

MAYOR

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Carl E Geffken

CITY CLERK

Sherri Gard

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Ward 1 - Jarred Rego

Ward 2 - Andre' Good

Ward 3 - Lavon Morton

Ward 4 - George Catsavis

At-Large Position 5 - Christina Catsavis

At-Large Position 6 - Kevin Settle

At-Large Position 7 - Neal Martin

AGENDA
Fort Smith Board of Directors
STUDY SESSION
July 25, 2023 ~ 6:00 p.m.
Blue Lion
101 North 2nd Street
Fort Smith, Arkansas

THIS MEETING IS BEING TELECAST LIVE AT THE FOLLOWING LINK:
https://fortsmithar.granicus.com/ViewPublisher.php?view_id=1

CALL TO ORDER

ITEMS OF BUSINESS

1. Discussion regarding the ACME property for flood mitigation, trails, and mountain bike trail (*Community Mobility*) ♦
2. Discuss amending the 2019 Unified Development Ordinance of the City of Fort Smith to require submission of a development plan for Planned Zoning Districts ~ *Settle/G.Catsavis placed on future agenda at the March 28, 2023 study session / Deferred from the June 27, 2023 study session ~ (Planning & Zoning)*
3. Discuss amending the 2019 Unified Development Ordinance of the City of Fort Smith regarding inclusion of height restrictions in certain zoning districts ~ *Settle/G.Catsavis placed on future agenda at the March 28, 2023 study session / Deferred from the June 27, 2023 study session ~ (Planning & Zoning)*
4. Review preliminary agenda for the August 1, 2023 regular meeting (*City Clerk*)

CITIZENS FORUM

ADJOURN



MEMORANDUM



1

TO: Carl E. Geffken, City Administrator
CC: Jeff Dingman, Deputy City Administrator
FROM: Michael Mings, Mobility Coordinator
DATE: July 20, 2023
SUBJECT: Discussion regarding the ACME property for flood mitigation, trails, and mountain bike trail

SUMMARY

City Administration began discussing the idea of the public benefit uses of the former ACME Brick Co. site in Fort Smith located along Old Greenwood Road. Internal and external discussions about the uses of the three parcels of property ACME Brick Co. is selling resulted in two potential uses.

The Friends of Recreational Trails (F.O.R.T) have identified the parcel on the west side of Old Greenwood Road as an ideal location for an amenity park that includes mountain biking facilities, multi-use trails, water features, an amphitheater, and other recreational and public health amenities that will combine to attract a broad range of residents and visitors alike. Progressive Trail Designs has been hired to draft a visioning document that will ensure an approach that prioritizes these amenities from the outset of the project.

City engineers have identified the parcel of land directly adjacent to the east of Old Greenwood Road as an ideal area for a detention pond that reduces flooding along May Branch Creek. The third parcel could be used for mixed-use development that includes retail and mixed-income housing.

Following the approval of the Board to submit a formal land donation request to ACME Brick Co., it is important to give further considerations to this project, its feasibility, and its potential impact for the City of Fort Smith.

ATTACHMENTS

1. [BOD Brick Yard Proposal \(7-25-23\).pdf](#)

Brick Yard Park
City of Fort Smith Board of Directors Study Session
July 25, 2023
Provided by:



FORT
FRIENDS OF
RECREATIONAL TRAILS

Overview

For many years, the city of Fort Smith, AR was renowned as a brick manufacturer. The rich clay deposits found in Fort Smith would become the bricks that built up the community from which they came. The homes, businesses, and public spaces in Fort Smith came to life because of what came from the ground. 70 miles of brick roads in the city once paved the way for Fort Smith to grow and thrive. Many of these brick buildings and roads are still serving the community today, a testimony to the strength and quality of the bricks made in Fort Smith.



Figure 1. Workers use a tractor to haul materials at Burke Brothers brick plant along Old Greenwood Road circa 1906. Acme Brick purchased Burke in 1910.

After more than a century of productive mining, the Old Greenwood quarry has produced its last bricks. Though the clay deposits may be gone, the land is far from being exhausted of its usefulness. After a season of fallow rest, we believe it is time for the land to awaken to a new use. The clay and the labor that generously gave itself for Fort Smith's prosperity should be remembered and honored. That is why we propose the former quarry be purchased and repurposed as a public park: the Brick Yard Park.



Figure 2. Fort Smith stamped bricks in downtown, Fort Smith.



Figure 3. Fort Smith resident Tom Hanna stepping into the entrance of the 68-acre western parcel of the former brick quarry.

The Property



Western Parcel, Former Quarry (<https://www.crexi.com/properties/762564/arkansas-acme-brick-63-ac-residential>)



Eastern Parcel 1, Commercial (<https://www.crexi.com/properties/762567/arkansas-acme-brick-8-ac-commercial>)



Eastern Parcel 2, Residential (<https://www.crexi.com/properties/762570/arkansas-acme-27-ac---residential>)

Current Listed Property Value

Western Parcel, former Quarry

Acreage: 63 acres
Cost per square foot: \$.50
Total Cost, Western Parcel: \$1,372,140

Eastern Parcel 1, Commercial

Acreage: 8
Cost per square foot: \$3.50
Total Cost, Eastern Parcel 1: \$1,219,680

Eastern Parcel 2, Residential

Acreage: 28
Cost per square foot: \$.50
Total Cost, Eastern Parcel 2: \$609,840

Park Concept

Each parcel of the ACME Brick property lends itself to certain uses based off characteristics such as geographical location, topography, zoning, land composition, and the riparian zone created by the May Branch Creek. Through a careful consideration of these factors, this document seeks to provide a list of initial recommendations for the Brick Yard Park's features. It is good to note here that building a public park should not be done without extensive community engagement. With that, we simply offer these suggestions while holding them with open hands until public input is generated and the best use of the land is determined.

Mountain Biking Trails

The topography of the western parcel of the ACME Brick property makes it ideal for progressive-style mountain biking trails. While a property with over a century of excavation work may not be ideal for a majority of developers, the City of Fort Smith can leverage the elevation changes of the quarry for recreational purposes. In an effort to align Fort Smith with the region of Western Arkansas, we suggest that mountain biking trails be the primary recreational emphasis at the Brick Yard Park. Features of these trails could include the following:

- Using brick pavers on berms and trail access points to add character and create a uniform theme that pays homage to the quarry's former use.
- Progressive trails using colors to signify their difficulty: a white circle is easiest, a green circle is easy, a blue square is more difficult, and a black diamond is very difficult.
- Blending art with outdoor recreation. As the Unexpected has established a highly acclaimed arts scene in Fort Smith, the Brick Yard Park should use art to create beauty and an aesthetic draw.



Figure 4. Trail markers with designated difficulties can help riders to have a better experience. Riders can manage risks, reduce their injuries, and challenge themselves with a step-by-step progression.



Figure 5. The Rail Yard Bike Park in Rogers, AR has done a tremendous job of leveraging a particular theme. They have also used art to create intrigue and aesthetic.

Multi-Use Trails

While it is proposed that mountain biking be the primary recreational emphasis, it is important for the Brick Yard Park to have something to offer everyone in our community. Similar to Creekmore Park with its popular multi-use trail circling the park's perimeter, we suggest the Brick Yard Park have a designated multi-use trail for walking, jogging, and bike riding at slow speeds.

Water Detention Pond

May Branch Creek runs along the eastern parcels of the ACME Brick property and collects the storm water runoff of several neighborhoods in the area. Often, May Branch Creek creates flooding in homes on the north side of town. City engineers have determined that building a detention pond at the ACME Brick property could significantly reduce the risk of flooding caused by May Branch Creek.

Here, a great opportunity exists as water features such as detention ponds can create ideal settings for outdoor recreation. Similar to the section of the Ronnie Udouj Walking Trail that circles the Sunnymede detention pond, a multi-use trail should complement the proposed detention pond. Creating a functional public amenity will allow the City of Fort Smith to make the most of the land we work to steward.

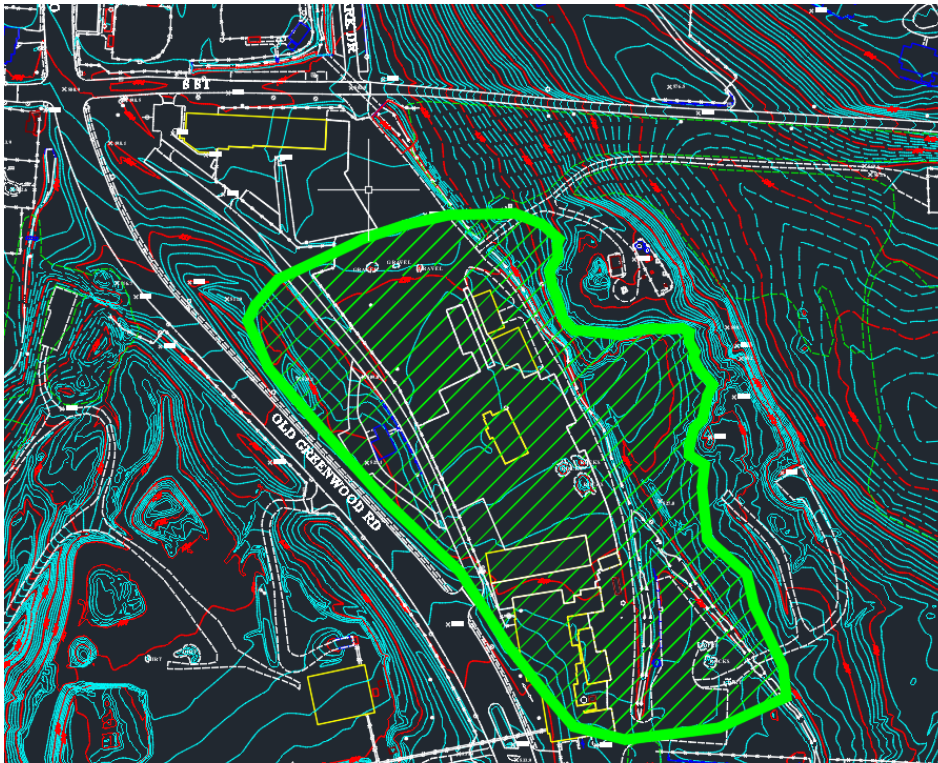


Figure 6. Aerial view of the proposed detention pond drafted by city engineers.

Collection Areas & Community Spaces

South S Street, directly north of the ACME Brick property, is a street carrying historical significance in our community. Formerly, the street marked the boundary of a redline district, an area that prohibited real estate sales to minorities and furthered systemic segregation. As we reckon with the moral shortcomings of our city's history, we can actively seek redemptive opportunities that help to heal the community from past harms. We believe the Brick Yard Park can serve as a space that brings people together in an area that once acted as a dividing line in our community.

We propose that the park offer multiple gathering spaces for parties, concerts, outdoor learning, and communal interactions. Trailheads can also be used as a spot to meet and rest.



Figure 7. Osage Park Pavilion in Bentonville, AR displays a modern architectural design. Many places in Northwest Arkansas use wood, steel, and concrete to show a uniform design pattern across the region. The structures of the Brick Yard Park should capture the spirit of the community, perhaps through a modern expression of downtown Fort Smith.

High Accessibility

With the ACME property being located in midtown Fort Smith, there are a number of neighborhoods close by. Granting each neighborhood direct access to the park will make the park more inviting as residents will be able to enter the park from whichever direction they choose. Two entrances already exist on Old Greenwood Road, which would be ideal for car parking. With car parking available on the east side of the park, we propose walk-in entries from the north, the west, and the south. By providing easy access to the park for all the surrounding neighborhoods, we believe Fort Smith residents will embrace the Brick Yard Park with a high degree of ownership; entrances from all sides communicates that the park welcomes all people, no matter what side of Fort Smith they come from.

The Conveyor

One of the most unique features of the ACME Brick was the conveyor belt that stretched across Old Greenwood Road from the quarry to the kiln. Recently, that conveyor belt was removed. We propose building a pedestrian bridge called “The Conveyor” that connects the west parcel to the east parcel. The pedestrian bridge would allow people to cross Old Greenwood Road (a busy arterial road) safely. Not only would The Conveyor help to build the character and appeal of the Brick Yard Park, but it would also create a sense of connectedness between the western parcel and the eastern parcels with their commercial and residential development. The Conveyor could serve as a symbol for a vibrant and connected community.



