

City of Fayetteville Staff Review Form

2022-0515

Legistar File ID

6/21/2022

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

Jonathan Curth

6/3/2022

DEVELOPMENT REVIEW (630)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ADM-2022-0029: Administrative Item (1125 N COLLEGE AVE./FIRE STATION #10): Submitted by CITY STAFF for property located at 1125 N College Ave. The property is zoned P-1, INSTITUTIONAL and contains approximately 3.27 acres. Request for a lesser dedication of Right-Of-Way for Fire Station #10.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? No

Current Budget

\$ -

Funds Obligated

\$ -

Current Balance

\$ -

Does item have a cost? No

Item Cost

\$ -

Budget Adjustment Attached? No

Budget Adjustment

\$ -

Remaining Budget

\$ -

V20210527

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

Original Contract Number:

Comments:



MEETING OF JUNE 21, 2022

TO: Mayor; Fayetteville City Council

THRU: Susan Norton, Chief of Staff

FROM: Jonathan Curth, Development Services Director
Josh Boccaccio, Staff Engineer

DATE: June 3, 2022

SUBJECT: **ADM-2022-0029: Administrative Item (1125 N COLLEGE AVE./FIRE STATION #10):** Submitted by CITY STAFF for property located at 1125 N College Ave. The property is zoned P-1, INSTITUTIONAL and contains approximately 3.27 acres. Request for a lesser dedication of Right-Of-Way for Fire Station #10.

RECOMMENDATION:

The Planning Commission and City Planning staff recommend approval of a request for lesser dedication of right-of-way as described and shown in the attached Exhibits 'A' and 'B', with conditions.

1. This approval does not exempt future development or redevelopment of the overall property from right-of-way dedication requirements that may be applicable as determined at the time of application; and
2. Development entitlement of Fire Station #10, whether through large scale development, small site improvement plan, or building permit shall observe the City's Master Street Plan either through right-of-way dedication in accordance with that plan, or development layout in observance of the Master Street Plan and its associated setbacks.

BACKGROUND:

The subject property is in central Fayetteville and includes two Washington County-owned parcels, 765-13904-000 and 765-13904-001. Combined, the two parcels have street frontage extending from N. Woolsey Avenue and W. Holly Street to the northwest, all the way southward to Woolsey's intersection with W. North Street, eastward along North to N. College Avenue, and back northward along College for approximately 330 feet. All told, the two parcels have almost ½ mile of public street frontage. Development on the subject property includes multiple structures that offer various health services, including the University of Arkansas Medical School (UAMS) Northwest and other medical practices.

In early 2022, The City of Fayetteville engaged with Washington County and the administration of the adjacent Veterans Affairs facility. At issue was the potential purchase of land at the northeast corner of Woolsey and North as the future location of Fire Station #10. To create the property, a lot split is required with review through the City of Fayetteville. During pre-application

due diligence, City staff indicated that lot split applications include the requirement for right-of-way dedication in-line with the City's adopted Master Street Plan. Given the breadth of the subject property's street frontage, this would result in over one acre of land required as right-of-way dedication, including areas of off-street parking and drive aisles used at UAMS Northwest for internal circulation.

Request: City staff request a reduction in right-of-way dedication for the future lot split at the northeast corner of Woolsey and North for Fire Station #10. Staff proposes no right-of-way be dedicated with the lot split, instead requiring any necessary dedication occur with development of Fire Station #10. The request has come forward prior to application to facilitate interjurisdictional agreements that may require revision.

Public Comment: Staff has not received any public comment on this item.

DISCUSSION:

Unified Development Code section 166.04(B)(2)(a)(i) indicates that a requirement with any lot split application is to dedicate sufficient right-of-way to meet the Master Street Plan. Where right-of-way dedication represents a hardship or practical difficulty, an applicant may petition the City Council, by way of the Planning Commission, for lesser dedication. In evaluating the proposed Fire Station #10 project and its associated lot split application, staff finds the standard right-of-way dedication to bear limited relationship to the scope of work and exceed a rough proportionality of the potential impact. While the property intended for sale to the City will likely see increased activity when compared to the existing surface parking lot, the larger, remaining County properties are not proposed for redevelopment or additional development. Accordingly, there is no anticipated increase in impact from the property remaining with the County, and therefore limited justification for requiring right-of-way.

Further, the amount of right-of-way, if required to its fullest extent, will represent a significant portion of the County property. Based on the surrounding Master Street Plan street designations, with Woolsey as a Residential Link and both North and College as High-Activity Regional Links, the amount of right-of-way required to observe the Master Street Plan totals approximately 1.34 acres in area, or, put differently, more than 1/10th of the combined parcels' area.

Lastly, as a matter of ongoing and future use of the County property, requiring right-of-way dedication in line with the Master Street Plan will encroach into elements of the subject property that may limit its use, including off-street drive aisles and parking spaces that serve UAMS Northwest. Additionally, at two locations along W. North Street a full Master Street Plan right-of-way dedication may cause the existing structures to fall into building setbacks associated with the P-1, Institutional zoning district underlying the site, rendering portions of the structures nonconforming.

