

**SPRINGDALE PLANNING COMMISSION
COUNCIL CHAMBERS
5:00 P.M.
201 SPRING
MAY 6, 2014
Agenda**

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

II. Call to Order

III. Roll Call

IV. Approval of Minutes (April 1, 2014)

V. Public Hearing – Violation of Conditional Use P31

**A. C11-19 Jebe in Nebar Church
2100 Turner St.
Presented by Ernest Cate**

VI. Public Hearing – Conditional Use

**A. C14-06 Blake Harris P32-40
1229 E. Robinson Avenue
Use Unit 41 (Auto Sales) in
General Commercial District (C-2)
Presented by Blake Harris**

VII. Public Hearing – Rezoning

**A. R14-12 Maria E. & Hipolito Sandoval P41-48
1408 S. Thompson
From C-2 to C-5
Presented by Bill Watkins**

**B. R14-13 Springdale Benevolent Foundation P49-55
Parson's Stadium Expansion
SE corner of E. Emma Ave. &
S. Old Missouri Road
From I-1 to P-1
Presented by Engineering Services, Inc.**

X. Waivers

- A. **W14-05** **Danielle Wahlquist-Hays** **P205**
 13186 Rusty Blackhaw
 Waiver of sidewalk requirement
 Presented by Danielle Wahlquist-Hays

- B. **W14-07** **Today's Bank** **P206**
 5310 W. Sunset Ave.
 Waiver of sidewalk requirement
 Presented by Engineering Services, Inc.

- C. **W14-08** **Springdale Benevolent Foundation for** **P207**
 Parson's Stadium Phase I
 SE corner of E. Emma Ave. & S. Old
 Missouri Road
 Waiver of street improvements
 Presented by Engineering Services, Inc.

XI. Planning Director's Report

XII. Adjourn

The Springdale Planning Commission met in regular session on Tuesday, April 1, 2014 in City Council Chambers.

Prior to the meeting being called to order, Chairman Joel Kelsey led the Pledge of Allegiance and Commissioner Bob Arthur said the invocation.

The meeting was called to order by Chairman Kelsey at 4:58 p.m.

Roll call was answered by:

Bob Arthur
 Roy Covert
 Vivi Haney – Secretary
 Joel Kelsey – Chairman
 Mitch Miller
 Barbara O'Conner
 Kevin Parsley
 Brian Powell
 Stan Szmyd – Vice Chairman

Also in attendance were Patsy Christie, Director of Planning and Community Development and Sarah Sparkman, assistant City Attorney.

Mr. Szmyd moved to accept the March 4, 2014 minutes and the March 18, 2014 called meeting. Ms. O'Conner seconded the motion. By a voice vote of all ayes and no nays the minutes were approved by a unanimous vote.

Mr. Kelsey said that the Commission would hear the last item on the agenda first. It was listed as "other".

- A. L12-14 O'Reilly Auto Parts
South side of E. Robinson Ave.,
East of Oak Moore St., W. of Hwy. 265
 Extension of approval (approved December 2012)
 Presented by J. Brown

Mr. Paul Engle with Anderson Engineering, which is the firm that submitted the original site plan was present instead of Mr. Brown, to answer any questions or comments.

He said they have a contractor ready to go as soon as they can get the extension.

Mr. Kelsey asked for Staff comments.

Ms. Christie said Staff had no issues as there were no changes and if they are ready to start the project then the extension should be granted.

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

There were none.

Mr. Szmyd called for the vote.

VOTE:

YES: Arthur, Covert, Haney, Kelsey, Miller, O'Conner, Parsley, Powell, Szmyd
NO: None

The six (6) month extension was approved by a unanimous vote.

Tabled Items

- A. B14-08 Richardo Ballesteros
5014 Har-Ber Avenue
 Variance to increase height of fence
 From 3' to 8'
 Presented by Ricardo Ballesteros

Mr. Ballesteros was present to answer any questions or comments. He said he has two concerns that he feels warrants a higher fence in the front. One is the traffic has increased since he moved to his house and he has concerns about safety and the second is there is a commercial building next to his house. He said the fence would be metal with brick pillars.

Mr. Kelsey asked for Staff comments.

Ms. Christie said the question is does it create a traffic safety issue. She asked Mr. Danny Wright with the Springdale Police Department his opinion regarding the fence.

Mr. Wright said it didn't create any safety concerns unless he blocks the driveway off.

Mr. Ballesteros said there would be a gated driveway.

Ms. Christie said the question is the distance of the first pillar and whether or not that creates a visual impairment.

Mr. Ballesteros said the plans called for a pillar every ten (10) feet but he was going to make them every twenty (20) feet because of the length of his property.

Ms. Christie said he was putting a pillar at the end of the driveway and therein lies the problem of visual impairment to oncoming traffic. She wanted to know how far off the edge of the sidewalk would he place the fence.

Mr. Ballesteros said three feet from the sidewalk.

She stated Staff's only concern was the creation of a traffic hazard.

Mr. Kelsey asked if there were those in the audience with any comments.

There were none.

Mr. Kelsey said that just because the commission is seeing a picture of the type of fence Mr. Ballesteros said he is going to install, doesn't mean that once he gets the variance that he wouldn't put up a wooden fence in the front yard where no one could see in or out.

Ms. Christie stated that the commission could grant the variance stating that it has to be the style shown in the pictures which is wrought iron and that if it is any other type of material it could only be three (3) feet high.

Mr. Powell asked if the gate would be motorized.

Mr. Ballesteros said he had not decided as to whether it will be a manual gate or a motorized one.

Mr. Powell asked if he had a trailer that he would be taking in and out of the premises.

Mr. Ballesteros said that he did have a trailer but he doesn't use it for work or even every day.

Mr. Powell asked if when Mr. Ballesteros is entering through his gate, will he have to be in the road, waiting for his gate to open.

Mr. Ballesteros said that the gate will be about twenty feet from the road.

.It was determined that the gate would still not be far enough from the street to allow a vehicle and a trailer to pull through without blocking traffic on the street while waiting for the gate to open.

Mr. Wright stated that if the gate is motorized it will not allow access in case of an emergency.

Ms. Christie said with all the questions being asked, it could be approved subject to submission of a detailed drawing showing how all everything will work.

Mr. Kelsey said he felt they were trying to design at the meeting and it would be better to table the request until all the problems could be worked out.

Mr. Szmyd moved to table the variance. Mr. Miller seconded the motion.

VOTE:

YES: Covert, Haney, Kelsey, Miller, O'Conner, Parsley, Powell, Szmyd
Arthur

NO: None

The motion to table until Mr. Ballesteros could return with a detailed drawing of what was needed to be done was approved by a unanimous vote.

- B. L14-07 The Barn at the Springs
5190 Highway 112
B14-17 Variance for a) modification of Commercial
Design Standards
Variance for b) modification of landscaping and
Screening requirements
Presented by Jim Cash

Mr. Cash was present to answer any questions or comments regarding the large scale and attached variances.

Mr. Kelsey asked for Staff comments.

Ms. Christie said they have been through the process and they have discussed what needed to be done and she and Staff feel comfortable with the results.

She said the landscaping and screening requirements and the modification of commercial design standards variance are asking that the site remain as it is today. The Barn has a look of its' own and it has a lot of natural landscaping which is in keeping with Mr. Cash's vision. She said she felt the intent of the ordinances has been met. The waiver request for street improvements was approved at Council on March 25, 2014.

She said there are some fire code issues that need to be addressed, but that is between Mr. Cash and the fire marshal. She stated that until they can come to agreement, the project can't move forward until they are taken care of.

Planning Comments

- 1) Submit the approved authorization of representation form, if property owner will not be present at Planning Commission meeting.
- 2) Landscape islands are required at a rate of 1 per 15 parking spaces, in accordance with Chapter 56.
- 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) An automatic or other irrigation system shall be required for all landscaped areas. Show irrigation system or location of hose bibs.
- 5) The developer is required to dedicate right-of-way of an abutting street in conformance with the City of Springdale Master Street Plan. A separate dedication document shall be submitted to the City for filing.
- 6) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 7) This development must comply with the City Of Springdale Commercial Design Standards or a variance is required.

Commercial Design Standards Comments

- 1) Continuous internal pedestrian walkways, no less than 5' in width from the public sidewalk to the principal customer entrance of all principal buildings on the site are required.
- 2) Internal pedestrian walkways must be distinguishable from driving surfaces through the use of low maintenance surface material such as pavers, bricks, or scored concrete.
- 3) 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.
- 4) Foundation landscaping is required.
- 5) Provide at least two of the items listed under Central Feature and Community Spaces in the Springdale Commercial Design Standard.
- 6) Façades over 100' in linear length shall incorporate wall projections and/or recesses per Springdale Commercial Design Standard.
- 7) Need detailed drawings of enclosures and screening methods.
- 8) 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.
- 9) 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.

Engineering Comments

- 1) **Sect 112-8(j) (WAIVER REQUESTED)** Need to show
 - a. Location of landscaped areas and irrigation.
 - b. Sidewalk location and details including slope.
 - c. Location of existing and proposed streetlights.
- 2) **Sect 112-16** All utility wires shall be placed underground. **(WAIVER REQUESTED).**
- 3) **Parking Ch130-Art 7 Sect 9. Entrance/Exit Drives (WAIVER REQUESTED).**
 - a. **Sect 9.1.** Minimum width of drive for two-way traffic is twenty-four feet (24').
- 4) Sect 107 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/department/planning_and_community_development

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

There were none.

Mr. Parsley called for the vote on both of the variances to be voted on together.

VOTE:

YES: Haney, Kelsey, Miller, O'Conner, Parsley, Powell, Szmyd, Arthur, Covert

NO: None

The variances were approved by a unanimous vote.

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

VOTE:

YES: Kelsey, Miller, O'Conner, Parsley, Powell, Szmyd, Arthur, Covert, Haney

NO: None

The large scale development was approved by a unanimous vote.

Public Hearing – Rezoning

- A. R14-08 Pinewood West, LLC
3563 N. 48th Street
From A-1 to C-2
Presented by John Davidson

Mr. Davidson was present to answer any questions or comments.

Mr. Kelsey asked for Staff comments.

Ms. Christie read the Staff comments.

Ms. Christie stated that this is a unique piece of property. It is wedged in between 48th Street and I-540.

The adopted Comprehensive Land Use Plan indicates low density residential use.

The rezoning request is not in keeping with the Comprehensive Land Use Plan but is recommended for approval due to the size and shape of the tract situated between an expressway and a major collector.

She further stated that if the owner decides to add on to, he would have to go through the large scale process and meet the design standards.

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

There were none.

Mr. Szmyd called for the vote.

VOTE:

YES: Miller, O'Conner, Parsley, Powell, Szmyd, Arthur, Covert, Haney, Kelsey
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 April 22, 2014.

It was decided that the next three rezonings would all be heard at the same time as they deal with the City of Springdale and the future fire departments. Also the large scale developments and attached variances to each one and the concept of detention would also be heard together.

- B. R14-09 City of Springdale – Har-Ber
 Fire Station #7
 S. side of Har-Ber Ave., approx..
 2,500' west of Jones Road
 From C-1 to P-1

- C. R14-10 City of Springdale – Glass Drive
 Fire Station #3
 End of Glass Drive, E. side of
 North Thompson
 From C-5 to P-1

- D. R14-11 City of Springdale – Don Tyson Parkway
 Fire Station #2
 N. side of Don Tyson Parkway, 550' E. of
 Cambridge, 1,300' W. of Highway 71B
 From SF-2 to P-1

All three rezonings were presented by Engineering Services, Inc.

Mr. Brian Moore with Engineering Services was present to answer any questions or comments.

Mr. Moore stated that all three fire stations are allowed in the current zonings, but felt it would be in the best interest of the City to have them all rezoned to P-1.

Ms. Christie said that by making all of them P-1 it helps to clean up the zoning map. She suggested that they do all the rezonings together, but to do the large scales separately as they are each unique in their own way.

Mr. Kelsey asked for Staff comments.

Ms. Christie said they would all say the same with the exception of each one's current zoning. She then read the Staff comments.

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

Community facilities should be centrally located in easily accessible areas within the City, adjacent to major streets to accommodate traffic, well buffered from nearby residential areas, and on adequate size parcels to accommodate future expansion.

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

Mr. Szmyd called for the vote.

VOTE:

YES: O'Conner, Parsley, Powell, Szmyd, Arthur, Covert, Haney, Kelsey, Miller

NO: None

All three rezonings were approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare three separate Ordinances to go to Council on Tuesday, April 22, 2014.

Mr. Kelsey called out the three large scales and their respective variances to be heard.

Mr. Moore with Engineering Services, Inc. suggested they hear and vote on the replat regarding Glass Subdivision.

- A. RP 14-03 Replats of Lots 2, 3, 4, & 5
Glass Commercial Subdivision
End of Glass Drive, E. of N.
Thompson
 Presented by Engineering Services, Inc.

Mr. Brian Moore with Engineering Services, Inc. was present to answer any questions or comments regarding this replat.

He said the intent is to make this area one parcel and basically build the fire station in the middle of the new lot.

Mr. Kelsey asked for Staff comments.

Ms. Christie read the Staff comments.

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

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

There were none.

Mr. Szmyd moved to approve the replat subject to Staff comments. Mr. Miller seconded the vote.

VOTE:

YES: Parsley, Powell, Szmyd, Arthur, Covert, Haney, Kelsey, Miller, O'Conner

NO: None

The replat was approved by a unanimous vote.

Ms. Christie stated for the record the Ordinance must be in the Mayor's office by noon on Thursday, April 3, 2014 in order to go to Council on Tuesday, April 8, 2014.

- A. L14-08 City of Springdale – Glass Drive
Fire Station #3
E. side of N. Thompson, end of
Glass Drive
Concept of detention
- B14-22 Variance for modification of Commercial Design Standards

- B. L14-09 City of Springdale – Don Tyson Parkway
Fire Station #2
N. side of Don Tyson Parkway, 550' E. of
Cambridge, 1900' W. of Highway 71B
Concept of detention
- B 14-23 Variance for Modification of Commercial Design Standards
Variance for reduction of minimum distance
Between drives from 150' to 50' on east side and
From 150' to 47' on west side.
Variance to allow utilities to remain above ground.
Variance to increase maximum width of drive to 50'

- C. L14-10 City of Springdale – Har-Ber Avenue
Fire Station #7
South side of Har-Ber Avenue, approximately
2500' feet west of Jones Road
Concept of Detention
- B14-24 Variance to increase width of drive from 40' to 50'
Variance to decrease minimum distance between drives
From 150' to 50'
Variance for Modification of Commercial Design Standards

All large scales and attached variances are presented by Engineering Services, Inc.

Mr. Brian Moore with Engineering Services, Inc. was present to answer any questions or comments regarding the large scale developments and attached variances.

Mr. Moore stated regarding the Modification of Commercial Design Standards request on all the fire stations, that the metal is "a high end metal" and they won't be putting up just metal buildings. He further stated that it is architecturally designed.

Ms. Christie said the Modification of Design Standards would apply to all three fire stations as they will basically all be the same in design.

She further stated that all three have the concept of detention and all comments from the utility companies and other city departments must be addressed prior to approval.

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

There were none.

Mr. Kelsey asked what the percentage of metal the fire stations would have.

The commissioners didn't have elevations included in their packets but Mr. Caraway with the newspaper provided the commission with the elevations. It was noted that the actual fire stations would be brick and the bay areas for the vehicles would be the "high end metal".

Mr. Kelsey again asked if there were those in the audience would like to comment.

Mr. Philip Taldo, who is the developer of the Tuscany Subdivision located near the proposed Har-Ber fire station, wanted to be sure that the rear of the fire station would be the brick veneer.

He was told that the rear view would be the brick veneer.

Mr. Jerry Hamblin (?) spoke. He lives in Tuscany and had questions. He wanted to know how close the fire station would be to the existing fence line on the northeast side of the houses in Tuscany.

Mr. Moore told him he would be about 90 feet from the fire station.

He also wanted to know if they would be backing into the bays.

Ms. Christie explained that the fire stations are designed so that the fire trucks could pull through thus avoiding backing in.

Mr. Hamblin wanted to make sure that the fire station will be responsible for maintenance of the lawn area and the along the fence.

He wanted to know about how they respond to emergency calls.

Chief Mike Irwin said that at night, they would not be turning on the sirens immediately when they receive a call. He said during the day they must turn on the sirens because of traffic

concerns on Har-Ber Avenue. He further stated that they typically don't run their sirens late at night unless they are involved in heavy traffic.

Mr. Hamblin wanted to know when the property was bought and when was it rezoned.

Ms. Christie said the property was closed on last fall. She further stated that when the voters approved the new bond issue there were new fire stations. She said they are rezoning it to P-1 just so it can be used as a fire station. The current zoning on all the properties would allow fire stations, but the P-1 just cleans up the zoning map.

Mr. Irwin stated they held public hearings showing the potential sites where the fire stations might be located.

Mr. Philip Taldo said that for the benefit of the Tuscany property owners and also was the owner of the property sold to the City of Springdale for the fire station. He said that even in a C-1 zone, a fire station would be allowed.

It was decided to take the Har-Ber fire station variances first since it just finished being discussed.

Mr. Szmyd called for the vote for the three fire stations and the variance for Commercial Design Standards.

VOTE:

YES: Powell, Szmyd, Arthur, Covert, Haney, Kelsey, Miller, O'Conner, Parsley

NO: None

The variance for modification of commercial design standards on all the fire stations was approved by a unanimous vote.

Mr. Szmyd called for the vote for the concept of detention on all three fire stations.

VOTE:

YES: Szmyd, Arthur, Covert, Haney, Kelsey, Miller, O'Conner, Parsley, Powell

NO: None

The concept of detention for all three fire stations was approved by a unanimous vote.

It was decided to vote on the two variances for the Har-Ber fire station regarding the drive distances.

Mr. Alan Pugh, Director of Engineering said that typically the engineering department would not support however, there is a unique situation in that one of the drives is an apparatus apron and only gets used in emergency situations. The other drive is for the visitor parking, which will be used but probably infrequently. The drive that will be utilized the most is the drive that feeds both the fire fighter parking and the apparatus return.

Mr. Szmyd called for the vote.

VOTE:

YES: Arthur, Covert, Haney, Kelsey, Miller, O'Conner, Parsley, Powell, Szmyd

NO: None

The variances pertaining to the drives for the Har-Ber fire station were approved by a unanimous vote.

The last variances were for the Don Tyson Parkway fire station. They include a variance for reduction of minimum distance between drives from 150' to 50' on the east side and from 150' to 47' on the west side and a variance to increase maximum width of the drive to 50' and a variance to allow the utilities to remain above ground.

Mr. Miller called for the vote.

VOTE:

YES: Covert, Haney, Kelsey, Miller, O'Conner, Parsley, Powell, Szmyd, Arthur

NO: None

The variances for the Don Tyson Parkway were approved by a unanimous vote.

Mr. Szmyd moved to approve all three fire station large scale developments subject to Staff comments. Mr. Miller seconded the motion.

VOTE:

YES: Haney, Kelsey, Miller, O'Conner, Parsley, Powell, Szmyd, Arthur, Covert

NO: None

All three large scale developments, Har-Ber Avenue Fire Station #7, Glass Fire Station #3 and Don Tyson Parkway Fire Station #2 were all approved by a unanimous vote, subject to Staff comments.

Public Hearing – Conditional Use

- A. C14-05 Terry Forsyth
2576 W. Sunset Avenue
Use Unit 44 (Mobile Vending) in a
General Commercial District (C-2)
- B14-20 Variance to allow public utility use
At a mobile vending site
Presented by Terry Forsyth

Mr. Forsyth was present to answer any questions or comments.

Mr. Kelsey 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.

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.

More information is needed Refuse and service areas, with particular reference to the item in 1 and 2 above

N/A Utilities, with reference to locations, availability and compatibility.

N/A 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.

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.

Unknown General compatibility with adjacent properties and other property in the general district. **Type of structure unknown**

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

There were none.

Mr. Miller called for the vote for both the conditional use and variance together.

VOTE:

YES: Kelsey, Miller, O'Conner, Parsley, Powell, Szmyd, Arthur, Covert, Haney

NO: None

Ms. Christie stated for the record Staff would prepare the resolution for the conditional use to

go to Council on Tuesday, April 22, 2014.

Preliminary Plats, Replats and Final Plats

- A. RP14-01 Replat for Daniel Sparks
E. of Turner Street, end of
Edgewood Ave. on N. side
 Presented by Blew & Associates

Mr. Scott Blackshire with Blew and Associates was present on behalf of his client to answer any questions or comments.

Mr. Kelsey asked for Staff comments.

Ms. Christie read the Staff comments.

She asked if Staff had received an authorization of representation. Staff responded that they had.

1. Submit AutoCad and PDF files at time of resubmission.
2. Submit the approved authorization of representation form, if property owner will not be present at Planning Commission meeting.
3. Submit the review fee.
4. Submit a copy of the warranty deed for both properties.
5. Need locations and sizes of all utilities, including storm sewer.
6. All comments from the utility companies and other city departments must be addressed prior to approval.
7. Plat needs to be titled as a Replat not a property line adjustment.

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

There were none.

Mr. Szmyd moved to approve the replat subject to Staff comments. Mr. Miller seconded the motion.

VOTE:

- YES:** Miller, O'Conner, Parsley, Powell, Szmyd, Arthur, Covert, Haney, Kelsey
- NO:** None

The replat was approved by a unanimous vote.

Ms. Christie stated for the record an Ordinance must be in the Mayor's office by noon Thursday, April 3, 2014 to go to Council on Tuesday, April 8, 2014.

Board of Adjustment

- A. B14-14 Tuscany Village, Inc.
N. side Har-Ber Avenue
N. of Tuscany Subdivision
 Variance for off-site sign
 Presented by Philip Taldo

Mr. Taldo was present to answer questions or comments. He said that one of the signs is directly across the street from Tuscany and the second one is on the corner of Har-Ber Avenue and Highway 112.

Mr. Kelsey asked for Staff comments.

Ms. Christie said Staff did not have any comments.

Mr. Kelsey asked if there were those in the audience that would like to comment or ask questions.

There were none.

Mr. Szmyd called for the vote.

VOTE:

YES: O'Conner, Parsley, Powell, Szmyd, Arthur, Covert, Haney, Kelsey, Miller

NO: None

The variance was approved by a unanimous vote.

- B. B14-15 Memco Safety, Inc.
NW corner of Emma & Huntsville Ave.
 Variance for reduction of required parking
 Spaces from 61 to 29
 Variance for modification of landscaping requirement
- W14-04 Waiver of street light requirement
 Presented by Bates & Associates

Mr. Evan Neihouse with Bates and Associates was present to answer any questions or comments. He said there would be approximately 14 or 15 employees. Regarding the landscaping, they want to reduce the number of street trees from 38 to 24. He said there are already 5 large, healthy trees along the frontage of one of the streets. They would like to get more credit for the trees instead of 1 per 1 they are asking for credit of three trees for one tree.

He said regarding the streetlight waiver because of the width of the street there is not much foot traffic.

Ms. Christie asked if there are any existing power poles that his client could put a street light on.

Mr. Neihouse said there isn't a power line along Huntsville but one on Emma.

Ms. Christie said there are two power poles on Emma on which lights could be attached.

Mr. Scott Matlock with Davis Construction, the contractor for Memco, said there were existing power poles along Emma which is along the South property line. There are no power poles along Huntsville. He said there were lights at the intersection where there is a traffic light.

Ms. Christie stated because they are reducing the number of parking spaces, it will be extremely difficult to change the use of the building in the future.

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

There were none.

Mr. Powell asked Mr. Neihouse to explain what they wanted to do regarding the modification of landscaping concerning trees.

Mr. Neihouse said along Emma there are five existing large trees. In most cases credit is given for existing trees which is one for one but they are asking for credit of three trees per one tree for a total of fifteen trees. The reduction of trees would be to twenty four which they would plant.

It was decided to take both variances and waiver together.

Mr. Miller called for the vote.

VOTE:

YES: Parsley, Powell, Szmyd, Arthur, Kelsey, Miller, O'Conner

NO: Covert, Haney

The waiver and both variances were approved by a vote of seven yes and two no.

Ms. Christie stated for the record Staff would prepare the resolution to go to Council on Tuesday, April 22, 2014.

- C. B14-16 Stephen & Tina Horsey
4331 Tara
 Variance to increase height of building in
 Back yard
 Variance of recognition of encroachment into easement
 Presented by Stephen Horsey

Mr. Horsey was present to answer any questions or comments. He said the structure was an old play set that their children had outgrown. He said the old play set was 13.5' tall. He said when they out grew it, they raised the floor up to make it a two story

playhouse. From a structural standpoint, it is very stable and strong. It is in keeping with the neighborhood as far as appearance goes.

He reiterated it doesn't have plumbing or electrical.

Mr. Kelsey asked for Staff comments.

Ms. Christie said that this is a unique situation because it is placed in the utility easement. She said they went through the process of asking the utility companies to vacate the easement. They wouldn't vacate, however, they recognized the encroachment which means that if they need to come through and do something with the utilities, it gets taken down out of the way and they don't have to put it back. She further stated the other variance is on the height itself which the fire department can address.

She said the problem she has from a Staff standpoint is how it will be tracked in the future. If the house is sold and it is still an encroachment on the easement and a utility company needs to access it, the utility company is going to call and want to know how it happened. She said currently there is no way to record much less track the encroachment.

The height is still an issue and she said she felt the Fire Marshall needed to address it.

Mr. Miller said that this point he isn't prepared to make a statement. He needs to further research it.

Mr. Covert asked if a deed restriction could be placed on the property. If it were ever to be sold the title company would have to call out the encroachment on the utility easement.

Ms. Sparkman, the assistant City Attorney, did not have an answer for that but would be glad to research it.

Ms. Christie said the times this had come up in the past, Staff could not come up with a way to track it even with a deed restriction. Unless the person who bought the house called and asked about it, there would be no way for Staff to know.

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

Caleb Horsey, the owner's son, asked that he and his sister please be allowed to keep their playhouse.

Ms. Sparkman said that if the Commission wanted to table it so she could research the deed restriction possibility and Mr. Miller could do his research she would be fine with that.

Mr. Kelsey said he didn't feel they needed to table the request. He went to the house and looked at the play house. He said the quality of the materials and the way he built it is so much nicer than some of the back yards he has seen in the City.

He said his only issue might be the side setback on the north since it is so close to the fence; however, it is far enough away from the other homes that not even that should be an issue. He further stated that Mr. Horsey knows the consequences if a utility company has to come in and work.

Ms. Christie said her only comment would be if it is approved subject to some kind of deed restriction if the City Attorney's office can't find anything, then the variance would not be approved.

Ms. Christie further stated it will be in the minutes that the utility companies do recognize the encroachment and if they should ever have to work on their respective utility, they can come in tear down the playhouse and not have to replace it.

Mr. Miller said he realize that they were asking him about the nearness the playhouse is to the side. He said that if in the future, a neighbor wants to build a storage facility on their property, then Mr. Horsey would have to tear down the playhouse or move it.

Mr. Arthur commented that the terrain has something to do with the height of the building. In that particular neighborhood, the terrain is somewhat irregular and can affect the placement of a building.

Mr. Szmyd called for the vote on both variances.

VOTE:

YES: Powell, Szmyd, Arthur, Covert, Haney, Kelsey, Miller, O'Conner, Parsley

NO: None

Both variances were approved by a unanimous vote.

- D. B14-17 Jim Cash-The Barn at the Spring
5190 Highway 112
 Variance for modification of landscaping
 And screening requirement
 Variance for modification of Commercial
 Design Standards
 Presented by Jim Cash

These variances were approved by a unanimous vote in conjunction with the large scale development.

- E. B14-20 Terry Forsyth
257 W. Sunset Avenue
 Variance to allow public utility use at
 A mobile vending site
 Presented by Terry Forsyth

This variance was approved by a unanimous vote in conjunction with a conditional use.

- F. B14-21 Steven Giles for Wal-Mart Fueling Station
4976 Elm Springs Road
Variance for modification of Commercial Design Standards
Variance for reduction of distance between Drives
Presented by Steven Giles

Mr. Giles was present to answer any questions or comments.

Mr. Kelsey asked for Staff comments.

Ms. Christie said there were none.

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

There were none.

Mr. Miller called for the vote for both variances.

VOTE:

YES: Szmyd, Arthur, Haney, Kelsey, Miller, Powell

NO: None

ABSTAIN: Covert, O'Conner, Parsley

The variances were approved by a vote of six (6) yes and three (3) recusals.

After this vote, Commissioner Bob Arthur excused himself to attend another meeting.

- G. B14-22 City of Springdale – Glass Drive Fire Station #3
End of Glass Drive, E. of N. Thompson
Variance for modification of Commercial Design Standards
Presented by Engineering Services, Inc.

This variance was approved by a unanimous vote in conjunction with the large scale development.

- H. B14-23 City of Springdale – Don Tyson Parkway Fire Station #2
N. side of Don Tyson Parkway, 550' E. of Cambridge, 1900' W. of Highway 71B
 Variance for Modification of Commercial Design Standards
 Variance for reduction of minimum distance Between drives from 150' to 50' on east side and From 150' to 47' on west side
 Variance to allow utilities to remain above ground
 Variance to increase maximum width of drive to 50'
 Presented by Engineering Services, Inc.

These variances were approved by a unanimous vote in conjunction with the large scale development.

- I. B14-24 City of Springdale – Har-Ber Avenue Fire Station #7
South side of Har-Ber Avenue, approximately 2500' west of Jones Road
 Presented by Engineering Services, Inc.

These variances were approved by a unanimous vote in conjunction with the large scale development.

- J. B14-25 The Elizabeth Richardson Center W. of 71B, east side of American
 Variance from commercial driveway
 Presented by Engineering Services, Inc.

Mr. Brian Moore with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments. He said this is a variance for the radius of the south drive that has a drainage structure that is in the way. It has a 25' radius and if the variance isn't approved they will have to relocate the drainage structure.

Mr. Kelsey asked for Staff comments.

Ms. Christie said Staff didn't have any comments.

Mr. Kelsey asked if there are those in the audience that would like to comments.

Mr. Szmyd called for the vote.

VOTE:

YES: Covert, Haney, Kelsey, Miller, O'Conner, Parsley, Powell, Szmyd
NO: None

The variance was approved by a unanimous vote.

Waivers

- A. W14-04 Memco Safety, Inc.
NW corner of Emma & Huntsville Ave.
 Waiver of sidewalk requirement
 Presented by Bates & Associates

This waiver was approved by a unanimous vote in conjunction with two variances for Memco.

- B. W14-06 Brent & Rae Couch
2651 N. 56th Street
 Waiver of sidewalk requirement
 Presented by Brent or Rae Couch

Mr. Brent Couch was present to answer any questions or comments. He said this property is ten acres and about a year ago they had a tandem lot split done where the back two acres was split from the parent tract. Their house is approximately 2,000' from 56th Street. Mr. Couch said the width of the property is 300' feet. He further stated he is not opposed to a sidewalk but would like to wait until 56th is developed.

Ms. Christie stated all he would be responsible for as far as the sidewalk goes, he would only be responsible for the access easement which would be approximately 25'.

She further stated Staff is normally in favor of sidewalks but at this point Mr. Couch has a good case.

Mr. Covert said he didn't have a problem with not doing the sidewalk now since the house is so far back, but in the future when 56th Street is improved how would Staff go about requiring Mr. Couch to install a sidewalk.

Ms. Christie said the Commission could ask for a Bill of Assurance so that they would have to pay their portion at the time of improvement. However; it is only 20' and if the City is developing the street and it's a public project, 20' will not make a difference one way or the other.

Mr. Alan Pugh said that it would be extremely difficult to place that sidewalk in the right location and to keep the sidewalk while the city constructs the roadway.

Mr. Szmyd called for the vote.

VOTE:

YES: Haney, Kelsey, Miller, O'Conner, Parsley, Powell, Szmyd, Covert

NO: None

The waiver was approved by a unanimous vote.

Ms. Christie stated for the record Staff would prepare the resolution to go to Council on Tuesday, April 22, 2014.

Other

- A. L12-14 O’Rielly Auto Parts
South side E. Robinson Ave.,
East of Oak Moore Street, W. of Hwy.265
 Extension of approval (Approved Dec. 2012)
 Presented by J. Brown

This request was approved by a unanimous vote at the beginning of the Planning Commission meeting.

Planning Director’s Report

Ms. Christie said that they could have a work session on the 15th of April. She will also have information on the fence and wall standards so they could look at those as well. She said Danny Wright has brought up some questions regarding barbed wire and razor wire fences and where that would be allowed.

It was decided to meet at 5:30 on the 15th in the Multi-purpose room.

Mr. Kelsey asked about the Marshallese Church at 2100 S. Turner and what was to be done with it. He said he went by on the week-end and counted 81 cars. Ms. Christie said they have a court date for Thursday, April 3.

Mr. Miller said that code enforcement went by. They were told they couldn't meet there as they were expecting a dignitary from the Marshall Islands. They were sited and fined \$1,000.00. He said they have told the owners of the building about this as well.

Mr. Kelsey said he had talked to owners but it has done no good.

Mr. Parsley the accountability is going to have to be placed on the owners.

There being no further business, the meeting was adjourned at 6:45 p.m.

