

Mayor – Sandy Sanders

City Administrator – Carl Geffken

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 – Tracy Pennartz

At Large Position 6 – Kevin Settle

At Large Position 7 – Don Hutchings

# **AGENDA**

## **Fort Smith Board of Directors REGULAR MEETING**

**September 6, 2016 ~ 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 AUGUST 16, 2016 REGULAR MEETING**

### **ITEMS OF BUSINESS:**

1. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith *(home occupation standards)*
2. Ordinance rezoning identified property and amending the zoning map *(from Commercial Heavy (C-5) to Industrial Light (I-1) by classification located at 5725 South 29<sup>th</sup> Street)*
3. Ordinance rezoning identified property and amending the zoning map *(from Not Zoned & Planned Zoning District to Planned Zoning District by classification located at 7000 Chad Colley Boulevard) ~ Reviewed at the August 23, 2016 study session ~*
4. Ordinance amending Section 24-72(a) of the Fort Smith Code of Ordinances to provide for east bound truck traffic on Phoenix Avenue to serve real property located south of Phoenix Avenue and within 500 feet of the Phoenix Avenue – Old Greenwood Road Intersection

5. Ordinance ordering the owners of certain dilapidated and substandard structures to demolish same, authorizing the City Administrator to cause the demolition of such structure to occur and for other purposes (*1834 North 13<sup>th</sup> Street / 1306 North "R" Street & rear garage building*)
6. Adjustments to the 2016 Budget:
  - A. Ordinance amending the 2016 Budget (*Police Department*)
  - B. Ordinance amending the 2016 Budget (*Parks Department*)
  - C. Ordinance authorizing the appropriation of donated funds for the Blue Lion Bikeway
  - D. Ordinance authorizing the appropriation of funds for Parks Department equipment purchases
  - E. Ordinance authorizing the appropriation of funds received from the sale of City equipment and from the April 29, 2016 hail storm and other insurance settlements
7. Resolution authorizing Change Order No. 1 with Beshears Construction, Inc. for the renovation and furnishings of the library annex building for use as office space (*\$3,085.00 / Utility Department / Non-budgeted – 2015 Revenue Bonds*) ● ◆
8. Resolution accepting the project as complete and authorizing final payment to Beshears Construction, Inc. for the renovation and furnishings of the library annex building for use as office space (*\$28,685.00 / Utility Department / Budgeted – 2015 Revenue Bonds*) ● ◆
9. Resolution accepting the project as complete and authorizing final payment to MISSCO Contract Sales, LLC for the renovation and furnishings of the library annex building for use as office space (*\$9,436.80 / Utility Department / Budgeted – 2015 Revenue Bonds*) ● ◆
10. Resolution authorizing the Mayor to execute Authorization No. 2 to the agreement with Morrison Shipley Engineers, Inc. for engineering services for the Riverlyn Wastewater Pump Station Improvements (*\$62,280.00 / Utility Department / Budgeted –*) ● ◆
11. Consent Agenda
  - A. Resolution to accept the bid and authorize a contract for the construction of Street Overlays/Reconstruction, Project No. 16-03-B (*\$2,424,784.30 / Engineering Department / Budgeted – Sales Tax Program*) ◆

- B. Resolution accepting bids for the purchase of water and wastewater chemicals for 2016-2017 (*Annual bid / Various Departments / Budgeted – Water & Wastewater and Sanitation Funds*)
- C. Resolution allowing the sale of surplus vehicles and equipment at public auction
- D. Resolution authorizing the execution of the memorandum of agreement between the City of Fort Smith, Arkansas and the Arkansas State Game and Fish Commission
- E. Resolution accepting the project as complete and authorizing final payment to Goodwin & Goodwin, Inc. for the Lee Creek Reservoir Buoy Line Replacement (*\$48,695.00 / Utility Department / Budgeted – Water and Sewer Operations Budget*) ♦
- F. Resolution authorizing partial payment to S.J. Louis Construction of Texas, LTD for construction of the Lake Fort Smith Water Transmission Line – Phase I (*\$887,108.01 / Utility Department / Budgeted – 2014 Sales and Use Tax Bonds*) ♦

**OFFICIALS FORUM ~ presentation of information requiring no official action**

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

- Mayor
- Directors
- City Administrator

**ADJOURN**

1.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE 2009 UNIFIED DEVELOPMENT  
ORDINANCE OF THE CITY OF FORT SMITH**

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**WHEREAS**, the Board of Directors passed and approved Ordinance No. 36-09 which adopted the Unified Development Ordinance on May 19, 2009; and,

**WHEREAS**, it is necessary to amend certain sections of the Unified Development Ordinance to provide clarity and remove conflicts with other provisions of the Municipal Code; and,

**WHEREAS**, the Planning Commission held a public hearing regarding these proposed amendments and recommended on August 9, 2016, that said changes be made; and,

**WHEREAS**, three (3) copies of September 2016 Amendments to the Unified Development Ordinance (home occupation standards) have been on file in the Office of the City Clerk of the City of Fort Smith for inspection and review by the public prior to the passage of this Ordinance; and,

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

**SECTION 1:** The September 2016 Amendments to the Unified Development Ordinance (home occupation standards) are hereby adopted.

**SECTION 2:** The codifier shall amend the existing sections of the Unified Development Ordinance.

**SECTION 3:** It is hereby found and determined that the adoption of these amendments to the Unified Development Ordinance is necessary to alleviate an emergency created by the lack of regulation of uses of property within the City of Fort Smith so that the protection of the health, safety and welfare of the inhabitants of the City requires that the amendments be effective, and the amendments are hereby made effective, as of the date of approval of this Ordinance.

**PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**APPROVED:**

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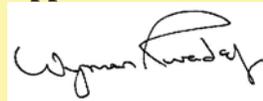
**Mayor**

**ATTEST:**

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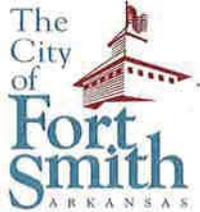
**City Clerk**

**Approved as to form:**



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**Publish One Time**



August 29, 2016

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

Re: Unified Development Ordinance Amendments

On August 9, 2016, the City Planning Commission held a public hearing to consider an amendment to the Unified Development Ordinance.

Mr. Wally Bailey stated that the Home Occupation regulations – Section 27-338-4(F) includes a list of standards that are applicable to all Home Occupation applications. He stated that the Planning Commission has historically been adding two additional comments to the list which are: 1) no commercial trash containers shall be utilized; and 2) all vehicles must be parked in accordance with the City's residential parking ordinances.

Mr. Bailey stated that the planning staff is proposing an ordinance amendment to add these two items to the list of conditions included in the UDO for all Home Occupation applications. He stated that staff recommends that the Planning Commission approve the proposed amendment and recommend to the Board of Directors that they amend the UDO.

No one was present to speak either in support or in opposition to the proposed amendment.

Following a discussion by the Commission, Chairman Sharpe called for the vote on the proposed UDO amendments. The vote was 8 in favor and 0 opposed.

Respectfully Submitted,

~~CITY PLANNING COMMISSION~~

A handwritten signature in black ink that reads "Marshall Sharpe".

Marshall Sharpe, Chairman

MS/lp

cc: File  
City Administrator

623 GARRISON AVENUE  
P.O. BOX 1908  
FORT SMITH, ARKANSAS 72902  
(479) 784-2216  
FAX (479) 784-2462

# Memo

**To:** City Planning Commission

**From:** Planning Staff

**Date:** August 5, 2016

**Re:** Unified Development Ordinance Amendment – Home Occupation Standards

Section 27-338-4 (F) includes a list of standards that are applicable to all Home Occupation applications. The Planning Commission has historically been adding two additional comments to the list which are (1) no commercial trash containers shall be utilized and (2) all vehicles must be parked in accordance with the City's residential parking ordinances.

The planning staff is proposing an ordinance amendment to add these two items to the list of conditions included in the UDO for all Home Occupation applications. We are recommending the Planning Commission approve this proposed amendment and recommend to the Board of Directors that they amend the UDO.

Please let us know if you have any questions.

**SEPTEMBER 2016**  
**AMENDMENTS TO THE UNIFIED DEVELOPMENT**  
**ORDINANCE**

**E. Planning Commission Consideration.** The Planning Commission shall review home occupation applications at its regularly scheduled monthly meeting, at which time interested persons may appear and offer information in support of or in opposition to the proposed home occupation.

**F. Minimum Requirements for Consideration.** The Planning Commission, in reviewing applications under this section, may consider the performing of a skill, talent, service or profession on a limited basis as a home occupation only if it complies with all of the following:

1. The area to be used for the home occupation is no greater than thirty (30%) percent of the living space of the residence.
2. There shall be no occupational activity on the premises outside of the main structure. An existing detached building which is utilized in conjunction with a home occupation shall be no larger than three hundred (300) square feet in size and can only be utilized for storage of materials.
3. No sign may be used in the operation of the business.
4. No outdoor display of any goods or services and no outdoor storage of materials or equipment are allowed.
5. The home occupation is required to be run only by the resident members of the household and shall not have any other employees, concessionaires or other operators or helpers whether such business is conducted on the premises or off the premises.
6. No sale of any retail or wholesale item or items is allowed on the premises unless they are considered as an accessory item of the approved business. Items drop-shipped or delivered by order may be permissible only after the Planning Commission has approved such operation.
7. Any business conducted on the premises shall be by appointment only, such that no more than two (2) patrons shall be at the business at any one time.
8. The Planning Commission shall have the authority to limit the operating hours of a business where it deems it necessary in order to assure compatibility with the residential neighborhood.
9. The resident shall not utilize the address of the property in any form of business advertising. This includes, but is not limited to, paid commercial advertising, telephone directory advertising, flyers, business cards, etc.

9B

10. The home occupation shall not produce any fumes, odors, noise or any other offensive effects that are not normal to residential activity.

11. The home occupation shall not require the construction of any additional off-street parking areas which would detract from the residential character of the neighborhood. The Planning Commission in exceptional circumstances may allow the construction of additional off-street parking, but under no circumstances more than two (2) spaces in addition to those currently in use for residential purposes. All parking and maneuvering areas must be completely contained on private property. A parking site plan must be approved by the Planning Commission where a business would require customers coming to the property.

12. A commercial trash container shall not be utilized.

13. All vehicles shall be parked in compliance with Section 14-52, Section 14-54, and Section 14-55 of the Fort Smith Municipal Code.

**G. Determination.** The Planning Commission shall then make one (1) of the following determinations on the application:

1. Approve the application as submitted.
2. Approve the application as amended with modification(s).
3. Continue the application to a date certain.
4. Deny the application.

**H. Conditions.** The Planning Commission may impose conditions and restrictions on the property benefited by the home occupation use to reduce or minimize the injurious effects of the home occupation.

**I. Compatibility.** The Planning Commission is not required to approve any application for the operation of any home occupation which, in its opinion, is not compatible with the integrity of the neighborhood.

**J. Verification.** No license for the conduct of any business shall be issued until City Inspections verify compliance with all conditions set by the Planning Commission.

DRAFT

**Planning Commission Meeting Minutes  
August 9, 2016**

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

**8. Cisterna Park Mobile Food Vending Lottery (September & October)**

Mr. Bailey stated that there were no lottery applications from Mobile Food vendors to vend from the parking spaces adjacent to Cisterna Park. Therefore a lottery drawing did not occur. Mr. Bailey stated that mobile food vendors could still apply for the parking spaces for the months of September and October until they were filled.

**9. Amendment to the Unified Development Ordinance (home occupation application)**

Wally Bailey stated that Home Occupations regulations - Section 27-338-4 (F) includes a list of standards that are applicable to all Home Occupation applications. He stated that the Planning Commission has historically been adding two additional comments to the list which are: 1) no commercial trash containers shall be utilized; and 2) all vehicles must be parked in accordance with the City's residential parking ordinances.

Mr. Bailey stated that the planning staff is proposing an ordinance amendment to add these two items to the list of conditions included in the UDO for all Home Occupation applications. He stated that staff recommends that the Planning Commission approve the proposed amendment and recommend to the Board of Directors that they amend the UDO.

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

**Meeting Adjourned!**

ORDINANCE NO. \_\_\_\_\_

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

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**WHEREAS**, the City Planning Commission has heretofore held a public hearing upon request No.17-8-16 to rezone certain properties hereinafter described, and, having considered said request, recommended on August 9, 2016, 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:

Part of the West one-half (W/2) of Government Lot 2 in the Northwest Quarter (NW/4) of Section 3, Township 7 North, Range 32 West, City of Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:

Commencing at an existing rebar marking the Northwest corner of said Section 3; thence S 03°18'56" W along the West line of said Section 3, 39.98 feet to an existing railroad spike on the Southerly right-of-way line of Arkansas State Highway 255 (Zero Street); thence S 86°48'02" E, leaving said West line of Section 3 and along said Southerly right-of-way line, 399.00 feet to a point on said South right-of-way and the East right-of-way of South 29th Street and the Northwest corner of Lot 1 Dooly Addition; thence S 03°06'12" W, leaving said South right-of-way, along said East right-of-way and West line of said Lot 1, 300.00 feet to an existing rebar marking the Southwest corner of said Lot 1 for a Point of Beginning; thence S 86°51'47" E, leaving said East right-of-way, along the South line of said Lot 1 140.00 feet to an existing iron pin marking the Southeast corner of said Lot 1; thence S 03°00'28" W, leaving said Lot 1, 100.00 feet to an existing rebar; thence N 86°51'30" W, 138.69 feet to a point on the East right-of-way of South 29th Street; thence N 02°15'37" E, along said East right-of-way, 100.00 feet to the point of beginning, containing 0.32 Acres, more or less, being subject to public road rights-of-way and any easements of record, according to a survey by Anderson Surveying Inc., R.L.S. #1272, Job #16-04-32.

more commonly known as 5725 South 29<sup>th</sup> Street, should be, and is hereby rezoned from Commercial Heavy (C-5) to Industrial Light (I-1) by Classification.

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

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**ATTEST:**

**APPROVED:**

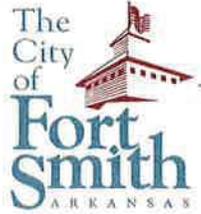
\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**

**Approved as to form**



\_\_\_\_\_  
**Publish One Time**



August 18, 2016

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

Re: A request by Ron Brixey, agent for Maxx Owensby, for Planning Commission consideration of a rezoning request from Commercial Heavy (C-5) to Industrial Light (I-1) by Classification located at 5725 South 29<sup>th</sup> Street.

On August 9, 2016, the City Planning Commission held a public hearing to consider the above request.

Ms. Brenda Andrews read the staff report indicating that the purpose of this request is to facilitate the development of a machine shop and associated parking at this site. Even though this property and surrounding properties are zoned Commercial-5, the land uses and developments have a more Light Industrial appearance. The proposed development and the Industrial -1 zoning will present no significant changes to the development pattern of South 29<sup>th</sup> Street.

A companion development plan was also submitted with the rezoning request.

Mr. Ron Brixey was present to speak on behalf of this rezoning and the development.

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

Chairman Sharpe then called for the vote on the rezoning request. The vote was 8 in favor and 0 opposed. The development plan was also approved by a vote of 8 in favor and 0 opposed.

The Planning Commission recommends to the Board of Directors that the zoning map of the City be amended to accommodate this request.

Respectfully Submitted,

CITY PLANNING COMMISSION

A handwritten signature in cursive script that reads "Marshall Sharpe".

Marshall Sharpe  
Chairman

MS/lp

cc: File  
City Administrator

623 GARRISON AVENUE  
P.O. BOX 1908  
FORT SMITH, ARKANSAS 72902  
(479) 784-2216  
FAX (479) 784-2462

# Memo

**To:** City Planning Commission

**From:** Planning Staff

**Date:** August 3, 2016

**Re:** Rezoning #17-8-16 - A request by Ron Brixey, agent for Maxx Owensby, for Planning Commission consideration of a rezoning request from Commercial Heavy (C-5) to Industrial Light (I-1) by classification located at 5725 South 29<sup>th</sup> Street

## PROPOSED ZONING

Approval of the rezoning and companion development plan and variance applications will facilitate the development of a machine shop and associated parking at this site.

## LOT LOCATION AND SIZE

The subject property is on the east side of South 29<sup>th</sup> Street between Zero Street and McKinley Avenue. The tract contains an area of approximately 0.3 acres with approximately 103 feet of street frontage along South 29<sup>th</sup> Street.

## REQUESTED ZONING

The requested zoning on this tract is Industrial Light (I-1). Characteristics of this zone are as follows:

### Purpose:

To provide for a mixture of light manufacturing, office park, research and development, and limited retail/service retail land uses in an attractive, business park setting. The Industrial Light district may be used as a zoning buffer between mixed uses, commercial uses and heavier industrial uses. The I-1 zoning district is appropriate with the Office, Research, and Light Industrial (ORLI) and Industry classifications of the Master Land Use Plan.

### Permitted Uses:

Auto and boat related businesses, a wide variety of retail businesses, indoor flea market, pawnshop, financial services, offices, bar or tavern, restaurant, animal and pet services, manufacturing and commercial communication towers are examples of permitted uses.

**Conditional Uses:**

Homeless shelter, truck stop, outdoor flea market, beer garden, restaurant with outdoor dining, pet cemetery, animal food processing, petroleum distribution facility, bus station, recycling center, sports complex, educational facilities and police station are examples of uses permitted as conditional uses.

**Area and Bulk Regulations:**

- Minimum Lot Size – 20,000 square feet
- Maximum Height - 45 feet (1+1)
- Maximum Lot Coverage - 75%
- Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres
- Existing District (By Extension) – 20,000 square feet
- Minimum Lot Width – 100 feet
- Front Yard Setback - 25 feet
- Side Yard on Street Side of Corner Lot - 15 feet
- Side Yard Setback – 10 feet
- Rear Yard Setback - 10 feet
- Side/Rear (adjoining SF Residential District/Development) – 100 feet (may be reduced to 60 feet with Planning Commission approval of screening and/or landscaping through the Development Plan approval process)
- Minimum building separation – to be determined by current City building and fire code.
- Required street access – Major Arterial or higher

**EXISTING ZONING**

The existing zoning on this tract is Commercial Heavy (C-5).  
Characteristics of this zone are as follows:

**Purpose:**

To provide adequate locations for retail uses and services that generate moderate to heavy automobile traffic. The C-5 zoning district is designed to facilitate convenient access, minimize traffic congestion, and reduce visual clutter. The C-5 zoning district is appropriate in the General Commercial, Office, Research, and Light Industrial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

**Permitted Uses:**

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-5 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

**Conditional Uses:**

Orphanage, dormitory, sorority, fraternity, auto vehicle impoundment or holding yard, auto body shop, medical laboratory, beer garden, restaurants with outdoor dining, pet cemetery, bus station, utility substations, museum, parks, educational facilities, police station, community food service, nursing home and churches are examples of uses permitted as conditional uses.

2B

**Area and Bulk Regulations:**

Minimum Lot Size – 14,000 square feet  
Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres  
Existing District (By Extension) – 14,000 square feet  
Minimum Lot Width – 100 feet  
Front Yard Setback - 25 feet  
Side Yard on Street Side of Corner Lot - 15 feet  
Side Yard Setback – 20 feet  
Rear Yard Setback - 20 feet  
Side/Rear (adjoining SF Residential District/Development) – 30 feet  
Minimum building separation – to be determined by current City building and fire code.  
Required street access – Minor Arterial or higher

**SURROUNDING ZONING AND LAND USE**

The area to the north is zoned Commercial Heavy (C-5) and developed as a mini-storage facility and a commercial shopping complex.

The area to the east is zoned Commercial Heavy (C-5) and is developed as the Elevate indoor amusement center.

The area to the south is zoned Commercial Heavy (C-5) and is developed as Modern Fencing Company.

The area to the west is zoned Commercial Heavy (C-5) and is developed as metal building.

**MASTER STREET PLAN CLASSIFICATION**

The Master Street Plan classifies South 29<sup>th</sup> Street as a local road.

**MASTER LAND USE PLAN COMPLIANCE**

The Master Land Use Plan classifies the site as Mixed Use Employment. This classification is intended to provide for a dense, compatible mix of retail, residential, employment and production activities designed for all modes of transportation.

**NEIGHBORHOOD MEETING**

The applicant requested and received a waiver of the neighborhood meeting based on the criteria of Section 27-304-1. The Director may waive the requirement for a neighborhood meeting where:

The proposed zoning request has minimal impact to the surrounding properties and neighborhood and is not adjacent to residential.

As required, Mr. Brixey sent letters to property owners within 300’ of the site. No comments from any property owners have been received.

20

**STAFF COMMENTS AND RECOMMENDATIONS**

A chart comparing the uses allowed in the existing Commercial Heavy (C-5) zoning and the proposed Industrial Light (1-1) zoning is enclosed.

Based on the surrounding land uses, staff recommends approval of the rezoning request subject to approval of the companion development plan and variance applications.

20

**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)

A Part of the West Half (W/2) of Government Lot 2 in the Northwest Quarter (NW/4) of Section 3, Township 7 North, Range 32 West, Sebastian County, Arkansas

SEE ATTACHED EXHIBIT

- 2. Address of property: 5725 South 29<sup>th</sup> Street
- 3. The above described property is now zoned: C-5 (Commercial Heavy)
- 4. Application is hereby made to change the zoning classification of the above described property to I-1 (Industrial Light) by Classification.  
(Extension or classification)
- 5. Why is the zoning change requested?

The property was purchased with the intent of development as a machine shop, this zoning change will bring the proposed development of the property into compliance with City zoning requirements

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

Signed:

Ron Brixey  
Owner or Agent Name  
(please print)

\_\_\_\_\_  
Owner

5223 E. Highway 45, Fort Smith AR 72916  
Owner or Agent Mailing Address

or  
Ron Brixey  
Agent

479-646-6394  
Owner or Agent Phone Number

2E

NOTICE OF REQUEST FOR A ZONE CHANGE, A REQUEST FOR A VARIANCE, AND A DEVELOPMENT PLAN REVIEW FOR PROPERTY LOCATED AT 5725 SOUTH 29<sup>TH</sup> STREET

DESCRIPTION OF PROPERTY:

The property is currently vacant. The developer proposes to construct a machine shop on the property with the principle product being drive shafts.

REASON FOR ZONE CHANGE REQUEST:

The Zoning of this property is currently C-5, Commercial Heavy. The proposed use is non-compliant with uses allowed by C-5 zoning. In order to develop the property as proposed, the City has required that the zoning be changed to I-1, Industrial Light. This change will bring the proposal into compliance with zoning regulations (with the following variances).

REASON FOR VARIANCE REQUESTS:

I-1 zoning regulations require that street access be from a street designated as Major Arterial or higher. South 29<sup>th</sup> Street is classified as a Local Street. I-1 zoning regulations require that a new zoning district established by classification (not adjacent to property with the requested new zoning classification) contain a minimum area of 2 acres. The property contains 0.32 acres. The requested variances will bring the current access into compliance with the proposed zoning by variance.

REASON FOR DEVELOPMENT PLAN REVIEW:

The City needs to review the Development Plan to understand and document exactly what is proposed.

The applications for Zone Change, a Request for Variance, and a Development Plan Review all require that a Neighborhood Meeting be conducted to allow the neighboring property owners the opportunity to ask questions and to comment on the proposal. However, due to the minimum potential impact to the neighborhood, the City has waived this requirement and instead has required that notice of the proposals be sent to all owners of property located within 300 feet of the subject property and that an opportunity to comment or ask questions be provided.

WHAT IS REQUESTED:

Any concerns or comments or objections the neighboring owners might have with regard to the proposals.

DEADLINE TO RESPOND:

August 2, 2016 at 10:00 AM

HOW TO RESPOND:

By Mail to:

Brixey Engineering & Land Surveying, Inc.  
Attn: Ron Brixey  
P.O. Box 6180  
Fort Smith, Arkansas 72906

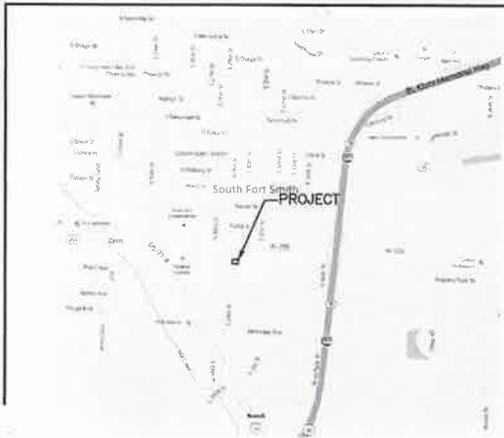
By E-Mail:

ron@ brixeyeng.com

By Telephone:

Ron Brixey at 479-646-6394, ext. 1

2F



VICINITY MAP  
Scale: 1" = 1000'

**FLOOD ZONE STATEMENT**  
THE PROPERTY IS LOCATED IN ZONE "X", BEING OUTSIDE THE 500 YEAR FLOOD ZONE, AS GRAPHICALLY DEPICTED ON F.I.R.M. MAP NO. 05131C0110F, DATED MARCH 2, 2012.

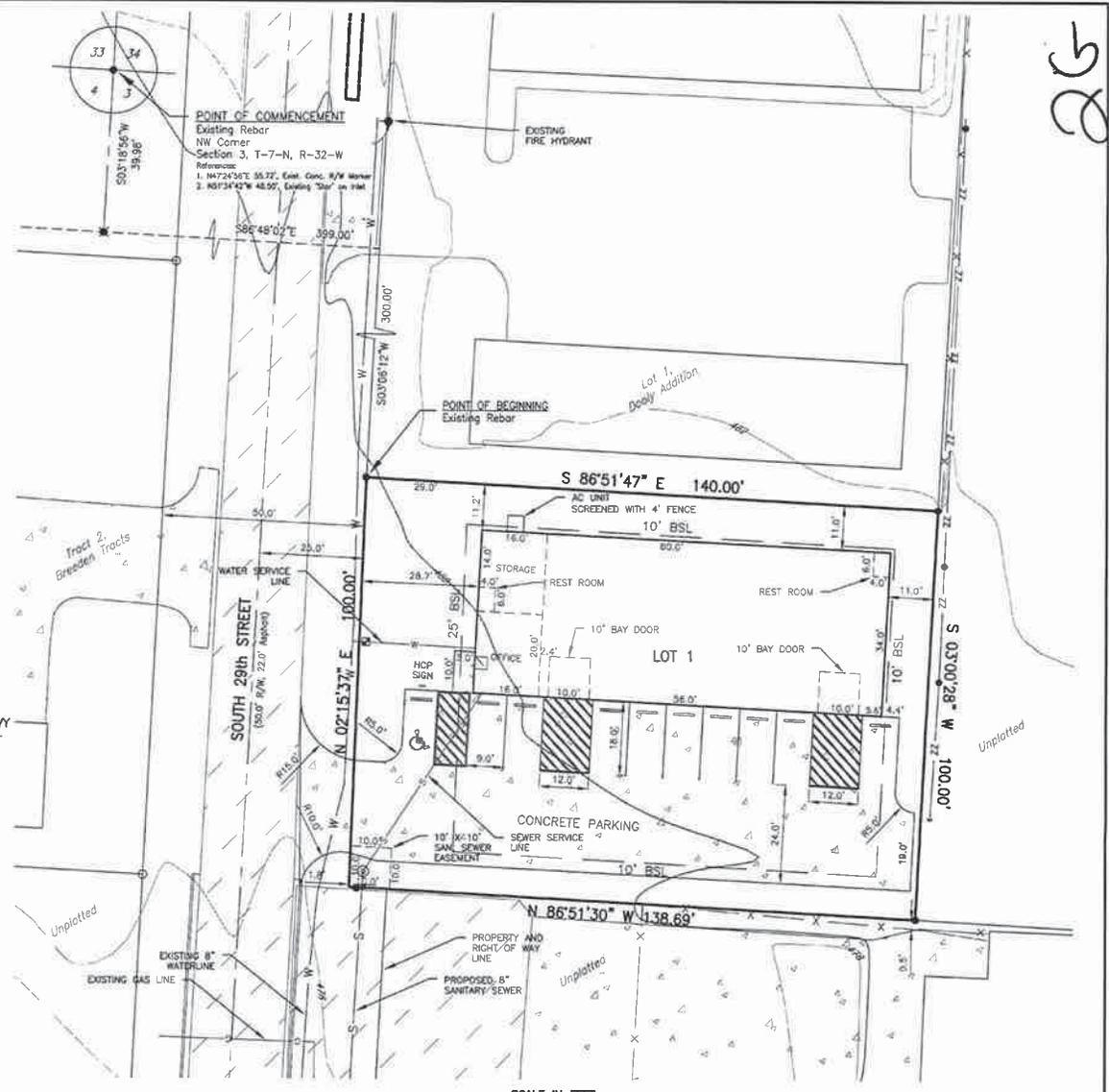
**LEGEND**

- WATERLINE ——— W ———
- WATER METER □
- FIRE HYDRANT —◆—
- SAN. SEWER SERVICE — S — S —
- SEWERLINE ——— S ———
- WATER SERVICE ——— W ———
- BUILDING SETBACK LINE ———
- OVERHEAD ELECTRIC ——— ZZ ——— ZZ ———
- SIDEWALK [Symbol]
- CONCRETE PARKING [Symbol]
- ASPHALT STREET [Symbol]

**OWNER AND DEVELOPER:**  
MAXX OWENSBY, LLC  
3413 SOUTH 68TH CIRCLE  
FORT SMITH, AR 72903  
479-646-4924

**CURRENT ZONING:** C-5 COMMERCIAL HEAVY  
**PROPOSED ZONING:** I-1 INDUSTRIAL LIGHT  
**AREA:** 13,935 Sq. Ft. or 0.32 Acres  
**LOT COVERAGE:** 10,107 Sq. Ft. = 73%

**CERTIFICATION**  
I, Ronald Brixey, hereby certify by my signature and seal that to the best of my knowledge, this plan conforms to the standards of the City of Fort Smith, Arkansas Unified Development Ordinance (Ordinance No. 36-09) as adopted on May 19, 2009, including subsequent revisions and additions to date.



**TRASH COLLECTION**  
ALL WASTE AND TRASH WILL BE COLLECTED AND KEPT INDOORS EXCEPT ON TRASH PICKUP DAYS.

**EXTERIOR LIGHTING**  
ALL EXTERIOR LIGHTING WILL COMPLY WITH UDO SECTION 27-602-5.

**SIGNAGE**  
ALL PROPOSED SIGNS WILL BE PERMITTED SEPARATELY

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INTERIOR PARKING - Repair and Shop Area - 3200 SF @ 1 Space/400 SF = 8.0 Spaces Required  
Office Area - 320 SF @ 1 Space/200 SF = 1.6 Spaces Required  
Total Spaces Required = 8.0 + 1.6 = 9.6 - 10 Spaces Provided

**BRIXEY ENGINEERING & LAND SURVEYING, INC.**  
CONSULTING ENGINEERS -- LAND SURVEYORS  
5223 East Highway 45 P.O. Box 6180 Fort Smith, Arkansas 72908 (479) 646-6394



Revisions:




**SITE PLAN**  
OWENSBY ADDITION  
LOT 1  
CITY OF FORT SMITH  
SEBASTIAN COUNTY, ARKANSAS  
Prepared for: Maxx Owensby

File Name: G:\ENGINEERING\16-0746 OWENSBY\BASE.dwg

Date:	6/21/2016
Drawn By:	RNB
Approved:	
Job No.:	16-0146
Sheet:	

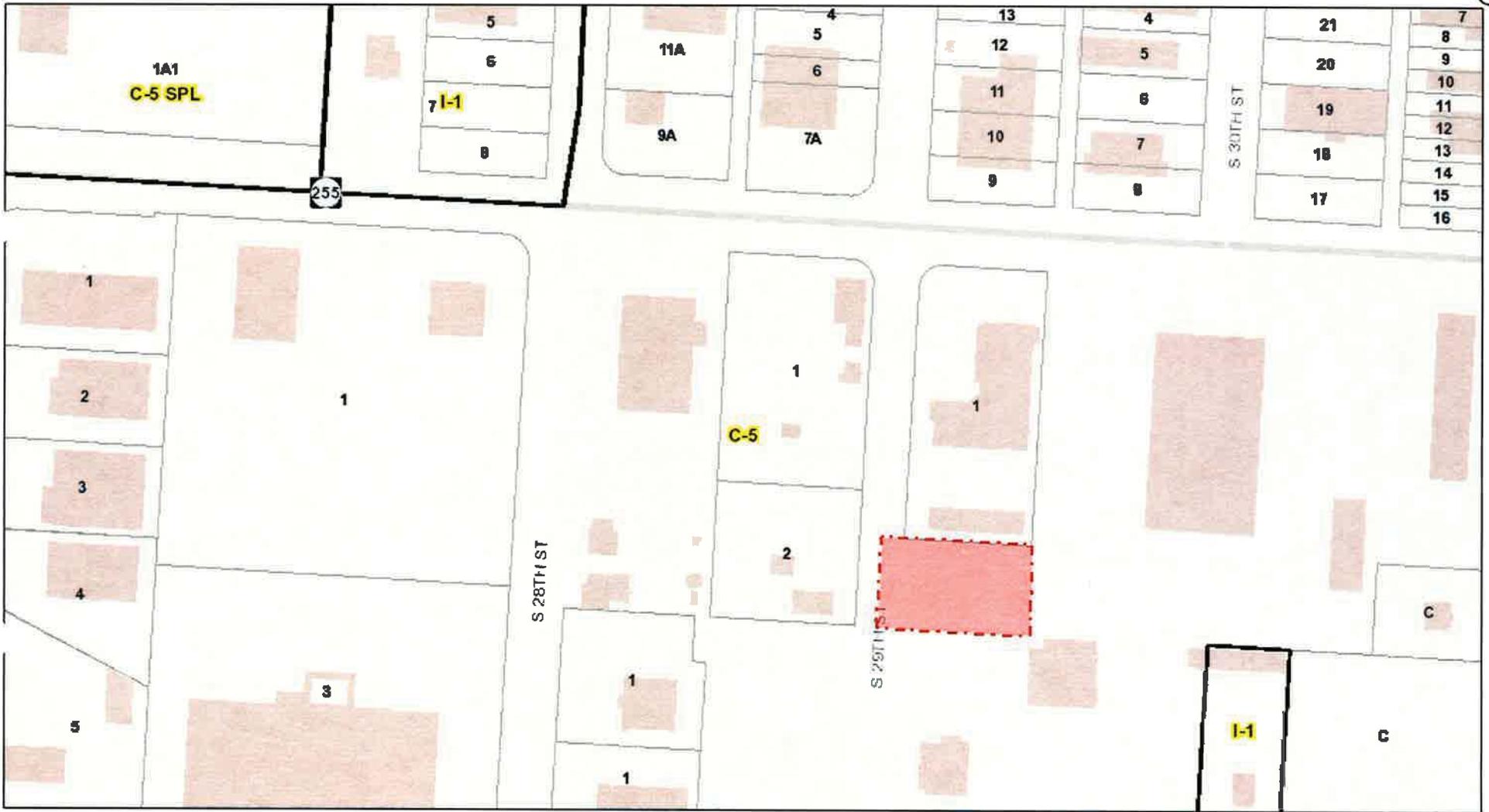
Vicinity Map for  
5725 South 29th Street

HE



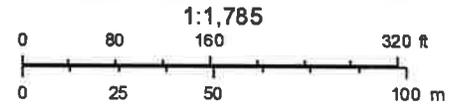
# Rezoning #17-8-16: From Commercial Heavy (C-5) to Industrial Light (I-1) 5725 South 29th Street

H  
2

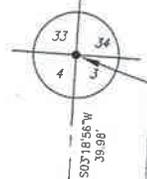


July 18, 2016

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



OWNER AND DEVELOPER:  
 MAXX OWENSBY, LLC  
 3413 SOUTH 68TH CIRCLE  
 FORT SMITH, AR 72903  
 479-646-4924



**POINT OF COMMENCEMENT**  
 Existing Rebar  
 NW Corner  
 Section 3, T-7-N, R-32-W  
 References:  
 1. N67°24'56" E 55.72', Existing Concrete R/W Marker  
 2. N51°54'42" W 48.50', Existing 'Star' on Plot

**POINT OF BEGINNING**  
 Existing Rebar

**PLANNING COMMISSION APPROVAL**  
 Chairman \_\_\_\_\_ Date \_\_\_\_\_  
 Secretary \_\_\_\_\_

**ALLOTTERS:**  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**STATE OF ARKANSAS**  
**COUNTY OF SEBASTIAN**  
 Sworn to and subscribed before me this day \_\_\_\_\_  
 Notary Public \_\_\_\_\_  
 My Commission Expires \_\_\_\_\_

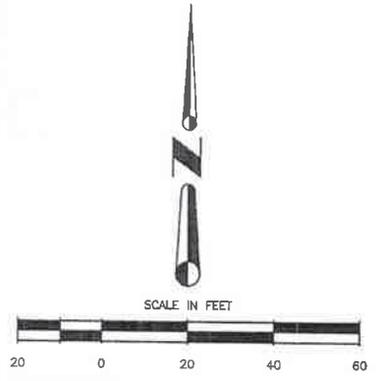
**FILED FOR RECORD** this \_\_\_\_\_ day of \_\_\_\_\_  
 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ m.  
 Clerk and Ex Officio Recorder \_\_\_\_\_

By: \_\_\_\_\_

**CERTIFIED CORRECT:**

Ronald N. Brixey  
Registered Professional Engineer  
Arkansas Reg. No. 4456

Ronald N. Brixey  
Registered Land Surveyor  
Arkansas Reg. No. 988



BASIS OF BEARING: Assumed due North by Global Positioning System Data.

**DEDICATIONS**  
 The right-of-way as shown on this plat is hereby dedicated to the City of Fort Smith ("City") for the public use. The easements shown on this plat are hereby dedicated to the City for utility, drainage, access and other purposes. Any easement designated as a "utility easement" is dedicated to the City for the installation, operation and maintenance of City owned utilities and utilities, including cable TV, operated by utility companies having a franchise agreement with the City. The City and City franchised utility companies shall have access through and along designated easements for their personnel and equipment of all kinds with the authority to cut down and keep trimmed from the lines with the dedicated easements trees, hedges and shrubs that may interfere with such utilities. In the event that fencing of lots is desired, gates that provide free ingress and egress to, and within, the dedicated easement shall be provided.



**NOTES:**  
 1. This plat prepared for the purpose of recording Lot 1.  
 2. A 1/2" iron pin exists at each lot corner or a 1/2" iron pin with a yellow cap stamped LS 988 will be set of each lot corner.

**LEGEND**  
 Set Iron Pin ○  
 Exist Iron Pin ●

# OWENSBY ADDITION

BEING PART OF THE W/2 OF GOVERNMENT LOT 2 IN THE NW/4 SECTION 3, T-7-N, R-32-W CITY OF FORT SMITH, SEBASTIAN COUNTY, ARKANSAS

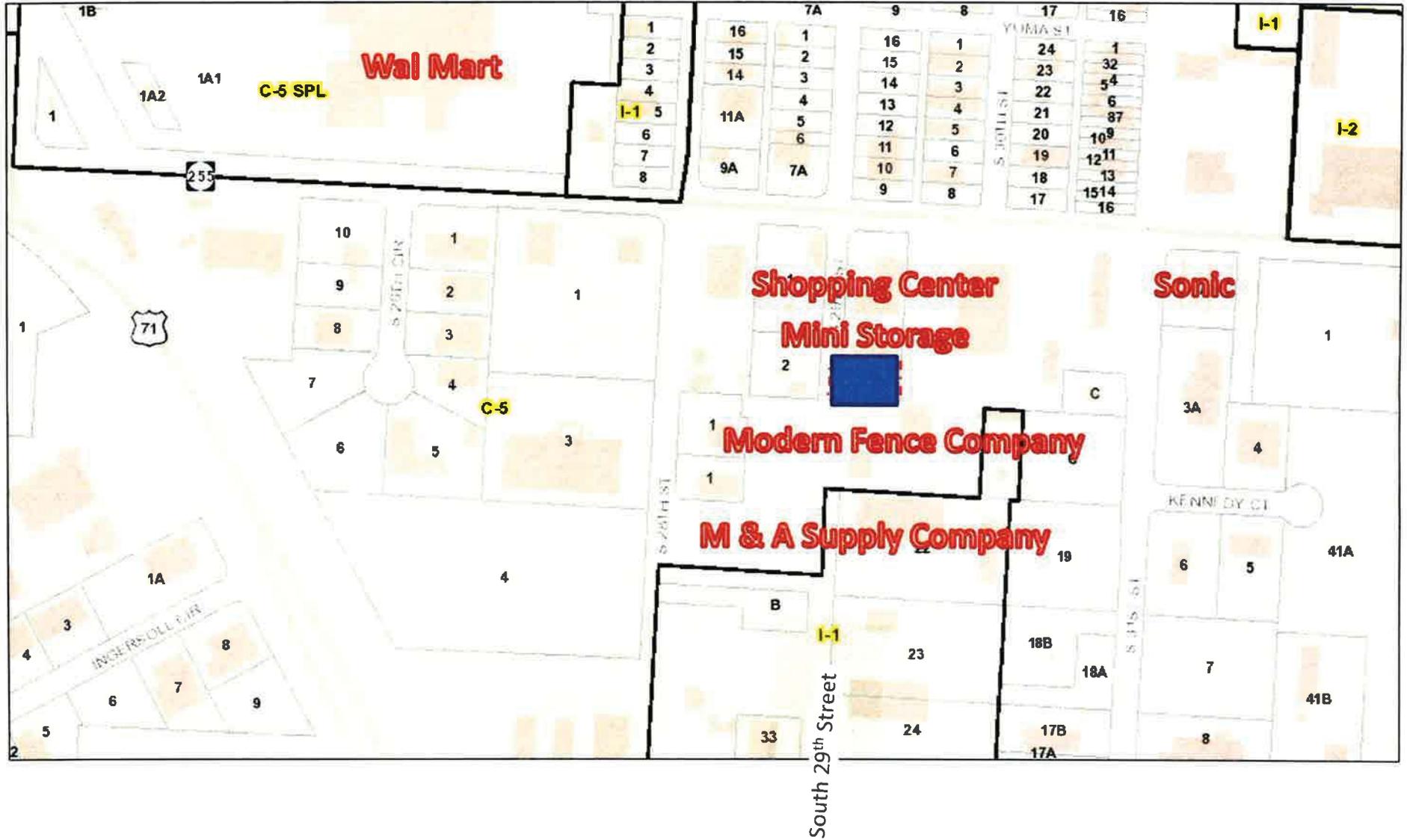
AUGUST 2016  
 EXHIBIT A

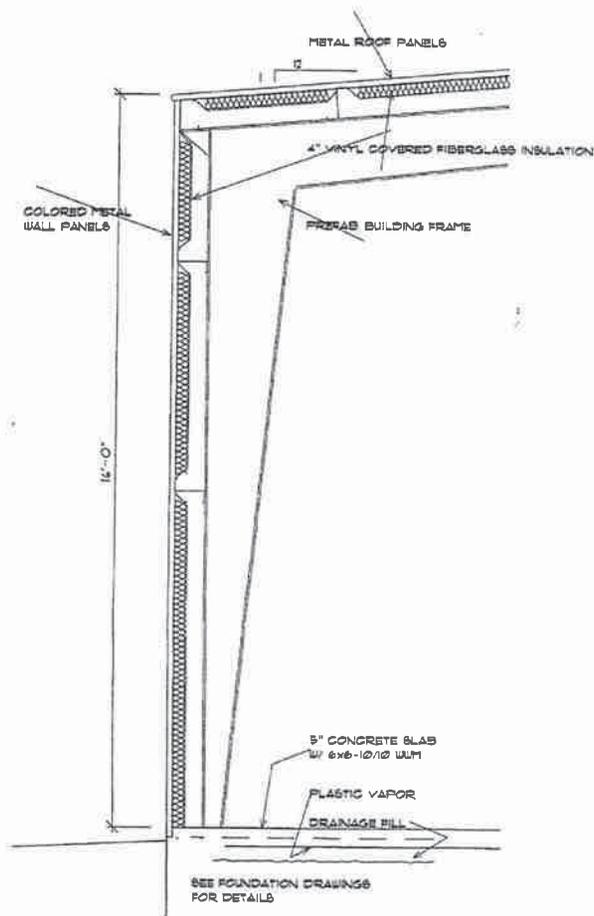
**Brixey Engineering & Land Surveying, Inc.**  
 Land Surveyors - Consulting Engineers  
 P.O. Box 6182 Ft. Smith, Ark. 72308 (479)646-6384

**SURVEY DESCRIPTION:**  
 Part of the West one-half (W/2) of Government Lot 2 in the Northwest Quarter (NW/4) of Section 3, Township 7 North, Range 32 West, City of Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:  
 Commencing at an existing rebar marking the Northwest corner of said Section 3; thence S 03°18'56" W along the West line of said Section 3, 39.98 feet to an existing railroad spike on the Southerly right-of-way line of Arkansas State Highway 255 (Zero Street); thence S 86°48'02" E, leaving said West line of Section 3 and along said Southerly right-of-way line, 399.00 feet to a point on said South right-of-way and the East right-of-way of South 29th Street and the Northwest corner of Lot 1 Dooly Addition; thence S 03°06'12" W, leaving said South right-of-way, along said East right-of-way and West line of said Lot 1, 300.00 feet to an existing rebar marking the Southwest corner of said Lot 1 for a Point of Beginning; thence S 86°51'47" E, leaving said East right-of-way, along the South line of said Lot 1 140.00 feet to an existing iron pin marking the Southeast corner of said Lot 1; thence S 03°00'28" W, leaving said Lot 1, 100.00 feet to an existing rebar; thence N 86°51'30" W, 138.69 feet to a point on the East right-of-way of South 29th Street; thence N 02°15'37" E, along said East right-of-way, 100.00 feet to the point of beginning, containing 0.32 Acres, more or less, being subject to public road rights-of-way and any easements of record, according to a survey by Anderson Surveying Inc., R.L.S. #1272, Job #16-04-32.

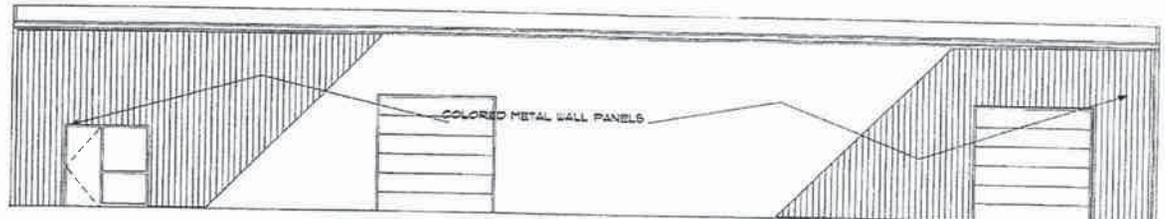
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# Vicinity Map 5725 South 29th Street

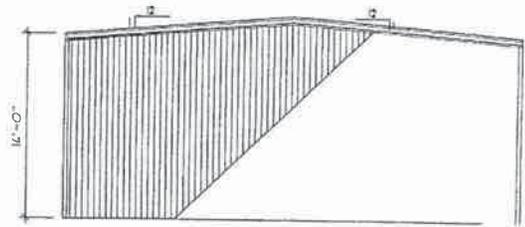




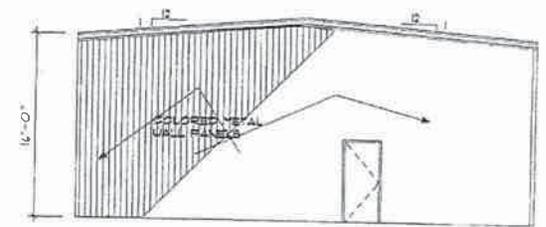
**TYPICAL EXTERIOR SECTION**  
SCALE: 1/2" = 1'-0"



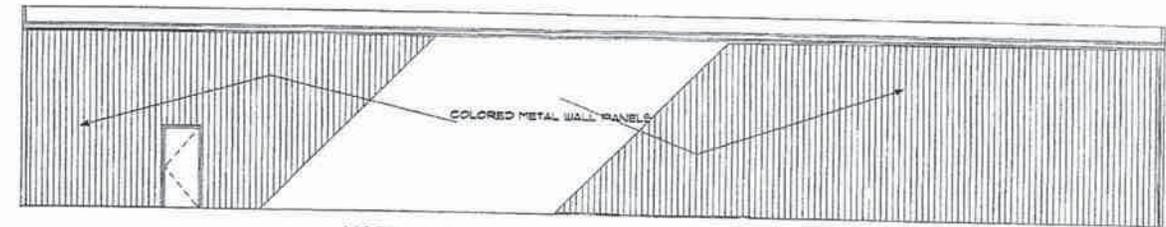
**SOUTH ELEVATION**  
SCALE: 3/4" = 1'-0"



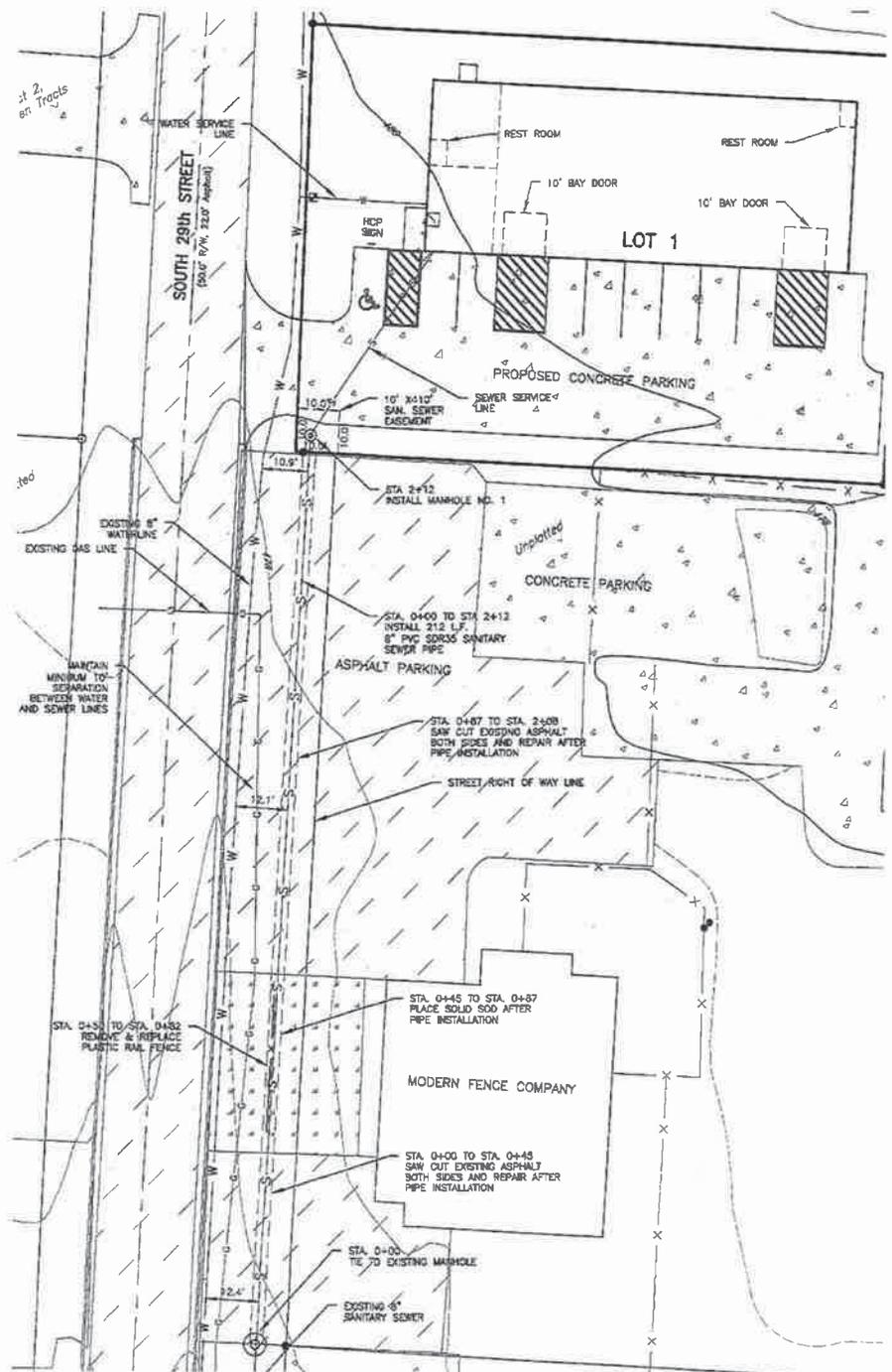
**WEST ELEVATION**  
SCALE: 3/4" = 1'-0"



**EAST ELEVATION**  
SCALE: 3/4" = 1'-0"



**NORTH ELEVATION**  
SCALE: 3/4" = 1'-0"







Fort Smith Use Matrix		Z	AD
Districts		C-5	I-1
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>		C-5	I-1,2
str	Accessory residential dwelling unit	P	
	Multifamily development	P	
	Community residential facility	P	
	Group home, family		
	Group home, neighborhood	P	
	Homeless shelter	C	C
	Orphanage	C	
	Transitional dwelling		
<b>Housing for the Elderly</b>			
	Assisted living	P	
	Retirement housing	P	
<b>Hotels, Motels, or other Accommodations</b>			
	Bed and breakfast inn	P	
	Dormitory, sorority, fraternity	C	
	Hotel/motel	P	
	Rooming or boarding house	P	
<b>General Sales or Services</b>			
<b>Automobile Sales or Service</b>			
	Auto & vehicle impoundment or holding yard (no salvage)	C	P
	Auto and vehicle dealer	P	P
	Auto and vehicle dealer (indoors)	P	P
	Auto and vehicle towing (wrecker)	P	P
	Auto auction		P
	Auto body shop and paint (new parts)	C	P
	Auto detailing service	P	P
	Auto glass, muffler, and seatcover shop	P	P
	Auto parts and accessories sales	P	P
	Auto quick lube	P	P
	Auto repair	P	P
	Auto repair or assembly (salvage parts)		
	Boat or marine craft dealer	P	P
	Car wash - full service	P	P
	Car wash self-service	P	P
	Gasoline service station	P	P
	Motorcycle or ATV sales & service	P	P
	Tire sales	P	P
	Truck stop/travel plaza	C	C
<b>Heavy Consumer Goods Sales or Service</b>			
	Agricultural equipment and supplies (sales & service)	P	P
	Appliance repair - (Large)	P	P
	Appliance repair (Small)	P	P
	Bus, truck sales and service	P	P
	Clothing and personal items (repair)	P	
	Commercial, industrial machinery & equipment (sales & s	P	P
	Department store, warehouse club or superstore	P	
	Computer and software shop	P	P
	Electronics and appliances (new)	P	P
	Electronics and appliances (used)	P	P

Districts	C-5	I-1
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>	C-5	I-1,2
Floor, paint, wall coverings, window treatments	P	P
Furniture or home furnishings (new)	P	P
Furniture or home furnishings (used)	P	P
Furniture repair and upholstery shop	P	P
Greenhouse (sales)	P	P
Hardware store	P	P
Hardware store (neighborhood)		P
Home improvement center	P	P
Lawn and garden supplies	P	P
Locksmith	P	P
Lumber yard and building materials		P
Mall or shopping center	P	
Manufactured home and mobile home sales and service	P	P
Oil and gas equipment (sales and service)		P
Sand, gravel, stone, or earth sales and storage	C	P
Swimming pool sales and supply store (w/o storage yard)	P	P
Truck or tractor sales and service facility	P	P
<b>Durable Consumer Goods Sales or Service</b>		
Bait and tackle shop	P	P
Bicycle sales and service	P	P
Bicycle sales and service (no outside storage)	P	P
Bookstore	P	
Bridal shop	P	
Cameras, photographic supplies and services	P	
Clothing, jewelry, luggage, shoes, accessories	P	
Gift shop	P	
Sewing machine store (sales & service)	P	
Sporting goods, toys, & musical instruments	P	
Thrift store	P	P
<b>Consumer Goods, Other</b>		
Antique shop	P	
Art dealers, art studio, galleries, supplies	P	
Arts and craft shop	P	
Flea market (indoor)	P	P
Flea market (outdoor)		C
Florist shop	P	
Hobby shop	P	
Office supply store	P	P
Pawnshop	P	P
Pawnshop (no outside storage)	P	P
Tobacco shop	P	
<b>Grocery, Food, Beverage, Dairy</b>		
Bakery or confectionery shop	P	
Beer, wine and liquor store (with drive-through)	P	
Beer, wine and liquor store (without drive-through)	P	
Convenience store (with gasoline sales)	P	P
Farmer's market	P	P
Fruit and vegetable store	P	P
Grocery store or supermarket	P	P

	Districts	C-5	I-1
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>		C-5	I-1,2
	Neighborhood store	P	
<b>Health and Personal Care</b>			
	Cosmetics, beauty supplies, and perfume stores	P	
	Medical appliance services	P	P
	Optical shop	P	
	Pharmacy or drug store	P	
<b>Finance and Insurance</b>			
	Auto insurance claims office	P	P
	Automatic teller machine	P	P
	Bank, credit union, or savings institution	P	P
	Credit and finance establishment	P	P
	Fund, trust, or other financial establishment	P	P
	Insurance office	P	P
	Investment banking, securities, and brokerages	P	P
<b>Rental and Leasing</b>			
	Auto (rental and leasing)	P	P
	Commercial, industrial machinery & equipment	P	P
	Consumer rental center	P	P
	Oil and gas field equipment		P
	Video, music, software	P	
<b>Business, Professional, Scientific, and Technical Services</b>			
Professional Services			
	Abstract services	P	P
	Accounting, tax, bookkeeping, payroll	P	P
	Advertising and media services	P	P
	Architectural, engineering	P	P
	Carpet and upholstery cleaning	P	P
	Consulting services	P	P
	Extermination and pest control	P	P
	Graphic, industrial, interior design	P	P
	Investigation and security services	P	P
	Janitorial services	P	P
	Legal services	P	P
	Medical laboratory		P
	Medical laboratory (no animal research/testing)	C	P
	Offices, corporate	P	P
	Offices, general	P	P
	Property management services (office only)	P	P
	Real estate agency	P	P
	Travel arrangement and reservation services	P	P
Administrative Services			
	Business support services	P	P
	Collection agency	P	P
	Employment agency	P	P
	Employment agency (day labor)	P	P
	Facilities support services	P	P
	Office and administrative services	P	P
	Telemarketer/call center	P	P
<b>Food Services</b>			

Districts		C-5	I-1
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>		C-5	I-1,2
	Bar or tavern	P	P
	Beer garden	C	C
	Catering service	P	P
	Food distribution center		P
	Microbrewery/microwinery/microdistillery	P	P
	Mobile food services	P	P
	Restaurant	P	P
	Restaurant (with drive-in services)	P	P
	Restaurant (with drive-through services)	P	P
	Restaurant (with outdoor dining)	C	C
	Specialty Manufacturing	P	
	Vending	P	P
<b>Personal Services</b>			
	Bail bonds office	P	P
	Barber shop/salon/spa/massage services	P	
	Laundry (commercial/industrial)		P
	Laundry and cleaning facilities (self-service)	P	P
	Laundry, cleaner	P	P
	Laundry, cleaner (drop-off station)	P	P
	Photocopy shop	P	P
	Photography studio	P	P
	Print shop	P	P
	Shoe repair shop	P	
	Tailor shop	P	
	Tanning salons	P	
	Tattoo/body piercing parlor	P	
	Weight loss centers	P	
<b>Pet and animal services</b>			
	Animal and pet services (indoor)	P	P
	Animal and pet services (outdoor)	P	P
	Animal shelter		P
	Equestrian facilities		P
	Kennels	P	P
	Pet cemetery	C	C
	Pet shop	P	P
	Pet supply store	P	P
	Veterinary clinic (no outdoor kennels)	P	P
	Veterinary clinic (with outdoor kennels)	P	P
<b>Automobile Parking Facilities</b>			
	Parking garage	P	P
	Parking lot (commercial)	P	P
	Parking lot (off site) (See Section 27-601-11)	P	P
<b>Manufacturing and Wholesale Trade</b>			
<b>Food, Textiles and Related Products</b>			
	Animal food processing		C
	Clothing manufacturing		P
	Food and beverage processing		P
<b>Wood, Paper and Printing Products</b>			
	Cabinet and woodwork shop		P

Districts	C-5	I-1
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>	C-5	I-1,2
Furniture or home furnishings		
Manufacturing, boxes/containers/corrugated		P
Manufacturing, packaging material		P
Paper and printing materials		P
<b>Chemicals, Metals, Machinery, and Electronics Mfg.</b>		
Electrical equipment, appliance and components mfg.		P
Laboratory (manufacturing)		P
Machine, welding, or sheet metal shop		P
Pharmaceutical manufacturing		P
<b>Miscellaneous Manufacturing</b>		
Boat manufacturing		P
Dolls, toys, games, musical instruments		P
Jewelry and silverware		P
Manufacturing, batteries		P
Manufacturing, light		P
Office supplies		P
<b>Wholesale Trade Establishment</b>		
Durable goods	P	P
Electrical, plumbing, heat & air conditioning		P
Nondurable goods	P	P
<b>Warehouse and Storage Services</b>		
Container storage	P	P
Mini storage warehouse	P	P
Packaging and distribution center		P
Petroleum distribution facility		C
Portable storage Unit	P	P
Vehicle storage yard	P	P
Warehouse		P
<b>Transportation, Communication, Information and Utilities</b>		
Transportation Services		
Airport		P
Bus station and terminal	C	C
Courier and messenger services	P	P
Ferry boat facility		P
Heliport	A	P
Limousine service	P	P
Mail services	P	P
Marina		P
Motor freight terminal		P
Moving and storage		P
Moving company	P	P
Rail transportation		P
Taxicab service	P	P
Communications and Information		
Commercial communication towers	P	P
Data processing facility	P	P
Motion pictures and sound recording studios	P	P
Printing commercial/industrial		P
Telecommunications and broadcasting studios	P	P

Districts	C-5	I-1
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>	C-5	I-1,2
<b>Utilities and Utility Services</b>		
Amateur radio transmitting towers	P	P
Electric power plant		C
Radio, television, and microwave transmitting towers	P	P
Recycling center		C
Recycling collection station	C	P
Utility shop, storage yard or building	C	P
Utility substation	C	P
<b>Arts, Entertainment, and Recreation</b>		
<b>Performing Arts or Supporting Establishments</b>		
Drive-in theater	C	C
Movie theater	P	
Performance theater	P	
Carnival or circus (temporary with permit)	P	P
Fairground/rodeo ground	P	P
<b>Museums and Other Special Purpose Recreational Institutions</b>		
Museum	C	
Zoos, botanical gardens, arboreta	C	C
<b>Amusement, Sports, or Recreation Establishment</b>		
Amusement center (indoor)	P	P
Amusement center (outdoor)	C	C
Convention/Event center	P	P
Bingo parlor	P	
Casino gaming business		C
Country club	C	
Dance hall/night club	P	P
Private club	P	P
<b>Fitness, Recreational Sports, Athletic Club</b>		
Bowling alley	P	P
Community recreation center	C	C
Driving range (outdoor)	P	P
Golf course	C	C
Pistol Range (Indoor)	C	C
Health club	P	P
Fitness studio	P	P
<b>Indoor Games Facility</b>		
Miniature golf course	P	P
Pool hall	P	P
Sexually oriented business (see Ft. Smith Muni. Code Sec.14-14)	P	
Skating rink	P	P
Sports complex/athletic field	C	C
Swimming pool	P	C
Water park	C	C
<b>Camps, Camping, and Related Establishments</b>		
Camps, camping, and related establishments	C	P
<b>Natural and Other Recreational Parks</b>		
Park or playground (public and nonpublic)	C	C
<b>Education, Public Administration, Health Care and Other Institutions</b>		
<b>Educational Services</b>		

	Districts	C-5	I-1
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>		C-5	I-1,2
	College, university, or seminary	C	C
	Fine art and performance education	C	C
	Library or public arts complex	C	C
	Nursery school	C	C
	Preschool	C	C
	Primary and secondary school	C	C
	School, business professional	C	C
	School, technical or trade	C	C
<b>Public Administration - Government</b>			
	Criminal justice facility		C
	Detention facility		C
	Government office	P	P
<b>Public Safety</b>			
	Emergency response station	P	P
	Fire and rescue station	P	P
	Police station	C	C
	Police substation (no incarceration)	P	P
<b>Health and Human Services</b>			
	Community health and welfare clinic	C	C
	Diagnostic laboratory testing facility	P	P
	Doctor office and clinic	P	P
	Hospice residential care facility	P	
	Hospital	P	
	Mental health hospital	C	
	Nursing home	C	
	Substance abuse treatment facility	C	
<b>Social Assistance, Welfare, and Charitable Services</b>			
	Child and youth services (office)	P	
	Day care center	C	C
	Community food services	C	C
	Emergency and relief services	P	P
	Family support services	P	P
	Senior citizen center	C	P
	Vocational rehabilitation	C	C
<b>Religious Institutions</b>			
	Church, synagogue, temple, mosque	C	C
	Rectory, convent, monastery	A	A
<b>Note: educational/hospital facilities owned or run by religious institutions are classified by use not ownership</b>			
	Wedding chapel	P	
<b>Death Care Services</b>			
	Cemetery, mausoleum, crematorium, funeral home, & m	C	C
	Monument (manufacturing)		P
	Monument (sales)	P	P
<b>Associations, Nonprofit Organizations</b>			
	Lodge or fraternal organization	C	P
<b>Construction-Related Businesses</b>			
	Contractor's office	P	P
	Contractor's shop and storage yard	C	P

						Districts	C-5	I
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>							C-5	I-1,2
					Glass sales and service		P	P
					Landscaping contractor		C	P
					Sign contractor		C	P
<b>Agriculture, Forestry, Fishing, and Hunting</b>								
					Commercial grower			P
					Taxidermy shop		P	P

Fendoolywick Properties, Inc.  
2917 Old Greenwood Road-Suite 1  
Fort Smith, AR 72903

Cobb Brothers  
P. O. Box 477  
Fort Smith, AR 72902

Breeden Enterprises  
1406 Willowbrook Circle  
Fort Smith, AR 72908

General Partner of Matthew B. Cobb  
P. O. Box 477  
Fort Smith, AR 72902

James & Elizabeth Parks  
5629 South 28<sup>th</sup> Street  
Fort Smith, AR 72908

John Harrell  
P. O. Box 180789  
Fort Smith, AR 72918

Rick Hittner Properties, LLC  
6719 South "T" Street  
Fort Smith, AR 72903

Patrick Smith  
P. O. Box 1501  
Fort Smith, AR 72902

Cox Living Trust  
301 Rivercrest Drive  
Fort Smith, AR 72903

Crawford Sebastian Community Dev.  
P. O. Box 4069  
Fort Smith, AR 72914

D & J Moore Investments, LLC  
4901 South 96<sup>th</sup> Street  
Fort Smith, AR 72903

Schmidt Properties Limited Partners  
12010 Edgewater Road  
Fort Smith, AR 72903

Howell & Staci Schmidt Family Trust  
9917 Foxoboro Road  
Fort Smith, AR 72903

**DRAFT**

**Planning Commission Meeting Minutes  
August 9, 2016**

- 2. Rezoning #17-8-16; A request by Ron Brixey, agent for Maxx Owensby, LLC for a zone change from Commercial Heavy (C-5) to Industrial Light (I-1) by Classification located at 5725 South 29<sup>th</sup> Street. (companion item to items #3 & #4)**
- 3. A request by Ron Brixey, agent for Maxx Owensby, LLC, for development plan approval for a machine shop located at 5725 South 29<sup>th</sup> Street. (companion item to items #2 & #4)**
- 4. Variance #23-8-16; A request by Ron Brixey, agent for Maxx Owensby, LLC, for a variance from 20,000 square feet to 13,935 square feet minimum lot area, from required street access of major arterial or higher to local street and a minimum parcel lot size of 2 acres located at 5725 South 29<sup>th</sup> Street. (companion item to items #2 & #3)**

Brenda Andrews read the staff reports indicating that the purpose of these requests is to facilitate the development of a machine shop and associated parking at this site.

Ron Brixey was present to speak on behalf of these requests.

No one was present to speak in opposition to these requests.

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

- 2. Rezoning #17-8-16; A request by Ron Brixey, agent for Maxx Owensby, LLC for a zone change from Commercial Heavy (C-5) to Industrial Light (I-1) by Classification located at 5725 South 29<sup>th</sup> Street. (companion item to items #3 & #4)**

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

- 3. A request by Ron Brixey, agent for Maxx Owensby, LLC, for development plan approval for a machine shop located at 5725 South 29<sup>th</sup> Street. (companion item to items #2 & #4)**

Chairman Sharpe called for the vote on the development plan. Motion was made by Commissioner Don Keesee seconded by Commissioner Josh Kilgore 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.
- No activities associated with the machine shop shall be conducted outdoors.
- A sign permit shall be submitted for staff review and approval for all new signs.
- If a dumpster is proposed in the future, it shall be screened with a permanent opaque screening fence.
- All exterior lighting shall comply with the Commercial and Outdoor Lighting Regulations.

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

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

- 4. Variance #23-8-16; A request by Ron Brixey, agent for Maxx Owensby, LLC, for a variance from 20,000 square feet to 13,935 square feet minimum lot area, from required street access of major arterial or higher to local street and a minimum parcel lot size of 2 acres located at 5725 South 29<sup>th</sup> Street. (companion item to items #2 & #3)**

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

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

- 5. Rezoning #18-8-16; A request by Pat Mickle, agent for the Degen Foundation, for a zone change from PZD (Ordinance #1-15) & Not Zoned to a Planned Zoning District located at 7000 Chad Colley Boulevard.**

Wally Bailey read the staff report indicating that the purpose of this rezoning request is to facilitate the development of a Mixed Use Development that will include the existing Arkansas College of Osteopathic Medicine campus and a Traditional Neighborhood Development (TND) that will include residential, commercial and retail uses.

Mr. Pat Mickle was present to answer any questions relative to this request.

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

3.

ORDINANCE NO. \_\_\_\_\_

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

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**WHEREAS**, the City Planning Commission has heretofore held a public hearing upon request No.18-8-16 to rezone certain properties hereinafter described, and, having considered said request, recommended on August 9, 2016, 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:

Part of the Southwest Quarter, and part of the East Half of Section 5, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Southwest Corner of said Section 5, said corner being marked with an existing ½” rebar with cap stamped PLS 1272; Thence along the West Line of said Section 5, N02°38'35”E, 1568.71 feet; Thence leaving said West Line, N90°00'00”E, 1776.18 feet to the westerly line of Phoenix Metals, Lot 1, an addition to the City of Fort Smith, Sebastian County, Arkansas, being filed for record July 5, 2013 as plat 1930; Thence along said westerly line, N50°24'51”E, 393.82 feet to the northwesterly corner of said Lot 1, said corner being marked with an existing concrete nail; Thence along the northerly line of said Lot 1, S39°33'58”E, 307.02 feet to the Point of Beginning, said point being marked with a set ½” rebar with cap stamped MWC 1369; Thence leaving said northerly line, N50°25'50”E, 1218.11 feet to a set ½” rebar with cap stamped MWC 1369; Thence S39°33'09”E, 43.13 feet to an existing ½” rebar; Thence N50°23'58”E, 308.08 feet to a set ½” rebar with cap stamped MWC 1369; Thence N39°32'37”W, 586.06 feet to the easterly right-of-way line of the future realigned Wells Lake Road and a set ½” rebar with cap stamped MWC 1369; Thence along said right-of-way line the following courses: 1087.67 feet along the arc of a curve to the left, said curve having a radius of 1150.00 feet and being subtended by a chord having a bearing of N48°41'35”E and a distance of 1047.58 feet to a set ½” rebar with cap stamped MWC 1369; N21°35'52”E, 619.57 feet to a set ½” rebar with cap stamped MWC 1369; 72.16 feet along the arc of a curve to the right, said curve having a radius of 45.00 feet and being subtended by a chord having a bearing of

N67°32'06"E and a distance of 64.67 feet to the southerly right-of-way line of Frontier Road and a set ½" rebar with cap stamped MWC 1369; Thence along said southerly right-of-way line the following courses: 66.34 feet along the arc of a curve to the right, said curve having a radius of 2950.00 feet and being subtended by a chord having a bearing of S65°53'02"E and a distance of 66.34 feet to a set ½" rebar with cap stamped MWC 1369; S60°31'14"E, 983.66 feet to the westerly right-of-way line of Chad Colley Boulevard and a set ½" rebar with cap stamped MWC 1369; Thence along said westerly right-of-way line the following courses: 62.02 feet along the arc of a curve to the right, said curve having a radius of 45.00 feet and being subtended by a chord having a bearing of S21°02'06"E and a distance of 57.23 feet to a set ½" rebar with cap stamped MWC 1369; 346.64 feet along the arc of a curve to the left, said curve having a radius of 2166.50 feet and being subtended by a chord having a bearing of S13°52'02"W and a distance of 346.27 feet to a set ½" rebar with cap stamped MWC 1369; 1392.34 feet along the arc of a curve to the right, said curve having a radius of 1941.50 feet and being subtended by a chord having a bearing of S29°49'42"W and a distance of 1362.70 feet to a set ½" rebar with cap stamped MWC 1369; S50°22'23"W, 1987.45 feet to an existing nail at the northeast corner of said Phoenix Metals, Lot 1; Thence along said northerly line of Lot 1, N39°33'58"W, 865.50 feet to the Point of Beginning. Containing 86.75 acres, more or less.

AND

Part of Government Lot 1 of the Northwest Quarter, and part of the Northeast Quarter of Section 5, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Southwest Corner of said Section 5, said corner being marked with an existing ½" rebar with cap stamped PLS 1272; Thence along the West Line of said Section 5, N02°38'35"E, 3353.13 feet; Thence leaving said West Line, N90°00'00"E, 2414.45 feet to the right-of-way centerline of Wells Lake Road and the Point of Beginning; Thence along said centerline the following courses: N50°24'17"E, 1342.31 feet; N42°51'32"E, 153.67 feet; N33°20'27"E, 175.58 feet; 60.43 feet along the arc of a curve to the right, said curve having a radius of 70.00 feet and being subtended by a chord having a bearing of N58°04'27"E and a distance of 58.57 feet; N86°24'51"E, 57.75 feet to a point on the centerline of Frontier Road, said point also being on the Fort Smith-Barling City Limit Line; Thence along an irregular curve in said centerline of Frontier Road, being subtended by the following chords, said chords also being concurrent with said City Limit Line: S69°57'47"E, 150.86 feet to an existing City Limit Line monument; S61°56'38"E, 221.35 feet; S60°30'31"E, 108.46 feet; Thence leaving said centerline, S29°26'59"W, 60.12 feet to a point on the southerly right-of-way line of said Frontier Road; Thence 66.34 feet along the arc of a curve to the left, said curve having a radius of 2950.00 feet and being subtended by a chord having a bearing of N65°53'02"W and a distance of 66.34 feet to an existing 1/2" rebar with cap stamped MWC 1369; Thence 72.16 feet along the arc of a curve to the left, said curve having a radius of 45.00 feet and being subtended by a chord having a bearing of S67°32'06"W and a distance of 64.67 feet to an existing 1/2" rebar with cap stamped MWC 1369; Thence S21°35'52"W, 619.57 feet to an existing 1/2" rebar with cap stamped MWC 1369; Thence 1238.62 feet along the arc of a curve to the right, said curve having a radius of 1150.00 feet and being subtended by a chord having a bearing of S52°27'12"W and a distance of 1179.61 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence S83°18'32"W, 116.26 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence N39°33'58"W, 542.46 feet to the Point of Beginning. Containing 28.33 acres, more or less, and being subject to public road rights-of-way and any easements of record or fact.

Containing 115.08 acres total, more or less.

more commonly known as 7000 Chad Colley Boulevard, should be, and is hereby rezoned from a Planned Zoning District (PZD) and Not Zoned (NZ) to a Planned Zoning District (PZD) by Classification. The approved change in zoning classification is based and conditioned upon the Planned Zoning District provisions of Section 27-341 of the Unified Development Ordinance and the Planned Zone Project Booklet reviewed by the Fort Smith Planning Commission and approved hereby, which Project Booklet shall be filed in the office of the City Clerk. In accordance with the project booklet, a Master Plan will be submitted to the Planning Commission for final approval prior to the approval of any development plans or building permits.

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

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**

**Approved as to form:**



\_\_\_\_\_  
**Publish One Time**



# Memorandum

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**To:** Carl Geffken, City Administrator  
Jeff Dingman, Deputy City Administrator  
**From:** Wally Bailey, Director of Development Services  
**Date:** September 2, 2016  
**Subject:** ACHE PZD – 7000 Chad Colley Boulevard

The Arkansas Colleges of Health Education (ACHE) has submitted a proposed Planned Zoning District (PZD) that will facilitate the development of a Mixed Use Development. The development will include the existing Arkansas College of Osteopathic Medicine campus and a Traditional Neighborhood Development (TND) that will include residential, commercial, and retail uses. Traditional Neighborhood Developments are designed to increase human interaction through the provision of civic spaces and thoroughfares, a mix of uses, housing and building types all integrated into a walkable context that will promote a healthy lifestyle. A more in depth description and benefits of Traditional Neighborhood Developments are described in the two articles that are attached.

An excerpt from the ACHE PZD booklet states the following:

*The ACHE mission is to educate and train a diverse group of highly competent and compassionate health care professionals who will improve the lives in underserved areas. Supporting the philosophy of traditional neighborhood developments that promote communities in which residents are engaged in a health-conscious lifestyle, ACHE will establish an environment that contains the most favorable aspects of community in its most historic form. This residential, retail, or mixed-use setting will promote a sense of community and health awareness in a landscape of natural surroundings that complements the educational missions of the school and of the organization. Furthermore, the creation of a walkable, sustainable, mixed-use community that focuses on a healthier Arkansas, where residents can enjoy safety, convenience and green spaces for exercise and cultural events, serves to promote a vision for the future where Arkansans can enjoy the benefits of a “town-county” environment where taking a meaningful walk in order to go to work, to school, to shop or to seek entertainment or recreation are no longer distant memories.*

The attached PZD booklet illustrates narratively and through exhibits the design concept of the development. With the acceptance and adoption of this PZD and the design concepts, a master plan will be developed. The Master Plan will be developed and submitted to the City for final approval.

This Proposed PZD will replace the existing ACOM PZD of 87 acres and add a previously unzoned 28 acres for a total of 115 acres. The total ACHE TND development includes 113 acres

in the City of Barling as well. This proposed PZD has been adopted by the City of Barling. For consistency the applicants are asking both cities to adopt the same standards for the traditional neighborhood development (TND).

The City staff has worked with the ACHE team to resolve numerous design and technical issues to facilitate the TND development. At the study session of August 23<sup>rd</sup>, I reported there was an unresolved issue with regard to Sanitation vehicle access. A letter from Mr. Pat Mickle is enclosed wherein he explains the accommodation for the sanitation trucks by amending the design standard for the rear access/alley.

The Planning Commission has reviewed the proposed PZD and recommended the Board of Directors accept the rezoning application for the PZD.

The attachments include articles describing the benefits and principles of new urbanism, Traditional Neighborhood Developments, the planning commission background, the project booklet, and the property design standards. Additionally there is included a letter from Mr. Pat Mickle concerning a scrivener's error on page 8 of the booklet. His letter notes the corrections will be made to the standards.

Please contact me if you have any questions.



Patrick J. Mickle, P.E.  
Neal B. Wagner, PLS  
Randell C. Coleman, P.E.  
Andrew J. Dibble, P.E.

September 1, 2016

Mr. Wally Bailey  
City of Fort Smith  
Planning Department  
623 Garrison Avenue  
Fort Smith, Arkansas 72901

Re: ACHE PZD  
Alley Sanitation Pickup

Dear Wally:

The development proposed by the ACHE PZD envisions alley sanitation service. Yesterday, August 31<sup>st</sup>, Brenda Andrews and I met with Mark Schlievert and Mitch Parker at the Sanitation Department yard to determine the clearances needed for a sanitation truck to maneuver into and out of alleys. We essentially found that a sanitation truck can turn from a street into an alley in which the first 40' of the paving is 16' wide, tapering to 12'. And likewise a truck exiting from a 16' alley can turn onto a street the centerline of which is at least 24' away.

Similarly the same criteria can be used for alley to alley intersections.

We will incorporate these criteria in our designs with the subdivision.

Sincerely,

A handwritten signature in blue ink that reads 'Pat Mickle'.

Patrick J. Mickle, P.E.

cc: Tom Webb - ACHE

f:\doc\letters\ache pzd sanitation pickup – wally bailey 9-1-16.docx

SITE MAP	FEATURED BOOKS	PRINCIPLES	SPRAWL & HEALTH	SMART GROWTH
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## PRINCIPLES OF URBANISM

The principles of urbanism can be applied increasingly to projects at the full range of scales from a single building to an entire community.

### 1. Walkability

- Most things within a 10-minute walk of home and work
- Pedestrian friendly street design (buildings close to street; porches, windows & doors; tree-lined streets; on street parking; hidden parking lots; garages in rear lane; narrow, slow speed streets)
- Pedestrian streets free of cars in special cases



### 2. Connectivity

- Interconnected street grid network disperses traffic & eases walking
- A hierarchy of narrow streets, boulevards, and alleys
- High quality pedestrian network and public realm makes walking pleasurable



### 3. Mixed-Use & Diversity

- A mix of shops, offices, apartments, and homes on site. Mixed-use within neighborhoods, within blocks, and within buildings
- Diversity of people - of ages, income levels, cultures, and races



### 4. Mixed Housing

A range of types, sizes and prices in closer proximity





**5. Quality Architecture & Urban Design**

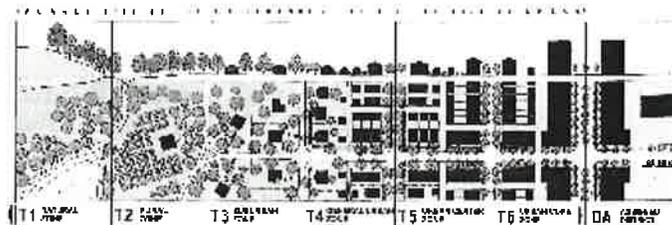
Emphasis on beauty, aesthetics, human comfort, and creating a sense of place; Special placement of civic uses and sites within community. Human scale architecture & beautiful surroundings nourish the human spirit



**6. Traditional Neighborhood Structure**

- Discernable center and edge
- Public space at center
- Importance of quality public realm; public open space designed as civic art
- Contains a range of uses and densities within 10-minute walk
- Transect planning: Highest densities at town center; progressively less dense towards the edge. The transect is an analytical system that conceptualizes mutually reinforcing elements, creating a series of specific natural habitats and/or urban lifestyle settings. The Transect integrates environmental methodology for habitat assessment with zoning methodology for community design. The professional boundary between the natural and man-made disappears, enabling environmentalists to assess the

design of the human habitat and the urbanists to support the viability of nature. This urban-to-rural transect hierarchy has appropriate building and street types for each area along the continuum.



**7. Increased Density**

- More buildings, residences, shops, and services closer together for ease of walking, to enable a more efficient use of services and resources, and to create a more convenient, enjoyable place to live.
- New Urbanism design principles are applied at the full range of densities from small towns, to large cities



**8. Green Transportation**

- A network of high-quality trains connecting cities, towns, and neighborhoods together
- Pedestrian-friendly design that encourages a greater use of bicycles, rollerblades, scooters, and walking as daily transportation



## 9. Sustainability

- Minimal environmental impact of development and its operations
- Eco-friendly technologies, respect for ecology and value of natural systems
- Energy efficiency
- Less use of finite fuels
- More local production
- More walking, less driving



## 10. Quality of Life

Taken together these add up to a high quality of life well worth living, and create places that enrich, uplift, and inspire the human spirit.




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## BENEFITS OF URBANISM

### 1. BENEFITS TO RESIDENTS

Higher quality of life; Better places to live, work, & play; Higher, more stable property values; Less traffic congestion & less driving; Healthier lifestyle with more walking, and less stress; Close proximity to main street retail & services; Close proximity to bike trails, parks, and nature; Pedestrian friendly communities offer more opportunities to get to know others in the neighborhood and town, resulting in meaningful relationships with more people, and a friendlier town; More freedom and independence to children, elderly, and the poor in being able to get to jobs, recreation, and services without the need for a car or someone to drive them; Great savings to residents and school boards in reduced busing costs from children being able to walk or bicycle to neighborhood schools; More diversity and smaller, unique shops and services with local owners who are involved in community; Big savings by driving less, and owning less cars; Less ugly, congested sprawl to deal with daily; Better sense of place and community identity with more unique architecture; More open space to enjoy that will remain open space; More efficient use of tax money with less spent on spread out utilities and roads

### 2. BENEFITS TO BUSINESSES

Increased sales due to more foot traffic & people spending less on cars and gas; More profits due to spending less on advertising and large signs; Better lifestyle by living above shop in live-work units - saves the stressful & costly commute; Economies of scale in marketing due to close proximity and cooperation with other local businesses; Smaller spaces promote small local business incubation; Lower rents due to smaller spaces & smaller parking lots; Healthier lifestyle due to more walking and being near healthier restaurants; More community involvement from being part of community and knowing residents

### 3. BENEFITS TO DEVELOPERS

More income potential from higher density mixed-use projects due to more leasable square footage, more sales per square foot, and higher property values and selling prices; Faster approvals in communities that have adopted smart growth principles resulting in cost / time savings; Cost savings in parking facilities in mixed-use properties due to sharing of spaces throughout the day and night, resulting in less duplication in providing parking; Less need for parking facilities due to mix of residences and commercial uses within walking distance of each other; Less impact on roads / traffic, which can result in lower impact fees; Lower cost of utilities due to compact nature of New Urbanist design; Greater acceptance by the public and less

resistance from NIMBYS; Faster sell out due to greater acceptance by consumers from a wider product range resulting in wider market share

#### 4. BENEFITS TO MUNICIPALITIES

Stable, appreciating tax base; Less spent per capita on infrastructure and utilities than typical suburban development due to compact, high-density nature of projects; Increased tax base due to more buildings packed into a tighter area; Less traffic congestion due to walkability of design; Less crime and less spent on policing due to the presence of more people day and night; Less resistance from community; Better overall community image and sense of place; Less incentive to sprawl when urban core area is desirable; Easy to install transit where it's not, and improve it where it is; Greater civic involvement of population leads to better governance

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#### WAYS TO IMPLEMENT NEW URBANISM

The most effective way to implement New Urbanism is to plan for it, and write it into zoning and development codes. This directs all future development into this form.

##### Latest version of the SmartCode

##### **New Urbanism is best planned at all levels of development:**

- The single building
- Groups of buildings
- The urban block
- The neighborhood
- Networks of neighborhoods
- Towns
- Cities
- Regions

Increasingly, regional planning techniques are being used to control and shape growth into compact, high-density, mixed-use neighborhoods, villages, towns, and cities. Planning new train systems (instead of more roads) delivers the best results when designed in harmony with regional land planning - known as Transit Oriented Development (TOD). At the same time, the revitalization of urban areas directs and encourages infill development back into city centers.

Planning for compact growth, rather than letting it sprawl out, has the potential to greatly increase the quality of the environment. It also prevents congestion problems and the environmental degradation normally associated with growth.

#### OBSTACLES TO OVERCOME

The most important obstacle to overcome is the restrictive and incorrect zoning codes currently in force in most municipalities. Current codes do not allow New Urbanism to be built, but do allow sprawl. Adopting a TND ordinance and/or a system of 'smart codes' allows New Urbanism to be built easily without having to rewrite existing codes.

##### Download the latest SmartCode for free

An equally important obstacle is the continuous road building and expansion taking place in every community across America. This encourages more driving and more sprawl which has a domino effect increasing traffic congestion across the region. Halting road projects and building new train systems helps reverse this problematic trend. [Read more](#)

**Discussion of Design Elements for a Traditional Neighborhood Developments**  
**Ward Davis, CEO, The Village At Hendrix, Conway, AR**  
**May 3, 2016**

**BACKGROUND**

Traditional Neighborhood Developments (TNDs) are neighborhoods designed to increase human interaction through a mix of uses and unit types integrated in a walkable context. Residents of TNDs tend to be healthier, are more engaged with their neighbors, have fewer car trips per day, and enjoy higher and more stable property values than those in conventional subdivisions.

The design criteria of TNDs draw heavily from communities built prior to the auto-domination of the 1940s. While not trying to displace the automobile as a legitimate mode of transportation, TNDs place a renewed emphasis on walkability as an alternative and desired method of mobilization. In order to achieve the goal of enhanced personal interaction, TNDs focus on people and design the infrastructure around their desired lifestyle and environment versus the alternative of making people live around the infrastructure that is imposed on them.

The following is a photograph of a neighborhood built in Arkansas that shows many of the simple design elements that will be discussed below:



**DESIGN ELEMENTS**

***Sidewalks***

Sidewalks are a necessary, but not sufficient, element of walkability. There are many examples of empty sidewalks in conventional development settings that are unattractive, unsafe, or have no destination to which to walk. That being said, well-designed sidewalks, appropriately separated from automobile traffic, are an important component of a neighborhood design.

### *Alleys*

Alleys allow us to move services and auto access to the rear of the home, allowing the front of the home to be more beautiful and engaging to passersby. In particular, moving garages, trash pickup, mail delivery, and franchise utilities (phone, cable, gas, and electric) behind homes greatly enhances the appeal of a neighborhood.

### *Narrow Streets*

People walking are extremely vulnerable to automobiles, with speed being the greatest determinant of pedestrian mortality. In fact, according to the Federal Highway Administration, the risk of a pedestrian dying when hit by an automobile drops from 45% to 5% if the impact speed drops from 30 mph to 20 mph. Drivers of automobiles generally drive at a speed where they feel comfortable, no matter what the posted speed limit. Much more important than posting ineffective signs calling for low speeds is designing roads that give drivers the visual cues to drive more slowly. Narrowing streets is the most important among several methods used in TNDs to get drivers to slow down.

### *On-street Parking*

Parallel parking on the street is an extremely efficient form of parking per unit of land, provides a buffer between pedestrians and moving automobiles, and slows traffic on the adjacent drive lanes.

### *Minimal Setbacks*

Small front setbacks allow for easy conversation between someone on a porch and their neighbor walking by on the sidewalk. Small side setbacks make the street more beautiful and interesting. People walking will walk farther when the scene changes subtly every few feet. Additionally, buildings and walls or fences that frame corners keep drivers from taking corners quickly and encourage slower traffic.

### *Tight Curb Returns*

People walking are at their most vulnerable when they are in the street. Tight curb returns minimize the distance that people must be in the street when they are walking and also allow crosswalks to be located closer to intersections, improving the sight lines for both walkers and drivers.

### *Street Trees*

Urban Designer Dan Burden lists 22 benefits of street trees. Street trees provide shade to shelter people walking as well as make streets more beautiful. They encourage slower driving and tree strips between the sidewalk and street provide a physical and mental buffer between traffic and people walking.

## **SOURCES OF CONCERN**

While generally enthusiastic about TND development, municipalities and utilities sometimes present a handful of concerns about the human centered design criteria in TNDs. The primary purpose of this paper is to present the reasons for each design element, but I also wanted to touch on the most common areas of concern. It is important to remember that city officials or utilities are almost always myopically focused on their specific area of concern with little consideration for how changes in that area affect other aspects of design. For example, a well-meaning fire chief might advocate for a wide street design that accommodates a fire truck moving quickly to a fire, but might not think about how the wider design is more dangerous for a pedestrian or give credit to a street pattern with a lot of connectivity providing many alternate routes for a fireman to reach a fire.

### *Safety*

There are two main safety concerns that sometimes arise relating to TND designs - fire access and intersection design. For fire access, the concerns are usually related to narrow streets with tight curb return radii. These two issues can usually be satisfactorily addressed with thoughtful planning. By providing enhanced connectivity relative to a conventional subdivision, the fire department has multiple routes of access to a fire in case something is blocking a street. Rollover curbs (see photo above) can be used at intersections to allow a large fire truck to effectively make a corner, while still providing the tight intersection that is safer for people walking. Intersection designs in TNDs are heavily weighted toward protecting people walking by reducing the design speeds of the roads and minimizing the amount of time a person is walking in an intersection.

### *Utility Access*

Utility companies understandably want to minimize maintenance costs and anything less than a huge, strictly dedicated easement is often considered an accommodation. However, since cable, phone, and gas companies readily recognize that they are not a necessity in a neighborhood and can be left out entirely, these companies are usually willing to locate in reasonable easements in alley rights-of-way. Electric companies are sometimes less accommodating since they provide an essential service and usually have a monopoly. There is no real, practical reason that electric lines and large, unattractive transformers cannot be located in alleys. However, in some cities electric companies insist on large front yard easements with little to no landscaping and no hardscape such as porches or fences. These company policies are almost never universal within the company, but vary between individual cities in a company's foot print. This implies that the companies can be strongly influenced by forward thinking municipalities, just as they have been with regards to underground power lines, the norm in practically every municipality at this point despite the protestations of power companies in the past.

### *Legacy Costs*

In order to achieve the design goals, TNDs usually locate water and sewer utilities under the streets. The staff at the municipal water and sewer utilities sometimes worry about increased costs of repair caused by patching streets and street trees infiltrating lines. Street tree infiltration can be greatly reduced by choosing appropriate trees species and locating the water and sewer lines outside of their primary reach. More importantly, while patching streets is more expensive per repair occurrence than a repair to a line in an open grass easement, the dramatically reduced linear feet of line per unit allowed by the density in a TND (and therefore the reduced legacy cost to the municipal utility) more than offset the cost of individual repairs.

# from vision to REALITY

What Cities Need to Do to Build  
Great Neighborhoods

BY WARD DAVIS

**F**or real estate developers focusing on great places, the second greatest compliment we can receive is for a city leader to say, "What can we do to get you to develop in our town?" Incidentally, the greatest compliment is, "I love living in the neighborhood you built!"

Fortunately and encouragingly, over the last decade many cities in Arkansas recognized the value of great development as a tool for economic development and improved quality of life. Several hired outstanding planning firms to formulate a vision for the city through the master planning process.

A great master plan articulates goals for the city, and the planning process engages the public and provides a focal point for civic engagement. However, after the adoption of the plan and the excitement from the public design process dies down, a big problem remains—great places are still illegal to build.

In Arkansas, as with much of the country, municipal codes present several significant obstacles to placemaking development, primarily in the areas of zoning, technical design and transportation planning.

## ZONING

Zoning approval historically has been the largest obstacle to developing walkable, mixed-use, mixed-housing neighborhoods. Euclidean zoning, which separates land by use and density, and which is the basis for almost all zoning in the country, has done more to cause suburban sprawl development than any other single issue.

Most developers will take the path of least resistance, and currently fitting in single-use, single-unit type construction into existing zoning is that path. Fortunately, cities are increasingly understanding, and addressing the zoning obstacle by providing alternative zoning approaches. The gold standard for zoning is a form-based code.

Form-based code as defined by the Form-Based Codes Institute (FBCI) is, "a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code." Importantly, the FBCI goes on to say, "A form-based code is a regulation, not a mere guideline, adopted into city, town or county law."

While no citywide form-based codes have been adopted in Arkansas, cities such as Fayetteville have adopted form-based code ordinances in specific districts, and other cities such as Conway have adopted floating codes allowing developers to potentially apply a form-based code to their projects.

The next step down is the planned zoning district (PZD) or planned unit development (PUD) process. A PZD or PUD allows for a developer to apply for customized zoning for a particular project. Many municipalities have a PUD or PZD process, and we recently went through a very open and efficient process in the city of Johnson for a 74-acre mixed-use neighborhood.

While a PZD or PUD gives a developer an opportunity to implement a mixed-use project, they don't carry the same predictability as a form-based code, and their approval process still carries a large degree of risk for developers. In order to build great mixed-use neighborhoods, developers need zoning alternatives to working in a city. Quite simply, if a city doesn't have a process for mixed-use zoning, then developers should focus their time elsewhere.

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Artistic rendering of an aerial view of Johnson Square, Davis' 74-acre mixed-use neighborhood in Johnson.

## STREETS SHOULD BE CONTEXT SENSITIVE. One-size-fits-all standards can't possibly address the variety of conditions in a functioning city ...

### TECHNICAL DESIGN

While many city leaders in Arkansas actively recruit mixed-use traditional neighborhood development, they often aren't aware of how their city's archaic design codes and ordinances often discourage, and sometimes thwart, efforts to build great places. Technical design is where the rubber meets the road between desire for great neighborhoods and town centers, and the ability to create these places.

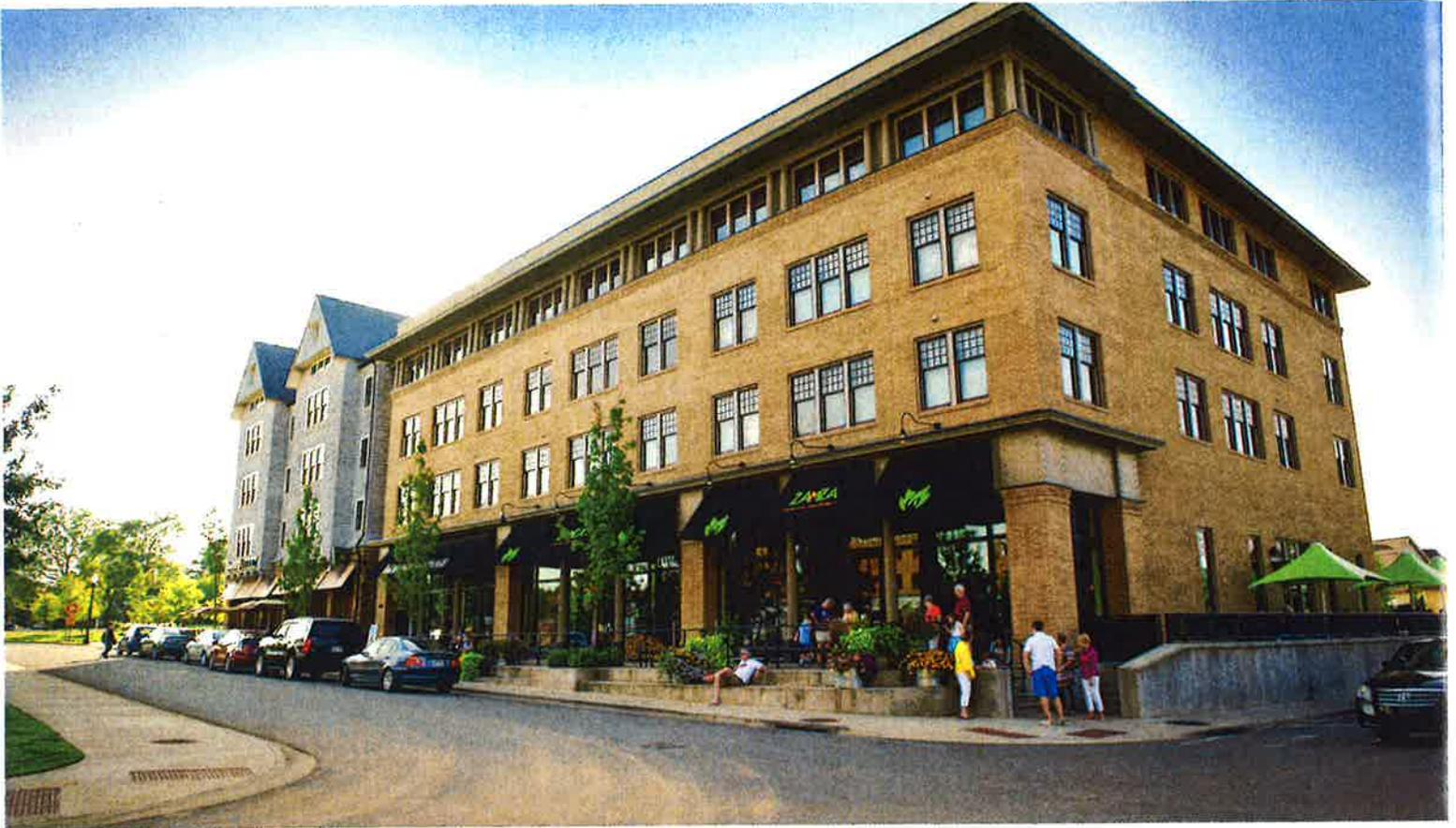
Most of these issues are driven by the idea that the tail shouldn't wag the dog. We should decide the types of places where we want to live and then design the services around them, not design our places around individual and myopic rules and standards.

### STREET DESIGN

Streets should be context sensitive. One-size-fits-all standards can't possibly address the variety of conditions in a functioning city, and design engineers as well as municipal engineering staff are smart enough to work out design details for specific locations. Streets should not be widened to handle a flood of traffic for the 2 percent of the time that is rush hour at the expense of walkability 98 percent of the time, but should use connectivity instead of enormous streets to handle temporary increases in volume.

Our municipal machinery, particularly fire and sanitation, should be designed to fit into the environment we all have to live in, not having our infrastructure designed around enormous trash trucks. Finally, antiquated design ideas that don't stand up to actual safety data should be discarded. Signalized intersections, an absolutely universal design standard, have proven to be incredibly unsafe for both cars and pedestrians, while no downtown in the country could be rebuilt if we were to strictly follow the math dictated by "sight triangles."

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### WET UTILITIES

Sewer and water utilities should be installed within streets where appropriate, not in front yard rights-of-way where water and sewer utilities often won't allow fences or even tree landscaping. The straw man idea that infrastructure in huge rights-of-way reduces future maintenance costs doesn't stand up when measured against the increased linear feet of infrastructure that has to be installed due to dramatically decreased density in these areas.

### DRY OR FRANCHISE UTILITIES

While not directly controlled by cities, best practices should be encouraged for the companies that supply electricity, gas and cable. Excessive easements and widely separated trenching can greatly hamper good design. Fortunately, clever utility companies such as Conway Corporation recognize the benefits of decreased linear feet of infrastructure per utility hookup in great neighborhoods.

### TRANSPORTATION PLANNING

At the macro level, a coherent and carefully followed transportation plan should guide city development versus the auto-dominated growth by serendipity that we have experienced since the '50s and '60s. The transportation plan should address two primary issues.

First, alternative modes of transportation such as cycling and walking should be encouraged for their benefits of vibrancy, health and wellness, and their ability to decrease peak auto congestion.



Residences and businesses mingle in the mixed-use Village at Hendrix.

55

More cities are  
expressing a  
**STRONG INTEREST**  
in placemaking  
and **MIXED-USE**  
**TRADITIONAL**  
neighborhood  
**DEVELOPMENT.**

It is amazing to see first-hand the degree to which limited bicycling commuting reduces rush hour traffic in cities like Fort Collins, Colo., which has a 6.8 percent bike commuter rate.

Second, transportation plans should focus on connectivity, which is much more effective than collector/arterial systems at reducing peak demand at congestion points, decreasing delays caused by accidents, and improving emergency vehicle response times. Cities often have to work with the Arkansas Highway and Transportation Department (AHTD) on the design of primary roadways within their city limits. Fortunately, the AHTD has recently expressed a willingness to work with local design authorities on state highways within cities and should be encouraged to continue its responsiveness in this area.

In a welcome advancement for the state of Arkansas, more and more cities are expressing a strong interest in placemaking and mixed-use traditional neighborhood development. After all, traditional neighborhoods and strong downtowns improve quality of life, are increasingly crucial for business recruitment and economic development, and are fiscally responsible relative to conventional suburban development (more tax revenue per acre, while having less linear feet of infrastructure to maintain, as well illustrated by [strongtowns.org](http://strongtowns.org)).

By adopting predictable, but flexible zoning criteria, context-sensitive technical design codes, and a comprehensive transportation plan as part of their master planning process, municipal leaders put into place the tools that allow developers to build great, vibrant neighborhoods and downtowns. A



# Pettus

OFFICE INTERIORS

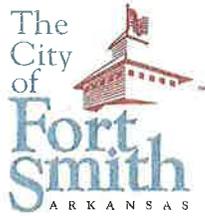
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5K



August 18, 2016

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

Re: A request by Pat Mickle, agent for The Degen Foundation, for a zone change from PZD (Ordinance #1-15) & Not Zoned to a Planned Zoning District located at 7000 Chad Colley Boulevard.

On August 9, 2016, the City Planning Commission held a public hearing to consider the above request.

Mr. Wally Bailey read the staff report indicating that the purpose of this rezoning request is to facilitate the development of a Mixed Use Development that would include the existing Arkansas College of Osteopathic Medicine campus and a Traditional Neighborhood Development (TND) that will include residential, commercial and retail uses. Mr. Bailey noted that Traditional Neighborhood Developments are designed to increase human interaction through the provision of civic spaces and thoroughfares, a mix of uses, housing and building types all integrated into a walkable context that will promote a healthy lifestyle.

Mr. Pat Mickle was present to answer any questions relative to this rezoning request.

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

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

Respectfully Submitted,

CITY PLANNING COMMISSION

A handwritten signature in blue ink that reads "Marshall Sharpe".

Marshall Sharpe  
Chairman

MS/lp

cc: File  
City Administrator

623 GARRISON AVENUE  
P.O. BOX 1908  
FORT SMITH, ARKANSAS 72902  
(479) 784-2216  
FAX (479) 784-2462

# Memo

**To:** City Planning Commission

**From:** Planning Staff

**Date:** August 5, 2016

**Re:** Rezoning #18-8-16 - A request by Pat Mickle, agent, for Planning Commission consideration of a zone request from Not Zoned & PZD to Planned Zoning District by classification at 7000 Chad Colley Boulevard

## PROPOSED ZONING

Approval of the requested Planned Zoning District will facilitate the development of a Mixed Use Development that will include the existing Arkansas College of Osteopathic Medicine campus and a Traditional Neighborhood Development (TND) that will include residential, commercial, and retail uses. Traditional Neighborhood Developments are designed to increase human interaction through the provision of civic spaces and thoroughfares, a mix of uses, housing and building types all integrated into a walkable context that will promote a healthy lifestyle. A more in depth description and benefits of Traditional Neighborhood Developments are described in the two articles that are included with the staff report.

## LOT LOCATION AND SIZE

The subject property is bounded by Wells Lake Road to the west, Frontier Road to the north and Chad Colley Boulevard to the east and contains 115 acres.

## REQUESTED ZONING

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

- Comprehensive and innovative planning and design of diversified yet harmonious development consistent with the comprehensive plan;
- Better utilization of sites characterized by special features of geographic location, topography, size, or shape;
- Flexible administration of general performance standards and development guidelines;

- Primary emphases shall be placed upon achieving compatibility between the proposed developments and surrounding areas to preserve and enhance the neighborhood through the use of enhanced site design, architecture, landscaping, and signage.
- Developments that utilize design standards greater than the minimum required by the UDO.

### **EXISTING ZONING**

Eighty-seven (87) acres is currently zoned as the ACOM Planned Zoning District and the remaining twenty-eight (28) acres is not zoned.

### **SURROUNDING ZONING AND LAND USE**

The areas to the north and east are out of the city limits and are located within Barling.

The area to the south is zoned Industrial Light (I-1) and developed as Phoenix Metals and vacant property.

The area to the west is zoned Single Family Duplex Medium/High Density (RSD-3) and is a future duplex subdivision. The remaining area is not zoned and undeveloped.

### **MASTER STREET PLAN CLASSIFICATION**

The Master Street Plan classifies Wells Lake Road as Future Major Collector, Frontier Road as Future Major Arterial and Chad Colley Boulevard as a Boulevard.

### **MASTER LAND USE PLAN COMPLIANCE**

The *Chaffee Crossing Redevelopment Plan* classifies this site as Institutional/Technical/Education. The proposed PZD will not conflict with the goals and objectives of the Chaffee Crossing Redevelopment Plan.

### **PROJECT BOOKLET**

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

- A. Is the site capable of accommodating the building(s), parking areas and drives with the appropriate open space provided?
- B. Does the plan provide for safe and easy ingress, egress and internal traffic circulation?
- C. Is the plan consistent with good land use planning and site engineering design principles, particularly with respect to safety?
- D. Are the architectural designs consistent with the City of Fort Smith policies and regulations and compatible with surrounding land use features?

5B

- E. Does the Plan represent an overall development pattern that is consistent with the Comprehensive Plan, Master Street Plan, Master Land Use Plan, and other adopted planning policies?
- F. The required right-of-way dedication has been identified by the City Engineering Department?
- G. All easements and utilities shall meet the requirements of the approving departments and agencies?
- H. Articulate how the plan minimizes or mitigates the impact of increased traffic both in volume and vehicle size.
- I. Articulate how the plan exceeds the UDO requirements. (e.g. increased landscaping increased high quality materials, etc.)

**SITE DESIGN FEATURES**

The proposed PZD will be divided into Transect Zones that each contain certain forms and design elements that a further described in “The ACHE Property Design Standards” that accompanies the project booklet. The development will meet or exceed all design requirements and development standards in the Unified Development Ordinance. The applicant will develop a Master Plan for final approval by the Planning Commission.

Land uses for the proposed PZD are included as Appendix “A” in the project booklet. Land uses are specific to three districts of the development: 1) PZD; 2) Campus District; and 3) Buffer. The map labeled “Exhibit A” in the Project Booklet identifies the three areas.

**FACTORS TO BE CONSIDERED**

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

- A. Compatibility with the Comprehensive Plan, Master Street Plan, and applicable area plans (e.g., corridor, neighborhood). **The proposed PZD and uses are compatible with the Master Street Plan.**
- B. Compatibility of the proposed development with the character of the neighborhood. **The existing land use and PZD are compatible with the surrounding area.**
- C. The zoning and uses of adjacent and nearby properties, and the compatibility of the proposed future uses with those existing uses. **The zoning and proposed uses will be compatible with the nearby properties.**
- D. The extent to which the proposed land use would increase or change traffic volume or parking demand in documented evidence or engineering data, road conditions, road safety, or create parking problems in combination with any improvements that would

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mitigate these adverse impacts. **Traffic information will be submitted with the development of the Master Plan.**

- E. The current availability of public utilities and services and the future capacity needed to adequately serve the proposed land use in combination with any improvements that would mitigate these adverse impacts. **Water and sewer service is adequate to serve the property.**
- F. That the application complies with all relevant ordinance requirements (for example 27-200, 27-500, 27-600, and 27-700). **The land uses, design guidelines and PZD information complies or exceeds the UDO and the FCRA requirements.**

### **NEIGHBORHOOD MEETING**

A neighborhood meeting was held Thursday, August 4, 4:30 p.m. at the FCRA Offices, 7020 Taylor Avenue. One surrounding property owner attended the meeting but had no objections.

### **STAFF COMMENTS AND RECOMMENDATIONS**

The Proposed PZD will replace the existing ACOM PZD of 87 acres and add a previously unzoned 28 acres. The total development includes 115 acres in the City of Barling. This proposed PZD has already been adopted in the City of Barling. For consistency the applicants are asking both cities to adopt the same standards for the traditional neighborhood development (TND).

This residential, retail, or mixed-use setting will promote a sense of community and health awareness that complements the educational missions of the school and the organization. TND's place a renewed interest on walkability as an alternative and desired method of getting around.

The attached PZD booklet illustrates narratively and through exhibits the design concept of the development. With the acceptance and adoption of this PZD and the design concepts, a master plan will be developed. The Master Plan will be developed and submitted to the City for final approval.

Staff recommends approval of the PZD subject to the submittal of the Master Plan for Planning Commission review and approval.

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**PETITION FOR CHANGE IN ZONING MAP**

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas as follows:

- 1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

See Attached

- 2. Address of property: 7000 Chad Colley Blvd.

- 3. The above described property is now zoned: ACOM PZD & Not Zoned

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

- 5. Explain why the Planned Zoning District is requested?

In addition to the Health Education campus, the owner wishes to develop the property into mixed use residential/retail/commercial including housing, which will be ancillary to & supportive of all types of health education, support, research, wellness, or promotes a healthy lifestyle such as those found in a Traditional Neighborhood Development. This may include building other health education, support, research, or well facilities. The applicant also owns 113 acres of adjacent property that is within the Barling City limits; this 113 acres is already zoned ACHE PZD.

Signed:

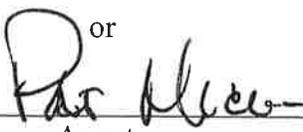
Mickle Wagner Coleman, Inc.

~~Owner or Agent Name~~  
(please print)

\_\_\_\_\_  
Owner

P.O. Box 1507, Fort Smith, AR 72902

~~Owner or Agent Mailing Address~~

or  
  
 \_\_\_\_\_  
 Agent

479-649-8484

~~Owner or Agent Phone Number~~

PLANNED ZONING DISTRICT

CERTIFICATION STATEMENT

The Degen Foundation and the Arkansas Colleges of Health Education, owners of the property located at 7000 Chad Colley Boulevard, do hereby certify that the Project Booklet for a Planned Zoning District complies with the City of Fort Smith's Planned Zoning District Regulations as defined in Section 27-341 of the Fort Smith Unified Development Ordinance

We hereby agree to the terms and conditions with the Project Booklet, and request the City of Fort Smith to approve the zoning.

Signatures:

BY: [Signature], ACHE CEO 8-18-16  
Name, Title Date

BY: Thomas H. Lable 8/18/16  
Name, Title Date  
Exec. Director  
The Degen Foundation

ACHE Development  
Project Booklet  
Planned Zoning District Application

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

The subject property is currently zoned ACOM PZD (87 acres) and Not Zoned (28 acres). A change in zoning is needed to allow not only the college facilities allowed in the current zoning but to also allow development of mixed use residential, retail, and commercial facilities including housing which will be supportive of all types of health education, research, wellness, or promotes a healthy lifestyle.

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

1. **Owner/Applicant**

The Degen Foundation  
Arkansas Colleges of Health Education  
P.O. Box 10366  
Fort Smith, AR 72917

2. **Representative**

Mickle Wagner Coleman, Inc.  
P.O. Box 1507  
Fort Smith, AR 72902

3c. **Description of the scope, nature, and intent of the proposal.**

The ACHE mission is to educate and train a diverse group of highly competent and compassionate health care professionals who will improve the lives in underserved areas. Supporting the philosophy of traditional neighborhood developments that promote communities in which residents are engaged in a health-conscious lifestyle, ACHE will establish an environment that contains the most favorable aspects of community in its most historic form. This residential, retail, or mixed-use setting will promote a sense of community and health awareness in a landscape of natural surroundings that complements the educational missions of the school and of the organization. Furthermore, the creation of a walkable, sustainable, mixed-use community that focuses on a healthier Arkansas, where residents can enjoy safety, convenience and green spaces for exercise and cultural events, serves to promote a vision for the future where Arkansans can enjoy the benefits of a “town-county” environment where taking a meaningful walk in order to go to work, to school, to shop or to seek entertainment or recreation are no longer distant memories.

3d. **General project scope:**

This submittal is for an Initial Review and approval. The attached booklet (Design Standards) narratively and thru exhibits describes the design concept of the development. A Master Plan will be developed for Final approval. The educational/institutional areas designated the “Campus District” will generally comply with the existing PZD, and for the perimeter commercial areas, the design requirements and development standards set forth in the Unified Development Ordinance Chapters 27-200, 27-500, 27-600, and 27-700 will be met or exceeded. The Traditional Neighborhood areas will meet the requirements of the ACHE PZD Design Standards. This concept is supported by details of street types, civil space types, landscaping standards for civic & thoroughfare spaces, definitions of building types and associated frontage types, a use matrix, prohibited uses, lot and building standards, and architectural standards.

3e. **Proposed development phasing and timeframe**

Development will occur over several years, remembering the development will also include an additional 113 acres across Chad Colley Blvd. which is in the City of Barling. The Osteopathic College building is complete and in use. Design for the second school has begun. A phasing schedule for the balance of the property will be developed with the Master Plan.

3f. **Identify land use designations**

See attached Land Use Matrix.

3g. **Identify area and bulk regulations**

The property will be divided into Transect Zones which is an association of certain forms and elements belonging in a certain environment. See page 2 of the booklet describing Transect-Based Planning. On pages 21 thru 26 details of the structure, lot sizes, and setbacks are described. A summary is as follows:

	<u>Transect 3</u>	<u>Transect 4</u>	<u>Transect 5</u>
a. Minimum Lot Size, SF	7200-6000	6000-1280	7200 to 900
b. Minimum Lot Width	72' to 60'	72' to 16'	72' to 16'
c. Maximum Lot Coverage <sup>∠1</sup>	Up to 85%	Up to 90%	95%
d. Maximum Height (Stories)	2.5	2.5	3.0
e. Setbacks			
Front	15' – 24'	0 – 18'	0 – 12'
Side	5'	0 – 5'	0 – 12'
Street side/Corner	15' – 24'	0 – 18'	0 – 12'
Rear	4'	4'	4'
Min Street Frontage	<sup>∠2</sup>	<sup>∠2</sup>	<sup>∠2</sup>

Min Building Separation: To be determined by current building and fire code.

<sup>∠1</sup> Dictated by setbacks: not a set value

<sup>∠2</sup> Generally matches lot width, but is not a set value

3h. **A chart comparing the proposed planned zoning district to the current zoning district requirements (land uses, setbacks, density, height, intensity, bulk and area regulations, etc.)**

	Existing <u>ACOM PZD</u>	Proposed <u>ACHE PZD</u>	Campus District <u>College/Other Bldgs</u>
• Minimum Lot Size	1 acre	900 to 7200 SF	10,000 SF
• Minimum Lot Width	150'	16' to 72'	80'
• Minimum Lot Coverage	60%	90% <sup>∠1</sup>	80%
• Maximum Building Height	55'	3 Stories	4 Stories
• Additional Height	Per UDO	Per UDO	Per UDO
• Setbacks			
Front	25'	0-24'	0
Side	10'	0-12'	0
Street side/Corner	25'	0-18'	0
Rear	10'	4'	4'
Min Street Frontage	50'	<sup>∠2</sup>	60'
Min Building Separation:	To be determined by current building and fire code.		

<sup>∠1</sup> Dictated by setbacks: not a set value

<sup>∠2</sup> Generally matches lot width, but is not a set value

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

The attached Exhibit A depicts the overall site and shows the location of both the Campus District and the Buffer area. The matrix in 3f delineates the land uses in these three districts. The Master Plan will further define the transect zones.

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

The Technical Standards delineate the landscaping requirements for thoroughfares/civic spaces (page 16). Additional detail for landscaping are noted on page 35 thru 37. A plant list will eventually be developed and depicted on pages 49 thru 51. These requirements exceed the UDO Standards.

Architectural requirements are in pages 27 thru 34 dealing with doors, windows, porches, balconies, arcades, eaves, roofs, dormers, store fronts, and signs. This level of detail exceeds the UDO standards. All streets with curbs require sidewalks, most on both sides of the street, meeting and/or exceeding UDO Standards. Trees will be planted along the streets. See the street (thoroughfare) types on pages 8 thru 12.

For the Campus District only, the following standards will apply:

(i) Buffer areas, screening and landscaping areas

All items will meet or exceed City UDO and FCRA requirements.

(ii) Development and architectural design standards

- a) Design standards are to comply with UDO and FCRA design guidelines subject to approval by authorities to use materials such as integral colored split-face and polished-face CMU units, precast concrete wall panels and architectural metal wall panels (not industrial type).
- b) All dumpsters will be screened with split face CMU, brick veneer or other acceptable masonry units with opaque wood or metal gates.
- c) Landscape materials and types will meet the requirements of the UDO and FCRA architectural standards: All buildings in the PZD shall meet the commercial standards of the UDO and FCRA with the following upgraded enhancements.
- d) 100% of the exterior facades to be of high quality materials
- e) Façade elevations regarding massing elements to meet UDO.
- f) Site/parking area light fixtures to be consistent with those of the College, utilizing poles no higher than 30' and must meet UDO and FCRA lighting guidelines.
- g) All future Campus buildings will require the design approval of the Foundation Board.

(iii) Proposed signage (Type and Size)

- a) Signage for the Campus will be per City ordinance in general but customized to prohibit highway type billboards and flashing or blinking electronic signage of any type or size only. Ground mounted monument signs are permitted and if illuminated will be lit with flood lights or backlit. Façade signage to be per UDO and FCRA guidelines. Lighted signage, canopies or building lighting shall be controlled to avoid spillage onto surrounding properties.
- b) Pole signs are prohibited.
- c) Directional signage is allowed but will not count towards allowed signage square footage.

This project will provide a walkable and thus healthier community. The neighborhood design will increase human interaction and more engagement with their neighbors.

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

The land to the east/southeast across Chad Colley will be included in the Master Plan. To the north, along Frontier Road, an upscale multi-family apartment project is nearing construction. The property to the west/northwest, across Wells Lake Road is vacant. It is earmarked for use by the Fort Smith School District; what that use will be has not yet been announced. To the south/southwest a

residential duplex subdivision is under construction. A buffer area zone is proposed that has significantly more restrictive land use. See the matrix referenced in 3f above.

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

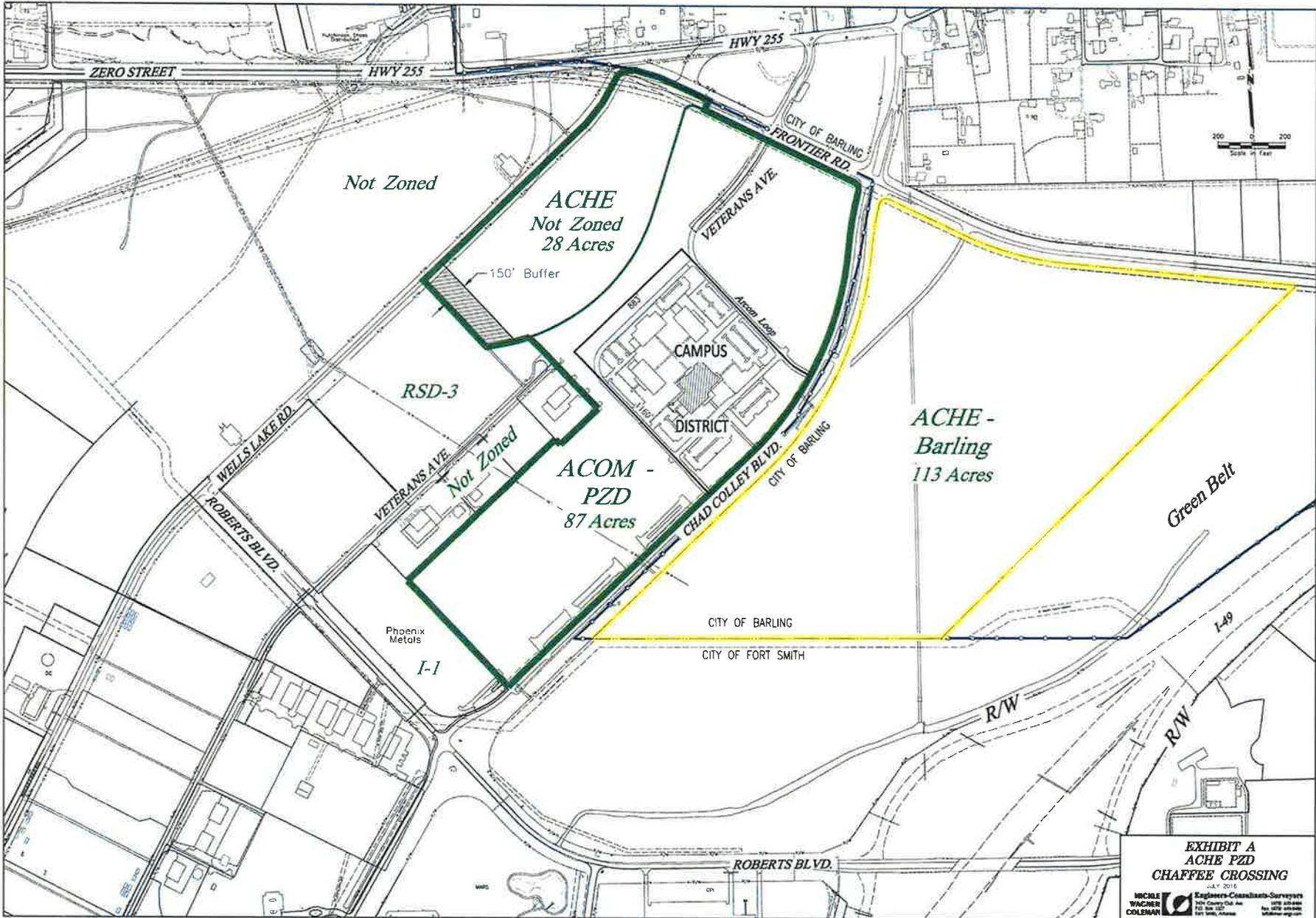
Until the Master Plan is complete, the volume of traffic generated by the project cannot be estimated. A TIS, or TIA, as determined by the Engineering Department, will be prepared once traffic volumes can be estimated. This site is served by a major arterial (Frontier Road) along its north boundary and a boulevard (Chad Colley) along its eastern boundary. Along its west/northwest side is Wells Lake Road which is classified as a major collector; it extends from Frontier Road to Massard Road. To the south/southwest, the property is served by Veterans Avenue.

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

Water service is adequate with a 12" line serving the property. Likewise, the sewer service is adequate with an existing 12" line serving the property.

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**EXHIBIT A**  
**ACHE PZD**  
**CHAFFEE CROSSING**  
JULY 2016

**MICHAEL WACHNER COLEMAN** Engineers-Consultants-Surveyors  
1010 Country Club Ave. Suite 200  
P.O. Box 1027 Fort Smith, Arkansas 72301-1027  
501.942.8800  
mwc@mwcc.com



Appendix A

	Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	R-RMD	I-RH	T-1,2	T	C-C-1	C-C-2	C-C-3	C-C-4	C-C-5	C-C-6	I-1	I-2	I-3	PZD	Campus District	Buffer
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>																														
	Gasoline service station																													
	Motorcycle or ATV sales & service																													
	Tire sales (indoor sales & storage only)																													
	Truck stop/travel plaza																													
	<b>Heavy Consumer Goods Sales or Service</b>																													
	Agricultural equipment and supplies (sales & service)																													
	Appliance repair - (Large)																													
	Appliance repair (Small)																													
	Bus, truck sales and service																													
	Clothing and personal items (repair)																													
	Commercial industrial machinery & equipment (sales & service)																													
	Department store, warehouse club or superstore																													
	Computer and software shop																													
	Electronics and appliances (new)																													
	Electronics and appliances (used)																													
	Floor, paint, wall coverings, window treatments																													
	Furniture or home furnishings (new)																													
	Furniture or home furnishings (used)																													
	Furniture repair and upholstery shop																													
	Greenhouse (sales)																													
	Hardware store																													
	Hardware store (neighborhood)																													
	Home improvement center																													
	Lawn and garden supplies																													
	Locksmith																													
	Lumber yard and building materials																													
	Mall or shopping center																													
	Manufactured home and mobile home sales and service																													
	Oil and gas equipment (sales and service)																													
	Sand, gravel, stone, or earth sales and storage																													
	Swimming pool sales and supply store (w/o storage yard)																													
	Truck or tractor sales and service facility																													
	<b>Durable Consumer Goods Sales or Service</b>																													
	Bait and tackle shop																													
	Bicycle sales and service																													
	Bicycle sales and service (no outside storage)																													
	Bookstore																													
	Bridal shop																													
	Cameras, photographic supplies and services																													
	Clothing, jewelry, luggage, shoes, accessories																													
	Gift shop																													
	Sewing machine store (sales & service)																													
	Sporting goods, toys, & musical instruments																													
	Thrift store																													
	<b>Consumer Goods, Other</b>																													
	Antique shop																													

Appendix A

Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T	C-C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	PZD	Campus District	Buffer	
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>																													
Art dealers, art studio, galleries, supplies																													
Arts and craft shop																													
Flea market (indoor)																													
Flea market (outdoor)																													
Florist shop																													
Hobby shop																													
Office supply store																													
Pawnshop																													
Pawnshop (no outside storage)																													
Tobacco shop																													
<b>Grocery, Food, Beverage, Dairy</b>																													
Bakery or confectionary shop																													
Beer, wine and liquor store (with drive-through)																													
Beer, wine and liquor store (without drive-through)																													
Convenience store (with gasoline sales)																													
Farmer's market																													
Fruit and vegetable store																													
Grocery store or supermarket																													
Neighborhood store																													
<b>Health and Personal Care</b>																													
Cosmetics, beauty supplies, and perfume stores																													
Medical appliance services																													
Optical shop																													
Pharmacy or drug store																													
<b>Finance and Insurance</b>																													
Auto insurance claims office																													
Automatic teller machine																													
Bank, credit union, or savings institution																													
Credit and finance establishment																													
Fund, trust, or other financial establishment																													
Insurance office																													
Investment banking, securities, and brokerages																													
<b>Rental and Leasing</b>																													
Auto (rental and leasing)																													
Commercial, industrial machinery & equipment																													
Consumer rental center																													
Oil and gas field equipment																													
Video, music, software																													
<b>Business, Professional, Scientific, and Technical Services</b>																													
<b>Professional Services</b>																													
Abstract services																													
Accounting, tax, bookkeeping, payroll																													
Advertising and media services																													
Architectural, engineering																													
Carpet and upholstery cleaning																													
Consulting services																													

Appendix A

Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	H	RH	T	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	PZD	Campus District	Buffer			
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>																																	
Extermination and pest control																																	
Graphic, industrial, interior design																																	
Investigation and security services																																	
Janitorial services																																	
Legal services																																	
Medical laboratory																																	
Medical laboratory (no animal research/testing)																																	
Offices, corporate																																	
Offices, general																																	
Property management services (office only)																																	
Real estate agency																																	
Travel arrangement and reservation services																																	
<b>Administrative Services</b>																																	
Business support services																																	
Collection agency																																	
Employment agency																																	
Employment agency (day labor)																																	
Facilities support services																																	
Office and administrative services																																	
Telemarketer/call center																																	
<b>Food Services</b>																																	
Bar or tavern																																	
Beer garden																																	
Catering service																																	
Food distribution center																																	
Microbrewery/microwinery/microdistillery																																	
Mobile food services																																	
Restaurant																																	
Restaurant (with drive-in services)																																	
Restaurant (with drive-through services)																																	
Restaurant (with outdoor dining)																																	
Specialty Manufacturing																																	
Vending																																	
<b>Personal Services</b>																																	
Bail bonds office																																	
Barber shop/salon/spa/massage services																																	
Laundry (commercial/industrial)																																	
Laundry and cleaning facilities (self-service)																																	
Laundry, cleaner																																	
Laundry, cleaner (drop-off station)																																	
Photocopy shop																																	
Photography studio																																	
Print shop																																	
Shoe repair shop																																	
Tailor shop																																	
Tanning salons																																	

Appendix A

Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1,2	I-3	I-4	PZD	Campus District	Buffer
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>																												
Tattoo/body piercing parlor																												
Weight loss centers																												
<b>Pet and animal services</b>																												
Animal and pet services (indoor)																												
Animal and pet services (outdoor)																												
Animal shelter																												
Equestrian facilities																												
Kennels																												
Pet cemetery																												
Pet shop																												
Pet supply store																												
Veterinary clinic (no outdoor kennels)																												
Veterinary clinic (with outdoor kennels)																												
<b>Automobile Parking Facilities</b>																												
Parking garage																												
Parking lot (commercial)																												
Parking lot (off site) (See Section 27-601-11)																												
<b>Manufacturing and Wholesale Trade</b>																												
<b>Food, Textiles and Related Products</b>																												
Animal food processing																												
Clothing manufacturing																												
Food and beverage processing																												
Leather and allied products																												
Textiles																												
Tobacco manufacturing																												
<b>Wood, Paper and Printing Products</b>																												
Cabinet and woodwork shop																												
Furniture or home furnishings																												
Manufacturing, boxes/containers/corrugated																												
Manufacturing, packaging material																												
Paper and printing materials																												
Wood products manufacturing plant																												
<b>Chemicals, Metals, Machinery, and Electronics Mfg.</b>																												
Acid manufacturing																												
Asphalt or concrete batching plant (permanent)																												
Chemicals, plastics and rubber industry																												
Electrical equipment, appliance and components mfg.																												
Explosives manufacturing																												
Foundry or metal-works facility																												
Laboratory (manufacturing)																												
Machine, welding, or sheet metal shop																												
Nonmetallic manufacturing																												
Petroleum and coal products																												
Pharmaceutical manufacturing																												
Refinery																												
Tire retreading																												

Appendix A

Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	R-RMD	H RH	T1,2,3	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	PZD	Campus District	Buffer			
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>																															
<b>Miscellaneous Manufacturing</b>																															
Auto manufacturing																															
Barge and ship manufacturing																															
Boat manufacturing																							P	P	P						
Dolls, toys, games, musical instruments																							P	P	P						
Jewelry and silverware																							P	P	P						
Manufacturing, batteries																							P	P	P						
Manufacturing, fiberglass																							P	P	P						
Manufacturing, foam products																								P	P	P					
Manufacturing, heavy																								P	P	P					
Manufacturing, light																								P	P	P					
Manufacturing, medium																								P	P	P					
Manufacturing, motors, drives, and generators																								P	P	P					
Office supplies																								P	P	P					
<b>Wholesale Trade Establishment</b>																															
Durable goods																						P	P	P	P	P					
Electrical, plumbing, heat & air conditioning																								P	P	P					
Nondurable goods																							P	P	P	P	P				
<b>Warehouse and Storage Services</b>																															
Auto salvage yard																									P						
Building materials salvage yard																									P						
Bulk petroleum storage																									P						
Container storage																							P	P	P	P	P				
Mini storage warehouse																							P	P	P	P	P				
Packaging and distribution center																								P	P	P	P	P			
Petroleum distribution facility																								C	P	P	P	P			
Portable storage Unit																							P	P	P	P	P				
Vehicle storage yard																								P	P	P	P	P			
Warehouse																								P	P	P	P	P			
<b>Transportation, Communication, Information and Utilities</b>																															
<b>Transportation Services</b>																															
Airport																							P	P	P						
Bus station and terminal																							C	C	C	C	C				
Courier and messenger services																							C	P	P	P	P				
Ferry boat facility																								P	P	P	P				
Heliprot																								P	P	P	P				
Limousine service																							A	A	A	P	P				
Mail services																							P	C	P	P	P				
Marina																								P	P	P	P				
Motor freight terminal																								P	P	P	P				
Moving and storage																								P	P	P	P				
Moving company																								P	P	P	P				
Pipeline transportation																									P	P	P				
Port facility																									P	P	P				
Rail transportation																									P	P	P				
Taxicab service																							P	P	P	P	P				

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Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RM-5	IRH	T	T-1,2,3	C-C-1	C-C-2	C-C-3	C-C-4	C-C-5	C-C-6	I-1	I-2	I-3	PZD	Campus District	Buffer																			
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>																																																
<b>Communications and Information</b>																																																
Commercial communication towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C				C	C	P	P	P	C	P	P	P	P	P	P	P	P	P	P	x	x													
Data processing facility																			C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	x	x											
Motion pictures and sound recording studios																																																
Printing commercial/industrial																																																
Telecommunications and broadcasting studios																																																
<b>Utilities and Utility Services</b>																																																
Amateur radio transmitting towers			C	C	C	C	C	C	C	C	C	C	C	C				C	C	P	P	P	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	x	x									
Electric power plant																								C	C																							
Hazardous waste treatment and disposal																																																
Incinerator																																																
Nuclear power plant																																																
Radio, television, and microwave transmitting towers																			C	P	P	P	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	x	x							
Recycling center																								C	C																							
Recycling collection station																			C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	x	x						
Sanitary landfill																																																
Solid waste collection																																																
Utility shop, storage yard or building																																																
Utility substation	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	x	x						
Wastewater treatment plant																																																
<b>Arts, Entertainment, and Recreation</b>																																																
<b>Performing Arts or Supporting Establishments</b>																																																
Drive-in theater																																																
Movie theater																																																
Performance theater																																																
Carnival or circus (temporary with permit)																																																
Fairground/rodeo ground																																																
<b>Museums and Other Special Purpose Recreational Institutions</b>																																																
Historical or archaeological institution																																																
Museum																																																
Zoos, botanical gardens, arboreta																																																
<b>Amusement, Sports, or Recreation Establishment</b>																																																
Amusement center (indoor)																																																
Amusement center (outdoor)																																																
Convention/Event center																																																
Bingo parlor																																																
Casino gaming business																																																
Country club	C	C	C	C	C	C	C	C	C	C	C	C	C	C				C	C	C	C	C	C																									
Dance hall/night club																																																
Private club																																																
Race track																																																
<b>Fitness, Recreational Sports, Athletic Club</b>																																																
Bowling alley																																																
Community recreation center																																																
Driving range (outdoor)																																																
Golf course																																																

Appendix A

Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	PZD	Campus District	Buffer
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>																												
Pistol Range (Indoor)																										P	x	x
Health club																										P	x	x
Fitness studio																										P	x	x
<b>Indoor Games Facility</b>																										P	x	x
Miniature golf course																										P	x	x
Pool hall																										P	x	x
Sexually oriented business (see Ft. Smith Muni. Code Sec.14-141)																										P	x	x
Skating rink																										P	x	x
Sports complex/athletic field																										P	x	x
Swimming pool																										P	x	x
Water park																										P	x	x
<b>Camps, Camping, and Related Establishments</b>																												
Camps, camping, and related establishments																										x	x	x
<b>Natural and Other Recreational Parks</b>																												
Park or playground (public and nonpublic)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P
<b>Education, Public Administration, Health Care and Other Institutions</b>																												
<b>Educational Services</b>																												
College, university, or seminary	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	x
Fine art and performance education																										P	P	x
Library or public arts complex																										P	P	P
Nursery school	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P
Preschool	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P
Primary and secondary school	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P
School, business professional																										P	P	x
School, technical or trade																										P	P	x
<b>Public Administration - Government</b>																												
Criminal justice facility																										x	x	x
Detention facility																										x	x	x
Government office															P		P	P	P	P	P	P	P	P		P	x	x
<b>Public Safety</b>																												
Emergency response station																										P	P	x
Fire and rescue station	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P		P	P	P	P	P	P	P	P	P	P	P	P
Police station																										P	P	x
Police substation (no incarceration)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P		P	P	P	P	P	P	P	P	P	P	P	x
<b>Health and Human Services</b>																												
Community health and welfare clinic																										P	P	x
Diagnostic laboratory testing facility																										P	P	P
Doctor office and clinic																										P	P	P
Hospice residential care facility																										P	x	P
Hospital																										P	P	x
Mental health hospital																										P	P	x
Nursing home																										P	x	x
Substance abuse treatment facility																										P	P	x
<b>Social Assistance, Welfare, and Charitable Services</b>																												
Child and youth services (office)																										P	P	x
Day care Home (12 or less)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	x	x

Appendix A

Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	PZD	Campus District	Buffer				
<b>P = Permitted Use, C = Conditional Use, A = Accessory Use</b>																																
Day care center			R-1	R-2	R-3	R-4	R-5	DP-2	DP-3	DP-4																						
Community food services																											P	P	x			
Emergency and relief services																											P	x	x			
Family support services																											P	x	x			
Senior citizen center																											P	x	x			
Vocational rehabilitation																											P	x	x			
<b>Religious Institutions</b>																																
Church, synagogue, temple, mosque	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		P	P	P			
Rectory, convent, monastery																		A	A	A	A	A	A	A	A		P	x	x			
<b>Note: educational/hospital facilities owned or run by religious institutions are classified by use not ownership</b>																																
Wedding chapel															P												P	x	x			
<b>Death Care Services</b>																																
Cemetery, mausoleum, crematorium, funeral home, & mortuary																											P	x	x			
Monument (manufacturing)																											P	x	x			
Monument (sales)																											P	x	x			
<b>Associations, Nonprofit Organizations</b>																																
Lodge or fraternal organization															C												P	x	x			
<b>Construction-Related Businesses</b>																																
Contractor's office																P											P	P	P			
Contractor's shop and storage yard																											P	x	x			
Glass sales and service																											P	x	x			
Landscaping contractor																											P	x	x			
Sign contractor																											P	x	x			
<b>Mining and Extraction Establishments</b>																																
Coal mining																												C	x	x		
Metallic mining																											C	P	x	x		
Non-metallic manufacturing and mining																											C	P	x	x		
<b>Agriculture, Forestry, Fishing, and Hunting</b>																																
Grain storage and processing																												C	P	x	x	
Livestock yard, feed lot, holding pens, and auction facility																											C	C	x	x		
Commercial grower																											P	C	P	x	x	
<b>Tanning and Slaughtering of Animals or Fowl</b>																																
Animal slaughter and processing																												C	C	x	x	
<b>Note: Section 4-5 of the Fort Smith Municipal Code prohibits the collection or keeping of hogs or swine within the Fort Smith city limits</b>																																
Forestry and Logging																																
Fishing, Hunting and Trapping, Game Preserves																																
Taxidermy shop																												P	P	P	x	x



Patrick J. Mickle, P.E.  
Neal B. Wagner, PLS  
Randell C. Coleman, P.E.  
Andrew J. Dibble, P.E.

September 2, 2016

Mr. Wally Bailey  
City of Fort Smith Planning Department  
623 Garrison Avenue  
Fort Smith, Arkansas 72901

Re: ACHE PZD  
Booklet Correction

Dear Wally:

A scrivener's error was made in the Project Booklet to the dimensions of two of the thoroughfare types. Both errors are on page 8 of the booklet:

1. YR – 50-26 should read YR – 51-27  
50' ROW & 27' Pavement
2. ST – 44-20 should read ST – 45-21  
45' ROW and 21' Pavement

These revisions match the booklet published January 7, 2016. Please note these corrections to the booklet dated July 25, 2016.

