



**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
AGENDA
ROSE ROOM
CREEKMORE PARK COMMUNITY CENTER
5:30 P.M.
MAY 12, 2015**

I. ROLL CALL

**II. APPROVAL OF MINUTES FROM APRIL 14, 2015 AND MINUTES FROM
APRIL 27, 2015, SPECIAL MEETING**

III. STAFF COMMENTS AND PROCEDURES

1. Preliminary Plat – Airport North Commercial Park – Mickle-Wagner-Coleman
2. Rezoning #4-5-15; A request by Reliance Health Care, agent for Saint Scholastica Academy, for a zone change from Residential Single Family Duplex Low/Medium Density (RSD-2) to a Planned Zoning District by Classification located at 4411 Rogers Avenue.
3. Rezoning #5-5-15; A request by Rodney Ghan, agent for Southern Steel and Wire, for a zone change from Industrial Light (I-1) to Commercial Heavy (C-5) by Classification located at 3500 Phoenix Avenue. (companion item to items #4 & #5)
4. A request by Rodney Ghan, agent for Southern Steel and Wire, for development plan approval for a retail shopping center located at 3500 Phoenix Avenue. (companion item to items #3 & #5)

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

5. Variance #10-5-15; A request by Rodney Ghan, agent for Southern Steel and Wire, for a variance from 200 feet to 159 feet distance between proposed driveways; from 200 feet to 155 feet minimum separation from an existing off site driveway and from

623 Garrison Avenue
P.O.Box 1908
Fort Smith, Arkansas 72902
(479) 784-2216
FAX (479) 784-2462

Section 27-602-4 Architectural Design of Structures to allow an architectural prefabricated steel panel as the predominant façade on the south and west walls of the structure located at 3500 Phoenix Avenue. (companion item to items #3 & #4)

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

6. Conditional Use #3-5-15; A request by Michael Johnson, agent for Riverside Furniture Corporation, for a conditional use for the Riverview Hope Campus (homeless shelter) located at 301 South “E” Street.
7. Conditional Use #4-5-15; A request by Kinzey Walton for a conditional use for a daycare home with one (1) employee located at 126 Martin Circle.
8. Conditional Use #5-5-15; A request by Bobby Colton Smith, agent for Storm Nolan, for a conditional use for a pet shop located at 4300 Rogers Avenue.
9. Home Occupation #2-5-15; A request by Carlos Munoz for a home occupation for a painting contractor business located at 1921 North 29th Street.

**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
MINUTES
ROSE ROOM
CREEKMORE PARK COMMUNITY CENTER
5:30 P.M.
APRIL 14, 2015**

On roll call, the following Commissioners were present: Brandon Cox, Rett Howard, Michael Redd, Bob Cooper, Richard Spearman, Don Keesee, Marshall Sharpe and Vicki Newton. Commissioner Jennifer Parks was absent.

Mr. Bailey asked for nominations for officers of the Planning Commission for the next year.

For the office of Secretary, motion was made by Commissioner Sharpe and carried unanimously to nominate Vicki Newton for Planning Commission Secretary.

For the office of Vice-Chairman, motion was made by Commissioner Howard and carried unanimously to nominate Don Keesee for Planning Commission Vice-Chairman.

For the office of Chairman, motion was made by Commissioner Newton and carried unanimously to nominate Marshall Sharpe for Planning Commission Chairman.

Mr. Bailey then requested nominations or a volunteer to represent the Planning Commission on the Comprehensive Plan Implementation Committee. Commissioner Howard volunteered to serve on this committee. Motion was then made by Commissioner Spearman and carried unanimously to appoint Commissioner Howard to this committee.

Chairman Sharpe then called for the vote on the Planning Commission minutes from the March 10, 2015, meeting. Motion was made by Commissioner Howard, seconded by Commissioner Spearman and carried unanimously to approve the minutes as written.

Mr. Bailey spoke on the procedures.

Mr. Bailey also noted that this meeting would be the last regular meeting for Commissioners Spearman, Cox and Parks and thanked them for their service to the community.

1. Preliminary Plat – Middleton Estates – Lots 1 thru 14 – Mickle-Wagner-Coleman

- 4. Subdivision Variance #1-4-15; A request by Pat Mickle, agent for Richard Griffin, Brad Kidder, Westphal Leasing, LLC and Patsy Bateman, for the following subdivision variances located at 8400 thru 9400 Howard Hill Road: (companion item to item #1)**

- 7. Variance #9-4-15; A request by Pat Mickle, agent for Richard Griffin, Brad Kidder, Westphal Leasing, LLC and Patsy Bateman, for a variance from 125 feet to 90 feet separation between driveways on adjacent lots located at 8400 thru 9400 Howard Hill Road.**

Ms. Brenda Andrews read the staff reports indicating that the purpose of these requests is to facilitate the development of fourteen (14) single family homes on large (3 acre) estate-size lots.

The requested subdivision variances relative to this development would allow driveway access on Howard Hill Road and Rye Hill Road South and would allow perimeter landscaping that would include three (3) trees per lot, with no two (2) trees closer than 50' apart and to allow existing trees versus only newly planted trees to meet part or all of the proposed three (3) trees per lot. The trees would be planted approximately 30' from the right-of-way.

The requested zoning variance relative to this development would allow adjacent driveways on a Major Collector street to have a separation of 90 feet instead of the required minimum of 125' as required by Table 27-603-1B of the Access Management regulations of the UDO and the nearest edge of a driveway being no closer than 45 feet from a side property line.

Mr. Pat Mickle was present to speak on behalf of these requests.

Mr. Paul Post, 9115 Howard Hill Road, Mr. Tony Crockett, 11014 Howard Hill Road and Mr. Don Crockett, 9514 Howard Hill Road all spoke with concerns relative to safety issues and who would bear the cost of relocating utilities and road improvements.

Mr. Mickle noted that an agreement has been entered into with the City and once the property is platted on the south side, the developer is obligated to work with the City to rebuild and improve the intersection. Mr. Mickle stated that the Engineering Department has indicated that the funds for intersection improvements should be available possibly as soon as next year's budget.

Following a discussion by the Commission, Chairman Sharpe called for the vote on these items.

1. Preliminary Plat – Middleton Estates – Lots 1 thru 14 – Mickle-Wagner-Coleman

Chairman Sharpe called for the vote on the preliminary plat. Motion was made by Commissioner Cox, seconded by Commissioner Howard and carried unanimously to amend this request to make approval subject to approval of the companion subdivision variance request, the developer agreeing to meet all franchise and City utility easement requirements and compliance with the City's Subdivision Design and Improvement Standards Specifications for Public Works Construction.

Chairman Sharpe then called for the vote on the preliminary plat as amended. The vote was 8 in favor and 0 opposed.

4. Subdivision Variance #1-4-15; A request by Pat Mickle, agent for Richard Griffin, Brad Kidder, Westphal Leasing, LLC and Patsy Bateman, for the following subdivision variances located at 8400 thru 9400 Howard Hill Road: (companion item to item #1)

Chairman Sharpe called for the vote on the subdivision variance request. Motion was made by Commissioner Howard, seconded by Commissioner Spearman and carried unanimously to amend this request to make approval subject to all lots being required to have either a U-shaped driveway or driveways with a turn-around design to eliminate vehicles backing out onto the street and a minimum of three (3) trees per lot no closer than 50 feet apart, and set back a maximum of 30 feet from the right-of-way.

Chairman Sharpe then called for the vote on the subdivision variance as amended. The vote was 8 in favor and 0 opposed.

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

7. Variance #9-4-15; A request by Pat Mickle, agent for Richard Griffin, Brad Kidder, Westphal Leasing, LLC and Patsy Bateman, for a variance from 125 feet to 90 feet separation between driveways on adjacent lots located at 8400 thru 9400 Howard Hill Road.

Chairman Sharpe called for the vote on the variance request. Motion was made by Commissioner Howard, seconded by Commissioner Newton and carried unanimously to

amend this request to make approval subject to the nearest edge of a driveway being no closer than 45 feet from a side property line.

Chairman Sharpe then called for the vote on the variance request as amended. The vote was 8 in favor and 0 opposed.

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

2. Preliminary Plat – Stonebrook at Chaffee Crossing – Phases II and III – Brixey Engineering

Ms. Brenda Andrews read the staff report indicating that this preliminary plat is for the development of single family homes.

Mr. Ron Brixey was present to speak on behalf of this plat.

No one was present to speak in opposition.

Chairman Sharpe then called for the vote on the preliminary plat. Motion was made by Commissioner Howard, seconded by Commissioner Spearman and carried unanimously to amend this request to make approval subject to the developer agreeing to meet all franchise and City utility easement requirements, compliance with the City's Subdivision Design and Improvement Standards Specifications for Public Works Construction and the perimeter landscaping for Stonebrook at Chaffee Crossing, Phase I shall be completed prior to the filing of Stonebrook at Chaffee Crossing – Phase II and III.

Chairman Sharpe then called for the vote on the preliminary plat as amended. The vote was 8 in favor and 0 opposed.

3. Rezoning #3-4-15; A request by Randy Coleman, agent for Zero Mountain, Inc. for a zone change from Extra Territorial Jurisdiction Open-1 (ETJ O-1) to Extra Territorial Jurisdiction Industrial Moderate (ETJ I-2) by Extension located at 8425 Highway 45 South.

Ms. Maggie Rice read the staff report indicating that the purpose of this request is to allow for the addition and continued use of a packaging and distribution facility at the current location.

Ms. Rice stated that the zone change would make their land use permitted by right and therefore would allow for a construction approval letter to be issued for the proposed addition connecting two existing buildings.

Mr. Randy Coleman was present to speak on behalf of this request.

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

Chairman Sharpe then called for the vote on the rezoning request. The vote was 8 in favor and 0 opposed.

5. A request by Bob Stinchcomb, agent for Gerdau, for development plan approval for construction of a pipeline and fence located at 5225 Planters Road.

Ms. Brenda Andrews read the staff report indicating that the purpose of this request is to allow the construction of a 12" fuel products pipeline that would transport diesel fuel, gasoline and jet fuel and the construction of approximately 1,100 feet of 6 foot tall chainlink fencing along Gerdau's northern property line. Ms. Andrews stated that Ordinance #75-11 requires any development within 300 feet of Gerdau's northern property line to receive approval by the Planning Commission. Ms. Andrews noted that both projects are within 300 feet of the northern property line which is bordered by Millennium Estates, a residential subdivision.

Mr. Andy Brown, representing Gerdau, was present to speak on behalf of this request.

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

Following a discussion by the Commission, motion was made by Commissioner Keesee, seconded by Commissioner Newton and carried unanimously to amend this request to make approval subject to compliance with the submitted development plan.

Chairman Sharpe then called for the vote on the development plan as amended. The vote was 8 in favor and 0 opposed.

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

6. Variance #8-4-15; A request by John Horne for a variance from 120 days to 180 days maximum length of time for a seasonal permit (Section 27-327) located at 2700 Market Trace.

Ms. Maggie Rice read the staff report indicating that the purpose of this variance request is to allow for the operation of a seasonal use (sno-cone stand) to be utilized for 180 days.

Mr. John Horne 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 variance request. The vote was 8 in favor and 0 opposed.

RECESS BOARD OF ZONING ADJUSTMENT RECONVENE PLANNING COMMISSION

8. UDO Amendments – Mobile Food Trucks

A proposed Outdoor Mobile Vending Ordinance with all changes from the first draft was submitted to the Planning Commission for their review.

Mr. Bailey advised the Commission that two maps had also been prepared showing the locations available and not available for mobile food trucks, and one showing the mobile food vending available parking numbers (397 spaces).

Mr. Bailey noted two options relative to Temporary Buildings – Private Property language for the Ordinance:

Option #1 shall read a temporary building can be used on private property to vend edible foods. A permit from the city building official is required for all temporary buildings. All temporary buildings must comply with the Arkansas Fire Prevention Code. Permits for temporary buildings are limited to 180 days unless a time extension is granted by the city Building Official. A temporary building must also comply with the requirements of this Chapter.

Option #2 shall read all existing temporary buildings with a valid permit can be used to vend edible foods. All new outdoor mobile vending applications submitted after the effective date of this Chapter cannot use a temporary building but must operate from a mobile food vehicle.

Following a discussion by the Commission, motion was made by Commissioner Spearman, seconded by Commissioner Keesee and carried with one opposed (Howard) to adopt the language in Option #1.

On Page 12 of the proposed ordinance relative to renewal requirement the Commission felt this paragraph should be moved after 'Mobile Food Vendor on Multiple Locations – Private Property .

Chairman Sharpe noted errors in the letters and numbers as well as some formatting issues within the proposed Ordinance.

The Commission questioned the need to have two (2) separate sections within the Ordinance relative to Appeals. The Commission requested the appeal process language be consolidated.

The Planning Commission also felt a specific time for an appeal to be heard by the Planning Commission should be set and shown in the Ordinance.

The Commission also discussed and motion was made by Commissioner Spearman, seconded by Commissioner Howard and carried unanimously to exempt from this ordinance a vendor who is part of a special event or festival.

The Commission questioned the need for the proof of insurance policy within the ordinance since the City is immune from litigation and cannot be liable for its own negligence. The Commission asked for clarification from the City Attorney relative to removing this language from the Ordinance.

Following a discussion by the Commission, Commissioner Keesee made a motion, seconded by Commissioner Howard to vote on this proposed Ordinance subject to clarification from the City Attorney. The other Commissioners noted that they would not feel comfortable voting on this item at this time until clarification had been received and discussed some of their concerns within this proposed Ordinance. Commissioner Keesee then withdrew his motion and Commissioner Howard withdrew his second.

No action was taken on this proposed Ordinance was taken by the Planning Commission. It was noted that this item would be brought back to the Commission for their review at a special meeting on April 27, 2015, at 11:30 a.m. at the Creekmore Park Community Center.

Meeting Adjourned!

**PLANNING COMMISSION MINUTES
ROSE ROOM
CREEKMORE PARK COMMUNITY CENTER
11:30 A.M.
APRIL 28, 2015 – SPECIAL MEETING**

On roll call, the following commissioners were present: Don Keesee, Brandon Cox, Michael Redd, Vicki Newton, Marshall Sharpe, Richard Spearman, and Bob Cooper.

On roll call, the following commissioners were not present: Jennifer Parks and Rett Howard.

Chairman Sharpe opened the meeting and asked Wally Bailey to review the ordinance. Mr. Bailey stated that the purpose of the special meeting was to review and consider for recommendation the draft Outdoor Mobile Vending Ordinance. Mr. Bailey stated that if the ordinance was recommended by the planning commission, it would be presented to the Board of Directors for consideration on May 19, 2015. He also stated that a presentation of the ordinance would be provided to the Board of Directors at the Board's April 28th study session.

Mr. Bailey provided background on the ordinance, stating that staff had researched the ordinances of several cities, conducted surveys of downtown property owners and restaurant owners, and surveyed citizens through a Facebook survey. He also stated that the planning commission had held several meetings to gather public input on the proposed ordinance, including two special study sessions, three regular meetings, and three special meetings.

Mr. Bailey then guided the planning commissions through the ordinance and amendments requested by the planning commission at the April 27th meeting. Michael Redd questioned the need for the proposed insurance requirements for vendors vending within a public street right-of-way and on sidewalks. Mr. Bailey said the proposed language was the result of consulting with Jerry Canfield, the city's attorney, Scot Clark with Brown-Hiller-Clark, and the city's purchasing director who also serves at the city's risk manager. Mr. Redd also asked if the city requires similar insurance requirements for the use of city facilities. He also asked if staff knew if vendors would be able to acquire the insurance that was proposed. Bob Cooper stated that the proposed insurance limits appeared to be minimal based on his experience.

Chairman Sharp asked if anyone in the audience had any comments. Mark Muhlenbruch of 722 South 22nd Street stated that he had not done any research but the cost of the insurance may make it difficult for some potential vendors.

After reviewing the ordinance, the planning commission requested the following revision:

- Add the words "in a public right-of-way" in the insurance requirements – Items G(f) and D(1)(f)

Mr. Redd also requested that staff find out what the insurance requirements were for existing city public facilities.

Don Keese moved that the amended ordinance be recommended to the Board of Directors. The motion was seconded by Rick Spearman. Chairman Sharpe called for the vote on the ordinance. The vote was 7 in favor and 0 opposed.

There being no further business, the meeting was adjourned.

Preliminary Plat

Memo

To: City Planning Commission
From: Planning Staff
Date: May 8, 2015
Re: Airport North Commercial Park – Preliminary Plat

Enclosed is an e-mail from Pat Mickle requesting that the Planning Commission table the preliminary plat for Airport Commercial Park until the June meeting to allow time to resolve utility issues relating to the plat.

Staff recommends tabling the plat.

1A

Andrews, Brenda

From: Pat Mickle [PMickle@mwc-engr.com]
Sent: Thursday, May 07, 2015 9:27 AM
To: Andrews, Brenda
Subject: Airport North Commercial Park

Brenda-

Please let this email serve as confirmation of our conversation last Monday. On behalf of the developer, please request the Planning Commission table consideration of The Airport North Commercial Park preliminary layout until the June meeting. Among other things, we will work to resolve utility easement issues discussed at the subdivision committee (utility) meeting on April 31st. Thank you.

Patrick J. Mickle, P.E.
Mickle Wagner Coleman, Inc.
3434 Country Club Avenue
Fort Smith, AR 72903
479-649-8484

Memo

To: City Planning Commission

From: Planning Staff

Date: April 28, 2015

Re: Rezoning #4-5-15 - A request by Reliance Health Care, agent for Saint Scholastica Academy, for Planning Commission consideration of a rezoning request from Residential Single Family Duplex Low/Medium Density (RSD-2) to a Planned Zoning District at 4411 Rogers Avenue

PROPOSED ZONING

The Planned Zoning District if approved will allow for a 66,740+ s.f. nursing home to be located on 9.46 acres with 130 parking spaces and landscaping.

LOT LOCATION AND SIZE

The subject property is on the north side of Rogers Avenue between South Albert Pike Avenue and South 46th Street. The tract contains an area of 9.46 acres with approximately 46 feet of street frontage along Rogers Avenue.

REQUESTED ZONING

The applicant has requested a Planned Zoning District (PZD). The purpose of a Planned Zoning District is to assure control of certain development while providing the applicant a means of gaining commitment without undue financial risk. Specifically the purposes of a PZD are to encourage:

- Comprehensive and innovative planning and design of diversified yet harmonious development consistent with the comprehensive plan;
- Better utilization of sites characterized by special features of geographic location, topography, size, or shape;
- Flexible administration of general performance standards and development guidelines;
- Primary emphases shall be placed upon achieving compatibility between the proposed developments and surrounding areas to preserve and enhance the neighborhood through the use of enhanced site design, architecture, landscaping, and signage.
- Developments that utilize design standards greater than the minimum required by the UDO.

EXISTING ZONING

The existing zoning on this tract is Residential Single Family – Duplex Low/Medium Density (RSD-2).

Characteristics of this zone are as follows:

Purpose:

To provide for attached and detached homes in low-to-medium density neighborhoods where adequate public services and facilities are available. The RSD-2 zoning district is appropriate in suburban areas and primarily applies to the Residential Attached, Mixed Use Residential, and Mixed Use Employment category 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 – 10,500 square feet

Maximum Height - 35 feet (1+1)

Maximum Density – 4 Dwelling Units/Acre

Maximum Lot Coverage - 50%

Minimum Lot Width at Building Line – 75 feet

Minimum Street Frontage – 50 feet

Front Yard Setback - 30 feet

Side Yard on Street Side of Corner Lot - 30 feet

Side Yard Setback – 7.5 feet

Rear Yard Setback - 10 feet

Minimum building separation – 10 feet

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Residential Single Family – Duplex Low/Medium Density (RSD-2) and is developed as Saint Scholastica Academy.

The area to the east is zoned Residential Multifamily Medium Density (RM-3) and is developed as and multiunit apartment complex.

The areas to the south are zoned Commercial Light (C-2) and Commercial Light Special (C-2-SPL) and are developed as a restaurant, office complex, and commercial retail sales.

The area to the west is zoned Residential Single Family – Duplex Low/Medium Density (RSD-2) and is undeveloped.

DB

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Public/Institutional. This classification is intended to provide for needed community services of both a public and quasi-public nature.

PROJECT BOOKLET

A copy of the project booklet is enclosed for your review. The following criteria shall be considered by the Planning Commission when reviewing the project booklet:

- A. Is the site capable of accommodating the building(s), parking areas and drives with the appropriate open space provided? **Yes**
- B. Does the plan provide for safe and easy ingress, egress and internal traffic circulation? **Yes. The City Engineering department has reviewed the site plan with no comments addressing the ingress and egress locations on the single driveway.**
- C. Is the plan consistent with good land use planning and site engineering design principles, particularly with respect to safety? **Yes.**
- D. Are the architectural designs consistent with the City of Fort Smith policies and regulations and compatible with surrounding land use features? **Yes. The building will have 100 percent of high quality materials which exceed the UDO requirement.**
- E. Does the Plan represent an overall development pattern that is consistent with the Comprehensive Plan, Master Street Plan, Master Land Use Plan, and other adopted planning policies? **Yes.**
- F. The required right-of-way dedication has been identified by the City Engineering Department? **The property is currently undergoing the platting process and any R.O.W. dedication required will be obtained through the plat procedures.**
- G. All easements and utilities shall meet the requirements of the approving departments and agencies? **All easements to accommodate city requirements as well as franchise utilities will be reviewed during the platting process.**
- H. Articulate how the plan minimizes or mitigates the impact of increased traffic both in volume and vehicle size. **Please refer to the Project Booklet's traffic information – item 3-I. The Engineering Department has agreed to the traffic information submitted.**
- I. Articulate how the plan exceeds the UDO requirements. (e.g. increased landscaping increased high quality materials, etc.) **The project will exceed the UDO requirements by utilizing 100% high quality materials for the facades of the building as well as provide additional parking spaces.**

20

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – The development will include one proposed driveway located on Rogers Avenue.

Right-of-way dedication – Any R.O.W. dedication will take place during the platting process.

Drainage – The site plan shows a storm water detention basin located on the southeastern portion of the property. The pond shall be approved by the city engineering department prior to building permit submittal. A detailed drainage plan shall be submitted for review and approved by the engineering department prior to receiving a building permit.

Landscaping & Screening – A landscape plan was submitted showing the perimeter landscaping and screening along the eastern property line adjacent to South 46th Street.

Parking – The plans show 130 parking spaces which exceeds the UDO requirements.

Signage – The development plan shows one 40 s.f. sign to be located at the Rogers Avenue entrance as well as one 40 s.f. sign to be located at the South 46th Street entrance.

Sidewalks – The site currently has an existing sidewalk network.

FACTORS TO BE CONSIDERED

Approval, approval as amended, or denial of the application and project booklet shall be based on the following factors as outlined in Section 27-341-3(E) of the UDO:

- A. Compatibility with the Comprehensive Plan, Master Street Plan, and applicable area plans (e.g., corridor, neighborhood). **The proposed PZD and use is compatible with the Master Street Plan and Comprehensive Plan.**
- B. Compatibility of the proposed development with the character of the neighborhood. **The proposed development is compatible with the surrounding neighborhood.**
- C. The zoning and uses of adjacent and nearby properties, and the compatibility of the proposed future uses with those existing uses. **The proposed use will allow for the construction of a nursing home and will not be in conflict with surrounding properties.**
- D. The extent to which the proposed land use would increase or change traffic volume or parking demand in documented evidence or engineering data, road conditions, road safety, or create parking problems in combination with any improvements that would mitigate these adverse impacts. **The PZD booklet has traffic information provided showing that the proposed development will increase the traffic on Rogers Avenue moderately. This information has been reviewed by the city's engineering department with no objections to the traffic increase.**
- E. The current availability of public utilities and services and the future capacity needed to adequately serve the proposed land use in combination with any improvements that

would mitigate these adverse impacts. **The existing utilities and services are within the facilities vicinity to accommodate the uses.**

- F. That the application complies with all relevant ordinance requirements (for example 27-200, 27-500, 27-600, and 27-700). **The project booklet is in compliance with the Unified Development Ordinance.**

STAFF COMMENTS AND RECOMMENDATIONS

A neighborhood meeting was held on Thursday April 23, 2015 at 6:00 P.M. at 1301 North Albert Pike. Three (3) people were present at the neighborhood meeting. There were no objections to the proposed project and a copy of the attendance record and meeting summary are enclosed.

The enclosed project booklet gives more detail about the proposed development and appears to comply with the minimum requirements of the UDO. If the Planning Commission is inclined to approve the PZD, staff recommends the approval be contingent upon the PZD booklet be amended to include the following:

1. All exterior building and site lighting shall not produce glare, light trespass and/or unnecessary skyglow. The use of shielded light fixtures is required by Section 27-602-5 of the UDO.
2. The plat shall be approved prior to the issuance of a building permit.

2E

Reliance Health Care Skilled Nursing Home - Neighborhood Meeting Minutes

Project Name: Official Facility Name T.B.D.
Project Number: 2013058
Meeting Location: St. Scholastica Dining Hall, Fort Smith, AR
Meeting Date/Time: 6:00 pm, April 23, 2015
Meeting Notes Prepared By: Mr. Kyle Salyer, P.E., P.S. *JKS*
Attendees: Refer to the enclosed Attendance List

1. Introduction:

- a. Mr. Rick Griffin with Griffin Construction (Developer/Contractor) introduced the representatives with Reliance Health Care (Owner) that were present as well as the project design team members, Mr. Bill Stafford, AIA (Project Architect) and Mr. Kyle Salyer, P.E., P.S. (Project Engineer & Surveyor). He explained an overview of the project and Reliance Health Care's intent to develop a high quality skilled nursing home at 4411 Rogers Avenue in Fort Smith. It was stated that the 68,540 square feet facility would include 102 permitted beds. He also explained that a portion of the existing nursing home beds permitted at the present Chapel Ridge nursing home just east of the proposed site would be transferred into the new facility. Ultimately in the future another facility will be constructed somewhere in the region to replace the existing Chapel Ridge facility.

2. Neighbor Comments/Questions:

- a. The meeting was concluded with Mr. Rick Griffin offering to answer any questions that the neighbors in attendance may have. There were no questions from those in attendance.

Enclosure: Attendance List

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location 1301 S. Albert Pike Avenue

Meeting Time & Date April 23, ~~2015~~²⁰¹⁵ at 6:00 p.m.

Meeting Purpose Proposed Nursing Home, 4411 Rogers Avenue

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
1. KYLE SALYER (ENGINEER/SURVEYOR)	110 SOUTH 7TH, VAN BUREN, AR	479-474-1227
2. Wm. Stafford (Architect)	Mammelle, AR S Aspen CV,	479-739-5644
3. Eric Bell (Reliance)	824 Salem Rd. Conway AR	501-932-0050
4. Brandon Adams (Reliance)	824 Salem Rd Conway	501-932-0050
5. WES HOLLAND (RELIANCE)	824 SALEM RD CONWAY	501-932-0050
6. RICK GRIFFIN	610 TOWSON AVE	479-783-5191
7. Sr. Elizabeth Rose	St. Scholastica	783-4147
8. Sr. Elie Forest	P.O. Box 3489	479-783-4147
9. Sr. Rosalie Rungwald	St. Scholastica	479-783-4147
10. Brenton JENKIN	1912 N 13th, FS, AR	479-782-1411
11. Sr. Ethel Marie Lonner	St. Scholastica	479-783-4147
12. Do Dolores Vincent Bauer	St. Scholastica	479-783-4147
13. Kitty Hug	1850 Hendricks Blvd. 72903	479-783-2876
14. Wilma Ahlert	3608 May Branch Ln-72903	479-783-1211
15. Brenda Amfous	Jot Smith Planning Dept	784-2216
16. _____	_____	_____
17. _____	_____	_____
18. _____	_____	_____

21

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location 1301 S. Albert Pike Avenue

Meeting Time & Date April 23, ~~2015~~²⁰¹⁵ at 6:00 p.m.

Meeting Purpose Proposed Nursing Home, 4411 Rogers Avenue

3

*
*

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
19.	<u>Pat + Allison Montiel</u>	<u>807 S. 26th St. FORT SMITH AR 72901</u>	<u>479-434 3370</u>
20.	<u>Dan Smith</u>	<u>2621 Quarry Drive Van Buren AR 72956</u>	<u>479-883-5487</u>
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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 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 attached Exhibit A

2. Address of property: 4411 Rogers Avenue

Residential Single Family-Duplex

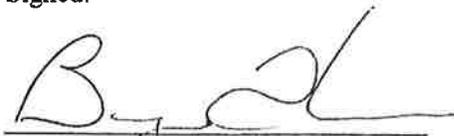
3. The above described property is now zoned: Low/Medium Density (RSD-2)

4. Application is hereby made to change the zoning classification of the above described property to a Planned Zoning District.

5. Explain why the Planned Zoning District is requested?

Proposed Nursing Home

Signed:



 Owner

or

Reliance Health Care

Owner or Agent Name
(please print)

824 Salem Road, Suite 210
Conway, Arkansas 72034

Owner or Agent Mailing Address

501-932-0050

Owner or Agent Phone Number

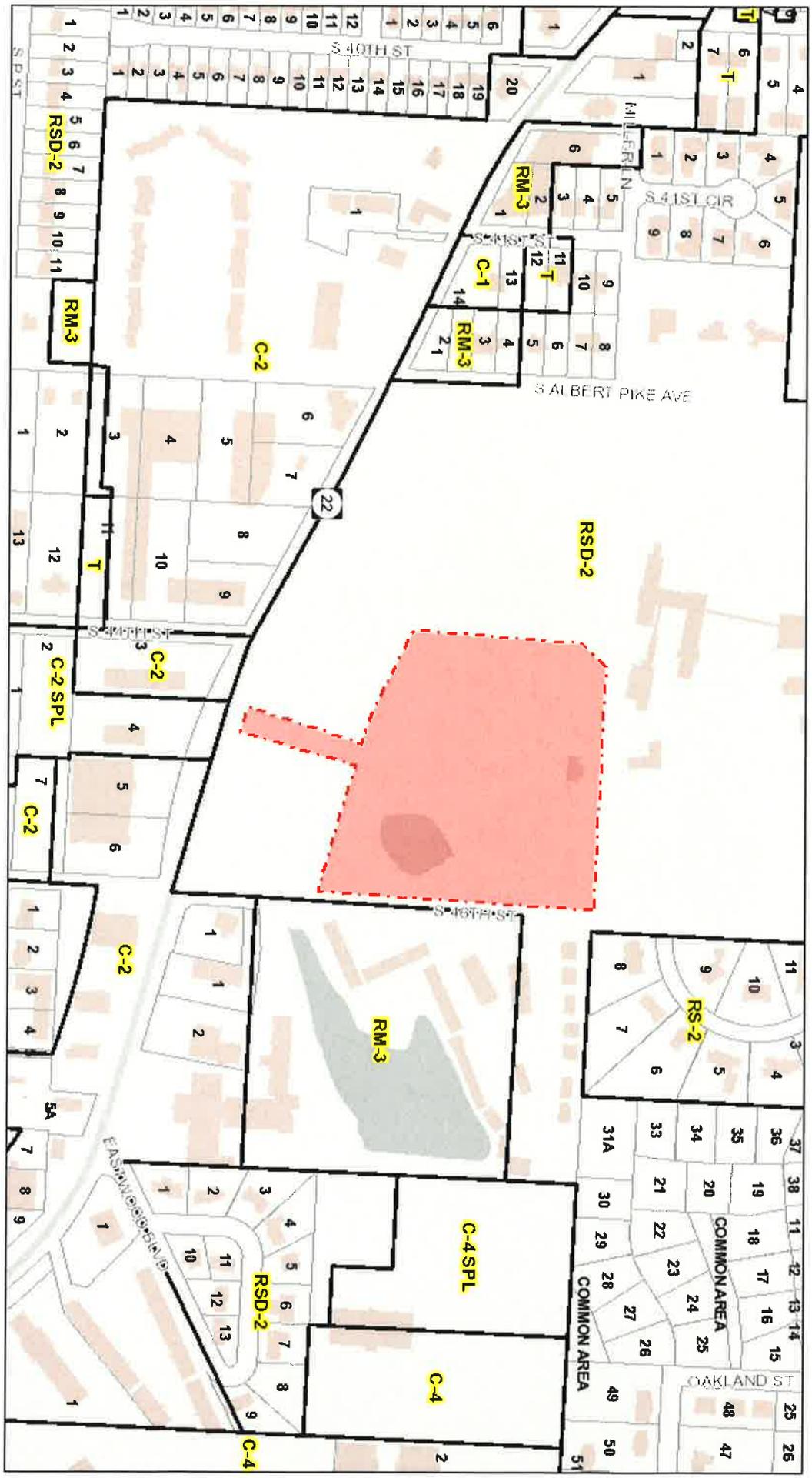
Agent

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Rezoning #4-5-15: From Residential Single Family-Duplex Low/Medium Density (RSD-2) to PZD 4411 Rogers Avenue

28

April 21, 2015



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

MLU for Rezoning #4-5-15: From Residential Single Family-Duplex Low/Medium Density (RSD-2) to PZD 4411 Rogers Avenue

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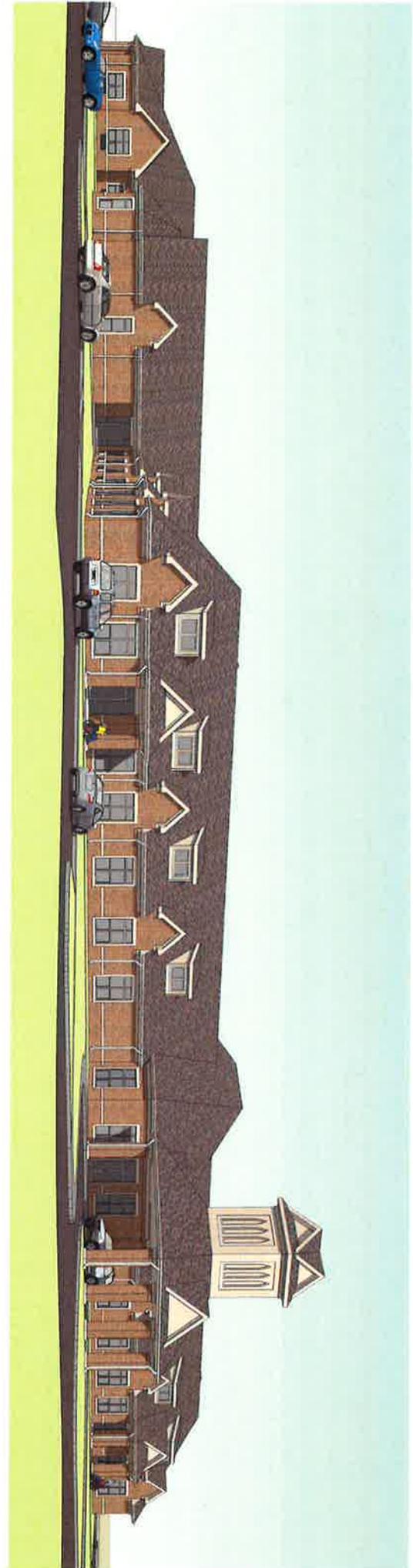
April 21, 2015

- Fort Smith City Limits
- Subdivisions
- Building Footprints



20

South Elevation





North Elevation

2R

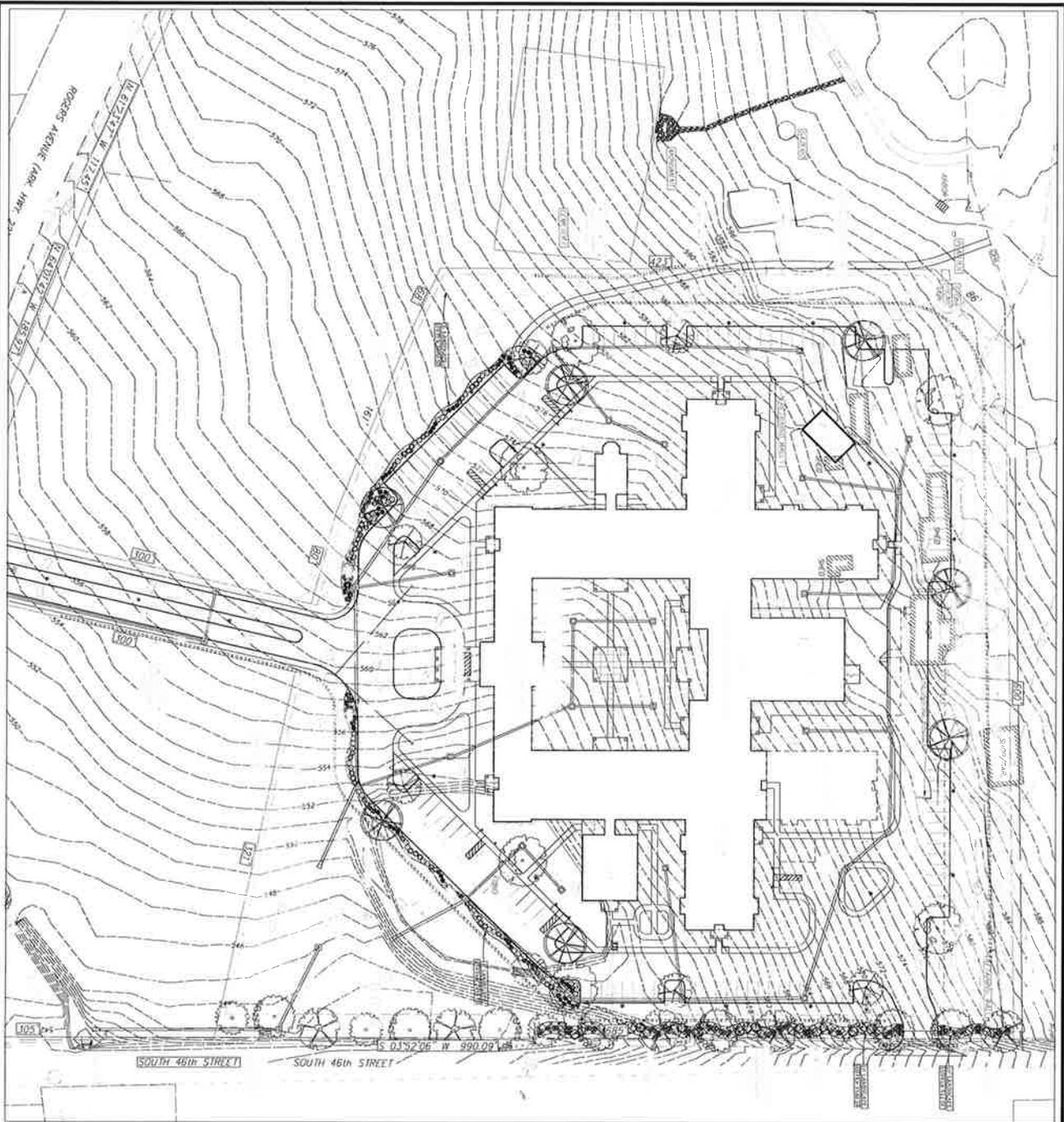
East Elevation



25

East Elevation





LANDSCAPE NOTES

1. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 8' ON-CENTER TO SPREADS. SHIRAZ PALM TREE, THESE ARE 3' TREES, THEREFORE 12' SPREADS REQUIRED. ALL PLANT MATERIALS TO BE PROVIDED WITH A 60% WATERING AND A MINIMUM OF 10% MULCH. ALL TREES SHALL BE PLANTED WITH A 60% WATERING AND A MINIMUM OF 10% MULCH. ALL TREES SHALL BE PLANTED WITH A 60% WATERING AND A MINIMUM OF 10% MULCH. ALL TREES SHALL BE PLANTED WITH A 60% WATERING AND A MINIMUM OF 10% MULCH.

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LANDSCAPE NOTES

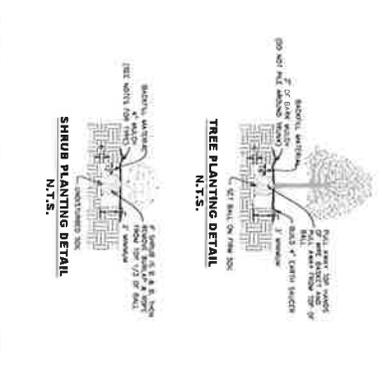
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OVERLAY
 S.S. Scholastica Monastery 72903
 4411 Rogers Ave.
 Fort Smith, AR 72903

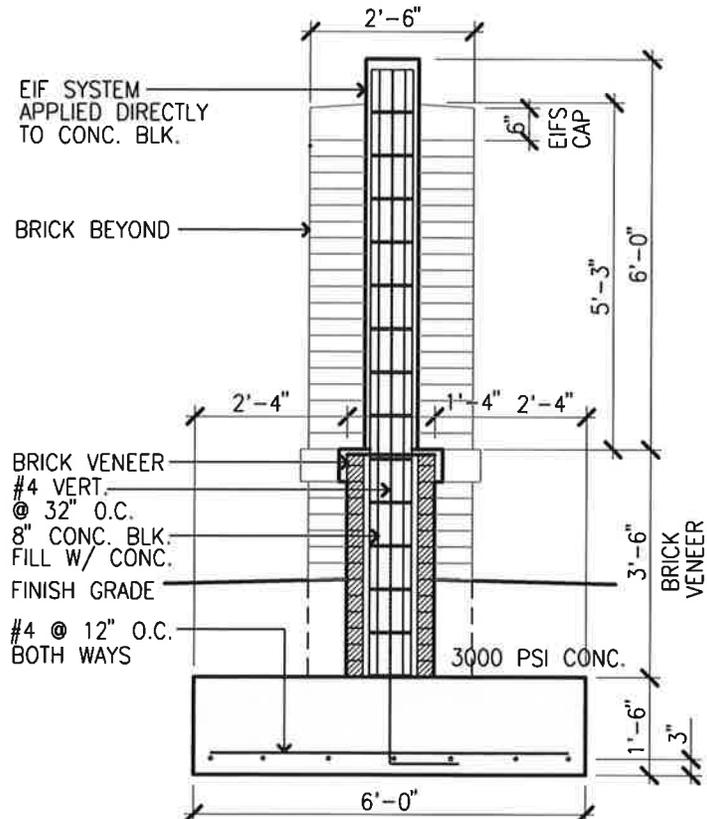
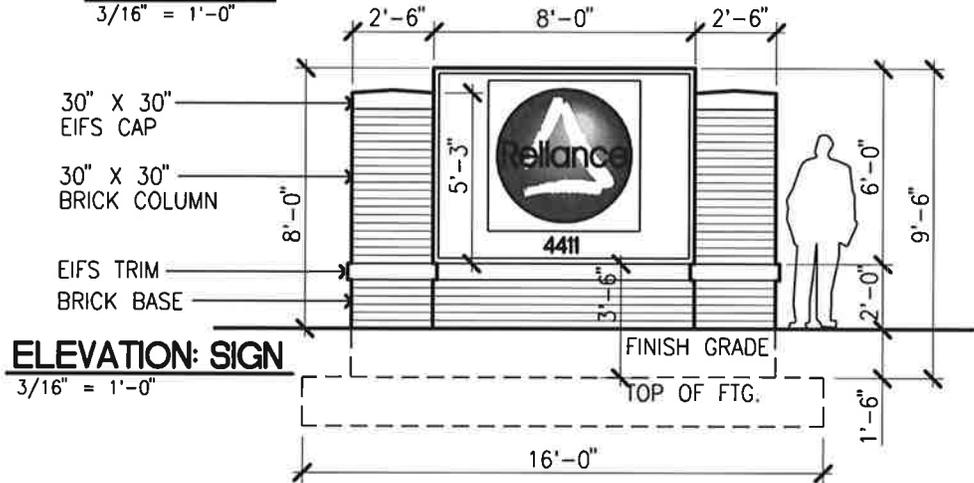
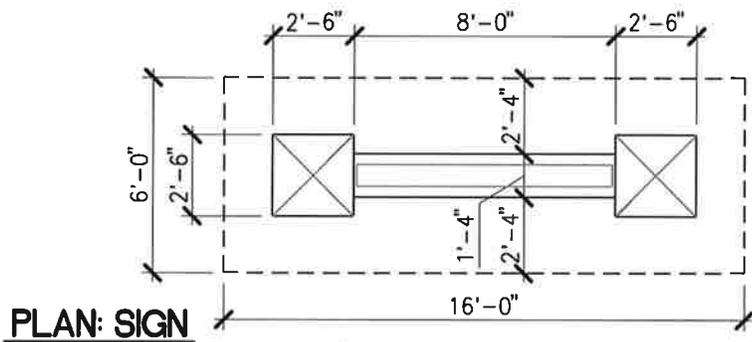
DEVELOPER
 Reliance Health Care
 4411 Rogers Ave.
 Fort Smith, AR 72903

ARCHITECT
 William Stark Architects
 5000 N. 1st St.
 Fort Smith, AR 72903

LANDSCAPE ARCHITECT
 Rick Shelton Design
 1663 Lisa Lane
 Fayetteville, AR 72703



Handwritten initials or mark.



NOTE: STABILIZE SUBGRADE PER SOILS REPORT.

A FACILITY SIGN DETAILS

20

Memo

To: City Planning Commission

From: Planning Staff

Date: April 24, 2015

Re: Rezoning #5-5-15 - A request by Rodney Ghan, agent for Southern Steel and Wire, for Planning Commission consideration of a rezoning request from Industrial Light (I-1) to Commercial Heavy (C-5) by classification at 3500 Phoenix Avenue (Companion to items #4 & #5)

PROPOSED ZONING

Approval of the rezoning application and companion applications will allow for the development of a 17,600 s.f. multi-tenant retail shopping center.

LOT LOCATION AND SIZE

The subject property is on the south side of Phoenix Avenue between South 34th Street and Old Greenwood Road. The tract contains an area of 2.659 acres with approximately 220 feet of street frontage along Phoenix Avenue.

REQUESTED ZONING

The requested 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
- 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

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
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

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

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Residential Multifamily Medium Density (RM-3) and is developed as Raymond F. Orr Elementary School.

The area to the east is zoned Industrial Light (I-1) and is developed as Coca Cola Bottling Company.

The area to the south is zoned Industrial Light (I-1) and is developed as Southern Steel and Wire.

The area to the west is zoned Residential Multifamily Medium Density (RM-3) and developed as single family residences.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Office, Research and Light Industrial. This classification is intended to provide opportunities for clean, indoor, minimum impact, research, development, assembly, manufacturing, warehousing, distribution, and supportive goods and services. The existing land use classification is appropriate for the proposed Commercial-5 zoning.

STAFF COMMENTS AND RECOMMENDATIONS

A neighborhood meeting was held on Monday, April 20, 2015, at 4611 Rogers Avenue at 5:30 P.M. No neighboring property owners attended the meeting.

Staff recently discussed with the applicant the possibility of changing the rezoning request from C-5 to C-3. The applicant is reviewing the request. A chart is enclosed comparing the land uses in C-3 and C-5.

30

Staff recommends the approval be contingent upon the following:

1. Approval of the companion development plan and variance applications with any Planning Commission amendments.
2. 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.

Appendix A

Fort Smith Use Matrix		Y	Z
		C-3	C-5
Districts		C-3	C-5
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		
	Accessory residential dwelling unit	P	P
	Detached		
	Duplex		
	Guest house		
	Manufactured home		
	Mobile home park		
	Mobile home subdivision		
	Row house		
	Zero lot line dwelling unit		
	Multifamily development	P	P
	Community residential facility	P	P
	Group home, family		
	Group home, neighborhood	P	P
	Homeless shelter		C
Orphanage	C	C	
Transitional dwelling			
Housing for the Elderly			
	Assisted living	P	P
	Retirement housing	P	P
Hotels, Motels, or other Accommodations			
	Bed and breakfast inn	P	P
	Dormitory, sorority, fraternity	C	C
	Hotel/motel		P
	Rooming or boarding house	P	P
General Sales or Services			
Automobile Sales or Service			
	Auto & vehicle impoundment or holding yard (no salvage)		C
	Auto and vehicle dealer		P
	Auto and vehicle towing (wrecker)		P
	Auto auction		
	Auto body shop and paint (new parts)		C
	Auto detailing service	P	P
	Auto glass, muffler, and seatcover shop	C	P
	Auto parts and accessories sales	P	P
	Auto quick lube	P	P
	Auto repair		P
	Auto repair or assembly (salvage parts)		
	Boat or marine craft dealer		P
	Car wash - full service		P
	Car wash self-service	P	P
	Gasoline service station		P
	Motorcycle or ATV sales & service		P
	Tire sales		P
	Truck stop/travel plaza		C
Heavy Consumer Goods Sales or Service			
	Agricultural equipment and supplies (sales & service)		P
	Appliance repair - (Large)		P

Appendix A

	Districts	C-3	C-5
P = Permitted Use, C = Conditional Use, A = Accessory Use			
Appliance repair (Small)		P	P
Bus, truck sales and service			P
Clothing and personal items (repair)		P	P
Commercial, industrial machinery & equipment (sales & service)			P
Department store, warehouse club or superstore			P
Computer and software shop		P	P
Electronics and appliances (new)		P	P
Electronics and appliances (used)			P
Floor, paint, wall coverings, window treatments		P	P
Furniture or home furnishings (new)		P	P
Furniture or home furnishings (used)			P
Furniture repair and upholstery shop			P
Greenhouse (sales)			P
Hardware store		P	P
Hardware store (neighborhood)			
Home improvement center			P
Lawn and garden supplies		P	P
Locksmith		P	P
Lumber yard and building materials			
Mall or shopping center			P
Manufactured home and mobile home sales and service			P
Oil and gas equipment (sales and service)			
Sand, gravel, stone, or earth sales and storage			C
Swimming pool sales and supply store (w/o storage yard)		P	P
Truck or tractor sales and service facility			P
Durable Consumer Goods Sales or Service			
Bait and tackle shop		P	P
Bicycle sales and service		P	P
Bicycle sales and service (no outside storage)		P	P
Bookstore		P	P
Bridal shop		P	P
Cameras, photographic supplies and services		P	P
Clothing, jewelry, luggage, shoes, accessories		P	P
Gift shop		P	P
Sewing machine store (sales & service)		P	P
Sporting goods, toys, & musical instruments		P	P
Thrift store		P	P
Consumer Goods, Other			
Antique shop		P	P
Art dealers, art studio, galleries, supplies		P	P
Arts and craft shop		P	P
Flea market (indoor)			P
Flea market (outdoor)			
Florist shop		P	P
Hobby shop		P	P
Office supply store		P	P
Pawnshop			P
Pawnshop (no outside storage)		P	P
Tobacco shop		P	P
Grocery, Food, Beverage, Dairy			
Bakery or confectionery shop		P	P
Beer, wine and liquor store (with drive-through)		P	P

Appendix A

Districts		C-3	C-5
P = Permitted Use, C = Conditional Use, A = Accessory Use		C-3	C-5
	Beer, wine and liquor store (without drive-through)	P	P
	Convenience store (with gasoline sales)	P	P
	Farmer's market	P	P
	Fruit and vegetable store	P	P
	Grocery store or supermarket	P	P
	Neighborhood store	P	P
Health and Personal Care			
	Cosmetics, beauty supplies, and perfume stores	P	P
	Medical appliance services	P	P
	Optical shop	P	P
	Pharmacy or drug store	P	P
Finance and Insurance			
	Auto insurance claims office	P	P
	Automatic teller machine	P	P
	Bank, credit union, or savings institution	P	P
	Credit and finance establishment	P	P
	Fund, trust, or other financial establishment	P	P
	Insurance office	P	P
	Investment banking, securities, and brokerages	P	P
Rental and Leasing			
	Auto (rental and leasing)		P
	Commercial, industrial machinery & equipment		P
	Consumer rental center	P	P
	Oil and gas field equipment		
	Video, music, software	P	P
Business, Professional, Scientific, and Technical Services			
Professional Services			
	Abstract services	P	P
	Accounting, tax, bookkeeping, payroll	P	P
	Advertising and media services	P	P
	Architectural, engineering	P	P
	Carpet and upholstery cleaning	P	P
	Consulting services	P	P
	Extermination and pest control		P
	Graphic, industrial, interior design	P	P
	Investigation and security services	P	P
	Janitorial services	P	P
	Legal services	P	P
	Medical laboratory		
	Medical laboratory (no animal research/testing)	C	C
	Offices, corporate	P	P
	Offices, general	P	P
	Property management services (office only)	P	P
	Real estate agency	P	P
	Travel arrangement and reservation services	P	P
Administrative Services			
	Business support services	P	P
	Collection agency	P	P
	Employment agency	P	P
	Employment agency (day labor)		P
	Facilities support services	P	P
	Office and administrative services	P	P

Appendix A

	Districts	C-3	C-5
P = Permitted Use, C = Conditional Use, A = Accessory Use			
Telemarketer/call center		P	P
Food Services			
Bar or tavern		C	P
Beer garden		C	C
Catering service		P	P
Food distribution center			
Mobile food services			P
Restaurant		P	P
Restaurant (with drive-in services)		P	P
Restaurant (with drive-through services)		P	P
Restaurant (with outdoor dining)		C	C
Vending			P
Personal Services			
Bail bonds office			P
Barber shop/salon/spa/massage services		P	P
Laundry (commercial/industrial)			
Laundry and cleaning facilities (self-service)		P	P
Laundry, cleaner		P	P
Laundry, cleaner (drop-off station)		P	P
Photocopy shop		P	P
Photography studio		P	P
Print shop		P	P
Shoe repair shop		P	P
Tailor shop		P	P
Tanning salons		P	P
Tattoo/body piercing parlor		P	P
Weight loss centers		P	P
Pet and animal services			
Animal and pet services (indoor)		P	P
Animal and pet services (outdoor)			P
Animal shelter			
Equestrian facilities			
Kennels			P
Pet cemetery		C	C
Pet shop		P	P
Pet supply store		P	P
Veterinary clinic (no outdoor kennels)		P	P
Veterinary clinic (with outdoor kennels)			P
Automobile Parking Facilities			
Parking garage		C	P
Parking lot (commercial)			P
Parking lot (off site) (See Section 27-601-11)		P	P
Manufacturing and Wholesale Trade			
Food, Textiles and Related Products			
Animal food processing			
Clothing manufacturing			
Food and beverage processing			
Leather and allied products			
Textiles			
Tobacco manufacturing			
Wood, Paper and Printing Products			
Cabinet and woodwork shop			

