



CITY OF TONTITOWN PLANNING OFFICE

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

Meeting: **September 27, 2022**
Project: **Bariloche**
Planner: Courtney McNair, Garver

PUBLIC HEARING AND PLANNING COMMISSION AGENDA ITEM

PH 1, PC 1

PLANNED UNIT DEVELOPMENT AND PRELIMINARY SUBDIVISION PLAT APPROVAL REQUEST

Parcel #s: 830-37758-000 & 830-37758-001

PROJECT SUMMARY:

In July 2022, the applicant received unanimous Planning Commission approval showing a **total of 139 proposed lots, with 136 lots being single-family, 2 lots being for stormwater detention, and 1 lot being shown as common area for 3.4 units/acre.**

The applicant has **revised the request** and is now requesting a Planned Unit Development and Preliminary Subdivision Plat approval for **154 lots: 151 single-family, 2 detention, and 1 common area, on 40.13 acres.** The project is located on Klenc Road, approximately 3,300 feet south of Hwy. 412 / W. Henri de Tonti Blvd. This is approximately **3.8 units/acre.**

CURRENT ZONING: R-3 - Single-Family Residential - 9,600 square foot minimum lot size; provided density shall not exceed three (3) units/acre.

PUD Request to allow some lots to be less than 9,600 SF, and the overall density to be 3.8 units/acre.

CITY WARD: 3- Penny Baskin & Tim Buress

FLOODPLAIN: No

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
School District: Springdale

PROJECT SYNOPSIS:

The applicant is requesting a Planned Unit Development and Preliminary Subdivision Plat approval for the Bariloche Subdivision. The 40.13 acre property is located within the City limits of Tontitown, along the west side of Klenc Road, and approximately 3,300 feet south of Hwy. 412 / W. Henri de Tonti Blvd intersection. This property is owned by Infas Corporation, Inc. The applicant has submitted plans proposing to connect to the available stub out to the south, and will need to provide additional stub outs to the north as it is an undeveloped property. The site is currently undeveloped,

and is used primarily as pasture land.

Concurrent with this submittal, the applicant requested seven (7) waivers. **Five (5) of the initial seven (7) waivers were approved:**

WAIVER A: Waiver request from Chapter 90.400.2 to allow the subdivision roadway centerline radius to be reduced from 100 feet to 75 feet. **This waiver was unanimously approved at the July 26, 2022, Planning Commission meeting.**

WAIVER C: Waiver request from the Drainage Criteria Manual for the 0.4% minimum pipe slope (only where necessary) to 0.3% slope. **This waiver was unanimously approved at the July 26, 2022, Planning Commission meeting. The conditions were approved as listed in the staff report:**
CONDITIONS OF APPROVAL:

1. The Project Engineer shall submit a drainage report and plans for review by the City Engineer. All minimum capacity, HGL, and full-flow velocity requirements shall be met. If the minimums cannot be met with the requested waiver, then the applicant shall be required to increase the drop in order to meet these standards.

WAIVER E: AMENDED REQUEST: Waiver request from Chapter 90.900.2, to reduce the sidewalk width along Klenc Road from 6 feet to 5 feet along Lot 1 (south of the southern entrance, Lambrusco Drive). All other sidewalk along Klenc Road is to be constructed at the required 6 feet width. **This waiver was amended by the applicant at the meeting, and then unanimously approved at the July 26, 2022, Planning Commission meeting.**

WAIVER F: Waiver request from Chapter 90.400.4 to reduce the local street typical section from 29 feet back of curb (BOC) to 27 feet back of curb (BOC). **This waiver was approved at the July 26, 2022, Planning Commission meeting. Four (4) members voted in favor of the waiver; one (1) member voted against the waiver. The conditions were approved as listed in the staff report:**
CONDITIONS OF APPROVAL:

1. No parking is allowed on the street. No parking signage shall be installed by the developer.
2. The Project Engineer shall submit a drainage report and plans for review by the City Engineer. The inlet design shall be revised to meet the updated spread requirements.

WAIVER G: Waiver request from the Drainage Criteria Manual requirement for a 0.1' drop at inlets (only where necessary). **This project was unanimously approved at the July 26, 2022, Planning Commission meeting. The conditions were approved as listed in the staff report:**
CONDITIONS OF APPROVAL:

1. The Project Engineer shall submit a drainage report and plans for review by the City Engineer. All minimum capacity, HGL, and full-flow velocity requirements shall be met. If the minimums cannot be met with the requested waiver, then the applicant shall be required to increase the drop in order to meet these standards.

After the waivers were approved, the applicant then submitted additional revisions to the initial plans to increase the number of lots from 139 to 154 lots, with the increase due to proposing 15 additional single-family lots (from 136 to 151).

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 40.0 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 somewhat in conformance with the PUD standards. Five waivers have been requested and were approved 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 3.8 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). There are two (2) entrances proposed onto Klenc Road.**

(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 several comments remaining on the Preliminary Plat submittal.**

(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. **No phasing has been proposed.**

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. **No schedule has been proposed.**

PRELIMINARY PLAT

TECHNICAL INFORMATION:

Utilities:

Water: Tontitown Water- The applicant plans to connect to the existing waterline along Klenc Road. Internal waterlines are shown as 8-inch and 6-inch lines. Any additional coordination will go through the Public Works Director.

Electric: Ozark Electric Cooperative Corporation - No comments were received from OECC, however, the applicant has been in contact with OECC regarding the large easement at the west end of the property. They plan to use this area as part of the greenspace requirement. A dog park and walking trail are proposed here. Staff has stipulated that a formal agreement with OECC shall be required for the use of their easement as recreational space.

Sewer/Septic: Sewer- this project proposes to connect to the City of Tontitown sewer system. The design has been submitted and reviewed by the City Engineer. All additional corrections to the plan must be completed prior to construction plan approval. The City is extending sewer from Hwy. 412 along Klenc, and coordinating with applicant on a few of the manholes (MH) elevations for connection. MH coordinates do appear on the latest plan set.

The applicant is showing the required upgrade from 8" to a 12 along the southwest corner of property. Staff recommends that this easement be 20' wide and be placed between lot 32/33 or entirely on east line of 33, if that works better with the applicant's design. This easement will allow a connection for the future sewer that the City is planning. The latest revisions submitted by the applicant does show what appears to be the requested easement. However, Staff is asking that this easement be labeled and dimensioned on the plat to clearly identify its size and purpose.

The manhole A1 & B1 elevations look good, and the city will be installing these. The applicant has shown the necessary coordinates. The City water/sewer engineer to verify that he has received CAD files.

Phone: AT&T- No comments were received from ATT.

Natural Gas: Black Hills Energy- No comments were received from BHE.

Cable: Cox Communications- No comments were received from Cox.

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

School District: Springdale school district submitted no comments.

Stormwater Pollution Prevention Plan (SWPPP):

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

Police:

Tontitown Police had no concerns with the current plat proposal.

Fire:

Some waterlines within the subdivision are shown to be 6-inches in size, but all fire hydrants will be on 8-inch waterlines. Intersection street turning radii need to be a minimum of 28 feet. Revised plans show 25 feet, yet the applicant states in their Sept. 7th Cover Letter that this has in fact been changed to 28 feet. City Engineer and Fire Marshall to conduct follow-up review.

The Fire Marshal has reviewed the hydrant spacing, and find the proposed layout acceptable. All interior drives shall meet the required compaction rating to support emergency vehicles.

Drainage:

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

Additionally, plans and drainage updates have not been submitted in sync with one another and there are several inconsistencies between the two documents. One clear set of plans that reflect all changes in the drainage report is needed for review. Three of the approved waivers were approved with conditions that require additional engineering information to be submitted for review.

Streets:

This project has road connections to the existing stub out on Haley Road within the Hickory Meadows Subdivision, as well as one proposed stub out connection to the north. The stub out connection to the north is not satisfactory per code as it will create a block that exceeds the maximum of 1,500 feet in length. The applicant will need to provide an additional stub out connection to the north or request a waiver.

Two entrances onto Klenc Road are proposed. Klenc Road is to be widened to meet the Master Street Plan. Eastern tract boundary needs to be shifted from its current location at the centerline of Klenc Rd., westward to align with the Master Street Plan (MSP) planned ROW of 70', or 35' west from the street centerline. Further, plan should dimension and label area between eastern tract boundary and centerline of Klenc Rd. as 'Planned ROW / ROW dedication' with acreage provided.

The internal subdivision streets are designed at 27 feet from the back of curb (BOC) to back of curb (BOC), with a waiver being approved by the Planning Commission to allow this width in lieu of the local street standard of 29 feet BOC. As long as the spread calculations are revised, the City Engineer does not have a concern with the narrower street section as proposed. No parking signs shall be required on both sides of the street. More "no parking" signs shall be required than what are currently shown on the plans.

Planning:

There are a several checklist items and plat clarification items that will need to be addressed and resubmitted for staff review.

The PUD is proposing a gross density per acre of approximately 3.76 units / acre. Below is a comparison table showing portions of the zoning code, Appendix B – Minimum Dimension Standards, as it relates to the applicants last two submittals (7/18 and 8/18/2022).

PORTIONS OF APPENDIX B - MINIMUM DIMENSION STANDARDS: R-3 / BARILOCHE PUD PRELIMINARY PLAT SUBMITTALS

ZONE CLASSIFICATION	R-3	PUD	PUD
Category names	Single- Family Residential 3 units/acre	BARILOCHE PRELIM. PLAT 07/18/22 - 136 Res. Lots	BARILOCHE PRELIM. PLAT 08/18/22 - 151 Res. Lots
Density (units / gross. Acreage - 40.13 ac.)	3	3.38	3.76
Minimum lot size	9,600 sf	7,000 sf	6,500 sf (48% of lots)
Lot width min.	80'	70'	65'
Lot depth min.	120'	100'	100'
Front setback	30'	25'	25'
Side setback	7'	5'	5'
Street side setback	25'	25'	25'
Rear setback	25'	20'	20'

The PUD description letter has been updated to reflect the PUD and preliminary plat approval including those waivers that were approved during the July 26th Planning Commission meeting. Tract ‘C’ (1.82-acre walking trail / dog park) is still missing information on the type of fencing to be used along its north, south, and western boundary. A plan note has been added to the latest plat indicating that any existing barbed wire fence on this tract is not to be utilized as a means to enclose any portion of Tract ‘C’.

The “residential density requirements” portion of the PUD letter is confusing. Specifically, the applicant states the residential density is 3.8 homes per gross acre based on 151 homes. To be accurate, the residential density for the project is based on the number of residential units. In the case of the latest submittal, the unit count should be revised to a total of **151 units (154 total, less 2 detention lots, less 1 recreation / common lot)** on 40.13 acres.

The Park Fee shall be required as the applicant is not proposing to dedicate park land to the City. All signs will be permitted separately. The City shall confirm that this has been received by applicant prior to Final Plat approval.

As this is a PUD, the applicant is proposing setbacks as follows:

- 25 feet in the front of the lot.
- 20 feet in the rear of the lot, and
- 5 feet on the side of the lots.

Lot sizes range from 6,500 +/- SF to 12,300 +/- SF. The minimum lot size is proposed to be 6,500 SF.

The applicant is proposing that all homes be a minimum of 1,300 SF with a two-car garage. They propose using 70% brick, stone, or fiber cement siding (Hardiboard). Covenants will need to be provided that reflect the PUD description letter.

The landscape plan will need to be updated to meet Tontitown standards, and is required to be signed by a Landscape Professional. The Engineer of Record is not considered a Landscape Professional.

STAFF RECOMMENDATION: There are details that remain to be addressed that have the potential to modify the proposed layout.

