



CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd.
479-361-2700
planning@tontitownar.gov

Meeting: **March 26, 2019**
Project: **Morsani Acres**
Planner: Courtney McNair

AGENDA ITEM

C

- i. **Planned Unit Development (PUD) REQUEST**
- ii. **PRELIMINARY SUBDIVISION PLAT REQUEST**
- iii. **WAIVER REQUEST**

PLANNING BOARD/ BOARD OF ZONING ADJUSTMENTS ACTION:

REZONING REQUEST

This project was approved unanimously by members present with recommended conditions listed below, and agreed upon at the Planning Board Meeting (also listed). Four (4) members were present, one (1) was absent.

CONDITIONS OF APPROVAL:

1. This PUD zoning must proceed to the City Council for approval.
2. This project must proceed through the Preliminary Subdivision Plat process, and address all technical information. Any approvals granted related to the Preliminary Subdivision Plat will be contingent on City Council approval of the PUD zoning.
3. This project shall develop as is stated in the applicant's letter and presented in the plans. No additional uses/densities are allowed without an additional PUD request.

ADDITIONAL CONDITIONS PLACED AT THE PLANNING BOARD MEETING:

4. The covenants shall be amended to add:
 - All homes are to be constructed with 75% brick
 - The minimum square footage is 1450 SF
5. A single row of evergreen screening trees shall be placed on the south end of the property to provide screening. This shall be reflected on an updated Landscape Plan, and approved by Planning Staff.
6. Channel B of the drainage system, as shown on the plans, shall be installed and evaluated for functionality and adherence to Drainage Manual at the beginning of the subdivision construction. It is the developer's responsibility to mitigate drainage impacts to adjacent properties, if it is determined that the impacts are a direct result of this development, or the Hidden Valley Development, as determined by the City Engineer.

PLANNING BOARD/ BOARD OF ZONING ADJUSTMENTS ACTION:

PRELIMINARY LARGE SCALE DEVELOPMENT PLAN APPROVAL REQUEST

This project was approved unanimously by members present with recommended conditions listed below. Four (4) members were present, one (1) was absent.

CONDITIONS OF APPROVAL:

1. It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.
2. The SWPPP shall be completed and posted on site prior to construction.
3. Correct all remaining items on the "Plat Requirement Worksheet" prior to Construction Plan approval. Planning Staff will provide a copy of the remaining requirements to the engineer for the project.
4. Water and Sewer Systems plans shall be approved prior to construction.
5. If any signage is desired, it must be permitted separately and shall comply with all current sign codes.
6. "No Parking" signs / fire lane striping shall be placed per the Fire Marshal.
7. All interior drives shall meet the required compaction rating to support emergency vehicles.
8. Correct all comments from the City Engineer prior to Construction Plan approval.
9. The Landscaping and Park amenities shall be installed as proposed.
10. The applicant shall apply for all required permits prior to construction.
 - a. Pre-Construction Meeting must be held and plans approved.
 - b. SWPPP BMPs must be inspected and approved.
11. Once all Engineering Statements are received by the City, any additional charges will be sent to the developer in an invoice to be paid prior to the issuance of a Certificate of Occupancy.
12. Final Subdivision Plat plans, fees, inspections, and approval are required prior to the acceptance of this Subdivision by the City.
13. Building permits must be submitted and approved prior to individual homes being constructed.
14. Any approvals granted related to the Preliminary Plat will be contingent on City Council approval of the PUD zoning.

PLANNING BOARD/ BOARD OF ZONING ADJUSTMENTS ACTION:

WAIVER REQUEST- FLETCHER ROAD-a waiver for a portion of the Fletcher Road construction to shorten the eastern and western stub outs, and improve 26' feet of the Road.

This project was approved unanimously by members present. Four (4) members were present, one (1) was absent.



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- i. **Planned Unit Development (PUD) REQUEST**
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Morsani Road
West of 1255 Morsani
Parcel # 830-37733-004, 830-37733-002

PUD Request

SUMMARY: Request to zone two parcels of land that are approximately 16.70 acres in size with existing R3 zoning to a Planned Unit Development with approximately 4.31/units per acre. Single Family Dwellings.

CURRENT ZONING: R3-Residential-minimum lot size of 9600 SF.

REQUESTED ZONING: PUD -This PUD request is for 70 single family residential lots and two detention/park lots on 16.70 acres. The lots range in size from 7048 SF to 9469 SF for the single-family lots, and approximately ½ acre each for the detention/park lots.

FUTURE LAND USE CATEGORY: RC-T -Residential Transition Commercial

CITY WARD: 3 – Don Doudna and Tommy Granata

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: Tontitown Water

Electric: Ozarks Electric

Sewer/Septic: Tontitown Sewer

Phone: AT&T

Natural Gas: Black Hills Energy

Cable: Cox Communications

PROJECT SYNOPSIS:

This property is owned by Michael Bader. He is also the applicant. The property is located within the City Limits of Tontitown. It takes access from Morsani Road and will be extending a portion of Fletcher Road along the south side of the property.

The applicant is requesting this PUD in order to allow a slightly smaller lot size in an area identified by the City of Tontitown as Residential Transition Commercial on the Future Land Use Map. This category anticipates densities from 6-12 units per acre. The applicant is asking for 4.3 units per acre with this development.

The applicant is also utilizing detention pond space for recreation/park areas for the community. The spaces will include a basketball court (half), soccer goals, benches, and landscaping.

Please see the applicant's letter (attached) for additional information.

FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for the Residential Transition Commercial (RC-T). From the Vision Plan Document adopted by the City Council in November 2018:

RESIDENTIAL TRANSITION COMMERCIAL (RC-T)

Residential Transition areas plan for moderate-density residential development serving as a transition between commercial/mixed use and residential low-density land uses. Housing types are varied, single-family, duplexes, townhomes, and lower density apartment buildings. Some neighborhood-scale commercial uses may be included where appropriate access is available.

Six-twelve dwelling units/acre.

STAFF ANALYSIS: This project is in line with the Future Land Use Map. This is an area that the City designated as having a slightly higher density residential to provide a buffer from the higher impact commercial that will develop along Henri de Tonti Blvd. The applicant is requesting less density than was anticipated in this category.

APPROVAL CRITERIA:

153.087 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT.

(A) General description. It is the intent of this section to encourage development with superior living environments brought about through unified development, and to provide for the application of design ingenuity in such developments, while protecting existing and future surrounding areas in achieving the goals of the comprehensive plan for development of the city. The PUD provisions herein established, are intended to provide for greater flexibility in the design of buildings, yards, courts, circulation and open space than would otherwise be possible through the strict application of other district regulations, and to produce:

- (1) A maximum choice in the type of environment and living units available to the public;*
- (2) Open space and recreation areas;*
- (3) A pattern of development which preserves natural features, prevents soil erosion, and protects water quality;*
- (4) A creative approach to the use of land and related physical development;*
- (5) An efficient use of land resulting in smaller networks of utilities and streets, and thereby lowering costs; and*
- (6) An environment of stable character in harmony with surrounding development.*

(B) The PUD regulations are designed to provide for small- and large-scale developments incorporating a single type or a variety of residential, commercial, and related uses that are planned and developed as a unit. Such development may consist of individual lots or it may have common building sites. Private or public common land and open space should be an essential and major element of the plan that is related to and affects the long-term value of the homes and other development. A planned unit shall be a separate entity with a distinct character and be in harmony with surrounding development.

(C) Standards of development.

(1) *Ownership control.* The land in a planned unit development district (PUD) shall be owned, leased, or otherwise controlled by a person, firm, group of individuals, partnership, corporation, or trust, provided assurances are given through the procedures contained herein that the project can be successfully completed. **The applicant is a well-established home builder.**

(2) *Minimum district area.* The minimum area for a PUD district shall be two acres. In calculating the minimum area for a PUD district, the measurements shall include the area of all dedicated streets entirely within the boundary of the proposed PUD, and one-half of the area of all boundary or perimeter streets. **The property exceeds the minimum requirement.**

(3) *Uses permitted.* In order to increase creativity and flexibility in the development of areas suitable for a planned unit development, there are no specifically prescribed uses that are permitted within the boundaries of a planned unit development. The developer shall be responsible for preparation of a list of permitted uses within the specific planned unit development requested. The development list shall take into account the nature and purpose of the PUD area, and such uses and locations shall be appropriate in order to protect and be in harmony with surrounding development. **The applicant is proposing single-family residential uses and park/detention uses only. The area surrounding is mostly residential and agricultural in nature. Adding additional single-family housing in this area will be in harmony with surrounding development.**

(4) At the time of the pre-application plan and conference, the applicant shall generally describe the nature and types of land uses to be located within the boundaries of the PUD district. At the time of zoning application and consideration of the preliminary plat, a specific written list of uses to be "permitted by right" shall be submitted for review by the Planning Commission. If approved by the Planning Commission and City Council, the list of specific uses permitted by right shall serve as the control list in issuance of building permits and certificates of occupancy. **The applicant is proposing single-family residential uses and park/detention uses only.**

(5) In addition to the above permitted uses that are established by right, certain other uses may be prescribed by the developer in accordance with the restrictions included herein and said uses are designated as conditional uses. These uses more intensely dominate the area in which they are located than do other uses which might be permitted in the PUD district and, as such, they require special considerations and restrictions. If the developer and/or Planning Commission agree that certain conditional uses should be included within the PUD district, the applicant shall precisely indicate the specific use, its location, area to be included, maximum building square footage, and such other information as required by the Planning Commission to properly and comprehensively evaluate the nature and impact of such conditional uses. When such conditional uses are approved at the time of rezoning, they shall not be subsequently changed to any other use until and unless they are changed to another use that is permitted by right, or the new proposed use if not permitted by right in a PUD district, is resubmitted for rezoning approval. **No additional uses are proposed.**

(6) *Parking and off-street loading.* All uses established with a planned unit development district shall comply with the off-street parking and loading requirements as established in the city's zoning regulations. However, the requirements for individual structures or lots may be met through either provision of adequate parking on the lot on which such structure is so located, or upon adjacent property which is under the control of a property owners' association, to which said lot is an automatic participant. In no case, however, shall the cumulative requirements of all parking and off-street loading requirements be less than if said uses were individually established and located in any other zoning district within the city. **Each residence will have adequate off street parking.**

(7) *Perimeter requirements.* In order to assure compatibility with surrounding development, the developer shall submit specific information as to the setbacks, building height, coverage factors and other elements necessary for all perimeter lots that are adjacent to the boundary of the PUD district or adjacent to any boundary or perimeter street right-of-way. While no specific setback requirements are herein established, the Planning Commission shall consider the nature, extent and character of the adjacent development and shall take into consideration the types of area regulations applicable to adjacent properties. **Setbacks are proposed to be 20-feet from the rear of the lots. (Front are also 20-feet, and side are 5').**

(8) *Residential density standards. The maximum number of dwelling units permitted within a PUD district is dependent upon both the type and number of each type of residential units intended to be included in the PUD district. Densities within certain areas of the PUD may be beyond the overall limits through a transfer of density. However, overall project densities shall not be exceeded in accordance with the following schedule:*

(a) *Eight dwelling units per net residential acre for single-family attached and detached houses and duplexes. **The applicant is proposing 4.3 units per acre.***

(b) *Fifteen dwelling units per net residential acre for triplexes, fourplexes, and row or terrace housing.*

(c) *Eighteen dwelling units per net residential acre for two story, and 27 units per net residential acre for three-story apartments.*

(d) *Forty dwelling units per net residential acre for high-rise (four stories or more) apartments.*

(e) *For purposes of calculating densities, net residential acres are defined as gross acres of the PUD site minus all public rights-of-ways, and less the area of all parcels or lots devoted to commercial, industrial, or institutional uses not of a residential nature.*

(f) *Common open space that is owned and maintained by a property owners' association shall be included in calculating the net residential acres available for all dwelling units that automatically belong to such an association. Where more than one property owners' association is to be created, then each common open space can only be attributed to the lot or dwellings which have automatic membership for that specific common open area.*

(9) *Open space requirements. Common open space constitutes an essential ingredient in a planned unit development and is one of the most basic and important design elements. Open space should be distributed more or less equitably throughout the PUD district in relationship to the dwelling units and other use areas that are intended to be served by the common open space. Adequate guarantees must be provided that the common open space areas as contained in the plan for the PUD district are preserved and maintained for those purposes only. A minimum of 20% of the total project area shall be devoted to lawn and/or green space, exclusive of paved surfaces. A property owners' association shall be required, if other arrangements satisfactory to the Planning Commission have not been made, for improving, operating and maintaining all such common open space areas. At the time the final plan and plat is submitted, the articles of incorporation and bylaws of the property owners' association shall be reviewed and approved by the Planning Commission. Additionally, the restrictive covenants which run with the land must be submitted and include similar provisions to preserve all open space areas. **The applicant is providing 25% open space through detention basins, front setbacks, and greenspace along sidewalks. A POA is proposed, and draft covenants have been provided (see attached).***

ADDITIONAL INFORMATION ADDRESSED AT ANY REZONING REQUEST:

Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision. The criteria to be considered shall include but not be limited to the following:

(1) *Consistency of the proposal with the comprehensive plan.*

STAFF ANALYSIS: The current Future Land Use Plan shows this area as Residential Transition Commercial. The proposal meets this Land Use Category.

(2) *Consistency of the proposal with the purpose of these regulations.*

"The regulations are intended to provide for orderly growth and development; for protection of the character and stability of residential, commercial, industrial, recreational, and environmentally sensitive areas of the city; for protection of property from blight and undue depreciation; for efficiency and economy in the process of development for the appropriate and best use of land; for the use and occupancy of buildings; for healthful and convenient distribution of population; for good civic design

and arrangement; and for adequate public utilities and facilities.”

STAFF ANALYSIS: This area is primarily residential, and the applicant is proposing single family residential for this property. There are adequate connections for water and sewer. There has been some concern voiced over drainage in this area due to the last project this applicant completed that is located to the south of the currently proposed project. City staff and the City Engineer had inspected the drainage concern, and the developer worked to correct the drainage in a temporary manner. This new project addresses that temporary solution with the proposed drainage plan. It was staff’s understanding that the temporary fix adequately addressed the drainage concerns, as no additional complaints had been made to the city until the time of this project application.

Additionally, there has been concern voiced over Morsani Road. As it is currently zoned, approx. 50-55 residences could be placed on this property with no additional zoning review. The applicant is proposing 70 residences. This is not a significant increase, and off-site improvements to Morsani Road are not warranted. The applicant is responsible for improving Morsani Road along the frontage of this property. Staff acknowledges that Morsani Road is a narrow road at this time. There is also very little Right-of-Way (ROW) currently dedicated to the City for any road improvements. As this area develops, more ROW will be dedicated, and additional road improvements will be made.

(3) Compatibility of the proposal with the zoning, uses and character of the surrounding area.

STAFF ANALYSIS: The requested use is for Industrial zoning; surrounding properties are zoned for Commercial, residential, and agricultural uses.

North-zoned R3

East-zoned R3

South-zone R3

West-zoned R3

The surrounding uses appear to be mostly large lot residential/agricultural, and residential subdivision. The City has limited zoning categories, and R3 is the highest density single-family category available without requesting a PUD. This area will most likely continue to develop as residential lots, and the applicant is proposing single family residential lots.

(4) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.

STAFF ANALYSIS: This property could be suitable for R3-residential uses. The applicant is trying to develop according to the Future Land Use plan that was approved by the City of Tontitown.

(5) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual impairment, odor, noise, light, vibration, hours of use/operation, and any restriction to the normal and customary use of the affected property.

STAFF ANALYSIS: This proposed rezoning should not detrimentally affect nearby property. Odor, noise, and lighting are not typical concerns with this type of development. As discussed earlier, the traffic impact of 55 lots vs 70 will be minimal. There is concern from adjacent neighbors that allowing slightly smaller lots will decrease property values. This is a very subjective issue.

Staff does not feel that having an adjacent development with slightly smaller lots will be detrimental to property values. Especially as this development will eventually be completely separated by Fletcher Road. As it will be, if developed, the Fletcher Road ROW that is required to be dedicated will provide a buffer/separation to the R3 subdivision adjacent to the south.

- (6) *Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and*

STAFF ANALYSIS: This property has never developed. It was zoned R3 when the applicant purchased the property.

- (7) *Impact of the proposed development on community facilities and services, including those related to utilities, streets drainage, parks, open space, fire, police, and emergency medical services.*

STAFF ANALYSIS: This impact is expected to be minimal to utilities, streets, drainage, parks, open space, fire, police, and emergency services. There are adequate water and sewer connections available. Drainage is being reviewed by the City Engineer for compliance. The Fire Marshal has reviewed the plans and made comments which have been addressed. Streets were discussed above. The Police Chief had no concerns for this proposal.

TECHNICAL INFORMATION:

Technical information is addressed below in this report with the Preliminary Subdivision Plat stage of this development request.

NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has received eight "opposed" written comments (two from one address) regarding this project. Staff also received several phone calls with requests for additional information, or to voice opposition for this project. Only two of the neighbors who called did not also submit written comments, and their concerns mirror those that were submitted in writing.

