

ORDINANCE NO. 1-23AN ORDINANCE ZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request 34-12-22 to zone certain property hereinafter described, and, having considered said request, recommended on December 13, 2022, 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 Government Lot 1 of the Southwest Quarter (SW/4) and Part of the Southwest Quarter (SW/4) of the Southeast Quarter (SE/4) of Fractional Section 6, Township 7 North, Range 31 West, Sebastian County, Arkansas being more particularly described as follows:

Commencing at the Northeast corner of said Government Lot 1 being in Massard Road; thence N 87°24'51" W, 60.78 feet along the North line of said Government Lot 1 to the Westerly right of way line of said Massard Road; thence along said right of way line 724.18 feet along the Arc of a curve to the right having a Chord bearing S 30°00'48" W, 716.47 feet and a radius of 1430.00 feet; thence continuing along said right of way line S 44°31'17" W, 774.79 feet; thence leaving said right of way line S 47°05'00" E, 367.43 feet to an existing rebar on the Southwesterly right of way line of McClure Drive; thence continuing along said Southwesterly right of way line 6.74 feet along the Arc of a curve to the right having a Chord bearing S 46°44'30" E, 6.74 feet and a radius of 565.00 feet to an existing rebar; thence continuing along said Southwesterly right of way line S 46°23'59" E, 15.93 feet to an existing rebar being the Point of Beginning; thence continuing along said Southwesterly right of way line the following Five (5) courses: S 46°23'59" E, 422.45 feet to a set rebar; 110.33 feet along the Arc of a curve to the right having a Chord bearing S 40°48'21" E, 110.15 feet and a radius of 565.00 feet to a set rebar; S 35°12'42" E, 99.06 feet to a set rebar; 199.17 feet along the Arc of a curve to the left having a Chord bearing S 44°11'50" E, 198.35 feet and a radius of 635.00 feet to a set rebar; S 53°10'57" E, 36.40 feet to a set rebar; thence leaving said Southwesterly right of way line S 05°42'00" W, 36.71 feet to a set rebar; thence S 67°54'00" W, 119.30 feet to an existing rebar; thence S 57°25'00" W, 123.00 feet to an existing rebar; thence S 42°26'00" W, 331.20 feet to an existing rebar; thence S 67°13'00" W, 157.35 feet to an existing rebar; thence N 57°39'00" W, 558.21 feet to an existing rebar; thence N 38°49'35" E, 443.57 feet to an existing rebar; thence to an existing rebar N 22°29'30" E, 463.71 feet to the point of beginning; containing 12.60 acres in said Government Lot 1 of the SW/4 and 0.03 acre in said SW/4 of the SE/4, in Aggregate containing 12.63 Acres more or less, being subject to public road rights of way and any easements of record.

more commonly known as 8200 McClure Drive, 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.

PASSED AND APPROVED THIS 3rd DAY OF January, 2023.

ATTEST:



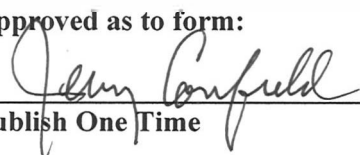
City Clerk

APPROVED:



Mayor

Approved as to form:



Publish One Time

**81 SOUTH
PROJECT BOOKLET
PLANNED ZONING DISTRICT APPLICATION**

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

The subject property is currently not zoned. A change in zoning is needed to allow the development of a walkable neighborhood that features a 44 Lot gated single family residential community and amenity center. A Planned Zoning District will allow flexibility in standards to accommodate the single family development along with the amenity center. It will allow the development to utilize design standards that meet or exceed the minimum required by the UDO.

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

Carrington Creek Holdings, LLC, P.O. Box 10176, Fort Smith, Arkansas 72917 Phone 479-459-6200. Representative, Ron Brixey, Brixey Engineering & Land Surveying, Inc., 5223 East Highway 45, Fort Smith, Arkansas 72916 Phone 479-646+-6394.

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

The PZD will include an area of approximately 12.63 acres located on the southwesterly side of McClure Drive beginning at a point being approximately 300 feet southeast of the Massard Road intersection.

The property has a current Land Use classification of FCRA Mixed Use Residential/Commercial/Office. The applicant is requesting a Land Use change to FCRA Single Family Residential.

The property to the northeast across McClure Drive with a Land Use classification of FCRA Park/Open Space is not zoned and is developed as the McClure Amphitheater.

The northernmost property to the southeast with a Land Use classification of FCRA Single Family Residential and zoning of RS-3 is developed with single family homes.

The southernmost property to the southeast with a Land Use classification of FCRA Park/Open Space is undeveloped with no zoning and kept as open space by the Arkansas Game & Fish Commission.

