

City of Fayetteville Staff Review Form

D. 4
ADM 12-4029 (Abshier Heights
R-PZD Modification No. 4)
Page 1 of 20

City Council Agenda Items
and
Contracts, Leases or Agreements

3/20/2012

City Council Meeting Date
Agenda Items Only

Andrew Garner
Submitted By

Planning
Division

Development Services
Department

Action Required:

ADM 12-4029: Administrative Item (Abshier Heights R-PZD Modification No. 4): Submitted by BART BAUER for the property located at the NORTHWEST CORNER OF ABSHIER DRIVE AND HILLCREST AVENUE. The request is to amend the approved R-PZD 06-1883 Abshier Heights to architecturally design one of the multi-family buildings with brick instead of stone on the rear of the building.

Cost of this request	\$ -	Category / Project Budget	Program Category / Project Name
Account Number	\$ -	Funds Used to Date	Program / Project Category Name
Project Number	\$ -	Remaining Balance	Fund Name

Budgeted Item

Budget Adjustment Attached

William C. Pate
Department Director

03-02-2012
Date

Previous Ordinance or Resolution # _____

Kim G.
City Attorney

3-5-12
Date

Original Contract Date: _____

Original Contract Number: _____

Paul A. Becken
Finance and Internal Services Director

3-5-2012
Date

Received in City Clerk's Office
03-02-12 P04:53 RCVD
Kim G.

Don Man
Chief of Staff

3-6-12
Date

Received in Mayor's Office
ENTERED
3/5/12
[Signature]

Frank Darden
Mayor

3/6/12
Date

Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor Jordan, City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director *J.P.*

From: Andrew Garner, Senior Planner

Date: March 1, 2012

Subject: ADM 12-4029 (Abshier Heights R-PZD Modification No. 4)

RECOMMENDATION

Planning staff and the Planning Commission recommend approval of an ordinance amending the Abshier Heights Planned Zoning District to change the architectural design standards to require brick on the rear of the building facing Abshier Drive, instead of stone (see Exhibit "A" attached).

BACKGROUND

On April 4, 2006 the City Council granted approval of R-PZD 06-1883 Abshier Heights on 4.11 acres of land with frontage on Abshier Drive and Hillcrest Avenue, with a maximum of 24 dwellings units in six buildings, at a density of 5.8 dwelling units per acre. All work interior to the site, the street improvements adjacent to the property, and a multi-family building at 269-299 E. Noble Lane has been completed. Ordinance No. 4850 established the Abshier Heights R-PZD zoning. Section 5 of this ordinance referred to a list of requirements for the project. One of these requirements was that the rear facade of the buildings facing Abshier Drive and Hillcrest Avenue would include partial stone facades. The applicant is in the process of finalizing construction plans for the multi-family building at 307-337 E. Noble Lane. The applicant requests a change in the PZD approval to use brick on the side of this new building facing Abshier Drive and Hillcrest Avenue, instead of stone.

DISCUSSION

On February 29, 2012 the Planning Commission voted 7-0-0 to forward this request to the City Council with a recommendation for approval. The applicant has been in personal communication with many of the neighbors with contact information provided by City staff. Staff has received inquiries by some of the neighbors about this current proposal and did not receive any objections to allowing brick instead of stone on the rear of the buildings.

BUDGET IMPACT

None.

ORDINANCE NO.

AN ORDINANCE AMENDING A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED R-PZD 06-1883, ABSHIER HEIGHTS, LOCATED AT THE NORTHWEST CORNER OF ABSHIER DRIVE AND HILLCREST AVENUE, CONTAINING APPROXIMATELY 4.11 ACRES, TO REFLECT REVISED ARCHITECTURAL STANDARDS AS DESCRIBED AND DEPICTED HEREIN.

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

Section 1: That R-PZD 06-1883 (Abshier Heights) as passed and approved by the City Council on April 4, 2006 with Ordinance No. 4850 is hereby amended to revise the architectural design of the buildings as follows:

The requirement for stone on the rear elevations of the development facing Hillcrest Avenue and Abshier Drive shall be replaced with a requirement for brick.

PASSED and APPROVED this day of , 2012.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

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



PC Meeting of February 27, 2012

THE CITY OF FAYETTEVILLE, ARKANSAS

125 W. Mountain St.
Fayetteville, AR 72701
Telephone: (479) 575-8267

PLANNING DIVISION CORRESPONDENCE

TO: Planning Commission Members
FROM: Andrew Garner, Senior Planner
THRU: Jeremy Pate, Development Services Director
DATE: ~~February 17, 2012~~ Updated March 1, 2012

ADM 12-4029: Administrative Item (Abshier Heights R-PZD Modification No. 4): Submitted by BART BAUER for the property located at the NORTHWEST CORNER OF ABSHIER DRIVE AND HILLCREST AVENUE. The request is to amend the approved R-PZD 06-1883 Abshier Heights to architecturally design one of the multi-family buildings with brick instead of stone on the rear of the building. Planner: Andrew Garner

BACKGROUND

Property Description: On April 4, 2006 the City Council granted approval of R-PZD 06-1883 Abshier Heights on 4.11 acres of land with frontage on Abshier Drive and Hillcrest Avenue, with a maximum of 24 dwellings units in six buildings, at a density of 5.8 dwelling units per acre. All work interior to the site, the street improvements adjacent to the property, and a multi-family building at 269-299 E. Noble Lane has been completed.

Architectural Requirement: Ordinance No. 4850 established the Abshier Heights R-PZD zoning. Section 5 of this ordinance referred to a list of requirements for the project. One of these requirements was that the rear facade of the buildings facing Abshier Drive and Hillcrest Avenue would include partial stone facades.

Proposal: The applicant is in the process of finalizing construction plans for the multi-family building at 307-337 E. Noble Lane. The applicant requests a change in the PZD approval to use brick on the side of this new building facing Abshier Drive and Hillcrest Avenue, instead of stone.

