

**SPRINGDALE PLANNING COMMISSION
COUNCIL CHAMBERS
5:00 P.M.
201 SPRING
JULY 7, 2015
Agenda**

**I. Pre-Meeting Activities
Pledge of Allegiance
Invocation**

II. Call to Order

III. Roll Call

IV. Approval of Minutes (June 2, 2015)

V. Public Hearing

**Proposed amendment to the
Master Street Plan to remove
Extension of Electric Avenue
as a minor collector from Butterfield
Coach Road east to Habberton Avenue**
Presented by Patsy Christie

VI. Table Items

**A. C15-10 Lidia Estupinian
812 N. Thompson
Use Unit 42 (Church/Synagogue)
In a C-2 zone**
Presented by Lidia Estupinian

**B. L15-07 Whataburger
NW corner of Elm Springs Road &
40th Street**
**B15-30 Variance for Modification of Commercial
Design Standards**
Presented by Crafton Tull

VII. Public Hearing – Rezoning

**A. R15-19 Donna Luckett Wilson
787 N. 40th Street
From SF-2 to C-2**
Presented by Amy Hutcheson, Jeff Whitmer, Anna Isfalt

- B. R15-20 Daniel J. Lewis for Signature Bank
3572 Parsons Road
From A-1 to C-2 & C-6
Presented by Melvin Milholland, P.E.

VIII. Preliminary Plats, Replats, and Final Plats

- A. RP15-03 Replat of Lot 3 – Diesel Downs SD
End of 45th Street, east side
Presented by Engineering Services, Inc.

IX. Board of Adjustment

- A. B15-24 Ronald & Jennifer Prophet
2633 Secretariat
Variance for modification of incline of driveway
Presented by Ronald or Jennifer Prophet
- B. B15-25 Michael & Andrea Guidry
9374 Greenbriar Estate Road
Variance for reduction of rear setback from
35' to 20'
Presented by Michael or Andrea Guidry
- C. B15-26 Leonel Rivas
838 Underhill Lane
Variance for reduction of front setback from
38' to 28'
Presented by Leonel Rivas
- D. B15-27 ISC South, Inc.
2100 Turner
Variance for reduction of front setback from
50' to 35'
Presented by Greg Edwards
- E. B15-28 Manuel Mondragon
211 Casteel
Variance for reduction of side setback form
20' to 8'
Presented by Maritza Mondragon
- F. B15-30 Joe Neeley/Whataburger
NW corner of Elm Springs Road &
40th Street
Presented by Crafton Tull

- G. B15-31 Bank of the Ozarks
2773 & 2755 W. Sunset Avenue
A) Variance for reduction of distance between Driveways
B) Variance for modification of Commercial Design Standards
Presented by Crafton Tull**
- H. B15-32 George's Inc.
1411 S. Thompson
Variance of landscaping requirement per Chapter 56
Presented by Engineering Services, Inc.**
- I. B15-33 Donald & Carol Lynn Gibson
4959 Arkanshire Circle
A) Variance for reduction of front setback from 25' to 20'
B) Variance for reduction of rear setback from 20' to 15'
Presented by Engineering Services, Inc.**
- J. B15-34 NanoMech, Inc.
2447 Technology Way
Variance for reduction of front setback From 30' to 10'
Presented by Engineering Services, Inc.**
- K. B15-35 Michael & Julie Davis
4278 Osprey Street
Variance for reduction of front setback from 30' to 20'
Presented by Engineering Services, Inc.**
- X. Planning Director's Report**
- XI. Adjourn**

The Springdale Planning Commission met in regular session on Tuesday, June 2, 2015 at 5:00 p.m. in the City Council Chambers

Prior to the meeting being called to order, Vice-chairman Bob Arthur led the Pledge of Allegiance and Commissioner Roy Covert gave the invocation.

The meeting was called to order by acting Chairman Bob Arthur at 5:00 p.m.

Roll call was answered by:

Bob Arthur – Vice-chairman
 Gary Compton
 Roy Covert
 Joe Dunn
 Charles Gaines
 Vivi Haney – Secretary
 Mitch Miller
 Brian Powell

Also in attendance were Ms. Patsy Christie, Director of Planning and Community Development Division, Clayton Sedberry, GIS and Planning Coordinator for Planning and Ms. Sara Sparkman, Assistant City Attorney.

Commissioner Kevin Parsley was not in attendance.

Commissioners Brian Powell and Vivi Haney noted corrections that needed to be made to the May 5, 2015 Planning Commission minutes. Ms. Haney moved to accept the minutes with the necessary corrections. Mr. Miller seconded the motion.

By a voice vote of all ayes and no nays the May 2015 minutes were approved.

It should be noted at this time that the minutes have been corrected.

Public Hearing – Rezoning

- A. R15-18 Iglesia Apostolica Cristo Viene
1845 Butterfield Coach Road
From A-1 to P-1
 Presented by David Galdamiez

Mr. Galdamiez was not able to attend, however, the pastor of the church, Mr. Ramirez who is authorized to represent the church was present.

Ms. Yudith Torres who is with the Planning and Community Development department was his interpreter.

Mr. Ramirez stated through Ms. Torres that his church would like to rezone the property from Agricultural to Institutional.

Mr. Arthur asked for the Staff comments.

Ms. Christie stated that she understood that when this parcel was annexed into the city the was a church already on it and the current church purchased it.

Mr. Ramirez said that was correct.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Commercial use.

The rezoning request is in keeping with the following goals and policies of the Comprehensive Land Use Plan and is recommended for approval.

Uses that commonly have moderate to large scale assemblies of people such as churches, funeral homes, membership organizations and other institutions should be appropriately located on adequate size parcels with sufficient space to accommodate the off-street parking and accessory needs. Such uses should be located so as to minimize any adverse or undue significant burden on adjacent or adjoining land uses as well as that portion of the street system.

Mr. Arthur asked if there were those in the audience that had questions or comments.

Mr. Danny Wright with the Springdale Police Department spoke. He wanted to remind the commissioners that in a P-1 zone the noise ordinance is not enforceable and there are some residential neighborhoods in the immediate area.

Ms. Christie asked Ms. Sparkman if the noise ordinance was not applicable in a P-1 zone.

Mr. Wright said that most P-1 districts are not located close to residential neighborhoods.

He wanted to reiterate that he had not had any complaints regarding noise with the Iglesia Apostolica Cristo Viene church. He stated his understanding of the ordinance is that if a church is in a P-1 zone, the noise ordinance cannot be enforced.

Ms. Sparkman said that decibel levels are addressed in the ordinance but the rest of the ordinance speaks to unreasonable and excessive noise and it doesn't discount any particular zoning.

Mr. Wright referred to that portion of the ordinance that has the exception for religious worship activities that are conducted in a permanent structure in a P-1 zone.

Mr. Powell called for the vote.

VOTE:

YES: Arthur, Compton, Covert, Dunn, Gaines, Haney, Miller, Powell

NO: None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Ordinance to go to Council on Tuesday, June 23, 2015 at 6:00 p.m.

Public Hearing – Conditional Use

- A. C15-06 Michele & Kevin Walker
1804 West Huntsville Avenue
Use Unit 28 (Home Occupation/Day Care)
In an SF-2 zone
 Presented by Michele or Kevin Walker

Ms. Michele Walker was present to answer any questions or comments.

This request was denied by the Planning Commission. Ms. Walker has chosen to appeal their decision to the City Council.

The following will be a verbatim account of her request.

Mr. Arthur: Our next item on the agenda under conditional use is item C15-06, Michelle and Kevin Walker; 1804 West Huntsville Avenue; Use Unit 28 –Home Occupation/Day Care in a single family zone presented by Michele or Kevin Walker. Please come to the microphone. Please state your name and address.

Ms. Walker: Michele Walker, 1195 Forrest.

Mr. Arthur: O.K., thank you. Staff comments.

Ms. Christie: O.K. now you are proposing to move to this location at 1804 West Huntsville and operate a home day care. Correct?

Ms. Walker: Yes ma'am.

Ms. Christie: O.K., limited to ten (10).

Ms. Walker: Yes ma'am.

Mr. Arthur: Would you pull that microphone down please. Thank you.

Ms. Christie: O.K. have you operated a day care at another location?

Ms. Walker: Yes at 2529 McRay.

Ms. Christie: This piece of property is a corner lot and as you all know in the past when we have looked at day cares on corner lots, that creates some really unique situations because of the parking issue.

- Acceptable** The ingress and egress into this property is acceptable for the property Use is acceptable as a residential structure. But it is unacceptable For a day care in that there is no off street parking and loading area. The driveway is very short; there is just room to park one car in there; Two wide but two cars but there is not enough depth to stack them and Then being that close to the corner it creates a parking problem. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.

- Unacceptable** Off-street parking and loading areas where required, with particular attention to the items mentioned above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district.
Since this property is a corner lot on a major collector, parking along Huntsville Avenue is prohibited.

- Acceptable** Refuse and service areas, with particular reference to the item in 1 and 2 above.

- Acceptable** Utilities, with reference to locations, availability and compatibility.

- Acceptable** The screening is not applicable. They would not be allowed to have a sign.
Screening and buffering with reference to type, dimension and character.

- N/A** Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.

- Acceptable** Yard requirements and other open space requirements.

- Acceptable** The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter.

- N/A** Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect.

- Unacceptable** General compatibility with adjacent properties and other property in the general district. **The location and lack of adequate parking makes the proposed use not compatible at this location. The existing 31' driveway on Elmdale Lane will not allow for parking of patron vehicles as well.**

- Ms. Christie: I need to ask you about your location at 2529 McRay. Did you receive any violations for parking, trailers in the grass, obstructing view or anything like that?
- Ms. Walker: No ma'am.
- Ms. Christie: O.K. Any problems with grass, junk and trash on the property; anything like that?
- Ms. Walker: No ma'am.
- Ms. Christie: Again, that piece of property
- Ms. Walker: We can widen, after all this, we can widen the driveway. I never have more than one or two cars there at a time anyway. My car will be in the Garage.
- Ms. Christie: But, you can't guarantee that there would not be three people show up at the same time.
- Ms. Walker: Very rarely because my kids; I have had them forever and they are all sporadic and I normally only keep 6.
- Ms. Christie: O.K., again my recommendation is that it is an unacceptable site because of lack of parking in its location as a corner lot. Huntsville is a very busy street. We can't have cars parking out on Huntsville, that just can't happen, so you are stacking them a narrow portion of the street.
- Ms. Walker: The driveway comes off of Elmdale Lane.
- Ms. Christie: Right.
- Mr. Powell: So is that where the kids will be dropped off?
- Ms. Walker: Yes, and they will come through the garage door through the house.
- Mr. Dunn: I have an issue also directed to the fire code. Looking at this picture that you have of, it's entitled hallway 4 bedroom and bath. Do you have An exit out of that any way. Just looking at this picture, it looks to me like that if you had a fire in the front of the building and had anybody in the back of that, back in that room, it would be an issue.
- Ms. Walker: There won't be a day care in the bedrooms.
- Mr. Dunn: O.K. now
- Ms. Walker: The bathroom is right by the front door. There is a front door and there is a back door. The bathroom the kids will use is right beside the front door.

- Mr. Dunn: To the fire code gentleman, this would be a public building, right?
- Ms. Christie: Well, technically it is not a public building. It is a home day care, which is a different kind of operation than a standard day care that you would have in a commercial setting.
- Mr. Dunn: O.K. so they wouldn't be required to have an exit in that back.
- Ms. Christie: No. Duane will have to address that.
- Mr. Miller: When we go out and look at it for a business license and such we are going to look and see what is required by the fire code. Most of the things in those older houses; is there any wood paneling, things to that nature. You are not allowed to have, you have to have a hood suppression system for residential hood and they have to have smoke detection throughout the area and if it is two areas they have to be daisy chained together. They will have to have a fire extinguisher and they will have to have one CO detector because I am assuming that children will be sleeping in the area.
- Mr. Arthur: Thank you. Mischa did you want to say something, go ahead. Is there anyone in the audience that would like to address, please go ahead and make your way up to the microphone and it will be your turn in just a moment. Go ahead Mischa.
- Ms. Wagoner: I just wanted to clarify something from a little bit earlier. With code enforcement or community engagement we do have eight cases from 2010 all the way to about a month ago; on 2529 McRay.
- Ms. Walker: That is on my ex-husband, not on me.
- Mr. Arthur: O.K. Thank you, I appreciate that. Please your turn, yes. Please state your name and address.
- Ms. Walker: Suzanne Walker; 3738 East Lexus Drive, in Fayetteville. I am the owner of this property. It does have a side load garage where you can back out onto Elmdale Lane. It does make it very easy to pull onto Huntsville Street. I have had this property for a year and been working on it and have had no problem at all with traffic. I mean you could park on the street long enough to drop your children there and I don't see what the problem would be. I counted, there are 20 commercial businesses between Gutensohn and West End Street. This has parking on a side street. They are willing and I am willing to help them put in another pad of cement if that is what it takes for the parking. It has a two car parking space right now where it is. I don't feel like that is really part of the problem.
- Mr. Arthur: O.K. anything else?

- Ms. Walker: No.
- Mr. Arthur: O.K. thank you very much. Anyone else from the audience that would like to address this? Alright, it is back to the commission.
- Ms. Haney: When I looked at it, the street is real wide and my first thought was you know perhaps there was that room there. But then I went back several times and there are always cars parked, tells me the width, I mean not in front of their house but the houses behind, so starting from the driveway going north and if somebody's is dropping off and you have the morning traffic or the late traffic it is hard to get out of that subdivision. I mean people are going to use Elmdale to get out and I think that it is going to be a traffic hazard as you are opening a door even if you park in that area. Patsy, if they were to pour a pad and increase their parking, what would they need for it to be
- Ms. Christie: Well, you know, the spaces, we're just talking about one deep so a parking space would have to be nine feet wide. I don't know how much space there is from the existing poured concrete pad over to the property line. They would have to stay ten foot off the property line. I don't know, I haven't looked at that to see how many additional spaces that they could put in there. Again, you are pulling directly off the street into a parking space and so you are backing in and out off of the street. Corner lots create a challenge when you are putting in day cares for access. We have them in other locations that we haven't approved home day cares on corner lots.
- Mr. Arthur: Anyone else on the commission?
- Mr. Powell: So somebody drops off a child, how long do you anticipate that vehicle being out there? Minute-two minutes, less?
- Ms. Walker: Between two and five minutes.
- Mr. Powell: And you have six children?
- Ms. Walker: Yes.
- Ms. Christie: The maximum she can have would be ten. We always are designing to have ten. You could have ten different people coming in every day.
- Mr. Powell: And you said you would have your vehicle in the garage. You will have space for two vehicles.
- Ms. Walker: Yes sir.
- Mr. Powell: And so will there be two vehicles that are yours that are already taking the space?

Ms. Walker: I'm the only, Kevin Walker is my ex-husband and he is on here because he was helping me do this. So it is just me and my two children.

Mr. Powell: So on a normal day, they come in they could actually pull into the driveway, drop the kid off, and then they could back out and go on.

Ms. Walker: They could actually pull into the garage because two cars can fit inside the garage.

Mr. Powell: I have not seen that street in the morning or in peak traffic and I don't know how many cars go up and down there. I know it is as wide as any other street. You can get out a car can go around you.

Ms. Walker: And you know, they are also dropped off at different times.

Ms. Christie: And that may be today, but times things change when you do day care. We have to plan as if they were all there at the same time, morning or night because that is what the worst case scenario is.

Mr. Arthur: Anyone else.

Mr. Gaines: For anyone who knows we have had similar institutions in the past. How have they worked out on corners?

Ms. Christie: I don't know that we have approved one recently that is on a corner. I know the last one we turned down on 40th Street and I don't remember the name of the street, just south of the storage area there because it is a busy street. The difference with that one is it had traffic backing up dropping off at school; this one doesn't at least have that. It probably has twice the traffic volume than what 40th Street has as well too. I can only remember one other on a corner and it was turned down too. But I didn't go all the way back for a long time to look.

Mr. Arthur: O.K. anyone else on the commission? This is a call for the vote.

Mr. Miller: Call for the vote.

Mr. Arthur: Call for the vote by Mr. Miller. Roll call please.

VOTE:

YES: Covert, Powell

NO: Compton, Dunn, Gaines, Haney, Miller, Arthur

Ms. Christie: The conditional use request is denied. You have the right to appeal to the City council. The appeal has to be filed with the City Clerk within fifteen (15) days from today's date indicating why you consider the Planning commission's decision to be in error and you have to notify the adjacent property owners of the appeal.

Ms. Walker: Thank you.

Mr. Arthur: Thank you.

B. C15-07 Eric Seibert/Shave the Planet
3637 S. Old Missouri Road
Use Unit 44 (Mobile Vending) in a
C-5 zone
 Presented by Eric Seibert

C. C15-08 Eric Seibert/Shave the Planet
2940 W. Sunset Avenue
Use Unit 44 (Mobile Vending) in a
C-2 zone
 Presented by Eric Seibert

Mr. Seibert was present to answer any questions or comments on both of his conditional use requests. He stated that both were shaved ice/sno cone stands. They previously had one on Sunset by Jose's but they were displaced due to a bank being built on the site.

Mr. Arthur asked for Staff comments.

Ms. Christie read the Staff comments.

Acceptable Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.

Unacceptable Off-street parking and loading areas where required, with particular attention to the items mentioned above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district.

Unknown, not Refuse and service areas, with particular reference to the item in 1 and 2 above.

Shown on site
Plan

Acceptable Utilities, with reference to locations, availability and compatibility.

N/A Screening and buffering with reference to type, dimension and character.

Unknown, not Sign, if any, and proposed exterior lighting with reference to glare, traffic, **shown on site** safety, economic effect, and compatibility and harmony with properties in the district.

Acceptable Yard requirements and other open space requirements.

Unacceptable The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter.

N/A Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect.

Unacceptable General compatibility with adjacent properties and other property in the general district.

Ms. Christie asked if they operated their main office on Holcomb Street.

Mr. Seibert said that they did. He said that is where they store their items for their business.

Ms. Christie asked if they had a business license for the location.

Mr. Seibert said they were working on it. They had applied last year and were told that they didn't need one because they weren't selling from that location. He said that this year they were told that they needed a business license for that location. He said they were working to bring the building up to code.

Ms. Christie asked how long he had been working on getting a business license.

Mr. Seibert he started the process approximately three (3) weeks ago.

Ms. Christie asked if he was the person that was responsible for the upkeep of the property such as mowing and weed eating.

Mr. Seibert said that he owns it and that it is mowed regularly by Greg Barn. He said last year it wasn't. They had high schoolers mowing it and they were not always consistent with their mowing schedule.

Ms. Christie said that she thought it was important that they have a business license where they store all their materials for the sno cone stands.

She started with the conditional use located at 3637 S. Old Missouri Road. She said the location was a very small site. It is required to have 39 parking spaces. It has forty-one. She wanted to know how many parking spaces Mr. Seibert would use for his mobile vending.

Mr. Seibert stated that he would utilize two; one for the building and a couple of tables on the other one.

Ms. Christie stated they don't have additional parking to provide for mobile vending at that location. She further stated that in her opinion that location was not big enough to support the mobile vending.

Mr. Danny Wright spoke. He said he had stopped by that location and noted that they have a vacant property on the southern end of the building. He pointed out it could possibly add another business which in turn would require more parking spaces.

Ms. Christie noted that the total number of parking spaces was based on two businesses being there.

Mr. Arthur asked for comments or questions from the audience.

There were none.

Mr. Dunn called for the vote on C15-07.

VOTE:

YES: Powell

NO: Covert, Dunn, Gaines, Haney, Arthur, Compton, Miller

The conditional use request was denied by a vote of seven no and one yes.

Ms. Christie stated for the record that Mr. Seibert could appeal the planning commission's decision in writing within fifteen days to the City Council. He must indicate why he feels the planning commission was in error on their decision and re-notify the adjacent property owners.

Mr. Seibert wanted to know how many parking spots would be needed at that location.

Ms. Christie said the building itself takes up two parking spaces and the tables would take up another two spaces.

Mr. Sedberry stated that Mr. Seibert would need at least five spaces at that location.

Mr. Arthur asked for Staff comments for C15-08.

Acceptable Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.

Unknown not shown on site plan Off-street parking and loading areas where required, with particular attention to the items mentioned above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district.

Unknown not Refuse and service areas, with particular reference to the item in 1 and 2 above.

Shown on site Plan

Acceptable	Utilities, with reference to locations, availability and compatibility.
N/A	Screening and buffering with reference to type, dimension and character.
Unknown not shown on site	Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.
Plan	
N/A	Yard requirements and other open space requirements.
Acceptable	The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter.
N/A	Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect.
Unknown not shown on site plan	General compatibility with adjacent properties and other property in the general district. Addition information needed to meet ordinance requirements

Ms. Christie said this location has more area than the previous one.

She pointed out to Mr. Seibert that he did not show the exact parking spaces that he would be using at this location. She asked him if he knew where the exact location was going to be.

Mr. Seibert stated that he showed it on his site plan that he submitted.

Mr. Arthur asked if there were those in the audience that would like to comment.

There were none.

Mr. Powell called for the question.

VOTE:

YES: Dunn, Gaines, Haney, Miller, Powell, Arthur, Compton, Covert

NO: None

The conditional use was approved by a unanimous vote.

Ms. Christie stated for the record Staff would prepare the resolution to go to Council on Tuesday, June 23, 2015 at 6:00 p.m.

D. C15-09 VanCuran Auto Sales, Inc.
2223 W. Sunset Avenue
Use Unit 41 (Automobile Sales) in
C-2 zone
 Presented by John VanCuran

Mr. VanCuran was present to answer any questions or comments. He pointed out that this location has a 2223A and 2223B. They are going to put a food store where the old Waffle Hut used to be which would be 2223B. They want to put a car dealership in 2223A.

Mr. Arthur asked for Staff comments.

Ms. Christie asked if they were going to do any detailing at this location.

Mr. VanCuran said they were not.

She asked if they were going to have the sales office in the two story building.

He said they would.

She asked what would be upstairs.

Mr. VanCuran stated it would be an extra sales office for him.

Acceptable Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.

Acceptable Off-street parking and loading areas where required, with particular attention to the items mentioned above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district.

Acceptable Refuse and service areas, with particular reference to the item in 1 and 2 above.

Acceptable Utilities, with reference to locations, availability and compatibility.

N/A Screening and buffering with reference to type, dimension and character.

Not shown on Site plan Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety economic effect, and compatibility and harmony with properties in the district.

Acceptable Yard requirements and other open space requirements.

Acceptable The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter.

Acceptable Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect.

Acceptable General compatibility with adjacent properties and other property in the general district.

Ms. Christie asked how many cars he planned to park in the front.

Mr. VanCuran stated it would be ten to fifteen at the most.

Ms. Christie asked about the sign.

Mr. VanCuran stated they were going to use the pole that is currently there but none of the signage.

Ms. Christie asked about landscaping.

Mr. VanCuran said there will be a lot of landscape work.

Mr. Arthur asked if there were those in the audience with questions or comments.

There were none.

Mr. Dunn asked is the concrete curb would be considered his property line.

Mr. VanCuran stated that it was.

Mr. Compton asked if he had any other automobile dealerships in Springdale.

Mr. VanCuran said they have Infinity Auto Sales in Springdale. Mr. VanCuran further stated that if he gets approved, he is going to shut that one down and just have VanCuran Auto Sales.

Mr. Compton asked what kind of automobile market Mr. VanCuran was looking at.

Mr. VanCuran stated it would be a medium market. They don't buy anything under five thousand and don't sell anything over ten thousand.

Mr. Miller called for the vote.

VOTE:

YES: Gaines, Haney, Miller, Powell, Arthur, Dunn

NO: Compton, Covert

The conditional use was approved by a vote of six yes and two no.

- E. C15-10 Lidia Estupinian
812 N. Thompson
Use Unit 42 (Church/Synagogue) in
C-2 zone
 Presented by Lidia Estupinian

This request was tabled by Staff due to some paperwork not being turned in.

Preliminary Plats, Replats, and Final Plats

- A. FP15-01 Ozark Center Point – West Phase I
NW corner of Sunset Ave. & Mathias Drive
 Presented by Leonard Gabbard

Mr. Leonard Gabbard was present on behalf of his client to answer any questions or comments.

Mr. Arthur asked for Staff comments.

Ms. Christie read the Staff comments.

Need a legend identifying all symbols used.

All comments from the utility companies and other city departments must be addressed prior to approval.

Mr. Arthur asked if there were those in the audience that had questions or comments.

There were none.

Mr. Powell moved to approve the final plat subject to Staff comments.

Mr. Miller seconded the motion.

VOTE:

YES: Haney, Miller, Powell, Arthur, Compton, Covert, Dunn Gaines
NO: None

Ms. Christie stated for the record that if Mr. Gabbard wanted the final plat to go to Council on Tuesday, June 9, 2015, he would need to have the Ordinance in the Mayor's office by noon on Thursday, June 4, 2015.

Large Scale Developments

- A. L15-07 Whataburger
NW corner of 40th Street &
Elm springs Road
Concept of Detention
 Presented by Crafton Tull

This large scale was tabled per the applicant's engineer.

- B. L15-08 Bank of the Ozarks
SW corner of W. Sunset Ave. &
Gutensohn
Presented by Crafton Tull

Mr. Tom Henley with Crafton Tull was present on behalf of his client to answer any questions or comments.

Mr. Arthur asked for Staff comments.

Ms. Christie read the Staff comments.

Planning Comments

- 1) Notice to all adjacent property owners must be sent by certified mail, return receipt requested at the time of resubmission. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, shall be submitted. Please return white mail receipts and affidavit to the Planning Office. Green return cards must be submitted to the Planning Office prior to the Planning Commission meeting.
- 2) Frontage landscaping is required in accordance with Chapter 56. Landscaping cannot be in the R.O.W.
- 3) Interior parking area landscaping is required in accordance with Chapter 56. Show the total area of the parking lot, the percentage of landscaping required and the percentage of landscaping provided. Include a drawing that identifies all areas included in the calculations.
- 4) Minimum radius to the face of the curb for driveways is twenty-five feet (25').
- 5) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 6) This development must comply with the City Of Springdale Commercial Design Standards or a variance is required. In all residential, commercial and industrial developments submitted after August 30, 2007, all utility wires, lines, and/or cable in said developments utilized by electric and/or telecommunications companies shall be placed underground. Excluding 12Kv and above.

Commercial Design Standards Comments

- 1) All sides of a principal building that directly faces an abutting public right-of-way shall feature at least one customer entrance unless, the principal building directly faces more than 2 abutting rights-of-way then only 2 entrances are required, one along the primary street and one along a secondary street.

Engineering Comments

- 1) **Sect 112-8(i)** Need to show

- a. Location of existing and proposed streetlights.
 - b. Include details of sidewalk, driveways, modified curb, and handicapped ramps.
Springdale standard details can be found at [http://www.springdalear.gov/document_center/Planning/Standard Details/s/B Typical Street and Driveway and Sidewalk Details.zip](http://www.springdalear.gov/document_center/Planning/Standard_Details/s/B_Typical_Street_and_Driveway_and_Sidewalk_Details.zip)
- 2) **Parking Ch130-Art 7 Sect 3.1.**
 - a. **Sect 110-31(b)** Handicapped ramps shall be provided wherever a sidewalk crosses a curb at crosswalks, driveways, and street intersections.
 - 3) **Parking Ch130-Art 7 Sect 9. Entrance/Exit Drives (VARIENCES REQUIRED)**
 - a. **Sect 9.5.** Minimum radius to the face of the curb for driveways is twenty-five feet (25').
 - b. **Sect 9.6./7.** Minimum distance between driveways on adjoining properties is fifty feet (50') and 150' on a single tract.
 - 4) Need to obtain an AHTD permit for all work done on their right-of-way. Submit a copy to City Staff.
 - 5) Need to submit a floodplain development application at the time of resubmittal. See Applications & Forms / Floodplain at http://www.springdalear.gov/departement/planning_and_community_development
 - 6) Sect 107 The site area of disturbance is greater than 1 acre. A storm Water Pollution Prevention Plan, Grading Permit Application and \$500.00 fee, in accordance with Chapter 107, must be submitted to the Planning Office prior to final approval of construction plans. See Applications & Forms / Grading at http://www.springdalear.gov/departement/planning_and_community_development/

Mr. Arthur asked if there were those in the audience with questions or comments.

There were none.

Ms. Christie told Mr. Henley his client would either have to meet all the comments or come back in with variance requests.

Mr. Henley said they would need some variances.

Ms. Haney moved to approve the large scale development subject to Staff comments. Mr. Gaines seconded the motion.

VOTE:

YES: Miller, Powell, Arthur, Compton, Covert, Dunn, Gaines, Haney

NO: None

The large scale development was approved by a unanimous vote subject to Staff comments.

- C. L15-09 Springdale School District
School of Innovation
Hylton Road, South of Hwy. 412
Concept of Detention
- B15-23 Variance for modification of Commercial
Design Standards
- B15-23 Variance for modification of landscaping &
Screening requirements per Chapter 56
Presented by McGoodwin, Williams & Yates

Chris Brackett with McGoodwin, Williams and Yates was present on behalf of his client to answer any questions or comments.

Mr. Arthur asked for Staff comments.

Ms. Christie read the Staff comments.

Planning Comments

- 1) A screening fence is required in accordance with Chapter 56. Show trees associated with screen.
- 2) Landscape islands are required at a rate of 1 per 15 parking spaces, in accordance with Chapter 56.
- 3) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 4) This development must comply with the City Of Springdale Commercial Design Standards or a variance is required. .

Commercial Design Standards Comments

- 1) Foundation landscaping is required.
- 2) Need detailed drawings of enclosures and screening methods.
- 3) Trash containers, trash compactors, and recycling bins shall be screened from public view on all four sides with a solid fence, wall, or gate constructed of cedar, redwood, masonry, or other compatible building material, and shall be appropriately landscaped.
- 4) Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities and banks of meter shall be screen from public view with landscaping or with an architectural treatment compatible with the building architecture.
- 5) All rooftop equipment shall be screened from public view with an architectural treatment that is compatible with the building architecture.
- 6) When a commercial development includes a fence or wall, the following guidelines and standards apply:
- 7) Maximum height of a fence or wall shall be 8'
- 8) Constructed of high quality materials such as, decorative blocks, brick, stone, cypress, cedar, redwood, and/or wrought iron.

- 9) Maximum length of a continuous, unbroken, and uninterrupted fence or wall shall be 50'. Breaks shall be provided through the use of columns, landscaping pockets, transparent sections, and/or a change to different materials.

Engineering Comments

- 1) **The concept of detention** must be approved by the Planning Commission.
- 2) Sect 107 The site area of disturbance is greater than 1 acre. A storm Water Pollution Prevention Plan, Grading Permit Application and \$500.00 fee, in accordance with Chapter 107, must be submitted to the Planning Office prior to final approval of construction plans. See Applications & Forms / Grading at http://www.springdalear.gov/departments/planning_and_community_development/

Mr. Arthur asked if there were those in the audience that would like to comment.

Mr. James Skelton asked about the drainage. He wanted to know how it would run.

Mr. Brackett stated that the drainage would go south off the property and go to two box culverts that are under Hylton that is south of Mr. Skelton's property.

Mr. Skelton said the natural flow runs to the southwest and said it was not going to the south.

Mr. Brackett said this property drains to the south into a channel and that flow goes into the box culverts that were designed under Hylton. The drainage pattern will not be changed with this development. He said where it is flowing now will continue to flow that direction with this development.

Mr. Skelton said that when they get the whole high school done the drainage will go to Gum Street and flood the people that live on it. They had a flood in 2011. Gum and Clear Creek flooded. He explained how it should be done.

Mr. Brackett said they have designed the site so that the post development flows will be equal to the pre-development or the peak two through hundred year storm.

Ms. Christie stated that they would be detaining on site so that the runoff will not be increased any more than it is today after development is completed.

Mr. Brackett said that was correct.

Mr. Jason Aist, staff engineer said the project meets all the city's current ordinance requirements. Everything is at or below the current peak flow and they actually don't allow to re-route storm from the pre-development flow needs to go along the same path that it is now.

Mr. Skelton said it is going to Clear Creek now.

Ms. Christie said that what Mr. Aist said is they take the natural way the water flows and they keep it that way rather than diverting it to another path.

Ms. Christie again asked Jason if they were detaining on site so that whatever flows across there now will not be increased when the development is completed.

Mr. Aist stated that the peak flow off the site won't be any more than the peak flow is now. He also pointed out that Mr. Skelton's property is in the flood plain that has been established thirty years.

Mr. Miller called for the vote for the concept of detention.

VOTE:

YES: Powell, Arthur, Covert, Dunn, Gaines, Haney, Miller

NO: None

ABSTAIN: Compton

The concept of detention was approved by a vote of seven yes and one abstention.

Ms. Haney said she has looked at some of the other schools and she said she could see the equipment on the roofs.

Ms. Christie said parapet walls will be tall enough to cover the roof top equipment.

Mr. Richard Alderman who is the architect for the school stated that they had sufficient screening devices in the petition walls to hide the equipment.

Ms. Marilyn Rathburn shared her concerns regarding flooding created by the school. She said that she is very concerned regarding the creeks that are around her house.

Ms. Christie asked if there was an easement that would allow the city to clean out the creek.

Ms. Rathburn stated she didn't know if there was one or not.

Ms. Christie asked that Ms. Rathburn call her office and set up a time that they could meet and discuss the issue.

Mr. Dunn called for the vote on both variances.

VOTE:

YES: Arthur, Covert, Dunn, Gaines, Haney, Miller, Powell

NO: None

ABSTAIN: Compton

Both variances were approved by a vote of seven yes and one abstention.

Ms. Haney moved to approve the large scale development subject to Staff comments. Mr. Miller seconded the motion.

VOTE:

YES: Covert, Dunn, Gaines, Haney, Miller, Powell, Arthur

NO: None

ABSTAIN: Compton

The large scale development was approved subject to Staff comments by a vote of seven yes and one abstention.

- D. L15-10 Whitbeck Laboratories
SW corner of Huntsville Avenue &
Kawneer Drive
 Presented by David Gilbert

Mr. Gilbert was present on behalf of his client to answer any questions or comments.

Mr. Arthur asked for Staff comments.

Ms. Christie read the Staff comments.

Planning Comments

- 1) Submit the approved authorization of representation form, if property owner will not be present at Planning Commission meeting.
- 2) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

Engineering Comments

- 1) **Sect 112-8(i)** Need to show
 - a. Copy of a file stamped warranty deed
- 2) **Sect 112-4** Streetlights are required at each intersection and along the street at intervals of 300 to 350 feet as measured along the centerline of the street.
 - a. The minimum initial rating for the streetlight shall be 6,800 lumens for a local street, 11,000 lumens for a collector street, or 20,000 lumens for an arterial street.
- 3) Sect 107 The site area of disturbance is greater than 1 acre. A storm Water Pollution Prevention Plan, Grading Permit Application and \$500.00 fee, in accordance with Chapter 107, must be submitted to the Planning Office prior to final approval of construction plans. See Applications & Forms / Grading at http://www.springdalear.gov/departments/planning_and_community_development/

Mr. Arthur asked if there were those in the audience that had questions or comments.

There were none.

Mr. Powell moved to approve the large scale development subject to Staff comments.

Mr. Miller seconded the motion.

VOTE:

YES: Covert, Dunn, Gaines, Haney, Miller, Powell, Arthur, Compton

NO: None

The large scale development was approved by a unanimous vote subject to Staff comments.

Board of Adjustment

- A. B15-13 Springdale School District
School of Innovation
Hylton Road South of Hwy. 412
 Variance for modification of Commercial Design Standards
 Variance for modification of landscaping & Screening requirement per Chapter 56
 Presented by McGoodwin, Williams & Yates

These variances were approved in conjunction with the large scale development.

Planning Director's Report

Ms. Christie said that they had decided at the last meeting they would have on June 16, 2015 public meeting at 5:30 in Council Chambers. She said it would be considered a called meeting of the Planning commission so it could be recorded. This meeting would be dealing with the Master Street Plan.

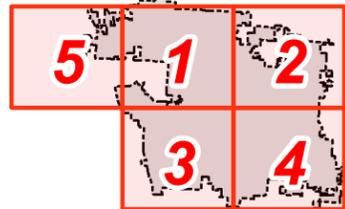
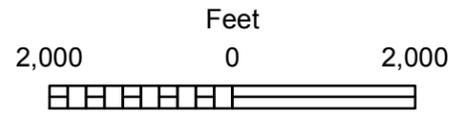
Ms. Christie said that she would like to have a special work session on Thursday, June 18 to talk about a Cave Springs recharge area conservation study that has been underway for about a year. There has been an update on that area and she said that there is a very small portion of Springdale that is in that area and because of that the commission needs to amend the drainage criteria manual for that small area.

She said since there is a public information hearing scheduled for June 18, they commission will have to meet at another time to discuss the recharge area.

She said the public hearing meeting on June 18, 2015 will be held at Darr Elementary School in Rogers at 6505 Mt. Hebron Road.

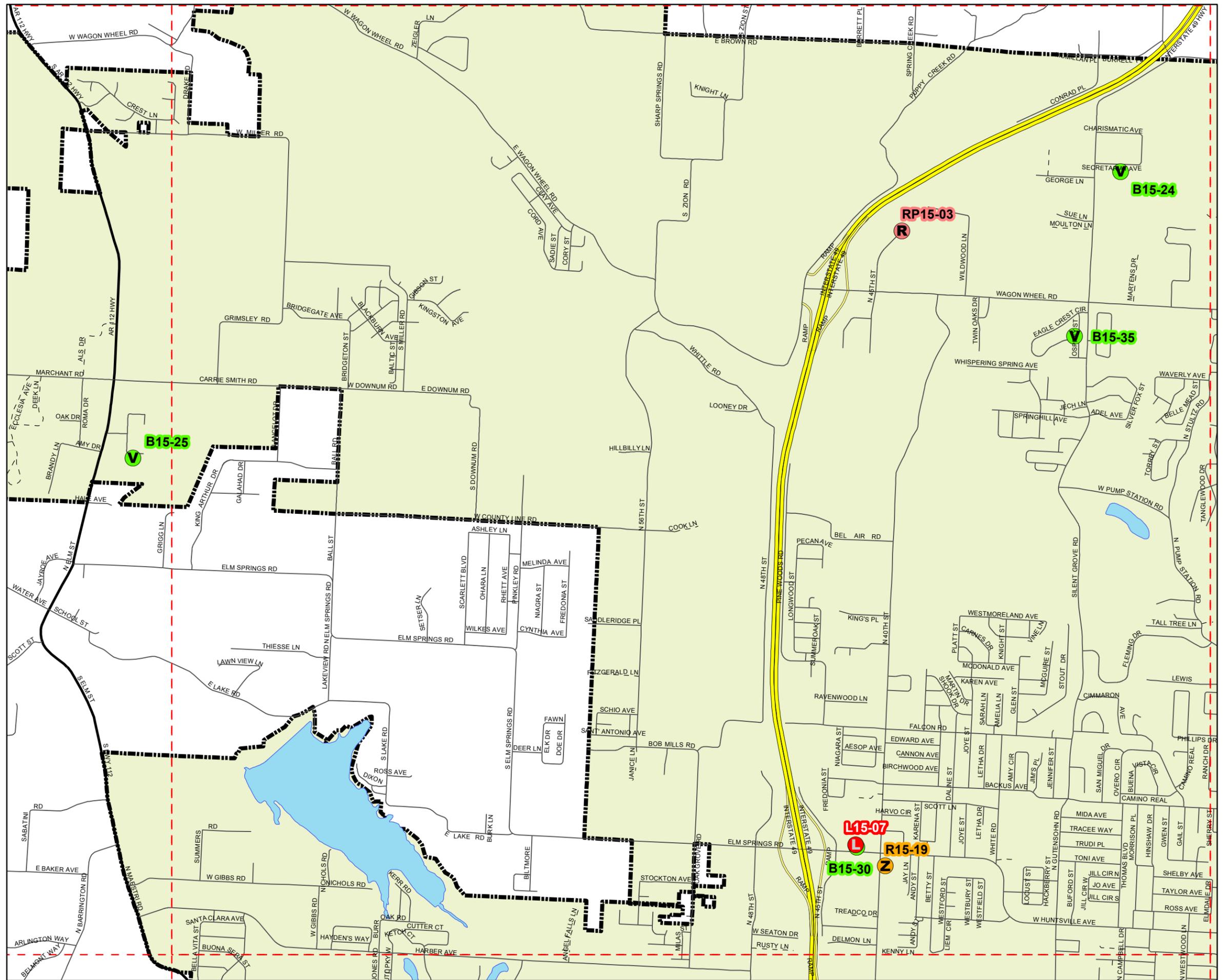
There being no further business the meeting was adjourned at 6:05 p.m.