All told, staff recommends approval of the request, recognizing both the outsized impact of the right-of-way requirement and the potential for future right-of-way dedication if the current lesser dedication is approved with the conditions proposed herein. Per the Engineering Division memo

included in the attached Planning Commission staff report, no adverse impacts are anticipated on future City projects by granting this request.

At the May 23, 2022 Planning Commission meeting, Commissioners voted to forward the lesser dedication of right of way, recommending approval, on the consent agenda. Commissioner Brink made the motion and Commissioner Garlock provided the second. To date, no public comment has been offered on the item.

BUDGET/STAFF IMPACT:

N/A

Attachments:

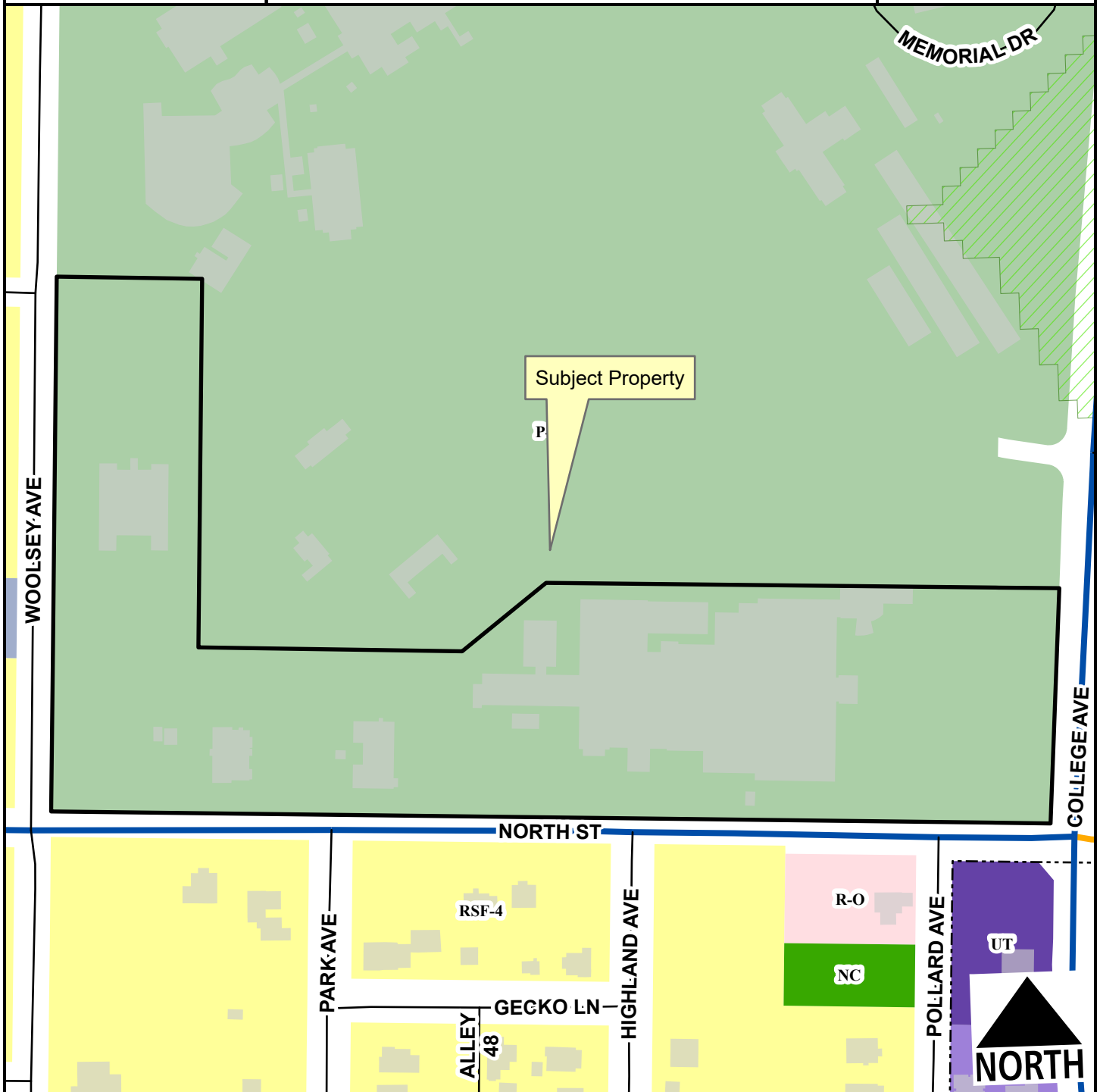
- Exhibit A
- Exhibit B
- Planning Commission Staff Report