As the Planning Commission approved this project in July with most of the same outstanding issues, staff recommends that the Planning Commission **approve** this project for the Bariloche Planned Unit Development and Preliminary Plat with conditions:

CONDITIONS RECOMMENDED FOR APPROVAL:

1. Hydrants shall be required to be connected by 8-inch lines. Currently the applicant is showing an 8-inch line that reduces to 6-inches to connect to the hydrants. This is not generally acceptable. The Public Works Director will need to review and approve these connections.
2. The PUD and Preliminary Plat shall be updated to reflect the changes necessary for code compliance based on the waivers and conditions of approval for those waivers.
3. The PUD description letter shall be updated to reflect changes and for clarity.
4. Covenants shall be required that reflect the PUD letter.
5. It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.
6. All additional water and sewer coordination shall be with the Public Works Director and City Engineer as necessary.
7. ~~A formal agreement with OECC shall be required for the use of their easement as recreational space.~~ Applicant has provided this information.
8. An additional easement is required to be dedicated for access to the southwest corner. This easement should be placed between lot 32/33 for sewer, and shall be a minimum of 20 feet wide. (The easement can be entirely on east line of 33 if that works better with the applicant's design). The Preliminary Plat shows this easement now, but it will need to be dimensioned and labeled.
9. The applicant shall provide the necessary coordinates for manholes A1 & B1, and shall provide the City Engineer with the CAD file.
10. All fire hydrants shall be placed on an 8-inch waterline. Hydrants appear to be connected to a six-inch (6") extension from the eight-inch (8") line. Fire Marshal to verify if this is acceptable.
11. Street radii shall be a minimum of 28 feet, the detail sheets are still currently shown as 25 feet.
12. Any additional comments from the Fire Marshal shall be addressed prior to Construction Plan approval.
13. One clear set of plans that reflect all plan changes in the drainage report is needed for review.
14. Correct all additional comments from the City Engineer prior to Construction Plan approval. Planning Staff will provide a copy of the remaining requirements to the engineer for the project.
15. 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.

16. No parking signs shall be required for both sides of all interior streets. The parking layout sheet indicates placement of "no parking" signage at the south stub-out connection and at both connections to Klenc road. Additional signage shall be required at the northern stub out that is shown on the plans, and the additional stub out that is required, as well as on every local street connection point and the westernmost section of Lambrusco Drive.
17. All interior drives shall meet the required compaction rating to support emergency vehicles.
18. The landscape plan shall meet Tontitown Standards, and shall be signed by a Landscape Professional, the Engineer of Record does not constitute a Landscape Professional.
19. The stub out connection to the north is not satisfactory per code as it will create a block that exceeds the maximum of 1,500 feet in length. The applicant shall provide an additional stub out connection to the north or request a waiver. The Cover Letter submitted by the applicant implies that since prior plans did not provide this, that it is not required, however, the requirement for an additional stub-out or a waiver was a condition of approval with the first submittal as well, and shall be addressed prior to moving forward with construction plan approval
20. Klenc Road is to be widened to meet the Master Street Plan requirements. The plans are still unclear as to the applicant's plan to improved Klenc Road.
21. Correct all remaining items on the "Plat Requirement Worksheet" and all remaining Planning Comments prior to Construction Plan approval. Planning Staff will provide a copy of the remaining requirements to the engineer for the project.
22. The fee in lieu of public park land dedication (\$34,000) shall be paid by the developer prior to construction.
23. Any signage requires a separate approval and shall conform to section 153.184. The current entrance signs appear to be on the property line, and will need to meet required setbacks.

PROCESS NOTES:

1. The applicant shall submit five (5) copies of the Preliminary Plat with all corrections completed for signatures.
2. Construction Plans shall be submitted for review prior to scheduling a Pre-Construction Meeting.
3. No construction may begin on site without an approved Grading Permit or approved Construction Plans.
4. Individual Certificates of Occupancy shall not be issued for residences until the required front yard tree is planted.
5. The applicant shall apply for all required permits prior to construction.
All required fees and invoices shall be paid

Site Location:

