC SLI" OR AND APPROVED EQUAL. CLOSED CELL BACKER ROD SHALL BE USED IN DEEP JOINTS, AS NEEDED, ACCORDING TO THE MANUFACTURER'S INSTRUCTIONS.

6 / L-2.3 STANDARD CURB TYPE 'A'
SCALE: NTS

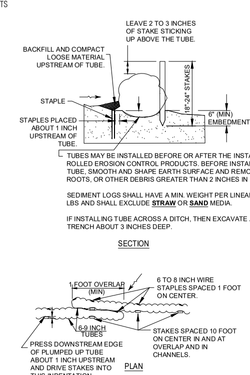
NOTES:

1. CONTACT THE ENGINEERING DIVISION (575-8286) AND REQUEST AN INSPECTION PRIOR TO POURING ANY SIDEWALK OR DRIVEWAY IN THE RIGHT-OF-WAY.
2. THE ENGINEER OF RECORD SHALL PERFORM "PART TIME" INSPECTION FOR THE DRAINAGE INSTALLATION AND STREET CONSTRUCTION. THE PUBLIC WORKS INSPECTOR MUST BE PRESENT FOR TESTING. CONTRACTOR IS RESPONSIBLE FOR SCHEDULING TESTING.
3. MINIMUM DENSITY FOR ASPHALT SHALL BE 92% OF THE MAXIMUM THEORETICAL DENSITY.
4. SUBGRADE (HILLSIDE) SHALL BE COMPACTED TO 95% OF STANDARD PROCTOR. PROCTOR CURVE DATA SHALL BE SUPPLIED TO THE CITY ON ALL MATERIAL BY THE ENGINEER OF RECORD. WITHOUT THE COPY OF THE SITE SPECIFIC PROCTOR CURVE, MOISTURE CONTENT MUST BE WITHIN 3% OF OPTIMUM WHEN TESTED.
5. BASE COURSE (CLASS 7 AGGREGATE BASE) SHALL BE COMPACTED TO 98% OF MODIFIED PROCTOR ON RESIDENTIAL LINKS AND NEIGHBORHOOD LINKS.
6. CURING COMPOUND IS REQUIRED FOR ALL CONCRETE IN RIGHT OF WAY OR EASEMENTS, ANY COLOR EXCEPT CLEAR. FOLLOW STANDARD ENGINEERING PRACTICE FOR PLACEMENT IN HOT, WINDY, AND COLD WEATHER.
7. CURB MUST BE CAULKED BEFORE BACKFILLED AND STREET PAVED. ACCEPTABLE SUPPLIERS ARE OMNI SEAL 50, PECORA 864 AND 865, DOW COMING 888, OR PRE-APPROVED EQUAL.
8. ALL IN-SITU SOILS FOR SUBGRADE SHALL HAVE A LIQUID LIMIT LESS THAN 40, A PLASTICITY INDEX LESS THAN 15, AND A CBR GREATER THAN 8. INADEQUATE SOILS SHALL BE UNDERCUT 2 FEET AND REPLACED WITH "HILLSIDE MATERIAL" (SOILS WITH CBR OF 8 OR GREATER, AND AS CLASSIFIED AS GM OR GC SOILS) - GEOTECHICAL TESTING REQUIRED TO DETERMINE SOIL ACCEPTANCE.
9. SUBGRADE MUST BE PLACED ON UNYIELDING MATERIAL - ADDITIONAL UNDERCUT MAY BE REQUIRED.





7 / L-2.3 RESIDENTIAL + LOCAL STREET SECTION
SCALE: NTS



TUBES MAY BE INSTALLED BEFORE OR AFTER THE INSTALLATION OF ROLLED EROSION CONTROL PRODUCTS. BEFORE INSTALLATION OF TUBE, SMOOTH AND SHAPE EARTH SURFACE AND REMOVE ALL STONES, ROOTS, OR OTHER DEBRIS GREATER THAN 2 INCHES IN DIAMETER.

SEDIMENT LOGS SHALL HAVE A MIN. WEIGHT PER LINEAR FOOT OF 4.5 LBS AND SHALL EXCLUDE **STRAW** OR **SAND** MEDIA.

IF INSTALLING TUBE ACROSS A DITCH, THEN EXCAVATE A PLACEMENT TRENCH ABOUT 3 INCHES DEEP.

GENERAL GUIDELINES FOR SPACING OF TUBE TRENCHES FOR SLOPE INSTALLATIONS

SLOPE GRADIENT	TUBE INTERVAL
1H:1V	15 FEET
2H:1V	25 FEET
3H:1V	35 FEET
4H:1V	50 FEET

GENERAL GUIDELINES FOR SPACING OF TUBE TRENCHES FOR CHANNEL INSTALLATIONS

SLOPE	TUBE INTERVAL
2%	25 FEET

EXAMPLES OF ACCEPTABLE COMMERCIALLY AVAILABLE SEDIMENT LOGS ARE:

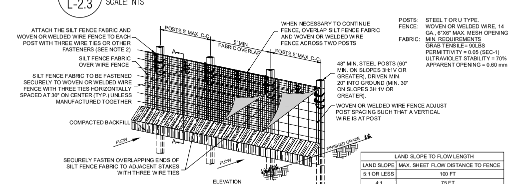
1. SILT SOCK
2. BIG RED
3. EROSION EEL

SEDIMENT LOG MAINTENANCE AND INSTALLATION NOTES:

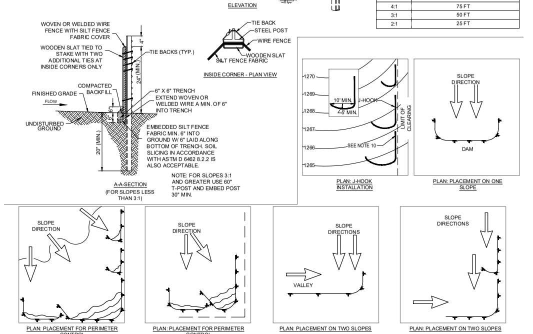
1. SEDIMENT LOGS SHALL BE INSPECTED ALONG ITS ENTIRETY AND MUST BE CLEANED WHEN SEDIMENT HAS ACCUMULATED TO ONE-THIRD THE HEIGHT OF THE SEDIMENT LOG. MAINTENANCE CLEANOUT MUST BE CONDUCTED REGULARLY TO PREVENT ACCUMULATED SEDIMENTS FROM REACHING ONE-THIRD THE HEIGHT OF THE SEDIMENT LOG.
2. SPECIAL ATTENTION SHOULD BE PAID TO ENSURE THAT NO UNDERMINING OF SEDIMENT LOG HAS OCCURRED AND THAT NO BYPASS IS OCCURRING AT JOINING SECTIONS.
3. IF EXCESS SEDIMENT IS ACCUMULATING IN ANY SECTION OF A SEDIMENT LOG, THE CONTRACTOR SHOULD IMPLEMENT ADDITIONAL UPSTREAM STABILIZATION MEASURES OR ADDITIONAL BMPS TO PREVENT EXCESSIVE BUILDUP ON SEDIMENT LOG.
4. SEDIMENT LOG SHALL BE REPAIRED TO THEIR ORIGINAL CONDITIONS IF DAMAGED (RUN OVER OR FLATTENED).

4 / L-2.3 SEDIMENT LOG DETAIL
SCALE: NTS

POSTS: STEEL T OR U TYPE.
FENCE: WOVEN OR WELDED WIRE, 14 GA., 6"X6" MAX. MESH OPENING
FABRIC: MIN. REQUIREMENTS
GRAB TENSILE = 90LBS
PERMITTIVITY = 0.05 (SEC-1)
ULTRAVIOLET STABILITY = 70%
APPARENT OPENING = 0.60 mm



LAND SLOPE TO FLOW LENGTH	
LAND SLOPE	MAX. SHEET FLOW DISTANCE TO FENCE
5:1 OR LESS	100 FT
4:1	75 FT
3:1	50 FT
2:1	25 FT



INSTALLATION NOTES:

1. MATERIALS AND INSTALLATION SHALL COMPLY WITH ASTM D 6462 LATEST EDITION.
2. INSTALL SILT FENCE AT A FAIRLY LEVEL GRADE ALONG THE CONTOUR WITH THE ENDS CURVED UPHILL TO PROVIDE SUFFICIENT UPSTREAM STORAGE VOLUME FOR THE ANTICIPATED RUNOFF.
3. ATTACH THE GEOTEXTILE OR FABRIC TO THE WOVEN OR WELDED WIRE FENCE WITH THREE WIRE TIES OR OTHER FASTENERS (HORIZONTALLY SPACED EVERY 30"), ALL SPACED WITHIN THE TOP 8" OF THE FABRIC. ATTACH EACH TIE DIAGONALLY 45 DEGREES THROUGH THE FABRIC, WITH EACH PUNCTURE AT LEAST 1" VERTICALLY APART. AT EACH POST, ATTACH THE GEOTEXTILE OR FABRIC AND THE WOVEN OR WELDED WIRE FENCE TO THE POST AS PREVIOUSLY STATED. IN ADDITION, EACH TIE PLACED ON A POST SHOULD BE POSITIONED TO HANG ON A POST NIPPLE WHEN TIGHTENED TO PREVENT SAGGING.
4. WHEN TWO SECTIONS OF SILT FENCE FABRIC ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED A MINIMUM OF 60" ACROSS TWO POSTS, AS SHOWN.
5. ALL SILT FENCE SHALL INCLUDE WIRE SUPPORT.
6. WRAP APPROXIMATELY 6" OF FABRIC AROUND THE END POSTS AND SECURE WITH 3 TIES.
7. COMPACT THE SOIL IMMEDIATELY NEXT TO THE SILT FENCE FABRIC WITH THE FRONT WHEEL OF THE TRACTOR, SKID STEER, OR ROLLER EXERTING AT LEAST 60 POUNDS PER SQ. INCH. COMPACT THE UPSTREAM SIDE FIRST. COMPACT EACH SIDE TWICE FOR A TOTAL OF FOUR TRIPS.
8. ADD POST CAPS AS NEEDED BASED ON SITE CONDITIONS AND APPLICABLE AGENCY REQUIREMENTS.

J-HOOK NOTES:

9. J-HOOKS SHALL BE USED WHENEVER THE SILT FENCE LINE IS INSTALLED AT AN ANGLE OF 30 DEGREES OR GREATER FROM PARALLEL TO CONTOURS.
10. START DOWN-GRADIENT SILT FENCE LINE AS CLOSE AS POSSIBLE TO UP-GRADIENT J-HOOK.

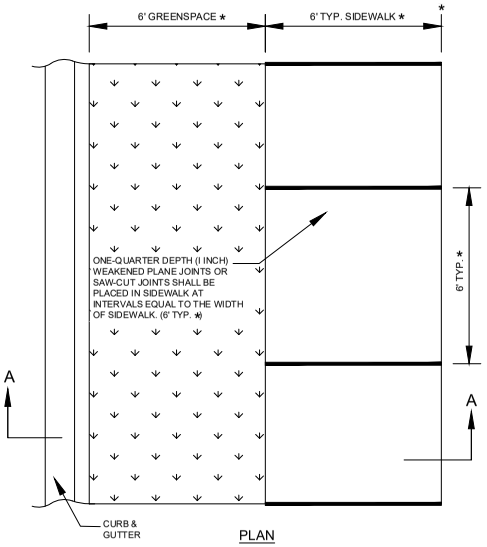
MAINTENANCE NOTES:

11. SILT FENCES SHALL BE INSPECTED ALONG ITS ENTIRETY AND MUST BE CLEANED WHEN SEDIMENT HAS ACCUMULATED TO ONE-THIRD THE HEIGHT OF THE SILT FENCE. MAINTENANCE CLEANOUT MUST BE CONDUCTED REGULARLY TO PREVENT ACCUMULATED SEDIMENTS FROM REACHING ONE-THIRD THE HEIGHT OF THE SILT FENCE.
12. SPECIAL ATTENTION SHOULD BE PAID TO ENSURE THAT NO UNDERMINING OF SILT FENCE HAS OCCURRED AND THAT NO BYPASS IS OCCURRING AT JOINING SECTIONS.
13. IF EXCESS SEDIMENT IS ACCUMULATING IN ANY SECTION OF SILT FENCE, THE CONTRACTOR SHOULD IMPLEMENT ADDITIONAL UPSTREAM STABILIZATION MEASURES OR ADDITIONAL BMPS (PENDING CITY APPROVAL) TO PREVENT EXCESSIVE BUILDUP ON SILT FENCE.
14. SILT FENCES SHALL BE REPAIRED TO THEIR ORIGINAL CONDITIONS IF DAMAGED.

2 / L-2.3 SILT FENCE WITH WIRE BACKING
SCALE: NTS

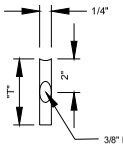
SIDEWALK CONSTRUCTION NOTES:

1. SIDEWALK SHALL HAVE TOOLED OR SAW-CUT TRANSVERSE JOINTS AT INTERVALS EQUAL TO THE WIDTH OF SIDEWALK (5' TYP.). THESE WEAKENED PLANE (CONTRACTION) JOINTS SHALL BE CONSTRUCTED TO 1/4 DEPTH OF THE SIDEWALK THICKNESS AND SHALL BE 1/8" TO 3/8" WIDE.
2. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI.
3. CONCRETE SHALL HAVE A MINIMUM CEMENT CONTENT OF 6.5 BAGS per Cu. Yd. WITH 5- 1/2% ± 1-1/2% AIR ENTRAINMENT.
4. EXPANSION JOINT MATERIAL SHALL BE PREFORMED ASPHALT IMPREGNATED FIBERBOARD CONFORMING TO AASHTO M-213. EXPANSION JOINT MATERIAL SHALL BE LEFT 1/2" LOWER THAN GRADE OR TRIMMED 1/2" LOWER, AND FILLED WITH SILICONE SEALER TO FINISHED GRADE.
5. ALL COLD JOINTS AND SAW-CUT JOINTS SHALL BE FILLED TO FINISHED GRADE WITH JOINT SEALANT.
6. CONCRETE CURING COMPOUND SHALL BE SEALTIGHT 1600-WHITE MANUFACTURED BY W.R. MEADOWS, OR AN APPROVED EQUAL.
7. CONCRETE JOINT SEALANT SHALL BE SONNEBORN "SONOLASTIC SLI" OR AND APPROVED EQUAL. CLOSED CELL BACKER ROD SHALL BE USED IN DEEP JOINTS, AS NEEDED, ACCORDING TO THE MANUFACTURER'S INSTRUCTIONS.
8. ALL SIDEWALKS SHALL HAVE ONE-HALF INCH ROLLED EDGES AND A BROOMED FINISH.
9. SEE STANDARD DRIVEWAY DETAILS FOR SIDEWALK CONSTRUCTION THROUGH DRIVEWAYS.
10. WHERE LONGITUDINAL (RUNNING) SLOPE OF SIDEWALK EXCEEDS 5.0%, THE SIDEWALK SHALL MATCH THE SLOPE OF THE ADJACENT ROADWAY.
11. LANDING REQUIRED WHEN SIDEWALK CHANGES DIRECTION DUE TO AN OBJECT (E.G. TELEPHONE/LIGHT POLE, MANHOLE, ETC.)
12. ALL SIDEWALKS REQUIRE INSPECTION BEFORE AND AFTER CONCRETE PLACEMENT. CONTACT THE ENGINEERING DIVISION (575-8206) TO SCHEDULE AN INSPECTION.
13. MINIMUM EFFECTIVE WIDTH FOR SIDEWALK IS 5 FEET. SEE UNIFIED CODE SECTION 171.14 FOR GUIDANCE.



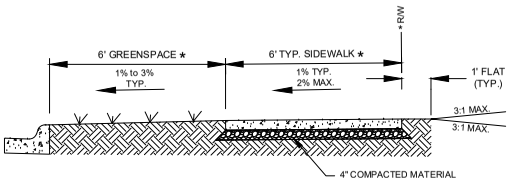
PLAN

★ SIDEWALK AND GREENSPACE WIDTHS MAY VARY BASED ON CURRENT MASTER STREET PLAN OR APPROVED SUBDIVISION PLAT. CONFIRM DIMENSIONS PRIOR TO CONSTRUCTION

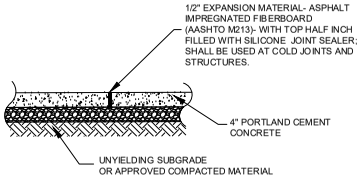


"T"=1/4 SLAB THICKNESS + 1/2"

JOINT SEALANT DETAIL



SECTION A-A



ELEVATION

1 / L-2.4 SIDEWALK WITH GREENSPACE
SCALE: NTS

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

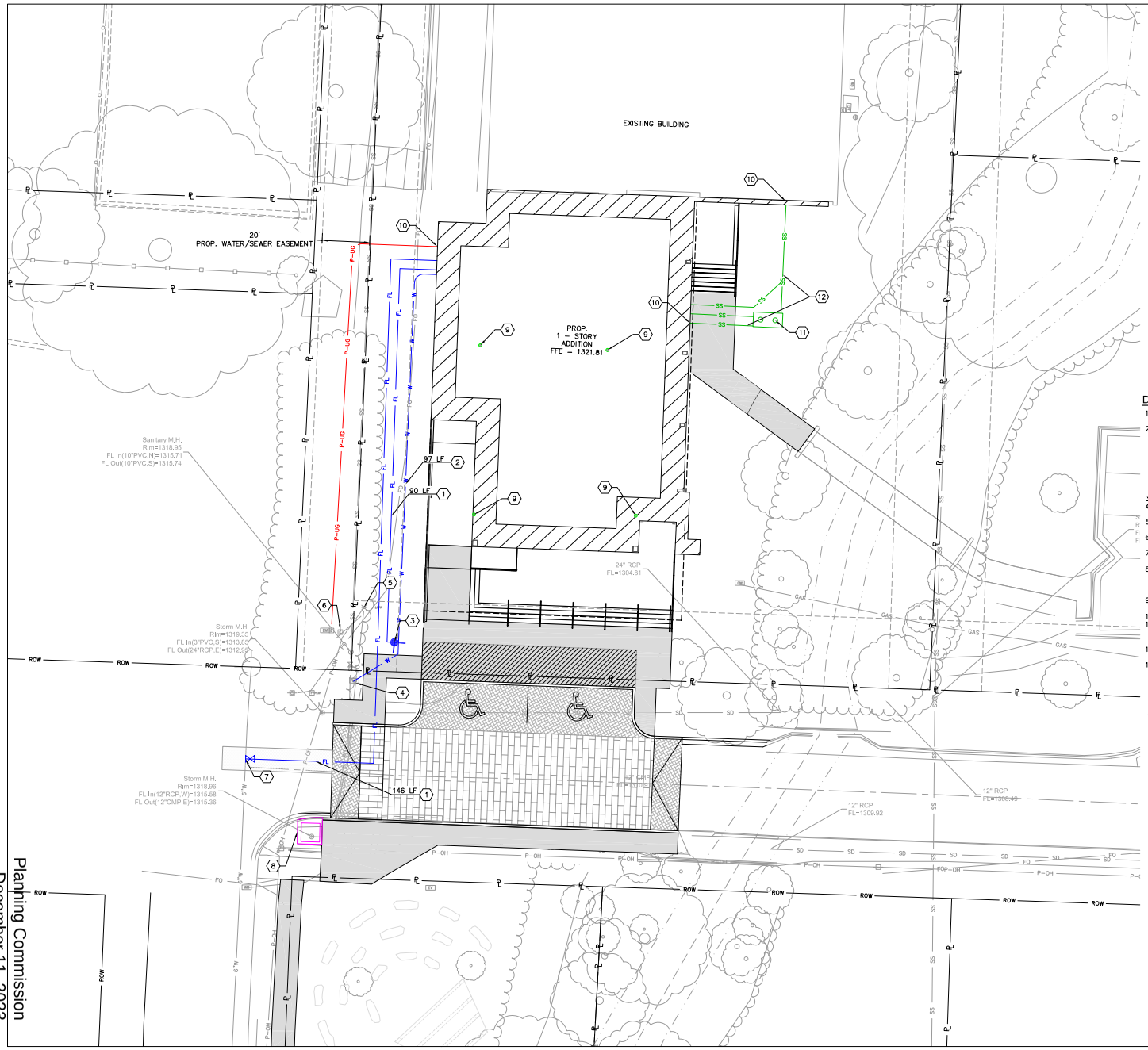
REVISIONS

MBL JOB NO.
200012
ISSUE DATE
Feb. 6, 2023

SHEET CONTENTS
SITE DETAILS

SHEET
L2.4

THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MILLER BISKUS LACK ARCHITECTS, P.A. COPYRIGHT 2023 ALL RIGHTS RESERVED WITHOUT WRITTEN CONSENT



LEGEND

ROW	RIGHT-OF-WAY LINE
PL	PROPERTY LINE
	BUILDING SETBACK
	UTILITY EASEMENT
W	EXIST. WATER PIPE
SD	EXIST. STORM DRAIN PIPE
SS	EXIST. SANITARY SEWER PIPE
FO	EXISTING UNDERGROUND FIBER OPTIC
P-OH	EXISTING OVERHEAD ELECTRIC
GAS	EXIST. GAS LINE
W	PROP. WATER LINE
FL	PROP. FIRE LINE
SS	PROP. SANITARY SEWER LINE
P-UG	PROP. UNDERGROUND ELECTRIC LINE
	EX. FIRE HYDRANT
	EXIST. POWER POLE W/ LIGHT
WV	EXIST. WATER VALVE
	EX. WATER METER
	EX. COMMUNICATION BOX
	EX. TRANSFORMER
	EX. ELECTRICAL BOX
	EX. LIGHT POLE
	EX. POWER POLE
	EX. SIGN
	EX. STORM SEWER MANHOLE
	EX. GAS METER
	EX. SANITARY SEWER MANHOLE
	EX. DECIDUOUS TREE
	EX. EVERGREEN TREE
	PROP. GATE VALVE
	PROP. IRRIGATION METER
	PROP. FDC
	PROP. STORM STRUCTURE

DOMESTIC WATER & FIRE PROTECTION LINE GENERAL NOTES:

1. CONTRACTOR TO VERIFY WITH ARCHITECTURAL/MEP PLANS FOR SIZE AND LOCATION OF UTILITY SERVICE TO BUILDING BEFORE CONSTRUCTION.
2. WHERE THE WATER SERVICE IS TO BE CONSTRUCTED BELOW OR WITHIN 18 INCHES OF ANY SEWER PIPE, THE CONTRACTOR SHALL LAY A FULL LENGTH OF WATER SERVICE PIPE CENTERED ON THE SEWER OR SUCH LENGTH AS WILL PROVIDE THE MAXIMUM POSSIBLE SEPARATION OF THE JOINTS IN THE WATER SERVICE FROM THE SEWER LINE. IF NOT ALREADY SO, THE CONTRACTOR SHALL CONSTRUCT SANITARY SEWER WITH ONE 20 FOOT NOMINAL LENGTH OF PRESSURE PIPE MATERIAL CENTERED ON THE WATER SERVICE, SUCH THAT THE MAXIMUM POSSIBLE SEPARATION BETWEEN THE WATER SERVICE AND THE SEWER PIPE JOINTS WILL RESULT. THE BACKFILL MATERIAL SHALL BE SELECT, LOW PERMEABILITY SOIL.
3. REMOVE SPOIL MATERIAL FROM SITE.
4. THE CONTRACTOR SHALL NOT EXCEED MANUFACTURERS RECOMMENDATIONS FOR MAXIMUM PIPE JOINT DEFLECTIONS.
5. PRIOR TO MOVING OFF THE JOB THE CONTRACTOR SHALL NOTIFY THE ENGINEER TO DO A FINAL WALK-THROUGH OF THE CONSTRUCTION SITE.
6. PRIOR TO FINAL ACCEPTANCE ALL WATER SERVICE PIPE SHALL BE PRESSURE TESTED BY THE CONTRACTOR IN ACCORDANCE WITH THE CITY OF FAYETTEVILLE REQUIREMENTS.
7. PRIOR TO FINAL ACCEPTANCE ALL WATER SERVICE PIPE SHALL BE DISINFECTED BY THE CONTRACTOR IN ACCORDANCE WITH THE CITY OF FAYETTEVILLE REQUIREMENTS.
8. LOCATION AND ELEVATIONS OF IMPROVEMENTS TO BE MET (OR AVOIDED) BY WORK TO BE DONE SHALL BE CONFIRMED BY THE CONTRACTOR THROUGH FIELD EXPLORATIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL REPORT TO THE ENGINEER OR CITY INSPECTOR ANY DISCREPANCIES BETWEEN HIS MEASUREMENTS AND THESE PLANS.
9. ALL WATER SERVICE CONSTRUCTION SHALL BE DONE UNDER A PLUMBERS PERMIT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
10. MAINTAIN 42" MINIMUM COVER OVER TOP OF WATER SERVICE PIPE.
11. WATER SERVICE PIPE MATERIALS SHALL BE SDR 13.5 PVC FOR IRRIGATION WATER LINE & DOMESTIC SERVICE UNDER 4" AND AWWA C900 PVC FOR FIRE PROTECTION, DOMESTIC & SERVICE MAINS OVER 4".
12. INSTALLATION OF FIRE SERVICE SHALL BE IN ACCORDANCE WITH CURRENT NFPA 24 GUIDELINES.
13. CONTRACTOR SHALL BE RESPONSIBLE TO DEFLECT PIPE OR ADD FITTINGS AS NECESSARY TO MAINTAIN A MINIMUM 18" OF CLEARANCE BETWEEN FIRE/WATER LINES AND ALL OTHER UNDERGROUND UTILITIES.

SANITARY SEWER GENERAL NOTE:

SANITARY SERVICE LATERAL SHALL BE SCH40 PVC.
MINIMUM SLOPE FOR SANITARY SEWER LATERALS:
4" SEWER LATERAL SLOPE = 2.08% MIN.
6" SEWER LATERAL SLOPE = 1.04% MIN.

GENERAL NOTES:

1. SEE CITY OF FAYETTEVILLE DETAILS AND SPECIFICATIONS FOR PRIVATE DOMESTIC WATER, FIRE PROTECTION, SITE UTILITY & SANITARY SEWER PIPE BEDDING.

KEYNOTES.

1. INSTALL 6" D.I.P. FIRE SERVICE LINE W/ 42" MIN. COVER
2. INSTALL 2" SDR 13.5 PVC WATER SERVICE PIPE W/ 42" MIN. COVER
3. PROP. FDC
4. EXIST. WATER METER
5. RELOCATE EXISTING POWER POLE. CONTRACTOR TO COORDINATE WITH ELECTRIC PROVIDER.
6. PROPOSED NEW GROUND MOUNTED TRANSFORMER
7. 6"X6" TEE AND 6" GATE VALVE
8. MODIFIED 4'X4' STORM DRAIN JUNCTION BOX
9. PROPOSED ROOF DRAIN DOWNSPOUT
10. M.E.P. CONNECTIONS. SEE M.E.P. PLANS
11. PROPOSED GREASE INTERCEPTOR. SEE M.E.P. PLANS
12. INSTALL 4" SCH40 PVC SANITARY SERVICE LINE W/ 42" MIN. COVER. MIN SLOPE = 2.08%

N

0' 5' 10' 20'
SCALE IN FEET

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

MBL

City of Fayetteville, AR

Yvonne Richardson Community Center Addition

240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

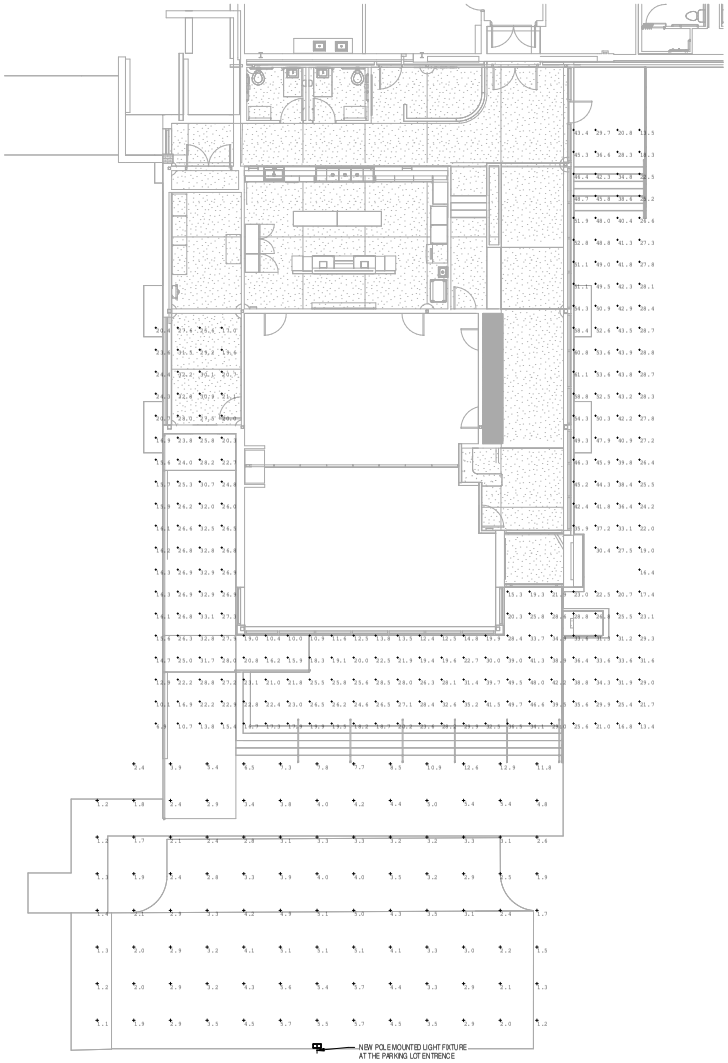
MBL JOB NO.
200012

ISSUE DATE
11-02-2023

SHEET CONTENTS
UTILITY PLAN

SHEET
C3.00

THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MBL ARCHITECTURE. REPRODUCTION OR REUSE WITHOUT WRITTEN CONSENT IS PROHIBITED. ©2023 MBL ARCHITECTURE



1 ELECTRICAL SITE LIGHTING PLAN
SCALE: 1/8" = 1'-0"

ENGINEERING ELEMENTS PLLC No. 1227

ENGINEERING ELEMENTS, PLLC
PROJECT NO: 23-080
CHECKED: EDG

Engineering Elements, PLLC
3608 S. Jones Blvd. Suite 1
Rogers, AR 72758
Phone: 479-845-1818

PROGRESS PRINT
NOT FOR CONSTRUCTION
DATE: 11/02/23

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

MBL JOB NO.
200012
ISSUE DATE
11/02/23

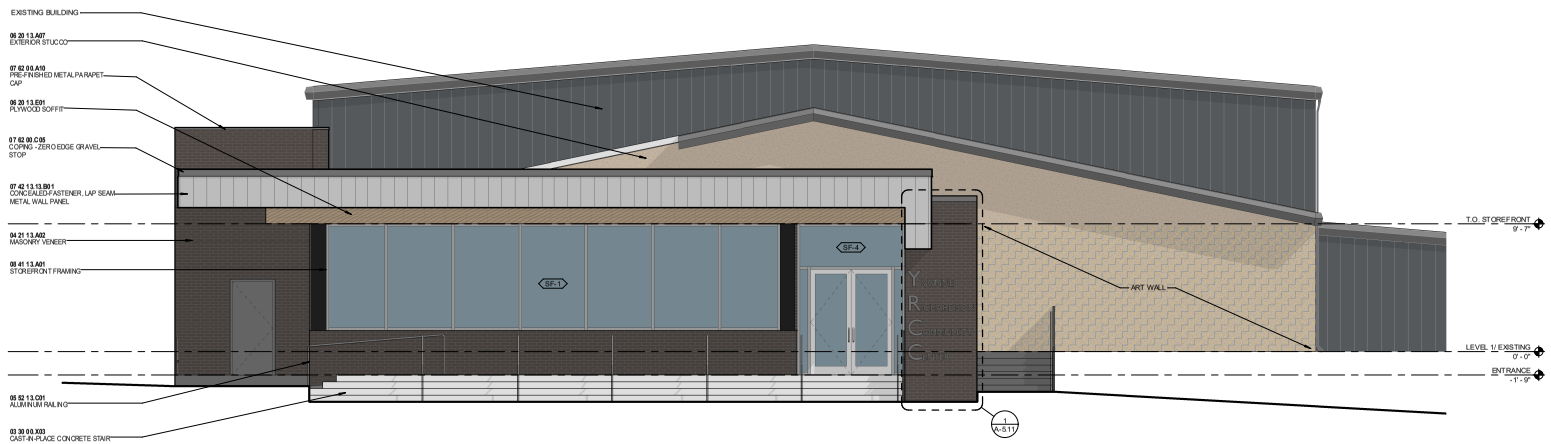
SHEET CONTENTS
SITE ELECTRICAL LIGHTING PLAN

SHEET
E1.0

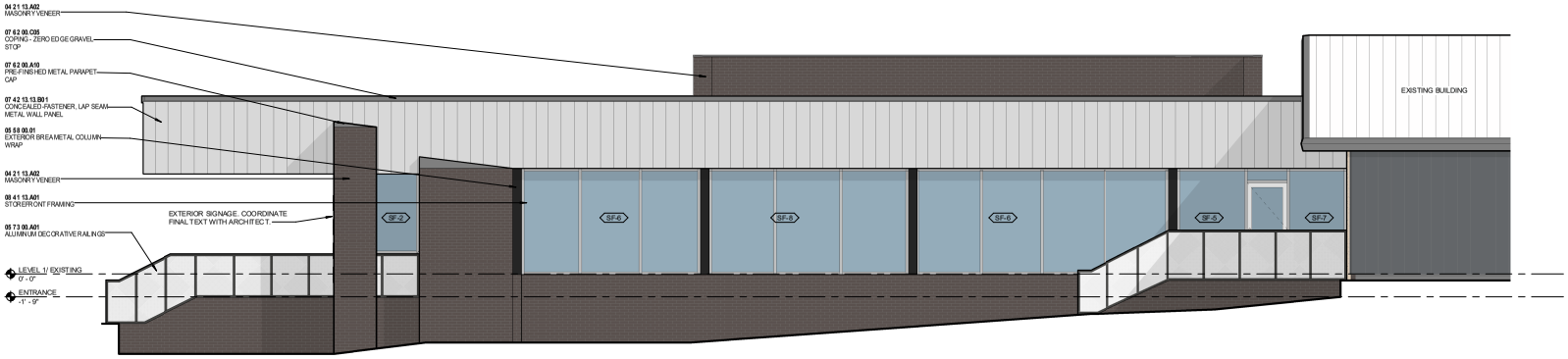
THESE DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF MLER WISHOLSKI ACK ARCHITECTS P.A. COPYRIGHT 2023 ALL RIGHTS RESERVED WITHOUT WRITTEN CONSENT ©

KEYNOTE LEGEND	
NOTE	DESCRIPTION
03 30 00.X03	CAST-IN-PLACE CONCRETE STAIR
04 21 13.A02	MASONRY VENEER
05 52 13.C01	ALUMINUM RAILING
05 58 00.01	EXTERIOR BREA METAL COLUMN WRAP
05 73 00.A01	ALUMINUM DECORATIVE RAILINGS
06 20 13.A07	EXTERIOR STUCCO
06 20 13.E01	PLYWOOD SOFFIT
07 42 13.13.B01	CONCEALED-FASTENER, LAP SEAM METAL WALL PANEL
07 62 00.A10	PRE-FINISHED METAL PARAPET CAP
07 62 00.C05	COPING - ZERO EDGE GRAVEL STOP
08 41 13.A01	STOREFRONT FRAMING

GENERAL ELEVATION NOTES	
1	REFER TO MECHANICAL, ELECTRICAL & FIRE PROTECTION SHEETS FOR ADDITIONAL INFORMATION. DESCREPENCIES DESCREPENCIES BETWEEN MEP & ARCHITECTURAL SHEETS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO INSTALLATION



1 NORTH ELEVATION
1/4" = 1'-0"



2 EAST ELEVATION
1/4" = 1'-0"

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

MBL JOB NO.
200012

DESIGN DEVELOPMENT
2-6-2023

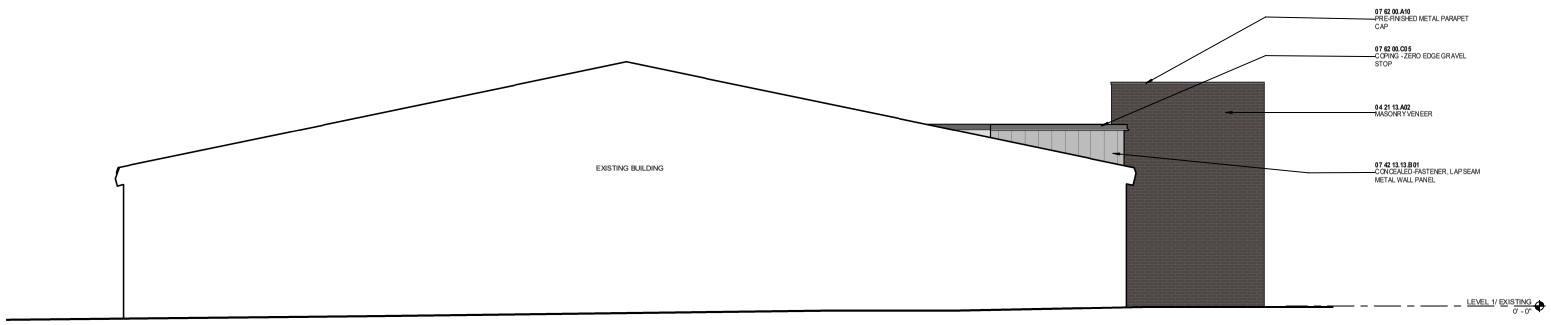
SHEET CONTENTS
BUILDING ELEVATIONS

SHEET
A-2.1

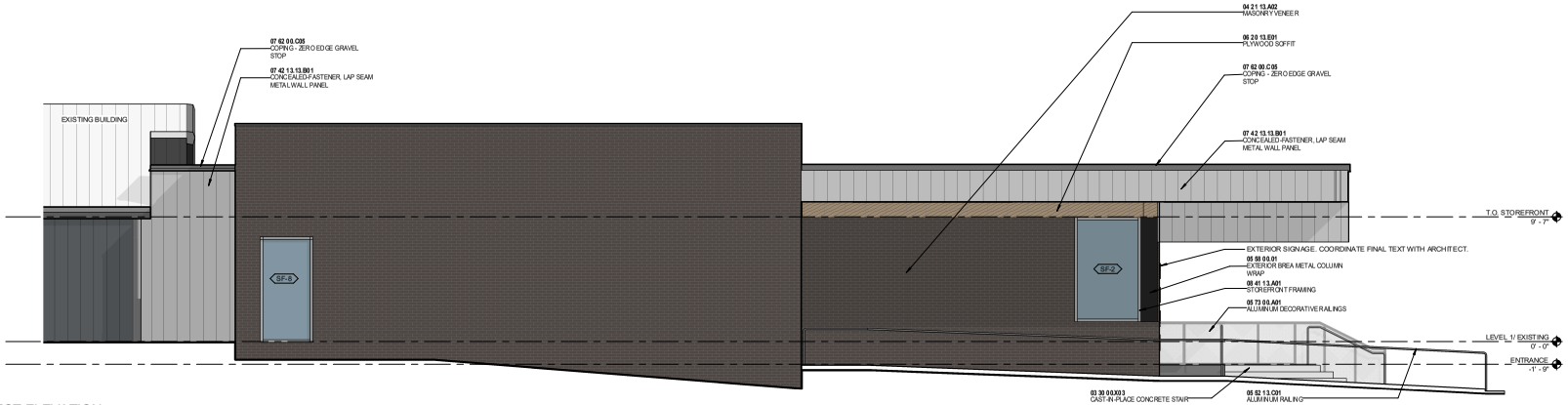
THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF MBL ARCHITECTURE & ARCHITECTS. FOR USE OR REPRODUCTION IS PROHIBITED WITHOUT WRITTEN CONSENT.

KEYNOTE LEGEND	
NOTE	DESCRIPTION
03 30 00.X03	CAST-IN-PLACE CONCRETE STAIR
04 21 13.A02	MASONRY VENEER
05 52 13.C01	ALUMINUM RAILING
05 58 00.01	EXTERIOR BREA METAL COLUMN WRAP
05 73 00.A01	ALUMINUM DECORATIVE RAILINGS
06 20 13.E01	PLYWOOD SOFFIT
07 42 13.13.B01	CONCEALED-FASTENER, LAP SEAM METAL WALL PANEL
07 62 00.A10	PRE-FINISHED METAL PARAPET CAP
07 62 00.C05	COPING - ZERO EDGE GRAVEL STOP
08 41 13.A01	STOREFRONT FRAMING

GENERAL ELEVATION NOTES	
1	REFER TO MECHANICAL, ELECTRICAL & FIRE PROTECTION SHEETS FOR ADDITIONAL INFORMATION. DESCREPIENCIES DESCREPIENCIES BETWEEN MEP & ARCHITECTURAL SHEETS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO INSTALLATION



1 SOUTH ELEVATION
1/4" = 1'-0"



2 WEST ELEVATION
1/4" = 1'-0"

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

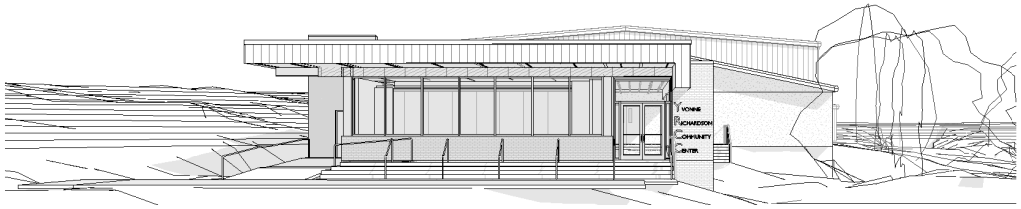
MBL JOB NO.
200012

DESIGN DEVELOPMENT
2-6-2023

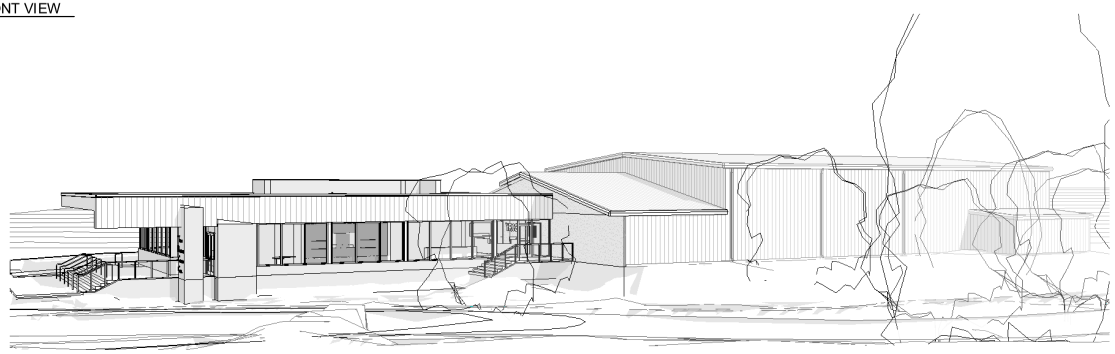
SHEET CONTENTS
BUILDING ELEVATIONS

SHEET
A-2.2

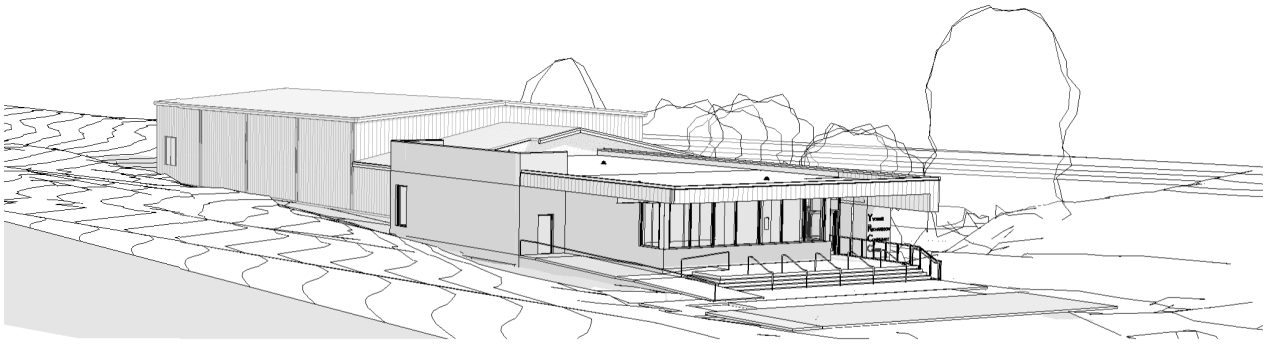
THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF MBL ARCHITECTS. MBL ARCHITECTS, P.A. USE OR REPRODUCTION IS PROHIBITED WITHOUT WRITTEN CONSENT.



1 FRONT VIEW



2 EAST SIDE VIEW



3 WEST BIRDS EYE PERSPECTIVE

NOT FOR CONSTRUCTION

MBL ARCHITECTURE
2397 N. Green Acres Rd.
Fayetteville, AR 72703
Ph: 479.443.7121

City of Fayetteville, AR
Yvonne Richardson Community Center Addition
240 E. Rock Street
Fayetteville, AR 72701

REVISIONS

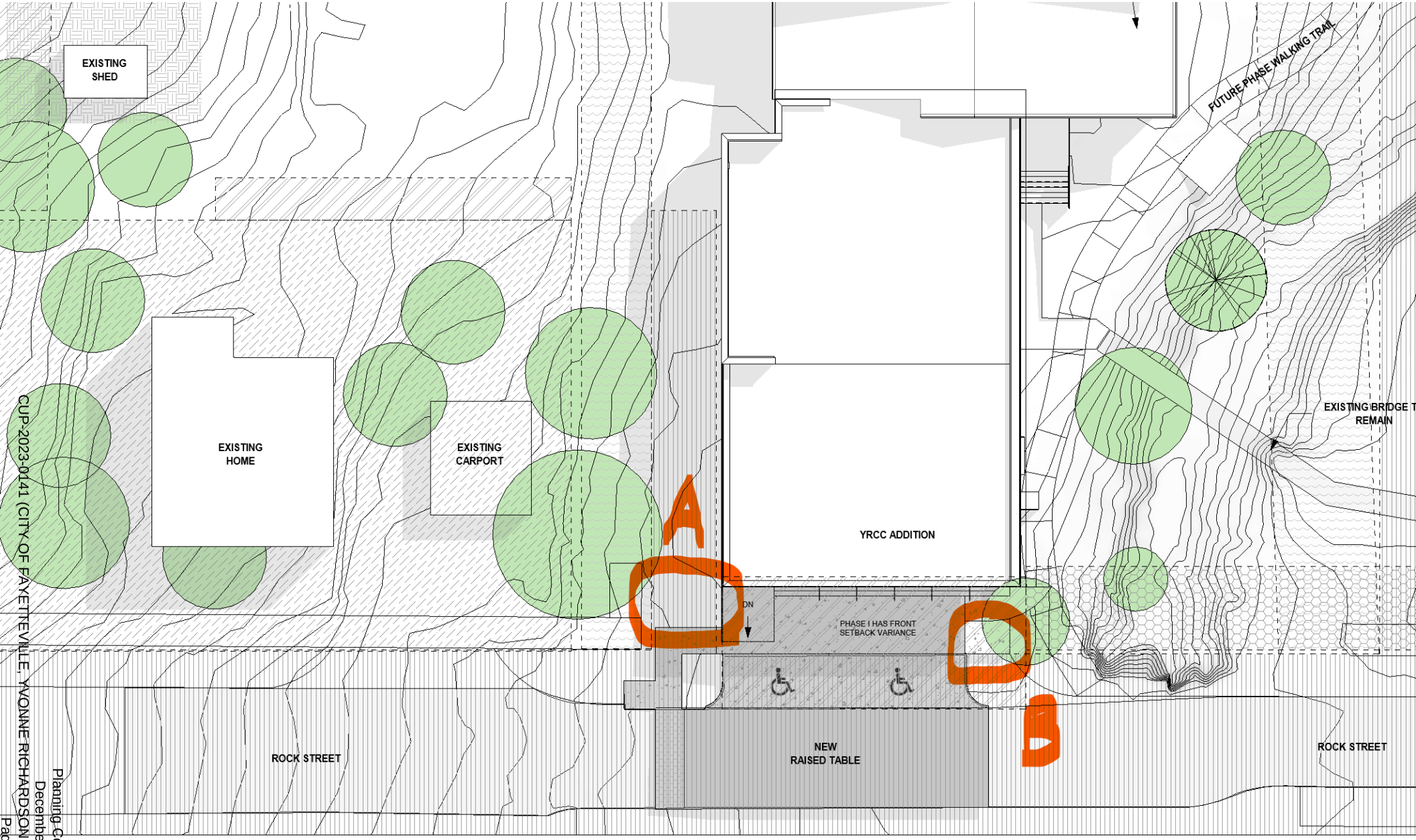
MBL JOB NO.
200012

DESIGN DEVELOPMENT
2-6-2023

SHEET CONTENTS
3-D VIEWS

SHEET
A-2.3

THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF MBL ARCHITECTURE & ASSOCIATES, P.A. USE OR REPRODUCTION IS PROHIBITED WITHOUT WRITTEN CONSENT.

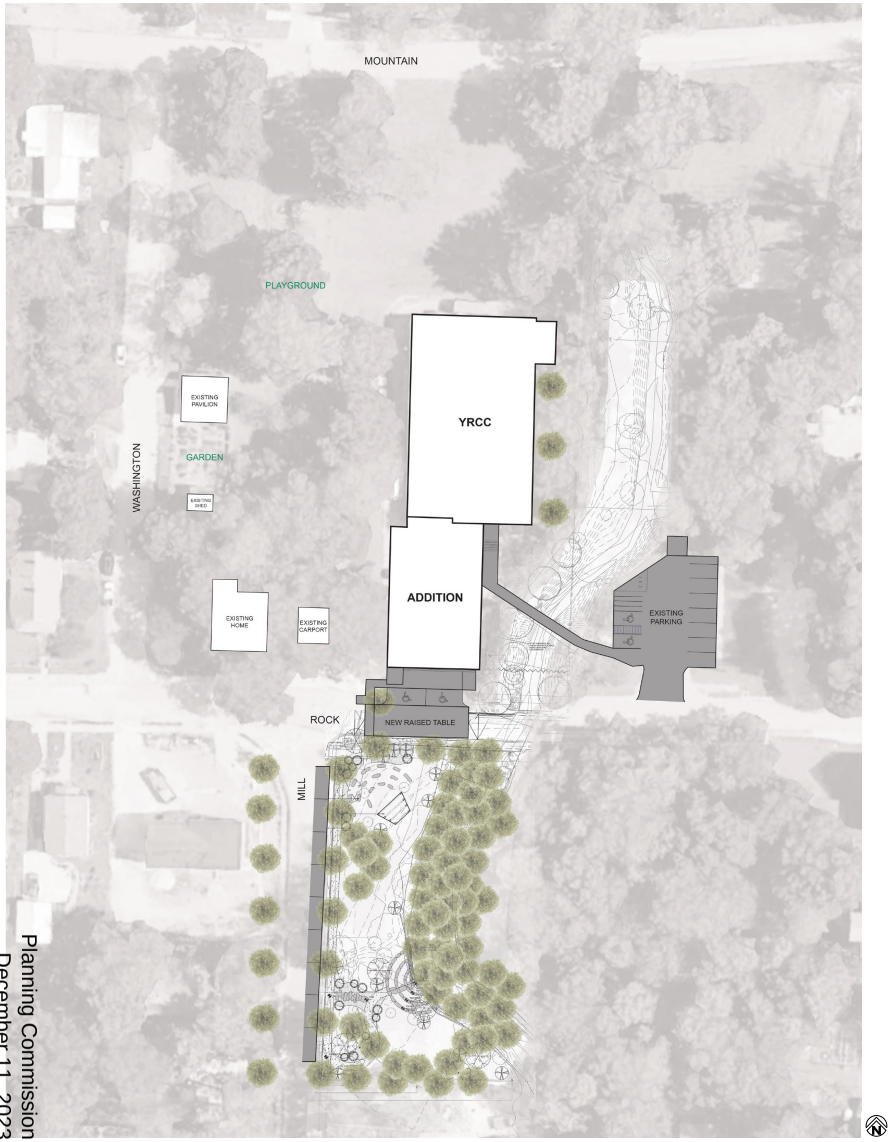


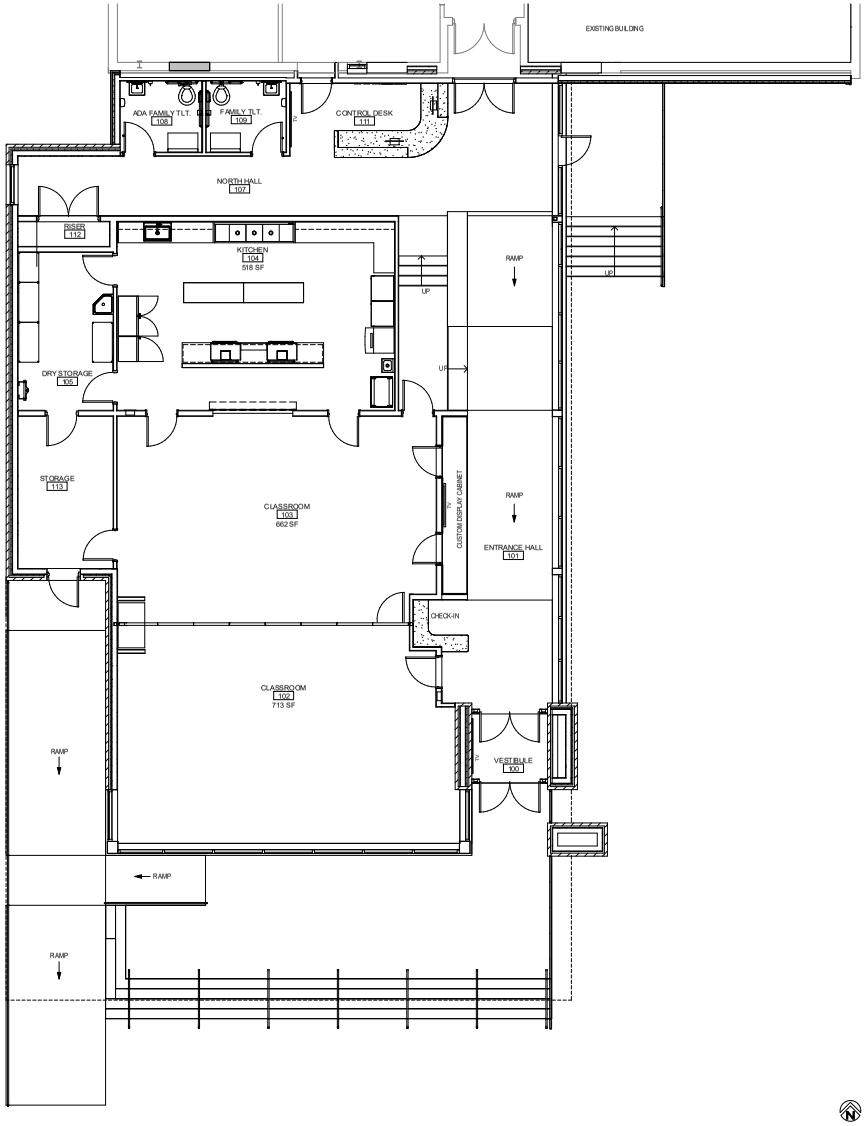
1 ARCHITECTURAL SITE PLAN

1/16" = 1'-0"

YRCC - OVERALL SITE PLAN FLOOR PLAN

MBL





YRCC - PHASE I EXTERIOR AND INTERIOR PERSPECTIVES

MBL

From: Sharon Killian <sharon@nwaheritage.org>
Sent: Friday, December 1, 2023 11:33 AM
To: Jumper, Alison <ajumper@fayetteville-ar.gov>
Cc: Bostick, Britin <bbostick@fayetteville-ar.gov>; Masters, Jessica <jmasters@fayetteville-ar.gov>; Curth, Jonathan <jcurth@fayetteville-ar.gov>; Emma Willis <emwill1102@gmail.com>
Subject: Yvonne Richardson Community Center Expansion Project & Spout Spring Historic District

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 Alison,

Thank you for sharing the detailed survey data with Emma. Your work during the challenging pandemic years is commendable.