ADM-2022-0029

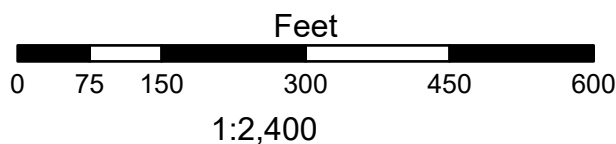
1125 N COLLEGE AVE

ADM-2022-0029
EXHIBIT 'A'

Close Up View



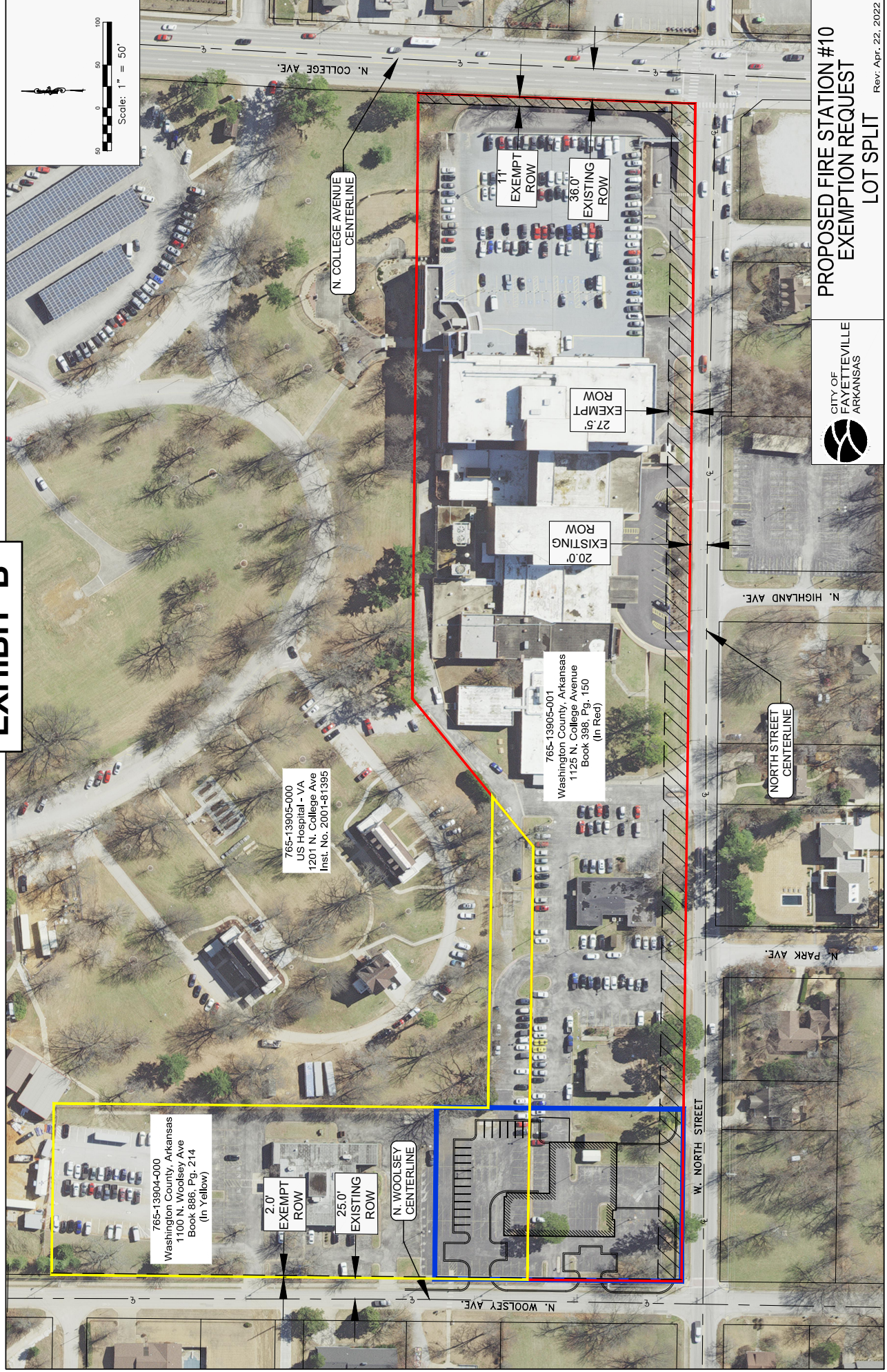
- Neighborhood Link
- Regional Link - High Activity
- Alley
- Residential Link
- ▨ Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Design Overlay District



- RSF-4
- Residential-Office
- Urban Thoroughfare
- Community Services
- Neighborhood Services - Gen.
- Neighborhood Conservation
- P-1

ADM-2022-0029

EXHIBIT 'B'



Rev. Apr. 22, 2022



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Jonathan Curth, Development Services Director
Josh Boccaccio, Staff Engineer

MEETING DATE: May 23, 2022 **Updated with PC hearing results from 5/23/2022**

SUBJECT: **ADM-2022-0029: Administrative Item (1125 N COLLEGE AVE./FIRE STATION #10):** Submitted by CITY STAFF for property located at 1125 N College Ave. The property is zoned P-1, INSTITUTIONAL and contains approximately 3.27 acres. Request for a lesser dedication of Right-Of-Way for Fire Station #10.

RECOMMENDATION:

Staff recommends forwarding **ADM-2022-0029** to City Council with a recommendation of approval, with conditions.

RECOMMENDED MOTION:

"I move to forward **ADM-2022-0029** to City Council with a recommendation of approval, with conditions as outlined by staff."

BACKGROUND:

The subject properties are in central Fayetteville and include two Washington County-owned parcels, 765-13904-000 and 765-13904-001. Combined, the two parcels have street frontage extending from N. Woolsey Avenue and W. Holly Street to the northwest, all the way southward to Woolsey's intersection with W. North Street, eastward along North to N. College Avenue, and back northward along College for approximately 330 feet. All told, the two parcels have almost ½ mile of public street frontage. Development on the subject property includes multiple structures that offer various health services, including the University of Arkansas Medical School (UAMS) Northwest and other medical practices.

In early 2022, The City of Fayetteville engaged with Washington County and the administration of the adjacent Veterans Affairs facility to discuss purchasing land at the northeast corner of Woolsey and North as the future location of Fire Station #10. To create the property, a lot split is required, with review through the City of Fayetteville. During pre-application due diligence, City staff indicated that lot split applications include the requirement for right-of-way dedication in-line with the City's adopted Master Street Plan. Given the breadth of the subject property's street frontage, this would result in over one acre of land required as right-of-way dedication, including areas of off-street parking and drive aisles used at UAMS Northwest for internal circulation.

Surrounding land use and zoning is depicted in Table 1.

**Table 1:
Surrounding Land Use and Zoning**

Direction	Land Use	Zoning
North	Fayetteville Veterans Affairs Campus	P-1, Institutional
South	Single-family Residential; Surface Parking	RSF-4, Residential Single-Family, 4 Units per Acre; R-O, Residential Office UT, Urban Thoroughfare
West	Single-Family Residential; Vacant (formerly office)	RSF-4, Residential Single-Family, 4 Units per Acre; NS-G, Neighborhood Services, General
East	Vacant (former hotel); Office and Retail uses	CS, Community Services C-2, Thoroughfare Commercial

Proposal: City staff request a reduction in right-of-way dedication for the future lot split at the northeast corner of Woolsey and North for Fire Station #10. Staff proposes no right-of-way be dedicated with the lot split, instead requiring any necessary dedication with development of Fire Station #10. The request has come forward prior to application to facilitate interjurisdictional agreements that may require revision

Public Comment: Staff has not received any public comment on this item.

DISCUSSION:

Unified Development Code section 166.04(B)(2)(a)(i) indicates that an infrastructure improvement required with any lot split is to dedicate sufficient right-of-way to meet the Master Street Plan. Where right-of-way dedication represents a hardship or practical difficulty, an applicant may petition the City Council, by way of the Planning Commission, for lesser dedication. In evaluating the proposed Fire Station #10 project and its associated lot split application, staff finds the standard right-of-way dedication to bear limited rational nexus to the scope of work and exceed the rough proportionality to the potential impact. While the property intended for sale to the City will likely see increased activity when compared to the existing surface parking lot, the larger, remaining County properties are not proposed for redevelopment or additional development. Accordingly, there is no anticipated increase in impact from the property remaining with the County, and therefore limited justification for requiring right-of-way.

Further, the amount of right-of-way, if required to its fullest extent, will represent a significant portion of the County property. Based on the surrounding Master Street Plan street designations, with Woolsey as a Residential Link and both North and College as High-Activity Regional Links, the amount of right-of-way required to observe the Master Street Plan totals approximately 1.34 acres in area, or, put differently, more than 1/10th of the combined parcels' area.

Lastly, as a matter of ongoing and future use of the County property, requiring right-of-way dedication in line with the Master Street Plan will encroach into elements of the subject property that may limit its use, including off-street drive aisles and parking spaces that serve UAMS Northwest. Additionally, at two locations along W. North Street the existing structures may fall into building setbacks associated with the P-1, Institutional zoning district underlying the site, rendering portions of the structures nonconforming.

All told, staff recommends in favor of the request, recognizing both the outsized impact of the right-of-way requirement and the potential for future right-of-way dedication if the current lesser dedication is approved with the conditions proposed below. Per the attached Engineering Division

memo describing a review of future, nearby City projects, no adverse impact is anticipated from granting this request.

RECOMMENDATION: Staff recommends forwarding ADM 2020-0029 to City Council with a recommendation of approval, with conditions.

1. This approval does not exempt future development or redevelopment of the overall property from right-of-way dedication requirements that may be applicable as determined at the time of application; and
2. Development entitlement of Fire Station #10, whether through large scale development, small site improvement plan, or building permit shall observe the City's Master Street Plan either through right-of-way dedication in accordance with at plan, or development layout in observance of the Master Street Plan and its associated setbacks.

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date: <u>May 23, 2022</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied		
Motion: Brink	<input checked="" type="checkbox"/> FORWARD with recommendation of approval				
Second: Garlock					
Vote: 7-0-0					

BUDGET/STAFF IMPACT:

None.

Attachments:

- Unified Developed Code:
 - § 166.04(B)(2)(a)(i) - Required Infrastructure Improvements - Development In City Limits
- Engineering Division Memo
- County Authorization
- Proposed Lot Split Exhibit
- One Mile Map
- Close-up Map
- Current Land Use Map

166.04 - Required Infrastructure Improvements - Development In City Limits

...

- (B) *Minimum Improvements by Application Type.* The property owner/developer shall be responsible for constructing the following minimum improvements.

...

(2) *Lot Split.*

- (a) *Dedication of Right-of-Way.* Sufficient right-of-way dedication, to bring those streets which the Master Street Plan shows to abut or intersect the property into conformance with the right-of-way requirements of the Master Street Plan for said streets; provided, the Subdivision Committee or Planning Commission may recommend a lesser dedication in the event of undue hardship or practical difficulties. Such lesser dedication shall be subject to approval by the City Council.

- (i) *Dedications.* The City Council accepts all streets and alleys located in Fayetteville that have been previously approved and accepted as dedications by the Fayetteville Planning Commission/Subdivision Committee. The City Council confirms the acceptance of all such streets and alleys dedicated by developers/owners to the city which have been approved by the Fayetteville Planning Commission/Subdivision Committee.

(Code 1965, App. C., Art. III, §A(2), (3); Ord. No. 1979, 2-5-74; Ord. No. 2353, 7-5-77; Ord. No. 2755, 9-1-81; Code 1991, §§159.31, 159.32; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4263, 8-1-00; Ord. No. 4660, 12-21-04; Ord. No. 5152, 7-15-08; Ord. No. 5271, 9-1-09; Ord. No. 5296, 12-15-09; Ord. No. 5374, 12-21-10; Ord. No. 5523, 9-4-12; Ord. No. 5570, 03-05-13; Ord. No. [6116](#), §1, 11-20-18; Ord. No. [6166](#), §§



TO: Jessie Masters, Development Review Manager

THRU: Chris Brown, Public Works Director

FROM: Josh Boccaccio, Staff Engineer

DATE: May 13, 2022

SUBJECT: **ADM 2022-0029: Request for a lesser dedication of ROW for Fire Station 10**

RECOMMENDATION:

Engineering staff recommends approval ADM 2022-0029.

Background:

In addition to Fire Station #10, the city has 2 projects that are in the vicinity of the county's property where UAMS Northwest is located. They are the North Street Corridor project which includes improvements from Garland Ave to Mission Blvd, and the Hwy 71B Corridor project.

DISCUSSION:

Based on conceptual plans of the North Street Corridor Project, additional right-of-way on the north side of North St does not need to be acquired for the planned improvements.

The Hwy 71B Corridor project in this area currently show sidewalks on the west side of College Ave at back of curb, within existing right-of-way. However, other options for sidewalk placement are being explored and may require additional right-of-way. When the final design and placement of sidewalk is known, staff will communicate on additional right-of-way needs.

Attachments:

North Street Corridor Exhibit
Hwy 71B Corridor Exhibit



**OFFICE OF THE COUNTY JUDGE
WASHINGTON COUNTY, ARKANSAS**

ADM-2022-0029
County
Authorization

May 2, 2022

RE: Consent of Owner

To the Planning Department of the City of Fayetteville:

I, Joseph K. Wood, County Judge of Washington County, do authorize the City Surveyor, Daryl V. Doyal P.S., to be the representative for the purpose of a lot split for the Fayetteville Fire Station at the corner of West North Street and North Woolsey Avenue.

Joseph K. Wood
County Judge

Consent of Owner Form

PROPERTY OWNER(S) / AUTHORIZED AGENT: By signing below, I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have authorized this application and consent to its filing.

PLEASE NOTE:

- Property Owners: Attach additional info/documentation if necessary.
- Authorized Agents: If signing on behalf of a Property Owner, a letter from each Property Owner must be provided indicating that the agent is authorized to act on their behalf.

Fire Station #10 Northeast corner Woolsey and North

Associated Project (required field)

Property Owner 1:

x Joseph Wood

Name of person signing [printed]

County Judge - Washington County

Entity/Company signator legally owns or represents
479-444-1700

Contact Email

280 N. College Ave. Fayetteville, AR 72701

Contact Phone

Mailing Address

Property Owner Signature

Date

05.02.2022

Joseph Wood@WashingtonCountyar.gov

Property Owner 2: (if needed)

x

Name of person signing [printed]

Entity/Company signator legally owns or represents

Contact Email

Contact Phone

Mailing Address

Property Owner Signature

Date

Property Owner 3: (if needed)

x

Name of person signing [printed]

Entity/Company signator legally owns or represents

Contact Email

Contact Phone

Mailing Address

Property Owner Signature

Date

Property Owner 4: (if needed)

x

Name of person signing [printed]

Entity/Company signator legally owns or represents

Contact Email

Contact Phone

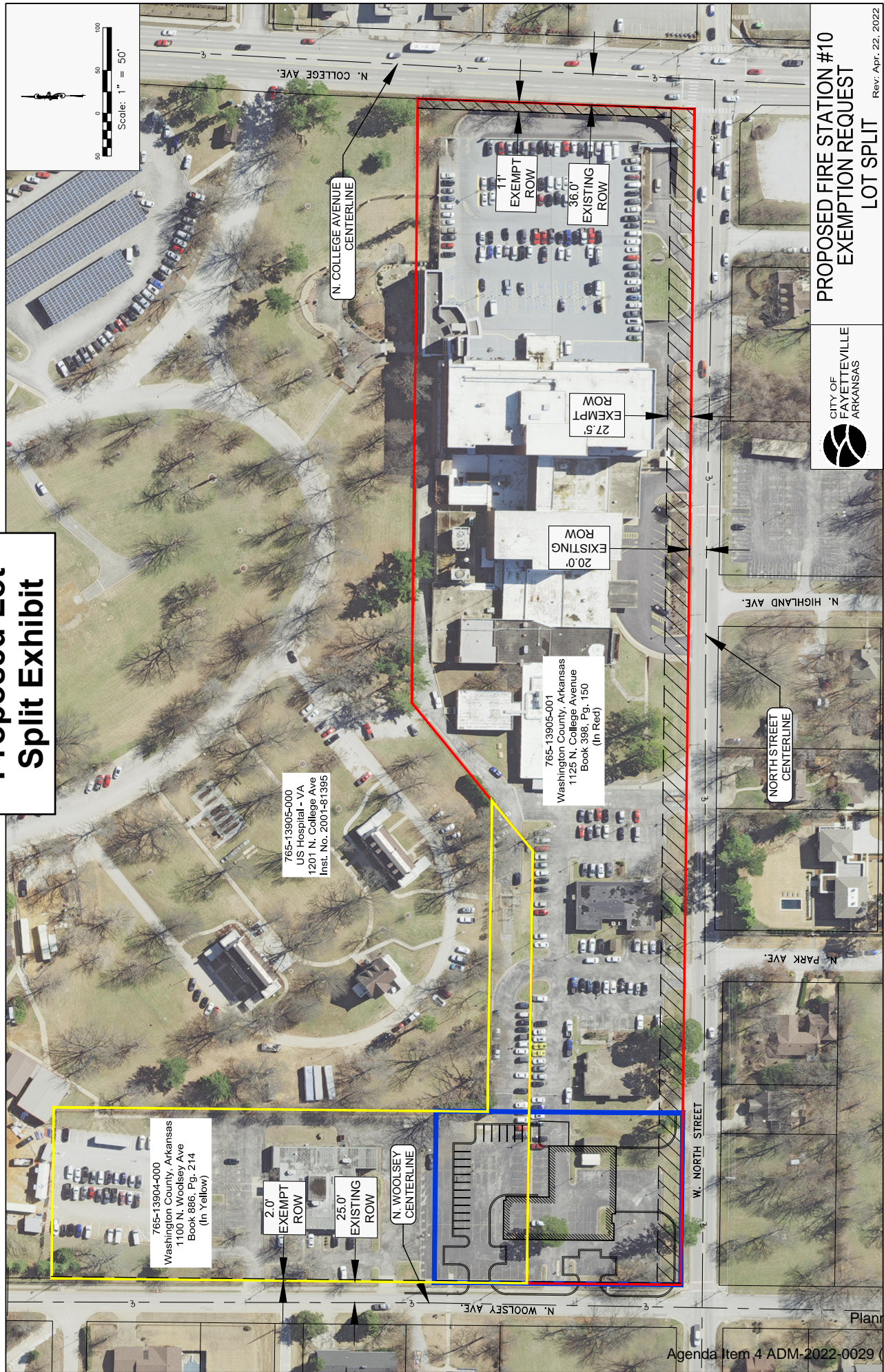
Mailing Address

Property Owner Signature

Date

ADM-2022-0029

Proposed Lot Split Exhibit

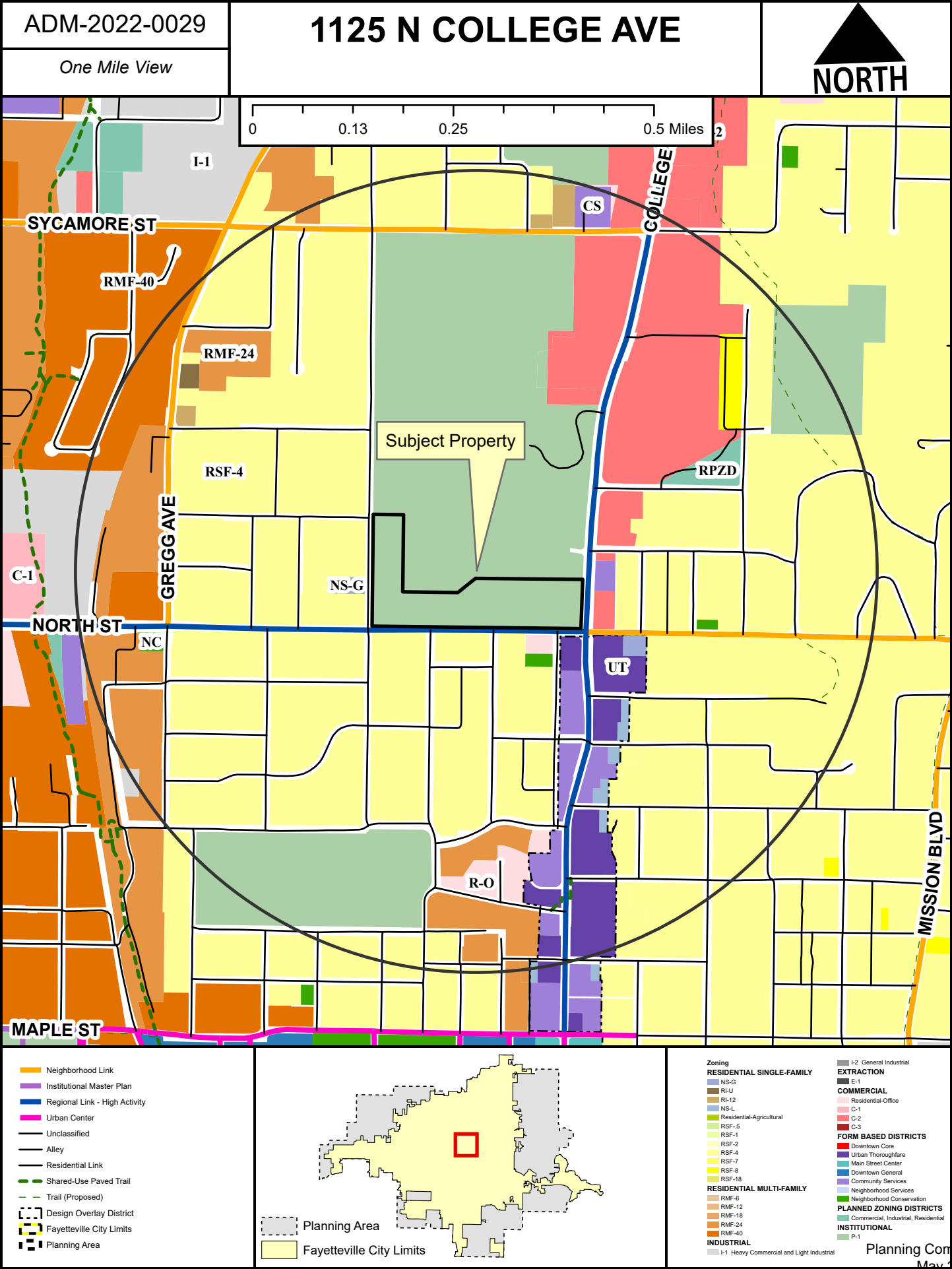


Planning Commission

May 23, 2022

Agenda Item 4 ADM-2022-0029 (Fire Station #10)

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Neighborhood Link

Institutional Master Plan

Regional Link - High Activity

Urban Center

Unclassified

Alley

Residential Link

Shared-Use Paved Trail

Trail (Proposed)

Design Overlay District

Fayetteville City Limits

Planning Area

Planning Area

Fayetteville City Limits

Zoning

RESIDENTIAL SINGLE-FAMILY

NS-G

RH-U

RI-12

NS-L

Residential-Agricultural

RSF-5

RSF-1

RSF-2

RSF-4

RSF-7

RSF-8

RSF-18

RESIDENTIAL MULTI-FAMILY

RMF-6

RMF-12

RMF-13

RMF-24

RMF-40

INDUSTRIAL

I-1 Heavy Commercial and Light Industrial

I-2 General Industrial

EXTRACTION

E-1

COMMERCIAL

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

May 23, 2022

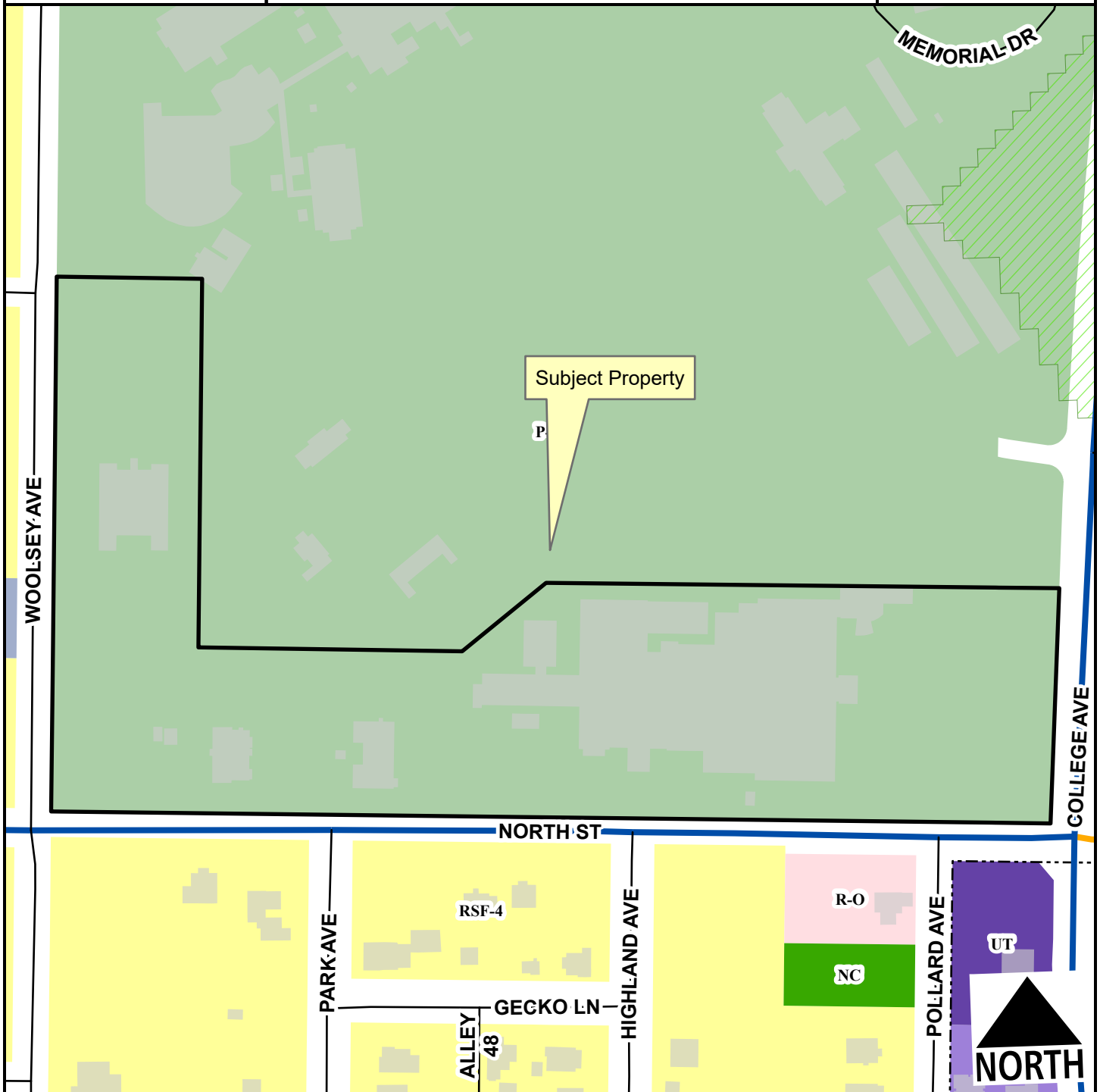
Agenda Item 4 ADM-2022-0029 (Fire Station #10)

Page 9 of 11

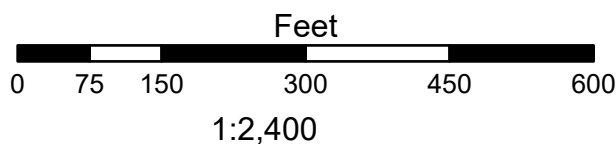
ADM-2022-0029

1125 N COLLEGE AVE

Close Up View



- Neighborhood Link
- Regional Link - High Activity
- Alley
- Residential Link
- ▨ Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Design Overlay District



- RSF-4
- Residential-Office
- Urban Thoroughfare
- Community Services
- Neighborhood Services - Gen.
- Neighborhood Conservation
- P-1

Planning Commission
May 23, 2022

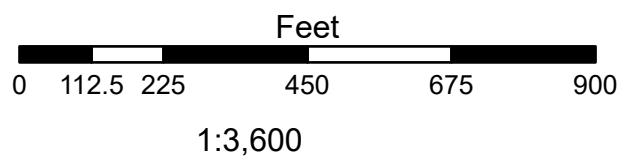
ADM-2022-0029

1125 N COLLEGE AVE

Current Land Use



- Neighborhood Link
- Regional Link - High Activity
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Design Overlay District



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway