

ORDINANCE NO. 52-23

AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request 12-5-23 to rezone certain property hereinafter described, and, having considered said request, recommended on May 25, 2023, that said change be made;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS:

That the following property to-wit:

Lot 164, Southwoods Phase III

more commonly known as 1208 Princeton Drive, should be, and is hereby rezoned to a Planned Zoning District (PZD). The approved zoning classification is based and conditioned upon the Planned Zoning District provisions of Section 27-341 of the Unified Development Ordinance and the Planned Zoning District Project Booklet reviewed by the Fort Smith Planning Commission and approved hereby, which Project Booklet shall be filed in the office of the City Clerk.

The zoning map of the City of Fort Smith is hereby amended to reflect said zoning.

PASSED AND APPROVED THIS 20th DAY OF June, 2023.

ATTEST:

Sherril Gard
City Clerk

APPROVED:

[Signature]
Mayor

Approved as to form:

[Signature]
Publish One Time

Project Booklet

**1208 Princeton Drive
Fort Smith, AR**

Rezoning to PZD May 9, 2023

• **Planned Zoning District Certification Statement**

Kevin T. Rakoski, application for 1208 Princeton Drive, hereby certifies that the Project Booklet for a Planned Zoning District complies with the City of Fort Smith's Planned Zoning District Regulations as defined in Section 27-341 of the Fort Smith Unified Development Ordinance.

I hereby agree to the terms and conditions within the Project Booklet, and I therefore request the City of Fort Smith to approve the rezoning.

Signature

Handwritten signature of Kevin T. Rakoski in cursive script, with a small mark resembling a checkmark or the number '42' at the end.

Date: April 13, 2023

Project Booklet

1208 Princeton Drive

The proposed planned zoning district (PZD) for the property located at 1208 Princeton Drive in Fort Smith, AR will be permitted to utilize only the permitted uses as shown in the attached Fort Smith Use Matrix. (See attached Excel Chart)

Planned Zoning District

1208 Princeton Drive

- A pre-application conference was held on April 13, 2023; A neighborhood meeting shall be held on Tuesday, April 25, 2023 at 9 a.m. on site.
- The application fee of \$350 will be paid by the applicant
- The project booklet has been submitted and comments are listed below:
 - *Reason (need) for requesting the zoning change and response to how the proposal fulfills the intent/purpose of the Planned Zoning District:* **The property is currently zoned PZD. The applicant wishes to use the existing structure as a Fitness Studio (dance studio), Barber Shop/Salon/Spa/Massage Services, and the other land uses listed in the land use chart.**
 - *Current ownership information (landowner/applicant and representative if applicable) and any proposed or pending property sales:* **The current owner of the property is Kevin T. Rakoski.**
 - *Summary description of the scope, nature, and intent of the proposal:* **The applicant intends to use the existing building and use it as a fitness studio and a portion as a barber shop/salon/spa/massage services.**
- General project scope:
 - No new buffer areas, screening and drainage is proposed; future development will comply with the landscaping and screening requirements of the UDO.
 - Storm water retention areas are not required – all drainage and detention will comply with the City of Fort Smith 2011 Drainage Standards
 - Utility connections are existing;

- All future signage will comply with the UDO. Site lighting will comply with Section 27-602-5
 - Only monument signage shall be permitted, Section 27-704-2.
 - All future construction will comply with the UDO and shall use 100% high quality materials.
- *Proposed development phasing and timeframe:* **No construction is proposed at this time. The applicant intends to use the existing structure as a fitness studio (dance studio).**
 - *Identify land use designations:* **The property is located within the Residential Detached Land Use. The companion MLUP application requests the Land Use map be amended to Commercial Neighborhood.**
 - *Identify area and bulk regulations:* Area and bulk regulations will be as follows: Minimum lot size = 10,000 s.f., Minimum lot width = 50', Maximum lot coverage = 60%, Minimum street frontage = 50', Front setback = 20', Side setbacks = 5', rear setback = 10', Street Side Setback = 20', Maximum height = 35'. Minimum building separation shall be determined by the current building and fire codes
 - *A chart comparing the proposed planned zoning district to the current zoning district requirements (land uses, setbacks, density, height, intensity, bulk and area regulations, etc.):* The property is currently zoned Transitional

Min. Lot Size (s.f.) / Max Bldg Size (s.f.)	Min. Lot Width at Bldg Line	Max Lot Coverage/Max Bldg (s.f.)	Minimum Street Frontage	Max Height
5,000s.f./ 40,000 s.f.	50 feet	65%	50 feet	35 feet(See 27-404)
Setbacks				
Front	Side	Street Side /Corner Setback	Rear	
20 feet	5 feet	20 feet	10 feet	

1. Minimum building separation:
 - a. Residential: 10 feet
 - b. Non-residential: Determined by the current City building and fire code.
 2. Maximum Parcel/Lot Size for Rezoning to Transitional:
 - a. New District (by classification): 2 acres
 - b. Existing District (by extension): Lot size shall not exceed 2 acres.
 3. No more than three (3) dwelling units per acre of single-family homes.
 4. No more than six (6) dwelling units per acre of two-family homes.
 5. Required street access: Residential collector or higher.
- *A chart comparing the proposed land uses and the zoning district(s) where such land uses are permitted:* See attached proposed land use chart
 - *A chart articulating how the project exceeds the UDO requirements (ex. Increased landscaping, increased high quality materials on the façade, etc.):* **The project will exceed the UDO requirements as follows:**
 - 1) **100% high quality materials**
 - 2) **Only monument signage will be allowed, UDO Sec. 27-704-2**
 - 3) **Limited land uses**
 - *Statement of how the development will relate to the existing and surrounding properties in terms of land use, traffic, appearance, and signage:* The building will blend seamlessly into the surrounding development already present in this area. There will be minimal traffic impacts due to the development. **Twelve (12) parking spaces are available on site, which meets the minimum requirement of the UDO.**
 - *A traffic study when required by the Engineering Department (consult with staff prior to submittal):* **The proposed use will not generate a large amount of additional traffic – the engineering department will not require a traffic study of this property**
 - *Statement of availability of water and sewer (state sizes of lines):* **Utility connections exist at Princeton Drive.**