As a representative of the Spout Spring historic community, I appreciate the Planning Commission's decision on November 13th to pause construction of the YRCC expansion. This allows City Parks and NWABH to collaborate and ensure the design aligns with the historic district.

The YRCC's environment is integral to the district, recognized by the City Council's unanimous vote in 2023. NWABH is on track to collect landowner signatures by early January 2024.

While the City collaborates with NWABH on the historic district, we believe aligning the YRCC expansion design by June 2024 is achievable. Funds are allocated, and there's no urgency to rush the design before the fiscal year ends.

Regarding the YRCC Expansion webpage's funding statement, we propose fundraising for the second floor before construction begins. This offers four advantages:

1. Fully building out the second floor becomes possible.

2. The community avoids construction disruptions during fundraising.

3. Safe and accessible parking, beyond on-street options, can be designed.

4. Streamside and ecological justice considerations can be integrated.

NWABH is involved in a multi-million dollar grant with Watershed Conservation and works closely with Beaver Watershed Alliance on our Rock Street property.

We've received Britin Bostik's overview, which effectively explains the project's technical aspects. We believe the CUP variances should be tabled until June 2024 as a matter of due process, especially when considering the historic district.

For CUP-2023-0141, we request that variance proposals be tabled until June 2024. This allows for collaboration with NWABH and ensures the variances reflect social and ecological justice considerations that prioritize the community.

The YRCC is vital to our community's adults and children. We understand that approving CUP-2023-0141 would lock in construction without further discussion, potentially leading to undesirable outcomes.

We look forward to collaborating with you and the City to ensure the YRCC expansion reflects the needs and values of the historic Spout Spring community.

Sincerely,

Sharon Killian

Board President & Co-Founder

NWA Black Heritage

Fayetteville, AR 72701

nwaBlackheritage.org

Our absence is our presence.

Confidentiality notice:

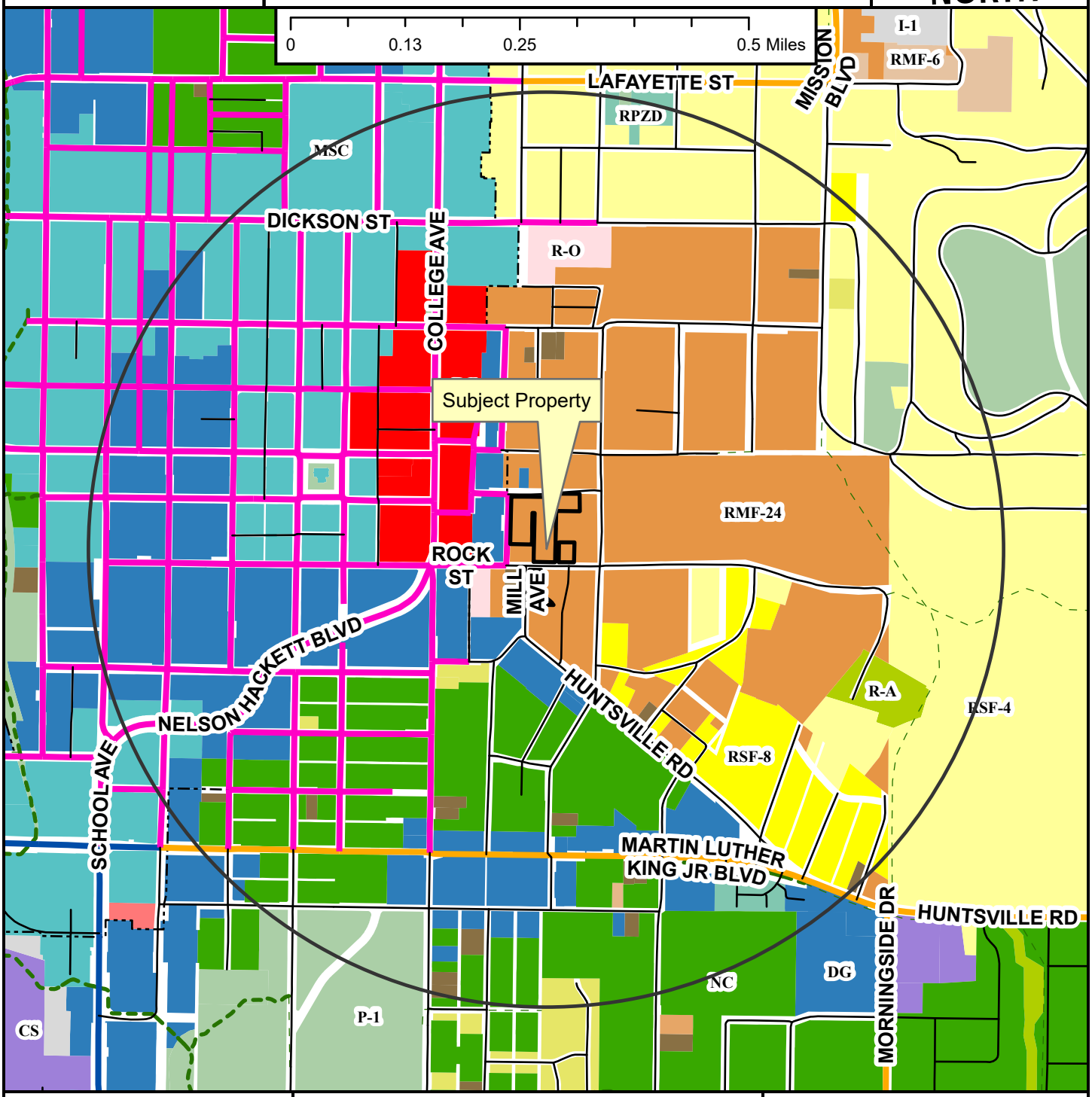
This e-mail message, including any attachments, may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution, or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

CUP-2023-0141

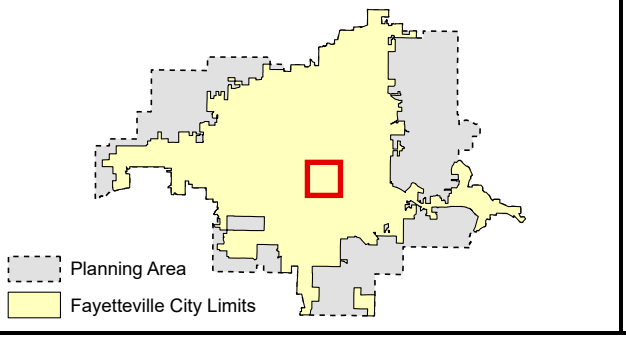
One Mile View

240 E. Rock St

NORTH



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



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

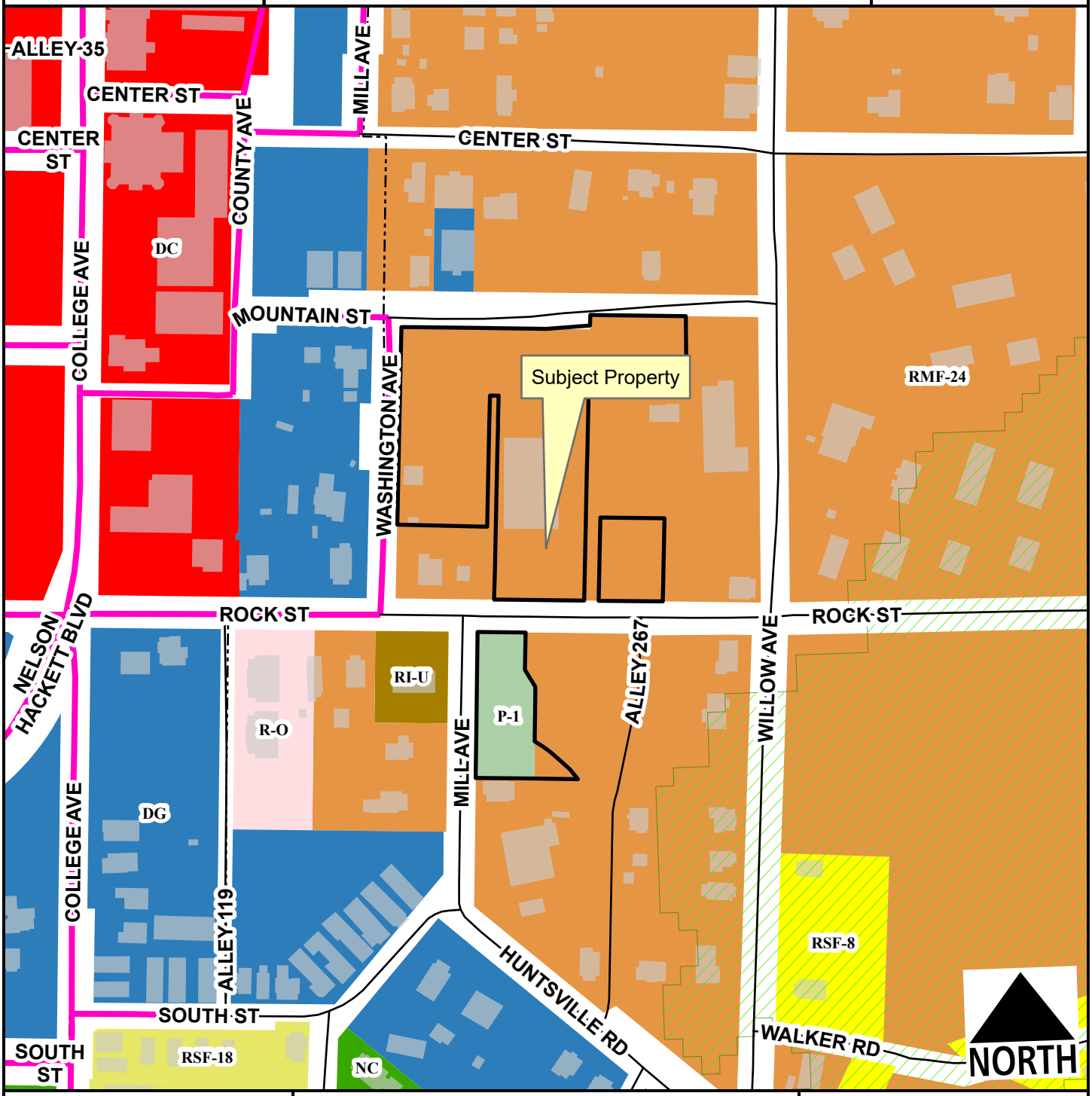
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

CUP-2023-0141

Close Up View

240 E. Rock St



Urban Center
Alley
Residential Link
Hillside-Hilltop Overlay District
Planning Area
Fayetteville City Limits
Design Overlay District

Feet
0 75 150 300 450 600
1:2,400

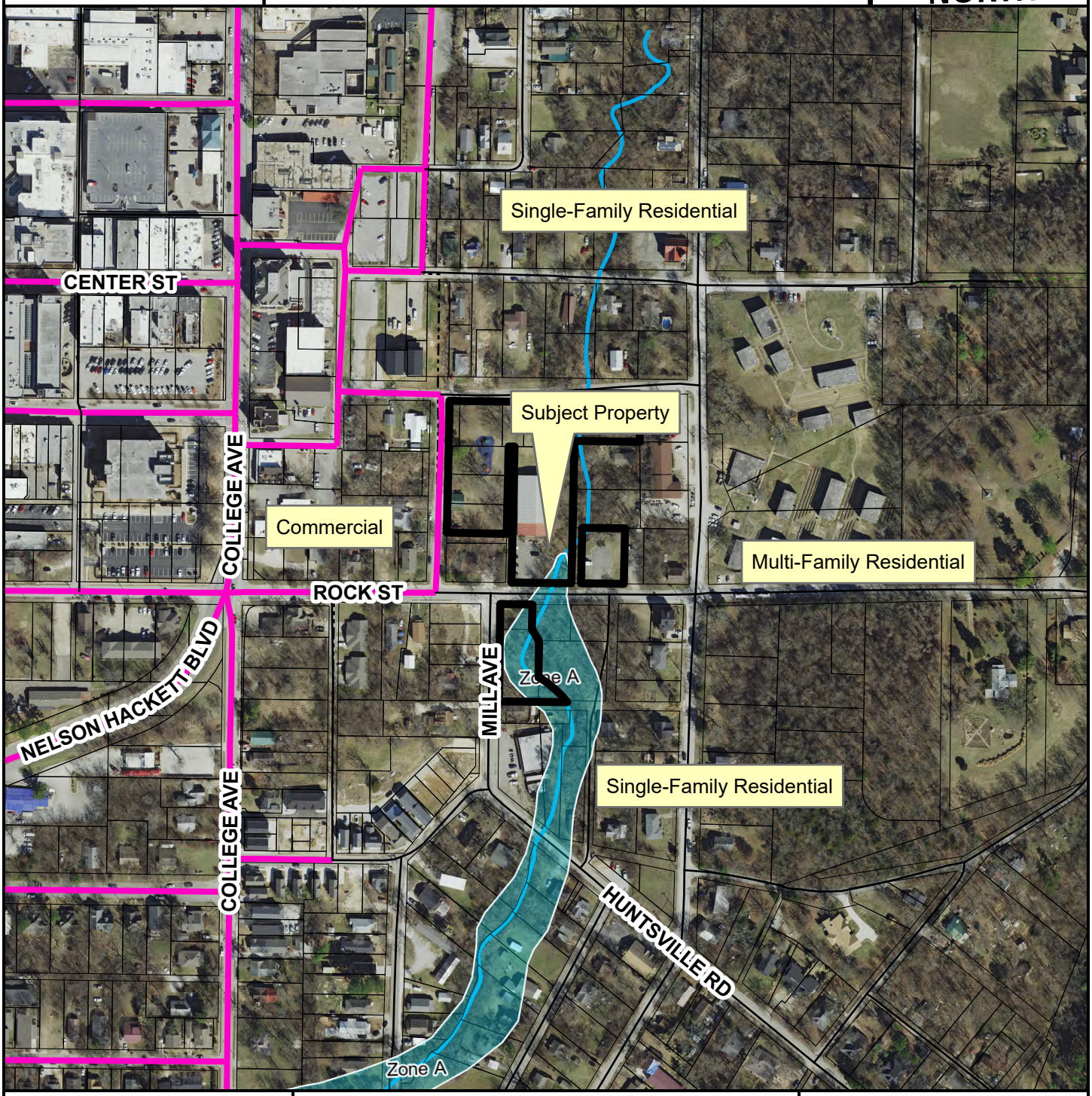
RSF-8
RSF-18
RI-U
RMF-24
Residential-Office
Downtown Core
Downtown General
Neighborhood Conservation
P-1

CUP-2023-0141

Current Land Use

240 E. Rock St

NORTH



- Urban Center
- Unclassified
- Alley
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits
- Design Overlay District

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: December 11, 2023

SUBJECT: **ADM-2023-0044: Administrative Item (NORTHEAST OF W. WEDINGTON DR. & N. MEADOWLANDS DR./WIENERSCHNITZEL, 400):** Submitted by BATES & ASSOCIATES for property located NORTHEAST OF W. WEDINGTON DR. & N. MEADOWLANDS DR. The property is zoned CS, COMMUNITY SERVICES and contains approximately 3.37 acres. The request is for a major modification to an approved conditional use permit.

RECOMMENDATION:
Staff recommends approval of **ADM-2023-0044**.

RECOMMENDED MOTION:
"I move to approve **ADM-2023-0044***, determining:*

- *In favor of a variance to UDC §166.24(D)(7)(b)(ii),*
- *In favor of a variance to UDC §166.25(D)(2),*
- *In favor of a request to modify CUP-2023-0047, and*
- *In favor of all other conditions as recommended by staff."*

BACKGROUND:
The subject property is located in west Fayetteville, one lot east of Meadowlands Drive on the north side of Wedington Drive. The property is zoned CS, Community Services, and is currently undeveloped with mature tree canopy covering most of the site. The entire property is located within the boundaries of the City's Wedington Corridor Master Plan. A conditional use permit for Wienerschnitzel, which is classified as Use Unit 18: Gasoline service stations and drive-in/drive-through restaurants, was approved by the Planning Commission on May 8, 2023 (CUP-2023-0047). The development entitlement for the project is currently under review (LSIP-2023-0007). A lot split, which subdivided the property into two lots containing 1.06 and 2.31 acres, was recently approved by city staff and filed of record (LSP-2023-0034). Surrounding land uses and zoning are depicted in *Table 1.*

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Two-Family Dwellings	RMF-12, Residential Multi-Family – 12 Units per Acre
South	Restaurant Undeveloped	C-1, Neighborhood Commercial R-O, Residential Office
East	Undeveloped	CS, Community Services
West	Undeveloped	CS, Community Services

Request: The applicant requests a major modification to an approved conditional use permit under

the provisions outlined in UDC §166.01(D)(2). Proposed changes include moving the development farther east, rotating and modifying the building and outdoor eating area, updating the trash enclosure location, and adjusting the parking layout. Additionally, two variances have been requested from the Unified Development Code which are outlined below alongside staff's recommendations:

- **§166.24(D)(7)(b)(ii) - A building façade located outside of a build-to zone shall be glazed no less than 30% of the first or ground floor at the pedestrian level between 2 and 12 feet above the Finished Floor Elevation (FFE).** The applicant is requesting to reduce this glazing requirement to 21%. To make up for the reduced glazing, the applicant is proposing to paint a locally relevant mural on a large portion of the wall.
    - *Staff recommendation: Staff is supportive of the applicant's request. The proposed project is a drive-thru restaurant and, as the applicant has stated, most of the building is devoted to kitchen space. Glazing more of the façade to meet the 30% requirement that is outlined in city code would require the installation of windows that peer into the kitchen. Staff finds that the applicant's request to glaze less of the building's principal façade and paint a large mural would be aligned with the intent of the City's Nonresidential Design Standards by creating pedestrian interest and increasing the visual impact of the development. Staff has included the installation of the mural as a recommended condition of this variance's approval.*

- **§166.25(D)(2) - Cross access shall be required to adjacent developed and undeveloped properties.** The applicant is requesting a variance from this requirement to provide no cross access to adjacent developed properties to the north. The applicant is accommodating cross access to the east and west with driveway stub outs.
    - *Staff recommendation: Staff is supportive of the applicant's request. The applicant has indicated that the northern portion of the property will be reserved for tree preservation, so providing cross access to the north would require the installation of a driveway stub out or dedication of an access easement which would require reducing the amount of tree canopy to be preserved. Also, all properties to the north are currently developed with duplexes which were built within the last five years, so redevelopment and cross access there is not likely to occur in the near future. Further, staff finds that access to the north could eventually be accommodated through the proposed driveway stub out to the east since there is a street stub out that abuts the property to the east of this site.*

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

DISCUSSION:
Staff is supportive of all requested modifications and variances. Moving the development farther east and modifying the layout of the building, outdoor eating area, and parking is not expected to impact the compatibility of the development with adjacent properties. City staff has already evaluated the development and all proposed modifications as part of the associated large site improvement plan (LSIP-2023-0007) and found no issues with the request beyond the two variances described which staff supports.

RECOMMENDATION: Staff recommends approval of **ADM-2023-0044** subject to the following conditions:

<u>Conditions of Approval:</u>

1. **Planning Commission determination of a variance to UDC §166.24(D)(7)(b)(ii).** *Staff*

is supportive of this variance request for the reasons stated above;

2. **Planning Commission determination of a variance to UDC §166.25(D)(2).** *Staff is supportive of this request for the reasons stated above;*

3. Along the building's principal façade, a mural shall be installed that occupies at least 9% of the ground floor of the building between 2 and 12 feet about the Finished Floor Elevation;

4. Approval of this modification does not represent approval of the associated development entitlement; and

5. All other conditions of the associated conditional use permit (CUP-2023-0047) not affected by this modification shall remain in effect.

PLANNING COMMISSION ACTION: Required YES

Date: December 11, 2023 ❒ **Tabled** ❒ **Approved** ❒ **Denied**

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:

- CUP-2023-0047 Conditions of Approval
- CUP-2023-0047 Site Exhibit
- Applicant Request Letter
- Site Exhibit
- One Mile Map
- Close-up Map
- Current Land Use Map

CUP-2023-0047 Conditions of Approval

1. **Planning Commission determination of compatibility.** *Staff finds the proposed use to be compatible with surrounding properties for the reasons outlined in this report;*

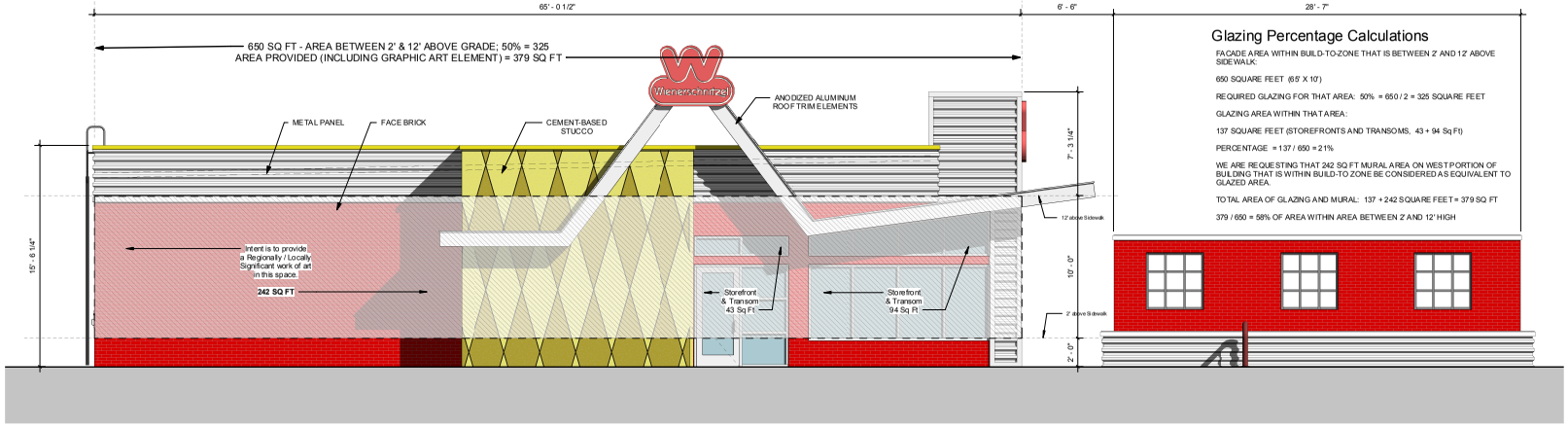
2. This conditional use permit is limited to the use as described in the applicant's request letter. This conditional use permit is non-transferrable to a different business or property owner. The following specifications apply:
    a. Number of employees: 22-28
    b. Hours of operation: 10:00 a.m. - 12:00 a.m.; seven days per week
    c. Number of patrons: Approximately 325 per day

3. Approval of the conditional use permit does not grant development entitlement for site improvements. Improvements shall be considered for compliance with applicable zoning and development standards as required by the Unified Development Code;

4. Trash containers and structures shall be screened so that they are not visible from the public right-of-way or adjacent residential properties;

5. Any future expansion or change in the use shall require Planning Commission approval; and

6. Conditional use permit approval shall be valid for one year.



Glazing Percentage Calculations

FACADE AREA WITHIN BUILD-TO-ZONE THAT IS BETWEEN 2' AND 12' ABOVE SIDEWALK:

650 SQUARE FEET (65' X 10')

REQUIRED GLAZING FOR THAT AREA: 50% = 650 / 2 = 325 SQUARE FEET

GLAZING AREA WITHIN THAT AREA:

137 SQUARE FEET (STOREFRONTS AND TRANSOMS, 43 + 94 Sq Ft)

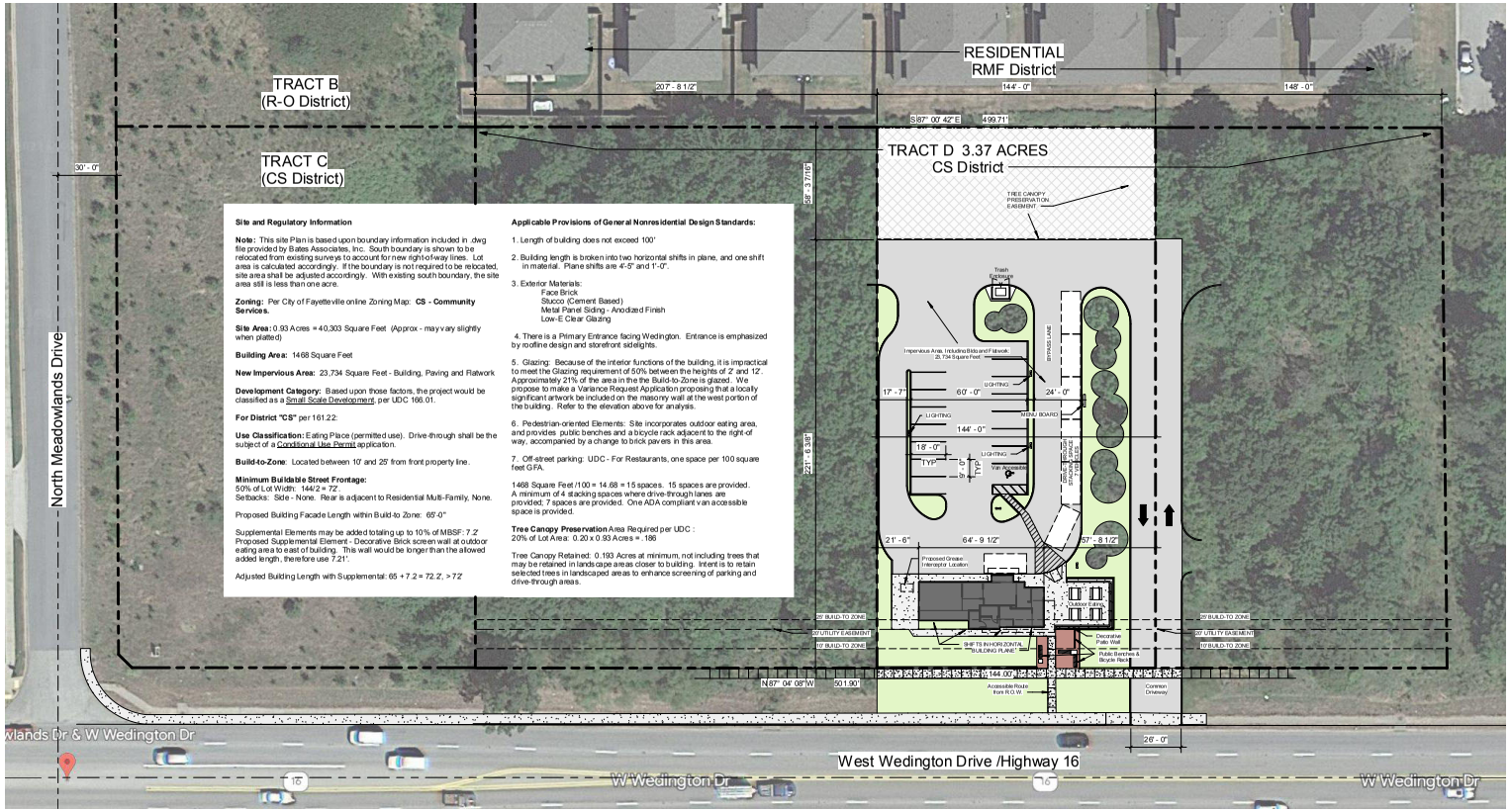
PERCENTAGE = 137 / 650 = 21%

WE ARE REQUESTING THAT 242 SQ FT MURAL AREA ON WEST PORTION OF BUILDING THAT IS WITHIN BUILD-TO ZONE BE CONSIDERED AS EQUIVALENT TO GLAZED AREA.

TOTAL AREA OF GLAZING AND MURAL: 137 + 242 SQUARE FEET = 379 SQ FT

379 / 650 = 58% OF AREA WITHIN AREA BETWEEN 2' AND 12' HIGH

2 A-101 South Facade with Glazing Proposal
1/4" = 1'-0"



Site and Regulatory Information

Note: This site Plan is based upon boundary information included in .dwg file provided by Bates Associates, Inc. South boundary is shown to be relocated from existing surveys to account for new right-of-way lines. Lot area is calculated accordingly. If the boundary is not required to be relocated, site area shall be adjusted accordingly. With existing south boundary, the site area still is less than one acre.

Zoning: Per City of Fayetteville online Zoning Map: **CS - Community Services.**

Site Area: 0.93 Acres = 40,303 Square Feet (Approx - may vary slightly when platted)

Building Area: 1468 Square Feet

New Impervious Area: 23,734 Square Feet - Building, Paving and Flatwork

Development Category: Based upon those factors, the project would be classified as a Small Scale Development, per UDC 166.01.

For District "CS" per 161.22:

Use Classification: Eating Place (permitted use). Drive-through shall be the subject of a Conditional Use Permit application.

Build-to-Zone: Located between 10' and 25' from front property line.

Minimum Buildable Street Frontage:
50% of Lot Width: 144/2 = 72'.
Setbacks: Side - None. Rear is adjacent to Residential Multi-Family, None.

Proposed Building Facade Length within Build-to Zone: 65'-0"

Supplemental Elements may be added totaling up to 10% of MBSF: 7.2'
Proposed Supplemental Element - Decorative Brick screen wall at outdoor eating area to east of building. This wall would be longer than the allowed added length, therefore use 7.21'.

Adjusted Building Length with Supplemental: 65 + 7.2 = 72.2', > 72'

Applicable Provisions of General Nonresidential Design Standards:

1. Length of building does not exceed 100'

2. Building length is broken into two horizontal shifts in plane, and one shift in material. Plane shifts are 4'-5" and 1'-0".

3. Exterior Materials:
Face Brick
Stucco (Cement Based)
Metal Panel Siding - Anodized Finish
Low-E Clear Glazing

4. There is a Primary Entrance facing Wedington. Entrance is emphasized by roofline design and storefront sidelights.

5. Glazing: Because of the interior functions of the building, it is impractical to meet the Glazing requirement of 50% between the heights of 2' and 12'. Approximately 21% of the area in the the Build-to-Zone is glazed. We propose to make a Variance Request Application proposing that a locally significant artwork be included on the masonry wall at the west portion of the building. Refer to the elevation above for analysis.

6. Pedestrian-oriented Elements: Site incorporates outdoor eating area, and provides public benches and a bicycle rack adjacent to the right-of way, accompanied by a change to brick pavers in this area.

7. Off-street parking: UDC - For Restaurants, one space per 100 square feet GFA.

1468 Square Feet /100 = 14.68 = 15 spaces. 15 spaces are provided. A minimum of 4 stacking spaces where drive-through lanes are provided; 7 spaces are provided. One ADA compliant van accessible space is provided.

Tree Canopy Preservation Area Required per UDC :
20% of Lot Area: 0.20 x 0.93 Acres =. 186

Tree Canopy Retained: 0.193 Acres at minimum, not including trees that may be retained in landscape areas closer to building. Intent is to retain selected trees in landscaped areas to enhance screening of parking and drive-through areas.

1 A-101 Site Plan - Overall
1" = 30'-0"

ARRIS consulting
1920 Research Blvd. Bldg 1 Lubbock, Texas 79407

THIS DOCUMENT IS RELEASED ON 03/28/23 UNDER THE AUTHORITY OF LONNIE FRANK GARY, TEXAS #8957, FOR PURPOSES OF INTERIM REVIEW ONLY.

NOT FOR USE IN CONSTRUCTION OR REGULATORY APPROVAL.

No.	Description	Date

Wienerschnitzel

Fayetteville, Arkansas
West Wedington Drive

Schematic Site Plan

Project Number	23-004
Initial Sealed Release Date:	
Project Lead:	
Contact:	
Reviewed By:	
Contact:	

A-101.1

3/28/2023 3:01:58 PM

Bates & Associates, Inc.
Civil Engineering & Surveying
7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704
PH: 479-442-9350 * FAX: 479-521-9350

September 18, 2023

City of Fayetteville
Planning Department
125 West Mountain Street
Fayetteville, AR 72701

RE: Request to Modify Existing CUP-2023-0047

Dear Planning Commission,

The Applicant, Land of Dog Fayetteville, LLC, requests a modification to existing CUP (2023-0047) approved by the Planning Commission earlier this year. The modifications and changes to the site plan are:

- Moving the entire site to the west property line.
  - The purpose of this was to allow the developer to begin administratively splitting the remaining property into additional lots for development.
- Rotating/ modifying the building and outdoor seating 180 degrees.
  - The purpose of this was to allow for smaller modifications of the existing Wienerschnitzel building model seen in other locations across NWA. Some elements of the layout were not lining up as anticipated with the building.
- Updated trash enclosure location
  - Location is now closer to the building and gives additional space between the trash enclosure and the residential properties to the North
- Parking configuration
  - The applicant wanted to have an ADA space closer to the building for easier access from parking lot, and the remainder of the site plan necessarily changed as a result of this, and the aforementioned modifications.

Thank you for your consideration in the matter and if you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely,

Bates & Associates, Inc.

Jake Chavis, E.I.

Bates & Associates, Inc.
Civil Engineering & Surveying
7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704
PH: 479-442-9350 * FAX: 479-521-9350

September 18, 2023

City of Fayetteville
Planning Department
125 West Mountain Street
Fayetteville, AR 72701

RE: Weinerschnitzel – Wedington; Planning Commission Variance from UDC Section 166.25(D)(2)

Dear Planning Commission,

The applicant is requesting a Planning Commission Variance from the cross-connection requirements found in UDC Section 166.25(D)(2). The site plan currently provides cross connection to the east, and west with a driveway accessing Wedington to the south. The applicant is requesting a variance from the requirements to provide a stub out to the north because the existing infrastructure does not allow any foreseeable expansion through the subdivision from our property. In addition, we are anticipating much of our tree preservation requirements will be met by preserving the existing canopy along the north property line.

Thank you for your consideration in the matter and if you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely

Bates & Associates, Inc.

Jake Chavis, E.I.

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.
WILLIAM A. KELLSTROM
* ALSO LICENSED IN MISSOURI

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

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

November 16, 2023

City of Fayetteville
Planning Commission
Attn: Sarah Sparkman, Chair
125 W. Mountain Street
Fayetteville, AR 72701

RE: Planning Commission Variance for Drive-Thru Restaurant Development on Parcel No. 765-13234-000

Dear Planning Staff:

My name is Will Kellstrom and I have been retained to assist the applicant, Land of Dog Fayetteville, LLC ("Applicant"), with respect to this variance request. This variance request is submitted simultaneously with a request for a Conditional Use Permit for Use Unit 18, Drive-Thru/Drive-In Restaurant on Parcel No. 765-13234-000. The Applicant is requesting a variance from the fifty percent (50%) glazing requirement of the Fayetteville UDC, §166.24.

Section 166.24(D)(7)(b)(ii) of the Fayetteville UDC provides as follows:

"(b) *Glazing*. In order to create a proportion of solids to voids and pedestrian interest the following standards shall apply:

. . .

(ii) A building façade located outside of a build-to zone shall be glazed no less than 30% of the first or ground floor at the pedestrian level between 2 and 12 feet above the Finished Floor Elevation (FFE)."

The applicant is requesting that said glazing requirement be reduced to 21%. In place of the glazing, the Applicant is proposing that a locally relevant/significant mural be painted on a portion of the wall which would otherwise be glazed.

Section 156.03 of the Fayetteville UDC provides as follows:

1106 WEST POPLAR STREET
ROGERS, AR 72756
PH: 479-636-2168
FX: 479-636-6098
WWW.WATKINSLAWOFFICE.COM

REAL ESTATE, CONSTRUCTION & LIEN LAW, LAND USE & PLANNING
CORPORATE & COMMERCIAL LAW, BANKING, BANKRUPTCY
CRIMINAL LAW, FAMILY LAW, GUARDIANSHIPS, LANDLORD-TENANT
ESTATE PLANNING, ELDER LAW, PROBATE, TRUST LITIGATION
CIVIL LITIGATION, COMMERCIAL & CONSUMER DEBT COLLECTION

"(2) *Commercial, Office and Mixed Use Design and Development Standards.* A variance of the exterior appearance and design standards may be granted by the Planning Commission if it is determined that strict compliance with the code would result in an adverse safety impact, or if the standard should not apply due to a unique situation. In granting the variance the Planning Commission may require principal façades without a prominent entry-way to be designed with distinctive architectural details (such as changes in wall plane, glazing, human scale elements such as canopies, awnings, small scale lighting, or other feature) to ensure the intent of the code is met."

The proposed project is a drive-thru restaurant. Due to the nature of drive-thru restaurants, the buildings are usually small and linear, and devote a large portion of the building square footage to kitchen space. When turned such that the long facade of the building faces the street, a large portion of the kitchen will necessarily be behind that facade. As a result, if the developer were to glaze any more percentage of the frontage, there would be windows peering into the kitchen, and would result in a less attractive storefront than if it were glazed according to code. In short, the glazing requirement is should not apply here due to the size of the building, and other design choices that were made to satisfy other portions of the code, such as orienting the building to meet the minimum build-to frontage requirements.

To compensate for the lack of glazing, the developer is proposing that the kitchen portion of the building be painted with a large mural that is locally relevant, which would fulfill the pedestrian-friendly purpose of the glazing. The mural would make for a more attractive and inviting storefront for pedestrians than opaque and non-interactive windows. If the mural were treated as glazing, the mural and proposed glazing would meet the requirement, at a total figure of 51%. In addition, the developer has added a walled seating area with windows that face the sidewalk, park benches near the sidewalk on brick pavement, and a bike rack. Together, all of these additions contribute to a pedestrian-friendly storefront and meet the intent of the relevant UDC code sections.

A rendering depicting the proposed mural has been attached hereto.

Thank you for considering this request for a conditional use permit. If you have any questions, please contact me at 479-636-2168 or at wkellstrom@watkinslawoffice.com.

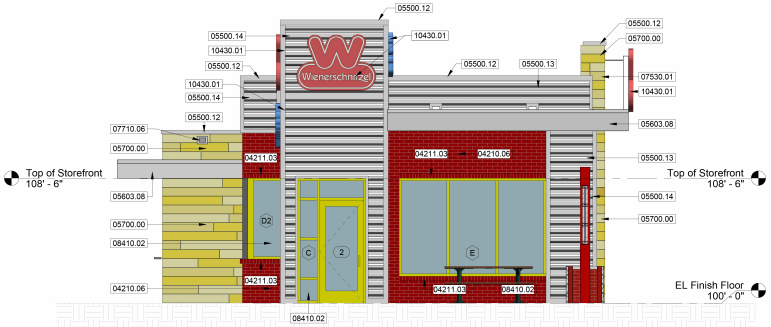
Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ *Will A. Kellstrom*

Will A. Kellstrom

WK:
pc:



1 A-201 West Elevation
1/4" = 1'-0"

Keynote Legend

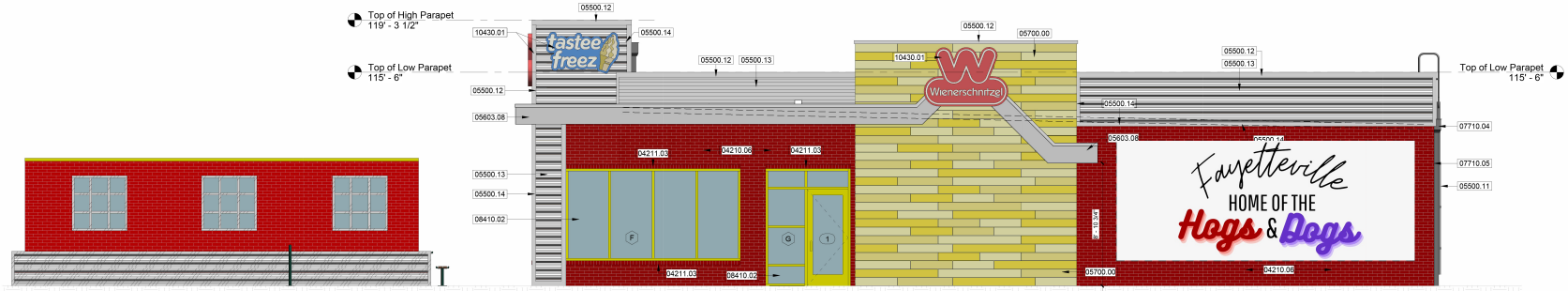
Key Value	Keynote Text
04210.06	STANDARD KING SIZE FACE BRICK - 3/8" JOINT
04211.01	3/4" THIN TECH MASONRY VENEER - BRICK COLOR #1 - BASIS OF DESIGN "GLEN-GERY" OR EQUIVALENT - INSTALLED AS PER MANUFACTURER SPECIFIICATIONS
04211.03	MASONRY ROWLOCK BRICK COLOR
05500.11	GALV STEEL ROOFTOP ACCESS LADDER W/ 42" GRAB RAILS, 8' SECURITY LADDER GUARD - FACTORY PAINT FINISH
05500.12	PRE-FINISHED METAL COPING - PAINT/ FINISH TO METAL WALL PANEL PAINT/ FINISH
05500.13	METAL WALL PANEL - (T-16E) PROFILE - GALVALUME FINISH
05500.14	METAL WALL TRIM - VARIES BY LOCATION
05603.08	PRE-FINISHED METAL FASCIA - COLOR MATCH METAL WALL PANEL
05700.00	NICHIHA - FLUSH AND REVEAL HORIZONTAL PANEL - SEE NICHIHA CONSULTANT FOR COLOR VARIATION ON PATTERN
07530.01	TPO MEMBRANE ROOF - SLOPE AS INDICATED
07710.04	PRE-FINISHED SHEET METAL LEADER BOX
07710.05	PRE-FINISHED METAL DOWNSPOUT
07710.06	6" x 4" THRU-WALL GALV METAL OVERFLOW W/TPO FLANGE - WELD TO MEMBRANE PER MFR INSTRUCTIONS - WITH OVERFLOW OPENING PER DEATIL
08410.02	ALUMINUM STOREFRONT - REF SCHEDULE FOR TYPE - GLAZING AND FINISH
10430.01	ILLUMINATED SIGNAGE BY OTHERS - GC TO PROVIDE POWER AS REQUIRED 500
10443.12	POP GRAPHIC - REF DETAILS SHEET A-500

Exterior Finish Selections

Key Value	Information
05603.08	Metal Fascia: Supplier: TBD Color: match metal Wall Panel
05500.12	Metal Parapet Coping: Supplier: TBD Color: match metal Wall Panel
05500.13	Metal Wall Panel: Supplier: TBD Color: match metal Wall Panel
05500.14	Metal Wall Trim: Supplier: TBD Color: match metal Wall Panel
05700.00	Flush Metal Wall Panel: Supplier: Proc-Clad Color: tri color combination - Color_001 - Color_001 - Color_001
07240.10	Exterior Insulation Finish System (EIFS): Supplier: Dryvit Color: Red
	Anodized Aluminum: Supplier: TBD Color: Red

Exterior Signage Notes - General

1. EXTERIOR SIGNAGE IS SUBJECT TO A SEPARATE PERMIT TO BE OBTAINED BY A LICENSED SIGN COMPANY, AND IS SHOWN FOR INFORMATION PURPOSES ONLY. SIGN COMPANY SHALL VERIFY THAT ALL SIGNAGE COMPLIES WITH THE REQUIREMENTS OF CITY OF FAYETTEVILLE SIGN ORDINANCES.
2. SIGN COMPANY SHALL NOTIFY THE ARCHITECT IF NOMINAL SIZE AND LOCATION OF SIGNAGE SHOWN IS NOT IN ACCORDANCE WITH REGULATIONS.
3. FOR WALL SIGNS, GENERAL CONTRACTOR SHALL PROVIDE BRANCH ELECTRICAL CIRCUIT TO A BOX ON THE WALL BEHIND THE PROPOSED SIGN LOCATION. DO NOT PENETRATE THE EXTERIOR FINISH OF THE WALL. SIGN COMPANY SHALL MAKE FINAL CONNECTIONS AS REQUIRED.



2 A-201 South Elevation
1/4" = 1'-0"

HENRY ARCHITECTURE
1772 N COLLEGE AVE, SUITE C - BOX #153,
FAYETTEVILLE, AR 72703
PHONE: 479.530.9693
EMAIL: CHENRY@HENRYARCHITECTURE.COM

REGISTERED ARCHITECT
CHARLES J HENRY IV
No. 3225
STATE OF ARKANSAS
07-10-2023

No.	Description	Date

Fayetteville, Arkansas

Exterior Elevations - South & West

Project Number	23-005
Initial Sealed Release Date:	10-02-2023
Project Lead:	Ethan Fleshman
Contact:	254.644.0444
Reviewed By:	Lonnie Gary
Contact:	805.548.3388

A-201

10/17/2023 8:38:40 AM

PARKING REQUIREMENTS (RESTAURANTS):	
RESTAURANTS (1 PER 100 SQ. FT. OF GFA PLUS 4 SPACES PER DRIVE THROUGH WINDOW)	1500 SQ. FT.
PARKING SPACES ALLOWED:	19
STANDARD SPACES PROVIDED:	21
ADA SPACES REQUIRED/PROVIDED:	1/1
TOTAL SPACES PROVIDED:	22
BICYCLE SPACES REQUIRED/PROVIDED:	1/4
MOTORCYCLE/SCOOTER PARKING REQUIRED/PROVIDED:	0

AREA INFORMATION:	
TOTAL SITE AREA	45,277.7 SQ. FT. (1.05 AC+/-)
PROPOSED IMPERMEABLE AREA:	25536.62 SQ. FT. (56.4%)
PROPOSED GREENSPACE:	19753.9 SQ. FT. (43.6%)
BUILDING COVERAGE:	1467 SQ. FT. (03.2%)

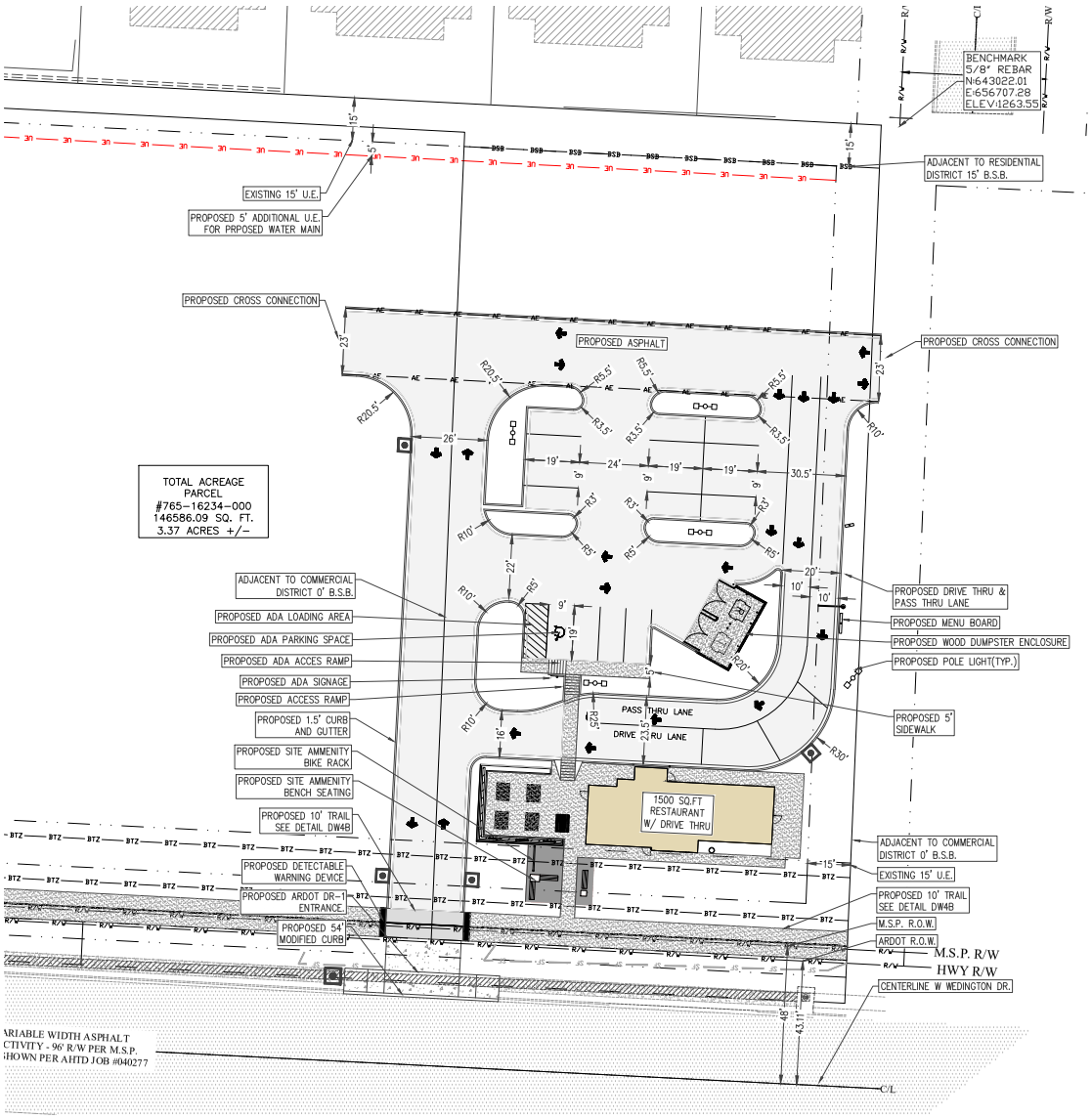
NORTH

0 20 40
GRAPHIC SCALE IN FEET

CALL BEFORE YOU DIG! ARKANSAS ONE CALL 1-800-482-8998

LEGEND

PROPOSED	EXISTING	DESCRIPTION
		ACCESS EASEMENT
		ASPHALT (EDGE)
		ASPHALT (SURFACE)
		BOLLARD
		BUILDING
		BUILDING SETBACK LINE
		CABLE TV (UNDERGROUND)
		CENTERLINE
		CONCRETE (EDGE)
		CONCRETE (SURFACE)
		CONDUIT
		CONTOURS
		CURB & GUTTER
		DRAINAGE FLOW
		DUMPSTER
		UTILITY EASEMENT
		ELECTRICAL (UNDERGROUND)
		ELECTRICAL (OVERHEAD)
		ELECT. TRANSFORMER
		EROSION CONTROL FENCE
		EROSION CONTROL RIP-RAP
		FENCE (EX. WIRE/PR. SCREENING)
		FIBER OPTIC CABLE
		FIRE HYDRANT ASSEMBLY
		FLOWLINE
		FORCE MAIN
		GAS MAIN
		GAS METER/VALVE
		GRAVEL (EDGE)
		GRAVEL (SURFACE)
		IRON PIN – (RE-BAR)
		LIGHT
		POND
		POWER POLE
		PROPERTY LINE
		RETAINING WALL
	R/W	RIGHT-OF-WAY
		SANITARY SEWER MANHOLE
		SANITARY SEWER PIPE
		SANITARY SEWER SERVICE
		SECTION/TIE LINE
		SIDEWALK
		SIGN
		SPOT ELEVATION
		STABILIZED CONSTRUCTION ENT.
		STORM SEWER INLET
		STORM SEWER PIPE
		STRIPE (PAINTED OR STICKY)
		TELEPHONE PED/MANHOLE
		TELEPHONE (UNDERGROUND)
		TREE LINE CANOPY
		TREE/TREE TO BE REMOVED
		WATER MAIN BLOWOFF VALVE
		WATER MAIN FIRE DEPT. CONN.
		WATER MAIN PIPE
		WATER MAIN REDUCER
		WATER MAIN THRUST BLOCK
		WATER METER
		WATER METER (IRRIGATION)
		WATER VALVE



STREET NOTES:

1. ANY STREET OR LANE CLOSURE MUST BE APPROVED THROUGH THE ENGINEERING DIVISION. APPLICATION AND ADDITIONAL INFORMATION CAN BE FOUND AT OUR WEBSITE: HTTP://AR-FAYETTEVILLE.CIVICPLUS.COM/1058/ROAD-LANE-CLOSURES
–SCHEDULE A SITE VISIT WITH CHUCK RUTHERFORD 575-8291 TO ESTABLISH THE CONDITION OF THE EXISTING CURB. ALL EXISTING CURB CUTS WILL BE REMOVED AND REPLACED WITH STANDARD CURB, ANY CURB TO REMAIN THAT IS CURRENTLY DAMAGED OR CRACKED SHALL BE REMOVED AND REPLACED WITH STANDARD CURB, AND CURB DAMAGED DURING CONSTRUCTION SHALL BE REMOVED AND REPLACED.

