

**SPRINGDALE PLANNING COMMISSION
COUNCIL CHAMBERS**

**5:00 P.M.
201 SPRING
JUNE 3, 2014
Agenda**

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

II. Call to Order

III. Roll Call

IV. Approval of Minutes (May 6, 2014)

V. Tabled Items from May 6, 2014

A. C14-06 Blake Harris Pgs. 25-34
1229 E. Robinson Avenue
Use Unit 41 (Auto Sales) in
General Commercial District (C-2)
Presented by Blake Harris

VI. Public Hearing – Rezoning

A. R14-14 First United Presbyterian Church Pgs. 35-41
100 S. Gutensohn
From A-1 to P-1
Presented by Charles Harwell

B. R14-15 Luis Quinoez Pgs. 42-48
1906 Lowell Road
From C-2 to I-1
Presented by Luis Quinoez

C. R14-16 Fishing Bridge Investments, LLC Pgs. 49-57
SW corner of Palisades & Highway 265
From A-1 to C-2
Presented by Allissa Sims

VII. Public Hearing – Conditional Use

- A. C14-07 Patricia Sharp **Pgs. 58-60**
W. side N 56th St. S. of E. Wagon Wheel Road
 LS14-09 Tandem Lot Split **Pgs. 61-68**
 Presented by Leonard Gabbard

- B. C14-09 Greg & Sharon Brown **Pgs. 69-71**
Fishing Bridge Investments, LLC
SW corner of Palisades & Highway 265
 LS14-10 Tandem Lot Split **Pgs. 72-77**
 Presented by Allissa Sims

- D. C14-10 Signature Bank of Arkansas **Pgs. 78-80**
White River Bancshares Co.
NW corner of Highway 265 & Electric Ave.
 LS14-11 Tandem Lot Split **Pgs. 81-84**
 Presented by Allissa Sims

VIII. Lot Splits

- A. LS14-09 Patricia Sharp
W. side N. 56th St., S. of E. Wagon Wheel Road
Tandem lot split
 Presented by Leonard Gabbard

- B. LS14-10 Fishing Bridge Investments, LLC
SW corner of Palisades & Highway 265
Tandem lot split
 Presented by Allissa Sims

- C. LS14-11 White River Bancshares Co.
NW corner of Highway 265 & Electric Ave.
Tandem Lot Split
 Presented by Allissa Sims

IX. Large Scale Developments

- A. L14-16 71B Auto Auction **Pgs. 85-97**
NE corner of 71B & Highway 264
Concept of Detention
 Presented by CEI Engineering

X. Board of Adjustment

- A. B14-35 Everett Chrysler/Dodge
3709 S. Thompson
Variance for second sign on
Don Tyson Parkway
Presented by Rick Evans**

Pgs. 98-102

XI. Planning Director's Report

XII. Adjourn

The Springdale Planning Commission met in regular session on Tuesday, May 6, 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 5:02 p.m.

Roll call was answered by:

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

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

Commissioner Brian Powell was absent.

Mr. Szmyd moved to approve the April 2014 minutes. Ms. O'Conner seconded the motion. By a voice vote of all ayes and no nays the minutes were approved by a unanimous vote.

Public Hearing – Violation of Conditional Use

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

This was not heard as the Church has been evicted from 2100 Turner Street making the conditional use no longer in effect.

Public Hearing – Conditional Use

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

Mr. Harris was present to answer any questions or comments. Mr. Roger Anglin, who is the owner of the property, was also present.

Mr. Kelsey asked for Staff comments.

Ms. Christie read the Staff comments.

Ms. Christie said it is a request for a use unit 41 which is automobile sales in a General Commercial District (C-2).

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.**

Ms. Christie asked if he was going to use both entrances.

Mr. Harris said that they would.

Ms. Christie stated that creates a problem because it is very close to the intersection.

She kept reminding Mr. Harris that he did not submit a site plan.

Mr. Harris said he thought they submitted a site plan.

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

There were none.

Mr. Kelsey noted that since there wasn't a site plan it would be difficult for the Commission to make an informed decision as to whether or not to grant the conditional use.

Mr. Covert asked Mr. Harris how long it would take to put together a site plan.

Mr. Harris said he could get it done this week.

Mr. Covert moved to table the request until the Commission can look at a site plan and see how it will be laid out.

Mr. Miller seconded the motion.

VOTE:

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

NO: None

The motion to table was approved by a unanimous vote.

Ms. Christie suggested that Mr. Harris call the office and set up a meeting so Staff can make sure that he can meet all the requirements.

Public Hearing – Rezoning

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

Mr. Watkins was present on behalf of his clients to answer any questions or comments. He said his clients have a contract to sell it and the buyer wants to tear it down and rebuild for a restaurant with a drive through.

Mr. Kelsey asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates commercial use.

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.

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

There were none.

Mr. Watkins stated he agreed with Ms. Christie in that the size of the property is not conducive to some of the uses a C-5 permits however the same problem will prevent it from ever being attractive to anyone that would want to use it for some of the heavier uses allowed in a C-5 zone. Again, the only reason for the C-5 zone is so the prospective purchaser can have a drive through window.

Mr. Danny Wright with the Springdale Police Department spoke. He stated that the location was a former night club that created many calls for disturbances. If it goes to C-5 he feels that it would create another night club atmosphere and more problems.

Ms. Christie said she has stated many times before anything that can go into a particular zone needs to be considered. Although Mr. Watkins states that it is going to be a restaurant; anything that can go into a C-5 will be able to go there if it is approved. Rezoning is based on the land use map and not on what an applicant says will go in there.

Ms. Christie also said that Mr. Sedberry pointed out that a C-5 requires at least 1,400 square feet and 100' of frontage.

Mr. Walker said he thought the frontage was only 95'.

Ms. Christie said that if it were to be rezoned it would also have to have a variance for reduction of frontage.

Ms. Haney voiced her concern about putting another drive through in that area as there is already a Sonic and a Burger King. She felt that putting another drive through would make the traffic congestion even worse especially during the peak lunch hour.

Mr. Szmyd called for the vote.

VOTE:

YES: Kelsey

NO: Covert, Haney, Miller, O'Conner, Parsley, Szmyd, Arthur

The rezoning was denied by a vote of one (1) yes and seven (7) no.

Ms. Christie stated for the record Mr. Watkins' clients have the right to appeal the Commission's decision to the Council. They must appeal in writing to the City Clerk's office within fifteen (15) days stating why they feel the Commission erred in their decision and they must re-notify the adjacent property owners. She further stated they would still need a variance as the property did not have 100' of frontage.

- B. R14-13 Springdale Benevolent Foundation
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.

Mr. Jason Appel with Engineering Services, Inc. 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.

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

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.

There were none.

Mr. Miller called for the vote.

VOTE:

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

NO: None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Ordinance to go to Council on Tuesday, May 27, 2014 at 6:00 p.m.

Large Scale Developments

- A. L14-11 Flowerama of NWA
2940 W. Sunset Ave.
- B14-31 Variance for modification of
Landscaping requirement
Presented by Bates and Associates

Mr. Evan Neihouse with Bates and Associates was present on behalf of his client to answer any questions or comments.

He said the variance for the landscaping is due to the fact that there is an existing parking lot on which the building will be built. They would like to install around the building and some site improvements including a sidewalks, landscaping, shrubs and green space areas.

Mr. Kelsey asked for Staff comments.

Ms. Christie read the Staff comments.

Planning Comments

- 1) Notice to all adjacent property owners must be sent by certified mail, return receipt requested at the time of resubmission. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, shall be submitted. Please return white mail receipts and affidavit to the Planning Office. Green return cards must be submitted to the Planning Office prior to the Planning Commission meeting.
- 2) 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.

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

There were none.

Ms. Christie stated they are asking for a variance for the modification of the landscaping requirement and are proposing other landscaping in exchange for perimeter landscaping. They will be putting up against the island that already has trees in it and they are putting trees in the parking lot. She asked if they had a lighting plan.

Mr. Sedberry stated their comments say they don't propose any additional lighting but it doesn't preclude them from submitting one.

Ms. Christie stated that Staff needs a lighting plan.

Mr. Szmyd called for the vote on the variance.

VOTE:

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

The variance was approved by a unanimous vote.

Mr. Szmyd moved to approve the large scale development, subject to Staff comments. Mr. Miller seconded the motion.

VOTE:

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

The large scale development was approved by a unanimous vote.

Ms. Christie stated that all the comments had to addressed before they could get a building permit.

