

City of Fayetteville Staff Review Form

City Council Agenda Items
and
Contracts, Leases or Agreements

12/4/2012

City Council Meeting Date
Agenda Items Only

Megan Dale 
Submitted By

Urban Forestry
Division

Parks and Recreation
Department

Action Required:

Approval of the modification of a total of 0.71 acres of the tree preservation area at the Reserve at Steele Crossing and Waterside Development to facilitate the construction of Clear Creek Trail and requiring mitigation of a minimum of 30 - 2" caliper large tree species mitigation trees to be planted along the Razorback Regional Greenway corridor or within Lake Fayetteville Park and maintained to insure survival for three years

N/A
Cost of this request

N/A
Category / Project Budget

N/A
Program Category / Project Name

N/A
Account Number

N/A
Funds Used to Date

N/A
Program / Project Category Name


N/A
Project Number

N/A
Remaining Balance

N/A
Fund Name

Budgeted Item

Budget Adjustment Attached


Department Director 11-16-12
Date


Previous Ordinance or Resolution # _____


City Attorney 11-16-12
Date

Original Contract Date: _____

Original Contract Number: _____


Finance and Internal Services Director 11-19-2012
Date

Received in City Clerk's Office 11-15-12 11:19 RCVD



Chief of Staff 11-19-12
Date

Received in Mayor's Office
ENTERED 11/16/12 BCP


Mayor 11/20/12
Date

Comments:



www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS
DEPARTMENT CORRESPONDENCE

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director
Connie Edmonston, Parks and Recreation Director *CE*
Alison Jumper, Park Planning Superintendent *AJ*

From: Megan Dale, Urban Forester *(MD)*

Date: November 15, 2012

Subject: Tree Preservation Area Modification for Clear Creek Trail

BACKGROUND:

A 2.5 mile long section of the new 36-mile Razorback Regional Greenway is underway to connect Scull Creek Trail to Lake Fayetteville along Clear Creek. In order to make this important connection, the trail must cross several properties including two properties with established tree preservation areas. According to chapter 167.05 (B) of the Unified Development Code "No filling, excavating or other land disturbance shall take place in tree preservation areas." Therefore in order to construct the trail, portions of the tree preservation areas need to be modified to accommodate the trail construction. The Trails Coordinator will oversee the trail construction and coordinate with the Urban Forester to insure sensitivity to existing canopy. Additionally, the Trails Coordinator has aligned the trail to minimize tree removal while protecting the remaining trees within these areas.

In 2003, a 6.98 acre tree preservation area was established as part of the development approval of the Reserve at Steele Crossing Apartments. In order to construct the Clear Creek Trail a 0.89 acre multi-use trail easement has been created on the north edge of the Reserve at Steele Crossing property. This multi-use trail easement overlaps 0.56 acres of the original tree preservation area and is proposed to be removed from the overall tree preservation (See attached exhibit). This area is currently sparsely vegetated with no trees greater than 3" caliper. The UDC defines a tree as 3" caliper or greater. The trail has been aligned to avoid all large trees. Since there will not be an impact on canopy through this area, no mitigation is recommended for this section. If there are changes during construction and impact to the tree canopy is necessary, appropriate mitigation will be required as recommended by the Urban Forester.

In 2007, a 0.79 acre tree preservation area was established as part of the development approval of the Timberlake Office Park along the north and east sides of Lot #9 and is currently owned by Waterside Business Center. In 2011, a 0.15 acre multi-use trail easement was approved on top of a part of the original tree preservation area. This 0.15 acre area is proposed to be removed from the remaining tree preservation area to facilitate the trail construction (See attached exhibit). The 0.15 acre area has several large trees on the slope that will be removed for the trail construction; therefore, mitigation is recommended at the high priority rate of

218 mitigation trees per square foot resulting in 30 – 2” caliper trees. It is recommended that these mitigation trees be planted along the Razorback Regional Greenway or within Lake Fayetteville Park and be coordinated with Park Staff. The trees shall be maintained to insure survival for three years.

