

City of Fayetteville Staff Review Form

2019-0640

Legistar File ID

10/15/2019

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

Garner Stoll

9/27/2019

CITY PLANNING (630)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ADM 19-6816: Administrative Item (380 N. COLLEGE AVE./OZARK NATURAL FOOD CO-OP, 485): Submitted by FLINTLOCK LTD., CO. for property located at 380 N. COLLEGE AVE. The property is zoned MSC, MAIN STREET CENTER and contains approximately 2.17 acres. The request is for no dedication of Master Street Plan right-of-way associated with a small site improvement plan.

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 \$ -

V20180321

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

Original Contract Number:

Comments:



MEETING OF OCTOBER 15, 2019

TO: Mayor; Fayetteville City Council

THRU: Don Marr, Chief of Staff
Garner Stoll, Development Services Director
Andrew Garner, City Planning Director

FROM: Jonathan Curth, Senior Planner

DATE: September 27, 2019

SUBJECT: **ADM 19-6816: Administrative Item (380 N. COLLEGE AVE./OZARK NATURAL FOOD CO-OP, 485):** Submitted by FLINTLOCK LTD., CO. for property located at 380 N. COLLEGE AVE. The property is zoned MSC, MAIN STREET CENTER and contains approximately 2.17 acres. The request is for no dedication of Master Street Plan right-of-way associated with a small site improvement plan.

RECOMMENDATION:

Planning Commission and staff recommend approval of a request to accept no right-of-way dedication as depicted in Exhibits 'A' and 'B'

BACKGROUND:

The subject property is located on the southeast corner of East Lafayette Street/Highway 45 and North College Avenue/Highway 71B. These streets are respectively classified by Fayetteville's Master Street Plan as a Collector Street and an Arterial equivalent (ST 63). The property is currently developed with an approximately 33,000 square feet building that was built in 1968. Although currently vacant, the structure has served as a grocery store for decades. Access to the property includes one driveway on Lafayette Street and two on College Avenue. In 2018, the Planning Commission approved variances to allow the existing curb cut locations to remain, with conditions of approval that they be modified to comply with current design and for cross access to be accommodated to the south. More recently, in August of 2019 plans were submitted for City review, proposing a comprehensive rehabilitation of the inside and outside of the existing structure in to another grocery store, along with a complete renovation of the parking lot.

Request: The applicant has proposed to redevelop the subject property (SIP 19-6815), which requires right-of-way dedication where current right-of-way widths are insufficient to meet the Master Street Plan pursuant to UDC 166.04(B)(3)(a). For the applicant's property, required dedication includes 35 feet from the centerline of Lafayette Street with consideration for its classification as a Collector Street in sufficient proximity to a signalized intersection to warrant a turn lane. The applicant proposes no dedication of right-of-way.

Staff Findings: With due consideration for staff-proposed and Commission-forwarded changes to Fayetteville's Master Street Plan, staff supports the request. The draft Master Street Plan

recommends altering the portion of Lafayette Street along the subject property's frontage from a Collector Street to a Downtown/Urban Street. Staff review of the existing Lafayette Street right-of-way from-centerline indicates that it can support two drive lanes and a turn lane, along with the eight-foot urban sidewalk and furniture zone associated with the proposed Downtown/Urban Street section.

DISCUSSION:

At the September 23, 2019 Planning Commission meeting, the Commission approved parking lot design, landscaping, and commercial design standard variances for a small site improvement plan currently under development review. As a part of this action, the Commission forwarded the request for no dedication of right-of-way to the City Council with a recommendation for approval by a vote of 6-1-1. Commissioner Johnson voted 'no' to the overall motion and Commission Belden recused. Public comment was made at the meeting in opposition to variances of perimeter and rooftop mechanical screening requirements.

BUDGET/STAFF IMPACT:

N/A

Attachments:

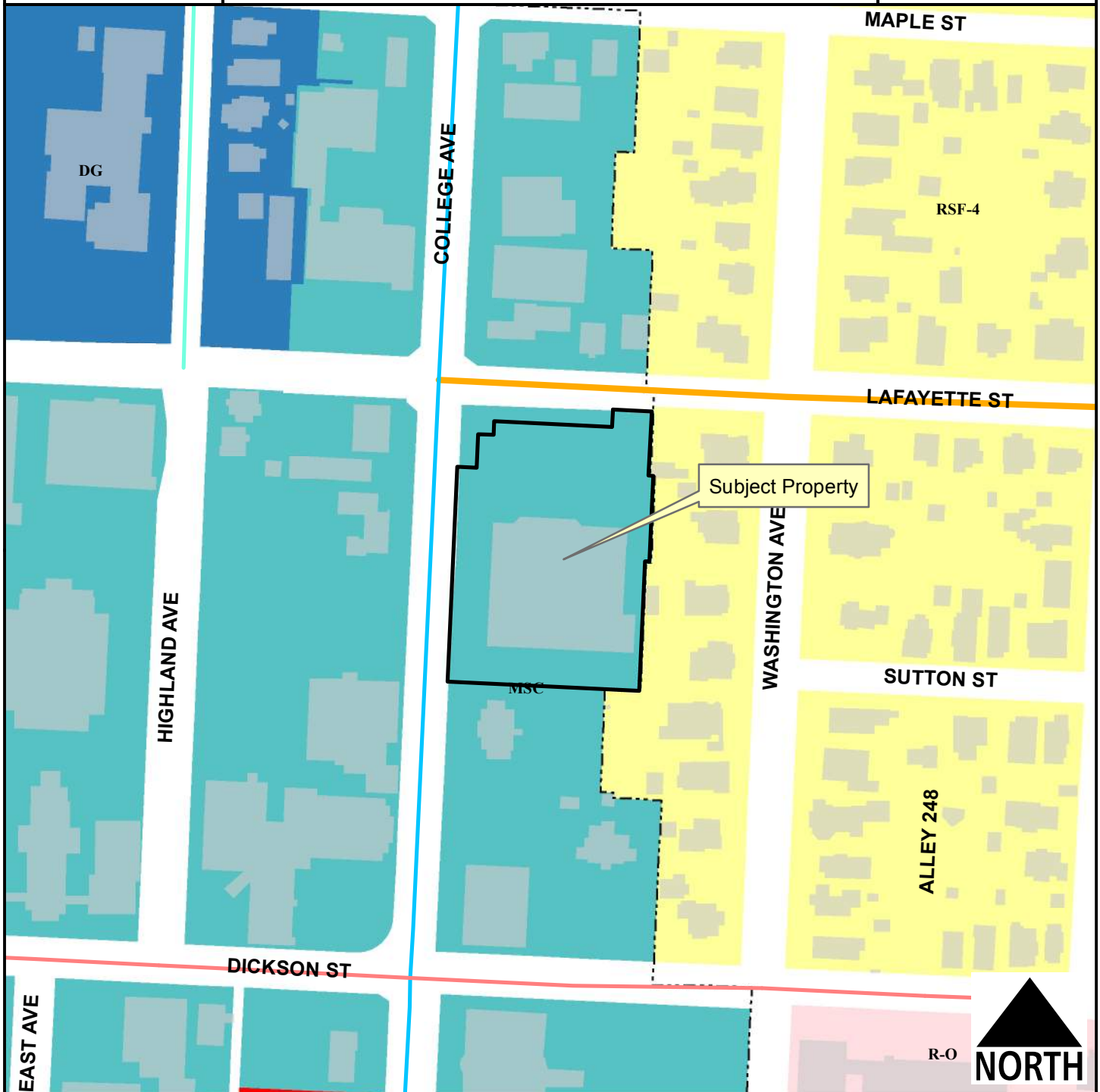
- Exhibit A
- Exhibit B
- Request Letter
- Planning Commission Staff Report

VAR19-6816

OZARK NATURAL FOOD CO-OP

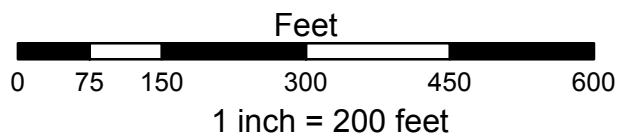
**19-6816
EXHIBIT 'A'**

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Design Overlay District
- Building Footprint



- RSF-4
- Residential-Office
- Downtown Core
- Main Street Center
- Downtown General

19-6816
Request Letter



September 23, 2019

380 N COLLEGE AVE ROW DEDICATION

To the Planning Commission and City Council of the City of Fayetteville, AR,

As part of the new tenant finish out of the existing grocery store located at 380 N College Ave for Ozark Natural Foods, we would like to request a lesser Right of Way dedication along Lafayette Ave.

In accordance with a meeting with the City of Fayetteville Planning Department on September 23, the existing Right of Way accommodates the new Master Street Plan street designation section. No street improvements are currently recommended by the City Planning Staff, and the current additional ROW outside the existing curbs will allow for installation of the new Downtown Urban street section with a 4' amenity zone and an 8' sidewalk upon future possible development of a narrow liner building. The existing curb to curb width is approximately 33', allowing for two 11' travel lanes (accommodating fire and transit needs) as well as an 11' turn lane. All current and future city ROW needs are accommodated within the existing ROW.

The new Master Street Plan and new Street Sections is scheduled to be before the City Council for vote on November 19. If approved, this request would not be necessary as the current ROW complies with the new requirements. Ozark Natural Foods is scheduled to relocate into 380 N College by approximately April 2020, when sale of their current location will close. Waiting to apply for a building permit until the Master Street Plan is passed would not allow this move to happen as scheduled. As such, we respectfully request no Right of Way dedication on Lafayette St in compliance with the new Master Street Plan.

Thank you for your consideration of this request,

Respectfully,
FLINTLOCK LTD CO

A handwritten signature in black ink, appearing to read "Allison Thurmond Quinlan".

Allison Thurmond Quinlan
AIA RLA LEED AP



TO: Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jonathan Curth, Senior Planner
Melissa Evans, Urban Forestry
John Scott, Urban Forester

MEETING DATE: September 23, 2019 (**Updated with Planning Commission Results**)

SUBJECT: **VAR 19-6816: Variance (380 N. COLLEGE AVE./OZARK NATURAL FOOD CO-OP, 485):** Submitted by FLINTLOCK LTD., CO. for property located at 380 N. COLLEGE AVE. The property is zoned MSC, MAIN STREET CENTER and contains approximately 2.17 acres. The request is for variances to the parking lot, building design, landscape, and screening requirements.

RECOMMENDATION:

Staff recommends partial approval of **VAR 19-6816**, with conditions.

RECOMMENDED MOTION:

"I move to approve **VAR 19-6816**, determining:

- *Against* Condition #1, a variance of the commercial design standards and proposed modification of VAR 18-6428, to not include cross access;
- *In favor of Condition #2*, a variance of the commercial design standards to not screen roof-top mechanical units;
- *Against* Condition #3, a variance of the parking lot design standards and proposed modification of VAR 18-6428, to not reduce driveway widths and place pedestrian paths within the driveway using applied materials;
- *In favor of Condition #4*, four variances of §177, Landscape Regulations to not provide a required tree island, greenspace, screening, or shrub plantings, as described; and
- The remaining condition as recommended by staff.

BACKGROUND:

The subject property is located on the southeast corner of East Lafayette Street/Highway 45 and North College Avenue/Highway 71B. These streets are respectively classified by Fayetteville's Master Street Plan as a Collector Street and an Arterial equivalent (ST 63). The property is currently developed with an approximately 33,000 square feet building that was built in 1968. Although currently vacant, the structure has served as a grocery store for decades. Access to the property includes one driveway on Lafayette Street and two on College Avenue. In 2018, the Planning Commission approved variances to allow the existing curb cut locations to remain, with conditions of approval that they be modified to comply with current design and for cross access to be accommodated to the south. More recently, in August of 2019 plans were submitted for City review, proposing a comprehensive rehabilitation of the inside and outside of the existing structure in to another grocery store, along with a complete renovation of the parking lot. Surrounding land

uses and zoning is depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Automobile Mechanic; Single-family Residential	MSC, Main Street Center
South	Office	MSC, Main Street Center
East	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
West	Gas Station; Office; Church	MSC, Main Street Center

Public Comment: Staff has received public inquiries on this item, but no statements of opposition or support to date.

DISCUSSIONS:

Request: As a part of the applicant's proposal to reuse the existing structure as a grocery store, seven variances are being requested as described below alongside staff recommendations:

- §166.25(D), Site Development and Design Standards.
 - Driveways. Commercial, office, and mixed-use development in Fayetteville shall incorporate opportunities for cross access to both developed and undeveloped properties. The applicant proposes to both vary the ordinance requirement for cross access and amend the previous access management variance's condition of approval requiring accommodation of cross access to the property to the south.
 - *Staff Recommendation: With due consideration for the grade changes between portions of the subject property and the lot to the south, staff maintains that it is critical to the streetscape fabric of College Avenue/71B to encourage opportunities for cross access. Future development of the property to the south may create a condition where cross access is viable, possibly eliminating one of the two existing curb cuts within approximately 20 feet of each other.*
 - Mechanical and Utility Screening. Fayetteville's commercial design standards require the screening of all mechanical equipment from public rights-of-way. Screening is to use colors and materials compatible with the supporting building. The applicant proposes the building and its proposed rooftop mechanical to be unscreened.
 - *Staff Recommendation: Staff recommends in favor of the request, finding that the existing structure has utilized unscreened, roof-mounted screening since its construction in 1968. Given the applicant's proposal does not propose structural changes to the building beyond the addition of glazing and modification of materials, staff does not find the requirement for a parapet wall or other visual barrier to be commensurate to the project's scope.*
- §172.04(F), Parking Lot Circulation. Fayetteville's parking lot design standards permit two-way driveway widths between 12 and 24 feet. The applicant proposes all the existing driveways to remain at their current widths and utilize an applied pattern to designate pedestrian paths within the driveway. The existing driveways vary in width from approximately 30 to 39 feet in width. This represents a variance of both the referenced ordinance and the previous access management variance's condition of approval

requiring all driveways to be brought in to conformance with design requirements and for the northern College Avenue curb cut to be modified for right-in/right-out access only.

- *Staff Recommendation: Staff finds the applicant's request to conflict with the parking lot design ordinance's intent and purpose to create safe and efficient circulation for both vehicles and pedestrians. Staff does not support placement of pedestrians within parking lot driveways as proposed by the applicant, particularly along driveways that are adjacent to high-volume streets with the potential for frequent vehicle entries and exits. Further, staff does not find the proposal for an applied pavement marking to represent adequate protection and separation between vehicles and pedestrians. When pedestrians are routed in to drive aisles, not across them, it is generally in association with a raised walkway or, failing that, post delineators, bollards, or other physical cues to vehicles. Accordingly, staff recommends denial of the request as proposed, but would support allowing the Lafayette Street and Northern College Avenue curb cut widths to remain for truck access if pedestrian improvements were made outside of the drive aisle, or within the drive aisle as an elevated path.*
- §177.04(C), Interior Landscaping Requirements. *Please see the attached Urban Forestry Memo.*
- §177.04(D), Perimeter Landscaping Requirements:
 - Site and Rear Property Lines. *Please see the attached Urban Forestry Memo.*
 - Property Lines Adjoining Street Right-of-Way. *Please see the attached Urban Forestry Memo.*
 - Shrub Screening. *Please see the attached Urban Forestry Memo.*

RECOMMENDATION: Staff recommends partial approval of VAR 19-6816 subject to the following conditions:

Conditions of Approval:

1. Planning Commission determination of a variance of §166.25(D), Site Development and Design Standards, to modify a condition of approval of VAR 18-6428 and not provide opportunity for cross access allow use of gravel as a parking lot material. *Staff does not recommend in favor of this request based on the findings outlined in this report;*
2. Planning Commission determination of a variance of §166.25(D), Site Development and Design Standards, to not screen rooftop-mounted mechanical equipment. *Staff recommends in favor of this request based on the findings outlined in this report;*
3. Planning Commission determination of a variance of §172.04(F), Parking Lot Circulation, to modify a condition of approval of VAR 18-6428 and reduce existing, nonconforming driveway widths and instead use applied material as a visual reduction and for pedestrian paths; *Staff does not recommend in favor of this request based on the findings outlined in this report. Should the Planning Commission choose to approve the variance, staff recommends that it only be for the northern College Avenue and Lafayette Street curb cuts, with pedestrian improvements required to provide a raised path through the driveway;*
4. Planning Commission determination of variances of §177, Landscape Regulations, to allow existing greenspace areas and screening to remain for compliance and not provide one tree island where otherwise required. *Staff recommends in favor of these requests*

based on the findings outlined in this report;

5. Approval of these variances does not guarantee approval of other development issues that have not been fully-reviewed at this stage.

6. Planning Commission determination of no dedication of right-of-way. *Staff recommends in favor of the request, finding that the existing right-of-way is consistent with the proposed re-classification of Lafayette Street from a Collector (Intersection) Street to an Downtown/Urban Street in the draft Master Street Plan.*

PLANNING COMMISSION ACTION: Required YES

Date: September 23, 2019 ☐ Tabled ☒ Approved ☐ Denied

Motion: Winston, as described below.

Second: Paxton

Vote: 6-1-1, Johnson voted 'no', Belden recused

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §166.25, Commercial, Office, and Mixed-use Design and Development Standards
 - §172.04, Parking Lot Design Standards
 - §177.04, Site Development and Parking Lot Landscape Standards
- Urban Forestry Memo
- VAR 18-6428 Staff Report
- Request letter
- Site Plans:
 - Existing
 - Proposed
 - Pattern Layout
 - Landscape
- One Mile Map
- Close-up Map
- Current Land Use Map

To approve VAR 19-6816, determining:

- In favor of cross access to the south, that may be parked until the time the neighbors to the south want to connect;
- In favor of the variance to not approve rooftop mechanical;
- In favor of the lesser dedication of right-of-way as proposed by the applicant and added as a determination at the meeting by staff;
- In favor of the driveway variance as requested, requiring that a raised additional element be incorporated into the driveway design to notify drivers of the pedestrian access in the driveway; and
- The fence along the eastern property line shall be substantially rebuilt with a six-foot tall fence from the northern property line until it is parallel to the north facade of the primary structure, then becoming eight-foot tall to the south of the building

166.25 - Commercial, Office and Mixed Use Design And Development Standards

(A) *Purposes.*

- (1) To protect and enhance Fayetteville's appearance, identity, and natural and economic vitality.
- (2) To address environmental concerns which include, but are not limited to, soil erosion, vegetation preservation, and drainage.
- (3) To protect and preserve the scenic resources distributed throughout the city which have contributed greatly to its economic development, by attracting tourists, permanent part-time residents, new industries, and cultural facilities.
- (4) To preserve the quality of life and integrate the different zones and uses in a compatible manner.
- (5) To address the issues of traffic, safety, and crime prevention.
- (6) To preserve property values of surrounding property.
- (7) To provide good civic design and arrangement.

(B) *Applicability.* These design and development standards apply to commercial developments, office developments, small scale production, those parts of a planned zoning district or other mixed use developments with commercial and office elements and to industrial developments within the I-540 Overlay District.

...

(D) *Site Development and Design Standards.*

- (1) *Site Coverage.* A maximum of 80% of the development site may be covered by the ground floor of any structure, parking lots, sidewalks, and private streets and drives or any other impermeable surface. Properties located within the Downtown Master Plan boundary are exempt from this requirement.
- (2) *Driveways.* Shared drives and cross access between properties shall be encouraged to adjacent developed and undeveloped properties.
- (3) Mechanical and utility equipment and refuse containers shall be screened if visible from the highway/street right-of-way or from residential property as set forth below:
 - (a) *Mechanical and Utility Equipment.*
 - (i) All mechanical and utility equipment located on the wall and/or on the ground shall be screened with vegetation, by incorporating screening into the structure, or by utilizing paint schemes that complement the building and screen the equipment.
 - (ii) All roof mounted utilities and mechanical equipment shall be screened by incorporating screening into the principal structure utilizing materials and colors compatible with the supporting building.

(Ord. No. 5526, 9-18-12; Ord. No. 5735, 1-20-15; Ord. No. [6091](#), §1, 9-18-18)

172.04 - Parking Lot Design Standards

(See: Illustration: Parking Dimension Factors)

- (A) *Maneuvering.* Parking lots shall be designated, maintained, and regulated so that no parking or maneuvering incidental to parking will encroach into the areas designated for sidewalks, streets, or required landscaping. Parking lots shall be designed so that parking and un-parking can occur without moving other vehicles, unless a valet service has been approved as part of the development plans. Vehicles shall exit the parking lot in a forward motion.
- (B) *Pedestrian Access.* Pedestrian access shall be provided from the street to the entrance of the structure by way of designated pathway or sidewalk.

...

- (F) *Parking Lot Circulation.*

...

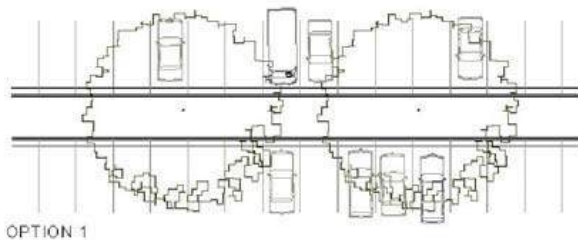
- (4) *Entrances and Internal Aisle Design for Parking Lots Containing Nine (9) or More Parking Spaces.* The driveway width into parking lots shall meet the following requirements:
 - (a) *Entrances.*
 - (i) *One-Way Access to Parking Lots.* If the driveway is a one-way in or one-way out, then the driveway width shall be a minimum of 12 feet and a maximum of 16 feet.
 - (ii) *Two-Way Access to Parking Lots.* For two (2) way access, the driveway width shall be a minimum 20 feet and a maximum width of 24 feet, unless otherwise required by the Fire Department.
 - (iii) *Collector and Arterial Streets.* Driveways that enter collector and arterial streets may be required to have two (2) outbound lanes (one for each turning direction) and one inbound lane for a maximum total driveway width of 39 feet.
 - (iv) *Effective Curb Radius.* All driveways serving 9 or more parking spaces shall have an effective curb radius of 15 feet for curb cuts on local streets and an effective curb cut radius of 20 feet for collector, minor arterial and arterial streets.

...

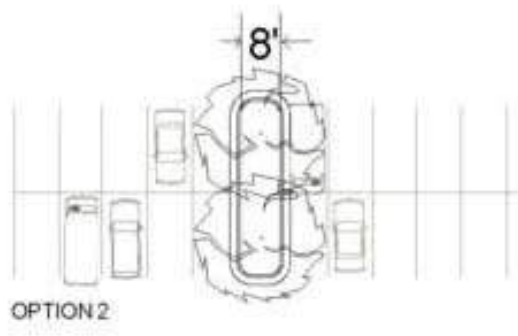
(Ord. No. 4725, 7-19-05; Ord. No. 4855, 4-18-06; Ord. No. 4917, 9-05-06; Ord. No. 5044, 8-07-07; Ord. No. 5079, 11-20-07; Ord. No. 5297, 12-15-09; Ord. No. 5592, 06-18-13; Ord. No. 5680, 4-15-14; Ord. No. [5841](#), §§1—3, 1-5-16; Ord. No. [5859](#), §2, 3-15-16)

177.04 - Site Development And Parking Lot Landscape Standards

- (A) *Applicability.* A detailed landscape plan is required to be submitted for all development when either new development or expansion of 25% of the existing building square footage occurs and for all new or expanded parking lots containing five (5) or more spaces. Landscape plans shall be submitted with the application for building permit or parking lot permit. Submittals shall conform to the standards established within this chapter.
- (B) *General Requirements.*
- (1) *Separation of Landscaped Areas and Vehicles.* All landscaped areas shall be protected from potential damage by vehicles by placing concrete curbs or wheel barriers adjacent to the landscaped area.
 - (2) *Vehicle Overhangs.* A portion of a standard parking space may be landscaped instead of paved to meet part of the landscaping requirement. The landscaped area may be up to 2 feet of the front of the space as measured from a line parallel to the direction of the bumper of the vehicle using the space. Landscaping may only be groundcover plants in the overhang area.
 - (3) *Maintenance.* The current owner of the property shall be responsible for the maintenance of all required landscaping.
 - (a) *Irrigation System.* Some method of irrigation shall be required in landscaped areas. An automated irrigation system is encouraged to ensure adequate moisture to plant material. In landscaped areas without an automated irrigation system the installation of hose bibs (water spigots), installed one (1) for every 100-foot radius, will be required.
 - (b) *Planting Beds.* All landscaping shall be planted within areas designated as planting beds. Planting beds shall have amended soil to insure the health of the plant materials. All sod shall be removed within the planting bed and mulch shall cover the bare soil to ease maintenance. Sod will be allowed in tree lawns and tree islands if no other plant material is included within these areas.
 - (c) *Replacement Landscaping.* Landscaping that dies or is damaged shall be removed and replaced by the current owner of the property. The owner shall have sixty (60) days from the receipt of written notice issued by the city to remove and replace any required landscaping that dies or is damaged.
- (C) *Interior Landscaping Requirements.*
- (1) *Amount of Landscaping.* Parking lots containing ten (10) or more spaces shall be landscaped with one of the following options:



- (a) *Option 1. Narrow Tree Lawn.* A continuous landscape strip between rows of parking. The minimum width of a tree lawn shall be 8 feet ; the minimum area shall be 300 square feet. One (1) tree every twelve (12) parking spaces or one tree every 30 linear feet, whichever provides more canopy, shall be planted with this option. Trees may be grouped or spaced within the lawn area.



- (b) *Option 2. Tree Island.* The minimum width of a tree island shall be 8 feet; the minimum area shall be 150 square feet. One (1) tree shall be planted for every twelve (12) parking spaces with this option, with a maximum run of twelve (12) parking spaces permitted without a tree island.
 - (2) *Placement of Trees.* Interior trees shall be placed on either side of points of access (entrance drives, exit drives) within tree islands, as indicated in the Landscape Manual.
 - (3) *Tree Planting.* All trees planted to meet these requirements shall be deciduous shade trees. Species selection shall be chosen from the approved list of trees found in the appendices of the *City of Fayetteville Landscape Manual*. Alternate tree species selections may be approved by the Urban Forester.
 - (4) *Calculation of Area.* Required perimeter landscaping may not be substituted for interior landscaping. However, it is recognized that interior landscaping may join perimeter landscaping. In such cases, landscaping which extends 4 feet or more into the parking area may be included in the calculation of interior landscaped area.
 - (5) *Exceptions.* All parking lots used solely for the purpose of providing areas for the display and storage of motor vehicles for sale, lease, and rental shall be exempt from the interior landscaping requirements.
- (D) *Perimeter Landscaping Requirement.* Proposed development shall be landscaped meeting the following requirements:
- (1) *Side and Rear Property Lines.* All parking lots shall have 5 feet of landscaped area between the property line and parking lot. The 2-foot vehicle overhang option may be included to meet this requirement. Depending on the use and location, additional landscaped area and screening may be required along property lines. Where parking lots are located adjacent to a public alley, greenspace is not required between the parking lot and the alley. A shared driveway or parking lot drive aisle within a platted access easement may encroach fully within the required greenspace along the side or rear property lines.
 - (2) *Property Lines Adjoining Street Right-of-Way.*
 - (a) *Landscape Area Required.* A 15-foot wide landscaped area shall be provided along the front property line exclusive of and adjacent to the Master Street Plan right-of-way. Points of access (entrance drives, exit drives) and sidewalks are allowed to cross the 15-foot landscaped area provided the integrity of the landscaped area is maintained.
 - (b) *Urban Zoning Districts.* Zoning districts that prescribe urban building form (e.g., a build-to zone) permitting front setbacks of less than 15 feet may be permitted to eliminate the greenspace between the principal façade of a building and the Master Street Plan right-of-way and instead provide pedestrian oriented elements as referenced in 166.24(E).
 - (c) *Residential Zones.* Except for permitted entrance drives, every development shall be landscaped for an equal and uniform width of 15 feet parallel to the front property line(s) street right-of-way. Single and two-family residential uses shall be exempt from this requirement.
 - (d) *Nonresidential Zones.* Except for permitted entrance drives, every development shall be landscaped for an equal and uniform width of 15 feet parallel to the front property line(s) street right-of-way.
 - (e) *Shade.* All tree planting locations shall attempt to achieve shade for parking lots, cars, benches, pedestrian walkways, etc., by utilizing aspect and locating trees along the south and west boundary of these areas.

- (f) *Screening.* Parking lots containing five (5) or more spaces shall be screened from the public right-of-way and adjacent properties, where said parking areas are adjacent to residential zones, with shrubs and/or graded berms. If graded berms are used, shrubs are also required.
- (g) *Perimeter Planting Location.* Street trees shall be installed in the location identified under the street tree planting standards described herein, all other plantings noted herein shall be installed within the required landscape area. Subject to approval by the Urban Forester, required shrubs may be planted within the right-of-way or outside the required landscape area parallel to the street right-of-way only in extenuating circumstances.

(3) *Tree Planting.*

- (a) Large species trees shall be planted in the location identified in the Street Tree Planting Standards containing one (1) tree per 30 linear feet along the front property line. Trees along the perimeter may be grouped to allow flexibility in design. The maximum allowed grouping may be up to 25% of the required number of street trees.
 - (b) Species selection shall be chosen from the approved list of trees for landscaping found in the appendices of the City of Fayetteville Landscape Manual. Alternate tree species selections may be approved by the Urban Forester. No more than 25% of trees planted to meet perimeter landscaping requirements may be evergreen.
 - (c) Planted trees shall have a 2-inch caliper (diameter) measured 6 inches above ground level at the time of planting.
 - (d) At the request of the developer, the Urban Forester may exempt specific areas from required tree planting where the terrain, existing trees or other physical limitations make the planting of new trees impracticable. In cases of existing overhead power lines, small trees shall be planted that will not interfere with the existing power lines. Species selection shall be approved by the Urban Forester.
- (4) *Shrub Screening.* Parking lots that require screening shall have shrubs that are spaced so as to create a seamless row of hedging. A minimum of 50% of the shrubs shall be evergreen. Shrub size at the time of planting shall be in a minimum of 3-gallon containers with an expected height of three feet or more within two (2) years of planting.
- (5) *Perennial Groundcover.* All landscaped areas shall be vegetated or re-vegetated with appropriate perennial groundcover. Prior to the issuance of a certificate of occupancy, all bare soil shall be adequately covered.

(Ord. No. 4917, 9-05-06; Ord. No. 5312, 4-20-10; Ord. No. 5337, 8-3-10; Ord. No. [5859](#), §3(Exh. B), 3-15-16; Ord. No. [6090](#), §1, 9-18-18)



TO: Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Melissa Evans, Urban Forester
John Scott, Urban Forester

MEETING DATE: September 23, 2019

SUBJECT: **VAR 19-6816: Variance:** Submitted by Flintlock for Ozark Natural Foods for the property located at 380 N. College Ave. The property is zoned MSC, Main Street Center. The request is for 2 variances on UDC 177 Landscape Regulations.

RECOMMENDATION:

Staff recommends approval of **VAR 19-6816**.

BACKGROUND:

The subject property is located on the southeast side of College Avenue & Lafayette Street. The parcel totals approximately 2.18 acres. The site has been a grocery store since the 1960's with a large building and parking lot still in existence. Ozark Natural Foods is requesting to rehabilitate the building, bring the parking lot up to current standards and improve pedestrian connections to the building. In order to do this, some variances have been requested as outlined below.

Request of Tree Island Variance:

177.04 C1b. Option 2. Tree Island.

The minimum width of a tree island shall be 8 feet; the minimum area shall be 150 square feet. One (1) tree shall be planted for every twelve (12) parking spaces with this option, with a maximum run of twelve (12) parking spaces permitted without a tree island.

The applicant is requesting a waiver of the interior landscape requirement "Option 2 Tree Island" to be placed at a rate of one per 12 spaces along the southernmost row of parking. There are 14 parking spaces along the southernmost row which would require one tree island. Providing a new island in this space eliminates much needed parking for a project that has lost 45% of the existing parking spaces.

There are existing trees that will be preserved to the east of the parking at the southernmost end of the site, and a proposed tree in the island at the far west. Staff recommends approval of the variance request.

Request of Perimeter Landscape Requirements Variance:

The applicant is asking for a variance of the three subsections of this portion of the perimeter landscape requirement in the code due to existing site constraints on this previously developed property:

177.04 D1. Perimeter Landscaping Requirement. Proposed development shall be landscaped meeting the following requirements:

(1) Side and Rear Property Lines. All parking lots shall have 5 feet of landscaped area between the property line and the parking lot. The 2-foot vehicle overhang option may be included to meet this requirement. Depending on the use and location, additional landscape area and screening may be required along property lines. Where parking lots are located adjacent to a public alley, greenspace is not required between the parking lot and the alley. A shared driveway or parking lot drive within a platted access easement may encroach fully within the required greenspace along the side or rear property lines.

177.04 D2(f). Screening.

Parking lots containing five (5) or more spaces shall be screened from the public right-of-way and adjacent properties, where said parking areas are adjacent to residential zones, with shrubs and/or graded berms. If graded berms are used, shrubs are also required.

177.04 D4. Shrub Screening.

Parking lots that require screening shall have shrubs that are spaced so as to create a seamless row of hedging. A minimum of 50% of the shrubs shall be evergreen. Shrub size at the time of planting shall be in a minimum of 3-gallon containers with an expected height of three feet or more within two years of planting.

On the South side of the property is an existing narrow lawn that separates the parking from the adjacent parking on the neighboring property. The lawn area is approximately 5' wide with the property line running down the middle. This is an existing condition. On the East side of the property is an existing 6' high wooden fence which has been in place for many years to screen the parking lot from the adjacent residences. Additional screening would require demolition of a large portion of an existing concrete walkway. Urban Forestry recommends approval of this variance request for these three subsections of code for perimeter landscape requirements.

BUDGET/STAFF IMPACT:

None



TO: Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director
Chris Brown, City Engineer

FROM: Jonathan Curth, Senior Planner
Corey Granderson, Staff Engineer

MEETING DATE: November 13, 2018 (**Updated with Planning Commission Results**)

SUBJECT: **VAR 18-6428: Variance (380 N. COLLEGE AVE./OZARK NATURAL FOODS, 484):** Submitted by MODUS STUDIO, INC. for property located at 380 N. COLLEGE AVE. The property is zoned MSC, MAIN STREET/CENTER and contains approximately 2.34 acres. The request is for a variance to the driveway separation requirements.

RECOMMENDATION:

Staff recommends partial approval of **VAR 18-6428** with conditions.

RECOMMENDED MOTION:

"I move to approve **VAR 18-6428**, determining:

- *In favor of Condition #1*, a variance of §166.08, Street Design and Access Management Standards, for the property's Lafayette Street curb cut;
- *In favor of Condition #2*, a variance of §166.08, Street Design and Access Management Standards, for the property's southern College Avenue curb cut;
- *Against Condition #3*, a variance of §166.08, Street Design and Access Management Standards for the property's northern College Avenue curb cut; and
- In favor of all other conditions as recommended by staff."

BACKGROUND:

The subject property is located on the southeast corner of East Lafayette Street/Highway 45 and North College Avenue/Highway 71B. These streets are respectively classified by Fayetteville's Master Street Plan as a Collector Street and an Arterial equivalent (ST 63). The property is currently developed with an approximately 33,000 square foot building that was built in 1968. Although currently vacant, the structure has served as a grocery store for decades. Access to the property includes one driveway on Lafayette Street and two on College Avenue. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Automobile Mechanic; Single-family Residential	MSC, Main Street Center
South	Office	MSC, Main Street Center
East	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
West	Gas Station; Office; Church	MSC, Main Street Center

Request: The applicant is vetting improvement to the existing building on the subject property. As a part of this, Planning staff advised that exceeding 50% of the property's assessed value triggers the requirement that nonconforming curb cuts be brought in to compliance with Fayetteville's access management ordinance, per §166.08(G). All three curb cuts are currently nonconforming. The applicant has acknowledged that the scope of work will likely exceed this threshold and is requesting variances to allow the following curb cuts to remain as existing on the property:

- Lafayette Street/Highway 45 (Collector Street): Code requires separation of 100 feet for nonresidential uses on Collector Streets (§166.08(F)(2)(b)). Although exceeding 200 feet in separation from Lafayette's intersection with College, there is approximately 20 feet separating the Lafayette Street curb cut and the adjacent residential curb cut to the east. The applicant proposes that this curb cut remain.
- North College Avenue/Highway 71B (ST-63/Arterial Street equivalent): UDC §166.08(F)(2)(a) requires that when a property has frontage onto an Arterial and a lower classification street, access should be provided only from the lower classification street. Code requires both curb cuts on College to be closed and access only taken from Lafayette. Further, code indicates that when a driveway must be on an Arterial, it should be located a minimum of 250 feet from an intersection or driveway and shared with two or more lots. The subject property has a northern and southern nonconforming curb cut on College Avenue:
 - Northern: This curb cut is approximately 120 feet from College Avenue's intersection with Lafayette Street/Highway 45 and approximately 200 from the property's southern curb cut. The applicant proposes that this curb cut remain.
 - Southern: As noted, this curb cut is approximately 200 from the property's northern curb cut. It is also approximately 20 feet from the adjacent nonresidential curb cut. The applicant proposes that this curb cut remain.

Public Comment: Staff has received no public comment on this item.

DISCUSSION:

The intent of the access management ordinance is to ensure development that is safe, walkable, and efficient for both pedestrian and vehicular traffic.

Historical aerial imagery suggests that the driveway on Lafayette and the northern driveway on College were installed with the existing building sometime in the 1970s with the southern driveway on College following in the 1980s. These curb cuts predate the existing access management ordinance and much of the population growth and associated traffic Fayetteville has since experienced. This growth is reflected in the increasing average daily traffic counts on both College and Lafayette. Under College Avenue's ST-63 designation, the street is designed for 17,600

vehicles per day (VPD), but is documented by the Arkansas Department of Transportation as carrying approximately 25,000. Similarly, Lafayette Street as a Collector-classified street is designed for 4,000 VPD and carries approximately 8,000.

Considering this, Planning and Engineering staff have reviewed each of the three existing curb cuts and are recommending in favor of a variance for the nonconforming access point on Lafayette and the southern access point on College Avenue. Although both curb cuts are near off-site adjacent curb cuts, the low traffic of the nearby residential driveway on Lafayette and the one-way nature of the driveway on adjacent property on College Avenue represent a lower potential for vehicular conflict than accessing either street in closer proximity to the intersection of Lafayette and College.

Conversely, staff recommends the closure of the nonconforming, northern curb cut on College. Located as it is approximately 100 feet from a major intersection, the northern curb cut on to College and associated turning movements in or out of the subject property at this location represent a high potential for conflict. The left turning movement in and out of the property is a cause for concern due to the lack of a turning lane when exiting College and limited visibility when turning on to College Avenue where traffic is often stopped at the nearby intersection. Coupled with data showing the intersection of Lafayette and College to have the highest number of accidents on College between North Street to the north and Martin Luther King Boulevard to the south (totaling over 1 ½ miles) indicates that closure of the northern curb cut is appropriate with redevelopment of this property. Further, the City is in the process of studying the 71B corridor and preliminary public input indicates a desire for improved safety and convenience for cars, pedestrians, and cyclists. Every curb cut is an opportunity for a vehicle/pedestrian/cyclist conflict and degrades the functionality of the corridor for the public.

As to the applicant's comment that the northern curb cut is the ideal access point for deliveries, staff's findings indicate that Lafayette may be more appropriate. Although College is possibly the main point of approach for delivery trucks, Engineering staff review of entrance and back-up movements for a standard semi-truck with a 53-foot trailer show entering the subject property from College is not feasible from the right lane given the curb cut width and new structures proposed near this entrance. On the other hand, entrance in to the subject property from Lafayette using the existing curb cut can accommodate a semi-truck and trailer.

Lastly, attention to Fayetteville's efforts to improve walkability along this corridor is also important. As the City has made pedestrian improvements along College, curb cuts have been closed where possible and infrastructure has been installed to encourage walking as a safe alternative to driving. Given the association between more numerous curb cuts and vehicular/pedestrian/cyclist conflicts, the closure or modification of the corridor's nonconforming curb cuts is one of the most significant tools available to foster a livable transportation network.

RECOMMENDATION: Staff recommends partial approval of ADM 18-6428 subject to the following conditions:

Conditions of Approval:

1. Planning Commission determination of a variance of UDC 166.08(F)(2), access management standards, to allow the existing driveway on Lafayette Street to remain in its current location. *Staff recommends in favor of the applicant's request, recommending that the curb cut be modified as needed to comply with driveway widths as outlined in the City's parking lot design standards;*

2. Planning Commission determination of a variance of UDC 166.08(F)(2), access management standards, to allow the existing southern driveway on College Avenue to remain in its current location. *Staff recommends in favor of the applicant's request, recommending that the curb cut be modified as needed to comply with driveway widths as outlined in the City's parking lot design standards. This driveway and a drive aisle stub-out to the south shall be dedicated in an access easement prior to a building permit to allow a drive on an Arterial Street to be shared between two or more lots and future cross access;*
 3. Planning Commission determination of a variance of UDC 166.08(F)(2), access management standards, to allow the existing northern driveway on College Avenue to remain in its current location. *Staff recommends that this request be denied based on the findings discussed in this staff report; and*
 4. Approval of these variances does not guarantee approval of other development issues that have not been fully-reviewed at this stage.
-

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>November 13, 2018</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied
Motion: Scroggin, modifying Condition #3 to allow the northern College Avenue curb cut to remain as a right-in, right-out access.			
Second: Autry			
Vote: 6-0-1, Belden recused			

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §166.08 Street Design And Access Management Standards
- Request letter
- Variance exhibit
- One Mile Map
- Close-up Map
- Current Land Use Map

166.08 - Street Design And Access Management Standards

(A) Intent. These standards are intended to ensure that development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movements.

(B) Fitness for Development. Based on topographic maps, soil surveys prepared by the Department of Agriculture and drainage information from the Future Land Use Plan and the Hillside/Hilltop Overlay District, the Planning Commission may require that steep grades, unstable soil and flood plains be set aside and not subdivided until corrections are made to protect life, health, and property.

(C) Applicability. The standards set forth herein shall apply to land which is proposed to be developed or redeveloped where the creation of public streets are required, or proposed, or in which new or existing access is created or modified.

...

(F) Access Management. Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Local streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto more than one public street shall place a higher priority on accessing the street with the lowest functional classification, ex. local and collector. In a case where the streets have the same classification, access shall be from the lower volume street, or as determined by the City Engineer.

(1) Curb Cut Separation. For purposes of determining curb cut or street access separation, the separation distance shall be measured along the curb line from the edge of curb cut to the edge of curb cut/intersection. The measurement begins at the point where the curb cut and intersecting street create a right angle, i.e., the intersection of lines drawn from the face-of-curb to face-of-curb. The measurement ends at the point along the street where the closest curb cut or street intersection occurs; again, measured to the point where the curb cut or intersecting streets create a right angle at the intersection of face-of-curb. In all cases curb cuts shall be a minimum of 5 feet from the adjoining property line, unless shared.

(2) Separation for two (2) family, three (3) family, multi-family and nonresidential development.

(a) Principal and Minor Arterial Streets. Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When necessary, curb cuts along arterial streets shall be shared between two (2) or more lots. Where a curb cut must access the arterial street, it shall be located a minimum of 250 feet from an intersection or driveway.

(b) Collector Streets. Curb cuts shall be located a minimum of 100 feet from an intersection or driveway. When necessary, curb cuts along collector streets shall be shared between two or more lots.

(c) Local and Residential Streets. Curb cuts shall be located a minimum of 50 feet from an intersection or driveway. In no case shall a curb cut be located within the radius return of an adjacent curb cut or intersection.

...

(5) Speed. All streets should be designed to discourage excessive speeds.

(G) Non-Conforming Access Features.

(1) Existing. Permitted access connections in place on the date of the adoption of this ordinance that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with the applicable standards under the following conditions:

(a) When new access connection permits are requested;

(b) Upon expansion or improvements greater than 50% of the assessed property value or gross floor area or volume;

(c) As roadway improvements allow.

VAR 18-6428
Request
Letter

Ozark Natural Foods | Fayetteville, Arkansas

CURB CUT VARIANCE REQUEST : NARRATIVE

Ozark Natural Foods submits the following request for the recently acquired property at 380 N. College Ave in Fayetteville. The site and existing building has for decades housed various grocery stores, uniquely positioned to serve the downtown community and all of Fayetteville. Now, as the new home for established business of the locally, member-owned Co-op. The site will finally become the true community food hub that is much-needed in the heart of the City of Fayetteville.

In order for a community-based grocery store to be successful, it must be easily accessible. This accessibility means not only for the community patrons, but also for the daily operations of the business which include deliveries from local farmers as well as regional and national brands.

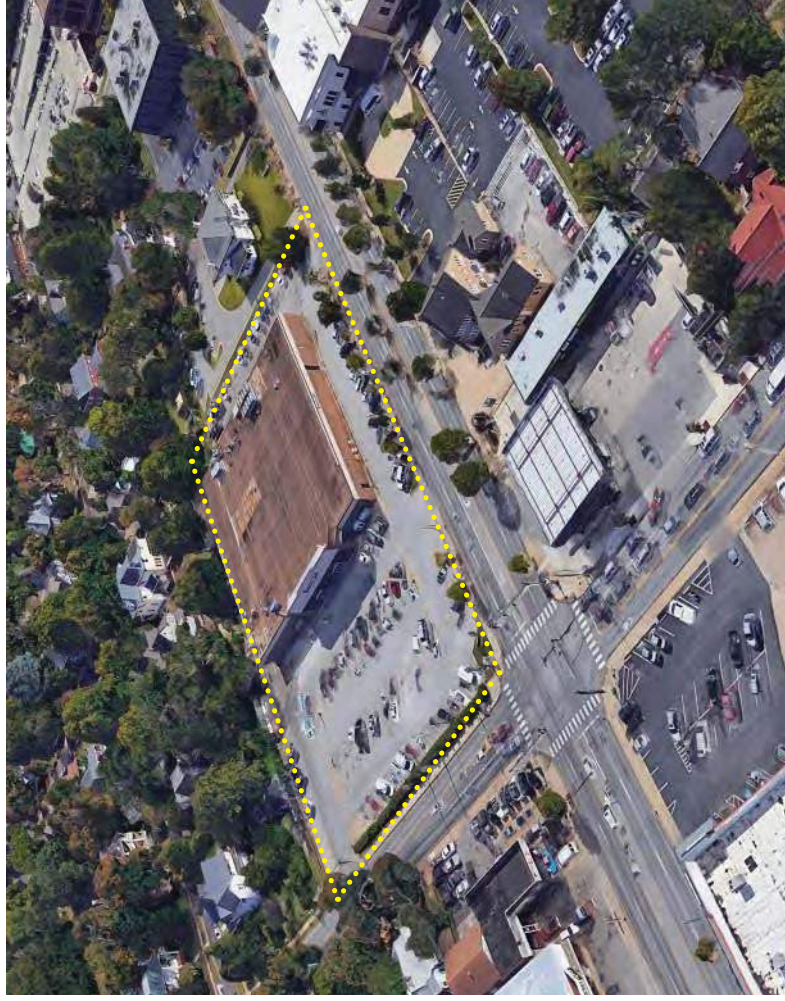
This variance request specifically asks for the existing curb cuts to remain to keep access open as required for the operations of a successful community-based business.

There are (3) existing curb cuts to access the site:

- (1) is located along Lafayette Avenue on the northern edge of the site.
- (2) are located on College Avenue on the western edge of the site.

It is the intention of this renovation project to beautify the site and street edges as well as reimagine the building to create a place befitting the mission of Ozark Natural Foods. Part of the beautification of the site will include creating outdoor gathering spaces and gardens along the western side of the property. In order to achieve this and thus reducing the amount of impervious surface, the two existing curb cuts along College Avenue will need to remain. Furthermore, the existing curb cut along Lafayette will need to remain for obvious access and traffic flow reasons as well as the functionality of receiving truck deliveries.

Please refer to the diagrams on the subsequent pages for additional information as you consider this very important request. The entire team is very excited to transform a landmark location into a more walkable, bikable, and accessible community focused place.



Ozark Natural Foods | Fayetteville, Arkansas

CURB CUT VARIANCE REQUEST : PLAN DIAGRAM



REQUEST #1:

Nonconforming existing curb cut to remain. This curb cut is approximately 20' from the adjacent residential curb cut. Both of these curb cuts have existed for decades, with no issues. This curb cut location is required for delivery truck access.

REQUEST #2:

Nonconforming existing curb cut to remain. This curb cut is over 100' from the intersection. The curb cut must exist for logical access to the grocery store and for truck delivery access.

NEW GARDEN TERRACES

These spaces along College Avenue will provide outdoor seating, dining, bike racks, and organic gardens...all of which will beautify the streetscape.

REQUEST #3:

Nonconforming existing curb cut to remain. A goal for this project is to create urban garden space along the street edge which will connect the north and south portions of the existing lot. The southern curb cut needs to remain open to access this side of the building.

EXISTING LOADING DOCK

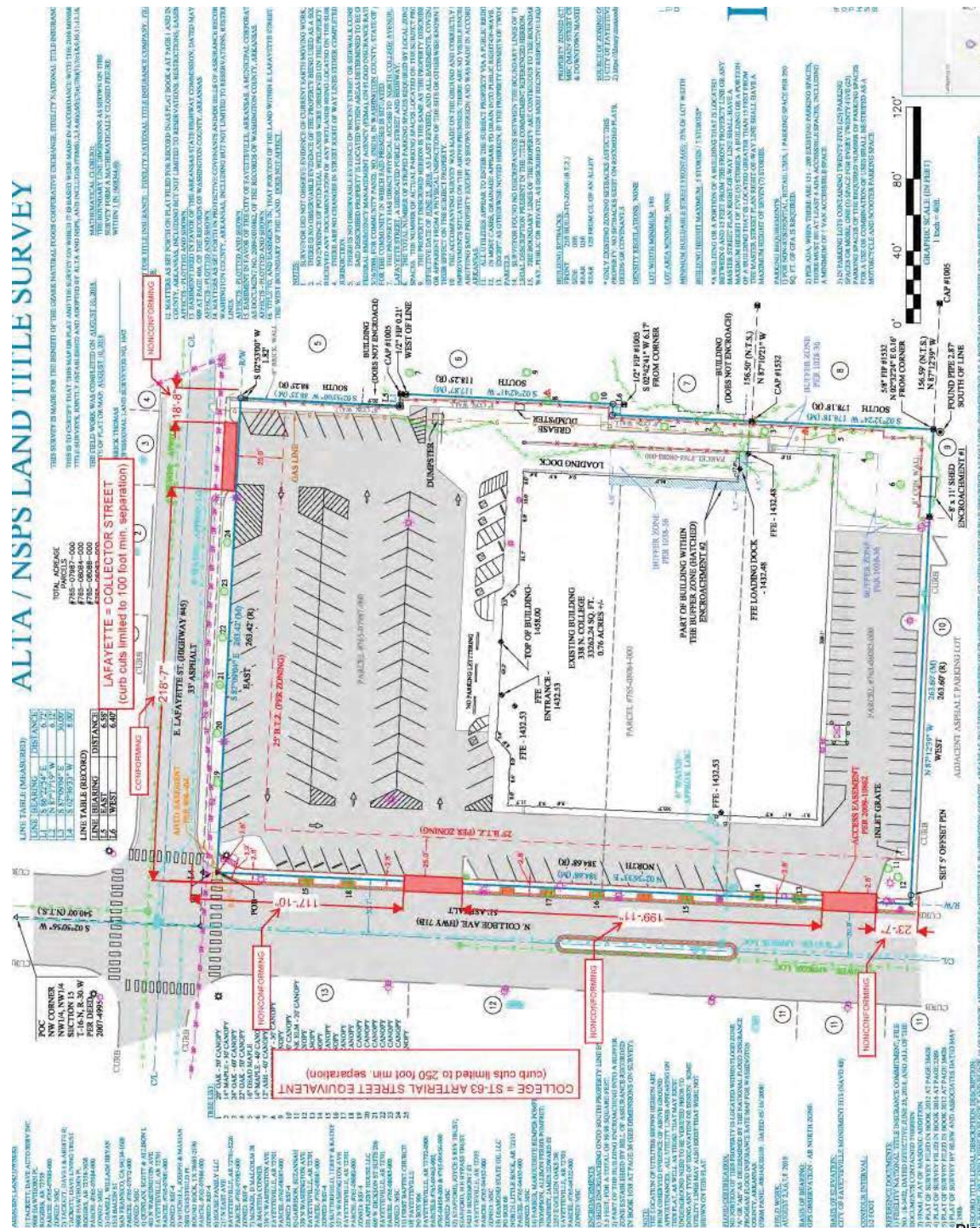
disclaimer:
the building as shown is a placeholder of the existing condition and subject to change during the ongoing design process.

CURB CUT VARIANCE REQUEST : PERSPECTIVE



VAR 18-6428
Variance
Exhibit

CURB CUT VARIANCE REQUEST: SURVEY



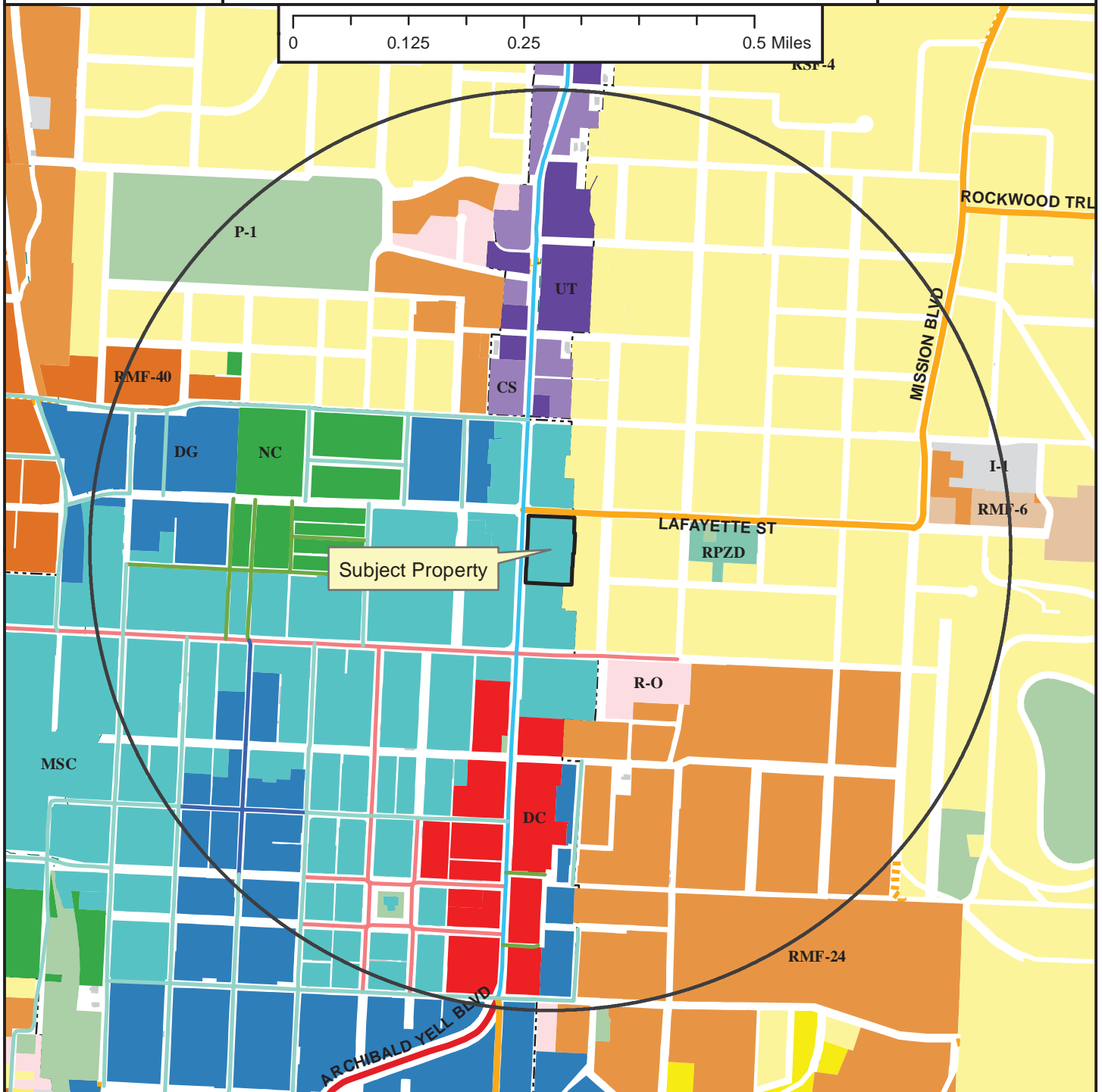
VAR18-6428

OZARK NATURAL FOODS

One Mile View

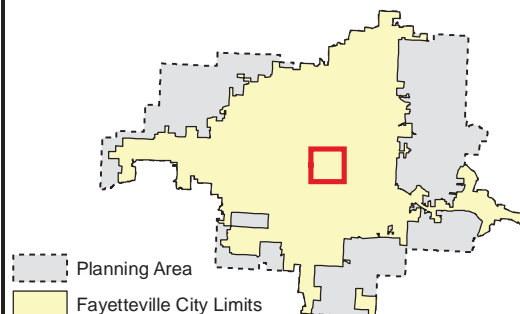


0 0.125 0.25 0.5 Miles



Legend

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



- Planning Area
- Fayetteville City Limits

Zoning

RESIDENTIAL SINGLE-FAMILY

- Residential-Agricultural
- RSF-5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18
- RSF-19
- RSF-20
- RSF-21
- RSF-22
- RSF-23
- RSF-24
- RSF-25
- RSF-26
- RSF-27
- RSF-28
- RSF-29
- RSF-30
- RSF-31
- RSF-32
- RSF-33
- RSF-34
- RSF-35
- RSF-36
- RSF-37
- RSF-38
- RSF-39
- RSF-40
- RSF-41
- RSF-42
- RSF-43
- RSF-44
- RSF-45
- RSF-46
- RSF-47
- RSF-48
- RSF-49
- RSF-50
- RSF-51
- RSF-52
- RSF-53
- RSF-54
- RSF-55
- RSF-56
- RSF-57
- RSF-58
- RSF-59
- RSF-60
- RSF-61
- RSF-62
- RSF-63
- RSF-64
- RSF-65
- RSF-66
- RSF-67
- RSF-68
- RSF-69
- RSF-70
- RSF-71
- RSF-72
- RSF-73
- RSF-74
- RSF-75
- RSF-76
- RSF-77
- RSF-78
- RSF-79
- RSF-80
- RSF-81
- RSF-82
- RSF-83
- RSF-84
- RSF-85
- RSF-86
- RSF-87
- RSF-88
- RSF-89
- RSF-90
- RSF-91
- RSF-92
- RSF-93
- RSF-94
- RSF-95
- RSF-96
- RSF-97
- RSF-98
- RSF-99
- RSF-100

RESIDENTIAL MULTI-FAMILY

- RT-12 Residential Two and Three-family
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40
- RMF-41
- RMF-42
- RMF-43
- RMF-44
- RMF-45
- RMF-46
- RMF-47
- RMF-48
- RMF-49
- RMF-50
- RMF-51
- RMF-52
- RMF-53
- RMF-54
- RMF-55
- RMF-56
- RMF-57
- RMF-58
- RMF-59
- RMF-60
- RMF-61
- RMF-62
- RMF-63
- RMF-64
- RMF-65
- RMF-66
- RMF-67
- RMF-68
- RMF-69
- RMF-70
- RMF-71
- RMF-72
- RMF-73
- RMF-74
- RMF-75
- RMF-76
- RMF-77
- RMF-78
- RMF-79
- RMF-80
- RMF-81
- RMF-82
- RMF-83
- RMF-84
- RMF-85
- RMF-86
- RMF-87
- RMF-88
- RMF-89
- RMF-90
- RMF-91
- RMF-92
- RMF-93
- RMF-94
- RMF-95
- RMF-96
- RMF-97
- RMF-98
- RMF-99
- RMF-100

INDUSTRIAL

- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION

COMMERCIAL

- E-1
- Residential-Office
- 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

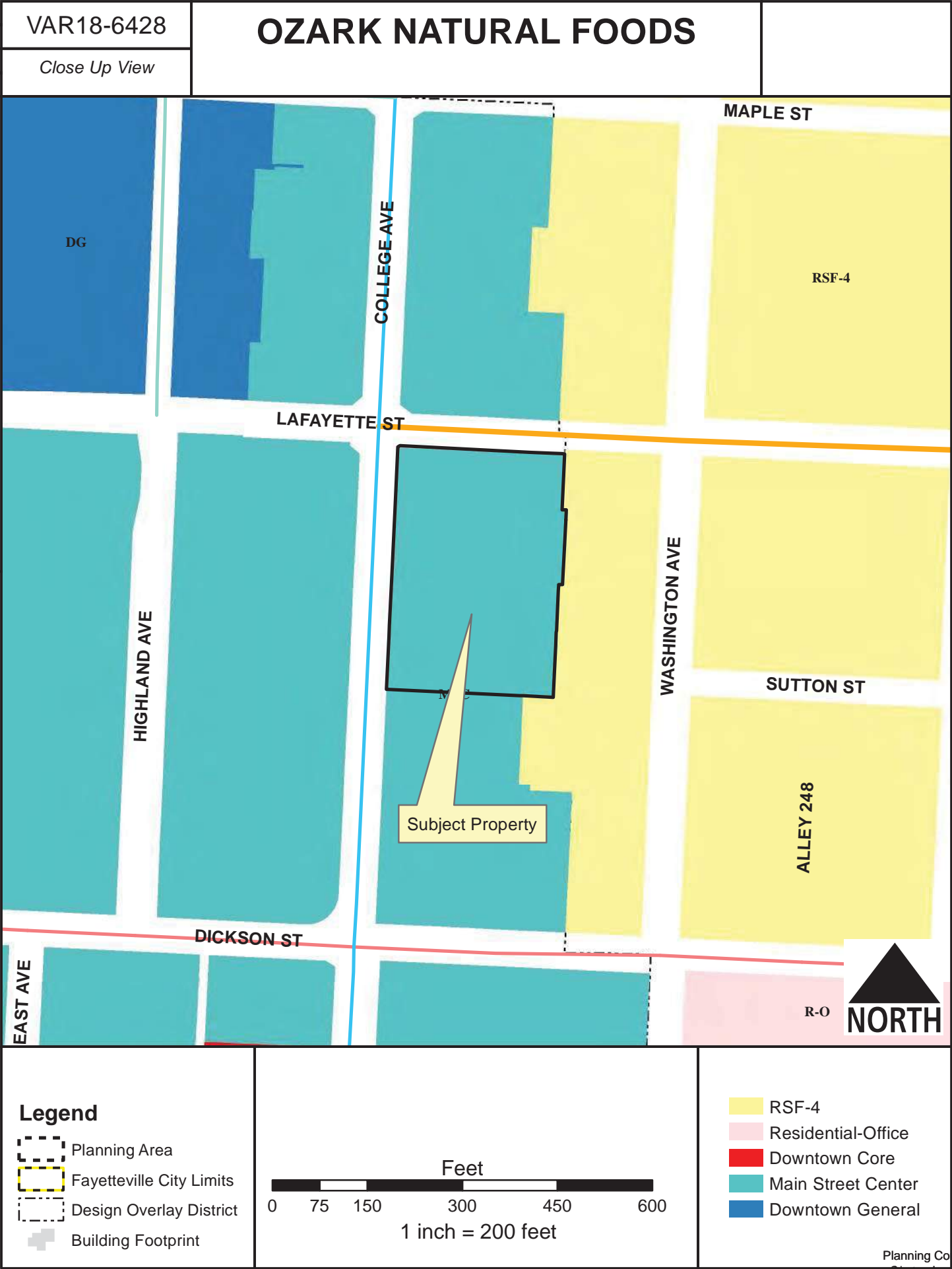
Planning Commission

September 23, 2018

Agenda Item 9

18-6428 Ozark Natural Foods

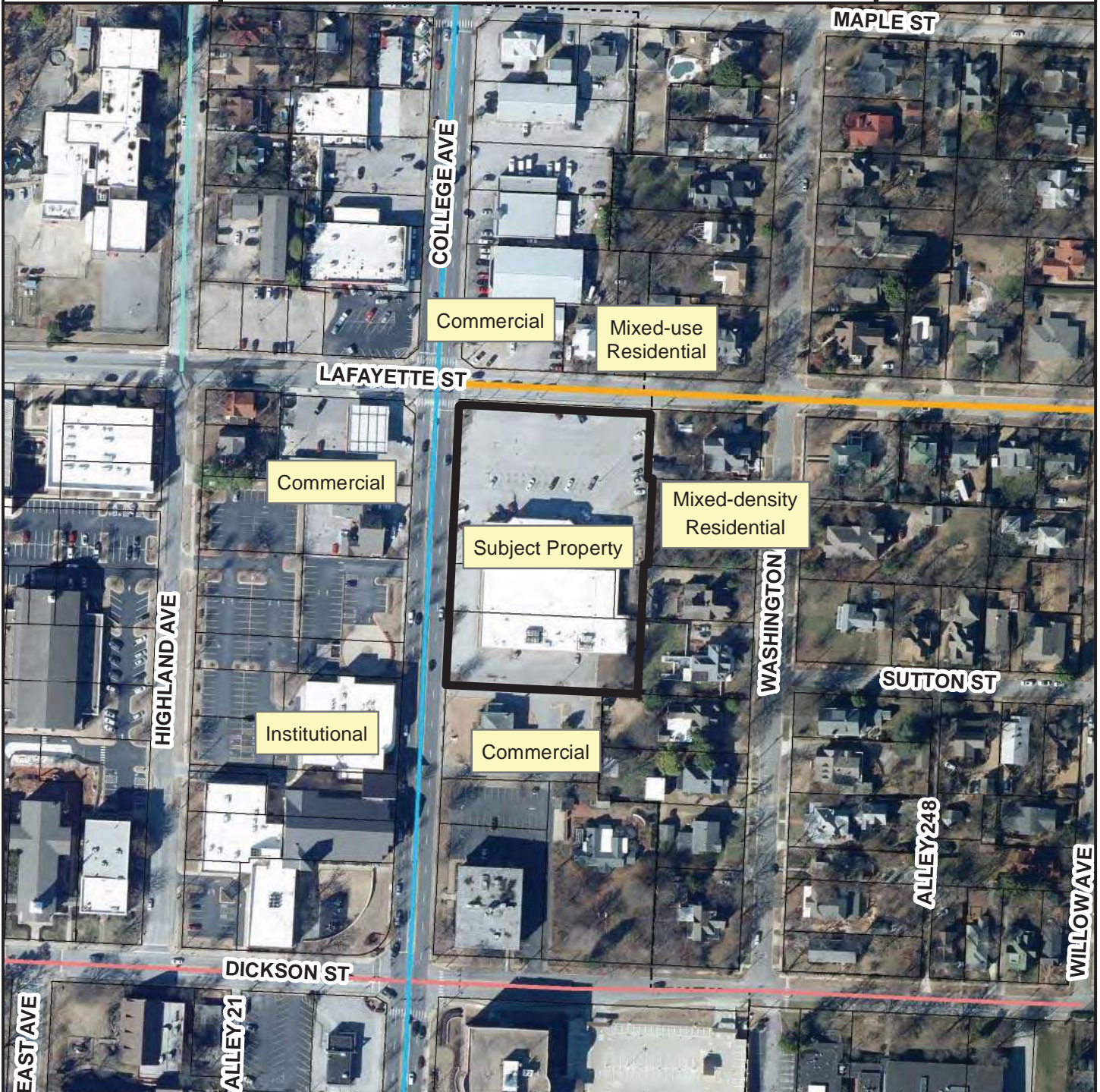
Page 20 of 32



VAR18-6428

Current Land Use

OZARK NATURAL FOODS



Streets Existing MSP Class

- COLLECTOR
- Planning Area
- Fayetteville City Limits
- Design Overlay District

Feet



1 inch = 200 feet

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

VAR 19-6816
**Request
Letter**



September 04, 2019

380 N COLLEGE AVE SITE IMPROVEMENT PLAN (ONF)

Dear Fayetteville Planning Staff and Planning Commission,

Please find attached our application for Site Improvement Plan to bring the site of 380 N College Ave into compliance with current parking and landscape codes, in conjunction with a building rehabilitation of more than 50% of current assessed building value.

The site has been a grocery store since the 1960s, and that use will continue with Ozark Natural Foods' relocation to the site. The site plan changes proposed are limited to those required to bring the parking lot up to current standards and bring the site into compliance with Access Management codes, as well as improving functional pedestrian connection to the building.

One significant challenge is maintaining delivery access of large semi-trailer trucks. An Access Management Variance was granted by the Planning Commission on 11-13-2018 to keep all three existing curb cuts (two on to College Ave and one on to Lafayette St). The Commission allowed that the northern College Ave curb cut could remain as existing to allow for semi-truck deliveries, but required that the southern College Ave curb cut and the Lafayette curb cut be brought into compliance.

The overall site circulation will remain relatively the same, although around 45% of the parking spaces will be lost in bringing the parking spaces up to current dimensional standards. However, this will provide a significant increase in the pedestrian orientation of the site.

The site layout has been initially reviewed by Planning, Fire, and Urban Forestry. Their requested changes to our initial plans have been incorporated prior to this submission.

We request your consideration of several variances to the UDC, as follows:

VARIANCE REQUESTS: **§166.25(D)(2), Site Development and Design Standards**

- ~~166.08.D.1 Street Design Principles. (southern parking lot)~~
 - *"Extensions. All street extensions shall be constructed to minimum street standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such."*
 - We request a variance of the required stub-out to the adjacent southern property. There is a substantial grade change between the existing parking lots which would make this a major challenge. Providing this stub-out would also cause a significant decrease in parking spaces, which are already at a 45% loss.
- **166.25.D.3.a.ii Site Development and Design Standards.**
 - *"All roof mounted utilities and mechanical equipment shall be screened by incorporating screening into the principal structure utilizing materials and colors compatible with the supporting building."*

- We request a variance to screening the existing mechanical equipment. Screening the existing units is a significant cost burden, and over the long life span of the building as a grocery these units have not to our knowledge caused concern by being visible to neighbors.

Approved administratively by City
Engineer and Planning Director under
§172.04(F)(1)

~~• 172.04.F.1 Driveway Throat Length (southern College Ave drive)~~

- *"Throat Length. The length of driveways or "throat length" shall be designed in accordance with the anticipated storage length for vehicles to prevent them from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. General standards appear below, but these requirements may vary according to the project volume of the individual driveway. These measures generally are acceptable for the principal access to a property and are not intended for minor driveways. Variation from these standards may be permitted for good cause upon approval of the Zoning and Development Administrator and City Engineer."*
- We request a variance to the provided Table 2 Driveway Throat lengths, which would require 40' at the southern College Ave drive. As the current 30' throat length has proven over a number of decades to not cause unsafe conflicts with cars turning into the parking lot, we request it remain as existing. This parking will primarily be utilized for staff, which will further reduce the turning traffic at this driveway and reduce further any impact of the 30' throat length.

• 172.04.F.3.a.ii Driveway Width

- *"Two-Way Access to Parking Lots. For two-way access, the driveway width shall be a minimum of 12 feet and a maximum of 24 feet."*
- We request permission to narrow the driveway width to 24' with an applied pattern to designate pedestrian paths within the parking lot rather than by re-building the apron and physically narrowing the paved space. We believe this alternate approach achieves the intent of the code and provides clear pedestrian connectivity, while preserving additional turning / maneuvering ability for large delivery trucks.
- The Engineering Department recommended a poured concrete sidewalk on top of the existing asphalt, which would necessitate 2 ramps at the end of a +/- 15' long sidewalk. We request Planning Commission determination of this element.

• 177.04.C.1.b Tree Island

- *"Tree Island. The minimum width of a tree island shall be 8 feet; the minimum area shall be 150 square feet. One (1) tree shall be planted for every twelve (12) parking spaces with this option, with a maximum run of twelve (12) parking spaces permitted without a tree island."*
- We request a variance to the tree island requirements to runs of more than 12 parking spaces along the southern-most row of parking. Providing this new island eliminates desperately needed parking spaces: bringing the parking lot up to current dimensional and driveway standards requires the loss of 45% of the existing parking spaces.

• 177.04(D) Perimeter Landscape Requirements

Side and Rear Property Lines

- *"All parking lots shall have 5 feet of landscaped area between the property line and parking lot. The 2-foot vehicle overhang option may be included to meet this requirement. Depending on the use and location, additional landscaped area and screening may be required along property lines. Where parking lots are located adjacent to a public alley, greenspace is not required between the parking lot and the alley. A shared driveway or*

parking lot drive aisle within a platted access easement may encroach fully within the required greenspace along the side or rear property lines."

Screening

- *"Parking lots containing five (5) or more spaces shall be screened from the public right-of-way and adjacent properties, where said parking areas are adjacent to residential zones, with shrubs and/or graded berms. If graded berms are used, shrubs are also required."*

Shrub Screening

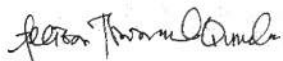
- *"Parking lots that require screening shall have shrubs that are spaced so as to create a seamless row of hedging. A minimum of 50% of the shrubs shall be evergreen. Shrub size at the time of planting shall be in a minimum of 3-gallon containers with an expected height of three feet or more within two (2) years of planting."*
- We request a variance to the three subsections of this code, to consider the following items as meeting the intent of this section:
 - EAST: Existing 6' ht wood fence screening the parking lot from adjacent residences, a condition that has served as adequate screening here since 1968. Additional screening would require significant demolition of existing concrete walk.
 - SOUTH: existing narrow lawn separation from adjacent parking only. if the curb were to be moved to accommodate a 5' landscape buffer, this entire parking lot would be eliminated. We request that the existing curb and turf landscaping be allowed to remain in this narrow strip.

166.21(7) Opacity Requirements **Variance not required as submitted. Variance only required if opacity and transmittance ratings not met for proposed glass.**

- *"First or Ground Floor Requirements of Any Principal Façade. Commercial space and storefronts shall have a minimum of 75% glass on the first or ground floor."*
- The west façade of the building (facing College Ave) currently has 0% glazing. It will become the primary façade and will be increased to 37% glazing. Due to structural limitations of modifying an existing building, we request a variance to the 75% storefront glazing requirement. We believe this variance is further supported by the intent of code section 166.21 *"A strong emphasis shall be placed upon designing and implementing sustainable and green architecture practices"* due to concerns of solar heat gain on the west façade.
- The north façade is currently the primary façade, but as it faces the parking lot rather than a public street it will become a secondary access façade. It is currently 45% glazing and is proposed to become 48% glazing.
- (Both facades are out of the build to zone, so both glazing percentages are measured between 2' and 12' above FFE)

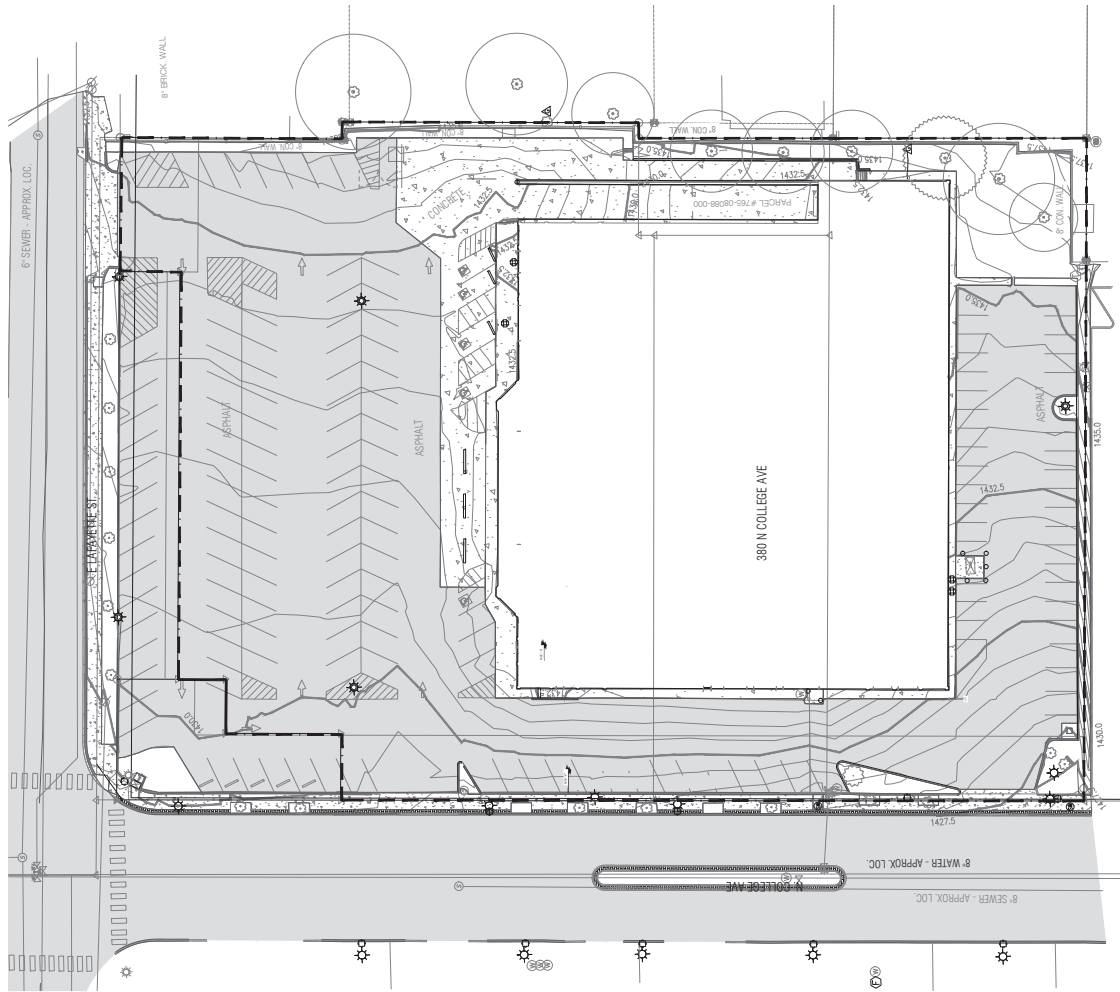
We believe, and hope that you agree, that the design for Ozark Natural Foods will greatly improve the conditions and safety of the existing site, while continuing to provide valuable access to quality food downtown. We respectfully request your approval of these variances to bring the site up to current standards.

Respectfully,
FLINTLOCK LTD CO



Allison Thurmond Quinlan
AIA RLA LEED AP
Principal Architect

VAR 19-6816
Existing
Site Plan



SCALE: 1" = 20'

EXISTING SITE PLAN

1

EXISTING
 1" = 20'
 0 20 40 80
 FEET

0.01

OZARK NATURAL FOODS
 SITE IMPROVEMENT PLAN
 380 N COLLEGE AVE
 FAYETTEVILLE AR

NOT FOR CONSTRUCTION
 FOR PERMITTING ONLY

flintlock
 ARCHITECTURE & LANDSCAPE

217 E DICKSON, STE 106
 Fayetteville AR 72701
 479.505.4807
 WWW.FLINTLOCKAR.COM

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		
51		
52		
53		
54		
55		
56		
57		
58		
59		
60		
61		
62		
63		
64		
65		
66		
67		
68		
69		
70		
71		
72		
73		
74		
75		
76		
77		
78		
79		
80		
81		
82		
83		
84		
85		
86		
87		
88		
89		
90		
91		
92		
93		
94		
95		
96		
97		
98		
99		
100		

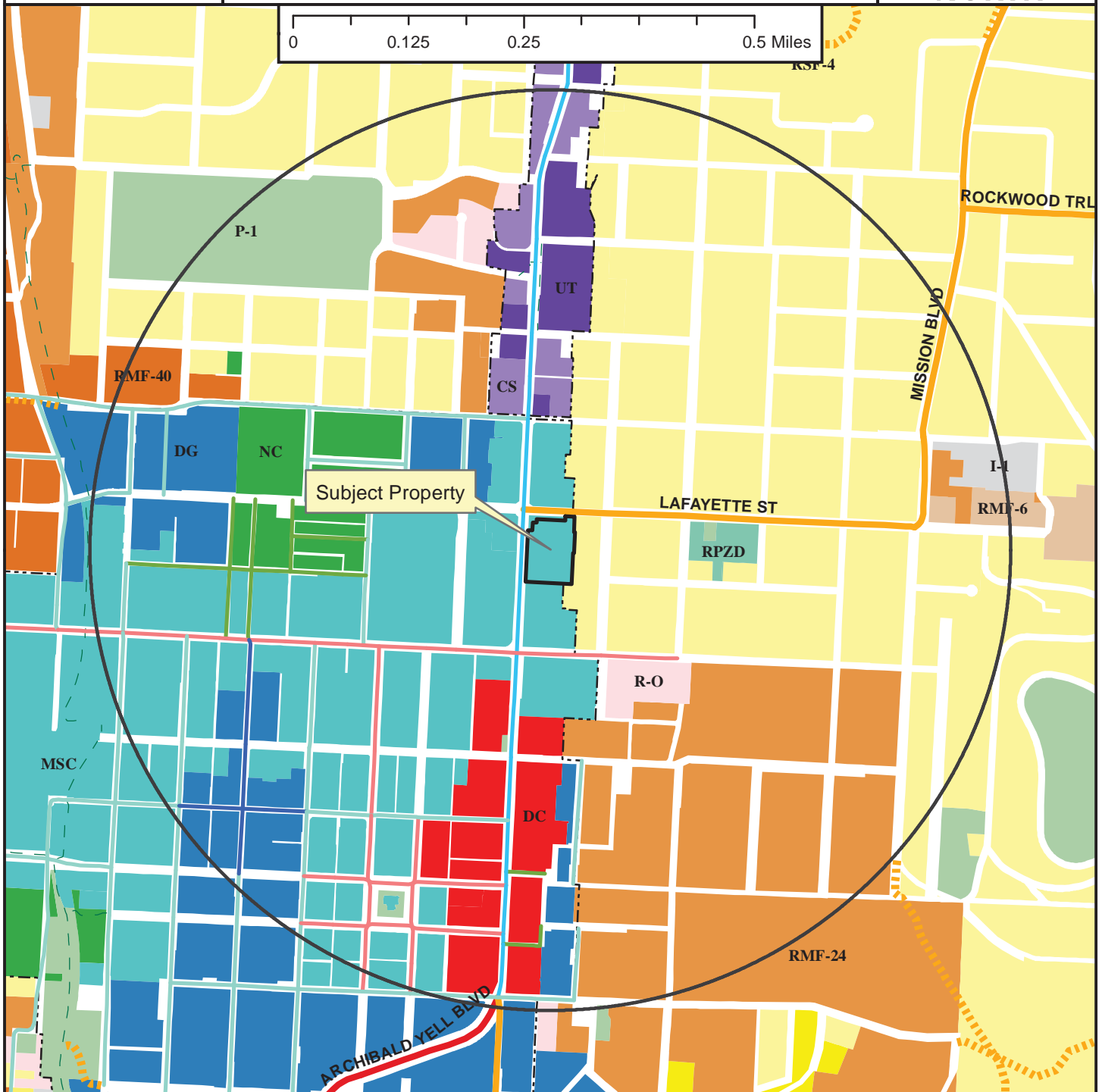
VAR19-6816

OZARK NATURAL FOOD CO-OP

One Mile View

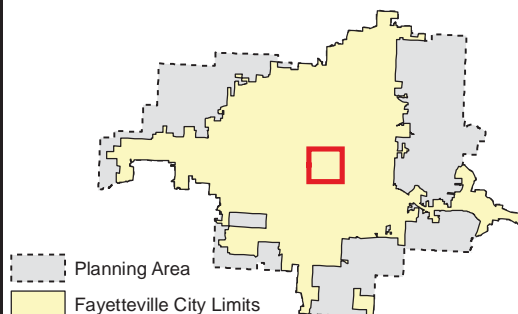


0 0.125 0.25 0.5 Miles



Legend

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



Zoning

RESIDENTIAL SINGLE-FAMILY

- Residential-Agricultural
- 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

COMMERCIAL

- E-1
- Residential-Office
- 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

September 23, 2019

Agenda Item 7

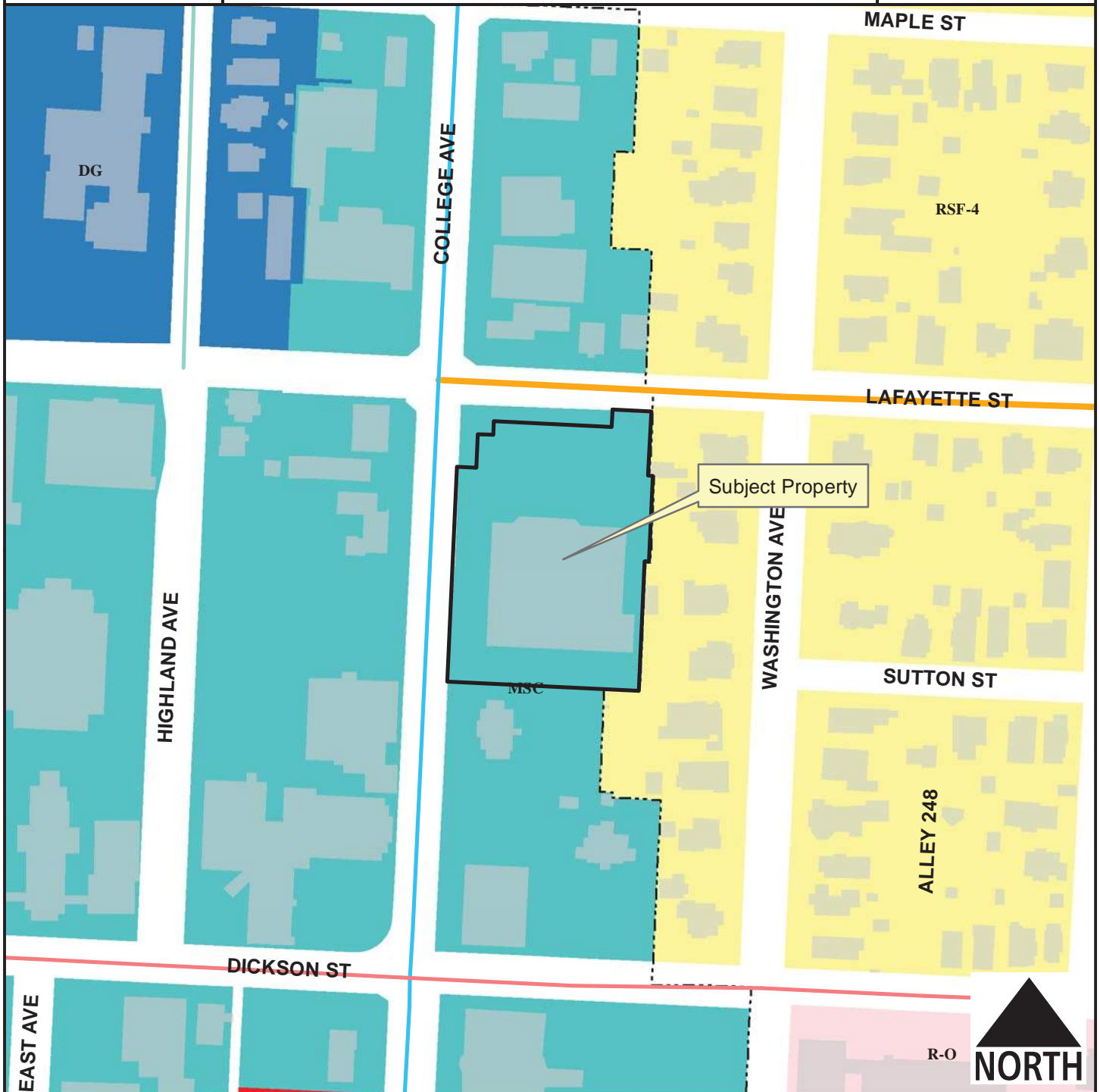
19-6816 ONF

Page 31 of 33

VAR19-6816

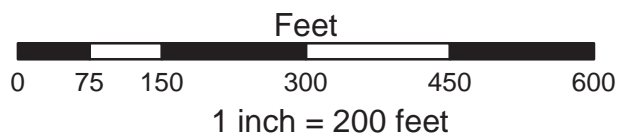
OZARK NATURAL FOOD CO-OP

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Design Overlay District
- Building Footprint

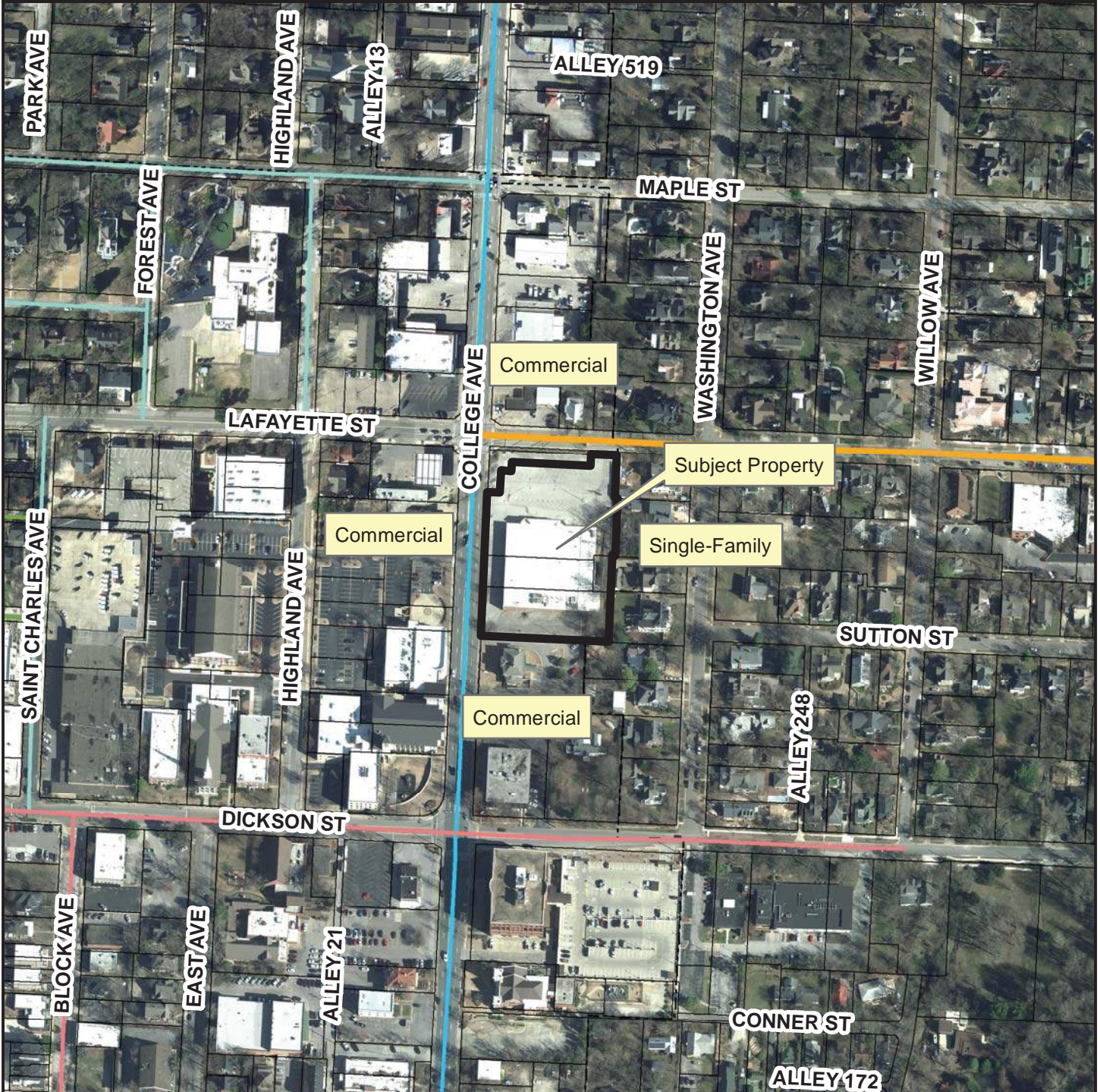


- RSF-4
- Residential-Office
- Downtown Core
- Main Street Center
- Downtown General

VAR19-6816

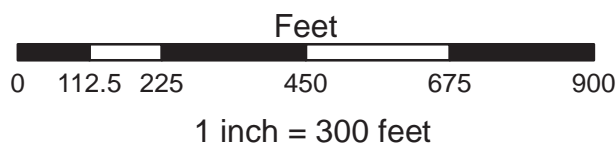
Current Land Use

OZARK NATURAL FOOD CO-OP





Streets Existing MSP Class

-  COLLECTOR
-  Planning Area
-  Fayetteville City Limits
-  Design Overlay District



FEMA Flood Hazard Data

-  100-Year Floodplain
-  Floodway