



## CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **December 29, 2020**  
Project: **Hickory Meadows**  
Planner: Courtney McNair, Garver

### AGENDA ITEM

## A (3)

### PLANNED UNIT DEVELOPMENT REZONING REQUEST (PUD) AND PRELIMINARY SUBDIVISION PLAT APPROVAL REQUEST

Address: 865 Klenc Road  
Parcel #s: 830-37759-000

**SUMMARY:** Hickory Meadows is requesting Planning Unit Development (PUD) and Preliminary Subdivision Plat approval for 300 lots (296 buildable) on 80 acres of land. Additionally, two (2) Variances, and five (5) Waivers are needed with this proposed development.

**CURRENT ZONING:** **R-3** - Single-Family Residential - 9,600 square foot minimum lot size; provided density shall not exceed three units/net acres (after dedications are made).

**PROPOSED ZONING:** **PUD**- Planned Unit Development for a single-family residential subdivision with a density of 4.95 units/acre

**CITY WARD:** 3- Don Doudna & Tim Burress

**FLOODPLAIN:** No

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

**Water:** Tontitown Water

**Electric:** Ozarks Electric

**Sewer/Septic:** Tontitown Sewer (connection to lift station)

**Phone:** AT&T

**Natural Gas:** Black Hills Energy

**Cable:** Cox Communications

**School District:** Springdale

#### PROJECT SYNOPSIS:

The owner of this property is Solomon Properties, and the applicant is Ron Homeyer of Civil Engineering, Inc. The property is located on Klenc Road, and will tie into the South Pointe Phase 3, 4, & 5 project that was recently approved, with the extension of Wildcat Creek Blvd. along the southern property line.

This project was initially submitted in September 2020 but was tabled due to not meeting the greenspace requirements of the Planned Unit Development (PUD) Code. That code was amended and now this project should now be able to conform with the requirements for a PUD.

The applicant is showing 3% Common Open Space, and 41.9 % Green Space and Lawn Space. The total proposed density is 4.95 residential lots per acre.

Wildcat Creek Blvd. is classified as a Collector Street on the Master Street Plan, which requires 70' of

Right-of-Way, and a six foot (6") sidewalk and twelve foot (12") trail, and seven (7") of green space separation on both the sidewalk and trail side of the street. This was discussed at the September 22, 2020 Meeting during the project review for the South Pointe Phases 3, 4, & 5.

A waiver was approved at that time to allow Wildcat Creek Blvd. to be constructed to the Local Street section. It shall have a ROW of 50' with a 100' turn lane at the intersection with Klenc Road, per the agreement reached at that meeting. Local street sections are required to have a minimum 50' ROW, five (5) foot wide sidewalks with five (5) feet of green space on both sides of the street. *Section 90.400.4 & 90.900.2.*

## **PLANNED UNIT DEVELOPMENT**

### **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.*

### **(E) (4) Administration and enforcement.**

(a) *Review standards. The Planning Commission shall investigate and ascertain that the plans for a planned unit development meet the following conditions:*

1. *That the tract of land for the entire project comprises not less than two acres. **This tract of land is 80.0 acres +/-***
2. *That the project is in conformity with the requirements and standards of development of the planned unit development district and is consistent with the intent and purpose of this section. **This submittal is generally in conformance with the PUD standards. Several Variances and Waivers have been requested to address areas that are not.***
3. *That the proposed project constitutes an environment of sustained desirability and stability, and that it is in harmony with the character of the surrounding neighborhood, and is not inconsistent with the city's comprehensive plan. **This submittal is consistent with the City's Comprehensive plan. The applicant is requesting a density of 4.95 units per acre, with single-family residences:***

### **FUTURE LAND USE: RC-T, Residential/Commercial Transition**

*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.*

4. That the property adjacent to the proposed development will not be adversely affected. The applicant has submitted drainage information and shall make all corrections required by the City Engineer. Water and sewer will be extended to this site and conform with City of Tontitown standards, including adequate fire flow gallons per minute (gpm). The applicant is constructing the portion of Wildcat Creek Blvd. adjacent to this property, and all lots will take access from interior streets. A left turn lane is shown at the intersection of Wildcat Creek Blvd. and Klenc Road to help with traffic flow.