**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
JULY 7, 2015**

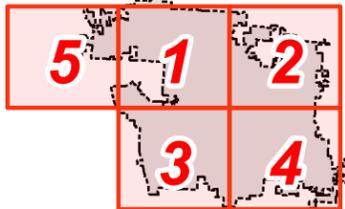
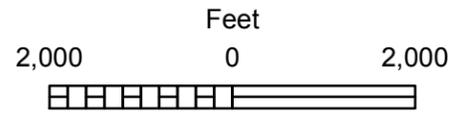


SHEET 1

- Rezoning Requests
- Conditional Use Requests
- Subdivisions (Prelim. & Final)
- Replats
- Large Scale Developments
- Variance Requests
- Lot Splits
- Waivers

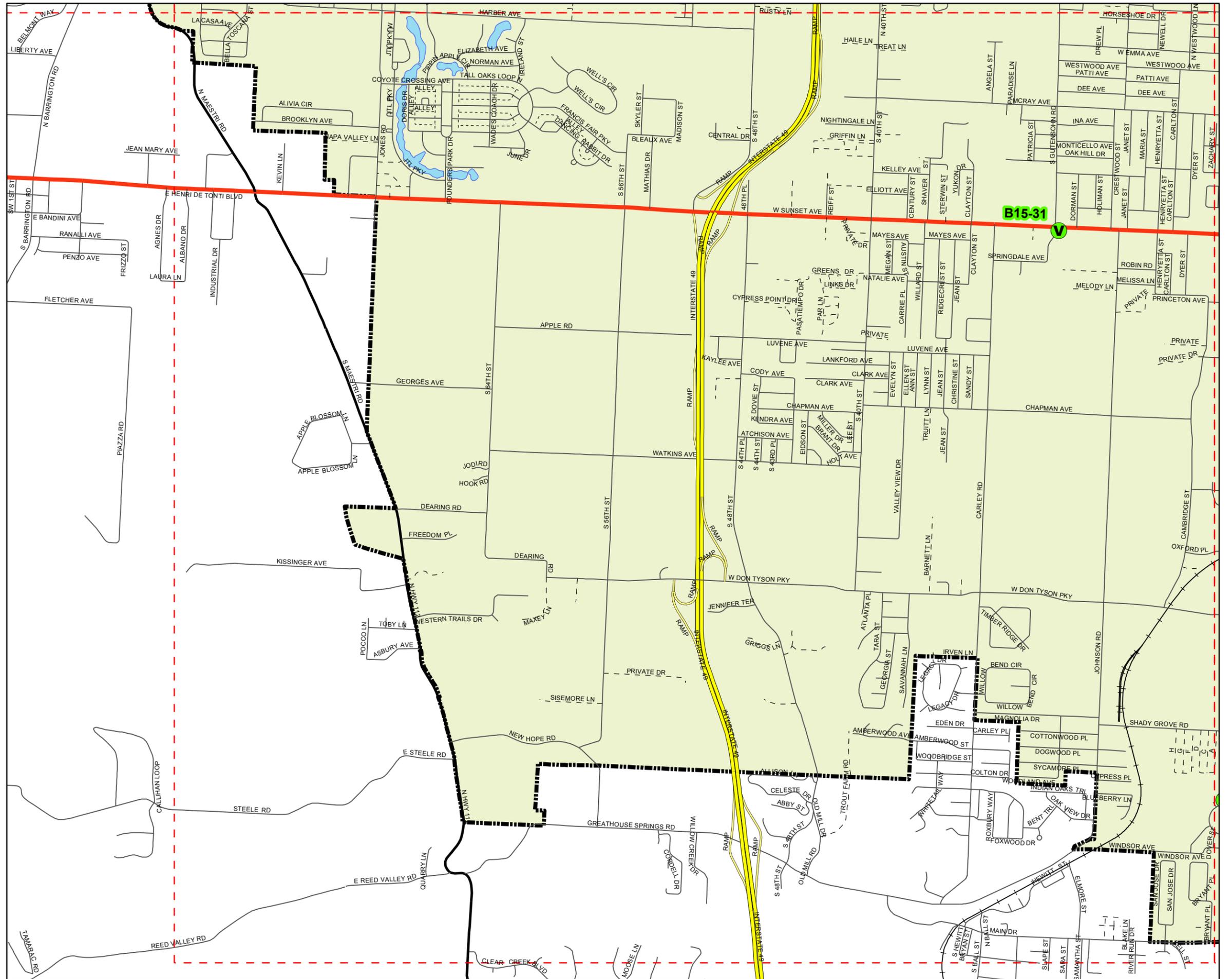


CITY OF SPRINGDALE PLANNING COMMISSION AGENDA ITEMS JULY 7, 2015

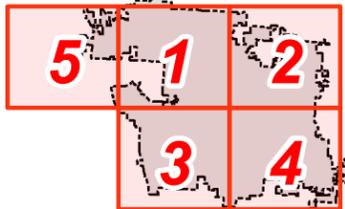
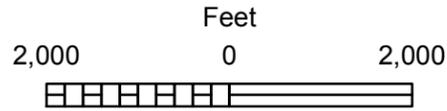


SHEET 3

- Rezoning Requests
- Conditional Use Requests
- Subdivisions (Prelim. & Final)
- Replats
- Large Scale Developments
- Variance Requests
- Lot Splits
- Waivers

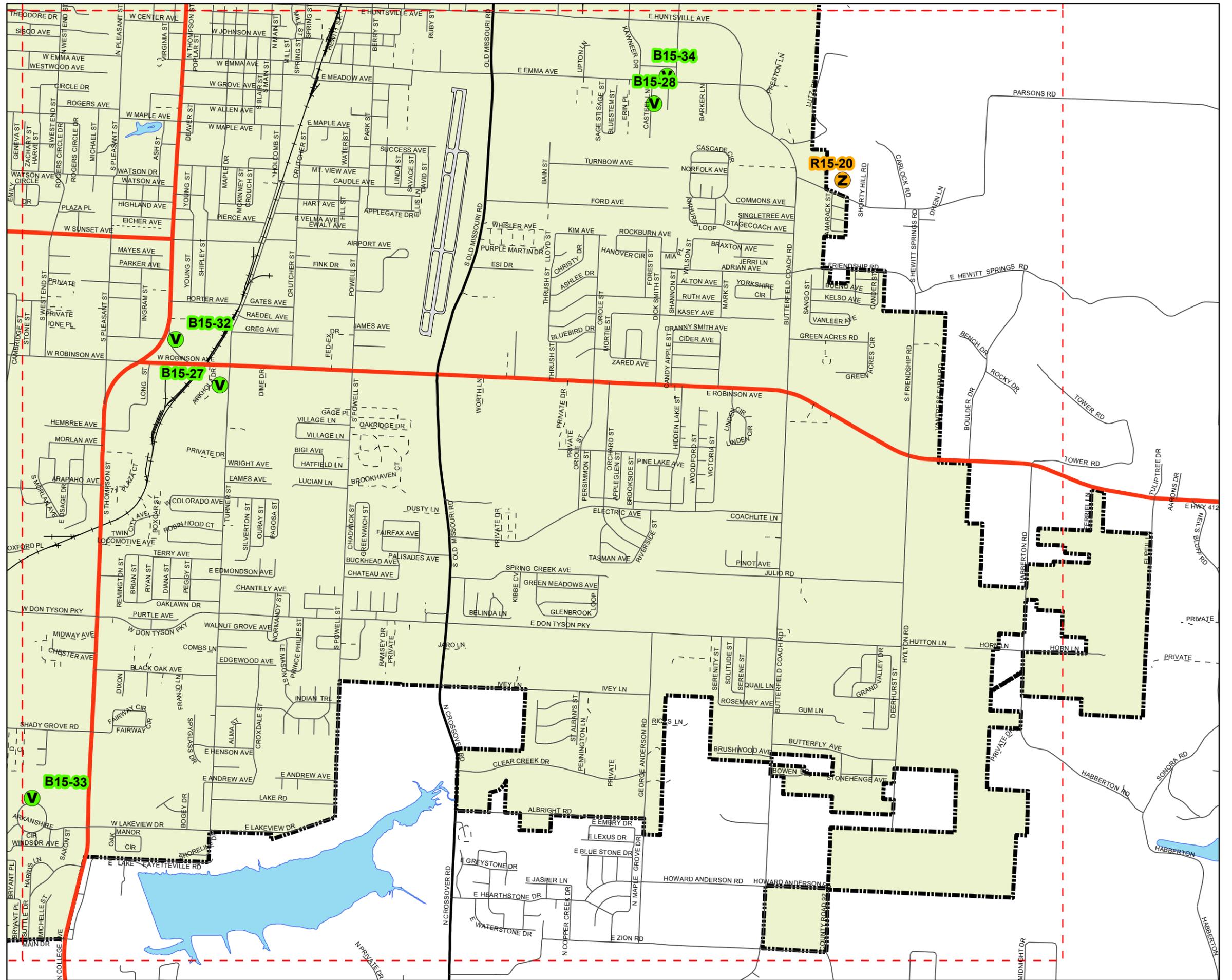


**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
JULY 7, 2015**



SHEET 4

- Rezoning Requests
- Conditional Use Requests
- Subdivisions (Prelim. & Final)
- Replats
- Large Scale Developments
- Variance Requests
- Lot Splits
- Waivers



NOTICE OF PUBLIC HEARING

The Springdale Planning Commission will conduct a public hearing on a proposed amendment to the Master Street Plan to remove extension of Electric Avenue as a minor collector from Butterfield Coach Road east to Habberton Avenue on Tuesday July 7, 2015 at 5:00 P.M. in the City Council Chambers at the City Administration Building, 201 N. Spring, Springdale, Arkansas. Copies of the proposed amendment is available for public inspection at the Planning and Community Development Office (Room 214, City Administration Building). All interested persons are cordially invited to attend.

Vivi Haney, Secretary
73223609 June 21, 2015

Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: July 7, 2015
Re: C15-10

A request by Lidia Estupinian for a Conditional Use Permitted on Appeal as a Use Unit 42 (Church/Synagogue) in a General Commercial District (C-2).

LOCATION

812 N. Thompson

EXISTING CONDITIONS

Commercial Center with mixed uses.

SITE PLAN REVIEW REQUIRED: Yes No

DEVELOPMENT STANDARDS AND REVIEW GUIDELINES

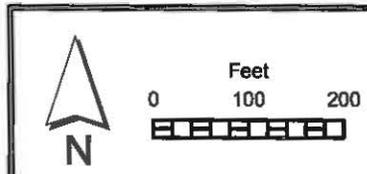
The following development standards and design specifications shall be applicable to the conditional use review and approval. The appropriateness of these standards shall be determined at the discretion of the planning commission and for each specific conditional use location.

- | | |
|---------------------|---|
| Acceptable | Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe. |
| Unacceptable | Off-street parking and loading areas where required, with particular attention to the items mentioned above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district.
No dedicated parking |
| Acceptable | Refuse and service areas, with particular reference to the item in 1 and 2 above. |
| Acceptable | Utilities, with reference to locations, availability and compatibility. |

Acceptable	Screening and buffering with reference to type, dimension and character.
Unknown	Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.
N/A	Yard requirements and other open space requirements.
Acceptable	The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter.
N/A	Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect.
Unacceptable	General compatibility with adjacent properties and other property in the general district. No dedicated parking, hours of operation not indicated.



Public hearing sign posted: / /2015
Public hearing sign posted by: CS
S Public Hearing Sign Location



FILE NUMBER: C15-10
APPLICANT: LIDIA ESTUPINIAN
CONDITIONAL USE REQUEST: USE UNIT 42

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Lidia Estupinian
 Address: 812 North Thompson suite "E"
Springdale AR 72764
 Phone: (479) 387-5560 Profit: Non-Profit

2. Property Location (street address or layman's description):

3. Record Title Holder of Property: Buildings Owner (Jeremy Avance (479-268-5076))
 (A copy of the warranty deed should be attached as Exhibit "A")

4. Use Unit requested #42 in C-2 Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:

Our goal is strengthen young people's relationship with
Christ to challenge people to learn about and participate
in the worship and ministry of the church

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?

Our place of worship will not disrupt a residential
neighborhood or any residents.

7. If the conditional use is to only a portion of the land described on the warranty deed, then an accurate legal description provided by a copy of a recent survey certified by a registered land surveyor will be required.

8. The applicant shall be responsible for providing the name and address of all adjacent property owners. This must be a certified list by a licensed abstractor or licensed land surveyor within the past sixty (60) days.

9. All adjacent property owners are to be notified by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. The applicant must provide evidence in the form of a signed affidavit, that notice has been given to all adjacent property owners subject to the conditional use.

10. Attach a site plan for the proposed conditional use. A site plan shall apply to all conditional uses as specified in each of the zoning districts.

Signature of Record Property Owner(s)

Signature of Applicant

[Handwritten Signature]

[Handwritten Signature]

Carly Nozholz

Lidia Estupian

Date: _____

Date: _____

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the attached application for a conditional use permit and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.

State of Arkansas)
County of Washington ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 14th day of April, 2015.

[Handwritten Signature]
Notary Public

My commission expires: 06/17/2024



10. Attach a site plan for the proposed conditional use. A site plan shall apply to all conditional uses as specified in each of the zoning districts.

Signature of Record Property Owner(s)

Signature of Applicant



Lidia Estupian

Date: _____

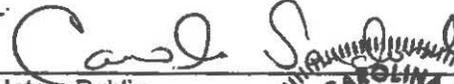
Date: _____

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the attached application for a conditional use permit and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.

State of Arkansas)
County of Washington ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 14th day of April, 2015.



Notary Public

My commission expires: 06/17/2024



PREAPPLICATION FOR CONDITIONAL USE
(For any conditional use request other than a tandem lot)

PROPERTY LOCATION: 812 Thompson
(street address or layman's description)

PROPERTY OWNER: Hillcrest Holdings

(Record Title Holder of the Property as shown on a deed of record in the County):
Note: If property is in the ownership of someone other than individuals documentation must be included that indicates who is authorized to represent the property owner(s)

Zoning District of Property: C-2

Description of the Conditional Use sought: Church

Use Unit Designation: 42

Is the Use Unit allowed as a Conditional Use on Appeal to the Planning Commission in the Zoning Ordinance: X yes, ___ no.

(If the answer is no then the intended use can only be allowed if the property is rezoned.)

Occupancy Classification of the structure as determined by the Building/Fire Code:

Current Occupancy Classification NON SEPARATED MIXED USE 1/M

Chief Building Official [Signature] Date: 6-10-15

Fire Marshall [Signature] Date: 6-10-15

Occupancy Classification required for intended use NON SEPARATED MIXED USE A3/M

Chief Building Official [Signature] Date: 6-10-15

Fire Marshall [Signature] Date: 6-10-15

Does the structure have an occupancy permit for the intended use? ___ yes ___ no

If yes, proceed with an Application for a Conditional Use on Appeal.

If no, an Application for a Conditional Use on Appeal **cannot** be filed until:

1. A statement has been obtained from the chief building official and fire marshal indicating compliance of the structure to adopted building and fire codes for the proposed conditional use or required upgrades and/or improvements required for use of the structure for the proposed conditional use.
2. A notarized statement by the property owner and applicant recognizing all structural alterations requirements that must be completed inspected and approved prior to occupancy of the structure.

Note: If upgrades and/or improvements are required for the conditional use to be allowed in the structure a registered design professional would need to submit plans per the 2012 Arkansas Fire Prevention Code, Volume II: Building – Section 107.1, "....A registered design professional, an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering shall be required and shall affix his or her official seal to said drawings, specifications, and accompanying data.....".

**STATEMENT OF RECOGNIZATION OF
STRUCTURAL REQUIREMENTS IN CONJUNCTION WITH A
CONDITIONAL USE ON APPEAL**

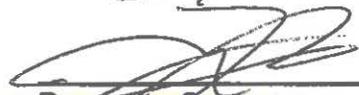
I/We the undersigned do hereby recognize, by execution of this statement, that the structural alterations identified by the chief building official and fire marshal as stated below and attached and made a part of this statement are required in order for a Use Unit E in a _____ zoning district to be considered as a Conditional Use on appeal for a structure located at 812 N. Thompson.

Please attach statement obtained from the chief building official and fire marshal of required upgrades and/or improvements for compliance of the structure for the above cited conditional use.

I/We the undersigned do further recognize, by execution of this statement, that the structural alterations identified above must be completed, inspected and approved prior to occupancy of the structure as identified above



Applicant
Gary Nichols



Property Owner
Gary Nichols

State of Arkansas)

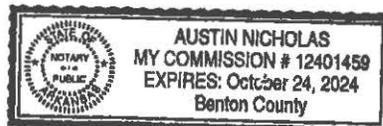
County of Benton

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 2nd day of June, 2015.



Notary Public

My commission expires: 10-24-24





SPRINGDALE FIRE PREVENTION DIVISION INSPECTION REPORT

Springdale Fire Dept.
417 S. Holcomb
Springdale, AR 72764
Phone: 751-4510
Fax: 750-8104

Name of Establishment EL ARCA DEL PACTO Date of Inspection 6/9/15
 Address 812 W. THOMPSON Suite _____ Time 15:00
 Bus. Owner/Mgr. LIDIA ESTUPINIAN Bus. Phone _____ Date of Follow-up _____
 Emer. Contact _____ Phone _____ Time _____
 Building Owner _____ Phone _____ Date of Follow-up _____
 Inspector ESSIMON Time _____
 Specify Property Use _____ Change in Use Occupancy Class _____

- BLI C of O Routine Fire Alarm Fire Suppression Complaint Consult
 Business License Preplan Info Gathered
 No Obvious Discrepancies were noted during this inspection.
 The following violations of the Arkansas Fire Prevention Code were identified during this inspection:

* REMOVE DOOR OR ADD PANIC HARDWARE TO
SECONDARY EXIT DOOR - INTERLOCKING DOOR

Inspection Contact LIDIA ESTUPINIAN Signature [Signature]

Comments _____

Memo

To: Planning Commission
From: Staff
Date: July 7, 2015
Re: L15-07 Large Scale Development Whataburger

**Concept of Detention
Variance (B15-30) for Modification of Commercial Design Standards**

Planning Comments

- 1) Interior parking area landscaping is required in accordance with Chapter 56. Show the total area of the parking lot, the percentage of landscaping required and the percentage of landscaping provided. Include a drawing that identifies all areas included in the calculations.
- 2) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 3) This development must comply with the City Of Springdale Commercial Design Standards or a variance is required. Provide easement documents for all shared access.
- 4) Provide easement documents for all shared access.

Commercial Design Standards Comments

- 1) All sides of a principal building that directly faces an abutting public right-of-way shall feature at least one customer entrance unless, the principal building directly faces more than 2 abutting rights-of-way then only 2 entrances are required, one along the primary street and one along a secondary street.
- 2) A 5' wide sidewalk along the full length of the building along any side that features a customer entrance is required. This sidewalk shall be setback from the building foundation at least 6' to provide areas for foundation landscaping.

- 3) **Foundation landscaping is required.**
- 4) Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities and banks of meter shall be screen from public view with landscaping or with an architectural treatment compatible with the building architecture.
- 5) All rooftop equipment shall be screened from public view with an architectural treatment that is compatible with the building architecture.

Engineering Comments

- 1) **The concept of detention must be approved by the Planning Commission.**
 - a. **A drainage easement is required to allow permanent access to and use of the offsite detention pond.**
- 2) ***DCM Section 5.4.10*** *“An easement shall be provided in Plans for detention facilities. A minimum 20’ wide drainage easement shall be provided around the 100-year flood pool, connecting the tributary pipes and the discharge system along the most passable routing of piping system.”* Ownership of the detention facility will remain with the land .
3. Sect 107 The site area of disturbance is greater than 1 acre. A storm Water Pollution Prevention Plan, Grading Permit Application and \$500.00 fee, in accordance with Chapter 107, must be submitted to the Planning Office prior to final approval of construction plans. See Applications & Forms / Grading at http://www.springdalear.gov/departments/planning_and_community_development/

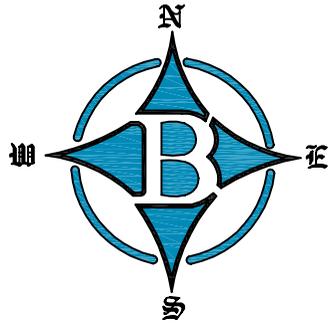
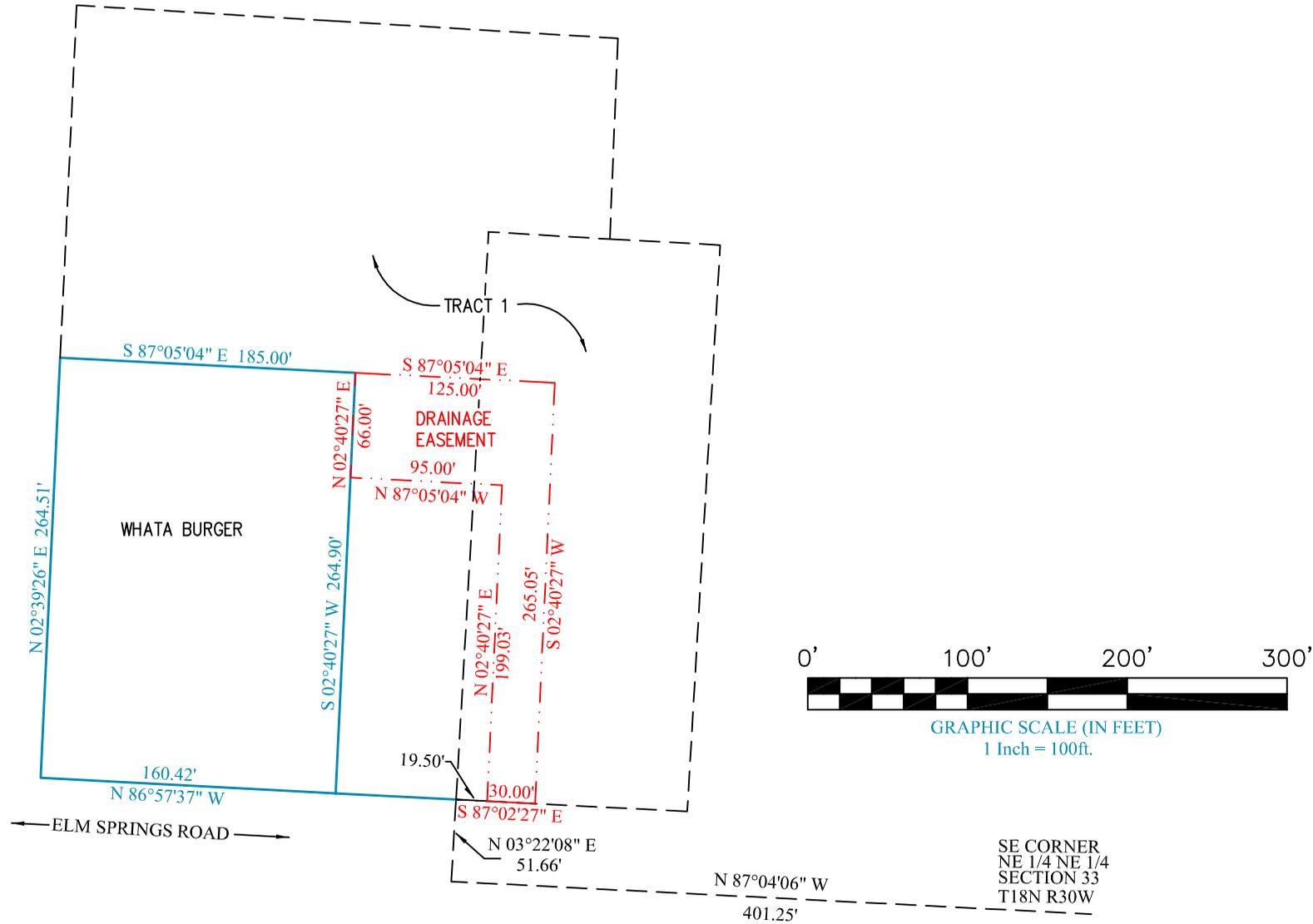


EXHIBIT "B"



FOR USE AND BENEFIT OF:
WHATA BURGER

ADDRESS:
**CITY OF SPRINGDALE
WASHINGTON COUNTY, ARKANSAS**

DATE:	SCALE: 1" = 100'
LOCATION: SEC-33 T-18-N, R-30-W	SURVEYED: XX
	DRAFTED: XX
	REVIEWED: XX

LEGEND: THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.

- WHATA BURGER BOUNDARY LINE
- TIE LINE/TRACT 1
- DRAINAGE EASEMENT

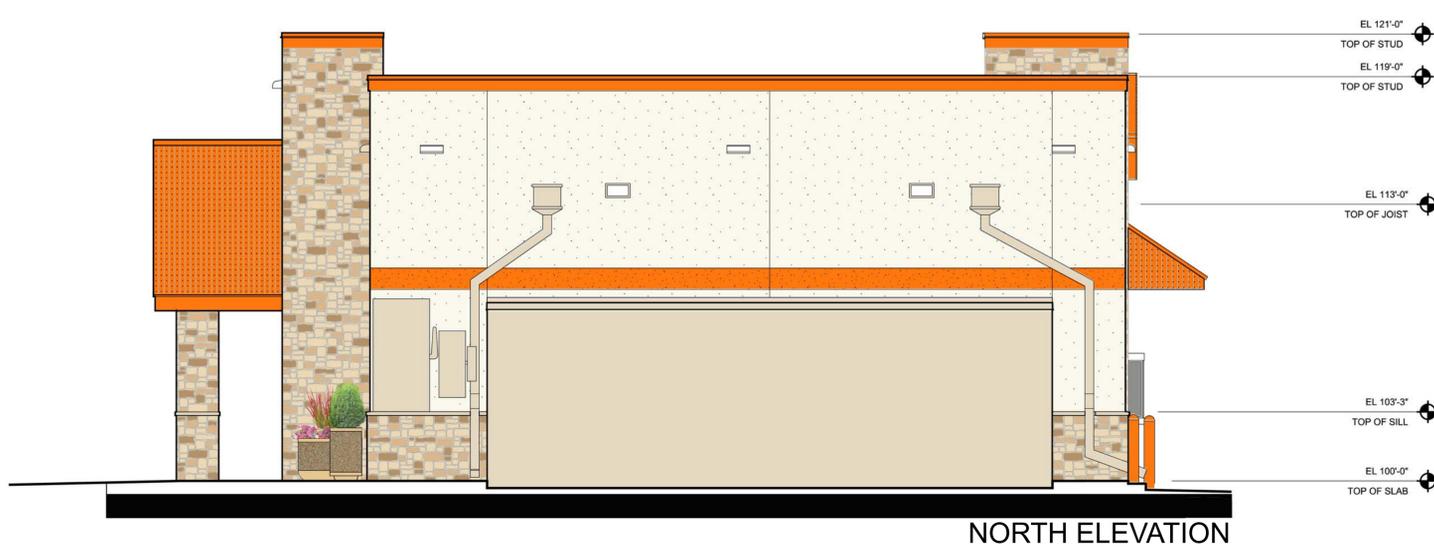
DRAWING# 14-304DE



Bates & Associates, Inc.
Civil Engineering - Land Surveying - Landscape Architecture

91 W. Colt Square Dr. · Fayetteville, Arkansas 72703 · 479.442.9350 · Fax 479.521.9350

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NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

EXTERIOR ELEVATIONS - REAL ESTATE #2101123
 ELM SPRINGS ROAD AND 40TH STREET
 SPRINGDALE AR. 72762
 12 JUNE 2015

PARENT TRACTS: 815-29791-090 TRACT "A" AS SHOWN ON TRACT SPLIT 95-50321
 815-29791-090 TRACT "B" AS SHOWN ON TRACT SPLIT 95-50321

PARENT TRACT DESCRIPTION:

TRACTS "A" AND "B" AS SHOWN ON TRACT SPLIT PLAT RECORD 95-50321 AS RECORDED IN THE CIRCUIT CLERK'S OFFICE FOR WASHINGTON COUNTY, ARKANSAS, BEING PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 30 WEST, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 87°04'06" WEST A DISTANCE OF 401.25 FEET; THENCE NORTH 03°22'08" EAST A DISTANCE OF 51.66 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF ELM SPRINGS ROAD FOR THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY NORTH 86°59'36" WEST A DISTANCE OF 100.00 FEET TO A FOUND REBAR STEEL PIN; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 86°57'37" WEST A DISTANCE OF 160.42 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 02°39'26" EAST A DISTANCE OF 486.64 FEET TO A FOUND REBAR STEEL PIN; THENCE SOUTH 86°28'13" EAST A DISTANCE OF 160.00 FEET TO A FOUND REBAR STEEL PIN; THENCE SOUTH 86°29'53" EAST A DISTANCE OF 179.49 FEET TO A FOUND REBAR STEEL PIN; THENCE SOUTH 02°18'52" WEST A DISTANCE OF 126.48 FEET TO A FOUND REBAR STEEL PIN; THENCE NORTH 86°22'44" EAST A DISTANCE OF 75.30 FEET; THENCE SOUTH 03°22'57" WEST A DISTANCE OF 357.99 FEET TO THE POINT OF BEGINNING, BEING A FOUND REBAR STEEL PIN. CONTAINING 3.14 ACRES MORE OR LESS.

SUBJECT TO ANY EASEMENTS OF RECORD OR FACT.

PROPOSED TRACT B1

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 30 WEST, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

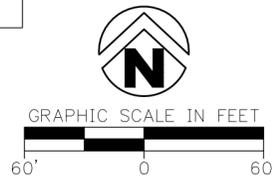
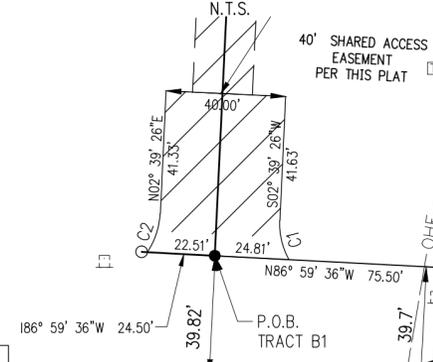
COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 87°04'06" WEST A DISTANCE OF 401.25 FEET; THENCE NORTH 03°22'08" EAST A DISTANCE OF 51.66; THENCE NORTH 86°59'36" WEST A DISTANCE OF 75.50 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF ELM SPRINGS ROAD FOR THE POINT OF BEGINNING; THENCE NORTH ALONG SAID RIGHT OF WAY NORTH 86°59'36" WEST A DISTANCE OF 24.50 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 86°57'37" WEST A DISTANCE OF 160.42 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 02°39'26" EAST A DISTANCE OF 264.51 FEET; THENCE SOUTH 87°05'04" EAST A DISTANCE OF 185.00; THENCE SOUTH 02°40'27" WEST A DISTANCE OF 264.89 FEET TO THE POINT OF BEGINNING. CONTAINING 1.12 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS OF RECORD OR FACT.

PROPOSED TRACT A1

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 30 WEST, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 87°04'06" WEST A DISTANCE OF 401.25 FEET; THENCE NORTH 03°22'08" EAST A DISTANCE OF 51.66 TO A POINT ON THE NORTH RIGHT OF WAY OF ELM SPRINGS ROAD FOR THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY NORTH 86°59'36" WEST A DISTANCE OF 75.50 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 02°40'27" EAST A DISTANCE OF 264.89 FEET; THENCE NORTH 87°05'04" WEST A DISTANCE OF 185.00 FEET; THENCE NORTH 02°39'26" EAST A DISTANCE OF 222.13 FEET; THENCE SOUTH 86°28'13" EAST A DISTANCE OF 160.00 FEET; THENCE SOUTH 86°29'53" EAST A DISTANCE OF 179.49 FEET; THENCE SOUTH 02°18'52" WEST A DISTANCE OF 126.48 FEET; THENCE NORTH 86°22'44" WEST A DISTANCE OF 75.30 FEET; THENCE SOUTH 03°22'57" WEST A DISTANCE OF 357.99 FEET TO THE POINT OF BEGINNING. CONTAINING 2.02 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS OF RECORD OR FACT.

40' ACCESS EASEMENT DETAIL



BASIS OF BEARING: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 83 HORIZONTAL DATUM AND NAVD 88 VERTICAL DATUM DETERMINED BY GPS OBSERVATION ON THE CITY OF SPRINGDALE CONTROL MONUMENTS USING THEIR PUBLISHED VALUES.

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	13.68'	25.00'	31°21'42"	S13° 01' 25"E	13.51'
C2	13.70'	25.00'	31°23'29"	N18° 21' 11"E	13.53'

RECORD SE CORNER NE/NE S33, T18N, R33W (PER PLAT 95-50321)

LAND SURVEYOR'S DECLARATION:

I HEREBY DECLARE THAT ON THE 16TH DAY OF JANUARY, 2015 THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION AND THE IRON PINS WERE FOUND OR SET, AS SHOWN, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CRAFTON, TULL & ASSOCIATES, INC.
 BY AL HARRIS (AGENT)

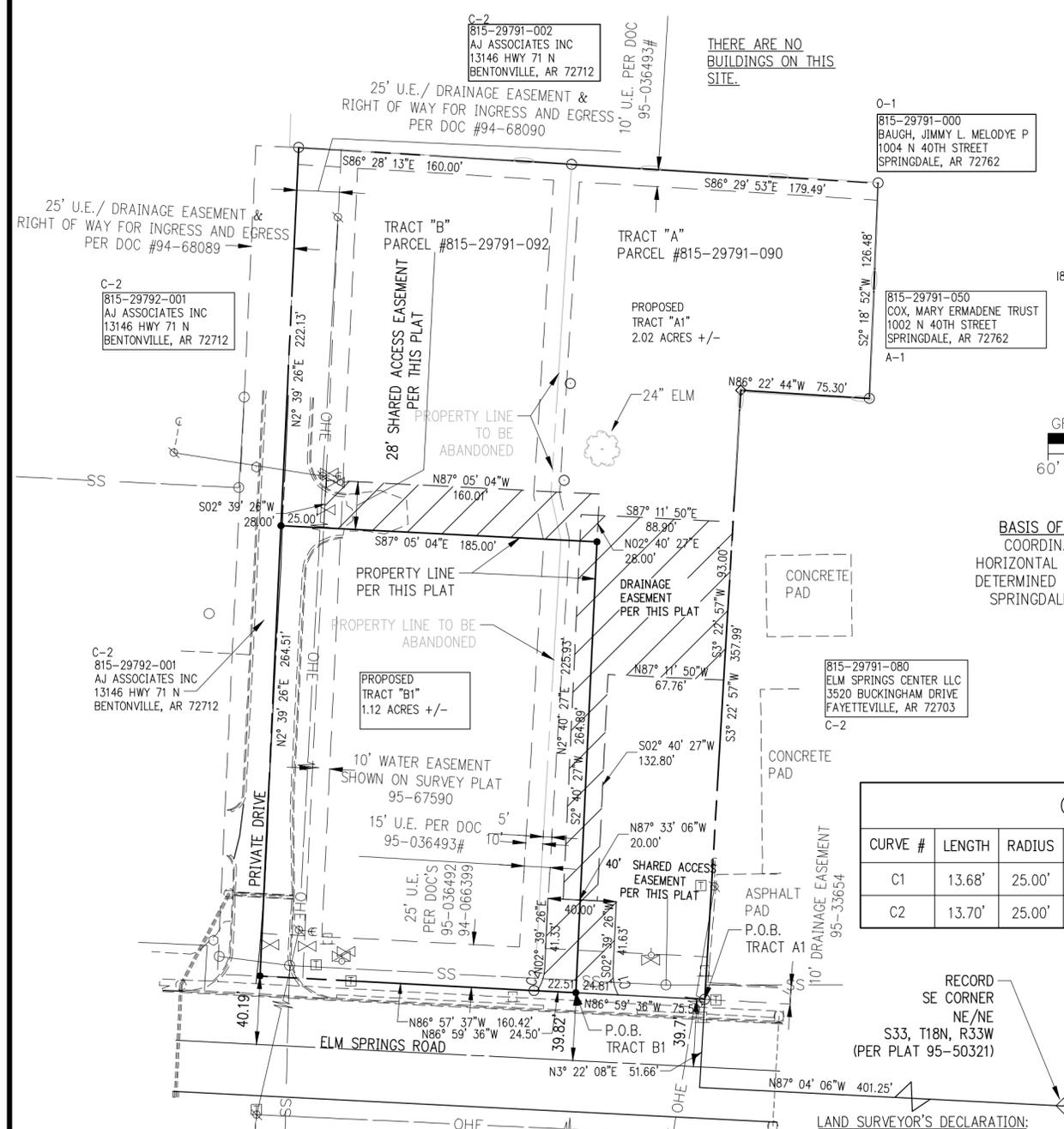


Al Harris
 AL HARRIS P.L.S. 0931

LEGEND (EXISTING)

- SYMBOLS**
- SET IRON PIN/ MAGNAIL
 - FOUND IRON PIN
 - ☼ LIGHT POLE
 - ⊕ POWER POLE
 - TELEPHONE PEDESTAL
 - TV PEDESTAL
 - MANHOLE
 - SANITARY SEWER CLEANOUT
 - GAS METER
 - ⊗ GAS VALVE
 - ⊗ STORM SEWER PIPE
 - ⊗ DOWN GUY
 - ⊗ WATER VALVE
 - ⊗ FIRE HYDRANT ASSEMBLY
 - ◇ RECORD CORNER

- LINWORK**
- EASEMENT
 - CURB
 - INTERMEDIATE CONTOUR
 - INDEX CONTOUR
 - SANITARY SEWER LINE
 - GAS LINE
 - WATER LINE
 - UGT



NOTES:

- THE PROPERTY SURVEYED IS WITHIN THE MUNICIPAL LIMITS OF SPRINGDALE, AR.
- THE BOUNDARY DETERMINATION SHOWN HEREON WAS BASED UPON THE FOLLOWING PLATS:
- 95-50321
- 95-67590
- DEEDS: 2004-13845
- 2004-2892
- SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT CONSIDERED A PART OF THIS SURVEY AND NO INVESTIGATION OF THESE CONDITIONS WAS MADE.
- ANY UTILITY LINES, STRUCTURES OR APPURTENANCES SHOWN HEREON ARE FROM A FIELD INVESTIGATION LIMITED TO THE VISIBLE SURFACE OF THE PROPERTY SURVEYED, EXCEPT WHERE NOTED. OTHER UTILITY LINES, STRUCTURES AND APPURTENANCES MAY BE PRESENT ON THE PROPERTY. FOR INFORMATION REGARDING SUCH ITEMS, CONTACT THE APPROPRIATE AGENCIES.
- THE SURVEYOR HAS NOT MADE A SEPARATE INVESTIGATION OR SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, OR RESTRICTIVE COVENANTS. ANY EASEMENTS SHOWN HEREON CAME TO THE ATTENTION OF THE SURVEYOR FROM EXISTING RECORD PLATS. OTHER RECORD EASEMENTS, ENCUMBRANCES, OR COVENANTS MAY EXIST ON THE SURVEYED PROPERTY.
- THIS PROPERTY IS NOT IN FLOOD ZONE "A" OR "AE", AND IS OUTSIDE THE 100-YEAR FLOOD PLAIN AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FIRM PANEL NUMBER 05143C0060 F, EFFECTIVE DATE MAY 16, 2008.
- THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP. IN ADDITION, NO INDEPENDENT STUDY OF THE LIKELIHOOD OF FLOODING OF THE SURVEYED PROPERTY HAS BEEN DONE BY THE SURVEYOR AND NO OPINION OF FLOOD HAZARDS IS INCLUDED IN THIS SURVEY.
- ALL COPIES THAT DO NOT BEAR AN ORIGINAL SEAL AND SIGNATURE MAY HAVE BEEN ALTERED. THE ABOVE DECLARATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

ZONING: C-2

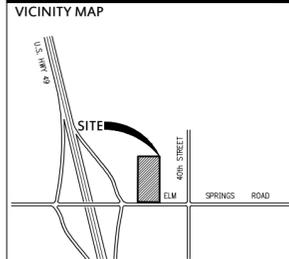
Owner:
 ELM SPRINGS CENTER LLC
 3520 BUCKINGHAM DRIVE
 FAYETTEVILLE, AR 72703

Developer Name/Address:
 WHATABURGER
 JOE NEELY
 300 CONCORD PLAZA DRIVE
 SAN ANTONIO, TX 78216
 (210) 476-6625

TRACT SPLIT
 TRACT A & B
 TRACT SPLIT PLAT 95-50321

PREPARED FOR:
 WHATABURGER

ARKANSAS
 SPRINGDALE



DELTA	DESCRIPTION	DATE
1	REVISIONS PER CITY	2/18/2015
2	REVISIONS PER CITY	06/12/2015

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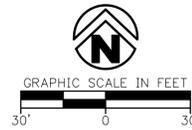
901 N. 47th St., Suite 200
 Rogers, Arkansas 72756

architecture | engineering | surveying
 479.636.4838 | 479.631.6224 f
 www.craftontull.com

CERTIFICATE OF AUTHORIZATION

PROJECT NO: 15100400
 ISSUE DATE: 03/18/2015
 CONTACT: A. HARRIS
 CHECKED BY:
 SHEET NO.:

DRAWING: \\BOGHE\FILES\15100400\WHATABURGER\SURV\DWG\15100400 TRACT SPLIT.DWG
 LAYOUT: LAYOUT1.LAST SAVED: 03/18/2015 10:42:56 AM
 LAST PLOTTED BY: RODNEY WOODS, 03/18/2015 11:17:45 AM (PLOTTED BY: VALID ON-HAND COPY ONLY)

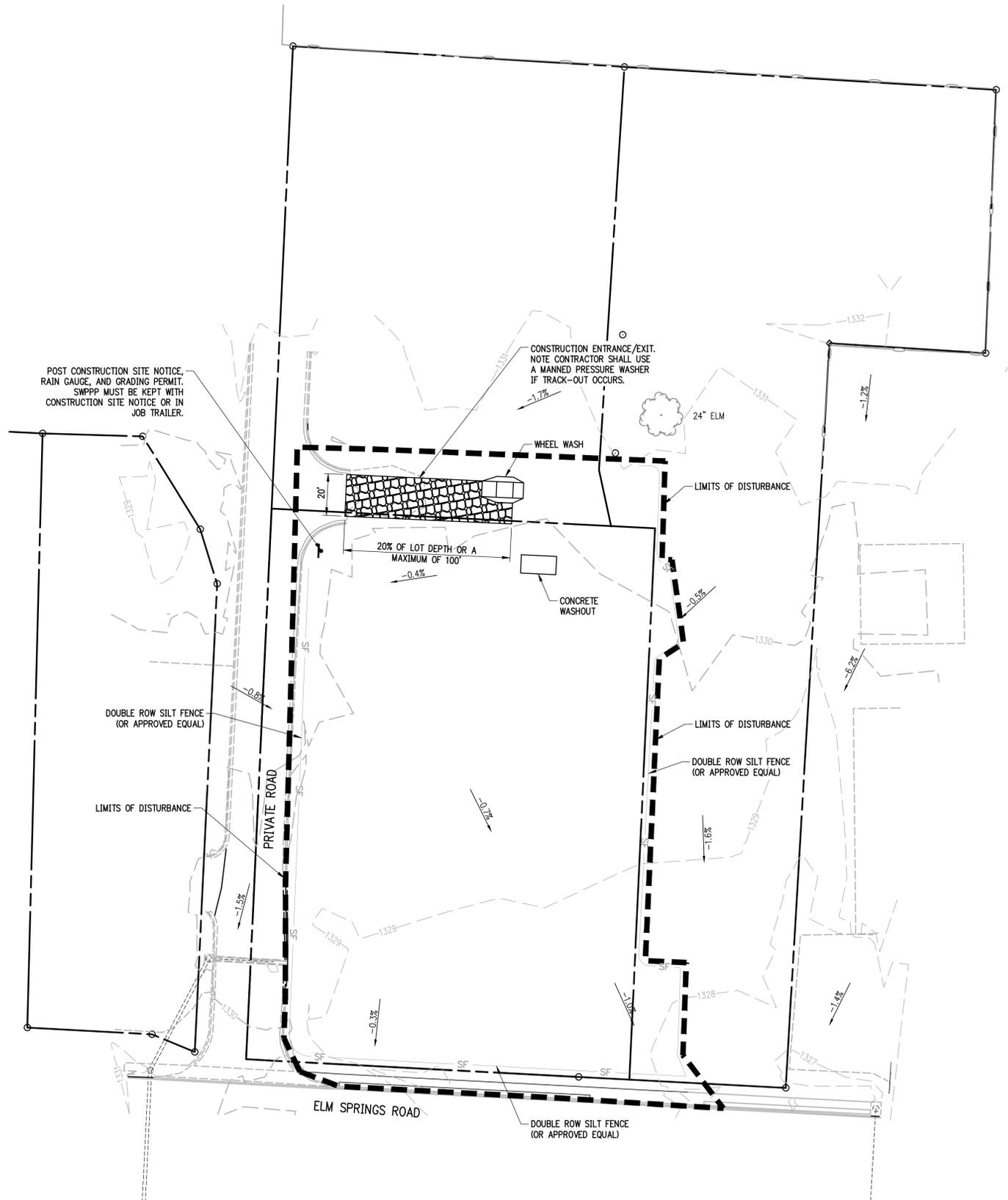


EROSION CONTROL LEGEND					
	PS	PERMANENT SEEDING		AV	ANTI-VORTEX DEVICE
	TPS	TEMPORARY PARKING AND STORAGE		OD	ROCK CHECK DAM
		BOUNDARY LINE		CE	TEMPORARY STONE CONSTRUCTION EXIT
		RIGHT OF WAY LINE		DD	CHANNELED DIVERSIONS
		LIMITS OF DISTURBANCE		DS	DEWATERING SYSTEM / STRUCTURE
		GRADE BREAK		SF	WIRE-BACKED SILT FENCE
		CONTOUR ELEVATIONS		ST	SEDIMENT BASIN WITH STONE OUTLET
		STORM DRAIN		IP1	BLOCK AND AGGREGATE INLET SEDIMENT DEVICE
		DIRECTION OF OVERLAND FLOW W/ GRADE		IP3	CURB INLET GRAVEL SEDIMENT FILTER
		LIMITS OF DRAINAGE SUB-BASIN		IP5	GRADED INLET GRAVEL SEDIMENT FILTER
				IP6	SILT FENCE INLET PROTECTION
				OP1	OUTLET PROTECTION RIP-RAP PAD (SEE SIZE THIS SHEET)
				ECL	PERMANENT EROSION CONTROL LINING
				SB	TEMPORARY SEDIMENT BASIN

NOTE: SEE SITE PLAN FOR EXISTING LEGEND SYMBOLS

SITE STABILIZATION AND CERTIFICATION

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REVISIONS	SYN. DATE	DESCRIPTION	BY

PROJECT:
 BUILDING PT14S
 ELM SPRINGS ROAD
 AND 40TH STREET
 SPRINGDALE, AR 72762



WHATABURGER
 300 CONCORD PLAZA DR.
 SAN ANTONIO, TEXAS
 210-476-6000 ZIP 78216

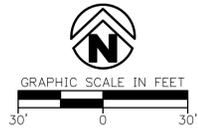
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SHEET TITLE:
 EROSION CONTROL
 PHASE I

UNIT NO. 2101123
 DATE: 05.20.15
 SCALE:
 DRAWN BY:
 APPROVED BY: DE

SHEET NO:
C-3.0





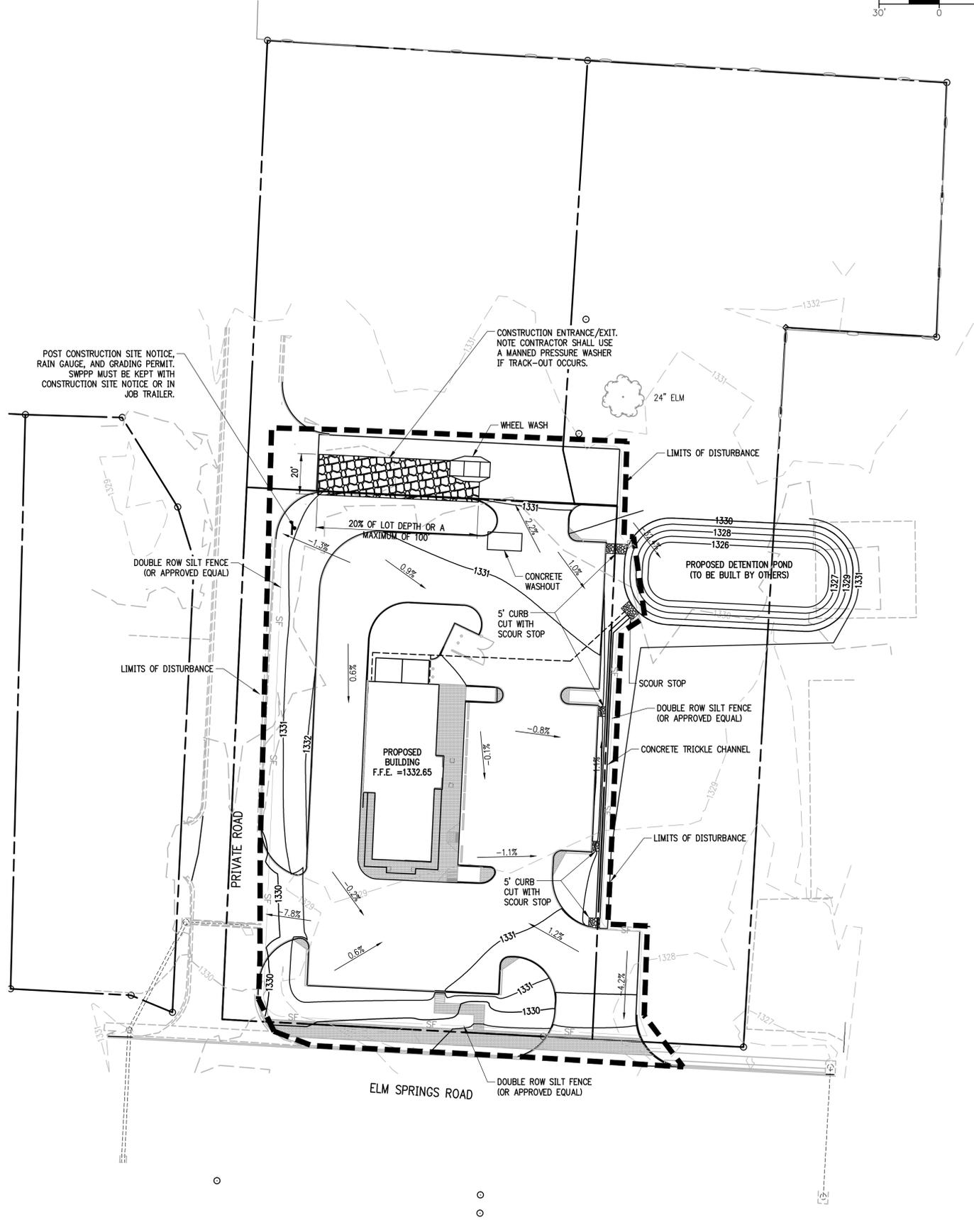
EROSION CONTROL LEGEND

- PS PERMANENT SEEDING
- TPS TEMPORARY PARKING AND STORAGE
- BOUNDARY LINE
- - - RIGHT OF WAY LINE
- - - LIMITS OF DISTURBANCE
- - - GRADE BREAK
- xxx CONTOUR ELEVATIONS
- STORM DRAIN
- XXX DIRECTION OF OVERLAND FLOW W/ GRADE
- LIMITS OF DRAINAGE SUB-BASIN
- AV ANTI-VORTEX DEVICE
- OD ROCK CHECK DAM
- CE TEMPORARY STONE CONSTRUCTION EXIT
- CD CHANNLED DIVERSIONS
- DS DEWATERING SYSTEM / STRUCTURE
- SF WIRE-BACKED SILT FENCE
- ST SEDIMENT BASIN WITH STONE OUTLET
- TP1 BLOCK AND AGGREGATE INLET SEDIMENT DEVI
- TP3 CURB INLET GRAVEL SEDIMENT FILTER
- TP5 GRATED INLET GRAVEL SEDIMENT FILTER
- TP6 SILT FENCE INLET PROTECTION
- OP1 OUTLET PROTECTION RIP-RAP PAD (SEE SIZE THIS SHEET)
- ECL PERMANENT EROSION CONTROL LINING
- SB TEMPORARY SEDIMENT BASIN

NOTE: SEE SITE PLAN FOR EXISTING LEGEND SYMBOLS

SITE STABILIZATION AND CERTIFICATION

CRAFTON TULL CANNOT CERTIFY THE SITE AS COMPLETE IN ORDER TO OBTAIN THE CERTIFICATE OF OCCUPANCY UNTIL ALL DISTURBED AREAS RELATED TO THE CONSTRUCTION OF THE PROJECT, BOTH ONSITE AND OFFSITE, HAVE BEEN STABILIZED PER THE PLANS AND SPECIFICATIONS AND ALL REQUIREMENTS SPELLED OUT IN PERMITS ISSUED BY THE STATE AND LOCAL AUTHORITIES HAVE BEEN MET.



REVISIONS	SYN. DATE	DESCRIPTION	BY

PROJECT:
BUILDING PT145
ELM SPRINGS ROAD
AND 40TH STREET
SPRINGDALE, AR 72762

Crafton Tull
 REGISTERED PROFESSIONAL ENGINEER
 No. 109

WHATABURGER
 300 CONCORD PLAZA DR.
 SAN ANTONIO, TEXAS
 210-476-6000 ZIP 78216

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SHEET TITLE:
EROSION CONTROL PHASE II

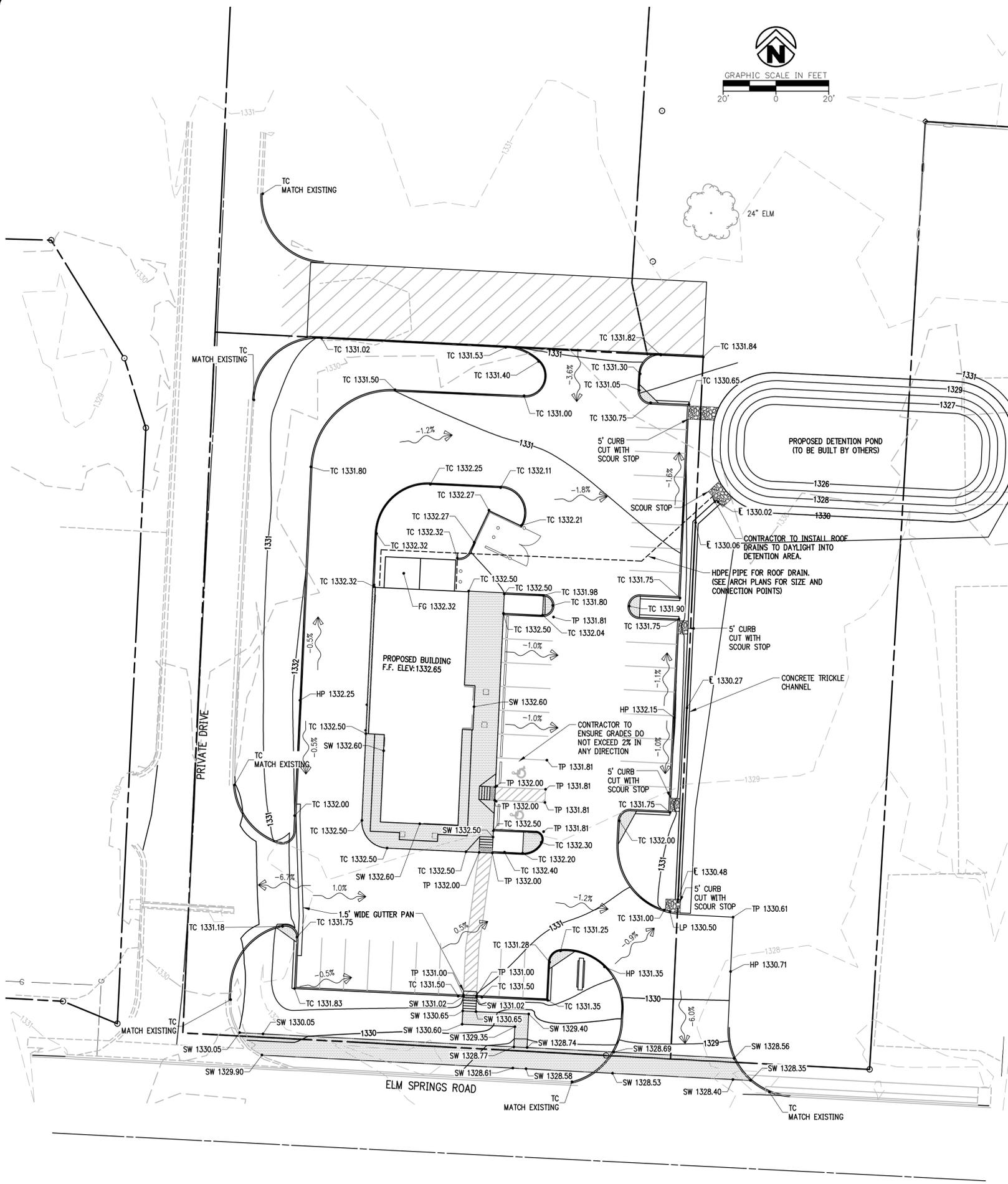
UNIT NO. 2101123
 DATE: 05.20.15
 SCALE:
 DRAWN BY:
 APPROVED BY: DE

SHEET NO:
C-3.1

CERTIFICATE OF AUTHORIZATION
 CRAFTON TULL & ASSOCIATES, INC.
 No. 109
 REGISTERED PROFESSIONAL ENGINEER

STATE OF ARKANSAS
 REGISTERED PROFESSIONAL ENGINEER
 No. 11825
 DANIEL P. ELLIS





GRADING AND DRAINAGE NOTES

- THE DESIGN, INSPECTION, AND CERTIFICATION OF ANY RETAINING WALL SHOWN OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, SEGMENTAL RETAINING WALLS, MASS GRAVITY WALLS, GABION WALLS, ETC., GREATER THAN FORTY-EIGHT INCHES IN HEIGHT, SHALL BE BY OTHERS. ANY RETAINING WALL DATA SHOWN OR REFERENCED HEREIN SHALL BE FOR COORDINATION OF THE WALL LOCATION AND ELEVATIONS ONLY.
- THE OWNER/CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR OBTAINING AND PROVIDING SEPARATE AND INDEPENDENT RETAINING WALL DESIGNS, INSPECTIONS, AND CERTIFICATIONS BY A REGISTERED PROFESSIONAL ENGINEER OTHER THAN CRAFTON TULL. THIS SHALL ALSO APPLY TO ANY ASSOCIATED AND NECESSARY PUBLIC SAFETY DEVICES INCLUDING, BUT NOT LIMITED TO, PEDESTRIAN SAFETY RAILS.
- THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF EXISTING UTILITIES ON SITE OR IN RIGHT-OF-WAY. ALL UTILITIES MUST BE LOCATED PRIOR TO GRADING START.
- ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
- ALL CUT OR FILL SLOPES SHALL BE A MAX 3:1 SLOPE OR FLATTER UNLESS OTHERWISE NOTED.
- IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS NECESSARY TO RETURN IT TO EXISTING CONDITION OR BETTER.
- ALL STORM SEWER PIPE CONNECTIONS TO STRUCTURES SHALL BE GROUTED TO ASSURE CONNECTION AT STRUCTURE IS WATERTIGHT. ALL STORM SEWER STRUCTURES SHALL HAVE A SMOOTH UNIFORM POURED MORTAR INVERT FROM INVERT IN TO INVERT OUT.
- ALL DRAINAGE STRUCTURES AND STORM SEWER PIPES SHALL MEET HEAVY DUTY TRAFFIC (H20) LOADING AND BE INSTALLED ACCORDINGLY WHEN IN PAVED AND TRAFFIC AREAS.
- ALL STORM SEWER MANHOLES IN PAVED AREAS SHALL BE FLUSH WITH THE PAVEMENT AND SHALL HAVE TRAFFIC BEARING RINGS AND COVERS.
- MANHOLES IN UNPAVED AREAS SHALL BE 1" ABOVE FINISH GRADE.
- LIDS SHALL BE LABELED PER JURISDICTIONAL SPECIFICATIONS.
- SITE GRADING SHALL NOT PROCEED UNTIL APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES HAVE BEEN INSTALLED. THE CONTRACTOR SHALL ADHERE TO ALL TERMS AND CONDITIONS AS OUTLINED IN THE GENERAL NPDES PERMIT AND THE SWPPP FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
- ALL UNSURFACED AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE 4 INCHES OF TOPSOIL TO FINAL GRADE. REFER TO THE LANDSCAPE PLAN.
- TOPOGRAPHIC INFORMATION TAKEN FROM A TOPOGRAPHIC SURVEY BY LAND SURVEYORS. IF CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON PLANS, CONTACT ENGINEER IMMEDIATELY.
- THE CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS FOR ALL NATURAL AND PAVED AREAS THROUGHOUT ALL PHASES OF CONSTRUCTION.
- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.
- THE EARTHWORK FOR ALL BUILDING FOUNDATIONS AND SLABS SHALL BE IN ACCORDANCE WITH ARCHITECTURAL BUILDING PLANS AND SPECIFICATIONS.
- EXISTING DRAINAGE STRUCTURES TO BE INSPECTED AND REPAIRED AS NEEDED, AND EXISTING PIPES TO BE CLEANED OUT TO REMOVE ALL SILT AND DEBRIS.
- CONTRACTOR SHALL ADJUST AND/OR CUT EXISTING PAVEMENT AS NECESSARY TO ASSURE A SMOOTH FIT AND CONTINUOUS GRADE.
- CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM THE SITE.
- IF WET AREAS ARE ENCOUNTERED ON-SITE THE CONTRACTOR SHALL COORDINATE WITH THE GEOTECHNICAL ENGINEER FOR THE DESIGN AND REPLACEMENT OF A FRENCH DRAIN SYSTEM.

- THE DESIGN, INSPECTION, AND CERTIFICATION OF ANY RETAINING WALL SHOWN OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, SEGMENTAL RETAINING WALLS, MASS GRAVITY WALLS, GABION WALLS, ETC., GREATER THAN FORTY-EIGHT INCHES IN HEIGHT, SHALL BE BY OTHERS. ANY RETAINING WALL DATA SHOWN OR REFERENCED HEREIN SHALL BE FOR COORDINATION OF THE WALL LOCATION AND ELEVATIONS ONLY.
- THE OWNER/CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR OBTAINING AND PROVIDING SEPARATE AND INDEPENDENT RETAINING WALL DESIGNS, INSPECTIONS, AND CERTIFICATIONS BY A REGISTERED PROFESSIONAL ENGINEER OTHER THAN CRAFTON TULL. THIS SHALL ALSO APPLY TO ANY ASSOCIATED AND NECESSARY PUBLIC SAFETY DEVICES INCLUDING, BUT NOT LIMITED TO, PEDESTRIAN SAFETY RAILS.
- THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF EXISTING UTILITIES ON SITE OR IN RIGHT-OF-WAY. ALL UTILITIES MUST BE LOCATED PRIOR TO GRADING START.
- ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
- ALL CUT OR FILL SLOPES SHALL BE A MAX 3:1 SLOPE OR FLATTER UNLESS OTHERWISE NOTED.
- IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS NECESSARY TO RETURN IT TO EXISTING CONDITION OR BETTER.
- ALL STORM SEWER PIPE CONNECTIONS TO STRUCTURES SHALL BE GROUTED TO ASSURE CONNECTION AT STRUCTURE IS WATERTIGHT. ALL STORM SEWER STRUCTURES SHALL HAVE A SMOOTH UNIFORM POURED MORTAR INVERT FROM INVERT IN TO INVERT OUT.
- ALL DRAINAGE STRUCTURES AND STORM SEWER PIPES SHALL MEET HEAVY DUTY TRAFFIC (H20) LOADING AND BE INSTALLED ACCORDINGLY WHEN IN PAVED AND TRAFFIC AREAS.
- ALL STORM SEWER MANHOLES IN PAVED AREAS SHALL BE FLUSH WITH THE PAVEMENT AND SHALL HAVE TRAFFIC BEARING RINGS AND COVERS.
- MANHOLES IN UNPAVED AREAS SHALL BE 1" ABOVE FINISH GRADE.
- LIDS SHALL BE LABELED PER JURISDICTIONAL SPECIFICATIONS.
- SITE GRADING SHALL NOT PROCEED UNTIL APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES HAVE BEEN INSTALLED. THE CONTRACTOR SHALL ADHERE TO ALL TERMS AND CONDITIONS AS OUTLINED IN THE GENERAL NPDES PERMIT AND THE SWPPP FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
- ALL UNSURFACED AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE 4 INCHES OF TOPSOIL TO FINAL GRADE. REFER TO THE LANDSCAPE PLAN.
- TOPOGRAPHIC INFORMATION TAKEN FROM A TOPOGRAPHIC SURVEY BY LAND SURVEYORS. IF CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON PLANS, CONTACT ENGINEER IMMEDIATELY.
- THE CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS FOR ALL NATURAL AND PAVED AREAS THROUGHOUT ALL PHASES OF CONSTRUCTION.
- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.
- THE EARTHWORK FOR ALL BUILDING FOUNDATIONS AND SLABS SHALL BE IN ACCORDANCE WITH ARCHITECTURAL BUILDING PLANS AND SPECIFICATIONS.
- EXISTING DRAINAGE STRUCTURES TO BE INSPECTED AND REPAIRED AS NEEDED, AND EXISTING PIPES TO BE CLEANED OUT TO REMOVE ALL SILT AND DEBRIS.
- CONTRACTOR SHALL ADJUST AND/OR CUT EXISTING PAVEMENT AS NECESSARY TO ASSURE A SMOOTH FIT AND CONTINUOUS GRADE.
- CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM THE SITE.
- IF WET AREAS ARE ENCOUNTERED ON-SITE THE CONTRACTOR SHALL COORDINATE WITH THE GEOTECHNICAL ENGINEER FOR THE DESIGN AND REPLACEMENT OF A FRENCH DRAIN SYSTEM.

SITE STABILIZATION AND CERTIFICATION

CRAFTON TULL CANNOT CERTIFY THE SITE AS COMPLETE IN ORDER TO OBTAIN THE CERTIFICATE OF OCCUPANCY UNTIL ALL DISTURBED AREAS RELATED TO THE CONSTRUCTION OF THE PROJECT, BOTH ONSITE AND OFFSITE, HAVE BEEN STABILIZED PER THE PLANS AND SPECIFICATIONS AND ALL REQUIREMENTS SPELLED OUT IN PERMITS ISSUED BY THE STATE AND LOCAL AUTHORITIES HAVE BEEN MET.

LEGEND (EXISTING)

SYMBOLS	LINWORK
	STORM SEWER PIPE
	GRATED INLET
	DROP INLET
	CURB
	INTERMEDIATE CONTOUR
	INDEX CONTOUR

LEGEND (PROPOSED)

SYMBOLS	LINWORK
	TC XX.XX TOP OF CURB
	TP XX.XX TOP OF PAVEMENT
	HP XX.XX HIGH POINT
	LP XX.XX LOW POINT
	FG XX.XX FINISH GRADE
	SW XX.XX SIDEWALK
	G XX.XX GUTTER
	CURB
	INTERMEDIATE CONTOUR
	INDEX CONTOUR
	PROPERTY LINE
	GRADE BREAK

REVISIONS	SYN. DATE	DESCRIPTION

PROJECT:
**BUILDING PT145
 ELM SPRINGS ROAD
 AND 40TH STREET
 SPRINGDALE, AR 72762**

Crafton Tull
 REGISTERED PROFESSIONAL ENGINEER
 No. 11825
 DANIEL P. ELLIS

WHATABURGER
 300 CONCORD PLAZA DR.
 SAN ANTONIO, TEXAS
 210-476-6000 ZIP 78216

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SHEET TITLE:
GRADING PLAN

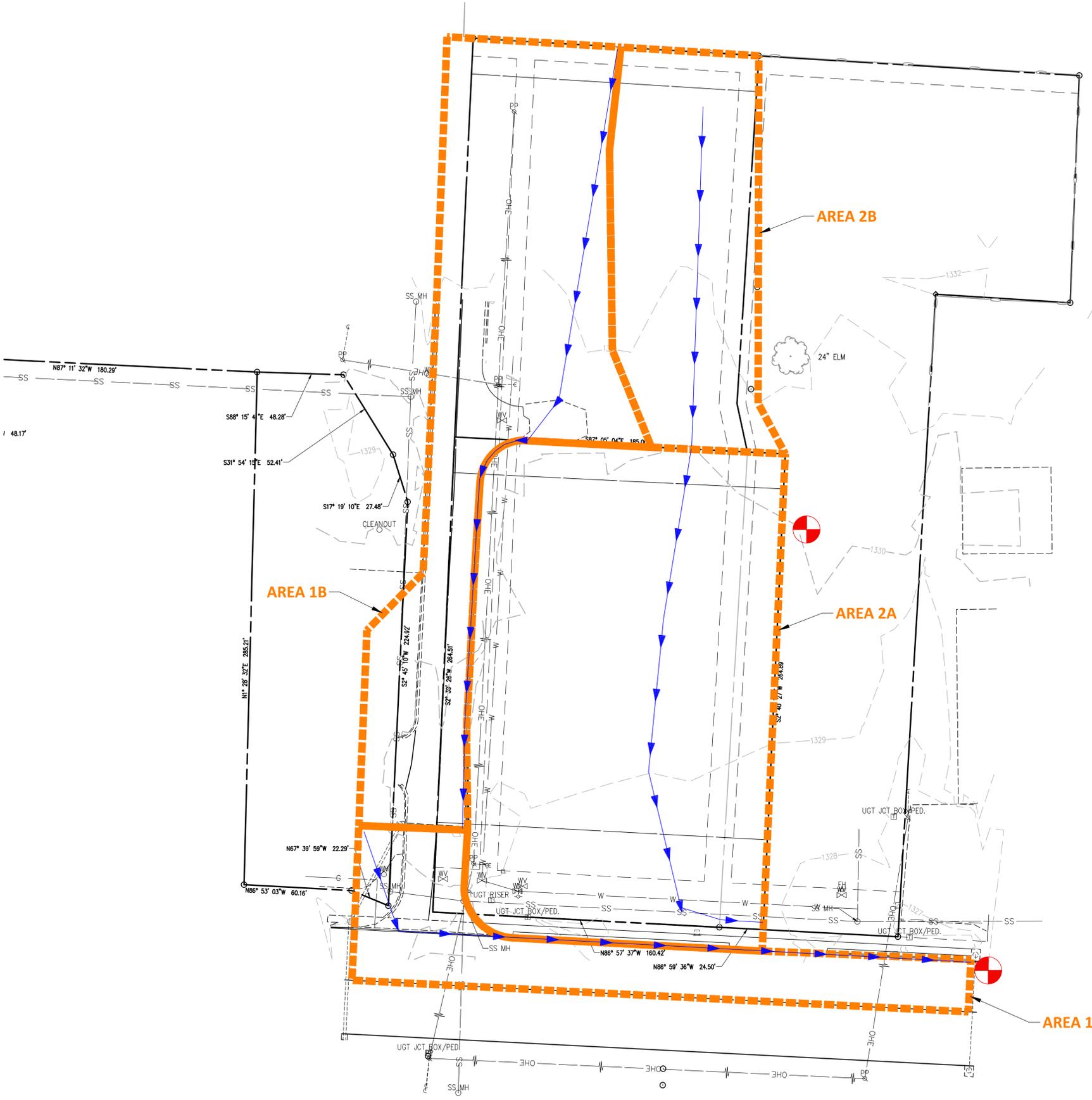
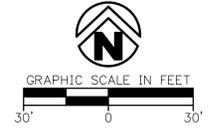
UNIT NO. 2101123
 DATE: 05.20.15
 SCALE:
 DRAWN BY:
 APPROVED BY: DE

SHEET NO:
C-4.0

Arkansas One Call
811
 Know what's below.
 Call before you dig.

CERTIFICATE OF AUTHORIZATION
 CRAFTON TULL & ASSOCIATES, INC.
 No. 109
 REGISTERED PROFESSIONAL ENGINEER
 No. 11825
 DANIEL P. ELLIS

WHATABURGER



LEGEND

- DRAINAGE AREA BOUNDARY
- Tc FLOW PATH
- AREA STUDY POINT

EXISTING DRAINAGE CONDITIONS

TOTAL DRAINAGE AREA
+/- 2.53 ACRES

HYDROLOGIC SOIL GROUP: C

EXISTING AREA 1A
+/- 0.31 ACRES
C: 0.95 (IMPERVIOUS, 0.30 AC)
C: 0.20 (GREEN SPACE, 0.01 AC)
TOTAL C: 0.93
Tc: 8.00 MIN

EXISTING AREA 1B
+/- 0.74 ACRES
C: 0.95 (IMPERVIOUS, 0.48 AC)
C: 0.20 (GREEN SPACE, 0.26 AC)
TOTAL C: 0.69
Tc: 8.00 MIN

EXISTING AREA 2A
+/- 1.07 ACRES
C: 0.20 (GREEN SPACE)
Tc: 15.00 MIN

EXISTING AREA 2B
+/- 0.41 ACRES
C: 0.85 (COMMERCIAL)
Tc: 5.00 MIN

REVISIONS	DATE	DESCRIPTION	BY

PROJECT:
BUILDING PT 14S
ELM SPRINGS ROAD
AND 40TH STREET
SPRINGDALE, AR 72762



WHATABURGER
300 CONCORD PLAZA DR.
SAN ANTONIO, TEXAS
210-476-6000 ZIP 78216

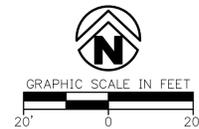
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SHEET TITLE:
PRE-DEVELOPMENT
DRAINAGE MAP

UNIT NO. 2101123
DATE: 05.20.15
SCALE:
DRAWN BY:
APPROVED BY: DE

SHEET NO:
C-4.1





LEGEND

- DRAINAGE AREA BOUNDARY
- Tc FLOW PATH
- AREA STUDY POINT

PROPOSED DRAINAGE CONDITIONS

TOTAL DRAINAGE AREA
+/- 2.57 ACRES

HYDROLOGIC SOIL GROUP: C

PROPOSED AREA 1A
+/- 0.48 ACRES
C: 0.95 (IMPERVIOUS, 0.39 AC)
C: 0.20 (OPEN SPACE, 0.09 AC)
TOTAL C: 0.81
Tc: 8.00 MIN

PROPOSED AREA 1B
+/- 0.88 ACRES
C: 0.95 (IMPERVIOUS, 0.50 AC)
C: 0.20 (OPEN SPACE, 0.38 AC)
TOTAL C: 0.63
Tc: 8.00 MIN

PROPOSED AREA 2A
+/- 0.80 ACRES
C: 0.95 (IMPERVIOUS, 0.71 AC)
C: 0.20 (OPEN SPACE, 0.09 AC)
TOTAL C: 0.87
Tc: 5.00 MIN

PROPOSED AREA 2B
+/- 0.41 ACRES
C: 0.85 (COMMERCIAL)
Tc: 5.00 MIN

REVISIONS	DATE	DESCRIPTION	BY

PROJECT:
BUILDING PT14S
ELM SPRINGS ROAD
AND 40TH STREET
SPRINGDALE, AR 72762

Crafton Tull
REGISTERED PROFESSIONAL ENGINEER
No. 109

WHATABURGER
300 CONCORD PLAZA DR.
SAN ANTONIO, TEXAS
210-476-6000 ZIP 78216

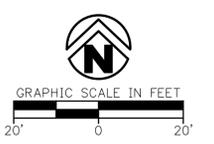
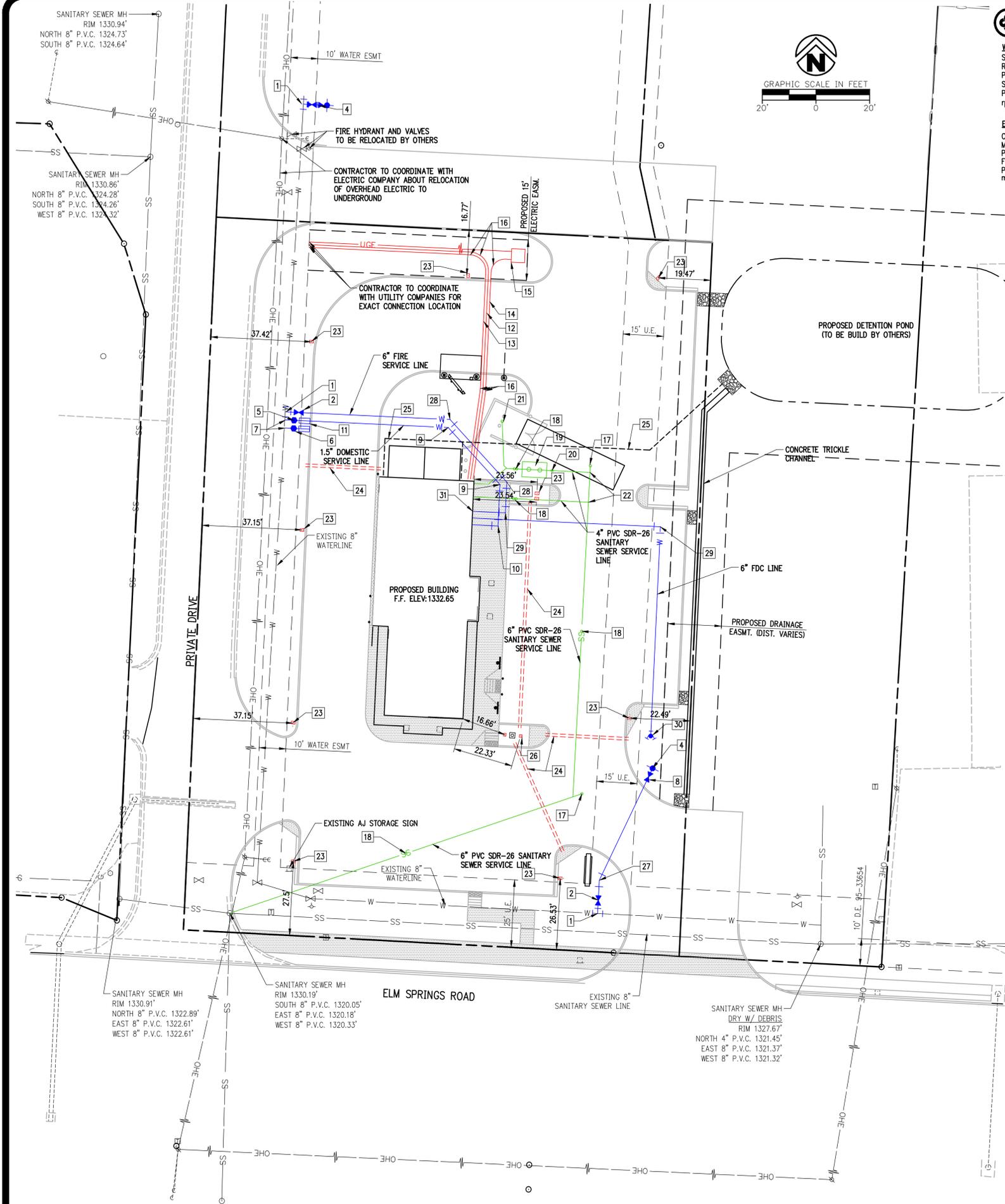
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SHEET TITLE:
POST-DEVELOPMENT
DRAINAGE MAP

UNIT NO. 2101123
DATE: 05.20.15
SCALE:
DRAWN BY:
APPROVED BY: DE

SHEET NO:
C-4.2





UTILITY COMPANIES

WATER & SEWER
 SPRINGDALE WATER UTILITIES
 RICK PULVIRENTI
 P.O. BOX 769
 SPRINGDALE, AR. 72764
 PHONE: (479) 927-4183
 rpulvirenti@springdalewater.com

TELEPHONE
 AT&T
 LAYNE RHODES
 627 WHITE ROAD
 SPRINGDALE, AR 72765
 PHONE: (479) 442-1977
 lr1592@att.com

CABLE TELEVISION
 COX COMMUNICATIONS
 205 EAST JOHNSON AVENUE
 SPRINGDALE, AR 72764
 PHONE: (479) 751-2000

ELECTRIC
 OZARK ELECTRIC
 MIKE PHIPPS
 P.O. BOX 848
 FAYETTEVILLE, AR 72702
 PHONE: (479) 841-2012
 mhipps@ozarksecc.com

GAS
 SOURCE GAS
 1-800-563-0012

CONSTRUCTION NOTES

- 8"x6" TAPPING SLEEVE AND 6" GATE VALVE
- 6" DEMARCATION VALVE
- 8"x6" REDUCER
- FIRE HYDRANT
- 1.5" METER SIZED BY STANDARD DETAIL S-23 BASED ON PEAK DOMESTIC DEMANDS. CONTRACTOR TO CONTACT SWJ BEFORE INSTALLATION.
- 1" IRRIGATION METER WITH RPZ.
- CONNECT TO WATERLINE FOR DOMESTIC SERVICE & IRRIGATION LINE.
- 8" GATE VALVE
- 1.5" 45° BEND
- 1.5" 90° BEND
- INSTALL RPZA BACKFLOW PREVENTER FOR DOMESTIC WATER SERVICE. REFER TO MECHANICAL PLANS FOR TYPE AND LOCATION (TYP.).
- 2-4" CONDUITS WITH PULL STRINGS FOR UGT
- 1-4" CONDUITS WITH PULL STRINGS FOR COX COMMUNICATIONS
- 3-2" CONDUITS WITH ROPE RATED AT 1800LBS (1/2"-1/2") FOR UGE
- TRANSFORMER PAD AND EASEMENT
- LONG SWEEPING ELBOWS
- INSTALL SANITARY SEWER CLEAN-OUT
- INSTALL SANITARY SEWER TWO-WAY CLEAN-OUT
- CONSTRUCT 3,000 GALLON MINIMUM CAPACITY GREASE INTERCEPTOR PER MEP PLANS
- SAMPLE WELL PER MEP PLANS
- CONSTRUCT DUMPSTER DRAIN AND CONNECT TO SANITARY SEWER LINE UPSTREAM OF GREASE TRAP
- TRANSITION (2) 4" PVC SDR-26 PIPES TO 6" PVC SDR-26 PIPE WITH WYE CONNECTION AND REDUCERS
- LIGHT POLE BASE (TYP.) (SEE SITE LIGHTING PLAN)
- 4" SCHD 40 PVC CONDUITS (TYP.)
- HDPE PIPE FOR ROOF DRAIN. (SEE ARCH PLANS FOR SIZE AND CONNECTION POINTS)
- FLAGPOLE LIGHTS
- 6" 22.5° BEND
- 6" 45° BEND
- 6" 90° BEND
- FDC
- CONNECT 6" FIRE SERVICE LINE TO BUILDING PER MEP PLANS.

UTILITY NOTES

- THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF EXISTING UTILITIES ON SITE OR IN RIGHT-OF-WAY.
- CONTRACTOR SHALL NOTIFY THE UTILITY AUTHORITIES INSPECTORS 72 HOURS BEFORE CONNECTING TO ANY EXISTING LINES. CONTRACTOR SHALL COORDINATE AND SCHEDULE TIE-INS/CONNECTIONS WITH ALL UTILITY COMPANIES.
- ALL UNDERGROUND LINES SHALL BE INSTALLED, INSPECTED AND APPROVED PRIOR TO BACKFILLING.
- ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL CONNECTION OF SERVICE.
- GENERAL CONTRACTOR IS TO COORDINATE WITH APPROPRIATE UTILITY COMPANIES PRIOR TO CONSTRUCTION, ADJUSTMENT, OR RELOCATION OF EXISTING UTILITIES AS DESIGNATED ON PLANS.
- THRUST BLOCKING SHALL BE PROVIDED AT ALL BENDS, TEES AND FIRE HYDRANTS.
- DIMENSIONS SHOWN ARE TO CENTERLINE OF PIPE OR FITTING.
- ALL WATERLINES & SANITARY SEWERS, AND WATERLINES & STORM SEWERS SHOULD BE KEPT TEN FEET (10') APART (PARALLEL) OR WHEN CROSSING 18" VERTICAL CLEARANCE (OUTSIDE EDGE OF PIPE TO OUTSIDE EDGE OF PIPE).
- THE CONTRACTOR SHALL INCLUDE IN THE BID PRICE ALL MATERIAL AND LABOR ASSOCIATED WITH THE TESTING OF THE WATER AND SEWER LINES REQUIRED BY THE LOCAL AND/OR STATE AGENCIES.
- TOPS OF EXISTING MANHOLES SHALL BE RAISED AS NECESSARY TO BE FLUSH WITH PROPOSED PAVEMENT ELEVATIONS, AND MANHOLES IN UNPAVED AREAS TO BE 1" ABOVE FINISHED GROUND ELEVATIONS WITH WATER TIGHT LIDS.

SYMBOLS

- SET IRON PIN
- LIGHT POLE
- POWER POLE
- TELEPHONE PEDESTAL
- TV PEDESTAL
- MANHOLE
- SANITARY SEWER CLEANOUT
- GAS METER
- STORM SEWER PIPE
- STRUCTURE NUMBER
- WATER VALVE
- FIRE HYDRANT ASSEMBLY
- AIR RELEASE VALVE
- FIRE DEPARTMENT CONNECTION
- WATER METER
- BACK FLOW PREVENTER
- REDUCER
- PLUG VALVE
- RECTANGULAR DROP INLET, GRATED INLET OR JUNCTION BOX (SPECIFY ON PLAN SHEET)
- CIRCULAR DROP INLET, GRATED INLET OR JUNCTION BOX (SPECIFY ON PLAN SHEET)
- FOUND IRON PIN
- LIGHT POLE
- POWER POLE
- TELEPHONE PEDESTAL
- TV PEDESTAL
- MANHOLE
- SANITARY SEWER CLEANOUT
- GAS METER
- GAS VALVE
- STORM SEWER PIPE
- DOWN GUY
- WATER VALVE
- FIRE HYDRANT ASSEMBLY
- AIR RELEASE VALVE
- FIRE DEPARTMENT CONNECTION
- WATER METER
- SPRINKLER HEAD
- ELECTRIC PEDESTAL
- GRATED INLET
- DROP INLET

LEGEND (PROPOSED)

SYMBOL	LINEWORK
---	EASEMENT
---	CURB
SS	SANITARY SEWER LINE
G	GAS LINE
W	WATER LINE
UGT	UNDERGROUND TELEPHONE
UGE	UNDERGROUND ELECTRIC
OHE	OVERHEAD ELECTRIC
FO	FIBER OPTIC
UGTV	UNDERGROUND TELEVISION
OHTV	OVERHEAD TELEVISION
---	BUILDING SET BACK
---	RIGHT OF WAY
---	PROPERTY LINE

LEGEND (EXISTING)

SYMBOL	LINEWORK
---	EASEMENT
---	CURB
SS	SANITARY SEWER LINE
G	GAS LINE
W	WATER LINE (SPECIFY SIZE & TYPE)
UGT	UNDERGROUND TELEPHONE
UGE	UNDERGROUND ELECTRIC
OHE	OVERHEAD ELECTRIC
UGTV	UNDERGROUND TELEVISION
OHTV	OVERHEAD TELEVISION
FO	FIBER OPTIC
---	RIGHT OF WAY
---	ROAD CENTERLINE

REVISIONS	SYMBOL	DATE	DESCRIPTION

PROJECT:
 BUILDING PT14S
 ELM SPRINGS ROAD
 AND 40TH STREET
 SPRINGDALE, AR 72762

901 W. 4TH ST., SUITE 200
 ROBERT ALVARADO 77276
 Craffon Tull
 CONSULTING ENGINEER
 471 S.W. 88TH ST., #200
 MIAMI, FL 33150

WHATABURGER
 300 CONCORD PLAZA DR.
 SAN ANTONIO, TEXAS
 210-476-6000 ZIP 78216

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SHEET TITLE:
 UTILITY PLAN
 (PRINT IN COLOR)

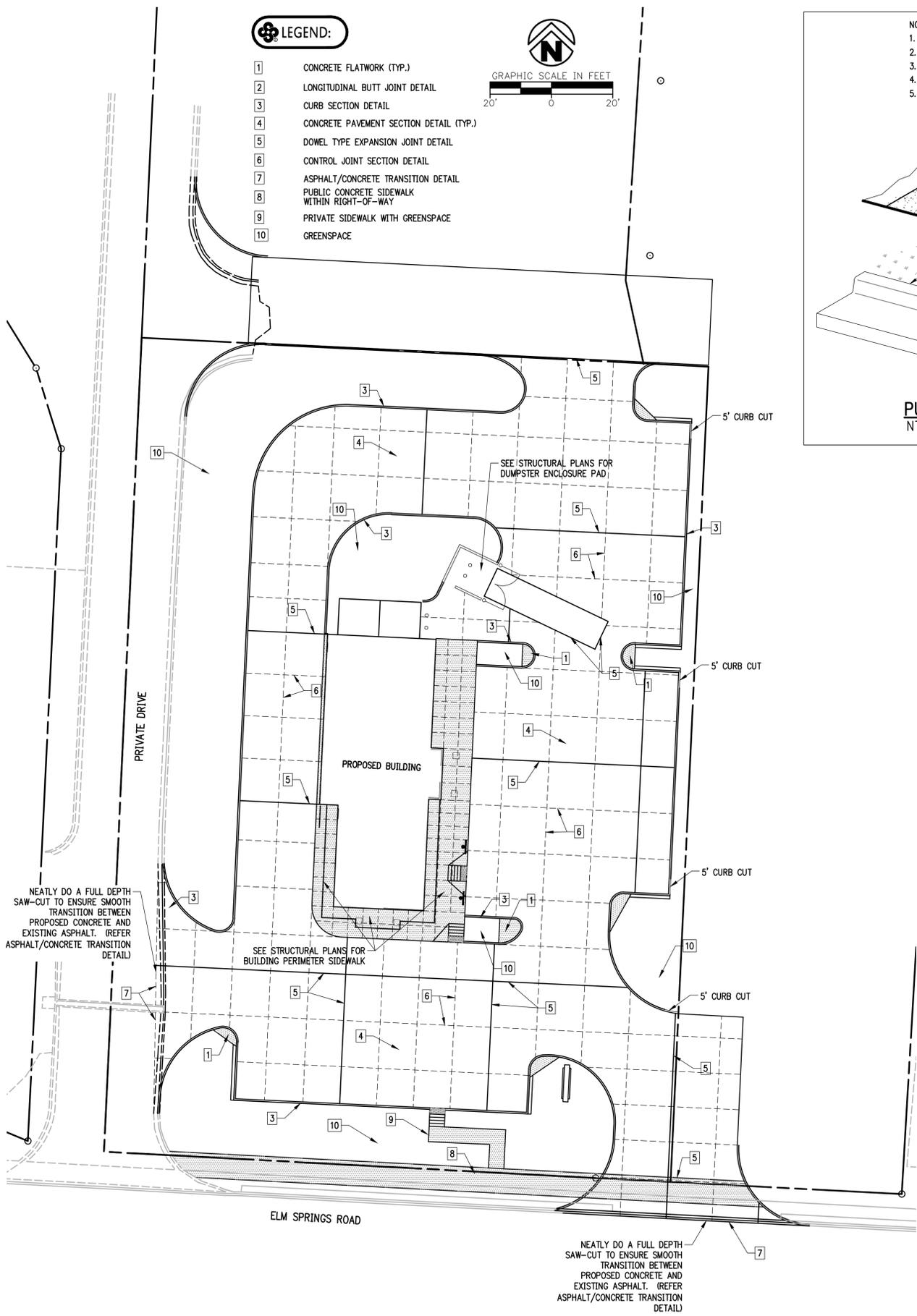
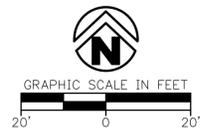
UNIT NO. 2101123
 DATE: 05.20.15
 SCALE:
 DRAWN BY:
 APPROVED BY: DE

SHEET NO:
C-5.0



LEGEND:

- 1 CONCRETE FLATWORK (TYP.)
- 2 LONGITUDINAL BUTT JOINT DETAIL
- 3 CURB SECTION DETAIL
- 4 CONCRETE PAVEMENT SECTION DETAIL (TYP.)
- 5 DOWEL TYPE EXPANSION JOINT DETAIL
- 6 CONTROL JOINT SECTION DETAIL
- 7 ASPHALT/CONCRETE TRANSITION DETAIL
- 8 PUBLIC CONCRETE SIDEWALK WITHIN RIGHT-OF-WAY
- 9 PRIVATE SIDEWALK WITH GREENSPACE
- 10 GREENSPACE

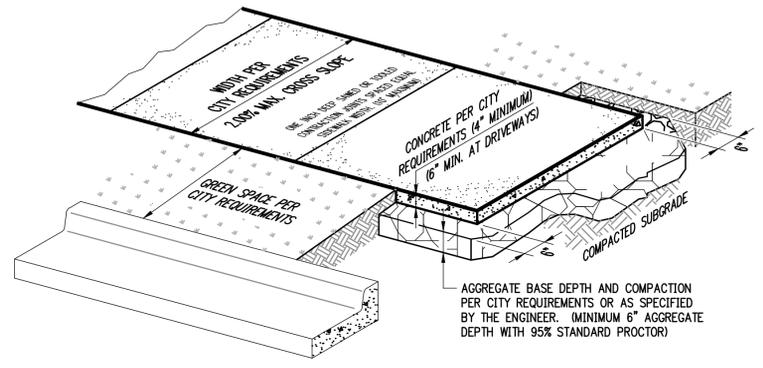


NEATLY DO A FULL DEPTH SAW-CUT TO ENSURE SMOOTH TRANSITION BETWEEN PROPOSED CONCRETE AND EXISTING ASPHALT. (REFER ASPHALT/CONCRETE TRANSITION DETAIL)

SEE STRUCTURAL PLANS FOR BUILDING PERIMETER SIDEWALK

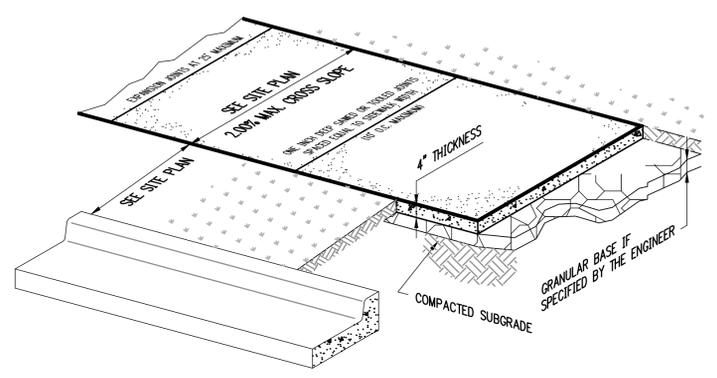
NEATLY DO A FULL DEPTH SAW-CUT TO ENSURE SMOOTH TRANSITION BETWEEN PROPOSED CONCRETE AND EXISTING ASPHALT. (REFER ASPHALT/CONCRETE TRANSITION DETAIL)

- NOTES:**
1. PROVIDE 1/2" EXPANSION JOINT BETWEEN SIDEWALK AND ALL STATIONARY OBJECTS.
 2. CONCRETE MIXTURE TO BE PER CITY REQUIREMENTS OR AS SPECIFIED BY THE ENGINEER.
 3. PROVIDE 1/2" TOOLED RADIUS ON ALL EXPOSED EDGES.
 4. CONCRETE TO BE MINIMUM 4000 PSI, 4-7% AE, OR AS REQUIRED BY CITY.
 5. CONTRACTION/EXPANSION JOINTS PER CITY REQUIREMENTS OR AS SPECIFIED BY THE ENGINEER. MINIMUM: 5'/25' FOR 5' WIDE SIDEWALK, 6'/24' FOR 6' WIDE SIDEWALK. EXPANSION JOINTS SHALL BE 1/2" X FULL DEPTH.

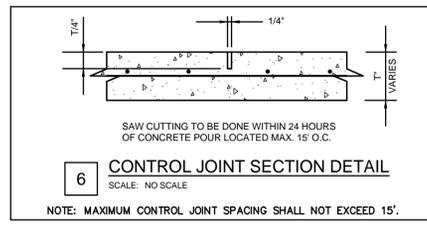
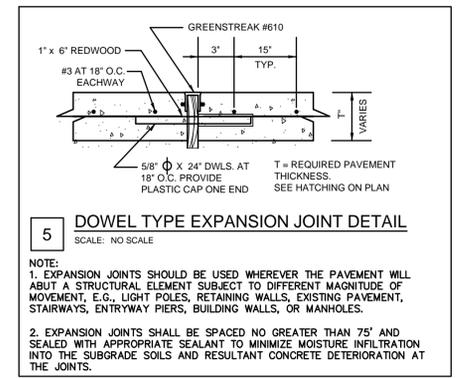
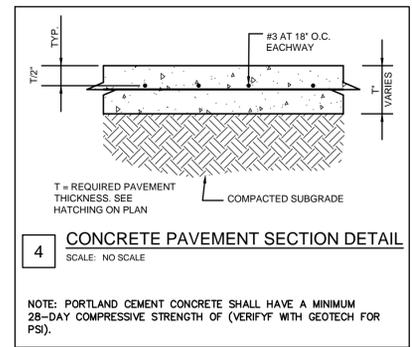
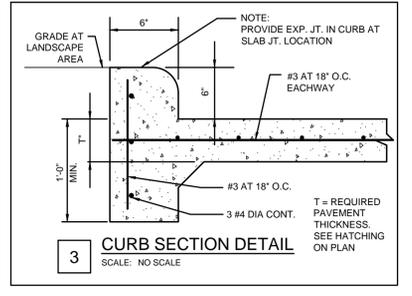
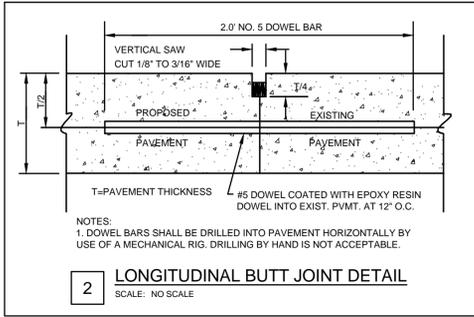
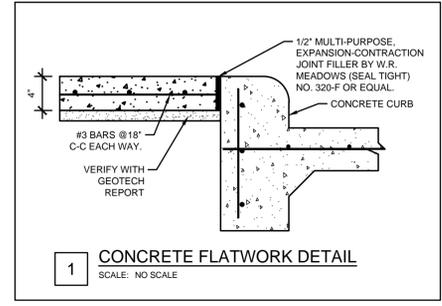


PUBLIC CONCRETE SIDEWALK WITHIN RIGHT-OF-WAY
NTS

- NOTES:**
1. PROVIDE 1/2" EXPANSION JOINT BETWEEN SIDEWALK AND ALL FIXED OBJECTS.
 2. PROVIDE 1/2" TOOLED RADIUS ON ALL EDGES.
 3. CONCRETE TO BE MINIMUM 4000 PSI, AE. (PER CITY OF SPRINGDALE CODE)



PRIVATE SIDEWALK WITH GREEN SPACE
NTS

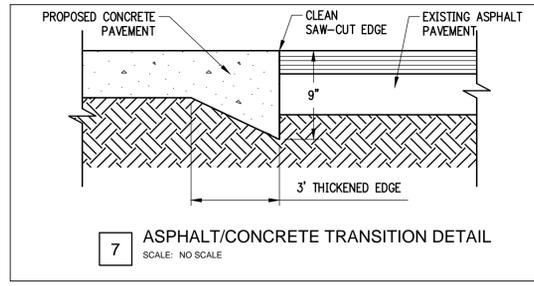


PAVING NOTES:

1. THE SUBGRADE UNDER PAVEMENTS SHALL BE PREPARED IN ACCORDANCE WITH THE CONTRACT SPECIFICATIONS.
2. AGGREGATE BASE COARSE MIXTURES SHALL CONFORM WITH THE GRADATION, COMPACTION AND OTHER REQUIREMENTS SHOWN IN THE CONTRACT SPECIFICATIONS OR WITH THE LOCAL STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
3. ASPHALTIC SURFACE AND BINDER COARSE SHALL CONFORM WITH THE GRADATION, COMPACTION AND OTHER REQUIREMENTS SHOWN IN THE CONTRACT SPECIFICATIONS OR WITH THE LOCAL STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
4. PORTLAND CEMENT CONCRETE PAVEMENT SHALL CONFORM WITH THE REQUIREMENTS SHOWN IN THE CONTRACT SPECIFICATIONS OR WITH THE LOCAL STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
5. THE CONTRACTOR SHALL APPLY A TACK COAT TO THE FACE OF THE CONCRETE GUTTER WHERE THE GUTTER CONTACTS ASPHALT.
6. DUMPSTER PAD 8" CONCRETE PAVEMENT
7. HEAVY DUTY 7" CONCRETE PAVEMENT

GREENSPACE CALCULATION

GREENSPACE: 22.4% (10997.18 SQ. FT.) ON SITE
IMPERVIOUS AREA: 77.6% (38,001.82 SQ. FT.) ON SITE



REVISIONS	SYN. DATE	DESCRIPTION

PROJECT: BUILDING PT14S
ELM SPRINGS ROAD
AND 40TH STREET
SPRINGDALE, AR 72762

9014 W. 4TH ST., SUITE 200
ROGERS, ARKANSAS 72776

 CRAFTON TULL & ASSOCIATES, INC.
 4715 S.W. 10TH ST., SUITE 100
 MIAMI, FLORIDA 33155

WHATABURGER
 300 CONCORD PLAZA DR.
 SAN ANTONIO, TEXAS
 210-476-6000 ZIP 78216

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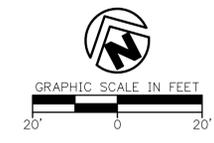
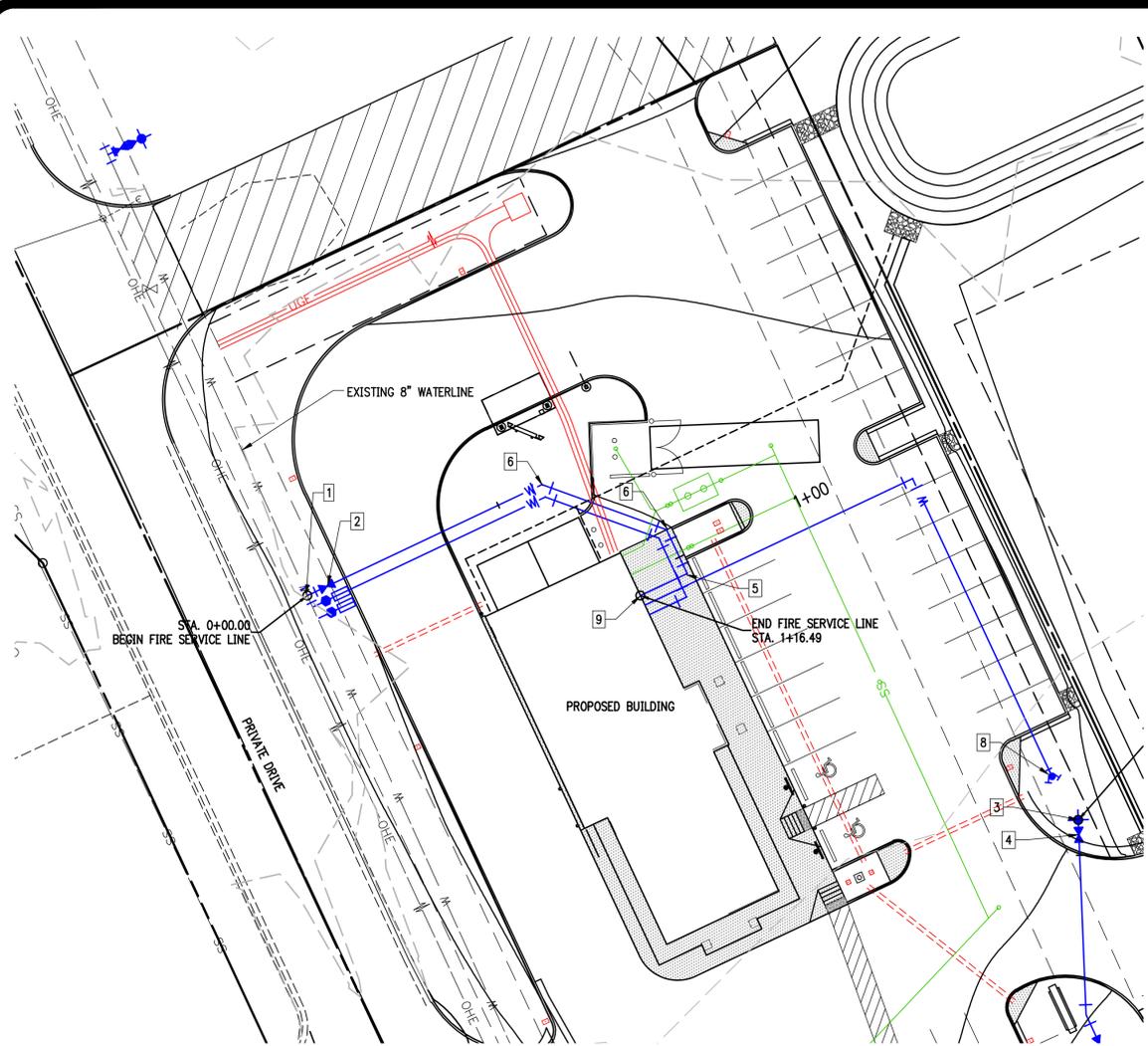
SHEET TITLE:
PAVING & JOINT LAYOUT PLAN

UNIT NO. 2101123
DATE: 05.20.15
SCALE:
DRAWN BY:
APPROVED BY: DE

SHEET NO:
C-6.0

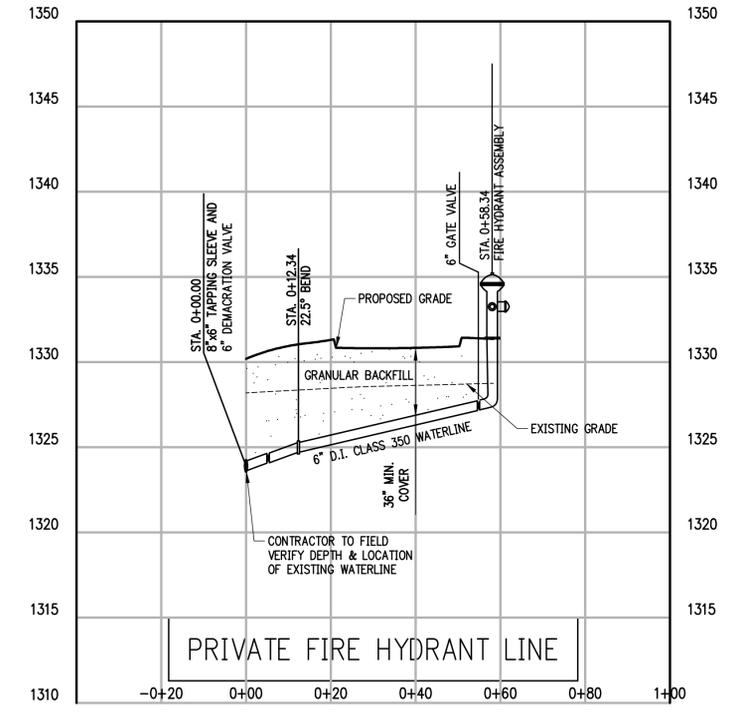
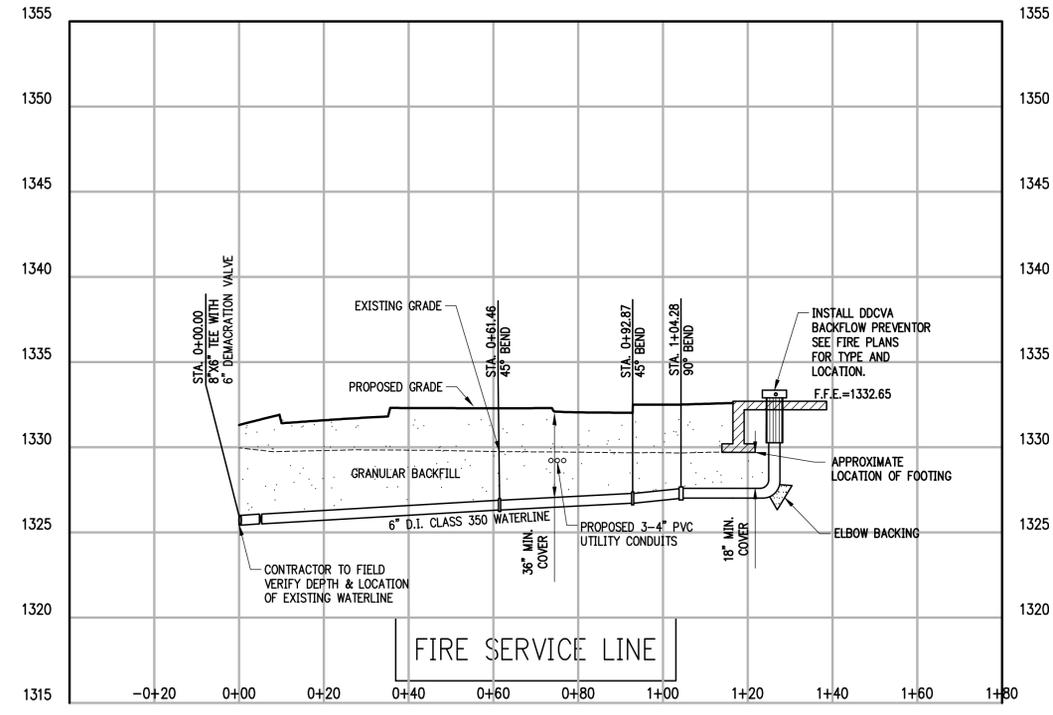
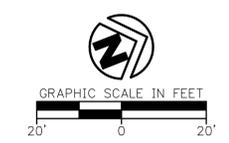
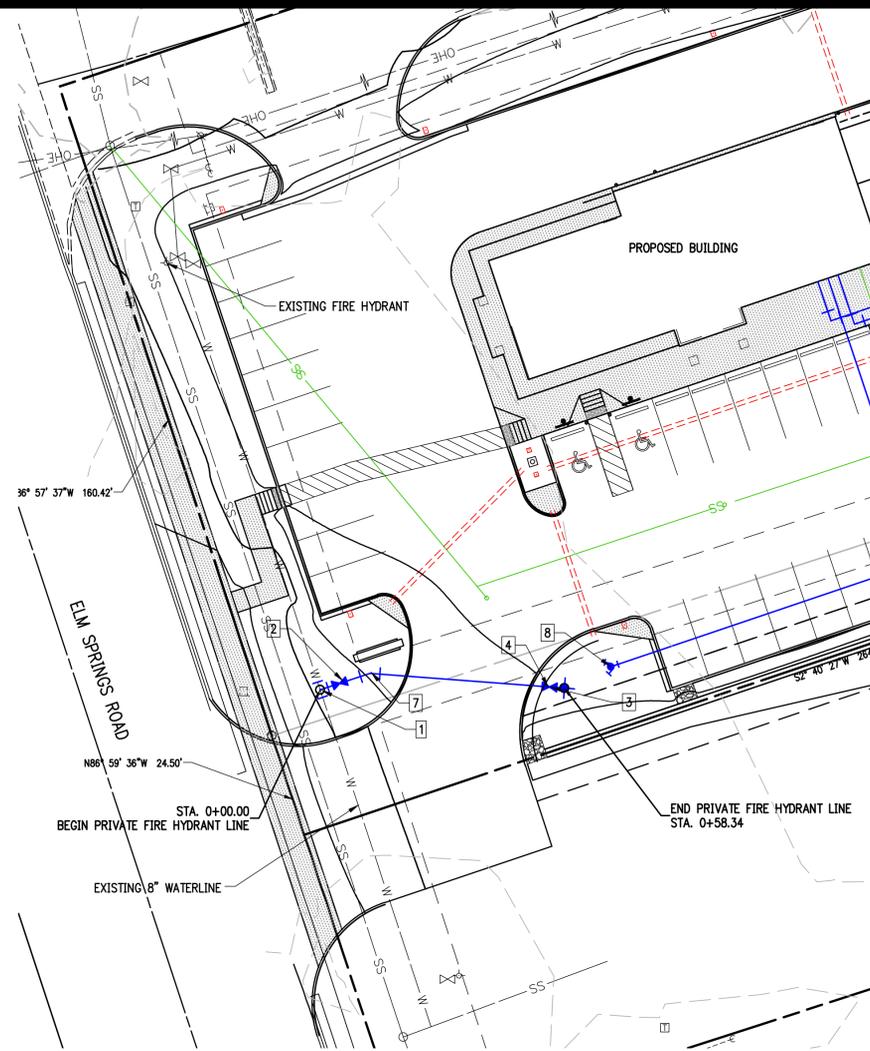
CERTIFICATE OF AUTHORITY
 CRAFTON TULL & ASSOCIATES, INC.
 No. 109
 ARKANSAS REGISTERED PROFESSIONAL ENGINEER
 No. 11825
 DANIEL P. ELLIS

WHATABURGER



CONSTRUCTION NOTES

- 1 8"x6" TAPPING SLEEVE AND 6" GATE VALVE
- 2 6" DEMARCATION VALVE
- 3 FIRE HYDRANT ASSEMBLY
- 4 6" GATE VALVE
- 5 6" 90° BEND
- 6 6" 45° BEND
- 7 6" 22.5° BEND
- 8 FDC
- 9 CONNECT 6" FIRE SERVICE LINE TO BUILDING PER MEP PLANS.



REVISIONS	DATE	DESCRIPTION	BY

PROJECT:
BUILDING PT14S
ELM SPRINGS ROAD
AND 40TH STREET
SPRINGDALE, AR 72762



WHATABURGER
 300 CONCORD PLAZA DR.
 SAN ANTONIO, TEXAS
 210-476-6000 ZIP 78216

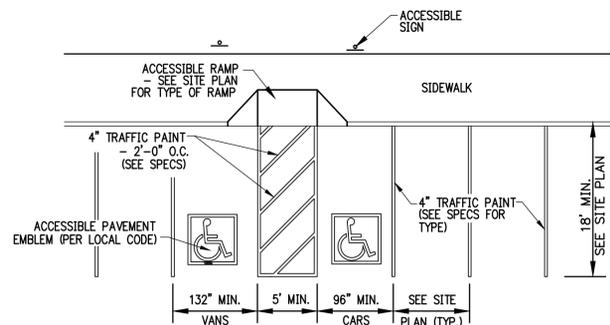
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SHEET TITLE:
WATERLINE PLAN & PROFILE (PRINT IN COLOR)

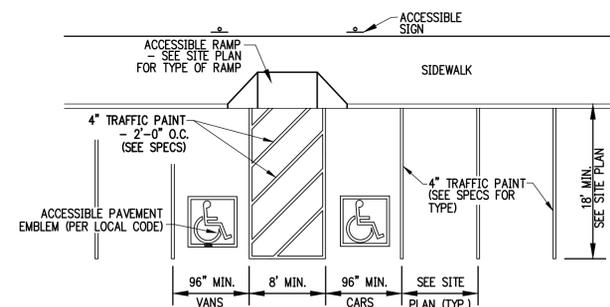
UNIT NO. 2101123
 DATE: 05.20.15
 SCALE:
 DRAWN BY:
 APPROVED BY: DE

SHEET NO:
C-7.0





ALTERNATE "A"



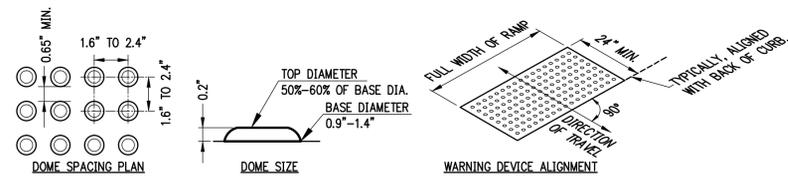
ALTERNATE "B"

ALL DIMENSIONS ARE TO CENTERLINE OF STRIPE UNLESS OTHERWISE NOTED. COLOR OF ALL ACCESSIBLE TRAFFIC PAINT SHALL BE PER LOCAL CODE (WHITE, YELLOW, ETC.)

208.2.4 VAN PARKING SPACES:
FOR EVERY SIX OR FRACTIONAL OF SIX PARKING SPACES REQUIRED BY 208.2 TO COMPLY WITH 502, AT LEAST ONE SHALL BE A VAN PARKING SPACE COMPLYING WITH 502.

VAN ACCESSIBLE PARKING STRIPING

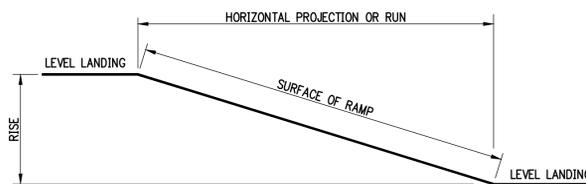
NTS



- NOTES:
1. DETECTABLE WARNING SURFACES SHALL CONSIST OF TRUNCATED DOMES ALIGNED IN A SQUARE OR RADIAL GRID PATTERN AND SHALL COMPLY WITH ADA 705 GUIDELINES.
 2. DETECTABLE WARNING SURFACES SHALL CONTRAST VISUALLY WITH ADJACENT GUTTER, STREET OR HIGHWAY, OR PEDESTRIAN ACCESS ROUTE SURFACE, EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT.

DETECTABLE WARNING DEVICE

NTS



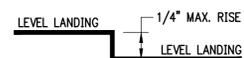
SIDEWALK RAMP

SLOPE	MAXIMUM RISE	MAXIMUM HORIZONTAL PROJECTION OR RUN
1:12 TO < 1:16	30 INCHES	30 FEET
1:16 TO < 1:20	30 INCHES	40 FEET

- NOTES:
1. CHANGES IN LEVEL GREATER THAN 1/2 INCH SHALL BE ACCOMPLISHED BY MEANS OF A RAMP.
 2. RAMP RUN GREATER THAN 6 INCHES OF RISE OR 6 FEET IN HORIZONTAL PROJECTION SHALL HAVE HANDRAILS ON BOTH SIDES, EXCEPT CURB RAMPS.
 3. HANDRAILS SHALL BE 34" TO 38" HIGH AND A MINIMUM OF 36" APART. HANDRAILS MUST EXTEND 12" BEYOND TOP AND BOTTOM OF THE RAMP SEGMENT.

IN-LINE ACCESSIBLE ROUTE / SIDEWALK RAMP - CHANGES IN LEVEL

NTS



VERTICAL CHANGES IN LEVEL

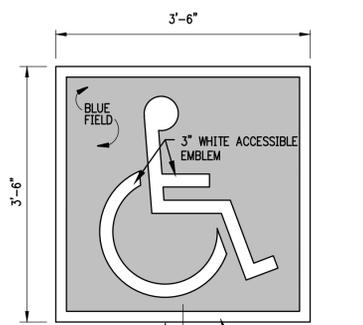


BEVELED LEVEL CHANGES

MINIMUM ACCESSIBLE PARKING SPACE REQUIREMENTS

ON-SITE (PRIVATE) ACCESSIBLE PARKING SCHEDULE			ON-STREET (PUBLIC) ACCESSIBLE PARKING SCHEDULE	
TOTAL NUMBER OF PARKING SPACES PROVIDED (PER LOT)	TOTAL MINIMUM NUMBER OF ACCESSIBLE PARKING SPACES (60" & 96" AISLES)	VAN-ACCESSIBLE PARKING SPACES WITH MIN. 96" WIDE ACCESS AISLE	TOTAL NUMBER OF MARKED OR METERED PARKING SPACES ON THE BLOCK PERIMETER	TOTAL REQUIRED NUMBER OF ACCESSIBLE PARKING SPACES
1 TO 25	1	1	1 TO 25	1
26 TO 50	2	1	26 TO 50	2
51 TO 75	3	1	51 TO 75	3
76 TO 100	4	1	76 TO 100	4
101 TO 150	5	1	101 TO 150	5
151 TO 200	6	1	151 TO 200	6
201 TO 300	7	2	201 AND OVER	4 PERCENT OF TOTAL
301 TO 400	8	2		
401 TO 500	9	2		
501 TO 1000	2% OF TOTAL PARKING PROVIDED IN EACH LOT	1/6 OF COLUMN "A"		
1001 & OVER	20 PLUS 1 FOR EACH 100 OVER 1000	1/6 OF COLUMN "A"		

208.2.4 VAN PARKING SPACES:
FOR EVERY SIX OR FRACTIONAL OF SIX PARKING SPACES REQUIRED BY 208.2 TO COMPLY WITH 502, AT LEAST ONE SHALL BE A VAN PARKING SPACE COMPLYING WITH 502.



ALIGN WITH OUTSIDE EDGE OF PARKING SPACE LENGTH UNLESS ACCOMPANIED BY "VAN" LETTERING

CENTER ACCESSIBLE EMBLEM WITHIN PARKING SPACE WIDTH

NOTE: LOCAL CODE MAY REQUIRE A WHITE FIELD WITH BLUE EMBLEM OR ANOTHER COLOR ARRANGEMENT. THE CONTRACTOR SHALL VERIFY THE REQUIRED PAINT COLOR WITH LOCAL OFFICIAL PRIOR TO PAINTING PAVEMENT MARKINGS.

LOCAL AND/OR STATE CODE WILL TAKE PRECEDENCE FOR EMBLEM SIZE, COLOR AND LOCATION.

ACCESSIBLE PAVEMENT EMBLEM

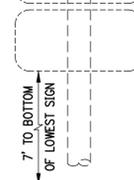
NTS



12"x18" ALUMINUM ACCESSIBLE SYMBOL PER LOCAL/STATE CODE. MUTCD R7-8.



12"x96" VAN ACCESSIBLE SIGNAGE WHERE APPROPRIATE. MUTCD R7-8A OR B.



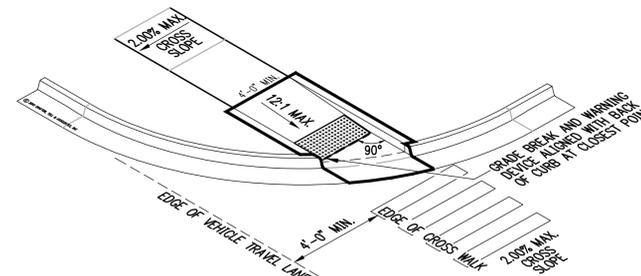
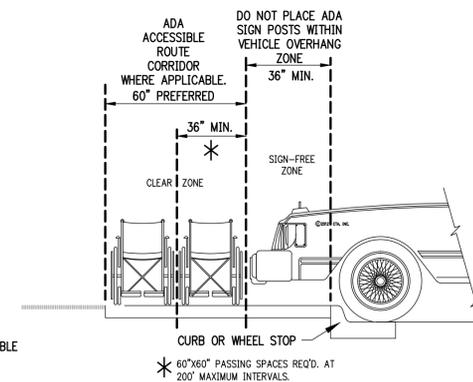
12"x96" PENALTY SIGN WITH WORDING AS REQUIRED BY STATE AND LOCAL CODE.

SIGNS MAY BE POST-MOUNTED OR SURFACE-MOUNTED TO WALLS, IF APPLICABLE. SEE SITE PLAN.

SIGN TO BE CENTERED ON ACCESSIBLE PARKING SPACE. SEE SITE PLAN.

ACCESSIBLE SIGN / PLACEMENT LIMITS

NTS



ADA-05 SINGLE ACCESSIBLE RAMP

NTS LARGER RADIUS WITH CURBED SIDES

GENERAL NOTES:

1. IN NEW CONSTRUCTION, UNLESS OTHERWISE INDICATED ON THE PLANS, ACCESSIBLE RAMPS ARE TO BE PROVIDED AT ALL CORNERS OF CURBED STREET INTERSECTIONS AND MID-BLOCK CROSSWALK LOCATIONS, WHERE SHOWN IN PLANS.
2. IN ALTERATIONS, ACCESSIBLE RAMPS ARE TO BE PROVIDED AT CURBED STREET INTERSECTIONS WITH PEDESTRIAN TRAFFIC AND MID-BLOCK CROSSWALK LOCATIONS, WHERE SHOWN IN PLANS.
3. THE LENGTH OF THE RAMP SHALL BE SUCH THAT THE SLOPE DOES NOT EXCEED 1:12. THE SURFACE TEXTURE SHALL BE BROOM FINISH.
4. THE NORMAL GUTTER GRADE SHALL BE MAINTAINED THROUGH THE AREA OF THE RAMP.
5. ALL PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES PUBLISHED BY THE FEDERAL HIGHWAY ADMINISTRATION.
6. THE MINIMUM CONCRETE THICKNESS OF THE RAMP, WALK, & LANDING SHALL BE 4 INCHES.
7. THE MINIMUM WIDTH OF THE RAMPS SHALL BE THE EXISTING WALK WIDTH OR 48 INCHES, WHICHEVER IS GREATER.
8. RAMPS SHALL BE CONSTRUCTED AS NECESSARY TO INSURE THAT THEY ARE PARALLEL TO A LINE DRAWN FROM THE CENTER OF ONE RAMP TO THE CENTER OF THE RAMP ON THE OPPOSITE SIDE OF THE INTERSECTION.
9. THE DIMENSIONS SHOWN ON THIS DRAWING ARE FOR A 90° INTERSECTION ONLY. DIMENSIONS FOR SKEWED INTERSECTIONS WILL VARY, AND ARE TO BE DETERMINED BY THE ENGINEER.
10. THE MAXIMUM CROSS SLOPES OF RAMPS AND SIDEWALKS SHALL NOT EXCEED 2.0 PERCENT.
11. CONTRACTOR TO ASSURE LATEST-EDITION COMPLIANCE WITH ALL LOCAL, STATE AND FEDERAL ADA ACCESSIBILITY STANDARDS.

THESE DETAILS ARE PRODUCED BY CRAFTON, TULL AND ASSOCIATES, INC., AND BASED ON THE 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN, DEPARTMENT OF JUSTICE, SEPTEMBER 15, 2010. WWW.ADA.GOV



REVISIONS	SYN. DATE	DESCRIPTION

PROJECT:
BUILDING PT145
ELM SPRINGS ROAD
AND 40TH STREET
SPRINGDALE, AR 72762

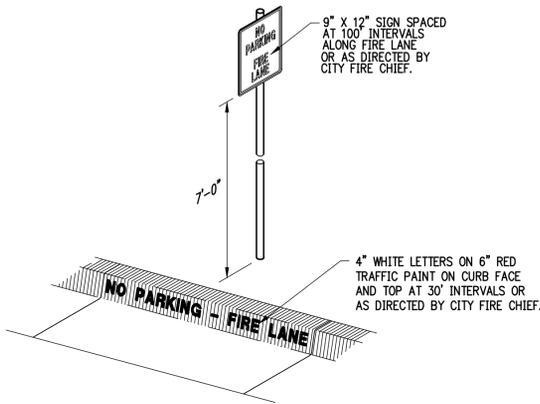


SHEET TITLE:
ADA DETAILS

UNIT NO. 2101123
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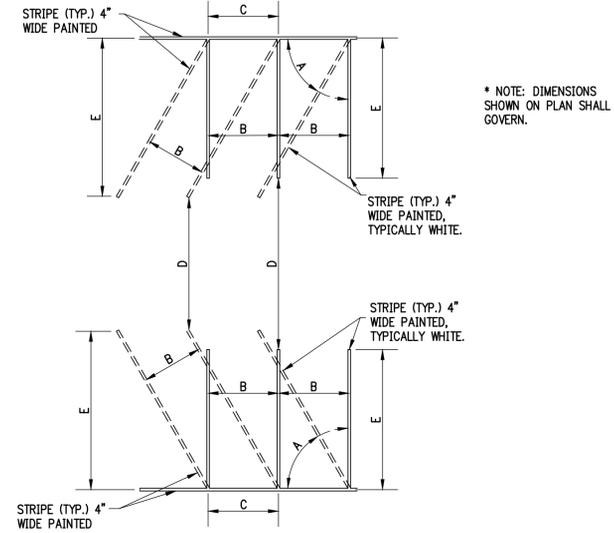
FIRE LANE STRIPING
NTS

STRIPING DIMENSIONS						
ANGLE (A)	TYPE	WIDTH (IN FT.) (B)	CURB LENGTH (IN FT.) (C)	ONE-WAY AISLE WIDTH (IN FT.) (D)	TWO-WAY AISLE WIDTH (IN FT.) (E)	STALL DEPTH (IN FT.) (F)
0°	STANDARD	8	22.5	12	24	8
PARALLEL	COMPACT	7.5	19.5	12	24	7.5
	STANDARD	9	18	12	24	17
30°	COMPACT	7.5	15	12	24	14
	STANDARD	9	12.5	12	24	19
45°	COMPACT	7.5	10.5	12	24	16
	STANDARD	9	10.5	18	24	20
60°	COMPACT	7.5	8.5	15	24	16.5
	STANDARD	9	9	24	24	19
90°	COMPACT	7.5	7.5	22	24	15

NOTES:

- LETTERS, NUMBERS AND ARROWS FOR DRIVEWAYS, PARKING LOTS AND STREETS SHALL BE APPLIED ACCORDING TO REQUIREMENTS AS OUTLINED IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS.
- PAVEMENT MARKINGS ARE TO BE PAINTED REFLECTIVE WHITE. MARKINGS SHALL BE THERMOPLASTIC IF CALLED FOR IN THE PLANS OR SPECIFICATIONS.

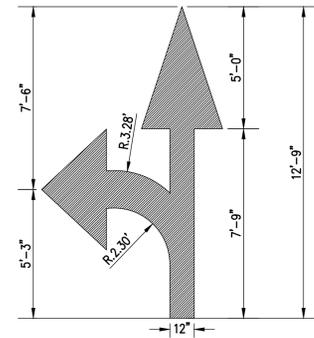
PARKING STRIPES
NTS



* NOTE: DIMENSIONS SHOWN ON PLAN SHALL GOVERN.

NOTES:

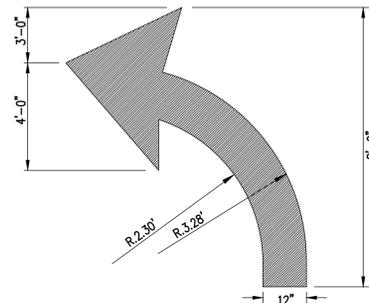
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PAVEMENT MARKING ARROWS
TURN & THROUGH LANE-USE
NTS

NOTES:

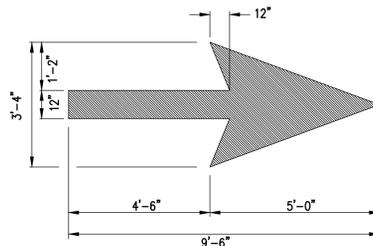
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PAVEMENT MARKING ARROWS
RIGHT OR LEFT TURN
NTS

NOTES:

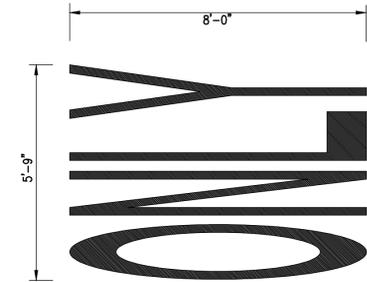
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PAVEMENT MARKING ARROW
NTS

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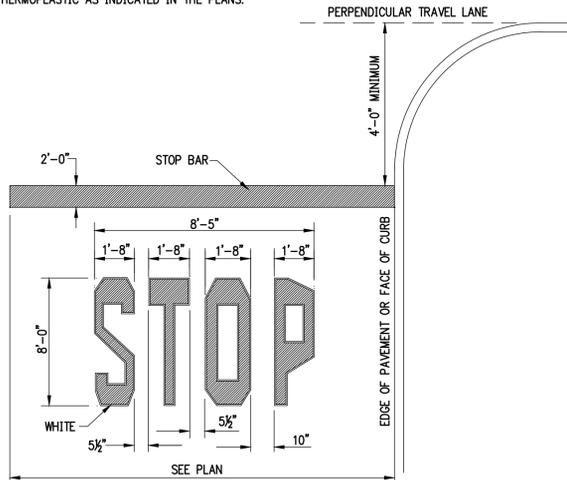
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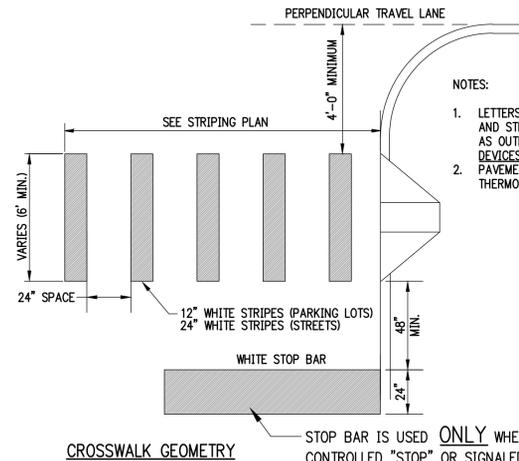
"ONLY" PAVEMENT MARKING
NTS

NOTES:

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STOP BAR
NTS

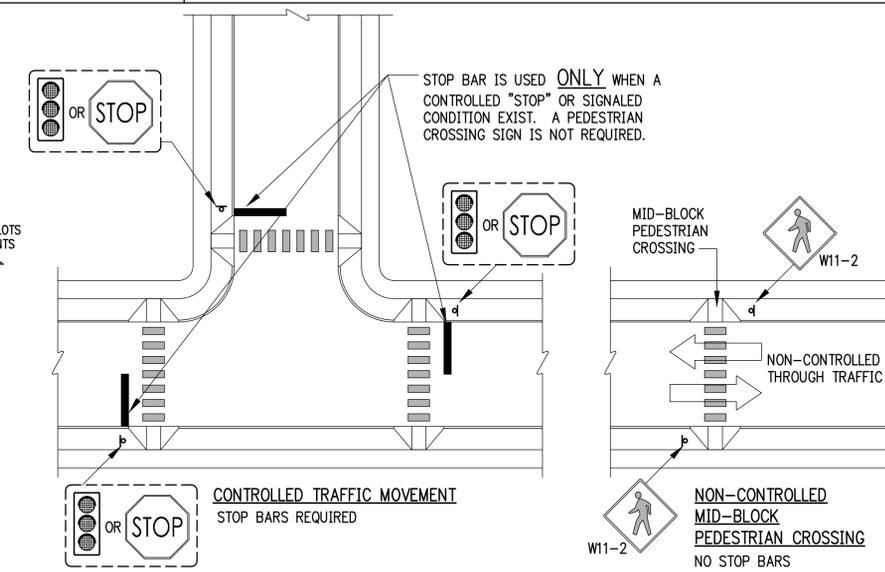


CROSSWALK GEOMETRY

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CROSSWALK MARKINGS
NTS

REVISIONS	DATE	DESCRIPTION

PROJECT:
BUILDING PT14S
ELM SPRINGS ROAD
AND 40TH STREET
SPRINGDALE, AR 72762

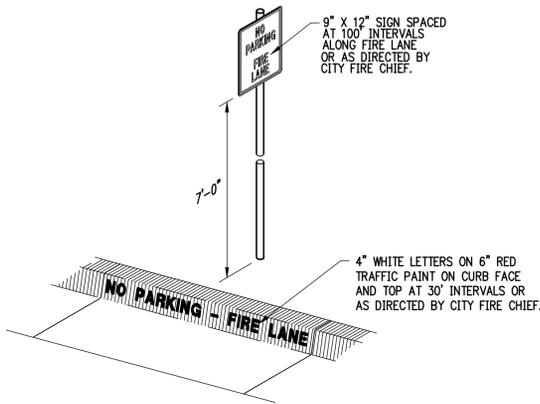


SHEET TITLE:
PAVEMENT
MARKING DETAILS

UNIT NO. 2101123
DATE: 05.20.15
SCALE:
DRAWN BY:
APPROVED BY: DE

SHEET NO:
C-8.1





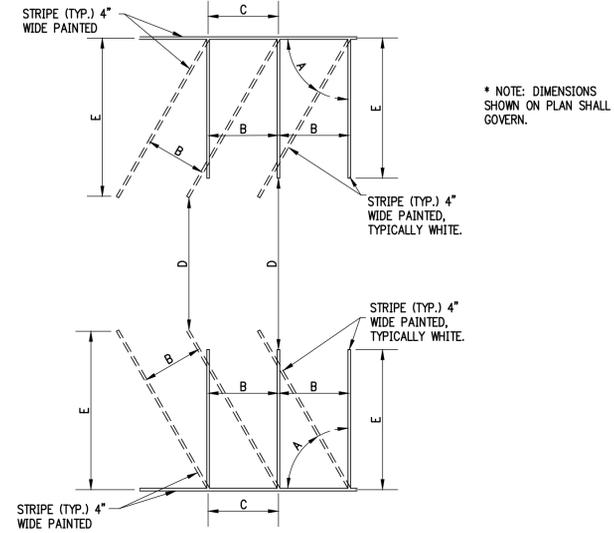
FIRE LANE STRIPING
NTS

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	STANDARD	9	10.5	18	24	20
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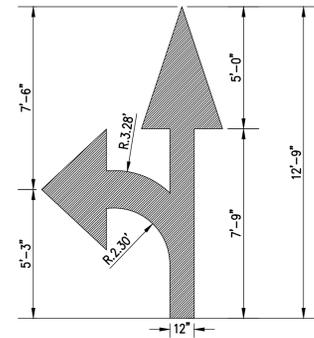
PARKING STRIPES
NTS



* NOTE: DIMENSIONS SHOWN ON PLAN SHALL GOVERN.