34

Appendix A

	Districts	C-3	C-5
P = Permitted Use, C = Conditional Use, A = Accessory Use		C-3	C-5
Furniture or home furnishings			
Manufacturing, boxes/containers/corrugated			
Manufacturing, packaging material			
Paper and printing materials			
Wood products manufacturing plant			
Chemicals, Metals, Machinery, and Electronics Mfg.			
Acid manufacturing			
Asphalt or concrete batching plant (permanent)			
Chemicals, plastics and rubber industry			
Electrical equipment, appliance and components mfg.			
Explosives manufacturing			
Foundry or metal-works facility			
Laboratory (manufacturing)			
Machine, welding, or sheet metal shop			
Nonmetallic manufacturing			
Petroleum and coal products			
Pharmaceutical manufacturing			
Refinery			
Tire retreading			
Miscellaneous Manufacturing			
Auto manufacturing			
Barge and ship manufacturing			
Boat manufacturing			
Dolls, toys, games, musical instruments			
Jewelry and silverware			
Manufacturing, batteries			
Manufacturing, fiberglass			
Manufacturing, foam products			
Manufacturing, heavy			
Manufacturing, light			
Manufacturing, medium			
Manufacturing, motors, drives, and generators			
Office supplies			
Wholesale Trade Establishment			
Durable goods			P
Electrical, plumbing, heat & air conditioning			
Nondurable goods			P
Warehouse and Storage Services			
Auto salvage yard			
Building materials salvage yard			
Bulk petroleum storage			
Container storage			P
Mini storage warehouse			P
Packaging and distribution center			
Petroleum distribution facility			
Portable storage Unit			P
Vehicle storage yard			P
Warehouse			
Transportation, Communication, Information and Utilities			
Transportation Services			
Airport			
Bus station and terminal			C

31

Appendix A

	Districts	C-3	C-5
P = Permitted Use, C = Conditional Use, A = Accessory Use			
	Courier and messenger services	P	P
	Ferry boat facility		
	Heliport	A	A
	Limousine service		P
	Mail services	P	P
	Marina		
	Motor freight terminal		
	Moving and storage		
	Moving company		P
	Pipeline transportation		
	Port facility		
	Rail transportation		
	Taxicab service		P
Communications and Information			
	Commercial communication towers	P	P
	Data processing facility	P	P
	Motion pictures and sound recording studios	P	P
	Printing commercial/industrial		
	Telecommunications and broadcasting studios	P	P
Utilities and Utility Services			
	Amateur radio transmitting towers	P	P
	Electric power plant		
	Hazardous waste treatment and disposal		
	Incinerator		
	Nuclear power plant		
	Radio, television, and microwave transmitting towers	P	P
	Recycling center		
	Recycling collection station	C	C
	Sanitary landfill		
	Solid waste collection		
	Utility shop, storage yard or building		C
	Utility substation	C	C
	Wastewater treatment plant		
Arts, Entertainment, and Recreation			
Performing Arts or Supporting Establishments			
	Drive-in theater		C
	Movie theater		P
	Performance theater		P
	Carnival or circus (temporary with permit)	P	P
	Fairground/rodeo ground		P
Museums and Other Special Purpose Recreational Institutions			
	Historical or archaeological institution		
	Museum	C	C
	Zoos, botanical gardens, arboreta		C
Amusement, Sports, or Recreation Establishment			
	Amusement center (indoor)	P	P
	Amusement center (outdoor)		C
	Convention/Event center	C	P
	Bingo parlor		P
	Casino gaming business		
	Country club	C	C
	Dance hall/night club		P

Appendix A

	Districts	C-3	C-5
P = Permitted Use, C = Conditional Use, A = Accessory Use			
Private club			P
Race track			
Fitness, Recreational Sports, Athletic Club			
Bowling alley		P	P
Community recreation center		C	C
Driving range (outdoor)			P
Golf course		C	C
Pistol Range (Indoor)			C
Health club		C	P
Fitness studio		P	P
Indoor Games Facility			
Miniature golf course		P	P
Pool hall		C	P
Sexually oriented business (see Ft. Smith Muni. Code Sec.14-141)			P
Skating rink			P
Sports complex/athletic field			C
Swimming pool		C	P
Water park			C
Camps, Camping, and Related Establishments			
Camps, camping, and related establishments			C
Natural and Other Recreational Parks			
Park or playground (public and nonpublic)		C	C
Education, Public Administration, Health Care and Other Institutions			
Educational Services			
College, university, or seminary		C	C
Fine art and performance education		C	C
Library or public arts complex		C	C
Nursery school		C	C
Preschool		C	C
Primary and secondary school		C	C
School, business professional		C	C
School, technical or trade			C
Public Administration - Government			
Criminal justice facility			
Detention facility			
Government office		P	P
Public Safety			
Emergency response station		P	P
Fire and rescue station		P	P
Police station		C	C
Police substation (no incarceration)		P	P
Health and Human Services			
Community health and welfare clinic		C	C
Diagnostic laboratory testing facility		C	P
Doctor office and clinic		P	P
Hospice residential care facility		P	P
Hospital		P	P
Mental health hospital		C	C
Nursing home		C	C
Substance abuse treatment facility		C	C
Social Assistance, Welfare, and Charitable Services			
Child and youth services (office)		P	P

Appendix A

	Districts	C-3	C-5
P = Permitted Use, C = Conditional Use, A = Accessory Use		C-3	C-5
Day care Home (12 or less)			
Day care center		C	C
Community food services			C
Emergency and relief services		P	P
Family support services			P
Senior citizen center		C	C
Vocational rehabilitation			C
Religious Institutions			
Church, synagogue, temple, mosque		C	C
Rectory, convent, monastery		A	A
Note: educational/hospital facilities owned or run by religious institutions are classified by use not ownership			
Wedding chapel		P	P
Death Care Services			
Cemetery, mausoleum, crematorium, funeral home, & mortuary		C	C
Monument (manufacturing)			
Monument (sales)		P	P
Associations, Nonprofit Organizations			
Lodge or fraternal organization		C	C
Construction-Related Businesses			
Contractor's office		P	P
Contractor's shop and storage yard			C
Glass sales and service			P
Landscaping contractor			C
Sign contractor			C
Mining and Extraction Establishments			
Coal mining			
Metallic mining			
Non-metallic manufacturing and mining			
Agriculture, Forestry, Fishing, and Hunting			
Grain storage and processing			
Livestock yard, feed lot, holding pens, and auction facility			
Commercial grower			
Tanning and Slaughtering of Animals or Fowl			
Animal slaughter and processing			
Note: Section 4-5 of the Fort Smith Municipal Code prohibits the collection or keeping of hogs or swine within the Fort Smith city limits			
Forestry and Logging			
Fishing, Hunting and Trapping, Game Preserves			
Taxidermy shop			P

Rez. # 5-5-15

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) DESCRIPTION OF PROPERTY: Future Lot 1-B, Southern Steel and Wire Addition, as follows: Part of Lot 1, Southern Steel and Wire (Addition), Fort Smith, Sebastian County, Arkansas, more particularly described as follows: Beginning at the Northwest Corner of Lot 1, "Southern Steel and Wire, Lot 1", as filed for record November 20, 1989, said point being on the South Right of Way line of Phoenix Avenue; thence S86°37'25"E, along said Right of Way line, 280.00 feet; thence S03°04'44"W, 320.00 feet; thence S32°53'48"W, 120.66 feet; thence N86°37'25"W, 220.00 feet to the west line of said Lot 1, also being the east line of Henry & Moore Addition, Revised; thence ND3°04'44"E, along said west line, 425.00 feet to the Point of Beginning, containing 2.66 acres, more or less.

2. Address of property: 3500 Phoenix Avenue

3. The above described property is now zoned: I-1

4. Application is hereby made to change the zoning classification of the above described property to C-5 by Classification.
(Extension or classification)

5. Why is the zoning change requested?

The purpose for my request is to rezone this property from an
I-1 to C-5 for the development of a retail shopping center.

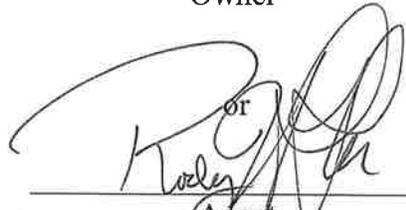
6. Submit any proposed development plans that might help explain the reason for the request.

Signed:

Rodney H. Ghan, Agent
Owner or Agent Name
(please print)

4611 Rogers Avenue, Suite 201
Owner or Agent Mailing Address
Fort Smith, AR 72903

479-478-6161
Owner or Agent Phone Number

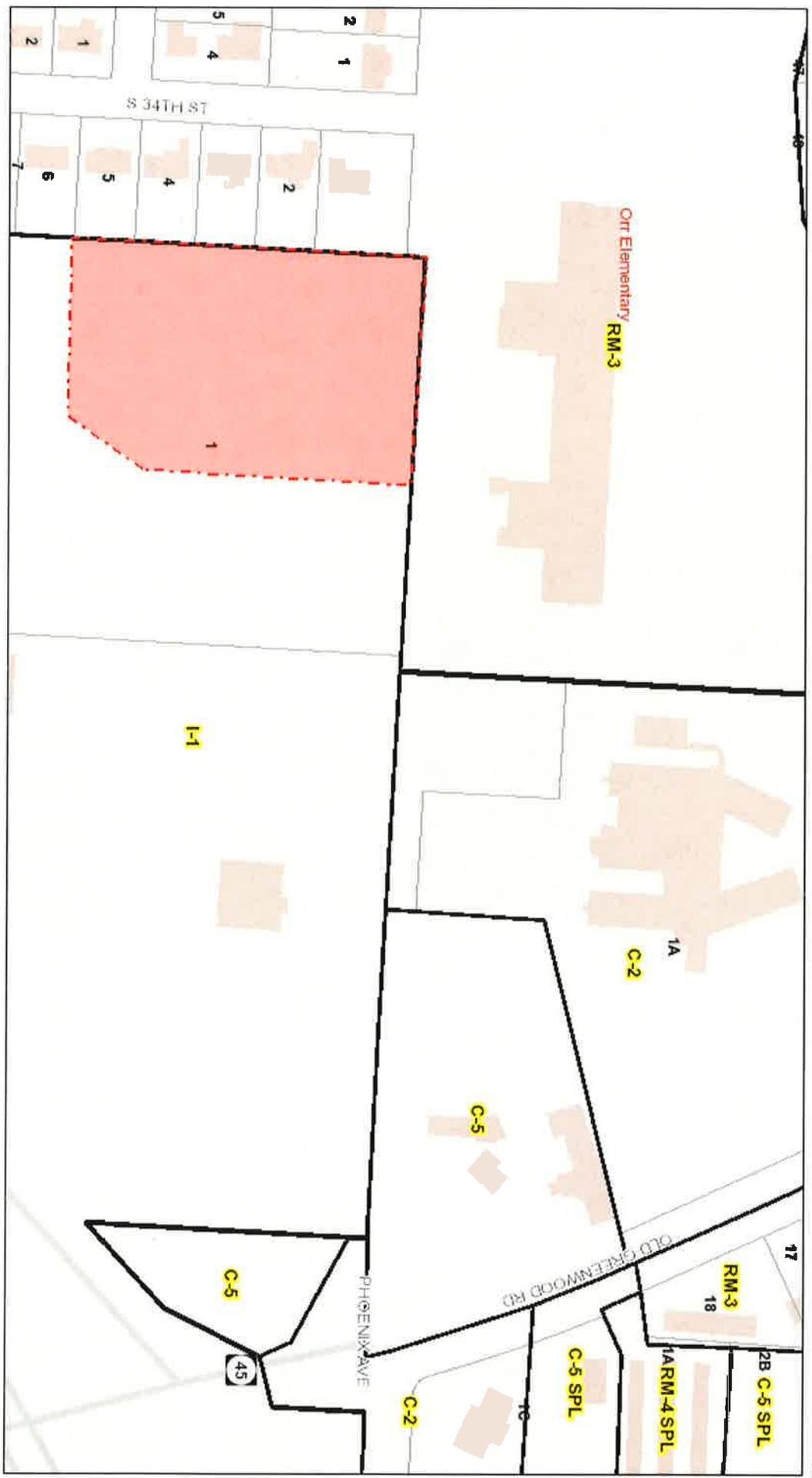
Owner
or


Agent

3M

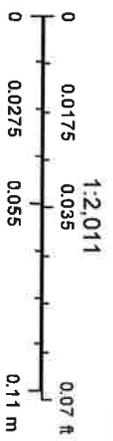
Rezoning #5-5-15: From Industrial Light (I-1) to Commercial Heavy (C-5) 3500 Phoenix Avenue

23



April 21, 2015

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



Master Land Use Map 3500 Phoenix Avenue

30



April 21, 2015

- Fort Smith City Limits
- Subdivisions
- Building Footprints



Memo

To: City Planning Commission

From: Planning Staff

Date: April 28, 2015

Re: Development Plan Review - A request by Rodney Ghan, agent for Southern Steel and Wire, for Planning Commission consideration of a Development Plan request to develop a retail shopping center at 3500 Phoenix Avenue (Companion to items #3 & #5)

PROPOSED DEVELOPMENT PLAN

Approval of the development plan will allow the development of a 17,600 s.f. multi-tenant retail shopping center.

LOT LOCATION AND SIZE

The subject property is on the south side of Phoenix Avenue between South 34th Street and Old Greenwood Road. The tract contains an area of 2.659 acres with approximately 220 feet of street frontage along Phoenix Avenue.

PROPOSED ZONING

The requested 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
- 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 Residential Multifamily Medium Density (RM-3) and is developed as Raymond F. Orr Elementary School.

The area to the east is zoned Industrial Light (I-1) and is developed as Coca Cola Bottling Company.

The area to the south is zoned Industrial Light (I-1) and is developed as Southern Steel and Wire.

The area to the west is zoned Residential Multifamily Medium Density (RM-3) and developed as single family residences.

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – The development plan proposes two driveway approaches located on Phoenix Avenue. The applicant has applied for a variance from the minimum separation of the driveways. The Engineering Department is acceptable with the driveway arrangement.

The applicant is also in the process of preparing a Traffic Information Statement for review and acceptance by the Engineering Department.

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. The applicant has submitted a minor plat for staff review and is in the process of finalizing the plat for filing.

Drainage – The detention pond is shown at the rear of the site.

4B

Right-of-way dedication – The applicant has submitted a minor plat for staff review and is in the process of finalizing the plat for filing. The plat dedicates the required right-of-way.

Landscaping – The development plan shows perimeter/parking lot screening adjacent to Phoenix Avenue and interior landscaping. Submittal of a final landscape plan showing the required species, size, and spacing will be required during the building permit review process to verify compliance with the landscape requirements in Section 27-602-3 - Landscaping and Screening requirements of the UDO.

Screening – The current plan proposes a privacy fence on the west property line adjacent to the single family development and adjacent to the southern property line. Screening has been provided for the trash receptacle and rooftop mechanical units.

Parking – The current plan shows 80 parking spaces which exceed the UDO requirement of 78 minimum parking spaces.

Signage – A site plan shows a proposed 280 s.f. pylon sign located at the eastern portion of the site. The sign information also shows wall signs that comply with the UDO. The signs shall receive a separate permit submittal and shall comply with Section 27-704-3 of the UDO.

Lighting – No site light fixture information has been submitted. However, a note on the plan indicates that proposed fixtures will be shielded to prevent light trespass. The applicant shall submit details of the lighting that have shielded fixtures and comply with Section 27-602-5 of the UDO.

Architectural features – The east and north elevations of the facades propose 100% high quality exterior materials consisting of modular brick, split face concrete masonry units, and EIFS. The plans for the west elevation show the northern half of the wall to have an exterior covered with 100% high-quality materials and the southern half of the wall covered with prefabricated steel wall panels with concealed fasteners. The south elevation shows 100% of the exterior covered with prefabricated steel wall panels with concealed fasteners. A companion variance application has been submitted for the steel wall panels on the south and west elevations.

Height and Area –The proposed development plan shows a maximum height of 31 feet with a building area of 17,600 square feet.

STAFF COMMENTS AND RECOMMENDATIONS

A neighborhood meeting was held on Monday, April 20, 2015 at 5:30 P.M. at 4611 Rogers Avenue suite 200. No neighboring property owners attended the meeting. One neighboring property owner contacted the planning department to receive copies of the proposed development.

Staff recommends approval of the application with the following conditions:

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. The development shall receive airport approval.
3. Planning Commission approval of the companion rezoning and variance applications.
4. Separate sign permit applications shall be submitted for review and compliance with Section 27-704-3 of the UDO.
5. A final lighting plan shall be submitted for review and approval upon submittal of the construction plans for building permit.

4C

6. Fire hydrants shall be installed in accordance to the Fort Smith Fire Department.
7. The plat shall be filed prior to the issuance of a building permit.
8. A traffic impact analysis or traffic statement shall be approved by the city engineering department. Any improvements identified by the city engineering department approval shall be made by the applicant.
9. Submittal of a final landscape plan showing the required species, size, and spacing is required during the building permit review process to verify compliance with the landscape requirements in Section 27-602-3 - Landscaping and Screening requirements of the UDO.

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: 3500 Phoenix Avenue

3. The above described property is now zoned: I-2

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

Yes 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:

C-5 by Classification
(Zoning Classification) (Extension or classification)

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

R-3 - MF to the West; I-2 to the East and South; T-2, C-2 & C-5 to the North

Homes to the West, Southern Steel and Wire to the East and South,

Orr School to the North

8. Total acreage of property 2.66 Acres

4E

Signed:

Rodney H. Ghan, Agent

Owner or Agent Name

(please print)

4611 Rogers Avenue, Ste. 201

Owner or Agent Mailing Address

Fort Smith, AR 72903

479-478-6161

Owner or Agent Phone Number

Owner

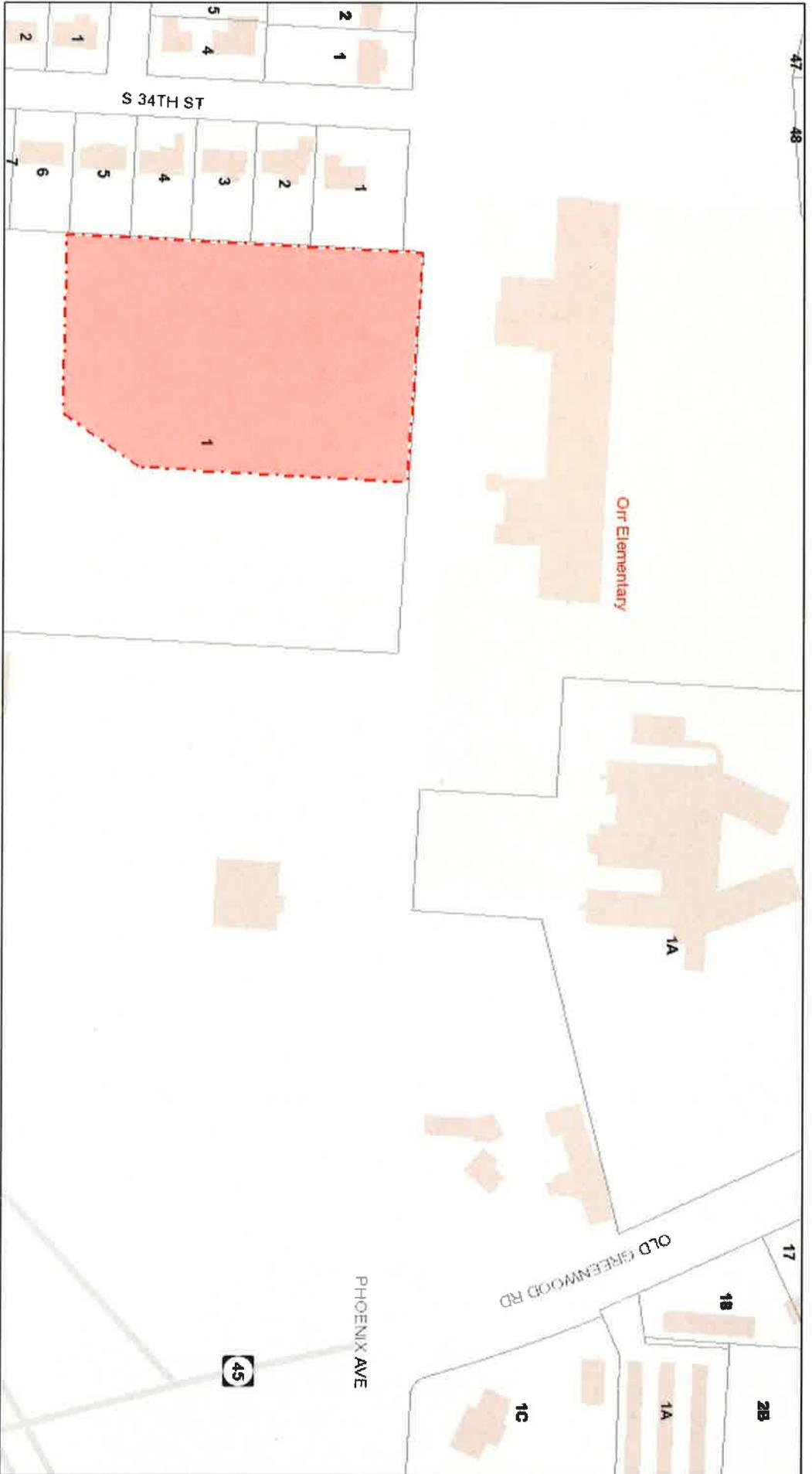
or


Agent

4F

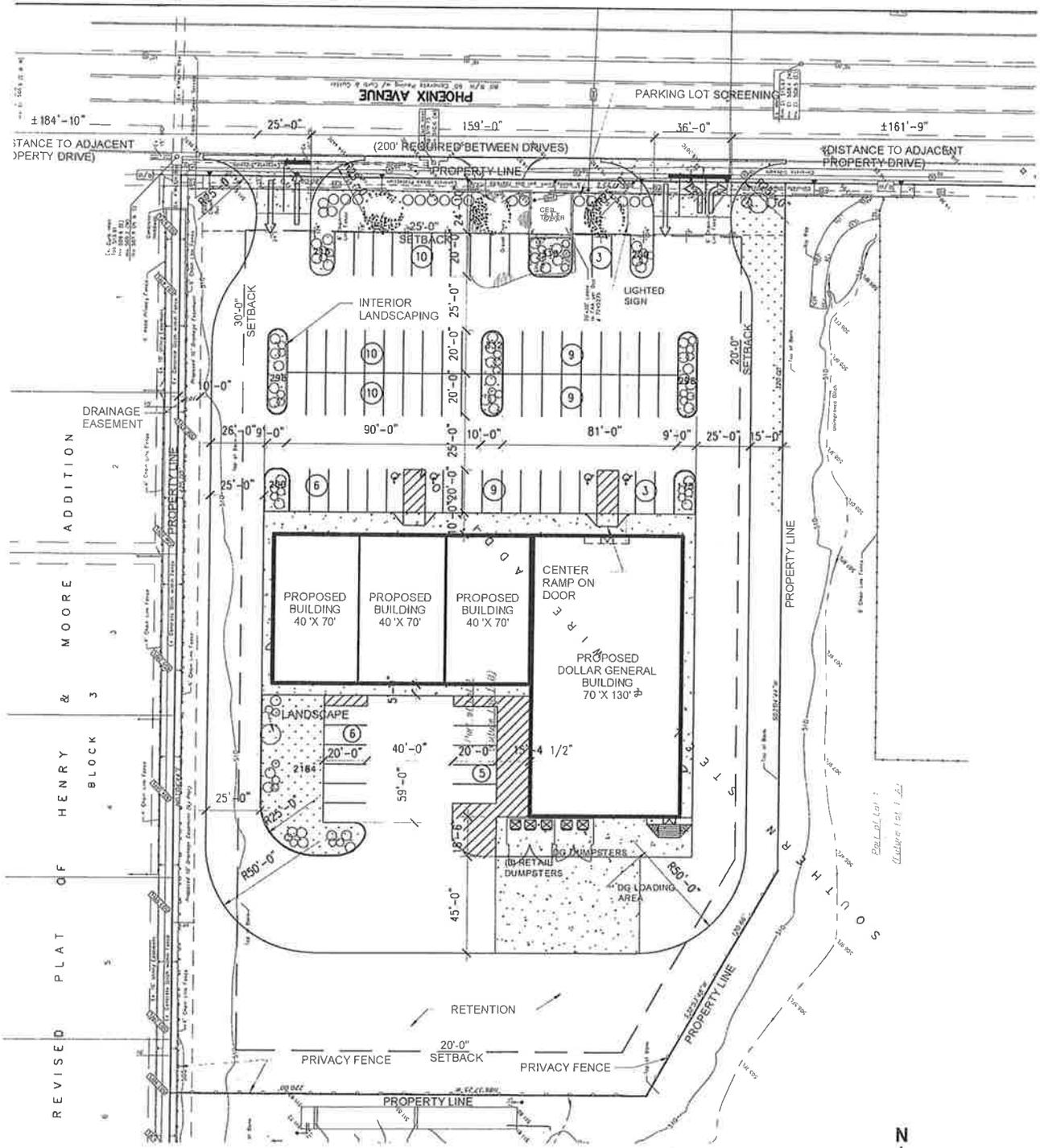
Development Plan Review: Retail Shopping Center 3500 Phoenix Avenue

79



April 21, 2015

-  Fort Smith City Limits
-  Subdivisions
-  Building Footprints

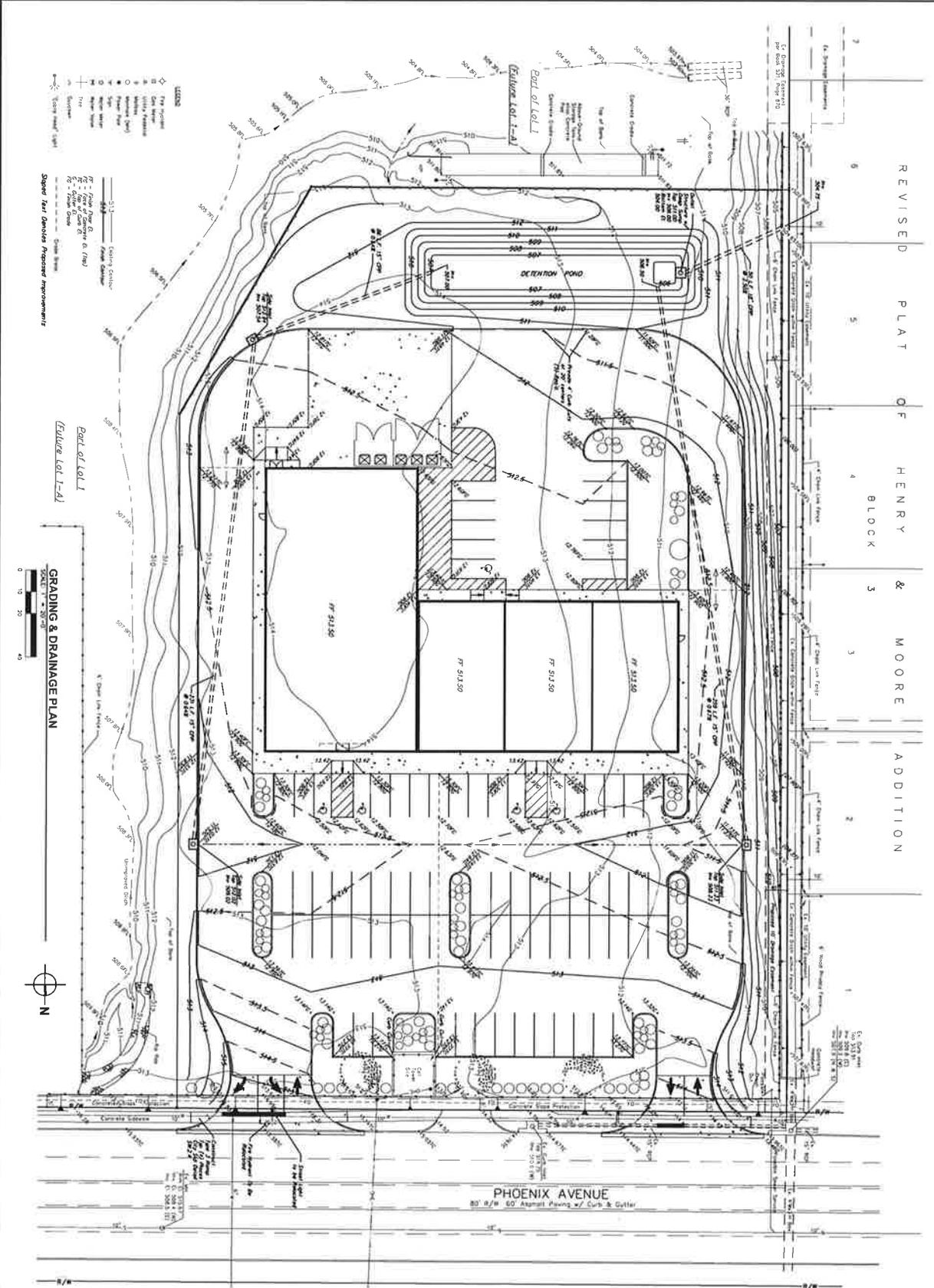


(A) PRELIMINARY SITE PLAN
SCALE: 1" = 30'-0"



47

REVISED PLAT OF HENRY & MOORE ADDITION
BLOCK 3



ARCHITECTS PLANNERS



PROJECT: 14-24-01
DATE: 04-15-15
C3.1

REVISIONS

ARCHITECTURE PLUS, INC.
227 South 21st Street, Fort Smith, Arkansas 71703-8795
PH: 479-832-1822 FAX: 479-832-1823
www.archplus.com

Philip J. Lorards, P.E., L.S.
100 W. Independence, Fort Smith, Arkansas 71703
PH: 479-832-1822 FAX: 479-832-1823
www.philiplorards.com

GRADING & DRAINAGE PLAN

GHAN PROPERTIES - PHOENIX AVENUE
FORT SMITH, ARKANSAS

Handwritten initials: **HT**

LEGAL DESCRIPTION

PARCELS LOT 1-8, SECTION 36E, T12N, R10E, NE 1/4 AND 1-8, FORT SMITH, SEBASTIAN COUNTY, ARKANSAS

VARIANCE REQUESTS

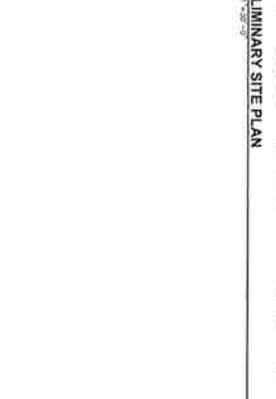
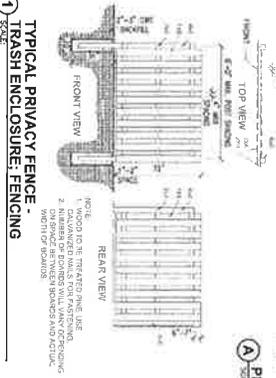
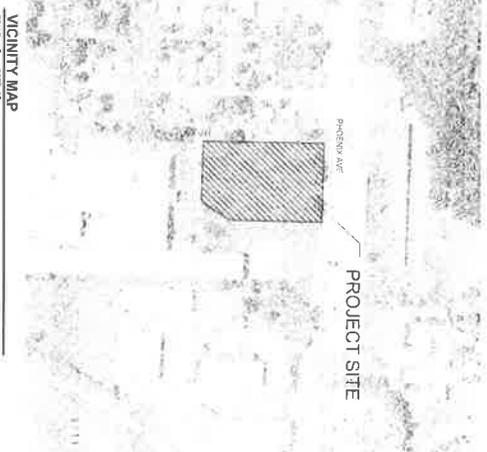
PROPOSED VARIANCE REQUESTS

LANDSCAPE REQUIREMENTS - SEE SEPARATE LANDSCAPE PLAN
 56.1% S.F. (vehicle use area) / 100 S.F. = 56.2
 56.2 x 5 S.F. = 2810 S.F. (tree/landscape space needed)
 Interior landscape spaces
 min. of 64 S.F.
 min. of 320 S.F. (unless vehicle use area is over 10,000 S.F.)
 Interior landscape spaces: 191 S.F. + 316 S.F. + 120 S.F. +
 315 S.F. + 332 S.F. + 315 S.F. +
 201 S.F. + 189 S.F. + 2150 S.F. =
 4208 S.F. (proposed)

LANDSCAPE ARCHITECT MCKENNA, LLC 1000 PINE BLVD FORT SMITH, AR 72501	ENGINEER - CIVIL LAWRENCE ENGINEERING 111 LEBLANC DRIVE, SUITE 200 FORT SMITH, AR 72501	ARCHITECT ARCHITECTURE PLUS, INC. 307 SOUTH 21ST STREET FORT SMITH, AR 72501	PROJECT ADDRESS 2100 PHOENIX AVENUE FORT SMITH, ARKANSAS 72501 20X 2015
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CHART PER 27-331.4 PARAGRAPH X

1. TOTAL NUMBER OF PROPOSED SPACES	78 SPACES
2. RESIDENTIAL SPACES	0 SPACES
3. GROSS FLOOR AREA PER FLOOR	17,000 SQ. FT.
4. NUMBER OF FLOORS	1 FLOOR
5. FLOOR AREA PER SPACE	218 SQ. FT.
6. TOTAL NUMBER OF OFF-STREET PARKING SPACES	78 SPACES
7. USES PER FLOOR	NOT APPLICABLE



REVISIONS:

1. HENRY CENTER PLAT THIS SITE PLAN HAS BEEN PREPARED TO THE SCHEDULE OF AMENDMENTS IN THE HENRY CENTER PLAT AND CONFORM TO CITY OF FORT SMITH STANDARDS.

2. NUMBER OF SPACES WILL VARY ACCORDING TO WIDTH OF ROWS.

3. SEE CIVIL SHEET FOR SETBACKS AND FENCING.

4. CHECK BEFORE PRESENTING ARCHITECTURE FILE AND.

ARCHITECTURE PLUS, INC.
 307 South 21st Street Fort Smith, Arkansas 479/783-8365

GHAN PROPERTIES - PHOENIX AVENUE
 FORT SMITH, ARKANSAS

DEVELOPMENT REVIEW

PROJECT: 14-24.01
 DATE: 04-16-2015
 A1

4K

Memo

To: City Planning Commission

From: Planning Staff

Date: April 24, 2015

Re: Variance #10-5-15 - A request by Rodney Ghan, agent for Southern Steel and Wire, for Board of Zoning Adjustment consideration of a zoning variance request from: 1) 200 feet to 155 feet minimum separation between proposed driveways on a Major Arterial street; 2) from 200 feet to 159 feet minimum separation between a proposed driveway and an existing off-site driveway on a Major Arterial street; and 3) from the Transitional and Commercial Design Guidelines requiring 51% high- quality materials on the south and west side walls of a proposed shopping center at 3500 Phoenix Avenue shopping center (Companion to items #3 & #4)

REQUESTED VARIANCE

Approval of the variances will facilitate the development of a 17,600 s.f. retail multi-tenant shopping center and allow:

- 1) Separation of 155 feet between the two proposed driveways accessing the site
- 2) Separation of 159 between the proposed driveway near the east property line and an existing driveway on adjacent property
- 3) 100% metal panels with concealed fasteners on the south west elevations of the proposed Dollar General building

LOT LOCATION AND SIZE

The subject property is on the south side of Phoenix Avenue between South 34th Street and Old Greenwood Road. The tract contains an area of 2.659 acres with approximately 220 feet of street frontage along Phoenix Avenue.

REQUESTED ZONING

The requested 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
- 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 Residential Multifamily Medium Density (RM-3) and is developed as Raymond F. Orr Elementary School.

The areas to the east is zoned Industrial Light (I-1) and is developed as Coca Cola Bottling Company.

The area to the south is zoned Industrial Light (I-1) and is developed as Southern Steel and Wire.

The area to the west is zoned Residential Multifamily Medium Density (RM-3) and developed as single family residences.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Phoenix Avenue as a Major Arterial.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Office, Research and Light Industrial. This classification is intended to provide opportunities for clean, indoor, minimum impact, research,

5B

development, assembly, manufacturing, warehousing, distribution, and supportive goods and services.

APPLICANT HARDSHIP

The applicant states that two driveways will allow a better traffic flow for vehicles entering and exiting the site. However, the width of the lot will not allow a separation of 200 feet as required on Major Arterial streets. Regarding the variance for the proposed prefabricated steel wall panels, the applicant states that the south elevation of the proposed Dollar General building faces an existing industrial site and the west elevation is approximately 170' from the residential development. The applicant also states that the requested prefabricated steel panel is not an R-Panel that is commonly used, but a panel with concealed fasteners.

STAFF COMMENTS AND RECOMMENDATIONS

A neighborhood meeting was held on Monday, April 20, 2015, at 4611 Rogers Avenue at 5:30 P.M. No neighboring property owners attended the meeting.

Section 27-602-4(C) of the Unified Development Ordinance requires new commercial buildings to have a minimum of 51% high-quality materials on each façade. High quality materials allowed consist of materials such as brick, wood, native stone, tinted glass stucco, EIFS, cementitious siding tinted/textures concrete masonry units, or other siding materials as approved by the Director. Smooth-faced concrete block, plain or untextured tilt-up panels and prefabricated steel panels are prohibited as the predominant façade. All facades of a building that are visible from the finished grades of adjoining properties or public streets must comply. Materials not considered high-quality materials may be used provided they cover no more than 49% of a façade.

One factor to consider regarding the proposed use of the prefabricated steel panels is the extent of the potential visibility. The panels are proposed on the south and west walls of the proposed Dollar General building. The south wall faces an industrial site and the west wall is approximately 170 feet from the existing residential neighborhood. The site plan for the development shows a 6' opaque privacy fence on the south and west property lines.

Regarding the driveway separation variances, the engineering department has reviewed the request and has no objections to the applicant's request. The applicant is also in the process of submitting to the Engineering Department a Traffic Information Statement regarding peak-hour traffic projections.

If the BZA approves the variance requests, 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.

The planning commission is inclined to approve the variances, staff recommends the approval contingent upon the following:

1. Approval of the companion development plan and rezoning applications with any Planning Commission amendments.

2. Engineering Department approval of the Traffic Information Statement and any improvements that might be required as a condition of the approval.

Var. #10-5-15

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)

Address of property 3500 Phoenix Avenue, Existing or Proposed

Zoning Classification C-5, 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

_____ - _____ 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



2. 200' - 155' Drive way Variance.

1. 200' - 159' Other: Drive way variance

49% - 100% Other: metal concealed fastening panels on the south side of the building and the west side of Dollar General

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

5E

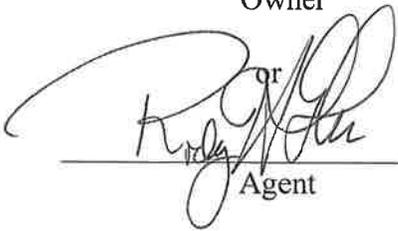
said application. All interested persons are invited to attend and are entitled to be heard. This notice is published this _____ day of _____, 20____.

Signed:

Rodney H. Ghan, Agent
Owner or Agent Name (*please print*)

479-478-6161
Owner or Agent Phone Number

4611 Rogers Ave., Ste. 201
Owner or Agent Mailing Address
Fort Smith, AR 72903

Owner
or


Agent

Variance # _____

DIRVE WAY 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>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is this variance needed because of previous actions taken by yourself?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is this variance needed because of previous actions taken by a prior owner?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the lot of an odd or unusual shape?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does the lot contain required easements other than those that might be located on its perimeter?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is any part of the lot in a flood plain or flood way?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the lot smaller than minimum lot area or minimum frontage for its zoning classification?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the lot developed with structures in violation of current zoning requirements?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the lot front any street classified as an arterial or collector on the Master Street Plan?

DRIVE WAY VARIANCE

Explanation of question #4 (if applicable)

The requested variance is needed to create a better traffic pattern for cars
to enter and exit the retail development.

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

The required distance between drives are 200', this cannot be met
since the lot is only 280' of frontage on Phoenix Avenue.

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

METAL 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>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is this variance needed because of previous actions taken by yourself?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is this variance needed because of previous actions taken by a prior owner?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	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?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the lot of an odd or unusual shape?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does the lot contain required easements other than those that might be located on its perimeter?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is any part of the lot in a flood plain or flood way?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the lot smaller than minimum lot area or minimum frontage for its zoning classification?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the lot developed with structures in violation of current zoning requirements?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the lot front any street classified as an arterial or collector on the Master Street Plan?

51

METAL VARIANCE

Explanation of question #4 (if applicable)

N/A

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

The reason for the requested variance is to obtain approval for the use of concealed fastening metal panels on a 100% of the rear of the building. This portion of the building is facing an industrial zoning. Currently adjoining south side and east side of the property has warehouses and manufacturing buildings. Please note the requested metal panels are not the basic R panels you see on most buildings. The west wall of Dollar General will be 170' from the R3-MF zoning that has single family housing.

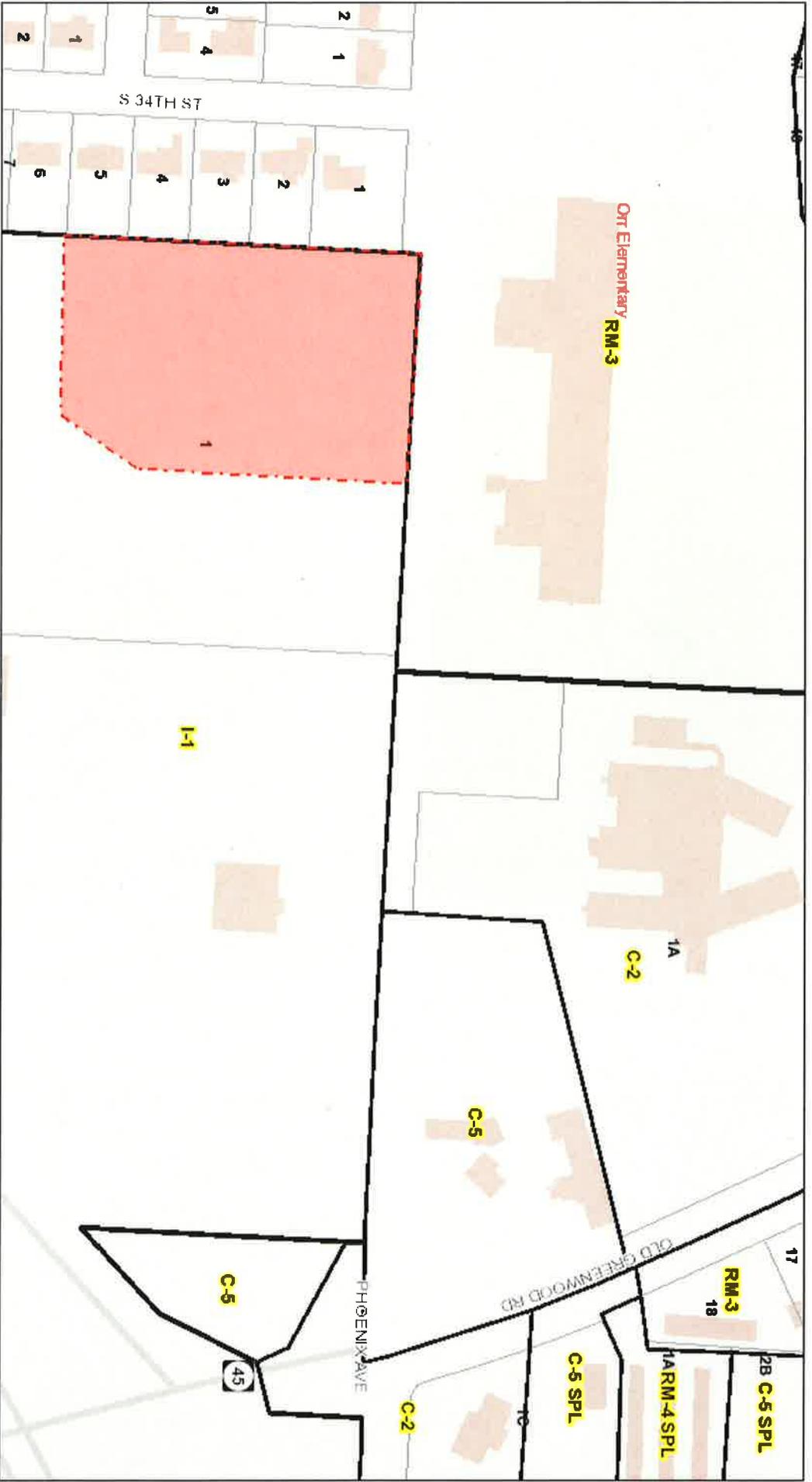
3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

N/A

5J

Variance #10-5-15: Three Various Variances 3500 Phoenix Avenue

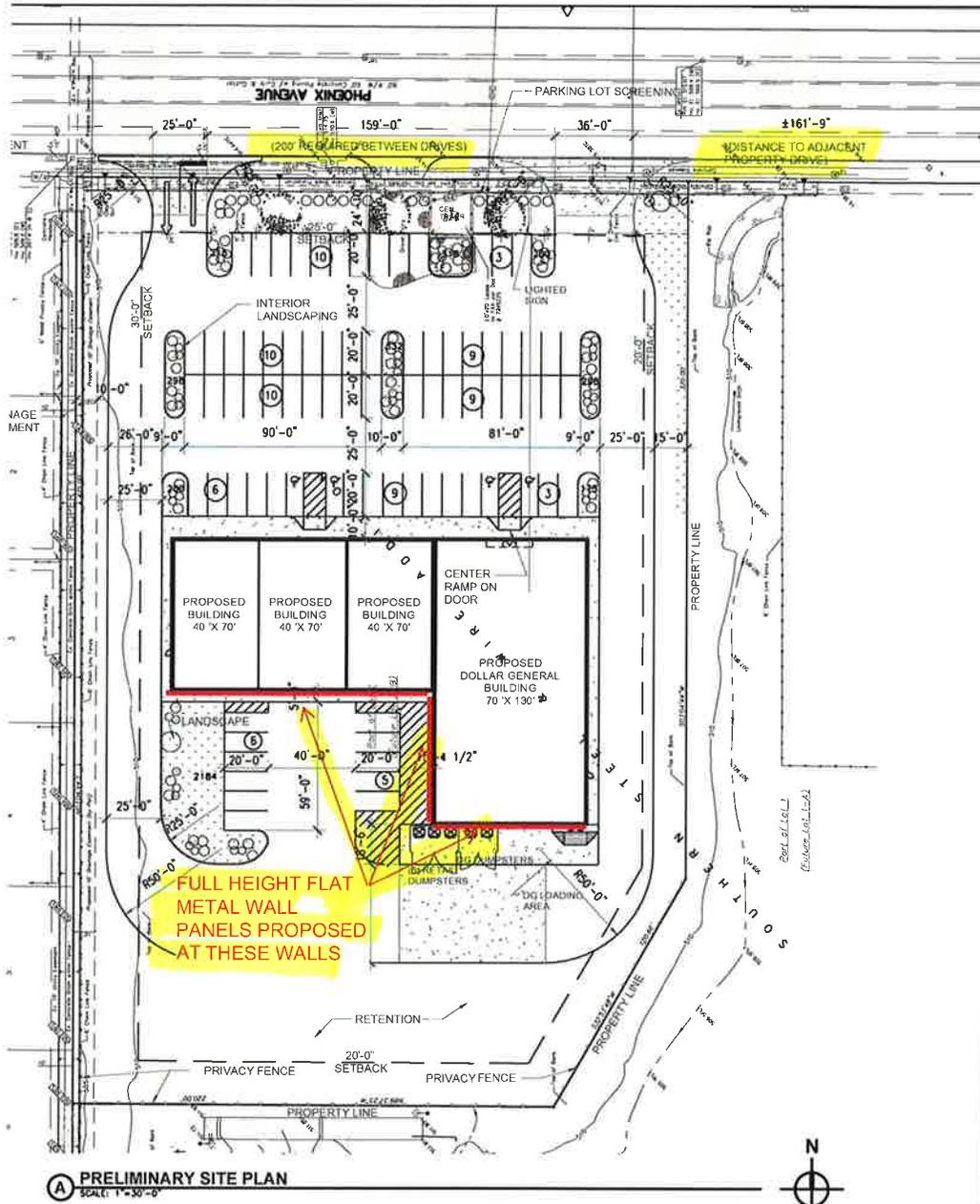
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April 21, 2015

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



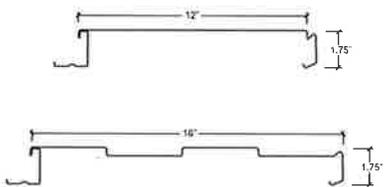


CONCEALED FASTENING SYSTEMS

DESIGNER™ SERIES

The Designer™ Series panels provide the toughness of metal while creating an attractive, flexible and functional wall or fascia panel. The Designer™ Series is offered in fluted and flat panels, which are equally effective for new construction or retrofitting existing buildings.

If your design calls for a smooth or flat wall or fascia, look to the Designer™ Series 12.0 Flat Panel. The Designer™ Series 12.0 Flat Panel offers a 1¾-inch deep leg providing the perfect cavity for rigid board insulation.



Features and Benefits:

- The Designer™ Series 16.0 Fluted Panel offers a continuous rib design with a hidden sidelap where the panels join together. Ribs are 4-inches wide and 3/8-inches deep, providing interesting shadow lines along the length of the wall. The panel legs are 1¾-inch deep allowing ample space for rigid board, blanket or batt insulation in the cavity.
- Each panel features concealed fastened systems enhancing the appearance. One leg of the panel is attached to the structure and the other leg snaps securely into the adjoining panel to lock them into position.
- Designer™ Series carries Florida approval.

Product Specifications

- **Applications:** Wall
- **Coverage Widths:** 12" (Flat Panel); 16" (Fluted Panel)
- **Panel Attachment:** Concealed Fastening System
- **Gauges:** 24 (standard); 22 (optional)
- **Finishes:** Smooth (standard); Embossed (optional)
- **Coatings:** Galvalume Plus®, Signature® 200, Signature® 300, Signature® 300 Metallic

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CATEGORY	CHARACTERISTIC	TEST METHOD	PURPOSE	RESULT
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	Positive Wind Load	AISI S100	North American Specification for the Design of Cold-Formed Steel Structural Members	See Section Properties and Allowable Load Table Section
ROOF LISTINGS	Roof Performance - Florida Approval	ASTM E 1592	Florida product approval is the approval of products and systems, which comprise the building envelope and structural frame, for compliance with the structural requirements of the Florida Building Code.	See FL# 11917.1 for 12" Flat Designer Series See FL# 11917.2 for 16" Fluted Designer Series



Descriptions and specifications contained herein were in effect at the time this publication was approved for printing. In a continuing effort to refine and improve products, MBCI reserves the right to discontinue products at any time or change specifications and/or designs without incurring obligation. To ensure you have the latest information available, please inquire or visit our website at www.mbc.com. Application details are for illustration purposes only and may not be appropriate for all environmental conditions, building designs or panel profiles. Projects should be designed to conform to applicable building codes, regulations and accepted industry practices. If there is a conflict between this manual and project erection drawings, the erection drawings will take precedence.

5N 08-14

Memo

To: City Planning Commission

From: Planning Staff

Date: April 24, 2015

Re: Conditional Use #3-5-15 - A request by Michael Johnson (Architecture Plus, Inc.), agent, for Planning Commission consideration of a Conditional Use request to develop the Riverview Hope Campus (homeless shelter) at 301 South "E" Street

PROPOSED CONDITIONAL USE

The approval of this Conditional Use would allow the remodeling of existing warehouse to house the chronically unsheltered homeless. The initial phase of the campus will include a cafeteria, commercial kitchen, laundry area, classrooms, medical and mental health clinics, counseling rooms, barber/beauty shop, kennels for pet companions, bulk storage, personal storage and a multi-purpose room for meeting and worship services. The campus housing options will initially include overnight sleeping space for 75 adult males and females in the low-barrier shelter called First Step. Later phases may include temporary housing for an additional 50-100 single adults for periods of 6-18 months until more permanent housing is available. Persons to be served will be both male and female adults who are homeless or about to be homeless, including persons recently released or paroled from jail or prison.

LOT LOCATION AND SIZE

The subject property is on the north side of South "E" Street at the intersection of South 4th Street. The tract contains an area of 7.11 acres with approximately 513 feet of street frontage along South "E" 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.

6A

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
- 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 – 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

- Maximum Height - 45 feet (1+1)
- Maximum Lot Coverage - 75%
- Existing District (By Extension) – 20,000 square feet

SURROUNDING ZONING AND LAND USE

The areas to the north are zoned Industrial Light (I-1) and Industrial Moderate (I-2) and include undeveloped properties and a vacant warehouse.

The areas to the east are zoned Industrial Moderate (I-2) and developed as vacant warehouses.

The areas to the south are zoned Industrial Light (I-1) and Industrial Moderate (I-2) and are developed as a machine shop and vacant warehousing.

The areas to the west are zoned Industrial Light (I-1) and are developed as railroad tracks and undeveloped property.

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.

6B

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 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

Ingress/egress/traffic circulation – All existing driveways will be reused.

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 – Storm water drainage structures will be improved as needed.

Right-of-way dedication – Will be handled by the platting process.

Multi-Use bike path – Not required.

Landscaping – Ornamental trees and landscaping along South "E" Street will be planted as funds allow.

Screening – No new screening proposed. A new trash enclosure is proposed on the east side of the building.

Parking – The existing parking lot will park 104 vehicles. A total of 68 spaces are required for this facility.

Signage – No information provided for future signage.

Lighting – No information provided for future site lighting.

Setbacks – The existing building and the new entry vestibule addition will meet the current setbacks.

Architectural features – The existing façade will be retained with some updating.

Height and Area – A total of 43,732 square feet of the existing one-story, 124,000 s.f. building will be utilized at this time.

6C

STAFF COMMENTS AND RECOMMENDATIONS

A neighborhood meeting was held Monday, May 4, 2015, at the Community Room of the Fort Smith Police Department. No neighboring property owners attended the meeting.

The planning of a homeless shelter has been in process for several years. In 2009, the Fort Smith Board of Directors appointed twelve people to a Homelessness Task Force. The task force's mission was to research and find solutions to the problems homeless individuals face in seeking shelter and necessary services while balancing those issues with the concerns of neighborhoods that are affected by the homeless issues. The task force met weekly for six months to discuss the issues and formulate recommendations for the Board of Directors. On May 18, 2010, the Board of Directors approved Resolution #R-91-10 accepting the recommendations of the task force. A copy of the resolution and recommendations are included with this packet. One of the recommendations adopted was to "explore a campus site in a current industrial area south of Garrison Avenue." A map of the area explored is included with this packet.

Following the planning commission's discussion at the study session regarding concerns about surrounding industrial properties, we discovered that Fort Smith Railroad had indicated a concern. We followed up and contacted the Fort Smith Railroad. A representative of FSRR, Bobby Chitwood, indicated the company was not opposed to the shelter, but had security concerns. Upon staff's request, Mr. Chitwood agreed to send a letter expressing the FSRR concerns. Staff is hopes to receive the letter prior to the PC voting meeting on May 12th.

Staff recommends approval of the application with the following conditions:

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. Platting of the property is required prior to the issuance of the building permit.
3. All signs will require a separate permit and review process.

6D

MEMORANDUM

To: Dennis Kelly, City Administrator
From: Wally Bailey, Director of Development Services
Date: May 13, 2010
Subject: Homelessness Task Force Recommendations

The Board of Directors met in a special study session on Monday, May 3, 2010, to prioritize the recommendations of the Homelessness Task Force recommendations. The Board was also briefed on the recommendations at a study session on March 30, 2010.

We have prepared a resolution for the Board of Directors to formally accept the recommendations of the Homelessness Task Force and to confirm the Board's prioritization of those same recommendations. I have attached the meeting summary for your review.

The resolution will give the Board and staff direction as we prepare budgets, seek funding opportunities, and review other decisions related to homelessness issues.

Please contact Brenda Andrews or me if you have any questions.

3.

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.

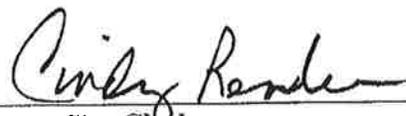
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

- 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
 JSL
 No publication required*

6 F

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



Conditional Use # 3-5-15

APPLICATION FOR CONDITIONAL USE

Name of Property Owner: RIVERSIDE FURNITURE CORPORATION

Name of Authorized Agent (if applicable) MICHAEL JOHNSON

Legal Description of property included in the conditional use request:

SEE ATTACHED PROPERTY SURVEY, WITH LEGAL DESCRIPTION, AS PREPARED BY HAWKINS-WEIR ENGINEERS

Street Address of Property:

301 SOUTH "E" STREET, FORT SMITH, AR

Existing Zoning Classification:

I 1

Proposed Zoning Classification (if applicable):

I 1 (NO CHANGE)

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

TO USE AN EXISTING WAREHOUSE BUILDING AS OFFICES FOR VARIOUS COMMUNITY SERVICE ORGANIZATIONS, WITH A DINING AREA, MEDICAL CLINIC AND AN OVERNIGHT SLEEPING AREA. (SEE ATTACHMENT FOR ADDITIONAL DESCRIPTION)

What amenities are proposed such as landscaping and screening?

ALONG SOUTH "E" STREET LANDSCAPING WILL BE INSTALLED. IT WILL FOLLOW CITY OF FORT SMITH U.D.O. STANDARDS AS CLOSELY AS POSSIBLE, DEPENDING UPON AVAILABLE FUNDS.

Michael G. Johnson, AIA

Architecture Plus, Inc.
907 South 21st Street
Fort Smith, AR 72901

Owner or Agent Mailing Address

Signed:

_____ Owner

Or

Michael G. Johnson
Agent

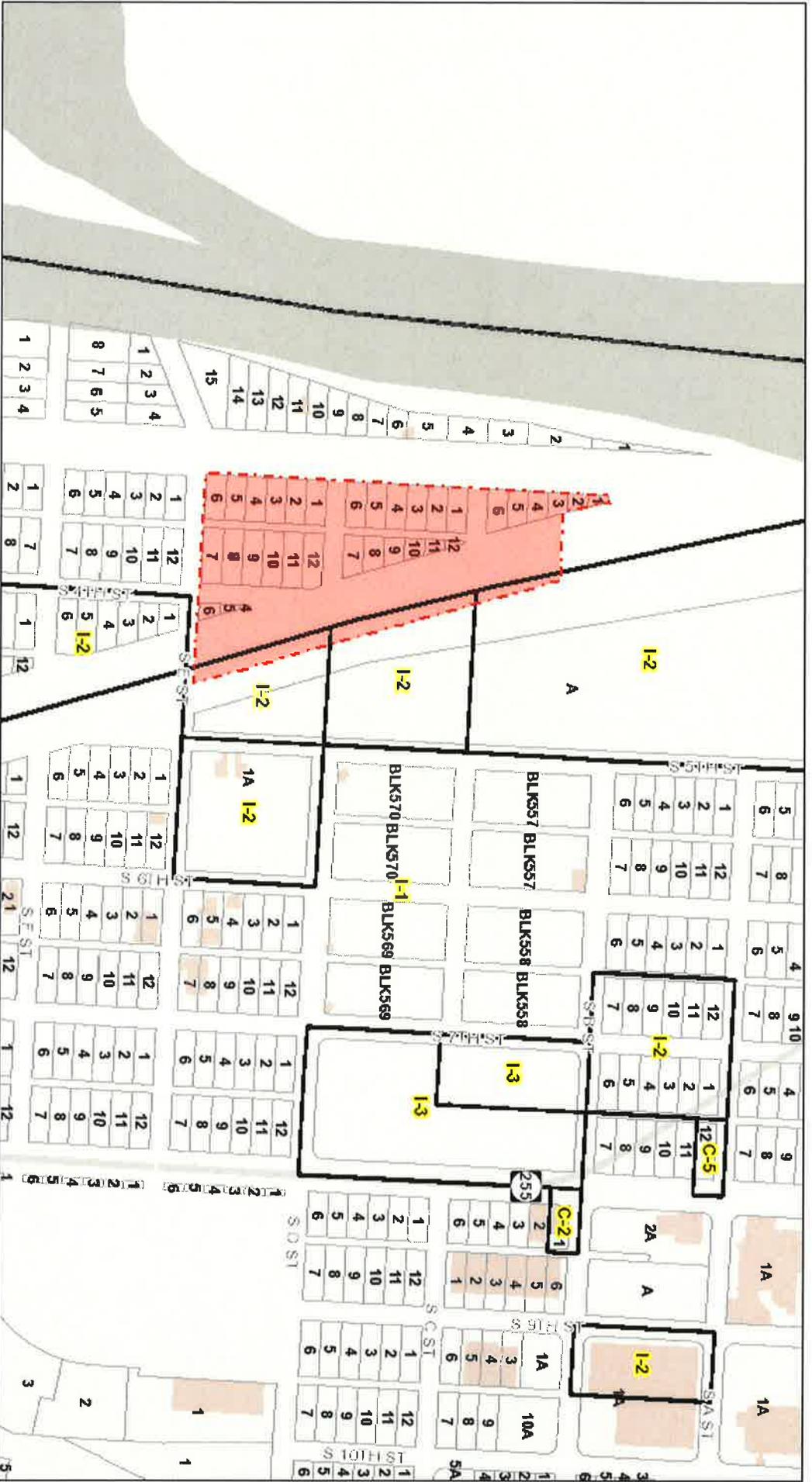
479-783-8395

Owner or Agent Phone Number

61

Conditional Use #3-5-15: Riverview Hope Campus (Homeless Shelter) 301 South "E" Street

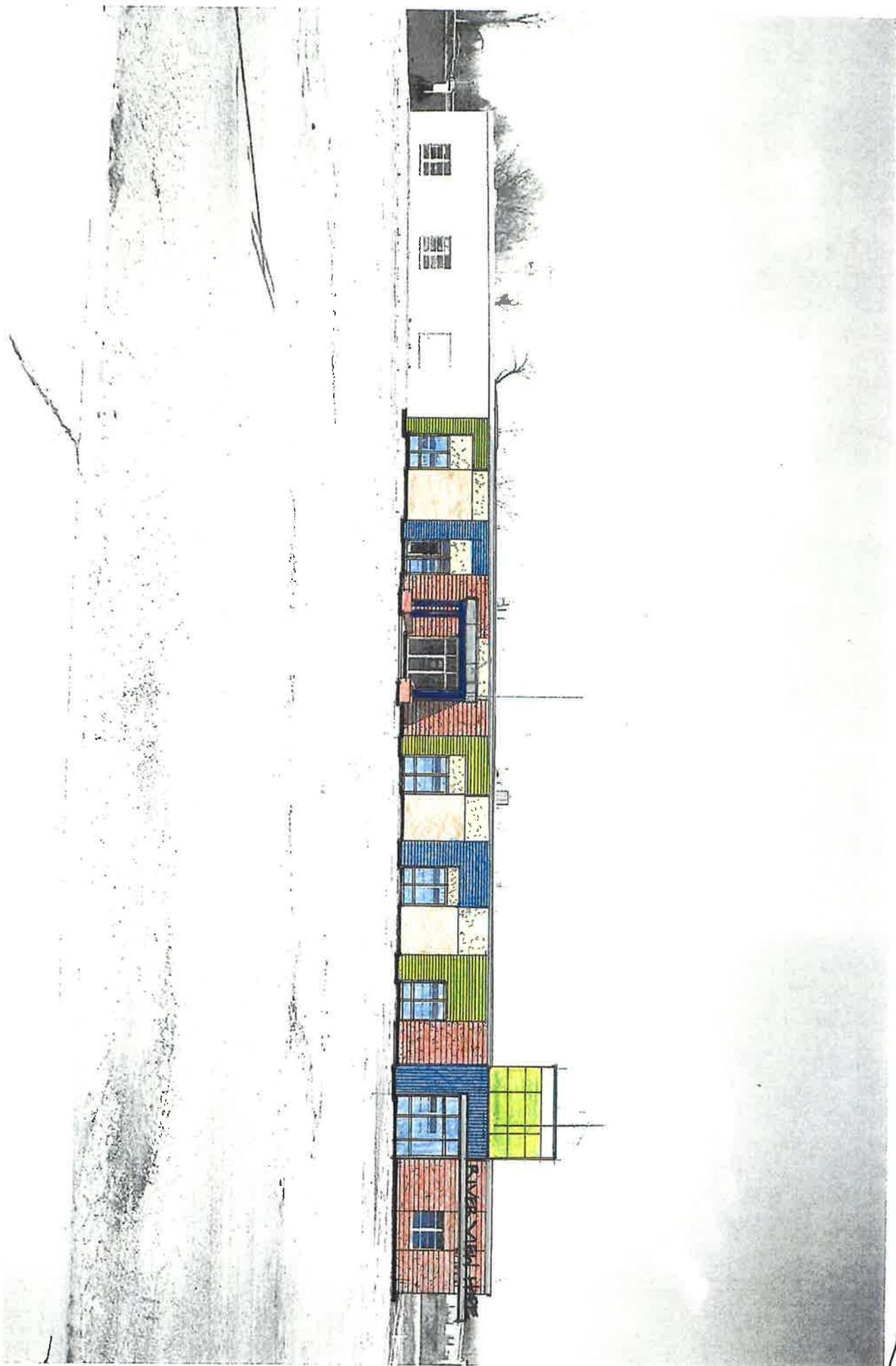
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April 20, 2015

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





6M

Memo

To: City Planning Commission

From: Planning Staff

Date: April 28, 2015

Re: Conditional Use #4-5-15 - A request by Kinzey Walton, owner, for Planning Commission consideration of a Conditional Use request to operate a home daycare at 126 Martin Circle

PROPOSED CONDITIONAL USE

Approval of this Conditional Use will allow the owner to open a home daycare at her residence. She would like to take care of twelve children with the possibility of having one employee.

LOT LOCATION AND SIZE

The subject property is on the west side of Martin Circle just north of Martin Drive. The tract contains an area of 0.30 acres with approximately 100 feet of street frontage along Martin Circle.

EXISTING ZONING

The existing 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.

7A

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 areas surrounding this property are zoned Residential Multifamily Medium Density (RM-3) and are developed as single family residences.

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.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Residential Detached. This classification is to create and maintain stable neighborhoods, provide safe, attractive family environments, and protect property values.

7B

SITE DESIGN FEATURES

Screening – The back yard is currently screened by a chain link fence. The owner would like to replace that fence with a wood privacy fence next year.

Parking – All parking, pick-up, and drop-off will take place in the existing driveway. Pick-up and drop-off times will be staggered to ensure they are not parking in the street or causing an influx of traffic.

DAY CARE HOME REGULATIONS – Section 27-706 of the UDO

These regulations shall apply to all day care homes:

1. Day Care Homes are limited to the zoning districts specified in this chapter. **COMPLIES**
2. Day Care Homes require a conditional use permit in accordance with Section 27-332. **COMPLIES**
3. Day Care Homes shall be operated in a manner that will not change the character of the residence. **COMPLIES**
4. Day Care Homes are permitted to have no more than one (1) employee who does not reside at the home. **COMPLIES**
5. All vehicles including the employee parking space must be parked on the property and on a paved parking space. All parking and paving must comply with section 14-52 of this Code. **COMPLIES**
6. All pick-up and drop-off of children shall be on the property's driveway and not on the public right-of-way unless otherwise approved by the planning commission. **COMPLIES**

STAFF COMMENTS AND RECOMMENDATIONS

A neighborhood meeting was held Tuesday, May 5, 2015 at 126 Martin Circle. There were three surrounding property owners in support of the business in attendance. An attendance record and meeting summary are enclosed.

The Planning Department has received one phone call in opposition to the daycare home on the grounds that the children could reach through the chain link fence and be bitten by a dog and that the children could climb the fence and gain access to their pool and drown. The caller was also concerned about traffic problems.

Staff recommends approval of the application contingent upon installation of a privacy fence on the back of the property line and continued compliance with the six criteria for daycare homes in Section 27-706.

7C

Conditional Use # 4-5-15

APPLICATION FOR CONDITIONAL USE

Name of Property Owner: Kinzey Walton

Name of Authorized Agent (if applicable) _____

Legal Description of property included in the conditional use request:

South 85.00 feet of lot 7, Cavanaugh Heights

Street Address of Property:

126 Martin Circle Ft. Smith, AR 72908

Existing Zoning Classification:

RM-3

Proposed Zoning Classification (if applicable):

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

In-home daycare for 12 children.
Possible 1 employee

What amenities are proposed such as landscaping and screening?

All sides fenced. In next year would like privacy fenced on all sides (kids play area.)

Kinzey Walton
Owner or Agent Name (please print)

Signed:

126 Martin Circle Fort Smith, AR 72908
Owner or Agent Mailing Address

Kinzey Walton
Owner

Or

479-221-2005
Owner or Agent Phone Number

Agent

70

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location 126 Martin Circle

Meeting Time & Date 6:30 5/5/15

Meeting Purpose In home Daycare

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
1.	Michael Kolman	124 Martin	(479) 522-4177
2.	Bob St. Leger	City of Fort Smith	(479) 784-2211
3.	Trevor & Lori Campbell	120 MARTIN	(479) 831-8420
4.	Kathy Brothers	700 Martin Dr	(479) 883-6541
5.	Jamie Willie	700 Martin Dr	(479) 431-7434
6.	James A. Bacon	101 Martin Circle	479 222 7091
7.			
8.			
9.			
10.			
11.			

7E

Monaco, Tom

From: Kinzey Walton [littlerascalsclubhouse@yahoo.com]
Sent: Thursday, May 07, 2015 8:28 PM
To: Monaco, Tom
Subject: Neighborhood Meeting Summary

I am so sorry it has been two days since the meeting. I have worked over both days and taking care of my mother who has just had major surgery. I am so sorry. When I spoke with Mrs. Rice she said the report is pretty much just a summary of the meeting. If you need anymore information than what is on the summary below please just let me know. My cell is 479-221-2005 and if you will leave me a voice mail I will call you when I get off work or you can email me with this email. I will fax the attendance sheet tomorrow to you on your fax number. I faxed Mrs. Rice the paper showing proof of the insurance policy today.

