

City Council Agenda Items
and
Contracts, Leases or Agreements

7/16/2013

City Council Meeting Date
Agenda Items Only

Jesse Fulcher
Submitted By

Planning
Division

Development Services
Department

Action Required:

ADM 13-4420: Administrative Item (OAKBROOKE PZD PHASE I, 361): Submitted by PARADIGM DEVELOPMENT for property located at OAKBROOKE PHASE I. The property is zoned Oakbrooke I R-PZD 05-1463 and contains a total of 3.82 acres. The request is to modify Oakbrooke Phase I, R-PZD 05-1463, by constructing an alley to serve Lots 1-17.

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

Jesse C. Fulcher
Department Director

06-27-2013
Date

Previous Ordinance or Resolution # _____

[Signature]
City Attorney

6-27-13
Date

Original Contract Date: _____

Original Contract Number: _____

Manda Hertweck
Finance and Internal Services Director

6/28/13
Date

Received in City Clerk's Office 06-27-13 P04:22 RCVD
[Signature]

[Signature]
Chief of Staff

6/28/13
Date

Received in Mayor's Office
ENTERED 6/26/13 PH

[Signature]
Mayor

6/28/13
Date

Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor Jordan, City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director

From: Jesse Fulcher, Current Planner

Date: June 26, 2013

Subject: ADM 13-4420 (OAKBROOKE PZD PHASE I)

RECOMMENDATION

The Planning Commission and staff recommend approval of an ordinance to modify Oakbrooke Phase I, RPZD 05-1463, by constructing an alley to serve Lots 1-17.

BACKGROUND

The Oakbrooke Planned Zoning District was originally approved in 2005 and was comprised of two phases, Oakbrooke R-PZD 05-1463 (Phase I) and Oakbrooke R-PZD 05-1555 (Phase II). All the required street and utility infrastructure was completed and the final plats for each phase were approved and recorded. Home construction started in 2008.

In 2009 the owner submitted a new Planned Zoning District application for the entire subdivision, except Lots 1-17. These lots are still under the zoning designation of Oakbrooke I and are configured as approved by the original final plat. No changes are proposed for the number of lots or lot sizes.

The applicant proposes to construct an alley on the west side of Lots 1-17 in Oakbrooke I.

Planned Zoning District modifications: Chapter 166.06(I) allows the Zoning and Development Administrator to make minor changes to an approved PZD. Any modification to a PZD which is not allowed under the Minor Modification process is considered a zoning action, requiring City Council approval. Both modifications to the Oakbrooke subdivision (13-4397 and 13-4420) are considered major modifications. Consistent with a zoning request, the applicant has notified all adjacent property owners, including those in the Oakbrooke, Bellwood and Bridgeport Subdivisions.

DISCUSSION

On June 24, 2013, the Planning Commission forwarded this item to the City Council with a recommendation of approval with a vote of 5-0-1 (Hoskins recused).

BUDGET IMPACT

None.

ORDINANCE NO.

AN ORDINANCE AMENDING A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED R-PZD 05-1463 OAKBROOKE PHASE I, TO REVISE THE CONCEPT PLAN AND ALLOW THE CONSTRUCTION OF AN ALLEY TO SERVE LOTS 1-17.

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

Section 1: That the plats for R-PZD 05-1463 Oakbrooke Phase I are hereby amended to reflect the major modification to the concept plan, providing an alley to serve Lots 1-17, as reflected in Exhibit "A."

PASSED and **APPROVED** this day of , 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

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

Proposed Circulation Modifications – Within the proposed Major Modification due to terrain issues, the desire to save significant tree canopy and drainage structures, we are proposing a few modifications to rear alleys.

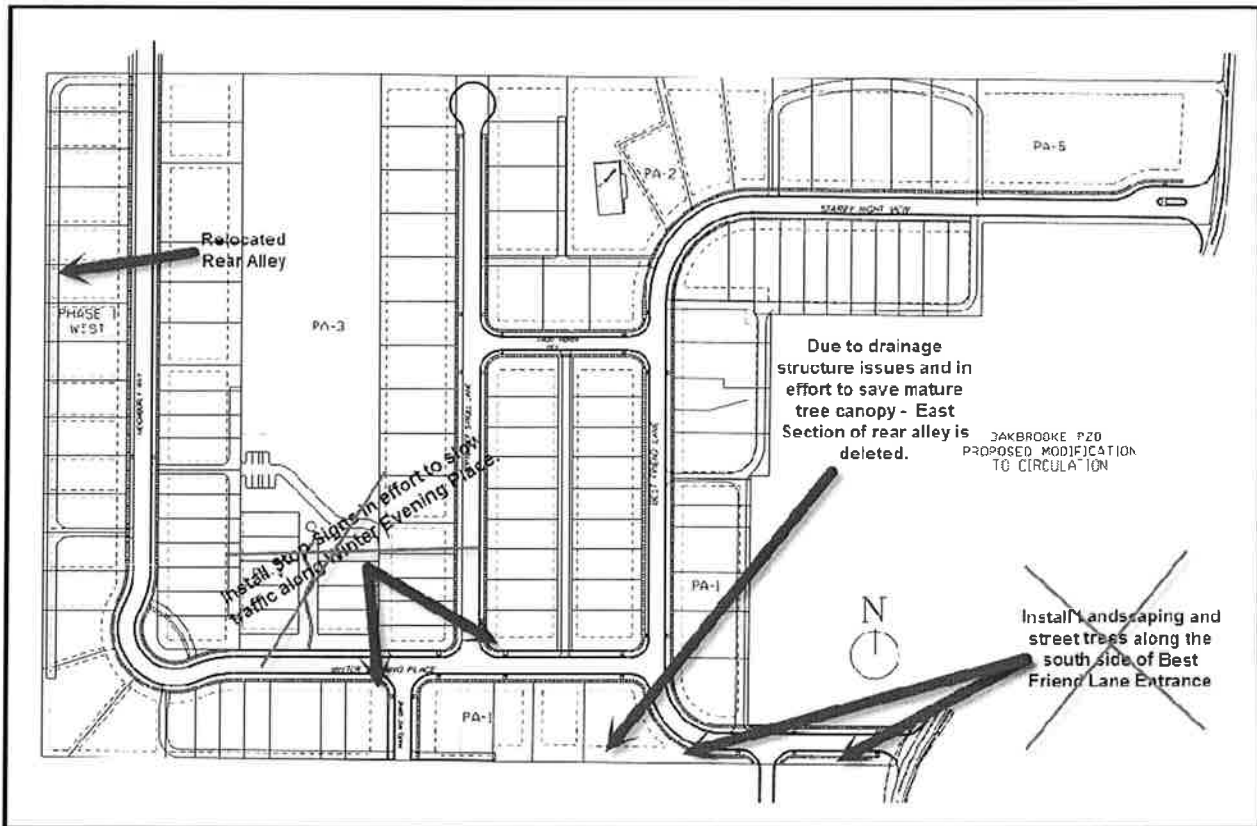
Areas within the Oakbrooke III PZD with proposed circulation changes -

Phase I - West Portion - **Proposed Change** – *Relocate the alley from the rear of the lots along the east side of Neighborly Way to the rear of the lots on the west side of Neighborly Way. This will result in fewer driveways along Neighborly Way and significant preservation of tree canopy at the rear of the lots along the east side of Neighborly Way and adjacent to the Tree Preservation Area.*

PA1 – **Proposed Change** – *Due to a major drainage structure and the presence of mature trees, remove the east section of the formerly proposed alley along the rear of the lots south of Winter Evening Place. This will result in the preservation of mature canopy and more buildable lots. The two easternmost lots would be served by a private driveway.*

Proposed Change – *Install two Stop Signs to slow traffic along Winter Evening Place. One to be located at the SW corner of Winter Evening Place and Hazeltine to slow east-bound traffic along Winter Evening Place; the other to be located at the NE corner of September Stroll and Winter Evening place to slow west bound traffic along Winter Evening Place.*

Proposed Change – *Install landscaping and street trees within the extended right of way along the south side of Best Friend Lane. Installed landscaping and trees to be maintained by the Oakbrooke Property Owners Association.*





PC Meeting of June 24, 2013

THE CITY OF FAYETTEVILLE, ARKANSAS

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

PLANNING DIVISION CORRESPONDENCE

TO: Fayetteville Planning Commission
FROM: Jesse Fulcher, Current Planner
THRU: Jeremy Pate, Development Services Director
DATE: ~~June 24, 2013~~ Updated June 27, 2013

ADM 13-4420: Administrative Item (OAKBROOKE PZD PHASE I, 361): Submitted by PARADIGM DEVELOPMENT for property located at OAKBROOKE PHASE I. The property is zoned Oakbrooke I R-PZD 05-1463 and contains a total of 3.82 acres. The request is to modify Oakbrooke Phase I, RPZD 05-1463, by constructing an alley to serve Lots 1-17.

Planner: Jesse Fulcher

BACKGROUND

The Oakbrooke Planned Zoning District was originally approved in 2005 and was comprised of two phases, Oakbrooke R-PZD 05-1463 (Phase I) and Oakbrooke R-PZD 05-1555 (Phase II). All the required street and utility infrastructure was completed and the final plats for each phase were approved and recorded. Home construction started in 2008.

In 2009 the owner submitted a new Planned Zoning District application for the entire subdivision, except Lots 1-17. These lots are still under the zoning designation of Oakbrooke I and are configured as approved by the original final plat. No changes are proposed for the number of lots or lot sizes.

Proposal: The applicant proposes to construct an alley on the west side of Lots 1-17 in Oakbrooke I.

Access: An overriding design element in all phases of the Oakbrooke Subdivision was to minimize front loaded garages and individual curb-cuts for every lot. To date, the subdivision has been constructed with rear access alleys and no individual curb-cuts on the street. This is the same design concept that will be applied to lots 1-17. An alley was proposed on the east side of the street as well, but that has been removed due to the tree canopy on the back side of these lots that would have to be removed for alley construction. Shared driveways with detached garages will be provided for these lots in-lieu of alley access.

Planned Zoning District modifications: Chapter 166.06(I) allows the Zoning and Development Administrator to make minor changes to an approved PZD. Any modification to a PZD which is not allowed under the Minor Modification process is considered a zoning action, requiring City Council approval. Both modifications to the Oakbrooke subdivision (13-4397 and 13-4420) are considered

major modifications. Consistent with a zoning request, the applicant has notified all adjacent property owners, including those in the Oakbrooke, Bellwood and Bridgeport Subdivisions.