DISCUSSION:

The Unified Development Code allows for modification of tree preservation areas in chapter 167.04 (L) (2) with the express approval of the City Council. The ordinance also says the modification should be in the best interest of the City of Fayetteville. The Razorback Regional Greenway has strong regional support, is currently funded and under construction. This section of Clear Creek Trail as part of the Razorback Regional Greenway will provide a vital connection between Scull Creek Trail and Lake Fayetteville Park. In addition, the required mitigation of trees will further enhance the trail experience by providing shade and additional habitat in areas that are not currently wooded.

RECOMMENDATION:

Staff recommends approval of the modification of a total of 0.71 acres of the tree preservation area at the Reserve at Steele Crossing and Waterside Development to facilitate the construction of Clear Creek Trail and requiring mitigation of a minimum of 30 - 2” caliper large tree species mitigation trees to be planted along the Razorback Regional Greenway corridor or within Lake Fayetteville Park and maintained to insure survival for three years.

BUDGET IMPACT:

The Clear Creek Trail is fully funded through the Northwest Arkansas Planning Commission as part of the Razorback Regional Greenway. The cost for mitigation trees and three year maintenance has been included in the overall trail construction cost for the project.

Attachments:

- Tree Preservation Area – Reserve at Steele Crossing
- Tree Preservation Area – Waterside

RESOLUTION NO. _____

A RESOLUTION APPROVING A REQUEST BY THE CITY OF FAYETTEVILLE TO MODIFY THE GEOGRAPHIC EXTENT AND LOCATION OF CERTAIN TREE PRESERVATION AREAS PURSUANT TO § 167.04(L)(2), TREE PRESERVATION AND PROTECTION, UNIFIED DEVELOPMENT CODE OF THE CODE OF FAYETTEVILLE, TO CONSTRUCT A SECTION OF CLEAR CREEK TRAIL

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby approves the request of the City of Fayetteville to modify the location of the Tree Preservation Areas at the Reserve at Steele Crossing and Waterside Development, pursuant to § 167.04(L)(2), Tree Preservation and Protection, Unified Development Code of the Code of Fayetteville, to construct a section of Clear Creek Trail, subject to the following conditions:

- A. The City shall provide mitigation of a minimum of thirty (30) two-inch (2") caliper large tree species planted along the Razorback Regional Greenway corridor or within Lake Fayetteville Park and maintained to assure survival for three (3) years.