Staff has tried to summarize and address these concerns:

1. Property values will be decreased. **-This is subjective, and discussed above.**
2. Morsani Road is not adequate. **-The developer is required to upgrade the portion of Morsani Road that this development has frontage on. It does not warrant off site improvements.**
3. Drainage concerns. **-Staff was aware of the drainage issue north of the Hidden Valley**

Subdivision. Water was backing up onto two properties (not within the subdivision). Staff had the City Engineer go to the site and make recommendations. The applicant also had his Engineer review the problem. As a result, a temporary ditch was added until the drainage could be addressed with the new development. Staff had received no additional complaints regarding the drainage after the ditch was added until this project was proposed.

4. The proposal is not compatible/does not want change/want only homes of the same size. - **While the proposed project is slightly higher density, and the square footage of the homes is smaller than what is directly adjacent, staff does not feel this project cannot be compatible. The developer has provided some examples of the types of homes proposed in this development. There are many examples of developments with areas of smaller housing and larger housing that have been successful.**

Smaller lots are not synonymous with lower property values.

Additionally, one neighbor also had concerns regarding Fire Code and Access Roads, and one further down Basinger Road, was concerned about their water pressure decreasing.

The Fire Marshal has reviewed the plans and consulted with other local fire marshals for their opinions as well. As the “authority having jurisdiction”, he can make professional assessment of developments within his jurisdiction, and has no concerns regarding this proposal.

I have attached an email regarding water pressure from the applicant’s engineer. They are planning to loop the water line within this development. Looped lines are generally a better situation for water systems. Additionally, he has addressed the possibility of upgrading waterlines if necessary, to meet required fire flow.

Staff understands the concerns of the neighbors, especially when it is a change from the normal. This change is less impactful than what the City of Tontitown expected for the area, and will act as transition for future development.

STAFF RECOMMENDATION: Based on the Future Land Use Map and the availability of connections for utilities, as well as the requirements for upgrades to Morsani Road, and the addition of a portion of Fletcher Road, staff recommends approval of the Morsani Acres Planned Unit Development with conditions.

CONDITIONS RECOMMENDED FOR APPROVAL:

1. This PUD zoning must proceed to the City Council for approval.
2. This project must proceed through the Preliminary Subdivision Plat process, and address all technical information. Any approvals granted related to the Preliminary Subdivision Plat will be contingent on City Council approval of the PUD zoning.
3. This project shall develop as is stated in the applicant’s letter and presented in the plans. No additional uses/densities are allowed without an additional PUD request.

Preliminary Subdivision Plat Request- the PUD zoning request must be approved prior to consideration of this LSD request.

SUMMARY: Preliminary Subdivision Plat request in order to begin construction of Morsani Acres Subdivision with 70 residential lots and two detention/park lots on 16.7 acres.

CURRENT ZONING: **PUD**

CITY WARD: 3 – Don Doudna and Tommy Granata

FLOODPLAIN: No

MS4 AREA: No

TECHNICAL INFORMATION:

Utilities:

Water: Tontitown Water, the applicant plans to tap into the existing 6-inch line on Bausinger Road to service this property, and then loop to the existing 4-inch line on Morsani Road. Interior water system is proposed to be 8-inch line. All offsite easements are the applicant's responsibility.

Electric: Ozarks Electric -Initially it was thought that the applicant may have to relocate all of the utility poles along Morsani Road, and was asking for a waiver from a portion of the required widening at Morsani Road. However, we have received information that the applicant can just relocate the two poles on this property and therefore, they have withdrawn the request for a waiver for Morsani Road. The electric poles located on the property will be relocated to the utility easement.

Sewer/Septic: Sewer-the applicant plans to connect to existing sewer to the south. All offsite easements are the applicant's responsibility.

Phone: AT&T No concerns were submitted.

Natural Gas: Black Hills Energy No concerns were submitted.

Cable: Cox Communications No concerns were submitted.

It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.

Roads/Parking/Sidewalks:

This property has access on to Morsani Road, and plans two connections. The applicant is required to improve half of Morsani Road as is standard with subdivision requirements. Sidewalks are shown and must be constructed to provide connectivity. Additionally, the applicant must dedicate Right-of Way (ROW) for Fletcher Road, and construct a portion of this road. The applicant is requesting a waiver from constructing the full Fletcher Road, and staff is supportive of this request. At this time, the City is working on the east Fletcher Road connection. Fletcher Road is a very important connection for the City, but we are unsure when funding will be available for the western portion. As such, we do not have currently engineered plans, and the road may have to shift some to make the best connection. If the applicant constructs the portion of Fletcher shown on the plans, this leaves the City some leeway at the time the remainder of this side of Fletcher is designed. -SEE WAIVER

FLETCHER ROAD.

Staff also believes it will be less of a nuisance to have shorter stub outs for the property to the south.

Two entrances are also proposed to connect to Fletcher Road.

There was a concern voiced about the Fire Code access for this development. The Fire Marshal has reviewed the plans and consulted with other local fire marshals for their opinions as well. As the “authority having jurisdiction”, he can make professional assessment of developments within his jurisdiction, and has no concerns regarding this proposal. He did require additional hydrants, and those are shown on the plans.

The interior streets are proposed to be 26-feet wide with no parking on the street. It is the applicant’s responsibility to provide the “no parking” signage. This street section is wider than the smallest street section allowed by the City (20-feet with bump outs at hydrants to 26-feet). The applicant did not want the street to feel overly constrained. Sidewalks are shown on both sides of the streets.

Stormwater Pollution Prevention Plan (SWPPP):

The applicant has provided a grading a drainage plan. A SWPPP must be completed and posted on site prior to construction.

Fire:

As stated above, the Fire Marshal has reviewed these plans. Hydrants are required and must be adequately spaced. The Fire Marshal has no additional concerns at this time.

Police:

No concerns were submitted.

Drainage:

There are two detention areas shown for this site. The applicant’s engineer submitted a drainage report for review. The City Engineer reviewed and made comments. The City Engineer is reviewing resubmitted information and will provide additional comments as necessary.

All remaining comments from the City Engineer must be addressed prior to Construction Plan approval.

There was some concern voiced about drainage. The engineer for this project, and the City Engineer are acutely aware of the previous drainage problem. The engineer for this project has proposed a system that should address the previous drainage concern, as well as provide adequate drainage for the proposed development.

Additional Planning Information:

Any signage requested shall be permitted separately.

As this is a PUD, the applicant has provided park areas to be located with the detention areas. They are providing a basketball court (half), soccer goals, and park benches along with landscaping to benefit the community. Sidewalks are proposed to provide access internally to these areas.

Lot sizes in this development meet PUD requirements and the Future Land Use Plan for this area. They range from 7048 SF to 9469 SF with the larger lots along Morsani Road and Fletcher Road.

STAFF RECOMMENDATION: There are a few technical details that remain to be addressed at the Construction Plan phase of plan review, but the overall design should not change significantly. Any significant changes as a result of further information will be required to come back to this Board.

Therefore, staff recommends approval of Morsani Acres Preliminary Plat with conditions.

CONDITIONS RECOMMENDED FOR APPROVAL:

1. It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.
2. The SWPPP shall be completed and posted on site prior to construction.
3. Correct all remaining items on the "Plat Requirement Worksheet" prior to Construction Plan approval. Planning Staff will provide a copy of the remaining requirements to the engineer for the project.
4. Water and Sewer Systems plans shall be approved prior to construction.
5. If any signage is desired, it must be permitted separately and shall comply with all current sign codes.
6. "No Parking" signs / fire lane striping shall be placed per the Fire Marshal.
7. All interior drives shall meet the required compaction rating to support emergency vehicles.
8. Correct all comments from the City Engineer prior to Construction Plan approval.
9. The Landscaping and Park amenities shall be installed as proposed.
10. The applicant shall apply for all required permits prior to construction.
 - a. Pre-Construction Meeting must be held and plans approved.
 - b. SWPPP BMPs must be inspected and approved.
11. Once all Engineering Statements are received by the City, any additional charges will be sent to the developer in an invoice to be paid prior to the issuance of a Certificate of Occupancy.
12. Final Subdivision Plat plans, fees, inspections, and approval are required prior to the acceptance of this Subdivision by the City.
13. Building permits must be submitted and approved prior to individual homes being constructed.
14. Any approvals granted related to the Preliminary Plat will be contingent on City Council approval of the PUD zoning.

Waiver Requests-

"152.026 WAIVERS.

(A) General.

(1) When, by the strict interpretation of these regulations, an applicant incurs undue restrictions on the physical property to be subdivided, a waiver for such requirements may be granted by the Planning Commission.

(2) Under no circumstance should a waiver be granted because of a personal hardship or for personal or emotional reasons. Waivers shall not be granted based strictly on financial hardship.

(3) A waiver is determined by the strict interpretation and enforcement of the rules and regulations upon a given piece of property to be subdivided.

(B) Procedures.

(1) No waiver shall be granted except upon written petition by the applicant when the application is filed. The petition shall state fully the grounds for the waiver and all the facts upon which the petition is made.

(2) In granting the waiver, the Planning Commission shall prescribe any conditions that it deems necessary to or desirable in the public interest.

(3) In considering the petition for a waiver, the Planning Commission shall take into account the nature of the proposed use of land involved, existing uses of land in the area, proximity to

public utilities, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such waiver upon traffic conditions and upon the public health, safety and general welfare in the vicinity.

(4) The findings of the Planning Commission, together with the specific facts upon which findings are based, shall be incorporated into the official minutes of the Planning Commission meetings at which such waiver is granted. Waivers may be granted only when in harmony with the general purpose and intent of these regulations.

(5) No waiver shall be granted unless the Planning Commission finds all of the following:

(a) That there are special circumstances or conditions affecting the land involved such that the strict application of the provision of these regulations would deprive the applicant of the reasonable use of this land.

(b) That the waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant.

(c) That the granting of the waiver will not be detrimental to the public health, safety and welfare or injurious to other property in the area.

(d) That the granting of the waiver will not have the effect of preventing the orderly subdivision of other land in the area in accord with the provision of these regulations.”

WAIVER-FLETCHER ROAD

The applicant is requesting a waiver for a portion of the Fletcher Road construction. They are requesting to shorten the eastern and western stub outs, and improve 26' feet of the Road.

STAFF ANALYSIS: Staff finds that there are special circumstances or conditions affecting the land involved such that the strict application of the provision of these regulations would deprive the applicant of the reasonable use of this land. Due to a lack of ROW for the remainder portion of Fletcher Road, and the adjustment that will need to be made to align Fletcher Road, staff finds this to be a special circumstance.

As staff mentioned above, allowing this waiver affords the City more flexibility when the final design of west Fletcher Road is to be addressed.

Granting this waiver will not be detrimental to the public health, safety and welfare or injurious to other property in the area, and will not have the effect of preventing the orderly subdivision of other land in the area in accord with the provision of these regulations.

Staff feels that by not extending the stub outs, it will actually be less impactful to the adjacent residences on the south side of this property.

STAFF RECOMMENDATION: Staff recommends approval of the waiver for a portion of the Fletcher Road construction to shorten the eastern and western stub outs, and improve 26' feet of the Road.



Earthplan Design Alternatives, PA
Civil Engineering / Landscape Architecture

March 26, 2019

City of Tontitown
Planning Department
Attention: Courtney McNair
201 E Henri De Tonti Blvd.
Tontitown, AR 72770

RE: Morsani Acres Subdivision
Preliminary Plat Submission & PUD Submission

Ms. McNair,

Please find included our submittal for the project known as Morsani Acres Subdivision. We are submitting for a Planned Unit Development (PUD) and for a Preliminary Plat Subdivision with this submittal. This design consists of 70 single family residential lots and 2 lots for detention. Instead of being utilized for a single use of holding stormwater for short periods of time, the basins have recreational uses when not inundated with stormwater. The southern detention lot is proposed to contain a half-court basketball court and the northern basin will have a non-league soccer field with soccer goals. Each basin has a bench and four trees to further the multi-use of these public common areas. In all, this design provides approximately 25% open space through the detention basins, front building setbacks, and the greenspace between the sidewalks and curb.

A.) Justification of compliance with the intent of the PUD District; - See above and below.

B.) Description of proposed land uses and percentage of land area devoted to each. – See above and below.

C.) Description of proposed zoning and development standards. – The requested lots in this subdivision will generally be single family residential of which 44 will be 60' wide, 16 will be 65' wide, and 10 will be 67' wide. The smallest acreage size is 0.16 acres. This lot size gives a proposed density of 4.2 units per acre. We are proposing five foot building side setbacks, 20 foot rear building setbacks, and 20 foot wide front building setbacks. Eaves will be allowed to encroach into the setbacks but will be required to be fire rated in order to do so.

In order to provide both traffic calming and a more attractive development, the roads will consist of more narrow road widths than allowed per current code. 26 foot back of curb to back of curb is proposed. Narrow streets slow down traffic which is known to result in safer roads. The sidewalks are four foot in width with a three foot wide greenspace.

D.) Description of structural design – Does not apply to this PUD.

E.) Description of compliance with PUD Development criteria; and – With this development, it is the developer's intent to make available a smaller home size that is in need within the City of Tontitown. The tighter lot widths are more narrow than what is currently allowed per code results in smaller networks of utilities and streets which reduces costs for maintenance by the City and Utilities. To provide for open space and beautification, the site's detention basins are proposed to serve double duty - for the public use and beautification of this subdivision by doubling as stormwater control features and public recreation spaces.

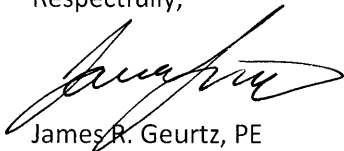
The proposed detention basins will slow water coming off this site. In addition, this design will correct an existing drainage issue on the south west portion of the site as well as adjacent properties. A number of above-ground channel areas are utilized through the development for water conveyance. Drainage channels provide the benefit of allowing some stormwater to penetrate into the ground and for sediment to settle out of stormwater.

This development should create a stable neighborhood in harmony with surrounding properties as Tontitown develops.

F.) If phasing is proposed, a schedule of construction. – Does not apply to this PUD.

Please contact us if additional documentation is needed to process this PUD and Preliminary Plat request. We look forward to working with your staff to complete the review of this proposed development.

Respectfully,



James R. Geurtz, PE
jrg@eda-pa.com



Earthplan Design Alternatives, PA
Civil Engineering / Landscape Architecture

March 19, 2019

City of Tontitown
Planning Department
Attention: Courtney McNair
201 E Henri De Tonti Blvd.
Tontitown, AR 72770

RE: Morsani Acres Subdivision
Fletcher Ave. Improvements Waiver Request

Ms. McNair,

We are requesting a Waiver from code 90.400.4 90.400.4 and from any other portions of the code requiring the street improvements from which this Waiver is requested. The Waiver request is from some of the required road improvements along Fletcher Ave. south of the proposed Morsani Acres Subdivision. The submitted plan shows the full 70' Right of Way (ROW) to be dedicated for future extension of W. Fletcher Ave. Specifically, it is road improvements for the southern lane and the far east and western sides from which this Waiver request applies.

Currently, Tontitown's Master Street Plan (MSP) shows W. Fletcher Ave. extending straight eastward across Bausinger Rd. along the southern property line of the proposed Morsani Acres Subdivision. A number of extenuating circumstances exist for this request. Due to lack of ROW dedication with Hidden Valley Estates subdivision to the immediate south, the ROW dedication has been requested by the city to shift north by 35 ft. This will place the entire 70' right of way on this project instead of being shared between properties. This will also put a 35 ft. northward jog in the future Fletcher extension. Since Fletcher Ave.'s full extension has not been designed yet, the manner in which this jog will have to take place can't be known. Therefore, we are proposing the eastern and western stub-outs to not be developed. This is to give additional distance to realign the road to the original-proposed location. Lastly, the road section width the developer would be required to construct per code requirements of 90.400.4 - typically this requires the developer to construct their half of the road. However, in this case half of the road is only 18.5' and that width does not meet fire code requirements. We are proposing improving 26' of this section of Fletcher Ave's width – curb and gutter, sidewalk, and road improvements for the northern lane between lots 20 and 75. This would accommodate turning around of vehicles and emergency personal and would hopefully prevent the City of Tontitown from having to tear out some of the road when the jog and connection to Bausinger Rd. is constructed in the future. We

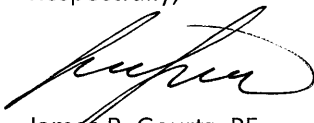
therefore feel that special conditions and circumstances exist which are peculiar to Morsani Acres. Subdivision which are not applicable to other land development in this area.

Literal interpretation of the provisions of this ordinance would deprive the Owner of rights enjoyed by the subdivision to the south known as Hidden Valley Estates which did not dedicate Right of Way for W. Fletcher Ave. and which also resulted in the property owner dedicating all the ROW from the Morsani Acres Subdivision lots. This also results in all of the W. Fletcher Ave. road width having to come out of the Morsani Acres Subdivision instead of the cost being divided between the two subdivisions.