Public Comment: The applicant has been in personal communication with many of the neighbors with contact information provided by City staff. Staff has received inquiries by some of the neighbors about this current proposal and did not receive any objections. The applicant has also agreed to notify the adjacent property owners in writing of the City Council meeting date for this administrative request.

RECOMMENDATION

Staff recommends in favor of the applicant's request to use brick instead of stone on the rear of the building. Staff agrees with the applicant's rationale that the stone seems architecturally out of place with the design of the buildings. As indicated in the attached photos, because of the grade change, heavy foliage and patio screens on the rear of the buildings the stone (or brick) will be nearly impossible to see from the public right-of-way (Abshier Drive or Hillcrest Avenue)

Recommended Motion: Staff recommends forwarding **ADM 12-4029 Abshier Heights R-PZD Modification No. 4** to the City Council for approval.

Planning Commission Action: **Forwarded** **Denied**
Motion: Chesser
Second: Cook
Vote: 7-0-0
Meeting Date: February 27, 2012

ORDINANCE NO. 4850

AN ORDINANCE ESTABLISHING A RESIDENTIAL PLANNED ZONING DISTRICT TITLED R-PZD 06-1883, ABSHIER HEIGHTS, LOCATED SOUTH OF EVELYN HILLS SHOPPING CENTER ON ABSHIER AND HILLCREST, CONTAINING APPROXIMATELY 4.11 ACRES; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FAYETTEVILLE; AND ADOPTING THE ASSOCIATED MASTER DEVELOPMENT PLAN

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

Section 1: That the zone classification of the following described property is hereby changed as follows:

From C-2, Thoroughfare Commercial, to R-PZD 06-1883 as shown in Exhibit "A" attached hereto and made a part hereof.

Section 2: That the change in zoning classification is based upon the approved master development plan, development standards, and conditions of approval as submitted, determined appropriate and approved by the City Council.

Section 3: That this ordinance shall take effect and be in full force at such time as all of the requirements of the master development plan have been met.

Section 4: That the official zoning map of the City of Fayetteville, Arkansas is hereby amended to reflect the zoning change provided in Section 1 above.

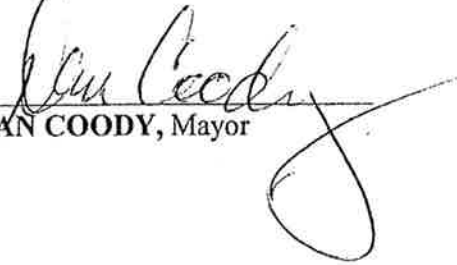
Section 5: That the Master Development Plan is approved subject to the list of compromises agreed to by the neighbors, developer and architect shown on Exhibit "B" presented to and accepted by the City Council. The Master Development Plan is also subject to the Revised Site Plan attached as Exhibit "C".



Page 2
Ord. 4850

PASSED and APPROVED this 4th day of April, 2006.

APPROVED:

By: 
DAN COODY, Mayor

ATTEST:

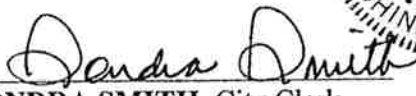
By: 
SONDRA SMITH, City Clerk



EXHIBIT "A"
R-PZD 06-1883

TRACT A:

PART OF THE NW ¼ OF THE NW ¼ OF SECTION 10, TOWNSHIP 16 NORTH, RANGE 30 WEST, CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF THE NW ¼ OF THE NW ¼, SAID POINT BEING A FOUND 1" PIPE; THENCE N87°12'10"W 352.90 FEET; THENCE N02°59'53"E 25.00 FEET TO THE POINT OF BEGINNING; THENCE N02°58'47"E 635.03 FEET TO A CHISLED "X"; THENCE S87°00'06"E 149.72 FEET TO A FOUND IRON PIN IN THE WEST RIGHT-OF-WAY LINE OF HILLCREST AVENUE; THENCE ALONG SAID RIGHT-OF-WAY S02°57'25"W 634.95 FEET TO A FOUND PK NAIL IN THE APPROXIMATE CENTER LINE OF WOODCREST DRIVE NOW VACATED BY THE CITY OF FAYETTEVILLE BY ORDINANCE #1205; THENCE ALONG SAID CENTERLINE N87°02'16"W 149.97 FEET TO THE POINT OF BEGINNING, CONTAINING 2.187 ACRES, MORE OR LESS, AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

TRACT B:

PART OF THE SW ¼ OF THE NW ¼ OF SECTION 10, TOWNSHIP 16 NORTH, RANGE 30 WEST, CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SAID SW ¼ OF THE NW ¼; THENCE N87°12'10"W 203.60 FEET; THENCE S02°58'05"W 30.14 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A FOUND IRON PIN IN THE WEST RIGHT OF WAY OF HILLCREST AVENUE; THENCE ALONG SAID RIGHT OF WAY S02°58'12"W 313.56 FEET TO A FOUND IRON PIN IN THE NORTH RIGHT-OF-WAY LINE OF ABSHIER DRIVE; THENCE ALONG SAID RIGHT-OF-WAY LINE N86°36'30"W 537.42 FEET TO A FOUND IRON PIN; THENCE LEAVING SAID RIGHT-OF-WAY N63°01'26"E 620.21 FEET TO THE POINT OF BEGINNING, CONTAINING 1.935 ACRES MORE OR LESS, AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

Remove the requirement for stone on the back of the development and replace it with a requirement for "...brick on the facade on the back of the development.."

EXHIBIT "B"
R-PZD 06-1883

WE AS NEIGHBORS, THE AFOREMENTIONED DEVELOPER AND ARCHITECT,
HAVE RESPECTFULLY AGREED UPON THE FOLLOWING COMPROMISES.

1. Modifications to architectural design of development to complete and complement existing neighborhood homes. Examples include planter boxes with stone facades; ~~the agreed upon stone façade on the back of the development (on the side of the town homes facing Hillcrest and Abshier) the architect will modify rear elevations of development to include partial stone facades on the back of the development (on the side of the town homes facing Hillcrest and Abshier) for approval of abovementioned neighborhood representatives;~~ house numbers re-styled and moved to the lower portion of the front of the house near planter boxes; changes in paint palette in the natural earth tones; enlarged window shapes and styles in the latest drawings presented to the neighborhood – all to create a more natural, "softer" feel in line with the traditional character of the existing neighborhood.