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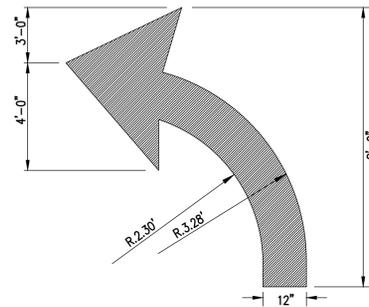
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PAVEMENT MARKING ARROWS
TURN & THROUGH LANE-USE
NTS

NOTES:

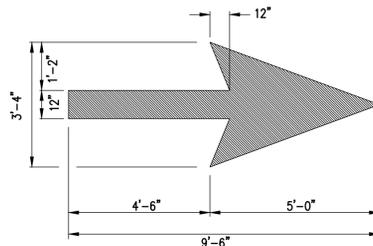
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PAVEMENT MARKING ARROWS
RIGHT OR LEFT TURN
NTS

NOTES:

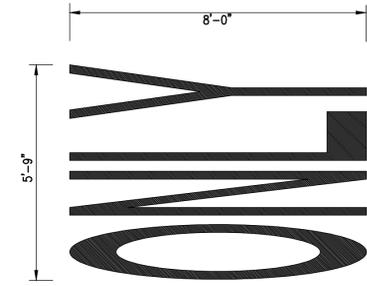
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PAVEMENT MARKING ARROW
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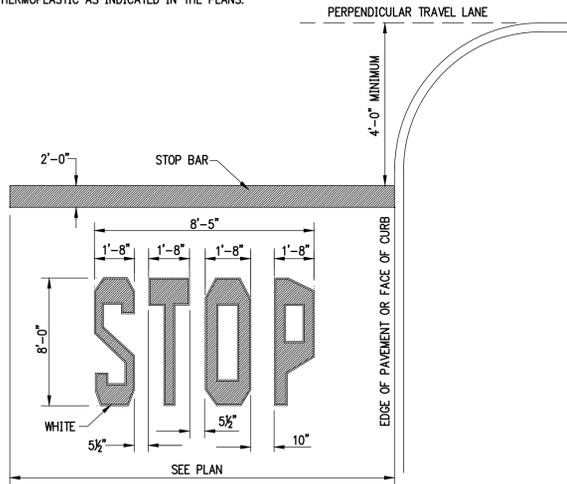
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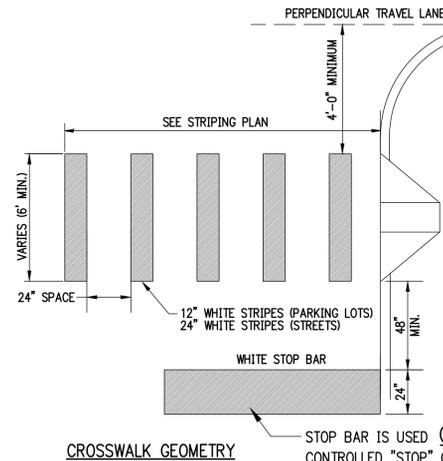
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STOP BAR
NTS

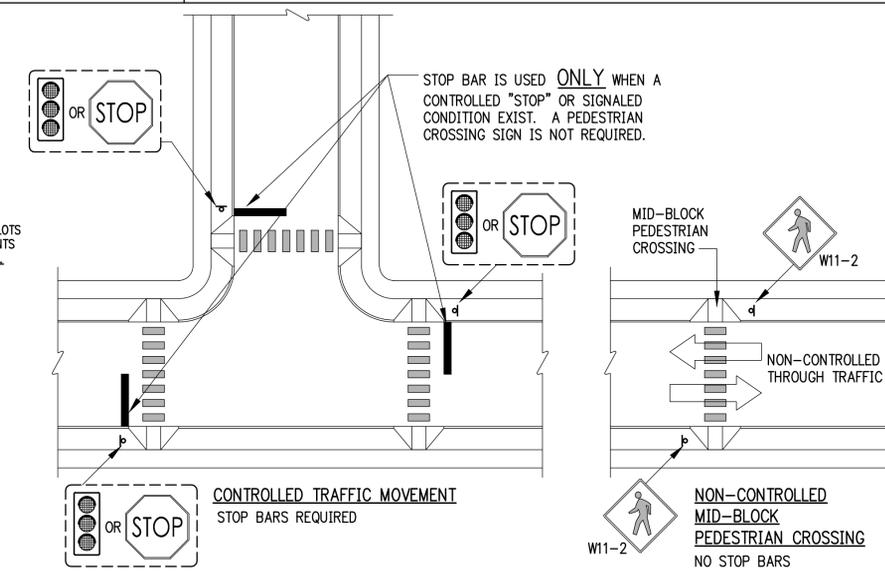


CROSSWALK GEOMETRY

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CROSSWALK MARKINGS
NTS

REVISIONS	DATE	DESCRIPTION

PROJECT:
BUILDING PT14S
ELM SPRINGS ROAD
AND 40TH STREET
SPRINGDALE, AR 72762



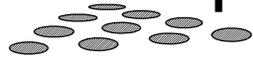
SHEET TITLE:
PAVEMENT
MARKING DETAILS

UNIT NO. 2101123
DATE: 05.20.15
SCALE:
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APPROVED BY: DE

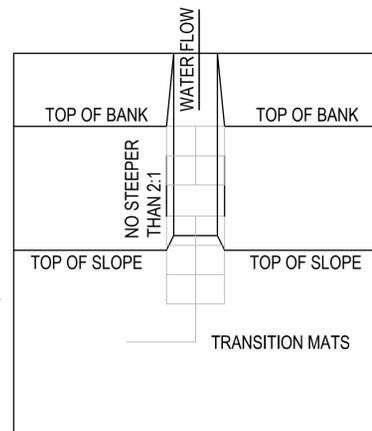
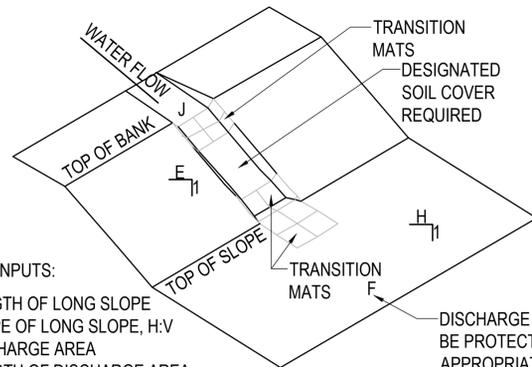
SHEET NO:
C-8.1



scourstop



SCOURSTOP
3718 S. W. COURT AVENUE
ANKENY, IOWA 50023
TOLL FREE: (877) 997-2687
PHONE: (515) 645-9700
FAX: (515) 289-0710
www.scourstop.com

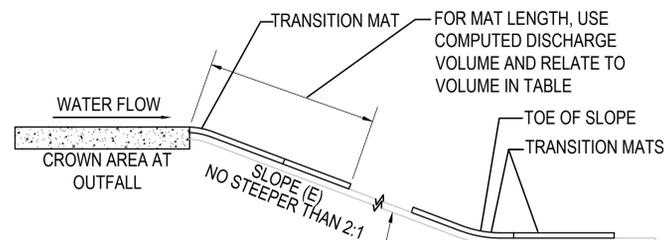


PLAN VIEW

DESIGN INPUTS:
D = LENGTH OF LONG SLOPE
E = SLOPE OF LONG SLOPE, H:V
F = DISCHARGE AREA
G = LENGTH OF DISCHARGE AREA
H = SLOPE OF DISCHARGE AREA, H:V
J = CROWN AREA AT OUTFALL

IF PIPE OUTFALL AT H, NEED PIPE SLOPE AND PIPE SIZE
IF OPEN OUTFALL AT H, NEED SLOPE AND/OR VOLUME IN CFS

ISOMETRIC VIEW



A SOIL COVER MUST BE USED UNDER TRANSITION MATS. SOD IS HIGHLY RECOMMENDED AS A MINIMUM ON ALL SLOPES STEEPER THAN 10:1. IN LIEU OF SOD, A COMBINATION TRM/GEOTEXTILE IS PREFERRED. SEE CONSTRUCTION SPECIFICATION DETAILS.

PROFILE VIEW

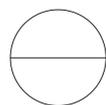
NOT TO SCALE

DIMENSION LABEL	LENGTH (FEET)	LENGTH METERS
A	8.0	2.44
B	6.0	1.83
C	0.5	0.15

SECTION VIEW W/ EXAMPLES OF DIMENSIONS

*FOR MORE INFORMATION ON REINFORCED SOD, CONTACT JOHN CRIDER WITH EROSION SOLUTIONS, LLC; ROSSVILLE, KS (785-584-6050).

- NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS.
 2. DO NOT SCALE DRAWINGS.
 3. CONTRACTORS NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.CADdetails.com/info REFERENCE NUMBER 714-011.



SCOURSTOP TRANSITION MAT

COHESIVE SOILS OUTFALL DESIGN WORKSHEET

714-011

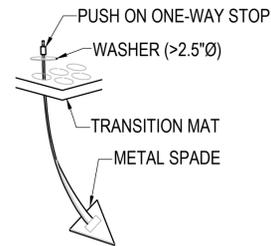
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www.CADdetails.com

scourstop

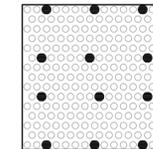


SCOURSTOP
3718 S. W. COURT AVENUE
ANKENY, IOWA 50023
TOLL FREE: (877) 997-2687
PHONE: (515) 645-9700
FAX: (515) 289-0710
www.scourstop.com



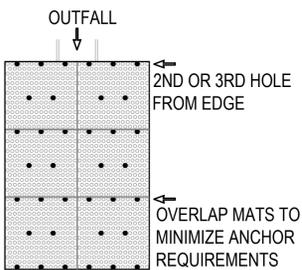
PIPE DIAMETER	DISCHARGE (CFS)	SCOURSTOP WIDTHxLENGTH
12"	8	4' x 4'
24"	30	4' x 8'
36"	75	8' x 12'
48"	100	12' x 16'
60"	150	12' x 20'
72"+		SEE DETAILS

SHORELINE PROTECTION:

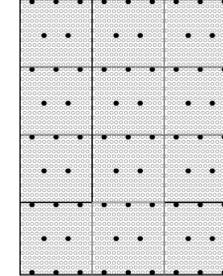


ANCHOR CONFIGURATION FOR SLOPES STEEPER THAN 5:1; TRANSITION MATS OVER A MIN. 8 OZ. GEOTEXTILE

ADD EXTRA ANCHORS IF NECESSARY TO ENSURE CONSISTENT CONTACT WITH SOIL, OR IMPROVE SOIL SURFACE SMOOTHNESS.



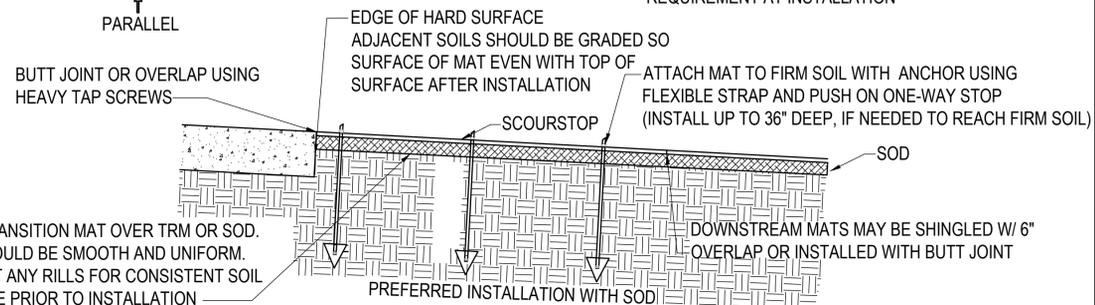
OUTFALL



POSITION ANCHORS TO SECURE SCOURSTOP MATS FLUSH WITH SOIL SURFACE. MINIMIZE GAPS OR BRIDGING.

ANCHOR REQUIREMENTS*:
FIRST ROW OF SCOURSTOP MATS
- MINIMUM OF 8 ANCHORS
SECOND ROW OF SCOURSTOP MATS
- MINIMUM OF 5 ANCHORS

*TO ACHIEVE CONSISTENT CONTACT WITH THE SOIL, EXCEED THE MINIMUM ANCHOR REQUIREMENT AT INSTALLATION

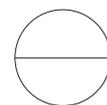


INSTALL TRANSITION MAT OVER TRM OR SOD. GRADE SHOULD BE SMOOTH AND UNIFORM. GRADE OUT ANY RILLS FOR CONSISTENT SOIL STRUCTURE PRIOR TO INSTALLATION

NOT TO SCALE

*FOR MORE INFORMATION ON REINFORCED SOD, CONTACT JOHN CRIDER WITH EROSION SOLUTIONS, LLC; ROSSVILLE, KS (785-584-6050).

- NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS.
 2. DO NOT SCALE DRAWINGS.
 3. CONTRACTORS NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.CADdetails.com/info REFERENCE NUMBER 714-010.



SCOURSTOP TRANSITION MAT

COHESIVE SOILS INSTALLATION SPECIFICATION

714-010

PROTECTED BY COPYRIGHT - 01/09/06

www.CADdetails.com

REVISIONS	SYN. DATE	DESCRIPTION	BY

PROJECT:
BUILDING PT145
ELM SPRINGS ROAD
AND 40TH STREET
SPRINGDALE, AR 72762



WHATABURGER
300 CONCORD PLAZA DR.
SAN ANTONIO, TEXAS
210-476-6000 ZIP 78216

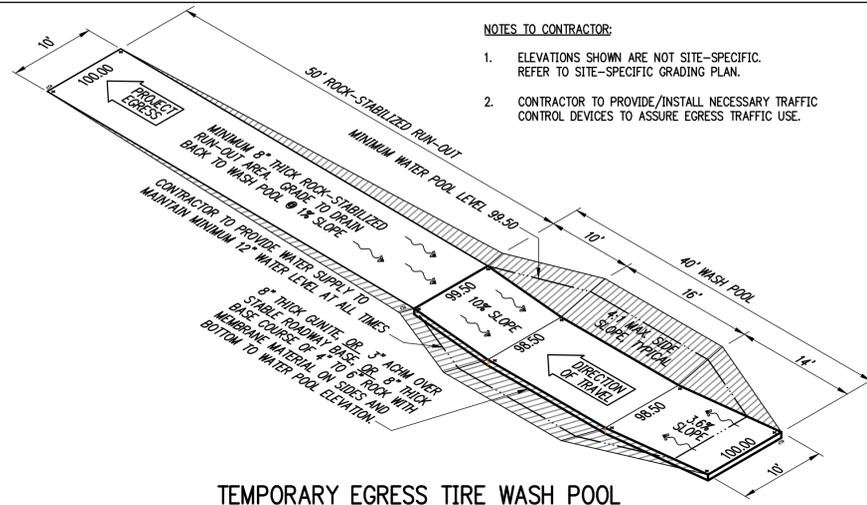
THIS DRAWING IS THE PROPERTY OF WHATABURGER, SAN ANTONIO, TEXAS AND MAY NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESSED WRITTEN CONSENT OF WHATABURGER.

SHEET TITLE:
STANDARD DETAILS
2 OF 2

UNIT NO. 2101123
DATE: 05.20.15
SCALE:
DRAWN BY:
APPROVED BY: DE

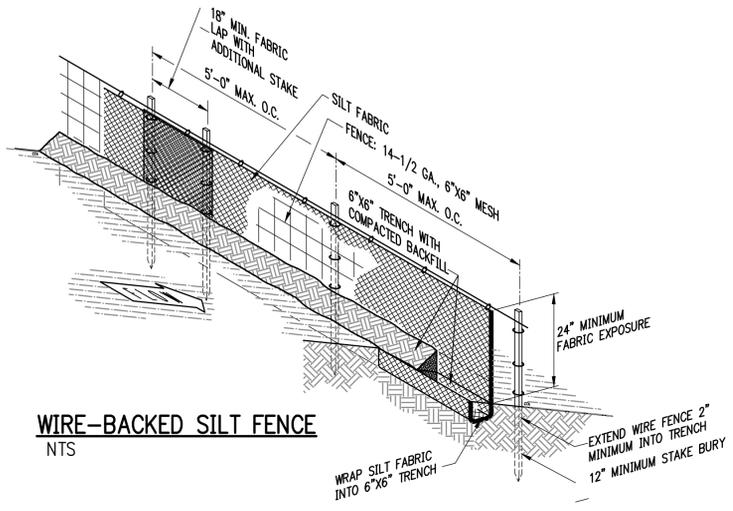
SHEET NO:
C-8.3



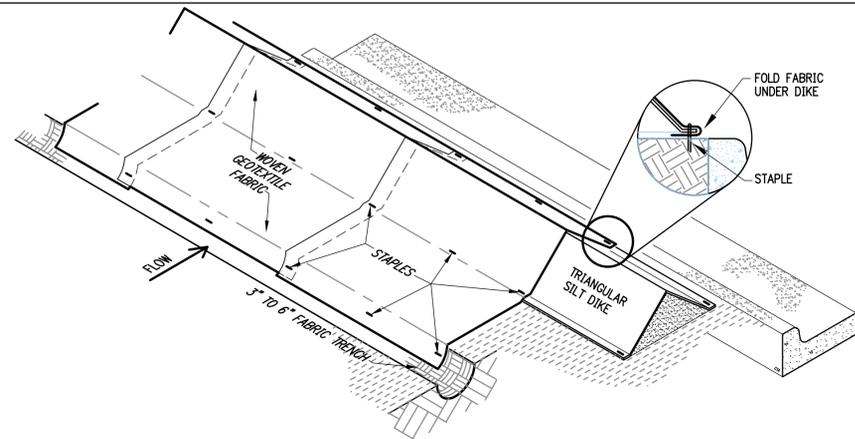


- NOTES TO CONTRACTOR:**
- ELEVATIONS SHOWN ARE NOT SITE-SPECIFIC. REFER TO SITE-SPECIFIC GRADING PLAN.
 - CONTRACTOR TO PROVIDE/INSTALL NECESSARY TRAFFIC CONTROL DEVICES TO ASSURE EGRESS TRAFFIC USE.

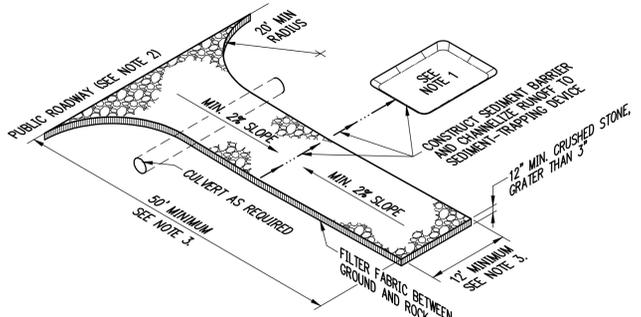
TEMPORARY EGRESS TIRE WASH POOL
NTS



WIRE-BACKED SILT FENCE
NTS



SILT DIKE ALONG CURB
NTS



- IF THE ACTION OF VEHICLES TRAVELING OVER THE GRAVEL CONSTRUCTION ENTRANCE/EXIT IS NOT SUFFICIENT TO REMOVE THE MAJORITY OF DIRT OR MUD, THEN THE TIRES MUST BE WASHED BEFORE THE VEHICLES EXIT ONTO THE PUBLIC ROADS. IF WASHING IS USED, PROVISIONS MUST BE MADE TO INTERCEPT THE WASH WATER AND TRAP THE SEDIMENT BEFORE IT IS CARRIED OFF-SITE.
- ALL MATERIALS SPILLED, DROPPED, WASHED OR TRACKED FROM VEHICLES ONTO ROADWAYS OR INTO STORM DRAINS MUST BE REMOVED IMMEDIATELY.
- LENGTH AND WIDTH TO SUIT SITE, CONSTRUCTION TRAFFIC AND EFFECTIVENESS.

STABILIZED CONSTRUCTION EXIT (ENTRANCE)
NTS

PHASE I

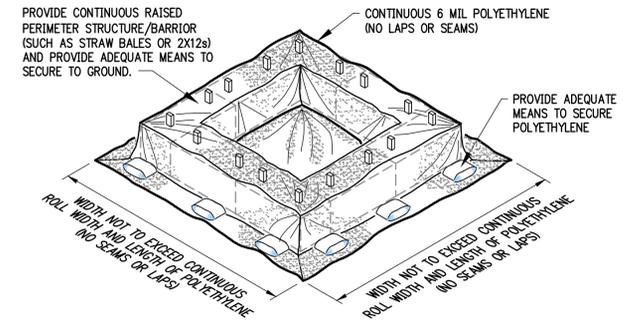
- INSTALL STABILIZED CONSTRUCTION ENTRANCES/EXITS.
- PREPARE TEMPORARY PARKING AND STORAGE AREAS. UPON IMPLEMENTATION AND INSTALLATION OF THE FOLLOWING: TRAILER, PARKING, LAY DOWN, PORTA-POTTY, WHEEL WASH, CONCRETE WASH-OUT, MASON'S AREA, FUEL AND MATERIAL STORAGE CONTAINERS, SOLID WASTE CONTAINERS, ETC., DENOTE THEM ON THE SITE MAPS IMMEDIATELY AND NOTE ANY CHANGES IN THE LOCATIONS AS THEY OCCUR THROUGHOUT THE CONSTRUCTION PROCESS.
- CONSTRUCT THE SILT FENCES ON THE SITE.
- CONSTRUCT THE SEDIMENTATION AND SEDIMENT TRAP BASINS.
- HALT ALL ACTIVITIES AND CONTACT THE CIVIL ENGINEER CONSULTANT TO PERFORM INSPECTION OF BMPs. GENERAL CONTRACTOR SHALL SCHEDULE AND CONDUCT STORM WATER PRE-CONSTRUCTION MEETING WITH ENGINEER AND ALL GROUND-DISTURBING CONTRACTORS BEFORE PROCEEDING WITH CONSTRUCTION.
- CLEAR AND GRUB THE SITE.
- START CONSTRUCTION OF THE BUILDING PAD AND STRUCTURES.
- BEGIN GRADING THE SITE.

PHASE II

- TEMPORARILY SEED DENUDED AREAS.
- INSTALL UTILITIES, UNDERDRAINS, STORM SEWERS, CURBS AND GUTTERS.
- INSTALL RIP-RAP AROUND OUT STRUCTURES.
- INSTALL INLET PROTECTION AROUND ALL STORM SEWER STRUCTURES.
- PREPARE SITE FOR PAVING.
- PAVE SITE.
- INSTALL INLET PROTECTION DEVICES.
- COMPLETE GRADING AND INSTALL PERMANENT SEEDING AND PLANTING.
- REMOVE ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES IF SITE IS STABILIZED.

GENERAL EROSION NOTES:

- THE STORMWATER POLLUTION PREVENTION PLAN IS COMPRISED OF THIS DRAWING (SITE MAP), THE STANDARD DETAILS, THE PLAN NARRATIVE, ATTACHMENTS INCLUDED IN THE SPECIFICATIONS SECTION 312800 (EROSION AND SEDIMENTATION CONTROL), PLUS THE PERMIT AND ALL SUBSEQUENT REPORTS AND RELATED DOCUMENTS.
- ALL CONTRACTORS AND SUBCONTRACTORS INVOLVED WITH STORM WATER POLLUTION PREVENTION PLAN SHALL OBTAIN A COPY OF THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND THE STATE OF ARKANSAS NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT (NPDES PERMIT) AND BECOME FAMILIAR WITH THEIR CONTENTS.
- CONTRACTOR SHALL IMPLEMENT BEST MANAGEMENT PRACTICES AS REQUIRED BY THE SWPPP. ADDITIONAL BEST MANAGEMENT PRACTICES SHALL BE IMPLEMENTED AS DICTATED BY CONDITIONS AT NO ADDITIONAL COST OF OWNER THROUGHOUT ALL PHASES OF CONSTRUCTION.
- BEST MANAGEMENT PRACTICES (BMP) AND CONTROLS SHALL CONFORM TO FEDERAL, STATE OR LOCAL REQUIREMENTS OR MANUAL OF PRACTICE, AND APPLICABLE CONTRACTOR SHALL IMPLEMENT ADDITIONAL CONTROLS AS DIRECTED BY THE PERMITTING AGENCY OR OWNER.
- SITE MAP MUST CLEARLY DELINEATE ALL STATE WATERS. PERMITS FOR ANY CONSTRUCTION ACTIVITY IMPACTING STATE WATERS OR REGULATED WETLANDS MUST BE MAINTAINED ON THE SITE AT ALL TIMES.
- CONTRACTOR SHALL MINIMIZE CLEARING TO THE MAXIMUM EXTENT PRACTICAL OR AS REQUIRED BY THE GENERAL PERMIT.
- GENERAL CONTRACTOR SHALL DENOTE THE TEMPORARY PARKING AND STORAGE AREA WHICH SHALL ALSO BE USED AS THE EQUIPMENT MAINTENANCE AND CLEANING AREA, AND AREA FOR PORTABLE FACILITIES, OFFICE TRAILERS AND TOILET FACILITIES.
- ALL WASH WATER (CONCRETE TRUCKS, VEHICLE AND EQUIPMENT CLEANING, ETC.) SHALL BE DETAINED AND PROPERLY TREATED OR DISPOSED.
- SUFFICIENT OIL AND GREASE ABSORBING MATERIALS AND FLOATATION BOOMS SHALL BE MAINTAINED ON SITE OR READILY AVAILABLE TO CONTAIN AND CLEAN UP FUEL OR CHEMICAL SPILLS AND LEAKS.
- DUST ON THE SITE SHALL BE CONTROLLED. THE USE OF MOTOR OILS AND OTHER PETROLEUM-BASED OR TOXIC LIQUIDS FOR DUST SUPPRESSION OPERATIONS IS PROHIBITED.
- RUBBISH, TRASH, GARBAGE, LITTER OR OTHER SUCH MATERIALS SHALL BE DEPOSITED INTO SEALED CONTAINERS. MATERIALS SHALL BE PREVENTED FROM BEING BLOWN OR WASHED OFF-SITE.
- ALL STORM WATER POLLUTION PREVENTION MEASURES PRESENTED ON THIS PLAN AND SWPPP SHALL BE INITIATED AS SOON AS POSSIBLE.
- DISTURBED PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITY HAS STOPPED FOR AT LEAST 21 DAYS SHALL BE TEMPORARILY SEEDED. THESE AREAS SHALL BE SEEDED NO LATER THAN 14 DAYS FROM THE LAST CONSTRUCTION ACTIVITY OCCURRING IN THESE AREAS.
- DISTURBED PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITY HAS PERMANENTLY STOPPED SHALL BE PERMANENTLY SEEDED NO LATER THAN 14 DAYS AFTER THE LAST CONSTRUCTION ACTIVITY OCCURRING IN THESE AREAS. REFER TO THE GRADING PLAN AND/OR LANDSCAPE PLAN.
- IF THE ACTION OF VEHICLES TRAVELING OVER THE GRAVEL CONSTRUCTION ENTRANCE/EXIT IS NOT SUFFICIENT TO REMOVE THE MAJORITY OF DIRT OR MUD, THEN THE TIRES MUST BE WASHED BEFORE THE VEHICLES EXIT ONTO THE PUBLIC ROADS. IF WASHING IS USED, PROVISIONS MUST BE MADE TO INTERCEPT THE WASH WATER AND TRAP THE SEDIMENT BEFORE IT IS CARRIED OFF-SITE.
- ALL MATERIALS SPILLED, DROPPED, WASHED OR TRACKED FROM VEHICLES ONTO ROADWAYS OR INTO STORM DRAINS MUST BE REMOVED IMMEDIATELY.
- CONTRACTORS OR SUBCONTRACTORS WILL BE RESPONSIBLE FOR REMOVING SEDIMENT IN THE DETENTION POND AND ANY SEDIMENT THAT MAY HAVE COLLECTED IN THE STORM SEWER DRAINAGE SYSTEMS IN CONJUNCTION WITH THE STABILIZATION OF THE SITE.
- ON-SITE AND OFF-SITE STOCKPILE AND BORROW AREAS SHALL BE PROTECTED FROM EROSION AND SEDIMENTATION THROUGH IMPLEMENTATION OF BEST MANAGEMENT PRACTICES. STOCKPILE AND BORROW AREA LOCATIONS SHALL BE NOTED ON THE SITE MAP AND PERMITTED IN ACCORDANCE WITH THE GENERAL PERMIT.
- SLOPES SHALL BE LEFT IN A ROUGHENED CONDITION DURING THE GRADING PHASE TO REDUCE RUNOFF VELOCITIES AND EROSION.
- DUE TO THE GRADE CHANGES DURING THE DEVELOPMENT OF THE PROJECT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADJUSTING THE EROSION CONTROL MEASURES (SILT FENCES, STRAW BALES, ETC.) TO PREVENT EROSION.
- ALL CONSTRUCTION SHALL BE STABILIZED AT THE END OF EACH WORKING DAY. THIS INCLUDES BACKFILLING OF TRENCHES FOR UTILITY CONSTRUCTION AND PLACEMENT OF GRAVEL OR BITUMINOUS PAVING FOR ROAD CONSTRUCTION.



CONCRETE WASH-OUT BASIN
NTS

SOIL EROSION/SEDIMENTATION CONTROL OPERATION TIME SCHEDULE

NOTE: GENERAL CONTRACTOR TO COMPLETE TABLE WITH THEIR SPECIFIC PROJECT SCHEDULE

CONSTRUCTION SEQUENCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	
ROUGH GRADE / SEDIMENT CONTROL																			
TEMPORARY CONTROL MEASURES																			
STRIP & STOCKPILE TOPSOIL																			
STORM FACILITIES																			
TEMPORARY CONSTRUCTION ROADS																			
FOUNDATION / BUILDING CONSTRUCTION																			
SITE CONSTRUCTION																			
PERMANENT CONSTRUCTION STRUCTURES																			
FINISH GRADING																			
LANDSCAPING/SEED/FINAL STABILIZATION																			

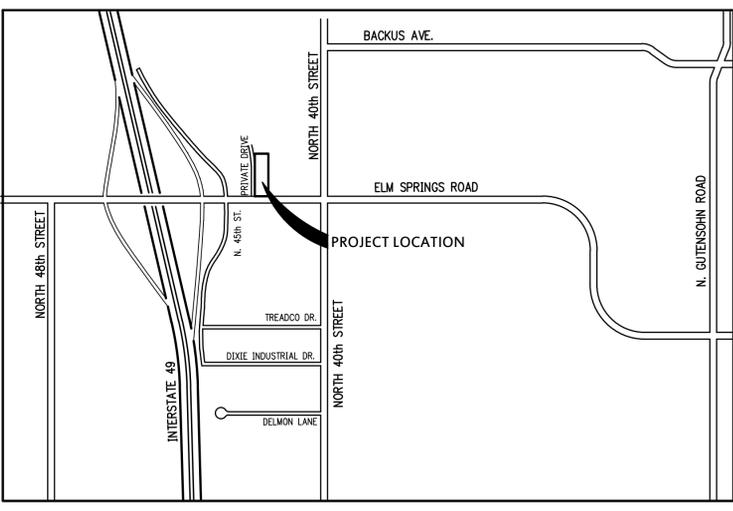
ACREAGE SUMMARY

IMPERVIOUS AREA	0.87 ACRES
SEEDED AREA	0.25 ACRES
TOTAL DISTURBED	1.13 ACRES

DEVELOPER/OWNER:
ENTER DEVELOPER INFORMATION

SITE OPERATOR/GENERAL CONTRACTOR:

SUPERINTENDENT:



VICINITY MAP
NTS

REVISIONS	SYN. DATE	DESCRIPTION

PROJECT:
**BUILDING PT14S
ELM SPRINGS ROAD
AND 40TH STREET
SPRINGDALE, AR 72762**



WHATABURGER
300 CONCORD PLAZA DR.
SAN ANTONIO, TEXAS
210-476-6000 ZIP 78216

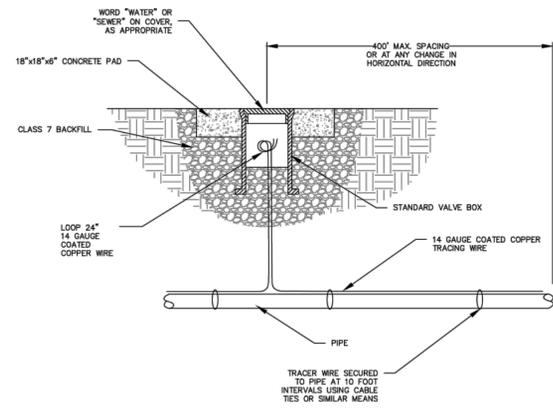
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SHEET TITLE:
EROSION CONTROL
DETAILS

UNIT NO. 2101123
DATE: 05.20.15
SCALE:
DRAWN BY:
APPROVED BY: DE

SHEET NO:
C-8.4



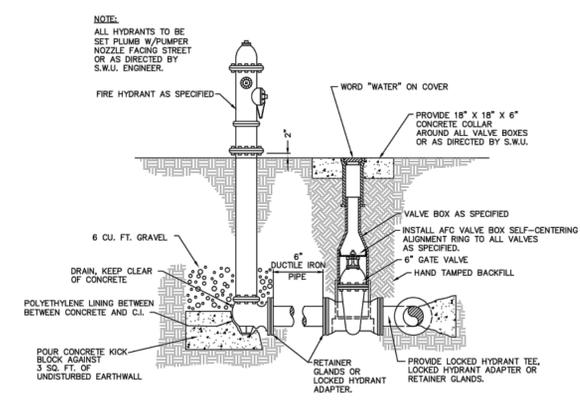


TRACING WIRE CONNECTION PORT
N.T.S.

SPRINGDALE WATER UTILITIES
 526 OAK AVENUE • P.O. BOX 769 • SPRINGDALE, ARKANSAS • 72765-0769 • (479) 751-5751

MISCELLANEOUS DETAILS FOR WATER AND SEWER CONSTRUCTION

DRAWN BY: CAG DRAWING NO: M-1 DATE: AUGUST 2014

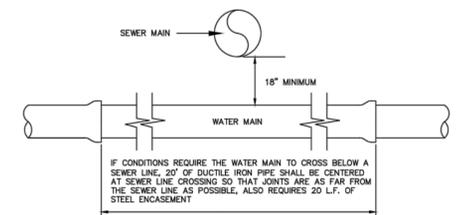


FIRE HYDRANT & GATE VALVE
N.T.S.

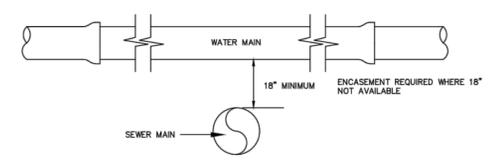
SPRINGDALE WATER UTILITIES
 526 OAK AVENUE • P.O. BOX 769 • SPRINGDALE, ARKANSAS • 72765-0769 • (479) 751-5751

STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

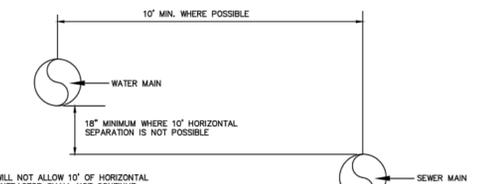
DRAWN BY: KMI DRAWING NO: S-1 DATE: MARCH 2008



WATER LINE CROSSING UNDER SEWER LINE
N.T.S.



WATER LINE CROSSING ABOVE SEWER LINE
N.T.S.

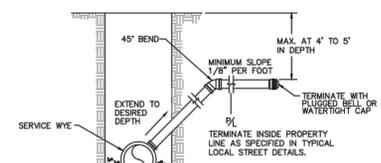


PARALLEL
N.T.S.

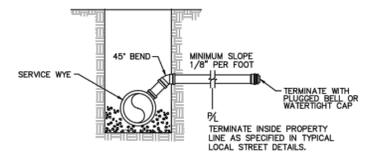
SPRINGDALE WATER UTILITIES
 526 OAK AVENUE • P.O. BOX 769 • SPRINGDALE, ARKANSAS • 72765-0769 • (479) 751-5751

STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

DRAWN BY: CAG DRAWING NO: S-6 DATE: MARCH 2008



RISER FROM DEEP MAIN



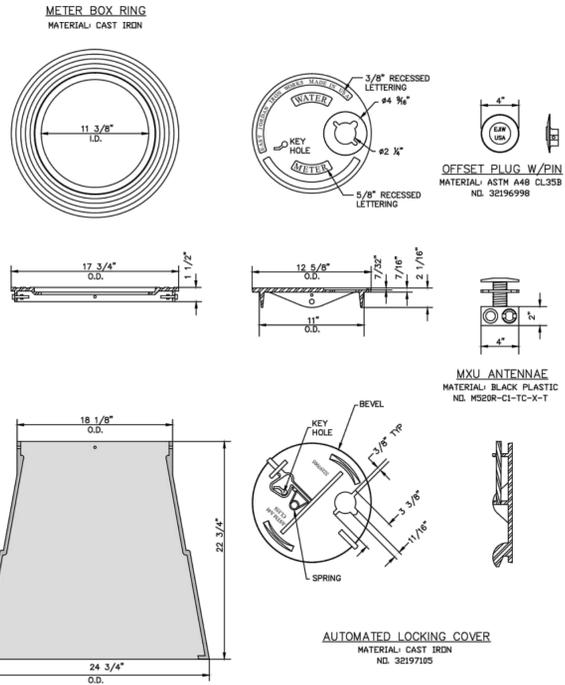
NORMAL DEPTH

SEWER SERVICE CONNECTIONS
N.T.S.

SPRINGDALE WATER UTILITIES
 526 OAK AVENUE • P.O. BOX 769 • SPRINGDALE, ARKANSAS • 72765-0769 • (479) 751-5751

STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

DRAWN BY: TLS DRAWING NO: S-16 DATE: MARCH 2008

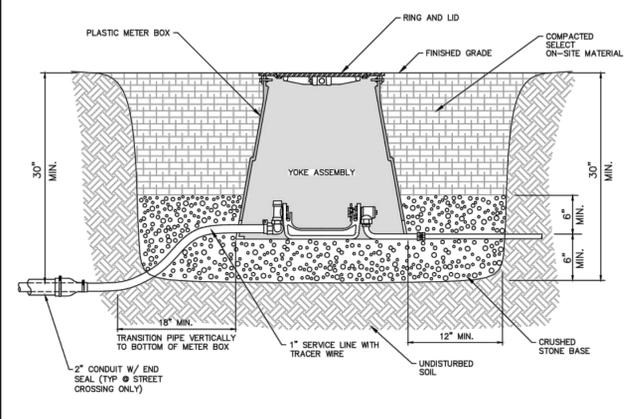


STANDARD METER BOX
N.T.S.

SPRINGDALE WATER UTILITIES
 526 OAK AVENUE • P.O. BOX 769 • SPRINGDALE, ARKANSAS • 72765-0769 • (479) 751-5751

STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

DRAWN BY: TLS DRAWING NO: S-22 DATE: AUGUST 2014



STANDARD METER BOX INSTALLATION
 SPLIT 5/8" x 3/4" METER SETTER (SHOWN)
 SINGLE 5/8" x 3/4" AND 1" METER SETTERS (SIMILAR)
 N.T.S.

- NOTES:
- 2" CONDUITS TO BE INSTALLED ON ALL STREET CROSSINGS AND SHALL EXTEND FROM BACK OF SIDEWALK TO BACK OF SIDEWALK
 - ALL SERVICE TUBING SHALL HAVE 30" MIN. COVER EXCEPT FOR TRANSITION TO METER BOX AS SHOWN ABOVE
 - SEE "TECHNICAL SPECIFICATIONS" FOR MATERIAL AND INSTALLATION SPECIFICATIONS

SPRINGDALE WATER UTILITIES
 526 OAK AVENUE • P.O. BOX 769 • SPRINGDALE, ARKANSAS • 72765-0769 • (479) 751-5751

STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

DRAWN BY: TLS DRAWING NO: S-23 DATE: OCTOBER 2014

REVISIONS	SYN	DATE	DESCRIPTION	BY

PROJECT:
**BUILDING PT14S
 ELM SPRINGS ROAD
 AND 40TH STREET
 SPRINGDALE, AR 72762**

Crafton Tull
 901 N. 47th St., Suite 200
 Spring, Arkansas 72762
 479.636.0800 • 479.636.0247
 www.craftontull.com

WHATABURGER
 300 CONCORD PLAZA DR.
 SAN ANTONIO, TEXAS
 210-476-6000 ZIP 78216

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SHEET TITLE:
**SPRINGDALE
 UTILITY DETAILS**

UNIT NO. 2101123
 DATE: 05.20.15
 SCALE:
 DRAWN BY:
 APPROVED BY: DE

SHEET NO:
C-8.5

CERTIFICATE OF AUTHORIZATION
 CRAFTON TULL & ASSOCIATES, INC.
 No. 109
 ARCHITECT/ENGINEER

STATE OF ARKANSAS
 REGISTERED PROFESSIONAL ENGINEER
 No. 11825
 DANIEL P. ELLIS

WHATABURGER

Above Space for Recorder's Use:

**This document prepared by and
after recording, return to:**

Elm Springs Center, LLC

_____DELETE_____

3520 N. Buckingham Dr.

Fayetteville, Arkansas 72703-3783

Attention: John Pak

DECLARATION OF EASEMENT FOR STORM WATER DRAINAGE AND DETENTION

THIS EASEMENT FOR STORM WATER DRAINAGE AND DETENTION (this "**Easement**") is made effective as of the ___ day of _____, 2015 (the "**Effective Date**") by **ELM SPRINGS CENTER, LLC**, an Arkansas limited liability company, with an address at 3520 N. Buckingham Dr., Fayetteville, Arkansas 72703-3783 ("**Grantor**"), and **WHATABURGER REAL ESTATE LLC**, a Texas limited liability company ("**Grantee**").

