

Mayor – Sandy Sanders

City Administrator – Ray Gosack

City Clerk – Sherri Gard

Board of Directors

Ward 1 – Keith Lau

Ward 2 – Andre’ Good

Ward 3 – Mike Lorenz

Ward 4 – George Catsavis

At Large Position 5 – Pam Weber

At Large Position 6 – Kevin Settle

At Large Position 7 – Philip H. Merry Jr.

AGENDA
Fort Smith Board of Directors
REGULAR MEETING
November 4, 2014 ~ 6:00 p.m.
Fort Smith Public Schools Service Center
3205 Jenny Lind Road

THIS MEETING IS BEING TELECAST LIVE ON THE GOVERNMENT ACCESS CHANNEL 214 AND ONLINE AT <http://www.ustream.tv/channel/city-of-fort-smith-board-of-directors-meetings>

INVOCATION & PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEMS OF BUSINESS NOT ALREADY ON THE AGENDA FOR THIS MEETING

(Section 2-37 of Ordinance No. 24-10)

APPROVE MINUTES OF THE OCTOBER 21, 2014 REGULAR MEETING

ITEMS OF BUSINESS:

1. Presentation: Knowlton Award to Mr. J.W. Taylor
2. Presentation of proposed 2015 Budget
3. Ordinance rezoning identified property and amending the zoning map (*from Residential Multi-Family Medium/High Density (RM-3) to Residential Single Family Medium/High Density (RS-3) by extension located at 2000-2100 South “R” Street; 2105-2115 South “R” Street; 2119-2222 South “R” Street; 2000-2209 South “S” Street; 2212-2219 South “S” Street; 2221-2223 South “S” Street; 2230 South “S” Street; 2000-2423 South “T” Street; 2000-2225 South “U” Street; 1822-2201 South 21st Street; 1800-2017 South 22nd Street; 1822-2208 South 23rd Street and 1913-1915 Jenny Lind Road*)

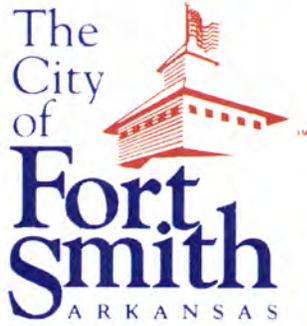
4. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan: from Residential Detached to Residential Attached / Rezoning: from Transitional (T) to Residential Multi-Family Medium/High Density (RM-3) by extension located at 3507 & 3515 South 66th Street*)
5. Consent Agenda
 - A. Resolution to accept the bid and authorize a contract for the construction of South 7th Street and Parker Avenue Overlay/Reconstruction and Trolley Extension, Project No. 14-90-A (\$713,760.00 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
 - B. Resolution authorizing engineering services agreements for the design of projects in the 2015 Sales Tax Program (\$164,800.00 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
 - C. Resolution authorizing the Mayor to execute a correction for the electric utility easement with OG&E for the aquatic facility at Ben Geren Regional Park
 - D. Resolution accepting the bid and authorizing the Mayor to execute a contract with Turn Key Construction, Inc. for asbestos abatement and renovations to the administrative wing of Fire Station No. 1 (\$237,477.00 / *Fire Department / Budgeted – 2012 Sales and Use Tax Bonds & 4803 Capital Funds*)

OFFICIALS FORUM ~ presentation of information requiring no official action

(Section 2-36 of Ordinance No. 24-10)

- Mayor
- Directors
- City Administrator

ADJOURN



2.

MEMORANDUM

October 29, 2014

TO: Mayor/Board/Administration

FROM : Kara Bushkuhl, Director of Finance 

SUBJECT: 2015 Proposed Budget

Attached you will find the 2015 Proposed Budget message and agenda for the review sessions. The proposed budget and supplement documents are in final production. Copies of the proposed supplement will be delivered to you Tuesday, November 4th, 2014 at the study session, with the proposed budget document delivered no later than Friday, November 7th. Electronic copies will also be available of both documents and will be posted to the Finance page of the web site.

Should you have any questions or require more information, please do not hesitate to contact me.



I'm pleased to present the City of Fort Smith's 2015 operating and capital improvement budgets as required by Arkansas law. The balanced budgets reflect the staff's professional commitment to provide services and programs in alignment with the board of directors' goals and the community's needs.

The 2015 budget demonstrates another positive step forward in the city's continued financial success, despite economic challenges. All parts of the budget are balanced without any local tax or fee increases. A sewer service rate adjustment will likely be necessary to begin compliance with the federal consent decree for sanitary sewer wet weather improvements.

No cuts to community services are needed to balance the budget. The leadership of the mayor and board of directors, and the city's excellent employees have enabled this success.

The 2015 budget includes nearly \$89 million in capital investment. Most of this spending is the result of the March 2012 sales tax renewal election approved overwhelmingly by Fort Smith voters. Voters will be asked to renew a 1% sales tax for streets and drainage in spring 2015 that's been in place since 1985. The capital projects further advance Fort Smith toward accomplishing strategic goals in the areas of neighborhood vitality, riverfront development, sanitary sewer system upgrades, water delivery system improvements, sidewalk improvements, and recreational offerings.

The important foundations outlined below are all critical to the City of Fort Smith achieving its strategic and budgeting goals.

STRONG CITY LEADERSHIP

The mayor and board of directors have established clear strategic goals, and the voters have supported those goals. The combination of clear goals and strong community support poise Fort Smith to be in a stronger position as the economy improves.

EXCELLENT CITY EMPLOYEES

Employees have gone 4 of the last 6 years without seeing a market adjustment to the pay plan. And, most employees didn't receive merit or step pay increases during that time. Despite the absence of pay adjustments, employees performed admirably in their service to the citizens of Fort Smith.

CITIZEN SERVICE

Our budget theme this year is *Citizens First!*, which reflects our commitment to provide top notch service to the citizens and businesses of Fort Smith. Many of our processes are being re-designed with an emphasis on the customer's needs. All employees are focused on meeting citizens' expectations.

TRANSPARENCY AND COMMUNITY ENGAGEMENT

The mayor, board of directors and staff have undertaken numerous efforts to engage the community, and to provide and improve accessibility to information and services. We've implemented an app for requesting services, expanded the use of social media, began live streaming of board meetings on the Internet, published an electronic newsletter, conducted focus group meetings, expanded citizens' access to electronic alerts and messages, held neighborhood board meetings throughout

Chaffee Crossing, development of two neighborhood parks, construction of a soccer complex on Riverfront Dr., planning and construction of trails, neighborhood sidewalk construction, and replacement of __ vehicles with CNG or hybrid powered vehicles.

Costs for employee health benefits are rising 4.5% or \$359,000 across all operating funds in 2015.

General Fund – General Fund revenues for 2015 are 1.7% higher than 2014 (excluding the fire SAFER grant and the police CPOS grant).

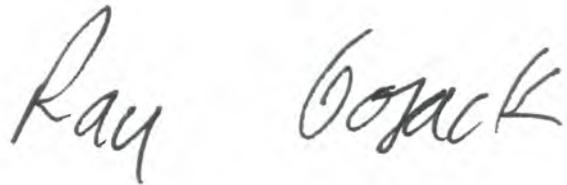
Street Maintenance Fund – The street dept. will continue its in-house sidewalk construction program.

Water & Sewer Fund – The utilities dept. budget includes funding of \$450,000 for neighborhood water line upgrades.

Sanitation Fund – The sanitation dept. maintains its sinking fund reserve requirements for future facility and equipment needs.

CONCLUSION

The 2015 balanced budget is another example of the strides the city has taken to weather the Great Recession. Our actions will make our financial condition more sustainable for the future. I thank the mayor and board of directors for their steadfast leadership in guiding the city through these tumultuous times. I also thank city employees for continuing to apply new innovations and efficiencies in city operations, and for their dedication to providing exceptional citizen service.

Handwritten signature in black ink, appearing to read "Ray Czapack".

City Administrator

FY2015 Proposed Budget
Board Review Meeting Schedule
Community Room-Fort Smith Police Department
6:00pm Each Night
(Dinner will be available at 5:30pm)

Thursday, November 13th

Overview Presentation of Proposed FY2015 Budget
Review Options for Pension Funding and Pay Adjustments
Policy & Administration
Management Services
Development Services
Police Services
Fire Services
Parks & Recreation
Transit

Monday, November 17th

Street & Traffic Control
Water & Sewer
Sanitation
Convention Center
Non-Departmental

3.

ORDINANCE NO. _____

**AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 19-10-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on October 14, 2014, that said change be made;

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

SECTION 1: That the following properties to-wit:

Lots 1-16, Crestwood
Lots 8-14, Block 11, Park Hill
Lots 8-14, Block 12, Park Hill
Lots 9-16, Block 13, Park Hill
Lots 1-16, Block 18, Park Hill
Lots 1, 3, 4, 6, 7, 8-14, Block 19, Park Hill
Lots 1-14, Block 20, Park Hill
Lots 1-14, Block 21, Park Hill
Lots 1-14, Block 22, Park Hill
Lots 1, 2, 4-6, 8-16, Block 23, Park Hill
Lots 1-16, Block 26, Park Hill
Lots 1-14, Block 27, Park Hill
Lots 1-14, Block 28, Park Hill
Lots 1-7, Block 29, Park Hill
Lots 1-7, Block 30, Park Hill
Lots 1-8, Block 31, Park Hill

more commonly known as 2000-2100 South “R” Street; 2105-2115 South “R” Street; 2119-2222 South “R” Street; 2000-2209 South “S” Street; 2212-2219 South “S” Street; 2221-2223 South “S” Street; 2230 South “S” Street; 2000-2423 South “T” Street; 2000-2225 South “U” Street; 1822-2201 South 21st Street; 1800-2017 South 22nd Street; 1822-2208 South 23rd Street and

1913-1915 Jenny Lind Road should be, and is hereby rezoned from Residential Multi-Family Medium/High Density (RM-3) to Residential Single Family Medium/High Density (RS-3) by Extension.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2014.

APPROVED:

ATTEST:

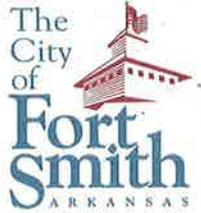
Mayor

City Clerk

Approved as to form:



Publish One Time



October 29, 2014

Honorable Mayor and Board of Directors
City of Fort Smith, Arkansas

Re: Rezoning #19-10-14; A request by Valerie Lewis, agent, for Planning Commission consideration of a zone request from Residential Multifamily Medium Density (RM-3) to Residential Single Family Medium/High Density (RS-3) by Extension located at 2000-2100 South "R" Street; 2105-2115 South "R" Street; 2119-2222 South "R" Street; 2000-2209 South "S" Street; 2212-2219 South "S" Street; 2221-2223 South "S" Street; 2230 South "S" Street; 2000-2423 South "T" Street; 2000-2225 South "U" Street; 1822-2201 South 21st Street; 1800-2017 South 22nd Street; 1822-2208 South 23rd Street and 1913-1915 Jenny Lind Road by Classification.

On October 14, 2014, the City Planning Commission held a public hearing to consider the above rezoning request.

Ms. Maggie Rice read the staff report indicating that the purpose of this request is for a corrective rezoning to reflect how this area has developed. Ms. Rice noted that the proposed rezoning is to exclusively allow single family development. Ms. Rice also stated that a neighborhood meeting was held on Thursday, September 25, 2014, at the Fort Smith Public Library with twelve (12) people present, two (2) of which were in opposition to the rezoning and requested their properties be removed from the rezoning request.

Commissioner Redd questioned the fact that this would be considered a spot zoning if the lots being excluded from this rezoning request were to remain at their current zoning classification.

Ms. Rice indicated that a letter had been received from Mr. Roger Winton questioning whether staff had notified all property owners of duplex properties. Ms. Rice noted that all property owners had been notified of the proposed rezoning. All letters were sent by first class mail. Three (3) property owners could not be located using the mail. Those properties were single family properties. We also put out sixty-four (64) signs providing notification about the rezoning in and around the neighborhood and placed an ad in the legal section of the Times Record.

Mr. Winton also questioned whether the proposed rezoning complied with the City's Master plans.

Ms. Rice noted the following excerpt from the comprehensive plan in response to Mr. Winton's letter stating that the proposed rezoning is in direct conflict with the comprehensive land use studies:

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

Rezoning of existing, predominately, single-family residential neighborhoods where the historic zoning pattern does not reflect the predominant built pattern. Priority will be made in areas where stability and character are threatened.

Additionally the Master Land Use Plan shows all the property within this request identified as Residential Detached (single family). The proposed rezoning will cause the properties to be in compliance with the Master Land Use Plan.

Ms. Valerie Lewis was present to speak on behalf of this request. Ms. Lewis praised Ms. Rice and the entire Planning staff for their assistance during this application process.

Chairman Sharpe asked for a show of hands of people in attendance who were in support of this request. Approximately 30+ people were in attendance supporting the rezoning.

Mr. David Perry, 2025 South "T" Street spoke on behalf of this request. Mr. Jim Horton addressed the Commission and requested that two (2) of his rental properties be removed from this request. He noted the addresses to be removed as 2104 South "R" Street and 2220 South "S" Street.

Ms. Melissa Woodall, 2210 South "S" Street, spoke in opposition to this request. Ms. Woodall noted that her property has already been excluded from this request; however, she stated that she is not a fan of reducing property owners' rights to do what they want with their properties and did not feel that multi-family development would be detrimental to the neighborhood.

Following a discussion by the Commission, motion was made by Commissioner Parks, seconded by Commissioner Howard and carried unanimously to amend this request to make approval subject to the removal of the above noted two (2) properties owned by Mr. Horton.

Chairman Sharpe then called for the vote on the rezoning request as amended. The vote was 6 in favor and 1 opposed (Redd).

The Planning Commission hereby certifies this zoning map amendment to the Board of Directors in accordance with A.C.A. 14-56-422.

Respectfully Submitted,

CITY PLANNING COMMISSION



Marshall Sharpe, Chairman

MS/lp

cc: File
City Administrator

Memo

To: City Planning Commission

From: Planning Staff

Date: September 26, 2014

Re: Rezoning #19-10-14 - A request by Valerie Lewis, agent, for Planning Commission consideration of a zone request from Residential Multifamily Medium Density (RM-3) to Residential Single Family Medium/High Density (RS-3) by extension at 2000-2115 South "R"; 2119-2222 South "R"; 2000-2230 South "S"; 2000-2423 South "T"; 2000-2225 South "U"; 1822-2201 South 21st Street; 1800-2017 South 22nd Street; 1822-2208 South 23rd Street and 1913-1915 Jenny Lind Road

PROPOSED ZONING

The proposed Residential Single Family Medium/High Density (RS-3) zone is a corrective rezoning to reflect how the area has developed.

LOT LOCATION AND SIZE

The requested rezoning area is bound by Jenny Lind Road, the alley between South "Q" Street and South "R" Street, South 23rd Street and South 25th Street, the alley between South "U" Street and South "V" Street. The area contains approximately 47 acres and has approximately 190 lots.

REQUESTED ZONING

The requested zoning on this tract is Residential Single Family Medium/High Density (RS-3). Characteristics of this zone are as follows:

Purpose:

To provide for medium-to-high density, compact single family detached development on new sites or as infill construction. Adequate public services and facilities shall be available with sufficient capacity to serve the proposed development. This zoning district is intended to serve as a transition between the lower density single family districts and the multifamily of commercial districts. RS-3 zoning as appropriate in urban and suburban areas and primarily applies to the Residential Detached, Mixed Use Residential, and Mixed Use Employment category of the Master Land Use Plan.

3A

Permitted Uses:

Single-family 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 – 6,500 square feet | Maximum Height - 35 feet (1+1) |
| Maximum Density – 6.7 Dwelling Units/Acre | Maximum Lot Coverage - 60% |
| 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 - 25 feet | |
| Side Yard Setback – 7.5 feet | |
| Rear Yard Setback - 10 feet | |
| Minimum building separation – 10 feet | |

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.

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.

3B

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 to the north are zoned Residential Multifamily Medium Density (RM-3) and are developed as single family and duplex residences.