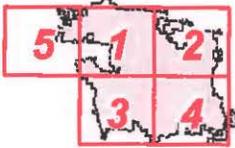
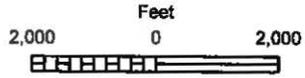
Joel Kelsey, Chairman

Vivi Haney, Secretary

Patsy Christie, Director
Planning and Community Development Division

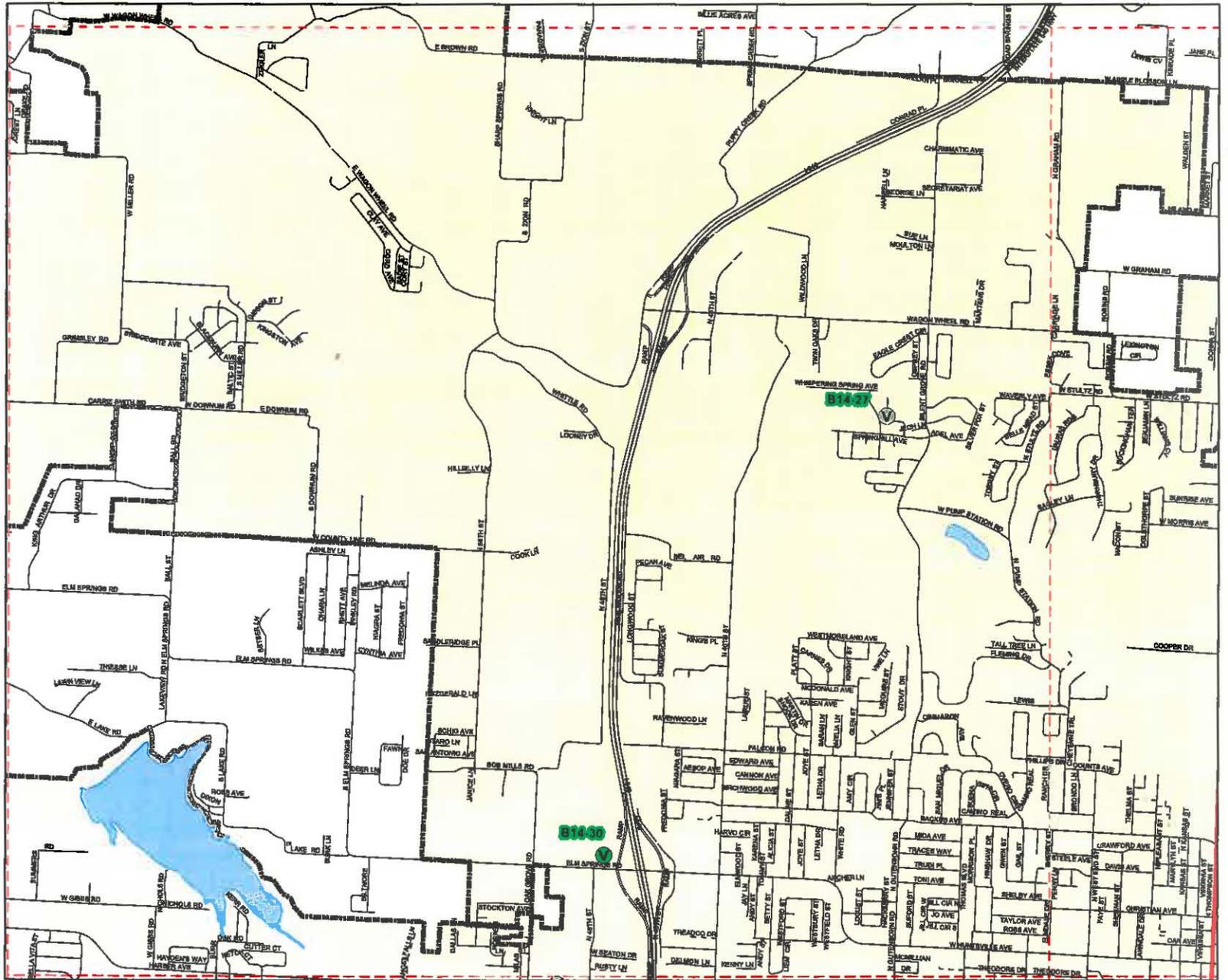
Debbie Ponders, Recording Secretary

**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
MAY 6, 2014**



SHEET 1

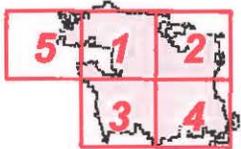
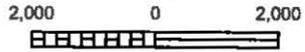
- Rezoning Requests
- Conditional Use Requests
- Subdivisions (Prelim. & Final)
- Replats
- Large Scale Developments
- Variance Requests
- Lot Splits
- Waivers



**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
MAY 6, 2014**

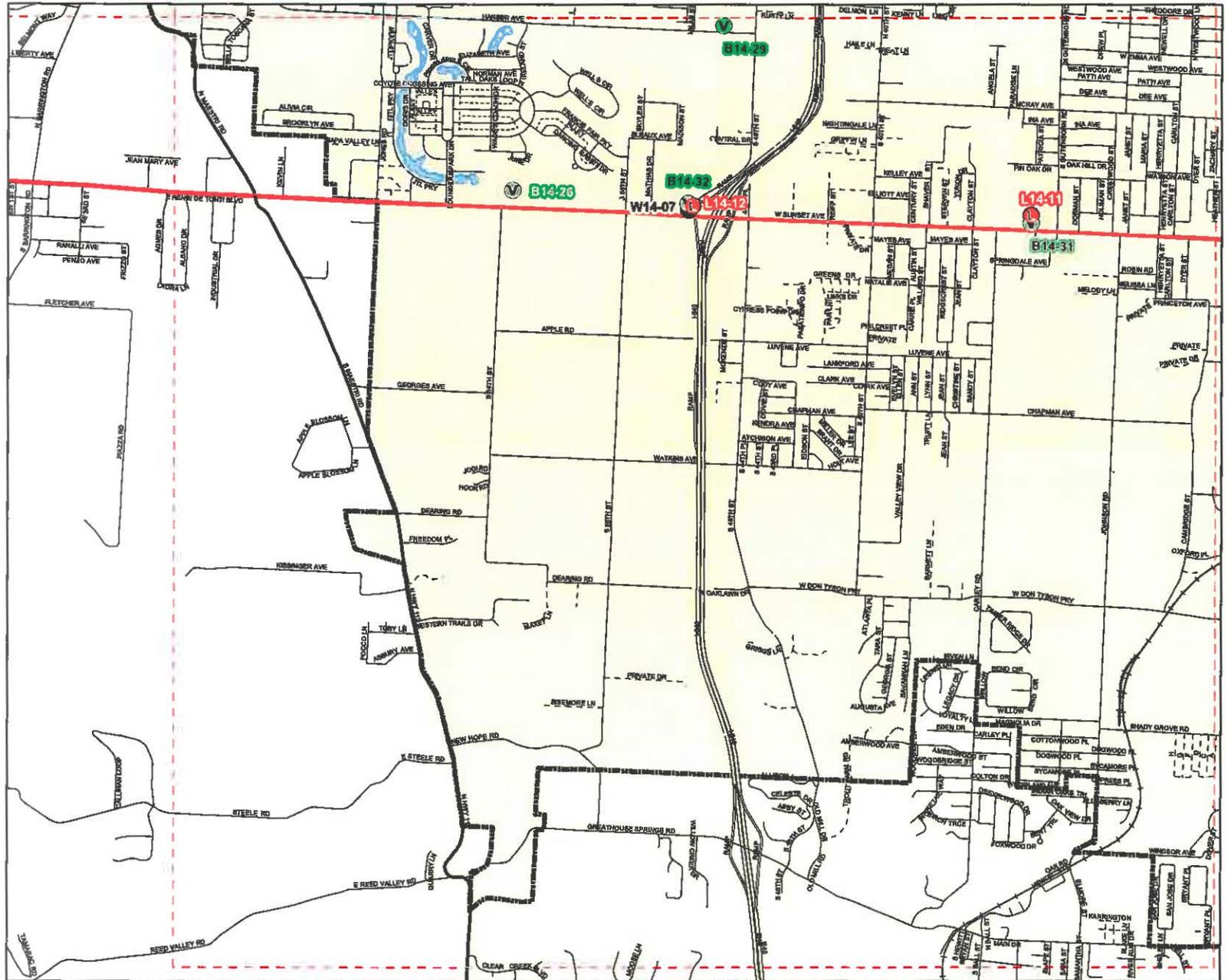


Feet

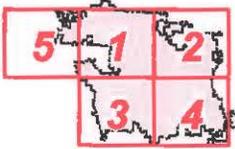
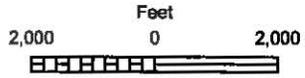


SHEET 3

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

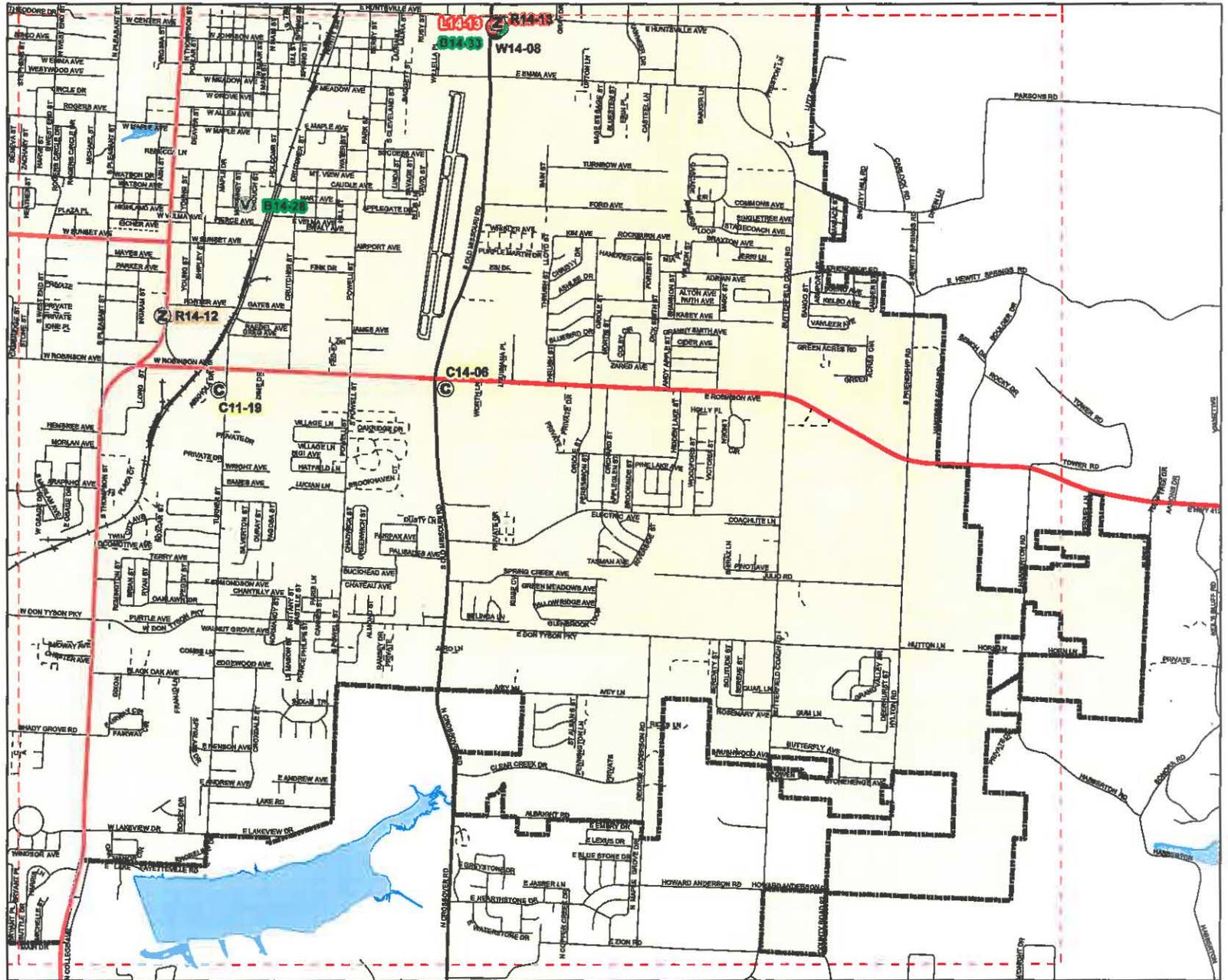


**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
MAY 6, 2014**

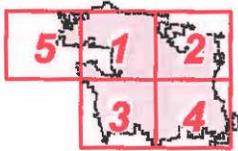
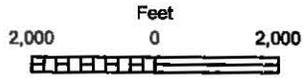


SHEET 4

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

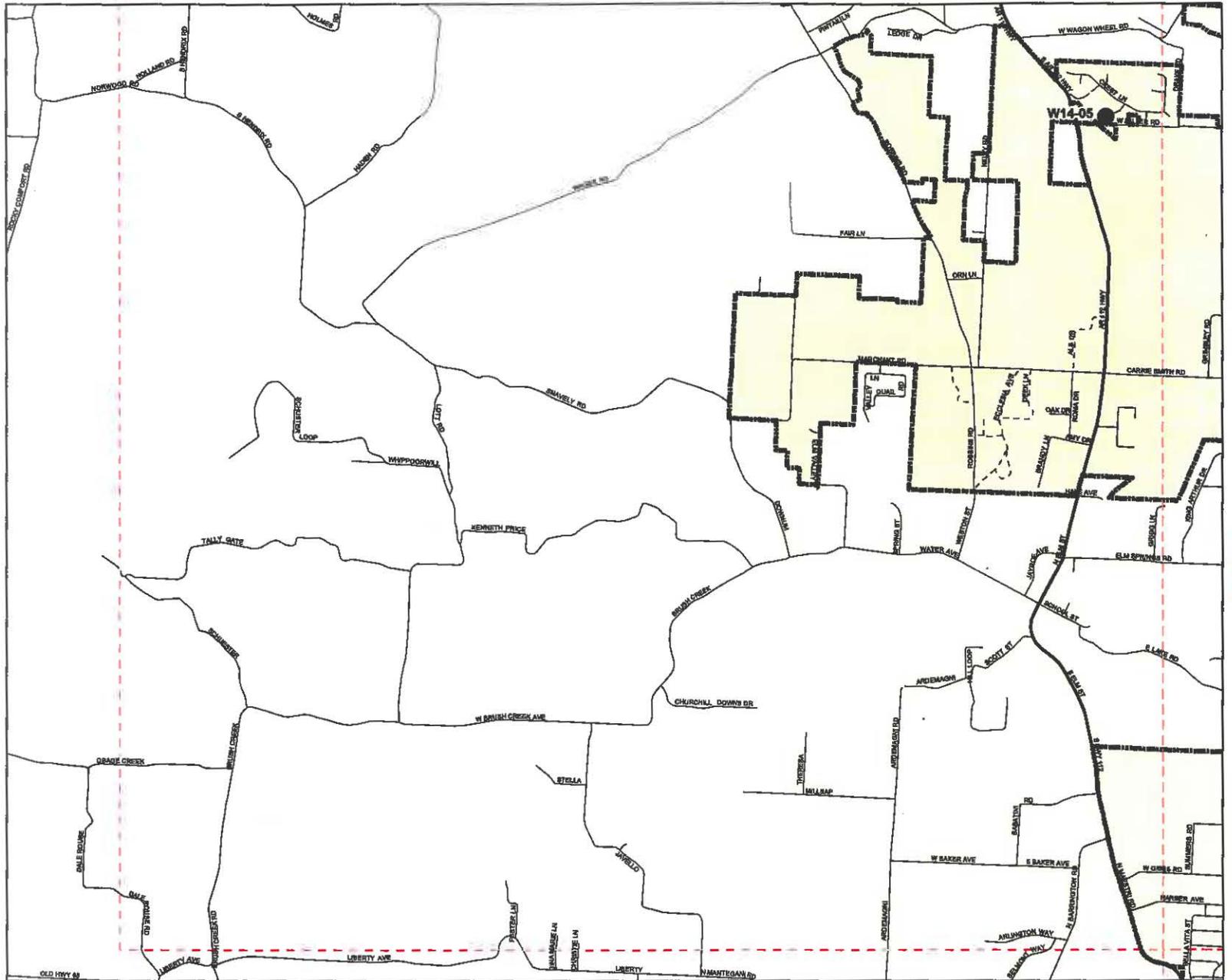


**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
MAY 6, 2014**



SHEET 5

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





Office Of The City Attorney

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Springdale, Arkansas 72764
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Writer's Email:

MEMORANDUM

Ernest B. Cate
City Attorney

Taylor Samples
Deputy City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Bebedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

TO: Patsy Christie, Director of Planning & Community Development
FROM: Ernest B. Cate, City Attorney
RE: Conditional Use for Church at 2100 S. Turner
DATE: April 8, 2014

The Springdale Planning Commission has approved a Conditional Use for at church at 2100 S. Turner. The conditional use provided that only 1600 square feet of the property could be used for assembly usage. Since that time, the building has undergone many changes, and the size of the assembly space being used has increased dramatically. As such, the building is being used for church services of a size not approved in the original conditional use.

The owner and the occupants of the building have been informed by Code Enforcement, the Building Inspector, and the Fire Marshall, that in order to use more of the building than was originally approved, the building would have to be brought into compliance with the Fire Code, the Building Code, and the Zoning Ordinance, or that a variance would have to be obtained. The owner of the building, nor the occupants have brought the building into compliance, nor has a variance been obtained.

Despite these facts, church services continue to be held at this location. On the weekend of March 29, 2014, and March 30, 2014, church services were conducted at this location in a manner that far exceeded the conditional use approved for this location. In addition, a citation was issued to Walter Clanre on February 21, 2014, for using this location in violation of the conditional use that had been approved for this location.

Given the foregoing, I am requesting that the Springdale Planning Commission schedule a hearing, pursuant to Article 2, Section 12 of the Zoning Ordinance, on this conditional use.

Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: May 6, 2014
Re: C14-06

A request by Blake Harris for a Conditional Use Permitted on Appeal as a Use Unit 41(Automobile Sales) in zoning district C-2 (General Commercial District).

LOCATION 1220 E. Robinson Avenue, south side of Robinson Avenue, east of Highway 265.

EXISTING CONDITIONS Commercial Structure – no paved area to park vehicles

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.

Unknown No site plan 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 No 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 No site plan 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.

**Unknown
No 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.

**Unknown
No site
Plan**

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.

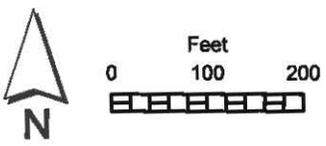
**Unknown
no site
plan**

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.

General compatibility with adjacent properties and other property in the general district. **Acceptable only if adequate parking areas, drives and storage areas are paved in conformance with City standards, drainage of site addressed and adequate ingress and egress of all vehicles is maintained in accordance with City standards.**



P34



APPLICANT: BLAKE HARRIS
CONDITIONAL USE REQUEST:
USE UNIT 41 - AUTOMOBILE SALES

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
5/6/2014

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

PROPERTY LOCATION: 1229 East Robinson Ave.
(street address or layman's description) Springdale, Ar. 72764

PROPERTY OWNER: Roger Anglin

(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: Auto Sales

Use Unit Designation: 41

Is the Use Unit allowed as a Conditional Use on Appeal to the Planning Commission in the Zoning Ordinance: 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 Auto Sales / MECHANICAL GARAGE S-2

Chief Building Official Michael P. Clark Date: 4/30/14

Fire Marshal Duane Miller Date: 4-30-14

Occupancy Classification required for intended use STORAGE S-2

Chief Building Official Michael P. Clark Date: 4/30/14

Fire Marshal Duane Miller Date: 4-30-14

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 41 in a C-2 zoning district to be considered as a Conditional Use on appeal for a structure located at 1229 E Robinson Ave.

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

David Adams

Applicant

Roger W. Anglin

Property Owner

State of Arkansas)

County of Washington

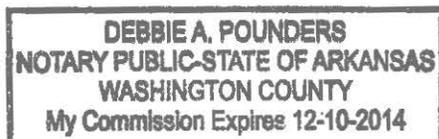
SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 30 day of

April, 20 14

Debbie A. Ponders

Notary Public

My commission expires: 12-10-2014



APPLICATION FOR CONDITIONAL USE

CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Blake Harris
 Address: 2837 N. Wixley Ave.
Fayetteville, AR 72703
 Phone: 501-317-8971 Profit: Non-Profit
2. Property Location (street address or layman's description):
1229 East Robinson Ave
Springdale, AR 72704
3. Record Title Holder of Property: _____
 (A copy of the warranty deed should be attached as Exhibit "A")
4. Use Unit requested 41 in C-2 Zoning District.

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

The reason behind seeking conditional use of this property is to allow Blake Harris, future owner, to establish his second pre-owned auto dealership. This property is currently zoned as C2, which does not allow the sales of automobiles; we hope to temporarily change this so that we can bring our honest business and dependable vehicles to the Springdale area. Our main focus as a pre-owned car dealership is to provide dependable vehicles with a variety of finance options to those living in the community and surrounding areas, which is a great reason as to why this conditional use should be approved. Our business will make it possible for people with good, average, poor and even no credit to purchase a reliable vehicle that fits their needs financially.

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

The proposed conditional use, if approved, would only affect the community and neighborhood in positive ways. As mentioned above, our goal is to simply make buying reliable vehicle possible through using many different finance methods. We hope to benefit the community by helping people in this area get jobs by giving them a reliable form of transportation. We also hope to assist first time buyers and those with poor credit to build their credit scores in a positive way.

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)

Ethel N Anglin

Signature of Applicant

[Signature]

Date: 4-8-14

Date: 04/07/14

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.

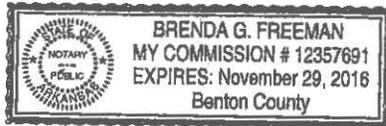
X Ethel Madeline Anglin

State of Arkansas)
County of Washington) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 10 day of April, 2014

Brenda G. Freeman
Notary Public

My commission expires: 11-29-2016



Proposal for Conditional Use Permit at
1229 East Robinson Avenue
Springdale, Arkansas 72764

Blake Harris is the current owner of an established car dealership, B&B Auto Sales of Fayetteville, the business was started 25 years ago in Benton, Arkansas by Blake's father, Bruce Harris. In September of 2011, Blake opened his own dealership at 2555 N. College Ave. in Fayetteville, Arkansas while still a senior Finance Major at the University of Arkansas. This proposal is a bid to expand his current dealership to new areas by bringing the reliability that he and his dad have focused on for over twenty-five years.

- **There will be a maximum of 45 vehicles on display for sale at any given time.**
- **Our focus will be strictly to provide dependable, affordable vehicles to Springdale and surrounding areas. Our business will provide a variety of finance options making it possible for citizens with average to poor credit the option to purchase a vehicle that fits their needs financially with a reliability factor.**
- **The vehicles we will be purchasing and selling will be completely checked over by mechanics. The vehicles will not be put on display unless they are fit for our financing programs with our customer needs in mind.**
- **In the beginning stages of the car lot, there will be two employees Blake Harris the Owner and Derek Adams the General Manager. These two individuals will perform duties of running the lot and selling vehicles. As time progresses and we're at a financially stable point, we plan to add one full-time mechanic, one full-time or part-time sales person and one detail man.**
- **We intend to wash and or detail the vehicles on the premises outdoors. Initially our goal is to do the job without an added employee. If we need superior detail services the vehicle will be sent elsewhere. As the lot continues to grow we may consider the option of adding a part time detail employee.**
- **Currently the property has 990 square feet of office space and over 3,000 square feet of shop space. We intend to use the bay door and front 1,000 square feet to put a vehicle lift and work area for a future mechanic hire. The rest of the space may be used for personal items or**

- vehicle storage such as tools, vehicles, boats, ATVs, motorcycles etc.
- **The mechanic work will strictly come from this potential lot as well as B&B Auto Sales. We will not be doing extreme over hauls to vehicles. For example, our mechanic will perform oil changes, tire rotations, brake jobs, sensor repairs, a/c work, replacing motor mounts, etc. We want to make sure all the vehicles we offer have been thoroughly inspected to protect our customers.**
 - **Our plans for the property are not to alter anything except cosmetic work. These plans include painting, installing toilet and vanity with sink, installing sign on building and new sign to the existing sign structure that stands by road.**
 - **The rezoning process should not affect any of the surrounding businesses in a negative or competitive way. In fact, we hope to open a fuel account at the gas station directly across from the address allowing them to benefit from all of our fuel needs.**

Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: May 6, 2014
Re: R14-12 Rezoning

A request by Maria E. and Hipolita Sandoval for Planning Commission approval of a zone change from General Commercial District (C-2) to Thoroughfare Commercial District (C-5) for a tract of land containing .4 acres.

LOT LOCATION AND SIZE

The .4 acre tract is located at 1408 S. Thompson, west side of Thompson Street, south of Porter Avenue.

A vicinity map is attached.

EXISTING ZONING

The existing 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.

REQUESTED ZONING

The requested zoning of this tract is a C-5 Thoroughfare Commercial 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, transient sleeping accommodations and eating and drinking establishments. 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.

Uses permitted: - 1, 4, 5, 16, 17, 18, 19, 20, 21, 22, 27, 31, 38

Conditional Uses Permitted on Appeal: - 2, 3, 12, 23,24, 30, 33, 35

Temporary Uses: - 32

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 lot 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-5 open display district:
 - b. Automobile, truck, tractor, mobile home, boat or motorcycle sales areas are not required to screen fully assembled merchandise that is ready for sale.
 - c. No permanent open display will be permitted on sidewalks, or public right-of-way.
 - d. 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.
 - e. 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.
- i. 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-5 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-5 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	0	(subject to
applicable fire and building codes)		
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 commercial structure. The tract is surrounded by commercial uses in C-2 zoning and industrial use to the east in I-2 zoning.

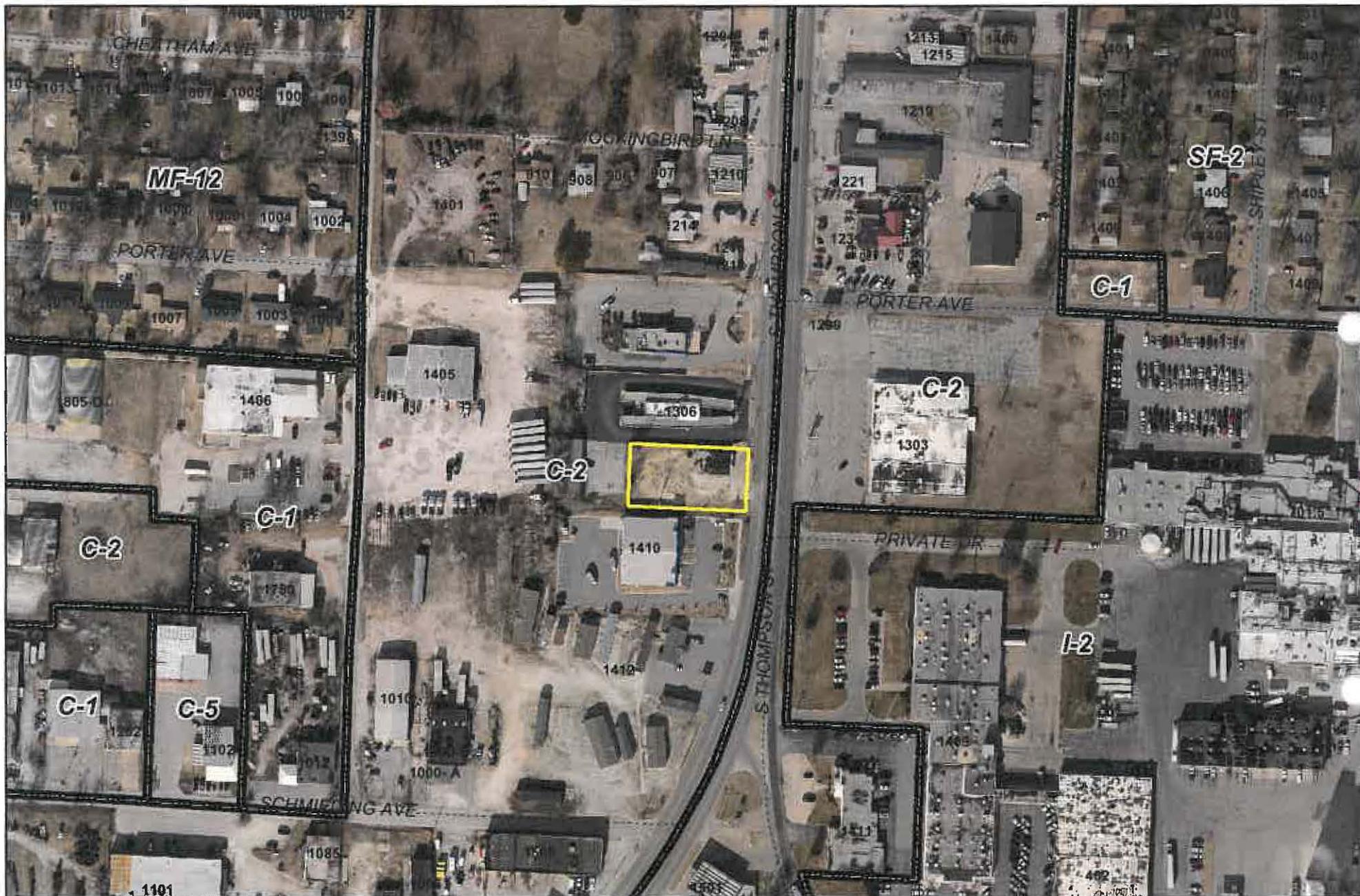
LAND USE PLAN AND MASTER STREET PLAN

The adopted Comprehensive Land Use Plan indicates commercial use.

The Master Street Plan indicates Thompson Street as an arterial.

STAFF COMMENTS AND RECOMMENDATIONS

The current zoning classification is in keeping with the Comprehensive Land Use Plan and the size of the tract does not lend itself for development with more regional commercial uses allowed in a C-5 zone and is not recommended for approval.



Feet
0 100 200

APPLICANT: MARIA & HIPOLITO SANDOVAL
REZONING REQUEST:
C-2 TO C-5

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
5/6/2014

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 Maria E. Sandoval and Hipolito Sandoval

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

Legal Description:

See Exhibit "A"

Layman's Description: *1408 S. Thompson St.*

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~~ *B*
- ~~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) C-2

TO (proposed zoning) C-5

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 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: _____
Adjoining properties are similar in use. This property is highway frontage with no access to other properties or other side streets. Impact or effect upon surrounding properties should be minimal.

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: Bill Watkins, Watkins, Boyer, Gray & Noblin, PLLC

Address: 1106 W. Poplar, Rogers, AR 72756

PETITIONER/OWNER SIGNATURE * Maria E. Landoval
Hipolito Landoval
MAILING ADDRESS: 9 Hillcrest Ln Bentonville AR 72712
TELEPHONE: (479) 685-4366 DATE: 4-15-14

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)

Maria E. Sandoval *Maria E. Sandoval*
(Property Owner)

State of Arkansas)
) ss.
County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 15 day of April, 2014.



Bill Watkins
Notary Public

Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: May 6, 2014
Re: R14-13

A request by Springdale Benevolent Foundation for Planning Commission approval of a zone change from Light Industrial District (I-1) to Institutional District (P-1) for a tract of land containing 20.95 acres.

LOT LOCATION AND SIZE

The 20.95 acre tract is located at the southeast corner of the intersection of east Emma Avenue and Old Missouri Road (Stated Highway 265).

A vicinity map is attached.

EXISTING ZONING

The existing zoning of this tract is an I-1 Light Industrial district. The District is designed to accommodate a wide range of industrial and related uses which conform to high development standards. Industrial establishments of this type may either be located in extensive areas devoted solely to these uses or may provide a buffer between commercial districts and other industrial uses which involve more objectionable influences. Residential development is excluded from this district, both to protect residents from an undesirable environment and to facilitate maximum efficiency of industrial activity.

Uses permitted: - 1, 21, 24, 25, 27, 32, 33, 35
Conditional Uses Permitted on Appeal: - 2, 3

HEIGHT REGULATIONS

There shall be no maximum height limits in I-1 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 and the building	50'
Side setback (subject to applicable fire and building codes)	0
Rear setback	25'
Setbacks adjacent to residential uses	50'

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.

REQUESTED ZONING

The rezoning application requests a P-1 Institutional district. The District is designed to protect and facilitate use of property owned by larger public institutions and church related organizations.

Uses permitted: - 1, 4, 5

Conditional Uses Permitted on Appeal: - 2, 3, 27

HEIGHT REGULATIONS

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

AREA REGULATIONS

(1) 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	25'
Rear setback	25'

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 the Rodeo of the Ozarks, entertainment venue. The area to the north contains the Jones Center for Families and commercial uses in C-2 zoning. The area to the west contains commercial uses in I-1 zoning. The area to the south contains I-1 zoning. The area to the south contains commercial uses in C-2 zoning and the Northwest Technical Institute in I-2 zoning. The area to the west contains the airport in P-1 zoning

LAND USE PLAN AND MASTER STREET PLAN

The adopted Comprehensive Land Use Plan indicates light industrial and warehouse use.

The Master Street Plan indicates Emma Avenue as a major collector and Highway 265 as an arterial.

STAFF COMMENTS AND RECOMMENDATIONS

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

Community facilities should be centrally located in easily accessible areas within the City, adjacent to major streets to accommodate traffic, well buffered from nearby residential areas, and on adequate size parcels to accommodate future expansion.



PS2



Feet
0 100 200
[Scale bar with 4 segments]

APPLICANT: SPRINGDALE BENEVOLENT FOUNDATION
REZONING REQUEST:
I-1 TO P-1

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
5/6/2014

L14-13

File No. R 14-13

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 the Springdale Benevolent Foundation, the record property owner, petitioning to rezone the following described area:

Legal Description: The Legal Description is attached as Exhibit D.

Layman's Description: Approximately 20.95 acres situated along the east side of Arkansas State Highway 265 (South Old Missouri Road) and along the south side of Emma Avenue in Springdale, Washington County, Arkansas. Property to be rezoned includes Washington County Parcel Numbers 815-27586-000, 815-27588, and 815-27590-000.

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 addresses 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 classifications:

FROM (current zoning) I-1 (Light Industrial District)

TO (proposed zoning) P-1 (Institutional District)

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

1. **Sell** the property No (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 or No).

2. **Develop** the property Yes (Yes or No), and if so, the proposed use is Construction of miscellaneous improvements on property.

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: None anticipated.

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: Engineering Services, Inc.

Address: P.O. Box 282, Springdale, AR 72765-0282

PETITIONER/OWNER: _____

(Signature)

MAILING ADDRESS: 201 Spring Street, Springdale, AR 72764

TELEPHONE: (479) 750-8550

DATE: March 12, 2014

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.

(Property Owner Signature)

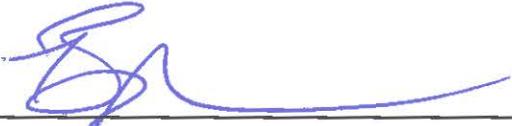


(Property Owner Signature)

State of Arkansas)
) ss.
County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 16th day of April, 2014.

BRIAN JAMES MOORE
WASHINGTON COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires October 01, 2017
Commission No. 12346378



Notary Public

Memo

To: Planning Commission
From: Staff
Date: May 6, 2014
RE: L14-11 Large Scale Development Flowerama of
NWA

Variance (B14-31) of landscaping requirement

- 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) Provide description of land lease area. Provide Staff with a copy of the lease agreement.
- 3) Site does not have the required number of parking spaces.
- 4) No off-street parking area, exclusive of access drives, shall be located within three feet (3') of any property line or lease line.
- 5) **Perimeter landscaping is required in accordance with Chapter 56.**
- 6) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 7) This development must comply with the City Of Springdale Commercial Design Standards or a variance is required.

Commercial Design Standards Comments

- 1) Continuous internal pedestrian walkways, no less than 5' in width from the public sidewalk to the principal customer entrance of all principal buildings on the site are required.

- 2) Internal pedestrian walkways must be distinguishable from driving surfaces through the use of low maintenance surface material such as pavers, bricks, or scored concrete.
- 3) Submit a unified lighting plan per Springdale Commercial Design Standards.

Engineering Comments

- 1) The site area of disturbance is less than 1-acre, so a Grading Permit is not required. However, please advise the contractor/owner that although the site is less than 1-acre, we do expect all grading and erosion BMP's to be used to protect the existing storm drainage system. We will require a SWPPP and erosion control plans in the event of discharges of sediment from the site.
- 2) Sidewalk along Highway 412 shall be constructed in accordance to the City of Springdale Master Street Plan.

FLOWERAMA OF NORTHWEST ARKANSAS

SPRINGDALE, ARKANSAS

LARGE SCALE DEVELOPMENT PLAN L14-11

INDEX OF DRAWINGS

- 01 COVER SHEET
- 02 SITE, UTILITY, GRADING, + EROSION CONTROL PLAN
- 03 LANDSCAPE PLAN
- 04 DETAILS



GENERAL NOTES TO CONTRACTOR

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SPRINGDALE, ARKANSAS, AND THE ARKANSAS DEPARTMENT OF TRANSPORTATION (DOT) PRIOR TO THE START OF CONSTRUCTION.
2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
3. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE SPECIFIED.
4. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING CURBS AND SIDEWALKS UNLESS OTHERWISE SPECIFIED.
5. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING DRIVEWAYS UNLESS OTHERWISE SPECIFIED.
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13. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING DRIVEWAYS UNLESS OTHERWISE SPECIFIED.
14. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING DRIVEWAYS UNLESS OTHERWISE SPECIFIED.

OWNER'S OF DOCUMENTS

THIS DOCUMENT AND THE DATA AND RECORDS HEREON ARE THE PROPERTY OF BATES & ASSOCIATES, INC. AND WILL BE LOANED TO THE CONTRACTOR FOR THE PROJECT DESCRIBED HEREIN. NO OTHER REPRODUCTION OR DISTRIBUTION OF ANY KIND IS PERMITTED WITHOUT THE WRITTEN CONSENT OF BATES & ASSOCIATES, INC.

ENGINEER'S NOTICE TO CONTRACTOR

THE ENGINEER HAS CONDUCTED VISUAL SURVEYS AND FIELD INVESTIGATIONS OF THE SITE AND HAS FOUND THAT THE SITE IS SUITABLE FOR THE DEVELOPMENT DESCRIBED HEREIN. THE ENGINEER HAS NOT CONDUCTED ANY OTHER INVESTIGATIONS AND HAS NOT OBTAINED ANY OTHER DATA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SPRINGDALE, ARKANSAS, AND THE ARKANSAS DEPARTMENT OF TRANSPORTATION (DOT) PRIOR TO THE START OF CONSTRUCTION.

UTILITY CONTACT INFORMATION

ARIZONA
 CITY OF SPRINGDALE
 4001 S. 43RD STREET
 SPRINGDALE, AR 72704
 PHONE: (479) 791-2100

ARKANSAS
 CITY OF SPRINGDALE
 4001 S. 43RD STREET
 SPRINGDALE, AR 72704
 PHONE: (479) 791-2100

MISSISSIPPI
 CITY OF SPRINGDALE
 4001 S. 43RD STREET
 SPRINGDALE, AR 72704
 PHONE: (479) 791-2100



GENERAL NOTES TO CONTRACTOR

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13. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING DRIVEWAYS UNLESS OTHERWISE SPECIFIED.

14. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING DRIVEWAYS UNLESS OTHERWISE SPECIFIED.

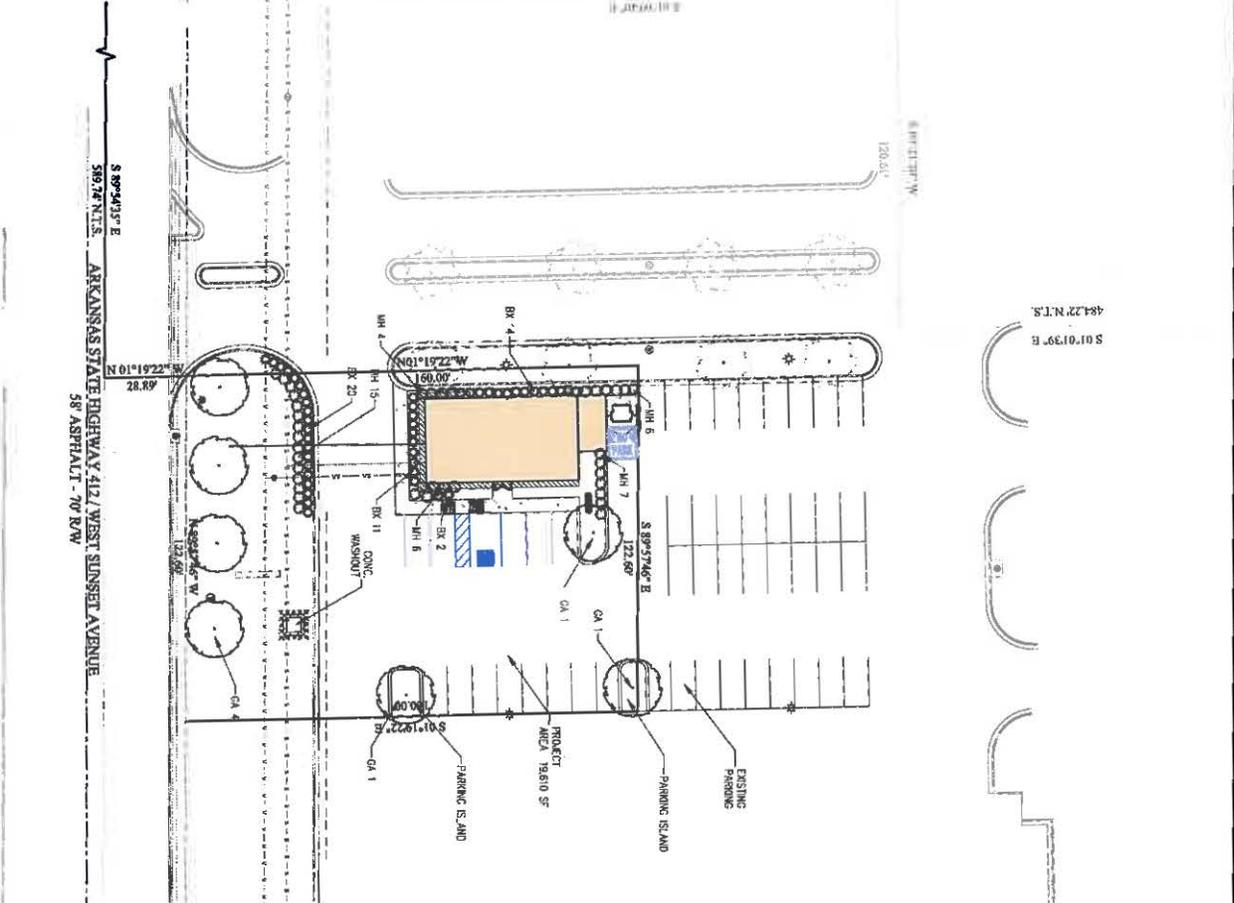
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITTING	04/15/2010	W. J. BATES
2	ISSUED FOR PERMITTING	04/15/2010	W. J. BATES
3	ISSUED FOR PERMITTING	04/15/2010	W. J. BATES
4	ISSUED FOR PERMITTING	04/15/2010	W. J. BATES
5	ISSUED FOR PERMITTING	04/15/2010	W. J. BATES
6	ISSUED FOR PERMITTING	04/15/2010	W. J. BATES
7	ISSUED FOR PERMITTING	04/15/2010	W. J. BATES
8	ISSUED FOR PERMITTING	04/15/2010	W. J. BATES
9	ISSUED FOR PERMITTING	04/15/2010	W. J. BATES
10	ISSUED FOR PERMITTING	04/15/2010	W. J. BATES

Bates & Associates, Inc.
 Civil Engineering & Surveying
 81 W. Coll Street, Suite 2
 Springdale, Arkansas 72702
 Phone: (479) 659-6000 Fax: (479) 651-6880

FLOWERAMA OF NORTHWEST ARKANSAS
 LARGE SCALE DEVELOPMENT PLAN
 COVER SHEET
 SPRINGDALE, ARKANSAS

REV	REVISIONS	DATE
1	ISSUED FOR PERMITTING	04-15-10
2	ISSUED FOR PERMITTING	04-15-10
3	ISSUED FOR PERMITTING	04-15-10
4	ISSUED FOR PERMITTING	04-15-10
5	ISSUED FOR PERMITTING	04-15-10
6	ISSUED FOR PERMITTING	04-15-10
7	ISSUED FOR PERMITTING	04-15-10
8	ISSUED FOR PERMITTING	04-15-10
9	ISSUED FOR PERMITTING	04-15-10
10	ISSUED FOR PERMITTING	04-15-10

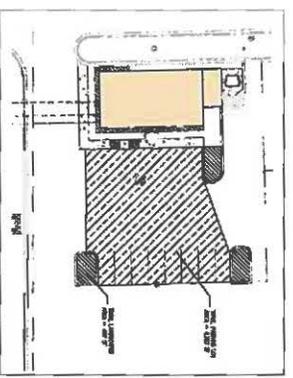
REGISTERED PROFESSIONAL ENGINEER
 W. J. BATES
 No. 0000000000
 State of Arkansas



- LANDSCAPE NOTES:**
1. EXISTING TOPSOIL FOR STONE AND CONCRETE CURBS SHALL BE COMPOST WITH THE LAYER 4 INCHES OF SOIL.
 2. ALL PLANTING BEDS THAT ADJACENT AREAS TO BE IRRIGATED SHALL BE IRRIGATED WITH A 1/2\"/>
 - 3. ALL PLANTING BEDS SHALL BE IRRIGATED WITH A 1/2\"/>
 - 4. TOPSOIL DEPTH SHALL BE MINIMUM 1\"/>
 - 5. PROPOSED CURBS SHALL BE 12\"/>
 - 6. 1/2\"/>
 - 7. FINISH SHALL BE STRIP RESURFACING.
 - 8. ALL PLANTING BEDS SHALL BE 12\"/>
 - 9. ALL PLANTING BEDS SHALL BE 12\"/>
 - 10. ALL PLANTING BEDS SHALL BE 12\"/>
 - 11. ALL PLANTING BEDS SHALL BE 12\"/>

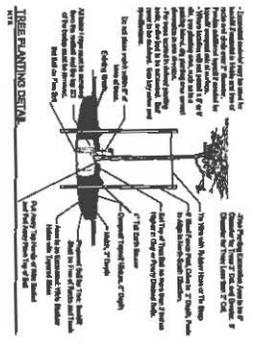
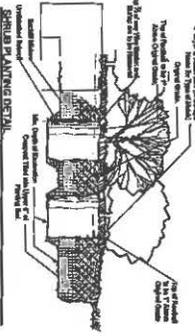
PLANT MATERIAL
 NUMBER OF PLANT MATERIAL TO BE INSTALLED FOR EACH CONDITION FOR A NUMBER OF PLANTING BEDS. SUBMITTER'S COMMENTS AND ACCEPTANCE OF THE PROJECT.

LANDSCAPE SPECIFICATIONS
 1. ALL LANDSCAPE MATERIALS SHALL BE PROVIDED BY AUTOMATIC PROPAGATION ON HOODS, BENS, AND...



PLANT LIST

QTY	SYM	COMMON NAME / BOTANICAL NAME	ROOTBALL SIZE	NOTES
7	CA	CAJON	600	2.00L
46	SE	SEEDLING	3.00L	
28	SN	SNOWFLAKE	3.00L	



LANDSCAPE SPECIFICATIONS
 1. ALL LANDSCAPE MATERIALS SHALL BE PROVIDED BY AUTOMATIC PROPAGATION ON HOODS, BENS, AND...

Bates & Associates, Inc.
 Civil Engineering & Surveying
 51 W. Club Square Dr. Suite 2
 Fayetteville, Arkansas 72703
 Phone: 479.225.0298 Fax: 479.221.2188

**FLOWERAMA OF NORTHWEST ARKANSAS
 LARGE SCALE DEVELOPMENT PLAN**

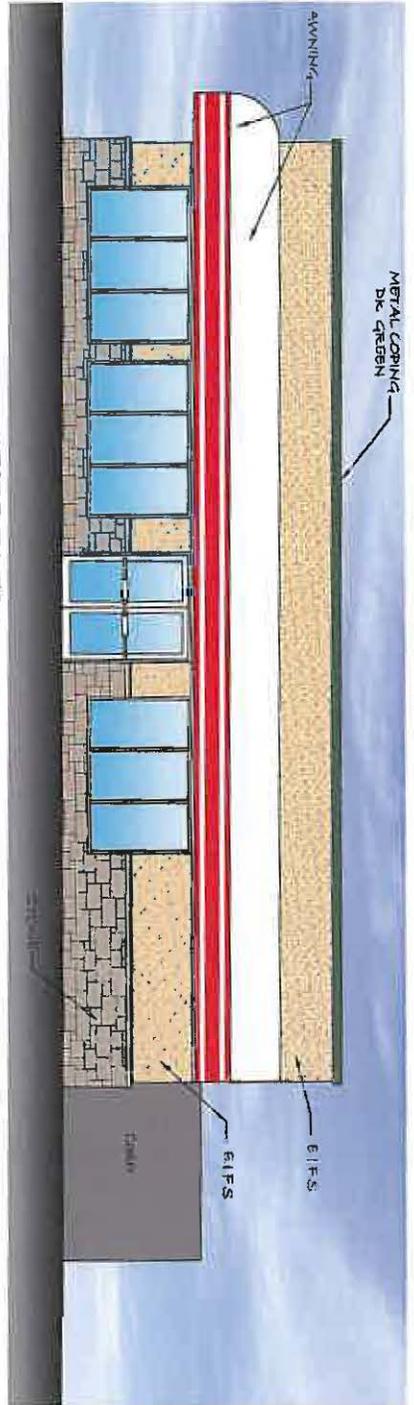
LANDSCAPE PLAN

SPRINGDALE, ARKANSAS

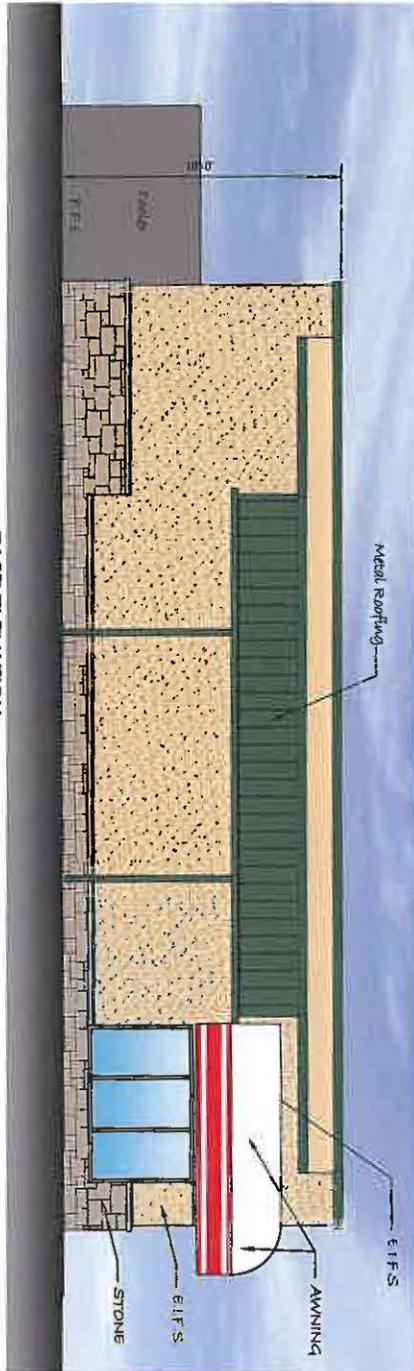
REVISIONS

NO.	DATE	DESCRIPTION
1	03-27-14	ISSUED FOR PERMIT

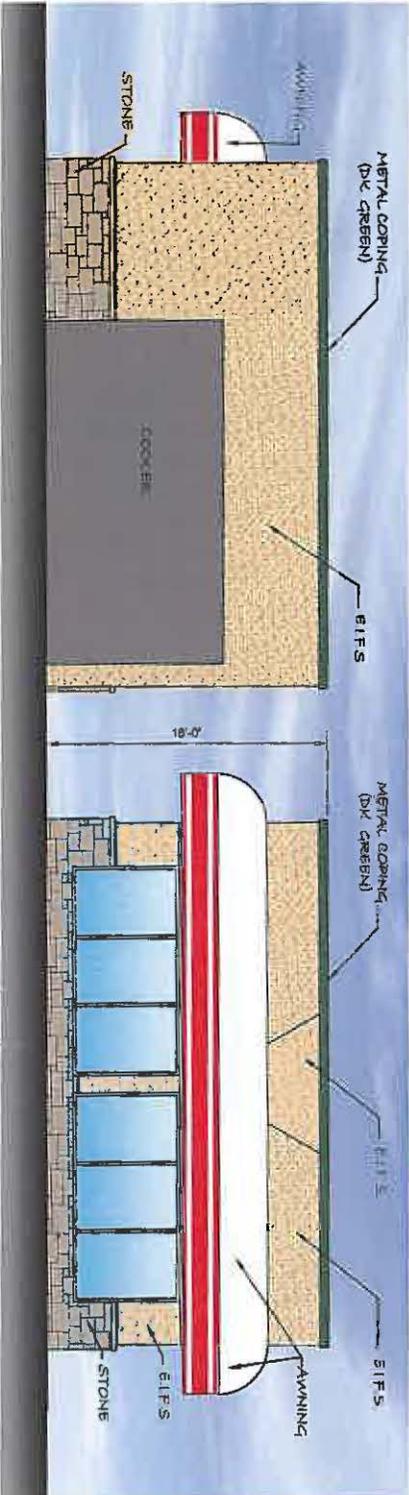
STATE OF ARKANSAS
 REGISTERED PROFESSIONAL ENGINEER
 No. 6810
 BATES & ASSOCIATES, INC.



WEST ELEVATION SCALE: 1/8"=1'-0"



EAST ELEVATION SCALE: 1/8"=1'-0"



SOUTH ELEVATION SCALE: 1/8"=1'-0"

NORTH ELEVATION SCALE: 1/8"=1'-0"

**TECHNICAL PLAT REVIEW RESPONSE LETTER
LARGE SCALE DEVELOPMENT
FLOWERAMA OF NWA**

L14-11

April 10, 2014

RECEIVED
APR 16 2014
PLANNING OFFICE
CITY OF SPRINGDALE

- 1) **Submit AutoCad and PDF files at time of resubmission**

AutoCAD and PDF files will be resubmitted.

- 2) **A written response to all comments is required with resubmission.**

This written will be included with resubmission.

- 3) **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.**

Certified Mail receipts will be included with resubmission.

- 4) **This Large Scale Development Plan has been given the number L14-11. This number should be placed on the plat and all future correspondence and plats pertaining to this large-scale development.**

Cover sheet updated with L14-11

- 5) **Need State Plane Coordinates (NAD 83, Feet) for all fire hydrant locations.**

State Plane Corrdinates provided for nearest fire hydrant.

- 6) **Provide description of land lease area. Provide Staff with a copy of the lease agreement.**

Description of land lease area to be included with resubmittal.

- 7) **Site does not have the required number of parking spaces.**

Lease agreement altered to include more existing parking spaces (13 standard spaces total + 1 handicap)

- 8) **Except for permitted entrance and/or exit drive, every off-street parking area shall be set back from the street right-of-way line a minimum of five feet (5').**

Nearest proposed parking space is 79.33' north of street right of way.

- 9) No off-street parking area, exclusive of access drives, shall be located within three feet (3') of any property line.

Nearest proposed parking space is 79.33' north of street right of way, and approximately 130' from property line.

- 10) Perimeter landscaping is required in accordance with Chapter 56.

We are requesting a variance for perimeter landscaping.

- 11) Landscape islands are required at a rate of 1 per 15 parking spaces, in accordance with Chapter 56.

Landscape islands have been added.

- 12) 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.

A diagram has been added to the landscape sheet as well as percentages provided for the additional landscaped area.

- 13) Show the street right-of-way.

Street right-of-way labeled for clarification.

- 14) Show the street centerline.

Street centerline labeled for clarification.

- 15) 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. Show location and the State Plane Coordinates (NAD 83, Feet) for each streetlight.

Streetlight provided near entrance.

- 16) The streetlight fixture shall be by LSI Lighting Model Crossover XRM, #SPL-XRM3-119W/LED/UE-MSV-IPC-PC-COS.

Noted on site plan.

- 17) Need to show dumpster location.

Screened Dumpster added to plan.

- 18) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

All comments will be addressed.

- 19) This development must comply with the City Of Springdale Commercial Design Standards or a variance is required. Front, side, and rear elevations, lighting plan, and a written response to design standard comments are required at the time of resubmission (23 copies). See attached design standard comments.

The architect will provide a separate response to this.

- 20) 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.

Note #6 on Site and Utility Plan "General Notes."

Commercial Design Standards Comments

- 1) Continuous internal pedestrian walkways, no less than 5' in width from the public sidewalk to the principal customer entrance of all principal buildings on the site are required.

There is no public sidewalk in the vicinity of this project.

- 2) Internal pedestrian walkways must be distinguishable from driving surfaces through the use of low maintenance surface material such as pavers, bricks, or scored concrete.

See above.

- 3) 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.

Sidewalk around building modified to allow for 6' foundation landscaping area.

- 4) Foundation landscaping is required.

Foundation landscaping has been added around the building.

- 5) Provide at least two of the items listed under Central Feature and Community Spaces in the Springdale Commercial Design Standard.

A park bench has been added towards the north end of the sidewalk and a sidewalk with window shopping area around the parking.

- 6) Outdoor storage, trash collection, and loading areas must not be visible from the public right-of-way.

Proposed screened dumpster is at northwest corner of proposed building, outside of view of the public right away.

- 7) Outdoor storage, trash collection, and loading areas must not be located within 20' of any public street, public sidewalk, or internal pedestrian walkway.

Proposed screened dumpster is not located within 20' of a public street or sidewalk.

- 8) Outdoor storage, trash collection, and loading areas must be landscaped so that their functions are fully contained and out of view of the adjacent property and the public right-of-way.

The trash collection is screened and landscaped.

- 9) Need detailed drawings of enclosures and screening methods.

Detail of screened dumpster added to plans.

- 10) 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.

Dumpster area will be screened.

- 11) 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.

Note #5 on Site and Utility Plan "General Notes."

- 12) All rooftop equipment shall be screened from public view with an architectural treatment that is compatible with the building architecture.

Noted on Site Plan.

- 13) Submit a unified lighting plan per Springdale Commercial Design Standards.

No additional parking lot lighting is proposed as there is existing lighting in the area. Wall pack lighting will be included with building.

- 14) Sign design, materials, and placement should complement the overall architectural design of the building.

Sign will be on awning attached to building.

Engineering Comments

- 1) The site area of disturbance is less than 1-acre, so a Grading Permit is not required. However, please advise the contractor/owner that although the site is less than 1-acre, we do expect all grading and erosion BMP's to be used to protect the existing storm drainage system. We will require a SWPPP and erosion control plans in the event of discharges of sediment from the site.

A SWPPP will be provided with building permit application.

Utility: Duane Miller – Springdale Fire Department

A fire apparatus access road shall be provided. The fire apparatus access road shall extend to within 150 feet of all portions of the exterior walls of the building as measured by an approved route around the exterior of the building. The fire apparatus access road shall have an unobstructed width of not less than 20 feet. The fire apparatus access road shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities (paved). (AFPC Vol. I sec. 503). The width and access will be sufficient.

Drawing does not specify type of construction. The Arkansas Fire Prevention Code, Volume I, requires a minimum fire flow of 1500 GPM @ 20 psi and 1 fire hydrant for a 1,620 sf. type V-B constructed building. The hydrant locations are not shown; the building will require a hydrant within 400 feet of all exterior walls, as measure by an approved route around the exterior of the building (AFPC Vol. I sec.507.5). A reduction of up to 10 percent will be allowed for existing hydrant (AFPC Vol. I appendix C105).

All reviews by the Fire marshals office referenced is for Mercantile Group M occupancy as defined in Chapter 2 of the APFC. Any future changes to another occupancy classification could be subject to a more restrictive area of the code.

Need to show all modifications on the amended drawing that will be submitted for Planning Commission approval.

Type II-B building has been added to the cover sheet.

Utility: Michael Moore – Cox Communication

Request 2" conduit from building communications to Highway 412 right of way.

2" Conduit added to Site and Utility Plan

Utility: Rick Russell – Springdale Water Utility

Field located and verify the location of existing water and sewer facilities. Indicated the location of these facilities on the drawing and provide adequate easements acceptable to the Springdale Water Utilities.

Water and sewer facilities located by surveyor and shown on plans.

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.

Note #1 on Site and Utility Plan "General Notes."

Please be advised that if requests for meter services larger than a 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. Appropriate request forms are available at Springdale Water Utilities Engineering Department.

Note #3 on Site and Utility Plan "General Notes."

All material and components installed after January 3, 2014 in drinking water systems are required to comply with the federal definition of "lead free" contained in Public Law 111-380.

Noted on Site and Utility Plan

Utility: Nancy Guisinger - SWEPCO

Need more detail about type of service needed. Load, 3 phase vs single phase etc. Presently have 3 phase on the south side of W sunset Avenue. Would require Highway permit and land closures to cross the highway – not the best choice given the heavy traffic.

Single phase or 3 phase would most likely be served from Carley Road on north side of Theater

Customer would be responsible for cost of line.

Extension and based on information on enclosed print, this would be underground primary with a pad mount transformer

Electric service will be 100 amp single-phase.

Utility: Tom Evers – Building Inspection Department

When approved by the City of Springdale Planning Department please provide 3 sets of plans to the buildings department. One set will be given to the fire department.

Please note current codes on cover sheet prior to submittal which can be found on our City of Springdale website.

And please include type of construction and occupancy on cover sheet.

You will need to provide an approval from the State of Arkansas for the plumbing prior to permitting.

A manual N for the HVAC needs to be submitted prior to permitting.

The electrical needs to submit a load calculation prior to obtaining an electrical permit.

Other items may be needed as issues may come up during review and construction.

**TECHNICAL PLAT REVIEW
UTILITY COMMENTS
LARGE SCALE DEVELOPMENT
FLOWERAMA OF NWA
L14-11**

Utility: Duane Miller – Springdale Fire Department

A fire apparatus access road shall be provided. The fire apparatus access road shall extend to within 150 feet of all portions of the exterior walls of the building as measured by an approved route around the exterior of the building. The fire apparatus access road shall have an unobstructed width of not less than 20 feet. The fire apparatus access road shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities (paved). (AFPC Vol. I sec. 503). The width and access will be sufficient.

Drawing does not specify type of construction. The Arkansas Fire Prevention Code, Volume I, requires a minimum fire flow of 1500 GPM @ 20 psi and 1 fire hydrant for a 1,620 sf. type V-B constructed building. The hydrant locations are not shown; the building will require a hydrant within 400 feet of all exterior walls, as measure by an approved route around the exterior of the building (AFPC Vol. I sec.507.5). A reduction of up to 10 percent will be allowed for existing hydrant (AFPC Vol. I appendix C105).

All reviews by the Fire marshals office referenced is for Mercantile Group M occupancy as defined in Chapter 2 of the APFC. Any future changes to another occupancy classification could be subject to a more restrictive area of the code.

Need to show all modifications on the amended drawing that will be submitted for Planning Commission approval.

Utility: Danny Wright – Springdale Police Department

No comments.

Utility: Michael Moore – Cox Communication

Request 2" conduit from building communications to Highway 412 right of way.

Utility: Rick Russell – Springdale Water Utility

Field located and verify the location of existing water and sewer facilities. Indicated the location of these facilities on the drawing and provide adequate easements acceptable to the Springdale Water Utilities.

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. Please be advised that if requests for meter services larger than a 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. Appropriate request forms are available at Springdale Water Utilities Engineering Department.

All material and components installed after January 3, 2014 in drinking water systems are required to comply with the federal definition of "lead free" contained in Public Law 111-380.

Utility: Tim Smith – SourceGas

Utility: Kenny Hartzell– AT&T

Utility: Mike Phipps – Ozarks Electric

Not Ozarks Electric territory.

Utility: Nancy Guisinger - SWEPCO

Need more detail about type of service needed. Load, 3 phase vs single phase etc. Presently have 3 phase on the south side of W sunset Avenue. Would require Highway permit and land closures to cross the highway – not the best choice given the heavy traffic. Single phase or 3 phase would most likely be served from Carley Road on north side of Theater
Customer would be responsible for cost of line.
Extension and based on information on enclosed print, this would be underground primary with a pad mount transformer.

Utility: Levi Lane – Carroll Electric

Not Carroll Electric territory.

Utility: Sam Goade – Street Department

No Comments.

Utility: Tom Evers – Building Inspection Department

When approved by the City of Springdale Planning Department please provide 3 sets of plans to the buildings department. One set will be given to the fire department.
Please note current codes on cover sheet prior to submittal which can be found on our City of Springdale website.
And please include type of construction and occupancy on cover sheet.
You will need to provide an approval from the State of Arkansas for the plumbing prior to permitting.
A manual N for the HVAC needs to be submitted prior to permitting.
The electrical needs to submit a load calculation prior to obtaining an electrical permit.
Other items may be needed as issues may come up during review and construction.

Utility: United States Postal Service

**TECHNICAL PLAT REVIEW
LARGE SCALE DEVELOPMENT
FLOWERARA OF NWA**

L14-11

April 10, 2014

- 1) Submit AutoCad and PDF files at time of resubmission
- 2) A written response to all comments is required with resubmission.
- 3) 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.
- 4) This Large Scale Development Plan has been given the number L14-11. This number should be placed on the plat and all future correspondence and plats pertaining to this large-scale development.
- 5) Need State Plane Coordinates (NAD 83, Feet) for all fire hydrant locations.
- 6) Provide description of land lease area. Provide Staff with a copy of the lease agreement.
- 7) Site does not have the required number of parking spaces.
- 8) Except for permitted entrance and/or exit drive, every off-street parking area shall be set back from the street right-of-way line a minimum of five feet (5').
- 9) No off-street parking area, exclusive of access drives, shall be located within three feet (3') of any property line.
- 10) Perimeter landscaping is required in accordance with Chapter 56.
- 11) Landscape islands are required at a rate of 1 per 15 parking spaces, in accordance with Chapter 56.
- 12) 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.
- 13) Show the street right-of-way.
- 14) Show the street centerline.
- 15) 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. Show location and the State Plane Coordinates (NAD 83, Feet) for each streetlight.
- 16) The streetlight fixture shall be by LSI Lighting Model Crossover XRM, #SPL-XRM3-119W/LED/UE-MSV-IPC-PC-COS.
- 17) Need to show dumpster location.
- 18) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 19) This development must comply with the City Of Springdale Commercial Design Standards or a variance is required. Front, side, and rear elevations, lighting plan, and a written response to design standard comments are required at the time of resubmission (23 copies). See attached design standard comments.

- 20) 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) Continuous internal pedestrian walkways, no less than 5' in width from the public sidewalk to the principal customer entrance of all principal buildings on the site are required.
- 2) Internal pedestrian walkways must be distinguishable from driving surfaces through the use of low maintenance surface material such as pavers, bricks, or scored concrete.
- 3) 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.
- 4) Foundation landscaping is required.
- 5) Provide at least two of the items listed under Central Feature and Community Spaces in the Springdale Commercial Design Standard.
- 6) Outdoor storage, trash collection, and loading areas must not be visible from the public right-of-way.
- 7) Outdoor storage, trash collection, and loading areas must not be located within 20' of any public street, public sidewalk, or internal pedestrian walkway.
- 8) Outdoor storage, trash collection, and loading areas must be landscaped so that their functions are fully contained and out of view of the adjacent property and the public right-of-way.
- 9) Need detailed drawings of enclosures and screening methods.
- 10) 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.
- 11) 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.
- 12) All rooftop equipment shall be screened from public view with an architectural treatment that is compatible with the building architecture.
- 13) Submit a unified lighting plan per Springdale Commercial Design Standards.
- 14) Sign design, materials, and placement should complement the overall architectural design of the building.

Engineering Comments

- 1) The site area of disturbance is less than 1-acre, so a Grading Permit is not required. However, please advise the contractor/owner that although the site is less than 1-acre, we do expect all grading and erosion BMP's to be used to protect the existing storm drainage system. We will require a SWPPP and erosion control plans in the event of discharges of sediment from the site.

Staff Use Only

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

File # B14-31

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: Flowerama of NWA; Jim Mowen

Applicant's Mailing Address:

1500 SE Walton Blvd.

Street Address or P.O. Box

Telephone Number

Bentonville, AR 72712

City, State & Zip Code

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

Telephone Number

City, State & Zip Code

Address of Variance Request: 2940 W. Sunset

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.

City code requires that there be a buffer strip surrounding the project area. In this case the area the applicant is leasing will be within an existing parking lot for an existing building. The intent is to install the building, while adding some site improvements including landscaping. To add the perimeter buffer would mean removing a large amount of existing parking and converting it to landscaped area. The owner is proposing landscaping along the street frontage and will be removing some parking spaces for planting islands, however, with the lot as it is, a great deal of parking would be removed to create the perimeter strip. We hope the Planning Commission will consider this while reviewing this variance application.

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 proposed project area is an existing parking. The proposed building will be an improvement upon an already paved area. There are parking islands, trees, shrubs and landscaped areas included within the project proposal.

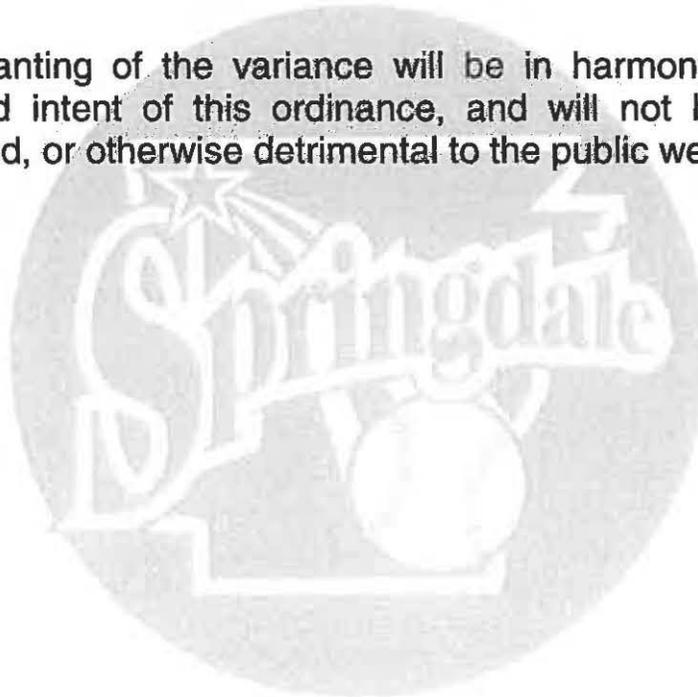
2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

Literal interpretation would create a circumstance where a great deal of existing parking for an existing building would be removed. The project area is part of a larger commercial lot where the owner of the overall lot is leasing this portion of the site to Flowerama of Northwest Arkansas. In turn, the perimeter landscaped area used as a buffer between properties is not as important, since the property owner being buffered owns both properties.

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 property is an existing parking lot, therefore, a preexisting condition.

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)
County of Washington) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 16 day of Apr. 1, 2014.



Notary Public

DEBBIE A. POUNDERS
NOTARY PUBLIC-STATE OF ARKANSAS
WASHINGTON COUNTY
My Commission Expires 12-10-2014

Memo

To: Planning Commission

From: Staff

Date: May 6, 2014

RE: L14-12 Large Scale Development First State Bank
(Today's Bank)

Waiver (W14-07) of sidewalk requirement

Variance (B14-32) for reduction of minimum distance of 3' to 0' to property line

Variance (B14-32) for all utilities to remain overhead

Variance (B14-32) modification of Commercial Design Standards

- 1) Submit the approved authorization of representation form, if property owner will not be present at Planning Commission meeting.
- 2) **No off-street parking area, exclusive of access drives, shall be located within three feet (3') of any property line.**
- 3) Because the parking area and drives cross a property line an access easement and parking agreement will be required.
- 4) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 5) This development must comply with the City Of Springdale Commercial Design Standards or a variance is required.
- 6) **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.**
- 7) Future driveway will require separate approval.

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) Foundation landscaping is required.

Engineering Comments

1. The site area of disturbance is less than 1-acre, so a Grading Permit is not required. However, please advise the contractor/owner that although the site is less than 1-acre, we do expect all grading and erosion BMP'S to be used to protect the existing storm drainage system. We will require SWPPP and erosion control plans in the event of discharges of sediment from the site.

April 16, 2014

Springdale Planning Commission
201 Spring Street
Springdale, AR 72764

RE: Sidewalk Improvements Waiver
First State Bank LSD - L14-12

Dear Sir or Ma'am:

On behalf of our client, we request a waiver of sidewalk improvement requirements for 48th Street associated with this development. The submitted plans include installation of sidewalks adjacent to the development along Highway 412, and additional sidewalk construction along Highway 412 to connect to the end of the existing sidewalks and provide a continuous pedestrian walkway in the area.

If you have any questions regarding the development or this request, please contact me.

Sincerely,



Jason Appel, P.E.

W4-07

PLANS FOR
LARGE SCALE DEVELOPMENT

TO SERVE
FIRST STATE BANK

A COMMERCIAL DEVELOPMENT
 IN THE CITY OF
SPRINGDALE, ARKANSAS

L14-XX

March 27, 2014

BY
ENGINEERING SERVICES INC.



CONSULTING ENGINEERS
 SPRINGDALE, ARKANSAS
 PHONE: 479-751-8733
 FAX: 479-751-8746
 WWW.ENGINEERINGSERVICES.COM



VICINITY MAP
 NTS

INDEX OF SHEETS	
SHEET No.	DESCRIPTION
1	OVERALL LAYOUT
2	LARGE SCALE DEVELOPMENT
3	LANDSCAPING PLAN
4	TYPICAL DETAILS
5	STORM WATER POLLUTION PREVENTION PLAN

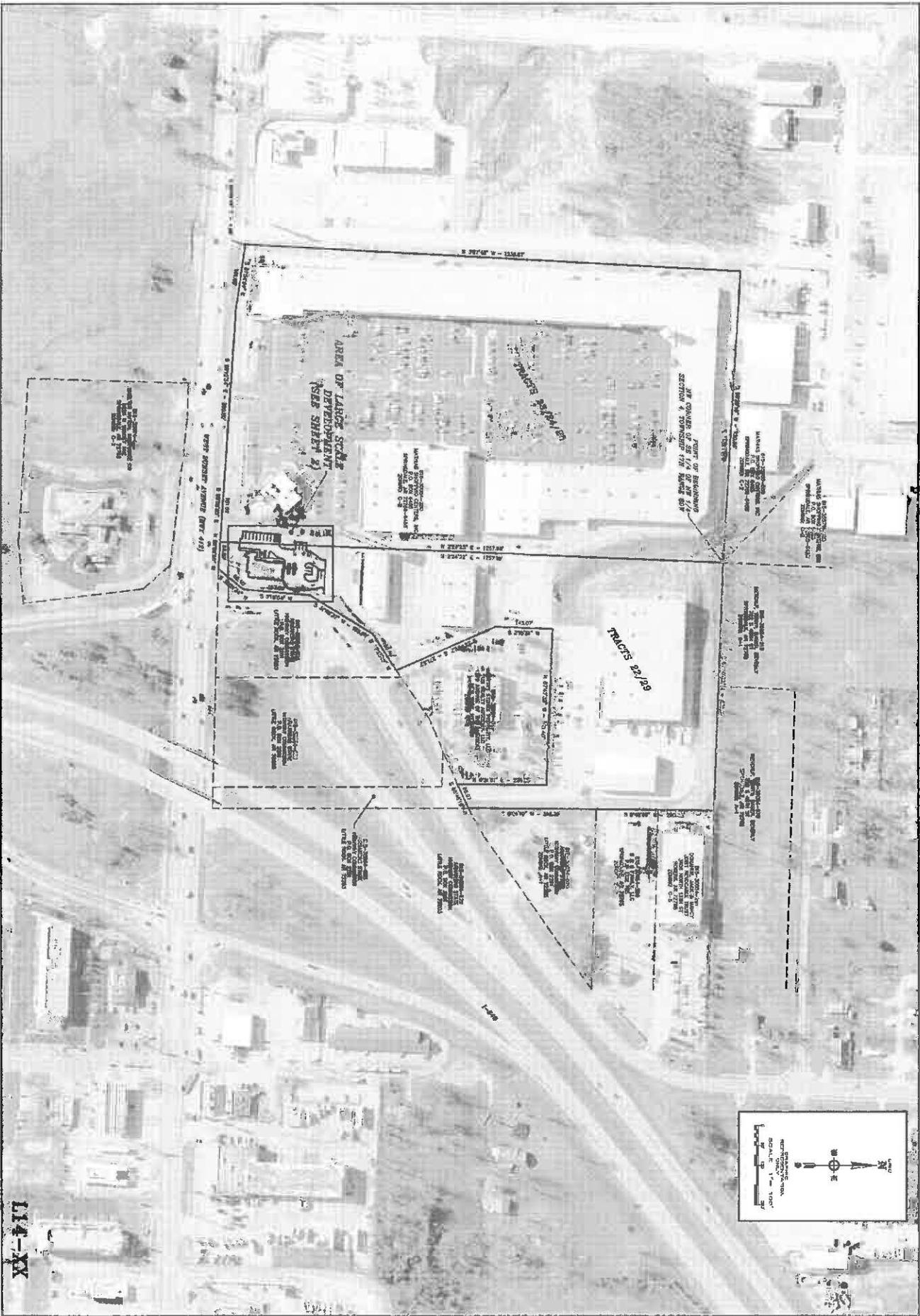
REVIEW OF THESE PLANS IS LIMITED TO COMPLIANCE WITH CITY CODES AND REGULATIONS. BY REVIEWING AND APPROVING THESE PLANS THE REVIEWER AND THE CITY OF SPRINGDALE ASSUME NO RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS IN THE PLANS. THE AGENCY OF THE PLANS IS THE SOLE RESPONSIBILITY OF THE DESIGN ENGINEER. HOWEVER, THE CITY OF SPRINGDALE RESERVES THE RIGHT TO REQUIRE CORRECTIVE ACTION, IF ANY MAJOR DEFICIENCIES ARE FOUND AFTER THE IMPROVEMENTS ARE CONSTRUCTED.

THOMAS J. APPEL, P.E. No. 13828
 ENGINEERING SERVICES, INC.

NOTES :

ALL STREET AND DRAINAGE CONSTRUCTION MUST COMPLY WITH THE REQUIREMENTS OF THE CITY OF SPRINGDALE, ARKANSAS, AS CONTAINED IN CHAPTER 110, ART. II, OF THE CODE OF ORDINANCES, CITY OF SPRINGDALE, ARKANSAS.

ALL WATER AND SEWER CONSTRUCTION MUST COMPLY WITH THE SPECIFICATION REQUIREMENTS FOR THE CONSTRUCTION OF WATER AND SEWER FACILITIES OF THE CITY OF SPRINGDALE WATER UTILITIES.

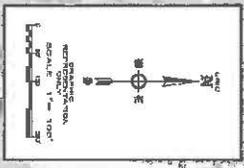


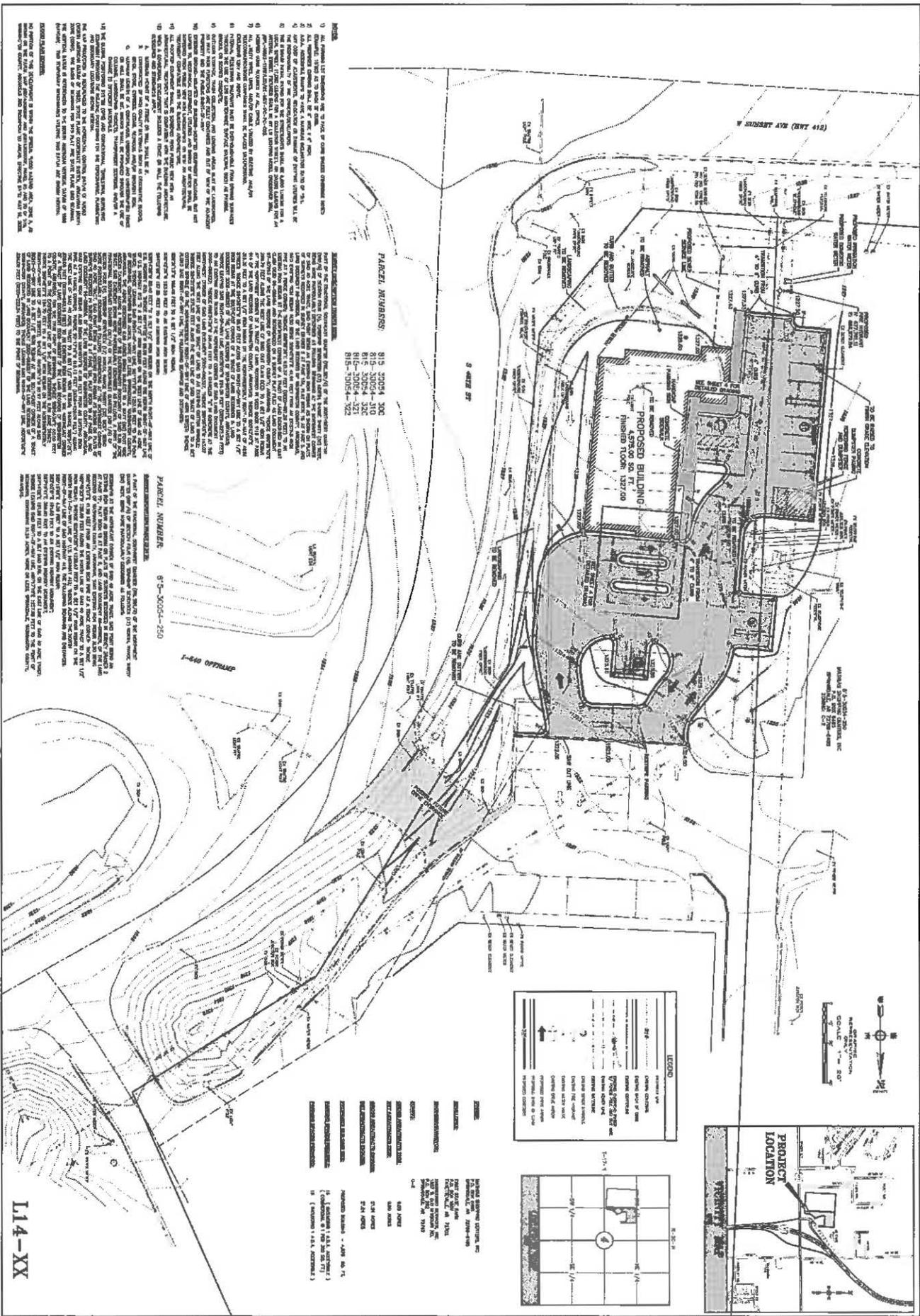
LI4-XX

NO.	REVISION	DATE	DESCRIPTION
1			

SCALE: 1"=100'
DATE: MAY 2014
NO. 13945

**OVERALL LAYOUT
FOR FIRST STATE BANK
SPRINGDALE, ARKANSAS**





- 1) ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED
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- 50) ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED

PARCEL NUMBERS: 815-30054-300, 815-30054-310, 815-30054-321, 815-30054-322

PARCEL NUMBERS: 87-3-30054-250

LEGEND: BUILDING FOOTPRINT, PARKING SPACE, SITE BOUNDARY, etc.

PROJECT LOCATION MAP: Shows site location relative to Highway 412 and Highway 207.

L14-XX

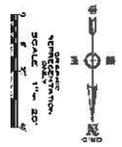
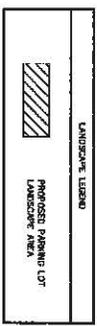
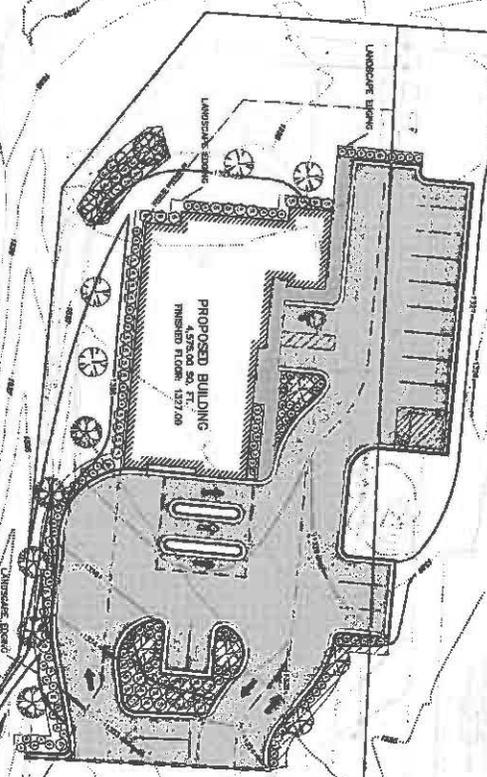
DATE: MAY 2014
SCALE: 1"=20'
NO. 13945

ENGINEERING SERVICES INC.
1827 SOUTH G. W. HIGHWAY 67
SPRINGDALE, ARKANSAS 72762

LARGE SCALE DEVELOPMENT
FOR FIRST STATE BANK
SPRINGDALE, ARKANSAS

2

W SUNSET AVE (HWY 412)



- LANDSCAPING NOTES:**
- 1) ALL LANDSCAPING SHALL BE ON EXPOSED THE SPECIFICATIONS OF THE CITY OF SPRINGDALE LANDSCAPE.
 - 2) ALL TREES, SHRUBS, AND PLANTS USED IN THE PROPOSED LANDSCAPING SHALL BE SELECTED BY THE OWNER FROM THE RECOMMENDED LISTS IN SAID LANDSCAPE ORDINANCE.
 - 3) ALL TREES TO BE PLANTED AT ALL WITH MINIMUM 2" CALIBER.
 - 4) LANDSCAPING SHALL BE GUARANTEED FOR TWO YEARS.
 - 5) AN AUTOMATIC SPRINKLER SYSTEM SHALL BE INSTALLED TO MEET LANDSCAPING REQUIREMENTS WITH 4" OF FREE DRAINAGE.
 - 6) ALL PLANTS SHALL BE PLANTED WITHIN 4" OF THE DRAINAGE.
 - 7) ALL DISTRIBUTION AREAS TO BE SLOPED.
 - 8) BENTL DRAINING TO BE PLACED AROUND ALL PLANTING BERTS, AS SHOWN ON PLANS.

PROPOSED PARKING LOT LANDSCAPING INFORMATION:
 TOTAL AREA OF LOT: 1,440 SQ. FT.
 TOTAL PLANTING AREA: 1,440 SQ. FT.
 TOTAL PLANTING AREA: 1,440 SQ. FT.
 TOTAL PLANTING AREA: 1,440 SQ. FT.

INDEX OF TREES

TREE SYMBOL	COMMON NAME	BOTANICAL NAME	TYPE	SIZE
	REDBUD	Carya ovata	T	2 1/2"
	FRY OAK	Quercus pedunculata	T	2 1/2"
	RYDER BIRCH	Betula nana	T	2 1/2"

INDEX OF PLANTS

PLANT SYMBOL	COMMON NAME	BOTANICAL NAME	TYPE	SIZE
	MADEIRA GRASS	Urochloa distachya	P	3"
	ROCK CRYPTANTHUS	Cryptantha distachya	P	2 1/2"
	VALENTIA HAZEL	Ilex verticillata	S	2 1/2"
	WINTERGREEN BURNING	Pyrola asarifolia	S	2 1/2"
	SHALLO SPINNA	Spina 'S' Spinna	S	2 1/2"
	SPERMATOPHYTE	Liquidambar styraciflua	S	2 1/2"

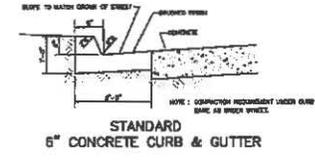
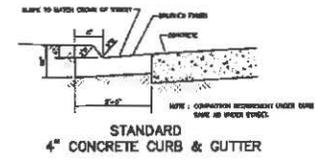
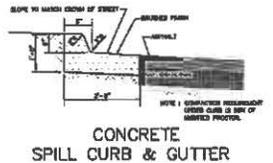
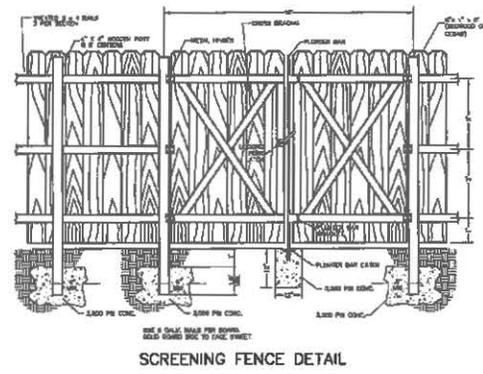
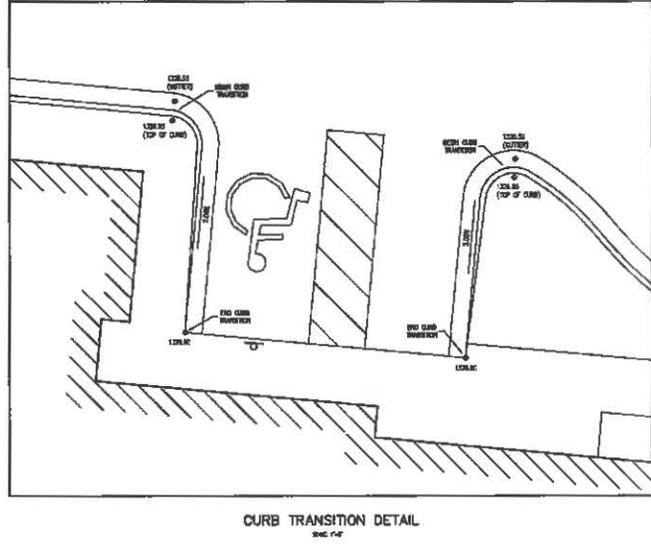
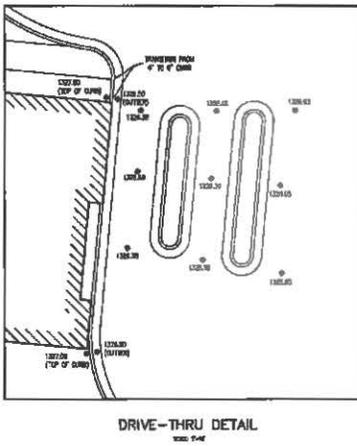
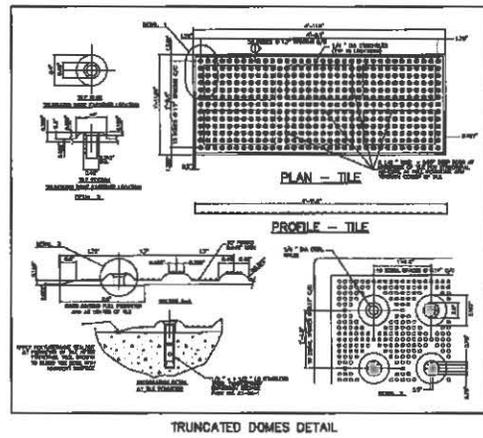
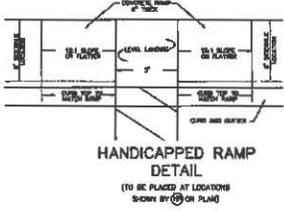
L14-XX

REVISION	DATE	DESCRIPTION

DATE: MAY 2014
 SCALE: 1" = 20"
 SHEET NO. 3 OF 3
 PROJECT NO. 13945

**LANDSCAPING PLAN
 FOR FIRST STATE BANK
 SPRINGDALE, ARKANSAS**





TYPICAL DETAILS
FOR FIRST STATE BANK
SPRINGDALE, ARKANSAS

REVISION	DATE	DESCRIPTION

SCALE: NTS
DATE: MAR, 2014
SHEET NO. 6 OF 6
WD # 13945

L14-XX

SUNSET AVE (RTY 412)

AREA TO REMAIN UNDISTURBED

SILT FENCE

MUD ABATEMENT ENTRANCES

PROPOSED BUILDING
45,620 SQ. FT.
PAVED FLOOR 132,710

STRAW ROLL

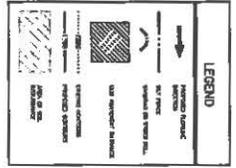
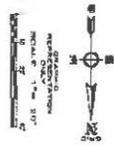
6 FEET ST

STRAW ROLL

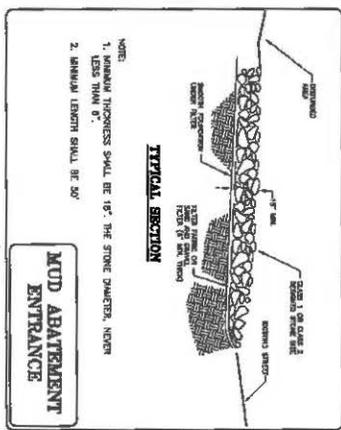
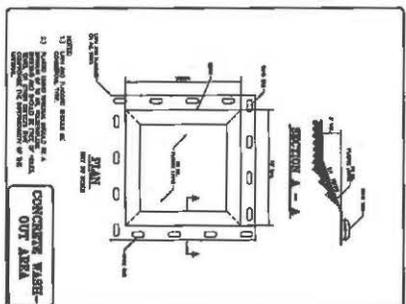
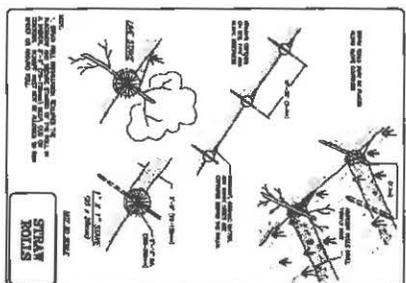
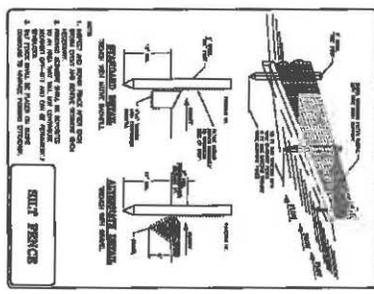
CONCRETE WASH-OUT AREA

STRAW ROLL

STRAW ROLL



- NOTES:**
1. INITIAL WASHINGTON SHALL BE INSTALLED IMMEDIATELY.
 2. ALL AREAS MARKED SHALL BE PROTECTED BY CONCRETE WASH-OUT AREAS.
 3. ALL AREAS MARKED SHALL BE PROTECTED BY STRAW ROLLS.
 4. PROVIDE TURFGRASS PROTECTION SHALL BE PLACED IN BRUSH CONTAINERS.
 5. PLACE FILTER FABRIC ON ALL OPEN WATER.
 6. MUD BAGS ARE USED AS EROSION PROTECTION CONCRETE.
 7. TRUCK DRIVEWAYS & DRIVEWAYS ARE USED IN CONCRETE WASH-OUT AREAS.
 8. ALL TRUCK DRIVEWAYS & DRIVEWAYS SHALL BE INSTALLED IMMEDIATELY.
 9. ALL TRUCK DRIVEWAYS & DRIVEWAYS SHALL BE INSTALLED IMMEDIATELY.
- TOTAL AREA OF SOIL DISTURBANCE = 0.71 ACRES



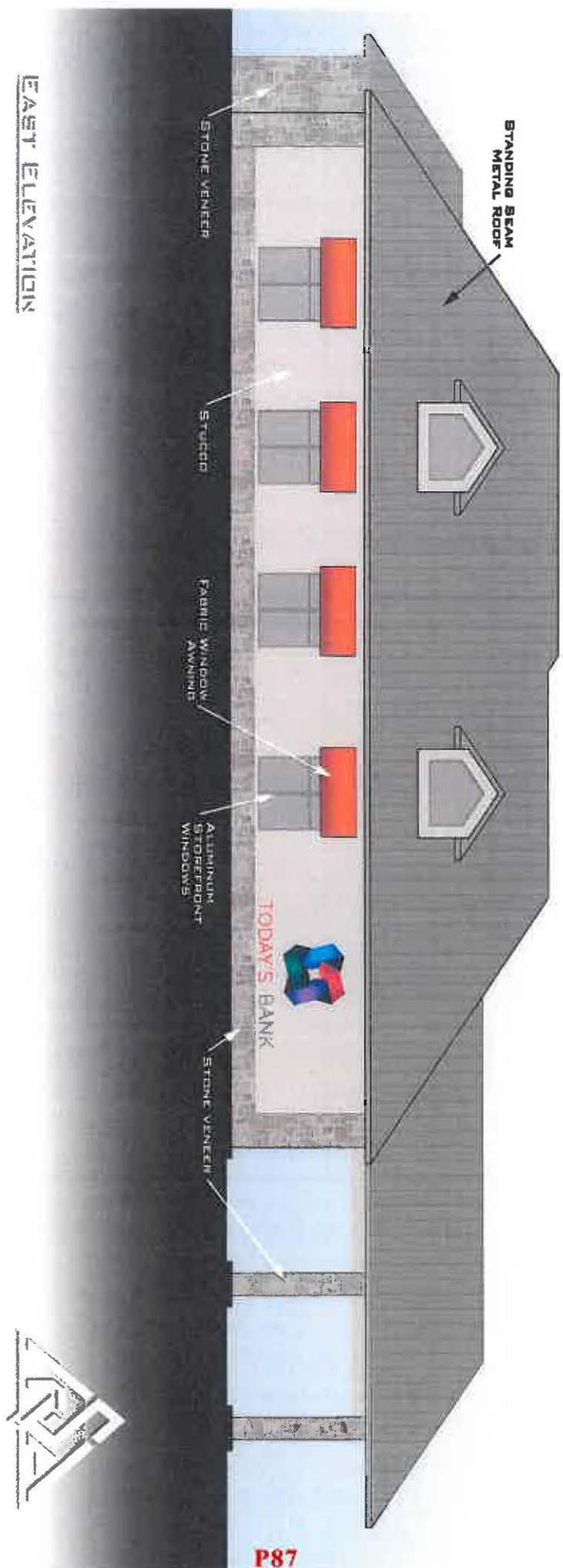
L14-XX

**STORM WATER POLLUTION PREVENTION PLAN
FOR FIRST STATE BANK
SPRINGDALE, ARKANSAS**



REVISION	DATE	DESCRIPTION
5	04/10/2014	ISSUED FOR PERMIT
4	04/10/2014	ISSUED FOR PERMIT
3	04/10/2014	ISSUED FOR PERMIT
2	04/10/2014	ISSUED FOR PERMIT
1	04/10/2014	ISSUED FOR PERMIT

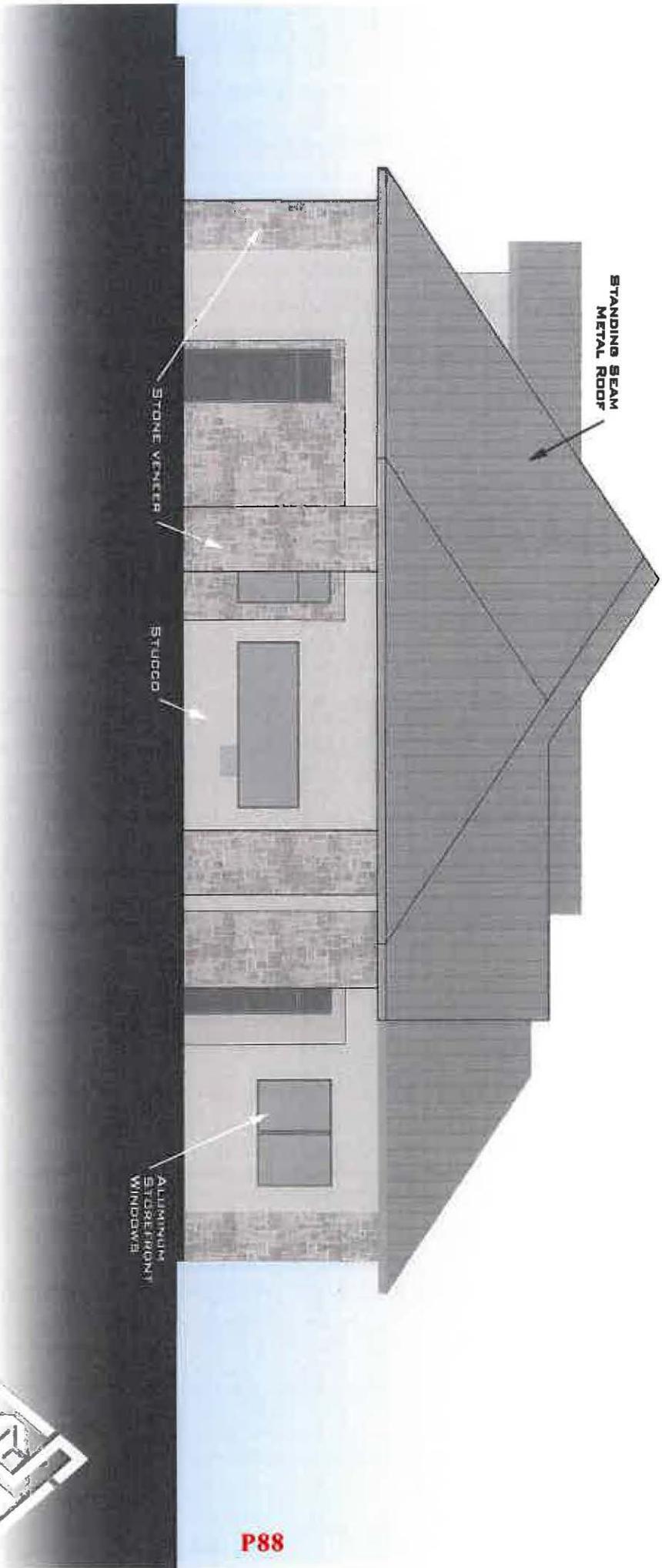
PROJECT: T-207
DATE: 04/10/2014
NO. 13945

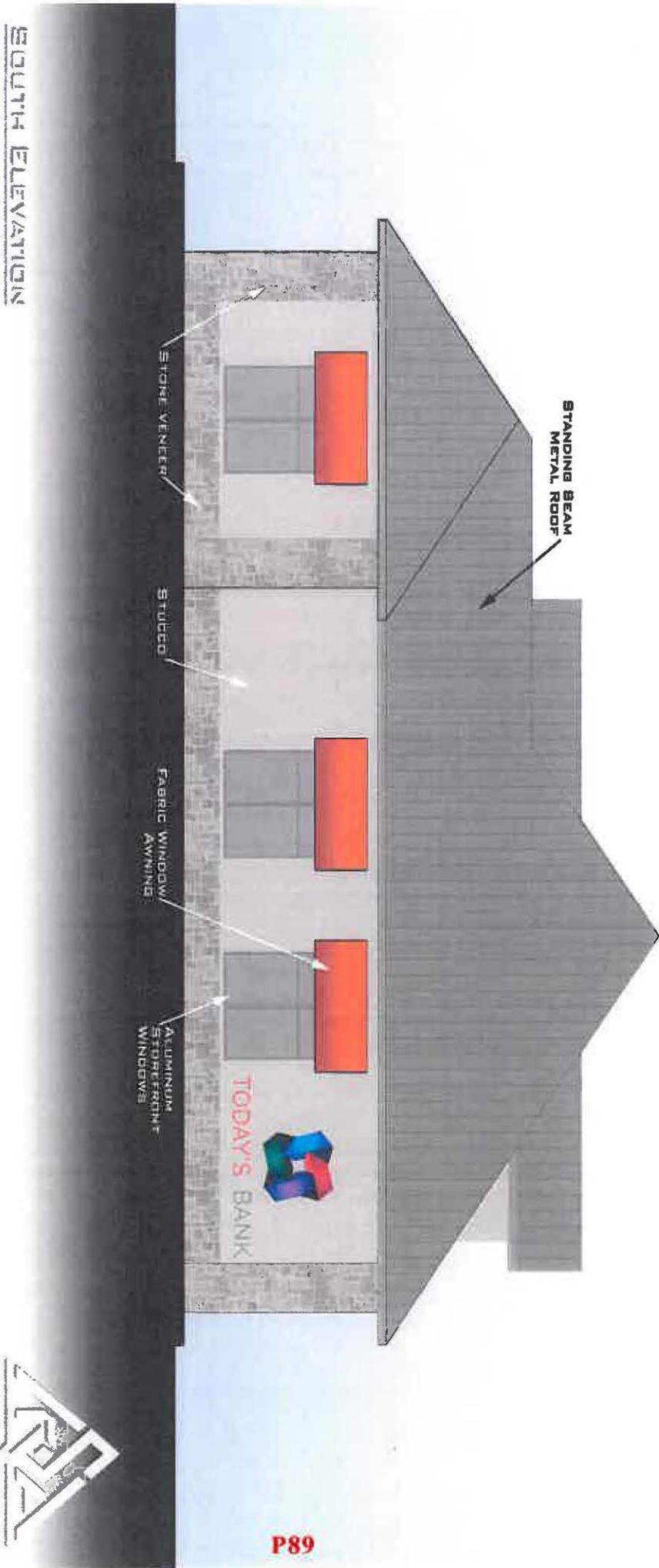


EAST ELEVATION



NORTH ELEVATION





STANDING BEAM
METAL ROOF

STONE VENEER

STUCCO

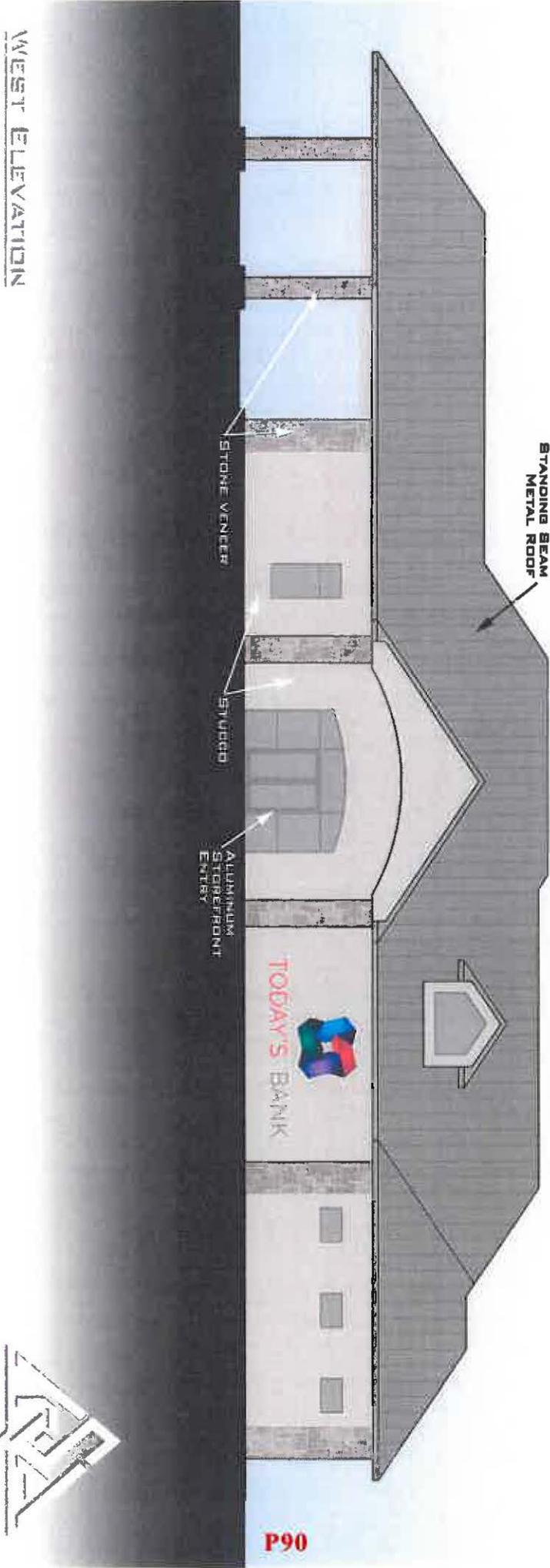
FABRIC WINDOW
AWNING

ALUMINUM
STEP-FRONT
WINDOWS

TODAY'S BANK

SOUTH ELEVATION





WEST ELEVATION



**RESPONSES TO TECHNICAL PLAT REVIEW
LARGE SCALE DEVELOPMENT
FIRST STATE BANK (TODAY'S BANK)
L14-12**

Planning Comments

- 1) Submit AutoCad and PDF files at time of resubmission
Files have been submitted
- 2) A written response to all comments is required with resubmission.
Written response is provided
- 3) 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.
Adjacent property owners have been notified.
- 4) This Large Scale Development Plan has been given the number L14-12. This number should be placed on the plat and all future correspondence and plats pertaining to this large-scale development.
LSD has been added.
- 5) Submit the approved authorization of representation form, if property owner will not be present at Planning Commission meeting.
Form has been submitted
- 6) Show extent of development. Show all other areas as undisturbed.
This item has been completed.
- 7) Will Mathias retain ownership or will a lot split be submitted.
Mr. Mathias will retain ownership
- 8) No off-street parking area, exclusive of access drives, shall be located within three feet (3') of any property line.
A variance has been requested.
- 9) Because the parking area and drives cross a property line an access easement and parking agreement will be required.
An access easement and parking agreement will be granted
- 10) Show the street centerline.
Street Centerline is shown
- 11) 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. Show location and the State Plane Coordinates (NAD 83, Feet) for each streetlight.
Streetlights are now shown as required
- 12) The streetlight fixture shall be by LSI Lighting Model Crossover XRM, #SPL-XRM3-119W/LED/UE-MSV-IPC-PC-COS.
The streetlight fixture will not be LED, but will be the minimum as required by City ordinance.

- 13) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
All comments will be addressed
- 14) This development must comply with the City Of Springdale Commercial Design Standards or a variance is required. Front, side, and rear elevations, lighting plan, and a written response to design standard comments are required at the time of resubmission (23 copies). See attached design standard comments.
Elevations have been submitted
- 15) 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.
We request a variance on this item to keep the current overhead utilities as they are currently.
- 16) Future driveway will require separate approval.
We will resubmit when appropriate.

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.

This item is a requested variance. The two sides of the building that face the abutting public right-of-way are the south and the east, facing HWY 412 and the I540 off-ramp collector respectively. Locating building entrances on either of these sides does not make programmatic sense since neither vehicular nor pedestrian traffic will be entering the site from the south or the east. Instead, we propose to approach the design of all four sides of the building as primary elevations with respect to elevated design standards. In this way, we preserve the Intent of the city to improve the visual aesthetics of new and renovated spaces from the public right-of-was as well as provide the property owner with a safe and convenient building/site design.
- 2) Continuous internal pedestrian walkways, no less than 5' in width from the public sidewalk to the principal customer entrance of all principal buildings on the site are required.
No internal pedestrian walkways are shown since the sidewalk connects to HWY 412
- 3) Internal pedestrian walkways must be distinguishable from driving surfaces through the use of low maintenance surface material such as pavers, bricks, or scored concrete.
No internal pedestrian walkways are shown

- 4) 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.
A sidewalk is shown
- 5) Foundation landscaping is required.
A variance of Foundation landscaping is requested. We have added additional landscaping as an alternative.
- 6) Provide at least two of the items listed under Central Feature and Community Spaces in the Springdale Commercial Design Standard.
Two benches are now shown
- 7) Outdoor storage, trash collection, and loading areas must not be visible from the public right-of-way.
Trash will be shared with the existing Ozark Outlet mall
- 8) Outdoor storage, trash collection, and loading areas must be landscaped so that their functions are fully contained and out of view of the adjacent property and the public right-of-way.
Trash will be shared with the existing Ozark Outlet mall
- 9) 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.
Trash will be shared with the existing Ozark Outlet mall
- 10) 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.
Any ground or building mounted mechanical and electric equipment will be screened with either architectural treatment or landscaping.
- 11) Submit a unified lighting plan per Springdale Commercial Design Standards.
Lighting plan has been submitted
- 12) Sign design, materials, and placement should complement the overall architectural design of the building.
Sign design (building mounted only at the time of this submission) and material has been selected by the owner to maximize visbility as well as lend credence to item #1 in making all sides of the building facing the public right-of-way appear as primary elevations with respect to elevated design standards.

Engineering Comments

1. Show the street right-of-way.
Street ROW is now shown
2. Need to obtain an AHTD permit for all work done on their right-of-way. Submit a copy to City Staff.
AHTD permit will be obtained if needed

3. **Sects 110-31(a)** Sidewalks are required one-foot (1') inside the right-of-way line.
Sidewalk waiver has been applied for along 48th. We wish to put one along 412 instead.
4. The site area of disturbance is less than 1-acre, so a Grading Permit is not required. However, please advise the contractor/owner that although the site is less than 1-acre, we do expect all grading and erosion BMP'S to be used to protect the existing storm drainage system. We will require SWPPP and erosion control plans in the event of discharges of sediment from the site.
SWPPP and erosion control plan will be utilized and be in place.
5. Choose an alternative BMP to Straw Rolls.
An alternative has been chosen.

**RESPONSES TO
TECHNICAL PLAT REVIEW
UTILITY COMMENTS
LARGE SCALE DEVELOPMENT
FIRST STATE BANK (TODAY'S BANK)
L14-12**

Utility: Duane Miller – Springdale Fire Department

A fire apparatus access road shall be provided. The fire apparatus access road shall extend to within 150 feet of all portions of the exterior walls of the building as measured by an approved route around the exterior of the building. The fire apparatus access road shall have an unobstructed width of not less than 20 feet. The fire apparatus access road shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities (paved). (2012 AFPC sec. 503)

Roads 20 to 26 feet in width. Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide. (2012 AFPC D103.6.1)

Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2. (2012 AFPC D103.6)

Approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs shall be located at each end of a painted curb, and additionally in between so that the maximum separation between the signs is 100 feet as measured along the centerline of the fire apparatus road. Provide fire lane markings along the east side of the building and the west parking lot curb (2012 AFPC, sec.503.3).

Drawing does not specify type of construction. The Arkansas Fire Prevention Code, Volume I, requires a minimum fire flow of 2000 GPM @ 20 psi and 2 fire hydrants for a 6175 sf. type V-B constructed building. See B104.1. A second hydrant can be added toward the entrance of the parking lot.

B104.1 General. The fire-flow calculation area shall be the total floor area of all floor levels within the *exterior walls*, and under the horizontal projections of the roof of a building, except as modified in Section B104.3.

All reviews by the Fire marshals office referenced is for Business Group B occupancy as defined in Chapter 2 of the APFC.

Need to show all modifications on the amended drawing that will be submitted for Planning Commission approval.

These comments have been addressed.

Utility: Danny Wright – Springdale Police Department

No comments.

Utility: Michael Moore – Cox Communication

Request 2" conduit from communications room to pole on west side of building.
Any relocation of Cox facilities will be at owner's expense.

Coordination with the utility will be required before construction.

Utility: Rick Russell – Springdale Water Utility

Field located and verify the location of existing water and sewer facilities. Indicated the location of these facilities on the drawing and provide adequate easements acceptable to the Springdale Water Utilities.

- 2) The owner/developer shall be responsible for the cost of any required adjustments to the existing water and sewer facilities due to site grading, paving, lot line adjustments or other matters.
- 3) Please be advised that if requests for meter services larger than a 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. Appropriate request forms are available at Springdale Water Utilities Engineering Department.
- 4) Submit detailed plans and specification to Chris Pickard at Springdale Water Utilities for review and approval of the proposed fire line.
- 5) Springdale Water Utilities records indicate an existing 12-inch water line on the south side and east side of proposed project. Please provide easement documentation for the existing water line and sanitary sewer system.
- 6) Please indicate on this LSD the exact location of the private water meter service lines and sanitary sewer service lines for this lot. Also be advised that private water meter service lines or sanitary sewer service lines cannot cross adjacent properties in order to access service or be located and running parallel within a public utility easement. It appears that the adjacent property to the west has an existing sanitary sewer service that is crossing the proposed project. Please contact Springdale Water Utilities to discuss this issue.

Please see the revised plans

Utility: Tim Smith – SourceGas

Utility: Kenny Hartzell– AT&T

Utility: Mike Phipps – Ozarks Electric

General Comments:

1. Any relocation of existing facilities or extension of line that has to be built specifically to feed this project will be at full cost to the developer.
2. All property corners and easements must be clearly marked before construction will begin.
3. If off site easements are needed for Ozarks to provide electricity to the development, easements must be obtained by developer and provided to Ozarks before the design will begin. On site easements must be shown on plat and recorded with the county.
4. All conduits placed at road crossings by developer must have 48 inch of cover at final grade and marked with post to identify end of conduits. (3 – 4 inch schedule 40 conduits to be used for electric only at all road crossings, conduits must extend past the edge of any obstructions so that they are accessible during construction.) There must be minimum separation of 12

inches between conduits for electric and conduits for other utilities. This is NESC code 354. All conduits for road crossings and specific widths of U.E. must be shown on final plat before Ozarks Electric will sign the final plat.

5. Pad mounted transformer must have a minimum of 30 feet clearance from any structure. Any variation of this requirement must have written approval from an Ozarks representative.

6. Developer will need to contact Justin Northcutt at Ozarks Electric (684-4911) and provide him with electrical load information before any cost to developer can be determined.

7. Developer to provide all trench and PVC conduits including PVC sweeps in accordance with OECC specifications. No metal conduit or metal sweeps are to be used.

8. Developer must provide Ozarks Electric with a Digital copy (AutoCAD 2004) of the Final plat as well as a hard copy.

9. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings and debris so that the easement is accessible with equipment. If easement is not cleared developer may be subject to extra charges.

10. Developer or contractor must apply for electric temporary construction and permanent service before any design and cost is determined by Ozarks.

11. Please contact me when construction begins on this project and again when construction is within three months of completion. Mike Phipps oecc 684-4696 e-mail mhipps@ozarksecc.com

Additional Comments: Full cost to developer for boring by OECC if needed. 15' utility easement needed to transformer location. St.lts installed by Ozarks electric will be at full cost to the developers.

Coordination with the utility will be required before construction.

Utility: Nancy Guisinger - SWEPCO
REA territory.

Utility: Levi Lane – Carroll Electric

Utility: Sam Goade – Street Department
No Comments.

Utility: Tom Evers – Building Inspection Department

When approved by the City of Springdale Planning Department please provide 3 sets of plans to the buildings department. One set will be given to the fire department.

Please note current codes on cover sheet prior to submittal which can be found on our City of Springdale website.

And please include type of construction and occupancy on cover sheet.

You will need to provide an approval from the State of Arkansas for the plumbing prior to permitting.

A manual N for the HVAC needs to be submitted prior to permitting.

The electrician needs to submit a load calculation prior to obtaining and electrical permit.

Other items may be needed as issues may come up during review and construction.

Noted

Utility: United States Postal Service

**TECHNICAL PLAT REVIEW
UTILITY COMMENTS
LARGE SCALE DEVELOPMENT
FIRST STATE BANK (TODAY'S BANK)
L14-12**

Utility: Duane Miller – Springdale Fire Department

A fire apparatus access road shall be provided. The fire apparatus access road shall extend to within 150 feet of all portions of the exterior walls of the building as measured by an approved route around the exterior of the building. The fire apparatus access road shall have an unobstructed width of not less than 20 feet. The fire apparatus access road shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities (paved). (2012 AFPC sec. 503)

Roads 20 to 26 feet in width. Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide. (2012 AFPC D103.6.1)

Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2. (2012 AFPC D103.6)

Approved signs or other approved notices or markings that include the words NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs shall be located at each end of a painted curb, and additionally in between so that the maximum separation between the signs is 100 feet as measured along the centerline of the fire apparatus road. Provide fire lane markings along the east side of the building and the west parking lot curb (2012 AFPC, sec.503.3).

Drawing does not specify type of construction. The Arkansas Fire Prevention Code, Volume I, requires a minimum fire flow of 2000 GPM @ 20 psi and 2 fire hydrants for a 6175 sf. type V-B constructed building. See B104.1. A second hydrant can be added toward the entrance of the parking lot.

B104.1 General. The fire-flow calculation area shall be the total floor area of all floor levels within the *exterior walls*, and under the horizontal projections of the roof of a building, except as modified in Section B104.3.

All reviews by the Fire marshals office referenced is for Business Group B occupancy as defined in Chapter 2 of the APFC.

Need to show all modifications on the amended drawing that will be submitted for Planning Commission approval.

Utility: Danny Wright – Springdale Police Department

No comments.

Utility: Michael Moore – Cox Communication

Request 2" conduit from communications room to pole on west side of building.
Any relocation of Cox facilities will be at owner's expense.

Utility: Rick Russell – Springdale Water Utility

Field located and verify the location of existing water and sewer facilities. Indicated the location of these facilities on the drawing and provide adequate easements acceptable to the Springdale Water Utilities.

- 2) The owner/developer shall be responsible for the cost of any required adjustments to the existing water and sewer facilities due to site grading, paving, lot line adjustments or other matters.
- 3) Please be advised that if requests for meter services larger than a 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. Appropriate request forms are available at Springdale Water Utilities Engineering Department.
- 4) Submit detailed plans and specification to Chris Pickard at Springdale Water Utilities for review and approval of the proposed fire line.
- 5) Springdale Water Utilities records indicate an existing 12-inch water line on the south side and east side of proposed project. Please provide easement documentation for the existing water line and sanitary sewer system.
- 6) Please indicate on this LSD the exact location of the private water meter service lines and sanitary sewer service lines for this lot. Also be advised that private water meter service lines or sanitary sewer service lines cannot cross adjacent properties in order to access service or be located and running parallel within a public utility easement. It appears that the adjacent property to the west has an existing sanitary sewer service that is crossing the proposed project. Please contact Springdale Water Utilities to discuss this issue.

Utility: Tim Smith – SourceGas

Utility: Kenny Hartzell– AT&T

Utility: Mike Phipps – Ozarks Electric

General Comments:

1. Any relocation of existing facilities or extension of line that has to be built specifically to feed this project will be at full cost to the developer.
2. All property corners and easements must be clearly marked before construction will begin.
3. If off site easements are needed for Ozarks to provide electricity to the development, easements must be obtained by developer and provided to Ozarks before the design will begin. On site easements must be shown on plat and recorded with the county.
4. All conduits placed at road crossings by developer must have 48 inch of cover at final grade and marked with post to identify end of conduits. (3 – 4 inch schedule 40 conduits to be used for electric only at all road crossings, conduits must extend past the edge of any obstructions so that they are accessible during construction.) There must be minimum separation of 12 inches between conduits for electric and conduits for other utilities. This is NESC code 354. All conduits for road crossings and specific widths of U.E. must be shown on final plat before Ozarks Electric will sign the final plat.
5. Pad mounted transformer must have a minimum of 30 feet clearance from any structure. Any variation of this requirement must have written approval from an Ozarks representative.

6. Developer will need to contact Justin Northcutt at Ozarks Electric (684-4911) and provide him with electrical load information before any cost to developer can be determined.
7. Developer to provide all trench and PVC conduits including PVC sweeps in accordance with OECC specifications. No metal conduit or metal sweeps are to be used.
8. Developer must provide Ozarks Electric with a Digital copy (AutoCAD 2004) of the Final plat as well as a hard copy.
9. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings and debris so that the easement is accessible with equipment. If easement is not cleared developer may be subject to extra charges.
10. Developer or contractor must apply for electric temporary construction and permanent service before any design and cost is determined by Ozarks.
11. Please contact me when construction begins on this project and again when construction is within three months of completion. Mike Phipps oecc 684-4696 e-mail mphipps@ozarksecc.com

Additional Comments: Full cost to developer for boring by OECC if needed. 15' utility easement needed to transformer location. St.lts installed by Ozarks electric will be at full cost to the developers.

Utility: Nancy Guisinger - SWEPCO
REA territory.

Utility: Levi Lane – Carroll Electric

Utility: Sam Goade – Street Department
No Comments.

Utility: Tom Evers – Building Inspection Department

When approved by the City of Springdale Planning Department please provide 3 sets of plans to the buildings department. One set will be given to the fire department.
Please note current codes on cover sheet prior to submittal which can be found on our City of Springdale website.
And please include type of construction and occupancy on cover sheet.
You will need to provide an approval from the State of Arkansas for the plumbing prior to permitting.
A manual N for the HVAC needs to be submitted prior to permitting.
The electrician needs to submit a load calculation prior to obtaining and electrical permit.
Other items may be needed as issues may come up during review and construction.

Utility: United States Postal Service

**TECHNICAL PLAT REVIEW
LARGE SCALE DEVELOPMENT
FIRST STATE BANK (TODAY'S BANK)
L14-12
April 10, 2014**

Planning Comments

- 1) Submit AutoCad and PDF files at time of resubmission
- 2) A written response to all comments is required with resubmission.
- 3) 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.
- 4) This Large Scale Development Plan has been given the number L14-12. This number should be placed on the plat and all future correspondence and plats pertaining to this large-scale development.
- 5) Submit the approved authorization of representation form, if property owner will not be present at Planning Commission meeting.
- 6) Show extent of development. Show all other areas as undisturbed.
- 7) Will Mathias retain ownership or will a lot split be submitted.
- 8) No off-street parking area, exclusive of access drives, shall be located within three feet (3') of any property line.
- 9) Because the parking area and drives cross a property line an access easement and parking agreement will be required.
- 10) Show the street centerline.
- 11) 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. Show location and the State Plane Coordinates (NAD 83, Feet) for each streetlight.
- 12) The streetlight fixture shall be by LSI Lighting Model Crossover XRM, #SPL-XRM3-119W/LED/UE-MSV-IPC-PC-COS.
- 13) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 14) This development must comply with the City Of Springdale Commercial Design Standards or a variance is required. Front, side, and rear elevations, lighting plan, and a written response to design standard comments are required at the time of resubmission (23 copies). See attached design standard comments.
- 15) 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.
- 16) Future driveway will require separate approval.

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) Continuous internal pedestrian walkways, no less than 5' in width from the public sidewalk to the principal customer entrance of all principal buildings on the site are required.
- 3) Internal pedestrian walkways must be distinguishable from driving surfaces through the use of low maintenance surface material such as pavers, bricks, or scored concrete.
- 4) 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.
- 5) Foundation landscaping is required.
- 6) Provide at least two of the items listed under Central Feature and Community Spaces in the Springdale Commercial Design Standard.
- 7) Outdoor storage, trash collection, and loading areas must not be visible from the public right-of-way.
- 8) Outdoor storage, trash collection, and loading areas must be landscaped so that their functions are fully contained and out of view of the adjacent property and the public right-of-way.
- 9) 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.
- 10) 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.
- 11) Submit a unified lighting plan per Springdale Commercial Design Standards.
- 12) Sign design, materials, and placement should complement the overall architectural design of the building.

Engineering Comments

1. Show the street right-of-way.
2. Need to obtain an AHTD permit for all work done on their right-of-way. Submit a copy to City Staff.
3. **Sects 110-31(a)** Sidewalks are required one-foot (1') inside the right-of-way line.
4. The site area of disturbance is less than 1-acre, so a Grading Permit is not required. However, please advise the contractor/owner that although the site is less than 1-acre, we do expect all grading and erosion BMP'S to be used to protect the existing storm drainage system. We will require SWPPP and erosion control plans in the event of discharges of sediment from the site.
5. Choose an alternative BMP to Straw Rolls.

Staff Use Only

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

File #

B14-32

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

L14-12

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

Applicant's Name: Mathias Shopping Centers, Inc.

Applicant's Mailing Address:

P.O. Box 6485

(479) 750-9100

Street Address or P.O. Box

Telephone Number

Springdale, AR 72766-6485

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: 5310 West Sunset Avenue, Springdale, Washington County, Arkansas

Zoning District: C-2 (General Commercial 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

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.**

A list of requested variances is included on the following page.

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:

List of Requested Variances

A) Applicant requests a variance of the minimum 3' distance from an off-street parking area to a property line. Proposed parking lot will extend across boundary of two parcels, both of which are owned by the applicant.

B) Applicant requests a variance of the requirement that all overhead utility lines be located underground to allow existing overhead utilities to remain in their current state.

C) Applicant requests a variance of commercial design standards to allow a public entrance on west side of building only rather than entrances facing the public rights-of-way of 48th Street and Highway 412.

D) Applicant requests a variance of foundation landscaping requirements to allow installation of foundation landscaping along the sides of the building facing public streets (south and east sides) rather than the front of the building (west side).

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):**

A) The development and the parking lot are located on two parcels which are both owned by the applicant. B) Variance is for existing utilities only, no new overhead utilities will be installed as part of the development. C & D) The proposed development is located within a large shopping center rather than a stand-alone parcel. Development will be accessed from and face toward the shopping center rather than the public street as it would in a conventional stand-alone commercial development.

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):**

List of Special Conditions is included on the following page.

List of How Special Conditions Occurred

A) Applicant requests a variance of the minimum 3' distance from an off-street parking area to a property line. Proposed parking lot will extend across boundary of two parcels, both of which are owned by the applicant. The special condition is that the development and parking area are located on two adjacent parcels which are both comprehensive parts of a large shopping center development. Off-street parking area will not be located within 3' of the external boundaries of the shopping center.

B) Applicant requests a variance of the requirement that all overhead utility lines be located underground to allow existing overhead utilities to remain in their current state. No new overhead utilities are proposed, and the variance is solely to allow existing overhead utilities to remain in their current state.

C) Applicant requests a variance of commercial design standards to allow a public entrance on west side of building only rather than entrances facing the public rights-of-way of 48th Street and Highway 412. The building will be located in and accessed from the shopping center, as opposed to a conventional development located on a stand-alone tract facing and accessed from the public street right-of-way. For this reason, the building is proposed to face in toward the shopping center and away from the public streets. With this configuration, a public entrance toward 48th Street or Highway 412 would be at the rear of the building, and would be at odds with the overall design for the development.

D) Applicant requests a variance of foundation landscaping requirements to allow installation of foundation landscaping along the sides of the building facing public streets (south and east sides) rather than the front of the building (west side). For the same reasons as those listed above in Item C, the building is proposed to face inward toward the shopping center. Foundation landscaping is therefore proposed to be installed along the south and east sides of the building to enhance the development's aesthetics when viewed from the public streets.

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.

MATHIAS SHOPPING CENTERS, INC.

B1:  PRESIDENT
ARTHUR THURMAN

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 April, 2014


 OFFICIAL SEAL
 Notary Public EREASA L. VICKERS
 NOTARY PUBLIC-ARKANSAS
 BENTON COUNTY
 MY COMMISSION EXPIRES: 04-19-15

Memo

To: Planning Commission
From: Staff
Date: May 6, 2014
RE: L14-13 Large Scale Development Parson's Stadium
Phase I

Concept of Detention

Waiver (W14-08) of street improvements

Variance (B14-33) reduction of parking from 2225 to 611 spaces

Variance (B14-33) deletion of paving requirement

Variance (B14-33) deletion of screening requirement

Variance (B14-33) to allow overhead utilities to remain as is

- 1) Site does not meet the minimum parking requirements. Provide additional parking.
- 2) All drives and parking areas are required to be paved.
- 3) All storage areas are to be paved or chip sealed.
- 4) All open storage areas must be screened with an 8' opaque screening fence.
- 5) 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. Show location and the State Plane Coordinates (NAD 83, Feet) for each streetlight.
- 6) The streetlight fixture shall be by LSI Lighting Model Crossover XRM, #SPL-XRM3-119W/LED/UE-MSV-IPC-PC-COS.
- 7) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 8) 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.
- 9) Fence along Old Missouri Road needs to be relocated behind the proposed regional trail.

- 10) Sign needs to be relocated behind regional trail.
- 11) Easement for Regional trail needs to be dedicated prior to approval

Engineering Comments

- 1) Need to obtain an AHTD permit for all work done on their right-of-way. Submit a copy City Staff. **(Permit in process)**
- 2) **Sects 110-31(a)** Sidewalks are required one-foot (1') inside the right-of-way line. 2.1 sidewalks are required along Emma Avenue.
- 3) **Sect 112-4** Streetlights are required at each intersection and along the street at Intervals of 300 to 350 feet as measured along the center line of the street.
- 4) **Sect 106** Drainage
 - 4.1. The owner will need a maintenance plan to dispose of animal waste as solid sanitary sewage in a timely manner, to prevent discharge to the storm drainage system
- 5) **The concept of detention must be approved by the Planning Commission**
- 6) Section 107 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/department/planning> and community development

April 16, 2014

Springdale Planning Commission
201 Spring Street
Springdale, AR 72764

RE: Street / Sidewalk / Streetlights Improvements Waiver
Parson Stadium LSD - L14-13

Dear Sir or Ma'am:

On behalf of our client, we request a waiver of street, sidewalk, and streetlight improvement requirements for East Emma Avenue and S. Old Missouri Road associated with this development.

If you have any questions regarding the development or this request, please contact me.

Sincerely,



Jason Appel, P.E.

RECEIVED
APR 16 2014
PLANNING OFFICE
CITY OF SPRINGDALE

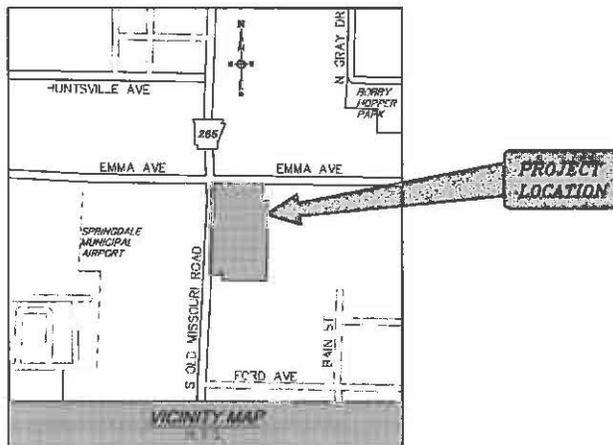
WOK-OB

PLANS FOR A
LARGE SCALE DEVELOPMENT

TO SERVE THE
PARSONS STADIUM PHASE 1

A COMMERCIAL DEVELOPMENT
 IN THE CITY OF
SPRINGDALE, ARKANSAS
L14-XX

March 27, 2014



BY
ENGINEERING SERVICES INC.



CONSULTING ENGINEERS
SPRINGDALE, ARKANSAS
PHONE: 479-751-8733
FAX: 479-751-8746
WWW.ENGINEERINGSERVICES.COM

REVIEW OF THESE PLANS IS LIMITED TO COMPLIANCE WITH CITY CODES AND REGULATIONS. BY REVIEWING AND APPROVING THESE PLANS THE REVIEWER AND THE CITY OF SPRINGDALE ASSUME NO RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS IN THE PLANS. THE ADEQUACY OF THE PLANS IS THE SOLE RESPONSIBILITY OF THE DESIGN ENGINEER. HOWEVER, THE CITY OF SPRINGDALE RESERVES THE RIGHT TO REQUIRE CORRECTIVE ACTION, IF ANY inadequacies ARE FOUND AFTER THE IMPROVEMENTS ARE CONSTRUCTED.

