

City of Fayetteville Staff Review Form

2019-0932

Legistar File ID

1/7/2019

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Garner Stoll

12/20/2019

CITY PLANNING (630)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ADM 19-6927: Administrative Item (NE OF N. CROSS AVE. & W. MARKHAM RD./MARKHAM HILL PZD AMEND., 481): Submitted by ECOLOGICAL DESIGN GROUP for properties located NE of N. Cross Ave. & W. Markham Rd. The property is zoned C-PZD, COMMERCIAL PLANNED ZONING DISTRICT per Ordinance 6096, and contains 7.71 acres. The request is to amend the PZD to change the front setbacks for PZD Planning Area 2.

Budget Impact:

| | |
|--|--|
| Account Number | Fund |
| Project Number | Project Title |
| Budgeted Item? <u>NA</u> | Current Budget \$ - |
| | Funds Obligated \$ - |
| | Current Balance \$ - |
| Does item have a cost? <u>No</u> | Item Cost |
| Budget Adjustment Attached? <u>NA</u> | Budget Adjustment |
| | Remaining Budget \$ - |

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF JANUARY 7, 2019

TO: Mayor; Fayetteville City Council

THRU: Don Marr, Chief of Staff
Garner Stoll, Development Services Director
Andrew Garner, Planning Director

FROM: Jonathan Curth, Senior Planner

DATE: December 20, 2019

SUBJECT: **ADM 19-6927: Administrative Item (NE OF N. CROSS AVE. & W. MARKHAM RD./MARKHAM HILL PZD AMEND., 481):** Submitted by ECOLOGICAL DESIGN GROUP for properties located NE of N. Cross Ave. & W. Markham Rd. The property is zoned C-PZD, COMMERCIAL PLANNED ZONING DISTRICT per Ordinance 6096, and contains 7.71 acres. The request is to amend the PZD to change the front setbacks for PZD Planning Area 2.

RECOMMENDATION:

The Planning Commission and staff recommend approval of an ordinance to amend the Pratt Place Inn Commercial Planned Zoning District (C-PZD), reducing the required front setbacks within Planning Area 2, Tract 2 along Cross Avenue, as shown in the attached Exhibits 'A' and 'B', and with the following conditions of approval:

1. All conditions of approval from the previously-approved Pratt Place Inn C-PZD 05-1670 apply;
2. Approval of this C-PZD modification does not grant development approval for the property. The proposed preliminary plat will be required to be reviewed for compliance with the Unified Development Code as a part of the standard review process; and
3. The attached zoning requirements will be in addition to all previous regulations on the subject property.

BACKGROUND:

The subject property is located at the northeast corner of Markham Road and Cross Avenue. As Planning Area 2- Tract 2 of the Pratt Place Inn Commercial Planned Zoning District (C-PZD 05-1670), the property includes approximately 7.71 acres of the larger 24.06 acre CPZD. The subject property is currently undeveloped with direct access to both Cross Avenue and Markham Road. Neither street is improved with curb and gutter along the property's frontage, but a sidewalk is present along Cross Avenue. In 2018, the City Council amended C-PZD 05-1670 to allow event space, restaurant and commercial space, accommodation for 80 guests, and 43 dwellings, as shown in Exhibit 'C'.

Request: The applicant submitted a preliminary plat (PPL 19-6861) that includes developing Planning Area 2 – Tract 2 of the Pratt Place C-PZD with nine single-family lots. During development review, staff and the applicant identified conflicts between required right-of-way dedication and the anticipated front property line and corresponding setback of Lots 6-9 fronting Cross Avenue. Accordingly, the applicant has requested an amendment to the approved C-PZD 05-1670 to reduce the front setbacks from 20-foot to 15-foot for Lots 6-9 along Cross Avenue.

Land Use Compatibility and Land Use Plan Analysis:

As a part of the 2018 amendment to C-PZD 05-1670, the applicant included 20-foot landscape buffers along Markham Road and 20-foot setbacks throughout Planning Area 2. The intent of this is to promote lot layouts that allow dwellings to be “nestled” within tree canopy and respectful of the existing neighborhood context. Provided the proposed layout of Lots 6-9, with no significant trees present or proposed for removal, and given the existing RSF-4 zoning district and its associated 15-foot front setback throughout the larger area, staff finds the proposed 15-foot setbacks along Cross Avenue to be both consistent with the 2018 C-PZD amendment and compatible with surrounding land uses.

DISCUSSION:

On December 9, 2019, the Planning Commission heard both the subject PZD amendment request and an associated preliminary plat proposal. Although the plat was tabled to afford the applicant time to provide additional detail, the PZD amendment was forwarded to City Council with a recommendation for approval by a vote of 6-0-0. Public comment was made in opposition to the paired requests regarding removal of street trees on Cross Avenue, loss of site tree canopy, damage to potential archeological sites, and exacerbation of existing cut-through traffic and stormwater runoff. Additionally, several members of the public encouraged the applicant to sell the overall property to a conservationist.

BUDGET/STAFF IMPACT:

N/A

Attachments:

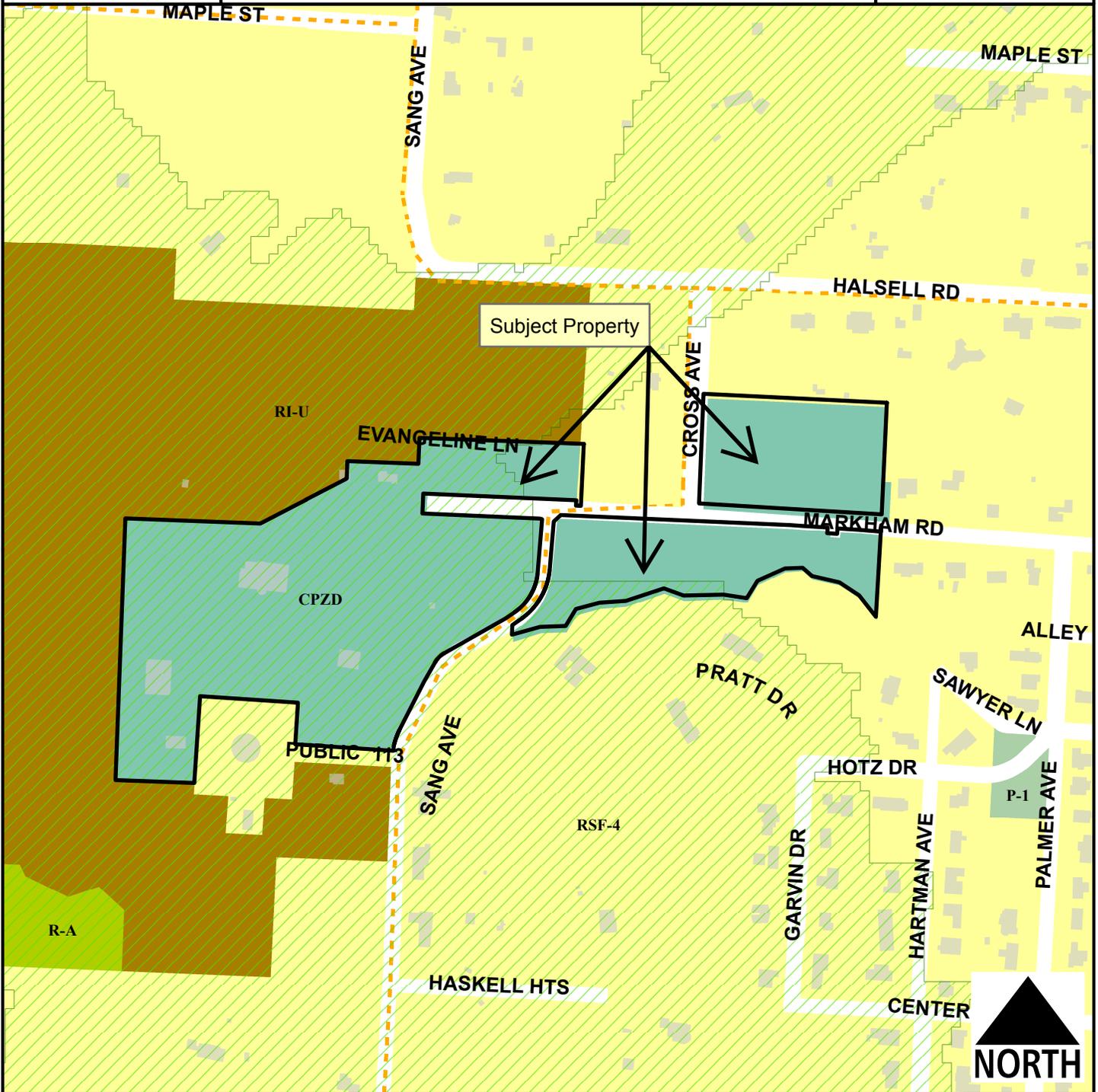
- Exhibit A
- Exhibit B
- Exhibit C
- Planning Commission Staff Report
- Public Comment

ADM19-6927

MARKHAM HILL PZD

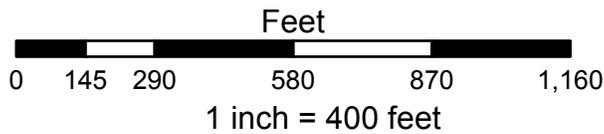
19-6927
EXHIBIT 'A'

Close Up View



Legend

- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Building Footprint



- Residential-Agricultural
- RSF-4
- RI-U
- Commercial, Industrial, Residential
- P-1

19-6927
Exhibit 'B'

Lot 1 PZD Zoning Area:

Part of the Northeast Quarter Northwest Quarter (NE1/4 NW1/4) of Section 17, Township 16 North, Range 30 West, of the Fifth Principal Meridian, Washington County, Arkansas, being more particularly described as follows:

COMMENCING at the Southeast Corner of said Northeast Quarter Northwest Quarter (NE1/4 NW1/4) of Section 17, from which the Northwest Corner of said Section 17 bears North 86°59'32" West 2,638.29 feet and North 02°44'08" East 1,323.96 feet; thence by bearing and distance (basis of bearing, Grid North), North 02°36'14" East along the east line of said Northeast Quarter Northwest Quarter (NE1/4 NW1/4) a distance of 30.20 feet to the POINT OF BEGINNING; thence North 86°31'48" West a distance of 503.04 feet; thence North 02°18'48" East a distance of 301.41 feet; thence South 87°15'09" East a distance of 504.51 feet to said east line of the Northeast Quarter Northwest Quarter (NE1/4 NW1/4); thence South 02°36'14" West along said east line a distance of 307.75 feet to the Point of Beginning.

And,

Part of the Southeast Quarter Northwest Quarter (SE1/4 NW1/4) of Section 17, Township 16 North, Range 30 West, of the Fifth Principal Meridian, Washington County, Arkansas, being more particularly described as follows:

COMMENCING at the Northeast Corner of said Southeast Quarter Northwest Quarter (SE1/4 NW1/4) of Section 17, from which the Northwest Corner of Section 17 bears North 86°59'32" West 2,638.29 feet and North 02°44'08" East 1,323.96 feet; thence by bearing and distance (basis of bearing, Grid North), South 03°21'58" West along the east line of said Southeast Quarter Northwest Quarter (SE1/4 NW1/4) a distance of 17.02 feet to the POINT OF BEGINNING; thence South 03°21'58" West continuing along said east line a distance of 235.32 feet to the northeast corner of Pratt Woods Addition; thence along the north line of said Pratt Woods Addition the following courses (bearing and distance),
North 38°01'02" West 75.08 feet, North 56°21'45" West 64.85 feet,
North 77°14'38" West 77.13 feet, North 47°45'03" West 34.56 feet,
South 87°35'52" West 48.85 feet, South 65°40'41" West 82.89 feet,
South 31°41'49" West 56.24 feet, North 81°21'40" West 64.07 feet,
South 88°43'17" West 110.16 feet, North 69°31'37" West 57.76 feet,
South 71°41'20" West 110.51 feet, South 85°52'08" West 72.06 feet,
South 75°29'21" West 67.51 feet, South 30°51'01" West 54.77 feet,
South 88°22'32" West 70.39 feet; thence South 74°13'35" West a distance of 80.54 feet to the northwest corner of said Pratt Woods Addition; thence North 03°30'20" East a distance of 26.67 feet; thence North 54°51'06" East a distance of 29.59 feet; thence 162.69 feet along the arc of a curve to the left, said curve having a radius of 186.00 feet and being subtended by a

chord bearing and distance of North 29°47'38" East 157.55 feet; thence North 04°44'09" East a distance of 131.77 feet; thence North 47°00'04" East a distance of 26.18 feet; thence South 87°29'43" East a distance of 632.00 feet; thence South 85°07'15" East a distance of 35.01 feet; thence South 87°02'23" East a distance of 40.59 feet; thence South 85°36'21" East a distance of 27.70 feet; thence South 04°23'39" West a distance of 15.00 feet; thence South 85°36'21" East a distance of 26.81 feet; thence North 04°23'39" East a distance of 15.00 feet; thence South 86°19'40" East a distance of 57.72 feet; thence South 85°20'04" East a distance of 61.72 feet to the Point of Beginning.

And,

Part of the Northwest Quarter (NW1/4) of Section 17, Township 16 North, Range 30 West, of the Fifth Principal Meridian, Washington County, Arkansas, being more particularly described as follows:

COMMENCING at the Northwest Corner of said Section 17; thence by bearing and distance (basis of bearing, Grid North), South 02°44'08" West along the west line of said Northwest Quarter a distance of 1,323.96 feet; thence leaving said west line, South 86°59'32" East a distance of 1,047.48 feet to the POINT OF BEGINNING; thence North 62°30'11" East a distance of 126.36 feet; thence North 02°09'11" East a distance of 47.75 feet; thence South 87°50'49" East a distance of 195.58 feet; thence North 02°09'11" East a distance of 71.62 feet; thence South 87°50'49" East a distance of 451.98 feet; thence South 02°41'24" West a distance of 170.44 feet; thence North 87°29'43" West a distance of 13.27 feet; thence North 03°41'14" East a distance of 15.00 feet; thence North 87°29'43" West a distance of 421.02 feet; thence South 02°39'13" West a distance of 55.00 feet; thence South 87°29'43" East a distance of 324.06 feet; thence South 74°44'01" East a distance of 5.87 feet; thence South 04°44'09" West a distance of 147.60 feet; thence 127.70 feet along the arc of a curve to the right, said curve having a radius of 146.00 feet and being subtended by a chord bearing and distance of South 29°47'38" West 123.67 feet; thence South 54°51'06" West a distance of 31.42 feet; thence South 60°32'58" West a distance of 194.43 feet; thence 38.00 feet along the arc of a curve to the left, said curve having a radius of 70.00 feet and being subtended by a chord bearing and distance of South 44°59'52" West a distance of 37.54 feet; thence South 29°26'56" West a distance of 57.77 feet; thence South 27°10'58" West a distance of 149.30 feet; thence 48.15 feet along the arc of a curve to the left, said curve having a radius of 224.40 feet and being subtended by a chord bearing and distance of South 19°52'09" West 48.06 feet; thence South 02°46'58" West a distance of 14.26 feet; thence North 86°14'11" West a distance of 270.55 feet; thence North 03°45'49" East a distance of 115.00 feet; thence North 86°14'11" West a distance of 270.00 feet; thence South 03°45'49" West a distance of 239.11 feet; thence North 87°50'49" West a distance of 217.06 feet; thence North 02°09'11" East a distance of 720.20 feet; thence South 87°50'49" East a distance of 371.33 feet; thence North 62°30'11" East a distance of 141.46 feet to the Point of Beginning.