The areas to the east are zoned Residential Single Family Duplex Medium/High Density (RSD-3) and Residential Multifamily Medium Density (RM-3) and are developed as single family and duplex residences.

The areas to the south are zoned Residential Single Family Medium/High Density (RS-3) and are developed as single family residences.

The areas to the west are zoned Commercial Light (C-2) and are developed as single family residences, a church and offices.

MASTER LAND USE PLAN COMPLIANCE

The *Master Land Use Plan* currently classifies the site as Residential Detached. This classification is intended to create and maintain stable neighborhoods, provide safe, attractive family environments, and protect property values. Approval of the zone change will cause the zoning to be in compliance with the Master Land Use Plan.

STAFF COMMENTS AND RECOMMENDATIONS

A neighborhood meeting was held Thursday, September 25, 2014 at Fort Smith Public Library. Twelve (12) people were present at the neighborhood meeting. Two of the property owners in attendance were opposed to the rezoning and their property was removed from this application. The remaining people in attendance were there for information and no objections were voiced. A copy of the attendance record and meeting summary are enclosed.

The proposed rezoning is to exclusively allow single family development.

Based on the single family development of the neighborhood, staff recommends approval.

3C

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)

see attached

2. Address of property: _____

3. The above described property is now zoned: RM-3

4. Application is hereby made to change the zoning classification of the above described property to RS-3 by extension.
(Extension or classification)

5. Why is the zoning change requested?

corrective neighborhood rezoning

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

Signed:

Valerie Lewis
Owner or Agent Name
(please print)

2111 S T ST
P.O. Box 3126 Ft. Smith, AR
Owner or Agent Mailing Address 72913

479 783-0687
Owner or Agent Phone Number

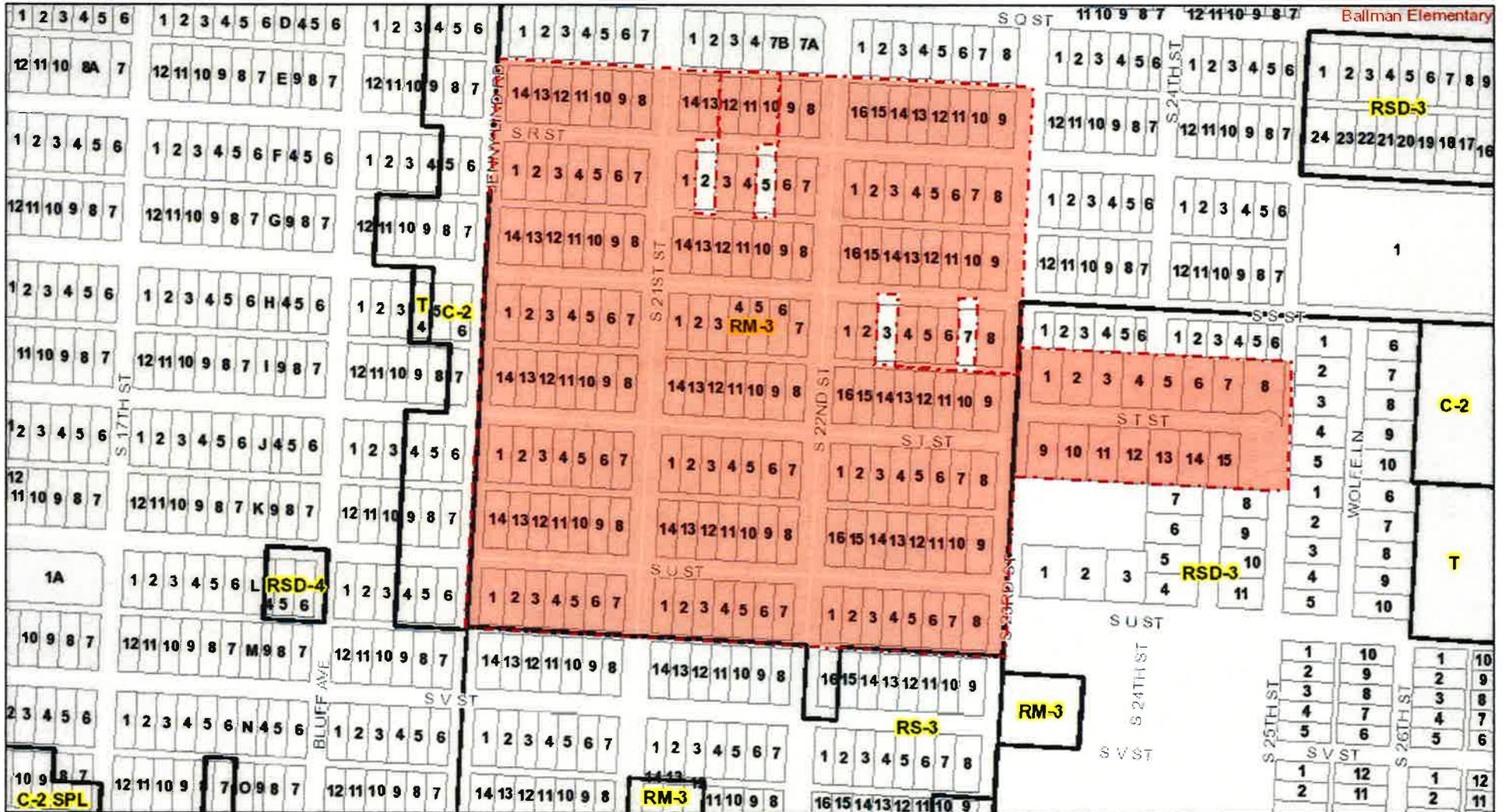
Valerie Lewis
Owner

or

Agent

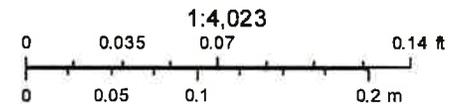
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Rezoning #19-10-14: From Residential Multifamily Medium Density (RM-3) to Residential Single Family Medium/High Density (RS-3)



October 16, 2014

- Fort Smith City Limits
- Zoning
- Subdivisions



City of Fort Smith GIS
Copyright 2013, City of Fort Smith

Neighborhood Rezoning Authorizations of Agent

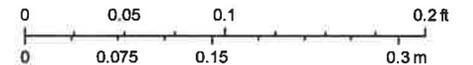
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October 8, 2014

1:3,909

- Fort Smith City Limits
- Subdivisions
- Building Footprints

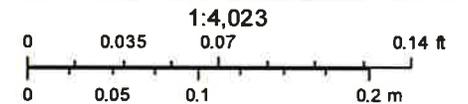


Master Land Use for Rezoning #19-10-14



October 30, 2014

- Fort Smith City Limits
- Subdivisions
- Building Footprints



4.4 NEIGHBORHOOD DEVELOPMENT AND HOUSING

Goal 4: Preserve, protect and improve Fort Smith's neighborhoods

Approach: Create friendly but stringent development ordinances rigorously applied throughout the City to protect existing neighborhoods and to create strong new ones.

Neighborhood Plans

Neighborhoods are the central theme of the Comprehensive Plan. Subdivisions, school districts, census tracts and blocks, roads, perceived boundaries and wards can all be used to help define neighborhood boundaries. This section of the plan, outlines the role that neighborhoods play in the future growth and development of the city. It also proposes initial neighborhood boundaries to begin the process of developing neighborhood plans and neighborhood organizations.

City of Neighborhoods Plan Themes: Neighborhood Preservation and Revitalization

- City support and promotion of Neighborhood Associations as a critical element in neighborhood preservation, revitalization and planning.
- **Rezoning of existing, predominantly, single-family residential neighborhoods where the historic zoning pattern does not reflect the predominant built pattern. Priority will be made in areas where stability and character are threatened.**
- Enforcement of property ownership responsibilities for both developed and undeveloped land.
- Accommodate housing opportunities for a variety of life-stages and life styles.
- Existing commercial and industrial activities need to be good neighbors by mitigating impacts, such as restricting illumination spillover to neighborhoods.
- Existing residential activities should be protected from more intense land uses through changes in zoning, design standards, and code enforcement.
- Other social and community issues effecting neighborhoods (accessible supervised activities for youth, homelessness, drug and prostitution trafficking, and overcrowded housing), are best addressed through public/private ventures involving many community and government service providers.
- Sidewalks and pedestrian safety are priorities in the shared public space of neighborhoods.

Wally Bailey

Re rezoning of existing blocks of land in the Park Hill area

I am writing this because there is possibility I cannot make the planning commission meeting due to a prior appointment. I am baffled at the cities acceptance of the proposed re-zoning of a large section of developed land in the city of Fort Smith.

The re-zonings main function is to eliminate the building of new duplex's. This is a odd request because there are a number of 50-60 year old-duplex's in the proposed rezoning area now.

The older duplex owners need to evaluate their existing property values and building insurance. IF a fire or a tornado hits the property after the rezoning they will NOT be allowed to rebuild a duplex with major damaged. The owners of these duplex's would be wise to "dump" or sell these properties NOW because of the following.

- 1. Will the city inform the owners of the duplex properties that they can only rebuild a single occupancy residence?**
- 2. Will the city staff inform the property owners the next option? I have been told there is the possibility the duplex or individual property owners can exempt out of the rezoning. Again will the city with a certified letter or personal contact TELL the duplex property owners of this option?**
- 3. Will the city please explain to me and other's why they are allowing this type of rezoning? The proposed re-zoning is a DIRECT conflict of the "comprehensive land use" studies.**

The two studies have cost the city hundreds of thousands of tax dollars for apparently nothing. These very expensive studies promoted development of both single, and multi-use housing in one area.

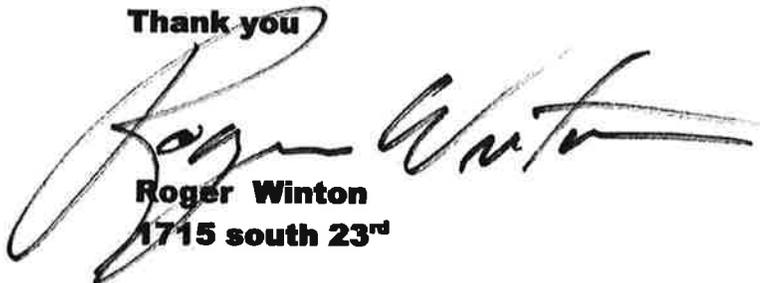
The residential diversity that we now have in the Park Hill area matches the comprehensive land use studies. A duplex build in the late 1940's or early 1950's is next to my house that was built in 1928. There are 4 or 8 unit apartments buildings constructed in the 1970's down the street from my house. One of the oldest apartment complex's in Fort Smith can be seen from my back yard. For years it was said Park Hill was a good place to live BECAUSE of the various forms of housing.

A theory. IF there is a fire in a duplex or a natural disaster and the property is torn down, who is going to invest a new \$100,000 to \$125,000 rent house on a 50' wide lot? Construction costs verses minimum rent values for a single residence in the noted area.

I have over 40 years or designing experience and believe me there is huge difference between a 50' wide lot at Cisterna Villa and 50' wide lot on South N street. It will be hard to get anyone to build back what these re-zoning people dream of. The proposed rezoning is setting the area up for a series of "900 to 1,000 square foot shot-gun" house replacing the 60 year old "shot-gun" duplex.

Who is going to take care of the empty lot or lots in the next 10-15-20 years as duplex's are removed due to attrition? Will the property owner or owners pushing for the rezoning step up to the plate and buy the abandoned properties?

Thank you

A handwritten signature in black ink, appearing to read "Roger Winton". The signature is fluid and cursive, with a large initial "R" and "W".

**Roger Winton
1715 south 23rd**

CC Keith Lau

Rice, Maggie

From: Val Lewis [val1@att.net]
Sent: Friday, September 26, 2014 8:28 AM
To: Rice, Maggie
Subject: Parkhill neighbors meeting
Attachments: Scan0004.pdf

Good morning Maggie,

I have attached a copy of the sign-in sheet from the meeting last evening 9-25. Including you and I, there were 18 people that attended, and I was pleased with the turn-out. I provided copies of the muni-code delineating the RM-3 and the RS-3 zoning differences and a discussion of this was very energized. A request was made by James & Melissa Woodell at 2210 S. S street to opt out of the change. I feel that all that attended understood the change being proposed and most were in agreement.

Thank you again for all your assistance and guidance!

Val

Valerie Lewis
2111 S. T St.
P.O.Box 3126
Fort Smith, AR 72913
Phone: 479 783-0687

NAME	ADDRESS	Phone #
Valerie Lewis	2111 S. T ST.	783-0687
DAVID HARRIS	2035 So. V	783-5551
Ruby Judy	2122 South T	782-9236
Krista Freeman	1910 South R	482-472-3597
Andy Peni	2111 S. Q	475-434-2852
Cindy Rose	2200 S. T	479-785-1120
Paul K. Rose	2200 So. T	479-461-3347
Don Bandy	2213 " 22 nd	
Anna Sue Bandy	" "	
Jo Hardy	2305 So. S Street	763-4494
John + Judi McIntosh	2104 So. Q	650-3063
Melissa Woodall	2210 So. S	561-2610
James S. Woodall	2210 So. th S	479-561-0486
DAVID PERRY	2025 So. T.	479-783-3719
Chuck Girard	2004 So. R	479-651-5173
Tracy Ahlert	2119 So. T	479-222-9969
Margie Rice	City of Fort Smith	

3H

Joseph Watts & Lori Haggerty
2022 South "S" Street
Fort Smith, AR 72901

Gary & Doris Garton
2401 South "T" Street
Fort Smith, AR 72901

Joseph Harrison
2000 South "R" Street
Fort Smith, AR 72901

Tressa Lynn Freeman
5434 Highland Drive
Fort Smith, AR 72903

Kenneth & Rebekah Taylor
2122 South 23rd Street
Fort Smith, AR 72901

John Lange
#5 Wynona Drive
Fort Smith, AR 72901

Patrick Flake
2215 South "R" Street
Fort Smith, AR 72901

Bobby & Teresa Hogan
P. O. Box 2665
Fort Smith, AR 72902

David & Doris Perry
2025 South "T" Street
Fort Smith, AR 72901

Tracy Hamilton
2108 South "T" Street
Fort Smith, AR 72901

Eleanor Genhousky
2012 South "U" Street
Fort Smith, AR 72901

Cody Glover
2122 South "S" Street
Fort Smith, AR 72901

Joe Parker Living Trust
2224 South "U" Street
Fort Smith, AR 72901

Chuck Fawcett
4720 Rogers
Fort Smith, AR 72903

Boyd
2008 South "T" Street
Fort Smith, AR 72901

Wrenetta Ritchie Living Trust
7818 Euper Lane
Fort Smith, AR 72903

Julie Lineberry
500 High Street
Alexandria, VA 22302

Art & Janice Martin
2121 Wolfe Lane
Fort Smith, AR 72901

Berry & Celeste Smith
2220 South "R" Street
Fort Smith, AR 72901

James & Melissa Woodall
2210 South "S" Street
Fort Smith, AR 72901

Letha Nunley
c/o Edwards Nunley
2800 South 34th Street
Fort Smith, AR 72903

Troy Williams
2201 South "R" Street
Fort Smith, AR 72901

Philip & Robin Falleur
2423 South "T"
Fort Smith, AR 72901

Everett & Ruby Tolton
2009 South "L" Street
Fort Smith, AR 72901

Timothy Dillon
5019 South 22nd Street
Fort Smith, AR 72903

David & Carrie Wilson
2215 South "U" Street
Fort Smith, AR 72901

David Handke
7612 Holly Avenue
Fort Smith, AR 72908

Shirley Shepherd
2013 South "T"
Fort Smith, AR 72901

Daniel & Lois McCleary
2008 South "S" Street
Fort Smith, AR 72901

Teresa Westbrook
704 SE 12th Street
Muldrow, OK 74948

Dovie Lamproe
1823 South 21st Street
Fort Smith, AR 72901

Casey Cunneen
2209 South "S" Street
Fort Smith, AR 72901

Kent & Ruby Judy
2122 South "T" Street
Fort Smith, AR 72901

Rainwater Brothers Properties, LLC
6740 Pecan Cove Lane
Van Buren, AR 72956

Earl Swafford
2108 South "S" Street
Fort Smith, AR 72901

Rebecca Weatherton
2208 South "U" Street
Fort Smith, AR 72901

Polly Preston
2201 South "U" Street
Fort Smith, AR 72901

Nancy Lovelady
2111 North 55th Place
Fort Smith, AR 72904

Mark Alder
2200 South "R" Street
Fort Smith, AR 72901

James & Susan Horton
4013 Gascony Way
Fort Smith, AR 72903

Wellhouse, LLC
c/o Gary Somerville
2314 City Lake Road
Ozark, AR 72949

Havis & Lena Case
2706 Whippoorwill
White Hall, AR 71602

Brian & Audra Harper
2414 South "T" Street
Fort Smith, AR 72901

Mitchell Harper & Kevi Kleman
3627 Free Ferry
Fort Smith, AR 72903

Jonathan & Sarah Thompson
2021 South "U" Street
Fort Smith, AR 72901

Gary & Shannon Peters
2220 South "T" Street
Fort Smith, AR 72901

Dustin & Cynthia Smith
9111 Sky Park Drive
Fort Smith, AR 72903

Lowell & Patsy Connors
2315 South "T" Street
Fort Smith, AR 72901

Jennifer Bischof
2113 South "S" Street
Fort Smith, AR 72901

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51 Hiland
Fort Smith, AR 72901