The lack of ROW dedication or road improvements from Hidden Valley Estates to the south are special conditions and circumstances that did not result from the actions of the applicant for this subdivision.

Please contact us if additional documentation is or if clarification is needed to process this Waiver request. We look forward to working with your staff to complete the review of this proposed development.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Geurtz', written over a horizontal line.

James R. Geurtz, PE
jrg@eda-pa.com

Courtney McNair

From: James Geurtz <jrg@eda-pa.com>
Sent: Monday, March 25, 2019 11:03 AM
To: Courtney McNair; Michael Bader; Sarah Geurtz
Subject: RE: Morsani
Attachments: Valle Lane Fire Flow.pdf

Courtney,

Attached is the fire flow we received from the City. Flow is moderately low for residential use and the residual pressure at the dead end hydrant has me suspect we didn't pick a good test location since it dropped so far. On the other hand static pressure is good and our design has 8" lines that loop to the existing 4" at the north. So the back flow/pressure from the 4" line would limit a residual pressure drop on our system. As compared to the system on Hidden Valley. That in turn should increase our flows.

If needed by the City I can do further analysis on the water system. I'll have to have some flow information on the 4" lines to the north. I won't have any time to provide an analysis for the PC meeting tomorrow. I believe we are meeting fire code with the 500' spacing for hydrant with the sub 1000 GPM, but I'll let the Fire Marshall make that ruling.

I wouldn't think fire flows should be too detrimental to this project from a PC board perspective. If ultimately we aren't meeting fire code we can simply look at alternatives to meeting the code that could include upgrading some water lines to reach the requirements.

Thanks,

From: Courtney McNair <planning@tontitownar.gov>
Sent: Monday, March 25, 2019 9:21 AM
To: Michael Bader <michaelbader21@yahoo.com>; James Geurtz <jrg@eda-pa.com>; Sarah Geurtz <sdg@eda-pa.com>
Subject: FW: Morsani

Michael,
Would you be ok with this?

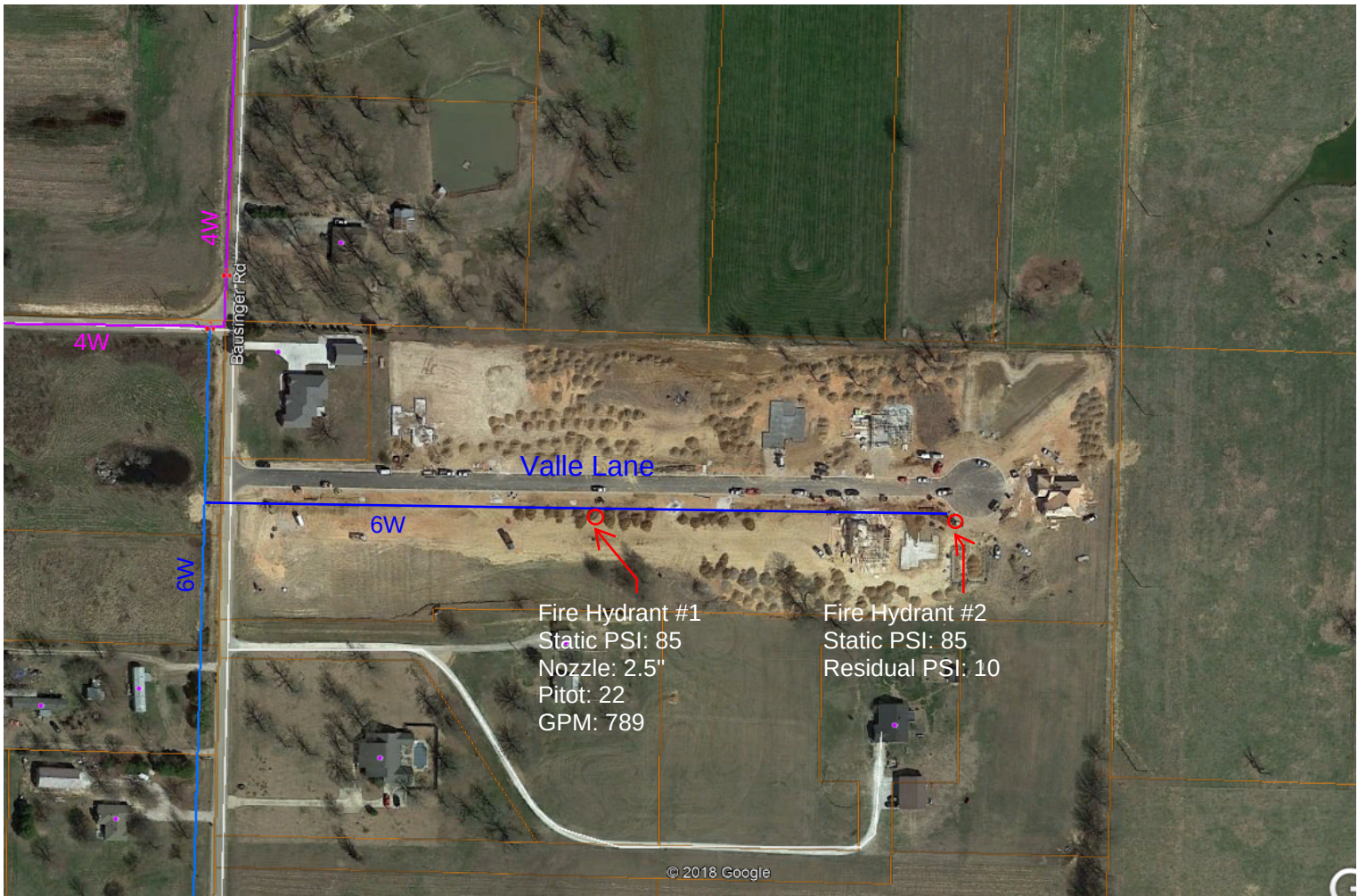
Also, James, what is the water flow looking like?

Thank you,

Courtney McNair, AICP, CFM
Planning Official

City of Tontitown
201 East Henri De Tonti
Tontitown, AR 72770
479-361-2700 office
479-435-8080 cell
planning@tontitownar.gov

From: Courtney McNair
Sent: Friday, March 22, 2019 3:55 PM



Courtney McNair

From: James Geurtz <jrg@eda-pa.com>
Sent: Tuesday, March 26, 2019 12:40 PM
To: Courtney McNair
Cc: Sarah Geurtz
Subject: Morsani Acres

Courtney,

We would like to officially withdraw the waiver request from street improvements for Morsani Ave. We will revise the plans to show the road widening as required on the Master Street Plan.

Thanks,

James Geurtz, PE

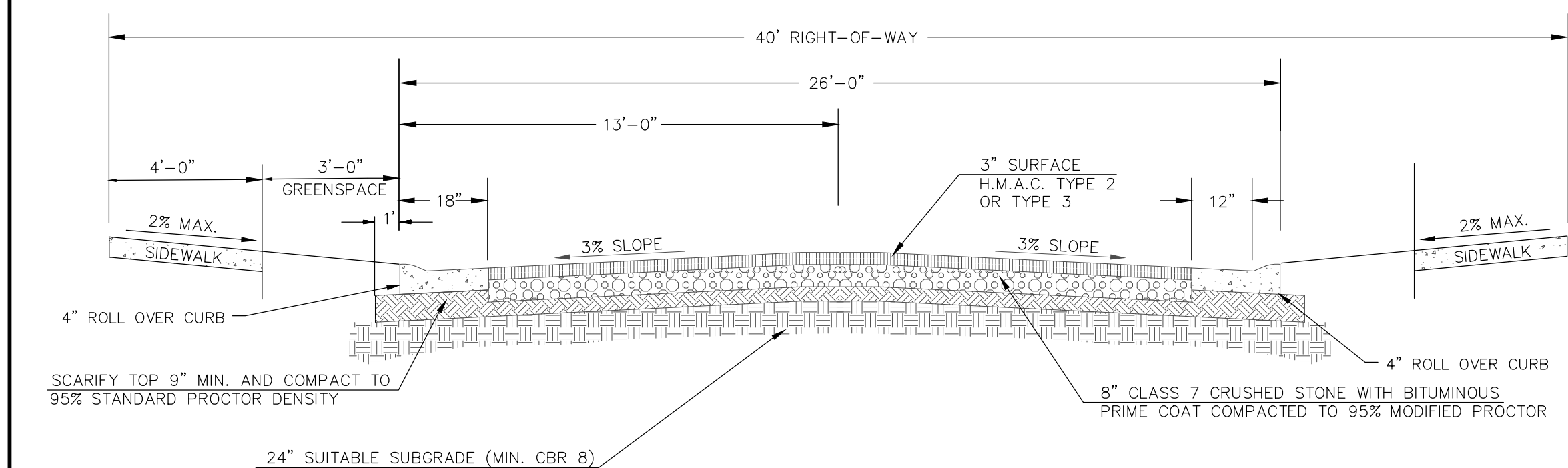
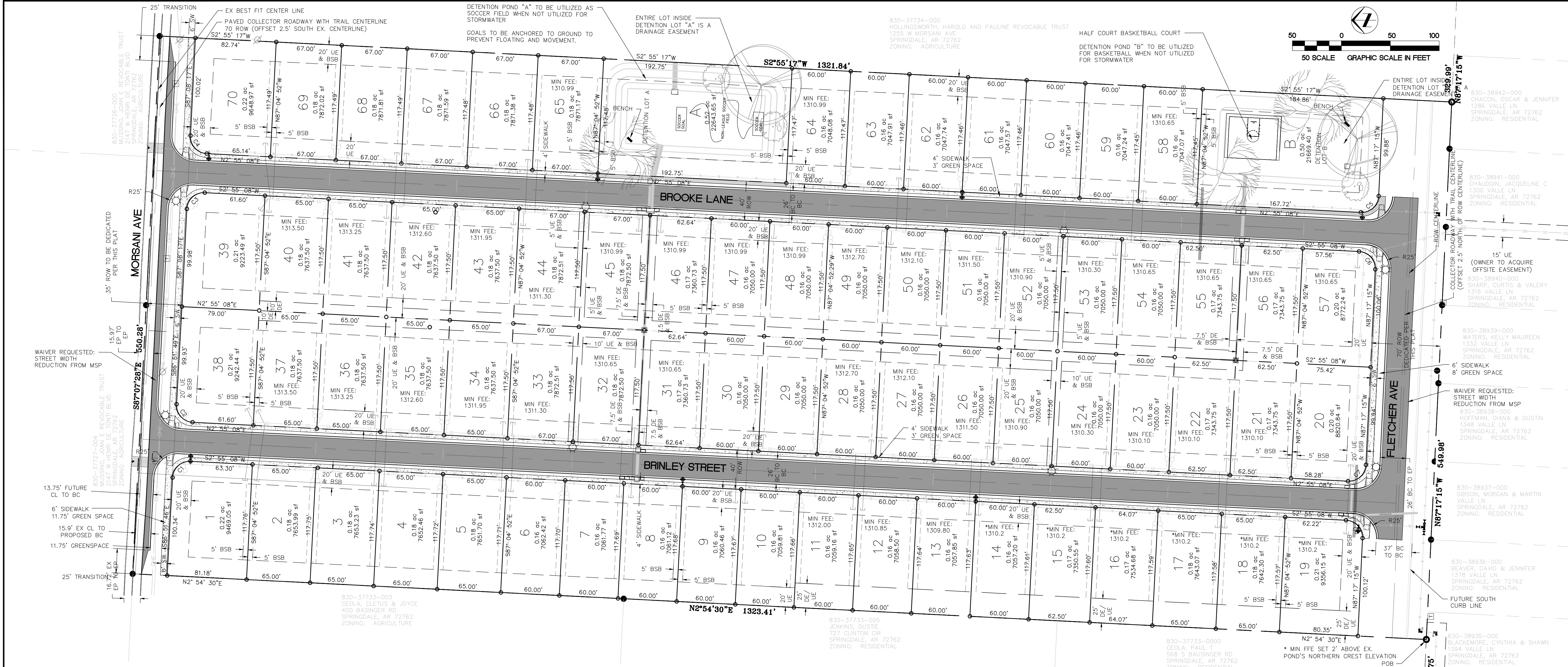


TONTITOWN, AR

March 5, 2019

Revised: March 19, 2019

COVER



RESIDENTIAL STREET CROSS SECTION
N.T.S.

EXISTING PARCEL NUMBERS: 830-37733-002, 830-37733-004

SURVEY DESCRIPTION:

A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 17 NORTH, RANGE 31 WEST, TONTITOWN, WASHINGTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND STONE BEING THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 11; THENCE SOUTH 87°17'15" EAST A DISTANCE OF 435.75 FEET TO A SET 5/8" REBAR BEING THE POINT OF BEGINNING; THENCE NORTH 02°54'30" EAST A DISTANCE OF 1323.41 FEET TO A RAIL ROAD SPIKE; THENCE SOUTH 87°07'28" EAST A DISTANCE OF 550.28 FEET TO A RAIL ROAD SPIKE; THENCE SOUTH 02°58'17" WEST 1321.84 FEET TO A SET 5/8" REBAR; THENCE NORTH 87°17'15" WEST A DISTANCE OF 549.98 FEET TO THE POINT OF BEGINNING CONTAINING 16.70 ACRES OR 727,616 SQUARE FEET MORE OR LESS, SUBJECT TO THAT PORTION IN ROAD RIGHT-OF-WAY ON THE NORTH SIDE OF THE HEREIN DESCRIBED TRACT AND UTILITY EASEMENTS OF RECORD, IF ANY.

NOTES:

- PRELIMINARY PLAT FOR INSPECTION PURPOSES ONLY. NOT FOR RECORD PURPOSES.
- ANY RELOCATION OF EXISTING FACILITIES OR EXTENSION OF LINE THAT HAS TO BE BUILT SPECIFICALLY TO FEED THE SUBDIVISION WILL BE AT FULL COST TO THE DEVELOPER.
- LOTS 1, 36, 37 & 66 SHALL NOT HAVE DRIVEWAY ACCESS TO MORSANI AVE.
- LOTS 18,19 & 54 SHALL NOT HAVE DRIVEWAY ACCESS TO FLETCHER AVE.
- THE DEVELOPER/CONTRACTOR WILL BE RESPONSIBLE FOR ALL ADA RAMP CONSTRUCTION AND ALL COMMON PROPERTY SIDEWALK CONSTRUCTION.
- LOT DEVELOPER/BUILDER SHALL BE RESPONSIBLE FOR CONSTRUCTION OF SIDEWALKS PRIOR TO CERTIFICATE OF OCCUPANCY, PER CITY OF TONTITOWN SPECIFICATIONS AND THE AMERICAN DISABILITY ACT, (3'-FT GREEN SPACE BOC AND 4'-FT SIDEWALK ON ALL STREET FRONTAGES).
- LOT DEVELOPER/BUILDER SHALL BE RESPONSIBLE FOR REPLACEMENT IN KIND OF ANY EXISTING SIDEWALK OR ADA RAMP(S) DAMAGED DURING CONSTRUCTION ACTIVITIES.
- ALL CORNER MONUMENTS TO BE 5/8" REBAR WITH PLASTIC CAP, MARKED AS PLS 1845.
- THERE ARE NO KNOWN WETLANDS ON SITE.
- EACH LOT MAY HAVE A 6' TALL WOODEN PRIVACY FENCE.
- GARBAGE COLLECTION TO BE CURB-SIDE PICKUP.

CERTIFICATE OF PRELIMINARY SURVEY ACCURACY.

I, _____, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.
DATE OF EXECUTION: _____

REGISTERED LAND SURVEYOR
STATE OF ARKANSAS REGISTRATION NO. _____

CERTIFICATE OF PRELIMINARY ENGINEERING ACCURACY.

I, _____, HEREBY CERTIFY THAT THIS PLAN CORRECTLY REPRESENTS A PLAN PREPARED UNDER MY DIRECTION AND ENGINEERING REQUIREMENTS OF THE TONTITOWN SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH.
DATE OF EXECUTION: _____

REGISTERED ENGINEER
STATE OF ARKANSAS REGISTRATION NO. _____

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THIS PLAT HAS BEEN GIVEN PRELIMINARY PLAT APPROVAL ONLY AND HAS NOT BEEN APPROVED FOR RECORDING PURPOSES AS A PUBLIC RECORD. THIS CERTIFICATE SHALL EXPIRE ON _____ (DATE).
DATE OF EXECUTION: _____

CHAIRMAN, CITY OF TONTITOWN PLANNING COMMISSION

Parcel Area Table

Parcel #	Area (AC)
1	0.22
2	0.18
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13	0.16
14	0.16
15	0.17
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17	0.18
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21	0.17
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43	0.18
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48	0.16

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59	0.16
60	0.16
61	0.16
62	0.16
63	0.16
64	0.16
65	0.18
66	0.18
67	0.18
68	0.18
69	0.18
70	0.22
A	0.52
B	0.50

EXISTING ZONING: R3
PROPOSED ZONING: PUD
SETBACKS: FRONT: 20'
SIDE: 5'
REAR: 20'

USE: RESIDENTIAL
CURRENT USE: AGRICULTURAL

UTILITY EASEMENT
20' UE ALL EXTERIOR LOTS
10' UE ALL INTERIOR/Common REAR LOTS
20' UE ALONG STREETS.

SUBDIVISION CONSISTS OF:
LOTS 1-68
68 TOTAL LOTS
66 BUILDABLE LOTS
2 NON-BUILDABLE LOTS

OWNER & DEVELOPER:

MICHAEL BADER
P.O. BOX 35
TONTITOWN, AR 72770

ENGINEER:

EARTHPLAN DESIGN ALTERNATIVES, PA
134 WEST EMMA
SPRINGDALE, AR 72764
1-479-756-1266
No. 15162

SURVEYOR:

JAMES LAYOUT SERVICES,
P.O. BOX 611
FARMINGTON, AR 72730
479-439-9929
PLS 1845

FLOODPLAIN:

THIS PROPERTY IS NOT LOCATED IN A FLOOD PLAIN PER FEMA FIRM MAP 05143C0045F. EFFECTIVE: 05/16/2008.

BASIS OF BEARING:

ARKANSAS STATE PLANE SYSTEM NORTH ZONE
HORIZONTAL NAD 83
VERTICAL NAVD 88

SEPTIC:

NO KNOWN EXISTING WELLS AND/OR SEPTIC SYSTEM

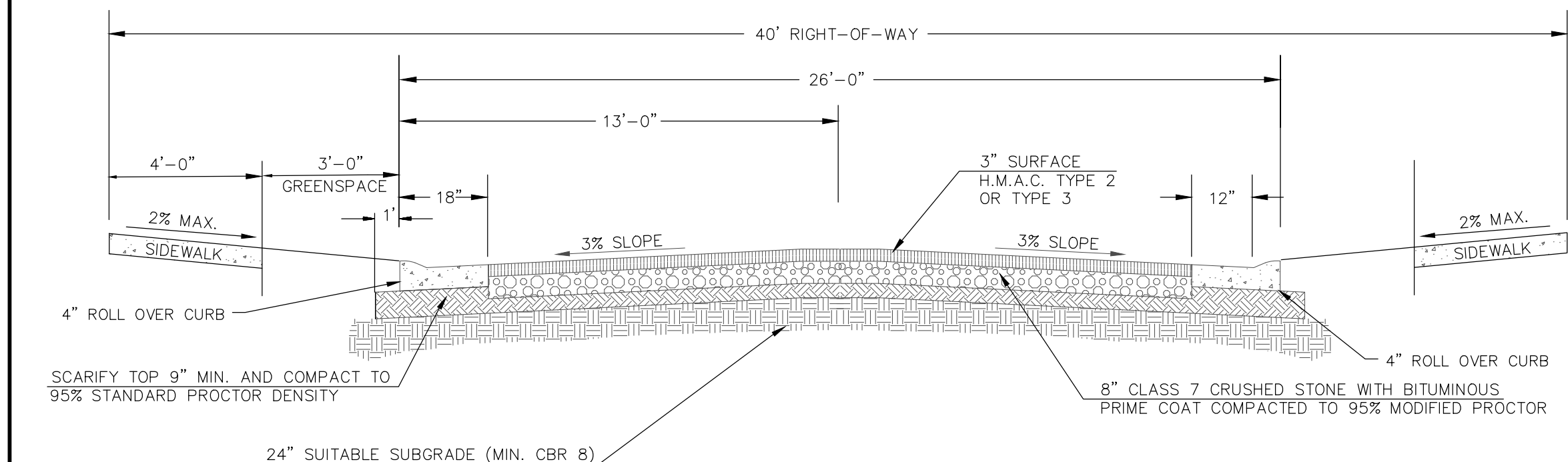
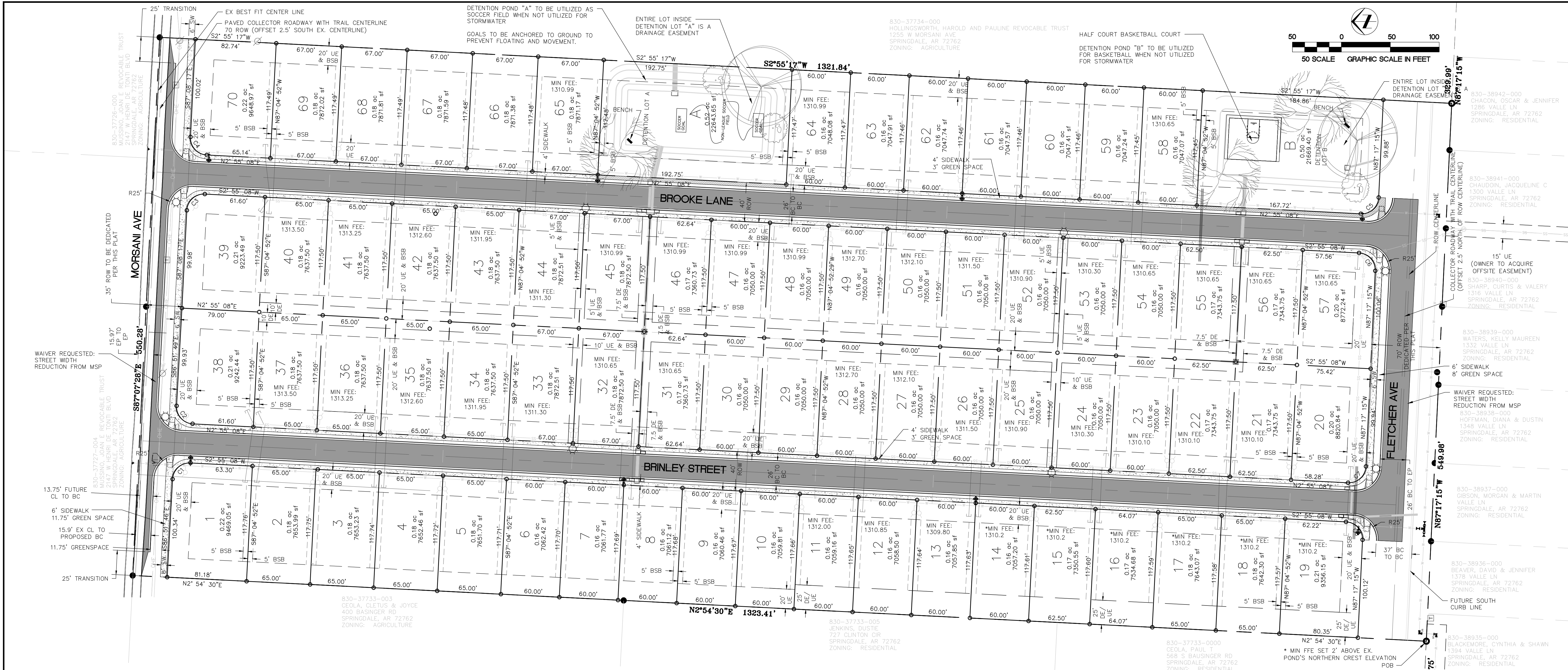
Curve Table				
Curve #	Length	Radius	Delta	Chord Direction
C1	27.42	17.50	89.78	S41° 58' 22"E
C2	27.27	17.50	89.29	N48° 29' 00"E
C3	27.51	17.50	90.06	S42° 06' 31"E
C4	27.47	17.50	89.94	N47° 53' 25"E
C5	27.55	17.50	90.21	N42° 11' 04"W
C6	27.43	17.50	89.79	S47° 49' 01"W
C7	27.55	17.50	90.21	N42° 11' 04"W
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Legend

- Property Line
- Easement Line
- Building Set Back Line
- Ex. Gas Line
- Ex. Underground Utilities
- Ex. Water Line
- Ex. Overhead Electric Line
- Proposed Storm Water Pipe
- Proposed Sanitary Sewer Line
- Proposed Water Line
- Existing Fence
- Road Center Line
- Proposed Single Water Meter
- Fire Hydrant
- Demarcation Valve
- Overhead Electric
- Existing Sanitary Sewer Manhole
- Existing Water Manhole
- Sewer Service
- Communication Box
- Electric Transformer
- Light Pole
- Found Iron Pin
- Set Iron Pin
- Concrete Sidewalk Construct Concurrently with Subdivision
- Concrete Sidewalk Construct Separately as Adjacent Houses are Built
- Asphalt Paving

PUD - MASTER STREET PLAN
MORSANI ACRES SUBDIVISION
TONTITOWN, AR

Earthplan Design Alternatives, PA
Civil Engineering / Landscape Architecture
134 West Emma Avenue
Springdale, Arkansas 72764
C101



RESIDENTIAL STREET CROSS SECTION
N.T.S.

EXISTING PARCEL NUMBERS: 830-37733-002, 830-37733-004

SURVEY DESCRIPTION:

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DATE OF EXECUTION: _____

REGISTERED LAND SURVEYOR
STATE OF ARKANSAS REGISTRATION NO. _____

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A	0.52
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EXISTING ZONING: R3
PROPOSED ZONING: RUD
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CURRENT USE: AGRICULTURAL

UTILITY EASEMENT
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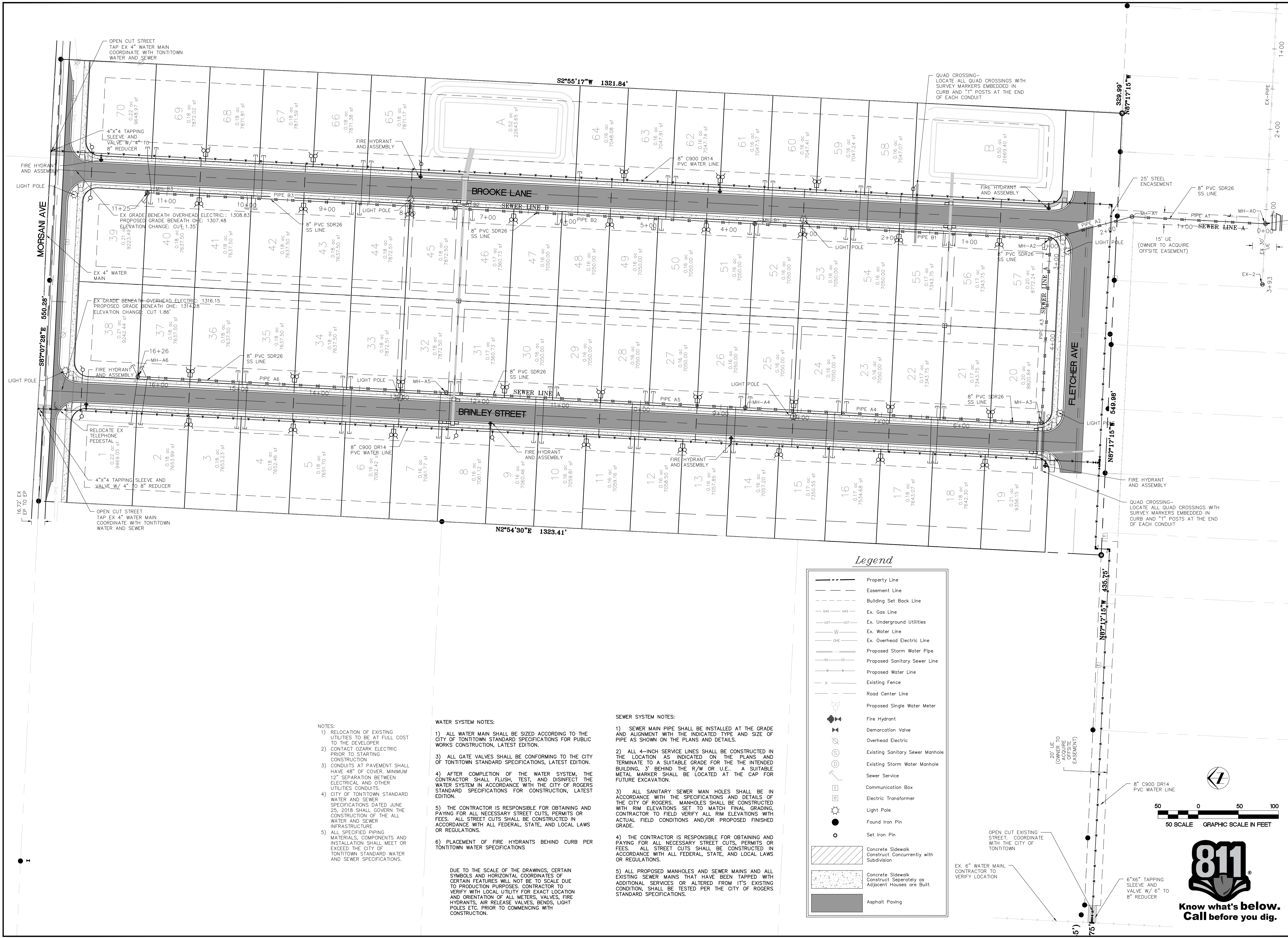
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- Demarcation Valve
- Overhead Electric
- Existing Sanitary Sewer Manhole
- Existing Water Manhole
- Sewer Service
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- Electric Transformer
- Light Pole
- Found Iron Pin
- Set Iron Pin
- Concrete Sidewalk Construct Concurrently with Subdivision
- Concrete Sidewalk Construct Separately as Adjacent Houses are Built
- Asphalt Paving

PRELIMINARY PLAT
MORSANI ACRES SUBDIVISION
TONTITOWN, AR

Earthplan Design Alternatives, PA
Civil Engineering / Landscape Architecture
134 West Emma Avenue
Springdale, Arkansas 72764
www.eda-pa.com



UTILITY PLAN

MORSANI ACRES SUBDIVISION
TONTITOWN, AR

Earthplan Design Alternatives, PA

811 Know what's below. Call before you dig.

STATE OF ARKANSAS
LICENSED PROFESSIONAL ENGINEER
No. 15162
R. GRIFFIN

CERTIFICATE OF AUTHORITY
EARTHPLAN DESIGN ALTERNATIVES, PA
No. 222
ARKANSAS ENGINEER

PROJECT NO. 21712
LAST SAID: 3/19/2019 2:19 PM
PLOT DATE: 3/19/2019 2:19 PM

DATE: 01/24/19
JOB NUMBER: 2171
DRAWING CREATION DATE: 01/24/19
DRAWN BY: CLP
CHECKED BY: JRG
REVISION DESC.



GRADING NOTES:

- 1) THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL REMOVAL AND PROPER DISPOSAL OF DEBRIS, CLEARING, GRUBBING, AND STRIPPING OF TOPSOIL AND ORGANIC MATTER AS NECESSARY FOR THE CONSTRUCTION OF THIS PROJECT. TOPSOIL MAY BE STOCKPILED ON SITE, AS DIRECTED BY THE ENGINEER. THE BURNING OF TIMBER AND DEBRIS WILL NOT BE PERMITTED UNLESS APPROVAL IS GAINED FROM THE OWNER, ENGINEER, AND GOVERNING OFFICIALS. THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS, FEES, ETC. REQUIRED.
- 2) BUILDING SETBACK AREAS TO RECEIVE FILL MATERIAL SHALL BE SCARIFIED TO A DEPTH OF 8-INCH DEPTH AND PROPERLY COMPACTED TO 95% STANDARD PROCTOR DENSITY. ANY UNSUITABLE AREAS SHALL BE FURTHER UNDERCUT AND REPLACED WITH SUITABLE MATERIAL, AS DIRECTED BY THE ENGINEER.
- 3) OFF-SITE FILL MATERIAL SHALL HAVE A PLASTICITY INDEX OF 20 OR LESS, A LIQUID LIMIT OF 50 OR LESS, AND CONTAIN NO ROCK LARGER THAN FOUR INCHES. OFF SITE FILL MATERIAL SHALL BE APPROVED BY THE ENGINEER.
- 4) AREAS THAT ARE TO BE CUT TO SUB-GRADE LEVELS SHALL BE PROOF-ROLLED WITH A LOADED TANDEM AXLE DUMP TRUCK OR SIMILAR APPROVED CONSTRUCTION EQUIPMENT TO DETECT UNSUITABLE SOIL CONDITIONS. CUT AREAS ARE TO BE SCARIFIED AND RE-COMPACTED TO 95% STANDARD PROCTOR AND TESTED BY A GEOTECHNICAL ENGINEER PRIOR TO PLACEMENT OF BASE MATERIAL.
- 5) THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTROL OF DUST AND DIRT RISING AND SCATTERING IN THE AIR DURING CONSTRUCTION. THE CONTRACTOR SHALL PROVIDE WATER SPRINKLING TRUCKS OR OTHER MEANS SUITABLE OF CONTROL OF DUST. THE CONTRACTOR SHALL COMPLY WITH ALL GOVERNING REGULATIONS PERTAINING TO ENVIRONMENTAL PROTECTION.
- 6) THE DEVELOPER SHALL PROVIDE AN INDEPENDENT TESTING LABORATORY TO PERFORM CONSTRUCTION TESTING OF THE SUB-GRADE FOR COMPLIANCE WITH THE MINIMUM REQUIREMENTS OF SUB-GRADE DENSITIES. THE CONTRACTOR SHALL PROVIDE 48 HOURS ADVANCED NOTIFICATION SO THE DEVELOPER CAN SCHEDULE TESTING.
- 7) THE CONTRACTOR SHALL MAINTAIN ALL SLOPES 3:1 OR FLATTER UNLESS OTHERWISE INDICATED ON THE PLANS. ALL SLOPES EXCEEDING 3:1, BUT LESS THAN 2:1 SHALL BE SODDED.
- 8) CONTRACTOR SHALL CONTROL EROSION ALONG THE EDGE OF THE PROPERTY INCLUDING BOTTOM OF SLOPE LOCATIONS AND ALONG DITCHES LINES. THE CONTRACTOR SHALL TAKE ALL NECESSARY MEANS TO PREVENT MUD AND DEBRIS FROM FLOWING ONTO ADJACENT PROPERTY.
- 9) ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED SMOOTH AND FOUR-INCHES OF TOPSOIL APPLIED. IF ADEQUATE TOP-SOIL IS NOT AVAILABLE ON-SITE, THE CONTRACTOR SHALL PROVIDE TOPSOIL, APPROVED BY THE OWNER, AS NEEDED. THE AREA SHALL THEN BE SEEDED, FERTILIZED, MULCHED, WATERED AND MAINTAINED UNTIL 70% GRASS COVER IS ESTABLISHED IN ALL AREAS. ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR.