The two properties to the southwest have a Land Use classification of FCRA Mixed Use: Residential/Commercial/Office and are currently undeveloped. Both properties are zoned PZD.

The property to the northwest with a Land Use classification of FCRA Mixed Use: Neighborhood/Commercial/Office is undeveloped and is zoned PZD.

Proposed PZD uses include single family housing with an amenity center. The intent is to provide a walkable gated community

3d. General project scope:

i. Street and lot layout

The proposed streets will be 27 feet wide constructed of asphalt with curb & gutter. The streets will be private and gated.

The proposed lots will be a minimum area of 5000 square feet and a minimum width of 40 feet.

The proposed setback lines will be as follows:

Front Yard = 20 feet

Rear Yard = 10 feet

Interior Side Yard = 5 feet

Street Side = 20 feet

Access to the site will be two entrances off of McClure Drive. McClure Drive is classified as a Major Collector Street by the Master Street Plan. It is currently a 38 foot wide, two lane, concrete street in excellent condition. A minimum of 70 feet of queuing space will be provided at the entrances off of McClure Drive.

See attached Preliminary Plat.

ii. Site plan showing proposed improvements

See attached Preliminary Plat.

iii. Buffer areas, screening, and landscaping

Buffer areas and landscaping will follow City UDO requirements and the FCRA Master Development Guidelines "Site Design & Development Standards for Single-Family Residential" land use classification subject to an approved variance from the FCRA design review committee (variance to eliminate landscaping along interior subdivision boundary lines). Landscaping will be irrigated.

See attached Preliminary Plat.

iv. Storm water detention areas and drainage

All drainage and detention will comply with the City of Fort Smith 2011 Drainage Standards. It is proposed to make the detention pond a "wet" pond with a fountain.

v. Undisturbed natural areas

No undisturbed natural areas are proposed.

vi. Existing and proposed utility connections and extensions

Water services will be provided by public main lines running within the private street

rights of way and adjacent easements as required. The proposed interior water main lines will connect to a proposed extension of a 12 inch main located to the southeast of the project area within the right of way of McClure Drive. Fire hydrants will be provided as required by the Fire Code.

Sewer services will be provided by public main lines running within the private street rights of way and adjacent easements as required. The proposed interior sewer main lines will connect to a proposed extension of an 8 inch main located to the northwest of the project area within the right of way of Massard Road. This extension will be located within a dedicated easement.

Electric service, gas service, and telephone service lines are proposed to be located underground in the utility easements delineated on the Preliminary Plat.

See Preliminary Plat.

vii. Development and architectural design standards

Development and architectural design standards will comply with the requirements of UDO Section 27-602 - Design Guidelines and the FCRA Master Development Guidelines.

viii. Building elevations

The amenity center will comply with the FCRA design guidelines and the UDO.

ix. Proposed signage (type and size)

One monument type sign is proposed at the location shown on the Preliminary Plat. The sign will comply with the FCRA design guidelines as well as the UDO. If the sign is located within an easement a temporary revocable license will be requested.

3e. Proposed development phasing and timeframe

The development is proposed to be constructed in one phase.

Construction is to begin June 1, 2023 and be completed by January 1, 2024.

All dates are approximate.

3f. Identify land use designations

The Chaffee Crossing current land use designation is “Mixed Use: Residential/Commercial/Office”. The requested new land use is Single Family Residential.”

3g. Identify area and bulk regulations

Bulk and Area requirements for the PZD are as shown below.

Min. Lot Size	5000 s.f.
Min. Lot Width at BSL	50 feet
Max. Lot Coverage	60%
Max. Height	40 feet
Addnl. Height	see 27-404 D. of the UDO

Setbacks	
Front	20 feet
Side	5 feet
Street side/corner	20 feet
Rear	10 feet
Minimum Street Frontage	20 feet
Minimum Bldg Separation	10 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.)

Comparison is between the proposed PZD restrictions and the FCRA Mixed Use Residential/Commercial/Office restrictions.