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P. O. Box 5485
Fort Smith, AR 72913

Kralicek & Flusche, LLC
2300 South 57th Street-Suite #4
Fort Smith, AR 72903

Randy & Deborah Ghan
2025 South "S" Street
Fort Smith, AR 72901

Sandra Twewilliger
2117 South "U" Street
Fort Smith, AR 72901

Thad & Shannon Cutsinger
2009 South "T" Street
Fort Smith, AR 72901

Ruby Fowler
2001 South "S" Street
Fort Smith, AR 72901

Rainwater Real Estate LLC
2923 South 59th Street
Fort Smith, AR 72903

Janet Hodgens
2112 South "S" Street
Fort Smith, AR 72901

Grayce DeWitt & Gary Tipton
51 Haven Drive
Fort Smith, AR 72901

Rena Smith
2021 South "R" Street
Fort Smith, AR 72904

Joseph & Brittany Bartholomew
2108 South "R" Street
Fort Smith, AR 72901

John & Kathryn Mays Family Trust
2300 South "T" Street
Fort Smith, AR 72901

US Bank National Association
4801 Frederica Street
Owensboro, KY 42301

Carl & Elizabeth Rose
2200 South "T" Street
Fort Smith, AR 72901

Downwind Properties, LLC
3920 Rogers Avenue
Fort Smith, AR 72903

Brandon & Rachel Parish
2409 South "T" Street
Fort Smith, AR 72901

Kenneth Wayne Gunter
2101 South "S" Street
Fort Smith, AR 72901

Barbara Thomas
2009 South "U" Street
Fort Smith, AR 72901

Keith Crocker, LLC
3517 Old Oaks Lane
Fort Smith, AR 72903

Madelyn Roderick
2101 South "T" Street
Fort Smith, AR 72901

Michael Havlik
2225 South "U" Street
Fort Smith, AR 72901

Allison Brandon
2217 South "T" Street
Fort Smith, AR 72901

Dennis Ely
3101 Rogers Avenue
Fort Smith, AR 72903

Scott & Michelle Roam
2000 South "S" Street
Fort Smith, AR 72901

Cromer 2007 Joint Trust
2901 Carrington Point Road
Fort Smith, AR 72903

Randell Wall
2111 South "R" Street
Fort Smith, AR 72904

Jeffrey & Chelsea Claybrook
2230 South "S" Street
Fort Smith, AR 72901

Ronald & Rebecca Yates
8310 Rosewood Drive
Fort Smith, AR 72903

Mynna Herrell & Sullivan Mathews
2021 South "T" Street
Fort Smith, AR 72901

Timothy & Amanda Grimes
2004 South "T" Street
Fort Smith, AR 72901

Kralicek Investments LLC
Stark, Otto & McAlister
2300 South 57th, #4
Fort Smith, AR 72903

Brian & Hillary Christiansen
2100 South "R" Street
Fort Smith, AR 72903

Shane & Ragen Jennings
4401 Royal Oak Drive
Fort Smith, AR 72904

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2222 South "R" Street
Fort Smith, AR 72904

~~Salley Hart
2315 South 66th Street
Fort Smith, AR 72903~~

~~Brian & Booklyn Russell
2100 South "R" Street
Fort Smith, AR 72901~~

G.E. & Veronica Bryant
2221 South "U" Street
Fort Smith, AR 72901

Harold & Nancy Boerner
4012 South "S" Street
Fort Smith, AR 72903

Cathy O'Hern
1436 North 50th Street
Fort Smith, AR 72904

Lisa Slicznotka
2301 South "T" Street
Fort Smith, AR 72901

Gregory & Tracy Ahlert
2119 South "T" Street
Fort Smith, AR 72901

Linda Porter
900 South 23rd Street
Fort Smith, AR 72901

Stanley Goddard
2105 South "R" Street
Fort Smith, AR 72901

Khaiq & Van Do
9504 Bridgeford Road
Fort Smith, AR 72908

Fuel Investments, LLC
P. O. Box 1325
Alma, AR 72921

Dorothy Gilchrist Trust
2204 South 26th Street
Fort Smith, AR 72901

Ezekiel & Trish Quisenberry
2119 South "R" Street
Fort Smith, AR 72901

Stephen Jackson
2214 South "U" Street
Fort Smith, AR 72901

Robert & Karen Cook
3712 Sandy Point
Fort Smith, AR 72903

Kelly Michelle Miller
2104 South "S" Street
Fort Smith, AR 72901

Ben & Laura Daly
2201 South "T" Street
Fort Smith, AR 72901

James & Deanna Carty
2228 South "T" Street
Fort Smith, AR 72901

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8100 Pinebook Suite #1702
San Antonio, TX 78230

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2111 South "T" Street
Fort Smith, AR 72901

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2017 South "U" Street
Fort Smith, AR 72901

Rhiannon McKee
2109 South "S" Street
Fort Smith, AR 72901

Zula & Girard Boyd
2004 South "R" Street
Fort Smith, AR 72901

David Hughes
2221 South "R" Street
Fort Smith, AR 72904

Nemie Dunn
2012 South "T" Street
Fort Smith, AR 72901

Ublorat Xaysanasy
2011 South "S" Street
Fort Smith, AR 72901

Becky Graham
1913-15 Jenny Lind
Fort Smith, AR 72901

John & Julie Hagen
9900 Essex Place
Fort Smith, AR 72903

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2800 South 34th Street
Fort Smith, AR 72903

Kenneth Gunter
2118 South "S" Street
Fort Smith, AR 72901

Carl Craig
2221-23 South "S" Street
Fort Smith, AR 72901

Wanda Alexander
29 W 170 Morris Court
Warrenville, IL 60555

Carl Craig
2221-23 South "S" Street
Fort Smith, AR 72901

Candace Haydon
2206 South "S" Street
Fort Smith, AR 72901

Nancy Jo Short
2017 South "R" Street
Fort Smith, AR 72904

Swilling Construction, LLC
2300 South 24th Street
Fort Smith, AR 72901

Laura Kremers
2221 South "T" Street
Fort Smith, AR 72901

Hotz Holdings, LLC
3300 McClendons Mead
Fort Smith, AR 72908

K Smith Rentals, LLC
7812 Horan Drive
Fort Smith, AR 72903

Sheperd Family Trust
2005 South "U" Street
Fort Smith, AR 72901

Pamela Williams
2105 South "T" Street
Fort Smith, AR 72901

Robert & Darlene Vogel
P. O. Box 786
Fort Smith, AR 72902

Julie McFarland-Ordonez
1021 South 17th Street
Fort Smith, AR 72901

MAKB Enterprises, LLC
c/o Lisa Flinn
P. O. Box 2273
Fort Smith, AR 72901

Janice Carson
P. O. Box 507
Arkoma, OK 74901

James & April Cardwell
2115 South "R" Street
Fort Smith, AR 72901

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303 W Ray Fine Blvd.
Roland, OK 74954

Horton Properties, Inc.
24 Royale Drive
Van Buren, AR 72956

Charles Hartsfield
2213 South "S" Street
Fort Smith, AR 72901

Daniel Eagleson
2000 South "T" Street
Fort Smith, AR 72901

Kristen & Janet Procell
2200 South "U" Street
Fort Smith, AR 72901

Robert & Sarah Ferguson
5100 Birnie
Fort Smith, AR 72904

William & Rebecca Hook
2200 South "W" Street
Fort Smith, AR 72901

Trudy & Steven Smith
P. O. Box 11803
Fort Smith, AR 72917

Shawn Justice
2213 South "R" Street
Fort Smith, AR 72901

Rollins & Debbie Hoge
2412 Dundee Drive
Fort Smith, AR 72908

Dustin Hamlett
9919 Glen Flora Circle
Fort Smith, AR 72908

Art & Janice Martin
2212 South "T" Street
Fort Smith, AR 72901

Patricia & William Swearingen
2209 South "T" Street
Fort Smith, AR 72901

Jack & Donna Bruick
2125 South "T" Street
Fort Smith, AR 72901

Robert Stevenson & Sara Woods
2119 South "S" Street
Fort Smith, AR 72901

Lance O'Daniel
2124 South "U" Street
Fort Smith, AR 72901

~~Jemn Properties, LLC
525 Duchess Drive
Sierra Vista, AZ~~

~~Jonathan Bilyeu
2024 South "R" Street
Fort Smith, AR 72901~~

Gina Smith
2121 South "U" Street
Fort Smith, AR 72901

Austin & Candi Freeman
817 Segan Street
Van Buren, AR 72956

Paul & James Leach
2005 South "T" Street
Fort Smith, AR 72901

Alice Roberts
2008 South "U" Street
Fort Smith, AR 72901

William Smith
1921 South 22nd Street
Fort Smith, AR 72901

Argus & Patricia King
2218 South "U" Street
Fort Smith, AR 72901

Benjamin Valentine
2104 South "T" Street
Fort Smith, AR 72901

Opal Owens
1822 South 21st Street
Fort Smith, AR 72901

Ironwood Investment Group, LLC
1516 Hendricks Blvd.
Fort Smith, AR 72903

Floyd & Marjorie Barringer
2418 South "T" Street
Fort Smith, AR 72901

Ralph & Ladonne Obana
2212 South "R" Street
Fort Smith, AR 72901

Vella Stewart, et al
2212 South "S" Street
Fort Smith, AR 72901

Heather Lovelady
2020 South "T" Street
Fort Smith, AR 72901

Kyle Johnson
2212 South "V" Street
Fort Smith, AR 72901

Hakr Properties, LLC
2300 South 57th Street
Fort Smith, AR 72903

John Martin
2113 South "V" Street
Fort Smith, AR 72901

Christ the King Church
2112 S. Greenwood Avenue
Fort Smith, AR 72901

Perry & Juanita Smith
5217 South 17th Terrace
Fort Smith, AR 72901

Oscar & Lorena Guillen
1908 South "V" Street
Fort Smith, AR 72901

Glenda McLaughlin
1915 South "V" Street
Fort Smith, AR 72901

Gary & Jama Watkins
2001 Wolfe Lane
Fort Smith, AR 72901

Rod Svendsen
303 W Ray Fine Blvd.
Roland, OK 74954

CKMP Properties, LLC
2502 Greenridge Drive
Fort Smith, AR 72903

Michael Brennan
2016 Wolfe Lane
Fort Smith, AR 72901

Benham Dangers
2218 South "Q" Street
Fort Smith, AR 72901

SAWMC LLC
2104 South "Q" Street
Fort Smith, AR 72901

Aina Properties, LLC
P. O. Box 11776
Fort Smith, AR 72917

David Harris
2025 South "V" Street
Fort Smith, AR 72901

Roger Winton
1715 South 23rd Street
Fort Smith, AR 72901

Kevin Dorey
2021 South "Q" Street
Fort Smith, AR 72901

Leo & Charlotte Cole
2100 Wolfe Lane
Fort Smith, AR 72901

Thanh Vinh
1917 South "Q" Street
Fort Smith, AR 72901

Thomas Stiga
2100 South "V" Street
Fort Smith, AR 72901

William & Dana Duvall
6000 Country Club
Fort Smith, AR 72901

Virgil Johnson
1900 Jenny Lind
Fort Smith, AR 72901

Tillman Neal, Jr.
2216 Bluff Avenue
Fort Smith, AR 72901

Karen Turman
2311 South "S" Street
Fort Smith, AR 72901

Bob Sanders Living Trust
3008 S. Carthage
Fort Smith, AR 72901

Vickie May
2200 South 24th Street
Fort Smith, AR 72901

Hairbenders, Inc.
2200 Jenny Lind
Fort Smith, AR 72901

Christine Redford
2125 South "Q" Street
Fort Smith, AR 72901

Maham, LLR & 4MAR, LLC
4200 Jenny Lind
Fort Smith, AR 72901

Joshua Whitson
2017 Wolfe Lane
Fort Smith, AR 72901

Barbara Dalke Moore Trust
2228 South "V" Street
Fort Smith, AR 72901

Deck Realty, LLC
1249 N. Waldron Road
Fort Smith, AR 72904

Robert Schardt, et al
2320 South "Q" Street
Fort Smith, AR 72901

Elizabeth & Gordon Robertson
2308 South "S" Street
Fort Smith, AR 72901

ASSP Investment Properties, LLC
P. O. Box 10282
Fort Smith, AR 72917

Richard & Brenda Walden
2300 Jenny Lind
Fort Smith, AR 72901

Debbie & David Hoffman
2020 South "Q" Street
Fort Smith, AR 72901

Jimmie Gayle Rice
2004 South "V" Street
Fort Smith, AR 72901

Woodrow & Beverly Hogan
2118 South "V" Street
Fort Smith, AR 72901

Judith Moran
2311 South "R" Street
Fort Smith, AR 72901

B & O Properties, LLC
P. O. Box 10005
Fort Smith, AR 72916

Susan Pejic Living Trust
2121 Packard Place
Fort Smith, AR 72901

Ryanne Harper
2219 South "V" Street
Fort Smith, AR 72901

Mason Berry
1909 South "U" Street
Fort Smith, AR 72901

Timothy Neufell
1906 South "U" Street
Fort Smith, AR 72901

Donna Mitchell
418 North 6th Street
Fort Smith, AR 72901

Eldon & Debra Bushong
2201 South 23rd Street
Fort Smith, AR 72901

Justin Chaffin
2000 South "Q" Street
Fort Smith, AR 72901

Michael Cowart
2121 South "V" Street
Fort Smith, AR 72901

Karen Jones
1909 South "R" Street
Fort Smith, AR 72901

Ashley Hartness
2705 South 97th Circle
Fort Smith, AR 72903

Dayna Cameron
2310 South "R" Street
Fort Smith, AR 72901

WEL, LLC
P. O. Box 3949
Fort Smith, AR 72913

Donald & Valarie Hubbard
2000 Wolfe Lane
Fort Smith, AR 72901

Christopher & Emily Cameron
2119 South "Q" Street
Fort Smith, AR 72901

Michael Massey
2304 South "S" Street
Fort Smith, AR 72901

Helen McCann Living Trust
2200 South "Q" Street
Fort Smith, AR 72901

Sue Carol Scheider
2008 South "V" Street
Fort Smith, AR 72901

Larry Murry Living Trust
P. O. Box 8109
Fort Smith, AR 72902

Chandler Garrett
2207 South 23rd Street
Fort Smith, AR 72901

Sue Carol Schneider
2008 South "V" Street
Fort Smith, AR 72903

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2112 Packard Drive
Fort Smith, AR 72901

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P. O. Box 2326
Fort Smith, AR 72903

Paul & Anna Scott
2121 South 23rd Street
Fort Smith, AR 72901

Anthony & Dannie Morse
2304 South "Q" Street
Fort Smith, AR 72901

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8908 Lakeside Way
Fort Smith, AR 72903