2. Reduction in the number of units to 24.

3. Speed bumps to be built/installed on Hillcrest, Abshier, Lakeridge and Oakwood by Developer and City with 50/50 cost share with up to four speed tables.

4. A permanent, WRITTEN plan for maintaining the park and greenspace throughout the development included in the homeowner's association agreements and/or covenants for those who purchase the town homes. The association agreements or covenants must be worked out in consultation with the above-mentioned neighborhood representatives throughout the process and approval. Additionally, new neighbors in the development must be aware that Lake Lucille and surrounding property is a private entity and is not available for their use for swimming, fishing, picnicking, etc. (only accessible by property owners in Lake Lucille/Clay Yoe subdivision).

5. Additional trees and shrubs are to be planted along Hillcrest and Abshier to fill in gaps and ensure that the tree buffer is maintained and expanded. Trees and shrubs are needed to fill in both high and low gaps and present an attractive, natural appearance to neighbors in the development and across Hillcrest and Abshier.

6. Core and soil sample testing will be conducted due to grade and incline, instability of land because of natural springs and previous construction difficulty in area with USA Drug.

7. We respectfully request that City Planning division allow that no bridges or steps leading from the town homes to Abshier or Hillcrest will be constructed. This would only encourage street parking and exacerbate traffic problems. The only steps in the development that are agreeable to the neighbors are those from the pocket park/viewing area to the parking area for the E. Fay Jones' home as designated on plans.

8. Trees and/or shrubbery will be planted at the back of the development to screen the development's residents from the shopping center. These also should include plantings to fill in high and low gaps and present an attractive, natural appearance consistent with a high quality development.

9. No parking signs to be installed along Hillcrest & Abshier on the development side, with no parking allowed on either side of these two streets.

10. Landscape design, and any newly planted trees and shrubbery will, as closely as possible, be in accordance with E. Fay Jones' written/drawn design plans for the property from the U. of A. Mullens Library, Special Collections (neighbors have this document) (i.e. species of trees, placement, etc.).

11. Above-mentioned neighborhood representatives will see sample/rendering of mailbox design and of the sign for the development and provide input for approval, prior to installation.

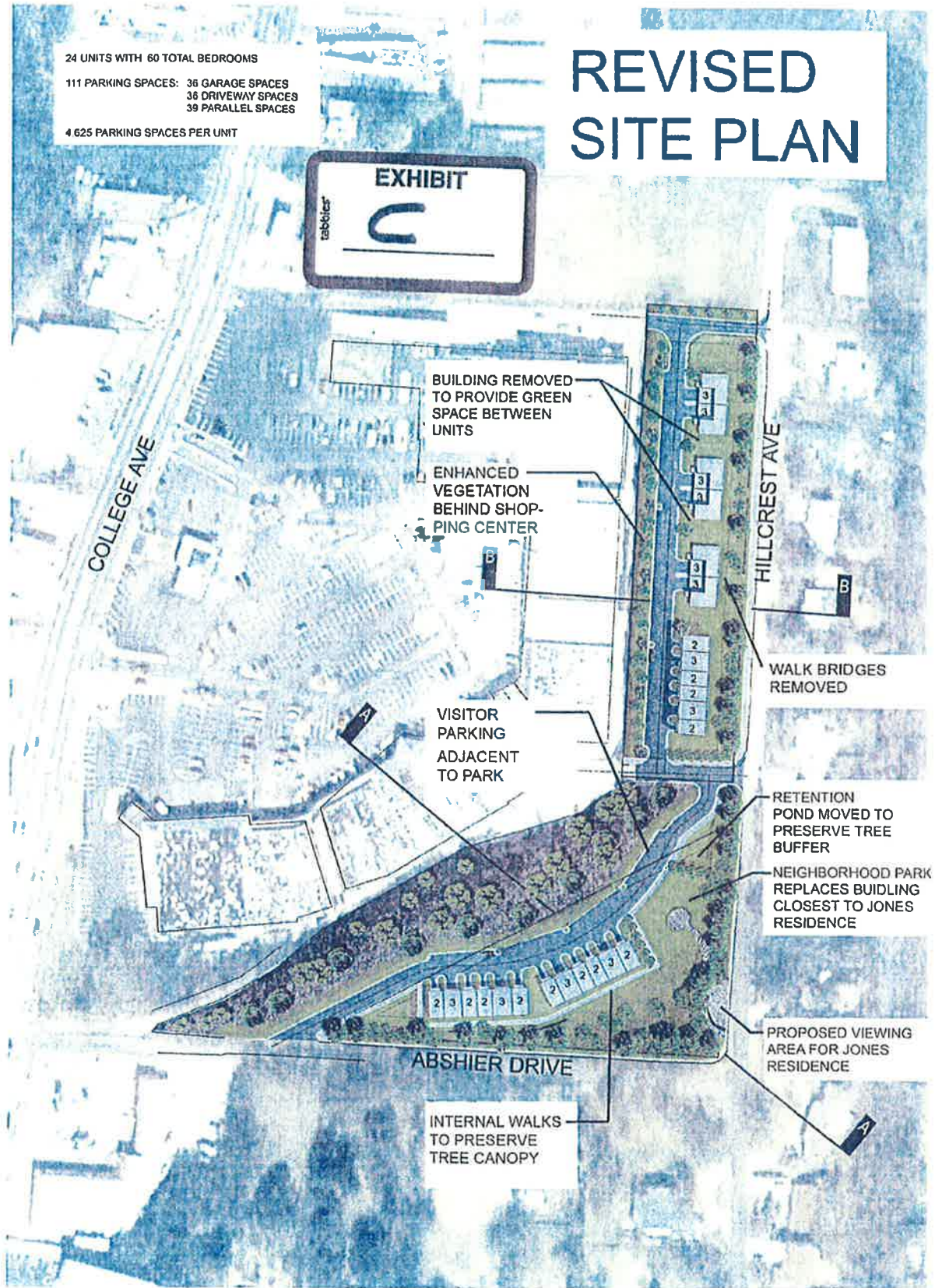
12. Construction will be limited to daylight hours only.

