

City of Fayetteville Staff Review Form

2018-0055

Legistar File ID

2/6/2018

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Garner Stoll

1/19/2018

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ADM 17-6051: Administrative Item (LOTS 100-103/TIMBER TRAILS SD, 526): Submitted by JORGENSEN & ASSOCIATES, INC. for LOTS 100-103, TIMBER TRAILS SUBDIVISION. The properties are zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT 04-1154 TIMBER TRAILS and contain approximately 0.38 acres. The request is to amend the R-PZD to allow single family homes.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	NA	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	No	Item Cost	
Budget Adjustment Attached?	NA	Budget Adjustment	
		Remaining Budget	\$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 6, 2018

TO: Mayor, Fayetteville City Council

THRU: Garner Stoll, Development Services Director

FROM: Jonathan Curth, Senior Planner
Andrew Garner, Planning Director

DATE: January 19, 2018

SUBJECT: **ADM 17-6051: Administrative Item (LOTS 100-103/TIMBER TRAILS SD, 526):** Submitted by JORGENSEN & ASSOCIATES, INC. for LOTS 100-103, TIMBER TRAILS SUBDIVISION. The properties are zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT 04-1154 TIMBER TRAILS and contain approximately 0.38 acres. The request is to amend the R-PZD to allow single family homes.

RECOMMENDATION:

The City Planning staff and Planning Commission recommend approval of an ordinance to amend the Cliffside R-PZD for Lots 100-103 to allow single-family dwellings in addition to those uses currently permitted. The proposed amendments are depicted in the attached Exhibits 'A', 'B', and 'C'.

BACKGROUND:

The subject property is on the eastern slope of Mount Sequoyah, between Happy Hollow Road to the west and Happy Hollow Elementary School to the east. In 2004 the subject property and the subdivision of which it is a part was rezoned by the City Council as the Cliffside R-PZD. As a part of this approximately 26-acre subdivision, 15 single-family dwelling and 48 two-family dwelling lots were created, allowing 111 dwelling units. Lots were designated for either single-family or two-family dwellings, but not both. Characteristics of the subdivision include narrow lots, lot layouts that facilitate the sale of individual attached dwellings, trail access, protected riparian corridors, and an emphasis on tree preservation, with canopy exceeding 38%. It is not clear when, but at some point between the R-PZD's approval and final platting in 2006, the subdivision's name changed from Cliffside to Timber Trails. Although many lots in the subdivision remain un-built, the last dwellings constructed in the subdivision were in 2010. The properties that are the subject of this amendment are currently undeveloped and only permit two-family dwellings (Use Unit 9).

Request: The request is to amend the current Timber Trails Residential Planned Zoning District requirements for Lots 100-103 to allow Use Unit 8, Single-family Dwellings.

Public Comment: Staff has received no public comment.

FINDINGS:

Staff finds that the proposal to allow single-family dwellings on the subject property is compatible with adjacent land uses and consistent with City Plan 2030. Development in the area is largely residential of varying types, with multi-family to the north and large lot residential to the south. This agrees with the City Plan 2030 designation of Residential Neighborhood Area for the subdivision, which is intended to for low- to medium-density housing of various types. Although the Cliffside R-PZD permits exclusively residential uses, the intent of the lot layout was to limit development to 2-family dwellings along the subdivision's northern border to create a transition from the multi-family housing to the north, to the single-family housing in the south. Given the dense vegetation and terrain in the area, staff believes that this transition is not critical, and that either single- or 2-family dwelling development in this area can be compatible.

An additional consideration in this request is the significant amount of changes that have occurred within Fayetteville's Unified Development Code, and how these effect development feasibility. Since the approval of the Cliffside R-PZD in 2004 and final platting in 2006, the City has amended several sections of code, including the Street Design and Access Management Standards and the Urban Residential Design Standards. In March of 2008, the City Council approved an ordinance (Ord 5118) which adopted the Urban Residential Design Standards. Among the requirements of this ordinance is that garages may not protrude from a principal façade. Compliance with this design requirement in particular has proven very difficult given the narrowness of lots, sloping terrain, areas of tree preservation, and lack of rear or side access options.