- B. L14-12 First State Bank (Today's Bank)
N. side of W. Sunset Ave., west side of 48th
Street, 5310 W. Sunset Avenue
- W14-07 Waiver of sidewalk requirement
- B14-32 Variance for a) reduction of minimum distance
Of 3' to 0' from property line
Variance for b) all utilities to remain above
Ground
Variance for c) modification of Commercial
Design Standards
Presented by Engineering Services, Inc.

Mr. Brian Moore with Engineering Services was present on behalf of his client to answer any questions or comments.

Mr. Moore said that regarding the sidewalk waiver in lieu of a sidewalk on the east side they would extend the sidewalk to the west to the actual entrance of the outlet mail.

Mr. Kelsey asked for the Staff comments.

Ms. Christie read the Staff comments.

Planning Comments

- 1) Submit the approved authorization of representation form, if property owner will not be present at Planning Commission meeting.
- 2) 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 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. sides of a principal building that directly faces an abutting public right-of-way
- 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.

Ms. Haney called for the vote on the waiver.

VOTE:

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

The waiver was approved by a unanimous vote.

Ms. O'Conner called for the vote on all the variances.

VOTE:

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

All three variances were approved by a unanimous vote.

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

VOTE:

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

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

Ms. Christie stated for the record that Staff would prepare the resolution for the waiver to go to Council on Tuesday, Mary 27, 2014 at 6:00 p.m. in Council Chambers.

- C. L14-13 Parson's Stadium Phase I
SE corner of E. Emma Ave. &
S. Old Missouri Road
Concept of detention
- W14-08 Waiver of street improvements
- B14-33 Variance for a) reduction of required parking
From 2225 to 611
Variance for b) deletion of paving requirement
Variance for c) deletion of screening requirements
Variance for d) overhead utilities to remain as is
Presented by Engineering Services, Inc.

Mr. Jason Appel with Engineering Services, Inc. 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.

Planning Comments

- 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/departments/planning> and community development

Ms. Christie stated that the Rodeo Board has entered into an agreement with NTI for overflow parking.

Ms. Christie also asked if they had submitted a phase plan.

Mr. Appel said that there is a phase I on the submitted documents.

Ms. Christie asked him to go over what the first phase.

Mr. Appel said that the first phase is the entrance off the Emma and go straight south from there. They will do all the improvements on the east side of the stadium in the first

phase and will tie the drive around to the 265 drive. They will also put the detention in with phase I. The parking on the north and west sides will be built in a later phase.

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

There were none.

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

VOTE:

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

NO: None

The concept of detention was approved by a unanimous vote.

Mr. Miller called for the vote on waiver of street improvements to Emma Avenue.

VOTE:

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

NO: None

The waiver was approved by a unanimous vote.

Mr. Szmyd called for the vote on all the variances.

VOTE:

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

NO: None

All the variances were approved by a unanimous vote.

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

VOTE:

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

NO: None

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

Ms. Christie stated for the record Staff would prepare the resolution to go to Council on Tuesday, May 27, 2014 at 6:00 p.m. in Council Chambers.

Board of Adjustment

- A. B14-28 Crain Buick/GMC of Springdale
6372 W. Sunset Avenue
 Variance for a second sign
 Presented by Danny McGinley

Mr. McGinley was present to answer any questions regarding this request. He said they would like to have a second sign on the west entrance. It would be promoting the body shop and their pre-owned cars.

Mr. Kelsey asked for Staff comments.

Ms. Christie asked if they had two separate business licenses.

Mr. McGinley stated they had just one.

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

There were none.

Mr. Miller called for the vote.

VOTE:

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

NO: None

The variance was approved by a unanimous vote.

B. B14-27 RC Springhill, LLC
Lot 9 thru 19 Springhill Sub. Ph. 2
Cottonwood Spring Cove
 Variance for reduction of front setback from 30' to 25'
 Presented by Brett Watts

Mr. Watts was present to answer any questions or comments. He further stated that lot 14 could be removed from the request as they already have a house on that lot. He said the street had a steep slope and when they platted out the lots there was no room for backyards.

Mr. Kelsey asked for Staff comments.

Ms. Christie stated that with the front setbacks being reduced, she wanted to know how that would affect parking vehicles in the driveway. She wanted to know if that would limit the number of cars that can be parked in a driveway.

Mr. Watts said that the reduction of the front setback shouldn't affect the parking of cars. The garage will be a double garage and any cars parked in the driveway could be parked behind them.

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

There were none.

Mr. Covert called for the vote.

VOTE:

YES: O'Conner, Parsley, Szmyd, Arthur, Covert, Miller

NO: Haney

ABSTAIN: Kelsey

The variance was approved by a vote of six (6) yes, one (1) no and one (1) refusal.

- C. B14-28 Darrell Johnson
304 Wayland
Variance to increase the height of an accessory (tree house)
Building from 16' to 34'
Presented by Darrell Johnson

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

Mr. Kelsey asked for Staff comments.

Ms. Christie asked if there were comments from the police or fire department. At this time there were none.

Ms. Christie asked Mr. Johnson if there were any buildings adjacent to it across the property lines.

Mr. Johnson said there were houses.

She wanted to know how close the neighbor's house was to the tree house.

Mr. Johnson estimated between 40' & 50'.

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

There were none.

Mr. Kelsey said he looked at the tree house today and it was closer than 40'. He also said it was approximately 12' to 14' from Mr. Johnson's house. He further stated that if it were to fall over it could destroy or badly damage the house.

Ms. Haney said the issue she had is it is closer to the front of the property and the yards are much smaller. She further stated the tree looked as though it was dying.

Mr. Johnson said the tree was in decline.

Mr. Kelsey asked Sarah Sparkman, Assistant City Attorney, if the commission approved the variance what would be the city's liability.

Ms. Sparkman stated there would be no liability on the city's part as it isn't on city property. She further stated that the city does have a dead tree ordinance. If the tree does die and the tree house is still there, the tree would have to be cut down.

Mr. Sedberry brought up the hazardous/nuisance tree section of the ordinance. He said if the tree continues to deteriorate and the city sites Mr. Johnson, the city would then have to expend the funds to go in and take the tree out as well as the tree house.

Mr. Szmyd called for the vote.

VOTE:

YES: None

NO: Parsley, Szmyd, Arthur, Covert, Haney, Kelsey, Miller, O'Conner

The variance was denied by a unanimous vote.

Ms. Christie stated for the record that Mr. Johnson could appeal the commission's decision through the circuit court system. She also said that he has thirty (30) days to appeal.

D. B14-29 Richardo Ballesteros
5014 Har-Ber Avenue
Variance to increase height of fence in
Front from 3' to 8'
Presented by Richardo Ballesteros

Mr. Ballesteros was present to answer any questions or comments. He said that he was back with what he hoped the Planning Commission requested of him from his last request.

Mr. Kelsey asked for Staff comments.

Ms. Christie asked him to explain the measurements he put on the drawing.

He said the distance from the door to the street is 30' and the distance from the street to the first pillar is 10' and the distance from the street to the house is 80' and the distance from pillar to pillar will be 20'. He further stated it would be 3' from the back of the sidewalk.

Ms. Christie asked if there was going to be a gate on the fence.

Mr. Ballesteros said he calls it a door and it will be opened at all times.

Ms. Christie said their concern is if the gate is closed and he tries to pull a vehicle inside the gate, he will be blocking the street until the gate opens and allows him to drive through.

Mr. Ballesteros said that is why it is 30' from the street to the gate.

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

There were none.

Mr. Ballesteros said the second entrance will not have a gate.

Mr. Kelsey asked why he would need a gate at the other entrance if he doesn't have one at the other.

Mr. Ballesteros said it was just for appearance. He said it wouldn't be closed.

Mr. Danny Wright with the Springdale Police Department said would not support the gate.

It was determined the fence would be two (2) feet brick and six (6) feet of wrought iron for a total of eight (8) feet in height.

Mr. Miller called for the vote.

VOTE:

YES: Covert, Kelsey

NO: Szmyd, Arthur, Haney, Miller, O'Conner, Parsley

The variance was denied by a vote of six (6) no and two (2) yes.

Ms. Christie stated for the record that Mr. Ballesteros could appeal to the Circuit in writing within thirty (30) days stating why he feels the commission erred in their decision.

- E. B14-30 Wal-Mart Store #4108 & Fuel Station
4976 Elm Springs Road
 Variance for a) freestanding pylon sign on Lot #10
 Of Hall Crossing
 Variance for b) modification of Commercial Design
 Standards
 Variance to c) increase surface sign space from 300 square
 Feet to 600 square feet
 Presented by Steven Giles

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

Mr. Kelsey asked for Staff comments.

Ms. Christie stated that the free standing sign on lot 10 is a lot that is owned by Wal-Mart. She further stated regarding the commercial design standards are being met in the spirit of the ordinance and Staff does not have a problem with this request. The surface sign to increase in size is needed due to the largeness of the building.

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

There were none.

Mr. Szmyd called for the vote and recommended taking all the variances at once.

VOTE:

YES: Arthur, Haney, Kelsey, Miller, Szmyd

NO: None

ABSTAIN: Covert, O'Conner, Parsley

The variances were approved by a vote of five (5) yes and three (3) recusals.

- D. B14-31 Flowerama of NWA
2940 W. Sunset Avenue
Variance for modification of landscaping requirement
Presented by Bates and Associates

This variance was approved in conjunction with the large scale development.

- E. B14-32 Mathias Shopping Centers for
Today's Bank
Variance for a) minimum distance fro 3' to 0'
To property line
Variance for b) all utilities to remain above ground
Variance for c) modification of Commercial Design
Standards
Presented by Engineering Services, Inc.

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

- F. B14-33 Springdale Benevolent Foundation for
Parson's Stadium Phase I
Variance for a) reduction of parking space requirement
From 2225 to 611
Variance for b) deletion of paving requirement
Variance for c) deletion of screening requirement
Variance for d) overhead utilities to remain as is
Presented by Engineering Services, Inc.

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

Waivers

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

Ms. Wahlquist-Hays was present to answer any questions or comments. She said the backside of the house is where the sidewalk would be. There will be a sidewalk in the front of her house.

Mr. Kelsey asked for Staff comments.

Ms. Christie said that Staff does not support the waiver of sidewalks.

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

There were none.

Mr. Parsley called for the vote.

VOTE:

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

NO: None

The waiver request was approved by a unanimous vote.

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

This waiver was approved in conjunction with the large scale development.

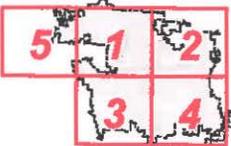
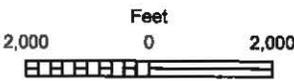
- C. W14-08 Springdale Benevolent Foundation for
Parson's Stadium Phase I
SE corner of E. Emma Ave. & S. Old
Missouri Road
Waiver of street requirements
Presented by Engineering Services, Inc.

This waiver was approved in conjunction with the large scale development.

Planning Director's Report

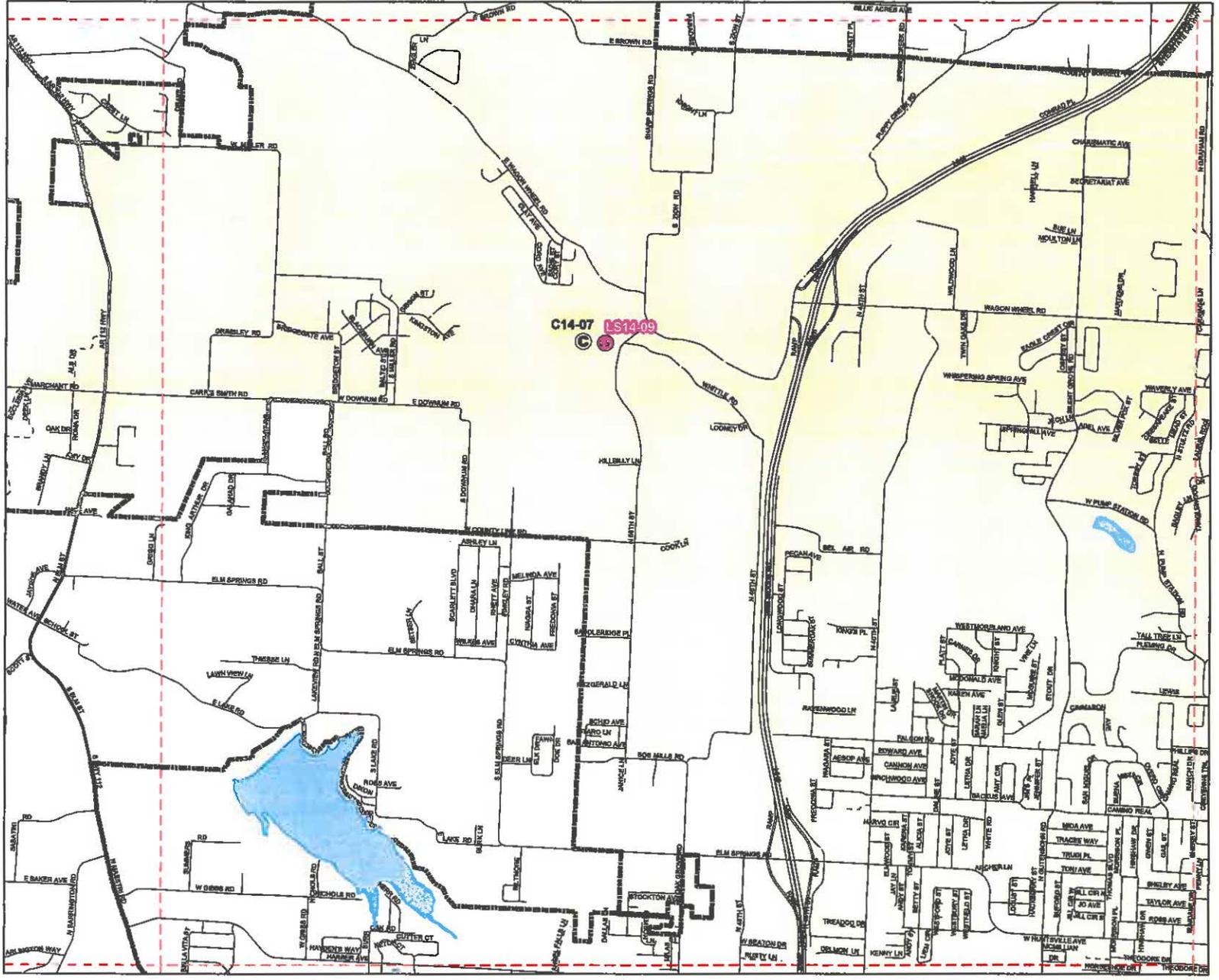
Ms. Christie stated there would be a work session on May 21, 2014 in the multi-purpose room beginning at 1:30. She is lining up people from various agencies to come in and speak about various aspects that affect the land use plan. A tentative schedule for the meeting was given to each commissioner.

**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
JUNE 3, 2014**

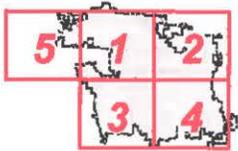
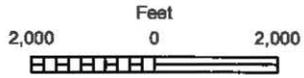


