

ORDINANCE NO. 9-23AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request 1-2-23 to zone certain property hereinafter described, and, having considered said request, recommended on January 10, 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:

Part of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) and part of Governmental Lot 1 of the Northwest Quarter (NW 1/4) of Section 5, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:

COMMENCING at an existing rebar (RLS1272) marking the Southwest corner of said Section 5; THENCE N02°38'35"E, along the West line of said Southwest Quarter (SW 1/4), 2042.34 feet to a point; THENCE leaving the West line of said Southwest Quarter (SW 1/4), S59°15'55"E, 82.03 feet to an existing rebar marking the POINT OF BEGINNING; THENCE N32°01'33"E, 43.83 feet to an existing rebar (RLS1369); THENCE N38°15'48"E, 576.81 feet to an existing rebar (RLS1369); THENCE N51°25'39"E, 341.92 feet to an existing rebar (RLS1369); THENCE S39°09'58"E, 580.12 feet to an existing rebar (RLS1369) on the Westerly Right-of-Way line of Wells Lake Road, as recorded in Document # 2014F-16552, being filed November 25, 2014; THENCE along the Westerly Right-of-Way line of said Wells Lake Road, the following courses (bearing and distances): S50°24'17"W, 174.25 feet to an existing rebar (RLS1369); 583.59 feet along the arc of a curve to the left, having a radius of 1716.96 feet and a chord bearing and distance of S40°40'06"W, 580.79 feet to an existing rebar (RLS1369); THENCE leaving the Westerly Right-of-Way line of said Wells Lake Road, N59°15'55"W, 583.33 feet to the POINT OF BEGINNING, containing 11.419 acres, more or less, being subject to public road rights-of-way and any easements of record, according to a survey by Anderson Surveying, Inc., RLS # 1272, Job # 20-05-02.

more commonly known as 7000 Wells Lake Road, should be, and is hereby zoned 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.

Ordinance No. 9-23

PASSED AND APPROVED THIS 7th DAY OF February, 2023.

ATTEST:

Shirley Gard
City Clerk

APPROVED:

Angela McMill
Mayor

Approved as to form:

Jimmy Confield
Publish One Time

December 16, 2022

The HUB: Phase II Project Booklet Planned Zoning District

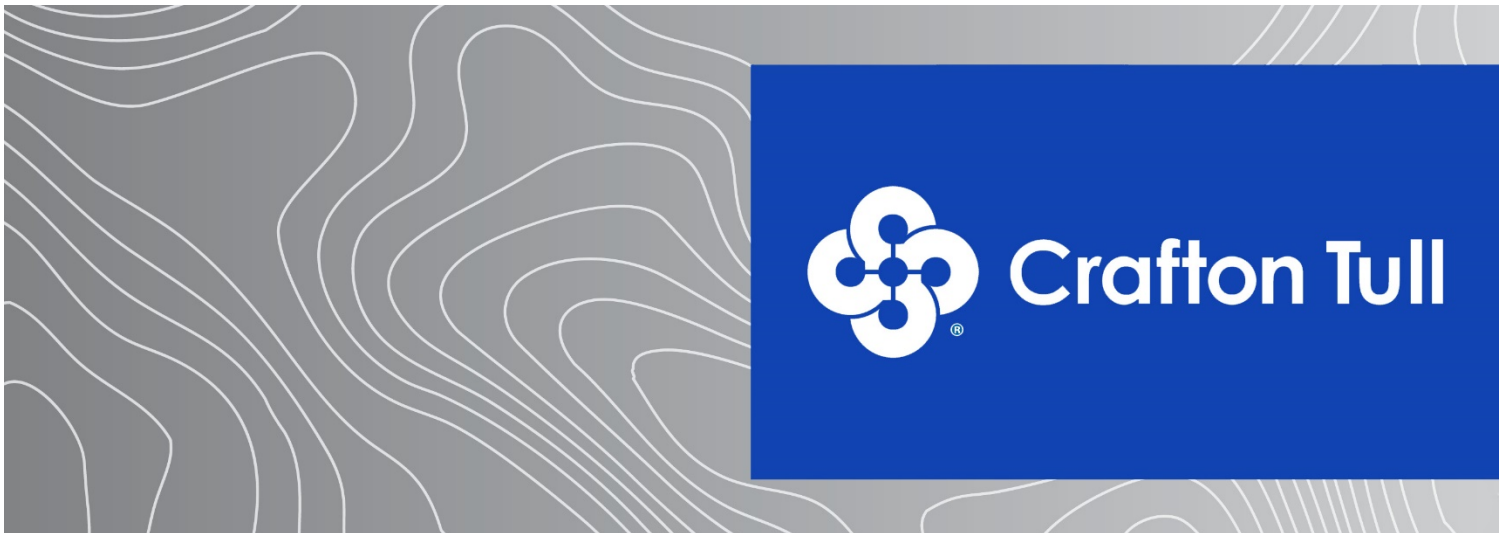
Submitted to:

City of Fort Smith Planning Department
623 Garrison Ave, Room 331
Fort Smith, AR 72901

Owner:

ERC Create, LLC
9301 R. A. Young Jr. Drive, STE 104
Fort Smith, AR 72916

CT JOB NO. 21300300



Prepared by:  **Crafton Tull**

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3a. Reason (need) for requesting the zoning change and response to how the proposal fulfills the intent/purpose of the Planning Zoning District.

The subject project, located at 7000 Wells Lake Road is currently zoned a Planned Zoning District (PZD). The proposed amended PZD will allow a rowhouse development with zero setbacks. The proposed amended PZD will provide an efficient use of the land to better accommodate future residents and allow an aesthetically pleasing development that fits well within the growing Chaffee Crossing community. It will allow the development to meet and exceed the minimum required UDO design standards.

3b. Current ownership information (landowner/applicant and representative if applicable) and any proposed or pending property sales.

Owner: ERC Create, LLC, 9301 R. A. Young Jr. Drive, Suite 104, Fort Smith, AR 72916, Phone (479)478-5103. Applicant: Crafton Tull & Associates, 8101 McClure Drive, Suite 201, Fort Smith, AR 72916, Phone (479) 878-2467.

3c. Summary description of the scope, nature, and intent of the proposal.

The PZD will include an area of approximately 11.42 acres located on Wells Lake Road, northeast of the first phase of The HUB. The future development will consist of approximately 27 single family homes on individual lots, a rowhouse development on Lot 26, and multiple buildings of varying size, with multifamily and commercial uses. The single family homes will be in the rear of the development and will be treated as a private subdivision with a gate. The multiuse buildings will be located along the street frontage of Wells Lake Road.

3d. General project scope:

i. Street and Lot Layout

All future developments will be reviewed and approved by the City of Fort Smith. Access throughout the development will be provided through a private access easement.

ii. Site Plan showing proposed improvements.

A site plan showing proposed improvements will be submitted to the City of Fort Smith for review on any future developments.

iii. Buffer areas, screening, and landscaping

Buffer areas, screening, and landscaping will meet or exceed the UDO with the exception of a variance proposed for an 8' landscape buffer on Lot 26 adjacent to Alianna Way. Landscape plans will be submitted with future development plans.

iv. Storm water detention areas and drainage

Drainage facilities and a detention pond has been built and approved with the development.

v. Undisturbed natural areas

This development will not have undisturbed areas.

vi. Existing and proposed utility connections and extensions

Water and sanitary sewer has been extended and approved throughout the subdivision.

vii. Development and architectural design standards

The development will comply with the Chaffee Crossing Master Development guidelines and the Unified Development Ordinance. All dumpsters will be screened with split face CMU, brick veneer or other acceptable masonry units with opaque wood or metal gates. Landscape



materials and types will meet the requirements or the UDO and FCRA Design Guidelines. All buildings will have 100% high quality materials on the exterior facades. Site lighting shall meet UDO and FCRA lighting guidelines.

viii. Building Elevations

Future buildings will comply with UDO and FCRA design guidelines.

ix. Proposed signage (type and size)

All signage will comply with UDO and Chaffee Crossing Design Guidelines. All stand-alone signs will be monument signs and if illuminated will be lit with flood lights or backlit. Façade and building mounted signage to be per UDO and Chaffee Crossing guidelines. Lighted signage, canopies or building lighting shall be controlled to avoid spillage onto surrounding properties. Pole signs are prohibited. Directional signage is allowed and will not count towards allowed signage square footage.