The second major code change to affect development in this subdivision was an amendment to the access management standards approved by the City Council in 2013. Prior to this amendment, curb cuts on Local and Residential Streets were permitted for any use if they were located a minimum of 50 feet from an intersection centerline and 15 feet from an adjacent property line. After the amendment, curb cut separation for two-family dwellings on Local and Residential Streets was increased to 50 feet. With the narrow lots and cul-de-sacs in this subdivision, achieving a 50-foot separation is difficult at best. Combined with market conditions, it is possible that these code changes are one of the major causes for development stagnating in the subdivision, and why no 2-family dwelling has been built since 2009 despite there being numerous lots available.

DISCUSSION:

On January 8, 2018, the Planning Commission forwarded the proposal to City Council with a recommendation for approval by a vote of 8-0-0. No public comment was made.

BUDGET/STAFF IMPACT:

N/A

Attachments:

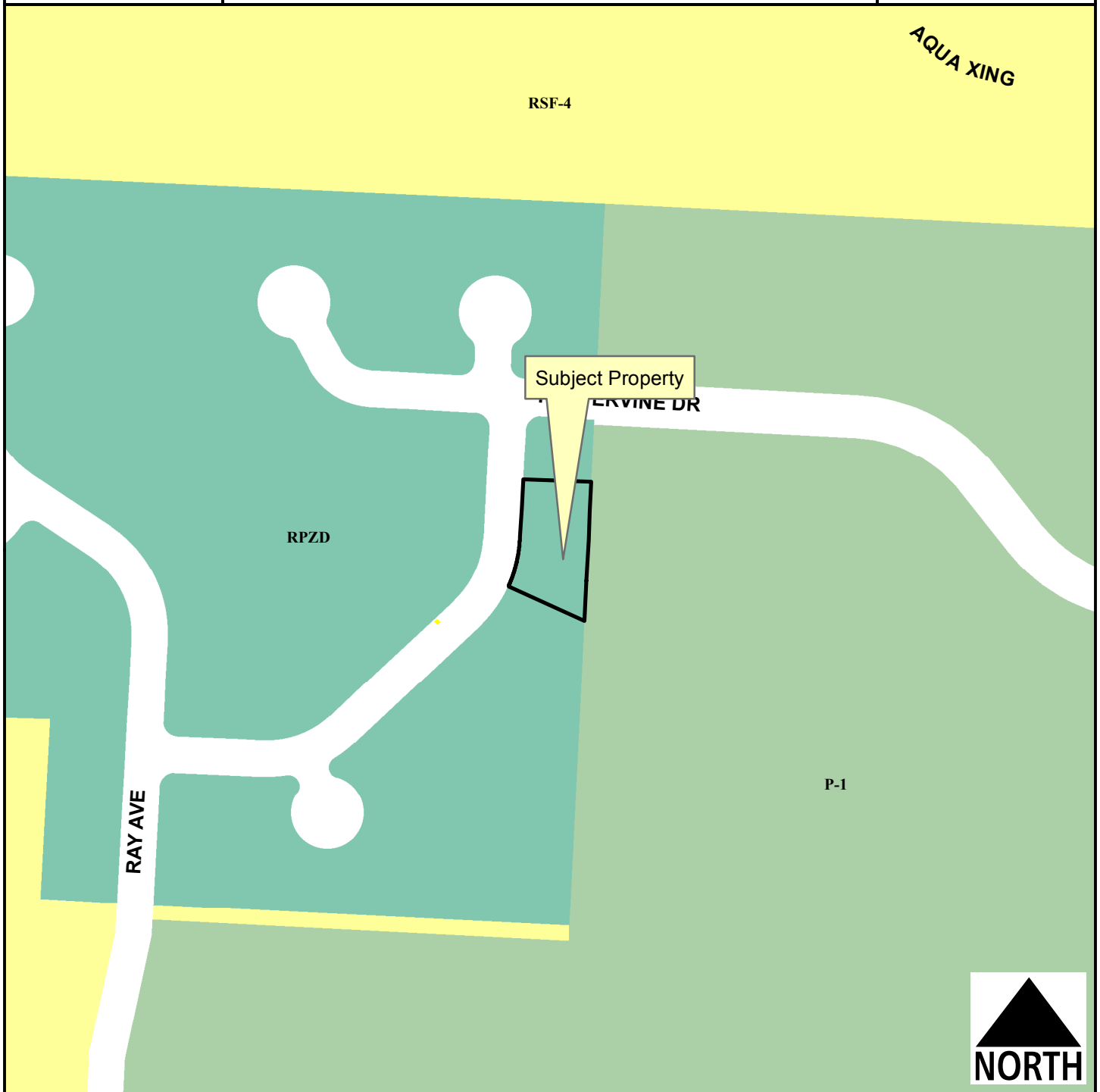
- Exhibit A
- Exhibit B
- Exhibit C
- Application
- Planning Commission Staff Report