SHEET 1

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

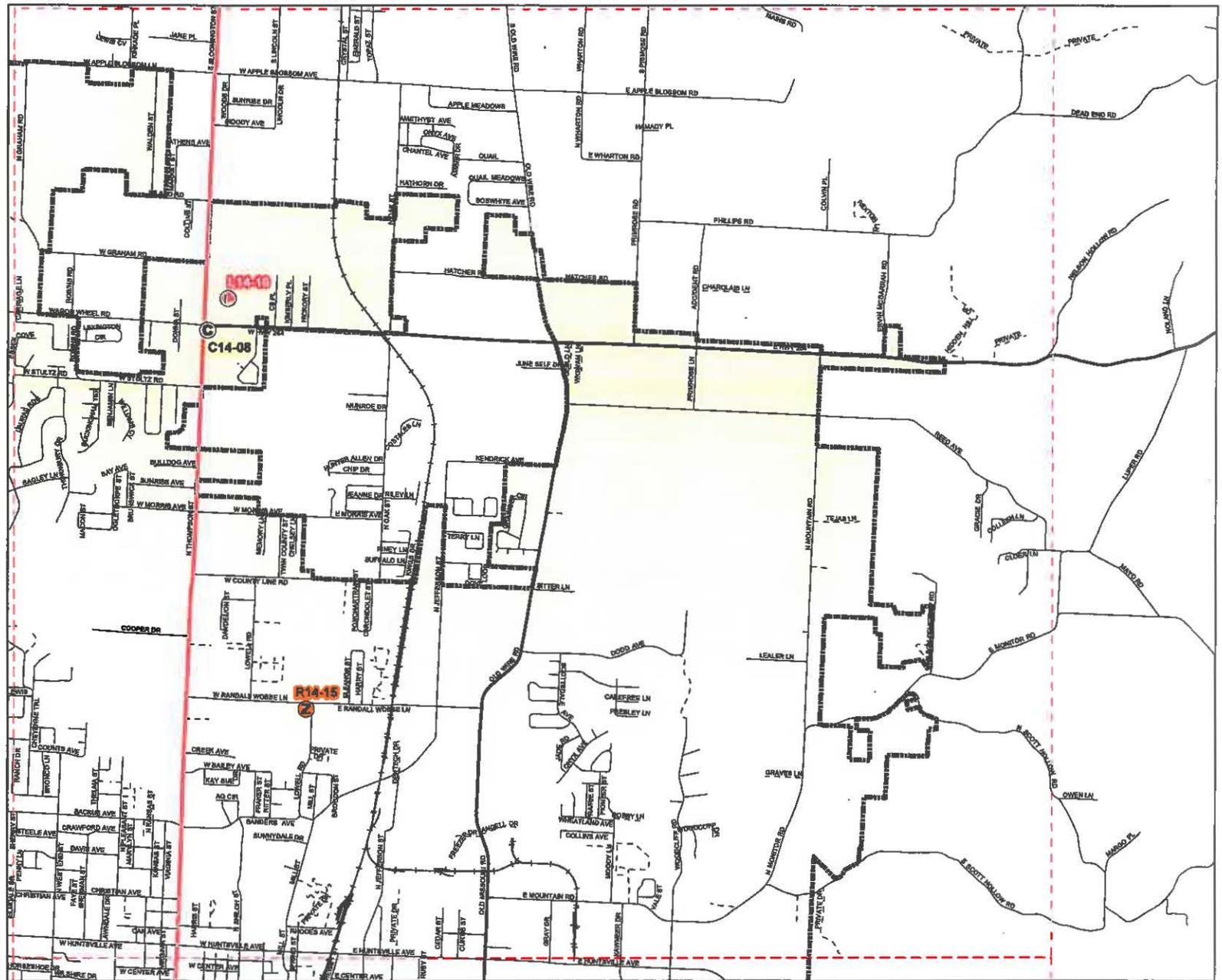


**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
JUNE 3, 2014**

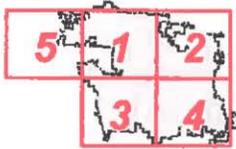
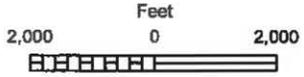


SHEET 2

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

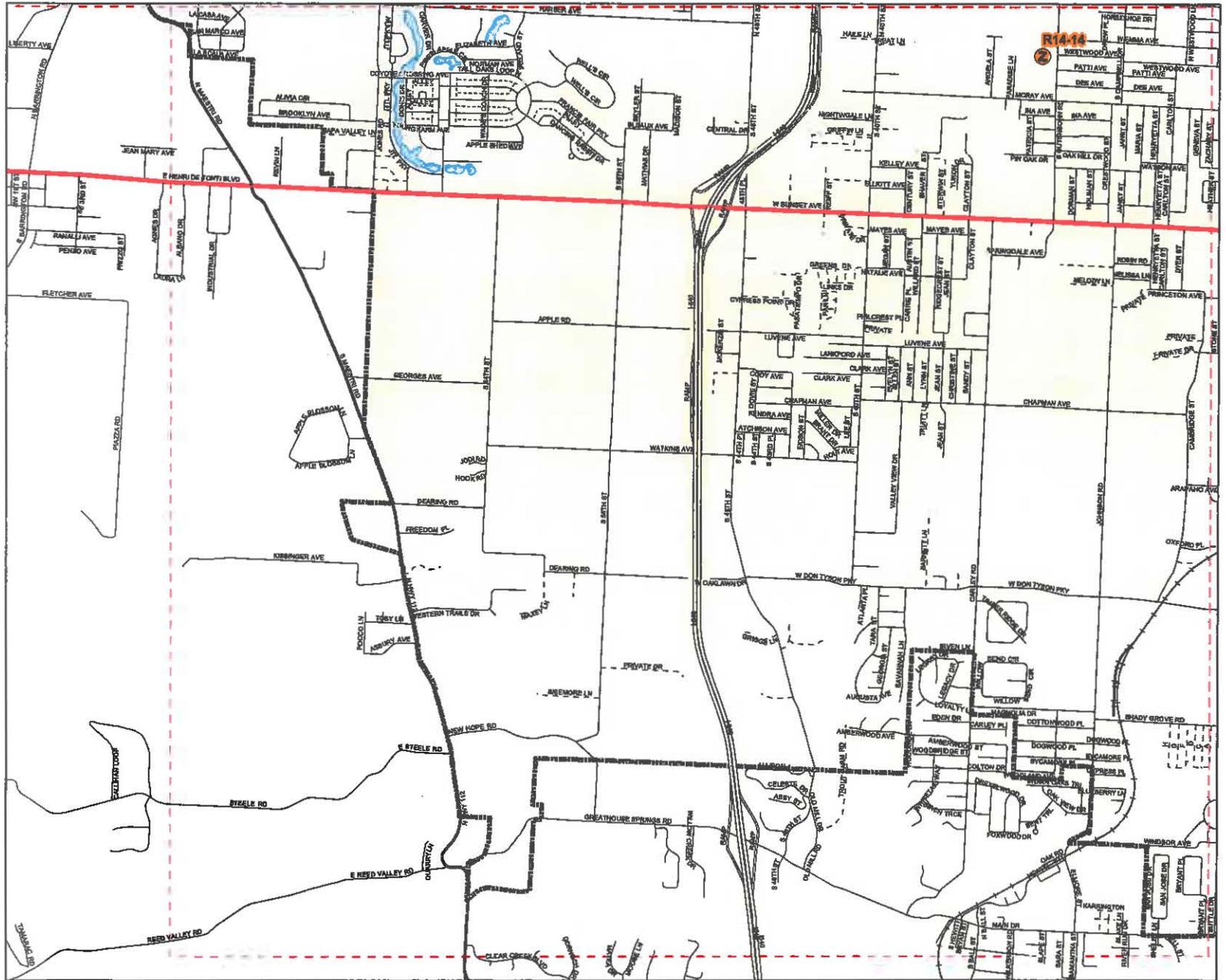


**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
JUNE 3, 2014**

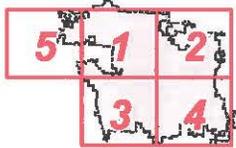
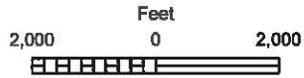