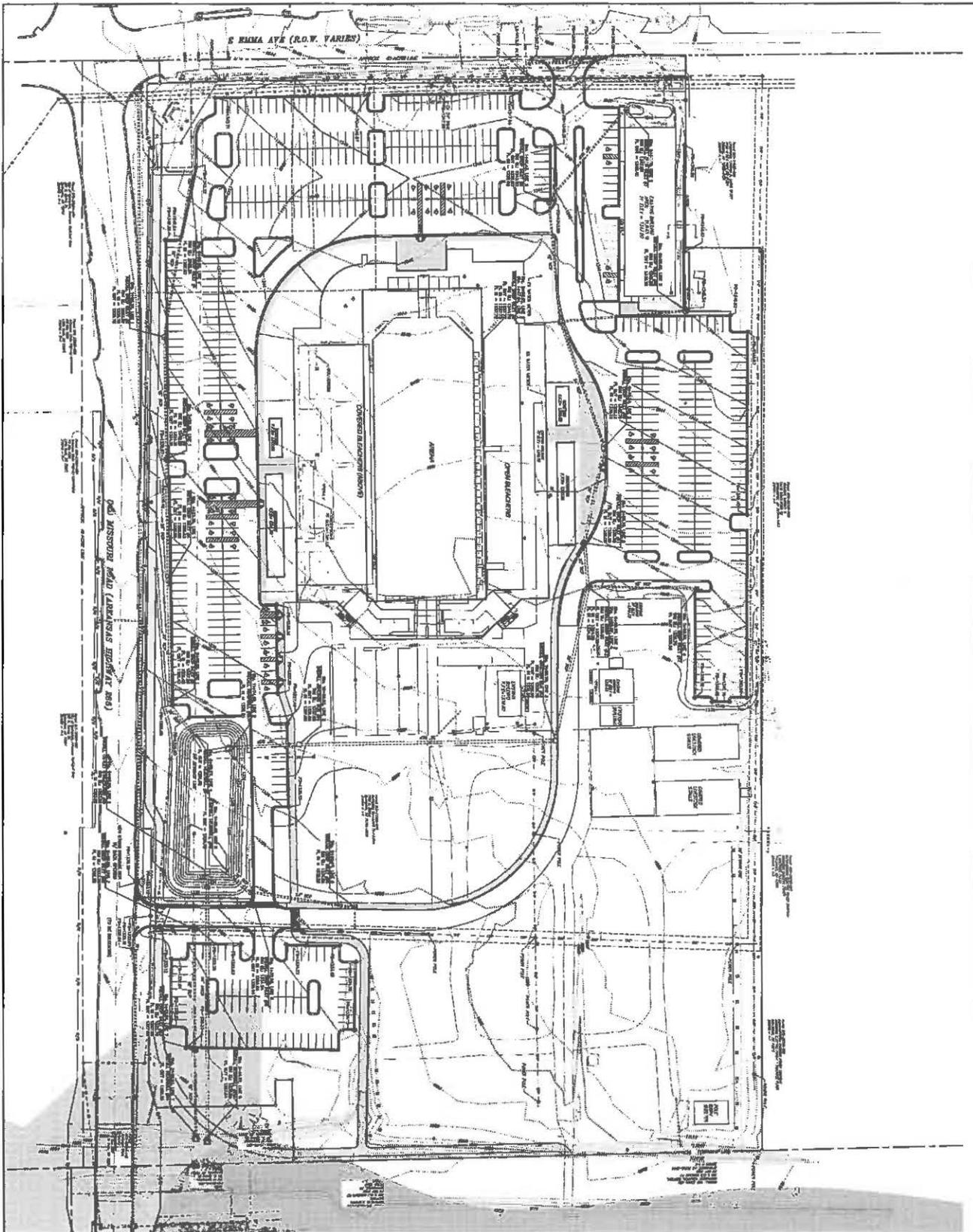
INDEX OF SHEETS	
SHEET No.	DESCRIPTION
1	LARGE SCALE DEVELOPMENT
2-3	GRADING PLAN
4-5	STORM PROFILES
6-8	LANDSCAPE PLAN
9	LANDSCAPE DETAIL SHEET
10	SANITARY SEWER PLAN AND PROFILE
11-12	TYPICAL DETAILS
13	STORM WATER POLLUTION PREVENTION PLAN
14	STORM WATER POLLUTION PREVENTION DETAIL SHEET

THOMAS JASON APPEL, P.E. No. 13828
 ENGINEERING SERVICES, INC.

NOTES :

ALL STREET AND DRAINAGE CONSTRUCTION MUST COMPLY WITH THE REQUIREMENTS OF THE CITY OF SPRINGDALE, ARKANSAS, AS CONTAINED IN CHAPTER 110, ART. 18, OF THE CODE OF ORDINANCES, CITY OF SPRINGDALE, ARKANSAS.

ALL WATER AND SEWER CONSTRUCTION MUST COMPLY WITH THE SPECIFICATION REQUIREMENTS FOR THE CONSTRUCTION OF WATER AND SEWER FACILITIES OF THE CITY OF SPRINGDALE WATER UTILITIES.



REVISION	DATE	DESCRIPTION

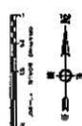
DATE: MAY, 2004
 SHEET: 1 OF 1
 PROJECT: PARSONS STADIUM PHASE 1
 DRAWING NO: P114

**GRADING PLAN
 PARSONS STADIUM PHASE 1
 SPRINGDALE, ARKANSAS**

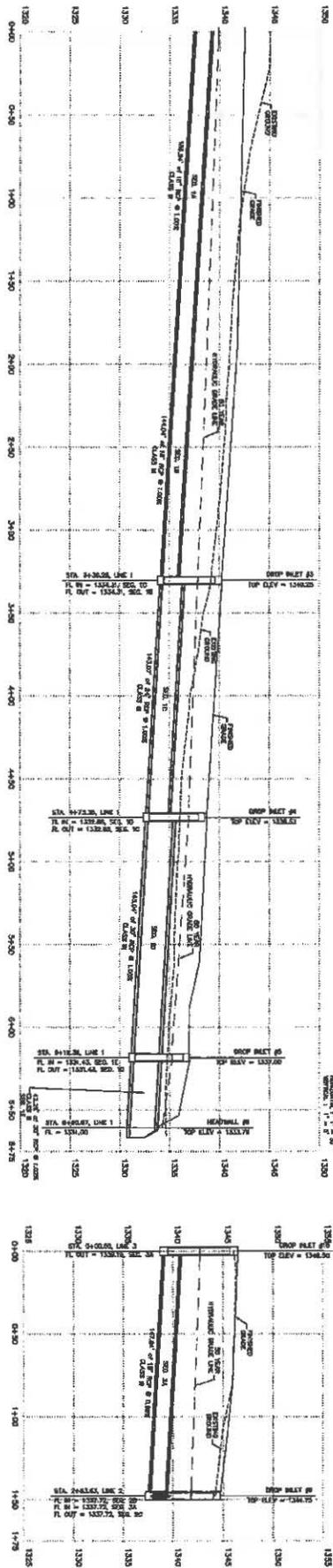
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LEGEND

- Grading Elevation
- Proposed Grading
- Existing Grading
- Spot Elevation
- Grade Change
- Grade Contour
- Grade Boundary
- Grade Spot
- Grade Line
- Grade Area
- Grade Volume
- Grade Slope
- Grade Direction
- Grade Stationing
- Grade Reference
- Grade Note
- Grade Detail
- Grade Section
- Grade Profile
- Grade Plan
- Grade Elevation
- Grade Contour
- Grade Boundary
- Grade Spot
- Grade Line
- Grade Area
- Grade Volume
- Grade Slope
- Grade Direction
- Grade Stationing
- Grade Reference
- Grade Note
- Grade Detail
- Grade Section
- Grade Profile
- Grade Plan

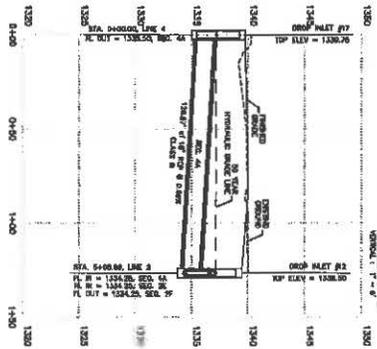


02

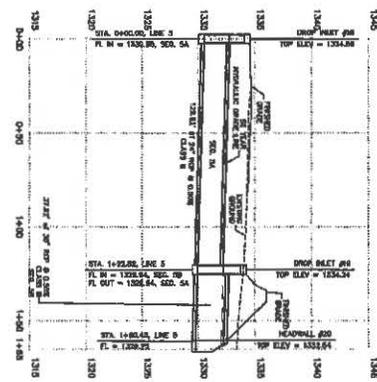


LINE 1

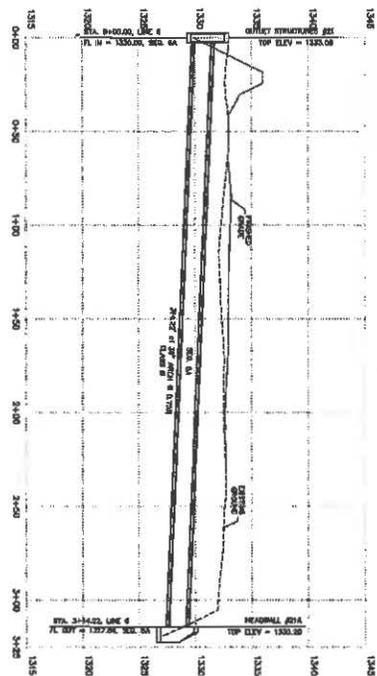
LINE 3



LINE 4



LINE 5



LINE 6

STORM PROFILES
PARSONS STADIUM PHASE 1
SPRINGDALE, ARKANSAS

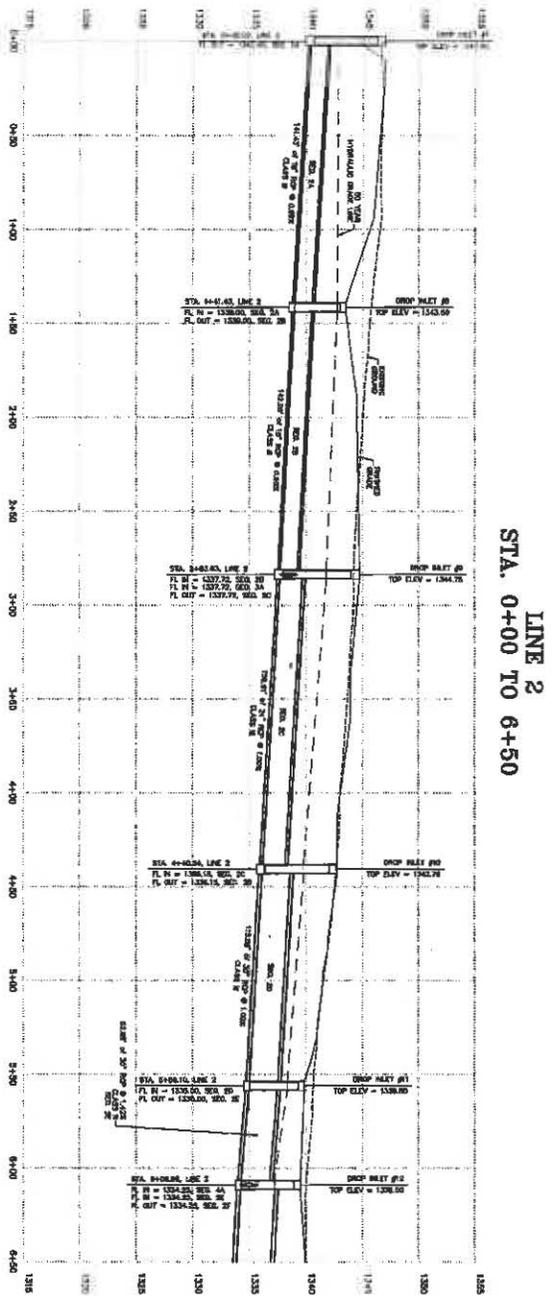
P116



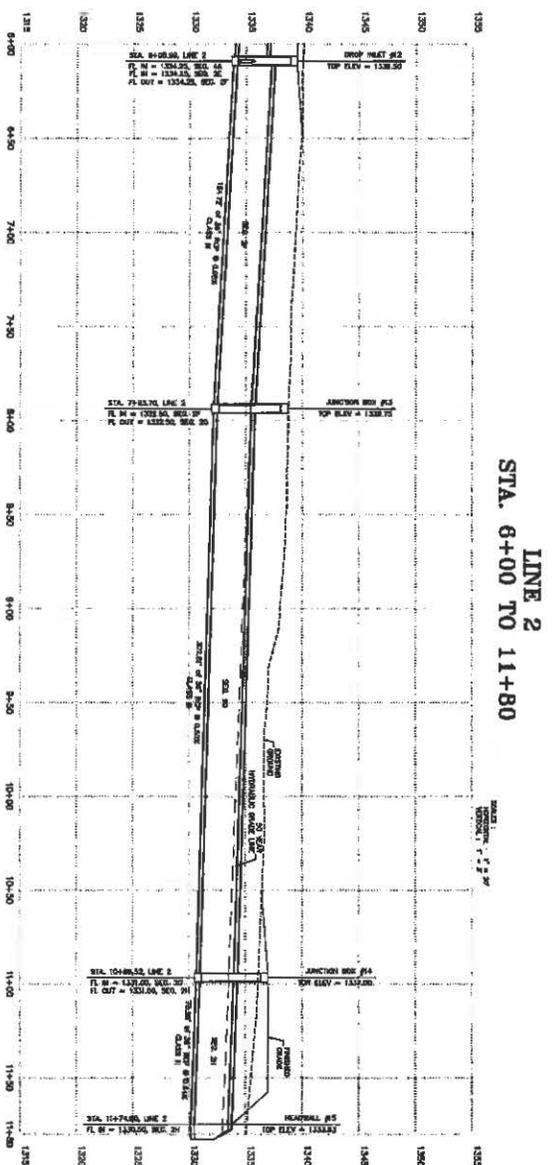
REVISION	DATE	DESCRIPTION

SCALE: 1"=30'
DATE: NOV. 2014
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN
PROJECT NO.: 148900

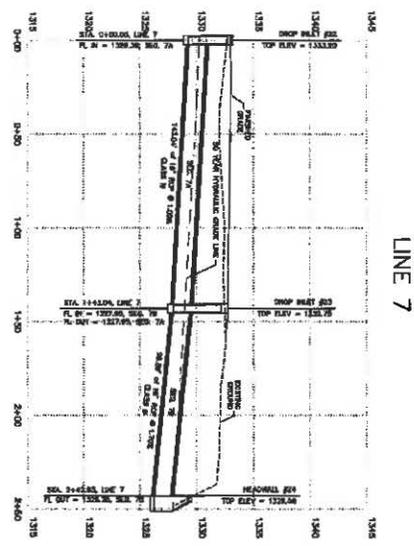
04



LINE 2
STA. 0+00 TO 6+50



LINE 2
STA. 6+00 TO 11+80



LINE 7

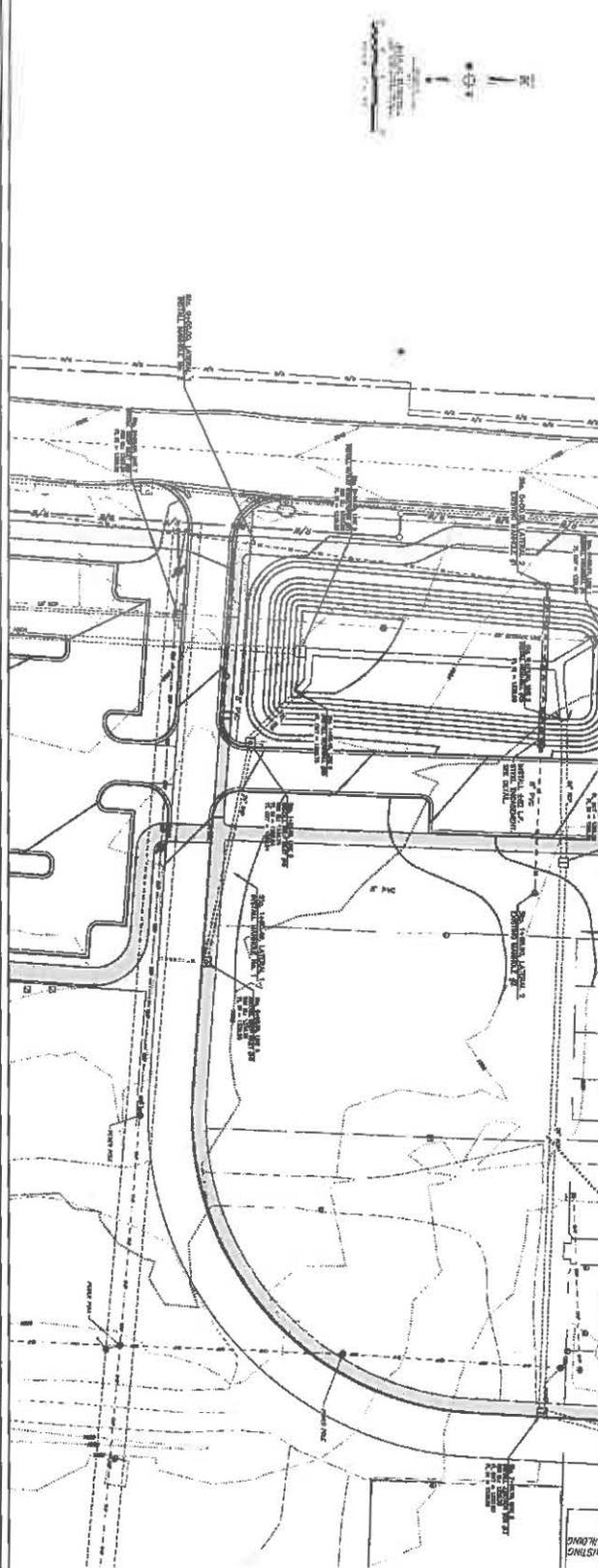
STORM PROFILES
PARSONS STADIUM PHASE I
SPRINGDALE, ARKANSAS



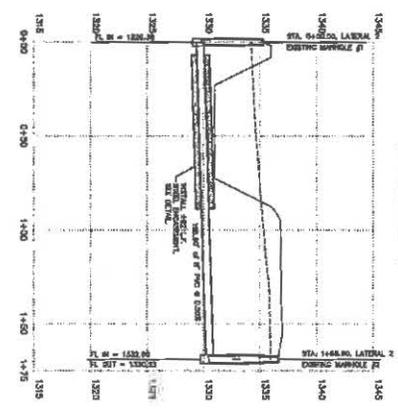
REVISION	DATE	DESCRIPTION

SCALE: 1"=20'
DATE: MAY 2014
JOB #: 149300

05



LATERAL 2



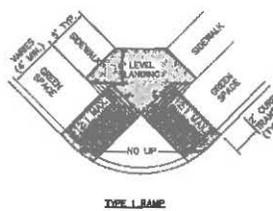
SEE
 FOR EXISTING AND PROPOSED
 CONDUIT AND UTILITY LOCATIONS
 SHOWN ON THE SITE PLAN.

REVISION	DATE	DESCRIPTION

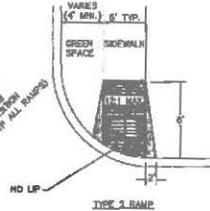
SCALE: 1"=30'
 DATE: MAR 2014
 NO. 14900

SANITARY SEWER PLAN AND PROFILE SHEET
 PARSONS STADIUM PHASE I
 SPRINGDALE, ARKANSAS

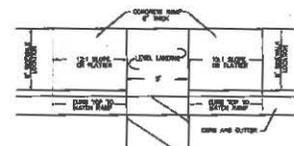




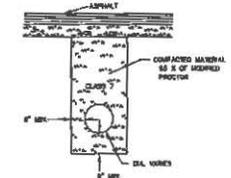
TYPE 1 RAMP



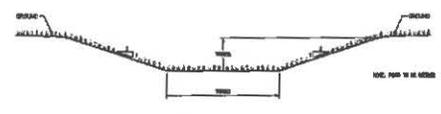
TYPE 3 RAMP



HANDICAPPED RAMP DETAIL
 (TO BE PLACED AT LOCATIONS SHOWN BY [Symbol])



STORM SEWER PIPE BEDDING IN ROAD

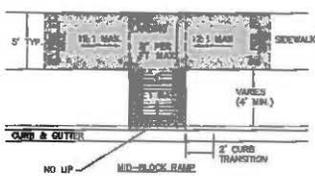


POND DETAIL



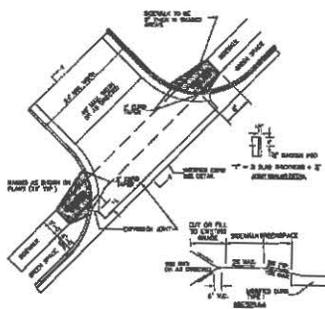
TRICKLE CHANNEL

- NOTES:
1. THE LENGTH OF THE RAMP SHALL BE SUCH THAT THE SLOPE DOES NOT EXCEED 12:1.
 2. THE NORMAL CUTTER SHALL BE MAINTAINED THROUGH THE AREA OF THE RAMP.
 3. THE MINIMUM THICKNESS FOR THE RAMP, WALK, & LANDING SHALL BE 4".

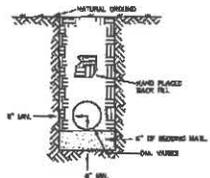


CURB & GUTTER

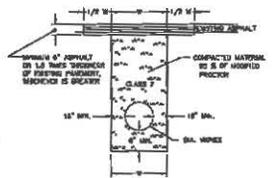
WHEELCHAIR RAMP DETAILS
 NOT TO SCALE



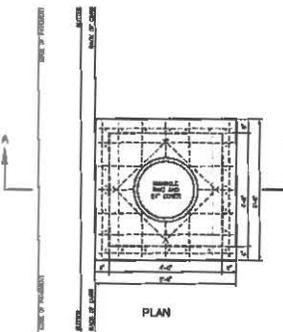
DRIVEWAY DETAIL



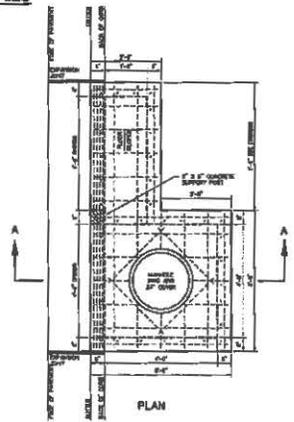
STORM SEWER PIPE BEDDING IN GROUND



TYPICAL PAVEMENT REPAIR



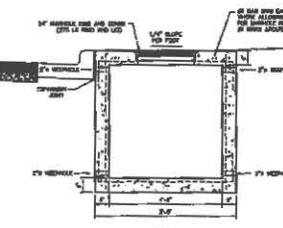
PLAN



PLAN

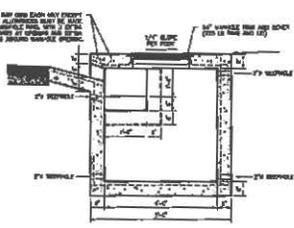
NOTES:
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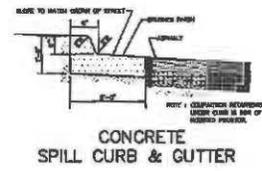
SECTION A-A

TYPICAL JUNCTION BOX

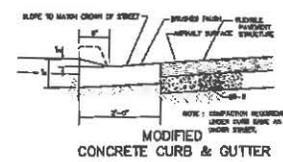


SECTION A-A

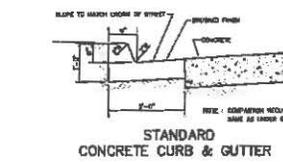
TYPICAL DROP INLET



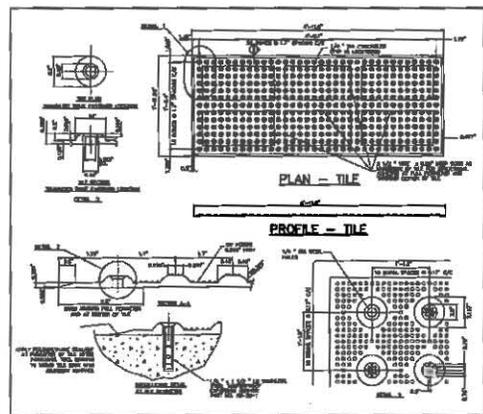
CONCRETE SPILL CURB & GUTTER



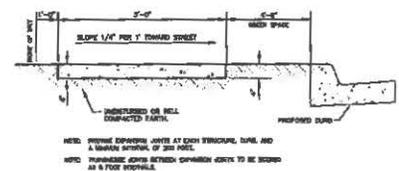
MODIFIED CONCRETE CURB & GUTTER



STANDARD CONCRETE CURB & GUTTER



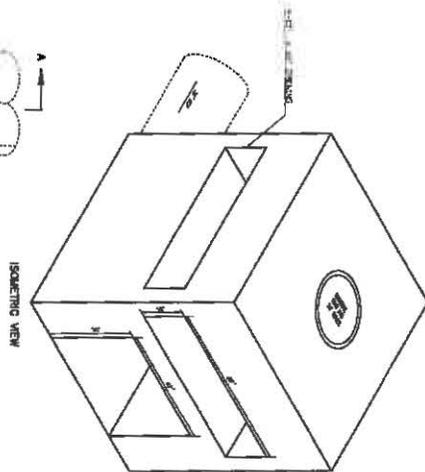
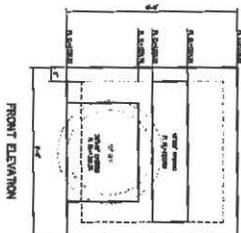
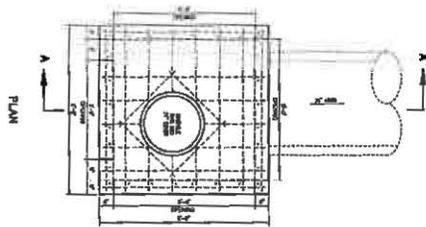
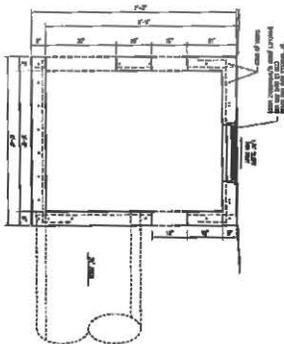
TRUNCATED DOMES DETAIL



SIDEWALK DETAIL

REVISION	DATE	DESCRIPTION

SCALE: NONE
 DATE: MAR. 2014
 PROJECT: PARSONS STADIUM PHASE 1
 SHEET: P123
 BLD # 14800

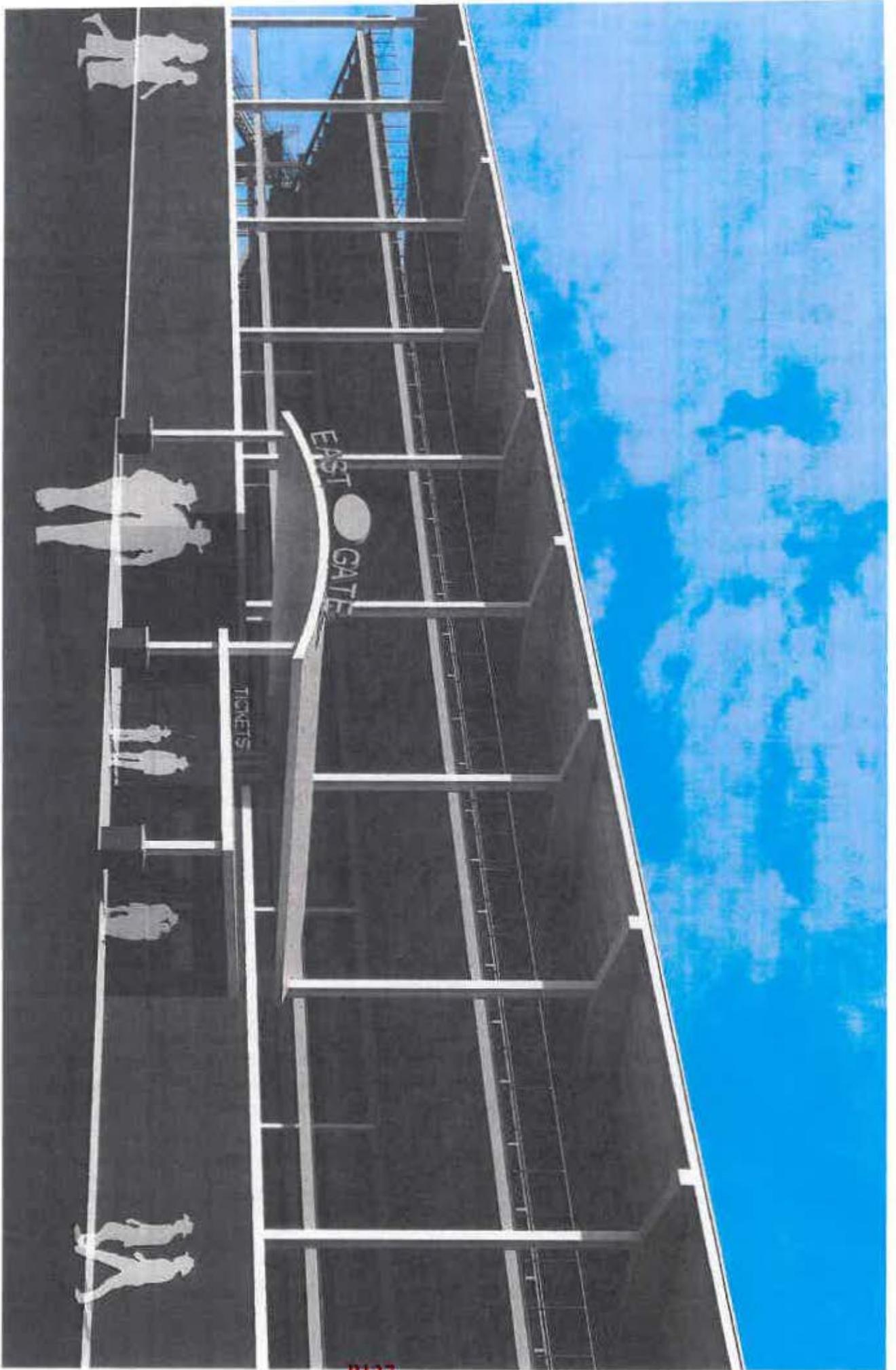


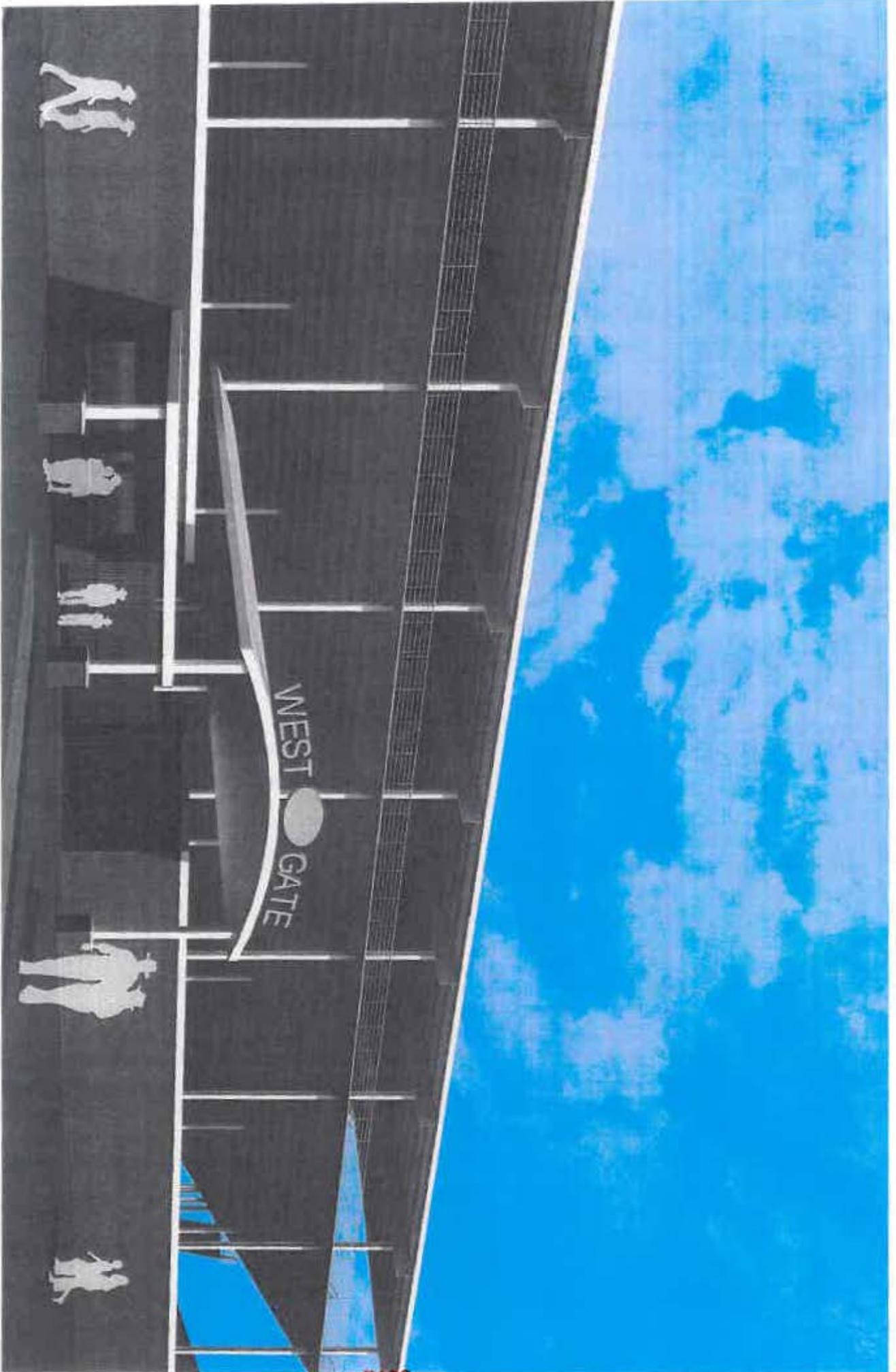
REVISION	DATE	DESCRIPTION

DRAWN: []
 CHECKED: []
 DATE: MAY 2014
 NO. 14900

TYPICAL DETAILS
PARSONS STADIUM PHASE 1
SPRINGDALE, ARKANSAS







**RESPONSES TO
TECHNICAL PLAT REVIEW
LARGE SCALE DEVELOPMENT
PARSON'S STADIUM PHASE I
L14-13
April 10, 2014**

- 1) Access easement to SWEPCO substation needs to be shown on drawings. Easement shall remain open and paved.

The easement is now shown.

- 2) Submit AutoCad and PDF files at time of resubmission

The files are attached

- 3) A written response to all comments is required with resubmission.

See Below

- 4) 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.

Notice has been sent and the White receipts area attached to this submittal.

- 5) This Large Scale Development Plan has been given the number L14-13. This number should be placed on the plat and all future correspondence and plats pertaining to this large-scale development.

This has been modified

- 6) Submit the approved authorization of representation form, if property owner will

This form is attached

- 7) This property must be rezoned.

A Rezoning application has been submitted

- 8) Need State Plane Coordinates (NAD 83, Feet) for all fire hydrant locations.

The coords are now shown for the existing fire hydrants.

- 9) Site does not meet the minimum parking requirements. Provide additional parking.

A variance has been submitted for the on-site parking requirement. The Foundation is working on an agreement to secure the property south of Spring Creek for overflow parking.

- 10) All drives and parking areas are required to be paved.

A variance has been submitted for all existing areas to remain that are not being improved.

- 11) All storage areas are to be paved or chip sealed.

A variance has been submitted for all existing areas to remain that are not being improved

- 12) All open storage areas must be screened with an 8' opaque screening fence.

A variance has been submitted for the screening requirements.

- 13) Frontage landscaping is required in accordance with Chapter 56.

The Frontage Landscaping is now in accordance with the Code.

- 14) 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. Show location and the State Plane Coordinates (NAD 83, Feet) for each streetlight.

The Existing Streetlights are shown along Emma. A Waiver has been submitted for the remainder.

- 15) The streetlight fixture shall be by LSI Lighting Model Crossover XRM, #SPL-XRM3-119W/LED/UE-MSV-IPC-PC-COS.

This fixture type has been forwarded to the Owner for consideration.

- 16) Need to show dumpster location.

The Dumpster location is now shown.

- 17) Show the size and location of all freestanding signs. Show distances from street right-of-way.

This has been added to the plan.

- 18) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

Noted

- 19) 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.

Noted

- 20) Fence along Old Missouri Road needs to be relocated behind the proposed regional trail.

The Foundation has future plans to relocate and upgrade the perimeter fencing, but it will not be done at this time.

- 21) Sign needs to be relocated behind regional trail.

The sign will not be relocated. The trail location can be revised.

- 22) Easement for Regional trail needs to be dedicated prior to approval

Noted

Engineering Comments

- 1) **Sect 112-8(i)** Need to show
a. Location of existing and proposed streetlights.

A waiver has been submitted.

- b. Dumpster location.

This is now shown

- 2) Need to obtain an AHTD permit for all work done on their right-of-way. Submit a copy to City Staff.

A permit will be applied for.

- 3) **Sects 110-31(a)** Sidewalks are required one-foot (1') inside the right-of-way line.
a. Sidewalks are required along Emma Ave.

A waiver has been submitted.

- 4) **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.

A waiver has been submitted.

5) **Sect 106 Drainage**

- a. Use a length of sheet flow of no more than 100'.

This has been modified, but please note that the modification of the sheet flow length does not significantly change the flow rate in this situation.

- b. Exit velocities into the pond and into spring creek exceed 8 fps and must be provided with scour protection or designed to decrease the velocity.

Scour protection has been added.

- c. The Owner will need a maintenance plan to dispose of animal waste as solid waste or sanitary sewage in a timely manner, to prevent discharge to the storm drainage system.

The Rodeo Board and the Foundation will be discussing a maintenance plan, but at this time nothing will be put in place.

- d. In the SWPPP plan, protection is needed around the pond outlet structure.

This has been revised.

6) **The concept of detention must be approved by the Planning Commission.**

- 7) **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.

This is now shown.

- 8) Need to submit a floodplain determination application at the time of resubmittal. See Applications & Forms / Floodplain at http://www.springdalear.gov/departments/planning_and_community_development/.

This was attached to the original submittal, but is attached again.

- 9) Sect 107 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/

Noted

**RESPONSES TO
TECHNICAL PLAT REVIEW
UTILITY COMMENTS
LARGE SCALE DEVELOPMENT
PARSON'S STADIUM PHASE I
April 10, 2014**

Utility: Duane Miller – Springdale Fire Department

Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds. (2012 AFPC D102)

Roads 20 to 26 feet in width. Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide. (2012 AFPC D103.6.1)

Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2. (2012 AFPC D103.6)

Approved signs or other approved notices or markings that include the words NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs shall be located at each end of a painted curb, and additionally in between so that the maximum separation between the signs is 100 feet as measured along the centerline of the fire apparatus road. Provide fire lane markings along the east side of the building and the west parking lot curb (2012 AFPC, sec.503.3).

Need to show all modifications on the amended drawing that will be submitted for Planning Commission approval.

Fire lanes and markings are now shown.

Utility: Danny Wright – Springdale Police Department

No comments.

Utility: Michael Moore – Cox Communication

Utility: Rick Russell – Springdale Water Utility

Field located and verify the location of existing water and sewer facilities. Indicated the location of these facilities on the drawing and provide adequate easements acceptable to the Springdale Water Utilities.

The owner/developer shall be responsible for the cost of any required adjustments to the existing water and sewer facilities due to site grading, paving, lot line adjustments or other matters.

Please be advised that if requests for meter services larger than a 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. Appropriate request forms are available at Springdale Water Utilities Engineering Department.

Springdale Water Utilities records indicate an existing 16-inch water line on the west side of the proposed project. Please provide the exact location of the water line along with easement documentation for the existing water line. Also be advised on the south west entrance into the facility some new storm drainage structures are to be constructed there shall not be any construction on the storm drainage inlets in this area until the exact location of the existing 16-inch water line has been field verified by Engineering Services Inc. and Springdale Water Utilities.

Springdale Water Utilities records indicate an existing 8-inch gravity sewer line on the north side of this project. Please indicate the exact location of the sanitary sewer line along with easement documentation.

The large scale development indicates a sanitary sewer line extension under the proposed detention pond. Springdale Water Utilities records indicate that this is a private sanitary sewer service line the engineer shall confirm this.

Please submit details, specifications, and sizing information for review and approval for all grease traps, grease interceptors or other devices that may be installed on this project prior to installation. Submit the required information to Mr. Brad Stewart of the Springdale Wastewater Treatment Facility at (479) 756-3657 or by email at bstewart@springdalewater.com.

Additional approvals may be required through the Building Inspections Department of the City of Springdale or through other local or state agencies.

The 16" water and the 8" Sewer Mains are shown on the revised plan.

Utility: Tim Smith – SourceGas

Utility: Kenny Hartzell– AT&T

Utility: Mike Phipps – Ozarks Electric

Not Ozarks territory.

Utility: Nancy Guisinger - SWEPCO

Not clear about what is needed from SWEPCO. Shows existing OH power lines and poles but also mentions utilities need to be placed underground. Looks like we currently serve the rodeo grounds underground.

Would like more information.

Coordination with SWEPCO on service will be required.

Utility: Levi Lane – Carroll Electric

Not Carroll Electric territory.

Utility: Sam Goade – Street Department

No comments.

Utility: Tom Evers – Building Inspection Department

When approved by the City of Springdale Planning Department please provide 3 sets of plans to the buildings department. One set will be given to the fire department.

Z:\Engineers\Jason\Projects\14900 - Parsons Stadium Phase 1\TECHNICAL PLAT COMMENTS FROM UTILITIES - Responses.doc

Please note current codes on cover sheet prior to submittal which can be found on our City of Springdale website.

And please include type of construction and occupancy on cover sheet.

You will need to provide an approval from the State of Arkansas for the plumbing prior to permitting.

A manual N for the HVAC needs to be submitted prior to permitting.

The electrician needs to submit a load calculation prior to obtaining an electrical permit.

Please provide asbestos reports for any structures to be removed.

Also provide of N.O.I. (Notice of Intent) from the State of Arkansas prior to obtaining a demolition permit.

Other items may be needed as issues may come up during review and construction.

Noted

Utility: United States Postal Service

**TECHNICAL PLAT REVIEW
UTILITY COMMENTS
LARGE SCALE DEVELOPMENT
PARSON'S STADIUM PHASE I
April 10, 2014**

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Utility: United States Postal Service

**TECHNICAL PLAT REVIEW
LARGE SCALE DEVELOPMENT
PARSON'S STADIUM PHASE I**

L14-13

April 10, 2014

- 1) Access easement to SWEPCO substation needs to be shown on drawings. Easement shall remain open and paved.
- 2) Submit AutoCad and PDF files at time of resubmission
- 3) A written response to all comments is required with resubmission.
- 4) 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.
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- 6) Submit the approved authorization of representation form, if property owner will
- 7) This property must be rezoned.
- 8) Need State Plane Coordinates (NAD 83, Feet) for all fire hydrant locations.
- 9) Site does not meet the minimum parking requirements. Provide additional parking.
- 10) All drives and parking areas are required to be paved.
- 11) All storage areas are to be paved or chip sealed.
- 12) All open storage areas must be screened with an 8' opaque screening fence.
- 13) Frontage landscaping is required in accordance with Chapter 56.
- 14) 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. Show location and the State Plane Coordinates (NAD 83, Feet) for each streetlight.
- 15) The streetlight fixture shall be by LSI Lighting Model Crossover XRM, #SPL-XRM3-119W/LED/UE-MSV-IPC-PC-COS.
- 16) Need to show dumpster location.
- 17) Show the size and location of all freestanding signs. Show distances from street right-of-way.
- 18) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 19) 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.
- 20) Fence along Old Missouri Road needs to be relocated behind the proposed regional trail.
- 21) Sign needs to be relocated behind regional trail.
- 22) Easement for Regional trail needs to be dedicated prior to approval

Engineering Comments

- 1) **Sect 112-8(j)** Need to show
 - a. Location of existing and proposed streetlights.
 - b. Dumpster location.
- 2) Need to obtain an AHTD permit for all work done on their right-of-way. Submit a copy to City Staff.
- 3) **Sects 110-31(a)** Sidewalks are required one-foot (1') inside the right-of-way line.
 - a. Sidewalks are required along Emma Ave.
- 4) **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.
- 5) **Sect 106** Drainage
 - a. Use a length of sheet flow of no more than 100'
 - b. Exit velocities into the pond and into spring creek exceed 8 fps and must be provided with scour protection or designed to decrease the velocity.
 - c. The Owner will need a maintenance plan to dispose of animal waste as solid waste or sanitary sewage in a timely manner, to prevent discharge to the storm drainage system.
 - d. In the SWPPP plan, protection is needed around the pond outlet structure.
- 6) **The concept of detention** must be approved by the Planning Commission.
- 7) **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 .
- 8) Need to submit a floodplain determination application at the time of resubmittal. See Applications & Forms / Floodplain at http://www.springdalear.gov/department/planning_and_community_development/.
- 9) Sect 107 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/department/planning_and_community_developn_.nt/

Staff Use Only

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

File #

B14-23

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

LH-13
R 14-13

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

Applicant's Name: Springdale Benevolent Foundation

Applicant's Mailing Address:

1423 East Emma Avenue

Street Address or P.O. Box

Springdale, AR 72764-3609

City, State & Zip Code

1-877-92RODEO or (479) 756-0464

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: 1423 East Emma Avenue, Springdale, Washington County, Arkansas

Zoning District: Current: I-1 (Light Industrial District) Proposed: P-1 (Institutional 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

List of Requested Variances

A) Applicant requests a variance of the on-site parking requirements for this development to reduce number of required spaces from 2,225 spaces to 611 spaces. Additional off-site spaces will be provided via a future parking agreement with Northwest Technical Institute.

Relates to parking requirements
B) Applicant request a variance of the requirement that all drives and parking areas are required to be paved to allow existing drives and parking areas to remain in their current state other than those shown to be improved as part of the current development on the submitted plans.

C) Applicant requests a variance of the requirement that all storage areas are required to be paved or chip sealed to allow all existing storage areas to remain in their current states other than those areas being improved as part of the current development.

D) Applicant requests a variance of the requirement that all open storage areas shall be screened with an 8' opaque screening fence.

E) Applicant requests a variance of the requirement that all overhead utility lines be located underground to allow existing overhead utilities to remain in their current state.

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.

A list of requested variances is included on the following page.

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):**

A) Creating 2,225 parking spaces on site is not feasible, but additional off-site parking is proposed via

a off-site parking agreement with Northwest Technical Institute. B-E) No new non-conforming

parking or storage areas or overhead utility lines are proposed. Variance will allow existing areas to

remain in current condition other than those areas which are shown to be improved as part of the

current development.

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):**

List of Special Conditions is included on the following page.

List of How Special Conditions Occurred

A) Achieving conformance is not feasible as there is insufficient space on-site to provide the number of parking spaces required by ordinance. However, additional off-site parking will be provided via a future off-site parking agreement with Northwest Technical Institute.

B-D) No new non-conforming parking areas, drives, or storage areas are proposed as part of the current development. Variance will only allow those existing areas which are not shown as being improved on the submitted LSD plans to remain in their current states.

E) Applicant requests a variance of the requirement that all overhead utility lines be located underground to allow existing overhead utilities to remain in their current state. No new overhead utilities are proposed, and the variance is solely to allow existing overhead utilities to remain in their current state.

Staff Use Only

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

File # B14-26

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: Crain Buick GMC of Springdale

Applicant's Mailing Address:

6372 W. Sunset Ave.
Street Address or P.O. Box
Springdale, Ar. 72762
City, State & Zip Code

479-361-4654
Telephone Number

Property Owner's Name
(If different from Applicant): Steven R. Smith

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

2900 Valley View Dr.
Street Address or P.O. Box
Springdale, Ar. 72762
City, State & Zip Code

479-799-2230
Telephone Number

Address of Variance Request: 6372 W. Sunset Ave.

Zoning District: C-6

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.

*Requesting 2nd sign at west Entrance to
advertise Pre-owned vehicles and Collision Center*

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):**

N/A

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):**

N/A

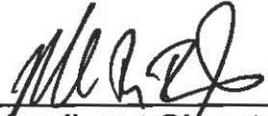
3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

N/A

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*

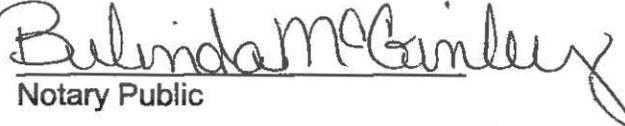


 Property Owner Signature*
 (If different from Applicant)

**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 WASH)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 24th day of MARCH, 2014.



 Notary Public





P150

 <p>PHONE: (501) 562-0800 FAX: (501) 482-8288 WWW.ACESIGNSONLINE.COM</p>	EXECUTIVE PROJECT SALES	CLIENT	<p><small>© COPYRIGHT 2014 THESE PLANS ARE THE EXCLUSIVE PROPERTY OF ACE SIGNS AND ARE THE RESULT OF THE ORIGINAL WORK OF ITS EMPLOYEES. THEY ARE SUBMITTED TO YOUR COMPANY FOR THE PURPOSE OF YOUR CONSIDERATION TO PURCHASE FROM ACE SIGNS. A PROJECT ACCORDING TO THESE PLANS, DISTRIBUTION OR EXHIBITION TO ANYONE OTHER THAN EMPLOYEES OF YOUR COMPANY, OR USE OF THESE PLANS TO BUILD A SIGN SIMILAR TO THE ONE ENCLOSED HEREIN IS FORBIDDEN WITHOUT WRITTEN APPROVAL FROM ACE SIGNS. IN THE EVENT THAT SUCH EXHIBITION OCCURS, ACE SIGNS IS TO BE REIMBURSED 20% OF THE QUOTE PRICE IN COMPENSATION FOR TIME & EFFORT SAVAILED IN CREATION THESE PLANS. AND FROM THE STAFF AT ACE SIGNS, WE THANK YOU FOR YOUR BUSINESS.</small></p>	
	PROJECT SALES MANAGER	LOCATION		CLIENT SIGNATURE
	PROJECT CONSTRUCTION MANAGER	FILE NAME / PROOF / REVISION#		DATE
	GRAPHIC ARTIST	LED DISPLAY		

Staff Use Only

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

File # B14-27

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: RC Springhill, LLC

Applicant's Mailing Address:

PO BOX 10560

455-9090

Street Address or P.O. Box
FAYETTEVILLE, AR 72703

Telephone Number

City, State & Zip Code

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

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

PO Box 10560

455-9090

Street Address or P.O. Box

FAYETTEVILLE AR 72703

Telephone Number

City, State & Zip Code

Address of Variance Request: LOTS 9 THROUGH 19 OF SPRINGHILL, PHASE 2

Zoning District: SF-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: 30 Side: 8 Back: 20
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: 25 Side: 8 Back: 20
(if granted what the setback would be.)

Variance: Front: 5 Side: 0 Back: 0
(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.***

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):**

Existing platted lots and street were built on a cross slope requiring excessive cuts and fills leaving little room to build

homes that will be similar in size to others within the community.

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):**

Due to the above stated steep grades on the lots, the literal interpretation of the code makes it impractical to build houses

on these lots. After building house pads and the adjacent slopes that tie into existing grades, there is very little room to

build on. Other lots within the community do not have such steep slopes

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):**

RC Springhill, LLC purchased all the lots within Spring Hill, Phase 2. The streets and infrastructure were existing.

Rausch Coleman Development Group was not involved in the design of the subdivision.

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.

DOCF/162
 Applicant Signature* 4-11-14

 Property Owner Signature*
 (If different from Applicant)

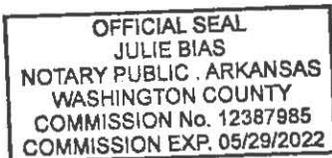
 Applicant Signature*

 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 11th day of April, 2014.



Julie Bias
 Notary Public

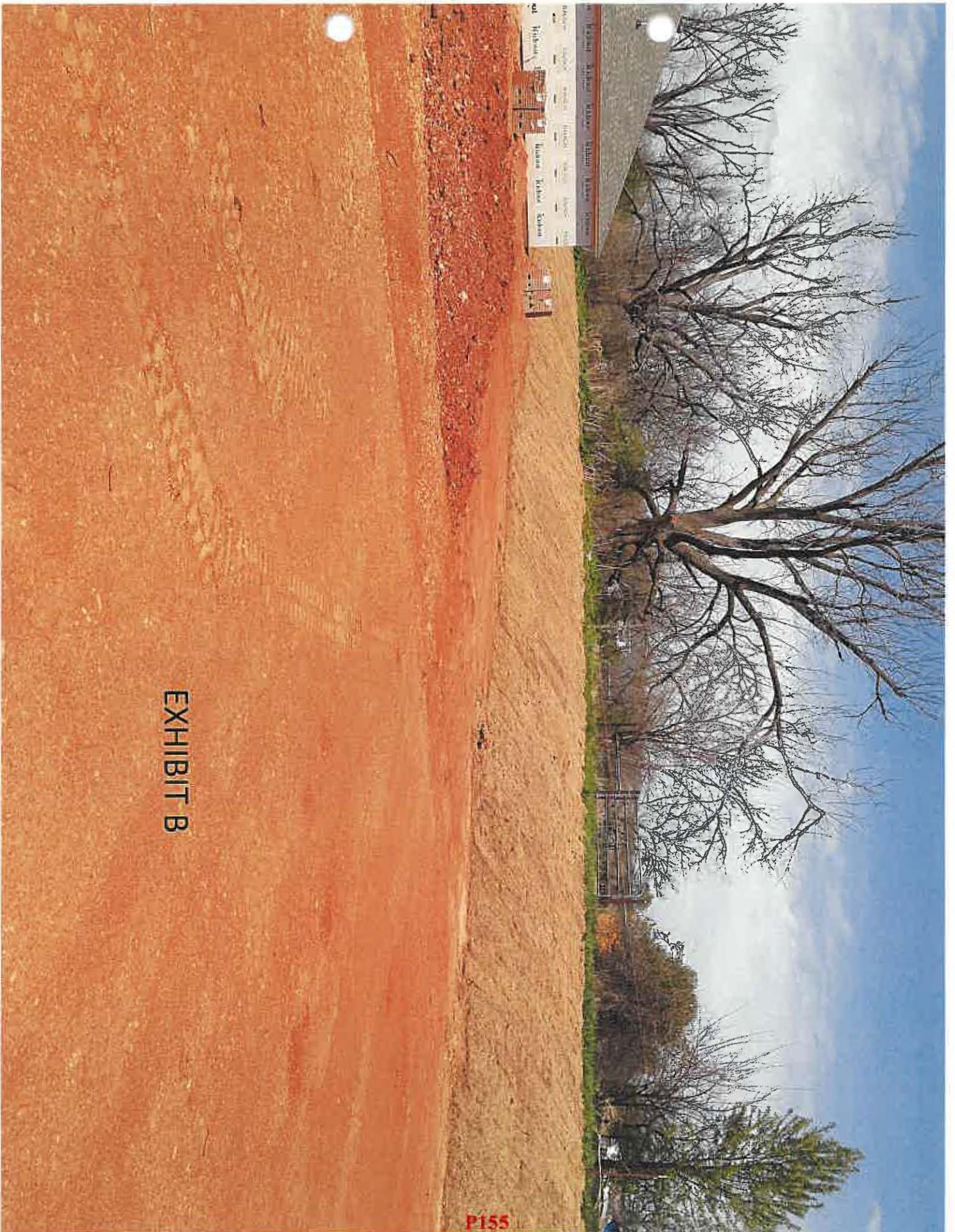


EXHIBIT B

P155

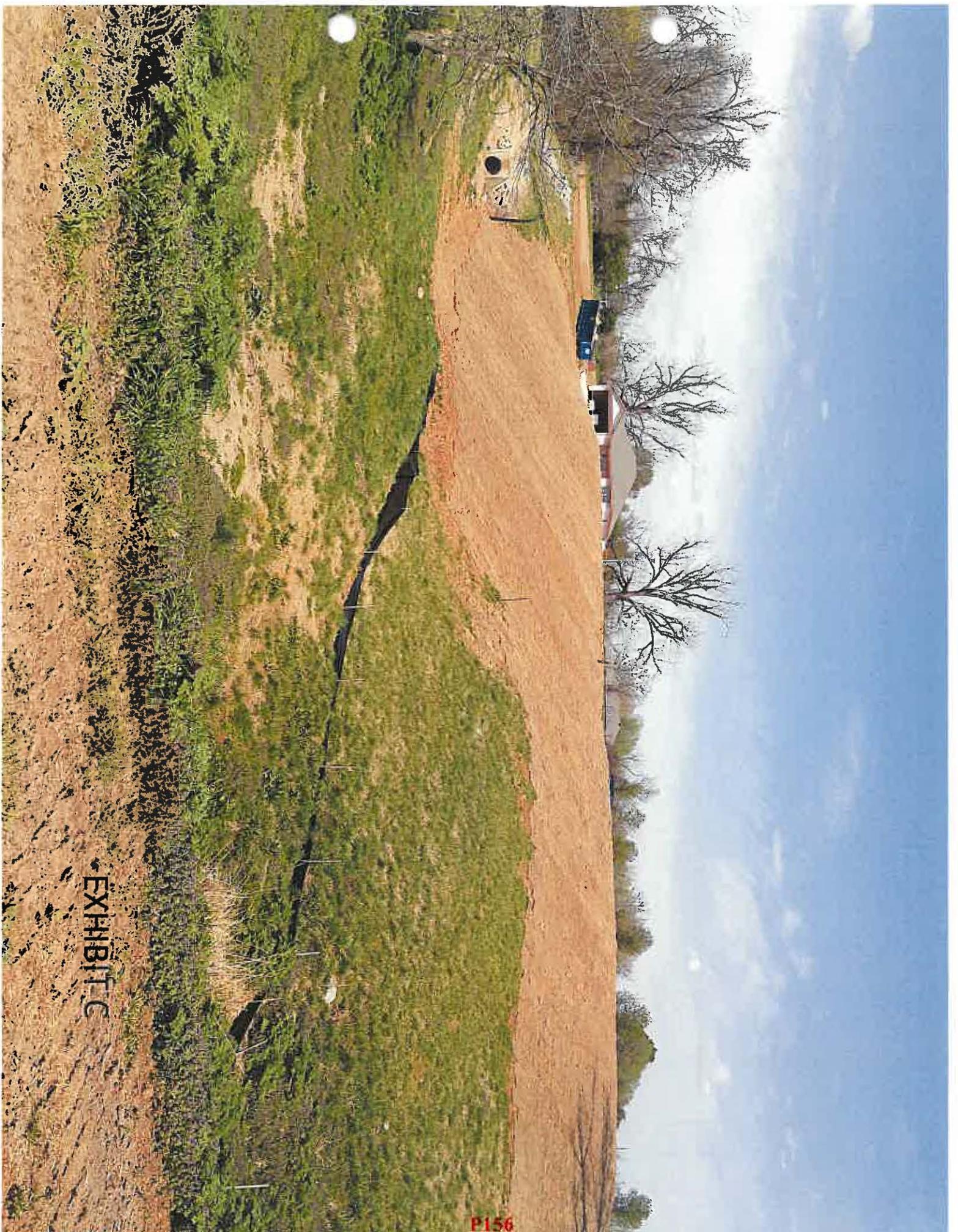


EXHIBIT C

P156

Staff Use Only

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

File # BV-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: Darrell Johnson

Applicant's Mailing Address:

304-wayland dr.

Street Address or P.O. Box

Springdale AR

City, State & Zip Code

966-0987

Telephone Number

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

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

304 wayland

Street Address or P.O. Box

Springdale AR

City, State & Zip Code

756-1024

Telephone Number

Address of Variance Request: 304 wayland

Zoning District: SF-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.

*Increase height of tree house from 16'
to 34'*

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 treehouse is built into a very old and large, but dying tree. Due to the size of the tree, its proximity to the house, and the small yard area, removing the tree would be difficult and costly. Both the shape and size of the tree is amenable to the built-in design of the treehouse. The vertical shape and elevation is complimentary to the small yard and adds extra play space. The neighborhood is mid-century and has many mature trees, but this tree is probably one of the largest. Approximately 60 feet in height, and a base circumference of 28 feet, it is well able to support the structure built into it.

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 treehouse is intended to make use of a large and sturdy tree that is, unfortunately, in decline. It is made to be useful and attractive, rather than just becoming a dead tree. The actual yard is a small, fenced in area, and the treehouse provides additional outside play space even in poor weather. As an added advantage, the treehouse has become an outdoor classroom, perfect for a birds' eye view of nature, weather watching, and stargazing.

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 treehouse is designed to be a part of the tree, and to afford a great view. The base of the treehouse is 10 feet off the ground, built on the 7 foot circumference stump of one fork. The vertical structure essentially encloses about 20 feet of access ladder leading to the upper level and enclosed observation deck. The lower levels built around the ladder have narrow open railed decks on three sides, but walled on all sides around the ladder for safety and protection. Starting at 10 feet off the ground, the added height of the structure puts it above the surrounding rooftops, and provides the observer a wonderful, panoramic view of the 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.

Donnell
Applicant Signature*

x *Marilyn Johnson*
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 Washington) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 16 day of Apr. 1, 2014.

DEBBIE A. POUNDERS
NOTARY PUBLIC-STATE OF ARKANSAS
WASHINGTON COUNTY
My Commission Expires 12-10-2014

Debbie A. Ponders
Notary Public



Staff Use Only

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

File # **BM-29**

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: Ricardo Ballesteros

Applicant's Mailing Address:

5014 Harbor Ave
 Street Address or P.O. Box
Springdale AR 72762
 City, State & Zip Code

479-619-9117
 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: 5014 Harbor Ave Springdale AR 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: _____ 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.

I am requesting the board to approve a metal/iron fence in the south side (front) of the property

City code allows up to 3' high, I am requesting to allow me to install an 8 ft high.

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):**

Since Har-Ber Ave., has become heavily trafficked, for the safety of my children and livestock, I find it necessary to have a fence higher than 3' on the front of the property.

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 don't feel I have been deprived from my rights, however, for the safety of my children and livestock, due to the proximity of the drivers license testing center and heavy general traffic,

I see the need of a fence on the south side (front) of the property higher than 3'.

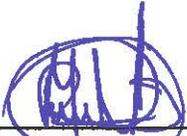
3. That the special conditions and circumstances do not result from the actions of the applicant. **Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):**

The city code not allowing the Springdale citizens a fence on front of their properties higher than 3' is inconvenient, especially when in some cases it is necessary due to safety.

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)

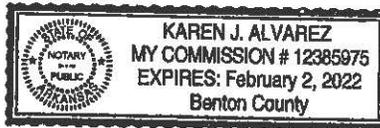


Applicant Signature*

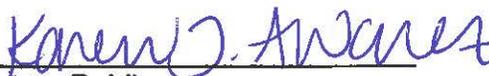
Property Owner Signature*
(If different from Applicant)

**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.*

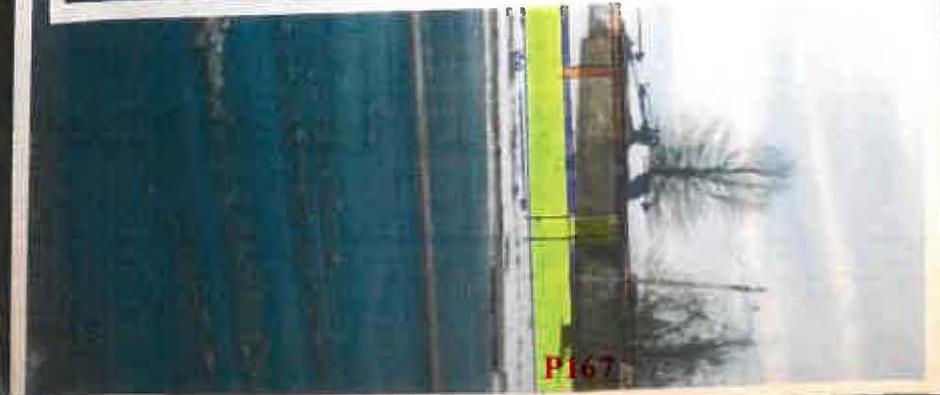
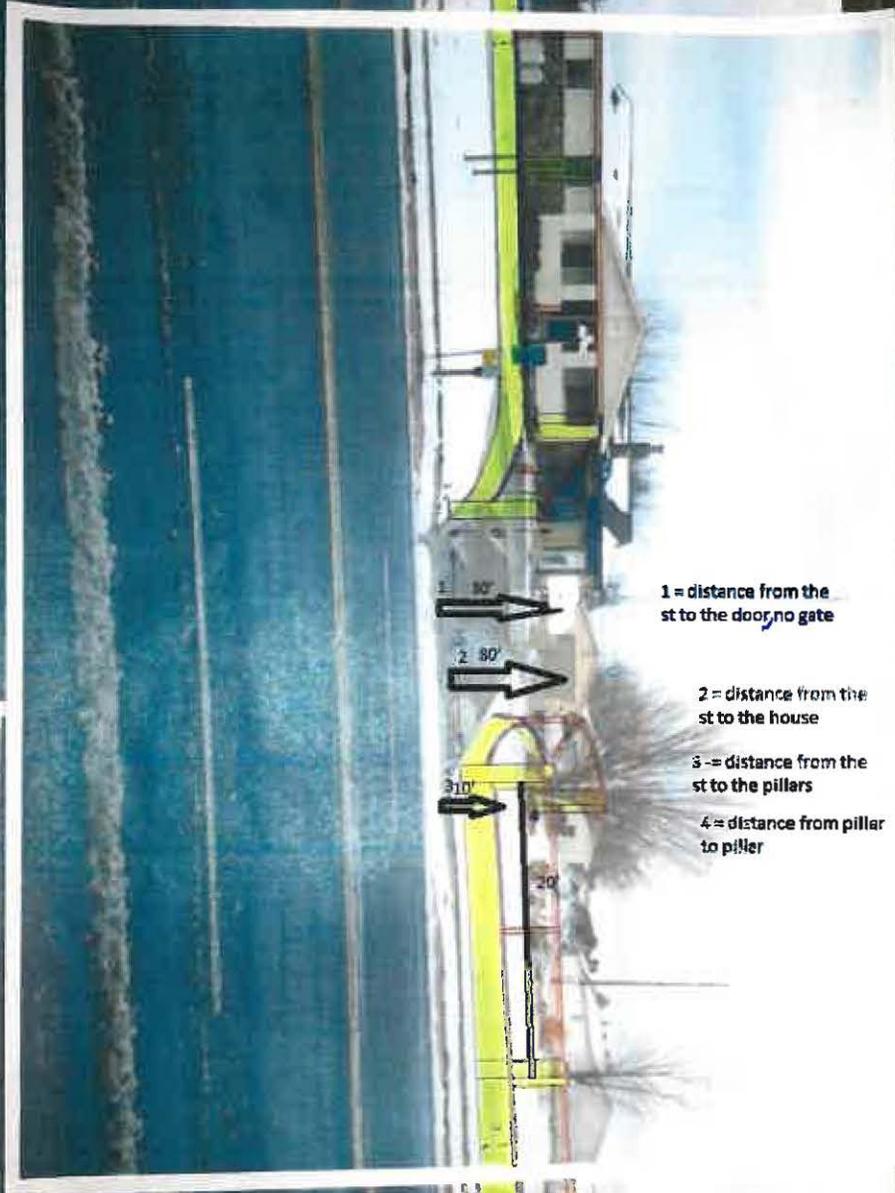
State of Arkansas)
) ss.
County of Benton)



SUBSCRIBED AND SWORN TO before me, a Notary Public, this 16 day of April, 2014.



Notary Public



Staff Use Only

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

File #

B14-30

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: **Stephen R. Giles (sgiles@gileslaw.net)**
by Nate Bachelor (nbachelor@ceieng.com)

Applicant's Mailing Address:

425 West Capitol Ave.

Street Address or P.O. Box

Little Rock, AR 72201

City, State & Zip Code

501-687-0836

Telephone Number

Property Owner's Name

(If different from Applicant): **WALMART REAL ESTATE BUSINESS TRUST**

Property Owner's Mailing Address:

(If different from Applicant):

Street Address or P.O. Box

Springdale, AR 72762

City, State & Zip Code

Telephone Number

Address of Variance Request: **4976 Elm Springs Road**

Zoning District: **C-5 (Thoroughfare 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. This must be a certified list by a licensed abstractor or licensed land surveyor within the past sixty (60) days. 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.

- A. Applicant requests a variance from the Springdale Code of Ordinances regarding freestanding signs in the C-5 Thoroughfare Commercial district to allow placement of a freestanding pylon sign on Lot 10 of Hall Crossing Subdivision.**
- B. Applicant requests a variance from the Commercial Design Standards of the Springdale Code to allow the entrance to the fueling station building to face the canopy instead of facing the street.**
- C. Applicant requests a variance from the Springdale Code of ordinances to allow 611 SF of signage on the primary entrance side of the building where 300 square feet of sign area is permitted.**

*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):**
 - A. The proposed placement of the pylon sign will be on a lot created by the Hall Crossing Subdivision plat but is not on the same lot as the fueling station the sign will advertise.
 - B. The orientation of the fueling station does not directly face 48th Street due to the configuration and geometry of Lot 7 of Hall Crossing Subdivision. Code requires the fueling station attendant to have a clear view of the pumps.
 - C. The sheer size of the building being constructed and nature of the parking and entrances to the store lend to the need of additional signage.

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):**
 - A. If the sign was restricted to placement on the supercenter lot it would not be visible to customers and would therefore deprive the applicant of rights commonly enjoyed by other property owners in the vicinity. The proposed location of the sign is on a Walmart-owned lot and was previously presented to Planning Commission when the variance for the size of the sign was approved.
 - B. The applicant's use of the site as a fueling station would be endangered by requiring strict compliance with the code. Due to

its small size relative to other convenience stores this change would be detrimental to the operation of the site. Code requires the fueling station attendant to have a clear view of the pumps at all times.