ADM17-6051

LOTS 100-103, TIMBER TRAILS

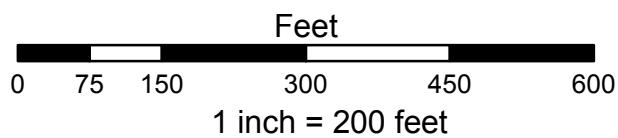
17-6051
EXHIBIT 'A'

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint



- RSF-4
- Commercial, Industrial, Residential
- P-1

17-6051
EXHIBIT 'B'

Lots 100, 101, 102 and 103, Timber Trails Subdivision, Fayetteville, Washington County, Arkansas as shown on plat record "23A" at page 55.

OR

Lots 100 through 103, Timber Trails Subdivision, Fayetteville, Washington County, Arkansas as shown on plat record "23A" at page 55

ADM 17-6051
Proposed PZD Zoning Amendment
for Lots 24-42, 68 & 69 of the Cliffside R-PZD

(1) Permitted Uses.

Lot Numbers	Permitted Land Use
Lots 1-3, 34-38, 67, 106-111	Single-family Dwellings, Use Unit 8
Lots 4-23, 43-66, 70-105	Two-family Dwellings, Use Unit 9
Lots 24-42, 68-69	Single-family Dwellings, Use Unit 8 Two-family Dwellings, Use Unit 9

(2) Other Requirements.

As regulated by the Cliffside Subdivision Covenants and Restrictions

CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY

Date Application Submitted:
Date Accepted as Complete:
Case / Appeal Number:
Public Hearing Date:

FEE: \$325.00
Sign Fee: \$5.00

S-T-R:
PP#:
Zone:

\$ 330

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: _____ Applicant ☒ Representative

Applicant (person making request):

Name: B+B Holdings, LLC

Address: 6510 W. Alyssa Ln
Rogers, AR 72758

E-mail: aaronb@northrockbuilders.com

Phone: (479) 387-2880
()

Fax: _____
()

Representative (engineer, surveyor, realtor, etc.):

Name: JORGENSEN & ASSOC

Address: 124 W. SUNBRIDGE
FAYETTEVILLE, AR 72703

E-mail: dave@jorgensenassoc.com

Phone: _____
() 442-9127
()

Fax: _____
()

Site Address / Location: LOTS 100-103

Current Zoning District: R-PZD

Requested Zoning District: Revised R-PZD

Assessor's Parcel Number(s) for subject property: _____

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

B+B HOLDINGS

APPLICANT/REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence hereby submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): _____ Date: _____
Signature: _____

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Property Owners of Record (attach additional info if necessary):

Name (printed):	B & B Holdings, LLC	Address:	6510 W. Alyssa Ln
Signature:	A. B. Dy 4/4		Rogers, AR 72758
Date:	12/12/17	Phone:	(479) 387-2880

Name (printed):	Address:
Signature:	
Date:	Phone:
	()

Rezoning Checklist:

Attach the following items to this application:

- (1) Payment in full of applicable fees for processing the application:
\$325.00 application fee
\$5.00 public notification sign fee
- (2) A legal description of the property to be rezoned. A survey may be required if the property description can not accurately be platted or if it is described by referring to other deeds.
- (3) CD containing a copy of the legal description in MS Word and all required submittal items should be also included on the CD in PDF format.
- (4) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website (www.co.washington.ar.us). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jonathan Curth, Senior Planner

MEETING DATE: January 8, 2018 (**Updated with Planning Commission Results**)

SUBJECT: **ADM 17-6051: Administrative Item (LOTS 100-103/TIMBER TRAILS SD, 526):** Submitted by JORGENSEN & ASSOCIATES, INC. for properties contained in LOTS 100-103. The properties are zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contain approximately 0.38 acres. The request is to amend the zoning to allow single family homes.

RECOMMENDATION:

Staff recommends forwarding **ADM 17-6051** to the City Council with a recommendation for approval.