NOTES TO CONTRACTOR:

1. ALL OUTDOOR LIGHTING SHALL BE REVIEWED PRIOR TO BUILDING PERMIT APPROVAL FOR COMPLIANCE WITH THE OUTDOOR LIGHTING ORDINANCE.
2. ALL UTILITIES AND MECHANICAL EQUIPMENT SHALL BE SCREENED BY INCORPORATING SCREENING INTO THE STRUCTURE UTILIZING MATERIALS COMPATIBLE WITH THE SUPPORTING BUILDINGS.
3. MECHANICAL AND UTILITY EQUIPMENT OVER 30 INCHES IN HEIGHT SHALL MEET BUILDING SETBACKS.
4. ALL NEW UTILITIES SHALL BE PLACED UNDERGROUND, AND ALL EXISTING UTILITIES UNDER 12KV SHALL BE RELOCATED UNDERGROUND.
5. ALL CONDUITS PLACED BY CONTRACTOR MUST HAVE 48" OF COVER AT FINAL GRADE AND MARKED WITH POST TO IDENTIFY THE END OF CONDUITS. THERE MUST BE A MINIMUM SEPARATION OF 12" BETWEEN CONDUITS FOR ELECTRIC AND CONDUITS FOR OTHER UTILITIES.
6. DAMAGE TO OR RELOCATION OF EXISTING UTILITIES SHALL BE AT THE DEVELOPERS EXPENSE.
7. ALL METER LOCATIONS AND BACKFLOW PREVENTION FOR THE FIRE SPRINKLER SYSTEMS MUST BE APPROVED BY DON OSBURN OF THE CITY OF FAYETTEVILLE METER OPERATIONS DIVISION (575-8384)
8. THE ENGINEER OF RECORD SHALL PROVIDE "FULL TIME" INSPECTION FOR UTILITIES AND "PART TIME" INSPECTION FOR THE STORM DRAINAGE AND ROADWAY CONSTRUCTION, AND WEEKLY REPORTS SHALL BE SUBMITTED TO THE CITY OF FAYETTEVILLE'S PUBLIC WORKS INSPECTOR.
9. NOTIFY PUBLIC WORKS INSPECTOR IN ADVANCE OF PERFORMING WORK IN THE RIGHT OF WAY OR PUBLIC INFRASTRUCTURE
10. SERVICE TAPS ON EXISTING MAINS SHALL BE MADE BY THE CITY, AND FEES PAID BY OWNER
11. AHTD PERMIT REQUIRED TO PERFORM WORK IN THE STATE RIGHT OF WAY.
12. ALL AREAS NOT DESIGNATED AS PARKING SPACES SHALL BE IDENTIFIED AS "NO PARKING – FIRE LANE"
13. MOTORCYCLE/SCOOTER PARKING SPACES TO BE IDENTIFIED WITH PAVEMENT MARKING OR SIGNAGE.
14. TRASH ENCLOSURES SHALL BE SCREENED ON THREE SIDES WITH MATERIALS COMPLIMENTARY TO AND COMPATIBLE WITH THE PRINCIPAL STRUCTURE, WITH ACCESS NOT VISIBLE FROM THE STREET. AN ELEVATION DEPICTING THE MATERIALS AND COLORS OF THE SCREEN WILL BE REQUIRED TO BE APPROVED BY PLANNING DIVISION PRIOR TO BUILDING PERMIT.
15. ALL SIGNS MUST BE PERMITTED BY SEPARATE PERMIT.
16. IRRIGATION TO BE PROVIDED BY CONTRACTOR.
17. ALL EXISTING UTILITY LOCATIONS MUST BE VERIFIED BY CONTRACTOR PRIOR TO SUBMITTING A BID.
18. DIRECTIONAL ARROWS, STRIPING AND SIGNAGE IS THE RESPONSIBILITY OF THE CONTRACTOR.
19. PER ORDINANCE 6165, NO GAS STATIONS OR UNDERGROUND CHEMICAL/PETROLIUM STORAGE TANKS SHALL BE PERMITTED ON SITE.

DRAWN BY: M.Williams
ENGINEER: G. Bates

SENTIOR ARKANSAS REGISTERED PROFESSIONAL ENGINEER No. 98 GEOFFREY BATES
10/04/2023
CERTIFICATE OF AUTHORITY BATES ASSOCIATES, INC. #335

REVISIONS	DATE
1ST SUBMITTAL	10/04/2023

WIENERSCHNITZEL
SMALL SITE IMPROVEMENT PLAN
SITE PLAN
FAYETTEVILLE, ARKANSAS

Bates & Associates, Inc.
www.batesinc.com
Civil Engineering & Surveying
7230 S. Pleasant Ridge Drive • Fayetteville, Arkansas 72704 • 479.442.8500 • Fax 479.521.9330

PROJECT NO 23-028

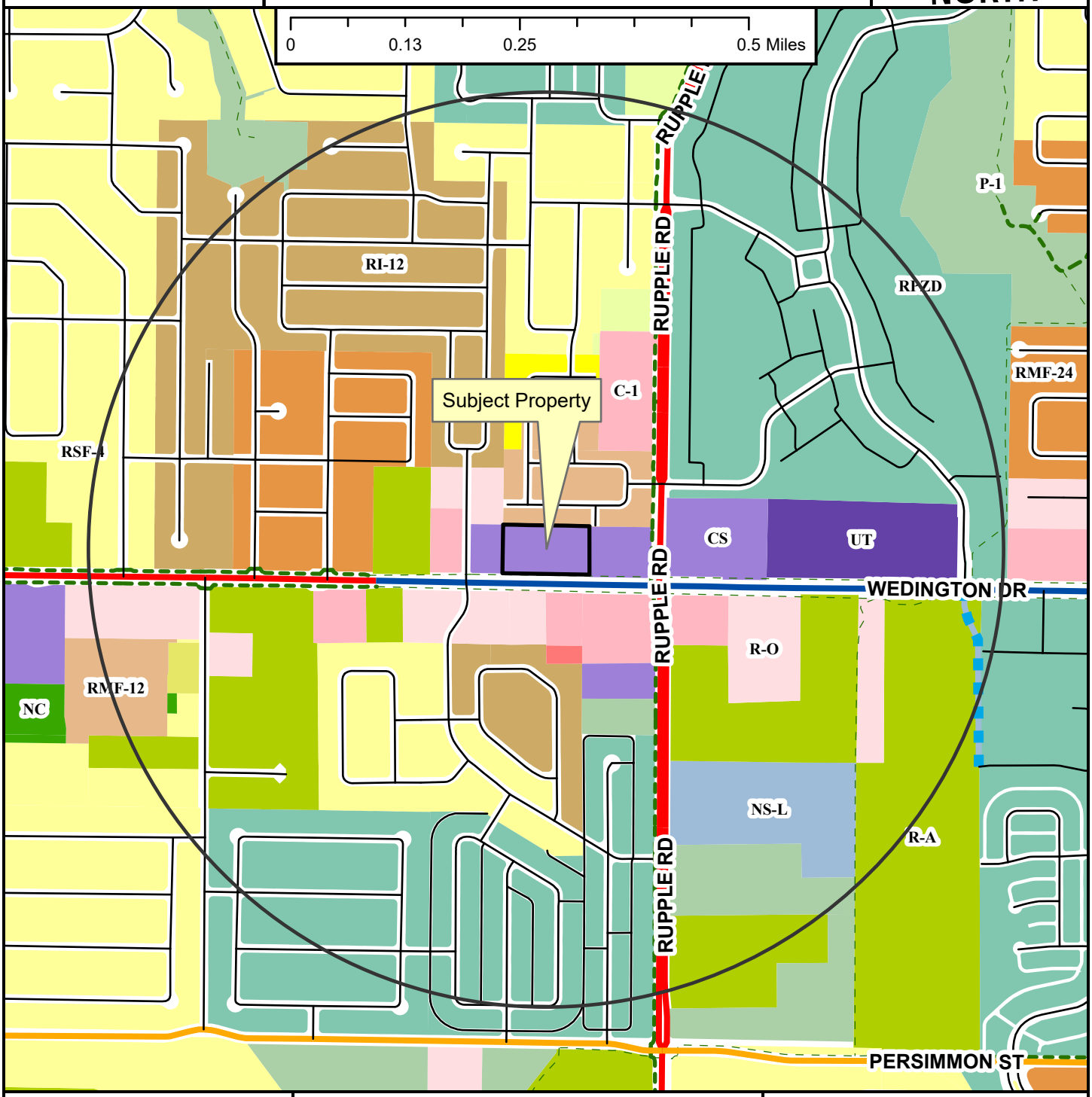
DRAWING NO 03

ADM-2023-0044

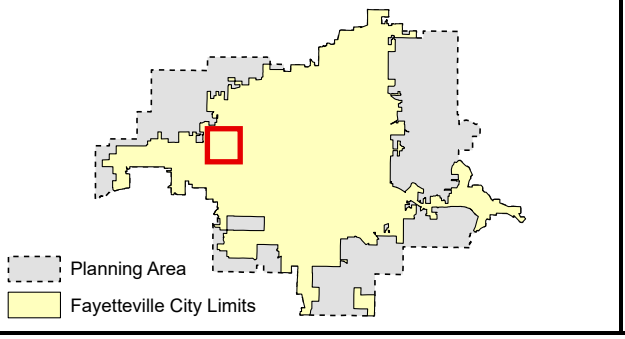
One Mile View

NORTHEAST OF W. WEDINGTON DR & N.

NORTH



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



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

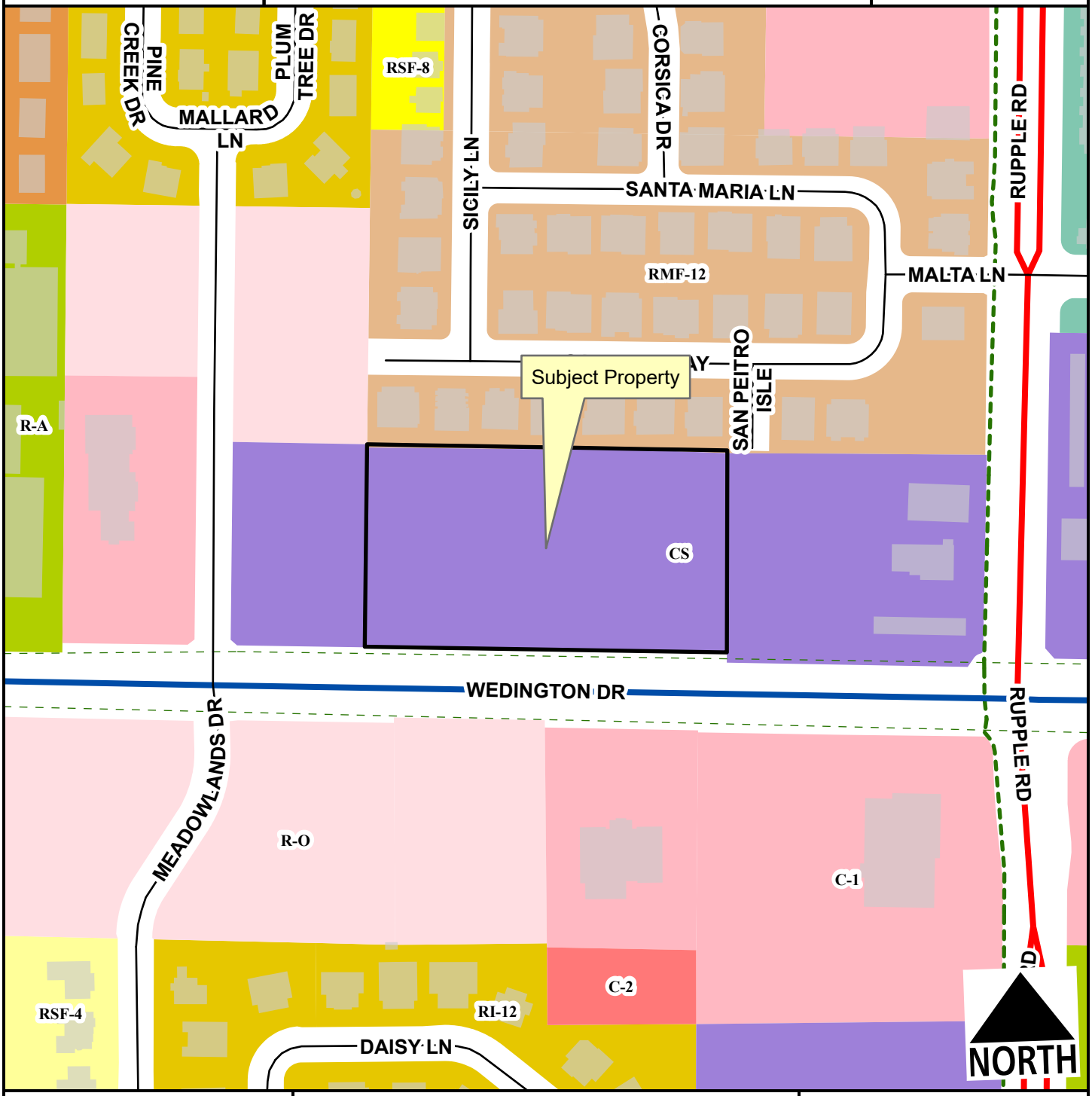
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

ADM-2023-0044

Close Up View

NORTHEAST OF W. WEDINGTON DR & N.



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

Feet

0 75 150 300 450 600

1:2,400

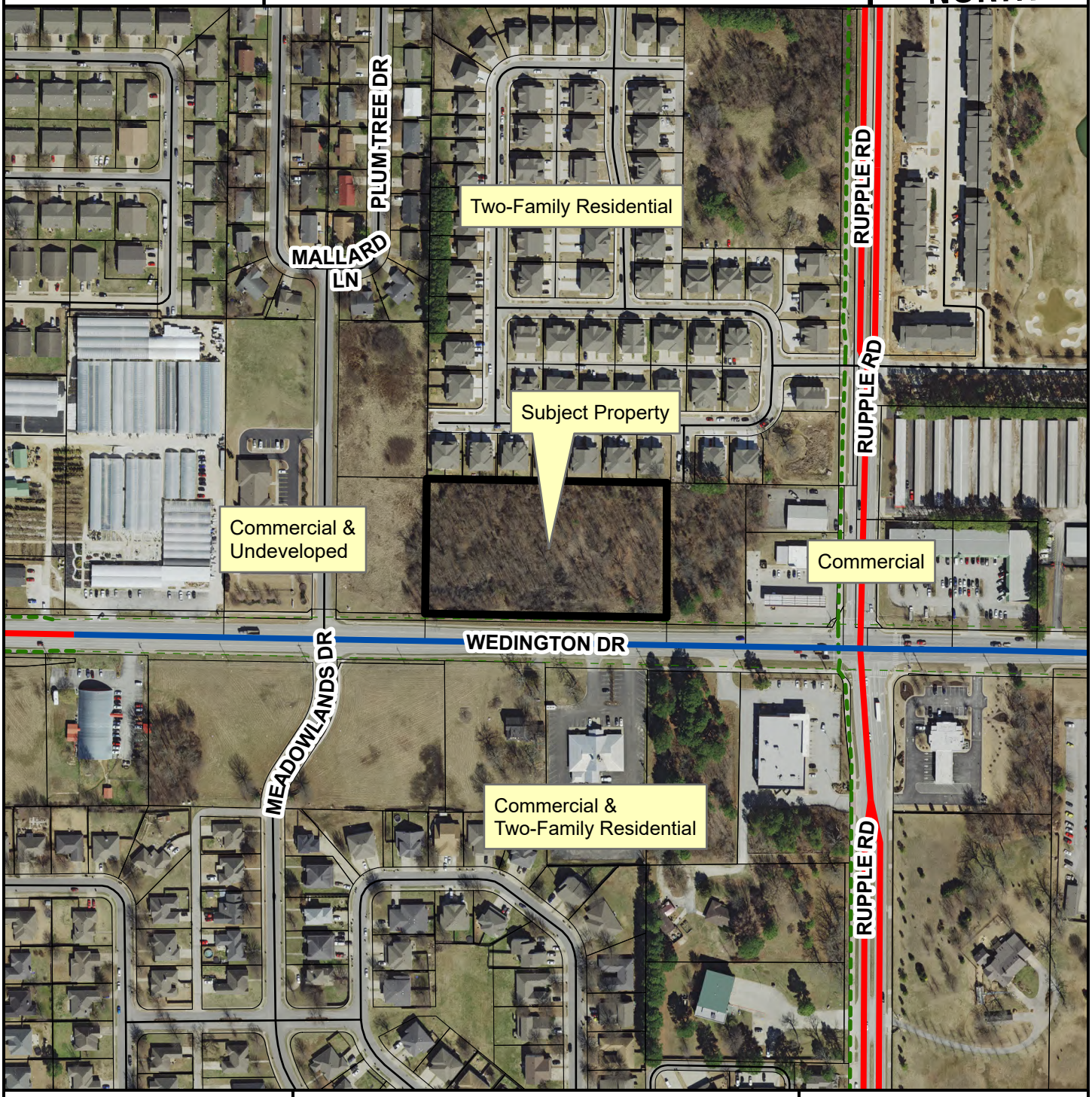
- Residential-Agricultural
- RSF-4
- RSF-8
- RI-12
- RMF-12
- RMF-24
- Residential-Office
- C-1
- C-2
- Community Services
- Commercial, Industrial, Residential

ADM-2023-0044

Current Land Use

NORTHEAST OF W. WEDINGTON DR & N. MEADOWLANDS DR

NORTH



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

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

FROM: Jessie Masters, Development Review Manager
Josh Boccaccio, Staff Engineer

MEETING DATE: December 11, 2023

SUBJECT: **ADM-2023-0048: Administrative Item (1110 N. GARLAND AVENUE, ROADRUNNER APPEAL/FAYETTEVILLE STRONG, BARTLETT, 405):** Submitted by DELANI BARTLETTE for property located at 1110 N. GARLAND AVENUE. The properties are zoned C-1, NEIGHBORHOOD COMMERCIAL and contains approximately 1.3 acres. The request is for an appeal to an approved grading permit.

RECOMMENDATION:
Staff recommends denial of **ADM-2023-0048.**

RECOMMENDED MOTION:
"I move to deny **ADM-2023-0048,** recognizing the applicant's approved grading permit."

BACKGROUND:
The subject property is located at the northeast corner of N. Garland Avenue and W. North Street and is bordered by N. Lindell Avenue to the east and Mount Comfort Road to the north. The property currently consists of two parcels, which, until recently demolished, were developed with a commercial structures and associated parking. Two separate items were heard and approved by the Fayetteville Planning Commission on Monday, July 24 (VAR-2023-0029 and VAR-2023-0030) which covered variances to commercial design standards, driveway width, drive aisle width, throat length, and access management standards. A grading permit was administratively approved on November 6, 2023 (GRD-2023-0051). Public improvements are proposed at the intersection of North and Garland and along the property's frontage, which include medians and the addition of sidewalks in the area. Surrounding land use and zoning is depicted in Table 1.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Mixed Retail / Restaurant	C-2, Thoroughfare Commercial
South	Mixed Retail / Multifamily Residential	C-2, Thoroughfare Commercial RMF-40, Residential Multifamily (40 units / acre)
West	Bank / Grocer	C-1, Neighborhood Commercial C-2, Thoroughfare Commercial
East	Restaurant	C-2, Thoroughfare Commercial

*Request***:** The applicant seeks to appeal staff's issuance of a grading permit for a gas station. The applicant has cited 169.01(B) as the reason why the grading permit should be denied, arguing that it runs counter to the intent of the chapter and that the existing scenic character and quality of the neighborhood and city as a whole would be diminished by the permit's approval.

The applicant also contests the variances that were previously-approved by the Planning Commission. Code requires that variances can only be appealed to the City Council once an approval or denial of an overall project is first granted by the Planning Commission, which is why the staff approval of the grading permit is being appealed first to the Planning Commission.

DISCUSSION:
In July 2023, Planning Commission heard two separate variance applications, VAR-2023-0029 and VAR-2023-0030, which in total represented six separate variances for the proposed development of a gas station, Use Unit 18, in C-1 zoning. Gas stations are a by-right, permitted use in the C-1 zoning district. The variances that were under consideration were split into two separate items at the applicant's request, but the Planning Commission chose to hear them together.

- **VAR-2023-0029:**
  - §166.25(C)(4), Commercial, Office, and Mixed-use Design and Development Standards, to allow a principal façade facing a street without a prominent entrance. Staff recommended approval given the site's unique characteristic of having 4 street frontages.

- **VAR-2023-0030:**
  - §172.04(F)(4)(a)(ii) Entrances and Internal Aisle Design for Parking Lots Containing Nine (9) or More Parking Spaces, to allow wider than typical driveway entrances. Staff recommended partial approval, recommending that the driveway along Mount Comfort Road be narrowed to 24 feet wide, but recommended in favor of the driveway along N. Lindell Avenue to be a maximum of 41 feet 3 inches wide based on the necessity of accommodating turning radii of large fuel trucks.

  - §172.04(F)(4)(b)(iii) Internal Aisle Design, to allow for wider than typical drive aisles. Staff recommended in favor of expanding the drive aisles for this use, finding that there was a necessity of accommodating the routing of larger vehicles throughout the site. Staff recommended a condition of approval narrowing the drive aisle between the fuel stations and the convenience store (that Planning Commission ultimately struck).

  - §172.04(F)(1) Throat Length, to allow for a shorter than typical throat length. Staff recommended in favor of this variance, finding that adequate stacking space for vehicles could be found on-site, even with the shortened throat length.

  - §166.08(F) Access Management, to allow for two driveway entrances where typically only one would be permitted by right. Staff recommended in favor of the request, since the proposal was reducing the number of curb cuts on the overall site from three to two, and providing a higher priority on access to the lower classification street.

  - §166.08(F)(2)(a) Curb Cut Separation, to allow for a curb cut to be less than 50 feet from an intersection. Staff recommended in favor of the request since the applicant's proposal was reducing the amount of non-conformity of the proposed curb.

Commissioners opposed to the request expressed issues about the proposal, including the concern about the number of variances that were being requested, the scale of the gas station being proposed, the number of pedestrian and bike accidents that have occurred in the area, the

number of vehicle crashes that have occurred in the area, and potential to negatively affect traffic. Commissioners in favor of the proposal found that the variances were appropriate for the location and the proposed development, found that the applicant made a good effort to reduce the number of variances, and understood that it was an allowable use in the zoning district. Senior Assistant City Attorney indicated that the Planning Commission had discretionary authority to grant conditions to variances. A member of the applicant's team indicated that most of these variances would be required for any development on-site, minus the requirement for wider interior drive aisles.

One phone call in opposition to the requests was received and reported by City staff prior to the July 24 Planning Commission meeting. No members of the public spoke at the meeting. Public comment was received by City staff following the Planning Commission determination in opposition to the Planning Commission's approval.

On June 22, 2023, the applicant submitted grading permit GRD-2023-0051 for staff review. The grading permit, after 3 rounds of review and staff comment, was issued a conditional approval letter by the Engineering Division, the Utilities Division, and Urban Forestry September 29, 2023. On November 6, 2023, the project was approved after a fourth and final review. Staff comments include mention that all conditions of approval as outlined by VAR-2023-0030 were met with this request, and that those conditions of approval as outlined by VAR-2023-0029 would be further evaluated with the application of a building permit. The Engineering Division has provided a summary of review comments, as well as a copy of the conditional approval letter.

During grading permit review, Engineering staff also identified an opportunity for a cost share with the development, wherein the developer would install the planned improvements along their frontage above and beyond what would typically be required, and the City would reimburse for those additional improvements. A cost share requires City Council approval, which has not yet been in front of that body for consideration.

Public Comment: Written public comment has been received by City staff in opposition to the request and it is attached to this report for the Commission's consideration.

RECOMMENDATION: Staff recommends denial of ADM-2023-0048.

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: December 11, 2023	**❒ Tabled**	**❒ Approved**	**❒ Denied**
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:
None

Attachments:

- Planning Commission staff reports:
  - VAR-2023-0029
  - VAR-2023-0030
- Engineering Memo
- Urban Forestry Memo
- Appeal Request Letter
- Public Comment
- One Mile Map
- Close-up Map
- Current Land Use Map

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Donna Wonsower, Planner

MEETING DATE: July 24, 2023 (UPDATED WITH MEETING RESULTS)

SUBJECT: **VAR-2023-0029: Planning Commission Variance (W. MT COMFORT RD & N LINDELL AVE/ ROAD RUNNER, 405):** Submitted by FINNEL PURIFOY ARCHITECTS for property located at W. MT. COMFORT RD & N. LINDELL AVE. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL and contains approximately 0.62 acres. The request is for variances to Building Exterior Appearance and Design Standards.

RECOMMENDATION:
Staff recommends approving **VAR-2023-0029**, with conditions.

RECOMMENDED MOTION:
*"I move to approve **VAR-2023-0029**, recommending:*

- *In favor of the requested commercial, office and mixed-use development standards variance; and*
- *In favor of all other conditions as recommended by staff."*

BACKGROUND:
The subject property is located at the northeast corner of N. Garland Ave and W. North St and is bordered by N. Lindell Ave to the east and Mount Comfort Rd to the north. The property currently consists of two parcels, each developed with a commercial structure and associated parking. These buildings are intended to be demolished with the new construction. A separate variance request has been submitted by Ecological Design group for multiple parking lot design and access management variances (VAR-2023-0030). Surrounding land use and zoning is depicted in Table 1.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Mixed Retail / Restaurant	C-2, Thoroughfare Commercial
South	Mixed Retail / Multifamily Residential	C-2, Thoroughfare Commercial RMF-40, Residential Multifamily (40 units / acre)
West	Bank / Grocer	C-1, Neighborhood Commercial C-2, Thoroughfare Commercial
East	Restaurant	C-2, Thoroughfare Commercial

Request: The applicant requests building permit approval to construct an approximately 3,500-square foot convenience store, associated parking, EV chargers, and gas pump canopy for 8 pumps. As a part of this proposal, the architect has submitted a request for a variance from one

chapter of the Unified Development Code as outlined below alongside staff's recommendations. A separate application was submitted for site design variance requests:

DISCUSSION

Variance #1: §166.25(C)(4), Commercial, Office, and Mixed-Use Design and Development Standards. For nonresidential development that occurs along a public street, all structures are required to include a front façade with a prominent entry facing the right-of-way. Given the subject property fronts existing or proposed public streets on all sides, a principal façade and entrance is required for each building elevation. The applicant's proposed structure includes an entrance to the northwest and southwest, facing N. Garland Ave and W. North St. respectively.

- *Staff recommendation:* Staff supports the request for two primary reasons and subject to conditions of approval. As noted, the subject property will include street frontage on all sides, which is a unique condition. Although multiple street frontages benefit the development through increased accessibility, it does not eliminate the realities of building design wherein back-of-house and support programming is necessary and not conducive to through traffic from the public. With these issues in mind, staff has reviewed the site and floor plans and supports the request with conditions, including the addition of a pedestrian access to the building from the south, west, and north. Staff also recommends increasing the prominence of the entry on the southern façade through techniques such as the use of glazing along the south façade in support areas, extending the covered walking area over the doorway, outdoor planters or other features. Windows may be reflective for security considerations associated with cash handling but should increase visibility to the south of the building.

Public Comment: Staff received one phone call expressing general opposition to the proposed variance request.

RECOMMENDATION: Staff recommends approval of VAR-2023-0029, with the following conditions.

Conditions of Approval:

1. **Planning Commission determination of a variance of Fayetteville Unified Development Code §166.25(C)(4), Commercial, Office, and Mixed-use Design and Development Standards, to allow a principal façade facing a street without a prominent entrance**. *Staff recommends approval of the requested variance for the reasons outlined above and subject to the following conditions:*
    a. *A pedestrian route will be provided from the public sidewalk along W. North St., Mount Comfort Rd, and N. Lindell Ave.*
    b. *Prominence of southern entry shall be increased through additional glazing, extension of covered walkway, outdoor planters or other architectural features.*

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**	**YES**		
Date: July 24, 2023	❒ **Tabled**	☒ **Approved**	❒ **Denied**	
Motion:	WINSTON	With Conditions as recommended by staff		
Second:	HOLCOMB			
Vote:	6-2-0			

BUDGET/STAFF IMPACT:
None

Attachments:

- Unified Developed Code:
  - §166.25, Commercial, Office, and Mixed-use Design and Development Standards
- Request Letter
- Site Plan
- Building Elevations
- Floor Plan
- Building Materials Exhibit
- One Mile Map
- Close-up Map
- Current Land Use Map

166.25 - Commercial, Office and Mixed-Use Design And Development Standards

(A) *Purposes.*

(1) To protect and enhance Fayetteville's appearance, identity, and natural and economic vitality.

(2) To address environmental concerns which include, but are not limited to, soil erosion, vegetation preservation, and drainage.

(3) To protect and preserve the scenic resources distributed throughout the city which have contributed greatly to its economic development, by attracting tourists, permanent part-time residents, new industries, and cultural facilities.

(4) To preserve the quality of life and integrate the different zones and uses in a compatible manner.

(5) To address the issues of traffic, safety, and crime prevention.

(6) To preserve property values of surrounding property.

(7) To provide good civic design and arrangement.

(B) *Applicability* . These design and development standards apply to commercial developments, office developments, small scale production, those parts of a planned zoning district or other mixed use developments with commercial and office elements and to industrial developments within the I-540 Overlay District.

(C) *Building Exterior Appearance and Design Standards.* The following exterior development standards and design element guidelines shall be followed:

...

(4) All structures shall be architecturally designed to have front facades facing all adjacent street and highway rights-of-way, and shall include at least one prominent entry-way on the principal façade(s).

...

(F) *Variances.* (See Chapter 156.)

(Ord. No. 5526, 9-18-12; Ord. No. 5735, 1-20-15; Ord. No. 6091 , §1, 9-18-18)

FENNELL | PURIFOY
ARCHITECTS

100 River Bluff Drive, Suite 320 · Little Rock, Arkansas 72202
T 501.372.6734 · F 501.372.6736 · www.fennellpurifoy.com

Tom Fennell, AIA · Phil Purifoy, AIA · Christian Martin, AIA · Colley Burrow, AIA

June 26th, 2023,

Attn: Jessica Masters
City of Fayetteville, AR
City Planning Division
125 West Mountain Street
Fayetteville, AR 72701

RE: Road Runner Fayetteville
Building Exterior Appearance and Design Standards Variance Request

Ms. Masters,

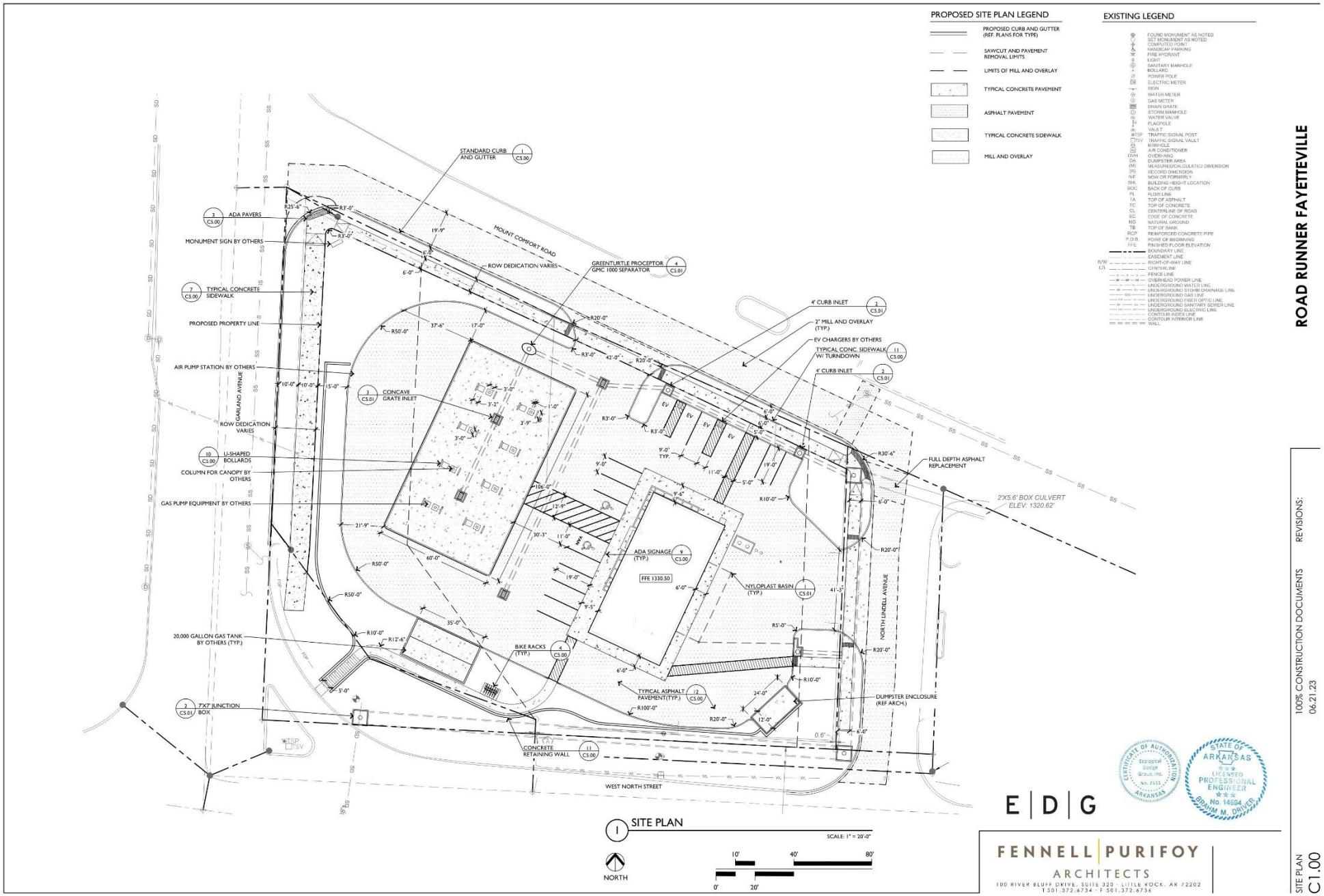
Fennell Purifoy Architects, on behalf of Coulson Oil the owner of Road Runner, is requesting a variance be permitted for a decrease in number of principal facades that require a prominent entryway for front facades facing adjacent street and highway rights-of-way. Per the City's Unified Development Code, Section 166.25 (C) (4) Commercial, Office, and Mixed Use Design and Development Standards; FPA is requesting an approval for a decrease in number of principal facades which require a prominent entryway on facades that façade adjacent streets.

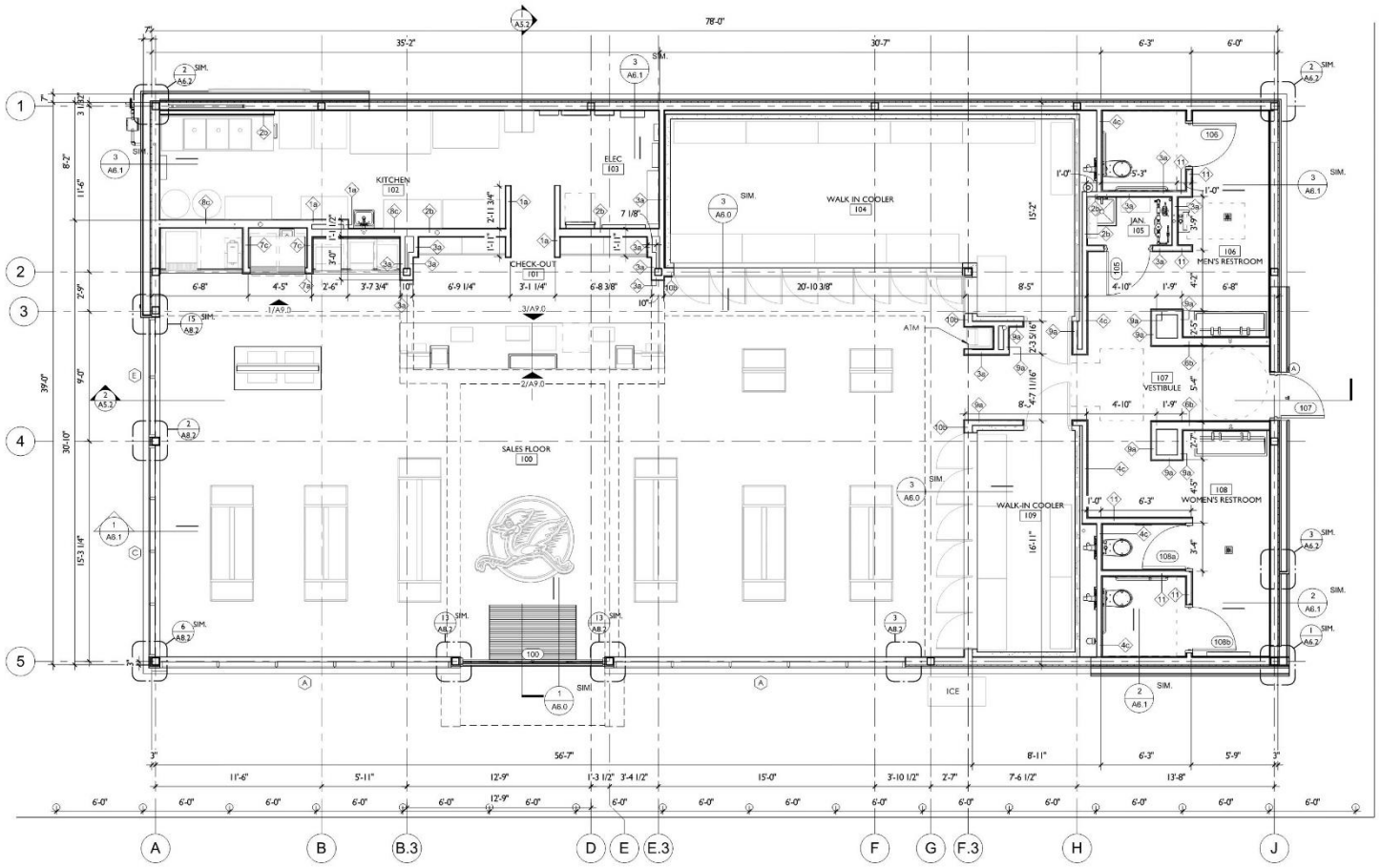
This site is located at the corner of Garland Avenue and North Street and has street frontage along Mt. Comfort Street and Lindell Avenue, making this a unique site which fronts streets on all sides. Another site element which makes the site unique is the steep slope that drops from the southwest to northeast, limiting the site access to the as well as constraining the building and fuel canopy location and orientation on the site. The site topography and building setback determined the best location for the main entry, fuel pumps, and primary parking spaces was along the western side. Due to the programmatic nature, typical daily usage, sight control of fuel pumps, and limited staff visual surveillance of the site and building of the Road Runner convenience store it would not be feasible to require entrances on the other facades.

We have developed each of the facades to have a combination clear glazing, spandrel glazing, ACM panels, fiber cement siding and standard Road Runner signage within the Building Exterior Appearance and Design Standards. There will be pedestrian access and vehicular access to the prominent entry on the west façade from all sides of the building and site. We respectfully request, on behalf of Coulson Oil, that the variance be approved for a reduction in the number of principal facades along street frontages that require a prominent entryway.

Sincerely,

Phil Purifoy, AIA
Fennell Purifoy Architects


PROPOSED SITE PLAN LEGEND
PROPOSED CURB AND GUTTER (REF. PLANS FOR TYPE)
SAWCUT AND PAVEMENT REMOVAL LIMITS
LIMITS OF MILL AND OVERLAY
TYPICAL CONCRETE PAVEMENT
ASPHALT PAVEMENT
TYPICAL CONCRETE SIDEWALK
MILL AND OVERLAY
EXISTING LEGEND
FOUND MONUMENT AS NOTED
SET MONUMENT AS NOTED
COMPUTED POINT
HANDICAP PARKING
FIRE HYDRANT
LIGHT
SANITARY MANHOLE
BOLLARD
POWER POLE
ELECTRIC METER
SIGN
WATER METER
GAS METER
DRAIN GRATE
STORM MANHOLE
WATER VALVE
FLAGPOLE
VAULT
TRAFFIC SIGNAL POST
TRAFFIC SIGNAL VAULT
MANHOLE
AIR CONDITIONER
OVERHANG
DUMPSTER AREA
MEASURED/CALCULATED DIMENSION
RECORD DIMENSION
NOW OR FORMERLY
BUILDING HEIGHT LOCATION
BACK OF CURB
FL FLOOR LINE
TA TOP OF ASPHALT
TC TOP OF CONCRETE
CL CENTERLINE OF ROAD
EC EDGE OF CONCRETE
NG NATURAL GROUND
TB TOP OF BANK
RCP REINFORCED CONCRETE PIPE
P.O.B. POINT OF BEGINNING
F.F.E. FINISHED FLOOR ELEVATION
BOUNDARY LINE
EASEMENT LINE
R/W RIGHT-OF-WAY LINE
C/L CENTERLINE
FENCE LINE
OVERHEAD POWER LINE
UNDERGROUND WATER LINE
UNDERGROUND STORM DRAINAGE LINE
UNDERGROUND GAS LINE
UNDERGROUND FIBER OPTIC LINE
UNDERGROUND SANITARY SEWER LINE
UNDERGROUND ELECTRIC LINE
CONTOUR INDEX LINE
CONTOUR INTERIOR LINE
WALL
STANDARD CURB AND GUTTER 1 C5.00
3 C5.00 ADA PAVERS
MONUMENT SIGN BY OTHERS
7 C5.00 TYPICAL CONCRETE SIDEWALK
PROPOSED PROPERTY LINE
AIR PUMP STATION BY OTHERS
3 C5.01 CONCAVE GRATE INLET
ROW DEDICATION VARIES
10 C5.00 U-SHAPED BOLLARDS
COLUMN FOR CANOPY BY OTHERS
GAS PUMP EQUIPMENT BY OTHERS
20,000 GALLON GAS TANK BY OTHERS (TYP.)
2 C5.01 7X7 JUNCTION BOX
GARLAND AVENUE
MOUNT COMFORT ROAD
ROW DEDICATION VARIES
GREENTURTLE PROCEPTOR GMC 1000 SEPARATOR 4 C5.01
4' CURB INLET 2 C5.01
2" MILL AND OVERLAY (TYP.)
EV CHARGERS BY OTHERS
TYPICAL CONC. SIDEWALK W/ TURNDOWN 11 C5.00
4' CURB INLET 3 C5.01
FULL DEPTH ASPHALT REPLACEMENT
2'X5.6' BOX CULVERT ELEV. 1320.62'
ADA SIGNAGE (TYP.) 9 C5.00
FFE 1330.50
NYLOPLAST BASIN (TYP.) 1 C5.01
BIKE RACKS (TYP.) 4 C5.00
TYPICAL ASPHALT PAVEMENT (TYP.) 12 C5.00
DUMPSTER ENCLOSURE (REF ARCH.)
CONCRETE RETAINING WALL 11 C5.00
NORTH LINDELL AVENUE
WEST NORTH STREET
1 SITE PLAN
SCALE: 1" = 20'-0"
NORTH
10' 40' 80'
0' 20'
E | D | G
FENNELL | PURIFOY
ARCHITECTS
100 RIVER BLUFF DRIVE, SUITE 320 · LITTLE ROCK, AR 72202
T 501.372.6734 · F 501.372.6736
CERTIFICATE OF AUTHORIZATION
Ecological Design Group, Inc.
No. 2513
ARKANSAS
STATE OF ARKANSAS
LICENSED PROFESSIONAL ENGINEER
No. 14604
GRAHAM M. DRIVER
ROAD RUNNER FAYETTEVILLE
100% CONSTRUCTION DOCUMENTS
06.21.23
REVISIONS:
SITE PLAN
C1.00



1 FLOOR PLAN
1/4" = 1'-0"

FENNELL | PURIFOY
ARCHITECTS
100 RIVER BLUFF DRIVE, SUITE 320 · LITTLE ROCK, AR 72202
T 501.372.6734 · F 501.372.6736

REVISIONS:

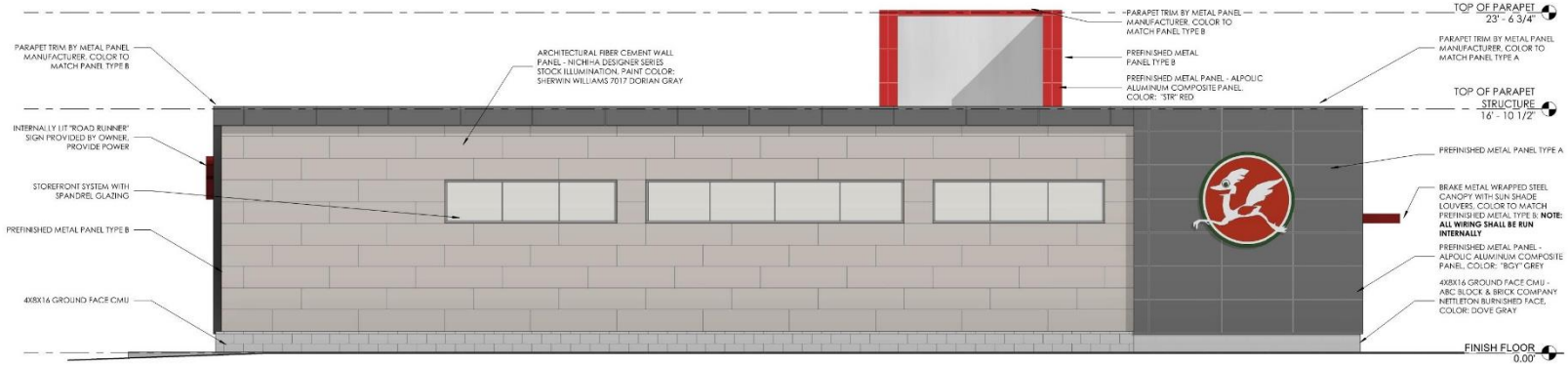
CHECK SET
05.30.23

FLOOR PLAN
A1.0

WEST ELEVATION (GARLAND AVENUE)

1 FRONT ELEVATION
1/4" = 1'-0"

EAST ELEVATION (LINDELL AVENUE)



2 BACK ELEVATION
1/4" = 1'-0"

FENNELL | PURIFOY
ARCHITECTS
100 RIVER BLUFF DRIVE, SUITE 320 · LITTLE ROCK, AR 72202
T 501.372.6734 · F 501.372.6736

REVISIONS:

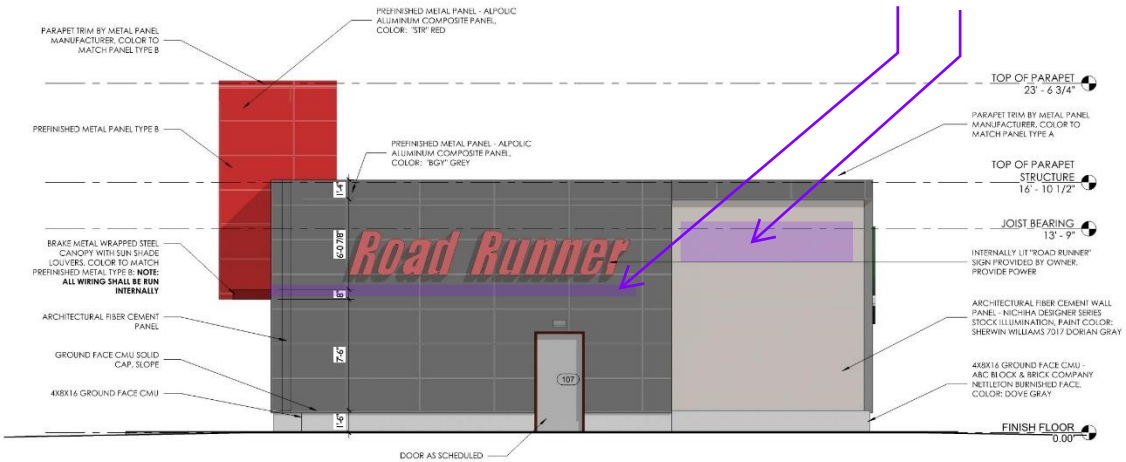
CHECK SET
05.30.23

ELEVATIONS
A5.0

SOUTH ELEVATION (NORTH STREET)

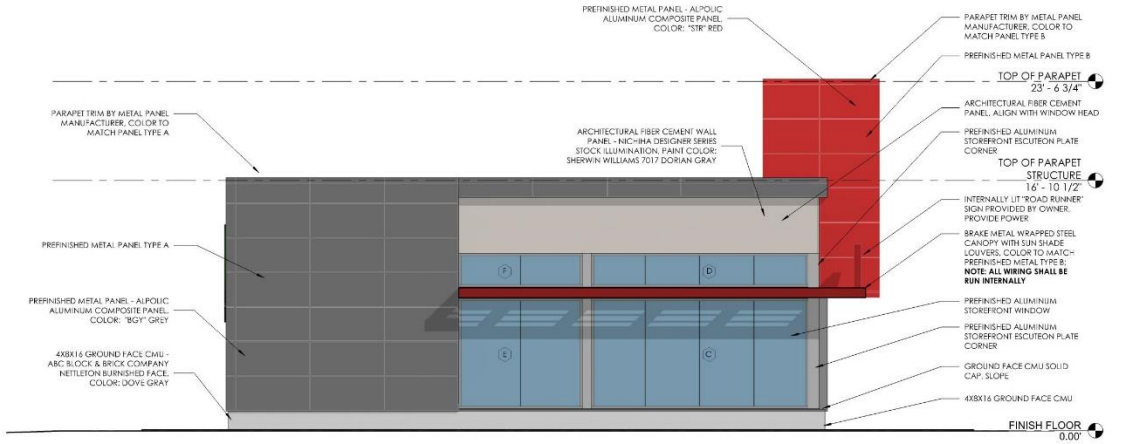
Possible canopy over secondary entry

Possible window location



1 SIDE ELEVATION
1/4" = 1'-0"

NORTH ELEVATION (MOUNT COMFORT ROAD)



2 SIDE ELEVATION
1/4" = 1'-0"

FENNELL | PURIFOY
ARCHITECTS
100 RIVER BLUFF DRIVE, SUITE 320 · LITTLE ROCK, AR 72202
T 501.372.6734 · F 501.372.6736

REVISIONS:

CHECK SET
05.30.23

ELEVATIONS
A5.1

MATERIALS EXHIBIT

Wonsower, Donna

From: Development Services
Sent: Tuesday, July 25, 2023 8:29 AM
To: Wonsower, Donna
Subject: FW: The RoadRunner on Garland/North Street

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Please see below.

Thanks

From: Micah Chaney <micahvonchaney@gmail.com>
Sent: Tuesday, July 25, 2023 7:52 AM
To: Development Services <developmentservices@fayetteville-ar.gov>
Subject: The RoadRunner on Garland/North Street

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.

To Whom It May Concern,

I am writing to express my strong disapproval of the proposed "Roadrunner" gas station development on the corner of North Street and Garland. As a concerned resident and active member of the local community, I feel compelled to voice my concerns regarding this project.

The corner of North Street and Garland holds untapped potential to enhance the community's future appeal. Instead of a gas station, we need projects that align with our neighborhood's essence and contribute positively to its growth and prosperity.

Adding another gas station, "Roadrunner," in close proximity to existing ones is unnecessary and redundant. It will not add any significant cultural or aesthetic value, but rather create an eyesore that detracts from the neighborhood's appeal and potential for future development.

Furthermore, this gas station would hinder walkability and discourage potential residential development opportunities, which are essential for fostering a close-knit community. It begs the question: Who does this development serve? Surely not the community it's in.

The hardworking families in our neighborhood seek a vibrant and sustainable community to call home. A new gas station, "Roadrunner," without any added value, will not cater to the needs of local people seeking a better quality of life.

I kindly request that the Development Department and relevant authorities reconsider the approval of the "Roadrunner" gas station project. Let's prioritize the long-term interests of our community over short-sighted gains and explore alternative development opportunities that truly contribute to the future appeal and prosperity of our neighborhood.

Thank you for your consideration. I am open to further discussion on this matter.

Yours sincerely,

--
-Micah Chaney

Wonsower, Donna

From: Development Services
Sent: Tuesday, July 25, 2023 8:29 AM
To: Wonsower, Donna
Subject: FW: Roadrunner North Street/Garland

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Donna,

Please see below.
Thanks

-----Original Message-----
From: Danielle Otranto <dotranto92@gmail.com>
Sent: Tuesday, July 25, 2023 7:37 AM
To: Development Services <developmentservices@fayetteville-ar.gov>
Subject: Roadrunner North Street/Garland

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

I am writing to express my strong disapproval of the proposed "Roadrunner" gas station development on the corner of North Street and Garland. As a concerned resident and active member of the local community, I feel compelled to voice my concerns regarding this project.

The corner of North Street and Garland holds untapped potential to enhance the community's future appeal. Instead of a gas station, we need projects that align with our neighborhood's essence and contribute positively to its growth and prosperity.

Adding another gas station, "Roadrunner," in close proximity to existing ones is unnecessary and redundant. It will not add any significant cultural or aesthetic value, but rather create an eyesore that detracts from the neighborhood's appeal and potential for future development.

Furthermore, this gas station would hinder walkability and discourage potential residential development opportunities, which are essential for fostering a close-knit community. It begs the question: Who does this development serve? Surely not the community it's in.

The hardworking families in our neighborhood seek a vibrant and sustainable community to call home. A new gas station, "Roadrunner," without any added value, will not cater to the needs of local people seeking a better quality of life.

I kindly request that the Development Department and relevant authorities reconsider the approval of the "Roadrunner" gas station project. Let's prioritize the long-term interests of our community over short-sighted gains and explore alternative development opportunities that truly contribute to the future appeal and prosperity of our neighborhood.

Thank you for your consideration. I am open to further discussion on this matter.

