

City of Fayetteville Staff Review Form

2018-0484

Legistar File ID

9/18/2018

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

Garner Stoll

8/28/2018

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 18-6317: Rezone (WEST OF MARKHAM RD./MARKHAM HILL, 480-481): Submitted by SPECIALIZED REAL ESTATE GROUP for properties located WEST OF MARKHAM RD. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contain approximately 119.43 acres. The request is to rezone approximately 75.42 acres to RI-U, RESIDENTIAL INTERMEDIATE-URBAN and approximately 44.01 acres to R-A, RESIDENTIAL AGRICULTURAL, subject to a Bill of Assurance.

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 SEPTEMBER 18, 2018

TO: Mayor, Fayetteville City Council

THRU: Garner Stoll, Development Services Director

FROM: Quin Thompson, Current Planner

DATE: August 28, 2018

SUBJECT: **RZN 18-6317: Rezone (WEST OF MARKHAM RD./MARKHAM HILL, 480-481):** Submitted by SPECIALIZED REAL ESTATE GROUP for properties located WEST OF MARKHAM RD. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contain approximately 119.43 acres. The request is to rezone approximately 75.42 acres to RI-U, RESIDENTIAL INTERMEDIATE-URBAN and approximately 44.01 acres to R-A, RESIDENTIAL AGRICULTURAL, subject to a Bill of Assurance.

RECOMMENDATION:

The Planning Commission and staff recommend approval of the requested rezoning as depicted in Exhibits 'A', 'B', and as indicated in the Bill of Assurance in Exhibit 'C'.

BACKGROUND:

The subject property is located at the west terminus of Markham Road. The property is within the Pratt Place Inn Commercial Planned Zoning District (C-PZD 05-1670) and contains approximately 119 forested acres. The property to the east is developed with a seven-room hotel in the historic Pratt home, several cottages, a barn used for events, and accessory structures. This development is concentrated in the eastern portion of the property, with the majority of the property left in pasture and forest. The property is listed in the State Register of Historic Places, with the main house having been built in 1895, and the landscape remaining largely as it was when the original home was built.

Request: The applicant proposes to rezone approximately 119.43 acres from C-PZD and RSF-4 to a mixture of R-A (44.01 acres) and RI-U (75.42 acres), subject to a Bill of Assurance as follows:

- Maximum density on the 119-acre property of 4 dwellings/acre (or a total of 476 dwellings).
- No dwellings may be constructed on the R-A district portion of the property.
- The R-A district will be permanently preserved as a conservation area by easement or by donation to a land trust.
- A minimum of 50% of the total 119.43-acre property will remain passive and active open space.

Public Comment: Staff has received several comments both in support and in opposition to the request. Comments for both C-PZD 18-6318 and RZN 18-6317 are combined, as comments have addressed both proposals together.

Land Use Compatibility: In staff opinion, the proposed zoning is generally compatible with the surrounding land use pattern, which consists of single-family residential on large lots to the north, south, and east, and a significant area of natural hillside to the west. The proposed RI-U zoning district allows only residential uses by right, including single-family homes and small multi-family residences with up to four attached units. Single-family homes are compatible with the adjacent neighborhood to the east, however, given the site's location on the edges of the immediate surrounding neighborhoods, the proposed RI-U has adequate room for the building type transitions allowed under RI-U.

Land Use Plan Analysis: The proposed zoning and Bill of Assurance to preserve 50% of the site as permanent open space is consistent with the Future Land Use Map (FLUM) designation of the property as a Rural Residential and Natural Area. These areas are intended to provide protection to sparsely settled areas, and provide for continuing agricultural uses and land conservation. These areas typically occur on the edges of the City rather than within and adjacent to the most densely populated areas of Fayetteville. This property is atypical of rural properties, and the agricultural uses common associated with them. The home was built in 1895 by a retired judge, and the property has apparently never been in agricultural use, though fact it was used as a summer camp for children between 1921 and 1941. This property is unusual in that it has remained virtually unchanged since the late 19th Century, while the City has grown around it. The landscape has been preserved during that time, and the proposed rezone and associated C-PZD, will conserve a significant portion 50% of the 119-acre property, a guiding principle of the Rural Residential Area and Natural Area designations. By zoning 44 acres of the property to R-A, and further restricting this use with a Bill of Assurance removing all future residential development opportunities, the property will be conserved primarily on the steep, wooded hillside, and development density clustered on the hilltop.

DISCUSSION:

At the August 27, 2018 Planning Commission meeting 23 members of the public spoke. 2 people indicated support for the project and 21 indicated opposition to the project, or that more detail should be provided. Primary comments centered around traffic and land use compatibility issues on one hand, and the benefits of infill and the proposed project offering to conserve a large portion of the site and other public benefits on the other hand. The item was forwarded with a recommendation for approval by a vote of 7-0-1 with Mr. Niederman voting 'no'.

BUDGET/STAFF IMPACT:

N/A

Attachments:

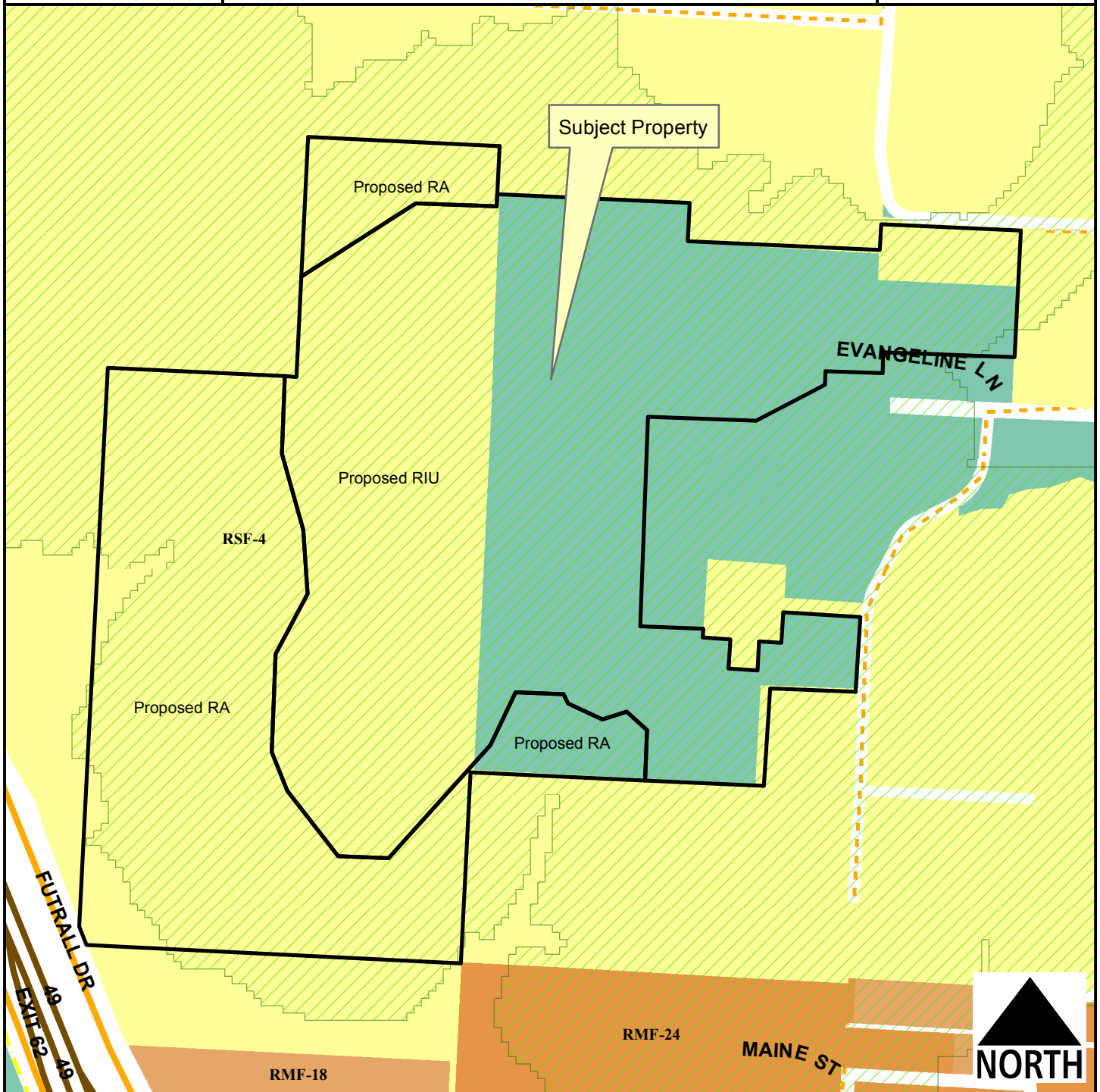
- Exhibit A
- Exhibit B
- Exhibit C
- Planning Commission Staff Report

RZN18-6317

MARKHAM HILL

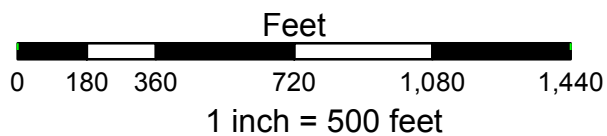
EXHIBIT A
RZN 18-6317

Close Up View



Legend

- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Building Footprint



Zoning Acres

RIU 75.4
RA 44.0

Total 119.4

EXHIBIT B

RZN 18-6317

Lot 2 RIU Zoning Area:

Part of the Northwest Quarter (NW1/4) of Section 17, part of the Northeast Quarter (NE1/4) of Section 18, and part of the Northeast Quarter Southeast Quarter (NE1/4 SE1/4) of Section 18, all in Township 16 North, Range 30 West, of the Fifth Principal Meridian, Washington County, Arkansas, being more particularly described as follows:

COMMENCING at the Northwest Corner of Section 17; thence by bearing and distance (basis of bearing, Grid North), South 02°44'08" West along the west line thereof a distance of 663.96 feet to the POINT OF BEGINNING; thence leaving said west line, South 87°22'56" East a distance of 661.05 feet; thence South 02°45'33" West a distance of 132.00 feet; thence South 87°22'56" East a distance of 661.00 feet to the east line of the Northwest Quarter Northwest Quarter (NW1/4 NW1/4) of said Section 17; thence North 02°46'58" East along said east line a distance of 88.34 feet; thence leaving said east line, South 87°23'32" East a distance of 480.55 feet; thence South 02°41'24" West a distance of 435.54 feet; thence North 87°50'49" West a distance of 451.98 feet; thence South 02°09'11" West a distance of 71.62 feet; thence North 87°50'49" West a distance of 195.58 feet; thence South 02°09'11" West a distance of 47.75 feet; thence South 62°30'11" West a distance of 126.36 feet to a point on the south line of said Northwest Quarter Northwest Quarter (NW1/4 NW1/4) of Section 17; thence South 62°30'11" West a distance of 141.46 feet; thence North 87°50'49" West a distance of 371.33 feet; thence South 02°09'11" West a distance of 720.20 feet; thence South 87°50'49" East a distance of 217.06 feet; thence South 03°45'49" West a distance of 30.90 feet; thence South 86°14'11" East a distance of 94.71 feet; thence South 03°26'29" West a distance of 100.20 feet; thence South 86°24'36" East a distance of 100.00 feet; thence North 03°26'29" East a distance of 99.89 feet; thence South 86°14'11" East a distance of 75.29 feet; thence North 03°45'49" East a distance of 105.00 feet; thence South 86°14'11" East a distance of 266.05 feet to the east line of the Southwest Quarter Northwest Quarter (SW1/4 NW1/4) of said Section 17; thence South 03°36'12" West along said east line a distance of 256.38 feet; thence leaving said east line, North 87°47'19" West a distance of 293.29 feet; thence South 03°42'20" West a distance of 335.48 feet to the south line of said Southwest Quarter Northwest Quarter (SW1/4 NW1/4) of Section 17; thence North 87°23'27" West along said south line a distance of 409.36 feet; thence leaving said south line, North 02°09'11" East a distance of 173.96 feet; thence North 47°50'49" West a distance of 93.39 feet; thence South 72°09'11" West a distance of 88.50 feet; thence North 64°50'49" West a distance of 130.22 feet; thence North 25°50'49" West a distance of 36.00 feet; thence North 87°50'49" West a distance of 165.06 feet; thence South 25°09'11" West a distance of 201.57 feet; thence South 42°09'11" West a distance of 522.48 feet; thence North 87°50'49" West a distance of 173.85 feet; thence North 37°50'49" West a distance of 284.70 feet; thence North 21°36'54" West a distance of 142.87 feet; thence North 02°09'11" East a distance of 337.61 feet; thence North 28°09'11" East a distance of 234.24 feet; thence North 03°50'49" West a distance of 220.76 feet; thence North 15°50'49" West a distance of

272.32 feet; thence North $02^{\circ}09'11''$ East a distance of 265.40 feet to the south line of the Northeast Quarter Northeast Quarter (NE1/4 NE1/4) of Section 18; thence South $87^{\circ}18'19''$ East along said south line a distance of 40.30 feet; thence leaving said south line, North $02^{\circ}44'08''$ East a distance of 345.45 feet; thence North $57^{\circ}27'09''$ East a distance of 466.15 feet; thence South $87^{\circ}50'49''$ East a distance of 279.49 feet to the east line of said Northeast Quarter Northeast Quarter (NE1/4 NE1/4) of Section 18; thence North $02^{\circ}44'08''$ East along said east line a distance of 42.92 feet to the Point of Beginning.

Lot 3 RA Zoning Area:

Part of the Northeast Quarter Northeast Quarter (NE1/4 NE1/4) of Section 18, Township 16 North, Range 30 West, of the Fifth Principal Meridian, Washington County, Arkansas, being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 18; thence by bearing and distance (basis of bearing, Grid North), South 02°44'08" West along the east line of said Section 18 a distance of 498.96 feet to the POINT OF BEGINNING; thence South 02°44'08" West continuing along said east line a distance of 207.92 feet; thence leaving said east line, North 87°50'49" West a distance of 279.49 feet; thence South 57°27'09" West a distance of 466.15 feet; thence North 02°44'08" East a distance of 479.55 feet; thence South 87°18'19" East a distance of 660.00 feet to the Point of Beginning.

Lot 4 RA Zoning Area:

Part of the Southwest Quarter Northwest Quarter (SW1/4 NW1/4) of Section 17, part of the Southeast Quarter Northeast Quarter (SE1/4 NE1/4) of Section 18, and part of the North-half Northeast Quarter Southeast Quarter (N1/2 NE1/4 SE1/4) of Section 18, all in Township 16 North, Range 30 West, of the Fifth Principal Meridian, Washington County, Arkansas, being more particularly described as follows:

COMMENCING at the Northeast Corner of said Section 18; thence by bearing and distance (basis of bearing, Grid North), South 02°44'08" West along the east line of said Section 18 a distance of 1,323.96 feet to the northeast corner of said Southeast Quarter Northeast Quarter (SE1/4 NE1/4) of Section 18; thence North 87°18'19" West along the north line of said Southeast Quarter Northeast Quarter (SE1/4 NE1/4) a distance of 700.30 feet to the POINT OF BEGINNING; thence leaving said north line, South 02°09'11" West a distance of 265.40 feet; thence South 15°50'49" East a distance of 272.32 feet; thence South 03°50'49" East a distance of 220.76 feet; thence South 28°09'11" West a distance of 234.24 feet; thence South 02°09'11" West a distance of 337.61 feet; thence South 21°36'54" East a distance of 142.87 feet; thence South 37°50'49" East a distance of 284.70 feet; thence South 87°50'49" East a distance of 173.85 feet; thence North 42°09'11" East a distance of 522.48 feet; thence North 25°09'11" East a distance of 201.57 feet; thence South 87°50'49" East a distance of 165.06 feet; thence South 25°50'49" East a distance of 36.00 feet; thence South 64°50'49" East a distance of 130.22 feet; thence North 72°09'11" East a distance of 88.50 feet; thence South 47°50'49" East a distance of 93.39 feet; thence South 02°09'11" West a distance of 173.96 feet to the south line of said Southwest Quarter Northwest Quarter (SW1/4 NW1/4) of Section 17; thence North 87°23'27" West a distance of 601.18 feet to the southwest corner of said Southwest Quarter Northwest Quarter (SW1/4 NW1/4); thence South 02°48'06" West a distance of 656.59 feet to the southeast corner of said North-half Northeast Quarter Southeast Quarter (N1/2 NE1/4 SE1/4) of Section 18; thence North 87°10'13" West along the south line of said North-half Northeast Quarter Southeast Quarter (N1/2 NE1/4 SE1/4) a distance of 1,289.23 feet; thence leaving said south line, North 20°47'40" West a distance of 67.86 feet to the west line of said North-half Northeast Quarter Southeast Quarter (N1/2 NE1/4 SE1/4); thence North 02°50'27" East a distance of 598.41 feet to the southwest corner of said Southeast Quarter Northeast Quarter (SE1/4 NE1/4) of Section 18; thence North 02°56'03" East a distance of 1,323.09 feet to the northwest corner of said Southeast Quarter Northeast Quarter (SE1/4 NE1/4); thence South 87°18'19" East along the north line thereof a distance of 608.88 feet to the Point of Beginning.

EXHIBIT 'C'
RZN 18-6311

BILL OF ASSURANCE
FOR THE CITY OF FAYETTEVILLE, ARKANSAS

In order to attempt to obtain approval of a request for a rezoning reclassification to R-A and RI-U, the owner, developer, or buyer of this property, (hereinafter "Petitioner") Specialized Real Estate Group, Inc. hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Chancery/ Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, substantial irreparable damage justifying injunctive relief has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will reasonable rely upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers *assurances* that Petitioner and Petitioner's property shall be restricted as follows ONLY IF Petitioner's rezoning is approved by the Fayetteville City Council:

1. The use of Petitioner's property shall be limited to: The use of the proposed R-A portion shall be limited as allowed by Section 161.03 of the Unified Development Code, Code of Fayetteville ("UDC"). The use of the proposed RI-U portion shall be limited as allowed by Section 161.12 of the UDC.
2. Other restrictions including number and type of structures upon the property are limited to the following: the overall density for the total 118.59 acres that are the subject of this rezoning application shall be a maximum of four (4) units per acre. The total number of units allowed to be constructed on the R-A designated portion shall be zero.
3. Specific activities not allowed upon petitioner's property include: the R-A designated area will be preserved as a conservation area.
4. In addition to the above conditions, the Petitioner agrees that a minimum of 50% of the total 118.59 acres will remain passive and active open space, including conservation areas, landscaping, gardens, pocket parks, meadows, watersheds, outdoor plazas and existing or new walking or multi-use trails.

Petitioner specifically agrees that all such restrictions and terms shall run with the land and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, SPECIALIZED REAL ESTATE GROUP, INC., as the owner, developer or buyer (Petitioner) voluntarily offer all such assurances and sign my name below.

7.27.18
Date

SPECIALIZED REAL ESTATE GROUP, INC.
Printed Name BY SETH MIMS PRES.

15 N. CHURCH # 103
Address
FAYETTEVILLE, AR 72701

[Signature]
Signature

NOTARY OATH

STATE OF ARKANSAS

COUNTY OF WASHINGTON

And now on this the 27 day of July, 2018, appeared before me, Seth Mims and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

NOTARY PUBLIC

My Commission Expires:

Notary Public [Signature]



06.05.2024



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Quin Thompson, Planner

MEETING DATE: August 27, 2018 **UPDATED 8-28-2018**

SUBJECT: **RZN 18-6317: Rezone (WEST OF MARKHAM RD./MARKHAM HILL, 480-481):** Submitted by SPECIALIZED REAL ESTATE GROUP for properties located WEST OF MARKHAM RD. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contain approximately 119.43 acres. The request is to rezone approximately 75.42 acres to RI-U, RESIDENTIAL INTERMEDIATE-URBAN and approximately 44.01 acres to R-A, RESIDENTIAL AGRICULTURAL, subject to a Bill of Assurance.

RECOMMENDATION:

Staff recommends forwarding **RZN 18-6317** to the City Council with a recommendation of approval, based on the findings herein.

RECOMMENDED MOTION: "I move to forward **RZN 18-6317** to the City council with a recommendation for approval."

BACKGROUND:

The subject property is located at the west terminus of Markham Road. The property is within the Pratt Place Inn Commercial Planned Zoning District (C-PZD 05-1670) and contains approximately 119 forested acres. The property is developed with a seven-room hotel in the historic Pratt home, several cottages, a barn used for events, and accessory structures. This development is concentrated in the eastern portion of the property, with the majority of the property left in pasture and forest. The site is listed in the State Register of Historic Places, with the main house having been built in 1895, and the landscape remaining largely as it was when the original home was built. The surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use/Zoning

Direction from Site	Land Use	Zoning
North	Single-family	RSF-4, Residential Single-family
South	Single-family/ Undeveloped	RSF-4, Residential Single-family
East	Undeveloped	RSF-4, Residential Single-family
West	Undeveloped/I-49(Futrell Drive)	RSF-4, Residential Single-family

Request: The applicant proposes to rezone approximately 95 acres from C-PZD to a mixture of R-A (44.01 acres) and RI-U (75.42 acres), subject to a Bill of Assurance as follows:

- Maximum density on the 119-acre property of 4 dwellings/acre (or a total of 476 dwellings).
- No dwellings may be constructed on the R-A district portion of the property.
- The R-A district will be preserved as a conservation area.
- A minimum of 50% of the total 119-acre property will remain passive and active open space.

Public Comment: Staff has received several comments both in support and in opposition to the request. (Comments for both C-PZD 18-6318 and RZN 18-6317 are compiled, as comments have addressed both proposals together.)