3e. Proposed development phasing and timeframe

This development will begin as soon as reasonably practical.

3f. Identify land use designations

Chaffee Crossing current land use designation is “Mixed Use: Residential/Commercial/Office”.

3g. Identify area and bulk regulations

Bulk and Area regulations for this PZD are shown below:

- Minimum Lot Size: Row-Housing/Zero-Lot Line- 2200 sqft, Single Family– 5000 sq ft, Multi-Use – 5000 sq ft
- Minimum Lot Width at BSL: Row-Housing/Zero-Lot Line-25 ft, Single Family – 35 ft, Mixed Use – 35 ft
- Maximum Lot Coverage: Row-Housing/Zero-Lot Line- 90%, Single Family – 75%, Mixed Use – 90%
- Maximum Height: 45 feet (See 27-404(D) of the UDO)
- Minimum Street Frontage: 0 feet
- Minimum building separation shall be 10 feet for mixed use and single family. Minimum building separation shall be 0 feet for row-housing/zero-lot line.

Setbacks:	Row-Housing/Zero-Lot Line	Residential	Mixed-Use
Front:	0 feet	10 feet	10 feet
Side:	0 feet	5 feet	5 feet
Street side/corner:	0 feet	10 feet	5 feet
Side/Rear (Adjacent to RS Development):			10 feet
Rear:	0 feet	5 feet	0 feet

3h. 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 subject property is currently zoned PZD. Below is a comparison between the amended PZD and Current PZD, C-2, RM-3, and RS-4.



Table 3-1	Amended PZD Zero-Lot Line/Row- Housing	Existing PZD Mixed Use	Existing PZD Residential	C-2	RM-3	RS-4
Minimum Lot Size	2200 sq ft	5000 sq ft	5000 sq ft	7000 sq ft	6500 sqft / 20 dpa	5000 sqft / 8.7 dpa
Minimum Lot Width	25 ft	35 ft	35 ft	50 ft	75 ft	50 ft
Maximum Lot Coverage	90%	90%	75%	60%	60%	65%
Maximum Height	45 ft	45 ft	45 ft	35 ft	35 ft	35 ft
Setbacks						
Front	0 ft	10 ft	10 ft	25 ft	30 ft	20 ft
Side	0 ft	5 ft	5 ft	10 ft	7.5 ft	5 ft
Street Side/Corner	0 ft	5 ft	10 ft	10 ft	15 ft	20 ft
Side/Rear (Adjacent to SF Res.)	0 ft	10 ft		30 ft	30 ft	
Rear	0 ft	0 ft	5 ft	10 ft	10 ft	10 ft

3i. A chart comparing the proposed land uses and zoning district(s) where such land uses are permitted

Please see Chart 1-PZD Permitted Land Uses vs. Existing Zone Designations.

3j. A chart articulating how the project exceeds the UDO requirements (ex. Increased landscaping, increased high quality materials on the façade, etc.)

The development will comply with the Chaffee Crossing Master Development guidelines and the Unified Development Ordinance. All dumpsters will be screened with split face CMU, brick veneer or other acceptable masonry units with opaque wood or metal gates. Landscape materials and types will meet the requirements of the UDO and FCRA Design Guidelines. All buildings will have 100% high quality materials on the exterior facades. Site lighting shall meet UDO and FCRA lighting guidelines. Landscaping requirements will exceed the UDO.

3k. Statement of how the development will relate to the existing and surrounding properties in terms of land use, traffic, appearance, and signage.

This property will have residential single family homes on the western side of the development and multifamily, row-housing/zero-lot line, and commercial properties along the frontage of Wells Lake Road. The property to the northeast is a PZD and is undeveloped. The property to the southwest is the 1st phase of The HUB currently zoned as a PZD and is being developed as a mixed use facility. The property to the west is zoned RS-3 and is being developed as the Providence subdivision. The property to the east, across Wells Lake Road, is zoned RS-3 and is developed as such.

3l. A traffic study when required by the Engineering Department (consult with staff prior to submittal)

The City of Fort Smith Engineering Department will be consulted when a building permit is submitted.

3m. Statement of availability of water and sewer (state size of line)

Water and sanitary sewer has been extended and approved throughout the subdivision.