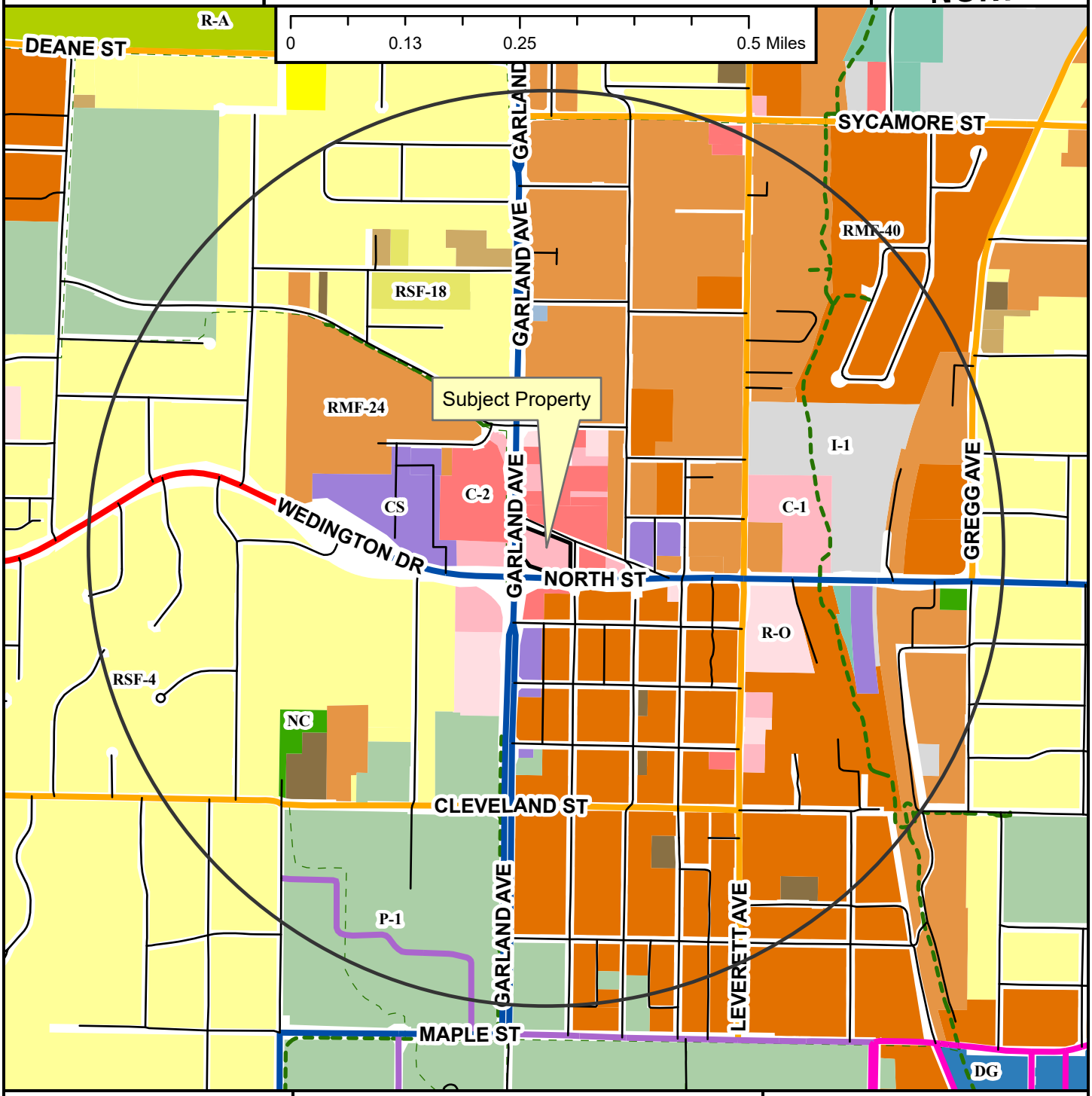
Yours sincerely,
Danielle Otranto

VAR-2023-0029

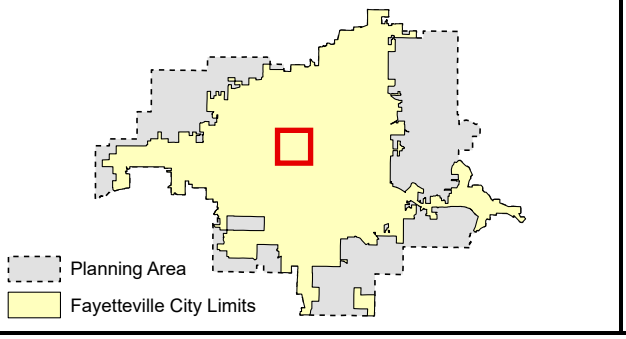
One Mile View

W. MT COMFORT RD & N. LINDELL AVE

NORTH



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



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

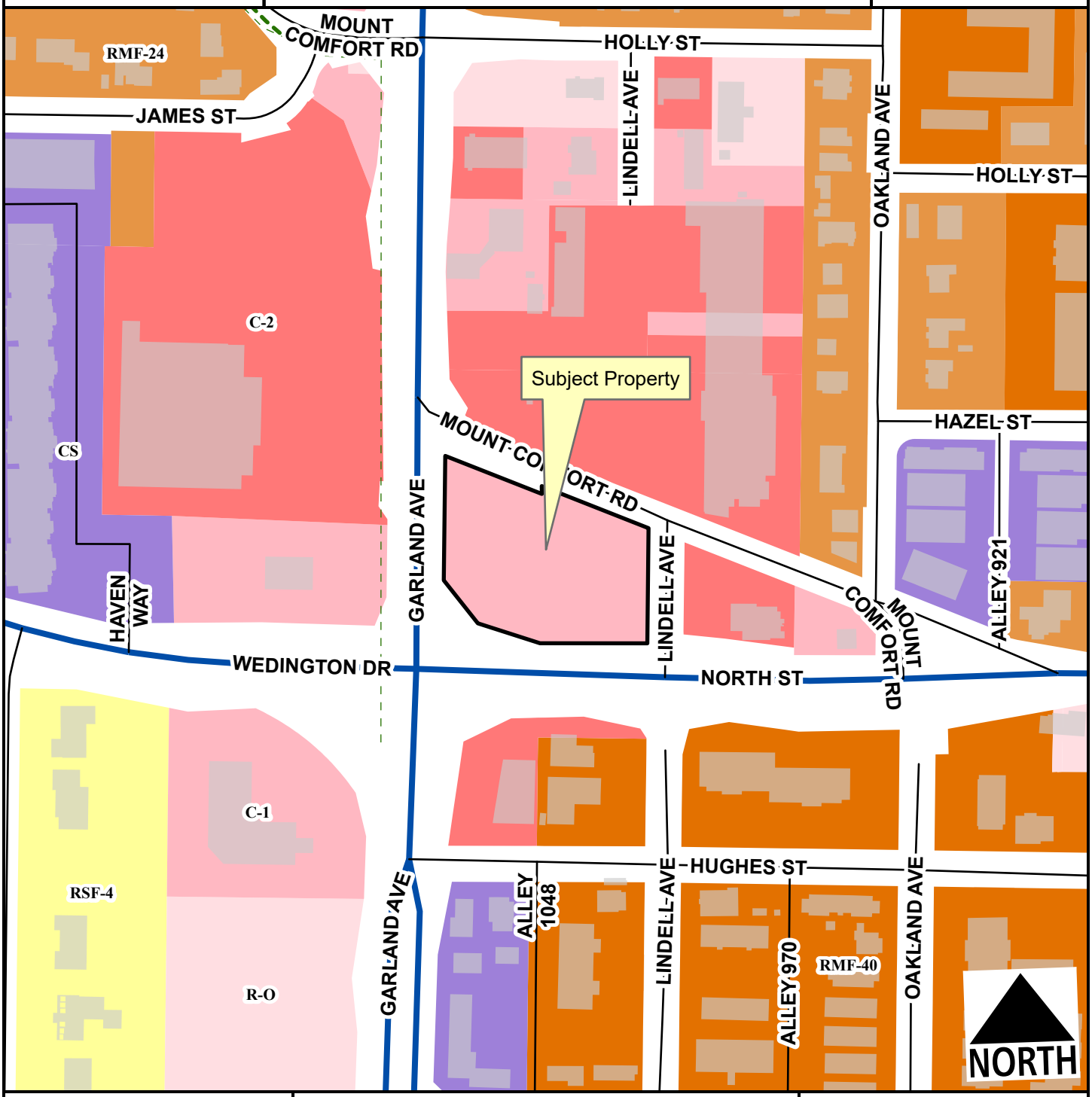
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

VAR-2023-0029

Close Up View

W. MT COMFORT RD & N. LINDELL AVE



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

Feet

0 75 150 300 450 600

1:2,400

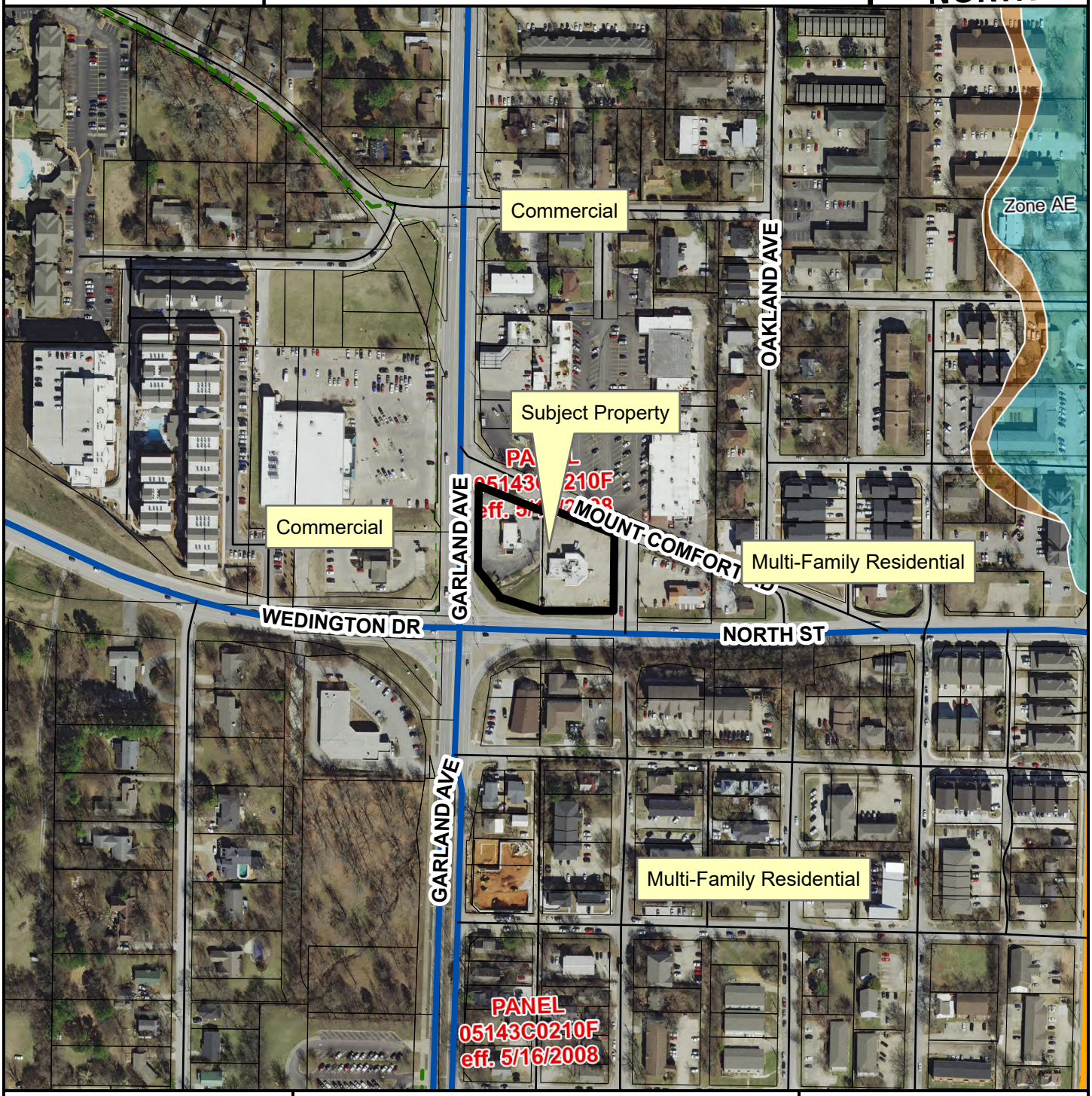
- RSF-4
- RMF-24
- RMF-40
- Residential-Office
- C-1
- C-2
- Community Services

VAR-2023-0029

Current Land Use

W. MT COMFORT RD & N. LINDELL AVE

NORTH



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

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Donna Wonsower, Planner

MEETING DATE: July 24, 2023 (UPDATED WITH MEETING RESULTS)

SUBJECT: **VAR-2023-0030: Planning Commission Variance (W. MT COMFORT RD & N LINDELL AVE/ ROAD RUNNER, 405):** Submitted by ECOLOGICAL DESIGN GROUP for property located at W. MT. COMFORT RD & N. LINDELL AVE. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL and contains approximately 0.62 acres. The request is for variances to driveway width, drive aisle width, throat length, and access management standards.

RECOMMENDATION:
Staff recommends approving **VAR-2023-0030**, with conditions.

RECOMMENDED MOTION:
*"I move to approve **VAR-2023-0030**, recommending:*

- *In favor of the requested variance to §172.04(F)(4)(a)(ii) Entrances and Internal Aisle Design for Parking Lots Containing Nine (9) or More Parking Spaces;*
- *In favor of the requested variance to §172.04(F)(4)(b)(iii) Internal Aisle Design;*
- *In favor of the requested variance to §172.04(F)(1) Throat Length;*
- *In favor of the requested variance to §166.08(F) Access Management;*
- *In favor of the requested variance to §166.08(F)(2)(a) Curb Cut Separation; and*
- *In favor of all other conditions as recommended by staff."*

BACKGROUND:
The subject property is located at the northeast corner of N. Garland Ave and W. North St and is bordered by N. Lindell Ave to the east and Mount Comfort Rd to the north. The property currently consists of two parcels, each developed with a commercial structure and associated parking. These buildings are intended to be demolished with the new construction. The architects have submitted a separate variance request for architectural requirements (VAR-2023-0029). Surrounding land use and zoning is depicted in Table 1.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Mixed Retail / Restaurant	C-2, Thoroughfare Commercial
South	Mixed Retail / Multifamily Residential	C-2, Thoroughfare Commercial RMF-40, Residential Multifamily (40 units / acre)
West	Bank / Grocer	C-1, Neighborhood Commercial C-2, Thoroughfare Commercial
East	Restaurant	C-2, Thoroughfare Commercial

Request: The applicant requests building permit approval to construct an approximately 3,500-square foot convenience store, associated parking, EV chargers, and gas pump canopy for eight pumps. As a part of this proposal, the engineers have submitted requests for five variances as outlined below alongside staff's recommendations.

DISCUSSION

Variance #1: §172.04(F)(4)(a)(ii) Entrances and Internal Aisle Design for Parking Lots Containing Nine (9) or More Parking Spaces. For parking lots containing nine (9) or more parking spaces, two-way entrances hall be a minimum 20 feet and a maximum width of 24 feet, unless otherwise required by the Fire Department. The applicant proposes one entrance onto Mount Comfort Rd. that is 42 feet in width and one entrance onto N. Lindell Ave. that is 41 feet 3 inches in width. A vehicle turning radius exhibit has been provided indicating delivery vehicle access throughout the site.

- *Staff recommendation:* Staff recommends in partial favor of the request subject to conditions of approval. Fuel stations require deliveries from large vehicles with substantial turning radii as indicated by the provided exhibit. The driveway width provided for N. Lindell Ave. appears to be the minimum necessary to meet the required access for these large vehicles As the Mount Comfort Rd. entry is not affected in the vehicle turning radius exhibit, meeting ordinance for this entry would better align with the intent of the code. In summary, staff recommends in favor of the request for the N. Lindell Ave. driveway but that the Mount Comfort Rd. driveway be required to meet ordinance.

Variance #2: §172.04(F)(4)(b)(iii) Internal Aisle Design. For parking lots containing nine (9) or more parking spaces, all parking lots with 90-degree parking are required to have two-way aisle widths of 24 feet. Portions of the site at the northwest and southeast corners have aisle widths exceeding 100 feet, and the aisle width between the convenience store and fuel pumps exceeds 30 feet. Additionally, the northwest corner of the parking lot adjacent to the fuel station is only 17 feet wide.

- *Staff recommendation:* Staff supports the request subject to conditions of approval. As noted, the subject property is a fuel station with frontage on all four sides, which is a unique condition. Although multiple street frontages benefit the development through increased accessibility, it does not eliminate the realities of routing large vehicles through the site particularly noting the steep slopes on the southern portion of the property. Staff recommends ~~that the applicant be required to meet the maximum aisle width between the fuel station pumps and convenience store where higher pedestrian traffic is likely~~, the pedestrian path on the southeast corner of the site be straightened to minimize the length of pedestrian vehicle conflict zone, and that tree islands shall be placed on either side of the pedestrian path at the southeast corner to minimize the length of pedestrian travel in exposed vehicle travel lanes. Commission removed condition for aisle width between store / fuel pumps

Variance #3: §172.04(F)(1) Throat Length. The required throat length for unsignalized driveways is 40-60 feet. The proposed throat length for the driveway entry onto Mount Comfort Rd is approximately 24 feet and the throat length onto N. Lindell Ave is approximately 25 feet in length. The applicant notes that the throat lengths have been shortened to provide large enough turning radii for larger delivery vehicles as indicated on the provided exhibit.

- *Staff recommendation:* Staff supports the request for two primary reasons and subject to conditions of approval. As noted, the subject property will include street frontage on all sides, which is a unique condition. While multiple frontages benefit

the site through increased accessibility, steep slopes and minimum driveway distance requirements limit use of the west and southern portions of the property for access, requiring larger delivery vehicles to route through the property. With these issues in mind and considering that throat length requirements are intended to assure adequate stacking space within parking lots, staff has reviewed the site plans and supports the request with conditions, including the provision of a striping plan for staff review clearly indicating direction of travel lanes, and indicating any aisle widths that do not meet the minimum for two-way travel as one-way only.

Variance #4: §166.08(F) Access Management. Property that fronts onto more than one (1) public street shall place a higher priority on accessing the street with the lowest functional classification, e.g., residential and neighborhood links. In a case where the streets have the same classification, access shall be from the lower volume street, or as determined by the City Engineer. The applicant's proposed development includes access onto Mount Comfort Rd and N. Lindell Ave, both residential link streets, for truck access.

- *Staff recommendation:* Staff supports the request. There are currently three driveways in this portion of W. Mount Comfort Rd. and the proposal would reduce this to one. There is also an existing driveway onto N. Lindell Ave in approximately the same location as the proposed development. The property is sited on the northeast corner of N. Garland Ave. and W. North St, both High Activity Regional Links. While both streets have a turning lane, limiting access to a single street could potentially create increased traffic congestion due to the proximity of the development to a major intersection. No additional conditions are recommended.

Variance #5: §166.08(F)(2)(a) Curb Cut Separation. For nonresidential development that occurs along residential links, curb cuts shall be located a minimum of 50 feet from an intersection or driveway. The applicant's proposed development includes a driveway onto N. Lindell Ave that is approximately 48 feet from the intersection of N. Lindell Ave and W. Mount Comfort Rd.

- *Staff recommendation:* Staff supports the request, for two primary reasons. An existing driveway is currently located in approximately the same location; however, it is smaller in size and thus meets the separation requirements for curb cuts. Due to the increase in size to meet turning radii, the driveway no longer meets separation requirements though it is close. Additionally, the proposed driveway location aligns with an existing driveway across the street.

Public Comment: Staff received one phone call expressing general opposition to the proposed variances.

RECOMMENDATION: Staff recommends approval of VAR-2023-0030, with the following conditions.

Conditions of Approval:

1. **Planning Commission determination of a variance of Fayetteville Unified Development Code §172.04(F)(4)(a)(ii) Entrances and Internal Aisle Design for Parking Lots Containing Nine (9) or More Parking Spaces.** *Staff recommends partial approval of the requested variance for the reasons outlined above and subject to the following conditions:*
    - *a.* The driveway onto N. Lindell Ave. may be a maximum of 41 feet 3 inches wide as indicated on the plans.
    - *b.* The driveway on Mount Comfort Rd. may be a maximum of 24 feet wide.

2. **Planning Commission determination of a variance of Fayetteville Unified Development Code §172.04(F)(4)(b)(iii) Internal Aisle Design.** *Staff recommends approval of the requested variance for the reasons outlined above and subject to the following conditions:*
   - ~~*a.* The applicant be required to meet the maximum aisle width between the fuel station pumps and convenience store where higher pedestrian traffic is likely;~~ Removed
   - *b.* The pedestrian path on the southeast corner of the site be straightened to minimize the length of pedestrian vehicle conflict zone;
   - *c.* One tree island shall be placed on either side of the pedestrian path on the east building façade.

3. **Planning Commission determination of a variance of Fayetteville Unified Development Code §172.04(F)(1) Throat Length.** *Staff recommends approval of the requested variance for the reasons outlined above and subject to the following conditions:*
   - *a.* A striping plan be provided for staff review clearly indicating direction of travel lanes; and
   - *b.* Any aisle widths that do not meet the minimum for two-way travel be marked as one-way only.

4. **Planning Commission determination of a variance of Fayetteville Unified Development Code §166.08(F) Access Management.** *Staff recommends approval of the requested variance for the reasons outlined above. No additional conditions are recommended by staff.*

5. **Planning Commission determination of a variance of Fayetteville Unified Development Code §166.08(F)(2)(a) Curb Cut Separation.** *Staff recommends approval of the requested variance for the reasons outlined above. No additional conditions are recommended by staff.*

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: July 24, 2023	❒ **Tabled**	☒ **Approved**	❒ **Denied**
Motion: WINSTON	Approved with all staff recommended conditions, except condition 2a limiting drive aisle width between the convenience store and fuel pumps. Width approved as shown on plans.		
Second: HOLCOMB			
Vote: 5-3-0			

BUDGET/STAFF IMPACT:
None

Attachments:

- Unified Developed Code:
  - §166.08, Street Design and Access Management Standards
  - §172.04 Parking Lot Design Standards
- Request Letter
- Site Plans
- Vehicle Turning Radius Exhibit
- Staff Recommended Conditions Exhibit
- One Mile Map
- Close-up Map
- Current Land Use Map

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 (2) family, three (3) 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)

172.04 Parking Lot Design Standards

…

(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	7.5	15	12	24	14
45°	Standard	9	12.5	12	24	19
	Compact	7.5	10.5	12	24	16
60°	Standard	9	10.5	18	24	20
	Compact	7.5	8.5	15	24	16.5
90°	Standard	9	9	24	24	19
	Compact	7.5	7.5	22	24	15
	Motorcycle/Scooter	3	3	12-24	24	7.5 - 9

…

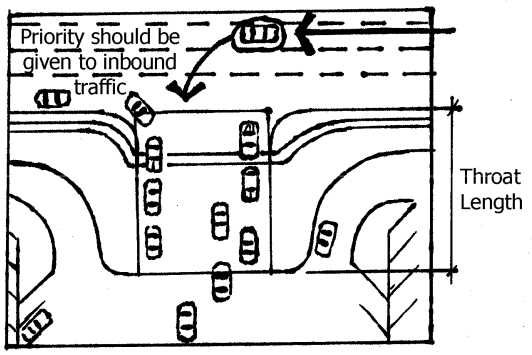
(F) *Parking Lot Circulation.*

(1) *Throat Length.* The length of driveways or "throat length" shall be designed in accordance with the anticipated storage length for vehicles to prevent them from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. General standards appear below, but these requirements may vary according to the project volume of the individual driveway. These measures generally are acceptable for the principal access to a property and are not intended for minor driveways. Variation from these standards may be permitted for good cause upon approval of the Zoning and Development Administrator and City Engineer.

TABLE 2
GENERALLY ADEQUATE DRIVEWAY THROAT LENGTHS

Shopping Centers (Signalized)	>200,000 GLA* (800) spaces	200 ft.
Smaller Developments (Signalized)	<200,000 GLA*	75—95 ft.
Unsignalized Driveways	—	40—60 ft.

*GLA-Gross leaseable area



Commentary: The throat lengths in Table 2 are provided to assure adequate stacking space within parking lot driveways for general land use intensities. This helps prevent vehicles from stacking into the thoroughfare as they attempt to enter the parking lot. High traffic generators, such as large shopping plazas, need much greater throat length than smaller developments or those with unsignalized driveways. The guidelines here for larger developments refer to the primary access drive. Reduced throat lengths may be permitted for secondary access drives serving large developments.

…

(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

….

(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)

E | D | G

ECOLOGICAL DESIGN GROUP, INC.
216 West Birch Street
Rogers, AR 72756

June 21, 2023

City of Fayetteville
Planning Commission
125 W. Mountain Street
Fayetteville, AR 72701
479.535.8233

EDG #: 22-077
PROJECT NAME: Road Runner, Fayetteville, AR 72701
DEVELOPER: Coulson Oil, 5101 Northshore Lane Little Rock, AR 72118

Project Narrative

The Road Runner – Fayetteville is located at 1130 and 1139 N Lindell Avenue and consists of 2 parcels, totaling approximately 1.18 acres. Site features include an asphalt parking lot, EV chargers, gas pumps, and bike infrastructure.

EDG is requesting variances to Sections 172.04(F)(4)(a)(ii), 172.04(D), 172.04(F),166.08(F) of the Unified Development Code. The main goal of this request is to provide adequate turning radii for tanker trucks to enter, traverse, and exit the project site safely while providing adequate room for pedestrians and vehicular traffic.

A vehicle tracking exhibit of the site shows that a singular larger tanker truck requires a substantial amount of pavement to be able to enter, traverse, and exit the site. The additional driveway on Mount Comfort drive is intended to serve the average vehicle traffic.

Variance Request

EDG is requesting the following variances:

1. Variance to Unified Development Code Chapter 172, 172.04(F)(4)(a)(ii), for the Road Runner – Fayetteville project to not require a 24-foot-wide maximum driveway width.
    a. Justification: This site has been laid out so that tanker trucks and other vehicular traffic are able to enter and exit the site safely. Since these trucks require a wider turning radius, the driveway widths have been widened to 42' along Mount Comfort Road and 41' 3" along Lindell Avenue.

2. Variance to Unified Development Code Chapter 172, 172.04(D) for the Roadrunner - Fayetteville to not require a maximum 24' wide drive aisle throughout the site.
    a. Justification: This site has been laid out to account for tanker trucks and other vehicular traffic to be able to traverse the site without interruptions to site activity. Since this service station will have tanker trucks on site frequently to unload into the gas tanks, an adequate space has been created for them to park and for a vehicle to be able to always travel to all portions of the site. Similarly, to the justification for wider driveway widths, these trucks have larger turning radii and will need extra space for their wheel paths to be able to enter and exit the site.

3. Variance to Unified Development Code Chapter 172, 172.04(F) for the Roadrunner - Fayetteville to not require a throat length of 40-60'.
    a. Justification: Similarly, to the variances above, this site will need adequate room for tanker trucks to be able to navigate the site. Since this site will need to be accessed by Mount Comfort Road and N Lindell Avenue, trucks will need to quickly turn to be able to navigate to the tanks on site. The throat length has been shortened to prevent wheel paths from these trucks from crossing over curbs and landscaping.

4. Variance to Unified Development Code Chapter 172, 166.08(F) for the Roadrunner - Fayetteville to not require that only one access drive be constructed and curb cuts be located a minimum of 100 feet from an intersection or driveway for the Neighborhood links (Mount Comfort Road and N Lindell Ave). Since this site must be accessed from Mount Comfort and N Lindell Ave and larger trucks must be able to enter and exit the site, the driveway accesses will need to be located closer than 100 feet to an intersection, specifically the entrance along Lindell Avenue. The additional driveway is necessary for the development to ensure that larger trucks and cars have a feasible entrance and exit into the site.

<u>Code Sections:</u>

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.

1) 172.04(D) Internal Aisle Width

a) Aisles shall be designed so that they intersect at 90 degrees with other aisles and driveways where practical.
b) Aisles shall be designed to discourage cut-through traffic by use of landscape islands, and shall meet the requirements of Chapter 177: Landscape Regulations.
c) Aisles shall conform to the dimensional requirements of §172.04(C).0

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

2) 172.04(F) Parking Lot Circulation

a) Throat Length. The length of driveways or "throat length" shall be designed in accordance with the anticipated storage length for vehicles to prevent them from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. General standards appear below, but these requirements may vary according to the project volume of the individual driveway. These measures generally are acceptable for the principal access to a property and are not intended for minor driveways. Variation from these standards may be permitted for good cause upon approval of the Zoning and Development Administrator and City Engineer.

Shopping Centers (Signalized)	>200,000 GLA* (800) spaces	200 ft.
Smaller Developments (Signalized)	<200,000 GLA*	75—95 ft.
Unsignalized Driveways	—	40—60 ft.

1) 166.08(F) Access Management, Access onto Multiple Streets

b) 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.

i) Separation for two (2) family, three (3) family, multi-family and nonresidential development.

(1) 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.

(2) 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.

(3) 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.

Sincerely,

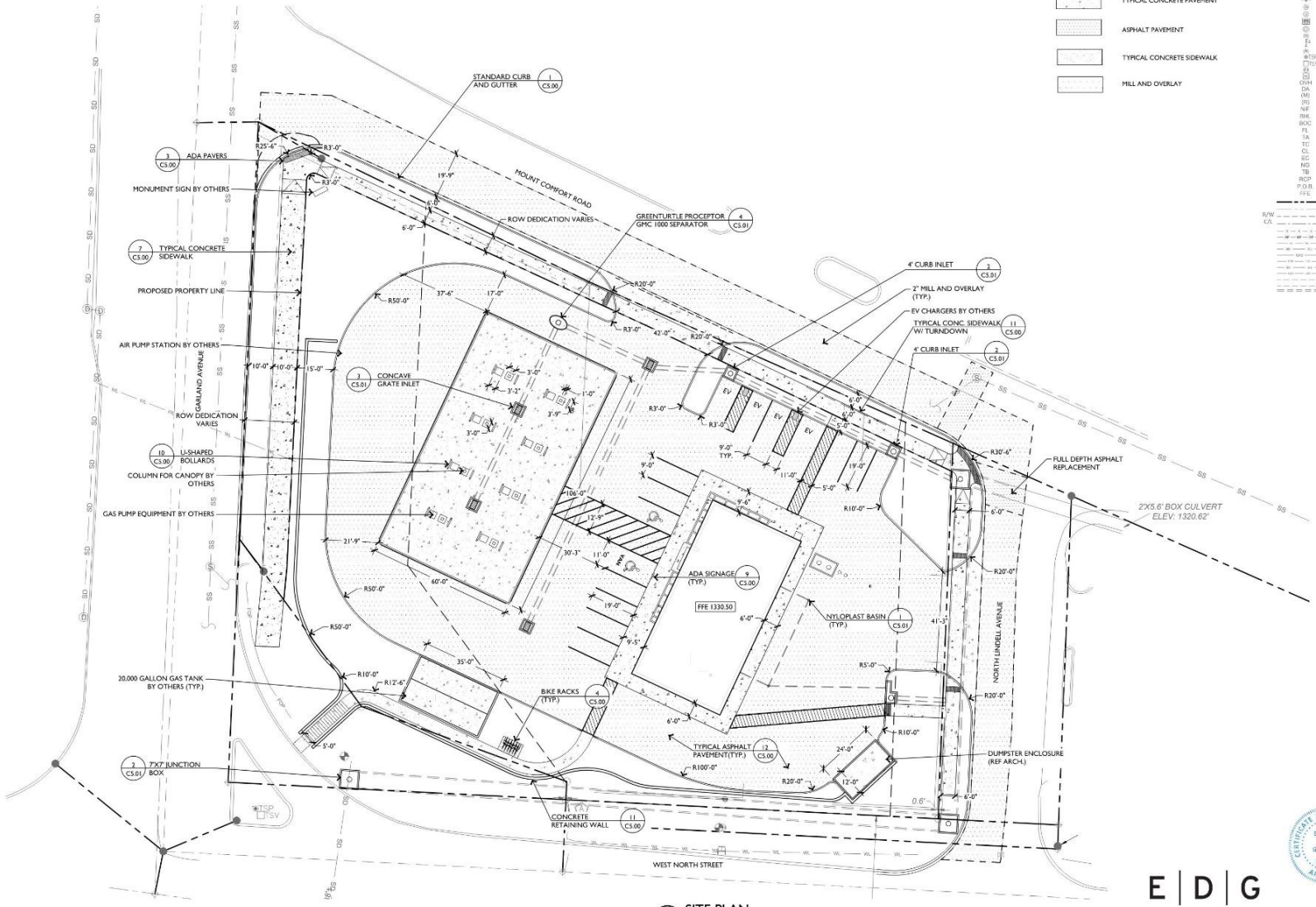
Brahm Driver, PE
Ecological Design Group, Inc. | 501.944.3090 | bdriver@ecologicaldg.com

PROPOSED SITE PLAN LEGEND

- PROPOSED CURB AND GUTTER (REF. PLANS FOR TYPE)
- SAWCUT AND PAVEMENT REMOVAL LIMITS
- LIMITS OF MILL AND OVERLAY
- TYPICAL CONCRETE PAVEMENT
- ASPHALT PAVEMENT
- TYPICAL CONCRETE SIDEWALK
- MILL AND OVERLAY

EXISTING LEGEND

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- COMPUTED POINT
- HANDICAP PARKING
- FIRE HYDRANT
- LIGHT
- SANITARY MANHOLE
- BOLLARD
- POWER POLE
- ELECTRIC METER
- SIGN
- WATER METER
- GAS METER
- DRAIN GRATE
- STORM MANHOLE
- WATER VALVE
- FLAGPOLE
- VAULT
- TSP TRAFFIC SIGNAL POST
- TSV TRAFFIC SIGNAL VAULT
- MANHOLE
- AIR CONDITIONER
- OVH OVERHANG
- DA DUMPSTER AREA
- (M) MEASURED/CALCULATED DIMENSION
- (R) RECORD DIMENSION
- N/F NOW OR FORMERLY
- BHL BUILDING HEIGHT LOCATION
- BOC BACK OF CURB
- FL FLOW LINE
- TA TOP OF ASPHALT
- TC TOP OF CONCRETE
- CL CENTERLINE OF ROAD
- EC EDGE OF CONCRETE
- NG NATURAL GROUND
- TB TOP OF BANK
- RCP REINFORCED CONCRETE PIPE
- P.O.B. POINT OF BEGINNING
- FFE FINISHED FLOOR ELEVATION
- BOUNDARY LINE
- EASEMENT LINE
- R/W RIGHT-OF-WAY LINE
- C/L CENTERLINE
- FENCE LINE
- OVERHEAD POWER LINE
- UNDERGROUND WATER LINE
- UNDERGROUND STORM DRAINAGE LINE
- UNDERGROUND GAS LINE
- UNDERGROUND FIBER OPTIC LINE
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND ELECTRIC LINE
- CONTOUR INDEX LINE
- CONTOUR INTERIOR LINE
- WALL



1 SITE PLAN

SCALE: 1" = 20'-0"

NORTH

10' 40' 80'
0' 20'

E | D | G

FENNELL | PURIFOY
ARCHITECTS
100 RIVER BLUFF DRIVE, SUITE 320 - LITTLE ROCK, AR 72202
T 501.372.6734 - F 501.372.6736

CERTIFICATE OF AUTHORIZATION Ecological Design Group, Inc. No. 2511 ARKANSAS

STATE OF ARKANSAS LICENSED PROFESSIONAL ENGINEER No. 14694 BRAMM M. DRIVER

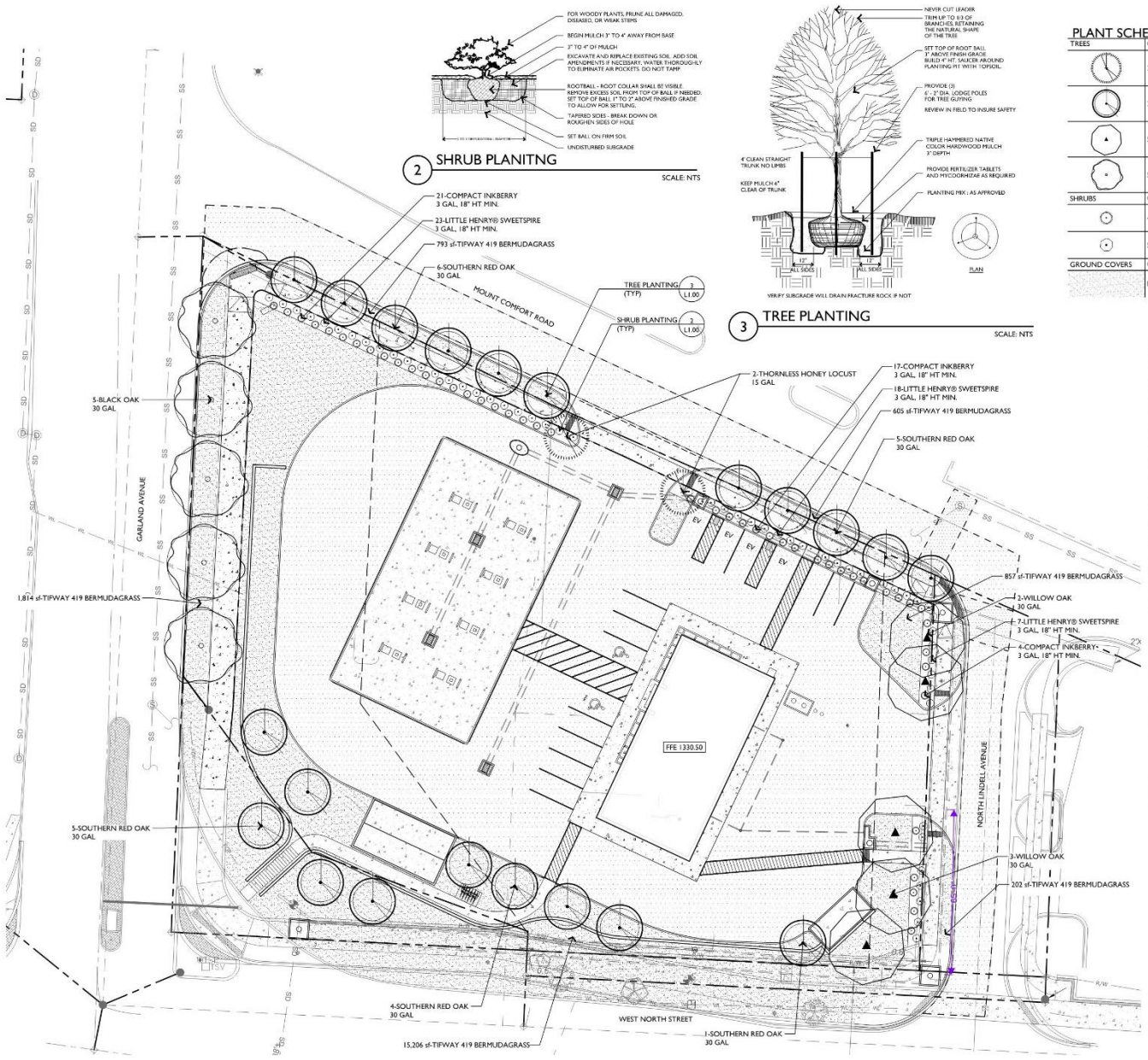
ROAD RUNNER FAYETTEVILLE

100% CONSTRUCTION DOCUMENTS
06.21.23

REVISIONS:

SITE PLAN
C1.00

ROAD RUNNER FAYETTEVILLE
ADM-2023-0048 (FAYETTEVILLE STRONG, BART LEAGUE)



2 SHRUB PLANITNG

SCALE: NTS

3 TREE PLANTING

SCALE: NTS

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	CALIPER	CONTAINER
	2	GLEDITSIA TRIACANTHOS INERMIS	THORNLESS HONEY LOCUST	2" CAL	15 GAL
	21	QUERCUS FALCATA	SOUTHERN RED OAK	2" CAL	30 GAL
	5	QUERCUS PHELLOS	WILLOW OAK	2" CAL	30 GAL
	5	QUERCUS VELUTINA	BLACK OAK	2" CAL	30 GAL
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CALIPER	CONTAINER
	47	ILEX GLABRA 'COMPACTA'	COMPACT INKBERRY	---	3 GAL. 18" HT MIN.
	55	ITEA VIRGINICA 'SPRICH'	LITTLE HENRY® SWEETSPIRE	---	3 GAL. 18" HT MIN.
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	CALIPER	CONTAINER
	19,700 SF	CYNODON DACTYLON X TRANSVAALENSIS 'TIFWAY 419'	TIFWAY 419 BERMUDAGRASS	SOLID SOD	

LANDSCAPE NOTES:

1. CONTRACTOR SHALL CONFIRM THE LOCATION OF ALL UTILITIES PRIOR TO STARTING ANY WORK. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ARKANSAS ONE-CALL TO CONFIRM ALL UTILITIES.
2. ALL PLANTS MUST BE HEALTHY, VIGOROUS AND FREE OF PESTS AND DISEASE.
3. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
4. ALL PLANTS MUST BE CONTAINER GROWN OR BALLED AND BURLAPPED AS INDICATED ON THE PLANT LIST.
5. ALL REQUIRED TREES SHALL BE 2" MINIMUM CALIPER, WITH A SINGLE DOMINATE CENTRAL TRUNK. MULTI-TRUNK TREES WILL NOT BE ACCEPTABLE WITHOUT PRIOR APPROVAL FROM URBAN FORESTRY.
6. ALL TREES MUST BE STRAIGHT TRUNKED AND FULL HEADED, UNLESS SPECIFIED OTHERWISE, AND MUST MEET ALL REQUIREMENTS SPECIFIED ON PLANS.
7. ALL TREES AND SHRUBS SHALL BE INSTALLED PER STANDARD CITY OF FAYETTEVILLE PLANTING DETAILS.
8. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER CONSTRUCTION.
9. ALL PLANTING AREAS MUST BE COMPLETELY MULCHED WITH A 4" LAYER OF ORGANIC HARDWOOD MULCH. MULCH SHALL BE NOT BE PLACED IMMEDIATELY ADJACENT TO TREE TRUNKS, BUT SHALL BE KEPT AT LEAST 3" FROM ROOT COLLAR AT THE SOIL LINE.
10. ALL PROPOSED PLANTING AREAS COVERED BY GRASS SHALL HAVE THE SOD COMPLETELY REMOVED BEFORE PLANTING BEGINS.
11. ALL PLANTING BEDS SHALL BE CONTAINED BY EDGING MATERIAL OTHER THAN VEGETATION.
12. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE LANDSCAPE CONSTRUCTION AT NO COST TO THE OWNER.
13. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
14. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING MATERIAL (INCLUDING BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) IN ALL PLANTING AREAS AND LAWN AREAS UNTIL THE WORK IS ACCEPTED IN TOTAL BY THE OWNER.
15. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR BEGINNING ON THE DATE OF TOTAL ACCEPTANCE. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE GUARANTEE PERIOD.
16. ANY PLANT MATERIAL WHICH DIES, TURNS BROWN, OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF THE SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS.
17. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE OF ANY LAYOUT DISCREPANCIES PRIOR TO ANY PLANTING. LOCATE ALL UTILITIES AND SITE LIGHTING CONDUITS BEFORE CONSTRUCTION BEGINS.
18. ALL DISTURBED AREAS SHALL BE SEEDED WITH A GRASS SEED MIX CONSISTING OF 70% TURF TYPE FESCUE AND 30% PERENNIAL RYES AT 5 POUNDS PER 1,000 SQUARE FEET.
19. ALL AREAS TO BE SEEDED SHALL RECEIVE 4" OF TOPSOIL AND BE GRADED PER THE GRADING PLAN.
20. IRRIGATION SHALL BE EITHER AN UNDERGROUND AUTOMATIC SYSTEM OR SHALL UTILIZE HOSE BIBS EVERY 100' AS REQUIRED BY FAYETTEVILLE LANDSCAPE ORDINANCE.
21. MAINTENANCE: THE CURRENT OWNER OF THE PROPERTY SHALL BE RESPONSIBLE FOR THE ONGOING MAINTENANCE OF REQUIRED LANDSCAPING.
22. REPLACEMENT LANDSCAPING: REQUIRED LANDSCAPING THAT DIES OR IS DAMAGED SHALL BE REMOVED AND REPLACED BY THE CURRENT OWNER OF THE PROPERTY. THE OWNER SHALL HAVE 60 DAYS FROM THE RECEIPT OF WRITTEN NOTICE ISSUED BY THE CITY TO REMOVE AND REPLACE ANY REQUIRED LANDSCAPING THAT DIES OR IS DAMAGED.
23. THREE (3) YEAR MAINTENANCE SURETY SHALL BE DEPOSITED FOR EACH REQUIRED STREET AND MITIGATION TREE.
24. ANY STRUCTURAL SOIL REQUIRED MUST BE INDICATED ON PLAN, HAVE CERTIFIED DOCUMENTATION, AND BE INSPECTED BY URBAN FORESTER AT TIME OF INSTALLATION.
25. MAINTAIN 5' MIN. HORIZONTAL SEPARATION BETWEEN TREE PLANTINGS AND UTILITY LINES.
26. 26. ALL PLANTING DETAILS ARE ACCORDING TO FAYETTEVILLE LANDSCAPE MANUAL.

IRRIGATION NOTE:

THE IRRIGATION CONTRACTOR SHALL PROVIDE A FULLY AUTOMATIC LOW-EMMISSION IRRIGATION SYSTEM FOR TREES LOCATED IN THE RIGHT-OF-WAY ONLY.

THE IRRIGATION CONTRACTOR SHALL PROVIDE SHOP DRAWINGS FOR REVIEW AND APPROVAL.

TREES LOCATED IN THE PUBLIC RIGHT OF WAY SHALL RECEIVE BUBBLERS.

CONTRACTOR TO PROVIDE INTERIOR CONTROLLER AND RAIN/FREEZE SENSOR. COORDINATE WITH MEP AND GC TO PROVIDE SLEEVING FROM CONTROLLER ROOM TO EXTERIOR.

SLEEVING NOTE:

THE GENERAL CONTRACTOR SHALL PROVIDE SCH40 PVC SLEEVING, BURIED AT A MINIMUM OF 18" AND MAXIMUM OF 24" DEPTH.

1 LANDSCAPE PLAN

SCALE: 1" = 20'-0"

NORTH

0' 20' 10' 40' 80'

E | D | G

FENNELL | PURIFOY
ARCHITECTS
100 RIVER BLUFF DRIVE, SUITE 320 · LITTLE ROCK, AR 72202
T 501.372.6734 · F 501.372.6736

6-21-23

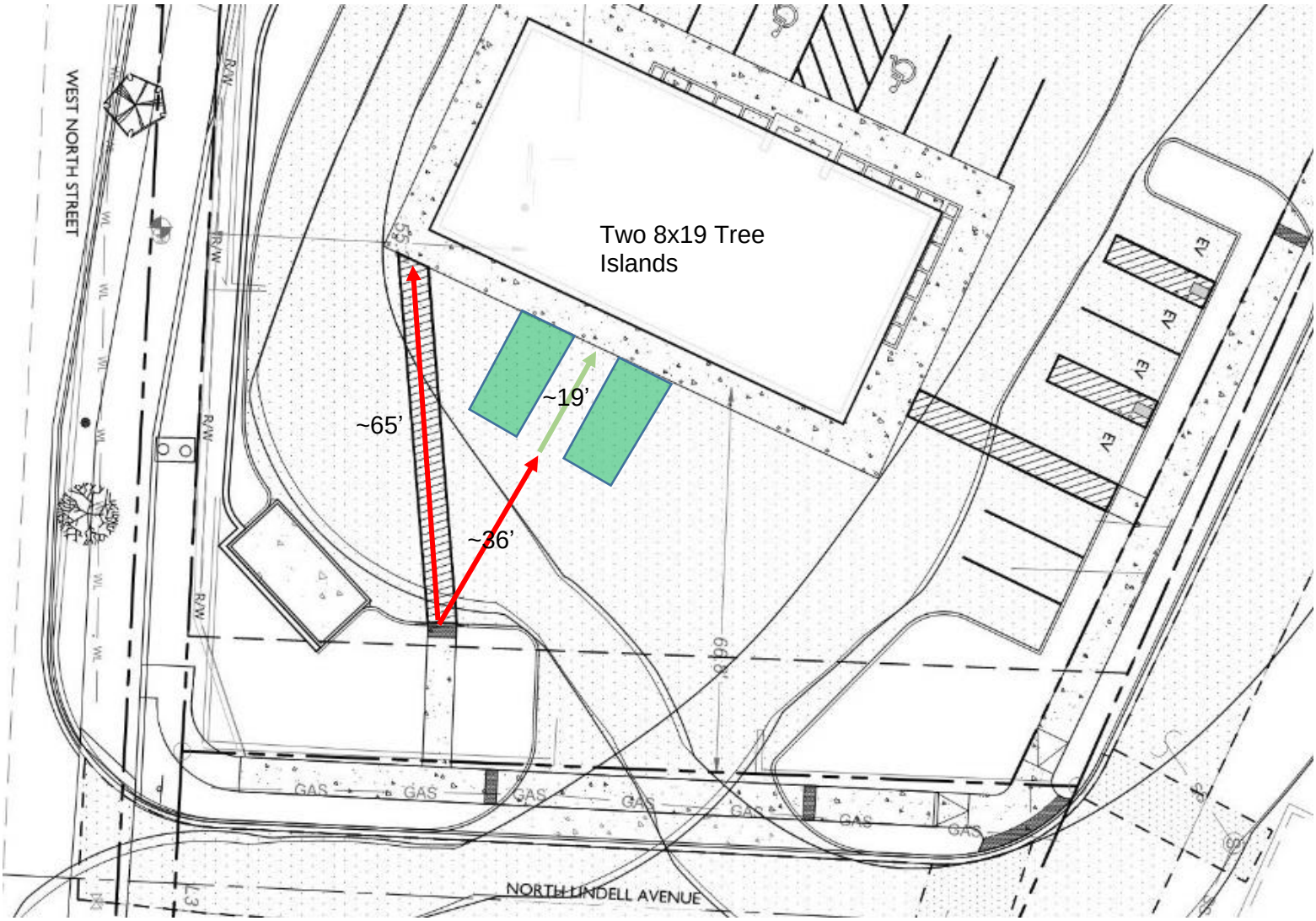
100% CONSTRUCTION DOCUMENTS
06.21.23

REVISIONS:

LANDSCAPE PLAN
L1.00

GARLAND AVENUE
NO STRCUTURES IN OVERLAPPING AREA OF WHEELPATH AND CANOPY
COLUMN FOR CANOPY BY OTHERS (TYP.)
NO STRCUTURES IN OVERLAPPING AREA OF WHEELPATH AND CANOPY
MOUNT COMFORT ROAD
WEST NORTH STREET
NORTH LINDELL AVENUE
7'X5.6' BOX CULVERT
ELEV. 1320.62'
NORTH
VEHICLE TRACKING EXHIBIT
SCALE: 1" = 20'-0"

STAFF RECOMMENDED CONDITION EXHIBIT



Wonsower, Donna

From: Development Services
Sent: Tuesday, July 25, 2023 8:29 AM
To: Wonsower, Donna
Subject: FW: The RoadRunner on Garland/North Street

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Please see below.

Thanks

From: Micah Chaney <micahvonchaney@gmail.com>
Sent: Tuesday, July 25, 2023 7:52 AM
To: Development Services <developmentservices@fayetteville-ar.gov>
Subject: The RoadRunner on Garland/North Street

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.

To Whom It May Concern,

I am writing to express my strong disapproval of the proposed "Roadrunner" gas station development on the corner of North Street and Garland. As a concerned resident and active member of the local community, I feel compelled to voice my concerns regarding this project.

The corner of North Street and Garland holds untapped potential to enhance the community's future appeal. Instead of a gas station, we need projects that align with our neighborhood's essence and contribute positively to its growth and prosperity.

Adding another gas station, "Roadrunner," in close proximity to existing ones is unnecessary and redundant. It will not add any significant cultural or aesthetic value, but rather create an eyesore that detracts from the neighborhood's appeal and potential for future development.

Furthermore, this gas station would hinder walkability and discourage potential residential development opportunities, which are essential for fostering a close-knit community. It begs the question: Who does this development serve? Surely not the community it's in.

The hardworking families in our neighborhood seek a vibrant and sustainable community to call home. A new gas station, "Roadrunner," without any added value, will not cater to the needs of local people seeking a better quality of life.

I kindly request that the Development Department and relevant authorities reconsider the approval of the "Roadrunner" gas station project. Let's prioritize the long-term interests of our community over short-sighted gains and explore alternative development opportunities that truly contribute to the future appeal and prosperity of our neighborhood.

Thank you for your consideration. I am open to further discussion on this matter.

Yours sincerely,

--
-Micah Chaney

Wonsower, Donna

From: Development Services
Sent: Tuesday, July 25, 2023 8:29 AM
To: Wonsower, Donna
Subject: FW: Roadrunner North Street/Garland

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Donna,

Please see below.
Thanks

-----Original Message-----
From: Danielle Otranto <dotranto92@gmail.com>
Sent: Tuesday, July 25, 2023 7:37 AM
To: Development Services <developmentservices@fayetteville-ar.gov>
Subject: Roadrunner North Street/Garland

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

I am writing to express my strong disapproval of the proposed "Roadrunner" gas station development on the corner of North Street and Garland. As a concerned resident and active member of the local community, I feel compelled to voice my concerns regarding this project.

The corner of North Street and Garland holds untapped potential to enhance the community's future appeal. Instead of a gas station, we need projects that align with our neighborhood's essence and contribute positively to its growth and prosperity.

Adding another gas station, "Roadrunner," in close proximity to existing ones is unnecessary and redundant. It will not add any significant cultural or aesthetic value, but rather create an eyesore that detracts from the neighborhood's appeal and potential for future development.

Furthermore, this gas station would hinder walkability and discourage potential residential development opportunities, which are essential for fostering a close-knit community. It begs the question: Who does this development serve? Surely not the community it's in.

The hardworking families in our neighborhood seek a vibrant and sustainable community to call home. A new gas station, "Roadrunner," without any added value, will not cater to the needs of local people seeking a better quality of life.

I kindly request that the Development Department and relevant authorities reconsider the approval of the "Roadrunner" gas station project. Let's prioritize the long-term interests of our community over short-sighted gains and explore alternative development opportunities that truly contribute to the future appeal and prosperity of our neighborhood.

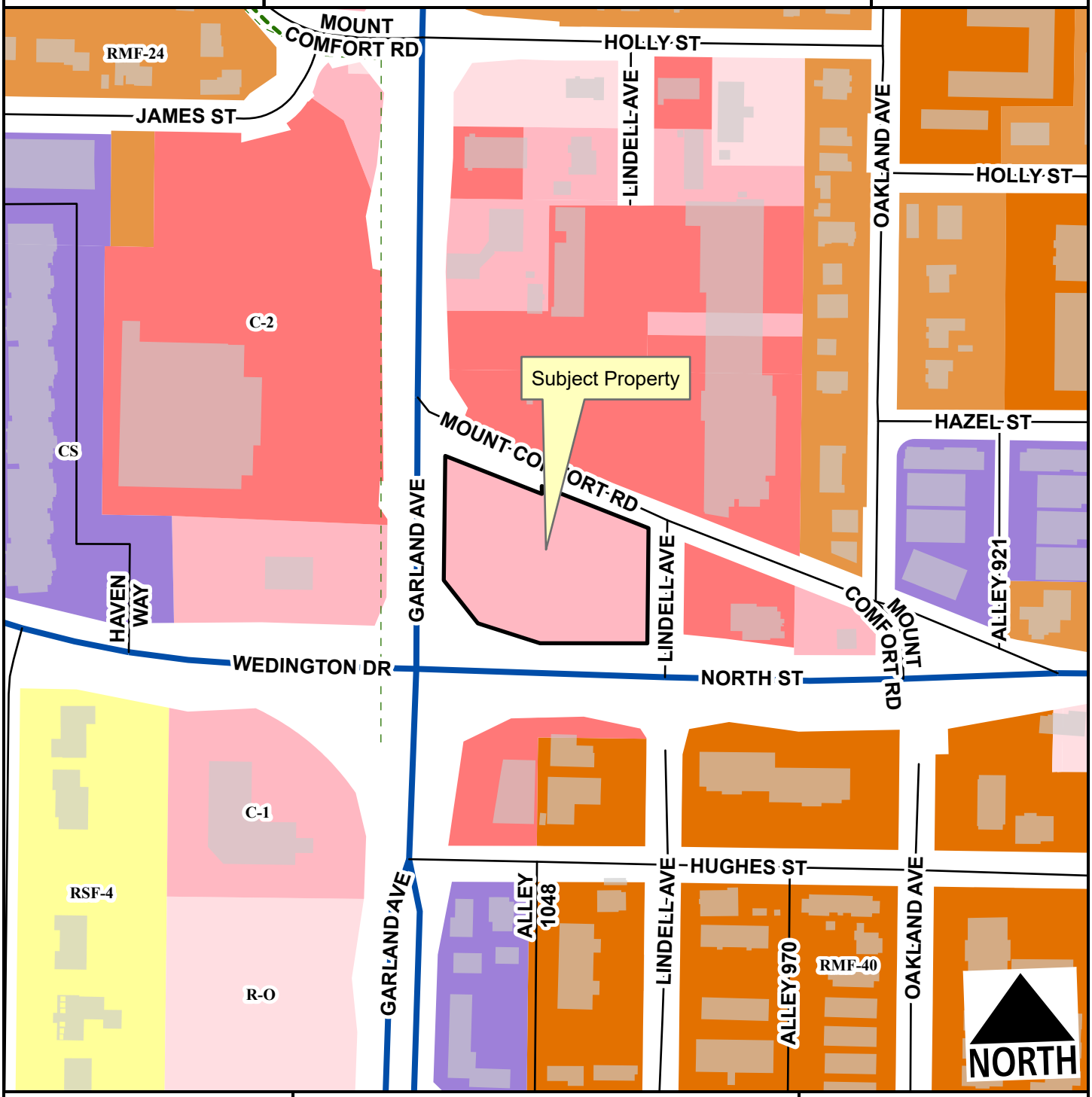
Thank you for your consideration. I am open to further discussion on this matter.