BACKGROUND:

The subject property is on the eastern slope of Mount Sequoyah, between Happy Hollow Road to the west and Happy Hollow Elementary School to the east. In 2004 the subject property and the subdivision of which it is a part were rezoned by the City Council as the Cliffside R-PZD. As a part of this approximately 26-acre subdivision, 15 single-family dwelling and 48 two-family dwelling lots were created, allowing 111 dwelling units. Lots were designated for either single-family or two-family dwellings, but not both. Characteristics of the subdivision include narrow lots, lot layouts that facilitate the sale of individual attached dwellings, trail access, protected riparian corridors, and an emphasis on tree preservation, with canopy exceeding 38%. It is not clear when, but at some point between the R-PZD's approval and final platting in 2006, the subdivision's name changed from Cliffside to Timber Trails. Although many lots in the subdivision remain un-built, the most recent dwellings constructed in the subdivision were in 2010. The properties that are the subject of this amendment are currently undeveloped and only permit two-family dwellings (Use Unit 9).

On December 11, 2017, the Planning Commission forwarded a similar request to the City council for 20 lots in the same subdivision. Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-family Residential	R-PZD, Residential Planned Zoning District
South	2-family Residential	R-PZD, Residential Planned Zoning District
East	Happy Hollow Elementary	P-1, Institutional
West	Undeveloped	R-PZD, Residential Planned Zoning District

Request: The request is to amend the current Timber Trails Residential Planned Zoning District requirements for Lots 100-103 to allow Use Unit 8, Single-family Dwellings.

Public Comment: Staff has received no public comment.

FINDINGS:

Staff finds that the proposal to allow single-family dwellings on the subject property is compatible with adjacent land uses and consistent with City Plan 2030. Development in the area is largely residential of varying types, with multi-family to the north and large lot residential to the south. This agrees with the City Plan 2030 designation of Residential Neighborhood Area for the subdivision, which is intended to encourage low- to medium-density housing of various types. Although the Cliffside R-PZD permits exclusively residential uses, the intent of the lot layout was to limit development to 2-family dwellings along the subdivision's northern border to create a transition from the multi-family housing to the north, to the single-family housing in the south. Given the dense vegetation and terrain in the area, staff believes that this transition is not critical, and that either single- or 2-family dwelling development in this area can be compatible.

An additional consideration in this request are the significant amount of changes that have occurred within Fayetteville's Unified Development Code, and how these effect development feasibility. Since the approval of the Cliffside R-PZD in 2004 and final platting in 2006, the City has amended several sections of code, including the Street Design and Access Management Standards and the Urban Residential Design Standards. In March of 2008, the City Council approved an ordinance (Ord 5118) which adopted the Urban Residential Design Standards. Among the requirements of this ordinance is that garages may not protrude from a principal façade. Compliance with this design requirement in particular has proven very difficult given the narrowness of lots, sloping terrain, areas of tree preservation, and lack of rear or side access options.

The second major code change to affect development in this subdivision was an amendment to the access management standards approved by the City Council in 2013. Prior to this amendment, curb cuts on Local and Residential Streets were permitted for any use if they were located a minimum of 50 feet from an intersection centerline and 15 feet from an adjacent property line. After the amendment, curb cut separation for two-family dwellings on Local and Residential Streets was increased to 50 feet. With the narrow lots and cul-de-sacs in this subdivision, achieving a 50-foot separation is difficult at best. Combined with market conditions, it is possible that these code changes are one of the major causes for development stagnating in the subdivision, and why no 2-family dwelling has been built since 2009 despite there being numerous lots available.

RECOMMENDATION: Staff recommends forwarding **ADM 17-6051** to City Council with a recommendation for approval with conditions.

RECOMMENDED MOTION: "I move to forward ADM 17-6051 to the City Council with a recommendation of approval with conditions as recommended by staff."

Conditions of Approval

1. All conditions of approval from the previously approved Cliffside R-PZD 04-1154 shall apply;

2. Approval of this R-PZD modification does not grant approval of the development details for the project. The proposed housing will be required to be reviewed for compliance with all Unified Development Code requirements as part of the standard development review process; and
3. The attached zoning requirements will be in addition to all previous zoning regulations on the subject property.

