

**Planning Commission
Officers**

Porter Winston, Chair
Kyle Cook, Vice-Chair
Sarah Bunch, Secretary



Planning Commissioners

Blake Pennington
William Chesser
Matthew Cabe
Ryan Noble
Craig Honchell
Tracy Hoskins

**Tentative Agenda
City of Fayetteville, Arkansas
Planning Commission Meeting
March 11, 2013**

A meeting of the Fayetteville Planning Commission will be held on March 11, 2013 at 5:30 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Agenda Session Presentations, Reports and Discussion Items

Consent:

1. Approval of the minutes from the February 25, 2013 meeting.

Old Business:

2. LSD 12-4295: Large Scale Development (2530 W. WEDINGTON RD./CASEY GENERAL STORE, 402): Submitted by BATES AND ASSOCIATES for property located at 2530 WEST WEDINGTON ROAD. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 1.54 acres. The request is for 4,223 square foot convenience store with associated parking. Planner: Jesse Fulcher

3. PPL 13-4304: Preliminary Plat (INTERSECTION OF N. HUGHMOUNT RD. & W. MT. COMFORT RD./HUGHMOUNT VILLAGE, 282): Submitted by ENGINEERING DESIGN ASSOCIATES for property located on NORTH HUGHMOUNT ROAD, NORTH OF WHEELER ROAD (FORMERLY CHERRY HILLS SUBDIVISION). The property is in the PLANNING AREA and contains approximately 54.13 acres. The request is for a residential subdivision with 129 single family lots and 9 common property lots. Planner: Jesse Fulcher

New Business:

4. ADM 13-4332: Administrative Item (4149 W. BRADSTREET LN./RUPPLE ROW POA, 439): Submitted by GENE DRESEL for the RUPPLE ROW SUBDIVISION. The property is zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT. The request is for a variance of the Urban Residential Design Standards. Planner: Jesse Fulcher

5. PPL 13-4312: Preliminary Plat (S. OF GULLEY RD. AND E. OF N. OAKLAND-ZION RD./BUFFINGTON S/D, 176): Submitted by JORGENSEN AND ASSOCIATES for property located SOUTH OF GULLEY ROAD AND EAST OF NORTH OAKLAND-ZION ROAD. The property is in the PLANNING AREA and contains approximately 26.51 acres. The request is for a residential subdivision with 43 single family units and a community septic system. Planner: Andrew Garner

6. CUP 13-4311: Conditional Use Permit (2220 E. HUNTSVILLE RD./DOLLAR GENERAL, 566): Submitted by COOVER CONSULTANTS for property located at 2220 EAST HUNTSVILLE ROAD. The property is zoned R-O, RESIDENTIAL OFFICE and contains approximately 0.89 acres. The request is for a conditional use permit for a Dollar General Store (Use Unit 15).
Planner: Jesse Fulcher

7. RZN 13-4310: Rezone (N. OF THE INTERSECTION OF N. GREGG AVE. AND W. VAN ASCHE DR./HAAS HALL, 172): Submitted by MCCLELLAND CONSULTING ENGINEERS, INC. for property located NORTH OF THE INTERSECTION OF NORTH GREGG AVENUE AND WEST VAN ASCHE DRIVE. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL and contains approximately 17.28 acres. The request is to rezone the property to P-1, INSTITUTIONAL.
Planner: Quin Thompson

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 your 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 or TDD, Telecommunication 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.

A copy of the Planning Commission agenda and other pertinent data are open and available for inspection in the office of City Planning (575-8267), 125 West Mountain Street, Fayetteville, Arkansas. All interested parties are invited to review the petitions.

**MINUTES OF A MEETING OF THE
PLANNING COMMISSION**

A regular meeting of the Fayetteville Planning Commission was held on February 25, 2013 at 5:30 p.m. in Room 219, City Administration Building in Fayetteville, Arkansas.

ITEMS DISCUSSED

ACTION TAKEN

Consent:

**MINUTES: February 11, 2013
Page 3**

Approved

**VAC 12-4203: Vacation (HALSELL ROAD SEWER EASEMENTS, 482):
Page 3**

Approved

Old Business:

**ADM 13-4315: Administrative Item (1352 W. SHOWROOM DR./FIAT OF FAYETTEVILLE, 284):
Page 4**

Approved

**ADM 13-4316: Administrative Item (1325 E. JOYCE BLVD./LEGACY NATIONAL BANK, 175):
Page 5**

Approved

New Business:

**ADM 13-4317: Administrative Item (3078 N. COLLEGE AVENUE, SHAVE THE PLANET 252):
Page 6**

Approved

**LSD 12-4295: Large Scale Development (2530 W. WEDINGTON RD./CASEY GENERAL STORE,
402):
Page 8**

Tabled

**PPL 13-4304: Preliminary Plat (INTERSECTION OF N. HUGHMOUNT RD. & W. MT. COMFORT
RD./HUGHMOUNT VILLAGE, 282):
Page 9**

Tabled

**CUP 13-4303: Conditional Use Permit (1421 E. 15TH ST./HARMON RECYCLING, 603):
Page 10**

Approved

**Election of Officers:
Page 11**

MEMBERS PRESENT

Tracy Hoskins
Kyle Cook
Craig Honchell
William Chesser
Blake Pennington
Porter Winston
Ryan Noble
Sarah Bunch
Matthew Cabe

MEMBERS ABSENT

STAFF PRESENT

Andrew Garner
Quin Thompson
Jesse Fulcher
Glenn Newman
Sarah Wrede

CITY ATTORNEY

Kit Williams, City Attorney

5:30 PM - Planning Commission Chairman Porter Winston called the meeting to order.

Chairman Winston requested all cell phones to be turned off and informed the audience that listening devices were available.

Upon roll call all members except were present.

Consent:

Approval of the minutes from the February 11, 2013 meeting.

VAC 12-4203: Vacation (HALSELL ROAD SEWER EASEMENTS, 482): Submitted by PLANNING STAFF for properties located on HALSELL ROAD, OLIVER AVENUE AND MAPLE STREET. All properties are zoned RSF-4, Residential Single-family, 4 units per acre. The request is to vacate several existing “blanket” easements in the neighborhood.

Motion:

Commissioner Cook made a motion to approve the consent agenda. **Commissioner Hoskins** seconded the motion. **Upon roll call the motion passed with a vote of 9-0-0.**

Old Business:

ADM 13-4315: Administrative Item (1352 W. SHOWROOM DR./FIAT OF FAYETTEVILLE, 284): Submitted by Crafton & Tull for property located at 1352 WEST SHOWROOM DRIVE. The property is zoned C-2, THOROUGHFARE COMMERCIAL, and contains a total of 5.66 acres. The request is for a Floodplain Variance.

Quin Thompson, Current Planner, read the staff report.

Sarah Wrede, Floodplain Administrator, explained the floodplain regulations.

Commission Hoskins asked for further explanation.

Glenn Newman described the channel that runs through the property.

Daniel Ellis, applicant, Explained that the existing grade and channel were completed with the original building. The final letter of map amendment will certify the data used in 2004 and allow the building to be constructed at the proposed elevation. The variance will allow them to proceed with construction while the final review is being conducted by FEMA.

Motion:

Commissioner Chesser made a motion to approve **ADM 13-4315**. **Commissioner Hoskins** seconded the motion. **Upon roll call the motion passed with a vote of 9-0-0.**

ADM 13-4316: Administrative Item (1325 E. JOYCE BLVD./LEGACY NATIONAL BANK, 175): Submitted by KSA ARCHITECTURE for property located at 1325 EAST JOYCE BOULEVARD. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 1.56 acres. The request is for a variance of the Access Management Ordinance for a curb cut onto Joyce Boulevard.

Jesse Fulcher, Current Planner, read the staff report.

Ken Shireman, applicant, stated they feel that this is a safe access. They can't tie the hands of the other property owner and file a deed restriction.

Aubry Sheppard, citizen, stated that road safety needs to be enforced.

Commissioner Hoskins stated that there are several parts to this request, so we might break it into separate motions.

Kit Williams, City Attorney, stated it was good to separate difficult items. You might consider removing the deed restriction and leave that discussion for a future development.

Commissioner Hoskins stated he was concerned with the access drive creating a merge condition.

Glenn Newman, Staff Engineer, stated he will work with the design engineer on the appropriate angle.

Commission Hoskins asked if it was more of a "J" shape.

Newman stated it was and only 10 feet wide.

Terry Carpenter, applicant, stated they wanted to cross the sidewalk perpendicular and then approach street at an angle, a "J" or radial design.

Motion #1:

Commissioner Chesser made a motion to strike the first sentence in condition #4 for **ADM 13-4316**.

Commissioner Honchell seconded the motion. **Upon roll call the motion passed with a vote of 9-0-0.**

Motion #2:

Commissioner Chesser made a motion to approve **ADM 13-4316**. **Commissioner Bunch** seconded the motion. **Upon roll call the motion passed with a vote of 7-2-0.**

New Business:

ADM 13-4317: Administrative Item (3078 N. COLLEGE AVENUE, SHAVE THE PLANET 252): Submitted by Eric Siebert for property located at 3078 N. COLLEGE AVENUE. The property is zoned C-2, Thoroughfare Commercial and contains approximately 1.80 acres. The request is for a 90-day extension of an outdoor mobile vendor permit.

Andrew Garner, Senior Planner, gave the staff report.

Eric Seibert, applicant, stated that they don't sell ice cream as a primary product and doesn't believe they compete with Maggie Moo's. There are a lot of disadvantages to being a mobile vendor. A brick and mortar snowcone stand can't exist. He stated agreement with the requirement to plant trees.

Ben Israel, applicant's landlord, 1501 Starr Drive, discussed that this governmental body should not be determining competition. He feels that the planning commission is overprotecting Maggie Moo's.

No public comment was presented.

Commissioner Winston asked about the commission's authority to regulate competition.

Kit Williams, City Attorney, discussed that the intent of the ordinance is to create a level playing field. He discussed that for this type of permit the City Council requires that the commission determine if the permit would create an unfair advantage.

Commissioner Winston asked about the condition of approval for tree planting.

Garner discussed the intent of the tree planting, which includes starting to bring the parking lot into code with the landscape requirements that would be required of a regular brick and mortar business.

Eric Seibert, applicant, discussed that he was not sure about the trees.

Ben Israel, applicant's landlord, stated that we can comply with it but I'm not going to pay for it, the applicant will.

Commissioner Chesser discussed that he does not feel this business has an unfair advantage. He does agree with planting trees, but wishes there could be some sort of a compromise. He asked if it would be possible to give them a variance for more than a year. Maybe we require them to phase the improvements like putting in the irrigation this year.

Commissioner Cabe discussed that he tended to agree with Commissioner Chesser that it is reasonable to have them start bringing in improvements.

Commissioner Chesser asked if we could just ask the applicant to pay money.

Williams discussed that, no, we cannot have them pay money.

Commissioner Chesser asked about irrigation.

Garner discussed that staff is recommending either automatic irrigation or hose bibs within 100 feet of the tree planting.

Ben Israel, applicant's landlord, discussed the location of hose bibs.

Commissioner Winston discussed that he feels that it is a similar product as Maggie Moo's with ice cream as a topping and sorbet and will not be able to support the request as this is the type of permit the ordinance is trying to prevent.

Commissioner Honchell asked if there have been other vendors that have sold similar products as bricks and mortar businesses.

Garner discussed that the Nomad's food cart that was approved recently by the commission sold Greek food and there are a number of other similar restaurants along the Dickson Street area that sell similar or identical products.

Commissioner Honchell discussed that he is okay with staff's recommended conditions.

Commissioner Pennington asked if the ordinance has been amended since last May.

Williams discussed that, no, the ordinance has not been changed since then but there are various versions of ordinance amendments being discussed and routed around internally.

Commissioner Pennington discussed that he feels that because the City Council tabled this item indefinitely last year it was a tacit show of support, and feels that is a policy decision.

Commissioner Chesser discussed that in response to some of the comments by Ben Israel, he feels that need to state that Commissioner Hoskins has been consistent with his support for bricks and mortar businesses when these permits have come up over the years.

Commissioner Winston discussed that he views this permit as slightly different because it has been around for a number of years.

Motion:

Commissioner Chesser made a motion to approve **ADM 13-4317**, changing condition #3 to require 2 trees. **Commissioner Cook** seconded the motion. **Upon roll call the motion passed with a vote of 6-2-1, with Commissioner Hoskins recusing.**

LSD 12-4295: Large Scale Development (2530 W. WEDINGTON RD./CASEY GENERAL STORE, 402): Submitted by BATES AND ASSOCIATES for property located at 2530 WEST WEDINGTON ROAD. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 1.54 acres. The request is for 4,223 square foot convenience store with associated parking.

No staff report or public comment was presented.

Motion:

Commissioner Chesser made a motion to table **LSD 12-4295 until 3-11-13**. **Commissioner Cabe** seconded the motion. **Upon roll call the motion passed with a vote of 8-0-0**. **Commissioner Hoskins did not vote.**

PPL 13-4304: Preliminary Plat (INTERSECTION OF N. HUGHMOUNT RD. & W. MT. COMFORT RD./HUGHMOUNT VILLAGE, 282): Submitted by ENGINEERING DESIGN ASSOCIATES for property located on NORTH HUGHMOUNT ROAD, NORTH OF WHEELER ROAD (FORMERLY CHERRY HILLS SUBDIVISION). The property is in the PLANNING AREA and contains approximately 54.13 acres. The request is for a residential subdivision with 129 single family lots and 9 common property lots.

No staff report or public comment was presented.

Motion:

Commissioner Chesser made a motion to table **PPL13-4304** until **3-11-13**. **Commissioner Cabe** seconded the motion. **Upon roll call the motion passed with a vote of 9-0-0.**

CUP 13-4303: Conditional Use Permit (1421 E. 15TH ST./HARMON RECYCLING, 603): Submitted by BURT HANNA for property located at 1421 EAST 15TH STREET. The property is zoned I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL and contains approximately 12.60 acres. The request is for a conditional use permit for a recycling drop-off facility.

Senior Planner, Andrew Garner gave the staff report.

Thad Hanna, applicant, discussed the project and was present for any questions.

Commissioner Winston asked about changing the conditional use permit for different types of waste recycling.

Garner discussed that staff tried to include some flexibility in the permit as written into the project description.

Motion:

Commissioner Chesser made a motion to approve **CUP13-4303** as recommended by staff.

Commissioner Cook seconded the motion. **Upon roll call the motion passed with a vote of 9-0-0.**

Election of Planning Commission officers for 2013.

Ballots were distributed and after a vote the following were elected officers for 2013:

Chair: Craig Honchell

Vice-Chair: Kyle Cook

Secretary: Sarah Bunch

There being no further business, the meeting was adjourned at 7:20 PM.



PC Meeting of March 11, 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
Glenn Newman, Staff Engineer
THRU: Jeremy Pate, Development Services Director
DATE: March 5, 2013

LSD 12-4295: Large Scale Development (2530 W. WEDINGTON RD./CASEY GENERAL STORE, 402): Submitted by BATES AND ASSOCIATES for property located at 2530 WEST WEDINGTON ROAD. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 1.54 acres. The request is for 4,223 square foot convenience store with associated parking. Planner: Jesse Fulcher

Findings:

Property and background: The subject property is located at the northeast corner of Wedington Drive (Hwy 16) and Futrall Drive, and is within the I-540 Design Overlay District. The property is currently developed with an existing repair shop and single-family home. The Planning Commission reviewed a large scale development proposal for the development of a Kum & Go convenience store in 2011. The project was tabled by the applicant and never voted on. Surrounding land use and zoning is depicted on *Table 1*.

SURROUNDING LAND USE AND ZONING:

Direction from Site	Land Use	Zoning
North	Office	R-O, Residential Office
South	Undeveloped	C-2, Thoroughfare Commercial
East	Multi-family	RMF-24, Residential multi-family
West	Commercial	C-2, Thoroughfare Commercial

Request: The applicant requests large scale development approval to construct a 4,223 sq. ft. convenience store and gas pump canopy.

Water and Sewer System: The property has access to existing public water and sewer services.

Adjacent streets and right-of-way: This site is adjacent to the signalized intersection of Wedington Drive (HWY 16), a principal arterial street, and Futrall Drive, a local street.

Street Improvements: Both of the adjacent streets have been improved, and therefore staff is recommending that the existing sidewalk along Wedington Drive be relocated to the right-of-way line and continued along Futrall Drive to the north property line. To accommodate increased

traffic flow exiting the gas station onto Futrall Drive, and utilizing the signalized intersection at Wedington Drive, staff recommends that Futrall be restriped to accommodate a dedicated right turn lane. Street lights shall be installed at the intersection and every 300' along the property frontage, if none exist.

Tree Preservation:

Existing Canopy: 19.6%	*Preserved Canopy: 4.3%	Required Canopy: 15%
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The Urban Forester is recommending denial of the Tree Preservation Plan. See attached memo from Urban Forester.

Access Management/Connectivity: The subject site is located at the corner of a Wedington Drive (Hwy 16, a principal arterial street) and Futrall Drive (a local street), which is a signalized intersection. The access management ordinance states that access shall be taken from the street with the lower functional classification, Futrall Drive. Where a curb cut must access the arterial street, it shall be located a minimum of 250 feet from a driveway or intersection.

These standards were adopted so that new access to development would not create or contribute to unsafe or congested conditions, especially along arterial roadways. As new access points are created, the potential for vehicle conflicts between through traffic and traffic using the access increases. In addition to decreased safety, poorly designed access points increase congestion and traffic delays.

The applicant's original submittal provided a basic driveway design that did not limit left turn movements. Staff informed the applicant that the access as designed could not be supported, due to concerns with turning conflicts on a busy, high-speed arterial roadway, and that east bound traffic attempting to enter the proposed driveway would block one of the thru lanes and cause vehicles to stack into and through the signalized intersection(s) to the west.

The applicant is now proposing a right-in only driveway. Though this design is different than the previous proposal and that proposed by Kum & Go in 2011, the same concerns exist. East-bound vehicles on Wedington will stop in the through lane and attempt to access the site at this point.

The current request is for a right-in design that requires a variance from the 250' curb-cut separation, as it is approximately 180' from Futrall Drive and approximately 120' from two driveways to the east that serve an existing multi-family complex.

Recommendation: Staff recommends denial of **LSD 12-4295** due to the proposed tree preservation plan not meeting the intent of the ordinance (see Urban Forester report attached). Should the Planning Commission recommend approval of the project, the following conditions should be required:

Conditions of Approval:

1. Planning Commission determination of a variance from Chapter 166.08(F), access management and curb-cut separation. City staff, highway department officials (in 2011), and the traffic engineer hired by Kum & Go for a similar proposal have all voiced

concerns that eastbound traffic stopping and attempting to access the site from Wedington will result in vehicles stacking through one or both signalized intersections. The current right-in design, though intended to restrict access, continues to allow this dangerous and unnecessary turning movement. A median or similar physical measure on Wedington would physically prohibit left turns and address the concerns with queuing through the intersection. However, highway officials have stated that they will not allow physical measures to be constructed in the state right-of-way.

It is unfortunate that a reasonably designed access, with signage that informs drivers to not turn left into or out of this site, still results in prohibited and dangerous turning movements. One might even ask if prohibiting this curb-cut based on the actions of a few drivers is appropriate. In staff's opinion, it is appropriate to recommend denial of the access as proposed. A small percentage of all drivers may purposefully ignore the posted restrictions, but an equal amount of drivers may also unknowingly attempt to use this access. In either case, all drivers on Wedington will be subject to an increased number of unsafe turning movements, congestion, and delay. These conditions will be generated by a private development at the expense of the general public. And as indicated by the Auto-turn analysis provided by the applicant (page 4 of plans), a direct access to Wedington is not required for their customers or fueling trucks.

For the reasons stated herein, including comments from the Arkansas State Highway Department (2011) and the previous traffic study, staff recommends denial of the proposed variance to allow a right-in on Wedington, finding that this access will increase traffic danger, congestion and delay for the general public. Staff may be able to support a right-out only design, given that the highway department is proposing to extend this west-bound lane across the new bridge. Currently, this is a designated on-ramp lane.

2/14/13: THE SUBDIVISION COMMITTEE RECOMMENDED DENIAL OF A RIGHT-IN/RIGHT-OUT CONCEPT. THE REQUEST IS NOW FOR A RIGHT-IN ONLY.

2. Planning Commission determination of a variance request from Chapter 172.04(E), Parking Lot Design Standards. The applicant has submitted a variance request from the maximum drive aisle width requirement of 24 feet and proposes to utilize a range of drive aisle widths between 27 feet and 49 feet, to accommodate the turning movements of fueling trucks and access to the underground gasoline storage tanks. An Autoturn diagram has been added to the site plan on Sheet 4 of the submitted plat to indicate that the request is justified. *Staff recommends approval of the variance request to exceed the maximum drive aisle width of 24 feet as indicated by the Autoturn analysis.*

2/14/13: THE SUBDIVISION COMMITTEE RECOMMENDED APPROVAL.

3. Planning Commission determination of a variance request from Chapter 172.04(F)(4), Parking Lot Circulation. The applicant has submitted a variance request from the maximum entrance width requirement of 24' for a driveway entering a local street, to accommodate the turning movements of fueling trucks. An Auto-turn diagram has been added to the site plan on Sheet 4 of the submitted plat to indicate that the request is justified. *Staff recommends approval of the variance request to exceed the maximum*

driveway width of 24 feet as shown on the Autoturn analysis.

2/14/13: THE SUBDIVISION COMMITTEE RECOMMENDED APPROVAL.

4. Planning Commission determination of Commercial, Office and Mixed Use Design and Development Standards. *The applicant has updated the west façade of the building adjacent to Futrall Drive since the Subdivision Committee meeting. Staff's only concern with this elevation is the lack of a prominent entryway. Staff recommends that an additional awning be added above the entrance, or other design feature to highlight this entrance.*

2/14/13: THE SUBDIVISION COMMITTEE RECOMMENDED DENIAL. THE WEST ELEVATION HAS BEEN UPDATED SINCE THE SUBDIVISION COMMITTEE MEETING.

5. Planning Commission determination of the Tree Preservation Plan. *The Urban Forester is recommending denial of the project, finding that the plan does not meet the requirements of the Tree Preservation Ordinance and that no justification has been provided for the removal of trees #10-13.*

2/14/13: THE SUBDIVISION COMMITTEE RECOMMENDED DENIAL.

6. Planning Commission determination of street improvements. *Staff recommends the following improvements:*
 - a. *Relocate the sidewalk along Wedington Drive to the right-of-way and remove all old sidewalk and asphalt.*
 - b. *Construct a 5' sidewalk along Futrall Drive at the right-of-way line.*
 - c. *Street lights shall be installed at the intersection and every 300' along the property frontage, if none exist.*
 - d. *Stripe Futrall for a dedicated right-turn lane for southbound vehicles turning right onto Wedington Drive.*

2/14/13: THE SUBDIVISION COMMITTEE RECOMMENDED APPROVAL.

7. Denial of the requested access to Wedington Drive may require significant revisions to the site plan and project layout, and may remove the need for certain dimensional variances. These changes may require a major modification approval from the Planning Commission at a future hearing date, prior to construction plan approval.
8. If approved by the Planning Commission, the driveway accessing Wedington Drive shall be placed in an access easement and filed with the easement plat or by separate document. This easement should permit the adjacent property to the east to utilize the curb-cut on Wedington and have cross access to Futrall.
9. A vegetative screen, as indicated on the submitted landscape plan, shall be installed along the eastern property line to screen the commercial building and parking/driveway areas from the adjacent residential use. A portion of this may be removed if cross-access is provided to the east.

10. Monument style signs are the only permitted freestanding sign in the I-540 Design Overlay District (DOD). The current proposal is for a 10 foot tall sign, which exceeds the maximum height of 6 feet. Electronic message boards (direct lighting) are prohibited in the DOD. A sign permit shall be approved prior to any sign installation.
11. Any fencing shall comply with commercial design and design overlay district standards.
12. All tree preservation, landscape, and fire department conditions included herein shall apply. All revisions shall be addressed prior to construction plan approval.

Standard conditions of approval:

13. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance.
14. If applicable, a business license shall be obtained prior to opening the business to the public.
15. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: AR Western Gas, SWBT, Ozarks, SWEPCO, Cox Communications).
16. 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.
17. 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.
18. 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.**
19. Trash enclosures shall be screened on three sides with materials complimentary to and compatible with the principle structure. Elevations of the proposed dumpster enclosure shall be submitted to the Planning and Solid Waste Divisions for review prior to building permit.
20. 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 Design Overlay District.

21. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground.
 22. Large scale development shall be valid for one calendar year.
 23. 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.
 24. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits
 - b. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance.
 - c. Separate easement plat for this project that shall include the tree preservation area and all utility easements.
 - d. Project Disk with all final revisions
 - e. One copy of final construction drawings showing landscape plans including tree preservation measures submitted to the Landscape Administrator.
 - f. 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.
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Planning Commission action: **Approved** **Tabled** **Forwarded**

Meeting Date: March 11, 2013

Motion:

Second:

Vote:



URBAN FORESTRY DIVISION

TREE PRESERVATION AND PROTECTION – Chapter 167

To: Bates and Associates

From: Megan Dale, Urban Forester/Landscape Administrator

CC: Jesse Fulcher, Current Planner

Date: 14 February 2013

Subject: LSD 12-4295: Casey's General Store Subdivision Review Comments

Requirements Submitted:

N	Initial Review with the Urban Forester
Y	Site Analysis Map Submitted
N	Site Analysis Written Report Submitted
N	Complete Tree Preservation Plan Submitted
N/A	Tree Mitigation Form Submitted
N/A	Tree Preservation Wavier Submitted

Canopy Measurements:

Total Site Area (minus Master Street Plan ROW, existing easements, and Dedicated Parkland)	
acres	1.54
square feet	67,000
Existing Tree Canopy (minus existing easements)	
square feet	13,184
percent of site area	19.6%
Tree Canopy Preserved	
square feet	2,901
percent of total site area	4.3%
Tree Canopy Removed (including off-site canopy)	
square feet (7,149 below min + 990 offsite = 8,139)	10,283
percent of total site area	15.3%
Site Percent Min. Canopy Required – Zoning C-2	15%

Mitigation: Required -

Canopy Below Required	Preservation Priority/Type	Forestation Base Density (ft2)	Number of 2" caliper trees to be planted
8,139 ft2	High Priority	218	37
ft2	Mid Priority	290	
ft2	Low Priority	436	
Total Mitigation			37

Tree Escrow (at \$675 per tree) equivalent of \$25,715

Mitigation Type Requested:

- On-Site
 Off-Site
 Tree Escrow
 Not Requested Yet

Mitigation Type Requested Approved: YES NO

TREE PROTECTION PLAN CHECKLISTS AND COMMENTS:

Plan Checklist:

NA = not applicable

Yes = submitted by applicant

No = required by City Code but not included on submitted plan

The Site Analysis Plan [167.04(H)(1)]

Tech Plat	SD	PC	Site Analysis Plan Components
Y	Y	N/A	5 year aerial check on existing trees
Y	Y	N/A	Property Boundary
Y	Y	N/A	Natural Features 100ft beyond property line shown
Y	Y	N/A	Existing Topography with slopes ≤ 15% highlighted
Y	Y	N/A	Soils
Y	Y	N/A	Significant Tree(s): 24", 18" and 8" DBH
Y	Y	N/A	Table listing Sig. Trees with species, size, health, priority
Y	Y	N/A	Grouping of Trees: all other trees that do not meet significant requirements
Y	Y	N/A	Table listing Grouped Trees with average species, size, health, priority
Y	Y	N/A	All existing utilities
N/A	N/A	N/A	All perennial and intermittent streams with approximate center line
N/A	N/A	N/A	Floodplains/Floodways
Y	Y	N/A	Existing street, sidewalk or bike path ROW
N	N	N/A	Submitted Site Analysis Plan

The Analysis Plan Report [167.04(H)(4)]

Tech Plat	SD	PC	Analysis Plan Report Components
N	N	N/A	Detail Design Approaches used to minimize damage to OR removal of existing canopy
N	N	N/A	Justification for removal of individual or groupings of trees/canopy
Y	Y	N/A	Details providing information on on-site mitigation OR off-site alternatives
N	N	N/A	Submitted Analysis Report

Tree Preservation Plan [167.04(H)(2)]

Tech Plat	SD	PC	Tree Preservation Plan Components
Y	Y	N/A	Shows ALL Proposed Site Improvements
Y	Y	N/A	Delineates trees/canopy to be preserved and removed
Y	Y	N/A	Delineates existing and proposed grading
Y	Y	N/A	Depict limits of soil disturbance
			Detail methods that will be used to protect trees during construction:
Y	Y	N/A	1. Tree Protection Fencing
Y	Y	N/A	2. Limits of Root Pruning
Y	Y	N/A	3. Traffic flow on work site
N	N	N/A	4. Location of material storage
Y	Y	N/A	5. Location of concrete wash out
Y	Y	N/A	6. Location of construction entrance/exit
N	N	N/A	Location of ALL existing and new utility/drainage easements

To Subdivision Committee:

1. This application is recommended for DENIAL.
2. No justification in Analysis Report or Plan has been provided to remove Trees #10-13. The site design could be modified to shift the building and pump canopy to provide the following Tree Preservation Numbers.
 Removed: 7333 – 10.9%
 Preserved: 5851 – 8.7%
 Mitigation: 4199 + 990 offsite = 5189 = 24 trees

Conditions of Approval:

3. Address all redlines and items above marked with "N."
4. Show demo of shed on Tree Preservation Plan. Add note that has vertical planking on Tree #3 and #4. Provide detail. Add note about depth of asphalt removal so that roots are not damaged.
5. Show all utilities on plan. Move gas line and required easement / construction buffer out of tree preservation area.
6. Prior to Building Permit approval, all required landscaping will require a performance bond and a completed Landscape Surety Form. Submit a landscape estimate for review at time of construction plan review.
7. Prior to Certificate of Occupancy, a 3-year Maintenance Plan must be submitted with a 3-year surety (letter of credit, bond or cash) and completed Landscape Surety Form.



URBAN FORESTRY DIVISION

LANDSCAPE REGULATIONS – Chapter 177

To: Bates and Associates
 From: Megan Dale, Urban Forester/Landscape Administrator
 CC: Jesse Fulcher, Current Planner
 Date: 14 February 2013
 Subject: LSD 12-4295: Casey's General Store Subdivision Review Comments

Applicable Requirements:

Y	Site Development & Parking Lot Standards
Y	Street Tree Planting Standards
Y	Stormwater Facilities

Plan Checklist:

Y= submitted by applicant
 N=required by City Code but not included on submitted plan
 NA= not applicable

Tech Plat	SC	PC	All Landscape Plans
Y	Y	NA	Irrigation notes either automatic or hose bib 100' o.c. (177.03A.7.g & 177.04.B.3.a)
Y	Y	NA	Species of plant material identified (177.03.A.7.d & e)
Y	Y	NA	Size of plant material at time of installation indicated minimum size 2" caliper for trees and 3 gal. shrubs (177.03.A.7.b & c)
Y	Y	NA	Soil amendments notes include that soil is amended and sod removed (177.03.C.6.b)
Y	Y	NA	Mulch notes indicate organic mulching around trees and within landscape beds (177.03.C.6.c & d)
N	N	NA	LSD and Subdivisions plans stamped by a licensed Landscape Architect, others by Landscape Designer (177.03.B)
Y	Y	NA	Planting bed contained by edging (177.03.C.6.f)
Y	Y	NA	Planting details according to Fayetteville's Landscape Manual (177.03.C.6.g)

Tech Plat	SC	PC	Site Development & Parking Lot Standards
Y	Y	NA	Wheel stops/ curbs (177.04.B.1)
N	Y	NA	Interior landscaping (177.04.C) Narrow tree lawn (8' min width, 37.5' min length/ 1 tree per 12 spaces) <u>OR</u> Tree island (8' min. width, 18.7' min. length/1 tree per 12 spaces) All parking lot trees must be deciduous (177.04.C.3)
Y	Y	NA	Placement of Trees (177.04.C.2) Either side at points of access (entrance/exit)
N	Y	NA	Perimeter landscaping (177.04.D) Side and rear property lines (5' wide landscaped) Front property line (15' wide landscape) (177.04.D.2.a) Shade trees planted on south and west sides of parking lots (177.04.D.2.e) Parking lot adjacent to R.O.W.- continuous row planting of shrubs - 50% evergreen. Remaining landscaping to be ground cover and / or turf.) (177.04.D.4a) NOTE: Shade trees are described in street tree planting standards
			Street Tree Planting Standards (time of F.P. or permit) (177.05)
NA	NA	NA	Residential Subdivisions- 1 large species shade tree/ lot tree planted within R.O.W. if possible
Y	Y	NA	Nonresidential Subdivision- 1 large species shade tree/30 L.F. tree planted within 15-25' greenspace
NA	NA	NA	Urban Tree Wells-urban streetscape only- 8' sidewalk , trees every 30 L.F. (177.05.B.3.a-f)
NA	NA	NA	Structural Soil-if urban wells are used, a note or detail of structural soil must be indicated on the landscape plan
NA	NA	NA	Timing of planting indicated on plans (subdivisions only) (177.05.A.4)
NA	NA	NA	Written description of the method for tracking plantings (177.05.A.4.e)
Y	Y	NA	Plan contains 3-year Maintenance and Monitoring Agreement. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. (177.05.A.2.e)
Tech Plat	SC	PC	Stormwater Facilities (time of F.P. or permit) (177.06.A – C)
N	NA	NA	1 deciduous or evergreen tree/ 3000 square feet
N	NA	NA	4 large shrubs or small trees (3 gal) / 3000 square feet
Y	NA	NA	6 shrubs or grasses (1 gal) / 3000 square feet
Y	NA	NA	Ground cover unless seed or sod is specified
Y	NA	NA	50% of facility planted with grass or grass like plants

Landscape Requirements Table		
37	Mitigation Trees	3-year bond required
16	Street Trees	3-year bond required
1	Parking Trees	
3	Detention Large Trees	
12	Detention Small Trees / Large Shrubs	
18	Detention Small Shrubs	

To Subdivision Committee:

1. Variance #4 requests that additional landscaping be used along the west elevation to screen. No additional planting is for screening is shown.