We appreciate your help.

Thank you,

A handwritten signature in black ink, appearing to read "Patrick J. Mickle".

Patrick J. Mickle, P.E.

cc: Tom Webb; Mike Watkins; Patrick Brunner

f:\doc\letters\ACHE PZD scrivener error 9-2-16

MICKLE WAGNER COLEMAN, INC.

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September 6, 2016 Regular Meeting

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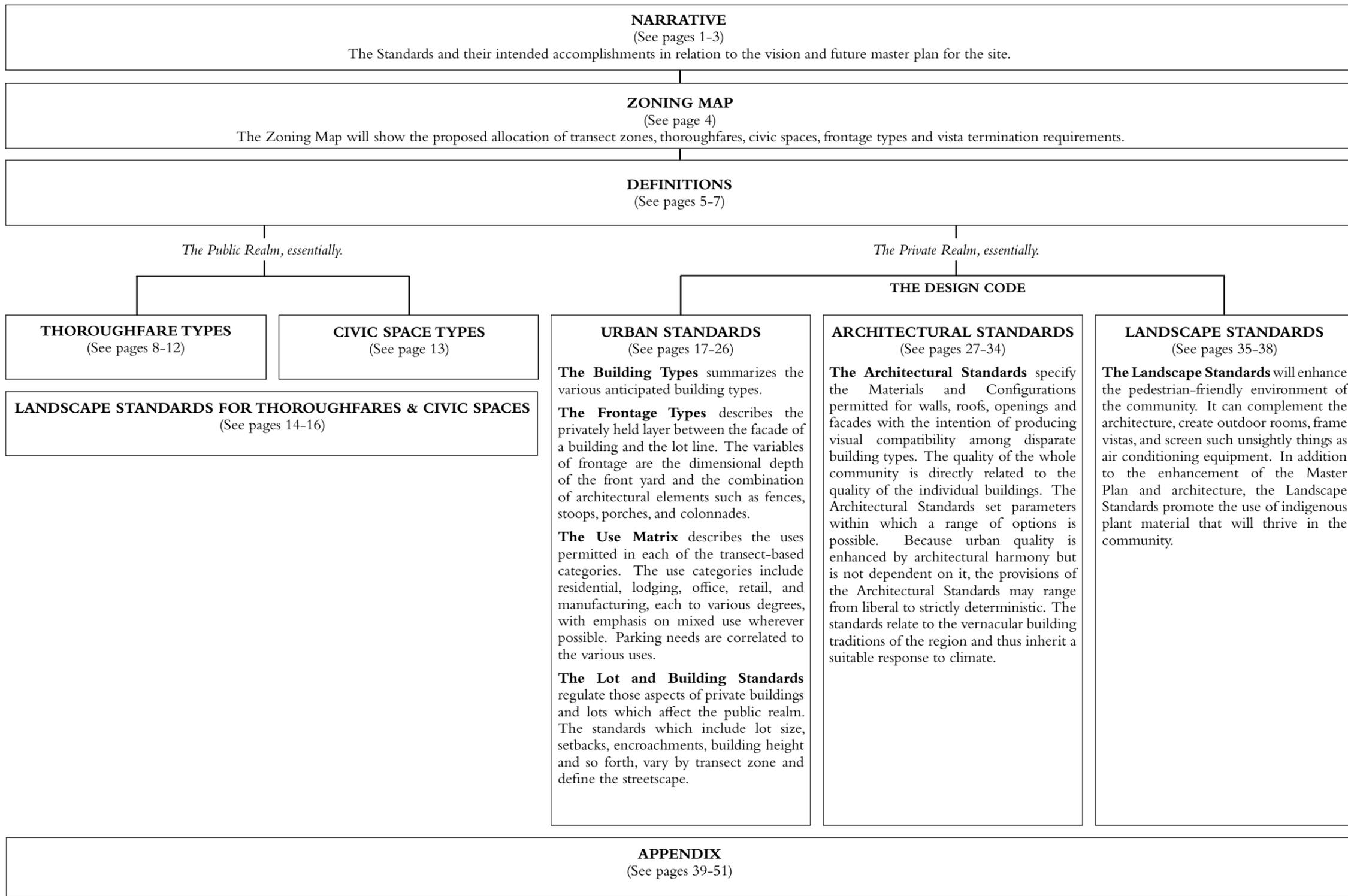


THE ACHE PROPERTY DESIGN STANDARDS  
Barling, Fort Chaffee Redevelopment Authority, and  
Fort Smith, Arkansas

*Prepared for*  
Arkansas Colleges of Health Education

*by*  
MICHAEL WATKINS ARCHITECT, LLC

July 25, 2016



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**The Mission**

To educate and train a diverse group of highly competent and compassionate health care professionals who will improve the lives of those in underserved areas.

**The Vision**

Supporting the philosophy of traditional neighborhood developments that promote communities in which residents are engaged in a health-conscious lifestyle, ACHE will establish an environment that contains the most favorable aspects of community in its most historic forms. This residential, retail, and mixed-use setting will promote a sense of community and health awareness in a landscape of natural surroundings that complements the educational missions of the school and of the organization. Furthermore, the creation of a walkable, sustainable, mixed-use community that focuses on a healthier Arkansas, where residents can enjoy safety, convenience and green spaces for exercise and cultural events, serves to promote a vision for the future where Arkansans can enjoy the benefits of a “town-country” environment where taking a meaningful walk in order to go to work, to school, to shop or to seek entertainment or recreation are no longer distant memories that can be seen as “the good old days.” Whether it is shopping for everyday or unique items, meeting a friend or colleague at a coffee shop, going to dinner, attending a concert or film in the park, or seeking general or specialized health care, the campus and surrounding infrastructure of the Arkansas Colleges of Health Education will be the environment where people will want to come and live, work, and play.

For more information, go to: [www.acheedu.org](http://www.acheedu.org).

The purpose and intent of the Design Standards is to enable, encourage and qualify the implementation of ACHE’s Vision through the following policies:

**The Site**

- Development should be organized in the pattern of a walkable neighborhood(s) and, possibly, a district(s), while retaining the character of the site derived from the topography, drainage, ponds, trees and woodlands.

**The Neighborhood(s)**

- The neighborhood is the preferred pattern of development. It should be compact, pedestrian-friendly, and mixed-use.
- As many ordinary activities of daily life as possible should occur within walking distance of most dwellings, allowing independence to those who do not drive or prefer not to do so.
- A network of Thoroughfares should be designed to disperse traffic and reduce the length of automobile trips.
- A range of housing types and price levels should be provided to accommodate diverse households.
- Appropriate building densities and land uses should be provided within walking distance of the neighborhood.
- Commercial, Civic and institutional activity should be embedded in the neighborhood center, not isolated in remote single-use complexes.
- A range of Open Space Types including parks, greens, squares, plazas and playgrounds should be distributed throughout the neighborhood.

**The District**

- The District is an urbanized area that is functionally specialized. Typical examples include theater districts, capitol areas, and college and sports campuses. Other Districts accommodate large scale transportation or manufacturing uses, such as airports, container terminals, and refineries. Although districts preclude the full range of activities of a neighborhood, they are not always the single-activity zones of suburbia. A District allows multiple activities to support its primary identity.
- The structure of a District parallels that of a Neighborhood: an identifiable focus encourages orientation and identity, and clear boundaries facilitate the formation of special taxing or management organizations. Like the neighborhood, attention to the character of the public space reinforces the community of recurrent users, which encourages the pedestrian, supports transit viability, and ensures security.

**The Corridor**

- The corridor is the connector or the isolator of neighborhoods and districts. Corridors are composed of natural and technical components ranging from wildlife trails to rail lines. The corridor is not the haphazard residual “open space” buffering the enclaves of suburbia, but a proactive civic element characterized by its continuity. It is defined by the boundaries of neighborhoods and districts and provides entry to them.

**The Block and the Building**

- A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use.
- Individual architectural projects should be seamlessly linked to their surroundings. This issue transcends style.
- The design of streets and buildings should reinforce safe environments, but not at the expense of accessibility and openness.
- Development must adequately accommodate automobiles in ways that respect the pedestrian and the form of public space.
- Streets and squares should be safe, comfortable, and interesting to the pedestrian. Properly configured, they encourage walking and enable neighbors to know each other and protect their communities.
- Architecture and landscape design should grow from local climate, topography, traditional patterns and precedents, and building practice.
- Civic buildings and public gathering places require important sites to reinforce community identity and the culture of democracy. They deserve distinctive form, because their role is different from that of other buildings and places that constitute the fabric of the city.
- All buildings should provide their inhabitants with a clear sense of location, weather and time. Natural methods of heating and cooling can be more resource-efficient than mechanical systems.

**The Transect and The Community**

The following two pages explain the Transect and how the Transect informs the design of this community both in *principle* and *practice*.

The Design Code allows the various private buildings within a community to be designed and built by many hands over any number of years, or even generations, and still be compatible. It includes Urban Standards, Architectural Standards and Landscape Standards. Once adopted, it stays in place, allowing urbanism to evolve and mature without losing its necessary foundation of order. The Design Code is enforced by a Town Architect to ensure that the community does not have to scrutinize each proposed project because the intentions of the public have been manifested and confirmed in the approved Design Code.

**ADDITIONAL PROVISIONS**

The Design Standards are typologically based and thus represent the typical condition. It is to be expected that actual conditions will vary from the typical condition shown in the Design Code standards. The standards for the typical condition shall be applied to the actual condition in a reasonable manner that achieves the intent of the standard.

It is the design intent not the “letter” of the standards to which properties and improvements shall conform.

Where no standard is included in these Design Standards, the most current standards of the Barling, Fort Chaffee Redevelopment Authority, and Fort Smith shall apply.

Sources for the various texts, definitions, illustrations and the like found in the Design Standards include, among others, the Lexicon of the New Urbanism and Smartcode v9.2 by Andres Duany, et. al.

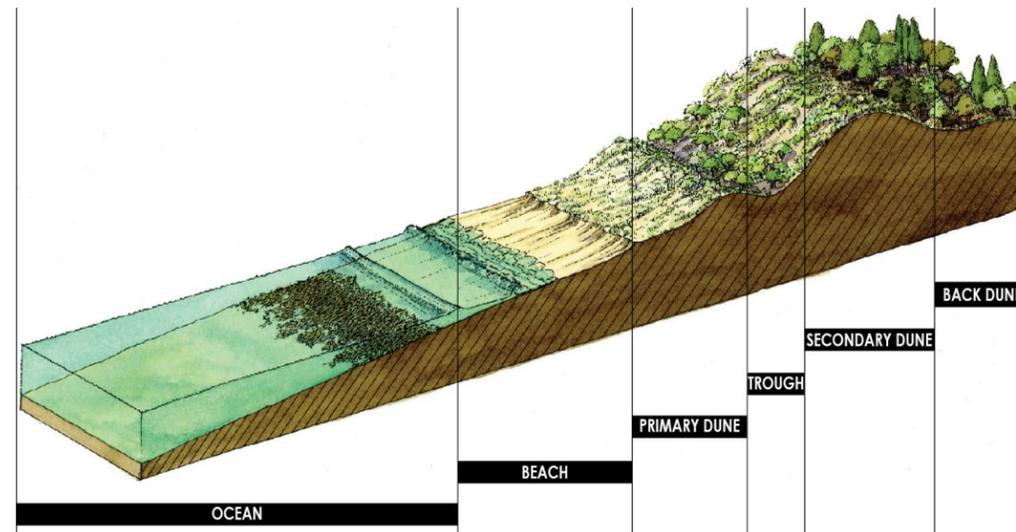
Two types of deviation from the requirements of this Code are possible: Warrants and Variances. A Warrant is a ruling that would permit a practice that is not consistent with a specific provision(s) of these Standards but is justified by the provisions of the Purpose of the Design. The Barling, Fort Chaffee Redevelopment Authority, and Fort Smith shall have the authority to administratively approve or disapprove a request for a Warrant. A Variance is any ruling on a deviation other than a Warrant. Variances shall be granted only by the Barling, Fort Chaffee Redevelopment Authority, and Fort Smith. The request for a Variance shall not subject the entire application to public hearing, but only that portion necessary to rule on the specific issue requiring the relief.

**NARRATIVE**

- ACHE Mission and Vision**
- Purpose & Intent**
- Design Code**
- Additional Provisions**

NARRATIVE

Transect-Based Planning in Principle



A Typical Natural Transect



A Typical Rural-to-Urban Transect, with Transect Zones

TRANSECT-BASED PLANNING

The Design Standards does not include all of these Transect Zones but they are included here for illustrative purposes.

Different human beings thrive in different places. There are those who would wither in a rural hamlet; there are those who could never live in an urban center. The rural-to-urban Transect is divided into six Transect Zones. These six zones vary by the level and intensity of their physical and social character, providing immersive contexts from rural to urban. Elements of the built environment are coordinated by these Transect Zones at all scales of planning, from the region through the community scale land down to the individual lot and building.

One of the principles of Transect-based planning is that certain forms and elements belong in certain environments. For example, a ranch house belongs in a more rural setting, an Apartment building in a more urban setting. Similarly, some types of thoroughfares are rural in character and some types are urban. A deep suburban setback destroys the spatial enclosure of an urban street; it is out of context. These distinctions and rules do not limit choices; they expand them by permitting a broad range of forms and elements through allocation to their appropriate Transect Zone. This is the antidote for the one-size-fits-all development of today.

**T1 Natural Zone** consists of lands that are, or are approximating, or are reverting to, a wilderness condition, including large swaths of land unsuitable for development due to topography, hydrology or vegetation. Permanent habitable structures are not found within this transect zone.

**T2 Rural Zone** consists of sparsely settled lands in open (uncultivated) or cultivated states. These include woodland, agricultural land, grassland, and irrigable desert. Typical buildings are farmhouses, agricultural buildings, cabins, and villas.

**T3 Neighborhood Edge Zone** consists of low density residential areas. Typical buildings are single-family detached homes. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the thoroughfare network informal to accommodate natural conditions.

**T4 Neighborhood General Zone** consists primarily of residential urban fabric but includes a mix of uses. It typically has a wide range of building types: single-family, sideyard, and rowhouses among others. Setbacks and landscaping are variable. Blocks are medium or even small in size. Thoroughfares have on-street parking, curbs and allees of trees.

**T5 Neighborhood Center Zone** consists of higher density residential and mixed-use building types. They typically include townhouses, apartment buildings of all sizes up to five stories or so, and mixed-use buildings that typically have commercial uses on the ground floor with residential above. It has a tight network of streets with buildings set close to wide sidewalks.

**T6 Town Center Zone** consists of the highest density and height, with the greatest variety of uses and Civic Buildings of regional importance. Streets have on-street parking, allees of street trees planted in grates and buildings set at the back of wide sidewalks. It may have larger blocks to accommodate parking. Typically only large towns and cities have the Urban Core Zone.

**SD Special Districts** consist of areas with buildings that by their function, disposition, or Configuration cannot, or should not, conform to one or more of the six normative Transect Zones

T3 NEIGHBORHOOD EDGE ZONE



Union Village, Ohio



Kentlands, Maryland

**T3 Neighborhood Edge Zone** consists of low density residential areas, adjacent to higher zones that include some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions.

T4 NEIGHBORHOOD GENERAL ZONE



Union Village, Ohio



Kentlands, Maryland

**T4 Neighborhood General Zone** consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single family houses, sideyard and rowhouses. Setbacks and landscaping vary depending on the particular character of the street. Streets with curbs and sidewalks define medium-sized blocks.

T5 NEIGHBORHOOD CENTER ZONE



Union Village, Ohio



Kentlands, Maryland

**T5 Neighborhood Center Zone** consists of higher density mixed use buildings that accommodate retail, offices, rowhouses and apartments. It has a tight network of streets, with wide sidewalks, regular street tree planting and buildings set close to the sidewalks.

THE ACHE PROPERTY  
DESIGN STANDARDS

**NARRATIVE**

**Transect-Based Planning in Practice**

These illustrations show the results of the application of transect-based planning principles to the design of Union Village, a new community in Warren County, Ohio.

These images from Kentlands in Gaithersburg, Maryland (a community of nearly 300 acres and 6,000 people now over 25 years old) show the built results of transect-based planning principles in practice.

**ZONING MAP**

A Zoning Map showing the allocation of transect zones, thoroughfares, civic spaces, frontage types and vista termination requirements will be submitted following the preparation of a master plan.



## DEFINITIONS

These definitions are for terms in these Standards that are technical in nature or that otherwise may not reflect a common usage of the term.

**Accessory Building:** an Outbuilding with an Accessory Unit.

**Accessory Unit:** an Apartment not greater than 600 square feet sharing ownership with a Principal Building; it may or may not be within an Outbuilding.

**Allee:** a regularly spaced and aligned row of a single or two alternating species of trees usually planted along a Thoroughfare.

**Apartment:** a Residential unit sharing a building and a Lot with other units and/or uses; it may be for rent or for sale as a condominium.

**Arcade (or Colonnade):** a facade of a building overlaps the sidewalk above while the ground story remains set at the back of the sidewalk, typically. This type is indicated for retail use, but only when the sidewalk is fully adsorbed within the Arcade (or Colonnade) so that a pedestrian cannot bypass the arcade or colonnade. An easement for private use of the right-of-way is usually required. To be useful, the Arcade should be no less than 12' wide.

**Attic:** the interior part of a building contained within a pitched roof structure. Where a vertical knee-wall is greater than 5', an Attic shall be considered a story.

**Avenue (AV):** a limited distance, free-movement thoroughfare connecting Civic locations within an urbanized area. Unlike a Boulevard, its length is finite and its axis is terminated. An Avenue may be conceived as an elongated square.

**Backbuilding:** See Definitions, Illustrated, page 7.

**Bed and Breakfast Inn:** an owner-occupied Lodging type offering 1 to 5 bedrooms, permitted to serve breakfast in the mornings to guests.

**Bicycle Lane (BL):** a dedicated lane for cycling within a moderate-speed vehicular Thoroughfare, demarcated by striping.

**Bicycle Route (BR):** a Thoroughfare suitable for the shared use of bicycles and automobiles moving at low speeds.

**Bicycle Trail (BT):** a bicycle way often running independently or outside of a vehicular Thoroughfare.

**Block:** the aggregate of private Lots, Paths, Passages, Rear Lanes, Rear Alleys, and Commercial Alleys, circumscribed by Thoroughfares.

**Block Face:** the aggregate of all the building Facades on one side of a Block.

**Boulevard (BV):** a long-distance, free movement thoroughfare traversing an urbanized area. A Boulevard is flanked by parking, sidewalks, and planters buffering the buildings along the sides.

**Civic:** the term defining not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking.

**Civic Building:** a building operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or for use approved by the legislative body.

**Civic Parking Reserve:** a shared Parking Structure or parking lot within a quarter-mile of the site that it serves typically publicly owned and/or operated.

**Civic Space:** an outdoor area dedicated for public use. Civic Space Types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping and their Enfronting buildings. See Civic Space Types, page 13.

**Close:** a small green area surrounded by a Driveway providing vehicular access to several buildings, performing the same function as a cul-de-sac but creating a socially useful space. The width of the Close often corresponds to the standard turning radius requirements. A Close may be built to economical Driveway standards.

**Commercial:** the term collectively defining Lodging, Office and Retail Uses.

**Cottage:** See Building Types, page 17.

**Courtyard Building:** a building that occupies the boundaries of its Lot while internally defining one or more private patios.

**Curb:** the edge of the vehicular pavement that may be raised or flush with a Swale. It usually incorporates the drainage system.

**Design Speed:** is the speed at which a Thoroughfare tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very low: (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35 MPH); High: (above 35 MPH). Lane width is determined by desired Design Speed.

**Disposition:** the placement of a building on its Lot.

**Drive (DR):** a thoroughfare along the boundary between an urbanized and a natural condition, usually along a waterfront, a park, or a promontory.

**Driveway:** a vehicular access way within a private lot connecting a garage to a thoroughfare.

**Duplex:** See Building Types, page 17.

**Effective Parking:** the amount of parking required for Mixed Use after adjustment by the Shared Parking Factor.

**Effective Turning Radius:** See Definitions, Illustrated, page 7.

**Elevation:** See Definitions, Illustrated, page 7.

**Encroach:** to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, into the Public Frontage, or above a height limit.

**Encroachment:** any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public Frontage, or above a height limit.

**Enfront:** to place an element along a Frontage, as in "porches Enfront the street."

**Facade:** See Definitions, Illustrated, page 7.

**Forecourt:** a Private Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back.

**Frontage:** the area between a building Facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into Private Frontage and Public Frontage.

**Frontage Line:** See Definitions, Illustrated, page 7.

**Function:** the use or uses accommodated by a building and its Lot, categorized as *Restricted, Limited, or Open*, according to the intensity of the use.

**Gallery:** a roof extends over the sidewalk while the building facade remains set back at the lot line. This type is only for retail use. An easement for private use of the right-of-way is usually required. To be useful, the gallery should be no less than 12' wide.

**Green:** See Civic Space Types, page 13.

**Greenfield:** an area that consists of open, wooded land, or farmland that has not been previously developed.

**Greenway:** an Open Space Corridor in largely natural conditions which may include trails for bicycles and pedestrians.

**Home Occupation:** non-Retail Commercial enterprises operating from a home. The work quarters should be invisible from the Frontage, located either within the house or in an Outbuilding. Permitted activities are defined by the Restricted Office category.

**House:** See Building Types, page 17.

**Inn:** a Lodging type, owner-occupied, offering 6 to 12 bedrooms, permitted to serve breakfast in the mornings to guests.

**Layer:** a range of depth of a Lot within which certain elements are permitted.

**Lightwell:** a Private Frontage type that is a below-grade entrance or recess designed to allow light into basements.

**Liner Building:** a building specifically designed to mask a parking lot or a Parking Structure from a Frontage.

**Live-Work Unit:** See Building Types, page 17.

**Lodging:** See Use Matrix, page 19.

**Lot:** a parcel of land accommodating a building or buildings of unified design. The size of a Lot is controlled by its width in order to determine the grain (i.e., fine grain or coarse grain) of the urban fabric.

**Lot Line:** See Definitions, Illustrated, page 7.

**Lot Width:** the distance of the Principal Frontage Line of a Lot.

**Manufacturing:** premises available for the creation, assemblage and/or repair of artifacts, using table-mounted electrical machinery or artisanal equipment, and including their Retail sale.

**Mansion:** See Building Types, page 17.

**Mixed-Use:** multiple Uses within the same building through superimposition or adjacency, or in multiple buildings by adjacency, or at a proximity determined by Warrant.

**Mixed-Use Building:** See Building Types, page 17.

**Multi-Family Building:** See Building Types, page 17.

**Multi-Family House:** See Building Types, page 17.

**Odd Lot:** See Building Types, page 17.

**Office:** See Use Matrix, page 19.

**Open Space:** land intended to remain undeveloped; it may be for Civic Space.

**Outbuilding:** See Definitions, Illustrated, page 7.

**Park:** See Civic Space Types, page 13.

**Parking Structure:** a building containing one or more Stories of parking above grade.

**Passage (PS):** a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long Blocks and connect parking areas to frontages. See Thoroughfare Types, page 12.

**Path (PT):** a pedestrian way traversing a park or rural area, with landscape matching the contiguous Open Space. Paths should connect directly with the urban Sidewalk network. See Thoroughfare Types, page 12.

**Pedestrian Shed:** a determinant of urban size, defined as the distance that may be covered by a five-minute walk at an easy pace from the outer limit of the neighborhood proper to the edge of the neighborhood center. This is the distance that most persons will walk rather than drive, provided that the environment is pedestrian-friendly.

**Planter:** the element of the Public Frontage which accommodates trees, whether continuous or individual.

**Playground:** See Civic Space Types, page 13.

**Plaza:** a Civic Space type designed for Civic purposes and Commercial activities in the more urban Transect Zones, generally paved and spatially defined by building Frontages.

## DEFINITIONS

Where no definition is included in these Design Standards, the definitions of the Lexicon of the New Urbanism, The Smart Code V 9.2 or the most current Barling, Fort Chaffee Redevelopment Authority, and Fort Smith Code (in that order) shall apply.

**DEFINITIONS, continued.**

**Principal Building:** See Definitions, Illustrated, page 7.

**Principal Entrance:** the main point of access for pedestrians into a building.

**Principal Frontage:** on corner Lots, the Private Frontage designated to bear the address and Principal Entrance to the building, and the measure of minimum Lot width. Prescriptions for the first Layer pertain to both Frontages of a corner Lot. See Frontage.

**Primary Frontage:** See Definitions, Illustrated, page 7.

**Private Frontage:** See Definitions, Illustrated, page 7.

**Public Frontage:** See Definitions, Illustrated, page 7.

**Rear Alley (RA):** a vehicular way located to the rear of Lots providing access to service areas, parking, and Outbuildings which may contain utility easements. See Thoroughfare Types, page 11.

**Rear Lane (RL):** a vehicular way located to the rear of Lots providing access to service areas, parking, and Outbuildings which may contain utility easements. Rear lanes may be paved lightly to Driveway standards. The streetscape consists of gravel or landscaped edges, has no raised Curb, and may be drained by percolation at the edges or an inverted crown at the center.

**Rear Lane (with ruts):** See Thoroughfare Types, page 11.

**Regulating Plan:** a Zoning Map that shows the Transect Zones, Civic Zones, Special Districts if any, and Special Requirements if any, of areas subject to, or potentially subject to, regulation by the Design Standards.

**Residential:** See Use Matrix, page 19.

**Retail:** See Use Matrix, page 19.

**Retail Frontage:** Frontage designated on a Regulating Plan that requires or recommends the provision of a Shopfront, encouraging the ground level to be available for Retail use.

**Right of Way (ROW):** See Definitions, Illustrated, page 7.

**Road (RD):** a local, slow-movement thoroughfare suitable for edge and rural areas. A road tends to be rural in character without Curbs or on-street parking; it may have clustered plantings and paths instead of sidewalks. See Thoroughfares, page 8.

**Secondary Frontage:** See Definitions, Illustrated, page 7.

**Setback:** the area of a Lot measured from the Lot Line to a building Facade or Elevation that is maintained clear of permanent structures, with the exception of Encroachments.

**Shared Parking Factor:** an accounting for parking spaces that are available to more than one Function.

**Shopfront:** a Private Frontage conventional for Retail use, with substantial glazing and an awning, wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade.

**Sidewalk:** the paved section of the Public Frontage dedicated exclusively to pedestrian activity.

**Slip Road:** an outer vehicular lane or lanes of a Thoroughfare, designed for slow speeds while inner lanes carry higher speed traffic, and separated from them by a planted median.

**Specialized Building:** a building that is not subject to Residential or Commercial classification.

**Special District (SD):** an area that, by its intrinsic Function, Disposition, or Configuration, cannot or should not conform to one or more of the normative Transect Zones.

**Square:** See Civic Space Types, page 13.

**Stoop:** a Private Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy, with an exterior stair and landing at the entrance.

**Story:** a habitable level within a building, excluding an Attic or raised basement.

**Street (ST):** a local, slow-movement thoroughfare suitable for general, center, and core zones. A street is urban in character, with raised Curbs, closed drainage, wide sidewalks, parallel parking, and trees in individual planting areas. See Thoroughfare Types, page 8.

**Swale:** a low or slightly depressed natural area for drainage.

**Terminated Vista:** a location at the axial conclusion of a Thoroughfare. A building located at a Terminated Vista designated on Regulating Plan is required or recommended to be designed in response to the axis.

**Thoroughfare:** a way for use by vehicular and/or pedestrian traffic and to provide access to Lots and Civic Spaces, consisting of Vehicular Lanes and the Public Frontage.

**Town Architect:** typically employed by the developer, the Town Architect serves as the keeper of the urban and architectural vision of a place. The Town Architect also provides direction and inspiration to lot purchasers, architects, designers, landscape architects, civil engineers, builders and others. A successful Town Architect balances many competing demands in an effort to shape a beautiful physical realm that facilitates community life. Key duties include aesthetic review of plans for public spaces and infrastructure, as well as private buildings and lot plans.

**Townhouse:** a single-family dwelling that shares a party wall with another of the same type and occupies the full Frontage Line (except at corner lots). See Building Types, page 17.

**Transect:** a cross-section of the environment showing a range of different habitats. The rural-urban Transect of the human environment is divided into six Transect Zones. These zones describe the physical form and character of a place, according to the Density and intensity of its land use and Urbanism. See Purpose and Intent, page 1.

**Transect Zone (T-zone):** Transect Zones are administratively similar to the land use zones in conventional codes, except that in addition to the usual building use, Density, height, and Setback requirements, other elements of the intended habitat are integrated, including those of the Public Frontage and Private Lot, and Building. See Purpose and Intent, page 1.

**Radius at Edge of Pavement:** the curved edge of pavement at an intersection, measured at the inside edge of the vehicular lane. The smaller the Turning Radius, the shorter the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn.

**Use:** the use or uses accommodated by a building and its Lot, categorized as Restricted, Limited, or Open, according to the intensity of the use. See Use Matrix, page 19.

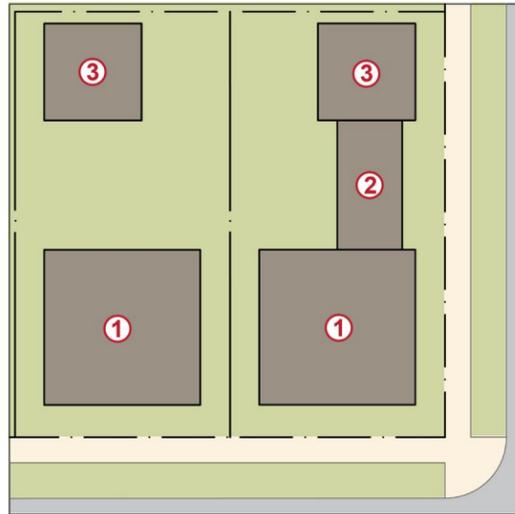
**Variance:** a ruling that would permit a practice that is not consistent with either a specific provision or the Intent of the Design Standards and/or the Design Code. Variances may be granted by the Barling, Fort Chaffee Redevelopment Authority, and Fort Smith following approval by the Developer.

**Warrant:** a ruling that would permit a practice that is not consistent with a specific provision of the Design Standards and/or the Design Code, but that is justified by its Purpose. Warrants may be granted by the Town Architect following approval by the Developer.

**Work-Live:** a Mixed Use unit consisting of a Commercial and Residential Function. It typically has a substantial Commercial component that may accommodate employees and walk-in trade. The unit is intended to function predominately as work space with incidental Residential accommodations that meet basic habitability requirements. See Live-Work.

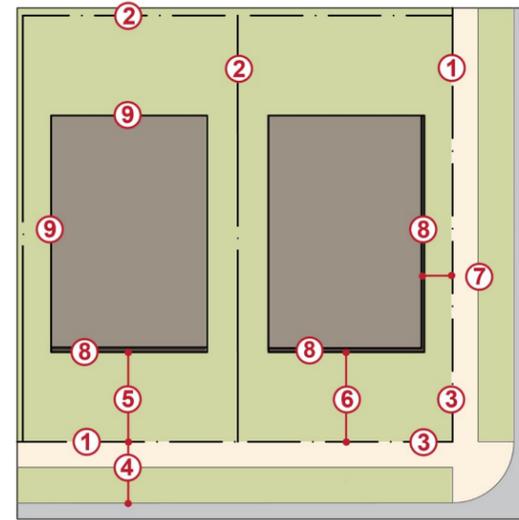
**Yield:** characterizing a Thoroughfare that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation. Also, characterizing parking on such a Thoroughfare. See Thoroughfare Types, page 8.

## BUILDING DISPOSITION



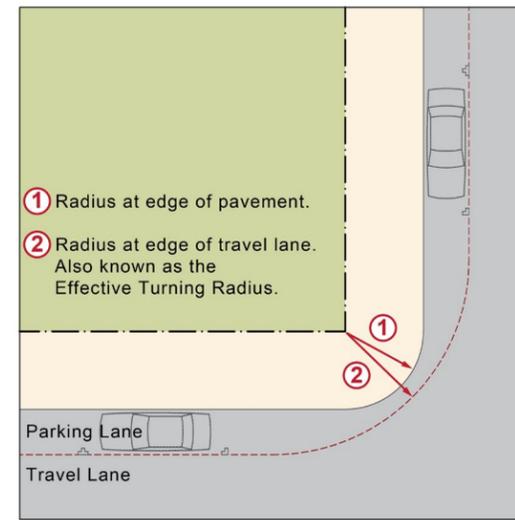
- ① **Principal Building:** the main building on a Lot, usually located toward the Frontage.
- ② **Backbuilding:** a single-story structure connecting a Principal Building to an Outbuilding.
- ③ **Outbuilding:** a secondary building usually located toward the rear of the same Lot as a Principal Building, and sometimes connected to the Principal Building by a Backbuilding.

## LOT LINES & FRONTAGES



- ① **Right-of-Way (ROW) Line:** the edge of the Right-of-Way, also known as the Thoroughfare.
- ② **Lot Line:** the boundary that legally and geometrically demarcates a lot.
- ③ **Frontage Line:** the line between a private lot and a ROW, Thoroughfare, or Civic Space.
- ④ **Public Frontage:** the area between the vehicular lanes and the ROW Line or Frontage Line.
- ⑤ **Private Frontage:** the privately held Layer between the Frontage Line and the Principal Building Facade.
- ⑥ **Primary Frontage:** on lots with two or more frontages, the Private Frontage designated by the Regulating Plan as the Principal Entrance to the building.
- ⑦ **Secondary Frontage:** on lots with two or more frontages, a Private Frontage that is not the Primary Frontage.
- ⑧ **Facade:** the exterior walls (elevations) of a building that are set along a Frontage Line.
- ⑨ **Elevation:** the exterior walls of a building.

## TURNING RADIUS



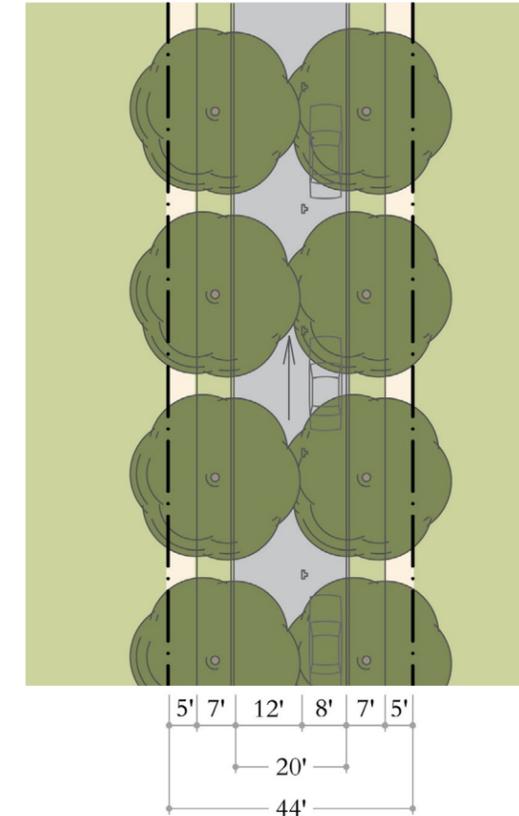
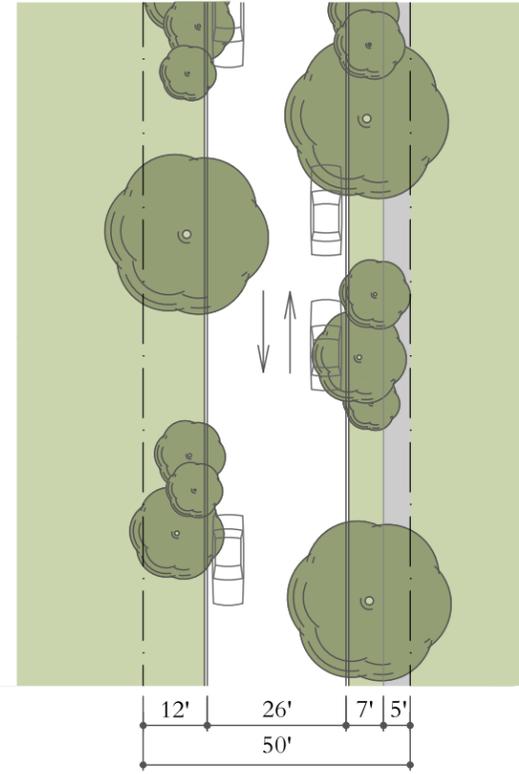
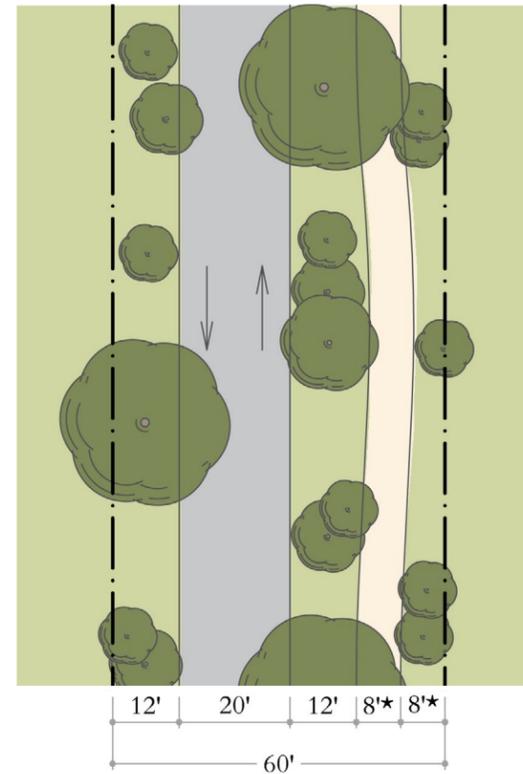
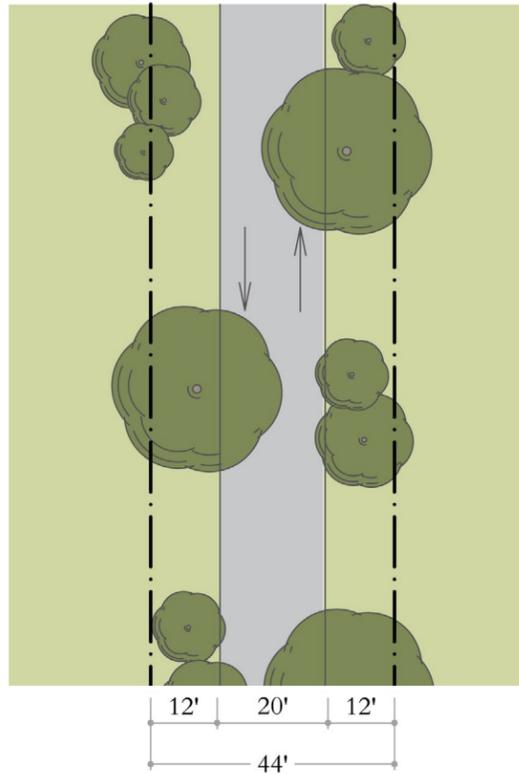
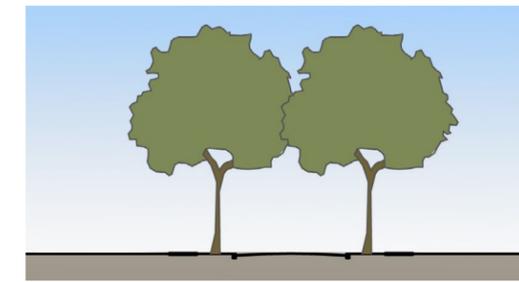
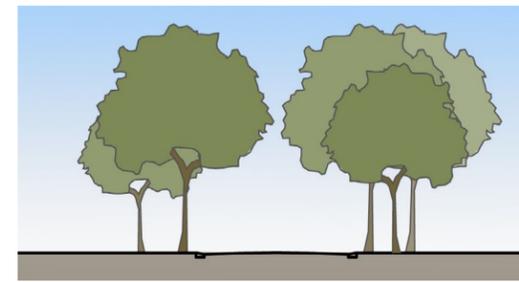
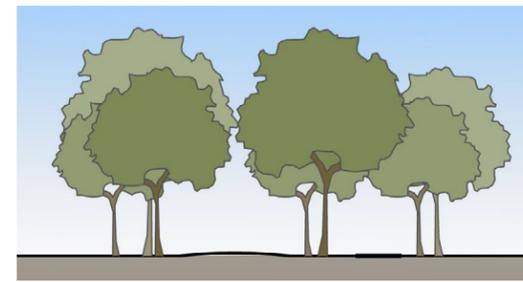
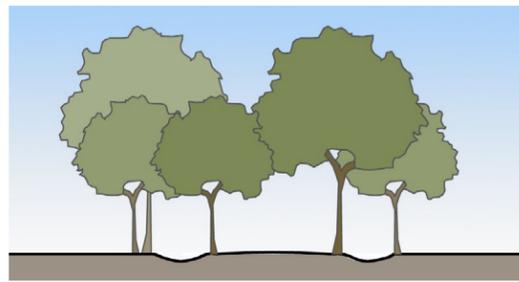
- ① Radius at edge of pavement.
- ② Radius at edge of travel lane. Also known as the Effective Turning Radius.

**Effective Turning Radius:** the measurement of the inside Turning Radius taking parked cars into account.

## DEFINITIONS, continued.

THOROUGHFARE TYPES

Trees within a thoroughfare shall be maintained to allow sufficient vertical clearance in the travel lane for moving vans, buses, emergency vehicles and the like.



Thoroughfare Type

- RD Road
- RL Rear Lane
- YR Yield Road
- YS Yield Street
- ST Street
- RA Rear Alley
- AV Avenue
- BV Boulevard
- CA Commercial Alley
- CS Commercial Street
- PT Path
- PS Passage
- TR Trail

Right-of-Way Width

Pavement Width

XX - # - #

RD - 44 - 20

RD - 60 - 20

YR - 50 - 26

ST - 44 - 20

Road
T3
44' ROW
20' Pavement
Slow Movement
Two-Way Traffic
No Parking
18' Curb Radius
No Curbs
12' Tree Lawn
Clustered, 30' o.c. avg.
No Sidewalks

Road
T3
60' ROW
20' Pavement
Slow Movement
Two-Way Traffic
No Parking
18' Curb Radius
No Curbs
12' Tree Lawn
Clustered, 30' o.c. avg.
No Sidewalks

Road
T3, T4
50' ROW
26' Pavement
Yield Movement
Two-Way Traffic
Parking Both Sides
18' Curb Radius
18" Rolled Curb
12' and 7' Tree Lawn
Clustered, 30' o.c. avg.
Sidewalk typ. one side

Street
T3, T4, T5
44' ROW
20' Pavement
Slow Movement
One-Way Traffic
Parking One Side
12' Curb Radius
6" Header Curbs
7' Tree Lawn
Allee, 30' o.c.
5' Sidewalks

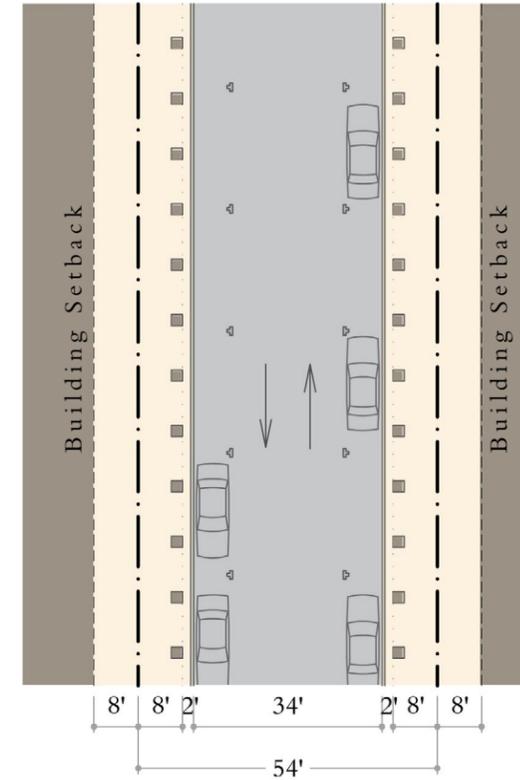
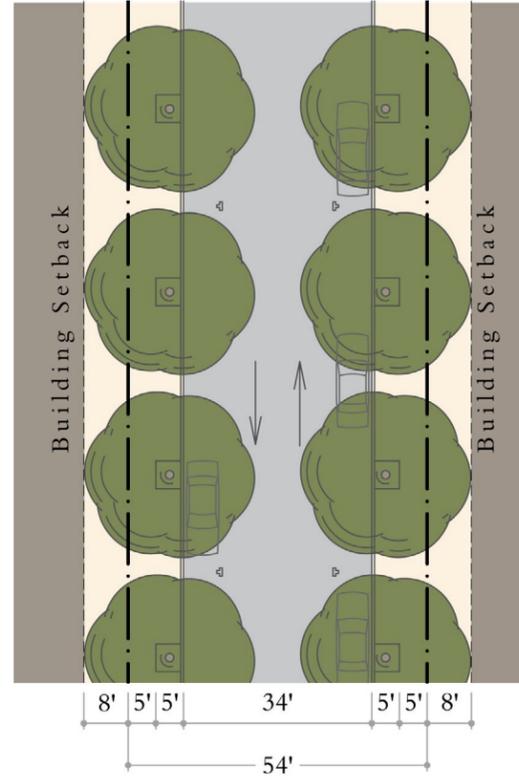
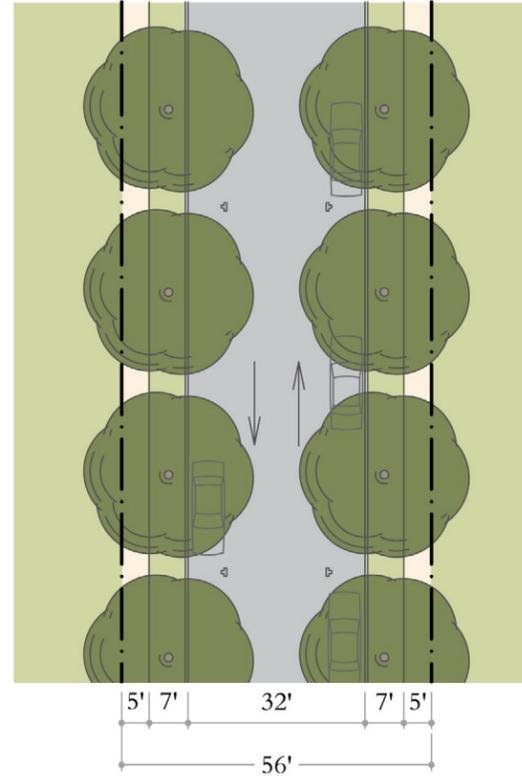
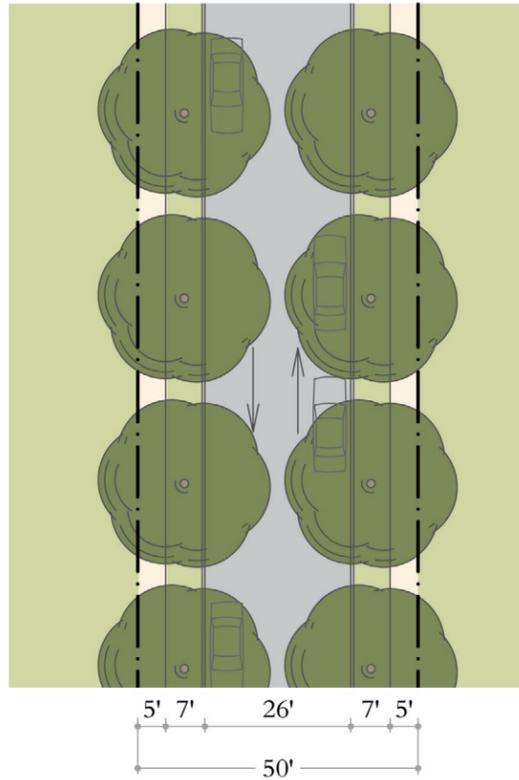
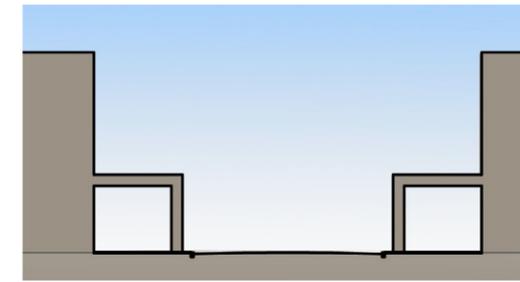
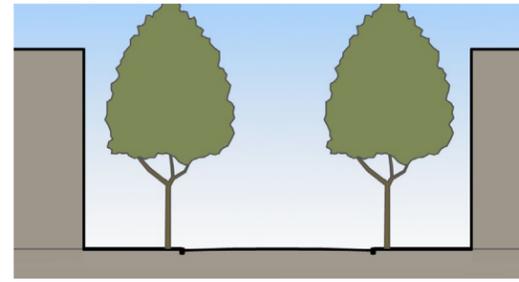
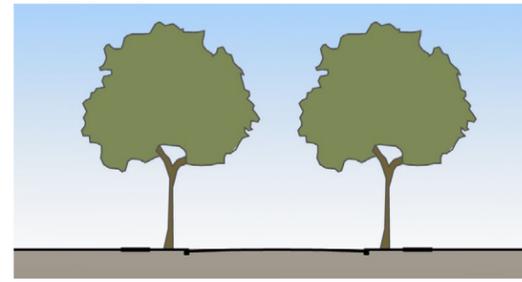
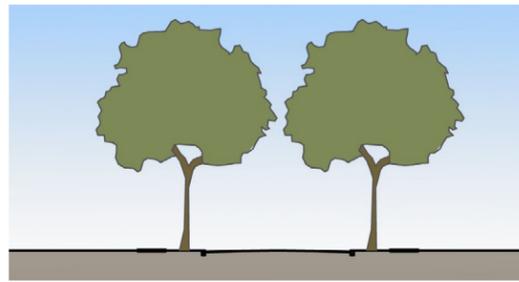
The width of tree lawns may vary to suit natural conditions.

Determination of sidewalk location will be site plan specific. Sidewalks may be on either, neither or both sides of this section.

Opportunistic planting in T5 to allow adjustment for shop doors and drives.

Thoroughfare Type
Transect Zone
Right-of-Way Width
Pavement Width
Movement
Traffic Lanes
Parking Lanes
Pavement / Curb Radius
Curb Type
Planter Type (includes Curb if any)
Landscape
Walkway Type
Notes

THOROUGHFARE TYPES



Thoroughfare Type

- RD Road
- RL Rear Lane
- YR Yield Road
- YS Yield Street
- ST Street
- RA Rear Alley
- AV Avenue
- BV Boulevard
- CA Commercial Alley
- CS Commercial Street
- PT Path
- PS Passage
- TR Trail

Right-of-Way Width

Pavement Width

XX - # - #

YS - 50 - 26

ST - 56 - 32

CS - 54 - 34

CS - 54 - 34

Street
T3, T4, T5
50' ROW
26' Pavement
Yield Movement
Two-Way Traffic
Parking Both Sides
12' Curb Radius
6" Header Curbs
7' Tree Lawn
Allee, 30' o.c.
5' Sidewalks
Opportunistic planting in T5 to allow adjustment for shop doors and drives.

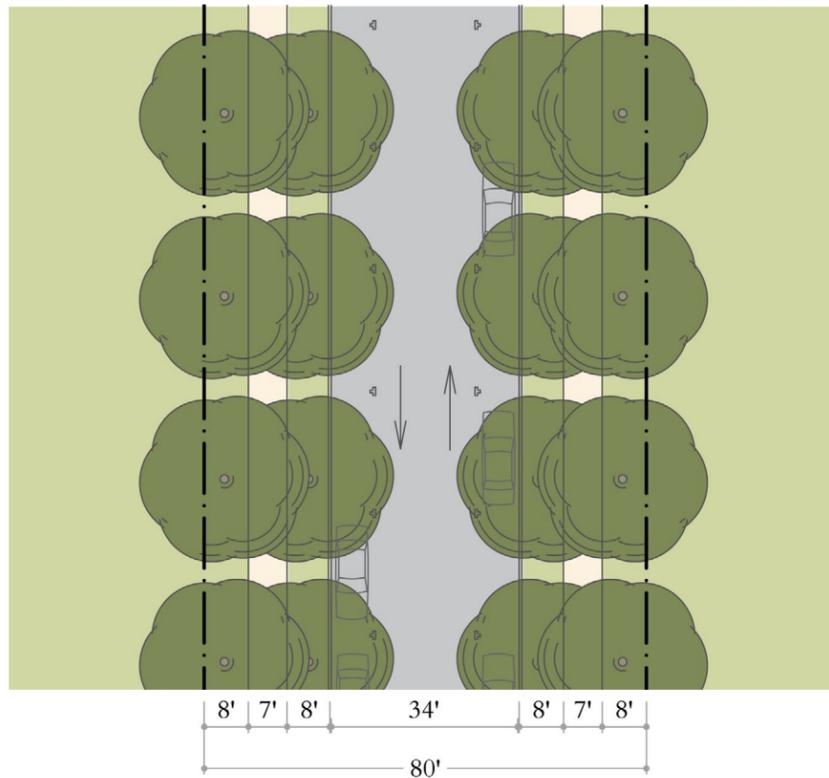
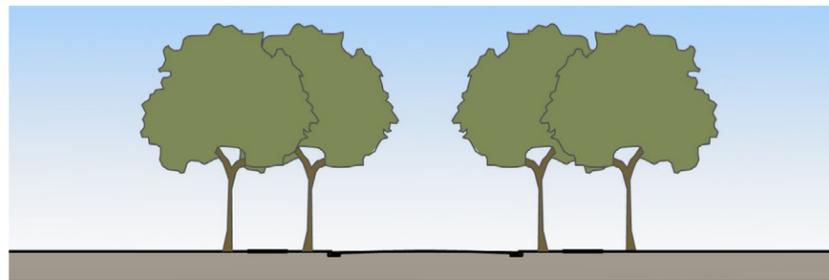
Street
T4, T5
56' ROW
32' Pavement
Slow Movement
Two-Way Traffic
Parking Both Sides
12' Curb Radius
6" Header Curbs
7' Tree Lawn at T4; Grates at T5
Allee, 30' o.c.
5' Sidewalk at T4; 7' Sidewalk at T5
Opportunistic planting in T5 to allow adjustment for shop doors and drives.

Commercial Street
T5
54' ROW
34' Pavement
Slow Movement
Two-Way Traffic
Parking Both Sides
12' Curb Radius
6" Header Curbs
5' Grates
Allee, 30' o.c.
10' Sidewalk (8' setback)
Opportunistic planting in T5 to allow adjustment for shop doors and drives.

Commercial Street
T5
54' ROW
34' Pavement
Slow Movement
Two-Way Traffic
Parking Both Sides
12' Curb Radius
6" Header Curbs
N/A
N/A
10' Sidewalk (8' setback)
Opportunistic planting in T5 to allow adjustment for shop doors and drives.

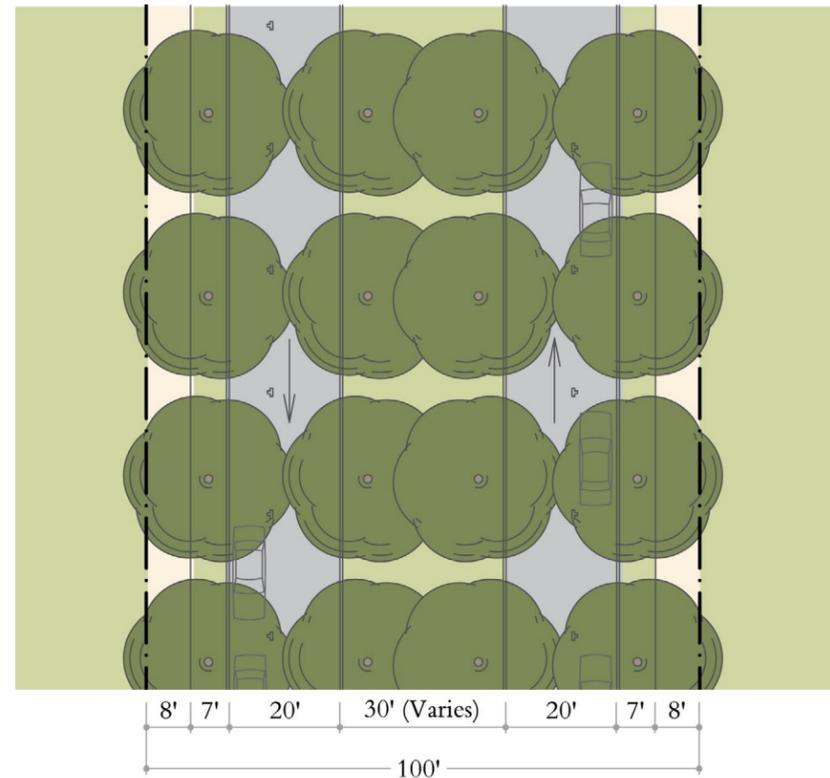
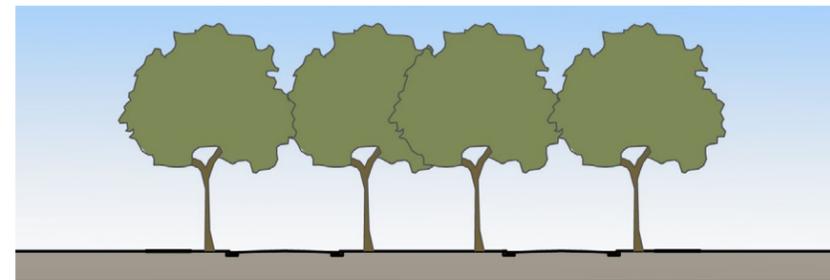
Thoroughfare Type
Transect Zone
Right-of-Way Width
Pavement Width
Movement
Traffic Lanes
Parking Lanes
Pavement / Curb Radius
Curb Type
Planter Type (includes Curb if any)
Landscape
Walkway Type
Notes

THOROUGHFARE TYPES



AV-80-34

Avenue
T5
80' ROW
34' Pavement
Fast Movement
Two-Way Traffic
Parking Both Sides
12' Curb Radius
6" Header Curbs
8' Tree Lawn
Allee or Staggered Allee, 30' o.c.
5' to 7' Sidewalk
Opportunistic planting in T5 to allow adjustment for shop doors and drives.



BV-100-20-20

Boulevard
T5
100' ROW
20' Pavement
Fast Movement
Two-Way Traffic
Parking Both Sides
12' Curb Radius
6" Header Curbs
7' Tree Lawn; 30' Boulevard (varies)
Allee or Staggered Allee, 30' o.c.
5' to 7' Sidewalk
Median may be 8' or 30' or more. If the median is 10' to 15', it is too easily removed for a left turn lane. 30' or more is sufficient for a linear park. Opportunistic planting in T5 to allow adjustment for shop doors and drives.

Thoroughfare Type

- RD Road
- RL Rear Lane
- YR Yield Road
- YS Yield Street
- ST Street
- RA Rear Alley
- AV Avenue
- BV Boulevard
- CA Commercial Alley
- CS Commercial Street
- PT Path
- PS Passage
- TR Trail

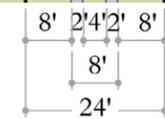
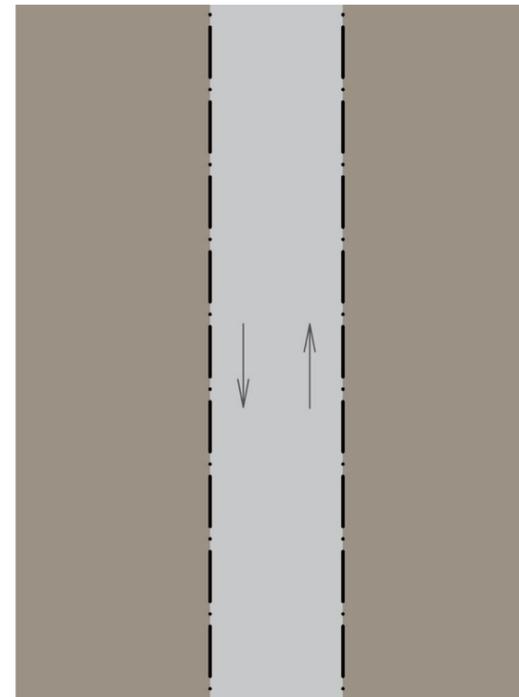
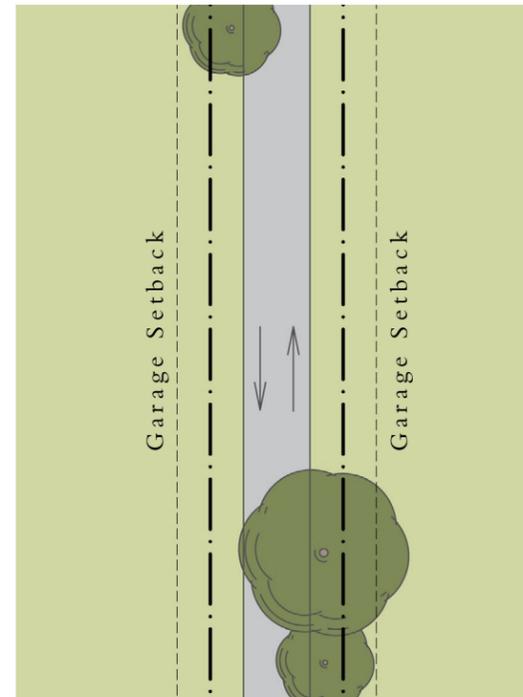
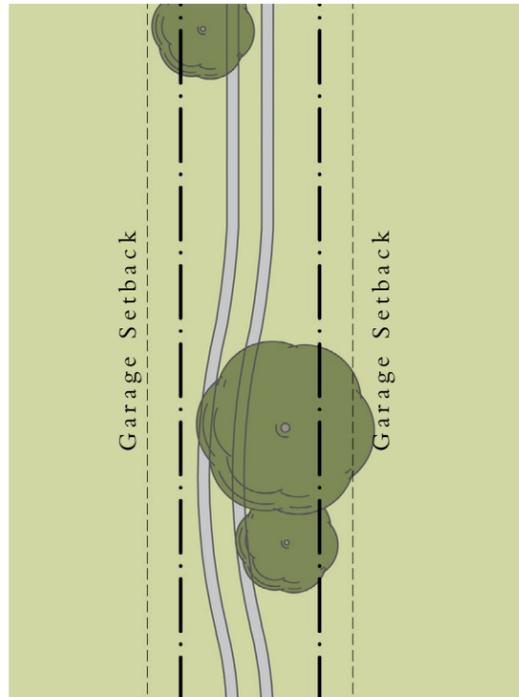
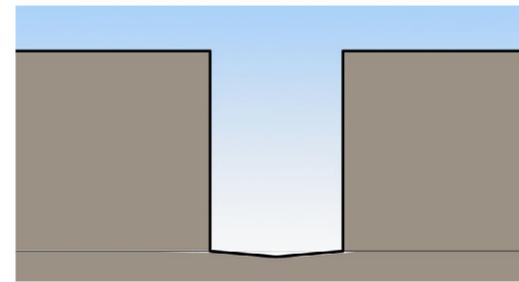
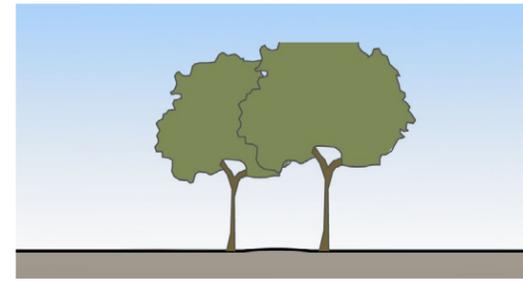
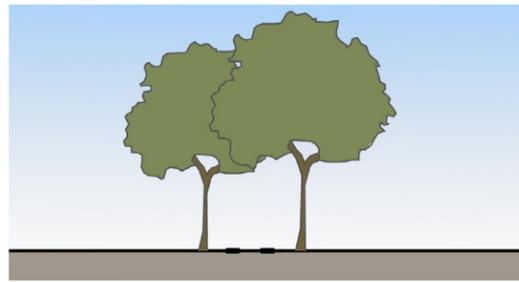
Right-of-Way Width

Pavement Width

XX - # - #

Thoroughfare Type
Transect Zone
Right-of-Way Width
Pavement Width
Movement
Traffic Lanes
Parking Lanes
Pavement / Curb Radius
Curb Type
Planter Type (includes Curb if any)
Landscape
Walkway Type
Notes

THOROUGHFARE TYPES



RL-24-2-2

RA-24-12

CA-24-24

Thoroughfare Type

- RD Road
- RL Rear Lane
- YR Yield Road
- YS Yield Street
- ST Street
- RA Rear Alley
- AV Avenue
- BV Boulevard
- CA Commercial Alley
- CS Commercial Street
- PT Path
- PS Passage
- TR Trail

Right-of-Way Width

Pavement Width

XX-#-#

Rear Lane
T3,T4
24' ROW
2' + 2' Pavement
Slow Movement
Two-Way Traffic
No Parking
12' Curb Radius
No Curbs
8' Lawn
Episodic
No Sidewalks

Rear Alley
T4,T5
24' ROW
12' Pavement
Slow Movement
Two-Way Traffic
No Parking
12' Radius at Lane; Apron at Street
No Sidewalks
6' Lawn
Episodic
Varies

Commercial Alley
T5
24' ROW
24' Pavement
Slow Movement
Two-Way Traffic
No Parking
12' Curb Radius
No Curbs
N/A
N/A
No Sidewalks

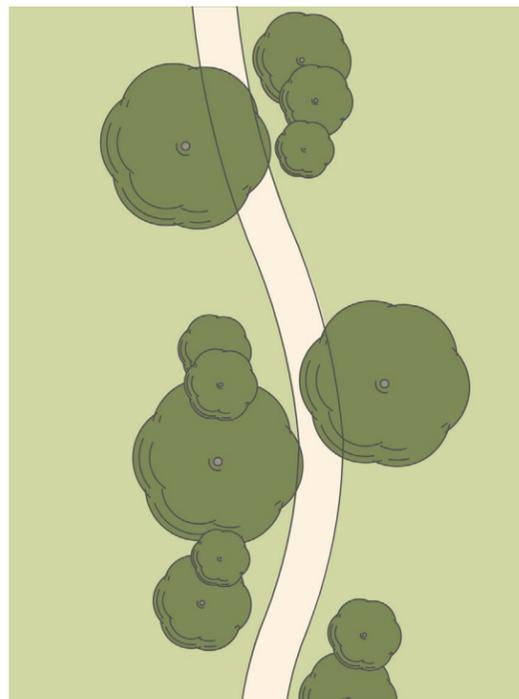
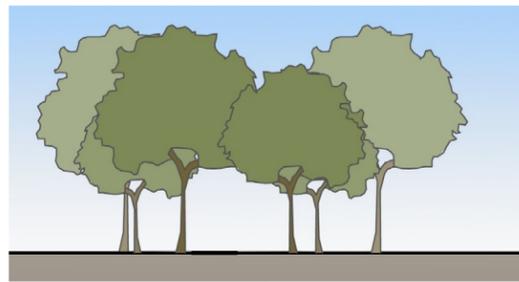
Planting at rear alleys shall be determined at the time of final site plan review.

Drainage is by inverted crown.

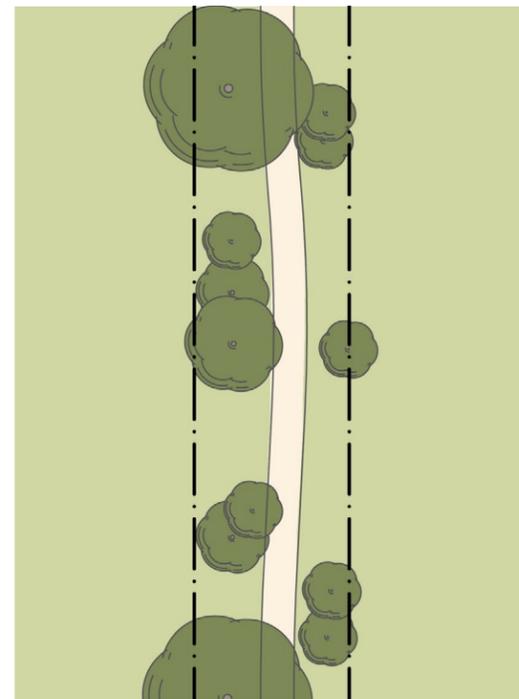
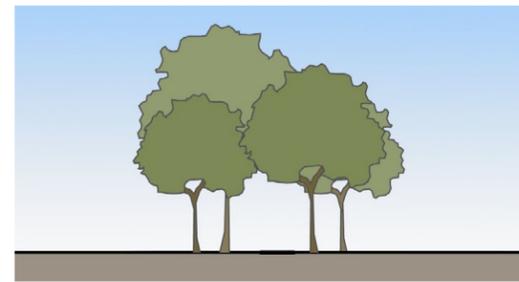
Thoroughfare Type
Transect Zone
Right-of-way or Easement Width
Pavement Width
Movement
Traffic Lanes
Parking Lanes
Pavement / Curb
Curb Type
Planter Type (includes 6" Curb if any)
Landscape Type
Walkway Type

Notes

THOROUGHFARE TYPES

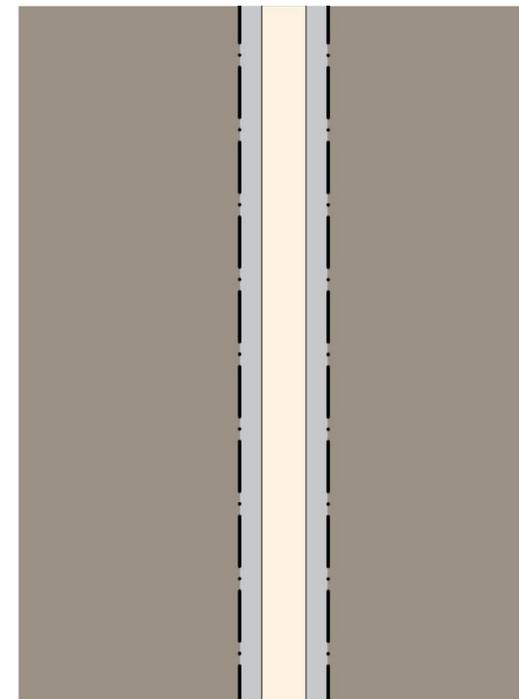
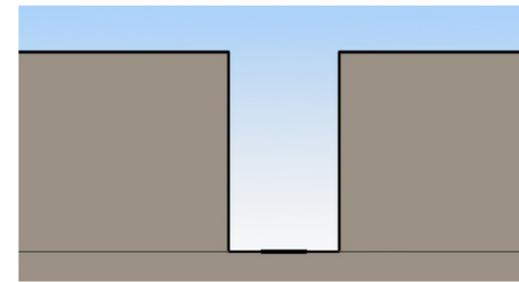


8'



6'

Varies



4'

8'

4'

16'

Thoroughfare Type

- RD Road
- RL Rear Lane
- YR Yield Road
- YS Yield Street
- ST Street
- RA Rear Alley
- AV Avenue
- BV Boulevard
- CA Commercial Alley
- CS Commercial Street
- PT Path
- PS Passage
- TR Trail

Right-of-Way Width

Pavement Width

XX - # - #

TR-8-V

Trail
T4
ROW Width Varies
N/A
Open
Trees, ground cover, shrubs, lawn
6' to 12' Pavement

A trail often is not located in its own ROW but rather along a ROW in a Civic Space. Planting shall be naturalistic.