Figure 8. This pedestrian bridge in Irvine, CA offers safe passage over a highway for pedestrians. The bridge serves as a vital link to the city’s trail network. Successfully linking the west parcel and the east parcel of the ACME Brick will be vital.

Mixed-Use Development

While the focus of this document has been primarily on the west parcel of the ACME property, the east parcel is just as important. We propose that the City of Fort Smith Planning Department strategically zone the east parcel for mixed-use development, thus laying the framework for a space where people can truly live, work, and play. A new urbanist style of development can help to maximize the value of the land. Around the nation, walkable areas are seeing the highest increases in property value. Mixed-use development can bring a high quality of life for Fort Smith residents, where an ideal blend of urban living and outdoor recreation makes for an attractive lifestyle.



Figure 9. Mixed-use development helps cities to make the most value of their land, which is a limited resource. Mixed-use, medium-density development also creates walkable cities, where neither sustainability nor convenience are sacrificed. This mixed-use building in Naperville, Illinois is a part of the Water Street District. Residents and tourists alike are drawn to this space.

Community Impact

Fort Smith has a once in a generation opportunity to invest in a public amenity. The Brick Yard Park, with its surrounding commercial and residential developments, will strengthen the economic integrity of the heart of the city, while also building a shared communal space that bridges social, economic and racial divides in Fort Smith.

Just as the Brick Yard Park would be located equidistant from Northside High School and Southside High School, this signifies “meeting in the middle” for the enjoyment of all. The boundaries of the park would exist at a convergent focal point that interconnects historical, cultural, and economic aspects of the city including:

- The boundary between Northside & Southside School Districts
- The boundary between Ramsey & Darby School Districts
- The boundary between Ballman Elementary & Fairview Elementary
- The boundary between Ward 1 & Ward 4

It is not an exaggeration to state that the benefits of this public investment could be a major component of the future trajectory of Fort Smith. The exponential pace of Northwest Arkansas' growth over the course of the last three decades has created concerns for Fort Smith's potential as a continually viable and thriving metropolitan region. This park could serve as a rally cry to build civic pride, to change the city's narrative, and to propel Fort Smith forward to a brighter future. Fort Smith must now both redefine itself while drawing on aspects of our long-standing rich historical heritage.

While the development of Chaffee Crossing, the opening of the U.S. Marshals Museum, and the expansion of the Ebbing Air National Guard operations provide great energy for hope, investment at the city's center will prove crucial in ensuring the overall health of the city.

Other positive contributions of the Brick Yard Park include:

- Increasing pedestrian and bicycle mobility through the center of the city northwest into downtown & north along the proposed May Branch trail.
- An emphasis on environmental stewardship that restores the city's bird sanctuary and tree canopy designation that has been in steady decline.
- Spurring private investment for the development of a people-oriented medium-density commercial/residential area connected to prime greenspace.
- Creating a public 'anchor investment' amenity that is both desirable and defining in scope, comparable in success to other projects in development within Northwest Arkansas but unique to Fort Smith.
- Attracting reinvestment in Fort Smith's historic, affordable, pedestrian/bike friendly mid 20th century 'Midtown' neighborhoods and surrounding commercial zones.
- Creating a progressive framework of initiative that will retain and cater to innovative business entities and attract a workforce that values quality of place.
- Interconnecting public and commercial spaces with proper forethought and ingenuity within a framework of positive and sustainable civic growth.

Funding

We believe that a creative funding strategy can be implemented to purchase the ACME Brick property and construct the Brick Yard Park. We suggest the City of Fort Smith Board of Directors explore the feasibility of the following funding sources:

- The City of Fort Smith Parks and Recreation Capital Improvements Tax
- The City of Fort Smith Capital Improvements Tax for Streets, Drainage, and Bridges
- The City of Fort Smith's General Fund
- A public/ private partnership with a newly established nonprofit focused exclusively on fundraising, maintenance, construction, and future expansions of the Brick Yard Park.

Grants are also an important resource for public developments. The following grants should be explored as funding sources for the Brick Yard Park:

- The Outdoor Recreation Legacy Partnership Program
- The Outdoor Recreation Matching Grant from the Arkansas Department of Parks, Heritage, and Tourism
- The Transportation Alternatives Program from the Arkansas Department of Transportation
- The Recreational Trails Program from the Arkansas Department of Transportation

Suggested Next Steps

- Submit a land donation request to ACME Brick Co.
- Enter into a due diligence period with ACME Brick Co. Conduct an Environmental Study provided by grants from WAPDD. If the results are favorable, move to the next step.
- Form a nonprofit organization, the Friends of the Brick Yard.
- Purchase (or receive the donation of) the former ACME Brick site and designate it as a park.
- Hire a consultant to develop a master plan.
- Seek to generate public support and input through extensive community engagement.
- Work with engineers, landscape architects, and trail construction crews to complete the final design of the park at its estimated budget.
- Raise funds for construction.
- Build the park.
- Enjoy the park!



MEMORANDUM

TO: Carl Geffken, City Administrator
CC: Jeff Dingman, Deputy City Administrator
FROM: Maggie Rice, Director of Development Services
DATE: June 22, 2023
SUBJECT: Planned Zoning Districts

SUMMARY

On March 28, 2023, the Board of Directors requested a study session regarding Planned Zoning Districts and the requirement of a development plan. Following adoption and implementation of the UDO in 2009, all zoning applications required the submittal of a thorough and detailed development plan requiring many design decisions be made early in the process. At the time, several developers expressed concern about the requirement to submit such a detailed plan. This was particularly problematic on larger developments such as projects with multiple phases, subdivisions, or annexations.

In 2013, staff proposed the Planned Zoning District process. The option of a PZD provided the applicant a hybrid zoning district for a development that may not fit well in a conventional zoning district and allows zoning to take place without the significant expense of a development plan. In lieu of a development plan the applicant submits a project booklet which cannot be less than any of the design requirements or development standards found in the UDO.

The Planning Commission and Board of Directors have the option of approving, amending, or denying the application. Additional information, including the requirement of a development plan, may always be added to a request. Requiring a development plan with each PZD application is counter to its purpose which provides applicants a means of gaining zoning commitment without the undue financial risk.

Some of the benefits of a PZD for the city and developers include the following:

- A curated list of land uses that focuses on those that are the most appropriate for the location and omitting uses that are not appropriate
- Allows for the possibility of a better development by requiring standards that exceed the UDO, such as upgraded landscaping, exterior materials, and monument signs.
- Encourages land development by eliminating the requirement for up-front construction and utility plans and the costs associated with those plans
- Provides developers an easier and less costly zoning method for mixed-use developments as opposed to multiple conventional zoning applications

- Surrounding property owners are made aware at the beginning of the process of what land uses are permitted by right or conditional use

Please contact me should you have any questions.



MEMORANDUM

TO: Carl Geffken, City Administrator
CC: Jeff Dingman, Deputy City Administrator
FROM: Maggie Rice, Director of Development Services
DATE: June 22, 2023
SUBJECT: Height Restrictions in Zoning Districts

SUMMARY

On March 28, 2023, the Board of Directors requested a study session regarding height restrictions in zoning districts. At present, each zoning district has a height maximum. Height limits are generally utilized in zoning codes to preserve the character of an area. The maximum building heights in Fort Smith's code range from 35 feet to 45 feet in the conventional zoning districts. The Central Business Improvement District which is zoned Form Based Code allows for a range of maximum heights from 35 feet to 100 feet. Additionally, all of the conventional zoning districts have a one-for-one or a step-back provision which allows for an additional vertical foot of height in excess of the maximum for each additional foot of horizontal setback from all setback lines.

Building height or step-back provisions allow developers additional height and density while limiting the impacts of buildings on surrounding structures thus maintaining the size and character of areas. This type of provision is commonly used in cities across Arkansas and the country. Below are some examples of step-back provisions:

City	Maximum Height	Step-back provision
Fort Smith	45'	One vertical foot for one horizontal foot
Rogers	85'	One vertical foot for two horizontal feet
Jonesboro	Determined by Fire Code	One vertical foot for five horizontal feet
Oklahoma City	75'	One vertical foot for two horizontal feet

If the Board of Directors is interested in amending the step-back provision for height, some options include:

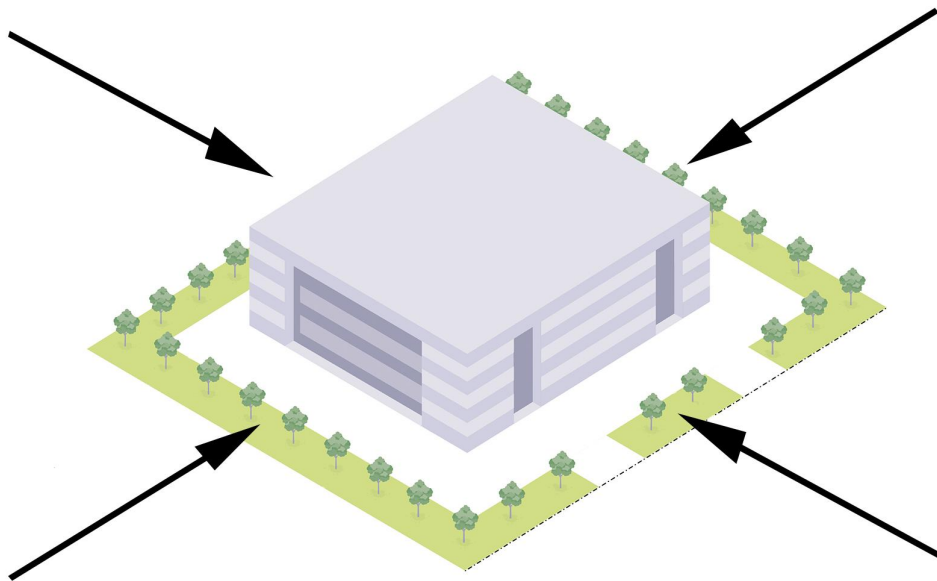
- Increasing the horizontal to vertical ratio
- Disallowing the step-back provision if adjacent to residential zoning districts
- Allow a certain percentage of height increase based on the tallest structure within 500' of the proposed site
- Allowing an increase conditioned upon maintaining a prescriptive natural buffer

Please contact me should you have any questions.

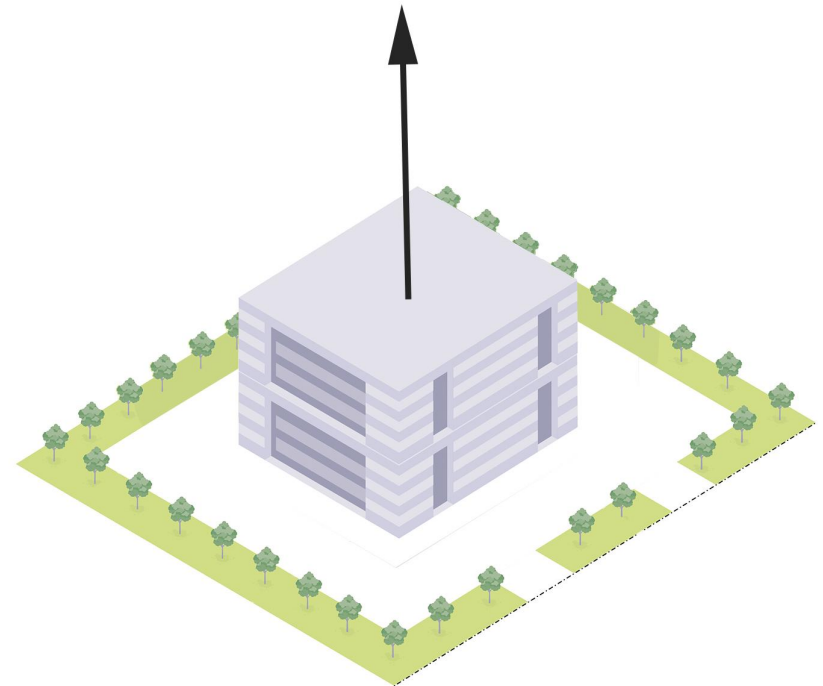
ATTACHMENTS

1. [Step-back_provision_image.pdf](#)

Example of Step-back Provision



**Additional Horizontal
setback**



**Additional Vertical
setback**