



PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jonathan Curth, Senior Planner

DATE: ~~April 11, 2016~~ **UPDATED APRIL 12, 2016**

SUBJECT: **CUP 16-5378: Conditional Use (1291 S. SPRINGFIELD DR./RAUSCH COLEMAN HOMES, 555)** Submitted by RAUSCH COLEMAN HOMES for property located at 1291 S. SPRINGFIELD DR. The property is zoned RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE, and contains approximately 0.18 acres. The request is for temporary real estate offices in a model home during development of the Coves Ph. II subdivision.

RECOMMENDATION:
Staff recommends approval of **CUP 16-5378** with conditions.

BACKGROUND:
The subject property is located on the west side of South Springfield Drive, one lot north of West Alberta Street. Although the property is currently undeveloped with no structures present, the owner has submitted application for a residential building permit. The western boundary of the property abuts single-family housing and the municipal boundary of the City of Farmington. Access to the subject property is currently through the City of Farmington along North Holland Drive. Surrounding land use and zoning is depicted on *Table 1*.

Direction from Site	Land Use	Zoning
North	Undeveloped	RSF-8, Single-Family Residential
South	Undeveloped	RSF-8, Single-Family Residential
East	Undeveloped	RSF-8, Single-Family Residential
West	Single-Family (Farmington, AR)	R-1, Single-family Residential (Farmington, AR)

Table 1: Surrounding land use and zoning.

Future Land Use Designation: Residential Neighborhood Area

DISCUSSION:
Request: The current property owner is requesting approval of a conditional use permit to classify the garage of a proposed model house on the subject property as a sales center with the purpose of conducting real estate transactions. As noted in the applicant’s letter, the sales center will provide office space for one or two employees. The sales office will be converted back to the garage of the home upon completion of the Coves II development.

Public Comment: Staff has not received any public comment.

Recommendation: Staff recommends approval of **CUP 16-5378** with the following conditions of approval:

Conditions of Approval:

1. Upon completion of the last home in the Coves II development, this conditional use permit shall expire and the subject property's garage shall be converted into usable garage space for the associated residential dwelling.
2. As proposed by the applicant, hours of operation shall be limited to 10AM to 6PM Monday through Saturday, and Sunday from 1 PM to 6 PM. The business shall be limited to the size and operation as proposed by the applicant in their request letter.
3. A dumpster shall not be permitted on the property. Trash collection shall be by residential cart and recycling containers.
4. Parking for the model home shall be provided in the driveway and on-street. Off street parking on vacant or developing lots for this use shall not be permitted.

PLANNING COMMISSION ACTION:	Required	<u>YES</u>
Date: <u>April 11, 2016</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded Approved
Motion:	Hoffman; Motion to approve with all staff-recommended conditions.	
Second:	Hoskins	
Vote:	9-0-0	

FINDINGS OF THE STAFF

Section 163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.
2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or

4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

C. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: The applicant has submitted a written application requesting a conditional use permit for Use Unit 2, Temporary Facilities: Real Estate Sales Office.

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

Finding: The applicant has paid the required filing fee.

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:

(a.) That it is empowered under the section of this chapter described in the application to grant the conditional use; and

Finding: The Planning Commission is empowered under §161.09 to grant a conditional use permit for Use Unit 2.

(b.) That the granting of the conditional use will not adversely affect the public interest.

Finding: The proposed sales office will reside in the garage of a model home for the Coves II development. The model home will be architecturally consistent in size, scale, and appearance with the proposed surrounding properties and is unlikely to adversely affect the public or adjacent property owners in staff opinion.

(c.) The Planning Commission shall certify:

(1.) Compliance with the specific rules governing individual conditional uses; and

Finding: There are no specific rules governing this conditional use.

2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

(a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience,

traffic flow and control and access in case of fire or catastrophe;

Finding: The subject property will have direct access to South Springfield Drive. The proposed low-volume office use of the property should not generate traffic volumes that will adversely affect traffic flow or safety. Five-foot sidewalks are indicated on the site plan for the subject property, facilitating pedestrian movement separate from automotive traffic for both future residents and prospective buyers. The applicant initially proposed using an adjacent vacant lot for gravel parking for this use but staff does not recommend this as a long term solution, and the applicant discussed with staff that parking could be provided in the driveway and on-street.

(b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

Finding: Parking will be accommodated by the subject property's driveway and in Springfield Drive adjacent to the site.

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading,

Finding: The applicant intends to use residential refuse carts for disposal.

(d.) Utilities, with reference to locations, availability, and compatibility;

Finding: Utilities easements are indicated in the site plan, and will be reviewed in detail at the time of the development.

(e.) Screening and buffering with reference to type, dimensions, and character;

Finding: No screening and buffering is being proposed or recommended based on the low-intensity land use proposed.

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: Signage will be permitted in accordance with Chapter 174.

(g.) Required setbacks and other open space; and

Finding: Building setbacks are indicated as required for a residential structure in an RSF-8 zoning district.

- (h.) General compatibility with adjacent properties and other property in the district.

Finding: The proposed conditional use will be located in a model home that is representative of the architectural stylings and characteristics of adjacent homes. It is staff's opinion that the proposed real estate office will be compatible with the forthcoming neighborhood and its proposed buildings. The low intensity use of this as a model home should be compatible with the surrounding neighborhood as it develops.

BUDGET/STAFF IMPACT:

None.

Attachments:

- UDC 161.09, RSF-8 Zoning District
- Applicant's letter
- Site plan
- Proposed elevations and floor plan
- Overview map

161.09 District RSF-8, Residential Single-Family – 8 Units Per Acre

(A) *Purpose.* The RSF-8 Residential District is designed to bring historic platted development into conformity and to allow for the development of new single family residential areas with similar lot size, density, and land use as the historical neighborhoods in the downtown area.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(C) *Density.*

	By Right
Single-family dwelling units per acre	8 or less

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single-family	50 ft.
Two-family	50 ft.
Townhouse, no more than two attached	25 ft.

(2) *Lot area minimum.*

Single-family	5,000 sq. ft.
Two-family	5,000 sq. ft.

(3) *Land area per dwelling unit.*

Single-family	5,000 sq. ft.
Two-family	5,000 sq. ft.
Townhouse, no more than two attached	2,500 sq. ft.

(E) *Setback requirements.*

Front	Side	Rear
15 ft.	5 ft.	5 ft.

(F) *Height regulations.*

Building Height Maximum	45 ft.
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(G) *Building area.* The area occupied by all buildings shall not exceed 50% of the total lot area, except when a detached garage exists or is proposed; then the area occupied by all buildings shall not exceed 60% of the total lot area.

(Ord. 4783, 10-18-05; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5224, 3-3-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11)