PT-V-6

Path
T3, T4
ROW Width Varies
N/A
Open
Trees, ground cover, shrubs, lawn
6' to 12' Pavement

Width of easement, tree lawns and paths may vary. Path need not be centered. Planting shall be determined at the time of final site plan review.

PS-16-8

Passage
T4, T5
ROW Width Varies
N/A
Varies
Varies
6' to 12' Pavement

Width of easement and path may vary. Path need not be centered. Planting shall be determined at the time of final site plan review.

Thoroughfare Type
Transect Zone
Right-of-way or Easement Width
Pavement Width
Movement
Traffic Lanes
Parking Lanes
Pavement / Curb
Curb Type
Planter Type (includes 6" Curb if any)
Landscape Type
Walkway Type
Notes

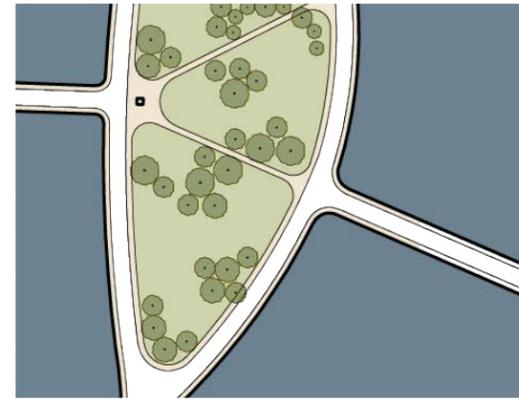
**CIVIC SPACE TYPES**

- PK Park
- GR Green
- SQ Square
- PL Plaza
- PP Pocket Park
- PG Playground
- CY Cemetery



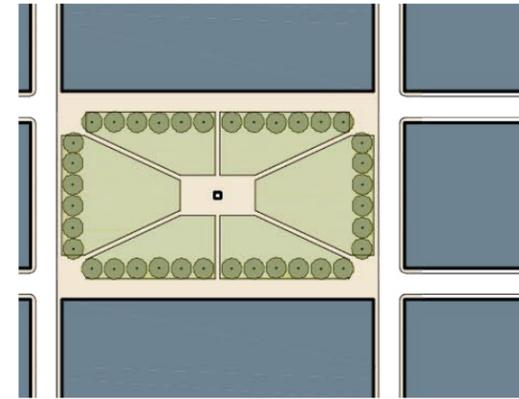
**PARK (PK)**

T1, T2, T3
Natural preserve, min of 8 acres
Recreation
Neighborhood edge
Paved paths and trails
Open structures
Meadows, waterbodies, woodland
Benches, tables
Limited, naturalistically disposed



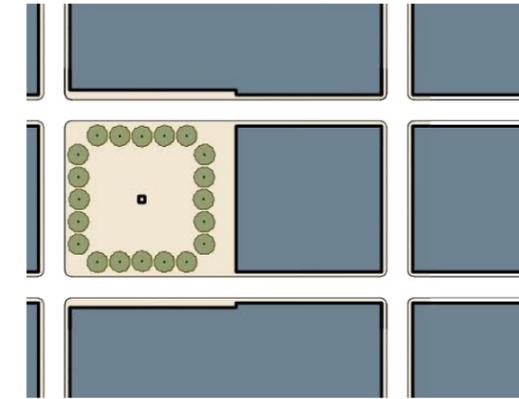
**GREEN (GR)**

T3, T4, T5
Open Space, min. 1/2 acre and max. 8 acres
Unstructured Recreation
Building facades
Paved paths
Fenced, open structures, Civic buildings
Grassy areas and trees
Benches, tables
Limited, naturalistically disposed



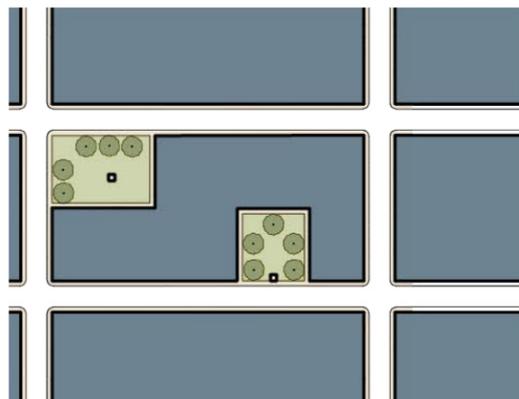
**SQUARE (SQ)**

T4, T5, T6
Open Space, min. of 1/2 acre and max. 5 acres
Unstructured recreation and Civic purposes
Intersection of important streets, building frontages
Paved paths
Fenced, open structures, Civic buildings
Lawn and trees
Benches, tables
Substantial



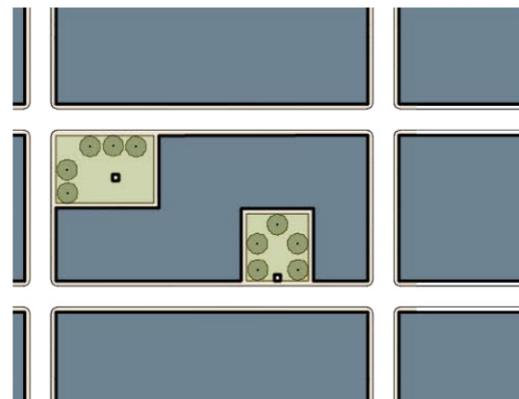
**PLAZA (PL)**

T5, T6
Open Space, min. of 1/4 acre and max. of 2 acres
Civic purposes and Commercial activities
Intersection of important streets, building frontages
Paved paths
Fenced, open structures, Civic buildings
Pavement and trees
Benches, tables
Substantial



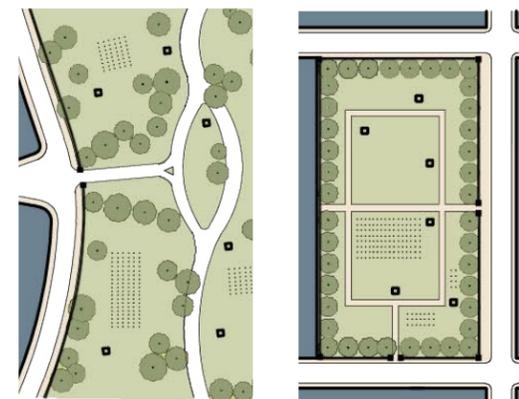
**POCKET PARK (PP)**

T1, T2, T3, T4, T5, T6
Small open space
Socializing, eating, resting
Alongside Thoroughfares, within blocks
Paved paths
Fenced, open structures
Varies
Benches, tables
Substantial



**PLAYGROUND (PG)**

T1, T2, T3, T4, T5, T6
Open space
Recreation of children
Residential areas, Civic Space, Blocks
Paved paths
Fenced, open structures
Open lawn, trees
Recreation equipment
Substantial



**CEMETERY (CY)**

T3, T4, T5,
Cemeteries should evoke a civic character and should help to enhance the public realm, rather than take away from it. The design of cemeteries shall be subject to review and approval by the Town Architect.

**CIVIC SPACE TYPE**

Transect Zone
Area
Use
Perimeter
Walkway Type
Structures
Landscape Pattern
Furnishings
Maintenance Level

Landscaping will enhance the pedestrian-friendly environment of the community. It can complement the architecture, create and furnish outdoor rooms, frame vistas, and screen such unsightly things as air conditioning equipment. In addition to the enhancement of the Master Plan and architecture, the Landscape Standards promote the use of indigenous plant material that will thrive in the community. The landscape should be one that will conserve water and generally require less maintenance, maintain the natural habitat, and support local wildlife populations.

The landscape will evolve through the Transect, from the most natural, informal and lush to the most orderly and formal. This will establish and maintain a visual “sense of place” that sets traditional neighborhoods apart from the conventional subdivision.

Some basic recommendations apply across the Transect. These recommendations will ensure continuity in streetscape, low maintenance for the property owners, year-round beauty, and the health and longevity of the plants. Although the Plant Palette is comprised of both deciduous and evergreen plants, and variety is encouraged, it is recommended that all Private Frontages have around 30% evergreen plants for year-round interest. Groundcovers used adjacent to sidewalks should be evergreen. The preservation of existing specimen trees and tree stand areas should be a high priority. Mature stands of trees will enhance the timeless atmosphere of the community. Proper protection during construction and maintaining positive drainage for existing trees is required.

Initial planning will greatly effect long-term requirements of time and resources in maintaining healthy attractive landscape. Proper consideration given to soil types, soil conditions, lot orientation, drainage, prevailing winds, microclimates, proper planting techniques (including spacing plants according to their mature size) and planting combinations will greatly reduce the long-term maintenance investment. Proper timely maintenance such as appropriate irrigation, weeding, pruning, and pest control also are essential to the health and beauty of the landscape. The Plant Palette lists pre-approved trees and shrubs, but is not all-inclusive. Other plants will be considered for approval.

**Relationship to other Standards.** The Landscape Standards guide primary landscape development. The General Instructions establish the context and identify other areas of compliance to which this code is applied. Regulations within the Thoroughfares, Civic Space, and Private Lots sections of the code provide general rules pertaining to the planting on public and private land, respectively. Some specific requirements for the planting of trees within Thoroughfares may be found within the Thoroughfare Standards. Landscape Standards are to be read in conjunction with the Master Plan and Design Standards.

**Approval.** All proposed designs shall be submitted for review by the Town Architect.

Planting of major trees should reinforce the structure of the streetscape and urban open space, and enhance the visual character. Selection of major plants within the private yard shall be coordinated with adjacent planting in the public street and parks. Combinations of different plant species should distinguish neighborhoods, create recognizable street frontages and establish a sense of place in many locations throughout the community.

Plant material selection and distribution will contribute to species diversity; restore and reinforce the botanical history of the region; encourage sustainability; provide wildlife food and habitat and moderate microclimate by influencing the level of sun, shade and wind for pedestrians. Plant material will be selected and distributed to provide general visual interest, variation of foliage texture; autumn color and diversity of bloom. In the vicinity of children’s playgrounds, consideration will be given to exclude plants of which any part is toxic.

A tree subject to an overhead power line may have a lower mature height.

All plant material shall be chosen from the plant species designated in this regulation.

Use materials and construction methods specific to the region, referencing history, culture, and climate.

Existing trees over 6" caliper should not be removed except with the permission of the Town Architect.

The Developer will prepare a pest management program for trees in the public realm and guide its implementation.

Planting techniques will conform to recognized horticultural trade standards and the regulations of governing agencies.

Planting will be laid out with regard for public utilities, traffic engineering and urban design requirement within road allowances and public spaces.

Sustainable and water-wise principles place emphasis on specific planning and design principles, soil improvements, appropriate materials, selections and turf use, efficient irrigation and appropriate landscape maintenance practices to benefit the relationships between people and the natural and built environment. The goal of the Master Plan will be to merge the natural, economic and social systems in a way that enhances the overall quality of life of its residents.

**Massing and Order.** It is recommended that trees, shrubs, hedges and groundcover be grouped to define and accentuate outdoor spaces and entries, and enhance building design and detailing. Massing of plants of one species is highly recommended, particularly next to fences or walls. Hedges are a prominent example of massing.

**Shade and Ambient Temperature.** Promote the use of vegetation to increase shade. Minimize the use of impervious surfaces and lawn areas. Maximize the use and placement of deciduous trees on the South and West sides of structures. The resulting reduction in localized ambient temperature reduces the need for cooling and decreases energy consumption.

**Native Plants.** Encourage the use of native and drought-tolerant plant species to conserve water, minimize maintenance and the use of pesticides and provide wildlife habitat. Promote a diversity of plant species to create a more stable environment that will be less desirable to pests.

**Renewable Resources.** Maximize the use of renewable and indigenous resources in site development and management.

**Irrigation.** Minimize the demand for water through the use of drought-tolerant plant species and by utilizing a properly designed, water-efficient spray irrigation system that provides full coverage. Outside of public and private frontages, a drip system may be used instead.

**Recycling.** Promote the recycling of landscape materials to preserve water, energy, and materials. Organic mulches can be the by-product of landscape trimmings and grass clippings and can be utilized to reduce the demand for irrigation.

**Maintenance.** As previously stated, the minimal use of turf areas and the appropriate selection of plants will minimize the risk of disease and insect control, as well as the demand for water and fertilizers.

**Special Treatment.** As with Civic Buildings, there may be instances where a Thoroughfare or a Civic Space receives special landscape treatment with the intention of making it exceptional to reflect its civic importance.

LANDSCAPE STANDARDS FOR THOROUGHFARES AND CIVIC SPACES

Introduction

General Instruction

Basic Principles

LANDSCAPE STANDARDS FOR  
THOROUGHFARES AND CIVIC  
SPACES

Additional Considerations

**Microclimates.** Microclimates are areas that have unique conditions due to sun exposure, wind exposure, moisture or other circumstance. Deciduous trees create seasonal microclimate conditions in the landscape, providing shade in the spring and summer months while permitting solar penetration in the fall and winter months. The landscape design should reflect such variations in microclimate conditions to maximize on the optimal growth and performance of many plants.

**Hydrology.** Playing fields and high-use areas should be carefully graded to a 3% minimum slope.

**Soils.** A soils test done by a qualified professional is recommended as the primary step in determining the need for any soil amendments and to determine suitable landscape plants. A good soil mixture should retain water under “normal” water conditions and be rich with organic matter such as compost. Grades for Thoroughfares and Civic Spaces should follow existing topography and drainage patterns, unless use dictates otherwise. Civic Spaces should remain fenced and undisturbed during construction of Thoroughfares and Private Lots. The deep soil structure of wide planting strips should be protected with stakes from compaction. Standards of access and soil movement should be established for road and utility construction. The topsoil of construction areas should be removed, stored and amended with organic matter and coarse sand for later use.

**Mulch.** Mulch helps to slow the evaporation of water from the soil, keep roots shaded and cool, and prevent the establishment of weeds. A 3" depth of mulch should be maintained around trees, shrubs and perennials. Cypress mulch is not permitted in an effort to promote the preservation of these rare trees, nor is synthetic or dyed mulch. At the installation of new trees, organic material mulch should be added around the trunk in a ring with a 2' radius. Shrubs and perennials in beds should be mulched with shredded bark.

**Plant Placement.** Plants should be located in areas where they will be permitted to grow to maturity with minimal cosmetic pruning, with the exception of hedge material. The spread of trees should be taken into consideration when planting them in close proximity to a building, so as not to cause eventual crowding, the need for constant pruning, or even damage to the structure. Root systems should be considered as well. Many shallow-rooted trees can cause considerable damage to sidewalks or driveways by growing under the concrete and “heaving” it from the ground, causing arching and trip hazards.

**Tree Preservation.** Roadway centerlines bordering open spaces should be adjusted after initial survey to preserve primarily groups of trees and occasionally individual trees.

Commercial streets have a different character than residential streets. They are designed to accommodate the higher level of use and the additional activities that typically take place on them.

*MATERIALS*

**Street Trees.** Major canopy trees form the structure of the streetscape. The difference between Thoroughfare Types is reinforced by variety in the street trees: regular or irregular rows of street trees; tight or wide on-center spacing; and different plant forms with different visual appearance, such as trees that are upright and narrow, high with an open canopy, or small and ornamental. Residential street trees should be large shade trees.

**Street Lights.** All street lights should be metal halide, LED or other technology. High pressure sodium is not permitted on public streets or where visible from public streets. High pressure sodium lights are only permitted in parking lots or in loading/service areas behind buildings and should have full cut-off fixtures.

**Street Light Poles.** Lights, poles and fixtures should have a unifying aesthetic throughout community while reflecting the character of the transect zone in which they are located. For example, wood posts at T3, metal at T4, ornate metal at T5. Cobra heads fixtures are prohibited.

**Commercial Sidewalks and Crosswalks.** Sidewalks should be paved from building face to street curb. Sidewalks and crosswalks should be upgraded from standard finish to a finish which may include, but is not limited to: rock salt finish on concrete, scored concrete, stone pavers, brick pavers, or concrete unit pavers. Paver selection and paving patterns should be consistent with the overall architectural style of the building and/or of the street.

**Driveways.** Driveway aprons are to be formed concrete, not sawed. Driveways are to be asphalt, brick or stone, and should not be sealed with a glossy finish.

*CONFIGURATION*

**Street Trees.** At least one canopy street tree per lot in T3 should be provided. Preferred patterns for planting trees that establish the framework and enhance the visual identity of the public realm are to be explored. Refer to the Thoroughfare Standards for specific regulation of street tree planting.

**Street Lights.** Street lights should have a 12' minimum pole height. 20' tall poles may be utilized at major intersections. Street lights should be placed in the tree zone in retail areas.

**Benches.** Decorative benches with backs to the street should be provided in the furnishing zone along commercial streets. There should be a minimum of 1 bench on each side of the street per 120 linear feet of commercial street. Wherever possible, benches and seat walls should be integrated in the landscape design. Benches should be 5' to 6' in length and of a type that discourages lying down.

**Outdoor Seating.** Outdoor dining and seating are permitted and encouraged along commercial sidewalks. Movable chairs and tables should be utilized in the Civic Spaces and as café seating. Materials should be metal, stone or cast concrete.

**Planters.** Streetscapes that are primarily paved should have moveable planters that contain plants with seasonal color. Permanent planters in Civic Spaces are encouraged to serve a dual purpose as benches.

The selection of tree species for Civic Spaces should establish a unique and recognizable character for each Type of Civic Space within the public realm. For example, a park or green (of a more rural character) is proposed to be planted with a larger species of shade tree, with a broader, more open canopy in keeping with the more picturesque character of that type of open space. Whereas a plaza (of more urban character) is proposed to be planted with tree species of a smaller size, with a more compact and refined plant form.

**Parks.** The Park is an open space available for passive and active recreation. Frequently independent of surrounding building frontage, the Park landscape consists of paths and trails, lawn, fields, woodlots and watercourses, arranged in a picturesque and ecologically sustainable manner. It is informal in character despite a distinctive edge treatment. A Park should have benches at activity centers and along paths and trails for supervision and respite.

**Greens.** The Green is an open space available for unstructured recreation. Spatially defined by landscaping, a Green should be primarily open lawn and trees arranged naturalistically. Informal in character, despite its distinctive edge treatment, the green will be fundamentally level and sodded. A sidewalk should run along the perimeter of the space. The edges defined by residences (rather than a street) should have a sidewalk located parallel to the build-to line and located approximately 10' from the build-to line (in the direction of the green). The space is characterized by a lawn panel, benches, and ornamental flowering trees that define the edges of the space. Perimeter landscape treatment will define the edges of this outdoor room while providing visual and horticultural interest throughout the year. A Green should have a minimum of two benches arranged to facilitate conversation for every ten houses that enfront it.

**Squares.** The Square is an open space available for civic activities and unstructured recreation. Spatially defined by building frontage, its landscape should be primarily open lawn, paths, and many trees formally arranged. Located at the intersection of important streets, a Square is frequently planted with canopy trees around its perimeter and along axial walkways. Shrubs may also be used to reinforce the structure of a Square. Benches should be in the furnishing zone of the streets. Additional benches and other seating elements should be in the Square. A Square should have a minimum of ten benches arranged to facilitate conversation.

**Plazas.** The Plaza is an open space available for civic and organized intense activities. Spatially

defined by frontages, the plaza landscape should be primarily level hardscape, accented with a few trees formally arranged to accommodate a wide variety of functions. Trees of distinctive shape and branch structure will serve as focal points or compliment the spatial definition of the plaza. Climbing vines supported on trellis should be considered. Vines are included for additional texture and visual interest.

**Pocket Parks.** The Pocket Park is a small open space for passive recreation. Spatially defined by the building frontages or side elevations, and street trees, A Pocket Park may be a combination of lawn, paths, or gardens. Perimeter landscape treatment will define the edges of this outdoor room while providing visual and horticultural interest throughout the year. A Pocket Park should have a minimum of two benches for quiet contemplation or socializing.

**Playgrounds.** The Playground is an open space for active recreation. A Playground may be spatially defined by frontages, the alley-facing elevations of garages, street trees, or surrounding woods. A fence should run along the perimeter of the space, which is characterized by a natural or artificial soft-impact surface underneath the playground equipment. Shade trees keep the equipment cool during hot weather and provide relief to monitoring adults. Benches should be placed inside the fenced area, facing the play area, near gates and sited in clusters to provide opportunity for casual socializing.

**Cemeteries.** The Cemetery is an Civic Space for memorials and meditation. Frequently independent of surrounding building frontage, the rural Cemetery landscape consists of expansive lawn for memorials and complementary buildings, with paths, woodlots and watercourses, arranged in a picturesque manner. It is informal in character despite a distinctive edge treatment. A Cemetery should have occasional benches at the edges of the various sections to provide opportunity for quiet contemplation. The urban Cemetery landscape is compact, including memorials, buildings, walks, benches and sometimes more formal landscaping.

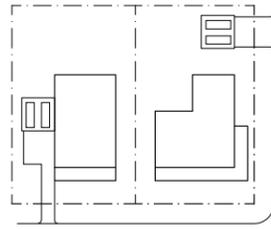
LANDSCAPE STANDARDS FOR THOROUGHFARES AND CIVIC SPACES

Thoroughfares

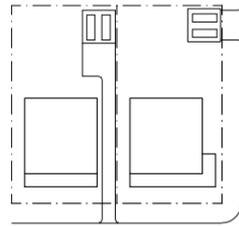
Civic Spaces

URBAN STANDARDS  
Building Types Summary

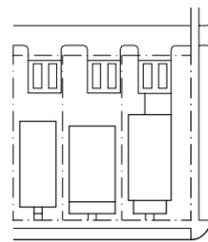
**Mansion:** A detached single-family dwelling on a large lot that may be shared by one or more Outbuildings. See Urban Standards, page 21.



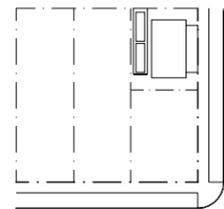
**House:** A detached single-family dwelling on an average-sized lot that may be shared with an Outbuilding. See Urban Standards, page 21.



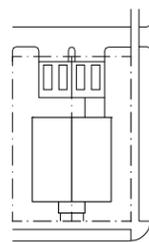
**Cottage or Bungalow:** A one-story detached single-family dwelling on a small lot that may be shared with an Outbuilding. See Urban Standards, page 22.



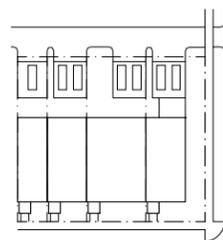
**“Odd” Lots:** A detached single-family dwelling on a small, atypical lot. See Urban Standards, page 22.



**Duplex:** A two-family dwelling with a common wall on one side lot line, often with the facades forming a single continuous frontage line. A Duplex may have an Outbuilding. See Urban Standards, page 23.



**Townhouse:** An attached single family dwelling with common walls on the side lot lines, typically with the facades forming a continuous frontage line. A townhouse may have an Outbuilding. See Urban Standards, page 23.

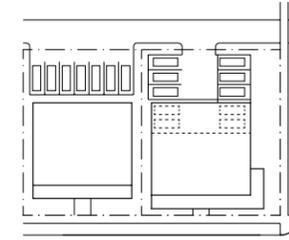


T3 Neighborhood Edge Zone

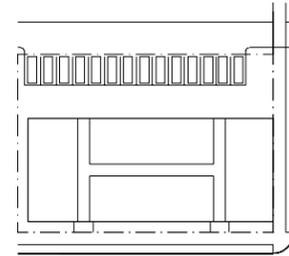
T4 Neighborhood General Zone

T5 Neighborhood Center Zone

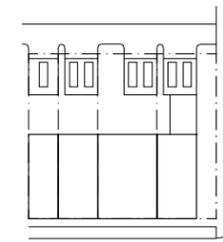
**Multi-Family House or Mansion Condos:** A large residential building type accommodating multiple dwellings disposed above/below and/or beside each other, sharing a common entry. They may be condominiums or rental units. A multi-family mansion may have one or more Outbuildings. See Urban Standards, page 24.



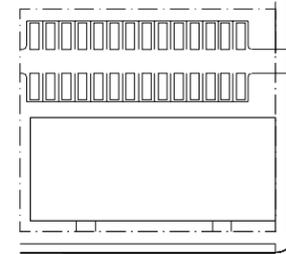
**Multi-Family Building or Courtyard Apartment Building:** A large residential building type accommodating multiple dwellings disposed above/below and/or beside each other, sharing a common entry and hallway. They may be condominiums or rental units. A multi-family building may have one or more Outbuildings. See Urban Standards, page 24.



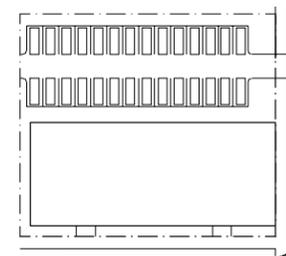
**Live-Work Unit or Flex House:** A mixed-use building type with one dwelling above or behind a Commercial space. In addition, a live-work unit may also have an Outbuilding which may or may not have an Accessory Unit. See Urban Standards, page 25.



**Mixed-Use Building:** A flexible building type, often with Commercial on the ground floor and office or residential on upper floors. In some locations, buildings may be entirely office; in other locations, they may be required to have retail frontage on the ground floor. A mixed-use building may have one or more Outbuildings. See Urban Standards, page 25.



**Commercial Building:** A one-story Commercial building may have one or more Outbuildings or Liner Buildings placed to mask parking lots from the public frontage (sidewalk). See Urban Standards, page 26.



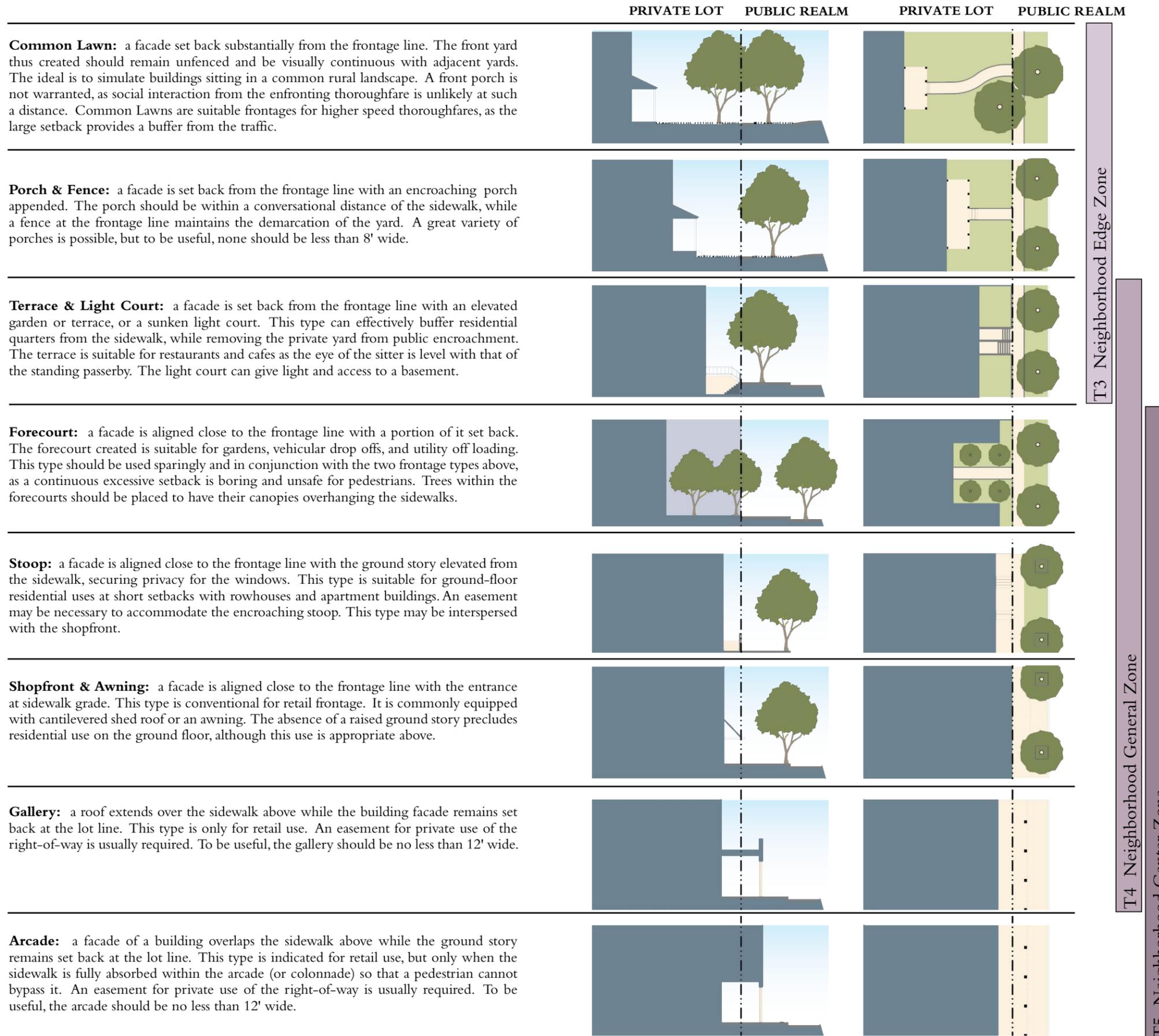
T4 Neighborhood General Zone

T5 Neighborhood Center Zone

URBAN STANDARDS

Frontage Types

**Frontage** is the privately held layer between the facade of a building and the lot line. The variables of frontage are the dimensional depth of the front yard and the combination of architectural elements such as fences, stoops, porches, and colonnades. The combination of the private frontage, the public streetscape and the types of thoroughfare defines the character of the majority of the public realm. The combination of elements constitutes the layer between the private realm of buildings. It ranges in character from urban to rural as a function of the composition of their elements. These elements influence social behavior.



T4 Neighborhood General Zone

T5 Neighborhood Center Zone

URBAN STANDARDS

Use Matrix

The Design Standards enable a broad range of activity throughout the urban fabric. This is in contrast to the zoning of Conventional Suburban Development (CSD) that assigns different uses to sectors, at the minimum separating dwellings from shopping and from workplaces. While this is justified for certain categories of noxious activities, the absolutism of this technique is usually unwarranted.

Mixed-use, while permeating the neighborhood, is subtly variegated. This is in response to desired lifestyles ranging from isolated to socialized, all of which should be accommodated within the neighborhood structure. Accordingly, the Design Standards incorporate a system for grading the intensity of mixed use using the three categories of Restricted, Limited, and Open for buildings and lots held in private ownership.

T3 Neighborhood Edge Zone

RESTRICTED

**Restricted Residential:** The number of dwellings on each lot is restricted to one within a principal building and one Accessory Unit, and by the requirement of 1.5 spaces per lot. Both dwellings shall be under single ownership (e.g.: mansions & houses).

**Restricted Lodging:** The number of bedrooms available for lodging is restricted by the requirement of a minimum of 1 parking space for each bedroom, up to five, in addition to the parking requirement for a residence, if any. Food service may be provided only in the morning. The maximum length of stay shall not exceed ten days. (e.g.: bed & breakfast inn).

**Restricted Office:** The area available for office use is restricted to the first story of the Principal Building or an Outbuilding, and by the requirement of a minimum of 2 parking spaces per 1000 sq. ft. of gross office space, in addition to the parking requirement for each residence (e.g.: home occupation).

**Restricted Retail:** The building area available for Retail use is restricted to one Block corner location at the first story and by the requirement of a minimum of 4 parking spaces per 1000 sq. ft. of net Retail space in addition to the parking requirement of each residence. The specific use shall be further limited to neighborhood store, or food service seating no more than 20.

**Restricted Manufacturing:** The area available for manufacturing use is limited to 600 sq.ft. within an Outbuilding. Artifacts shall not be stored in the yard. There shall be no parking requirement for this use (e.g.: home workshop, artist studio, woodcraft, furniture refinishing, bicycle).

**Restricted Civic:** Civic uses are permitted.

T4 Neighborhood General Zone

LIMITED

**Limited Residential:** The number of dwellings on each lot is limited by the requirement of a minimum of 1 parking space for each dwelling, a ratio which may be reduced according to the shared parking standards (e.g.: mansions, houses, Cottages, bungalows, & townhouses).

**Limited Lodging:** The number of bedrooms available for lodging is limited by the requirement of a minimum of 1 parking space for each bedroom, up to twelve, in addition to the parking requirement for a residence, if any. This ration may be reduced according to the shared parking standards. Food service may be provided only in the morning. The maximum length of stay shall not exceed ten days. (e.g.: bed & breakfast inn).

**Limited Office:** The area available for office use is limited to the first story of the Principal Building and/or an Outbuilding, and by the requirement of a minimum of 2 parking spaces per 1000 sq. ft. of gross office space, in addition to the parking requirement for each residence (e.g.: home office). This ratio which may be reduced according to the shared parking standards.

**Limited Retail:** The building area available for Retail use is limited to the first story of buildings at corner locations and by the requirement of a minimum of 3 parking spaces per 1000 sq. ft. of net Retail space in addition to the parking requirement of each dwelling. This ratio which may be reduced according to the shared parking standards. The specific use shall be further limited to neighborhood store, or, food service seating no more than 40.

**Limited Manufacturing:** The area available for manufacturing use is limited to 600 sq.ft. within the first story of a Live-Work or an Outbuilding. Artifacts shall not be stored in the yard. There shall be no parking requirement for this use (e.g.: home workshop, artist studio, woodcraft, furniture refinishing, bicycle). This ratio which may be reduced according to the shared parking standards.

**Limited Civic:** Civic uses are permitted.

T5 Neighborhood Center Zone

OPEN

**Open Residential:** The number of dwellings on each lot is limited by the requirement of a minimum of 1 parking space for each dwelling, a ratio which may be reduced according to the shared parking standards (e.g.: townhouses & Apartments).

**Open Lodging:** The number of bedrooms available for lodging is limited by the requirement of a minimum of 1 parking space for each bedroom, a ratio which may be reduced according to the shared parking standards. Food service may be provided at all times. The area allocated for food service shall be provided with parking for Open Retail. The maximum length of stay shall not exceed 90 days. (e.g.: boarding house or hotel).

**Open Office:** The area available for office use is limited by the requirement of a minimum of 2 parking places per 1000 sq. ft. of gross office space, a ratio which may be reduced according to the shared parking standards (e.g.: corporate office).

**Open Retail:** The building area available for Retail use is limited by the requirement of a minimum of 3 parking spaces per 1000 sq. ft. of net Retail space. Retail spaces under 1500 sq. ft. are exempt from parking requirements.

**Open Manufacturing:** The area available for manufacturing use is limited to the building and a contiguous yard to its rear circumscribed by a solid masonry wall no less than 8' high and by the requirement of a minimum of 3 parking spaces per 1000 sq. ft. of net Manufacturing space. Manufacturing spaces under 1500 sq. ft. are exempt from parking requirements.

**Open Civic:** Civic uses are permitted.

USE TYPES:

USE CATEGORIES:

**RESIDENTIAL:** premises available for long-term human habitation by means of ownership and rental, but excluding short-term letting of less than a month's duration.

**LODGING:** premises available for short-term human habitation, including daily and weekly letting. One residence for the owner or manager is also permitted.

**OFFICE:** premises available for the transaction of general business, but excluding retail sales and manufacturing.

**RETAIL:** premises available for the Commercial sale of merchandise and prepared foods, but excluding manufacturing.

**MANUFACTURING:** premises available for the creation, assemblage, and repair of artifacts including their retail sale except when such activity creates adverse impacts.

**CIVIC:** premises available for for-profit and not-for-profit organizations dedicated to religion, arts and culture, education (including schools and related uses and services), government, social service, transit, post offices, cemeteries, wedding chapels and the like.

Notes:

Adjacent on-street parking may be counted to fulfill the parking requirement.

URBAN STANDARDS

Use Matrix

USES PROHIBITED IN THIS DESIGN, UNLESS NOTED OTHERWISE

The uses listed below, regardless of whether the proposal will be a principal or accessory use, shall be prohibited in this Design unless noted otherwise elsewhere in these Design Standards, or, later permitted by Variance:

- Automobile and/or Truck Washing Facility
- Automobile Body Repair Shop
- Automobile Fueling Station
- Automobile General Repair
- Automobile Oil Change, Lube, Light Service
- Commercial Kennels and Animal Husbandry (Predominantly Educational Kennels and Animal Husbandry are permitted)
- Commercial Stable (Predominantly Educational Stables are permitted)
- Outdoor vending machines
- Paint Mixing & Spraying Facility
- Pawn Shop
- Plastic & Rubber Products Manufacture
- Similar Uses: For a proposed use not listed herein, a Variance or a Warrant may be issued as described elsewhere in these Design Standards.
- Tattoo & Body Piercing Parlor

USES PROHIBITED IN THIS DESIGN

The uses listed below, regardless of whether the proposal will be a principal or accessory use, shall be prohibited in this Design:

- Adult Entertainment
- Billboards
- Central Processing Facility for Solid Waste Transfer, Materials Resource Recovery and/or Recycling
- Class I, II, III, and IV Composting Facility
- Concrete or Asphalt Batching Plant
- Construction and Demolition Debris Disposal Facility
- Container/POD Storage Facility
- Distribution Facilities
- Incinerator for the Burning of Solid Wastes
- Junk & Wrecked Vehicle Salvage Yard Facility
- Methane Recovery Facility associated with Soil Removal
- Mineral Extraction and Surface Mining
- Motor Vehicle Impound Lots
- Mover Storage Facility
- Moving Truck and Trailer Rental
- Other uses which create an adverse impact on adjacent lots such as noise, vibration, odor, pollution or socio-economic disruption. Consequences confined to the lot are not considered adverse.
- Petroleum or Related Products Refining or Distributor
- Race Tracks
- Recycling and Salvage Center
- Salvage Motor Vehicle Auction or Pool Facility
- Sanitary Landfill
- Self-Storage Facility
- Shooting Range, Outdoor
- Solid Waste Disposal Facility
- Truck Stop
- Truck Terminals
- Wind Energy Conversion System, Large Wind Farms

SPECIFIC USES

Real estate sales and information center(s) are permitted anywhere.

Model homes and other model units are permitted anywhere.

SHARED PARKING

The Shared Parking Factor for two functions, when divided into the sum of two amounts as listed on the Parking Required table below, produces the Shared Parking Required for each of the uses involved in sharing.

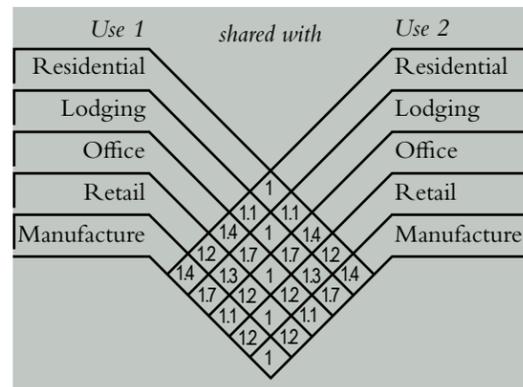
To determine the Shared Parking Required for two uses simply follow these 3 steps:

1. Determine the Required Parking for each use using the **Parking Required** table below and add them together.
2. Divide the total by the **Shared Parking Factor**.
3. The result is the **Shared Parking Required**.

Parking Required (minimum spaces)

	T3	T4	T5	
Residential	1.5	1.0	1.0	/dwelling
Lodging	1.0	1.0	1.0	/bedroom
Office	2.0	2.0	2.0	/1000 sf.
Retail	4.0	3.0	3.0	/1000 sf.
Manufacture	2.0	2.0	2.0	/1000 sf.
Civic	To be determined by Warrant.			
Other	To be determined by Warrant.			

Shared Parking Factor



Shared Parking Required

$$\frac{\text{Parking Required Use 1} + \text{Parking Required Use 2}}{\text{Shared Parking Factor}} = \text{Shared Parking Required}$$

On-street parking along an adjacent property line shall be counted toward the Shared Parking Required.

URBAN STANDARDS

Lot & Building Standards



LOT PLACEMENT

- Should a lot fall within more than one transect zone, it may follow the standards of only one of those zones.

BUILDING PLACEMENT

- Lot Lines that coincide with a thoroughfare (except alleys and lanes) or Civic Space are designated Frontage Lines. Primary Frontages are designated on the Detail Regulating Plan with each phase. All other Frontages are considered Secondary.
- Facades shall be set parallel to straight Frontage Lines, and parallel to the chord if broken or curved. Elevations may need not parallel the lot lines.
- Corner lots may be wider to allow the secondary front setback to be equal to the primary front setback.
- Side setback is 0' at a party wall or 0' adjacent to a 5' minimum non-construction easement.

PERMITTED ENCROACHMENTS

- The following may encroach into the setbacks but not across property lines or into utility easements (unless negotiated otherwise with the easement holder): porches, stoops, bay windows, window wells, eaves, gutters, downspouts, balconies, residential awnings, chimneys, steps, turrets, towers, and the like. {WARD}
- The following may encroach upon the ROW to the full width less 2' of the fronting sidewalk: Arcades, Colonnades and Galleries.
- At Retail Uses, the following may encroach upon the ROW to the full width less 1' of the fronting sidewalk however, a 5' clear pedestrian zone shall be maintained: awnings, signage, merchandise, cafe tables, chairs, umbrellas, planters and the like.

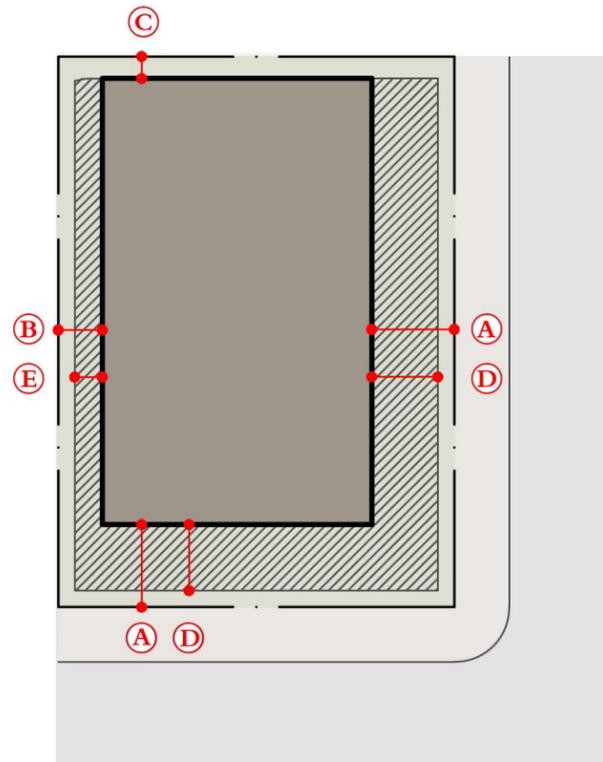
BUILDING HEIGHT

- The maximum building height shall be measured in number of stories excluding Attics, rooftop decks, belvederes, bars, restaurants, and raised basements. Building height shall be measured from the average grade of the frontage line to the eave of a pitched roof or surface of a flat roof. Each residential and lodging story shall not exceed 12' clear, while each office, retail and manufacturing story shall be 12' minimum. See definition of Attic.
- A portion of a building no greater than 250 sq. ft. may exceed the height limit.

PARKING PLACEMENT

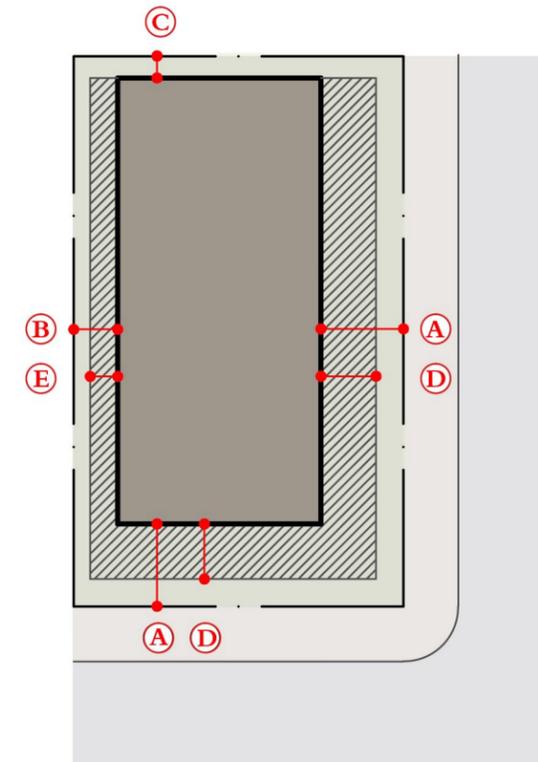
- Parking shall be as required by the Use Standards and the Shared Parking Standards.
- Off-street parking shall be placed a minimum of 20' behind the facade.

MANSION



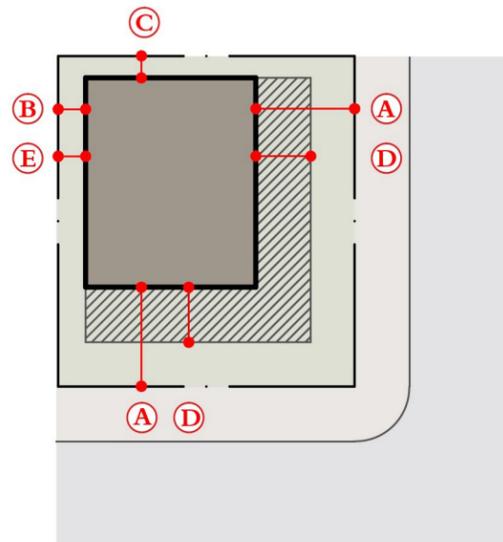
	T3	T4	T5
<b>Lot width</b>	72' min.	60' min.	
<b>Lot depth</b>	100' min.	100' min.	
<b>Lot area</b>	7,200 s.f. min.	6,000 s.f. min.	
<b>(A) Frontage Setback (primary &amp; secondary)</b>	18'-24' min.	12'-18' min.	
<b>(B) Side Setback</b>	5' min.	5' min.	
<b>(C) Rear Setback</b>	4' min.	4' min.	
<b>(D) Encroachments at frontage setbacks</b>	12' max.	12' max.	
<b>(E) Encroachments at side setback</b>	Up to 5' off the property line.		
<b>Height of Principal Building (in stories)</b>	2.5 max.	2.5 max.	
<b>Height of Backbuilding (in stories)</b>	2 max.	2 max.	
<b>Height of Outbuilding (in stories)</b>	2.5 max.	2.5 max.	

HOUSE



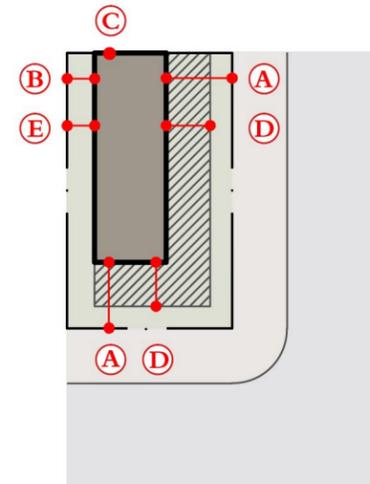
	T3	T4	T5
<b>Lot width</b>	60' min.	30'-60'	
<b>Lot depth</b>	100' min.	90' min.	
<b>Lot area</b>	6,000 s.f. min.	2,700 s.f. min.	
<b>(A) Frontage Setback (primary &amp; secondary)</b>	15' min.	6'-18'	
<b>(B) Side Setback</b>	5' min.	5' min.	
<b>(C) Rear Setback</b>	4' min.	4' min.	
<b>(D) Encroachments at frontage setbacks</b>	10' max.	10' max.	
<b>(E) Encroachments at side setback</b>	Up to 5' off the property line.		
<b>Height of Principal Building (in stories)</b>	2.5 max.	2.5 max.	
<b>Height of Backbuilding (in stories)</b>	2 max.	2 max.	
<b>Height of Outbuilding (in stories)</b>	2.5 max.	2.5 max.	

## COTTAGE OR BUNGALOW



	T3	T4	T5
Lot width		30'-54'	
Lot depth		60' min.	
Lot area		1,800 s.f. min.	
<b>(A) Frontage Setback (primary &amp; secondary)</b>		6'-18'	
<b>(B) Side Setback</b>		5' min.	
<b>(C) Rear Setback</b>		4' min.	
<b>(D) Encroachments at frontage setbacks</b>		10' max.	
<b>(E) Encroachments at side setback</b>		Up to 5' off the property line.	
Height of Principal Building (in stories)		2 max.	
Height of Backbuilding (in stories)		1.5 max.	
Height of Outbuilding (in stories)		2 max.	

## "ODD" LOTS



	T3	T4	T5
Lot width		30' min.	30' min.
Lot depth		50' min.	30' min.
Lot area		1,500 s.f. min.	900 s.f. min.
<b>(A) Frontage Setback (primary &amp; secondary)</b>		0'-12'	0'-12'
<b>(B) Side Setback</b>		5' min.	5' min.
<b>(C) Rear Setback</b>		n/a	n/a
<b>(D) Encroachments at frontage setbacks</b>		8' max.	8' max.
<b>(E) Encroachments at side setback</b>		Up to 5' off the property line.	
Height of Principal Building (in stories)		2.5 max.	2.5 max.
Height of Backbuilding (in stories)		n/a	n/a
Height of Outbuilding (in stories)		n/a	n/a

# THE ACHE PROPERTY DESIGN STANDARDS

## URBAN STANDARDS

### Lot & Building Standards

Lot
  Encroachments
  Building

### LOT PLACEMENT

- Should a lot fall within more than one transect zone, it may follow the standards of only one of those zones.

### BUILDING PLACEMENT

- Lot Lines that coincide with a thoroughfare (except alleys and lanes) or Civic Space are designated Frontage Lines. Primary Frontages are designated on the Detail Regulating Plan with each phase. All other Frontages are considered Secondary.
- Facades shall be set parallel to straight Frontage Lines, and parallel to the chord if broken or curved. Elevations may need not parallel the lot lines.
- Corner lots may be wider to allow the secondary front setback to be equal to the primary front setback.
- Side setback is 0' at a party wall or 0' adjacent to a 5' minimum non-construction easement.

### PERMITTED ENCROACHMENTS

- The following may encroach into the setbacks but not across property lines or into utility easements (unless negotiated otherwise with the easement holder): porches, stoops, bay windows, window wells, eaves, gutters, downspouts, balconies, residential awnings, chimneys, steps, turrets, towers, and the like.
- The following may encroach upon the ROW to the full width less 2' of the fronting sidewalk: Arcades, Colonnades and Galleries.
- At Retail Uses, the following may encroach upon the ROW to the full width less 1' of the fronting sidewalk however, a 5' clear pedestrian zone shall be maintained: awnings, signage, merchandise, cafe tables, chairs, umbrellas, planters and the like.

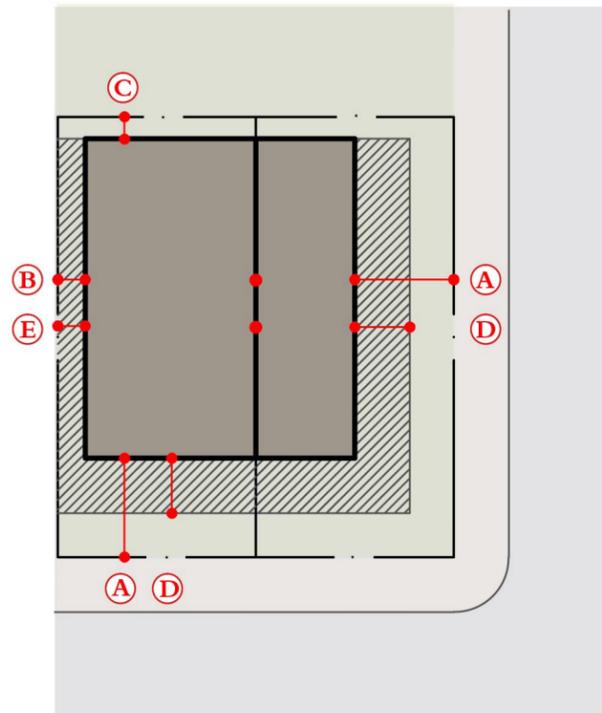
### BUILDING HEIGHT

- The maximum building height shall be measured in number of stories excluding Attics, rooftop decks, belvederes, bars, restaurants, and raised basements. Building height shall be measured from the average grade of the frontage line to the eave of a pitched roof or surface of a flat roof. Each residential and lodging story shall not exceed 12' clear, while each office, retail and manufacturing story shall be 12' minimum. See definition of Attic.
- A portion of a building no greater than 250 sq. ft. may exceed the height limit.

### PARKING PLACEMENT

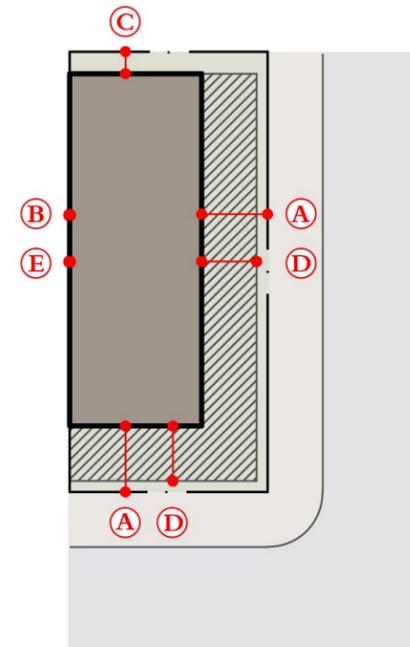
- Parking shall be as required by the Use Standards and the Shared Parking Standards.
- Off-street parking shall be placed a minimum of 20' behind the facade.

## DUPLEX



	T3	T4	T5
Lot width		16'-36'	16'-36'
Lot depth		80' min.	60' min.
Lot area		1,280 s.f. min.	960 s.f. min.
(A) Frontage Setback (primary & secondary)		6'-18'	6'-12'
(B) Side Setback		0' min.	0' min.
(C) Rear Setback		4' min.	4' min.
(D) Encroachments at Frontage Setbacks		10' max.	8' max.
(E) Encroachments at Side Setback		Up to 5' off the property line.	
Height of Principal Building (in stories)		2.5 max	3 max.
Height of Backbuilding (in stories)		2.5 max.	3 max.
Height of Outbuilding (in stories)		2.5 max.	3 max.

## TOWNHOUSE



	T3	T4	T5
Lot width		16'-36'	16'-36'
Lot depth		80' min.	60' min.
Lot area		1,280 s.f. min.	960 s.f. min.
(A) Frontage Setback (primary & secondary)		6'-12'	0'-12'
(B) Side Setback		0' min.	0' min.
(C) Rear Setback		4' min.	4' min.
(D) Encroachments at Frontage Setbacks		10' max.	8' max.
(E) Encroachments at Side Setback		Up to 5' off the property line.	
Height of Principal Building (in stories)		3 max	3 max.
Height of Backbuilding (in stories)		3 max.	3 max.
Height of Outbuilding (in stories)		3 max.	3 max.

# THE ACHE PROPERTY DESIGN STANDARDS

## URBAN STANDARDS

### Lot & Building Standards

Lot
  Encroachments
  Building

### LOT PLACEMENT

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### BUILDING PLACEMENT

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- Corner lots may be wider to allow the secondary front setback to be equal to the primary front setback.
- Side setback is 0' at a party wall or 0' adjacent to a 5' minimum non-construction easement.

### PERMITTED ENCROACHMENTS

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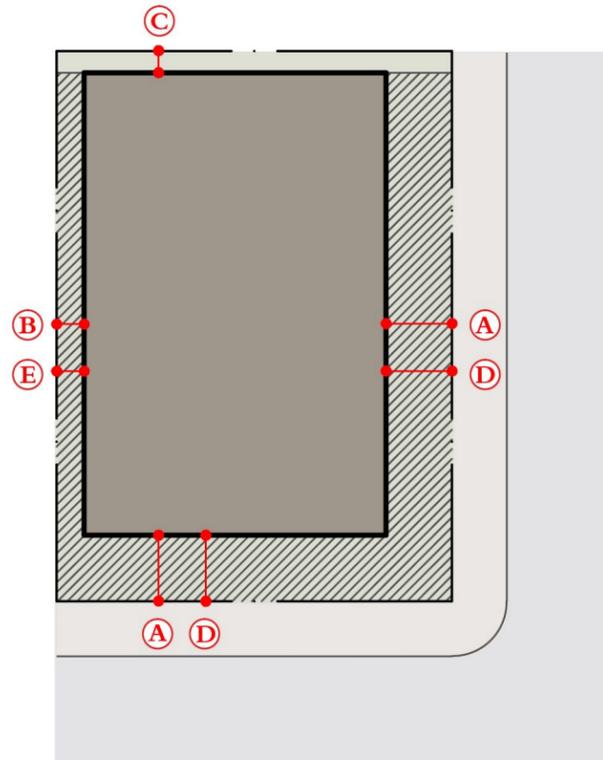
### BUILDING HEIGHT

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- A portion of a building no greater than 250 sq. ft. may exceed the height limit.

### PARKING PLACEMENT

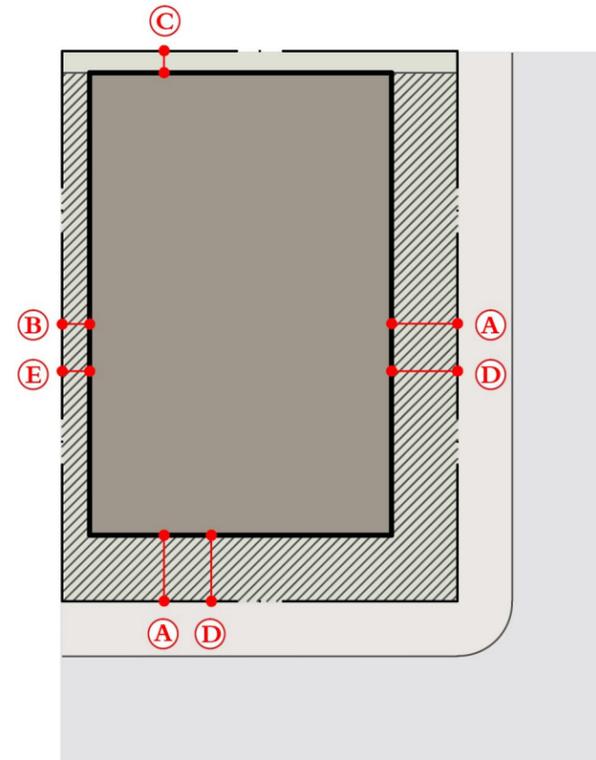
- Parking shall be as required by the Use Standards and the Shared Parking Standards.
- Off-street parking shall be placed a minimum of 20' behind the facade.

## MULTI-FAMILY HOUSE OR MANSION CONDOS



	T3	T4	T5
<b>Lot width</b>		72' min.'	72' min.
<b>Lot depth</b>		100' min.	80' min.
<b>Lot area</b>		7,200 s.f. min.	5,760 s.f. min.
<b>(A) Frontage Setback (primary &amp; secondary)</b>		6'-12'	0'-12'
<b>(B) Side Setback</b>		0' min.	0' min.
<b>(C) Rear Setback</b>		4' min.	4' min.
<b>(D) Encroachments at frontage setbacks</b>		12' max.	12' max.
<b>(E) Encroachments at side setback</b>		Up to 5' off the property line.	
<b>Height of Principal Building (in stories)</b>		3 max	3 max.
<b>Height of Backbuilding (in stories)</b>		3 max.	3 max.
<b>Height of Outbuilding (in stories)</b>		3 max.	3 max.

## MULTI-FAMILY BUILDING OR COURTYARD APARTMENT BUILDING



	T3	T4	T5
<b>Lot width</b>		72' min.	72' min.
<b>Lot depth</b>		100' min.	100' min.
<b>Lot area</b>		7,200 s.f. min.	7,200 s.f. min.
<b>(A) Frontage Setback (primary &amp; secondary)</b>		0'-12'	0'-12'
<b>(B) Side Setback</b>		0' min.	0' min.
<b>(C) Rear Setback</b>		4' min.	4' min.
<b>(D) Encroachments at frontage setbacks</b>		12' max.	12' max.
<b>(E) Encroachments at side setback</b>		Up to 5' off the property line.	
<b>Height of Principal Building (in stories)</b>		3 max	3 max.
<b>Height of Backbuilding (in stories)</b>		3 max.	3 max.
<b>Height of Outbuilding (in stories)</b>		3 max.	3 max.

# THE ACHE PROPERTY DESIGN STANDARDS

## URBAN STANDARDS

### Lot & Building Standards

Lot Encroachments Building

#### LOT PLACEMENT

- Should a lot fall within more than one transect zone, it may follow the standards of only one of those zones.

#### BUILDING PLACEMENT

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- Facades shall be set parallel to straight Frontage Lines, and parallel to the chord if broken or curved. Elevations may need not parallel the lot lines.
- Corner lots may be wider to allow the secondary front setback to be equal to the primary front setback.
- Side setback is 0' at a party wall or 0' adjacent to a 5' minimum non-construction easement.

#### PERMITTED ENCROACHMENTS

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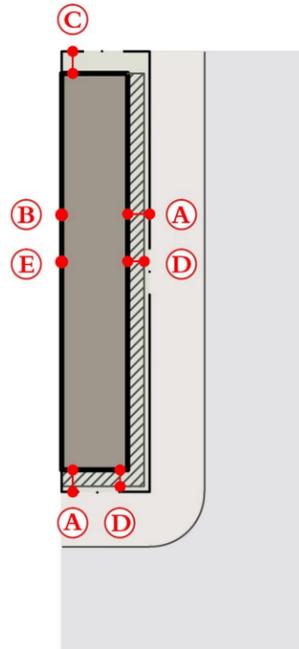
#### BUILDING HEIGHT

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- A portion of a building no greater than 250 sq. ft. may exceed the height limit.

#### PARKING PLACEMENT

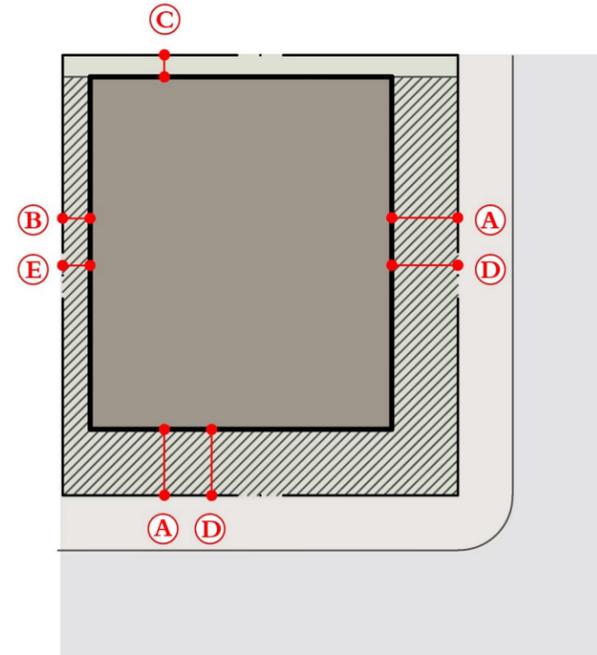
- Parking shall be as required by the Use Standards and the Shared Parking Standards.
- Off-street parking shall be placed a minimum of 20' behind the facade.

## LIVE-WORK UNIT OR FLEX HOUSE



	T3	T4	T5
<b>Lot width</b>		16' min.	16' min.
<b>Lot depth</b>		80' min.	80' min.
<b>Lot area</b>		1,280 s.f. min.	1,280 s.f. min.
<b>(A) Frontage Setback (primary &amp; secondary)</b>		0'-12'	0'-12'
<b>(B) Side Setback</b>		0'-12'	0'-12'
<b>(C) Rear Setback</b>		4' min.	4' min.
<b>(D) Encroachments at frontage setbacks</b>		10' max.	10' max.
<b>(E) Encroachments at side setback</b>		Up to 5' off the property line.	
<b>Height of Principal Building (in stories)</b>		3 max	4 max.
<b>Height of Backbuilding (in stories)</b>		3 max.	4 max.
<b>Height of Outbuilding (in stories)</b>		3 max.	4 max.

## MIXED-USE BUILDING



	T3	T4	T5
<b>Lot width</b>			72' min.
<b>Lot depth</b>			80' min.
<b>Lot area</b>			5,760 s.f. min.
<b>(A) Frontage Setback (primary &amp; secondary)</b>			0'-12'
<b>(B) Side Setback</b>			0' min.
<b>(C) Rear Setback</b>			4' min.
<b>(D) Encroachments at frontage setbacks</b>			12' max.
<b>(E) Encroachments at side setback</b>		Up to 5' off the property line.	
<b>Height of Principal Building (in stories)</b>			5 max.
<b>Height of Backbuilding (in stories)</b>			n/a
<b>Height of Outbuilding (in stories)</b>			2 max.

### URBAN STANDARDS

#### Lot & Building Standards

Lot Encroachments Building

#### LOT PLACEMENT

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#### BUILDING PLACEMENT

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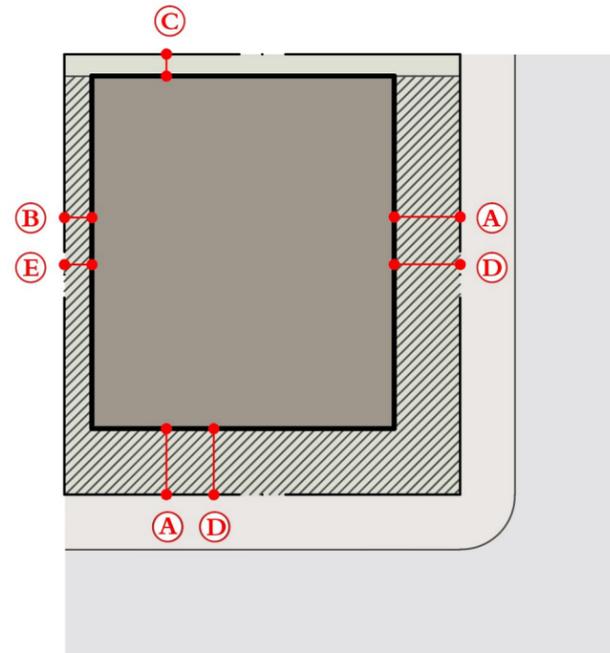
#### BUILDING HEIGHT

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#### PARKING PLACEMENT

- Parking shall be as required by the Use Standards and the Shared Parking Standards.
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## COMMERCIAL BUILDING



	T3	T4	T5
Lot width			72' min.
Lot depth			80' min.
Lot area			5,760 s.f. min.
(A) Frontage Setback (primary & secondary)			0'-12'
(B) Side Setback			0' min.
(C) Rear Setback			4' min.
(D) Encroachments at frontage setbacks			12' max.
(E) Encroachments at side setback		Up to 5' off the property line.	
Height of Principal Building (in stories)			5 max.
Height of Backbuilding (in stories)			n/a
Height of Outbuilding (in stories)			2 max.

## THE ACHE PROPERTY DESIGN STANDARDS

### URBAN STANDARDS

#### Lot & Building Standards

Lot
  Encroachments
  Building

#### LOT PLACEMENT

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## GENERAL NOTES

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**Applicability.** These Architectural Standards are a part of the Design Code and should apply to all improvements on lots in this community.

**Additional Standards.** In addition to adhering to the Design Code, improvements in this community should follow the standards of Traditional Construction Patterns by Steve Mouzon, Get Your House Right by Marianne Cusato and the American Vignola by William Ware.

**Meaning.** Where a material is specified, it is the material that is specified not others that may, in the opinion of some, resemble it. For example, “wood” means “wood,” not wood chips pressed and glued together, or recycled plastic melted and molded to sort of resemble wood.

**Shall, Should, May.** Provisions of the Architectural Standards are activated by “shall” when required; “should” when recommended; and “may” when optional.

**To ensure authentic variety,** no designer, architect or architecture firm should prepare the schematic design of more than one contiguous block face.

**Replacement.** Replacement of any previously permitted material or product with the same does not require permission. Replacement with anything other than the previously permitted material requires permission of the Town Architect. The same is true for paint color. Where a previously permitted material has since been prohibited, gray mortar for example, the previously permitted material may be used for minor repairs.

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## BASIC PRINCIPLES

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**Simplicity of Massing.** Keep massing simple. Compose a building of one or a few simple volumes.

**Hierarchy of Massing.** When buildings are composed of more than a single volume, they should embody a clear hierarchy of massing. The location of the main body of the house and the location of the entry for people should be discernible at a glance.

**Simplicity of Proportion.** Use simple proportions found in nature and music that include the rational (1:1, 2:1, 3:2, 4:3, etc.) and the irrational (the square root of 2 and the golden mean).

**Symmetry of the Face.** Reflect the bilateral symmetry of the human face in some way at the entry of the building.

**Elevation Treatment.** Facades (elevations facing frontages) of a single building shall be detailed in a similar manner.

**Ceiling Height.** Principal residential rooms should have a minimum ceiling height of 9'. Commercial spaces should have a minimum ceiling height of 12'.

**Regular Arrangement of Columns and Openings.** Place columns and openings according to a rational system.

**Cap, Shaft, and Base.** Arrange buildings and their elements to follow the pattern of cap (head), shaft (body) and base (feet).

**Simulated Materials and Configurations.** No bad fakes. If you can't fake the real thing and get away with it, you shouldn't fake it at all.

**Multi-Unit Buildings.** Materials and configurations for units of a multi-unit building should be consistent.

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## DETAILS

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**Material Notes.** A number of products are available today that have exceeded the performance of the originals in performance and have equaled them in appearance. A number of natural materials have declined in quality of performance and appearance in recent years. In the pursuit of materials that perform well and achieve the desired look, the following two rules should establish the guidelines for the acceptability of such materials with the final decision to be made by the Town Architect:

- **Arm's Length Rule:** Substitute materials may be used for materials noted here, but their appearance must be indistinguishable from the original at arm's length or less, and their performance must exceed that of the original if they are to be used below the second floor.
- **Eye's Only Rule:** Substitute materials used at or above the second floor must be indistinguishable from the original at a distance of 10'.

**Prohibited materials.** The following materials are prohibited: vinyl siding, plastic fences, stamped asphalt, anodized copper, and others as may be added to this list by the Town Architect from time to time.

**Materials other than those expressly permitted herein** may be used subject to the express permission of the Town Architect except those materials which are expressly prohibited.