Theodore Neal Tillman, Jr. Trust
2215 Bluff
Fort Smith, AR 72901

Kobi Mussett
2315 South "R" Street
Fort Smith, AR 72901

Kristin Fowler
2209 South "V" Street
Fort Smith, AR 72901

Eugene Boerner
734 N Willow Avenue
Fayetteville, AR 72701

Juan Gonzalez
2109 South "V" Street
Fort Smith, AR 72901

Teri & Earl Smith
2218 South "V" Street
Fort Smith, AR 72901

Brett Yother
2319 South "S" Street
Fort Smith, AR 72901

Yvonne Pistole
2012 South "Q" Street
Fort Smith, AR 72901

John Farris
2715 Country Club
Fort Smith, AR 72901

Drew & Ashley Millican
2222 South "Q" Street
Fort Smith, AR 72901

David Burkey & Cheryl Ward
2219 South "Q" Street
Fort Smith, AR 72901

Catrina & Ryan Curtis
2021 Wolfe Lane
Fort Smith, AR 72901

C & M Rentals, LLC
3229 Cliff Drive
Fort Smith, AR 72903

KTB Management, LLC
5409 Remington Way
Fort Smith, AR 72916

Jo Whitby
5 Candlestick Lane
Fort Smith, AR 72903

Bill Pope, Jr.
2105 Packard Drive
Fort Smith, AR 72901

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1911 South "Q" Street
Fort Smith, AR 72901

James & Judith Kelley
10615 Highway 253
Fort Smith, AR 72916

Dao Nguyen
1901 North 47th Street
Fort Smith, AR 72904

Rebecca Melancon
2007/2009 South "Q" Street
Fort Smith, AR 72901

Jesse & Stephanie Bailey
2200 South "V" Street
Fort Smith, AR 72901

Jo Lynn Hardy
2305 South "S" Street
Fort Smith, AR 72901

Bobby & Edith Cross
1823 Heritage Drive
Van Buren, AR 72956

Carol Lilly
2315 South "S" Street
Fort Smith, AR 72901

Paul & Cynthia Rainwater
3220 Village Road
Fort Smith, AR 72903

Matthew Hendrix & Gerri Runion
2105 South "V" Street
Fort Smith, AR 72901

Wesley & Kathy Otwell
2411 South Houston
Fort Smith, AR 72901

Lynn & Dora Hughes Trust
2300 South "R" Street
Fort Smith, AR 72901

Harold & Sheila Martin
2024 South "Q" Street
Fort Smith, AR 72901

Tom & Carole Daniel
277 South Paseo Seco
Green Valley, AZ 85614

Bayview Financial Property Trust
3422 Midland
Fort Smith, AR 72904

Celina Bonilla
507 Bear Track Drive
Van Buren, AR 72956

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2305 South "R" Street
Fort Smith, AR 72901

Majestic Properties, LLC
P. O. Box 180922
Fort Smith, AR 72918

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2115 Packard Place
Fort Smith, AR 72901

Jubal Daniels
2410 South "S" Street
Fort Smith, AR 72901

Calvin Moye Living Trust
P. O. Box 3162
Fort Smith, AR 72913

William & Gaius Blackburn
2321 South "R" Street
Fort Smith, AR 72901

CRF Investment Properties, LLC
1910 South "R" Street
Fort Smith, AR 72901

Scott Davidson
8206 Holly
Fort Smith, AR 72908

Sandra Adams
2100 Packard Drive
Fort Smith, AR 72901

Jacqueline Hiatt
2001 South "Q" Street
Fort Smith, AR 72901

Christina Robben
2217 South "V" Street
Fort Smith, AR 72901

Johnnie & Asilia Doyle
10117 Foxboro Road
Fort Smith, AR 72903

Elizabeth & Bobby Evans
2206 South "V" Street
Fort Smith, AR 72901

Jessica Mackey
2312 South "R" Street
Fort Smith, AR 72901

Donald & Hazel Lumpkin
2117 South "V" Street
Fort Smith, AR 72901

Clarence & Billie Sue Boone
3316 South 42nd Street
Fort Smith, AR 72903

William & Debra Frye
4507 W. Highway 10
Greenwood, AR 72936

Andrew & Rose Deal
2111 South "Q" Street
Fort Smith, AR 72901

David & Hernandez Fox
1914 South "V" Street
Fort Smith, AR 72901

John & Melinda Hickman
2214 South "Q" Street
Fort Smith, AR 72901

John & Melinda Hickman
2214 South "Q" Street
Fort Smith, AR 72901

Jeannette Owen
2101 Wolfe Lane
Fort Smith, AR 72901

Gary & Lovette Norman
2814 Edgewater Drive
Greenwood, AR 72936

Troy & Ashley Bonner
1800 South 22nd Street
Fort Smith, AR 72901

Rosario Nolasco-Bell
2012 South "V" Street
Fort Smith, AR 72901

Gregory & Trina Boerner
3314 South 39th Street
Fort Smith, AR 72903

Kevin & Linda Barnett
2231 South "Q" Street
Fort Smith, AR 72901

Jerry Adamson
2013 South "V" Street
Fort Smith, AR 72901

Billy & Peggy Higgins
2120 Packard Drive
Fort Smith, AR 72901

Thomas Caldarera
2104 Wolfe Lane
Fort Smith, AR 72901

Pho Minh Buddhist Temple
3811 Mussett Road
Fort Smith, AR 72904

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2110 South "V" Street
Fort Smith, AR 72901

Katlin Donnelly
1904 South "Q" Street
Fort Smith, AR 72901

Diana Lee
2315 South "U" Street
Fort Smith, AR 72901

Gioi Nguyen
200 North 20th Street
Fort Smith, AR 72901

Katherine Boulden
2109 South 23rd Street
Fort Smith, AR 72901

Nancy Gilmer Trustee
2308 South "Q" Street
Fort Smith, AR 72901

Stephanie Bertin
1910 South "T" Street
Fort Smith, AR 72901

Diadem Properties, LLC
4701 E. Valley Road
Fort Smith, AR 72903

Zemira Grimm Living Trust
2208 South 24th Street
Fort Smith, AR 72901

Virginia Elsken
2205 South "V" Street
Fort Smith, AR 72901

Robert Langston
2019 South "Q" Street
Fort Smith, AR 72901

Louis & Shelly Crenshaw
2011 Wolfe Lane
Fort Smith, AR 72901

Mark Anderson
9700 Weddington Road
Fort Smith, AR 72908

Katherine Hughes
2320 South "R" Street
Fort Smith, AR 72901

Kenneth & Patricia Schlag
1800 South 23rd Street
Fort Smith, AR 72901

John Mackey
2016 South "Q" Street
Fort Smith, AR 72901

Robert & Deborah Crawford
2224 Jenny Lind Road
Fort Smith, AR 72901

Jess & Kristan Roland
2105 Wolfe Lane
Fort Smith, AR 72901

Norman & Elizabeth Kennon
2009 South "V" Street
Fort Smith, AR 72901

Robert & Kara Frye
2808 Southridge Estates
Fort Smith, AR 72916

Kenneth & Barbara Hulsey
1507 Lovers Lane
Van Buren, AR 72956

Lilly Grier Revocable Trust
2227 South "Q" Street
Fort Smith, AR 72901

Jerrald & Jennifer Jenkins
2118A South "Q" Street
Fort Smith, AR 72901

Ronald & Rebecca Yates
8310 Rosewood Drive
Fort Smith, AR 72903

Nancy Clark
2112 South "V" Street
Fort Smith, AR 72901

David & Elizabeth Osterhout
2101 Packard Place
Fort Smith, AR 72901

James & Carol Williams
1911 South "V" Street
Fort Smith, AR 72901

Jenny Lind Builders, LLC
5608 South 14th Street
Fort Smith, AR 72901

Lyndell Foster
2323 South "V" Street
Fort Smith, AR 72901

Marcus Frueh
2312 South "Q" Street
Fort Smith, AR 72901

Sallie Ann Grigsby
2222 South 23rd Street
Fort Smith, AR 72901

Bandy Family Revocable Trust
501 North 66th Street
Fort Smith, AR 72903

Donna Bethel
2015 South "Q" Street
Fort Smith, AR 72901

Joe Chronister Trustee
Joe Chronister Living Trust
P. O. Box 35
Lavaca, AR 72941

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5123 South 29th Street
Fort Smith, AR 72901

Shelly Lensing
2006 Wolfe Lane
Fort Smith, AR 72901

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2300 South 57th Street-#4
Fort Smith, AR 72903

James & Judy Clark
2306 South "R" Street
Fort Smith, AR 72901

Debbie Ashworth & David Hoffman
4505 North Rudy Road
Van Buren, AR 72956

Loren & Ida Janes
1914 South "S" Street
Fort Smith, AR 72901

Judith McIntosh Living Trust
2104 South "Q" Street
Fort Smith, AR 72901

Aaron & Julaina Thornton
2010 Wolfe Lane
Fort Smith, AR 72901

Craig & Cynthia Cunningham
1200 South Waldron Rd. #138
Fort Smith, AR 72903

Mark Bateman
810 South 25th Street
Fort Smith, AR 72901

Zemira Grimm Living Trust
1103 South 23rd
Fort Smith, AR 72901

Leonard Chasteen
c/o April Gucierrev
1923 South "Q" Street
Fort Smith, AR 72901

Thomas & Deborah Underhill
2300 South "Q" Street
Fort Smith, AR 72901

Carla Stoufer
2420 South "S" Street
Fort Smith, AR 72901

The Tillman Theodore Neal, Jr.
Living Trust
2215 Bluff Avenue
Fort Smith, AR 72901

Frances Mach & Julie Nguyen
1909 South Atlanta
Fort Smith, AR 72901

John & Pamela Weber
P. O. Box 5184
Fort Smith, AR 72913

Vince & Kimberly Corley
2025 South "Q" Street
Fort Smith, AR 72901

Pamela Galloway
2215 South "V" Street
Fort Smith, AR 72901

Alison Underwood
2405 South "S" Street
Fort Smith, AR 72901

George & Elizabeth Muschany
2423 South "S" Street
Fort Smith, AR 72901

William & Shirley Moates
2323 South "U" Street
Fort Smith, AR 72901

Jessia West
2401 South "S" Street
Fort Smith, AR 72901

Jonathan Bilyeu
217 S. Hester Cut Road
Greenwood, AR 72936-5107

Jemn Properties, LLC
12127 Northbrook Drive
Glenn Dale, MD 20769-9317

Brian & Booklyn Russell
894 LaFayette Avenue-Apt. 1A
Brooklyn, NY 11221-5947

Salley Hart
2315 South 66th Street
Fort Smith, AR 72903

DRAFT

Planning Commission Meeting Minutes
October 14, 2014

- The preliminary and final plat must comply with the City's Subdivision Design and Improvement Standards and the Standard Specifications for Public Works Construction.

Chairman Sharpe then called for the vote on the preliminary plat as amended. The vote was 6 in favor, 0 opposed and 1 abstention (Howard).

2. Final Plat – Patriot Square – Lots 1 & 2 – Mickle-Wagner-Coleman

Motion was made by Commissioner Parks, seconded by Commissioner Newton and carried unanimously to amend this request to make approval subject to all required approvals of the plat and the affixing of all required signatures on the original tracing and other copies and associated documents prior to the plat being filed with the county recorder.

Chairman Sharpe then called for the vote on the final plat as amended. The vote was 6 in favor, 0 opposed and 1 abstention (Howard).

3. Rezoning #19-10-14; A request by Valerie Lewis, agent for the Parkhill Subdivision, for a zone change from Residential Multi-Family Medium/High Density (RM-3) to Residential Single Family Medium/High Density (RS-3) by Extension located at 2000-2115 South "R" Street; 2119-2222 South "R" Street; 2000-2230 South "S" Street; 2000-2423 South "T" Street; 2000-2225 South "U" Street; 1822-2201 South 21st Street; 1800-2017 South 22nd Street; 1822-2208 South 23rd Street and 1913-1915 Jenny Lind Road.

Ms. Maggie Rice read the staff report indicating that the purpose of this rezoning request is for a corrective rezoning to reflect how this area has developed. Ms. Rice noted that the proposed rezoning is to exclusively allow single family development. Ms. Rice also stated that a neighborhood meeting was held on Thursday, September 25, 2014, at the Fort Smith Public Library with twelve (12) people present, two (2) of which in opposition to the rezoning and requesting their properties be removed from the rezoning request.

Commissioner Redd questioned the fact that this would be considered a spot zoning if the lots being excluded from this rezoning request were to remain their current zoning classification.

DRAFT

Ms. Rice indicated that a letter had been received from Mr. Roger Winton questioning whether staff had notified all property owners of duplex properties that they will only be allowed to rebuild a single occupancy residence in case their existing property is destroyed and that they have the option of requesting their property be taken out of the rezoning request. Ms. Rice stated that all property owners had been notified.

Ms. Rice also noted the following excerpt from the comprehensive plan in response to Mr. Winton's letter stating that the proposed rezoning is a direct conflict of the comprehensive land use studies:

Rezoning of existing, predominately, single-family residential neighborhoods where the historic zoning pattern does not reflect the predominant built pattern. Priority will be made in areas where stability and character are threatened.

Ms. Valerie Lewis was present to speak on behalf of this request. Ms. Lewis praised Ms. Rice and the entire Planning staff for their assistance during this application process.

Chairman Sharpe asked for a show of hands of people in attendance who were in support of this request. Approximately 30+ people were in attendance supporting this rezoning.

Mr. David Perry, 2025 South "T" Street spoke on behalf of this rezoning request. Mr. Jim Horton addressed the Commission and requested that 2 of his rental properties be removed from this rezoning request. He noted the addresses to be removed as 2104 South "R" Street and 2220 South "S" Street.

Ms. Melissa Woodall, 2210 South "S" Street, spoke in opposition to this request. Ms. Woodall noted that her property has already been excluded from this request; however, she stated that she is not a fan of reducing property owners' rights to do what they want with their properties and did not feel that multi-family development would be detrimental to the neighborhood.

Following a discussion by the Commission, motion was made by Commissioner Parks, seconded by Commissioner Howard and carried unanimously to amend this request to make approval subject to the removal of the above noted two (2) properties owned by Mr. Horton.

Chairman Sharpe then called for the vote on the rezoning request as amended. The vote was 6 in favor and 1 opposed (Redd).

ORDINANCE NO. _____**AN ORDINANCE AMENDING THE MASTER LAND USE PLAN MAP AND
REZONING IDENTIFIED PROPERTY AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has held a public hearing to consider a request to amend the Master Land Use Plan Map relative to property described in Section 1 of this ordinance, and, having considered the request, recommended on October 14, 2014, that said change be made; and,

WHEREAS, the Planning Commission determined the change to the Master Land Use Plan Map does conform to the goals and objectives of the Comprehensive Plan.

WHEREAS, the City Planning Commission has heretofore held a public hearing to consider request No. 20-10-14 to rezone certain properties hereinafter described, and, having considered said request, recommended on October 14, 2014, that said change be made;

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

SECTION 1: The hereinafter described property is hereby reclassified on the Master Land Use Plan Map from Residential Detached to Residential Attached and the Master Land Use Plan Map is hereby amended to reflect said amendment to-wit:

Part of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), Section Twenty-Five (25), Township Eight (8) North, Range Thirty-two (32) West, Fort Smith, Sebastian County, Arkansas, more particularly described as follows:

Beginning at a point 80.0 feet North of the Southwest Corner of said Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), said point being on the West line of said Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$); thence North 114.0 feet along the West line of said Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$);

thence East 320.0 feet; thence South, 114.0 feet; thence West 320.0 feet to the point of beginning, containing 0.84 acres more or less, and being subject to public road rights of ways.

more commonly known as 3507 and 3515 South 66th Street.

SECTION 2: The real property described in Section 1 is hereby rezoned from Transitional (T) to Residential Multi-family Medium/High Density (RM-3) by Extension, subject to Planning Commission approval of the development plan.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2014.

ATTEST:

APPROVED:

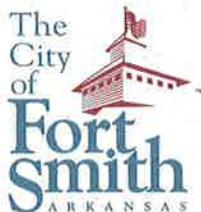
City Clerk

Mayor

Approved as to form:



Publish One Time



October 29, 2014

Honorable Mayor and Board of Directors
City of Fort Smith, Arkansas

Re: A request by Bransen Harris, agent, for Planning Commission consideration of a Master Land Use Plan Amendment from Residential Detached to Residential Attached and a zone change from Transitional (T) to Residential Multi-Family Medium/High Density (RM-3) by Extension located at 3507 and 3515 South 66th Street.

On October 14, 2014, the City Planning Commission held a public hearing to consider the above requests and a request for approval of a development plan.

Ms. Maggie Rice read the staff reports indicating that the purpose of these requests is to allow for a multi-family development consisting of seven (7) duplexes and one (1) single family home. Ms. Rice stated that the development would have a total of 15 dwelling units for this location with 32 parking spaces and landscaping along South 66th Street and Sunchase Lane.

Ms. Rice stated that a neighborhood meeting was held on Thursday, August 21, 2014, at 5:30 p.m. at 6813 Phoenix Avenue with two (2) people in attendance. There were no objections to the proposed project, but discussions about how the drainage would be accommodated did occur during the meeting.

Mr. Bransen Harris spoke in support of these requests.

Mr. Lee Houseworth stated that he felt this was a good project for the City and does not feel it would be detrimental to the neighborhood.

The following persons spoke in opposition to these requests citing their concerns relative to property devaluation, traffic, safety and drainage: Ms. Lori Moore, representing her father Al Roller at 3305 South 68th Circle; Paul Chastain, 6701 Sunchase Lane; Sue Arter, 3224 South 68th Circle and Claudia Sanchez, 3300 South 68th Circle.

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

Mr. Harris noted that there would be one way in and one way out and all parking would be located behind the units with no parking on the street. Mr. Harris also noted that these units would be approximately 1,300 square feet and rent for approximately \$1,000 per month.

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

Chairman Sharpe called for the vote on the Master Land Use Plan Amendment. The vote was 5 in favor and 2 opposed (Howard, Redd).

Chairman Sharpe then called for the vote on the rezoning request. Motion was made by Commissioner Cox, seconded by Commissioner Howard and carried unanimously to amend this request to make approval subject to all construction being built in accordance 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.

Chairman Sharpe then called for the vote on the rezoning request as amended. The vote was 5 in favor and 2 opposed (Howard, Redd).

Chairman Sharpe then called for the vote on the request for development plan approval. Motion was made by Commissioner Parks, seconded by Commissioner Cox and carried unanimously to amend this request to make approval of the development plan subject to the following:

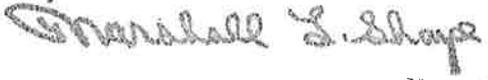
- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
- All exterior lighting must comply with Section 27-602-5 of the Unified Development Ordinance.
- The drainage shall be approved by the City Engineering Department.

Chairman Sharpe then called for the vote on the development plan as amended. The vote was 5 in favor and 2 opposed (Howard, Redd).

The Planning Commission hereby certifies this zoning map amendment to the Board of Directors in accordance with A.C.A. 14-56-422.

Respectfully Submitted,

CITY PLANNING COMMISSION

A handwritten signature in dark ink, appearing to read "Marshall S. Sharpe". The signature is written in a cursive style and is positioned above the printed name.

Marshall Sharpe, Chairman

MS/lp

cc: File
City Administrator

**Master Land Use Plan
Amendment**

Memo

To: City Planning Commission

From: Planning Staff

Date: September 29, 2014

Re: Proposed Master Land Use Plan Amendment by Branson Harris, agent for Don Carter, from Residential Detached to Residential Attached located at 3507 & 3515 South 66th Street (Companion to items #5 & #6)

ADJACENT LAND USE CLASSIFICATIONS AND USES

Land Use classification and use contiguous to the subject lot are as follows:

The areas to the north and east are classified as Residential Detached and are developed as single family residences.

The area to the south is classified as General Commercial and is developed as offices.

The area to the west is classified as Residential Attached and is developed as a multifamily development.

EXISTING LAND USE

The existing Master Land Use classification of Residential Detached is described as follows: The purpose of the Residential Detached Land Use is to create and maintain stable neighborhoods, provide safe, attractive family environments, and protect property values.

PROPOSED LAND USE

The proposed Master Land Use classification of Residential Attached is described as follows: The purpose of the Residential Attached Land Use is to provide for diverse populations and households, by supporting variety and options in living environments, and housing, while protecting and improving property values.

4A

Characteristics and Use:

Duplex, triplex, four-plex, town-house, single and multiple story apartments and condominiums.

Criteria for Designation:

Compliance Noted

- | | |
|---|-----|
| • Land adjacent to/or within regional centers. | YES |
| • Land within walking distance to commercial, office, low impact industry, regional institutions or parks | YES |
| • Located on high volume roadway. | YES |
| • Planned as part of a mixed-use development | YES |

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South 66th Street as a Major Collector.

STAFF COMMENTS AND RECOMMENDATIONS

A neighborhood meeting was held on Thursday August 21, 2014 at 5:30 P.M. at 6813 Phoenix Avenue. Two people were present at the neighborhood meeting. There were no objections to the proposed project.

Additionally, if the Planning Commission is inclined to approve this change it would be an extension of an existing Residential Attached Master Land Use Plan Classification.

LB

Application Type

Minor Amendment Standard Amendment Major Amendment
 (See Section 27-328-5 C. (Criteria))

Request to Amend Map Request to Amend Text

Applicant Name: <u>Branson Harris</u>		
Firm Name: <u>BEHR LLC</u>		
Address: <u>5311 S. 28th Suite B Ft. Smith</u>		
Phone # (day): <u>242-4663</u> Phone # (cell): <u>806-8670</u> Fax #: <u>242-0735</u>		
Owner Name: <u>Don Carter</u>		
Owner Address:		
Phone # (day):	Phone # (cell):	Fax #:
Property Address (subject property): <u>3507 + 3515 S. 106th Street</u>		
Subject Property		
Current Land Use:	Residential <u>single family homes</u>	
Existing MLUP Classification:	<u>Residential detached</u>	
Proposed MLUP Classification:	<u>Residential attached</u>	
Existing Zoning Classification:	<u>Transitional</u>	
Proposed Zoning Classification:	<u>RM-3</u>	
Surrounding Property		
Current Land Use:	north-	<u>single family homes</u>
	south-	<u>office</u>
	east-	<u>single family homes</u>
	west-	<u>Multi-family</u>
Existing MLUP Classification:	north:	<u>Res. detached</u>
	south:	<u>General commercial</u>
	east:	<u>Res. detached</u>
	west:	<u>Res. attached</u>
Existing Zoning Classification:	north:	<u>RSD-4</u>
	south:	<u>C-2</u>
	east:	<u>RSD-4 + Transitional</u>
	west:	<u>RM-3</u>
Pre-Application Meeting Date:		

For a Minor, Standard or Major Master Land Use Plan Amendment, please attach the following information and answer the questions below. You may provide answers on a separate sheet and attach it to this application:

4C

1. A legal description of the subject property that is to be amended (reclassified).
see attached
2. A map of the property which includes the scaled distance, legal description, and general vicinity map inset showing the property's location.
3. The area dimensions of the property in square feet or acres.
4. Describe existing road conditions and new roads to be included in the development and the effect of the proposed development on existing roads and traffic conditions:

Internal Drive - no new Roads proposed

5. Describe the existing public utility services and infrastructure (such as water, sewer, fire/police) which are available to the property and the source/method of providing additional utilities and infrastructure to the property if necessary:

see plan

6. Provide a statement of the proposed build-out density and maximum potential build-out density (units per acre) permitted by the proposed land use classification:

15 units on 1.27 - total buildout

density allows for 20 units per acre

7. Identify any known or anticipated environmental concerns:

none

For a Standard or Major Master Land Use Plan Amendment only, please attach the following additional information and answer the questions below. You may provide answers on a separate sheet and attach it to this application:

8. An analysis of the impact of the amendment on surrounding properties and plans in terms of:

HD

a. Describe potential changes to development patterns in terms of local and regional impacts:

N/A

b. Describe the consistency in zoning between existing and planned uses:

N/A

c. Provide explanation of the need for and demand in the proposed uses:

N/A

9. Provide an analysis of the long term development plan for the area (10-20 years) which incorporates a review of the land use, transportation, and infrastructure impact to both the City of Fort Smith and the property owner:

N/A

For a Comprehensive Plan-Text Amendment only, please attach the following information. Provide answers on a separate sheet and attach it to this application:

1. A typewritten copy of the proposed changes to the text in underline/strikeout (also known as "track changes") format.
2. A description of the reasons supporting the amendment and the special circumstances requiring the change:

AUTHORIZATION OF AGENT

4E

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a rezoning by application do hereby authorize Bransen Harris to act as our agent in the matter.
(Print Name of Agent)

(Type or clearly print)

NAMES OF ALL OWNERS.

SIGNATURE OF ALL OWNERS.

- | | | |
|-----|-------------------|-------------------|
| 1. | <u>DON CARTER</u> | <u>Don Carter</u> |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |
| 6. | _____ | _____ |
| 7. | _____ | _____ |
| 8. | _____ | _____ |
| 9. | _____ | _____ |
| 10. | _____ | _____ |

This form is necessary only when the person representing this request does not own all property.

4F

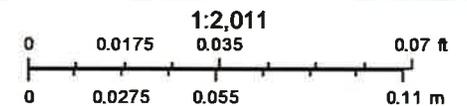
Master Land Use: From Residential Detached to Residential Attached 3507 & 3515 South 66th Street

4G



October 8, 2014

- Fort Smith City Limits
- Subdivisions
- Building Footprints



City of Fort Smith GIS
Copyright 2013, City of Fort Smith

Memo

To: City Planning Commission

From: Planning Staff

Date: September 29, 2014

Re: Rezoning #20-10-14 - A request by Branson Harris, agent for Don Carter, for Planning Commission consideration of a zone change request from Transitional (T) to Residential Multi-family Medium/High Density (RM-3) by extension located at 3507 and 3515 South 66th Street (Companion to items #4 & #6)

PROPOSED DEVELOPMENT

The rezoning will allow for a multi-family development consisting of 7 duplexes and 1 single family home. The development would have a total of 15 dwelling units for this location with 32 parking spaces and landscaping along South 66th Street and Sunchase Lane.

LOT LOCATION AND SIZE

The subject property is on the southeast corner of Sunchase Lane and South 66th Street. The tract contains an area of 1.36 acres with 284 feet of street frontage along Sunchase Lane and 194 feet of street frontage along South 66th Street.

REQUESTED ZONING

The proposed 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.

5A

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 | |

EXISTING ZONING

The existing zoning on this tract is Transitional (T).
Characteristics of this zone are as follows:

Purpose:

To provide small scale areas for limited office, professional service, and medical services designed in scale with surrounding residential uses. The transitional zoning district applies to the Residential Attached, Institutional, Neighborhood Commercial and General Commercial categories of the Master Land Use Plan.

Permitted Uses:

Single family detached, duplexes, family group home, retirement housing, bridal shop, banking establishments and offices are examples of permitted uses.

Conditional Uses:

Assisted living, bed & breakfast inn, utility substation, country club, park or playground, college, library, primary and secondary school, business professional schools, fire and rescue station, emergency response station, police substation, diagnostic laboratory testing facility, hospital, daycare homes, substance abuse treatment facility, senior citizen center and churches are examples of uses permitted as conditional uses.

5B

Area and Bulk Regulations:

Minimum Lot Size – 5,000 square feet	Maximum Height - 35 feet (1+1)
Maximum Lot Size – 40,000 square feet	Maximum Lot Coverage - 65%
Minimum Lot Width at Building Line – 50 feet	
Minimum Street Frontage – 50 feet	
Front Yard Setback - 20 feet	
Side Yard on Street Side of Corner Lot - 20 feet	
Side Yard Setback – 5 feet	
Rear Yard Setback - 10 feet	
Minimum building separation – 10 feet (residential), non residential to be determined by current City building and fire code.	

SURROUNDING ZONING AND LAND USE

The areas to the north and east are zoned Residential Single Family – Duplex High Density (RSD-4) and are developed as single family residences.

The area to the south is zoned Commercial Light (C-2) and is developed as general offices.

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

MASTER LAND USE PLAN COMPLIANCE

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

A companion Master Land Use Amendment application has been submitted to allow Residential Attached at this location to accommodate the rezoning application. This classification is intended to provide for diverse populations and households, by supporting variety and options in living environments, and housing, while protecting and improving property values.

STAFF COMMENTS AND RECOMMENDATIONS

A neighborhood meeting was held on Thursday August 21, 2014 at 5:30 P.M. at 6813 Phoenix Avenue. Two people were present at the neighborhood meeting. There were no objections to the proposed project, but discussions about how the drainage would be accommodated did occur during the meeting.

The RM-3 zone allows for 20 units per acre, the proposed development is less than what is allowed within the code.

If the Planning Commission is inclined to approve the development staff recommends the approval be contingent upon the following:

1. Construction must comply with the submitted development plan. Changes or

50

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. Approval of the Master Land Use Plan amendment.

50

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)

2. Address of property: 3507 + 3515 S. 66th Street

3. The above described property is now zoned: T

4. Application is hereby made to change the zoning classification of the above described property to RM-3 by Extension.
(Extension or classification)

5. Why is the zoning change requested?

To allow for the new construction of a multifamily development consisting of seven duplexes and one of the two existing houses.

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

Branco, LLC (Bransen Harris)
Owner or Agent Name
(please print)

Signed:

Owner

5311 S. 28th Suite B Ft. Smith
Owner or Agent Mailing Address

or
[Signature]
Agent

479-806-8670
Owner or Agent Phone Number

5E

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

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

Meeting Location 6813 Phoenix Avenue

Meeting Time & Date August 21st 2014 5:30 P.M.

Meeting Purpose Re zoning, MLUP, Development Plan

NAME

ADDRESS

PHONE #

- | | <u>NAME</u> | <u>ADDRESS</u> | <u>PHONE #</u> |
|-----|--------------------|------------------------|-----------------------|
| 1. | Tyler Miller | City of Fort Smith | 479-784-2241 |
| 2. | Bransen Harris | Branco, LLC | 806-8670 |
| 3. | J.P. YOUNG | YOUNG + YOUNG, CO. LLC | 474-2381 |
| 4. | Rita Young | Young & Young | 474-2381 |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |

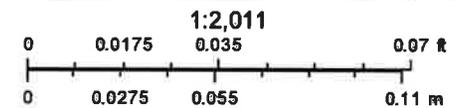
Rezoning #20-10-14: From Transitional (T) to Residential Multifamily Medium Density (RM-3) 3507 & 3515 South 66th Street

15



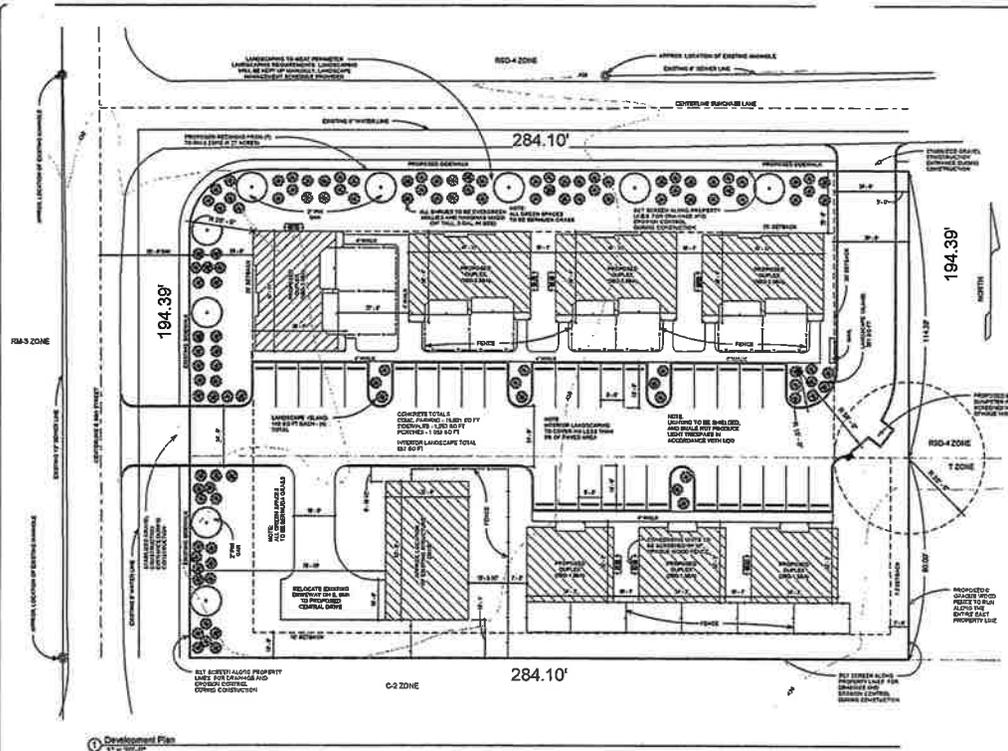
September 22, 2014

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



City of Fort Smith GIS
Copyright 2013, City of Fort Smith

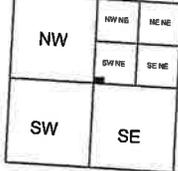
679



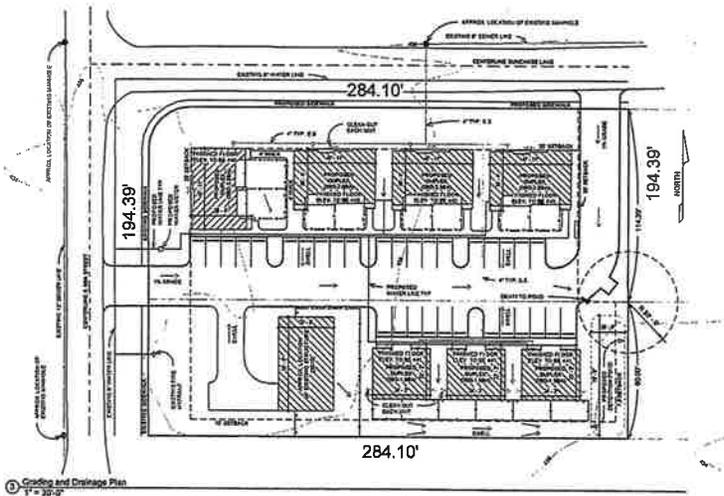
ITEM NUMBER OF SPECIFIED QUANTITY	UNIT	QUANTITY
CONCRETE TOTALS	CU YD	10.00
ASPHALT TOTALS	SQ YD	100.00
LANDSCAPE TOTALS	SQ YD	100.00
PAVING TOTALS	SQ YD	100.00
GRASS TOTALS	SQ YD	100.00
WOOD TOTALS	SQ YD	100.00
STEEL TOTALS	SQ YD	100.00
BRICK TOTALS	SQ YD	100.00
GLASS TOTALS	SQ YD	100.00
ROOF TOTALS	SQ YD	100.00
MECHANICAL TOTALS	SQ YD	100.00
ELECTRICAL TOTALS	SQ YD	100.00
PLUMBING TOTALS	SQ YD	100.00
PAINT TOTALS	SQ YD	100.00
FINISH TOTALS	SQ YD	100.00

Development Plan
1" = 20'-0"

SECTION 25 T-8-N R-32-W



VOENTZ/AR



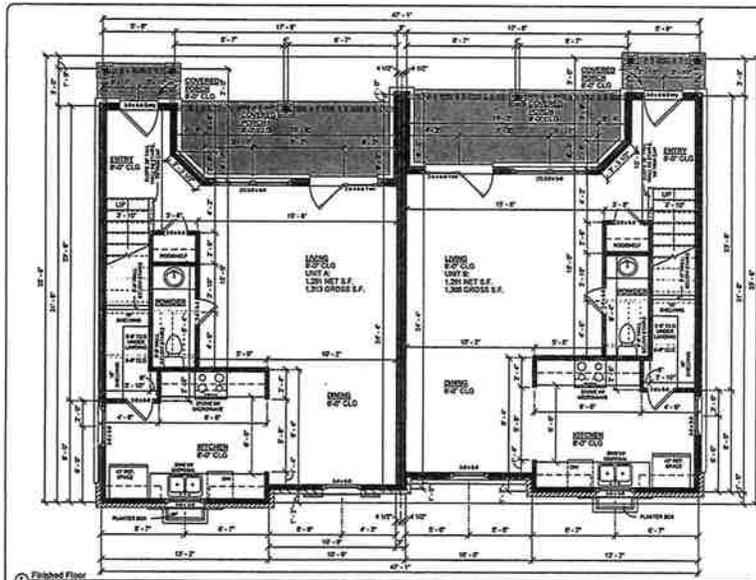
Grading and Drainage Plan
1" = 20'-0"

S. 66th and Sunchase Ln Duplexes

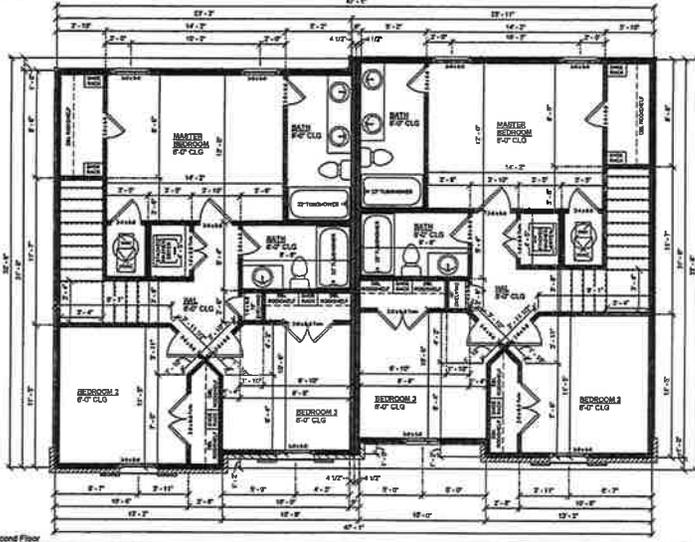
BEHR LLC

Site

1 of 1



1 Finished Floor
1/8" = 1'-0"



2 Second Floor
1/8" = 1'-0"



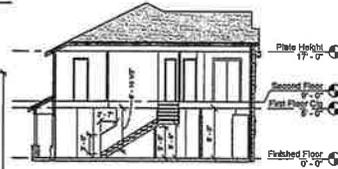
3 Front
1/8" = 1'-0"



4 Left
1/8" = 1'-0"



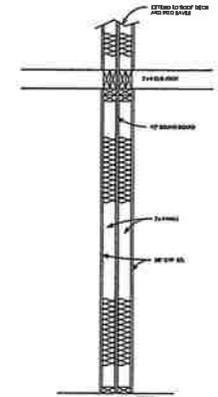
5 Right
1/8" = 1'-0"



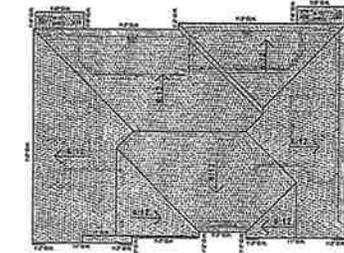
6 Side Section
1/8" = 1'-0"



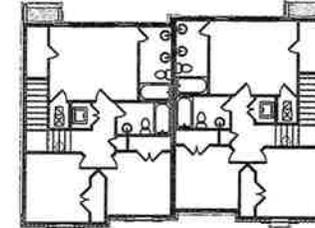
7 Rear
1/8" = 1'-0"



8 24-hour Fire Wall
3/4" = 1'-0"



9 Roof Plan
1/8" = 1'-0"



10 Utility
1/8" = 1'-0"

Bldg F - Duplex 1,313
(3BD-2.5BA-2Story)

BEHR LLC

Stock Plan

Floor Plans, Roof Plans,
Elevations, Wall Sections

Scale	Sheet No.	1 of 1
Date	Author	Checked
Drawn	Reviewed	Approved

Robert Viguet & Randall Ross
3000 Old Greenwood Road
Fort Smith, AR 72903

Janice Biggs
6712 Sunchase Lane
Fort Smith, AR 72903

Paul Minden
6704 Sunchase Lane
Fort Smith, AR 72903

Randal & Raydell Barbry
6700 Sunchase lane
Fort Smith, AR 72903

Deborah Etzkorn
6632 Sunchase Lane
Fort Smith, AR 72903

Jena & Brandon Ybarra
6628 Sunchase Lane
Fort Smith, AR 72903

Leann Black
6713 Sunchase Lane
Fort Smith, AR 72903

Nancy Preston
6709 Sunchase Lane
Fort Smith, AR 72903

Jessica Shelton
6705 Sunchase Lane
Fort Smith, AR 72903

Terrell Family Revocable Trust
6701 Sunchase Lane
Fort Smith, AR 72903

Louis Sander
6633 Sunchase Lane
Fort Smith, AR 72903

Jeremy Lamberson
6629 Sunchase Lane
Fort Smith, AR 72903

Naomi Cahoon
6625 Sunchase Lane
Fort Smith, AR 72903

James Fields
6621 Sunchase Lane
Fort Smith, AR 72903

Charles & Reba Tidwell Trust
10309 Meandering Way
Fort Smith, AR 72903

Hai & Hong Tran
6305 Remington Court
Fort Smith, AR 72916

Big Bear Investments, LLC
P. O. Box 11655
Fort Smith, AR 72917

Airport Commission of Fort Smith
6700 McKennon Blvd.
Fort Smith, AR 72903

Young & Young Development
P. O. Box 604
Van Buren, AR 72957

Don Carter, et al
3500 Billy Trail
Van Buren, AR 72956

Pic n Tote Self Service Stores, Inc.
2000 Phoenix
Fort Smith, AR 72901

RNR Investment, LLC
P. O. Box 10919
Fayetteville, AR 72703

Richard & Donna Whitsitt
6700 Phoenix
Fort Smith, AR 72901

Lori Moore
3305 South 68th Circle
Fort Smith, AR 72903

Sue Arter
3224 South 68th Circle
Fort Smith, AR 72903

Claudia Sanchez
3300 South 68th Circle
Fort Smith, AR 72903

4. **A request by Bransen Harris, agent for Don Carter, for a Master Land Use Plan Amendment from Residential Detached to Residential Attached located at 3507 & 3515 South 66th Street. (companion item to item #5 & #6)**
5. **Rezoning #20-10-14; A request by Bransen Harris, agent for Don Carter, for a zone change from Transitional (T) to Residential Multi-Family Medium/High Density (RM-3) by Extension located at 3507 & 3515 South 66th Street. (companion item to items #4 & #6)**
6. **A request by Bransen Harris, agent for Don Carter, for development plan approval for a multi-family development located at 3507 & 3515 South 66th Street. (companion item to items #4 & #5)**

Ms. Maggie Rice read the staff reports indicating that the purpose of these requests is to allow for a multi-family development consisting of seven (7) duplexes and one (1) single family home. Ms. Rice stated that the development would have a total of 15 dwelling units for this location with 32 parking spaces and landscaping along South 66th Street and Sunchase Lane.

Ms. Rice stated that a neighborhood meeting was held on Thursday, August 21, 2014, at 5:30 p.m. at 6813 Phoenix Avenue with two (2) people in attendance. There were no objections to the proposed project, but discussions about how the drainage would be accommodated did occur during the meeting.

Mr . Bransen Harris spoke in support of these requests.

The following persons spoke in opposition to these requests citing their concerns relative to property devaluation, traffic, safety and drainage: Ms. Lori Moore, representing her father Al Roller at 3305 South 68th Circle; Paul Chastain, 6701 Sunchase Lane; Sue Arter, 3224 South 68th Circle and Claudia Sanchez, 3300 South 68th Circle.

Mr. Harris noted that there would be one way in and one way out and all parking would be located behind the units with no parking on the street. Mr. Harris also noted that these units would be approximately 1,300 square feet and rent for approximately \$1,000 per month.

DRAFT

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

- 4. A request by Bransen Harris, agent for Don Carter, for a Master Land Use Plan Amendment from Residential Detached to Residential Attached located at 3507 & 3515 South 66th Street. (companion item to items #5 & #6)**

The vote on the Master Land Use Plan Amendment was 5 in favor and 2 opposed (Howard, Redd).

- 5. Rezoning #20-10-14; A request by Bransen Harris, agent for Don Carter, for a zone change from Transitional (T) to Residential Multi-Family Medium/High Density (RM-3) by Extension located at 3507 & 3515 South 66th Street. (companion item to items #4 & #6)**

Motion was made by Commissioner Cox, seconded by Commissioner Howard and carried unanimously to amend this request to make approval subject to all construction being built in accordance 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.

Chairman Sharpe then called for the vote on the rezoning request as amended. The vote was 5 in favor and 2 opposed (Howard, Redd).

- 6. A request by Bransen Harris, agent for Don Carter, for development plan approval for a multi-family development located at 3507 & 3515 South 66th Street. (companion item to items #4 & #5)**

Motion was made by Commissioner Parks, seconded by Commissioner Cox and carried unanimously to amend this request to make approval subject to the following:

- 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.
- All exterior lighting must comply with Section 27-602-5 of the Unified Development Ordinance.

DRAFT

- The drainage shall be approved by the City Engineering Department.

Chairman Sharpe then called for the vote on the development plan as amended. The vote was 5 in favor and 2 opposed (Howard, Redd).

- 7. A request by Guest Reddick Architects, agent for Silverthorne, LLC, for development plan approval for a retail facility located at 5400 Phoenix Avenue. (companion item to item #15)**
- 15. Variance #32-10-14; A request by Guest Reddick Architects, agent for Silverthorne, LLC, for a variance from perimeter landscaping requirements located at 5400 Phoenix Avenue. (companion item to item #7)**

Mr. Wally Bailey stated that an e-mail had been received by the applicant requesting that these items be tabled for a maximum of sixty (60) days pending an investigation and consideration of construction cost savings necessary for this project to move forward.

Chairman Sharpe then called for the vote to table the development plan application for a maximum of sixty (60) days. Motion was made by Commissioner Howard, seconded by Commissioner Parks and carried with 6 in favor and 1 abstention (Redd).

RECESS PLANNING COMMISSION CONVENE BOARD OF ZONING ADJUSTMENT

- 15. Variance #32-10-14; A request by Guest Reddick Architects, agent for Silverthorne, LLC, for a variance from perimeter landscaping requirements located at 5400 Phoenix Avenue.**

Chairman Sharpe then called for the vote to table the variance application for a maximum of sixty (60) days. Motion was made by Commissioner Howard, seconded by Commissioner Parks and carried with 6 in favor and 1 abstention (Redd).

RECESS BOARD OF ZONING ADJUSTMENT RECONVENE PLANNING COMMISSION

- 8. Conditional Use #30-10-14; A request by Michele Santana, agent for Hung Tran, for a conditional use for an auto body shop located at 2901 North 6th Street.**

Ms. Brenda Andrews read the staff report indicating that the purpose of this conditional use is to allow an existing metal shop building to be utilized as an auto body shop.

RESOLUTION _____

A RESOLUTION TO ACCEPT THE BID AND AUTHORIZE A CONTRACT FOR THE CONSTRUCTION OF SOUTH 7TH STREET AND PARKER AVENUE OVERLAY/RECONSTRUCTION AND TROLLEY EXTENSION PROJECT NO. 14-90-A

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The bid of Township Builders, Inc. received October 21, 2014 for the construction of South 7th Street and Parker Avenue Overlay/Reconstruction and Trolley Extension, Project No. 14-90-A, in the amount of \$713,760.00 be accepted.

SECTION 2: The Mayor is authorized to execute a contract with Township Builders, Inc. subject to the terms set forth in Section 1 above.

SECTION 3: Payment for construction authorized by Section 1 is hereby authorized from the Downtown Improvement Reserve Account (0101), \$214,467; 2015 Downtown Development Program (4111) \$40,000; and Sales Tax Fund (1105) \$459,293.

This resolution adopted this _____ day of November, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



 No Publication Required

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

FROM: Stan Snodgrass, P.E., Director of Engineering

DATE: October 28, 2014

SUBJECT: South 7th Street and Parker Avenue
Overlay/Reconstruction and Trolley Extension
Project No. 14-90-A

The above subject project consists of the asphalt street overlay, reconstruction and minor drainage improvements along South 7th Street and Parker Avenue. The project also includes an approximately 800 foot extension of the Fort Smith Trolley along South 7th Street. A project location map showing the proposed improvements is attached.

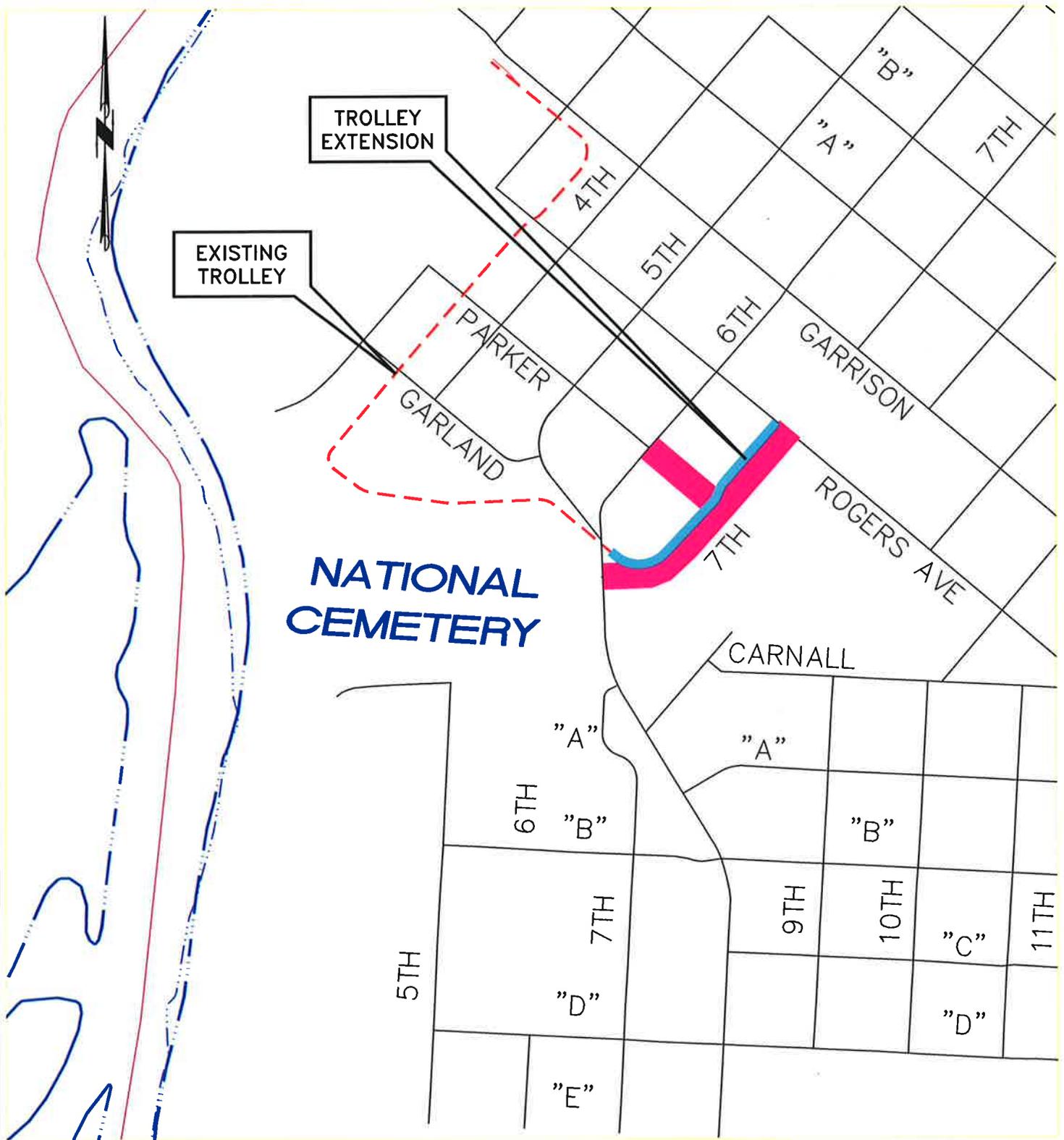
Construction plans and specifications were prepared by Mickle Wagner Coleman Engineers, Inc. of Fort Smith. An advertisement was published and bids were received on October 21, 2014. Six contractors requested plans and specifications and two bids were received which are summarized as follows:

CONTRACTOR	AMOUNT
1. Township Builders Little Rock, AR	\$ 713,760.00
2. Steve Beam Construction Fort Smith, AR	\$ 796,585.75
<i>Engineer's Estimate</i>	<i>\$ 700,000.00</i>

I recommend that the lowest bid be accepted and that the construction contract be awarded to Township Builders, Inc. The estimated notice to proceed date for this contract is December 1, 2014. Based on the contract duration of 180 days, the estimated completion date would be May 29, 2015.

Attached is a Resolution to accomplish the above recommendations. The funding for this project is being provided by the following sources: Downtown Improvement Reserve Account (0101), \$214,467; 2015 Downtown Development Program (4111) \$40,000; and Sales Tax Fund (1105) \$459,293.

10/27/14-11:44 RBR EXHIBIT
C:\DRAWINGS\CIP\00-00 CIPALL\2015\ TROLLEY.dwg



2014 CAPITAL IMPROVEMENTS PROGRAM
STREET OVERLAYS/RECONSTRUCTION
& TROLLEY EXTENSION



Project:	14-90-A
Date:	OCT. 2014
Scale:	NONE
Drawn By:	RBR

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING ENGINEERING SERVICES AGREEMENTS FOR THE DESIGN OF PROJECTS IN THE 2015 SALES TAX PROGRAM

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The Mayor is authorized to execute engineering services agreements for the design of the following projects in the 2015 Sales Tax Program utilizing the one cent sales tax proceeds.

Project No.	Description	Engineering Firm	Maximum Fee
15-03-A	Street Overlays / Reconstruction, Phase A	McGuire Engineering Fort Smith, AR	\$85,800.00
15-03-C	Street Overlays / Reconstruction, Phase C	EDM Consultants, Inc. Fort Smith, AR	\$79,000.00

SECTION 2: Payment for engineering services authorized by Section 1 is hereby authorized from the Sales Tax Fund (1105).

This Resolution adopted this _____ day of November, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



 No Publication Required

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

FROM: Stan Snodgrass, P.E., Director of Engineering

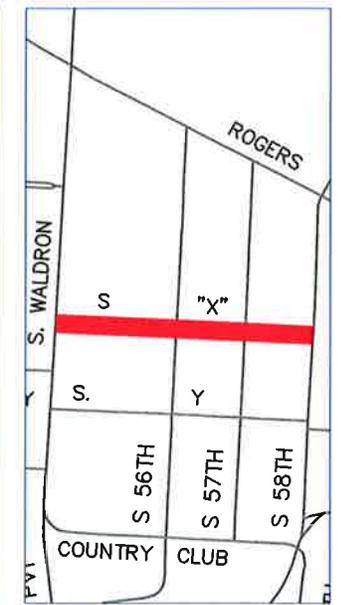
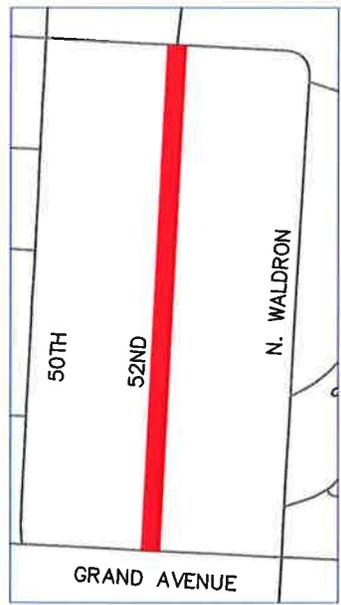
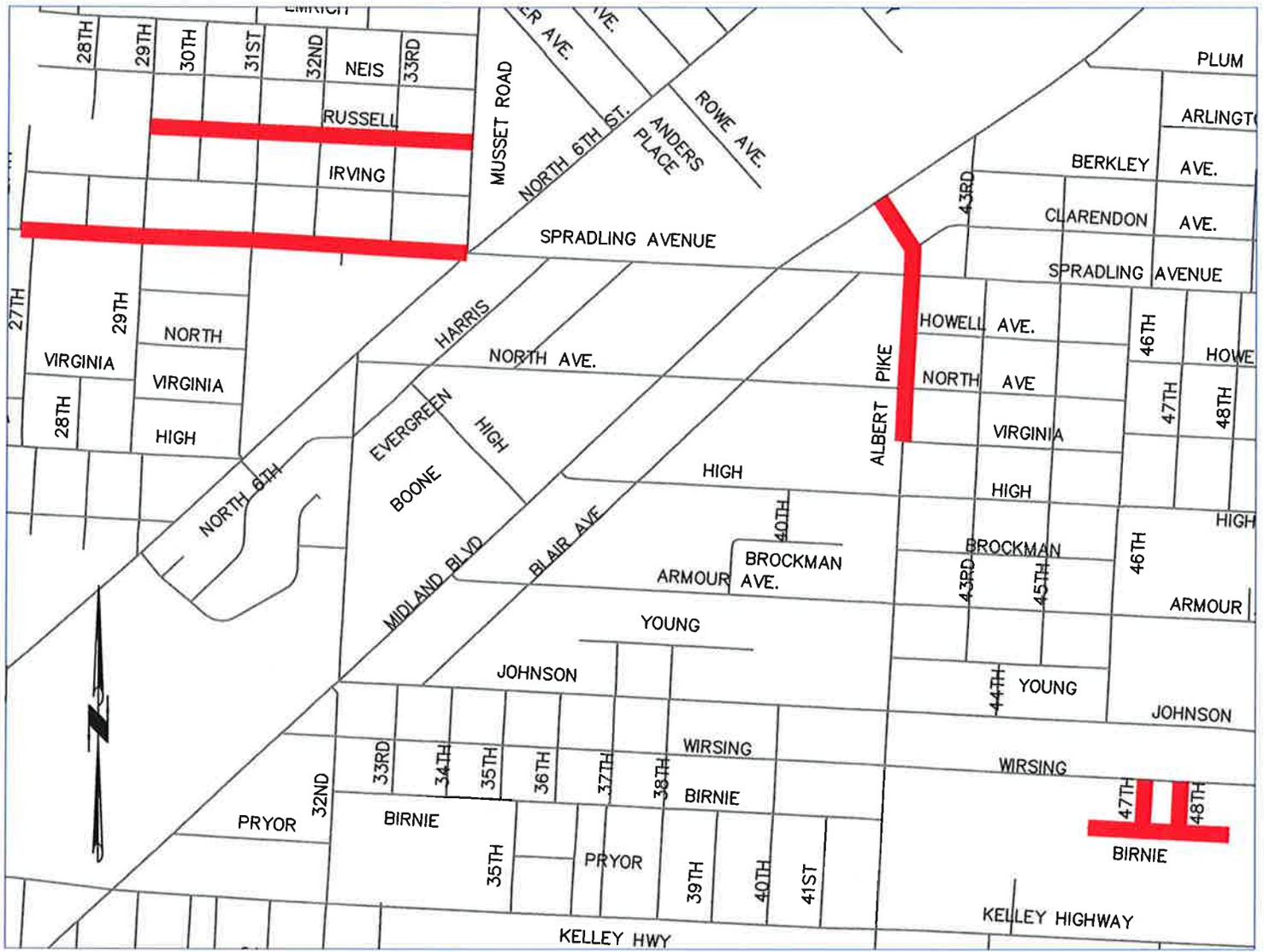
DATE: October 28, 2014

SUBJECT: 2015 Sales Tax Program
Engineering Services Agreements

The attached Resolution authorizes the Mayor to execute engineering services agreements for projects in the 2015 Sales Tax Program for streets, bridges and related drainage improvements. The locations of these projects are shown on the attached exhibits.

The professional services qualifications on file were reviewed and a summary of the selected firms is attached. The cost for the engineering services is set at a maximum not to exceed fee as noted on the resolution.

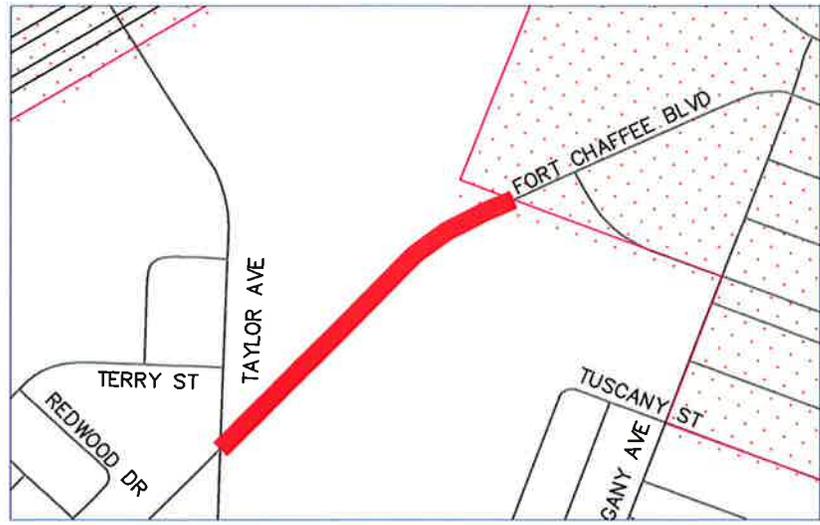
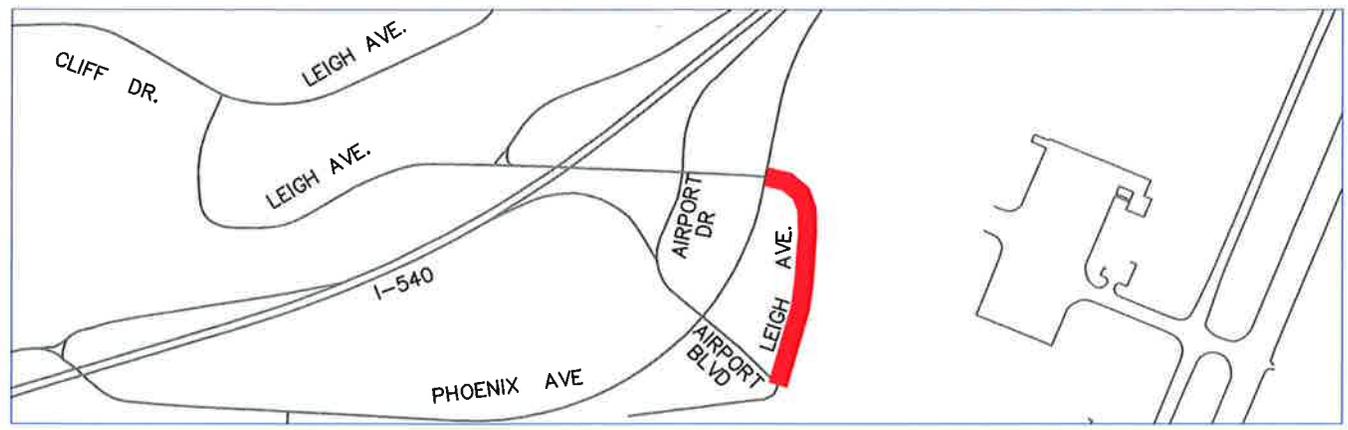
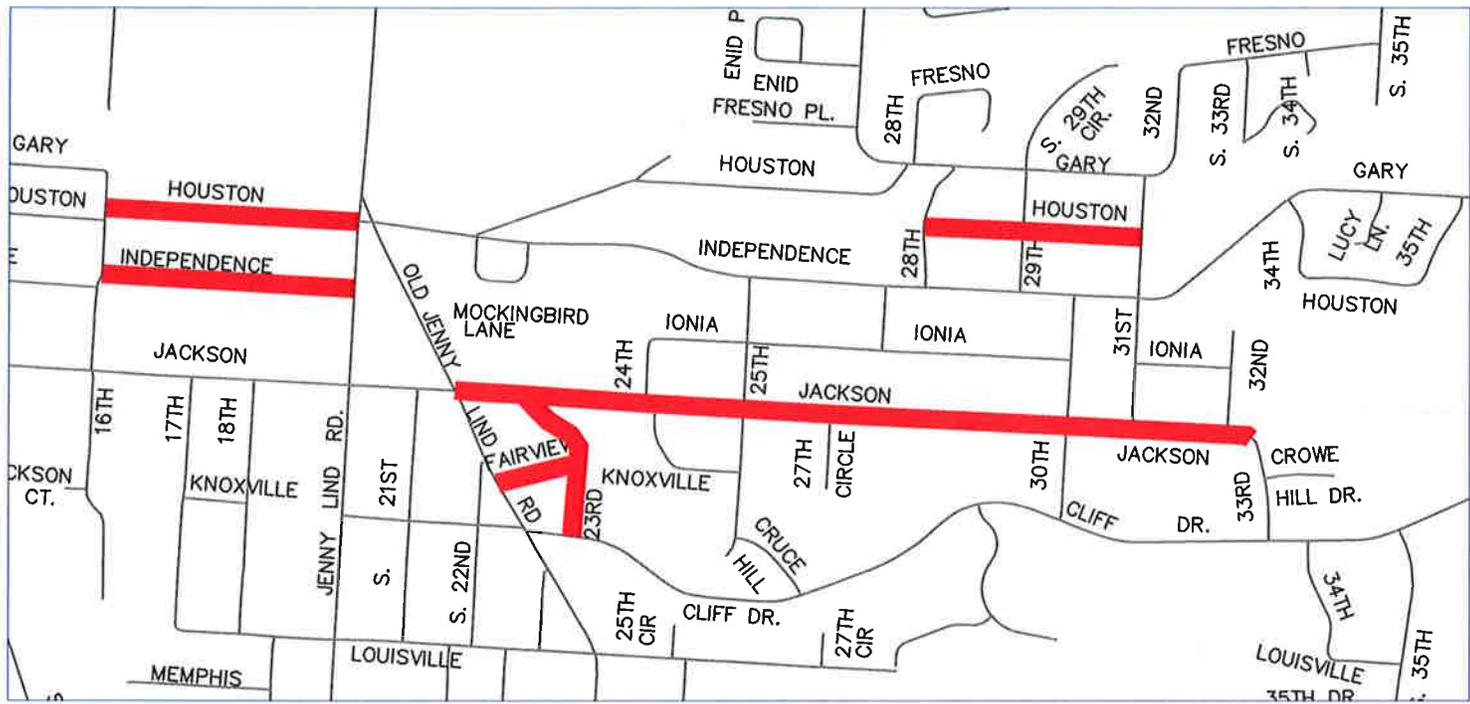
I recommend that the Resolution be adopted by the Board at the next regular meeting.



2015 CAPITAL IMPROVEMENTS PROGRAM
STREET OVERLAYS/RECONSTRUCTION



Project:	15-03-A
Date:	OCT. 2014
Scale:	NONE
Drawn By:	RBR



2015 CAPITAL IMPROVEMENTS PROGRAM STREET OVERLAYS/RECONSTRUCTION		Project: 15-03-C
		Date: OCT. 2014
		Scale: NONE
		Drawn By: RBR

ENGINEERING CONSULTANT SELECTION - 2015 CAPITAL IMPROVEMENTS PROGRAM

Project No.	Description	Selected Firm	Qualified Firm	Qualified Firm
15-03-A	Street Overlays / Reconstruction, Phase A	McGuire	Brixey	EDM
15-03-C	Street Overlays / Reconstruction, Phase C	EDM	Brixey	Mickle Wagner Coleman

Determination of the selected firm based upon review of consultant qualifications statements on file in the City Clerk's office, considering experience with respect to the type of services required, capacity and capability to perform the work, past record of performance and familiarity with the area in which the project is located.

Matt Tucker

Name

Steve Fudge

Name

Brian Waldrip

Name

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
CORRECTION FOR THE ELECTRIC UTILITY EASEMENT WITH OG&E
FOR THE AQUATIC FACILITY AT BEN GEREN REGIONAL PARK

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

The Mayor is hereby authorized to execute, his signature being attested by the
City Clerk, the attached correction for the electric utility easement with OG&E for the
aquatic facility at Ben Geren Regional Park, subject to concurrence by the authorized
officials of Sebastian County.

This Resolution adopted this _____ day of November, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM



npr



Memo:

October 31, 2014

To: Ray Gosack, City Administrator
From: Mike Alsup, Director of Parks and Recreation *mike Alsup*
Re: Revised Electric Utility Easement with OG&E
for the aquatic facility at Ben Geren Regional Park

OG&E will be providing electric service for the aquatic facility at Ben Geren Regional Park. An easement is required for the service line across the City and County owned property from the highway easement to the transformer and the transformer site. This easement was approved in August of this year. The transformer site needs to be adjusted by approximately 40'. The resolution authorizes the Mayor to sign the easement; the City and Sebastian County must both authorize the easement as the property is jointly owned.

The easement has been revised with the correct legal description. The aquatic facility is under construction with an opening date planned for Saturday, May 23, 2015, Memorial Day weekend. Construction is underway with much progress visible from the highway.

Please call me if you have any questions.

Attachment

THIS INSTRUMENT WAS PREPARED BY
LAND MANAGEMENT
AFTER RECORDING RETURN TO SAME @:
OG&E ELECTRIC SERVICES
ATTN: RIGHT OF WAY DEPT. - M/C AF90
7200 HIGHWAY 45
FORT SMITH, ARKANSAS 72916

CORRECTION EASEMENT

Work Order # 7355228c

KNOW ALL MEN BY THESE PRESENTS:

THAT THE CITY OF FORT SMITH, ARKANSAS, A municipal corporation, and SEBASTIAN COUNTY, ARKANSAS, Grantors, in consideration of the sum of Ten or more dollars in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby grant and convey unto **OKLAHOMA GAS AND ELECTRIC COMPANY**, an Oklahoma corporation, Grantee, its successors and assigns, the right, privilege and authority to enter upon and install, erect, operate, maintain and reconstruct underground and/or above ground a system of conduits, wires, cables, vaults, junction boxes, switches, fuses, transformers, service connection boxes and other fixtures for the transmission and distribution of electrical current and communication messages, including the right of ingress and egress to and from said system across adjoining lands of Grantor, upon and across the following real property and premises, situated in Sebastian (Fort Smith District) County, State of Arkansas, to wit:

A **TEN (10) foot wide exclusive easement** being five (5) feet each side of the centerline lying in **Lot 2 of the Northwest Quarter of Section 6, Township 7 North, Range 31 West**, being more particularly described as follows: Commencing at the Southeast corner of Lot 1 of the Northwest Quarter of Section 6, Township 7 North, Range 31 West at an existing iron pin; thence North 01 deg. 28' 00" East 2261.60 feet along the East line of Lot 1 to the South right of way line of Ark. State Hwy. 255; thence North 77 deg. West along the South right of way line 2996 feet to the **point of beginning**; thence South 20 deg. West 63 feet to the **point of terminus**. **The centerline of this easement shall be along the actual route of the line as installed.**

THE PURPOSE OF THIS EASEMENT IS TO CORRECT THE LEGAL DESCRIPTION CONTAINED IN THAT CERTAIN EASEMENT EXECUTED BY CITY OF FORT SMITH AND SEBASTIAN COUNTY IN FAVOR OF OKLAHOMA GAS AND ELECTRIC COMPANY RECORDED IN THE FORT SMITH DISTRICT OF SEBASTIAN COUNTY, ARKANSAS, AS 2014F 10919 ON 8/7/2014.

Grantors further covenant and agree that no building or other structure shall ever be erected nor shall any excavation or other removal of soil, so as to change the grade of terrain, be accomplished by Grantor, its heirs or assigns, within the above described easement area unless the written consent of the Grantee is first obtained. Grantors further acknowledge the requirements of Ark. Code 14-271-101 et seq. (One-call statute).

The rights and privileges above granted to continue so long as same are used or needed for the transmission and distribution of electric current or communication messages; but should the Grantee remove its property from the premises and abandon the right of way herein granted, then the rights granted in this easement shall terminate.

Signed and delivered this _____ day of _____, 2014

THE CITY OF FORT SMITH

By: _____
Title: SANDY SANDERS, MAYOR

SEBASTIAN COUNTY, ARKANSAS

ATTEST

By: _____
Title: DAVID HUDSON, COUNTY JUDGE

STATE OF _____ }
COUNTY OF _____ } § ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public, in and for Said County and State, on this _____ day of _____ 2014, personally appeared Sandy Sanders, to me known to be the identical person who subscribed the name of the maker **THE CITY OF FORT SMITH**, thereof to the foregoing instrument as its Mayor, and acknowledged to me that he executed the same as his free and voluntary act and deed of same for the uses and purposes therein set forth.

My Commission Expires:

_____ Notary Public

STATE OF _____ }
COUNTY OF _____ } § ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public, in and for Said County and State, on this _____ day of _____ 2014, personally appeared DAVID HUDSON to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its COUNTY JUDGE, and acknowledged to me that he executed the same as his free and voluntary act and deed of same for the uses and purposes therein set forth.

My Commission Expires:

_____ Notary Public

(Draft No. _____) R/W File No. **7355228C**
Form 468 (Rev 7/2003) ARK_OH-C2.DOT Atlas Sheet No. RG

RESOLUTION NO. _____

RESOLUTION ACCEPTING THE BID AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH TURN KEY CONSTRUCTION, INC. FOR ASBESTOS ABATEMENT AND RENOVATIONS TO THE ADMINISTRATIVE WING OF FIRE STATION NO. 1

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

The bid of Turn Key Construction, Inc. in the amount of \$237,477.00 for the asbestos abatement and renovations in the administrative wing of Fire Station No. 1 is accepted. The Mayor is hereby authorized to execute, his signature being attested by the City Clerk, a contract for the asbestos abatement and renovations in the administrative wing of Fire Station No. 1 based on the accepted bid submitted by Turn Key Construction, Inc.

This Resolution adopted this ____ day of November, 2014.

APPROVED:

Mayor

ATTEST:

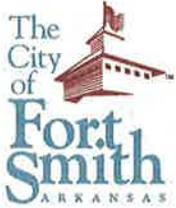
City Clerk

Approved as to form:



City Attorney

No Publication Required



FORT SMITH FIRE DEPARTMENT

200 NORTH FIFTH STREET
FORT SMITH, ARKANSAS 72901
479-783-4052 • FAX: 479-783-5338



Mike Richards
Fire Chief

To: Ray Gosack, City Administrator
From: Mike Richards, Fire Chief *MR*
Date: October 9, 2014
Re: Fire Administration Wing Asbestos Abatement and Renovations

When the citizens of Fort Smith overwhelmingly approved the bonds for fire service improvements in March, 2012, one of the projects approved was for the renovations of Fire Stations 1-10. During the design and engineering of the renovations, it was discovered that a much greater level of asbestos contamination existed in the fire stations and in the fire administration offices than originally anticipated. The proposed additional cost of the asbestos abatement forced us to postpone the renovations for the administration offices until we could determine if the funding for the fire administration wing would be available when all the projects were finished.

With the completion of Fire Station 11 and the renovations of Fire Stations 1-10 earlier this year, and the delivery of six (6) new fire trucks in 2013, we determined that we do have the necessary funds to finish the renovation project as originally planned. This funding can now be applied to asbestos abatement and renovations of the Fire Administration Wing of Fire Station #1 and thereby complete the overall scope of the fire service improvement project. It is very important we complete this project as one of the key features of the renovations will be to provide a much greater level of safety and security to fire department office staff.

MAHG Architects, the architect over the renovations of Fire Stations 1-10, was contracted to be the architect of the Fire Administration Wing renovations. Request for bids was advertised beginning September 21, 2014 and bids were opened on October 7, 2014. We received four (4) bids with Turn Key Construction, Inc. of Fort Smith, Arkansas, submitting the low bid of \$249,931.00. However, while reviewing the proposal with Turn Key Construction, Inc. and MAHG Architects, we were able to apply value engineering (VE) and reduce the cost by \$12,454.00 for a final proposal of \$237,477.00.

Fire Department staff recommends the approval of the low bid by Turn Key Construction. The construction time is 126 days after the notice to proceed is issued. Funding will be provided through the 2012 Sales and Use Tax and 4803 Capital funding. Please feel free to contact me if you have any questions.

Attachments: 1

BID TABULATION

ADMINISTRATIVE WING REMODEL – FIRE STATION #1 FORT SMITH, ARKANSAS

October 7, 2014

CONTRACTORS:	BESHEARS CONSTRUCTION	CRAWFORD CONSTRUCTION	TURN KEY CONSTRUCTION	DIXON CONTRACTING
CONTRACTOR LICENSE #	0039920815	0012410215	0186310415	0009900415
BASE PROPOSAL:	\$ 260,000	\$ 264,800	\$ 249,931	\$ 252,747
BID SECURITY:	5% Westfield Ins.	5% Am. Southern Ins.	5% Cincinnati Ins.	5% Sure Tec
ADDENDA REC'D:	1 & 2	1 & 2	1 & 2	1 & 2
SUBCONTRACTORS:				
ASBESTOS ABATEMENT:	Snyder Environmental	Snyder Environmental	Snyder Environmental	Snyder Environmental
License #	0123520415	0123520415	0123520415	0123520415
MILLWORK:	Hardgrave, Inc.	Hardgrave, Inc.	Hardgrave, Inc.	Hardgrave, Inc.
License #	0069870415	0069870415	0069870415	0069870415
PLUMBING:	Blaylock Heat/Air	Blaylock Heat/Air	Blaylock Heat/Air	Jody Gregory Plmb.
License #	0007900415	0007900415	0007900415	0169550415
MECHANICAL:	Blaylock Heat/Air	Blaylock Heat/Air	Blaylock Heat/Air	Ace Mechanical
License #	0007900415	0007900415	0007900415	0225230515
ELECTRICAL:	ACDC Electrical	AB Electric	ACDC Electrical	Ace Mechanical
License #	0192380415	0019020415	0192380415	0225230515

CERTIFIED TO BE A TRUE COPY:


 Travis R. Bartlett, AIA

November 2014

November 2014							December 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	1	7	1	2	3	4	5	6
9	10	11	12	13	14	8	14	8	9	10	11	12	13
16	17	18	19	20	21	15	21	15	16	17	18	19	20
23	24	25	26	27	28	22	28	22	23	24	25	26	27
30						29		29	30	31			

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Oct 26	27	28	29	30	31	Nov 1
Oct 26 - Nov 1							
	2	3	4	5	6	7	8
Nov 2 - 8		9:00am Civil Service Commission (Convention Center)	6t 9:00am Civil Service Com. (Convention Center) 11:30am Planning Com. Study Ses. (Creekmore) 6:00pm Board of Directors		6:00pm Historic Dist. Com. (220 North 7 Street)		
	9	10	11	12	13	14	15
Nov 9 - 15		11:00am Property Owners Appeal Board (Planning Conf. Rm.) 12:00pm Board Study Session (Main Library)	8:00am 5:00pm CITY OFFICES CLOSED (VETERANS DAY) 5:30pm Planning Commission (Creekmore)	12:00pm Parks Com. (Creekmore)	12:00pm Oak Cemetery Com. (Creekmore) 6:00pm Budget Hearings (Bartlett Community Room)		
	16	17	18	19	20	21	22
Nov 16 - 22		6:00pm Budget Hearings (Bartlett Community Room)	10:00am CBID (Area Agency) 4:30pm Library Bd. of Trustees (Main Library) 6:00pm Board of Directors (FSM Public Schools Ser)		12:00pm Transit Adv. Com. (6821 Jenny Ld.)		
	23	24	25	26	27	28	29
Nov 23 - 29			NO STUDY SESSION 4:00pm A & P Commission (Miss Laura's) 5:00pm Airport Com. (Airport)		CITY OFFICES CLOSED (TH)	CITY OFFICES CLOSED (TH)	
	30	Dec 1	2	3	4	5	6
Nov 30 - Dec 6							