

**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
AGENDA
ROSE ROOM
CREEKMORE PARK COMMUNITY CENTER
5:30 P.M.
NOVEMBER 10, 2015**

I. ROLL CALL

II. APPROVAL OF MINUTES FROM OCTOBER 13, 2015

III. STAFF COMMENTS AND PROCEDURES

1. CONSENT AGENDA

- A. Preliminary Plat – Hanna Phoenix Addition – Lots 2 thru 5 – Mickle-Wagner-Coleman
 - B. A request by Travis Brisendine, agent for Walmart Real Estate Business Trust, for development plan approval for a training center located at 2425 South Zero Street.
 - C. Conditional Use #20-11-15; A request by Jeremy Jones, agent for John Canterbury, for a conditional use for a motorcycle or ATV sales and service business located at 201 Towson Avenue.
2. A request by Mickle-Wagner-Coleman, agent for Littlefield Oil Company, for a Master Land Use Plan Amendment from Open Space/Office, Research, Light Industrial to Office, Research and Light Industrial located at 2801 Cavanaugh Road.
3. Rezoning #18-11-15; A request by Mickle-Wagner-Coleman, agent for Littlefield Oil Company, for a zone change from Commercial Heavy (C-5) to Industrial Light (I-1) by Extension located at 2801 Cavanaugh Road.

623 GARRISON AVENUE
P.O. BOX 1908
FORT SMITH, ARKANSAS 72902
(479) 784-2216
FAX (479) 784-2462

4. A request by Mickle-Wagner-Coleman, agent for Littlefield Oil Company, for development plan approval for a warehouse and potential future light industrial development located at 2801 Cavanaugh Road.

**RECESS PLANNING COMMISSION
CONVENE BOARD OF ZONING ADJUSTMENT**

5. Variance #35-11-15; A request by Mickle-Wagner-Coleman, agent for Littlefield Oil Company, for a variance from 15 feet to 4 feet exterior side yard setback and from a major arterial to a local road required minimum street access for an Industrial Light (I-1) zoning district located at 2801 Cavanaugh Road.

**RECESS BOARD OF ZONING ADJUSTMENT
RECONVENE PLANNING COMMISSION**

6. Rezoning #19-11-15; A request by Travis Brisendine, agent for Danny Williams, for a zone change from Transitional (T) to Residential Multifamily Medium Density (RM-3) by Extension located at 3311 South 66th Street.
7. A request by Travis Brisendine, agent for Danny Williams, for development plan approval of a multi-family development located at 3311 South 66th Street.

**RECESS PLANNING COMMISSION
RECONVENE BOARD OF ZONING ADJUSTMENT**

8. Variance #36-11-15; A request by Travis Brisendine, agent for Danny Williams, for a variance request from 11.25 feet to 7.5 feet side yard setback located at 3311 South 66th Street.

**RECESS BOARD OF ZONING ADJUSTMENT
RECONVENE PLANNING COMMISSION**

9. Preliminary Plat – The Havens at Chaffee Crossing – Lots 1-54 – Crafton Tull & Associates
10. Rezoning #20-11-15; A request by Crafton Tull & Associates, agent for Fort Chaffee Redevelopment Authority, for a zone change from Unzoned to Residential Single Family-Duplex Medium/High Density (RSD-3) by Classification located at 6900 Veterans Avenue.

11. Rezoning #21-11-15; A request by Crafton Tull & Associates, agent for Fort Chaffee Redevelopment Authority, for a zone change from Unzoned to Commercial Light (C-2) and Residential Single Family-Duplex Medium/High Density (RSD-3) by Classification located at 7100-7200 Wells Lake Road.

12. Conditional Use #21-11-15; A request by Jean Kolljeski and Kenneth Wallace, agents for Community Rescue Mission, for a conditional use for a community food service facility located at 317 North "F" Street.

**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
MINUTES
ROSE ROOM
CREEKMORE PARK COMMUNITY CENTER
5:30 P.M.
OCTOBER 13, 2015**

On roll call, the following Commissioners were present: Don Keesee, Talicia Richardson, Michael Redd, Vicki Newton, Sarah Howe, Rett Howard, Marshall Sharpe, Josh Carson and Bob Cooper, Jr.

Chairman Sharpe then called for the vote on the Planning Commission minutes from the September 9, 2015, meeting. Motion was made by Commissioner Howard, seconded by Commissioner Richardson and carried unanimously to approve the minutes as written.

Mr. Wally Bailey spoke on the procedures.

- 1. Rezoning #15-10-15; A request by Arkansas Valley Electric Co-op for a zone change from Not Zoned to Residential Single Family Medium/High Density (RS-3) by Classification located at 8009 Steep Hill Road.**

Brenda Andrews read the staff report indicating the approval of this rezoning will facilitate the development of a new utility substation.

Fred Phillips was present to speak on behalf of Arkansas Valley Electric.

No one present to speak in opposition.

Chairman Sharpe then called for the vote on the rezoning request.

The rezoning was approved by a vote of 9 in favor 0 opposed.

- 2. Conditional Use #18-10-15; A request by Arkansas Valley Electric Co-op for a conditional use for a utility substation located at 8009 Steep Hill Road.**

Brenda Andrews read staff report indicating the approval of this conditional use will allow for the development on a new utility substation.

Fred Phillips was present to speak on behalf of Arkansas Valley Electric.

No one was present to speak in opposition.

Chairman Sharpe then called for a vote on the conditional use. Motion was made by Commissioner Howard seconded by Newton and carried unanimously to amend this request to make approval subject to the following:

- Approval of the rezoning application by the City Board of Directors.
- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
- The project shall comply with the Chaffee Crossing Design Guidelines. The applicant shall submit an approval from the Chaffee Crossing Design Review Committee prior to the issuance of the building permit.
- All fences shall comply with the requirements of the UDO and Chaffee Crossing Design Guidelines.
- All lighting shall be shielded and comply with the city's Commercial and Outdoor Lighting regulations.
- All signage requires a separate applications and review process.
- Upon completion of the project, staff will review the site to determine if any new trees are necessary for additional screening to the substation.
- Five sets of complete construction plans shall be submitted to the Building Department for plan review.

Chairman Sharpe then called for the vote on the conditional use as amended. The conditional use was approved by a vote of 9 in favor 0 opposed.

3. A request by Ron Brixey, agent for Justin Green Custom Homes, Inc., for a Master Land Use Plan Amendment from Residential Detached to Residential Attached located at 3321 Utica Street.

Brenda Andrews read staff reports indicating the purpose for the master land use will facilitate the construction of two duplexes on separate lots.

No one was present to speak in favor.

No one present to speak in opposition.

Chairman Sharpe called for a vote on the Master Land Use Plan Amendment.

The vote was 9 in favor and 0 opposed.

Brenda Andrews read the staff report indicating that the purpose of this request is to allow for the development of thirty-two (32) single-family residential lots.

Brad Peterson with Crafton Tull was present to speak on behalf of this request.

No one was present to speak in opposition to the request. Although not opposing the request, Adam Witt, Operations Manager for Phoenix Metals located at 9701 Roberts Boulevard attended the neighborhood meeting. Mr. Witt stated that Phoenix Metals operates 24 hours a day with activities associated with noise, including cutting metals and loading trucks. Mr. Witt also stated that the company plans to expand the building and operations.

Chairman Sharpe then called for a vote on the rezoning request. Motion was made by Commissioner Howard seconded by Newton and carried unanimously to amend this request to make approval subject to the following:

Approval by the Fort Chaffee Redevelopment Authority of the property's Chaffee Crossing Land Use Plan classification from Mixed Use: Neighborhood Commercial/Office to Single Family Residential.

Chairman Sharpe then called for the vote on the rezoning request as amended. The vote was 8 in favor, 0 opposed and 1 abstention (Commissioner Cooper).

7. Conditional Use #19-10-15; A request by Al Prieur, agent for Mike Yasin, for a conditional use for an auto and vehicle dealer located at 500 Towson Avenue.

Brenda Andrews read the staff report indicating that the purpose of this conditional use would allow for the use of the existing building and site as an Auto and Vehicle Dealer.

Ms. Andrews stated that should the Planning Commission consider approval of this request, staff is recommending the following conditions:

- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
- If a trash receptacle is proposed, it shall be completely screened in accordance with the UDO.

- All exterior building or site lighting shall comply with the UDO Commercial and Outdoor Lighting requirements.
- Perimeter landscaping shall be installed as shown on the submitted landscaping plan. A final landscape plan shall be submitted to the planning department for review and verification of the proposed plant species and the number of shrubs in each island.
- All new signage requires a separate application and sign permit and shall comply with the UDO and CBID Design Guidelines. Should any digital face sign be installed, the digital face shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter. Documentation shall be provided to the City at time of permit issuance certifying the digital sign has been set to be incapable of exceeding .3 foot candles above ambient light. Each display on a digital face must have a light sensing device that will adjust the brightness as ambient light conditions change.
- Any exterior changes to the building or site shall comply with the UDO and the CBID Design Guidelines.
- Bumper blocks or other barrier shall be installed on parking spaces adjacent to the sidewalk.
- The AHTD will permit curb and gutter to delineate the proposed driveways should the Planning Commission want to add this condition.
- The site shall be used as an auto and vehicle dealer business only. No portion of the property within the C-6 zoning district shall be used as a body shop, salvage yard, parking for wrecked vehicles, or other uses prohibited in the C-6 zoning district.

Al Prieur, agent and Mike Yasin owner were present to speak on behalf of this request

Mr. Rodney Ghan, Mr. Richard Griffin, members of the Central Business Improvements District (CBID) and also Jeremy Drinkwitz representing Sparks Hospital were present to speak in opposition to this request.

Chairman Sharpe then called for the vote on the conditional use request.

The vote was 3 in favor (Commissioner Howe, Howard and Redd) and 6 opposed.

8. Conditional Use #20-10-15; A request by Harrison French & Associates, agent for 7600 Phoenix Properties, LLC. For a conditional use for a restaurant with outdoor dining located at 7501 Phoenix.

Brenda Andrews read the staff report indicating that the purpose of this request is to allow for a drive-through restaurant (Slim Chickens) with outdoor dining with 47 parking spaces.

Chris Johnson was present to speak on behalf of this request.

No one was present to speak in opposition.

Chairman Sharpe then called for the vote on the conditional use request.

Motion was made by Commissioner Howe seconded by Newton and carried unanimously to amend this request to make approval subject to the following:

- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
- All signage shall comply with the Phoenix Avenue Overlay District requirements.
- In the future, if amplified music or a stage is proposed, a new conditional use shall be required.
- Should any digital face sign be installed, the digital face shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter. Documents shall be provided to the City at time of permit issuance certifying the digital sign has been set to be incapable of exceeding 0.3 foot candles above ambient light. Each display on a digital face must have a light sending device that will adjust the brightness as ambient light conditions change.

Chairman Sharpe then called for the vote on the conditional use as amended.

The vote was 9 in favor and 0 opposed.

9. A request by Brett Abbott, agent for Ken Colley, for development plan approval for an office complex located at 3400 South 70th Street.

Brenda Andrews read the staff report indicating that the purpose of this development is to allow for a 6,000 s.f. office building with adequate parking and landscaping.

Brett Abbott was present to speak on behalf of this request.

No one was present to speak on behalf of this request.

Chairman Sharpe then called for the vote on the development plan.

Motion was made by Commissioner Newton, seconded by Howard and carried unanimously to amend this request to make approval subject to the following:

- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
- A final landscape plan shall be submitted for staff review and compliance with the UDO landscaping regulations.
- All signage shall comply with the Phoenix Avenue Overlay district regulations. A sign permit application shall be submitted for staff review and approval.

Chairman Sharpe then called for the vote on the development plan as amended.

The vote was 9 in favor and 0 opposed.

10. Home Occupation #3-10-15; A request by Amanda Turner for a home occupation for a beauty salon located at 548 North 35th Street.

Brenda Andrews read the staff report indicating that the purpose of this home occupation application will allow for a home-based beauty shop with no more than two customers at any time.

Amanda Turner was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Chairman Sharpe then called for the vote on the home occupation.

Motion was made by Commissioner Newton, seconded by Commissioner Carson and carried unanimously to amend this request to make approval subject to the following items in addition to the requirements of UDO Section 27-338-4F.

- All vehicles shall be parked in compliance with the Fort Smith Parking Regulations.
- On-site parking shall be provided as shown on the submitted parking plan
- The business license cannot be transferred to another location without a new Home Occupation Application.
- No commercial trash container will be placed at the residence.
- No sale of any retail or wholesale item or times shall take place on the premises unless they are considered as an accessory item of the approved home occupation.
- Drop shipments to the residence are permitted but limited to no more than four times per year.

- The business shall not exceed the days and hours of operation as stated in the application.

Chairman Sharpe then called for the vote on the home occupation request as amended. The vote was 9 in favor and 0 opposed.

11. A request by Quentin Willard, Fort Smith Brewing Company, for a text amendment to the Unified Development Ordinance.

Wally Bailey read the staff report indicating that the purpose of the text amendment is to add the following land uses to the UDO Land Use Matrix.

1. Small Scale Production.
2. Microbrewery/micro winery/micro distillery
3. Specialty Manufacturing

The applicant has requested that the above uses be permitted in the Commercial Heavy (C-5) zoning district and allowed as a conditional use in the Commercial Light (C-2), Commercial Moderate (C-3), and Commercial Regional (C-4) zoning districts.

Mr. Bailey noted that staff believes that the applicant's amendments have merit and would encourage more small craft businesses in Fort Smith. However, staff has concerns about the proposed land uses as conditional uses in the C-2, C-3 and C-4 zoning districts and would like to further study the amendments in these zoning districts to evaluate potential impacts. Mr. Bailey also noted that staff does believe that the proposed definition for microbrewery/microwinery/microdistillery as a permitted use in the C-5 zoning district would be beneficial and have minimal impacts to surrounding land uses.

Quentin Williams was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Chairman Sharpe then called for the vote on the UDO Amendment.

Motion was made by Commissioner Howard, seconded by Newton and carried with a vote of 9 in favor and 0 opposed to make approval subject to the following:

- Amend the UDO Land Use Chart to add Microbrewery/microwinery as a permitted land use in the Commercial-5 zoning district; and
- Amend Chapter 27-200 to delete the current definition of Microbrewery and replace with the applicant's definition for Microbrewery/microwinery/microdistillery.

Chairman Sharpe then called for the vote on the UDO amendment as amended. The vote was 8 in favor, 0 opposed and 1 abstention (Cooper).

12. A request by Jeremy Jones, River City Cycles, for a text amendment to the Unified Development Ordinances.

Wally Bailey read the staff reports indicating that the purpose of the text amendment to allow "Motorcycles or ATV Sales and Service" in the Commercial Downtown (C-6) zoning district as a conditional use.

Jeremy Jones was present to speak on behalf of this request.

Richard Griffin with (CBID) was present to speak in opposition to this request.

Chairman Sharpe then called for the vote on the text amendment request.

The vote was 4 in favor (Howe, Redd, Sharpe, Howard) and 5 opposed.

13. A request by Chris Adams Sharp, C Sharp Restorations, for a text amendment to the Unified Development Ordinance.

Wally Bailey read the staff reports indicating that the purpose of the text amendment to allow Auto Body Shops in the ETJ Industrial Light (I-1) zoning district as a permitted use.

Chris Sharp was present to speak on behalf of this request.

No one was present to speak in opposition to the request.

Staff recommended an amendment to the request to require auto body shops to obtain a conditional use when next to residential properties.

Chairman Sharpe then called for the vote on the text amendment request.

Motion was made by Commissioner Newton, seconded Howard by and carried unanimously to amend this request to make approval subject to the following:

- Amend the UDO to allow Auto Body shops in the ETJ Industrial Light (ETJI-L) zoning district and when contiguous to residentially zoned or residentially developed property a conditional use permit would be required.

The vote was 9 in favor 0 opposed.

RECESS PLANNING COMMISSION

CONVENE BOARD OF ZONING ADJUSTMENT

- 14. Variance #31-10-15; A request by Tim Risley, agent for Ronnie Risley, for a variance from 100 feet to 59 feet minimum separation between driveways and from 150 feet to 5 feet 4 inches minimum separation between driveways and street intersection located at 6101 Phoenix Avenue, Suite 3.**

Brenda Andrews read the staff report indicating the purpose of this variance is to allow for a new driveway to access South 62nd Street.

Tim Risley was present to speak on behalf of this request.

No one was present to speak on behalf of this request.

Chairman Sharpe then called for the vote on the variance request.

Motion was made by Commissioner Newton, seconded by Commissioner Carson and carried unanimously to amend this request to make approval subject to the following:

- Design input from the City Engineering Department that would include a right turn only
- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO.

Chairman Sharpe then called for the vote on the variance request as amended.

The vote was 8 in favor, 0 opposed and 1 abstention (Howard).

15. Variance # 32-10-15; A request by David Yarbrough, agent for Elim Picazo, for a variance from 25 feet to 6.3 feet front yard setback located at 2607 North 41st Street.

Brenda Andrews read the staff report indicating the purpose of variance request is to allow for the construction of a carport in the front yard and a covered area in the rear yard.

David Yarbrough was present to speak on behalf of this request.

No one was present to speak on behalf of this request.

Chairman Sharpe then called for the vote on the variance request.

Motion was made by Commissioner Newton, seconded Howard by and carried unanimously to amend this request to make approval subject to the following:

- The carport being constructed in accordance with the submitted drawing.

Chairman Sharpe then called for the vote on the variance request as amended.

The vote was 9 in favor and 0 opposed.

16. Variance #33-10-15; A request by Jeff Lee, agent for Vilay Sinbandhit, for a variance from 15 feet to 0 feet exterior side yard setback located at 3824 Midland Boulevard.

Wally Bailey read the staff report indicating that the purpose of the variance will allow for an existing dilapidated portion of the building at the rear of the structure to be reconstructed and removed from the North 43rd Street right-of-way.

Jeff Lee was present to speak on behalf of this request.

No one was present to speak on behalf of this request.

Chairman Sharpe then called for the vote on the variance request.

The vote was 9 in favor and 0 opposed.

17. Variance #34-10-15; A request by Anthony Leraris, agent for Aaron Littlefield, for a variance from 10 feet to 0' rear yard setback located at 3107 Wheeler Avenue.

Wally Bailey read the staff report indicating that the purpose of the variance is to allow for the construction of a vending machine enclosure.

Anthony Leraris was present to speak on behalf of this request.

No one was present to speak on behalf of this request.

Chairman Sharpe then called for the vote on the variance request.

Motion was made by Commissioner Howe, seconded by Howard by and carried unanimously to amend this request to make approval subject to the following:

- The vending area being located out of the floodway.

Chairman Sharpe then called for the vote on the variance request as amended.

The vote was 9 in favor and 0 opposed.

Meeting Adjourned!

SUBDIVISION COMMENTS
November 10, 2015

1. Hanna Phoenix Addition, Lots 2-5 - Preliminary Plat – Mickle-Wagner-Coleman

Existing Zoning Designations: Commercial Heavy (C-5 SPL)

Land Uses: The C-5 zoning district provides adequate locations for retail uses and services that generate moderate to heavy automobile traffic.

Proposed Land Uses: Commercial Uses

We recommend approval of the preliminary plat with the following comments:

- 1) The developer must agree to meet all franchise and City utility easement requirements.
- 2) The preliminary and final plat must comply with the city's Subdivision Design and Improvement Standards Specifications for Public Works Construction.

Memo

To: City Planning Commission

From: Planning Staff

Date: October 30, 2015

Re: Development Plan Review - A request by Travis Brisendine, agent for Walmart Real Estate Business Trust, for Planning Commission consideration of a Development Plan request to develop a training center at 2425 South Zero Street

PROPOSED DEVELOPMENT PLAN

The development plan if approved will allow for a 2,365 s.f. training facility with landscaping.

LOT LOCATION AND SIZE

The subject property is on the north side of Zero Street between South 28th Street and South 26th Street. The overall tract for Walmart contains an area of 21.98 acres with approximately 1,000 feet of street frontage along Zero Street. The project site is located on the southeastern portion of the property.

EXISTING ZONING

The existing zoning on this tract is Commercial Heavy (C-5). With a Special requirement when the zoning was approved that requires all development to receive Planning Commission approval.

Characteristics of this zone are as follows:

Purpose:

To provide adequate locations for retail uses and services that generate moderate to heavy automobile traffic. The C-5 zoning district is designed to facilitate convenient access, minimize traffic congestion, and reduce visual clutter. The C-5 zoning district is appropriate in the General Commercial, Office, Research, and Light Industrial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-5 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto vehicle impoundment or holding yard, auto body shop, medical laboratory, beer garden, restaurants with outdoor dining, pet cemetery, bus station, utility substations, museum, parks, educational facilities, police station, community food service, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- Minimum Lot Size – 14,000 square feet
- Maximum Height - 45 feet (1+1)
- Maximum Lot Coverage - 75%
- Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres
- Existing District (By Extension) – 14,000 square feet
- Minimum Lot Width – 100 feet
- Front Yard Setback - 25 feet
- Side Yard on Street Side of Corner Lot - 15 feet
- Side Yard Setback – 20 feet
- Rear Yard Setback - 20 feet
- Side/Rear (adjoining SF Residential District/Development) – 30 feet
- Minimum building separation – to be determined by current City building and fire code.
- Required street access – Minor Arterial or higher

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Commercial Light Special (C-2-SPL) and is undeveloped.

The areas to the east are zoned Industrial Light and are developed as retail sales, contractor shop and storage, and offices.

The areas to the south and west are zoned Commercial Heavy (C-5) and are developed as retail sales and shopping centers, restaurants, barber shops, banks and similar uses.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South Zero Street as a Major Arterial and South 24th Street as a Major Collector.

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – All ingress and egress for the training offices will occur at the existing driveway located on the southeastern most part of the property located on Zero Street.

Easement/utilities – The developer must agree to meet all franchise and city utility easement requirements. Additionally, the development must comply with the City’s Subdivision Design and Improvement Standards and the Standard Specification for Public Works Construction.

Drainage – No new drainage plans are required at this time.

Right-of-way dedication – No new right-of-way dedication is proposed or required at this time.

1B-2

Landscaping – The application shows that landscaping will be installed in front of the project to comply with the UDO perimeter landscaping and parking lot screening requirements.

Screening – No new screening is required or proposed at this time.

Parking – The new building will continue to utilize the existing Walmart parking spaces.

Signage – No new signage is proposed at this time.

Lighting – No new lighting is proposed at this time.

Architectural features – The applicant plans to utilize 3 modular buildings and has coordinated with the building department to meet the fire and building codes. The current development plans show that the office area will utilize a 100% high quality material such as EIFS to satisfy the requirements.

Height and Area –The building will be 2,365 s.f. and will be approximately 14 feet in height.

NEIGHBORHOOD MEETING

The neighborhood meeting is not required.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the application contingent upon construction complying with the submitted development plan.

DEVELOPMENT PLAN REVIEW APPLICATION

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

2. Address of property: 2425 South Zero Street

3. The above described property is now zoned: C-5

4. Does the development plan include a companion rezoning request?

Yes _____ No X _____

5. If yes, please specify the companion application submitted:

- Conventional Rezoning
- Planned Rezoning
- Conditional Use
- Master Land Use Plan Amendment
- Variance

6. If applicable, a companion rezoning application is proposed to change the zoning classification of the above described property to:

_____ by _____
(Zoning Classification) (Extension or classification)

7. Existing zoning, structures and driveways on surrounding properties within 300 feet of subject property:

Commercial and industrial zoning. Retail business and open land surround existing site.

8. Total acreage of property +/- 22 acres

1B-4

Signed:

TRAVIS BRISENDINE
Owner or Agent Name
(please print)

PO Box 10064 72917
Owner or Agent Mailing Address

452-1933
Owner or Agent Phone Number

Owner

or

Tom Bil
Agent



MORRISON SHIPLEY

ENGINEERS • SURVEYORS

October 16, 2015

Ms. Brenda Andrews
City of Fort Smith - Planning
P.O. Box 1908
Fort Smith, Arkansas 72902

***RE: Site Plan for training center
Store #125
Fort Smith, AR***

Dear Brenda:

Attached you will find fifteen (15) copies of the site plan and architectural renderings for a proposed training center to be located at the Walmart on Zero Street. The center will consist of three modular buildings to be located within the existing Walmart parking lot near the SE corner of the building.

