

# **AGENDA**

**FORT SMITH BOARD OF DIRECTORS**

**STUDY SESSION**

**AUGUST 23, 2005 - 12:00 NOON**

**FORT SMITH PUBLIC LIBRARY**

**COMMUNITY ROOM**

1. Discuss recapture of costs for the Kelley Highway bridge project and I-540 / Kelley Highway to Grand Avenue frontage road
2. Review Planning Department staff requests for 2005
3. Review preliminary agenda for the September 6, 2005 regular meeting



1

## **MEMORANDUM**

August 16, 2005

**TO:** Bill Harding, City Administrator

**FROM:** Ray Gosack, Deputy City Administrator

**SUBJECT:** I-540 Frontage Road

Last month, the board approved the Kelley Hwy. bridge replacement agreement. At that time, there was a request to consider road access for future development south of the Tapp/Wal-Mart project. Tapp and Wal-Mart are paying for the frontage road adjacent to their developments and a substantial portion of the Kelley Hwy. bridge replacement. If further development occurs east of I-540 between Kelley Hwy. and Grand Ave., a frontage road will be needed to access these developments. The crossing of Sunnymede Creek at Grand Ave. will be needed for the frontage road.

This report provides background information about extending the frontage road. It also identifies options for the board's consideration. Advantages and disadvantages of each option are discussed.

### **BACKGROUND**

A developer is typically willing to build his/her portion of a frontage road. However, it's not reasonable to expect one developer to build the Sunnymede bridge. The city will need to plan ahead for how the frontage road and bridge are to be constructed and who will pay. The absence of a bridge and continuous road could impede future development, traffic circulation and public safety access in this area.

The city's subdivision ordinance limits dead end streets to

no more than 1,000 feet in length. Future development south of Tapp's development and future development more than 1,000 feet north of Grand Ave. shouldn't occur unless there's a continuous street between Grand Ave. and Kelley Hwy. Dead end streets hinder traffic circulation and can impede emergency access for police, fire and EMS.

The estimated cost for a frontage road from the Tapp/Wal-Mart development to Grand Ave. and a short extension of Grand Ave. is \$2.6 million. This includes \$800,000 for the Sunnymede Creek bridge at Grand Ave. The frontage road and bridge would serve 125 acres of potentially developable land. Much of the land is low-lying; significant fill would have to be placed to make the land developable.

Any potential cost-sharing for this road and bridge shouldn't apply to the Tapp and Wal-Mart developments. They will build the public frontage road adjacent to their properties and pay 75% of the cost of replacing the Kelley Hwy. bridge over I-540 and signaling the on/off ramps. The staff believes it would be unreasonable to ask them to share in the cost of any more frontage road or bridge expenses.

The discussion below assumes there would be no recovery of the city's or Tapp's/Wal-Mart's expenses for the Kelley Hwy. bridge and traffic signals. If there's a desire to recover some of this cost, that cost could be rolled into the options discussed below.

### **OPTIONS**

Below are options for the construction of a frontage road and bridge east of I-540 in the Sunnymede Creek area.

#### **Option 1 - City Constructs Street & Bridge and Recaptures Some of the Cost**

This option would utilize the city's new street construction participation program. Under this option, the city would build the road and bridge. As properties along the road develop, the developers would reimburse the city a portion of the street and bridge construction cost. Normally, the developer on each side of the street would pay one-third of the street and bridge cost. Along this road, development will be possible along only the east side of the street for most of its length. This condition reduces the payback the city would receive.

**Advantages**

Street and bridge are master planned and built in a coordinated fashion

**Disadvantages**

A significant investment of public funds is made up front with no guarantee of development occurring along the road. The return on investment may be slow in coming or not come at all.

Requirement to pay back the city could discourage development

**Option 2 - Future Development Builds Road and Contributes to Bridge Construction**

As development occurs, each developer would be responsible for constructing the road along his/her property frontage. The developer would also be required to contribute a pro-rata share (possibly based on length of frontage) of the Sunnymede Creek bridge cost. The city would use the developer contributions to build the bridge. The developer contributions could cover 100% of the bridge construction cost or a lesser percentage if the city is willing to help with some of the bridge cost.