INFRASTRUCTURE:

- Streets:** The subject parcel has access to Markham Road, Futrall Drive, Halsell Road, and Sang Avenue. Markham Road is an improved two-lane 'Local' street with curb and gutter, storm drains, and sidewalk generally on one side of the street. Halsell Road is Avenue is a two-lane improved asphalt street with curb and gutter, storm drains, and sidewalk on one side of the street. Halsell Road transitions into Sang Avenue where it turns 90 degrees to the north, just north of the subject property. Sang Avenue transitions from a designated 'Local' street to a 'Collector' street approximately 0.3 miles from the property. Any street improvements required in these areas would be determined at the time of development proposal.
- Water:** Public water is available to the parcel from several points south and east of the site's parcel boundaries as well as existing waterlines onsite. These waterlines are serving the existing development onsite adequately. However, to serve future commercial development and fire flow demands, this site is elevated too near to the elevation of the City's primary "pressure plane" elevation. The applicant has had several meetings with City Utilities Department to discuss feasible solutions (pumping, additional tank height, etc.). The details of providing adequate water supply to this proposed area are not fully known at this time and are the responsibility of the developer to coordinate and accomplish.
- Sewer:** Sanitary Sewer is available to the site. There is an existing 8-inch main off of Markham Road.
- Drainage:** No portion of this property is identified as FEMA regulated floodplains. The parcel does lay within the HHOD. There are no protected streams on this parcel. There are no hydric soils identified on this parcel. Any additional improvements or requirements for drainage will be determined at time of development.
- Fire:** The Fire Department did not express concerns with this request.
- Police:** The Police Department did not comment on this request.

CITY PLAN 2030 FUTURE LAND USE PLAN: City Plan 2030 Future Land Use Map designates this property as **Rural Residential Area** and **Natural Area**.

Rural Residential Areas recognize existing low-density, large lot residential development, but are identified to encourage the conservation and preservation of woodlands, grasslands, or agricultural lands that are sparsely settled. They may or may not have adequate street and water infrastructure or public services, such as police and fire, to support urban or suburban densities and development patterns nor should these services be expanded to accommodate further growth unless they are in line with the following guiding principles:

Guiding Policies:

- a. Allow and encourage historical agricultural and related uses to continue and to occur as permanent land uses within planned developments.
- b. If developed, encourage alternative development patterns, such as conservation or cluster development types, to achieve compatibility with surrounding rural areas.
- c. Foster a culture that supports local food production on a variety of scales.
- d. Encourage, preserve and protect viable agribusinesses such as orchards, berry farms and small scale produce-yielding businesses that provide goods for the local market.

Natural Areas consist of lands approximating or reverting to a wilderness condition, including those with limited development potential due to topography, hydrology, vegetation or value as an environmental resource. These resources can include stream and wildlife corridors, as well as natural hubs and cores, as identified in the FNHA study, many of which make up the backbone of the enduring green network. A Natural Area designation would encourage a development pattern that requires conservation and preservation, prevents degradation of these areas, and would utilize the principles of low impact development for all construction.

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: ***Land Use Compatibility:*** In staff opinion, the proposed zoning is only partially compatible with the surrounding land use pattern, which consists of single-family residential on large lots to the north, south, and east, and a significant area of natural hillside to the west. The proposed RI-U zoning district allows only residential uses by right, including single-family homes and small multi-family residences with up to four attached units. Single-family homes are compatible with the adjacent neighborhood to the east, however, two-, three-, and four-family units are not typical of the area, and if allowed by right, could alter the existing land-use pattern and neighborhood character significantly.

Land Use Plan Analysis: The proposed zoning is partially consistent with the Future Land Use Map (FLUM), which designates the property as a Rural Residential Area and Natural Area. These areas are intended to provide protection to sparsely settled areas, and provide for continuing agricultural uses and land conservation. These areas typically occur on the edges of the City rather than within and adjacent to the most densely populated areas of Fayetteville. This property is atypical of rural properties, and the agricultural

uses common associated with them. The home was built in 1895 by a retired judge, and the property has apparently never been in agricultural use, though fact it was used as a summer camp for children between 1921 and 1941. This property is unusual in that it has remained virtually unchanged since the late 19th Century, while the City has grown around it. The landscape has been preserved during that time, and the proposed rezone and associated C-PZD, will conserve a significant portion 50% of the 119-acre property, a guiding principle of the Rural Residential Area and Natural Area designations. By zoning 44 acres of the property to R-A, and further restricting this use with a Bill of Assurance removing all future residential development opportunities, the property will be conserved primarily on the steep, wooded hillside, and development density clustered on the hilltop.

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

Finding: The proposed zones would allow a large, minimally developed site near downtown Fayetteville to make use of existing City infrastructure, improve existing infrastructure, create needed street connections to west Fayetteville by connecting Halsell Road directly to Markham Road, and provide residential development in a traditional town form, all of which are goals of City Plan 2030.

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

Finding: The proposed zoning will allow development of a large residential neighborhood of up to approximately 476 units, that will significantly increase traffic volumes, though it is not likely to appreciably increase congestion or traffic danger in the area with the addition of a street connection north to Halsell Road/Sang Avenue. Markham Road, Cross Street, and Halsell Road do experience high traffic volumes generally due to student traffic, and significant congestion large University of Arkansas events particularly. These are development issues which are more properly considered in the future, at which time a traffic study must be submitted for review. A second street connection from the project site will be required to develop the site at the maximum at the proposed densities. Code-required street stub-outs to adjacent undeveloped properties will provide opportunity for additional street connections as nearby properties develop over time.

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 will prepare the property for development that will result in a significantly higher density of population on the property, which is almost entirely open space and forest at this time. No undesirable load on public services is anticipated, other than water service, which is inadequate to serve the proposed development over the entire 119-acre property, and will require significant improvements. The Police and Fire Departments have not expressed concerns about the proposed zoning district.

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:
- It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - 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

RECOMMENDATION: Staff recommends forwarding **RZN 18-6317** to the City Council with a recommendation of approval, based on the findings herein.

Planning Commission Action:	<input checked="" type="checkbox"/> Forward	<input type="checkbox"/> Tabled	<input type="checkbox"/> Denied
Meeting Date: <u>August 27, 2018</u>			
Motion:	WINSTON		
Second:	AUTRY		
Vote:	8-1-0		

BUDGET/STAFF IMPACT:

None

Attachments:

- UDC 161.03: R-A, Residential-Agricultural
- UDC 161.12: RI-U, Residential Intermediate -Urban
- Fire Response Letter
- Applicant's Letter and compatibility statement
- Zoning Plan
- Current Land Use Map
- Close Up Map
- One Mile Map
- Future Land Use Map
- Bill of Assurance
- Public Comment

161.03 - District R-A, Residential-Agricultural

(A) *Purposes* . The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses* .

(1) *Permitted Uses*.

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training

(2) *Conditional Uses* .

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 20	Commercial recreation, large sites

Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

Units per acre	One-half (½)
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(D) *Bulk and Area Regulations.*

Lot width minimum	200 feet
Lot Area Minimum:	
Residential:	2 acres
Nonresidential:	2 acres
Lot area per dwelling unit	2 acres

(E) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

(F) *Height Requirements.* There shall be no maximum height limits in the R-A District, provided, however, if a building exceeds the height of one (1) story, the portion of the building over one (1) story shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over one (1) story shall be equal to the difference between the total height of that portion of the building and one (1) story.

(G) *Building area.* None.

(Code 1965, App. A., Art. 5(1); Ord. No. 1747, 6-29-70; Code 1991, §160.030; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5195, 11-6-08; Ord. No. 5238, 5-5-09; Ord. No. 5479, 2-7-12; Ord. No. [5945](#), §3, 1-17-17; Ord. No. [6015](#), §1(Exh. A), 11-21-17)

161.12 - District RI-U, Residential Intermediate - Urban

(A) *Purpose.* The RI-U Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a range of housing types compatible in scale with single-family homes and to encourage a diversity of housing types to meet demand for walkable urban living.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster 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 5	Government facilities
Unit 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

	Dwelling (all types)
Lot width minimum	18 feet
Lot area minimum	None

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear, from centerline of an alley
A build-to zone that is located	None	5 feet	5 feet	12 feet

between the front property, line and a line 25 feet from the front property line.				
---	--	--	--	--

(F) *Building Height Regulations.*

Building height maximum	2 stories/3 stories*
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* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of three (3) stories.

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

(H) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Ord. No. [5945](#), §5(Exh. A), 1-17-17; Ord. No. [6015](#), §1(Exh. A), 11-21-17)

July 18, 2018

Fayetteville Planning Department
125 West Mountain Street
Fayetteville, AR 72701

Please find attached a rezoning application for 119.43 acres of property located on Markham Hill including the following documents:

1. Rezoning Application
2. Compatibility Statement
3. Concept Plan
4. Survey
5. Bill of Assurance
6. Legal Description of Property
7. Agent Authorization Form

This application is filed concurrently with an application to rezone a 24.06 acre PZD District adjacent to this property.

Please feel free to contact me with any questions.

Best Regards,



Lawrence Finn
(404) 931-8426
lawrence@specializedreg.com



MARKHAM HILL – REZONING RA / RI-U COMPATIBILITY STATEMENT

A statement explaining the compatibility of this proposed rezoning with neighboring property and explaining why the proposed rezoning will not unreasonably adversely affect or conflict with surrounding land uses.

SREG requests a rezoning of property to the RA and RI-U districts for a new residential neighborhood based on low impact development and green space conservation principles.

SREG has also filed concurrently an application to modify the existing PZD for the Pratt Place Inn. The proposed new residential neighborhood, including the Pratt Place Inn PZD, will protect areas of tree canopy through creating compact development. The new neighborhood will fulfill the purpose of the RI-U District by providing “the development of detached and attached dwellings in suitable environments to provide a range of housing types compatible in scale with single-family homes and to encourage a diversity of housing types to meet demand for walkable urban living” (Section 161.12). The new neighborhood will also fulfill the purpose of the R-A District, which “are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.”

The RA and RI-U zoned properties will protect and nurture greenspace, protect tree canopy, protect natural habitats and provide connections to the nearby walking trails. The proposed development will also fulfill the objectives of the Hillside-Hilltop Overlay District by placing the development at a location that limits disturbance to the natural character of the hillside and ridgetop, thus protecting the viewshed. However, the exact location of protected tree save areas and natural habitats can’t be finalized until the Large Scale Development review process when the surveyors, engineers, architects and land planners will determine appropriate areas for development.

BILL OF ASSURANCE FOR THE CITY OF FAYETTEVILLE, ARKANSAS

In order to attempt to obtain approval of a request for a rezoning reclassification to R-A and RI-U, the owner, developer, or buyer of this property, (hereinafter "Petitioner") Specialized Real Estate Group, Inc. hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Chancery/ Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, substantial irreparable damage justifying injunctive relief has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will reasonably rely upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers *assurances* that Petitioner and Petitioner's property shall be restricted as follows ONLY IF Petitioner's rezoning is approved by the Fayetteville City Council:

1. The use of Petitioner's property shall be limited to: The use of the proposed R-A portion shall be limited as allowed by Section 161.03 of the Unified Development Code, Code of Fayetteville ("UDC"). The use of the proposed RI-U portion shall be limited as allowed by Section 161.12 of the UDC.
2. Other restrictions including number and type of structures upon the property are limited to the following: the overall density for the total 118.59 acres that are the subject of this rezoning application shall be a maximum of four (4) units per acre. The total number of units allowed to be constructed on the R-A designated portion shall be zero.
3. Specific activities not allowed upon petitioner's property include: the R-A designated area will be preserved as a conservation area.
4. In addition to the above conditions, the Petitioner agrees that a minimum of 50% of the total 118.59 acres will remain passive and active open space, including conservation areas, landscaping, gardens, pocket parks, meadows, watersheds, outdoor plazas and existing or new walking or multi-use trails.

Petitioner specifically agrees that all such restrictions and terms shall run with the land and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, SPECIALIZED REAL ESTATE GROUP, INC., as the owner, developer or buyer (Petitioner) voluntarily offer all such assurances and sign my name below.

7.27.18
Date

SPECIALIZED REAL ESTATE GROUP, INC.
Printed Name BY SETH MIMS PRES.

15 N. CHURCH # 103
Address
FAYETTEVILLE, AR 72701

Signature 

NOTARY OATH

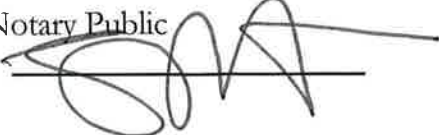
STATE OF ARKANSAS

COUNTY OF WASHINGTON

And now on this the 27 day of July, 2018, appeared before me, Seth Mims and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

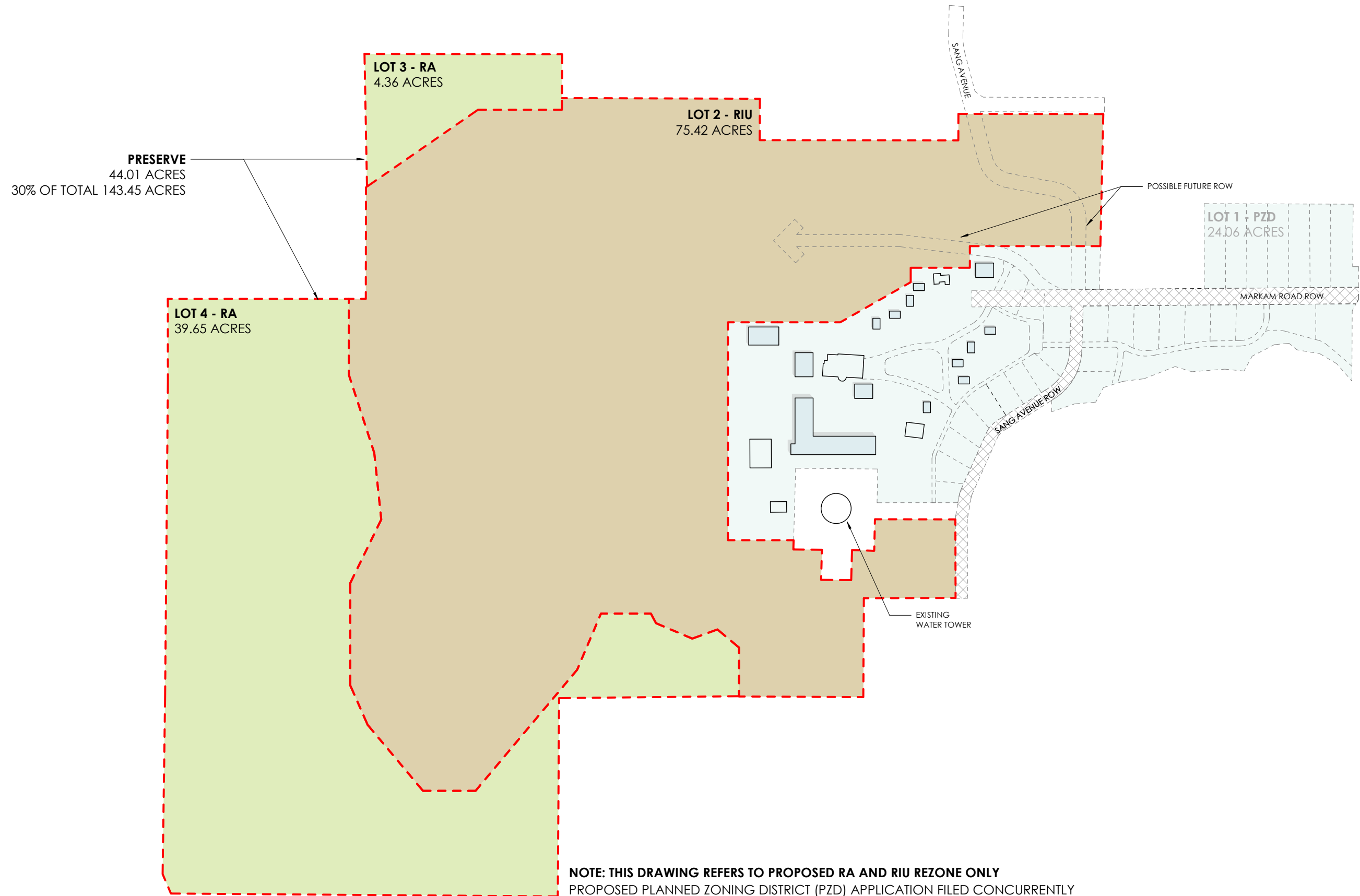
NOTARY PUBLIC

My Commission Expires:

Notary Public 



06.05.2024



MARKHAM HILL REZONE

RIU + RA ZONING: 2018.07.18

From: cbduty@aol.com [<mailto:cbduty@aol.com>]

Sent: Saturday, August 04, 2018 9:52 AM

To: Smith, Sondra <ssmith@fayetteville-ar.gov>

Subject: Markham Hill

Please forward to the Council and Planning Commission. I have been a resident of Fayetteville for most of my life and have lived in the neighborhood at the base of Markham Hill for sixty years. I knew Mrs. Joy Markham and her dreams for the future of the mountain. This hill is the last area of untouched beauty in the center of our city. It is one of the last if not the last sanctuaries for wildlife with uncontrolled development racing in on all sides. Please use vision and caution in considering rezoning this area. The proposal for commercial development and high density occupancy does not fit the location, the topography, nor even common sense. Please think of the future for our descendants and do not rezone Markham Hill. Fayetteville is destroying its reputation for beauty and livability by this ruinous race toward commercialization.

Sincerely,
Carolyn Duty Banks

From: bob wist [<mailto:bobwist@hotmail.com>]

Sent: Saturday, August 04, 2018 11:33 AM

To: Smith, Sondra <ssmith@fayetteville-ar.gov>

Subject: Please forward to planning commission

Sondra,

Could you please forward this to the city planning and zoning commission before their Aug. 27 meeting. We do not live in the Markham Hill neighborhood but would still like to express our feelings that new commercial development in that area does not seem like a good idea. Preserving the natural beauty and wildlife near campus is very important to our city

Thanks, Bob & Karen Wist

From: Lisa Orton [mailto:lisa_m_orton@yahoo.com]

Sent: Sunday, July 29, 2018 8:15 AM

To: University Heights Neighborhood Association <university-heights-na@listserv.uark.edu>

Cc: Smith, Sondra <ssmith@fayetteville-ar.gov>; Mayor <Mayor@fayetteville-ar.gov>

Subject: Possible solution to protect Markham Hill green space and heritage for Fayetteville

Dear City of Fayetteville and Univ Hts neighbors,

This is encouraging and maybe the route to pursue to protect Markham Hill green space and its heritage for Fayetteville. If the City refuses to rezone Markham Hill for development, maybe RMD Properties and the University of Arkansas will sell their parts of Markham Hill to the NWA Land Trust with the help of the Walton Family Foundation. See today's article below.

Lisa Orton

Thompson, Quin

From: cbduty@aol.com
Sent: Thursday, August 23, 2018 8:10 AM
To: Thompson, Quin
Subject: Markham Hill

I saw the letters you listed and mine was not among them, so I am resubmitting. I am firmly AGAINST the rezoning of Markham Hill. I knew Joy Markham and this is NOT what she would have wanted. She gave the gift of land to the University with the desire that it would be the start of conservation of the hill and preservation of nature and wildlife. Turning the hill into a dense commercial and highrise development would never have been acceptable and is not now acceptable to those of us who live in this neighborhood. Rezoning would simply be an act of greed and destruction of part of Fayetteville's historic heritage.

Carolyn Banks

From: Lisa Orton [mailto:lisa_m_orton@yahoo.com]

Sent: Friday, July 27, 2018 8:45 AM

To: Mayor <Mayor@fayetteville-ar.gov>; Jordan, Lioneld <ljordan@fayetteville-ar.gov>; Smith, Sondra <ssmith@fayetteville-ar.gov>

Subject: More information on Markham Hill

Dear Mayor Jordan and Sondra,

Please forward this to the Rezoning committee, City Planning Commission, and City Council.

Please do not rezone but keep the existing PZD and RSF-4 zoning of Markham Hill and Woods.

When Seth Mims of Specialized Real Estate Group talked to the University Heights neighbors in hopes of getting our support, he said that for the Pratt Inn to make money they needed to add 20 rooms in a cottage between the current inn and the water tower and start a restaurant on the ground floor of the Pratt Inn. It already has a huge kitchen in the basement for that purpose. We thought that was a good idea as long as development on the rest of the land was kept to a minimum. Seth's proposal to the City shocked us. It is basically destroying all Markham Hill and Woods, claiming that a few trees is preserving this historical green space we've enjoyed for the past 60 years and more.

I asked Specialized Real Estate Group to please withdraw their request for rezoning and do the following instead which still provides them with a profit, provides additional housing for city residents, and preserves at least half of this historical green space. I believe this is a workable compromise that meets Fayetteville's goals (more housing; diverse neighborhoods - not only high density and urban infilled but also low density and wooded; and preservation of historical green space) and bordering neighborhoods could live with.

(1) Keep the existing 72 acre PZD on the east side of Markham Hill, but request from the City the 20 room cottage between the Pratt Inn and water tower. They already have the ability to have a restaurant on the first floor of Pratt Inn.

(2) Develop the 72 acre RSF-4 on the west side of Markham Hill, amid the trees, with at most 4 single family homes per acre. The roads into this development should be from the highway 49 side. This preserves the already existing low density wooded residential neighborhoods bordering this property and fits in better with the surrounding residential, non-commercial community and environment.

I ask again, please do not rezone but keep the existing PZD and RSF-4 zoning of Markham Hill and Woods.

Can the City also look into putting the PZD portion in the NWA Land Trust or some other conservation preservation?

Thank you so much for reading my emails and seriously considering my request.

Sincerely,
Lisa Orton
410-674-8440

[NWA Land Trust launches campaign to conserve 5,000 acres in three years](#)

Thompson, Quin

From: CityClerk
Sent: Tuesday, August 21, 2018 2:40 PM
To: Thompson, Quin
Cc: Bolinger, Bonnie; Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Subject: FW: Public Comment on Markham Hill Rezoning Request

Please forward to Planning Commissioners.

Thanks,
Lisa

From: ChrisBaribeau <info@www.specializedreg.com>
Sent: Tuesday, August 21, 2018 1:31 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name

Chris Baribeau

Email

chris@modusstudio.com

Street Address in Fayetteville

120 W Skyline Dr
Arkansas
United States
[Map It](#)

Message

Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.

As a resident of Mount Sequoyah, which supports a similar mix of residential and hospitality as proposed for Markham Hill, I can generally say this will be a great step forward for the city.

Thompson, Quin

From: CityClerk
Sent: Wednesday, August 22, 2018 3:24 PM
To: Thompson, Quin
Cc: Garner, Andrew; Stoll, Garner; Bolinger, Bonnie; Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Subject: FW: Public Comment on Markham Hill Rezoning Request

Quin,

Please forward to Planning Commissioners.

Thanks,
Lisa

From: GretchenHunt <info@www.specializedreg.com>
Sent: Wednesday, August 22, 2018 2:05 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name
Gretchen Hunt
Email
gschlump@gmail.com
Street Address in Fayetteville
898 S. Hill Ave. Fayetteville, AR 72701 Arkansas United States Map It
Message
Hi Council Members! I think Markham Hill would be a great place for infill development - right in town. Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development. Thank you, Gretchen Hunt

Thompson, Quin

From: Robert Koser <bobkoser@swbell.net>
Sent: Tuesday, August 21, 2018 4:43 PM
To: Thompson, Quin
Subject: Re: markham hill rezones

Hi Quin

Thank you for the information link, as an adjacent property owner I have some comments.

As I understand the information there are two proposed changes RZN18-6317 (MARKHAM HILL) and PZD18-6318 (PRATT PLACE INN & BARN).

1. I do not think the RZN18-6317 (MARKHAM HILL) should be discussed or approved until the proposal includes the infrastructure plan (roads, traffic controls, and utilities) for the volume of housing (400+ units) this zoning change would allow.

2. PZD18-6318 - Documents appear to include additional roads to relieve traffic on Markham - are these part of the zoning changes. How will the additional traffic on Markham and surrounding streets be controlled - Stop signs at all intersections? Stoplight on Razorback and Markham?

3. PZD18-6318 mentions green space Buffers - are these included in the Zoning changes? How are they maintained and enforced. Tree preservation on these new lots must be included in this new zoning, else the whole secluded Pratt Place atmosphere will be lost.

Thanks Bob Koser

From: "Thompson, Quin" <qthompson@fayetteville-ar.gov>
To: "BOBKOSER@SWBELL.NET" <BOBKOSER@SWBELL.NET>
Sent: Tuesday, August 21, 2018 1:33 PM
Subject: markham hill rezones

https://www.dropbox.com/sh/1vm1dg3ng0h88m9/AADe26W1T_Yyp4mKwwuf97dEa?dl=0

Quin Thompson
Planner
Development Services
125 W Mountain St
City of Fayetteville, Arkansas 72701

From: [CityClerk](#)
To: [Harrison, Andy](#)
Subject: FW: Public Comment on Markham Hill Rezoning Request
Date: Wednesday, August 15, 2018 9:39:34 AM

From: KiaraLuers <info@www.specializedreg.com>
Sent: Tuesday, August 14, 2018 8:55 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name

Kiara Luers

Email

Kiaraluers@gmail.com

Street Address in Fayetteville

1531 n Bernice drive
Arkansas
United States
[Map It](#)

Message

Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.

Keep me informed about Markham Hill news

1

Thompson, Quin

From: Smith, Sondra
Sent: Thursday, July 26, 2018 1:53 PM
To: Bolinger, Bonnie; Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Cc: lisa_m_orton@yahoo.com
Subject: FW: Markham Hill part of Fayetteville green space

Office of the City Clerk Treasurer

Sondra E. Smith CAMC, CMC

City Clerk Treasurer

113 W. Mountain Street, Suite 308

Fayetteville, AR 72701

(479) 575-8323

ssmith@fayetteville-ar.gov



From: Lisa Orton [mailto:lisa_m_orton@yahoo.com]
Sent: Thursday, July 26, 2018 10:01 AM
To: University Heights Neighborhood Association <university-heights-na@listserv.uark.edu>; Smith, Sondra <:ssmith@fayetteville-ar.gov>
Subject: Markham Hill part of Fayetteville green space

Sondra,

Would you please send my email to the Rezoning committee, City Planning Commission, and City Council members?

Thanks,
Lisa Orton

Dear City of Fayetteville,

I found this study which includes the 150 acres of Markham Hill. The City of Fayetteville used to include Markham Hill as part of its green space infrastructure. I noticed my mother Marion Orton was part of the committee who put this together. To have it developed and destroyed is very disheartening to me and others in our community. Would you please prevent its destruction by maintaining the existing PZD? Better yet, by preserving this land through the NWA Land Trust or some other conservation protection? These precious green spaces are part of Fayetteville's diversity.

<http://www.fayettevillenatural.org/wp-content/uploads/2015/03/Heritage-working-group-Report.pdf>

Sincerely,
Lisa Orton
[410-674-8440](tel:410-674-8440)

[Sent from Yahoo Mail for iPad](#)

Thompson, Quin

From: Lisa Orton <lisa_m_orton@yahoo.com>
Sent: Tuesday, August 14, 2018 11:10 PM
To: Lisa Orton; Smith, Sondra; Thompson, Quin
Subject: Letter to City - Proposed Markham Hill development not like Serenbe!

Dear City Council, Planning Commission, and Quin Thompson,

Please do not rezone the RSF-4 nor resize/redefine the existing PZD of the 144 acres on Markham Hill currently owned by Specialized Real Estate Group. They bought the land under its current zoning. They can indeed make money from the property as is with the Pratt Inn and Party Barn. For example, they are hosting much of the Roots Festival.

When Specialized REG talked to the University Heights neighbors about developing Markham Hill, they tried to convince us to support their development ideas with the following two arguments. But they did not keep their word as evidenced by the contents of their application to the City. They lost my trust. I hope you will therefore not approve their request for rezoning nor their redefinition of the existing PZD.

Specialized REG's first argument:

(1) They said they would model the development on the Markham Hill property after the Serenbe community outside of Atlanta. They told us to go to the Serenbe link to check it out. I did. The Serenbe community has at least 70% of their land preserved (woods, pastures, streams) and develops only 30% of it. The density of Serenbe is 1000 acres containing 600 people in 350 houses or living units.

However,

(a) Specialized REG's actual proposal to the City is saying they will preserve only 30% of the 144 acres, at the far west side near the highway. Their density for the 120-acre RIU is 478 houses or living units. This is over ten times the density of Serenbe. If they had the same density as Serenbe, they would be putting only 42 houses or living units for 72 people on the 120-acre RIU.

(b) Specialized REG's proposed 24-acre PZD is even worse. It is on the east side of Markham Hill, including Markham Rd, Sang Ave, the horse pasture and barn on the corner of Markham and Sang, surrounding Evangeline Archer's historical home, surrounding Pratt Inn, and the property just past but almost even with the Party Barn. They want to put in 7 houses in the 3.5 solid wooded acres on the right side of Markham Rd, 12 houses in the 4.2 solid wooded acres on the left side of Markham Rd, 10 houses in the wooded horse pasture on the corner of Markham and Sang and up Sang Ave, 9 "cottages" on the right and left of the road around Evangeline Archer's house and before reaching Pratt Inn, an 80-room hotel behind Pratt Inn, a restaurant building, a grocery store building, and two other commercial buildings. Plus, there is all the pavement from parking lots, streets, sidewalks, and driveways. As you can see, they have not followed the Serenbe model for their proposed PZD either. They have not preserved 70% of the woods and pastures. If they followed the Serenbe density, there would be a total of only 8.4 houses or living units for 14 people in this 24 acres. I would say the existing Pratt Inn, Party Barn, Evangeline Archer's house, and Julian and Jane Archer's house already far exceeds the quota.

Specialized REG's second argument:

(2) They asked us what we would think of a restaurant on the first floor of Pratt Inn and a building between Pratt Inn and the water tower containing enough rooms for a wedding party, say 20 rooms at most. The neighbors thought this would be fine as long as they limited development elsewhere. Also, we discussed a wide buffer of solid tree coverage around the perimeter of the RMD parcel groups.

However, Specialized REG did not follow through in these areas either in their rezoning application to the City. They were not totally honest with us concerning their intentions.

So, those loving Markham Hill, its history, woods, pastures, wildlife, trails, nature, tree coverage, and healthful environmental benefits to the City are pretty much disgusted with Specialized REG and their development plans.

We really want to preserve the entire 144 acres. However, the existing 72-acre RSF-4 with its hillside/hilltop characteristics can still be developed by Specialized REG. Let them prove themselves as a company of integrity and develop it using the true Serenbe density model they claim to value. This would mean preserving 70% of the natural habitat and building 25 houses for 43 people.

In summary, please do not rezone the RSF-4 nor resize/redefine the existing PZD of the 144 acres on Markham Hill currently owned by Specialized Real Estate Group. I also suggest you encourage them to prove their honesty and integrity by developing the 72-acre RSF-4 using the true Serenbe density model.

Sincerely,
Lisa Orton
410-674-8440(c)

[Sent from Yahoo Mail for iPad](#)

Thompson, Quin

From: Lisa Orton <lisa_m_orton@yahoo.com>
Sent: Thursday, August 23, 2018 10:03 AM
To: Thompson, Quin
Subject: Letter to City - Markham Hill and character of neighborhood

Quin,

Thank you for explaining your process.

Specialized REG's proposal does not look like the character of the neighborhood. All the trees he wants to save are on the highway side. We are a rural residential and natural area. Adjacent and nearby properties have one house per 1 to 5 or more acres. What they propose is very high density compared to us. It is not 'limited development'.

Open space sounds bare. I hope what you mean by open space is natural woods and pastures that already exist. If it must be rezoned, it makes more sense to put that 50% of already existing woods and pasture on our side (north, east, south - where there are adjacent neighborhoods) of the RMD property. That would blend in more with the character of the surrounding neighborhoods. Preserve all of Markham Hill with the NWA Land Trust except acreage along the highway. They can do their development next to the highway with roads entering and exiting on that side.

Specialized REG's plan is ruining our rural community existing within the City, part of Fayetteville's diversity. If you keep the current zoning, they could destroy only the highway side of the mountain where they say they want to preserve 44 acres.

I still want all 144 acres protected in a nature and wildlife preserve. We could do that in honor of Joy Markham and Evangeline Archer who valued and worked hard with conservation, nature, and the environment.

Please send this letter to whoever is discussing, making recommendations, and making decisions about the Markham Hill property.

Sincerely,
Lisa

[Sent from Yahoo Mail on Android](#)

On Thu, Aug 23, 2018 at 8:27 AM, Thompson, Quin
<qthompson@fayetteville-ar.gov> wrote:

Lisa,

Thank you for letting me know about the letters. I did not intend to leave any out.

Planning Staff are guided by two tools when making zoning recommendations. Those tools include compatibility with surrounding land uses, and the City Plan 2030 future land use map. Because of the future land use designations contained within the City Plan 2030, we have been able to recommend a limited amount of development on the hill, with 50% of the property retained as open space. We are still discussing exactly how that 50% will be reserved. So you can see that we have a fairly narrow set of tools to use when making recommendations at the staff level. However, when it comes to Planning Commission level, the City Attorney has said that neighbor input is a valid point of consideration for the commissioners. Planning Commission and particularly City Council meetings are the most effective place for neighborhood concerns to be expressed. I hope your neighbors will come to the meeting Monday night.

Regards, Quin

Quin Thompson

Planner

Development Services

125 W Mountain St

City of Fayetteville, Arkansas 72701

Tel 479.575.8327 | **Fx** 479.575.8202

E qthompson@fayetteville-ar.gov

[Website](#) | [Facebook](#) | [YouTube](#)

From: Lisa Orton [mailto:lisa_m_orton@yahoo.com]
Sent: Thursday, August 23, 2018 1:05 AM
To: Thompson, Quin <qthompson@fayetteville-ar.gov>
Subject: Re: Markham Hill rezone link

Quin,

Most of my letters weren't in the public comment dropbox. I believe I have some good points in the different letters I sent to the City. Only 5 major letters. So, I've consolidated them all into one document. I've attached it as a .pdf and .docx. Also, I copied it below but that messed up the formatting. The attachments are much better. I also included the statement of the petition we will be filing soon with change.org. Will you dropbox the attached document to your public comment area and send it to all those at the City that are making recommendations and decisions about the future of Markham Hill? I really appreciate it.

Just FYI. Your .msg documents are more difficult to read. I had to download a special app to read them.

It looks like almost all (or maybe all) the 'pro-rezoning' letters were computer-generated form letters with just a few sentences, often the same, from people who don't live near Markham Hill. Several from the same family. It looks fishy. Like they are simply friends of Specialized REG or RMD Property employees but probably don't really care.

I hope you all listen to the people who actually live in this area. Does it matter what we think? Why can't development be done where the surrounding neighborhoods actually want it? It was discouraging to see that you are recommending both the PZD and the RUI rezonings. I realize a money-making developer owns the land now, but if we can stop the rezoning, I believe we could actually protect these 144 acres of woods and pastures as a nature and wildlife preserve with the City and NWA Land Trust's help. If Specialized REG and RMD Properties really cared about the environment, the history, the neighbors, and Fayetteville's green infrastructure and tree cover within the City, they would donate the 144 acres of land to the NWA Land Trust and simply get their money's worth by running the Pratt Inn and Event Barn. I believe the \$3.1 million is really just the cost of those two. They got all the land basically free. At least that's the word I'm getting and it makes sense. Cutting down acres of mature trees is so depressing to me.

Thank you for listening and for all your work on Markham Hill.

Sincerely,

Lisa

Lisa Orton's Letters to the City about Markham Hill Proposed Development – August 23, 2018

Lisa Orton

1663 W Halsell Rd

Fayetteville, AR 72701

410-674-8440

1. Arkansas Historic Preservation Program article on Pratt Place-Markham Camp

<http://www.arkansaspreservation.com/arkansas-register-listings/pratt-place-markham-camp>

2. Heritage Working Group Report - Markham Hill part of Fayetteville's green infrastructure

<http://www.fayettevillenatural.org/wp-content/uploads/2015/03/Heritage-working-group-Report.pdf>

3. Letter to editor of Northwest Arkansas Democrat-Gazette (also sent to the City)

Dear NWA Democrat-Gazette,

Arkansas Historic Preservation Program is only one of many groups that value Markham Hill in Fayetteville for its history, nature, and wildlife. For example, see their online article entitled "Pratt Place - Markham Camp".

I live in one of the adjacent neighborhoods and grew up enjoying its woods while hiking to Mossy Rock Cave, attending Day Camp, and riding the old trails on our horses.

We need your help to save the historical and beloved Markham Hill and its woods and pastures from the developer who wants to destroy it to build a hotel, grocery store, restaurant, and other commercial buildings as well as many houses on the 150 acres of undeveloped land. I am sending this letter to different groups who may be able to help save this green space, woods, and history.

Many neighbors who live on and adjacent to Markham Hill and others who love Fayetteville green space are very concerned that Markham Hill may be rezoned for commercial and high-density development. Please join us in asking the City to not rezone. Save Markham Hill and its woods and wildlife! Please call, write, or email the Fayetteville City Council and City Planning Commission to share your views. Sondra Smith at ssmith@fayetteville-ar.gov can forward your email to them. This is the last large quantity of wooded land before the highway (as you look west from downtown Fayetteville) and the last safe place for wildlife. They can only escape by crossing the large highway. Markham Hill has a wonderful history and is part of Fayetteville's heritage.

We really need a philanthropist to buy the Markham Hill property from RMD Properties/Specialized Real Estate Group and put this precious land under the NWA Land Trust (or similar) to truly protect it from development. Even with us preventing the rezoning, almost half of the land can still currently be developed with four houses per acre. We need the entire Markham Hill woods and heritage site protected.

Thank you so much for your help. Please pass this letter on to others who also care about our Arkansas and Fayetteville history and its green space. We need your help soon. The first City rezoning meeting is August 27, 2018.

Sincerely,

Lisa Orton

4. Letter to City – Markham Hill and benefits of large acreage tree cover within City

Dear Fayetteville City Council and Planning Commission,

Please do not rezone the 144 acres of Markham Hill property currently owned by RMD Properties and Specialized Real Estate Group. I believe both the current 72-acre PZD that allows for no development and the current 72-acre RSF-4 with the hillside/hilltop ordinance protect the large acreage of solid tree cover on Markham Hill the best, apart from preserving the entire 144 acres with the NWA Land Trust (which I am also pursuing).

Having 144+ acres of solid tree cover (along with its few wooded pasture areas) is very special and unique inside a city. It is more usual to have trees here and there, along roads, in parks, on squares, in neighborhoods. But to have a large acreage of solid tree cover inside a city is something to cherish. Markham Hill lies between interstate highway 49 (on its west) and downtown Fayetteville and the University of Arkansas (on its east). It would be a shame to cut down Markham Hill's mature trees and already existing tree cover in our city's green space infrastructure.

A large acreage of trees provides a city with very important benefits. The following examples illustrate why cutting down even one acre of trees is harmful.

- Tree cover helps eliminate greenhouse gases.

For example,

- One acre of trees will trap the 2.6 tons of carbon dioxide produced by driving a car 8700 miles

- Cutting down forests is one of the largest sources of greenhouse gas emissions from human activity, a double blow that both eliminates a biological system to absorb carbon dioxide and a new source of greenhouse gases in the form of decaying plants.

- Tree cover helps oxygen needs of the community.

For example,

- One acre of trees produces enough oxygen for 18 people every day.

- Tree cover helps mitigate climate change.

"The immense stores of carbon in existing ecosystems are of great importance for both mitigation and adaptation of climate change, especially compared to the potential of removing atmospheric carbon by planting new forests. First, carbon storage in young forests takes a long time especially in terms of replacing lost carbon. Second, because there is so little time to slow global warming, the priority should be on preventing carbon losses and conserving the carbon stores that exist. Third, by protecting existing ecosystems there will be a wide range of habitat to provide connecting corridors for plant and animal migration as the climate warms. Fourth, the protection of intact ecosystems provides resiliency for ecosystems and the communities that depend upon them."

- Tree cover improves air quality. Mitigates air pollution in urban areas. Improves human health.

- Trees remove or trap lung-damaging dust, ash, pollen, and smoke from the air.

- Trees act as natural water filters and help significantly slow the movement of storm water, which lowers total runoff volume, soil erosion, and flooding. Communities that utilize trees and canopy cover may spend less money developing additional storm water management infrastructure.

- Large acreages of trees provide cleaner water to the area's watersheds. Cities' costs to deal with sewage, drainage, erosion, and water quality are less.

- Each year about 50 acres of forest canopy is lost each day in the greater Atlanta area. For every acre of tree canopy lost, one acre of impervious surface is gained each day.

- Infiltration rates for forested areas are 10-15 times greater than for equivalent areas of turf and grass.

- During a heavy rain, a healthy forest can absorb as much as 20,000 gallons of water in an hour.

- Many municipalities are now charging businesses and homeowners a "stormwater utility" fee based on the amount of impervious surface at their location.

- Urban noise is reduced by trees absorbing sound waves.

- Trees conserve water and reduce soil erosion. Lesser amounts of chemicals are transported to streams.

- Trees modify local climate. The collective effect of a large area of transpiring trees (evaporation water) reduces the air temperature in these areas.

- Trees create wildlife and plant diversity. Larger forested areas within a city offer suitable mini-climates for plants and food for birds and animals that would otherwise be absent from urban areas. Biodiversity is an important part of urban forestry.

- Forest areas in cities increase property values.

- Removing forest canopy and replacing it with roads, parking lots, driveways, homes, patios, pools (impervious surfaces) and even grass have an immediate impact on watersheds and receiving streams or lakes. With the increased number of impervious surfaces, water runs off the land, traveling on the surface towards the streams. As this storm water runoff travels to the streams it collects pollutants and increases speed. The changes to the landscape increase the volume and speed of the water. This leads to flooding, stream bank erosion, widening of streams, sediment in streams, loss of fish habitat, and decline in water quality.

Note: Water damage and flooding have already occurred to some homes on the sides and bottom of Markham Hill, made even worse by its many natural springs during heavy rains.

- Impervious surfaces have increased by 20% over the past 2 decades in urban areas at a cost in excess of \$100 billion nationally. Local governments are increasingly looking toward non-built storm water management strategies, including trees to reduce the cost of construction storm water control infrastructure.

- Tree age greatly affects the ability to store and sequester carbon. Older trees store more total carbon in their wood and younger trees sequester more carbon annually.

- In populated areas, tree canopy cover relates directly to air quality, storm water management, ecosystem balance, and quality of life benefits.

I know we want more housing in Fayetteville. But please do not allow the deforestation of Markham Hill. Please save this 144+ acreage of historic woods that exist within the City.

Please do not rezone the RSF-4 nor change the existing PZD on Markham Hill.

Sincerely,

Lisa Orton

5. Letter to City – Proposed Markham Hill development not like Serenbe

Dear Fayetteville City Council and Planning Commission,

Please do not rezone the RSF-4 nor resize/redefine the existing PZD of the 144 acres on Markham Hill currently owned by Specialized Real Estate Group. They bought the land under its current zoning. They can indeed make money from the property as is with the Pratt Inn and Party Barn. For example, they are hosting much of the Roots Festival.

When Specialized REG talked to the University Heights neighbors about developing Markham Hill, they tried to convince us to support their development ideas with the following two arguments. But they did not keep their word as evidenced by the contents of their application to the City. They lost my trust. I hope you will therefore not approve their request for rezoning nor their redefinition of the existing PZD.

Specialized REG's first argument:

(1) They said they would model the development on the Markham Hill property after the Serenbe community outside of Atlanta. They told us to go to the Serenbe link to check it out. I did. The Serenbe community has at least 70% of their land preserved (woods, pastures, streams) and develops only 30% of it. The density of Serenbe is 1000 acres containing 600 people in 350 houses or living units.

However,

(a) Specialized REG's actual proposal to the City is saying they will preserve only 30% of the 144 acres, at the far west side near the highway. Their density for the 120-acre RIU is 478 houses or living units. This is over ten times the density of Serenbe. If they had the same density as Serenbe, they would be putting only 42 houses or living units for 72 people on the 120-acre RIU.

(b) Specialized REG's proposed 24-acre PZD is even worse. It is on the east side of Markham Hill, including Markham Rd, Sang Ave, the horse pasture and barn on the corner of Markham and Sang, surrounding Evangeline Archer's historical home, surrounding Pratt Inn, and the property just past but almost even with the Party Barn. They want to put in 7 houses in the 3.5 solid wooded acres on the right side of Markham Rd, 12 houses in the 4.2 solid wooded acres on the left side of Markham Rd, 10 houses in the wooded horse pasture on the corner of Markham and Sang and up Sang Ave, 9 "cottages" on the right and left of the road around Evangeline Archer's house and before reaching Pratt Inn, an 80-room hotel behind Pratt Inn, a restaurant building, a grocery store building, and two other commercial buildings. Plus, there is all the pavement from parking lots, streets, sidewalks, and driveways. As you can see, they have not followed the Serenbe model for their proposed PZD either. They have not preserved 70% of the woods and pastures. If they followed the Serenbe density, there would be a total of only 8.4 houses or living units for 14 people in these 24 acres. I would say the existing Pratt Inn, Party Barn, Evangeline Archer's house, and Julian and Jane Archer's house already far exceeds the quota.

Specialized REG's second argument:

(2) They asked us what we would think of a restaurant on the first floor of Pratt Inn and a building between Pratt Inn and the water tower containing enough rooms for a wedding party, say 20 rooms at most. The neighbors thought this would be fine as long as they limited development elsewhere. Also, we discussed a wide buffer of solid tree coverage around the perimeter of the RMD parcel groups.

However, Specialized REG did not follow through in these areas either in their rezoning application to the City. They were not totally honest with us concerning their intentions.

So, those loving Markham Hill, its history, woods, pastures, wildlife, trails, nature, tree coverage, and healthful environmental benefits to the City are pretty much disgusted with Specialized REG and their development plans.

We really want to preserve the entire 144 acres. However, the existing 72-acre RSF-4 with its hillside/hilltop characteristics can still be developed by Specialized REG. Let them prove themselves as a company of integrity and develop it using the true Serenbe density model they claim to value. This would mean preserving 70% of the natural habitat and building 25 houses for 43 people.

In summary, please do not rezone the RSF-4 nor resize/redefine the existing PZD of the 144 acres on Markham Hill currently owned by Specialized Real Estate Group. I also suggest you encourage them to prove their honesty and integrity by developing the 72-acre RSF-4 using the true Serenbe density model.

Sincerely,

Lisa Orton

6. Letter to City – Diversity and preserving Markham Hill as a Natural Area

Dear Fayetteville City Council, Planning Commission, and Environmental Action Committee:

Please save Markham Hill from development. Please do not rezone. And finally, please help secure this land as a permanent nature and wildlife preserve. I will talk about famous naturalist and artist Kent Bonar later in this letter.

Markham Hill really includes the entire Archias Mountain but for this effort I am referring to the 144 acres currently owned by RMD Properties on the top and sides of the mountain (the 72-acre PZD and the 72-acre RSF-4) as Markham Hill.

Markham Hill has always been part of the backbone of Fayetteville's enduring green network (being one of Fayetteville's seven hills and a legacy of the Pratt sisters, Joy Markham and Evangeline Archer), especially now that it is surrounded by interstate highway 49, a residential neighborhood, the University of Arkansas, and downtown Fayetteville. Markham Hill's nature and wildlife must be protected. All of it, not just a portion. Every acre counts. Markham Hill is one of Fayetteville's Natural Areas.

The City of Fayetteville's 2030 Plan says:

"Natural Areas consist of lands approximating or reverting to a wilderness condition, including those with limited development potential due to topography, hydrology, vegetation or value as an environmental resource. These resources can include stream and wildlife corridors, as well as natural hubs and cores, as identified in the FNHA study, many of which make up the backbone of the enduring green network. A **Natural Area** designation would encourage a development pattern that requires conservation and preservation, prevents degradation of these areas, and would utilize the principles of low impact development for all construction."

The privately-owned parcels surrounding the RMD parcels could be labeled as Rural Residential in that there is only one house on one to five or more acres. One neighbor even has some alpacas! This illustrates one of the characteristics of Fayetteville that makes the

city special - its diversity in land and neighborhood types. Some areas are high density, and some are rural or natural. That's why many people love living in Fayetteville. They can choose where they want to live - in an urban area where they can walk to stores and entertainment, in a rural area with fewer houses and a lot of trees, or even beside a nature and wildlife preserve. Let's keep Fayetteville attractive like this by not destroying or even shrinking the rural and natural areas with development. I've been told that Fayetteville needs more housing, but please let's not destroy the Natural Areas and Rural Residential areas in the process. This is part of Fayetteville's appeal and character.

This reminds me of when Seth Mims told us how wonderful it is to walk on the Markham Hill trails where you can hear the birds, feel the forest breeze, and sense the quiet. I told him that he is enjoying the very thing he will be destroying with his development. Shrinking Natural Areas by development also shrinks the nature, wildlife, and environmental benefits of a very large tree cover and forested green space.

Over the years nature, wildlife, geology, and archaeology studies, education, and exploration have taken place in the Natural Area of Markham Hill because of its large acreage of solid woods and its wooded pastures. As part of the Fayetteville Roots Festival, Kent Bonar (one of the foremost experts on Arkansas flora) is being interviewed at the Fayetteville Public Library for two hours by Kelly Mullhollan live on Ozarks At Large. The next day Bonar will take guests on a guided nature walk into the woods surrounding Pratt Place (the 144-acre Markham Hill property). One of my neighbors said, "The irony of a celebrated naturalist guiding people around a treasured natural area that is threatened by development is almost more than we can imagine."

Please save Fayetteville's entire Natural Area of Markham Hill from development. Please do not rezone. And finally, please help secure this land as a permanent nature and wildlife preserve. Terri Lane of the NWA Land Trust told me that Markham Hill is a conservation priority. I believe our City of Fayetteville will be so thankful in years to come that we permanently saved and preserved all of Markham Hill.

Sincerely,

Lisa Orton

7. Letter to City – Dream for Markham Hill

Dear City Council, Planning Commission, and Environmental Action Committee:

I've written you several letters. Each one emphasizes a different reason to save Markham Hill from development and keep it as part of the City's enduring green network. I appreciate you spending the time to read and consider each of my letters.

Please do not rezone any part of the 144 acres currently owned (or at least paying monthly mortgage) by RMD Properties and managed by Specialized Real Estate Group.

Also, please help secure these 144 acres of Markham Hill and work with the NWA Land Trust to permanently protect them as a nature and wildlife preserve. For all the many reasons we have given.

There are other ways these dearly loved wooded and natural 144 acres could be used that are more appropriate than ruining them by development to provide more housing for Fayetteville (which can be done in areas where the surrounding neighborhoods actually want it or don't mind).

This is my dream for the land that belonged to the Pratt sisters, Joy Markham and Evangeline Archer:

- (1) The 144 acres be established as a permanent nature and wildlife preserve.
- (2) Students, professors, naturalists, bird enthusiasts, and others continue studying, exploring, and enjoying the nature and wildlife.
- (3) The trees, plants, rocks, wildlife, birds, springs, soil, etc. continue thriving and doing what they are meant to do on this good earth.
- (4) Walkers, hikers, runners, and horseback riders continue exercising and enjoying the old and new trails.
- (5) The working barn (may need renovating), the pastures, and wooded trails be used by an established horse therapy group to help at risk kids and people with special needs.
- (6) The Pratt Inn be converted to art studios on the second and third floors (to be leased to local artists needing space to do their work) and an art exhibition hall on the first floor (to be used by art groups in the area to have open and juried shows). Both art studios and a larger exhibition space are very much needed in our community. I also envision plein air artists setting up in the meadows and woods to do their outdoor painting.

I believe Mrs. Markham and Evangeline Archer would be so pleased if Fayetteville used their land in this way. We could all take pride in and benefit from this solution as well.

Sincerely,

Lisa Orton

8. Petition to Save Markham Hill – to be initiated soon on change.org

To: Fayetteville City Council and Planning Commission (ssmith@fayetteville-ar.gov)

We, the undersigned, respectfully request the City of Fayetteville to:

- (1) Oppose the rezoning of the 144-acre Markham Hill property for development.
- (2) Secure and protect the 144-acre Markham Hill property as a nature and wildlife preserve.

Specialized Real Estate Group is asking the City to rezone the 144-acre Markham Hill property, modifying the present zoning with a new PZD and RIU in order to create a large commercial and residential development.

Why do we want to save Markham Hill from development?

- **Saving Markham Hill meets two of Fayetteville's Vision 2050 Guiding Principles: Naturally Beautiful City and Ecosystem Preservation.** Markham Hill is an important and significant part of Fayetteville because of its large acreage of trees, wooded pastures, plants, birds, rock formations, wildlife, and history. Markham Hill is the last large acreage of woods where wildlife can take refuge this side of the interstate highway. For many years bird enthusiasts, naturalists, and University of Arkansas professors and students have studied and enjoyed the nature and wildlife of Markham Hill.
- **Markham Hill is historically part of Fayetteville's mature tree cover and green infrastructure, contributing to the City's environmental health.** One acre of trees will trap 2.6 tons of carbon dioxide, helping to eliminate greenhouse gases and mitigate climate change. Tree cover improves a city's air quality by decreasing air pollution. Trees act as natural water filters, providing cleaner water to our watersheds and resulting in less expense to the City in dealing with sewage, drainage, erosion, and water quality. Markham Hill is one of Fayetteville's Natural Areas and so requires conservation and preservation according to Fayetteville's 2030 Plan.
- **Markham Hill's 144 acres of woods within the City is an example of Fayetteville's diversity in land and neighborhood types.** Diversity is highly valued in Fayetteville and is part of the City's character and appeal. Having 144 acres of protected and preserved forest within a City is special and unique.
- **Markham Hill contributes to the physical and emotional well-being of Fayetteville residents.** Over the years nature lovers, bird enthusiasts, horseback riders, hikers, runners, campers, and explorers have enjoyed Markham Hill. Many can tell you stories of their fond experiences.
- **Markham Hill/Pratt Place property is in the Arkansas Register of Historic Places.** Its history goes back to 1900 when the Pratt family settled the land. Markham Hill has remained in the Pratt family ever since until very recently. We would like to honor the two Pratt sisters, Joy Markham and Evangeline Archer, by permanently protecting Markham Hill as a nature and wildlife preserve. Both sisters did much for the good of Fayetteville and Arkansas during their lives.

The future of Fayetteville is one of expansion. That means the City must make a concerted effort to both protect and grow our urban forest to continue to enjoy the benefits it provides. The plans outlined by Specialized Real Estate Group for the 144 acres of Markham Hill would seriously decrease these benefits. In summary, the 144 acres of Markham Hill must be protected and preserved.

On Wednesday, August 22, 2018, 5:49:06 PM CDT, Thompson, Quin <gthompson@fayetteville-ar.gov> wrote:

Public comment, submittal materials, and staff recommendations are available on the City Dropbox:

https://www.dropbox.com/sh/1vm1dg3ng0h88m9/AADe26W1T_Yyp4mKwwuf97dEa?dl=0

Regards, Quin

Quin Thompson

Planner

Development Services

125 W Mountain St

City of Fayetteville, Arkansas 72701

Tel 479.575.8327 | **Fx** 479.575.8202

E qthompson@fayetteville-ar.gov

[Website](#) | [Facebook](#) | [YouTube](#)

Thompson, Quin

From: Smith, Sondra
Sent: Friday, July 27, 2018 2:30 PM
To: Bolinger, Bonnie; Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Cc: Garner, Andrew; Curth, Jonathan; Stoll, Garner
Subject: FW: More information on Markham Hill

From: Lisa Orton [mailto:lisa_m_orton@yahoo.com]
Sent: Friday, July 27, 2018 8:45 AM
To: Mayor <Mayor@fayetteville-ar.gov>; Jordan, Lioneld <ljordan@fayetteville-ar.gov>; Smith, Sondra <:ssmith@fayetteville-ar.gov>
Subject: More information on Markham Hill

Dear Mayor Jordan and Sondra,

Please forward this to the Rezoning committee, City Planning Commission, and City Council.

Please do not rezone but keep the existing PZD and RSF-4 zoning of Markham Hill and Woods.

When Seth Mims of Specialized Real Estate Group talked to the University Heights neighbors in hopes of getting our support, he said that for the Pratt Inn to make money they needed to add 20 rooms in a cottage between the current inn and the water tower and start a restaurant on the ground floor of the Pratt Inn. It already has a huge kitchen in the basement for that purpose. We thought that was a good idea as long as development on the rest of the land was kept to a minimum. Seth's proposal to the City shocked us. It is basically destroying all Markham Hill and Woods, claiming that a few trees is preserving this historical green space we've enjoyed for the past 60 years and more.

I asked Specialized Real Estate Group to please withdraw their request for rezoning and do the following instead which still provides them with a profit, provides additional housing for city residents, and preserves at least half of this historical green space. I believe this is a workable compromise that meets Fayetteville's goals (more housing; diverse neighborhoods - not only high density and urban infilled but also low density and wooded; and preservation of historical green space) and bordering neighborhoods could live with.

(1) Keep the existing 72 acre PZD on the east side of Markham Hill, but request from the City the 20 room cottage between the Pratt Inn and water tower. They already have the ability to have a restaurant on the first floor of Pratt Inn.

(2) Develop the 72 acre RSF-4 on the west side of Markham Hill, amid the trees, with at most 4 single family homes per acre. The roads into this development should be from the highway 49 side. This preserves the already existing low density wooded residential neighborhoods bordering this property and fits in better with the surrounding residential, non-commercial community and environment.

I ask again, please do not rezone but keep the existing PZD and RSF-4 zoning of Markham Hill and Woods.

Can the City also look into putting the PZD portion in the NWA Land Trust or some other conservation preservation?

Thank you so much for reading my emails and seriously considering my request.

Sincerely,
Lisa Orton
410-674-8440

[Sent from Yahoo Mail on Android](#)

Lisa Orton's Letters to the City about Markham Hill Proposed Development – August 23, 2018

Lisa Orton
1663 W Halsell Rd
Fayetteville, AR 72701
410-674-8440

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Many neighbors who live on and adjacent to Markham Hill and others who love Fayetteville green space are very concerned that Markham Hill may be rezoned for commercial and high-density development. Please join us in asking the City to not rezone. Save Markham Hill and its woods and wildlife! Please call, write, or email the Fayetteville City Council and City Planning Commission to share your views. Sondra Smith at ssmith@fayetteville-ar.gov can forward your email to them. This is the last large quantity of wooded land before the highway (as you look west from downtown Fayetteville) and the last safe place for wildlife. They can only escape by crossing the large highway. Markham Hill has a wonderful history and is part of Fayetteville's heritage.

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Thank you so much for your help. Please pass this letter on to others who also care about our Arkansas and Fayetteville history and its green space. We need your help soon. The first City rezoning meeting is August 27, 2018.

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- Trees remove or trap lung-damaging dust, ash, pollen, and smoke from the air.

- Trees act as natural water filters and help significantly slow the movement of storm water, which lowers total runoff volume, soil erosion, and flooding. Communities that utilize trees and canopy cover may spend less money developing additional storm water management infrastructure.

- Large acreages of trees provide cleaner water to the area's watersheds. Cities' costs to deal with sewage, drainage, erosion, and water quality are less.

- Each year about 50 acres of forest canopy is lost each day in the greater Atlanta area. For every acre of tree canopy lost, one acre of impervious surface is gained each day.

- Infiltration rates for forested areas are 10-15 times greater than for equivalent areas of turf and grass.
- During a heavy rain, a healthy forest can absorb as much as 20,000 gallons of water in an hour.
- Many municipalities are now charging businesses and homeowners a "stormwater utility" fee based on the amount of impervious surface at their location.
- Urban noise is reduced by trees absorbing sound waves.
- Trees conserve water and reduce soil erosion. Lesser amounts of chemicals are transported to streams.
- Trees modify local climate. The collective effect of a large area of transpiring trees (evaporation water) reduces the air temperature in these areas.
- Trees create wildlife and plant diversity. Larger forested areas within a city offer suitable mini-climates for plants and food for birds and animals that would otherwise be absent from urban areas. Biodiversity is an important part of urban forestry.
- Forest areas in cities increase property values.
- Removing forest canopy and replacing it with roads, parking lots, driveways, homes, patios, pools (impervious surfaces) and even grass have an immediate impact on watersheds and receiving streams or lakes. With the increased number of impervious surfaces, water runs off the land, traveling on the surface towards the streams. As this storm water runoff travels to the streams it collects pollutants and increases speed. The changes to the landscape increase the volume and speed of the water. This leads to flooding, stream bank erosion, widening of streams, sediment in streams, loss of fish habitat, and decline in water quality.

Note: Water damage and flooding have already occurred to some homes on the sides and bottom of Markham Hill, made even worse by its many natural springs during heavy rains.

- Impervious surfaces have increased by 20% over the past 2 decades in urban areas at a cost in excess of \$100 billion nationally. Local governments are increasingly looking toward non-built storm water management strategies, including trees to reduce the cost of construction storm water control infrastructure.
- Tree age greatly affects the ability to store and sequester carbon. Older trees store more total carbon in their wood and younger trees sequester more carbon annually.
- In populated areas, tree canopy cover relates directly to air quality, storm water management, ecosystem balance, and quality of life benefits.

I know we want more housing in Fayetteville. But please do not allow the deforestation of Markham Hill. Please save this 144+ acreage of historic woods that exist within the City.

Please do not rezone the RSF-4 nor change the existing PZD on Markham Hill.

Sincerely,
Lisa Orton

5. Letter to City – Proposed Markham Hill development not like Serenbe

Dear Fayetteville City Council and Planning Commission,

Please do not rezone the RSF-4 nor resize/redefine the existing PZD of the 144 acres on Markham Hill currently owned by Specialized Real Estate Group. They bought the land under its current zoning. They can indeed make money from the property as is with the Pratt Inn and Party Barn. For example, they are hosting much of the Roots Festival.

When Specialized REG talked to the University Heights neighbors about developing Markham Hill, they tried to convince us to support their development ideas with the following two arguments. But they did not keep their word as evidenced by the contents of their application to the City. They lost my trust. I hope you will therefore not approve their request for rezoning nor their redefinition of the existing PZD.

Specialized REG's first argument:

(1) They said they would model the development on the Markham Hill property after the Serenbe community outside of Atlanta. They told us to go to the Serenbe link to check it out. I did. The Serenbe community has at least 70% of their land preserved (woods, pastures, streams) and develops only 30% of it. The density of Serenbe is 1000 acres containing 600 people in 350 houses or living units.

However,

(a) Specialized REG's actual proposal to the City is saying they will preserve only 30% of the 144 acres, at the far west side near the highway. Their density for the 120-acre RIU is 478 houses or living units. This is over ten times the density of Serenbe. If they had the same density as Serenbe, they would be putting only 42 houses or living units for 72 people on the 120-acre RIU.

(b) Specialized REG's proposed 24-acre PZD is even worse. It is on the east side of Markham Hill, including Markham Rd, Sang Ave, the horse pasture and barn on the corner of Markham and Sang, surrounding Evangeline Archer's historical home, surrounding Pratt Inn, and the property just past but almost even with the Party Barn. They want to put in 7 houses in the 3.5 solid wooded acres on the right side of Markham Rd, 12 houses in the 4.2 solid wooded acres on the left side of Markham Rd, 10 houses in the wooded horse pasture on the corner of Markham and Sang and up Sang Ave, 9 "cottages" on the right and left of the road around Evangeline Archer's house and before reaching Pratt Inn, an 80-room hotel behind Pratt Inn, a restaurant building, a grocery store building, and two other commercial buildings. Plus, there is all the pavement from parking lots, streets, sidewalks, and driveways. As you can see, they have not followed the Serenbe model for their proposed PZD either. They have not preserved 70% of the woods and pastures. If they followed the Serenbe density, there would be a total of only 8.4 houses or living units for 14 people in these 24 acres. I would say the existing Pratt Inn, Party Barn, Evangeline Archer's house, and Julian and Jane Archer's house already far exceeds the quota.

Specialized REG's second argument:

(2) They asked us what we would think of a restaurant on the first floor of Pratt Inn and a building between Pratt Inn and the water tower containing enough rooms for a wedding party, say 20 rooms at most. The neighbors thought this would be fine as long as they limited development elsewhere. Also, we discussed a wide buffer of solid tree coverage around the perimeter of the RMD parcel groups.

However, Specialized REG did not follow through in these areas either in their rezoning application to the City. They were not totally honest with us concerning their intentions.

So, those loving Markham Hill, its history, woods, pastures, wildlife, trails, nature, tree coverage, and healthful environmental benefits to the City are pretty much disgusted with Specialized REG and their development plans.

We really want to preserve the entire 144 acres. However, the existing 72-acre RSF-4 with its hillside/hilltop characteristics can still be developed by Specialized REG. Let them prove themselves as a

company of integrity and develop it using the true Serenbe density model they claim to value. This would mean preserving 70% of the natural habitat and building 25 houses for 43 people.

In summary, please do not rezone the RSF-4 nor resize/redefine the existing PZD of the 144 acres on Markham Hill currently owned by Specialized Real Estate Group. I also suggest you encourage them to prove their honesty and integrity by developing the 72-acre RSF-4 using the true Serenbe density model.

Sincerely,
Lisa Orton

6. Letter to City – Diversity and preserving Markham Hill as a Natural Area

Dear Fayetteville City Council, Planning Commission, and Environmental Action Committee:

Please save Markham Hill from development. Please do not rezone. And finally, please help secure this land as a permanent nature and wildlife preserve. I will talk about famous naturalist and artist Kent Bonar later in this letter.

Markham Hill really includes the entire Archias Mountain but for this effort I am referring to the 144 acres currently owned by RMD Properties on the top and sides of the mountain (the 72-acre PZD and the 72-acre RSF-4) as Markham Hill.

Markham Hill has always been part of the backbone of Fayetteville's enduring green network (being one of Fayetteville's seven hills and a legacy of the Pratt sisters, Joy Markham and Evangeline Archer), especially now that it is surrounded by interstate highway 49, a residential neighborhood, the University of Arkansas, and downtown Fayetteville. Markham Hill's nature and wildlife must be protected. All of it, not just a portion. Every acre counts. Markham Hill is one of Fayetteville's Natural Areas.

The City of Fayetteville's 2030 Plan says:

"Natural Areas consist of lands approximating or reverting to a wilderness condition, including those with limited development potential due to topography, hydrology, vegetation or value as an environmental resource. These resources can include stream and wildlife corridors, as well as natural hubs and cores, as identified in the FNHA study, many of which make up the backbone of the enduring green network. A **Natural Area** designation would encourage a development pattern that requires conservation and preservation, prevents degradation of these areas, and would utilize the principles of low impact development for all construction."

The privately-owned parcels surrounding the RMD parcels could be labeled as Rural Residential in that there is only one house on one to five or more acres. One neighbor even has some alpacas! This illustrates one of the characteristics of Fayetteville that makes the city special - its diversity in land and neighborhood types. Some areas are high density, and some are rural or natural. That's why many people love living in Fayetteville. They can choose where they want to live - in an urban area where they can walk to stores and entertainment, in a rural area with fewer houses and a lot of trees, or even beside a nature and wildlife preserve. Let's keep Fayetteville attractive like this by not destroying or even shrinking the rural and natural areas with development. I've been told that Fayetteville needs more housing, but please let's not destroy the Natural Areas and Rural Residential areas in the process. This is part of Fayetteville's appeal and character.

This reminds me of when Seth Mims told us how wonderful it is to walk on the Markham Hill trails where you can hear the birds, feel the forest breeze, and sense the quiet. I told him that he is enjoying the very thing he will be destroying with his development. Shrinking Natural Areas by development also shrinks the nature, wildlife, and environmental benefits of a very large tree cover and forested green space.

Over the years nature, wildlife, geology, and archaeology studies, education, and exploration have taken place in the Natural Area of Markham Hill because of its large acreage of solid woods and its wooded

pastures. As part of the Fayetteville Roots Festival, Kent Bonar (one of the foremost experts on Arkansas flora) is being interviewed at the Fayetteville Public Library for two hours by Kelly Mullhollan live on Ozarks At Large. The next day Bonar will take guests on a guided nature walk into the woods surrounding Pratt Place (the 144-acre Markham Hill property). One of my neighbors said, "The irony of a celebrated naturalist guiding people around a treasured natural area that is threatened by development is almost more than we can imagine."

Please save Fayetteville's entire Natural Area of Markham Hill from development. Please do not rezone. And finally, please help secure this land as a permanent nature and wildlife preserve. Terri Lane of the NWA Land Trust told me that Markham Hill is a conservation priority. I believe our City of Fayetteville will be so thankful in years to come that we permanently saved and preserved all of Markham Hill.

Sincerely,
Lisa Orton

7. Letter to City – Dream for Markham Hill

Dear City Council, Planning Commission, and Environmental Action Committee:

I've written you several letters. Each one emphasizes a different reason to save Markham Hill from development and keep it as part of the City's enduring green network. I appreciate you spending the time to read and consider each of my letters.

Please do not rezone any part of the 144 acres currently owned (or at least paying monthly mortgage) by RMD Properties and managed by Specialized Real Estate Group.

Also, please help secure these 144 acres of Markham Hill and work with the NWA Land Trust to permanently protect them as a nature and wildlife preserve. For all the many reasons we have given.

There are other ways these dearly loved wooded and natural 144 acres could be used that are more appropriate than ruining them by development to provide more housing for Fayetteville (which can be done in areas where the surrounding neighborhoods actually want it or don't mind).

This is my dream for the land that belonged to the Pratt sisters, Joy Markham and Evangeline Archer:

- (1) The 144 acres be established as a permanent nature and wildlife preserve.
- (2) Students, professors, naturalists, bird enthusiasts, and others continue studying, exploring, and enjoying the nature and wildlife.
- (3) The trees, plants, rocks, wildlife, birds, springs, soil, etc. continue thriving and doing what they are meant to do on this good earth.
- (4) Walkers, hikers, runners, and horseback riders continue exercising and enjoying the old and new trails.
- (5) The working barn (may need renovating), the pastures, and wooded trails be used by an established horse therapy group to help at risk kids and people with special needs.
- (6) The Pratt Inn be converted to art studios on the second and third floors (to be leased to local artists needing space to do their work) and an art exhibition hall on the first floor (to be used by art groups in the area to have open and juried shows). Both art studios and a larger exhibition space are very much needed in our community. I also envision plein air artists setting up in the meadows and woods to do their outdoor painting.

I believe Mrs. Markham and Evangeline Archer would be so pleased if Fayetteville used their land in this way. We could all take pride in and benefit from this solution as well.

Sincerely,
Lisa Orton

8. Petition to Save Markham Hill – to be initiated soon on change.org

To: Fayetteville City Council and Planning Commission (ssmith@fayetteville-ar.gov)

We, the undersigned, respectfully request the City of Fayetteville to:

- (1) Oppose the rezoning of the 144-acre Markham Hill property for development.
- (2) Secure and protect the 144-acre Markham Hill property as a nature and wildlife preserve.

Specialized Real Estate Group is asking the City to rezone the 144-acre Markham Hill property, modifying the present zoning with a new PZD and RIU in order to create a large commercial and residential development.

Why do we want to save Markham Hill from development?

- **Saving Markham Hill meets two of Fayetteville's Vision 2050 Guiding Principles: Naturally Beautiful City and Ecosystem Preservation.** Markham Hill is an important and significant part of Fayetteville because of its large acreage of trees, wooded pastures, plants, birds, rock formations, wildlife, and history. Markham Hill is the last large acreage of woods where wildlife can take refuge this side of the interstate highway. For many years bird enthusiasts, naturalists, and University of Arkansas professors and students have studied and enjoyed the nature and wildlife of Markham Hill.
- **Markham Hill is historically part of Fayetteville's mature tree cover and green infrastructure, contributing to the City's environmental health.** One acre of trees will trap 2.6 tons of carbon dioxide, helping to eliminate greenhouse gases and mitigate climate change. Tree cover improves a city's air quality by decreasing air pollution. Trees act as natural water filters, providing cleaner water to our watersheds and resulting in less expense to the City in dealing with sewage, drainage, erosion, and water quality. Markham Hill is one of Fayetteville's Natural Areas and so requires conservation and preservation according to Fayetteville's 2030 Plan.
- **Markham Hill's 144 acres of woods within the City is an example of Fayetteville's diversity in land and neighborhood types.** Diversity is highly valued in Fayetteville and is part of the City's character and appeal. Having 144 acres of protected and preserved forest within a City is special and unique.
- **Markham Hill contributes to the physical and emotional well-being of Fayetteville residents.** Over the years nature lovers, bird enthusiasts, horseback riders, hikers, runners, campers, and explorers have enjoyed Markham Hill. Many can tell you stories of their fond experiences.
- **Markham Hill/Pratt Place property is in the Arkansas Register of Historic Places.** Its history goes back to 1900 when the Pratt family settled the land. Markham Hill has remained in the Pratt family ever since until very recently. We would like to honor the two Pratt sisters, Joy Markham and Evangeline Archer, by permanently protecting Markham Hill as a nature and wildlife preserve. Both sisters did much for the good of Fayetteville and Arkansas during their lives.

The future of Fayetteville is one of expansion. That means the City must make a concerted effort to both protect and grow our urban forest to continue to enjoy the benefits it provides. The plans outlined by Specialized Real Estate Group for the 144 acres of Markham Hill would seriously decrease these benefits. In summary, the 144 acres of Markham Hill must be protected and preserved.

From: [CityClerk](#)
To: [Harrison, Andy](#)
Cc: [Bolinger, Bonnie](#); [Pennington, Blake](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Subject: FW: Public Comment on Markham Hill Rezoning Request
Date: Thursday, August 16, 2018 7:47:40 AM

Andy,

Please forward to appropriate staff members regarding Markham Hill Rezoning.

Thanks,
Lisa

From: MaggieOwens <info@www.specializedreg.com>
Sent: Thursday, August 16, 2018 1:06 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name
Maggie Owens
Email
maggiepaigeowens@gmail.com
Street Address in Fayetteville
2024 S. Flordia Way Arkansas United States Map It
Message
Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.
Keep me informed about Markham Hill news
1

From: [CityClerk](#)
To: [Harrison, Andy](#)
Cc: [Bolinger, Bonnie](#); [Pennington, Blake](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Subject: FW: Public Comment on Markham Hill Rezoning Request
Date: Thursday, August 16, 2018 7:47:58 AM

Andy,

Please forward to appropriate staff members regarding Markham Hill Rezoning.

Thanks,
Lisa

From: SunshineOwens <info@www.specializedreg.com>
Sent: Thursday, August 16, 2018 1:07 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name
Sunshine Owens
Email
owensun1@gmail.com
Street Address in Fayetteville
5026 E. Talon Drive Arkansas United States Map It
Message
Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.
Keep me informed about Markham Hill news
1

Thompson, Quin

From: CityClerk
Sent: Tuesday, August 21, 2018 2:41 PM
To: Thompson, Quin
Cc: Bolinger, Bonnie; Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Subject: FW: Public Comment on Markham Hill Rezoning Request

Please forward to Planning Commissioners.

Thanks,
Lisa

From: MichaelPope <info@www.specializedreg.com>
Sent: Tuesday, August 21, 2018 1:42 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name

Michael Pope

Email

mikepope84@gmail.com

Street Address in Fayetteville

3168 Katherine Ave
Arkansas
United States
[Map It](#)

Message

Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood that celebrates nature and the establishment of community amenities such as retreat space and restaurant while permanently protecting greenspace from development.

Thompson, Quin

From: CityClerk
Sent: Tuesday, August 21, 2018 2:41 PM
To: Thompson, Quin
Cc: Bolinger, Bonnie; Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Subject: FW: Public Comment on Markham Hill Rezoning Request

Please forward to Planning Commissioners.

Thanks,
Lisa

From: LauraRamirez <info@www.specializedreg.com>
Sent: Tuesday, August 21, 2018 1:38 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name

Laura Ramirez

Email

lauraameliar08@gmail.com

Street Address in Fayetteville

221 S Block ave Fayetteville, AR, 72701
Arkansas
United States
[Map It](#)

Message

Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.

From: [CityClerk](#)
To: [Harrison, Andy](#); [Thompson, Quin](#)
Cc: [Bolinger, Bonnie](#); [Pennington, Blake](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Subject: FW: Public Comment on Markham Hill Rezoning Request
Date: Monday, August 20, 2018 7:54:25 AM

Andy,

Please forward to appropriate staff members regarding Markham Hill Rezoning.

Thanks,
Lisa

From: PaxtonRoberts <info@www.specializedreg.com>
Sent: Monday, August 20, 2018 7:40 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name
Paxton Roberts
Email
Mapper@gmail.com
Street Address in Fayetteville
411 W Holly St Arkansas United States Map It
Message
Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.
Keep me informed about Markham Hill news
1

Thompson, Quin

From: CityClerk
Sent: Tuesday, August 21, 2018 2:43 PM
To: Thompson, Quin
Cc: Bolinger, Bonnie; Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Subject: FW: Public Comment on Markham Hill Rezoning Request

Quin,

Please forward to Planning Commissioners.

Thanks,
Lisa

From: PhilipRusk <info@www.specializedreg.com>
Sent: Tuesday, August 21, 2018 2:11 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name
Philip Rusk
Email
rusk43@gmail.com
Street Address in Fayetteville
734 E. Jackson Dr. Arkansas United States Map It
Message
Please support Specialized Real Estate Group's rezoning request. Allowing a development that is purposely incorporated with the natural surroundings while respecting the design history of Northwest Arkansas is the proper way for the City of Fayetteville to grow in a meaningful manner.

From: [CityClerk](#)
To: [Harrison, Andy](#)
Cc: [Bolinger, Bonnie](#); [Pennington, Blake](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [Smith, Kyle](#)
Subject: FW: Public Comment on Markham Hill Rezoning Request
Date: Thursday, August 16, 2018 7:46:02 AM

Andy,

Please forward to appropriate staff members regarding Markham Hill Rezoning.

Thanks,
Lisa

From: ChristianRymel <info@www.specializedreg.com>
Sent: Wednesday, August 15, 2018 9:19 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name
Christian Rymel
Email
Christian.A.A.Rymel@gmail.com
Street Address in Fayetteville
2400 E Cliffs Blvd Arkansas United States Map It
Message
Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.

From: [CityClerk](#)
To: [Harrison, Andy](#)
Cc: [Bolinger, Bonnie](#); [Pennington, Blake](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Subject: FW: Public Comment on Markham Hill Rezoning Request
Date: Thursday, August 16, 2018 7:45:48 AM

Andy,

Please forward to appropriate staff members regarding Markham Hill Rezoning.

Thanks,
Lisa

From: DakotaSalazar <info@www.specializedreg.com>
Sent: Wednesday, August 15, 2018 9:16 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name
Dakota Salazar
Email
dakotajsalazar@gmail.com
Street Address in Fayetteville
2400 E Cliffs Blvd Arkansas United States Map It
Message
Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.

To: Quinn Thompson
City of Fayetteville
Planning Department

From: Marsha Scott
48 N Sang Avenue

Date: August 5, 2018

Re: Proposed Development of Markham Hill

There a number of efforts being launched that will urge you to deny the PZD change and rezoning request for Markham Hill #18-6318, I am not one of them. While it would have been wonderful if our City or a committed land conservationist had bought the 142 Markham Hill acreage, that did not happen. I, along with many of my neighbors, realize that change is inevitable and that with some modifications we can live as friendly neighbors with the plans submitted by Specialized Realty.

In order to help you in your work as you consider the plans before you, I wanted to lay out the major concerns that I have garnered from the numerous meetings and conversations I have had with people on all sides of this project.

First and foremost, it is imperative that we are all mindful that “the most important factor and the underlying reason to have zoning in the first place is to promote COMPATIBILITY among neighboring parcels.. the nine State Statutes authorizing cities to prepare zoning and development plans.. and the many different factors that a City Council can consider when a proposed rezoning is contested:

1. Public Opposition
2. Traffic
3. Noise
4. Decreased Value of Adjoining Land
5. Potential for Criminal Activity
6. Increased Litter
7. Strain on Sewage Service
8. Spot Zoning and Compatibility”

(Memo to Mayor Jordan and City Council from Kit Williams City Attorney, February 29, 2016)

After reviewing the documents submitted by Specialized Realty, the following concerns need to be addressed and or clarified:

1. Legal tightening and clear Definition of terms: In all the meetings, Seth and his team demonstrated a spirit of respect for the beautiful, extensive tree canopy and quiet of the neighborhoods adjacent and in proximity to the proposed Markham Hill development. These concepts need to be reflected in legally recognized terms. There seem to be no specific protections written into their proposal. A couple of terms or phrases needing clarification are “two special events and three story height.”

2. Bill of Assurance does not show all the conservation spaces proposed. There seems to be around 10% of the proposed conservation acreage left off the proposals.
3. All restrictions on number of events and time of events are deleted from the proposed PZD.
4. Only protection from objectionable activities at the Barn and proposed conference area seems to be the City Noise Ordinance. This is inadequate protection from possible large, noisy events.
5. A comparison between the current PZD and proposed PZD would be very helpful to understand what we are giving up and what we are getting.
6. It is unclear where the additional parking and interior road surfaces will be placed for the proposed 80 unit addition hotel and cabins. Where do the guests park and how do they get around the extensive property?
7. Are there any assurances that could be added to the proposal reflecting the public statements of Specialized Realty that they do not want N Sang opened up on the southern end?

To use a marriage analogy, University Heights has been dating Specialized Realty. A proposal of marriage, has been proffered and now the lawyers are negotiating the Pre-Nup. We are all neighbors, including Specialized Realty. With a little modification and legal clarification of concepts and terms, we can all be friendly neighbors. We will never agree on everything but the above reflect the major concerns of many of us and hopefully can be addressed.

Thompson, Quin

From: Smith, Sondra
Sent: Monday, August 20, 2018 9:48 AM
To: Bolinger, Bonnie; Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Cc: Thompson, Quin
Subject: FW: Fayetteville a Green City

From: Ethel C. Simpson [mailto:esimpson@uark.edu]
Sent: Saturday, August 18, 2018 3:14 PM
To: Smith, Sondra <:ssmith@fayetteville-ar.gov>
Subject: Fayetteville a Green City

Kindly forward this post to the members of the City Council and the Planning Commission. Thanks for your help.**Giraffe Neck**

To Members of the Fayetteville City Council and the Planning Commission

I am writing to ask the City Council to resist rezoning Markham Hill, as requested by Specialized Real Estate Group. The company has submitted plans to the city for a redesign of the Planned Zoning District that encompasses Pratt Place, along with a rezoning of the surrounding land. I believe the project as now described would set back Fayetteville's aspirations to becoming a green and sustainable city.

This Markham Hill project has implications for the entire city and our preference for a healthful, beautiful environment. City planners and other city employees and some developers, obsessed with infill and density, neglect other important aspects of urban life. The more successful infill becomes, and the denser the housing, the more urgent is the need protect and nurture those undeveloped areas that remain. Green space, trees, peace and quiet, and a lively sense of place deserve inclusion in the New Urbanism. Without these qualities, we have the Old Urbanism: pavement, crowding, and a depressingly gray city.

Fayetteville vigorously encourages residents and visitors to appreciate and maintain our beautiful natural environment. I was optimistic, attending an early presentation by Specialized to some neighborhood residents, when the Specialized staff stressed the company's respect for the uniqueness and natural beauty of Markham Hill. They appeared to value its contributions to Fayetteville's history and to the city's reputation as a desirable place to live. There was talk of a conservation easement for parts of the property. Deer, birds, and other wildlife meandered through the Pratt Place grounds; the project personnel called some of them by name.

However, the proposal actually brought before the Council seems different. The additions to the "hospitality aspect" of the project include a much larger expansion of the hotel facilities, a large separate restaurant, and some retail facilities not clearly described. It appears that most of the area to be left undisturbed is at the margins of the property near the interstate highway, where the topography seems unpromising for development anyway. Under the rezoning request there would be considerable residential development and the likelihood of "denser" housing. In this version of their proposal, the historic forested tract would be seriously compromised. It seems unlikely that the general public, to say nothing of the wildlife living on the property, would regard this project as an environmentally sensitive development of the land.

The present zoning would allow some expanded development while preserving this valuable natural asset to the beauty and environmental health of our city. Please deny this application for rezoning.

Ethel C. Simpson
409 N. Oliver Avenue
Fayetteville AR 72701

From: [CityClerk](#)
To: [Harrison, Andy](#)
Cc: [Bolinger, Bonnie](#); [Pennington, Blake](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Subject: FW: Public Comment on Markham Hill Rezoning Request
Date: Thursday, August 16, 2018 7:45:23 AM

Andy,

Please forward to appropriate staff members regarding Markham Hill Rezoning.

Thanks,
Lisa

From: AnnaStreet <info@www.specializedreg.com>
Sent: Wednesday, August 15, 2018 9:15 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name

Anna Street

Email

alstreet@uark.edu

Street Address in Fayetteville

2400 E Cliffs Blvd
Arkansas
United States
[Map It](#)

Message

Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.

From: [CityClerk](#)
To: [Harrison, Andy](#)
Cc: [Bolinger, Bonnie](#); [Pennington, Blake](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Subject: FW: Public Comment on Markham Hill Rezoning Request
Date: Thursday, August 16, 2018 7:46:32 AM

Andy,

Please forward to appropriate staff members regarding Markham Hill Rezoning.

Thanks,
Lisa

From: DanielStreet <info@www.specializedreg.com>
Sent: Wednesday, August 15, 2018 9:21 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name
Daniel Street
Email
dstreet@uark.edu
Street Address in Fayetteville
2943 N John Wayne Dr Arkansas United States Map It
Message
Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.
Keep me informed about Markham Hill news
1

From: [CityClerk](#)
To: [Harrison, Andy](#)
Cc: [Bolinger, Bonnie](#); [Pennington, Blake](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Subject: FW: Public Comment on Markham Hill Rezoning Request
Date: Thursday, August 16, 2018 7:46:18 AM

Andy,

Please forward to appropriate staff members regarding Markham Hill Rezoning.

Thanks,
Lisa

From: LauraStreet <info@www.specializedreg.com>
Sent: Wednesday, August 15, 2018 9:20 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name
Laura Street
Email
llstree@uark.edu
Street Address in Fayetteville
2943 N John Wayne Dr Arkansas United States Map It
Message
Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.

Thompson, Quin

From: CityClerk
Sent: Tuesday, August 21, 2018 3:02 PM
To: Thompson, Quin
Cc: Bolinger, Bonnie; Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Subject: FW: Public Comment on Markham Hill Rezoning Request

Quin,

Please forward to Planning Commissioners.

Thanks,
Lisa

From: JodyVerser <info@www.specializedreg.com>
Sent: Tuesday, August 21, 2018 2:38 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name
Jody Verser
Email
jverser@gmail.com
Street Address in Fayetteville
1713 E Clark St Arkansas United States Map It
Message
It would be in the best interest of Fayetteville's current and future residents for Specialized Real Estate Group's rezoning request to be supported. Their proposal sets the groundwork to establish a new neighborhood -- one that balances the growth of our community vitality with the preservation of its natural landscape.

To: Fayetteville City Council Members and Planning Committee

I write in opposition of the rezoning requested by RMD Properties and Specialized Real Estate Group for the 144 Acres on Markham Hill.

My concerns are with this unique wooded area and its history being destroyed by the plans to add a commercial component around the Inn and the Barn. Please do not allow the rezoning of the 72 Acres from its existing zoning of PZD. Our existing neighborhood would suffer from this growth with increased traffic, vegetation being carved away, and light and sound enhanced in an obtrusive way.

RMD Properties and Specialized Real Estate Group also want to rezone 72 Acres for residential housing. It is already zoned RSF 4. This is sufficient and as is would possibly add up to 288 houses into our neighborhood. From Center Street over to Markham Street, I have counted approximately 60 houses. At RSF 4 with 72 Acres to work with, our city and our neighborhood would be welcoming 288 homes. This is an amazing and sad number of houses to imagine just up the street from me. It's not the area to densify.

Our city used to have some very good tree guidelines for builders to follow. I can see they have greatly changed when I look at the town houses built recently on Nettleship Street. The hill was clear cut and now there are several town houses with one young stick size tree in the front yard. That hill had numerous trees before and now nothing. Have you chosen to look at what you approved?

Please don't make another mistake by allowing the rezoning of Markham Hill.

Michelle Westfall-Edwards

1522 Hotz Drive

From: [CityClerk](#)
To: [Harrison, Andy](#)
Cc: [Bolinger, Bonnie](#); [Pennington, Blake](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Subject: FW: Please do not rezone Markham Hill as proposed by Specialized REG.
Date: Wednesday, August 15, 2018 10:09:28 AM

From: David Williams <d3williams@sbcglobal.net>
Sent: Wednesday, August 15, 2018 10:02 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Please do not rezone Markham Hill as proposed by Specialized REG.

Dear City Council Members:

Please do not rezone the Markham Hill RSF-4 or change the existing PZD as proposed by Specialized REG. In our opinion, in the long run, this would not be economically or environmentally sound (please see Lisa Horton's letter for details). Fayetteville's environmental and economic future would be better protected by preservation of as much rich canopy as possible and keeping density much lower.

Thank you for your consideration and service,

David and Pattie Williams
547 North Gray avenue
Fayetteville, AR 72701

From: [CityClerk](#)
To: [Harrison, Andy](#); [Thompson, Quin](#)
Cc: [Bolinger, Bonnie](#); [Pennington, Blake](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Subject: FW: Public Comment on Markham Hill Rezoning Request
Date: Friday, August 17, 2018 9:42:04 AM

Andy,

Please forward to appropriate staff members regarding Markham Hill Rezoning.

Thanks,
Lisa

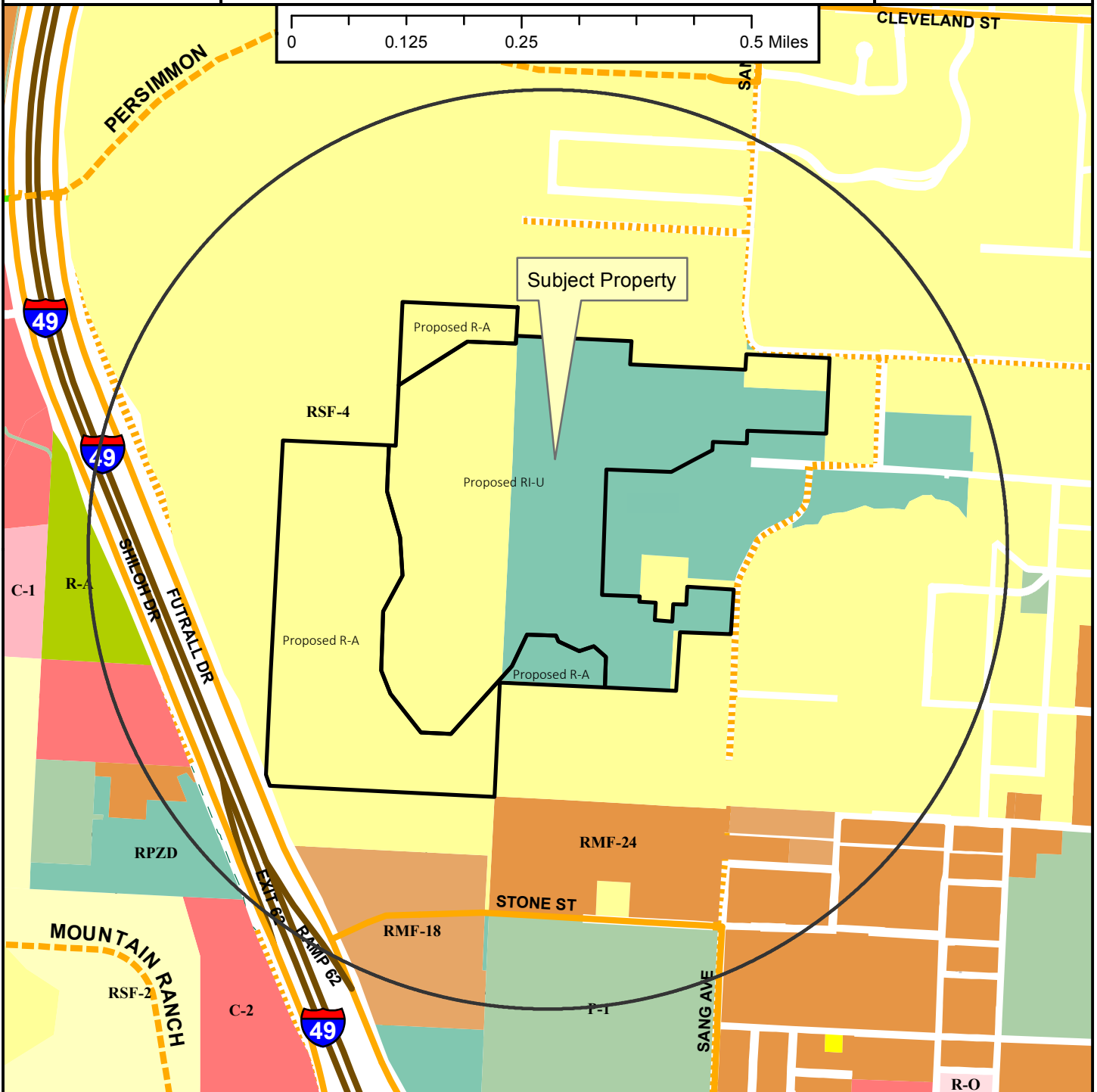
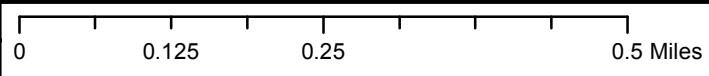
From: AmyWilson <info@www.specializedreg.com>
Sent: Friday, August 17, 2018 6:59 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Public Comment on Markham Hill Rezoning Request

Name
Amy Wilson
Email
hattiemcneil@hotmail.com
Street Address in Fayetteville
1833 E. Applebury Drive Arkansas United States Map It
Message
I love this area. I look forward to more opportunity to enjoy this beautiful place. Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.
Keep me informed about Markham Hill news
1

RZN18-6317

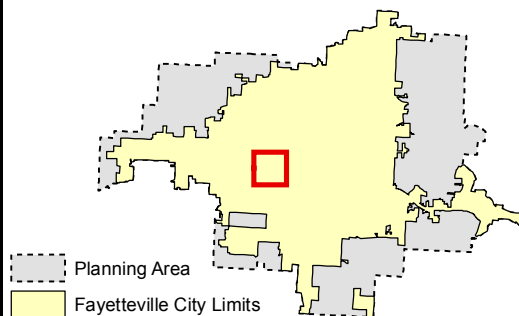
MARKHAM HILL

One Mile View



Legend

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



- | | |
|---|---|
| Zoning
RESIDENTIAL SINGLE-FAMILY
RSF-5
RSF-1
RSF-2
RSF-4
RSF-7
RSF-8
RSF-18
RESIDENTIAL MULTI-FAMILY
RT-12 Residential Two and Three-family
RMF-6
RMF-12
RMF-18
RMF-24
RMF-40
INDUSTRIAL
I-1 Heavy Commercial and Light Industrial
I-2 General Industrial | EXTRACTION
E-1
COMMERCIAL
C-1
C-2
C-3
FORM BASED DISTRICTS
Downtown Core
Urban Thoroughfare
Main Street Center
Downtown General
Community Services
Neighborhood Services
Neighborhood Conservation
PLANNED ZONING DISTRICTS
Commercial, Industrial, Residential
INSTITUTIONAL
P-1 |
|---|---|

Planning Commission

August 27, 2018

Agenda Item 13

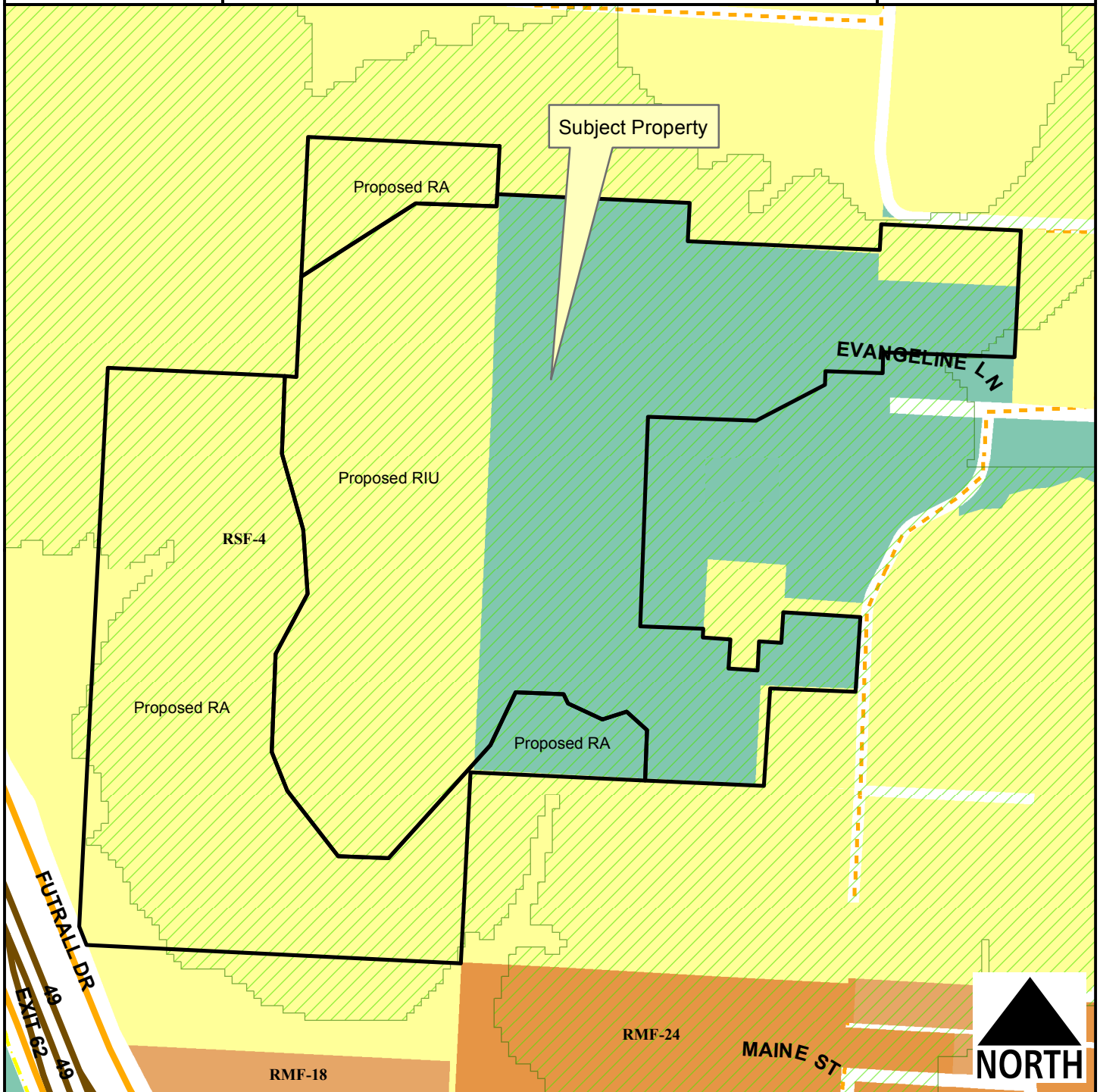
18-6317 Markham Hill RZN

Page 16 of 19

RZN18-6317

MARKHAM HILL

Close Up View



Legend

- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Building Footprint

Feet

0 180 360 720 1,080 1,440

1 inch = 500 feet

Zoning Acres

RIU	75.4
RA	44.0

Total 119.4

RZN18-6317

Current Land Use

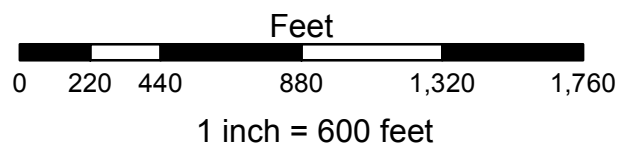
MARKHAM HILL



Streets Existing

MSP Class

- COLLECTOR
- FREEWAY/EXPRESSWAY
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits
- Design Overlay District



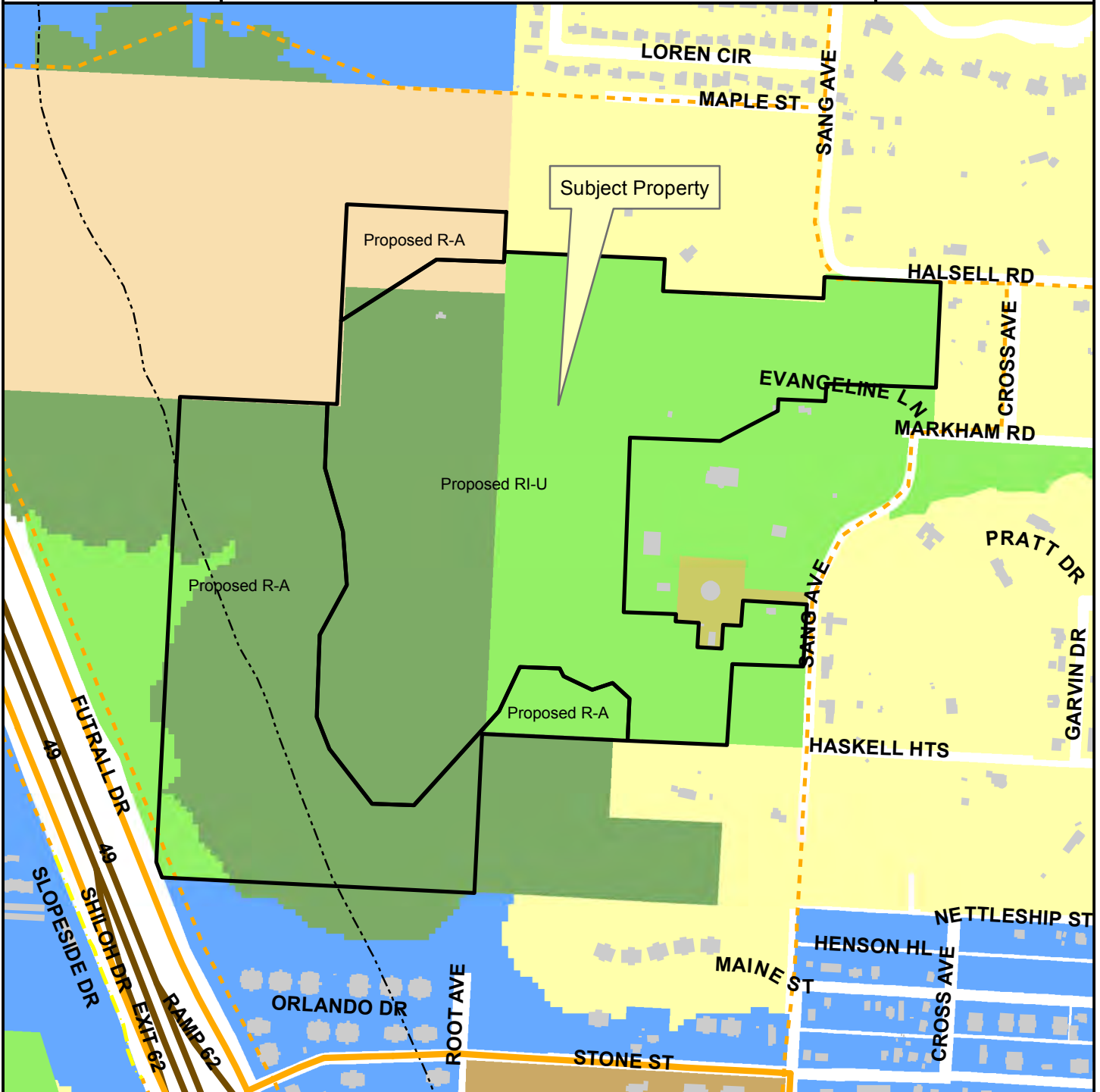
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

RZN18-6317

Future Land Use

MARKHAM HILL



Legend

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

FUTURE LAND USE 2030

- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government

CityClerk

From: DavidJohnson <info@www.specializedreg.com>
Sent: Thursday, September 06, 2018 3:27 PM
To: CityClerk
Subject: Public Comment on Markham Hill Rezoning Request

Name

David Johnson

Email

davidjohnson@realtor.com

Street Address in Fayetteville

4102 N MALL AVE. SUITE 201
Arkansas
United States
[Map It](#)

Message

Use our pre-written message

Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.

CityClerk

From: MichaelOsborn <info@www.specializedreg.com>
Sent: Thursday, September 06, 2018 3:27 PM
To: CityClerk
Subject: Public Comment on Markham Hill Rezoning Request

Name

Michael Osborn

Email

fit130@yahoo.com

Street Address in Fayetteville

3889 N Steele Blv apt 303
Arkansas
United States
[Map It](#)

Message

Use our pre-written message

Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.

Keep me informed about Markham Hill news

1

CityClerk

From: brentlittle <info@www.specializedreg.com>
Sent: Thursday, September 06, 2018 3:34 PM
To: CityClerk
Subject: Public Comment on Markham Hill Rezoning Request

Name

brent little

Email

blittle@fountainresidential.com

Street Address in Fayetteville

870 Beechwood Ave, Fayetteville, AR 72701
Arkansas
United States
[Map It](#)

Message

Write my own

As an owner of 99 buildings and 16.3 acres in the city, I support Specialized Real Estate Group's rezoning request. Allowing a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development is great for Fayetteville and a welcome addition to the community.

Brent Little
President
Fountain Residential Partners

CityClerk

From: CaitlinPadilla <info@www.specializedreg.com>
Sent: Thursday, September 06, 2018 4:00 PM
To: CityClerk
Subject: Public Comment on Markham Hill Rezoning Request

Name

Caitlin Padilla

Email

caitya83@aol.com

Street Address in Fayetteville

1697 N Oakhaven
Arkansas
United States
[Map It](#)

Message

Write my own

Please support Specialized Real Estate Group in their desire to develop as well as preserve Markham Hill. They are an impressive company who love the land and want to see it become a beautiful place that is loved by many, instead of the few (as in the past). They have a proven track record of responsible and green development and I am confident they will transform Markham Hill into a location that the city and surrounding areas will be proud to claim!

Keep me informed about Markham Hill news

1

CityClerk

From: JoanGould <info@www.specializedreg.com>
Sent: Thursday, September 06, 2018 4:11 PM
To: CityClerk
Subject: Public Comment on Markham Hill Rezoning Request

Name

Joan Gould

Email

jlgould@sbcglobal.net

Street Address in Fayetteville

3300 S Leo Ammons Rd
Arkansas
United States
[Map It](#)

Message

Use our pre-written message

Please support Specialized Real Estate Group's rezoning request. Allow a new neighborhood in harmony with the natural surroundings and the establishment of restaurant and retreat space while permanently protecting greenspace from development.

Keep me informed about Markham Hill news

1

Smith, Sondra

From: Lisa Orton <lisa_m_orton@yahoo.com>
Sent: Saturday, September 08, 2018 8:37 PM
To: Lisa Orton; Smith, Sondra
Subject: Update on Save Markham Hill petition from Friends of Markham Hill
Attachments: PetitionToSaveMarkhamHill.Comments.2018Sept07.pdf

Dear Fayetteville City Council, Planning Commission, Environmental Action Committee, and Urban Forestry Advisory Board,

As I write this, the total number of signatures so far on our petition to save Markham Hill from development and make it a nature and wildlife preserve is 1905. It's been only two weeks. When a person signs the petition they have the option of writing down why they are signing. Please see the attachment. As you read through the comments (really great!), please think of the people in the neighborhoods you represent. Sometimes it feels like our City cares more about the developer than us. For example, should zoning in a neighborhood be determined by an outside developer whose goal is to make money or by the people who actually live in that neighborhood? This has been a problem throughout Fayetteville.

Back to the petition, these signers aren't just anybody but people who really care about Markham Hill, the environment, Fayetteville history, wildlife, forests, plants, trees, natural habitat, rock formations, photography, reptiles, birds, hiking, running, strolling, horseback riding, plein air painting, needing a place away from civilization to be alone, water and air quality, climate change, springs and water flow, Native American artifacts, Evangeline Archer, Joy Markham, etc. - all things that make Markham Hill what it is.

Here is a list of many of the groups I notified about our petition:

1. Ozark Society - Highlands Chapter
2. Sierra Club - Ozark Headwaters Group
3. OMNI - Center for Peace, Justice, & Ecology
4. Buffalo River Rescue: Mission Possible!
5. Beaver Lake Watershed Alliance
6. Ozark Water Watch
7. Arkansas Retired Teachers Association
8. Washington County Master Gardeners
9. Dept of Arkansas Heritage
10. Kent Bonar
11. NWA Land Trust
12. U of A Razorback Athletics - Track & Cross Country
13. George's Majestic Lounge
14. American Association of University Women (AAUW)
15. Humane Society of the Ozarks
16. Fayetteville History
17. The Nature Conservancy
18. Arkansas Nature Conservancy
19. Fayetteville Natural Heritage Association

20. Help Save Lewis Park
21. Washington County Historical Society
22. Preserve Arkansas
23. Botanical Garden of the Ozarks
24. Fayetteville Flyer
25. Fayetteville Parks & Recreation
26. St. Paul's Episcopal Church
27. Good Shepherd Lutheran Church
28. St. James Missionary Baptist Church
29. Arkansas Forestry Commission
30. Northwest Arkansas Audoban Society
31. Watershed Conservation Resource Center
32. Fayetteville Roots Festival
33. Walton Family Foundation
34. Friends of Fayetteville Forests
35. League of Women Voters - Washington County
36. Tri Cycle Farms in Fayetteville
37. Arkansas Wildlife Federation
38. Illinois River Watershed Partnership
39. Butterfield Trail Village
40. Natural Heritage Commission
41. Arkansas Natural Resources Commission
42. Arkansas Native Plant Society
43. Arkansas Master Naturalists
44. Keep Arkansas Beautiful
45. Ozark Natural Science Center
46. Arkansas Environmental Education Association
47. Arkansas Forestry Association
48. Crop, Soil, & Environmental Sciences at U of A
49. Arkansas Resource Conservation & Development
50. Arkansas Ecological Services Field Office
51. Exploring Arkansas - TV Show
52. U of A Dept of Biological Sciences
53. Buffalo National River
54. U of A Office of Sustainability
55. State Parks of Arkansas
56. Arkansas Environmental Federation
57. Arkansas Rising
58. Arkansas Dept of Health
59. Ozarks At Large
60. University of Arkansas Press
61. Artists of Northwest Arkansas
62. Plein Air Painters of the Ozarks

Thank you for caring about all the signers of the Save Markham Hill petition.

The Friends of Markham Hill want no change to the current PZD and RSF-4 zoning on Markham Hill.

The current PZD and RSF-4 zoning protects the tree coverage and natural habitat of the 144 acres of Markham Hill the most. It also allows Specialized Real Estate Group to make money by fully utilizing the Pratt Inn and Event Barn and by doing Serenbe-type conservation development in the 72-acre RSF-4.

Fully utilizing the Pratt Inn would be splitting the large guest rooms upstairs into smaller ones so they can have more guests, having a restaurant in the Dining Room on the first floor, and leasing out the many rooms in the basement to artists for studio space, massage therapists, yoga teachers, etc.

I recommend that the City Council asks Specialized REG to prove to Fayetteville that they can do Serenbe-type conservation development. That means preserving the tree coverage and natural habitat of at least 50 acres (70% of 72 acres) and by building only 25 houses (the correct density for 72 acres which corresponds to Serenbe's 350 houses in 1000 acres). Specialized REG will be destroying at most 22 acres of tree coverage and natural habitat under the current zoning, if they truly followed the Serenbe model as they claim. The City Council would need to insist on this percent of preservation and density. Specialized REG would need to resubmit their development plans, actually following the Serenbe model they claim to follow.

We don't want any development in the 72-acre PZD and no more commercial uses than the already existing Pratt Inn and Event Barn. This keeps a promise made to the surrounding rural residential neighborhoods by a previous City Council and by Mayor Jordan. This can be an example to Fayetteville residents that the City does consider the people in the neighborhoods they represent more important than the invisible out-of-state owner of a property in their midst or the developer the owner hired to make as much money as possible off the property no matter the harm to the locals, their tree cover, urban forest, wildlife, environment, quality of life, air and water quality, storm water, rural residential neighborhood, and emotional well-being.

However, what we really want is for RMD Properties (the owners we are still trying to find) to put all 144 acres into a conservation easement with the NWA Land Trust so that Markham Hill can become a nature and wildlife preserve for the City of Fayetteville. RMD Properties can still make a nice profit on their investment by simply selling the Pratt Inn and Event Barn.

Thank you for reading another of my letters. I really do appreciate your time.

Sincerely,
Lisa Orton
410-674-8440

Friends of Markham Hill

Recipient: Fayetteville City Council and Planning Commission

Letter: Greetings,

Please save all 144 acres of Markham Hill (the land currently owned by RMD Properties but formerly owned by the Pratt family for over 100 years) from development and make it a nature and wildlife preserve for the many reasons stated in the petition below. This begins with opposing any rezoning.

We, the undersigned, respectfully request the City of Fayetteville to:

- (1) Oppose the rezoning of the 144-acre Markham Hill property for development.
- (2) Secure and protect the 144-acre Markham Hill property as a nature and wildlife preserve.

Specialized Real Estate Group is asking the City of Fayetteville, Arkansas to rezone the 144-acre Markham Hill property, modifying the present zoning with a new PZD and RIU in order to create a large commercial and residential development.

Why do we want to save Markham Hill from development?

- Saving Markham Hill meets two of Fayetteville's Vision 2050 Guiding Principles: Naturally Beautiful City and Ecosystem Preservation. Markham Hill is an important and significant part of Fayetteville because of its large acreage of trees, wooded pastures, plants, birds, rock formations, wildlife, and history. Markham Hill is the last large acreage of woods where wildlife can take refuge this side of the interstate highway. For many years bird enthusiasts, naturalists, and University of Arkansas professors and students have studied and enjoyed the nature and wildlife of Markham Hill.
- Markham Hill is historically part of Fayetteville's mature tree cover and green infrastructure, contributing to the City's environmental health. One acre of trees will trap 2.6 tons of carbon dioxide, helping to eliminate greenhouse gases and mitigate climate change. Tree cover improves a

city's air quality by decreasing air pollution. Trees act as natural water filters, providing cleaner water to our watersheds and resulting in less expense to the City in dealing with sewage, drainage, erosion, and water quality. Markham Hill is one of Fayetteville's Natural Areas and so requires conservation and preservation according to Fayetteville's 2030 Plan.

- Markham Hill's 144 acres of woods within the City is an example of Fayetteville's diversity in land and neighborhood types. Diversity is highly valued in Fayetteville and is part of the City's character and appeal. Having 144 acres of protected and preserved forest within a City is special and unique.

- Markham Hill contributes to the physical and emotional well-being of Fayetteville residents. Over the years nature lovers, bird enthusiasts, horseback riders, hikers, runners, campers, and explorers have enjoyed Markham Hill. Many can tell you stories of their fond experiences.

- Markham Hill/Pratt Place property is in the Arkansas Register of Historic Places. Its history goes back to 1900 when the Pratt family settled the land. Markham Hill has remained in the Pratt family ever since until very recently. We would like to honor the two Pratt sisters, Joy Markham and Evangeline Archer, by permanently protecting Markham Hill as a nature and wildlife preserve. Both sisters did much for the good of Fayetteville and Arkansas during their lives.

The future of Fayetteville is one of expansion. That means the City must make a concerted effort to both protect and grow our urban forest in order to continue to enjoy the benefits it provides. The plans outlined by Specialized Real Estate Group for the 144 acres of Markham Hill would seriously decrease these benefits. In summary, the 144 acres of Markham Hill must be protected and preserved.

Comments

Name	Location	Date	Comment
Lisa Orton	Fayetteville, AR	2018-08-24	I'm signing in memory of my mother, Mrs. Markham, and Evangeline Archer and their love of riding horses through those woods, learning about its nature, and saving the Buffalo River.
Jeffrey Smith	Oxford, US	2018-08-24	Jeffrey Smitj
bradley edwards	fayetteville, AR	2018-08-24	I want to preserve this special part of Fayetteville for its natural uniqueness. I love the density of the trees and not the density of the houses.
Barbara Jaquish	Fayetteville, AR	2018-08-24	This is not good growth for the city. Fayetteville needs more affordable, centrally located housing, not more high-end housing that destroys environmentally valuable woods, trees that clean the air for all of us.
Pattie Williams	Fayetteville, AR	2018-08-24	Rezoning is not good for the environment or economically in the long run.
Scott Winters	Fayetteville, AR	2018-08-24	Lets preserve thid special place. Once it's gone you can't get it back.
rebecca harrison	fayetteville, AR	2018-08-24	rebecca Harrison
Carolyn Banks	Fayetteville, AR	2018-08-24	Markham Hill is one of the original historic natural areas from Fayetteville's beginning. It must be preserved for those who follow us.
Trudi Rust	Fayetteville, AR	2018-08-24	Fayetteville is rapidly being covered with development that minimizes yards and trees, and now is concerned with flooding issues.
ethel goode	fayetteville, AR	2018-08-24	we need to save green space in Fayetteville! Too much is being lost in our beautiful city!!
John Morgan	Fayetteville, AR	2018-08-24	I support this.
Chris Brothers	Springdale, AR	2018-08-24	Many of us kids grew up in what is now called University Heights. (a name I find pretentious) Markham Hill was our playground and a place of exploration for us. Wildlife was prevalent. Mrs. Archer ran her horseback riding classes all around the mostly dirt roads. The Widder family kept their mule along Cross St. There were foxes, and even a wolf once near Sang and Cleveland. The old neighborhood is no longer the welcoming place to me it once was. But I hope city officials will stop the headlong race for developement and preserve a little of the old wooded areas as they were.
Linda James	Springdale, AR	2018-08-24	I'm signing to preserve Markham Hill's beauty and for my friend Carolyn Banks who lives there!
Alison Jordan	Fayetteville, AR	2018-08-24	The beauty of nature and wildlife in and around Fayetteville make it a unique and special community. Rather than turn our town into yet another nondescript, cluttered , cookie cutter copy of

Name	Location	Date	Comment
			every-other-town USA, let's preserve the Fayetteville legacy for us and future generations to enjoy. Thank you!
Erin Lee	US	2018-08-24	It's beautiful up that way ,why destroy it by putting up stupid apartments. Where will the wild life go ? This should be stopped . Theirs plenty of land down by Porter road to build more housing units. They should leave Markham Hill alone !
Mary Bellamy	Vienna, VA	2018-08-24	I grew up looking across to the hill. A development there would be a scar on Fayetteville.
Linda James	Springdale, AR	2018-08-25	I want Markham Hill to be preserved and maintained as it is. Such beauty shouldn't be destroyed for housing. Build them elsewhere.
Autumn Spears	Trinidad, CA	2018-08-25	I am from Fayetteville and that area should be preserved! It is so beautiful. Fayetteville has enough development!
Nancy Mays	Fayetteville, AR	2018-08-25	We need to protect our beautiful open areas.
Nan Yarnelle	Fayetteville, AR	2018-08-25	I love Markham hill and I want to reserve green space in our wonderful tow.
Paul Zarkovich	Fayetteville, AR	2018-08-25	To keep balance in where we live
Mary Charlton	Fayetteville, AR	2018-08-25	I have been roaming over Markham Hill since I was an undergrad in the 1960's. It is a lovely natural habitat, which needs to be protected for others to enjoy.
Lila Rostenberg	Fayetteville, AR	2018-08-25	This area needs to remain natural!
Margaret Treiber	Fayetteville, AR	2018-08-25	This place deserves to have thoughtful development that preserves its current nature. It is an historic area in Fayetteville, and a conservation easement would be the best, in my opinion, but if it is developed, let the development keep the area as natural and tree-dense as possible.
Birch Griesse	Fayetteville, AR	2018-08-25	There have got to be better places to put housing. We can't just bulldoze everything.
Brooks Mathias	Fayetteville, AR	2018-08-25	To developpe this beautiful area seems insane. We are ruining the character of Fayetteville.
Eric Johnson	Iowa City, IA	2018-08-26	Because I care about the soul and future of Fayetteville.
annetta shoemaker	Fayetteville, AR	2018-08-26	Leave it alone, it's such a serine place to go and get your thoughts, so many little creatures. Too much of the natural land is being built on already. No more!!!
Dusty Pate	Fayetteville, AR	2018-08-26	My place to calm down and rethink life. Dont hurt the enviroment more theres plenty of empty propertys in fayetteville on school, college, etc. Unnessacary to destroy this place
Richard Carstens	Denver, CO	2018-08-26	I want to.?
Pauline Matt	Browning, MT	2018-08-26	I have deep concerns on the state of our environment.

Name	Location	Date	Comment
Carol Young	Fayetteville, AR	2018-08-26	I'm signing because I love this area. I grew up, keeping my horses at Mrs Markham's and teaching riding lessons for her. I explores the woods there for most of my childhood. It's part of Fayetteville's history and one of very few large green areas left here. Our wildlife begs for a place to call home.
Sara Bartlett	Fayetteville, AR	2018-08-26	This beautiful acreage must be preserved. Fayetteville area has other sites for housing development that would not destroy this unique setting.
Nancy Vaughn	Elkins, AR	2018-08-26	I want to bring attention to this very special place within the city limits of Fayetteville that many of us have fond memories of. Please preserve this special green space!
Stephanie Sawyer	Fayetteville, AR	2018-08-26	This is a historical nature area and should be NOT be rezoned!!!!!! Developers need to look elsewhere!!
Carol Eaton	Fayetteville, AR	2018-08-26	Please no more concrete and development.....let's keep this beautiful acreage as is.
Kim Hatley	Santa Rosa Beach, FL	2018-08-26	Kim Hatley
Erin Chapman	Winslow, AR	2018-08-26	Lived in the area for years and used Markham Hill as a nature preserve. My children and I walked every foot of it. Please save it from development.
Katisha Kinion	Fayetteville, AR	2018-08-26	Development is fine, but we need to preserve the beauty we have in nature! There are plenty of properties that are developed but ran down or vacant; don't take nature away!
Lisa Gilbert	Grapevine, TX	2018-08-26	My daughter lived near there in college and ran in that beauty. Please don't develop it.
Madeleine Young	Fayetteville, AR	2018-08-27	Nature and wildlife and green spaces are what make Fayetteville special. Clear cutting the area for development will only help to lay waste what I love about this town.
Nicole Claesen	Fayetteville, AR	2018-08-27	Our environmental resources including our urban forests are important to protect. Fayetteville is a Community not a commodity up for sale to the highest bidder.
Karen Rollet-Crocker	Fayetteville, AR	2018-08-27	This property should be closely related to the University of Arkansas natural resources studies and landscape preservation issues. Students should know the value of natural areas so they can create such places in their own communities everywhere they live. Unfortunately this proposed development will require expensive resources through requirements of water, energy, safety, roads, etc.
Jeannie True-Jenkins	Fayetteville, AR	2018-08-27	Saving Markham Hill meets two of Fayetteville's Vision 2050 Guiding Principles: Naturally Beautiful City and Ecosystem Preservation. Markham Hill is an important and significant part of Fayetteville because of its large acreage of trees, wooded pastures, plants, birds, rock formations, wildlife, and history. Markham Hill is the last large acreage of woods where wildlife can take refuge this side of

Name	Location	Date	Comment
			the interstate highway. For many years bird enthusiasts, naturalists, and University of Arkansas professors and students have studied and enjoyed the nature and wildlife of Markham Hill. Markham Hill is historically part of Fayetteville's mature tree cover and green infrastructure, contributing to the City's environmental health. One acre of trees will trap 2.6 tons of carbon dioxide, helping to eliminate greenhouse gases and mitigate climate change. Tree cover improves a city's air quality by decreasing air pollution. Trees act as natural water filters, providing cleaner water to our watersheds and result
Clay Cole	Fayetteville, AR	2018-08-27	This is an area that needs to stay undeveloped.
Rhonda Hainzlsperger	US	2018-08-27	Rhonda Hainzlsperger
Nathanial O'Guin	Fayetteville, AR	2018-08-27	I want to help keep Fayetteville beautiful, and so can you!
Mary Anne Tarver	Fayetteville, AR	2018-08-27	This is my parents neighborhood; we all enjoy the surrounding nature.
Karla Hyde	Lincoln, AR	2018-08-27	Markham Hill is full of native plants and trees and is a refuge from the freeway for many forms of wildlife.
Trey Marley	Fayetteville, AR	2018-08-27	Fayetteville leads the charge for Arkansas being called the Natural state. Markham Hill is at the heart of this designation, with origins of the Ozark Society, organized outdoor recreation and outdoor appreciation all taking place on "the hill", early in Fayetteville's history. Markham Hill deserves a more detailed look by city leaders to see how it might possibly be preserved to maintain the very things that makes Fayetteville Fayetteville.
Sarah McKenna	Fayetteville, AR	2018-08-27	It should remain a natural area in a town that is increasingly being overdeveloped.
Jared Gardner	US	2018-08-27	Don't mess with nature. Greedy people want to tear down land just so y'all can put more shit in the area
Mike Pfaff	St.Louis, MO	2018-08-27	I love that hill!
Jody Molton Beanie	US	2018-08-27	Beautiful area needs to remain that way.
Sean Chapman	Rock Island, IL	2018-08-27	I feel like a grew up there. My mother and brother and sister and I walked almost every inch of it. It's a treasure. Please do all you can to save it for my children.
Imelda Sinyard	Fayetteville, AR	2018-08-27	I would like this place to stay as a wooded area and not be developed.
Elayne Warren	Mt. Savage, MD	2018-08-27	I'm one of the people with fond memories of Mrs. Markham and Markham Hill.
Miletus Callaha-Barile	Austin, TX	2018-08-27	Green space is vital for any towns identity. As much more development is needed and created, we must protect these magical spaces that define our community.

Name	Location	Date	Comment
lu ann smith	Fayetteville, AR	2018-08-27	Fayetteville wildlife is part of what I love about this town.
Dawn Chesser	Knoxville, TN	2018-08-27	I'm signing because, like Lisa Orton, I grew up riding my horse on Markham Hill with her mother Marion. My childhood home was the first house at the bottom of the hill. I grew up exploring those woods. Friends and mentors lived in the cabins. I grew up watching Mrs. Archer drive by in her Rolls Royce. The family designated the land as a bird sanctuary.
Larry Collier	Cape Coral, FL	2018-08-27	Save the wildernesses!
Chris ROSE	york, PA	2018-08-27	love the old town
Tracey Richards	Maumelle, AR	2018-08-27	I'm moving to NWA.
Brittney Robison	US	2018-08-27	This land is a crucial part of our community.
Rosalee Marshall-Parker	Fayetteville, AR	2018-08-27	Historical places are preserved for reasons-what will we have to show & offer the future once it's gone?
Cris Wood	Philadelphia, PA	2018-08-27	I'm a true nature lover, please sign and save💎💎💎💎
Dane La Born	Fayetteville, AR	2018-08-27	We need to stop developing our green wonders
ELIZABETH HEILIGER	Lowell, AR	2018-08-27	The city of Fayetteville is losing its distinctive beauty of nature with over development, especially with such scenic value.
Wendy Welch	Yukon, OK	2018-08-27	I agree that Fayetteville's nature and beauty need to be preserved.
charles zook	little rock, AR	2018-08-28	Leave it alone.
Megan Forguson	US	2018-08-28	we have enough developments. lets save some green space.
Debi Walker	Eureka Springs, AR	2018-08-28	It needs to be left alone and remain a green space!
karen murdock	fayetteville, AR	2018-08-28	Part of what makes Fayetteville so beautiful is its green spaces
Gayle O'Donnell	Fayetteville, AR	2018-08-28	Signing in memory of my friend who lived in a Markham Hill cabin.
Sabrina's Snell	Arkansas	2018-08-28	Taking away nature and natural habitats of animals and plants that thrive here and make Fayetteville what it is just to line some developers pockets is not a Fayetteville I want to see.
Adrian Leffingwell	Fayetteville, AR	2018-08-28	The value of this community is in its diversity.
Saundra Jenkins	US	2018-08-28	I'm signing because, we need to preserve and protect our environment. Not destroy it to line more greedy pockets.
Keri Fitzgerald	Los Angeles, CA	2018-08-28	There are so many reasons to preserve this area. There is only one reason to "develop" (destroy) it. Greed. Please save it.
Barbara LaMastus	Springdale, AR	2018-08-28	Everything should not be about money. This beautiful place has been a part of Fayetteville history longer than any of us have lived in NWA. It is a treasure, a rarity in our developing part of the state, and one of the few remaining areas of untouched beauty

Name	Location	Date	Comment
			inside the Fayetteville city limits. Please, no crowded condos and mixed development to spoil this treasure. Please use it as a place to commune with nature, explore with family, and develop an appreciation for this part of our Natural State!! We will not have a Natural State if we develop every acre, only concerned with profitable gain. Even funky places need a place for respite. If leaders want more condos and mixed use areas, there are many run down areas in Fayetteville that could use a facelift and become perhaps uncrowded condos/businesses with ample parking for residents, as well as customers from other areas of town.
Margaret Mitchell	Dallas, TX	2018-08-28	I grew up visiting and playing up there. It always amazed me that this beautiful "wilderness" was just a stones throw from Razorback stadium. With all the other progress in Fayetteville, it's been nice to know that some sanctuary still exists.
Lisa Swinford	Fayetteville, AR	2018-08-28	I'm signing this petition, because I grew up in that neighborhood playing and exploring the hill almost daily. It is a beautiful sanctuary within the city, to be treasured in it's natural state, for succeeding generations!
sandra womack	Fayetteville, AR	2018-08-28	Sandra J Womack
Evelyn Fuller	Fayetteville, AR	2018-08-28	this is a beautiful area that needs to remain undisturbed.
Wanda Wade	Federal Way, WA	2018-08-28	What a beautiful piece of history
Nate Higgins	US	2018-08-28	I used to live on this land. it should be preserved.
Dee Higuera	Rogers, AR	2018-08-28	This area is a Fayetteville treasure and needs to be preserved for wildlife.
Phil rogers	Beaumont, TX	2018-08-28	I chose to move to this area for its natural beauty. Don't lose what makes it special.
Phyllis Priddy	Fayetteville, AR	2018-08-28	please preserve this.Leave it wooded
Lyn Garrison	US	2018-08-28	I have hiked on Markham Hill with my buddy who lives close by. It would be a shame to develop this beautiful wooded area where so much wildlife is sustained!
Leonard Schulte	Fayetteville, AR	2018-08-28	I agree with the reasons given. Plus, I lived on Markham Hill for a period of my life and loved walking the trails there.
Amber Gibbs	Fayetteville, AR	2018-08-28	We need to protect one of Fayetteville's greatest natural treasures.
Teresa Turk	Fayetteville, AR	2018-08-28	I'm signing because this place embodies Fayetteville and NWA's history and ecology. Developing this property as was proposed last night at the Planning Commission meeting will not "conserve" this place sufficiently. It is such a unique place that it needs protection from any sort of development.
Leah Shelton	Fayetteville, AR	2018-08-29	we need more parks and protection to save beautiful spaces in nature.

Name	Location	Date	Comment
Darin Smith	Fayetteville, AR	2018-08-29	I grew up hanging out on that hill, and built most of those trails while growing up in fayettville.....
Simone Derow-Ostapowicz	Honolulu, HI	2018-08-29	I feel that it is important to preserve forests for the wildlife living there. Some of my greatest memories from my time living in Fayetteville are the natural landscape experiences.
Jessamyn Goodwin	FAYETTEVILLE, AR	2018-08-29	Having green space in its natural state is a rarity in developed communities, and we have the opportunity to show yet another reason why Fayetteville is special and a model for community development.
vaughn potter	San Francisco, CA	2018-08-29	As a Fayetteville native, I've loved Markham Hill with its undeveloped beauty.
Hal Capps	Fayetteville, AR	2018-08-29	This is a beautiful area of Fayetteville with lots of memories for people from here. We have enough housing developments.
Melissa Milton	Fayetteville, AR	2018-08-30	I'm signing because this is a unique opportunity for Fayetteville (as was the City's prior purchases of Mount Kessler as well as the wooded acreage near the crest of North Street). Fayetteville has precedent for taking the long view of what's best for the next generation. Those principles should be adhered to in preserving this unique parcel of land for economic uses associated with a nature conservancy. Further, as I recall, the whole controversial City Council approval for the development of Pratt Place itself was predicated upon promises by the Archers to not allow the wooded areas to be developed further. Yet here we are. The City Council may have different members now who should tap into the institutional memory of its predecessors as to why that first development was approved at all. Assurances were made back then that if Pratt Place were approved, it would NOT become the first chink in the armor protecting those woods from being altered into a suburb and/or apartments.
David Orr	Austin, TX	2018-08-30	As a former resident of Markham Hill I am shocked and appalled that this treasure is even being considered for further development. Stop it now and preserve it for all time!
B Wayne Bequette	Albany, NY	2018-08-30	I loved growing up on Hartman Ave, nearby
MELISSA SHANNON	ROGERS, AR	2018-08-30	We need more nature in our lives, not less.
Lin Wellford	Green Forest, AR	2018-08-30	Keep Fayetteville a wonderful place to live or visit by preserving its natural resources!
john Neal	Fayetteville, AR	2018-08-30	Great idea!
Kayla Sayre	Fayetteville, AR	2018-08-30	I want to preserve green space and reduce flooding .
Yvette Wiley	Tulsa, OK	2018-08-31	We need natural areas in both the rural and city regions. These are not only getaways for humans, learning atmospheres for kids, but they are pertinent habitat for wildlife.
Anne C Thomas	Fayetteville, AR	2018-08-31	Anne C Thomas

Name	Location	Date	Comment
rachel wilson	Fayetteville, AR	2018-08-31	Sick of the beautiful trees being cut down leave it the hell alone
Sam Cheatham	Fayetteville, AR	2018-08-31	I don't live in Fayetteville, however I think the use of this property would be as a nature and wild life preserve !!!
Mariah Pagni	Fayetteville, AR	2018-09-01	Mariah Pagni
Judy Judy'sllbritton	Fayetteville, AR	2018-09-02	So beautiful in its naturist form. Leave this part of fayetteville alone and let Fayetteville residents know Fayetteville supports nature and values it over money.
Heather Hammig	Fayetteville, AR	2018-09-02	I believe in green space to keep a city desirable-to keep it livable.
Kristine Burton	Farmerville, LA	2018-09-02	We need to preserve all we can in our beautiful state and city. Preserve the homes for many of our furry residents.
Rachel Sargent	Prairie Grove, AR	2018-09-02	Used to rent a cabin up there years ago. An amazing retreat right in the middle of town.
Lynn Pollock	Melbourne, AR	2018-09-02	This has always been such a special place. It feels like you are miles away from anything. Don't destroy it in the name of the almighty dollar. It can never be replaced.
T.A. Sampson	Canehill, AR	2018-09-02	Once green space is gone, it's gone. This jewel needs to be saved.
Janice Blase	Gig Harbor, WA	2018-09-03	The history and heritage of our country needs to be preserved, and our natural areas and wildlife require our protection.
David Wilson	Harvest, AL	2018-09-03	I grew up in the area, it seems all of the historical areas are being torn down for "progress " BS, stop it, restore it
Derek Van Lynn	Fayetteville, AR	2018-09-03	Protect our urban green. I stayed in a cabin there on my first night in Fayetteville 25 years ago.
Elli Harvey	Aspen, CO	2018-09-03	I knew Joy Pratt Markham. I don't think she would ever like to see it developed and torn apart!
Cynthia Phelan	Centerton, AR	2018-09-04	I grew up in Fayetteville. This place is magical. Please leave it as is.
Rachel Neugin	US	2018-09-04	we need places for our wild life for our kids to enjoy.They are running out of room.
COLEEN RYAN	Jamison, PA	2018-09-04	Too much of out world has been developed.
Sasha Thomas	Richardson, TX	2018-09-04	That hill is iconic in Fayetteville and should be preserved, not mass developed to look like everywhere else. The trees there create the most wonderful, natural area still left in town. It should be protected
Rachel Sargent	Prairie Grove, AR	2018-09-04	I live there back in the day. It is an amazing place
Marquette Bruce	Fayetteville, AR	2018-09-04	I live on the Hill. Some would say North of the Hill. It is my neighborhood and I adore it. Markham is the reason I bought in this area. I even paid 75.00\$ a year to walk on that sacred land as often as I could. That land is as vital to the core of Fayetteville as any protected areas we have. I want it here for future citizens of this

Name	Location	Date	Comment
			great town. It should be our local protected treasure for now and tomorrow. They are not making any more Markham Hills!
Emily Kessler	Encinitas, CA	2018-09-05	Preserving our past, saving space for animals, & communities is important:)
Lisa Swinford	Fayetteville, AR	2018-09-05	I'm signing this petition because I grew up playing on and exploring all over Markham Hill. In my opinion, it is the largest area of untouched, unspoiled green space left in Fayetteville, and should be preserved as such. It is filled with native beauty, a microcosm of all things the Natural State is known for. Please, save this green space!
Ellen Compton	Fayetteville, AR	2018-09-06	I am opposed to the development plans for Markham Hill. I knew Evangeline Pratt Archer well. I also knew her sister, Joy Pratt Markham. Their love of the family land was special and informed by a deep interest in the value of what we now call "Green Spaces." Fran Alexander's opinion piece in today's paper expressed my feelings exactly. Besides Markham Hill itself the proposed development would do grievous harm to the peaceful and beautiful neighborhoods around the site. Fayetteville's good record in land conservation, parks, and green space should be followed. Nothing in the proposal would make up for the loss of this unique, historic, and natural area. Ellen Compton
Susan Gorton	Oklahoma City, OK	2018-09-06	A natural resource cannot be regained when lost.
J Mayo	Fayetteville, AR	2018-09-07	We need to keep green!!

Smith, Sondra

From: Lisa Orton <lisa_m_orton@yahoo.com>
Sent: Tuesday, September 11, 2018 5:26 PM
To: Smith, Sondra; University Heights Neighborhood Association
Subject: Please move Markham Hill discussion back to Oct 2

Dear City Council,

I first told everyone that the City Council was discussing Markham Hill on Sept 18. Then we received a schedule from the City that it was moved to Oct 2. I informed everyone of the new date. Now I'm told it is back to Sept 18. Would you please keep it on Oct 2? There are too many people interested in this topic and I've informed so many people it was changed to Oct 2.

Please let me know as soon as possible of your decision.

Thank you,
Lisa Orton
410-674-8440

[Sent from Yahoo Mail on Android](#)

Smith, Sondra

From: Lisa Orton <lisa_m_orton@yahoo.com>
Sent: Tuesday, September 11, 2018 5:51 PM
To: Smith, Sondra
Subject: Native Americans coming to Oct 2 meeting

Dear Mayor Jordan,

On Sunday Tom Overby sent us a schedule of the City Council meetings and Markham Hill was scheduled for Oct 2. So, I've been facebooking, emailing, calling, posting, whatever I could do to let everyone know that Markham Hill was moved from Sept 18 to Oct 2. Just now I've learned it is back on Sept 18. Please move it back to Oct 2. Some Native Americans are coming to speak about Markham Hill on Oct 2.

Please let me know as soon as possible your decision on this.

Thanks,
Lisa Orton
410-674-8440

[Sent from Yahoo Mail on Android](#)

Smith, Sondra

From: Lisa Orton <lisa_m_orton@yahoo.com>
Sent: Wednesday, September 12, 2018 1:32 AM
To: Smith, Sondra
Subject: Re: Native Americans coming to Oct 2 meeting

Mayor Jordan,

Please let the first reading on Markham Hill be Oct 2. Then I'm guessing the second and third readings will be Oct 16 and Nov 6. Please don't let the first reading be Sept 18. I can't even count who and how I told that it was not Sept 18 any longer, but rather Oct 2.

Thanks,
Lisa

[Sent from Yahoo Mail on Android](#)

On Tue, Sep 11, 2018 at 5:50 PM, Lisa Orton
<lisa_m_orton@yahoo.com> wrote:

Dear Mayor Jordan,

On Sunday Tom Overby sent us a schedule of the City Council meetings and Markham Hill was scheduled for Oct 2. So, I've been facebooking, emailing, calling, posting, whatever I could do to let everyone know that Markham Hill was moved from Sept 18 to Oct 2. Just now I've learned it is back on Sept 18. Please move it back to Oct 2. Some Native Americans are coming to speak about Markham Hill on Oct 2.

Please let me know as soon as possible your decision on this.

Thanks,
Lisa Orton
410-674-8440

[Sent from Yahoo Mail on Android](#)

CityClerk

From: CityClerk
Sent: Wednesday, September 12, 2018 8:57 AM
To: Bolinger, Bonnie; Pennington, Blake; CityClerk; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Cc: Stoll, Garner; Thompson, Quin; Garner, Andrew; Mims, Seth
Subject: FW: Council agenda -- please forward to the Councillors

The neighborhood where I live understood that the Markham Hill rezoning proposal would be taken up by the Council on October 2.

We just received this post to our neighborhood discussion list from Lisa Orton, the chief advocate for the friends of Markham Road :

John LaTour just informed me that Markham Hill is back on the agenda for Sept 18!!!

We need to call the City and ask for them to move it back to Oct 2. I've told too many people it is Oct 2. Will they do this for us?

Will you kindly let us know just when you intend to take up this issue; you know by now that it's extremely important to the community and we want to be able to present our opinions.. The Ward 4 councillors would do a real service by responding to the University Heights Neighborhood Association. I believe they have the email address.

Thank you.

Ethel C. Simpson
409 N. Oliver Avenue
Fayetteville AR 72701

CityClerk

From: CityClerk
Sent: Wednesday, September 12, 2018 8:59 AM
To: Bolinger, Bonnie; Pennington, Blake; CityClerk; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Cc: Stoll, Garner; Thompson, Quin; Garner, Andrew; Mims, Seth
Subject: FW: Change date of Markham Hill Rezoning Discussion back to October 2.

Please reset the date for the Markham Hill Rezoning discussion back to October 2 to remove confusion about the announced change back to September 18 so local residents planning to come will have ample time to schedule and attend the meeting.

Thanks, David L. Williams, 547 North Gray Avenue.

CityClerk

From: CityClerk
Sent: Wednesday, September 12, 2018 12:55 PM
To: Bolinger, Bonnie; Pennington, Blake; CityClerk; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Henson, Pam; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Jordan, Lioneld; Lynch, Rhonda; Mulford, Patti; Norton, Susan; Ramos, Eduardo; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Bunch, Sarah; La Tour, John; Smith, Kyle
Cc: Mims, Seth
Subject: FW: Markham Hill Rezoning Discussion at City Council Meeting

I understand that there has been some confusion as to when the Markham Hill rezoning discussion will occur at City Council. Our desire is to be sensitive to neighbors and ensure that all voices are heard.

Therefore, we want to publicly state that Specialized Real Estate Group will not ask for a vote on either of the ordinances at the September 18th meeting. This allows further opportunity for public comment at the October 2nd City Council Meeting.

Thank you for sharing this message with the appropriate parties.

Sincerely,

Seth

Seth Mims
Partner and President
Specialized Real Estate Group
15 North Church Avenue #103
Fayetteville, AR
72701

RECEIVED

SEP 12 2018

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

SAVE MARKHAM HILL BY

1. Keeping the present 72 acre PZD protective zoning surrounding Pratt Place Inn and Barn.
2. Keeping the present zoning for the 72 R-4 acres.

A PLANNED ZONING DISTRICT
FOR
THE MASSACRE OF MARKHAM HILL



CAN YOU FIND THE INN AND BARN?

STREETS: IF THIS PROJECT IS ACCEPTED, SANG WILL BE CONNECTED TO HALSELL ON THE NORTH AND PROBABLY EXIT TO THE SOUTH AS WELL, MAKING IT AN ALTERNATIVE TO RAZORBACK ROAD AS A NORTH-SOUTH THOROUGHFARE FROM WEDINGTON TO MLK. MARKHAM ROAD WILL BECOME A THOROUGHFARE ALSO AND SHOULD BE WIDENED TO FOUR LANES. WITH ALL THE NEW STRUCTURES IN THE PROPOSED 24.06 ACRE PZD--44 RESIDENTIAL LOTS, EIGHT CABINS, EIGHTY HOTEL ROOMS, FOUR LARGE COMMERCIAL BUILDINGS AND REQUIRED PARKING SPACES--THE "BUCOLIC SETTING OF THE INN AND BARN," WHICH THE DEVELOPER CLAIMS WILL BE PRESERVED, ACTUALLY WILL BE GONE FOREVER. THIS AMOUNT OF NEW CONSTRUCTION MAKES IT IMPOSSIBLE TO HAVE THE PROMISED BUFFER AREAS, TREE PRESERVATION, AND UNDISTURBED NATURAL AREAS.



OFFERED BY RMD PROPERTIES, THE SAME COMPANY WHICH HAS BROUGHT FAYETTEVILLE THE FIRSCO AND THE CARDINAL, THROUGH THEIR REPRESENTATIVES, THE SPECIALIZED REAL ESTATE GROUP

Most existing structures are to remain, including the 18,000 SF inn, the 6,300 SF event barn, 2,400 SF cottage, 1,300 SF cabin, and the 1,400 SF storage barn. The existing cottage will be repurposed as a commercial space for residents at the inn. The cabin will be utilized as part of the hospitality suites. The other existing structures will continue their current uses.

New buildings will consist of several single-story cabins, a conference and meeting space, a three-story hospitality expansion, and small footprint structures such as administration offices, guest services, and resort-based retail. These buildings will cluster around the inn and barn, creating a "village" that promotes strolling through the grounds around heritage trees. The reprogrammed inn will provide new experiences for the surrounding neighborhood. Neighbors have explicitly stated that the property is not perceived as a public space. With small scale retail/commercial, a small restaurant, and new meeting space, the new PZD will become a destination for the adjoining neighborhood as well as downtown.

Primary vehicle access will be from Markham Road. This section of Markham has already been improved as part of the existing PZD. The PZD includes limited opportunities for single family homes fronting Markham Road and Sang Avenue to knit the outer boundaries of the PZD into the framework of the surrounding neighborhood. The approach to the inn and barn is being modified to accommodate the new program. All parking on-street parking will meet the City of Fayetteville's UDC for screening along public right-of-ways and adjacent property lines.



FUTURE MARKHAM ROAD

"PROJECT INFORMATION "

PRACTICALLY NOTHING IN THIS PROPOSAL IS BINDING UPON THE DEVELOPER OR ANY BUILDER. MOST OF IT IS EITHER EYE CANDY OR MIND CANDY. THE DEVELOPER, BY PROPOSING THE REZONING OF 119.43 ACRES FROM R-4 AND THE PRATT PLACE INN AND BARN 72 ACRE PZD TO RESIDENTIAL INTERMEDIATE-URBAN (RIU), EFFECTIVELY DESTROYS THE ORIGINAL ARCHER PZD ZONING WHICH HAS PROTECTED PRATT PLACE INN AND BARN AND THE SURROUNDING 72 ACRES FOR SO LONG. FOR YOUR INFORMATION, RIU, FOUND IN TITLE 15 OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE, CHAPTER 161.12, DOES NOT HAVE ANY LIMITS ON THE DENSITY OF BUILDINGS PER ACRE. IT IS EVEN LESS RESTRICTIVE THAN RI-12, RESIDENTIAL INTERMEDIATE, TWELVE (12) UNITS PER ACRE.

THE ONLY BINDING CONTROLS ON THE DEVELOPER ARE THOSE LISTED IN THE FAYETTEVILLE ZONING ORDINANCE, NOT THE FLOWERY LANGUAGE OF THE 36 PAGE PROPOSAL. AND THIS 36 PAGE PROPOSAL, ACTUALLY IS FOR A HIGH DENSITY 119.43 RIU AND 24.06 ACRE PZD. THE 119.43 ACRE REZONING REQUEST IS BEING PRESENTED PUBLICLY WITH SCARCELY ANY INFORMATION OR DETAILS ABOUT ROADS, DENSITY AND OTHER MATTERS. (THE 30% NATURE PRESERVE IS SIMPLY THE MINIMUM REQUIRED BY CITY ORDINANCES, NOT A GENEROUS GESTURE BY THE DEVELOPER.) THE DEVELOPER'S BILL OF ASSURANCE PROMISES 4 UNITS PER ACRE, BUT THIS ALLOWS FOR COUNTING THE REQUIRED NATURE RESERVE AS IF IT WERE BUILDABLE ACREAGE AND ALLOWS FOR "478 UNITS." NOTE: THERE IS NO GUARANTEE OF EVEN ONE SINGLE FAMILY RESIDENCE. THIS PROPOSAL IS FROM A DEVELOPER WHO SPECIALIZES IN STUDENT RENTAL APARTMENTS, NOT RESIDENTIAL PROJECTS. THE 119.43 RIU AND THE 24.06 PZD HAVE TO BE ANALYZED TOGETHER SO THE UNIVERSITY HEIGHTS NEIGHBORS, THE COMMISSION, AND COUNCIL CAN SEE AND WEIGH THE DEVELOPER'S PLANS FOR THE ENTIRETY OF MARKHAM HILL.

RIU BILL OF "DISTURBANCE"

MOST OF THE LANGUAGE OF THE "BILL OF ASSURANCE" IS DESIGNED TO EITHER MISLEAD THE READER OR LEAVE HIM OR HER THINKING THAT THE DOCUMENT OFFERS RESTRICTIONS WHEN IN FACT IT DOES NOT.

ITEM 1. JUST SAYS THE DEVELOPER WILL FOLLOW THE RULES OF THE ZONING CLASSIFICATION IT RECEIVES. IT IS AS IF WHEN YOU BUY A CAR, THE DEALER GIVES YOU A "BILL OF ASSURANCE" SAYING THE CAR HAS FOUR WHEELS. IN THIS DOCUMENT SPECIALIZED IS PROMISING TO ABIDE BY THE RULES OF ONE OF THE LEAST RESTRICTIVE OF FAYETTEVILLE'S ZONING CATEGORIES. THIS IS JUST PROMISING TO DO WHAT THE LAW REQUIRES YOU TO DO.

ITEM 2. THIS GIVES THE DEVELOPER THE RIGHT TO TAKE A CREDIT OF FOUR UNITS PER ACRE FOR ALL 118.59 ACRES, INCLUDING THE 30% OF THE LAND WHICH IS TO BE LEFT UNDISTURBED, THUS CIRCUMVENTING THE LIMITATIONS BUILT INTO THE ORIGINAL R-4 ZONING.

ITEM 3. THOUGH IT DECLARES CERTAIN ACTIVITIES ARE NOT ALLOWED, IT FAILS TO SPECIFY ANY EXCLUDED ACTIVITIES.

ITEM 4. THE OFFER TO RETAIN 50% AS PASSIVE OR ACTIVE OPEN SPACE APPEARS GENEROUS, BUT IN REALITY ALL OF THE SPACES LISTED HAVE THE POTENTIAL TO BE ACTIVE SPACES, THUS REDUCING THE PRESERVED GREEN SPACE TO ITS 30% LEVEL MANDATED BY CITY CODE.

THE 24.06 ACRE PZD BILL OF "DISTURBANCE"

AS IN THE RIU BILL, BUT EVEN MORE SO, THE DEVELOPER PROMISES TO FOLLOW CITY RULES. WHAT IS THE VALUE IN GIVING A "BILL OF ASSURANCE" WHICH SAYS "ALL APPLICABLE ORDINANCES AND PROCESSES SHALL BE FOLLOWED IN ORDER TO MEET CITY ORDINANCES?" OR PROMISING "ALL DEVELOPMENT

SHALL MEET APPLICABLE BUILDING CODES AND OTHER ORDINANCES OF THE CITY OF FAYETTEVILLE." THIS IS LIKE WALKING INTO A STORE AND HANDING THE MANAGER A NOTE SAYING THAT YOU WON'T STEAL ANYTHING WHILE SHOPPING AND, FURTHERMORE, YOU WILL OBEY THE LAW AND NOT MURDER ANYONE.

THESE BILLS OF ASSURANCE, WEAK AS THEY ARE, COME FROM THE DEVELOPER, BUT DEVELOPERS COME AND GO OR FOLD AND MERGE. WOULD IT NOT BE WISE , SHOULD THIS PROJECT HAVE THE MISFORTUNE TO PASS, TO HAVE THE OWNER OF THE PROPERTY SIGN THESE BILLS AS WELL?

IF YOU DON'T MIND RMD'S/SPECIALIZED'S CHANGES FOR MARKHAM HILL, STAY HOME TUESDAY, SEPTEMBER 18, 2018. OTHERWISE, SHOW UP AT THE FAYETTEVILLE CITY COUNCIL MEETING AND SPEAK YOUR MIND.