REVEGETATION REQUIREMENTS:

- RE-VEGETATION SHALL BE REQUIRED TO MEET THE FOLLOWING PERFORMANCE STANDARDS (SEDIMENT CONTROLS SHALL REMAIN IN PLACE UNTIL RE-VEGETATION IS ESTABLISHED) UNLESS OTHERWISE ALLOWED BY THE CITY ENGINEER:
1. TOPSOIL. ALL DISTURBED AREAS SHALL RECEIVE 4 INCHES OF TOPSOIL AND REVEGETATED. TOPSOIL SHALL BE REQUIRED TO BE EITHER EXISTING OR INSTALLED IN AREAS TO BE REVEGETATED AS SET FORTH IN BELOW. ANY APPLICATION OF TOPSOIL AND SEEDING UNDER THE DRY LINE OF A TREE SHOULD BE MINIMIZED TO 3 INCHES SO AS NOT TO DAMAGE THE TREES ROOT SYSTEM.
 2. ZERO TO 10% GRADE: RE-VEGETATION SHALL BE A MINIMUM OF SEEDING AND MULCHING. SAID SEEDING SHALL PROVIDE COMPLETE AND UNIFORM COVERAGE THAT MINIMIZES EROSION AND RUNOFF.
 3. 10:1 UP TO 4:1 GRADE: RE-VEGETATION SHALL BE A MINIMUM OF HYDRO-SEEDING WITH MULCH AND FERTILIZER, SOD, OR GROUNDCOVER. SAID PLANTING SHALL PROVIDE COMPLETE AND UNIFORM COVERAGE THAT MINIMIZES EROSION AND RUNOFF.
 4. 4:1 TO 3:1 GRADE: THE SLOPE SHALL BE COVERED WITH LANDSCAPE FABRIC AND HYDRO-SEEDED WITH MULCH AND FERTILIZER, OR STAKED SOD, OR GROUNDCOVER. SAID PLANTING SHALL PROVIDE COMPLETE AND UNIFORM COVERAGE THAT MINIMIZES EROSION AND RUNOFF.

DRAINAGE SYSTEM NOTES:

1. THE CONTRACTOR SHALL INSTALL THE DRAINAGE SYSTEM AS INDICATED ON THE PLANS, IN ACCORDANCE WITH THE SPECIFICATION AND DETAILS.
2. REINFORCED CONCRETE PIPE (RCP) SHALL BE CLASS III OR CLASS IV IN SIZE, TYPE, DIAMETER, AND LENGTH AS INDICATED ON THE PLANS. ALL RCP TO BE USED ON THESE PLANS SHALL BE TONGUE AND GROOVE TYPE.
3. RCP FLARED END SECTIONS SHALL BE CLASS II.
4. ALL TESTING SHALL BE CONDUCTED IN ACCORDANCE WITH AASHTO T280, LATEST REVISION. THE MANUFACTURE AND FURNISHING OF CIRCULAR PIPE SHALL BE IN ACCORDANCE WITH AASHTO M170.
5. JOINTS SHALL BE SEALED WITH PREFORMED RUBBER GASKETS OR BITUMEN/BUTYL RUBBER PLASTIC GASKETS CONFORMING TO AASHTO M198, TYPE A.
6. ALL SPOT ELEVATIONS TO GUTTER UNLESS OTHERWISE NOTED.

PAVING NOTES:

- 1) ASPHALTIC CONCRETE SURFACE AND BASE COURSE MATERIALS SHOULD MEET OR EXCEED THE REQUIREMENTS SPECIFIED IN THE ARKANSAS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, SECTIONS 406 AND 303.
- 2) AN INDEPENDENT TESTING LABORATORY, SELECTED AND PAID BY THE DEVELOPER, SHALL BE RETAINED TO PERFORM CONSTRUCTION TESTING OF IN-PLACE ASPHALT CONCRETE COURSES FOR COMPLIANCE WITH REQUIREMENTS FOR THICKNESS AND SURFACE SMOOTHNESS.
- 3) CRUSHED STONE BASE SHALL BE CLEAN CRUSHER RUN STONE IN THE THICKNESS AND COMPACTION REQUIREMENTS AS REQUIRED AND SPECIFIED ON THE PLANS. CRUSHED STONE BASE COURSE SHALL CONFORM TO THE REQUIREMENTS AND SPECIFICATIONS FOR CLASS 7 BASE MATERIAL AS REQUIRED BY THE ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT.
- 4) BITUMINOUS PRIME COAT SHALL BE OUTBACK ASPHALT, TYPE MC-30 OR MC-70 IN ACCORDANCE WITH THE REQUIREMENTS OF THE ARKANSAS STATE HIGHWAY SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- 5) HOT-MIX ASPHALTIC CONCRETE SHALL CONFORM TO THE PROVISIONS OF SECTION 409, MATERIALS AND EQUIPMENT FOR HOT MIX BITUMINOUS BINDER AND SURFACE COURSES IN THE ARKANSAS STATE HIGHWAY STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.

CONCRETE NOTES:

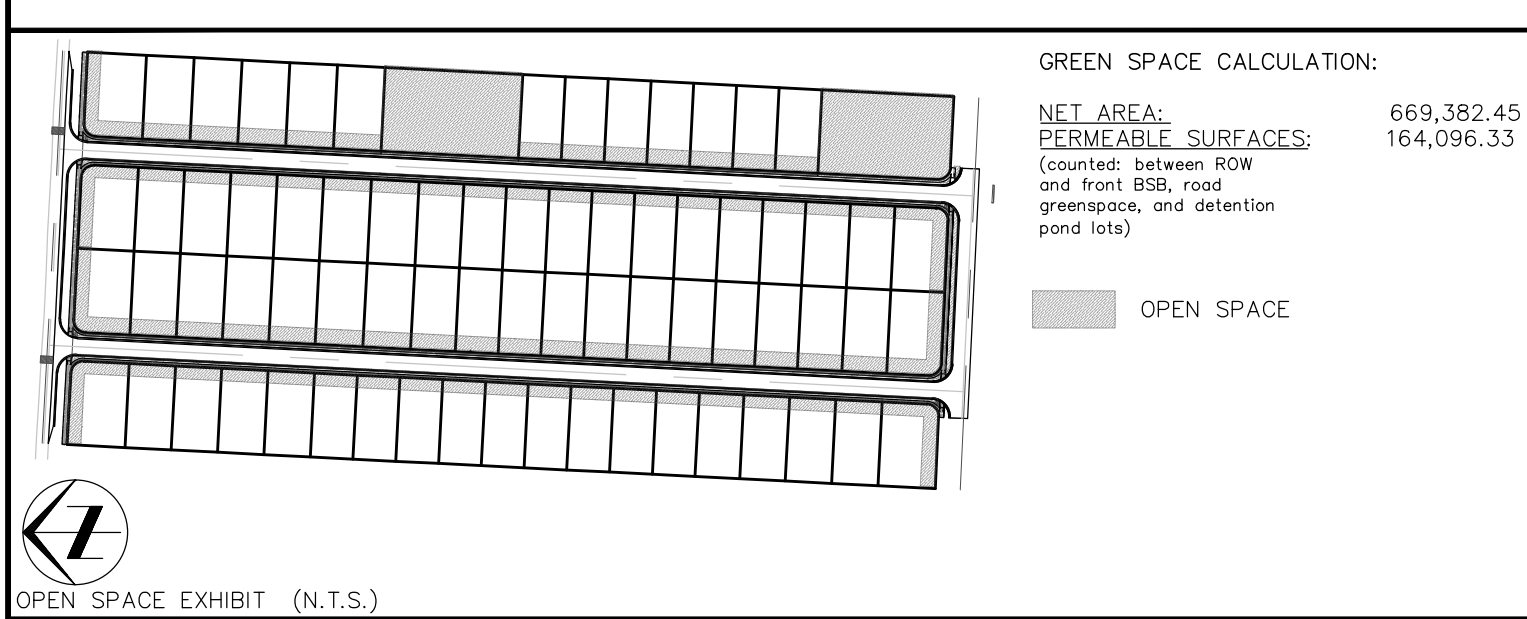
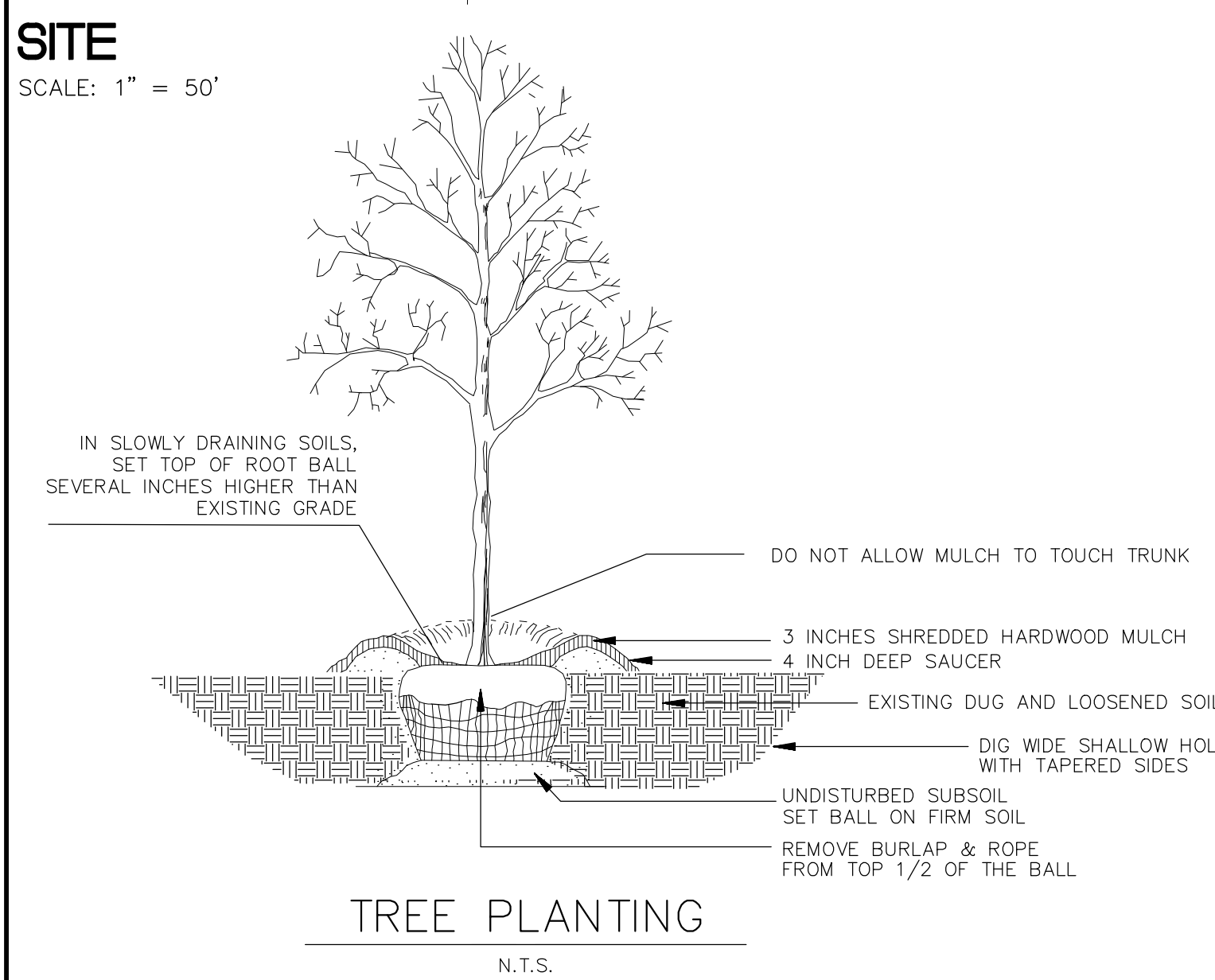
- 1) CONCRETE STRUCTURES SHOULD CONFORM TO THE ARKANSAS DEPARTMENT OF HIGHWAY AND TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, SECTION 501.
- 2) CONCRETE SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 3,500 PSI WITH A FOUR INCH MAXIMUM SLUMP. CONCRETE SHALL COMPLY WITH TYPE 1 PORTLAND CEMENT COMPLIANCE WITH ACI COMMITTEE 318-89 REQUIREMENTS.
- 3) REINFORCING STEEL AND WELDED WIRE FABRIC SHALL BE AS SPECIFIED IN THE CONSTRUCTION DETAILS.
- 4) VERTICAL CONCRETE SURFACES EXPOSED TO THE GENERAL PUBLIC SHALL BE WET-RUBBED TO A SMOOTH FINISH AFTER FORMS HAVE BEEN REMOVED. HORIZONTAL SURFACES SHALL BE BROOMED AS REQUIRED IN THE SPECIFICATIONS.
- 5) THE CONTRACTOR SHALL PROVIDE CONSTRUCTION JOINTS BY SAW-CUT OR OTHER APPROVED MEANS. THE CONSTRUCTION JOINTS SHALL BE LOCATED 15-FOOT ON-CENTERS, MAXIMUM EACH WAY. THE CONSTRUCTION JOINTS SHALL BE CONSTRUCTED TO A DEPTH EQUAL TO AT LEAST 1/4 CONCRETE THICKNESS. CONTRACTOR IS TO FURNISH JOINT FILLERS APPROVED BY THE ENGINEER OR AS DETAILED ON PLANS.



Legend

- Found Iron Pin
- Set Iron Pin
- Overhead Electric
- Proposed Manhole
- Proposed Manhole
- Sewer Service
- Proposed Single Water Meter
- Hydrant
- Gate Valve
- 45° Bend
- Tee
- FDC
- Fire Hydrant Assembly
- Proposed Sanitary Sewer Line
- Proposed Water Line
- Matchline
- Fence
- OHE Overhead Electric
- Gas
- ROW Right of Way
- ATT ATT
- Centerline Road
- Property Line
- Adjacent Property Line
- Easement Line
- Building Set Back Line
- Proposed Storm Water Pipe
- Approx. Tree Line Location
- Underground Utility Sleeves
- Concrete Sidewalk Construct Concurrently with Subdivision
- Concrete Sidewalk Construct Separately as Adjacent Houses are Built
- Gravel
- Rip Rap
- Flood Way
- Flood Plain

GRADING PLAN	
DATE	# REVISION DESC.
02/04/19	
DRAWN BY: CLP CHECKED BY: JRG	
DRAWING CREATION DATE: 02/04/19	
JOB NUMBER: 12171	
PROJECTS: 12171.2 CIVIL 12171.013	
LAST SAVED: 3/19/2019 12:41 PM	
PLOT DATE: 3/19/2019 2:44 PM	
STATE OF ARKANSAS LICENSED PROFESSIONAL ENGINEER No. 15162 NOTES: R. C. CRYSTAL	
CERTIFICATE OF AUTHORITY No. 222 ARKANSAS ENGINEER	
EARTHPLAN DESIGN ALTERNATIVES, P.A. No. 222	
MORSANI ACRES SUBDIVISION TONTITOWN, AR	
Earthplan Design Alternatives, PA Civil Engineering / Landscape Architecture 134 West Emma Avenue Springdale, Arkansas 72762 Fax: 479.755.1306 www.eda-pa.com	
C103	



- INSTALLATION NOTES:**
- LANDSCAPE TO BE MAINTAINED WEEKLY DURING GROWING SEASON.
 - ALL TREES AND SHRUBS ARE GRAPHICALLY SHOWN AT APPROXIMATE MATURE SIZE.
 - TREES SHALL NOT BE TOPPED AT ANY TIME AND PROPER PRUNING TECHNIQUES AS ESTABLISHED BY ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED DURING MAINTENANCE.
 - ALL PLANTS MUST BE HEALTHY, VIGOROUS AND FREE OF PESTS AND DISEASE.
 - STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
 - ALL TREES SHALL BE BALLED AND BURLAPPED AS INDICATED ON THE PLANT LIST (IF BALLED AND BURLAPPED IS SPECIFIED ON THE PLAN).
 - ALL TREES MUST BE STRAIGHT TRUNKED AND FULL HEADED, UNLESS SPECIFIED OTHERWISE, AND MUST MEET ALL REQUIREMENTS SPECIFIED ON PLANS.
 - SHREDDED HARDWOOD MULCH SHALL NOT BE PLACED IMMEDIATELY ADJACENT TO TREE TRUNKS AND SHALL BE KEPT AT LEAST 3" FROM ROOT COLLAR AT THE SOIL LINE. EXCESSIVE MULCHING OVER TREE ROOTS IS NOT ALLOWED. THE DEPTH OF SHREDDED HARDWOOD MULCH COVERING TREE ROOTS SHALL BE 3" THICK.
 - PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE LANDSCAPE CONSTRUCTION AT NO COST TO THE OWNER.
 - THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
 - THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING MATERIAL (INCLUDING BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) IN ALL PLANTING AREAS AND LAWN AREAS UNTIL THE WORK IS ACCEPTED IN TOTAL BY THE OWNER.
 - ANY PLANT MATERIAL WHICH DIES, TURNS BROWN, OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS.
 - NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE OF ANY LAYOUT DISCREPANCIES PRIOR TO ANY PLANTING. LOCATE ALL UTILITIES AND SITE LIGHTING CONDUITS BEFORE CONSTRUCTION BEGINS.
 - ALL DISTURBED AREAS SHALL BE SEEDED OR SODDED WITH TURF-TYPE BERMUDA.

- STAKING AND GUYING**
- A. Stake or guy a tree only when necessary for the specific conditions encountered and with the approval of the landscape architect. Staking may be required in unusual circumstances such as sandy soils in either the root ball or adjacent soils or in extremely windy locations. Poor-quality trees with cracked, wet, or loose root balls, poorly developed trunk-to-crown ratios, or undersized root balls shall be rejected if they require staking, unless written approval to permit staking or guying as a remedial treatment is obtained from the landscape architect. Trees that settle out of plumb due to inadequate soil compaction either under or adjacent to the root ball shall be excavated and reset. In no case shall trees that have settled out of plumb be pulled upright using guy wires.
- B. When required, staking and guying methods shall be approved by the landscape architect. If no staking or guying requirements appear on the drawings, submit for approval a drawing of the staking or guying method to be used. Stakes, anchors, and wires shall be of sufficient strength to maintain the tree in an upright position that overcomes the particular circumstances that initiated the need for staking or guying. Guy wires shall be galvanized, multi-strand, twisted wire.
- C. Where guy wires are attached around the tree, the trunk shall be protected with 3/4 in. diameter rubber hose, black in color, and of sufficient length to extend past the trunk by more than 6 in. Stakes and guys shall be installed immediately upon approval or planting.



PLANTING OPERATIONS

- A. Plants shall be set on flat-tamped or unexcavated pads at the same relationship to finished grade as they were to the ground from which they were dug, unless otherwise noted on the drawings. Plants must be set plumb and braced in position until topsoil or planting mix has been placed and tamped around the base of the root ball. Improper compacting of the soil around the root ball may result in the tree settling or leaning. Plants shall be set so that they will be at the same depth and so that the root ball does not shift or move laterally one year later.
- B. (NOTE: Proper planting depth requires the root flare to be at or slightly above the finished grade. It is important to determine how deep the root flare is in the ball before it is placed in the planting hole. Sometimes the top of the ball may need to be raised until the root flare is at the proper planting depth and/or soil must be removed from the top of the ball.)
- Determine the elevation of the root flare and ensure that it is planted at grade. This may require that the tree be set higher than the grade in the nursery.
 - If the root flare is less than 2 in. below the soil level of the root ball, plant at the appropriate level above the grade to set the flare even with the grade.
- C. Lift plants only from the bottom of the root balls or with belts or lifting harnesses of sufficient width not to damage the root balls. Do not lift trees by their trunk or use the trunk as a lever in positioning or moving the tree in the planting area.
- D. Remove plastic, paper, or fiber pots from containerized plant material. Pull roots out of the root mat and cut circling roots with a sharp knife. Loosen the potting medium and shake away from the root mat. Immediately after removing the container, install the plant such that the roots do not dry out. Pack planting mix around the exposed roots while planting. See detail, this sheet, about shaving method for containerized trees.
- E. The roots of bare-root trees shall be pruned at the time of planting to remove damaged or undesirable roots (those likely to become a detriment to future growth of the root system). Bare-root trees shall have the roots spread to approximate the natural position of the roots and shall be centered in the planting pit. The planting-soil backfill shall be worked firmly into and around the roots, with care taken to fill in completely with no air pockets.
- F. If circling roots are present on container TREES, the periphery roots shall be shaved off (see root ball shaving detail) to a maximum of 2 in. thick.
- G. Cut ropes or strings from the top of shrub root balls and trees smaller than 3 in. caliper after plant has been set. Remove burlap or cloth wrapping and any wire baskets from around top one-half of balls. Do not turn under and bury portions of burlap; cut away and remove all material and wire.
1. Completely remove any waterproof or water-repellant strings or wrappings from the Root ball and trunk before backfilling.
- F. Place amended soils into the area in a planting bed, tamping lightly to reduce settlement.
1. For plants planted in large beds of prepared soil, add soil amendments during the soil installation process.
- G. Thoroughly water all plants immediately after planting. Apply water by hose directly to the root ball and the adjacent soil.
- H. Remove all tags, labels, strings, etc. from all plants.
- I. Remove any excess soil, debris, and planting material from the job site at the end of each workday.
- J. Form watering saucers 4 in. high immediately outside the area of the root ball of each tree or as indicated in details.

TREE LEGEND					
#	SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE (HEIGHT X WIDTH)	NOTES/COMMENTS
2		QUERCUS MACROCARPA	BUR OAK	2.5" CAL DBH & 6" TALL	AR NATIVE. MOST OR DRY SITES.
3		NYSSA SYLVATICA	BLACK GUM	2.5" CAL DBH & 6" TALL	AR NATIVE. MOST OR DRY SITES.
3		PLATANUS ACERIFOLIA	AMERICAN SYCAMORE	2.5" CAL DBH & 6" TALL	AR NATIVE. MOST OR DRY SITES. WHITE EXFOLIATING BARK.

Legend	
	Property Line
	Easement Line
	Building Set Back Line
	Ex. Gas Line
	Ex. Underground Utilities
	Ex. Water Line
	Ex. Overhead Electric Line
	Proposed Storm Water Pipe
	Proposed Sanitary Sewer Line
	Proposed Water Line
	Existing Fence
	Road Center Line
	Proposed Single Water Meter
	Fire Hydrant
	Demarcation Valve
	Overhead Electric
	Existing Sanitary Sewer Manhole
	Existing Storm Water Manhole
	Sewer Service
	Communication Box
	Electric Transformer
	Found Iron Pin
	Set Iron Pin
	Concrete Sidewalk
	Asphalt Paving
	Tree To Be Removed

LANDSCAPE PLAN

MORSANI ACRES SUBDIVISION
TONTITOWN, AR

Earthplan Design Alternatives, PA
Civil Engineering / Landscape Architecture
134 West Emma Avenue
Springdale, Arkansas 72762
www.eda.com

DRAWN BY: SDG
CHECKED BY: JRG
DATE: 01/24/19
JOB NUMBER: 2171
PROJECTS: 2171.2 CIVIL/2171.1 L101
LAST SAVED: 3/19/2019 2:55 PM
PLOT DATE: 3/19/2019 2:55 PM

STATE OF ARKANSAS
LICENSED PROFESSIONAL ENGINEER
No. 15162
NOTES: R. GRIFFIN

CERTIFICATE OF AUTHORIZATION
EARTHPLAN DESIGN ALTERNATIVES, PA
No. 223
ARKANSAS ENGINEER

L101

Courtney McNair

From: Michael Bader <michaelbader21@yahoo.com>
Sent: Friday, March 22, 2019 1:30 PM
To: Sarah Geurtz; Courtney McNair; James Geurtz
Subject: House plan drawings
Attachments: Morsani house plan 2 copy.jpg; Morsani House plan copy.jpg

Here are 2 sample house plans. Both of these house plans are between 1500-1600 square feet, which we plan to be the average size of the homes in the proposed subdivision. We do plan to do mostly brick exteriors, granite countertops, nice trim packages, and similar finishes to the houses that we just built on Valle Lane. As of right now we anticipate that the price per square foot will be the same or slightly higher than the homes on Valle Lane....we are thinking 123-125/square foot. If you think of any further information that might be helpful please let me know. Thank you very much!

Michael Bader 479-601-2155





Covenants:
Morsani Acres
Tontitown, Arkansas

1. Minimum heated and cooled square footage (excluding garages and porches) is to be 1300.
2. Homes must have at least a 2 car attached garage.
3. No farm animals allowed. Hens to be allowed in accordance to the city ordinances, but no roosters allowed.
4. No chain link fences, only 6' wood privacy or wrought iron fences allowed. Wood privacy fences must be properly maintained. They must be treated within 1 year of installation, and every 5 years thereafter.
5. Storage buildings are allowed in the back yard. They are not allowed to exceed 500 square feet, and sidewalls must not exceed 9' in height. Roof pitch no greater than 6/12. Storage buildings may be mobile or permanent.
6. No cars can be parked in the street. No "junk" or inoperable cars can be kept outside where visible.
7. Antennas or satellites must not be visible from the street.
8. Designed drainage swales are not to be blocked by fences, and must not be filled in or altered.

9. A POA is hereby established. It will be the responsibility of the POA to maintain the public areas (the detention ponds, basketball court area, soccer field area and the entrance.) The POA is also responsible for paying the monthly electric bill for the street lights. POA dues are hereby established to be \$75 per year per lot. The developer is not required to pay the POA dues, they begin once a lot is transferred out of the developers name (Developer is Bader Homes, LLC or Michael Bader). Once 50% of the homes are sold, the POA will then be the responsibility of the homeowners. The homeowners will elect either a board or officers to act on behalf of the POA. Dues will be collected (pro-rated) at the closing of each lot or new home, and will then be due by the last day of January of each following year.
10. These covenants can be amended by a vote from the current property owners, with 60% in favor of amendments. The developers vote counts as 10 votes per lot.
11. The developer or POA will be authorized to charge a late fee for any POA dues that are not paid on time.
12. The community mailboxes are the responsibility of the individual property owners. Damaged or broken locks, lost keys, or issues with the mailbox are to be handled by homeowners, and are not the responsibility of the developer or the POA.

Bader Homes, LLC:

Date:

ACKNOWLEDGMENT

STATE OF ARKANSAS,
County of Washington

On this April 3, 2017, before me the undersigned Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named Michael Bader, to me personally well known who stated that he is the Managing Member of the corporation, Bader Homes, LLC and Developer of South Barrington Road Subdivision and is duly authorized in his capacity to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that he has so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I Have hereunto set my hand and official seal this _____ day of _____, 20____.

(SEAL)

My Commission Expires:

Notary Public

Courtney McNair

From: Heather Silva <hsilva@pgtc.com>
Sent: Monday, March 25, 2019 2:57 PM
To: Courtney McNair
Cc: John Silva; hsilva@pgtc.com
Subject: PUD Response for Morsani Acres Subdivision

City of Tontitown Planning Commission,

The purpose of this communication is to voice our objections, as residents of the city of Tontitown, to the rezoning request for the Morsani Acres Subdivision made by Mr. Michael Bader. We purchased land and a home in Tontitown in May of 2018 in good faith that the city would maintain its present standard for residential zoning. The request to rezone from R3 to PUD by Mr. Bader benefits neither the current residents nor the city of Tontitown, only Mr. Bader and his private construction company.

We feel this rezoning will not only decrease our property value, but will also create infrastructural problems in addition to the ones that already exist in the area in question for the rezoning request. There are several roads in the booming residential area that are insufficient for the amount of traffic that is currently in place. Adding 70 homes versus 55 greatly increases the problem. There are also drainage issues that need to be addressed and will only continue to get worse with such a large number of homes being added in such a small area.

We understand that growth is inevitable. We are only requesting that the city of Tontitown maintain their high standards and zoning practices already in place when considering that growth. We are not the ones requesting changes. We are simply asking for Tontitown to keep what they have intact.

Sincerely,
John & Heather Silva
1424 Valle Lane
Springdale, AR 72762

Courtney McNair

From: Morgan Gibson <morganleannegibson@gmail.com>
Sent: Monday, March 25, 2019 9:28 PM
To: Courtney McNair
Subject: Rezoning of property approximately 40 feet west of 1255 Morsani Ave, Tontitown, AR

To whom it may concern:

(Martin) Blane Gibson and Morgan Gibson of 1362 Valle Ln are asking that the property of "approximately 40 feet west of 1255 Morsani Ave, Tontitown, AR" is not rezoned. We are a family of four (husband, wife, 3 year old daughter, 1 year old daughter) and recently purchased our first home. We are proud to call Tontitown our home and of the high standards that city of Tontitown upholds. We are pleased with the quality of home that Mr. Bader builds and are content that he will be responsible for building on the newly purchased property.

Our reasons for opposing the rezoning are:

1. The trust we entered into with the city of Tontitown, with the purchase of our first home. We ask that you maintain the zoning that was previously decided on for the size of lots and houses.
2. The road infrastructure on Bausinger and Morsani is facing additional traffic with the new Hidden Valley and South Pointe Subdivisions. Keeping the amount of lots allowed on a 3rd new subdivision lower would help keep the traffic lighter on these two roads.
3. We are currently experiencing draining issues on our property in the Hidden Valley Subdivision. We previously were not experiencing issues. However, with the digging of additional ditches to relieve flooding on our neighbors' properties, we are now experiencing excessive saturation and some flooding in our yard. We ask that focus be put on alleviating this issue prior to Mr. Bader building additional properties adjacent on the aforementioned lot.
4. The addition of 70+ smaller lots with smaller home sizes adjacent to the new Hidden Valley Subdivision will likely drive down the property values for the new home owners in both Hidden Valley and South Pointe Subdivisions, and well as other home owners near the property.

Thank you for your time and consideration. We ask that the current zoning of the property be maintained.

Sincerely,
Blane and Morgan Gibson

Courtney McNair

From: JASON JONES <jason.jones@sdale.org>
Sent: Monday, March 25, 2019 6:30 PM
To: Courtney McNair
Subject: Morisani Re-Zone/Tontitown Resident

Planning Board:

My name is Jason Jones and my family and I live at 1410 Valle. First, please allow me to share my appreciation for all you do for the city of Tontitown. I appreciate your willingness to serve your community and I value that you work to provide a quality life for all Tontitown residents. You have a difficult task in managing multiple perspectives while balancing how to be progressive but still hold on to the values that make Tontitown unique and an attractive place to live and work.

The intent of my email is to share my concern about the proposed re-zoning of the property purchased by Michael Bader on Morisani. It's my understanding that he is proposing to build up to 70 homes between 1300 and 1700 square feet. I understand progress and capitalism, but in my humble opinion, 70 homes between 1300 and 1700 square feet on the designated property is excessive and not conducive to the surroundings or infrastructure in place. There are similar developments all across NWA that started out much like the one proposed and in just a short period of time turned in to a neighborhood that no city is proud of. I respectfully request that the board evaluate the impact that this neighborhood will have on Tontitown now and in the future and to consider the impact it will have on surrounding properties and future developments. I thank you for listening, I thank you for not sacrificing the property of current residents for what some may consider as progress, and I thank you for continuing to hold strong to the values that make Tontitown a great place to live and work.

Respectfully Submitted,

Jason Jones
1410 Valle Ln.
Tontitown, AR

Courtney McNair

From: Jennifer Liles <jennjenn1257@yahoo.com>
Sent: Monday, March 25, 2019 9:09 AM
To: Courtney McNair
Cc: The Husband
Subject: Oppose Morsani Acres Subdivision

Good Morning,

I am a current resident of Tontitown at 915 Bausinger Rd. I would like to oppose the new proposed subdivision that is planned as Morsani Acres of 72 lots. My concerns are that there is already increased traffic in the area with the new South Pointe subdivision at the end of the road. I have concerns with the road structure and decreased flow as we are at the end of the water line for Bausinger. These are purely selfish reasons, but alas we have lived in Tontitown for > 4 years. I would like to know what the city's plan is for the roads along Morsani and Bausinger? Are plans in place to resurface and expand the current roads?

Thanks,

Jennifer Liles

Courtney McNair

From: Freel, Hope <terahhf@ostatemail.okstate.edu>
Sent: Monday, March 25, 2019 9:08 AM
To: Courtney McNair
Subject: Morasani Development

To Whom it May Concern,

I'm Hope Wofford from 1268 Valle Ln. I just wanted to state that I am opposed to the re-zoning that is being proposed for the development on Morasani. My husband and I recently bought our (first) home and intentionally bought where we would be surrounded by homes of equal value. We have full trust in the city that this will not change.