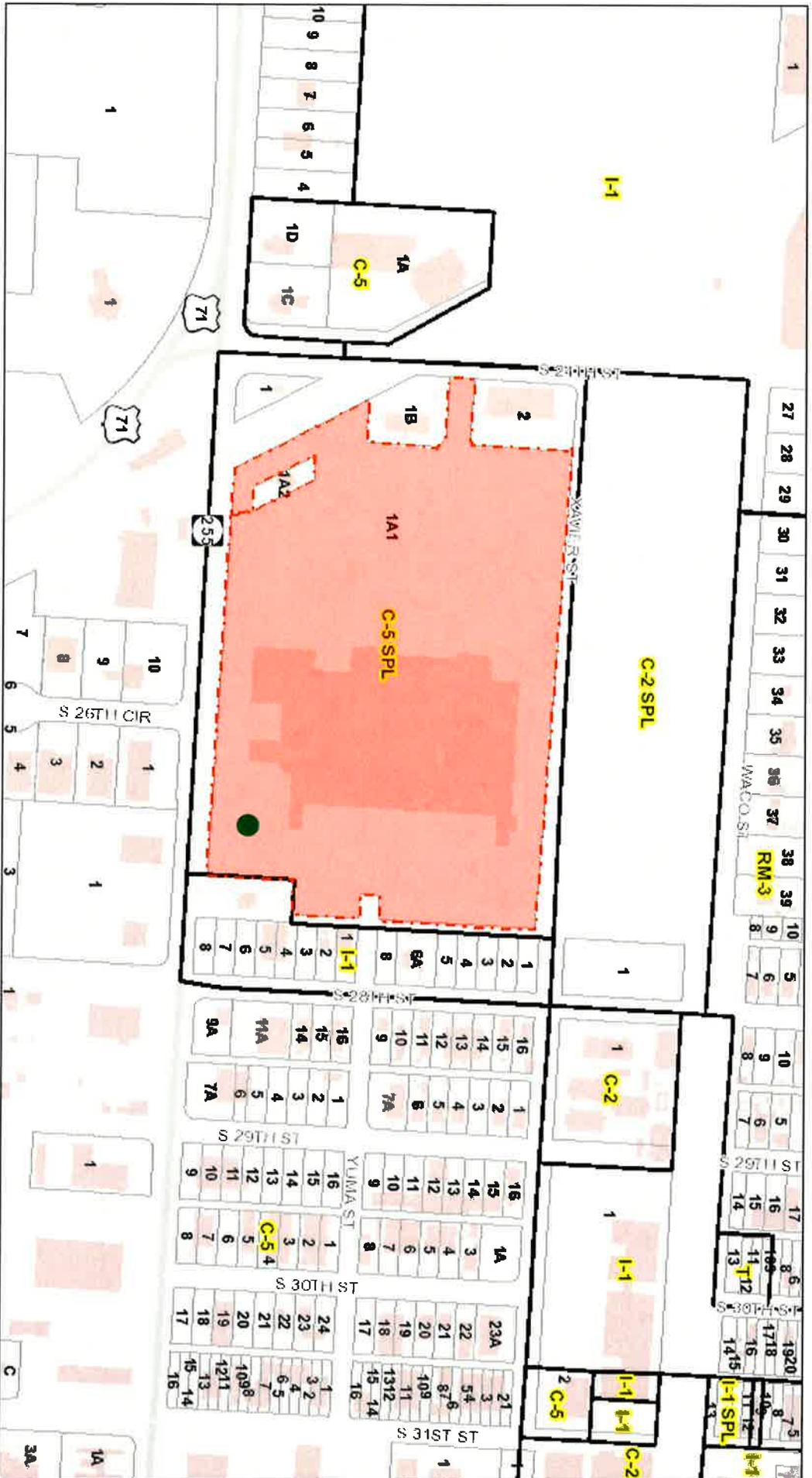
Please review the information and let me know if you require additional information. I have also included a check for \$300.00 to cover the application fee. If you have any questions or require additional information please do not hesitate to call me at 479-452-1933.

Sincerely,
Morrison-Shipley Engineers, Inc.

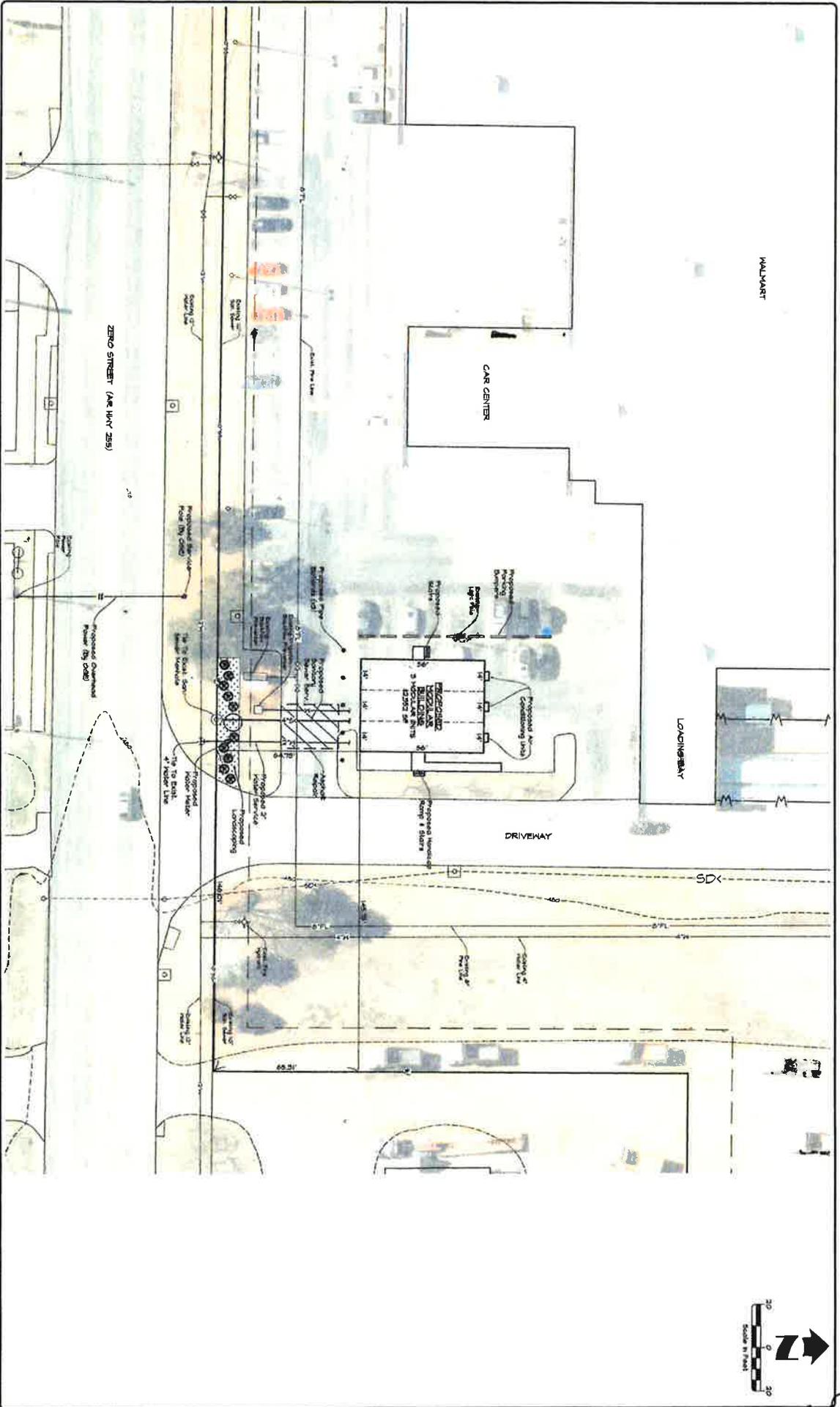
Travis Brisendine, P.E.

1B-6

Development Plan Review for a Training Center 2425 South Zero Street



B-7



Revised	By	Date

MORRISON SHIPLEY
ENGINEERS & SURVEYORS

110.0000000 • Fort Smith, AR 72117 • 479.642.1000 • morrisonshingley.com

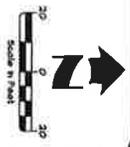


Project No.	Scale	Sheet No.
10.22.15	1" = 20'	2

#125 Training Center
Fort Smith, Sebastian County, Arkansas

SITE PLAN
Issued for Review - 10.22.15

2	2
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13-8

- Siding
- Trim
- Soffit
- HardieWrap®
- Finishing Touches

HardiePlank® Lap Siding

● HardiePanel® Vertical Siding

HardieShingle® Siding

HardiePanel® Vertical Siding

HardiePanel vertical siding delivers style and substance. When combined with HardieTrim® boards, it achieves the rustic board-and-batten look that defines cottage charm. The covered seams contribute to a well-insulated home.

Its crisp, clean lines make HardiePanel vertical siding a smart choice for strong, contemporary designs.



True to the tradition of
PERFORMANCE AND BEAUTY.



ABOUT JAMES HARDIE

PRODUCTS

COLOR

13-9

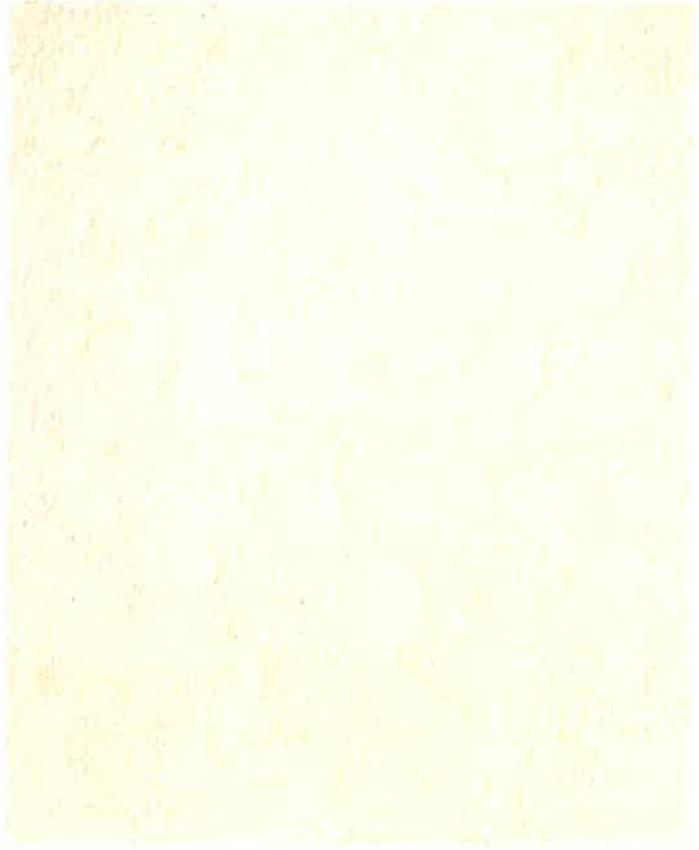


HardiePlank® Lap Siding

● HardiePanel® Vertical Siding

HardieShingle® Siding

1B-10



STUCCO

Navajo Beige Panel

Thickness	4 ft. x 8 ft.	4 ft. x 9 ft*	4 ft. x 10 ft.
5/16 in.	50	50	50
3/8 in.	3.2	2.8	2.5

Available Colors:



[View all HardiePanel Vertical Siding Products](#)

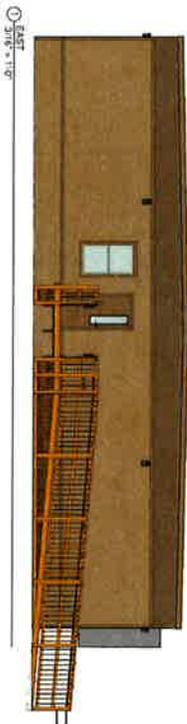
* 4 ft. x 9 ft. HardiePanel vertical siding is only available in panel.



ABOUT JAMES HARDIE

PRODUCTS

COLOR



Modular Space Corporation
Brynnyl, PA 15312

APPROVAL STAMP

A/E SEAL

PROJECT NAME / ADDRESS
Nominal 42x56 Open Office Bldg
CITY, STATE - TBD

COMPANY NAME/ ADDRESS
ModSpace

DRAWING TITLE
Exterior Elevations & 3D View

Date	Description

DRAWN BY
J.VILLA
Date
10/14/15

APPROVED BY
J.VILLA
Date
10/14/15

PROJECT NAME
Nominal 42x56 Open Office Bldg
CITY, STATE - TBD

Ownership of Documents
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Sheet No. **A2.01**

13-11

Memo

To: City Planning Commission

From: Planning Staff

Date: October 29, 2015

Re: Conditional Use #20-11-15-A request by Jeremy Jones, agent for John Canterbury, for Planning Commission consideration of a Conditional Use request for a motorcycle or ATV sales and service located at 201 Towson Avenue

PROPOSED CONDITIONAL USE

The conditional use if approved will allow for the site to be used as an ATV sales and service business with a display area located on Towson Avenue.

LOT LOCATION AND SIZE

The subject property is on the east side of Towson Avenue between South A Street and South B Street. The tract contains an area of .32 acres with approximately 100 feet of street frontage along Towson Avenue and 140 feet of Street frontage along South A Street.

EXISTING ZONING

The existing zoning on this tract is Commercial Downtown (C-6).
Characteristics of this zone are as follows:

Purpose:

To provide for the orderly development of the original downtown area of Fort Smith and the areas immediately adjacent to it. The Commercial Downtown (C-6) zoning district establishes guidelines and controls that allow for retail and residential development which is compatible with existing and expanding governmental, financial, professional, cultural, historic, and entertainment facilities. Commercial, governmental, and professional uses that serve the metropolitan area are allowed in this zone.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-6 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

1C-1

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, homeless shelter, medical laboratory, bus station, parks, educational facilities, detention facility, police station, community health and welfare clinic, daycare center, senior citizen center and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Maximum Lot Size – N/A

Maximum Height – N/A

Maximum Lot Coverage - 100%

Minimum Parcel/Lot Size for Rezoning – Existing District (By Extension) – 42,000 square feet

Minimum Lot Width – N/A

Front Yard Setback – N/A

Side Yard on Street Side of Corner Lot – N/A

Side Yard Setback – N/A

Rear Yard Setback – N/A

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Commercial Downtown (C-6) and is undeveloped.

The area to the east is zoned Transitional (T) and is developed as a park.

The area to the south is zoned Commercial Downtown (C-6) and developed as an auto vehicle dealer.

The area to the west is zoned Commercial Downtown (C-6) and is developed as vacant commercial offices.

PURPOSE OF CONDITIONAL USE

Certain uses are defined as conditional uses because of the potential harmful effects the use can cause to nearby properties and because the requirements to eliminate harmful effects vary from site to site. In considering conditional uses, the Planning Commission will review the overall compatibility of the planned use with the surrounding property as well as specific items such as screening, parking, and landscaping to make sure that no harmful effects occur to nearby properties.

CONDITIONS FOR A CONDITIONAL USE

All requirements for a Conditional Use must be met before any part of the use may be utilized. If any specific condition is not met, the Conditional Use authorization may be revoked by the City of Fort Smith pursuant to Section 27-314.

Requirements for a Conditional Use must begin to be met within one (1) year of the authorization unless a special time limit has been imposed by the Planning Commission. An extension of time beyond one (1) year or that imposed by the Planning Commission may be granted by the Director one (1) time for up to ninety (90) days.

102

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Towson Avenue as a Major Arterial and South A Street as a local road.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Mixed Use Residential. This classification is intended to provide for a dense, compatible mix of retail, residential, employment and production activities designed for all modes of transportation.

SITE DESIGN FEATURES

The applicant intends to utilize the existing commercial building as is and is not proposing any changes to the building or site. An area currently used for parking will be utilized for display of motorcycles or ATV for sale.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Friday, November 6th, 2015, at 9:00 a.m. on site. No neighboring property owners attended the meeting.

STAFF COMMENTS AND RECOMMENDATIONS

On October 13, 2015, the planning commission recommended denial of the applicant's request to allow motorcycle or ATV sales and service as a conditional use in C-6 zoning district. Following that recommendation, the CBID met on October 20, and recommended approval of the text amendment. The CBID also reviewed the applicant's conditional use application for 201 Towson Avenue and recommended approval provided that display of motorcycles or ATV's were limited to the area south of the building as shown in the application and displayed during business hours only. Further, no display shall occur on the sidewalk or any area of the right-of-way. This discussion and recommendation by the CBID encouraged the applicant to submit an appeal to the Board of Directors requesting that the planning commission's recommendation to deny the text amendment be overturned.

On November 3, 2015, the Board of Directors approved the applicant's appeal. As a result, Motorcycle or ATV Sales and Service is an allowed use in the C-6 zoning district with conditional use approval by the planning commission.

Staff recommends approval of the application with the following comments:

1. Display of motorcycles or ATV for sale is limited to the area south of the building as shown in the applicant's application.
2. Display of motorcycle or ATV's is limited in the defined area during business hours only.
3. Other than display of motorcycles or ATV, no outside storage is permitted.
4. The sidewalk or any area of the right-of-way shall not be used as display area.

Conditional Use # 20-11-15

APPLICATION FOR CONDITIONAL USE

Name of Property Owner: JOHN CANTERBURY

Name of Authorized Agent (if applicable) JEREMY JONES

Legal Description of property included in the conditional use request:

LOTS 1 AND 2, BLOCK C, FITZGERALD

Street Address of Property:

201 TOWSON Fort Smith AR 72901

Existing Zoning Classification:

C-6

Proposed Zoning Classification (if applicable):

N/A

Describe Proposed Conditional Use Request, including the development of any construction proposed of the property:

ALLOW MOTORCYCLE OR ATV SALES AND SERVICE

What amenities are proposed such as landscaping and screening?

N/A

JEREMY JONES

Owner or Agent Name (please print)

319 SOUTH 18TH STREET, FS

Owner or Agent Mailing Address 72901

918-618-2262

Owner or Agent Phone Number

Signed:

Owner

Or

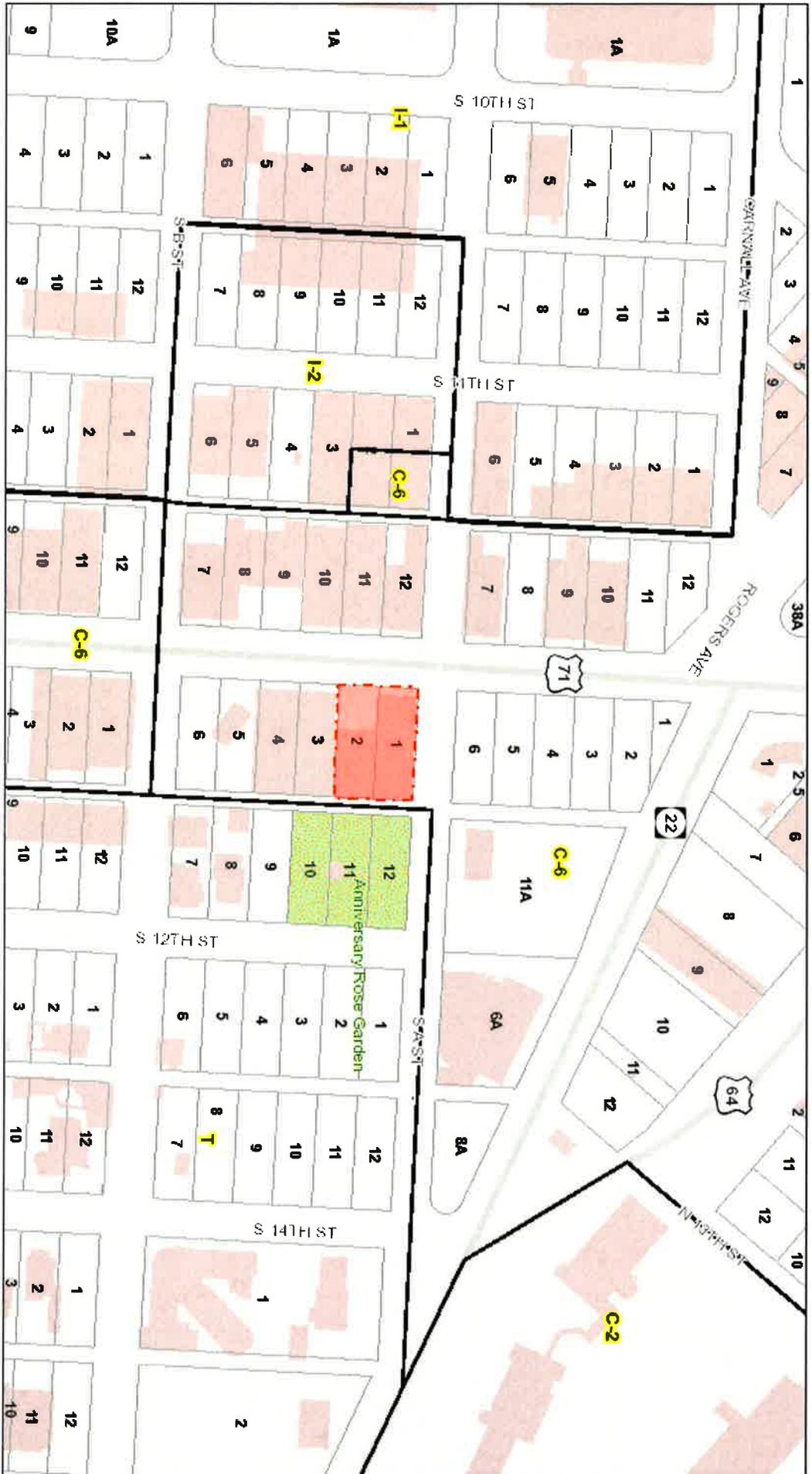
Jeremy Jones

Agent

IC-4

Conditional Use #20-11-15: Motorcycle or ATV Sales and Service 201 Towson Avenue

B-C-1



October 23, 2015

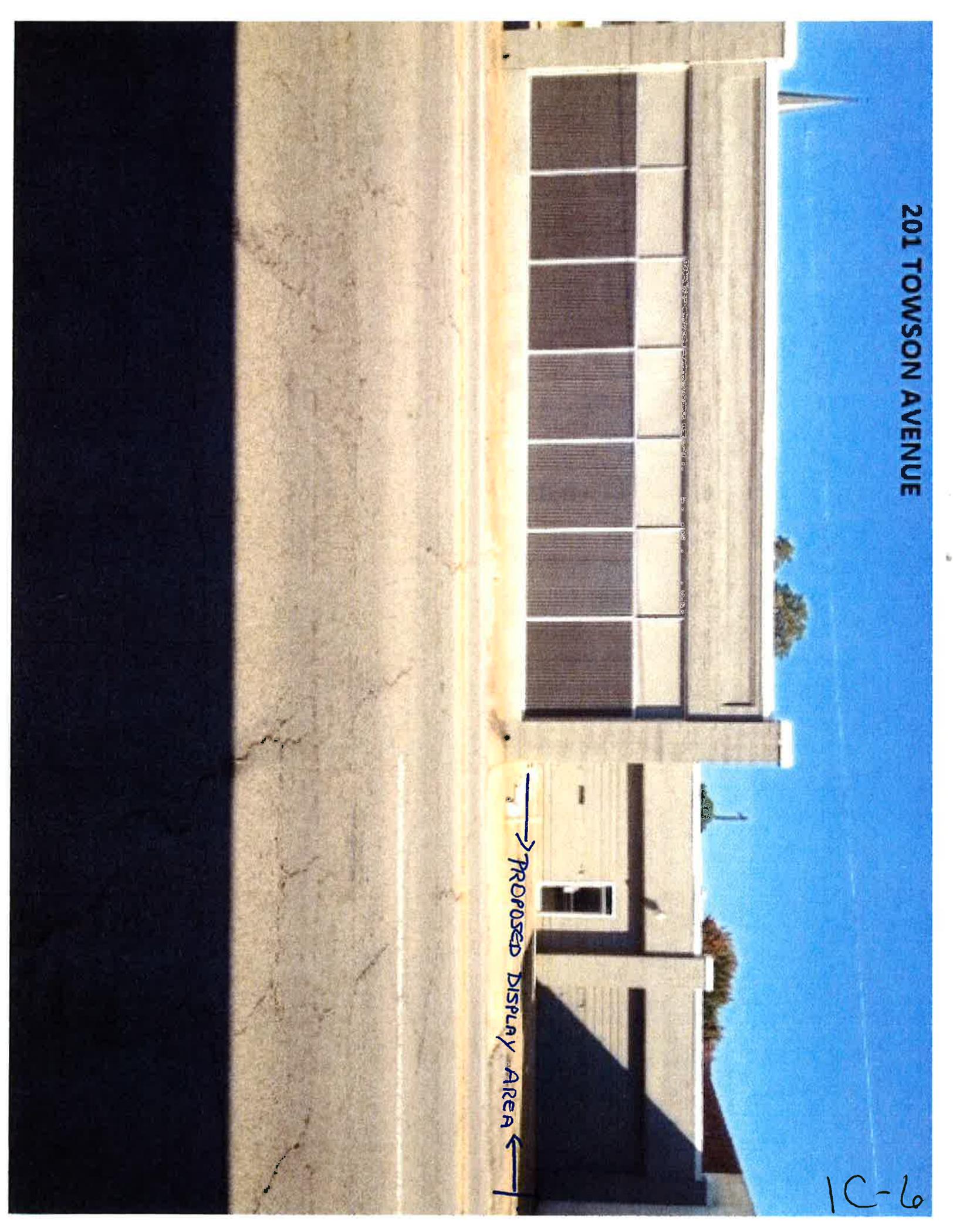
- Fort Smith City Limits
- Building Footprints
- Zoning
- Subdivisions