**Advantages**

Road is built as development creates the need for the road

Construction of the Sunnymede bridge is addressed up front while the greatest amount of development participation is available

**Disadvantages**

Requirement to contribute to bridge construction could discourage development

Frontage road is built in a piecemeal fashion. Wear and tear and subsequent maintenance needs won't be equal along the entire length of the roadway.

Depending on development patterns, there could be a period of time when there's a dead end street longer than 1,000 feet. However, there would be a plan to eliminate the dead end street.

**Option 3 - Future Development Builds Road and City Builds Bridge**

As development occurs, each developer would be responsible for constructing the road along his/her property frontage. When development gets closer to Grand Ave., the need for the Sunnymede Creek bridge will become greater. When the bridge is needed, the city would construct it using the city's tax revenues.

**Advantages**

Developers aren't saddled with the bridge cost

Road and bridge are constructed when development occurs, maximizing return on investment

**Disadvantages**

No private participation in the bridge cost

Frontage road is built in a piecemeal fashion. There could be a period of time where there's a dead end street longer than 1,000 feet. Wear and tear and subsequent maintenance needs won't be equal along the entire length of the roadway.

City would need to obligate its source of funds for building the bridge while funds are available. Construction of the bridge would be essential; future funding problems shouldn't be a reason to avoid construction of the bridge.

**Option 4 - Do Nothing**

This option would respond to development as it occurs. The city could be faced with requests to allow a dead end street longer than 1,000 feet.

**Advantages**

No one is required to commit funds up front

**Disadvantages**

Frontage road is built in a piecemeal fashion

Development in this area would be slowed

or halted unless the city allowed a dead end street longer than 1,000 feet

Construction of a long dead end street results in poor traffic circulation and limited public safety access