113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Ordinance: 6096

File Number: 2018-0483

C-PZD 18-6318 (2231 W. MARKHAM RD./PRATT PLACE INN & BARN):

AN ORDINANCE TO APPROVE A COMMERCIAL PLANNED ZONING DISTRICT ENTITLED C-PZD 18-6318 FOR PROPERTY LOCATED AT 2231 WEST MARKHAM ROAD REDUCING THE EXISTING 68.99 ACRE COMMERCIAL PLANNED ZONING DISTRICT TO 24.06 ACRES WHILE RETAINING THE EXISTING USES, AND ADDING UP TO 5,000 SQUARE FEET OF EVENT SPACE, 12,000 SQUARE FEET OF RESTAURANT OR COMMERCIAL SPACE, 80 HOTEL ROOMS, AND 43 DWELLING UNITS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves C-PZD 18-6318 as described in Exhibits 'A' and 'B' and 'C' attached to the Planning Division's Agenda Memo which reduces the existing 68.99-acre Commercial Planned Zoning District to 24.06 acres while retaining the existing uses, and adding up to 5,000 square feet of event space, 12,000 square feet of restaurant or commercial space, 80 hotel rooms, and 43 dwelling units.

Section 2: This C-PZD approval is subject to the following conditions:

1. Approval of this PZD does not imply compliance with city development or fire codes, grant approval of any development variance, or guarantee that it is feasible to develop to the maximum intensity and density of the proposed C-PZD and comply with all codes. Review for compliance with all applicable development codes will be required at each stage of development.
2. A new street connection will be required to accommodate the volumes of traffic associated with this development, as depicted on Plat 2b. Construction of the street shall be determined at the time of development.

3. A traffic study will be required with the first phase of development to fully evaluate on and off-site traffic impacts and public improvements necessary to mitigate impacts to a surrounding street network affected by project traffic including streets such as Markham Road, Cross Avenue, Halsell Road and Sang Avenue.

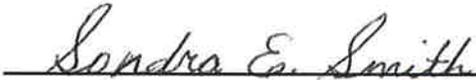
Section 3: That the official zoning map of the City of Fayetteville, Arkansas is hereby approved to reflect the zoning criteria change provided in Section 1 above.

PASSED and APPROVED on 10/2/2018

Approved:


Lioneld Jordan, Mayor

Attest:


Sondra E. Smith, City Clerk Treasurer





TO: Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jonathan Curth, Senior Planner

MEETING DATE: December 9, 2019 (**Updated with Planning Commission Results**)

SUBJECT: **ADM 19-6927: Administrative Item (NE OF N. CROSS AVE. & W. MARKHAM RD./MARKHAM HILL PZD AMEND., 481):** Submitted by ECOLOGICAL DESIGN GROUP for properties located NE of N. Cross Ave. & W. Markham Rd. The property is zoned C-PZD, COMMERCIAL PLANNED ZONING DISTRICT and contains 7.71 acres. The request is to amend the PZD to change the front setbacks for PZD Planning Area 2.

RECOMMENDATION:

Staff recommends forwarding **ADM 19-6927** to the City Council with a recommendation for approval.

RECOMMENDED MOTION:

"I move to forward **ADM 19-6927**, with conditions as recommended by staff."

BACKGROUND:

The subject property is located at the northeast corner of Markham Road and Cross Avenue. As Planning Area 2- Tract 2 of the Pratt Place Inn Commercial Planned Zoning District (C-PZD 05-1670), the property includes approximately 7.71 acres of the larger 119 acre CPZD. The subject property is currently undeveloped with direct access to both Cross Avenue and Markham Road. Neither street is improved with curb and gutter along the property's frontage, but a sidewalk is present along Cross Avenue. In 2018, the City Council amended C-PZD 05-1670 to allow event space, restaurant and commercial space, accommodation for 80 guests, and 43 dwellings. The surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use/Zoning

| Direction from Site | Land Use | Zoning |
|----------------------------|---------------------------|----------------------------------|
| North | Single-family Residential | RSF-4, Residential Single-family |
| South | Undeveloped | Pratt Place C-PZD |
| East | Undeveloped | RSF-4, Residential Single-family |
| West | Single-family Residential | RSF-4, Residential Single-family |

Request: The applicant submitted a preliminary plat (PPL 19-6861) that includes developing Planning Area 2 – Tract 2 of the Pratt Place C-PZD with nine single-family lots. During development review, staff and the applicant identified conflicts between required right-of-way dedication and the anticipated front property line and corresponding setback of Lots 6-9 fronting Cross Avenue. Accordingly, the applicant has requested an amendment to the approved C-PZD

05-1670 to reduce the front setbacks from 20-foot to 15-foot for Lots 6-9 along Cross Avenue.

Public Comment: Staff has received public inquiries but no statements of support or opposition regarding this request.

DISCUSSION:

As a part of the 2018 amendment to C-PZD 05-1670, the applicant included 20-foot landscape buffers along Markham Road and 20-foot setbacks throughout Planning Area 2. The intent of this is to promote lot layouts that allow dwellings to be “nestled” within tree canopy and respectful of the existing neighborhood context. Provided the proposed layout of Lots 6-9, with no significant trees present or proposed for removal (see attached; as defined as trees of 18-inch diameter or less), and given the existing RSF-4 zoning district and its associated 15-foot front setback throughout the larger area staff finds the proposed 15-foot setbacks along Cross Avenue to be both consistent with the 2018 C-PZD amendment and compatible with surrounding land uses.

RECOMMENDATION: Planning staff recommends forwarding **ADM 19-6927** to the City Council with a recommendation of approval with conditions.

Conditions of Approval:

1. All conditions of approval from the previously-approved Pratt Place Inn C-PZD 05-1670 apply;
2. Approval of this C-PZD modification does not grant development approval for the property. The proposed preliminary plat will be required to be reviewed for compliance with the Unified Development Code as a part of the standard review process; and
3. The attached zoning requirements will be in addition to all previous regulations on the subject property.

| |
|---|
| PLANNING COMMISSION ACTION: Required <u>YES</u> |
| Date: <u>December 9, 2019</u> <input type="checkbox"/> Tabled <input checked="" type="checkbox"/> Forwarded <input type="checkbox"/> Denied |
| Motion: Porter, with a recommendation of approval and conditions recommended by staff. |
| Second: Johnson |
| Vote: 6-0-0 |

BUDGET/STAFF IMPACT:

None

Attachments:

- Request Letter
- Proposed PZD Amendment
- Applicant Exhibit
- Tree Survey (PPL 19-6927)
- One Mile Map
- Close-up Map
- Current Land Use Map

ADM 19-6727
**Request
Letter**

SPECIALIZED REAL
ESTATE
GROUP

City of Fayetteville

Development Services
125 W. Mountain Street
Fayetteville, AR 72701
479.535.8233

APPLICATION: PZD Zoning Change – ADMIN ITEM
PROJECT #: PPL # 19-6861
PROJECT NAME: Markham Hill PZD Planning Area 2 Fayetteville, AR 72701
DEVELOPER: Specialized Real Estate Group, 15 N Church Ave., #103,
Fayetteville, AR 72701
Lawrence Finn 404.931.8426 (lawrence@specializedreg.com)

Description

Markham Hill Residential Owners LLC (hereinafter “MHRO”) would like to amend the original 2018 PZD to change the front yard setback requirement from 20’ (twenty feet) to 15’ (fifteen feet) only along the lots facing Cross Avenue. All the lots proposed to be subdivided along Cross Avenue have a steep front to back grade change (+/- 12%). The intention of the master plan was to provide rear alley garages rather than having the garages along the front of the lots. By allowing a reduction in the front yard setback from 20’ to 15’ (similar to RSF-4) the homes can be pulled closer to address the street. The additional 5’ in the rear will allow MHRO to provide the necessary grade change to allow sufficient vehicular turning to access to the garages

Attachments:

Administration Item Application
PZD Zoning Criteria table
PZD Zoning and Development Standards by Planning Area

Sincerely,



Lawrence Finn
Vice President Development and Construction
Specialized Real Estate Group | 479-439-8650 | lawfinn@specializedreg.com



C-PZD Amendment**Planning Area 1 Zoning Criteria: Hospitality and Mixed-Use Area**

(A) *Purpose.* The regulations of Planning Area 1 are designed to permit and encourage a range of hospitality/event space and a mix of light commercial and residential use reflecting the character of the historic Pratt Place Inn, barn, cabins, cottage and grounds, natural features and rural atmosphere.

(B) *Uses.*

(1) *Permitted uses.*

| | |
|---------|--|
| Unit 1 | City-wide uses by right |
| Unit 2 | City-wide uses by conditional use permit* <i>*maximum 2 special events per year, such as Roots Festival*maximum 2 special events per year, such as Roots Festival meeting the following: 1. no more than 1,500 people in attendance; 2. event to be limited to 2 days or less per festival; 3. hours of event shall not exceed 10:00am to 10:30pm; 4. noise limits will be less than the City noise ordinance requirements; 5. All parking will be off-street parking</i> |
| Unit 4 | Cultural and recreational facilities* <i>*Uses limited to wedding *Uses limited to wedding receptions or other scheduled private events and are related to the overall Pratt Place Inn business. A maximum of 36 events per year with 300 people or more. Outdoor amplified music prohibited without a conditional use permit</i> |
| Unit 6 | Agriculture* <i>*Not permitted: commercial chicken farms, hog farms, or feed lots</i> |
| Unit 7 | Animal husbandry* <i>*Not permitted: animal hospitals, shipping of livestock, rifle range, rodeo ground</i> |
| Unit 8 | Single family dwellings |
| Unit 13 | Eating places* <i>*Use Units 13, 15, and 25 shall not exceed 12,000 SF as stated in the PZD booklet</i> |
| Unit 14 | Hotel, motel and amusement facilities* <i>*Unit 14 uses shall include accessory uses, conferences, retreats, and small gatherings</i> |
| Unit 15 | Neighborhood shopping goods* <i>*Use Units 13, 15, and 25 shall not exceed 12,000 SF as stated in the PZD booklet</i> |
| Unit 25 | Offices, studios, and related services* <i>*Use Units 13, 15, and 25 shall not exceed 12,000 SF as stated in the PZD booklet. Uses not permitted: auto parking garage, bail bonding agency, and funeral home</i> |
| Unit 35 | Outdoor music establishments* <i>*maximum 2 special events per year, such as Roots Festival*maximum 2 special events per year, such as Roots Festival meeting the following: 1. no more than 1,500 people in attendance; 2. event to be limited to 2 days or less per festival; 3. hours of event shall not exceed 10:00am to 10:30pm; 4. noise limits will be less than the City noise ordinance requirements; 5. All parking will be off-street parking Any additional special events will be subject to Planning Commission review</i> |

(2) *Conditional uses.*

| | |
|---------|--|
| Unit 2 | City-wide uses by conditional use permit |
| Unit 4 | Cultural and recreational facilities |
| Unit 24 | Home occupations |
| Unit 35 | Outdoor music establishments |

(C) Residential Density and Non-residential Intensity

(1) *Residential Density.*

| | |
|---------------------|---|
| Acreage | 16.34 acres |
| Maximum # dwellings | 24 dwellings** <i>**The total unit count at any given time shall not exceed a total of 104 new hotel suites, cabins, or single family homes.</i> |
| Units per acre | 1.5 units per acre |

(2) *Non-residential Intensity.*

| | |
|-----------------------------|--|
| Acreage | 16.34 acres |
| Non-residential square feet | 85,890 square feet Existing Inn: 18,900 square feet (7 guest rooms) Existing Barn: 6,300 square feet Existing Cabin: 2,040 square feet Existing Cottage: 2,250 square feet |

| | |
|----------------------|---|
| | Existing Storage Barn: 1,400 square feet Proposed Meeting/Conference Space: 5,000 square feet Proposed Retail/Restaurant/Office: 12,000 square feet Proposed Hotel: 38,000 square feet (80 guest rooms)** Proposed Short-term rental cabins: 24** **The total unit count at any given time shall not exceed a total of 104 new hotel suites, cabins, or single family homes. |
| Square feet per acre | 5,250 square feet per acre |

(D) Bulk and area regulations.

| | |
|-----------------------------|-------------------------|
| | Single-family dwellings |
| Lot minimum width | 50 ft. |
| Lot area minimum | 6,000 sq. ft. |
| Land area per dwelling unit | 6,000 sq. ft. |

(E) Setback requirements.

| | | |
|--------|-------|---|
| Front | Side | Rear |
| 20 ft. | 5 ft. | 15 ft. without an alley/rear private drive |
| | | 15 ft. to centerline of alley/rear private drive when present |

(F) Building height regulations.

| | |
|-------------------------|-----------|
| Building Height Maximum | 3 stories |
|-------------------------|-----------|

(G) Building area. None

(H) Landscaping. A 20'-0" landscape buffer shall be provided along the west side of Sang Avenue.

All other landscaping shall be in accordance with Fayetteville Unified Development Code.

(I) Parking. In accordance with Fayetteville Unified Development Code.

(J) Architectural Design Standards. See PZD booklet for architectural materials and example building photos.

(K) Signage. All signage will meet requirements within the Fayetteville Unified Development Code under C, I, DG, MSC, DC, CS, P-1, and UT Districts.

Planning Area 2 Zoning Criteria: Residential Area

(A) Purpose. The regulations of Planning Area 2 are designed to permit and encourage the development of detached dwellings providing appropriate transition from the Pratt Place Inn site into the surrounding neighborhood.

(B) Uses.

(1) Permitted uses.

| | |
|---------|--|
| Unit 1 | City-wide uses by right |
| Unit 8 | Single-family dwellings |
| Unit 41 | Accessory dwellings* |
| | *Accessory dwelling units limited to north side of Markham Road only |

(3) Conditional uses.

| | |
|--------|--|
| Unit 2 | City-wide uses by conditional use permit |
| Unit 3 | Public protection and utility facilities |

(C) Density

| | |
|---------------------|--------------------|
| Acreage | 7.71 acres |
| Maximum # dwellings | 19 dwellings |
| Units per acre | 2.5 units per acre |

(D) Bulk and area regulations.

| | |
|-----------------------------|-------------------------|
| | Single-family dwellings |
| Lot minimum width | 50 ft. |
| Lot area minimum | 6,000 sq. ft. |
| Land area per dwelling unit | 6,000 sq. ft. |

Change the front yard setbacks to 15' at Cross Ave lots only

(E) Setback requirements.

| | | |
|--------|-------|---|
| Front | Side | Rear |
| 20 ft. | 5 ft. | 15 ft. without an alley/rear private drive |
| | | 15 ft. to centerline of alley/rear private drive when present |

(F) Building height regulations.

| | |
|-------------------------|-----------|
| Building Height Maximum | 3 stories |
|-------------------------|-----------|

(G) Building area. None

(H) Landscaping. A 20'-0" landscape buffer will be provided along both sides of Markham Road.

A 50'-0" landscape buffer will be provided along the north edge of Tract 1.

A minimum of 25'-0" landscape buffer will be provided along the south side of Tract 2.

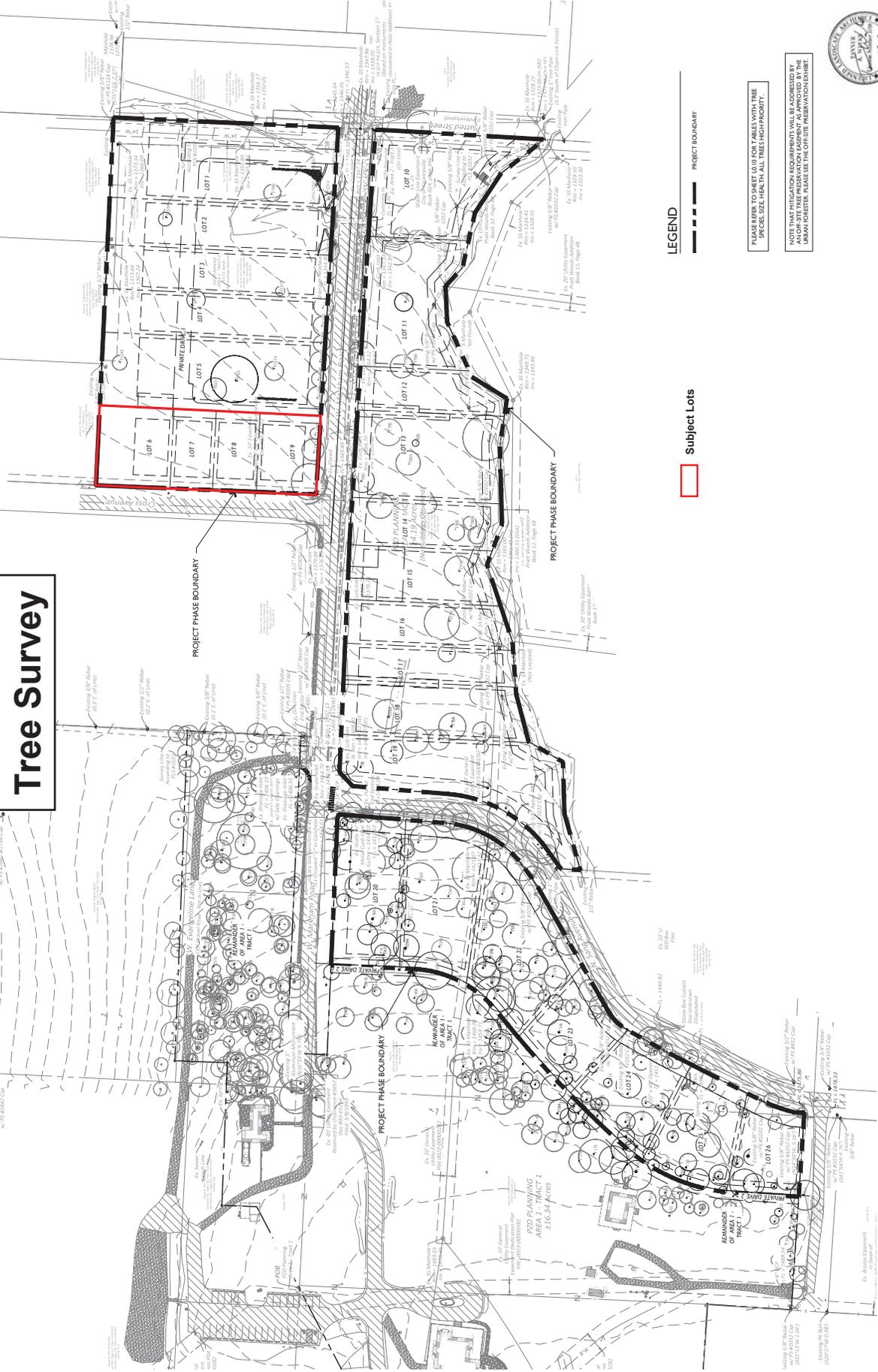
All other landscaping shall be in accordance with Fayetteville Unified Development Code.

(I) Parking. In accordance with Fayetteville Unified Development Code.

(J) Architectural Design Standards. See PZD booklet for architectural materials and example building photos.

(K) Signage. All signage will meet requirements within the Fayetteville Unified Development Code under RSF and RT Districts

ADM 19-6727 Tree Survey



LEGEND

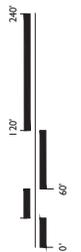
--- PROJECT BOUNDARY

■ Subject Lots

NOTES THAT MITIGATION REQUIREMENTS WILL BE ADDRESSED BY AN ON-SITE TREE PRESERVATION AGREEMENT AS APPROVED BY THE URBAN FORESTER. PLEASE SEE THE OPPOSITE PRESERVATION EXHIBIT.

PLEASE REFER TO SHEET 1.0 FOR TABLES WITH TREE SPECIES, SIZE, HEALTH, ALL TREES HIGH PRIORITY.

1 TREE INVENTORY



SCALE: 1" = 60' 0"



| |
|---------------------------|
| EDGE PROJECT # 19-020 |
| TREE PRESERVATION PLAN |
| ISSUE DATE 10.23.2019 |
| SHEET NO. L0.00 |

| |
|-------------------------|
| NOT FOR CONSTRUCTION |
| 100% DESIGN DEVELOPMENT |
| REVISIONS |

PRELIMINARY PLAT - MARKHAM HILL - PHASE 1

Tract 2, Tract 3, and portions of Tract 1 Markham Hill Rd. & Sang Ave. Fayetteville, AR
PPL # 19-6861

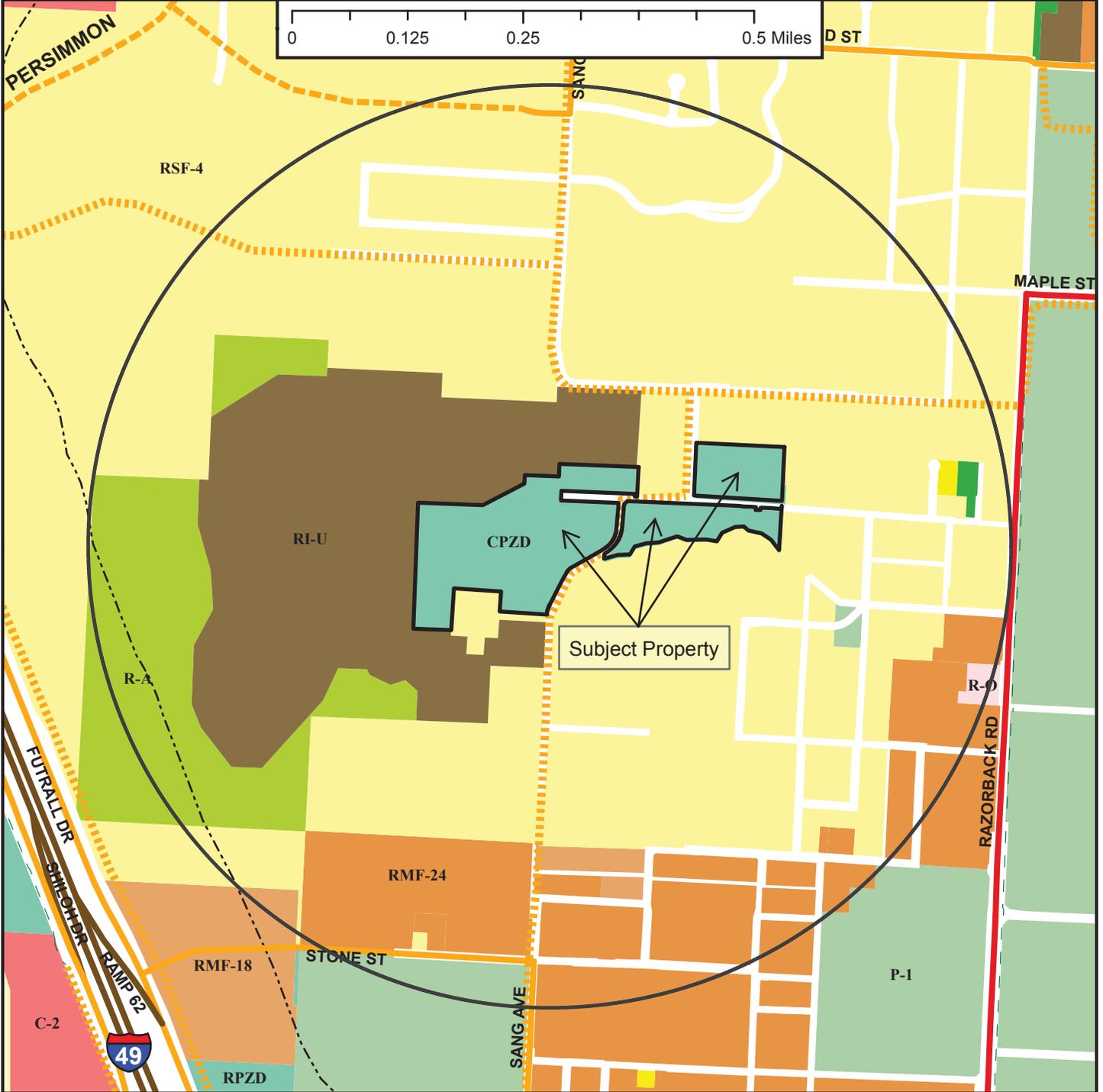
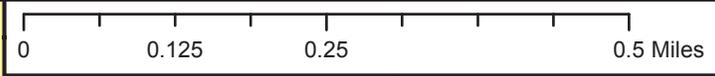


Ecological Design Group, Inc.
1505 S. Hunt Street
Fayetteville, AR 72703
P: 479.517.0000
F: 479.517.0001
P: 479.517.0002
F: 479.517.0003
1315 South 3rd Street
Fayetteville, AR 72704
P: 479.519.4824
F: 479.519.4825
212 E. Spring Hill Ave.
Fayetteville, AR 72701
P: 479.238.4424
F: 479.238.8110

ADM19-6927

MARKHAM HILL PZD

One Mile View



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Design Overlay District

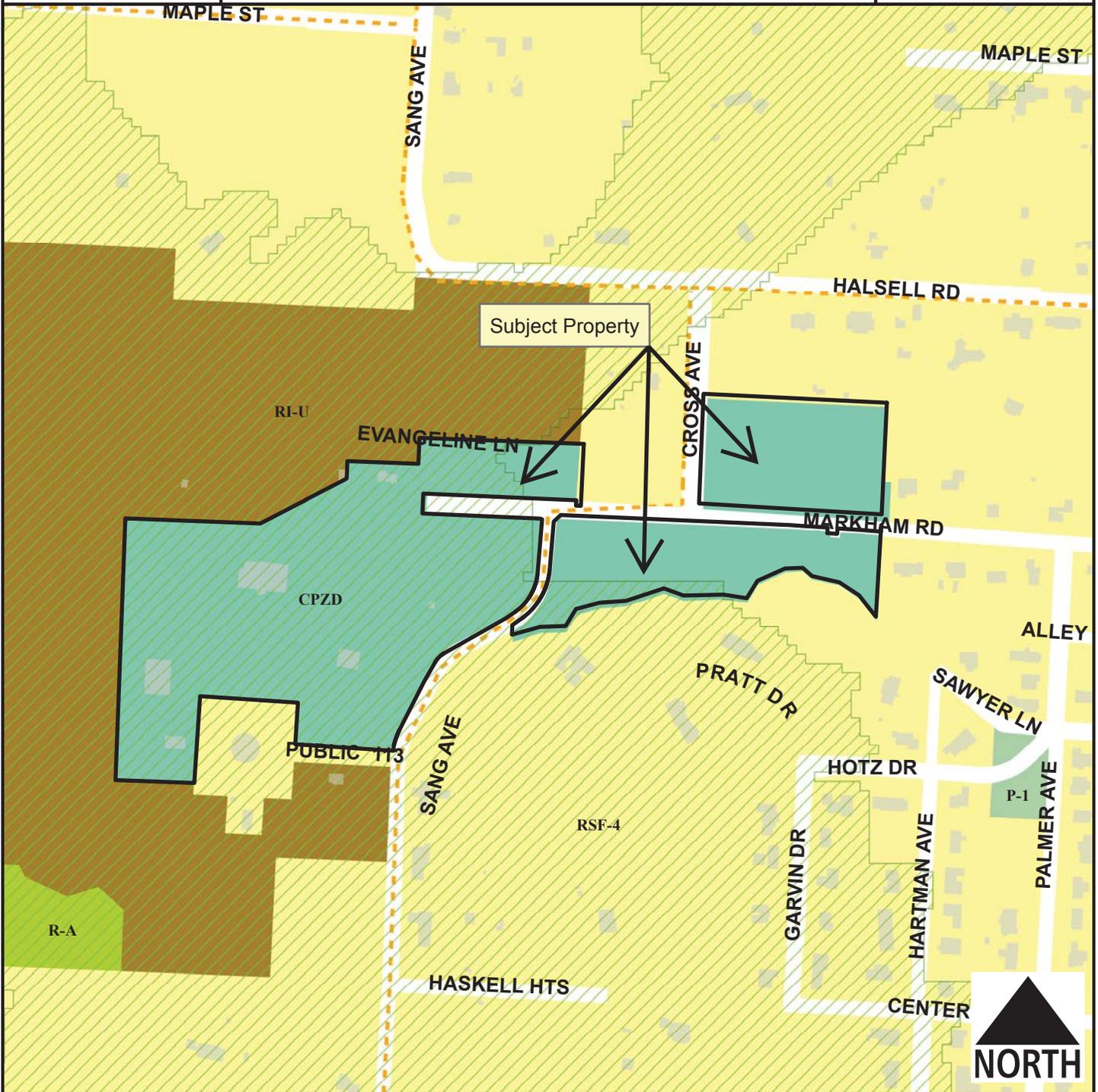


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
 - NS-G
 - RI-U
 - RI-12
 - NS-L
 - Residential-Agricultural
 - RSF-5
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
- RESIDENTIAL MULTI-FAMILY**
 - RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
- INDUSTRIAL**
 - I-1 Heavy Commercial and Light Industrial
 - I-2 General Industrial
- EXTRACTION**
 - E-1
- COMMERCIAL**
 - Residential-Office
 - C-1
 - C-2
 - C-3
- FORM BASED DISTRICTS**
 - Downtown Core
 - Urban Thoroughfare
 - Main Street Center
 - Downtown General
 - Community Services
 - Neighborhood Services
 - Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
 - Commercial, Industrial, Residential
 - P-1

ADM19-6927

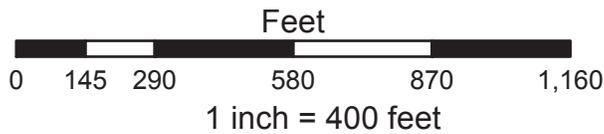
MARKHAM HILL PZD

Close Up View



Legend

- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Building Footprint



- Residential-Agricultural
- RSF-4
- RI-U
- Commercial, Industrial, Residential
- P-1

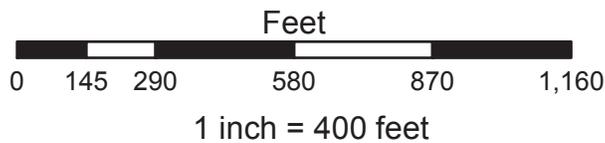
ADM19-6927

MARKHAM HILL PZD AMENDMENT

Current Land Use



-  Trail (Proposed)
-  Planning Area
-  Fayetteville City Limits



FEMA Flood Hazard Data

-  100-Year Floodplain
-  Floodway

Public Comment for PPL 19-6861 & ADM 19-6927 (Markham Hill)

Mr Garner, I'm writing with great concern over the number of trees that will be destroyed in the platting of this subdivision. It seems criminal to go from 98% tree canopy in such an old, beautiful, and relatively protected part of town to 46.6%—more than half of these trees gone.

I live on the west side of town along the Clabber Creek subdivision and have watched how our tree preservation policies have worked as those phases went in. The approved number of trees remained when the property was initially cleared but once houses started going up many more of them were removed or died in the construction process, often to where there were no original trees remaining. Our tree policy seems not much of a policy at all.

If at all possible, please require the developers to keep more **existing** trees, and REALLY keep them.

Thanks,

Liz Lester

3052 N. Hughmount

Fayetteville AR. 72704

-

To the Planning commissioners:

You are lucky the weather is so bad. If I had attended tonight's meeting, I was going to recite the poem

"Woodman Spare That Tree.

Planners, spare that tree! Touch not a single bough.

In youth it sheltered me, and I'll protect it now."

I cannot make it to the meeting of the Commission this evening, given the unfortunate combination of my age and the weather. But please consider my concerns regarding the trees along Cross Avenue as you work through the application of **Specialized Real Estate Group for its Markham Road/Hill project**.

I think the Commission, and the City, risk being seen as either ignorant or dismissive of the history of these street trees, or totally hypocritical regarding the desires of developers versus the wishes of neighborhoods. Some of the planning decisions you have taken have already alienated many Fayettevillians, and you have a chance to redeem yourselves by doing the right thing regarding the Markham Hill-Markham Road development.

By now you are certainly aware of the history of this street. Early on, it was basically an undeveloped lane. The land east of Cross was an overgrown thicket, home to wildlife and invasive as well as native vegetation. I believe it was deliberately left alone because there was little need for it to accommodate much traffic.

Then further development occurred along the MLK corridor and the southern edge (then) of the University campus, and along the western end of the city, and Cross Avenue became the connection between N. Sang and Markham Road. The city responded by clearing big swaths of the right-of-way along Cross, taking out a lot of trees. The University Heights neighbors convinced the city to allow us to plant a row of trees along the eastern side of the street, and the city cooperated with this plan. The neighbors planted the trees, mulched them, and kept them watered until they were established. They now constitute a row of mature trees.

This project gave residents confidence that the City knew what it was doing. It demonstrated our investment in a healthier and more beautiful environment. Now the Planners are considering undoing all of this. You support replacing these trees with islands and parking wells, whatever they may be. They will send yet another signal that planners are more interested in their own notions of infill, density, and development, however worthy those notions may be, with another cookie cutter subdivision. These cookies might be prettier than others, but it appears they will be just as destructive of the native landscape.

Please honor the neighborhood and the city's commitment to a green environment by adjusting this Plan to preserve these trees.

Ethel C. Simpson

409 N. Oliver Avenue
Fayetteville AR 72701
(479) 442-2925

-

Dear Fayetteville Planning Commission and Residents,

I am a resident and taxpayer of Fayetteville since 1971 and own a small farm just a few miles west of Markham Hill on Wedington Drive. I am writing to express my strong displeasure and concern regarding potential development of Markham Hill for anything other than to benefit the entire community with an urban forest, park, and / or habitat for wildlife.

Markham Hill is incredibly rich, mature, and unique in its wildlife, flora and fauna, history, archaeology, and environmental and air health benefits to our community. I have many wonderful memories of different occasions throughout my life to enjoy Markham Hill. This area is a perfect Central Park for Fayetteville and should not be developed for all residential use. This land would serve our community and youth so better in other ways than new neighborhoods.

Please strongly consider options available to keep Markham Hill for our community and local money for any improvements to create a green area that will be enjoyed by generations to come. I am convinced that Fayetteville's future generations will be grateful and blessed by our community of the forethought of saving Markham Hill now for the enjoyment of all Fayetteville heirs.

I have deep concerns about the wildlife displacement and destruction of so much vegetation in this area that is part of and connected to area's ecosystem. Please consider selling Markham Hill to one of the interested companies for preservation.

I'm sorry I can't be present tonight in person. I am healing from a copperhead bite on the hand and was put on some new meds which are helping stop the necrosis but making me too sick to be there in person, but I will attend future meetings.

Thank you for the opportunity to give my opinion for consideration at the meeting of the planning commission tonight.

Very Sincerely,
Diane Aday
5920 West Wedington Dr.
Fayetteville, AR 72704
(479) 220-8282

Dear Fayetteville Planning Commission,

I grew up in Fayetteville in Markham hill district, and I still own property in Fayetteville. I love Fayetteville. However, it makes me sick that your committee of people is allowing the last bastion of green space left in Fayetteville, which is Markham Hill, to be developed, and the land corrupted.

You have the power to stop development of Markham Hill. Please, do not allow Specialized Reality Group to demolish the hill! I've heard it said that Markham Hill is Fayetteville's lungs, because of the green ecological system there. Fayetteville prides itself as being kind to nature, and advertises all of its greenway trails.

Please wake up and do the right thing. You have a beautiful hillside which could be kept as the heart of the city, and become a Central Park for all the citizens. You could get the University of Arkansas museum out of storage and ensconce it @ Pratt Place.

You are "All-powerful." Put a stop to the development right now, and keep Fayetteville the beautiful, strong, ecologically green city that it is at heart.

Lisa Spies Swinford



Dear Commissioners:

There is a great disconnect with neighborhoods when development is planned or proposed in established areas and bad feelings are generated if there is not some logical process and level playing field of rules for both old and to-be-new neighbors.

In the case of Markham Hill, it is felt generally that the proposed density is too tight to be compatible with the other neighboring lots, if, of course, there is no recourse for just not developing the land at all, which would be the ideal.

We constantly are told that infill is an answer to housing needs that will prevent sprawl. What is left out of the infill religion is a comprehension of how the land, if developed densely, will not return water to the water table slowly, but cause drainage problems that the general taxpaying public will have to pay for, and such land treatment subsidizes developers to change neighborhoods and forests at taxpayer expense.

Do the math. The Markham Hill property slated for development is, in total, 144 acres. The Dept. of Agriculture has stated that 1 acre of forest provides enough oxygen for 18 people per year so right now this property is providing air for 2592 people. Where are acres of trees going to be provided to offset this number of people who will be living on the cleared acreage in this development? Fayetteville loses 57 acres of urban forest A YEAR. That's air for 1026 people. Where are these annual 57 acres of loss being replaced so the air can also be repaced?

These are not silly questions—these are the realities of living on the land and from the land. Your work is land use planning. Are you planning for air and water use as well?

Please understand that most of us realize that most of the decisions you must make have to be followed by city ordinances and policies, and if the issues fall outside those guidelines, you have no recourse now matter how you feel about an issue. But it is the asking for impact studies (traffic, drainage, enviro, etc) to be part of consideration AFTER a development is proposed that leaves the process in dire need of repair in the name of information and fairness as well as knowledgable judgment. Land use should follow a precautionary principle and not just one that says someone who owns property can do whatever they want to it without worrying about the consequences to others.

Thanks for the hard work you do, and please understand that folks are only fighting for what they believe is right not only for themselves but for the city as a whole.

Fran Alexander

-

Please do not ruin Mark Hill by allowing out of state profiteers "strip mine" it.
Thank you

Anonymous

-
Please do NOT let them develop, keep the area green.

James Tackett

-

Dear Planning Commission,

I understand that Specialized Real Estate Group is wanting to get approval for Phase 1 of their destruction of Markham Hill. Friends of Markham Hill don't want them to get started at all. There are many reasons why the entire Markham Hill property should be preserved and why SREG's planned development (however incrementally they want to do it) is not compatible at all and destroys a perfectly good "Central Park" urban forest and natural habitat inside Fayetteville. We want to keep asking the developer to please sell to a conservationist who will preserve the entire property, protect its trees, historical places, Native American sites, etc. The conservationist who is interested in purchasing the property may re-purpose the Pratt Inn as much needed art studios and art exhibition hall, or/and a University of Arkansas museum (much of which is packed away in storage).

There are many benefits of preserving this 144-acre property for Fayetteville. The last urban forest this side of highway 49. Mature tree cover we don't want to lose. Fayetteville is losing an average of 57 acres a year. Markham Hill is part of Fayetteville's culture and history. There was Native American life and are artifacts known and unknown. Please join us in asking SREG and their financial backers to please sell the entire Markham Hill property to a conservationist who will preserve it all.

Please don't let SREG and out-of-state money, donations, and other gifts to the City and community sway you in favoring the developer over Fayetteville residents. In addition, the traffic, impervious surface damage, ecological, etc. studies the City told the residents would be done on the entire SREG development before any permits were considered have not been done. SREG is trying to get by with incremental development permits so the large studies don't have to be done and evaluated by the public.

The entire Markham Hill property needs to be preserved and protected. Not destroyed and wasted on development. Markham Hill is part of Fayetteville and who we are.

Please join us in asking SREG and their out-of-state financial backer (Robert M Dant) to please sell the entire Markham Hill property at a reasonable price to a conservationist who will preserve it all. They could prove to all Fayetteville residents that they really do care about us.

Sincerely,

Lisa Orton

410-674-8440

1663 W Halsell Rd

Fayetteville, Arkansas 72701

-

DEAR PLANNING COMMISSION,

LISA ORTON'S LETTER CLEARLY AND STRONGLY REFLECTS THE OPINIONS OF HER SUPPORTERS HOPING YOU WILL THWART THE EFFORTS TO DESTROY THE MARKHAM HILL ACREAGE. THIS CITY HAS BEEN LAID WASTE BY UNTRAMMELED "DEVELOPMENT." WE ARE NOT PURSUING AN UNREALISTIC LONGING FOR 19TH CENTURY ARKANSAS, BUT A CIVILIZED BALANCE BETWEEN LOGICAL GROWTH AND MINDLESS DESTRUCTION OF IRREPLACEABLE NATURE AND BEAUTY.

I WOULD BE THERE IN PERSON TONIGHT BUT THE INFIRMITIES OF AGE RESTRICT ME.

BEST REGARDS,

ELSA FIRSCHEIN 4485 W. BEAVER LANE, 72704 REDBIRD72@ATT.NET

-

Dear planning commission,
Please remember that, in spite of what she seems to think, Lisa Orton does not speak for all the citizens of either Fayetteville or University Heights. There are many of us who welcome development, infill and continued prosperity for our city.

I confess to being a little puzzled; I thought this development was approved by the City Commission some months ago, so I don't quite understand why she continues to try to further her agenda.

I'm sure you will make the best decisions you can based on all your information.

Sincerely,
Susan Hall
675 N. Oliver Ave

-

Dear Planning Commission,

Please count me as one of the many Fayetteville residents who want NO development on Markham Hill. This property is incredibly important as an urban forest and one of the few minimally developed properties in the city. As a Fayetteville citizen, I believe that the environmental benefits are incredibly important. As the director of the Shiloh Museum of Ozark History, I know definitively that the historic and archeological benefits are immense. Development of that property flies against everything I believe that Fayetteville – as a whole – believes in, promotes, and respects. I know there are always issues to consider that have a price tag on them, but there are times when the greater good, the shared vision of our future, and an offset to climate change trump the bottom line. This is one of those times.

Please make your decisions based on the city as a whole and on our future. Thank you.

Allyn Lord
433 E. Prospect St.
Fayetteville, AR 72701
aalord@cox.net (home)
alord@springdalear.gov (work)
479-799-4274

-

Developing Markham Hill in the way proposed by Specialized is the wrong thing to do with that unique, Fayetteville resource.

Trey Marley

-

I grew up in Fayetteville, went to college at the University and continue to call this place my second home (left for a job, but am back regularly to visit family and friends). I have fond memories of Fayetteville, my quiet little University town surrounded by abundant trees both in town and on the outskirts. This ideal setting however has been destroyed by the rampant destruction of most of the open areas in the town as well as the outskirts. Why do we want to look like a city of houses and no open spaces?

When I heard that Markham Hill was the next to be put under the chopping block, I was disgusted. Have we no need for open space? I remember tromping through the Markham woods during college field labs, counting the bird species, looking for salamanders and being able to walk to these areas as I had no car and no need for one on the small campus.

Things do change, but maybe this one time step back and think what is being destroyed and what can never be replaced within our lifetimes or ever – trees, wildlife, solitude for the citizens, etc. Please vote no for the development. Maybe a no vote can convince the citizens that Fayetteville cares about more them rather than developers, who are in the minority and most who cannot cast a local vote.

Marilyn Miller
UA 1978, 1984

-

Dear Planning Commission and City Counsel members,

I don't believe Fayetteville's top priority should have anything to do with development, infill, and upzoning.

I believe the top priority should be tree preservation, preserving Fayetteville's intact forests and natural habitat, and limiting addition of impervious surfaces. We would then have a healthier environment. We need clean air, water, and watersheds more than we need development. More people means we need more trees in order to maintain and even increase their health benefits.

So, the City's highest priority should be preserving Fayetteville's intact forests and natural habitats. This mitigates climate change and keeps us healthier physically and mentally.

Another priority over development should be listening to what the people in neighborhoods want. It is clear that your ordinances and codes favor developers and development rather than the residents of Fayetteville, people who live in the neighborhoods. It looks like money makers and developers have control over our City government. Out-of-state people with money, like Robert M Dant who is hiding behind Specialized Real Estate Group (SREG) and who currently owns the historic Markham Hill intact urban forest and natural habitat, are controlling City policy, convincing people to believe urbanization is the answer, and donating to causes to gain support for their development projects. Not because they care about Fayetteville but because they want to make as much money as possible from their development projects no matter the pain they cause.

So, the City's next highest priority should be listening to and following through on what people in neighborhoods want more than what developers messing with our neighborhoods want.

Please change the City's priorities, goals, codes, and ordinances to favor Fayetteville's urban forests and natural habitats and to favor what the people in neighborhoods want rather than the developer.

More and more people in Fayetteville are getting more and more angry at the City for favoring developers and development. Urbanization, infill, and forced upzonings and tree removal in neighborhoods that don't want that are not the answer.

Sincerely,

Lisa Orton

1663 Halsell Rd

410-674-8440

-

Dear Planning Commission,

I am Carol Widder and I reside at 501 W. Holly. My husband is Mark Widder. Mark was born and raised on 1660 Markham Rd. I met my husband in 1972 and married in 1975. We are lifelong residents of Fayetteville. Fayetteville is our home, and we chose Fayetteville as our home.

Mark and I fell in love on Markham Hill. Mark spent his childhood running and playing on Markham Hill. My grandmother's best friend worked at an equestrian camp up on Markham Hill in the 1920's. Mark's family home is still on Markham Road. Lifelong residents who live in single family neighborhoods deserve to be considered and respected. We are the citizens who are at the heart of Fayetteville. In a democracy, our city government is supposed to be of the people, by the people and for the people. Local decisions should be made by those of us who have invested our entire lives into this community and our opinions should carry more weight than realtors or the Waltons. You answer to us, your constituents.

I would like to believe that Fayetteville and Markham Hill is actually my family home. Over the past decade or so I feel more like a colonist of the Waltons and big business interests,

(especially those in real estate development). Joyce Elliot recently spoke about the importance of decision makers to being in touch with the real locals,(the ones who eat, drink, live and die in this community). She said, "It is important to go, see, and learn, not just rely on stereotypes and the steering of realtors". I agree with her. The quality of life in our neighborhoods that were originally zoned for single family dwellings should be protected and honored.

OK, back to Markham Hill. Markham Hill is a jewel and also part of my family's and this city's heritage. It also encompasses our natural history and cultural history. Mrs. Markham's and Mrs. Archers intentions were clear. -to keep this hill as a nature preserve. Fayetteville has an opportunity to create a wonderful nature preserve and historical site. It should be a moral imperative to preserve this culture, history, and nature. I remember when the U. of A. wanted to put a parking garage in front of Old Main and tear down the arboretum. We rose up and saved the arboretum, thank God. I remember when they were going to tear down Carnell Hall (I think they actually wanted to tear down Old Main as well). Thank God we preserved that part of our heritage, history and culture.

Now you want to destroy a piece of living history. You want to do that at the objections of the people who live there. I think of the movie, "It's a Wonderful Life". Let's just substitute Fayetteville with Bedford Falls, and let's just substitute this current development that I will call East Dallas Waltonville with Pottersville. I want my town to stop striving to be Pottersville and save what is left of Bedford Falls. We have already lost enough of our beloved Fayetteville. I think that just like preserving Old Main, the arboretum in front of Old Main and Carnall Hall actually improved the quality of life and the attractiveness of our town, so will preserving Markham Hill. This preservation will go down as historically significant and the right thing to do.

Carol Widder

-

Dear Planning Commission,

Please take our neighbors viewpoints, comments and requests at least as seriously as you consider the interests of out-of-state money. Please move to ensure that promises made to the citizens of Fayetteville, those who will be directly impacted by the proposed Markham Hill development, will be honored.

We were told not to worry about the rezonings because no permits or building would take place until after the surveys and studies the residents requested were done on the *entire* proposed development and the results were made public and evaluated. We asked for objective studies on traffic, impervious surfaces, drainage, sewage, water pressure, fire safety, wildlife, trees, plants, ecology, archeology, and compatibility. You said, "Don't worry, this is just rezoning. All the studies you are requesting will be done later and the development might not be permitted in the end." This *incremental* development that SREG is trying to do is an effort to pass the regulations without the City officials and Fayetteville residents seeing the results of the studies done on the *entire* project. This is wrong. No permits should be even considered until the studies are done on the *entire* project.

Please stop prioritizing out-of-state money and development interests over the lives of Fayetteville's citizens and their neighborhoods.

Thank you,

Katie Simon
817 N Sunset Dr.
Fayetteville, AR

-

My name is Katie Simon. I am a professional research archaeologist who lives at 817 N Sunset Dr.

As the late Dr Jamie Brandon stated in his letter to Lisa Orton, we have no doubt there are archaeological remains all over Markham Hill. We know that the hills of the area, with their springs, geology, ecosystems and vantage points were sacred to the Hills first inhabitants for many of the same reasons it is important to its current residents. And for some of the same reasons as it is viewed valuable by developers, who will inevitably destroy it before archeologists have any opportunity to inventory and study these valuable material remains and the story of our cities first inhabitants

My and other local archaeologists interest in the archaeology of Markham Hill is due to the fact that it has not been studied or written about, contrary to Seth Mims misleading statement to the City Council in October 2018. As you are aware, we know that there are at minimum two Native American sites. No analysis or research has been conducted at these sites or with their materials, rather the documentation (site forms) simply reports their location and the basic fact that they exist. The majority of information that can be learned about the sites and people that lived here can only be gleaned through excavation, materials analysis, and systematic surveys of the area. None of these types of investigations have ever taken place at Markham Hill for either the precolonial or more recent historic materials of the areas. We do know additional belongings from the Hill's original Native inhabitants exist throughout the property that have never been officially documented or studied. And we know that development of the property without archaeological investigations will inevitably destroy this information and their story.

Learning more about and avoiding destruction of these last traces of our city's first peoples is imperative not only because it is a valuable part of this land's history, but more importantly because they and the landscape that has preserved them for hundreds of years are sacred to their descendants, our Native neighbors' that still call this region their home.

Sincerely,
Katie Simon

-

Dear Planning Commission,

There have been no written comments from Fayetteville residents so far. Whether you are speaking tonight or not, please email. We don't want any development on Markham Hill whatsoever. It is Fayetteville's "Central Park" and last urban forest on the east side of highway 49. It has cultural, historic, ecological, archeological, environmental, etc. benefits to Fayetteville that should not be destroyed. Give your reasons. Thank you.

Susie Byrd
Director- the Edge

-

I'd like to go on the record as opposing the development of Markham Hill. Fayetteville has had plenty of development. Let's leave a little of it in its natural state.

Edward Downie
1500 N. Leverett Ave, Apt 144
Fayetteville, AR 72703-6133

-

I'm writing you again about Markham Hill.

Please, put this up for all Fayetteville residents to vote upon. You can call a special election so the residents of Fayetteville are able to vote on whether these developmental plans are what the future of Fayetteville should look like. You've authorized SREG to do all of this basically under cover. Let the residents vote.

Lisa Spies Swinford

CityClerk

From: Ellen Parker <eparkerarts@gmail.com>
Sent: Friday, January 03, 2020 10:46 AM
To: CityClerk
Subject: Markham Hill

Categories: Forwarded

Just a reminder of the animals that inhabit 144 acres on Markham Hill who will be dispersed onto two of the most heavily traveled roads in town. That thought is heartbreaking. Hopefully the heartbreak of this, the angst of the residents and the displeasure of citizens who are sick of hearing the battle cry of the city intelligencias "infill, infill, infill" will be enough for you to reconsider this egregious action and save Markham Hill.
Respectfully, Ellen Parker

CityClerk

From: Marquette Bruce <marquette44@gmail.com>
Sent: Saturday, January 04, 2020 8:46 AM
To: CityClerk
Subject: Protecting urban forests

Protecting Urban forests in the midst of infill should be one of our city's main goals. Our city would not be the place it is today were it not for the Tree-Sit of 2000! It is basically a survival issue that every smart- growth city knows! Cities must change codes and ordinances to protect urban forests like Markham Hill. We have no idea how destructive climate changes will be. We do not know how many trees we will need. The climate may change so that trees will have a hard time becoming established and growing, period. Does it make sense to destroy already established woods with more roads and development? We must look at the big over-all picture, not business as usual. I maintain that we will never have too many trees! What drastic measures is our city taking to protect the people who are already invested here now?

No new roads through Markham Hill. Specialized needs to protect more land or be willing to sell so that Markham can remain as is!

Marquette Bruce
Sent from my iPhone

CityClerk

From: Melinda Nickle <melindanickle@outlook.com>
Sent: Tuesday, January 07, 2020 5:02 PM
To: CityClerk
Subject: Keep Markham Hill forested/disallow development

Categories: Forwarded

Please preserve the peace and beauty of Markham Hill and not allow an out-of-state developer to destroy this area. The lives of scores of Fayetteville residents will be negatively altered, and I am afraid that the enmity that will follow this callous encroachment will never die down.

Best regards,

Melinda Nickle

CityClerk

From: Rena Jean Schmieg <renajeanschmieg1@gmail.com>
Sent: Friday, January 10, 2020 4:19 PM
To: CityClerk
Subject: Markham Hill and January 13 Planning Commission meeting

Categories: Forwarded

Mayor Lioneld Jordan

Members of the Fayetteville City Council

Members of the Fayetteville City Planning Commission

Dear Mayor Jordan, Members of the Fayetteville City Council, and Members of the Fayetteville City Planning Commission:

I am writing to request your immediate attention to and assistance in saving Markham Hill from development and preserving it as Fayetteville's most important nature preserve and source of public park area. This 144 acre tract of undeveloped urban forest, tree canopy, and wildlife preserve is vital for the health, well-being, and enjoyment of Fayetteville's citizens and visitors. Once this is gone, it is irreplaceable.

There is a petition ([change.org](https://www.change.org), Friends of Markham Hill) signed by over four thousand, five hundred concerned citizens requesting the salvation of Markham Hill from development. Their comments telling why they signed this petition are heartbreaking to read. People truly care! This certainly deserves your immediate concern and attention.

I am requesting your assistance in working with the developers, Robert M. Dent of Oregon and California and Specialized Real Estate Group locally to encourage them to sell the Markham Hill property to an identified Conservationist who is willing and able to purchase and preserve it in order to save this property for posterity as a nature and wildlife preserve.

Markham Hill is an outstanding urban forest with tremendous historic significance and importance. It should be designated as Fayetteville's most vital public park and urban forest preserve. Its history includes Native American artifacts found there, an undisturbed natural forest and tree canopy providing incredible health benefits to the community, a home listed on the National Register of Historic Places, and perhaps the largest undisturbed urban property within the City of Fayetteville.

In 1900, the Pratt family first acquired this land and settled there. The descendants and later members of the family lived there and provided interesting activities for the public. Unfortunately, the last surviving member of the Pratt family, Julian Archer, was financially in need of funds and succumbed to a developer from Oregon and California, who connected with a local developer to purchase this land.

We have access to a serious Conservationist who is willing and able to purchase and save Markham Hill for the benefit of the public. Timing is critical, as the developers plan to immediately

destroy the tree canopy and build houses on a portion of 44 acres of this currently undisturbed land and tree canopy. On Monday, January 13, the Planning Commission will vote on this situation. The developers should have, but have not, done an environmental assessment of the entire 144 acre site and plan to move bit by bit destroying this incredible urban forest preserve. This is a major disaster for Fayetteville, its citizens, and its visitors

Other major cities, such as New York with Central Park, New Orleans with Audubon Park, Washington D. C., St. Louis, and Portland have large urban forests for the health and enjoyment of their citizens and visitors. Fayetteville has the opportunity to join this important group of cities with the salvation of Markham Hill as its major urban natural forest and to preserve its tree canopy, which is irreplaceable. The health benefits and public enjoyment of this urban forest are incredible and should never be lost. Once this fabulous forest is gone, it is impossible to replace.

Thank you for your immediate attention to this serious situation and your assistance in saving Markham Hill as one of Fayetteville's greatest assets and parks.

Sincerely,

Rena Jean Schmieg

Rena Jean Schmieg

803 North Park Avenue

Fayetteville, Arkansas 72701

479 957 0081

renajeanschmie1@gmail.com

CityClerk

From: Lisa Orton <lisa_m_orton@yahoo.com>
Sent: Sunday, January 12, 2020 10:01 AM
To: CityClerk
Cc: Lisa Orton
Subject: Letter to City about Markham Hill for January 13 and all other meetings

Categories: Forwarded

Dear Mayor, City Council, and Planning Commission,

I am opposed to any development on Markham Hill.

I ask you to please support our effort to save Markham Hill from development and make it a nature, wildlife, historic, archaeology, and Native American preserve. The number of people signing our change.org petition is increasing every day. This morning it has 4676 signatures. More and more people in Fayetteville are learning about what is going on with Markham Hill and are joining the effort to save it.

I am also asking the out-of-state owner Robert M Dant and his local developer Specialized Real Estate Group (SREG) - Jeremy Hudson and Seth Mims - to please be willing to sell the 144-acre Markham Hill property to a conservationist who will preserve it all. I know SREG is saying they want to develop the 144-acre Markham Hill property using conservation development. But that isn't good enough. We want the entire Markham Hill property preserved. Putting 530 living units (single, duplex, triplex, quadraplex), an 80-room hotel, a restaurant, other commercial buildings, the parking lots, streets, driveways, sidewalks, utilities, etc. is not preserving an intact urban forest and natural habitat. SREG's drawings make it look green with little buildings here and there. But realistically, that is not possible with this much development planned. There will be an amazing amount of natural soil and trees replaced with impervious surfaces.

Markham Hill is the last remaining intact urban forest inside of Fayetteville. These 144 acres consist of approximately 4 acres containing the four buildings of which one is on the National Register of Historic Places and another is on the Arkansas Register of Historic Places, 10 acres containing wooded pastures and meadows of which most is on the Arkansas Register of Historic Places, and 130 acres containing intact urban forest. Plus, Native Americans lived on Markham Hill. There are two already registered Native American sites. There is evidence of Native American presence all over the hill that runners and cabin dwellers have noticed over the years. I think it would be special for Fayetteville to preserve this Markham Hill property in honor of Native Americans, and not destroy this sacred land with development which has been done everywhere else in Fayetteville.

You might think saving Markham Hill is a lost cause because it is owned by Robert M Dant (under whatever LLC name he is using today). But it is not. The City could tell Robert M Dant, Jeremy Hudson, and Seth Mims that the entire Markham Hill property is more valuable to Fayetteville residents as a preserve than as a development. Preserves inside cities are unique. Developments of all kinds are not. You could ask these three men to please be willing to sell the entire property to a conservationist who will preserve it all and to sell it at a reasonable price. They will still make a nice profit if it is sold at the appraised value. This would be the right thing to do, it would help their reputation in Fayetteville, and it would be a great tax break for them.

The Friends of Markham Hill are just beginning our fight to save Markham Hill. We are growing in numbers. We are never giving up and not going away. We will fight for Fayetteville's intact urban forests, trees, history and historical places, archaeology, and Native American heritage. We will be fighting for Markham Hill next week, next month, next year. It took ten years to save the Buffalo River in the 1960s. We share those activists' determination and perseverance. Markham Hill is worth saving for Fayetteville and the surrounding older residential neighborhood communities of people are worth protecting.

It looks like there are two visions for Fayetteville:

(1) the City's and developer friends' vision - urbanization, up-zoning, high density, and commercialization everywhere, no matter the cost to the residential neighborhood communities of people all over Fayetteville, and

(2) the residents of Fayetteville's vision (most not making money from development) who want Fayetteville to be an historic university town full of trees, where urban forests, trees, history and historical places, and residential neighborhoods and their communities of people are highly valued.

The second vision is what I hear from people all over town. There is a growing number of residents who are terribly upset with the City's vision. Many are disheartened. I suggest you start listening more to the many residents of Fayetteville rather than the few developers and money-makers. Otherwise, Fayetteville will become like all other over-urbanized cities and lose what is special and what we love about it.

Just a note: People from both visions care about affordable housing but have different ideas on how to make that happen. There is not just one solution for the problems of Fayetteville. Why not truly represent the majority of residents who have made Fayetteville their home for 10 or more years? Listening to the public at the podium express the second vision and then the City voting according to the first vision is revealing of something very wrong with our City government.

Sincerely,
Lisa Orton
1663 W Halsell Rd
410-674-8440

CityClerk

From: s raymond <susiegrace@yahoo.com>
Sent: Sunday, January 12, 2020 11:31 AM
To: Curth, Jonathan; CityClerk
Subject: Fw: My opposition to building a parking deck at the Depot Lot, northwest corner of Dickson and West St.

Categories: Forwarded

----- Forwarded Message -----

From: s raymond <susiegrace@yahoo.com>
To: Kyle Smith <kyle.smith@kyle4fay.org>; Smith, Kyle <ward4_pos2@fayetteville-ar.gov>; Teresa Turk <teresa_turk@hotmail.com>; Jordan, Lioneld <ljordan@fayetteville-ar.gov>; city_clerk@ci.fayetteville.ar.us <city_clerk@ci.fayetteville.ar.us>; citycouncil@matthewpetty.org <citycouncil@matthewpetty.org>; City Fayetteville <jfulcher@ci.fayetteville.ar.us>
Sent: Sunday, January 12, 2020, 11:22:56 AM CST
Subject: My opposition to building a parking deck at the Depot Lot, northwest corner of Dickson and West St.

Dear Mayor, City Council Members, Planners, Arts District Committee,

I see the School St location as being the best option if a new parking deck is needed. The existing layout and view of the old train depot is a treasure Fayetteville should preserve. I still have seen no discussion of the option of the Walton Arts Center having a dedicated shuttle bus to bring patrons to and from an event. I understand that only "able-bodied" patrons would use the shuttle. But still that frees up parking spaces for "handicap". If the safety, security is an issue, a dedicated shuttle could require riders to show their ticket to the WAC event. The parking deck at Central United Methodist Church and the Washington County Courthouse could be on the route.

Yours, Susan Raymond

CityClerk

From: Dana Bassi <dbassi3939@hotmail.com>
Sent: Sunday, January 12, 2020 1:12 PM
To: CityClerk
Cc: 'Ty' Goode
Subject: Dear Mayor, City Council, and Planning Commission : Markham Hill and other

Categories: Forwarded

Dear Mayor, City Council, and Planning Commission,

I am for preserving the Markham Hill property in its entirety as a nature preserve with managed trails. I would love for the city or a preservation organization to purchase it and protect it from development.

It seems like yesterday there were ordinances against hillside/hill top development. Now that seems to have gone out the window.

It seems there used to be an ordinance against building right up to a street, allowing for yard/green space between a building and the street or sidewalk. Now that seems to have gone out the window.

I appreciate the purchase and protection of various parks and green spaces which, in the last few years, have provided the citizens of Fayetteville with green space to sooth our frazzled souls and places to gather and play in the little patches of earth somewhat resembling nature. I also appreciate that, on paper, it appears that the city is trying to control development so that large old growth trees and neighborhood integrity are protected and damage to property from surface water runoff are mitigated. However, in reality, many of these on paper lists are only seen as suggestions and, if broken, are only noticed if someone complains. Then, damage done is done.

I've noticed lately that many citizens complain ahead of proposed development and ask that development not take over their neighborhoods, but the planned development just passes right on through. If developers have not broken any major rule in putting through their paperwork, then the city cannot or will not stop them.

I am a bit confused about the "infill" push. It says "appropriate infill". That term is subjective. My idea of appropriate infill is to remove abandoned rundown buildings and replace them with structures matching the neighborhood. But what is happening is that small lots are being jammed with high density, very much impervious surfacing, adding to traffic and taking down all trees. The few trees which remain are so stressed that they eventually die and then "oh well". Also, if infill is supposed to stop sprawl, it doesn't appear successful. Large scale development on previously undeveloped land within and on the outskirts of town are still happening. Development such as the giant high density housing structure and parking deck behind Harps on Garland took the entire wooded hillside down to the foundations of the earth. None of this seems reasonable to me.

What I sadly foresee, if policies remain, is a city completely full of apartments, no yards with trees, all hubbub at the expense of our beautiful city. I'm sure that seems reasonable to developers who are enriched by this, but not to me.

At city committee/council meetings, I hear impassioned speeches about our homeless problem and the lack of affordable housing particularly for students of the University. The University is the city's largest employer and obviously the biggest part of our city's identity. I do worry a bit that the city is determined to accommodate the ever growing number of students the University sees fit to enroll even at the expense of citizens and neighborhood's wishes.

Apparently, we can complain all we want, but the planners have goals to increase housing availability and developers have goals to make money from the city's full-speed-ahead-build-on-every-square-inch philosophy. I don't appreciate being made to feel reprimanded for wanting it otherwise, I believe our city need not destroy itself by over development. I remind you once again, that once it's gone, it's gone.

Please do not add development of Markham Hill with it's accommodating roads, traffic and run off to the problem. And please listen to the citizens of Fayetteville.

Sincerely, Dana Bassi

CityClerk

From: Louise Mann <lmann2@earthlink.net>
Sent: Sunday, January 12, 2020 1:18 PM
To: CityClerk
Cc: Editor Greg Harton; Stacy Ryburn; Jordan, Lioneld; Fran Alexander; Art Hobson; UHNA
Subject: Walking the Talk, Preserving Markham Hill and our last intact urban forest.

Categories: Forwarded

Dear City Clerk,
Please forward this email to The Planning Commission and City Council.
Thank you and have a good week.
Louise

To The Planning Commission, City Council, and Others:
Markham Hill is the last remaining intact urban forest in Fayetteville. That should be reason enough to protect it.

There are four historic buildings, one on the National Register of Historic Places and another on the Arkansas Register of Historic Places. The hill includes 10 acres of wooded pastures and meadows, most of which is on the Arkansas Register of Historic Places, and 130 acres containing intact urban forest.

Native Americans lived on Markham Hill. There are two already registered Native American sites, and there is evidence of Native American presence all over the hill.

Preserving Markham Hill for its unique environment in the midst of our growing city and showing respect for the Native Americans by preserving this sacred land reflects the values of our community.

Louise Mann
629 Gray Avenue
Fayetteville, ARK 72701

Louise G. Mann
www.WasteReductionResources.com
Inspiring Communities to Reclaim their Recyclable Resources and Three R programs,
making REDUCTION and REUSE the Highest Priorities!

CityClerk

From: Elsa Firschein <redbird72@att.net>
Sent: Sunday, January 12, 2020 9:38 PM
To: CityClerk; citycouncil@matthewpetty.org; Turk, Teresa
Subject: Markham Hill "development"

Categories: Forwarded

This letter from Ms. Orton reflects precisely my opinion on this matter. Please put me squarely in favor of preservation of this unique property.

Elsa Firschein 4485 W. Beaver Lane, 72704

CityClerk

From: Ann Noland <amnoland@prodigy.net>
Sent: Sunday, January 12, 2020 10:04 PM
To: CityClerk
Subject: Markham Hill Treasure

Categories: Forwarded

Dear City Clerk,
Please forward this email :

To The Planning Commission, City Council, and the Mayor

Markham Hill is the last remaining intact urban forest in Fayetteville.
That should be reason enough to protect it.

There are four historic buildings, one on the National Register of Historic Places and another on the Arkansas Register of Historic Places. The hill includes 10 acres of wooded pastures and meadows, most of which is on the Arkansas Register of Historic Places, and 130 acres containing intact urban forest.

Native Americans lived on Markham Hill. There are two already registered Native American sites, and there is evidence of Native American presence all over the hill.

Preserving Markham Hill for its unique environment in the midst of our growing city and showing respect for the Native Americans by preserving this sacred land reflects the values of our community.

Please don't be the people that make the decision that destroys this treasure!!

Ann Noland
1652 West Markham

CityClerk

From: Pritam Chowdhury <pritam37@gmail.com>
Sent: Monday, January 13, 2020 12:03 AM
To: CityClerk
Subject: Markham Hill: ADM 19-6927 and PPL 19-6861 submitted by ECOLOGICAL DESIGN GROUP, INC.

Categories: Forwarded

Dear Mayor Jordan, City Council, and Planning Commission:

I write today to oppose **ADM 19-6927** and **PPL 19-6861** submitted by ECOLOGICAL DESIGN GROUP, INC.

Two archeological sites have been documented on Markham Hill and are listed in the Arkansas State Archeological Site Files. Historic structures including the Pratt Place Inn and the 1920s camp have been the subject of past research and are listed on the National Register of Historic Places and Arkansas Register of Historic Places, respectively.

The improvements and land uses suggested for the areas under the proposals submitted by ECOLOGICAL DESIGN GROUP, INC. have never been professionally examined for historical or archeological evidence. Markham Hill has been one of the central places of Fayetteville and Arkansas's historical and cultural landscape. Once ground disturbing activities commence, the context and integrity of any hidden archeological remnants preserved below the ground (for hundreds or even thousands of years) may be lost forever. Private property owners are not obligated to conduct archeological or historical studies unless federal monies are involved in the projects. However, it has been reported by neighbors that the remnants of unstudied and undocumented historic structures are visible on the ground surface within these planned development areas. Other artifacts have been noted on the property by residents and visitors in past years. Thriving communities work to save, document, and share their past. Especially, culturally sensitive and sacred sites such as the Markham Hill property. Though formal archeological investigation of the property is not required under the law at this time, perhaps the land owners will consider hiring archeologists to survey the property to save cultural features and prevent the permanent loss of information about Fayetteville's earliest residents left in the ground, before construction begins. Other individuals and companies in Northwest Arkansas have voluntarily hired professionals to conduct archeological surveys as a show of respect to the communities they neighbor, and to advance their shared values of preserving historical and cultural knowledge.

Looking forward, Fayetteville could one day join the growing number of cities proactively protecting their historical and cultural places with ordinances such as the one recently passed in Savannah, Georgia (<https://www.wtoc.com/2019/12/20/city-savannah-creates-archaeology-ordinance/>). As others have stated, this property is special. Evangeline Pratt Archer's home is on the National Register of Historic Places and Joy Pratt Markham's boys and girls camp (1920-1940) is on the Arkansas Register of Historic Places. Evangeline Pratt Archer helped found the Ozark Society which worked a decade to help save the Buffalo River in the 1960s-1970s and make it the U.S.'s first National River. Joy Pratt Markham willed her money and her portion of the land to the University of Arkansas for preservation and the arts. Markham Hill is historically a part of Fayetteville's mature tree cover and green infrastructure, contributing to the City's environmental health. This property is the last large acreage of woods this side of the Interstate Highway 49 where wildlife can take refuge. For many decades, bird enthusiasts, nature lovers, and University of Arkansas professors and students

have studied the nature, wildlife, rock formations, Native American sites, and early 20th century history of Markham Hill. Perhaps the owners will consider selling the property to a conservation organization or individual or delay their construction plans until proper land uses can be designed to save culturally sensitive areas for future generations to cherish.

Sincerely,

Pritam Chowdhury,
Professional Archeologist
Fayetteville, Arkansas
pritam37@gmail.com

CityClerk

From: Betty Tyler <tylerbetty@att.net>
Sent: Monday, January 13, 2020 1:15 AM
To: CityClerk
Subject: Markham Hill

Categories: Forwarded

Dear Mayor, City Council, and Planning Commission,

As a former resident of the Pink House right below the water tower and a former draftsman for many years in the City Engineer's Office, I urge you to take whatever steps are necessary to protect the city's wonderful natural treasure, Markham Hill.

Any city in our country would do anything asked to have such a beautiful place to escape the cares of the day and renew the spirit with Mother Nature.

Please don't let this forested jewel slip from your grasp.

Sincerely,

Betty McFadyen Tyler

Sent from iOakland

CityClerk

From: Lisa Swinford <spies123@aol.com>
Sent: Monday, January 13, 2020 7:26 AM
To: CityClerk
Subject: Regarding Markham Hill

Categories: Forwarded

Dear City Council Members,

I am forwarding you the letter which I wrote to SREG in early December regarding the development of Markham Hill. Along with so many Fayetteville residents, I strongly object to the development of this land. I believe the council and mayor, as leaders in governing Fayetteville, can and should put an immediate stop to the development plans. If you refuse to outright stop development, then at least put it up for a special vote by the citizens of Fayetteville. You should treat the Markham Hill land as the treasure it is right now, and save it for the future as preserved land. Please, save the hill as the last necessary and remaining green space that it is! Lisa Spies Swinford

Dear Seth, Jeremy, and SREG,

I'm contacting you to ask you to please consider selling the land on Markham Hill to the conservationist/philanthropist group (waiting in the wings), who will preserve the entire property. As you know, there is a strong public effort to save Markham Hill from development. Please reconsider your own plans, and instead of developing the hill, be part of the effort to save it.

There is so much history attached to Markham Hill, and not just involving the Pratt, Archer and Markham families. It has several dwellings which are on the National Register of Historic Places. There are Indian relics located there. Movies have been filmed there. A riding camp was run on the hill, with plenty of people learning to ride horses on the trails. The University of Arkansas track teams have run there, and many people have walked the trails for the sheer pleasure of a simple walk on the wooded nature paths. Markham Hill is the last area of true green space left inside of Fayetteville. It would be preserved as a conservationist park—an actual "Central Park," of which Fayetteville would be proud. This would really add to the tourism lure of our area, as well as keep Markham Hill's history intact.

If SREG would help rescue the hill, you all would then be able to say that you are the innovators—you would step up to being the real conservationists, leading the effort to make Markham Hill Fayetteville's own "Central Park." I truly believe this would bring you so much future business and community respect, and that the citizens of Fayetteville would always be thankful to you. Please, please reconsider your plans.

Sincerely,

Lisa Spies Swinford, Fayetteville native

CityClerk

From: Rena Jean Schmieg <renajeanschmieg1@gmail.com>
Sent: Monday, January 13, 2020 10:07 AM
To: CityClerk; Rena Jean Schmieg
Subject: Letter to City about Markham Hill, 1 13;2020

Categories: Forwarded

Dear Fayetteville Planning Commission Members, City Council Members, and Mayor Jordan:

I am writing to you concerning the proposed development of Markham Hill. There is significant concern about the development of this land.

I strongly urge you each to review the Facebook page Friends of Markham Hill, and to read every post, link, and comment. This site includes extensive comment, resources, historical information, and articles referenced about Fayetteville, Markham Hill, Northwest Arkansas, and other areas that have experienced the need to balance wise use of natural and historical resources with growth of a community. It is a rich testimony to the deep love of Fayetteville and Northwest Arkansas by its citizens. The citizens concerned are not a handful of extremists, but a vast number of good people; they are respected members of our community who have served it well and have helped Fayetteville earn its reputation as a unique and desirable place to live. They are your constituents by whom you were elected and appointed to represent. They have entrusted you to represent them with the care of their city and resources, trusting that you would

represent them well. Over **4,700** people have signed a petition to stop the proposed development of Markham Hill. That is remarkable and needs to be considered by our city government. Anyone that I have spoken to, of all ages and walks of life, is surprised and shocked that this land would even be considered for development.

Markham Hill is an irreplaceable jewel that can become a treasured focal point of preservation and urban forest in an area that is growing exponentially.

What is your goal in allowing the development of this 144 acres of relatively undisturbed native forest, meadow, and natural habitat instead of keeping it intact? Profit? And for whom? Who does development most benefit? The citizens and residents, a small number of future users, developers? How does development of this land affect the surrounding neighbors and community? Is it important to you to preserve natural resources within an urban setting? Is quality of life and respect for citizens and neighborhoods important to you? Is a beautiful city with unique features such as an urban forest/nature reserve important to you?

Please slow down and think carefully about the actions and decisions that will be made about this land. Thank you.

Rena Jean Schmieg

803 North Park Avenue

Fayetteville, Arkansas 72701

479 957 0081

renajeanschmie1@gmail.com

CityClerk

From: Ginny Masullo <masulloginny42@gmail.com>
Sent: Monday, January 13, 2020 10:55 AM
To: CityClerk
Subject: MARKHAM HILL

Categories: Forwarded

I'm writing to you about the proposed development of Markham Hill. I write this especially in light of the fact that there's a possibility of a conservationist willing to purchase the land to conserve 144 acres of land / forest in what is now the heart of Fayetteville . This is the same kind of vision that made Central Park in New York City. At the very least there needs to be an environmental impact study, traffic drainage studies and a geological study(this is karst) on the entire proposed Markham Hill development before any phase of this development is done. Not only is Markham Hill a historic site, it is an archaeologically significant site, and this needs to be explored. Please consider encouraging the sale of this property to a conservationist and preserving what it is that makes Fayetteville great . Thank you. GINNY MASULLO
1837 N Ruppel Rd.

CityClerk

From: Amelia Burke <mimicburke@yahoo.com>
Sent: Monday, January 13, 2020 11:31 AM
To: CityClerk
Subject: Markham Hill property--please forward to the members of the Planning Commission

Categories: Forwarded

To the Planning Commission,

I am writing to urge you to do all you can to preserve Markham Hill. It is a place of beauty, a place of historical and environmental importance to our town.

I recently read a review of the documentary "Earth". In the reviewer's words "it is sobering to see the planet ruined one backhoe at a time". We can keep the backhoes--and the bulldozers, chainsaws, road graders, cement trucks--off Markham Hill, and instead of profit for a few there can be benefit for many. For the people of Fayetteville now and for the ones who come after us.

Thank you. Mimi Burke, Fayetteville resident since 1973

to the City Clerk---please forward to members of the planning commission

CityClerk

From: Janet H. Parsch <jparsch@uark.edu>
Sent: Monday, January 13, 2020 2:27 PM
To: CityClerk
Subject: Markham Hill

Categories: Forwarded

Dear Mayor, Planning Commission, and City Council,

I am very concerned about the possible development of Markham Hill and would suggest that more study and thinking needs to be undertaken for alternative uses to what is currently being proposed. The University of Arkansas could use the area, the city could use the area, etc. Environmental assessments are required. Having trails around the perimeter of developed space is not enough. The people in NWA have generally been very creative in coming up with good uses of its land. Markham Hill in particular needs to have more creative thinking come into play, given its close proximity to established neighborhoods and to the University of Arkansas.

Thank you for your consideration.

Janet Parsch
467 N. Rockcliff Rd.
Fayetteville AR 72701

CityClerk

From: Lisa Swinford <spies123@aol.com>
Sent: Friday, January 17, 2020 1:05 PM
To: CityClerk
Subject: Don't allow Markham Hill to be destroyed

Categories: Forwarded

For the January 21 meeting, as well as any meeting pertinent to Markham Hill.

Dear Mr. Mayor, and Fayetteville City Council,

I am writing you again, to appeal to you to listen to the Fayetteville residents, and stop the development on Markham Hill. The key—just deny it. Just, stop it! You have the power, and if Markham Hill is ruined, will be your fault as a city council. And as a mayor.

I'm including a link on how development was just stopped last week in Osceola County, Florida. Please, read this instructional article.

<https://www.positivelyosceola.com/commissioners-deny-development-plan-for-429-townhomes-at-east-lake-fish-camp/>

If you allow Markham Hill to be developed and trafficked, allow SREG to cut down the natural forest, allow them to ruin the hill's natural green space, Fayetteville can NEVER get it back. We can never get back the air quality which will be lost, the natural beauty of the land, the Historically Registered structures, the coverage for wildlife, the Native American History. You as a council, are allowing Markham Hill to be destroyed because Robert Dant, and SREG want to make a lot of money. Bottom line-you are assisting the developers in destroying Markham Hill. You are NOT listening to Fayetteville residents, the ones who put you in your positions.

Markham Hill is not just some outlying rural pasture, nor is it by any means prime for development. It's one of Fayetteville's seven surrounding hills, one of the things which protects Fayetteville, and of which Fayetteville is known for.

Preserve Fayetteville's natural beauty. Just deny the development of Markham Hill!

Lisa Spies Swinford

Sent from my iPad

CityClerk

From: s raymond <susiegrace@yahoo.com>
Sent: Saturday, January 18, 2020 8:23 PM
To: CityClerk
Subject: In regard to Markham Hill, find money from Parks dept and donations to set aside acreage
Categories: Forwarded

Dear City Council and Mayor and City officials,

I have been following the discussions about planned development of Markham Hill natural land. I believe the planned development of the acreage should be revised to set aside more acreage as nature preserve. Also, more consideration should be given to the impact that the increased traffic will have on the surrounding houses, streets and residential neighborhood.

I believe we are in the midst of an excessive "boom" in development, and that later we will regret how the excessive building, construction has clogged the city. I understand that the property owner has "rights" also. That is why I'm recommending that the city figure out a way to purchase or put in a "land trust" more of the Markham Hill property.

Yours, Susan Raymond

CityClerk

From: Lisa Orton <lisa_m_orton@yahoo.com>
Sent: Monday, January 20, 2020 3:33 PM
To: CityClerk
Subject: Markham Hill
Attachments: Weeklies Consolidated.pdf

Categories: Forwarded

Dear Planning Commission,

Here's a sampling of my Weekly Markham Hill Moments of History: the first 25 and today's story. You can see why Fayetteville residents are growing in numbers as they become aware of what is going on. They want to save Markham Hill from development and preserve it all.

Lisa Orton
1663 W Halsell

Weekly Markham Hill Moment of History – 2020 1 20 (from Friends of Markham Hill, an effort to save the mountain)

Title: Running on Markham Hill

For over 40 years people have run “The Trails” on Markham Hill.

The University of Arkansas cross country and track coaches have said that running on Markham Hill has contributed to their success. When they entertain recruits, they often take them for a run on Markham Hill. It started with John McDonnell who made a deal with the Pratt family descendant Julian Archer (Evangeline Pratt Waterman Archer’s son) in the early 1980s – the U of A teams could run on Markham Hill if they maintained the trails. In the book ‘John McDonnell: The Most Successful Coach in NCAA History’ by Andrew Maloney and John McDonnell, it says, “The team hammered away its “easy” days up in shaded trails off West Markham Road above University Heights owned by Jane and Julian Archer. The couple graciously allowed the Razorback harriers to train on the property for four decades. Amidst the forested swath of land with a wood-chipped trail, the soft and shaded surface allowed Arkansas runners to train hard and avoid injuries throughout the year. For opposing runners visiting Fayetteville it became almost a pilgrimage site, a place where others could soak in some of the Hog magic. It was there that John attempted to keep his finger on the pulse of his team.”

The U of A teams would do trail maintenance in the late summer to prepare for the Fall semester. They would cut back the brush to create a running route, lay down gravel and dirt, and spray for ticks and fleas. They used the trails weekly and year-round.

John McDonnell began as the University of Arkansas Razorbacks cross country and track head coach in 1972 and became head track coach in 1978. He retired after the 2008 NCAA Outdoor Championships. The U of A cross country and track teams, under his coaching, won 40 NCAA Championships, 5 NCAA Triple Crowns, 38 SWC Championships, and 46 SEC Championships. McDonnell is a 30-time national coach of the year, 49-time conference coach of the year, and 62-time region coach of the year.

Lance Harter is the most successful coach in University of Arkansas and Southeastern Conference women’s cross country, track, and field history. He has run his teams on “The Trails” for the last 30 years on their recovery days. Harter said that Markham Hill is a sanctuary and a great training opportunity.

#RazorFacts about Lance Harter: 501 All-Americans, 25 NCAA Event Titles, 37-Time SEC Coach of the Year, USTFCCCA Coaches Hall of Fame, 2015 National Indoor Championship, 2016 National Outdoor Championship, 2019 National Indoor Championship, 2019 National Outdoor Championship, 24 NCAA Regional Championships, 33 SEC Titles, 7 SEC Triple Crowns

Chris Bucknam has been head coach of the nationally dominant Arkansas men's cross country, track, and field program since taking the Razorback head coach position in June 2008 when John McDonnell retired. From arkansasrazorbacks.com, "Bucknam has enjoyed tremendous success in the form of 19 Southeastern Conference championships, seven NCAA regional titles, and 279 All-Americans, guiding the Razorbacks to 65 individual SEC event titles. Nationally, Bucknam's guidance has led the Razorbacks to 20 top 10 finishes since his arrival in Fayetteville. His cross-country squads have placed in the top 10 four times in his tenure, while track and field has 16 top 10s including four national runner-up finishes and a national title." Bucknam worked with Julian Archer to display their trophies at Pratt Inn on Markham Hill.

Many others have also run on Markham Hill. Below is a sampling.

Denton Lyle Childs: "I ran up there nearly every day in the late 80's to mid-90's. Julian also let people he knew were associated with the track team. A couple of us also maintained the trails for running in those days, trimming back brush, fallen trees, etc. I remember one summer, Wade Colwell and I laid down wood chips over the trails from a huge pile that John had deposited up there from the back of his little Datsun pickup truck."

Michelle Carter Parker: "I remember being at Ramay Junior High School in the early 90's and their cross-country team would run the trails every day since it was adjacent to the school (before the apartments went in on the north). I never joined the team, so I didn't get a chance to run there. I've always wondered if it was open to the public. Looked like a beautiful place to take a walk."

Emily Cochran: "I LOVED watching the track team run close to my cabin."

David Griz Orr: "When I lived on the north slope of Markham Hill in the late 70s/early 80s I would often run on the trails. It was a wonderful time, full of memories."

Marc Noe: "My grandfather bought the land that is now apartments the south side of the mountain. I loved exploring the trails."

Val Robison: "I ran on the trails with the Razorback track team in 68 and 69. Ran by myself in the mid-80's. Still my all-time favorite place to run!"

Kent McLemore: "I ran the Markham Hill trails for many years. The Sassafras Running Club per Julian Archer. I also worked to improve and maintain them. Fond memories. In the late-80's we ran up there via a trail from the south end of Sang Street. I was introduced to the trails by Casey Jones and Paul Donovan. I ran alone and with others. I recall running with Jones, Denton Childs, Wade Colwell, Doug Armstrong and occasionally Donovan, Frank O'Mara, Lance Harter, even Coach McDonnell himself! And many others whose names escape me. We built and repaired drainage berms and shoveled out many truckloads of wood chips. I liked running up there because it was pretty, shaded, the surface was forgiving, and I felt I was contributing a bit to the great U of A running programs. It was fun to get passed by the many world-class runners who ran up there over the years! I ran up there until injuries forced me into running retirement in the late 1990's. There are many others who lived, worked and ran up there longer than I."

Carmen Cheadle: "I have been running the little trails on Markham Hill for a long time. I started running there with my dad when I was kid, then got to train there when I ran cross country for FHS. The Razorbacks trained there too and it was always exciting to see them run by because they were so fast! I even remember when the house was being remodeled into the Pratt Place Inn. The trails feel like a hidden gem and a part of Fayetteville history. There is so much wildlife

there. I have seen deer, groundhogs, armadillos, foxes, snakes and turtles. I can't imagine the negative impact there will be from development displacing them. I remember running through the horse field and seeing healthy deer grazing nearby. In recent years I have noticed a difference in herds of deer that seem extremely skittish and split up at the slightest movement or sounds. I assume this is from surrounding development. I think the trails there provide an opportunity to see just how much wildlife is in our city and how important it is that our native plants and animals have a safe place to exist."

Marquette Bruce: "I walked on the Markham trails for several years. It became my haven close to home."

Markham Hill trails, the quiet meadow, the intact urban forest, the wildlife, the quiet, the solitude, away from civilization. A sanctuary. A part of Fayetteville culture even before the Pratt family settled there in 1900. A part of Native American life and habitation before that. A part of our great U of A cross country and track teams and their success for 40 years. A part of us.

Markham Hill is worth saving from development and making a nature, wildlife, historic, and Native American preserve where people can continue walking and running amidst quiet, solitude, and sanctuary.

#SaveMarkhamHill #PreserveFayetteville #KeepFayettevilleForested

[Sent from Yahoo Mail on Android](#)

CityClerk

From: Lisa Orton <lisa_m_orton@yahoo.com>
Sent: Tuesday, January 21, 2020 1:14 PM
To: CityClerk
Subject: Letter about Markham Hill, 2040 Plan, and Arts Corridor parking deck
Attachments: SREG.Map1.jpg; SREG.Map2.jpg; Google.Map.jpg

Categories: Forwarded

Dear City Council,

Concerning items on the January 21 agenda:

(1) Specialized Real Estate Group's (SREG) request for a variance in their Phase 1 development plan for Markham Hill should be denied. They are asking that the 20 ft setback be reduced to 15 ft. My reasons for denial are:

Page 2 of the City Council Memo for the meeting on January 7, 2019

“As a part of the 2018 amendment to C-PZD 05-1670, the applicant included 20-foot landscape buffers along Markham Road and 20-foot setbacks throughout Planning Area 2. The intent of this is to promote lot layouts that allow dwellings to be “nestled” within tree canopy and respectful of the existing neighborhood context.”

The “existing neighborhood context” is wooded, one house per 1-5 or more acres, with setbacks greater than 20 feet. My house on Halsell (the closest one to the road) is set back 24 feet. Most if not all other houses on Halsell, Markham, and Sang, adjacent to SREG's proposed Phase 1 development of Markham Hill, are 2 to 10 times that in their setback.

“Existing neighborhood context” refers to the actual appearance of the neighborhood and not the RSF-4 zoning and its allowed criteria. Reducing the setback prevents the lots from being “nestled” within tree canopy and decreases even further the respect for the existing neighborhood context. 20-foot setback doesn't even allow houses to be “nestled” within tree canopy. These are words that sound good but are not reality. This variance should not be approved. Otherwise, SREG is reneging on a promise to the neighborhood, the people of Fayetteville, and the City.

In addition, the City, SREG, and people of Fayetteville look at the entire 144-acre Markham Hill property as SREG's development project. SREG understandably wants to do it in phases. However, before the first phase begins a full traffic study on the entire project should be done. In addition, a drainage/flooding/impervious surface impact study should be done on the entire Markham Hill project. This was promised as well. Please do not allow any development or approve any permit or variance until both studies are done and evaluated for harm to the people of Fayetteville.

Attached are three images: SREG's "Markham Hill Project" in two forms and the intact urban forest, heritage, and Native American land inside Fayetteville that an ever-growing number of Fayetteville residents are asking the City to protect. It's never too late to correct a mistake.

(2) The 2040 Plan is missing the highest priorities of the permanent residents in Fayetteville: building a healthy environment which includes air and water quality, preserving Fayetteville heritage and historical places, protecting our trees and hilly views, conserving our remaining intact urban forests, and protecting our

residential neighborhood communities. Many of our neighborhoods are old enough to be historical districts. Fayetteville can be a university town filled with historical places, trees, protected urban forests, art and culture, and neighborhoods with individual character. Or it can become an overdeveloped city like many others where most of the things we value are destroyed. The City's plans, codes, and ordinances can be guided by those making money from development or be guided by the values of everyone else. I am very disappointed that the things we most value as Fayetteville residents are not in the 2040 Plan.

(3) The Arts Corridor's parking deck should not be built in a place that requires destruction of perfectly good buildings nor the destruction of the character and historical atmosphere of Dickson Street and Fayetteville in general.

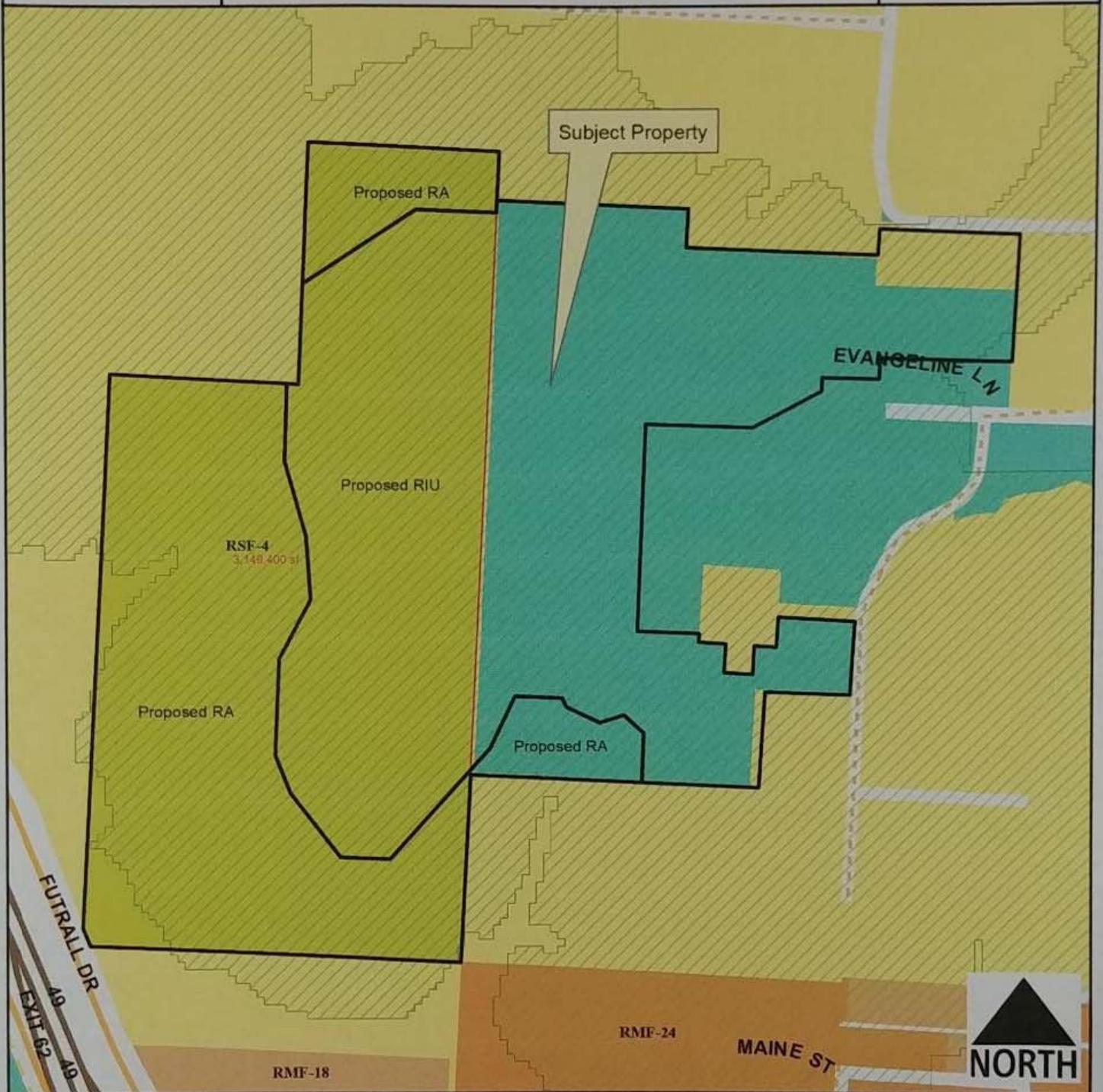
Sincerely,
Lisa Orton
1663 W Halsell

RZN18-6317

MARKHAM HILL

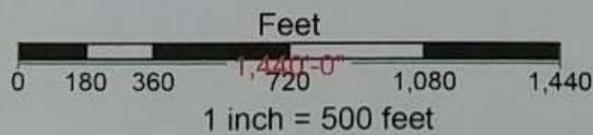
EXHIBIT A
RZN 18-6317

Close Up View



Legend

- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Building Footprint



Zoning Acres

| | |
|-----|------|
| RIU | 75.4 |
| RA | 44.0 |

| | |
|--------------|--------------|
| Total | 119.4 |
|--------------|--------------|



This place is
for all of
Fayetteville.



W WEDINGTON DR

W MAPLE ST



★
MARKHAM HILL
PROPERTY

MARKHAM



RAZORBACK
STADIUM



M.L.K. JR. BLVD.



Markham Hill
Apartment Community
Apartment complex in Faye...



University
of Arkansas

Clinton House M

Bogle Park

Razorback

Donald W. Reynolds
Razorback Stadium

Markham
MO Ram Jr
High School

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CityClerk

From: Rose McCluskey <katala07@icloud.com>
Sent: Tuesday, January 21, 2020 4:59 PM
To: CityClerk
Subject: Save Markham Hill/Halsell Rd.

Categories: Forwarded

Hello my name is Rose McCluskey, I grew up on Halsell Rd. I am completely against making the area where Cross St. cut through to Markham a place for single family homes.

The whole University Heights area is being taken over by college rentals. When I was a child the only rental duplexes were by the University police Department. The area use to be University professors and their families. There use to be kids in the neighborhood too. My mom still lives on 1624 Halsell Rd, she has tons of deer in her yard. Everyone around there does. The more and more the habitat is chopped down the problem becomes worse. At one point the corner at bottom of road was going to be built on, they cut down all the trees. Nothing was built there I think because the erosion. Every time it rained it was a horrible mess. The houses around my mom have been there for a really long time. One house is one of Fay Jones probably from the 1950's. My mom's house is way older than that. The area you want to build on use to have horses that were the Markham's.

What does one family houses really mean? Does that mean 3 bedroom, 2 bath college rentals? That area is beautiful and it's nice to have non developed areas. I don't want to see I tons of "one family" houses and a bunch of cement instead of trees. There are so many apartments and condos in this town already. Please let some nature live. Let people see the beauty of our town. Not just more college rentals, that are close to the stadium for tail gating. Some people like the LaTours and their neighbor that is a rental, want all of the area to park cars for football. The house to right of LaTours on the curve parks cars for \$80 a game. The LaTours have their info online. They mainly allow tailgating not cars. It's over \$1,200 a season.

When I was a kid we would park a cars for \$10 and after about 5 cars we would get bored. Now it is a huge business for people. Right behind the stadium some people have cleared yards and changed everything to get one more car. The Latours backyard was all forest when we were kids, then there was a path to cut through to go to campus.

If some one was buying a lot at corner and building that would be different. We all know they are going to be quick, low quality homes, targeted for college rentals. The utilities on that street are so old, they can't handle sharing water with that many more houses. It's an old neighborhood and the road is narrow. The older people there do not need kids speeding up and down the hills. They are already hard to see. Please don't make Halsell Rd into a cement area with college houses.

Everyone wants to keep Fayetteville Funky or save the trees until it comes to money. There are plenty of cement covered land in Fayetteville. That corner will be an eye sore. The houses will be filled with college students. I know Fayetteville use to have building codes to protect neighborhoods. It seems those have been forgotten or that money has made the decisions, not the people that live there. Let the trees live and the beauty of Markham remain. There are tons of wildlife that live in that area. Fayetteville use to protect neighborhoods, not allow them to be changed into areas that allow as many houses as possible for college rentals. That is a sweet part right in the heart of University where professors kids grew up, where I grew up I am asking you to vote against the construction of the corner of Cross and Halsell Rd. Keep Fayetteville beautiful for the future generations.

Thank you,

Please send this to City Council, Mayor, and Planning commission Rose McCluskey