Conditions of Approval:

2. Address all items above marked with "N" and redlines.
3. Update Landscape Requirements Table.
4. Mitigation tree type requests do not match Landscape Plans.
5. Move large species Street Trees 20' from overhead powerline.
6. Leyland Cypress and White Pine have not been tolerating drought, insect or disease. Choose another species. Consider the native Eastern Red Cedar.
7. Prior to Building Permit approval, all required landscaping will require a performance bond and a completed Landscape Surety Form. Submit a landscape estimate for review at time of construction plan review.
8. Prior to Certificate of Occupancy, a 3-year Maintenance Plan must be submitted with a 3-year surety (letter of credit, bond or cash) and completed Landscape Surety Form.
9. Landscape Architect of record shall inspect site and direct Contractor to make changes to meet Approved plans and details prior to Urban Forester Certificate of Occupancy inspection. No changes to the approved landscape plan may be made without Urban Forester approval.

To: Jesse Fulcher, Current Planner

March 4, 2013

From: Glenn Newman, P.E.
Staff Engineer

Re: Plat Review Comments (March 11, 2013 Planning Commission)

Development: LSD 12-4295 Casey's – Wedington Drive

Engineer: Bates & Associates, Inc.

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. 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.
3. Prior to engineering approval of the **building permit**, either the required 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.

Plan Comments:

1. Staff is not in support of the entrance off Wedington Drive without a physical barrier installed in the highway to prevent left turns from the east bound traffic – remove from plan.
2. Adjustments to the inlet design may be necessary to ensure 100% capture to direct flow to detention pond. Adding extensions and adjusting grade of gutter to be above 100 yr WSE.

Drainage Report Comments:

1. The Underground Detention Model is not approved and has not been re-designed since Subdivision Committee. The area draining to the detention pond shown in the drainage area map does not match the calculations. Additional information requested to support CN and Manning "n" used in the report.
2. In general the AHTD storm drain network is not designed to convey the 100 yr storm events, therefore, there may be downstream capacity issues. The downstream network must be modeled to verify the HGL of the network is less than the HGL of the detention for each storm event. Offsite improvements are anticipated or the detention shall be designed to meet downstream capacity.
3. Gutter and downspouts must be designed to convey the 100 yr flow.

Standard Construction Comments:

1. The engineer of record shall provide “Full Time” inspection for utilities and “Part Time” inspection for the storm drainage and roadway construction for this project. The engineer of record shall also review and approve material submittals (approved submittals shall be submitted to the City for concurrence before material is ordered)– weekly inspection reports should be submitted to the City of Fayetteville’s public works inspector.
2. 2012 Standard Water & Sanitary Sewer Specifications & Details apply. (Document available at www.accessfayetteville.org/government/engineering)
3. Demolition shall not begin until the appropriate erosion control measures and required tree preservation fencing are installed
4. Prior to obtaining a Certificate of Occupancy, or Temporary Certificate of Occupancy, the following items must be performed or provided to the satisfaction of the Engineering Department:
 - The work shown on the civil site package must be complete and the items on the final punch list completed.
 - Vegetation must be established in accordance with Section 169.06 of the UDC and perimeter controls removed.
 - One (1) set of as-built drawings of the complete project (excluding details) as a hard copy and in Tiff or PDF format;
 - Public infrastructure and services shall be surveyed after installation in relation to easements, property lines, and rights-of-way.
 - Professional surveyor shall provide stamp drawings specifically identifying the limits of as-built survey performed.
 - More than 2 ft deviation of design alignment shall require new easement dedication or adjustment of the utility/storm drain.
 - Unit price construction costs and a single 2 year maintenance bonds in the amount of 25% of the public improvements have been provided to the city;
 - Certification that the streets, sidewalk, storm sewer, water, fire line, and sewer lines, etc., were installed per approved plans and City of Fayetteville requirements;
 - Certification that the designed retaining walls were installed per approved plans and City of Fayetteville requirements;
 - Cross Sections, Volume Calculations, and Certification Retention/Detention Ponds are in accordance with the approved Drainage Report.
 - Surveyor’s Certification of Compliance for monuments and property pins.
 - The As- Built Final Drainage Report in PDF format.



www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS
SOLID WASTE AND RECYCLING
1560 S. Happy Hollow Road
Fayetteville, AR 72701
P (479) 575-8398 F (479) 444-3478

3/5/13

Geoffrey Bates P.E.
Bates and Associates
91 W. Colt Square Dr.
Fayetteville, AR. 72703
(479) 442-9350

RE: 12-4295

Mr. Bates,

The enclosure for this development should be sized at 30' wide and 12' deep. Please provide dimensions on the site plan and provide architectural plans to ensure serviceability of the enclosure. The other issue I have is that there seems to be parking in front of the enclosure which could cause a service issue if there was a car sitting in a parking space when we tried to service the enclosure.

Please contact me at 479-575-8397 or jdrummond@ci.fayetteville.ar.us if you have any questions.

Sincerely,

Jason Drummond
Commercial Sales Representative
Fayetteville Solid Waste and Recycling



Bates & Associates, Inc.

Civil Engineering & Surveying

91 W. Colt Square Dr. Suite 3 / Fayetteville, AR 72703
PH: 479-442-9350 * FAX: 479-521-9350

January 15, 2013

Planning Staff
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

RE: Casey's – Wedington variance request

Dear Planning Staff,

Casey's General Store is proposing a site on the corner of Wedington Drive and Futrall Drive. The project will consist of a convenience store, parking lot and 16 pumps. The site is zoned C-2 and there is a home and a closed auto repair shop currently located on the site.

Casey's would like to request the following variances:

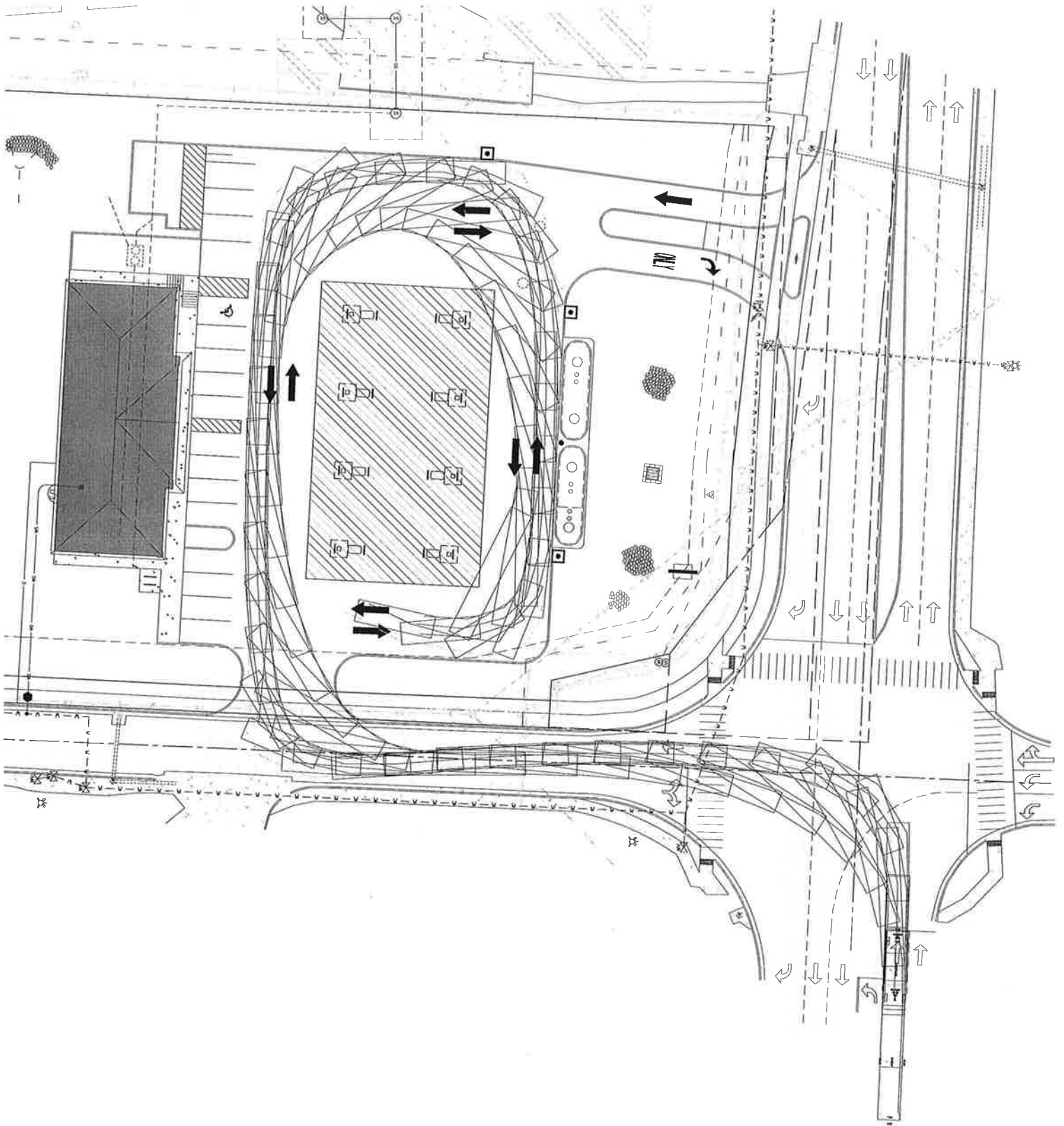
1. Increase driveway width off of Futrall from 24' to 36'. This is needed for the tanker trucks to enter and exit the site
2. ~~Decrease the minimum Throat length from 40' to 27'. This is not a typical parking lot and the reduction is needed for proper traffic circulation.~~
3. Decrease the driveway separation on Wedington from 250' to 170' center to center. The lot is not 250' wide so the minimum separation cannot be achieved.
4. The west facade is not built like a front and Casey's would like to propose additional landscaping in this area to screen the building.

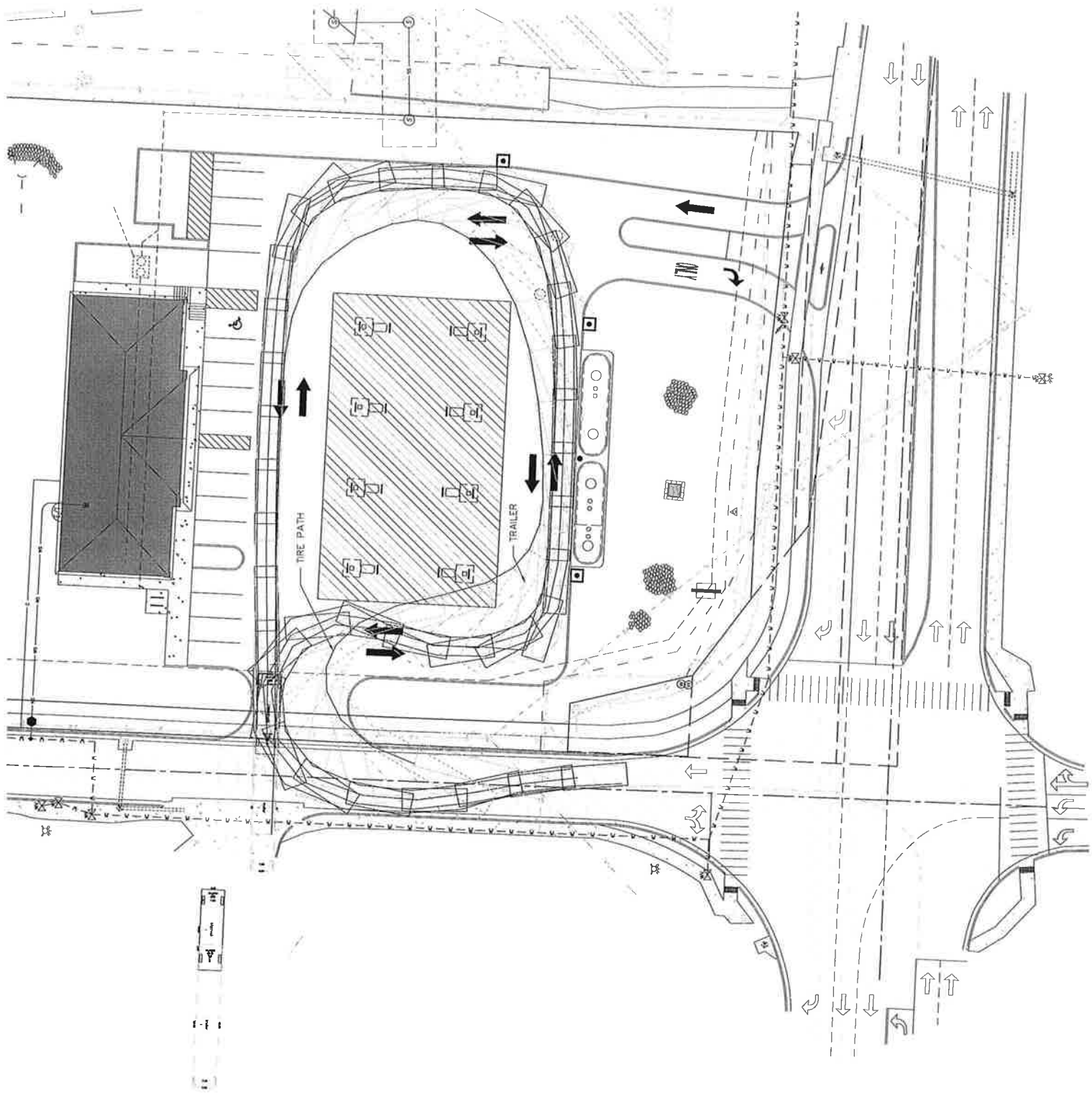
If you have any questions or require additional information, please feel free to call.

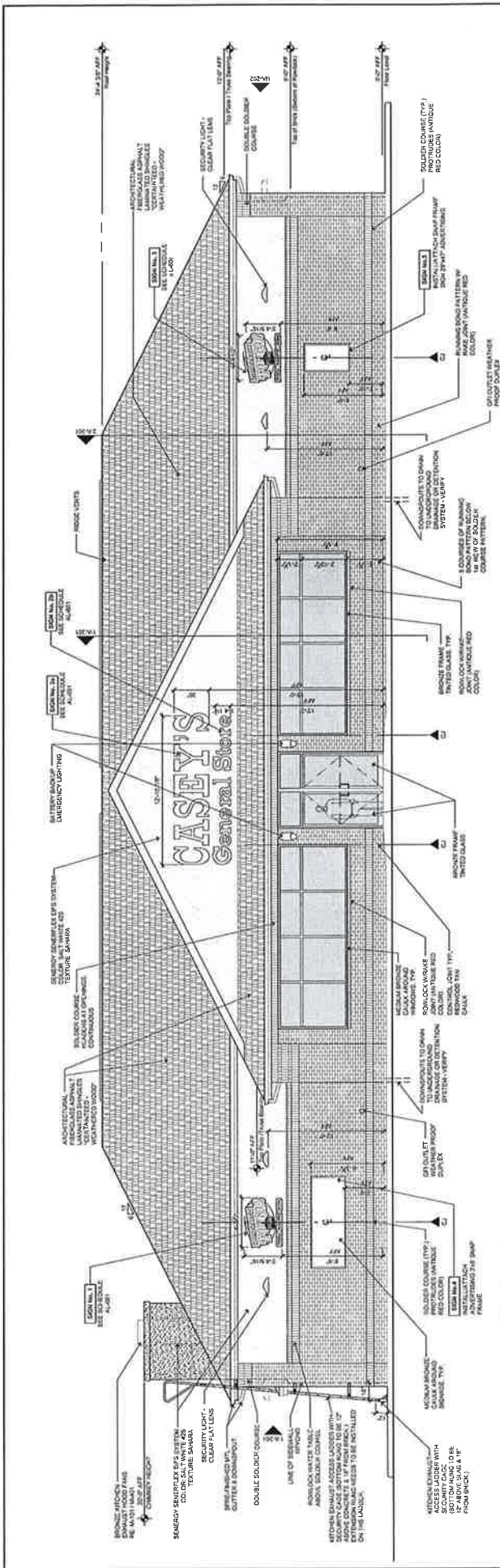
Sincerely

Bates & Associates, Inc.

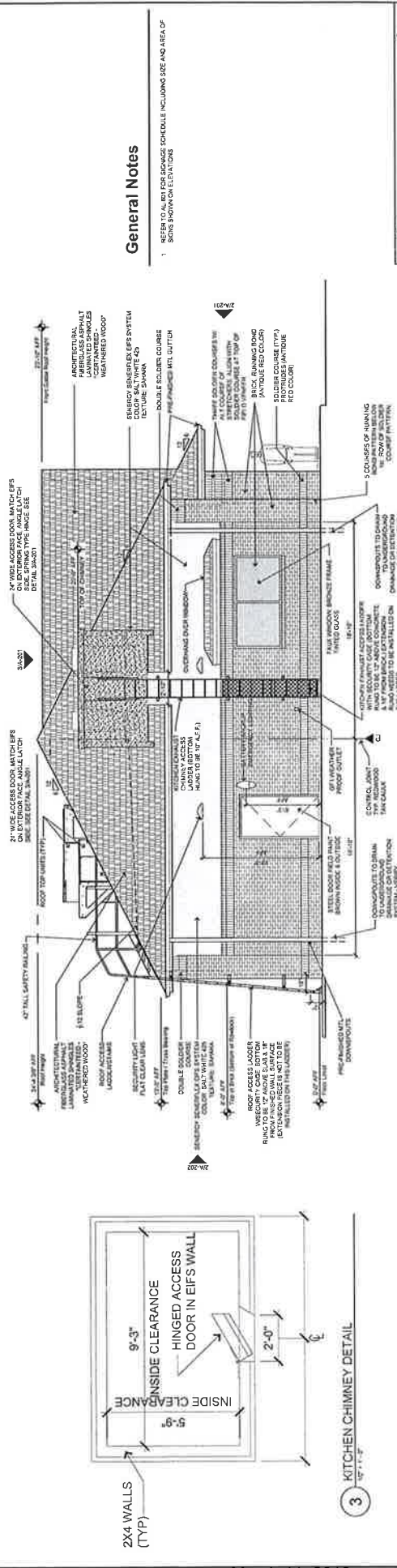
Geoffrey H. Bates, P.E.
President of Engineering



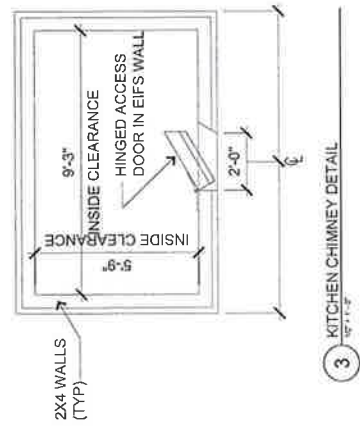




2 Front Elevation
1/8" = 1'-0"



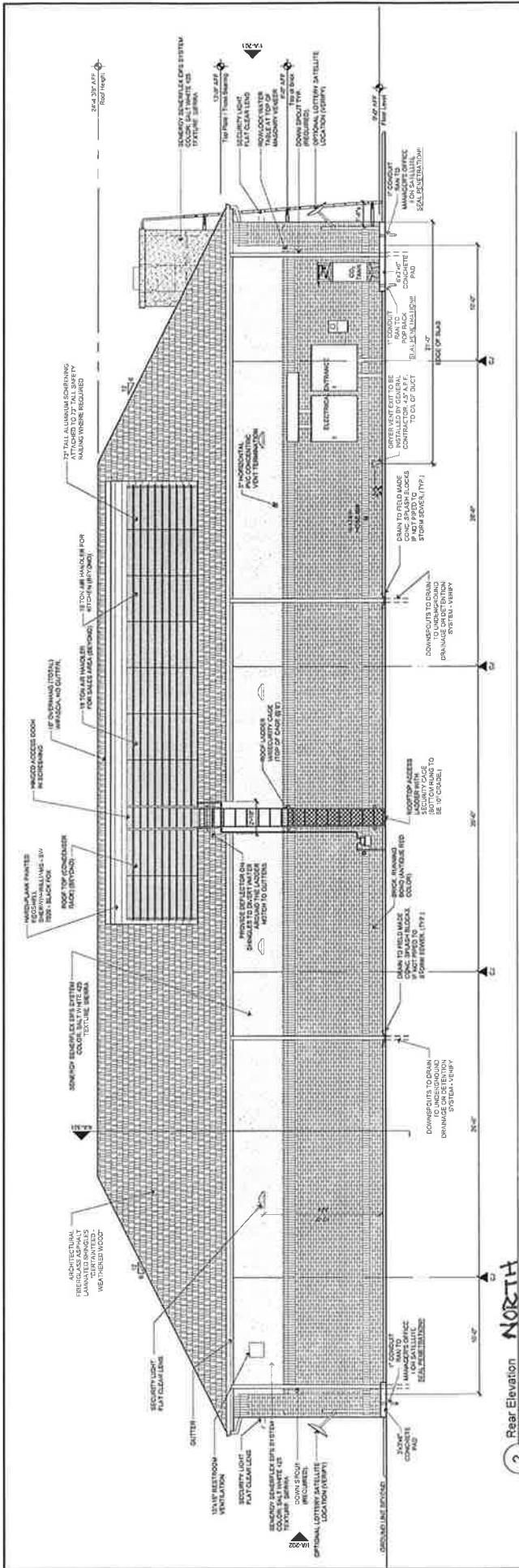
3 Left Side of Building
1/8" = 1'-0"



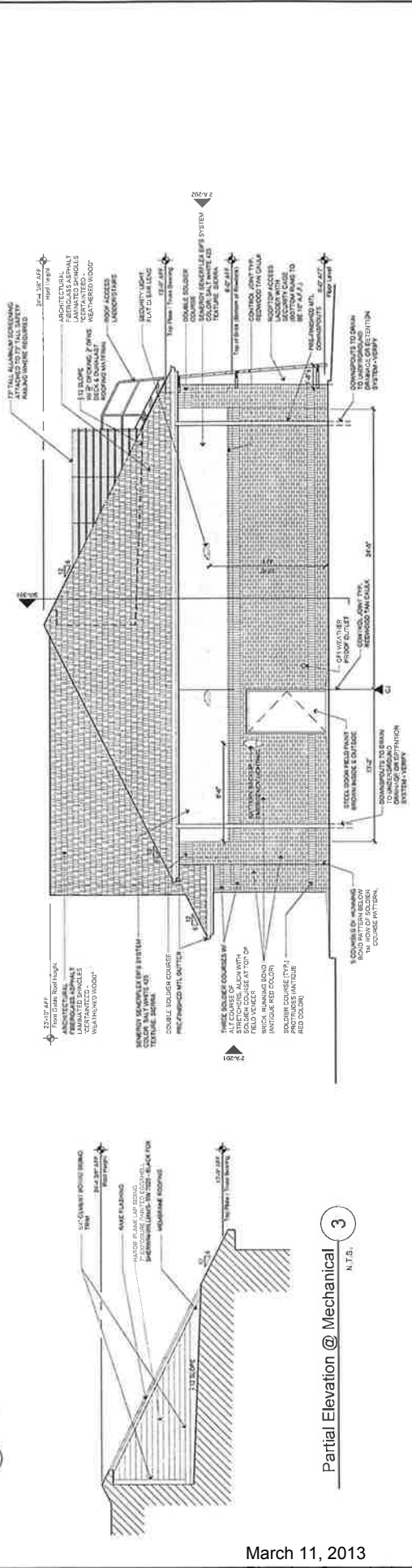
General Notes

- 1 REFER TO ANY PREVIOUS SPECIFICATIONS INCLUDING SEC. 410, 415, 416 OF SRS SPECIFICATIONS.

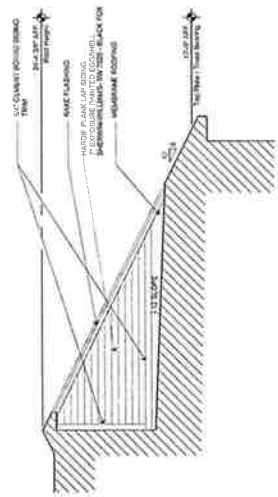
CASEY'S CONSTRUCTION DIVISION
 2530 WEST WASHINGTON RD
 FAYETTEVILLE, AR 72715
 CASEY'S GENERAL STORE
 EXTERIOR ELEVATIONS
 A-201



2 Rear Elevation NORTH



1 Right Side of Building EAST



Partial Elevation @ Mechanical 3 N.T.S.

CASEYS CONSTRUCTION CORPORATION One Commonwealth Blvd., P.O. Box 3001, Andover, MA 01810-1342	
PROJECT NO.	01-23-12
DATE	06-25-13
CONTRACTOR	01-23-12
PROJECT NAME	101-STYLE STORE
PROJECT TYPE	HIP ROOF
PROJECT LOCATION	
PROJECT CLARKE	

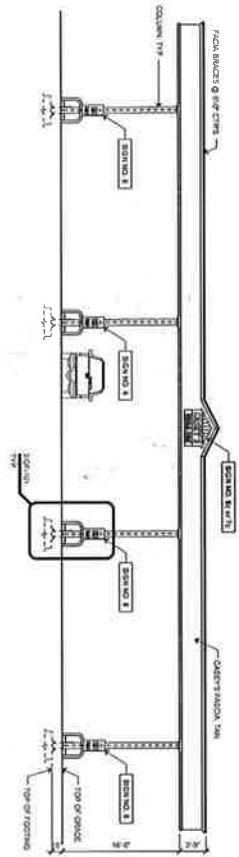
General Notes

- REFER TO PLAN FOR DRAINAGE SCHEDULE INCLUDING SEE AND AREA OF EGGS SHOWN ON ELEVATIONS

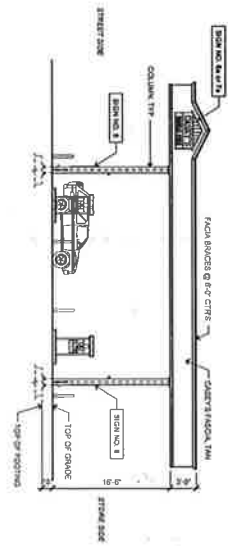
****VERIFY ALL SIGNAGE WITH SIGN PERMITS****

General Notes

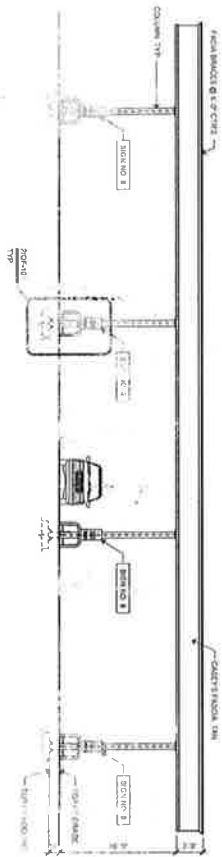
1. REFER TO PERMITS FOR ADDITIONAL INFORMATION AND DIRECTIVE. REFERENCED SEE THE FOLLOWING PERMITS:
AL-201 FOR SIGNAGE FOR SALE AND NOTES
AL-201 FOR DISTRICTION DETAILS RELATED TO FUELING FACILITY
2. GASOLINE ISLAND CANOPY: REMOVE SIGN/DRAWING PROVIDED BY ANY DISORDERLIES.
3. EXISTING SIGNAGE: REMOVE TO SHEETS AL-201 AND/01 E.L.001 FOR EMERGENCY SHUT OFF CONDITIONS.