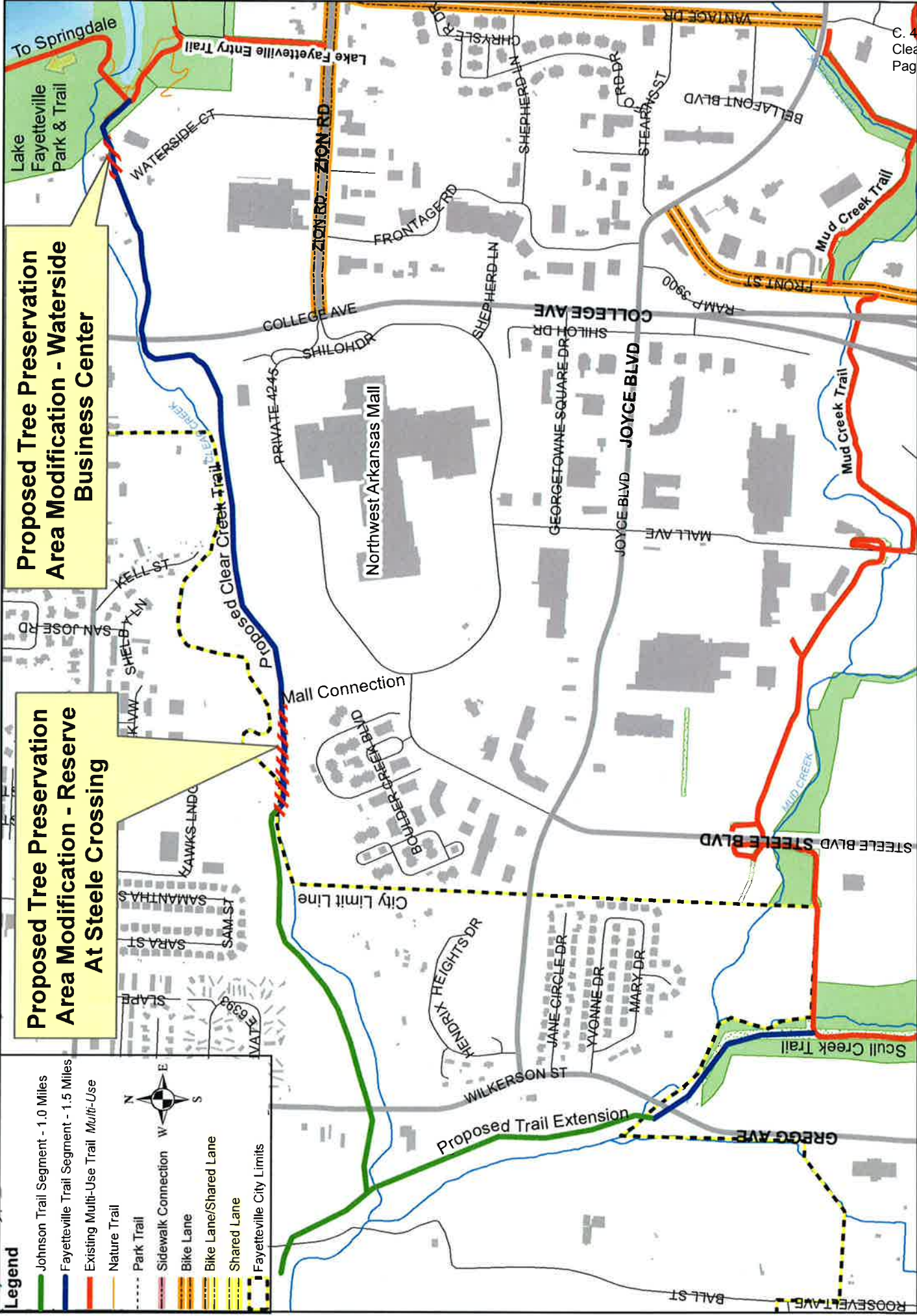
PASSED and APPROVED this 4th day of December, 2012.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