Yours sincerely,
Danielle Otranto

VAR-2023-0030

Close Up View

W. MT COMFORT RD & N. LINDELL AVE



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

Feet

0 75 150 300 450 600

1:2,400

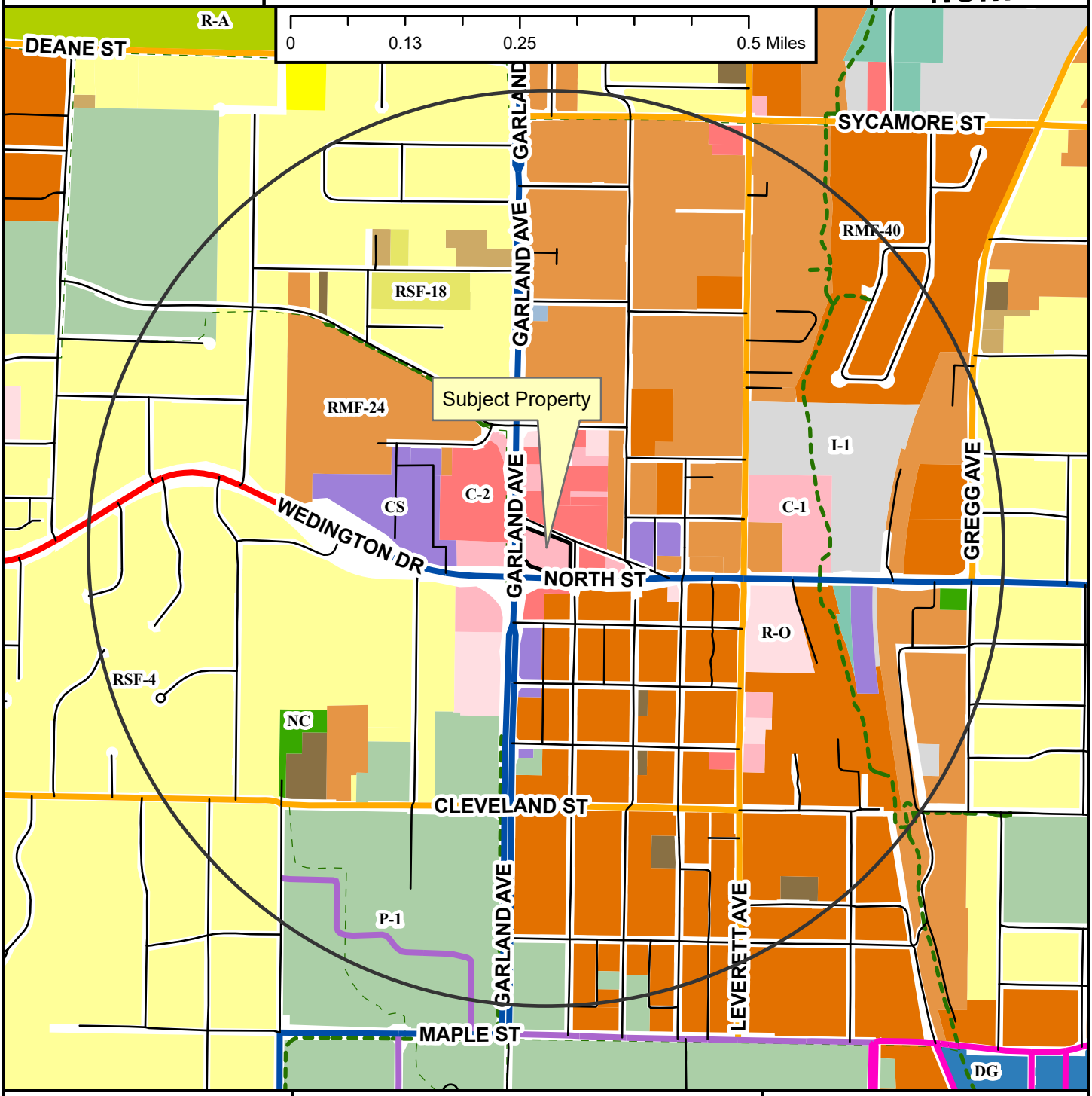
- RSF-4
- RMF-24
- RMF-40
- Residential-Office
- C-1
- C-2
- Community Services

VAR-2023-0030

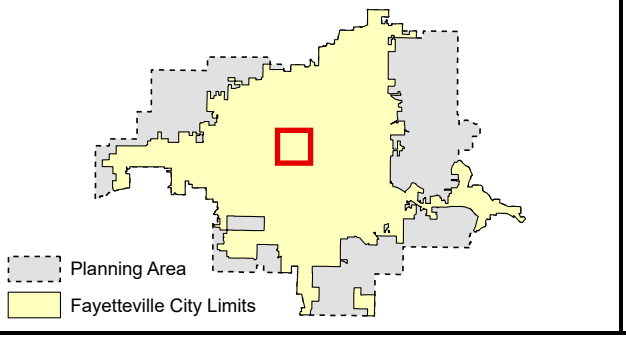
One Mile View

W. MT COMFORT RD & N. LINDELL AVE

NORTH



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



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

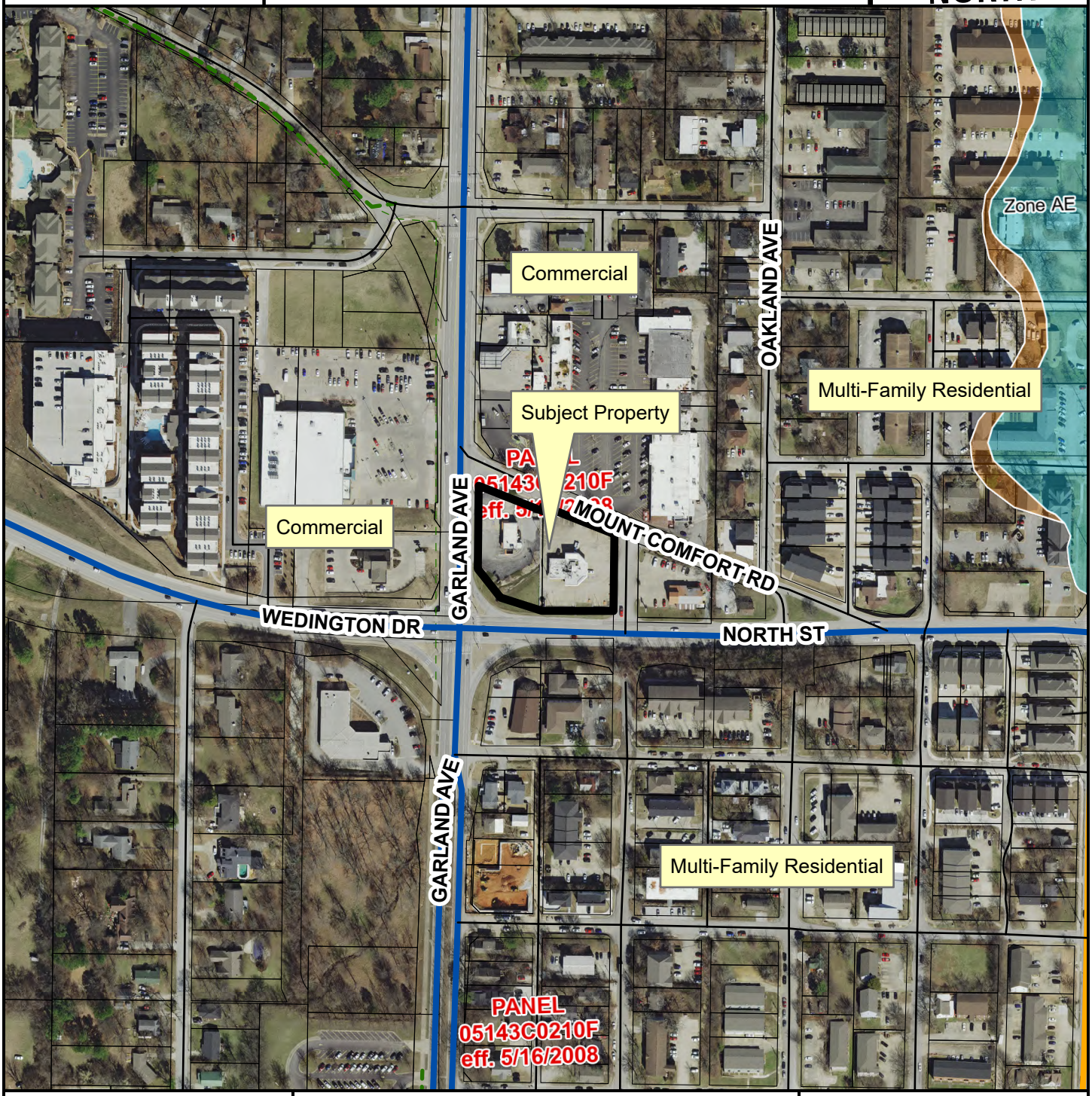
INSTITUTIONAL
- P-1

VAR-2023-0030

Current Land Use

W. MT COMFORT RD & N. LINDELL AVE

NORTH



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

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CITY OF
FAYETTEVILLE
ARKANSAS

STAFF MEMO

TO: Jessie Masters, Development Review Manager

FROM: Josh Boccaccio, Engineering Development Review Manager

DATE: December 6, 2023

SUBJECT: **Planning Commission Engineering Comments for ADM-2023-0048 Appeal of Approved Grading Permit GRD-2023-0051**

Recommendation: Engineering Staff recommends denial of the appeal of the administrative approval of GRD-2023-0051.

Background: GRD-2023-0051 is the grading permit associated with a proposed Road Runner service station on the parcels bounded by Garland Ave, North St, Lindell Ave, and Mt. Comfort. Rd. The site was previously developed with 2 separate buildings before being razed for redevelopment. Impervious area is proposed to be reduced with the redevelopment, so the project was able to go straight to permitting.

Discussion: As a typical grading permit, GRD-2023-0051 was reviewed by city staff members from the Engineering Division, Planning Division, and Urban Forestry Division. Construction documents went through 4 rounds of review and approved at that time. The following is a timeline of the reviews:

Round 1: Submitted 6/22/23, Review completed 6/17/23

Round 2: Submitted 8/7/23, Review completed 8/24/23

Round 3: Submitted 9/11/23, Review completed 9/28/23

Round 4: Submitted 10/27/23, Review completed 11/6/23

The first review round included comments from Engineering and Planning. Urban Forestry determined the project was meeting their requirements at that time and approved their review of the project.

The second round included comments from Engineering and Planning. During the second round the possibility of a cost share was brought froward by Engineering staff for portions of the North St Corridor Bond project. The cost share would have to be approved by city council in which the developer would construct improvements above and beyond what would typically be required, and the city would reimburse for these improvements, these improvements would include aspects of the bond project along the project's frontage.

The third round included comments from Planning. Engineering determined the project was meeting their requirements and approved their review of the project.

The fourth round and final round was approved by Planning.

The project is meeting applicable codes and associated site variances approved by the Planning Commission under VAR-2023-0030 as reviewed by staff.

Comments associated with each review are provided in the “Submittal Summary Report”. These comments were addressed on each subsequent review.

ATTACHMENTS:
Submittal Summary Report
Conditional Approval Letter

SUBMITTAL SUMMARY REPORT (GRD-2023-0051) FOR CITY OF FAYETTEVILLE

CITY OF FAYETTEVILLE ARKANSAS

PERMIT ADDRESS:

PARCEL: 765-14055-000

APPLICATION DATE: 06/22/2023
EXPIRATION DATE:

SQUARE FEET: 0
VALUATION: $0.00

DESCRIPTION: The Road Runner - Fayetteville project will consist of one proposed service station. Site features include an asphalt parking lot, EV chargers, gas pumps, and bike infrastructure.

CONTACTS	NAME	COMPANY	ADDRESS
Design Professional	Brahm Driver	Ecological Design Group, Inc.	216 W Birch ST Rogers, AR 72756
	Katelynn Morgan	Ecological Design Group	3482 W Vassar St Fayetteville, AR 72704
Owner		Coulson Oil Company, Inc.	1434 Pike AVE 38 North Little Rock, AR 72114-4077

SUBMITTAL	STARTED	DUE	COMPLETE	STATUS
Permit Review v.1	06/22/2023	07/07/2023	07/19/2023	Requires Re-submit
Permit Review v.2	08/07/2023	08/21/2023	08/25/2023	Requires Re-submit
Permit Review v.3	09/11/2023	09/25/2023	09/29/2023	Requires Re-submit
Permit Review v.4	10/27/2023	11/13/2023	11/06/2023	Approved
Closeout Document Review v.1				Not Received

SUBMITTAL DETAILS

Permit Review v.1

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Engineering (Engineering)	Josh Boccaccio	07/07/2023	07/17/2023	Requires Re-submit
Comments	See engineering comments on plans and drainage letter			
Planning - Grading Review (Planning Division)	Donna Wonsower	07/07/2023	06/27/2023	Requires Re-submit
Comments	See document comments			
Urban Forestry (Urban Forestry)	John Scott	07/07/2023	06/29/2023	Approved
Comments	approved please use less red oaks and more of the other two oaks.			

eREVIEW SESSION FILES: 2023 06 21 Drainage Report.pdf
2023 06 21 Grading Permit Plans.pdf

REVIEWER	MARKUP	DATE/TIME	FILE NAME	PG #
Donna	Property line adjustment will be required to combine lots	06/24/2023 10:03 am	2023 06 21 Grading Permit Plans.pdf	3
Donna	The following Planning Commission variances shall be required based on the current site plan designs. Revise or request variances with submittal. 1. UDC 172.04(F)(4)(a)(ii): Driveway widths 2. UDC 172.04(D): Internal Aisle Width 3. UDC 172.04(F): Throat Length 4. UDC 166.08(F): Access Management, Access onto Multiple Streets 5. Any architectural variances required.	06/24/2023 10:04 am	2023 06 21 Grading Permit Plans.pdf	4

Donna	1. Show and label all building setbacks. All setbacks shall be treated as front setbacks due to street frontages. If parking is located between the building and a street frontage, setback shall be 50'. Otherwise, frontage is 15'. 2. Label existing and proposed ROW 3. Any work within ARDOT ROW will require ARDOT permits. 4. Where will utility and mechanical equipment be located? Chapter 166.25 requires screening. 5. Streetlights required at all intersections and a maximum of every 300 feet along all public ROW 6. Be consistent with whether plans are showing proposed city improvements or not.	06/24/2023	10:08 am	2023 06 21 Grading Permit Plans.pdf	4
Donna	Lot Building Coverage Maximum 40% ? Lot Impervious Surface Maximum 80% ?	06/24/2023	10:10 am	2023 06 21 Grading Permit Plans.pdf	1
Donna	Recommend including pedestrian connection for interim between project construction and city street improvements.	06/24/2023	10:19 am	2023 06 21 Grading Permit Plans.pdf	4
Donna	Recommend reducing length of pedestrian path	06/24/2023	10:23 am	2023 06 21 Grading Permit Plans.pdf	4
Donna	The following must be provided prior to building permit approval. 1. A photometric plan showing all requirements of 176.04(A) and manufacturer's cut sheets of all outdoor lighting fixtures must be provided to planning staff for review. 2. Any variances must be approved by Planning Commission. 3. Supply a PDF copy of recorded easement / ROW dedication plat. Plat must be reviewed by city staff prior to recording. Property line adjustment will be required to remove property line prior to certificate of occupancy.	06/24/2023	10:26 am	2023 06 21 Grading Permit Plans.pdf	4
jboccaccio	Code requires the radii to be 15'	07/13/2023	8:07 am	2023 06 21 Grading Permit Plans.pdf	4
jboccaccio	Code requires the radii to be 15'	07/13/2023	8:08 am	2023 06 21 Grading Permit Plans.pdf	4
jboccaccio	Ensure box top is constructed as a level landing. Ring and lid cannot be in ramp.	07/13/2023	8:08 am	2023 06 21 Grading Permit Plans.pdf	4
jboccaccio	Please confirm location of water line. It looks like it may be where the storm is proposed to be installed.	07/13/2023	8:15 am	2023 06 21 Grading Permit Plans.pdf	5
jboccaccio	This will likely just be a service saddle, installed by our water/sewer crews. Coordinate with water dept. on tap fee.	07/13/2023	8:19 am	2023 06 21 Grading Permit Plans.pdf	5
jboccaccio	Utility contractor hired by owner must complete this work.	07/13/2023	8:20 am	2023 06 21 Grading Permit Plans.pdf	5
jboccaccio	Walls over 4' in height must be designed, inspected, and certified by and Arkansas PE.	07/13/2023	8:22 am	2023 06 21 Grading Permit Plans.pdf	6
jboccaccio	TYPICAL	07/13/2023	8:22 am	2023 06 21 Grading Permit Plans.pdf	6
jboccaccio	Provide profile and calculations for storm network.	07/13/2023	8:23 am	2023 06 21 Grading Permit Plans.pdf	6
jboccaccio	It be preferred if this was not a 90.	07/13/2023	8:23 am	2023 06 21 Grading Permit Plans.pdf	6
jboccaccio	This connection will have to occur at a junction box.	07/13/2023	8:25 am	2023 06 21 Grading Permit Plans.pdf	6
jboccaccio	Include street repair.	07/13/2023	8:29 am	2023 06 21 Grading Permit Plans.pdf	5
jboccaccio	This would have to be a drop connection	07/13/2023	8:29 am	2023 06 21 Grading Permit Plans.pdf	5
jboccaccio	If a 6" service is proposed, this detail is not applicable.	07/13/2023	8:31 am	2023 06 21 Grading Permit Plans.pdf	14
jboccaccio	Cleanouts in pavement must by installed in a cast iron box. Provide applicable detail.	07/13/2023	8:32 am	2023 06 21 Grading Permit Plans.pdf	5

Permit Review v.2

SUBMITTAL SUMMARY REPORT (GRD-2023-0051)

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Engineering (Engineering)	Josh Boccaccio	08/21/2023	08/24/2023	Requires Re-submit
Comments	Please see comments on plans and drainage report. Provide comment response.			
Planning - Grading Review (Planning Division)	Donna Wonsower	08/21/2023	08/17/2023	Requires Re-submit
Comments	See document comments.			

eREVIEW SESSION FILES:
2023 06 21 Drainage Report.pdf
2023 06 21 Grading Permit Plans.pdf
2023 08 04 Civil Plans.pdf

REVIEWER	MARKUP	DATE/TIME	FILE NAME	PG #
Donna Wonsower	The interactive map does not have a jog in the property line here. Verify property line locations.	08/12/2023 5:23 am	2023 08 04 Civil Plans.pdf	4
Donna Wonsower	What is this line?	08/12/2023 5:26 am	2023 08 04 Civil Plans.pdf	4
Donna Wonsower	All mechanical and utility equipment mounted on a building shall be screened per UDC166.25. How is this being accomplished?	08/12/2023 5:27 am	2023 08 04 Civil Plans.pdf	5
Donna Wonsower	1. Streetlights are required at all intersections and a maximum distance of 300 feet. 2. A photometric plan showing all requirements of 176.04(A) must be provided to planning staff for review. Provide manufacturer's cut sheets for all parking lot lights prior to grading permit approval. Outdoor building lights will be reviewed with the building permit. 3. Property line adjustment required to remove property line.	08/12/2023 5:30 am	2023 08 04 Civil Plans.pdf	4
Donna Wonsower	Variance conditions of approval: 1. The driveway onto N. Lindell Ave. may be a maximum of 41 feet, 3 inches wide. 2. The driveway on Mount Comfort Rd. may be a maximum of 24 feet wide. 3. The pedestrian path on the southeast corner of the site shall be straightened to minimize the length of pedestrian/vehicle conflict zone. 4. One tree island shall be placed on either side of the pedestrian path on the east building facade. 5. A striping plan must be provided for staff review clearly indicating direction of travel lanes 6. Any aisle widths that do not met the minimum for two-way travel shall be marked as one-way only. Conditions 1, 4, 5, and 6 are not met with this plan set.	08/12/2023 5:35 am	2023 08 04 Civil Plans.pdf	4
Donna Wonsower	Approved driveway variance is a maximum of 41 feet, 3 inches as shown on previous plans. To increase driveway width beyond this, variance will need to be amended.	08/12/2023 5:35 am	2023 08 04 Civil Plans.pdf	4
Josh Boccaccio	The city would like to explore cost sharing to get the street improvements along North and Garland constructed with this development. An email has been sent to set up a meeting to discuss this.	08/25/2023 3:29 am	2023 08 04 Civil Plans.pdf	4
Josh Boccaccio	Ensure lids are placed as close to the wall as possible.	08/25/2023 5:29 am	2023 08 04 Civil Plans.pdf	8
Josh Boccaccio	Ensure lids are placed as close to the wall as possible.	08/25/2023 5:30 am	2023 08 04 Civil Plans.pdf	8
jboccaccio	Box culvert alignment will have to be modeled in Hydraflow.	08/25/2023 5:41 am	2023 06 21 Drainage Report.pdf	8
jboccaccio	Maps show an increase in impervious area between pre and post. Please confirm calculations.	08/25/2023 5:44 am	2023 06 21 Drainage Report.pdf	2
Josh Boccaccio	Ensure sidewalk carries through driveway per DW4.	08/25/2023 7:58 am	2023 08 04 Civil Plans.pdf	7
Josh Boccaccio	Provide City of Fayetteville typical section	08/25/2023 8:01 am	2023 08 04 Civil Plans.pdf	11
Josh Boccaccio	Provide most recent detail	08/25/2023 8:04 am	2023 08 04 Civil Plans.pdf	18

Josh Boccaccio	Stairs located in r/w. Please confirm with ArDOT this is acceptable.	08/25/2023	8:05 am	2023 08 04 Civil Plans.pdf	4
Josh Boccaccio	Meters appear like they will interfere with future trail.	08/25/2023	8:13 am	2023 08 04 Civil Plans.pdf	5
Josh Boccaccio	Provide safety railing detail.	08/25/2023	8:18 am	2023 08 04 Civil Plans.pdf	13
Josh Boccaccio	TYPICAL	08/25/2023	8:18 am	2023 08 04 Civil Plans.pdf	13
Josh Boccaccio	Does storm drain impact footer and wall design?	08/25/2023	8:20 am	2023 08 04 Civil Plans.pdf	7

Permit Review v.3

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Engineering (Engineering)	Josh Boccaccio	09/25/2023	09/28/2023	Approved
Comments	See conditional approval letter in attachments.			
Planning - Grading Review (Planning Division)	Donna Wonsower	09/25/2023	09/26/2023	Requires Re-submit
Comments	See document comments			

eREVIEW SESSION FILES:

2023 06 21 Drainage Report.pdf
2023 06 21 Grading Permit Plans.pdf
2023 09 08 EDG Comment Response.pdf
2023-08-10_Road Runner Fayetteville_MEP Addendum 3.pdf
Site Lighting Cutsheets.pdf

REVIEWER	MARKUP	DATE/TIME		FILE NAME	PG #
Donna	1. Review street light labels. Multiple labels are not pointing to the proposed street lights. 2. Streetlights along Mount Comfort Rd exceed 300 foot maximum distance. One additional street light will be required if none are present on the north side of the street. 3. Photometric plan indicates multiple lights not shown in the civil set. Revise plans for consistency. For Information Only: 1. Property line adjustment required prior to building permit approval.	09/20/2023	9:26 pm	2023 06 21 Grading Permit Plans.pdf	4
Donna	20'-0"	09/20/2023	9:29 pm	2023 06 21 Grading Permit Plans.pdf	4
Donna	Are any building mounted lights proposed? Provide cut sheets for all outdoor lighting fixtures with building permit (Note: Emergency lights exempt)	09/20/2023	9:33 pm	Site Lighting Cutsheets.pdf	1
Donna	Provide manufacturer's cut sheets for these lights as well	09/20/2023	9:39 pm	2023-08-10_Road Runner Fayetteville_MEP Addendum 3.pdf	3
Donna	This plan shows several lights that are not shown on the civil drawings and does not appear to include streetlights. Revise plans for consistency.	09/20/2023	9:41 pm	2023-08-10_Road Runner Fayetteville_MEP Addendum 3.pdf	2
Donna	Dimension distance from edge of trail to edge of wall	09/22/2023	12:50 am	2023 06 21 Grading Permit Plans.pdf	4
jboccaccio	Place lid near edge of structure where there is a full wall.	09/27/2023	1:48 am	2023 06 21 Grading Permit Plans.pdf	4
jboccaccio	Fire hydrant lead cannot go under retaining wall. Will have to propose a different location for the fire hydrant.	09/27/2023	2:19 am	2023 06 21 Grading Permit Plans.pdf	5

Permit Review v.4

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Engineering (Engineering)	Josh Boccaccio	11/13/2023	11/06/2023	Approved
Planning - Grading Review (Planning Division)	Donna Wonsower	11/13/2023	11/06/2023	Approved
Comments	Compliance with VAR-2023-0030 conditions of approval confirmed. VAR-2023-0029 conditions of approval will be reviewed separately with building permit application. Ok for approval.			

CITY OF
FAYETTEVILLE
ARKANSAS

September 29, 2023 Uploaded via EnerGov

Brahm Driver, PE
Ecological Design Group, Inc.
216 W Birch St
Rogers, AR 72756

Re: Road Runner
GRD-2023-0051
NE Corner of Garland and North Intersection

Dear Mr. Driver:

The plans for the above project have been reviewed for general compliance and are approved subject to the following conditions:

Scope of Work Generally Consists of:

1. New service station, with EV chargers, gas pumps, and associated site improvements.
2. New hydrant placement
3. New 6" sewer service connection
4. Public storm drainage improvements
5. Public street, sidewalk and trail improvements

Plan Conditions:

1. **Please provide a PDF of the final construction plans once all outstanding comments have been addressed. The plans will be stamped by the City of Fayetteville and must be printed out for the preconstruction meeting.**
    a. Place lid for large junction boxes near the edge of the structure where a full wall is located
    b. Domestic water service and irrigation taps will be a 1" or 2" Romac tapping saddle as determined by the utility division
    c. Tapping sleeve for new hydrant must be a 12"x6"
    d. Include the city standard street widening detail
2. A cost share is currently being routed through City Council for the improvements associated with the North Street Bond Project along this project's frontage. These improvements include street widening/narrowing, curb and gutter, trail, streetlights, and a retaining wall. If, for some reason, the cost share is not approved, this project will have to construct only that which is required for its development.
3. Address remaining Planning Division comments

Standard Conditions:

1. Based on the scope of work shown above, this project is eligible for review by the City of Fayetteville under the Memorandum of Agreement with the Arkansas Department of Health (ADH). Therefore, no further review is required by ADH for this project.
2. This approval is valid for 1 year from the date above. If permit is not issued within 1 year this approval is void.
3. The review was for general compliance and does not warrant your design or relieve the owner from any items discovered during construction deemed necessary to comply with city ordinances and criteria.
4. Ecological Design Group, Inc. as engineer of record (EOR) shall be responsible for review and approval of all material submittals. Prior to placement of soils, aggregate, concrete or asphalt for public infrastructure, EOR shall review, approve and forward material submittals to the city engineering office. All materials and construction shall comply with the City of Fayetteville's requirements. In the case of conflicts, the City's criteria shall govern.
5. Periodic inspection of SWPPP contractor inspection logs will be made. These must be kept up to date and neat, accessible, and on-site.
6. Prior to permit issuance, the Engineer of Record shall provide a PE-sealed letter stating that the design of water and sewer improvements meet all requirements of the City's Standard Specifications and details, Ten States Standards, ADH Rules Pertaining to Public Water Systems, ADH plastic pipe policies, and ADH Rules Pertaining to General Sanitation. <u>No variance to any standard is given or implied unless specifically requested by the Engineer of Record and approved in writing by the City of Fayetteville prior to permit issuance, regardless of conflicts in the Engineer's plans or details.</u>
7. The engineer of record shall provide comprehensive construction observation services for utilities, storm drainage and roadway construction for this project – weekly inspection reports should be submitted to the City of Fayetteville's public works inspector.
8. The City of Fayetteville relied upon the statements and representations made in the plans and specifications. In case any statement or representation in the aforementioned documents is found to be incorrect, this approval may be revoked.
9. There shall be no deviation from the plans and specifications unless revised plans and specifications have been first submitted for review and written consent given.
10. The review and approval of the drawings and specifications in no way constitute an analysis of the structural design.

Please provide one full size and one half size paper copies of the approved plans. One set of approved plans must remain onsite at all times during construction.

If you have any questions, please email me at cgranderson@fayetteville-ar.gov or call me at 444-3452.

Sincerely,

Corey Granderson, PE
Utilities Engineer

Josh Boccaccio, PE
Engineering Development Review Manager

Melissa Evans, PLA, ASLA
Urban Forestry

Supplementary Permit Information

Grading Permit:
The following is required prior to issuing of the Grading Permit:

1. A signed copy of the SWPPP is provided to the city. The SWPPP should include a copy of the NOC, and will become part of the grading and drainage permit. (In PDF format)
2. A preconstruction conference has taken place with the following people:
    a. Engineer of Record (or appropriate design professional)
    b. Inspector for Engineer of Record
    c. Contractor(s):
        i. Superintendent who will be on-site daily during all phases of construction.
        ii. All subcontractors responsible for installation of public infrastructure.
3. The perimeter erosion controls, construction exit, and SWPPP/Grading permit box have been inspected and approved by the Engineering Division. (Applicant is responsible for contacting and scheduling the erosion control inspection by calling the assigned Public Works Inspector)
4. The tree preservation fencing has been installed and inspected by Urban Foresters (Applicant is responsible for contacting and scheduling the tree preservation fence inspection by calling the assigned Urban Forester)

Building Permit:
The following is required prior to Engineering and Urban Forestry issuing of the Building Permit:

1. The grading permit must be issued, and with no outstanding erosion control violations.
2. Public improvements must be installed and accepted, or performance bonds in the amount of 150% of the construction cost for all public improvements must be submitted, accompanied by a unit price estimate approved by the Engineering Division
3. All easements must be dedicated and or vacated.
4. Provide a performance for 150% of the estimated amount to install required landscaping. The estimate shall be provided by a landscape installation company, please contact urban forester for instructions/information.

CITY OF FAYETTEVILLE ARKANSAS

Planning Commission Memo

TO: Fayetteville Planning Commission and City Council

THRU: Jessie Masters, Development Review Manager

FROM: Melissa Evans, Urban Forester

MEETING DATE: November 27, 2023

SUBJECT: **ADM-2023-0048: Administrative Item (1110 N. Garland/Road Runner):** Submitted by FAYETTEVILLE STRONG for property located at N. GARLAND AVE, W. HOLLY ST. AND N. LINDELL AVE. The property is currently zoned R-O, C-1 and C-2 and contains approximately 1 acre. The request is for an appeal of GRD-2023-0051 and VAR-2023-0030.

RECOMMENDATION:
Urban Forestry Staff cannot make a recommendation for the approval of ADM-2023-0048 since the plans are meeting Code requirements for Tree Preservation and Landscape Regulations. The Chapter 167 Tree Preservation & Protection and Chapter 177 Landscape Regulations requirements are being met with the proposed plans.

There are no existing trees on the property, therefore Tree Preservation is not applicable.

Chapter 177 Landscape Regulations must be met, including one street tree per 30 linear feet of street frontage and one tree island per 12 parking spaces. This has been shown on the proposed landscape plan.

Attention:

- City Clerk Kara Paxton, cityclerk@fayetteville-ar.gov
- Zoning & Development Administrator Jesie Masters, jmasters@fayetteville-ar.gov
- Councilmember-Elect Bob Stafford, Ward 1, Position 1, bobforward1@gmail.com
- Councilmember D'Andre Jones, Ward 1 Position 2, dandre.jones@fayetteville-ar.gov
- Councilmember Sarah Moore, Ward 2, Position 1, sarah.moore@fayetteville-ar.gov
- Councilmember Mike Wiederkher, Ward 2, Position 2, mike.wiederkehr@fayetteville-ar.gov
- Councilmember Scott Berna, Ward 3, Position 1, scott.berna@fayetteville-ar.gov
- Councilmember Sarah Bunch, Ward 3, Position 2, sarah.bunch@fayetteville-ar.gov
- Councilmember Teresa Turk, Ward 4, Position 1, teresa.turk@fayetteville-ar.gov
- Councilmember Holly Hertzberg, Ward 4, Position 2, holly.hertzberg@fayetteville-ar.gov
- Mayor Lioneld Jordan, mayor@fayetteville-ar.gov

Re: Appeal of GRD-2023-0051 and VAR-2023-0030

I am writing on behalf of Fayetteville Strong and our more than 700 members. The membership of Fayetteville Strong wishes urge our City Council members to appeal the granting of grading permit GRD-2023-0051 for the Roadrunner Gas Station on the parcels (765-14032-000 and 765-14055-000) bounded by North Street, Garland Avenue, Lindell Avenue, and Mt. Comfort Road.

Process Concern:

We have been instructed to appeal the staff issuance of the GRD-2023-0051 according to UDC §155.06(C)(3)(a). This would require us to challenge the City Engineer's interpretation of the grading application before the Planning Commission. We do not contend that the staff made any procedural errors with regard to administering the standards of UDC §169, and believe the instructions to pursue a §155.06 appeal to be in error.

Instead, it is the variance VAR-2023-0030 (in accordance with which GRD-2023-0051 was granted) that we believe was wrongly decided. As that was a decision of the Planning Commission, it would be more appropriate to request an appeal to the City Council under UDC §155.04, which allows a Council Member to bring an appeal of Planning Commission decisions on behalf of a resident. Upon the approval of VAR-2023-0030, several of us communicated our requests for appeal to various City Council Members who received the requests favorably. They were instructed, however, to wait until the grading permit was approved before they could raise the issue because of the way UDC §155.04 treats variances: "Variances… and conditions of approval for any development shall be appealed as part of the approval of a development proposal" (emphasis added).

⭐ Appeal Requests:

If we *must* assert a violation of staff interpretation of the grading permit for our appeal to be heard, then it is that the grading plan violates the intent expressed in UDC §169.01(B) that "the existing scenic character and quality of the neighborhood and city as a whole not be diminished." This violation is a direct result of the associated variance approved by the Planning Commission, and so we contend that directing this appeal back to the same Planning Commission is wasteful of staff's and the public's time and resources.

Instead, the members of Fayetteville Strong respectfully request that one (or more) of our Council Members appeal VAR-2023-0030 on our behalf so the City Council may review the Planning Commission's July 24, 2023, decision, which we believe to have been in error for the reasons described below.

Discussion:

In setting out the standards for variances to the Parking and Loading standards of the UDC, §156.03 says, "the City Planning Commission may grant a variance… so that substantial justice may be done and the public interest secured" (emphasis added). This is clearly discretionary; not mandatory. We assert that in this instance, granting these variances undermines a variety of public interests, though for the purposes of this request, we will confine our objections primarily to those concerning the dangerous traffic conditions this development will create and compound.

We struggle to describe the missed potential that this project represents better than Commissioner Madden did when she said, "I'm concerned about this proposal on multiple levels. One of the first things I always think is, if a project needs seven variances, and the applicant has told us what a unique site this is, it makes my first question: is this the wrong site for a gas station of this scale?"

She went on to raise concerns which we share about the project's deviations from the intent of the UDC:

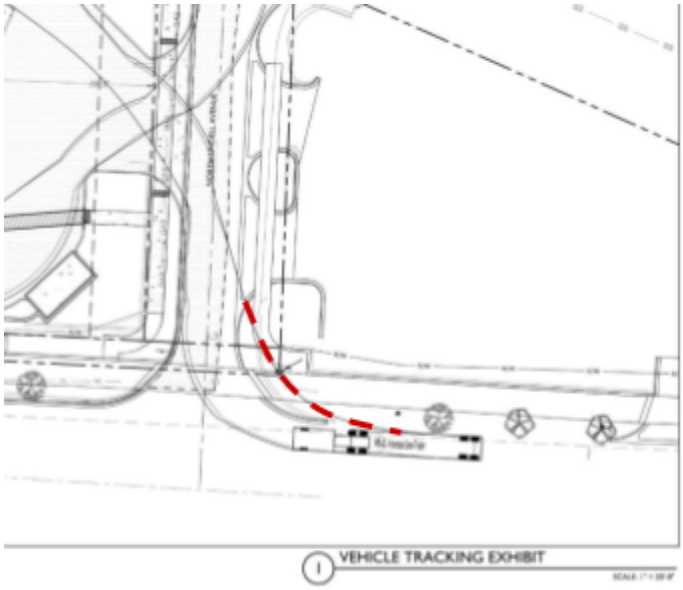
- VAR-2023-0029
    - The building is in no way oriented to any of the four streets.
    - The City is about to construct a new multi-use trail on North Street. The blank wall facing North Street has only a fire exit, presenting a blank wall to the public realm.
- Not an appropriate neighborhood-scale commercial service:
    - In the city's most densely pedestrian and best transit-served neighborhood, traffic entering and exiting for eight (8) gas pumps at an already-busy intersection doesn't contribute to the walkability goals of the Growth Concept Map and City Plan 2040.
    - There is already a full grocery store across the street, another gas station 250 feet north, and another convenience store and gas station about three blocks east.
- VAR-2023-0030
    - This intersection is already extremely congested.
    - The applicant tells us that the site design is "crazy" with people walking around and the cars maneuvering.
    - Neither Mt Comfort nor Lindell have signalized intersections with Garland and North, so all the traffic from the gas station goes to those two awkward intersections to turn out within 300 feet of the traffic light. *In both cases crossing five (5) lanes to turn left, including turn lanes that are transitioning directions and sometimes queue from the light to the next intersection.*

During the Planning Commission meeting, Assistant City Attorney Pennington described the burden of establishing that standards in the city code pose undue hardship as applied to development does indeed mean that Commissioners can consider the suitability of the proposed use when deciding to grant or deny a variance.

Madden reminded us, we don't have any parking requirements for commercial development in Fayetteville, so that gives this site *a lot* of flexibility. A gas station is going to need these variances. But there are a lot of other things that could be here, and a variance is not by right. So while gas stations are allowed in this zoning district, that doesn't mean that we want gas stations everywhere that C-1 zoning exists or that we are obligated to grant variances to enable their peculiar requirements.

Again, according to Madden: "I understand that it feels to Roadrunner like this is the best development for this site. But I doubt Roadrunner considered the suitability of student housing, or offices, or many other things besides a Roadrunner gas station." We, the members of Fayetteville Strong, agree with her, and hope that we can work together to encourage a more suitable use that feels like the highest and best use for this neighborhood at the gateway to the University of Arkansas.

Issues & Objections

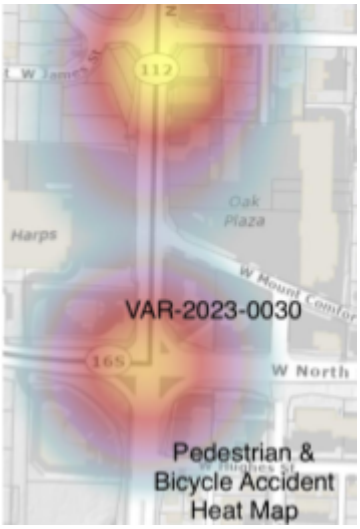


Variance #1 increases the driveway width on North Lindell Avenue beyond the maximum 24 feet as required in §172.04(F)(4)(a)(ii) to 41 feet 3 inches (a 72% increase) to accommodate fuel delivery tanker trucks. However, these trucks will still be required to turn across the future shared-use trail on the north side of North St. Furthermore, the applicant's vehicle track exhibit indicates that even with the wider driveway on Lindell Ave, the tanker trucks will still need to mount the curb very close to the retaining wall at the property to the east across Lindell Ave while turning across the multi-use trail.

We believe this creates life-threatening traffic conditions for pedestrians and cyclists. There are additional dangers to drivers who may be in the left lane when a truck driver attempts a wide turn, and to the public infrastructure should the driver fail to do so.

Variance #2 extends the maximum internal aisle width in several areas beyond the 24 feet allowed by §172.04(F)(4)(b)(iii). Staff recommended that the applicant be required to meet the maximum aisle width between the fuel station pumps and convenience store where higher pedestrian traffic is likely. Unfortunately, the Planning Commission removed that safety consideration.

We believe the Planning Commission erred in overruling Staff's recommendation, and that inconsistent site layout combined with the high turnover traffic generation of a gas station will create unsafe conditions for pedestrians as they approach the convenience store.



Nearby Traffic Safety Context Not Adequately Considered. The staff report did not address the broader traffic pattern in the surrounding blocks of this property. Commissioner Garlock raised the issue, but there was no substantive conversation about the issue among the rest of the Planning Commission.

We believe the failure to consider this context is a grave oversight, and we ask the City Council to consider the cost (in human lives) of inadequate planning and infrastructure.

Numerous dangerous traffic conditions already exist in this area, as evidenced by the city's pedestrian and vehicular traffic accident data. This segment of Mount Comfort Road is notorious for awkward intersections without signals at both ends, creating dangerous situations for pedestrians and drivers alike. The incomplete pedestrian infrastructure at the Garland and North/Wedington intersection leaves people stranded on crosswalk islands between dangerous slip lanes and the main traffic lanes, forcing people to take unsafe actions to navigate this intersection. Intentionally attracting a high volume of quick automobile visits to this already dangerous area without comprehensive plans to improve these known issues compounds the existing dangers and directly conflicts with the city's duty to protect public safety.

⭐ Conclusion

This serves as my notice of appeal of the administrative approval of GRD-2023-0051 to the Planning Commission. However, if a City Council Member chooses to sponsor our appeal of VAR-2023-0030, then I will withdraw the appeal of the grading permit as moot.

The applicant's representative told the Planning Commission that "this is a very odd site" and that gas stations "get kind of crazy when you have people walking through and people pulling out of parking spaces and gas pumps." This should reinforce the need to adhere to our pedestrian safety standards, rather than weaken them as the Planning Commission did with the removal of staff conditions. Because this site requires four variances to accommodate the ingress and egress of tanker trucks through this future pedestrian-oriented trail corridor, this site is inadequate for the proposed gas station use, and the development should not move forward. We eagerly await the opportunity to work together to encourage a more suitable use that would develop this parcel to the highest and best use for this neighborhood so that this highly visible corner becomes a signature gateway to the University. For these reasons, we ask your support to uphold this appeal and deny VAR-2023-0030 and the associated permit GRD-2023-0051.

DeLani Bartlette, Founder
Fayetteville Strong

Appendix A: Additional Comments from Change.Org Petition Signers

- Sherrilyn Goff, Fayetteville, AR
  There's not room for a large gas station in that location. The fueling trucks can't come and go as needed. It will encourage congestion.
- Paul Waddell, Fayetteville, AR
  This property is an ideal location for a mixed-use building that would allow multiple stories for residential on top and commercial on street level. It would be a missed opportunity to not get this particular property right. Walkable to a lot of amenities and has existing infrastructure.
- Josh Moody, Fayetteville, AR, United States
  We need more walkable housing, not another gas station.
- Gina Smith, Fayetteville, AR
  As a long-time Fayetteville resident, I understand that the traffic patterns at this intersection do not `support the additional high-volume traffic that a gas station would bring to that location.
- Thomas Brown, Fayetteville, AR
  The location and design of the proposed 10 to 15 foot retaining wall creates a unsafe pedestrian condition associated with the excessive hight and design treatment of the retaining wall in a part of the filling station site that is adjacent to the intersection of North Street and Garland Avenue between the street right-of-ways and the store facades facing the intersecting streets.
- Nick Thorn, AIA, Fayetteville, AR
  I oppose this development because it is not the highest and best use for this land and the number of variances (for simple things like basic access to the site) granted for this project means that this site is inadequate for the proposed gas station use.

Appendix B: Additional Comments from Reddit

- u/Ok-Lack-5172
  “Dang had high hopes a development that actually added value would go here.”
- /uCowboy_Bill_B_Bilson
  “Another gas station? There are already 2 others in the vicinity! I had high hopes for something of value to the neighborhood at that spot”
- u/zakats
  “Gross, another gas station that adds nothing but more ultra-commercial junk and crime.”
- u/AmbientDrizzle
  “Especially on this particular site that could really have used something with more character or flavor in a section of town that seems slightly neglected in favor of other parts.”
- u/DorianGre
  “It also goes against the planned trail expansion on North and the redo of this intersection to be more walkable.”
- u/ceckels
  “Is it too late to oppose this development?”
  - u/MuchaAgua
    “I don't know...but your councilmember should know this plan sucks.”
- u/Outrageous_Day_5529
  “How disappointing. Does anyone know if the city can deny this?”

Appendix C: Additional Comments from Fayetteville Flyer Facebook

- Matthew Petty
  We are in the middle of a housing crisis and this is prime location for walkable, dense development. What a shame. This is only becoming a gas station because the outdated zoning was never addressed.
- Sarah Marsh
  There's already a gas station one block away. This proposal is a huge missed opportunity and waste of valuable urban land. This site would be better utilized with a four to six story mixed-use building with retail and restaurants on the first floor and apartments above. Redeveloping this site is an opportunity to create a place to be instead of exacerbating the car sewer that is that intersection. The bus stop across the street has one of the highest utilization rates in the region. Imagine if we actually infilled the area to make it more pedestrian friendly instead of inserting a use that will make it even more hostile to pedestrians.
- Shelley Mouber
  Seriously?! We have enough gas stations per capita. Affordable housing is a priority- but I guess 3 gas stations within one block is much more important. 🤢
- Stephen Ironside
  What a shame. City of Fayetteville Arkansas Government, we're better than this. Do better.
- Olivia Trimble
  You can literally see another gas station in this picture. What a missed opportunity.
- Gelynda Johnson
  we need more affordable housing that isn't student housing. Not more gas stations
- Katie Kiki
  So many better options than this. So many more
- Deborah Sabo
  I've lived in this neighborhood for over 30 years, it could use strenuous advocacy for more affordable housing. Affordable as in, could university staff employees manage to pay the rent?
- Morgan Large
  I am beyond tired of all the gas stations and oil change & car washes. Come on, Fayetteville. Use our real estate better than this.
- Shawna Bell
  I hope they don't put that there. There is already a place to get gas just a few yards away!!
- Rick Miller
  The area could be revitalized into a new entertainment district. More live music, good food, pubs. Free parking.
- Zachariah Duran Coger
  Oh thank god. I was worried we might get something awesome.
- Jules Taylor
  Another gas station?!! There are 3 stations in a mile radius of that space. Disappointing choice for such a green and bike friendly community.
- Eryn Brothers
  🙄🙄🙄keeping it funky🙄🙄🙄
- Chris Pleimann
  But that's how they do it in Dallas….

Appendix D: History & Timeline

- June 22, 2023:
  - GRD-2023-0051 submitted.
- July 17, 2023:
  - GRD-2023-0051 permit review not passed.
- July 21, 2023:
  - Fayetteville Flyer article alerted the public to the Road Runner proposal, but did not indicate the timing of the hearing.
- July 24, 2023 7:41 am:
  - Fayetteville Flyer shared the article to their Facebook where it garnered 322 comments, including some included above in Appendix C, and 62 shares.
    Public reactions were: 276 94 52 15 6 2 1
- July 24, 2023 11:08 am:
  - The Fayetteville Flyer article was shared to reddit where it received 26 comments, including some listed above in Appendix B.
- July 24, 2023 5:30 pm:
  - VAR-2023-0030 was approved by the Planning Commission 6-2 with no public comment.
    - Motion to approve by Commissioner Winston, seconded by Commissioner Holcomb
    - Voting in favor of approval: Payne, Gulley, Holcomb, Winston, McGetrick, Brink
    - Voting against approval: Garlock, Madden
    - Absent: Sparkman
- August 25, 2023:
  - GRD-2023-0051 permit review not passed.
- August 30, 2023:
  - Fayetteville Strong meeting (Council Member Wiederkehr present)
    - Discussed updated status on permit
    - Presentation of zoning proposal to implement Growth Concept Map at Garland & North
      - Twenty-one (21) Fayetteville Strong members in attendance voted unanimously to support effort for city-initiated rezoning to encourage more productive development
- September 27, 2023:
  - Fayetteville Strong meeting.
    - Discussed Transportation Committee/Roadrunner cost-share proposal for North St trail
    - Update on status of permit.
    - Revisited efforts for better zoning aligned to city plans, advocacy strategies
- September 29, 2023:
  - GRD-2023-0051 permit review not passed.
- October 25, 2023:
  - Change.org Petition launched
- **November 6, 2023:**
  - GRD-2023-0051 permit review passed with VAR-2023-0030 conditions of approval confirmed.
- November 13, 2023:
  - Change.org petition launched
  - As of Thursday, Nov 16, it has received 96 signatures.
- **Tuesday, November 21, 2023:**
  - 10 business-day deadline to appeal

Compiled Public Comment
ADM-2023-0048

From: Lisa Orton <lisa_m_orton@yahoo.com>
Sent: Thursday, November 16, 2023 10:44 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>; Masters, Jessica <jmasters@fayetteville-ar.gov>; Turk, Teresa <teresa.turk@fayetteville-ar.gov>; Hertzberg, Holly <holly.hertzberg@fayetteville-ar.gov>; Mayor <Mayor@fayetteville-ar.gov>; Jones, D'Andre <dandre.jones@fayetteville-ar.gov>; Moore, Sarah <sarah.moore@fayetteville-ar.gov>; Wiederkehr, Mike <mike.wiederkehr@fayetteville-ar.gov>; Berna, Scott <scott.berna@fayetteville-ar.gov>; Bunch, Sarah <sarah.bunch@fayetteville-ar.gov>
Cc: Lisa Orton <lisa_m_orton@yahoo.com>
Subject: Oppose Roadrunner Gas Station

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

Dear Mayor Jordan, City Council, Kara, and Jessica,

I want to express my opposition to the Roadrunner Gas Station near the intersection of North and Garland. There are already two gas stations nearby in this already busy location. I shop at Harps there, go to the Karas Clinic nearby, use those two gas stations, drop off clothing at the Peace At Home thrift store, visit the Dollar Store, etc. University, neighborhood, and passing-through traffic already congests this area, causing safety issues.

Please deny variances and permits, and this Roadrunner Gas Station project as a whole.

Thank you for your consideration.

Sincerely,
Lisa Orton
1663 W Halsell Rd
Ward 4
Lisa_m_orton@yahoo.com
410-674-8440

Sent from Yahoo Mail for iPad

Compiled Public Comment
ADM-2023-0048

From: Sun Flower <sunflowerwiks@gmail.com>
Sent: Monday, November 27, 2023 11:00 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Please forward

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.

Please forward to Mayor Jordan, Jesie Masters, and all members of the City Council:

I am opposed to the construction of a gas station on the corner of North, Garland, and Mt Comfort.

- The variances needed to permit this gas station will create and exacerbate dangerous conditions that already exist for pedestrians, cyclists, and automobiles, especially considering upcoming multi-use trail on North Street.

- A gas station already exists a few hundred feet from this location, as well as others within a half mile or so, one to the north and another to the east.

- This location would be far better utilized for housing, given the desperate need for such in our community, and the walkability of so many services, including shopping, grocery store, restaurants, and a public school.

- We a walkable, safe, and attractive addition to our community, NOT another gas station, most especially at this location.

Please immediately reconsider and deny the variances and thus the permit for this gas station.

Margaret Holcomb

From: Ethel C. Simpson <esimpson@uark.edu>
Sent: Wednesday, November 22, 2023 9:27 PM
To: Wonsower, Donna <dwonsower@fayetteville-ar.gov>
Cc: Turk, Teresa <teresa.turk@fayetteville-ar.gov>
Subject: RE: Road Runner Approval (GRD-2023-0051) Appeal Options

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.

Can you tell me the status of appeals against the grading permit for the Road Runner project? I could not determine from the report in the *Fayetteville Flyer* whether the project referred to was the RoadRunner project or something else. Here is the text of the *Flyer*'s report

A resolution to waive the appeal fees for DeLani Bartlette's grading permit.

Compiled Public Comment
ADM-2023-0048

Background:
Councilmember Moore said she wants to waive the $100 appeal fee for Bartlette, who is appealing a grading permit that was recently issued for a project.
Discussion:
There was no public comment.
Decision:
The council voted 8-0 to approve the resolution.

Thank you for the clarification.

Ethel C. Simpson

409 N. Oliver Avenue
Fayetteville, AR 72701
(479) 841-0023 (cell)
(479) 442-2925 (home)

From: Thomas Brown <tbrownii@icloud.com>
Sent: Thursday, December 7, 2023 11:18 AM
To: Garlock, Jimm <jimm.garlock@fayetteville-ar.gov>; Brink, Andrew <andrew.brink@fayetteville-ar.gov>; Payne, Brad <brad.payne@fayetteville-ar.gov>; Gulley, Fred <fred.gulley@fayetteville-ar.gov>; Holcomb, Joseph <joseph.holcomb@fayetteville-ar.gov>; Madden, Mary <mary.madden@fayetteville-ar.gov>; McGetrick, Mary <mary.mcgetrick@fayetteville-ar.gov>; Winston, Porter <porter.winston@fayetteville-ar.gov>; Sparkman, Sarah <sarah.sparkman@fayetteville-ar.gov>
Cc: Masters, Jessica <jmasters@fayetteville-ar.gov>; CityClerk <cityclerk@fayetteville-ar.gov>
Subject: ADM 2023-0048 (VAR-2023-0030 Appeal Statement)

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.

Planning Commissioners

The appeal addresses the heightened safety hazards associated with operating a high activity auto-centric pedestrian hostel use, like a filling station, at an intersection currently experiencing high levels of vehicle, bicycle and pedestrian accidents.

Therefore, I want to address an equally disqualifying issue. This is the conflicting nature of the proposed filling station use verses the pedestrian friendly mixed-use urban design objectives of the core of a Tier 2 Center.

As a previous Planning Commissioner involved in developing the 2040 City Plan, I am aware of eight features of the Growth Concept Map, addressed in Section 2.2 of the Plan, that are relevant to our appeal.

- First, the Growth Concept Map depicts in broad graphic terms how Fayetteville should grow over the next 20 years.

- Second the Map identifies key growth nodes, corridors and major areas that should be conserved for natural resources and open space.
- Third, the Map graphically depicts the location of:
    - 40 Tier 1, 2, 3 and Special Centers.
    - 2 High Activity Corridors.
    - The North College Transit Corridor.
    - The Enduring Green Network.
- Fourth, the map reflects city-wide policies to create diverse, efficient, and well-connected communities that are affordable, rich in local employment, and access to transportation, services, and culture.
- Fifth, the Map helps form the basis for strategic Planning Policies across the city. (*An example of this Map feature can be seen in how the Map can be used in guiding future updates to the City's Zoning Map and Future Land Use Map.)*
- Sixth, the Map is intended to provide a more certain environment for making public and private investment decisions. (*An example of this Map feature can be seen in its ability to guide the Development Community to where higher density mixed-use project opportunities are available across the City.)*
- Seventh, the Map is a tool to help guide in evaluating development proposals. (*An example of this Map feature can be seen in its potential to help guide the City Council when considering the compatibility of a rezoning proposal or potentially guide the Planning Commission when evaluating the appropriateness of a variance proposal.)*
- Finally, The Map identifies the intersection of North Street and Garland Avenue as the core of a Tier 2 Center.

The 2040 City Plan states that all Tier Centers are intended to be mixed-use nodes that are pedestrian-friendly areas served by current or future transit services.

The 2040 City Plan additionally states that Tier 2 Centers are characterized by Commercial uses that are in mixed-use structures or office buildings.

The development proposed by the variance applicant is not a pedestrian friendly use proposed in a mixed-use structure or office building. It is an auto-centric filling station that emphasizes vehicles over pedestrians and should therefore be denied.

Thomas Brown

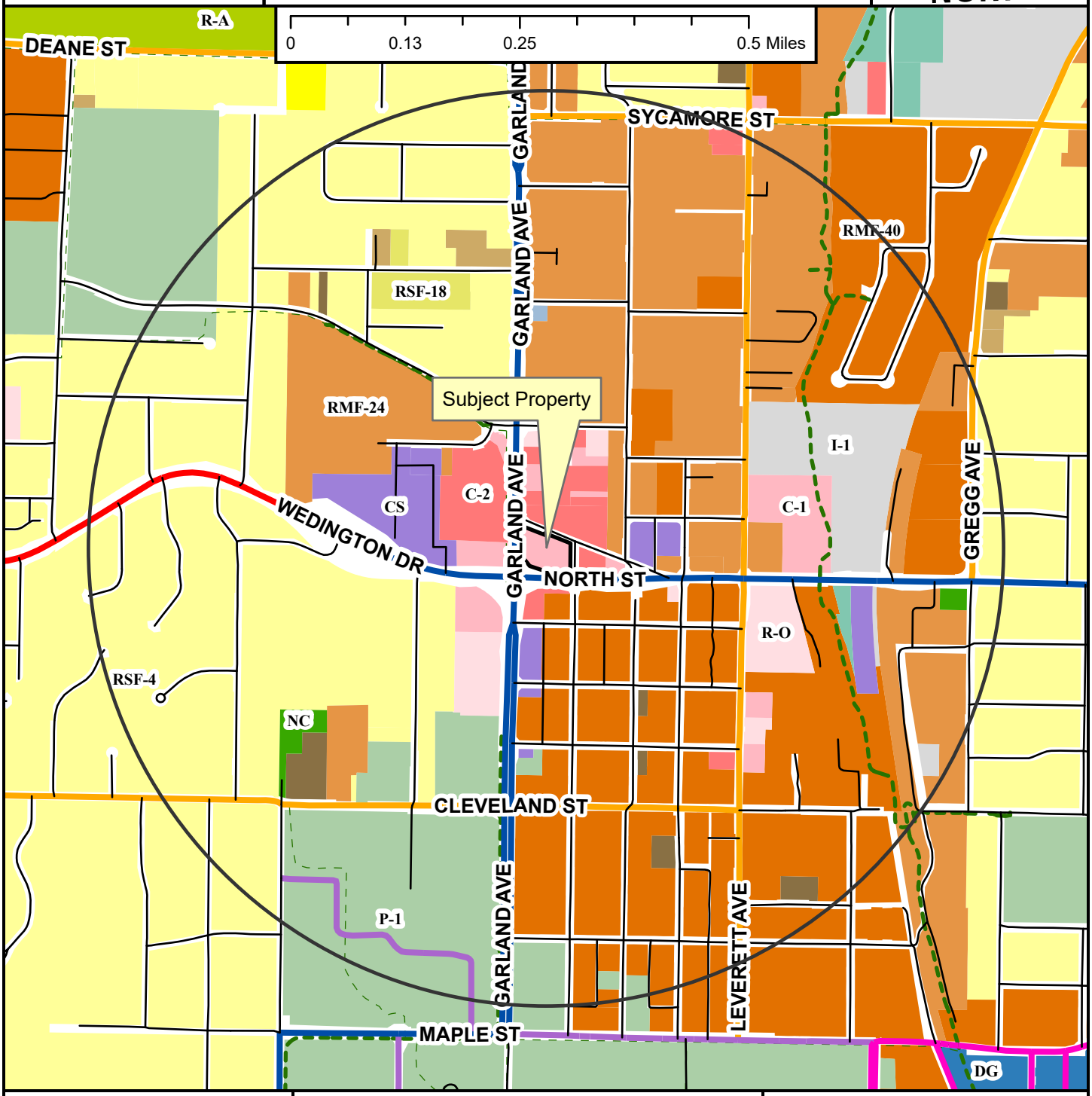
Sent from my iPhone

ADM-2023-0048

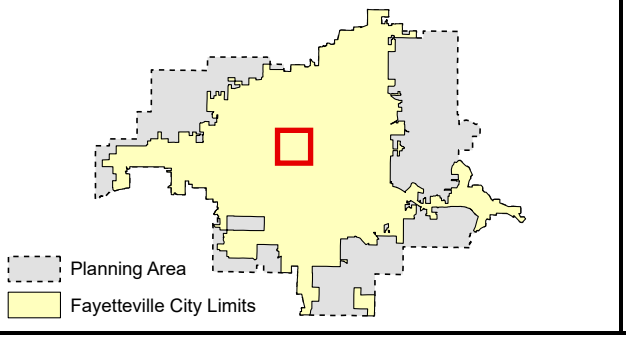
One Mile View

1110 N. GARLAND AVE

NORTH



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



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

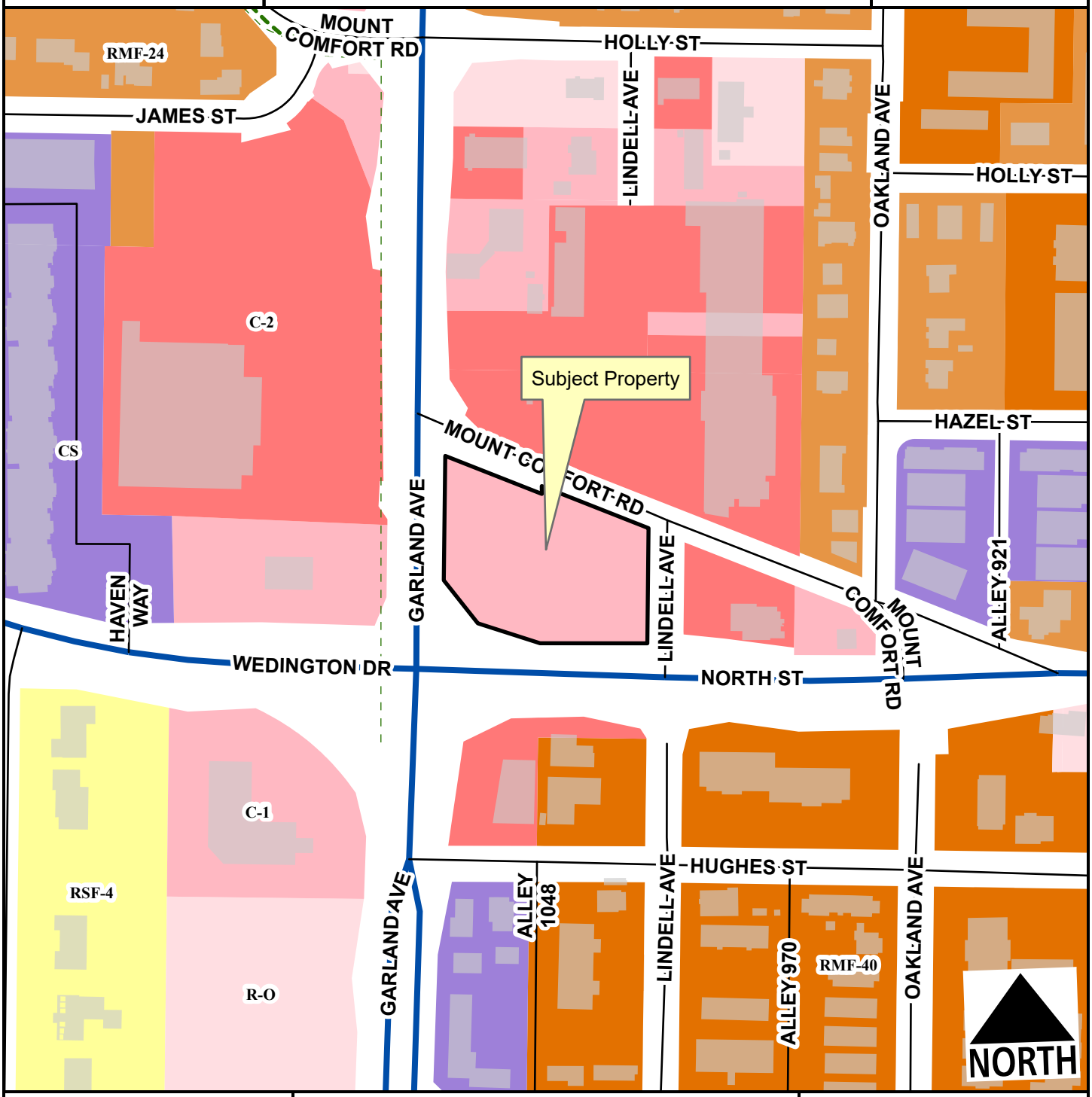
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

ADM-2023-0048

Close Up View

1110 N. GARLAND AVE



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

Feet

0 75 150 300 450 600

1:2,400

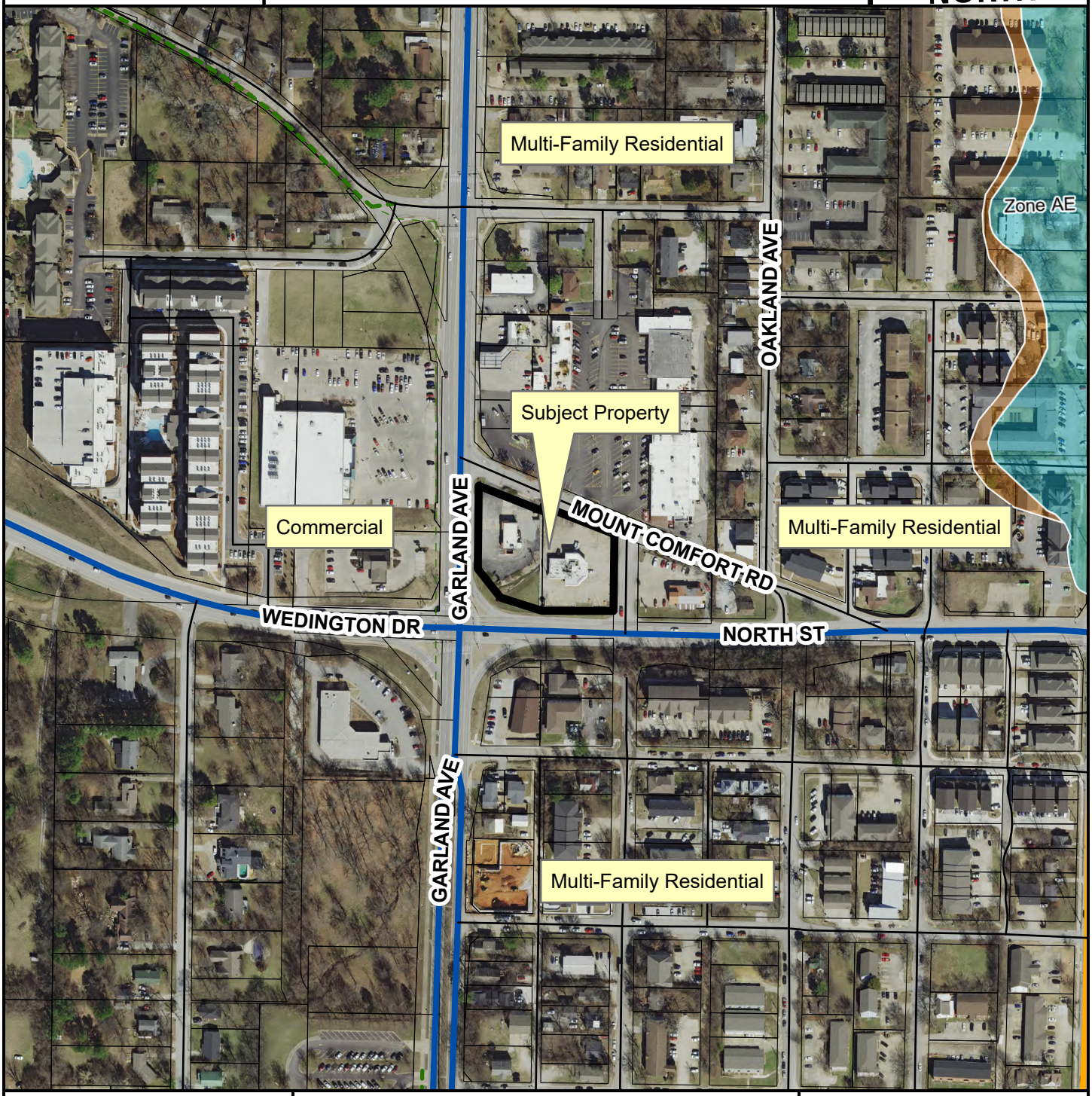
- RSF-4
- RMF-24
- RMF-40
- Residential-Office
- C-1
- C-2
- Community Services

ADM-2023-0048

Current Land Use

1110 N. GARLAND AVE

NORTH



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

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Donna Wonsower, Planner
Melissa Evans, Urban Forester

MEETING: December 11, 2023

SUBJECT: **CCP-2023-0005: Concurrent Plat (4060 E. HUNTSVILLE RD/FULCHER, 569):** Submitted by BATES & ASSOCIATES for property located at 4060 E. HUNTSVILLE RD. The property is zoned R-A, RESIDENTIAL - AGRICULTURAL and RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE and contains approximately 0.97 acres. The request is for the concurrent plat of two residential lots.

RECOMMENDATION:
Staff recommends approval of **CCP-2023-0005** with conditions.

RECOMMENDED MOTION: *"I move to approve* **CCP-2023-0005***, recommending:*

- *In favor of recommended right-of-way dedication and street improvements; and*
- *All other conditions of approval."*

BACKGROUND:
The subject property is in southeast Fayetteville on E. Huntsville Road, just east of where Huntsville Road crosses the West Fork White River. Containing approximately 0.97 acres and zoned RMF-24, Residential Multi-Family, 24 Units per Acre, the property is developed with a single-family home that County records indicate was built in 1926. A small portion of the northwest corner is zoned R-A, Residential Agricultural. No overlay districts currently govern the site. Surrounding land uses and zoning are depicted in *Table 1.*

Table 1 - Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre; R-A, Residential Agricultural; RSF-4, Residential Single-Family, 4 Units per Acre.
South	Single-Family Residential	CS, Community Services
East	Multi-Family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
West	Undeveloped	R-A, Residential Agricultural

Proposal: The applicant intends to plat 2 residential lots, at 0.24 acres and 0.71 acres. Having exhausted the number of administrative lot splits permitted from the parent tract, this proposal is required to be reviewed as a concurrent plat.

Water and Sewer System: No additional water or sewer infrastructure is required with this proposal; each proposed lot will have required access to water and sewer.

Right-of-way to be dedicated: The property in question has frontage along E. Huntsville Road, classified as a Regional Link Street, which typically requires 46 feet of right-of-way dedication from centerline. Right-of-way in the required dimension already exists along this property's frontage, so staff does not recommend any additional right-of-way dedication.

Street Improvements: Staff does not recommend any street improvements in association with this request.

Tree Preservation: Based on the applicant's provided tree preservation plan, no trees are planned to be removed with this development, so no mitigation is needed. No tree preservation easement is required.

Parkland Fees: Parkland dedication fees-in-lieu in the amount of $1089.00 will be required for the creation of an additional residential lot within the City's limits.

Public Comment: Staff has received two inquiries from the public regarding access to the site and potential improvements to E. Huntsville Rd. Access management standards will be fully reviewed for at the time of a specific development proposal. A neighbor who previously spoke to staff attended Subdivision Committee and spoke against the proposal, citing the odd shape and small size of the proposed parcel, a history of poor maintenance of the property, drainage and erosion concerns for the adjacent White River, access to sewer, a potential discrepancy on the location of an existing utility line, and a history of a property line dispute. There was discussion regarding the property line dispute and the process for handling this through the civil system, and discussion on the difference between a lot split and concurrent plat. No additional public comment has been received prior to Planning Commission.

RECOMMENDATION: Staff recommends approval of CCP-2023-0005, with the following conditions:

Conditions of Approval:

1. **Planning Commission determination of right-of-way dedication.** *No right-of-way dedication required.*
   Subdivision Committee recommended in favor.

2. **Planning Commission determination of street improvements.** *No street improvements required.*
   Subdivision Committee recommended in favor.

3. Parkland dedication fee-in-lieu of $1089.00 for the creation of one residential lot must be paid prior to signature of the concurrent plat.

4. Remaining Planning comments shall be addressed, including:
   a. Add street table for E. Huntsville Rd.

5. All remaining comments from City divisions, whether Urban Forestry, Fire, or Engineering shall be addressed prior to Planning Commission.

Standard conditions of approval:

6. All lots shall be labeled with addresses as approved by the 911 Coordinator on the final plat (if applicable).
7. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his/her representative, and all comments from utility representative: Black Hills Energy, AT&T, Ozarks, SWEPCO, Cox Communication).

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 the City's current requirements.

PLANNING COMMISSION ACTION ❒ **Tabled** ❒ **Denied** ❒ **Approved**

Meeting Date: **December 11, 2023**

Motion:

Second:

Vote:

BUDGET/STAFF IMPACT:
None

Attachments:
- Urban Forestry Memo
- Park Memo
- Applicant Cover Letter
- Site Plan
- One Mile Map
- Close-Up Map
- Current Land Use Map

URBAN FORESTRY
TREE PRESERVATION COMMENTS

To:	Andy Hooper, Bates & Associates
From:	Melissa Evans, Urban Forestry
CC:	Donna Wonsower, Planner
Meeting Date:	December 11, 2023
Subject:	CCP-2023-0005: Fulcher: 4060 E. Huntsville Rd., 569

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

2. Tree Preservation Calculations

Tree Preservation Calculations are not needed since no trees will be removed with this CCP.

3. Mitigation Requirements	**Canopy below requirement**	**Number of 2" caliper trees to be planted**
High Priority		
Low Priority		
Total Mitigation Trees Required*	**0**	**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 *UDC Chapter 167.04H1*	**Tech Plat**	**Subdivision Committee**	**Planning Commission**
a. 5 year Aerial Check on Existing Trees	**Yes**	**Yes**	**Yes**
b. Property Boundary	**Yes**	**Yes**	**Yes**

c.	Natural Features (100ft beyond limits of disturbance)	**No**	**No**	**N/A**
d.	Existing Topography and Proposed Grading	**No**	**No**	**N/A**
e.	Soil Types	**No**	**No**	**N/A**
f.	Significant Trees	**No**	**Yes**	**Yes**
g.	Groupings of Trees	**No**	**Yes**	**Yes**
h.	Table Inventory List (species, size, health, priority)	**No**	**Yes**	**Yes**
i.	All Existing and Proposed Utilities	**No**	**No**	**N/A**
j.	All Existing and Proposed Utility Easements and ROW's	**No**	**Yes**	**Yes**
k.	All Streams (with approximate center line)	**N/A**	**N/A**	**N/A**
l.	Floodplains and floodways	**N/A**	**N/A**	**N/A**
m.	Existing Street, Sidewalk or Bike Path ROW	**Yes**	**Yes**	**Yes**
n.	Submitted Site Analysis Plan (if required)	**N/A**	**N/A**	**N/A**
o.	Shows ALL Proposed Site Improvements	**No**	**No**	**N/A**
p.	Delineates trees/canopy to be preserved and removed	**No**	**Yes**	**Yes**
Tree Protection Methods				
a.	Tree Protection Fencing	**No**	**N/A**	**N/A**
b.	Limits of Root Pruning	**No**	**N/A**	**N/A**
c.	Traffic flow on work site	**No**	**N/A**	**N/A**
d.	Location of material storage	**No**	**N/A**	**N/A**
e.	Location of concrete wash out	**No**	**N/A**	**N/A**
f.	Location of construction entrance/exit	**No**	**N/A**	**N/A**

6.	**Site Analysis Report (if required)** *UDC Chapter 167.04H4*	**Yes**	**No**	**N/A**
a.	Provide graphic examples of multiple options used to minimize removal of existing canopy			**X**
b.	Submitted Analysis Statement – Note the process, iterations, and approaches to preserve canopy.			**X**

7.	**Review Status (See Comments)**	**Tech Plat**	**Subdivision Committee**	**Planning Commission**
	Conditionally Approved	**11-13-23**	**11-28-23**	**12-06-23**
	Approved			
	Tabled			
	Denied			

Comments

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

URBAN FORESTRY
LANDSCAPE PLAN COMMENTS

To:	Andy Hooper, Bates & Associates
From:	Melissa Evans, Urban Forestry
CC:	Donna Wonsower, Planner
Meeting Date:	December 11, 2023
Subject:	CCP-2023-0005: Fulcher: 4060 E. Huntsville Rd., 569

1.	**General Landscape Plan Checklist**	**Yes**	**No**	**N/A**
a.	Irrigation (notes either automatic or hose bib 100' o.c.) *UDC Chapter 177.03A7g, 177.04B3a*			**X**
b.	Species of plant material identified *UDC Chapter 177.03A7d,e*			**X**
c.	Size of plant material (minimum size 2" caliper for trees and 3 gal. shrubs) *UDC Chapter 177.03A7b,c*			**X**
d.	Soil amendments notes include that soil is amended and sod removed *UDC Chapter 177.03C6b*			**X**
e.	Mulch notes indicate organic mulching around trees and within landscape beds *UDC Chapter 177.03C6c,d*			**X**
f.	LSD and Subdivisions plans stamped by a licensed Landscape Architect, others by Landscape Designer *UDC Chapter 177.03B*			**X**
g.	Planting bed contained by edging *UDC Chapter 177.03C6f*			**X**
h.	Planting details according to Fayetteville's Landscape Manual *UDC Chapter 177.03C6g*			**X**
i.	Provide information about 3-Year Maintenance plan. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. *UDC Chapter 177.05 A2e*			**X**

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

c.	Tree Island (8' min. width, 18.7' min length OR 150 square feet) *UDC Chapter 177.04C*			**X**
d.	Placement of Trees (either side at entrances and exits) *UDC Chapter 177.04C2*			**X**
3.	**Perimeter Landscaping Requirements**	**Yes**	**No**	**N/A**
a.	Side and Rear Property Lines (5' wide landscaped area) *UDC Chapter 177.04D2a*			**X**
b.	Front Property Line (15' wide landscape) *UDC Chapter 177.04C2a*			**X**
c.	Shade trees planted on south and west sides of parking lots *UDC Chapter 177.04D2e*			**X**
d.	50% Evergreen shrubs if parking lot adjacent to ROW *UDC Chapter 177.04D4a*			**X**
4.	**Street Tree Planting Requirements**	**Yes**	**No**	**N/A**
a.	Residential Subdivisions 1 Large Shade Species Tree per Lot *UDC Chapter 177.05*	**X**		
b.	Non-Residential Subdivisions 1 Large Species Shade Tree every 30' (planted in greenspace) *UDC Chapter 177.05*			**X**
c.	Urban Tree Well – Urban Streetscapes Trees every 30' (8' sidewalk) *UDC Chapter 177.05B3a-f*			**X**
d.	Structured Soil – Urban Tree Wells Include a note and/or detail of structural soil on Landscape Plan *UDC Chapter 177.05B3a-f*			**X**
e.	Residential Subdivisions Timing of planting indicated on plans *UDC Chapter 177.05A4*			**X**
f.	Residential Subdivisions Written description for method of tracking planting *UDC Chapter 177.05A4e*			**X**

5. Landscape Requirement Totals	Amount
Mitigation Trees	**0**
Parking Lot Trees	**N/A**
Street Trees	**0**
Detention Pond – Large Trees (1 Tree/3,000 square feet)	**0**
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	**0**
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)	**0**

6. Review Status (See Comments)	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved	**11-13-23**	**11-28-23**	
Approved			
Tabled			
Denied			

Comments

1. Address items above marked “No” and all Redlines provided.
2. Existing trees to remain count as required street trees.
3. One tree per lot is required in residential subdivisions (2 per corner lots). The plan meets that requirement with the preserved existing trees along the street frontage.

CITY OF FAYETTEVILLE ARKANSAS

TO: Planning Division

FROM: Zach Foster, Park Planner

DATE: November 13, 2023

SUBJECT: Parks & Recreation Technical Plat Review Comments

****

PRAB Meeting Date:	PRAB not required
Project Number:	CCP-2023-0005
Project Location:	4060 E Huntsville Rd
Plat Page:	569
Park Quadrant:	SE
Billing Name & Address:	Jesse Fulcher, 4060 E Huntsville Rd, Fayetteville, AR 72701

☐ **Land Dedication** ☒ **Fee-in-Lieu** ☐ **Combination**

LAND DEDICATION

									TOTAL Acres
Single Family:	_____	units	x	0.023	acres per unit =	0.00	acres		0.0
Multi Family:	_____	units	x	0.020	acres per unit =	0.00	acres		

FEE-IN-LIEU

							TOTAL Fees
Single Family:	1	units	x	$1,089	per unit =	$1,089	$1,089
Multi Family:	_____	units	x	$952	per unit =	$ 0	

SUMMARY:

- Project will split 1 existing tract(s) into 2 single family lots, creating 1 new SF lot(s).
- Fees are assessed for the additional lot(s) created and are due upon project's approval.
- Current fee-in-lieu and/or land dedication rates will be applied regardless of when project was approved by PRAB. All fees must be paid prior to final receipt by the city.
- 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 lot split will be used to fund future park acquisitions and improvements for this park quadrant.

BATES
Engineers · Surveyors
7230 S Pleasant Ridge Dr / Fayetteville, AR 72704
PH: (479) 442-9350 / batesnwa.com

November 1, 2023

To the City of Fayetteville Planning Staff:

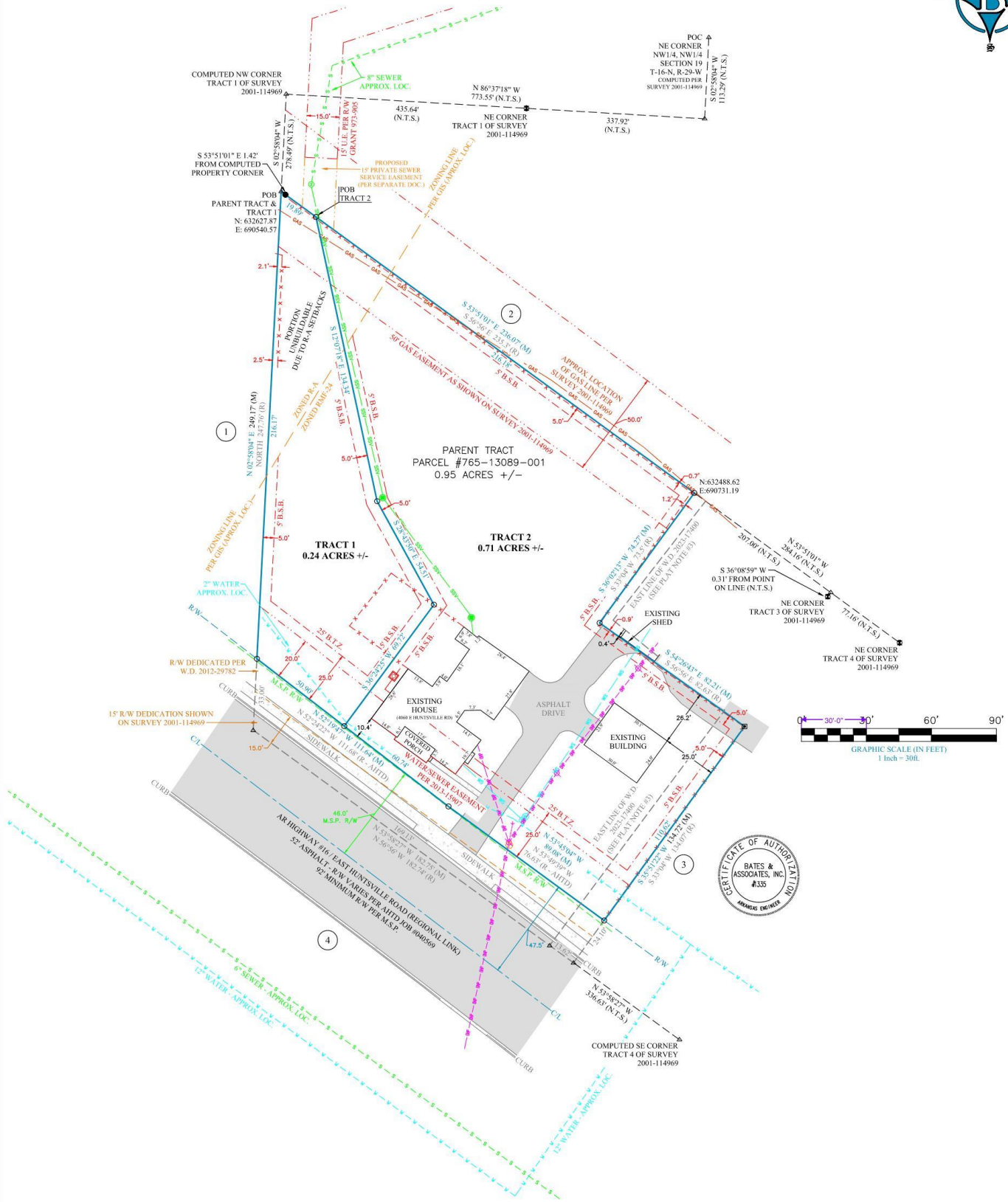
The property owners, Jesse and Brook Fulcher, are proposing a tract split on land they own at 4060 East Huntsville Road. The parcel number for the property is 765-13089-001 and contains 0.95 acres. They would like to split the property into two tracts. Tract 1 to contain 0.24 acres and Tract 2 to contain 0.71 acres. The reason for the concurrent plat submittal is because this property has been split too many times for administrative approval. There is no large scale development or new subdivisions proposed on this property.

If you have any questions, comments, or concerns please contact us.

Thank You,

Andy Hooper
Bates & Associates
479-442-9350
andy@batesnwa.com

FULCHER CONCURRENT PLAT (PAGE 2 OF 2)



DRAWING #23-185 SPLIT

FOR USE AND BENEFIT OF:
JESSE & BROOK FULCHER

ADDRESS: 4060 EAST HUNTSVILLE ROAD FAYETTEVILLE, AR

DATE: 11/01/23	SCALE: 1"=30'
LOCATION:	SURVEYED: DRAFTED:
SECTION: 19	CW CH & AH
TOWNSHIP: 16 NORTH	
RANGE: 29 WEST	REVIEWED: DT
	COA #1335

BATES Engineers · Surveyors
7230 S. Pleasant Ridge Dr. · Fayetteville, Arkansas 72704 · 479.442.9350

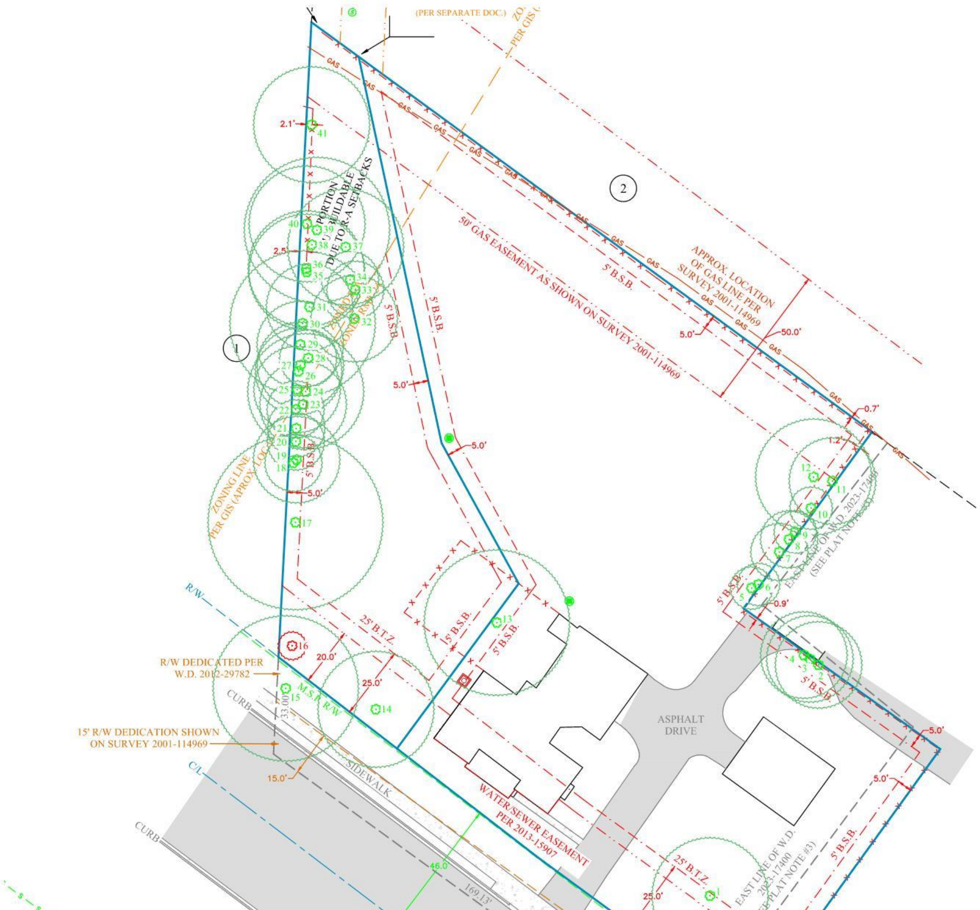
BATES & ASSOCIATES, INC. Copyright 2023
This survey was conducted for the person or persons whose name(s) appear on this plat. This plat is protected by copyright. No one including the person(s) named may reproduce this plat without the express written consent of Bates & Associates, Inc. Surveyor has made no independent investigation for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other fact which a complete and accurate title search may disclose. Any flood statement provided on this plat is for information only and Bates & Associates, Inc. assumes no liability for the correctness of the hereon cited maps, furthermore the above statement does not represent the opinion of Bates & Associates, Inc. of the probability of flooding.

Location Map:
R-29-W
19
T-16-N

LEGEND:
THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.
(R) RECORD BEARING & DISTANCE
(M) MEASURED BEARING & DISTANCE
FOUND 5/8" REBAR
SET 5/8" REBAR/CAP
FOUND 1/2" REBAR
FOUND NAIL
COMPUTED POINT
TELEPHONE PEDESTAL
WATER METER
CLEANOUT
SANITARY SEWER MH
AC CONDENSER UNIT
POWER POLE
GUY ANCHOR
BOUNDARY LINE (MEASURED)
PARCEL LINE (EXISTING)
TIE LINE
CENTERLINE OF ROAD
RIGHT-OF-WAY
WATER LINE
WATER SERVICE LINE
SEWER LINE
SEWER SERVICE LINE
OVERHEAD POWER LINE
GUY WIRE
GAS LINE
FENCE
UTILITY EASEMENT
BUILDING SETBACK
ZONING LINE

RECORDING NUMBER/DATE

TREE PROTECTION & LANDSCAPE PLAN



BOTH THE CITY ENGINEER AND THE URBAN FORESTER WILL HAVE TO "SIGN-OFF" FOR CERTIFICATE OF OCCUPANCY.

SITE DISTURBANCE
57% DISTURBED

STATE OF ARKANSAS REGISTERED PROFESSIONAL ENGINEER No. 9810 GEOFFREY H. BATES

CERTIFICATE OF AUTHORIZATION BATES & ASSOCIATES, INC. #1335 ARKANSAS ENGINEER

CITY OF FAYETTEVILLE STANDARD NOTES FOR TREE AND NATURAL AREA PROTECTION

1. ALL TREES AND NATURAL AREAS SHOWN ON THIS PLAN TO BE PRESERVED SHALL BE PROTECTED DURING CONSTRUCTION WITH TEMPORARY FENCING.
2. PROTECTIVE FENCES SHALL BE ERECTED ACCORDING TO CITY OF FAYETTEVILLE STANDARDS FOR TREE PROTECTION.
3. PROTECTIVE FENCES SHALL BE INSTALLED PRIOR TO THE START OF ANY SITE PREPARATION WORK AND SHALL BE MAINTAINED THROUGHOUT ALL PHASES OF THE CONSTRUCTION PROJECT.
4. EROSION AND SEDIMENTATION CONTROL BARRIERS SHALL BE INSTALLED OR MAINTAINED IN A MANNER WHICH DOES NOT RESULT IN SOIL BUILD-UP WITHIN TREE DRIPLINES.
5. PROTECTIVE FENCES SHALL SURROUND THE TREES OR GROUP OF TREES AND WILL BE LOCATED AT THE DRIPLINE. FOR NATURAL AREAS, PROTECTIVE FENCES SHALL FOLLOW THE LIMIT ON CONSTRUCTION IN ORDER TO PREVENT THE FOLLOWING:
   A. SOIL COMPACTION IN THE ROOT ZONE OF AREA RESULTING FROM VEHICULAR TRAFFIC OR STORAGE OF EQUIPMENT.
   B. ROOT ZONE DISTURBANCES DUE TO GRADE CHANGES (GREATER THAN 6") ROOT TRENCHING NOT VIEWED BY CITY ARBORISTS.
   C. WOUNDS TO EXPOSED ROOTS, TRUNK OR LIMBS BY MECHANICAL EQUIPMENT.
   D. OTHER ACTIVITIES DETRIMENTAL TO TREES SUCH AS CHEMICAL STORAGE, CONCRETE TRUCK CLEANING AND FIRES.
6. EXCEPTIONS TO INSTALLING FENCES AT TREE DRIPLINES MAY BE PERMITTED IN THE FOLLOWING CASES:
   A. WHERE THERE IS TO BE AN APPROVED GRADE CHANGE, IMPERMEABLE PAVING SURFACE, TREE WELL, OR OTHER SUCH SITE DEVELOPMENT.
   B. WHERE PERMEABLE PAVING IS TO BE INSTALLED WITHIN A TREE'S DRIPLINE, ERECT THE FENCE AT THE OUTER LIMITS OF THE PERMEABLE PAVING AREA (PRIOR TO SITE GRADING SO THIS AREA IS GRADED SEPARATELY PRIOR TO PAVING INSTALLATION TO MINIMIZE ROOT DAMAGE)
   C. WHERE TREES ARE CLOSE TO PROPOSED BUILDINGS, ERECT THE FENCE TO ALLOW 6 TO 10 FEET OF WORK SPACE.
   D. WHERE THERE ARE SEVERE SPACE CONSTRAINTS DUE TO TRACT SIZE OR OTHER SPECIAL REQUIREMENTS.
7. WHERE ANY OF THE ABOVE EXCEPTIONS RESULT IN A FENCE BEING CLOSER THAN 4 FEET TO A TRUNK, PROTECT THE TRUNK WITH STRAPPED ON PLANKING TO HEIGHT OF 8 FEET (OR LIMITS OF LOWER BRANCHING) IN ADDITION TO THE REDUCED FENCING PROVIDED.
8. TREES APPROVED FOR REMOVAL SHALL BE REMOVED IN A MANNER WHICH DOES NOT IMPACT TREES TO BE PRESERVED.
9. ANY ROOTS EXPOSED BY CONSTRUCTION ACTIVITY SHALL BE PRUNED FLUSH WITH THE SOIL. BACKFILL ROOT AREAS WITH GOOD QUALITY TOPSOIL AS SOON AS POSSIBLE. IF EXPOSED ROOT AREAS ARE NOT BACKFILLED WITHIN 2 DAYS, COVER WITH ORGANIC MATERIAL IN A MANNER WHICH REDUCES SOIL TEMPERATURE AND MINIMIZES WATER LOSS DUE TO EVAPORATION.
10. ANY TRENCHING REQUIRED FOR THE INSTALLATION OF LANDSCAPE IRRIGATION SHALL BE PLACED AS FAR FROM EXISTING TREE TRUNKS AS POSSIBLE.
11. NO LANDSCAPE TOPSOIL DRESSING GREATER THAN 4 INCHES SHALL BE PERMITTED WITHIN THE DRIPLINE OF TREES. NO SOIL IS PERMITTED ON THE ROOT FLARE OF ANY TREE.
12. PRUNING TO PROVIDE CLEARANCE FOR STRUCTURES, VEHICULAR TRAFFIC, AND EQUIPMENT SHALL TAKE PLACE BEFORE CONSTRUCTION BEGINS.
13. ALL FINISHED PRUNING MUST BE DONE ACCORDING TO RECOGNIZED, APPROVED STANDARDS OF THE INDUSTRY (REFERENCE THE AMERICAN NATIONAL STANDARD, ANSI-A300 PRUNING, 2008 OR LATER). A CITY CERTIFIED TREE PRUNER MUST BE RETAINED TO MAKE ALL PRUNING CUTS. A LIST OF CERTIFIED TREE PRUNERS IS AVAILABLE FROM THE URBAN FORESTER.
14. DEVIATIONS FROM THE ABOVE NOTES MAY BE CONSIDERED ORDINANCE VIOLATIONS IF THERE IS SUBSTANTIAL NON-COMPLIANCE OR IF A TREE SUSTAINS DAMAGE AS A RESULT.

NO PORTION OF THIS PROPERTY IS LOCATED WITHIN THE HILLTOP HILLSIDE OVERLAY DISTRICT

NO TREES ARE PROPOSED TO BE REMOVED/ 100% OF CANOPY PRESENT ON SITE WILL BE PROPOSED. NO DEVELOPMENT IS PROPOSED IN THIS SUBMITTAL.

CITY OF FAYETTEVILLE STANDARD LANDSCAPE NOTES

1. CONTRACTOR SHALL CONFIRM THE LOCATION OF ALL UTILITIES PRIOR TO STARTING ANY WORK. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ARKANSAS ONE-CALL TO CONFIRM ALL UTILITIES.
2. ALL PLANTS MUST BE HEALTHY, VIGOROUS AND FREE OF PESTS AND DISEASE.
3. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
4. ALL PLANTS MUST BE CONTAINER GROWN OR BALLED AND BURLAPPED AS INDICATED ON THE PLANT LIST.
5. ALL REQUIRED TREES SHALL BE 2" MINIMUM CALIPER, WITH A SINGLE DOMINATE CENTRAL LEADER. MULTI LEADERED TREES WILL NOT BE ACCEPTABLE WITHOUT PRIOR APPROVAL FROM URBAN FORESTRY.
6. ALL TREES MUST BE STRAIGHT TRUNKED AND FULL HEADED, UNLESS SPECIFIED OTHERWISE, AND MUST MEET ALL REQUIREMENTS SPECIFIED ON PLANS.
7. ALL TREES AND SHRUBS SHALL BE INSTALLED PER STANDARD CITY OF FAYETTEVILLE PLANTING DETAILS.
8. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER CONSTRUCTION.
9. ALL PLANTING AREAS MUST BE COMPLETELY MULCHED WITH A 4" LAYER OF ORGANIC HARDWOOD MULCH. MULCH SHALL BE NOT BE PLACED IMMEDIATELY ADJACENT TO TREE TRUNKS, BUT SHALL BE KEPT AT LEAST 3" FROM ROOT COLLAR AT THE SOIL LINE.
10. ALL PROPOSED PLANTING AREAS COVERED BY GRASS SHALL HAVE THE SOD COMPLETELY REMOVED BEFORE PLANTING BEGINS.
11. ALL PLANTING BEDS SHALL BE CONTAINED BY EDGING MATERIAL OTHER THAN VEGETATION.
12. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE LANDSCAPE CONSTRUCTION AT NO COST TO THE OWNER.
13. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
14. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING MATERIAL (INCLUDING BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) IN ALL PLANTING AREAS AND LAWN AREAS UNTIL THE WORK IS ACCEPTED IN TOTAL BY THE OWNER.
15. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR BEGINNING ON THE DATE OF TOTAL ACCEPTANCE. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE GUARANTEE PERIOD.
16. ANY PLANT MATERIAL WHICH DIES, TURNS BROWN, OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS.
17. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE OF ANY LAYOUT DISCREPANCIES PRIOR TO ANY PLANTING. LOCATE ALL UTILITIES AND SITE LIGHTING CONDUITS BEFORE CONSTRUCTION BEGINS.
18. ALL DISTURBED AREAS SHALL BE SEEDED WITH A GRASS SEED MIX CONSISTING OF 70% TURF TYPE FESCUE, 20% PERENNIAL RYE, AND 10% BERMUDA GRASS AT 5 POUNDS PER 1,000 SQUARE FEET.
19. ALL AREAS TO BE SEEDED SHALL RECEIVE 4" OF TOPSOIL AND BE GRADED PER THE GRADING PLAN.
20. IRRIGATION SHALL BE EITHER AN UNDERGROUND AUTOMATIC SYSTEM OR SHALL UTILIZE HOSE BIBBS EVERY 100' AS REQUIRED BY FAYETTEVILLE LANDSCAPE ORDINANCE.
21. MAINTENANCE: THE CURRENT OWNER OF THE PROPERTY SHALL BE RESPONSIBLE FOR THE ONGOING MAINTENANCE OF REQUIRED LANDSCAPING.
22. REPLACEMENT LANDSCAPING: REQUIRED LANDSCAPING THAT DIES OR IS DAMAGED SHALL BE REMOVED AND REPLACED BY THE CURRENT OWNER OF THE PROPERTY. THE OWNER SHALL HAVE 60 DAYS FROM THE RECEIPT OF WRITTEN NOTICE ISSUED BY THE CITY TO REMOVE AND REPLACE ANY REQUIRED LANDSCAPING THAT DIES OR IS DAMAGED.
23. THREE (3) YEAR MAINTENANCE SURETY SHALL BE DEPOSITED FOR EACH REQUIRED STREET AND MITIGATION TREE.

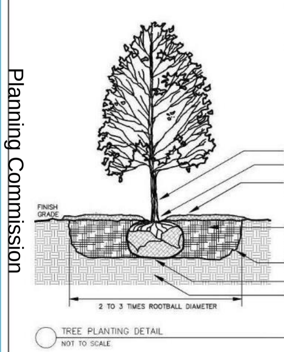
TREE LIST:

1) 12" DOUBLE MAPLE - 40' CANOPY
2) 8" ELM - 30' CANOPY
3) 8" ELM - 30' CANOPY
4) 8" REDBUD - 30' CANOPY
5) 3" ELM - 15' CANOPY
6) 3" DOUBLE ELM - 15' CANOPY
7) 3" QUAD ELM - 20' CANOPY
8) 3" QUAD ELM - 20' CANOPY
9) 3" DOUBLE ELM - 15' CANOPY
10) 4" ELM - 15' CANOPY
11) 10" HACKBERRY - 30' CANOPY
12) 10" TRIPLE ELM - 40' CANOPY
13) 36" MAGNOLIA - 50' CANOPY
14) 24" ELM - 40' CANOPY
15) 30" ELM - 50' CANOPY
16) 16" DEAD ELM - 10' CANOPY
17) 30" ELM - 60' CANOPY
18) 6" ELM - 20' CANOPY
19) 12" ELM - 30' CANOPY
20) 8" QUAD ELM - 20' CANOPY
21) 4" QUAD ELM - 20' CANOPY
22) 8" ELM - 20' CANOPY
23) 12" ELM - 30' CANOPY
24) 12" QUAD ELM - 40' CANOPY
25) 14" ELM - 30' CANOPY
26) 10" DOUBLE ELM - 30' CANOPY
27) 10" QUAD ELM - 30' CANOPY
28) 10" ELM - 20' CANOPY
29) 10" QUAD ELM - 30' CANOPY
30) 12" QUAD ELM - 50' CANOPY
31) 12" ELM - 30' CANOPY
32) 4" TRIPLE ELM -30' CANOPY
33) 4" ELM - 20' CANOPY
34) 4" ELM - 20' CANOPY
35) 14" ELM - 40' CANOPY
36) 10" ELM - 40' CANOPY
37) 8" ELM - 40' CANOPY
38) 12" TRIPLE HACKBERRY - 50' CANOPY
39) 12" REDBUD - 50' CANOPY
40) 12" DOUBLE HACKBERRY - 40' CANOPY
41) 14" HACKBERRY - 40' CANOPY

TREE LEGEND

QTY	SYM	BOTANICAL NAME	ROOT	MIN. SIZE	NOTES
5	VF	VALLEY FORGE ELM Ulmus americana "Valley Forge"	B&B	2" CAL	LOT TREE/ STREET TREE

NOTES:
1. TREES SHALL BE 2" CALIPER MINIMUM.
2. THE HOLE FOR THE TREE SHALL BE EXCAVATED 2-3 TIMES THE SIZE OF THE ROOT BALL.
3. STAKE ONLY IF NECESSARY AND AS DIRECTED BY THE PROJECT MANAGER.
4. REMOVE ANY TWINE, ROPE, FLAGGING, WRAPPING, OR GUARDS FROM TREE.
5. PRUNE ONLY DEAD OR BROKEN BRANCHES OR DOUBLE LEADERS AT TIME OF PLANTING.
6. ROOTBALL - ROOT COLLAR SHALL BE VISIBLE. REMOVE EXCESS SOIL FROM TOP OF BALL IF NEEDED. SET TOP OF BALL 1" TO 2" ABOVE FINISHED GRADE TO ALLOW FOR SETTLING. AFTER SETTING BALL IN PLANTING HOLE, CUT AWAY OR REMOVE THE ENTIRE WIRE BASKET. CUT OR REMOVE ALL ROPES OR TWINE FROM BALL. CUT AWAY OR REMOVE BURLAP. IF ROOTBALL BEGINS FALLING APART DURING INSTALLATION OR WHILE REMOVING THE WIRE BASKET, PEEL THE WIRE AND/OR BURLAP BACK TO THE BOTTOM OF THE PLANTING HOLE AND REMOVE ANY PEELED BACK MATERIAL.



TREE PLANTING DETAIL
NOT TO SCALE

LEGEND: THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.
BOUNDARY LINE
CENTERLINE OF ROAD
RIGHT-OF-WAY
UTILITY EASEMENT
CONSERVATION EASEMENT
WATER LINE
WATER SERVICE LINE
SEWER LINE
SEWER SERVICE LINE
LIMITS OF DISTURBANCE
SILT FENCE
TREE PRESERVATION FENCE
FOUND 5/8" REBAR
SET 5/8" REBAR/CAP
FOUND 1/2" REBAR
FOUND MAG NAIL
ELECTRIC PEDESTAL
TELEPHONE PEDESTAL
WATER METER
LIGHT

BATES Engineers • Surveyors
7230 S. Pleasant Ridge Dr. • Fayetteville, Arkansas 72704 • 479.442.9350

BATES & ASSOCIATES, INC. Copyright 2023
This survey was conducted for the person or persons whose name(s) appear on this plat. This plat is protected by copyright. No one including the person(s) named may reproduce this plat without the express written consent of Bates & Associates, Inc. Surveyor has made no independent investigation for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other fact which a complete and accurate title search may disclose. Any flood statement provided on this plat is for information only and Bates & Associates, Inc. assumes no liability for the correctness of the herein cited maps, furthermore the above statement does not represent the opinion of Bates & Associates, Inc. of the probability of flooding.

FOR USE AND BENEFIT OF:
JESSE & BROCK FULCHER
ADDRESS:
4060 E HUNTSVILLE RD
FAYETTEVILLE, AR

DATE: 12/05/2023	SCALE: 1"=30'	
LOCATION: SEC 19 TOWNSHIP 16N RANGE 29W	SURVEYED: CW	DRAFTED: EL
	REVIEWED: DT	

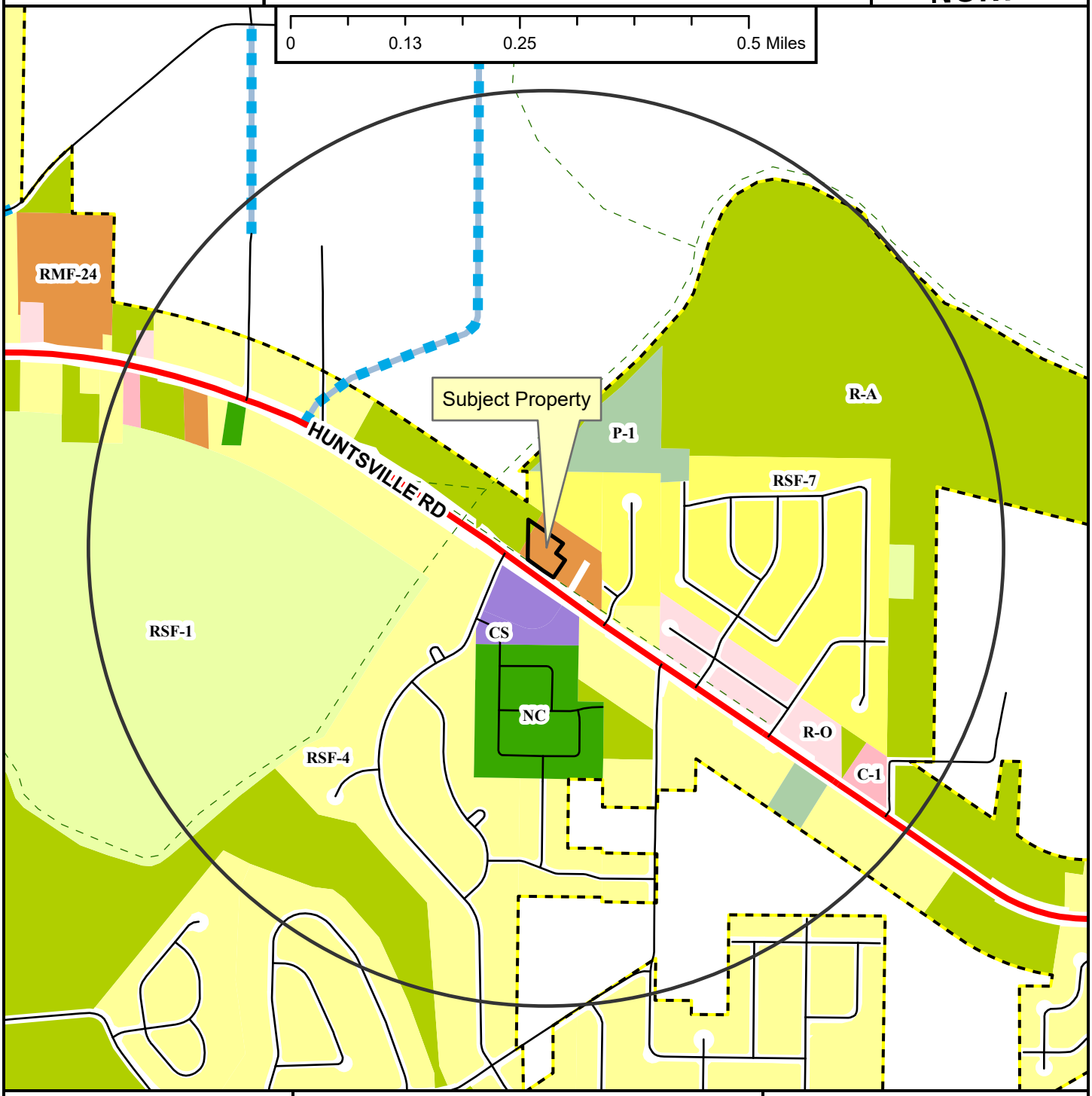
DRAWING #23-185 TP&LP

CCP-2023-0005

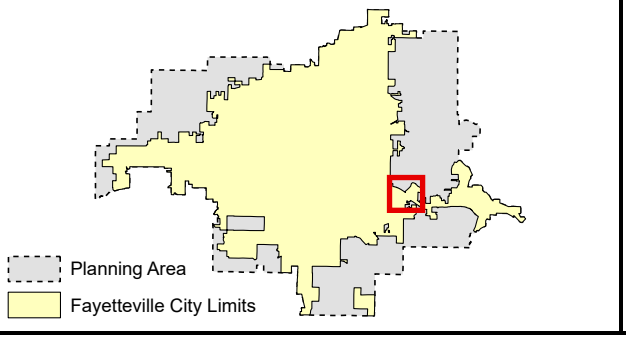
One Mile View

4060 E HUNTSVILLE RD

NORTH



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

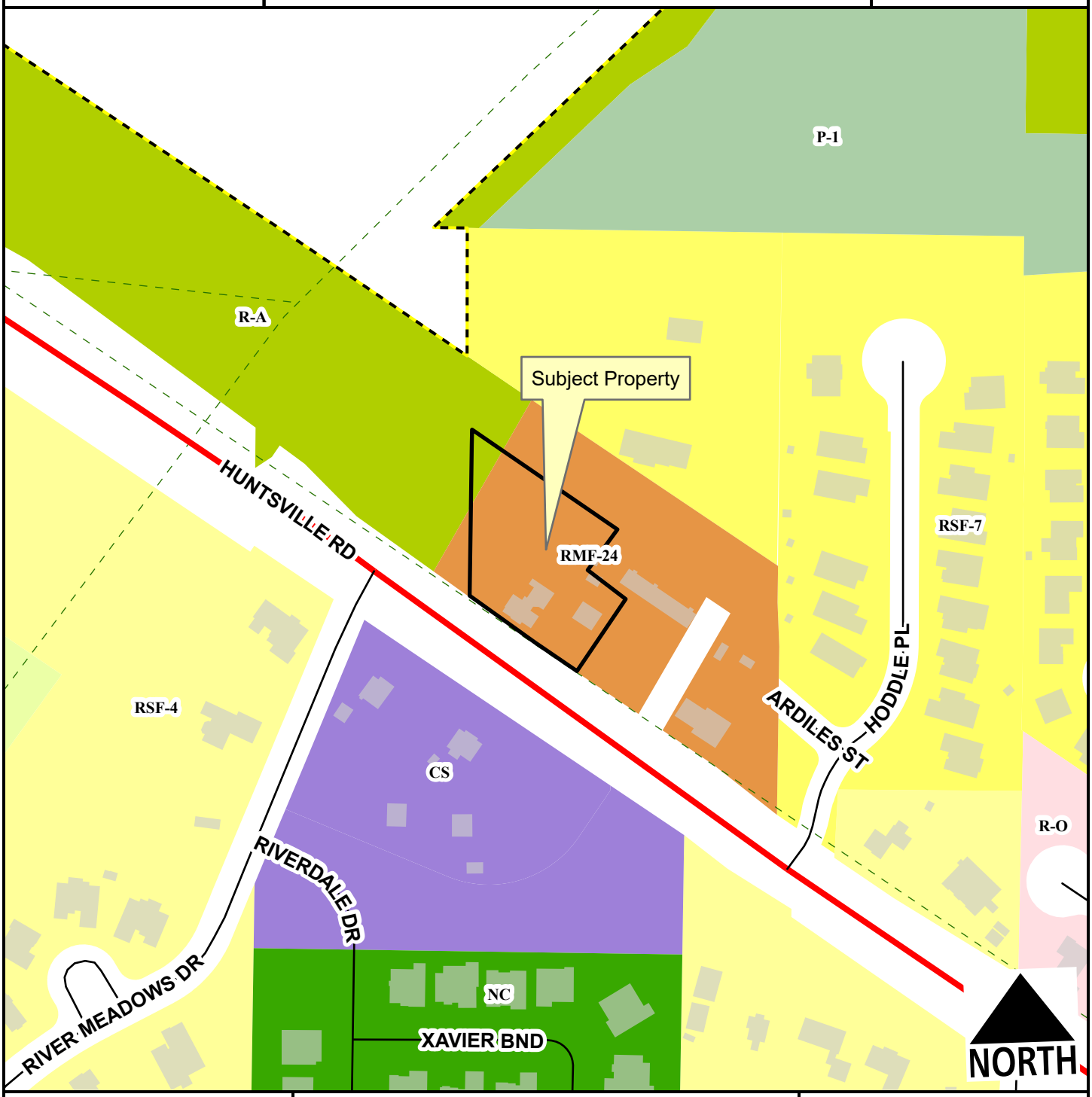


Zoning
RESIDENTIAL SINGLE-FAMILY
NS-G
RI-U
RI-12
NS-L
Residential-Agricultural
RSF-.5
RSF-1
RSF-2
RSF-4
RSF-7
RSF-8
RSF-18
RESIDENTIAL MULTI-FAMILY
RMF-6
RMF-12
RMF-18
RMF-24
RMF-40
INDUSTRIAL
I-1 Heavy Commercial and Light Industrial
I-2 General Industrial
EXTRACTION
E-1
COMMERCIAL
Residential-Office
C-1
C-2
C-3
FORM BASED DISTRICTS
Downtown Core
Urban Thoroughfare
Main Street Center
Downtown General
Community Services
Neighborhood Services
Neighborhood Conservation
PLANNED ZONING DISTRICTS
Commercial, Industrial, Residential
INSTITUTIONAL
P-1

CCP-2023-0005

Close Up View

4060 E HUNTSVILLE RD



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

Feet
0 75 150 300 450 600
1:2,400

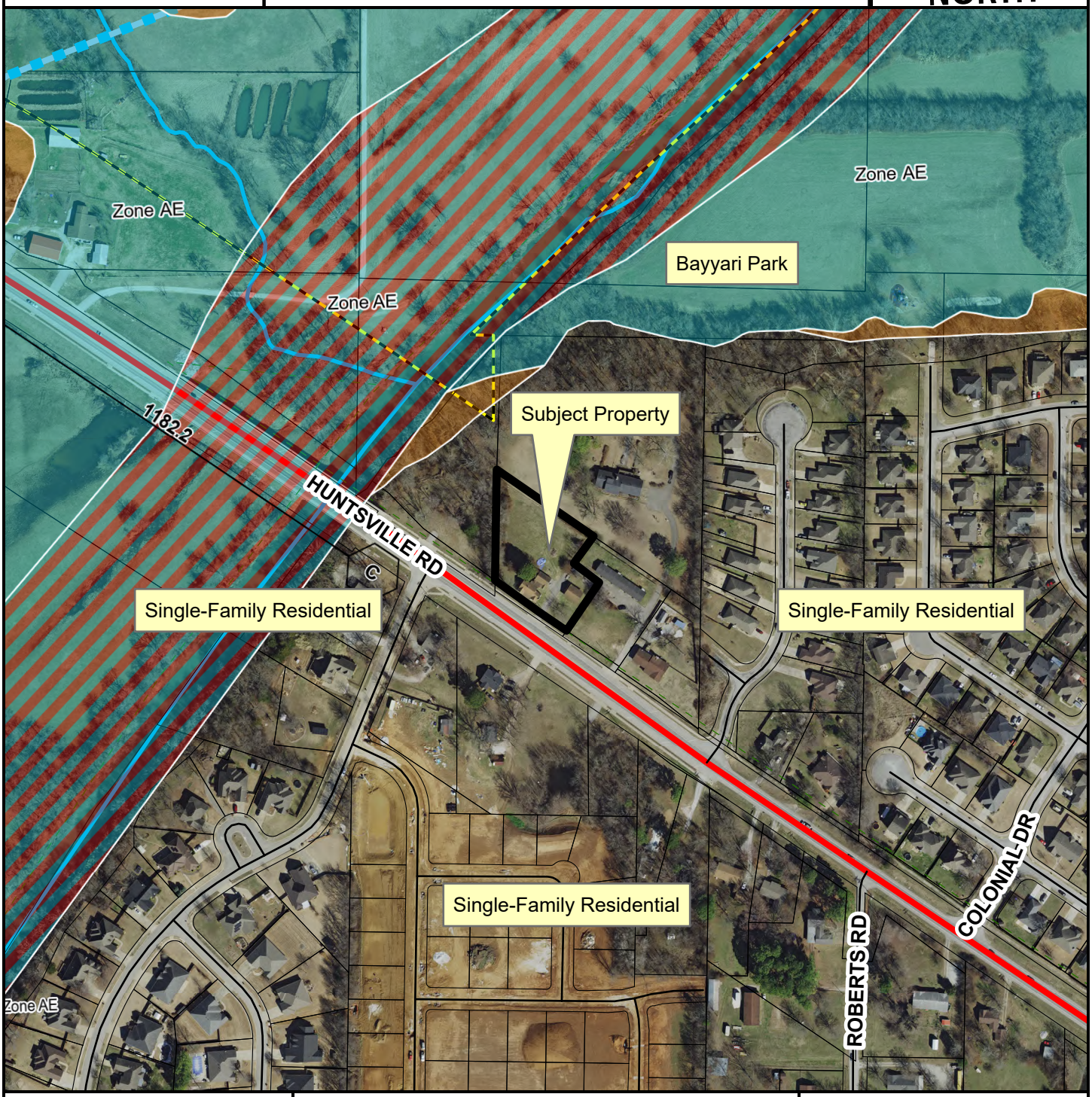
Residential-Agricultural
RSF-1
RSF-4
RSF-7
RMF-24
Residential-Office
Community Services
Neighborhood Conservation
P-1

CCP-2023-0005

Current Land Use

4060 E HUNTSVILLE RD

NORTH



- Regional Link
- 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

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

FROM: Jessie Masters, Development Review Manager

MEETING DATE: December 11, 2023

SUBJECT: **CUP-2023-0166: Conditional Use Permit (WEST OF 219 W. 15TH ST/TRINITAS DEVELOPMENT, 601):** Submitted by BLEW & ASSOCIATES for property located WEST OF 219 W. 15TH ST. The property is zoned MSC, MAIN STREET/CENTER and contains approximately 3.90 acres. The request is for an off-site parking lot.

RECOMMENDATION:
Staff recommends denial of **CUP-2023-0166**.

RECOMMENDED MOTION:
"I move to deny **CUP-2023-0166."**

BACKGROUND:
The subject property is in south Fayetteville, southeast of the corner of the intersection of W. 15th Street and S. School Avenue. The property is zoned MSC, Main Street Center, contains approximately 3.9 acres and is currently developed with pavement that was previously a parking lot. It was formerly the site of the Southgate IGA, which closed in 2017, and was demolished in 2020. The site is located within the Walker Park Neighborhood Master Plan, as well as within the 71-B Corridor Plan. A portion of the site is located within Zone AE floodplain, and a portion of the Streamside Protection Zone encumbers the southern portion of the site. Surrounding land uses and zoning are depicted in Table 1.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential/Commercial	MSC, Main Street Center
South	Undeveloped/Town Branch Trail	C-2, Thoroughfare Commercial
East	Salvation Army	MSC, Main Street Center
West	Commercial/Gas Station	MSC, Main Street Center

City Plan 2040 Future Land Use Designation: **City Neighborhood Area/Walker Park Neighborhood Master Plan Area/71-B Corridor Master Plan**

Proposal: The applicant requests conditional use permit approval to install an off-site parking lot in the Main Street/Center zoning district. The purpose of this request is to provide an off-site parking lot for a proposed student housing project on W. Center Street. Fayetteville's Unified Development Code, under §172.06 – Parking Lot Location Standards, notes that parking lots that are not located on the same lot as the principal use, require conditional use permit approval from the Planning Commission.

Public Comment: Staff has received inquiries from the public regarding this request, but no comments in opposition or support.

RECOMMENDATION: Staff recommends denial of **CUP-2023-0166**; should the Planning Commission approve the request, staff recommends the following conditions:

Conditions of Approval:

1. **Planning Commission determination of compatibility for an off-site parking lot serving a residential use, containing 357 parking spaces.** *Staff finds the proposed parking lot to be incompatible for the reasons outlined in this report;*

2. **Planning Commission determination of a variance to UDC Chapter 172.06(C), which requires that parking lots may be located on other property not more than 600 feet distant from the principal use.** *Staff recommends denial of this variance request, for the reasons outlined in this report;*

3. **Sidewalk, greenspace, streetlights, and street trees shall be installed along the property's frontage along W. 15th Street in line with the typical master street plan requirements for Regional High Activity Link streets.**

4. **Screening of the parking lot along the property's frontage with W. 15th Street shall be composed of masonry screen wall between 32 inches and 42 inches in height and 50% opaque minimum.**

5. **Off-site parking lots shall be prohibited from being located within the build-to-zone, per 172.04(C)3. Associated spaces shall not be located within 0-25 feet from the existing right-of-way, or master street plan right-of-way, whichever is greater.**

6. **Accessible parking requirements shall be evaluated for compliance with the Unified Development Code and the Americans with Disabilities Act;**

7. **Trash receptacles shall be provided for the convenience of the users, and shall be screened from view of the public right-of-way. The property owner shall be responsible for maintaining the property and keeping it free and clear of litter and debris;**

8. **Signage shall comply with the UDC Chapter 174, Signs;**

9. **Outdoor lighting on this property shall comply with UDC Chapter 176, Outdoor Lighting;**

10. **Existing non-conforming access features shall be brought into conformity in line with the standard requirements in UDC Chapter 166.08(F);**

11. **Parking lot must meet all other standard design and development standards as outlined in the Unified Development Code, including, but not limited to, paving and construction, dimensional standards, landscape requirements, and drainage requirements;**

12. **This approval does not grant permit approval for the associated parking lot. A grading permit shall be submitted for review in compliance with all city codes.**

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: December 11, 2023	**❒ 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 an off-site parking lot.**

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 §172.06 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 may adversely affect the public interest. This proposed location is likely to negatively affect the residents at the proposed student housing site, and may also negatively affect the residents at the proposed location for this parking lot. The intent of the ordinance requiring off-site parking facilities to be located within 600 feet of the principal use is meant to ensure convenience and usability for those who need to access the use. And while Fayetteville is a national leader in codifying the removal of parking minimums for commercial uses, the same standard does not apply to residential ones. Fayetteville emergency service providers have stated that enforcing parking at residential uses is an ongoing issue, and puts an undue strain on those divisions. Both Police and Fire have issued memos indicating issues that they have found at other large student housing complexes within the City limits.**

(c.) The Planning Commission shall certify:

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

Finding: **There are specific rules governing off-site parking locations in Unified Development Code §172.06, Parking Lot Location Standards.**

§172.06. PARKING LOT LOCATION STANDARDS.

…

B. Permitted Locations as a Conditional Use.

1. Parking lots located within residential zones which serve uses in nonresidential zones may be allowed as a conditional use by the Planning Commission.

2. Parking lots for uses allowed as conditional uses within residential zones must also be approved as a conditional use. A conditional use for a parking lot may be approved at the same time the use is approved or may be approved separately if additional parking lots are developed later.

The Planning Commission shall make a finding based upon the size, scale, and location of these activities that the proposed parking lot will not adversely affect adjacent residential uses or the residential character of the neighborhood.

Finding: **The request is for a parking lot located within the same zoning district as the principal use (both areas are zoned MSC), but in an area of town that is nearly 1 mile away from the principal use. There are not currently any adjacent residential uses to the east, south, or west, but there are to the north. Staff recommends that parking be removed from the property's build-to-zone, and a masonry screen wall between 32 and 42 inches in height with a 50% opaque minimum be installed along the W. 15th Street frontage to improve the site a minimize visualization for those residential properties.**

C. **Off-Site Locations.** If off-street parking cannot be provided on the same lot as the principal use due to existing buildings or the shape of the parcel, parking lots may be located on other property not more than 600 feet distant from the principal use, subject to conditional use approval by the Planning Commission.

Finding: **The applicant is seeking a variance to this standard with this request, which staff does not support. Staff finds that the proposed parking lot does not satisfy the regulations for off-site parking since the lot is over mile away from the principal use. The intent of the ordinance limiting the distance to 600 feet is meant to provide an off-site parking lot that is still within a convenient, walkable location for the proposed users. The applicant has not provided additional information about possible transportation or a shuttle service, and appears to be relying upon public transportation and ride-share apps. While public transportation does serve the site, and the site is also closely located within the Razorback Greenway, public transportation service stops at 7:00 PM, providing an inconvenient option for those who may be looking to park or store vehicles in the evening. Because of this inconvenience, staff finds that users are likely to continue to find parking that is located closer to the proposed housing complex, and may contribute to illegal parking closer to the complex.**

…

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

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

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

Finding: **Vehicular ingress and egress to the parking lot is proposed through an improved curb cut along W. 15th Street. Staff recognizes that this development would offer an improvement to the existing access at this location, which is currently through an unimproved curb cut that is over 40 feet wide. Further, there is an adjacent curb cut that provides access to the gas station that is separated by approximately 20 feet. The applicant's access management strategy would improve this site and would also provide sidewalks and greenspace in alignment with High Activity Regional Link Streets.**

(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: **No substantial noise, glare, or odor effects on adjoining properties are anticipated, though staff recognizes that a stagnant use such as a parking**

lot may not provide necessary activation to the site that may help generate economic activity in this area. The property is not adjacent to any residential uses, and there is currently adequate screening and buffering to the trail to the south, which is protected by the Streamside Protection Zone. That said, should the item receive approval from Planning Commission, staff recommends a masonry screen wall between 32 and 42 inches in height with a 50% opaque minimum be installed along the W. 15th Street frontage.

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

Finding: **Minimal refuse generation is anticipated with the proposed off-site parking lot. The property owner is responsible for maintaining the lot. Staff recommends, however, that trash facilities be provided at this location for the convenience of the individuals parked here.**

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

Finding: **No development is proposed on the subject property where water and sewer services are necessary. Adequacy of existing infrastructure would be evaluated at the time of any future development.**

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

Finding: **The off-site parking lot shall be subject to the City's landscaping requirements, and the applicant is showing an intent to provide required tree islands. Staff recommends that screening and buffering be installed per the requirements as outlined in chapter 177, Landscape Regulations.**

(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 must meet the requirements as outlined by chapter 174. The applicant has not currently indicated any signage to be placed on-site.**

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

Finding: **No structures are proposed with this conditional use permit. Staff finds that the proposal is generally meeting the landscape buffer requirements as outlined in chapter 177, Landscape Regulations.**

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

Finding: **Staff finds that the proposal is somewhat compatible with adjacent properties, though not necessarily compatible with other allowable uses in**

the Main Street/Center zoning district. Surface parking lots are common in this part of Fayetteville, and the site has remained undeveloped since a grocery store went out of business and was ultimately demolished at this location in 2020. However, according to the Fayetteville Police, the area and its surroundings have been subject to over 1600 calls for service within a 2500' radius at this site since January 2023. Staff finds that the installation of a passive, intermittent use at the site could negatively contribute to the neighborhood, as it would not bring eyes to the street, or activate an underdeveloped area. Even with added security measures that are proposed by the applicant including wood board fencing, staff finds that a use that is meant to serve the public, whether retail, commercial, office, or housing, rather than one private entity, would better serve this site in both the short and long term.

(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 proposal is incompatible with the goals and intent of the city's adopted land-use, transportation, and other strategic plans. The proposal is not in line with the adopted plans for this area, including the 71-B Corridor Plan, or the Walker Park Neighborhood Plan. Both of these plans call for the area to be "major future mixed density development" and part of a Southgate redevelopment plan. Staff also recognizes that while this parking lot is an incremental improvement to the area, this development is tied to a use that is permanent. There is no long-term plan for this site with this proposal to become redeveloped, or to transfer to a different use in the future, and approval of this conditional use permit would solidify its development as such for the long-term.**

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:

- Unified Development Code
  - §161.27 Main Street/Center
  - §172.06 - Parking Lot Location Standards
- Police Memo
- Fire Memo
- Applicant Request Letter
- Applicant Exhibit
- 71-B Illustrative Plan (2019) – Exhibit
- Walker Park Neighborhood Master Plan (2008) - Exhibit
- One Mile Map
- Close-Up Map
- Current Land Use Map

161.27 Main Street/Center

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

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 14	Hotel, motel, and amusement facilities
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 19	Commercial recreation, small sites
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 34	Liquor stores
Unit 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 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 28	Center for collecting recyclable materials
Unit 29	Dance halls
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and Area Regulations*.

(1) *Lot Width Minimum.*

Dwelling (all unit types)	18 feet

(2) *Lot Area Minimum.* None.

(E) *Setback Regulations*.

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

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

(G) *Building Height Regulations.*

Building Height Maximum	5 stories/7 stories*

* A building or a portion of a building that is located between 0 and 15 feet from the front property line or any master street plan right-of-way line shall have a maximum height of five (5) stories. A building or a portion of a building that is located greater than 15 feet from the master street plan right-of-way line shall have a maximum height of seven (7) stories.

(Ord. No. 5028, 6-19-07; Ord. No. 5029, 6-19-07; Ord. No. 5042, 8-07-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800 , §1(Exh. A), 10-6-15; Ord. No. 5921 , §1, 11-1-16; Ord. No. 5945 , §§5, 7—9, 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6223 , §1, 9-3-19; Ord. No. 6427 , §§1(Exh. C), 2, 4-20-21)

Editor's note(s)—Ord. No. 6625 , §1 adopted December 6, 2022, "determines that Section 2 of Ordinance 6427 (Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on December 31, 2023, unless prior to that date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section."

172.06 - Parking Lot Location Standards

The location of all required and nonrequired parking lots with five (5) or more spaces shall meet the location requirements below. All conditional uses hereunder shall be granted by the Planning Commission in accordance with Chapter 163, governing applications of conditional uses; procedures.

(A) *Permitted Locations by Right.* Parking lots shall be located within the same zoning district as the use they serve. Required parking lots for uses allowed by right within a zoning district are allowed as a use by right in the same zoning district.

(B) *Permitted Locations as a Conditional Use.*

(1) Parking lots located within residential zones which serve uses in nonresidential zones may be allowed as a conditional use by the Planning Commission.

(2) Parking lots for uses allowed as conditional uses within residential zones must also be approved as a conditional use. A conditional use for a parking lot may be approved at the same time the use is approved or may be approved separately if additional parking lots are developed later.

The Planning Commission shall make a finding based upon the size, scale, and location of these activities that the proposed parking lot will not adversely affect adjacent residential uses or the residential character of the neighborhood.

(C) *Off-Site Locations.* If off-street parking cannot be provided on the same lot as the principal use due to existing buildings or the shape of the parcel, parking lots may be located on other property not more than 600 feet distant from the principal use, subject to conditional use approval by the Planning Commission.

CITY OF
FAYETTEVILLE
ARKANSAS

MEMORANDUM

TO: Jessie Masters, Development Review Manager

FROM: Captain William Brown

DATE: October 5, 2023

SUBJECT: VAR-2023-0040 / 612 W. Center for Off-Site Parking

I have reviewed the variance memo submitted by Trinitas and the associated map of the proposed remote parking lot location. I have some concerns.

I have attached a query of calls for service since January 1, 2023, which are within a 2500' radius of the proposed remote parking lot. Within these 1638 calls for service are numerous disturbances, intoxicated persons, trespassing, and thefts. The proposed parking lot only abuts one 24-hour operating business. I believe the presence of numerous vehicles in this parking lot overnight would become the targets of vandalism, breaking or entering, and thefts.

The proposed remote lot is over a mile from the development. I understand the developer has proposed alternative transportation to and from this remote lot which includes bicycle, scooter, and bus. Ozark Regional Transit Route 20 South is out of service after 7:00pm, and Route 20 East is out of service after 7:30pm. This would leave only walking, scooter or bike transportation late at night and during inclement winter weather.

If the residents of this development choose to not use this lot for these or other reasons, I believe they will park illegally. This will generate a burdensome number of parking complaints for the police department.

For these reasons, I am unable to support the above requested variance. Please contact me if you have any questions.

CITY OF FAYETTEVILLE ARKANSAS

Date: October 5, 2023

To: Jessie Masters, Development Review Manager

From: Fire Chief Brad Hardin, Fire Marshal Jeremy Ashley

RE: Remote parking variance / 612 W Center St.

The proposal submitted by Trinitas is seeking a variance for an off-site parking lot that does not meet the 600' requirement in the development code. The current proposal is 1.2 miles (6,336') away from the project.

The Fire Department has some questions regarding the request.

1. Has Trinitas used remote or off-site parking in any of their other projects?
    a. If so, what were the conditions of use, distance from project and actual utilization of the remote parking lot?
2. Does the City of Fayetteville have any other projects within the City limits that utilize off-site parking?
    a. If so, what were the conditions of use, do they fall within 600' of the project and does the off-site parking work as intended?
3. Please explain, in detail, any deed restrictions or requirements that would assure that the off-site parking would remain part of the original property and that new owners would be required to use the property in the same manner as intended, in the event that Trinitas sells the property.
4. Regarding public transit, which services are available and what are the hours of operation that provide transportation between the parent property and the off-site parking?

The Fire Department's primary concern is creating a situation where parking negatively influences an emergency response causing a distinct hazard to life and property. The requested variance is ten times the distance that is allowed by the current development code. We question whether the distance of the off-site parking will make this option under-utilized, which would cause parking issues around the property located at 612 W. Center.

BLEW
Surveying | Engineering
Environmental

October 30, 2023

City of Fayetteville
125 W. Mountain Street
Fayetteville, Arkansas

SUBJECT: Conditional Use Permit
Parcel 765-14991-000

To Whom It May Concern:

Trinitas Development, LLC is submitting a Conditional Use Permit for Parcel 765-14991-000 to develop said parcel as a Parking Lot for use of the residents of the Trinitas Development properties.

Building size in square feet; existing and proposed

N/A, No buildings are proposed for this site.

Color elevations of all exterior sides of the structure

N/A, No buildings are proposed for this site.

Number of off-street parking spaces to be provided / number required.

This will be an offsite parking area to be used by residents of the Trinitas Development properties. The number of parking spaces proposed is 357. This will include accessible parking and will comply with the City of Fayetteville's Unified Development Code. Of the 357 parking spaces, 180 spaces will be dedicated to the 612 Center Street Development.

When request applies to a business or non-residential use: -Hours of operation -Number of employees -Anticipated number of patrons, clients, children, customers, etc. (average per day / peak hour)

Hours of Operation: 24 hours per day, 7 days per week.
Number of Employees: 0
Anticipated number of patrons: 357 vehicles

Outdoor lighting

Outdoor lighting meeting City of Fayetteville's Unified Development Code will be provided for the purposes of security for the patrons of the parking lot.

Noise

Due to the nature of the project, the only expected noise would be generated from vehicular traffic on the site.

Screening or buffering from adjacent properties.

A fence will be provided around the property as shown on the attached site plan.

Trash and refuse service (with particular reference to visibility from the street and adjacent properties)

N/A, Trash and refuse service will not be provided at this site.

Ingress and egress to the property; traffic impacts

With 357 vehicles associated with this site, per the ITE Trip Generation Manual, we can expect 3.24 trips per Parking Space on a Weekday. For this site, that would generate 1,156 vehicle trips per day with 50% Entering, and 50% Exiting. Traffic would access W 15th Street, a four lane street classified as a Regional Link – High Activity, having enough capacity for the added vehicle trips.

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

The site is surrounded by commercial uses on the East and West Sides. On the South side of the site, there is a grove of trees that will remain untouched, Town Branch Creek, and Town Branch Trail. And to the North is W. 15th Street, with significant traffic on it. This site was an existing commercial site; the building was demolished, and the site has been sitting vacant. The site has been on the market for 6 years and the proposed development will bring this site to current City Standards. The developer will be adding vegetation around and within the Site that does not currently exist helping to add shade and reduce heat-island affect. The plans will also reduce the impervious surface by providing planters and trees in place of what is currently hard surfaces.

Sincerely,

Jorge Du Quesne
Blew & Associates, PA

TRINITAS

Planning Department Meeting

Fayetteville Center St
612 W Center St. Fayetteville, AR

11.17.2023

Parking Variance Response

Planning Staff, fire and police cannot support a variance to the number of parking spaces required by zoning.

Response:

We take the concerns of the planning staff, fire, and police departments very seriously and will provide the number of parking spaces per code.

Our campus adjacent site limits the need for a car and encourages walkability and multimodal access to The University of Arkansas, Fayetteville's entertainment district, and the Square Gardens. Typically, there are 2 types of students:

1) Students requiring their car daily who can pay to park in the building.

2) Students that occasionally need a car to go to-and-from home or for longer trips outside of Fayetteville. Those students will be able to park at the 1632 S School Ave remote parking lot.

On site, the project is providing over 55% (250 spaces) of the required parking spaces in the 612 W Center St building. 180 parking spaces will be provided in the remote lot for those who rarely use their car.

To ensure ease of access and use of the remote lot for long-term parking, the site is accessible by the public bus system. The 20 bus stops 2 blocks from the 612 W Center St site and stops across the street from the 1632 S School Ave remote lot. The lot is accessible to bikes, pedestrians, E-Bikes, and scooters through public trails. Last, Fayetteville has ride-share, such as Uber, that provides on-demand personal car rides at any time of day. Furthermore, to serve tenants and the greater Fayetteville community, we are committed to providing 2 bus shelters at the existing bus stops on School Ave just south of 15th Street.

Per Fayetteville's 2030 and 2040 plans, housing, hospitality, commercial, retail and the arts the highest and best use of the downtown area - not parking lots. Surface parking lots, especially those housing cars long-term, are best outside downtown.

In this case, the remote parking lot allows the 612 W Center St project to account for all the parking required by zoning and limits the dependability on cars to those that require that luxury.

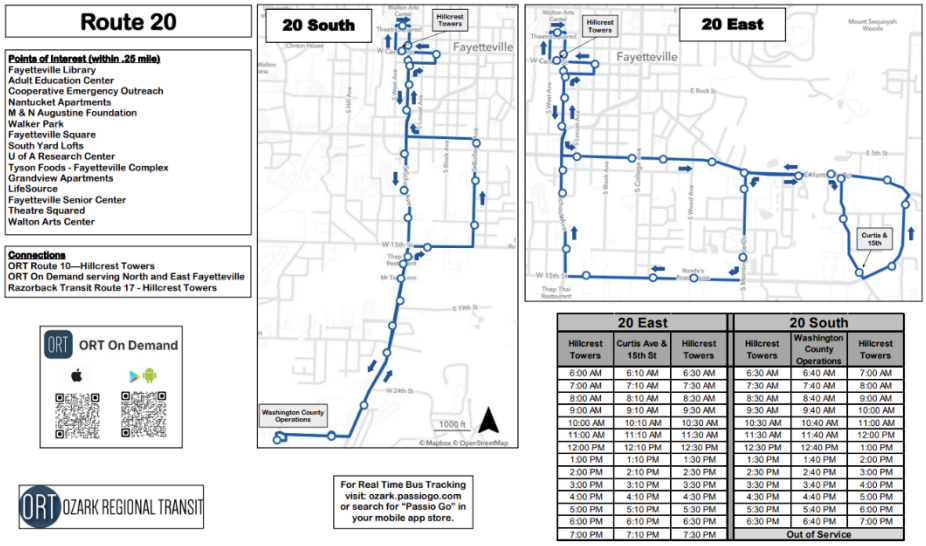
Fire Department Letter October 5, 2023

Remote parking is standard practice at universities throughout the US to limit use of personal vehicles throughout campus and to make the universities safer for pedestrians and cyclists.

1. As noted in the variance response, comparable projects are "comparable" yet not always perfectly comparable projects. That said, Trinitas has experience developing a project with remote parking 1 mile away from the residential building. Trinitas does not currently manage a project with a remote lot.
2. As to the experience within Fayetteville, this would be a great discussion point to review with Jessie as Trinitas is not privy to that information.
   (1) Remote parking at universities is standard practice to limit parking on campus and encourage public transportation or walking on campus and to limit personal vehicle use.
3. The 180 remote parking spaces are tied to the building and transferable with the property as a requirement of zoning compliance. The conditional use permit ties the parking spaces to the site. Future building owners may decide to meet the code in a different manner that suits zoning

requirements at that time. Any deviation from the approved plan would require a revision or new conditional use permit allowing the city and planning staff to review any modifications.

4. Public transit between 612 W Center St and the remote lot is by use of the 20-bus route. It runs hourly from 6am to 7pm.
   (1) In coordination with the city, we're committed to providing 2 standard Fayetteville bus shelters on School Ave south of 15th Street.
   (2) Bus stops are within blocks of the residential project and the remote parking lot.
   (3) No change in bus is required, 1 bus stops at both locations.



20 East			20 South		
Hillcrest Towers	Curtis Ave & 15th St	Hillcrest Towers	Hillcrest Towers	Washington County Operations	Hillcrest Towers
6:00 AM	6:10 AM	6:30 AM	6:30 AM	6:40 AM	7:00 AM
7:00 AM	7:10 AM	7:30 AM	7:30 AM	7:40 AM	8:00 AM
8:00 AM	8:10 AM	8:30 AM	8:30 AM	8:40 AM	9:00 AM
9:00 AM	9:10 AM	9:30 AM	9:30 AM	9:40 AM	10:00 AM
10:00 AM	10:10 AM	10:30 AM	10:30 AM	10:40 AM	11:00 AM
11:00 AM	11:10 AM	11:30 AM	11:30 AM	11:40 AM	12:00 PM
12:00 PM	12:10 PM	12:30 PM	12:30 PM	12:40 PM	1:00 PM
1:00 PM	1:10 PM	1:30 PM	1:30 PM	1:40 PM	2:00 PM
2:00 PM	2:10 PM	2:30 PM	2:30 PM	2:40 PM	3:00 PM
3:00 PM	3:10 PM	3:30 PM	3:30 PM	3:40 PM	4:00 PM
4:00 PM	4:10 PM	4:30 PM	4:30 PM	4:40 PM	5:00 PM
5:00 PM	5:10 PM	5:30 PM	5:30 PM	5:40 PM	6:00 PM
6:00 PM	6:10 PM	6:30 PM	6:30 PM	6:40 PM	7:00 PM
7:00 PM	7:10 PM	7:30 PM	Out of Service		

Police Department Notes October 5, 2023

Public safety and the safety tenants are a top priority for the 612 W Center St Project.

5. Public safety is a top priority as the remote parking lot will be fully enclosed with a fence and electronic gate and will have security cameras and be lit per Fayetteville code and night sky requirements. The goal: use what is currently an open, underutilized site in Fayetteville to accommodate long-term parking that would otherwise take housing, commercial, and retail space within the downtown area.

   Furthermore, using an undeveloped, abandoned area, we hope to encourage further development and safety. We plan to provide landscaping and trees along with above mentioned safety measures to provide a better experience for vehicles, pedestrians, and cyclists along the South School Ave corridor.

6. As noted, this is a parking lot for people who minimally require a car. In addition to being located on a bus route, rideshare services make the parking lot safe and accessible. The location of the remote parking lot is over 600' from the site to keep long-term parking out of the city center. This keeps downtown lots available for the highest and best uses: commercial, retail, hospitality, and housing developments.

   For six years, the lot on South School Ave has been available for development yet has not been sold or developed. Placing remote parking in this location will improve the site, make the site and immediate area safer, and ensure the downtown area land is developed appropriately and in accordance with the City Plan.

We greatly appreciate the fire and police department taking time to share concerns and collaborate with the 612 W Center St team. Our shared goal is to serve the people of Fayetteville well. 612 W Center St aims to be a good neighbor and is providing all the parking required by code as requested by the fire and police departments and planning staff.

At your convenience, we look forward to continuing the conversation on how to best serve the Fayetteville community.

Proposed Features:

Feature	Description
	Property Line
	Onsite Property Line
	Offsite Property Line
	Right-Of-Way Line
	Setback Line
	Easement Line
	Zoning Limits
	Street / Drive Centerline
	Curb And Gutter (See Site Plan For Size)
	Thickened Edge Of Pavement
	Edge Of Gravel
	Firelane Striping
	Asphalt Pavement (See Detail Sheet For Pavement Sections)
	Concrete Pavement (See Detail Sheet For Pavement Sections)
	Concrete Sidewalk (See Site Plan For Dimensions)
X	General Fence Line (See Plan For Type)
	Chain Link Fence Line
	Board Fence Line
20 SPACES	Parking Counter
	Storm Catch Basin(s)
	Storm Pipe (See Grading Plan For Type and Size)
	Retaining Wall
	See Utility Plan For Line Sizes
X"W	Water Line
	Tee, Cross, Bends, Gate Vale & Reducer
	Fire Hydrant & Assembly
	Water Meter - Single
	Water Meter - Double
X"FM	Sanitary Sewer Force Main
X"SS	Sanitary Sewer Line
	Sanitary Sewer Service
	Sanitary Sewer Manhole
GAS	Gas Line
OHE	Overhead Electric Line
UGE	Underground Electric Line
C-TV	Cable Television Line
FO	Fiber Optic Line
OHT	Overhead Telephone Line
UGT	Underground Telephone Line
	Utility Pole
	Light Pole

Note:

- Only Symbols That Appear On This Sheet Are Shown In This Legend.
- See Survey For Existing Features Legend.
- See Cover Sheet For Abbreviation List.

VICINITY MAP
NTS

* CONCEPTUAL DISCLAIMER*

THIS DRAWING WAS CREATED FOR **CONCEPTUAL PURPOSES ONLY**. THE SITE INFORMATION WAS OBTAINED FROM OTHERS AND MAY NOT BE ACCURATE INFORMATION. THEREFORE, THE DESIGN MAY VARY DEPENDING ON ACTUAL TOPOGRAPHY, DRAINAGE CONDITIONS, SOILS, SURVEY, ETC. ANY ADDITIONAL DATA AND/OR SITE CONDITIONS COULD RESULT IN CHANGES TO THE PLAN, INCLUDING BUT NOT LIMITED TO NUMBER OF BUILDINGS, AMOUNT OF DEVELOPABLE LAND, ACCESS TO THE SITE, ETC. AND MAY NOT BE ESTABLISHED DEVELOPMENT COSTS.

Conceptual Site Plan

Development Plans For:

Trinitas Development Parking Lot
W 15th Street Fayetteville, Arkansas
Trinitas Development, LLC

CONCEPTUAL
NOT FOR CONSTRUCTION

BLEW
Surveying | Engineering
Environmental
5102 S. Pinnade Hills Pkwy
Rogers, Arkansas 72758
Office: (479) 443-4506
www.BLEWINC.com
Certificate of Authorization #: 1334

DATE: 2023-10-24	JOB NUMBER: 23-023
DRAWN BY: -	REVIEWED BY:
DRAWING NAME: 23-023 Trinitas Parking.dwg	
SHEET NUMBER: Concept	

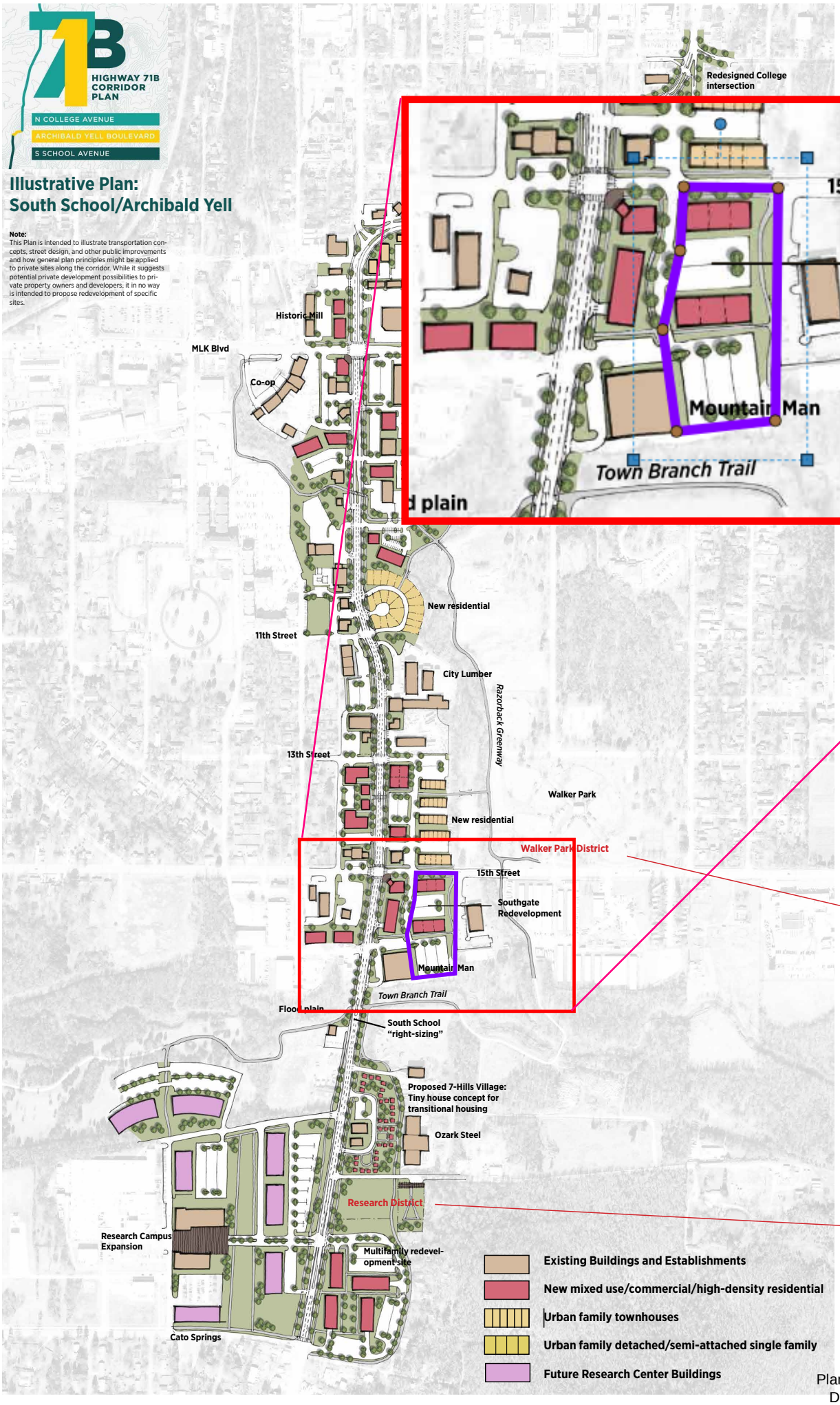
q:\23-023 vestas\concept drawings\23-023 trinitas parking.dwg - Plotted on 10/30/2023 9:47:32 AM @ a scale of 1:1 as autocad pdf (smallest file) pc3 by Jorge Du Queste

HIGHWAY 71B CORRIDOR PLAN

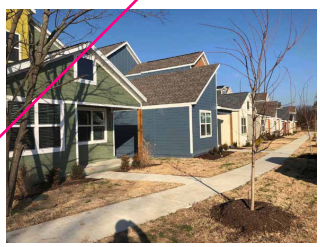
N COLLEGE AVENUE
ARCHIBALD YELL BOULEVARD
S SCHOOL AVENUE

Illustrative Plan: South School/Archibald Yell

Note:
This Plan is intended to illustrate transportation concepts, street design, and other public improvements and how general plan principles might be applied to private sites along the corridor. While it suggests potential private development possibilities to private property owners and developers, it in no way is intended to propose redevelopment of specific sites.



- Right-sizing South School with continuous sidewalks, protected bike lanes, two-way turn lanes, strategic pedestrian refuge medians
- Preservation of key commercial



Attainable single-family housing on Florida Way

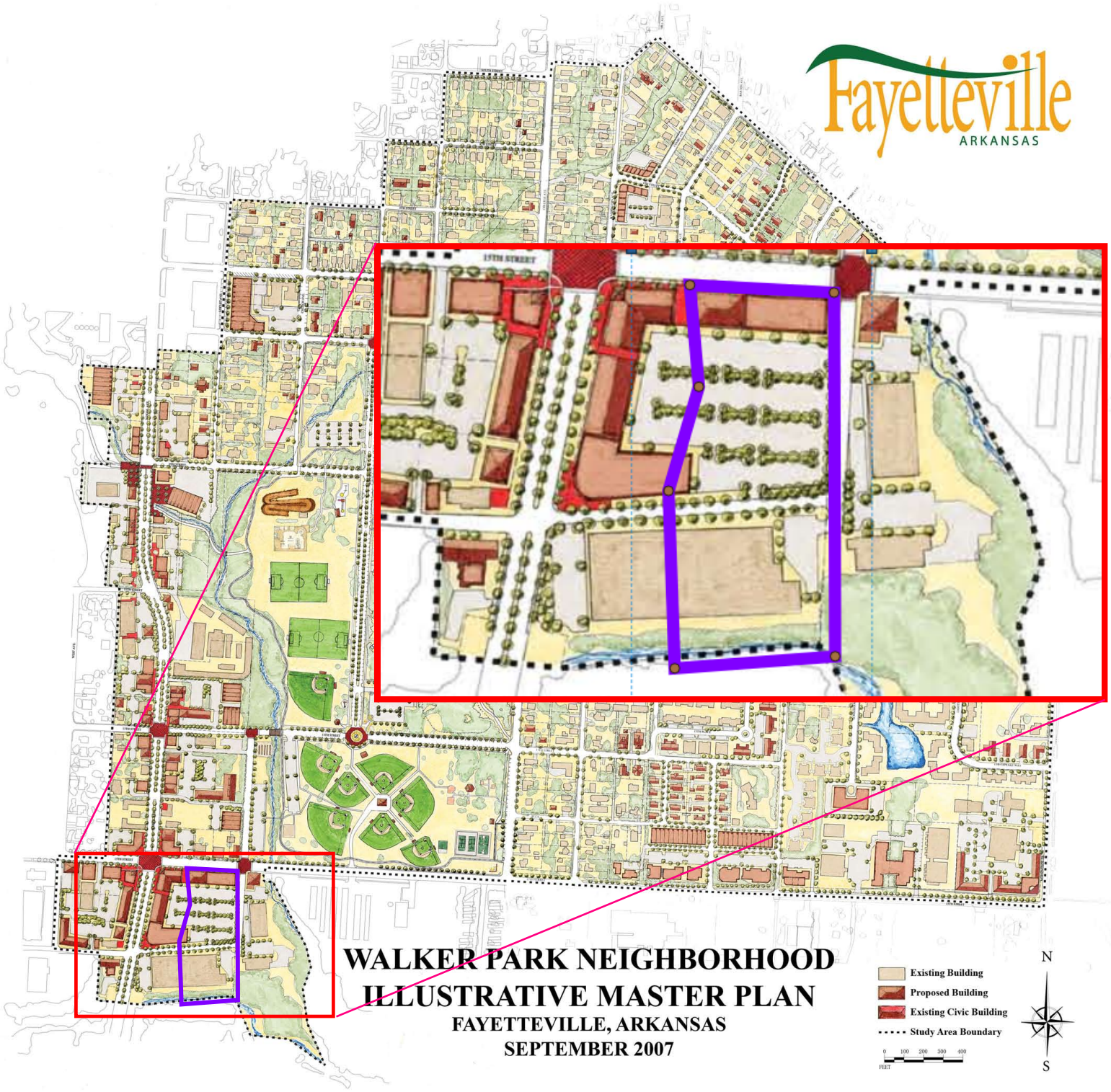
Walker Park District: Town Branch to 11th

- Southgate redevelopment
- Major future mixed density development between 13th and 15th
- Preservation of key commercial
- Trail spur connection to Walker Park
- Right-sizing South School with continuous sidewalks, protected bike lanes, two-way turn lanes, strategic pedestrian refuge medians

Food and Shelter Village, Norman, OK

Research District: Cato Springs to Town Branch

- Execution of Research Park master plan
- Seven Hills Village concept for transitional housing
- New multifamily
- Trail link between Cato Springs Trail, proposed development sites, and Town Branch Trail
- Right-sizing South School with continuous sidewalks, protected bike lanes, two-way turn lanes, strategic pedestrian refuge medians

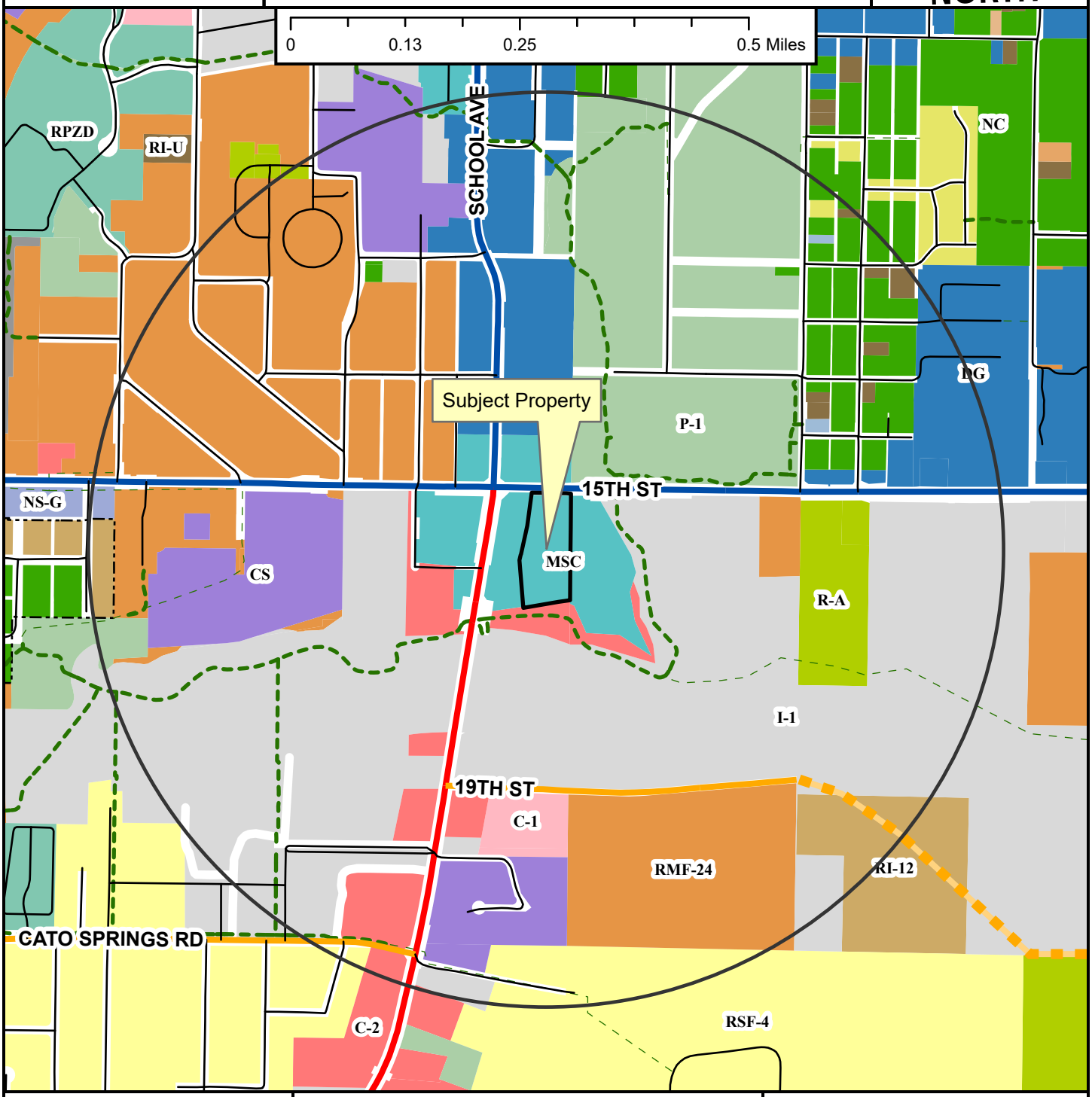

Fayetteville
ARKANSAS
WALKER PARK NEIGHBORHOOD
ILLUSTRATIVE MASTER PLAN
FAYETTEVILLE, ARKANSAS
SEPTEMBER 2007
Existing Building
Proposed Building
Existing Civic Building
Study Area Boundary
N
S

CUP-2023-0166

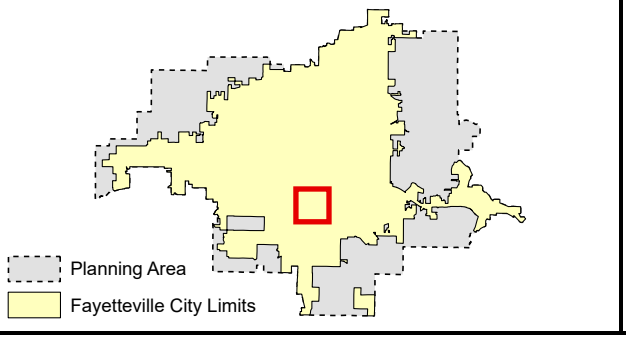
One Mile View

WEST OF 219 W 15TH ST

NORTH



- 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



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

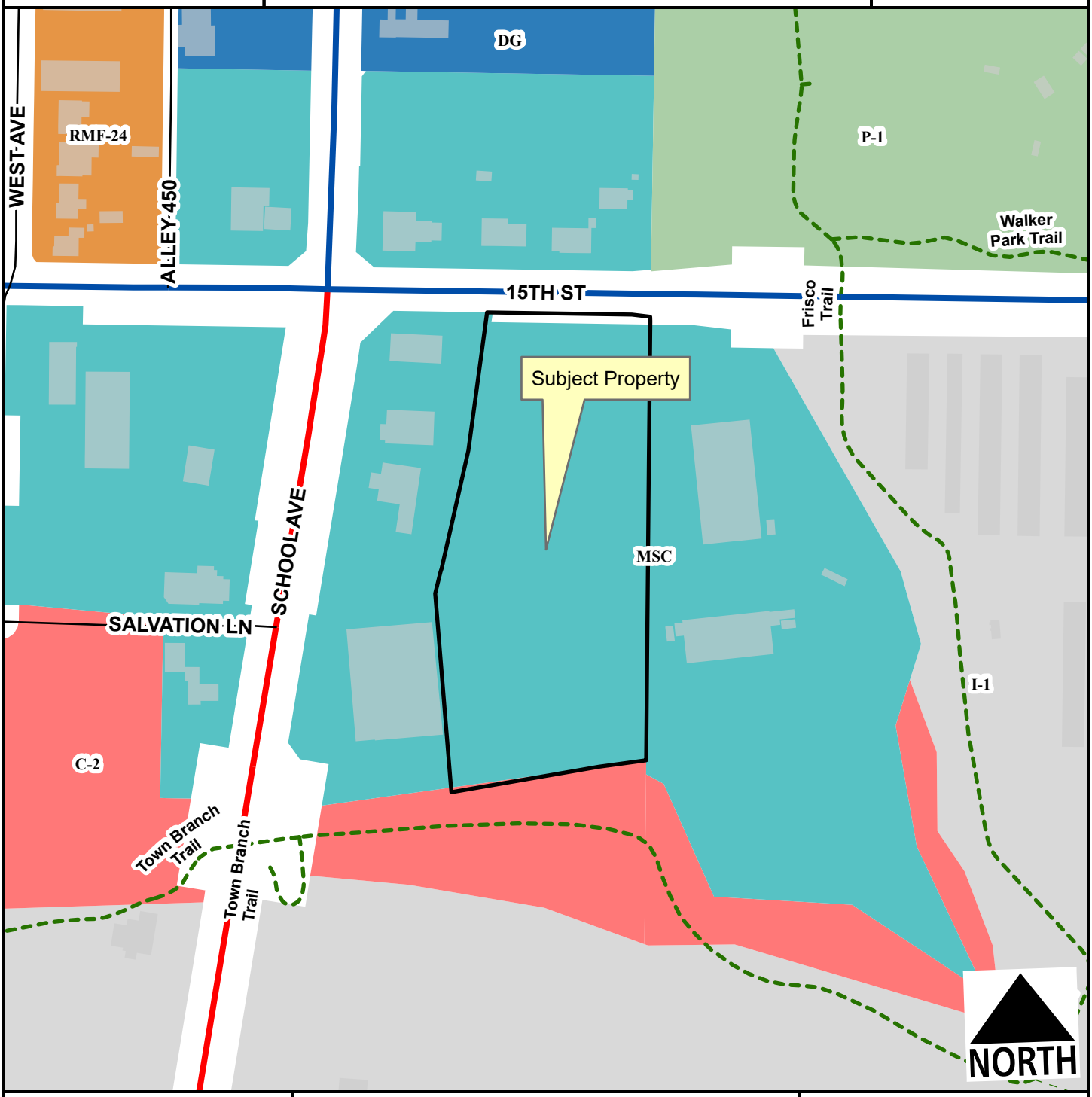
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

CUP-2023-0166

Close Up View

WEST OF 219 W 15TH ST



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

Feet

0 75 150 300 450 600

1:2,400

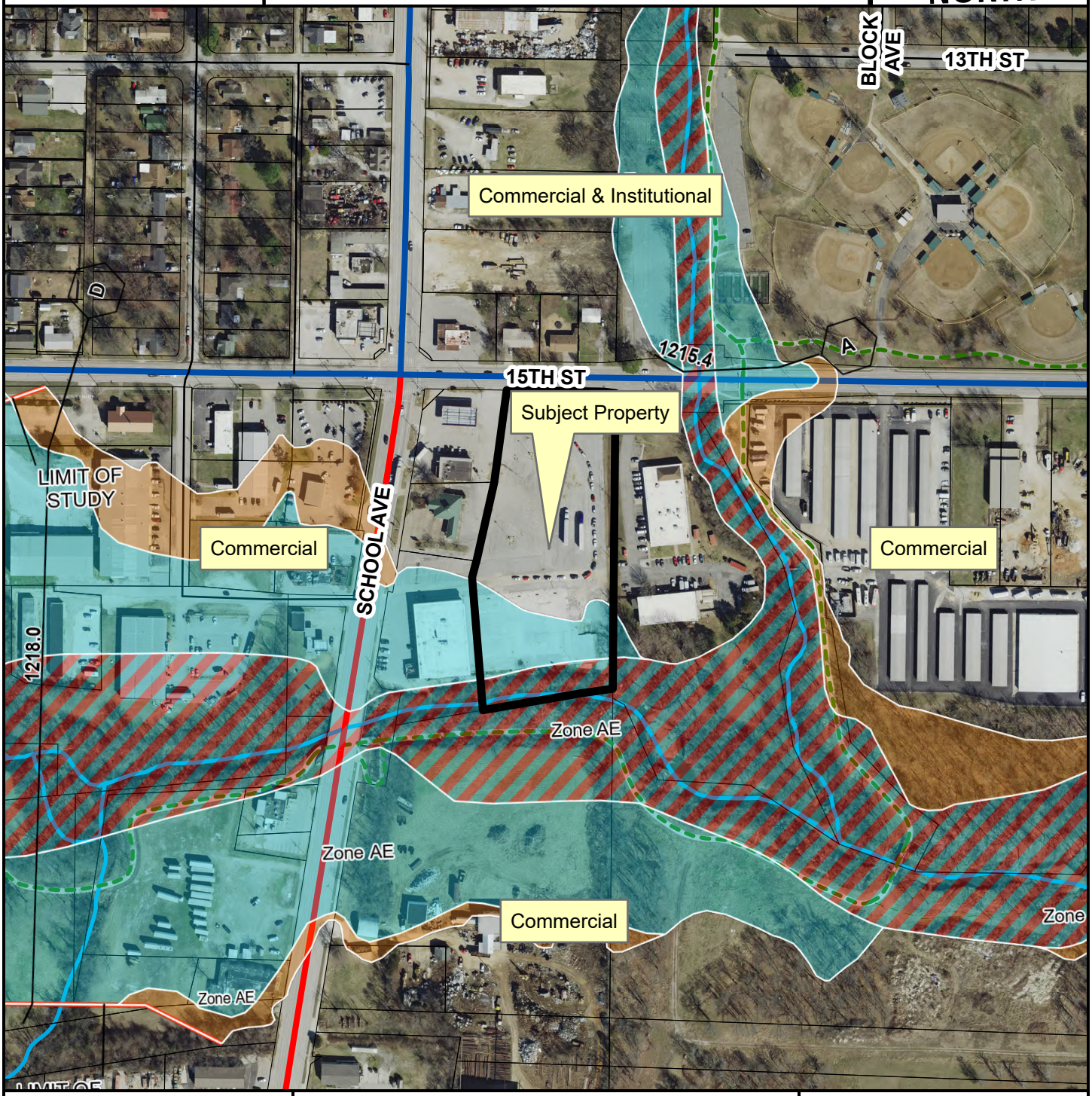
- RMF-24
- I-1 Heavy Commercial and Light Industrial
- C-2
- Main Street Center
- Downtown General
- P-1

CUP-2023-0166

Current Land Use

WEST OF 219 W 15TH ST

NORTH



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

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Kylee Hevrdejs, Planner

MEETING DATE: December 13, 2023

SUBJECT: **CUP-2023-0159: Conditional Use Permit (241 W. SPRING ST/FAYETTEVILLE OFFICE PORTFOLIO, 484):** Submitted by HOUSES, INC for property located at 241 W. SPRING ST. The property is zoned MSC, MAIN STREET/CENTER and contains approximately 1.08 acres. The request is for an off-site parking lot.