Thank you,

Hope Freel Wofford

Courtney McNair

From: Shawn Blakemore <shawnblakemore7854@att.net>
Sent: Saturday, March 23, 2019 2:11 PM
To: Courtney McNair
Subject: Morsani Acres Subdivision- Response

Dear Planning Commission Members,

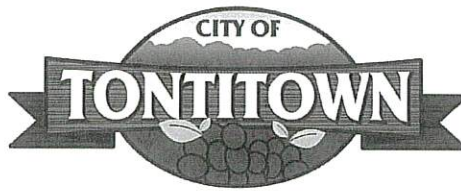
We, the Blakemore Family, would like to make known our objection to the proposed land use zoning change submitted by Mr. Michael Bader in regard to the Morsani Acres Subdivision. The 16.7 acres slated for this project is currently zoned R3. This zoning is one of the many reasons that our family decided to purchase a home located in Hidden Valley Estates, which was also developed by Mr. Bader. We are very happy with our home, neighbors and the neighborhood in general. In keeping with the R3 zoning that Hidden Valley is also under, we would greatly like to see any adjacent or nearby neighborhoods also be held to this standard regarding required home size and appointment.

We are new to Tontitown and are very glad that we chose this unique, historically proud city to be the location of our forever home. We respectfully request that the current R3 zoning on the 16.7 acres for proposed Morsani Acres Subdivision not be changed. Rezoning this land to R5 would lessen the quiet dignity of this area and potentially create significant traffic problems as the roads are more rural than other more densely developed areas. This is a part of the charm and grace that we immediately recognized and wanted to embrace.

Building 70 homes on this property that could potentially be 1,300 square feet will certainly be doing our city a great disservice. As it stands, Tontitown is one of the fastest growing cities in Arkansas. That is something to be very proud of and should be protected against growth that is not healthy for our citizens, infrastructure and business opportunities.

Respectfully,

Shawn and Cindy Blakemore
1394 Valle Lane
479-841-0731



PLANNED UNIT DEVELOPMENT (PUD) RESPONSE
MORSANI ACRES SUBDIVISION

() I/we have no objections to the Conditional Use Permit

☒ I/we object to the Conditional Use Permit because:

The Blakemore Family seriously objects to the current proposed use of these 16 acres adjacent to Hidden Valley. We bought our home in good faith that this area was coded R3 & would continue to see like properties developed.

Signature

Signature

sblakemore@fhfoodequipment.com
OPTIONAL: email/phone number 479-841-0731

This form can be mailed to:

City of Tontitown Planning Department,
P.O. Box 305,
Tontitown, AR 72770.

Or emailed to:

planning@tontitownar.gov



Courtney McNair

From: Jennifer Chacon <jenniferchacon3@gmail.com>
Sent: Wednesday, March 20, 2019 10:22 AM
To: Courtney McNair
Subject: Re: Tontitown Future Land Use
Attachments: doc00908720190320102409.pdf

1284 Valle

Good morning Courtney:

First off, thank you so much for not only answering my questions but also several of my neighbor's questions. We really do appreciate it and you have been so helpful and kind.

Yesterday I did some of my own research and spoke with Patsy Christie the Springdale Planning Director. I am concerned with access points in and out of the Morsani Acres Subdivision.

According to Arkansas Fire Prevention Code

Appendix D

Section D107 – ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 30 dwellings units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.31.1, 903.3.1.2 or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

D107.2 Remoteness

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

I know you mentioned Fletcher Ave. would be a future project for the city but knew it wouldn't be a project completed anytime in the near future. I am requesting a copy of the City of Tontitown's plans to extend Fletcher Ave. to Bausinger Road. It is my understanding that Fletcher Ave. will run through property not owned by Mr. Bader in order to connect to Bausinger. Does the city have plans to purchase that property to extend the road? If not, I think the Planning Commission should consider tabling this item until they can provide residents of Tontitown a guarantee and timeline for Fletcher Ave.

Attached is a measured estimate that confirms the two points onto Morsani aren't far enough apart to meet the code provided above.

Again I can't thank you enough for being readily available and willing to help. Also I would like to note I am not opposed to growth or development. Actually, I am excited about the growth in Tontitown and I look forward to future developments.

Respectfully,
Jennifer

On Tue, Mar 19, 2019 at 3:07 PM Courtney McNair <planning@tontitownar.gov> wrote:

Yes, as it is currently a "loop" with two points onto Morsani, it meets the requirements of having more than one way in and out.

Thank you,

Courtney McNair, AICP, CFM

Planning Official

City of Tontitown

201 East Henri De Tonti

Tontitown, AR 72770

479-361-2700 office

479-435-8080 cell

planning@tontitownar.gov

From: Jennifer Chacon <jenniferchacon3@gmail.com>

Sent: Tuesday, March 19, 2019 3:04 PM

To: Courtney McNair <planning@tontitownar.gov>

Subject: Re: Tontitown Future Land Use

I'm actually asking about having two access points into the subdivision to meet fire code requirements.

Again thank you!

On Tue, Mar 19, 2019 at 2:54 PM Courtney McNair <planning@tontitownar.gov> wrote:

Do you mean spacing between homes? If so, yes. The minimum spacing between homes must be 10 feet to meet fire code.

Our Fire Marshal has made comments regarding hydrant spacing, and let the engineer know that at least two more hydrants will be required.

The proposed road is 26 feet wide, which is the width required in front of fire hydrant for emergency access.

If it was none of those, please let me know so I can get the correct information.

Thank you,

Courtney McNair, AICP, CFM

Planning Official

City of Tontitown

201 East Henri De Tonti

Tontitown, AR 72770

479-361-2700 office

479-435-8080 cell

planning@tontitownar.gov

From: Jennifer Chacon <jenniferchacon3@gmail.com>

Sent: Tuesday, March 19, 2019 2:50 PM

To: Courtney McNair <planning@tontitownar.gov>

Subject: Re: Tontitown Future Land Use

It's me again...

I picked up my certified letter today and was looking at the plat that was attached. Which brings me to my latest question... Does this meet fire code requirements for spacing? I would assume that it does but wasn't sure since Mr. Bader is only required for a portion of the road.

Thank you so much for answering all of my questions and being helpful through this process.

-Jennifer

On Tue, Mar 19, 2019 at 11:27 AM Courtney McNair <planning@tontitownar.gov> wrote:

Yes, Mr. Bader is required to construct his half (and it will be constructed so that it can be used for this subdivision for many years). At such time that Tontitown does make that connection, the City will be responsible for constructing it out fully to meet our specifications. I have attached our typical street sections.

Mr. Bader is providing all of the required Right-of-Way for this class of road, and none of the property involved is on property within the Hidden Valley Subdivision.

Thank you,

Courtney McNair, AICP, CFM

Planning Official

City of Tontitown

201 East Henri De Tonti

Tontitown, AR 72770

479-361-2700 office

479-435-8080 cell

planning@tontitownar.gov

From: Jennifer Chacon <jenniferchacon3@gmail.com>

Sent: Tuesday, March 19, 2019 10:45 AM

To: Courtney McNair <planning@tontitownar.gov>

Subject: Re: Tontitown Future Land Use

Thanks for speak with me earlier and for sending this.

Can you explain the road that will run between to two subdivisions to me again? I tried to explain it to my husband and ended up getting both of us confused. I believe you mentioned Bader would be responsible for half of the road and Tontitown for the other half? If that's correct, how does that work?

Thanks!

Jennifer

On Tue, Mar 19, 2019 at 9:10 AM Courtney McNair <planning@tontitownar.gov> wrote:

Jennifer,

Please see the attached KMZ file and PDF file of the Future Land Use that was adopted in November 2018.

Thank you,

Courtney McNair, AICP, CFM

Planning Official

City of Tontitown

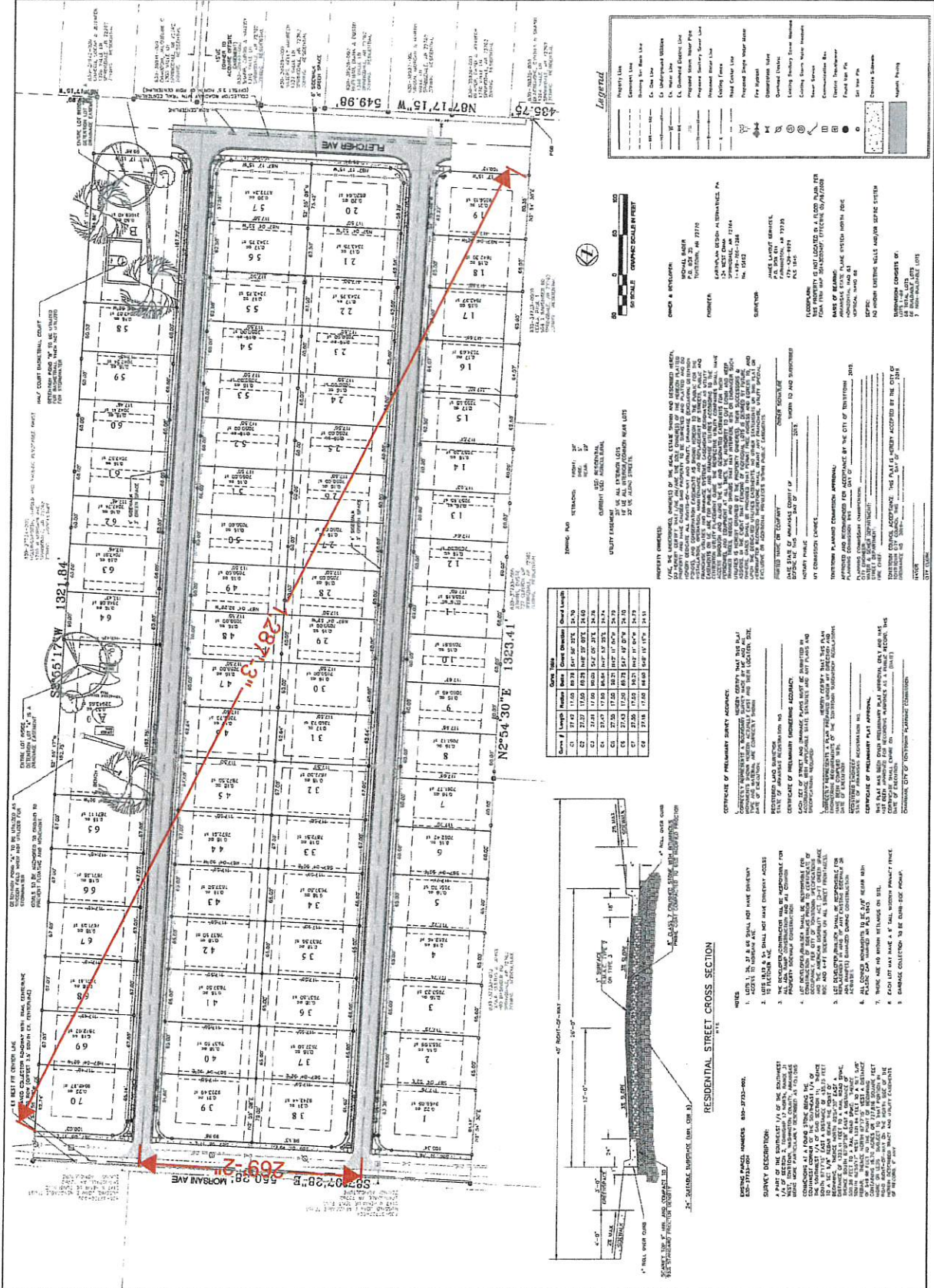
201 East Henri De Tonti

Tontitown, AR 72770

479-361-2700 office

479-435-8080 cell

planning@tontitownar.gov



Courtney McNair

From: KMW <kelleywaters@gmail.com>
Sent: Wednesday, March 20, 2019 5:50 PM
To: Courtney McNair
Subject: PUD Morsani Estates

To Whom it May Concern:

I knew when I purchased my lot in Hidden Valley Estates that the land directly behind me would soon be developed. I object to the Planned Unit Development. I want to be able to trust that our City will maintain the requirements for R-3 zoning, specifically 9,600 square feet per unit. Please do not accept the developer's desire to decrease the lot sizes to less than 7,000 square feet so 72 lots with 1,300-1,600 square foot homes can be crammed onto .17-.20 lot sizes. We would like for him to stay true to how he built his recent developments of Hidden Valley Estates and South Barrington Estates (Forza Lane). Our neighborhood, as well as Southpointe, off of Barrington, are very similar. We have lot sizes that are a little more than 1/3 of an acre (14,520 square feet) and go up to almost 1/2 of an acre (21,780 square feet). Southpointe has lots that range from .22-.50 acres with the majority in the 1/3 of an acre range. The minimum square footage in Southpointe is 1,750. Our developer claims the minimum square footage in Hidden Valley is 1,700 sq ft, but there aren't any homes under 1,900 square feet. We are happy with our homes and quality of our homes, but we do not agree with a plan that does not stay consistent with what has been and is being built in the immediate vicinity. We fear a neighborhood of this size has the potential to decrease our property values.

We have some major drainage issues on the north side of our neighborhood, which runs along my backyard. I have been told the ditch that was recently dug is a "temporary solution" and the issue is being addressed with the "new project." I hope the engineer will be able to reassure us that this will be resolved first and it will be done the right way.

We do have concerns about the condition of Morsani Avenue and Bausinger Road. Our current infrastructure does not support the fast development with Southpointe and Morsani Estates being completed in the next 2 years. These roads will soon see a major increase in traffic. Does our City have plans to widen, stripe and curb these roads? Getting onto 412, to head west and even east, can be difficult. One of our residents said there were plans for a light at Klenc. A light would be helpful at the west end of town too, but these lights will only cause more problems with the normal flow of traffic along 412.

Please maintain and enforce the 9,600 square feet per unit R-3 zoning criteria so Morsani Estates has fewer homes built with slightly bigger lot sizes and square footage in a range closer to what is being built in the area. I truly believe with the growth we are seeing in our City, a slightly bigger lot size and home size will still be very desirable and there's no doubt they will sell.

Thank you for your consideration in this matter.

Sincerely,
Kelley Waters
1332 Valle Lane
918.606.5615

Courtney McNair

From: Beaver, Jennifer L <Jennifer.Beaver@Mercy.Net>
Sent: Wednesday, March 20, 2019 2:21 PM
To: Courtney McNair
Subject: Morsani Acres Subdivision Rezone

Tontitown Planning Commission and City Council Members,

My name is Jennifer Beaver. My husband, David Beaver, and I are home owners to a property just south of the proposed rezone area known as Morsani Acres Subdivision. We have recently been told that the builder, Michael Bader, is proposing a 72 lot subdivision with a minimum home size of 1300 sq. ft. As you can imagine, this was surprising and quite concerning to those of us who have homes in the area.

We understand the need for progress and want to express that we are not against development in that area. Truth be told, we expected it at some point in the future. Our concerns are the large capacity and drastic drop in the size of homes being proposed vs. the original zoning and what that will mean as far as property values and congestion on the roads (especially at peak times).

As stated above, our main concern is what this will do to the property values in our neighborhood and town. My husband and I made a conscious decision to move to Tontitown from Springdale due to the fact that Tontitown is recognized for being a very nice area where the powers that be are historically known for making decisions in the best interest of the community as a whole. In areas where the planning committees have allowed high capacity housing (such as smaller home size subdivisions and apartment complexes), the population tends to become one of a transient nature and crime levels, upkeep of the homes and property values have suffered greatly due to this. We hope and pray that this trend is not the future for Tontitown.

Additionally, the roads leading to this subdivision (Mantegani and Morsani) are narrow 2 lane roads. Although they are paved, there are currently large potholes and edge erosion is occurring. There is also a larger subdivision going in further south on Bausinger and the road is already deteriorating even prior to that additional traffic. Another issue is what will likely occur at the intersection of 412 as the area grows and I am sure the current infrastructure cannot sustain the increased capacity.

Please add this letter to what I am sure is a growing stack from concerned property owners in opposition of this proposed change. Thank you for your consideration.

Sincerely,
Jennifer and David Beaver
1378 Valle Ln.

Jennifer L. Beaver

Senior Financial Analyst
Mercy Health System
(479) 338-3462

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Courtney McNair

From: Whitney Silva <mrswhitsilva@gmail.com>
Sent: Tuesday, March 26, 2019 11:51 AM
To: Courtney McNair

1247 Valle

Hi,

I wanted to send my concerns Regarding the public hearing on the adjoining Morsani subdivision. I feel that dividing the lots to smaller homes will decrease the value of the surrounding homes and properties. I vote that they keep the lots to the original size and ensure the homes are equal value to the surrounding properties.

My family just recently moved to Tontitown it seems to have high standards and I wouldn't think they would want to lower them.

Thank you,
Whitney Silva

Courtney McNair

From: Richard Roberts <richard@admiralexpress.com>
Sent: Tuesday, March 26, 2019 11:24 AM
To: Courtney McNair
Subject: Public hearing-March 26th 2019

To whom it may concern,

Due to a previous commitment, I will be unable to attend tonight's public hearing regarding re-zoning of the property located on Morsani. After living in Springdale for the past 17 years, my wife and I recently built a new home located at **1415 Valle Lane** (Hidden Valley Estates) and have lived here since February 15th, 2019. We plan to retire here and enjoy the rural surroundings.