(b) Recorded plat and plot plan required. The proposed development shall follow all applicable procedures, standards, regulations, and laws governing the subdivision of land. No building permit for any structure shall be issued until a final plat of the proposed development, or part thereof, is approved and recorded and an approved plot plan is submitted in accordance with these regulations. **There are some comments remaining on the Preliminary Plat submittal that shall be corrected prior to Construction Plan approval.**

(c) 1. Phasing and development schedule. The applicant shall clearly indicate on the site plan map, the boundaries of each proposed phase. If the sequence of construction of various portions of the development is to occur in phases or stages, then the open space and/or recreational facilities should be developed or committed thereto in proportion to the number of dwelling units intended to be developed during any given stage of construction. **Phasing is shown on the plat.**

2. Additionally, the applicant shall submit a schedule of construction for the project, or for each phase within the project, indicating the sequence of development according to residential type and other nonresidential construction within the project. Upon adoption of the schedule of construction, the building inspector shall be responsible for enforcing this schedule. If the building inspector determines that the rate of construction of residential units or nonresidential structures differs from the construction schedule, he shall so notify the developer in writing. Thereafter, the building inspector may issue such orders to a developer as necessary to correct said schedule, and upon continued violation of this subsection may suspend the developer from further construction of dwelling units or nonresidential structures until compliance is achieved. **Staff is awaiting a schedule of construction for this project. The developer has discussed their plan with City Staff but shall submit a schedule in writing as well.**

## **PRELIMINARY PLAT**

### **TECHNICAL INFORMATION:**

#### **Utilities:**

**Water:** Tontitown Water- There is an existing 8-inch waterline south on Klenc Road, near Oak Hills drive. The applicant plans to extend an 8-inch line from that connection point. Interior waterlines are proposed to be a combination of 6-inch and 8-inch lines. The City asked to see more information due to the 6-inch lines being proposed. Any comments from the City Public Works Department will need to be addressed prior to Construction Plan approval.

**Electric:** Ozarks Electric (OECC)-The applicant has been working with OECC regarding the large easements and transmission lines on this property. OECC requested internal easements be added, and it appears these are shown on the plat. Any additional coordination with the utility to place necessary utility easements should happen prior to construction plan approval.

**Sewer/Septic:** Sewer- this project proposes to connect to the City of Tontitown sewer system. There is an existing sanitary sewer line along the west property line of this property. A new lift station is shown north of the Wildcat Creek Blvd. and Klenc Road intersection. The design has been submitted and reviewed by the City Engineer. Any additional corrections to the plan must be completed prior to construction plan approval.

**Phone:** AT&T- No comments were received from ATT, however, additional coordination with the utility to place necessary utility easements should happen prior to construction plan approval.

**Natural Gas:** Black Hills Energy- No comments were received from BHE, however, additional coordination with the utility to place necessary utility easements should happen prior to construction plan approval.

**Cable:** Cox Communications- No comments were received from Cox, however, additional coordination with the utility to place necessary utility easements should happen prior to construction plan approval.

**School District:** Springdale school district was notified of this project but submitted no comments.

**Stormwater Pollution Prevention Plan (SWPPP):**

A SWPPP must be submitted for this site. The SWPPP must be reviewed by the City Engineer. If there are any corrections, they must be complete prior to Construction Plan approval.

**Police:**

Tontitown Police Chief had no concerns with the current plat proposal.

**Fire:**

There is an existing 8-inch waterline south on Klenc Road, near Oak Hills drive. The applicant plans to extend an 8-inch line from that connection point. This is the location of the nearest fire hydrant. It is shown to have static pressure of 92, residual pressure of 52, and 1007 gallons per minute available for fire flow.

The Fire Marshal has reviewed the placement of the proposed hydrants. Any additional comments from the Fire Marshal must be addressed prior to Construction Plan approval.

**Drainage:**

The applicant submitted a drainage report for review. This has been reviewed by the City Engineer, and there are several outstanding comments. All remaining comments must be addressed prior to Construction Plan approval.

**Roads:**

The project proposes to construct Wildcat Creek Blvd. along the southern property line according to the agreement made with the City (see attached). As detailed about, this street will be constructed to Local Street Standards instead of Collector Street Standards. Additionally, the applicant is proposing to pay a fee in lieu of completing street improvements to Klenc Road, a Collector. They are dedicated ROW for future improvements to Klenc Road.

Two entrances are shown to access Wildcat Creek Blvd, and one stub out is provided to the north. This stub out has been updated to show the required 50' of ROW for future street connections.

The interior streets are proposed to be constructed to be twenty-seven (27) feet from back of curb to back of curb. Based on the Tontitown Typical Street Sections, the proposed streets do not meet the standards to allow for on-street parking. No parking signs shall be required for both sides of all interior streets.

## **Planning:**

According to the Landscaping Code section 153.212, street trees are required on Local Street sections per the Typical Street Sections adopted with the Master Street Plan. However, there is a provision in (G)(2) that allows for adjustments to be made by the Planning Board in the case of residential subdivisions for situating driveways. The applicant is requesting to adjust the required street trees to be moved to the front yards of each lots, with one (1) tree per lot to be planted prior to Certificate of Occupancy (COO) being issued. Staff feels this adjustment is acceptable.

Additionally, more detail is needed on the landscape plan. While the individual trees do not need to be shown on each lot, a detailed plan showing landscaping details for the common areas, with the types of plant material, irrigation methods, installation methods, and types of fencing material for the perimeter fencing shall be shown on a landscape plan that is signed by a landscape professional. The plan that was submitted is not adequate. A complete landscape plan with details will be required prior to construction plan review for approval by City Staff.

Any signage requires a separate approval and shall conform to section 153.184. The applicant states that the location of the entrance signs have been shown, but it is unclear on the plat.

There are a few checklist items and plat clarification items that will need to be addressed and submitted prior to construction plan review.

The PUD description letter must be updated to reflect the PUD and preliminary plat approval including any variances or waivers that were approved or not. Additionally, the greenspace listed in this letter for interior street is stated to be four (4) inches, this is not correct based on the applicant's request, or the requirements of the City. This letter shall also list the actual proposed density, and not just state that it is less than the 8 units/acre allowed by the PUD code. The proposed construction phasing shall be detailed.

Planning staff requested a sketch of the proposed residences, and this has not been received. The draft covenants state that all residences constructed within Hickory Meadows shall be at least 1350 heated square feet, have a 6/12 roof pitch, a minimum two-car garage attached, and shall be 70% brick, stone, or fiber cement siding with the front of each residence being comprised of at least 50% masonry veneer. Vinyl siding is limited. Please see the attached Draft Covenants to review the full design requirements.

**STAFF RECOMMENDATION:** There are several outstanding items to be addressed, and adjustments may need to be made based on the status of the requested variances and waivers. However, none of the remaining comments should significantly impact the overall design of this proposed project.

Staff recommends APPROVAL of the Hickory Meadows Planned Unit Development (PUD) and Preliminary Plat with the following conditions.

1. For any variances or waivers that were not granted, the PUD and Preliminary Plat shall be updated to reflect the changes necessary for code compliance.
2. The Phasing construction plan shall be submitted in writing to the City for review.
3. Improvements for Wildcat Creek Blvd. shall be constructed per the agreement with the City.
4. The fee in lieu of improvements for Klenc Road (\$20,000) shall be paid by the developer prior

- to construction.
5. The fee in lieu of public park land dedication (\$73,750) shall be paid by the developer prior to construction.
  6. Any comments from the City Public Works Department for the water and sewer system shall be addressed prior to Construction Plan approval.
  7. Any additional coordination with the utilities servicing this property to place necessary utility easements shall occur prior to construction plan approval.
  8. The SWPPP shall be submitted for review and approval by the City Engineer. If there are any corrections, they shall be complete prior to Construction Plan approval.
  9. Any additional comments from the Fire Marshal shall be addressed prior to Construction Plan approval.
  10. See the attached comments from the City Engineer. Several outstanding comments remain for the drainage plans. All remaining comments shall be addressed prior to Construction Plan approval.
  11. No parking signs shall be required for both sides of all interior streets.
  12. A complete landscape plan with details shall be submitted prior to construction plan review for approval by City Staff. If there are any corrections, they shall be completed prior to Construction Plan approval.
  13. Any signage requires a separate approval and shall conform to section 153.184.
  14. Clarify the proposed location of the entrance signs on the plat.
  15. 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.
  16. The PUD description letter must be updated to reflect the PUD and preliminary plat approval including any variances or waivers that were approved or not.
  17. Additionally, the greenspace listed in this letter for interior streets is stated to be four (4) inches, this is not correct based on the applicant's request, or the requirements of the City. This shall be updated to reflect the approval.
  18. The PUD letter shall also list the actual proposed density, and not just state that it is less than the eight (8) units/acre allowed by the PUD code.
  19. The plat submitted states that "each new home must have a minimum 1300 heated and cooled veneer square feet". The Draft Covenants and PUD letter both state that the minimum heated/cooled space will be 1,350 square feet. This inconsistency shall be clarified, and all documents shall be reflective of the same minimum square footage.
  20. The proposed construction phasing shall be detailed.
  21. Any changes to the Draft Covenants shall be submitted for review and approval by City Planning Staff.
  22. The applicant must apply for all required permits prior to construction.
  23. Individual Certificates of Occupancy shall not be issued for residences until the required front yard tree is planted.