



City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Legislation Text

File #: 2024-1875

PZD-2024-0001: Planned Zoning District (3568 W. MOUNT COMFORT ROAD/HOLT VILLAGE, 323): Submitted by FLINTLOCK LTD CO. for property located at 3568 W. MOUNT COMFORT RD. in WARD 4. The property is zoned R-A, RESIDENTIAL AGRICULTURAL and CS, COMMUNITY SERVICES and contains approx. 16.72 acres. The request is to rezone the property to a PLANNED ZONING DISTRICT.

AN ORDINANCE TO APPROVE A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED PZD-2024-001 FOR APPROXIMATELY 16.72 ACRES LOCATED AT 3568 WEST MOUNT COMFORT ROAD IN WARD 4

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves PZD-2024-01 as described in Exhibits "A", "B", and "C" attached to the Planning Division's Agenda Memo which allows the development of 16.72 acres of mixed residential units.

Section 2: That the official zoning map of the City of Fayetteville, Arkansas is hereby amended to reflect the zoning criteria change provided in Section 1 above.



MEETING OF APRIL 16, 2024

TO: Mayor Jordan and City Council

THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director

FROM: Jessica Masters, Development Review Manager

SUBJECT: **PZD-2024-0001: Planned Zoning District (3568 W. MOUNT COMFORT ROAD/HOLT VILLAGE, 323): Submitted by FLINTLOCK LTD CO. for property located at 3568 W. MOUNT COMFORT RD. in WARD 4. The property is zoned R-A, RESIDENTIAL AGRICULTURAL and CS, COMMUNITY SERVICES and contains approx. 16.72 acres. The request is to rezone the property to a PLANNED ZONING DISTRICT.**

RECOMMENDATION:

City Planning staff and the Planning Commission recommend approval of a request to rezone the subject property as described and shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:

The subject property is in northwest Fayetteville, northeast of the intersection of N. Ruppel Road and W. Mount Comfort Road and east of Holt Middle School. The site is largely undeveloped, but for one single-family home with associated outbuildings that were built in the late 1970s. In total, the property makes up approximately 18.4 acres, and is currently zoned R-A, Residential-Agricultural and CS, Community Services. The applicant is only pursuing a rezoning on 16.72 acres of the property. An access management variance was approved by the Planning Commission on March 11, 2024 for a reduced driveway separation distance along N. Ruppel Road. No overlay districts currently govern the site.

The applicant requests to rezone the property to a Residential Planned Zoning District with two Planning Areas, as described below:

- Planning Area #1 – Approx. 9.9 acres: Labeled as Neighborhood Zone A, the intention of this planning area is to provide primarily single- and two-family homes, with minimum lot widths of 25 feet and an intention for homes to be oriented along common greenspace to provide frontage to some of these single-family homes, rather than typical public streets. Building heights are limited to a maximum of three stories.
- Planning Area #2 – Approx. 6.9 acres: Labeled as Neighborhood Zone B, this planning area is intended for higher intensity uses than single- and two-family structures, and allows for single-, two-, three- and four-family dwellings by right, as well as multi-family dwellings. There is no stated density maximum, and minimum lot widths are set at 24 feet for single-family dwellings, and no lot width minimum for all other uses. Building heights are limited to a maximum of three stories.

Public Comment: To date, staff have received inquiries about the proposal, and one member of the public spoke at the Planning Commission meeting on March 25, 2024.

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov

Land Use Compatibility: Staff finds the applicant's request to be compatible with existing surrounding land uses. The property is surrounded by single-family to the north, a public school to the west, commercial development to the south and southeast, and another incoming school facility to the east. The proposed Neighborhood Zones demonstrate a sensitivity to the existing development pattern by lining the northern side of the property with single-family residential and transitioning inward to more dense and compact development. The dense and compact development is also offset by the insertion of greenspace and shared common open space. Staff finds that the lack of a density limitation means that more units and lots than are shown on the illustrative plans could be built, but that with other requirements such as public right-of-way dedication, parking, and drainage requirements, the density is likely to be limited to a manner that is compatible with surrounding uses. The limitation of building height to three stories also offers a good transition zone between the five story allowance of the CS zoning to the south and east and the three story allowance in areas of residential zoning to the north.

Land Use Plan Analysis: Staff finds that the request is consistent with the City's land use and zoning plans. Staff finds that the proposal meets City Plan 2040 goal by making appropriate infill a priority; the infill score for the site is within the medium range, so inserting single-, two-family, and even some low intensity multi-family here is complimentary with elements that make infill appropriate. Further, N. Ruppel Road and W. Mount Comfort Road is identified as a Tier 2 Center within City Plan 2040's Growth Concept Map. Tier 2 Centers are characterized by housing that ranges from one- to three- story detached dwellings, duplexes, row houses, and mid-rise apartments. The proposed PZD shows a sensitivity to the long-range land use plans for the area, and with the current land use surroundings that garners a recommendation of approval from staff.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a ranging infill score for the subject property of 5-7. The elements vary by the area of the property being considered, and include the following:

- Adequate Fire Response (Station 8, 2266 W. Deane Street)
- Near Sewer Main (8-inch, N. Ruppel Road, W. Lonoke Street and N. Caney Drive)
- Near Water Main (8-inch, N. Ruppel Road, W. Lonoke Street, and N. Caney Drive)
- Near Public School (Holt Middle School)
- Near City Park (Clabber Creek, Bryce Davis Park)
- Near Paved Trail (Clabber Creek)
- Appropriate Future Land Use (City Neighborhood Area)

DISCUSSION:

At the March 25, 2024 Planning Commission meeting, a vote of 6-0-1 forwarded the request to City Council with a recommendation of approval. Commissioner Gulley made the motion which was seconded by Payne; Commissioner McGetrick recused. Commissioners had little comment, but asked questions about drainage, traffic, and development standards, and staff clarified that those standards would be evaluated at the time of development. One member of the public spoke at the meeting who expressed support for additional housing in the area, especially housing that met the City Plan 2040 goals, but issued specific concerns about the amount of density this would contribute, adjacent neighborhood 1-story building heights and their relationship to the proposed 3-story building heights, concern about the proposed lot sizes and their compatibility with the adjacent neighborhood to the north, requested screening between the proposed development and the adjacent development, and commented that a traffic impact analysis would be appropriate for the Commission to consider.

BUDGET/STAFF IMPACT:

N/A

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Fayetteville, AR 72701

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ATTACHMENTS: SRF (#3), Exhibit A (#4), Exhibit B (#5), Planning Commission Staff Report (#6)



TO: Fayetteville Planning Commission

FROM: Jessie Masters, Development Review Manager

MEETING: March 25, 2024 **Updated with results from 3/25/2024 PC Meeting**

SUBJECT: **PZD-2024-0001: Planned Zoning District (3568 W. MOUNT COMFORT ROAD/HOLT VILLAGE, 323):** Submitted by FLINTLOCK LTD CO. for property located at 3568 W. MOUNT COMFORT RD. The property is zoned R-A, RESIDENTIAL AGRICULTURAL and CS, COMMUNITY SERVICES and contains approx. 16.72 acres. The request is to rezone the property to a **PLANNED ZONING DISTRICT.**

RECOMMENDATION:

Staff recommend forwarding **PZD-2024-0001** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

“I move to forward **PZD-2024-0001** to City Council with a recommendation of approval, with conditions as outlined by staff.”

BACKGROUND:

The subject property is in northwest Fayetteville, northeast of the intersection of N. Ruppel Road and W. Mount Comfort Road and east of Holt Middle School. The site is largely undeveloped, but for one single-family home with associated outbuildings that were built in the late 1970s. In total, the property makes up approximately 18.4 acres, and is currently zoned R-A, Residential-Agricultural and CS, Community Services. The applicant is only pursuing a rezoning on 16.72 acres of the property. An access management variance was approved by the Planning Commission on March 11, 2024 for a reduced driveway separation distance along N. Ruppel Road. No overlay districts currently govern the site. Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
South	Commercial/Undeveloped	CS, Community Services
East	Undeveloped/Pending Goddard School	R-A, Residential Agricultural; CS, Community Services
West	Holt Middle School/Mount Comfort Cemetery	P-1, Institutional; RSF-1, Residential Single-Family, 1 Unit per Acre

Proposal: The applicant requests to rezone the property to a Residential Planned Zoning District with three Planning Areas, as described below:

- **Planning Area #1 – 9.9 acres:** Labeled as Neighborhood Zone A, the intention of this planning area is to provide primarily single- and two-family homes, with minimum lot widths

of 25 feet and an intention for homes to be oriented along common greenspace to provide frontage to some of these single-family homes, rather than typical public streets. Building heights are limited to a maximum of three stories.

- **Planning Area #2 – 6.9 acres:** Labeled as Neighborhood Zone B, this planning area is intended for higher intensity uses than single- and two-family structures, and allows for single-, two-, three- and four-family dwellings by right, as well as multi-family dwellings. There is no stated density maximum, and minimum lot widths are set at 24 feet for single-family dwellings, and no lot width minimum for all other uses. Building heights are limited to a maximum of three stories.

Public Comment: Staff have not received any public comment on this request.

INFRASTRUCTURE:

Streets: The request area has frontage along N. Ruppel Road, W. Lonoke Street, and N. Caney Drive. N. Ruppel Road is a partially improved regional link street with asphalt paving, having one lane in each direction with a two-way left turn lane, curb and gutter, drainage infrastructure, greenspace, and concrete paved trail along the west side of the street. W. Lonoke Street and N. Caney Drive are fully improved residential link streets with asphalt paving, curb and gutter, greenspace, and sidewalks on both sides. The portion of the overall subject property that is not part of this request has frontage to W. Mount Comfort Road. W. Mount Comfort Road is an improved regional high activity link street with asphalt paving, having two drive lanes in each direction, curb and gutter, drainage infrastructure, greenspace, and sidewalk on both sides of the street along this property's frontage. Any street improvements or required drainage improvements in these areas would be determined at the time of development proposal.

Water: Public water is available to the subject area. There is an existing 8-inch water main present along the west side of North Ruppel Road with an 8-inch water main crossing extending to the southwest corner of the subject property. There are existing 8-inch water mains present in W. Lonoke Street and N. Caney Drive that future development may connect to with new water main extensions. The portion of the property that is not part of this request also has access to an existing 12-inch water main on the south side of W. Mount Comfort Road.

Sewer: Sanitary sewer is available to the subject area. There is an existing 8-inch sanitary sewer main on the west side of N. Ruppel Road at the northwest corner of the subject area. There are existing 8-inch sanitary sewer mains present in utility easements along W. Lonoke Street and N. Caney Drive that future development may connect to with new sewer main extensions. The portion of the property that is not part of this request also has access to an existing 8-inch sanitary sewer main on the north side of W. Mount Comfort Road. A downstream sewer capacity analysis in accordance with the current edition of the City's Standard Specifications for Design and Construction of Water Lines and Sewer Lines must be included with the development entitlement submittal to determine if there is adequate capacity within the existing sewer system. The developer shall perform any downstream sewer upgrades to accommodate any additional capacity necessitated by the development.

Drainage: No portion of the subject area lies within a FEMA floodplain, there is no protected stream present, and the property is outside of the Hillside-Hilltop Overlay District. No hydric soils are present in the area. Any additional improvements or requirements for drainage will be determined at time of development.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 8, located at 2266 W Deane St., protects this site. The property is located approximately 1.5 miles from the fire station with an anticipated drive time of approximately 3 minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

Police: The Police Department did not comment on this request.

Tree Preservation:

The proposed PZD, Residential Planned Zoning District, requires **25% minimum canopy preservation**. The current zoning district R-A, Residential-Agricultural requires **25% minimum canopy preservation**; CS, Community Services requires **20% minimum canopy preservation**.

CITY PLAN 2040 FUTURE LAND USE PLAN: City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **City Neighborhood**.

City Neighborhood Areas are more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single-family to multi-family. Non-residential and commercial uses are primarily located at street intersections and along major corridors. Ideally, commercial uses would have a residential component and vary in size, variety and intensity. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Building setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a ranging infill score for the subject property of 5-7, which translates to a weighted score of **7.5**. The elements vary by the area of the property being considered, and include the following:

- Adequate Fire Response (Station 8, 2266 W. Deane Street)
- Near Sewer Main (8-inch, N. Ruppel Road, W. Lonoke Street and N. Caney Drive)
- Near Water Main (8-inch, N. Ruppel Road, W. Lonoke Street, and N. Caney Drive)
- Near Public School (Holt Middle School)
- Near City Park (Clabber Creek, Bryce Davis Park)
- Near Paved Trail (Clabber Creek)
- Appropriate Future Land Use (City Neighborhood Area)

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: *Land Use Compatibility:* Staff finds the applicant's request to be compatible with existing surrounding land uses. The property is surrounded by single-family to the north, a public school to the west, commercial development to the south and southeast, and another incoming school facility to the east. Staff finds the insertion of varying types of residential uses to be compatible with the surrounding area; the proposed Neighborhood Zones demonstrate a sensitivity to the existing development pattern by lining the northern side of the property with single-family residential and transitioning inward to more dense and compact development. The dense and compact development is also offset by the insertion of greenspace and shared common open space. Staff finds that the lack of a density limitation means that more units and lots than are shown on the illustrative plans could be built, but still finds that with other requirements such as public right-of-way dedication, parking, and drainage requirements, that the density is still likely to be limited in a manner that is compatible with surrounding uses. The limitation of building height to 3 stories also offers a good transition zone between the CS zoning to the south and east and the residential zoning to the north.

Land Use Plan Analysis: Staff finds that the request is consistent with the City's land use and zoning plans. Staff finds that the proposal meets City Plan 2040 goal by making appropriate infill a high priority; the infill score for the site is within the medium range, so inserting single-, two-family, and even some low intensity multi-family here is compatible with the infill score for the site. Further, N. Ruppel Road and W. Mount Comfort Road is identified as a Tier 2 Center, which are characterized by housing that ranges from one- to three- story detached dwellings, duplexes, row houses, and mid-rise apartments. The proposed PZD shows a sensitivity to the long-range land use plans for the area, and with the current land use surroundings that garners a recommendation of approval from staff.

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

Finding: Staff finds that the proposed rezoning is justified. Maintaining the R-A zoning at this site is not compatible with current land use surroundings, or with long-term City goals.