Exhibit C-1 - Allowed Use Matrix

Fort Smith Use Matrix							L
							Districts
P = Permitted Use, C = Conditional Use, A = Accessory Use							
<i>Size or density restrictions for any use may be noted in the district</i>							
Residence or Accommodation							
Private Household							
Structure	Single Family building						P
	Accessory residential dwelling unit						P
	Detached						P
	Duplex						P
	Guest house						A
	Row house						P
	Zero lot line dwelling unit						P
	Multi Family						P
	Community residential facility						
	Group home, family						
Group home, neighborhood							
Homeless shelter							
Orphanage							
Transitional dwelling							
Hotels, Motels, or other Accommodations							
Bed and breakfast inn						C	
Dormitory, sorority, fraternity							
Hotel/motel						C	
Rooming or boarding house							
General Sales or Services							
Durable Consumer Goods Sales or Service							
Bait and tackle shop							
Bicycle sales and service						P	
Bicycle sales and service (no outside storage)						P	
Bookstore						P	
Bridal shop						P	
Cameras, photographic supplies and services						P	
Sporting goods, toys, & musical instruments						P	

Exhibit C-1 - Allowed Use Matrix

		Districts
P = Permitted Use, C = Conditional Use, A = Accessory Use		
Consumer Goods, Other		
	Antique shop	P
	Art dealers, art studio, galleries, supplies	P
	Arts and craft shop	P
	Florist shop	P
	Hobby shop	P
Grocery, Food, Beverage, Dairy		
	Bakery or confectionery shop	P
	Beer, wine and liquor store (with drive-through)	
	Beer, wine and liquor store (without drive-through)	P
	Convenience store (with gasoline sales)	
	Farmer's market	P
	Fruit and vegetable store	P
	Grocery store or supermarket	P
	Neighborhood store	P
Health and Personal Care		
	Cosmetics, beauty supplies, and perfume stores	P
	Medical appliance services	P
	Optical shop	P
	Pharmacy or drug store	P
Finance and Insurance		
	Automatic teller machine	C
	Bank, credit union, or savings institution	C
	Credit and finance establishment	C
	Fund, trust, or other financial establishment	C
	Insurance office	P
	Investment banking, securities, and brokerages	P
Rental and Leasing		
	Video, music, software	C
Business, Professional, Scientific, and Technical Services		
	Professional Services	P
	Abstract services	P

Exhibit C-1 - Allowed Use Matrix

		Districts	
P = Permitted Use, C = Conditional Use, A = Accessory Use			
	Accounting, tax, bookkeeping, payroll		P
	Advertising and media services		P
	Consulting services		P
	Graphic, industrial, interior design		P
	Legal services		P
	Offices, corporate		P
	Offices, general		P
	Property management services (office only)		P
	Real estate agency		P
	Travel arrangement and reservation services		P
	Administrative Services		
	Business support services		P
	Office and administrative services		P
	Food Services		
	Bar or tavern		P
	Beer garden		P
	Catering service		P
	Food distribution center		
	Microbrewery/microwinery/microdistillery		P
	Restaurant		P
	Restaurant (with outdoor dining)		P
	Specialty Manufacturing		C
	Personal Services		
	Barber shop/salon/spa/massage services		P
	Laundry, cleaner		C
	Photocopy shop		P
	Photography studio		P
	Print shop		C
	Shoe repair shop		P
	Tailor shop		P
	Tanning salons		P
	Tattoo/body piercing parlor		C

Exhibit C-1 - Allowed Use Matrix

		Districts
P = Permitted Use, C = Conditional Use, A = Accessory Use		
	Weight loss centers	P
Pet and animal services		
	Animal and pet services (indoor)	C
	Veterinary clinic (no outdoor kennels)	C
Arts, Entertainment, and Recreation		
Performing Arts or Supporting Establishments		
	Performance theater	C
Museums and Other Special Purpose Recreational Institutions		
	Historical or archaeological institution	P
	Museum	P
Fitness, Recreational Sports, Athletic Club		
	Health club	C
	Fitness studio	P
	Park or playground (public and nonpublic)	P
Education, Public Administration, Health Care and Other Institutions		
Educational Services		
	Library or public arts complex	P
	Nursery school	C
	Preschool	C
	Primary and secondary school	C
Religious Institutions		
	Church, synagogue, temple, mosque	C
Construction-Related Businesses		
	Contractor's office	C