RECOMMENDATION:
Staff recommends approval of **CUP-2023-0159** with conditions as outlined by staff.

RECOMMENDED MOTION:
*"I move to approve **CUP-2023-0159** with conditions, determining:*
- *In favor of compatibility with adjacent properties, and*
- *In favor of all other conditions as recommended by staff."*

BACKGROUND:
The subject property is located in downtown Fayetteville on the southeast corner of W. Spring Street and N. Locust Avenue. The property is zoned MSC, Main Street Center and contains approximately 1.08 acres and was previously developed with an approximately 10,000 sq. ft commercial structure that was destroyed in a fire in December of 2022. An additional 3800 sq. ft. commercial structure still stands on the property. Surrounding land uses and zoning are depicted in Table 1.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Mixed-Density Residential	DG, Downtown General; MSC, Main Street Center
South	Commercial/Mixed-Density Residential	DG, Downtown General
East	Mixed-Density Residential	MSC, Main Street Center
West	Commercial/Mixed-Density Residential	DG, Downtown General

City Plan 2040 Future Land Use Designation: **City Neighborhood/Downtown**

Proposal: The applicant requests conditional use permit approval to install an off-site parking lot in the Main Street Center zoning district. The purpose of this request is to provide a temporary parking facility without an established principal use. Fayetteville's Unified Development Code, under §172.06 – Parking Lot Location Standards, notes that parking lots that are not located on the same lot as the principal use, require conditional use permit approval from the Planning Commission. Staff's interpretation of ordinance is that this requires conditional use permit approval.

Public Comment: Staff received one comment in support of the project.

RECOMMENDATION: Staff recommends approval of **CUP-2023-0159** with the following conditions:

Conditions of Approval:

1. Planning Commission determination of compatibility for a temporary off-site parking lot in the Main Street Center zoning district without an established principal use. *Staff finds the proposed parking lot to be compatible for the reasons outlined in this report;*

2. Per §166.20, Expiration of Approved Plans and Permits, a business license must be obtained within 1 year of conditional use permit approval.

3. Temporary improvements to the site are required to facilitate parking in a logical and safe manner. Wheel stops shall be located at each space. A temporary barrier, such as a fence, railroad ties, or landscaping planters shall be used to reduce the curb cut length along Locust Ave.

4. Parking spaces located in the build-to zone along Locust Ave. shall not be used.

5. Accessible parking requirements shall be evaluated for compliance with the Unified Development Code and the Americans with Disabilities Act;

6. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs;

7. Outdoor lighting on this property shall comply with UDC Chapter 176, Outdoor Lighting;

8. Upon receiving a valid complaint that the holder of the conditional use is violating any condition of this permit, the Planning Department may refer the conditional use to the Planning Commission for review. The Planning Commission may amend or add conditions to the permit, may reaffirm the conditional use, or revoke the conditional use in its entirety; and

9. This approval will expire one year from the date of approval. Should the applicant wish to extend the use of the off-site parking lot beyond the period of one year, the applicant shall submit a new application for review by the Planning Commission.

PLANNING COMMISSION ACTION: Required YES

Date: December 11, 2023 ❒ **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 an off-site parking lot.**

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 §172.06 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. Due to the proposed temporary nature of the proposed use, staff finds that redevelopment of the site would more likely serve the public interest. The off-site parking lot will serve the downtown Fayetteville community. Any further alterations to the lot will be subject to compliance with the Unified Development Code or further review by the Planning Commission.**

(c.) The Planning Commission shall certify:

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

Finding: **There are specific rules governing off-site parking locations in Unified Development Code §172.06, Parking Lot Location Standards.**

§172.06. PARKING LOT LOCATION STANDARDS.

A. Permitted Locations by Right. Parking lots shall be located within the same zoning district as the use they serve. Required parking lots for uses allowed by right within a zoning district are allowed as a use by right in the same zoning district.

Finding: **The request is for a parking lot located within a mixed-use zone without an established principal use**. **Fayetteville's Unified Development Code, under §172.06 – Parking Lot Location Standards, notes that parking lots that are not located on the same lot as the principal use, require conditional use permit approval from the Planning Commission. Staff's interpretation of ordinance is that this requires conditional use permit approval. Staff finds that the proposed parking lot will not adversely affect adjacent residential and commercial uses due to its temporary nature. Staff finds that the recommended conditions of approval will further limit the impact of this parking lot on adjacent properties beyond the existing parking areas nearby which are permitted by right.**

…

C. Off-Site Locations. If off-street parking cannot be provided on the same lot as the principal use due to existing buildings or the shape of the parcel, parking lots may be located on other property not more than 600 feet distant from the principal use, subject to conditional use approval by the Planning Commission.

Finding: **Staff finds that the proposed parking lot may not meet the regulations for off-site parking since the lot is not associated with a principal use. However, the property is within walking distance of several points of interest and attractions in the area. It is 0.12 miles from Dickson St., 0.16 miles from the Walton Arts Center, and 0.12 miles from TheaterSquared. Therefore, the site's temporary use as a parking lot meets the needs of surrounding businesses and patrons.**

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

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

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

Finding: **Vehicular ingress and egress to the parking lot is proposed through the existing curb cuts with full access onto W. Spring St. and left-in, left-out**

access onto Locust Ave. (one way). Staff finds that the proposed access using the existing curb cut along Locust Ave. should be reduced to a standard two-way drive and the parking spaces that back out onto Locust Ave. should not be used. A temporary barrier, such as a fence or railroad ties, should be used to block off the excess curb cut.

(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: **No substantial economic, noise, glare, or odor effects on adjoining properties are anticipated. No additional screening is recommended for the property.**

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

Finding: **The property owner is responsible for maintaining the lot. A dumpster is provided in the southeast corner of the lot for trash disposal.**

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

Finding: **No development is currently proposed on the subject property where water and sewer services are necessary. Adequacy of existing infrastructure would be evaluated at the time of any future development.**

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

Finding: **Trees screen the property to the south, and the site plan orients cars to be primarily facing the north and south so impacts on residential properties to the east would be minimal. No additional screening is recommended.**

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

Finding: **All signage shall be reviewed separately in accordance with UDC Chapter 174.**

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

Finding: **No structures are proposed with this conditional use permit.**

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

Finding: **Staff finds that the proposal is compatible with adjacent properties. Surface parking lots are common in this part of Fayetteville and are reasonable to accommodate parking nearby heavily trafficked Dickson Street. Further, staff recognizes that this is a temporary use and eventual redevelopment of the site will be more appropriate.**

(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 proposal is generally incompatible with the goals and intent of City Plan 2040. However, the proposal is for temporary use as a parking lot until the property can be redeveloped as multi-family housing, which would align with goals outlined in City Plan 2040. Further, conditions placed on the approval of this use would facilitate reapplication and reevaluation of the use.**

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:

- Unified Development Code
  - §172.06 - Parking Lot Location Standards
- Applicant Request Letter
- Applicant Exhibit
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map

172.06 - Parking Lot Location Standards

The location of all required and nonrequired parking lots with five (5) or more spaces shall meet the location requirements below. All conditional uses hereunder shall be granted by the Planning Commission in accordance with Chapter 163, governing applications of conditional uses; procedures.

(A) *Permitted Locations by Right.* Parking lots shall be located within the same zoning district as the use they serve. Required parking lots for uses allowed by right within a zoning district are allowed as a use by right in the same zoning district.

(B) *Permitted Locations as a Conditional Use.*

(1) Parking lots located within residential zones which serve uses in nonresidential zones may be allowed as a conditional use by the Planning Commission.

(2) Parking lots for uses allowed as conditional uses within residential zones must also be approved as a conditional use. A conditional use for a parking lot may be approved at the same time the use is approved or may be approved separately if additional parking lots are developed later.

The Planning Commission shall make a finding based upon the size, scale, and location of these activities that the proposed parking lot will not adversely affect adjacent residential uses or the residential character of the neighborhood.

(C) *Off-Site Locations.* If off-street parking cannot be provided on the same lot as the principal use due to existing buildings or the shape of the parcel, parking lots may be located on other property not more than 600 feet distant from the principal use, subject to conditional use approval by the Planning Commission.

...

172.06 - Parking Lot Location Standards

The location of all required and nonrequired parking lots with five (5) or more spaces shall meet the location requirements below. All conditional uses hereunder shall be granted by the Planning Commission in accordance with Chapter 163, governing applications of conditional uses; procedures.

(A) *Permitted Locations by Right.* Parking lots shall be located within the same zoning district as the use they serve. Required parking lots for uses allowed by right within a zoning district are allowed as a use by right in the same zoning district.

(B) *Permitted Locations as a Conditional Use.*

(1) Parking lots located within residential zones which serve uses in nonresidential zones may be allowed as a conditional use by the Planning Commission.

(2) Parking lots for uses allowed as conditional uses within residential zones must also be approved as a conditional use. A conditional use for a parking lot may be approved at the same time the use is approved or may be approved separately if additional parking lots are developed later.

The Planning Commission shall make a finding based upon the size, scale, and location of these activities that the proposed parking lot will not adversely affect adjacent residential uses or the residential character of the neighborhood.

(C) *Off-Site Locations.* If off-street parking cannot be provided on the same lot as the principal use due to existing buildings or the shape of the parcel, parking lots may be located on other property not more than 600 feet distant from the principal use, subject to conditional use approval by the Planning Commission.

...

Fayetteville Office Portfolio, LLC
19 E. Mountain Street
Fayetteville, AR 72701

October 12, 2023

City Planning
CITY OF FAYETTEVILLE ARKANSAS
113 W. Mountain Street
Fayetteville, AR 72701

Reference: Conditional Use Permit for 241 W Spring Street

Fayetteville Office Portfolio, LLC (FOP) is the owner of approximately 40,000sf of ground that lies at what was an office building addressed as 241 W. Spring Street, located between Locust and Church Avenues in downtown Fayetteville. On December 25th, 2022, the building located on this site burned to the point that required complete demolition. FOP is in the process of developing plans to construct an apartment complex on the site but would like to operate the area as temporary paid public parking during the development process. With the upcoming closing of the Walton Arts Center parking lot, we believe providing additional parking options downtown will be of benefit to the community.

Therefor FOP is seeking a conditional use permit to operate paid parking on a seven day a week, 24 hour a day basis. The site will contain 72 spaces; there will be no employees as payments will be made by QR Code via credit card; we anticipate very little day time use with perhaps 75% occupancy on Thursday, Friday and Saturday evenings; street lighting will illuminate the site; the noise will be negligible; the site abuts Spring Street to the north and Locust Avenue to the west with a wall and landscaping to the south as buffering; there are multiple existing points of ingress and egress; the adjacent properties are of commercial day time use, or surface parking as well; and, the previous use of the property was primarily for student training with considerable traffic due to heavy daytime and evening use of the 60 or so parking spaces that existed to service the training center.

See the attached plat of the property depicting the previous structure and requisite parking.

Respectfully,

Greg House

ENC

EXHIBIT A

Reviewed by Jessie Masters
Development Review Manager
479-575-8239
jmasters@fayetteville-ar.gov

Reviewed by Kylee Hevrdejs
Planner
khevrdejs@fayetteville-ar.gov

PREVIOUS COMMENT

-identify location of proposed QR code/enforcement signs on site plan

PREVIOUS COMMENT

Dimension all curb cuts

PREVIOUS COMMENT

Dimension all drive aisles

Hevrdejs, Kylee

From: Masters, Jessica
Sent: Wednesday, December 6, 2023 9:58 AM
To: Hevrdejs, Kylee
Cc: Hopkins, Mirinda
Subject: FW: Fayetteville Office Portfolio, LLC

Kylee,

I think this is actually for CUP-2023-0159. Can you please save and incorporate it into the packet for that item. I have not yet responded to Mr. Pendergraft.

Jessie Masters, AICP
Development Review Manager
City of Fayetteville, Arkansas
(479) 575-8239
www.fayetteville-ar.gov
Website | Facebook | Twitter | Instagram | YouTube

From: Planning Shared <planning@fayetteville-ar.gov>
Sent: Thursday, November 30, 2023 11:15 AM
To: Masters, Jessica <jmasters@fayetteville-ar.gov>
Subject: FW: Fayetteville Office Portfolio, LLC

Concerning CUP-2023-0166

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267
Website | Facebook | Twitter | Instagram | YouTube

From: Neal Pendergraft <zippy@33st.com>
Sent: Thursday, November 30, 2023 10:39 AM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Fayetteville Office Portfolio, LLC

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

I received the Written Notification Form on the proposed Conditional Use Permit for the parking lot proposed by Fayetteville Office Portfolio, LLC. We own a townhome at 211 Church Street. Greg House is a good operator. and is a good neighbor. I have no objections to the proposal. Please feel free to contact me if you need any further comment. Thanks, Neal Pendergraft

--

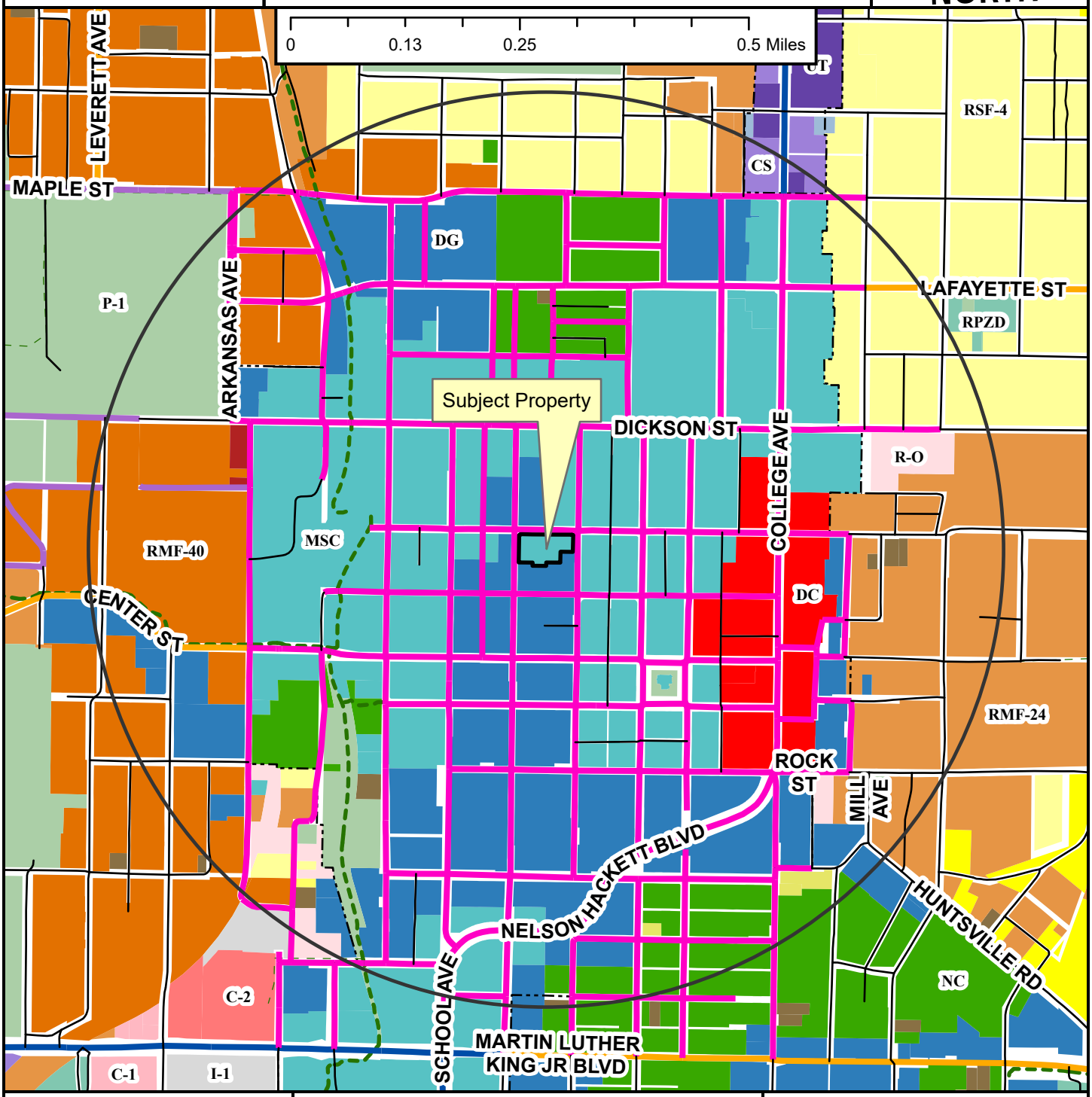
Neal R. Pendergraft
Drake Farms, LLC
2828 Mansfield Street, Ste. 205
P.O. Box 4245
Fayetteville, AR 72702
Telephone: 479-443-3301
Cell: 479-601-4945

CUP-2023-0159

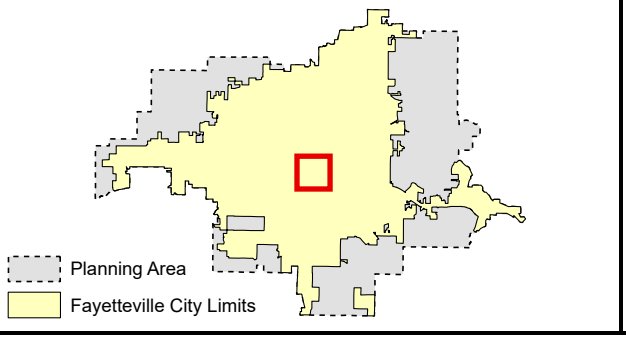
One Mile View

241 W. SPRING ST

NORTH



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



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

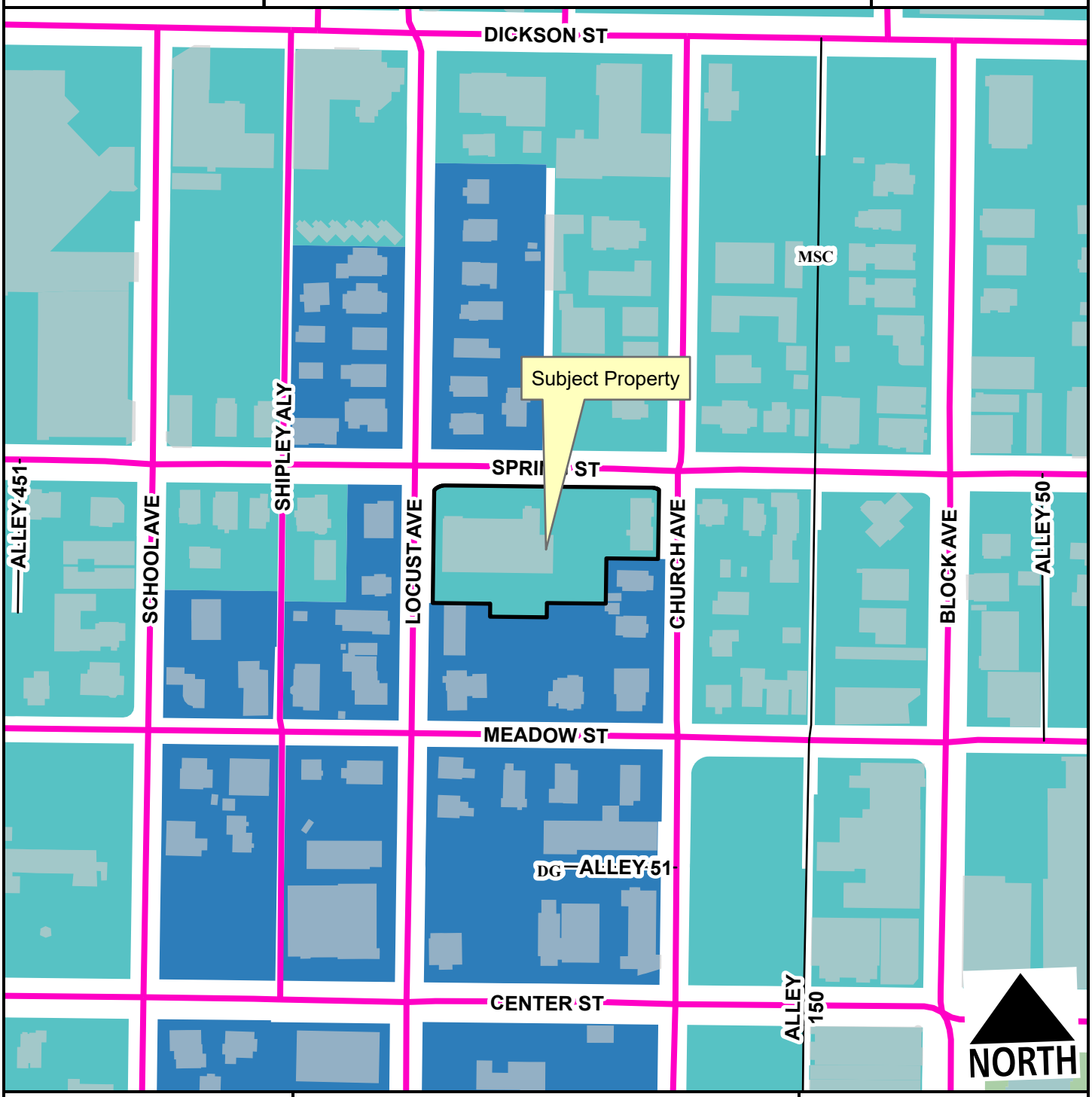
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

CUP-2023-0159

Close Up View

241 W. SPRING ST



Urban Center
Alley
Planning Area
Fayetteville City Limits
Design Overlay District

Feet
0 75 150 300 450 600
1:2,400

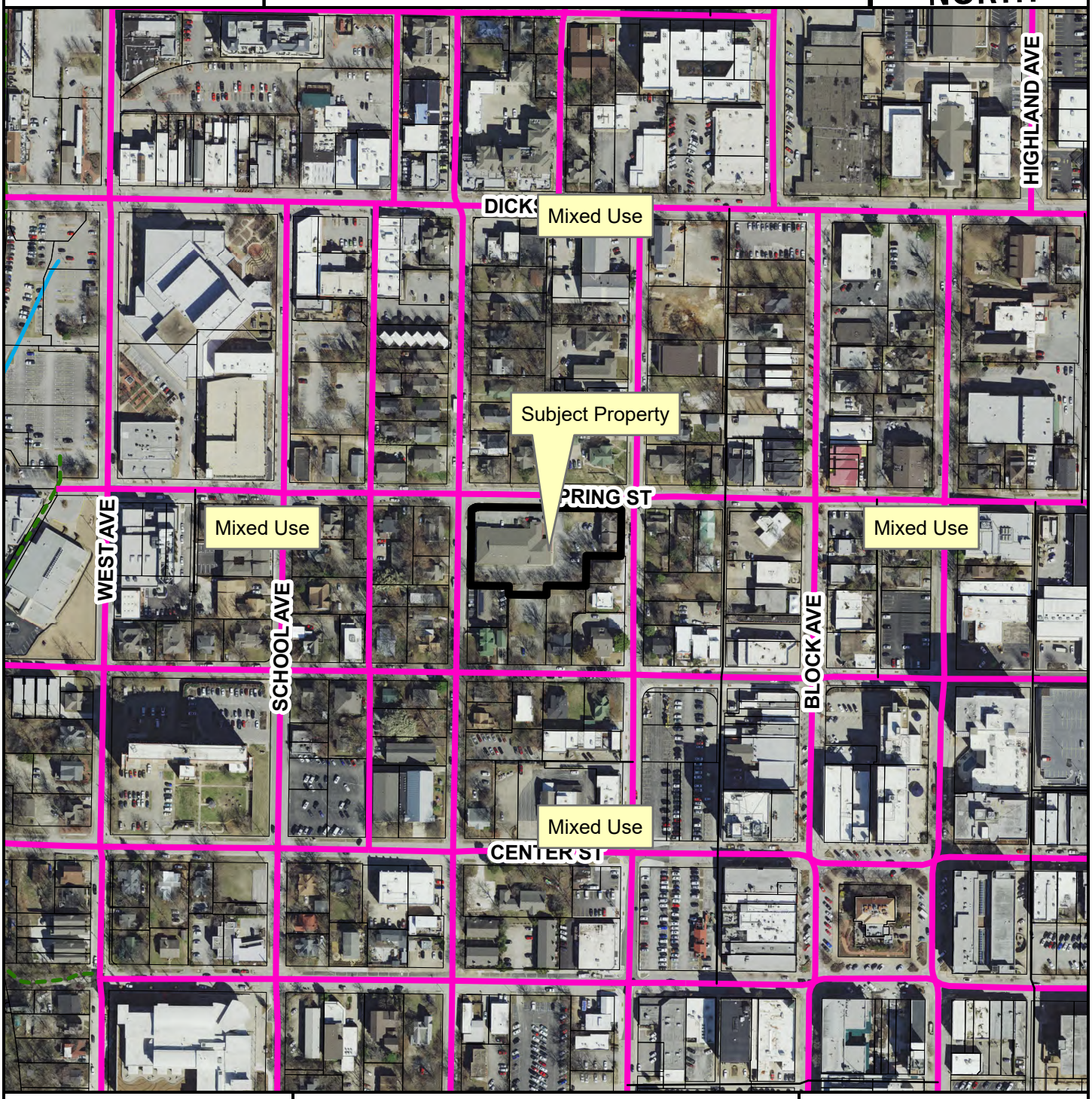
Main Street Center
Downtown General
P-1

CUP-2023-0159

Current Land Use

241 W. SPRING ST

NORTH



Urban Center

Alley

Planning Area

Fayetteville City Limits

Design Overlay District

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

100-Year Floodplain

Floodway

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: December 11, 2023

SUBJECT: **RZN-2023-0033: Rezoning (NORTH OF 3420 W. MOUNT COMFORT RD./WIESE-GODDARD SCHOOL, 323):** Submitted by THE GODDARD SCHOOL for property located NORTH OF 3420 W. MOUNT COMFORT RD. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 3.23 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

RECOMMENDATION:
Staff recommends forwarding **RZN-2023-0033** to City Council with a recommendation of approval.

RECOMMENDED MOTION:
*"I move to forward **RZN-2023-0033** to City Council with a recommendation of approval."*

BACKGROUND:
The subject property is located in northwest Fayetteville, one lot north of Mount Comfort Road on the west side of Salem Road. The property contains one parcel totaling 3.23 acres which is currently undeveloped with the exception of two small outbuildings. A lot split, which would subdivide the property into two lots containing 1.60 and 1.63 acres, is currently under review by city staff (LSP-2023-0060). Surrounding land uses and zoning are listed in *Table 1*.

Table 1:
Surrounding Land Uses and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family – Four Units per Acre
South	Veterinarian Preschool & Child Care Center	CS, Community Services
East	Single-Family Residential	R-A, Residential-Agricultural RSF-4, Residential Single-Family – Four Units per Acre
West	Undeveloped	R-A, Residential-Agricultural

Request: The request is to rezone the subject property from R-A, Residential-Agricultural to CS, Community Services.

Public Comment: Staff received public comment in opposition to this request from an individual who owns property on the east side of Salem Road. That individual expressed concerns about this rezoning resulting in increased development and, subsequently, increased traffic and noise.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject property has frontage along Salem Road, a partially improved Neighborhood Link street with asphalt paving and open ditches. Any street improvements required in this area would be determined at the time of development proposal.

Water: Public water is available to the subject property. An existing eight-inch water main is present along the west side of Salem Road.

Sewer: Sanitary sewer is available to the subject property. An existing eight-inch sewer main is present at the northeast corner of the property on the west side of Salem Road.

Drainage: No portion of the subject property lies within the Hillside/Hilltop Overlay District or a FEMA-designated floodplain and no protected streams or hydric soils are present. Any improvements or requirements for drainage would be determined at the time of development submittal.

Fire: Station 8, located at 2266 W. Deane St., protects this site. The property is located approximately 1.5 miles from the fire station with an anticipated drive time of approximately three minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. Fire Department response time is calculated based on the drive time plus one 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 six minutes for an engine and eight minutes for a ladder truck. Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development.

Police: The Police Department did not comment on this request.

Tree Preservation:
The proposed zoning district of CS, Community Services requires **20% minimum canopy preservation.** The current zoning district of R-A, Residential-Agricultural requires **25% minimum canopy preservation.**

CITY PLAN 2040 FUTURE LAND USE PLAN: 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 varying mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single family to multi-family. City Neighborhood Areas encourage complete, compact, and connected neighborhoods and non-residential uses are intended to serve the residents of Fayetteville, rather than a regional population. While they encourage dense development patterns, they do recognize existing conventional strip commercial developments and their potential for future redevelopment in a more efficient urban layout.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range of **5-7** for this site with a weighted score of **7.5** at the highest level. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 8, 2266 W. Deane St.)
- Near Sewer Main (eight-inch main, Salem Road)
- Near Water Main (eight-inch main, Salem Road)
- Near Public School (Holt Middle School)
- Near City Park (Clabber Creek Trail Corridor and Gary Hampton Softball Complex)
- Near Paved Trail (Clabber Creek Trail and Rupple Road)
- Appropriate Future Land Use (City Neighborhood)

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 this rezoning request to be compatible with existing land use and zoning patterns in the surrounding area. The property is currently zoned R-A, Residential-Agricultural, and that zoning district is designed, in part, to protect agricultural land until an orderly transition to urban development is possible. The subject property is surrounded by single-family residential subdivisions to the north and east, a mixture of nonresidential and commercial uses to the south, and it is in close proximity to a number of civic and institutional uses. A rezoning to CS, Community Services, would encourage a mixture of residential and commercial uses, which could provide convenience goods and personal services for persons living in surrounding neighborhoods, in a traditional urban form with buildings addressing the street. A rezoning from R-A to CS would also allow for more dense development and smaller lot sizes. Where the R-A zoning district currently allows residential development at a density of one-half unit per acre, the CS zoning district has no stated density limitation. Also, where R-A zoning allows for the creation of lots with a minimum width of 200 feet and a minimum area of two acres, CS zoning would allow for the creation of residential lots with a minimum width of 18 feet and nonresidential lots without limitation to width or area.**

Land Use Plan Analysis: **Staff finds the applicant's request to be consistent with the City's land use and zoning plans. The subject property is designated as City Neighborhood area in the City Plan 2040 Future Land Use Map, and it is located within a Tier Two Center as indicated on the plan's Growth Concept Map. Staff finds that a rezoning to CS would support those designations since the CS zoning district is intended to encourage the development of smaller scale urban hubs that are characterized by a mixture of moderate-density residential and commercial uses. Staff also finds the requested rezoning to be aligned with Goals 1 and 6 of City Plan 2040 since it would encourage increased development in an area that has a moderate infill score ranging between 5 and 7, and since it would allow for the creation of additional housing units.**

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: **Staff finds that rezoning the subject property from R-A to CS is justified since it would encourage the development of denser residential and commercial uses in an area that is predominantly developed with low-density single-family residences.**

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

Finding: **A rezoning from R-A to CS has the potential to increase traffic at this location when considering that CS would allow for development that is greater in density and intensity than the existing R-A zoning. Nevertheless, staff finds that the proposed rezoning is not likely to create or appreciably increase traffic danger or congestion at this location. The property has frontage along a partially improved Neighborhood Link street, Salem Road, and any street improvements required in the area would be determined at the time of development review. Average daily traffic counts along Salem Road are not currently available in the City's Geographic Information System.**

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: **The proposed rezoning has the potential to alter the population density since it would allow for increased residential development. However, the property currently has access to public streets, water, and sewer, and any necessary upgrades or improvements to existing infrastructure would be determined at the time of development review. Fayetteville Public Schools did not comment on this request.**

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:

   a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;

   b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: **N/A**

RECOMMENDATION: Planning staff recommends forwarding RZN-2023-0033 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: December 11, 2023	**❒ Tabled**	**❒ Forwarded**	**❒ Denied**
Motion:			
Second:			
Vote:			

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:

- Unified Development Code:
  - §161.03 District R-A, Residential-Agricultural
  - §161.22 Community Services
- Request Letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

161.03 District R-A, Residential-Agricultural

(A) *Purposes.* The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses*.

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training
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)

(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.

(Code 1965, App. A., Art. 5(1); Ord. No. 1747, 6-29-70; Code 1991, §160.030; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5195, 11-6-08; Ord. No. 5238, 5-5-09; Ord. No. 5479, 2-7-12; Ord. No. 5945 , §3, 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6427 , §§1(Exh. C), 2, 4-20-21)

161.22 Community Services

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 15	Neighborhood Shopping goods
Unit 24	Home occupations
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 40	Sidewalk Cafes
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals

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

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 42	Clean technologies

(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

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

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

THE GODDARD SCHOOL®
FOR EARLY CHILDHOOD DEVELOPMENT

The Goddard School, 3420 W. Mount Comfort Road, Fayetteville, AR 72704 | 479-334-2800 | GoddardSchool.com

October 31, 2023

Dear Planning Commission Members,

Current landowner, Darrel Wiese and I are making a rezoning and separate lot split request for Parcel 765-13603-000 with a request to rezone both the southern 1.63 acres of Parcel 765-13603-000 and the northern 1.60 acres to CS.

CS zoning on the southern half of the parcel would suit plans for a Goddard School annex building on this land which is adjacent and north of the current Goddard School at 3420 W Mt. Comfort Rd. The rezoning will allow growth for the current school and meet the community's demand for additional childcare in the area and a safer, larger parking lot to meet the increased number of families coming to the facility.

We request the remaining northern 1.60 acres of Parcel 765-13603-000 be rezoned from RA to CS. A lot split is simultaneously being requested on the property which would leave the northern 1.60 acres not conforming to the 2.0 acre lot requirements for RA. Rezoning to CS would be compatible with surrounding properties' zoning.

Thank you,

Ellen Hillis

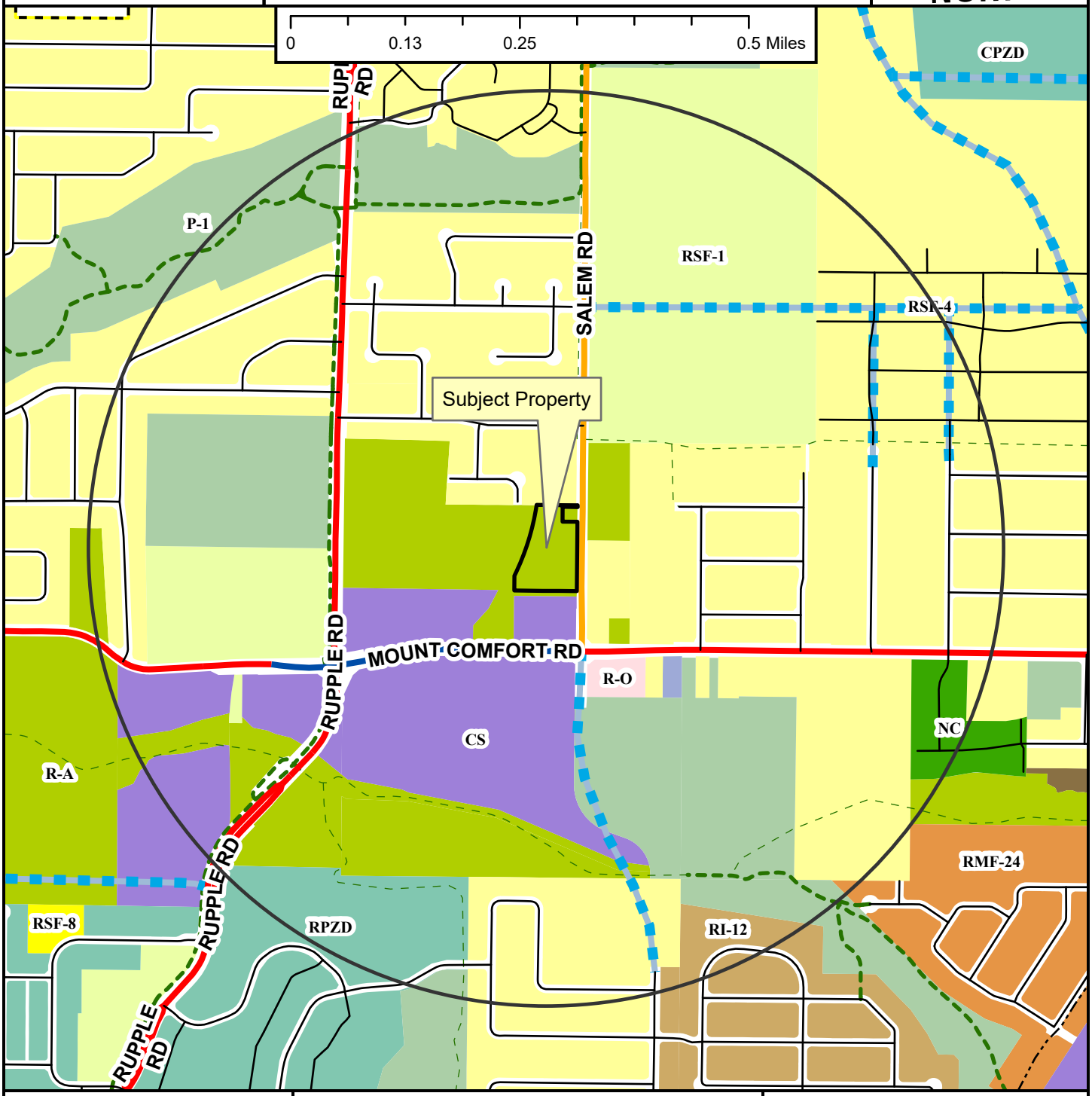
On-Site Owner
The Goddard School Fayetteville (West)
EMAIL:fayetteville2ar@goddardschools.com
DIRECT: 479-334-2800

RZN-2023-0033

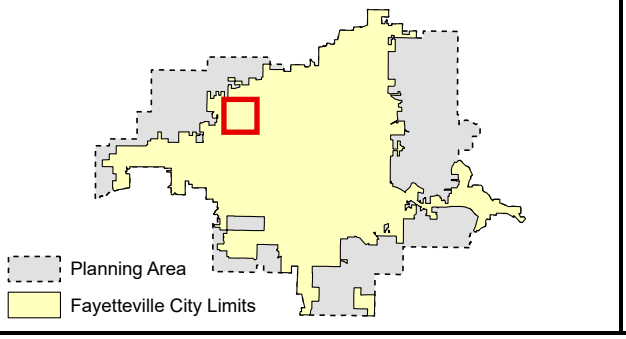
One Mile View

NORTH OF 3420 W. MOUNT COMFORT RD.

NORTH



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



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

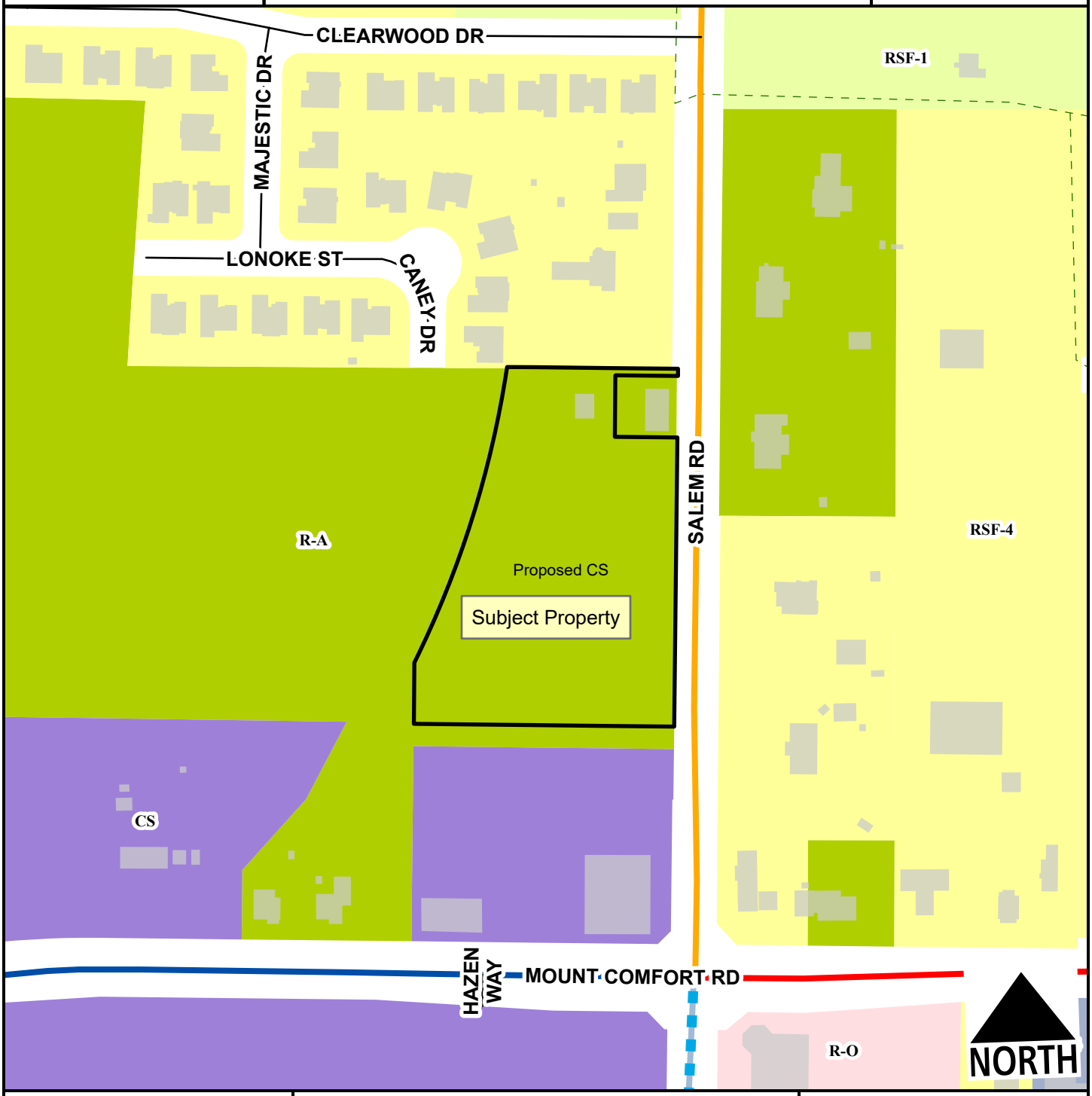
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

RZN-2023-0033

Close Up View

NORTH OF 3420 W. MOUNT COMFORT RD.



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

Feet

0 75 150 300 450 600

1:2,400

Zone	Current	Proposed
CS	0.0	3.2
R-A	3.2	0.0
RSF-4	0.0	0.0
Total	**3.2 ac**	

RZN-2023-0033

Current Land Use

NORTH OF 3420 W. MOUNT COMFORT RD.

NORTH

- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- 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

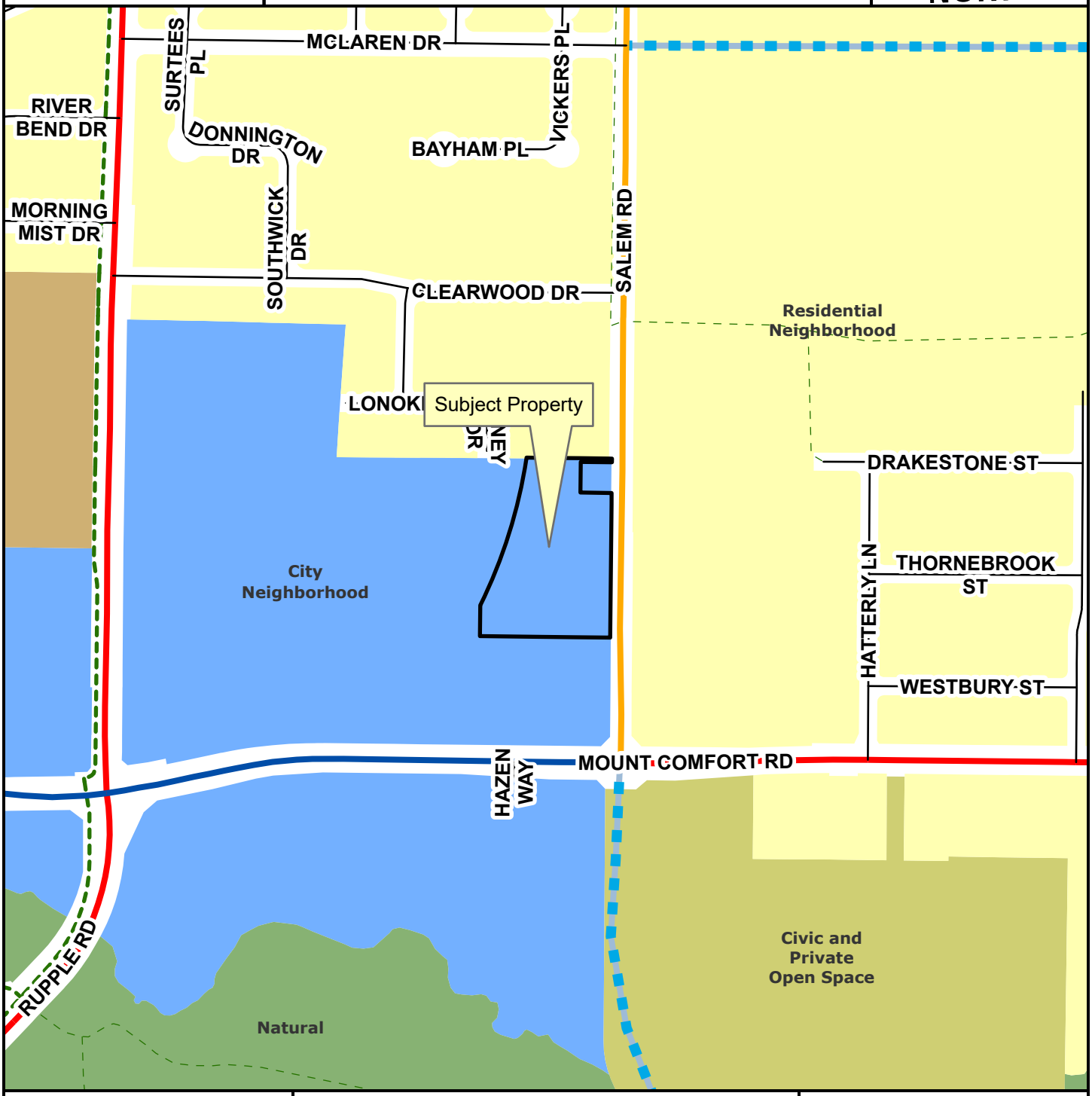
- 100-Year Floodplain
- Floodway

RZN-2023-0033

Future Land Use

NORTH OF 3420 W. MOUNT COMFORT RD.

NORTH



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

Feet

0 145 290 580 870 1,160

1:4,800

- City Neighborhood
- Civic Institutional
- Civic and Private Open Space
- Industrial
- Natural
- Non-Municipal Government
- Residential Neighborhood
- Rural Residential
- Urban Center

CITY OF
FAYETTEVILLE
ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: December 11, 2023

SUBJECT: **RZN-2023-0034: Rezoning (WEST of S. RAZORBACK RD./LOONEY, 599):** Submitted by COMMUNITY BY DESIGN for property located WEST OF S. RAZORBACK RD. The property is zoned NS-L, NEIGHBORHOOD SERVICES-LIMITED and contains approximately 3.06 acres. The request is to rezone the property to R-A, RESIDENTIAL-AGRICULTURAL and RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

RECOMMENDATION:
Staff recommends tabling **RZN-2023-0034** until the January 8, 2024, Planning Commission meeting at the request of the applicant.

RECOMMENDED MOTION:
*"I move to table **RZN-2023-0034** until the January 8, 2024, Planning Commission meeting."*

PLANNING COMMISSION ACTION: Required YES

Date: December 11, 2023 ❒ **Tabled** ❒ **Approved** ❒ **Denied**

Motion:

Second:

Vote: