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May 11, 2020

VIA E-MAIL

Garner Stoll
125 W Mountain
Fayetteville, AR 72701
gstoll@fayetteville-ar.gov

Re: HUGHMOUNT ANX AND RZN

Dear Garner:

Pursuant to our prior conversations on the above referenced annexation and rezoning, I write this letter in hopes that the City's Planning Department will support both the annexation (in its entirety) and rezoning.

BACKGROUND: the subject property of this annexation and rezoning was primarily owned by Ms. Johnelle Hunt and Phil Phillips, when around 2008, the City of Fayetteville inadvertently put sewer lines across the property without the owner's knowledge and without any sort of easement. As a result of that innocent mistake the City agreed to supply water and sewer to the property, see attached Exhibit A, the agreement and accompanying resolutions. As part of this agreement the City wanted the Hughmount Subdivision to be annexed into the City "as soon as legally possible". See Resolution No.17-14, Exhibit A. During the course of developing the subdivision the owners employed Rob Sharp, architect, and attached is a rendering from his file from the summer of 2009 showing a land plat of the subdivision (Exhibit B). Note, this plat shows several phases of Hughmount Village as it was the expressed intent of the owners to have water and sewer supplied by the City for all of Hughmount no matter which phase they developed first and accordingly all phases annexed too, no matter if a peninsula was created. For economic and other practical considerations only the middle phase has been developed so far. During discussions with the City, both the owners and Mr. Sharp made clear, and, the City agreed, that water and sewer would be supplied to all phases of Hughmount Subdivision and it was the understanding of the parties then when the City Council voted and the Mayor signed the contract and the resolution that the entire subdivision (all phases) would be annexed into the City in part because the City did not want to have package or S.T.E.P. waste systems on any of this subject property. Therefore the City required Hughmount Village to be developed by City standards even though it wasn't yet in the City. As to date, the phase which was done first has been built out 100% and the owners now want to do the other phases which would include what is called Hughmount North on Exhibit C.

REASONS TO ANNEX THE ENTIRE SUBJECT PROPERTY: Again, the first phase of Hughmount Village, that is currently 100% developed, has truly been built to the City's standards, as a quick drive through it will show. The Developers, at their cost, also improved the intersection of Hughmount Road and Mount Comfort and improved Hughmount Road to City standards, by adding two feet to each side and paving it. Further, the City issued and the owners paid approximately One Hundred Twenty Thousand Dollars (\$120,000) for building and sewer permits. Developers of the existing Hughmount Village also met all other requirements such as but not limited to, planting approximately 333 trees (plus two tree bonds of \$138,375 and \$48,000), putting in trail sub-structure, dedicating park land, and etc.

Regarding Hughmount North, it was to be the next phase and as stated before, was always part of the Hughmount Village Subdivision and was always meant to be serviced with water and sewer and be part of the annexation. As evidence of this you will note that the City has physically built and stubbed out two man holes on Hughmount North, which further shows the City's intent of bringing into the City this subject property including the North. That prior City Council's commitment to annex all of the subject property and the owners' reliance on it far outweigh the issue of creating a peninsula. Also note on Exhibit C about five (5) blocks east, the City already has an existing peninsula (and another one just a block further east) which could over time through future annexations connect to Hughmount North. Further, at the top of Hughmount North is where the City plans to have an east to west street allowing for better traffic flow and less traffic on Mount Comfort Road, which the developer of Hughmount North will keep in mind as he plans the northern boundary. See Exhibit D outlining the City's present and future street plans.

Please see Exhibit E that show the existing Clabber Creek Greenway and Trail System and the future trail system that would go into and be part of this annexation thereby allowing the City to achieve its objective of preserving greenways whenever and wherever possible (the Enduring Green Network).

The City would also have the following advantages by passing this entire annexation: increased sales tax revenue, increased attainable housing, library millage, impact fees, etc. Note, that if any of this subject property develops under a county standards at some point the City will annex it in, and when that happens, since it is already developed, there would be no collection of impact fees. Further, by annexing now the City can make sure the developments are done up to the City's grading, storm water management, tree preservation, building inspection, energy conservation, quality construction standards, and etc. standards.

As noted in Exhibit C the subject property, if rezoned as requested by the owners, would be six (6) different categories: Neighborhood Conservation; there is one area, RSF 1, for the Slape property that is currently in existence; RSF-4; Neighborhood Services along Hughmount Road

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would by definition provide services to the annexed property; and lastly the Residential Agriculture would help the City in their City Plan 2040 goals and Enduring Green Network goals.

For all the above reasons the petitioners respectfully request the Planning Department to support this entire annexation and rezoning. If I have misstated anything or if there are any questions please contact me as soon as possible so when we go to the City Council at least from a factual standpoint we are all on the same page. I look forward to working with you as always.

Sincerely,

A handwritten signature in black ink, appearing to read 'RKR', followed by a long horizontal line extending to the right.

Robert K. Rhoads

RKR:slt
cc: Mayor
Kit Williams kwilliams@fayetteville-ar.gov
Clients

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