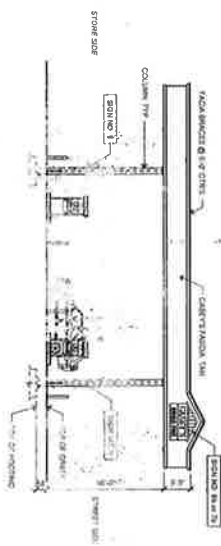
4 Pump Island Canopy - (Street Side)
1/8\"/>



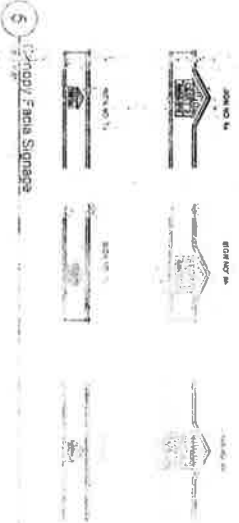
3 Pump Island Canopy - Right Side Elevation
1/8\"/>



2 Pump Island Canopy - (Store Side)
1/8\"/>



1 Pump Island Canopy - Left Side Elevation
1/8\"/>



5 Canopy/Signage

8. DISPLASERS - DOUBLE STACKED - HI

CASEY'S

CONCRETE
FLAT PAVEMENT

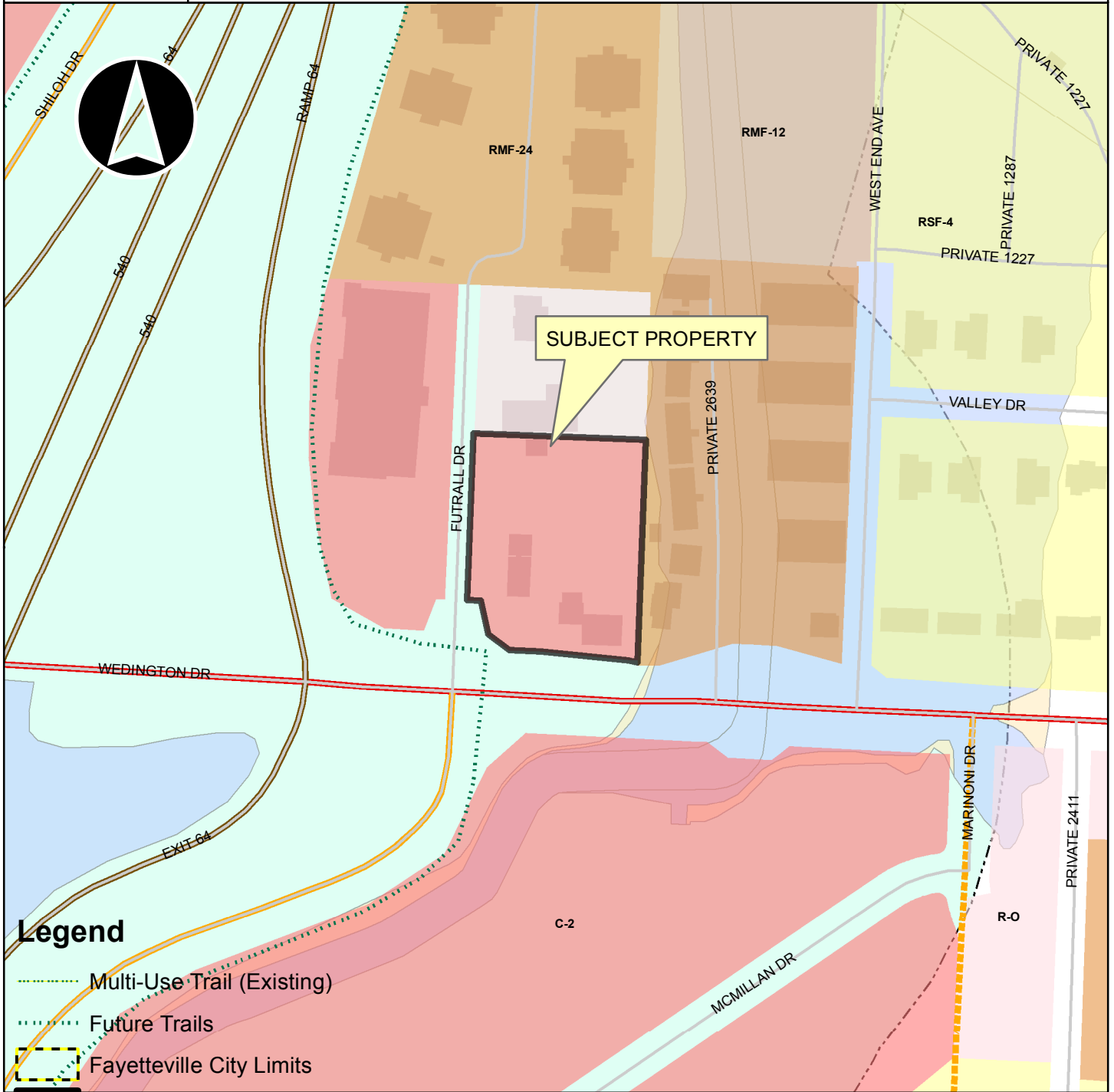
CONCRETE
ELEVATIONS

AL-201

LSD12-4295

CASEY'S

Close Up View



Legend

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

Overview

LSD12-4295

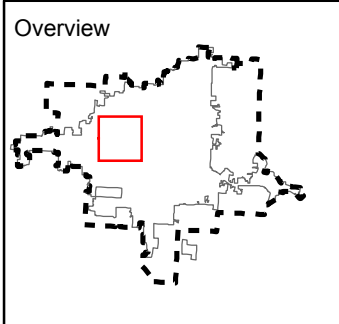
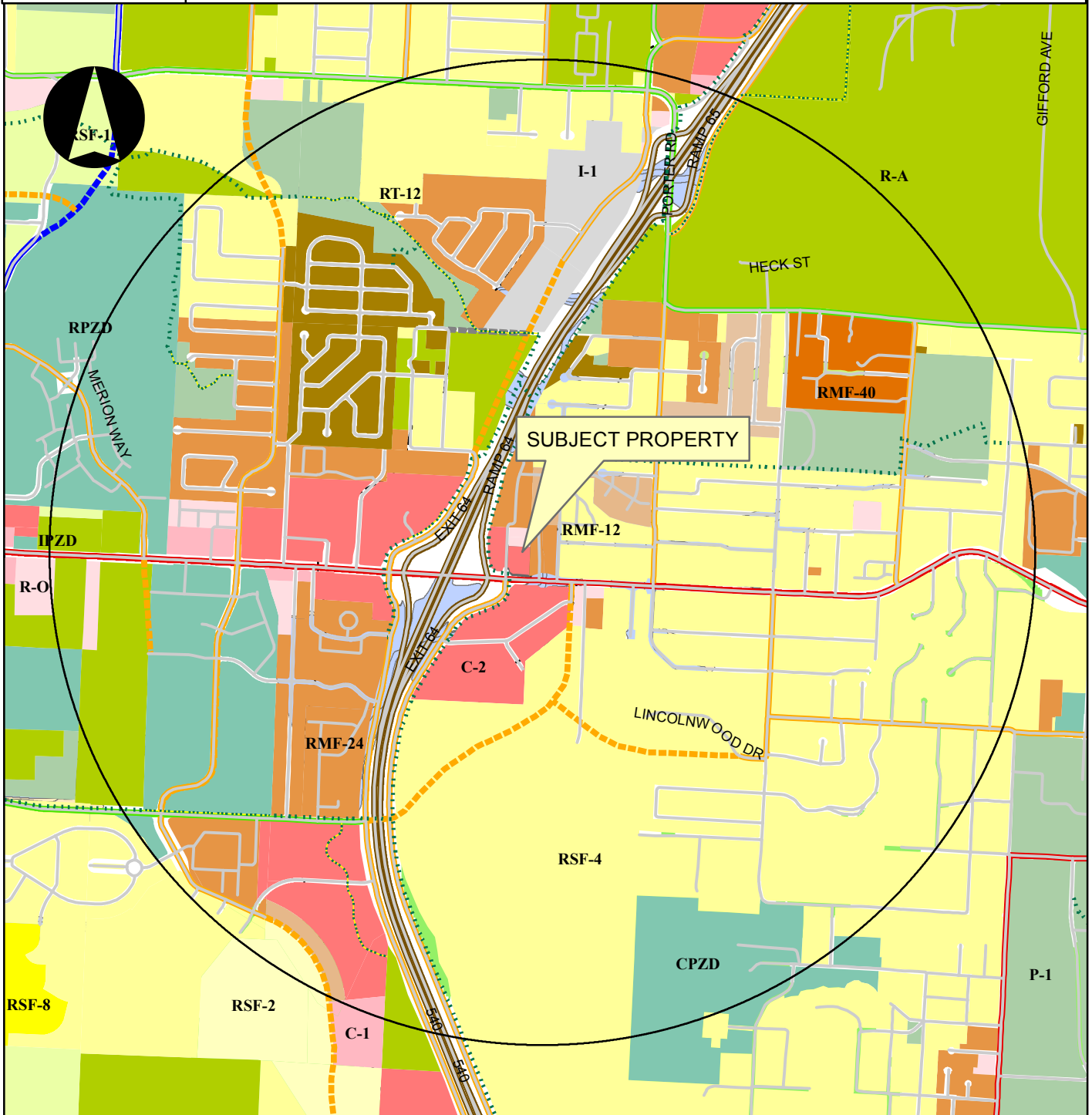
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



LSD12-4295

CASEY'S

One Mile View



Legend

- Subject Property
- LSD12-4295
- Boundary

0 0.25 0.5 1 Miles



PC Meeting of March 11, 2013

THE CITY OF FAYETTEVILLE, ARKANSAS

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

PLANNING DIVISION CORRESPONDENCE

TO: Fayetteville Subdivision Committee
FROM: Jesse Fulcher, Current Planner
Glenn Newman, Staff Engineer
THRU: Jeremy Pate, Development Services Director
DATE: March 6, 2013

PPL 13-4304: Preliminary Plat (INTERSECTION OF N. HUGHMOUNT RD. & W. MT. COMFORT RD./HUGHMOUNT VILLAGE, 282): Submitted by ENGINEERING DESIGN ASSOCIATES for property located on NORTH HUGHMOUNT ROAD, NORTH OF WHEELER ROAD (FORMERLY CHERRY HILLS SUBDIVISION). The property is in the PLANNING AREA and contains approximately 54.13 acres. The request is for a residential subdivision with 129 single family lots and 9 common property lots. Planner: Jesse Fulcher

Findings:

Property and background: The subject property is located on Hughmount Road, north of Wheeler Road and within the Fayetteville Planning Area. The project is formerly the Cherry Hills Subdivision, which was approved by the Planning Commission on May 9, 2005, prior to zoning being adopted by Washington County. The original developer proceeded with construction of the subdivision and completed the interior streets, public water mains, and storm drains. However, the project was never completed and final plat approval was never obtained. As a result the project approvals expired and new approvals must be obtained by Washington County and the City of Fayetteville, in accordance with all current zoning and development regulations.

The developer contacted City and County staff in 2012 to develop a plan for submitting a new preliminary plat, completing construction of the public infrastructure and starting home construction. Because the County had adopted zoning regulations in 2006, the “new” project was now subject to the minimum lot size requirement of 1-acre per lot. The original plan was for approximately 130 lots, with an average lot size of 10,000 square feet and not in compliance with current zoning regulations. This required the applicant to first submit a conditional use request to the County Planning Department for lots less than 1 acre. City staff, however, did not support the suburban development proposal, which is still completely surrounded by rural properties. In response to these concerns, the development team realigned many of the existing lots, working with the existing street system, and created a proposal that now includes a greenway through the center of the development and a series of rear-loaded alley homes.

Surrounding land use and zoning is depicted on *Table 1*.

SURROUNDING LAND USE AND ZONING:

Direction from Site	Land Use	Zoning
North	Rural	Washington County/Planning Area
South	Rural/Agricultural	Washington County/Planning Area
East	Rural/Agricultural	Washington County/Planning Area
West	Rural/Agricultural	Washington County/Planning Area

Request: The applicant requests preliminary plat approval for 129 single-family lots.

Water and Sewer System: The property has access to existing public water services that were installed with the original preliminary plat. Because this property is outside the City limits, sewer service is not available. However, the Fayetteville City Council passed Resolution No. 183-12 on September 4, 2012, to allow the extension of the City’s sewerage system beyond the City limits to the proposed development. The resolution documents are attached and the conditions of approval are listed in this report, and made a part of this approval.

Adjacent streets and right-of-way: This site is adjacent Hughmount Road, a collector street. All of the interior streets were constructed as local streets with 50 feet of right-of-way. The intersection of Wheeler Road and Hughmount Road is not adjacent to this property, but is being improved as part of this development.

Street Improvements: All of the interior streets are complete with the exception of sidewalks and street lights, which will be completed with the preliminary plat or bonded and installed during home construction. Improvements to Hughmount Road and the intersection with Wheeler Road were required with the original preliminary plat, but were never started. City and County staff have discussed street improvements based on current standards and the recommendations have changed slightly from 2005.

Washington County: County staff recommends widening Hughmount Road from 20 feet to 24 feet, adding a 2 foot shoulder on both sides of the street, and adding a 2 inch layer of asphalt over the entire roadway, where space allows. These improvements shall extend from the north property line to the intersection of Hughmount Road and Wheeler Road, approximately 3,300 linear feet (cost estimate attached).

City of Fayetteville: City staff does not recommend the installation of curb and gutter and along the property frontage. This is due to the rural nature of the site and the extent of the improvements to Hughmount Road already being required. There are no other “urban” improvements on Hughmount Road and no near-term plans to improve this street. A sidewalk/trail will be constructed along Hughmount and meander the parkland area to the south property line.

**Tree Preservation:*

Existing Canopy: 5.1%	Preserved Canopy: 4.8%	Required Canopy: 25%
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*Tree preservation is not required in the Planning Area. However, the resolution adopted by the City Council requires the applicant to meet all City development requirements.

Access Management/Connectivity: The project meets the minimum block length requirements, with the exception of the spacing between the south property line and Canyon Run Drive. This distance is approximately 1,000 feet, or 200 feet longer than allowed for a local street. It is likely that Cottonwillow Drive would have been required to be extended to Hughmount Road if this were a new development. However, given the history of this project, and that all streets, water lines and storm drains have been constructed, the significant improvements already being required, and that the area the road would have to cross a tree preservation area and parkland, staff does not recommend that a new street connection to Hughmount Road.

Recommendation: Staff recommends approval of **PPL 13-4304** with the following conditions:

Conditions of Approval:

1. Planning Commission determination of a variance from Chapter 166.08(E), Block layout/Connectivity. The requirement is to have intersections spaced at a maximum of every 800 feet. The distance between the south property line and Canyon Run Drive is approximately 1,000 feet. *Staff does not recommend extending an interior street to Hughmount Road, in this instance, due to the fact that the all of the streets and drainage are already in place, there are significant street improvements required for Hughmount Road, and the area that would be crossed is intended to serve as tree preservation and parkland property.*
2. Planning Commission determination of street improvements. *Staff recommends the following street improvements:*
 - a. All sidewalks adjacent to common property shall be constructed prior to final plat approval. This includes the meandering sidewalk along Hughmount Road and within the parkland property. The remaining sidewalks, adjacent to residential lots, may be bonded and constructed at the time of lot development. The minimum sidewalk width shall be 5 feet.
 - b. Street lights shall be installed or paid for at each intersection and with a maximum separation of 300 feet, prior to final plat approval. This includes the installation of street lights adjacent to St. James Subdivision with funds from that development. Street lights shall be full cut-off fixtures.
 - c. Hughmount Road shall be widened from 20 feet to 24 feet, including a 2 foot shoulder on both sides of the street, and a 2 inch layer of asphalt over the entire roadway where space allows and subject to Washington County approval. These improvements shall extend from the north property line to the intersection of Hughmount Road and Wheeler Road, approximately 3,300 linear feet.
 - d. Alley construction shall be in accordance with the Master Street Plan cross-section and completed prior to final plat approval.
 - e. The intersection of Wheeler Road and Hughmount Road shall be realigned generally as shown on the attached plan. Final intersection alignment shall be approved by the City of Fayetteville and Washington County according to street design and site distance requirements.
 - f. All traffic management signs, including street stub-out signs, shall be coordinated with the City of Fayetteville and Washington County and installed or paid for prior to final plat approval.
 - g. Right-of-way in the amount of 30 feet from centerline (Washington County standard) shall be dedicated for Hughmount Road. All interior right-of-way shall be dedicated

as shown.

- h. The St. James Subdivision, located at the intersection of Hughmount and Wheeler Roads was assessed for street improvements adjacent to this intersection. These funds are to be used at the same time that the intersection is realigned, a requirement of this development. These improvements shall include the extension of curb and gutter, stormdrain, sidewalk and streetlights to the northwest corner of Lot 13 of St. James Subdivision. The street lights are a requirement of the St. James Subdivision and therefore the monthly lighting fee will be covered by the City, as is standard for new development in the city.
3. All lots adjacent to Hughmount Road shall only access the interior street. Direct access to Hughmount Road shall be prohibited and a note shall be placed on the final plat indicating such restriction.
4. Development of homes in this subdivision shall be required to follow the typical building permit review and inspection process, including payment of all applicable fees. Sidewalk construction will be inspected at that time.
5. The Parks Recreation and Advisory Board recommended accepting land dedication for the development of 129 lots. This requires the dedication of approximately 3.1 acres of property.
6. Any fencing, signage, or entry features shall be reviewed by Washington County and City staff prior to installation.
7. All tree preservation, landscape, parks, and fire department conditions included herein shall apply. All revisions shall be addressed prior to construction plan approval.
8. All conditions of Resolution No. 183-12, attached hereto, shall be completed as listed, unless otherwise modified by the City Council.

Standard conditions of approval:

9. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance.
10. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: AR Western Gas, SWBT, Ozarks, SWEPCO, Cox Communications).
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 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 Design Overlay District.

13. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground.
 14. All permits to begin construction shall be obtained within one year of preliminary plat approval.
 15. 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.
 16. Prior to the issuance of a building permit the following is required:
 - a. Grading and drainage permits
 - b. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance.
 - c. Separate easement plat for this project that shall include the tree preservation area and all utility easements.
 - d. Project Disk with all final revisions
 - e. One copy of final construction drawings showing landscape plans including tree preservation measures submitted to the Landscape Administrator.
 - f. 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: **Approved** **Tabled** **Forwarded**

Meeting Date: March 11, 2013

Motion:

Second:

Vote:

To: Jesse Fulcher, Current Planner

February 20, 2013

From: Glenn Newman, P.E.
Staff Engineer

Re: Plat Review Comments (February 25, 2013 Planning Commission)

Development: PPL 13-4304 Hughmont Village Subdivision

Engineer: Engineering Design Associates, P.A.

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. 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.
3. The engineer of record shall provide "Full Time" inspection for utilities and "Part Time" inspection for the storm drainage and roadway construction for this project. The engineer of record shall also review and approve material submittals (approved submittals shall be submitted to the City for concurrence before material is ordered)– weekly inspection reports should be submitted to the City of Fayetteville's public works inspector.
4. 2012 Standard Water & Sanitary Sewer Specifications & Details apply. (Document available at www.accessfayetteville.org/government/engineering)
5. Prior to request for approval of construction drawings for the preliminary plat, provide a master residential lot grading plan (MRLGP) for review and approval to ensure positive drainage of each lot at time of development. Utility and drainage easements shall be graded to MRLGP prior to final plat.
 - o Add note to final plat: The site development will follow the approved master residential lot grading plan
6. Performance bonds in the amount of 100% of the total cost to install the approved erosion and sediment control plan (Hydromulch with seed all proposed disturbed areas, including area of improvements) to ensure the continuation of the proper maintenance of the plan must be provided. The bond shall remain in place until permanent stabilization has been achieved for the development site, including all on and off-site franchise utilities. (Projects greater than 5 acres.).

Plan Comments:

1. Additional storm drain pipe may be required where grading for open ditch conflicts with proposed sidewalk or street widening along Hughmont Road.
2. Intercepting drainage swales from adjacent property to the north and west shall be in drainage easements, with no other utility, unless the swale is paved (or equivalent). Additional storm drainage will be required to intercept these swales.
3. Inlets will be required in alley section to prevent concentrated flow over sidewalk.

4. Overflow swales shall be in drainage Easement. Additional storm drainage pipes will be required to intercept overflow swales before allowing concentrated flows over sidewalk.
5. Show design contours for all drainage and utility easements, which shall be graded out prior to final plat, per the MRLGP.
6. Provide at least 1 ft flat past sidewalk before starting 3:1 grade on sidewalk adjacent to Hughmont. Proposed sidewalk must meet ADA requirements, therefore design contours will be necessary to show grading for the new sidewalk.

Drainage Report Comments:

1. The inlet and pipe sizing will be evaluated during construction document review.
2. Indicate CN values used. (Circle on Charts provided).
3. Explain how Tc value is accurate with velocities of above 10 fps are used. (This appears to be an excessive velocity).
4. Tc for offsite from west will need to be adjusted. MLRGP will require this flow to be captured.
5. Verify the roadside ditch does not enter into the natural channel on site, which is where the 100 yr evaluation is provided.
6. Do not use the FIS as existing conditions, calculate pre-development flow as baseline.

Standard Construction Comments:

1. Demolition shall not begin until the appropriate erosion control measures and required tree preservation fencing are installed.
2. Prior to obtaining a Certificate of Occupancy, or Temporary Certificate of Occupancy, the following items must be performed or provided to the satisfaction of the Engineering Department:
 - The work shown on the civil site package must be complete and the items on the final punch list completed.
 - Vegetation must be established in accordance with Section 169.06 of the UDC and perimeter controls removed.
 - One (1) set of as-built drawings of the complete project (excluding details) as a hard copy and in Tiff or PDF format;
 - Public infrastructure and services shall be surveyed after installation in relation to easements, property lines, and rights-of-way.
 - Professional surveyor shall provide stamp drawings specifically identifying the limits of as-built survey performed.
 - More than 2 ft deviation of design alignment shall require new easement dedication or adjustment of the utility/storm drain.
 - Unit price construction costs and a single 2 year maintenance bonds in the amount of 25% of the public improvements have been provided to the city;
 - Certification that the streets, sidewalk, storm sewer, water, fire line, and sewer lines, etc., were installed per approved plans and City of Fayetteville requirements;
 - Certification that the designed retaining walls were installed per approved plans and City of Fayetteville requirements;
 - Cross Sections, Volume Calculations, and Certification Retention/Detention Ponds are in accordance with the approved Drainage Report.
 - Surveyor's Certification of Compliance for monuments and property pins.
 - The As- Built Final Drainage Report in PDF format.



TREE PRESERVATION AND PROTECTION – Chapter 167

To: EDA, Kim Hesse

CC: Jesse Fulcher, Current Planner

From: Megan Dale, Urban Forester/Landscape Administrator

Date: 25 February 2013

Subject: PPL 13-4304: Hughmount Village Planning Commission Review Comments

Requirements Submitted:

Y	Initial Review with the Urban Forester
N/A	Site Analysis Map Submitted
N/A	Site Analysis Written Report Submitted
Y	Complete Tree Preservation Plan Submitted
Y	Tree Mitigation Form Submitted
N/A	Tree Preservation Wavier Submitted

Canopy Measurements:

Total Site Area (minus Master Street Plan ROW, existing easements, and Dedicated Parkland)	
acres	50.97
square feet	2,220,144
Existing Tree Canopy (minus existing easements)	
acres	2.60
square feet	113,100
percent of site area	5.1%
Tree Canopy Preserved	
acres	2.45
square feet	106,855
percent of total site area	4.81%
Tree Canopy Removed (including off-site canopy)	
acres	0.14
square feet	6,245
percent of total site area	0.28%
Site Percent Min. Canopy Required – Zoning RSF-1	
	25%

Mitigation: *Required -*

Canopy Below Required	Preservation Priority/Type	Forestation Base Density (ft2)	Number of 2" caliper trees to be planted
4,030 ft2	High Priority	218	19
ft2	Mid Priority	290	
2,215 ft2	Low Priority	436	5
Total Mitigation			24

Tree Escrow (at \$675 per tree) equivalent of \$16,200

Mitigation Type Requested:

On-Site Off-Site Tree Escrow Not Requested Yet

Mitigation Type Requested Approved: YES NO

TREE PROTECTION PLAN CHECKLISTS AND COMMENTS:

Plan Checklist:

NA = not applicable

Yes = submitted by applicant

No = required by City Code but not included on submitted plan

The Site Analysis Plan [167.04(H)(1)]

Tech Plat	SD	PC	Site Analysis Plan Components
Y	Y	Y	5 year aerial check on existing trees
Y	Y	Y	Property Boundary
Y	Y	Y	Natural Features 100ft beyond property line shown
N/A	N/A	N/A	Existing Topography with slopes ≤ 15% highlighted
Y	Y	Y	Soils
Y	Y	Y	Significant Tree(s): 24", 18" and 8" DBH
Y	Y	Y	Table listing Sig. Trees with species, size, health, priority
Y	Y	Y	Grouping of Trees: all other trees that do not meet significant requirements
Y	Y	Y	Table listing Grouped Trees with average species, size, health, priority
Y	Y	Y	All existing utilities
Y	Y	Y	All perennial and intermittent streams with approximate center line
Y	Y	Y	Floodplains/Floodways
Y	Y	Y	Existing street, sidewalk or bike path ROW
N/A	N/A	N/A	Submitted Site Analysis Plan

The Analysis Plan Report [167.04(H)(4)]

Tech Plat	SD	PC	Analysis Plan Report Components
Y	Y	Y	Detail Design Approaches used to minimize damage to OR removal of existing canopy
Y	Y	Y	Justification for removal of individual or groupings of trees/canopy
Y	Y	Y	Details providing information on on-site mitigation OR off-site alternatives
N/A	N/A	N/A	Submitted Analysis Report

Tree Preservation Plan [167.04(H)(2)]

Tech Plat	SD	PC	Tree Preservation Plan Components
Y	Y	Y	Shows ALL Proposed Site Improvements
Y	Y	Y	Delineates trees/canopy to be preserved and removed
Y	Y	Y	Delineates existing and proposed grading
Y	Y	Y	Depict limits of soil disturbance
			Detail methods that will be used to protect trees during construction:
Y	Y	Y	1. Tree Protection Fencing
N/A	N/A	N/A	2. Limits of Root Pruning
N	N	Y	3. Traffic flow on work site
N	N	Y	4. Location of material storage
N	N	Y	5. Location of concrete wash out
N	N	Y	6. Location of construction entrance/exit
Y	Y	Y	Location of ALL existing and new utility/drainage easements

Conditions of Approval:

1. Address redlines. Separate the two trees in Canopy C for clarity.
2. Urban Forester approves the applicant's request to utilize stormwater trees to meet the requirement of 24 mitigation trees per 177.06(C)(3).
 - a. Size shall be 2" caliper, not 1.5" caliper, to count as a mitigation tree.
 - b. Delineate on plan which trees are mitigation trees within the stormwater basin. Mitigation trees are subject to 3-year maintenance surety whereas detention trees are not.
 - c. Mitigation Trees shall not be located within easements or edge of easements such that works within the easement would damage tree.
3. Prior to Final Plat approval, a Performance Bond / 3-year Maintenance Bond must be submitted with a 3-year surety (letter of credit, bond or cash) and completed Landscape Surety Form. Submit a landscape estimate for review.



LANDSCAPE REGULATIONS – Chapter 177

To: EDA, Kim Hesse

CC: Jesse Fulcher, Current Planner

From: Megan Dale, Urban Forester/Landscape Administrator

Date: 25 February 2013

Subject: PPL 13-4304: Hughmount Village Planning Commission Review Comments

Applicable Requirements:

Y	Site Development & Parking Lot Standards
Y	Street Tree Planting Standards
Y	Stormwater Facilities

Plan Checklist:

Y= submitted by applicant
N=required by City Code but not included on submitted plan
NA= not applicable

Tech Plat	SC	PC	All Landscape Plans
Y	Y	Y	Irrigation notes either automatic or hose bib 100' o.c. (177.03A.7.g & 177.04.B.3.a)
Y	Y	Y	Species of plant material identified (177.03.A.7.d & e)
Y	Y	Y	Size of plant material at time of installation indicated minimum size 2" caliper for trees and 3 gal. shrubs (177.03.A.7.b & c)
Y	Y	Y	Soil amendments notes include that soil is amended and sod removed (177.03.C.6.b)
Y	Y	Y	Mulch notes indicate organic mulching around trees and within landscape beds (177.03.C.6.c & d)
Y	Y	Y	LSD and Subdivisions plans stamped by a licensed Landscape Architect, others by Landscape Designer (177.03.B)
Y	Y	Y	Planting bed contained by edging (177.03.C.6.f)
N	N	Y	Planting details according to Fayetteville's Landscape Manual (177.03.C.6.g)

Tech Plat	SC	PC	Site Development & Parking Lot Standards
NA	NA	NA	Wheel stops/ curbs (177.04.B.1)
NA	NA	NA	Interior landscaping (177.04.C) <i>Narrow tree lawn (8' min width, 37.5' min length/ 1 tree per 12 spaces) OR Tree island (8' min. width, 18.7' min. length/1 tree per 12 spaces) All parking lot trees must be deciduous (177.04.C.3)</i>
NA	NA	NA	Placement of Trees (177.04.C.2) <i>Either side at points of access (entrance/exit)</i>
NA	NA	NA	Perimeter landscaping (177.04.D) <i>Side and rear property lines (5' wide landscaped) Front property line (15' wide landscape) (177.04.D.2.a) Shade trees planted on south and west sides of parking lots (177.04.D.2.e) Parking lot adjacent to R.O.W.- continuous row planting of shrubs - 50% evergreen. Remaining landscaping to be ground cover and / or turf.) (177.04.D.4a) NOTE: Shade trees are described in street tree planting standards</i>
			Street Tree Planting Standards (time of F.P. or permit) (177.05)
Y	Y	NA	Residential Subdivisions- 1 large species shade tree/ lot tree planted within R.O.W. if possible
N	N	NA	Nonresidential Subdivision- 1 large species shade tree/30 L.F. tree planted within 15-25' greenspace
NA	NA	NA	Urban Tree Wells-urban streetscape only- 8' sidewalk , trees every 30 L.F. (177.05.B.3.a-f)
NA	NA	NA	Structural Soil-if urban wells are used, a note or detail of structural soil must be indicated on the landscape plan
N	N	Y	Timing of planting indicated on plans (subdivisions only) (177.05.A.4)
N	Y	Y	Written description of the method for tracking plantings (177.05.A.4.e)
Y	Y	Y	Plan contains 3-year Maintenance and Monitoring Agreement. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. (177.05.A.2.e)
Tech Plat	SC	PC	Stormwater Facilities (time of F.P. or permit) (177.06.A – C)
Y	Y	Y	1 deciduous or evergreen tree/ 3000 square feet
Y	Y	Y	4 large shrubs or small trees (3 gal) / 3000 square feet
Y	Y	Y	6 shrubs or grasses (1 gal) / 3000 square feet
Y	Y	Y	Ground cover unless seed or sod is specified
Y	Y	Y	50% of facility planted with grass or grass like plants

Landscape Requirements Table		
24	Mitigation Trees (Satisfied in Detention Basins)	3-year bond required
156	Street Trees	3-year bond required
129	Lot Trees	3-year bond required
13	Detention Basin 1 Large Trees	Size of basin: 37,605sf / 3000 = 13
52	Detention Basin 1 Small Trees / Large Shrubs	
78	Detention Basin 1 Small Shrubs	

25	Detention Basin 2 Large Trees	Size of basin: 75,666sf / 3000 = 25
100	Detention Basin 2 Small Trees / Large Shrubs	
150	Detention Basin 2 Small Shrubs	

Conditions of Approval:

1. Urban Forester approves the applicant's request to utilize stormwater trees to meet the requirement of 24 mitigation trees per 177.06(C)(3).
 - a. Size shall be 2" caliper, not 1.5" caliper, to count as a mitigation tree.
 - b. Delineate on plan which trees are mitigation trees within the stormwater basin. Mitigation trees are subject to 3-year maintenance surety whereas detention trees are not.
 - c. Mitigation Trees shall not be located within easements or edge of easements such that works within the easement would damage tree.
2. Increase Street Trees to 156 in Landscape Requirements Table and on plan per redlines. Street Trees to be placed 30' o.c. Redlines show location and number of trees required. Grouping up to 25% allowed.
3. Street Trees and Lot Trees to be placed within ROW 6' greenspace between sidewalk and curb as these are a City asset and need to be located within city property. The Urban Forester approves a variation to this requirement within Common Properties (CP).
4. Increase Lot Trees to 129 on plan per redlines.
5. Typo in Detention Pond #1 Table. Size of basin is 37,605, not 537,605.
6. Prior to Final Plat approval, a Performance Bond / 3-year Maintenance Bond must be submitted with a 3-year surety (letter of credit, bond or cash) and completed Landscape Surety Form. Submit a landscape estimate for review.
7. Landscape Architect of record shall inspect site and direct Contractor to make changes to meet Approved plans and details prior to Final Plat. No changes to the approved landscape plan may be made without Urban Forester approval.

TO: Planning Division
 FROM: Carole Jones, Park Planner II
 DATE: February 11, 2013
 SUBJECT: Parks & Recreation Subdivision Committee Review Comments

Meeting Date: February 14, 2013
Item: PPL 13-4304 (Hughmount/Mt. Comfort Road, 282)
Park District: NW
Zoned: N/A
Billing Name & Address: Hughmount Village LLC
 639 Randall Wobbe Road
 Springdale, AR 72764

	<u>Current Land Dedication Requirement</u>	<u>Money in Lieu</u>
Single Family	<u>129</u> @ 0.024 acre per unit = <u>3.096</u> acres	@ \$920 per unit = \$ <u> </u>
Multi Family	<u> </u> @ 0.017 acre per unit = <u> </u> acres	@ \$560 per unit = \$ <u> </u>

COMMENTS:

- On September 10, 2012, PRAB reviewed the project and recommended accepting 3.168 acres in area CP9 to satisfy the park land dedication ordinance for 132 single family units.
- Utilities and utility easement areas cannot be included in the park land dedication area.
- Proposed construction entrances / exits in park land dedication areas must be graded and restored with topsoil, five star turf type fescue seed and straw prior to final plat approval.
- Please coordinate with Park staff to determine exact area to be deeded.
- The land must be deeded to the city prior to Final Plat. Please submit deed to City Land Agents for review prior to recording at the Washington County Courthouse. Provide Park Staff a copy of the recorded deed.

RESOLUTION NO. 183-12

A RESOLUTION TO APPROVE THE CONTRACT WITH HUGHMOUNT VILLAGE DEVELOPERS TO ALLOW THE EXTENSION OF THE CITY'S SEWERAGE SYSTEM BEYOND THE CITY LIMITS TO THE PROPOSED HUGHMOUNT VILLAGE DEVELOPMENT

WHEREAS, §51.113 **Sewer Service and Extension Policy** states that “the city’s sewerage system shall not be extended outside the city’s corporate limits except on the express approval of the City Council,” and;

WHEREAS, the City Council does not wish to grant the owners/developers of Hughmount Village which is slightly outside the city limits any advantage over owners/developers who will build and develop property within the City of Fayetteville; and

WHEREAS, only if the owners/developers of Hughmount Village will contractually agree to develop its property pursuant to all development criteria required of persons who develop within the City of Fayetteville {including preliminary and final plat process, approval and payment of appropriate fees, building permit fees, all impact fees (fire, police, water, sewer, parkland), tree preservation requirements, drainage requirements, infrastructure improvement and dedication to the City of Fayetteville, etc.} will the City permit the owners/developers of Hughmount Village to utilize the City of Fayetteville sewerage system and its wastewater collection and treatment facilities; and

WHEREAS, because by signing the contract (attached as Exhibit A) the owners/developers of Hughmount Village have agreed to all such terms stated above, the City Council approves the extension of city sewerage system to Hughmount Village by allowing its developers to construct the necessary sewer mains from the appropriate city sewer main to its property and approves the Contract.

NOW, THEREFORE 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 Contract to Allow Access to the City of Fayetteville Sewerage System, authorizes Mayor Jordan to sign such contract, and agrees to allow the developers of Hughmount Village access to the City’s sewerage system and wastewater treatment facilities pursuant to the Contract. Attached as Exhibit B is the legal description for Hughmount Village Development for which access to the City’s wastewater treatment facilities is being granted.

PASSED and **APPROVED** this 4th day of September, 2012.

APPROVED:

ATTEST:

By: 
LIONELD JORDAN, Mayor

By: 
SONDRA E. SMITH, City Clerk/Treasurer



Handed out at the City Council
Meeting 09-04-12



Departmental Correspondence



www.accessfayetteville.org

LEGAL
DEPARTMENT

Kit Williams
City Attorney

Jason B. Kelley
Assistant City Attorney

TO: Mayor Jordan
City Council

FROM: Kit Williams, City Attorney

DATE: September 4, 2012

RE: Contract to allow access to City of Fayetteville Sewerage System

Attached please find a copy of the signed Contract. This contract would require the developer/owner of the proposed Hughmount Village to develop and pay the appropriate fees as any developer would if building within Fayetteville.

The developer desires to dedicate his proposed linear park (with a trail) to meet his parkland dedication requirement. Pursuant to the U.D.C. as long as the proffered land "is suitable for park purposes, the proposed dedication shall be accepted." §166.04 (B) (3) (1) (ii) d. The developer will be required to plant trees and build a trail to city standards running through his dedicated lots and provide easement access if a trail is extended from the Clabber Creek trail. All maintenance of the parkland shall be the property owners association's responsibility until and unless Hughmount Village is annexed into Fayetteville.

EXHIBIT "A"

CONTRACT TO ALLOW ACCESS TO CITY OF FAYETTEVILLE SEWERAGE SYSTEM

WHEREAS, the developers/owners of Hughmount Village, whose project is close to, but outside the Fayetteville city limits, desire to be allowed to connect to and use the City of Fayetteville sewerage system's wastewater facilities for their proposed residential development; and

WHEREAS, the City of Fayetteville does not wish to grant owners/developers of Hughmount Village (or any similarly situated development) any advantage over owners/developers who will build and develop property within the City of Fayetteville; and

WHEREAS, the City of Fayetteville is willing to allow developers/owners of Hughmount Village to connect to and utilize the City's wastewater treatment facilities only upon the developers/owners' express agreement to develop their residential project pursuant to all City of Fayetteville requirements for inside the city residential projects including:

- (1) All street frontage, density, lot area requirements, etc. as if their property was zoned Residential Single Family, four units per acre.
- (2) Apply for and successfully complete the full preliminary plat/final plat process including payment of all appropriate fees.
- (3) Comply with all grading, stormwater, tree preservation and other development requirements as if this development was occurring within the City of Fayetteville.
- (4) Pay for all normal permits and application fees at the normal time including preliminary/final plat, building fees for each structure, and water, sewer, police, and fire impact fees.
- (5) To satisfy normal parkland dedication requirements, dedicate to the City of Fayetteville upon plat approval Common Property Lots 4, 5, 6, 7 & 8 (3.86 acres) as parkland; and upon or prior to the sale of 30% of the building lots, plant trees basically as shown the plat and construct trails over such lots to City of Fayetteville standards basically as shown on Exhibit 1 (proposed plat of Hughmount Village). Dedicate a trail easement sufficient to connect from the trail at the crosswalk of Cottonwillow Drive to the southern border of the property to meet a possible trail extension from the south from the Clabber Creek Trail. This trail and parkland shall remain the developer's or Property Owners

Association's duty to maintain in good condition (which duty shall be in an irrevocable restrictive covenant in each property's deed until and unless this entire parcel has been annexed into the City of Fayetteville).

- (6) Construct all infrastructure; streets, sidewalks, water and sewer mains to City of Fayetteville standards and dedicate to the City of Fayetteville (streets may be jointly dedicated to City and County). HUGHMOUNT VILLAGE OWNERS/DEVELOPERS in consideration of being allowed to utilize the City of Fayetteville sewerage system and wastewater facilities for their proposed development do hereby agree to all terms and conditions stated above and promise to develop their property in full compliance with all requirements of the Unified Development Code as if their development was inside the city limits and zoned RSF-4.

Further developers/owners of Hughmount Village pledge and promise to seek immediate annexation into the City of Fayetteville as soon as it becomes legally possible and to place this requirement within the covenants and deeds for each property within its development.

In agreement with all the terms, conditions, pledges and promises above, the City of Fayetteville and the owners/developers of Hughmount Village sign below.

**HUGHMOUNT VILLAGE
DEVELOPERS/OWNERS**

**CITY OF FAYETTEVILLE,
ARKANSAS**

By: *Phil Phillips*
Phil Phillips

By: *Lionel Jordan*
Lionel Jordan, Mayor

Title: *owner*

Attest:

Witness: *Kim J. Hesse*

By: *Sondra E. Smith*
Sondra E. Smith, City Clerk

Name: *Kim J. Hesse*

Date Signed: *September 4, 2012*

Date Signed: *9-07-12*





Legend



PROJECT SUMMARY
 TOTAL ACRES 18.23 ACRES
 TOTAL LOTS 132 LOTS
 DENSITY PER ACRE = 2.54 LOTS PER ACRE

TOTAL GREENSPACE 4,250 ACRES
 TO BE MAINTAINED BY PROPERTY OWNER (see water
 TREATMENT AREA) 12.24 ACRES
 TO BE MAINTAINED BY OTHER (see water treatment
 area) 2.01 ACRES

BUILDING SETBACKS (Measured at the roof marking)
 Front 25
 Side 10
 Rear 20

UTILITY LOTS 6-43 (By Variance Request)
 Front 25
 Side 10
 Rear 20

COPYRIGHT LOTS 58-75 (By Variance Request)
 Front 25
 Side 5
 Rear 10

UTILITY BASEMENTS
 All Front and Rear setbacks to be Utility Basements
 Additional basements per Function C3 requests

DRAINAGE REVISIONS
 All stormwater to be carried within the streets and in
 underground pipes. Lots to be graded to direct to street
 Drainage pipes shall be installed in existing creek channel
 improvements to the creek will be proposed during plan review



VICINITY MAP

EDS
 800-424-6363 FAX 978-281-1212
 100 WATER STREET, FORTH WORTH, TEXAS 76102

HUGHMOUNT VILLAGE

WASHINGTON COUNTY, AR





WASHINGTON COUNTY PLANNING OFFICE

2615 Brink Drive
Fayetteville, AR 72701
(479) 444-1724
(479) 973-8417 - Fax

DATE: 11/07/11

PROJECT NUMBER: 2011-103

TO: Phil Phillips, phil@aadvan.com
Kim Hesse, kjh@eda-pa.com

cc/ Wheeler VFD, wheelerfiredept@wheelerfiredept.org

cc/ Marshal Ledbetter

cc/ Washington County Road Department

cc/ Melissa Wonnacott-Center, Health Department

cc/ Renee Biby

cc/ Jesse Fulcher, City of Fayetteville Planning

cc/ Fayetteville Water

cc/ Fayetteville School District, Vicki.Thomas@fayar.net

FROM: Juliet Richey, Washington County Planning Director

RE: **Conditional Use Permit Approval**

This letter is your official notification that the **Conditional Use Permit** for the development known as **Hughmount Village Subdivision CUP**, was approved by the Washington County Planning Board on 11/03/11, with the following conditions:

This CUP is subject to ratification by the Washington County Quorum Court (hearing date: November 10, 2011).

General

1. Subdivision should be built as generally shown on plat layout approved with this CUP
2. Any other use or densities not considered with this CUP must be considered as a separate CUP
3. Preliminary Plat approval- including all needed variances- must be obtained by the City and the County
4. Pay neighbor notification mailing fees (\$50.96) within 30 days of project approval. Any extension must be approved by the Planning Office.

Roads and Drainage

1. The intersection at Wheeler Road and Hughmount road will need to be improved at a minimum as agreed upon previously at original submission (Refer to July 3, 2008 letter). More requirements may be required at this intersection. All intersection improvements must be completed by developer.

2. Construction Plans are NOT approved. They will have to be reviewed and approved again before any work can be done. Everything will have to be designed to current standards. New construction plans are required.
3. A new drainage plan/report must be submitted with the Preliminary Plat. Drainage plan and detention/retention requirements must meet all current City of Fayetteville standards (any exceptions will be at the discretion of the City). Floodplain Permits must be approved by Washington County prior to any work within the floodplain.
4. The developer will be required to lay a 2" overlay on Hughmount Road (both sides) from the northernmost property line of the proposed development to the intersection of Hughmount and Mt.Comfort/Wheeler Rd. Additional improvements needed on Hughmount Road will be based on traffic counts given by developer based on our regulations. All improvements will be from the northern most property line of the subdivision on Hughmount Road to the intersection of Wheeler Road.

Decentralized Sewer system

1. The system was originally approved by ADEQ and ADH. This approval has since expired. It is understood by the applicant that re-approvals will be needed if the project moves forward. The applicant does not anticipate any issues with this. The general field sizing, etc is expected to remain roughly the same. Any additional field size needed could cause the elimination of one or more proposed lots.
2. The development must comply with all Washington County Regulations regarding community sewer systems.

Utilities

1. All Utilities within whose service area this subdivision lies must be able to be accommodated appropriately with the easements and spacing that they need during the Preliminary Plat stage- or this CUP will be invalid.

Ozark Electric Comments

1. Any relocation of existing facilities or extension of line that has to be built specifically to feed the subdivision will be at full cost to the developer.
2. All lot corners must be marked with lot numbers clearly written on the stakes before construction will begin.
3. If off site easements are needed for Ozarks to provide electricity to the development, easements must be obtained by developer and provided to Ozarks before the design will begin.
4. All conduits placed at road crossings by developer must have 48 inch of cover at final grade and marked with post to identify end of conduits. (3-4 inch schedule 40 conduits to be used for electric only at all road crossings, conduits must extend past the edge of any obstructions so that they are accessible during construction. Other utilities will require more conduits at road crossing.) There must be minimum separation of 12 inches between conduits for electric and conduits for other utilities. This is NESC code 354.
5. All conduits for road crossings and specific widths of U.E. must be shown on final plat before Ozarks Electric will sign the final plat.
6. Subdivisions will be built on Policy 45 (Ozarks is responsible for up to 50% and the Developer is responsible for the remainder of the cost of construction) There will be extra charges to the Developer when extra time or materials are used for rock trenching, boring, select material bedding, shoring, dewatering, etc.
7. All back lot and side lot utility easements to be 20 feet except side lot utility easements to be used for street lights to be 10 feet. All front lot utility easements to be a minimum of 25 feet.
8. Developer must provide Ozarks Electric with a Digital copy (AutoCad 2004) of the Final plat as well as a hard copy.
9. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings and debris so that the easement is accessible with the equipment. If easement is not cleared developer may be subject to extra charges.

10. Please contact me when construction begins on subdivision and again when construction is within three months of completion. Greg McGee at (479) 684-4634 or gmcgee@ozarksecc.com

City of Fayetteville recommended conditions

1. The subject property is adjacent to a stream channel and FEMA floodway/floodplain. The original design included several stormwater outfalls directly into the floodway and stream channel, which is an improper design and inconsistent with current city regulations. Water treatment and velocity reduction should be a requirement prior to entering into the FEMA floodway. A full review of stormwater facilities and treatment will be conducted with a new preliminary plat, and may require on-site detention, which could affect the layout of the lots currently submitted.
2. At this point, no sewer treatment facility has been constructed. Considering the treatment areas position next to a floodway and stream channel, the method of treatment and quality of effluent should be analyzed to ensure that local water quality is not degraded. Similar to stormwater treatment, extra measures should be required to ensure no negative impacts to sensitive environmental features.
3. Several significant street improvements required with the original development approval have not been completed at this point. These include improvements to the project frontage along Hughmount Road, and off-site improvements at the intersection of Wheeler Road. Compliance with the Master Street Plan and street design standards will be reviewed with the new preliminary plat. This may include changes to sidewalk width and placement, and street paving width, in those areas where improvements have not been completed.
4. It is recommended that a condition be placed upon the plat, or a covenant to run with the land, that the areas identified as "common properties" may not be developed in the future except for uses typically associated with open space, green space, parks, farmland, and the like.
5. Leirly Lane, a collector Street, should be indicated across the northwest portion of the site, if this property is included in the proposal.

Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.

This CUP must be ratified by the Quorum Court.

This project must proceed through the Subdivision processes of both the City of Fayetteville and Washington County. Please contact Planning Staff of both entities to discuss the Preliminary Plat submittal process. You have one year from the date of CUP ratification approval (expected ratification date November 10, 2011) to submit a preliminary plat application and plans to Washington County. After that date, if not submittal is received, your CUP approval for this project will be void.

It is the applicant's responsibility to contact the Planning Office or other appropriate department when inspections are needed.

All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

ENGINEERING DESIGN ASSOCIATES, P.A.
134 WEST EMMA AVENUE
SPRINGDALE, ARKANSAS 72764
479-756-1266
Fax: 479-756-2129

Date: January 16, 2013

**Hughmount Village Subdivision
Street Improvement Proposal Including Off Site Improvements**

Hughmount Village Subdivision was originally reviewed and approved by Washington County and the City of Fayetteville in 2005 under the development name of Cherry Hills. Washington County approved Cherry Hills with the condition that off-site improvements are made along the entire length of Hughmount Road and at the intersection of Hughmount Road and Mount Comfort Road. Hughmount Village is now under new ownership and was approved for a Conditional Use Permit through Washington County in November 2011 with similar off-site improvements required. Since the project falls within Fayetteville's growth boundary and since both the City and County regulations apply, the impact of meeting roadway improvements for both entities has created additional financial burden on the project. With the extent of off-site improvements required of this project and due to the impact of drainage within the tributary, Hughmount Village LLC is requesting the street improvement proposal for Hughmount Road as follows.

Washington County's Off-Site Improvements

Hughmount Road improvements are to include widening the pavement from 20 foot to 24 foot, adding a 2' shoulder on both sides of the street and adding a 2" layer of asphalt over the entire 24' wide roadway. This widening is required from the northern limits of the development south 3300 linear feet to the intersection with Mount Comfort Road. The intersection of Hughmount Road and Mount Comfort Road is to be re-aligned to provide for a perpendicular intersection allowing for better visibility. The exact design of the intersection is to meet both the City and County approval and design is currently under review by both entities.

City of Fayetteville Road Improvements

A curb and gutter section and lane widening to 14' from the center of the road is being proposed along Hughmount Road from the north property line south to Canyon Run Drive which is the southernmost entrance to the development. In lieu of storm drainage piping, we are requesting that we construct a meandering bio-swale within Common Property One and construct a meandering sidewalk or trail within this same lot that will be designated as an access, drainage and utility easement. South of Canyon Run Drive, the developer is requesting to be allowed to forgo the standard road improvements required by Fayetteville for the improvements requested by the County as described above with no curb and gutter or storm drainage piping, allowing drainage from Hughmount Road to flow within the existing roadway ditch. A sidewalk or trail will be constructed near Hughmount Road along the eastern boundary of CP 9 which is proposed as an access, drainage and utility easement.

Reason for Request

Since the county required off-site improvements that go above and beyond what is typically requested of similar developments, the developer feels this request is within reason. In similar situations, it is not uncommon to be required to improve half of the roadway which borders the development. In this situation, the developer is being asked to widen both sides of the Hughmount Road along the development boundary, to widen both sides of Hughmount Road for an additional distance of 1,455 linear feet south of the boundary of the development, and also improve the intersection of Hughmount Road and Mount Comfort. The impact of the off-site road improvements will increase the safety and

quality of Hughmount Road and greatly improve the safety at the intersection with Mount Comfort Road and the developer is willing to incorporate those off-site costs into the value of the development. However, adding curb, gutter and storm drainage along Hughmount Road for the entire boundary of the project is harder to justify financially and more difficult to quantify for safety or drainage reasons. With a preliminary review of the drainage along Hughmount Road flowing to Clabber Creek, adding curb, gutter and drainage piping will increase the velocity in which drainage enters the downstream ditch which flows into Clabber Creek. In addition, the costs of the curb, gutter and drainage pipe outweighs the value of increased safety those improvements will afford drivers considering the pavement widening and shoulder improvements that are already required by the County.

To better understand the financial impact that meeting Fayetteville's standard requirements plus meeting the County's off-site improvements would have on the development, three estimates are included. An estimate of Fayetteville Standard Requirements along the entire frontage of Hughmount Road, an estimate of the improvements required by Washington County, and an Estimate of the improvements proposed with the Preliminary Plat submittal. We hope you will find this request reasonable. Please feel free to contact Engineering Design Associates if additional coordination or documentation is needed to make a determination.

Respectfully
Kim J. Hesse, RLA
Project Manager

Engineer's Preliminary Cost Estimate
Project: Hughmount Road Improvements

1/16/2013

CITY OF FAYETTEVILLE STANDARD IMPROVEMENTS FOR ENTIRE PROPERTY FRONTAGE

Item No.	Description of Item	Est. Quantity	Units	Unit Price	Total Price
<i>C.O.F. Improvements (14' to BOC on W. side of road)</i>					
1	Misc. earthwork and grading	1	LS	\$12,000.00	\$12,000.00
2	Curb and Gutter	1,645	LF	\$12.00	\$19,740.00
3	8" Class 7 Base	269	TN	\$30.00	\$8,070.00
4	2" HMAC (between ex edge and new C & G)	46	TN	\$100.00	\$4,600.00
5	Storm Drain Pipe - non-concrete	1,609	LF	\$50.00	\$80,450.00
6	Storm Drain Inlets - (assume 4' dia box w/2 - 4" openings)	8	EA	\$2,500.00	\$20,000.00
7	5' Concrete Sidewalk	1,725	LF	\$12.00	\$20,700.00
8	Seed / straw / sod / Erosion Control	1	LS	\$3,000.00	\$3,000.00
9	Traffic Control	1	LS	\$500.00	\$500.00
10	Safety	1	LS	\$500.00	\$500.00
11	Bonds	1	LS	\$5,086.80	\$5,086.80
12	20% Contingency	1	LS	\$33,912.00	\$33,912.00
	Total				\$208,558.80

NOT INCLUDED:

- 1) Utility Locate / Relocations
- 2) Proposed Improvements have not been officially approved by Washington Co. Planning Board or the City of Fayetteville
- 3) Engineering and surveying
- 4) Additional Right-of-way acquisition
- 5) Washington Co. improvements to Hughmount Rd.



Engineering Design Associates, P.A.
 134 West Emma Avenue
 Springdale, AR 72764
 479-756-1266

Engineer's Preliminary Cost Estimate
Project: Hughmount Road Improvements

1/16/2013

WASHINGTON CO. IMPROVEMENTS FROM N. P.L. TO MT. COMFORT

Item No.	Description of Item	Est. Quantity	Units	Unit Price	Total Price
<i>W.C. Improvements (2' widening + 2" overlay)</i>					
<i>Widening and Overlay</i>					
1	Misc. Grading	1	LS	\$10,000.00	\$10,000.00
2	2" HMAC overlay (24' width)	963	TN	\$100.00	\$96,300.00
3	6" x 2' solid asphalt widening	481	TN	\$100.00	\$48,100.00
4	Class 7 shoulder	267	TN	\$30.00	\$8,010.00
5	Reflectorized Paint Pavement Markings- Yellow 4" (centerline)	6,418	LF	\$0.50	\$3,209.00
6	Reflectorized Paint Pavement Markings- White 4" (edge)	6,418	LF	\$0.50	\$3,209.00
<i>Intersection Realignment (Hughmount & Mt. Comfort)</i>					
1	Misc. Grading	1	LS	\$2,000.00	\$2,000.00
2	2" HMAC Overlay	58	TN	\$100.00	\$5,800.00
3	Remove and dispose of existing asphalt	1	LS	\$1,000.00	\$1,000.00
4	Curb and Gutter	140	LF	\$12.00	\$1,680.00
5	Misc. Pavement Markings	1	LS	\$1,500.00	\$1,500.00
<i>Miscellaneous</i>					
1	Seed / straw / sod / Erosion Control	1	LS	\$3,000.00	\$3,000.00
2	Materials Testing	1	LS	\$1,000.00	\$1,000.00
3	Traffic Control	1	LS	\$500.00	\$500.00
4	Safety	1	LS	\$500.00	\$500.00
5	Bonds	1	LS	\$5,574.24	\$5,574.24
6	20% Contingency	1	LS	\$38,276.45	\$38,276.45
Total					\$229,658.69

NOT INCLUDED:

- 1) Utility Locate / Relocate
- 2) Proposed Improvements have not been officially approved by Washington Co. Planning Board or the City of Fayetteville
- 3) Engineering and surveying
- 4) Additional Right-of-way acquisition
- 5) Standard City of Fayetteville improvements to Hughmount Rd.



Engineering Design Associates, P.A.
 134 West Emma Avenue
 Springdale, AR 72764
 479-756-1266

Engineer's Preliminary Cost Estimate
Project: Hughmount Road Improvements

1/16/2013

IMPROVEMENTS TO HUGHMOUNT ROAD AS SUBMITTED

Item No.	Description of Item	Est. Quantity	Units	Unit Price	Total Price
<i>C.O.F. Improvements (14' to BOC on W. side of road)</i>					
1	Misc. undercut, earthwork and Grading	1	LS	\$12,000.00	\$12,000.00
2	Curb and Gutter	626	LF	\$12.00	\$7,512.00
3	Class 7 Base	121	TN	\$30.00	\$3,630.00
4	2" HMAC (between ex. asphalt and new C & G section)	21	TN	\$100.00	\$2,100.00
5	5' Concrete Sidewalk	1,725	LF	\$12.00	\$20,700.00
6	Seed / straw / sod / Erosion Control	1	LS	\$3,000.00	\$3,000.00
7	Materials Testing	1	LS	\$1,000.00	\$1,000.00
8	Traffic Control	1	LS	\$500.00	\$500.00
9	Safety	1	LS	\$500.00	\$500.00
10	Bonds	1	LS	\$1,528.26	\$1,528.26
11	20% Contingency	1	LS	\$10,188.40	\$10,188.40
Total					\$62,658.66
<i>W.C. Improvements (2' widening + 2" overlay)</i>					
<i>Widening and Overlay</i>					
1	Misc. Grading	1	LS	\$10,000.00	\$10,000.00
2	2" HMAC overlay (24' width)	839	TN	\$100.00	\$83,900.00
3	6" x 2' solid asphalt widening	419	TN	\$100.00	\$41,900.00
4	Class 7 shoulder	233	TN	\$30.00	\$6,990.00
5	Reflectorized Paint Pavement Markings- Yellow 4" (centerline)	6,418	LF	\$0.50	\$3,209.00
6	Reflectorized Paint Pavement Markings- White 4" (edge)	6,418	LF	\$0.50	\$3,209.00
<i>Intersection Realignment (Hughmount & Mt. Comfort)</i>					
1	Misc. Grading	1	LS	\$2,000.00	\$2,000.00
2	2" HMAC Overlay	58	TN	\$100.00	\$5,800.00
3	Remove and dispose of existing asphalt	1	LS	\$1,000.00	\$1,000.00
4	Curb and Gutter	140	LF	\$12.00	\$1,680.00
5	Misc. Pavement Markings	1	LS	\$1,500.00	\$1,500.00
<i>Miscellaneous</i>					
1	Seed / straw / sod / Erosion Control	1	LS	\$3,000.00	\$3,000.00
2	Materials Testing	1	LS	\$1,000.00	\$1,000.00
3	Traffic Control	1	LS	\$500.00	\$500.00
4	Safety	1	LS	\$500.00	\$500.00
5	Bonds	1	LS	\$4,985.64	\$4,985.64
6	20% Contingency	1	LS	\$34,234.73	\$34,234.73
Total					\$205,408.37

NOT INCLUDED:

- 1) Utility Locate / Relocations
- 2) Proposed Improvements have not been officially approved by Washington Co. Planning Board or the City of Fayetteville
- 3) Engineering and surveying
- 4) Additional Right-of-way acquisition



Engineering Design Associates, P.A.

134 West Emma Avenue

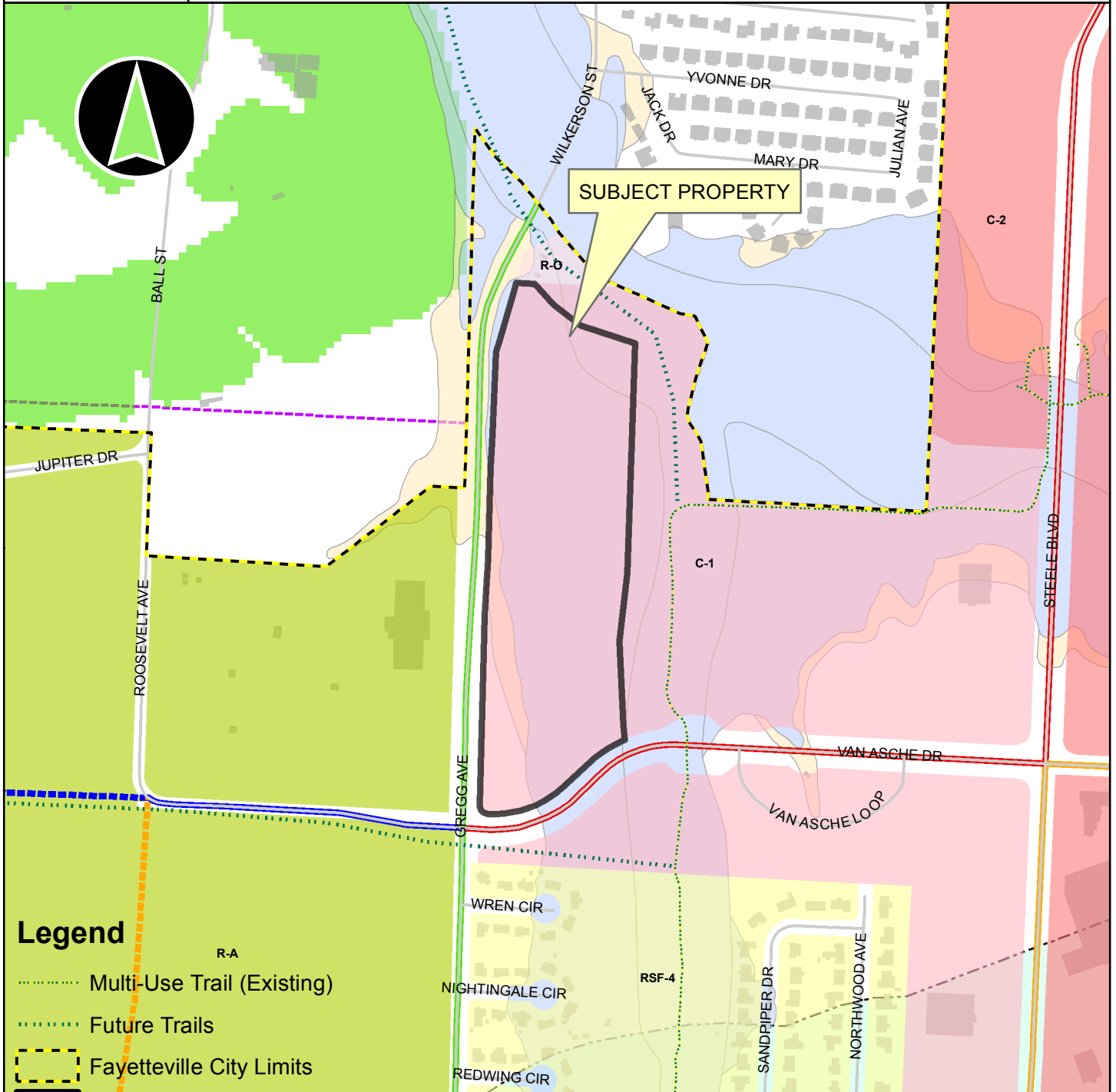
Springdale, AR 72764

479-756-1266

RZN13-4310

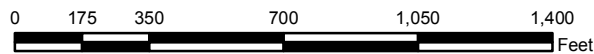
HAAS HALL

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- Fayetteville City Limits
- RZN13-4310
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



RZN13-4310

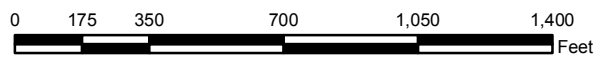
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Close Up View



Legend

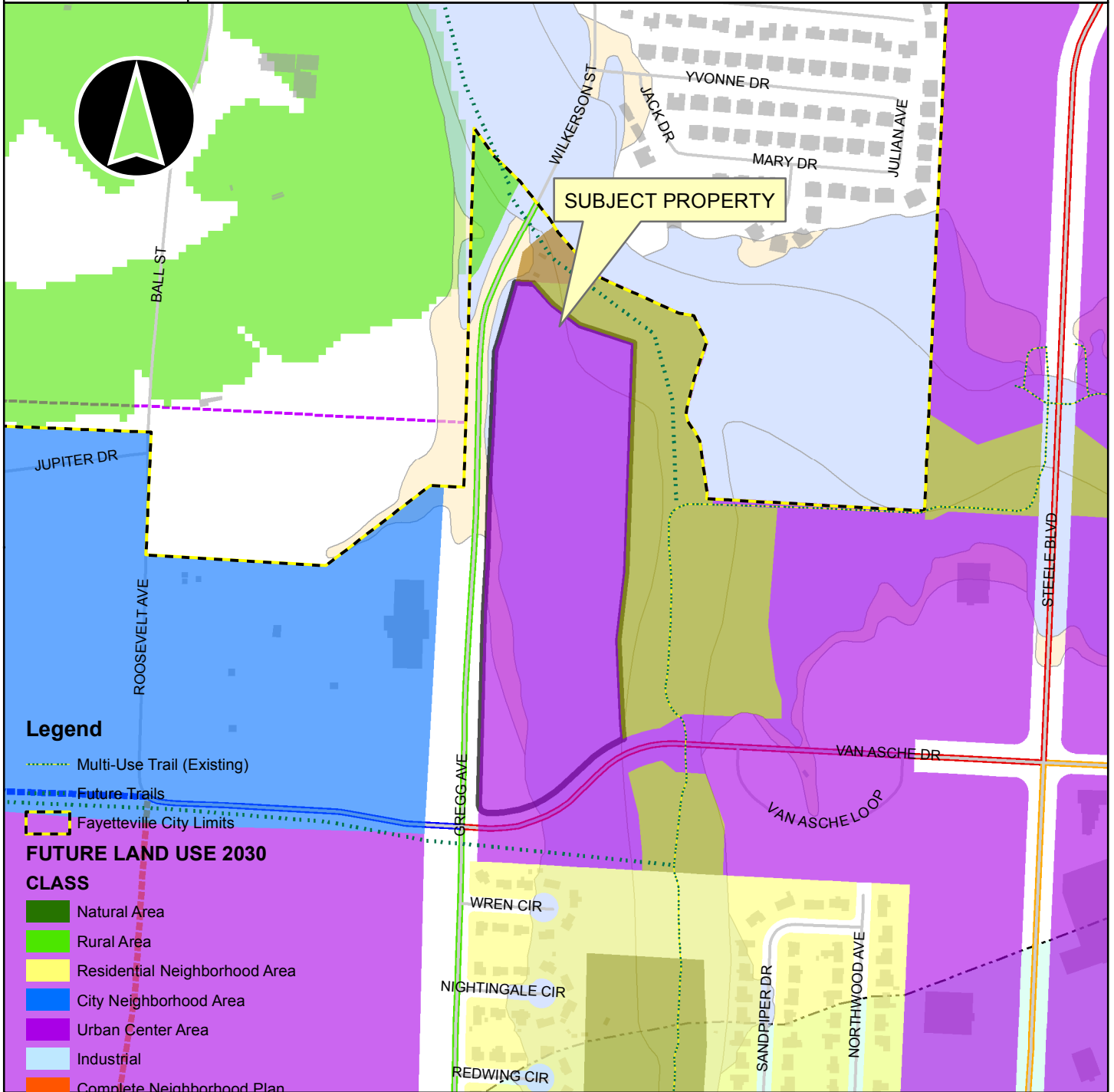
- Multi-Use Trail (Existing)
- Future Trails
- Fayetteville City Limits
- RZN13-4310
- Footprints 2010
- Design Overlay District
- Planning Area



RZN13-4310

HAAS HALL

Future Land Use



Legend

..... Multi-Use Trail (Existing)

--- Future Trails

--- Fayetteville City Limits

FUTURE LAND USE 2030

CLASS

- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area
- Industrial
- Complete Neighborhood Plan

Civic and Private Open Space/Parks

Civic Institutional

Non-Municipal Government

ROW

RZN13-4310

Design Overlay District

Design Overlay District

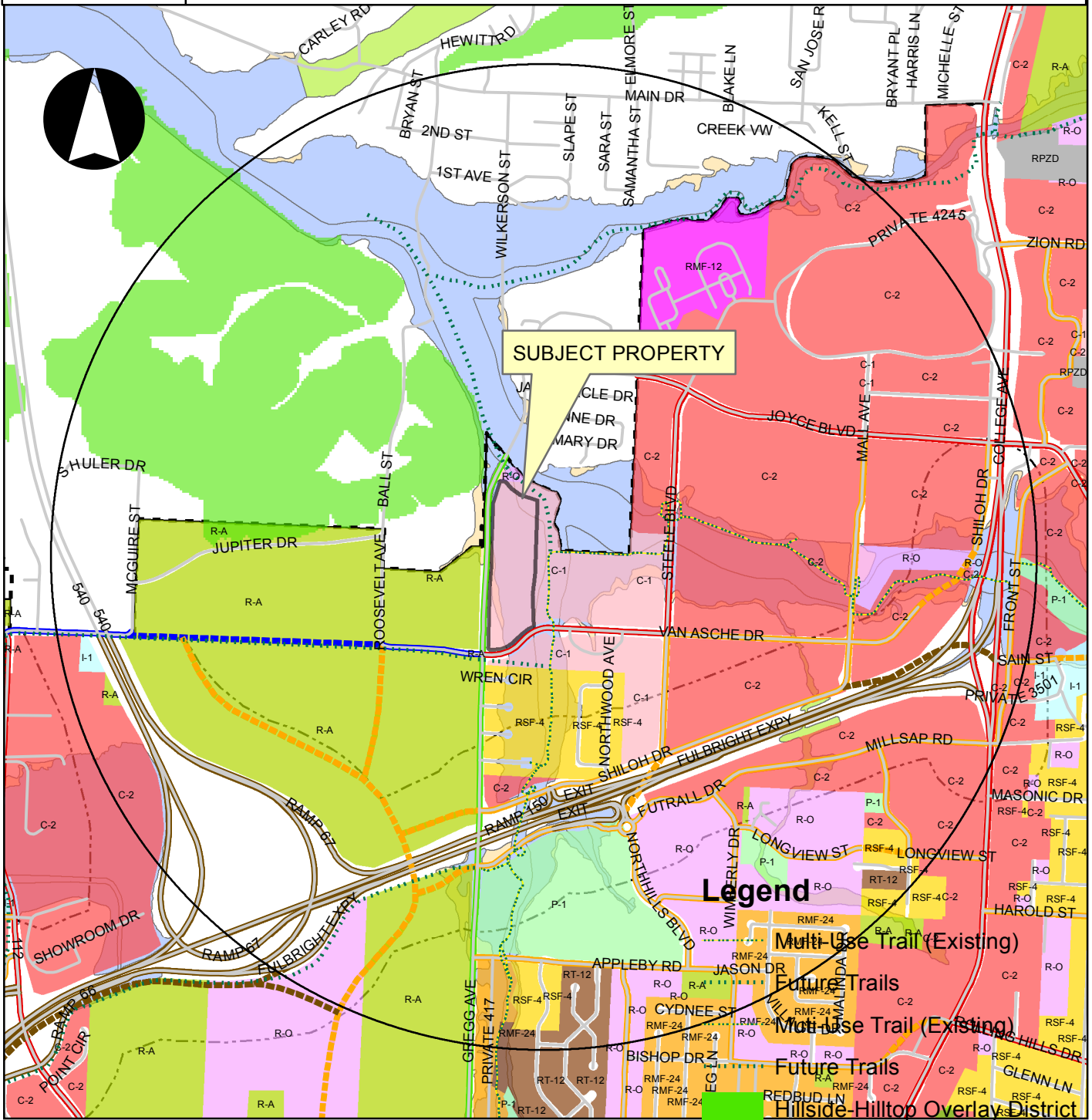
Planning Area



RZN13-4310

HAAS HALL

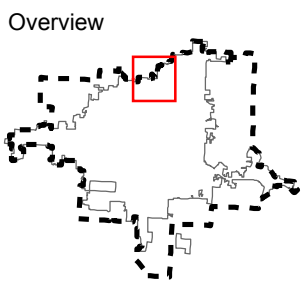
One Mile View



SUBJECT PROPERTY

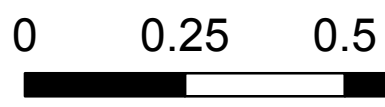
Legend

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



Legend
 Subject Property
 RZN13-4310

Boundary



- RZN13-4310
- Design Overlay District
- Planning Area
- Fayetteville



PC Meeting of March 11, 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: February 20, 2013

ADM 13-4332: Administrative Item (4149 W. BRADSTREET LN./RUPPLE ROW POA, 439):
Submitted by GENE DRESEL for the RUPPLE ROW SUBDIVISION. The property is zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT. The request is for a variance of the Urban Residential Design Standards. Planner: Jesse Fulcher

Findings:

Property description and background: The Ruppel Row Planned Zoning District was approved in 2004 with 182 single-family units and 78 two-family units, in a neo-traditional style. All of the two-family units are confined to one street interior to the subdivision, Wordsworth Lane. Even though development of the single-family homes started in 2006, two-family construction did not start until 2012.

Proposal: The Ruppel Row Property Owners Association is requesting a variance from certain requirements of the Urban Residential Design Standards applied to two-family construction in the Ruppel Row Subdivision. These standards were adopted in 2008 and amended in 2009. City staff has so far approved 10 building permits for new two-family units in conformance with the adopted design standards.

The POA is concerned with some of the two-family units that have been constructed recently, because the builder has moved away from the horizontal application of Hardie Board siding, due to the requirements of these standards. These building, and others yet to be constructed, will begin to alter the appearance of the neighborhood and undermine the established aesthetics, according to the POA.

**Fayetteville Unified Development Code
Chapter 166.23**

(D) Architectural Design Standards.

- (1) Intent. The intent of these building design standards is:
 - (a) To ensure that urban residential buildings add to the character and quality of the community, offer a sense of security, and make a positive contribution to the life of the street.
 - (b) To maximize the quality, value and longevity of urban residential neighborhoods.

- (c) To make housing appealing and comfortable for its inhabitants.
- (2) Construction and appearance design standards for urban residential development.
- (a) Building Form and Design.
 - (i) **In order to provide a variety in form and design, one building type may not be utilized more than three times in a development. Each building type shall be differentiated by variations in materials, colors and roof forms.**
 - (ii) Ancillary structures such as carports, garages, recreational buildings and storage structures shall be designed as an integral part of the project architecture.
 - (iii) The following architectural elements shall be required of all principal facades:
 - a. Variations in materials;
 - b. Insets or other relief in the wall plane;
 - c. A front façade that faces onto the public street right-of-way and at least one primary entry that is visible from the street.
 - d. Incorporation of two or more of the following:
 - 1. Balconies;
 - 2. Bays or bay windows;
 - 3. Variations in roof forms.
 - 4. Porches;
 - 5. Dormers;
 - 6. Porticoes;
 - 7. Turrets; or
 - 8. Consistent and complementary fenestration patterns.

Recommendation: Staff recommends in favor of the Property Owners Association request, finding that the neighborhood design, which was established in 2006, is being altered by the City’s adopted design standards. Though, there may be cases where this could be a benefit, it doesn’t appear to be in this situation. The neighborhood representatives, home owners, and builder agree that the continued use of Hardie Board in a horizontal format, coupled with a variety of colors, roof forms and accent materials, is best for the neighborhood as the two-family units are built out. Staff recommends that following recommendations for this variance:

- 1) Builders may use Hardie Board siding as the primary material for the remainder of two-family units.
- 2) Builders shall continue to utilize a variety of roof forms, colors and accent materials to create visual interest and individuality within the neighborhood.
- 3) All other requirements of Urban Residential Design Standards shall remain in force.

PLANNING COMMISSION ACTION: Required

Approved

Denied

Tabled

Motion:

Second:

Vote:

Date: March 11, 2013

166.23 Urban Residential Design Standards

(A) Purposes.

- (1) To protect and enhance Fayetteville's appearance, identity, and natural and economic vitality.
- (2) To create appealing street scenes so that development enhances the image of the City and provides safe, pedestrian-friendly neighborhood environments.
- (3) To minimize service and parking impacts in order to preserve surrounding property values and scenic resources that contribute to the City's economic development.
- (4) To compose attractive residential facades that enhance the economic viability of and provide compatibility with surrounding property.

(B) Applicability. All references to urban residential design standards shall include the following uses as permitted by right or conditional use in all zoning districts:

- (1) 2-F, Two-family dwellings
- (2) 3-F, Three-family dwellings
- (3) MF, Multi-family dwellings

(C) Site Development Standards. The following site development standards shall apply for all urban residential development.

- (1) Intent. The intent of these site development standards is to create a pedestrian-friendly streetscape.
- (2) Vehicular Access / Circulation / Parking.
 - (a) Site access and internal circulation should promote pedestrian safety, efficiency, and convenience and minimize conflicts between vehicles and pedestrians. Continuous circulation shall be provided throughout the site to the greatest extent possible creating a complete, compact, and connected transportation network both within the development and to the surrounding neighborhood. The visual impact of parking areas should be minimized by locating parking behind buildings and internal to the site.

- (i) Garage entries and carports shall not protrude forward from the principal facade. Driveways shall extend at least 18' into the property from the Master Street Plan right-of-way to allow parking to occur without encroaching into the right-of-way.
- (ii) Parking areas should be accessed by mid-block alleys whenever possible. Developments should minimize multiple driveways and should utilize a shared access to reduce the number of vehicle conflicts at the street.
- (iii) On-street parallel parking may be provided on at least one side of the street in front of all multi-family buildings where feasible. Each on-street parking space provided along the project frontage shall count toward the total required spaces for the development.

(4) Pedestrian Circulation.

- (a) All ground floor entrances of each dwelling unit that face a public street right-of-way shall have a walkway that connects the front entrance to the public sidewalk where sidewalks exist.
- (b) Urban residential projects should incorporate pedestrian connections to adjacent residential and commercial properties where sidewalks and/or trails exist and can be extended in the future.

(5) Screening Requirements if visible from the highway/street right-of-way.

- (a) Mechanical and utility equipment. All mechanical and utility equipment located on the wall and/or on the ground shall be screened, except for air conditioning window units. All roof mounted utilities and mechanical equipment shall be screened by incorporating screening into the structure utilizing materials compatible with the supporting building. Mechanical and utility equipment over 30 inches in height shall meet building setbacks, unless located in a utility easement.
- (b) Trash areas. Trash enclosures shall be screened with materials that are compatible with and complementary to the principal structure. Access should

TITLE XV UNIFIED DEVELOPMENT CODE

not be visible from the public right-of-way.

- (c) Screening. Screening shall mean a view obscuring fence, berm, vegetation, architectural treatment consistent with the residential architecture, or a combination of the four of sufficient height to prevent the view of the screened items from the public right-of-way. Vegetation shall be planted at a density sufficient to become view obscuring within two years from the date of planting.
- (6) Fencing. The following types, height, and location of fences shall be prohibited:
- (a) Razor and/or barbed wire. Razor and/or barbed wire fences are prohibited, unless and except barbed wire fences are used for agricultural purposes.
 - (b) Chain link. Chain link fence is prohibited if closer to the street than the front of the building.
 - (c) Height of fences in front of buildings. Fences in the front yard area shall have a maximum height of 42 inches subject to visibility requirements in Chapter 164.09 and 164.17.

(D) Architectural Design Standards.

- (1) Intent. The intent of these building design standards is:
- (a) To ensure that urban residential buildings add to the character and quality of the community, offer a sense of security, and make a positive contribution to the life of the street.
 - (b) To maximize the quality, value and longevity of urban residential neighborhoods.
 - (c) To make housing appealing and comfortable for its inhabitants.
- (2) Construction and appearance design standards for urban residential development.

(a) Building Form and Design.

- (i) In order to provide a variety in form and design, one building type may not be utilized more than three times in a development. Each building type shall be differentiated

by variations in materials, colors and roof forms.

- (ii) Ancillary structures such as carports, garages, recreational buildings and storage structures shall be designed as an integral part of the project architecture.
- (iii) The following architectural elements shall be required of all principal facades:
 - a. Variations in materials;
 - b. Insets or other relief in the wall plane;
 - c. A front façade that faces onto the public street right-of-way and at least one primary entry that is visible from the street.
 - d. Incorporation of two or more of the following:
 - 1. Balconies;
 - 2. Bays or bay windows;
 - 3. Variations in roof forms.
 - 4. Porches;
 - 5. Dormers;
 - 6. Porticoes;
 - 7. Turrets; or
 - 8. Consistent and complementary fenestration patterns.

- (E) Planning Commission Approval. An applicant may request approval from the Planning Commission of a variance from the maximum requirements where unique circumstances exist and the effect will not adversely impact adjoining or neighboring property owners. The applicant shall provide notification to adjacent property owners prior to the date of the meeting.

(Ord. 5118, 3-18-08; Ord. 5262, 8-4-09)

City of Fayetteville Planning Commission
113 W Mountain St.
Fayetteville, AR 72701

February 16th, 2013

Dear Members of the Fayetteville Planning Commission,

On behalf of the Ruppel Row Property Owners Association, I am writing to you to discuss the ongoing building in the Ruppel Row subdivision in West Fayetteville. Specifically, one of the builders, Rob Kimbel, has been constructing a series of multi-family town homes on Wordsworth Lane. Before beginning construction, he met with the Architectural Review Committee of the Ruppel Row Property Owners Association and agreed to build according to neighborhood standards.

There have since been some discrepancies between the standards for the subdivision as laid out in the Ruppel Row neighborhood covenants and the standards maintained by the City Planning Office. Specifically, Mr. Kimbel has been asked to vary the materials, colors, and roof forms for every third unit that he constructs on Wordsworth. There is a concern that these requirements will oblige Mr. Kimpel to deviate from the neighborhood standards, which use some homogenous elements with mixed varieties of color, roof forms, and façade elements to create a general aesthetic for the neighborhood. Such an effect is in keeping with the principles of the "new urbanism" on which this neighborhood design is based and which is the core of the neighborhood's charm.

In discussions with the Planning Office on 8 February 2013, we were able to reach several points of consensus, namely that the variation of colors and roof forms required by the City is not at odds with the neighborhood design scheme. However, the requirement for varied materials presents something of a problem, since the rest of the neighborhood, which consist of single-family homes, is constructed with exterior hardie board siding running horizontally, which allow for the bright colors that define the neighborhood. Mr. Kimbel has also designed his homes with this exterior material, but may be required to use the hardi board in a vertical pattern, use vinyl siding or stucco to meet the City requirement. If this were to occur, it would radically alter the appearance of the neighborhood and undermine its aesthetic harmony.

With this in mind, the Property Owners Association requests that the City Planning Commission grant a variance for the subdivision allowing builders of mutli-family dwellings to use hardie board running horizontally for the exterior of each of the buildings. As part of the arrangement, the POA would direct builders to vary the colors from unit to unit and instruct them to add a mix of exterior elements, such as brick and stone, as accents to the exterior. This, in fact, would match the exterior elements of the surrounding single family units. It would also allow us to adhere to the spirit of the City requirements.

Sincerely,



Gene Dresel
Ruppel Row Propety Owners Association
P.O. Box 4781
Fayetteville, AR 72701

From: Rob Kimbel <Rob@Kimbelmechanical.com>
To: Jesse Fulcher <jfulcher@ci.fayetteville.ar.us>
CC: Gene Dresel <gdresel@sbcglobal.net>, Rob Kimbel <Rob@Kimbelmechanical.co...>
Date: 2/21/2013 8:32 AM
Subject: RE: Ruppel

Jesse, I just wanted to let you know that I concur with the POA on their request for variance.

I would like to point out as well that we can meet the criteria to change the roof lines, but due to the lot size, egress codes, covenant restrictions and architectural limitations, the roof variations are going to be modest to moderate. It is extremely difficult if not impossible to achieve extreme roof change elevations with so many external limitations set on the project. I would ask that you consider this when approving plans submitted.

Also, we are in the process of submitting plans right now...these plans have been reviewed by Gene and approved from the POA.

Let me know if I can help in any way.

Thanks for your time on this.

Rob

[https://www.dropbox.com/sh/fad6ogy05pxjl3l/c137goVDK/Ruppel Row POA variance to exterior material letter..pdf](https://www.dropbox.com/sh/fad6ogy05pxjl3l/c137goVDK/Ruppel%20Row%20POA%20variance%20to%20exterior%20material%20letter..pdf)

Acceptable row houses.

- We understand there is an ordinance that only allows for three multifamily homes to be built by a builder before he is required to make a design change. We agree with this ordinance. However, the design changes being made do not match the master plan of the neighborhood. The following slides show how previous builders have mixed up the single family homes. They are acceptable design changes to the POA and meet the master design criteria.

Existing single family homes. They mixed up the front fascade with different balcony styles. The POA would accept these changes on the townhouses.

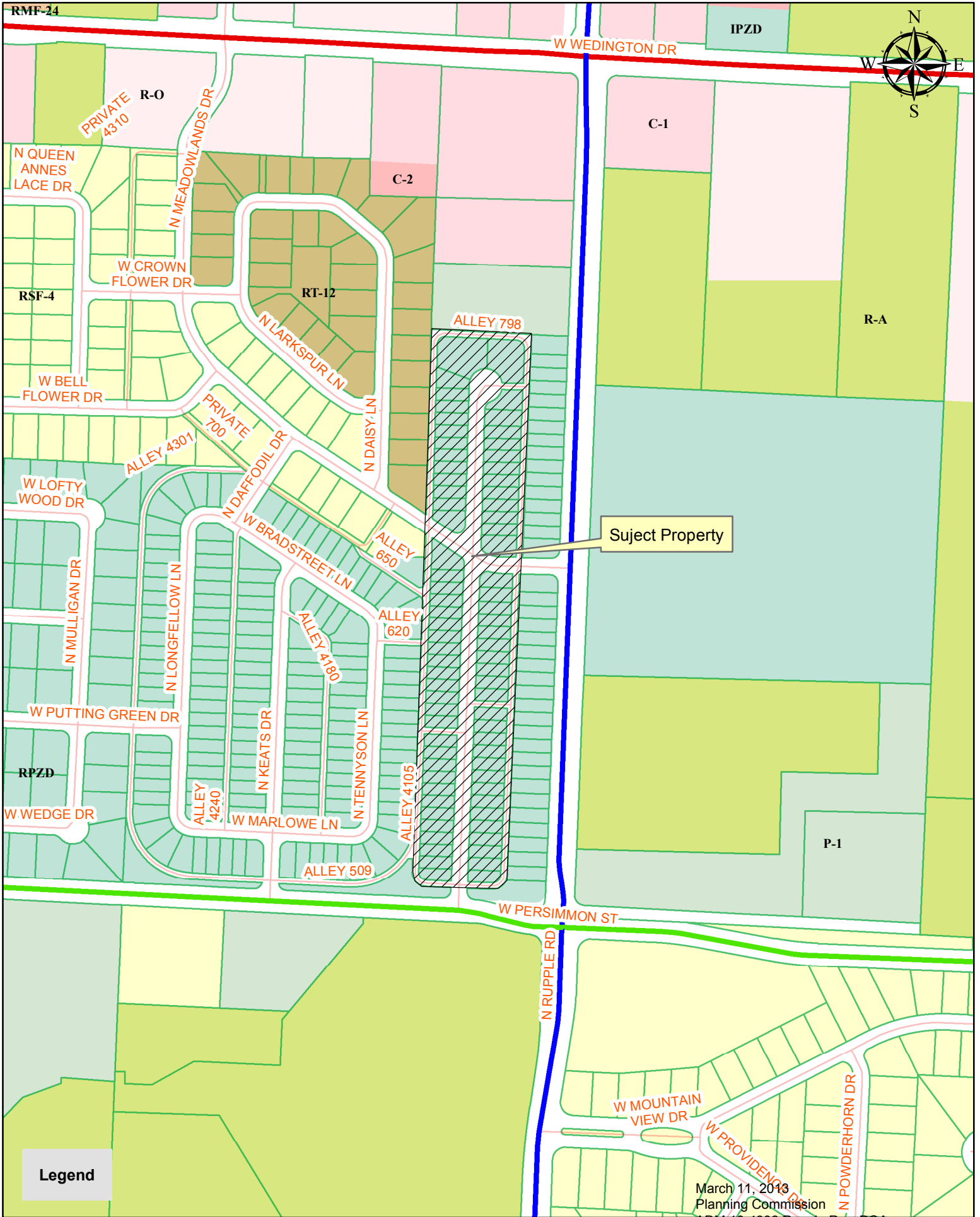








- The ultimate goal of the Ruppel Row POA is to work along side Planning to ensure the neighborhood continues to meet the expectations of the city while holding the basic design criteria of the Ruppel Row covenants.



Legend

March 11, 2013
 Planning Commission
 ADM 13-4332 Ruppel Row POA
 Agenda Item #600

0 200 400 800 1,200 1,600 Feet



THE CITY OF FAYETTEVILLE, ARKANSAS
 PLANNING DIVISION CORRESPONDENCE

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

TO: Fayetteville Subdivision Committee
 FROM: Andrew Garner, Senior Planner
 Glenn Newman, Staff Engineer
 THRU: Jeremy Pate, Development Services Director
 DATE: March 1, 2013

PPL 13-4312: Preliminary Plat (S. OF GULLEY RD. AND E. OF N. OAKLAND-ZION RD./BUFFINGTON S/D, 176): Submitted by JORGENSEN AND ASSOCIATES for property located SOUTH OF GULLEY ROAD AND EAST OF NORTH OAKLAND-ZION ROAD. The property is in the PLANNING AREA and contains approximately 26.51 acres. The request is for a residential subdivision with 43 single family units and a community septic system.
 Planner: Andrew Garner

Findings:

Background: The property contains approximately 26.51 acres located south and east of the intersection of Oakland Zion Road and Gulley Road/Joyce Boulevard. Oakland Zion Road is a Principal Arterial and Gulley Road is a Collector on the Master Street Plan. The southern portion of the site contains an unnamed creek and riparian corridor. This creek is not an official floodplain or floodway but appears to be a creek that typically carries water year round. The surrounding zoning and land uses are depicted in *Table 1*.

**Table 1
 Surrounding Zoning and Land Use**

Direction from Site	Land Use	Zoning
North, South, East, and West	Rural residential	Unincorporated Washington County Residential 1 unit per acre

City of Fayetteville Development Regulations: The property is outside, but within, one mile of the City of Fayetteville, within the Fayetteville Planning Area. In accordance with Section 166.05(A)(1) of the Fayetteville Unified Development Code, this subdivision is therefore subject to all on and off-site improvements and subdivision regulations for development within the city limits, with the exception of tree preservation and park land dedication requirements, which are not required. This includes requirements for block length and street connectivity.

Washington County. The property is in unincorporated Washington County and is zoned Agricultural/Single-family residential one dwelling unit per acre. The developer received a conditional use permit on December 7, 2012 from Washington County to develop the Buffington Subdivision for lots less than one acre in a configuration generally as proposed. The conditions

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of approval associated with the conditional use permit are attached.

Proposal: The applicant proposes a preliminary plat with 43 residential lots and a community septic system.

Block Length: The City's development code has a maximum block length of 800 feet for Local Streets (see UDC Section 166.08(E)). The applicant is requesting a variance to exceed of the maximum block length for Street 2 with a proposed length of 833 feet. *Staff recommends in favor of this variance finding that the proposed internal street system provides an alternative street connection to this same parcel with a street stub-out of Street #1, and also given that the extent of the variance is minimal at approximately 33 feet.*

Street Connectivity: The city has a strong policy for connectivity in street design and street connections between neighborhoods to provide many choices of routes to destinations. The intent is that there should be opportunities for continuous movement within neighborhoods and that the street system should be as direct as possible to prevent circuitous travel and unnecessary congestion on thoroughfares. This development provides connection to Oakland Zion Road to the west and Gulley Road to the north. This development also provides a street stub-out in the southwest corner of the site to an undeveloped approximately 20-acre parcel. *Staff recommends a street stub-out to the undeveloped 4.5-acre parcel adjacent to the northeast. This parcel and the next adjacent 7.4-acre parcel to the east are currently owned by the applicant and contain a 6,277 square foot residence constructed in 1982. There is an existing stock pond on a large portion of this parcel that could feasibly be filled and the property subdivided in a similar density as that proposed in this preliminary plat. A lack of street connection would require all traffic on this parcel to utilize Gulley Road, a Collector street, as the sole means of access. Staff is recommending a partial assessment for a future street connection to the south.*

Street improvements: Staff recommends the following street improvements:

- Oakland Zion Road shall be improved along the project's street frontage and all the way north to the intersection with Gulley Road on both sides of the road for a total 28 feet street width, and the 5' sidewalk at the back of right-of-way.
- Gulley Road shall be improved along the project's street frontage and along the out-lot not a part of this subdivision (APN 001-15535-003, 4207 E. gulley Rd.) with 14 feet from centerline, curb, gutter, storm drainage and 5-foot sidewalk within and at the back of right-of-way.
- The intersection of Oakland Zion Road and Gulley Road shall be realigned to improve traffic safety, as indicated on the plat.
- Internal streets to be constructed in accordance with all Master Street Plan and City standards including pavement, curb, gutter, storm drainage, sidewalks on both sides, and streetlights in accord with code. Future street extension signs installed at all street stub-out location to indicate future through streets.
- Street lights are required at all street intersections and spaced every 300 including the off-site street areas and the intersection of Oakland-Zion Road and Gulley Road.

Water and Sewer System: Water lines shall be extended through the development as required by the City Engineering Division. The community septic system is required to be approved by the State Health Department and appropriate signatures applied to the final plat indicating approval of the

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septic system.

Right-of-way to be dedicated: Oakland Zion Road is a Principal Arterial and requires a minimum of 43.5 feet right-of-way dedication from centerline along the project frontage. Gulley Road is a Collector Road and requires a minimum of 29.5 feet right-of-way dedication from centerline along the project frontage. Right-of-way dedication for all internal streets is required in accordance with the Master Street Plan for local streets with a total of 50-foot right-of-way, as indicated on the plat.

Public Comment: Staff has not received any public comment.

Recommendation: Staff recommends approval of PPL 13-4312 with the following conditions:

Conditions of Approval:

1. Planning Commission determination of a variance of Fayetteville Unified Development Code Section 166.08(e) to allow a block length of 833 feet for Street #2 when the maximum is 800 feet. *Staff recommends in favor of this variance finding that the proposed internal street system provides an alternative street connection to this same parcel with a street stub-out of Street#1, and also given that the extent of the variance is minimal at approximately 33 feet.*
SUBDIVISION COMMITTEE RECOMMENDED IN FAVOR OF THIS VARIANCE (02/28/2013).

2. Planning Commission determination of appropriate street connectivity. This development provides connection to Oakland Zion Road to the west, Gulley Road to the north, and a street stub-out in the southwest corner of the site to an undeveloped approximately 20-acre parcel.

a. *Staff recommends payment of an assessment for the cost of the street connection across the creek, to be paid prior to final plat. When the property to the south is developed, this work would be accomplished at that time. A cost estimate for the assessment is attached to this report. Due to the high cost of the improvements, which include several box culverts, staff does not recommend a full assessment for the improvements. The Planning Commission shall determine the final cost of the assessment, with the remainder to be paid when the property to the south develops. Connection over the creek will provide an important street connection between key arterial and collector roadways in this area of the County, eventually resulting in connectivity between neighborhoods, avoiding circuitous and time-consuming vehicular trips, increasing public safety, emergency response times and convenience. Right-of-way shall be dedicated to the south property line.*

SUBDIVISION COMMITTEE RECOMMENDED A CONNECTION TO THE SOUTH WITH THE APPLICANT PAYING AN ASSESSMENT FOR THE CONNECTION (02/28/2013).

b. *Staff also recommends a street stub-out to the undeveloped 4.5-acre parcel adjacent to the northeast. This parcel and the next adjacent 7.4-acre parcel to the east are currently owned by the applicant and contain a 6,277 square foot residence constructed in 1982. There is an existing stock pond on a large portion of this parcel that could feasibly be filled and the property subdivided in a similar density as that proposed in this preliminary plat. A lack of street connection would require all traffic on this parcel to utilize Gulley Road, a Collector street, as the sole means of access.*

SUBDIVISION COMMITTEE DID NOT HAVE A RECOMMENDATION ON THIS CONNECTION (02/28/2013).

3. Planning Commission determination of street improvements. Staff recommends the following:
- Oakland Zion Road shall be improved along the project's street frontage and all the way north to the intersection with Gulley Road on both sides of the road for a total 28 feet street width, and the 5' sidewalk at the back of right-of-way.
 - Gulley Road shall be improved along the project's street frontage and along the outlot not a part of this subdivision (APN 001-15535-003, 4207 E. gulley Rd.) with 14 feet from centerline, curb, gutter, storm drainage and 5-foot sidewalk within and at the back of right-of-way.
 - The intersection of Oakland Zion Road and Gulley Road shall be realigned to improve traffic safety, as indicated on the plat.
 - Internal streets to be constructed in accordance with all Master Street Plan and City standards including pavement, curb, gutter, storm drainage, sidewalks on both sides, and streetlights in accord with code. Future street extension signs installed at all street stub-out location to indicate future through streets. *Staff recommends that all sidewalks be constructed, not guaranteed prior to final plat. This is because the subdivision is located outside of the City and there is not an enforcement mechanism for sidewalk installation after final plat, and there have been several subdivisions in the Planning Area where sidewalks have been required but not constructed.*
 - Street lights are required at all street intersections and spaced every 300 including the off-site street areas and the intersection of Oakland-Zion Road and Gulley Road.

SUBDIVISION COMMITTEE RECOMMENDED IN FAVOR OF THIS CONDITION (02/28/2013).

4. Direct driveway access to Oakland Zion Road and Gulley Road shall not be permitted, except for Lot #6. Add a note to the plat indicating as such.
5. Prior to final plat approval signs shall be posted at all street stub-outs indicating future extension of the street.
6. Conditions of approval from Engineering are included in the official conditions of approval.
7. Prior to final plat the property line adjustment/lot split to create the legal lot for this subdivision shall be filed of record, or the remaining undeveloped portion shall be included in this subdivision and assign a lot number(s).

Standard Conditions of Approval:

8. All street names and addresses shall be approved by the 911 coordinator.
9. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives - AR Western Gas, SWBT, Ozarks, SWEPCO, Cox Communications).

10. Preliminary plat approval is valid for one year. All permits to complete construction of this preliminary plat are required to be obtained within one year, subject to extensions in accordance with the Unified Development Code.
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 overhead electric lines under 12Kv shall be relocated underground. All proposed utilities shall be located underground.
13. Street lights shall be installed adjacent to all public and private streets (not alleys), with a separation of no greater than 300 feet. Street lights shall be installed or proof of payment for installation to the power company provided prior to final plat.
14. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance.

Planning Commission Action: **Approved** **Denied** **Tabled**

Motion: _____

Second: _____

Vote _____

Meeting Date: March 11, 2013

Fayetteville Unified Development Code

166.05 Required Infrastructure Improvements and Subdivision Regulations - Development In Planning Area

(A) Required Infrastructure Improvements and Subdivision Regulations Outside the City.