I had a neighborhood meeting for my in home daycare on May 5 at 6:30 at 126 Martin Circle Fort Smith, AR 72908. The purpose of the meeting was to tell the neighborhood what the property will be used potentially used for if approved and to answer any questions they may have. Michael and Chrissy live next door to me on the left side at 124 Martin Circle and they were in approval of the daycare and Chrissy stated her son went to an in home and they had a wonderful experience and fully supported me. They offered to help me put up a privacy fence on their side so the children wouldn't see them smoking or drinking on their porch or playing in the pool in their back yard. We discussed the fence and are pursuing the ways to help get the fence up. Trevor and Lori Campbell live across the street from me on the left at 120 Martin Circle and they were in full approval of the daycare and offered their support in any way I need it. Kathy Brothers was in attendance with Jamie Wylie and Jamie's 5 month old son. They live around the corner at 700 Martin Drive by Laura Stark. They are in full support of the daycare and offered any help and had more specific questions about enrolling the baby when the daycare is open. James Baer lives across the street from me on the right at 101 Martin Circle and is in full support of the daycare and helping me in any way he can. He had questions about enrolling his great grandson when the daycare opens. Renea Spoon and her two grand daughters (7 months old and 2 years old) were in attendance for my support. Renea owns an in home daycare at 1221 Mabel Ave. Bill was in attendance as a member from the City of Fort Smith. The attendees didn't have any questions besides those about future childcare for family and the privacy fence for the back yard. The attendees had questions about Mrs. Laura Stark's complaints and if their approvals could override her complaints. Mr. Bill explained it was a matter of overriding anyone's complaints but more so about meeting the needs of the complaints by the owner of the home (me). I explained that I was putting up a privacy fence and will have staggered pick up and drop off times. I reminded them all that the city meeting is at 5:30 on May 12 at the Community Room at Creekmore Park.

Again if you have anything further that I need to add to the summary just let me know and I will be more than happy to provide you with that. I will fax the attendance list tomorrow to 479-784-2462. Have a great day!

Miller, Perry

From: Miller, Perry
Sent: Monday, April 27, 2015 12:13 PM
To: Bailey, Wally; Andrews, Brenda; Rice, Maggie; Monaco, Tom; Striplin, Bill; Perceful, Lestene
Subject: 126 Martin Drive Day Care for Planning Commission 2015

To All:

I spoke with Laura Stark at 479-461-2543 who lives at 705 Martin Circle and is the adjacent property owner to Kinzey Walton. Laura has informed me that she will have difficulties in mobility to attend the meetings but will try. In place of the meetings she wanted to let inform the Commissioners that she is against the Home Daycare that Mrs. Walton proposes.

Mrs. Stark believes that the chain link fence may allow the kids to reach through the fence and be bitten by a dog. She is also worried that the kids' mite climb the fence and access her pool that could cause them to drown. Mrs. Stark listed several items such as traffic and wildlife attacking the children that might be dangerous for the day to day activities of the daycare.

Mrs. Stark has mentioned interest in a privacy fence along the property line may help, but is ultimately against the day care.

I will add a copy of this e-mail to the file.

Thank you,

Tyler Miller
Planner City of Fort Smith
623 Garrison Avenue
Fort Smith, AR 72901
479-784-2241

Conditional Use #4-5-15: Home Daycare with 1 employee 126 Martin Circle

FC



April 20, 2015

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

Memo

To: City Planning Commission

From: Planning Staff

Date: April 24, 2015

Re: Conditional Use #5-5-15 - A request by Bobby Smith, agent, for Planning Commission consideration of a Conditional Use request to develop a Pet Shop at 4300 Rogers Avenue; Suite 12

PROPOSED CONDITIONAL USE

The approval of this Conditional Use will allow a pet shop offering fish and corals to occupy suite 12 at Greenpointe Shopping Center.

LOT LOCATION AND SIZE

The subject property is on the southeast side of the intersection of Rogers Avenue and South Albert Pike Avenue. The tract contains an area of 6.5 acres with approximately 350 feet of street frontage along Rogers Avenue and approximately 500 feet of street frontage along South Albert Pike Avenue and approximately 360 feet of street frontage along South 44th Street.

EXISTING ZONING

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

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.

8A

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
- Maximum Height - 35 feet (1+1)
- Maximum Lot Coverage - 60%

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Residential Single Family Duplex Low/Medium Density (RSD-2) and is developed as St. Scholastica Academy.

The area to the east is zoned Commercial Light (C-2) and is developed as a print shop.

The areas to the south are zoned Transitional (T) and Residential Single Family Duplex Medium/High Density (RSD-3) and acts as a buffer between this property and residential homes to the south.

The area to the west is zoned Commercial Light (C-2) and is developed as apartments.

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.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as General Commercial. This classification is to provide opportunities for business transactions and activities, and meet the consumer needs of the community.

STAFF COMMENTS AND RECOMMENDATIONS

A neighborhood meeting was held Friday, April 24, 2015 at 4300 Rogers Avenue; Suite 12. Three people were present at the neighborhood meeting. A copy of the attendance record and meeting summary are enclosed.

As explained in the neighborhood meeting summary, one of the neighbors was concerned about the intensification of this pet shop offering fish into a pet shop offering dogs, etc. Staff has suggested a condition for the approval that addresses this concern.

Staff recommends approval of the application contingent upon the following:

1. All signs will require a separate permit and review process.
2. The approval is limited to Suite 12, and the business exclusively offering fish and corals.

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location Greenpointe Shopping Center unit 12

Meeting Time & Date 4-24-15, 9:00am

Meeting Purpose _____

NAME

ADDRESS

PHONE #

1. Dana + Clara Rabideau 1621 S. Albert Pike 479-782-9763
2. Mike Smith 1320 S. Albert 479-782-3300
3. Maggie Rini City of Fort Smith mrice@fortsmithar.
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____

Andrews, Brenda

From: Bobby Smith [justfish7320@hotmail.com]
Sent: Friday, April 24, 2015 9:44 AM
To: Andrews, Brenda
Subject: Just Fish & Corals: Neighborhood Meeting Summary

Neighborhood Meeting Summary:

We had 3 people show up for the meet at 9 am, 4/24/2015.

I stated why the City of Fort Smith wanted me to call the meeting.

Of the 3 people you joined the meeting only one had a concern. Danat Rabideau asked if I (Colton Smith, Owner of Just Fish & Corals) would ever sell anything other than fish. I stated that I am only an aquarium shop that will only sell fish and aquatic species. Danat then stated he had no problem with my business.

Danat would like to have me ask the city if the permit for conditional use be specific to my business to insure another pet shop can not move in after I leave the zone. I have no problem with the conditional use being specific to Just Fish & Corals, for I have no plans on moving in the near future.

All in all, there were no complaints about my business being in this zone. They all wished me good luck and hope to see my business do well.

-Colton Smith
Just Fish & Corals LLC

Conditional Use # 5-5-15

APPLICATION FOR CONDITIONAL USE

Name of Property Owner: Greenpointe, Inc

Name of Authorized Agent (if applicable) Bobby Colton Smith

Legal Description of property included in the conditional use request:
R.S. Kinkead Subdivision
lot 10, Block 2

Street Address of Property:
4300 Rogers Ave Fort Smith, AR 72903

Existing Zoning Classification:
C-2

Proposed Zoning Classification (if applicable):
!

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

What amenities are proposed such as landscaping and screening?
None

Colton Smith

Owner or Agent Name (please print)

9919 Willow Brook

Owner or Agent Mailing Address

479-462-3178 72908

Signed:

Owner

Or

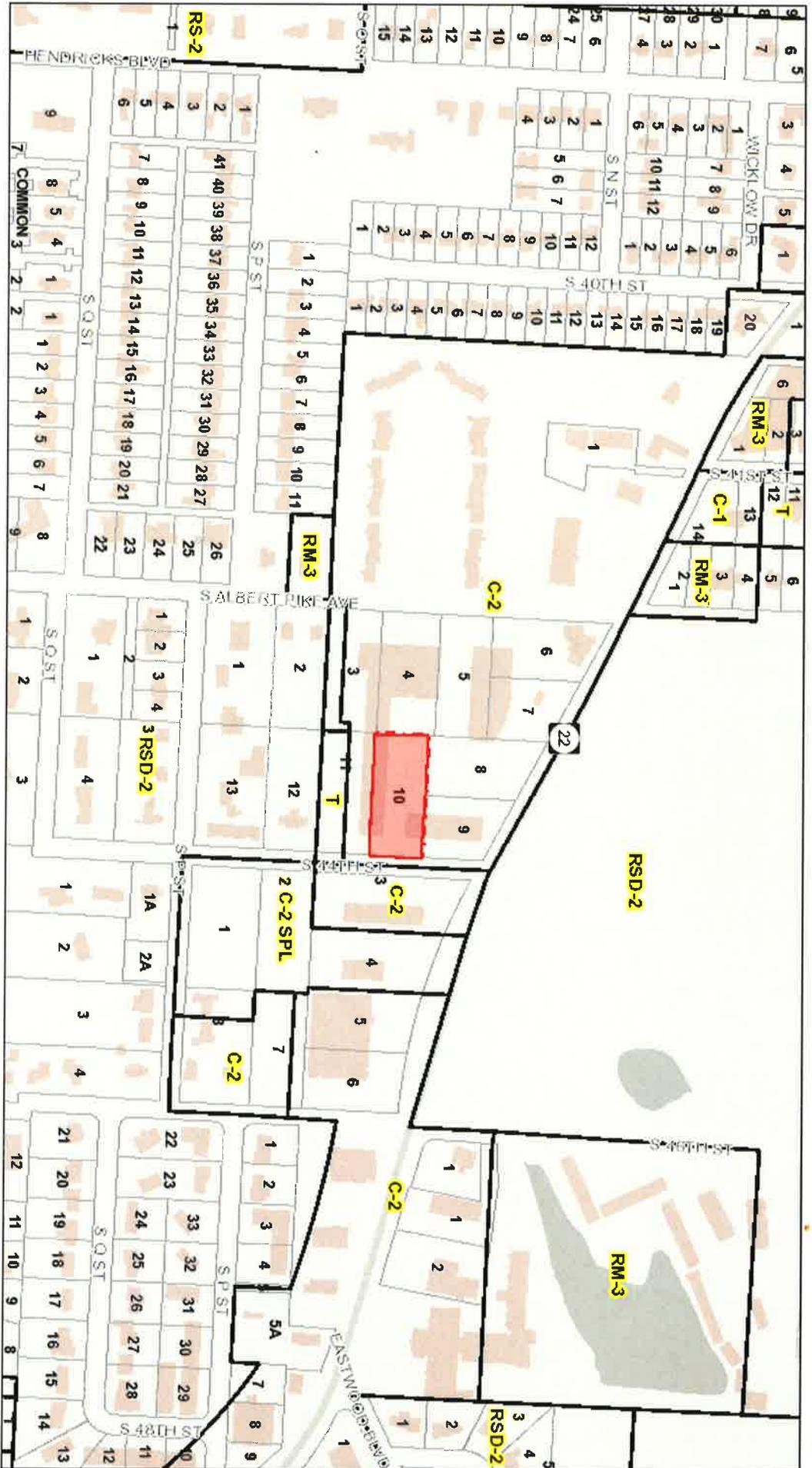
Agent

X 
Owner or Agent Phone Number

Conditional Use #5-5-15: Pet Shop

4300 Rogers Avenue

89



Memo

To: City Planning Commission

From: Planning Staff

Date: April 28, 2015

Re: Home Occupation #2-5-15 - A request by Carlos Munoz, owner, for Planning Commission consideration of a painting business in a Residential Multifamily Medium Density (RM-3) zone located at 1921 North 29th Street

PROPOSED HOME OCCUPATION

Mr. Munoz is proposing to operate a residential and commercial painting business. Customers would come to the home by appointment and view photos of properties that Mr. Munoz has painted.

LOT LOCATION AND SIZE

The subject property is on the west side of North 29th Street at the intersection of North "S" Street. The tract contains an area of 0.30 acres with approximately 75 feet of street frontage along North 29th Street.

EXISTING ZONING

The existing 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.

9A

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 areas surrounding this property are zoned Residential Multifamily Medium Density (RM-3) and are developed as single family residential.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Residential Detached. This classification is to create and maintain stable neighborhoods, provide safe, attractive family environments, and protect property values.

PLANNING COMMISSION AUTHORITY

The *Unified Development Ordinance* allows the Planning Commission the authority to grant to residents of Residential-3 (RS-3 and RM-3), Residential-4 (RS-4 and RM-4) and Historic-1 (RH) zones the privilege of engaging in the limited pursuit of an occupation, operating minimal business activities or offering limited professional services in their homes, provided that in the opinion of the Planning Commission, those activities do not conflict with the purposes and objectives of this chapter as stated in Section 27-101 and provided such activities comply with this section as well as any conditions and limitations the Planning Commission deems necessary for any particular case in carrying out the spirit and intent of a section.

COMPATIBILITY/CONDITIONS

The planning commission is not required to approve an application for the operation of any home occupation which, in its opinion, is not compatible with the integrity of the neighborhood. The Planning Commission may impose conditions and restrictions on the property benefited by the home occupation use to reduce or minimize the injurious effects of the home occupation.

9B

STAFF COMMENTS AND RECOMMENDATIONS

In addition to Section 27-338-4F, Minimum Requirements for Consideration (see attached), Planning Staff recommends approval of the requested home occupation subject to the following:

1. All vehicles shall be parked in compliance with the Fort Smith Parking Regulations.
2. The business license cannot be transferred to another residence without a new Home Occupation Application.
3. No commercial trash container shall be placed at the residence.

9C

HOME OCCUPATION REQUIREMENTS

Sec. 27-338-4F. Minimum requirements for consideration

The planning commission, in reviewing applications under this section, may consider the performing of a skill, talent, service or profession on a limited basis as a home occupation only if it complies with all of the following:

1. The area to be used for the home occupation is no greater than thirty (30%) percent of the living space of the residence.
2. There shall be no occupational activity on the premises outside of the main structure. An existing detached building which is utilized in conjunction with a home occupation shall be no larger than three hundred (300) square feet in size and can only be utilized for storage of materials.
3. No sign may be used in the operation of the business.
4. No outdoor display of any goods or services and no outdoor storage of materials or equipment are allowed.
5. The home occupation is required to be run only by the resident members of the household and shall not have any other employees, concessionaires or other operators or helpers whether such business is conducted on the premises or off the premises.
6. No sale of any retail or wholesale item or items is allowed on the premises unless they are considered as an accessory item of the approved business. Items drop-shipped or delivered by order may be permissible only after the Planning Commission has approved such operation.
7. Any business conducted on the premises shall be by appointment only, such that no more than two (2) patrons shall be at the business at any one time.
8. The Planning Commission shall have the authority to limit the operating hours of a business where it deems it necessary in order to assure compatibility with the residential neighborhood.
9. The resident shall not utilize the address of the property in any form of business advertising. This includes, but is not limited to, paid commercial advertising, telephone directory advertising, flyers, business cards, etc.
10. The home occupation shall not produce any fumes, odors, noise or any other offensive effects that are not normal to residential activity.
11. The home occupation shall not require the construction of any additional off-street parking areas which would detract from the residential character of the neighborhood. The Planning Commission in exceptional circumstances may allow the construction of additional off-street parking, but under no circumstances more than two (2) spaces in addition to those currently in use for residential purposes. All parking and maneuvering areas must be completely contained on private property. A parking site plan must be approved by the Planning Commission where a business would require customers coming to the property.

APPLICATION FOR HOME OCCUPATION

(Please print or type)

Name of Applicant: CARLOS A. MUÑOZ

Legal Description of property included in the home occupation request:

LOTS 1-3 BLK 1

FISHBACK ADDITION NO. 3

Street Address of Property: 1921 NORT 29 STREET Fort Smith AR 72904

Zone Classification: _____

Type of Business Requested: PAINT JOB

Signed:

Carlos A. Muñoz
Applicant's Name (please print)

[Signature]
Applicant

(479) 462-82-03
Phone Number of Applicant

Date

KEVINMOYA870@YAHOO.COM
Applicant Mailing Address

Property Owner

Date

(if rental property)

9E

Home Occ. # 2-5-15

HOME OCCUPATION INFORMATION FORM

1. Describe what type of business you are requesting. Paint job
RESIDENTIAL AND COMMERCIAL PAINTERS
2. Will this business be completely contained in the residential structure? Yes No
If no, described location. SMALL AMOUNT OF SUPPLIES IN GARAGE
3. What percentage of the residential floor area will be required to operate the business?
~~2 FLOOR~~ 5% COMPUTE AND SMALL AMOUNT IN GARAGE
4. Will operation of the business utilize any persons other than members of the immediate household? Yes No
5. At what hours and days of the week do you plan to operate the business? M-F 8-5
6. Will there be any noise NO, odor NO, or other outdoor activity NO associated with the business? If yes, explain. SPRAYING AND PAINT ODOR NOISE AT HOME
7. Will materials or supplies be stored at this location? Yes No
8. How much storage will be needed? 40 FT
9. Will merchandise be sold at this location? Yes No If yes, explain. _____
10. Will you have any business vehicles? Yes No If yes, describe below.
Type of Vehicle:
Make TOYOTA Model TACOMA
Color GREEN Length (trailer) 10 FT
11. Will this business require any license, certification, accreditation other than a city occupation license? Yes No What type? _____
12. Can you operate this business by appointment only? Yes No
Explain: ONLY IN OCCATION

9F

13. Will customers come to this location? Yes No

TO TALK HOW I WORK AND
SHOW SOME PICTURE OF THE WORK I DO.

14. How many customers do you expect to have coming to your home at any one time?

1 or 2 AT THE TIME

15. Do you expect any drop-in customers? Yes No

16. How do you plan to provide parking for customers? DRIVEWAY

17. Do you plan to advertise this business? Yes No

If yes, by what methods? RADIO, POSTERS AND CARS, WED SIDE

18. Do you understand advertising the street address is not permitted? (Including the telephone directory listings.) Yes No

19. Do you understand the utilization of a sign in conjunction with this business is not permitted? Yes No

20. Will the Home Occupation require a commercial trash container (dumpster)?
Yes No

21. Do you own or rent this property? AM OWN

22. If renting, please attach a letter from the property owner giving you permission to operate this home occupation.

23. Do you live at this location? Yes No

24. Do you understand that failure to comply with the home occupation requirements could constitute the revoking of the occupation license issued for this business?
Yes No

25. Provide any other information that you feel helpful.

NONE

The proposed 10 feet trailer and related equipment will be stored inside the garage at all times.

C. Jones

05-05-2015

9H

Home Occupation #2-5-15: Painting Contractor 1921 North 29th Street

FH



April 20, 2015

- Fort Smith City Limits
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- Zoning
- Subdivisions