13. We respectfully request that if this development, PZD 06-1883, Abshier Heights, is not executed, that the City require that this property revert back to RSF-4 (R-1), not its current zoning of record, C-2.

14. All agreed upon compromises will be put in writing and officially recorded as amendments to PZD 06-1883 and presented at the meeting of the Fayetteville City Council, Tuesday, April 4, 2006. All compromises throughout this document are legally binding on the developer and must be carried out.

24 UNITS WITH 60 TOTAL BEDROOMS
111 PARKING SPACES: 36 GARAGE SPACES
36 DRIVEWAY SPACES
39 PARALLEL SPACES
4.625 PARKING SPACES PER UNIT

REVISED SITE PLAN



SITE PLAN WITH BEDROOM COUNT

Bart Bauer

Memo

To: City of Fayetteville - Planning Commission
From: Bart Bauer
Date: January 16, 2012
Re: 307 – 337 E. Noble Lane – Administrative Item
Change Building Material From Stone to Brick in PZD

This parcel is currently under contract for purchase from the Bank of Fayetteville for the exclusive use of Bart Bauer, and/or his assigns.

The proposed building currently approved in this PZD calls for a small amount of stone on the side and rear of the building. I am requesting that the Planning Commission allow me to replace the stone with brick. I feel this will not affect the aesthetics or value of the site in any way. In fact, because of the back patio screens on the building, the stone seems to be architecturally out of place.

Even if the stone were to add some kind of value to the site, between the grade change, heavy foliage and patio screens, the stone is nearly impossible to see from E. Abshier Drive where those sides of the building face.

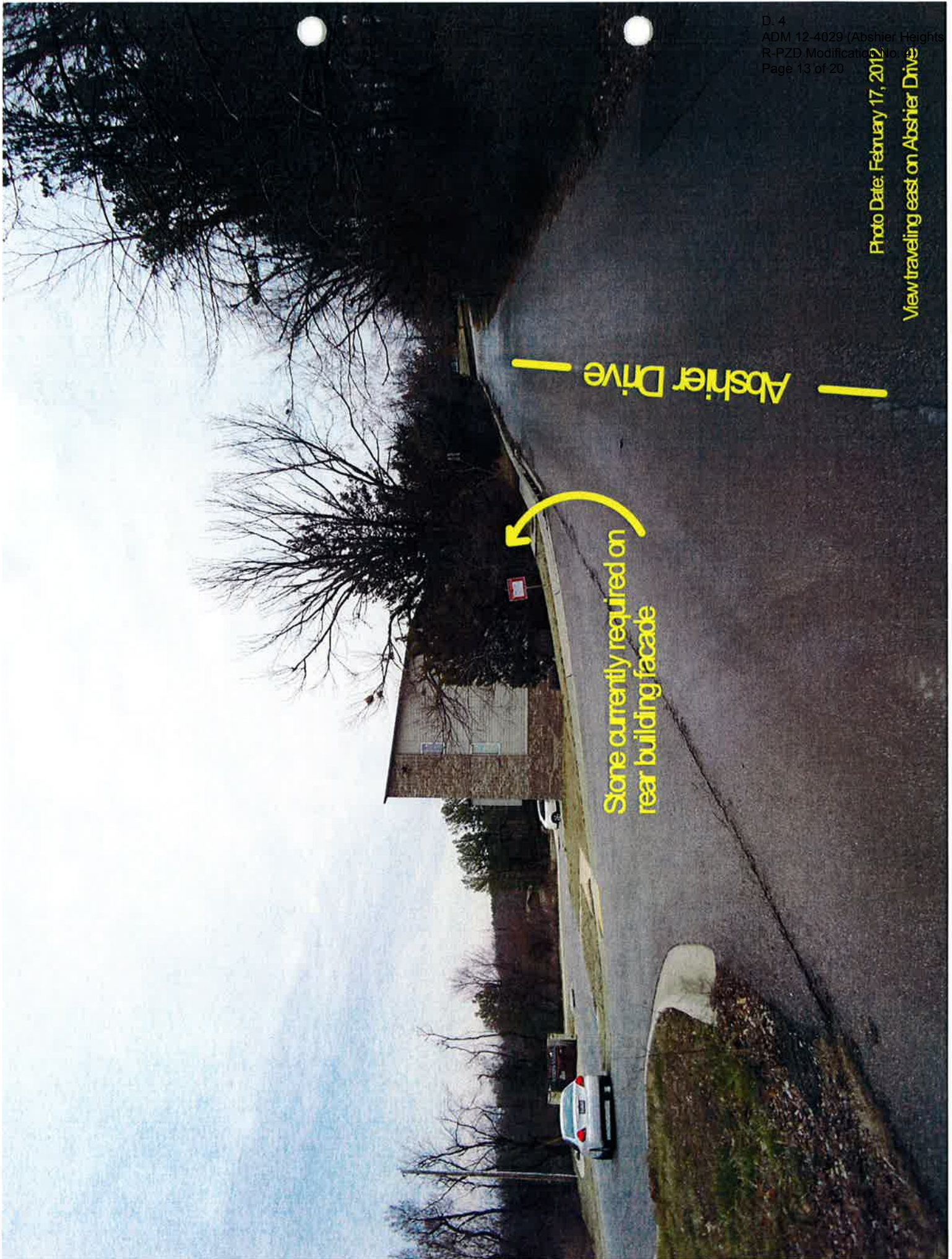
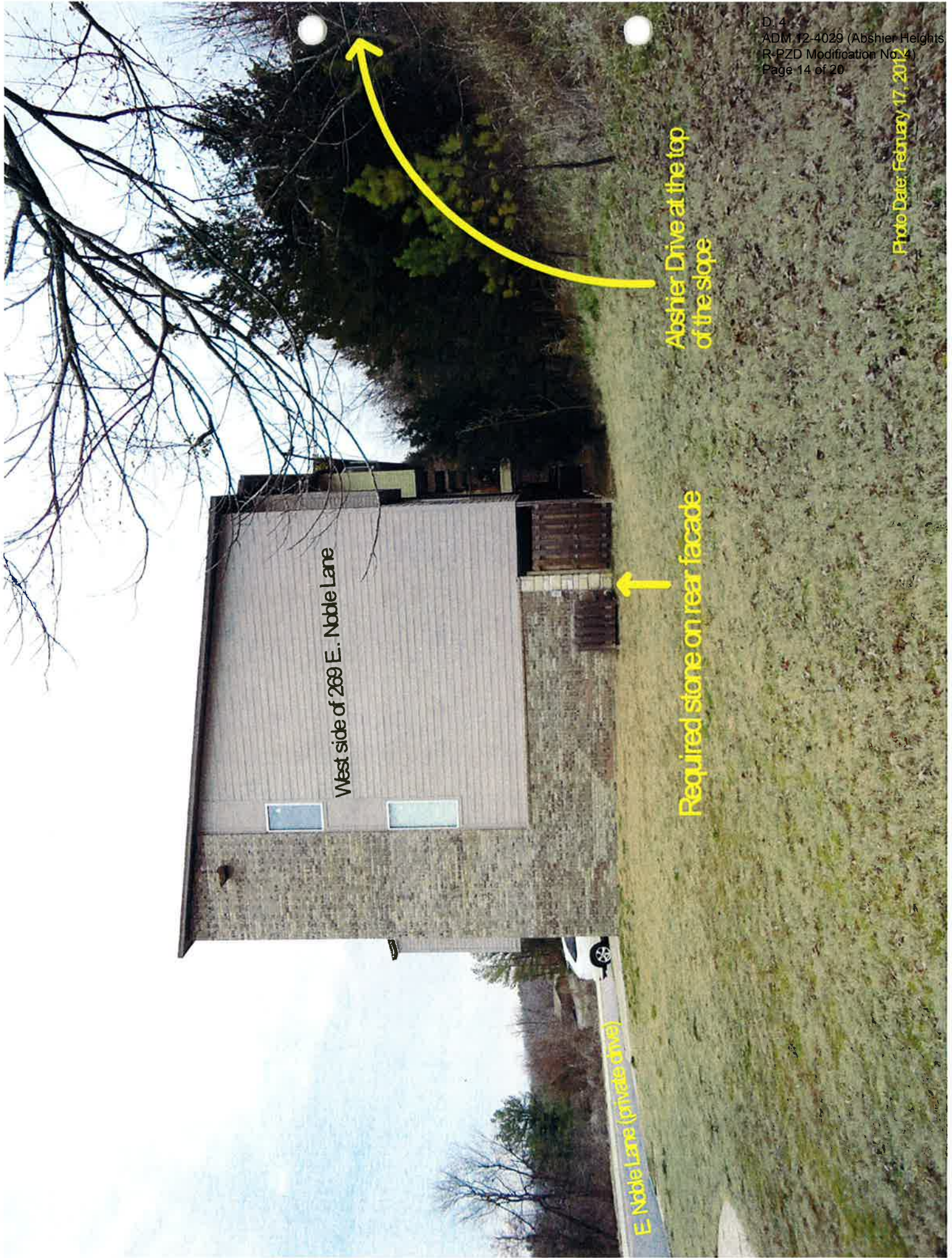


Photo Date: February 17, 2012
View traveling east on Abshier Drive

Stone currently required on
rear building facade

Abshier Drive



West side of 269 E. Noble Lane

Abshier Drive at the top
of the slope

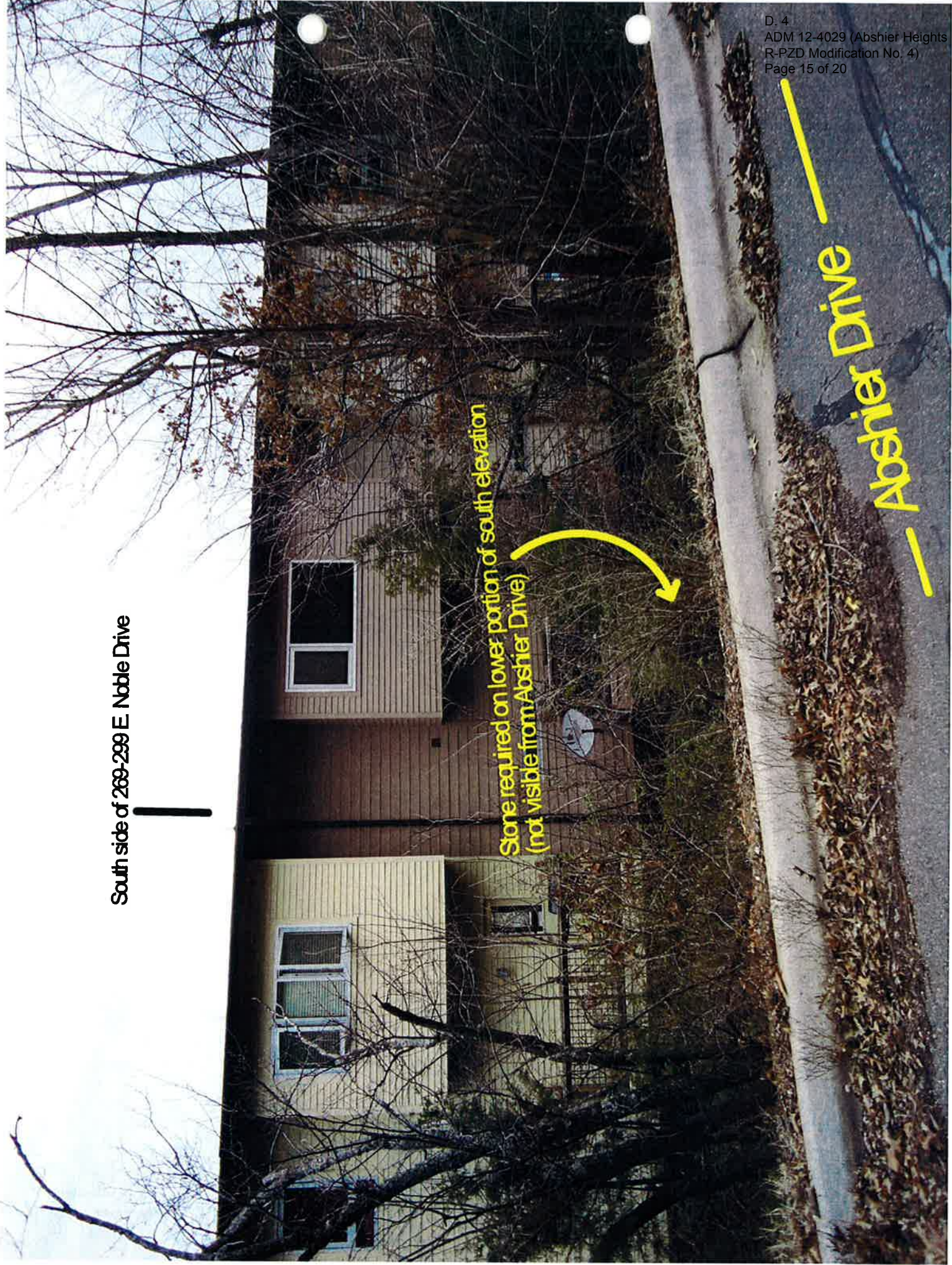
Required stone on rear facade

E Noble Lane (private drive)

South side of 269-299 E. Noble Drive

Stone required on lower portion of south elevation
(not visible from Abshier Drive)

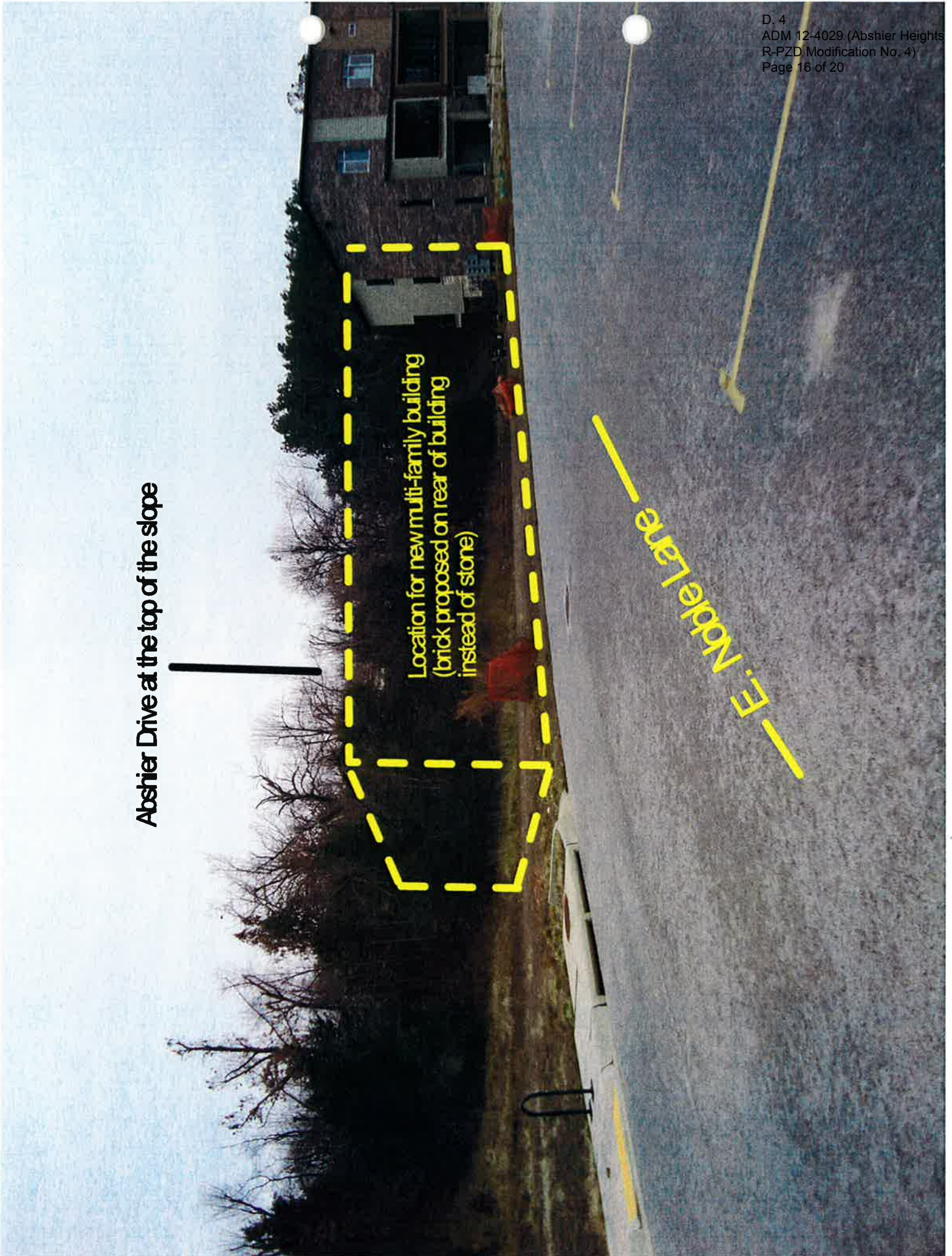
Abshier Drive



Abshier Drive at the top of the slope

Location for new multi-family building
(brick proposed on rear of building
instead of stone)

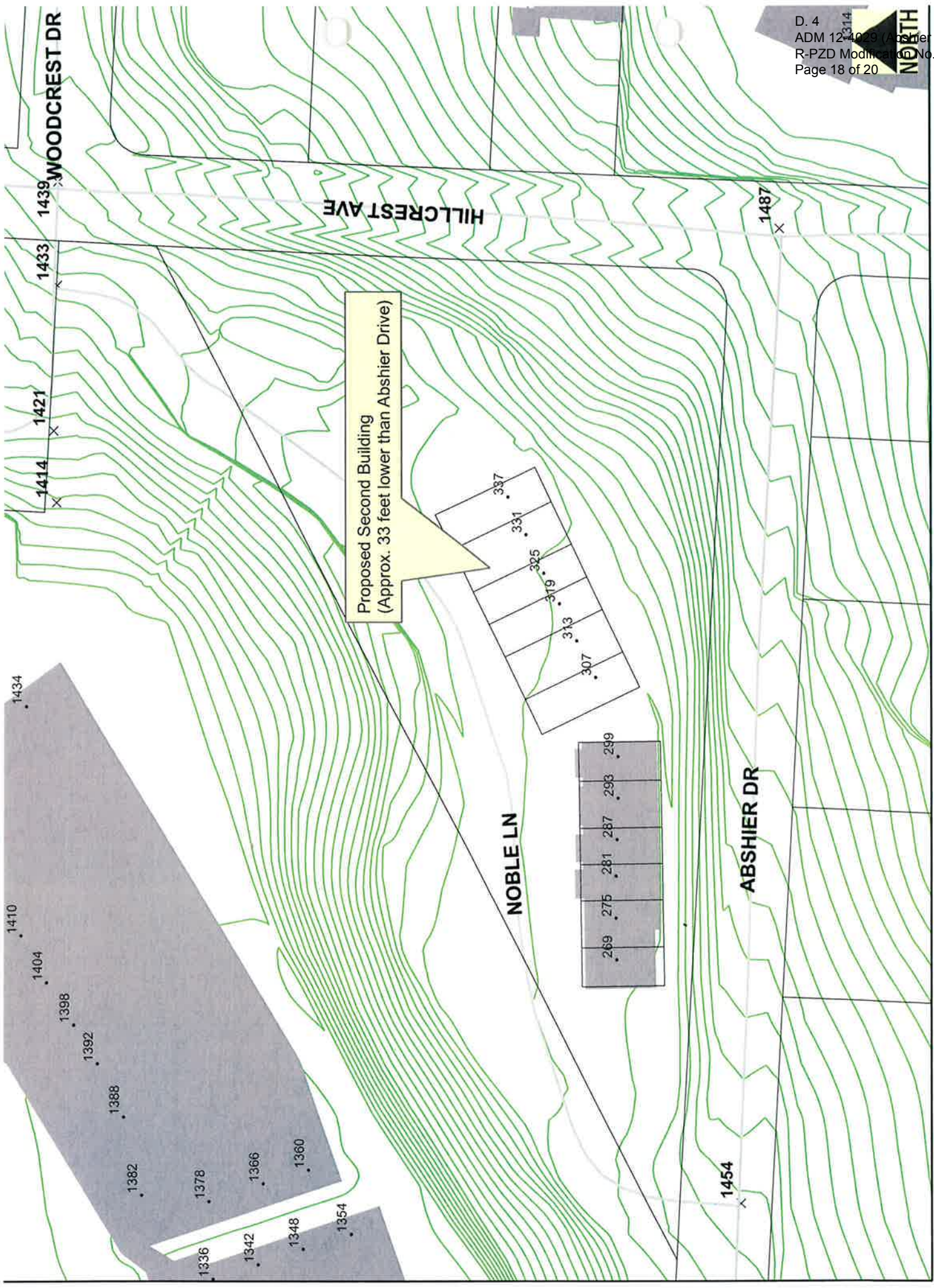
E. Noble Lane





Proposed Second Building

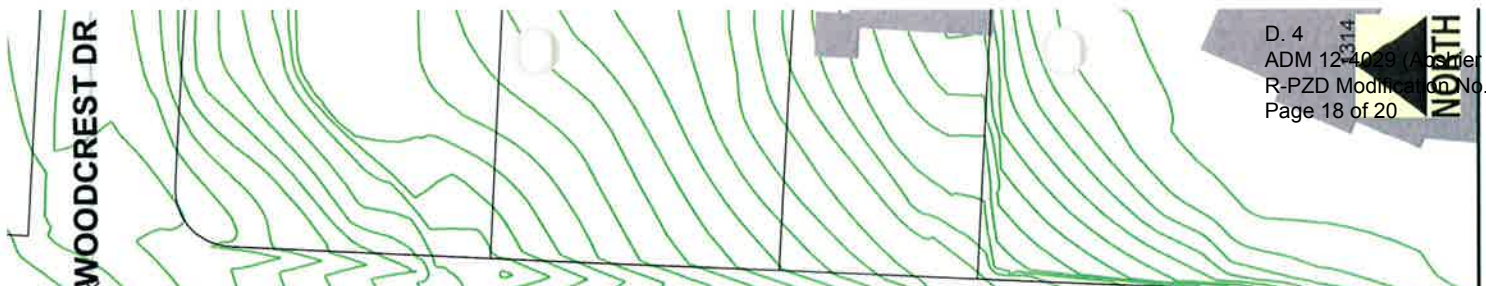
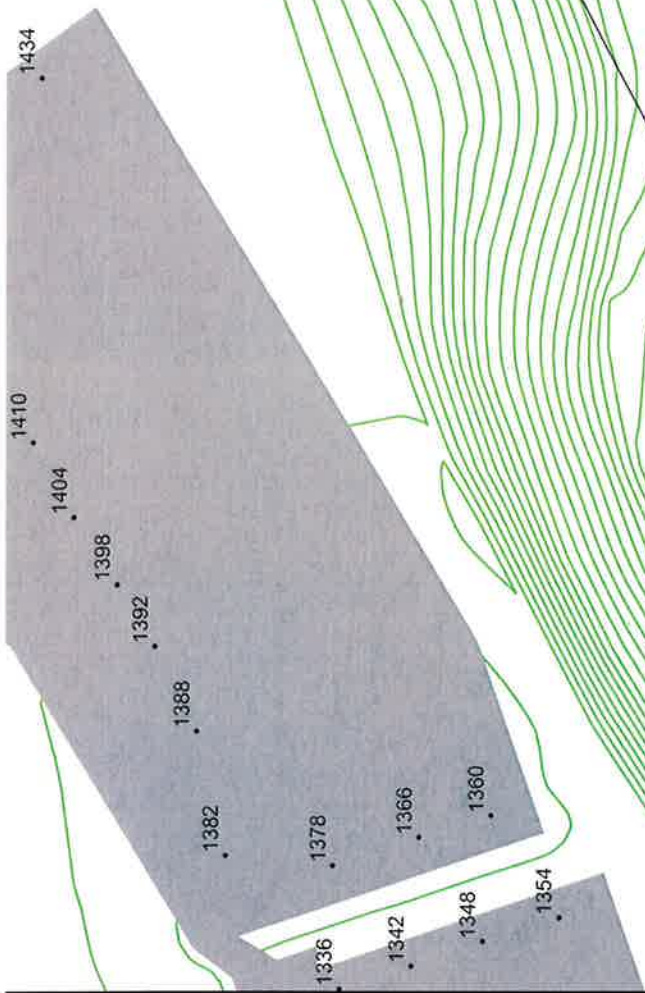
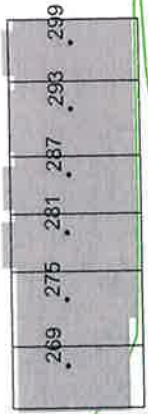