We love living in Tontitown and the sub-division that was developed by Michael Bader met all of our criteria to justify our decision to move. The 16 acres located adjacent to Hidden Valley Estates, could be another desirable sub-division that will attract more families to our city but to consider and grant the re-zoning to be higher density housing would be a mistake. The current R-3 Zoning is the ideal zoning to attract families to our city and maintain the best appearance that new homeowners are wanting in a sub-division. Look beyond today and ask yourselves the following question.....what will these homes look like 20 years from now if 70 single family homes with a 1,300 sq. ft. minimum occupy this 16 acre tract? The city of Springdale has many neighborhoods just like this which clearly answer that question.

Thank you for your consideration and service to our community,

Respectfully,
Richard and Phyllis Roberts

Richard Roberts



Space Planning & Furniture Sales
Senior Designer

P 479.616.1945
M 479.856.2705
richard@admiralexpress.com

locally devoted to *you*



✱

Courtney McNair

From: Brian Frazier <brian.frazier@clorox.com>
Sent: Thursday, March 21, 2019 3:11 PM
To: Courtney McNair
Subject: Comments regarding proposed development on Morsani

Planning Committee:

The developer Michael Bader proposes to build a new subdivision on Morsani avenue, but that same builder has yet to properly correct a significant drainage issue caused by his most recent development (Hidden Valley Estates).

I am told that he plans to fix the Hidden Valley problem when he does the Morsani work, but in my opinion, the city of Tontitown should not entertain any proposals from Mr. Bader whatsoever (including the Morsani project), until after all issues with the Hidden Valley project are corrected. This is a basic principle of doing business, and Tontitown should not choose to be controlled by the developer, by allowing him to present any additional projects before existing issues are corrected.

Also, I believe the city of Tontitown should choose to keep the current zoning for the Morsani property, rather than granting a re-zoning. Here are some reasons to keep zoning the same:

- Tontitown would benefit more from fewer, larger homes, than more, smaller homes.
- Tontitown would have a harder time keeping up with infrastructure demands (roads, water utilities, etc) with 70 homes on Morsani, versus 40-50 larger homes.
- If re-zoning is approved, the homes of current residents in the area would see a decrease in property value, due to the mis-match of lot sizes and home sizes, and the overall congestion.

In conclusion, the city of Tontitown is experiencing rapid growth at this time, and does not have to lower their standards in order to drive growth – The city is in position to control the growth, and make the growth a positive asset for the city, rather than being forced to accept bad growth (that which is more a liability than an asset).

As a resident of Tontitown, I ask that you represent the interests of your residents over the interests of one man:

1. Please agree to table the Morsani proposal until the Hidden Valley Estates drainage issue is corrected.
2. When the Morsani project proposal is considered, please vote to retain the current zoning for that property.

Thanks,
Brian Frazier
1291 Valle Lane
Tontitown, AR 72762

NEW COMMENTS SUBMITTED SINCE THE
PLANNING BOARD MEETING:



Courtney McNair

From: Dallas Black <dallasblack44@yahoo.com>
Sent: Monday, April 01, 2019 12:04 PM
To: Courtney McNair
Subject: Hidden Valley/Michael Bader

To whom it may concern:

My name is Dallas Black and I am a resident in the new Hidden Valley sub-division built by Michael Bader. I am writing in regards on the plans to build another sub-division within proximity to our address. It has come to my attention that several residents of the neighborhood are upset with these plans and wish for the immediate refusal to proceed.

After hearing the concerns from a few of our neighbors I understand why they may have hesitations about a new sub-division being built. I share in the concerns only if the properties being built were going to be rental properties or very small/minimalist homes. However, after also speaking with Mr. Bader, reviewing the future plans, and also speaking with several real estate agents who understand how this process works and what the future value of our homes would look like - I see no reason why Mr. Bader should not be allowed to proceed with his process.

In my opinion Mr. Bader and his team have been professional as builders and have made sure that ourselves and others in the neighborhood have a very quality home to live in. While I do appreciate the small size of our sub-divison and am not extremely excited about a larger number of homes being within proximity of us - I also feel it is not within my rights to tell or try to force another person what he or she must do with land that is rightfully theirs.

In closing - as long as the minimal square footage, percent of brick, and same standard are met by Bader construction then I feel it can only be a positive for the city of Tontitown and the residents of Hidden Valley.

Sincerely -

DB



Courtney McNair

From: tom@weichertgriffin.com
Sent: Thursday, March 28, 2019 3:48 PM
To: Courtney McNair
Subject: Thank you! Approval Letter for Henri de Tonti Center

Importance: High

Excellent and thank you Courtney.

I thought your explanation was well done the other night. After some dissension by the community I thought further explanation of "transitional use" would be beneficial and appreciated Chairman's time doing that as well. My hoarseness definitely interrupted my own flow of thought as well as those listening I know, and wanted to add that I appreciated how you were promoting the development to act as "its own community" via walk/bike way from duplexes to commercial area.

I believe Mr. Bader has great looking product and didn't want to create a dissension rather point out it looked good and that property values were going to rise in Tontitown due to demand. My personal opinion of his 70 lots hurting surrounding houses will be limited at best, but instead because of new growth of good product at any size - property values will increase all around in general if owners will take care of their own property and encourage others to do the same.

Additionally, I wanted to say (but was to distracted from my own voice) that some day home owners of the large houses will want smaller nice homes&neighborhoods to live in themselves. If they do not allow this kind of neighborhood in (if they had that power) they themselves would be victim of their own limitations when they start looking for a smaller place in Tontitown. After all, after the kids are all grown, who needs to keep up a large empty house....time to down-size? LOL!

So, in your position....and mine.... we realize there are young as well as older homeowners who need smaller but nice homes in good neighborhoods. That's why I was implying "money left on the table" was to point out...keep your houses "up" there (i.e. all brick, a little larger,etc).

...the best place to have "affordable housing" is a price point at \$215,000 instead of \$189,000 at this time. I said it differently in the meeting but wanted to imply that if he built a little bigger house.. he would sell just as many as quickly...the monthly difference would only be about \$40 per month, and what could happen is a that a deterrence to investors coming in to purchase new homes as rental properties would occur. My fear is that \$189,000 is too close for comfort for investors to go there as a

new product. I know it typically will occur in the life of a house at this price point but the process would be significantly slowed if on the front end the highest percentage went to residing homeowners.

Thinking through how to prevent crime in general does come with less density or more expensive product. But past that.... more lighting (which can be annoying) and perhaps P.O.A. cameras or such electrical alert systems might be of some deterrence but now that can only be suggested by municipalities.

I believe all brick would be best for Mr. Bader and his homeowners but now we know....its out of the "our" - the City's hands per new legislation. Mr. Bader certainly is positioned to take advantage of market timing/demand no doubt. His product is good to me and I believe he well addressed his position. He does apparently have some drainage/ water runoff to address on that one project it appears nevertheless.

Final thought is roads. So goes roads, so goes developments. To bring roads is to increase property values in principle. Most resources possible going there will bring in more good development and thus more revenue..but in a delayed response. But roads are in principle...great for future development attracting enhancement. Easier said than done of course in "who pays for it".

Thanks again for your great work Courtney.
Respectfully,
Tom

-----Original Message-----

From: "Courtney McNair" <planning@tontitownar.gov>
Sent: Thursday, March 28, 2019 3:22pm
To: "Alan Reid" <arasurveying@sbcglobal.net>, "tom@weichertgriffin.com" <tom@weichertgriffin.com>
Subject: Approval Letter for Henri de Tonti Center

Please see the attached Approval Letter. Conditional Use Permits do not need City Council approval.

Thank you,

Courtney McNair, AICP, CFM
Planning Official

City of Tontitown

201 East Henri De Tonti
Tontitown, AR 72770
479-361-2700 office
479-435-8080 cell
planning@tontitownar.gov



Tom Joseph

Tom R. Joseph

Realtor®

479-236-2298

Tom@WeichertGriffin.com



Griffin
COMMERCIAL
DIVISION

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✍

Courtney McNair

From: Michael Bader <michaelbader21@yahoo.com>
Sent: Friday, March 29, 2019 3:22 PM
To: Courtney McNair
Subject: Drainage

Pics of the drainage swale and back yard of 1332 valle at 3:00 on Friday....a few hours after the rain stopped.









Michael Bader
479-601-2155

X

Courtney McNair

From: KMW <kelleywaters@gmail.com>
Sent: Saturday, March 30, 2019 9:47 AM
To: Paul Colvin
Cc: Don Doudna; Tommy Granata; Courtney McNair
Subject: Hidden Valley Drainage

Representatives,

Thank you for hearing our concerns at the recent planning board meeting on Tuesday, March 26, 2019 and working with us to help better our development and the City.

I wanted to pass along a picture that was taken this morning. As previously stated at the planning commission meeting, I contacted Michael Bader in October about drainage/pooling of water issues. He never replied. As the neighborhood began talking about the new project and current issues within our development, I reached out to Mr. Bader again on March 18th about my concerns. Despite his delay or lack of replying in the past, on the 19th he said, "Water was backing up very badly onto the neighbors property, so we had to dig that ditch as a temporary solution. We are addressing all of the drainage with the new project, the engineer is working on the proper solution." He relied again on the 22nd with, "Hey Kelly. Wanted to let you know that we inspected the drainage swale all the way down. It was totally dry, and we couldn't find any sediment or blockage. It appeared that it has been working as designed. We will check it again early next week, as we are supposed to be getting some rain over the weekend." Now, eight days later, you can see there is still an issue and I am receiving a lot of sediment in my yard following a rainfall. There are other pooling issue within my yard that are obvious grading issues, but I believe the picture shows that some of my issues are a direct result of the "ditch/drainage swale" not working as designed. I would appreciate any continued help in getting this problem resolved before the Morsani Acres development is fully approved and begins.

Thank you, again,
Kelley Waters
1332 Valle Lane
918.606.5615



Courtney McNair

From: Justin Blankenship <jcblankenship7@gmail.com>
Sent: Monday, April 01, 2019 9:07 AM
To: Courtney McNair
Subject: Re: Hidden valley estates drainage

It had rained pretty hard during the night and that picture was taken that next morning. If we get a good amount of rain my yard holds water pretty well and puddles up in several areas. The one plus side I have is that it is always super windy back there because there is nothing blocking the wind and so the wind helps get rid of the water a bit quicker. It is usually 24-48 hours until the water starts to disappear. All depends on weather conditions also. The holding water is getting worse and worse with each rain. It seems the spots in the ground are starting to sag more and more and be more noticeable in my yard. Now even when there is not water sitting there you can see where the water will sit when it does rain because the spots are getting lower and lower in the ground. What can be done to help the yard drain better or not have those low spots?

On Mon, Apr 1, 2019 at 8:39 AM Courtney McNair <planning@tontitownar.gov> wrote:

I'm glad it is not bad today.

Can you tell me a little about when that picture you sent was taken (how much rain, how long did it sit, is this typical)? It seems like there may be a low spot in your yard that is not part of the larger drainage system we have been discussing.

Thank you,

Courtney McNair, AICP, CFM

Planning Official

City of Tontitown

201 East Henri De Tonti

Tontitown, AR 72770

479-361-2700 office

479-435-8080 cell

planning@tontitownar.gov

From: Justin Blankenship <jcblankenship7@gmail.com>
Sent: Monday, April 01, 2019 8:34 AM
To: Courtney McNair <planning@tontitownar.gov>
Subject: Re: Hidden valley estates drainage

My yard is pretty good this morning. We didn't get very much rain at all this weekend. I believe we only got a bit Friday evening. There was water sitting Saturday morning but was gone by Saturday evening with the sun and hard winds we had.

On Mon, Apr 1, 2019 at 8:32 AM Courtney McNair <planning@tontitownar.gov> wrote:

Justin,

How does your yard look this morning?

Thank you,

Courtney McNair, AICP, CFM

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From: Justin Blankenship <jcblankenship7@gmail.com>
Sent: Wednesday, March 27, 2019 5:10 PM

To: Courtney McNair <planning@tontitownar.gov>

Subject: Hidden valley estates drainage

My name is Justin Blankenship and I live at 1239 Valle Lane in hidden valley estates. I was at the planning hearing last night and noticed the pictures of the drainage issues. I have pictures of my yard after a rain a few weeks ago and would like it looked at if possible to see what the cause of the holding water is. Please let me know what I need to do. I feel as though this water issue should have to be addressed by the builder. Our detention pond does not hold the water our yard does.







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Courtney McNair

From: jenbeave123 <jenbeave123@gmail.com>
Sent: Monday, April 01, 2019 9:21 AM
To: Courtney McNair
Subject: RE: Continued drainage issues at Hidden Valley Estates

Thank you for your response, Courtney. The water is no longer standing. We do have muddy spots but nothing like what we were seeing before where the water remained for over a week.

Sent via the Samsung Galaxy S8, an AT&T 5G Evolution smartphone

----- Original message -----

From: Courtney McNair <planning@tontitownar.gov>
Date: 4/1/19 8:29 AM (GMT-06:00)
To: jenbeave123 <jenbeave123@gmail.com>
Subject: RE: Continued drainage issues at Hidden Valley Estates

Good morning, Jennifer. How does your yard look now? Generally, we would expect to see drainage areas/ditches clear within 72 hours of a large rain event like the one on Saturday morning. Is this the case?

Thank you,

Courtney McNair, AICP, CFM

Planning Official

City of Tontitown

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From: jenbeave123 <jenbeave123@gmail.com>
Sent: Saturday, March 30, 2019 8:44 AM
To: Courtney McNair <planning@tontitownar.gov>
Subject: Continued drainage issues at Hidden Valley Estates

Good morning,

I wanted to reach out this morning and let you know we are still having drainage issues in the Bader subdivision (Hidden Valley Estates). I have attached a few pictures which show some of the standing water but it is hard to see the amount of standing water hidden in the grassy areas. Right now the majority of pur yard is unusable for days after it rains.

Please help us to get this issue resolved and let me know if there is anything else I can do to help in the process.

Thank you,

Jennifer Beaver

1378 Valle Ln.

Sent via the Samsung Galaxy S8, an AT&T 5G Evolution smartphone





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Courtney McNair

From: Debbie Parten <debbieatarko@aol.com>
Sent: Wednesday, March 27, 2019 7:07 AM
To: Courtney McNair
Subject: Morsani sub division

I was at the meeting last night..we are definitely opposed to the Morsani project! That's just too much! It is also our understanding that Mr. Bader is not finished with the drainage situation.

What REALLY made my blood boil was the suggestion that Fletcher Rd may be extended from the subdivision to Bausinger!!! No, no, and nooooo!! Courtney, that's our yard! The destroying of established lawn, shrubs, trees and flowers just will NOT be tolerated! If an east/west road is needed, why not wild cat creek road? At least no ones established property will be ruined!

I just want you to know how we feel about this.

Thank you for your time.

Paul Ceola & Debbie Parten
568 Bausinger Rd.

Sent from my iPhone

Courtney McNair

From: Teresa Cleveland <tcleve54@gmail.com>
Sent: Wednesday, March 27, 2019 12:12 PM
To: Courtney McNair
Subject: Morsani Acres Subdivision

Dale & Teresa Cleveland
608 Bausinger Rd

We built our home 2 years ago and when the proposal of the Hidden Valley subdivision going in behind us, we were concerned with the type of homes going in. But, thankfully, Bader did build them to be in harmony with our home & other new homes that have been built in the area.

We know the area is growing, but we would like for it to be consistent with what has been added to this area. The reference at the Planning Commission meeting as to small homes, trailer homes, etc. in the area; as you are aware, these homes have been well established from the beginning. The new growth in the area is establishing medium to larger homes of higher value. As it continues to grow, we would like to see it stay in harmony with the new construction that has been built to keep the value of all our homes in this area. We have made the investment and would like to see that it continues to have the value we anticipated.

Building homes just for the purpose of making it affordable to the younger first-time homebuyers does not help improve, and maintain, the value and quality of our homes that we have worked our way up to being able to enjoy. When we first purchased our home, it wasn't necessarily our dream home, we had to work our way to where we are, which meant not having a "brand new home" from the start.

As far as comparing this area to Harbor Meadows. Do not really see how that can be compared. Harbor was developed as a community, and homeowners knew up front what the development was. Also, they have incorporated many parks, pool, walking, ballfields, golf, medical, etc into the community. This area is not a pre-developed community.

Adding 70 1300-? Single family homes to this area is not going to stay in harmony with what has previously been, and is being, built in the area.

Also, the flooding issue should still be of concern. It doesn't directly affect our property, but we can see it and know it is still an issue.

What is really going to affect our property in the future, is the extension of Fletcher Ave right on our property. Which, at this time, I see no purpose other than to offer access for the proposed development. Hopefully, the existing roads will be improved before adding new ones.

In reference to the above, we are objecting to this proposal. Would propose if this is going to go thru, that it would be reconsidered as adding new homes in harmony with Hidden Valley & the newer construction that has been added in this area.

Thank you,
Teresa Cleveland