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

Finding: The proposed PZD is not likely to have a significant impact on traffic danger or congestion in the area. The proposal intends to meet overall connectivity and access management requirements, and staff finds that the opportunities for connectivity allow for the general disbursement of traffic, rather than traffic funneling into one specific location.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: The proposed PZD would alter population density in the area as opposed to keeping the property zoned R-A, but staff does not find that this would be to an undesirable level. New sewer and water lines would be required to be extended to the proposed development, at a cost that would be borne by the developer. Additionally, a sewer capacity analysis may need to occur during an associated development plan. Fayetteville Public Schools did not comment on the request, though it is worth noting again that this site is directly across the street from Holt Middle School. The applicant has indicated (and a condition was approved by the Planning Commission requiring it) an enhanced pedestrian crossing from this development to the school across the street.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
 - a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

Sec. 161.35. Planned Zoning Districts (PZD)

(B) *Purpose.* The intent of the Planned Zoning District is to permit and encourage comprehensively planned zoning and developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or mixed-use planned development and to permit the concurrent processing of zoning and development. The City Council may consider any of the following factors in review of a Planned Zoning District application.

- (1) *Flexibility.* Providing for flexibility in the distribution of land uses, in the density of development and in other matters typically regulated in zoning districts.
- (2) *Compatibility.* Providing for compatibility with the surrounding land uses.
- (3) *Harmony.* Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community.
- (4) *Variety.* Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities.
- (5) *No negative impact.* Does not have a negative effect upon the future development of the area;
- (6) *Coordination.* Permit coordination and planning of the land surrounding the PZD and cooperation between the city and private developers in the urbanization of new lands and in the renewal of existing deteriorating areas.

- (7) *Open space.* Provision of more usable and suitably located open space, recreation areas and other common facilities that would not otherwise be required under conventional land development regulations.
- (8) *Natural features.* Maximum enhancement and minimal disruption of existing natural features and amenities.
- (9) *Future Land Use Plan.* Comprehensive and innovative planning and design of mixed use yet harmonious developments consistent with the guiding policies of the Future Land Use Plan.
- (10) *Special Features.* Better utilization of sites characterized by special features of geographic location, topography, size or shape.
- (11) *Recognized zoning consideration.* Whether any other recognized zoning consideration would be violated in this PZD.

Findings: As outlined in previous findings, staff finds that the proposal is generally in line with the factors that may be considered with a Planned Zoning District. The proposed PZD is particularly well suited to meet the flexibility, harmony, no negative impact, and natural feature tenets of the ordinance.

RECOMMENDATION: Staff recommends forwarding **PZD-2024-0001** to City Council, with a recommendation of approval, with conditions as outlined below.

Conditions of Approval:

- 1. Parkland dedication/proposed fees-in-lieu must be reviewed by Parks and Recreation Advisory Board with the associated development;
- 2. Any proposed lots without street frontage shall provide adequate access for water, sewer, and emergency services; and
- 3. Proposed fire apparatus access roads shall meet requirements as stated by all applicable fire codes.

Planning Commission Action:	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Tabled	<input type="checkbox"/> Denied
Meeting Date: <u>March 25, 2024</u>	with all conditions as recommended by staff		
Motion: Gulley			
Second: Payne			
Vote: 6-0-1 (McGetrick recused)			

BUDGET/STAFF IMPACT:

None

Attachments:

- Urban Forestry Memo
- Applicant Request Letter
- PZD Booklet
- One Mile Map
- Close Up Map
- Current Land Use Map
- Future Land Use Map



Urban Forestry Memo

TO: Technical Plat Review

THRU: Jessie Masters, Development Review Manager

FROM: Melissa Evans, Urban Forester

MEETING DATE: February 28, 2024

SUBJECT: **PZD-2024-0001: Holt Village:** Submitted by FLINTLOCK LTD CO. for property located at 3568 W. MOUNT COMFORT ROAD. The property is split zoned R-A, RESIDENTIAL AGRICULTURAL and contains approximately 18.4 acres. The request is for the property to be zoned PZD, PLANNED ZONING DISTRICT.

RECOMMENDATION:

Urban Forestry Staff recommends the approval of PZD-2024-0001 since the PZD booklet essentially states that Chapter 167 Tree Preservation and Protection and Chapter 177 Landscape Regulations requirements will be met. The required minimum existing tree canopy coverage is 25% for PZDs.

Though there are not many trees on the site with the exception of the perimeters, it is highly recommended that as many trees be preserved as possible to meet the requirement, and that buildings, parking, utilities, and other infrastructure elements be designed around the trees. According to the PZD booklet, this is the approach the developer and designer will take.

Chapter 177 Landscape Regulations must be met also, including street trees along public or private streets. The PZD booklet says that the project will comply with the landscape standards of the City of Fayetteville.

ATTENTION:

Fayetteville Planning Commission
Planning Staff
Development Services Staff

14 February, 2024

HOLT VILLAGE PZD SUBMISSION

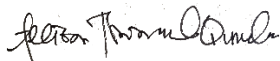
Dear Commissioners and Staff,

Flintlock LTD Co on behalf of Landmarc Custom Homes respectfully submits this Planned Zoning District (PZD) application for your consideration. The proposed +/- 125 residential unit development aims to provide a mix of housing types in a walkable neighborhood format that prioritizes common green space. This proposed development ideally serves the surrounding neighborhood and City goals by sensitively transitioning density from the north to the south through a mixture of unit types offering abundant green space, walkability, and community potential.

The proposed development is wholly in line with the City Plan 2040's primary goals of compact, complete, and connected growth which is intentional, sustainable, and mixed use. Transit ready and commercial supportive densities are provided, and housing is centered on low impact development stormwater features.

We believe, and hope you agree, that this development will contribute to the community of Fayetteville and its aspirations for the future.

Respectfully,
FLINTLOCK LTD CO



Allison Thurmond Quinlan
AIA RLA LEED AP
Principal Architect

Holt Village Planned Zoning District

FEBRUARY 29, 2024

A

Ownership

Landmarc Custom Homes, LLC
1224 S Maetsri Rd, Springdale AR 72762

PREPARED BY FLINTLOCK LTD CO

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B
Project Summary

The proposed +/- 125 residential unit development aims to provide a mix of housing types in a variety of formats structured in a walkable neighborhood format, with a central linear storm park lined by park-facing townhomes. The development will include three parcels (765-13589-000, 765-13593-000, and 765-13593-002) totaling around 16.7 acres. The entire site is shown as City Neighborhood area on the Future Land Use Map with midrange infill score potentials across the site. The property is served by existing adequate water and sewer facilities in Mt Comfort Road to the south, Ruppelle Road to the west, and W Lonoke to the north and northeast. This proposed development ideally serves the surrounding neighborhood and City goals by sensitively transitioning density from the north to the south through a mixture of unit types offering abundant green space, walkability, and community potential.



Site Location Approximate location as seen aerially from the southwest ; N Ruppel Rd and W Mount Comfort Rd seen in foreground



Buffer Areas	The proposed development provides a landscape buffer along the northern boundary and residential lots similar in size and setback to the adjacent existing lots. Smaller home lots face Ruppel and the commercial development to the south, which transition to townhouses against the parcel to the southeast, which is intended to become a clustered massing of small multifamily along Mount Comfort concurrent with this development.
Tree Preservation Areas	The property's long-term use for intensive agriculture has left little existing tree canopy except at the edges of the property. The site plan's geometry aligns to tree preservation plans to respect these existing fence line trees and the site's natural topography.
Storm Water and Detention Areas	The site contains a large high point roughly in the center. Three stormwater facilities will be provided at the low points at the northwestern property boundary, the northeastern property corner, and adjacent the multifamily and townhouse properties along Mount Comfort. A linear storm park running north / south on the western half of the property directs storm flow through grassed swales as a landscape amenity to slow water flow and remove sediment in planting areas.
Undisturbed Natural Areas	The site is almost entirely previously disturbed by long term agricultural use and use as an airfield for a number of years. Some existing larger trees and more natural areas along the northern property line will be preserved.
Existing and Proposed Utility Connections and Extensions	Existing utilities are well provided and further discussed in Section M: Impacts to City Services

D
Proposed Planning Areas

The proposed Neighborhood Zones would replace existing Residential-Agriculture Zoning on approximately 16.2 acres of the site and Community Services Zoning on approximately ½ an acre of the site at the southwest corner adjacent to Kum and Go. Neighborhood Zone A accounts of approximately 9.9 acres of the site, and Neighborhood Zone B accounts for approximately 6.9 acres of the site.



E

Proposed Zoning Standards

Neighborhood Zone A

(A) *Purpose.*

- Provide an appropriately flexible neighborhood buffer to commercial, institutional, and single family residential uses
- Create a flexible neighborhood pattern with a variety of adaptable building types limited by mass and height rather than use or unit numbers;
- Promote and maintain the development of diverse housing types at a range of sizes and price points for a range of household arrangements to meet the needs of all citizens in all phases of life;
- Allow more efficient and flexible use of existing and new housing stock at appropriate densities to support the long term maintenance of required infrastructure;

(B) *Intent.* Planning staff shall evaluate the following criteria for suitability of uses in the Neighborhood Zone A:

- (1) The property shall have infrastructure (water, sewer, gas, electric, etc.) that meets City standard, in the minimum easements and land encumbrances to ensure practical maintainability and access to all units without restricting future adaptations of site usage;
- (2) The form and massing of buildings should be scaled and detailed to create an inviting and timeless neighborhood pattern;
- (3) Block structure should be compact and connected, with a preference for alleys and pedestrian pathways creating additional mid-block connectivity and flexibility;
- (4) Buildings should address the street appropriately with visible pedestrian entries on the primary façade connected to pedestrian pathways;
- (5) Parking and car connectivity should be secondary to safe, walkable, adaptable block structure and building usage
- (6) Building setbacks from the street should be minimized wherever possible to shorten the length of utility service lines and minimize maintenance and leakage potential;
- (7) Side yards are encouraged to be minimized unless functionally useful for building occupants or necessary for services like trash, stormwater, and utility pedestals. This allows additional units to be provided and reduces the length of infrastructure required to serve each unit, creating more financially sustainable neighborhoods;

Proposed Zoning Standards

(C) *Uses.*

(1) *Permitted Uses*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 24	Home occupations

Unit 41	Accessory dwelling units
Unit 44	Cluster housing development

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited business
Unit 13	Eating places
Unit 16	Shopping goods
Unit 19	Commercial recreation, small sites
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 45	Small scale production
Unit 46	Short-term rentals

(D) *Density.* None.

(E) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.* 24 feet

** Legal lots may meet their minimum lot width with frontage onto a private or public right of way, public or private open space, or pedestrian access (sidewalk or trail) as long as adequate utility easements and access and safe and convenient access for fire protection and sanitation vehicles exists.*

(2) *Lot Area Minimum.* None.

(F) *Setback regulations.*

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
Side	5 feet
Rear	5 feet
Rear, from center line of an alley	12 feet

(G) *Building Height Maximum.* 3 stories

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

Neighborhood Zone B

(A) *Purpose.*

- Create a flexible neighborhood pattern with a variety of adaptable building types limited by mass and height rather than use or unit numbers;
- Promote and maintain the development of diverse housing types at a range of sizes and price points for a range of household arrangements to meet the needs of all citizens in all phases of life;
- Allow more efficient and flexible use of existing and new housing stock at appropriate densities to support the long term maintenance of required infrastructure;

(B) *Intent.* Planning staff shall evaluate the following criteria for suitability of uses in the Neighborhood Zone B:

- (1) The property shall have infrastructure (water, sewer, gas, electric, etc.) that meets City standard, in the minimum easements and land encumbrances to ensure practical maintainability and access to all units without restricting future adaptations of site usage;
- (2) The form and massing of buildings should be scaled and detailed to create an inviting and timeless neighborhood pattern;
- (3) Block structure should be compact and connected, with a preference for alleys and pedestrian pathways creating additional mid-block connectivity and flexibility;
- (4) Buildings should address the street appropriately with visible pedestrian entries on the primary façade connected to pedestrian pathways;
- (5) Parking and car connectivity should be secondary to safe, walkable, adaptable block structure and building usage
- (6) Building setbacks from the street should be minimized wherever possible to shorten the length of utility service lines and minimize maintenance and leakage potential;
- (7) Side yards are encouraged to be minimized unless functionally useful for building occupants or necessary for services like trash, stormwater, and utility pedestals. This allows additional units to be provided and reduces the length of infrastructure required to serve each unit, creating more financially sustainable neighborhoods;

Proposed Zoning Standards

(C) *Uses.*

(1) *Permitted Uses*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 41	Accessory dwelling units
Unit 44	Cluster housing development

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 12a	Limited business
Unit 13	Eating places
Unit 16	Shopping goods
Unit 19	Commercial recreation, small sites
Unit 25	Offices, studios and related services
Unit 45	Small scale production
Unit 46	Short-term rentals

(D) *Density.* None.

(E) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family	24 feet
All other uses	None

* *Legal lots may meet their minimum lot width with frontage onto a private or public right of way, public or private open space, or pedestrian access (sidewalk or trail) as long as adequate utility easements and access and safe and convenient access for fire protection and sanitation vehicles exists.*

(2) *Lot Area Minimum.* None.

(F) *Setback regulations.*

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
Side	None
Rear	5 feet
Rear, from center line of an alley	12 feet

(G) *Building Height Maximum.* 3 stories

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

F

Existing Property Zoning Standards

161.03 District R-A, Residential-Agricultural

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 20	Commercial recreation, large sites
Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

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

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

(E) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

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

(G) *Building area.* None.

161.22 Community Services

(A) *Purpose.* The Community Services District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas and is intended to provide for adaptable mixed use centers located along commercial corridors that connect denser development nodes. There is a mixture of residential and commercial uses in a traditional urban form with buildings addressing the street. For the purposes of Chapter 96: Noise Control, the Community Services district is a commercial zone. The intent of this zoning district is to provide standards that enable development to be approved administratively.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 15	Neighborhood Shopping goods
Unit 24	Home occupations
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 40	Sidewalk Cafes
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
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Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Dwelling	18 feet
All others	None

(2) *Lot Area Minimum.* None.

(E) *Setback regulations.*

Front:	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.
Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	5 stories
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(G) *Minimum Buildable Street Frontage.* 50% of the lot width.

Holt Village Planned Zoning District

Zoning Comparison Chart

	CURRENT		PROPOSED	
	R-A: Residential Agriculture	CS: Community Services	Neighborhood Zone Planning Area A	Neighborhood Zone Planning Area B
PERMITTED USES	1. City-wide uses by right 3. Public protection and utility facilities 6. Agriculture 7. Animal husbandry 8. Single-family dwellings 9. Two-family dwellings 37. Manufactured homes 41. Accessory dwellings 43. Animal boarding and training 46. Short-term rentals	1. City-wide uses by right 4. Cultural and recreational facilities 5. Government facilities 8. Single-family dwellings 9. Two-family dwellings 10. Three (3) and four (4) family dwellings 13. Eating places 15. Neighborhood Shopping goods 24. Home occupations 25. Offices, studios and related services 26. Multi-family dwellings 40. Sidewalk Cafes 41. Accessory dwellings 44. Cluster Housing Development 45. Small scale production 46. Short-term rentals	1. City-wide uses by right 8. Single-family dwellings 9. Two-family dwellings 24. Home occupations 41. Accessory dwelling units 44. Cluster housing development	1. City-wide uses by right 8. Single-family dwellings 9. Two-family dwellings 10. Three (3) and four (4) family dwellings 24. Home occupations 26. Multi-family dwellings 41. Accessory dwelling units 44. Cluster housing development
CONDITIONAL USES	2. City-wide uses by conditional use permit 4. Cultural and recreational facilities 5. Government facilities 20. Commercial recreation, large sites 24. Home occupations 35. Outdoor Music Establishments 36. Wireless communications facilities 42. Clean technologies	2. City-wide uses by conditional use permit 3. Public protection and utility facilities 14. Hotel, motel and amusement services 16. Shopping goods 17. Transportation, trades and services 18. Gasoline service stations and drive-in/drive-through restaurants 19. Commercial recreation, small sites 28. Center for collecting recyclable materials 34. Liquor stores 35. Outdoor music establishments 36. Wireless communication facilities* 42. Clean technologies	2. City-wide uses by conditional use permit 3. Public protection and utility facilities 4. Cultural and recreational facilities 5. Government facilities 10. Three (3) and four (4) family dwellings 12a. Limited business 13. Eating places 16. Shopping goods 19. Commercial recreation, small sites 25. Offices, studios and related services 26. Multi-family dwellings 45. Small scale production 46. Short-term rentals	2. City-wide uses by conditional use permit 3. Public protection and utility facilities 4. Cultural and recreational facilities 5. Government facilities 12a. Limited business 13. Eating places 16. Shopping goods 19. Commercial recreation, small sites 25. Offices, studios and related services 45. Small scale production 46. Short-term rentals
DENSITY	One-half (1/2)	None	None	None
LOT WIDTH MIN. (FT)	200	18 (Residential) None (all others)	24 (Single-family) * Legal lots may meet their minimum lot width with frontage onto a private or public right of way, public or private open space, or pedestrian access (sidewalk or trail) as long as adequate utility easements and access and safe and convenient access for fire protection and sanitation vehicles exists.	24 (Single-family) None (all others) * Legal lots may meet their minimum lot width with frontage onto a private or public right of way, public or private open space, or pedestrian access (sidewalk or trail) as long as adequate utility easements and access and safe and convenient access for fire protection and sanitation vehicles
LOT AREA MIN. (SF)	2 acres	None	None	None
FRONT SETBACK (FT)	35	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.	A build-to zone that is located between the front property line and a line 25 feet from the front property line.	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
SIDE SETBACK (FT)	20	None	5	None
REAR SETBACK (FT)	35	None 15 (when contiguous to a single-family residential district)	5 12 (from center line of an alley)	5 12 (from center line of an alley)
BUILDING HEIGHT	There shall be no maximum height limits in the R-A District, provided, however, if a building exceeds the height of one (1) story, the portion of the building over one (1) story shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over one (1) story shall be equal to the difference between the total height of that portion of the building and one (1) story.	5 Stories	3 Stories	3 Stories
MAX. BUILDING AREA (%)	None	50% of lot width	50% of lot width	50% of lot width

G

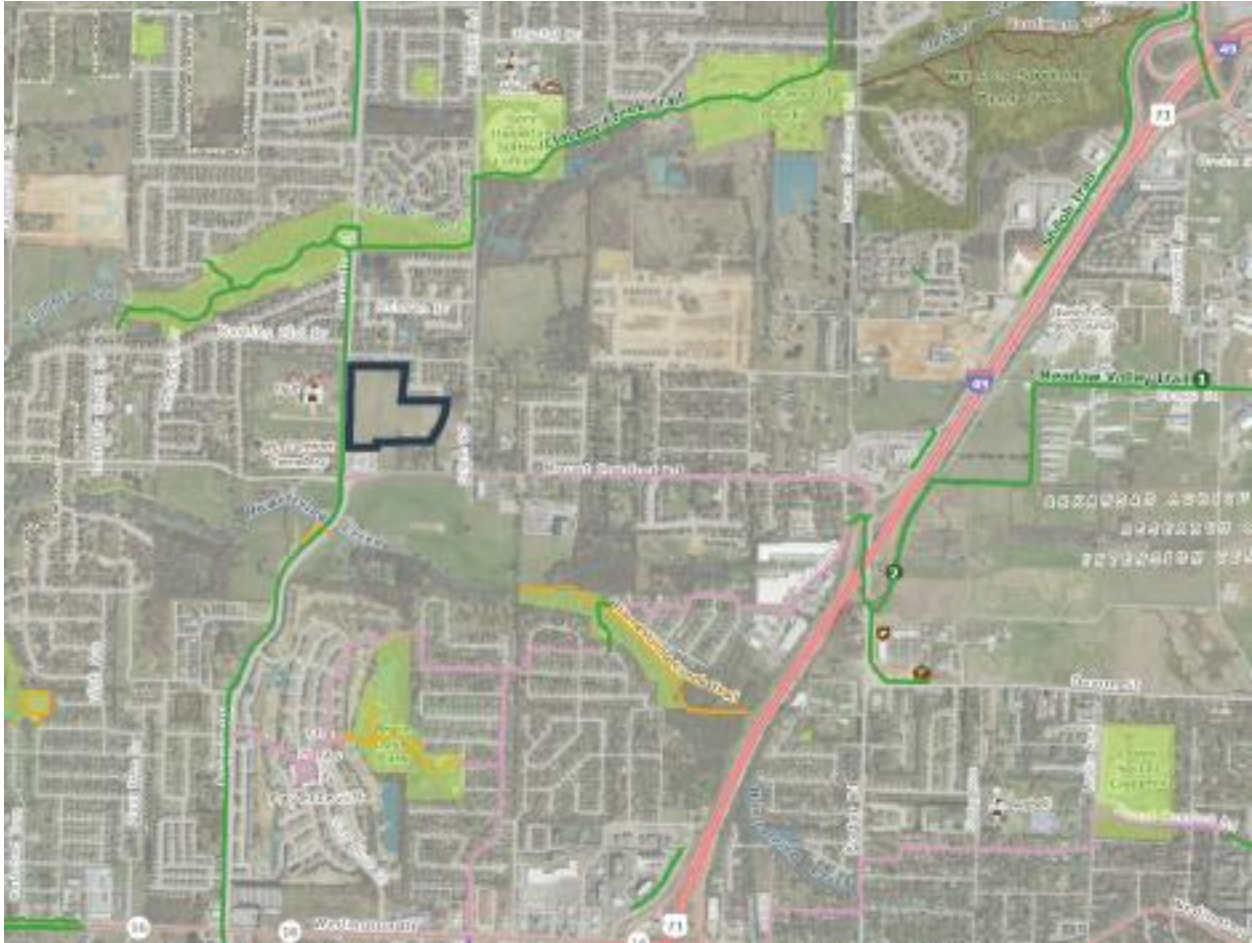
Analysis of Site Characteristics

The existing site contains a gentle high point roughly in the center, falling gradually away to Clabber Creek to the north and Hamestring Creek to the south. The property is relatively level for Fayetteville and has been cleared and intensively farmed since at least the middle of the last century based on aerial photos. The site does not include hydric soils, historic wet prairie, or other sensitive ecologies. It is also outside the floodway of both adjacent creeks.



H Recreational Facilities

The proposed development includes a large linear park for passive recreation and is walkable to the extensive Clabber Creek park and the future Underwood Park facilities. The site is located along the Clabber Creek trail connection to Mount Comfort. It is also walkable to both Holt Middle School (directly across the street) and Holcomb Elementary School ½ a mile to the north.



I

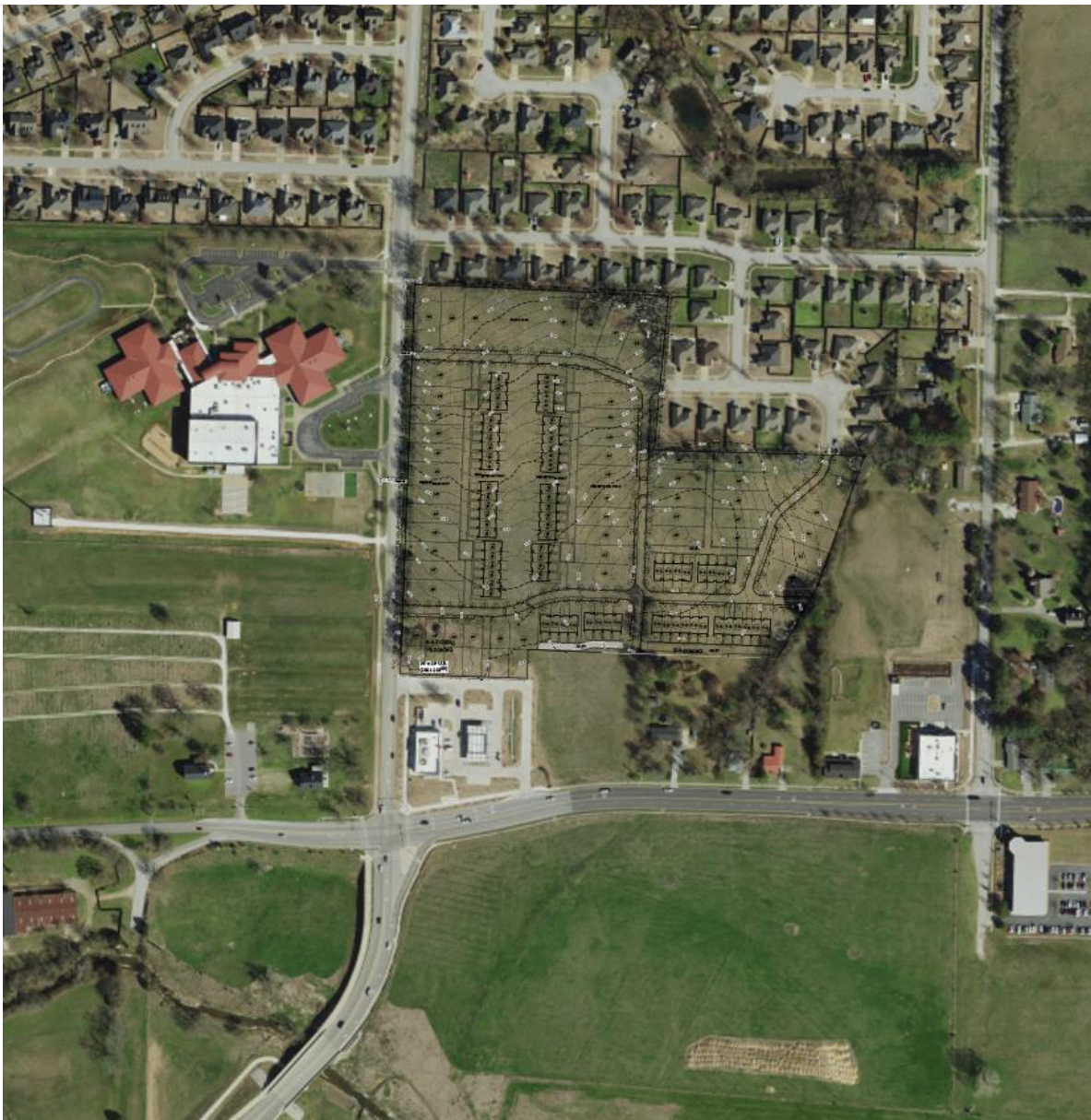
Reasons a Zoning Change is Required

The current zoning of Residential - Agriculture that governs most of the site (+/- 16.6 acres out of +/- 18.4 total acres) is not suitable to fulfill the City's needs for housing its rapidly increasing population or its goals for this specific area as a Tier 2 and Tier 3 center on Fayetteville's Growth Concept Map. Additionally, the walkable and mixed unit development proposed here is the kind of development described in the City Plan 2040 that creates livable communities that require less investment in infrastructure by the City. Refer to Sections J and K following this section for more discussion of these elements.

J

Relation to Existing and Surrounding Properties

The surrounding properties are a mix of single family residential to the north, commercial uses along the arterial Mount Comfort corridor, and institutional uses to the west with Holt Middle School and Mount Comfort Presbyterian Church. The proposed neighborhood lines the single-family adjacencies with traditional residential lots. Smaller home lots face the institutional uses to the west, while a small cluster of multifamily masses are located along Mount Comfort. The mixed unit type neighborhood provides a natural variety of housing product and price points with intensity stepped down from existing single family home lots to multifamily along Mount Comfort. Refer to Section K following this section for discussion of how this transition of density and use is ideally appropriate for both realizing City planning goals and providing services to the surrounding community.



K

Project Compliance with Fayetteville Comprehensive Land Use Plan + City Plan 2040

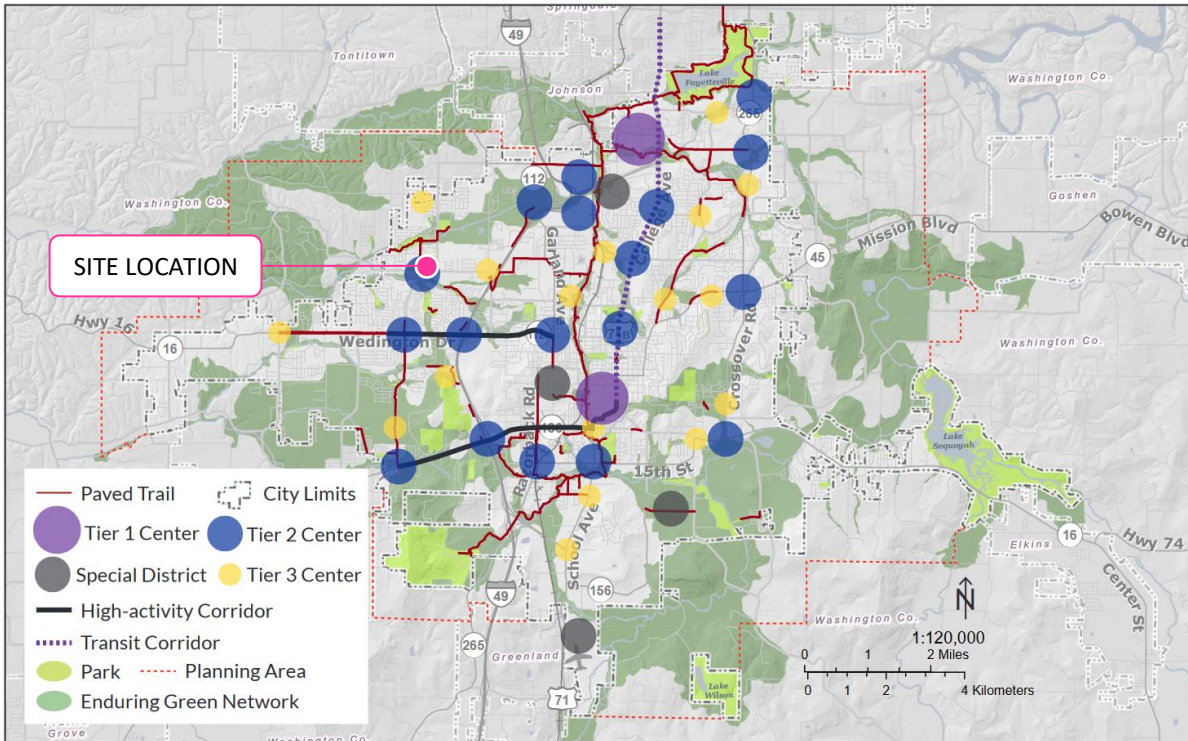


Figure 2.0 - Growth Concept Map

The project site is part of both a planned Tier 2 Center at Mount Comfort and Ruppel and a planned Tier 3 Center at Mount Comfort and Salem Road.

The project site is on the outside shoulder of a Tier Two center, a smaller scale urban with fewer services, residents, and jobs than Tier One Centers. Tier Two Centers largely exist to provide services and employment to residents within two to three miles. They are characterized by housing that ranges from one- to three-story detached dwellings, duplexes, row houses, and mid-rise apartments. Commercial uses will be mixed-use and office buildings. The adjacencies of Holt Middle School directly to the west and low density single-family to the north make commercial services and multifamily more jarring along the western edge of the site and render the moderate density residential use proposed here ideal.

Tier Three Centers are intended to serve the immediately surrounding residential areas and will cater to the specific needs of a small market. As a result, no two will be the same. Some may be characterized by one or two commercial and/or multi-family buildings located on a single intersection while others develop into a mixed-use core extending over multiple blocks and serving a broad mix of housing. The nodal nature of Tier Three Centers are important for providing a unique sense of place to a neighborhood. Tier Three Centers shown on The Growth Concept Map are not intended to be inclusive of all non-residential services that may be identified at a neighborhood-scale analysis. Neighborhood-scale and micro-retail locations are embedded within the general land use policies discussed throughout City Plan, not on the Growth Concept Map. The project site is also located with frontage on a High Activity Corridor along Mount Comfort.

The proposed development is wholly in line with the City Plan 2040's primary goals of compact, complete, and connected growth which is intentional, sustainable, and mixed use. Transit ready and commercial supportive densities are provided, and housing is centered on low impact development stormwater features.

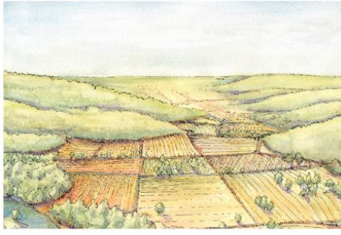


Figure 3.4 - Rural

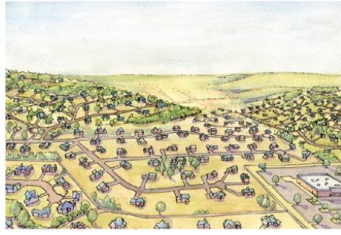


Figure 3.5 - Suburban Sprawl



Figure 3.6 - Traditional Development

Goal 3 Objectives

3.3.1 *Require new growth that results in neighborhoods, districts and corridors that are:*

- **Compact** – via denser housing; meaningful open spaces and preserves; small blocks
- **Complete** – via housing; mixed uses; civic uses; jobs-housing mix in the neighborhoods
- **Connected** – via street-oriented buildings; interconnected streets; interconnected greenways and trails

3.3.2 *Prepare a transit-worthy community: increase density in highly walkable areas along logical future transit routes, and anticipate rail, street cars and other alternative transit modes.*

The 71B College Avenue Corridor Plan provides a framework for incrementally re-developing this major thoroughfare into a series of inter-connected and livable mixed-use districts. The City can provide redevelopment catalyst by making capital investments in increased street, sidewalk and trail connectivity.

3.3.3 *Increase the viability of businesses by leveraging the economic performance of appealing environments that are mixed-use, walkable, and integrated with green space.*

The Razorback Regional Greenway illustrates the ability of the City to leverage capital investments in trail infrastructure to drive economic development. The City created the Fayetteville Alternative Transportation and Trail Plan in 2003 and began building the Scull Creek Trail with \$2.1 million in funding provided by a bond issue passage. Additional yearly Capital Improvement Project funding of \$1.3 million annually was used to build-out the remainder of the trail. The economic development catalyst that the trail provided is evidenced by the residential and commercial development occurring in nodes along the trail spine in south Fayetteville, throughout downtown/Dickson Street, in mid-town around Poplar Street, and throughout the uptown district along Mud Creek.

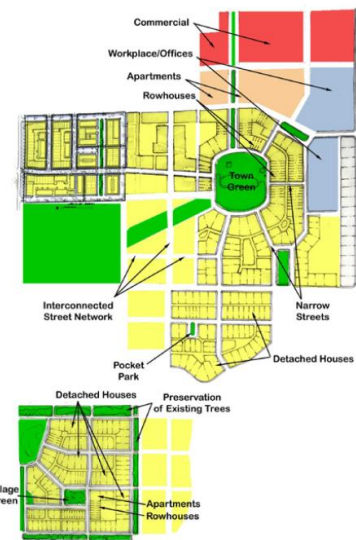


Figure 3.10 - Example Development Layout



Figure 3.11 - Example Development Layout



The Proposed development’s location within a City Neighborhood Area (rather than the less intensive Residential Neighborhood Area) reflects the increased density and emphasis on walkability that is required to support the Tier Center and Transit Readiness Goals of the City. City Neighborhood Areas are more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single-family to multi-family. Non-residential and commercial uses are primarily located at street intersections and along major corridors. Ideally, commercial uses would have a residential component and vary in size, variety and intensity. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Building setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

City Neighborhood Areas encourage complete, compact and connected neighborhoods and are intended to serve the residents of Fayetteville, rather than a regional population. While they encourage dense development patterns, they do recognize existing conventional strip commercial development and their potential for future redevelopment in a more efficient urban layout. The guiding policies for City Neighborhood Areas are:

- Protect adjoining properties from the potential adverse impacts associated with non- residential uses adjacent to, and within, residential areas with proper mitigation measures that address scale, massing, traffic, noise, appearance, lighting, and drainage.
- Provide non-residential uses that are accessible for the convenience of individuals living in residential districts and where compatibility with existing development patterns is desired.
- Reduce the length and number of vehicle trips generated by residential development by enhancing the accessibility to these areas. Walkability should be integral to the design of the street and neighborhood shopping should be within a reasonable walking distance from residential uses.

- Encourage developers to designate and plan for mixed-use corners at the time of approval to properly plan for accessibility to these areas.
- Encourage pedestrian-friendly mixed-use buildings with transparent glass for commercial uses at street level and building entrances that address and connect to the street and sidewalk.
- Encourage a block and street layout that promotes walkable, bicycle friendly street designs with slow design speeds
- Encourage mixed-use development that is sensitive to surrounding residential uses and allows for day and night utilization of available parking.
- Utilize principles of traditional residential urban design to create compatible, livable and accessible neighborhoods.
- Encourage properties to redevelop in an urban form utilizing form-based zoning designations.
- Protect and restore Fayetteville’s outstanding residential architecture of all periods and styles.
- Utilize the Master Street Plan and incorporate bike lanes, parkways and landscaped medians to preserve the character of the City and enhance the utilization of alternative modes of transportation.
- Manage non-residential development within and adjoining residential neighborhoods to minimize nuisances.
- Minimize through traffic on minor residential streets, while providing connections between neighborhoods to encourage openness and neighborliness.

Additionally, this proposed development aligns with the City’s 2013 Wedington Corridor Plan by providing missing middle housing types, offering better pedestrian crossings within the neighborhood, enhancing walkability, providing infill housing and infill neighborhood services, and creating accessible open spaces.

EXAMPLES OF “MISSING MIDDLE” HOUSING



Duplex bungalow

Modern duplex



Rowhouse

Townhome



Fourplex

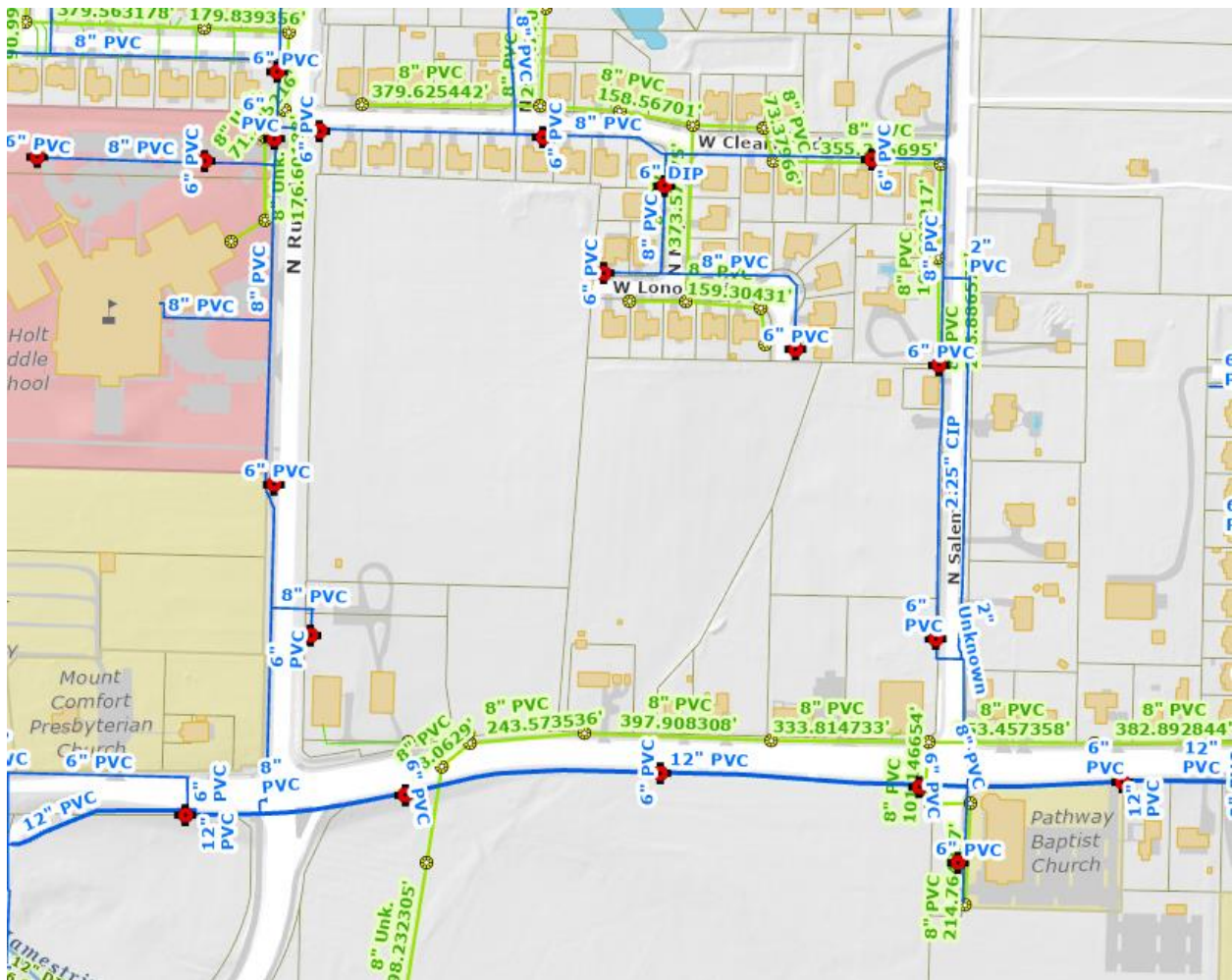
Bungalow court

L Traffic Study

A traffic study has not been deemed necessary at this time. Off Site Improvements will be determined at the time of development review.

M Impacts on City Services

The development in question would add public water, sewer and street improvements to the city as well as add to the sidewalk connectivity to the city's network. The project would also require trash service, fire department services, and police services. A local engineering firm, Bates and Associates, states that the city cannot provide a letter guaranteeing any project service until that project has been approved, but it is their opinion that the public sewer and water infrastructure has more than enough capacity to feed this proposed PZD. This is primarily because of the major upgrades in the sewer and water system in the area within the last decade, this area not being dense, and being close to town. Thus, it is reasonable to assume that there are no indicators of capacity issues. Existing utility connections are shown below.



N

Development Standards, Conditions, and Review Guidelines

Screening and Landscaping, Traffic and Circulation, Parking Standards, Perimeter Treatment, Sidewalks, Streetlights, Water, Sewer, Streets and Drainage, Construction of Non-Residential Facilities, Tree Preservation, Architectural Design Standards, Proposed Signage, and View Protection will follow City of Fayetteville Unified Development Code Standards, except as differentiated below.

Proposed Architectural Design Standards

Building Elevations will be submitted at the time of development and will meet the following requirements.

- (A) *Purpose.* The intent of this ordinance is to encourage timeless architectural form through the use of quality design and materials. The goal of the code is to promote functional architecture that creates attractive and usable space.
- (B) *Applicability.* The Architectural Design Standards are applicable in the following instances:
 - (1) If a conflict occurs between different standards, these standards shall supersede the City's Nonresidential Design Standards; Office, and Mixed Use Design and Development Standards in the Downtown Design Overlay District and College Avenue Overlay District.
 - (2) All new construction, additions or renovations shall comply with these standards regardless of whether the improvements require a permit; ordinary repairs and maintenance are not subject to these standards. Specifically, only the new construction or portions of the building that are being renovated shall comply with these standards.
 - (3) Building designs that strictly comply with these standards are to be considered approved for matters of aesthetics and shall not require further discretionary review for architectural character or appearance.
 - (4) Building designs that do not comply with these standards may be permitted by a variance after review and approval by the Planning Commission.
 - (5) Building designs that are denied or approved by the Planning Commission may be appealed to the City Council.
- (D) *Porches and Stoops.* If a building has a porch or stoop then it shall comply with the following regulations:
 - (1) *Front Porches.*
 - (a) *Standard.*
 - (i) *Depth.* 6 feet minimum from the principal façade to the inside of the column face.
 - (ii) *Length.* 25 to 100% of the principal facade. Front porches may be multi-story and are required to be open or screened and non-air conditioned.
 - (b) *Right-of-Way Encroachment.* Front porches may occur forward of the principal façade. Porches shall not extend into the right-of-way. Front porches and stoops shall not be built within 18 inches of the side property line on attached unit types.
 - (2) *Stoops.*
 - (a) *Standard.* Stoops may be covered or un-covered and stairs may run to the front or to the side.
 - (i) *Depth.* 4 feet minimum from the principal façade to the inside of the column face for stoops with a covered landing.

- (ii) *Height.* 96 inches maximum.
 - (iii) *Length.* Maximum 12-foot width for each individual building entrance or group of connected entrances. The pedestrian connection from the stoop to the public sidewalk shall be allowed to run from the door along the facade of the building, parallel to the street, for a maximum of 12 feet from the door, before connecting directly to the public sidewalk.
 - (b) *Right-of-Way Encroachment.* Stoops may occur forward of the principal façade and may extend into the right-of-way in accordance with the building code adopted by the City of Fayetteville.
 - (c) *Placement.* Sidewalks shall have a minimum 5 feet clear access for pedestrian movements. Stoops shall not be built within 18 inches of the side property line on attached unit types.
- (3) *Projected Bay.*
- (a) *Standard.* Bays shall consist of habitable space.
 - (i) *Depth.* 4 feet maximum from the principal facade.
 - (ii) *Second Story Height.* Bays above the first or ground floor shall have a minimum of 10 feet clear to the underside of the horizontal floor. Supports or appendages shall not extend below 7 feet clear.
 - (iii) *Length.* 50% maximum of the principal façade length.
 - (b) *Second Story Right-of-Way Encroachment.* Bays above the first or ground floor may encroach within the right-of-way, in accordance with the Building Code adopted by the City of Fayetteville.
 - (c) *Placement.* Projected bays shall not interfere with street trees, street lights, street signs or other such civic infrastructure.
- (E) *Exterior Architectural Elements.* The lists of permitted materials and configurations have been selected for their durability, sustainability and responsiveness to climate. The primary goal of the Architectural Elements is authenticity; the elements encourage construction that is straightforward and functional and draws its ornament and variety from the assembly of genuine materials. Items not listed in the Architectural Elements may be approved upon review by the Planning Commission.
- (1) *Rear Yards Only.* The following shall only be located in the rear yard unless screened in a side yard by a durable and attractive screen or fence enclosure:
 - (a) Trash dumpsters.
 - (b) Trash and recycling carts and bins.
 - (2) *Exterior Prohibited Materials.* The following shall be prohibited:
 - (a) *Undersized Shutters.* Shutters shall be sized so as to equal the width required to cover the window opening.
 - (b) *Shutters made of plastic.*
 - (c) *Glass with reflective coatings other than clear glass with Low-E coatings.* (See opacity and façade section).
 - (d) *Plastic or PVC roof tiles.*
 - (e) *Aluminum siding.*
 - (f) *Vinyl siding.*
 - (g) *Wood fiber board.*
 - (h) *Unfinished pressure-treated wood.*

- (i) *EIFS* (Exterior Insulation Finish System) located on the first or ground floor.
- (3) *Columns, Arches, Pedestals, Railings and Balustrades.*
 - (a) *Permitted Configurations.*
 - (i) Square columns shall have a minimum width of 6 inches with or without capitals and bases.
 - (ii) Round columns shall have a minimum 6-inch outer diameter with or without capitals and bases.
 - (iii) Pedestals shall have a minimum width of 8 inches.
 - (b) *Permitted Materials.*
 - (i) *Columns and Pedestals.* Brick, painted stained or natural wood, Terra Cotta, stained painted or un-painted concrete with a smooth finish, cast-in-place concrete with or without stucco, pre-cast concrete, fiber cement board, concrete masonry units with stucco, stone, structural steel, and cast iron.
 - (ii) *Arches and Lintels.* Brick, painted stained or natural wood, Terra Cotta, stained painted or un-painted concrete with a smooth finish, cast-in-place concrete with or without stucco, pre-cast concrete, fiber cement board, concrete masonry units with stucco, stone, structural steel, and cast iron.
 - (iii) *Railings and Balusters.* Brick, painted stained or natural wood, Terra Cotta, stained painted or un-painted concrete with a smooth finish, cast-in-place concrete with or without stucco, pre-cast concrete, concrete masonry units with stucco, stone, structural steel, cast iron, wrought iron, and glass.
- (4) *Windows, Skylights, and Doors.*
 - (a) *General Requirements.*
 - (i) Visible sills on the exterior of the building are required for all windows.
 - (ii) Windows shall have trim on the sides and top when the exterior of the building is fiber cement siding. Window trim shall have a minimum dimension of 0.75 inches × 3.5 inches (a normal 1×4).
 - (iii) A minimum of 10% of the window area per floor shall be operable with the exception of the first or ground floor.
 - (b) *Permitted Configurations.*
 - (i) All window configurations are allowed.
 - (c) *Permitted Finish Materials*
 - (i) *Windows.* Windows may be made of wood, aluminum, copper, steel, clad wood, thermally broken vinyl or aluminum. No false grids are permitted except for where mullions and muntins are permanently adhered to both the interior and exterior of a pane of thermally broken glass separated by a spacer aligned with the mullions or muntins in between panes of thermally broken glass. (Commonly referred to as simulated divided light windows).
 - (ii) *Doors.* Doors may be made of wood, glass, fiberglass or metal. (I.e. steel, aluminum, copper, bronze, etc.)
 - (iii) *Sills.* Brick, painted stained or natural wood, Terra Cotta, stained painted or un-painted concrete with a smooth finish, cast-in-place concrete with or without stucco, pre-cast concrete, fiber cement board, concrete masonry units with stucco, stone, structural steel, and cast iron.

(5) *Roofs and Gutters.*

(a) *General Requirements.*

- (i) Roofs may be gabled, hipped, mansard, shed, gambrel, barrel-vaulted, or domed.
- (ii) Applied mansard roofs are not permitted.
- (iii) Low sloped roofs (less than 1 in 12 pitch) shall have light colored finish materials.

(b) *Permitted Configurations.*

- (i) Gutters may be rectangular, square, half-round, or Ogee sections.

(c) *Permitted Finish Materials*

- (i) *Metal Roofs.* Metal roofs may be made of galvanized steel, aluminum-zinc coated steel, copper, aluminum, zinc-alum, lead coated copper, terne, or powder coated steel.
- (ii) *Shingles.* Shingles shall be made of asphalt, metal, concrete, terra-cotta, slate, or cedar shingles or shakes.
- (iii) *Gutters and Downspouts.* Gutters and downspouts shall be made of copper, aluminum, galvanized steel, aluminum-zinc coated steel, lead coated copper, terne, or powder coated steel.

(6) *Garden Walls, Fences and Hedges.*

(a) *General Requirements.*

- (i) Fences, garden walls, or hedges are permitted along side yards, rear yards, and all property lines which abut public streets or alleys.
- (ii) Fences in the front yard shall be not be 100% opaque and shall provide visible separation between the fence slats. Fences in a rear or side yard, at least 6 feet behind the principal façade of the primary structure, may be at a maximum 100% opaque.

(b) *Height.*

- (i) Front yard (in front of the primary structure) maximum height of 42 inches.
- (ii) Fences located in the rear and side yards (behind the principal façade of the primary structure) shall have a minimum height of 36 inches and a maximum height of 8 feet.

(c) *Permitted Configurations.*

- (i) *Wood Fences.* Vertical picket fences or horizontal slat fences with corner posts, and split rail fences; privacy fences are permitted in the rear and side yard only, behind the principal façade of the primary structure.
- (ii) *Metal Fence.* Fence shall be comprised of primarily vertical pickets with a minimum 5/8-inch diameter, and 4-inch maximum clear space between the pickets.
- (iii) *Brick and Stone.*

(d) *Permitted Finish Materials*

- (i) Wood.
- (ii) Wrought iron, steel and cast iron.
- (iii) Brick and stone.
- (iv) Concrete masonry units with or without stucco so long as the primary structure corresponds.

- (v) Reinforced concrete with or without stucco as long as the primary structure corresponds.
- (7) *Opacity and Facades.*
- (a) *General Requirements.*
 - (i) Each floor of any principal building façade above the first floor facing a park, square or street shall contain windows covering from 15% to 60% of the principal façade area.
 - (ii) The permitted percentage of glass may be increased to 80% for any two floors above the fourth floor provided that there is a minimum stepback of 15 feet from the principal façade.
 - (iii) A minimum of 10% of the window area per floor shall be operable with the exception of the first or ground floor.
 - (iv) All glass shall have a Low-E coating.
 - (v) Glass used above the first or ground floor shall have a visible transmittance rating of 0.4 or higher.
 - (b) *First or Ground Floor Requirements of Any Principal Façade.*
 - (i) Glass on the first or ground floor shall have a visible transmittance rating of 0.6 or higher.
 - (ii) Commercial space and storefronts shall have a minimum of 75% glass on the first or ground floor.
 - (iii) Office, institutional, and other non-residential space shall have a minimum of 50% glass on the first or ground floor.
 - (iv) Multi-family residential space shall have a minimum of 40% glass on the first or ground floor.
 - (v) Single family and two (2) family residential space shall have a minimum of 5% glass on the first or ground floor.
 - (vi) The measurement for glass percentage on the first or ground floor shall be calculated at the pedestrian level between 2—12 feet above the sidewalk. For a building façade located outside of a build-to zone the measurement for glass percentage on the first or ground floor shall be at the pedestrian level between 2 and 12 feet above the finished floor elevation (FFE).
 - (vii) Doors or entrances for pedestrian access shall be provided at intervals no greater than 50 ft. apart along the principal façade.

Proposed Landscape Standards

The project will comply with the standard Landscape Standards of the City of Fayetteville.

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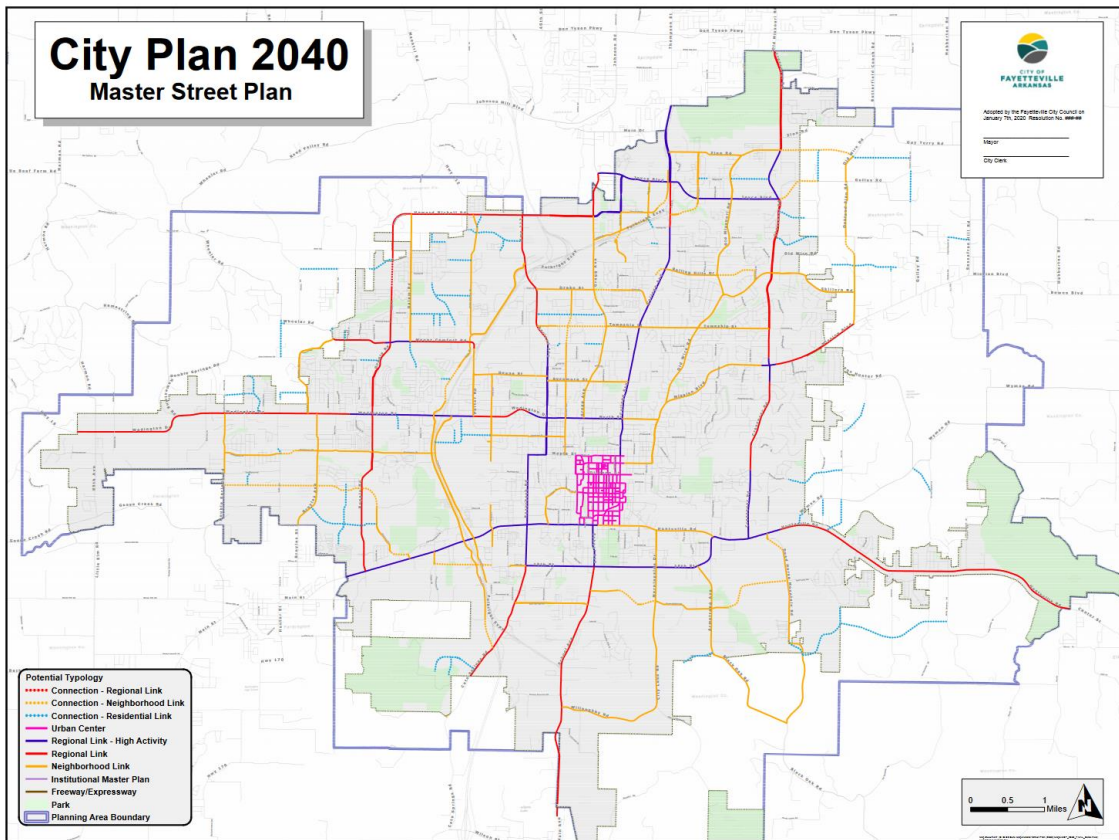
Planned Zoning District Intent Fulfillment

Flexibility	While this project’s design and philosophy is wholly in line with the City of Fayetteville’s City Plan 2040 goals, the project requires the flexibility of a Planned Zoning District to achieve two elements: townhouses in sets of more than 4 contiguous units and alley-loaded units facing a park rather than a street right of way. In all other ways, the project could be developed under typical existing form-based zones. The flexibility of a PZD provides the project with the opportunity to provide more traditional townhouse blocks of 5 and 6 contiguous units and platted fee simple lots facing green space. This arrangement allows for density more in line with the city’s goals, demographic and housing cost needs of citizens, and provides the opportunity for additional common natural space. Units with front porches that face directly onto a park allow young children to safely play together in park space right outside the front door, without the danger of crossing the street, and within the safe view of parents sitting on front porches and stoops. The public “right of way” as park maintains all the pedestrian connectivity and social connection of a neighborhood street, but replaces the large space typically dedicated to cars in the right of way to playing children and low impact development stormwater storage.
Compatibility	The surrounding properties are a mix of single family residential to the north, commercial uses along the arterial Mount Comfort corridor, and institutional uses to the west with Holt Middle School and Mount Comfort Presbyterian Church. The proposed neighborhood lines the single-family adjacencies with traditional residential lots. Smaller home lots face the institutional uses to the west, while townhouses abut the more dense multifamily units intended along Mount Comfort as a concurrent part of this development but separate from this PZD. The mixed unit type neighborhood provides a natural variety of housing product and price points with a walkable community structure.
Harmony	The PZD allows for an orderly and creative provision of housing in a walkable format with densities appropriate to supporting infrastructure in the neighborhood.
Variety	The proposed neighborhood provides a variety of unit types, uses, and price points for residents not typically found in an exclusionary single family neighborhood. The denser multifamily cluster in the SE corner along Mt Comfort accompanies townhouses, cottages, and larger typical lots along the single-family residential neighborhoods to the north. The inclusion of multi-family housing by right in this PZD is purely a result of desiring to provide more traditional runs of townhouses of 5-6 contiguous buildings.
No Negative Impacts	The development provides no negative effect upon the future development of the area, providing a complete, compact, and connected street network and a flexible, traditional block structure that allows future flexibility and redevelopment within the neighborhood.
Coordination	The land surrounding the property is largely already developed, but connection and rational edge to the development have been provided to the undeveloped parcel to the east to allow the future urbanization of that parcel to occur in a coordinated and coherent manner.
Open Space	One of the primary benefits of the PZD approach for the development of this site is allowing the provision of more usable and suitably located open space for recreation than would otherwise be possible under typical zoning regulations.
Natural Features	The property’s long term use for intensive agriculture has left little existing tree canopy except at the edges of the property. The site plan’s geometry aligns to tree preservation plans to respect these existing fence line trees and the site’s natural topography.

- Future Land Use Plan The PZD’s innovative use definitions to respect mass of the buildings and impact of use, rather than household structure and number of kitchens in a building allows for a comprehensive plan and design for a mixed use yet harmonious development consistent with the guiding policies of the Future Land Use map.

- Special Features The site’s geometry is challenging, with a diagonal eastern edge remaining from a historic train line easement. The geometry and dimensions of the site makes efficient, rear loaded units a challenge. The PZD’s innovative approach to frontages allows for a reasonable density and unit mix that would be challenging under typical zoning regulations.

- Recognized Zoning Consideration The proposed zoning approach is novel and allows a degree of flexibility use designed to reduce car trips and increase the walkability and resilience of the neighborhood. It does allow several things not currently typical to the city’s zoning regulations, as is appropriate and intentional to the concept of PZD’s within the city.



TRACT SPLIT / PROPERTY LINE ADJUSTMENT (PAGE 1 OF 2)

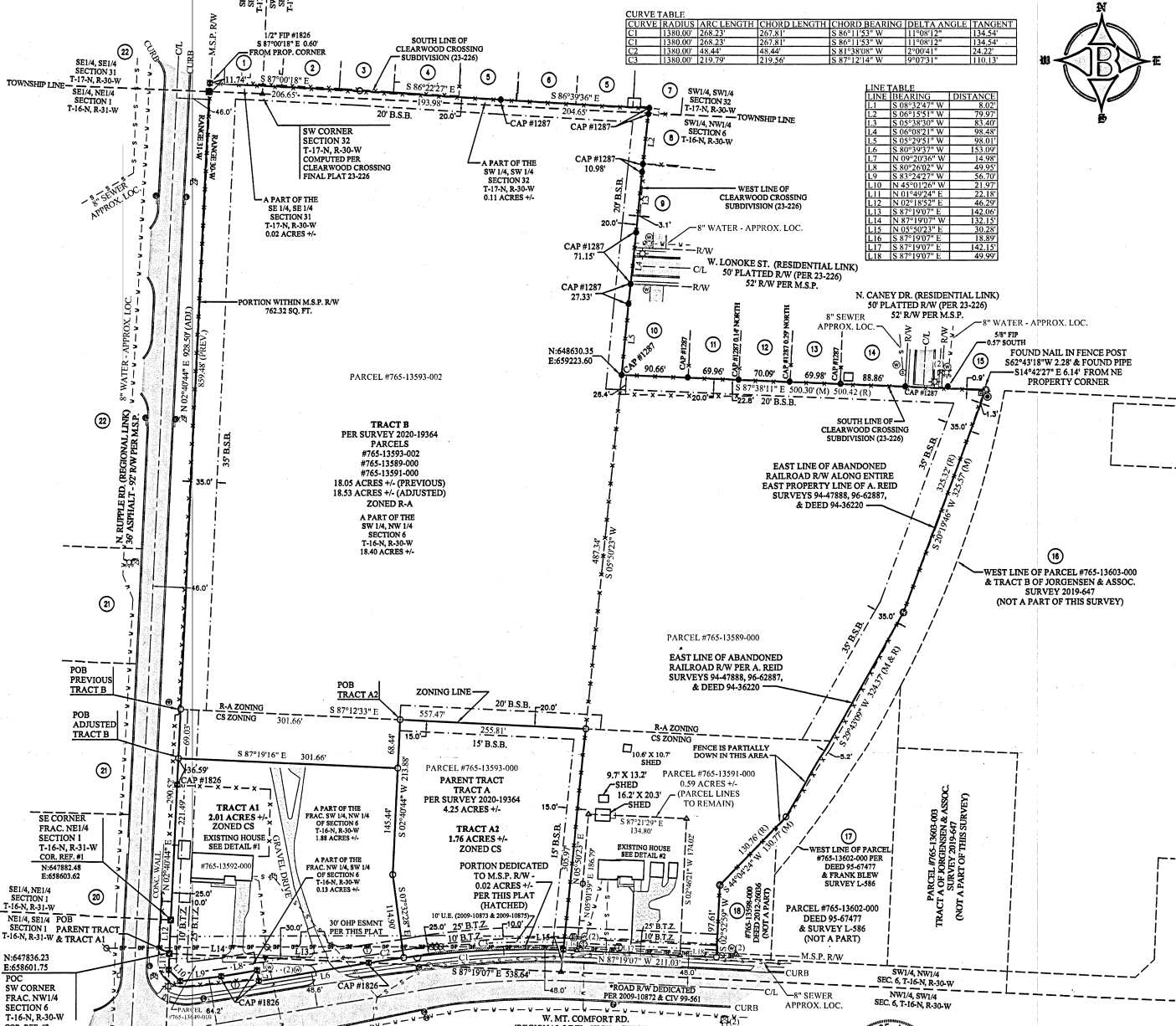


CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	1380.00'	268.23'	267.81'	S 86°11'33" W	11°08'12"	134.54'
C2	1380.00'	268.23'	267.81'	S 86°11'33" W	11°08'12"	134.54'
C3	1380.00'	48.44'	48.44'	S 87°12'14" W	14.23'	24.23'
C4	1380.00'	219.79'	219.56'	S 87°12'14" W	9°47'31"	110.13'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 06°58'11" W	79.97'
L2	S 05°58'00" W	83.40'
L3	S 05°00'00" W	98.45'
L4	S 05°29'51" W	98.01'
L5	S 83°50'37" W	153.09'
L6	N 09°30'00" W	14.98'
L7	S 80°26'02" W	49.95'
L8	S 83°24'27" W	56.70'
L9	N 45°31'23" W	21.97'
L10	N 01°29'24" E	22.18'
L11	N 02°18'55" E	46.29'
L12	S 87°10'07" E	142.06'
L13	N 37°19'07" W	132.15'
L14	N 03°50'23" E	30.28'
L15	S 87°10'07" E	18.89'
L16	S 87°10'07" E	142.15'
L17	S 87°10'07" E	142.15'
L18	S 87°10'07" E	49.99'



APPROVED FOR RECORDATION
 FAYETTEVILLE PLANNING
 ADMINISTRATION
 By: [Signature] Date: 4/19/21



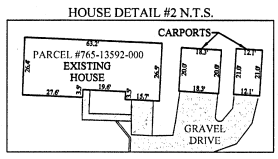
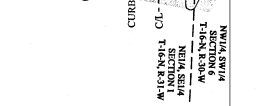
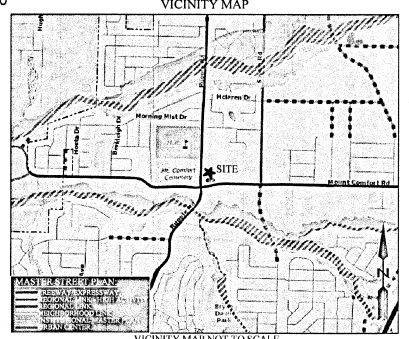
STATE RECORDING NUMBER:
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 STATE RECORDING NUMBER:
 300-17N-30W-0-31-220-72-1642
 STATE RECORDING NUMBER:
 300-16N-30W-0-06-304-72-1642



I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT
 TO THE BEST OF MY KNOWLEDGE AND BELIEF
 ON THIS THE 4TH DAY OF MAY, 2020.



IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

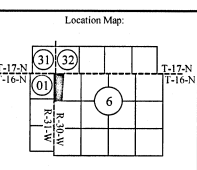


- CORNER REFERENCE #1:**
 1) S 24°38'37" W 69.26' TO A STORM MANHOLE.
 2) S 02°18'52" W 46.29' TO A 3" ALUMINUM MONUMENT.
- CORNER REFERENCE #2:**
 1) S 38°16'49" W 31.75' TO A STORM MANHOLE.
 2) S 33°20'10" W 37.66' TO A SEWER VALVE.

FOR USE AND BENEFIT OF:
TONY & SHARROLD HARDIN
 LANDMARC CUSTOM HOMES
 1070 WEST MT. COMFORT ROAD
 FAYETTEVILLE, ARKANSAS

DATE: 05/23/21 SCALE: 1"=100'
 SECTION: 06 TOWNSHIP: 16 NORTH RANGE: 30 WEST
 SEC. 31-317N-R30W SEC. 32-317N-R30W

Bates & Associates, Inc.
 Engineers - Surveyors - Landscape Architects
 7230 S. Pleasant Ridge Dr., Fayetteville, Arkansas 72734-4791 FAX: 479-521-8555



- LEGEND:**
- TELEPHONE PEDESTAL
 - ELECTRICAL METER
 - POWER POLE
 - WATER VALVE
 - WATER METER
 - FIRE HYDRANT
 - GAS METER
 - VALVE
 - FROM SEWER MH
 - STOP LIGHT
 - ELECTRICAL PEDESTAL
 - SANITARY SEWER MH
 - MANHOLE
 - BOUNDARY LINE (MEASURED)
 - PARCEL LINE
 - FORTY FOOT LINE
 - CENTERLINE OF ROAD
 - RIGHT-OF-WAY
 - WATER LINE
 - OVERHEAD POWER LINE
 - SEWER LINE
 - FENCE
 - BUILDING SETBACK
 - UTILITY EASEMENT

RECORDING NUMBER/DATE

Doc ID: 019887090002 Type: REL
 Kind: SURVEY
 Recorded: 04/19/2021 at 03:36:30 PM
 Fee Amt: \$20.00 Page: 1 of 2
 4818100000 County: AR
 Kyle Sylvester Circuit Clerk
File: 2021-00014557

TRACT SPLIT & PROPERTY LINE ADJUSTMENT (PAGE 2 OF 2)

ADJACENT LAND OWNERS

- DUPRE, KRISTOPHER L & CYNDE A
12956 ROSE CEMETERY RD
PRAIRIE GROVE, AR 72753
PARCEL #765-25461-000
ZONED: RSF-4
- EVULICH, BARRIS J & SONDREA L
TTES EVULICH 2000 FAMILY TRUST
1516 SURREY LN
SARATOGA, CA 95070
PARCEL #765-25462-000
ZONED: RSF-4
- FISHER, KATHRYN
3661 W CLEARWOOD DR
FAYETTEVILLE, AR 72704
PARCEL #765-25463-000
ZONED: RSF-4
- CARPENTER, RICK & BELINDA
REVOCABLE LIVING TRUST
4010 CEDAR RIDGE LN
FAYETTEVILLE, AR 72704
PARCEL #765-25464-000
ZONED: RSF-4
- RED KITE PROPERTIES LLC
1708 E AMBER DR
FAYETTEVILLE, AR 72703
PARCELS #765-25465-000 & #765-25467-000
ZONED: RSF-4
- HANNAH, JAMES TODD & WENDY
3609 W CLEARWOOD DR
FAYETTEVILLE, AR 72704
PARCEL #765-25466-000
ZONED: RSF-4
- WALKER, CARL W & LEIGH A
PO BOX 339
CENTERTON, AR 72719
PARCEL #765-25468-000
ZONED: RSF-4
- MANGHAM, SCOTT C
2395 N MAJESTIC DR
FAYETTEVILLE, AR 72704
PARCEL #765-25470-000
ZONED: RSF-4
- ENGLKES, TYLER
3570 W LONOKE DR
FAYETTEVILLE, AR 72704
PARCEL #765-25472-000
ZONED: RSF-4
- ABBY ELIZABETH;
LONG SUSAN ROGERS
3569 W LONOKE DR
FAYETTEVILLE, AR 72704
PARCEL #765-25473-000
ZONED: RSF-4
- HARRIS, NATHANIEL J
472 S WILDCRIST DR
FARMINGTON, AR 72730
PARCEL #765-25474-000
ZONED: RSF-4
- MAYNARD, JOINATHAN;
ALRIGHT, JENNIFER
3543 W LONOKE DR
FAYETTEVILLE, AR 72704
PARCEL #765-25475-000
ZONED: RSF-4
- VAUGHN, SPENCER A & EMILIE
3225 W LONOKE DR
FAYETTEVILLE, AR 72704
PARCEL #765-25476-000
ZONED: RSF-4
- SCHULTZ, HOWARD & BONITA
3511 LONOKE ST
FAYETTEVILLE, AR 72704
PARCEL #765-25477-000
ZONED: RSF-4
- MEISTER, JAMES JR & GINGER
2002 WALNUT GROVE RD
LITTLE ROCK, AR 72223
PARCEL #765-25478-000
ZONED: RSF-4
- 501 E PARK LLC
4611 ROGERS AVE STE 201
FORT SMITH, AR 72903
PARCEL #765-13603-000
ZONED: RA
- WEST, LARRY D
3504 W MT COMFORT RD
FAYETTEVILLE, AR 72704-5722
PARCEL #765-13602-000
ZONED: RA
- FAUCETTE, GEORGE C JR REV TRUST;
FAUCETTE, ROSEMARY REV TRUST
393 N COLLEGE AVE
FAYETTEVILLE, AR 72703-5108
PARCEL #765-13598-000
ZONED: RA
- WARDVALE LAND LLC
1841 N BEST FRIEND LN
FAYETTEVILLE, AR 72704
PARCELS #765-13649-000 & #765-24607-000
ZONED: CS
- 20 MT COMFORT CONGREGATION OF THE PRESBYTERIAN CHURCH, USA
3816 W MT COMFORT RD
FAYETTEVILLE, AR 72704
PARCEL #765-14059-000
ZONED: RSF-1
- 21) MT COMFORT CEMETERY ASSOCIATION
3816 W MT COMFORT RD
FAYETTEVILLE, AR 72704
PARCELS #765-24057-000 & #765-12364-000
ZONED: RSF-1
- FAYETTEVILLE SCHOOL DISTRICT #1
PO BOX 849
FAYETTEVILLE, AR 72702-0849
PARCELS #765-21238-000 & #765-21247-000
ZONED: P-1

FIELD WORK:

APRIL 6, 7, & 9, MAY 4, 2020

BASIS OF BEARING:

GPS OBSERVATION - AR NORTH ZONE

REFERENCE DOCUMENTS:

- PLAT OF SURVEY BY BLEW & ASSOCIATES JOB NO. 18-201 DATED JUNE 24, 2016
- PLAT OF SURVEY BY BLEW & ASSOCIATES DATED FEBRUARY 13, 1989
- FINAL PLAT CLEARWOOD CROSSING SUBDIVISION FILED IN BOOK 23 AT PAGE 226
- WARRANTY DEED FILED IN BOOK 2017 AT PAGE 15552
- WARRANTY DEED FILED IN BOOK 94 AT PAGE 36220
- WARRANTY DEED FILED IN BOOK 908 AT PAGE 702
- PLAT OF SURVEY FILED IN BOOK 2019 AT PAGE 647
- PLAT OF SURVEY FILED IN BOOK 1 AT PAGE 586
- PLAT OF SURVEY FILED IN BOOK 94 AT PAGE 47888
- PLAT OF SURVEY FILED IN BOOK 2020 AT PAGE 19364
- PLAT OF SURVEY FILED IN BOOK 96 AT PAGE 62887
- DEEDS FOR PARCEL #765-13602-000
- DEEDS FOR PARCEL #765-13598-000
- WARRANTY DEED FILED IN BOOK 94 AT PAGE 36220
- WARRANTY DEED FILED IN BOOK 908 AT PAGE 702
- QUITCLAIM DEED FILED IN BOOK 928 AT PAGE 754
- WARRANTY DEED FILED IN BOOK 2020 AT PAGE 20100

PROPERTY ZONED:

CS - COMMUNITY SERVICES (TRACT A), TRACT A2, & A PART OF ADJUSTED TRACT B) RA - (A PART OF ADJUSTED TRACT B)

BUILDING SETBACKS (PER CS ZONING):

FRONT: A BUILD-TO-ZONE THAT IS LOCATED 100' AND A LINE 250' FROM THE FRONT PROPERTY LINE
SIDE AND REAR: 00'
SIDE OR REAR: 15' (WHEN CONTIGUOUS TO A SINGLE-FAMILY RESIDENTIAL DISTRICT)

BUILDING SETBACKS (PER RA ZONING):

FRONT: 25'
SIDE: 20'
REAR: 15'

SURVEY DESCRIPTIONS:

PARENT TRACT (TRACT A PER SURVEY 2020-19264):

A PART OF THE SOUTHWEST QUARTER AND A PART OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 16 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING ALUMINUM MONUMENT ON THE EAST RIGHT-OF-WAY OF NORTH RUPPLE ROAD MARKING THE SOUTHWEST CORNER OF SAID FRACTIONAL NORTHWEST QUARTER AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY N02°18'22"E 46.29' TO AN EXISTING ALUMINUM MONUMENT MARKING THE SOUTHEAST CORNER OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 31 WEST, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY N02°40'44"E 221.49' TO AN EXISTING REBAR, N09°20'36"W 153.09' TO AN EXISTING REBAR, N09°20'36"W 14.98' TO AN EXISTING REBAR, S02°20'16"W 49.95' TO AN EXISTING REBAR, S83°24'27"W 56.70' TO AN EXISTING REBAR, N45°01'26"W 21.97' TO AN EXISTING REBAR, N01°49'24"E 22.18' TO THE POINT OF BEGINNING, CONTAINING 1.76 ACRES, MORE OR LESS, SUBJECT TO THAT PORTION IN WEST MOUNT COMFORT MASTER STREET PLAN RIGHT-OF-WAY ON THE SOUTH SIDE OF HEREIN DESCRIBED TRACT AND SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

TRACT A1:

A PART OF THE SOUTHWEST QUARTER AND A PART OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 16 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING ALUMINUM MONUMENT ON THE EAST RIGHT-OF-WAY OF NORTH RUPPLE ROAD MARKING THE SOUTHWEST CORNER OF SAID FRACTIONAL NORTHWEST QUARTER AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY N02°18'22"E 46.29' TO AN EXISTING ALUMINUM MONUMENT MARKING THE SOUTHEAST CORNER OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 31 WEST, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY N02°40'44"E 221.49' TO AN EXISTING REBAR, N09°20'36"W 153.09' TO AN EXISTING REBAR, N09°20'36"W 14.98' TO AN EXISTING REBAR, S02°20'16"W 49.95' TO AN EXISTING REBAR, S83°24'27"W 56.70' TO AN EXISTING REBAR, N45°01'26"W 21.97' TO AN EXISTING REBAR, N01°49'24"E 22.18' TO THE POINT OF BEGINNING, CONTAINING 2.01 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

TRACT A2:

A PART OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 16 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT AN EXISTING ALUMINUM MONUMENT ON THE EAST RIGHT-OF-WAY OF NORTH RUPPLE ROAD MARKING THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY N02°18'22"E 46.29' TO AN EXISTING REBAR, N09°20'36"W 153.09' TO AN EXISTING REBAR, N09°20'36"W 14.98' TO AN EXISTING REBAR, S02°20'16"W 49.95' TO AN EXISTING REBAR, S83°24'27"W 56.70' TO AN EXISTING REBAR, N45°01'26"W 21.97' TO AN EXISTING REBAR, N01°49'24"E 22.18' TO THE POINT OF BEGINNING, CONTAINING 1.76 ACRES, MORE OR LESS, SUBJECT TO THAT PORTION IN WEST MOUNT COMFORT ROAD MASTER STREET PLAN RIGHT-OF-WAY ON THE SOUTH SIDE OF HEREIN DESCRIBED TRACT AND ALSO SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PREVIOUS TRACT B (PER SURVEY 2020-19264):

A PART OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 16 NORTH, AND ALSO A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 17 NORTH, AND ALSO A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 17 NORTH, ALL BEING LOCATED IN RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY OF NORTH RUPPLE ROAD WHICH IS N02°18'22"E 46.29' AND N02°40'44"E 221.49' FROM AN EXISTING ALUMINUM MONUMENT MARKING THE SOUTHWEST CORNER OF SAID FRACTIONAL NORTHWEST QUARTER OF SECTION 6 AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY N02°40'44"E 859.48' TO A POINT ON THE SOUTH LINE OF CLEARWOOD CROSSING SUBDIVISION TO THE CITY OF FAYETTEVILLE, AS PER THE RECORDED PLAT THEREOF, THENCE ALONG SAID SOUTH SUBDIVISION LINE THE FOLLOWING: S87°00'18"E 206.65'; S89°22'27"E 193.98' TO AN EXISTING REBAR, S86°39'36"E 204.65' TO AN EXISTING REBAR ON THE WEST LINE OF SAID SUBDIVISION, THENCE ALONG SAID WEST SUBDIVISION LINE THE FOLLOWING: S08°32'47"W 8.02' TO AN EXISTING REBAR, S06°15'51"W 79.97' TO AN EXISTING REBAR, S05°38'30"W 83.40' TO AN EXISTING REBAR, S06°08'21"W 98.48' TO AN EXISTING REBAR, S05°29'51"W 98.01' TO AN EXISTING REBAR ON THE SOUTH LINE OF SAID SUBDIVISION, THENCE ALONG SAID SOUTH SUBDIVISION LINE S87°38'11"E 500.30' TO AN EXISTING FENCE CORNER ON THE EAST LINE OF AN ABANDONED RAILROAD RIGHT-OF-WAY, SAID ABANDONED RIGHT-OF-WAY BEING SHOWN ON A PLAT OF SURVEY BY ALAN REID AND ASSOCIATES RECORDED IN BOOK 94 AT PAGE 47888 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, THENCE LEAVING SAID SUBDIVISION LINE ALONG SAID ABANDONED RIGHT-OF-WAY THE FOLLOWING: S29°19'46"W 325.57' TO AN EXISTING FENCE CORNER POST, S29°43'09"W 324.37', S44°04'24"W 130.77' TO AN EXISTING FENCE CORNER ON THE EAST LINE OF A TRIANGLE SHAPED PIECE OF LAND THAT WAS CONVEYED TO ELLIS H. WILSON AND MATTIE BELLE WILSON BY EDNA HENBEST, AS PER QUITCLAIM DEED RECORDED IN BOOK 928 AT PAGE 754, THENCE ALONG SAID EAST RIGHT-OF-WAY N05°52'59"W 97.61' TO THE EXISTING NORTH RIGHT-OF-WAY OF WEST MOUNT COMFORT ROAD, THENCE ALONG SAID RIGHT-OF-WAY N87°19'07"W 211.03' TO AN EXISTING REBAR, THENCE LEAVING SAID RIGHT-OF-WAY ON THE WEST SIDE, SUBJECT TO THAT PORTION IN WEST MOUNT COMFORT ROAD MASTER STREET PLAN RIGHT-OF-WAY ON THE SOUTH SIDE OF HEREIN DESCRIBED TRACT AND ALSO SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

ADJUSTED TRACT B:

A PART OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 16 NORTH, AND ALSO A PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 17 NORTH, AND ALSO A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 17 NORTH, ALL BEING LOCATED IN RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY OF NORTH RUPPLE ROAD WHICH IS N02°18'22"E 46.29' AND N02°40'44"E 221.49' FROM AN EXISTING ALUMINUM MONUMENT MARKING THE SOUTHWEST CORNER OF SAID FRACTIONAL NORTHWEST QUARTER OF SECTION 6 AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY N02°40'44"E 928.50' TO A POINT ON THE SOUTH LINE OF CLEARWOOD CROSSING SUBDIVISION TO THE CITY OF FAYETTEVILLE, AS PER THE RECORDED PLAT THEREOF, THENCE ALONG SAID SOUTH SUBDIVISION LINE THE FOLLOWING: S87°00'18"E 206.65'; S89°22'27"E 193.98' TO AN EXISTING REBAR, S86°39'36"E 204.65' TO AN EXISTING REBAR ON THE WEST LINE OF SAID SUBDIVISION, THENCE ALONG SAID WEST SUBDIVISION LINE THE FOLLOWING: S08°32'47"W 8.02' TO AN EXISTING REBAR, S06°15'51"W 79.97' TO AN EXISTING REBAR, S05°38'30"W 83.40' TO AN EXISTING REBAR, S06°08'21"W 98.48' TO AN EXISTING REBAR, S05°29'51"W 98.01' TO AN EXISTING REBAR ON THE SOUTH LINE OF SAID SUBDIVISION, THENCE ALONG SAID SOUTH SUBDIVISION LINE S87°38'11"E 500.30' TO AN EXISTING FENCE CORNER ON THE EAST LINE OF AN ABANDONED RAILROAD RIGHT-OF-WAY, SAID ABANDONED RIGHT-OF-WAY BEING SHOWN ON A PLAT OF SURVEY BY ALAN REID AND ASSOCIATES RECORDED IN BOOK 94 AT PAGE 47888 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, THENCE LEAVING SAID SUBDIVISION LINE ALONG SAID ABANDONED RIGHT-OF-WAY THE FOLLOWING: S29°19'46"W 325.57' TO AN EXISTING FENCE CORNER POST, S29°43'09"W 324.37', S44°04'24"W 130.77' TO AN EXISTING FENCE CORNER ON THE EAST LINE OF A TRIANGLE SHAPED PIECE OF LAND THAT WAS CONVEYED TO ELLIS H. WILSON AND MATTIE BELLE WILSON BY EDNA HENBEST, AS PER QUITCLAIM DEED RECORDED IN BOOK 928 AT PAGE 754, THENCE ALONG SAID EAST RIGHT-OF-WAY N05°52'59"W 97.61' TO THE EXISTING NORTH RIGHT-OF-WAY OF WEST MOUNT COMFORT ROAD, THENCE ALONG SAID RIGHT-OF-WAY N87°19'07"W 211.03' TO AN EXISTING REBAR, THENCE LEAVING SAID RIGHT-OF-WAY N05°52'59"W 305.97', THENCE N87°12'33"W 255.81', THENCE S02°40'44"E 88.44', THENCE N87°19'07"W 301.66' TO THE POINT OF BEGINNING, CONTAINING 18.5 ACRES, MORE OR LESS, SUBJECT TO THAT PORTION IN NORTH RUPPLE ROAD MASTER STREET PLAN RIGHT-OF-WAY ON THE WEST SIDE, SUBJECT TO THAT PORTION IN WEST MOUNT COMFORT ROAD MASTER STREET PLAN RIGHT-OF-WAY ON THE SOUTH SIDE OF HEREIN DESCRIBED TRACT AND ALSO SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

GIS Approved
02/21/2024 4:48:36 PM

Is the Adjusted Tract B description the correct description to use for this project?

STATE RECORDING NUMBER:

500-17N-30W-0-32-330-72-1642

STATE RECORDING NUMBER:

500-17N-30W-0-31-220-72-1642

STATE RECORDING NUMBER:

500-16N-30W-0-06-304-72-1642

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS 4TH DAY OF MAY, 2020.

REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF ARKANSAS

BOB WILSON

NO. 10000

BOULEVARD

FAYETTEVILLE, AR

IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.

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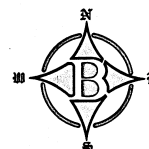
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PROPERTY OWNERS:

1) HAROLD TONY BERNELL & SHARROL N. HARBIN
3670 W MT COMFORT RD
FAYETTEVILLE, AR 72704
PARCELS #765-13592-000, #765-13593-000 & #765-13649-010

2) LANDMARC CUSTOM HOMES
1224 S MAESTRI RD
SPRINGDALE, AR 72762
PARCELS #765-13589-000, #765-13591-000 & #765-13593-002

PLAT PAGE INDEX:

3/23

NOTE:

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OR ABOVE GROUND APPEARANCES. ALL UTILITIES LINE APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEEDED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION OR CUTTING. UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.

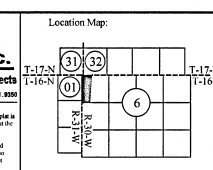
FLOOD CERTIFICATION:

NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR WASHINGTON COUNTY, ARKANSAS. (FIRM PANEL 80514J0205F. DATED 05/16/2008)

FOR USE AND BENEFIT OF TONY & SHARROL HARBIN LANDMARC CUSTOM HOMES
ADDRESS: 3670 WEST MT COMFORT ROAD FAYETTEVILLE, AR 72704
DATE: 02/23/21 SCALE: 1"=100'
LOCATION: 06
SURVEYED: []
DRAFTED: []
REVISIONS: []
REVIEWED: DT
SEC. 31-177N-30W SEC. 32-177N-30W

Bates & Associates, Inc.
Engineers - Surveyors - Landscape Architects
2020 S Pleasant Ridge Dr., Fayetteville, Arkansas 72704 479-442-9790 Fax 479-251-9590

LANDS & ASSOCIATES, INC. - Copyright 2020
This survey was conducted by the person or persons whose names appear on this plat. This plat is prepared by the person or persons who prepared the survey and is not subject to the review or approval of Bates & Associates, Inc. Bates & Associates, Inc. does not warrant or guarantee the accuracy or reliability of the information contained on this plat. Any third party reliance on the information contained on this plat is at their own risk. Bates & Associates, Inc. does not warrant or guarantee the accuracy or reliability of the information contained on this plat. Any third party reliance on the information contained on this plat is at their own risk.



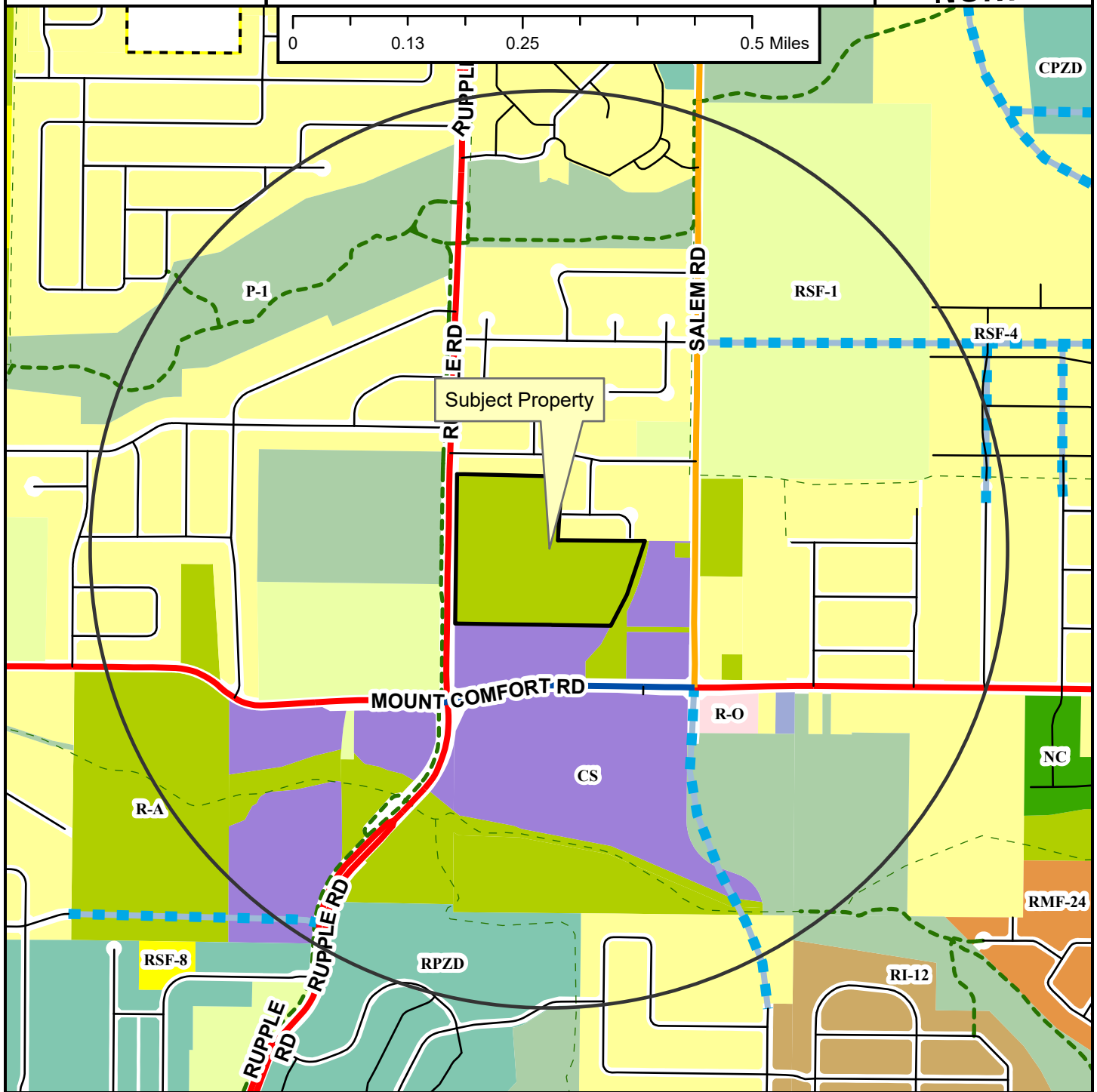
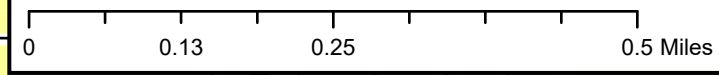
LEGEND:

- BOUND 12" REBAR
- BOUND 3/4" REBAR
- BOUND 1/2" REBAR
- BOUND 1/4" REBAR
- BOUND 1/8" REBAR
- BOUND 1/16" REBAR
- BOUND 1/32" REBAR
- BOUND 1/64" REBAR
- BOUND 1/128" REBAR
- BOUND 1/256" REBAR
- BOUND 1/512" REBAR
- BOUND 1/1024" REBAR
- BOUND 1/2048" REBAR
- BOUND 1/4096" REBAR
- BOUND 1/8192" REBAR
- BOUND 1/16384" REBAR
- BOUND 1/32768" REBAR
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- BOUND 1/131072" REBAR
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- BOUND 1/9223369098691575808" RE

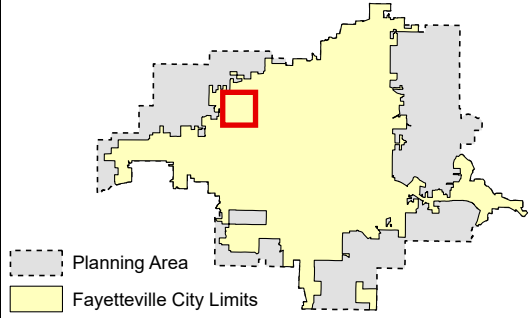
PZD-2024-0001

3568 W. MOUNT COMFORT RD

One Mile View



- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area

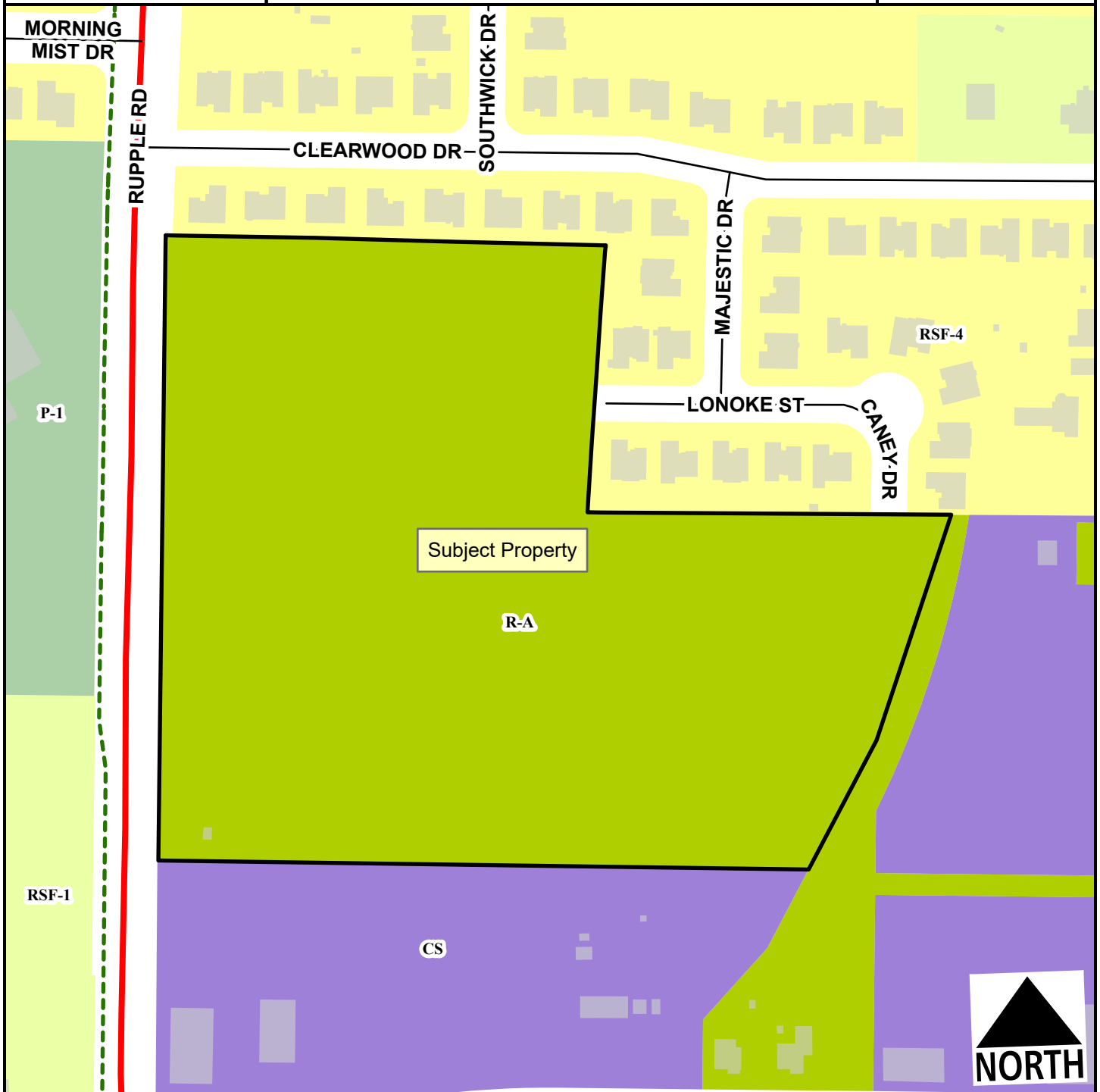


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
 - RH-U
 - RSF-1
 - RSF-2
 - RSF-3
 - RSF-4
 - RSF-5
 - RSF-6
 - RSF-7
 - RSF-8
 - RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
 - I-2 General Industrial
- EXTRACTION**
- E-1
- COMMERCIAL**
- 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

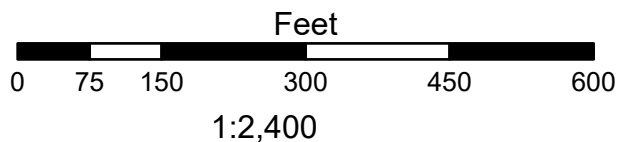
PZD-2024-0001

3568 W. MOUNT COMFORT RD

Close Up View



- Regional Link
- Residential Link
- - - Planning Area
- Fayetteville City Limits
- - - Shared-Use Paved Trail



- Residential-Agricultural
- RSF-1
- RSF-4
- Community Services
- P-1

PZD-2024-0001

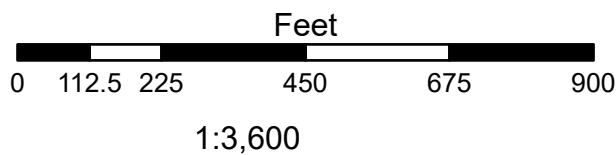
3568 W. MOUNT COMFORT RD



Current Land Use



- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Residential Link
- Planned Residential Link
- - - Trail (Proposed)
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

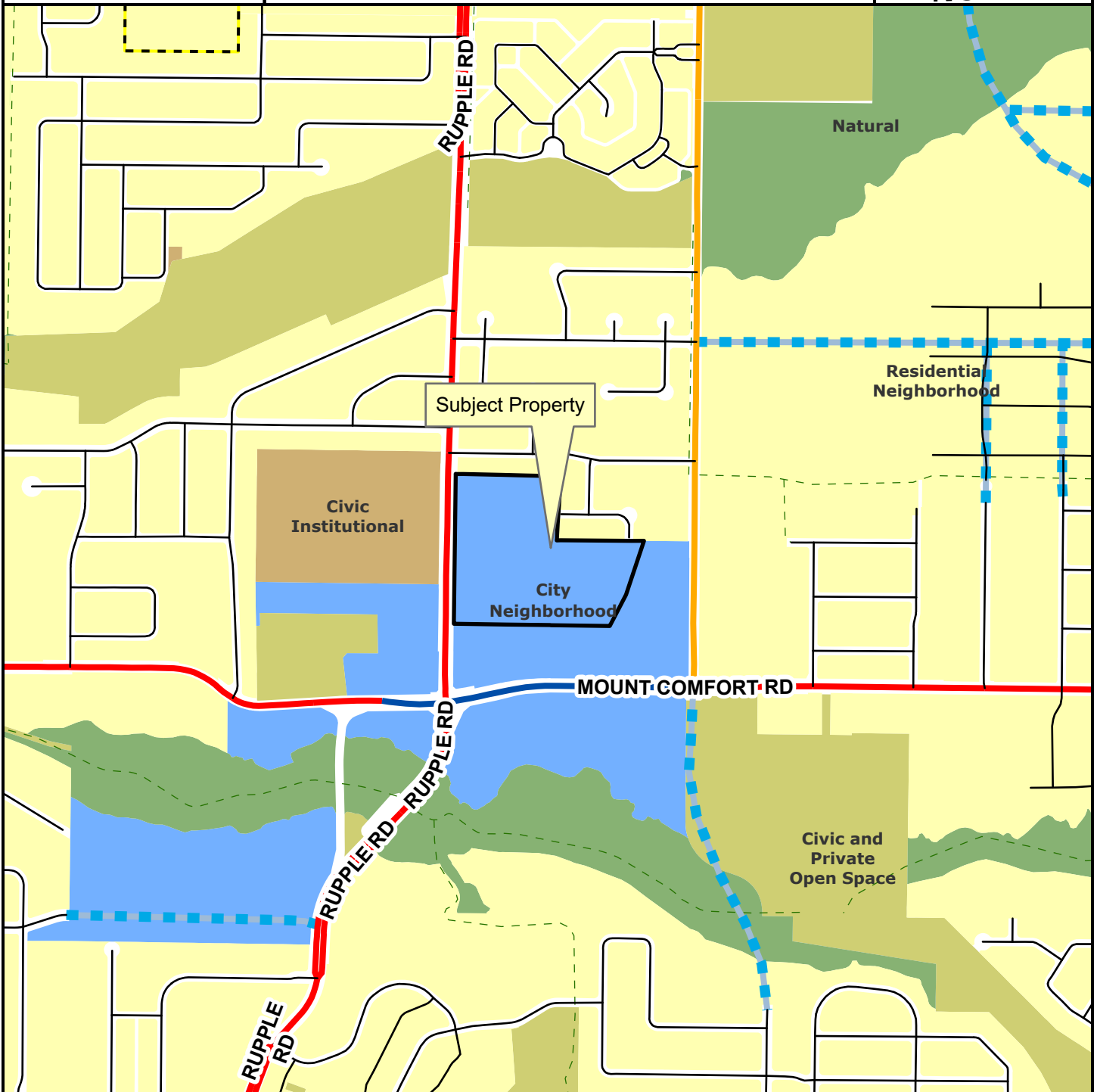
- 100-Year Floodplain
- Floodway

PZD-2024-0001

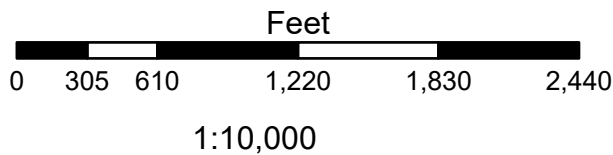
3568 W. MOUNT COMFORT RD



Future Land Use



- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)



- City Neighborhood
- Civic Institutional
- Civic and Private Open Space
- Industrial
- Natural
- Non-Municipal Government
- Residential Neighborhood
- Rural Residential
- Urban Center