PRELIMINARY STATEMENTS

WHEREAS, Grantor is the fee simple owner of that certain tract of real property being situated in the City of Springdale, County of Washington, State of Arkansas, being more particularly described on Exhibit A attached ("**Tract I**");

WHEREAS, Grantor is constructing certain storm water detention facilities on that certain portion of Tract I being identified as the "Drainage Easement" area on the drawing attached as Exhibit B and more fully described on Exhibit C attached (the "**Drainage Easement Area**");

WHEREAS, Grantee is the owner of that certain tract of real property situated in the City of Springdale, County of Washington, State of Arkansas, said tract being described on Exhibit C attached and depicted as the "**Whataburger Tract**" on Exhibit B;

WHEREAS, the Whataburger Tract is contiguous to the Tract 1; and

WHEREAS, Grantor has agreed to grant to Grantee, its heirs, successors, and assigns, for the benefit of the Grantee Parcel, a non-exclusive, perpetual easement to allow storm water and other water leaving the Whataburger Tract to enter onto, under, and across that portion of the Tract 1 being legally described on Exhibit D attached and incorporated herein by this reference and depicted as the "**Drainage Easement Area**" on the attached site plan attached as Exhibit B.

AGREEMENTS

NOW, THEREFORE, in consideration of the foregoing Recitals, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby agrees as follows:

1. **Dedication of Easement.** Grantor does hereby grant, bargain, sell, transfer, and convey unto Grantee, subject to all matters of record, a non-exclusive, perpetual easement for the purpose of detaining storm water runoff over and through the Drainage Easement Area from the Whataburger Tract only.

2. **Maintenance of Easement Area.** All improvements placed within the Easement Area (the "**Improvements**") pursuant to this Easement shall be the property of Grantor or a to-be-formed property owners association serving Tract 1 (the "**POA**"), and Grantor or the POA shall be responsible for the maintenance, repair, and replacement of the Improvements, subject to any separate contractual arrangements between the Grantor and Grantee.

3. **Binding Upon Property.** The easement and rights created pursuant to the terms of this Easement shall be appurtenant to and run with and be binding upon the real property identified herein, including future subdivisions and/or reconfigurations of such property, and shall be binding upon all entities having or acquiring any right, title, or interest in such property.

4. **No Dedication.** Nothing herein contained shall be deemed to be a gift or dedication of any portion of the Drainage Easement Area to the general public, or for any public use.

[Remainder of Page Intentionally Left Blank; Signature Page Follows.]

EXHIBIT A

Tract 1 Legal Description

TRACT ONE (1):

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 30 WEST, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 87°04'06" WEST A DISTANCE OF 401.25 FEET; THENCE NORTH 03°22'08" EAST A DISTANCE OF 51.66 TO A POINT ON THE NORTH RIGHT OF WAY OF ELM SPRINGS ROAD FOR THE POINT OF BEGINNING; THENCE NORTH ALONG SAID RIGHT OF WAY NORTH 86°59'36" WEST A DISTANCE OF 75.50 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 02°40'27" EAST A DISTANCE OF 264.89 FEET; THENCE NORTH 87°05'04 WEST A DISTANCE OF 185.00 FEET; THENCE NORTH 02°39'26" EAST A DISTANCE OF 222.13 FEET; THENCE SOUTH 86°28'13" EAST A DISTANCE OF 160.00 FEET; THENCE SOUTH 86°29'53" EAST A DISTANCE OF 179.49 FEET; THENCE SOUTH 02°18'52" WEST A DISTANCE OF 126.48 FEET; THENCE NORTH 86°22'44" WEST A DISTANCE OF 75.30 FEET; THENCE SOUTH 03°22'57" WEST A DISTANCE OF 357.99 FEET TO THE POINT OF BEGINNING. CONTAINING 2.02 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS OF RECORD OR FACT.

And also,

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N87°04'06"W 401.25', THENCE N03°22'08"E 51.66' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N03°16'01"E 357.84', THENCE S86°42'53"E 145.19', THENCE S03°18'41"W 357.01', THENCE N87°02'27"W 144.91' TO THE POINT OF BEGINNING, CONTAINING 1.19 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

EXHIBIT B

Drawing Showing the Easement Area

[See Attached]

EXHIBIT C

Whataburger Tract Legal Description

WHATABURGER TRACT DESCRIPTION:

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 30 WEST, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 87°04'06" WEST A DISTANCE OF 401.25 FEET; THENCE NORTH 03°22'08" EAST A DISTANCE OF 51.66; THENCE NORTH 86°59'36" WEST A DISTANCE OF 75.50 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF ELM SPRINGS ROAD FOR THE POINT OF BEGINNING; THENCE NORTH ALONG SAID RIGHT OF WAY NORTH 86°59'36" WEST A DISTANCE OF 24.50 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 86°57'37" WEST A DISTANCE OF 160.42 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 02°39'26" EAST A DISTANCE OF 264.51 FEET; THENCE SOUTH 87°05'04 EAST A DISTANCE OF 185.00; THENCE SOUTH 02°40'27" WEST A DISTANCE OF 264.89 FEET TO THE POINT OF BEGINNING. CONTAINING 1.12 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS OF RECORD OR FACT.

EXHIBIT D

Drainage Easement Area Legal Description

DRAINAGE EASEMENT AREA DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N87°04'06"W 401.25', THENCE N03°22'08"E 51.66', THENCE S87°02'27"E 19.50' TO THE TRUE POINT OF BEGEMNING AND THENCE N02°40'27"E 199.03', THENCE N87°05'04"W 95.00', THENCE N02°40'27"E 66.00', THENCE S87°05'04"E 125.00', THENCE S02°40'27"W 265.05', THENCE N87°02'27"W 30.00' TO THE POINT OF BEGINNING.

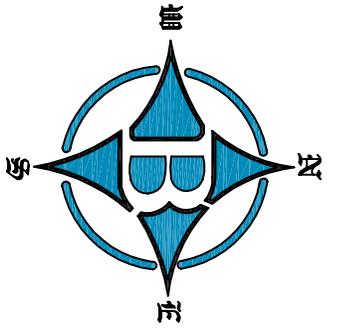
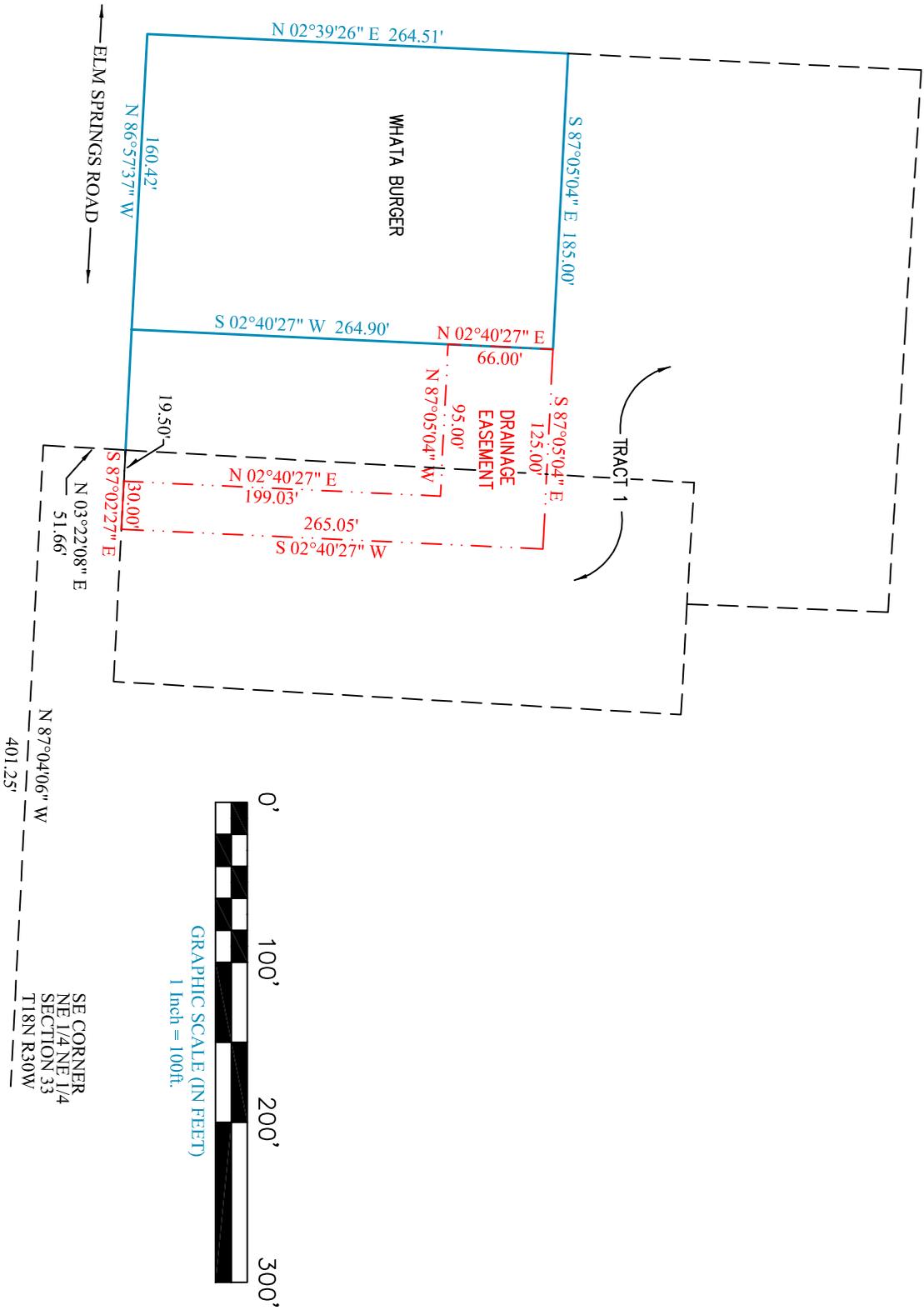


EXHIBIT "B"



LEGEND: THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.

	WHATA BURGER BOUNDARY LINE
	TIE LINE/TRACT 1
	DRAINAGE EASEMENT

DRAWING# 14-304DE

FOR USE AND BENEFIT OF:

WHATA BURGER

ADDRESS:

CITY OF SPRINGDALE
WASHINGTON COUNTY, ARKANSAS

DATE:	SCALE: 1" = 100'
LOCATION: SEC. 33 T-18-N, R-30-W	SURVEYED: XX DRAFTED: XX
	REVIEWED: XX

Bates & Associates, Inc.
Civil Engineering - Land Surveying - Landscape Architecture

91 W. Colt Square Dr. · Fayetteville, Arkansas 72703 · 479.442.9350 · Fax 479.521.9350

BATES & ASSOCIATES, INC. Copyright 2015

This survey was conducted for the person or persons whose name(s) appear on this plat. This plat is protected by copyright. No one including the person(s) named may reproduce this plat without the express written consent of Bates & Associates, Inc. Surveyor has made no independent investigation for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other fact which a complete and accurate title search may disclose. Any flood statement provided on this plat is for information only and Bates & Associates, Inc. assumes no liability for the correctness of the hereon cited maps, furthermore the above statement does not represent the opinion of Bates & Associates, Inc. of the probability of flooding.

Staff Use Only

- Fee Paid (\$75) Cash Check CC
- Warranty Deed
- Authorization of Representation
- Drawing/Photo or Other Exhibit

File # _____

A "Notice of Violation" was issued to the Applicant/Property Owner by Code Enforcement.

**APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS**

Applicant's Name: Joe Neely

Applicant's Mailing Address:

300 Concord Plaza Drive
Street Address or P.O. Box
San Antonio, TX 78216
City, State & Zip Code

(210) 476-6000
Telephone Number

Property Owner's Name
(If different from Applicant): John Pak

Property Owner's Mailing Address:
(If different from Applicant):

3520 N Buckingham Drive
Street Address or P.O. Box
Fayetteville AR 72703
City, State & Zip Code

(479) 957-1590
Telephone Number

Address of Variance Request: Northern side of Elm Springs Road to the east of N. 45th Street and to the west of N. 40th Street.

Zoning District: C-5

The following information should be attached to this application:

1. \$75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be

sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

SETBACK VARIANCES:

Not Applicable

*Please complete the following to apply for a setback variance. Required setbacks vary by zoning district, please **contact staff** to determine the required setback.*

Required: Front: _____ Side: _____ Back: _____
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: _____ Side: _____ Back: _____
(if granted what the setback would be.)

Variance: Front: _____ Side: _____ Back: _____
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed. Any attachments must be labeled as "Exhibit A, B, C" etc.

1 - Entryway Landscaping - Commercial Design Guidelines and Standards. Landscaping

2 - Building Foundation Landscaping - Commercial Design Guidelines and Standards. Landscaping

The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds ALL of the following:

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

The prototypical Whataburger restaurant building has a continuous sidewalk around the building which does not provide areas for entryway or foundation landscaping.

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

In order to meet the necessary requirements for entryway and building foundation landscaping the building design and layout would have to change drastically and the consistency of the Whataburger brand will be lost.

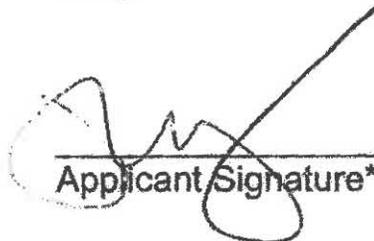
3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

Whataburger is a regional restaurant franchise that has a specific, prototypical building design and layout that does not include entryway and building foundation landscaping.

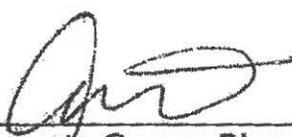
4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.



 Applicant Signature*



 Property Owner Signature*
 (If different from Applicant)

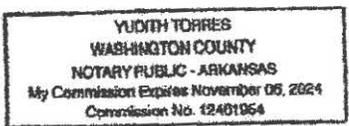
 Applicant Signature*

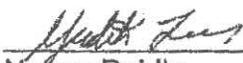
 Property Owner Signature*
 (If different from Applicant)

**If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.*

State of Arkansas)
) ss.
 County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 16th day of June, 2015.

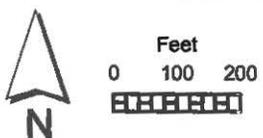




 Notary Public



Public hearing sign posted: / / 2015
 Public hearing sign posted by: CS
 (S) Public Hearing Sign Location



FILE NUMBER: B15-30
APPLICANT: JOE NEELY/WHATABURGER
VARIANCE REQUEST: COMMERCIAL DESIGN
STANDARDS

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

P67

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**PLANNING & COMMUNITY
DEVELOPMENT DIVISION**

Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: July 7, 2015
Re: R15-19 Rezone

A request by Donna Luckett Wilson for Planning Commission approval of a zone change from Low/Medium Density Single Family Residential District (SF-2) to General Commercial District (C-2) for a tract of land containing .268 acres.

LOT LOCATION AND SIZE

The .268 acre tract is located at 787 N. 40th Street, east side of 40th Street, south of Elm Springs Road.

A vicinity map is attached.

EXISTING ZONING

The existing zoning on this tract is a SF-2 Low/Medium Density Single Family Residential District. The district is designed to permit and encourage the development of single-family detached dwellings on smaller lots to encourage flexibility in housing and lot sizes.

Uses permitted: - 1, 8, 29

Conditional Uses Permitted on Appeal: - 2, 3, 4, 9, 28, 36

Temporary Uses – 34

ACCESSORY USES

The following accessory structures and land uses shall be permitted only where clearly incidental to the permitted primary use, except as otherwise permitted herein:

- (1) Accessory buildings, including private garages, storage facilities and children's playhouses as set for in Article 6, Section 2.7 of this chapter.
- (2) Private greenhouses and horticultural collections.
- (3) Flower and vegetable gardens.

- (4) Swimming pools, tennis courts and similar recreation facilities.

SITE PLAN REVIEW

When a conditional use is proposed in an SF-2 district, except for Use Unit 28 home occupation and Use Unit 36, horses kept in residential areas; a site plan review shall be required. For Use Unit 36, See Article 2, Section 13 of this chapter for the procedure and requirements of a site plan review.

HEIGHT REGULATIONS

No building hereafter erected or structurally altered shall exceed a height of thirty-five (35) feet.

AREA REGULATIONS

- (1) LOT AREA. There shall be a lot area of not less than eight thousand (8,000) square feet. In addition, there shall be a minimum lot width of not less than seventy (70) feet on a public street at the front setback line.
- (2) DENSITY. Four (4) units per acre.
- (3) FRONT SETBACK. There shall be a front setback having a depth of not less than thirty (30) feet. In keeping with the definition of a corner lot, all sides adjacent to streets shall be required to have front setbacks of thirty (30) feet.
- (4) SIDE SETBACK. There shall be a side setback on each side of the lot having a width of not less than eight (8) feet.
- (5) REAR SETBACK. There shall be a rear setback having a depth of not less than twenty (20) feet.

	LOT MINIMUMS		SETBACKS				
	Widths	Area (sq. ft.)	Front	Back	Side		
					Interior	Corner	
						Interior	Exterior
One Family	70	8,000	30	20	8/8	8	30
Zero-lot line	70	8,000	30	20	16/0	16/0	30

BUILDING AREA

On any lot, the area occupied by all buildings shall not exceed forty (40) percent of the total area of the lot.

REQUESTED ZONING

The requested zoning of this tract is a C-2 General Commercial District. The District is established in order to be a broader range of retail uses, which comprise the commercial function of the city including groupings of freestanding commercial structures. Permitted uses include most types of retail activity except those involving open displays of merchandise and those which generate large volumes of vehicular traffic or are otherwise incompatible with the purpose and intent of the C-2 general commercial district. Retail areas zoned C-2 shall be generally concentrated as to geographical configuration. It is anticipated, however, that in some situations, change to another commercial or office classification may be appropriate to permit the transition of strip retail areas to other productive forms of land use. It is the intent of these regulations that the C-2 district be concentrated at the intersections of arterial streets. Extension of the district along major arterial streets in linear fashion shall be discouraged.

Uses permitted: - 1, 4, 16, 17, 19, 20, 21, 22, 27, 32, 35
Conditional Uses Permitted on Appeal: - 2, 3, 12, 33

ACCESSORY USES

See Article 6 Section 3.1 of this chapter.

SITE PLAN REVIEW

When a conditional use is proposed in a C-2 district, except for home occupation a site plan review shall be required. See Article 2, Section 13 of this chapter for the procedure and requirements of a site plan review.

HEIGHT REGULATIONS

There shall be no maximum height limits in C-2 district; provided, however, that any building which exceeds the height of twenty (20) feet shall be set back from any boundary line of any residential district a distance of one (1) foot for each foot of height in excess of twenty (20) feet.

AREA REGULATIONS

SETBACKS:

Front setback	30'
Front setback if parking is allowed between R-O-W 50' and the building	
Side setback (subject to applicable fire and building codes)	0
Side setback when contiguous to a residential district	20'
Rear setback	20'

GREENSPACE

Each developed lot shall provide and maintain:

1. A landscaped buffer, not less than ten (10) feet wide, along the front property line. When adjacent to the property line of a residential use a 5' landscaped area and a six (6) foot opaque screen shall be required.
2. Landscaping, including grass, shrubs and trees, and without structure or pavement, of a minimum of ten percent of the total surface area of the lot or development.

OFF-STREET PARKING

See Article 7 of this chapter.

SURROUNDING ZONING AND LAND USE

Zoning of the surrounded area is shown on the attached map. The tract contains a single family dwelling. The tract is surrounded by a mixture of commercial uses in C-2 zoning.

LAND USE PLAN AND MASTER STREET PLAN

The adopted Comprehensive Land Use Plan indicates commercial use.

The Master Street Plan indicates 40th Street as a minor collector.

STAFF COMMENTS AND RECOMMENDATIONS

The rezoning request is in keeping with the following goals and policies of the Comprehensive Land Use Plan.

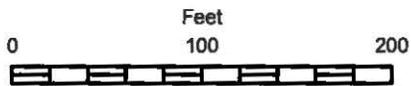
Improve the City's economic base and tax structure through the promotion of healthy, stable commercial concentrations

Encourage the development of a wide range of commercial development for the residents and tourists to include neighborhood, community and regional centers.



Public hearing sign posted: 1/1/2015
Public hearing sign posted by: CS
S Public Hearing Sign Location

P12



FILE NUMBER: R15-19
APPLICANT: DONNA LUCKETT WILSON
REZONING REQUEST: SF-2 TO C-2

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

File No. R15-19

PETITION FOR REZONING

Petition is hereby made to the City Council of the City of Springdale, through the Springdale Planning Commission, pursuant to the provisions of Act 186 of 1957, as amended, and Chapter 130 of the City of Springdale Code of Ordinances, as amended, by Donna Lockett-Wilson

The record property owner(s), petitioning to rezone the following described area:

Legal Description:

PT W 1/2 SW NW 0.268A

S-T-R: 34-18-30

187 n. 40th St.
Springdale, AR 72762

Layman's Description:

The Petitioner hereby states by oath that:

1. The Petitioner is the record title holder of the above described property evidenced by the attached copy of a **Warranty Deed** as Exhibit A.
2. A **scaled drawing** showing accurate dimensions, lot lines, surrounding zoning, adjacent owners, north arrow and graphic scale is attached as Exhibit B.
3. The names and address of all adjacent owners of the above described property **certified by a licensed abstractor or licensed land surveyor** within the past sixty (60) days are attached as evidenced by Exhibit C.

The Petitioner requests the following zoning classification:

FROM (current zoning) SF2

TO (proposed zoning) C2

The Petitioner's immediate intentions are to:

1. Sell the property YES (Yes or No), and if so, is the property subject to an offer and acceptance, escrow contract, option agreement, other contract for conveyance of title NO (Yes or No).

2. Develop the property NO (Yes or No), and if so, the proposed use is _____

3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: Zoned C2 surrounding properties

The effect of zoning this C2 will have no effect.

The Petitioner understands that he/she is responsible to send a notice of the public hearing to owners of adjacent properties in accordance with the requirements set forth in the instruction given with this application and that an affidavit must be submitted with supporting documents no later than seven (7) calendar days prior to the meeting date. It is further understood that the cost of such notice(s) is borne by the Petitioner.

The Petitioner understands that he/she should be present at the meeting in order to answer questions. If the Petitioner is unable to attend, written authorization must be attached designating a representative and any decisions made by this individual shall be binding on the petitioner.

Authorized Representative: Amy Hutcherson, Jeff Whitmer, Anna Isfalt

Address: 1200 E. Joyce St. Fayetteville AR

PETITIONER/OWNER: Donna Luchett/Wilson

MAILING ADDRESS: P.O. Box 7696 Springdale Ar 72766

TELEPHONE: 479-595-2162 DATE: May 28, 2015

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.

Donna Fuchett Wilson
(Property Owner)

(Property Owner)

State of Arkansas)
) ss.
County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 28th day of May, 2015.

Barbara J. Powers
Notary Public



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**PLANNING & COMMUNITY
DEVELOPMENT DIVISION**

Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: July 7, 2015
Re: R15-20 Rezone

A request by Daniel J. Lewis, Signature Bank of Arkansas for Planning Commission approval of a zone change from Agricultural District (A-1) to General Commercial District (C-2) and Large Retail Sales District (C-6) for a tract of land containing acres 4.23 and 13.81 acres.

LOT LOCATION AND SIZE

The 18.04 acre tract is located on the north side of Parson Road, east of Butterfield Coach Road.

A vicinity map is attached.

EXISTING ZONING

The existing zoning on this tract is an A-1, Agricultural district. This district is designed to protect agricultural land until an orderly transition to urban development has been accomplished. It provides a usable district for certain uses which may be annexed to the city. The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished. This zone will encourage single family residential usage on large tracts. In addition, due to the low density of development, agricultural uses such as crop and livestock production are allowed.

Uses permitted: - 1, 6, 7, 8, 29

Conditional Uses Permitted on Appeal: - 2, 3, 4, 5, 9, 14, 17, 23, 28, 30, 33, 36, 37

Temporary Uses – 32, 34

ACCESSORY USES

The following accessory structures and land uses shall be permitted only where clearly incidental to the permitted primary use, except as otherwise permitted herein:

- (1) Accessory buildings, including private garages, storage facilities and children's playhouses.
- (2) Private greenhouses.
- (3) Swimming pools, tennis courts and similar recreation facilities.

SITE PLAN REVIEW

When a conditional use is proposed in an A-1 district, except for Use Unit 28 home occupation and Use Unit 36, horses kept in residential areas; a site plan review shall be required. See Article 2, Section 13 of this chapter for the procedure and requirements of a site plan review.

AREA REGULATIONS

- (1) **LOT AREA.** There shall be a lot area of not less than two acres for both residential and non-residential use. In addition, there shall be a minimum lot width of not less than two hundred (200) feet on a public street at the front setback line.
- (2) **DENSITY.** One (1) unit per two acres.
- (3) **FRONT SETBACK.** There shall be a front setback having a depth of not less than thirty-five (35) feet. In keeping with the definition of a corner lot, all sides adjacent to streets shall be required to have front setbacks of thirty-five (35) feet.
- (4) **SIDE SETBACK.** There shall be a side setback on each side of the lot having a width of not less than twenty (20) feet.
- (5) **REAR SETBACK.** There shall be a rear setback having a depth of not less than thirty-five (35) feet.

	LOT MINIMUMS		SETBACKS				
	Widths	Area	Front	Back	Side		
					Corner		
						Interior	Exterior
One Family	200	2 acre	35	35	20/20	20	35

REQUESTED ZONING

The requested zoning of this tract is a C-2 General Commercial District. The District is established in order to be a broader range of retail uses, which comprise the commercial function of the city including groupings of freestanding commercial structures. Permitted uses include most types of retail activity except those involving open displays of merchandise and those which generate large volumes of vehicular traffic or are otherwise incompatible with the purpose and intent of the C-2 general commercial district. Retail areas zoned C-2 shall be generally concentrated as to geographical configuration. It is anticipated, however, that in some situations, change to another commercial or office classification may be appropriate to permit the transition of strip retail areas to other productive forms of land use. It is the intent of these regulations that the C-2 district be concentrated at the intersections of arterial streets. Extension of the district along major arterial streets in linear fashion shall be discouraged.

Uses permitted: - 1, 4, 16, 17, 19, 20, 21, 22, 27, 32, 35
 Conditional Uses Permitted on Appeal: - 2, 3, 12, 33

ACCESSORY USES

See Article 6 Section 3.1 of this chapter.

SITE PLAN REVIEW

When a conditional use is proposed in a C-2 district, except for home occupation a site plan review shall be required. See Article 2, Section 13 of this chapter for the procedure and requirements of a site plan review.

HEIGHT REGULATIONS

There shall be no maximum height limits in C-2 district; provided, however, that any building which exceeds the height of twenty (20) feet shall be set back from any boundary line of any residential district a distance of one (1) foot for each foot of height in excess of twenty (20) feet.

AREA REGULATIONS

SETBACKS:

Front setback	30'
Front setback if parking is allowed between R-O-W 50' and the building	
Side setback (subject to applicable fire and building codes)	0
Side setback when contiguous to a residential district	20'
Rear setback	20'

GREENSPACE

Each developed lot shall provide and maintain:

1. A landscaped buffer, not less than ten (10) feet wide, along the front property line. When adjacent to the property line of a residential use a 5' landscaped area and a six (6) foot opaque screen shall be required.
2. Landscaping, including grass, shrubs and trees, and without structure or pavement, of a minimum of ten percent of the total surface area of the lot or development.

OFF-STREET PARKING

See Article 7 of this chapter.

AND

The requested zoning for this tract is a C-6 Large Product Retail Sales District. The district is established in order to provide adequate locations for retail uses which serve the needs of the motoring public and are characterized by a high level of vehicular ingress and egress. Among these uses, are automobile and other vehicular service establishments. The C-6 district is also intended to provide a location for the limited amount of merchandise, equipment and material being offered for retail sale that, because of the type of material or transportation requirements, is suitable for display and storage outside the confines of an enclosed building. Such uses are not generally compatible with pedestrian-oriented commercial districts and shopping centers since they tend to obstruct and interfere with pedestrian movement. Appropriate locations for this district are along heavily traveled major traffic arterials.

DEVELOPMENT CRITERIA

- i. All yards unoccupied by buildings or merchandise or used as traffic ways shall be landscaped with grass and shrubs and maintained in an orderly condition.
- ii. All of the lots used for the parking of vehicles, for the storage and display of merchandise shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.
- iii. All servicing of vehicles and assembly of equipment carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.
- iv. No article or material stored or offered for sale in connection with the permitted or conditional uses listed herein shall be stored or displayed outside the confines of the building unless it is so screened by a permanent opaque screening fence or wall so that it cannot be seen from an adjoining lot. The following screening and display criteria shall apply to uses located in the C-6 large product retail sales.
 - a. Except as provided in Use Unit 43: Automobile Sales-Damaged Vehicles, automobile, truck, tractor, mobile home, boat or motorcycle sales areas are not required to screen fully assembled merchandise that is ready for sale.
 - b. No permanent open display will be permitted on sidewalks, or public right-of-way.
 - c. Automobile service stations shall be permitted open display of merchandise commonly sold by such operations as long as the area of said display is not taller than the building nor larger than an area equal to one-half of the façade areas of the front of the building.
 - d. Automobile service stations may be used for the storage of rental trucks or trailers, provided, however, the storage space shall be paved, shall not exceed four thousand (4,000) square feet in area and the above screening requirements are met.
- v. There shall be no open display of any kind whatsoever in the first twenty (20) feet of the required front yard setback.

ACCESSORY USES

See Article 6 Section 3.1 of this chapter.

SITE PLAN REVIEW

When a conditional use is proposed in a C-6 district a site plan review shall be required. See article 2, section 13 of this chapter for the procedure and requirements of a site plan review.

HEIGHT REGULATIONS

There shall be no maximum height limits in C-6 district; provided, however, that any building which exceeds the height of twenty (20) feet shall be set back from any boundary line of any residential district a distance of one (1) foot for each foot of height in excess of twenty (20) feet.

AREA REGULATIONS

There shall be a minimum lot area of fourteen thousand (14,000) square feet. In addition, there shall be a lot width of not less than one hundred (100) feet.

SETBACKS:

Front setback

30'

Front setback if parking is allowed between R-O-W and the building	50'
Side setback (subject to applicable fire and building codes)	0
Side setback when contiguous to a residential district	20'
Rear setback	20'

GREENSPACE

Each developed lot shall provide and maintain:

1. A landscaped buffer, not less than ten (10) feet wide, along the front property line. When adjacent to the property line of a residential use a 5' landscaped area and a six (6) foot opaque screen shall be required.
2. Landscaping, including grass, shrubs and trees, and without structure or pavement, or a minimum of ten percent of the total surface area of the lot or development.

OFF-STREET PARKING

See Article 7 of this chapter.

SURROUNDING ZONING AND LAND USE

Zoning of the surrounded area is shown on the attached map. The tract is undeveloped. The area to the north is undeveloped and outside the City limits. The area to the east contains a mixture of residential structures outside the City limits. The area to the south contains single family dwellings in an MF-2 district. The area to the west contains an industrial use in I-1 zoning.

LAND USE PLAN AND MASTER STREET PLAN

The adopted comprehensive Land Use Plan indicates Low Density Residential use.

The Master Street Plan indicates Parsons Road as a minor collector.

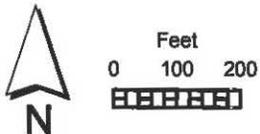
STAFF COMMENTS AND RECOMMENDATIONS

The C-2 zoning classification would provide a better buffer to the residential areas to the east and south and it is recommended that the C-6 be downgraded to C-2 in keeping with the following goals and policies.

Improve the City's economic base and tax structure through the promotion of healthy, stable commercial concentrations

Encourage the development of light to medium-intensity commercial development along arterial streets that provide adequate setbacks and buffering to adjacent residential neighborhoods.

Public hearing sign posted / /2015
 Public hearing sign posted by: CS
 (S) Public Hearing Sign Location



FILE NUMBER: R15-20
APPLICANT: SIGNATURE BANK OF ARKANSAS
REZONING REQUEST: A-1 TO C-2
A-1 TO C-6

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

File No. R15-20

PETITION FOR REZONING

Petition is hereby made to the City Council of the City of Springdale, through the Springdale Planning Commission, pursuant to the provisions of Act 186 of 1957, as amended, and Chapter 130 of the City of Springdale Code of Ordinances, as amended, by Daniel J. Lewis, Signature Bank of Arkansas

The record property owner(s), petitioning to rezone the following described area:

Legal Descriptions: SEE ATTACHMENTS LISTED:

- 1) Note "A": Exhibit "A" attached as COMMISSIONER'S DEED file 2010-00020923, "TRACT 2" only of said deed.
- 2) REZONING DESCRIPTIONS: TRACT I AND TRACT II

Layman's Description: 3572 Parsons Road, Springdale, Ar 72764, a Tract of land laying north of said road, containing 17.99 acres.

The **Petitioner** hereby states by oath that:

- 1. The Petitioner is the record title holder of the above described property evidenced by the attached copy of a **Warranty Deed** as Exhibit A. (See Note "A")
- 2. A **scaled drawing** showing accurate dimensions, lot lines, surrounding zoning, adjacent owners, north arrow and graphic scale is attached as Exhibit B.
- 3. The names and address of all adjacent owners of the above described property **certified by a licensed abstractor or licensed land surveyor** within the past sixty (60) days are attached as evidenced by Exhibit C.

The **Petitioner** requests the following zoning classification:

FROM (current zoning) A-1

TO (proposed zoning) C-2 & C-6

The **Petitioner's** immediate intentions are to:

1. **Sell** the property Yes (Yes or No), and if so, is the property subject to an offer and acceptance, escrow contract, option agreement, other contract for conveyance of title Yes (Yes or No).

2. **Develop** the property Yes (Yes or No), and if so, the proposed use is Commerical.

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: Very little, if any

The **Petitioner** understands that he/she is responsible to send a notice of the public hearing to owners of adjacent properties in accordance with the requirements set forth in the instruction given with this application and that an affidavit must be submitted with supporting documents no later than seven (7) calendar days prior to the meeting date. It is further understood that the cost of such notice(s) is borne by the Petitioner.

The **Petitioner** understands that he/she should be present at the meeting in order to answer questions. If the **Petitioner** is unable to attend, written authorization must be attached designating a representative and any decisions made by this individual shall be binding on the petitioner.

Authorized Representative: Melvin L. Milholland or Fredrick Dunn

Address: 205 W. Center St, Fayetteville, AR 72701

PETITIONER/OWNER **SIGNATURE** 
Daniel J. Lewis

SIGNATURE BANK OF ARKANSAS
MAILING ADDRESS: 3878 N. CROSSOVER RD. SUITE 30 FAYETTEVILLE, AR 72702

TELEPHONE: 479-684-3700 DATE: 6-12-15

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.

SIGNATURE
(Property Owner)


Signature Bank of Arkansas

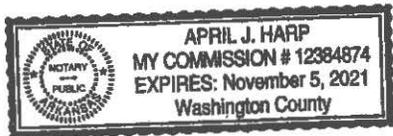
(Property Owner)

State of Arkansas)
) ss.
County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 12th day of June, 2015.



Notary Public



Memo

To: Planning Commission
From: Staff
Date: July 7, 2015
Re: RP15-03 Replat Lot 3 Diesel Downs Subdivision

1. All comments from the utility companies and other city departments must be addressed prior to approval.

SURVEYOR'S NOTES:
 THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR. THE ORIGINAL SIGNATURE, IF NOT BLUE IN COLOR, IS NOT VALID.
 DECLARATION IS MADE TO THE ORIGINAL PURCHASER(S) OF THE SURVEY AND IS NOT TRANSFERABLE TO ANY ADDITIONAL INSTITUTIONS, SUBSEQUENT OWNER OR ASSIGNS.
 ACCORDING TO ARKANSAS LAW (A.C.A. § 16-56-112 (2014)), YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN FIVE YEARS AFTER FIRST DISCOVERY OF SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN FIVE YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

PUBLIC ROADWAY ACCESS:
 THE SUBJECT TRACT HAS DIRECT ACCESS TO N. 45TH STREET, A PUBLIC ROADWAY WITH 60-FOOT RIGHT-OF-WAY.

SURVEY EQUIPMENT AND METHODS:
 THE GLOBAL POSITIONING SYSTEM (GPS) AND CONVENTIONAL TERRESTRIAL SURVEYING EQUIPMENT PROVIDED THE RELATIVE POSITIONING FOR THE PLANIMETRIC AND BOUNDARY INFORMATION SHOWN HEREON.

HORIZONTAL DATUM, BASIS OF BEARINGS & DISTANCES, STATE PLANE COORDINATES, AND CONVERSIONS:
 THE MAP PROJECTION IS REFERENCED TO THE HORIZONTAL CONTROL DATUM OF NAD83 (1997) (NORTH AMERICAN DATUM OF 1983, 1997 ADJUSTMENT), STATE PLANE COORDINATE SYSTEM, ARKANSAS NORTH ZONE (0301), AND IS THE BASIS FOR THE BEARINGS SHOWN HEREON.

THE COORDINATE POSITIONS SHOWN HEREON WERE CONSTRAINED (MODELED) TO THE ARKANSAS HIGHWAY TRANSPORTATION DEPARTMENT (AHTD) STATION MARK '040061'. REAL TIME KINEMATIC (RTK) GPS RELATIVE POSITIONING METHODS WERE UTILIZED EITHER BY DIRECT MODELING AND OCCUPATION OF THE STATION OR BY MODELING THE STATION UTILIZING ESIS GPS BASE STATION.

THE BOUNDARY INFORMATION SHOWN HEREON REFLECTS GRID BEARINGS AND GRID DISTANCES. THE NORTHEAST CORNER OF LOT 3B WAS USED FOR THE COMPUTED CONVERGENCE ANGLE AND COMBINED FACTOR.

NE CORNER, LOT 3B LATITUDE: 36°13'47.79818"N LONGITUDE: 094°10'13.17157"W
 NE CORNER, LOT 3B STATE PLANE: NORTHING (US FT): 697,407.29 EASTING (US FT): 672,246.15

CONVERGENCE ANGLE (DMS) = -01°15'47" (GRID NORTH IS WEST OF TRUE NORTH)

COMBINED FACTOR = 0.9999382

THE SEA LEVEL FACTOR (ORTHOMETRIC VERTICAL SCALE) IS BASED ON THE TRACT'S AVERAGE ORTHOMETRIC ELEVATION OF 1,275 FT, NAVD88 (NORTH AMERICAN VERTICAL DATUM OF 1988).

TO CONVERT GRID DISTANCES TO GROUND DISTANCES USE THE INVERSE COMBINED FACTOR: 1.0000618.

THE ACREAGE SHOWN HEREON WAS COMPUTED FROM GRID COORDINATES THEN SCALED TO GROUND ACREAGE BY THE INVERSE COMBINED FACTOR SQUARED 1.0001237.

PLAT CLOSURE CERTIFICATION:

PARENT LOT 3: THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 1,954,000 FEET.

LOT 3A: THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 341,000 FEET.

LOT 3B: THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 305,300 FEET.

FLOOD PLAIN ZONING:

THIS PROPERTY IS WITHIN THE FLOOD PLAIN ZONE 'X' (WHITE SHADED). BANK OF FAYETTEVILLE, P.O. BOX 1728, FAYETTEVILLE, AR 72702, ZONING = C-5. LOT 4, DIESEL DOWNS SUBDIVISION, PARCEL: 21-02349-000, REO HOLDINGS II, LLC, P.O. BOX 8010, 425 WEST CAPITOL AVENUE, LITTLE ROCK, AR 72201, ZONING = C-6. INCORPORATED AREAS. EFFECTIVE DATE: SEPTEMBER 28, 2007.

Curve #	Length	Radius	Chord Length	Chord Bearing
C1	25.95'	30.00'	25.15'	N69°59'27"E
C2	120.93'	62.50'	102.93'	N39°19'22"E

UTILITIES:
 THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS PROVIDED BY THE SURVEYOR AND IS BASED ON ABOVE GROUND FEATURES ONLY.
 THE DESIGNATIONS AND LOCATIONS OF THESE UTILITY FEATURES SHOWN HEREON ARE NOT TO BE CONSTRUED AS ALL INCLUSIVE OR ABSOLUTE AND ARE PROVIDED WITHOUT WARRANTY.
 THERE MAY BE OTHER BURIED UTILITIES OR STRUCTURES THAT COULD BE IN SERVICE OR ABANDONED.
 THERE MAY BE UTILITY FEATURES OBSCURED BY GROUND COVER, DEBRIS AND/OR ASPHALT.
 THE LOCATIONS OF UNDERGROUND STORM AND SANITARY SEWERS, IF ANY SHOWN HEREON, ARE BASED ON SURFACE FEATURES. PIPE SIZE, MATERIAL AND DEPTH INFORMATION WERE GATHERED FROM THE TOP OF THE STRUCTURES. THE SURVEYOR HAS TAKEN CARE TO IDENTIFY THESE FEATURES BUT PIPE SIZE AND MATERIAL TYPE VARIATIONS MAY EXIST.
 NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO PHYSICALLY LOCATE BURIED UTILITIES OR STRUCTURES. PRIOR TO EXCAVATION THE ASSOCIATED UTILITY COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE, LOCATION AND DEPTH.
 SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF OVERHEAD OR UNDERGROUND CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

CITY OF SPRINGDALE UTILITY NOTES:
 1. NO FENCES SHALL BE CONSTRUCTED WITHIN ANY DRAINAGE EASEMENT. (IF ANY SHOWN HEREON).
 2. ANY DAMAGE TO OR RELOCATION OF EXISTING COX COMMUNICATIONS FACILITIES WILL BE AT OWNER'S EXPENSE.
 3. THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR THE COST OF ANY REQUIRED ADJUSTMENTS TO THE EXISTING WATER AND SEWER FACILITIES DUE TO SITE GRADING OR PAVING OR LOT LINE ADJUSTMENTS.
 4. METER SERVICES LARGER THAN 5/8 INCH METER SETTER FOR IRRIGATION OR LARGER THAN 1 INCH METER SETTER FOR POTABLE WATER WILL HAVE TO BE APPROVED IN WRITING BY THE ENGINEERING DIRECTOR OF SPRINGDALE WATER UTILITIES.

REFERENCES:
 EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED BELOW. THE SURVEYOR RESEARCHED OR WAS PROVIDED NECESSARY DEEDS, RIGHT-OF-WAY MAPS, AND OTHER PERTINENT INFORMATION AS SHOWN BELOW. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR COURT CASE DECREES, ADVERSE POSSESSION CLAIMS, SUBSURFACE RIGHTS OR OWNERSHIP, ENCUMBRANCES, OR RESTRICTIVE COVENANTS.