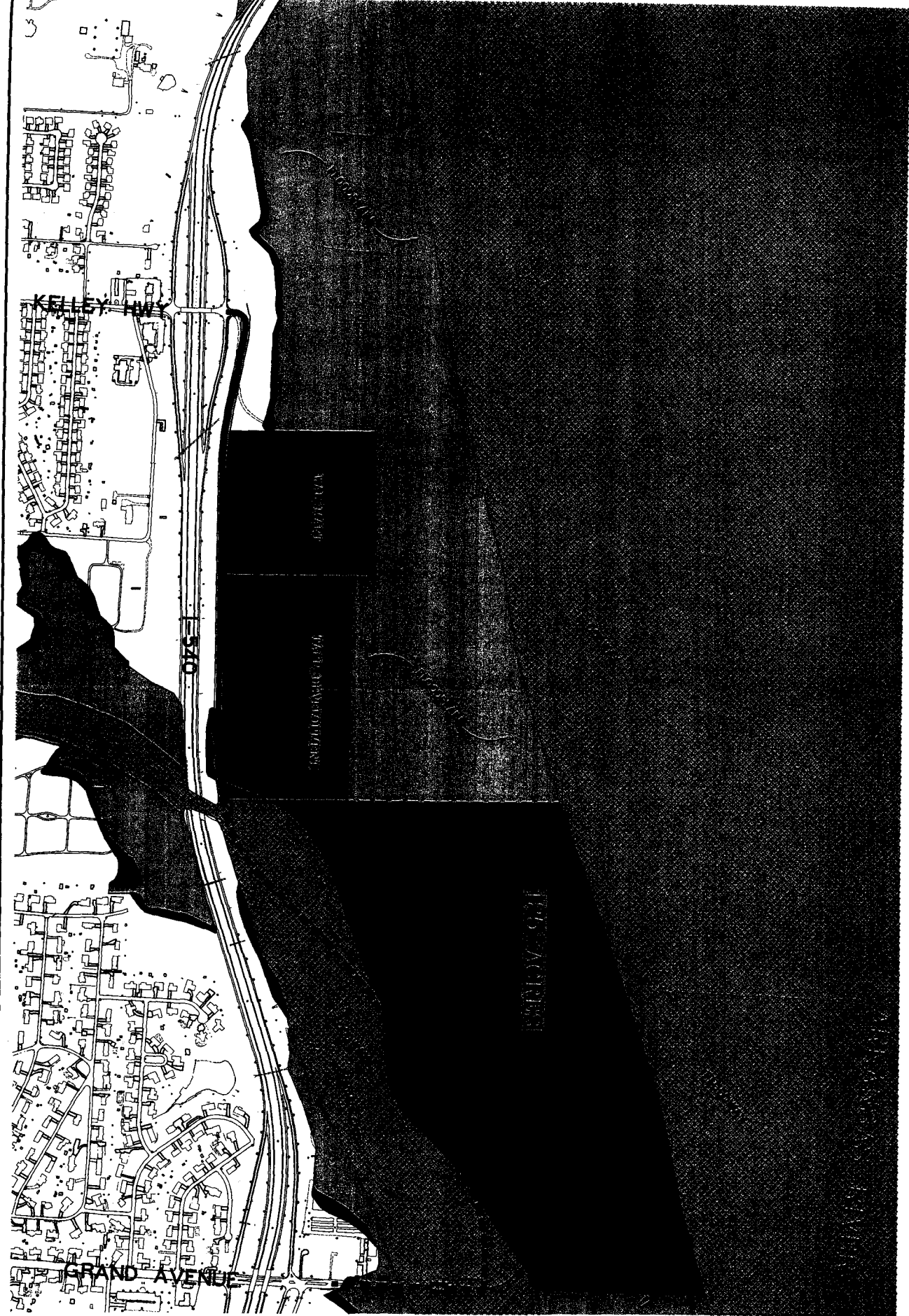
**CONCLUSION**

The staff recommends that some planning for the extension of this access road, and particularly the Sunnymede bridge, occur. The absence of a plan will only hinder development or result in consequences which will put the city in a reactionary position.

A handwritten signature in cursive script, appearing to read "Ray".

Attachment

cc: Jim Tapp, Tapp Development  
Billy Ward  
Willie Mae Jeffrey  
APAC Arkansas  
Grand Central Properties



# I-540 FRONTAGE ROAD

**The City of Fort Smith**  
 Arkansas

DATE: 6-1-2004  
 DRAWN BY: N/A  
 PROJECT TITLE: I-540 FRONTAGE ROAD  
 SCALE: AS SHOWN  
 SHEET: 1 OF 1

REV. NO.	REVISION DESCRIPTION	BY



Pyle / Shiplers placed on  
agenda 9/6/05

2.

## MEMORANDUM

**To:** Bill Harding  
**From:** Wally Bailey  
**Date:** August 18, 2005  
**Subject:** Additional Planner Positions

The FY 2005 budget includes two (2) Senior Planner positions in the Development and Construction department. During the FY 2005 budget review the Board of Directors asked that additional information be submitted regarding new full time employee positions included in the budget before these positions were filled.

The Comprehensive Plan (adopted November 2002) includes a recommendation that the Planning Division needed to be adequately staffed if we were going to properly implement the goals and objectives of the plan. The Implementation chapter within the plan (pages 6-2 through 6-14) includes several strategies and recommendations for implementation of the Plan. The section on Staffing, Organization, and Coordination of Partnerships includes the following statement:

“Because the City has never had a Comprehensive Plan before, the Planning Department has consisted of two people taking on everything from construction supervision to writing zoning code revisions. The adoption of this plan brings the need to orient staff to implement the plan, and have a more substantial staff dedicated to that task. This may mean simply reorganizing staff, but will also mean hiring staff to ensure that the day-to-day short range tasks as well as the long range planning tasks are accomplished.”

Also, the implementation matrix (page 6-6) includes a recommendation that parks and planning staff be hired. This was listed as a short term (0-2 years) goal.

The consultant for the Comprehensive Plan recommended we separate our division activities into current Planning or Zoning, Neighborhood Services and long range planning. The cities of Little Rock and Fayetteville have similar organizational structures within their planning and development departments.



The present staff has a volume of work that includes daily tasks involving current zoning. There is a distinct difference between planning and zoning. Zoning is current activity. Planning is maintaining the master plans, comprehensive plans, working on the future issues such as ETJ, Fort Chaffee, annexations, major developments, corridor plans, neighborhood plans, code maintenance, etc.

Planning should be a proactive program not a reactive program as we have done in the past. However, we have had to be reactive because of the current staffing level. With the additional staff, we can properly plan for development and growth. If we do not have the staff to maintain the new plans, codes and ordinances that we are developing, in 20 years or less we will be where we are now with outdated codes and ordinances.

We have attempted to conduct planning functions with current staff, but the routine activities of planning commission meetings, development meetings, development reviews, and enforcement consume most of the staff's time. This situation has only validated our need for additional personnel to fulfill our service to the citizens. Our existing staff has assumed many additional activities such as city construction project administration, neighborhood programs, property maintenance assistance, and expanded development reviews as suggested by the comprehensive plan. We have found that as we spend more time in these areas, our level of service (LOS) drops off in other areas.

Without additional personnel our(LOS) will continue to be affected. It is currently taxing the staff with what we are doing and trying to do. With the implementation of new plans, codes, etc. our LOS will be further affected. As a result, the citizens and development community will be affected with longer review times and potentially less personal attention.

Planning is also an educational process. We need more citizen participation with citizen planning, neighborhood meetings, etc. through the neighborhood programs outlined in the comprehensive plan implementation schedule. We cannot do this with current staff.

As an example of our current staffing problems, we have one staff person designated as the neighborhood liaison but is also the subdivision administrator/coordinator, and reviews applications for business licenses and zoning verifications. Any one of these tasks needs more individual attention than the time being given because of the other duties. This situation is consistent with all the planning staff.

With the existing staff taxed with more now than ever with the implementation of the comprehensive plan, it creates an even greater problem when we schedule vacations, sick leave or professional development time. When someone is out of the office, the workload shifts to only the essential items to satisfy the immediate needs of citizens. Any plan reviews, enforcement or other items get backlogged until we are back to full capacity and then only if we are not working on a current planning commission agenda.

An issue that continues to surface from the development/construction community concerns assistance from the staff during the development process. The idea of a development ombudsman is an issue we need to address. From my personal experience, this position has helped many developments not only stay on track but also gave the development/construction community a specific person to contact and show special interest in them. We had a similar position in the past and need to get this reinstated. This connects well with our customer service initiative which I previously briefed the board.

Though all the staff is focused on customer service, I need someone dedicated to a constant overall analysis and maintenance of our policies and procedures as they relate to the best possible service and communication we can give to our citizens. As we have attempted to implement our customer service plan outlined in the March 3, 2005, memorandum, we quickly realized we could not implement it all because of the daily workload. Though we have accomplished much, there is much more to be done and with any program, maintenance is a key factor towards its success.

Additionally, we have issues related to zoning enforcement. At times we have problems that develop which could have been avoided with an ongoing enforcement program. A couple of examples include the neighborhood issues, portable signs, and salvage vehicle issues that got out of control. Intermittent enforcement is not enough to curtail the problems before they suddenly get out of control. Enforcement is just as important because of the unfortunate reality that some citizen will just not follow the rules. Enforcement and education are closely related and require a significant amount of time.

A summary of items the new staff persons will focus on includes the following:

- Develop and maintain corridor plans, land use plans, development plans
- Develop and maintain neighborhood plans working with neighborhoods
- A Development ombudsman
- Future planning
- Education
- Zoning Officer
- Design review of all developments
- Consultation with owners and design professionals on development plans
- Manage consultants
- Other planning and zoning activities

Please contact me if you have any questions on this issue.