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



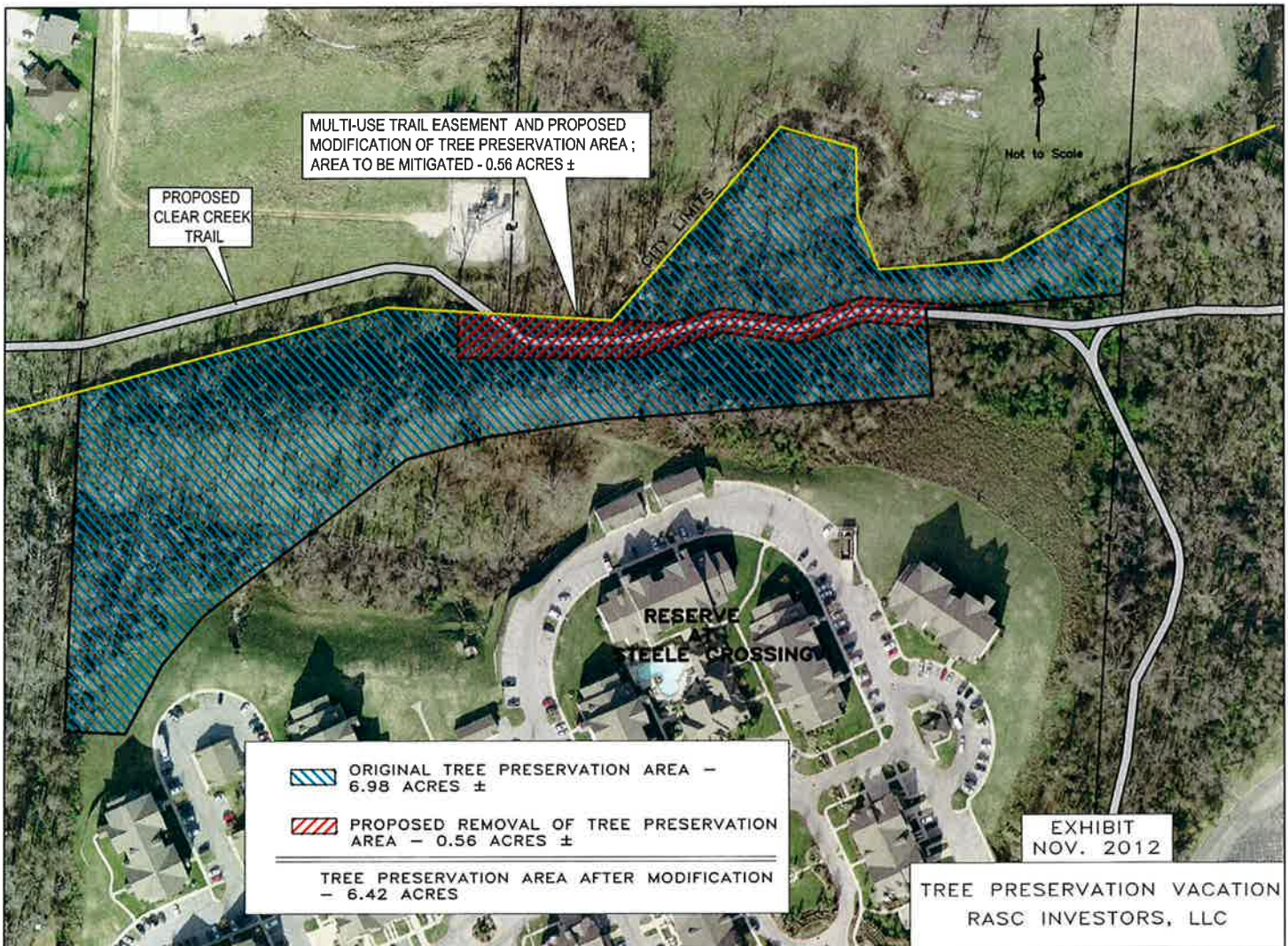
Proposed Tree Preservation Area Modification - Waterside Business Center