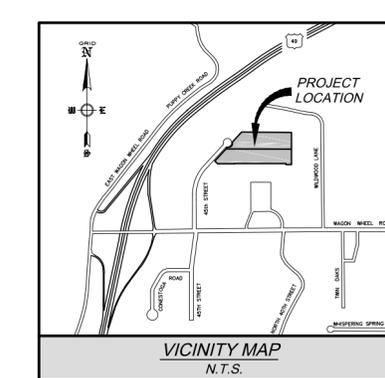
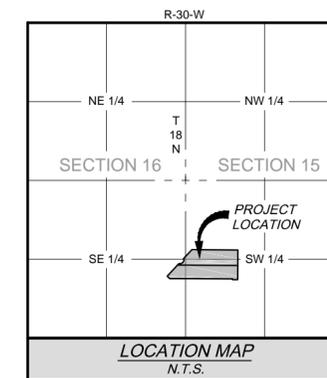
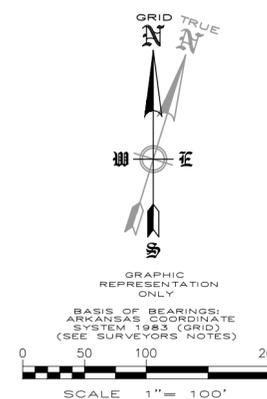
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ALL RECORDS LISTED BELOW ARE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS UNLESS OTHERWISE NOTED.

- A. SPECIAL WARRANTY DEED: ACME BRICK COMPANY, DATED MAY 19, 2015, RECORDED MAY 19, 2015, DOCUMENT FILE NO. 2015-25868, (PARCEL NUMBER: 21-02348-001)
- B. SPECIAL WARRANTY DEED: ACME BRICK COMPANY, DATED MAY 19, 2015, RECORDED MAY 19, 2015, DOCUMENT FILE NO. 2015-25894, (PARCEL NUMBER: 21-02348-000)
- C. COMMISSIONER'S DEED: THE BANK OF FAYETTEVILLE, DATED MAY 13, 2010, RECORDED MAY 14, 2010, DOCUMENT FILE NO. 2010-23693.
- D. PLAT OF SURVEY: BY H2 ENGINEERING, INC., EDWARD LEON LEE, AR PLS 1496, FOR DIESEL DOWN FINAL PLAT, DATED OCTOBER 20, 2008, RECORDED OCTOBER 23, 2008, PLAT BOOK 2008, PAGE 589.

THE FIELD WORK WAS COMPLETED ON: MAY 21, 2015 DATE OF PLAT OR MAP: MAY 28, 2015



SURVEY DESCRIPTION: 21-02348-000 & 21-02348-001
 ALL OF LOT 3, DIESEL DOWNS, AN ADDITION TO THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS, AS PER PLAT OF SAID SUBDIVISION, RECORDED PLAT BOOK 2008 AT PAGE 589, ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER.

CERTIFICATE OF ACCEPTANCE:
 THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAT MEETS CURRENT REGULATIONS OF THE CITY OF SPRINGDALE AND REGULATIONS OF THE ARKANSAS STATE BOARD OF HEALTH AS EACH PERTAINS TO THIS PLAT AND TO THE OFFICES OF RESPONSIBILITY SHOWN BELOW.

DATE	SIGNATURE
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

OWNER'S CERTIFICATION:
 AS OWNER, I HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED TO BE SURVEYED, DIVIDED, PLATTED, DEDICATED AND/OR ACCESS RIGHTS RESERVED AS REPRESENTED ON THIS PLAT.

OWNER/AUTHORIZED REPRESENTATIVE _____ DATE _____
 SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 2015
 MY COMMISSION EXPIRES: _____

 NOTARY PUBLIC

OWNER/DEVELOPER: ACME BRICK COMPANY
 3101 BRYANT IRVIN ROAD
 FORT WORTH, TX 76107

SURVEYOR: ENGINEERING SERVICES, INC.
 1207 S. OLD MISSOURI ROAD
 P.O. BOX 282
 SPRINGDALE, AR 72762

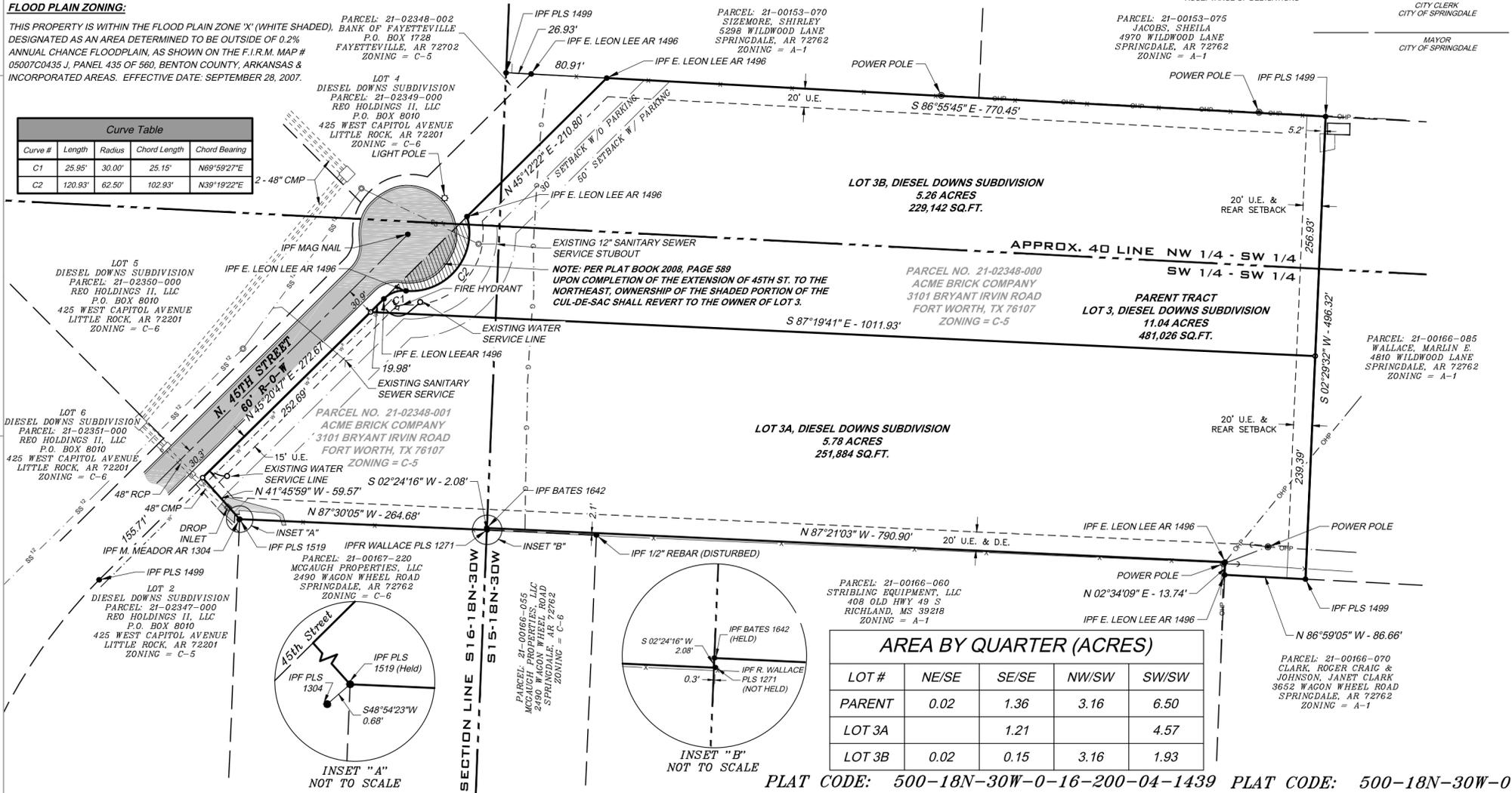
WORK ORDER #: 15195

CITY ZONING: C-5

SETBACKS:
 FRONT - 50' W/ PARKING BETWEEN RW AND BUILDING
 30' W/O PARKING
 SIDE - 0'
 20' WHEN CONTIGUOUS TO A RESIDENTIAL DISTRICT
 REAR - 20'

LEGEND

- PROPERTY LINE
- SECTION LINE
- 40 ACRE LINE
- ADJACENT OWNER
- EASEMENT (AS NOTED)
- CENTERLINE OF ROAD
- CURB & GUTTER
- FENCE LINE
- OVERHEAD POWER
- GAS LINE
- WATER LINE
- SANITARY SEWER LINE
- P.O.B. (123.45')
- RECORDED DISTANCE
- IPF - IRON PIN FOUND (AS NOTED)
- IPS - IRON PIN SET W/ CAP "PLS 1439"
- MANHOLE (TYPE AS NOTED)
- WATER METER
- GAS METER
- POWER POLE
- GUY WIRE
- FIRE HYDRANT
- WATER VALVE
- LIGHT POLE



AREA BY QUARTER (ACRES)

LOT #	NE/SE	SE/SE	NW/SW	SW/SW
PARENT	0.02	1.36	3.16	6.50
LOT 3A		1.21		4.57
LOT 3B	0.02	0.15	3.16	1.93

PLAT CODE: 500-18N-30W-0-16-200-04-1439 PLAT CODE: 500-18N-30W-0-15-300-04-1439

CERTIFICATE OF AUTHORIZATION
 ENGINEERING SERVICES, INC.
 131
 ARKANSAS ENGINEER

REGISTERED
 STATE OF ARKANSAS
 NO. 1439
 SIGNATURE: DAVID A. WILLIAMS
 PROFESSIONAL LAND SURVEYOR

ENGINEERING SERVICES, INC.
 1207 S. OLD MISSOURI ROAD
 SPRINGDALE, ARKANSAS 72762

RE-PLAT of LOT 3
DIESEL DOWNS SUBDIVISION
 SPRINGDALE, BENTON COUNTY, ARKANSAS

REVISION	DATE	DESCRIPTION

SCALE: 1" = 100'
 DATE: JUNE 15, 2015
 PARTY CHIEF: SEH
 DRAWN BY: RKW
 W.O. #: 15195

1

Staff Use Only

- Fee Paid (\$75) Cash Check CC
- Warranty Deed
- Authorization of Representation
- Drawing/Photo or Other Exhibit

File # B15-24

A "Notice of Violation" was issued to the Applicant/Property Owner by Code Enforcement.

APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: Ronald W. + Jennifer Prophet

Applicant's Mailing Address:

P.O. Box 267
Street Address or P.O. Box
Rogers, AR 72757
City, State & Zip Code

479-631-4653
Telephone Number

Property Owner's Name
(If different from Applicant): _____

Property Owner's Mailing Address:
(If different from Applicant): _____

Street Address or P.O. Box

Telephone Number

City, State & Zip Code

Address of Variance Request: 2633 Secretariat

Zoning District: Springdale, AR

The following information should be attached to this application:

1. \$75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be

sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

SETBACK VARIANCES:

Not Applicable

*Please complete the following to apply for a setback variance. Required setbacks vary by zoning district, please **contact staff** to determine the required setback.*

Required: Front: _____ Side: _____ Back: _____
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: _____ Side: _____ Back: _____
(if granted what the setback would be.)

Variance: Front: _____ Side: _____ Back: _____
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

*Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed. **Any attachments must be labeled as "Exhibit A, B, C" etc.***

approve steepness of driveway

The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds ALL of the following:

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

The topography of the lot lends it self to a steep driveway. House could not be set back further due to septic field.

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

Other driveways in subdivision are equal to or steeper than applicants

3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

The original plan was to set house further back which might have made the driveway longer and less steep, however after septic inspection house had to be moved forward on lot.

4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.

Ronald W. Chapel
Applicant Signature*

Property Owner Signature*
(If different from Applicant)

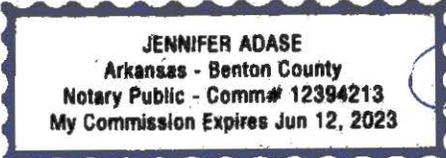
Jennifer L. Propher
Applicant Signature*

Property Owner Signature*
(If different from Applicant)

**If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.*

State of Arkansas)
) ss.
County of Benton)

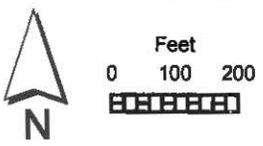
SUBSCRIBED AND SWORN TO before me, a Notary Public, this 27 day of May, 2015.



Jennifer Adase
 Notary Public



Public hearing sign posted: / / 2015
 Public hearing sign posted by: CS
 (S) Public Hearing Sign Location



FILE NUMBER: B15-24
APPLICANT: RONALD & JENNIFER PROPHET
VARIANCE REQUEST: DRIVEWAY SLOPE

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015



P92

2633 Secretariat
(Subject Property)



subject property



2535 Secretariat



2511 Secretariat



2401 N. Danecer

Staff Use Only

File # B15-25

- Fee Paid (\$75) Cash Check CC
- Warranty Deed
- Authorization of Representation
- Drawing/Photo or Other Exhibit

A "Notice of Violation" was issued to the Applicant/Property Owner by Code Enforcement.

APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: MICHAEL & ANDREA GUIORY

Applicant's Mailing Address:

9374 GREENBRIAR EST. RD.

Street Address or P.O. Box

479-225-8459

Telephone Number

SPRINGDALE AR 72762

City, State & Zip Code

Property Owner's Name

(If different from Applicant): _____

Property Owner's Mailing Address:

(If different from Applicant): _____

Street Address or P.O. Box

Telephone Number

City, State & Zip Code

Address of Variance Request: 9374 GREENBRIAR EST. RD. 72762

Zoning District: A-1

The following information should be attached to this application:

1. \$75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be

sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

SETBACK VARIANCES:

Not Applicable

Please complete the following to apply for a setback variance. Required setbacks vary by zoning district, please **contact staff** to determine the required setback.

Required: Front: 35 Side: 20 Back: 35'
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: _____ Side: _____ Back: 20'
(if granted what the setback would be.)

Variance: Front: _____ Side: _____ Back: 15'
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed.

The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds **ALL of the following:**

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

SEE ATTACHMENT

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

SEE ATTACHMENT

3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

SEE ATTACHMENT.

4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.

M. Daniel H. Guidry
Applicant Signature*

Andrea Guidry
Applicant Signature*

Property Owner Signature*
(If different from Applicant)

Property Owner Signature*
(If different from Applicant)

**If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.*

State of Arkansas)
) ss.
County of Benton)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 4th day of June, 2015.

YUDITH TORRES
WASHINGTON COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires November 06, 2024
Commission No. 12401954

Judith Torres
Notary Public

RESPONSE TO ITEM 1

The special conditions and circumstances which exist on this property are:

The property at 9374 Greenbriar Estates Road requesting the rear setback variance is part of Greenbriar Estates Subdivision. Greenbriar Estates, along with all the surrounding acreage was annexed into Springdale AR city as zone A-1. Greenbriar Estates is a residential subdivision established sometime in the late 1980. All lots within Greenbriar Estates have existing single family residential structures and share a common POA covenant.

My neighbor to the south (at the rear of my property) is not part of Greenbriar Estates. It is a small ranch with cattle and horses.

I believe the whole of Greenbriar Estates could be converted to zone R1 but that is not my request at this time. I am asking that my lot be allowed to have a rear setback of 20 feet, which would be standard for zone R1, instead of the current 35 feet required for zone A1.

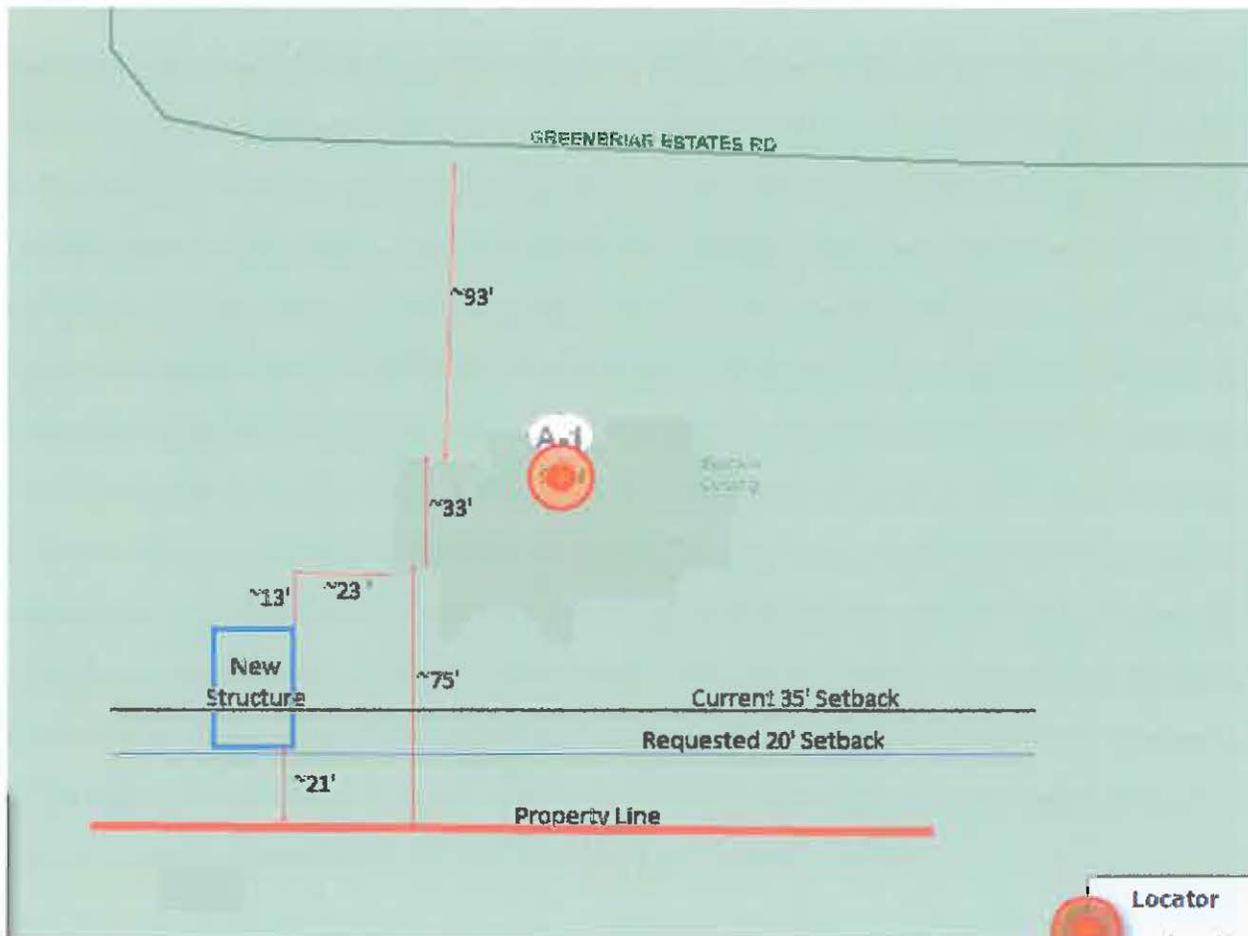
Below is a map of the area surrounding Greenbriar Estates. Greenbriar Estates area is highlighted in blue-green on the map. Within Greenbriar Estates, my lot is highlighted in black with a white asterisk.



RESPONSE TO ITEM 2

A literal interpretation would deprive the applicant of rights commonly enjoyed by other property owners in the same district.

Within Greenbriar Estates, all properties except mine and the lot on the very north side of the subdivision are orientated with the front and rear of the property on the longest dimensions of the lot. My neighbors have ample room to build structures in the rear portion of their property. I have one of the smaller lots in the subdivision at approximately 1.3 acres and my property is oriented with the front and rear along the smaller dimension.. The larger lots are approximately 4 acres. The property had an existing residential structure when I purchased the property in May 2003. That residence is setback about 93 feet from the road with an attached 3 bay garage on the west. I wish to build a 24x40 foot garage/workshop at the south end of the existing driveway. The graphic below shows the existing structure, some reference dimensions, and the location of the new structure.



9374 GREENBRIAR ESTATES, Michael Guioy, Pg 2 of 7
P102

RESPONSE TO ITEM 3

Special condition and circumstances did not result from the actions of the applicant.

The preferred location for the new structure is dictated by the existing location of the driveway and the favorable elevation of this part of the property.

Additional photographs accompany this application which show the residence and location of new structure. Yes, the footing has already been poured. The footing was dug and poured after the permit was approved by the city in May. The setback issue was discovered at the first inspection by the city.



Looking southeast at the northwest side of the residence, showing the three bay attached garage.



Looking southeast from the existing driveway showing the location of the new structure. A concrete driveway will connect the existing driveway to the new structure.



Looking to the west along the property line (fence) and the south edge of the new structure footing located 21 feet from the property line.



Looking to the southwest showing portion of the adjacent ranch property. The little tin structure on the adjacent property is about 20 feet across the fence.



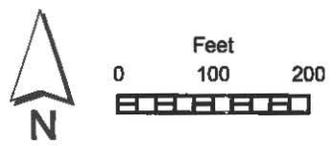
Looking northeast from the property line across the new foundation to the rear of the residence.

9374 GREENBRIAR ESTATE P107, MICHAEL GUIORG, Pg 7 of 7



Public hearing sign posted: 1 / 2015
Public hearing sign posted by: CS
S Public Hearing Sign Location

FIG 8



FILE NUMBER: B15-25
APPLICANT: MICHAEL & ANDREA GUIDRY
VARIANCE REQUEST: SETBACK

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

Staff Use Only

File # 15-26

- Fee Paid (\$75) Cash Check CC
- Warranty Deed
- Authorization of Representation
- Drawing/Photo or Other Exhibit

A "Notice of Violation" was issued to the Applicant/Property Owner by Code Enforcement.

**APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS**

Applicant's Name: Leon Rivas

Applicant's Mailing Address:

838 Underhill Ln.
Street Address or P.O. Box
Springdale, AR 72764
City, State & Zip Code

(479) 879-2304
Telephone Number

Property Owner's Name
(If different from Applicant): - Same -

Property Owner's Mailing Address:
(If different from Applicant):

Same
Street Address or P.O. Box
City, State & Zip Code

Telephone Number

Address of Variance Request: - Same

Zoning District: A1

The following information should be attached to this application:

1. \$75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be

sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

SETBACK VARIANCES:

Not Applicable

*Please complete the following to apply for a setback variance. Required setbacks vary by zoning district, please **contact staff** to determine the required setback.*

Required: Front: 35 FT Side: _____ Back: _____
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: 28 FT Side: _____ Back: _____
(if granted what the setback would be.)

Variance: Front: 7 FT Side: _____ Back: _____
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed.

The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds ALL of the following:

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

In order to construct a garage for my
vehicles I need a reduction of front setback.
I would like to request of 35' to reduce to
28 1/2' only to have enough space for the garage and vehicles

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

I am being deprived the space necessary for my
personal vehicles and their storage (garage). Therefore,
I would greatly appreciate the right of parking or
storage for my vehicles.

3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

As of now, no circumstances or special
conditions should result from my actions. I
understand that I am the one creating an
issue or problem by asking for the reduction of front
set back, but I find it necessary to fit my vehicles and
move to and from my property.

4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.

Applicant Signature*

Leonel Rivas
Property Owner Signature*
(If different from Applicant)

Applicant Signature*

Leonel Rivas
Property Owner Signature*
(If different from Applicant)

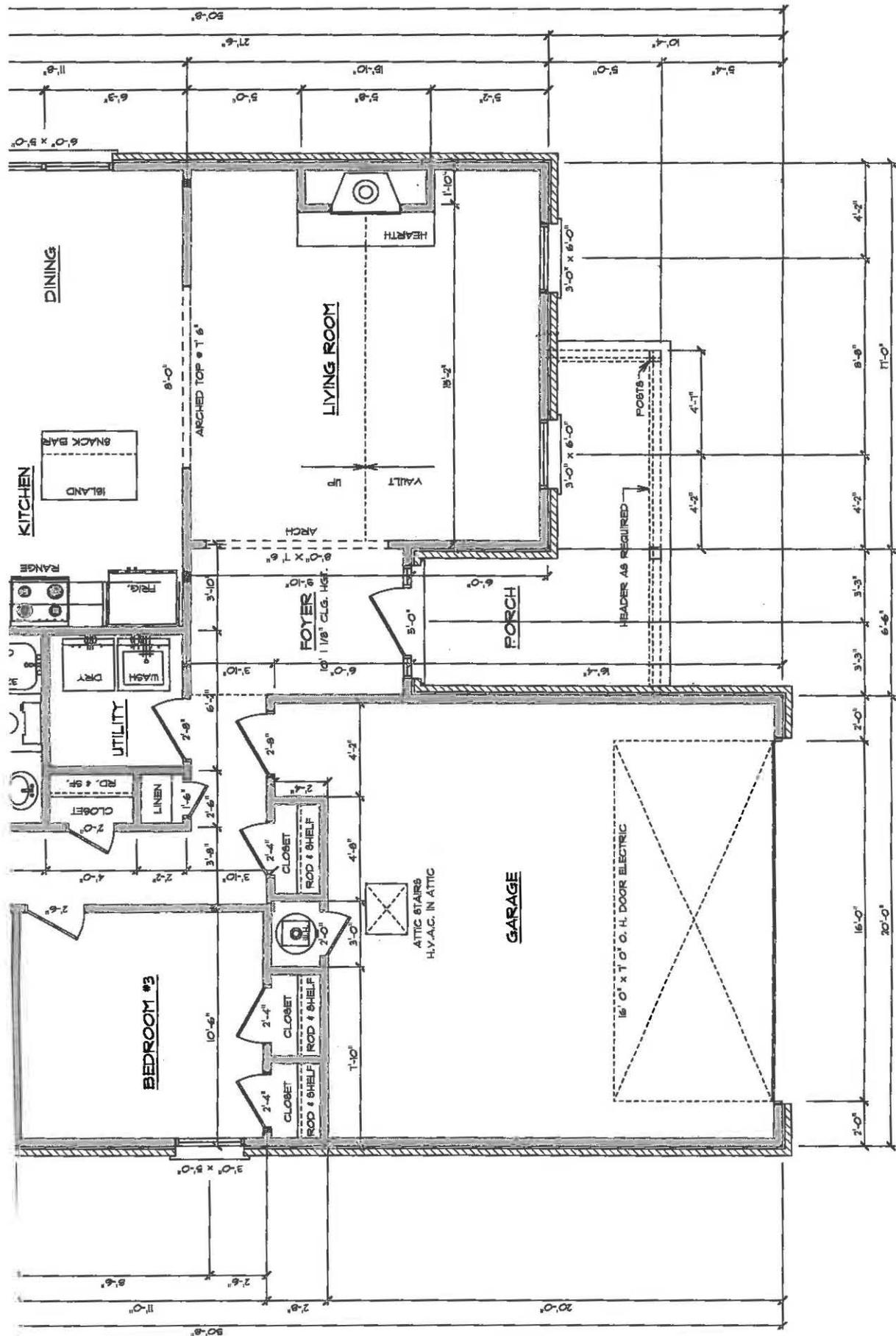
*If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.

State of Arkansas)
County of Washington) ss.

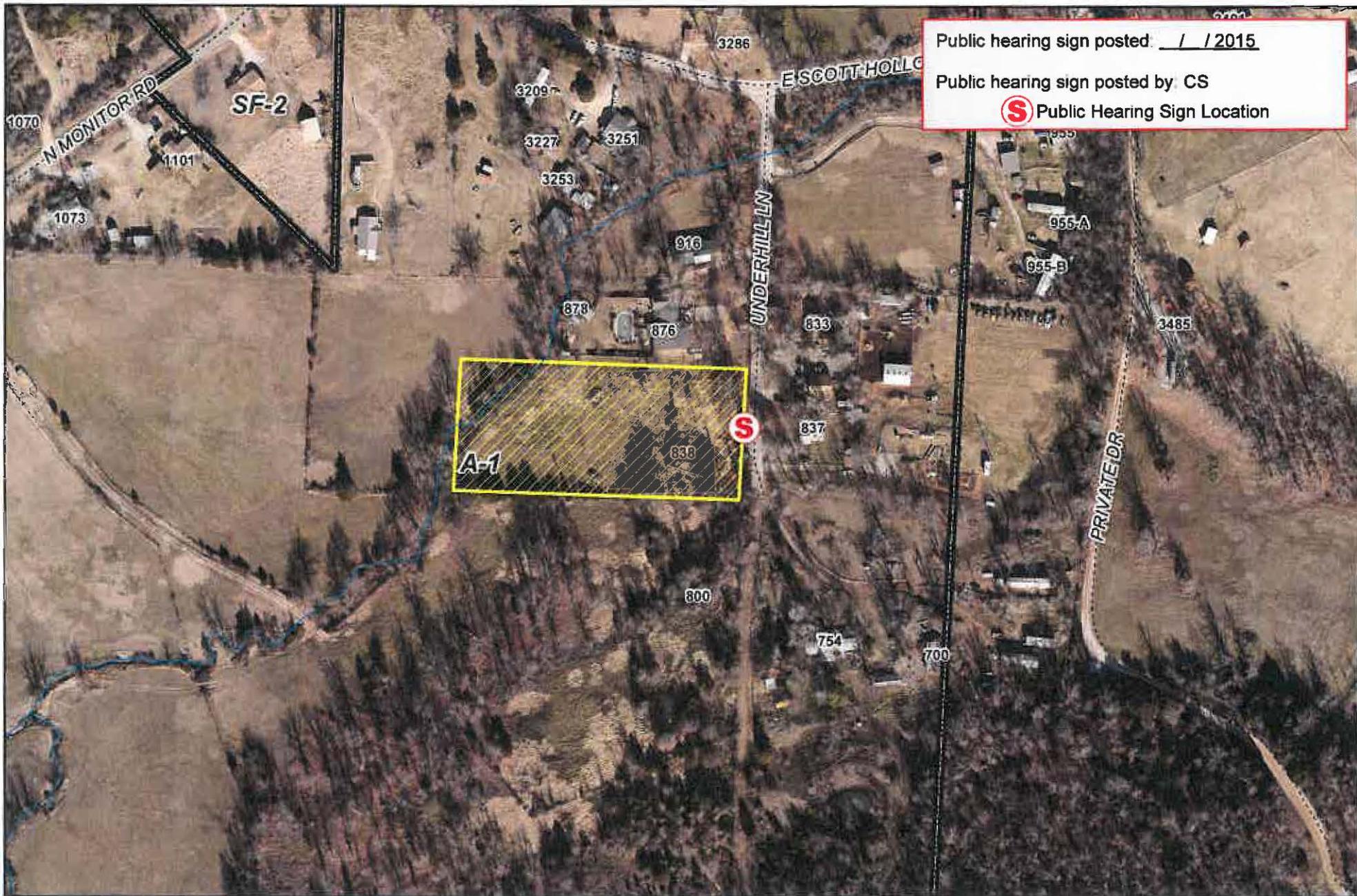
SUBSCRIBED AND SWORN TO before me, a Notary Public, this 12 day of June, 2015.

DEBBIE A. POUNDERS
 WASHINGTON COUNTY
 NOTARY PUBLIC - ARKANSAS
 My Commission Expires December 10, 2024
 Commission No. 12402006

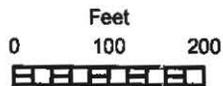
Debbie A. Ponder
Notary Public



NOTE: 8' 1 1/8" CEILING UNLESS



P114



FILE NUMBER: B15-26
APPLICANT: LEONEL RIVAS
VARIANCE REQUEST: SETBACK

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

Staff Use Only

File # B15-27

- Fee Paid (\$75) Cash Check CC
- Warranty Deed
- Authorization of Representation
- Drawing/Photo or Other Exhibit

A "Notice of Violation" was issued to the Applicant/Property Owner by Code Enforcement.

**APPLICATION FOR VARIANCE
 ZONING BOARD OF ADJUSTMENT
 SPRINGDALE PLANNING COMMISSION
 CITY OF SPRINGDALE, ARKANSAS**

Applicant's Name: ISC SOUTH, LLC

Applicant's Mailing Address:

P.O. Box 1549
 Street Address or P.O. Box
SPRINGDALE, AR 72765
 City, State & Zip Code

(479) 751-9591
 Telephone Number

Property Owner's Name
(If different from Applicant): _____

Property Owner's Mailing Address:
(If different from Applicant):

 Street Address or P.O. Box

 City, State & Zip Code

Telephone Number

Address of Variance Request: 2100 S. TURNER ST. APARTMENT

Zoning District: C-2

The following information should be attached to this application:

1. \$75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be

sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

SETBACK VARIANCES:

Not Applicable

Please complete the following to apply for a setback variance. Required setbacks vary by zoning district, please **contact staff** to determine the required setback.

Required: Front: 50' Side: _____ Back: _____
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: 35' Side: _____ Back: _____
(if granted what the setback would be.)

Variance: Front: 15' Side: _____ Back: _____
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed.

APARTMENT ACCESS STAIRS & LANDING NEED TO BE REPLACED AND
WHEN DOING THAT WE WOULD LIKE TO ADD ADDITIONAL LANDING SIZE/
DECK FOR OUTSIDE SEATING & POSSIBLE EMERGENCY ESCAPE
FROM FRONT BEDROOM WINDOW.

The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds **ALL of the following:**

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

THE BUILDING WAS BUILT 45-50 YRS AGO & THE SETBACKS
HAVE CHANGED SINCE THEN. THE BUILDING IS IN THE
CURRENT SETBACK SO ANYTHING ADDED ON WILL BE FURTHER
INTO THAT SETBACK. THE DECK WILL BE ABOVE PARKING SO
THERE IS NO LOSS OF SPACE BELOW.

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

HE WON'T HAVE A FRONT DECK FOR EXTRA SEATING
OR ADDITIONAL EMERGENCY ESCAPE FROM STRUCTURE.

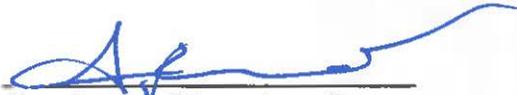
3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

SETBACKS HAVE CHANGED OVER TIME

4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.



 Applicant Signature*

 Property Owner Signature*
 (If different from Applicant)

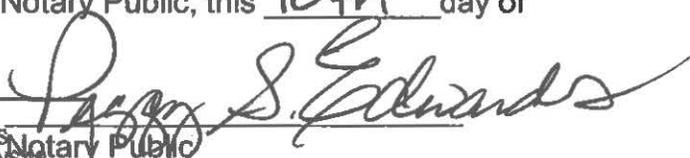
 Applicant Signature*

 Property Owner Signature*
 (If different from Applicant)

*If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.

State of Arkansas)
) ss.
 County of Benton)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 10th day of June, 2015.



 Notary Public

OFFICIAL SEAL
 PEGGY S. EDWARDS
 NOTARY PUBLIC, ARKANSAS
 BENTON COUNTY
 COMMISSION # 12373948
 COMMISSION EXP. 11/19/2019



NEVER STOP
IMPROVING.

DECK DESIGNER

powered by  DIY Technologies



Lowe's Deck Design

Roy Johnson

Print this document and take it to the Doors and Windows desk or Commercial Sales desk
at your local Lowe's store.

One of our associates will help you find the materials you need.

Your Deck Design's Project ID is:
431060559

Created on May-31-2015
All rights reserved copyright ©2015 DIY Technologies
Project ID: 431060559
Store# 1826

P119

Deck layout diagram



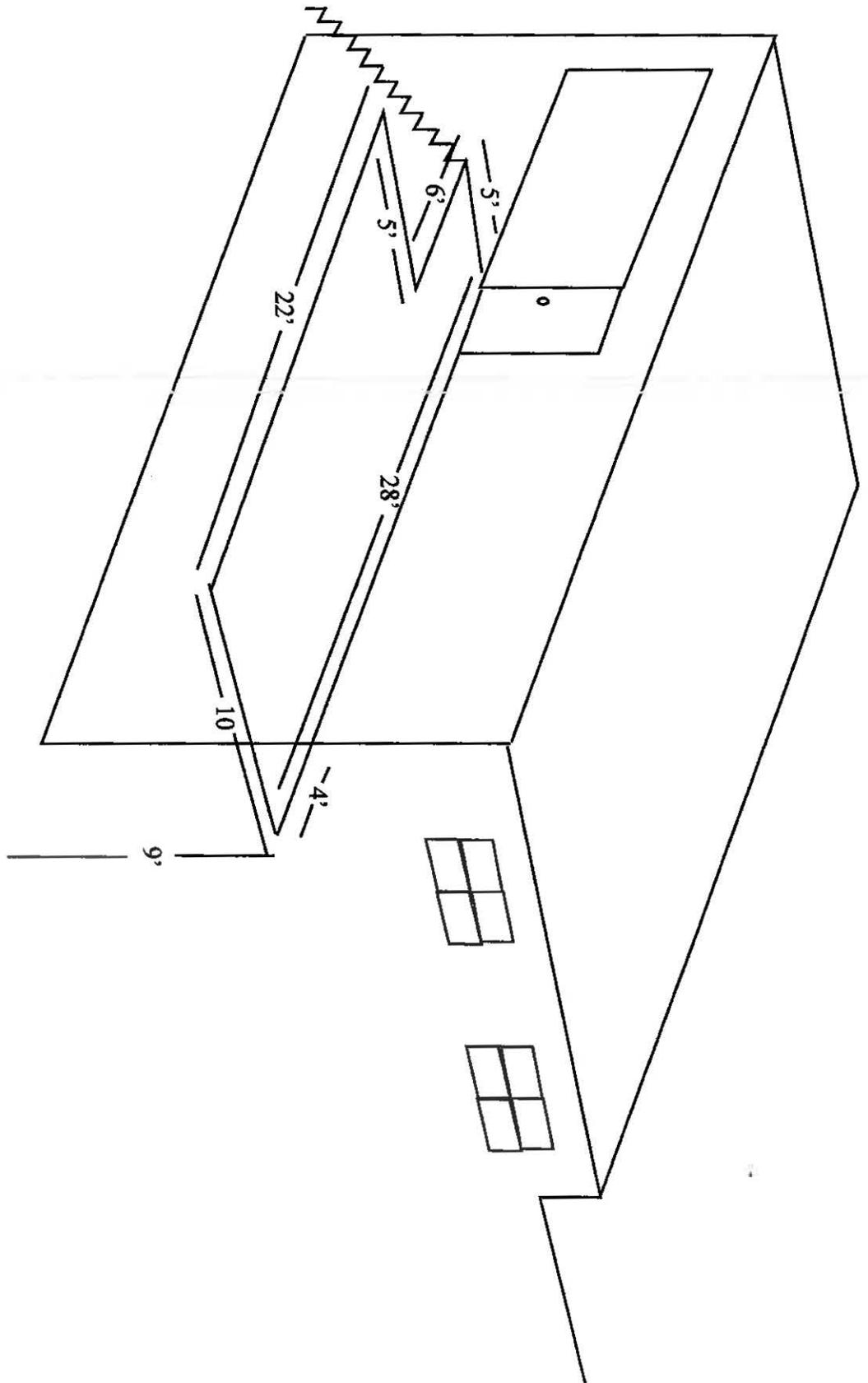
Top view without planks



Bottom view with planks



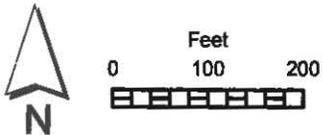
Top view with planks





Public hearing sign posted: 1 / 2015
Public hearing sign posted by: CS
 Public Hearing Sign Location

P122



FILE NUMBER: B15-27
APPLICANT: ICS SOUTH, LLC
VARIANCE REQUEST: SETBACK

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

Staff Use Only

- Fee Paid (\$75) Cash Check CC
- Warranty Deed
- Authorization of Representation
- Drawing/Photo or Other Exhibit

File # B15-28

A "Notice of Violation" was issued to the Applicant/Property Owner by Code Enforcement.

**APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS**

Applicant's Name: Manuel Mandragon

Applicant's Mailing Address:

211 CASTEEL LN
Street Address or P.O. Box

(479) 799-1278
Telephone Number

SPRINGDALE AR 72764
City, State & Zip Code

Property Owner's Name
(If different from Applicant): _____

Property Owner's Mailing Address:
(If different from Applicant):

Street Address or P.O. Box

Telephone Number

City, State & Zip Code

Address of Variance Request: 211 CASTEEL LN SPRINGDALE AR
72764

Zoning District: A-1

The following information should be attached to this application:

1. **\$75.00 Fee**
2. **Warranty Deed**
3. **Authorization of Representation (If the Property Owner will not be present at the meeting.)**
4. **Drawings, Photos, or Other Exhibit**
5. **The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be**

sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

SETBACK VARIANCES:

Not Applicable

Please complete the following to apply for a setback variance. Required setbacks vary by zoning district, please **contact staff** to determine the required setback.

Required: Front: _____ Side: 20' Back: _____
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: _____ Side: 9' Back: _____
(if granted what the setback would be.)

Variance: Front: _____ Side: 11' Back: _____
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed.

Building a deck

The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds **ALL of the following:**

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

Anneued into city as a non conforming use house and old deck were already built. I am not changing the footprint of the house or deck.

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.

Manuel Mondragon
Applicant Signature*

Manuel Mondragon
Property Owner Signature*
(If different from Applicant)

Applicant Signature*

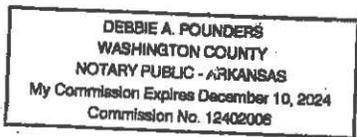
Property Owner Signature*
(If different from Applicant)

*If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.

State of Arkansas)
) ss.
County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 15 day of June, 2015.

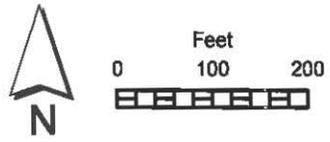
Debbie A. Ponder
Notary Public





Public hearing sign posted: / / 2015
Public hearing sign posted by: CS
S Public Hearing Sign Location

PI27



FILE NUMBER: B15-28
APPLICANT: MANUEL MANDRAGON
VARIANCE REQUEST: SETBACK

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

Staff Use Only

- Fee Paid (\$75) Cash Check CC
- Warranty Deed
- Authorization of Representation
- Drawing/Photo or Other Exhibit

File # _____

A "Notice of Violation" was issued to the Applicant/Property Owner by Code Enforcement.

L15-07

**APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS**

Applicant's Name: Joe Neely

Applicant's Mailing Address:

300 Concord Plaza Drive

Street Address or P.O. Box
San Antonio, TX 78216

City, State & Zip Code

(210) 476-6000

Telephone Number

Property Owner's Name

(If different from Applicant): John Pak

Property Owner's Mailing Address:

(If different from Applicant):

3520 N Buckingham Drive

Street Address or P.O. Box

Fayetteville AR 72703

City, State & Zip Code

(479) 957-1590

Telephone Number

Address of Variance Request: Northern side of Elm Springs Road to the east of N. 45th Street and to the west of N. 40th Street.

Zoning District: C-5

The following information should be attached to this application:

1. \$75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be

sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

SETBACK VARIANCES:

Not Applicable

*Please complete the following to apply for a setback variance. Required setbacks vary by zoning district, please **contact staff** to determine the required setback.*

Required: Front: _____ Side: _____ Back: _____
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: _____ Side: _____ Back: _____
(if granted what the setback would be.)

Variance: Front: _____ Side: _____ Back: _____
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed. Any attachments must be labeled as "Exhibit A, B, C" etc.

1 - Entryway Landscaping - Commercial Design Guidelines and Standards. Landscaping

2 - Building Foundation Landscaping - Commercial Design Guidelines and Standards. Landscaping

*The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds **ALL of the following:***

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

The prototypical Whataburger restaurant building has a continuous sidewalk around the building which does not provide areas for entryway or foundation landscaping.

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

In order to meet the necessary requirements for entryway and building foundation landscaping the building design and layout would have to change drastically and the consistency of the Whataburger brand will be lost.

3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

Whataburger is a regional restaurant franchise that has a specific, prototypical building design and layout that does not include entryway and building foundation landscaping.

4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.



 Applicant Signature*



 Property Owner Signature*
 (If different from Applicant)

 Applicant Signature*

 Property Owner Signature*
 (If different from Applicant)

*If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.

