

Planning

From: Waiver Application <manager@tontitown.com>
Sent: Tuesday, November 15, 2016 10:31 AM
To: planning@tontitownar.gov; pwdirector@tontitownar.gov
Subject: Waiver - next to 585 Jean mary, WA 0002025

Site Address: next to 585 Jean mary

Parcel #: 830-37833-000

Acreage: 1.38

Zoning: ~~R~~ C-2

Lot-Block:

Building Size (sq ft) - Existing:

Building Size (sq ft) - Proposed:

Date existing structure was built:

Who is the primary contact? Representative

Code Section: 152-148(b)

Narrative: The applicant seeks a one-year waiver of the requirement for hard surface parking. The property is intended to be used as parking for a neighboring existing business. The property will require substantial fill that is likely to settle and damage hard surface parking until settling ceases. Use as gravel surfaced parking for one year will assist in settling and reduce the likelihood of damage once it is hard surfaced.

Owner Information

GFB Investments, LLC

1428 E. Mission Blvd.

Fayetteville, AR 72701

Phone: 479-246-1670

Cell Phone:

Fax:

Representative Information

Bill Watkins

EXHIBIT "A"

§ 152.148 ACCESS AND PARKING REQUIREMENTS.

This section is intended to implement access management standards of the City of Tontitown. These regulations apply to all new development and construction.

(A) *Curb cuts.*

(1) *City approval.* Property owners desiring access to, or curb cuts off of city streets, not associated with an approved large scale development plan or subdivision, must obtain a letter of approval from the Public Works Director.

(2) *Width.* Ingress-egress openings in concrete, asphalt, or other street curbing, commonly referred to as "curb cuts" shall be not less than 24 feet nor more than 40 feet in width for nonresidential uses unless approved by the Planning Department.

(3) *Distance from intersections.* Curb cuts or access points shall be no closer than 100 feet measured from the right-of-way of intersecting collector streets to the center line of the drive, and no closer than 250 feet measured from the right-of-way of an intersection involving a principal or minor arterial to the center line of the drive. Exceptions may be made where lot size or geometry may prohibit these requirements.

(4) *Offset.* Either the centerline of opposing nonresidential driveways shall align, or shall be offset no less than 75 feet. This condition shall not apply where a permanent median exists without break for these driveways.

(5) *Number of curb cuts permitted.* Unless otherwise specified by this chapter, the maximum number of curb cuts for each property shall be two.

(6) *Distance between curb cuts.* The minimum distance between drives shall be 25 feet.

(7) *Curb radius.* To ensure safe turn movements, turning radii for commercial drive curb cuts should be at least 15 feet for curb cuts along streets designated on the City of Tontitown's Master Street Plan. Exceptions may be granted through a waiver to the Planning Commission for shorter radii in the downtown area and for larger radii needed where there may be a need to accommodate truck traffic.

(B) *Entrance/exit and parking design.* Landscaping, curbing, or other approved barriers shall be provided along boundaries to control entrance and exit of vehicles or pedestrians. All parking facilities, except those serving single-family detached and two-family dwellings shall be designed so that all existing movements onto a public street are in a forward motion.

(1) Any off-street parking area shall be paved with a sealed surface pavement and maintained to prevent dust resulting from continued use. The parking area should be arranged as efficiently as possible, be so graded and drained as to dispose of all surface water accumulated in the area, and shall be so arranged and marked as to provide for orderly and safe parking and storage of vehicles.

(C) *Subdivision access.* All residential subdivision development contiguous to a collector, minor, or principal arterial street shall orient frontage to a local street, and back the project, without access to the said major streets. All subdivisions with 30 or more lots shall have two access points.

(D) *Joint and cross access.*

(1) *Major traffic generators.* Adjacent commercial or office properties classified as major traffic generators (i.e., shopping plazas, office parks), shall provide a cross access drive and pedestrian access to allow circulation between sites.

(2) *Techniques.* A system of joint use driveways and cross access easements as shown in

existing driveways will be closed and eliminated after construction of the joint-use driveway.

(c) *Maintenance agreement.* Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

(E) *Reduction in separation distance.* The City Engineer may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:

(1) Joint access driveways and cross access easements are provided wherever feasible in accordance with this section.

(2) The site plan incorporates a unified access and circulation system in accordance with this section.

(3) The property owner shall enter a written agreement with the City of Tontitown, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.

(F) *Waivers.* The City Engineer or Planning Commission may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make development of a unified or shared access and circulation system impractical.

(G) *Nonconforming access features.*

(1) *Existing.* Permitted access connections in place as of the date of the adoption of this chapter that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with applicable standards under the following conditions:

(a) When new access connection permits are requested;

(b) Substantial enlargements or improvements;

(c) Significant change in trip generation; or

(d) As roadway improvements allow.

(2) *Discontinued use.* If the principal activity on a property with nonconforming access features is discontinued for a consecutive period of 180 days then that property must thereafter be brought into conformity with all applicable connection spacing and design requirements, unless otherwise exempted by the City Engineer. For uses that are vacant or discontinued upon the effective date of this chapter, the 180-day period begins on the effective date of this chapter.

(Ord. 2013-04-417, passed 4-2-13; Am. Ord. 2013-09-440, § 152.1000.9, passed 9-3-13; Am. Ord. 2014-12-488, passed 12-2-14; Am. Ord. 2015-07-530, passed 7-21-15)