201 TOWSON AVENUE

→ PROPOSED DISPLAY AREA ←

1C-6



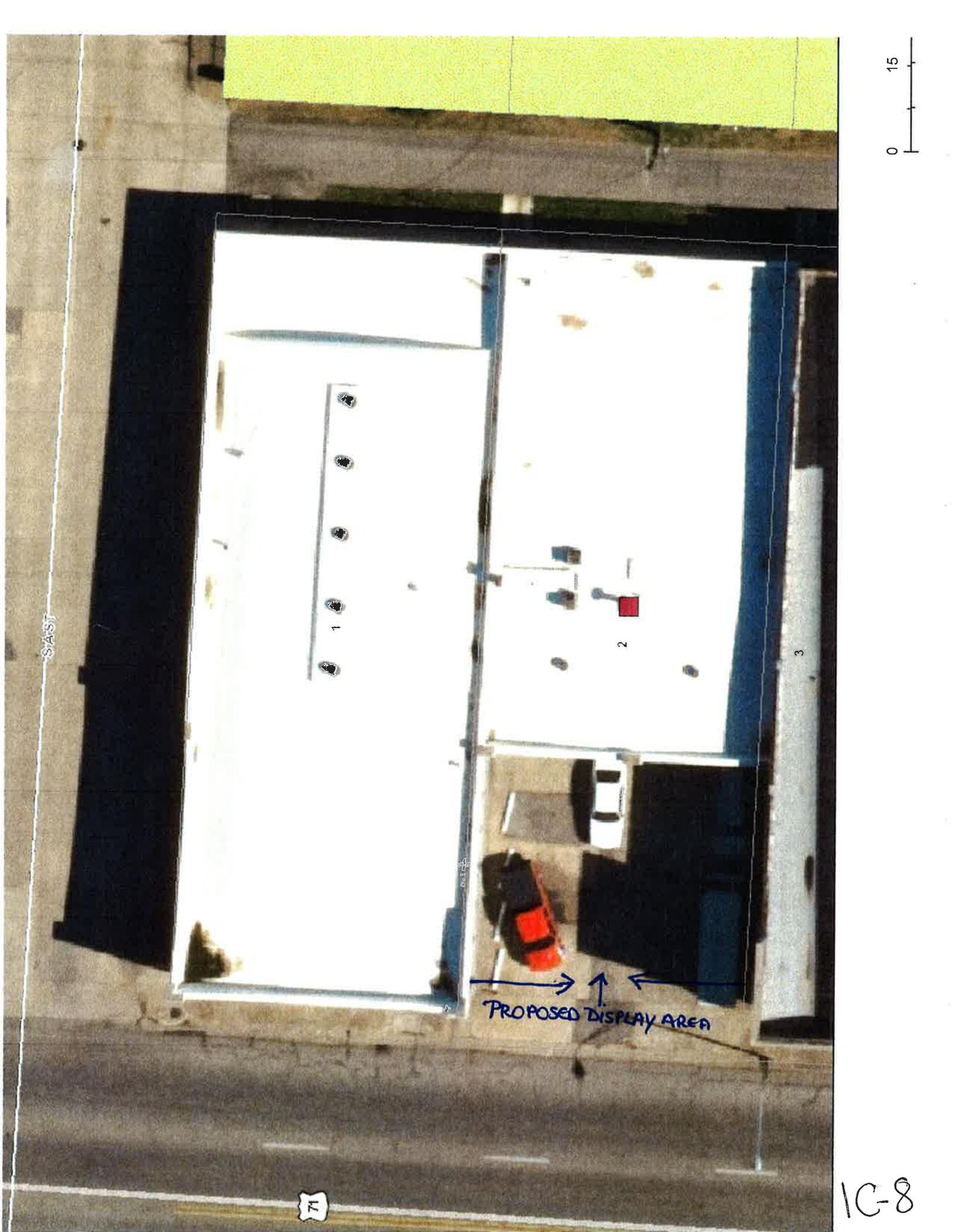


Google earth

feet
meters



1C-7



CAST

1

2

3

POST

PROPOSED DISPLAY AREA



7

IC-8

Master Land Use Plan Amendment

Memo

To: City Planning Commission

From: Planning Staff

Date: October 28, 2015

Re: Proposed Master Land Use Plan Amendment by Mickle Wagner Coleman, Inc., agent for Littlefield Oil Company, for a Master Land Use Plan Amendment from Open Space & Office, Research, Light Industrial to Office, Research, Light Industrial at 2801 Cavanaugh Road

The Planning Department is in receipt of an application from Mickle Wagner Coleman, Inc., agent, to amend the Master Land Use Map from Open Space and Office, Research, Light Industrial to Office, Research, Light Industrial to accommodate a proposed Industrial Light (I-1) zoning request. The subject property is on the northeast corner of the intersection of Cavanaugh Road and South 28th Street. The tract contains an area of 20.41 acres with approximately 648 feet of street frontage along Cavanaugh Road and approximately 1,303 feet of street frontage along South 28th Street.

The property is currently zoned Commercial Heavy (C-5). A companion zoning application requests a Industrial Light (I-1) zoning district. The Master Land use Plan is a guide to zoning and development and must be considered with the companion application.

ADJACENT LAND USE CLASSIFICATIONS AND USES

Land Use classification and use contiguous to the subject lot are as follows:

The area to the north is classified as Open Space & General Commercial and is developed as a contractor's shop and storage yard.

The area to the east is classified as Open Space & General Commercial and is developed as an office, Ryder Truck Rental, a truck stop, and Castle Woodworks.

The area to the south is classified as Residential Detached and is undeveloped.

The area to the west is classified as Office, Research and Light Industrial and is developed as Qual Serv, a tire shop, and an electric sub-station.

2A

The proposed Land Use classification of Office, Research and Light Industrial is described as follows: to provide opportunities for clean, indoor, minimum impact, research, development, assembly, manufacturing, warehousing, distribution, and supportive goods and services.

Characteristics and Use:

Criteria for Designation:

Compliance Noted

- | | |
|--|-----|
| • Compatible with and complimentary to surrounding uses. | Yes |
| • Located on high volume arterials and collectors | No* |
| • Located as a cluster of like services | Yes |
| • Accessible by most modes of transportation | Yes |
| • Appropriately located for minimum impact of adjacent uses, and, by volume of activity and trips generated by use | Yes |

***The applicant has submitted a companion variance application requesting a variance from the required minimum access of Major Arterial to Local Road street classification.**

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Open Space & Office, Research and Light Industrial. This classification is to provide for the open space and recreation needs of the region, and protect the regions natural resources, water quality and development investments and to provide opportunities for clean, indoor, minimum impact, research, development, assembly, manufacturing, warehousing, distribution, and supportive goods and services.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Cavanaugh Road as a Local Road and South 28th Street as a Future Major Collector.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Friday, November 6, 2015, 1:00 p.m., at 2801 Cavanaugh Road. A summary of the meeting will be provided to the planning commission at the planning commission meeting.

STAFF COMMENTS AND RECOMMENDATIONS

Based on surrounding land use classifications and development, staff recommends approval of the application.

Application Type

Minor Amendment **Standard Amendment** **Major Amendment**
(See Section 27-328-5 C. (Criteria))

Request to Amend Map **Request to Amend Text**

Applicant Name: Chris Gatling, P.E.

Firm Name: Mickle Wagner Coleman, Inc.

Address: P.O. Box 1507, Fort Smith, AR 72902

Phone # (day): (479) 649-8484 Phone # (cell): Fax #: (479) 649-8486

Owner Name: Littlefield Oil Company, Inc.

Owner Address: P.O. Box 180100, Fort Smith, AR 72918

Phone # (day): (479) 646-0595 Phone # (cell): Fax #:

Property Address (subject property): 2801 Cavanaugh Road

Subject Property

Current Land Use: Open Space/ Office, Research, Light Industrial

Existing MLUP Classification: Open Space/ Office, Research, Light Industrial

Proposed MLUP Classification: Office, Research and Light Industrial

Existing Zoning Classification: C-5

Proposed Zoning Classification: I-1

Surrounding Property

Current Land Use: north- Industrial

 south- Vacant

 east- Commercial

 west- Industrial

Existing MLUP Classification: north: General Commercial

 south: Residential Detached

 east: General Commercial

 west: Office, Research and Light Industrial

Existing Zoning Classification: north: I-1

 south: C-5

 east: C-5

 west: I-1

Pre-Application Meeting Date: October 2, 2015

20

For a Minor, Standard or Major Master Land Use Plan Amendment, please attach the following information and answer the questions below. You may provide answers on a separate sheet and attach it to this application:

1. A legal description of the subject property that is to be amended (reclassified).

Part of the Southwest Quarter of the Southwest Quarter of Section 3, Township 7 North, Range 32 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Northwest Corner of said Southwest Quarter of the Southwest Quarter; Thence along the north line of said Southwest Quarter of the Southwest Quarter, S86°43'30"E, 48.00 feet to the Point of Beginning on the east right-of-way line of South 28th Street; Thence continuing along said north line, S86°43'30"E, 661.61 feet to the northeast corner of Grant Whiteside Acres, and addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record September 1, 1948; Thence along the west line of said addition the following courses: S22°18'27"E, 144.59 feet; S08°58'27"E, 298.50 feet to the southwest corner of said addition, said point being on the north line of 540 Commercial Park, an addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record January 4, 1977; Thence along said north line, N87°24'09"W, 134.81 feet to the northwest corner of said addition; Thence along the west line of said addition, S03°16'33"W, 871.05 feet to the north right-of-way line of Cavanaugh Road; Thence along said right-of-way line the following courses: N86°53'33"W, 99.82 feet; S85°02'04"W, 121.24 feet; N86°47'17"W, 406.14 feet to a point on said east right-of-way line of South 28th Street; Thence along said east right-of-way line the following courses: N53°41'50"W, 20.59 feet; N07°46'55"W, 51.94 feet; N03°18'11"E, 1250.68 feet to the Point of Beginning. Containing 20.41 acres, more or less.

2. A map of the property which includes the scaled distance, legal description, and general vicinity map inset showing the property's location. **See Development Plan.**
3. The area dimensions of the property in square feet or acres. **20.41 acres**
4. Describe existing road conditions and new roads to be included in the development and the effect of the proposed development on existing roads and traffic conditions:

Property is developed as a trailer parking area and storage/ warehouse buildings for an oil and gas company. A new storage building is proposed on site. The property is on the northeast corner of Cavanaugh Road and South 28th Street, which are both two lane roads. Traffic to the new warehouse will be redirected from the existing Littlefield Oil Company office just around the corner. A significant increase in traffic is not expected. No new roads are proposed.

5. Describe the existing public utility services and infrastructure (such as water, sewer, fire/police) which are available to the property and the source/method of providing additional utilities and infrastructure to the property if necessary:

A City of Fort Smith 8" water line serves the site along the south property line and 30" sewer line exists along eastern edge of the property, adjacent to Mill Creek. Police & fire will be by City of Fort Smith.

6. Provide a statement of the proposed build-out density and maximum potential build-out density (units per acre) permitted by the proposed land use classification:

There is no current plan for additional construction on site. The site will continue to serve as trailer and truck parking in addition to the storage and warehouse operations for the oil and gas company. I-1 allows for a maximum lot coverage of 75% full build-out.

7. Identify any known or anticipated environmental concerns:

No known or anticipated environmental concerns.

2 E

For a Standard or Major Master Land Use Plan Amendment only, please attach the following additional information and answer the questions below. You may provide answers on a separate sheet and attach it to this application:

8. An analysis of the impact of the amendment on surrounding properties and plans in terms of: None – property is already developed.

a. Describe potential changes to development patterns in terms of local and regional impacts:

None anticipated. Property is already being used as intended classification.

b. Describe the consistency in zoning between existing and planned uses:

The site currently is used as storage and operational space for an oil and gas business. The requested land use, Office, Research and Light Industrial, supports this use. The intention is to carry this land use across the whole property and eliminate the “Open Space” land use. It is believed this land use was originally chosen when this area was in the floodway, and it has since been removed with improvements to Mill Creek. New development here is intended to be an expansion of the existing use.

c. Provide explanation of the need for and demand in the proposed uses:

The owner wishes to construct a new warehouse on site. The current “Office, Research and Light Industrial” land use allows this, but a portion of the site is designated “Open Space”. This request is to re-designate the entire property as “Office, Research and Light Industrial”.

9. Provide an analysis of the long term development plan for the area (10-20 years) which incorporates a review of the land use, transportation, and infrastructure impact to both the City of Fort Smith and the property owner:

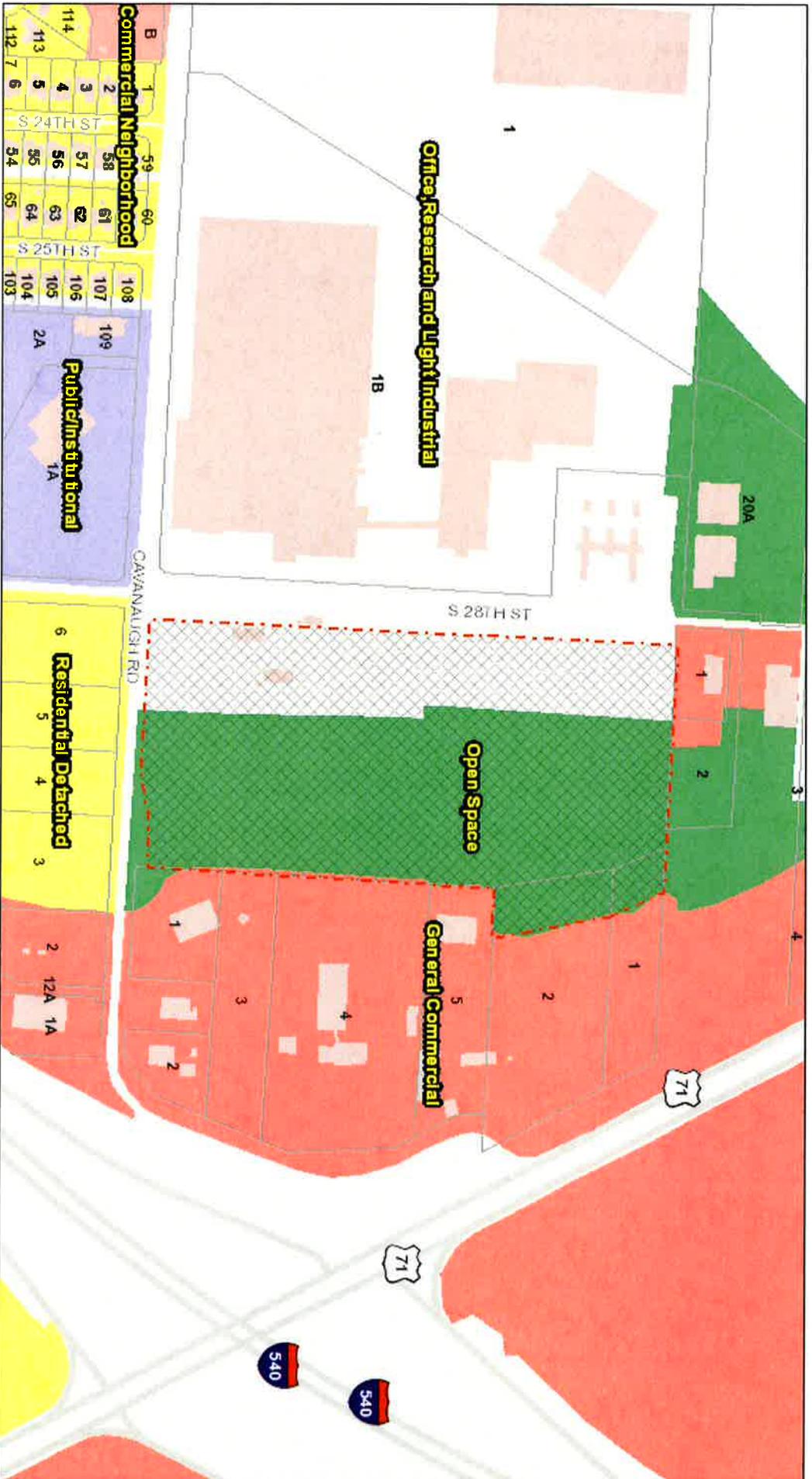
There are no long term plans for the site by the owner, other than to continue the use as warehouse space and truck/trailer parking for the owner’s oil and gas business. However, with the property’s proximity to Highway 71 and location within an industrial area, it is possible that some of the site could be eventually developed. Due to the surrounding businesses, it is anticipated that future occupants would fit into the current and proposed, extended land use.

For a Comprehensive Plan-Text Amendment only, please attach the following information. Provide answers on a separate sheet and attach it to this application:

1. A typewritten copy of the proposed changes to the text in underline/strikeout (also known as “track changes”) format. N/A
2. A description of the reasons supporting the amendment and the special circumstances requiring the change: N/A

Master Land Use: From Office, Research and Light Industrial and Open Space to Office, Research and Light Industrial at 2801 Cavanaugh Road

FC



October 23, 2015

- Fort Smith City Limits
- Subdivisions
- Building Footprints
- Land Use



Memo

To: City Planning Commission

From: Planning Staff

Date: October 28, 2015

Re: Rezoning #18-11-15 - A request by Mickle Wagner Coleman, Inc., agent for Littlefield Oil Company, for Planning Commission consideration of a rezoning request from Commercial Heavy (C-5) to Industrial Light (I-1) by extension at 2801 Cavanaugh Road

PROPOSED ZONING

Approval of the proposed rezoning will accommodate the construction of a proposed warehouse building and potential future light industrial development, and bring the property into agreement with the current land use.

LOT LOCATION AND SIZE

The subject property is on the northeast corner of the intersection of Cavanaugh Road and South 28th Street. The tract contains an area of 20.41 acres with approximately 648 feet of street frontage along Cavanaugh Road and approximately 1303 feet of street frontage along South 28th Street.

EXISTING ZONING

The existing zoning on this tract is Commercial Heavy (C-5). Characteristics of this zone are as follows:

Purpose:

To provide adequate locations for retail uses and services that generate moderate to heavy automobile traffic. The C-5 zoning district is designed to facilitate convenient access, minimize traffic congestion, and reduce visual clutter. The C-5 zoning district is appropriate in the General Commercial, Office, Research, and Light Industrial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-5 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto vehicle impoundment or holding yard, auto body shop, medical laboratory, beer garden, restaurants with outdoor dining, pet cemetery, bus station, utility substations, museum, parks, educational facilities, police station, community food service, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- Minimum Lot Size – 14,000 square feet
- Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres
- Minimum Lot Width – 100 feet
- Front Yard Setback - 25 feet
- Side Yard on Street Side of Corner Lot - 15 feet
- Side Yard Setback – 20 feet
- Rear Yard Setback - 20 feet
- Side/Rear (adjoining SF Residential District/Development) – 30 feet
- Minimum building separation – to be determined by current City building and fire code.
- Required street access – Minor Arterial or higher

- Maximum Height - 45 feet (1+1)
- Maximum Lot Coverage - 75%

Existing District (By Extension) – 14,000 square feet

REQUESTED ZONING

The proposed zoning on this tract is Industrial Light (I-1). Characteristics of this zone are as follows:

Purpose:

To provide for a mixture of light manufacturing, office park, research and development, and limited retail/service retail land uses in an attractive, business park setting. The Industrial Light district may be used as a zoning buffer between mixed uses, commercial uses and heavier industrial uses. The I-1 zoning district is appropriate with the Office, Research, and Light Industrial (ORLI) and Industry classifications of the Master Land Use Plan.

Permitted Uses:

Auto and boat related businesses, a wide variety of retail businesses, indoor flea market, pawnshop, financial services, offices, bar or tavern, restaurant, animal and pet services, manufacturing and commercial communication towers are examples of permitted uses.

Conditional Uses:

Homeless shelter, truck stop, outdoor flea market, beer garden, restaurant with outdoor dining, pet cemetery, animal food processing, petroleum distribution facility, bus station, recycling center, sports complex, educational facilities and police station are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- Minimum Lot Size – 20,000 square feet
- Maximum Height - 45 feet (1+1)
- Maximum Lot Coverage - 75%
- Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres
- Existing District (By Extension) – 20,000 square feet
- Minimum Lot Width – 100 feet
- Front Yard Setback - 25 feet
- Side Yard on Street Side of Corner Lot - 15 feet
- Side Yard Setback – 10 feet
- Rear Yard Setback - 10 feet
- Side/Rear (adjoining SF Residential District/Development) – 100 feet (may be reduced to 60 feet with Planning Commission approval of screening and/or landscaping through the Development Plan approval process)
- Minimum building separation – to be determined by current City building and fire code.
- Required street access – Major Arterial or higher

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Industrial Light (I-1) and developed as a contractor’s shop and storage yard.

The area to the east is zoned Commercial Heavy (C-5) and developed as an office, Ryder Truck Rental, at truck stop and Castle Woodworks.

The area to the south is zoned Commercial Heavy (C-5) and is undeveloped.

The area to the west is zoned Industrial Light (I-1) and developed as Qual Serv, a tire shop and an electric sub-station.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Cavanaugh Road as a Local Road and South 28th Street as a Future Major Collector. The proposed Industrial Light zoning district requires a street access of Major Arterial or higher. A companion variance application has been submitted requesting a variance from this requirement.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Open Space & Office, Research and Light Industrial. This classification is to provide for the open space and recreation needs of the region, and protect the regions natural resources, water quality and development investments and to provide opportunities for clean, indoor, minimum impact, research, development, assembly,

manufacturing, warehousing, distribution, and supportive goods and services. (companion item #2 is for a Master Land Use Amendment from Open Space & Office, Research, Light Industrial to Office, Research, Light Industrial.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Friday, November 6, 2015, 1:00 p.m., at 2801 Cavanaugh Road. A summary of the meeting will be provided to the planning commission at the planning commission meeting.

STAFF COMMENTS AND RECOMMENDATIONS

Based on surrounding zoning districts and land uses, staff recommends approval contingent upon Planning Commission approval of the requested Master Land Use Plan amendment and Board of Zoning Adjustment approval of the required street access variance.

PETITION FOR CHANGE IN ZONING MAP

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

Part of the Southwest Quarter of the Southwest Quarter of Section 3, Township 7 North, Range 32 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Northwest Corner of said Southwest Quarter of the Southwest Quarter; Thence along the north line of said Southwest Quarter of the Southwest Quarter, S86°43'30"E, 48.00 feet to the Point of Beginning on the east right-of-way line of South 28th Street; Thence continuing along said north line, S86°43'30"E, 661.61 feet to the northeast corner of Grant Whiteside Acres, and addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record September 1, 1948; Thence along the west line of said addition the following courses: S22°18'27"E, 144.59 feet; S08°58'27"E, 298.50 feet to the southwest corner of said addition, said point being on the north line of 540 Commercial Park, an addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record January 4, 1977; Thence along said north line, N87°24'09"W, 134.81 feet to the northwest corner of said addition; Thence along the west line of said addition, S03°16'33"W, 871.05 feet to the north right-of-way line of Cavanaugh Road; Thence along said right-of-way line the following courses: N86°53'33"W, 99.82 feet; S85°02'04"W, 121.24 feet; N86°47'17"W, 406.14 feet to a point on said east right-of-way line of South 28th Street; Thence along said east right-of-way line the following courses: N53°41'50"W, 20.59 feet; N07°46'55"W, 51.94 feet; N03°18'11"E, 1250.68 feet to the Point of Beginning. Containing 20.41 acres, more or less.