RECOMMENDATION

Recommendation: Providing a rear access alley on the east side of Neighborly Way as planned will not work due to existing tree canopy and drainage structures, so curb-cuts onto the street will be necessary. Relocating the alley to the east side of Lots 1-17 will reduce the overall number of curb-cuts on Neighborly Way and help maintain an important traditional design element of this development. Staff recommends forwarding **ADM 13-4420 Oakbrooke R-PZD Phase I, Major Modification No. 1** to the City Council with a recommendation for approval.

Planning Commission Action: **Forwarded** **Denied**

Motion: Winston

Second: Autry

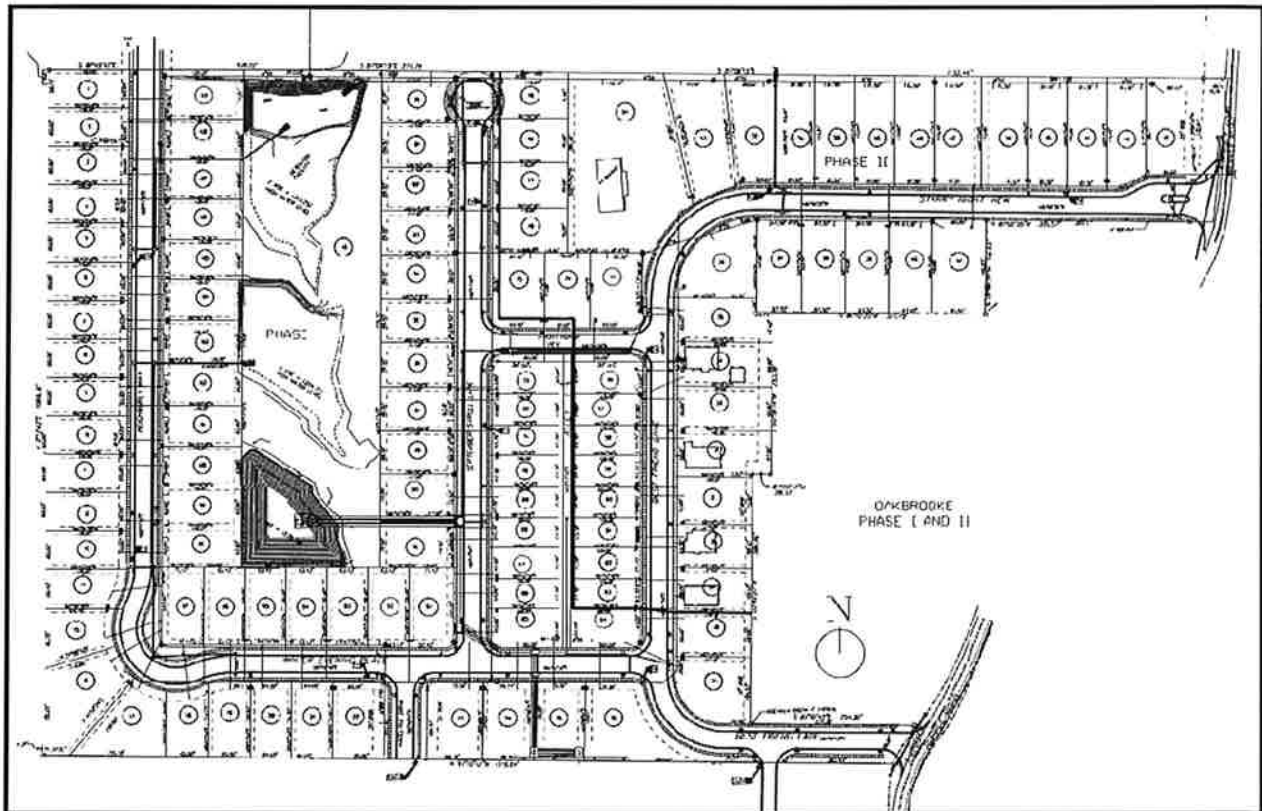
Vote: 5-0-1 (Hoskins recused)

Meeting Date: June 24, 2013

History –

The original Oakbrooke PZD – Oakbrooke was originally approved in 2006 and consisted of 109 Lots of various sizes over two Phases.