- C. Additional signage is needed in order to properly direct customer traffic to the various aspects of the business within the building
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 proposed pylon sign placement on Lot 10 is under the same property ownership as the supercenter development but due to the land's topography and location adjacent to the interstate it is necessary to place the sign away from the primary building.
- B. Code requires the fueling station attendant to have a clear view of the pumps at all times. The applicant has recently received a variance from the driveway spacing requirement of the Code to accommodate the fueling station layout.
- C. Multiple entrances are staggered around the building in order to avoid congestion that would result with only one entrance. If the multiple uses within the building were considered separate businesses, additional signage would be permitted.
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.
- A. The intent of this request is to allow the applicant to have the same advertising privileges enjoyed by other owners in the same district.
- B. The intent of this request is to allow the fueling station kiosk to be oriented to face the fuel pumps as required by code and to limit the customer entrance to the side of the building that faces the customers. Connectivity to the public street is proposed, but making the modifications to the building is not practical.
- C. Multiple big-box buildings in this district and others around the city are permitted an increase in building signage and this request would not confer advantage to this development over another.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.

- A. The applicant has engaged a consultant to perform a flag test to determine the appropriate size and location of the pylon sign that provides the best visibility from the northbound traffic with the minimal variation from the code standards. The size increase was previously approved by the Planning Commission.
- B. The applicant has prepared several design options for this site and has determined that the orientation and location shown represent the most code compliant layout possible while still allowing the intended use of the facility.
- C. The type and size of signage listed in this variance request has been determined to be the minimum required in order to properly direct customer traffic to various aspects of the building.

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.

- A. Granting the variance will allow the traveling public enough time to view the sign, decide to exit, and safely maneuver to the business that the sign advertises adjacent to Interstate 540.
- B. Granting the variance to allow the entrance to the kiosk building to be on canopy side of the site will not be a cause a disruption to the neighborhood or endanger public welfare.
- C. Based on the size of the building and the need to avoid customer confusion the additional signage will benefit the public welfare by easing navigation through the development.

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)



SIGN 1 OPTION 4A

SIDE A - SCALE: 3/32" = 1'



SIDE B (FACE) - SCALE: 1/16" = 1'



SIGN DETAILS

NEW D/F SIGN & STRUCTURE.
 "WALMART" IS A FULL COLOR DIGITALLY PRINTED SIGN WRAP.
 "UNLEADED" IS A 40" X 228" NON ILLUMINATED PANEL. GAS CHANGER IS RED WITH 36" CHARACTER HEIGHT & A 43.3" X 108.3" CABINET.

FILE PATH: ART/WALMART/SPRINGDALE, AR

CLIENT

WALMART

SALESPERSON

DAVE SCHRIDDE

DATE SCALE

3/01/2013 VARIES

AD

16548

DESIGNED BY

J WILSON

REVISION HISTORY

OPT-4A - 3/01/13

*SCALE AND COLORS NOT REPRESENTATIVE FROM EMAIL ATTACHMENTS.

ALL MEASUREMENTS ARE APPROXIMATE.

APPROVED BY

DATE

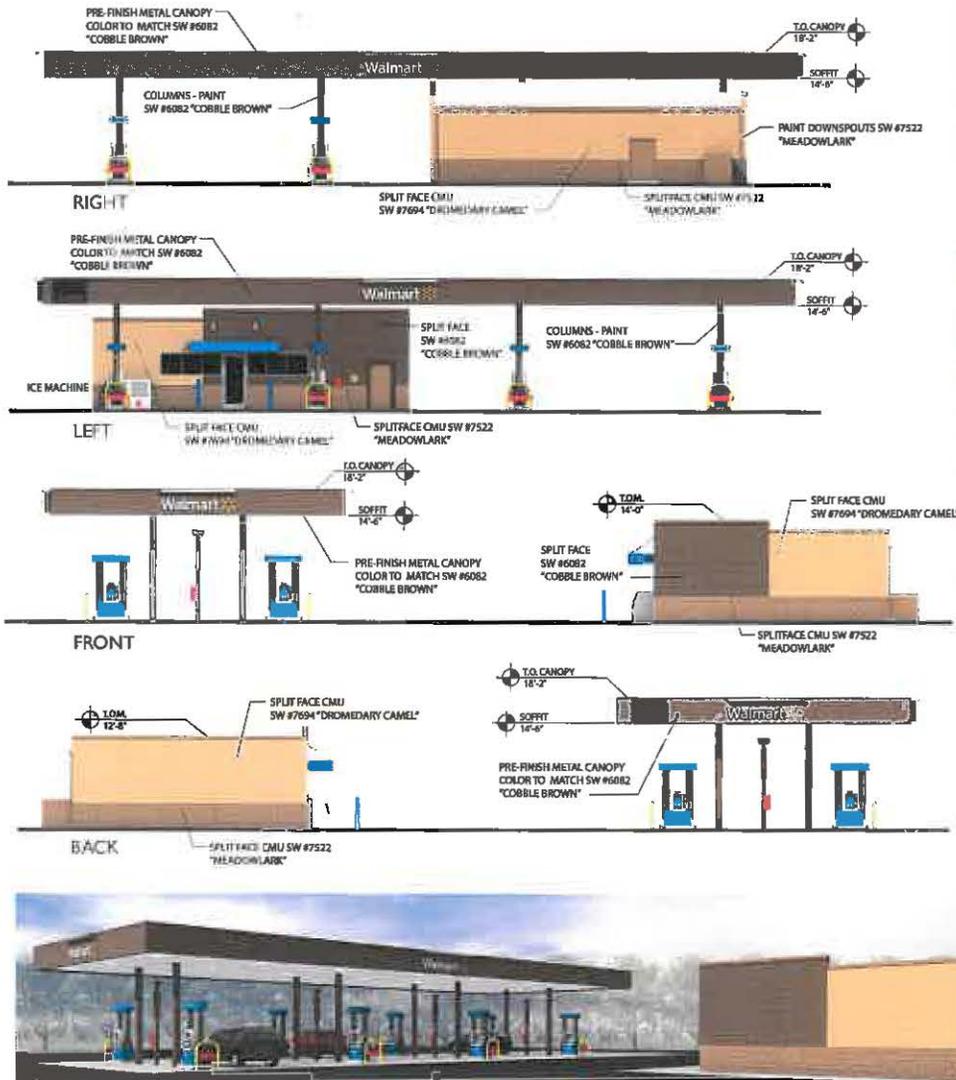
This drawing is copyrighted material, it remains the property of Springfield Sign & Neon unless otherwise agreed upon in writing. It is unlawful to use this drawing for bidding purposes, nor can it be reproduced, copied or used in the production of a sign without written permission from Springfield Sign & Neon, Inc.

This is an artistic rendering and final colors & sizes may vary from that depicted herein.



WWW.SIGNHIT.COM





P175

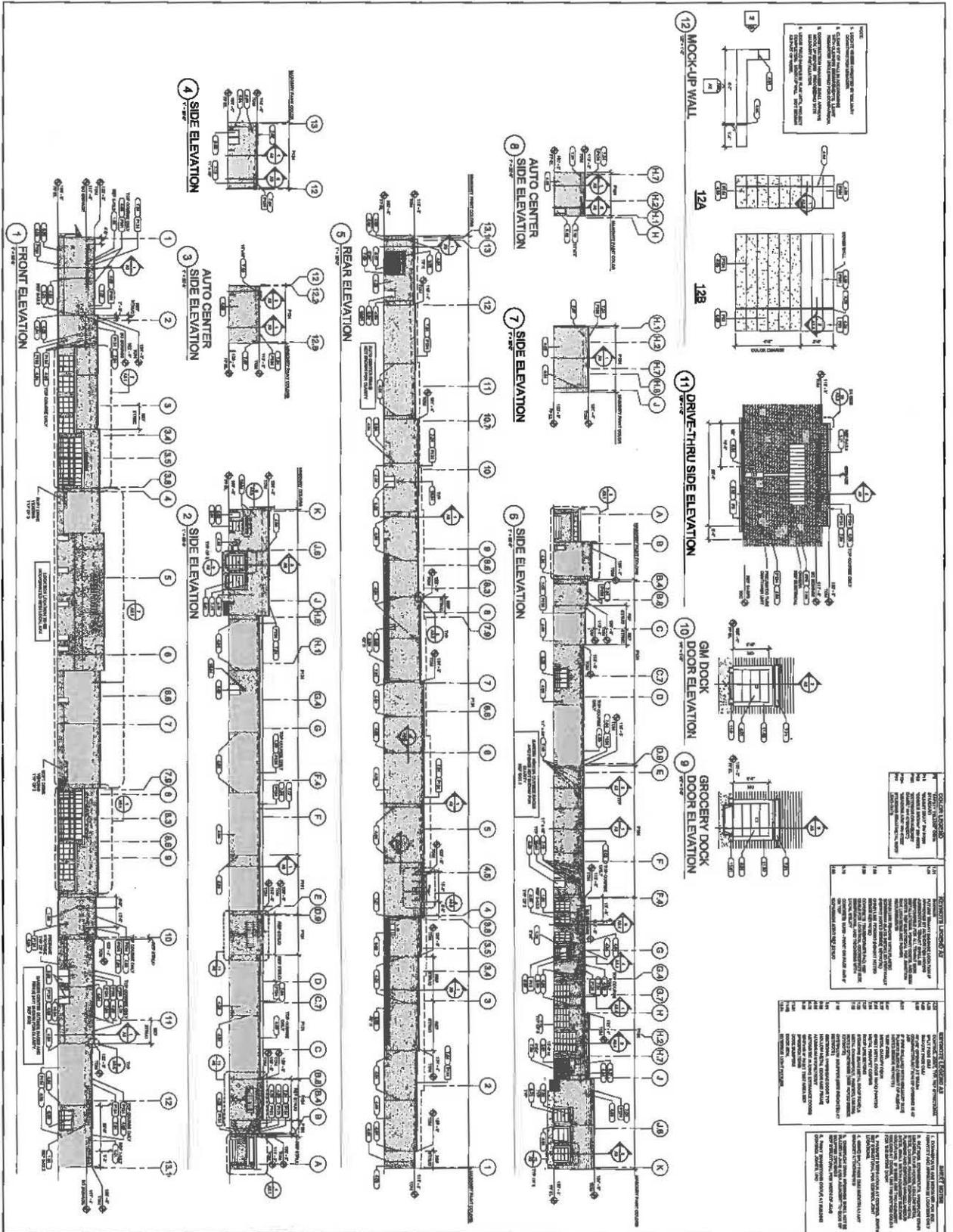


APRIL 14 2014

#4108 SPRINGDALE, AR

WALMART FUEL STATION 8 STACK
1440 WALK-IN KIOSK (REMOTE)

FOR AHI REVIEW - CLIENT APPROVED
Building images shown are an artistic representation of the design intent. Actual color or materials may vary from those shown due to final design detailing.
NOT FOR CONSTRUCTION





Springdale (Elm Springs), AR - #4108

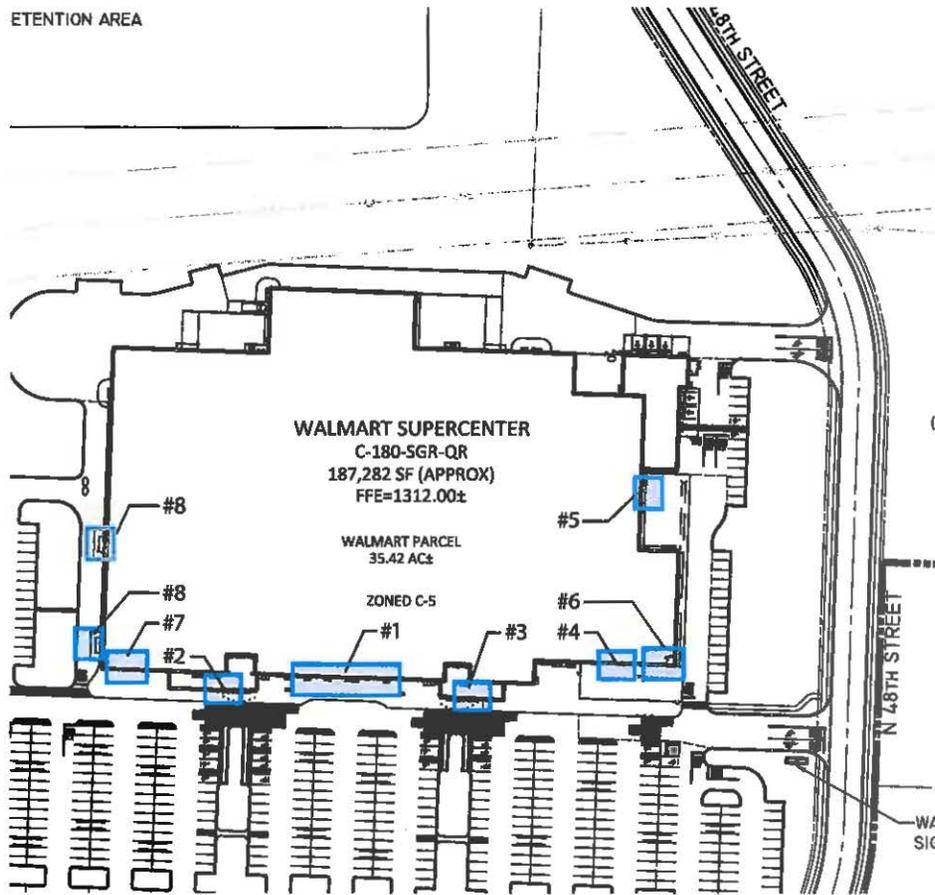


Signage Package

Issued: April 17, 2014

Sign Location Plan

ATTENTION AREA



Sign	Qty.	Height	Area (S.F.)	Total S.F.
#1 Walmart ✶	1	5'-6 7/8"-0"	298.00	298.00
#2 Market	1	2'-6"	28.17	28.17
#3 Home & Pharmacy	1	2'-6"	97.66	97.66
#4 Outdoor Living	1	2'-6"	77.17	77.17
#5 Auto Center	1	2'-0"	31.51	31.51
#6 Auto Center ▶	1	2'-0"	34.55	34.55
#7 ◀ Pharmacy Drive-Thru	1	2'-0"	74.66	74.66
#8 Pharmacy Drive-Thru	1	1'-6"	39.90	39.90
Total Building Signage			681.62	681.62

P179



April 17, 2014

Springdale (Elm Springs), AR # 4108

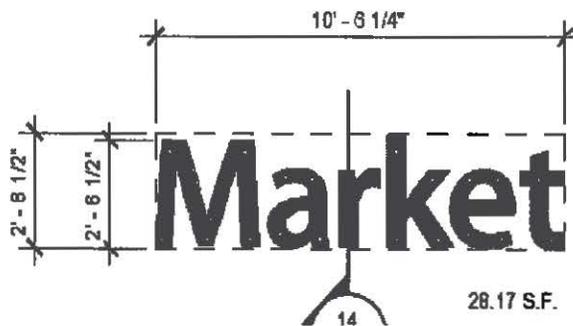
Sign Location Plan

Page #2

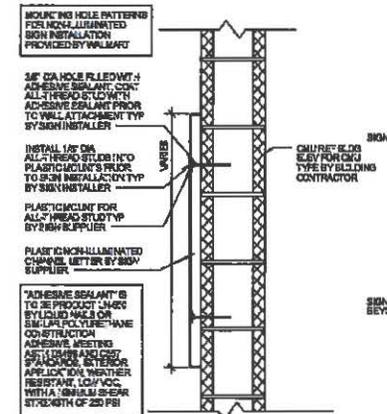


Front Elevation

Building Sign #2



Building Sign Front Elevation



Side Elevation

P181

Sign	Qty.	Height	Area (S.F.)	Total S.F.
#2 Market	1	2'-6"	28.17	28.17
Total Signage			28.17	



April 17, 2014

Springdale (Elm Springs), AR # 4108

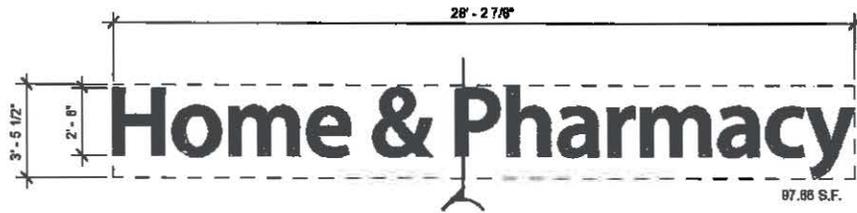
Building Sign #2

Page #4

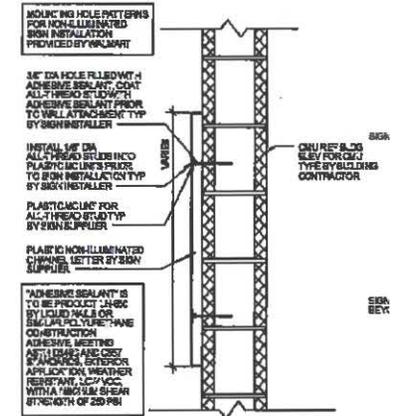


Front Elevation

Building Sign #3



Building Sign Front Elevation



Side Elevation

Sign	Qty.	Height	Area (S.F.)	Total S.F.
#3 Home & Pharmacy	1	2'-6"	97.66	97.66
Total Signage			97.66	



April 17, 2014

Springdale (Elm Springs), AR # 4108

Building Sign #3

Page #5

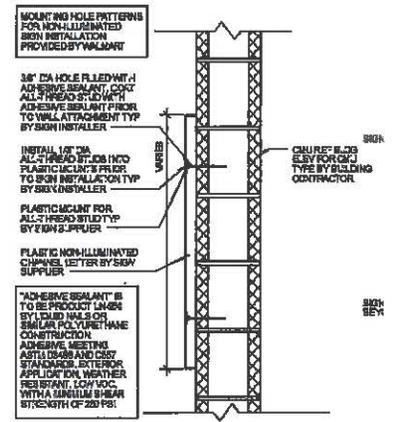
P182



Front Elevation



Building Sign Front Elevation



Side Elevation

Sign	Qty.	Height	Area (S.F.)	Total S.F.
#4 Outdoor Living	1	2'-6"	77.17	77.17
Total Signage			77.17	



April 17, 2014

Springdale (Elm Springs), AR # 4108

Building Sign #4

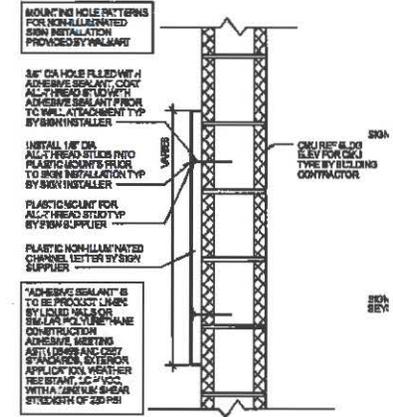
Page #6

P183



Front Elevation

Building Sign #5



Side Elevation

P184



April 17, 2014

Springdale (Elm Springs), AR # 4108

Sign	Qty.	Height	Area (S.F.)	Total S.F.
#5 Auto Center	1	2'-0"	31.51	31.51
Total Signage			31.51	

Building Sign #5

Page #7

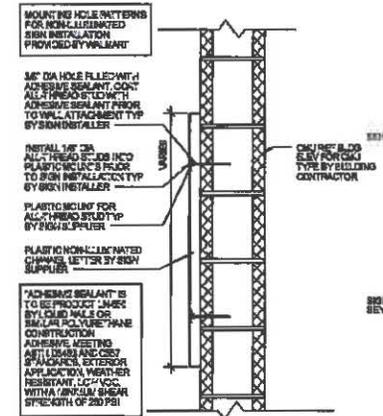


Front Elevation

Building Sign #6



Building Sign Front Elevation



Side Elevation

Sign	Qty.	Height	Area (S.F.)	Total S.F.
#6 Auto Center ▶	1	2'-0"	34.55	34.55
Total Signage			34.55	34.55



April 17, 2014

Springdale (Elm Springs), AR # 4108

Building Sign #6

Page #8

P185

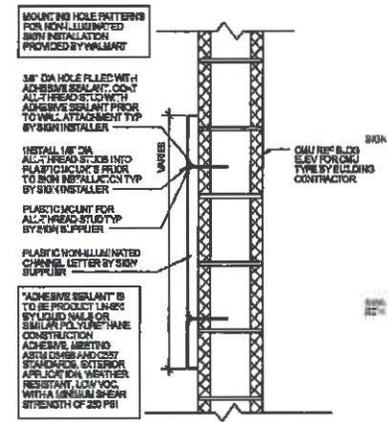


Front Elevation

Building Sign #7



Building Sign Front Elevation



Side Elevation

P186

Sign	Qty.	Height	Area (S.F.)	Total S.F.
#7 Pharmacy Drive -Thru	1	2'-0"	74.66	74.66
Total Signage			74.66	

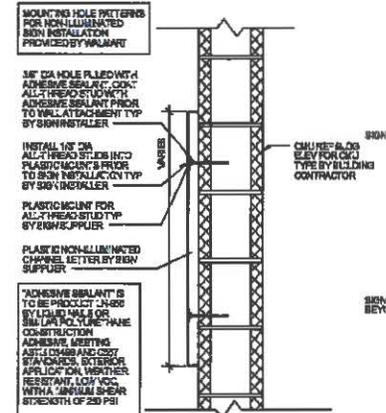
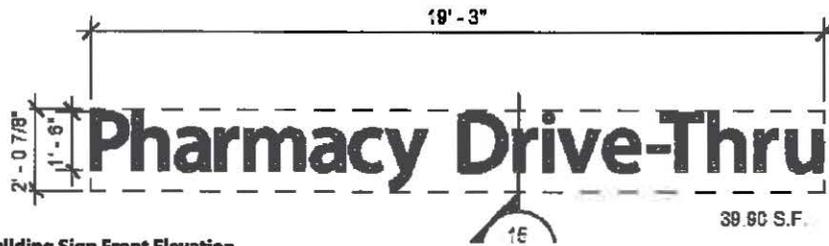


April 17, 2014

Springdale (Elm Springs), AR # 4108

Building Sign #7

Page #9



P187

Sign	Qty.	Height	Area (S.F.)	Total S.F.
#8 Pharmacy Drive-Thru	1	1'-6"	39.90	39.90
Total Signage			39.90	



April 17, 2014

Springdale (Elm Springs), AR # 4108

Building Sign #8

Page #10

Staff Use Only

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

File # B14-31

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: Flowerama of NWA; Jim Mowen

Applicant's Mailing Address:

1500 SE Walton Blvd.

Street Address or P.O. Box

Telephone Number

Bentonville, AR 72712

City, State & Zip Code

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

Telephone Number

City, State & Zip Code

Address of Variance Request: 2940 W. Sunset

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.***

City code requires that there be a buffer strip surrounding the project area. In this case the area the applicant is leasing will be within an existing parking lot for an existing building. The intent is to install the building, while adding some site improvements including landscaping. To add the perimeter buffer would mean removing a large amount of existing parking and converting it to landscaped area. The owner is proposing landscaping along the street frontage and will be removing some parking spaces for planting islands, however, with the lot as it is, a great deal of parking would be removed to create the perimeter strip. We hope the Planning Commission will consider this while reviewing this variance application.

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 proposed project area is an existing parking. The proposed building will be an improvement upon an already paved area. There are parking islands, trees, shrubs and landscaped areas included within the project proposal.

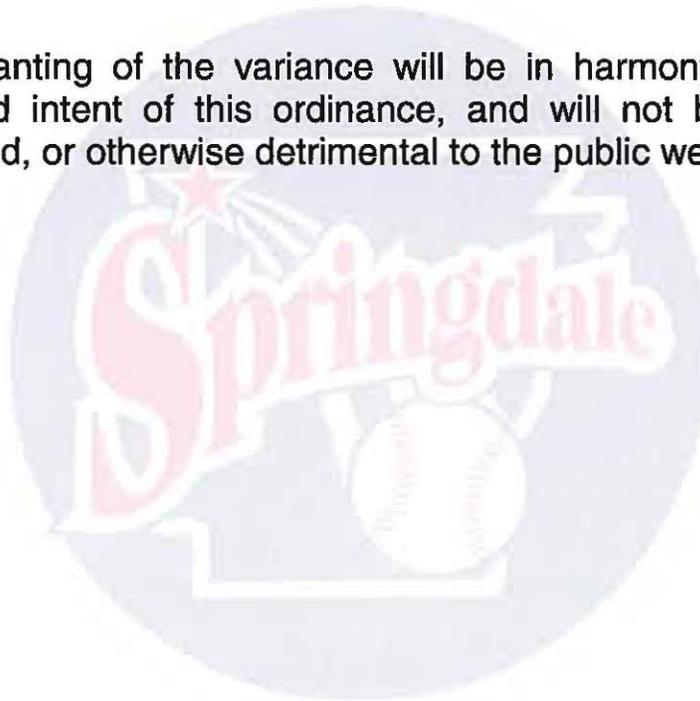
2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**

Literal interpretation would create a circumstance where a great deal of existing parking for an existing building would be removed. The project area is part of a larger commercial lot where the owner of the overall lot is leasing this portion of the site to Flowerama of Northwest Arkansas. In turn, the perimeter landscaped area used as a buffer between properties is not as important, since the property owner being buffered owns both properties.

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 property is an existing parking lot, therefore, a preexisting condition.

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.

[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)
County of Washington) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 16 day of Apr. 1, 2014.

[Signature]
Notary Public

DEBBIE A. POUNDERS
NOTARY PUBLIC-STATE OF ARKANSAS
WASHINGTON COUNTY
My Commission Expires 12-10-2014

Staff Use Only

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

File # B14-32

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

L14-12

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

Applicant's Name: Mathias Shopping Centers, Inc.

Applicant's Mailing Address:

P.O. Box 6485 (479) 750-9100
Street Address or P.O. Box Telephone Number
Springdale, AR 72766-6485
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: 5310 West Sunset Avenue, Springdale, Washington County, Arkansas

Zoning District: C-2 (General Commercial 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

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.***

A list of requested variances is included on the following page.

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:

List of Requested Variances

A) Applicant requests a variance of the minimum 3' distance from an off-street parking area to a property line. Proposed parking lot will extend across boundary of two parcels, both of which are owned by the applicant.

B) Applicant requests a variance of the requirement that all overhead utility lines be located underground to allow existing overhead utilities to remain in their current state.

C) Applicant requests a variance of commercial design standards to allow a public entrance on west side of building only rather than entrances facing the public rights-of-way of 48th Street and Highway 412.

D) Applicant requests a variance of foundation landscaping requirements to allow installation of foundation landscaping along the sides of the building facing public streets (south and east sides) rather than the front of the building (west side).

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):**

A) The development and the parking lot are located on two parcels which are both owned by the
applicant. B) Variance is for existing utilities only, no new overhead utilities will be installed as part of
the development. C & D) The proposed development is located within a large shopping center rather
than a stand-alone parcel. Development will be accessed from and face toward the shopping center
rather than the public street as it would in a conventional stand-alone commercial development.

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):**

List of Special Conditions is included on the following page.

List of How Special Conditions Occurred

A) Applicant requests a variance of the minimum 3' distance from an off-street parking area to a property line. Proposed parking lot will extend across boundary of two parcels, both of which are owned by the applicant. The special condition is that the development and parking area are located on two adjacent parcels which are both comprehensive parts of a large shopping center development. Off-street parking area will not be located within 3' of the external boundaries of the shopping center.

B) Applicant requests a variance of the requirement that all overhead utility lines be located underground to allow existing overhead utilities to remain in their current state. No new overhead utilities are proposed, and the variance is solely to allow existing overhead utilities to remain in their current state.

C) Applicant requests a variance of commercial design standards to allow a public entrance on west side of building only rather than entrances facing the public rights-of-way of 48th Street and Highway 412. The building will be located in and accessed from the shopping center, as opposed to a conventional development located on a stand-alone tract facing and accessed from the public street right-of-way. For this reason, the building is proposed to face in toward the shopping center and away from the public streets. With this configuration, a public entrance toward 48th Street or Highway 412 would be at the rear of the building, and would be at odds with the overall design for the development.

D) Applicant requests a variance of foundation landscaping requirements to allow installation of foundation landscaping along the sides of the building facing public streets (south and east sides) rather than the front of the building (west side). For the same reasons as those listed above in Item C, the building is proposed to face inward toward the shopping center. Foundation landscaping is therefore proposed to be installed along the south and east sides of the building to enhance the development's aesthetics when viewed from the public streets.

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.

MATHIAS SHOPPING CENTERS, INC.

By:  PRESIDENT
ARTHUR THURMAN

Applicant Signature*

Property Owner Signature*
(If different from Applicant)

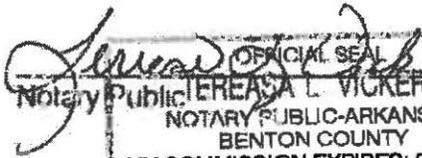
Applicant Signature*

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)
County of Benton) ss

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 17th day of April, 2014.


OFFICIAL SEAL
Notary Public THERESA L. VICKERS
NOTARY PUBLIC-ARKANSAS
BENTON COUNTY
MY COMMISSION EXPIRES: 04-19-15

Staff Use Only

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

File # BV433

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

LH-13
R 14-13

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

Applicant's Name: Springdale Benevolent Foundation

Applicant's Mailing Address:

1423 East Emma Avenue

Street Address or P.O. Box

Springdale, AR 72764-3609

City, State & Zip Code

1-877-92RODEO or (479) 756-0464

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: 1423 East Emma Avenue, Springdale, Washington County, Arkansas

Zoning District: Current: I-1 (Light Industrial District) Proposed: P-1 (Institutional 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

List of Requested Variances

A) Applicant requests a variance of the on-site parking requirements for this development to reduce number of required spaces from 2,225 spaces to 611 spaces. Additional off-site spaces will be provided via a future parking agreement with Northwest Technical Institute.

Deletion of parking requirements

B) Applicant request a variance of the requirement that all drives and parking areas are required to be paved to allow existing drives and parking areas to remain in their current state other than those shown to be improved as part of the current development on the submitted plans.

C) Applicant requests a variance of the requirement that all storage areas are required to be paved or chip sealed to allow all existing storage areas to remain in their current states other than those areas being improved as part of the current development.

D) Applicant requests a variance of the requirement that all open storage areas shall be screened with an 8' opaque screening fence.

E) Applicant requests a variance of the requirement that all overhead utility lines be located underground to allow existing overhead utilities to remain in their current state.

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.***

A list of requested variances is included on the following page.

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):**

A) Creating 2,225 parking spaces on site is not feasible, but additional off-site parking is proposed via
a off-site parking agreement with Northwest Technical Institute. B-E) No new non-conforming
parking or storage areas or overhead utility lines are proposed. Variance will allow existing areas to
remain in current condition other than those areas which are shown to be improved as part of the
current development.

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):**

List of Special Conditions is included on the following page.

List of How Special Conditions Occurred

A) Achieving conformance is not feasible as there is insufficient space on-site to provide the number of parking spaces required by ordinance. However, additional off-site parking will be provided via a future off-site parking agreement with Northwest Technical Institute.

B-D) No new non-conforming parking areas, drives, or storage areas are proposed as part of the current development. Variance will only allow those existing areas which are not shown as being improved on the submitted LSD plans to remain in their current states.

E) Applicant requests a variance of the requirement that all overhead utility lines be located underground to allow existing overhead utilities to remain in their current state. No new overhead utilities are proposed, and the variance is solely to allow existing overhead utilities to remain in their current state.

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.

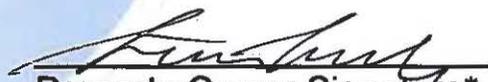
VERIFICATION

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 April, 20 .



Notary Public

BRIAN JAMES MOORE
WASHINGTON COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires October 01, 2017
Commission No. 12346378

City of Springdale Arkansas
Planning Commission
201 Spring Street
Springdale, AR 72764

RECEIVED
MAR 17 2014
PLANNING OFFICE
CITY OF SPRINGDALE

March 13, 2014

To Whom It May Concern:

The purpose of this letter is to petition a request, made by the City of Springdale, for the construction of a sidewalk along Miller Road for the residence in the process of early construction at 13186 Rusty Blackhaw in Springdale (Benton County). A sidewalk is required on Rusty Blackhaw to the front of the house, and along the back of the property along Miller Road.

I am petitioning the requirement for a sidewalk in my backyard along Miller Road where there are no sidewalks along the 2 mile length of road. The Spring Ridge property owners that backup against Miller Road do not have sidewalks along Miller Road.

Please review my request and grant an exception for the requirement of a sidewalk for residence 13186 Rusty Blackhaw, Springdale, Arkansas 72762.

Regards,



Danielle Wahlquist-Hays

479-582-8732 Construction Co.

479-466-8844

Dwahlquist @

Dwahlquist@outlook.com

9515 Brooklyn Ave

S'dale

72762

April 16, 2014

Springdale Planning Commission
201 Spring Street
Springdale, AR 72764

RE: Sidewalk Improvements Waiver
First State Bank LSD - L14-12

Dear Sir or Ma'am:

On behalf of our client, we request a waiver of sidewalk improvement requirements for 48th Street associated with this development. The submitted plans include installation of sidewalks adjacent to the development along Highway 412, and additional sidewalk construction along Highway 412 to connect to the end of the existing sidewalks and provide a continuous pedestrian walkway in the area.

If you have any questions regarding the development or this request, please contact me.

Sincerely,



Jason Appel, P.E.

W4-07

April 16, 2014

Springdale Planning Commission
201 Spring Street
Springdale, AR 72764

RE: Street / Sidewalk / Streetlights Improvements Waiver
Parson Stadium LSD - L14-13

Dear Sir or Ma'am:

On behalf of our client, we request a waiver of street, sidewalk, and streetlight improvement requirements for East Emma Avenue and S. Old Missouri Road associated with this development.

If you have any questions regarding the development or this request, please contact me.

Sincerely,



Jason Appel, P.E.

RECEIVED
APR 16 2014
PLANNING OFFICE
CITY OF SPRINGDALE

WJK-OB