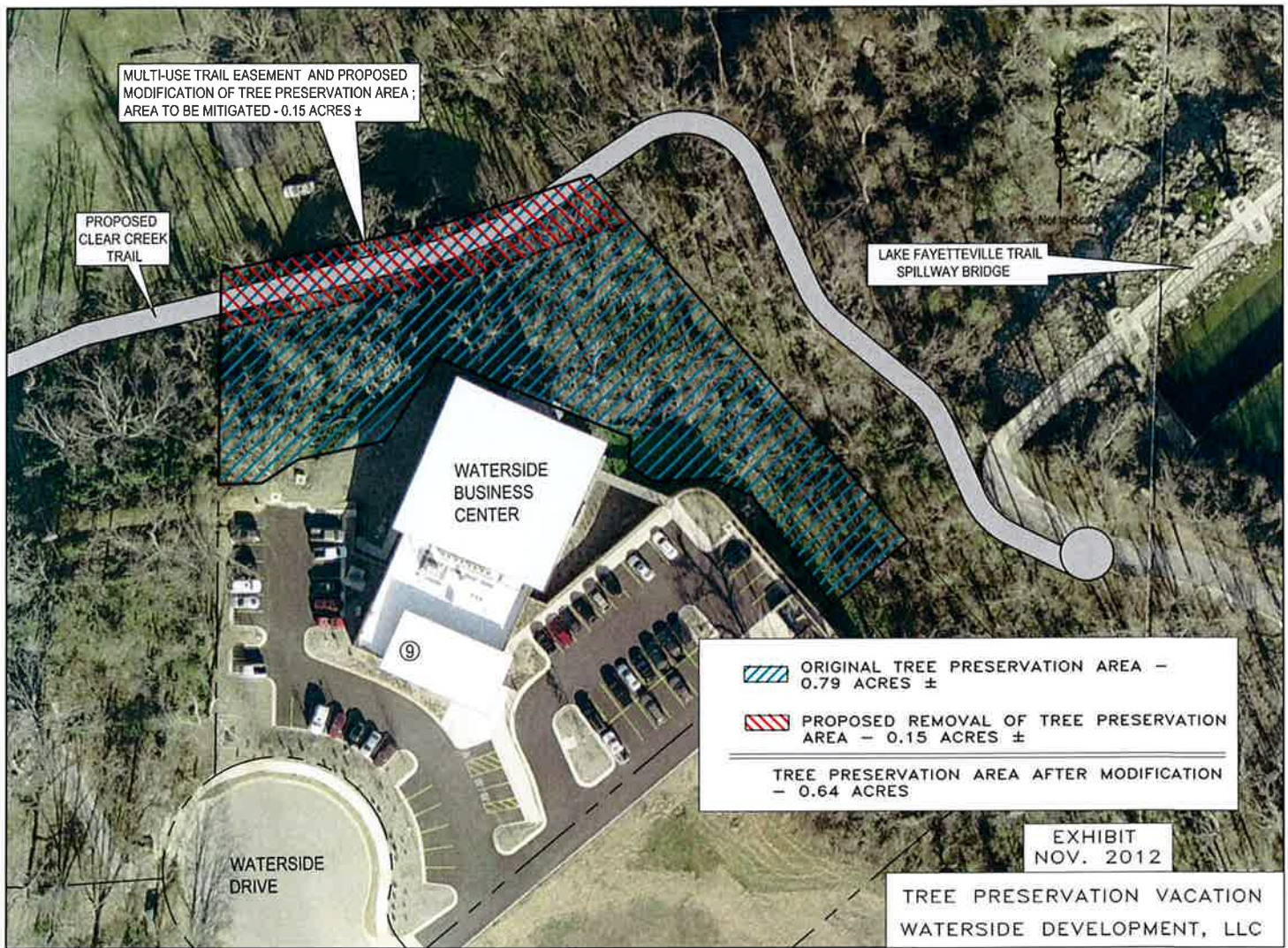
Proposed Tree Preservation Area Modification - Reserve At Steele Crossing

Legend

- Johnson Trail Segment - 1.0 Miles
- Fayetteville Trail Segment - 1.5 Miles
- Existing Multi-Use Trail Multi-Use
- Nature Trail
- Park Trail
- Sidewalk Connection
- Bike Lane
- Bike Lane/Shared Lane
- Shared Lane
- Fayetteville City Limits

**Razorback Regional Greenway Trail
Scull Creek Trail to Lake Fayetteville**





Waterside Business Center
4476 N Waterside Ct
Fayetteville, AR 72703

4/14/11

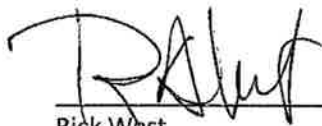
To the attention of the Fayetteville City Council:

This letter serves to express that the owners of Waterside Business Center (Timberlake Lot #9) support the proposed modification of the tree preservation area as outlined by the City of Fayetteville Trails Coordinator for the construction of the Clear Creek Trail.

Thank You,



Henry Ho
Owner/Partner
Waterside Business Center



Rick West
Owner/Partner
Waterside Business Center