1 inch = 67 Feet
0510203040



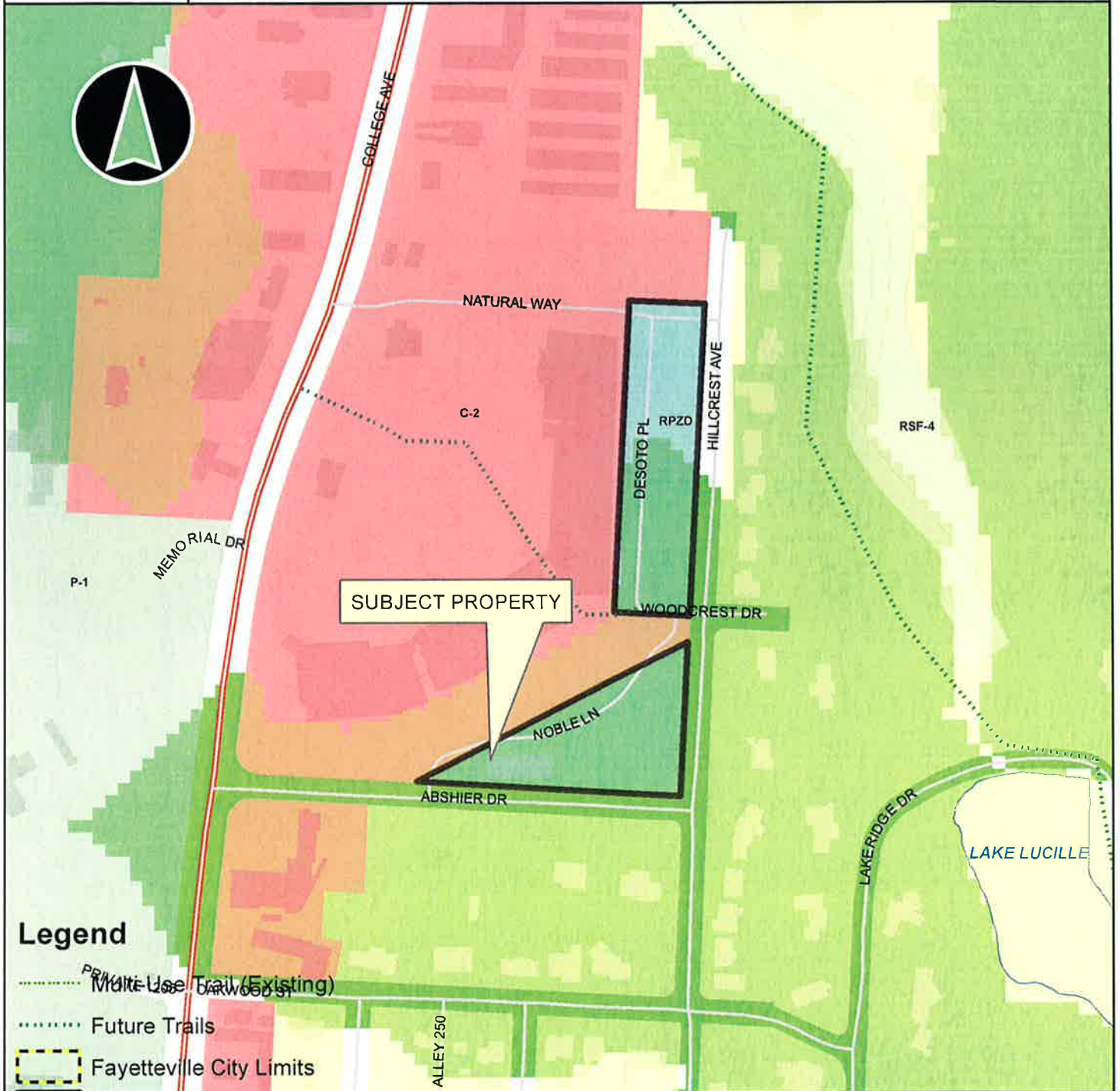
Proposed Second Building
(Approx. 33 feet lower than Abshtier Drive)



ADM12-4029

ABSHIER HEIGHTS

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- Fayetteville City Limits

Overview

- ADM12-4029
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