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date: <u>January 8, 2018</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied		
Motion: Hoffman					
Second: Scroggin					
Vote: 8-0-0					
CITY COUNCIL ACTION:				Required	<u>YES</u>
Date: <u>February 6, 2018 (Tentative)</u>	<input type="checkbox"/> Approved		<input type="checkbox"/> Denied		

BUDGET/STAFF IMPACT:

None

Attachments:

- Proposed PZD Amendment
- Request Letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

ADM 17-6051
Proposed PZD Zoning Amendment
for Lots 100-103 of the Cliffside R-PZD

(1) Permitted Uses.

Lot Numbers	Permitted Land Use
Lots 1-3, 34-38, 67, 106-111	Single-family Dwellings, Use Unit 8
Lots 4-23, 43-66, 70-105	Two-family Dwellings, Use Unit 9
Lots 24-42, 68-69, 100-103	Single-family Dwellings, Use Unit 8 Two-family Dwellings, Use Unit 9

(2) Other Requirements.

As regulated by the Cliffside Subdivision Covenants and Restrictions



**JORGENSEN
+ASSOCIATES**
Civil Engineering + Surveying

ADM 17-5970

Request Letter

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
Fax: 479.582.4807
www.jorgensenassoc.com

12/11/17

City of Fayetteville
113 W Mountain
Fayetteville, AR. 72701

Att: Planning Dept.
Re: Rezoning of lots 100,101,102&103 in Timber Trails Subdivision
(Revise R-PZD)

Attached please find information pertaining to this rezoning request. This is for 4 lots in Timber Trails Subdivision. This currently is an R-PZD zone and we are requesting to amend this R-PZD to allow the construction of Single Family Houses in addition to the currently allowed Two-Family.

Please call concerning any questions you may have.

Thank you.

Sincerely;

David L. Jorgensen, P.E.

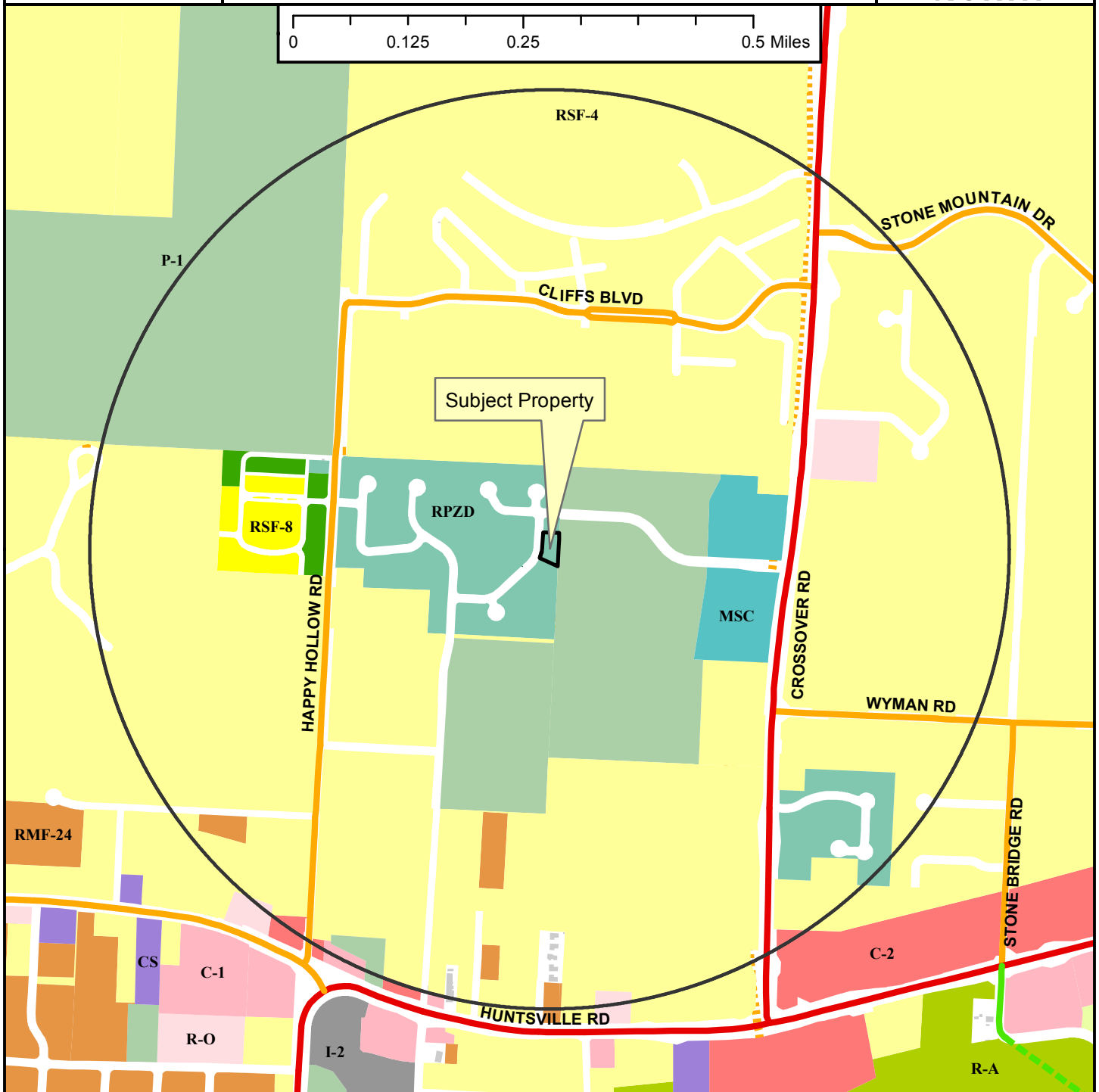
ADM17-6051

LOTS 100-103, TIMBER TRAILS

One Mile View

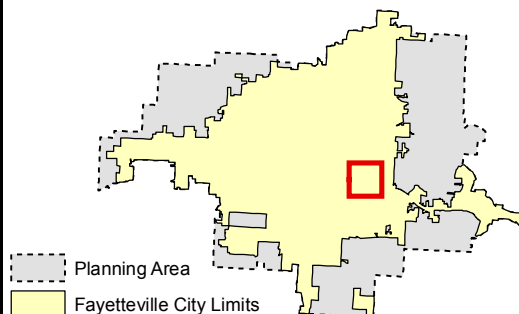


0 0.125 0.25 0.5 Miles



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint

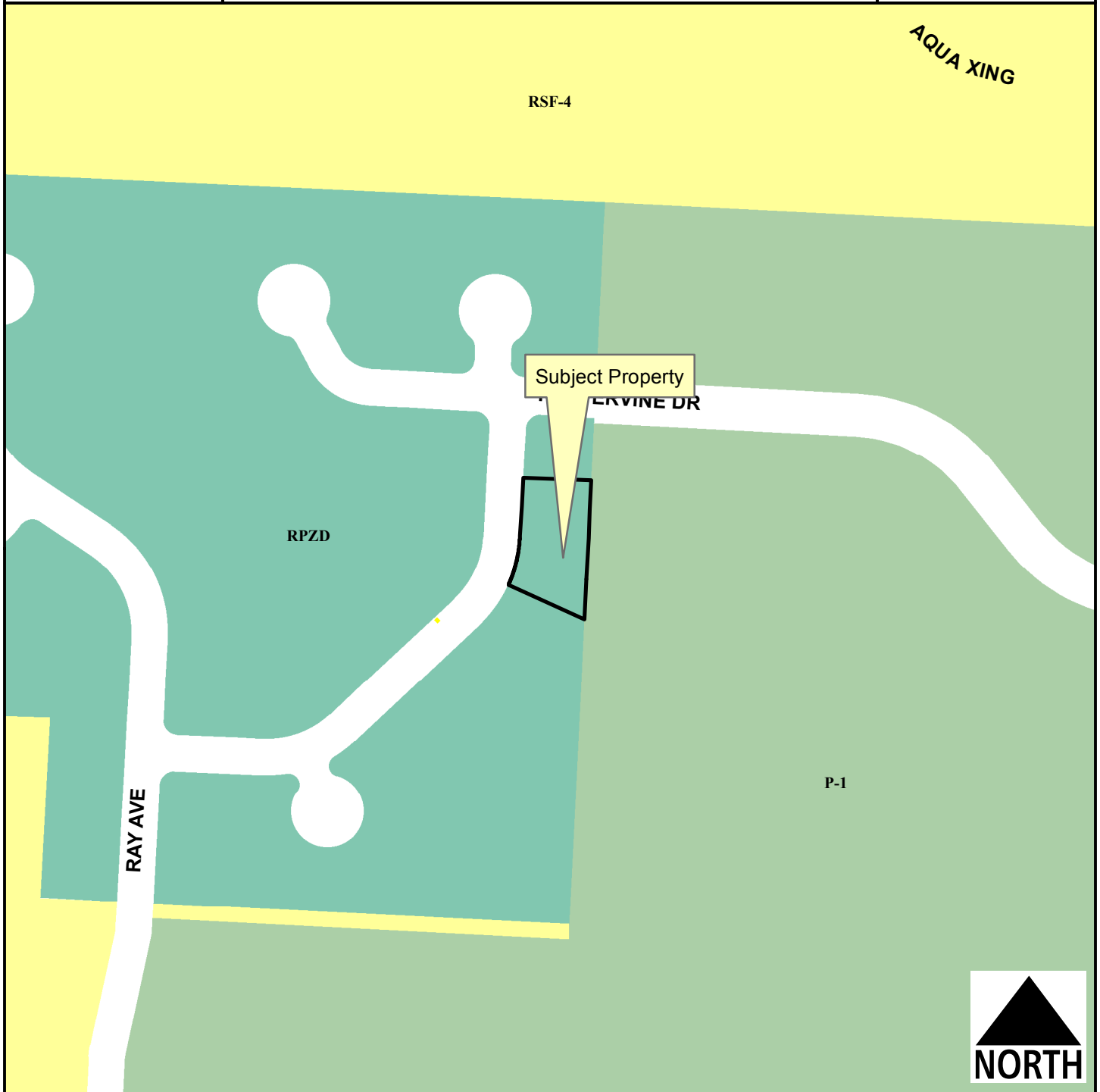


- | | |
|--|--|
| <p>Zoning</p> <p>RESIDENTIAL SINGLE-FAMILY</p> <ul style="list-style-type: none"> RSF-5 Residential-Agricultural RSF-1 RSF-2 RSF-4 RSF-7 RSF-8 RSF-18 <p>RESIDENTIAL MULTI-FAMILY</p> <ul style="list-style-type: none"> RT-12 Residential Two and Three-family RMF-6 RMF-12 RMF-18 RMF-24 RMF-40 <p>INDUSTRIAL</p> <ul style="list-style-type: none"> I-1 Heavy Commercial and Light Industrial I-2 General Industrial | <p>EXTRACTION</p> <ul style="list-style-type: none"> E-1 <p>COMMERCIAL</p> <ul style="list-style-type: none"> C-1 Residential-Office C-2 C-3 <p>FORM BASED DISTRICTS</p> <ul style="list-style-type: none"> Downtown Core Urban Thoroughfare Main Street Center Downtown General Community Services Neighborhood Services Neighborhood Conservation <p>PLANNED ZONING DISTRICTS</p> <ul style="list-style-type: none"> Commercial, Industrial, Residential <p>INSTITUTIONAL</p> <ul style="list-style-type: none"> P-1 |
|--|--|

ADM17-6051

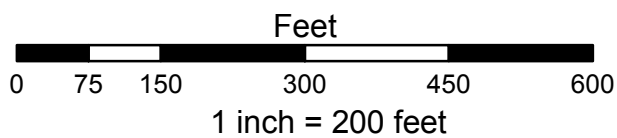
LOTS 100-103, TIMBER TRAILS

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint



- RSF-4
- Commercial, Industrial, Residential
- P-1

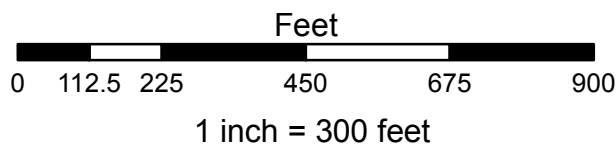
ADM17-6051

Current Land Use

LOTS 100-103, TIMBER TRAILS SD



- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

RZN 17-6051

LOTS 100-103 TIMBER TRAILS

Future Land Use

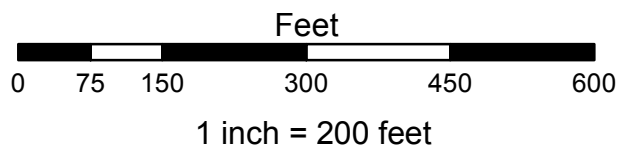


AQUA XING



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint



FUTURE LAND USE 2030

- Natural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Civic and Private Open Space/Parks
- Civic Institutional