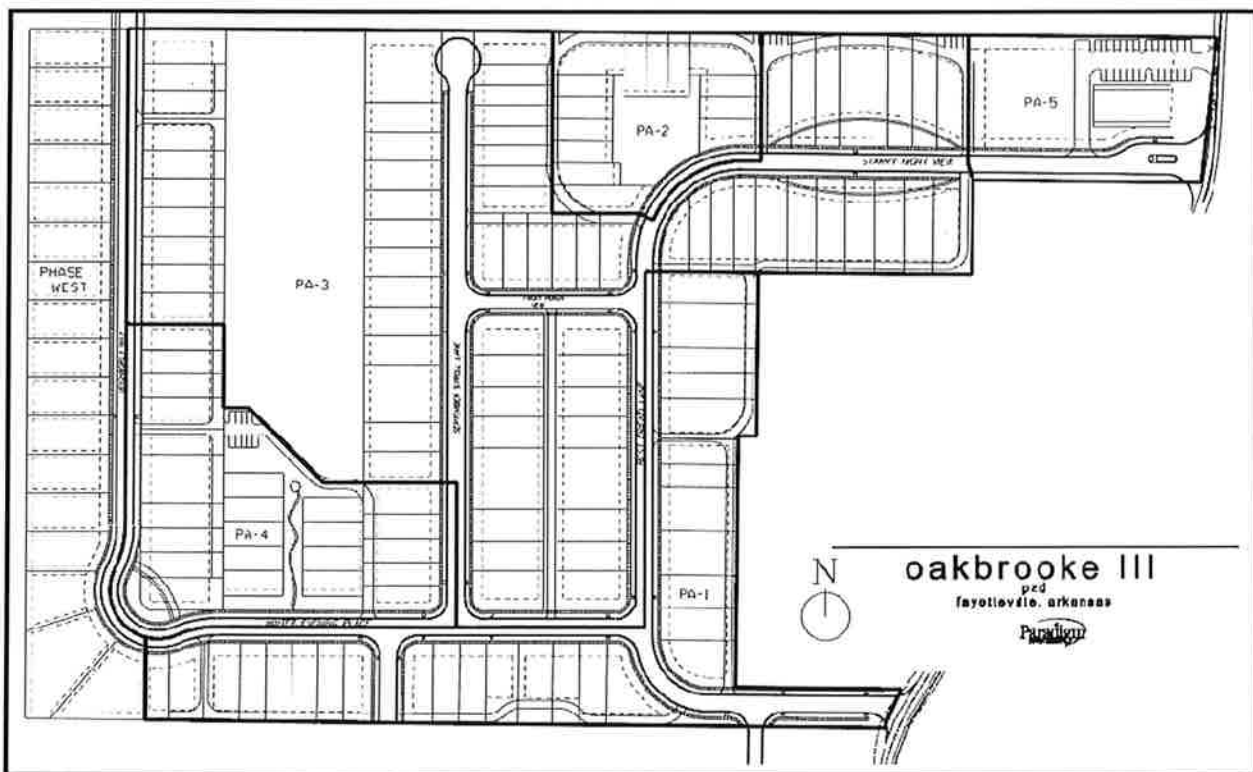
Oakbrooke Phase I -	68 Total Lots
Oakbrooke Phase II –	41 Total Lots
Total Residential Lots - 109	



Oakbrooke RPZD III - In 2010, the original Oakbrooke Phases 1 and II were redeveloped to provide for higher density and a great number of lots. The revised plan, known as Oakbrooke RPZD III, consisted of 5 Planning Areas (PAs) –

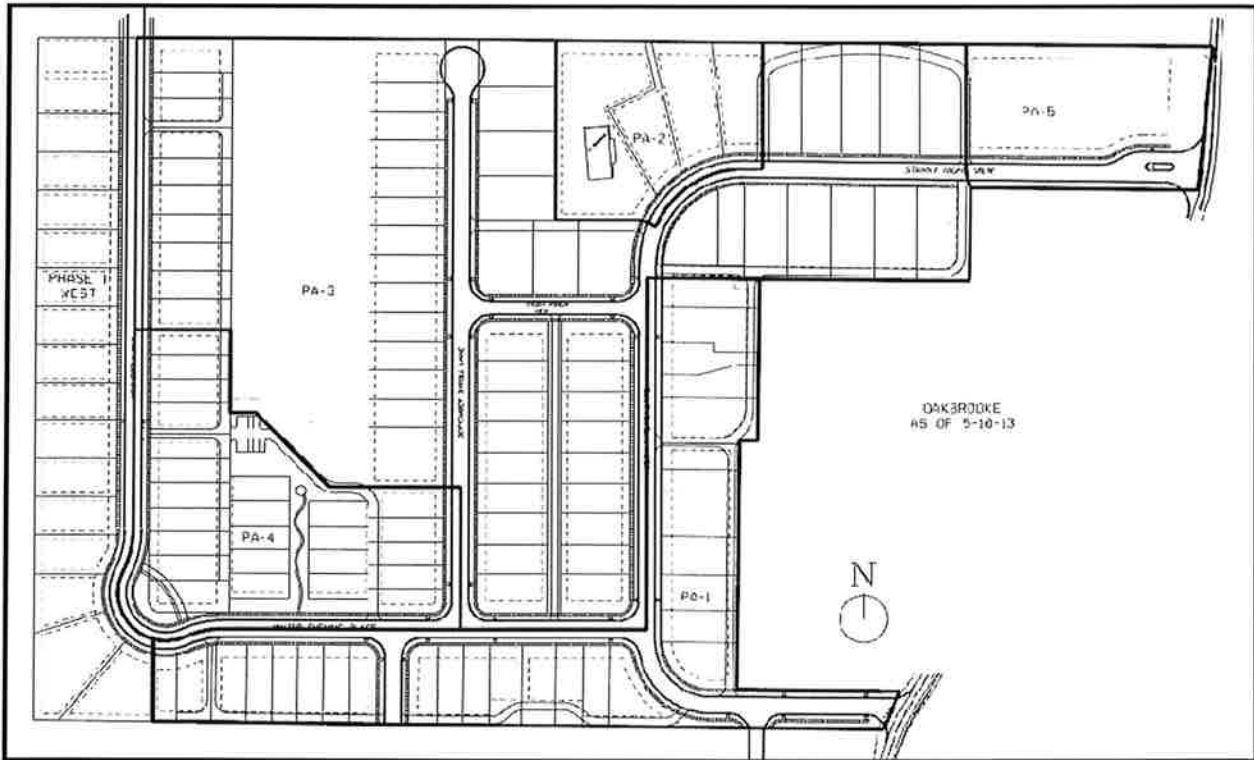
Oakbrooke PH 1 (West Portion) -	17 Total Lots (Area remained unchanged)
PA1 – Single Family Residential –	28 Total Lots
PA2 – Cottage Homes –	14 Total Lots
PA3 – Southern Vernacular –	76 Total Lots
PA4 – Park Court Homes –	25 Total Lots
<u>Total Residential Lots - 160</u>	

PA5 – Mixed Use – 1.92 Acres, 31 Dwelling Units (apartments), 12,000sf non-residential



Current Conditions - Since the 2010 approval of Oakbrooke III RPZD, construction of homes has continued and the Oakbrooke neighborhood has undergone an administratively-approved minor modification of density (illustratively located in the northern area of PA3), and a rezoning of PA2 from a Cottage Home area to lots similar to those in Planning Area 1.

The following illustration represents current approved and/or constructed conditions of the Oakbrooke project.



Proposed Density Modifications – The proposed Major Modification for all intents and purposes is a minor change of density location.

Areas within the Oakbrooke III PZD to remain unchanged (shaded areas) -

Phase I - West Portion

PA1 - East Side of Best Friend and north of Winter Evening Place.

PA2

PA3 - North side of Starry Night View, north side of Front Porch View, both sides of Best Friend Lane, and east side of September Stroll

PA4

PA5

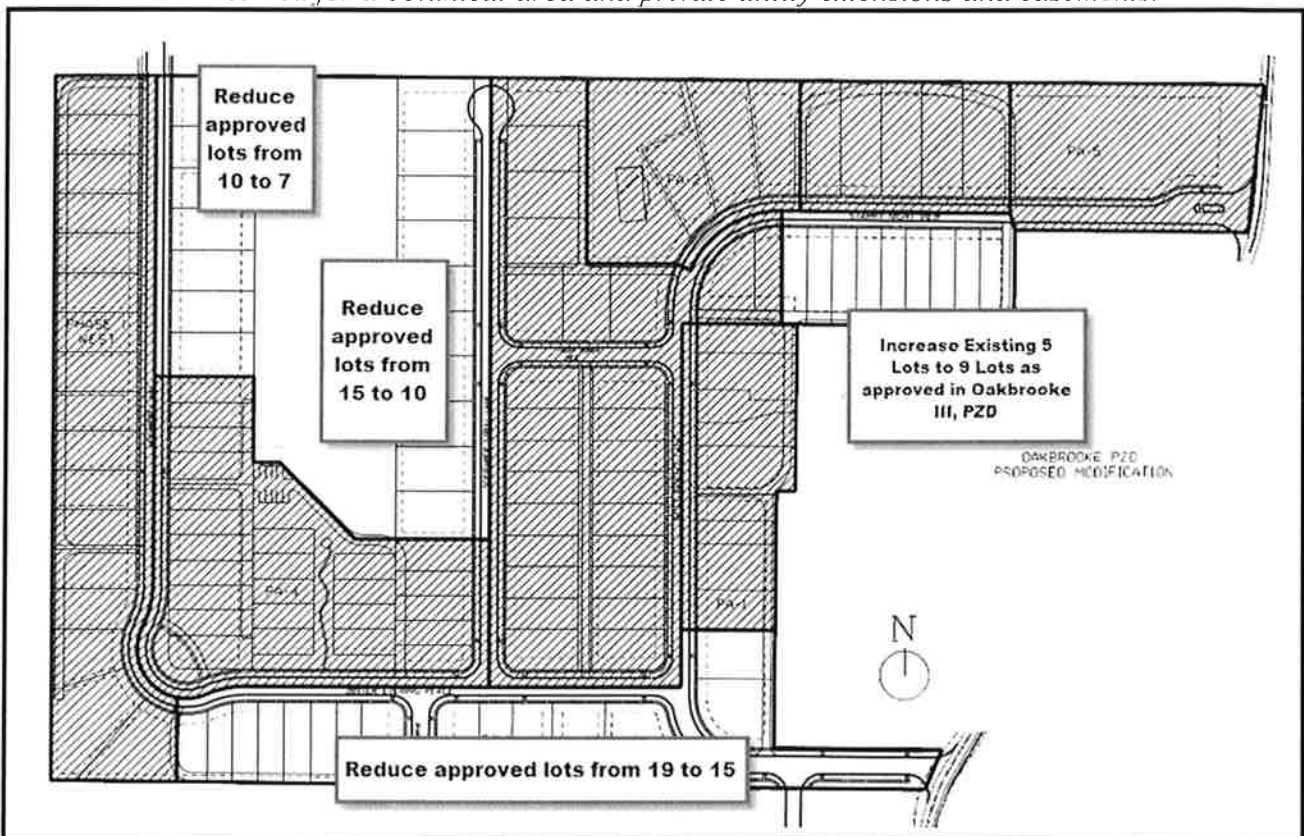
Areas within the Oakbrooke III PZD with proposed changes -

PA1 – **Proposed Change** – Reduce number of approved lots along the south side of Winter Evening Place (east of Hazeltine) and east side of Best Friend Lane from 10 total lots to 7 total lots.

PA3 - **Proposed Change** – Reduce number of approved lots along the east side of Neighborly Way from 10 total lots to 7 total lots.

Proposed Change – Reduce number of approved lots along the west side of September Stroll from 15 total lots to 10 total lots.

Proposed Change – Increase 5 lots along the south side of Starry Night View to 9 lots per the approved Oakbrooke III PZD, and withdrawing the 2012 minor modification change; along with one unbuildable lot (along the street frontage) reserved for a botanical area and private utility extensions and easements.



Proposed Circulation Modifications – Within the proposed Major Modification due to terrain issues, the desire to save significant tree canopy and drainage structures, we are proposing a few modifications to rear alleys.

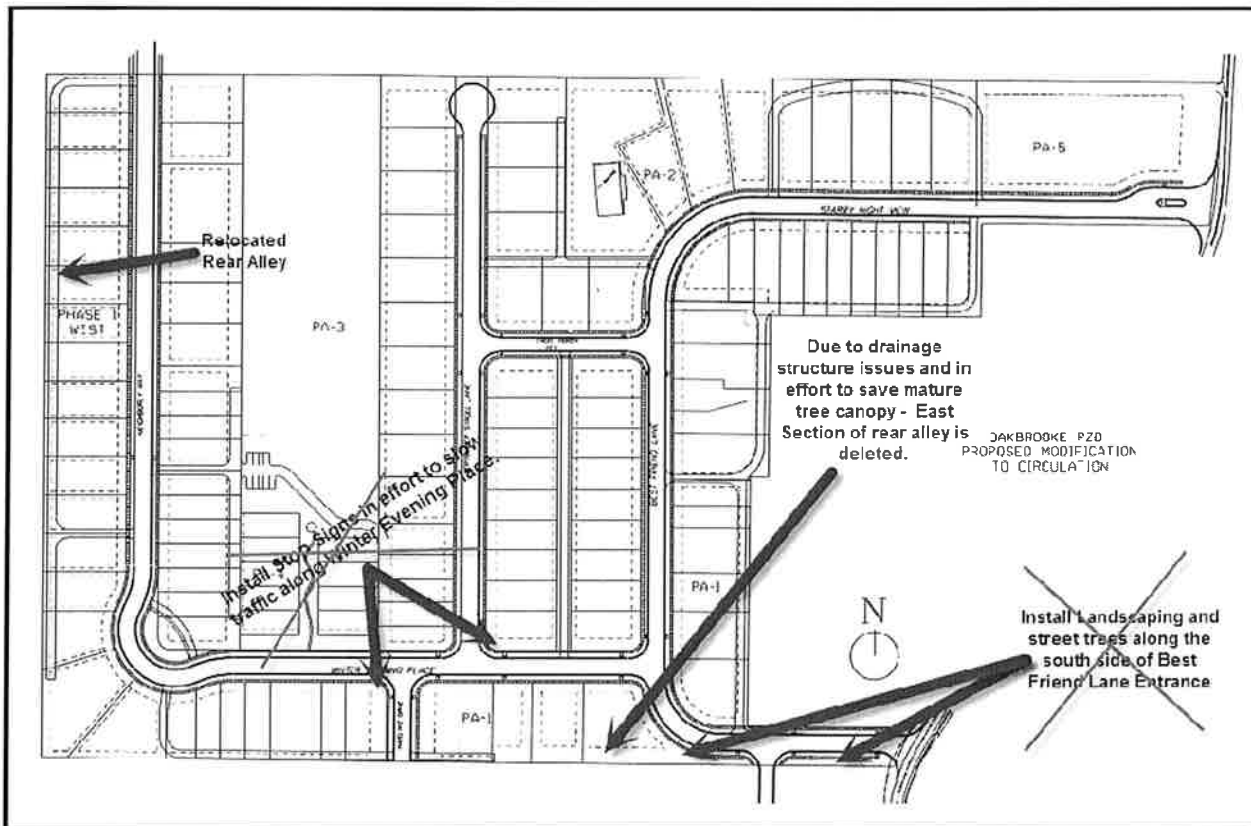
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Proposed Change – Install two Stop Signs to slow traffic along Winter Evening Place. One to be located at the SW corner of Winter Evening Place and Hazeltine to slow east bound traffic along Winter Evening Place; the other to be located at the NE corner of September Stroll and Winter Evening place to slow west-bound traffic along Winter Evening Place.

Proposed Change – Install landscaping and street trees within the extended right of way along the south side of Best Friend Lane. Installed landscaping and trees to be maintained by the Oakbrooke Property Owners Association.



Description of this request addressing the following items:

- a. Current ownership information and any proposed or pending property sales.

The Property to be modified is currently owned by Paradigm Development Enterprises, Inc, Family Jewels, LLC and by the Oakbrooke Municipal Property Owners Improvement District. No sales are pending.

- b. Reason (need) for requesting the modification.

Changes due to market conditions, the desire to shift higher density closer to east side of the neighborhood in spirit of the approved PZD, and lower density in the heart of and to the west side of the neighborhood (closer to adjacent neighborhoods).

- c. Statement of how the proposed modification will relate to surrounding properties in terms of land use, traffic, appearance, and signage.

The proposed Modification will have no impact on the existing property which will remain subject to the Oakbrooke III PZD zoning regulations, the rules and regulations of the Oakbrooke Subdivision Property Owners Association, and the rules and regulations of the Oakbrooke Architectural Control Committee in terms of architecture, uses, setbacks, etc.

Formerly, the concept PZD Plan included higher density throughout the entire neighborhood. Included in the PZD Plan was an area formerly designated as Planning Area 2 (PA2) along the north side of Oakbrooke. PA2 was intended for cottage style home development. In 2012, PA2 was rezoned and constructed as four lots fronting the public street.

With the approval of this modification, we will recapture the opportunity to build more affordable cottage-style homes within the same area of Oakbrooke as the former PA2, and continue to maintain the spirit of the approved Oakbrooke III RPZD. This area is along the south side of one of the primary entrances to Oakbrooke (Starry Night View) which currently consists of seven lots which will be redeveloped into a total of eleven lots as illustrated on the approved Oakbrooke III PZD Plan.

- d. Availability of water and sewer (state size of lines). This information is available from the City Engineering Division.

The entire property is currently served by installed 8" water mains and 8" sewer mains along the street frontages. We will have to install a limited number of single water and single sewer taps for only those lot lots being redeveloped along the South Side of Starry Night View. No other services are required.

- e. The degree to which the proposed modification is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

As the property is under the restrictions of the Oakbrooke Architectural Controls and the Restrictions of the Oakbrooke Covenants, the property will continue to be built out the same as other lots within Oakbrooke have. Oakbrooke is the quintessential model of the city's current land use and zoning policies.

- f. Whether the proposed modification is justified and/or needed at the time of the request.

Due to significant market changes and site conditions, the modification is justified and needed. Approval of the proposed modification will provide for wider lots in areas of heavy tree canopy. With the creation of Oakbrooke III PZD, the existing lots (formerly Oakbrooke Phase 1 and Oakbrooke Phase 2) within the heart of the neighborhood were adjusted, divided and narrowed to provide an increase in density. Due to the narrowing of lots, rear alleys were incorporated to provide access to garages which are required to be placed at the rear of the homes. Installation of these alleys will result in the significant loss of trees and canopy. By lowering the density in the heart of Oakbrooke, we can go back to wider lots (as constructed in Oakbrooke Phases I and II) which will accommodate not only the house structure, but a driveway alongside the structure for access to the garages at the rear of the home. This will alleviate the need for rear alleys in places and the significant removal of mature tree canopy.

- g. Whether the proposed modification will create or appreciably increase traffic danger and congestion.

No. We are actually lowering the total of homes which could be built within the Oakbrooke neighborhood. Traffic danger and associated congestion will not be exacerbated.

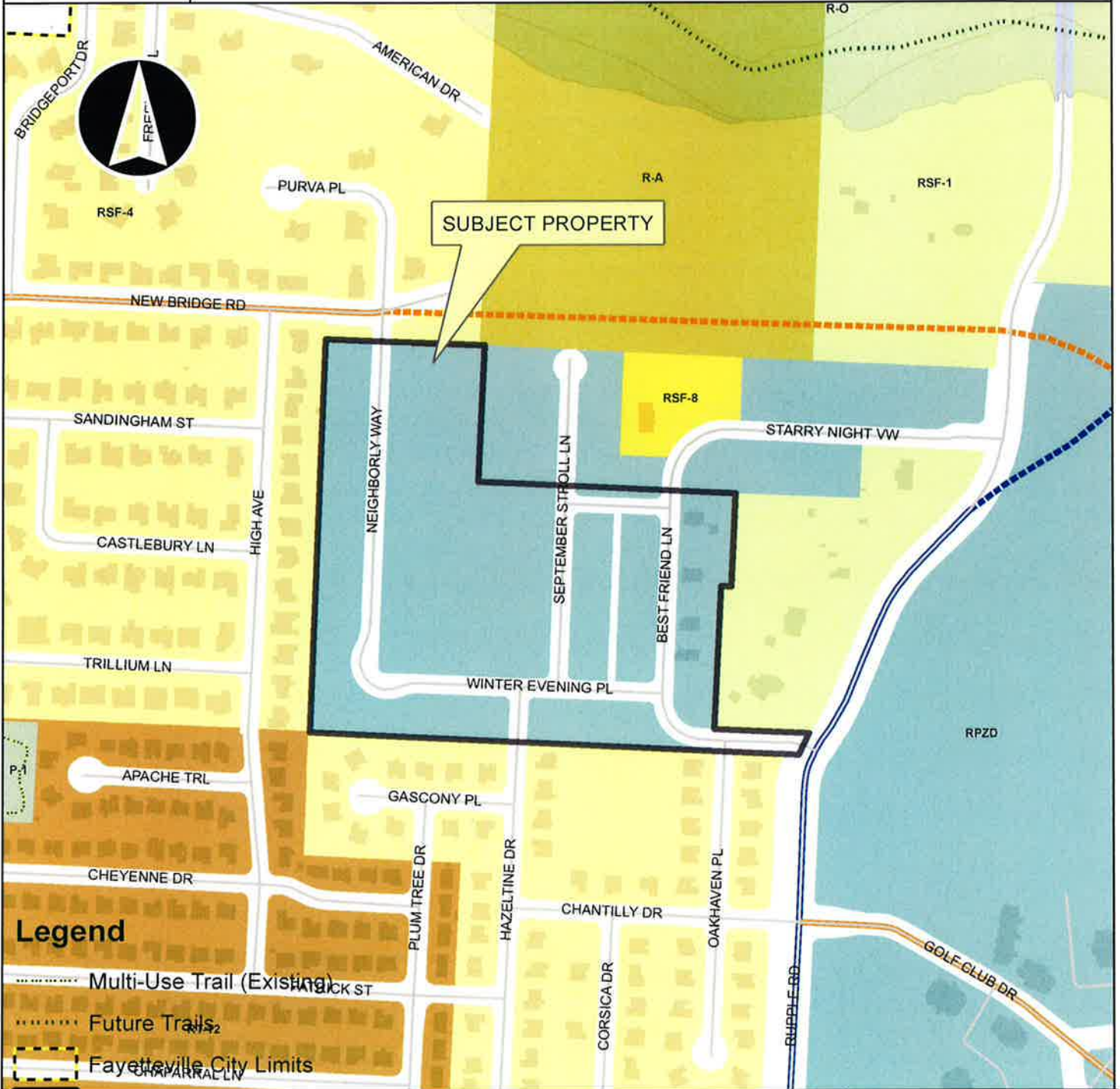
- h. Whether the proposed modification will alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

No. We are actually lowering the total of homes which could be built within the Oakbrooke neighborhood. Infrastructure and schools will receive no negative impact.

ADM13-4420

OAKBROOKE PHASE I

Close Up View



Legend

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

Overview

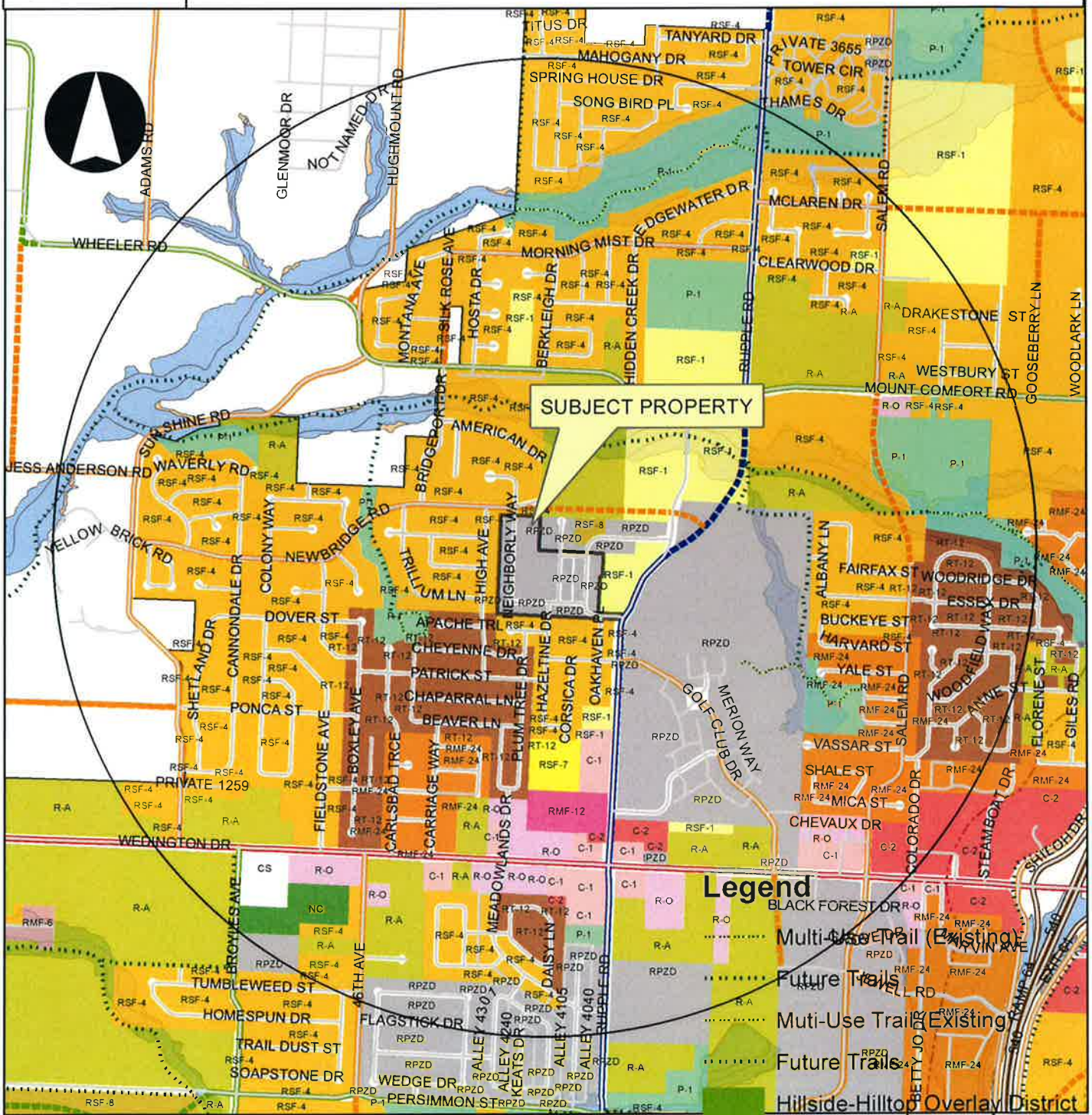
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



ADM13-4420

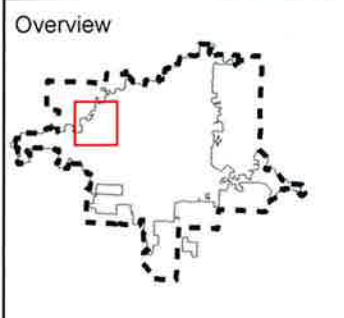
OAKBROOKE PHASE I

One Mile View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- Multi-Use Trail (Existing)
- Future Trails
- Hillside-Hilltop Overlay District



Legend

- Subject Property
- ADM13-4420
- Boundary
- ADM13-4420
- Design Overlay District
- Planning Area
- Fayetteville

0 0.25 0.5 1 Miles