2. Address of property: 2801 Cavanaugh Road

3. The above described property is now zoned: C-5

4. Application is hereby made to change the zoning classification of the above described property to I-1 by Extension.
(Extension or classification)

5. Why is the zoning change requested?

To accommodate the construction of a proposed warehouse building
and potential future light industrial development, and to bring into agreement with
current land use.

6. Submit any proposed development plans that might help explain the reason for the request.

Signed:

Mickle Wagner Coleman, Inc.

~~Owner or Agent Name~~

(please print)

Owner

P.O. Box 1507, Fort Smith, AR 72902

~~Owner or Agent Mailing Address~~

or

Agent

479-649-8484

~~Owner or Agent Phone Number~~

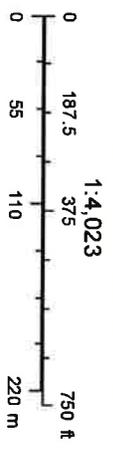
Rezoning #18-11-15: From Commercial Heavy (C-5) to Industrial Light (I-1) 2801 Cavanaugh Road

23



October 23, 2015

- Fort Smith City Limits
- Zoning
- Subdivisions
- Building Footprints



Memo

To: City Planning Commission

From: Planning Staff

Date: October 28, 2015

Re: Development Plan Review - A request by Mickle Wagner Coleman, Inc., agent for Littlefield Oil Company, for Planning Commission consideration of a Development Plan request to develop a proposed warehouse building at 2801 Cavanaugh Road

PROPOSED DEVELOPMENT PLAN

Approval of the development plan will facilitate the construction of a 2,400 square foot warehouse. There will be a 24 space parking lot to be constructed adjacent to the new building.

LOT LOCATION AND SIZE

The subject property is on the northeast corner of the intersection of Cavanaugh Road and South 28th Street. The tract contains an area of 20.41 acres with approximately 648 feet of street frontage along Cavanaugh Road and approximately 1303 feet of street frontage along South 28th Street.

PROPOSED ZONING

The proposed zoning on this tract is Industrial Light (I-1). Characteristics of this zone are as follows:

Purpose:

To provide for a mixture of light manufacturing, office park, research and development, and limited retail/service retail land uses in an attractive, business park setting. The Industrial Light district may be used as a zoning buffer between mixed uses, commercial uses and heavier industrial uses. The I-1 zoning district is appropriate with the Office, Research, and Light Industrial (ORLI) and Industry classifications of the Master Land Use Plan.

Permitted Uses:

Auto and boat related businesses, a wide variety of retail businesses, indoor flea market, pawnshop, financial services, offices, bar or tavern, restaurant, animal and pet services, manufacturing and commercial communication towers are examples of permitted uses.

Conditional Uses:

Homeless shelter, truck stop, outdoor flea market, beer garden, restaurant with outdoor dining, pet cemetery, animal food processing, petroleum distribution facility, bus station, recycling center, sports complex, educational facilities and police station are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- Minimum Lot Size – 20,000 square feet
- Maximum Height - 45 feet (1+1)
- Maximum Lot Coverage - 75%
- Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres
- Existing District (By Extension) – 20,000 square feet
- Minimum Lot Width – 100 feet
- Front Yard Setback - 25 feet
- Side Yard on Street Side of Corner Lot - 15 feet
- Side Yard Setback – 10 feet
- Rear Yard Setback - 10 feet
- Side/Rear (adjoining SF Residential District/Development) – 100 feet (may be reduced to 60 feet with Planning Commission approval of screening and/or landscaping through the Development Plan approval process)
- Minimum building separation – to be determined by current City building and fire code.
- Required street access – Major Arterial or higher

SURROUNDING ZONING AND LAND USE

The area to the north are zoned Industrial Light (I-1) and is developed as a contractor’s shop and storage yard.

The area to the east is zoned Commercial Heavy (C-5) and developed as an Office, Ryder Truck Rental, a truck stop and Castle Woodworks.

The area to the south is zoned Commercial Heavy (C-5) and is undeveloped.

The area to the west is zoned Industrial Light (I-1) and developed as Qual Serv, a tire shop, and electric sub-station.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Cavanaugh Road as a Local Road and South 28th Street as a Future Major Collector. The proposed Industrial Light zoning district requires a street access of Major Arterial or higher. A companion variance application has been submitted requesting a variance from this requirement.

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – Access to the site will use an existing driveway on Cavanaugh Road.

Easement/utilities – The developer must agree to meet all franchise and city utility easement requirements. Additionally, the development must comply with the City’s Subdivision Design and Improvement Standards and the Standard Specification for Public Works Construction.

Drainage – There are no requirements for drainage with the current proposal. Future development may be required to comply with the 2011 Storm Drainage Standards.

Right-of-way dedication – N/A

Landscaping – Landscaping requirements are not applicable to this site in accordance with UDO Section 27-602-3.

Screening – If a trash receptacle is proposed, it shall be completely screened from adjoining property owners and public rights-of-way.

Parking – Twenty four new parking spaces are proposed to be constructed and will comply with the required minimum parking spaces.

Signage – No signage is noted on the plans. All proposed new signage must comply with the UDO signage requirements. A sign permit application for any signage shall be submitted for staff review and approval.

Lighting – No exterior lighting is noted on the plans. All proposed new building and site lighting shall comply with the Commercial and Outdoor Lighting Requirements – UDO Section 27-602-5.

Architectural features – The proposed 2,400 s.f. warehouse will be a metal structure.

Height and Area – The structure will be 40’ x 60’ with a height of 26’.

Fire Hydrant – A fire hydrant must be within 400 feet of all points of the building.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Friday, November 6, 2015, 1:00 p.m., at 2801 Cavanaugh Road. A summary of the meeting will be provided to the planning commission at the planning commission meeting.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the application with the following comments:

1. Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
2. Future development may be required to meet the 2011 storm drainage standards.
3. A fire hydrant must be within 400 feet of all points of the building
4. All proposed new building and site lighting shall comply with the Commercial and Outdoor Lighting Requirements – UDO Section 27-602-5.

5. All new signage will require a separate application and review process.
6. Planning Commission and Board of Zoning Adjustment approval of the companion zoning and variance applications.

DEVELOPMENT PLAN REVIEW APPLICATION

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

2. Address of property: 2801 Cavanaugh Road

3. The above described property is now zoned: C-5

4. Does the development plan include a companion rezoning request?

Yes X No _____

5. If yes, please specify the companion application submitted:

- Conventional Rezoning
- Planned Rezoning
- Conditional Use
- Master Land Use Plan Amendment
- Variance

6. If applicable, a companion rezoning application is proposed to change the zoning classification of the above described property to:

I-1 by Extension
(Zoning Classification) (Extension or classification)

7. Existing zoning, structures and driveways on surrounding properties within 300 feet of subject property:

South – Vacant, North – Steve Beam Construction site, West – QualServe,
East – Mill Creek / Commercial / Littlefield

8. Total acreage of property 20.41

Signed:

Mickle Wagner Coleman, Inc.

Owner or Agent Name
(please print)

Owner

P.O. Box 1507, Fort Smith, AR 72902

Owner or Agent Mailing Address

or



Agent

479-649-8484

Owner or Agent Phone Number

Development Plan Review for Warehousing and Industrial 2801 Cavanaugh Road

57



October 23, 2015

-  Fort Smith City Limits
-  Subdivisions
-  Building Footprints



Memo

To: City Planning Commission

From: Planning Staff

Date: October 28, 2015

Re: Variance #35-11-15 - A request by Mickle Wagner Coleman, Inc., agent for Littlefield Oil Company, for Board of Zoning Adjustment consideration of the following zoning variance requests: 1) from 15' to 4' street side yard setback; and 2) from Major Arterial to a Local Road minimum required street access for Industrial Light (I-1) zoning district at 2801 Cavanaugh Road

REQUESTED VARIANCE

Approval of the variances will facilitate the rezoning of the property from Commercial Heavy (C-5) to Industrial Light (I-1) for the development of a warehouse. The street side-yard setback variance will acknowledge an existing storage building that is currently located within the setback. The proposed I-1 zoning requires access from a Major Arterial or higher street classification. The variance from the required minimum street access will allow approval of the requested zone change.

LOT LOCATION AND SIZE

The subject property is on the northeast corner of the intersection of Cavanaugh Road and South 28th Street. The tract contains an area of 20.41 acres with approximately 648 feet of street frontage along Cavanaugh Road and approximately 1303 feet of street frontage along South 28th Street.

PROPOSED ZONING

The proposed zoning on this tract is Industrial Light (I-1). Characteristics of this zone are as follows:

Purpose:

To provide for a mixture of light manufacturing, office park, research and development, and limited retail/service retail land uses in an attractive, business park setting. The Industrial Light district may be used as a zoning buffer between mixed uses, commercial uses and heavier industrial uses. The I-1 zoning district is appropriate with the Office, Research, and Light Industrial (ORLI) and Industry classifications of the Master Land Use Plan.

Permitted Uses:

Auto and boat related businesses, a wide variety of retail businesses, indoor flea market, pawnshop, financial services, offices, bar or tavern, restaurant, animal and pet services, manufacturing and commercial communication towers are examples of permitted uses.

Conditional Uses:

Homeless shelter, truck stop, outdoor flea market, beer garden, restaurant with outdoor dining, pet cemetery, animal food processing, petroleum distribution facility, bus station, recycling center, sports complex, educational facilities and police station are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 20,000 square feet
Maximum Height - 45 feet (1+1)
Maximum Lot Coverage - 75%
Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres
Existing District (By Extension) – 20,000 square feet

Minimum Lot Width – 100 feet
Front Yard Setback - 25 feet
Side Yard on Street Side of Corner Lot - 15 feet
Side Yard Setback – 10 feet
Rear Yard Setback - 10 feet
Side/Rear (adjoining SF Residential District/Development) – 100 feet (may be reduced to 60 feet with Planning Commission approval of screening and/or landscaping through the Development Plan approval process)
Minimum building separation – to be determined by current City building and fire code.
Required street access – Major Arterial or higher

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Industrial Light (I-1) and developed as a contractor’s shop and storage yard.

The area to the east is zoned Commercial Heavy (C-5) and developed as an office, Ryder Truck Rental, a truck Stop and Castle Woodworks.

The area to the south is zoned Commercial Heavy (C-5) and undeveloped.

The area to the west is zoned Industrial Light (I-1) and developed as Qual Serv, a tire shop and an electric sub-station.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Cavanaugh Road as a Local Road and South 28th Street as a Future Major Collector.

5B

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Open Space & Office, Research and Light Industrial. This classification is to provide for the open space and recreation needs of the region, and protect the regions natural resources, water quality and development investments and to provide opportunities for clean, indoor, minimum impact, research, development, assembly, manufacturing, warehousing, distribution, and supportive goods and services.

APPLICANT HARDSHIP

Regarding the setback variance, the applicant states that an existing approximately 50' x 20' storage building at the western edge of the property is currently only 4' from the existing right-of-way. The applicant states that the structure predates the granting of that right-of-way, so the current setback of 15' cannot be met.

For the minimum street access variance, the applicant states that the site has operated for years with the existing street classifications. The applicant further states that the proposed improvements are not anticipated to greatly impact traffic.

NEIGHBORHOOD MEETING

The proposed Industrial Light zoning district requires a street access of Major Arterial or higher. A companion variance application has been submitted requesting a variance from this requirement.

STAFF COMMENTS AND RECOMMENDATIONS

The Engineering department has no objections to either variances; however, has recommended that approval of the street side-yard setback variance from 15' to 4' be applicable to the existing structure only. Any future development must comply with the required minimum exterior street-side-yard setback. The planning department concurs with the Engineering Department's recommendation.

Additionally, if the BZA approves this variance, staff requests that it substantiate its reason for approval in accordance with Section 27-337-2 of the Unified Development Ordinance, which permits the granting of a variance only when it is demonstrated that such action is in keeping with the spirit and intent of the provisions of the zoning chapter.

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Var # 35-11-15

APPLICATION FOR VARIANCE

Notice is hereby given that the undersigned, as owner(s) of the following property in the Fort Smith District of Sebastian County, Arkansas, to-wit: (Legal Description)

See Attached

Address of property 2801 Cavanaugh Road, Existing or Proposed

Zoning Classification Existing C-5/ Proposed I-1, has filed with the Planning Department a written application pursuant to Article 5-6 of Ordinance 2324 of the City of Fort Smith, Arkansas, to secure a variance from the literal provisions of the zoning ordinance as follows:

<u>Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship</u>

FROM

TO

- Front Yard Setback or Minimum Distance from Right-of-Way
- 15' - 4' Exterior Side Yard Setback
- Interior Side Yard Setback
- Rear Yard Setback
- Maximum Height of Structure
- Minimum Distance Between Structures on the Same Lot
- Minimum Lot Area (Square Feet)
- Minimum Lot Frontage
- Maximum Size of a Sign
- Mjr Arterial - Local Road Other: Required Street Frontage

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of seven (7) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on

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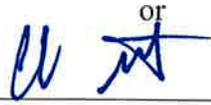
said application. All interested persons are invited to attend and are entitled to be heard. This notice is published this _____ day of _____, 20____.

Signed:

Mickle Wagner Coleman, Inc.
Owner-or Agent Name *(please print)*

Owner

479-649-8484
Owner-or Agent Phone Number



Agent

P.O. Box 1507, Fort Smith, AR 72902
Owner or Agent Mailing Address

Variance # _____

SE

VARIANCE INFORMATION FORM

The following paragraph (Section 27-337-2) of the Fort Smith Unified Development Ordinance defines the criteria for granting a variance:

The Board of Zoning Adjustment shall hear requests for variances from the literal provision of the zoning chapter in instances where strict enforcement of the zoning chapter would cause undue hardship due to circumstances unique to the individual property under consideration, and shall grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning chapter. The Board of Zoning Adjustment shall not permit, as a variance, any use in a zone that is not permitted under the chapter. The Board of Zoning Adjustment may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

1. To aid the Board of Zoning Adjustment in arriving at a decision on your application, please note the lot information requested and check the appropriate answer to each of the questions that follow.

Yes

No

- | | | |
|---------------|---------------|--|
| <u> </u> | <u> X </u> | Is this variance needed because of previous actions taken by yourself? |
| <u> </u> | <u> X </u> | Is this variance needed because of previous actions taken by a prior owner? |
| <u> </u> | <u> X </u> | A zoning hardship is present only when a property has no reasonable use without a variance. Do you have use of your property without a variance? |
| <u> X </u> | <u> </u> | Is the variance needed due to the unique circumstances of the property (such as lot area, lot width, setbacks, yard requirements, or building height)? If yes, please explain on the following page. |
| <u> </u> | <u> X </u> | Is the lot of an odd or unusual shape? |
| <u> </u> | <u> X </u> | Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)? |
| <u> </u> | <u> X </u> | Does the lot contain required easements other than those that might be located on its perimeter? |
| <u> X </u> | <u> </u> | Is any part of the lot in a flood plain or flood way? |
| <u> </u> | <u> X </u> | Is the lot smaller than minimum lot area or minimum frontage for its zoning classification? |
| <u> X </u> | <u> </u> | Is the lot developed with structures in violation of current zoning requirements? |
| <u> </u> | <u> X </u> | Does the lot front any street classified as an arterial or collector on the Master Street Plan? |

5F

Explanation of question #4 (if applicable)

An existing building at the western edge of the property is only 4' away from the existing Right of way. The structure predates the granting of that right of way, but the setback requirement of 15' by the Light Industrial (I-1) zoning classification is not currently met on the site.

2. Describe how the strict enforcement of the zoning code causes an undue hardship for your project:

The property fronts Cavanaugh Road. I-1 requires frontage on a Major Arterial or Higher. According the Master Street Plan, Cavanaugh road is a Major Collector to from the intersection of 28th Street westward, just 150' west of the Littlefield driveway then a local street to the east. The site has operated with this access for years, and the improvements are not anticipated to greatly impact traffic. South 28th to the west is classified as a future Major Collector.

3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

N/A

Variance #35-11-15: From 15' to 4' exterior side yard setback and from Major Arterial to Local Road
 2801 Cavanaugh Road

FS



October 23, 2015

-  Fort Smith City Limits
-  Subdivisions
-  Building Footprints



Memo

To: City Planning Commission

From: Planning Staff

Date: October 29, 2015

Re: Rezoning #19-11-15 - A request by Travis Brisendine, agent for Danny Williams, for Planning Commission consideration of a rezoning request from Transitional (T) to Residential Multifamily Medium Density (RM-3) by extension at 3311 South 66th Street

PROPOSED ZONING

The rezoning and companion development plan and variance application will allow for five (5) multifamily buildings consisting of 20 total dwelling units with adequate parking, screening, and landscaping.

LOT LOCATION AND SIZE

The subject property is on the east side of South 66th Street between Dallas Street and Fresno Street on the northeast intersection of South 66th Street and private drive Eagles Lane. The tract contains an area of 1.92 acres with approximately 132 feet of street frontage along South 66th Street.

REQUESTED ZONING

The requested zoning on this tract is Residential Multifamily Medium Density (RM-3). Characteristics of this zone are as follows:

Purpose:

To provide for medium density attached homes, including multi-unit residential buildings in areas where such development already exists or is planned for the future. The RM-3 zoning district is appropriate in urban areas within the Residential Attached, Mixed Use Residential, Mixed Use Employment, Commercial Neighborhood, and General Commercial Land use categories of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings, multifamily (apartment and condominiums), community residential facility, family and neighborhood group homes and retirement housing are examples of permitted uses.

Conditional Uses:

Assisted living, bed and breakfast inn, dormitory, sorority, fraternity, rooming or boarding house, commercial communication towers, amateur radio transmitting towers, community recreation center, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes, senior citizen center, churches and rectory, convent, monastery are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 6,500 square feet
Maximum Density – 20 Dwelling Units/Acre
Minimum Lot Width at Building Line – 60 feet
Minimum Street Frontage – 20 feet
Front Yard Setback - 25 feet
Side Yard on Street Side of Corner Lot - 15 feet
Side Yard Setback – 7.5 feet
Rear Yard Setback - 10 feet
Side/Rear adjacent to RS district/development – 30 feet
Minimum building separation – 10 feet

Maximum Height - 40 feet (1+1)
Maximum Lot Coverage - 65%

EXISTING ZONING

The existing zoning on this tract is Transitional (T).
Characteristics of this zone are as follows:

Purpose:

To provide small scale areas for limited office, professional service, and medical services designed in scale with surrounding residential uses. The transitional zoning district applies to the Residential Attached, Institutional, Neighborhood Commercial and General Commercial categories of the Master Land Use Plan.

Permitted Uses:

Single family detached, duplexes, family group home, retirement housing, bridal shop, banking establishments and offices are examples of permitted uses.

Conditional Uses:

Assisted living, bed & breakfast inn, utility substation, country club, park or playground, college, library, primary and secondary school, business professional schools, fire and rescue station, emergency response station, police substation, diagnostic laboratory testing facility, hospital, daycare homes, substance abuse treatment facility, senior citizen center and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 5,000 square feet	Maximum Height - 35 feet (1+1)
Maximum Lot Size – 40,000 square feet	Maximum Lot Coverage - 65%
Minimum Lot Width at Building Line – 50 feet	
Minimum Street Frontage – 50 feet	
Front Yard Setback - 20 feet	
Side Yard on Street Side of Corner Lot - 20 feet	
Side Yard Setback – 5 feet	
Rear Yard Setback - 10 feet	
Minimum building separation – 10 feet (residential), non-residential to be determined by current City building and fire code.	

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Transitional and is developed as a church.

The area to the east is zoned Commercial Heavy (C-5) and is developed as a private club.

The area to the south is zoned Residential Multifamily Medium Density (RM-3) and is developed as a multifamily development.

The area to the west is zoned Residential Multifamily Medium Density (RM-3) and is developed with a multifamily development and two single-family residences.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South 66th Street as a Major Collector.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Residential Attached and Commercial Neighborhood. The Residential Attached classification is intended to provide for diverse populations and households, by supporting variety and options in living environments, and housing, while protecting and improving property values. The Commercial Neighborhood classification is intended to provide convenience goods and services in a residentially compatible design, for surrounding neighborhoods, and to provide appropriate uses for sites on arterials and collectors unsuitable for residential development due to lot configuration, safety and noise. The existing Master Land Use Classifications are appropriate for the proposed RM-3 zoning district.

NEIGHBORHOOD MEETING

A neighborhood meeting was held at the offices of Morrison Shipley Engineers on November 5, 4:30 p.m. The meeting was originally scheduled to occur on site, but due to inclement weather, the location was changed to the offices of Morrison -Shipley Engineers at 5704 Euper Lane. Notices were posted on site noting the revised location and that the meeting was extended to 6:00 p.m. No neighboring property owners attended the meeting.

6C

STAFF COMMENTS AND RECOMMENDATIONS

Based on surrounding zoning districts and land uses, staff recommends approval with the following comment:

Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.

PETITION FOR CHANGE IN ZONING MAP

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

2. Address of property: 3311 South 66th street

3. The above described property is now zoned: Transistional

4. Application is hereby made to change the zoning classification of the above described property to RM-3 by Extension.
(Extension or classification)

5. Why is the zoning change requested?
To accomodate development of a four plex Townhome community.

6. Submit any proposed development plans that might help explain the reason for the request.

Signed:

TRAVIS BRISNDINE

Owner or Agent Name
(please print)

Owner

PO Box 10064, 72917

Owner or Agent Mailing Address

or
T. Brind

Agent

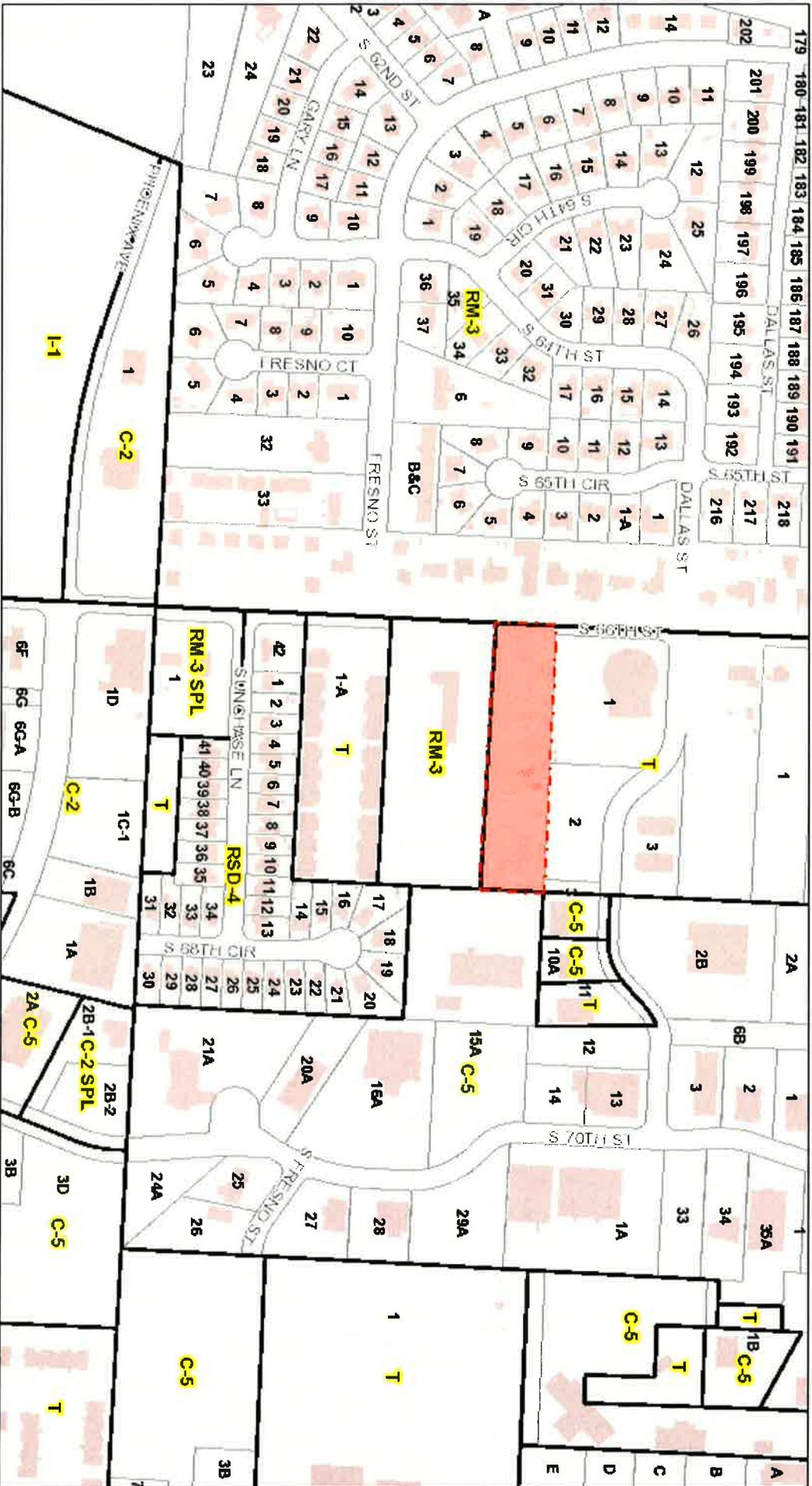
452-1933

Owner or Agent Phone Number

6E

Rezoning #19-11-15: From Transitional (T) to Residential Multifamily Medium Density (RM-3) 3311 South 66th Street

Handwritten initials: "H" and "29"



October 23, 2015

- Fort Smith City Limits
- Building Footprints
- Zoning
- Subdivisions



Memo

To: City Planning Commission

From: Planning Staff

Date: October 29, 2015

Re: Development Plan Review - A request by Travis Brisendine, agent for Danny Williams, for Planning Commission consideration of a development plan request for a multifamily development at 3311 South 66th Street

PROPOSED DEVELOPMENT PLAN

The development plan and companion rezoning and variances applications will facilitate a multifamily development consisting of five (5) buildings with a total of 20 dwelling units with adequate parking, screening, and landscaping.

