

City Council Agenda Items  
and  
Contracts, Leases or Agreements

10/15/2013

City Council Meeting Date  
Agenda Items Only

Andrew Garner  
Submitted By

Planning  
Division

Development Services  
Department

Action Required:

ADM 13-4487 (Links at Fayetteville PZD Modification #3). Submitted by Jorgensen and Associates, Inc. for property located on the north side of Wedington drive and east of Ruppel Road. The property is zoned R-PZD 07-2452 and contains approximately 152.23 acres. The request is to modify the zoning criteria for Planning Area 1 to allow a drive-thru restaurant at the northeast corner of Wedington Drive and Golf Club Drive and to modify the architectural design requirements.

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

*Jerry Cox*  
Department Director 11-27-2013  
Date

Previous Ordinance or Resolution # \_\_\_\_\_

*K. Coffey*  
City Attorney 9-27-2013  
Date

Original Contract Date: \_\_\_\_\_

Original Contract Number: \_\_\_\_\_

*Paul A. Becher*  
Finance and Internal Services Director 9-27-2013  
Date

Received in City Clerk's Office  
09-27-13 P02:05 RCVD  
*[Signature]*

*Don Man*  
Chief of Staff 9-30-13  
Date

Received in Mayor's Office  
ENTERED  
9/27/13  
*[Signature]*

*Lionel Jordan*  
Mayor 10/1/13  
Date

Comments:

## **CITY COUNCIL AGENDA MEMO**

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**To:** Mayor Jordan, City Council

**Thru:** Jeremy Pate, Development Services Director

**From:** Andrew Garner, Senior Planner

**Date:** September 25, 2013

**Subject:** ADM 13-4487 Links at Fayetteville PZD Modification No. 3

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### **RECOMMENDATION**

Staff and Planning Commission recommend approval of an ordinance to amend the zoning criteria for the Links at Fayetteville Planned Zoning District to modify the zoning criteria for Planning Area 1 to allow a drive-thru restaurant at the northeast corner of Wedington Drive and Golf Club Drive and to modify the architectural design requirements.

### **BACKGROUND**

The property contains 152.23 acres and is located on the north side of Wedington Drive and east of Ruppel Road, with frontage on both of those streets. The property is developed with the Links at Fayetteville apartment complex and golf course. Bryce Davis Park is located directly adjacent to the east, as well as some single family subdivisions and multi-family development. The applicant proposes a restaurant with a drive-thru at the northeast corner of Wedington Drive and Golf Club Drive.

This portion of the Links at Fayetteville PZD is within Planning Area 1, Market District, which allows a restaurant, but does not allow a drive-thru. The proposal requires a change in the zoning criteria for Planning Area 1 to include Use Unit 18, Gasoline service station and drive-in/drive through restaurants as a permitted use at the northeast corner of Wedington Drive and Golf Club Drive. The applicant also proposes a slight modification to the architectural design standards in the zoning criteria for the specific design of this restaurant. These changes to the PZD would only affect the portion of the Links property for this one restaurant. A copy of the PZD booklet with the revised zoning criteria for Planning Area 1, along with a conceptual site plan and architectural renderings has been submitted indicating the proposed changes.

### **DISCUSSION**

On September 23, 2013 the Planning Commission forwarded this request to the City Council with a recommendation for approval with a vote of 6-0-0. At the Planning Commission meeting one member of the public from the Chevaux Condominiums to the northeast expressed concerns with noise from a drive-thru restaurant and the impact of vehicular traffic and cross access at the adjacent Cross Church. In response to these comments the Planning Commission added conditions of approval to the request including that the applicant should meet with the concerned

neighborhood and recommendation that the City Council be sensitive to the neighborhood concerns, in particular, the location of the speaker of the drive-thru window.

**BUDGET IMPACT**

None.

**ORDINANCE NO.**

AN ORDINANCE AMENDING A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED R-PZD 07-2452 LINKS AT FAYETTEVILLE TO REVISE THE ZONING CRITERIA FOR PLANNING AREA ONE, TO INCLUDE USE UNIT 18, GASOLINE SERVICE STATIONS AND DRIVE-IN/DRIVE THROUGH RESTAURANTS, AS A PERMITTED USE, AND TO REVISE THE ARCHITECTURAL DESIGN STANDARDS AT THE NORTHEAST CORNER OF WEDINGTON DRIVE AND GOLF CLUB DRIVE.

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

Section 1. That the zoning criteria booklet for R-PZD 07-2452 Links at Fayetteville are hereby amended to reflect modified zoning criteria in Planning Area One for one development site at the northeast corner of Wedington Drive and Golf Club Drive to include Use Unit 18, Gasoline Service Stations and Drive-in/Drive Through Restaurants, and to slightly modify the architectural design standards to require a minimum of 25% brick or painted brick, as described and depicted herein (Exhibit "A").

Section 2. That the Planned Zoning District ordinance and official zoning map of the City of Fayetteville, Arkansas, are hereby amended to reflect the zoning criteria change provided in Section 1 above.

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

APPROVED:

ATTEST:

By: \_\_\_\_\_  
**LIONELD JORDAN**, Mayor

By: \_\_\_\_\_  
**SONDRA E. SMITH**, City Clerk/Treasure



Planning Area I - Market District

**THE LINKS @ FAYETTEVILLE**  
**FAYETTEVILLE, ARKANSAS**

PZD Modification to allow  
Use Unit 18 for Drive-thru  
Restaurant

Carter, Tull, Roberts & Associates, Inc.  
ENGINEERS & SURVEYORS

**Exhibit "A"**  
**ADM 13-4487**  
**pg. 2 of 5**

## Planning Area I - Market District

The Market Area is designed to encourage the functional grouping of these commercial and retail enterprises catering to the residents of the surrounding area. Banks and restaurants will be located within easy walking distance of the residents not only of The Links at Fayetteville, but also within walking or short commute distance for the surrounding area. This area is strategically positioned along the Arterial corridor of Weddington Road and Ruppel Road, so this it may provide visibility and accessibility to the surrounding area. Additionally, there will be limited access to Weddington Road and Ruppel Road.

(a) **Permitted Uses**

- Unit 1 City wide uses
- Unit 5 Government facilities
- Unit 12 Offices, studios and related services
- Unit 13 Eating places
- Unit 15 Neighborhood shopping goods
- Unit 16 Shopping goods
- Unit 19 Commercial recreation, small sites
- Unit 25 Professional offices

Amend PZD to:  
Allow Use Unit 18  
Gasoline service  
stations & drive-in/  
drive-thru  
restaurants

(b) **Conditional Uses**

- Unit 2 City wide uses by conditional use permit
- Unit 14 Hotel, Motel, and amusement facilities
- Unit 17 Trades and Services
- Unit 24 Home Occupation
- Unit 34 Liquor store
- Unit 35 Outdoor music establishment

\* This is only to change the PZD Development standards at the northeast corner of Weddington & Golf Club Drive.

(c) **Residential Density and Non-residential Intensity**

- Planning area acreage: 7.82 acres
- Number of Dwelling Units: None
- Non-Residential square feet: 78,200
- Residential Density: NA
- Non-residential Intensity (square feet/acre): 10,000

**Bulk and Area Regulations**

- (d) Min Lot width none
- (e) Min Lot area none
- (f) Land Area per dwelling unit: NA
- (g) Min Front Setback 20 feet
- Min Side Setback 10 feet

- Min Rear Setback                      20        feet
- (h) The maximum building height shall be 50 feet.
  - (i) On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot.

**Site Planning**

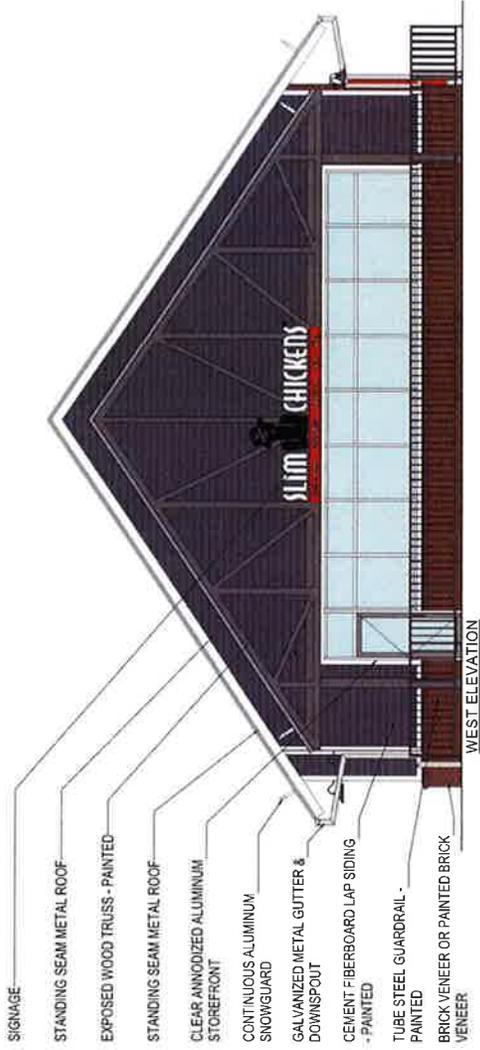
- (j) Landscaping – In accordance to the Fayetteville Landscape Ordinance
- (k) Parking will be in accordance with the Unified Development Code
- (l) Architectural Design standards shall be in accordance with the attached building elevations that follow this planning area description. They shall also be consistent with the description of buildings as identified on page 6 of the PZD booklet. All buildings are to be 70% brick/masonry.
- (m) Signage shall be in accordance with the Unified Development Code

**Lot at the NE corner of Wedington & N Golf Club Dr**

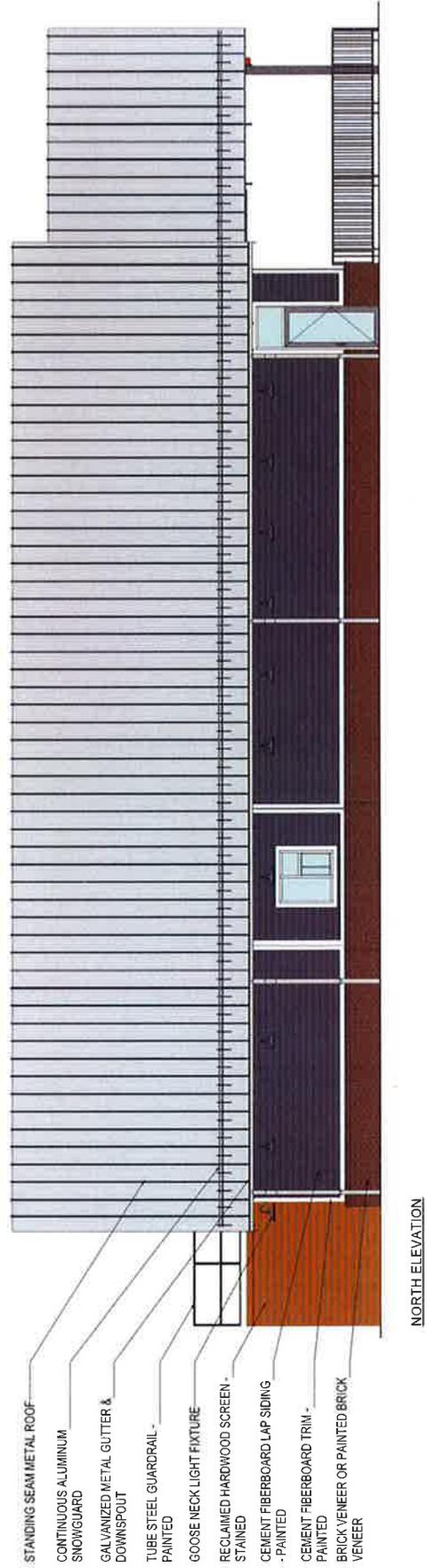
- (n) Architectural Design shall be generally consistent with the attached building elevations that follow this description. Building will have a minimum of 25% brick or painted brick. All other items will meet the requirements of this section "Planning Area I - Market District".

**PROPOSED BUILDING ELEVATIONS**

**Exhibit "A"**  
**ADM 13-4487**  
**pg. 4 of 5**

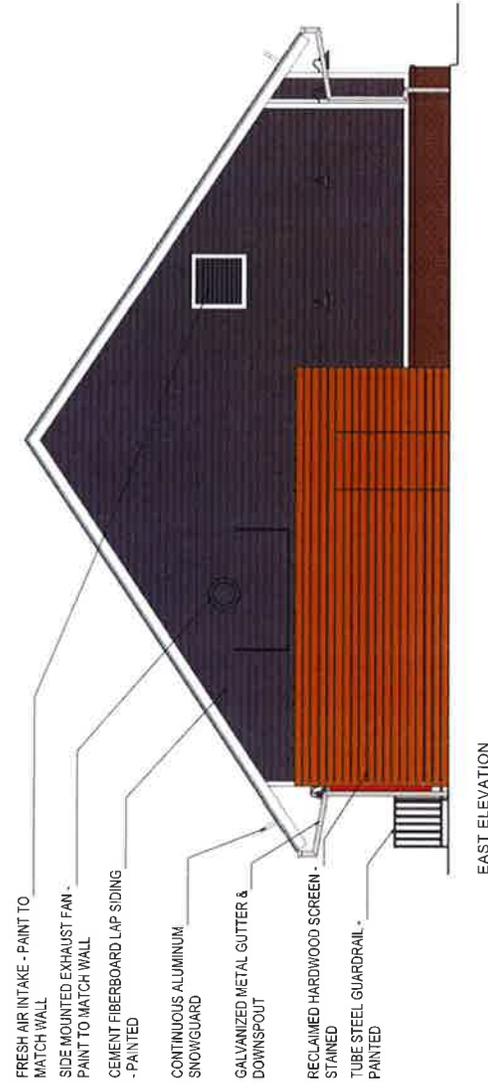


- SIGNAGE
- STANDING SEAM METAL ROOF
- EXPOSED WOOD TRUSS - PAINTED
- STANDING SEAM METAL ROOF
- CLEAR ANODIZED ALUMINUM STOREFRONT
- CONTINUOUS ALUMINUM SNOWGUARD
- GALVANIZED METAL GUTTER & DOWNSPOUT
- CEMENT FIBERBOARD LAP SIDING - PAINTED
- TUBE STEEL GUARDRAIL - PAINTED
- BRICK VENEER OR PAINTED BRICK VENEER



- STANDING SEAM METAL ROOF
- CONTINUOUS ALUMINUM SNOWGUARD
- GALVANIZED METAL GUTTER & DOWNSPOUT
- TUBE STEEL GUARDRAIL - PAINTED
- GOOSE NECK LIGHT FIXTURE
- RECLAIMED HARDWOOD SCREEN - STAINED
- CEMENT FIBERBOARD LAP SIDING - PAINTED
- CEMENT FIBERBOARD TRIM - PAINTED
- BRICK VENEER OR PAINTED BRICK VENEER

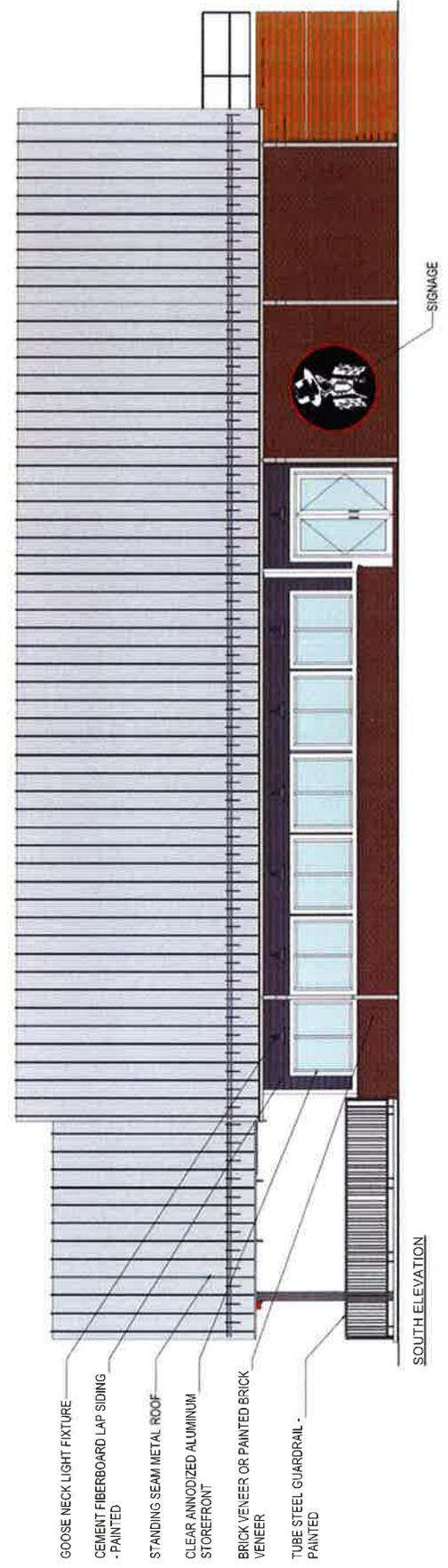
**Exhibit "A"**  
**ADM 13-4487**  
**pg. 5 of 5**



EAST ELEVATION

ELEVATION BRICK PERCENTAGE	
ELEVATION TOTAL SF	BRICK
FRONT 637 SF	101 SF
LEFT 537 SF	413 SF
RIGHT 678 SF	173 SF
REAR 753 SF	32 SF
2,605 SF	719 SF
PERCENTAGE BRICK 27.6%	
ELEVATION TOTALS EXCLUDE GLAZING	

ALLOWABLE SIGNAGE  
 20% OF 1ST 1,000 SF = 200 SF  
 5% OF ADDITIONAL 1,605 = 80 SF  
 TOTAL ALLOWABLE 280 SF  
 PROPOSED FRONT = 34 SF  
 PROPOSED SIDE = 37 SF  
 TOTAL PROPOSED = 71 SF



SOUTH ELEVATION



PC Meeting of September 23, 2013

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: September 13, 2013 *Updated September 25, 2013*

**ADM 13-4487 (Links at Fayetteville PZD Modification #3).** Submitted by Jorgensen and Associates, Inc. for property located on the north side of Wedington drive and east of Ruppel Road. The property is zoned R-PZD 07-2452 and contains approximately 152.23 acres. The request is to modify the zoning criteria for Planning Area 1 to allow a drive-thru restaurant at the northeast corner of Wedington Drive and Golf Club Drive and to modify the architectural design requirements.

Planner: Andrew Garner

**BACKGROUND**

*Property:* The property contains 152.23 acres and is located on the north side of Wedington Drive and east of Ruppel Road, with frontage on both of those streets. The property is developed with the Links at Fayetteville apartment complex and golf course. Bryce Davis Park is located directly adjacent to the east, as well as some single family subdivisions and multi-family development. To the north is undeveloped farmland. Surrounding land use and zoning are listed in *Table 1*.

**Table 1  
 Surrounding Land Use and Zoning**

Direction	Land Use	Zoning
North	Largely agricultural	RSF-1, RSF-4, R-A
South	Commercial strip center, mini-storage	C-2, R-A
East	Single family, multi-family homes, church	RSF-4, R-O, C-1
West	Developing subdivisions and single family homes	RSF-4, RSF-1

*Approval Schedule:*

- On May 15, 2007 the City Council approved R-PZD 07-2452 (Links at Fayetteville). The approval granted zoning and land use approval for development of 1,221 residential dwelling units, 91,800 square feet of non-residential/commercial space, and 16,388 square feet of recreational buildings.
- On July 23, 2007 the Planning Commission approved the large scale development for the Links at Fayetteville.
- On August 24, 2007 the City Council approved a modification to the building height in the PZD zoning criteria to correct an error in the zoning booklet.
- On August 18, 2009 the City Council approved a modification to the zoning criteria in the

PZD to allow Use Unit #14 for hotel use in 50 of the units.

*Proposal:* The applicant proposes a restaurant with a drive-thru at the northeast corner of Wedington Drive and Golf Club Drive. This portion of the Links at Fayetteville PZD is within Planning Area I, Market District, which allows a restaurant, but does not allow a drive-thru. The proposal requires a change in the zoning criteria for Planning Area I to include Use Unit 18, Gasoline service station and drive-in/drive through restaurants as a permitted use at the northeast corner of Wedington Drive and Golf Club Drive. The applicant also proposes a slight modification to the architectural design standards in the zoning criteria for the specific design of this restaurant. These changes to the PZD would only affect the portion of the Links property for this one restaurant. A copy of the PZD booklet with the revised zoning criteria for Planning Area I, along with a conceptual site plan and architectural renderings has been submitted indicating the proposed changes.

*Public Comment:* The applicant notified all property owners in writing within 100 feet of the Links PZD and also posted a public notice sign on the property. No public comment has been provided.

### **RECOMMENDATION**

The subject property is a corner location at the entrance to the Links development off of Wedington Drive. Staff finds that permitting Use Unit 18 and modifying the architectural design standards to permit a restaurant with a drive-thru as proposed at this location is consistent with the City's planning policies and City Plan 2030 to promote complete neighborhoods with higher-intensity nonresidential uses at corner locations. It would also be consistent with the recently adopted Wedington Plan that identified higher-intensity commercial uses in this area. The restaurant will be accessed only off of Golf Club Drive in a configuration consistent with the approved PZD and with the City's Access Management Ordinance. Staff finds that this is an appropriate location for a restaurant with drive-thru that would be compatible with the surrounding non-residential uses along the Wedington corridor. The conceptual design of the building meets the minimum requirements of the City's commercial design standards with entrances and front facades facing both streets, and an outdoor eating area on the west side of the building facing Golf Club Drive.

**Recommended Motion:** Staff recommends forwarding **ADM 13-4487 Links at Fayetteville R-PZD Modification No. 3** to the City Council for approval with the following conditions:

1. All conditions of approval from the previously approved R-PZD 07-2452 Links at Fayetteville shall apply.
2. Approval of this PZD modification does not grant approval of the development details for the project. The proposed restaurant will be required to be reviewed for compliance with all Unified Development Code requirements as part of the standard development review process.
3. *The applicant should meet with the concerned neighborhood that spoke at the Planning Commission meeting. THE PLANNING COMMISSION ADDED THIS CONDITION (09-23-13).*

4. The Commission recommends that the City Council be sensitive to the neighborhood concerns, in particular, the location of the speaker for the drive-thru window.  
THE PLANNING COMMISSION ADDED THIS CONDITION (09-23-13).
- 

**Planning Commission Action:**       **Forwarded**       **Denied**  
**Motion:** Winston  
**Second:** Cook  
**Vote:** 6-0-0  
**Meeting Date:** September 23, 2013

**Fayetteville Unified Development Code Chapter 162**

(R) *Unit 18.* Gasoline service stations and drive-in/drive through restaurants

(1) *Description.* Gasoline service stations and drive-in restaurants can be significantly objectionable to nearby uses, so, therefore, have been allowed only in districts where necessary to provide this use.

(2) *Included uses.*

Gasoline service station *
Self-service auto wash (in conjunction with a gasoline service station) *
Drive-in /drive through restaurant *



# JORGENSEN & ASSOCIATES

## CIVIL ENGINEERS • SURVEYORS

124 WEST SUNBRIDGE, SUITE 5 • FAYETTEVILLE, ARKANSAS 72703 • (479) 442-9127 • FAX (479) 582-4807

DAVID L. JORGENSEN, P.E., P.L.S.  
JUSTIN L. JORGENSEN, P.E.  
BLAKE E. JORGENSEN, P.E.

August 26, 2013

City of Fayetteville  
113 W. Mountain  
Fayetteville, AR 72701

Attn: Development Services  
Re: Administrative Item: Amending the Links PZD Packet

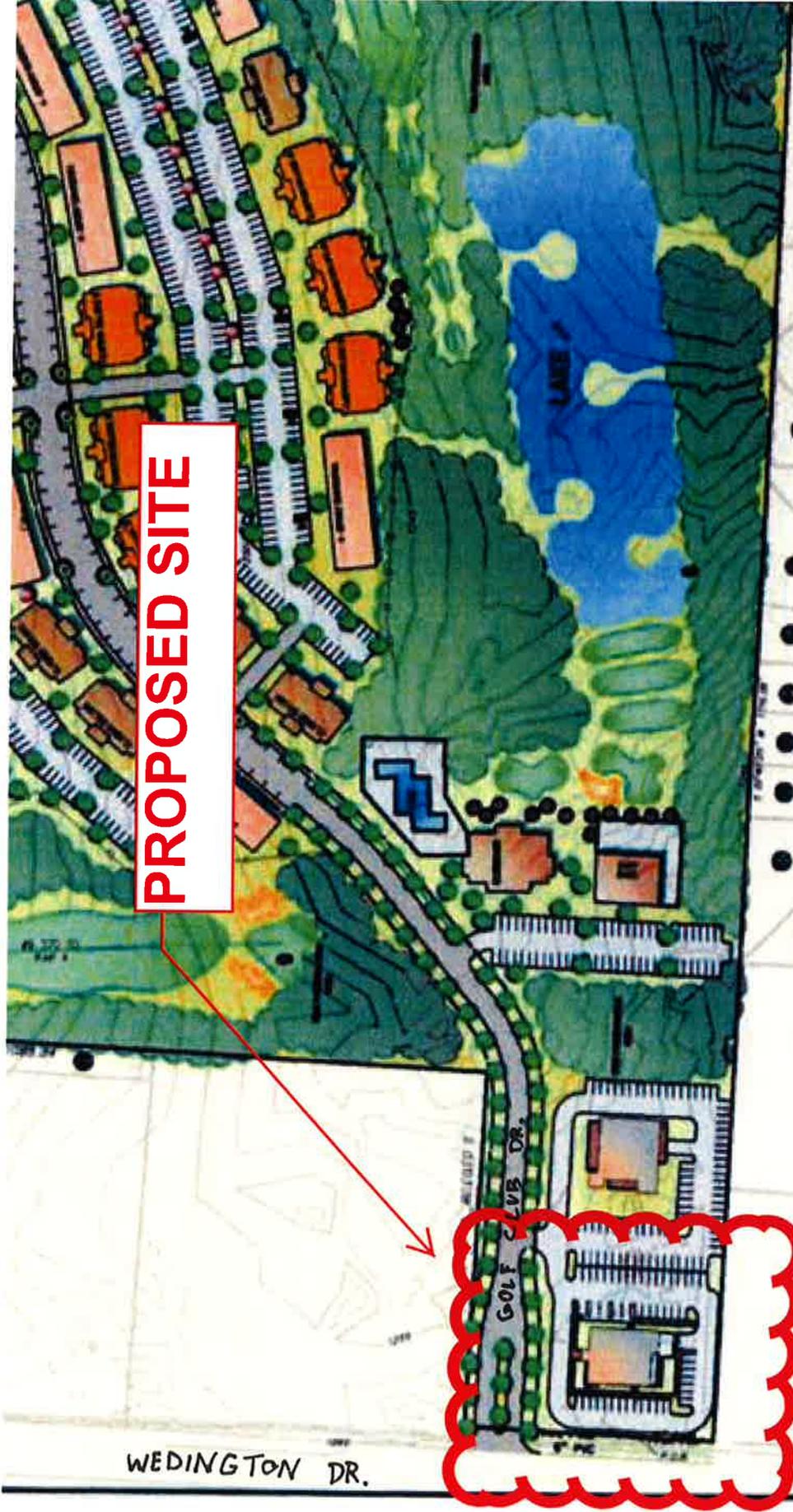
The purpose of this letter is to request an amendment to the current PZD for The Links to allow Use Unit 18 - a drive-thru for a proposed restaurant at the north east corner of Wedington and Golf Club Drive. This can be found on page 9 of the Links PZD under Planning Area I – Market District. This particular piece of property is in Planning Area I of the PZD which allows Use Unit 13 – Eating places but not Use Unit 18- gasoline service stations & drive-in/drive thru restaurants. The intent is to only change the use unit to allow a drive thru not a gas station & only specific to the site at the corner of Wedington and Golf Club Dr., not the entire Planning Area I. This is a common use in the near vicinity to the west, east and across Wedington to the south. We do not feel this use will cause any unwarranted traffic issues in this area and all ingress & egress will be per city ordinance when the Site Improvement Plan is submitted. We are submitting this administrative item in order to get on the September 23 Planning Commission Meeting. We understand the correct notifications have to be mailed out 15 days prior to the meeting and have everything ready to mail out in order to meet the 15 day deadline.

We thank you for your consideration of this proposal and please call with any questions,

Thank you.

Sincerely;

Justin L. Jorgensen, P.E.



**PROPOSED SITE**

# THE LINKS @ FAYETTEVILLE FAYETTEVILLE, ARKANSAS





# Planning Area I - Market District Architectural Elevations pg. 1 of 2



RETAIL BUILDING - william kim fugitt, aia

# Planning Area I - Market District Architectural Elevations pg. 2 of 2



RETAIL BUILDING - william kim fugitt, aia

ADM13-4487

# LINKS PZD MODIFICATION

Current Land Use

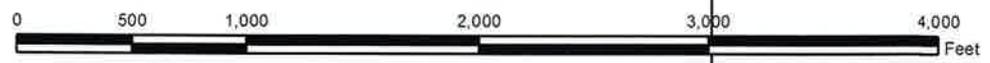


**Legend**

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

**OVERVIEW**

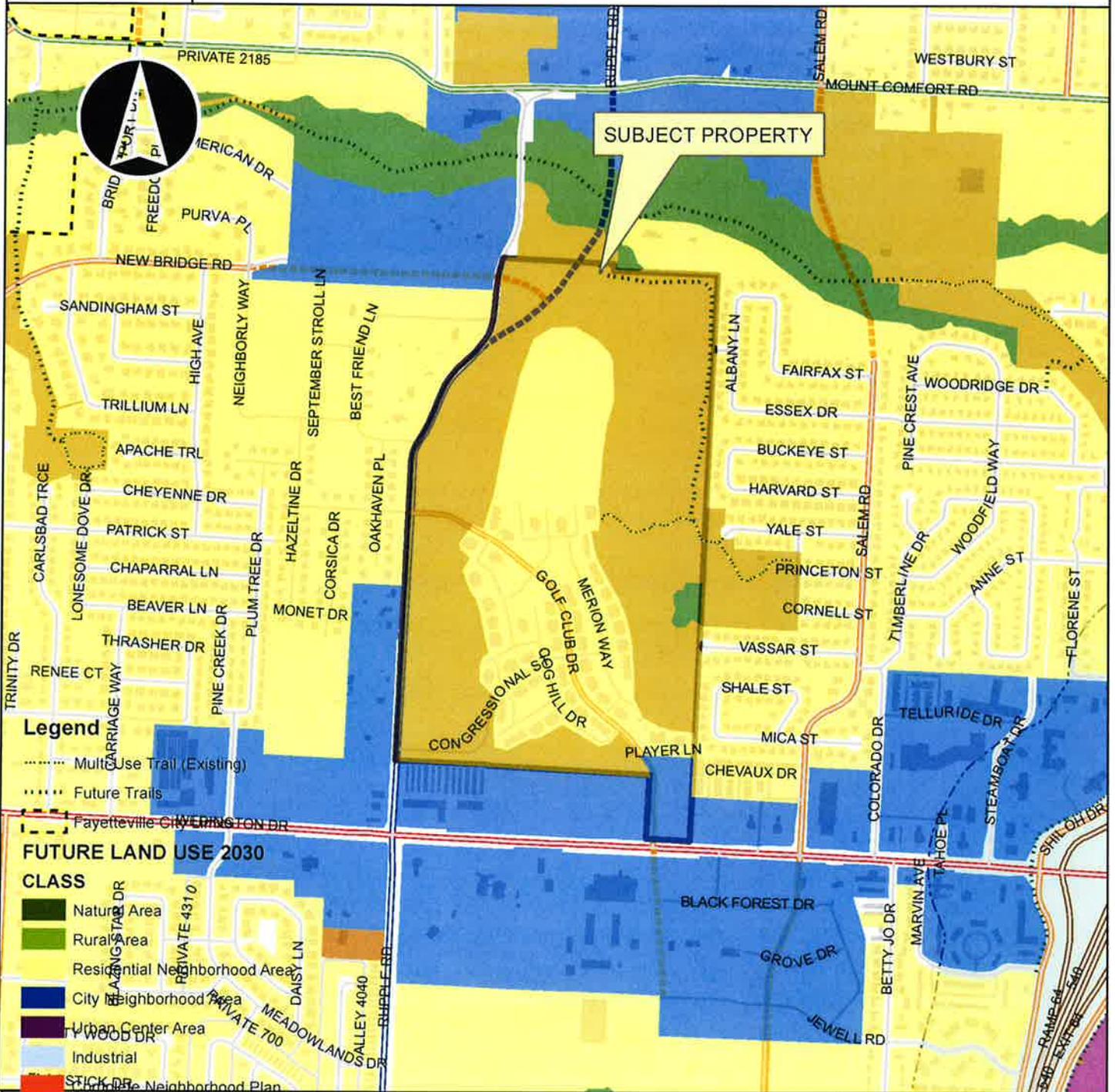
- ADM13-4487
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Planning Area



ADM13-4487

# THE LINKS PZD MODIFICATION

Future Land Use



**Legend**

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

**FUTURE LAND USE 2030**

**CLASS**

- Nature Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area
- Industrial
- Single-Family Neighborhood Plan

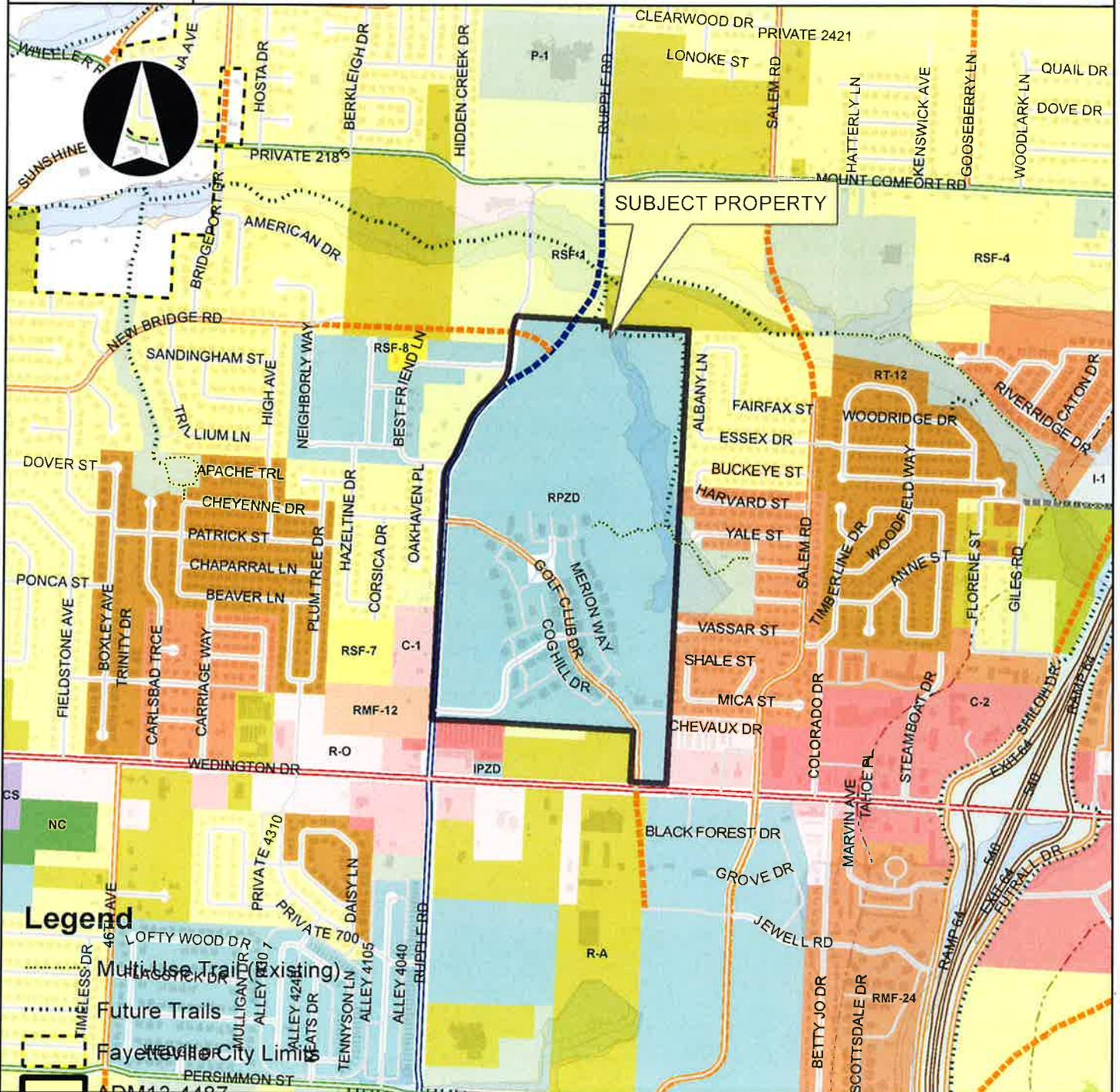
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- ADM13-4487
- Design Overlay District
- Design Overlay District
- Planning Area

07550300450600  
 Feet

ADM13-4487

# LINKS PZD MODIFICATION

Close Up View



## Legend

- Multi-Use Trails (Existing)
- Future Trails
- Fayetteville City Limits
- ADM13-4487

## Overview

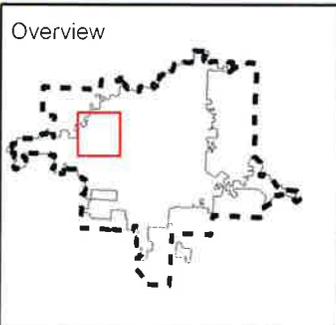
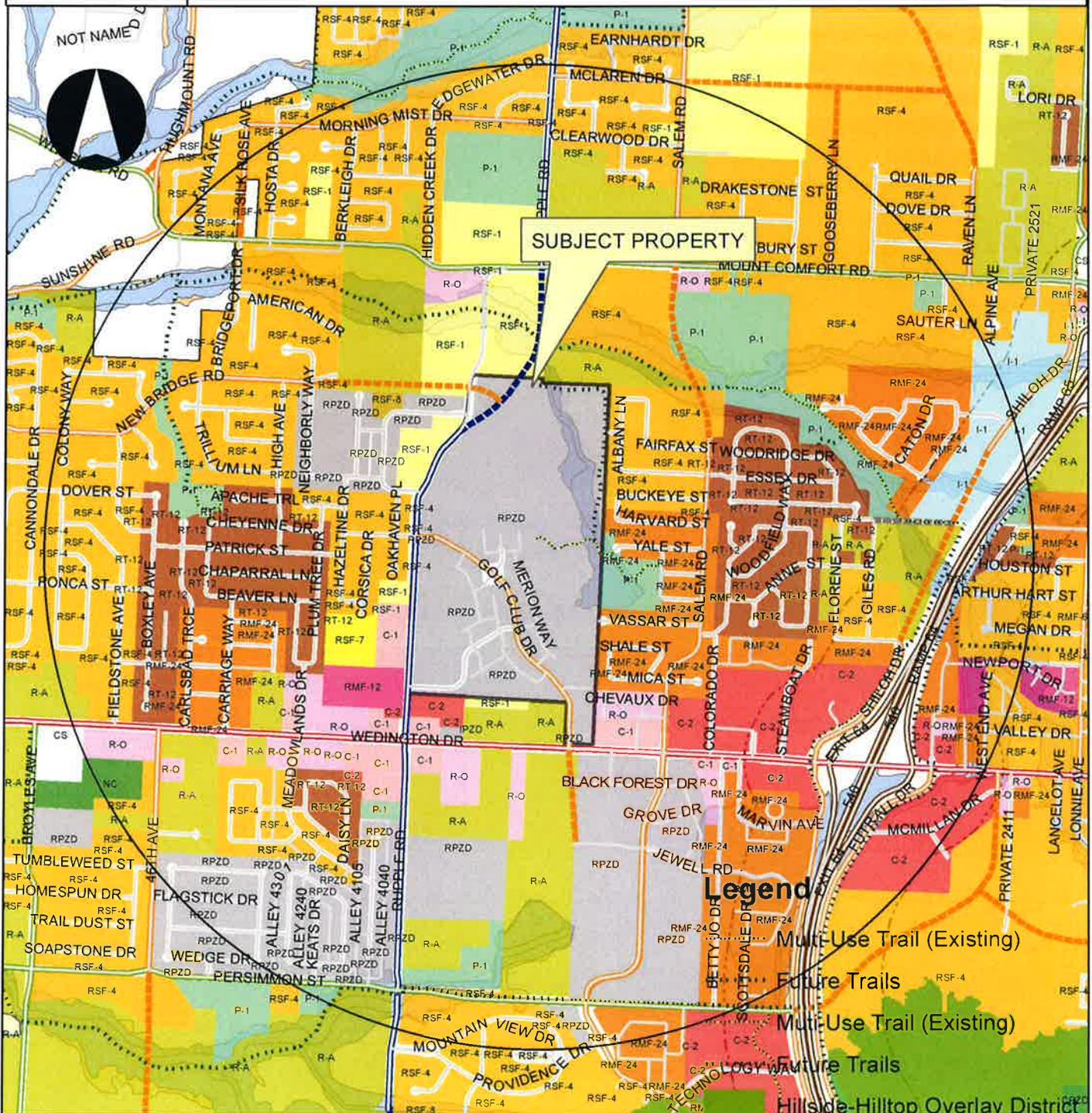
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



ADM13-4487

# LINKS PZD MODIFICATION

One Mile View



Legend	ADM13-4487
Subject Property	Design Overlay District
ADM13-4487	Planning Area
Boundary	Fayetteville

0 0.25 0.5 1 Miles