**Visibility Standard.** With the express permission of the Town Architect requested during the Design Review, details not easily visible from a frontage may not need to be executed to an equally high standard as details facing frontages. “Easily visible” may be considered to be that portion of a building or lot beyond a point on the side elevation equal to 1.5 times the distance to the next building and on the rear elevation. It is important to note, however, that this rule may not apply in every instance and the decision to relax the standards or not lies with the Town Architect.

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## THE ACHE PROPERTY

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## DESIGN STANDARDS

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### ARCHITECTURAL STANDARDS

#### General Notes

#### Basic Principles

#### Details

**The Architectural Standards** specify the Materials and Configurations permitted for walls, roofs, openings and facades with the intention of producing visual compatibility among disparate building types. The quality of the whole community is directly related to the quality of the individual buildings. The Architectural Standards set parameters within which a range of options is possible. Because urban quality is enhanced by architectural harmony but is not dependent on it, the provisions of the Architectural Standards may range from liberal to strictly deterministic. The standards relate to the vernacular building traditions of the region and thus inherit a suitable response to climate. **Due to its important role within this community, the architectural design of the various buildings of the Arkansas Colleges of Health Education campus shall be compatible with the first campus building which has just been completed.**

## MATERIALS

**Siding and Shingles.** The following materials are acceptable: Lowland Cypress, Redwood, Cedar, Cementitious Siding. Shingles should be machine-cut with the bottom edges aligned. Butt joints between siding pieces may be caulked but not “covered.”

**Stone and Simulated Stone.** Regional stone is permitted. Simulated stone is permitted only with the expressed permission of the Town Architect.

**Brick.** Brick should look as if it could have been produced locally during the period in which the architectural style was in use. Brick may be painted if appropriate to the style and to local precedent. Use simple brick sizes in standard or modular sizes.

**Stucco.** Stucco should be smooth sand-finished with no evidence of the mark of the trowel. Synthetic stucco, if used, should adhere to the following rules:

- Prohibited within 3' of the ground and within Arm's Length.
- Surfaces should face out or down, never up.
- Highly textured finishes are prohibited.
- Sheathing should be fiberglass faced.
- Expansion joints should be a rational part of the composition of the wall.

**Concrete.** Concrete with a smooth parged finish (no evidence of the mark of the trowel) may be used for foundations walls with less than 3' exposed above grade at frontages and of any height when not easily visible from frontages.

**Arches and Piers.** Arches and piers should be stone, brick or stucco.

**Posts.** Posts should be wood or synthetic wood.

**Trim.** Exterior trim should be indistinguishable from wood when painted and should be sized appropriately to its location. The following materials are suitable for trim: pine if better than number 2; fiber-reinforced cementitious trim; PVC-based products.

**Colors.** Colors for all exterior materials (siding, trim, brick, stone, stucco, etc.) should be appropriate to the building style and to local precedent. Mortar should be a warm neutral color such as buff or “old colonial.” Gray and white mortar is prohibited.

## CONFIGURATIONS

**Number of Materials.** No more than two wall materials should be visible on any exterior wall, not

counting the foundation wall or piers.

**Stone and Simulated Stone.** Natural stone should be laid with the stones horizontal. The broad face of the stone should not be laid to the outside of the wall. Stone veneer and simulated stone should be laid to resemble load-bearing stone walls.

**Wall Height.** The floor-to-ceiling height should be at least 10' on the main level and at least 9' for upper stories. Walls should be properly sized to the architectural language of the building.

**Masonry Veneer Walls.** Masonry veneer walls shall be detailed as masonry bearing walls especially at openings.

**Masonry Watertable.** Masonry watertables should be either a slightly projected running bond or soldier course or a watertable brick.

**Brick Patterns.** Brick should be laid in a horizontal running bond or Flemish bond pattern, with raked, concave, struck or grapevine joints not greater than ½" thick. With running bond, a header course is recommended at every sixth course to suggest tying multiple wythes together.

**Brick Coursing at Wall Openings.** Brick should course exactly to both the top and the bottom of all wall openings. If necessary, set the window head to brick coursing and use a filler strip above the masonry sill.

**Arches and Piers.** Arches and piers should be no less than 12" x 12".

**Posts.** Posts should be no less than 6" x 6".

**Frame Wall / Masonry Base Alignment.** The face of stud of frame walls should align with face of masonry of foundation walls below.

**Skirt Board.** A minimum 5/4" x 10" skirt board with a minimum 5/4" x 2" cap is required for siding walls facing frontages.

**Wall Material Joints.** Heavier materials or materials that appear heavier should be located below horizontal joints. Vertical joints between different materials may occur only at inside corners. Material changes at outside corners are prohibited. Expansion joints should be a rational part of the composition of the wall and colored to match the wall.

**Trim.** Trim is required where there is a change in material or a change in plane. Trim around lights, outlets, vents, meters, etc., should match the wall color not the trim color or the color of the object.

## MATERIALS

**Doors.** Residential doors should be built of wood. Commercial doors may also be hollow steel frame or extruded aluminum. In no case, except for residential garage doors, should metal doors be stamped to resemble wood doors, unless they are indiscernible from wood at arm's length. Doors, including garage doors, should have glass, raised panels, or both with the exception of doors not facing frontages in mixed-use or commercial buildings which may be flush.

**Windows.** Residential windows should be built of wood, vinyl-clad wood, aluminum-clad wood, extruded aluminum, Celuka Cellular PVC or solid PVC. All of the later should be indiscernible from wood at arm's length. Commercial windows may also be extruded aluminum or hollow steel frame.

**Shutters.** Shutters should be built of cedar or redwood. Solid PVC shutters are also acceptable if they are indiscernible from wood at arm's length.

**Glass.** Glass should be clear and free of color. Stained, frosted, tinted and art glass require the permission of the Town Architect.

**Masonry Lintels.** Jack arches should be built of stone, stone blocks, or brick. The square-end lintel may only be constructed of solid stone, precast stone or precast concrete.

## CONFIGURATIONS

**Door and Window Style versus Building Style.** The style of the front door should match the style of the building as should the style of the windows.

**Door Types.** All doors should be side-hinged except for garage doors, which may be sectional and doors on ground floors facing private yards which may be “swing-set” or “sliders” if you must. Double doors should not exceed 5'-4" in width. Doors on upper stories should be French doors.

**Entry Surrounds.** Entry surrounds should be detailed carefully according to the style of the building and as one of its most expressive parts.

**Garage Door Sizes.** Garage doors facing frontages, or, at the corner of a frontage and a lane or alley, should be no wider than 9'.

**Window Types.** Windows should be double-hung, triple-hung, casement, awning, hopper or fixed.

**Window Placement.** Under no circumstances should the windows be installed flush with the outer surface of the facade, rather, they should be installed such that the centerline of the window and

the centerline of the wall are the same.

**Window and Pane Proportions.** Windows and panes should be vertically proportioned or square and, ideally, the same or similarly proportioned throughout a single building. Windows may be shorter on upper levels.

**Window Muntins.** The use of muntins should be consistent with the style of the building and consistent throughout the building. Muntins should divide panes into true divided lights. Window grilles should adhere to both the inside and outside surfaces. A spacer should be placed in between the panes. Muntins should not be rectangular in section. Windows not easily visible from a frontage (along the side elevation 1.5 times the distance to the next building) need not have muntins even if those facing the frontage do but must be otherwise identical to those facing the frontage (same manufacturer, product line, etc.).

**Bay Windows.** Bay windows should have a minimum of three sides and should either extend to the ground or be supported by visible brackets of appropriate size.

**Shutters Principles and Details.** Shutters should be the same size and shape as the opening they serve so that they cover the opening completely when closed. Three types of shutters are permitted: flat board shutters with vertical boards on the outside and horizontal boards on the inside; paneled shutters (most common at the street level); louvered shutters. Curved-top shutters may be either bowspring arched or full Roman arches according to the shape of the window and may be louvered, board or paneled. Shutters should be exactly one-half the width of the sash they are covering and equal to the combined sash height. All shutters should be installed with hinges and dogs. Shutters should be louvered, paneled, or constructed of boards as appropriate to the style of the building. Shutters should be applied to all or none of the typical windows on any given facade or elevation. Shutters should be painted white or a dark neutral color.

**Palladian Window Proportions.** Palladian windows should conform to certain principles of proportion and detail. Palladian windows should be surrounded by a full classical order, with an arch above the semicircular head window. Sidelights should be four panes high, and either double-hung windows or a fixed single sash. The central window should be five panes high. The pane height should be identical to the sidelight pane height with a space equal to one pane height above the sidelights and below the semicircular head dedicated to a full entablature. The central window may be three, four, or five panes wide. The sidelights may be one or two panes wide. The pane with in the sidelights

## ARCHITECTURAL STANDARDS

## Walls

## Doors and Windows

should match the pane width of the central window. The order of the columns and the entablature should match or exceed the highest order found elsewhere in the building. The Palladian window surround should include four pilasters: two flank the outsides of the sidelights, while the other two occur between the sidelights and the central windows. These pilasters are mounted directly against the window casing. The spring line of the arch should occur at the top of the cornice of the entablature. If the Palladian window is set in a brick wall the entire surround should be set outside the face of brick so that the pilasters, entablature, and arch will overlap the brick, which should be run straight behind them in running bond with no border brick of any sort.

**Multiple Windows.** Multiple windows in the same rough opening should be separated by a minimum 4" wide post.

**Window Wells.** Window wells (and related structures) should be constructed and landscaped so as not to be visible from frontages.

**Storm doors, windows, and screens.** Storm doors, windows, and screens should be full view (covering the entire window not just one sash), free of decorative trim and finished to match the door they serve or the trim around it.

**Blank Walls.** Blank walls are prohibited in principal buildings at frontages. First floor walls should have at least one window per structural bay and exposed basement walls should have at least one small window per structural bay as appropriate for an occupied foundation.

**Masonry Lintels.** Masonry lintels should be at least as tall as one-fifth of the opening width. The square-end lintel should overhang the opening either one-half the depth of the lintel or exactly the depth of the lintel. Keystones are prohibited in masonry lintels with square-ends. Lintels not easily visible from a frontage may be running bond brick on a steel angle. Lintels should be flush with the wall.

**Jack Arches.** All joints in a jack arch should converge on a single point. The end of jack arches should be either 22.5 degrees or 30 degrees from vertical. If a keystone is used the side angles of the keystone should converge on the radius point of the arch.

**Masonry Arches.** Arch thickness (height) should be at least one-sixth of the opening width. Every arch should be supported immediately below the arch.

**Masonry Lintel or Arch and Eave Alignment.** Eave trim should never intersect an arch except to touch the top of a keystone. If there is no keystone, the top of the arch must miss the element above by at least 3 brick courses.

**Brick Mold.** Brick mold shall be wider than 2" and shall be used on the sides and top of all windows and doors except in buildings of the Federal style. Head casing in a wood siding wall should be wider and more elaborate when the jamb casing is the narrowest allowable width, which is 4" nominal. Wider casing on a wood wall may act as both jamb and head. Head casing should follow the contour of an arch, but may be straight where it meets the windows.

**Masonry Sills.** Brick rowlock sills should not extend beyond the sides of the masonry opening. If the ends of a brick rowlock sill are visible, the end bricks should be solids. Stone or precast sills, preferably with lugs, should extend beyond the sides of the masonry opening either 2" or 4".

**Casing.** Door and window casing on all except brick wall should never be narrower than 3-1/2". Mullion casing should never be narrower than 3-1/2" regardless of location. Brick should never be visible between a door or window and its casing. Head casing height should be equal to or larger than jamb casing and should not be less than one-sixth of the opening width. Head casing should have a drip cap that can be flashed over. Keystones in wood lintels are prohibited. Bay window jambs should be trimmed with a single vertical jamb casing that extends from the window-sash to the corner of the bay. The sill should be a minimum of 2" thick. Casing should never be 'picture framed' at the sill. Sills should project from the face of the wall and should have a drip edge.

**Keystones.** Keystones should never be used as a part of picture-framed casing.

## MATERIALS

**Column Materials and Proportions.** Columns should be built of materials that allow proper column design, such as wood, stone, fiberglass or composites such as "Fypon". Extruded aluminum is prohibited. Classical columns should be built to classical proportions. All columns shall have entasis.

**Beam Materials.** Porch beam casings should be built of materials that reflect the structural nature of beams. The grain or texture of the casing material should be horizontal. Vertically ribbed materials such as vinyl are prohibited.

**Porch Floor Materials.** Porch floors should be a material appropriate to the style of the house which may include tongue-and-groove wood, brick or concrete (Foursquare Arts & Crafts only). Synthetic wood materials may be permitted by the Town Architect if detailed like wood. Where not visible from frontages, porch floors (and decks) may be other synthetic "wood" materials.

**Porch Ceiling Materials.** Porch ceilings should be built of wood or, if adjacent to brick or stucco walls, stucco. Permitted patterns are: timber beams and purlins (small cross-beams) with solid floor deck above; V-groove wide board ceiling; exposed framing and metal roofing; narrow beaded board ceiling; open slat ceiling; plywood grooved to resemble beaded board.

**Crawl Space.** The crawl space beneath a building or porch should be enclosed with masonry, horizontal wood boards, wood louvers, wood shingles, or framed wood lattice. An alternative to wood in each instance would be a simulated wood product permitted by the Town Architect.

**Balcony Materials.** Balconies should be constructed of wood or metal.

**Railing Materials.** Railings should be built of wood, metal, or stone, but the railing material should not be heavier in appearance than the primary elements of the porch, stoop, stair, or balcony. Vinyl clad wood is acceptable if it is detailed like wood and painted. Yes, painted. Scuff the vinyl a bit to take the sheen off, then paint. "Sleeve-like brackets" connecting rails to posts are prohibited. Metal railings should be painted gloss black.

## CONFIGURATIONS

**Column to Entablature.** The face of the entablature should always align with the neck of the column.

**Entablatures.** Each of the three components of the entablature (cornice, frieze and architrave) should conform to the principles described in The American Vignola. The cornice should project a dimension equal to its height. The frieze may be plain, elaborately ornamental, or almost anything in between. The architrave should never be taller than the frieze and is typically plain. Triglyphs, if any, should almost always be centered over columns. Additional triglyphs should be equally spaced between the ones that are centered over columns.

**Intercolumniation.** Intercolumniation should be vertically proportioned. When columns and beams are masonry, intercolumniation should not exceed a proportion of 1:1. Wood structures that are not strictly classical may have intercolumniation as wide as 2:1.

**Porch Design.** Porches should be a minimum of 8' deep. The width of the porch floor should not extend beyond the width of the house or the inside edge of the corner boards or pilasters.

**Porch (and Stoop) Beam.** The sides of the beams at the top of porch columns which supports the porch roof should be visible from both the inside and the outside of the porch.

**Built-up Beams.** Seams between built-up beam faces and beam bottoms should be located on the underside of the beam. The beam bottom board should be installed between the beam side boards and flush with the bottom of the side boards. A 3/8" slot should be routed out of each side of the beam bottom to serve as a drip slot (and hide any irregularities between beam sides and beam bottom).

**Square Column Cap and Base Trim.** Square columns should be used for most vernacularly oriented styles. While not classically correct, their capital and base trim should nonetheless appear to be supporting the load as their classical counterparts do.

**Large Square Columns.** Square columns wider than 12" should be built of frames and panels unless they are classically correct manufactured columns.

**Column Base to Porch Edge.** Column bases should never protrude beyond the edge of the porch flooring. The outer edge of the base should align with the face of the pier or foundation below. Interior columns should be centered over piers, but corner columns slide near the outside corner of

## ARCHITECTURAL STANDARDS

## Doors and Windows, continued

## Porches, Balconies, Arcades, and Galleries

piers so that column base and outside face of pier align.

**Porch Crawl Space.** The enclosure material should be recessed from the face of the piers.

**Arcades and Galleries.** Arcades and galleries should overlap the enfronting sidewalk to within 18" of the curb. The interior passage of arcades should be a minimum of 14' wide and 14' high. The openings of the arcade or gallery on the facade should be vertical, measured to the top of its arch or lintel. The ceiling of the arcade should be formed as vaults or coffers or equipped with visible beams. The arcade may be chamfered or setback to accommodate the required visibility triangle at intersections.

**Balconies.** Balconies should project no more than 3' from the face of the building and should be visually supported by brackets. Multiple balconies should appear as set of single punched openings rather than a continuous horizontal one. Balcony railings, while they must meet the building code minimum height requirements, should be designed to appear shorter if possible as this was traditionally the case. This can be accomplished by raising the door one step from the finished floor and/or by adding a dark metal handrail on top of a shorter railing or wall.

**Railings.** Railings should have both top and bottom rails, with bottom rails clearing the floor. The maximum span of a railing is 8'. Pickets and balusters should be centered on the rails and spaced at no more than 4" clear opening.

*MATERIALS*

**Eave Return Cap Material.** The eave return cap should be built of continuous, seamless metal flashing rather than short sections of expensive ribbed roofing.

**Trim at bottom of Cornice** (including under the eave). The trim immediately under an eave should be a bed mold or similar supporting shape, never a crown mold.

**Gutters, Downspouts and Spalshblocks.** Exposed gutters and downspouts should be copper, galvanized steel, or aluminum. Copper should be unfinished and left to age naturally. Steel may be painted. Gutters and downspouts, other than copper, should match the color of the surface to which they are attached. Splash blocks should be stone, brick or gravel.

*CONFIGURATIONS*

**Eave Continuity.** Eaves should be as continuous as possible both horizontally and vertically. Eaves at frontages should have no more than 4 outside corners.

**Eave Overhang and Enclosure.** Eave overhang depth should be appropriate to the style of the building, usually less than 18". As the building becomes more vernacular, the overhang generally may increase. Classical buildings should have closed eaves. Vernacular buildings should have open eaves.

**Eave return.** Eaves should always be trimmed in such a manner that the corona, or fascia, returns around the corner and dies into the wall without the excess triangle (a.k.a. "pork chop") attached to the raking cornice. The slope of the eave return cap should be built of continuous, un-seamed metal flashing of a 1:12 slope, ideally, but never greater than 2:12. The corona, or fascia, of the raking and bottom cornices should occur in the same plane. The cymatium, or crown, should occur only on the raking cornice.

**Gutter and Downspouts.** Exposed gutters should be a half-round, or ogee profile. Downspouts should be round or rectangular

**Wood Brackets, Corbels, and Modillions.** Brackets, modillions, and corbels of all styles should extend to the back side of the fascia. Properly sized elements catch sunshine at their outer faces and contours. Brackets should be at least as high as they are deep. Corbels and modillions should be 1/3 to 1/2 as high as their depth.

**Dentil Size and Proportion.** Dentils should be small square or vertically rectangular blocks and should be located just below the corona as a part of the bed molding. Dentils should be 6 to 7.5 percent of the height of the entablature and should be square in plan. Dentils should be very clearly based on classical proportions when the building is classical. Vernacular buildings may have dentils, but these may be based more closely on construction elements.

**Triglyphs.** Triglyphs should be composed of three vertical parts. Triglyphs occur only on the Doric order. Triglyphs extend the full height of the frieze and engage both the bed moldings above and the taenia and architrave below.

**Frieze.** A frieze board should occur below every eave and raking cornice. The frieze should never be picture-framed. The classical frieze is at least as wide as the cornice. Vernacular friezes vary more widely.

ARCHITECTURAL STANDARDS  
Porches, Balconies, Arcades, and Galleries,  
*continued*

Eaves

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## ROOFS

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### MATERIALS

**Metal Roofing.** Metal roofing panels should be flat between the primary ribs with no striations or pencil ribs. Bulbed ridge caps should be used with 5V metal roofing. Standing seam ridge caps should be of the lowest profile possible.

**Shingle Roofing.** Shingle roofing materials should be slate, wood, shingles, wood shakes or asphalt shingles as permitted by the Town Architect. "Architectural shingles" are discouraged. Asphalt shingles are not permitted for roofs below the eave of the principal building such as porches and bay windows where they are easily visible from frontages.

**Tile Roofing.** Tile roofing materials should be clay, concrete or metal of half-circle profile.

**Built-up Roofing.** In the Neighborhood Center (T5) commercial and mixed-use buildings may have EPDM or built-up roofs when edged with a parapet wall.

### CONFIGURATIONS

**Roof Shapes.** Roofs should be simple shapes, either symmetrical gables or hips. Roofs should overhang a gable end a minimum of 12". Shed roofs with the high end attached to a wall are permitted for areas less than 50 sq. ft.. Flat roofs should be no greater than 500 sq. ft. and edged by a railing or parapet. Commercial buildings should have a horizontal eave at frontages.

**Roof Slopes.** All primary roof slopes of a particular style should fall within a range of no greater than 15%. Ancillary roof slopes should be appropriate to the style of the building which in most cases is between 1/3 and 1/2 of the primary roof slope.

**Bay Roofs.** Bay roofs should be distinct from the primary roof, and should return on themselves at each end. They should not be a shed continuation of the main roof.

**Overlapping Gables.** Overlapping gables should only be used when the smaller gable is part of a balcony, porch, or entrance.

**Skylights.** Skylights should be flat and should not face frontages.

**Soffits and Overhangs at the Neighborhood Center (T5).** The underside of soffits and roof overhangs on buildings over three stories should be elaborately detailed.

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## DORMERS

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### MATERIALS

**Dormers.** Dormers should be habitable. Dormers should be masonry or trim materials at their face (not both) and trim, siding, and/or shingles at their sides. Brick should be used for a dormer face only when the brick forms a parapet at the top of the dormer creating a distinct parapet wall extending beyond both the sides and top of the dormer. The roof should break at this dormer so the brick dormer face is a continuous extension of the brick wall below.

**Dormer Jamb Material.** Dormer jambs should be a solid casing assembly from the window to the corner of the dormer wall. Wall materials are prohibited on the face of the dormer. Dormers should have single, strong, substantial casing boards at the corners.

**Towers and Lanterns.** Towers and lanterns should be trim materials above the sill and trim, siding and/or shingles beneath the sill.

### CONFIGURATIONS

**Dormer Roof Trim.** Dormer roof trim, beginning at the window head should be composed of a head casing, a soffit and a corona, (fascia), at a minimum. A cymatium, (crown), may be added, but only on the raking cornice. Siding should never be used anywhere above a window head except in the tympanum of a gable-front dormer.

**Dormer Body Proportion.** The body of a single-window dormer should be vertically proportioned or square. Dormer windows should be proportioned similar to or slightly shorter than typical windows in the floor below.

**Dormer Body / Roof Proportion.** The total width of the dormer roof should be 25% to 40% larger than the width of the dormer body.

**Tower and Lantern Principles.** Towers, lanterns, cupolas and belvederes should sit on a low base and be trimmed to resemble pilasters surrounding glazed or louvered openings and supporting a beam and roof above.

## ARCHITECTURAL STANDARDS

### Roofs

#### Dormers

## MATERIALS

**Flue Materials.** Flues should be clay tile or galvanized metal left natural or painted black. Permitted flue tops in order of preference are: terra-cotta chimney pot, plain clay tile flue, and, short, simple metal cap.

**Chimney Materials.** Chimneys, when visible, should be sheathed in brick, stone, or stucco. Chimney construction should appear to be load-bearing masonry even if using a masonry veneer.

**Awning Materials.** Awnings should be constructed of canvas or solution-dyed acrylic fabric attached to a light metal frame so that it moves naturally. Translucent fabric is prohibited.

**Window Boxes.** Window boxes should be wood or simulated wood.

## CONFIGURATIONS

**Chimney Height.** Chimney height should be appropriate to the style of the building (and, of course, should meet code-required minimum heights).

**Chimney Material versus Detailing.** Chimney detailing should be appropriate to the materials used, thus stucco and natural stone chimneys should generally be simpler than brick chimneys.

**Chimney Size and Configuration.** Chimneys should be no less than 32 sq. in. in plan, should have a projecting cap and should extend to the ground if located on an outside wall.

**Flue Height.** Flues should be no taller than required by local building codes.

**Direct-vent Fireplaces.** Vents for direct vent fireplaces should not face frontages nor be easily visible from them.

**Awning Configurations.** Awnings should be sloped rectangles with or without end panels but absolutely without bottom panels. Awning design should be simple, of reasonable size, and of a style appropriate to the building and the place. "Barrel vault" shapes are permitted in T5 between the primary entrance and the curb. Awnings should not be backlit. On residential buildings awnings should be a solid dark color. The cross-section of a storefront awning should be different from that on the adjacent lot. All awnings on a single establishment should be identical. Awnings should be retractable. Awnings of the quarter-round variety are prohibited. If necessary for support, metal pipe columns may be allowed on the public sidewalk, providing that they do not directly impinge on the

main pedestrian flow.

**Awning Signs.** Signage may be painted either on the fringe of an awning or in the center of the body of the awning. Awnings should be fabricated of canvas on metal frames. Awning signs should be painted directly on canvas. Backlit awnings are prohibited. Signs that occupy the fringe of the awning may fill the entire height and width of the fringe up to a maximum fringe height of 9".

**Encroachment.** Commercial awnings may encroach into setbacks and across ROW lines but not onto private properties.

**Roof Penetrations.** Roof penetrations (vents, flues, etc.) and equipment should not be permitted where visible from frontages. All roof penetrations should match the color of the roof. At Neighborhood Center (T5), roof penetrations and equipment should be screened in a manner consistent with the architectural design of the building to minimize the visibility from neighboring buildings and from the public realm. Ridge vents, if used, should extend the full length of the ridge.

## MATERIALS

**Storefront Materials.** Storefronts should be built of wood, cementitious boards, CPVC, solid PVC, custom metal work, extruded aluminum, or hollow steel frame. Aluminum natural (silver) or bronze (dark brown) storefront is prohibited. Thin storefront framing members should have some other part of the design that is thick to contrast it against. Storefront colors should be compatible with the neighborhood.

**Glass.** Storefront glass should be clear, as any saturation will cause the display to become invisible behind the resulting reflection. Neither reflective (mirror) nor colored glass should be permitted on any shopfront or windows above.

**Signs.** See "Signs", page 33.

## CONFIGURATIONS

**Unified Design.** The storefront door, signage, awning and lighting should be a unified design.

**Storefronts.** Storefronts should be a single, near-black dark gloss or white background color. Muntins are discouraged at storefronts. Storefronts should have mounting bolts for awnings, signs, and lighting whether or not such items are installed at the time of initial construction. Storefronts should have a continuous kick plate or kneewall between 18" and 3' high.

**Fenestration.** Fenestration at ground floor commercial uses should not be less than 70% void. Fenestration should be free of paper signs.

**Signs.** See "Signs", page 33.

**Frontage Setbacks** at Neighborhood Center (T5 and elsewhere as required by the Town Architect should be paved to match the sidewalk. Storefronts should have mounting bolts for awnings, signs and lighting whether or not such items are installed at the time of initial construction.

**Storefront Lighting.** Storefront windows should be lit at night using compact fluorescent, LED, or halogen light with a timer or photocell control. A minimum of two storefront lights should be on all night.

**Security Gates and Shutters.** Solid metal security gates and solid rolldown windows are not permitted. Link or grill security devices are only permitted if installed from the inside, within the window or door frames.

**Interior Lighting.** All retail establishments should be lit in the incandescent (warmer) spectrum,

whatever technology is used. Small spotlights (ideally halogen) are recommended rather than a uniform wash of light. After closing, display lights should be kept on at approx. 50% power until 10 PM.

**Encroachment.** Commercial Uses are encouraged to place tables, chairs and temporary displays on the public sidewalk provided a 5' wide clear corridor is maintained for pedestrians.

**Hours of Operation.** The hours of operation of non-residential uses may be restricted by the Town Architect to minimize nuisances to adjoining property owners. Property owners should comply within 30 days of receipt of notice from the Town Architect. Alternatively, such restrictions may be imposed by the Town Architect as a condition of issuance of a building permit.

## ARCHITECTURAL STANDARDS

## Attachments

## Storefronts

All signage requires the permission of the Town Architect.

*MATERIALS*

**Sign Materials.** Signs should be constructed of wood, synthetic wood or metal, or they may be painted on building walls or windows with the permission of the Town Architect.

**Neon** is permitted inside the building and may be permitted outside the building by the Town Architect.

**Address Numbers.** Numbers should be metal, ceramic or paint.

*CONFIGURATIONS*

**Attached Signs.** Four types of attached signs are permitted: band signs, board signs, window signs, and painted wall signs.

- **Band Signs** consists of a band of lettering across the entire width of the building. If lit, band signs should be front-lit with gooseneck lights. Band signs should be a maximum of 3' tall, and the bottom of the band sign should not be installed more than 12' or less than 10' above the sidewalk.
- **Board Signs** consists of painted or vinyl graphics on a signboard attached flush with wall.
- **Window Signs** may be neon behind the glass, or, paint or vinyl applied directly to the glass. Neither should be mounted on opaque signboards. The height of any window sign is limited to 1/3 the height of the glass in the sash where the sign is installed, excluding muntins. The width of any window sign is limited to 90% of the width of the glass in the sash where the sign is installed.
- **Painted Wall Signs** to be permitted by the Town Architect.

**Projecting Signs.** Two types of projecting signs are permitted: blade signs and vertical signs.

- **Blade Signs** hung from an architectural element should be centered on that element. Blade signs projecting from the wall may project a maximum of 5'. The top of the blade sign should be between 9' and 12' above the sidewalk. The blade sign should be 2'-8" tall maximum. Blade signs should be no more than 4' wide nor project more than 5' from the wall. No blade sign should exceed 8 sq. ft. In addition, brackets or other suspension device should match the sign style and should not be computed as part of the allowable size of the sign.
- **Vertical Corner Sign** are permitted at the corners of blocks in Neighborhood Center (T5). They may project perpendicular from one side of the building or at a 45-degree angle to the corner. Vertical corner signs may be constructed of either signboards or metal, and they may be lit either with gooseneck lights or with surface neon. Vertical corner signs should be mounted a minimum of 12' from the sidewalk, measured to the bottom of the sign. The height of the sign should not exceed the top-story lintel height. Vertical corner

signs should be mounted 12" maximum away from the exterior wall of the building and should be a maximum of 3' wide.

**Ground Signs.** Ground signs may be permitted as an exception by the Town Architect where a place of business is not close enough to the public thoroughfare to allow an attached sign of some type that is readable from the thoroughfare. If permitted, they should consist of an open structural framework supporting a double-sided signboard lit with gooseneck lights. Because the place is pedestrian-oriented, the bottom of the signboard should not be more than 12' above the sidewalk or finished grade. The height of the signboard should not exceed 3' and its width should not exceed 4'. Pylon ground signs should be located adjacent to the sidewalk or pathway leading to the business they represent. Sculptural and A-frame sign boards placed on the sidewalk are encouraged!

**Rooftop Signs.** Rooftop signs meant to be viewed from great distances may be permitted only by the Town Architect.

**Plaque Sign.** On all buildings except single-family attached and detached residential buildings a plaque sign should be permanently affixed in a conspicuous location inscribed with the name of the architect and the year of completion. This plaque should be less than 2 sq. ft. and be made of bronze, aluminum, concrete or stone.

**Home-based Business Signs.** Signs advertising a home-based business should be wood, painted, and a maximum size of 6 sq. ft.. Signs may have engraved, gold leaf letters and symbols. Signs may be mounted to a freestanding post, hung below a porch roof, or mounted to a building wall. Alternately, brass signs may be used for signs mounted to masonry building walls. One sign advertising a home-based business is permitted at each frontage.

**Security and Real Estate Signs.** One sign providing notice of a security system is permitted at each frontage and should be affixed to a building. One real estate sign advertising a property for sale or rent may be displayed at each frontage.

**Address Numbers.** Numbers (not letters spelling numbers) should be placed near the front door or front porch steps. Numbers should be mounted to the door, the wall beside the door, the entablature, a square porch column or the top riser.

**Parking Directional Signs.** Parking directional signs which are in addition to the tenant sign should follow the requirement for other signage except that they may be 1.5 times the size and may be in addition to the tenant sign.

**Flashing, moving, or internally illuminated signs** are prohibited.

**Sign Lighting.** With the exception of neon sign, signs, if lit, shall be front lit with incandescent bulbs of appropriate wattage or LED lamps.

**Temporary Signs.** Temporary signs such as real estate sales signs shall be approved on a case-by-case basis by the Town Architect.

**Encroachment.** Signs may encroach into setbacks and across ROW lines but not onto private properties.

ARCHITECTURAL STANDARDS

Signs

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## LIGHTING

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### MATERIALS

**Exterior lighting.** Exterior lighting should be appropriate to the Transect Zone and the style of the building.

**Lighting Spectrum.** All exterior lighting should be of the incandescent or equivalent (warm) spectrum. Color corrected sodium is recommended.

### CONFIGURATIONS

**Residential Lighting.** Garage doors opening onto an lane or alley should have a fixture and a photocell. Walls of residential buildings should not be flooded or washed with light. The wattage should produce a soft glow as opposed to a blinding glare.

**Storefront Lighting.** See “Storefronts”, page 32.

**Parking Lot Lighting.** Parking lots should be lit with metal halide lamps in direct cutoff fixtures that prevent light spillover onto adjacent properties. Parking lots may be lit with mercury vapor lamps with the express permission of the Town Architect.

**Encroachment.** Lights may encroach into setbacks and across ROW lines but not onto private properties.

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## COLORS

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All exterior colors should be appropriate to the style of the building and require the permission of the Town Architect. Colors should be selected from the Town Architect’s list.

**The Wall Color (or “Body”)** should be used for the walls as well as trim at inside corners, trim (including mounting boards) around light fixtures, receptacles, hose bibs, meters and the like. The wall color may also be used for the Trim Color.

**The Trim Color,** if different from the Wall Color, should match the window frame and be used for all trim. The Trim Color may also be used for doors, window sashes and shutters.

**The Accent Color,** if different from the Trim Color, may be used for doors, window sashes and shutters.

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## MISCELLANEOUS

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**The following are prohibited:** “blended” asphalt shingles, copper-anodized aluminum, single-hung windows, “sandwich muntins” and “GBGs” (grills between the glass), glass blocks, window air-conditioning units, above-ground pools (except those of the inflatable variety), floodlights such as those often mounted under the eave.

**The following are prohibited where easily visible from frontages:** “swing set” doors and those of the sliding patio variety, through the wall air conditioning units, clotheslines, air conditioning equipment, utility meters, solar panels, antennas, satellite dishes, synthetic statuary, bird baths or statuary (except those of museum quality), garbage cans, permanent grills, in-ground swimming pools, rock gardens and vegetable gardens, firewood (except on porches), recreation and play equipment (except basketball hoops), doghouses and dog runs, hot tubs and spas, and pressure-treated wood.

**Height Limit.** There is no height limit on portions of structures with a footprint of less than 215 sq ft.

**Flagpoles.** Flagpoles less than 6’ in length may be mounted at an angle to square columns, posts and building walls. It is suggested that free standing flagpoles be reserved for use on civic properties and properties owned or occupied by veterans and members of the U.S. armed forces.

**Mailboxes, Newspaper boxes, Lettering and Numbering.** Mailboxes, newspaper boxes, lettering and numbering should not be plastic or vinyl.

**Roof-Mounted Equipment.** Roof-mounted equipment shall be screened from ground level view from frontages or adjacent properties. New buildings must provide a parapet wall or other architectural element that screens roof-mounted equipment from ground level view.

**Wall-Mounted Equipment.** Wall-mounted equipment should not be located on any surface that directly faces a frontage. Wall-mounted equipment located on any surface that is visible from a frontage shall be fully screened by landscaping or an opaque screen.

**Ground-Mounted Equipment.** Ground-mounted mechanical equipment that is visible from a frontage must be screened from view by landscaping or a wall. The screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

## ARCHITECTURAL STANDARDS

### Lighting

### Colors

### Miscellaneous

Landscaping will enhance the pedestrian-friendly environment of the community. It can complement the architecture, create and furnish outdoor rooms, frame vistas, and screen such unsightly things as air conditioning equipment. In addition to the enhancement of the Master Plan and architecture, the Landscape Standards promote the use of indigenous plant material that will thrive in the community. The landscape should be one that will conserve water and generally require less maintenance, maintain the natural habitat, and support local wildlife populations.

The landscape will evolve through the Transect, from the most natural, informal and lush to the most orderly and formal. This will establish and maintain a visual “sense of place” that sets traditional neighborhoods apart from the conventional subdivision.

Some basic recommendations apply across the Transect. These recommendations will ensure continuity in streetscape, low maintenance for the property owners, year-round beauty, and the health and longevity of the plants. Although the Plant Palette is comprised of both deciduous and evergreen plants, and variety is encouraged, it is recommended that all Private Frontages have around 30% evergreen plants for year-round interest. Groundcovers used adjacent to sidewalks should be evergreen. The preservation of existing specimen trees and tree stand areas should be a high priority. Mature stands of trees will enhance the timeless atmosphere of the community. Proper protection during construction and maintaining positive drainage for existing trees is required.

Initial planning will greatly effect long-term requirements of time and resources in maintaining healthy attractive landscape. Proper consideration given to soil types, soil conditions, lot orientation, drainage, prevailing winds, microclimates, proper planting techniques (including spacing plants according to their mature size) and planting combinations will greatly reduce the long-term maintenance investment. Proper timely maintenance such as appropriate irrigation, weeding, pruning, and pest control also are essential to the health and beauty of the landscape. The Plant Palette lists pre-approved trees and shrubs, but is not all-inclusive. Other plants will be considered for approval.

**Relationship to other Standards.** The Landscape Standards guide primary landscape development. The General Instructions establish the context and identify other areas of compliance to which this code is applied. Regulations within the Thoroughfares, Civic Space, and Private Lots sections of the code provide general rules pertaining to the planting on public and private land, respectively. Some specific requirements for the planting of trees within Thoroughfares may be found within the Thoroughfare Standards. Landscape Standards are to be read in conjunction with the Master Plan and Design Standards.

**Approval.** All proposed designs shall be submitted for review by the Town Architect.

Planting of major trees should reinforce the structure of the streetscape and urban open space, and enhance the visual character. Selection of major plants within the private yard shall be coordinated with adjacent planting in the public street and parks. Combinations of different plant species should distinguish neighborhoods, create recognizable street frontages and establish a sense of place in many locations throughout the community.

Plant material selection and distribution will contribute to species diversity; restore and reinforce the botanical history of the region; encourage sustainability; provide wildlife food and habitat and moderate microclimate by influencing the level of sun, shade and wind for pedestrians. Plant material will be selected and distributed to provide general visual interest, variation of foliage texture; autumn color and diversity of bloom. In the vicinity of children’s playgrounds, consideration will be given to exclude plants of which any part is toxic.

A tree subject to an overhead power line may have a lower mature height.

All plant material shall be chosen from the plant species designated in this regulation.

Use materials and construction methods specific to the region, referencing history, culture, and climate.

Existing trees over 6" caliper should not be removed except with the permission of the Town Architect.

The Developer will prepare a pest management program for trees in the public realm and guide its implementation.

Planting techniques will conform to recognized horticultural trade standards and the regulations of governing agencies.

Planting will be laid out with regard for public utilities, traffic engineering and urban design requirement within road allowances and public spaces.

Sustainable and water-wise principles place emphasis on specific planning and design principles, soil improvements, appropriate materials, selections and turf use, efficient irrigation and appropriate landscape maintenance practices to benefit the relationships between people and the natural and built environment. The goal of the Master Plan will be to merge the natural, economic and social systems in a way that enhances the overall quality of life of its residents.

**Massing and Order.** It is recommended that trees, shrubs, hedges and groundcover be grouped to define and accentuate outdoor spaces and entries, and enhance building design and detailing. Massing of plants of one species is highly recommended, particularly next to fences or walls. Hedges are a prominent example of massing.

**Shade and Ambient Temperature.** Promote the use of vegetation to increase shade. Minimize the use of impervious surfaces and lawn areas. Maximize the use and placement of deciduous trees on the South and West sides of structures. The resulting reduction in localized ambient temperature reduces the need for cooling and decreases energy consumption.

**Native Plants.** Encourage the use of native and drought-tolerant plant species to conserve water, minimize maintenance and the use of pesticides and provide wildlife habitat. Promote a diversity of plant species to create a more stable environment that will be less desirable to pests.

**Renewable Resources.** Maximize the use of renewable and indigenous resources in site development and management.

**Irrigation.** Minimize the demand for water through the use of drought-tolerant plant species and by utilizing a properly designed, water-efficient spray irrigation system that provides full coverage. Outside of public and private frontages, a drip system may be used instead.

**Recycling.** Promote the recycling of landscape materials to preserve water, energy, and materials. Organic mulches can be the by-product of landscape trimmings and grass clippings and can be utilized to reduce the demand for irrigation.

**Maintenance.** As previously stated, the minimal use of turf areas and the appropriate selection of plants will minimize the risk of disease and insect control, as well as the demand for water and fertilizers.

**Special Treatment.** As with Civic Buildings, there may be instances where a Thoroughfare or a Civic Space receives special landscape treatment with the intention of making it exceptional to reflect its civic importance.

LANDSCAPE STANDARDS

Introduction

General Instruction

Basic Principles

**Microclimates.** Microclimates are areas that have unique conditions due to sun exposure, wind exposure, moisture or other circumstance. Deciduous trees create seasonal microclimate conditions in the landscape, providing shade in the spring and summer months while permitting solar penetration in the fall and winter months. The landscape design should reflect such variations in microclimate conditions to maximize on the optimal growth and performance of many plants.

**Hydrology.** Playing fields and high-use areas should be carefully graded to a 3% minimum slope.

**Soils.** A soils test done by a qualified professional is recommended as the primary step in determining the need for any soil amendments and to determine suitable landscape plants. A good soil mixture should retain water under “normal” water conditions and be rich with organic matter such as compost. Grades for Thoroughfares and Civic Spaces should follow existing topography and drainage patterns, unless use dictates otherwise. Civic Spaces should remain fenced and undisturbed during construction of Thoroughfares and Private Lots. The deep soil structure of wide planting strips should be protected with stakes from compaction. Standards of access and soil movement should be established for road and utility construction. The topsoil of construction areas should be removed, stored and amended with organic matter and coarse sand for later use.

**Mulch.** Mulch helps to slow the evaporation of water from the soil, keep roots shaded and cool, and prevent the establishment of weeds. A 3" depth of mulch should be maintained around trees, shrubs and perennials. Cypress mulch is not permitted in an effort to promote the preservation of these rare trees, nor is synthetic or dyed mulch. At the installation of new trees, organic material mulch should be added around the trunk in a ring with a 2' radius. Shrubs and perennials in beds should be mulched with shredded bark.

**Plant Placement.** Plants should be located in areas where they will be permitted to grow to maturity with minimal cosmetic pruning, with the exception of hedge material. The spread of trees should be taken into consideration when planting them in close proximity to a building, so as not to cause eventual crowding, the need for constant pruning, or even damage to the structure. Root systems should be considered as well. Many shallow-rooted trees can cause considerable damage to sidewalks or driveways by growing under the concrete and “heaving” it from the ground, causing arching and trip hazards.

**Tree Preservation.** Roadway centerlines bordering open spaces should be adjusted after initial survey to preserve primarily groups of trees and occasionally individual trees.

## LANDSCAPE STANDARDS

### Additional Considerations

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## GARDEN PRINCIPLES

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The character of the garden is determined as much by vision or desire as it is by the actual plants and accouterments. It is critical to begin with an understanding of the value of the natural beauty of the site, and a vision for enhancing that beauty. There may be a tremendous variety in styles and execution if the vision is first established. The builder or homeowner should know the long-term benefits of using plants that are hard to the region in harmonious combinations. The observation of plant combinations in the natural landscape is encouraged. If topsoil is conserved, compaction is limited, existing vegetation preserved, and microclimates considered, the garden should provide years of low-maintenance enjoyment. The addition of other garden elements can do much to define the style.

**Use of Water.** The use of water features is encouraged. The natural water formations found throughout the region should inspire the use of water in features such as fountains, waterfalls, pools, rills, and birdbaths. The proximity of water will help support the native bird population as well.

**Garden Structures.** Pergolas, arbors, gazebos, trellises and pavilions may all be used to create living spaces in the garden. They may frame views, denote thresholds and define pathways. All structures should be considered as an extension of the building, and the architectural styles and materials should compliment the architecture.

**Wildlife Habitat.** Garden style and structure may be determined and enhance by the effort to attract birds and butterflies. Birdhouses, feeders and the choice of plants that attract wildlife will give life and energy to the private yard.

**Coordination.** Major trees and shrubs on private yards should be coordinated with plantings on adjacent public land and chosen from the plant species designated in this Regulation.

**Variation.** Variation in supplementary plantings within the private yard is encouraged as the individual expression of the domestic garden.

**Tree Preservation.** When constructing any element within a private lot, the preservation of existing trees and the minimizing of disturbance should be of the highest priority. The preservation of select specimen trees and vegetation should be accomplished by installing temporary chain link fence. Installation of chain link tree protection should occur before clearing, grading, or excavation has begun and should remain in place until the end of construction operations.

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## LANDSCAPE LIGHTING

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### *MATERIALS*

**Lighting Spectrum.** All exterior lighting should be of the incandescent or equivalent (warm) spectrum. Color corrected sodium is recommended.

### *CONFIGURATIONS*

**Exterior Lighting.** Exterior lighting should be appropriate to the Transect Zone and the style of the building.

**Residential Lighting.** Garage doors opening onto a lane or alley should have a fixture and a photocell. Walls of residential buildings should not be flooded or washed with light. The wattage should produce a soft glow as opposed to a blinding glare.

**Encroachment.** Lights may encroach into setbacks and across ROW lines but not onto private properties.

**Soil Preservation.** Existing topsoil from the building footprint should be preserved. The remaining soil profile should be protected from deep compaction during building construction by mandating and staking lane or alley access during construction. De-compaction and hydrological permeability of compacted soil areas should be achieved by mechanically breaking up remnant basement soil and rototilling 2"-3" of recycled organic matter, before the addition of a mix of organically amended topsoil.

**Planting Code.** One species of shade tree from the approved list should be planted for every 30'-35' of residential frontage or fraction thereof. Planting other trees species is permitted, but should not count toward the fulfillment of the code requirements or the objective of establishing a visually coherent long-term spatial structure for microclimate and wildlife that is supportive of the public landscape.

**Size.** Acceptable tree heights on planting should vary according to species and availability and should be determined by the Town Architect.

**Placement.** Frontage trees should be placed within 10' of the lot frontage line and its extension. Alley trees should be placed 4' on either side of the back lot line. Yard trees in T3 can be placed anywhere in the property, except one species should be placed within 8' of the back lot line, on either side, to constitute the lane.

**Substitution.** One required tree may be substituted by a hedge along the side property lines.

## LANDSCAPE STANDARDS

### Garden Principles

### Landscape Lighting

*MATERIALS*

**Lawn.** Lawn should be reserved for civic spaces and thoroughfares. Lawns on residential lots are discouraged because of the extensive maintenance and water requirements and because they do not reflect the character of the region.

**Hedges.** Hedges should be an evergreen material planted in a continuous row (tight enough to form a wall) and waist high at the time of installation.

**Fences.** Fences at Neighborhood Edge (T3) should be wood. Fences at Neighborhood General (T4) should be wood, or metal in a cast-iron style, possibly with masonry or stucco piers and base. Fences at Neighborhood Center (T5) should be metal in a cast-iron style, possibly with masonry or stucco piers and base. Metal fences should be painted gloss black. Barbed wire, concertina wire and chain-link fences are not allowed in any primary or side street setback.

**Retaining Walls.** Retaining walls should be brick, stone, wood, concrete, gabion baskets, or stacked concrete block.

**Walks.** Walks should be brick, brick pavers or concrete. Concrete may not have a gloss or semi-gloss finish.

**Lead Walks.** Lead walks should be concrete or pavers a minimum of 4' wide.

**Paths.** Paths should be stone, slate or stone dust.

**Trails.** Trails should be asphalt, stone dust, or dirt.

**Driveways.** Driveways should be granite, brick, concrete (formed, not sawed) or asphalt. Driveways may not have a gloss or semi-gloss finish.

**Parking Lots.** Paving should consist of pervious materials where possible.

*CONFIGURATIONS*

**Trees in the Private Frontage.** At least one major canopy tree per lot for each 26' of frontage and side street frontage should be provided. Trees should have a minimum caliper of 2½".

**Hedges.** A hedge should be one type of plant. At installation plants should be 18" o.c. and should be at least 5-gallons or 2' in height. Maintenance should produce a tapered hedge that is slightly wider at the base than the top to allow light to penetrate to all branches. Hedge height should be maintained to meet the fence standard for the same location.

**Frontage Fence Design.** Frontage fences should be of a different design from those of neighboring fences. Posts and supporting rails should face inward toward the property being fenced. Fences should be composed of individual panels no taller than 3'-4" although 3' is preferable. Neighborhood Edge (T3) frontage fences should be no more than 3' tall, and may retain the character of more rural board or hedgerow fences, or they may be constructed of pickets. Neighborhood General (T4) frontage fences should be no more than 4' tall if composed of 3 panels or more, not more than 3'-4" tall if built of 1- or 2-panel (picket and dog board) designs. They should be placed 12" to 18" inside the sidewalk, leaving a band of earth for annual flowers or ground cover. Neighborhood Center (T5) frontage fences should be built tight to the sidewalk and may be as tall as 8'.

**Neighbors' Fence Design.** Neighbors' fences may be up to 18" taller than frontage fences, but should taper down to the height of the frontage fence where they meet. Neighbors' fences may be built with a slightly less elaborate design than the frontage fence.

**Private Yard Fence Design.** Private yard fences may be up to 6' tall, they may not be constructed in front of the front wall of the building when screening the front of the private yard, or in front of the side face of the building when screening the side of the private yard from a side street. Use a middle rail to divide the vertical boards of a private yard fence into panels no taller than 3'-4" each.

**Split Rail Fences.** Split rail fences are permitted for neighbors' and private yard fences for all lots not served by alleys. Split rail fences should be no taller than 3'-6", should be unpainted but may be stained black or dark brown, and may be have a woven wire mesh affixed to the private side to deter movement of critters from one side to the other. Fences in the rear 20' of Neighborhood Edge (T3) lots backing to an open or civic space should be split rail.

**Garden Wall Design.** Garden walls may be up to 8' tall in Neighborhood Edge (T3) and Neighborhood General (T4) and up to 10' tall in Neighborhood Center (T5). They may not be constructed in front of the front wall of the building. Exterior surfaces of garden walls should be articulated in a manner appropriate to the style of the building. Walls should be capped with a brick rowlock course, cut brick, stone or precast 1½" to 3" thick. The cap should overhang the wall no less than ½" on each side. Piers should be a minimum of 16 sq. in. Pilasters should be capped. Private yard fences should be a maximum of 7' tall.

**Fences and Garden Walls.** Fences and garden walls should provide complete closure by connecting with other fences, hedges, walls or buildings. Openings in fences and garden walls should have gates. Fences on adjacent lots should be of different designs. Terminal posts (corners, openings, ends, etc.) should be a minimum of 6" x 6" and fatter and taller than typical posts. Terminal posts should not be placed next to each other—even if on adjacent lots where the terminal post should be shared. Posts should be equally spaced but not greater than 8' o.c. Posts should abut the walk. Spacing between a post and a picket should be the same as the spacing between pickets.

**Walks.** Walks should be flush with the ground.

**Terrace Materials.** Terraces visible from frontages should be brick, brick pavers, flagstone or slate. They should be faced with brick or stone and have low walls or balustrades of brick or precast concrete.

**Decks.** Decks are permitted in rear yards only and should not be easily visible from frontages. Decks may not be permitted in the rear yard of a corner lot if easily visible from a frontage. The walking surface should be within 4' of grade in Neighborhood Edge (T4) and Neighborhood Center (T5) zones. Decks should be of a scale compatible with the building and the lot.

**Driveway Aprons.** Driveway aprons serving garages 20' or more from the property line should be no wider than 12' at the back of the sidewalk.

**HVAC Equipment, Meters and Trash.** Yard equipment should not be visible from frontages. Trash and recycling containers should be located within permanent enclosures.

**Service Areas.** Trash collection, trash compaction, recycling collection and other similar service areas should be located to the side or rear of buildings and should be within a fully screened enclosure as described below. The service enclosure should be maintained in good working order and should remain closed except when trash pick-up occurs. Service areas that are fully integrated into a building should be within an enclosure closed by a solid roll down door or gate. Service areas that are not integrated into a building should be screened on 3 sides by a wall constructed of complimentary material as the primary structure and at least 7' in height; the service opening on the fourth side should be screened by a solid metal gate at least 7' in height.

**Parking.** Parking is not allowed in the front third of any lot.

**Parking Lots.** One tree should be planted for every 25 spaces. Landscaped areas should be placed lower than paving, not mounded up. Parking lots consisting of less than 50 spaces are exempt from landscape requirements.

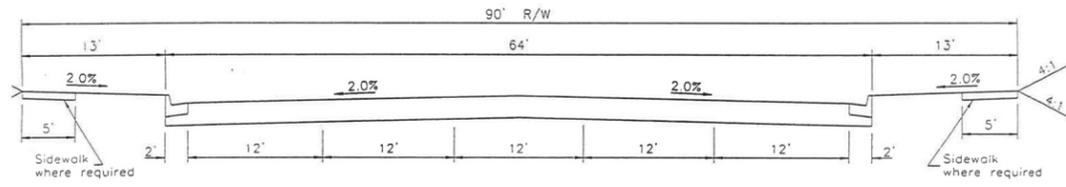
**Outbuildings and Landscape Constructions.** The following should be permitted and should adhere to this Code: garages, workshops, guest houses, artisan studios, garden pavilions, greenhouses, gazebos, trellises, arbors, in-ground swimming pools, outdoor tubs, sauna, handball and squash courts, pool houses and equipment enclosures, dog houses, storage sheds, etc.

## LANDSCAPE STANDARDS

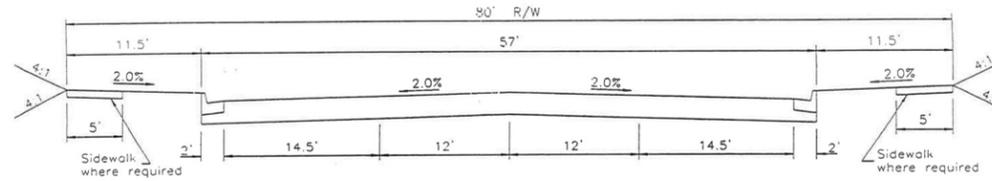
## Landscape Elements

APPENDIX  
Barling Street Standards

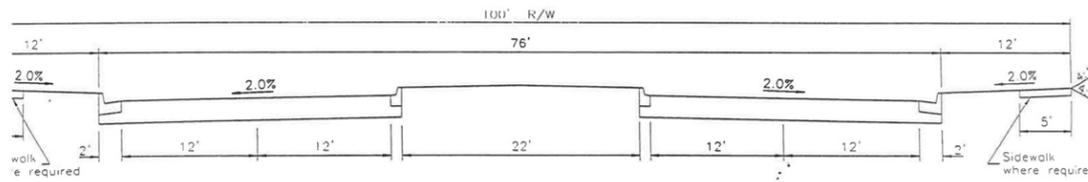
For reference only.



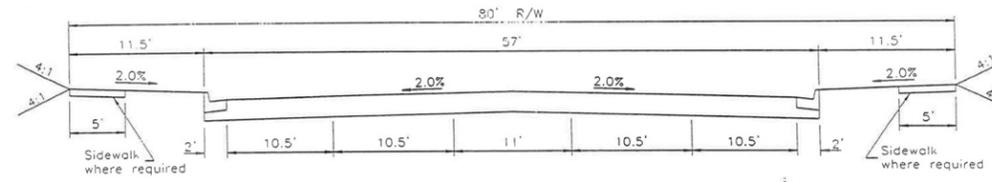
PRINCIPAL ARTERIAL



MINOR ARTERIAL



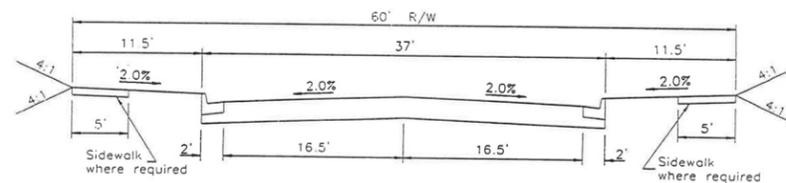
PRINCIPAL ARTERIAL - DIVIDED



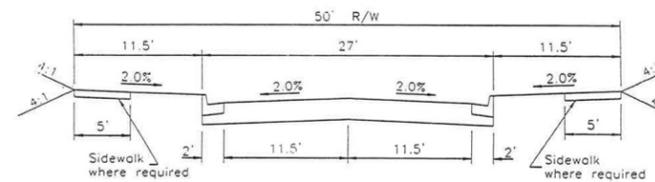
MINOR ARTERIAL  
WITH CENTER TURN LANE

STREET DESIGN CROSS-SECTION

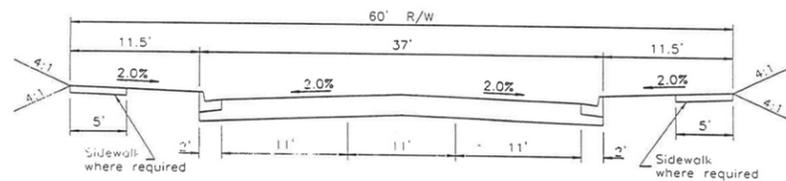
STREET DESIGN CROSS-SECTION



COLLECTOR STREET



LOCAL RESIDENTIAL



COLLECTOR STREET  
WITH CENTER TURN LANE

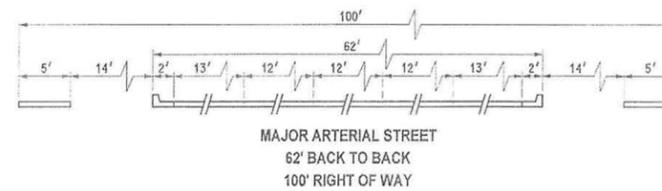
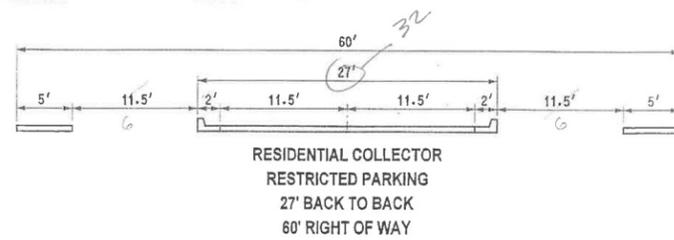
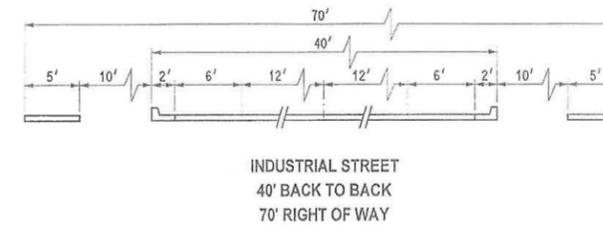
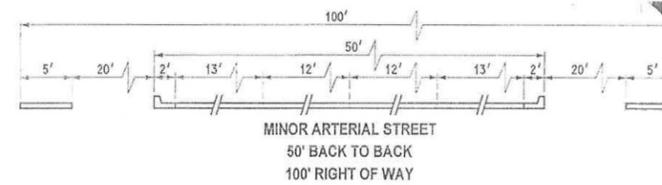
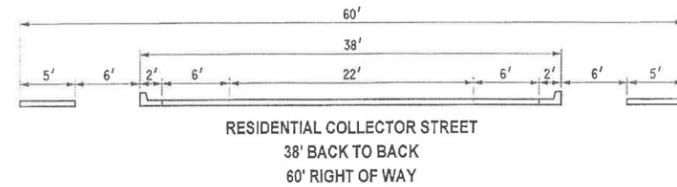
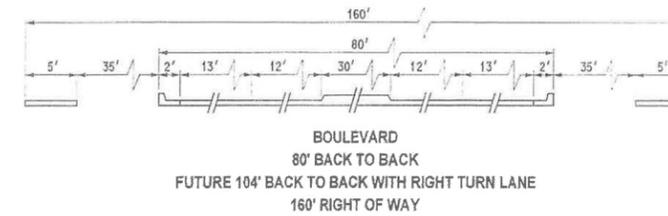
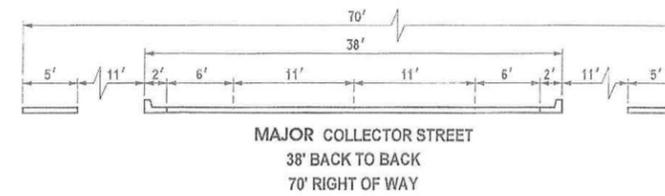
STREET DESIGN CROSS-SECTION

STREET DESIGN CROSS-SECTION

APPENDIX  
Fort Smith Street Standards

For reference only.

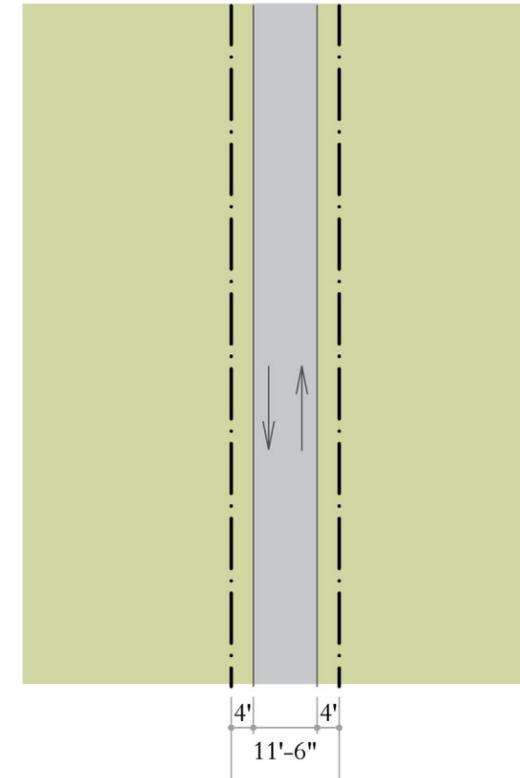
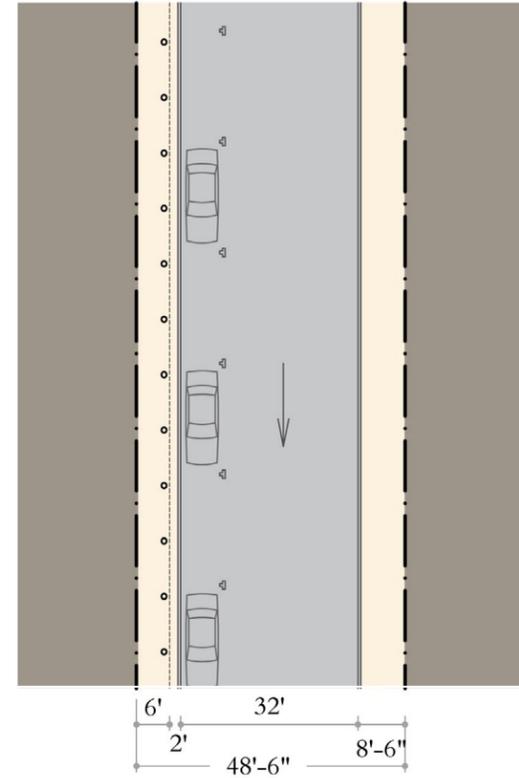
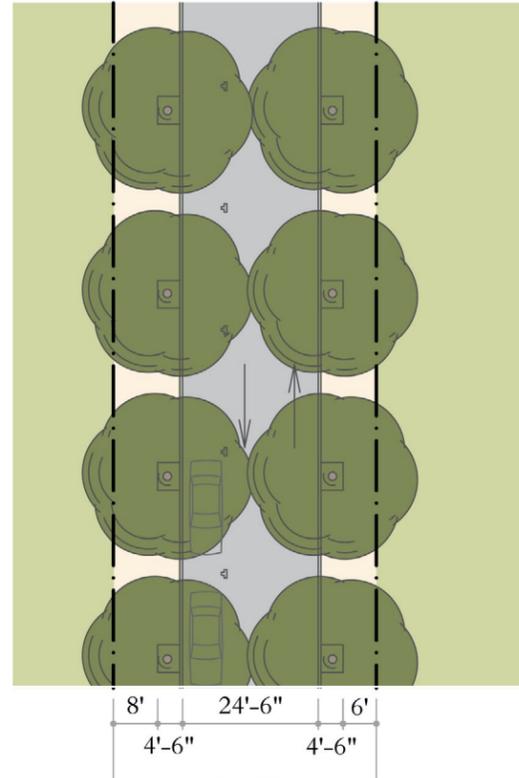
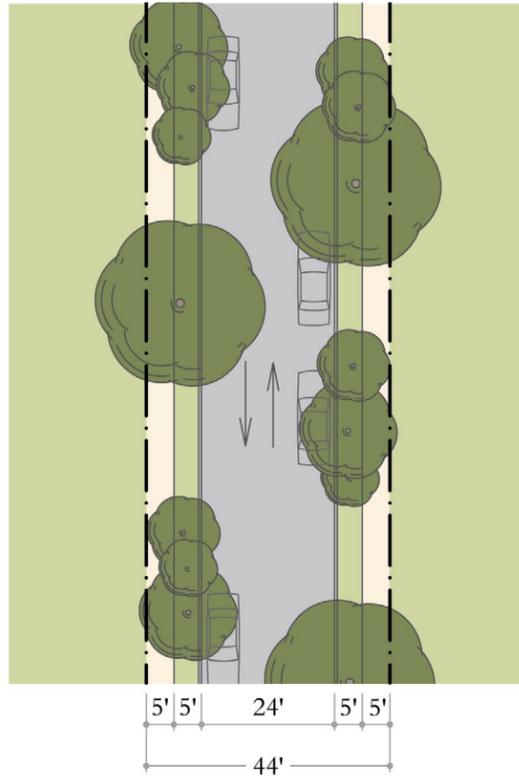
**A - STREET DESIGN STANDARDS**



APPENDIX

Existing Fort Smith Streets

These illustrations of existing thoroughfares in Fort Smith are provided for convenience.



Adelaide St. between Herbert & Reader  
(YR-44-24)

9th St. between Garrison & Rogers  
(ST-47.5-24.5)

3rd St. between A & Garrison  
(AS-48.5-32)

Alley off of May St.  
(RA-19.5-11.5)

Thoroughfare Type

- YR Yield Road
- ST Street
- AS Arcade Street
- RA Rear Alley

Right-of-Way Width

Pavement Width

XX-#-#

Yield Road
T4
44' R.O.W.
24' Pavement
Slow Movement
Two-Way Traffic
Parking Both Sides
12' Curb Radius
6" Header Curbs
5' Tree Lawn
Clustered, 30' o.c. avg.
5' Sidewalks

Street
T4
47.5' R.O.W.
24.5' Pavement
Slow Movement
Two-Way Traffic
Parking One Side
12' Curb Radius
6" Header Curbs
4.5' Tree Grate
Allee, 30' o.c.
8' and 6' Sidewalks

Arcade Street
T3, T4
48.5' R.O.W.
32' Pavement
Slow Movement
One-Way Traffic
Parking One Side
12' Curb Radius
6" Header Curbs
None
None
8' and 8.5' Sidewalks

Rear Alley
T3, T4
19.5' R.O.W.
11.5' Pavement
Slow Movement
Two-Way Traffic
No Sides
N/A
No Curbs
4' Lawn
None
None

Thoroughfare Type
Transect Zone
Right-of-Way Width
Pavement Width
Movement
Traffic Lanes
Parking Lanes
Pavement / Curb Radius
Curb Type
Planter Type (includes Curb if any)
Landscape
Walkway Type
Notes

APPENDIX

Thoroughfare Types Plan

Shown to the left is an example of the Thoroughfare Types Plan for Union Village in Warren County, Ohio. A Thoroughfare Types Plan for the ACHE Property will be submitted when the master plan for the ACHE Property master plan is prepared.

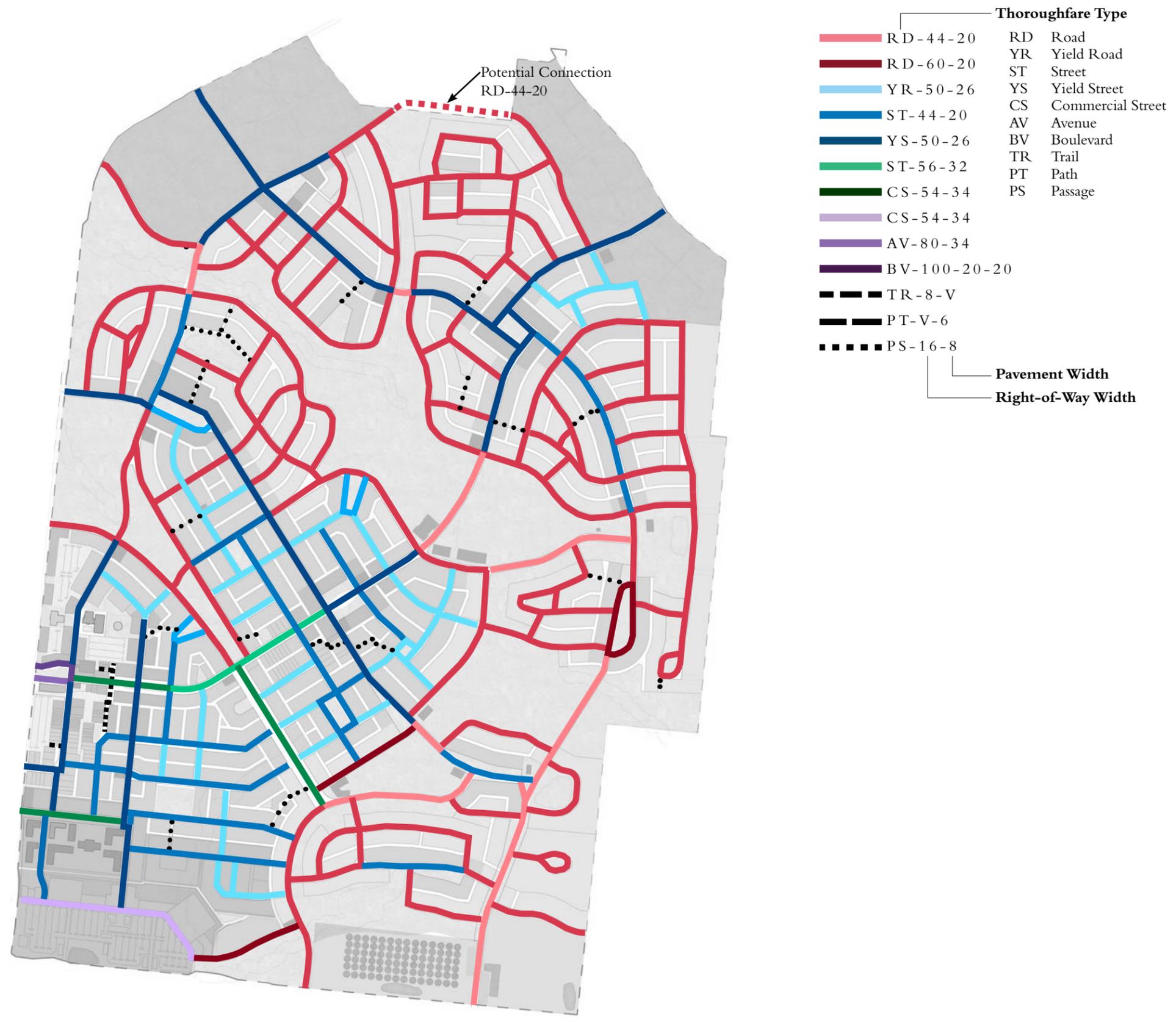
Trees in public frontages must provide, at maturity, a minimum vertical clearance of 8' at walkways, 13.5' at driveways and transportation ways, and 15' for loading areas.

Nothing can be erected, placed, planted or allowed to grow in such a manner as to impair or block vision between a height of 2.5' and 7' above the center line grades of the intersecting streets/driveways in the area bounded by the street lines/driveways lines of the corner and a line joining points along said street lines 30' from the point of intersection.

In T5 where parallel parking is adjacent to a tree lawn of at least 7' in width, a 2' wide walkway may replace the planter strip adjacent to the curb along the length of an entire block.

Raised crosswalks and intersections are permitted at T5 & T6 and should be used where needed to slow traffic and/or call attention to crossings. Speed bumps, speed tables and other such wiggles and jiggles, are prohibited.

Shallow-rooted trees may cause damage to sidewalks by growing under them and "heaving" them from the ground, causing arching and trip hazards.



**APPENDIX**

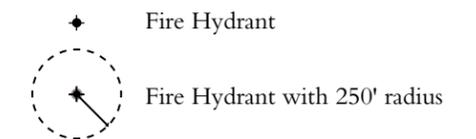
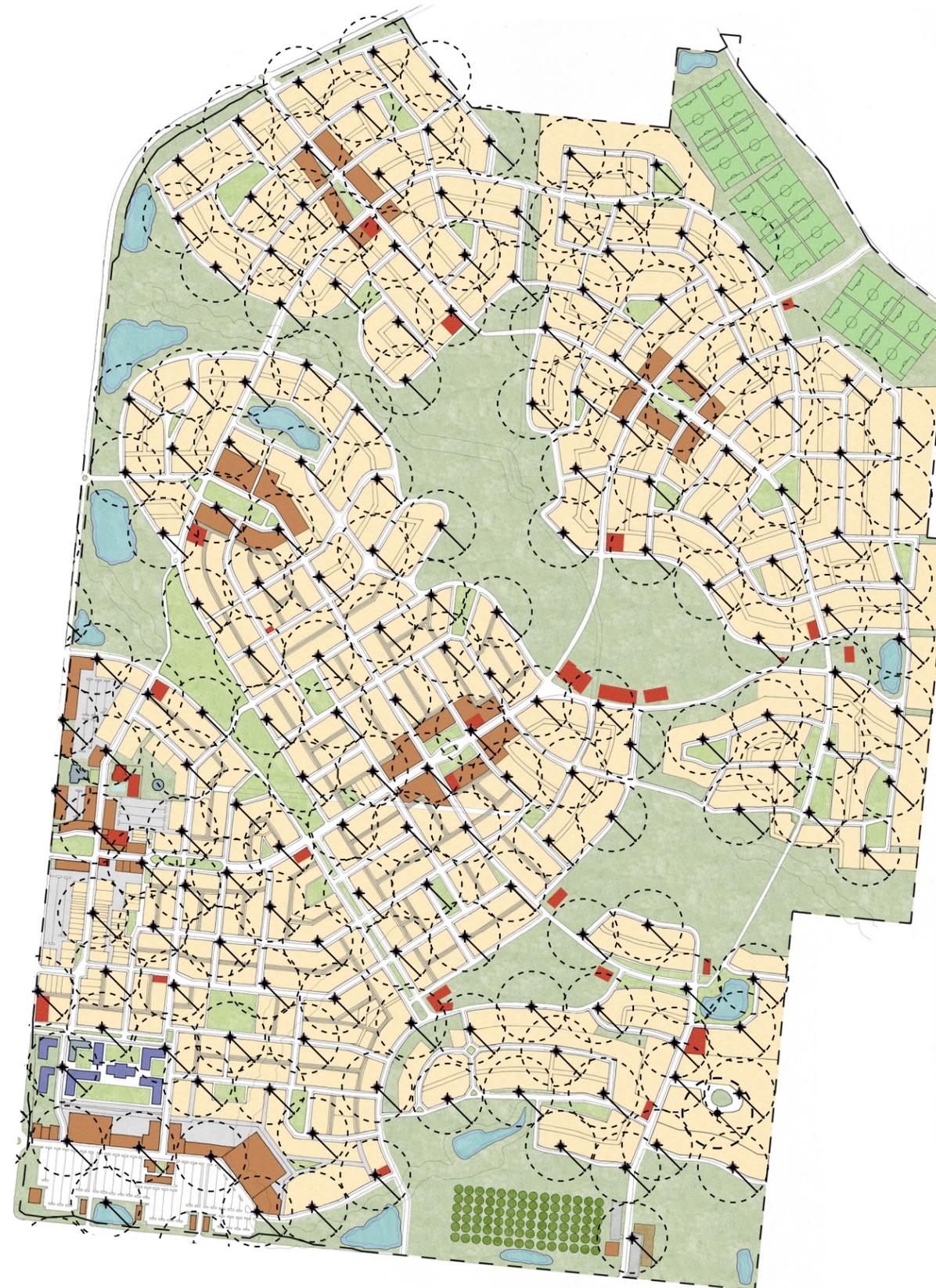
**Civic Space Types Plan**

*Shown to the left is an example of the Civic Space Types Plan for Union Village in Warren County, Ohio. A Civic Space Types Plan for the ACHE Property will be submitted when the master plan for the ACHE Property master plan is prepared.*



**APPENDIX**  
**Fire Hydrants**

*Shown to the left is an example of the fire hydrant plan for Union Village in Warren County, Ohio. A fire hydrant plan for the ACHE Property will be submitted when the ACHE Property master plan is prepared.*

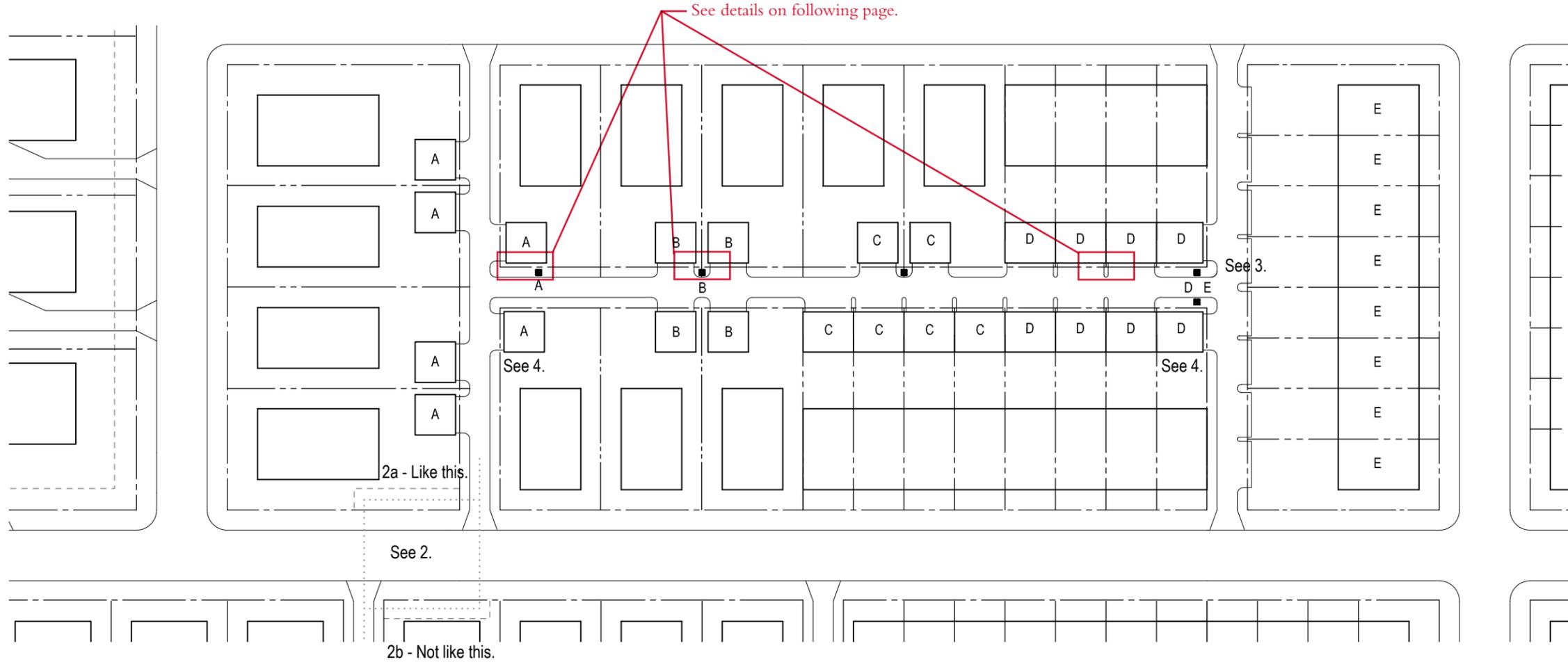


Fire hydrants shall be no further than 500' from one another as requested.

The order of preference for locating fire hydrants:

1. Street corners
2. Street/Alley corners
3. Midblock

Fire hydrants should be placed so as not to reduce the on-street parking if at all possible, especially in T5 and T6.



**APPENDIX**

**Utilities in Principle**

TYPICAL UTILITY CONDITIONS, PLAN

1. Easements of any kind, including utility easements, are prohibited on private lots without the approval of the Town Architect.
2. Where an electric trunk line crosses a thoroughfare from one alley, lane, path or passage to another not directly opposite, an easement may be necessary on a private lot to allow a utility to cross the T-fare perpendicularly. In that circumstance an easement shall be permitted on the secondary frontage as shown in 2a *not* the primary frontage as shown in 2b.
3. Typically one transformer serves 6-8 residential units. The letters match the units with the transformer that serve these.
4. Garages at the intersection of two alleys should have their doors on the side of the garage most easily accessed by the homeowner typically the side of the lot, not the rear. This allows the transformer and other utility equipment to be placed to the rear of the corner lot—around the corner and out the view when looking down the alley from the street.
5. Dry utilities must be located within alleys or rear lanes where available. Electric transformers and utility meters must be located as generally illustrated on page 46. Where alleys or rear lanes are offset across a thoroughfare, easements should be jogged along secondary frontages or under the sidewalk or transportation way. Utility easement jogs must not be located within the principal frontage.
6. Where alleys or rear lanes are not available, dry utilities may be located in the transportation way or in the public frontage under the sidewalks. Access requirements for dry utilities must not encroach into the planter. Utility meters must be located in the sidewalk. Electric transformers must be located in an easement within the secondary frontage on a lot.
7. Wet utilities and dry utilities traversing an open parking lot should be located within one drive aisle.
8. Wet utilities and dry utilities traversing a civic space should be located within an area no wider than 24' and have a linear trajectory parallel with one edge of the civic space boundary.

— — — — —	ROW
- - - - -	Lot line
-----	Easement

T3 NEIGHBORHOOD EDGE ZONE

T4 NEIGHBORHOOD GENERAL ZONE

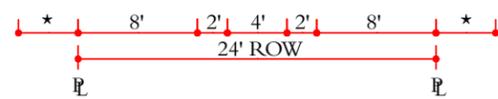
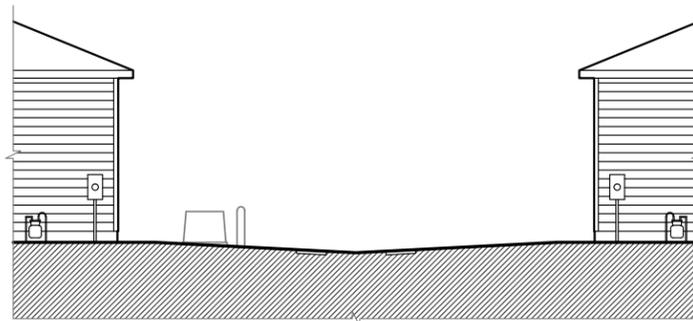
T5 NEIGHBORHOOD CENTER ZONE

APPENDIX

Utilities in Principle

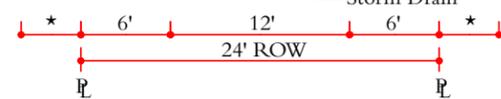
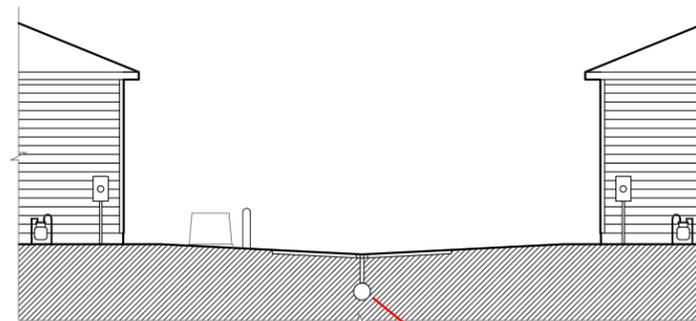
TYPICAL UTILITY CONDITIONS, PLAN

1. Where meters are to be mounted next to garage doors, allow 1' minimum of wall surface (not including trim) to mount meters.



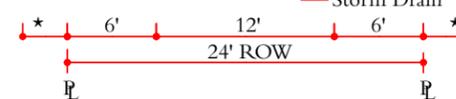
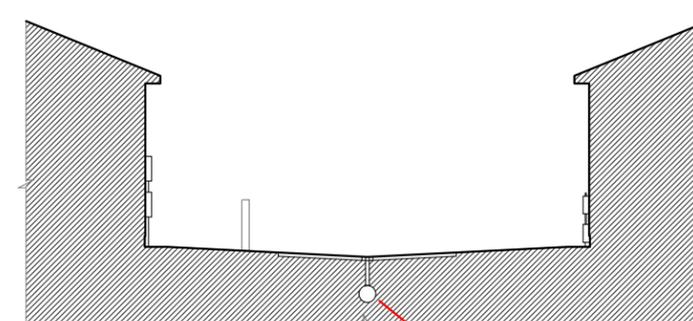
RL-24-2-2  
(Rear Lane)

\* See Lot and Building Standards for setback Requirement.



RL-24-12  
(Rear Alley)

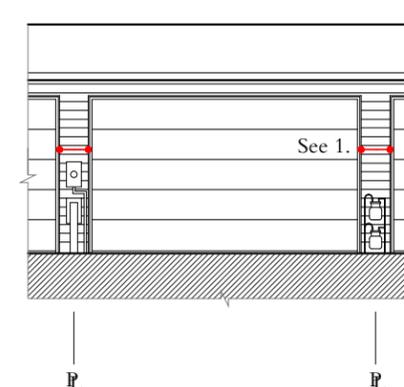
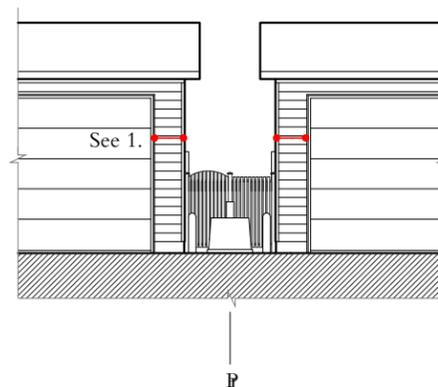
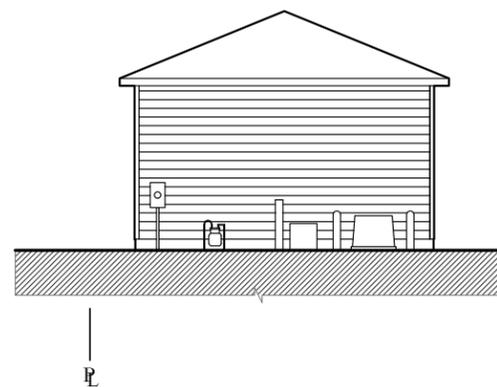
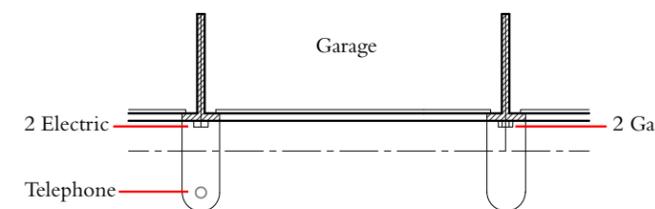
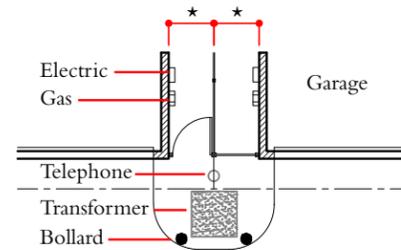
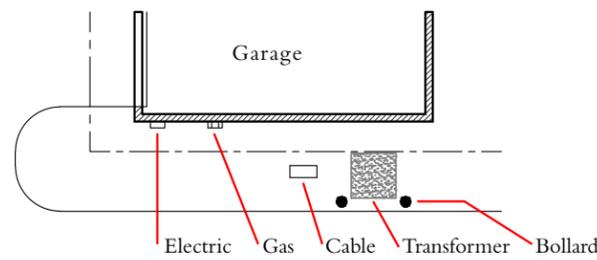
\* See Lot and Building Standards for setback Requirement.



RL-24-12  
(Commercial Alley)

\* See Lot and Building Standards for setback Requirement.

- Protective bollard
- Telephone pedestal
- Electric meter
- Gas meter
- Cable splice box
- Electric transformer



Utilities in Practice

See the following page for an example of a typical construction plan from Norton Commons showing electric and gas lines.

**JOB BRIEFING**

- 1.) HAZARDS ASSOCIATED WITH THE JOB
- 2.) WORK PROCEDURES INVOLVED
- 3.) SPECIAL PRECAUTIONS
- 4.) ENERGY SOURCE CONTROLS
- 5.) PERSONAL PROTECTIVE EQUIPMENT REQUIRED

Signature \_\_\_\_\_  
Attendees \_\_\_\_\_



BEFORE "U" DIG CALL TOLL FREE 1-800-762-6007 FOR BURIED LINE/CABLE LOCATIONS.

Install (60'+/-) 4" MP PL Gas Main  
7.5' S/S EOP of Private Alley

Install (700'+/-) 4" MP PL Gas Main  
3' S/S EOP of Private Alley

Install (30'+/-) 4" MP PL Gas Main  
1.5' S/S P/L of Lot 136

Install (350'+/-) 4" MP PL Gas Main  
3' E/E EOP of Private Alley

Install (300'+/-) 4" MP PL Gas Main  
3' W/W EOP of Private Alley

Install 1 extra 2.5" duct for future use  
with each secondary on lots 104-115 only

Install (60'+/-) 4" MP PL Gas Main  
3' N/N EOP of Private Alley

Install (60'+/-) 4" MP PL Gas Main  
7.5' N/N EOP of Private Alley

Tie into Ex. 6" MP PL Gas Main #440658  
Install 6" PL Tee and 6x4 Reducer

**ELECTRIC LEGEND**

- UG Ex. PRIMARY CABLE 1/0-2/C-15 KV - 220 M. ALUM.
  - PRIMARY CABLE 1/0-2/C-15 KV - 220 M. ALUM.
  - SECONDARY CABLE #4/0-4/0-2/0 ALUM. TRIPLEX
  - UNDERGROUND SERVICE
  - DIRECT BURIED DUCT- 2.5" PVC. "NO CABLE"
  - DIRECT BURIED DUCT- 6" PVC. "NO CABLE"
  - PADMOUNT TRANSFORMER
  - SUBGRADE SPLICE BOX
  - PULLBOX
  - MANHOLE
- GAS LEGEND**
- EXISTING GAS MAIN
  - PROPOSED GAS MAIN
  - PROPOSED GAS SERVICE
  - GAS FITTING
  - REDUCER

**GAS NOTES**

CONTRACTOR SHALL MAKE ALL TIE-INS AND CUT OUTS: AND CONTRACTOR SHALL RETURN TO JOB SITE AND MAKE ALL FINAL CUT OUTS.

PLASTIC MAINS THAT ARE TIED INTO STEEL MAINS SHALL HAVE A TEST WIRE INSTALLED ON THE STEEL MAIN AND A 9# ANODE ON ALL MILLOCATED MAINS.

ALL DISTURBED LAWN AREAS ARE TO BE REPLACED WITH SOD.

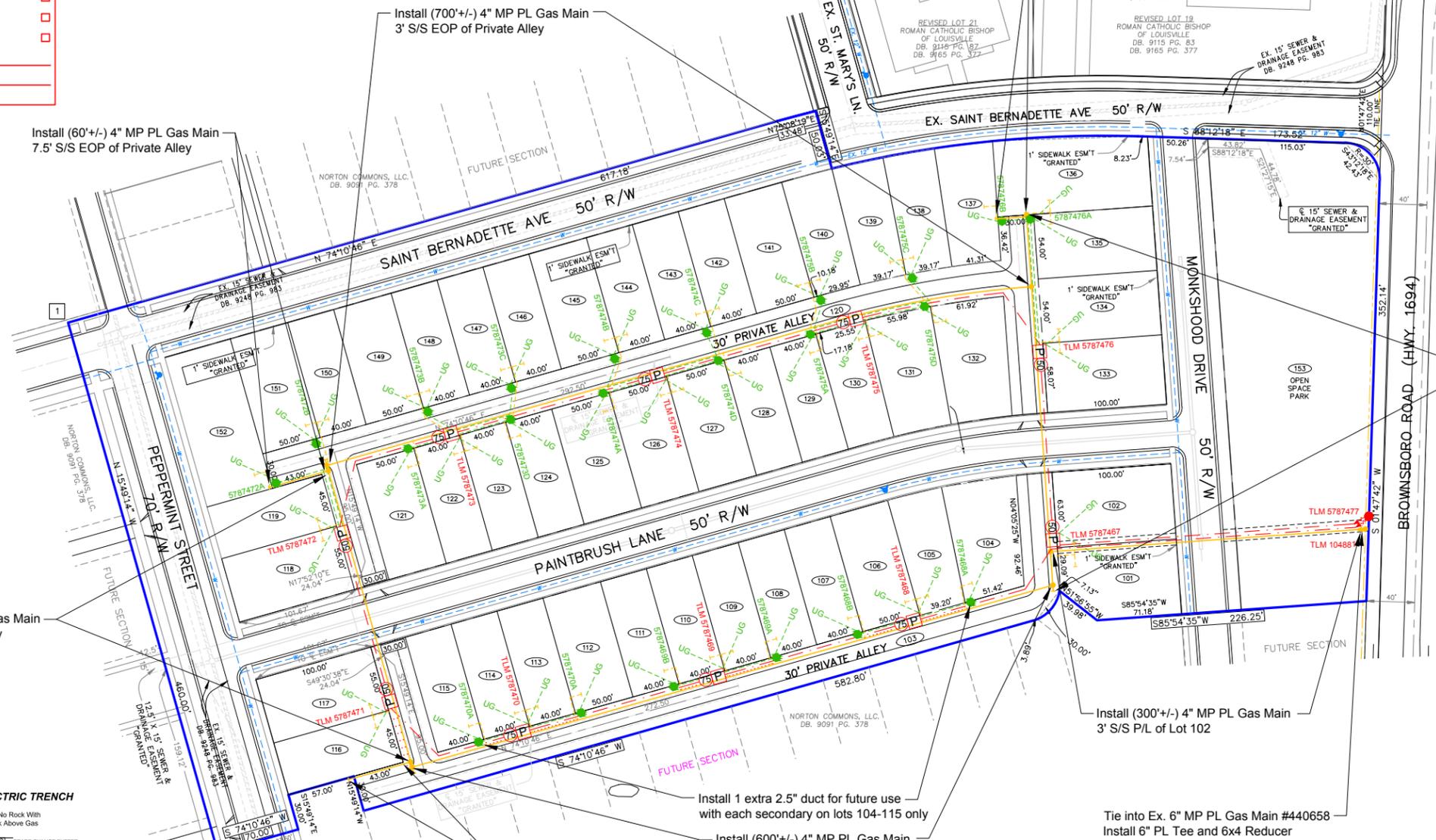
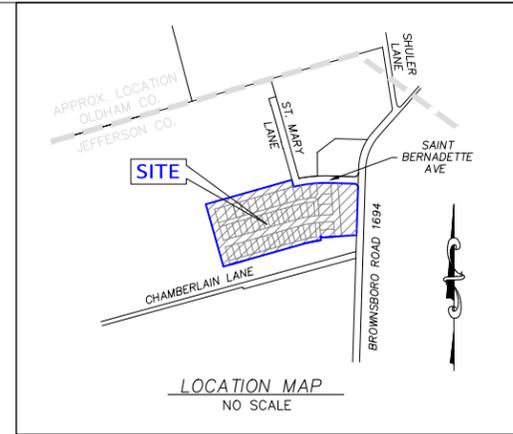
AIR TEST @ 100 LBS. MEDIUM PRESSURE

4" MP PL MAIN: 2400'

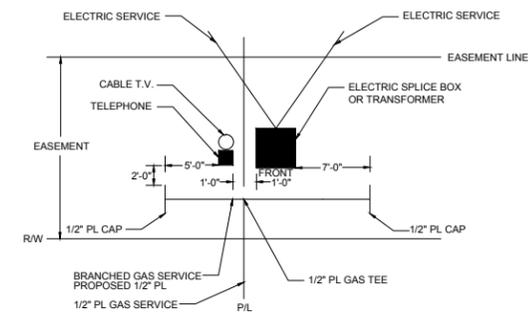
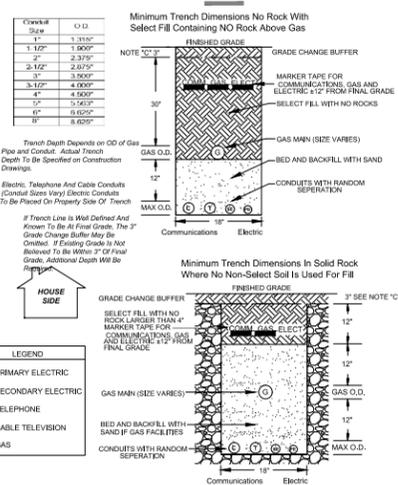
18-1/2" BRANCH SERVICES  
14-1/2" SINGLE SERVICES

**ELECTRIC NOTES**

TRANSFORMERS: 5787467-5787476  
LOT'S: 101-152  
UNDG. CIRCUIT: U8049  
OVHD. CIRCUIT: WO1184  
PROJECT #: CNBRD341U  
TASK #: JT ELEC-4144056101  
JT GAS-4144056102  
MAPSCO PAGE: 112Z  
ZIP: 40059  
TAX DISTRICT: 124



**RECOMMENDED JOINT GAS & ELECTRIC TRENCH**



ALL PRIMARY CABLE IN 2" PVC DIRECT BURIED DUCT DUE TO JOINT TRENCH INSTALLATION WITH TELECOMMUNICATIONS, CABLE T.V. & GAS. ALL SECONDARY CABLE IN 2.5" PVC DUCT WITH #350-350-4/0 UNDERGROUND CABLE.

**LG&E** ENERGY DELIVERY ELECTRIC DISTRIBUTION  
LOUISVILLE GAS & ELECTRIC CO.  
LOUISVILLE, KENTUCKY

**NORTON COMMONS**  
NORTH VILLAGE PH 1

**JOINT TRENCH ELECTRIC & GAS CONSTRUCTION PLAN**

SCALE: 1"=50' DATE: 9/11/2014  
DRAWN BY: ANGIE WARE  
PHONE #: 502-333-1819 or 502-909-4267

JT WR# 4144056  
NORTON COMMONS  
NORTH VILLAGE PH 1

T3



*Tree lawn.*

T4



*Tree lawn.*

T5,T6



*Tree grate.*



*Tree planter.*

THE ACHE PROPERTY  
DESIGN STANDARDS

APPENDIX

Street Tree Planter Types

New storm water management techniques are changing how trees are planted along thoroughfares. This rethinking of the typical “inlet, pipe, and pit” system is welcome! However, some techniques for doing so may need further refinement. Some of these techniques may limit the kinds of trees that may be used. Some may create hazards for unsuspecting (texting?) pedestrians such as this open pit in Portland, Oregon.



*“Portland pit”.*

**APPENDIX**  
**Plant List**

The Plant List included is not all-inclusive. Other plants will be considered upon submission.

All invasive species are prohibited. In general, species that are over-used, generic and not evocative of this particular place or region are strongly discouraged.

	<b>Specific Name</b> <i>Botanical Name</i>	<b>Size at Maturity</b> <b>Height x Spread</b>	<b>Size at Installation</b> <b>Min. Height &amp; Spread</b>	<b>Transect Zone</b>	<b>Notes</b>
<b>Large Deciduous Trees</b> <b>&lt;50' a maturity</b>					
<b>Large Evergreen Trees</b>					
<b>Medium Shade Trees</b> <b>25-50' @ maturity</b>					
<b>Upright Evergreens</b>					
<b>Small Shade Trees</b> <b>&lt; 25' @ maturity</b>					
<b>Large Deciduous Shrubs</b>					
<b>Small Evergreen and Semi-Evergreen Trees</b>					

	<b>Specific Name</b> <i>Botanical Name</i>	<b>Size at Maturity</b> <b>Height x Spread</b>	<b>Size at Installation</b> <b>Min. Height &amp; Spread</b>	<b>Transect Zone</b>	<b>Notes</b>
<b>Small Multi-stem Trees</b>					
<b>Deciduous Shrubs</b>					
<b>Evergreen Shrubs</b>					
<b>Hedges, high</b>					
<b>Hedges, small &amp; medium</b>					
<b>Small Shrubs</b>					
<b>Vines</b>					

**APPENDIX**  
**Plant List, continued**

	<b>Specific Name</b> <i>Botanical Name</i>	<b>Size at Maturity</b> <b>Height x Spread</b>	<b>Size at Installation</b> <b>Min. Height &amp; Spread</b>	<b>Transect Zone</b>	<b>Notes</b>
<b>Ferns</b>					
<b>Large Grasses</b>					
<b>Ground Covers</b>					
<b>Perennials</b>					
<b>Ground Plane</b>					

**APPENDIX**  
**Plant List, continued**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 24-72(a) OF THE FORT SMITH CODE OF ORDINANCES TO PROVIDE FOR EAST BOUND TRUCK TRAFFIC ON PHOENIX AVENUE TO SERVE REAL PROPERTY LOCATED SOUTH OF PHOENIX AVENUE AND WITHIN 500 FEET OF THE PHOENIX AVENUE – OLD GREENWOOD ROAD INTERSECTION

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT

SECTION 1: Section 24-72(a) of the Fort Smith Code of Ordinances is amended to read as follows:

(a) Except as provided in this Subsection (a), when a truck by-pass is properly designated and the route is clearly and definitely marked with proper signs it shall be a misdemeanor for any truck required to use such truck by-passes to travel on any other portions of the city streets. Provided, trucks may turn off the designated route for the purpose of making deliveries of merchandise or to pick up merchandise, and the trucks operating under this exception must proceed as near their destination as possible before turning off the by-pass and return to the same by the nearest direct route. Further provided, truck travel from Wheeler Avenue (Arkansas Highway 255) is permitted east bound on Phoenix Avenue for the purpose of making deliveries of merchandise to or picking up merchandise from real property located south of Phoenix Avenue and within 500 feet west of the Phoenix Avenue/Old Greenwood Road intersection.

SECTION 2: Emergency Clause. It is determined that public health, safety and welfare requires an immediate solution to traffic congestion created by left turns across traffic east bound on Phoenix Avenue near the I-540 truck route. Thus, an emergency is declared to exist and this Ordinance shall be in full force and effect upon passage.

This Ordinance adopted this \_\_\_\_ day of September, 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Publish One Time

# Memorandum

---

**TO:** Carl Geffken, City Administrator

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

**DATE:** August 31, 2016

**SUBJECT:** Truck By-Pass Ordinance Modification

---

We have been made aware of a safety issue for trucks entering and exiting the Coca Cola property located on Phoenix Avenue just west of the intersection with Old Greenwood Road. This situation primarily applies to the large over the road tractor trailer trucks and not the local delivery trucks. The Coca Cola facility has indicated that daily there are an average of five of these large over the road tractor trailer trucks that deliver product to the facility.

As illustrated on the attached aerial photo, during peak travel times of the day eastbound traffic along Phoenix Avenue will stack up blocking the driveways to the Coca Cola property. This backup will require westbound trucks accessing the property to stop in the thru lane and wait for an opening across three lanes of eastbound traffic. This increases the likelihood of a rear end accident to the stopped truck in addition to complications of navigating the truck thru three lanes of opposing traffic.

The city has an ordinance which designates certain streets across the city as truck by-passes (see attached map). Trucks are required to travel on the designated truck by-pass routes except that trucks may turn off the designated route for the purpose of making deliveries of merchandise or to pick up merchandise. The trucks must proceed as near their destination as possible before turning off the bypass and return to the same by the nearest direct route. A copy of Section 24-72(a) Truck By-Passes of the City's Code of Ordinances is also attached. Following the current truck by-pass routes require that trucks accessing the Coca Cola property utilize I-540 then proceed west along Phoenix to the facility.

The proposed modification to the truck by-passes ordinance will allow trucks accessing the Coca Cola property to proceed only in the eastbound direction from Wheeler Avenue to make deliveries or pick up merchandise at the facility. Exiting trucks would proceed eastbound along Phoenix Avenue when leaving the facility. The ordinance does not designate Phoenix Avenue between Wheeler Avenue and Old Greenwood as a truck by-pass route for through trucks.

Attachments

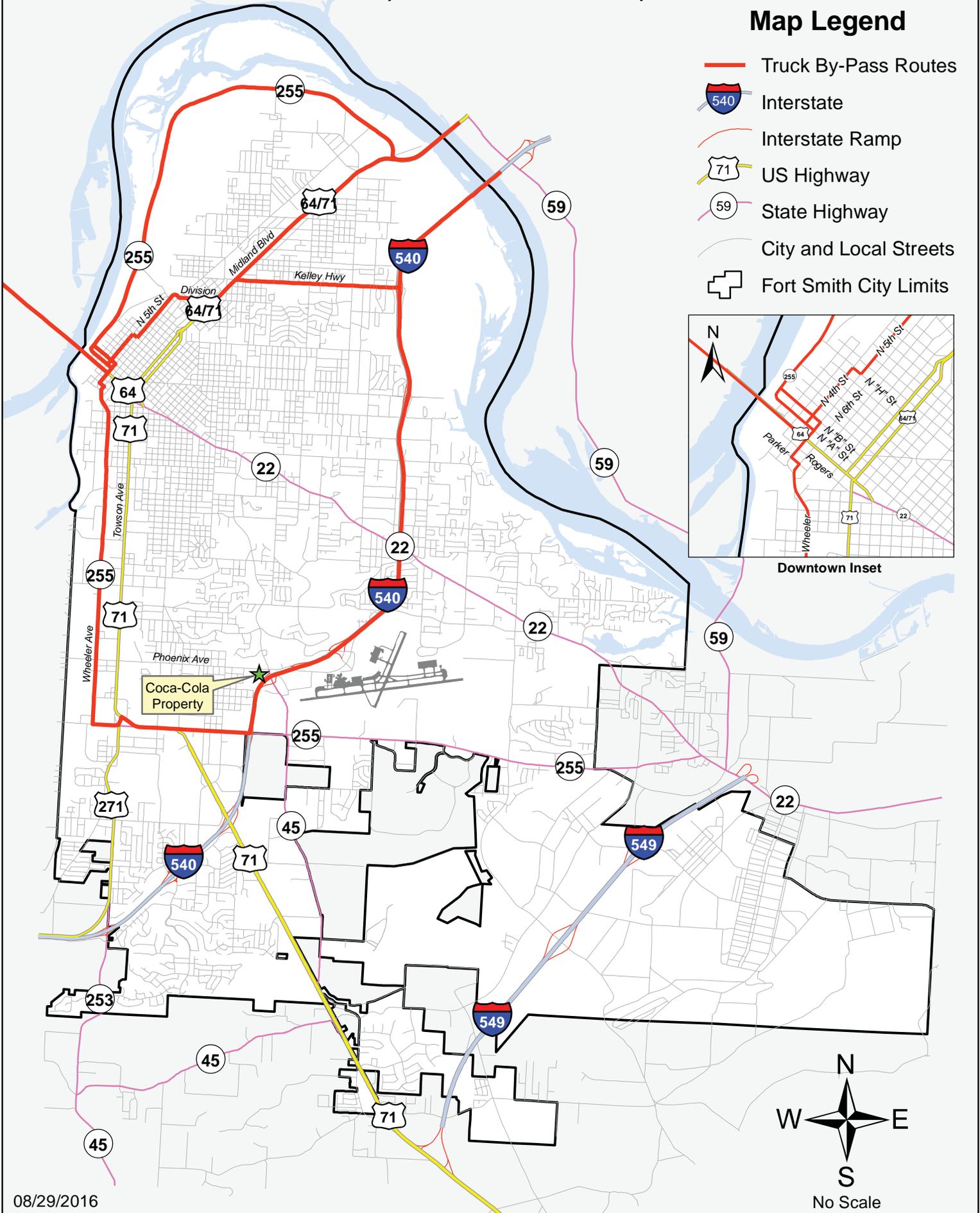


# Fort Smith Truck By-Pass Routes

Pursuant to City Ordinance, Sec 24-72 - Truck By-Passes

## Map Legend

- Truck By-Pass Routes
- Interstate
- Interstate Ramp
- US Highway
- State Highway
- City and Local Streets
- Fort Smith City Limits



08/29/2016

## Sec. 24-72. - Truck by-passes.

- (a) When a truck by-pass is properly designated and the route is clearly and definitely marked with proper signs it shall be a misdemeanor for all trucks required to use such truck by-passes to travel on any other portions of the city streets, except that trucks may turn off the designated route for the purpose of making deliveries of merchandise or to pick up merchandise. The trucks operating under this exception must proceed as near their destination as possible before turning off the by-pass and return to the same by the nearest direct route.
- (b) The following streets of the city are hereby designated as truck by-passes:
  - (1) Interstate 540 beginning at Van Buren, going south to southwesterly along I-540 to its intersection with Zero (AR Hwy. 255);
  - (2) Zero (AR Hwy. 255) from its intersection with I-540 westerly along Zero to its intersection with U.S. Hwy. 271; thence, southerly along U.S. Hwy. 271 to its intersection with Zero (AR Hwy. 255); thence, westerly along Zero (AR Hwy. 255) to its intersection with Wheeler Avenue (AR Hwy. 255); thence, along Wheeler (AR Hwy. 255) to Carnall Avenue; thence, along Carnall Avenue to South Sixth Street; thence, along South Sixth Street to Parker Avenue; thence, along Parker Avenue to South Fifth Street; thence, along South/North Fifth to North "A" and North "B"; thence, along North "A" Street (one-way east) and North "B" Street (one-way west) to Clayton Expressway (AR Hwy. 255); thence, along Clayton Expressway to Midland Boulevard (U.S. 71-64); thence, northeasterly along Midland Boulevard to the city limits;
  - (3) Kelly Highway from its intersection with I-540 westerly to its intersection with Midland Boulevard; thence, southwesterly along Midland Boulevard to its intersection with Division Street; thence, westerly along Division Street to its intersection with North Fifth Street; thence, southwesterly along North Fifth to its intersection with North "H" Street; thence, westerly along North "H" Street to its intersection with North Fourth Street; thence, southwesterly along North Fourth to its intersection with North "A" Street;
  - (4) Midland Boulevard from its intersection with Kelley Highway easterly to the city limits.

(Code 1976, § 30-162)

# 5

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ORDERING THE OWNERS OF A CERTAIN DILAPIDATED AND SUBSTANDARD STRUCTURE TO DEMOLISH SAME, AUTHORIZING THE CITY ADMINISTRATOR TO CAUSE THE DEMOLITION OF SUCH STRUCTURE TO OCCUR, AND FOR OTHER PURPOSES.

---

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

SECTION 1: It is hereby determined by the Board of Directors that the hereinafter described tract of real property, and the improvements located there, are dilapidated, unsafe and otherwise detrimental to the public health and constitute structural, fire and health hazards:

Street Address: **1834 NORTH 13<sup>TH</sup> STREET, 1306 NORTH R STREET AND GARAGE BUILDING**

**LOT 9, BLOCK 9; FISHBACK #2 ADDITION**

SECTION 2: The owners of the tract of real property described in Section 1 are hereby ordered to remove or raze the improvements located on the said tract of property and to remedy the unsightly and unsanitary conditions otherwise located on said tract of real property within thirty (30) days from the date of this ordinance.

SECTION 3: With reference to any tract identified in Section 1 as to which compliance with the direction of Section 2 has not occurred within thirty (30) calendar days from the date of passage of this ordinance, the City Administrator is hereby authorized to execute a contract, based on the bid(s) accepted on the date of this action or at a later date, for the removal or razing of the described improvements on the tract of real property.

SECTION 4: The provisions of this ordinance are hereby declared to be severable to the extent that a decision by any court of competent jurisdiction determining that any portion of this ordinance or any application thereof is unconstitutional, invalid or otherwise illegal shall not affect the constitutionality, validity or legality of the other provisions and/or applications of the ordinance.

SECTION 5: Emergency Clause. It is hereby found and declared by the Board of Directors that the dilapidated, unsanitary condition of the tracts of real property and improvements described herein constitute an

immediate menace to the health, welfare and safety of the citizens of the City so that an emergency is hereby declared and that this ordinance shall be effective from and after the date of its passage.

This Ordinance adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to form:



\_\_\_\_\_  
Publish One Time



**To:** Carl Geffken, City Administrator  
**From:** Jimmie Deer, Building Official  
**Date:** August 29, 2016  
**Subject:** Unsafe Structures

The following structures have been damaged and/or deteriorated to a condition that has caused the Building Safety Division to post them as unsafe structures. The property and the improvements, thereon are now, and for several months prior hereto, have been dilapidated, unsafe, unsightly, unsanitary, obnoxious and detrimental to the public welfare and are found to be in violation of the Ordinances of the City of Fort Smith.

The property descriptions and owner are:

**1834 N 13th Street, 1306 N R Street and Garage Building**– Lot 9, Block 9; Fishback #2 Addition

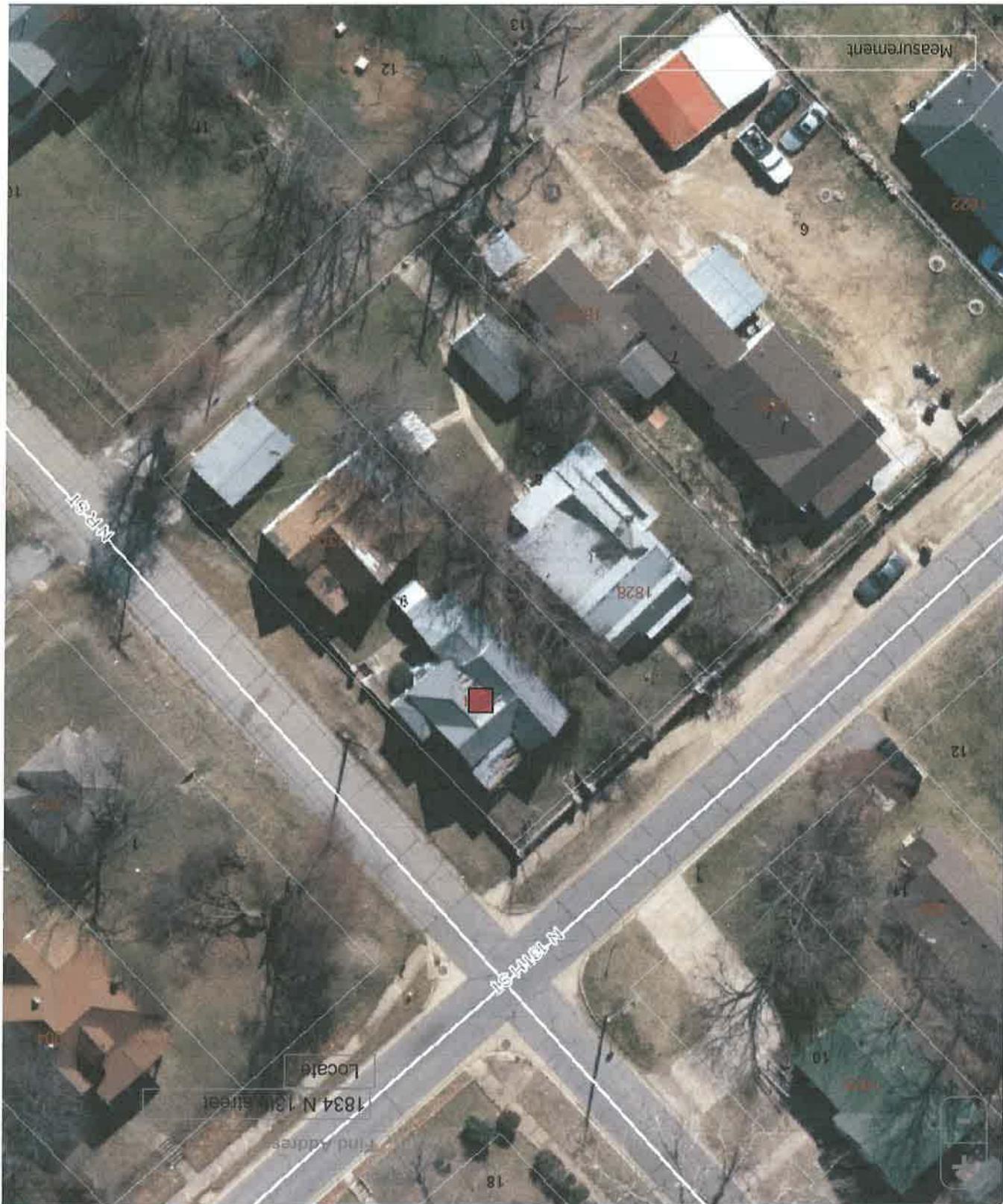
**Owners:** KBS General Maintenance Group LLC  
3553 46<sup>th</sup> St  
San Diego, CA 92105

The owners of these properties have been notified according to the procedures outlined in Section 16-88 of the Fort Smith Municipal Code. The property owners were notified by certified mail and posting the same letters on the buildings. The letter or notice contains information concerning the appeal procedure outlined in Section 16-91 of the Fort Smith Municipal Code. The Code specifies that they must file any appeals within fifteen (15) days from the date of service. The owner(s) of the subject properties did not file an appeal within the fifteen (15) day period nor have they requested an appeal hearing since that dead line has passed.

**1834 N. 13<sup>th</sup> St, 1306 N. R St and garage building** – The structure has had no water usage since August, 2015. Staff has an open Property Maintenance case open on these structures and has been contacting the owners in San Diego, CA to try and get something done but to no avail. The Corporation bought the property from the State in February 5, 2014 and has done nothing with the property. The city currently has clean up liens of \$1812.29 outstanding on the property. Due to the condition of the structure and no action taken by the owners unsafe notices were posted on the property and letters sent out by certified mail on July 25, 2016 and the letters were unclaimed by the owners per no one in the office would sign for letter. As of today the owners have taken no action to obtain permits to repair or demolish the structure.

Therefore, I am recommending this matter be referred to the Board of Directors for their review. An Ordinance will be prepared that will order the property owners to demolish or repair the buildings within thirty (30) calendar days and if such work has not occurred, the staff will be authorized to have the structures removed.

This property clean up action satisfies the Future Fort Smith Comprehensive Plan Goal HN-1 to “*preserve, protect, and revitalize Fort Smith’s neighborhoods*”.





1834 No.13



1834 No.13



1834 No.13



1834 No.13



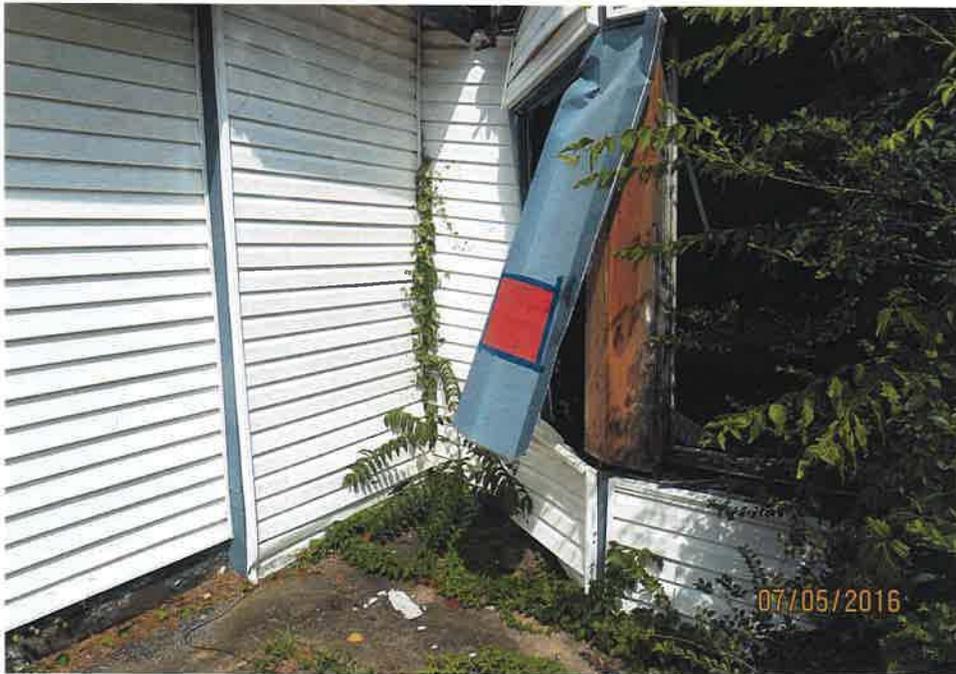
07/05/2016

1834 No.13



07/05/2016

1834 No.13



07/05/2016

1834 No.13



07/05/2016

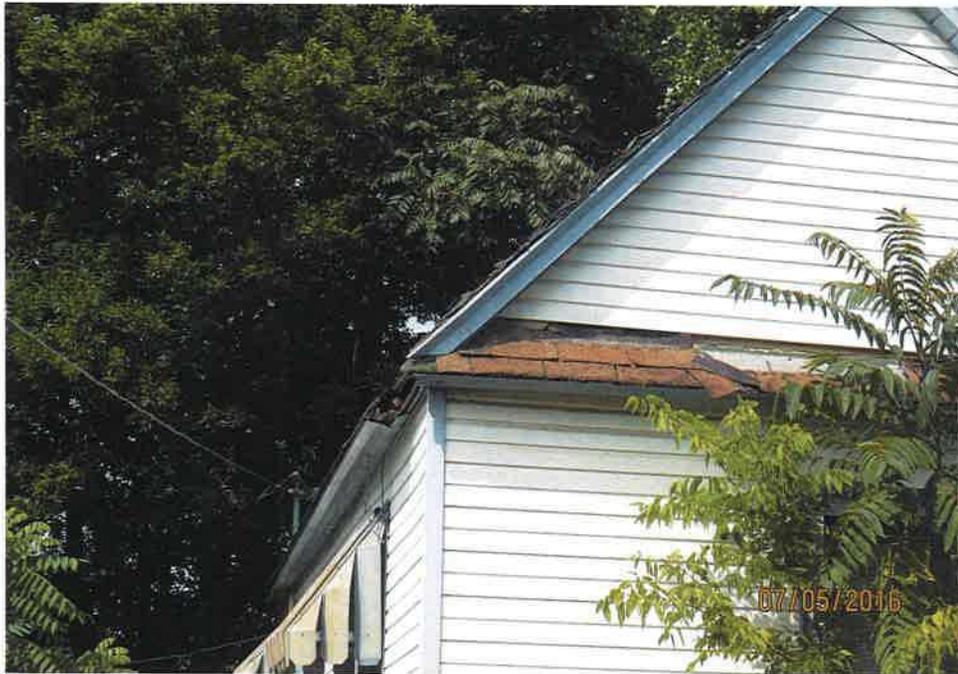
1834 No.13



1306 No. 2



1306 No. 2



1306 No. 2



1306 No. 2



1306 No. 2



1306 No. 2



1306 No. 2



1306 No. 2



1834 No.13



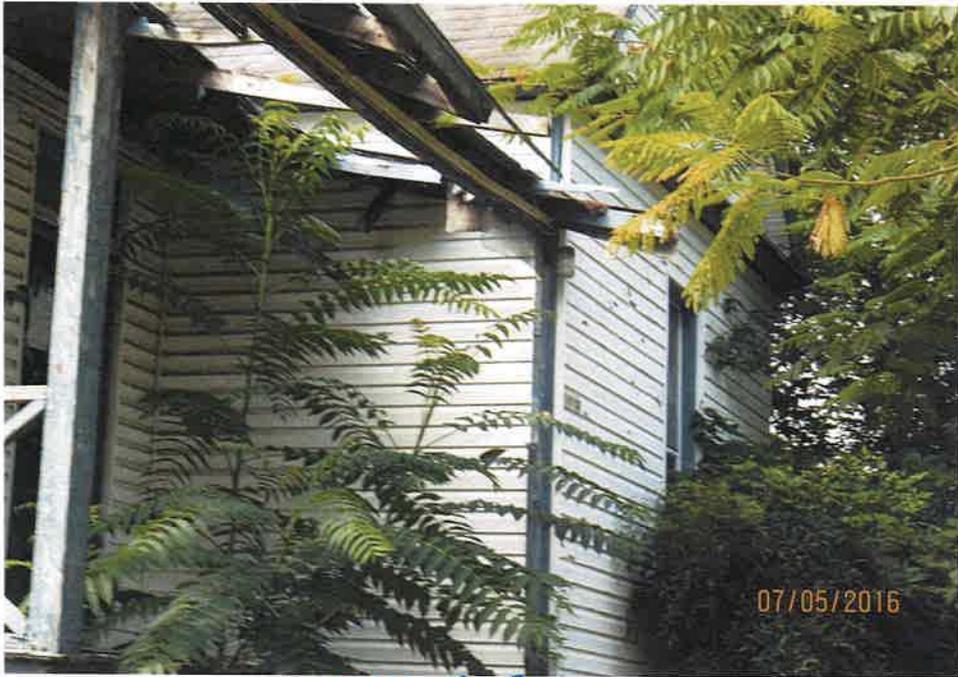
1834 No.13



1834 No.13



1834 No.13



1834 No. 13



1834 No. 13



1834 No. 13





1306 No. 2



1834 N. 13



1306 No. 2



1834 No. 13



1306 No. 2



1834 No. 13



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE 2016 BUDGET

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT

WHEREAS, the Board of Directors approved the 2016 budget on December 1, 2015 by Ordinance No. 88-15; and

WHEREAS, the City of Fort Smith Police Department finds it necessary to purchase L-3 PatrolScout software, including licensing and installation, and to amend the 2016 budget as follows:

<u>Account:</u>		<u>From:</u>	<u>To:</u>	<u>Variance:</u>
Small Equipment	4704-202-0000	\$125,350	\$114,480	(\$10,870)
Computer Software	4702-230-0000	76,100	70,790	( \$5,310)
L-3 Patrol Scout	4703-306-0000	0	16,180	\$16,180

WHEREAS, the City of Fort Smith Police Department finds it prudent to purchase a 2016 police package Chevrolet Impala, and to amend the 2016 budget as follows:

<u>Account</u>		<u>From:</u>	<u>To:</u>	<u>Variance:</u>
Repair Equipment	4704-207-0000	\$78,060	\$54,166	(\$23,894)
Capital Account Vehicle purchase	4704-302-0000	0	23,894	\$23,894

NOW, THEREFORE, the 2016 budget is hereby amended as detailed above.

PASSED AND APPROVED THIS \_\_\_ DAY OF SEPTEMBER, 2016.

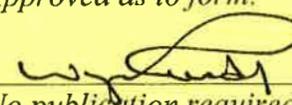
APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
No publication required  
City Attorney



## Fort Smith Police Department

Dean Pitts, Interim Chief of Police

### INTERDEPARTMENTAL MEMORANDUM

**To:** Carl Geffken, City Administrator

**From:** Dean Pitts, Interim Chief of Police

**Subject:** AN ORDINANCE AMDENING THE 2016 BUDGET  
 Item 1: PatrolScout  
 Item 2: Vehicle

**Date:** August 18, 2016

#### **Item 1:**

Our department recently conducted an evaluation of the L3 PatrolScout in-car video system. Working through our existing L3 in-car video system, PatrolScout provides features such as real-time video of officers in the field, vehicle location, and GPS monitoring.

The PatrolScout system gives a supervisor capabilities that were previously unavailable. The department, through the use of this L3 system, will improve visibility into patrol officer locations, will enable supervisors to observe what officers are doing, and will allow supervisors to see, in real time, what the officers' dash cameras are seeing.

PatrolScout gives an overview of the entire fleet overlaid on a Google map. This feature is beneficial not only to supervisors who want to know where their resources are, but also to dispatchers looking for the closest unit to send to a call.

In addition to the benefit of vehicle location, the system allows a supervisor to view remotely, in real time, through the car's dash camera. It's akin to the supervisor getting a front-seat passenger view of events from a remote location. With PatrolScout, one can see what the officer sees. Remote viewing is available to the supervisor via desktop computer, laptop computer, smartphone, and mobile data computer.

I believe the PatrolScout system will prove itself to be a tool that reduces agency liability and enhances dispatching efficiency.

The cost of the system is a one-time purchase of 38 licenses for the PatrolScout software, \$16,179.10, installation for 28 vehicles @ \$71.34 equaling \$1,997.52, and extender cables \$600.00 for a total price of \$18,776.62.

# FORT SMITH POLICE DEPARTMENT

*"Pride and Progress"*

Dean Pitts, Interim Chief of Police

Annual Maintenance fee will be \$1,799.90 but does not begin until the second year of ownership. Additionally, the new L3 AVL function will replace the current InterAct AVL product which will lower our software expenses by \$3,200.00 annually. Current InterAct AVL annual cost \$4,999 will be replaced by L3 \$1,799.90 for savings of \$3,199.10.

In 2016, the department received \$10,865.50 as a reimbursement for bulletproof vests purchased in 2015. These funds were allocated to the patrol small equipment budget of 4704-202. I would like to use these unanticipated funds to help buy the PatrolScout software.

Funding sources will come from 4704-202, Patrol small equipment, and the Technology account, 4702-230.

4704-202	\$10,865.50
4702-230	\$ 5,313.60
Total Software purchase	<u>\$16,179.10</u>

Installation/materials	<u>\$ 2,597.52</u>
Total cost	<u>\$18,776.52</u>

## Item2:

A review of the hailstorm reimbursement money was completed by our department. The Repair Equipment Account 4704-207 has a balance of \$23,894.41. We have determined that judicious use of these funds would be to purchase two new hoods for the two most damaged patrol vehicles and a new 2016 police package Chevrolet Impala. The cost of replacing the two hoods is \$530 each totaling \$1,060 which would leave \$22,834 for purchase of a new unit. The new Patrol unit would be used by Captains Haney and Rice for their respective patrol operations and replace their vehicles reaching the end of their service life.

Please contact me if you have questions or need additional information.



**Mobile-Vision, Inc.**

400 Commons Way, Rockaway, NJ 07866  
T. 973-453-8562 F. 973-257-3024

# QUOTE

**Number** 204516446  
**Date** June 29, 2016

**Sold To**

**Fort Smith Police Department**

Vu Pham  
100 S 10th Street  
Ft Smlth, AR 72901-3710

**Phone** 479-709-5100  
**Fax** 479-783-2356

**Ship To**

**Fort Smith Police Department**

Vu Pham  
100 S 10th Street  
Ft Smith, AR 72901-3710

**Phone** 479-709-5100  
**Fax** 479-783-2356

Salesperson	P.O. Number	Ship Via	Terms
Mitch Lee		None	

Line	Qty	SKU	Description	Unit Price	Ext.Price	Comments
1	9	LPSSWFB3PGVVL	PatrolScout Live Package for FB3, Trunk	\$247.50	\$2,227.50	
2	29	LPSSWRPKGPSVV LT	FB2 PatrolScout Package, Trunk mount; includes VVL, PS, encoder and cables	\$247.50	\$7,177.50	
3	1	LPSSWR50SVRSW R	Software License, PatrolScout 50 Seat Server	\$3,149.10	\$3,149.10	
4	1	LPSSWRPKGPSO S	Patrol Scout Server OS Package, Window OS and VMware	\$787.50	\$787.50	
5	1	MVD-TRAN-RPS	Remote professional services	\$900.00	\$900.00	
6	1	MVD-TRAN-OPS	On site professional services	\$1,912.50	\$1,912.50	

ESA Approved by TM  
Discount Approved by CM

Signing below is in lieu of a formal Purchase Order.  
Your signature will authorize acceptance of both pricing and product:

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

L-3 Shipping Terms are FOB Rockaway, NJ. By signing below you agree to  
waive your shipping terms and ship this order FOB Rockaway, NJ.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

<b>SubTotal</b>	<b>16,154.</b>
<b>Tax</b>	<b>TE</b>
<b>S&amp;H</b>	<b>25.0</b>
<b>Total</b>	<b>16,179</b>

ation is valid for 60 days from date issued. The technology described herein is controlled under the Export Administration Regulation  
) and may not be exported without proper authorization by the U.S. Department of Commerce. State/Local Fees and Taxes are not  
and.

SMILES Public Safety Store  
 3435 Zero Street  
 Fort Smith, AR 72908

## Estimate

Date	Estimate #
7/21/2016	6332

Name / Address
Fort Smith Police Dept 100 South 10th Fort Smith, AR 72901

			Project
Description	Qty	Rate	Total
Installation of (2) Cat 5 similar sized cables from rear electronics box of Tahoe to front computer mount without making any final connections. ***Price Reflects 1 Unit***	1	65.00	65.00
		<b>Subtotal</b>	\$65.00
		<b>Sales Tax (9.75%)</b>	\$6.34
		<b>Total</b>	\$71.34

# RELIABLE CHEVROLET

HOME OF THE ENFORCER POLICE PACKAGE

## Quote



Date	August 3, 2016
Valid Until	30 DAYS AFTER QUOTE DATE
Quote #	DANNY BAKER
Customer ID	CITY OF FORT SMITH

**Customer:**  
CITY OF FORT SMITH ARKANSAS  
DANNY BAKER

**Quote/Project Notes**  
THIS QUOTE USES BID EXPRESS  
2016 IMPALA LIMITED 9C1  
THIS CAR WILL CEASE ORDER CAPABILITY IN DEC 10, 2015

WHITE IMPALA 9C1

Description	Line Total
2016 IMPALA LIMITED 9C1 - ITEM 3 AS FACTORY EQUIPPED INCLUDING POWER WINDOWS, POWER DOOR LOCKS, POWER MIRRORS, KEYLESS ENTRY, 6 SPEED AUTO TRANS, 6 CYLINDER ENGINE, CARPET WITHOUT MATS, FRONT BUCKET SEATS WITHOUT CONSOLE, COLUMN SHIFT, REAR VINYL BENCH SEAT, SPOTLIGHT FULL SIZE SPARE PER TARRANT COUNTY BID TOTAL FOR VEHICLE AS QUOTED ABOVE PLUS THE FOLLOWING OPTION TO BE ADDED TO QUOTE:  <i>BLACK</i> VIN # OF WHITE - 2G1WD5E38G1161184  NOTE: TARRANT COUNTY DOES NOT ALLOW FOR THE DELETION OF STANDARD EQUIPMENT, WITH THIS EXCEPTION - TARRANT COUNTY DOES NOT INCLUDE SUBSCRIPTION SERVICES LIKE ONSTAR OR XM RADIO WHERE DELETABLE. TARRANT COUNTY DOES NOT INCLUDE BEDLINERS, TRAILER HITCHES OR FREE DEALER SCHEDULED MAINTENANCE WHERE DELETABLE. TARRANT COUNTY DOES NOT INCLUDE DELIVERY IN THEIR PRICING EXCEPT FOR INSIDE OF TARRANT COUNTY. DELIVERY (OPTIONAL) FROM RICHARDSON, TX TO LA FERIA, TX - 264 MILES X \$1.25/M = \$330.00	19,123.80

**Special Notes and Instructions**  
Once signed, please Fax, mail or e-mail it to the provided address.  
NEED PO TO HOLD UNITS  
TARRANT COUNTY CONTRACT 2015-115 IN EFFECT 9/8/2015-9/7/2016  
DELIVERY BY BEST POSSIBLE MEANS AVAILABLE AT TIME OF DELIVERY.

Subtotal	\$	19,123.80
Discount		-
Sales Tax Rate	%	0.00
Sales Tax		-
<b>Total</b>	<b>\$</b>	<b>19,123.80</b>
<b>TOTAL FOR (1) UNIT</b>	<b>\$</b>	<b>19,123.80</b>

Payment will be collected in prior to provision of services/goods described in this quote.

Please confirm your acceptance of this quote by signing this document

Signature

Print Name

Date

**Thank you for your business!**

Should you have any enquiries concerning this quote, please contact Doug Adams on 972-952-1561

800 NORTH CENTRAL EXPRESSWAY, RICHARDSON, DA  
Tel: 972-952-1561 Fax: 972-952-8172 E-mail: dadams@reliablechevrolet.com

19,453.80

0.00

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE 2016 BUDGET

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT

WHEREAS, the Board of Directors approved the 2016 budget on December 1, 2015 by Ordinance No. 88-15; and

WHEREAS, the City of Fort Smith Parks Department finds it necessary to purchase two 60” Mid-Mount Mowers, and to amend the 2016 budget as follows:

<u>Account:</u>		<u>From:</u>	<u>To:</u>	<u>Variance:</u>
Contractual Services	6201-230-0101	\$139,280	\$124,280	(\$15,000)
Repair of Buildings	6206-208-0101	\$ 37,400	\$ 22,400	(\$15,000)
60” Mower	6201-319-0101	0	\$15,000	\$15,000
60” Mower	6206-306-0101	0	\$15,000	\$15,000

NOW, THEREFORE, the 2016 budget is hereby amended as detailed above.

PASSED AND APPROVED THIS \_\_\_ DAY OF SEPTEMBER, 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to form:



\_\_\_\_\_  
No publication required



## Memo:

August 30<sup>th</sup>, 2016

To: Carl Geffken, City Administrator  
From: Doug Reinert, Director of Parks and Recreation *DSR*  
Re: An amendment to the FY16 Budget for the purchase of two (2) mowers

When the Parks Department released contract labor to perform duties in house to save funds for 2016, we under estimated the additional wear on our existing fleet. We miscalculated the amount of breakdowns, servicing machines, and additional equipment hours. Releasing contracts doing the work in house for a considerable cost savings presents the Parks Department with an opportunity to reinvest in updating an aging mowing fleet. We respectfully request to move operating funds from Program 6201 Parks Maintenance from the contractual services line-item to a capital line-item for the purchase of one (1) new mid-mount mower for Park Operations.

The Parks Department has also partnered with the Central Business Improvement District to add shade structures to the Downtown Compass Park Splash Pad. The funds for this addition were encumbered in FY15. Now that the CBID has generously offered to split the cost for this addition, the Parks Department has an additional opportunity to replace an aged mower for downtown maintenance. We respectfully request to move operating funds from Program 6206 Riverfront/Downtown Maintenance from the repair of buildings line-item to a capital line-item for the purchase of one (1) new mid-mount mower for Downtown Park Operations.

The Parks and Recreation Department is growing and its fleet is aging. We as a department are striving for efficiency and effectiveness. Reducing repairs and downtime keeps staff in the field working to meet workload demands. Unexpected breakdowns happen, when breakdowns become expected, effectiveness and efficiency is lost.

Should you have any questions and need further information please feel free to contact me.

cc: Jeff Dingman

ORDINANCE NO.  
AN ORDINANCE AUTHORIZING THE APPROPRIATION OF DONATED FUNDS  
FOR THE BLUE LION BIKEWAY

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

WHEREAS, Park Partners has received an earmarked donation totaling \$50,000  
from Arvest Bank; and,

WHEREAS, the donation was deposited into City accounts and coded to Parks  
Contributions (revenue 3716-009-0101);

NOW, THEREFORE, there is hereby authorized an appropriation in the amount  
of \$50,000 from the unobligated balance of the General Fund for the Blue Lion Bikeway.  
The current fiscal year budget is amended to reflect the additions as follows:

1/4% SALES AND USE TAX:

PARKS DEPARTMENT

6208-322-0101	Blue Lion Bikeway	\$50,000
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THIS ORDINANCE ADOPTED THIS \_\_\_\_\_ DAY OF SEPTEMBER, 2016.

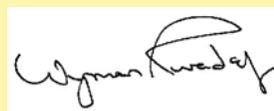
APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_

Approved as to form:



\_\_\_\_\_  
No publication required



## Memo:

August 30<sup>th</sup>, 2016

To: Carl Geffken, City Administrator  
From: Doug Reinert, Director of Parks and Recreation *DSR*  
Re: The appropriation of \$50,000 from Parks Contributions to Parks Fund 6208

The Blue Lion Bikeway has been completed, with the exception of Blackburn and Lecta due to a scheduled overlay of the two roads. All associated signage has been installed on the entire route, recognizing Arvest's generous contribution to the project. The total cost of the project was \$65,631.40, including both professional services from Hawkins Weir Engineers (\$31,620.15) and the painting of the sharrows by Advance Workzone Services (\$34,011.25).

This project was accelerated and made possible with a \$50,000 charitable donation from Arvest Bank that was deposited into the Park Partners Account. The Parks Department is requesting an appropriation in the amount of \$50,000 from the Parks Contributions Fund to fund the Blue Lion Bikeway project.

Should you have any questions and need further information please feel free to contact me.

cc: Jeff Dingman

ORDINANCE NO.  
AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS  
FOR PARKS DEPARTMENT EQUIPMENT PURCHASES

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

WHEREAS, the City of Fort Smith has received \$108,870.50 from Waco Title Company for the sale of property at 622 North 7<sup>th</sup> Street, 701 North 8<sup>th</sup> Street, and 515 North 8<sup>th</sup> Street (the former Girls, Inc. property); and,

WHEREAS, the proceeds were deposited into City accounts and coded to Sale of Surplus Property (revenue 3713-000-0101);

NOW, THEREFORE, there is hereby authorized an appropriation in the amount of \$108,870 from the unobligated balance of the General Fund to purchase Parks Department Equipment. The current fiscal year budget is amended to reflect the additions as follows:

1/4% SALES AND USE TAX:

PARKS DEPARTMENT

6208-306-0101	Compass Park Splash Pad Shade Structures	\$ 15,000.00
6208-323-0101	Riverfront Drive Maintenance Shed	\$ 37,170.00
6208-324-0101	Tractor w/ Front End Loader	\$ 31,000.00
6208-325-0101	15' Groom Mower	\$ 12,700.00
6208-326-0101	60" Mid-Mount Groom Mower	\$ 13,000.00

THIS ORDINANCE ADOPTED THIS \_\_\_\_\_ DAY OF SEPTEMBER, 2016.

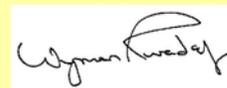
APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:



\_\_\_\_\_  
NPR



## Memo:

August 30<sup>th</sup>, 2016

To: Carl Geffken, City Administrator  
From: Doug Reinert, Director of Parks and Recreation *DSR*  
Re: The appropriation of \$108,870 from the Sale of Surplus Property to Parks Fund 6208 Capital

As the Parks Department infrastructure grows with projects such as the Riverfront Sports Complex, Greg Smith River Trail, Imani Park, Stage Coach Park, Fort Smith Park Fishing Pavilion, Grizzly Field, Rice Carden Trail, Rice Carden Extension, and the Compass Park Splash Pad we must plan for the maintenance of these capital projects. At this time some of these projects are complete, nearly complete, under construction or planned.

As we grow, equipment purchases and maintenance staff should be acquired to maintain these projects in the manner of public expectation. We must responsibly find ways to strategically use available unallocated funds that will minimize the impact of project development and sustain maintenance as these projects come to completion. If we are not proactive, current workload demand will exceed the level of maintenance expected by the citizens of Fort Smith.

The Parks Department recently received \$108,870.50 from the sell of the Bell Grove Community Center to the Future School of Fort Smith. I propose to allocate \$108,870 of these funds to capital equipment and capital structures to move forward with the efficiency of the department. The intent is to purchase the following:

- Shade Structures at Compass Park Splash Pad, for which the CBID has generously contributed \$14,687.50, which is almost half the cost of the project
- (1) Tractor
- (1) 14' batwing groom mower
- (1) 60" mid-mount groom mower
- (1) 60'x60'X12' equipment building on the Riverfront Sports Complex site.

This plan will save time and money by keeping equipment and staff on site instead of moving machines back and forth across town to maintain the grounds. This operation will be in concert with the Greg Smith River Trail, Rice Carden Trail, and Rice Carden Extension. Our plan is to add one FTE to build the workforce workload demand in FY17. These equipment and structure costs are conservative figures. Parks staff will perform the dirt work and pour the pad for the equipment building in an effort to keep costs low. Outlined in the Ordinance are the costs associated with the requested appropriation.

Should you have any questions and need further information please feel free to contact me.

cc: Jeff Dingman

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS RECEIVED FROM THE SALE OF CITY EQUIPMENT AND FROM THE 04-29-16 HAIL STORM AND OTHER INSURANCE SETTLEMENTS

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

WHEREAS, the City of Fort Smith sold several items of surplus equipment on GovDeals, an online auction site where the general public can place bids on government surplus property, and received sale proceeds of \$59,741.49; and,

WHEREAS, due to the April 29, 2016 hail storm damage to city property, the City of Fort Smith received an insurance settlement of \$306,480 for property (\$249,749.30) and vehicles (\$56,730.70); and,

WHEREAS, for various insurance claims as noted in the attached schedule titled Re-Appropriation of Miscellaneous Unanticipated Revenues and consisting of three (3) pages (“Schedule”), the City of Fort Smith received settlements totaling \$47,684.95.

NOW, THEREFORE, there is hereby appropriated \$402,126.44 from the unobligated balance of the Miscellaneous Unanticipated Revenue Fund to the budget accounts identified and in the amounts identified on the attached Schedule. The 2016 fiscal year budget is amended to reflect the appropriations.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF SEPTEMBER, 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
No publication required

## Re-appropriation of Miscellaneous Unanticipated Revenue

### 3717-000-0101 (General Fund)

From	Reclass to	Amount	Purpose	Department
Arkansas Municipal League	4103-207-0101	\$1,866.45	04-29-16 Hail storm settlement-Asset 016	Engineering
GovDeals	4106-207-0101	\$1,036.00	Sale of Asset 109	Planning
Arkansas Municipal League	4106-207-0101	\$2,782.89	04-29-16 Hail storm settlement-Asset 193	Planning
GovDeals	4108-207-0101	\$1,887.93	Sale of Asset 126	Building Safety
Arkansas Municipal League	4108-207-0101	\$362.89	04-29-16 Hail storm settlement-Asset 097	Building Safety
Arkansas Municipal League	4108-207-0101	\$1,887.81	04-29-16 Hail storm settlement-Asset 168	Building Safety
Arkansas Municipal League	4108-207-0101	\$623.41	Insurance settlement-Asset 950	Building Safety
United Fire Group	4306-208-0101	\$5,275.00	Damages to Baker Center Canopy	Purchasing
GovDeals	4704-202-0101	\$1,171.98	Sale of Whelen light bars	Police-Patrol
Allstate Property & Casualty	4704-207-0101	\$2,489.59	Insurance settlement-Asset 254	Police-Patrol
Allstate Property & Casualty	4704-207-0101	\$1,124.39	Insurance settlement-Asset 347	Police-Patrol
Arkansas Municipal League	4704-207-0101	\$6,518.94	Insurance settlement-Asset 900	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$1,432.18	04-29-16 Hail storm settlement-Asset 254	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$6,471.82	04-29-16 Hail storm settlement-Asset 255	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$1,093.13	04-29-16 Hail storm settlement-Asset 262	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$2,198.10	04-29-16 Hail storm settlement-Asset 274	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$1,559.57	04-29-16 Hail storm settlement-Asset 347	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$1,922.44	04-29-16 Hail storm settlement-Asset 357	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$1,450.92	04-29-16 Hail storm settlement-Asset 460	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$1,724.42	04-29-16 Hail storm settlement-Asset 470	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$644.22	04-29-16 Hail storm settlement-Asset 655	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$22.85	04-29-16 Hail storm settlement-Asset 667	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$603.25	04-29-16 Hail storm settlement-Asset 899	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$3,766.63	04-29-16 Hail storm settlement-Asset 900	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$1,012.93	04-29-16 Hail storm settlement-Asset 909	Police-Patrol
Arkansas Municipal League	4704-302-0101	\$2,190.02	04-29-16 Hail storm settlement-Asset 952	Police-Patrol
Cincinnati Insurance	4705-208-0101	\$11,800.00	Insurance settlement-Fianna Hills Siren #4	Radio Communications
Arkansas Municipal League	4802-207-0101	\$1,109.90	04-29-16 Hail storm settlement-Asset 100	Fire
Arkansas Municipal League	6201-207-0101	\$1,166.42	04-29-16 Hail storm settlement-Asset 165	Parks
Arkansas Municipal League	6201-207-0101	\$1,113.99	04-29-16 Hail storm settlement-Asset 210	Parks
Arkansas Municipal League	6201-207-0101	\$2,236.54	04-29-16 Hail storm settlement-Asset 417	Parks
Arkansas Municipal League	6201-207-0101	\$2,122.36	04-29-16 Hail storm settlement-Asset 508	Parks
Arkansas Municipal League	6201-208-0101	\$7,660.42	04-29-16 Hail storm settlement-Tennis Center	Parks
Arkansas Municipal League	6201-208-0101	\$3,303.14	04-29-16 Hail storm settlement-Creekmore Gazebo	Parks
Arkansas Municipal League	6201-208-0101	\$2,642.89	04-29-16 Hail storm settlement-Creekmore Admn.	Parks

## Re-appropriation of Miscellaneous Unanticipated Revenue

Arkansas Municipal League	6201-208-0101	\$6,947.53	04-29-16 Hail storm settlement-Creekmore Pool	Parks
Arkansas Municipal League	6201-208-0101	\$42,081.68	04-29-16 Hail storm settlement-Parks Maint. Shop	Parks
American National Property	6550-207-0101	\$5,752.66	Insurance settlement-Asset 563	Transit
American National Property	6550-207-0101	\$109.75	Insurance settlement-Asset 563	Transit
Arkansas Municipal League	6550-207-0101	\$1,521.93	04-29-16 Hail storm settlement-Asset 137	Transit
Arkansas Municipal League	6550-208-0101	\$62,565.91	04-29-16 Hail storm settlement-Transit Maint.	Transit
Arkansas Municipal League	6550-208-0101	\$120,911.95	04-29-16 Hail storm settlement-Transit Admn.	Transit
<b>Total</b>		<b><u>\$326,166.83</u></b>		

### 3717-000-1101 (Street Maintenance Fund)

From	Reclass to	Amount	Purpose	Department
Arkansas Municipal League	5401-207-1101	\$2,711.88	04-29-16 Hail storm settlement-Asset 851	Traffic Control
<b>Total</b>		<b><u>\$2,711.88</u></b>		

### 3717-000-1106 (CDBG Fund)

From	Reclass to	Amount	Purpose	Department
GovDeals	8727-000-1106	\$1,492.95	Sale of Asset 179	CDBG
<b>Total</b>		<b><u>\$1,492.95</u></b>		

### 3717-000-2101 (Water and Sewer Fund)

From	Reclass to	Amount	Purpose	Department
State Farm Mutual	4304-207-2101	\$1,406.23	Insurance settlement-Asset 271	Utility Billing
State Farm Mutual	4304-301-2101	\$12,777.93	Insurance settlement-Asset 271	Utility Billing
Columbia Insurance Group	5523-207-2101	\$2,712.41	Insurance settlement-Asset 299	Utilities-Eng. & Eng. Tech
Arkansas Municipal League	5604-208-2101	\$1,034.44	04-29-16 Hail storm settlement-Massard Pump Station	Utilities-Water Treatment
Arkansas Municipal League	5604-208-2101	\$2,601.34	04-29-16 Hail storm settlement-Jenny Lind Pump Station	Utilities-Water Treatment
Austin Powder Co.	5610-207-2101	\$3,613.58	Insurance settlement-Asset 877	Utilities-Water Line Maint.
Arkansas Municipal League	5610-207-2101	\$1,731.78	04-29-16 Hail storm settlement-Asset 297	Utilities-Water Line Maint.
Arkansas Municipal League	5610-207-2101	\$2,079.49	04-29-16 Hail storm settlement-Asset 319	Utilities-Water Line Maint.
Arkansas Municipal League	5610-207-2101	\$2,218.60	04-29-16 Hail storm settlement-Asset 815	Utilities-Water Line Maint.
Arkansas Municipal League	5610-207-2101	\$2,190.25	04-29-16 Hail storm settlement-Asset 911	Utilities-Water Line Maint.
Arkansas Municipal League	5610-207-2101	\$1,534.75	04-29-16 Hail storm settlement-Asset 913	Utilities-Water Line Maint.
Arkansas Municipal League	5610-207-2101	\$2,000.29	04-29-16 Hail storm settlement-Asset 936	Utilities-Water Line Maint.
<b>Total</b>		<b><u>\$35,901.09</u></b>		

## Re-appropriation of Miscellaneous Unanticipated Revenue

### 3717-000-2104 (Sanitation Fund)

<b>From</b>	<b>Reclass to</b>	<b>Amount</b>	<b>Purpose</b>	<b>Department</b>
GovDeals	6303-207-2104	\$12,066.63	Sale of Asset 182	Commercial Collection
GovDeals	6305-207-2104	\$5,087.50	Sale of drive over scales	Sanitary Landfill
GovDeals	6305-207-2104	\$37,018.50	Sale of Asset 4011	Sanitary Landfill
<b>Total</b>		<b><u>\$54,172.63</u></b>		
<b>Grand Total</b>		<b><u>\$420,445.38</u></b>		

RESOLUTION AUTHORIZING CHANGE ORDER NUMBER ONE WITH BESHEARS CONSTRUCTION, INC., FOR THE RENOVATION AND FURNISHING OF THE LIBRARY ANNEX BUILDING FOR USE AS OFFICE SPACE.

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

Change Order Number One to the contract with Beshears Construction, Inc., for the construction of the Renovation and Furnishing of the Library Annex Building for Use as Office Space, Project Number 15-11, in the amount of \$3,085.00, adjusting the final contract amount to \$515,085.00, is hereby approved.

The Resolution adopted this \_\_\_\_\_ day of September 2016.

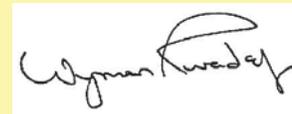
APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

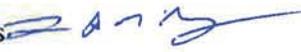


\_\_\_\_\_,npr



## Memorandum

**To:** Carl Geffken, City Administrator  
Robert Roddy, Interim Utility Director

**From:** Lance McAvoy, Deputy Director of Operations 

**Date:** June 7, 2016

**Subject:** Project 15-11: Library Annex Renovation for Utility Department Office Space Change Order Requests

**cc:** Jeff Dingman, Deputy City Administrator

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Attached are copies of the two (2) Change Order Requests for the New Offices for Fort Smith Utility Project, Project Number 15-11. These two (2) Change Orders are the only two (2) that will be received for this project and total \$3085. The additional cost for the project are related to electrical and mechanical changes that took place after construction started.

The ITS Department required the addition of two (2) electrical receptacles and two (2) electrical switches in the IT Room. Again, these were not shown on original plans but are shown on revised drawing provided by engineers after conducting a site visit. The cost for this change is \$500.

There were four (4) mechanical changes to the HVAC system which were all part of the two (2) change orders. On the first floor Beshears had to revise changes to the HVAC ductwork which included adding branch ductwork to ensure proper heating and cooling to the entire office space.

The second HVAC system change which occurred on the second floor entailed re-working the trunk line to accommodate the fire wall.

The third HVAC system changes occurred on the first floor where Beshears had to relocate three (3) variable air volume (VAV) units for installation of new walls. This relocation was not originally planned and the change was due to the VAV's actual location being different than where they were shown on original bid documents.

The fourth HVAC system changes was again in the second floor Beshears had to relocate a VAV in the engineering office (which was not in the location shown on plans), had to disconnect and then reconnect existing supply line in break room for framers to install wall framing, and had to re-work existing exhaust ductwork penetrating floor slab because it was not in the location originally shown.

The cost for all of the HVAC changes is \$2,399.

Additional bond fees and O & P fees total \$186.

The entire Change Order Request is for \$3085.00 which includes tax.

Having talked with representatives from MAHG, each change order item was necessary and unavoidable. It is staff's recommendation to approve the change order for the above items.

Funds for the change orders are available and will come from the 2015 Revenue Bond.

Please contact me should you or any member of the Board or Administration have any questions or need additional information.

Attachment: AIA Document G701-2001: Change Order (Project 15-07)



# AIA Document G701™ – 2001

## Change Order

<b>PROJECT</b> (Name and address):	<b>CHANGE ORDER NUMBER:</b> 001	<b>OWNER:</b> <input checked="" type="checkbox"/>
New Offices for City of Fort Smith Utility Department Fort Smith, Arkansas	<b>DATE:</b> August 15, 2016	<b>ARCHITECT:</b> <input checked="" type="checkbox"/>
<b>TO CONTRACTOR</b> (Name and address):	<b>ARCHITECT'S PROJECT NUMBER:</b> 15-07	<b>CONTRACTOR:</b> <input checked="" type="checkbox"/>
Beshears Construction Inc. 12934 Old Highway 71 South Fort Smith, AR 72916	<b>CONTRACT DATE:</b> March 8, 2016	<b>FIELD:</b> <input type="checkbox"/>
	<b>CONTRACT FOR:</b> General Construction	<b>OTHER:</b> <input type="checkbox"/>

**THE CONTRACT IS CHANGED AS FOLLOWS:**  
 (Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

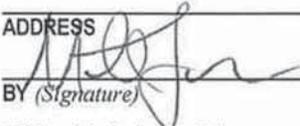
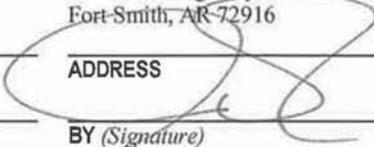
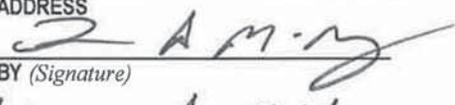
1. Extend ductwork in Office 112 and revise at hallway fire wall on Second Floor due to existing conditions.	\$ 1,095.00
2. Electrical and Mechanical revisions on First and Second Floor due to existing conditions.	<u>1,990.00</u>
<b>Total</b>	<b>\$ 3,085.00</b>

The original Contract Sum was	\$ 512,000.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 512,000.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 3,085.00
The new Contract Sum including this Change Order will be	<u>\$ 515,085.00</u>

The Contract Time will be increased by Zero (0) days.  
 The date of Substantial Completion as of the date of this Change Order therefore is unchanged.

**NOTE:** This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

MAHG Architecture, Inc. <b>ARCHITECT</b> (Firm name)	Beshears Construction Inc. <b>CONTRACTOR</b> (Firm name)	City of Fort Smith <b>OWNER</b> (Firm name)
6400 Riley Park Drive Fort Smith, Arkansas 72916	12934 Old Highway 71 South Fort-Smith, AR 72916	P. O. Box 1908 623 Garrison Avenue (72901) Fort Smith, AR 72902
<b>ADDRESS</b>	<b>ADDRESS</b>	<b>ADDRESS</b>
 <b>BY</b> (Signature)	 <b>BY</b> (Signature)	 <b>BY</b> (Signature)
Michael L. Lejong, AIA (Typed name)	JOSHUA REAL (Typed name)	LANCE A. MCKAY (Typed name)
8-16-2016 <b>DATE</b>	8-16-16 <b>DATE</b>	08/25/2016 <b>DATE</b>



ITEM # 1

Serving the Area's Construction Needs  
Since 1984

Arkansas Office: P. O. Box 6299 Fort Smith, AR 72906  
Oklahoma Office: P. O. Box 1011 Sallisaw, OK 74955

**RFP #1**

**DATE: 4-6-2016**

**TO:** MAHG  
**ATTN:** Travis/Michael  
**RE:** New Offices for - City of Fort Smith Utility Dept.

**Beshears Project #: 2304**  
Fort Smith Utility

The following price is for the revised changes on sheet M1.1 dated 3-30-2016 - add supply branch ductwork to air devices in Office 112; also included is the re-working of trunk line as needed to accommodate hallway fire wall on 2<sup>nd</sup> floor.

**RFP Price Breakdown:**

HVAC \$1,029.00

Bond: \$15.00

O&P: \$51.00

**Total SDA Price (includes tax): \$1,095.00**

**We appreciate the opportunity to serve you and if we can be of further assistance please let us know.**

**Joshua P. Real**  
Project Manager

*A team approach to customer satisfaction, jobsite safety, and exceptional quality.*

(479) 646-0846 [www.beshearsconstruction.com](http://www.beshearsconstruction.com) (918) 790-3377

Commercial • Industrial • Institutional

General Contractors • Construction Managers • Design-Build Constructors



ITEM # 2

Serving the Area's Construction Needs  
Since 1984

Arkansas Office: P. O. Box 6299 Fort Smith, AR 72906  
Oklahoma Office: P. O. Box 1011 Sallisaw, OK 74955

### Change Order Request

DATE: 5-25-2016

TO: MAHG  
ATTN: Travis/Michael  
RE: New Offices for - City of Fort Smith Utility Dept.

Beshears Project #: 2304  
Fort Smith Utility

The following price is for some misc. electrical and mechanical changes that took place after construction started and weren't shown on original plans:

Electrical - add (2) receptacles and (2) switches in the IT Room - not shown on original plans and shown on revised drawing provided by engineers after conducting a site visit

Mechanical 1<sup>st</sup> Floor - had to relocate (3) VAV's for installation of new walls (VAV's not located where they were shown on original bid documents)

Mechanical 2<sup>nd</sup> Floor - had to relocate a VAV in engineering office (not in location shown on plans), had to disconnect and then reconnect existing supply line in breakroom for framers to install wall framing, had to re-work existing exhaust ductwork penetrating floor slab because it was not in location originally shown

**Change Order Breakdown:**

Electrical: \$500.00

HVAC: \$1,370.00

Bond: \$25.00

O&P: \$95.00

**Total CO Request (includes tax): \$1,990.00**

NOTE: Was informed by building staff that exhaust in existing bathrooms doesn't work and was asked by building staff to provide price to replace roof-mounted exhaust fan for the bathrooms. That is the additional price below.

NOT ACCEPTED

Additional Change Order Request: ~~\$1,300.00~~

We appreciate the opportunity to serve you and if we can be of further assistance please let us know.

Joshua P. Real  
Project Manager

*A team approach to customer satisfaction, jobsite safety, and exceptional quality.*

(479) 646-0846 [www.beshearsconstruction.com](http://www.beshearsconstruction.com) (918) 790-3377

Commercial • Industrial • Institutional

General Contractors • Construction Managers • Design-Build Constructors

**RESOLUTION ACCEPTING THE PROJECT AS COMPLETE, AND AUTHORIZING FINAL PAYMENT TO BESHEARS CONSTRUCTION, INC., FOR THE RENOVATION AND FURNISHING OF THE LIBRARY ANNEX BUILDING FOR USE AS OFFICE SPACE.**

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

SECTION 1: The construction for the Renovation and Furnishing of the Library Annex Building for Use as Office Space, Project 15-11, is accepted as complete.

SECTION 2: Final payment to Beshears Construction, Inc., in the amount of \$28,685.00, is hereby approved.

The Resolution adopted this \_\_\_\_\_ day of September 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_,npr



# Memorandum

**To:** Carl Geffken, City Administrator  
Robert Roddy, Interim Utility Director

**From:** Lance McAvoy, Deputy Director of Operations *Lance McAvoy*

**Date:** August 7, 2016

**Subject:** Project 15-11: Library Annex Renovation for Utility Department Office Space  
Final Contract Payment to Beshears Construction, Inc., for Facility Construction & Rehab  
Resolution 31-16, Section 2

**cc:** Jeff Dingman, Deputy City Administrator

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On March 1, 2016, the Board of Directors passed Resolution 31-16, “Resolution Accepting Bids and Authorizing Contracts for the Renovation and Furnishings of the Library Annex Building for Use as Office Space.” Resolution 31-16 awarded six (6) separate contracts for every aspect of the project as presented to the Board of Directors. Section 2 of Resolution 31-16 granted a contract to Beshears Construction, Inc., in the amount of \$512,000 for facility construction & rehabilitation of the office space. The associated change orders cost of \$3,085 brought the total contracted amount to \$515,085.

On August 26, 2016, the City received an invoice for the final payment of the contractual amount of \$28,685 to be paid to Beshears Construction, Inc.

Staff has reviewed the invoice and agrees that the City has satisfactorily completed the work as outlined in the contract, and recommend the Board of Directors’ approval for final payment and completion of this contact as part of Resolution 31-16, Section 2.

Please contact me should you or any member of the Board or Administration have any questions or need additional information.

**Attachment:** Resolution 31-16 - “Resolution Accepting Bids and Authorizing Contracts for the Renovation and Furnishings of the Library Annex Building for Use as Office Space.”  
Project 15-11 Summary  
Beshears Construction, Inc., Application and Certification for Payment

RESOLUTION ACCEPTING BIDS AND AUTHORIZING CONTRACTS  
FOR THE RENOVATION AND FURNISHINGS OF THE LIBRARY  
ANNEX BUILDING FOR USE AS OFFICE SPACE

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

SECTION 1: The Mayor is hereby authorized to execute contracts with the below listed bidders in the amounts indicated for performing the renovation and providing the furnishings of the Library Annex Building, Project Number 15-11.

SECTION 2: The bid of Beshears Construction, Inc., in the amount of \$512,000.00 for the general construction, is hereby accepted.

SECTION 3: The bid of MISSCO Contract Sales, LLC, in the amount of \$473,989.40 for the system walls and workstations, is hereby accepted.

SECTION 4: The bid of Innerplan, Inc., in the amount of \$41,418.33 for furniture, Group A and Group H task chairs and break room chairs, is hereby accepted.

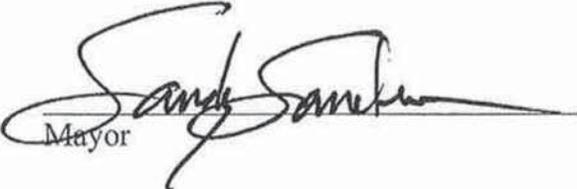
SECTION 5: The bid of MISSCO Contract Sales, LLC, in the amount of \$26,718.64 for furniture, Group C, Group D and Group G storage, meeting tables and break room tables, is hereby accepted.

SECTION 6: The bid of Norman Company, Inc., in the amount of \$61,598.82 for furniture, Group B and Group E case goods and meeting chairs, is hereby accepted.

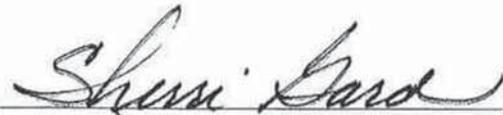
SECTION 7: The bid of Today's Office, Inc., in the amount of \$9,350.29 for furniture, Group F lobby furniture, is hereby accepted.

This Resolution adopted this 1<sup>st</sup> day of March 2016.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
npr

## Project Summary

City of Fort Smith  
Utility Department

Project Status: Compete      Project name: Library Annex Renovation for Utility Department Office Space

Today's Date: August 29, 2016      Project number: 15-11

Staff contact name: Lance McAvoy      Project engineer: MAHG

Staff contact phone: 494-3908      Project contractor: Beshears Construction, Inc.

Notice to proceed issued: March 23, 2016

Final Completion date: July 8, 2016

	Dollar Amount	Contract Time (Days)
Original contract	\$512000.00	360
Change orders:		
Number One	\$1095.00	0
Number Two	\$1990.00	
Total change orders	\$3085.00	<u>0</u>
Adjusted contract	<u>\$515085.00</u>	<u>N/A</u>
Payments to date (as negative):	\$ -486400.00	94.4%
Amount of this payment (as negative)	\$ -28685.00	5.6%
Contract balance remaining	\$ 0.00	

# APPLICATION AND CERTIFICATE FOR PAYMENT

TO: City of Fort Smith P. O. Box 1908 Fort Smith, AR 72902 Attn: FROM: Beshears Construction, Inc. P.O. Box 6299 Fort Smith, AR 72906 FOR: New Offices City of Fort Smith - Utility Department	PROJECT 2304 NAME AND LOCATION: New Offices City of Fort Smith - Utility Department P. O. Box 1908 Fort Smith, AR 72902 ARCHITECT: MAHG Architecture 302 N. 6th Street Fort Smith, AR 72901	APPLICATION # 6 PERIOD THRU: 08/25/2016 PROJECT #s: 2304 DATE OF CONTRACT: 03/08/2016 AUG 26 2016	Distribution to: <input checked="" type="checkbox"/> OWNER <input checked="" type="checkbox"/> ARCHITECT <input checked="" type="checkbox"/> CONTRACTOR <input type="checkbox"/> <input type="checkbox"/>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

ENGINEERING -

## Contractor's Application for Payment

Application is made for payment as shown below.  
Continuation Page is attached.

1. CONTRACT AMOUNT	512,000.00	
2. SUM OF ALL CHANGE ORDERS	3,085.00	
3. CURRENT CONTRACT AMOUNT (Line 1 +/- 2)	515,085.00	
4. TOTAL COMPLETED AND STORED (Column G on Continuation Page)	515,085.00	
5. RETAINAGE:		
a. 0.00% of Completed Work (Columns D + E on Continuation Page)	0.00	
b. 0.00% of Material Stored (Column F on Continuation Page)	0.00	
Total Retainage (Line 5a + 5b or Column I on Continuation Page)	0.00	
6. TOTAL COMPLETED AND STORED LESS RETAINAGE (Line 4 minus Line 5 Total)	515,085.00	
7. LESS PREVIOUS PAYMENT APPLICATIONS	486,400.00	
8. PAYMENT DUE	28,685.00	
9. BALANCE TO COMPLETION (Line 3 minus Line 6)	0.00	

SUMMARY OF CHANGE ORDERS	ADDITIONS	DEDUCTIONS
Total changes approved in previous months	\$0.00	\$0.00
Total approved this month	\$3,085.00	\$0.00
TOTALS	\$3,085.00	\$0.00
NET CHANGES	\$3,085.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and the current payment shown herein is now due.

CONTRACTOR: Beshears Construction, Inc.

By: Joshua P. Real Date: 08/25/2016

State of: ARKANSAS

County of: SEBASTIAN

Subscribed and sworn to before

me this 25th day of August 2016

Notary Public: Kimberly A. White

My Commission Expires: SEPTEMBER 22, 2019



## Certificate for Payment

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

Amount Certified

28,685.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that changed to conform to the amount certified.)

ARCHITECT: Michael LeJong

By: [Signature] Date: 8-26-2016

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or the Contractor under this Contract.

Continuation Sheet

PROJECT: 2304  
 New Offices City of Fort Smith - Utility  
 Department

APPLICATION #: 6  
 DATE OF APPLICATION: 08/25/2016  
 PERIOD THRU: 08/25/2016  
 PROJECT #s: 2304

Application and Certificate for Payment, containing Contractor's signed  
 Certification is Attached

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT	D COMPLETED WORK		F STORED MATERIALS (NOT IN D OR E)	G		H BALANCE TO COMPLETION (C-G)	I RETAINAGE (If Variable)
			AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD		TOTAL COMPLETED AND STORED (D + E + F)	% COMP. (G / C)		
2	DEMOLITION	\$2,885.00	\$2,885.00	\$0.00	\$0.00	\$2,885.00	100.0%	\$0.00	
3	METAL STUDS/DRYWALL/CEILINGS	\$91,405.00	\$91,405.00	\$0.00	\$0.00	\$91,405.00	100.0%	\$0.00	
4	FINISH CARPENTRY/MILLWORK	\$6,869.00	\$6,869.00	\$0.00	\$0.00	\$6,869.00	100.0%	\$0.00	
5	HOLLOW METAL	\$6,055.00	\$6,055.00	\$0.00	\$0.00	\$6,055.00	100.0%	\$0.00	
6	WOOD DOORS	\$4,905.00	\$4,905.00	\$0.00	\$0.00	\$4,905.00	100.0%	\$0.00	
7	FINISH HARDWARE	\$17,870.00	\$17,870.00	\$0.00	\$0.00	\$17,870.00	100.0%	\$0.00	
8	ALUMINUM/GLASS	\$15,700.00	\$15,700.00	\$0.00	\$0.00	\$15,700.00	100.0%	\$0.00	
9	FLOOR COVERING/TILE	\$19,250.00	\$19,250.00	\$0.00	\$0.00	\$19,250.00	100.0%	\$0.00	
10	PAINTING	\$13,735.00	\$13,735.00	\$0.00	\$0.00	\$13,735.00	100.0%	\$0.00	
11	SPECIALTIES	\$5,035.00	\$5,035.00	\$0.00	\$0.00	\$5,035.00	100.0%	\$0.00	
12	APPLIANCES	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$1,500.00	100.0%	\$0.00	
13	PLUMBING/HVAC	\$125,505.00	\$125,505.00	\$0.00	\$0.00	\$125,505.00	100.0%	\$0.00	
14	ELECTRICAL	\$157,377.00	\$157,377.00	\$0.00	\$0.00	\$157,377.00	100.0%	\$0.00	
15	CLEANING/DUMPSTERS	\$5,050.00	\$5,050.00	\$0.00	\$0.00	\$5,050.00	100.0%	\$0.00	
16	BONDS/INSURANCE/PERMIT/OC P	\$9,789.00	\$9,789.00	\$0.00	\$0.00	\$9,789.00	100.0%	\$0.00	
	SUB-TOTALS	\$512,000.00	\$512,000.00	\$0.00	\$0.00	\$512,000.00	100.0%	\$0.00	

Continuation Sheet

PROJECT: 2304  
 New Offices City of Fort Smith - Utility  
 Department

APPLICATION #: 6  
 DATE OF APPLICATION: 08/25/2016  
 PERIOD THRU: 08/25/2016  
 PROJECT #s: 2304

Application and Certificate for Payment, containing Contractor's signed  
 Certification is Attached

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT	D COMPLETED WORK		F STORED MATERIALS (NOT IN D OR E)	G		H BALANCE TO COMPLETION (C-G)	I RETAINAGE (If Variable)
			AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD		TOTAL COMPLETED AND STORED (D + E + F)	% COMP. (G / C)		
17	CO #1 - HVAC/Electrical	\$3,085.00	\$0.00	\$3,085.00	\$0.00	\$3,085.00	100.0%	\$0.00	
TOTALS		\$515,085.00	\$512,000.00	\$3,085.00	\$0.00	\$515,085.00	100.0%	\$0.00	

**RESOLUTION ACCEPTING THE PROJECT AS COMPLETE, AND AUTHORIZING FINAL PAYMENT TO MISSCO CONTRACT SALES, LLC, FOR THE RENOVATION AND FURNISHING OF THE LIBRARY ANNEX BUILDING FOR USE AS OFFICE SPACE.**

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

SECTION 1: The installation of system walls and workstations for the Renovation and Furnishing of the Library Annex Building for Use as Office Space, Project 15-11, is accepted as complete.

SECTION 2: Final payment to MISSCO Contract Sales, LLC, in the amount of \$9,436.80, is hereby approved.

The Resolution adopted this \_\_\_\_\_ day of August 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_,npr



## Memorandum

**To:** Carl Geffken, City Administrator  
Robert Roddy, Interim Utility Director

**From:** Lance McAvoy, Deputy Director of Operations 

**Date:** August 7, 2016

**Subject:** Project 15-11: Library Annex Renovation for Utility Department Office Space  
Final Contract Payment to MISSCO Contract Sales, LLC, for Workstations  
Resolution 31-16, Section 3

**cc:** Jeff Dingman, Deputy City Administrator

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On March 1, 2016, the Board of Directors passed Resolution 31-16, “Resolution Accepting Bids and Authorizing Contracts for the Renovation and Furnishings of the Library Annex Building for Use as Office Space.” Resolution 31-16 awarded six (6) separate contracts for every aspect of the project as presented to the Board of Directors. Section 3 of Resolution 31-16 granted a contract to MISSCO Contract Sales, LLC, in the amount of \$473,989.40 for Workstations.

On August 26, 2016, the City received an invoice for the final payment of the contractual amount of \$9,436.80 to be paid to MISSCO Contract Sales.

Staff has reviewed the invoice and agrees that the City has satisfactorily received all components of the workstations as listed in the contract, and recommend the Board of Directors’ approval for final payment and completion of this contact as part of Resolution 31-16, Section 3.

Please contact me should you or any member of the Board or Administration have any questions or need additional information.

**Attachment:** Resolution 31-16 - “Resolution Accepting Bids and Authorizing Contracts for the Renovation and Furnishings of the Library Annex Building for Use as Office Space.”  
MISSCO Contract Sales, LLC, Invoice IAR404702

RESOLUTION ACCEPTING BIDS AND AUTHORIZING CONTRACTS  
FOR THE RENOVATION AND FURNISHINGS OF THE LIBRARY  
ANNEX BUILDING FOR USE AS OFFICE SPACE

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

SECTION 1: The Mayor is hereby authorized to execute contracts with the below listed bidders in the amounts indicated for performing the renovation and providing the furnishings of the Library Annex Building, Project Number 15-11.

SECTION 2: The bid of Beshears Construction, Inc., in the amount of \$512,000.00 for the general construction, is hereby accepted.

SECTION 3: The bid of MISSCO Contract Sales, LLC, in the amount of \$473,989.40 for the system walls and workstations, is hereby accepted.

SECTION 4: The bid of Innerplan, Inc., in the amount of \$41,418.33 for furniture, Group A and Group H task chairs and break room chairs, is hereby accepted.

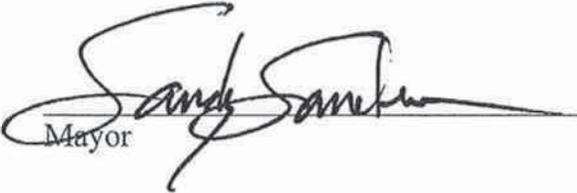
SECTION 5: The bid of MISSCO Contract Sales, LLC, in the amount of \$26,718.64 for furniture, Group C, Group D and Group G storage, meeting tables and break room tables, is hereby accepted.

SECTION 6: The bid of Norman Company, Inc., in the amount of \$61,598.82 for furniture, Group B and Group E case goods and meeting chairs, is hereby accepted.

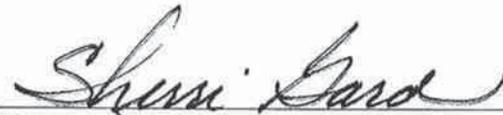
SECTION 7: The bid of Today's Office, Inc., in the amount of \$9,350.29 for furniture, Group F lobby furniture, is hereby accepted.

This Resolution adopted this 1<sup>st</sup> day of March 2016.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

 npr



MISSCO Contract Sales, LLC  
 P.O. Box 321400  
 Flowood, MS 39232-1400  
 Phone: (601) 987-8600  
 Fax: (601) 487-2800

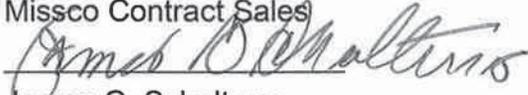
**INVOICE**

Date 8/25/2016  
 Invoice No. IAR404702  
 Order No. 21180500  
 Shipper ID SAR404702  
 Order Type Customer Orders  
 Customer ID ARFORM

SOLD TO:	SHIP TO:
CITY OF FORT SMITH, AR POST OFFICE BOX 1908 FORT SMITH, AR 72902-1908	CITY OF FORT SMITH UTILITY DEPARTMENT 800 CARNALL AVENUE FORT SMITH, AR 72902 <b>RECEIVED</b>  AUG 26 2016

ENGINEERING PAGE 1  
 ENG. TECH.

F.O.B. POINT	CUSTOMER ORDER	SHIP VIA	TERMS	SALES PERSON	OUR ORDER
FACTORY	COFS UTILITY SYSTEM WALLS	BEST	net 30 days	Mack Skeen	21180500
ITEM ID	DESCRIPTION	UNIT	QTY	UNIT PRICE	EXT. PRICE
50KRUEGOFFICCOMM	ONE LOT OF KI UNITE SYSTEMS PER DWG 11/5/15 BILL #3 FOR 5%	EA	1.00	8,598.45	8,598.45

Reviewed and Approved  
 Missco Contract Sales  
  
 James G. Scholtens  
 8/25/2016

**RECEIVED**  
 MAHG ARCHITECTURE  
 AUG 26 2016

Sales Total	8,598.45
Shipping & Handling	0
Misc. Charges	0
Tax Total	838.35
<b>TOTAL</b>	<b>9,436.80</b>

Remit to: MISSCO Contract Sales, P O Box 321400, Flowood, MS 39232-1400

For questions concerning this invoice call:  
 Accounts Receivable at 800/647-5333 ext. 521 or 601/368-2521  
 WWW.MISSCO.COM

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AUTHORIZATION NUMBER TWO TO THE AGREEMENT WITH MORRISON SHIPLEY ENGINEERS, INC., FOR ENGINEERING SERVICES FOR THE RIVERLYN WASTEWATER PUMP STATION IMPROVEMENTS

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

SECTION 1: Authorization Number Two to the Agreement with Morrison Shipley Engineers, Inc., for engineering services with reference to the Riverlyn Wastewater Pump Station Improvements approved by Resolution R-156-15 is hereby approved to provide engineering final design services associated with Project Number 15-22-ED2.

SECTION 2: The Mayor is hereby authorized to execute, his signature being attested by the City Clerk, Authorization Number Two in the amount of \$62,280.00, for performance of said services.

This Resolution adopted this \_\_\_\_\_ day of September, 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to form:



\_\_\_\_\_  
City Attorney  
No Publication Required



## INTER-OFFICE MEMO

**TO:** Carl Geffken, City Administrator

**DATE:** August 30, 2016

**FROM:** Robert Roddy, Interim Director of Utilities

**SUBJECT:** Riverlyn Wastewater Pump Station Improvements  
Project Number 15-22

As a condition of the Consent Decree the city is required to implement improvements to wastewater pump stations and force mains as detailed in the attached Appendix B of the Consent Decree. The Riverlyn pump station (Pump Station #8) is one of three stations in the group one listing with specified dates for completion of needed improvements. The Riverlyn pump station improvements are to be completed by the end of year 2017. Improvements to this pump station, which was originally constructed in 1968, will complete a multi-year effort to identify and correct collection system deficiencies within Basin 17 that have contributed to numerous wet weather overflows along South 74th Street near Carol Ann Cross park and other locations upstream of the Riverlyn pump station. Through discussions with Morrison Shipley it was decided that the initial authorization for the Riverlyn pump station would be limited to the first two tasks, pump station/force main site evaluation and preliminary design.

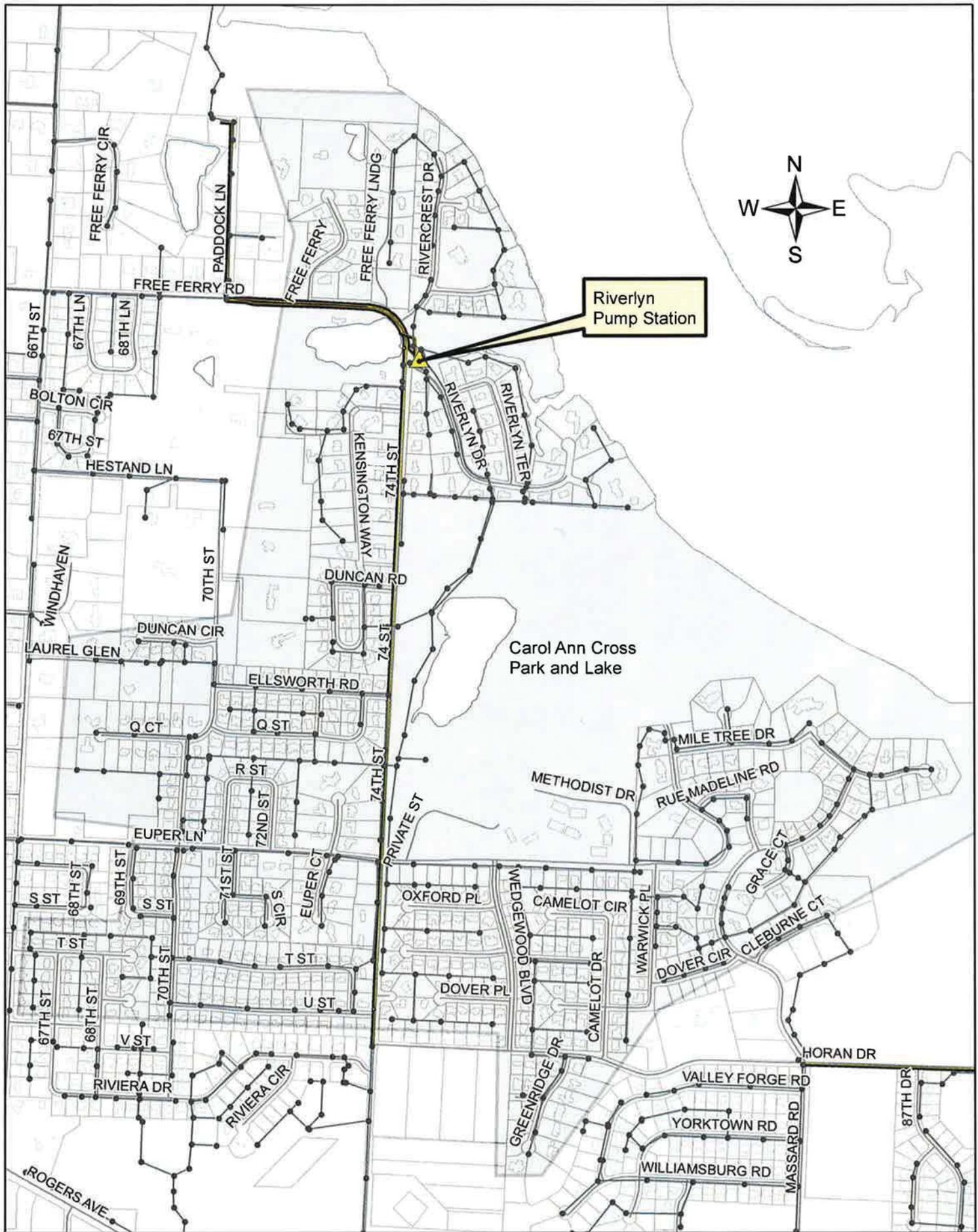
Authorization Two for final design and bidding phase services is being requested. It is anticipated that final design can be completed with bids for construction received by December 2016. This will leave 12 months for completing construction and meeting the Consent Decree deadline.

Authorization Number Two for an amount of \$62,280 is attached. Funding for this contract is available from the 2015 revenue bonds issued for sewer system improvements.

Should you or members of the Board have any questions or desire additional information, please let me know.

attachment

pc: Jeff Dingman



**Riverlyn Wastewater Pump Station Improvements  
Project No. 15-22-ED1**

RESOLUTION \_\_\_\_\_

**A RESOLUTION TO ACCEPT THE BID AND AUTHORIZE A  
CONTRACT FOR THE CONSTRUCTION OF  
STREET OVERLAYS/RECONSTRUCTION  
PROJECT NO. 16-03-B**

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

SECTION 1: The bid of Forsgren, Inc., received August 30, 2016, for the construction of Street Overlays/Reconstruction, Project No. 16-03-B, in the amount of \$2,424,784.30 is accepted.

SECTION 2: The Mayor is authorized to execute a contract with Forsgren, 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 Sales Tax Fund (1105).

This Resolution is adopted this \_\_\_\_\_ day of September, 2016.

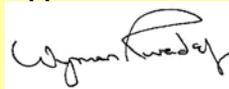
APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to Form



\_\_\_\_\_  
 No Publication Required



# Memorandum

**TO:** Carl Geffken, City Administrator

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

**DATE:** September 1, 2016

**SUBJECT:** Street Overlays/Reconstruction  
Project No. 16-03-B

The above subject project consists of asphalt street overlays, reconstruction and minor drainage improvements for the streets shown on the attached exhibit. The total length of streets to be improved is approximately 2 miles.

Construction plans and specifications were prepared by Brixey Engineering & Land Surveying, Inc. of Fort Smith. An advertisement was published and bids were received on August 30, 2016. Four contractors requested plans and specifications, and two bids were received which are summarized as follows:

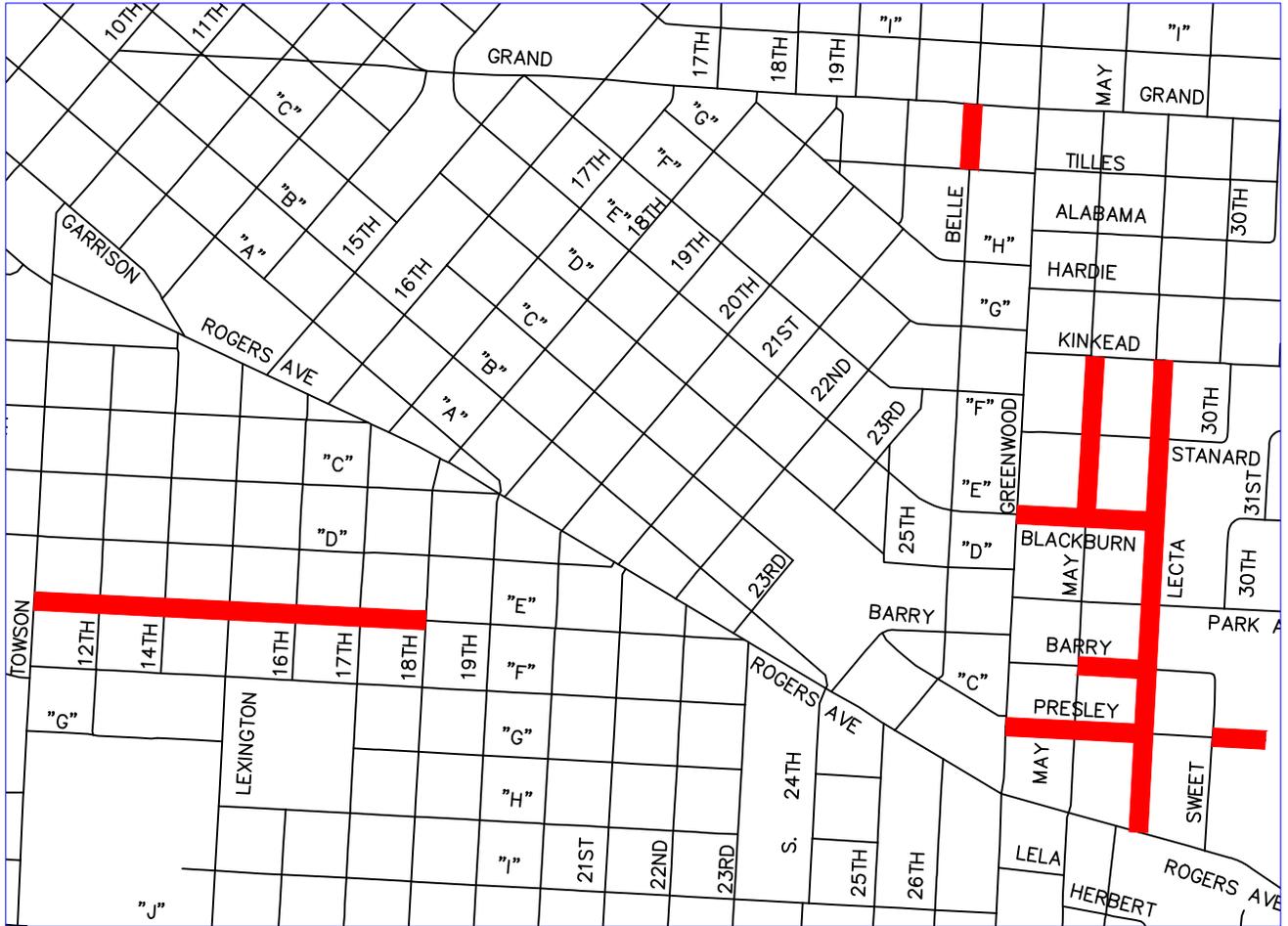
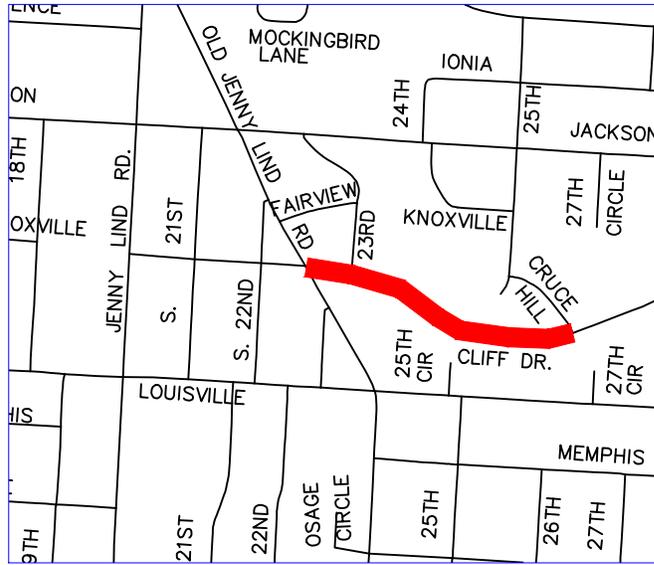
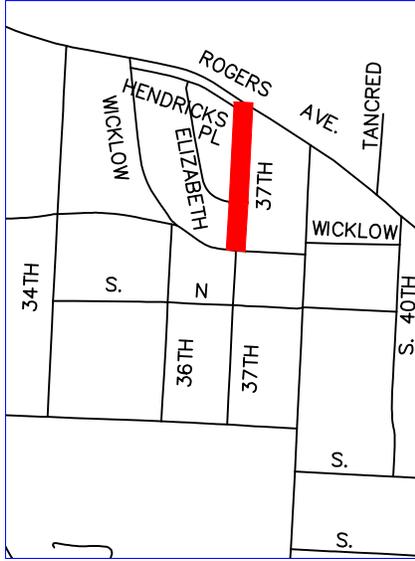
CONTRACTOR	AMOUNT	CONTRACTOR	AMOUNT
1. Forsgren, Inc. Fort Smith, AR	\$2,424,784.30	2. Goodwin & Goodwin, Inc. Fort Smith, AR	\$2,460,029.14
<i>Engineers Estimate</i>	<i>\$2,500,000.00</i>		

I recommend that the contract be awarded to Forsgren, Inc. in the amount of \$2,424,784.30. The estimated notice to proceed date for this contract is September 26, 2016. Based on the contract duration of 270 days, the estimated completion date would be June 22, 2017.

This project is in alignment with the comprehensive plan policies FLU-1.4 (Ensure adequate, well-maintained infrastructure, public safety, and public facilities for all development and prevent development ahead of infrastructure and service provision), TI-5.1 (Continue to ensure that customers within Fort Smith have access to reliable water, sewer, drainage, solid waste services by reducing or eliminating deficiencies and gaps in infrastructure systems), TI-5.2 (Ensure that utility and infrastructure systems can meet the city's long-term needs) and NCR-2.6 (Reduce stormwater runoff and flooding).

Attached is a Resolution to accomplish the above recommendation. Funds are available in the Sales Tax Program (1105).

Attachments



2016 CAPITAL IMPROVEMENTS PROGRAM  
STREET OVERLAYS/RECONSTRUCTION



Project: 16-03-B  
Date: OCT. 2015  
Scale: NONE  
Drawn By: RBR

RESOLUTION NO. \_\_\_\_\_

RESOLUTION ACCEPTING BIDS FOR THE PURCHASE OF  
WATER AND WASTEWATER CHEMICALS FOR 2016-2017

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

The Bids, as indicated by enclosure on the attached **Bid Tabulation**  
**08-23-16BA** for the purchase of water and wastewater chemicals for 2016-2017, are  
accepted.

This Resolution adopted this \_\_\_\_\_ day of September, 2016.

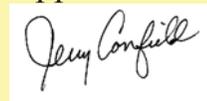
APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

Approved as to form:



\_\_\_\_\_  
No Publication Required

**Interoffice Memorandum**

**TO:** Carl Geffken, City Administrator

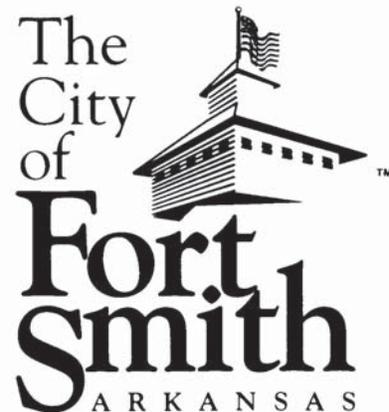
**COPY TO:** Robert Roddy, Interim Director of Utilities

**FROM:** Alie Bahsoon, Purchasing Manager *AB*

**SUBJECT:** 2016-2017 Water Chemical Bid Tabulation

**DATE:** August 25, 2016

**BID TAB:** 08-23-16BA




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Attached you will find the bid tabulation for **Treatment Chemicals** for the 2016-2017 year. These chemicals will be used by the Fort Smith Water and Wastewater Departments.

In an effort to significantly reduce cost and realize efficiencies in our procurement process, we once again solicited bids by partnering with eBridge, an online service that assists buyers like the City in achieving true-market value through its competitive sourcing and online procurement system. Our traditional sealed bid process allows a vendor to submit one bid. By virtue of conducting the chemical bid through eBridge, this allows the vendor the opportunity to “fine tune” their bid price during the online bid process and the City therefore benefits significantly in realizing cost reductions and procurement efficiencies through this process.

A total of 26 suppliers (22 last year) participated in this process and 749 total bids were placed (589 last year) with 178 total first-place turnovers (138 last year). As an example (see Exhibit A), three vendors were competitively bidding on Liquid Ferric Sulfate. Because of the online bid process, 150 bids were submitted (as opposed to three bids, the traditional way). While bidding, each vendor does not know their competitor’s price. The vendor simply sees their current ranking and is afforded the opportunity to adjust their price; this resulted in a total of 150 bids submitted with the 1<sup>st</sup> place turnover rate of 73 total times. Additionally, the vendor that was awarded the bid at \$199.50, their starting bid price was \$480 per wet ton and placed a total of 73 bids. The second lowest bidder submitted a total of 8 bids with a starting bid price of \$300 and an ending bid price of \$200 per wet ton. With a clear picture of where they rank in the negotiation process, the vendors clearly get unlimited chances to lower their price. This 100% transparent process allows each vendor a fair opportunity and the end result is significant cost savings for the City!

Although the specifications are not attached, they are available in my office should you or any members of the board wish to view them.

I am recommending that the bids noted by enclosure on the attached tabulations be accepted. Please let me know if you or any of the board members should have any questions.

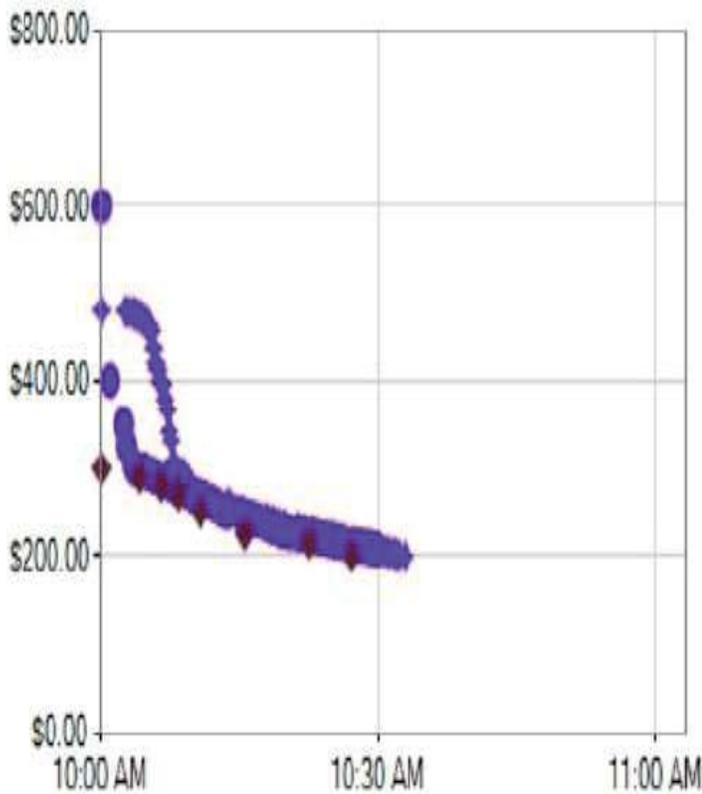
## EXHIBIT A



Event Summary Report  
 Water and Wastewater Treatment Chemicals 2016  
 Started: 8/23/2016 10:00 AM  
 Ended: 8/23/2016 11:03 AM

### Liquid Ferric Sulfate per Specifications, Delivered - Price per WET TON

Rank	Bidder	Initial Bid	Final Bid	# of Bids
1	Chemtrade Chemicals US LLC	\$480.00	\$199.50	73
2	Pencoco, Inc.	\$300.00	\$200.00	8
3	Kemira Water Solutions	\$600.00	\$207.20	69



Number of Bids	150
1st Place TurnOvers	17
Est. Bid Ceiling	n/a
Est. Bid Decrement	\$0.25
Avg. Bid Decrement	\$0.00
Avg. Time Between Bids	25secs
High-Low Spread %1st-2nd:	0.25 %
High-Low Spread %Total:	3.72 %
Extension Count:	446

**City of Fort Smith  
Tabulation of Bids: 2016-2017 Water & Waste Water Treatment Chemicals Tab 08-23-16BA**

Vendor	Hydrated Lime	Liquid Chlorine	Liq. Ferric Sulfate	Potassium Perm.	SW-102 Polymer	CF-150 Polymer	Sodium Hypochlorite	Sodium Hydroxide	Sodium Bisulfite	Pow. Act. Carbon Lee Creek	Pow. Act. Carbon Lake Ft. Smith	Calcium Nitrate	Sodium Carbonate	Fluorosilicic Acid Mountainburg	Fluorosilicic Acid Lee Creek
2015-2016 Pricing	\$216.50	\$815.00	\$174.80	\$3.507	\$0.495	\$0.199	\$0.893	\$2.0750	\$1.170	\$0.634	\$0.700	\$404.50	\$470.00	\$525.63	\$525.63
Unit of Measure	Ton	Ton	Wet Ton	Pound	Pound	Pound	Gallon	Gallon	Gallon	Pound	Pound	Liquid Ton	Ton	Ton	Ton
AR Lime Co.	\$216.50 ✓														
Brenntag Southwest	\$277.00	\$990.00 ✓		\$5.011	\$0.4470	\$0.274	\$1.150 ✓	\$3.000	\$1.198	\$0.600 ✓	\$0.799		\$800.00		
Cabot Purification										\$0.770	\$0.665 ✓				
Calabrian Corporation									\$1.650						
Calgon Carbon Corp.										\$0.820	\$0.670				
Carmeuse Lime & Stone	\$275.68														
Carus Corporation				\$3.507 ✓											
CedarChem LLC					\$0.3949 ✓										
Chemrite Inc.												\$384.10			
Chemtrade Chemicals			\$199.50 ✓			\$0.172									
Dycho Company												\$406.61		\$433.74	\$433.74
F2-Industries										\$0.610	\$1.000				
Geo Specialty Chemicals						\$0.240									
Gulbrandsen Technologies						\$0.171 ✓									
Harcros Chemical							\$1.550	\$1.840					\$550.00 ✓	\$397.00 ✓	\$396.00 ✓
Jacobi Carbons Inc.										\$0.800	\$0.720				
Kemira Water Solutions			\$207.20												
Lhoist North America	\$289.36														
Mississippi Lime Co	\$264.05														
Pencoco, Inc.			\$200.00											\$440.00	\$565.00
PVS Chemical Solutions									\$1.950						
Southern Ionics Inc.									\$1.190 ✓						
Standard Purification										\$0.750	\$0.800				
Thatcher Company Inc.												\$383.96 ✓			
Univar BCS														\$398.00	\$397.00
Water Tech, Inc.					\$0.3960	\$0.219	\$1.249	\$1.837 ✓							
<b>Incumbent</b>	AR Lime	Brenntag SW	Chemtrade	Carus Corp.	Water Tech	Chemtrade	Water Tech	Water Tech	South. Ionics	Brenntag	Brenntag	Thatcher Co.	Harcros Chem	Univar USA	Univar USA

Price Increase/Decrease      \$0.00    \$175.00    \$24.70    \$0.00    (\$0.8899)    (\$0.028)    \$0.257    (\$0.238)    \$0.020    (\$0.034)    (\$0.035)    (\$20.54)    \$80.00    (\$128.63)    (\$129.63)

✓ Bid Award

RESOLUTION NO. \_\_\_\_\_

RESOLUTION ALLOWING THE SALE OF SURPLUS VEHICLES  
AND EQUIPMENT AT PUBLIC AUCTION

---

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

The vehicles, equipment, and miscellaneous items shown on the attached  
lists are surplus and no longer needed by the City of Fort Smith.

The same shall be sold at the public auction on September 22, 2016.

This Resolution adopted this \_\_\_\_\_ day of September, 2016.

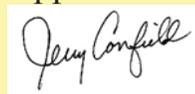
APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

Approved as to form:



\_\_\_\_\_  
No Publication Required

# Interoffice Memorandum

**TO:** Carl Geffken, City Administrator

**FROM:** Alie Bahsoon, Purchasing Manager *ABS*

**SUBJECT:** 2016 City Auction

**DATE:** September 2, 2016



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The 2016 City of Fort Smith Auction is scheduled for **Thursday, September 22, 2016** at the Fort Smith Transit Facility, located at 6821 Jenny Lind Road. The auction will begin at 10:00 a.m. and will be conducted by Looper Auction & Realty.

You will find attached a list consisting of surplus vehicles, equipment, and miscellaneous items that are scheduled to be sold at the auction. For your convenience, I have included the names of the departments that are disposing of the items, the mileage, what the vehicle/equipment was used for, and the current condition. Please note that this list is not an all-inclusive since there are other surplus items that will be auctioned as well.

In conjunction with our City auction, we have started using GovDeals.com, an online auction site that provides services to various governmental agencies that allows them to sell surplus items via the internet. By participating, we have been able to use our own auction rules and regulations and have realized positive results. Using both methods have enabled us (the Finance Department) to achieve our 2015 departmental service objectives. (*Comprehensive Plan: Goal CCD-3*)

In an effort to promote the auction to the citizens of Fort Smith, a complete list of items being sold will be made available on the City's website at [www.fortsmithar.gov](http://www.fortsmithar.gov).

Should you have any questions or should require any additional information, please do not hesitate to let me know.