	PZD	FCRA	
Density	8.7 DU/Acre	12 DU/Acre (Based on Lot Size) 4000 sf Commercial Bldg Com. Bldg. Size Not Restricted	
Min. Lot Size	5000 sf	3600 sf	
Min. Lot Width at BSL	50 feet	40	
Max. Lot Coverage	65%	NOT SPECIFIED	
Max. Height	40 feet	3 STORY	
Addnl. Height	see 27-404 D. of the UDO	NOT SPECIFIED	
Setbacks		Res	Non-Res
Front	25 feet	20 feet	NONE
Side	5 feet	10'/5'	NONE
Street side/corner	20 feet	20 feet	NONE
Back	10 feet	10 feet	25' w/alley
Minimum Street Frontage	20 feet	NO SPEC	NO SPEC
Minimum Bldg Separation	10 feet	NO SPEC	NO SPEC

PZD Landscaping

Perimeter Landscaping	
Front	20 feet wide, 1 tree & 10 shrubs every 40'
Sides & Back	NONE
Building Landscaping	2 Shade Trees/Lot in addition to perimeter landscaping. Min. one tree in front yard.

Parking Lot Screening and Landscaping is to comply with FCRA Master Development Guidelines “Site Design and Development Standards for Mixed Use: Residential/Commercial/Office” land use classification.

FCRA Landscaping

Perimeter Landscaping	
Front	20 feet wide, 1 tree & 10 shrubs every 40'
Sides & Back	10 feet wide, 1 tree & 10 shrubs every 40'

Building Landscaping 1 Shade Tree Front Yard plus 1 Shade Tree

Back Yard per 40 feet of Lot Width

Parking Lot Screening and Landscaping requirements will comply with FCRA Master Development Guidelines “Site Design and Development Standards for Mixed Use: Residential/Commercial/Office land use classification.

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

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 project will exceed the UDO requirements as follows:

1. Landscaping

- The perimeter landscaping strip across the front will be 20 feet wide - UDO requires 10 feet wide
- Perimeter landscaping will include one tree and 10 shrubs every 40 feet - UDO requires one tree and 10 shrubs every 50 feet
- Building landscaping will include 1 Shade Tree/Lot in addition to perimeter landscaping
- UDO does not require building landscaping
- Parking Lot Screening and Landscaping will comply with FCRA requirements as described in the Development Guidelines

UDO requirements are not as stringent

2. Exterior building materials

100% of the exterior building materials will be high quality materials

UDO requires 51%

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

The PZD will include an area of approximately 12.63 acres located on the southwesterly side of McClure Drive beginning at a point being approximately 300 feet southeast of the Massard Road intersection.

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Proposed PZD uses include single family housing with an amenity center.

The intent is to provide a walkable gated community

Land Use

The proposed land use of the PZD property is primarily residential which is comparable with the adjacent single family residential properties and should have very limited impact on these properties.

The PZD development should have no impact on the adjacent commercial properties.

Traffic

The property in the area of the PZD is sparsely developed at this time with limited traffic on the access routes. McClure Drive is classified as a Major Collector Street. Traffic generated by the proposed development will most likely utilize a route down McClure to Massard Road which is a Boulevard. The traffic light at the intersection will minimize traffic backing up on McClure which will avoid the potential for long periods of blocked exits from properties along McClure in the vicinity of the intersection. Development of

the PZD will increase traffic to a minor extent. This increase will not be sufficient to be considered adverse.

Appearance

All PZD improvements will be constructed to meet or exceed FCRA requirements which are set up to minimize adverse effects of the appearance of new developments on surrounding properties.

Signage

All signage will comply with FCRA signage restrictions and should have no adverse impact on surrounding properties.

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

A traffic study has not been requested to date.

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

A 12 inch waterline runs along the southerly side of McClure Drive. This line terminates at a point being approximately 400 feet from the easterly entrance to the proposed development. An offsite water extension will be required.

An 8 inch sewer line terminates at a manhole near the southeast corner of the McClure Drive/Massard Road intersection at a point being approximately 400 feet from the westerly entrance to the proposed development. An offsite sewer extension will be required.

All above listed lines are shown on the Preliminary Plat.

Fort Smith Use Matrix - 81 SOUTH SUBDIVISION																	J	K	L	M	N	O																						
Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T	T _{1,2,3}	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	I-4	PZD																
	P = Permitted Use, C = Conditional Use, A = Accessory Use <i>Size or density restrictions for any use may be noted in the district</i>			R-1	R-2	R-3	R-4	R-6	DP-2	DP-3	DP-4	MF-2	MF-3	MF-4	R-5	H	T	T _{1,2,3}	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	I-4																
Residence or Accommodation																																												
Private Household																																												
Single Family building																																												
Detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P												P															
Guest house	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A												A															
Amusement, Sports, or Recreation Establishment																																												
Amenity Center																													P															
Natural and Other Recreational Parks																																												
Park or playground (public and nonpublic)	C	C	C	C	C	C					C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P																

DEFINITION:
 Amenity Center shall mean a recreational center for the exclusive use of the residents within the subdivision.
 Amenity Center can include things such as a clubhouse, recreational courts, pools, etc.