LOT LOCATION AND SIZE

The subject property is on the east side of South 66th Street between Dallas Street and Fresno Street on the northeast intersection of South 66th Street and private drive Eagles Lane. The tract contains an area of 1.92 acres with approximately 132 feet of street frontage along South 66th Street.

REQUESTED ZONING

The requested zoning on this tract is Residential Multifamily Medium Density (RM-3). Characteristics of this zone are as follows:

Purpose:

To provide for medium density attached homes, including multi-unit residential buildings in areas where such development already exists or is planned for the future. The RM-3 zoning district is appropriate in urban areas within the Residential Attached, Mixed Use Residential, Mixed Use Employment, Commercial Neighborhood, and General Commercial Land use categories of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings, multifamily (apartment and condominiums), community residential facility, family and neighborhood group homes and retirement housing are examples of permitted uses.

Conditional Uses:

Assisted living, bed and breakfast inn, dormitory, sorority, fraternity, rooming or boarding house, commercial communication towers, amateur radio transmitting towers, community recreation center, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes, senior citizen center, churches and rectory, convent, monastery are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- Minimum Lot Size – 6,500 square feet
- Maximum Density – 20 Dwelling Units/Acre
- Minimum Lot Width at Building Line – 60 feet
- Minimum Street Frontage – 20 feet
- Front Yard Setback - 25 feet
- Side Yard on Street Side of Corner Lot - 15 feet
- Side Yard Setback – 7.5 feet
- Rear Yard Setback - 10 feet
- Side/Rear adjacent to RS district/development – 30 feet
- Minimum building separation – 10 feet
- Maximum Height - 40 feet (1+1)
- Maximum Lot Coverage - 65%

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Transitional and is developed as a church.

The area to the east is zoned Commercial Heavy (C-5) and is developed as a private club.

The area to the south is zoned Residential Multifamily Medium Density (RM-3) and is developed as a multifamily development.

The area to the west is zoned Residential Multifamily Medium Density (RM-3) and is developed with a multifamily development and two single-family residences.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South 66th Street as a Major Collector. In response to planning commissioner inquiries about improvements to this street, the Engineering Department has indicated there are no improvements scheduled for South 66th Street.

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – All ingress and egress will be provided by one driveway on South 66th Street. The applicant also submitted a traffic information statement for the development, which was reviewed and found acceptable by the Engineering Department. A copy of the traffic information statement is enclosed. Also, the proposed single driveway location was acceptable to the Engineering Department (See enclosed Memo from Don Chavis dated 10/12/15).

7B

Easement/utilities – The developer must agree to meet all franchise and city utility easement requirements. Additionally, the development must comply with the City’s Subdivision Design and Improvement Standards and the Standard Specification for Public Works Construction.

Drainage – The site has a proposed water detention pond located toward the east of the property line. The drainage area shall be approved by the engineering department.

Right-of-way dedication – The right-of-way dedication is shown on the development plan.

Landscaping – The development plan shows the required perimeter/parking lot screening, and interior landscaping in compliance with the UDO Landscaping and Screening Requirements – Section 27-602-3.

Sidewalks - There is an existing sidewalk on South 66th Street adjacent to the development.

Screening – A proposed 6 feet wood privacy fence is proposed on the north and east property lines.

Parking – The proposed plan meets the minimum required parking spaces with the garage entrances.

Signage – No new signage is proposed at this time. All signage must comply with the signage requirements for signs allowed in Multi-Family Dwelling Districts. A sign permit application shall be submitted for staff review and approval.

Lighting – No new lighting is proposed at this time. All exterior lighting must comply with the Commercial and Outdoor Lighting Regulations.

Architectural features – Each of the five (5) buildings proposed are two-story buildings with brick and cementitious siding and rock trim on the front façade. Brick and cementitious siding are proposed on the side and rear facades. The architectural features exceed the UDO requirements with 100 percent high quality materials. The overall design complies with the UDO Multifamily Building Standards.

Height and Area – The height and area of the proposed multifamily buildings comply with the UDO with a height of about 32 feet.

NEIGHBORHOOD MEETING

A neighborhood meeting was held at the offices of Morrison Shipley Engineers on November 5, 4:30 p.m. The meeting was originally scheduled to occur on site, but due to inclement weather, the location was changed to the offices of Morrison-Shipley Engineers at 5704 Euper Lane. Notices were posted on site noting the revised location and that the meeting was extended to 6:00 p.m. No neighboring property owners attended the meeting.

7C

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the development plan with the following comments:

1. Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
2. Planning Commission and Board of Zoning Adjustment approval of the companion rezoning and setback variance applications.
3. All signage must comply with the signage requirements for signs allowed in the Multi-Family Dwelling Districts. A sign permit application shall be submitted for staff review and approval.
4. All exterior lighting shall comply with the Commercial and Outdoor Lighting Regulations.

DEVELOPMENT PLAN REVIEW APPLICATION

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

2. Address of property: 3311 south 66th street

3. The above described property is now zoned: Transistional

4. Does the development plan include a companion rezoning request?
Yes X No

5. If yes, please specify the companion application submitted:
 - o Conventional Rezoning
 - o Planned Rezoning
 - o Conditional Use
 - o Master Land Use Plan Amendment
 - o Variance

6. If applicable, a companion rezoning application is proposed to change the zoning classification of the above described property to:
RM-3 by Extension
(Zoning Classification) (Extension or classification)

7. Existing zoning, structures and driveways on surrounding properties within 300 feet of subject property:
Transistional, RM-3, C-5

8. Total acreage of property +/- 2 Acres

7E

Signed:

TRAVIS BRISENDINE

Owner or Agent Name
(please print)

PO Box 10064, 72917
Owner or Agent Mailing Address

452-1933
Owner or Agent Phone Number

Owner

or

T. Brind

Agent

7F

Andrews, Brenda

From: Chavis, Don
Sent: Monday, October 19, 2015 11:03 AM
To: Andrews, Brenda; Snodgrass, Stan
Cc: Travis Brisendine
Subject: RE: Traffic Information Statement - 3311 South 666th Street - Proposed Multifamily Development

Brenda,

We have reviewed the preliminary traffic information submitted by Travis Brisendine, P.E. of Morrison Shipley Engineers and it is acceptable. A Traffic Information Statement or Impact Analysis is not required. The proposed development will have minimal impact on the traffic for South 66th Street.

Thanks,
Don

From: Andrews, Brenda
Sent: Monday, October 19, 2015 9:39 AM
To: Chavis, Don; Snodgrass, Stan
Subject: Traffic Information Statement - 3311 South 666th Street - Proposed Multifamily Development

Stan/Don – Travis may have already sent this to both of you. This is in connection with the proposed multifamily development on South 66th. The rezoning, development plan and setback variance will be on the PC's November agenda. ba

From: pla_canon_c7260@copiers.local [mailto:pla_canon_c7260@copiers.local]
Sent: Monday, October 19, 2015 8:37 AM
To: Andrews, Brenda
Subject: Attached Image



MORRISON SHIPLEY

ENGINEERS • SURVEYORS

October 16, 2015

Mr. Stan Snodgrass, P.E.
City of Fort Smith
P.O. Box 1908
Fort Smith, Arkansas 72902

**RE: *Traffic Impact Statement for Maple Oaks Townhomes
3311 South 66th Street
Fort Smith, AR***

Dear Stan:

Per the requirements of the UDO, please accept this letter as a Traffic Impact Statement for the proposed Townhome development to be located at 3311 South 66th street. This information is being submitted to support the development plan, rezoning and variance request for the November meeting of the Planning Commission.

The traffic generated by the proposed development should have a minimal impact on the traffic for South 66th street. Trip generation calculations are presented below for the proposed development.

7H

Mr. Stan Snodgrass, P.E.
October 16, 2015
Page 2 of 2

Townhouse: 20 Units x 5.81 trips per DU = 116 trips per day
P.M. Peak Hour = 10 P.M. peak hour
A.M. Peak Hour = 9 A.M. peak hour

Please review this information and let me know if you have any questions or if you require additional information.

Sincerely,
Morrison-Shiple Engineers, Inc.

A handwritten signature in black ink, appearing to read "T. Brisendine", written over a horizontal line.

Travis Brisendine, P.E.

71

INTER-OFFICE MEMO

CITY OF FORT SMITH

ENGINEERING DEPARTMENT

TO: BRENDA ANDREWS, SENIOR PLANNER

FROM: DON CHAVIS

DATE: OCTOBER 12, 2015

SUBJECT: Preliminary comments for proposed townhomes @ 3311 South 66th Street

1. Platting of property is required.
2. South 66th Street is classified a major collector (70 feet minimum right of way width) per the Master Street Plan and right of way dedication is required.
3. Driveway separation is 125 feet; relocation of the one existing driveway is acceptable.
4. A fill and grading permit will be required.
5. A traffic study/statement is required; provide preliminary traffic information prior to undertaking the study.
6. Provide construction stormwater and erosion control measures and related issues as required (Code Sec. 11-81).
7. Existing sidewalk is acceptable.
8. Stormwater detention is shown; complete review will be done upon submittal of drainage and detention plans.
9. A private stormwater detention easement is required along with a management and maintenance agreement.
10. Evaluation of downstream drainage outfall in accordance with design standards is required. Offsite improvements may be required.

75

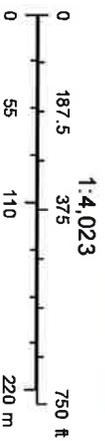
Development Plan Review for a Multifamily Development (5, 4-plex buildings) 3311 South 66th Street

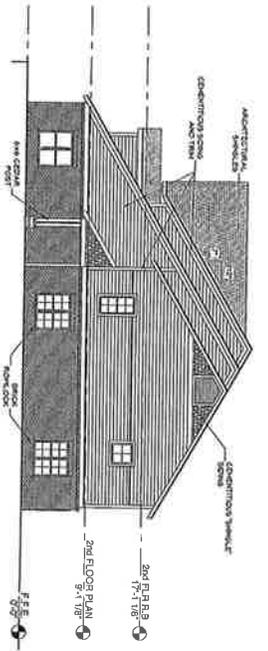
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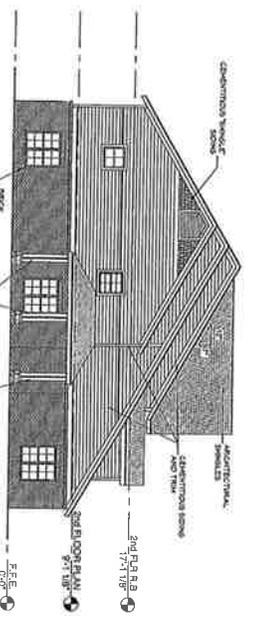
October 23, 2015

- Fort Smith City Limits
- Subdivisions
- Building Footprints

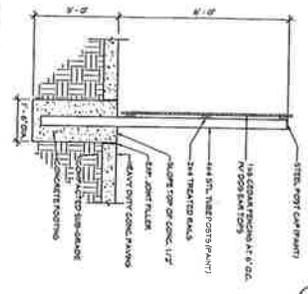




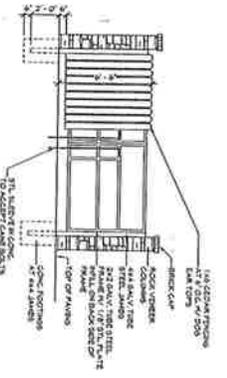
3 EAST ELEVATION
1/8" = 1'-0"



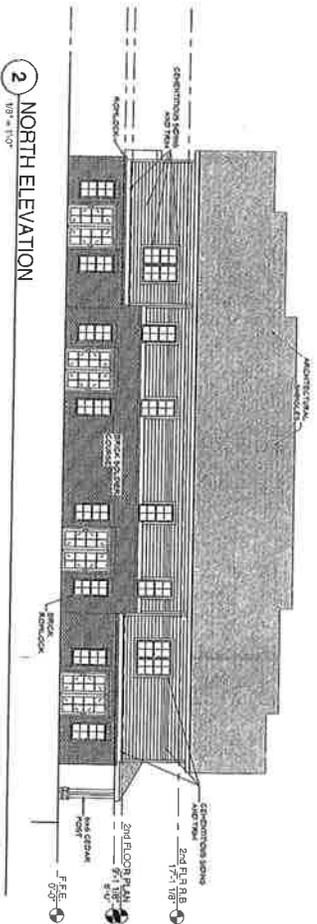
4 WEST ELEVATION
1/8" = 1'-0"



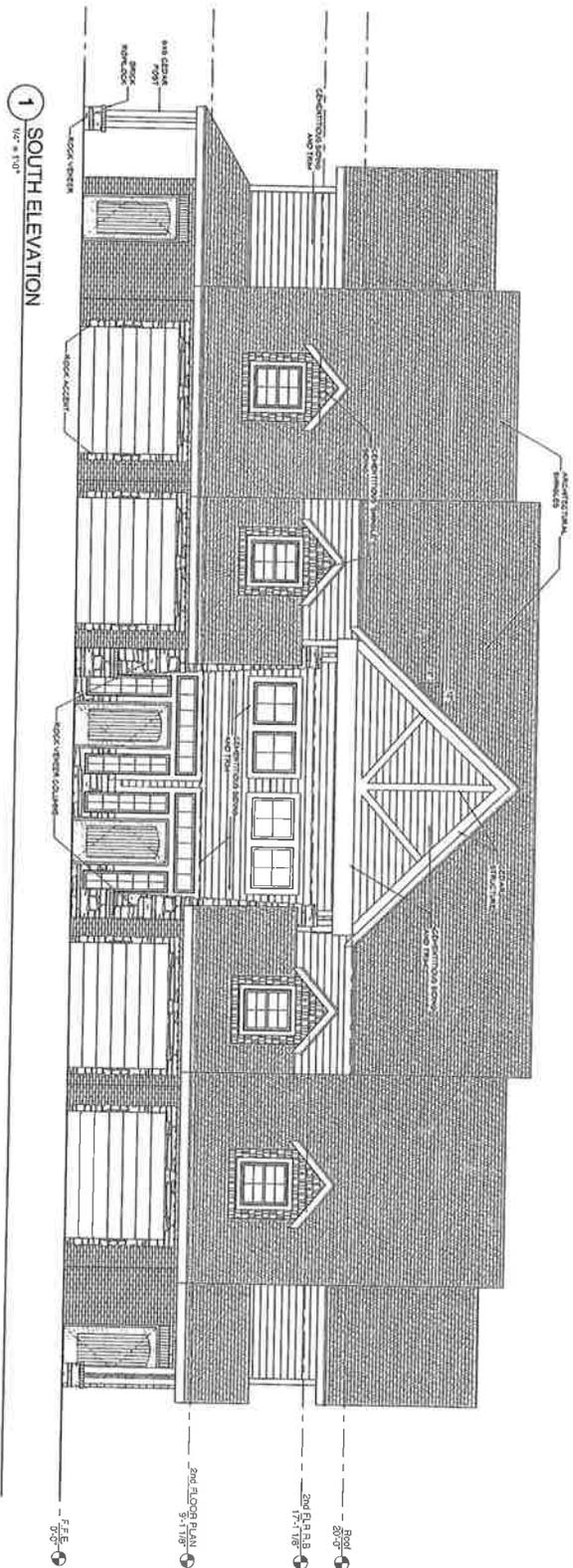
5 TRASH ENCLOSURE DETAIL
1/2" = 1'-0"



6 TRASH ENCLOSURE GATE ELEVATION
1/4" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"



1 SOUTH ELEVATION
1/4" = 1'-0"



1120 Garden Avenue
Suite 1A
Fort Smith, AR 72901
479/752-4085
www.ossstudio.com

TOWNHOUSE DEVELOPMENT
TRI 5 LLC
SOUTH 66TH STREET
FORT SMITH, AR

NO. SHEETS	SECTION
DATE	SECTION
PROJECT NO. 15-003	
DATE 10/16/15	
REVISIONS	
PRELIMINARY - NOT FOR CONSTRUCTION	
EXTERIOR ELEVATIONS	
DRAWING TITLE	
DRAWING NO. A3.1	

Memo

To: City Planning Commission

From: Planning Staff

Date: October 29, 2015

Re: Variance #36-11-15 - A request by Travis Brisendine, agent for Danny Williams, for Board of Zoning Adjustment consideration of a zoning variance request from 11.25 feet to 7.5 feet side-yard setback located at 3311 South 66th Street

REQUESTED VARIANCE

Approval of the variance will facilitate the development of a multifamily development consisting of five (5) buildings for a total of 20 dwelling units. The UDO Multifamily Standards state that multifamily structures should be sited parallel to the street to provide a traditional residential orientation. When that orientation cannot be achieved, the standards require that the setback from the adjacent use or district boundary be increased by 50%.

LOT LOCATION AND SIZE

The subject property is on the east side of South 66th Street between Dallas Street and Fresno Street on the northeast intersection of South 66th Street and private drive Eagles Lane. The tract contains an area of 1.92 acres with approximately 132 feet of street frontage along South 66th Street.

REQUESTED ZONING

The requested zoning on this tract is Residential Multifamily Medium Density (RM-3). Characteristics of this zone are as follows:

Purpose:

To provide for medium density attached homes, including multi-unit residential buildings in areas where such development already exists or is planned for the future. The RM-3 zoning district is appropriate in urban areas within the Residential Attached, Mixed Use Residential, Mixed Use Employment, Commercial Neighborhood, and General Commercial Land use categories of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings, multifamily (apartment and condominiums), community residential facility, family and neighborhood group homes and retirement housing are examples of permitted uses.

Conditional Uses:

Assisted living, bed and breakfast inn, dormitory, sorority, fraternity, rooming or boarding house, commercial communication towers, amateur radio transmitting towers, community recreation center, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes, senior citizen center, churches and rectory, convent, monastery are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- | | |
|---|--------------------------------|
| Minimum Lot Size – 6,500 square feet | Maximum Height - 40 feet (1+1) |
| Maximum Density – 20 Dwelling Units/Acre | Maximum Lot Coverage - 65% |
| Minimum Lot Width at Building Line – 60 feet | |
| Minimum Street Frontage – 20 feet | |
| Front Yard Setback - 25 feet | |
| Side Yard on Street Side of Corner Lot - 15 feet | |
| Side Yard Setback – 7.5 feet | |
| Rear Yard Setback - 10 feet | |
| Side/Rear adjacent to RS district/development – 30 feet | |
| Minimum building separation – 10 feet | |

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Transitional and is developed as a church.

The area to the east is zoned Commercial Heavy (C-5) and is developed as a private club.

The area to the south is zoned Residential Multifamily Medium Density (RM-3) and developed as a multifamily development.

The area to the west is zoned Residential Multifamily Medium Density (RM-3) and developed with a multifamily development and two single family homes.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South 66th Street as a Major Collector.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Residential Attached and Commercial Neighborhood. The Residential Attached classification is intended to provide for diverse populations and households, by supporting variety and options in living environments, and housing, while protecting and improving property values. The Commercial Neighborhood classification is intended to provide convenience goods and services in a residentially compatible

design, for surrounding neighborhoods, and to provide appropriate uses for sites on arterials and collectors unsuitable for residential development due to lot configuration, safety and noise.

APPLICANT HARDSHIP

The applicant has stated that the strict enforcement will not allow adequate space in front of the units for residential parking or driveway access and the required detention pond.

NEIGHBORHOOD MEETING

A neighborhood meeting was held at the offices of Morrison Shipley Engineers on November 5, 4:30 p.m. The meeting was originally scheduled to occur on site, but due to inclement weather, the location was changed to the offices of Morrison -Shipley Engineers at 5704 Euper Lane. Notices were posted on site noting the revised location and that the meeting was extended to 6:00 p.m. No neighboring property owners attended the meeting.

STAFF COMMENTS AND RECOMMENDATIONS

In addition to the applicant's hardship statement, staff does note that due to the property's relatively narrow width as compared to the site's depth creates a challenge to develop the site with a street orientation.

If the BZA approves this variance, staff requests that it substantiate its reason for approval in accordance with Section 27-337-2 of the Unified Development Ordinance, which permits the granting of a variance only when it is demonstrated that such action is in keeping with the spirit and intent of the provisions of the zoning chapter.

If the BZA is approves the application, we recommend the following comment:

Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.

APPLICATION FOR VARIANCE

Notice is hereby given that the undersigned, as owner(s) of the following property in the Fort Smith District of Sebastian County, Arkansas, to-wit: (Legal Description)

Address of property 3311 South 66th, Existing or Proposed

Zoning Classification T, has filed with the Planning Department a written application pursuant to Article 5-6 of Ordinance 2324 of the City of Fort Smith, Arkansas, to secure a variance from the literal provisions of the zoning ordinance as follows:

<u>Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship</u>

- | <u>FROM</u> | | <u>TO</u> | |
|--------------------|---|------------------|--|
| _____ | - | _____ | Front Yard Setback or Minimum Distance from Right-of-Way |
| _____ | - | _____ | Exterior Side Yard Setback |
| _____ | - | _____ | Interior Side Yard Setback |
| <u>11.25'</u> | - | <u>7.5'</u> | Rear Yard Setback |
| _____ | - | _____ | Maximum Height of Structure |
| _____ | - | _____ | Minimum Distance Between Structures on the Same Lot |
| _____ | - | _____ | Minimum Lot Area (Square Feet) |
| _____ | - | _____ | Minimum Lot Frontage |
| _____ | - | _____ | Maximum Size of a Sign |
| _____ | - | _____ | Other: _____ |

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of seven (7) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on

said application. All interested persons are invited to attend and are entitled to be heard. This notice is published this _____ day of _____, 20____.

Signed:

Travis Brisending
Owner or Agent Name (please print)

Owner

or

479-452-1933
Owner or Agent Phone Number

Agent

P.O. Box 10064 Fort Smith, AR
Owner or Agent Mailing Address 72917

Variance # _____

VARIANCE INFORMATION FORM

The following paragraph (Section 27-337-2) of the Fort Smith Unified Development Ordinance defines the criteria for granting a variance:

The Board of Zoning Adjustment shall hear requests for variances from the literal provision of the zoning chapter in instances where strict enforcement of the zoning chapter would cause undue hardship due to circumstances unique to the individual property under consideration, and shall grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning chapter. The Board of Zoning Adjustment shall not permit, as a variance, any use in a zone that is not permitted under the chapter. The Board of Zoning Adjustment may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

1. To aid the Board of Zoning Adjustment in arriving at a decision on your application, please note the lot information requested and check the appropriate answer to each of the questions that follow.

<u>Yes</u>	<u>No</u>	
_____	<u>X</u>	Is this variance needed because of previous actions taken by yourself?
_____	<u>X</u>	Is this variance needed because of previous actions taken by a prior owner?
_____	<u>X</u>	A zoning hardship is present only when a property has no reasonable use without a variance. Do you have use of your property without a variance?
<u>X</u>	_____	Is the variance needed due to the unique circumstances of the property (such as lot area, lot width, setbacks, yard requirements, or building height)? If yes, please explain on the following page.
_____	<u>X</u>	Is the lot of an odd or unusual shape?
_____	<u>X</u>	Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)?
<u>X</u>	_____	Does the lot contain required easements other than those that might be located on its perimeter?
_____	<u>X</u>	Is any part of the lot in a flood plain or flood way?
_____	<u>X</u>	Is the lot smaller than minimum lot area or minimum frontage for its zoning classification?
_____	<u>X</u>	Is the lot developed with structures in violation of current zoning requirements?
_____	_____	Does the lot front any street classified as an arterial or collector on the Master Street Plan?

Explanation of question #4 (if applicable)

lot width

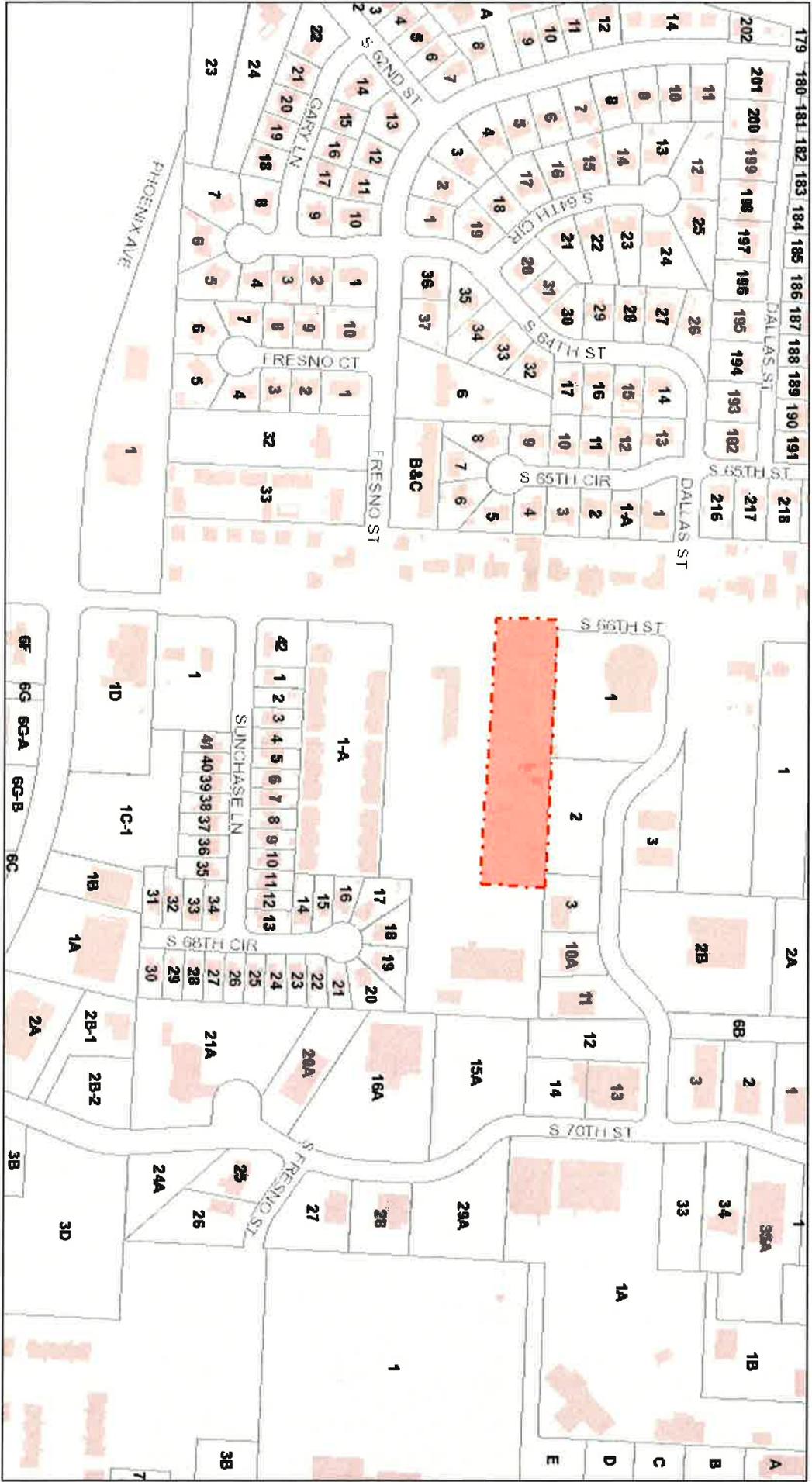
2. Describe how the strict enforcement of the zoning code causes an undue hardship for your project:

Strict enforcement of Section 27-602-4(D)3(a) will not allow adequate space in front of the units for the resident parking, driveway and detention pond

3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

Variance #36-11-15: From 11.25' to 7.5' rear yard setback 3311 South 66th Street

8



October 23, 2015

-  Fort Smith City Limits
-  Subdivisions
-  Building Footprints



SUBDIVISION COMMENTS
November 10, 2015

9. The Havens at Chaffee Crossing, Lots 1-51 - Preliminary Plat – Crafton Tull & Associates

Location: The subject property is on the northwest side of Veterans Avenue between Roberts Blvd and Frontier Road. The tract contains an area of 18.16 acres with approximately 971 feet of street frontage along Veterans Road and 971 feet of street frontage along Wells Lake Road.

Development Plan Summary: The proposed subdivision contains 51 lots and will be developed with duplex dwelling units. Entry into the subdivision will be provided by entrances on Wells Lake Road and Veterans Avenue. The preliminary layout shows 5' sidewalks on one side of all interior streets. A 20' landscape buffer is proposed adjacent to Wells Lake Road and Veterans Avenue. In accordance with the UDO, a maintenance entity will be required to financially maintain the landscaping.

Proposed Zoning Designations: Residential Single Family-Duplex Medium/High Density (RSD-3)

Land Uses: The RSD-3 provides medium-to-high density, compact single family detached and duplex development on new sites or as infill construction.

Proposed Land Uses: Duplex Development

We recommend approval of the preliminary plat with the following comments:

- 1) The developer must agree to meet all franchise and City utility easement requirements.
- 2) The preliminary and final plat must comply with the city's Subdivision Design and Improvement Standards Specifications for Public Works Construction.

Memo

To: City Planning Commission

From: Planning Staff

Date: October 29, 2015

Re: Rezoning #20-11-15 - A request by Crafton Tull & Associates, agent for Fort Chaffee Redevelopment Authority, for Planning Commission consideration of a zone request from Not Zoned to RSD-3 by classification at 6900 Veterans Avenue

PROPOSED ZONING

The rezoning if approved will allow for the development of 54 lots for duplexes.

LOT LOCATION AND SIZE

The subject property is on the northwest side of Veterans Avenue between Roberts Blvd and Frontier Road. The tract contains an area of 18.16 acres with approximately 971 feet of street frontage along Veterans Road and 971 feet of street frontage along Wells Lake Road.

REQUESTED ZONING

The requested zoning on this tract is Residential Single Family – Duplex Medium/High Density (RSD-3).

Characteristics of this zone are as follows:

Purpose:

To provide for medium-to-high density, compact single family detached and duplex development on new sites or as infill construction. Adequate public services and facilities shall be available with sufficient capacity to serve the proposed development. This zoning district is intended to serve as a transition between the lower density single family-duplex districts and the multifamily or commercial districts. RSD-3 zoning is appropriate in urban and suburban areas and primarily applies to the Residential Attached, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings and family group homes are examples of permitted uses.

Conditional Uses:

Commercial communication towers, amateur radio transmitting towers, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 6,500 square feet

Maximum Height - 35 feet (1+1)

Maximum Density – 6.7 Dwelling Units/Acre

Maximum Lot Coverage - 60%

Minimum Lot Width at Building Line – 60 feet

Minimum Street Frontage – 20 feet

Front Yard Setback - 25 feet

Side Yard on Street Side of Corner Lot - 25 feet

Side Yard Setback – 7.5 feet

Rear Yard Setback - 10 feet

Minimum building separation – 10 feet

SURROUNDING ZONING AND LAND USE

The areas to the north, northeast, and northwest are not zoned and are undeveloped.

The areas to the south is not zoned and is developed as a warehouse and a health club.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Veterans Avenue as a local road and Wells Lake Road as a future major collector.

MASTER LAND USE PLAN COMPLIANCE

The Chaffee Crossing Land Use Map classifies the site as Institutional: Technical/Education and Mixed Use: Residential/Commercial/Office.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on Tuesday November 3rd at 5:30 P.M. at 4107 Massard Road. No property owners were present at the neighborhood meeting.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the application.

PETITION FOR CHANGE IN ZONING MAP

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

- 1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

SEE ATTACHMENT

- 2. Address of property: ~~6400 Wells Lake~~ 6900 Veterans Ave.
Between Wells Lake Rd. and Veterans Ave., 825' NE of Roberts Blvd

- 3. The above described property is now zoned: Unzoned

- 4. Application is hereby made to change the zoning classification of the above described property to RSD-3 by Classification
(Extension or classification)

- 5. Why is the zoning change requested?
Redevelopment of Fort Chaffee
*See the attached with application The Havens at Chaffee Crossing Preliminary Plat

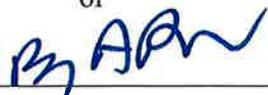
- 6. Submit any proposed development plans that might help explain the reason for the request.

Signed:

Crafton Tull & Associates
Owner or Agent Name
(please print)

Owner

10825 Financial Centre Pkwy
Suite 300 Little Rock, AR 72211
Owner or Agent Mailing Address

or

Agent

501-664-3245
Owner or Agent Phone Number

Rezoning #20-11-15: From Not Zoned to Residential Single Family Duplex Medium/High Density (RSD-3)
6900 Wells Lake Road

100

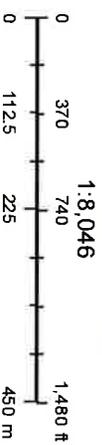


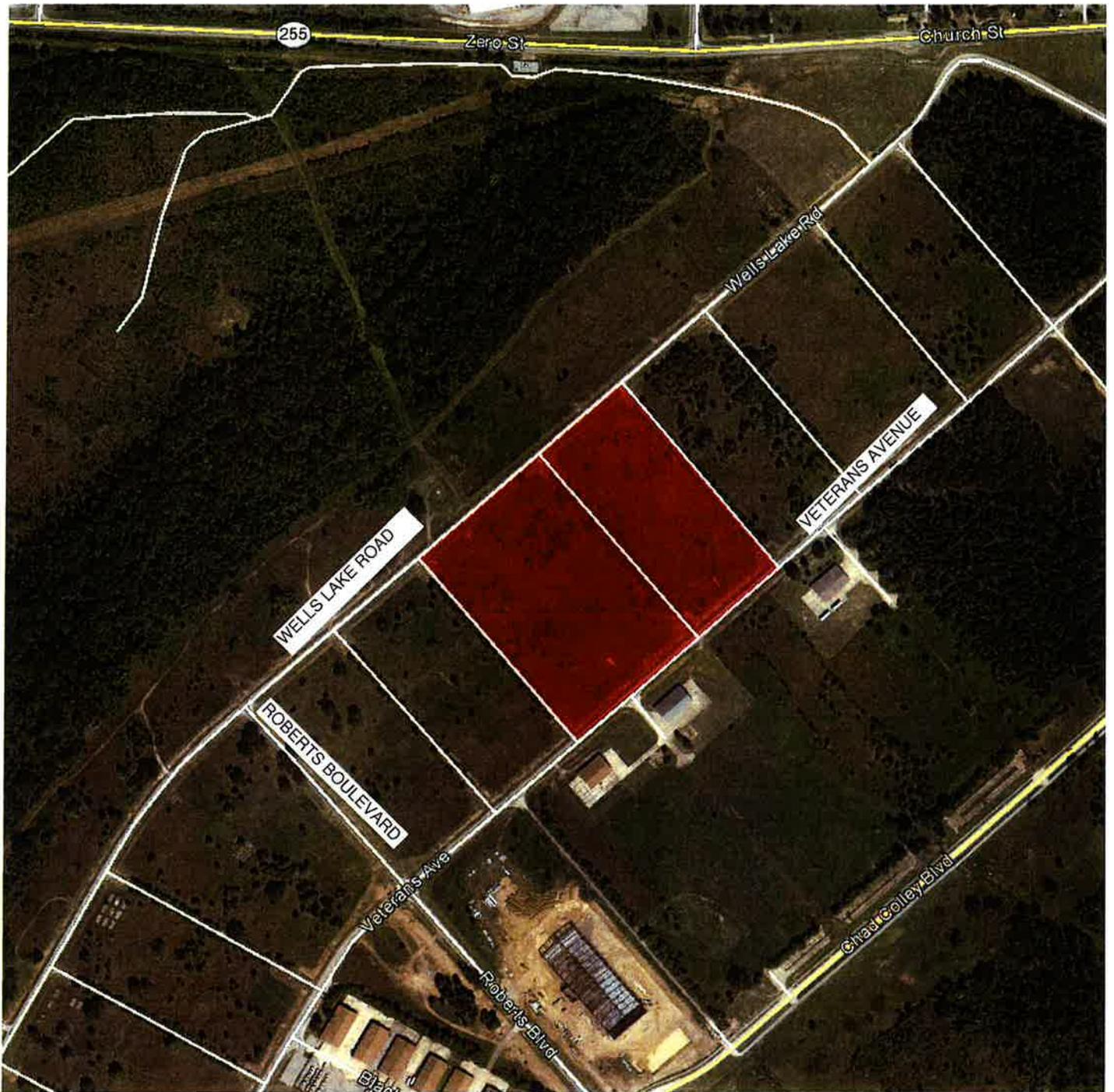
October 23, 2015

Fort Smith City Limits

Zoning

Subdivisions





VICINITY MAP
NTS

10E

Memo

To: City Planning Commission

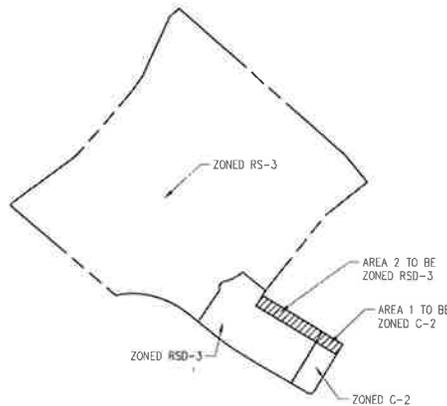
From: Planning Staff

Date: October 29, 2015

Re: Rezoning #21-11-15 - A request by Crafton Tull, agent for the Fort Chaffee Redevelopment Authority, for Planning Commission consideration of a zone request from Not Zoned to Commercial Light (C-2) and Residential Single Family – Duplex Medium/High Density (RSD-3) by classification at 7100-7200 Wells Lake Road

PROPOSED ZONING

This rezoning will allow ERC, the developer, to expand the area rezoned during the August 2015 Planning Commission meeting. The developer is proposing to increase the size of the lots located in the Commercial Light area and in the Residential Single Family-Duplex Medium/High Density area. No new lots will be added to the subdivision.



LOT LOCATION AND SIZE

The subject property is on the west side of Wells Lake Road and adjacent to the proposed R.A. Young Jr. Drive. The tract contains an area of 1.01 acres with approximately 75 feet of street frontage along Wells Lake Road.

REQUESTED ZONING

The proposed zoning on this tract is Commercial Light (C-2). Characteristics of this zone are as follows:

11A

Purpose:

To provide office, service, and retail activities that are located within buffer areas near the edge of residential areas but which serve an area larger than adjacent neighborhoods. The C-2 zoning district is intended to accommodate well designed development sites and shall provide excellent transportation access, make the most efficient use of existing infrastructure, and provide for orderly buffers and transitions between Commercial and Residential land uses. C-2 zoning is appropriate in the Commercial Neighborhood, General Commercial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-2 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto detailing, lawn and garden supplies, bicycle sales and service, beer, wine and liquor store, convenience store, restaurants with outdoor dining, pet cemetery, pet shop, mail services, commercial communication towers, utility substations, event center, community recreation center, golf course, parks, educational facilities, police station, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- Minimum Lot Size – 7,000 square feet
- Maximum Building Size – 30,000 square feet
- Minimum Parcel/Lot Size – New District (By Classification) – 42,000 square feet
- Minimum Parcel/Lot Size – Existing District (By Extension) – 7,000 square feet (one lot)
- Minimum Lot Width – 50 feet
- Minimum Street Frontage – 20 feet
- Front Yard Setback - 25 feet
- Side Yard on Street Side of Corner Lot - 10 feet
- Side Yard Setback – 10 feet
- Rear Yard Setback - 10 feet
- Minimum building separation – to be determined by current City building and fire code.
- Required street access – Major Collector or higher

AND

The proposed zoning on this tract is Residential Single Family – Duplex Medium/High Density (RSD-3).

Characteristics of this zone are as follows:

Purpose:

To provide for medium-to-high density, compact single family detached and duplex development on new sites or as infill construction. Adequate public services and facilities shall be available

11B

with sufficient capacity to serve the proposed development. This zoning district is intended to serve as a transition between the lower density single family-duplex districts and the multifamily or commercial districts. RSD-3 zoning is appropriate in urban and suburban areas and primarily applies to the Residential Attached, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings and family group homes are examples of permitted uses.

Conditional Uses:

Commercial communication towers, amateur radio transmitting towers, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- | | |
|--|--------------------------------|
| Minimum Lot Size – 6,500 square feet | Maximum Height - 35 feet (1+1) |
| Maximum Density – 6.7 Dwelling Units/Acre | Maximum Lot Coverage - 60% |
| Minimum Lot Width at Building Line – 60 feet | |
| Minimum Street Frontage – 20 feet | |
| Front Yard Setback - 25 feet | |
| Side Yard on Street Side of Corner Lot - 25 feet | |
| Side Yard Setback – 7.5 feet | |
| Rear Yard Setback - 10 feet | |
| Minimum building separation – 10 feet | |

EXISTING ZONING

The property currently has No Zoning.

SURROUNDING ZONING AND LAND USE

The areas to the north are zoned Residential Single Family Medium/High Density (RS-3) and Residential Single Family Duplex Medium/High Density (RSD-3) and are being developed as the Providence Subdivision.

The areas to the east are zoned Not Zoned and are undeveloped.

The areas to the south are zoned Not Zoned and RS-4 and are undeveloped.

The areas to the west are zoned Commercial Light (C-2) and Residential Single Family Duplex Medium/High Density (RSD-3) and are being developed as the Providence Subdivision.

MASTER LAND USE PLAN COMPLIANCE

The *Chaffee Crossing Land Use Plan* classifies the site as Single-Family Residential. This classification is to encourage residential development that promotes both internal and external connectivity while allowing each neighborhood to differentiate itself.

11C

NEIGHBORHOOD MEETING

A neighborhood meeting was held Tuesday, November 3, 2015 at 4107 Massard Road. No property owners were present at the neighborhood meeting.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the requested rezoning.

PETITION FOR CHANGE IN ZONING MAP

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

- 1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

SEE ATTACHMENT

- 2. Address of property: 7100-7200 Wells Lake Rd
Northwest side of Wells Lake Rd., 300' NE of R.A. Young, Jr. Dr.

- 3. The above described property is now zoned: Unzoned

- 4. Application is hereby made to change the zoning classification of the above described property to C-2 & RSD-3 by Classification
(Extension or classification)

- 5. Why is the zoning change requested?
Redevelopment of Fort Chaffee as Providence Subdivision

- 6. Submit any proposed development plans that might help explain the reason for the request.

Signed:

Crafton Tull & Associates
Owner or Agent Name
(please print)

Owner

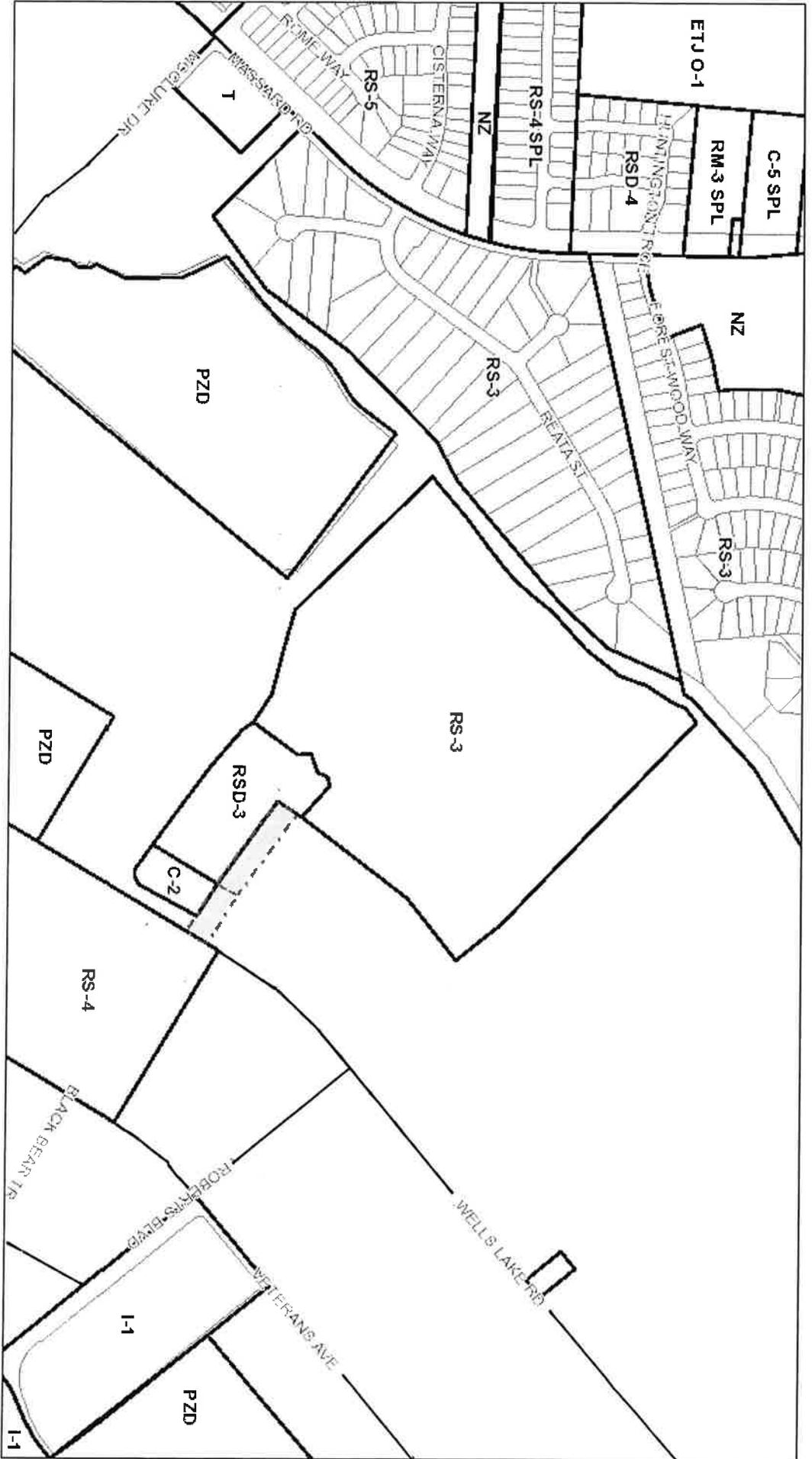
10825 Financial Centre Pkwy
Suite 300 Little Rock, AR 72211
Owner or Agent Mailing Address

or
By APW
Agent

501-664-3245
Owner or Agent Phone Number

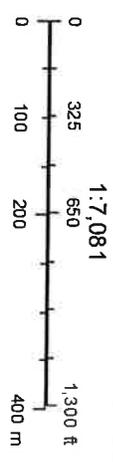
7100-7200 Wells Lake Road

11



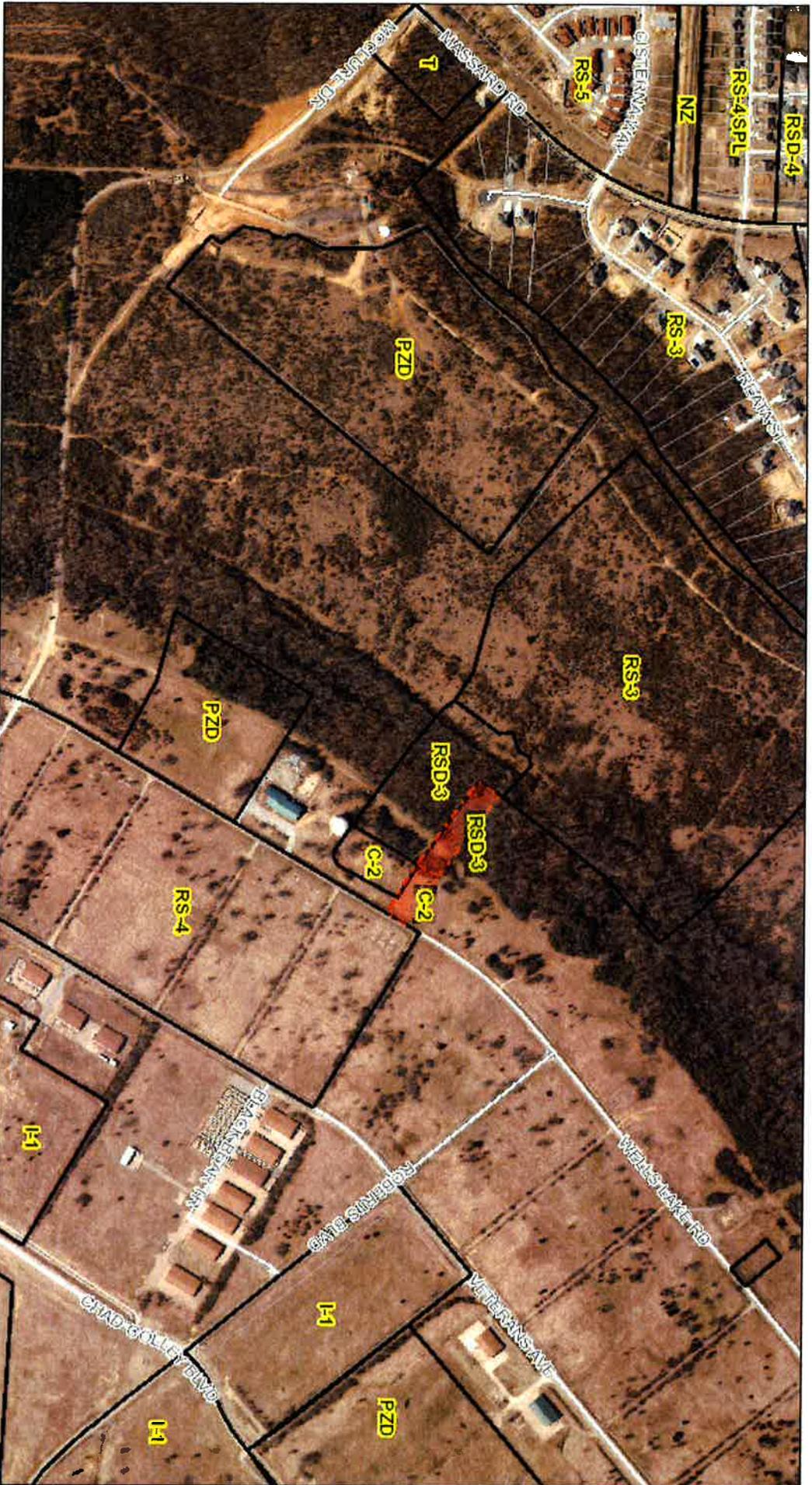
October 27, 2015

-  Fort Smith City Limits
-  Zoning
-  Subdivisions



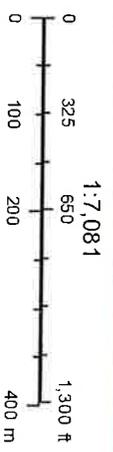
Rezoning #21-11-15: From Not Zoned to Residential Single Family Duplex
 Medium/High Density (RSD-3) and Commercial Light (C-2) at 7100-7200 Wells Lake Road

119



October 27, 2015

- Fort Smith City Limits
- Zoning
- Subdivisions





VICINITY MAP
NTS

11H

Memo

To: City Planning Commission

From: Planning Staff

Date: October 29, 2015

Re: Conditional Use #21-11-15 - A request by Jean Kolljeski & Kenneth Wallace, agents Community Rescue Mission, for Planning Commission consideration of a conditional use request to develop a Community Food Service Facility at 317 North "F" Street

PROPOSED CONDITIONAL USE

Approval of the conditional use application would allow The Sack Lunch Program, a ministry of St. John's Episcopal Church, to move the feeding program to 317 North 7th Street. A survey provided by the applicant showing the various people benefiting from the program is enclosed.

LOT LOCATION AND SIZE

The subject property is on the northeast corner of the intersection of North 3rd Street and North "F" Street. The tract contains an area of 0.64 acres with approximately 200 feet of street frontage along North 3rd Street and approximately 140 feet of street frontage along North "F" Street.

EXISTING ZONING

The existing zoning on this tract is Industrial Light (I-1). Characteristics of this zone are as follows:

Purpose:

To provide for a mixture of light manufacturing, office park, research and development, and limited retail/service retail land uses in an attractive, business park setting. The Industrial Light district may be used as a zoning buffer between mixed uses, commercial uses and heavier industrial uses. The I-1 zoning district is appropriate with the Office, Research, and Light Industrial (ORLI) and Industry classifications of the Master Land Use Plan.

Permitted Uses:

Auto and boat related businesses, a wide variety of retail businesses, indoor flea market, pawnshop, financial services, offices, bar or tavern, restaurant, animal and pet services, manufacturing and commercial communication towers are examples of permitted uses.

Conditional Uses:

Homeless shelter, truck stop, outdoor flea market, beer garden, restaurant with outdoor dining, pet cemetery, animal food processing, petroleum distribution facility, bus station, recycling center, sports complex, educational facilities and police station are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

- Minimum Lot Size – 20,000 square feet
- Maximum Height - 45 feet (1+1)
- Maximum Lot Coverage - 75%
- Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres
- Existing District (By Extension) – 20,000 square feet
- Minimum Lot Width – 100 feet
- Front Yard Setback - 25 feet
- Side Yard on Street Side of Corner Lot - 15 feet
- Side Yard Setback – 10 feet
- Rear Yard Setback - 10 feet
- Side/Rear (adjoining SF Residential District/Development) – 100 feet (may be reduced to 60 feet with Planning Commission approval of screening and/or landscaping through the Development Plan approval process)
- Minimum building separation – to be determined by current City building and fire code.
- Required street access – Major Arterial or higher

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Industrial Light (I-1) and developed as a single family residence.

The area to the east is zoned Industrial Light (I-1) and developed as a parking lot.

The area to the south is zoned Commercial Light (C-2) and developed as the Community Rescue Mission.

The area to the west is zoned Industrial Moderate (I-2) and developed as a furniture manufacturer.

PURPOSE OF CONDITIONAL USE

Certain uses are defined as conditional uses because of the potential harmful effects the use can cause to nearby properties and because the requirements to eliminate harmful effects vary from site to site. In considering conditional uses, the Planning Commission will review the overall compatibility of the planned use with the surrounding property as well as specific items such as screening, parking, and landscaping to make sure that no harmful effects occur to nearby properties.

12B

CONDITIONS FOR A CONDITIONAL USE

All requirements for a Conditional Use must be met before any part of the use may be utilized. If any specific condition is not met, the Conditional Use authorization may be revoked by the City of Fort Smith pursuant to Section 27-314.

Requirements for a Conditional Use must begin to be met within one (1) year of the authorization unless a special time limit has been imposed by the Planning Commission. An extension of time beyond one (1) year or that imposed by the Planning Commission may be granted by the Director one (1) time for up to ninety (90) days.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies both North 3rd Street and North "F" Street as Local Roads.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Mixed Use Employment. This classification is to provide for a dense, compatible mix of retail, residential, employment and production activities designed for all modes of transportation.

SITE DESIGN FEATURES

The applicant proposes to utilize the existing building with the addition of an accessible ramp on the southwest side of the building.

Ingress/egress/traffic circulation – No new driveways are proposed.

Parking – Six (6) parking spaces are proposed on site with an additional eleven (11) parking spaces on the existing parking lot to the east.

Signage – No new signage noted on the site plan.

Lighting – No new lighting is noted on the site plan.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Friday, November 6, 2015 at 302 North "F" Street. Six surrounding property owners attended the meeting. A copy of the attendance record is enclosed. A summary of the meeting will be provided to the planning commission and the planning commission meeting.

STAFF COMMENTS AND RECOMMENDATIONS

In an effort to provide the planning commission with some background information on the city's past and current efforts regarding homelessness and entities providing services to the homeless, we offer the following information:

Homelessness Task Force

In 2009, the Board of Directors appointed 12 people to a Homelessness Task Force Committee with the task of researching and finding solutions to the problems that homeless individuals faced while balancing those issues with concerns of neighborhoods that are affected by homeless issues.

The task force met weekly for approximately eight (8) months researching homelessness issues and developing recommendations for the Board of Directors. Following the task force's efforts, the Board of Directors passed Resolution R-91-10 on May 18, 2010, adopting the task force's nine (9) recommendations. Recommendations #2 and #6 were:

Recommendation #2

"Explore a campus site in a current industrial area south of Garrison Avenue."

Recommendation #6

"Establish a campus setting with a consolidation of services that will eliminate travel, duplication of services, and better represent the dignity of homeless persons (including exploring funding sources and solutions to the disposition of service providers existing facilities)"

On October 22, 2015, a groundbreaking ceremony was held for the future Riverview Hope Campus located at 301 South E Street.

A copy of the Homelessness Task Force's final report to the Board of Directors is enclosed.

Comprehensive Plan Update

In addition to the Homelessness Task Force's recommendations, the Fort Smith Comprehensive Plan Update – Housing and Neighborhood section contains the following action statement:

Action HN-2.4.1

"Continue to support, in accordance with the recommendations made by the Homelessness Task Force and adopted by the City Board, the creation and implementation of the campus concept to consolidate existing h homeless and social services south of Garrison Avenue."

The proposed site is west of the Belle Grove Historic District. A map showing the proximity of the proposed site to the BGHD and the downtown area is enclosed. The Fort Smith Historic District opposes the relocation. A letter signed by the chair of the HDC is enclosed.

While the relocation of The Sack Lunch Program would benefit the downtown area by removing it from its current location at the intersection of North 6th Street and B Street, the relocation would be counter to the Board's adoption of the Homelessness Task Force's recommendations

and the Comprehensive Plan Update. Because of these issues, staff does not support the application.

Should the planning commission desire to approve the application, we offer the following comments:

1. Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
2. No parking shall occur in any portion of the public rights-of-way.
3. The operation of Sack Lunch Program shall discontinue operation at 317 North F Street upon the completion and opening of the Riverview Hope Campus.

Conditional Use # 21-11-15

APPLICATION FOR CONDITIONAL USE

Name of Property Owner: Community Rescue Mission

Name of Authorized Agent (if applicable) Jean T Kalljeski, Kenneth Wallace

Legal Description of property included in the conditional use request:

LOTS 1 & 2 BLOCK H
Original City of Fort Smith

Street Address of Property:

317 N. F

Existing Zoning Classification:

I-1

Proposed Zoning Classification (if applicable):

N/A

Describe Proposed Conditional Use Request, including the development of any construction proposed of the property: The Sack Lunch Program would use

See attachment

What amenities are proposed such as landscaping and screening?

Kenneth Wallace
Jean T Kalljeski Jean T Kalljeski
Owner or Agent Name (please print)

The Sack Lunch Program
St John's Episcopal Church, 215 N 6th Street
Owner or Agent Mailing Address Fort Smith, AR
479-782-9912
479-252-1360 72901

Signed: Kenneth Wallace
Jean T Kalljeski

Owner

Or

Owner or Agent Phone Number

Agent

12F

Describe Proposed Conditional Use Request, including the development of any construction proposed of the property:

The Sack Lunch Program (SLP), a ministry of St. John's Episcopal Church, proposes to move its operation of serving portable lunches to the food insecure people of Greater Fort Smith to the designated facility owned by Community Rescue Mission. This move will have the following benefits:

- enhancing the North 6th Street and B Street neighborhood by moving the the SLP customer serving line from the neighborhood
- safety for customers and volunteers, and traffic.
- easy access for volunteers. Current building is difficult for access for some of the elderly volunteers. The corner of 6th and B Street is a busy intersection.
- more appropriate facility for our program.
- more sanitary work environment for the volunteers;
- decrease in duplication of services. Sharing of resources between Community Rescue Mission and SLP will occur.

SACK LUNCH CLIENT SURVEY SUMMARY

2014

ITC

Mode of Transportation	%	Distance Traveled	%	Direction of Origin (From Sack Lunch Distribution Site)	%
Walk	60	1/2 Mile Or Less	38	North	48
Bike	7	1 Mile	19	East	24
Car	21	2 Miles	24	South	21
Public Transportation	12	3 Miles	9	West	7
		3 Or More Miles	10		

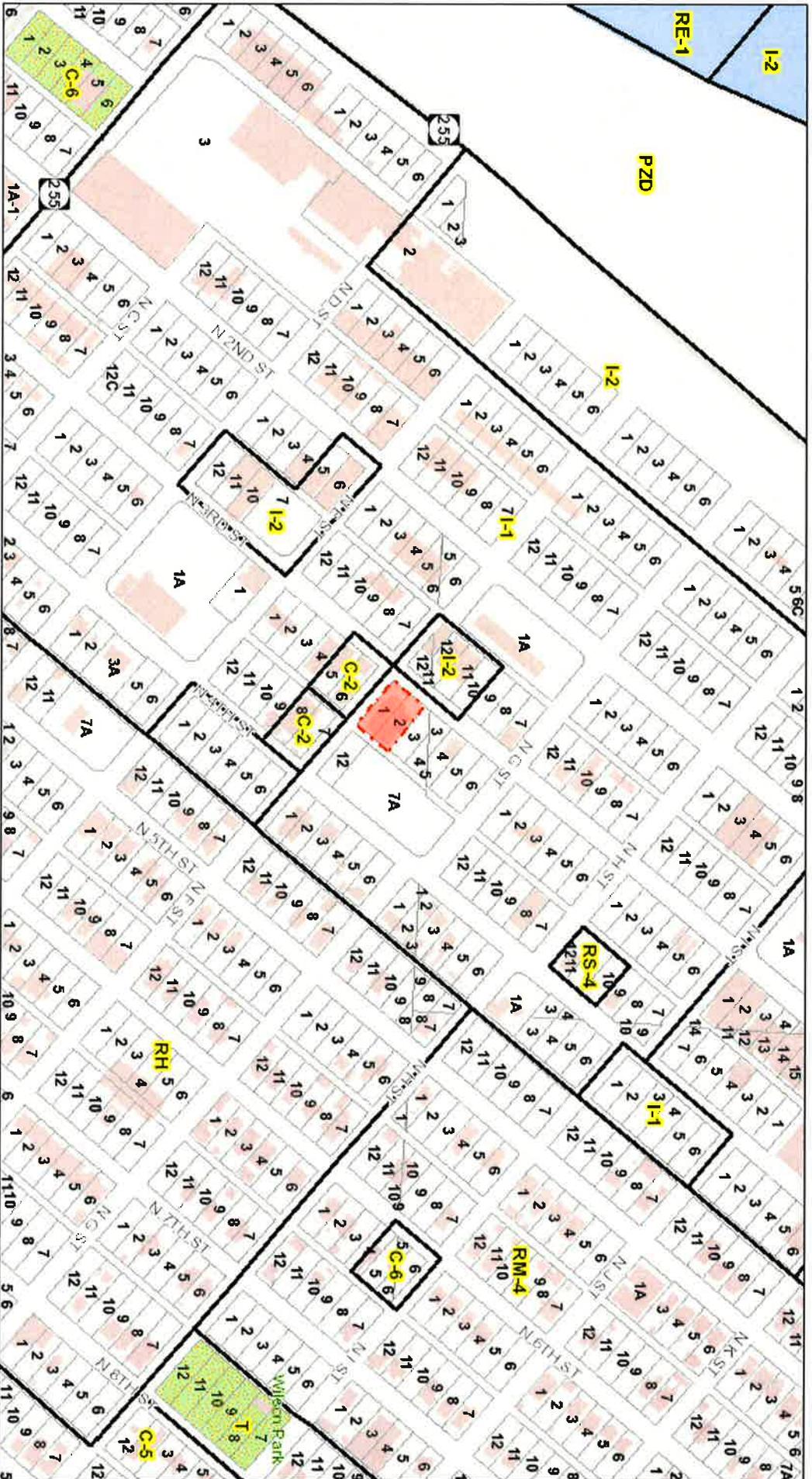
Employment Status	%	Unemployment Duration	%	Client Repeat Rate	%
Homeless	32	1 Year	42	Surveyed on 4/16 and 4/25	24
Disabled/Retired	27	2 Years	23	Surveyed on 4/25 and 4/29	36
Working	14	Greater Than 2 Years	17		
Unemployed	27	NoResponse	18		

Provided by Applicant

Conditional Use #21-11-15: Community Food Services

317 North "F" Street

H2



October 23, 2015

-  Fort Smith City Limits
-  Building Footprints
-  Zoning
-  Subdivisions





LEGEND
 Computed Point
 Set 1/2" Iron Pin
 Ext'd. 1/2" Iron Pin
 Set R.R. Spike

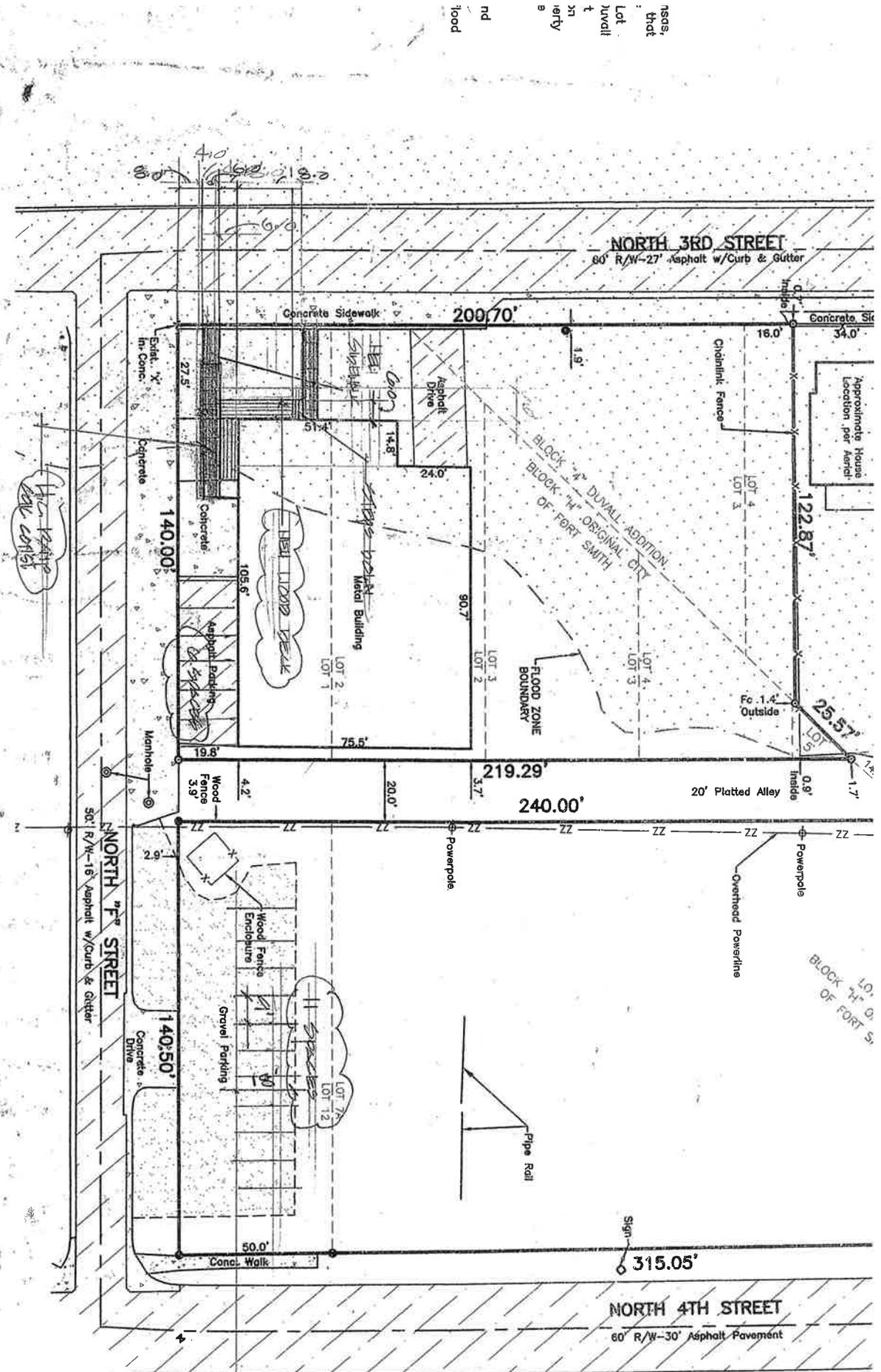
Revisions:



FINAL SURVEY
 PART OF BLOCK H ORIGINAL CITY
 OF FORT SMITH & PART OF

Date: 09/25/2015
 Drawn By: TAC
 Computed By: DPH

File Name: G:\SURVEY\15-0341\15-0341.d



roads, that
 Lot
 dwell
 t
 n
 erty
 e

125

The Sack Lunch Program

Neighborhood Meeting

Name:

Address:

1. Acie Turner

The Salvation Army
301 N. 6th Ft. Smith

2. Mike Lager

214 N. 6th St

3. ~~KIMBERLY CASHER~~

Community Rescue

X4. Phyllis Lardner

X5. David Lardner

X6. Paul Lardner

Oklahoma East
Freight 515 N. S

7. Chubbie Ewerly - OFHC

8. Mitch Minnick - Fort Smith
Housing Authority

2100 N. 31st Street

9. Mike Miller

Turn Page for additional space

X Surrounding Property Owner

The Sack Lunch Program

Neighborhood Meeting

10. Mike Bishop - St. Boniface
11. Barbara Lynch
12. Garry Peery
- X13. Fred (D:) Hunt
- X14. Jeff Sutton
- X15. DeWayne Sutton
16. Bill Halls
17. Ronny Ronsz
- 18.
- 19.
- 20.

RESOLUTION NO. R-91-10

A RESOLUTION ACCEPTING AND PRIORITIZING THE RECOMMENDATIONS OF THE HOMELESSNESS TASK FORCE

WHEREAS, the Board of Directors appointed a Homelessness Task Force to review issues related to the problem of homelessness in Fort Smith; and,

WHEREAS, the Homelessness Task Force conducted several meetings and has made recommendations to the Board of Directors which will assist the City of Fort Smith address issues related to homelessness in Fort Smith; and,

WHEREAS, the Board of Directors expresses their appreciation to the members of the Homelessness Task Force.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

Section 1: The Board of Directors hereby accepts the recommendations of the Homelessness Task Force.

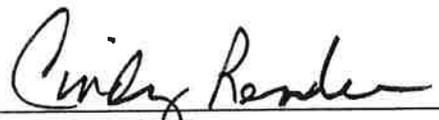
Section 2: The Homelessness Task Force Recommendations are hereby prioritized by the Board of Directors as shown in Exhibit A.

This Resolution adopted this 18th day of May, 2010.

APPROVED:


Mayor

ATTEST:



City Clerk

*Approved as to form
JL
No publication required*

PRIORITIZED HOMELESSNESS TASK FORCE RECOMMENDATIONS

- #1 Strengthen the Old Fort Homeless Coalition with city involvement through a full-time paid staff person
- #2 Explore a campus site in a current industrial area south of Garrison Avenue
- #3 Old Fort Homeless Coalition conduct an analysis of homelessness services to identify any gaps in services to the homeless
- #4 Put more teeth in existing ordinances and hold property owners responsible for the maintenance of their properties, and add more staff to administer ordinances
- #5 Identify a homeless management reporting system to identify the scope of the homeless problem in our area
- #6 Establish a campus setting with a consolidation of services that will eliminate travel, duplication of services, and better represent the dignity of homeless persons (including exploring funding sources and solutions to the disposition of service providers existing facilities)
- #7 Continuation of enhanced police protection in the Belle Grove and Downtown Areas
- #8 Create a job corps, through the Old Fort Homeless Coalition, and that the city give priority to the jobs corps when city services, such as lot clean-ups are contracted
- #9 Undertake a community education program to generate support (awareness) for the homeless and a homelessness campus



GOAL HN-2

Encourage a diverse range of housing options

A variety of housing typologies will be required to meet the needs of an aging and diversifying population. Policies and strategies to improve the mix of housing in Fort Smith include planning housing for diverse populations, improving housing in urban areas through infill, and ensuring that there is a sufficient supply of single-family and multi-family units.

POLICY HN-2.1

Plan for and accommodate senior housing and other special needs populations as well as housing choices for young adults and families.

» **ACTION HN-2.1.1**

Locate diverse housing opportunities accessible to shopping, parks, recreation centers, schools, medical care, and public transit.

POLICY HN-2.2

Maintain housing opportunities in urban areas.

» **ACTION HN-2.2.1**

Support the renovation and revitalization of existing housing and promote infill development of vacant land within the corporate limits.

POLICY HN-2.3

Promote the development of a mix of housing types, including single family detached, single family attached, accessory apartments, and multi-family units.

» **ACTION HN-2.3.1**

Review and revise regulations that create unintended impediments to new or innovative types of desirable housing.

POLICY HN-2.4

Preserve and increase the supply of safe, stable, and affordable supportive housing opportunities for homeless individuals and families.

» **ACTION HN-2.4.1**

Continue to support, in accordance with the recommendations made by the Homelessness Task Force and adopted by the City Board, the creation and implementation of the campus concept to consolidate existing homeless and social services south of Garrison Avenue.

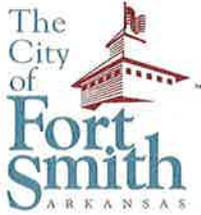
Employer Assisted Housing Program,
University of Kentucky
Lexington, KY

The University of Kentucky, in partnership with the Samaritan Hospital and the Downtown Development Authority, kicked off the "Live Where You Work" employer-assisted housing program in 2003. The effort is intended to increase homeownership opportunities for Lexington's workforce through access to up to \$15,000 for eligible employees, housing information and education through counseling agencies, and options for financing. The program is targeted to downtown and university areas to reduce commuting time and encourage urban infill / reinvestment.

The program has been in place for over a decade and still offers forgivable loans of up to \$15,000 to eligible employees for down payment, closing costs, rehab, and renovation assistance in designated neighborhood revitalization areas. The program got off to a slow start, in part due to a limited geographic area, however many employees are now taking advantage of the loans and free housing counseling services and investing in downtown housing, located near their employers.

Links:

http://www.uky.edu/PR/News/Archives/2003/Oct2003/03-10_employer_assisted.htm
<http://bizlex.com/2012/03/housing-affordability-lexington-looks-for-solutions/>



November 6, 2015

Marshall Sharpe, Chairman
Fort Smith Planning Commission

Dear Marshall:

The Fort Smith Historic District Commission is opposed to the relocation of St. John's Sack Lunch program to the proposed location. The Commission feels the proposed location could have more of an impact on the residences within the Belle Grove Historic District. As you know, the Belle Grove Historic District is the oldest neighborhood within the city and is the only local ordinance historic district. Should you have any questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Graham Sharum".

Graham Sharum, Chairman
Fort Smith Historic District Commission

623 GARRISON AVENUE
P.O. BOX 1908
FORT SMITH, ARKANSAS 72902
(479) 784-2216
FAX (479) 784-2462

12R

HOMELESSNESS TASK FORCE
FINAL FINDINGS AND RECOMMENDATIONS
TO THE
FORT SMITH BOARD OF DIRECTORS

MARCH 30, 2010

INTRODUCTION

The purpose of this report is to provide the Board of Directors with the Homelessness Task Force's final findings and recommendations as required by Resolution #R-202-09 approved by the Board on August 25, 2009. The Board of Directors made appointments to the task force on September 1, 2009, in accordance with Resolution # R-216-09.

The task force first met on September 11, for an organizational meeting. During this meeting, Tom Minton, Director of United Way, was elected chairperson, planning staff provided the task force an overview of the homeless problems, reviewed the goals and objectives, and established a weekly meeting schedule. Since the first meeting, the task force met nineteen times on Friday mornings at 8:15 a.m., at the Darby Community Center, 220 North 7th Street. City staff attending the meetings and providing technical assistance included: Planning Department - Wally Bailey, Director of Development Services, Brenda Andrews, senior planner, and Maggie Rice, senior planner; Police Department - Chief Kevin Lindsey and Corporal Brandon Bird. A copy of the task force members, meeting summaries, and newspaper articles are included in the appendix as Exhibits A-C.

CHALLENGE

The Homelessness Task Force was assigned the task of researching and finding solutions to the problems that homeless individuals in our community face in seeking shelter and necessary services while balancing those issues with the concerns of neighborhoods that are affected by homeless issues. Prior to the Board's authorization of the Homelessness Task force, Chief Kevin Lindsey held the first of three Belle Grove Problem Solving meetings on August 3, 2009. Approximately 150 people attended the meeting and voiced their concerns about the need for more efficient services for the homeless and concerns about the impacts that homeless have on the downtown and Belle Grove neighborhood. At this meeting, the attendees voted on their top five solutions to the homelessness issues:

1. Provide more housing for the homeless
2. Install public toilets in neighborhoods
3. Create a task force to study, recommend, and implement solutions to long-term problems
4. Provide more police presence in neighborhood
5. Create a campus for the provision of homeless services

The Homelessness Task Force was mindful of the above-referenced recommended solutions when discussing the needs of the homeless and neighborhoods that are affected by the homeless.

GOALS AND OBJECTIVES ESTABLISHED BY THE BOARD OF DIRECTORS

1. Advocate for and represent the dignity and rights of people who are homeless in our community;

2. Work toward the goal of preventing homelessness and seek appropriate and affordable housing for all who want it;
3. Work toward provision of health care, education, and social services to all who need them;
4. Research and develop a plan to implement comprehensive assistance programs to homeless persons in Fort Smith; and,
5. Research and evaluate opportunities and locations for a campus that will include facilities for all agencies that provide services for the homeless.
6. Advocate for preservation and protection of neighborhoods.

HOMELESSNESS TASK FORCE RECOMMENDATIONS

“It is important for the city leaders and community to understand the homeless situation is a challenge the city faces. The service providers are willing partners with the city to eliminate homelessness and the causes. This is not a problem, however, that should be shouldered solely by the providers. We need the support of the city to solve a problem they face.” - Linda Gabriel, Associate Director, Next Step Day Room

Following are the task force’s recommendations. Each recommendation addresses a specific problem; however, the recommendations are interrelated to provide a comprehensive solution to address the needs of the homeless and the concerns of the community.

- Recommend to the Board of Directors that the city identify a homeless management reporting system to identify the scope of the homeless problem within our area – supports Goal # 1
- Recommend to the Board of Directors that the Old Fort Homeless Coalition conduct an analysis of homelessness services to identify any gaps in services to the homeless – supports Goal #'s 3 and 4
- Recommend to the Board of Directors to strengthen the Old Fort Homeless Coalition continuum of care with city involvement through a full-time paid staff person – supports Goal # 1
- Recommend to the Board of Directors the establishment of a campus setting with a consolidation of services that will eliminate travel, duplication of services and better represent the dignity of homeless persons (includes exploring funding sources and solutions to the disposition of service providers existing facilities) – supports Goal #'s 1 and 5
- Recommend to Board of Directors that the city explores a campus site in a current industrial area south of Garrison Avenue – supports Goal #'s 5 and 6
- Recommend to the Board of Directors that the city restricts social service agencies from expanding in their current locations or the creation of new social service agencies in the downtown and Belle Grove areas (as a companion to the campus recommendation) – supports Goal #'s 5 and 6
- Recommend to the Board of Directors to undertake a community education program to generate community support for the homeless and a homelessness campus – supports Goal # 1

- Recommend that that the Board of Directors consider an education process to prevent panhandling, and an ordinance if necessary – supports Goal #'s 1 and 6
- Recommend to the Board of Directors to expand the free voucher transportation system (Fort Smith Transit) for social service providers – supports Goal #'s 1, 3 and 5
- Recommend to the Board of Directors to direct city staff to work with the Jefferson Bus Line and the bus station to ensure that when buses arrive that services are available for their clients, such as restrooms and waiting area – supports Goal #'s 1 and 6
- Recommend to the Board of Directors that Section 8 Housing for extremely low-income citizens be expanded in an effort to prevent homelessness – supports Goal #'s 1 and 2
- Recommend to the Board of Directors to put more teeth in existing ordinances and hold property owners responsible for the maintenance of their properties, and add more staff to administer ordinances – supports Goal # 6
- Recommend to the Board of Directors the creation of a job corps, through the Old Fort Homeless Coalition, and that the City gives priority to the jobs corps when city services, such as lot clean-ups, are contracted – supports Goal #'s 1 and 4
- Recommend to the Board of Directors that enhanced police protection continue in the Belle Grove and Downtown areas – supports Goal # 6

HOMELESSNESS TASK FORCE FINDINGS

The Homelessness Task Force researched and discussed many issues regarding the homeless and heard from several representatives of other groups and agencies who provided information and guidance on homeless issues. Following is a summary of those discussions and findings:

HOMELESS MANAGEMENT REPORTING SYSTEM:

The task force's recommendation to identify a homeless management reporting system to identify the scope of the homeless problem within our area is a key component to developing an efficient homeless services program. One of the primary obstacles in assisting the homeless in our community is the lack of dependable data on the number of homeless persons. The Homeless Management Information System (HMIS) is mandatory use for homeless shelters that receive emergency shelter grants from the U.S. Department of Housing and Urban Development (HUD). However, many agencies do not use the HMIS system because they do not receive HUD funding. Other agencies, such as The Salvation Army, have used the HMIS in the past but have opted out of the system because it is not user-friendly. Some agencies such as the Community Rescue Mission, use the HMIS system as well as its own reporting system. An alternate reporting system that is easy to use and maintains accurate data should be utilized to support local operations while those agencies needing to comply with HUD requirements could continue to use the HMIS as well as the local reporting system. To facilitate the success of an identified system, the city should consider requiring those agencies that receive outside agency funding and serve the homeless to use the reporting system.

SERVICE GAPS ANALYSIS:

To ensure that all necessary services are provided for the homeless, the task force has recommended that the Old Fort Homeless Coalition conduct an analysis of homelessness services to determine service gaps. The Salvation Army's proposed Mission Planning Study will be helpful in this task, as a component of the study will include a needs assessment of community and organizations. The needs assessment, in part, will consist of interviews and a questionnaire sent to selected community and business leaders, public officials, and human service providers.

PAID STAFF PERSON:

The task force believes that in order to provide improved services for the homeless, continuity must be established with the Old Fort Homeless Coalition Continuum of Care. The task force recommends that the city strengthen the Old Fort Homeless Coalition Continuum of Care with city involvement through a full-time paid staff person. The staff person's primary responsibility would be to provide technical assistance to the Old Fort Homeless Coalition and other agencies that provide services to the homeless.

The Old Fort Homeless Coalition has no paid staff and is completely operated with volunteer members. It was established in January 2001, and serves the counties of Sebastian, Crawford, Scott, Logan, Franklin, and Polk. The Old Fort Homeless Coalition was established to eliminate homelessness, provide collaboration of agencies that facilitate access to shelter, housing, and services; communicate with others interested in ending homelessness, promote public awareness of homelessness, its causes, extent and

possible solutions; and secure funding to work towards ending homelessness.

A contractual arrangement with a regional agency, such as Western Arkansas Planning and Development District (WAPDD) is one possible source for providing a staff person. Serving the same six counties as the Old Fort Homeless Coalition serves, WAPDD provides planning and development of local and regional programs as well as providing technical assistance and management services. A contractual arrangement in which all participating entities pay a pro rata share of costs associated with a staff person would be a fair and equitable solution.

ESTABLISHMENT OF A HOMELESS CAMPUS:

The discussion of a homelessness campus was an integral component of the task force's discussions as well as one of the top-five solutions voted on by the attendees of the Belle Grove Problem Solving meetings. To assist them in their discussion, the task force toured the existing homeless facilities in Fort Smith including the Next Step Day Room, The Salvation Army, and the Community Rescue Mission. The task force also reviewed information about homelessness campuses in other cities, including Las Cruces, New Mexico; Haven for Hope, San Antonio, Texas; Austin Resource Center for the Homeless, Austin, Texas; and the Day Resource Center, North Little Rock. Kimberly Gross, founder of Seven Hills Homeless Center, also spoke to the task force on how to establish an effective homeless campus. The tours and information about other homelessness campus helped the task force to formulate the following list of advantages, disadvantages, and necessary services for a campus.

Advantages of a Campus:

- Reduces homeless traffic in downtown and neighborhoods
- Reduces duplication of services and increases efficiency
- Provides point-of- entry into system and one central location
- Reduces NIMBY
- Leverages strengths of the agencies
- Allows for possible redevelopment of the area
- One campus will increase the dignity of clientele and improve quality of life
- Easier to locate individuals (e.g., police department looking for missing persons as well as persons connected with crimes)
- Allows for affiliated agencies to have satellite agencies (e.g., Western Arkansas Counseling and Guidance (WACG), Social Security, Employment Office, and job training employment center)

Necessary Services for a Campus:

The following services should be included in a campus setting or be in close proximity:

- State Office Building (Social Security Office, Food Stamps, Identification Services)
- Bus Station
- Health Care Services (Good Samaritan Clinic, Dental and Vision Clinics, and Veteran Administration)
- Clothing Service (Golden Rule Clothes Closet, Hope Chest)
- Mental Health Care (WACG)

A Campus Should Have Access to the Following Services:

- Permanent Housing Services (Crawford-Sebastian Community Development)
- Supportive Housing

Other Beneficial Campus Services:

- Daycare/head start
- Parole Office
- Job Training Center
- Employment Center
- Covered outdoor space
- Outdoor space with playground

Possible Campus Locations:

The task force studied three possible areas for a homeless campus and developed advantages and disadvantages to each area. The locations studies included: 1) Chaffee Crossing; 2) former Wal-Mart building at 2600 Midland Boulevard; and an area south of Garrison Avenue between Wheeler Avenue and the River. Based on the advantages and disadvantages, the task force agreed that the most feasible location was an area South of Garrison Avenue between Wheeler Avenue and the Poteau River. Maps of these areas are included in the appendix and labeled as Exhibits D and E.

Chaffee Crossing:

Advantages: Could develop a transfer station to transport homeless to campus

Disadvantage: Homeless would continue to come to the downtown area

Former Wal-Mart Building – 2600 Midland Boulevard:

Advantages: None

Disadvantages: A single building would conflict with agencies being autonomous
Adjacent to residential neighborhoods
Not big enough for all agencies
Too far from downtown
Some agencies must own their own facility

Area South of Garrison Avenue between Wheeler Avenue and the Poteau River:

Advantages: Near the downtown area
Availability of land and buildings
Area is developed as industrial
Not adjacent to residential neighborhoods

Disadvantages: None

Agency Survey:

The task force also conducted an informal survey of 30 existing service providers to gauge their interests and concerns about a homeless campus. The survey consisted of five questions polling the respondents' opinions on the following topics: 1) advantages of a homeless campus; 2) disadvantages of a homeless campus; 3) obstacles of a homeless campus; 4) how obstacles could be eliminated; and 5) if obstacles were eliminated, would they consider relocating to a homeless campus.

Survey Results

Of the 30 surveys sent, 21 (70%) agencies responded. A copy of the survey distribution list and survey results are included in the appendix as Exhibit F. A summary of the top three responses to each question are as follows:

Question 1: What do you believe are the disadvantages to relocating to a single campus?

- ❖ 68% said a single campus decreases agency autonomy
- ❖ 56.3% said a single campus creates problems for disposition of existing agency property
- ❖ 37.5% said a single campus creates negative public reactions

Question 2: What obstacles would prevent you from locating your agency to a campus?

- ❖ 62.5% said autonomy concerns would prevent them from relocating to a single campus

- ❖ 62.5% said building and land ownership concerns would prevent them from relocating to a single campus
- ❖ 56.3% said financial costs associated with relocation expenses would prevent them from relocating to a single campus

Question 3: How can obstacles be eliminated?

- ❖ 61.1% said obstacles would be eliminated by providing separate building and/or offices for each agency so autonomy could be maintained
- ❖ 50% said obstacles could be eliminated by providing a clear understanding of ownership
- ❖ 44.4% said obstacles could be eliminated by providing funding for relocation expenses
- ❖ 44.4% said obstacles could be eliminated by providing funding for overhead expenses

Question 4: If all obstacles were eliminated, would you consider relocating to a campus? (All response results for this question are shown below.)

- ❖ 30% said No
- ❖ 15% said Yes
- ❖ 25% said Maybe
- ❖ 30% said Satellite Office Only

Question 5: If all obstacles were eliminated, what do you believe are the advantages to relocating to a single campus?

- ❖ 81% said it would provide a central location for services
- ❖ 66.7% said it would increase service delivery efficiency
- ❖ 61.9% said it would decrease gaps in necessary services

Although the survey was informal, it indicated that the respondents had concerns autonomy and financial concerns about relocating to a single campus setting. The task force, however, believes that a single homeless campus in the appropriate location remains a viable solution to providing comprehensive and efficient services to the homeless. Two of the task force members, Captain Carlyle Gargis with The Salvation Army and Linda Gabriel, associate director of the Next Step Day Room, indicated their interest in relocating to a campus if all obstacles were eliminated.

Captain Gargis also recently announced that The Salvation Army has hired a consulting firm to develop a Mission Planning Study for the Army. In accordance with The Salvation Army's procedures, the Mission Planning Study is the first step in a detailed process that the Army follows when considering relocation. A copy of the proposed study is labeled as Exhibit G. The Mission Planning Study will provide the Army with current information pertaining to the community's needs, socioeconomic trends, projections, and other information needed to determine the Army's future service, program, and facility needs for the next ten years. The study will take approximately two months to complete and will be shared with city officials and the community. The findings of the Mission Planning Study will be very beneficial to the city in its continued study of a homelessness campus.

RESTRICT EXPANSION OF SERVICES IN BELLE GROVE AND DOWNTOWN AREAS

To facilitate and encourage relocation to a homeless campus, the task force has recommended that the city restrict social service agencies from expanding in their current locations or the creation of new social service agencies in the downtown and Belle Grove

areas. This restriction would facilitate the success of a homeless campus and provide protection to neighborhoods by providing a transition plan for the eventual relocation of homeless service providers currently located in the downtown and Belle Grove areas.

PUBLIC EDUCATION ON THE HOMELESSNESS

The task force feels strongly that a community education program designed to educate the community on the facts of homelessness should be undertaken by the city. Frequently, there are misconceptions about who the homeless are and how they became homeless. The McKinney-Vento Homeless Assistance Act defines homelessness as persons who are living on the streets or shelters and persons who face imminent eviction (within a week) from a private dwelling or institution and who have no subsequent residence or resources to obtain housing. According to the National Coalition for the Homeless, families with children are among the fastest growing segments of the homeless population. This past Christmas, there were several articles in the Times Record featuring several homeless people in the community. Some of the articles were about families and individuals who had worked their entire lives but became homeless after losing their jobs. A public education program would provide a better understanding of the homeless and the need for efficient programs to assist them.

PUBLIC EDUCATION ON PANHANDLING PREVENTION

The task force has recommended that the Board of Directors consider an education process to prevent panhandling, and an ordinance if necessary. The task force discussed

panhandling concerns with Chief Kevin Lindsey and received an overview of panhandling ordinance issues from city attorney Rick Wade. Panhandling is often associated with the homeless and can lead to complaints from citizens, property owners, business owners, and create negative feelings toward the homeless. A citizens' education program developed by city staff with input from groups, such as the downtown Business Watch Group, could develop methods for discouraging panhandling. For example, development of a program that encouraged people to purchase and give vouchers to panhandlers that were redeemable for food or other necessities instead of money.

Mr. Wade advised the task force that before a panhandling ordinance is considered, a determination should be made if existing ordinances that pertain to loitering or criminal trespass could address panhandling concerns. He further advised that if a panhandling ordinance is considered, it should be narrowly written to address a clear purpose, such as the promotion of tourism or safety.

TRANSPORTATION

Transportation is an important and necessary service for the homeless. Homeless individuals and families frequently carry all of their possessions and walk to the various service agencies. Regardless if a homeless campus is established, transportation services for the homeless are important. Currently, as part of its Transportation Assistance Program, the Fort Smith Transit Service provides 60 free bus tickets each month to the Next Step Day Room and 20 free tickets each month to other qualifying agencies serving the homeless. Because of the importance of transportation, the task force recommends the

expansion of this free voucher program. Ken Savage, Transit Director, has indicated his interest in discussing the possible expansion of the program.

BUS STATION

It was brought to the attention of the task force that the Jefferson Bus Lines is locked at night, which results in bus patrons—some of whom are homeless persons—arriving during the night and having no access to the bus station’s restrooms or waiting area. This situation frequently causes bus patrons to wait outdoors during bus layover periods and also to find alternate restroom accommodations, or sometimes relieve themselves outdoors. The task force has recommended that city staff work with the bus station representatives to allow the availability of the waiting area and restrooms during the night. The task force believes that this change would greatly enhance the comfort, safety, and dignity of all bus patrons.

HOUSING

Due to the economy, more people are seeking Section 8 Housing. With the increased demand for affordable housing, the Fort Smith Housing Authority currently has 1,388 families on an 18-month waiting list to obtain Section 8 housing assistance. The task force believes that additional affordable housing options are needed in order to prevent more families from becoming homeless. Although more affordable housing developments are needed, following is a list of mixed income/affordable housing developments that are complete and underway:

- Fort Smith Housing Authority – North Pointe, Phase 1 – 50 units (single-family and duplex) - complete
- Fort Smith Housing Authority – North Pointe, Phase II – 65 units (single-family and duplex) - underway
- Lend A Hand – Fisher’s Way at Chaffee Crossing, Phase I-IV – 184 single-family homes - underway
- Spradling Manor – 6 single-family homes - underway
- Clayton Park, Phase I - 34 single-family homes - complete
- Walnut Park Estates, Phase II – 45 single-family homes – complete

Ken Pyle, executive director of the Fort Smith Housing Authority, reported that in April 2008, the housing authority was awarded an additional 155 vouchers due to the demolition of Ragon Homes, bringing the total voucher count to 1,237. Mr. Pyle also reported that this spring the housing authority will apply for at least 100 additional vouchers in temporary rental assistance funds from the Arkansas Development Finance Administration through a program called HOME TBRA (Tenant Based Rental Assistance). If approved, the housing authority will be able to serve at least 100 additional families.

Additionally, the Crawford-Sebastian Community Development Council administers a \$1.3 million rental assistance program federally funded through the Homeless Prevention and Rapid Re-Housing Program. This is a three-year program designed to assist people who are in imminent danger of becoming homeless or already homeless. Since the initiation of the program in December 2009, 97 households have already been assisted with this program.

MORE TEETH IN EXISTING ORDINANCES

Numerous discussions were held by the task force concerning property and housing conditions—particularly rental housing conditions. Task force member Linda Gabriel reported to the task force that many of her clients at the Next Step Day Room have complained to her that their rental homes do not have adequate plumbing and operable bathrooms. City inspectors will inspect a home if they are notified of a problem and have permission from the owner or tenant to enter the house. However, many families and individuals who rent do not report a problem because they may be concerned about being evicted from their homes. Therefore, the task force has recommended that more teeth be put into existing ordinances, hold property owners responsible for the maintenance of their properties, and add more staff to administer ordinances.

JOB CREATION

In some cases, homelessness is the direct result of job loss and the inability to find a new employment. The task force believes that the establishment of a job corps to provide job opportunities would not only help reduce the number of homeless in the community but provided a needed labor resource. It is envisioned that the job corps would provide labor for city contracts, such as lot cleanups, as well as providing a trusted source for private day labor jobs. The operation of the job corps could be under the direction of the Old Fort Homeless Coalition with coordination with other agencies, such as TEC Staff Services.

CONTINUATION OF ENHANCED POLICE PRESENCE

One of the task force's recommendations is to continue the enhanced police presence in the Belle Grove and downtown areas. This recommendation was also one of the top five solutions voted on by attendees of the August 3, Belle Grove Problem Solving meetings. Since that meeting, the Fort Smith Police Department has increased police presence in the downtown and Belle Grove Neighborhoods. Property owners and residents in these areas indicated their appreciation of the increased police presence and requested its continuance. The police department recently reported that crime is down in the Belle Grove and Downtown areas. Chief Lindsey has stated that he will continue the enhanced police presence as long as possible, but that it cannot be sustained with the existing staff.

CONCLUSION

The Homelessness Task Force extends its appreciation to the Board of Directors for the opportunity to study the needs of the homeless and the concerns of the community. The recommendations in this report are the result of many hours of study and thoughtful discussions. While all of the recommendations address a specific problem or need, the recommendations are presented as a total package designed to provide a comprehensive and long-term solution to the needs of the homeless and the preservation and protection of neighborhoods.