- (1) *Within One Mile of City Limits.* On and off-site improvements and subdivision regulations for development outside the City limits and within one mile of the City are the same as for those developments within the City limits, with the exception of park land dedication requirement which is not required.
- (2) *Beyond One Mile of City Limits.* On and off- site improvements and subdivision regulations for development outside one mile of the City limits shall meet Washington County standards.
- (3) All lots in the Planning Area shall have direct frontage to a public street, with the minimum frontage required by Washington County pursuant to residential Lot and Block Standards.

(B) Developments Outside City Developed to all Inside the City Standards. If the City Council grants access to the City's sewer system pursuant to §51.115. (C) and the owner/developer agrees to petition for annexation as soon as legally possible and develop the subdivision in accordance with all city development requirements including payment of all impact fees, the bulk and area requirements for this subdivision shall conform to those within the RSF-4 Zoning District or as otherwise designated by the City Council rather than those within the planning area.

(Code 1965, App. A., Art. 8(11), App. C., Art. IV; Ord. No. 1747, 6-29-70; 1750, 7-6-70; Ord. No. 1999, 5-7-74; Code 1991, §§ 159.54, 160.120; Ord. No. 3925, § 6, 10-3-95; Ord. No. 4100, § 2 (Ex. A), 6-16-98; Ord. 4753, 9-6-05; Ord. 5215, 1-20-09; Ord. 5270, 9-1-09; Ord. 5296, 12-15-09; Ord. 5546, 12-04-12)

166.08 Street Design And Access Management Standards

(D) Street design principles.

- (1) Extensions. All street extensions shall be constructed to Minimum Street Standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such.
- (2) Substandard widths. Developments that adjoin existing streets shall dedicate additional right-of-way to meet the Master Street Plan.
- (3) Street names. Names of streets shall be consistent with natural alignment and extensions of existing streets, and new street names shall not duplicate or be similar to existing street names. Developers shall coordinate the naming of new streets through the GIS Office during the plat review process.

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- (4) Tangents. A straight tangent at least 100 feet long shall separate reverse curves for Collector and Arterial streets.
- (5) Pedestrian. Pedestrian-vehicular conflict points should be controlled through signalized intersections and proven traffic calming design principles.
- (6) Street standards. All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted Minimum Street Standards.

(E) Block Layout / Connectivity.

- (1) Block Length. Block lengths and street intersections are directly tied to the functional hierarchy of the street pattern that exists or is proposed.
 - (a) Principal and Minor Arterial Streets. Signalized intersections should be located at a minimum of one every 2,640 feet (half a mile) along principal and minor arterials and should be based on traffic warrants.
 - (b) Collectors. Intersections should be located at a minimum of one every 1,320 feet (quarter of a mile) along collector streets.
 - (c) Locals. Intersections shall occur at a minimum of one every 800 feet.
 - (d) Residential. Intersections shall occur at a minimum of one every 600 feet.
 - (e) Variances. Block length standards may be varied by the Planning Commission when terrain, topographical features, existing barriers or streets, size or shape of the lot, or other unusual conditions justify a departure.
- (2) Topography. Local streets should be designed to relate to the existing topography and minimize the disturbance zone.
- (3) Dead-end streets. Dead end streets are discouraged and should only be used in situations where they are needed for design and development efficiency, reduction of necessary street paving, or where proximity to floodplains, creeks, difficult topography or existing barriers warrant their use. All dead end streets shall end in a cul-de-sac with a radius of 50 feet, or an alternative design approved by the City and the Fire Department. The maximum length of a dead end street (without a street stub-out) shall be 500 feet.

Jesse Fulcher - Buffington Subd..

From: "Justin Jorgensen" <justin@jorgensenassoc.com>
To: "Jesse Fulcher" <jfulcher@ci.fayetteville.ar.us>
Date: 3/6/2013 3:22 PM
Subject: Buffington Subd..

Jesse,
 See cost estimate below.

Thanks,
 Justin

From: Jared Inman [mailto:jared@jorgensenassoc.com]
Sent: Wednesday, March 06, 2013 3:21 PM
To: justin@jorgensenassoc.com
Subject:

**Buffington Subdivision Creek Crossing
 Cost Assessment**

Item #	Description	Quantity	Unit	Unit Price	Amount
1	Install Curb & Gutter	230	L.F.	\$8.50	\$1,955.00
2	2"/3"/6" Asphalt	306	S.Y.	\$17.50	\$5,355.00
3	5' Sidewalk	230	L.F.	\$15.00	\$3,450.00
4	7'x5'x6' Box Culvert (5 rows of 60 LF)	300	L.F.	\$249.00	\$74,700.00
5	Concrete Wingwals	1	L.S.	\$10,000.00	\$10,000.00
				Total	\$95,460.00

Jared S. Inman, P.E.
 Project Manager



Jorgensen & Associates

CIVIL ENGINEERS - SURVEYORS
 124 W. Sunbridge Dr., Ste. 5
 Fayetteville, AR 72703
 Office: 479-442-9127
 Fax: (479) 582-4807
www.jorgensenassoc.com

To: Andrew Garner, Current Planner

February 25, 2013

From: Glenn Newman, P.E.
Staff Engineer

Re: Plat Review Comments (February 28, 2013 Subdivision Committee)

Development: PPL 13-4312 Buffington Subdivision

Engineer: Jorgensen & Associates

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. 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.
3. The engineer of record shall provide "Full Time" inspection for utilities and "Part Time" inspection for the storm drainage and roadway construction for this project. The engineer of record shall also review and approve material submittals (approved submittals shall be submitted to the City for concurrence before material is ordered)– weekly inspection reports should be submitted to the City of Fayetteville's public works inspector.
4. 2012 Standard Water & Sanitary Sewer Specifications & Details apply. (Document available at www.accessfayetteville.org/government/engineering)
5. Prior to request for approval of construction drawings for the preliminary plat, provide a master residential lot grading plan (MRLGP) for review and approval to ensure positive drainage of each lot at time of development. Utility and drainage easements shall be graded to MRLGP prior to final plat.
 - o Add note to final plat: The site development will follow the approved master residential lot grading plan
6. Performance bonds in the amount of 100% of the total cost to install the approved erosion and sediment control plan (Hydromulch with seed all proposed disturbed areas, including area of improvements) to ensure the continuation of the proper maintenance of the plan must be provided. The bond shall remain in place until permanent stabilization has been achieved for the development site, including all on and off-site franchise utilities. (Projects greater than 5 acres.).

Plan Comments:

1. All sidewalks and ADA ramps will be constructed before final plat.
2. Additional storm drainage may be required along the adjacent county roads as curb and gutter is added with this development.
3. A Floodplain Development Permit is required for the proposed construction within the FEMA regulated floodplain prior to issuance of the Grading Permit. Contact Sarah Wrede 575-8208 for additional information.

4. The project limits include Hydric Soils, either limit construction activities in this area or provide a wetland determination.
5. Areas with concentrated offsite flow will require a drainage easement and designed conveyance.
6. Add stone forebay in each detention structure around the inflow pipes and outfall structure.
7. Show design contours for all drainage and utility easements, which shall be graded out prior to final plat, per the MRLGP.

Drainage Report Comments:

1. Indicate CN values used. (circle on charts and provide back up spreadsheet).
2. Review the Outfall structure and discharge pipe for both new detention ponds.
 - a. The Mannings' n does not agree with the pipe description.
 - b. The Weir (top of box) should be included in the outlet design to see impact to discharge pipe.
 - c. Velocities of discharge pipe appear excessive (10 fps max allowed per DCM)
3. Velocity Reduction will be required for each outfall pipe to ensure the receiving creek banks area stabilized.
4. Verify the condition and capacity of the existing channel. Provide an engineered solution to stabilize channel if necessary, and prevent scour velocity, up to 10 yr design event. The channel should also be cleaned prior to acceptance by removal of any brush, deadfall, obstruction, etc to the satisfaction of the engineering division. Scour protection must be installed at the outfall into the floodway.

Standard Construction Comments:

1. Prior to obtaining a Final Plat, the following items must be performed or provided to the satisfaction of the Engineering Department:
 - The work shown on the civil site package must be complete and the items on the final punch list completed.
 - Vegetation must be established in accordance with Section 169.06 of the UDC and perimeter controls removed.
 - One (1) set of as-built drawings of the complete project (excluding details) as a hard copy and in Tiff or PDF format;
 - Public infrastructure and services shall be surveyed after installation in relation to easements, property lines, and rights-of-way.
 - Professional surveyor shall provide stamp drawings specifically identifying the limits of as-built survey performed.
 - More than 2 ft deviation of design alignment shall require new easement dedication or adjustment of the utility/storm drain.
 - Unit price construction costs and a single 2 year maintenance bonds in the amount of 25% of the public improvements have been provided to the city;
 - Certification that the streets, sidewalk, storm sewer, water, fire line, and sewer lines, etc., were installed per approved plans and City of Fayetteville requirements;
 - Certification that the designed retaining walls were installed per approved plans and City of Fayetteville requirements;
 - Cross Sections, Volume Calculations, and Certification Retention/Retention Ponds are in accordance with the approved Drainage Report.
 - Surveyor's Certification of Compliance for monuments and property pins.
 - The As- Built Final Drainage Report in PDF format.
 - Cross Sections, contours, spot elevations, and Certification that the site has been graded per the approved MRLGP within the right of way, drainage easements, and utility easements.



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.
 JARED S. INMAN, P.E.

February 26, 2013

City of Fayetteville
 113 W. Mountain Street
 Fayetteville, AR 72701

Attn: Andrew Garner
 Re: Variance of Block Length Requirement for Buffington Subdivision

Dear Andrew;

Please find the following variance requests for Buffington Subdivision, to allow for the excess block length and connectivity, which do not meet current design standards. The current 2030 plan has newer street cross sections; in particular, we are requesting the following variances:

Street #2
 (Local Streets)

Variance Requested	Code/Requirement
Block Length (Street #2): 832.54' (+32.54' variance)	Max Block Length: 800'

The reason for the variance request on Street #2 stubbing out to the south property line is that we are providing connectivity to the southern boundary via Street #1 directly to the east. Also, the community septic field requires a certain amount of land area and a street crossing through lot 46 would adversely affect this requirement.

Street #4
 (Local Streets)

Variance Requested	Code/Requirement
Requirement to connect to south property line across creek	UDC 166.08(E) for connectivity

Connectivity over this creek would effectively disturb an existing riparian buffer that contains mature trees, as well as an ecological habitat that would be beneficial to preserve. The topography of this riparian area is such that the extents of grading required to make the connection would expand over a large area. This connection is not warranted or necessary and we feel that it is an environmental advantage to keep this area preserved. By providing a north/south connection via Street #1, a future connection over this stream further to the west of this cul-de-sac, would be less invasive. We are dedicating right-of-way to the west property line (from the cul-de-sac) for future connectivity to the west.

Please take the time to consider this variance.

Sincerely;


 Jared S. Inman, P.E.



JORGENSEN & ASSOCIATES

CIVIL ENGINEERS • SURVEYORS

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

City of Fayetteville
113 W. Mountain
Fayetteville, AR. 72701

1/29/13

Att: Jesse Fulcher
Re : Buffington Subdivision

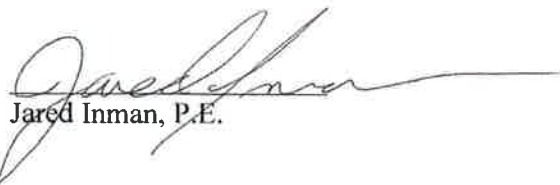
Attached please find information pertaining to the Buffington Subdivision. This project is in the City growth area but in Washington County. We have had a conditional use approved by the County for lots less than 1 acres. This project has access from Gulley Rd and Oakland Zion Rd. We will be connecting to an existing waterline on Gulley Rd and also on Oakland Zion Rd. There is no sewer so we will provide a drip system for use by all lots. A gravity sewer will be installed as per City of Fayetteville specifications.

We will be providing a riparian buffer along the intermittent creek on the south side.

A traffic study has been performed and we will provide improvements to the intersection at Old Wire Rd and Gulley Rd as per this study.

Please review and call concerning any questions you may have.

Thank you.



Jared Inman, P.E.

MARILYN EDWARDS
County Judge



JULIET RICHEY
Planning Director

WASHINGTON COUNTY, ARKANSAS
Planning Office

Date: December 7, 2012

Project number: 2012-111

To: Clay Carlton & Mike Lamberth,
Buffington Homes of Arkansas, LLC
ClayCarlton@BuffingtonHomesAR.com
mike.lamberth@buffingtonhomesar.com

Dave Jorgensen
Jorgensen and Associates
dave@jorgensenassoc.com

Reo Holdings I, LLC & Metropolitan National Bank
CElkins@MetBank.com

Cc/ Washington County Road Department
Cc/ Melissa Wonnacott-Center, Health Department
Cc/ Fayetteville Schools Superintendent, Vicki Thomas
Cc/ Goshen Fire Department, Nathan Wood
Cc/ Fayetteville Fire Department, Terry Lawson
Cc/ Fayetteville Planning Office

From: Sarah Geurtz, Washington County Planner

Re: Conditional Use Permit 2012-111, Buffington Homes Subdivision – Gulley Road CUP

This letter is your official notification that the Conditional Use Permit application for the development known as **Buffington Homes Subdivision – Gulley Road CUP** located in Section 29, T - 17 - N, R - 29 - W, was approved by the Washington County Planning Board / Zoning Board of Adjustments on December 6, 2012, with the below stated conditions.

Water/Plumbing/Fire/ Engineering Conditions:

1. Fire flow gpm will determine how far apart hydrants must be located (and hence how many hydrants will be required).
2. The eastern road spur must terminate in a hammerhead, "Y", or cul-de-sac or other approved Fire Code-compliant turn-around.

Sewer/Septic/Decentralized Sewer Conditions:

1. The community sewer system(s) must be approved, installed and inspected by the Arkansas State Health Department/ ADEQ prior to occupation of the residence(s).
2. No parking is allowed on any portion of the sewer system including the alternate area.

Drainage Conditions:

1. Drainage report must be provided at Preliminary Subdivision Plat.
2. The south detention pond's outfall should be above the 100 year water surface elevation of the stream. Address this issue by Preliminary Subdivision Plat.
3. Detention ponds, that would affect the Stream Protection Zones, shall follow Fayetteville's Streamside Protection Best Management Practices Manual to prevent undue pollution of water run-off, as determined by Planning Staff.

Roads/Sight Visibility/Ingress-Egress/Parking Conditions:

1. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.
2. The southern-most road shall terminate at a temporary cul-de-sac at the south-western property boundary as agreed upon by Planning Staff and the applicant. This configuration would require a Variance from Washington County during Preliminary Subdivision Plat, as it is in conflict with Washington County Road Department regulations regarding allowable cul-de-sac length.
3. The southern detention pond must be located in the general location agreed upon by Planning Staff and the Buffington Homes representative.
4. East Gulley Road does not have to be improved on the northern side of the road.
5. The intersection of East Gulley Road (WC#345) and Old Wire Road (WC# 87) shall be improved as per option A of the submitted traffic study. However, the realignment should be achieved with some sort of curbing or other 3-dimensional design feature in place of the proposed striping.

6. At the proposed density, the County requires improvements made to both sides of Oakland Zion Road (WC# 83) from the southern property line to the intersection of Gulley Rd., as per County regulations
7. 43.5 feet of ROW from the centerline of Oakland Zion shall be dedicated on the subdivision side from the southern property line to the northern property line.
8. 30 feet of Right Of Way (ROW) from the centerline along East Gulley Road must be dedicated on the subdivision side only where the road touches the subdivision property.
9. If approved by the adjoining Church, a crossing sign shall be placed on Oakland Zion Road (WC#83) near the Oakland Zion Road (WC# 83) and East Gulley Road (WC# 345) intersection. The Washington County Road Department shall determine the sign's placement.

Public Utility Conditions:

1. When you need further information regarding Sewer System Requirements, contact Renee Biby at 444-1896.
2. For Subdivision review:
 - Provide specs for wastewater treatment facility.
 - Include a note on the Plat and in Covenants concerning a community sewer system.
 - Know that there are financial requirements per Washington County Rules and Regulations.
 - ADEQ approval will be required.
3. Please contact Renee Biby when you plan on ordering the equipment (she will need specifications, etc. of the equipment).

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Utility Conditions:

1. Ozarks Electric requires utility easements in this subdivision.
2. Any damage or relocation of Cox Cable's existing facilities will be at the owner's/developer's expense.

Signage/Lighting/Screening Conditions:

1. Any fencing and signage must be located outside of the Right of Way and must be approved by Planning Staff.
2. Any outdoor lighting must be shielded from neighboring properties and must be approved by Planning Staff. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately.
3. Opaque privacy fencing shall be installed along parcel 001-15537-000's eastern boundary, and along its northern property boundaries (with construction of homes on lots) prior to final subdivision plat.

City of Fayetteville's Conditions:

1. Subdivision frontages onto Gulley Rd (southern side only) shall be improved to 20 feet of driving surface with full improvements (curb and gutter, sidewalks, and storm drains). The southern side of Gulley Rd. between lots 6 & 12 must also be improved to these standards.
2. All subdivision frontages onto both Oakland Zion Road and East Gulley Road (including the road length between lots 6 & 12) shall require the standard subdivision improvements: sidewalks, curb and gutter, etc.
3. All vehicular turn-around configurations must be constructed all the way to the property line with a "Future Street Extension" sign posted. For cul-de-sacs (or hammerheads) an assessment shall be provided for the cost to remove the outside of the cul-de-sac when the street is extended in the future.
4. Washington County Planning's alternative for the southern road termination location at a south-western property boundary is acceptable to Fayetteville Planning Staff assuming the detention pond and land disturbance are also relocated away from the creek.

Stream Protection Conditions:

1. Fayetteville's Streamside Protection Zone code (as stated in the City of Fayetteville's Flood Damage Prevention Code, Chapter 168.12) shall apply to the stream located on the south-east portion of this property and shall be adhered in all instances by the developer and current and future owners of the lots containing this stream and its bordering land. The term "County Contract Engineer" shall replace all references to the "City Engineer" in this code.
2. Prior to any land clearing or soil disturbing activity, the Streamside Protection Zone boundaries shall be clearly delineated on site by the applicant/developer and such delineation shall be maintained throughout construction activities.
3. Before commencing any construction activity, the applicant shall install silt fencing on the site at the outer edge of the Streamside Protection Zone, or as directed by the County Contract Engineer.

4. Water quality protection measures shall be followed according to Fayetteville's Streamside Protection Best Management Practices Manual for new stormwater conveyances through the Streamside Protection Zones and involving the detention ponds.
5. On the Preliminary and Final Subdivision plats, show the location and type of surface water, the top of bank, Zone 1 Waterside Zone and Zone 2 Management Zone boundaries, and slope, when any portion of the property being developed falls within the Streamside Protection Zones. The same shall also be identified for building, moving, demolition and grading permits.
6. There shall be general adherence to the newest plan/layout received on 12.06.2012 and presented to the Board.

Tree Protection Conditions:

1. The tree and preservation areas indicated in the Tree Preservation Plan shall act as a guide to the developer. At (or before) the Preliminary Subdivision Plat stage, County Planning Staff will work with the developer onsite to identify trees or groupings of trees in these areas that should be preserved during the subdivision development.
2. The addition of two street trees per lot (Approx 2" in caliper) and one tree per yard should be standard for this subdivision.
3. Utility routing: at Preliminary Subdivision Plat, the developer shall avoid placing utility easements in tree preservation areas when possible.
4. Lots including proposed tree preservation areas should show a home footprint (comparable to the footprints of proposed home products) at Preliminary Subdivision plat. Final lot line placement and home positioning should be worked out at that time.
5. *Site inspection.* Prior to any construction, a preliminary site inspection followed by periodic inspections will be conducted by the County Planning Staff forester to ensure compliance with the tree preservation plan.
6. *Tree protection.* Tree preservation areas shall be protected from construction activity to prevent impingement by or the storage of construction vehicles, materials, debris, spoils or equipment in tree preservation areas. No filling, excavating or other land disturbance shall take place in tree preservation areas. Before commencing any construction activity, the applicant shall construct tree protection barriers, by a method approved by Planning Staff, on the site along the tree drip line or 10 feet from the trunk, whichever is greater.
7. County Planning Staff may require other protective measures based upon the individual characteristics of the site and the proposed construction methods. Tree protection measures shall also protect any off-site trees, the roots of which extend onto the site of the proposed construction.

8. If the required barriers surrounding the tree preservation areas are not adequately maintained during construction, County Planning Staff shall prescribe remedial measures, and may issue a stop work order or revoke the Conditional Use Permit.

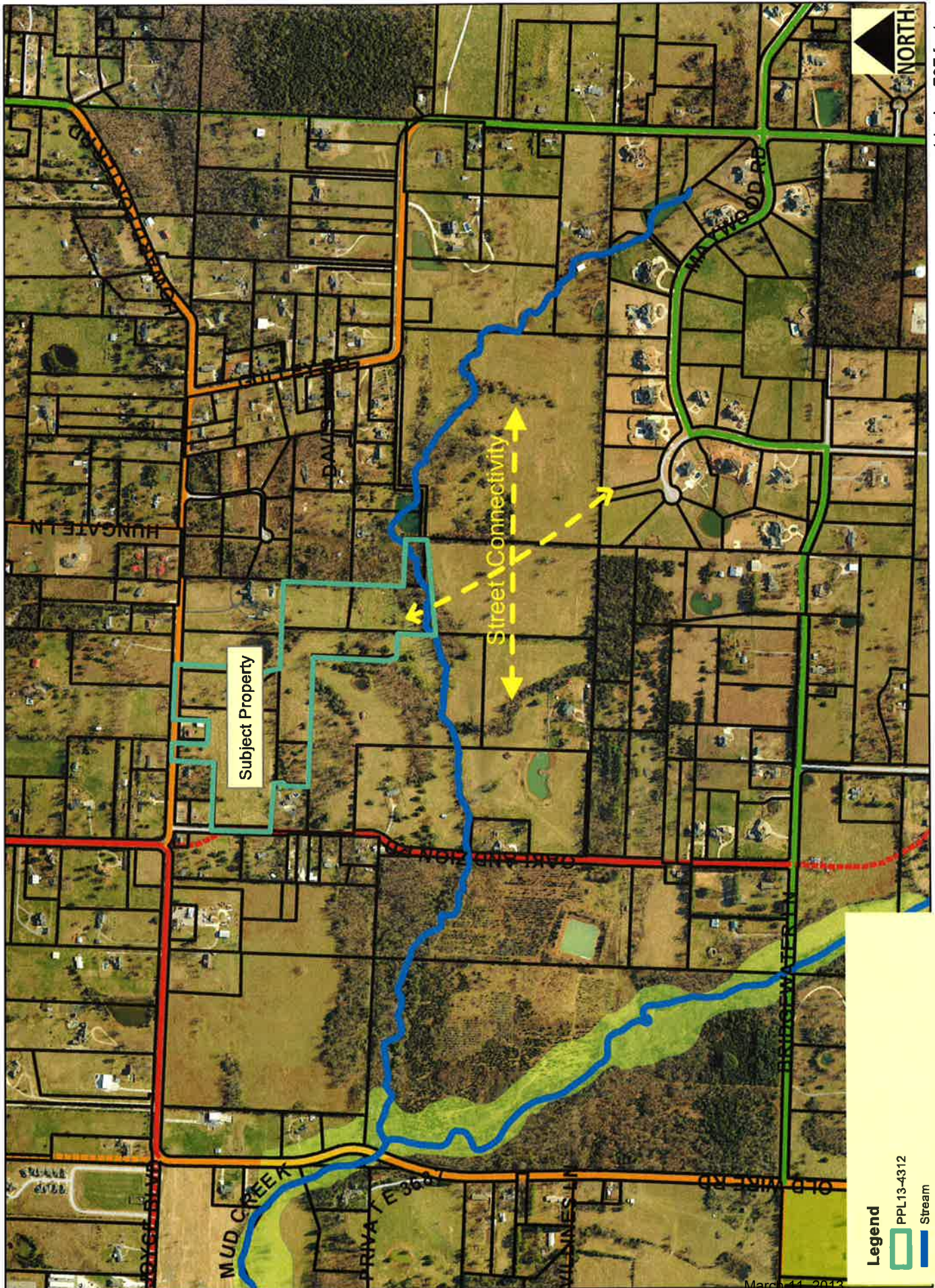
Standard Conditions:

1. Pay neighbor notification mailing fees (\$105.00) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 11/26/12).
2. Pay engineering fees of \$325 within 30 days of project approval. Any extension must be approved by the Planning Office.
3. The lot line adjustments needed for the proposed subdivision configuration must process through the City of Fayetteville first, then through Washington County Planning Department before this project could be approved as a Preliminary Subdivision.
4. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
5. This CUP must be ratified by the Quorum Court.
6. All conditions shall be adhered and completed in the appropriate time period set out by ordinance.
 - This project requires additional review (Preliminary and Final Subdivision), and therefore, the applicant must submit for Preliminary project review within 12 months of this CUP project's ratification.

Please note that no CUP is final until the 30-day appeal period has run (and no appeal has been filed), and the CUP has been ratified by the Quorum Court.



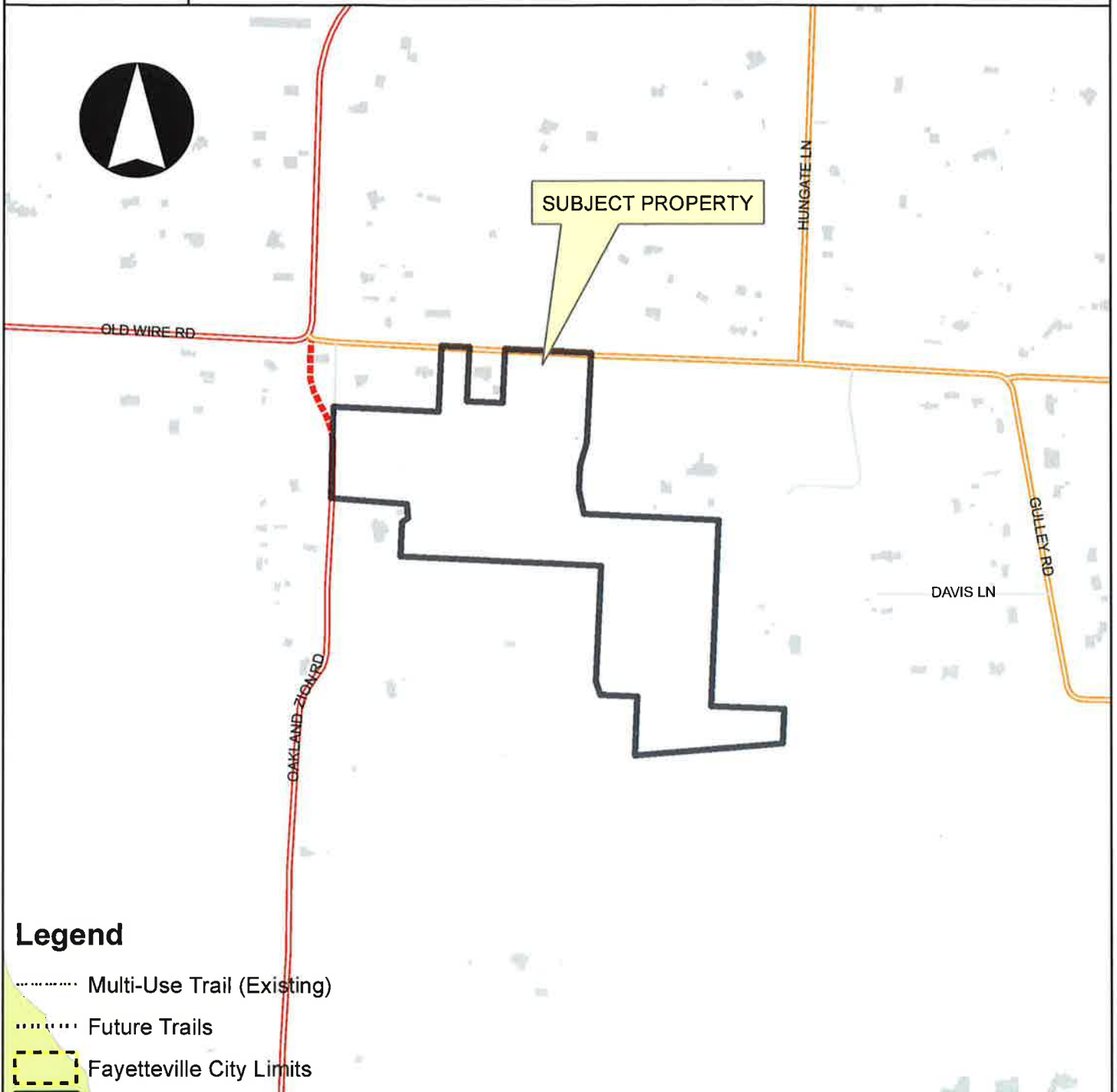
Sarah Geurtz, Washington County Planner
sgeurtz@co.washington.ar.us



Legend

- PPL13-4312
- Stream
- 0.2% Chance Floodplain (500 - yr Floodplain)
- Zone A, 1% Chance Floodplain (100 - yr Floodplain)
- Zone AE, 1% Chance Floodplain (100 - yr Floodplain)

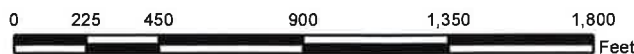
Close Up View



Legend

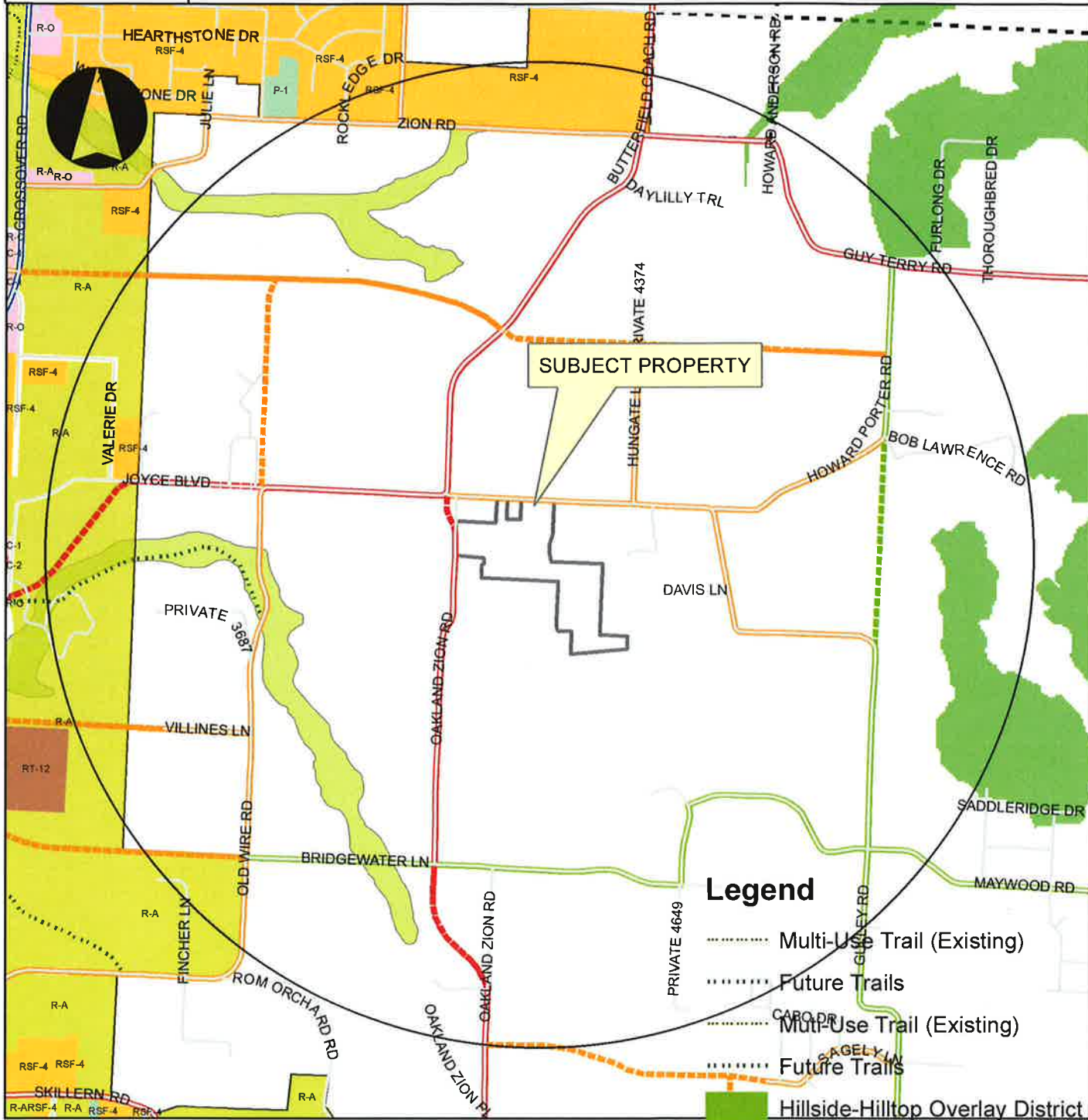
- Multi-Use Trail (Existing)
- Future Trails
- Fayetteville City Limits

- Overview PPL13-4312
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



BUFFINGTON S/D

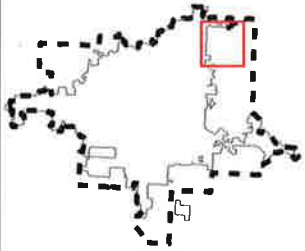
One Mile View



Legend

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

Overview



Legend

- Subject Property
- PPL13-4312
- Boundary
- Design Overlay District
- Planning Area
- Fayetteville





PC Meeting of March 11, 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: Andrew Garner, Senior Planner
THRU: Jeremy Pate, Development Services Director
DATE: February 20, 2013

CUP 13-4311: Conditional Use Permit (2220 E. HUNTSVILLE RD./DOLLAR GENERAL, 566): Submitted by COOVER CONSULTANTS for property located at 2220 EAST HUNTSVILLE ROAD. The property is zoned R-O, RESIDENTIAL OFFICE and contains approximately 0.89 acres. The request is for a conditional use permit for a Dollar General Store (Use Unit 15). Planner: Jesse Fulcher

BACKGROUND:

Property Description: The subject property is located on Huntsville Road, west of Crossover Road. The property was rezoned from RSF-4, Residential Single-family to R-O, Residential Office in 2007. Huntsville Road is currently under construction between Stonebridge Road and Armstrong Avenue. The final design will include four lanes and new sidewalks on both sides of the street. The surrounding land use and zoning is indicated in *Table 1*.

**Table 1
Surrounding Land Use and Zoning**

Direction	Land Use	Zoning
North	Undeveloped	RSF-4, Residential Single-Family 4 Units/acre
South	Commercial/Residential	C-1, Neighborhood Commercial, RSF-4
East	Residential	RSF-4, Residential Single-Family 4 Units/acre
West	Residential	RSF-4, Residential Single-Family 4 Units/acre

Proposal: The applicant is requesting approval for Use Unit 15, Neighborhood Shopping Goods in the R-O zoning district in order to construct an approximately 9,000 square foot Dollar General.

The applicant has submitted two different site plans and building elevations for the Planning Commission to consider. Staff evaluated both site and building designs as requested by the applicant.

Public Comment: Staff has not received public comment.

RECOMMENDED MOTION:

Staff recommends denial of CUP 13-4311, finding that both proposals are incompatible with surrounding residential land uses, and inappropriately designed based on the context of the property. The proposal is more appropriately designed for the existing commercial node located at the intersection of Crossover Road and Huntsville Road. Staff is also concerned with the impacts to Huntsville Road due to the introduction of left-hand turning movements, and the increased level of congestion and delay that could be created for east bound traffic.

PLANNING COMMISSION ACTION: Required YES

Planning Commission Action: Approved Denied Tabled

Motion: _____

Second: _____

Vote: _____

Meeting Date: March 11, 2013

City Plan 2030 designation: *City Neighborhood Area.*

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. Non-residential uses range in size, variety and intensity from grocery stores and offices to churches, and are typically located at corners and along connecting corridors

Section 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. 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 for neighborhood shopping goods (Use Unit 15) within the R-O 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 §161.17 to grant the requested conditional use permit.

(b.) That the granting of the conditional use will not adversely affect the public interest.

Finding: The increased traffic generated from a general retail development on this site will add turning movements and therefore turning conflicts on Huntsville Road, a busy four-lane roadway. Serious consideration needs to be given to the access location and design if the conditional use permit is approved. Otherwise, the general public may be adversely impacted from the development generated by this development. This may include some type of left-turn restriction. Further, the proposal, as designed, does not consider the adjacent residential land uses, which may have a negative aesthetic impact.

(c.) The Planning Commission shall certify:

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

Finding: There are no specific rules governing this individual conditional use request.

- (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: **Ingress and egress to the property should not create pedestrian safety problems. However, traffic volumes will be substantial for the proposed retail use as indicated by the applicant, which will increase the potential for automobile accidents, congestion and delay. Because the site only has access to Huntsville Road, an access is permitted, though the final design and alignment should be restricted if safety is a concern. Additional study needs to be given to the impacts on through traffic.**

- (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: **The site will have adequate parking and loading areas located along the east and south sides of the building. Development of the site as proposed will result in traffic volumes of approximately 10-15 vehicles per hour, according to the applicant. In addition to customer traffic, an 18-wheeler will provide all deliveries to the site, requiring internal driveways to be wider than normally required. Staff does have concerns with introducing a land use that requires deliveries by such a large vehicle. This delivery method is also driving the site layout, including the building location and parking lot design. In staff's opinion, a nonresidential development within a predominantly residential area should not be designed based on the needs of a single delivery vehicle.**

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

Finding: **The loading area and dumpster will be located along the north property line. Ingress and egress will be from a single commercial driveway with parking along the front and/or side of the building.**

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

Finding: All necessary utilities are available to serve the proposed use.

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

Finding: The site is surrounded by residential property, so screening and buffering will be essential and required if the property is developed with a nonresidential building.

(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 for compliance with the underlying Residential Office zoning district, and shall be permitted by a separate sign permit document prior to installation.

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

Finding: No new structures or uses are proposed that would be required to meet setbacks or other open space requirements.

(h.) General compatibility with adjacent properties and other property in the district.

Finding: The proposal is to incorporate a national retail tenant between existing residential properties in a predominantly residential area. This scenario can be beneficial to an area if neighborhood scale and aesthetic are an integral part of the design process. It does not appear, in staff's opinion, that these characteristics were considered in this particular case. The proposal is for a somewhat standard Dollar General design, comprised of a standing seam metal roof and fascia, one wall material, and a small percentage of glazing. In staff's opinion, this is not at all compatible with surrounding residential land uses – the predominant land use in the area.

161.17 District R-O, Residential Office

(A) *Purpose.* The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 12	Limited business
Unit 25	Offices, studios, and related services
Unit 44	Cottage Housing Development

(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 11	Manufactured home park*
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities*
Unit 42	Clean technologies

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and area regulations.*
(Per dwelling unit for residential structures)

(1) *Lot width minimum.*

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single-family	60 ft.
Two-family	60 ft.
Three or more	90 ft.

(2) *Lot area minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 sq. ft.
Townhouses:	

Development	10,000 sq. ft.
Individual lot	2,500 sq. ft.
Single-family	6,000 sq. ft.
Two-family	6,500 sq. ft.
Three or more	8,000 sq. ft.
Fraternity or Sorority	1 acre

(3) *Land area per dwelling unit.*

Manufactured home	3,000 sq. ft.
Townhouses & apartments:	
No bedroom	1,000 sq. ft.
One bedroom	1,000 sq. ft.
Two or more bedrooms	1,200 sq. ft.
Fraternity or Sorority	500 sq. ft. per resident

(E) *Setback regulations.*

Front	15 ft.
Front, if parking is allowed between the right-of-way and the building	50 ft.
Front, in the Hillside Overlay District	15 ft.
Side	10 ft.
Side, when contiguous to a residential district	15 ft.
Side, in the Hillside Overlay District	8 ft.
Rear, without easement or alley	25 ft.
Rear, from center line of public alley	10 ft.
Rear, in the Hillside Overlay District	15 ft.

(F) *Building height regulations.*

Building Height Maximum	60 ft.
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Height regulations. Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district an additional distance of one foot for each foot of height in excess of 20 feet.

- (G) *Building area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot.



City Neighborhood Areas:

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 multifamily. Non residential uses range in size, variety and intensity from grocery stores and offices to churches, and are typically located at corners and along connecting corridors. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

City Neighborhood Areas encourage complete, compact and connected neighborhoods and 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.

Guiding Policies:

- a. Protect adjoining properties from the potential adverse impacts associated with non-residential uses adjacent to and within residential areas with proper mitigation measures that address scale, massing, traffic, noise, appearance, lighting, drainage, and effects on property values.
- b. Provide non-residential uses that are accessible for the convenience of individuals living in residential districts and where compatibility with existing desirable development patterns occurs.
- c. Reduce the length and number of vehicle trips generated by residential development by enhancing the accessibility to these areas; encourage walkability as part of the street function.



Three Sisters Building



Chestnut Lofts



- Neighborhood shopping should be within walking distance of residential use, or approximately one-quarter mile.
- d. Encourage developers to designate and plan for mixed-use corners at the time of approval to properly plan for accessibility to these areas.
 - e. Encourage pedestrian-friendly, mixed-use buildings through the use of transparent glass for commercial uses at street level and building entrances that address the street.
 - f. Encourage a block-and-street layout that promotes walkable, cyclist-friendly road designs with slow design speeds.
 - g. Encourage mixed-use development that is sensitive to surrounding residential uses and allows for day and night utilization of available parking.
 - h. Utilize principles of traditional residential urban design to create compatible, livable and accessible neighborhoods.
 - i. Encourage properties to redevelop in an urban form.
 - j. Protect and restore Fayetteville's outstanding residential architecture of all periods and styles.
 - k. Utilize the Master Street Plan and incorporate bike lanes, parkways and landscaped medians to preserve the character of the City and enhance the utilization of alternative modes of transportation.
 - l. Manage non-residential development within and adjoining residential neighborhoods to minimize nuisances.
 - m. Minimize through traffic on minor residential streets, while providing connections between neighborhoods to encourage openness and neighborliness.



Summerhill Townhouses



Hill Place Apartments



Girl Scouts Building



Sycamore Lofts



2220 E. Huntsville Road

CONDITIONAL USE REQUEST

January 30, 2013

- a. Building size in square feet; existing and proposed:

*Option 1: Proposed 9227 SF (7549 SF retail area and toilets)
Option 2: Proposed 9094 SF (7540 SF retail area and toilets)
Land is currently vacant*

- b. Number of off-street parking spaces to be provided / number required:

*29-32 spaces provided, depending on site plan. Required = $7540 \times 1/250 = 30$.
A variance from this requirement is requested.*

- c. Hours of operation:

8am-9pm, subject to change on customer demands

Number of employees:

6-10

Anticipated number of customers (average per day / peak hour):

*Typically 2500 transactions per week, 350 transactions per day, 10-15 vehicles
per hour*

- d. Outdoor lighting:

full cutoff light fixtures, building and pole mounted

- e. Noise:

typical small retail noise associated with daily operations

- f. Screening or buffering from adjacent properties:

*Dollar General typically provides a wooden fence if adjacent to residential zoning,
can provide landscaping instead if so requested*

- g. Trash and refuse service (with particular reference to the visibility from the street and adjacent properties):

Trash dumpster is set way back from the street, enclosed with 6' wooden fence and gate.

- h. Ingress and egress to the property; traffic impacts:

Only one 36' driveway is required. With only 10-15 vehicles per hour traffic impacts on the adjacent recently widened state highway will be minimal.

- i. A response discussing the general compatibility of the proposed use with adjacent properties and other property in the neighborhood:

The property is currently owned by JB Hunt, LLC. They are proposing to sell this tract to PB General Holdings LLC to construct a Dollar General neighborhood retail store.

The tract was the site of Mhoon Beef Processing which began in 1945. It was later the site of a landscape firm before the building was demolished sometime in the 2000's.

The conditional use is being requested since the current zoning classification of R-O does not allow for "neighborhood shopping".

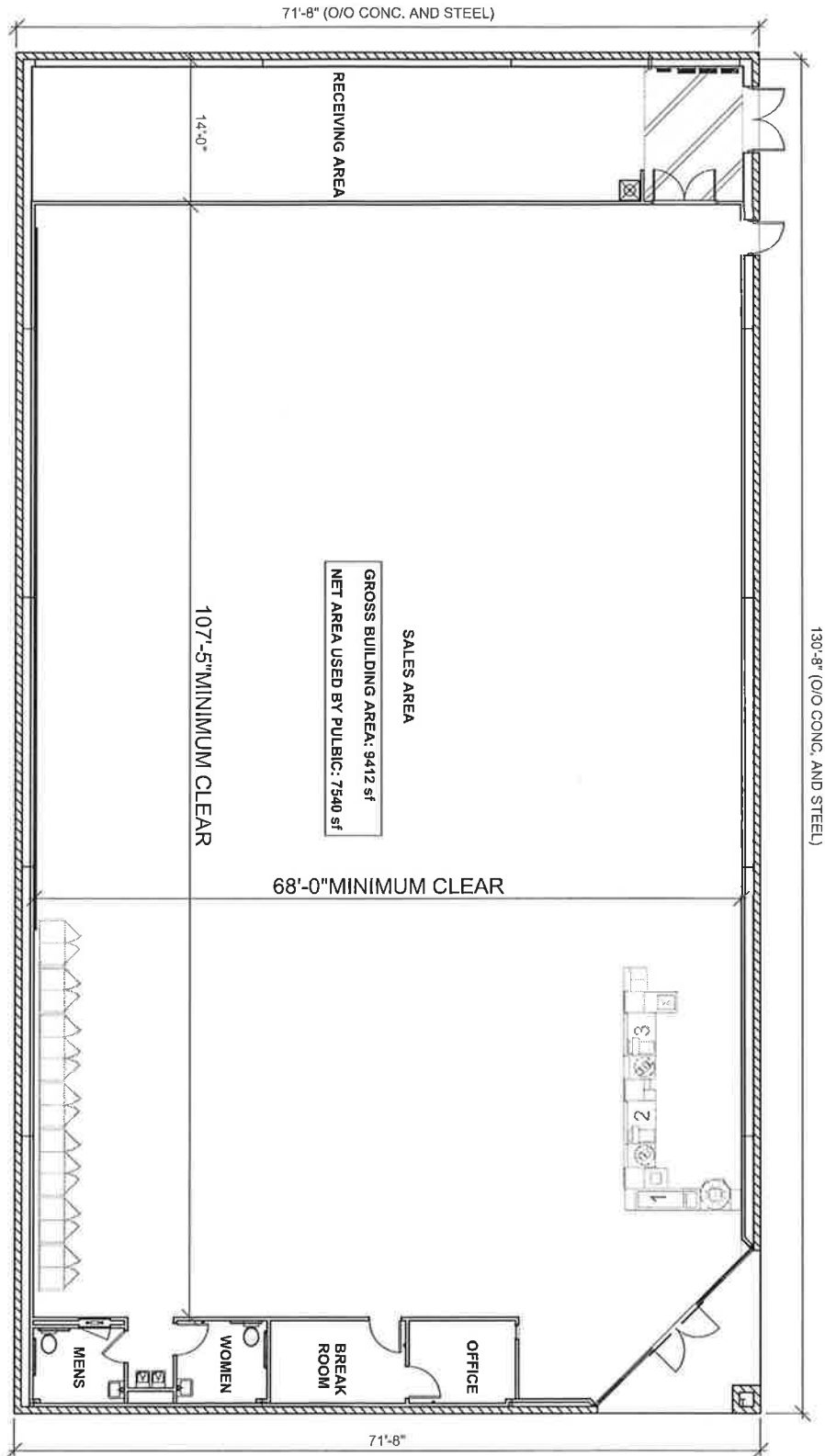
The immediately adjacent property along the north side of the highway is vacant pasture. The property immediately across the highway to the south is a gas station with a convenience store and large car wash. If/when the adjacent large tract to the north develops, it will most likely have a combination of residential and multi-family with some neighborhood commercial at the future intersection of SH 16 and S. Jerry Ave.

The existing tract and immediately surrounding and adjacent tracts all have a future land use shown in the 2025 City Plan as "City Neighborhood Area".

The proposed conditional use is 100% consistent with the Future Land Use Plan showing the area to be "City Neighborhood Area" as defined and described in the City Plan 2025.

Once the adjacent tracts develop, it is expected that a significant portion of the traffic to the site will be pedestrian traffic since Dollar General is a neighborhood retail store.

#

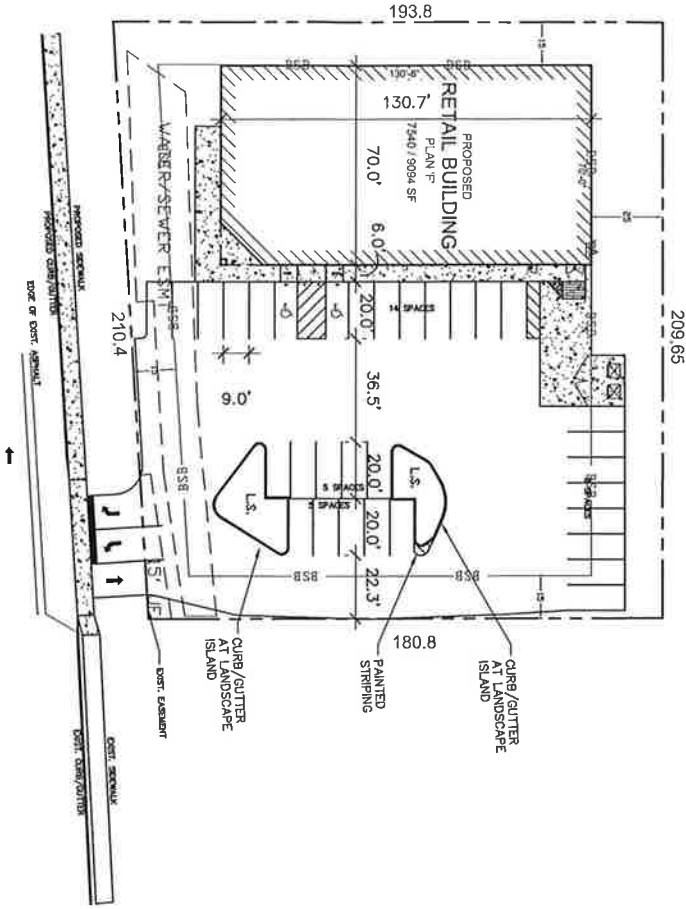


1 FLOOR PLAN
A1 3/32"=1'-0"

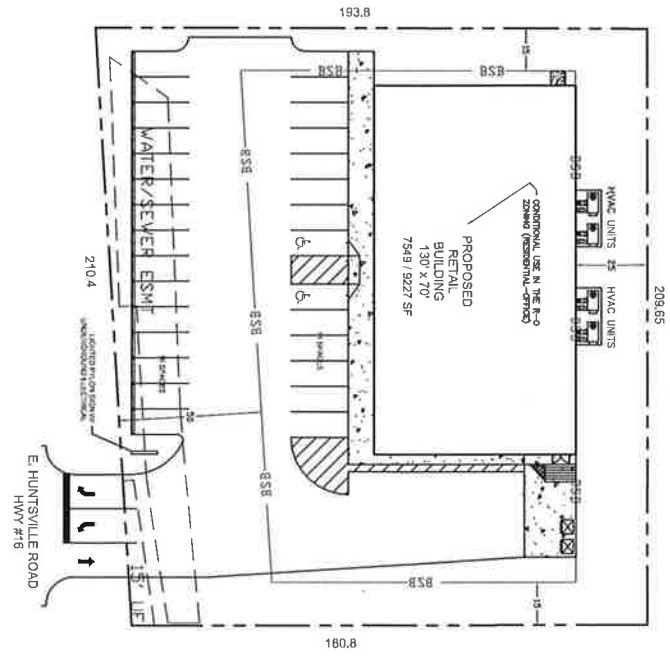
NOT APPROVED FOR CONSTRUCTION

TWO SITE PLAN OPTIONS

OPTION 2



OPTION 1



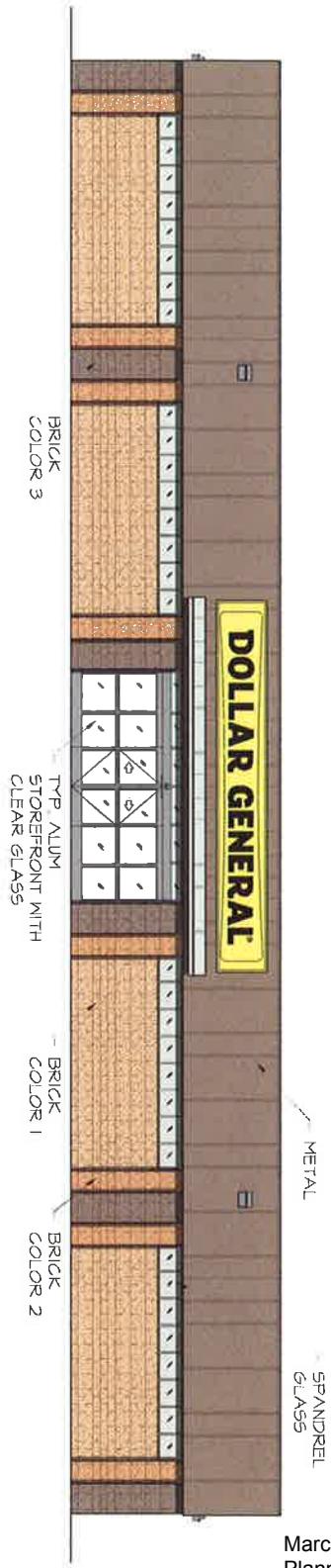
REVISIONS		
DATE	DESCRIPTION	BY
		CRC
		CRC
		CRC

Coover Consultants, PLLC
330 Rollston Avenue
Fayetteville, AR 72701
479.263.0958

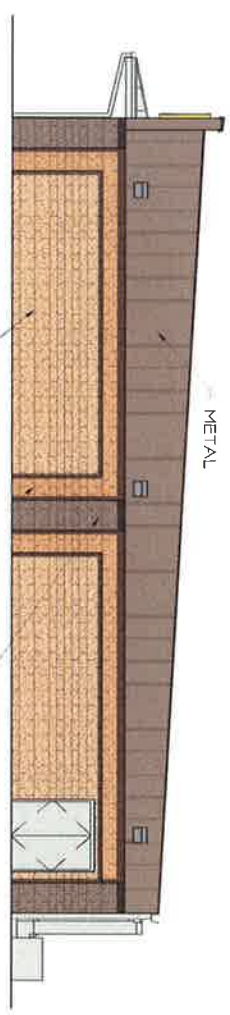
DOLLAR GENERAL
2220 E. HUNTSVILLE ROAD, FAYETTEVILLE, AR
SITE PLAN

DATE	01/30/13
DRAWN BY	CRC
CHECKED BY	CRC

Option 1



1 FRONT ELEVATION - OPTION 1 ("D" PLAN)
SCALE: 3/32" = 1'-0" (1X11T)



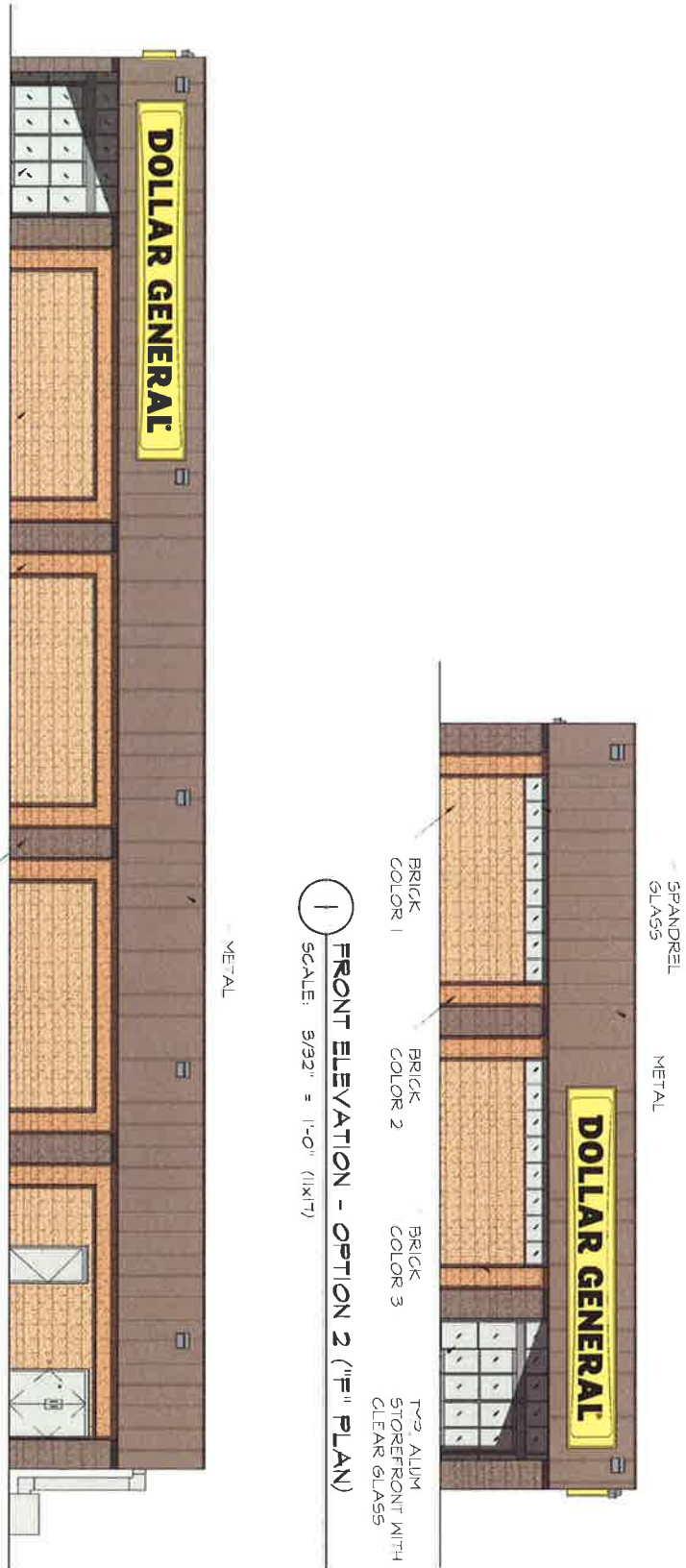
2 RIGHT SIDE ELEVATION - OPTION 1 ("D" PLAN)
SCALE: 3/32" = 1'-0" (1X11T)

PROPOSED DOLLAR GENERAL STORE
HUNTSVILLE ROAD, FAYETTEVILLE, AR

BARTLETT ARCHITECTURE, Inc.
603 HUNT #5 NORTH, BENLTON, AR 72014

PROJECT #
1234
FEB 5, 2013
A-1
SHEET 1 of 2

Option 2



1 FRONT ELEVATION - OPTION 2 (1/2" PLAN)
SCALE: 3/32" = 1'-0" (11x17)

2 RIGHT SIDE ELEVATION - OPTION 2 (1/2" PLAN)
SCALE: 3/32" = 1'-0" (11x17)

PROPOSED DOLLAR GENERAL STORE
HUNTSVILLE ROAD, FAYETTEVILLE, AR

BARTLETT ARCHITECTURE, Inc.
603 HWY #5 NORTH, BENLON, AR 72014

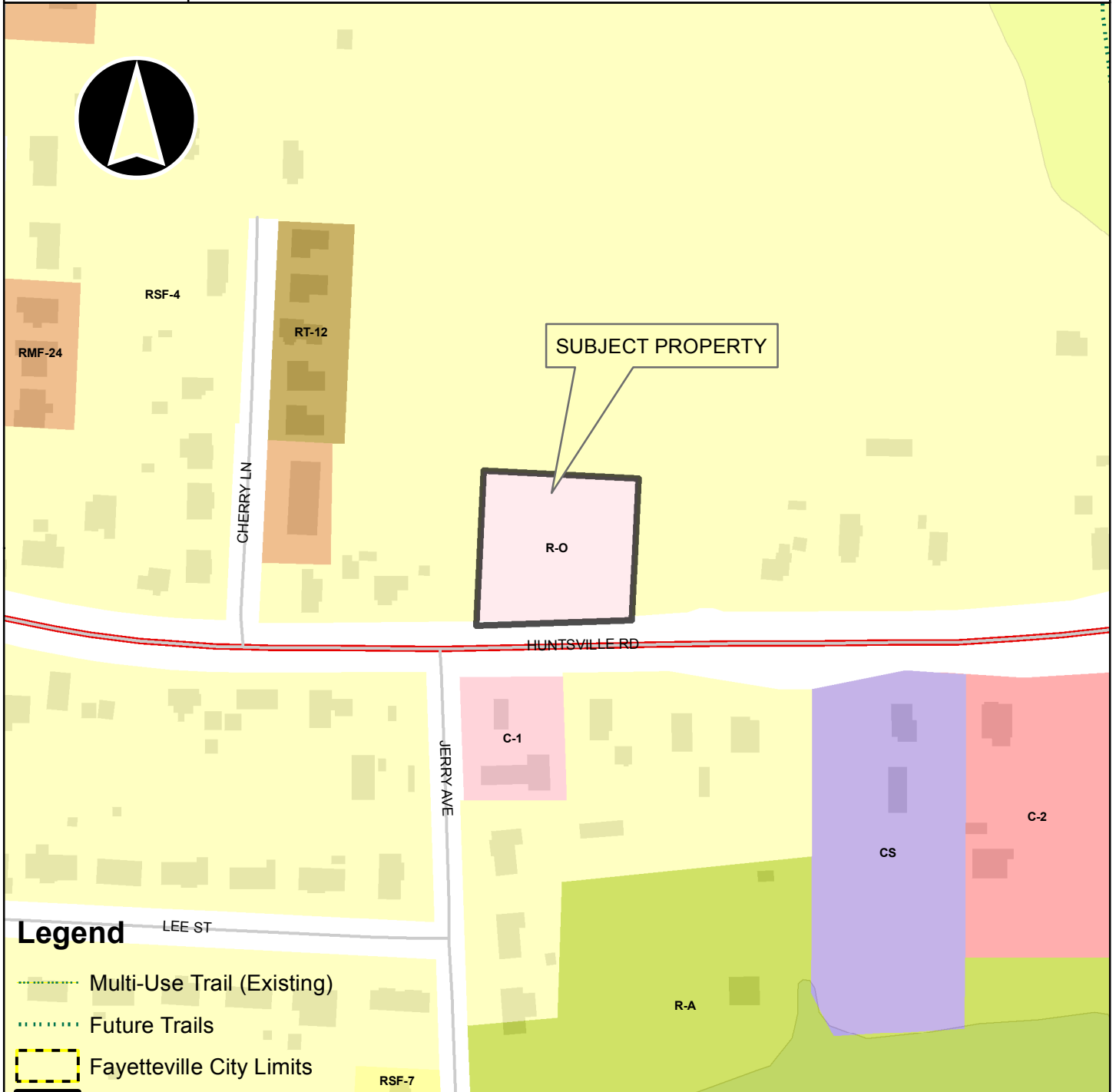
PROJECT #
1234
FEB 5 2013

A-2
SHEET 2 OF 2

CUP13-4311

DOLLAR GENERAL

Close Up View



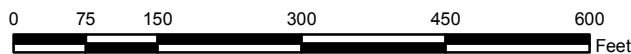
Legend

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

Overview

CUP13-4311

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



CUP13-4311

DOLLAR GENERAL

Current Land Use

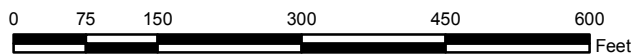


Legend

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

Overview CUP13-4311

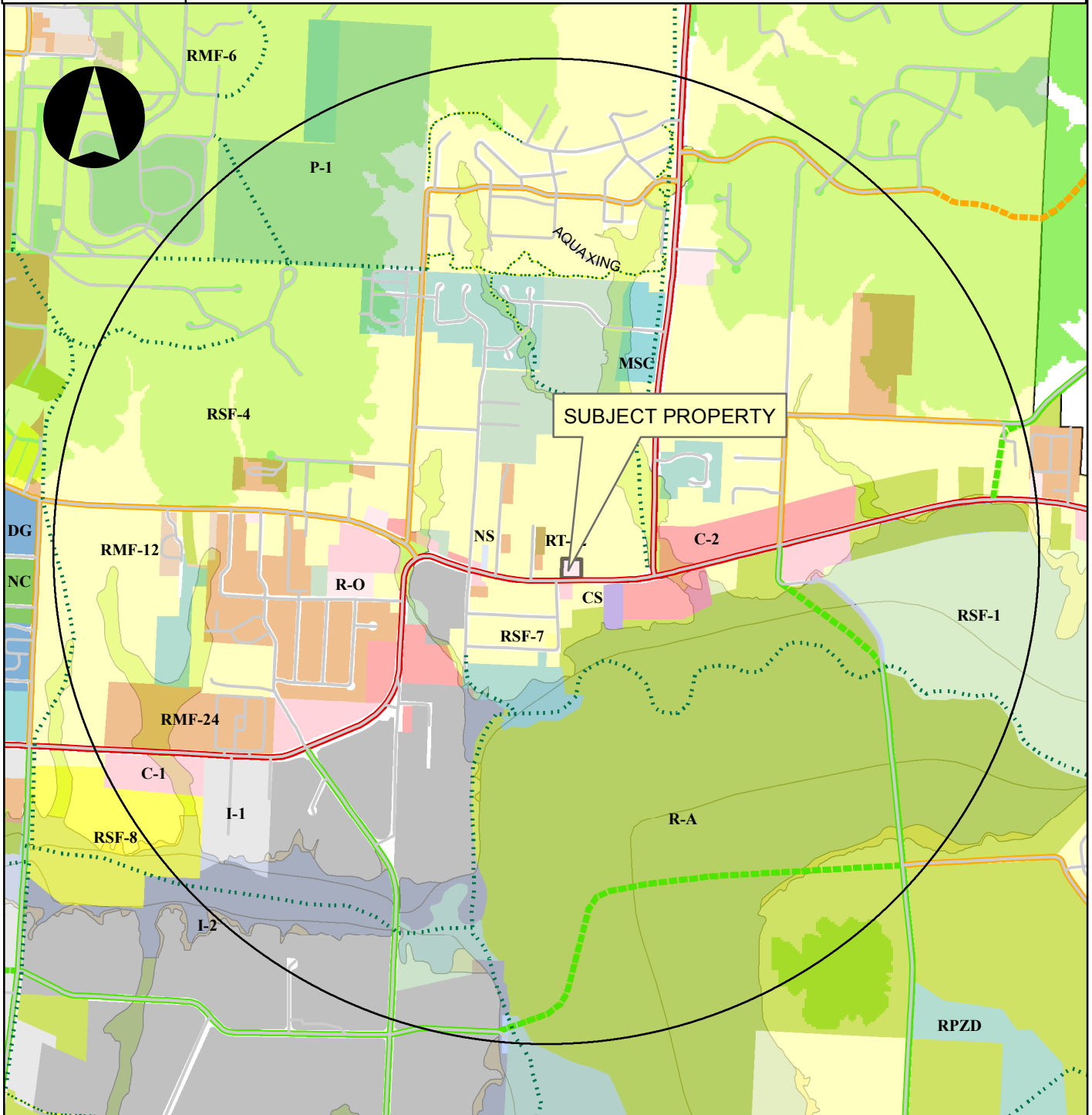
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



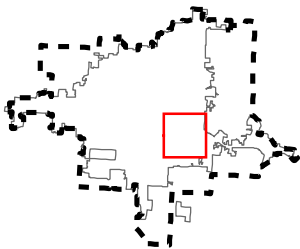
CUP13-4311

DOLLAR GENERAL

One Mile View



Overview



Legend

Subject Property

CUP13-4311

Boundary



March 1, 2013

Planning Commission

CUP 13-4311 Dollar General

Agenda Item 6

Page 18 of 18



PC Meeting of March 11, 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: Quin Thompson, Current Planner
THRU: Jeremy Pate, Development Services Director
DATE: March 5, 2013

RZN 13-4310: Rezone (N. OF THE INTERSECTION OF N. GREGG AVE. AND W. VAN ASCHE DR./HAAS HALL, 172): Submitted by MCCLELLAND CONSULTING ENGINEERS, INC. for property located NORTH OF THE INTERSECTION OF NORTH GREGG AVENUE AND WEST VAN ASCHE DRIVE. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL and contains approximately 17.28 acres. The request is to rezone the property to P-1, INSTITUTIONAL.

Planner: Quin Thompson

BACKGROUND:

Property Description & Background: The subject property is located east of Gregg Avenue, and north of Van Asche Drive. The property is within the C-1 zoning district and is currently undeveloped.

**Table 1
Surrounding Zoning and Land Use**

Direction from Site	Land Use	Zoning
North	Undeveloped	C-1, Neighborhood Commercial
South	Undeveloped / Single family residential	C-1, Neighborhood Commercial / RSF-4, Residential Single-Family Four Units Per Acre
East	Undeveloped	C-1, Neighborhood Commercial
West	Tune Concrete Plant	R-A, Residential Agricultural

Proposal: The request is to rezone the property from C-1, Neighborhood Commercial, to P-1, Institutional, to allow for the development of Haas Hall Academy, a private charter school.

Public Comment: Staff has not received public comment.

RECOMMENDATION:

Staff recommends forwarding RZN 13-4310 to the City Council with a recommendation for **approval** based on findings stated herein.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>March 11, 2013</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: _____	Second: _____		
Vote: _____			
Note: _____			
CITY COUNCIL ACTION:			
	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	Required <u>YES</u>
Date: _____			

INFRASTRUCTURE:

Streets: The site has access to Gregg Avenue and Van Asche Blvd.. Gregg Avenue is a fully improved four lane street in this location. Van ASche is a fully improved four lane boulevard in this location. Street improvements within the property will be evaluated at the time of development.

Water: Public water is available to the property. There is a 12” water main along Gregg Avenue in this location. Public water main improvements may be necessary to provide fire flow for domestic service for any proposed development.

Sewer: Sanitary sewer is available to the site. There is an 16” main along Scull Creek to the rear of this property.

Drainage: Standard improvements and requirements for drainage will be required for any development. This property is affected by the 100-year floodplain and the Streamside Protection Zones.

Police: It is the opinion of the Fayetteville Police Department that this RZN (12-4273), will not substantially alter the population density. This RZN will not create an

appreciable or undesirable increase in the load on police services and will not create an appreciable increase in traffic danger and congestion.

Fire: The Fayetteville Fire Department has not expressed concerns with this request.

CITY PLAN 2030 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates this site as **City Neighborhood Area**.* City Neighborhood area is identified as the most intense and dense development within the City, along with the greatest variety of buildings. Row houses, apartments, local and regional retail, hotels, and entertainment uses are some of the expected future uses in areas with this designation.

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: **The proposed P-1 zoning for an educational/institutional use is compatible with the adjacent and nearby commercial and single-family residential land uses. Adjacent developments include residential single family residential, zoned RSF-4 (maximum four units per acre) to the south, City of Fayetteville parkland and a residential neighborhood to the north. The P-1 zoning will be compatible with the Future Land Use Plan 2030, which designates the area ‘Urban Center Area’. This use is intended to contain the highest intensity and density development pattern as well as greatest variety of uses in the city. A school meets this land use goal provides a transition between surrounding commercial and residential uses. The P-1 zone is intended for public institutions and churches. Typical developments in the P-1 zone include colleges, senior housing, auditoria, community center, swimming pool, and churches.**

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: **As discussed in Finding No. 1, the proposed zoning is justified as it is compatible with the surrounding zoning and land uses and consistent with the City’s Future Land Use Plan. The property could be developed under the existing zoning regulations; however the P-1 zoning is justified and will allow an educational use by right.**

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: Based on gross density, the existing zoning would allow a range of high traffic uses from restaurants to gas stations, as well as commercial and professional office uses. The area is well served by improved, high capacity streets. This level of connectivity will disperse vehicular trips, reducing potential traffic impacts from development on this site. Traffic patterns will be typical of schools, with peaks in morning and mid-afternoon. The Fayetteville Police Department has reviewed the proposal and finds that the intended use is appropriate and not likely to appreciable increase traffic danger or congestion.

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 zoning would not increase population density over that allowed under the current zoning. This site is located at the edge of an intensive commercial district and in close proximity to residential neighborhoods.

Increased load on public services was taken into consideration and recommendations from Engineering and Police Departments are included in this report. Significant adverse impacts to public services would not result with the incorporation of standard improvements as part of the development.

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

161.29 District P-1, Institutional

(A) *Purpose.* The Institutional District is designed to protect and facilitate use of property owned by larger public institutions and church related organizations.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and area regulations.* None.

(E) *Setback regulations.*

Front	30 ft.
-------	--------

Front, if parking is allowed between the right-of-way and the building	50 ft.
Side	20 ft.
Side, when contiguous to a residential district	25 ft.
Rear	25 ft.
Rear, from center line of public alley	10 ft.

(F) *Height regulations.* There shall be no maximum height limits in P-1 Districts, provided, however, that any building which exceeds the height of 20 feet shall be set back from any boundary line of any residential district a distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 60 % of the total area of such lot.

(Code 1965, App. A., Art. 5(XI); Ord. No. 2603; Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.042; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5073, 11-06-07; Ord. 5195, 11-6-08; Ord. 5312, 4-20-10

161.18 District C-1, Neighborhood Commercial

(A) *Purpose.* The Neighborhood Commercial District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 5	Government Facilities
Unit 13	Eating places
Unit 15	Neighborhood shopping
Unit 18	Gasoline service stations and drive-in/drive through restaurants
Unit 25	Offices, studios, and related services

Unit 44	Cottage Housing Development
---------	-----------------------------

(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 16	Shopping goods
Unit 34	Liquor stores
Unit 35	Outdoor music establishments*
Unit 36	Wireless communications facilities*
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and area regulations.* None.

(E) *Setback regulations.*

Front	50 ft.
Side	None
Side, when contiguous to a residential district	10 ft.
Rear	20 ft.

(F) *Height regulations.* There shall be no maximum height limits in C-1 District, provided, however, that any building which exceeds the height of 10 feet shall be setback from any boundary line of any residential district a distance of one foot for each foot of height in excess of 10 feet.

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1965, App. A., Art. 5(V); Ord. No. 2603, 2-19-80; Ord. No. 1747, 6-29-70; Code 1991, §160.035; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord.

5195, 11-6-08; Ord. 5312, 4-20-10; Ord. 5339, 8-3-10; Ord. 5462, 12-6-11)

January 30, 2013

City of Fayetteville – Planning Department
125 West Mountain Street
Fayetteville, Arkansas 72701
(479) 575-8287

RE: CMN Business Park II, Phase III - Rezoning of Lot 20 & 21

Dear Staff & Commissioners,

Please accept this letter as a formal request to allow the rezoning of the property located directly north of the intersection of Gregg Avenue and Van Asche Drive, also known as Lot 20 & 21 of the CMN Business Park II, Phase III, from C-1 Neighborhood Commercial to P-1 Institutional.

Lots 20 & 21 are currently owned by Steele Crossing III, LLC of Little Rock. The property is currently under contract with Haas Hall Academy of Fayetteville.

While the C-1 zoning district would allow Unit 4 (Cultural and Recreational Facilities) as a conditional use, the P-1 zoning district more closely aligns with the intended use of the property as a future school facility and would allow a permanent zoning designation with all of the rights and opportunities afforded to other public institutions. The proposed zoning will neither alter the population density of the surrounding area nor will it create an undesirable increase the anticipated load on any public services (schools, water, and sewer facilities). In addition, the proposed zoning use will blend well with the future land use designation of Urban Center Area and could potentially provide services for the adjacent future City Neighborhood Area directly to the West.

Currently, the majority of adjacent properties to the subject property are vacant land. The properties that are not vacant include an industrial facility to the west of Gregg Avenue with no direct access to Gregg Avenue, a residential neighborhood south of Van Asche Drive, and a residential neighborhood to the north of Mud Creek.

The appearance of and signage related to the future school facility (while not currently designed) will be in keeping with any and all applicable City of Fayetteville code requirements.

While additional traffic will be generated due to the addition of the future school facility, ingress and egress onto the site will be carefully designed and will strictly adhere to any and all applicable City of Fayetteville code requirements. The impacted sections of Gregg Ave and Van Asche Drive are currently underutilized four lane roads and are well suited handle any additional traffic impacts generated by the future school facility.

*McClelland Consulting Engineers, Inc. - "Best Engineering Firm"
Arkansas Business 2009 Award Recipient*

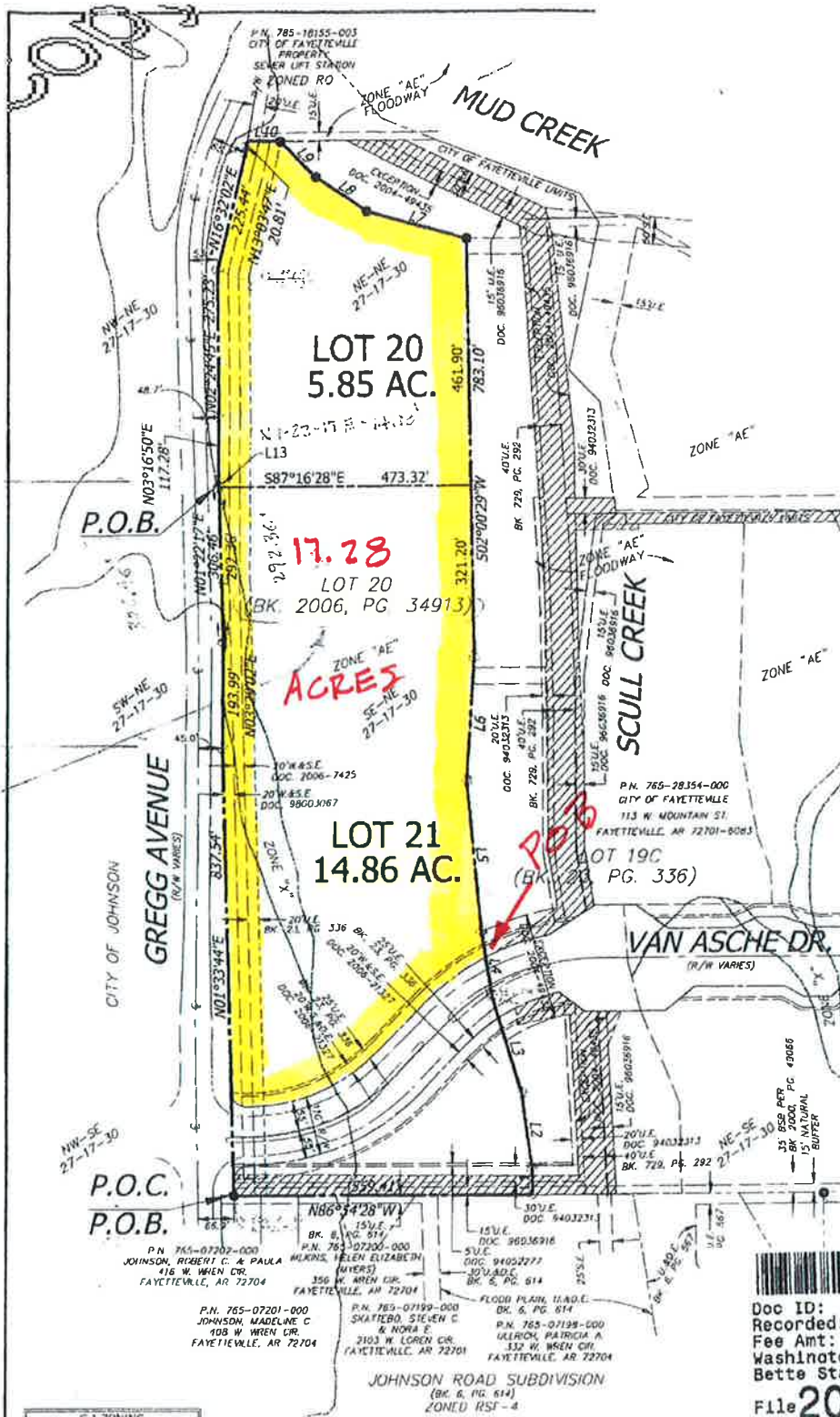
Water and Sewer services are available immediately surrounding the site both along the property's Gregg Avenue frontage (12" Water Main, 30" Sanitary Sewer Force Main) as well as along the property's eastern boundary with the Skull Creek Trail Corridor (36" Water Main, 15 & 16" Sanitary Sewer Mains).

Should any additional information be needed to begin to process this rezoning request, please do not hesitate to contact me.

Sincerely,



Leslie A. Tabor
McClelland Consulting Engineers, Inc
LTabor@McClelland-engrs.com
(479) 443-2377



LOT 20
5.85 AC.

LOT 21
14.86 AC.

17.28
ACRES

C-1 ZONING
PROPOSED USE: COMMERCIAL
BUILDING SETBACK TABLE

FRONT	SIDE	REAR
50'	NONE	10'

*WHEN CONTIGUOUS TO A RESIDENTIAL DISTRICT

GENERAL NOTES:

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR PRESENT

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S02°00'03"W	49.72
L2	S05°06'17"E	142.63
L3	S74°02'48"E	186.25
L4	S06°50'59"E	120.81
L5	S02°32'30"E	288.90
L6	S05°31'47"W	210.20
L7	S71°54'49"E	194.56
L8	S53°06'40"E	115.81
L9	S11°25'33"E	91.83
L10	S87°11'50"E	60.82
L11	S14°02'48"E	144.50
L12	S05°50'59"E	48.67
L13	N01°22'17"E	14.10
L14	S47°18'00"W	118.91
L15	N47°18'04"E	118.91
L16	N01°33'44"E	25.51

Doc ID: 012631010001 Type: REL
Recorded: 12/22/2008 at 03:41:24 PM
Fee Amt: \$15.00 Page 1 of 1
Washington County, AR
Bette Stamps Circuit Clerk
File **2008-00039711**

12-22-2008 CITY PLAT PAGE # 172
ARKANSAS STATE PLAT CODING: 500-17N-30W-0-27-100-72-1380

ANY BUILDING SHALL BE SETBACK RESIDENTIAL DISTRICT FOOT OF HEIGHT (IN E)



PAYA LAND SURVEYING, INC.
250 BRIGHT ROAD - CAVE SPRINGS, AR - 72718
TEL (478) 696-9138 FAX (866) 263-7006
email: mol@paya-inc.com

FLOOD CERTIFICATION:

A PORTION OF THIS PROJECT ESTABLISHED 100-YEAR 1% RATE NATIONAL FLOOD MAP INCORPORATED AREAS.

MAP NUMBER: 0514300
REVISED DATE: MAY 16, 2008
SUBJECT PROPERTY LIES ZONE "AE", ZONE "AE" FL

LOT SPLIT
LOT 20 OF A LOT SPLIT RECORDED IN PLAT BOOK 2006 AT PAGE 34913
FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS

PREPARED FOR: McCLELLAND CONSULTING ENGINEERS
DRAWN BY: LP SCALE: 1" = 200' DATE: October 29, 2008
REVISED: LP DWG: 08053_SPLIT_REV1 SHEET 1 OF 1

March 11, 2013
Planning Commission
RN 13-4310 Haas Hall
Agenda Item 7
Page 11 of 16



M E M O R A N D U M

To: Jeremy Pate

From: Captain Kenny Yates

Date: 2/18/13

Subject: RZN 13-4310

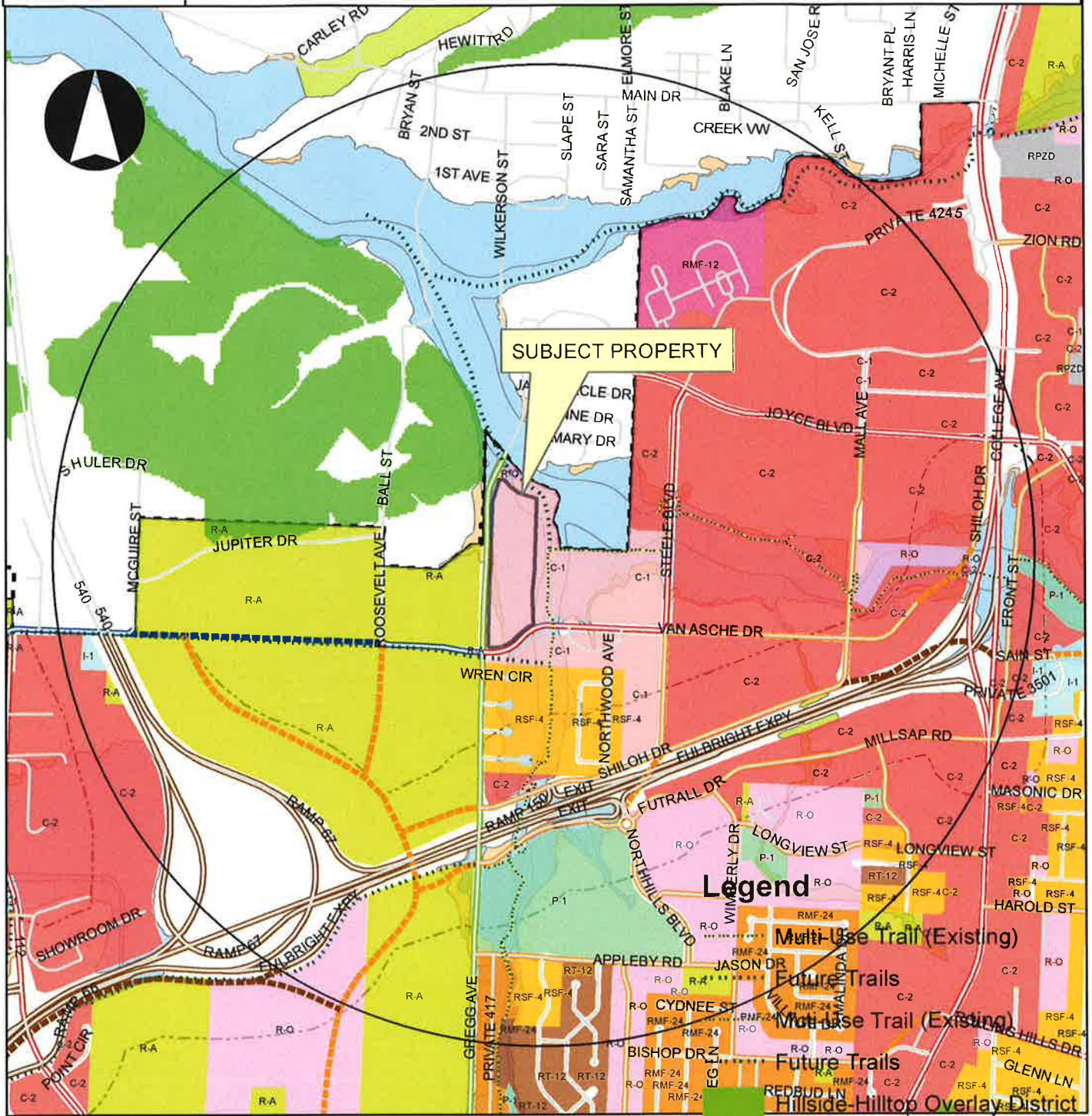
This document is in response to the request for comments on proposed RZN 13-4310 (N. of the intersection of N. Gregg Avenue and W. Van Asche Drive / Haas Hall, 172) submitted by McClelland Consulting Engineers, Inc, for property located north of the intersection of Gregg Avenue and W. Van Asche Drive. The property contains approximately 17.28 acres.

It is the opinion of the Fayetteville Police Department that this RZN (12-4273), will not substantially alter the population density. This RZN will not create an appreciable or undesirable increase in the load on police services and will not create an appreciable increase in traffic danger and congestion.

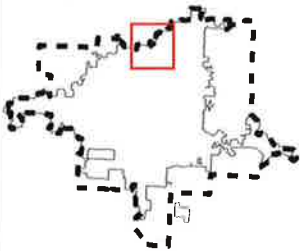
RZN13-4310

HAAS HALL

One Mile View



Overview



Legend

Subject Property

RZN13-4310

Boundary

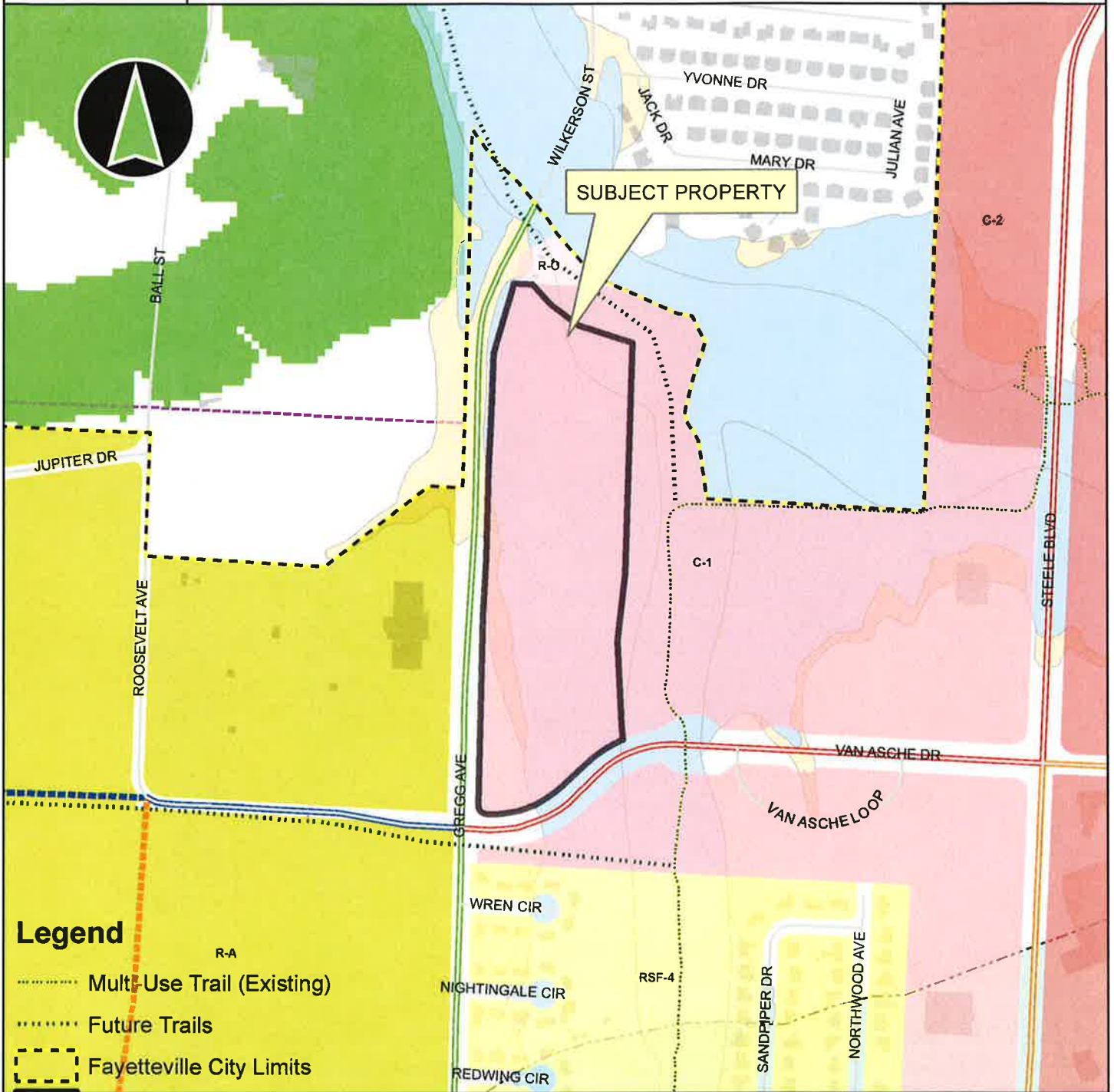
- RZN13-4310
- Design Overlay District
- Planning Area
- Fayetteville



RZN13-4310

HAAS HALL

Close Up View

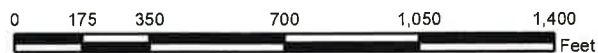


Legend

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

Overview RZN13-4310

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



RZN13-4310

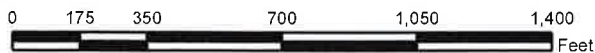
HAAS HALL

Close Up View



Legend

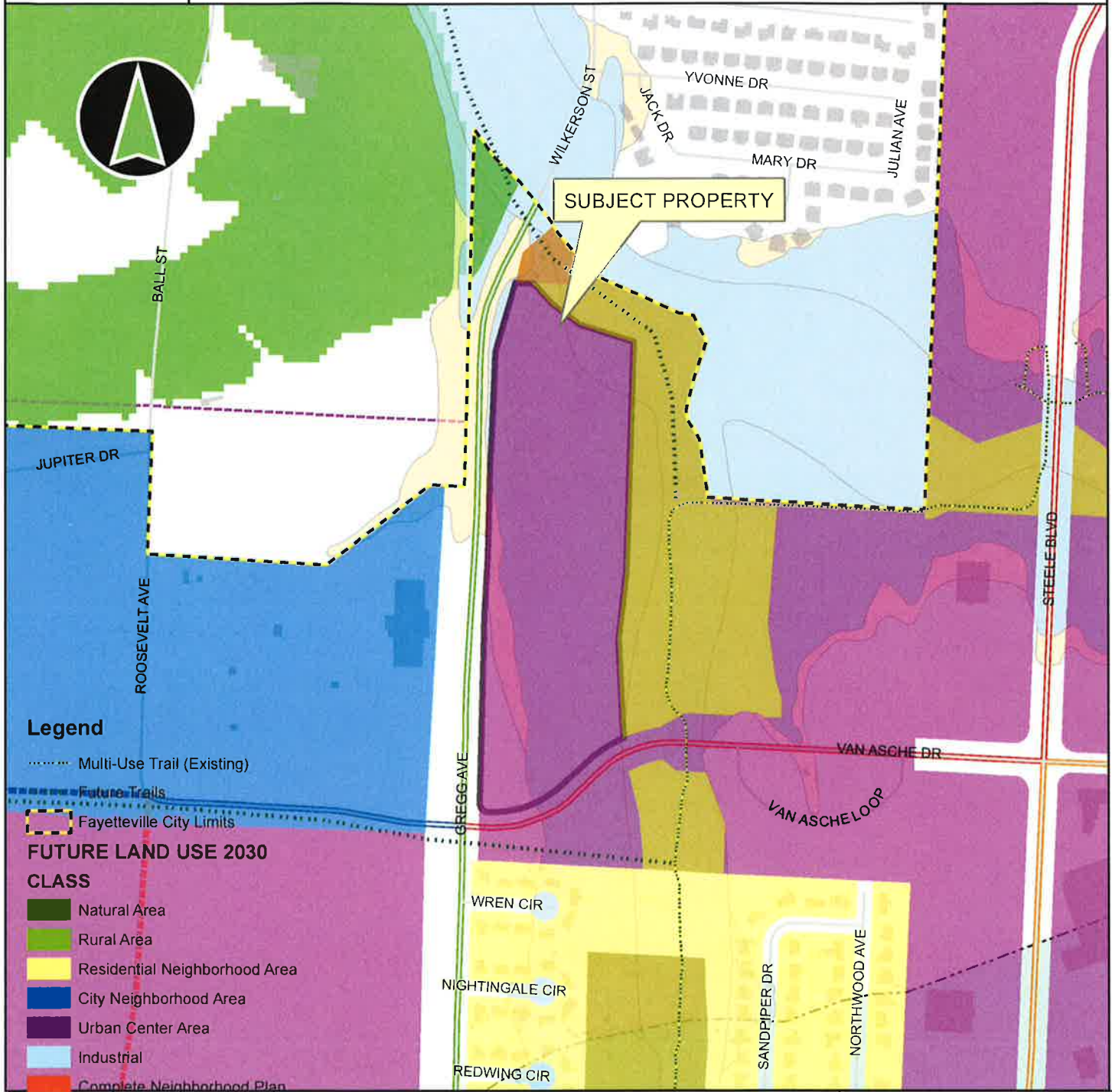
- Multi-Use Trail (Existing)
- Fayetteville City Limits
- RZN13-4310
- Footprints 2010
- Design Overlay District
- Planning Area



RZN13-4310

HAAS HALL

Future Land Use



Legend

..... Multi-Use Trail (Existing)

..... Future Trails

..... Fayetteville City Limits

FUTURE LAND USE 2030

CLASS

- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area
- Industrial
- Complete Neighborhood Plan

Civic and Private Open Space/Parks

Civic Institutional

Non-Municipal Government

ROW

RZN13-4310

Design Overlay District

Design Overlay District

Planning Area