**2016 City of Fort Smith Auction  
Vehicle/Equipment Asset List**

Asset #	Year	Make	Model	Usage	Model/Description	Mileage/Hours	VIN	Dept.	Program	Condition
113	2000	Chevrolet	Lumina	General city business		87,000	2G1WL52J6Y1323045	Utility Admn.	5501	Poor-bad transmission
186	2006	Chevrolet	Goshen GC-II	Public transport	Transit Bus C5500 (26 psngr)	129,629	1GBE5V1256F423719	Transit	6550	High mileage; damaged frame
239	2011	Ford Starcraft	Allstar	Public transport	Transit Bus CNG (24 psngr)	338,112	1FDDE4FS2BDA49252	Transit	6550	High mileage; wiring issues
1037	2005	Texas Bragg		Equipment hauling	28' Tandem Dual Trailer		17XFW332751059022	Parks	6201	Good
620	1999	Grasshopper	721D	Grass mowing	Lawn mower-diesel	1,925	494580	Sanitation	6304	Spare parts
4007	2001	Kincaid	T1201002	Seed spreader	Hydro seeder			Sanitation	6305	Poor
n/a	2010	Club Cadet	RZT50	Grass mowing	Lawn mower	720				Spare parts
615	1996	Ford	F350	Debris removal	1 ton with long utility bed	165,232	1FDKF37H7TEB66569	Street	5305	High mileage; poor condition
420	1996	International	3800	A Team transport	71 passenger school bus	117,609	1HVBBABPOTH363255	Street	5304	High mileage; poor condition
474	1992	Ford	Gang tractor	Mowing	Tractor mower	1,876	BD03016	Street	5304	High mileage; poor condition
2012	2000	John Deere	310		Backhoe	5,877	T0310EX890540	Street	5305	Needs major repairs

CITY OF FORT SMITH - 2016 AUCTION  
SURPLUS EQUIPMENT/MISC. ITEMS (PLEASE PRINT ALL INFO)

DEPARTMENT	PROGRAM #	ITEM DESCRIPTION	CONDITION Excellent/Good/ Fair/Poor	SERIAL # (If applicable)
ITS	4401	HP DeskJet 6620	Poor	MY58U2R051
ITS	4401	HP DeskJet 960c	Poor	MY1261C0C9
ITS	4401	Epson Laser Action 1500	Poor	1D8081519
ITS	4401	HP LaserJet 4240n	Poor	CNRXX12273
ITS	4401	Dell 2408WFPb Monitor	Poor	MX-0G283H-74262-8B5-100S
ITS	4401	Dell 2407 Monitor	Poor	MX-GM50446-634-788-2NUS
ITS	4401	Dell E2210He	Poor	CN-0H265R-64180-998-5BPS
ITS	4401	Dell Latitude Laptop D505	Poor	FNWXP61
ITS	4401	Dell Latitude Laptop D630	Poor	2Y725H1
ITS	4401	Dell Latitude Laptop D630	Poor	85DZSF1
ITS	4401	HP Deskjet 6988	Poor	MY94F2K15T
ITS	4401	Bosch Flexidome IP Camera	Poor	OP24100231334
ITS	4401	Bosch Flexidome IP Camera	Poor	OP150737089901
ITS	4401	Bosch Flexidome IP Camera	Poor	OP150737089908
ITS	4401	Bosch Flexidome IP Camera	Poor	N/A
ITS	4401	Motorola ML900 Laptop	Poor	343HHE2645
ITS	4401	Motorola ML900 Laptop	Poor	343HHE2680
ITS	4401	Motorola ML900 Laptop	Poor	343HHE0541
ITS	4401	Motorola ML900 Laptop	Poor	343HHJ0963
ITS	4401	Motorola ML900 Laptop	Poor	343HHJ0965
ITS	4401	Motorola ML900 Laptop	Poor	343HHE2724
ITS	4401	Motorola ML900 Laptop	Poor	343HHJ0806
ITS	4401	Dell Optiplex GX260	Poor	HQG5V11
ITS	4401	Dell Optiplex GX620	Poor	63GL8C1
ITS	4401	Cisco IP Phone 7960	Poor	FCH10169J4P
ITS	4401	Cisco IP Phone 7942	Poor	FCH13279E4L
ITS	4401	Sharp FD-1460	Poor	07107418
ITS	4401	APC UPS XS 1500	Poor	4B1211P33854
ITS	4401	Dell Dock	Poor	CN-OHD062-48643-878-5147
ITS	4401	APC UPS 550	Poor	4B1120P30893
ITS	4401	APC UPS 550	Poor	3B0723X17814
ITS	4401	APC UPS 740	Poor	5B0746T2393G
ITS	4401	APC UPS 1500	Poor	4B1211P33854
ITS	4401	Epson 4490 Photo Scanner	Poor	GR9W143520
ITS	4401	Dell 1908 Monitor	Poor	CN0FP1827161871PG093
ITS	4401	APC UPS 550	Poor	3B0723X17808

ITS	4401	HP Deskjet 6940	Poor	MY5C15R0DY
ITS	4401	Dell 1704 Monitor	Poor	MY0H630447603531AY0L
ITS	4401	HP Laserjet CP2025	Poor	CNGSB28888
ITS	4401	Canon D880 Printer	Poor	JXY34195

**CITY OF FORT SMITH - 2016 AUCTION (Sept. 22, 2016)**  
**Surplus Miscellaneous Items (PLEASE PRINT ALL INFO)**

DEPARTMENT	PROGRAM	ITEM DESCRIPTION	CONDITION Excellent/Good/ Fair/Poor	SERIAL # (If Applicable)
Ex. Purchasing	4306	1953 IBM Typewriter	Fair; broken parts	SN12765
Fire Department	4801	Motorola Lap Top ML900	Good	S/N 343HHE2680
Fire Department	4801	Motorola Lap Top ML900	Good	S/N 343HHJ0963
Fire Department	4801	Motorola Lap Top ML900	Good	S/N 343HHJ0806
Fire Department	4801	Motorola Lap Top ML900	Good	S/N 343HHJ0965
Fire Department	4801	Motorola Lap Top ML900	Good	S/N 343HHE2645
Fire Department	4801	Motorola Lap Top ML900	Good	S/N 343HHE2724
Fire Department	4801	Motorola Lap Top ML900	Good	S/N 343HHE0541
Fire Department	4801	Dell Monitor	Broke	S/N CN-0DY840-74261-7AM-5LJA

**CITY OF FORT SMITH - 2016 AUCTION** (Sept. 22, 2016)  
**Surplus Miscellaneous Items** (PLEASE PRINT ALL INFO)

<b>DEPARTMENT</b>	<b>PROGRAM</b>	<b>ITEM DESCRIPTION</b>	<b>CONDITION</b> Excellent/Good/ Fair/Poor	<b>SERIAL #</b> (If Applicable)
Ex. Purchasing	4306	1953 IBM Typewriter	Fair; broken parts	SN12765
Fire Department	4801	Motorola Docking Station	Good	S/N 16407AZM021
Fire Department	4801	Motorola Docking Station	Good	S/N 16407AZM013
Fire Department	4801	Motorola Docking Station	Good	S/N 16407AZM010
Fire Department	4801	Motorola Docking Station	Good	S/N 16407AZM008
Fire Department	4801	Motorola Docking Station	Good	S/N 16407AZM015
Fire Department	4801	Motorola Docking Station	Good	S/N 16407AZM012
Fire Department	4801	Motorola Docking Station	Good	S/N 16407AZM016
Fire Department	4801	Motorola Docking Station	Good	S/N 16407AZM006
Fire Department	4801	Motorola Docking Station	Good	S/N 16407AZM030
Fire Department	4801	Sierra Wireless Air Link	Good	Model MP 881W-C

**CITY OF FORT SMITH - 2016 AUCTION** (Sept. 22, 2016)  
**Surplus Miscellaneous Items** (PLEASE PRINT ALL INFO)

DEPARTMENT	PROGRAM	ITEM DESCRIPTION	CONDITION Excellent/Good/ Fair/Poor	SERIAL # (If Applicable)
Ex. Purchasing	4306	1953 IBM Typewriter	Fair; broken parts	SN12765
Station 8 Fire Department	4802	Treadmill	Fair	TC184W06100044
Station 8 Fire Department	4802	Sharp Microwave	Broken	
Station 8 Fire Department	4802	General Electric Cook Stove ModelJGBP33WEH4WW	Broken	MH243458P
Station 8 Fire Department	4802	Wooden Desk	Fair	
Station 8 Fire Department	4802	Steel Desk	Fair	
Station 8 Fire Department	4802	6 Metal Folding Chairs	Fair	
Station 8 Fire Department	4802	3 Ton Floor Jack	Broken	
Station 4 Fire Department	4802	Whirlpool Washer Model WTW8200YW0	Broken	C21570263
Station 1 Fire Department	4802	Hannay Hose Reel	Good	16APR04AK
Station 3 Fire Department	4802	Frigidaire Cook Stove Model GLGF386DSK	Broken	VF90445874
Station 2 Fire Department	4802	Vision Fitness Treadmill	Broken	TM243C06110041



**CITY OF FORT SMITH - 2016 AUCTION** (Sept. 22, 2016)

**Surplus Miscellaneous Items** (PLEASE PRINT ALL INFO)

DEPARTMENT	PROGRAM	ITEM DESCRIPTION	CONDITION <small>Excellent/Good/ Fair/Poor</small>	SERIAL # <small>(If Applicable)</small>
Ex. Purchasing	4306	1953 IBM Typewriter	Fair; broken parts	SN12765
Utilities -- Sewer	5501	AM/FM Sound Design clock radio	Fair	none
Utilities -- Sewer	5501	Martin Yale auto folder CV-7	good	Serial # 50521
Utilities -- Sewer	5501	Sony AM/FM/CF boom box	good	Model CFD-222
Utilities -- Sewer	5501	Logitech corded mouse	Fair	none
Utilities -- Sewer	5501	2 -- misc earphones	Poor	none
Utilities -- Sewer	5501	HP Port replicator F2025A - no cords	Fair	none
Utilities -- Sewer	5501	Bag of power/supply cords	Fair	none
Utilities -- Sewer	5501	Sanyo TRC5300 Microcassette transcribing	Fair	serial # 31301805
Utilities -- Sewer	5501	(36) Ink Cartridges	excellent	none
Utilities -- Sewer	5501	3 -- correctable ribbons	good	none
Utilities -- Sewer	5501	Coin sorter kit w/ penny wrappers	excellent	none
Utilities -- Sewer	5501	HP Jetdirect 500 X - no cords	poor	SG94562753
Utilities -- Sewer	5501	TP-340 telephone mic	Fair	none

**CITY OF FORT SMITH – 2016 AUCTION (Sept. 22, 2016)**  
**Surplus Miscellaneous Items (PLEASE PRINT ALL INFO)**

<b>DEPARTMENT</b>	<b>PROGRAM</b>	<b>ITEM DESCRIPTION</b>	<b>CONDITION</b> <i>Excellent/Good/ Fair/Poor</i>	<b>SERIAL #</b> <i>(If Applicable)</i>
Ex. Purchasing	4306	1953 IBM Typewriter	Fair; broken parts	SN12765
Parks	6201	Neon clock with pole	Fair	
Parks	6201	Agri-fab 17 cu. ft. trailer	Poor	
Parks	6201	8cs. Metal ends for benches	Fair	
Parks	6201	3 wood doors	Good	
Parks	6201	Koblenz wet vacuum	Fair	
Parks	6201	Delta drill press	Poor	
Parks	6201	Large vise	Poor	
Parks	6201	11-Alum. Paper towel dispensers	Fair	
Parks	6201	6-Alum. light pole covers	Excellent	
Parks	6201	5-4' Alum light fixtures	Good	
Parks	6201	Bike rack	Fair	
Parks	6201	Concrete statue fountain	Fair	
Parks	6201	Concrete pedestal with compass	Fair	
Parks	6201	1-Meter box electric	Fair	
Parks	6201	Honda GC160 6 hp power washer	Poor	

Parks	6201	11-2½ Gal metal gas cans	Poor	
Parks	6201	10-5 Gallon metal gas cans	Poor	
Parks	6201	4-2½ Gallon plastic gas cans	Poor	
Parks	6201	5-5 Gallon plastic gas cans	Poor	
Parks	6201	1-Basketball rim	Fair	
Parks	6201	44-55 Gallon metal trash receptacles	Fair	
Parks	6201	Da-Lite Class-Rite projector screen (gray metal)	Fair	
Parks	6201	2-Large speakers (one has been blown)	Fair	
Parks	6201	Apollo projector screen	Good	
Parks	6201	Battery backup APC CS350	Poor	
Parks	6201	Framed American flag & certificate & framed letter	Excellent	
Parks	6201	12 Assorted frames	Excellent	
Parks	6201	Wire rolling file hanger (top only – no runners)	Good	
Parks	6204	Red Sofa – Antique	Fair – torn upholstery	
Parks	6204	Office chair	Good – base wobbly	
Parks	6204	2-Chase credit card machines	Good	002112104870 00217106258



**CITY OF FORT SMITH - 2016 AUCTION** (Sept. 22, 2016)  
**Surplus Miscellaneous Items** (PLEASE PRINT ALL INFO)

DEPARTMENT	PROGRAM	ITEM DESCRIPTION	CONDITION Excellent/Good/ Fair/Poor	SERIAL # (If Applicable)
Ex. Purchasing	4306	1953 IBM Typewriter	Fair; broken parts	SN12765
Sanitation	6305	3 1/2 pallets of Spray Matt		
Sanitation	6305	CAT clam shell loader bucket 4 yard		SN 1415 4 0498
Sanitation	6305	CAT front loader dirt bucket 3 yard		SN 03WL39839
Sanitation	6305	CAT front loader bucket with screen 3 yard		SN 3WL29038
Sanitation	6305	Katmatsu Smooth excavator bucket		SN303-31-46455-1
Sanitation	6305	40 wire panels		
Sanitation	6305	Asst. Guard Rail and Post		
Sanitation	6305	7 ft Black Deer Netting (hundreds of feet)		
Sanitation	6305	2 vertical plastic 3000 gallon tanks		
Sanitation	6301	Magic Chef Mini Refridgerator	Fair	SN1106MCBR415S009
Sanitation	6301	Cash Drawer	Fair	
Sanitation	6301	Cash Drawer	Poor	
Sanitation	6301	Brinks Home Security Locking Box	Fair	
Sanitation	6301	3 Plastic Work In/Out Stacking Trays	Fair	

**CITY OF FORT SMITH - 2016 AUCTION** (Sept. 22, 2016)  
**Surplus Miscellaneous Items** (PLEASE PRINT ALL INFO)

DEPARTMENT	PROGRAM	ITEM DESCRIPTION	CONDITION <small>Excellent/Good/ Fair/Poor</small>	SERIAL # <small>(If Applicable)</small>
Ex. Purchasing	4306	1953 IBM Typewriter	Fair; broken parts	SN12765
Sanitation	6301	Cannon MP25DIII 10-Key Calculator	Fair	SN 2260014
Sanitation	6301	Cannon MP11DX 10-key Calculator	Good	SN 2143941
Sanitation	6301	Small locking cash/change box	Fair	
Sanitation	6301	Small locking cash/change box	Poor (key sticks)	
Sanitation	6301	1 Metal Cash box (no key)	Poor	
Sanitation	6301	1 pkg of 4 Universal Twin Spool Ribbon	Fair	
Sanitation	6301	1 Black Gel Ink Stamp Pad	Fair	
Sanitation	6301	1 Wooden Clipboard	Fair	
Sanitation	6301	2 boxes of Marquee Numbers	Fair	
Sanitation	6301	Cherry Keyboard	Fair	SN 093429 0918AS
Sanitation	6301	Cherry Keyboard	Fair	SN 093431 0918AS
Sanitation	6301	Cherry Keyboard	Fair	SN 093428 0918AS
Sanitation	6301	2 - Dell Computer Mouse	Fair	
Sanitation	6301	Lakewood 1500 watt Space Heater	Poor	

**CITY OF FORT SMITH - 2016 AUCTION** (Sept. 22, 2016)  
**Surplus Miscellaneous Items** (PLEASE PRINT ALL INFO)

DEPARTMENT	PROGRAM	ITEM DESCRIPTION	CONDITION Excellent/Good/ Fair/Poor	SERIAL # (If Applicable)
Ex. Purchasing	4306	1953 IBM Typewriter	Fair; broken parts	SN12765
Sanitation	6301	APC Battery Backup Surge Protector	Fair	SN 5B1039T40327
Sanitation	6301	Flowtron Diplomat Insect/Rodent Control Equip	Poor	SN 009395
Sanitation	6301	APC Surge Arrest Protector	Poor	SN 1Z0023R02432
Sanitation	6301	2 - TR2 Task Height Chairs w/Adj Arms	Excellent	
Sanitation	6301	Frigidaire Portable A/C Unit w/remote	Good	SN KK11744887
Sanitation	6301	3 ft. Step Ladder	Fair	
Sanitation	6301	GAI-Tronics Intercom Phone	Fair	SN 22025940
Sanitation	6301	2 Drawer Metal File Cabinet	Fair	
Sanitation	6301	SHLINE OGIO Laptop Travel Bag	Fair	
Sanitation	6301	2 - Money/Rent Receipts Books	Fair	
Sanitation	6301	2 Pkgs Avery (8254) 3 1/3 x 4 Shipping Labels	Excellent	
Sanitation	6301	1 pkg Avery (8196) 3 1/2 Diskett Labels	Good	
Sanitation	6301	1 pkg Avery (5388) White 3x5 Index Cards	Good	
Sanitation	6301	1 pkg Avery (16154) 1 3/4 x 5 1/2 Tickets w/stubs	Good	

**CITY OF FORT SMITH - 2016 AUCTION (Sept. 22, 2016)**  
**Surplus Miscellaneous Items (PLEASE PRINT ALL INFO)**

<b>DEPARTMENT</b>	<b>PROGRAM</b>	<b>ITEM DESCRIPTION</b>	<b>CONDITION</b> <i>Excellent/Good/ Fair/Poor</i>	<b>SERIAL #</b> <i>(If Applicable)</i>
Ex. Purchasing	4306	1953 IBM Typewriter	Fair; broken parts	SN12765
Sanitation	6301	5 pkgs/100 ea Kodak High Gloss 4x6 Photo paper	Excellent	
Sanitation	6301	4 pkgs/20 ea Kodak High Gloss 5x7 Photo Paper	Excellent	
Sanitation	6301	6 pkgs/50 ea Kodak High Gloss 8.5x11 Photo Paper	Excellent	
Sanitation	6301	1 pkg Kodak Matte 8.5x11 Photo Paper	Excellent	
Sanitation	6301	1 box t-shirt Carry Out bags	Good	
Sanitation	6301	1 Dell Laptop Bag	Good	
Sanitation	6301	WaspNest Barcode scanner/program/printer	Excellent	SN T452220084
Sanitation	6301	APC Back Ups XS1500 Power Supply	Fair	4B1211P33854

**CITY OF FORT SMITH - 2016 AUCTION** (Sept. 22, 2016)  
**Surplus Miscellaneous Items** (PLEASE PRINT ALL INFO)

DEPARTMENT	PROGRAM	ITEM DESCRIPTION	CONDITION Excellent/Good/ Fair/Poor	SERIAL # (If Applicable)
Ex. Purchasing	4306	1953 IBM Typewriter	Fair; broken parts	SN12765
Transit	6550	Coin Sorter	Fair	CVK70
Transit	6550	Coin Sorter	Fair	
Transit	6550	3 Hoodies	Fair	
Transit	6550	Vargas Carrying Case	Fair	
Transit	6550	Wallet	Fair	
Transit	6550	Digital Camera	Poor	
Transit	6550	Basket of Misc. Phones	Poor	
Transit	6550	2 Mini Cassette Recorders	Fair	
Transit	6550	Powershot Digital Camera With Memory Card	Fair	
Transit	6550	Lincoln 2 Ton Floor Jack	Poor Broken	
Transit	6550	Air Jack 22 Ton	Poor Broken	
Transit	6550	Radio	Poor	
Transit	6550	Digital Coin Counter	Fair	
Transit	6550	Auto 4 Row Advance CoinSorter	Fair	

**CITY OF FORT SMITH - 2016 AUCTION** (Sept. 22, 2016)  
**Surplus Miscellaneous Items** (PLEASE PRINT ALL INFO)

DEPARTMENT	PROGRAM	ITEM DESCRIPTION	CONDITION Excellent/Good/ Fair/Poor	SERIAL # (If Applicable)
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Transit	6550	Coin Sorter	Fair	
Transit	6550	3 Hoodies	Fair	
Transit	6550	Vargas Carrying Case	Fair	
Transit	6550	Wallet	Fair	
Transit	6550	Digital Camera	Poor	
Transit	6550	Basket of Misc. Phones	Poor	
Transit	6550	2 Mini Cassette Recorders	Fair	
Transit	6550	Powershot Digital Camera With Memory Card	Fair	
Transit	6550	Lincoln 2 Ton Floor Jack	Poor Broken	
Transit	6550	Air Jack 22 Ton	Poor Broken	
Transit	6550	Radio	Poor	
Transit	6550	Digital Coin Counter	Fair	
Transit	6550	Auto 4 Row Advance CoinSorter	Fair	

**CITY OF FORT SMITH - 2016 AUCTION (Sept. 22, 2016)**  
**Surplus Miscellaneous Items (PLEASE PRINT ALL INFO)**

<b>DEPARTMENT</b>	<b>PROGRAM</b>	<b>ITEM DESCRIPTION</b>	<b>CONDITION</b> Excellent/Good/ Fair/Poor	<b>SERIAL #</b> (If Applicable)
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Transit	6550	Coin Sorter	Fair	CVK70
Transit	6550	Coin Sorter	Fair	
Transit	6550	3 Hoodies	Fair	
Transit	6550	Vargas Carrying Case	Fair	
Transit	6550	Wallet	Fair	
Transit	6550	Digital Camera	Poor	
Transit	6550	Basket of Misc. Phones	Poor	
Transit	6550	2 Mini Cassette Recorders	Fair	
Transit	6550	Powershot Digital Camera With Memory Card	Fair	
Transit	6550	Lincoln 2 Ton Floor Jack	Poor Broken	
Transit	6550	Air Jack 22 Ton	Poor Broken	
Transit	6550	Radio	Poor	
Transit	6550	Digital Coin Counter	Fair	
Transit	6550	Auto 4 Row Advance CoinSorter	Fair	

**CITY OF FORT SMITH - 2016 AUCTION** (Sept. 22, 2016)  
**Surplus Miscellaneous Items** (PLEASE PRINT ALL INFO)

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Transit	6550	Coin Sorter	Fair	
Transit	6550	3 Hoodies	Fair	
Transit	6550	Vargas Carrying Case	Fair	
Transit	6550	Wallet	Fair	
Transit	6550	Digital Camera	Poor	
Transit	6550	Basket of Misc. Phones	Poor	
Transit	6550	2 Mini Cassette Recorders	Fair	
Transit	6550	Powershot Digital Camera With Memory Card	Fair	
Transit	6550	Lincoln 2 Ton Floor Jack	Poor Broken	
Transit	6550	Air Jack 22 Ton	Poor Broken	
Transit	6550	Radio	Poor	
Transit	6550	Digital Coin Counter	Fair	
Transit	6550	Auto 4 Row Advance CoinSorter	Fair	

**CITY OF FORT SMITH - 2016 AUCTION** (Sept. 22, 2016)  
**Surplus Miscellaneous Items** (PLEASE PRINT ALL INFO)

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Transit	6550	Coin Sorter	Fair	
Transit	6550	3 Hoodies	Fair	
Transit	6550	Vargas Carrying Case	Fair	
Transit	6550	Wallet	Fair	
Transit	6550	Digital Camera	Poor	
Transit	6550	Basket of Misc. Phones	Poor	
Transit	6550	2 Mini Cassette Recorders	Fair	
Transit	6550	Powershot Digital Camera With Memory Card	Fair	
Transit	6550	Lincoln 2 Ton Floor Jack	Poor Broken	
Transit	6550	Air Jack 22 Ton	Poor Broken	
Transit	6550	Radio	Poor	
Transit	6550	Digital Coin Counter	Fair	
Transit	6550	Auto 4 Row Advance CoinSorter	Fair	

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF FORT SMITH, ARKANSAS AND THE ARKANSAS STATE GAME AND FISH COMMISSION

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

SECTION 1: The Memorandum of Agreement ("MOA") between the City of Fort Smith, Arkansas and the Arkansas State Game and Fish Commission, which shall be substantially in the form attached hereto, is hereby approved.

SECTION 2: The Mayor, his signature being attested by the City Clerk, is hereby authorized to execute this MOA to which the City of Fort Smith is a party.

This Resolution adopted this \_\_\_\_\_ day of September, 2016.

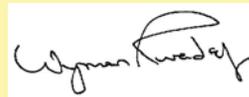
APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM



\_\_\_\_\_npr



## Memo:

September 2, 2016

To: Carl Geffken, City Administrator  
From: Doug Reinert, Director of Parks and Recreation DSR  
Re: Memorandum of Agreement between the City of Fort Smith and the Arkansas State Game and Fish Commission.

The Parks Department has applied and received a \$100,000 Marine Fuel Tax Grant for the construction and completion of the expanded parking lot at Fort Smith Park. The Capital Improvement Plan has designated funds of \$200,000 to construct a new fishing pavilion and expand the parking lot. Additional improvements to Fort Smith Park will include adding four sand volleyball courts.

The Marine Fuel Tax Grant is designated specifically for the parking lot expansion using the remainder of designated funds for the Fishing Pavilion and Volleyball Courts. \$38,000 of matching funds will allow us to stretch every tax dollar further.

Attached hereto is a resolution which authorizes the Mayor to execute the Memorandum of Agreement with the Arkansas State Game and Fish Commission. I recommend that the resolution be adopted by the Board of Directors at the next regular meeting.

Should you have any questions or need additional information please feel free to contact me.

Attachments

**MEMORANDUM OF AGREEMENT  
BETWEEN THE  
ARKANSAS STATE GAME AND FISH COMMISSION  
AND  
CITY OF FORT SMITH, ARKANSAS**

**THIS AGREEMENT** is made and entered into between the Arkansas State Game and Fish Commission (hereinafter referred to as “AGFC” or the “Commission”) and the City of Fort Smith, Arkansas (hereinafter referred to as the “Cooperator”).

**WITNESSETH:**

**WHEREAS**, pursuant to Amendment 35 to the Constitution of Arkansas, AGFC is vested with the control, management, restoration, conservation and regulation of the birds, fish, game and wildlife resources of the State and the administration of the laws pertaining thereto. The mission of the Commission is to conserve and enhance Arkansas’s fish and wildlife and their habitats while promoting sustainable use, public understanding and support; and

**WHEREAS**, the Cooperator is a municipal corporation duly organized in Sebastian County, Arkansas, and is the operator under lease from the United States Army Corps of Engineers (“USACE”) of Fort Smith Park, which is located as shown on the attached Exhibit “A”; and

**WHEREAS**, the Commission, by separate agreement with the Arkansas State Highway Commission and Arkansas Highway and Transportation Department (“AHTD”), has agreed to participate in the AHTD’s Marine Fuel Tax Program, which sets aside a portion of the motor fuel tax revenues in a Marine Fuel Tax Fund for use in providing improved access for the public to partake in water recreation activities; and

**WHEREAS**, by said agreement the Commission has been annually allocated a limited amount of Marine Fuel Tax Funds for which it can request that AHTD reimburse counties and municipalities for qualified projects that improve public access to a public waterway navigable by a gasoline-powered watercraft, with the counties and municipalities to provide a required in-kind match; and

**WHEREAS**, it is the desire of the Cooperator and AGFC to cooperate for the purpose of using Marine Fuel Tax Funds to reimburse the Cooperator for a portion of its eligible costs of preparing, enlarging, and paving the parking area at the Fort Smith Park’s boating access on the Arkansas River (the “project”), with the Cooperator providing the required in-kind match; and

**WHEREAS**, anglers and the general public frequently use this access to the Arkansas River for fishing and boating; and

**WHEREAS**, the Commission has determined that the improvements are consistent with Amendment 35 and the Marine Fuel Tax Program and will benefit the sportsmen and women of the area and the general public; and

**WHEREAS**, the Cooperator's total estimated cost for the project is \$200,000.00; and up to \$100,000.00 of such costs that are eligible will be reimbursable by Marine Fuel Tax Funds, with the Cooperator paying the remainder of the costs necessary to complete the project, including Cooperator's required in-kind match with value of at least \$38,000.00.

**NOW, THEREFORE**, AGFC and the Cooperator, in exchange for the mutual obligations and covenants contained herein, agree as follows:

### **I. Scope of Agreement**

#### **A. The AGFC agrees to:**

1. Upon the Cooperator's satisfactory completion of the project and submission of all required documentation, submit its request and authorization that AHTD reimburse the Cooperator up to \$100,000.00 using Marine Fuel Tax funds for the eligible costs of materials and any contract work the Cooperator used to complete the project. The AHTD will make the reimbursement directly to the Cooperator upon AGFC's request and authorization. Any cost over and above the limit stated in this paragraph is not eligible for reimbursement and will be paid by the Cooperator as necessary to complete the project. Also, items used to fulfill the Cooperator's required in-kind match are not eligible for reimbursement under this Agreement. **The Commission is entering into this Agreement in express reliance upon the Cooperator's commitment to provide all additional funds and/or in-kind work required to complete the project.**

#### **B. The Cooperator agrees to:**

1. Grant AGFC and its agents, employees and assigns, permission to enter on, over and across the proposed site for the purposes set forth herein.
2. Be responsible for ensuring that all required local, state and federal permits, easements, and rights of way are obtained, and that all proper licensing and approval requirements are met for the work-in-kind associated with this agreement.
3. Prepare any project plans and specifications necessary to complete the project and review them for compliance with this Agreement and any conditions or restrictions associated with this project.
4. Notify the USACE of Cooperator's plans for the improvements at Fort Smith Park as required by the Cooperator's lease with the USACE, which the Cooperator's Board of Directors approved by Resolution No. R-199-97, and otherwise comply with the lease terms (including the requirement, if any, that the Cooperator obtain the consent of the USACE).
5. Furnish and pay for all labor, materials, tools and equipment necessary to timely complete the project described herein by the end date of this Agreement in a good and workmanlike manner that meets the standard AHTD specifications and is in full compliance with all applicable laws, rules, and regulations. The Cooperator will pursue

the completion of the project using its own methods and is solely responsible for the end results of the work.

6. Supervise any contractors and/or in-kind labor in completing the project.
7. Provide the required in-kind match with a value of at least \$38,000.00, which Cooperator may satisfy by using its own cash, labor, equipment, and/or materials for this project as long as they are not reimbursed under this Agreement and total at least the value of the required match.
8. Upon completion of the project, provide to the AGFC detailed documentation of the Cooperator-provided cash, labor, equipment, and/or materials used for the project to demonstrate that their value equals at least the value of the required in-kind match.
9. Upon completion of the project, submit a written request to the AGFC to reimburse the Cooperator up to \$100,000.00 for the cost of any other materials and contract work the Cooperator used to complete the project and did not use as match. The request for reimbursement must be supported by detailed documentation (receipts, invoices, etc.) and will be processed under normal Commission accounting practices and consistent with the terms and conditions of this Agreement and the Marine Fuel Tax Program.
10. Maintain all records pertinent to Cooperator's performance under this Agreement (including without limitation financial, personnel, payroll, match, and contracting records) during the term of this Agreement and for up to five (5) years after project completion and submission of the Cooperator's final reimbursement request to the Commission. If any litigation, claim or negotiation, audit, or other action involving the records or this Agreement has been started before the expiration of the five (5) year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular five (5) year period, whichever is later. AGFC, AHTD, or any of their authorized representatives shall have access to such records during the required retention period or as long as the records are retained, whichever is longer.
11. If the Cooperator encounters the following while performing under this Agreement, it shall immediately stop all work in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds: archeological deposits, including but not limited to pottery or ceramics, stone tools, projectile points, dugout canoes, metal implements, historical building material, that could be associated with Native American, early European, or American settlements; historic resources (as defined by Section 301 of the National Historic Preservation Act ("NHPA"), "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on the National Register, including artifacts, records, and material remains related to such a property or resource"); or bones or human remains. The Cooperator shall immediately notify the Commission's principal contact, who shall immediately consult with the State Historic Preservation Office ("SHPO"). The Cooperator shall not resume work in any areas identified until consultation is completed, appropriate measures have been taken to ensure

that the project is in compliance with the NHPA, and the Commission's principal contact authorizes the resumption of work. Additional conditions may apply. The Cooperator shall insert this paragraph in all contracts related to this Agreement.

12. Provide free public access to the parking area and boating access for the useful life of the improvements (this obligation shall survive the expiration of this Agreement).
13. Accept sole responsibility for all manner of claims, causes of action or liability arising out of any accident, injury or damage to the Cooperator, its equipment or property, its employees or agents, and to any third party's person or property while conducting any activity related to this Agreement. AGFC shall not be liable for injuries or damages because of any action of any individual or organization in connection with this work.
14. To the extent permitted by Arkansas law, hold harmless, defend, and indemnify AGFC, its Commissioners, Director, and employees from or against for any and all claims, judgments, causes of action, liability, damages, and expenses of whatsoever nature incident to, or resulting from, the Cooperator's activities or performance under this Agreement. Furthermore, notwithstanding the foregoing, the Cooperator agrees that: (a) it will cooperate with AGFC in the defense of any action or claim brought against AGFC seeking the foregoing damages or relief; (b) it will in good faith cooperate with AGFC should any third party present any claims of the foregoing nature against AGFC to the Claims Commission of the State of Arkansas; (c) it will not take any action to frustrate or delay the prompt hearing on claims of the foregoing nature. This Agreement shall be deemed and construed as binding solely between the two parties and shall not be deemed or construed as conferring any benefit or indemnification on behalf of any third party. Nothing in this Agreement shall be deemed or construed as an admission of liability or as a waiver of any sovereign immunity of either party. The obligations of this paragraph shall survive the expiration or termination of this Agreement.

## **II. Term**

This Agreement shall become effective as soon as signed by both parties and shall remain in force until June 30, 2017, unless terminated earlier in accordance with its terms herein.

## **III. Termination**

This Agreement may be terminated by mutual consent of the parties, or by one party upon thirty (30) days written notice. Any such termination of the Agreement is without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

## **IV. Amendment**

Amendments to this Agreement may be proposed by either party upon written notice to the other party, and such amendments shall become effective as soon as signed by both parties hereto.

## **V. Notices**

Any notices required hereunder shall be addressed as follows:

**To the Cooperator:**

Mayor Sandy Sanders  
City of Fort Smith  
PO Box 1908  
Fort Smith, AR 72902

With copy to:

City Administrator Carl Geffken  
623 Garrison Ave  
3rd Floor, Room 315  
Fort Smith, AR 72901

**To AGFC:**

Jeff Crow, Director  
Arkansas Game and Fish Commission  
2 Natural Resources Dr.  
Little Rock, AR 72205

With copy to:

AGFC Principal Contact:  
James Rogers  
Construction Specialist  
AGFC Fort Smith Regional Office  
8000 Taylor Ave.  
Fort Smith, AR 72923  
(479) 926-0987

**VI. Miscellaneous**

- A. The parties agree that they are not entering into a legal partnership, joint venture or other such arrangement, nor is the purpose of the parties to enter into a commercial undertaking for monetary gain. Nothing in this Agreement shall be construed to place a financial commitment or obligation upon either of the parties.
- B. It is the intent of the parties that Arkansas Code Ann. §§ 18-11-304 through 18-11-306 shall be applicable to the fullest extent of the law so that AGFC and the Cooperator shall not be liable or responsible in any manner for any personal injury, whether resulting in death or not, nor for any property loss or damage, sustained or alleged to have been sustained by any person or persons whomsoever, whether such person or persons shall be on the subject lands or water with the permission or at the sufferance of the Cooperator or AGFC.
- C. By the signing of this Agreement, the parties assure and certify that they will comply with Title IV of the Civil Rights Act of 1964 (P-L88-352) and that in accordance with that Act, no person in the United States shall, on grounds of race, color, or national origin be excluded from participating in, be denied the benefits of, or be otherwise subject to discrimination in this project.
- D. The officials executing this Agreement hereby represent and warrant that they have full and complete authority to act on behalf of the Cooperator and the Commission, respectively, and that the terms and provisions hereof constitute valid and enforceable obligations of each.

- E. This Agreement shall be interpreted and construed in accordance with the laws of the State of Arkansas. With respect to any claim for monetary damages against the Commission, the appropriate venue shall be in the Arkansas State Claims Commission, Pulaski County, Arkansas.
- F. No transfer or assignment of this Agreement, or any part thereof or interest therein, shall be made unless all of the parties first approve such transfer or assignment in writing.
- G. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations, oral or written, not specified within this Agreement.

**ARKANSAS STATE GAME AND FISH  
COMMISSION**

**CITY OF FORT SMITH, ARKANSAS**

By: \_\_\_\_\_  
Jeff Crow, Director\*

By: \_\_\_\_\_  
Sandy Sanders, Mayor

Dated this \_\_\_\_ day of \_\_\_\_\_, 2016.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2016.

ATTESTED TO:

By: \_\_\_\_\_  
Sherri Gard, City Clerk

\* In accordance with the AGFC Purchasing Policy, only the AGFC Director is authorized to sign and bind the agency to a memorandum of agreement.



RESOLUTION NO. \_\_\_\_\_

11 E

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING  
FINAL PAYMENT TO GOODWIN & GOODWIN, INC., FOR THE LEE  
CREEK RESERVOIR BUOY LINE REPLACEMENT

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

SECTION 1: The construction of the Lee Creek Reservoir Buoy Line Replacement,  
Project Number 16-14-C1, is hereby accepted.

SECTION 2: Final payment to Goodwin & Goodwin, Inc., in the amount of \$48,695.00,  
for performing said construction, is hereby approved.

This Resolution adopted this \_\_\_\_\_ day of September 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_ npr



**INTER-OFFICE MEMO**

**TO:** Carl Geffken, City Administrator

**DATE:** August 30, 2016

**FROM:** Robert Roddy, Interim Director of Utilities

**SUBJECT:** Lee Creek Reservoir Buoy Line Replacement  
Project 16-14-C1

Goodwin & Goodwin, Inc., has submitted final pay request in the amount of \$48,695.00 for work completed on the Lee Creek Reservoir Buoy Line Replacement, Project 16-14-C1. This project replaced the approximately 17,000 linear feet of Lee Creek Reservoir Buoy Line destroyed in the December 2015 storm event. Approximately 45 buoys and Dam Ahead warning buoys were salvaged and reused. A project summary sheet is attached for your information.

The attached Resolution accepts the project as complete and authorizes the final payment of \$48,695.00 to Goodwin & Goodwin, Inc. Should you or the members of the Board have any questions or need additional information, please let me know.

attachment

pc: Jeff Dingman

## Project Summary

Project status: Complete

Project name: Lee Creek Reservoir Buoy Line Replacement

Today's date: August 30, 2016

Project number: 16-14-C1

Staff contact name: Bob Roddy

Project Engineer: Clint Allison

Staff contact phone: 784-2231

Project contractor: Goodwin & Goodwin, Inc.

Notice to proceed issued: February 22, 2016

Completion date: August 12, 2016

	Dollar Amount	Contract Time (Days)
Original contract	\$48,695.00	45
Change orders:		
Total change orders	<u>\$0.00</u>	
Adjusted contract	\$48,695.00	
Payments to date (as negative):	\$0.00	0.0%
Amount of final request	\$48,695.00	-100.0%
Liquidated Damages		
Amount of this payment		
Retainage held	\$0.00	
Contract balance remaining	\$0.00	
Amount over original as a percentage	0.0%	

Final Comments:

RESOLUTION AUTHORIZING PARTIAL PAYMENT TO S.J. LOUIS  
CONSTRUCTION OF TEXAS, LTD., FOR THE CONSTRUCTION OF THE LAKE  
FORT SMITH WATER TRANSMISSION LINE – PHASE I

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

Partial payment number one to S.J. Louis Construction of Texas, LTD., in the amount of  
\$887,108.01 for the construction of the Lake Fort Smith Water Transmission Line – Phase I,  
Project Number 08-07-C1, is hereby approved.

This Resolution adopted this \_\_\_\_\_ day of September 2016.

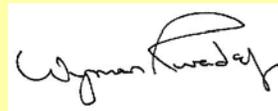
APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
npr



## INTER-OFFICE MEMO

**TO:** Carl Geffken, City Administrator

**DATE:** August 28, 2016

**FROM:** Robert Roddy, Interim Director of Utilities

**SUBJECT:** Lake Fort Smith Water Transmission Line - Phase I  
Project Number 08-07-C1

S.J. Louis Construction of Texas, Ltd., has submitted partial pay request number nine in the amount of \$887,108.01 for work completed on the Lake Fort Smith Water Transmission Line – Phase I, Project Number 08-07-C1. The project consists of furnishing and installing 6 miles of 48-inch water transmission line and appurtenances. An exhibit, which shows the project route, is attached.

The attached Resolution authorizes the partial payment to S.J. Louis Construction of Texas, Ltd. Should you or the members of the Board have any questions or need additional information, please let me know.

attachment

p.c. Jeff Dingman

## Project Summary

Project Status: Underway

Project name: Lake Fort Smith Water Transmission – Phase I

Today's Date: August 25, 2016

Project number: 08-07-C1

Staff contact name: Jimmie Johnson

Project engineer: Mickle Wagner Coleman Inc.

Staff contact phone: 784-2231

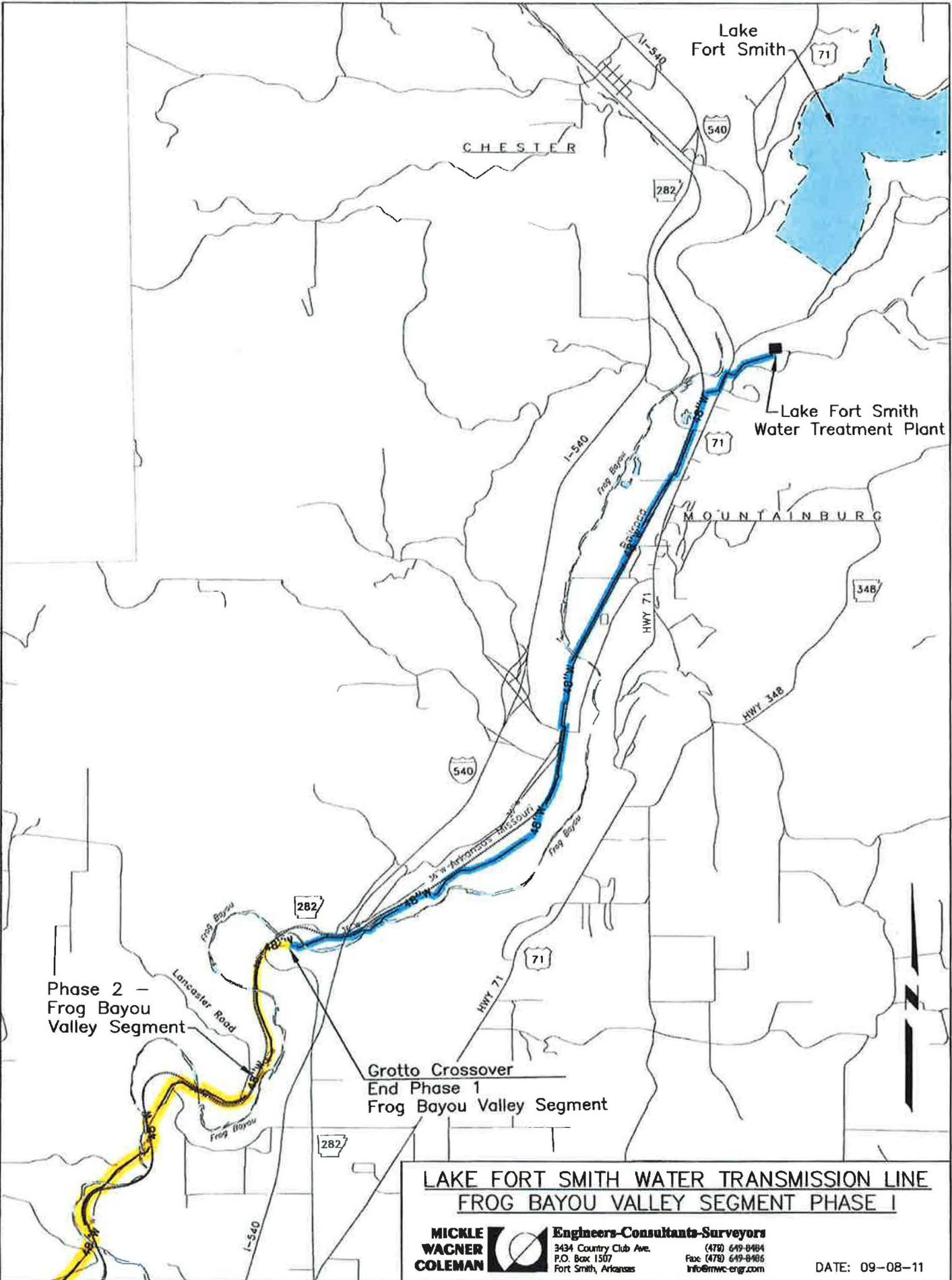
Project contractor: SJ Louis Construction of Texas LTD.

Notice to proceed issued: November 12, 2015

Final Completion date: November 06, 2016

	Dollar Amount	Contract Time (Days)
Original contract	\$11,120,753.00	360
Change orders: Number One	\$0.00	0
Total change orders	\$0.00	<u>0</u>
Adjusted contract	<u>\$11,120,753.00</u>	<u>N/A</u>
Payments to date (as negative):	\$ -2,951,507.08	26.5%
Amount of this payment (as negative)	\$ -887,108.01	7.9%
 Contract balance remaining	 \$ 7,282,137.91	

K:\Fort Smith\CFS\_TRANSMISSION LINE\dwg\EXHIBITS\MISC\Exhibit-frog bayou valley segment - phase 1.dwg, 9/8/2011 5:33:14 PM, 1:2.60323



Phase 2 - Frog Bayou Valley Segment

Grotto Crossover  
End Phase 1  
Frog Bayou Valley Segment

### LAKE FORT SMITH WATER TRANSMISSION LINE FROG BAYOU VALLEY SEGMENT PHASE I

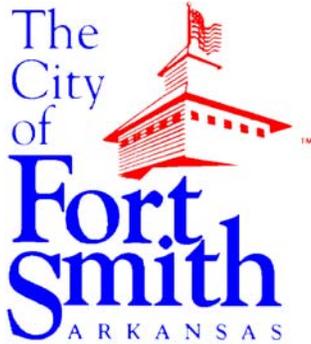
**MICKLE WAGNER COLEMAN**  **Engineers-Consultants-Surveyors**  
 3434 Country Club Ave. (479) 649-0484  
 P.O. Box 1507 (479) 649-0486  
 Fort Smith, Arkansas info@mwc-engr.com

DATE: 09-08-11

# September 2016

September 2016							October 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3							1
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 28	29	30	31	Sep 1 6:00pm Historic District Com. (220 North 7 Street)	2	3
4	5	6 11:30am Planning Com. S. S. (Creekmore) 6:00pm Board of Directors (FSM Public Schools Serv. Cntr.)	7	8 12:15pm Oak Cemetery Com. (Creekmore)	9	10
11	12 11:00am Property Owners Appeal Board (Planning Conf. Rm. (Tenative))	13 12:00pm Board of Directors S.S. (Library) 5:30pm Planning Com. (Creekmore)	14 12:00pm Parks Com. (Creekmore) 12:00pm Transit Advisory Com. (Transit)	15	16	17
18	19	20 9:30am Central Business Improvement District 4:30pm Library Board of Trustees (Miller Branch) 6:00pm Board of Directors (FSM Public Schools)	21	22	23	24
25	26 6:00pm Property Owners Appeal Bd./Public Hearings (Bartlett Com. Rm./100 South 10 Street)	27 12:00pm Board of Directors S.S. (Library) 4:00pm A & P Com. (Convention Center) 5:30pm Airport Com. (Airport)	28 6:00pm Property Owners Appeals Board/Public Hearing (Bartlett Com. Room/100 South 10 Street)	29 5:30pm Historic District S.S. (220 North 7 Street)	30	Oct 1



Mayor – Sandy Sanders

City Administrator – Carl Geffken

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 – Tracy Pennartz

At Large Position 6 – Kevin Settle

At Large Position 7 – Don Hutchings

# **AGENDA ~ Summary**

**Fort Smith Board of Directors**

**REGULAR MEETING**

**September 6, 2016 ~ 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**

Director Don Hutchings

**ROLL CALL**

- All present
- Mayor Sandy Sanders presiding

**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)*

Information available by viewing rebroadcast of the meeting on the City Access Channel 214, the City website or <http://www.ustream.tv/channel/city-of-fort-smith-board-ofdirectors-meetings>

**APPROVE MINUTES OF THE AUGUST 16, 2016 REGULAR MEETING**

**APPROVED** as written

**ITEMS OF BUSINESS:**

1. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*home occupation standards*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 49-16
2. Ordinance rezoning identified property and amending the zoning map (*from Commercial Heavy (C-5) to Industrial Light (I-1) by classification located at 5725 South 29<sup>th</sup> Street*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 50-16

3. Ordinance rezoning identified property and amending the zoning map (*from Not Zoned & Planned Zoning District to Planned Zoning District by classification located at 7000 Chad Colley Boulevard*) ~ Reviewed at the August 23, 2016 study session ~  
**APPROVED** 6 in favor, 0 opposed, 1 abstention (Hutchings) / Ordinance No. 51-16
4. Ordinance amending Section 24-72(a) of the Fort Smith Code of Ordinances to provide for east bound truck traffic on Phoenix Avenue to serve real property located south of Phoenix Avenue and within 500 feet of the Phoenix Avenue – Old Greenwood Road Intersection  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 52-16
5. Ordinance ordering the owners of certain dilapidated and substandard structures to demolish same, authorizing the City Administrator to cause the demolition of such structure to occur and for other purposes (*1834 North 13<sup>th</sup> Street / 1306 North “R” Street & rear garage building*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 53-16
6. Adjustments to the 2016 Budget:
  - A. Ordinance amending the 2016 Budget (*Police Department*)  
**APPROVED** 7 in favor, 0 opposed as revised to correct a typographical error and amended to remove the third whereas in its entirety / Ordinance No. 54-16
  - B. Ordinance amending the 2016 Budget (*Parks Department*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 55-16
  - C. Ordinance authorizing the appropriation of donated funds for the Blue Lion Bikeway  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 56-16
  - D. Ordinance authorizing the appropriation of funds for Parks Department equipment purchases  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 57-16
  - E. Ordinance authorizing the appropriation of funds received from the sale of City equipment and from the April 29, 2016 hail storm and other insurance settlements  
**APPROVED** 7 in favor, 0 opposed as revised to correct dollar amounts within the ordinance / Ordinance No. 58-16
7. Resolution authorizing Change Order No. 1 with Beshears Construction, Inc. for the renovation and furnishings of the library annex building for use as office space (*\$3,085.00 / Utility Department / Not Budgeted – 2015 Revenue Bonds*) ●  
◆  
**APPROVED** 7 in favor, 0 opposed / Resolution No. R-128-16

8. Resolution accepting the project as complete and authorizing final payment to Beshears Construction, Inc. for the renovation and furnishings of the library annex building for use as office space (\$28,685.00 / *Utility Department / Budgeted – 2015 Revenue Bonds*) • ♦  
**APPROVED 7 in favor, 0 opposed / Resolution No. R-129-16**
9. Resolution accepting the project as complete and authorizing final payment to MISSCO Contract Sales, LLC for the renovation and furnishings of the library annex building for use as office space (\$9,436.80 / *Utility Department / Budgeted – 2015 Revenue Bonds*) • ♦  
**APPROVED 7 in favor, 0 opposed / Resolution No. R-130-16**
10. Resolution authorizing the Mayor to execute Authorization No. 2 to the agreement with Morrison Shipley Engineers, Inc. for engineering services for the Riverlyn Wastewater Pump Station Improvements (\$62,280.00 / *Utility Department / Budgeted – )* • ♦  
**APPROVED 7 in favor, 0 opposed / Resolution No. R-131-16**
11. Consent Agenda
  - A. Resolution to accept the bid and authorize a contract for the construction of Street Overlays/Reconstruction, Project No. 16-03-B (\$2,424,784.30 / *Engineering Department / Budgeted – Sales Tax Program*) ♦  
**APPROVED 7 in favor, 0 opposed / Resolution No. R-132-16**
  - B. Resolution accepting bids for the purchase of water and wastewater chemicals for 2016-2017 (*Annual bid / Various Departments / Budgeted – Water & Wastewater and Sanitation Funds*)  
**APPROVED 7 in favor, 0 opposed / Resolution No. R-133-16**
  - C. Resolution allowing the sale of surplus vehicles and equipment at public auction  
**APPROVED 7 in favor, 0 opposed / Resolution No. R-134-16**
  - D. Resolution authorizing the execution of the memorandum of agreement between the City of Fort Smith, Arkansas and the Arkansas State Game and Fish Commission  
**APPROVED 7 in favor, 0 opposed / Resolution No. R-135-16**
  - E. Resolution accepting the project as complete and authorizing final payment to Goodwin & Goodwin, Inc. for the Lee Creek Reservoir Buoy Line Replacement (\$48,695.00 / *Utility Department / Budgeted – Water and Sewer Operations Budget*) ♦  
**APPROVED 7 in favor, 0 opposed / Resolution No. R-136-16**

- F. Resolution authorizing partial payment to S.J. Louis Construction of Texas, LTD for construction of the Lake Fort Smith Water Transmission Line – Phase I (\$887,108.01 / Utility Department / Budgeted – 2014 Sales and Use Tax Bonds) ♦

**APPROVED** 7 in favor, 0 opposed / Resolution No. R-137-16

**OFFICIALS FORUM ~ presentation of information requiring no official action**

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

➤ Mayor

➤ Directors

➤ City Administrator

Information available by viewing rebroadcast of the meeting on the City Access Channel 214, the City website or <http://www.ustream.tv/channel/city-of-fort-smith-board-ofdirectors-meetings>

**ADJOURN**

6:49 p.m.

**MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING**

**TUESDAY ~ SEPTEMBER 6, 2016 ~ 6:00 P.M.**

**FORT SMITH PUBLIC SCHOOLS SERVICE CENTER**

The meeting was called to order by Mayor Sandy Sanders, presiding. Invocation was given by Director Don Hutchings, followed by the Pledge of Allegiance. On roll call the following members of the Board were present: Directors Keith Lau, Andre' Good, Mike Lorenz, George Catsavis, Tracy Pennartz, Kevin Settle and Don Hutchings. The Mayor declared a quorum present.

Mayor Sanders inquired if any Board member had any item of business to present that was not already on the agenda. There was none presented.

The minutes of the August 16, 2016 regular meeting was presented for approval. Settle, seconded by Catsavis, moved approval of the minutes as written. The members all voting aye, the Mayor declared the motion carried.

With regard to the time limit policy for persons wishing to address the Board, the Mayor communicated that five (5) minutes per side would be granted for controversial items with three (3) minutes for rebuttal per side, and two (2) minutes for comments only.

Item No. 1 was an ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*home occupation standards*).

Director of Development Services Wally Bailey briefed the Board on the item advising Section 27-338-4(F) of the Fort Smith Municipal Code, which includes the Unified Development Ordinance, includes a list of standards that are applicable to all Home Occupation applications. Upon consideration of such applications, the Planning Commission has historically been adding two (2) additional comments which are as follows:

**September 6, 2016 Regular Meeting**

1. No commercial trash containers shall be utilized.
2. All vehicles must be parked in accordance with the City's residential parking ordinances.

Due to common practice of including the above additional requirements and upon Board approval, the inclusion will add such to the list of conditions for all Home Occupation applications. The Planning Commission held a public hearing on August 9, 2016 with no individual present to speak in opposition. The Planning Commission approved recommendation of the amendment to the Board of Directors for consideration by a vote of eight (8) in favor and zero (0) opposed.

Hutchings, seconded by Lau, moved adoption of the ordinance. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption and for the readings to occur on the same date. The City Clerk read the ordinance for its readings.

Prior to the vote, Director Pennartz inquired if staff ensures compliance with all the conditions after the Home Occupation permit is issued.

Mr. Bailey advised the City initiates no specific inspection to ensure compliance upon issuance of the permit; however, violations are investigated upon submission of a complaint. Prior to issuance of said permit, surrounding neighbors are notified of the application and advised of all required conditions; therefore, the neighbors have historically been very eager to advise the City when non-compliance occurs.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried. Settle, seconded by Hutchings moved adoption of Section 3 the emergency clause. The members all voting affirmatively, the Mayor declared

***September 6, 2016 Regular Meeting***

the motion carried and the ordinance and emergency clause were adopted and the ordinance was given Ordinance No. 49-16.

Item No. 2 was an ordinance rezoning identified property and amending the zoning map (*from Commercial Heavy (C-5) to Industrial Light (I-1) by classification located at 5725 South 29th Street*).

Mr. Bailey briefed the Board on the item advising such is per the request of Ron Brixey, agent for Maxx Owensby. The purpose of the rezoning is to facilitate the development of a machine shop and associated parking at the subject location. Although the property and surrounding properties are zoned Commercial-5, the land uses and development have a more Light Industrial appearance. The proposed development and the Industrial-1 zoning will present no significant changes to the development pattern of South 29<sup>th</sup> Street. The Planning Commission held a public hearing on August 9, 2016 with no individual present to speak in opposition. The Planning Commission approved an associated development plan and recommended the rezoning request be presented to the Board of Directors for consideration by a vote of eight (8) in favor and zero (0) opposed.

Catsavis, seconded by Lau, moved adoption of the ordinance. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption and for the readings to occur on the same date. The City Clerk read the ordinance for its readings.

Prior to the vote, Director Pennartz inquired if any environmental issues could arise, i.e. use of toxins, etc., associated with the type of business/development on the subject property.

**September 6, 2016 Regular Meeting**

Mr. Bailey advised although some toxins may be utilized by the subject business, nothing is foreseen to create a hazardous type situation for the neighborhood or the utility systems. If an issue occurs with toxins going into a utility system, regulations are in place whereby such must be reported and monitored by the City of Fort Smith Utility Department.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the ordinance was adopted and given Ordinance No. 50-16.

Mayor Sanders recognized Christopher Monk, Boy Scout Troop 110, who was in attendance to earn his *Citizenship in the Community* badge.

Item No. 3 was an ordinance rezoning identified property and amending the zoning map (*from Not Zoned & Planned Zoning District to Planned Zoning District by classification located at 7000 Chad Colley Boulevard*) ~ Reviewed at the August 23, 2016 study session ~.

Mr. Bailey briefed the Board on item as discussed at the August 23, 2016 study session advising such is per the request of the Arkansas Colleges of Health Education (ACHE). The purpose of the rezoning is to facilitate the development of mixed uses, which include the existing Arkansas College of Osteopathic Medicine campus, and a Traditional Neighborhood Development (TND) that will include residential, commercial and retail uses. A TND is designed to increase human interaction through the provision of civic spaces and thoroughfares, a mix of uses, housing and building types all integrated into a walkable context that promote a health lifestyle. The proposed Planned Zoning District (PZD) requires inclusion of a project booklet, which provides a detailed design concept of the

***September 6, 2016 Regular Meeting***

development. Upon approval of the PZD, a master plan will be developed and submitted to the City for final approval. The subject area consists of one-hundred-fifteen (115) acres in Fort Smith; however, the entire development also includes one-hundred-thirteen (113) acres in the city of Barling. In order to ensure consistency, the applicant has requested both the City of Fort Smith and the City of Barling adopt the same standards for the TND. The City of Barling has already adopted the proposed PZD. At the August 23, 2016 study session, there was an unresolved issue with regard to Sanitation vehicle access. The matter has been addressed whereby the design standard was amended to accommodate rear access (alley) for Sanitation trucks. The Planning Commission held a public hearing on August 9, 2016 with no individual present to speak in opposition. The Planning Commission voted eight (8) in favor and zero (0) opposed to recommend the proposed rezoning to the Board of Directors for consideration.

Pennartz, seconded by Lorenz, moved adoption of the ordinance. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption and for the readings to occur on the same date. The City Clerk read the ordinance for its readings.

Prior to the vote, Director Hutchings advised he is a member of the Degen Foundation; therefore, advised of his intent to abstain from voting on the item.

Director Pennartz noted that for future such rezonings, she would like to have a percentage breakdown of the different transect zones.

The motion remaining on the floor and the members all voting affirmatively, with the exception of Director Hutchings who abstained, the Mayor declared the motion carried and

***September 6, 2016 Regular Meeting***

the ordinance was adopted and given Ordinance No. 51-16.

Item No. 4 was an ordinance amending Section 24-72(a) of the Fort Smith Code of Ordinances to provide for east bound truck traffic on Phoenix Avenue to serve real property located south of Phoenix Avenue and within 500 feet of the Phoenix Avenue - Old Greenwood Road Intersection.

Director of Engineering Stan Snodgrass briefed the Board on the item advising the City has been made aware of a safety issue for trucks entering and exiting the Coca-Cola property on Phoenix Avenue, located just five-hundred (500) feet west of the intersection with Old Greenwood Road. The situation primarily applies to large, over-the-road tractor trailer trucks, not local delivery trucks. Coca-Cola representatives have indicated an average of five (5) large, over-the-road tractor trailer trucks deliver product to the facility daily. During peak travel times of the day, eastbound traffic along Phoenix Avenue increases to the point such blocks the driveways to the Coca-Cola property. Such requires westbound trucks accessing the property to stop in the thru lane and wait for an opening to cross three (3) lanes of eastbound traffic, which increases the likelihood of a rear-end accident and complicates navigating the truck thru three (3) lanes of opposing traffic. The City has designated certain streets throughout the city as truck by-passes whereby said trucks are required to travel on the designated truck by-pass routes; however, trucks may turn off the designated route for the purpose of making deliveries or picking-up merchandise. The trucks must proceed as near their destination as possible before turning off the truck by-pass and return same by the nearest direct route. The existing ordinance requires trucks accessing the Coca-Cola property to utilize Interstate 540 and proceed west

***September 6, 2016 Regular Meeting***

along Phoenix to the facility. The proposed amendment will allow trucks accessing the Coca-Cola property to proceed only in the eastbound direction on Phoenix Avenue (from Wheeler Avenue) to make deliveries or pick-up merchandise at the facility and exit only in the same easterly direction when leaving the facility. The ordinance does not designate Phoenix Avenue between Wheeler Avenue and Old Greenwood as a truck by-pass route for through trucks.

Settle, seconded by Pennartz, moved adoption of the ordinance. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption and for the readings to occur on the same date. The City Clerk read the ordinance for its readings.

Prior to the vote, Director Catsavis noted information indicates that if a truck diverts off one (1) of the designated truck by-passes, such is a misdemeanor; therefore, he questioned if such will result in merely a traffic citation or if such is an arrestable offence.

Interim Police Chief Dean Pitts confirmed a subject citation is a misdemeanor and confirmed such is not an arrestable offence.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried. Hutchings, seconded by Lorenz, moved adoption of Section 2 the emergency clause. The members all voting affirmatively, the Mayor declared the motion carried and the ordinance and emergency clause were adopted and the ordinance was given Ordinance No. 52-16.

Item No. 5 was an ordinance ordering the owners of certain dilapidated and substandard structures to demolish same, authorizing the City Administrator to cause the

**September 6, 2016 Regular Meeting**

demolition of such structures to occur and for other purposes (*1834 North 13th Street / 1306 North "R" Street & rear garage building*).

Building Official Jimmie Deer briefed the Board on the item advising the matter includes three (3) structures located on one (1) lot and have been determined to be unsafe and detrimental to the public welfare. Upon approval, the owners will have approximately thirty (30) days to demolish the structure. If such is not accomplished, the City will be authorized to have the structures removed.

Catsavis, seconded by Lorenz, moved adoption of the ordinance. The motion included suspending the rule to allow the three (3) full readings of the ordinance to be by caption and for the readings to occur on the same date. The City Clerk read the ordinance for its readings. There being no Director wishing to comment and the members all voting affirmatively, the Mayor declared the motion carried. Good, seconded by Settle, moved adoption of Section 2 the emergency clause. The members all voting affirmatively, the Mayor declared the motion carried and the ordinance and emergency clause were adopted and the ordinance was given Ordinance No. 53-16.

Item No. 6 consisted of the following items regarding adjustments to the 2016 Budget:

- A. Ordinance amending the 2016 Budget (*Police Department*)
- B. Ordinance amending the 2016 Budget (*Parks Department*)
- C. Ordinance authorizing the appropriation of donated funds for the Blue Lion Bikeway
- D. Ordinance authorizing the appropriation of funds for Parks Department equipment purchases

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- E. Ordinance authorizing the appropriation of funds received from the sale of City equipment and from the April 29, 2016 hail storm and other insurance settlements

Director of Finance Jennifer Walker briefed the Board on all the items collectively advising Item No. 6A merely authorizes the transfer of funds within the Police Department to purchase L-3 PatrolScout software, which includes licensing and installation of said software. A typographical error in the account code in the first whereas was discovered within the previously distributed ordinance; however, the account code has been corrected and a revised ordinance distributed to the Mayor and Board. Also, the second whereas within the ordinance is included and addressed within Item No. 6E; therefore, she requested the proposed ordinance be amended to remove the second whereas in its entirety. The motion to adopt the ordinance should include *“as revised”* and, upon concurrence of the Board, should also include the aforementioned amendment.

Item No. 6B transfers funds within the Parks Department budget. In 2016, the fuel costs were over-calculated, which has resulted in having excess funds in the Parks Maintenance Program 6201. The Parks Department partnered with the Central Business Improvement District (CBID) to add shade structures to the Downtown Compass Park Splash Pad; however, the funds for such was encumbered in the 2015 budget. Due to the generous offer of the CBID to share the cost for the shade structures, such has also resulted in excess funds within the Riverfront/Downtown Maintenance Program 6206. The Parks Departments mowing fleet is aging rapidly; therefore and upon approval, such will transfer excess funds to a capital line-item and allow the purchase of two (2) new mid-mount mowers.

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Item No. 6C relates to the Blue Lion Bikeway, which has been completed. The project was made possible with a \$50,000 charitable donation from Arvest Bank. Upon approval, such merely authorizes the appropriation of the aforementioned amount from the Parks Contributions Fund to the Parks Department Program 6208 to help fund the Blue Lion Bikeway Project.

Item No. 6D authorizes the appropriation of \$108,870.50, which is the proceeds from the sale of the Belle Grove Community Center (former Girls, Inc. property) to The Future School of Fort Smith. Such funds will be utilized to help fund the Compass Park Splash Pad shade structures, construct a maintenance shed on Riverfront Drive, and purchase two (2) mowers and a tractor with front end loader.

Item No. 6E authorizes the appropriation of funds received from the sale of surplus equipment, an insurance settlement for the April 29, 2016 hail storm damage and various insurance claims to associated City departments. Unfortunately, an error was discovered within the previously distributed ordinance whereby the dollar amounts were incorrect. The ordinance has been revised, and distributed to the Mayor and Board, to correct the error; therefore, the motion to adopt the ordinance must include "*as revised.*"

Lorenz, seconded by Pennartz, moved adoption of all items. The motion included the aforementioned amendment to Item No. 6A and "*as revised*" for Items No. 6A and 6E.

Prior to the vote and regarding Item No. 6E, Director Settle requested confirmation that the subject funds were deposited and posted into a revenue account and the proposed ordinance merely redistributes such funds to the appropriate department.

Mrs. Walker confirmed such advising the action follows proper accounting

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procedures; therefore, the matter is required solely for auditing purposes.

With regard to Items 6B and 6D, Director Settle noted such essentially authorizes use of the subject funds for the purchase of multiple mowers; therefore, he questioned if such will reduce any anticipated request for equipment purchases in 2017. Upon approval, he further inquired the anticipated life of the soon-to-be purchased mowers.

Director of Parks and Recreation Doug Reinert advised that upon approval of the proposed items, the Parks Department 2017 Budget will contain no funds or requests for purchase of mowers. With regard to the anticipated life of the mowers, such depends solely on the use of the equipment; however, several of the existing mowers to be replaced are approximately ten (10) years old.

Director Pennartz noted a large portion of the proceeds from sale of the former Girls, Inc. property will be utilized for the construction of a shed/maintenance shop on the fifty-one (51) acres on Riverfront Drive; therefore, she requested a brief explanation. Regarding the shed to be built on the fifty-one (51) acres on Riverfront Drive, she inquired if the shed will be constructed on the eastern-most portion of the property.

Mr. Reinert advised construction of the subject shed is essentially an inexpensive way to store equipment at the 51 acre site citing such will prevent the Parks and Recreation Department having to purchase a necessary trailer(s) to transport the equipment back and forth across the city. With regard to the construction site for the proposed shed, he confirmed such will be constructed on the actual site of the proposed/future recreation center. The shed will be constructed so it can be relocated when the aforementioned recreation center is constructed.

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The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the ordinances were adopted and given Ordinance No. 54-16 through 58-16 respectively.

Item No. 7 was a resolution authorizing Change Order No. 1 with Beshears Construction, Inc. for the renovation and furnishings of the library annex building for use as office space (*\$3,085.00 / Utility Department / Not Budgeted - 2015 Revenue Bonds*)

• *Consent Decree ♦ Future Fort Smith*

Interim Director of Utilities Bob Roddy briefed the Board on the item advising such authorizes Change Order No. 2, which is the result of unexpected HVAC ductwork issues and required electrical and mechanical revisions discovered during construction.

Hutchings, seconded by Settle, moved adoption of the resolution. There being no Director wishing to comment and the members all voting affirmatively, the Mayor declared the motion carried and the resolution was adopted and given Resolution No. R-128-16.

Item No. 8 was a resolution accepting the project as complete and authorizing final payment to Beshears Construction, Inc. for the renovation and furnishings of the library annex building for use as office space (*\$28,685.00 / Utility Department / Budgeted - 2015 Revenue Bonds*) • *Consent Decree ♦ Future Fort Smith*

Mr. Roddy briefed the Board on the item advising staff has reviewed the final invoice for the project and agrees the contractor has satisfactorily completed the work as outlined in the contract; therefore, he recommended approval of the item.

Good, seconded by Settle, moved adoption of the resolution. There being no Director wishing to comment and the members all voting affirmatively, the Mayor declared

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the motion carried and the resolution was adopted and given Resolution No. R-129-16.

Item No. 9 was a resolution accepting the project as complete and authorizing final payment to MISSCO Contract Sales, LLC for the renovation and furnishings of the library annex building for use as office space (\$9,436.80 / Utility Department / Budgeted - 2015 Revenue Bonds) • *Consent Decree* ♦ *Future Fort Smith*

Mr. Roddy briefed the Board on the item advising staff has reviewed the final invoice and determined the City has satisfactorily received all components of the system walls and workstations as listed within the contract; therefore, he recommended approval.

Pennartz, seconded by Good, moved adoption of the resolution. There being no Director wishing to comment and the members all voting affirmatively, the Mayor declared the motion carried and the resolution was adopted and given Resolution No. R-130-16.

Item No. 10 was a resolution authorizing the Mayor to execute Authorization No. 2 to the agreement with Morrison Shipley Engineers, Inc. for engineering services for the Riverlyn Wastewater Pump Station Improvements (\$62,280.00 / Utility Department / Budgeted - 2015 Revenue Bonds) • *Consent Decree* ♦ *Future Fort Smith*

Mr. Roddy briefed the Board on the item advising as a condition of the Consent Decree, the City is required to implement improvements to wastewater pump stations and force mains. The Riverlyn pump station (Pump Station No. 8) is one (1) of three (3) stations scheduled for improvement and said pump station must be completed by the end of 2017. The proposed Authorization No. 2 consists of the final design and bidding phase services. The final design is anticipated to be complete by December 2016, which will provide twelve (12) months to complete construction and meet the Consent Decree deadline.

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Lorenz, seconded by Hutchings, moved adoption of the resolution.

Prior to the vote, Director Settle questioned if the subject pump station is above or below ground whereby Mr. Roddy advised such is “below” ground.

Director Pennartz inquired as to what percentage of pump stations are underground and if all pump stations are located on City-owned property.

Mr. Roddy advised the city of Fort Smith maintains twenty-three (23) pump stations with some being above and some below ground; however, he will obtain the requested percentage and advise. He further confirmed that all pump stations are typically located on property owned by the City of Fort Smith.

The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the resolution was adopted and given Resolution No. R-131-16.

The consent agenda (Item No. 11) consisting of the following items was presented for consideration:

- A. Resolution to accept the bid and authorize a contract for the construction of Street Overlays/Reconstruction, Project No. 16-03-B (\$2,424,784.30 / *Engineering Department / Budgeted - Sales Tax Program*) ♦ *Future Fort Smith*
- B. Resolution accepting bids for the purchase of water and wastewater chemicals for 2016-2017 (*Annual bid / Various Departments / Budgeted - Water & Wastewater and Sanitation Funds*)
- C. Resolution allowing the sale of surplus vehicles and equipment at public auction
- D. Resolution authorizing the execution of the memorandum of agreement between the City of Fort Smith, Arkansas and the Arkansas State Game and Fish Commission

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- E. Resolution accepting the project as complete and authorizing final payment to Goodwin & Goodwin, Inc. for the Lee Creek Reservoir Buoy Line Replacement (\$48,695.00 / Utility Department / Budgeted - Water and Sewer Operations Budget) ♦ Future Fort Smith
  
- F. Resolution authorizing partial payment to S.J. Louis Construction of Texas, LTD for construction of the Lake Fort Smith Water Transmission Line - Phase I (\$887,108.01 / Utility Department / Budgeted - 2014 Sales and Use Tax Bonds) ♦ Future Fort Smith

Hutchings, seconded by Settle, moved adoption of all consent agenda items.

Prior to the vote and regarding Item No. 11C, Director Pennartz noted the information for the surplus items indicate some are in good condition; therefore, she questioned a brief explanation as to why such are being sold. She further inquired if the surplus items are being posted on the website; if a live auction is being held and if so, the location; and, the anticipated proceeds for the upcoming auction.

City Administrator Carl Geffken advised that although several of the items are indicated as being in good condition, they're on the list because their either aged, obsolete or no longer usable by the City.

Purchasing Manager Alie Bahsoon confirmed the subject auction is promoted on the City's website; however, the City also utilizes GovDeals, which is an online auction site. The live auction will be held at the Transit facility located 6821 Jenny Lind Road. With regard to the anticipated proceeds, he advised there's no definitive method to determine such; however, in the past, the City's annual auction has resulted in proceeds as high as \$180,000. The City ensures all auction items are sold; however, in the event someone fails to retrieve a purchased item, such is either discarded or donated.

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The motion remaining on the floor and the members all voting affirmatively, the Mayor declared the motion carried and the resolutions were adopted and given Resolution No. R-132-16 through R-137-16 respectively.

Mayor Sanders announced the monthly Town Hall meeting will be held immediately following adjournment; therefore, he encouraged those wishing to address the Board in said meeting to sign-in at the City Clerk's desk.

The Mayor opened the Officials Forum with the following comments offered:

▶ Mayor Sanders

- Re:
1. Extended appreciation to all involved in this year's *Unexpected Project*, which occurred over the weekend and continues throughout the week, and noted such brought many people downtown to see the artwork, including him and his family, who enjoyed it immensely.
  2. Announced early voting for the September 20, 2016 School Board election will begin next Tuesday, September 13<sup>th</sup>.
  3. Announced the Fort Smith Symphony's, "An Evening with Joshua Bell" is scheduled for 7:30 p.m., Sunday, September 11 at the ArcBest Corporation Performing Arts Center; therefore, he encouraged all to attend if possible.

▶ Director Settle

- Re:
1. Advised the Arkansas State Crit Championship 2016 Bike Race is scheduled for 8:00 a.m. - 5:00 p.m., Sunday, September 11, 2016 in downtown Fort Smith and encouraged all to attend.
  2. Advised of the recent passing of Joe Mundy, a beloved little league coach in Fort Smith, and extended condolences to the Mundy family.

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▶ Director Pennartz

Re: Reminded all of the upcoming dedication ceremony for the Blue Lion Bikeway, which is set for 11:00 a.m. to 1:00 p.m., Wednesday, September 7, 2016 at the University of Arkansas Fort Smith, at encouraged all to attend.

▶ Administrator Geffken

- Re:
1. Extended much appreciation to all who recently served on the panel to interview Human Resources Director applicants citing an announcement will be forthcoming regarding same.
  2. Interviews for Director of Utilities will begin on Thursday, September 8<sup>th</sup>.
  3. Interviews for Police Chief will begin on Thursday, September 15<sup>th</sup>.

There being no further business to come before the Board, Pennartz moved that the meeting adjourn. The motion was seconded by Lau and the members all voting aye, the Mayor declared the motion carried and the meeting stood adjourned at 6:49 p.m.

**APPROVED:**

  
MAYOR

**ATTEST:**

  
CITY CLERK