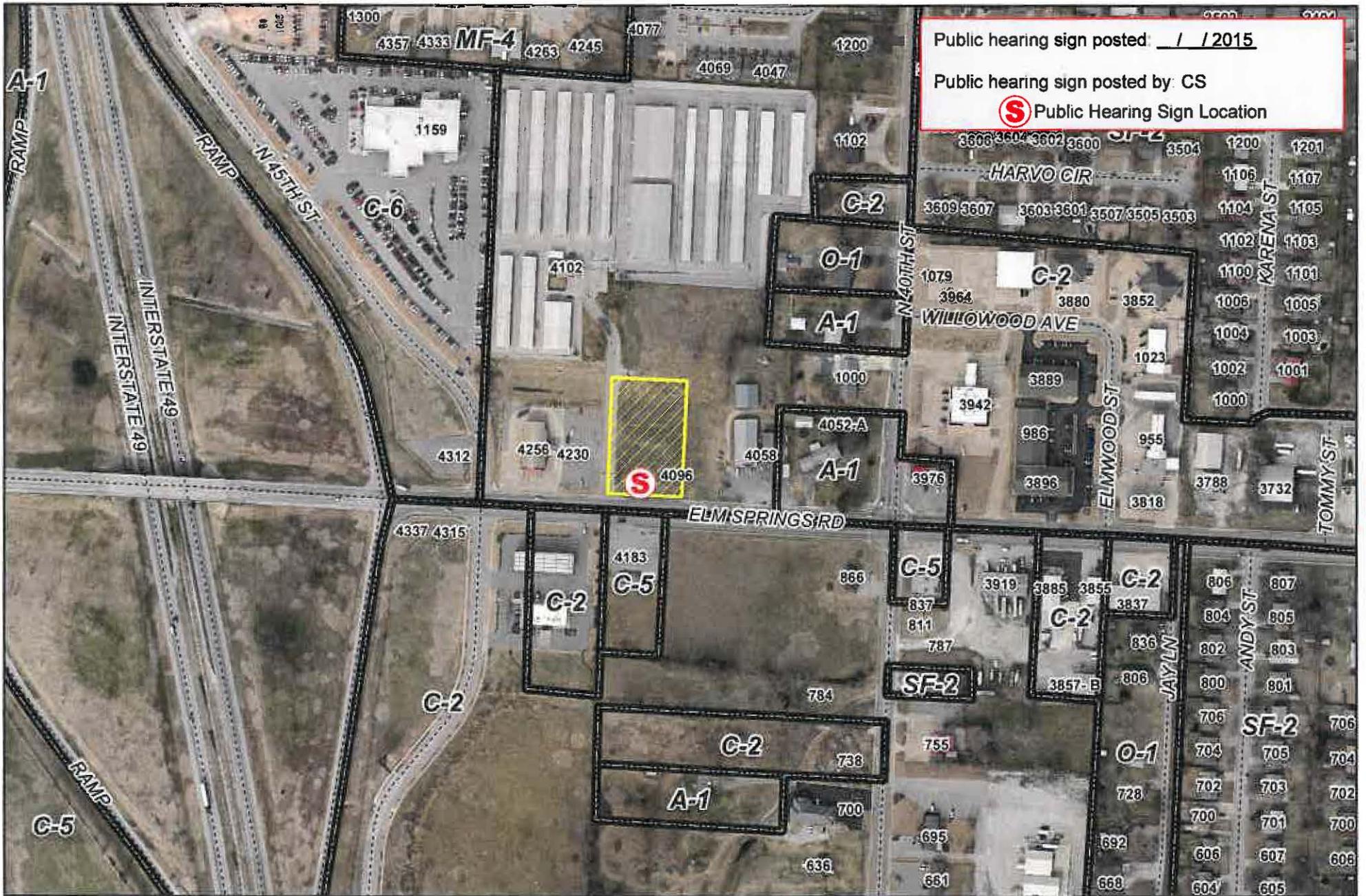
State of Arkansas)
) ss.
 County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 16th day of June, 2015.

YUDITH TORRES
 WASHINGTON COUNTY
 NOTARY PUBLIC - ARKANSAS
 My Commission Expires: November 06, 2024
 Commission No. 12401964



 Notary Public



P132



Feet
0 100 200
[Scale bar]

FILE NUMBER: B15-30
APPLICANT: JOE NEELY/WHATABURGER
VARIANCE REQUEST: COMMERCIAL DESIGN
STANDARDS

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

Staff Use Only

- Fee Paid (\$75) Cash Check CC
- Warranty Deed
- Authorization of Representation
- Drawing/Photo or Other Exhibit

File # B/5-31

A "Notice of Violation" was issued to the Applicant/Property Owner by Code Enforcement.

L15-08

**APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS**

Applicant's Name: Bank of the Ozarks - Melvin Edwards

Applicant's Mailing Address:

17901 Chenal Parkway
Street Address or P.O. Box
Little Rock, AR 72223
City, State & Zip Code

501-978-2204
Telephone Number

Property Owner's Name
(If different from Applicant): _____

Property Owner's Mailing Address:
(If different from Applicant):

Same as above
Street Address or P.O. Box

City, State & Zip Code

Telephone Number

Address of Variance Request: 2773 & 2755 W. Sunset, Springdale, AR

Zoning District: C-2

The following information should be attached to this application:

1. \$75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be

sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

SETBACK VARIANCES:

Not Applicable

*Please complete the following to apply for a setback variance. Required setbacks vary by zoning district, please **contact staff** to determine the required setback.*

Required: Front: _____ Side: _____ Back: _____
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: _____ Side: _____ Back: _____
(if granted what the setback would be.)

Variance: Front: _____ Side: _____ Back: _____
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

*Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed. **Any attachments must be labeled as "Exhibit A, B, C" etc.***

Variance from Parking CH130-Art 9 Sect 9.6/7 Minimum distance btwn driveways on adjoining properties (see Exhibit A)

Variance from Commercial Design Standards requiring facades facing

public rights of way to have an entrance into the building. (Exhibit B)

*The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds **ALL of the following:***

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

The locations of existing drives on adjacent properties coupled with the location of an existing multiple barrel box culvert crossing the site make it impractical to meet the code.

Due to security concerns regarding 2 entrances into the bank the applicant is requesting only one entrance be allowed fronting the primary street (Highway 412)

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

Regarding the variance related to driveway locations, the applicant will be deprived of safe and convenient access to their development.

Regarding the variance related to multiple entrances, the applicant will be deprived of proper security measures enjoyed by other banks in the area.

3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

Adjacent owners constructed the driveway locations in a manner which were offset from each other and close to the property lines.

Banks having multiple points of ingress and egress are known to have higher rates of robberies.

4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.

Melvin L. Edwards
 Applicant Signature
Melvin L. Edwards
 Bark of the Oaks

Property Owner Signature*
 (if different from Applicant)

Applicant Signature*

Property Owner Signature*
 (if different from Applicant)

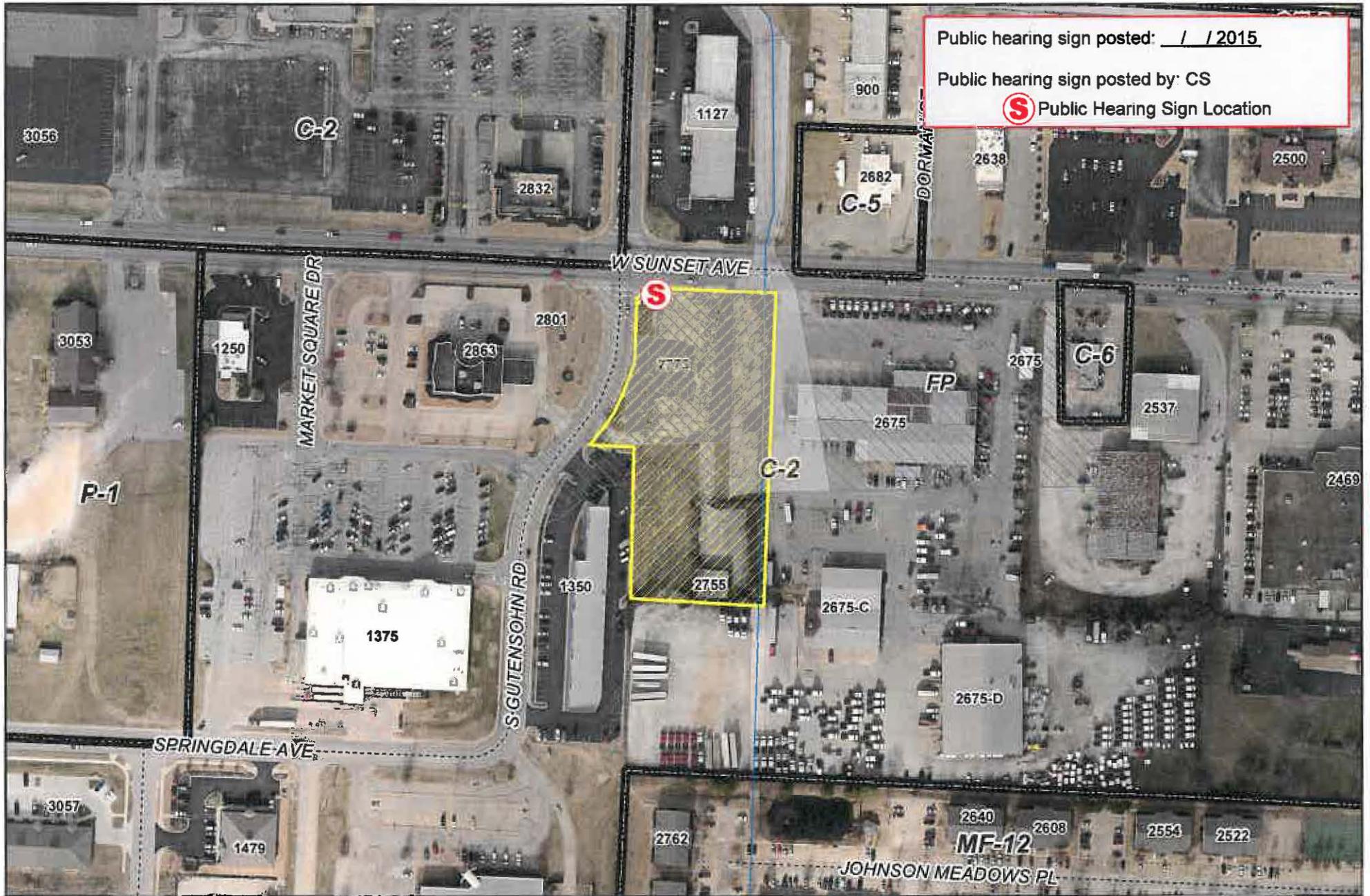
*If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.

State of Arkansas)
 County of Pulaski) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 15th day of June, 202015

Robbie L. Hargrove
 Notary Public

ROBBIE L. HARGROVE
 NOTARY PUBLIC-STATE OF ARKANSAS
 PULASKI COUNTY
 My Commission Expires 07-09-2022
 Commission # 12388608

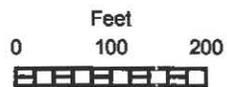


Public hearing sign posted: 1 / 2015

Public hearing sign posted by: CS

 Public Hearing Sign Location

PI37



FILE NUMBER: B15-31
APPLICANT: BANK OF THE OZARKS
VARIANCE REQUEST: COMMERCIAL DESIGN
STANDARDS & DISTANCE BETWEEN DRIVES

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

Staff Use Only

- Fee Paid (\$75) Cash Check CC
- Warranty Deed
- Authorization of Representation
- Drawing/Photo or Other Exhibit

File # B15-32

A "Notice of Violation" was issued to the Applicant/Property Owner by Code Enforcement.

**APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS**

Applicant's Name: George's Inc.

Applicant's Mailing Address:

P.O. Box G (479) 927-7000
Street Address or P.O. Box Telephone Number
Springdale, AR 72765
City, State & Zip Code

Property Owner's Name
(If different from Applicant): Same as Applicant

Property Owner's Mailing Address:
(If different from Applicant):

Street Address or P.O. Box Telephone Number
City, State & Zip Code

Address of Variance Request: 1411 S. Thompson Street, Springdale, AR 72764

Zoning District: C-2 (General Commercial)

The following information should be attached to this application:

1. \$75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be

sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

SETBACK VARIANCES:

Not Applicable

*Please complete the following to apply for a setback variance. Required setbacks vary by zoning district, please **contact staff** to determine the required setback.*

Required: Front: _____ Side: _____ Back: _____
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: _____ Side: _____ Back: _____
(if granted what the setback would be.)

Variance: Front: _____ Side: _____ Back: _____
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

*Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed. **Any attachments must be labeled as "Exhibit A, B, C" etc.***

1. Applicant requests a variance of landscaping requirements to allow landscaping as shown in the

attached exhibit.

The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds ALL of the following:

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

Special condition is a combination of the subject property's location and the zoning/use of adjacent parcels.

The property is surrounded by industrial district along a principal vehicular artery near one of Springdale's

busiest intersections and is very visible to the motoring public. Applicant requests variance to allow

landscaping as shown in the attached exhibit in order to enhance the appearance of the property from the

road.

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

The right to develop the property.

3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

The location of the property near a busy intersection and street is not due to any actions of the

applicant. However, proposed landscaping will greatly improve the aesthetics of this highly visible

area.

4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.

Applicant Signature*

Charles L. Seard

Property Owner Signature*
(If different from Applicant)

Applicant Signature*

Property Owner Signature*
(If different from Applicant)

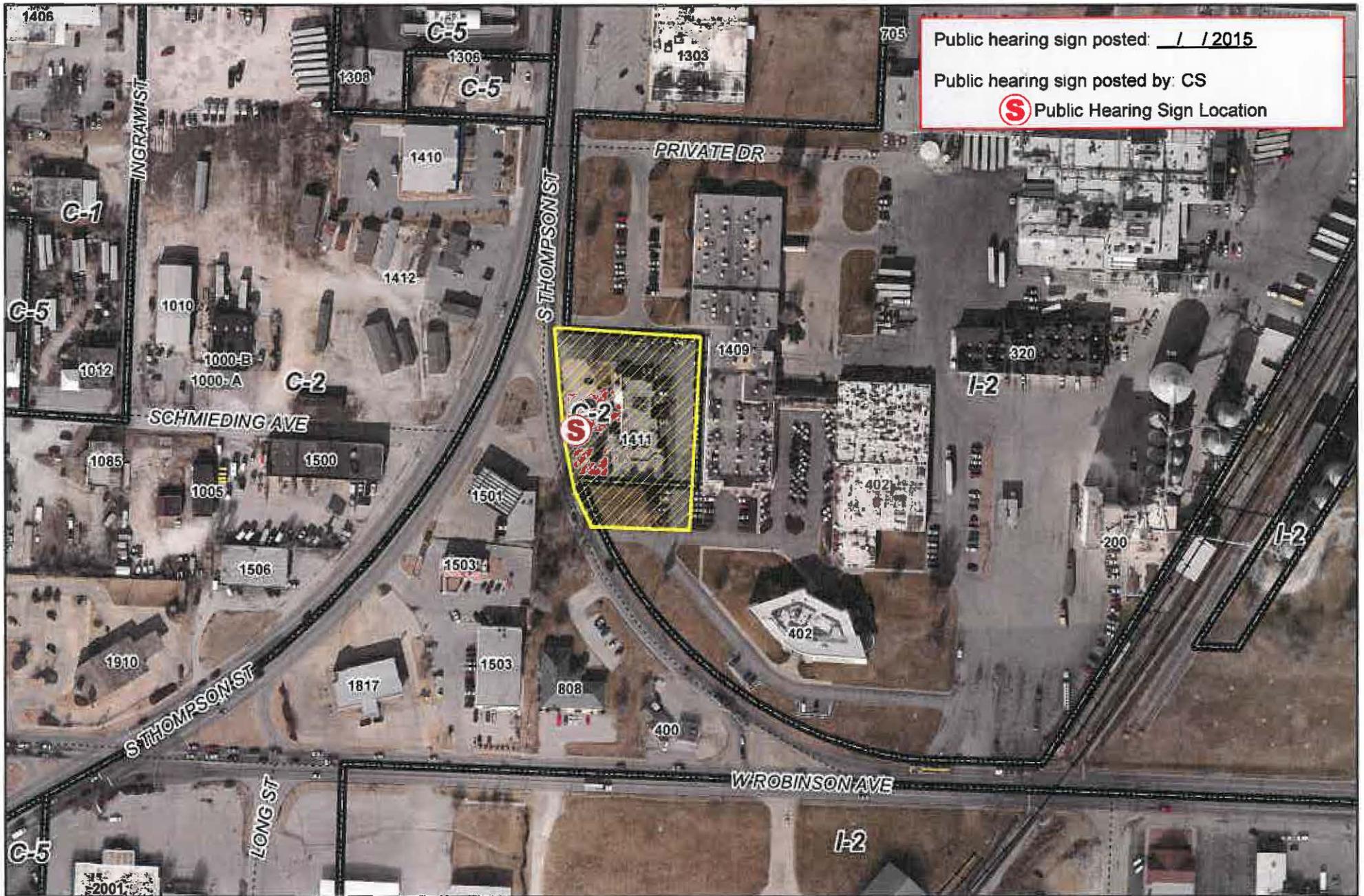
**If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.*

State of Arkansas)
) ss.
County of Washington)

SUBSCRIBED AND SWORN TO before me by _____ Notary Public, this 17 day of June, 2020

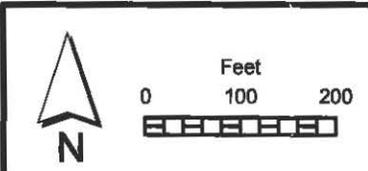


 Notary Public



Public hearing sign posted: / / 2015
Public hearing sign posted by: CS
S Public Hearing Sign Location

P142



FILE NUMBER: B15-32
APPLICANT: GEORGE'S INC.
VARIANCE REQUEST: LANDSCAPING

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

SETBACK VARIANCES:

Not Applicable

*Please complete the following to apply for a setback variance. Required setbacks vary by zoning district, please **contact staff** to determine the required setback.*

Required: Front: 25' Side: 8' Back: 20'
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: 20' Side: 8' Back: 15'
(if granted what the setback would be.)

Variance: Front: 5' Side: 0' Back: 5'
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

*Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed. **Any attachments must be labeled as "Exhibit A, B, C" etc.***

A) Applicant requests a 5' variance reducing the front building setback from 25' to 20' along the north right-of-way of Arkanshire Circle to allow construction of a home with an attached garage located closer to the street than 25' as shown on the attached site plan. Only the garage will be constructed within the existing 25' setback. A variance reducing the front building setback to 25' for this development was previously approved on August 2, 2005.

B) Applicant requests a 5' variance reducing the rear setback from 20' to 15' to allow for installation of a swimming pool behind the house as shown in the attached site plan. The rear setback is for the pool only, and no portion of the house will be constructed within the rear setback.

The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds ALL of the following:

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

Special condition is the size/depth of the lot, which is insufficient for the proposed improvements to

be constructed on the lot as shown on the attached Site Plan without the requested variance.

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

The right to develop the property.

3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

Applicant has not made any changes to the size or shape of the lot which form the basis of the need for a variance.

4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.


 Applicant Signature*


 Property Owner Signature*
 (If different from Applicant)

 Applicant Signature*

 Property Owner Signature*
 (If different from Applicant)

**If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.*

State of Arkansas)
) ss.
 County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 19th day of June, 2015.


 Notary Public

BRIAN JAMES MOORE WASHINGTON COUNTY NOTARY PUBLIC - ARKANSAS My Commission Expires October 01, 2017 Commission No. 12346378

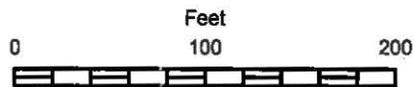
Public hearing sign posted: / / 2015

Public hearing sign posted by: CS

 Public Hearing Sign Location



P147



FILE NUMBER: B15-33
APPLICANT: DON & CAROL GIBSON
VARIANCE REQUEST: SETBACK

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

Staff Use Only

- Fee Paid (\$75) Cash Check CC
- Warranty Deed
- Authorization of Representation
- Drawing/Photo or Other Exhibit

File # **B15-34**

A "Notice of Violation" was issued to the Applicant/Property Owner by Code Enforcement.

**APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS**

Applicant's Name: NanoMech, Inc.

Applicant's Mailing Address:

2447 Technology Way
Street Address or P.O. Box
Springdale, AR 72764
City, State & Zip Code

(479) 695-8100
Telephone Number

Property Owner's Name
(If different from Applicant): Same as Applicant

Property Owner's Mailing Address:
(If different from Applicant):

Street Address or P.O. Box

City, State & Zip Code

Telephone Number

Address of Variance Request: 2447 Technology Way, Springdale, AR 72764

Zoning District: I-3 (Planned Industrial District)

The following information should be attached to this application:

1. \$75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

Special condition is the need to control access to the facility. Due to the use of the property (technology

research and manufacturing) security is a significant concern to the owners, and installation of a guard shack

will allow the applicant to control access to the facility. Variance is for guard shack only, and is not intended

to allow expansion of any existing building or construction of any new building within the setback other than

the proposed guard shack. There is no feasible alternative to the proposed location outside the setback area.

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

The right to develop the property.

3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

The security needs of the facility require controlled access, which can be improved by installation of a

guard shack. The guard shack needs to be located between the street and the parking aisle, which can't

be accomplished without the requested variance. The need for the guard shack was not evident during

initial construction on the site, and no feasible alternative location is available.

4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.

[Handwritten Signature]
Applicant Signature*

Property Owner Signature*
(If different from Applicant)

Applicant Signature*

Property Owner Signature*
(If different from Applicant)

**If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.*

State of Arkansas)
) ss.
County of Benton)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 17th day of June, 2015.



[Handwritten Signature]
Notary Public

GENERAL NOTES:

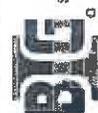
1. Frame work to be 2" x 2" x .063 A500 tube. Round end horizontal frame members to be 2" x 2" x 1/8" A36 angle rolled.
2. Unit to have half glazed 16 ga galvanized steel walls with 16 ga galvanized steel interior liners.
 - 2a. Walls to have a R-10 insulation value.
3. Unit to have a 23" tall fascia with a 16ga galvanized steel roof sloped to drain through two 1-1/2" PVC downspouts and overflow scuppers.
 - 3a. Roof to have a R-19 insulation value.
 - 3b. Roof to have an 6" tall awning with an 8" overhang on all sides. Awning to be 16 ga 304 stainless steel with a #4 finish.
 - 3c. Unit to have four removable 3/4" shank lifting eyes mounted on the roof. Lifting eyes are designed for a STRAIGHT VERTICAL LIFT ONLY. Spreader bars must be used when lifting booth to ensure this vertical lift. All warranties will be void if not lifted in this manner.
4. Unit to have 11 ga A569 steel floor covered with 1/8" thick x 19" square, black rubber tiles with 4" high black perimeter cove molding. Floor to be mounted on a 2" steel tube frame. Underside of floor to be fully coated with bituminous undercoating sealant.
 - 4a. Floor to have a R-10 insulation value.
5. Unit to have two 36" x 80" commercial grade steel framed slide doors constructed of 16 ga steel panels with steel tube frames. Doors to be top hung, in a steel track, on a minimum of eight 2 1/4" steel ball bearing rollers with stainless steel lower guide, morise hook type lock, stainless steel pull handles welded on to the frame, and complete weather stripping. Doors to be keyed alike.
 6. Unit to have dual pane insulated tempered, safety glass with a make up of 1/4" tinted, 1/4" air space, 1/4" clear throughout.
 - 6a. Color of tint to be: Gray
 - 6b. Unit to have 2" horizontal muntins across the windows as shown.
7. Unit to have one 3 wire single phase, 12 pole, 125 amp 120/240 volt, load center flush mounted inside an electrical cabinet below the front shelf. All electrical equipment to be U.L. listed and all wiring to be per current published NEC standards. All conductors to be copper, with a minimum size of #12. Exposed wiring to be in surface mounted EMT conduit. Concealed wiring to be in flexible aluminum conduit. Final power connection and grounding to be done on site by others. All work to be done by a qualified electrician in accordance with all applicable local codes.
8. Unit to have three 6" dia. compact fluorescent light fixtures recessed in the steel ceiling and controlled by a single pole wall switch.
- 8a. Ceiling to be 16 ga galvanized steel painted the same color as the booth interior.
9. Unit to have three duplex outlets mounted under the front shelf and two under the rear shelf. (5 total)
- 9a. Unit to have two single gang junction boxes mounted under the front shelf. Each junction box is to have an empty 1/2" conduit, with pull string, run to the electrical stub up pipes for data and telephone lines by others.
10. Unit to have one wall mount air conditioner with 12,000 BTU cooling and 11,200 BTU electric heat at 230V. A/C to be GE model no. AJEQ12DCF (or equal).
- 10a. A/C to be plug and cord connected, and will have a dedicated circuit.
- 10b. A/C to have a lever grill.
11. Unit to have one 22" deep front shelf and one 15" deep rear shelf, each with one 3" cord access hole with grommet for drop down cords. Shelves to be 16 ga steel, painted the same color as the booth interior and mounted at 35" above finished floor.
12. Unit to have four interior anchor eyes. Four 3/2" dia. RD-T2 bolts (A588 25701, ICC-ESR-1817) with 3 1/2" minimum embedment in 2500 psi concrete (or equal) are required for placement of booth. Concrete to be level. If sloped, slope towards drain opening(s) on booth. Concrete bolts and mounting shall be by others. For a 3-1/2" embedment the foundation/slab design must be a minimum of 5" thick and be sized to allow for a minimum distance of 6-1/2" from the edge of the slab to the center line of the anchors for maximum strength.
13. All exposed steel surfaces except roof deck to be coated with two component high solids polyurethane rust inhibitive primer, and two component high solids polyurethane finish coat.
 - 13a. Unit to be painted one color inside and out except the stainless steel awning. Color to be: BRIGHT SILVER.
 - 13b. Roof to be fully weather sealed with a three step elastomeric membrane as follows:
 - A. All seams are sealed with a high bond seam sealing tape.
 - B. The entire roof deck is then coated with a liquid applied one-part polyurethane coating forming a tough waterproof, weather-resistant elastomeric coating.
 - C. The entire deck surface finished with a white heat reflective polyurethane coating. The coating meets Energy Star reflectance and emissivity performance requirements, has an SRI of 95, and is approved by the Cool Roof Rating Council (CRRC).

Job No:	9502	Job Name:	NANOMECH
Booth Width in inches		Booth Length in inches	
A. Lighting Loads			
Continuation Lighting Load			
$019 \text{ ft}^2 \times 3.5 \text{ VA/ft}^2 \times 125\% = 180.83$			
Actual Interior Lighting Load			
Total VA of all interior light fixtures = 36.00			
Exterior Lighting Load			
$0 \text{ VA} \times 0 \text{ Footcandle} \times 125\% = 0.00$			
Larger of Continuation or Actual load + Exterior Load = 180.83			
B. Miscellaneous Loads			
Miscellaneous Load			
$0 \text{ (No. of recept.)} \times 180 \text{ VA} = 0.00$			
Continuation Duty			
$0 \text{ (No. of recept.)} \times 180 \text{ VA} \times 125\% = 0.00$			
C. Heating, A/C & Motor Loads			
Load of heating to A/C Load			
$1.90 \text{ VA} \times 125\% = 437.50$			
Motor Loads (1/3 VA rating on motor if provided)			
Continuation Motor Loads			
$0 \text{ A} \times 0 \text{ VA} \times 125\% = 0.00$			
Miscellaneous Motor Loads			
$0 \text{ A} \times 0 \text{ VA} = 0.00$			
D. Largest Motor Load			
Largest motor load from C			
$0 \text{ VA} \times 25\% = 0.00$			
E. Additional Loads			
Miscellaneous Loads for additional continuous loads provided with building x 125%			
$0 \text{ VA} \times 125\% = 0.00$			
Miscellaneous Loads for additional non-continuous loads provided with building			
$0 \text{ VA} = 0.00$			
F. Total Loads			
Total VA			5418.33
Total VA $\times 56\% / 240 \text{ V} =$			22.69 Total Amps

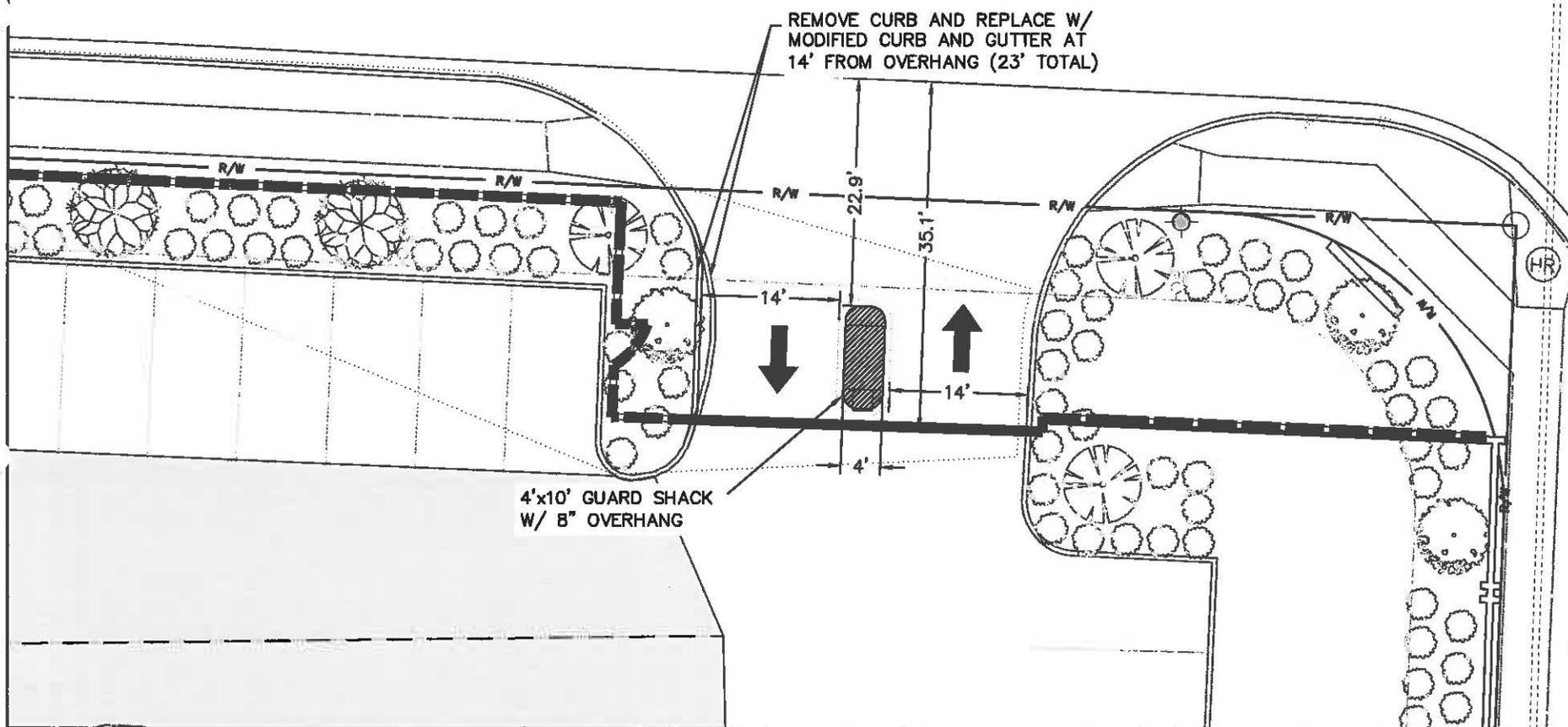
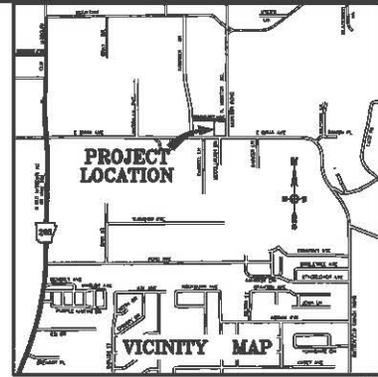
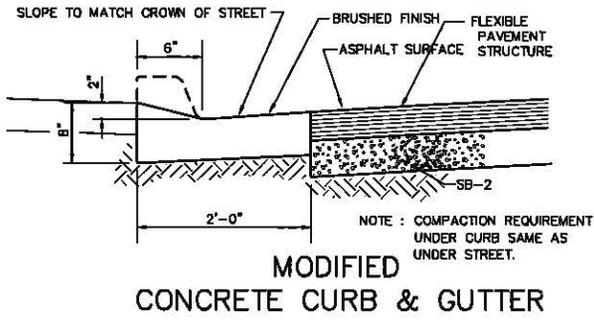
SHEET 4 OF 4
 DHR4104DB JOB No: 9502
 BY: LG Rev A: 1-23-15
 DATE: 01-15-15
 SCALE: AS NOTED

NANOMECH
 SECURITY BOOTH

B.I.G. ENTERPRISES, INC.
 8702 E. RUSH STREET
 SOUTH EL MONTE, CA 91733-1730
 (626) 448-1449



P152



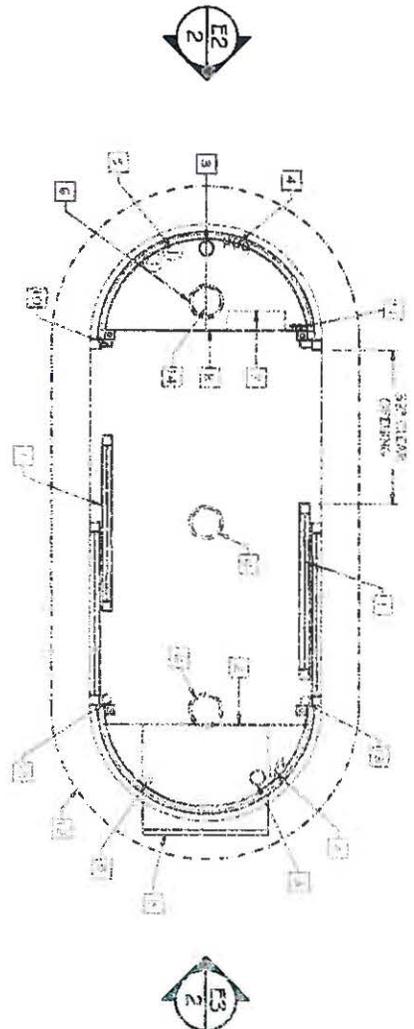
**NORTHEAST ENTRANCE GUARD SHACK
NANOMECH LSD
SPRINGDALE, ARKANSAS**

REVISION	DATE	DESCRIPTION

SCALE: 1"=10'
DATE: May, 2016
W.G. # 14945

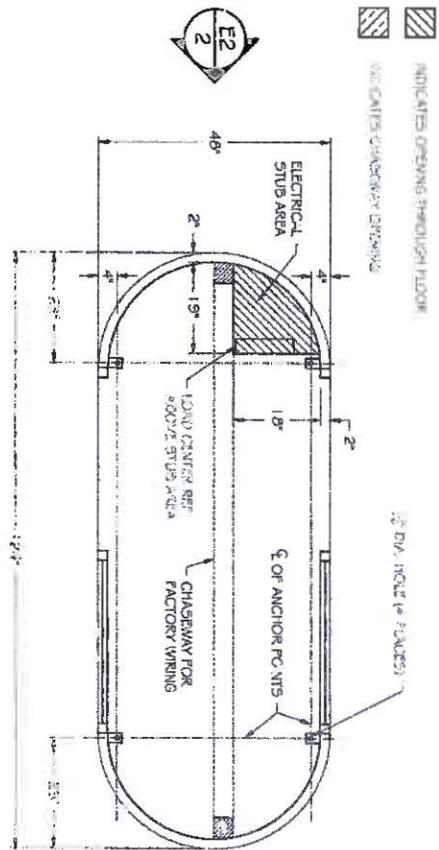
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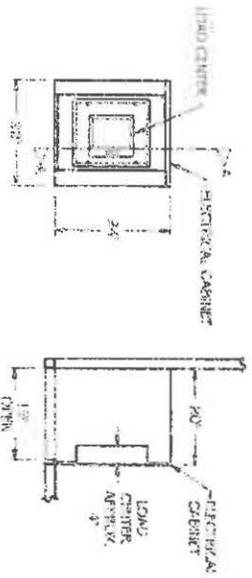


FLOOR PLAN
SCALE 1/4" = 1'-0"

- LEGEND**
- 1. STUB UP AREA - GENERAL NOTE #5
 - 2. RING - GENERAL NOTE #1
 - 3. STUB ASSEMBLY RING
 - 4. ELECTRICAL - GENERAL NOTE #6
 - 5. ELECTRICAL ASSEMBLY RING - GENERAL NOTE #6
 - 6. STUB CENTER - GENERAL NOTE #7
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 - 100. STUB CENTER - GENERAL NOTE #7



STUB UP AREA & ANCHOR LOCATIONS
SCALE 1/2" = 1'-0"



ELECTRICAL CABINET
SCALE 1/2" = 1'-0"

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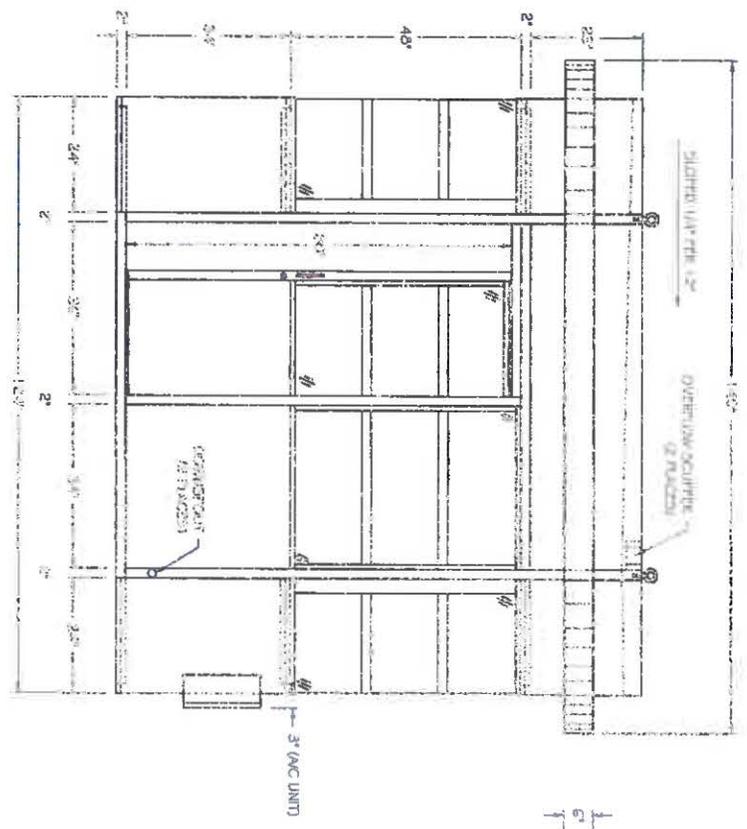
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8702 E. RUSH STREET
SOUTH EL MONTE, CA 91733-1730
(826) 448-1449

NANOMECH
SECURITY BOOTH

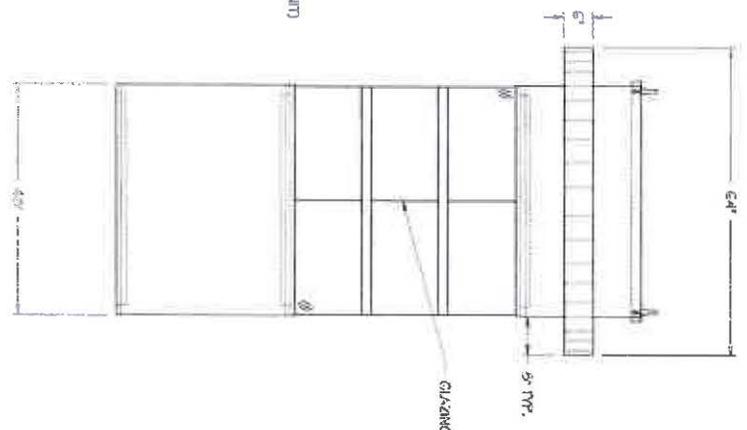
DHR4104OB JOB No: 9502
BY: LG Rev A: 1-23-15
DATE: 01-15-15
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SHEET
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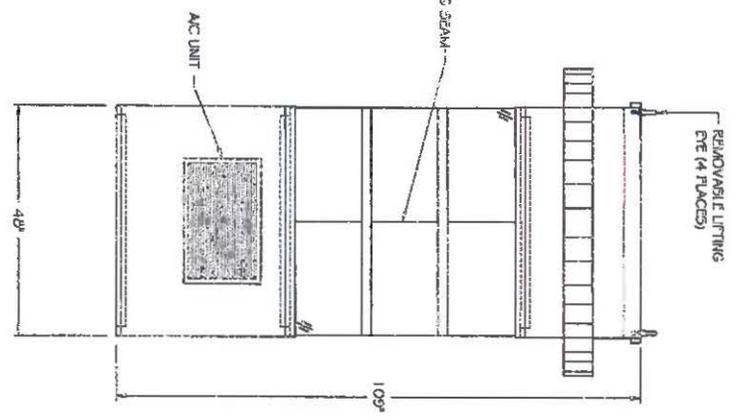
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E1 LEFT ELEVATION
SCALE 1/4" = 1' - 0"



E2 FRONT ELEVATION
SCALE 1/4" = 1' - 0"



E3 REAR ELEVATION
SCALE 1/4" = 1' - 0"



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NANOMECH
SECURITY BOOTH

DHR41040B JOB No: 9502
BY: LG Rev A: 1-23-15
DATE: 01-15-15
SCALE: AS NOTED

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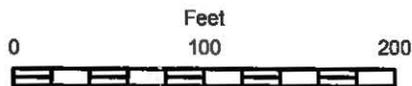
Public hearing sign posted: / /2015

Public hearing sign posted by: CS

 Public Hearing Sign Location



PI57



FILE NUMBER: B15-34
APPLICANT: NANOMECH, INC.
VARIANCE REQUEST: SETBACK

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015

sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

SETBACK VARIANCES:

Not Applicable

*Please complete the following to apply for a setback variance. Required setbacks vary by zoning district, please **contact staff** to determine the required setback.*

Required: Front: 30' Side: 8' Back: 20'
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: 20' (South Side) Side: 8' Back: 20'
(if granted what the setback would be.)

Variance: Front: 10' (South Side) Side: 0' Back: 00'
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

*Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed. **Any attachments must be labeled as "Exhibit A, B, C" etc.***

1. Applicant requests a 10' variance of the 30' building setback along the south property line / Eagle

Crest Circle street right-of-way resulting in a 20' building setback line in order to allow expansion of

the existing attached garage on the property.

The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds ALL of the following:

The Applicant must respond to items 1, 2, and 3.

1. That special conditions and circumstances exist which are particular to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. **Use the space below to describe to the Board of Adjustment the special conditions and circumstances that exist on the property (attach a separate sheet if necessary):**

Applicant requires additional garage parking space, but the location of the home does not allow for

expanding the garage as necessary within the existing setbacks. The requested variance will allow expansion

of the existing attached garage only with no portion of the heated area of the residence encroaching into the

setbacks specified by city code. The proposed expansion will not create any safety concerns, crowd or affect

neighboring properties or structures, or detract from the aesthetics of the neighborhood.

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

The right to develop the property.

3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

A) The existing home and garage were already constructed when applicant purchased the property.

Applicant is not responsible for the design or configuration of the home on the lot.

4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.
6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts have been made.



 Applicant Signature*

 Property Owner Signature*
 (If different from Applicant)



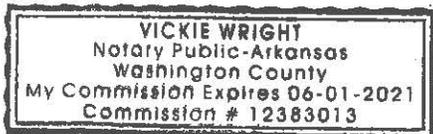
 Applicant Signature*

 Property Owner Signature*
 (If different from Applicant)

**If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.*

State of Arkansas)
) ss.
 County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 17 day of June, 2015.



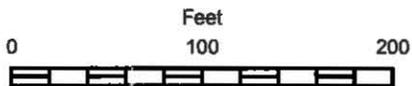


 Notary Public



Public hearing sign posted / / 2015
Public hearing sign posted by CS
Public Hearing Sign Location

P162



FILE NUMBER: B15-35
APPLICANT: MICHAEL & JULIE DAVIS
VARIANCE REQUEST: SETBACK

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015