SHEET 3

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

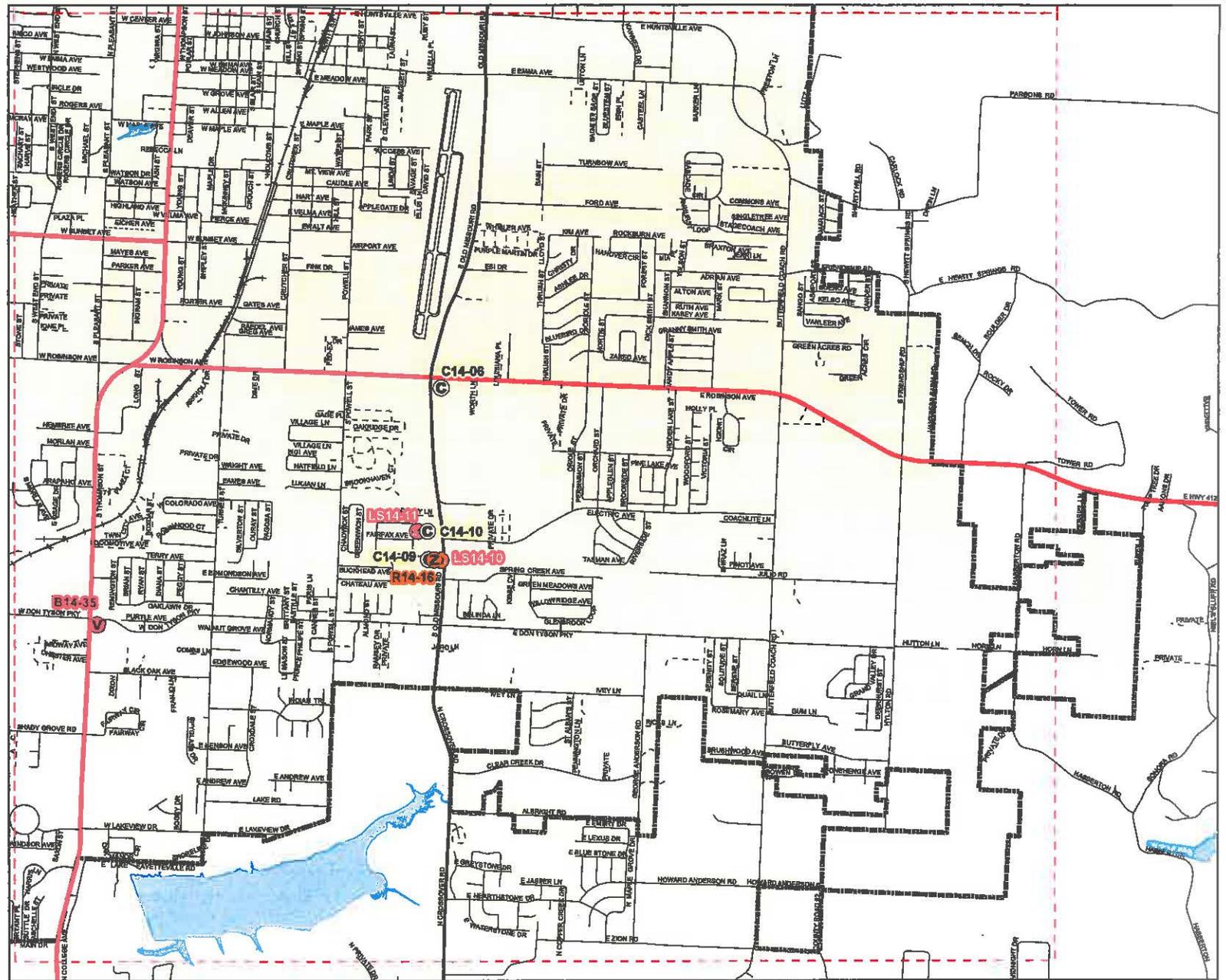


**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
JUNE 3, 2014**



SHEET 4

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



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.**

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

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

Current Occupancy Classification CONCRETE/MECHANICAL GARAGE S-2

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

Fire Marshal Diana Miller Date: 4-30-14

Occupancy Classification required for intended use STORAGE S-2

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

Fire Marshal Diana 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. English
Property Owner

State of Arkansas)

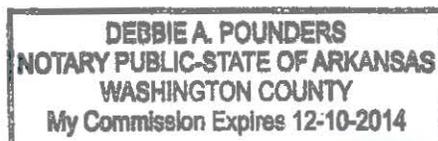
County of Washington

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

Apr. 1, 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. Wexley 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 vehicle 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 Nadine 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

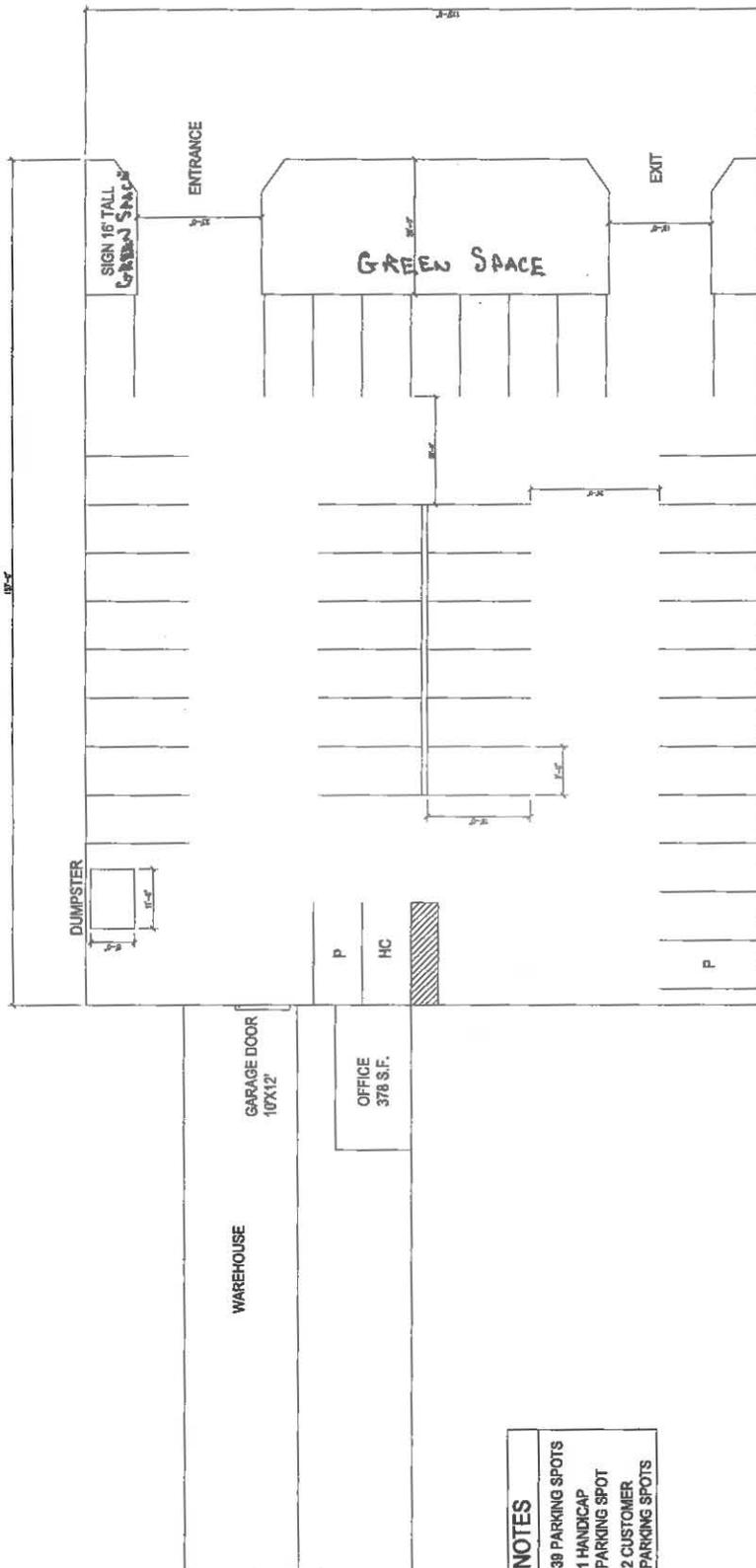


Proposal for Conditional Use Permit at
1229 East Robinson Avenue
Springdale, Arkansas 72764

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.**



NOTES	
39	PARKING SPOTS
1	HANDICAP PARKING SPOT
2	CUSTOMER PARKING SPOTS




B&B CAR LOT
 QUALITY • SERVICE

Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: June 3, 2014
Re: R14-14 Rezone

A request by First United Presbyterian Church for Planning Commission approval of a zone change from Agricultural District (A-1) to Institutional District (P-1) for a tract of land containing 8.11± acres.

LOT LOCATION AND SIZE

The 8.11± acre tract is located at 100 S. Gutensohn, west side of Gutensohn Road, south of Emma Avenue.

A vicinity map is attached.

EXISTING ZONING

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

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

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

Temporary Uses – 32, 34

ACCESSORY USES

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

- (1) Accessory buildings, including private garages, storage facilities and children's playhouses.

- (2) Private greenhouses.
- (3) Swimming pools, tennis courts and similar recreation facilities.

SITE PLAN REVIEW

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

AREA REGULATIONS

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

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

REQUESTED ZONING

The 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 0
 - (subject to applicable fire and building codes)

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 are is shown on the attached map. The tract contains a church. The area to the north contains an assisted living facility in O-1 zoning. The area to the east contains residential structures in SF-2 zoning. The area to the south and west contain residential uses on large tracts in SF-2 zoning.

LAND USE PLAN AND MASTER STREET PLAN

The adopted Comprehensive Land Use Plan indicates Downtown District.

The Master Street Plan indicates Gutensohn Road as a major collector.

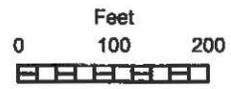
STAFF COMMENTS AND RECOMMENDATIONS

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

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



P38



APPLICANT: FIRST UNITED PRESBYTERIAN CHURCH
REZONING REQUEST:
A-1 TO P-1

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
6/3/2014

File No. RM-14

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 First Presbyterian Church of Springdale, Arkansas, a non-profit corporation organized under and by virtue of the laws of the State of Arkansas.

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

Legal Description: See attached Exhibit "C."

Layman's Description: 100 S. Gutensohn Road, Springdale, Arkansas.

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

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

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

FROM (current zoning) A-1

TO (proposed zoning) P-1

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

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: The subject property should be a P-1 institutional district as it is owned by and used as a church.

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: Cypert, Crouch, Clark & Harwell, Attn: Charles L. Harwell

Address: P.O. Box 1400, Springdale, AR 72765-1400

PETITIONER/OWNER: First Presbyterian Church of Springdale, Arkansas

MAILING ADDRESS: 100 S. Gutensohn, Springdale, AR 72764

TELEPHONE: (479) 751-2040 DATE: April 18, 2014

VERIFICATION

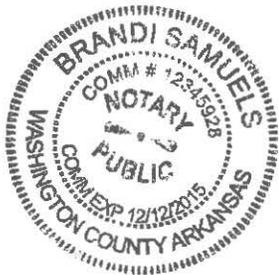
I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts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



Charles L. Harwell, Attorney for
First Presbyterian Church of Springdale,
Arkansas

STATE OF ARKANSAS)
) ss.
COUNTY OF WASHINGTON)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 18th day of April, 2014.



Notary Public

Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: June 3, 2014
Re: R14-15 Rezone

A request by AMW Technology, LLC (Luis Quinonez) for Planning Commission approval of a zone change from General Commercial District (C-2) to Light Industrial District (I-1) for a tract of land containing 1.88 acres.

LOT LOCATION AND SIZE

The 1.88 acre tract is located at 1906 Lowell Road, southwest corner of Lowell Road and W. Randall Wobbe Lane.

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 rezoning application requests 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.

SURROUNDING ZONING AND LAND USE

Zoning of the surrounded are is shown on the attached map. The tract contains a commercial structure. The area to the north, east and west contain industrial uses in an I-1 zoning. The area to the south contains a commercial use in C-2 zoning.

LAND USE PLAN AND MASTER STREET PLAN

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

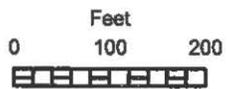
The Master Street Plan indicates Lowell Road as a local street and Randall Wobbe Lane as a minor collector.

STAFF COMMENTS AND RECOMMENDATIONS

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

Encourage the development of industries that further diversify and stabilize the City's economic base that are compatible to the labor force, raw materials and industrial climate and provide space for new and expanding high technology industries with low environmental impact.

Assure adequate land allocation for industrial growth protected from encroachment by non-industrial use.



APPLICANT: LUIS QUINOEZ
REZONING REQUEST:
C-2 TO I-1

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
6/3/2014

File No. R14-15

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 Luis Antonio Sosa Quinonez

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

Legal Description:

1.
See Warranty Deed

Layman's Description: 1906 Lowell Rd Springdale AR, 72762

The Petitioner hereby states by oath that:

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

The Petitioner requests the following zoning classification:

FROM (current zoning) C-2

TO (proposed zoning) I-1

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 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: NONE

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: _____

Address: _____

PETITIONER/OWNER: 

MAILING ADDRESS: 1906 Lowell Rd Springdale AR 72762

TELEPHONE: 479 260-8192 DATE: 4/16/14

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.

Luis Antonio Jose Quinonez
(Property Owner)

(Property Owner)

State of Arkansas)
) ss.
County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 5 day of
May, 2014.

Debbie A. Ponders
Notary Public

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

Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: June 3, 2014
Re: R14-16 Rezone

A request by Fishing Bridge Investments, LLC (Greg Brown) for Planning Commission approval of a zone change from Agricultural District (A-1) to General Commercial District (C-2) for a tract of land containing 1.6± acres.

LOT LOCATION AND SIZE

The 1.6 ± acre tract is located at the southwest corner of the intersection of Old Missouri Road (SH 265) and Palisades Avenue.

A vicinity map is attached.

EXISTING ZONING

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

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

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

Temporary Uses – 32, 34

ACCESSORY USES

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

- (1) Accessory buildings, including private garages, storage facilities and children's playhouses.
- (2) Private greenhouses.

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

SITE PLAN REVIEW

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

AREA REGULATIONS

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

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

REQUESTED ZONING

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

Uses permitted: - 1, 4, 16, 17, 19, 20, 21, 22, 27, 32, 35

Conditional Uses Permitted on Appeal: - 2, 3, 12, 33

ACCESSORY USES

See Article 6 Section 3.1 of this chapter.

SITE PLAN REVIEW

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

HEIGHT REGULATIONS

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

AREA REGULATIONS

SETBACKS:

Front setback	30'
Front setback if parking is allowed between R-O-W 50' and the building	
Side setback	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 are is shown on the attached map. The tract contains a single family dwelling. The area to the north and east contain commercial uses in C-2 zoning. The area to the south is undeveloped in A-1 zoning. The area to the east contains single family dwellings in SF-2 zoning.

LAND USE PLAN AND MASTER STREET PLAN

The adopted Comprehensive Land Use Plan indicates commercial use.

The Master Street Plan indicates Palisades Avenue as a local street and Old Missouri Road as an arterial.

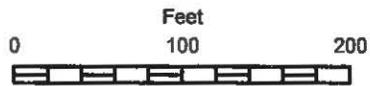
STAFF COMMENTS AND RECOMMENDATIONS

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

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

Assure adequate land allocation for commercial areas of sufficient size and in proper locations.

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



APPLICANT: FISHING BRIDGE INVESTMENTS, LLC
REZONING REQUEST:
A-1 TO C-2

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
6/3/2014

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 Fishing Bridge Investments, LLC

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

Legal Description:

PROPERTY TRACT "B3" SPLIT DESCRIPTION:

A PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE FRACTIONAL SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE WEST QUARTER (W 1/4) CORNER OF SAID SECTION SEVEN (7) AND CONTINUING THENCE N88°25'16"E 565.22 FEET AND S 01°34'44"E 1310.85 FEET TO AN AHTD RIGHT OF WAY MONUMENT, ESTABLISHED FOR AHTD JOB NUMBER 040490, ON THE WESTERLY RIGHT OF WAY OF ARKANSAS HIGHWAY 265, SAID POINT BEING ON THE SOUTH LINE OF SAID FORTY AND THE TRUE POINT OF BEGINNING;

- THENCE ALONG SAID FORTY LINE S 87°59'57"W 338.33 FEET TO A POINT, SAID POINT BEING A SET IRON PIN;
- THENCE N 01°26'57"W 97.51 FEET TO A POINT ON A COMMON BOUNDARY, SAID POINT BEING A SET IRON PIN;
- THENCE ALONG SAID BOUNDARY N 88°33'03"E 332.88 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY OF HIGHWAY 265;
- THENCE ALONG SAID RIGHT OF WAY S 04°44'38"E 94.40 FEET TO THE POINT OF BEGINNING, CONTAINING 0.739 ACRES, MORE OR LESS, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS.

PROPERTY TRACT "B4" SPLIT EAST DESCRIPTION:

A PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE FRACTIONAL SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE WEST QUARTER (W 1/4) CORNER OF SAID SECTION SEVEN (7) AND CONTINUING THENCE N88°25'16"E 560.01 FEET AND S 01°34'44"E 1216.58 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF ARKANSAS HIGHWAY 265 ESTABLISHED FOR AHTD JOB NUMBER 040490, SAID POINT BEING ON THE COMMON NORTH LINE WITH PARCEL NUMBER 815-28649-230 AND THE TRUE POINT OF BEGINNING;

- THENCE ALONG SAID COMMON LINE S 88°33'03"W 332.88 FEET TO A POINT ON THE COMMON BOUNDARY, SAID POINT BEING A SET IRON PIN;
- THENCE ALONG SAID BOUNDARY N01°26'57"W 15.71 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF PALISADES AVENUE, SAID POINT BEING A SET IRON PIN;
- THENCE ALONG SAID RIGHT OF WAY N 88°06'49"E 209.63 FEET;
- THENCE S 84°51'05"E 48.99 FEET;

THENCE N 88°06'49"E 65.41 FEET;
THENCE ALONG A CURVE TO THE RIGHT 8.74FEET, SAID CURVE HAVING A
RADIUS OF 25 FEET AND A CHORD BEARING S 81°52'19"E 8.69 FEET;
THENCE ALONG SAID WESTERLY RIGHT OF WAY OF HIGHWAY 265 S
04°44'38"E 10.75 FEET TO THE POINT OF BEGINNING, CONTAINING 0.116
ACRES, MORE OR LESS, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS.

Layman's Description:

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

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

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

FROM (current zoning) A-1

TO (proposed zoning) C-2

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 commercial office / retail

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: Positive - the eventual development of the Property will benefit the local economy. There will be no negative effect as the other tracts prior to the entrance of the subdivision are currently zoned C-2.

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: Allissa Sims

Address: 234 E. Millsap Rd, Suite 200, Fayetteville, AR 72703

PETITIONER/OWNER **SIGNATURE** 

MAILING ADDRESS: P.O. Box 86609, Fayetteville, AR 72703

TELEPHONE: 479-263-4924 DATE: 5/14/14

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)



(Property Owner)

State of Arkansas)
) ss.
County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 14th day of May, 2014.


Notary Public

ALLISSA SIMS
Arkansas - Benton County
Notary Public - Comm# 12391555
My Commission Expires Jan 25, 2023

ALLISSA SIMS
Arkansas - Benton County
Notary Public - Comm# 12391555
My Commission Expires Jan 25, 2023

APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: PATRICIA A. SHARP
Address: 3952 N 56TH ST SPRINGDALE AR 72762-0179

Phone: (479) 789-0000 Profit: Non-Profit X

2. Property Location (street address or layman's description):
SEE ATTACHED VICINITY MAP ON SHEET #1 OF THE TANDEM LOT SPLIT

3. Record Title Holder of Property: SHARP SURVIVOR'S TRUST, PATRICIA A. SHARP TRUSTEE
(A copy of the warranty deed should be attached as Exhibit "A")

4. Use Unit requested Unit 8, single-family dwelling. in A-1 Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
CLIENT WISHES TO GIFT PROPERTY TO FAMILY FOR THE BUILDING OF
A RESIDENCE

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
THERE WOULD BE NO ADVERSE IMPACT ON SURROUNDING PROPERTIES.

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

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

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

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

Signature of Record Property Owner(s)

Signature of Applicant

Patricia A. Sharp

Date: 4-11-14

Date: _____

VERIFICATION

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

Patricia A. Sharp

State of Arkansas)
County of Washington) ss.

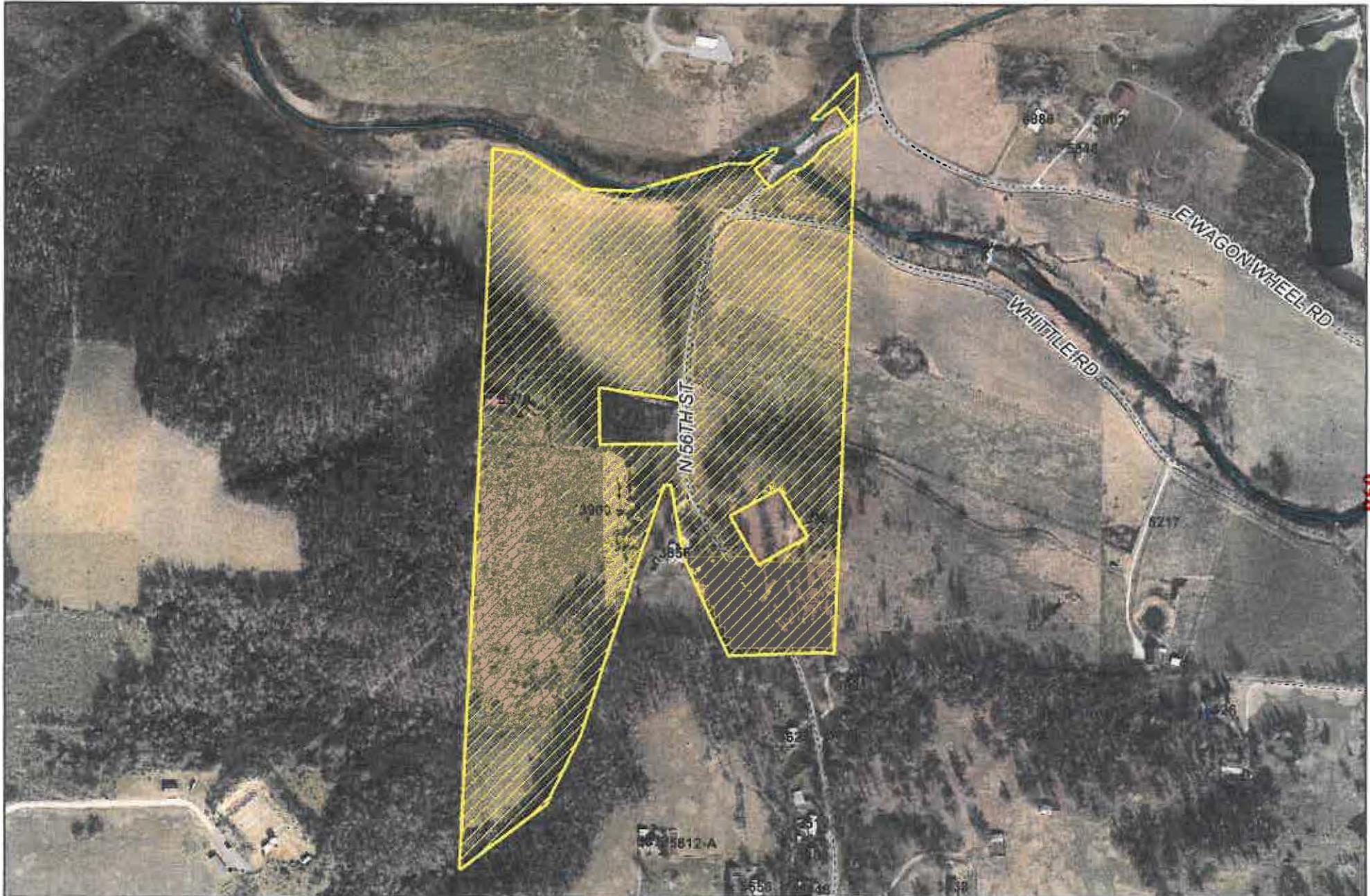
SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 11th day of April, 20 14.

Patricia Rico

Notary Public

My commission expires: April 13 2023

PATRICIA RICO
WASHINGTON COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires April 13, 2023
Commission # 12392715



P-60



Feet
0 100 200
[Scale bar with four segments]

APPLICANT: PATRICIA SHARP TRUST
CONDITIONAL USE REQUEST:
TANDEM LOT SPLIT

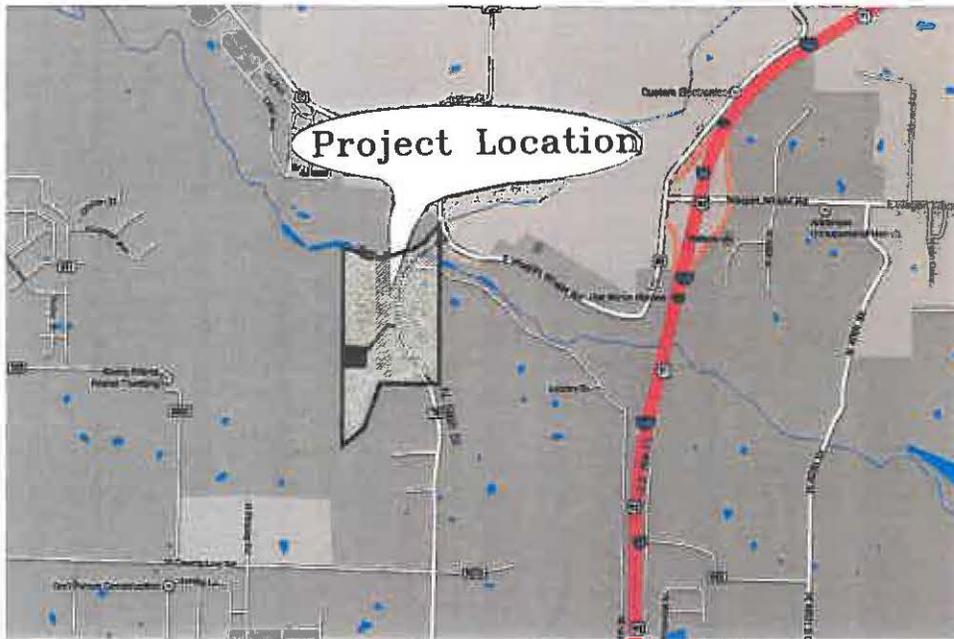
CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
6/3/2014

Memo

To: Planning Commission
From: Staff
Date: June 3, 2014
RE: LS14-09 Lot Split Patricia A. Sharp

1. A conditional use for a tandem lot must be applied for and approved by the Planning Commission and City Council.
2. A 25' access easement with a minimum 15' wide paved drive is required to the tandem lot.
3. Access easement needs to be dedicated via separate document.
4. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

TANDEM LOT SPLIT FOR: PATRICIA A. SHARP TRUSTEE OF THE SHARP SURVIVOR'S TRUST 3978 N. 56th Street Springdale, AR 72762



VICINITY MAP

N.T.S.

Basis of Survey: Deed found at File Number 2013-50941 in the Circuit Clerk's and Ex-Officio Recorder's Office of Benton County, Arkansas.

INDEX TO PLAN SHEETS

- SHEET 1: TITLE PAGE
- SHEET 2: ADJOINERS, CURRENT ZONING & FLOOD INFORMATION
- SHEETS 3 & 4: LEGAL DESCRIPTION OF PARENT TRACT
- SHEET 5: BOUNDARY OF 'NEW' TANDEM LOT



Surveyor's Certification to Accuracy:

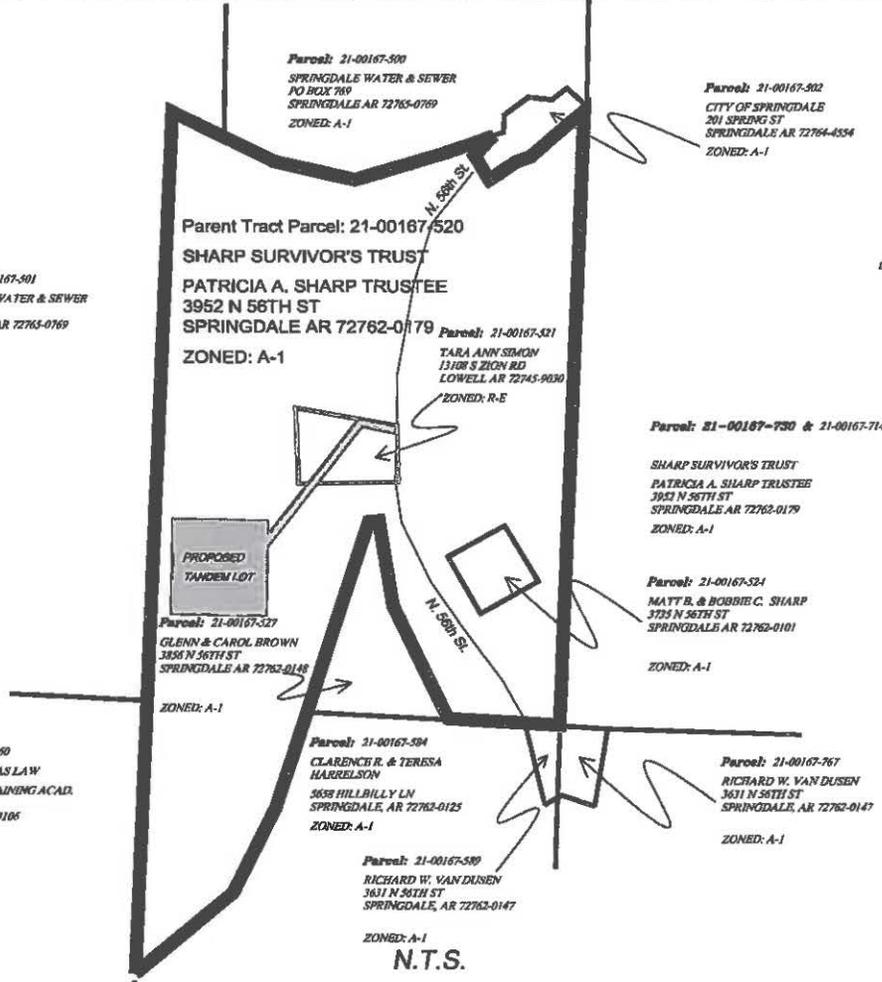
By affixing my seal and signature to this survey plat I do hereby certify that the legal description shown hereon is true and accurate and furthermore that this plat and survey depicted herein meets the minimum requirements for Land Surveys As put forth in the Arkansas Standards of Practice For Property Boundary Surveys and Plats dated August 6, 1988 Rev. May 2, 1992 Rev. March 14, 1996 Rev (May 21, 2009) Updated 1-24-08 Updated 8-25-08 by Everett Rowland 'State Surveyor, Land Surveys Division'

**TANDEM LOT SPLIT FOR:
PATRICIA A. SHARP,
TRUSTEE OF THE SHARP'S
SURVIVOR'S TRUST**



James Layout Services, LLC
P.O. BOX 611
Farmingdale, Arkansas 72730
Telephone: (479) 498-9888
survey@jls.com

Project Data	
Drawing Number:	14-002.mxd.dwg
Date:	4/24/2014
System:	SPC (0301 AR N)
Field Op.:	M.D.J & L.F.G.
Drawn By:	M.D.J
Checked By:	L.F.G.
Scale AS NOTED	
Sheet 1 of 5	
TITLE SHEET	

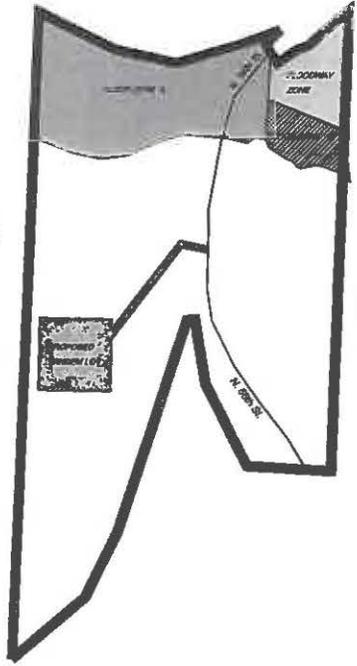


FLOOD PLAIN NOTES

The Zone 'A' & 'AE' Flood Plains & Floodway were determined by georeferencing in FEMA's DFRM_03 File into this drawing which are on the same coordinate data system.

The flood plain was not scaled into this drawing but rather georeferenced in and is therefore a true and accurate geographically reproducible representation of where said file exist as of the date of this Tandem Lot Split. It should be noted that once the Zone 'A' area receives a detailed flood study said flood plain delineation shown hereon could be subject to change.

A portion of the Parent Tract is in the Special Flood Hazard Area
 No Part of the Split is in the Special Flood Hazard Area
 as per FIRM Panel 430 of 860, Map Number 05007CD430J
 Effective Date September 28, 2007



ADJOINERS & EXISTING ZONING

EXISTING PARENT TRACT ACREAGE 56.22 ACRES



TANDEM LOT SPLIT FOR: PATRICIA A. SHARP, TRUSTEE OF THE SHARP'S SURVIVOR'S TRUST	Project Data Drawing Name: 14-080mod.dwg Date: 4/24/2014 System: SPC (2001 AR N) Field Op.: M.B.J. & L.F.G. Drawn By: M.B.J. Checked By: L.F.G.
	Scale AS NOTED Sheet 2 of 5 ADJOINERS, ZONING and FLOOD NOTES



James Layout Services, LLC
 P.O. BOX 811
 Farmington, Arkansas 72730
 Telephone: (479) 430-9529
 survey@jlsusa.com

Brenda DeShields-Circuit Clerk
 Benton County, AR
 Book/Pg# 2013/50941
 Town/Cashier 0686/Jimm Barrett
 07/12/2013 11:48PM
 Trust # 25789
 Total Fees \$35.00

Book 2013 Page 50941
 Recorded in the Above
 DEED Book & Fees
 09/12/2013

EXEMPT

WARRANTY DEED
 (By Trustee)

KNOW ALL MEN BY THESE PRESENTS:

I, the undersigned, being the duly appointed, qualified and acting Trustee of the Sharp Revocable Living Trust, w/d September 8, 2008, hereinafter called "Grantor", pursuant to the power and authority granted therein as evidenced by the Certification of Trust filed herewith, and for Ten Dollars (\$10.00) and other valuable consideration to me paid by Patricia A. Sharp, Trustee of the Sharp Survivor's Trust, w/d August 8, 2013, hereinafter called "Grantee", the receipt of which is hereby acknowledged, do hereby GRANT, BARGAIN, SELL and CONVEY unto the said Grantee, and unto Grantee's successors and assigns forever, the following-described lands situated in Benton County, Arkansas:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

Subject to recorded instruments, covenants, rights of way and easements.

TO HAVE AND TO HOLD the same unto the said Grantee, and unto Grantee's successors and assigns forever, with all tenements, appurtenances and hereditaments thereto belonging.

AND Grantor hereby covenants with said Grantee, and Grantee's successors and assigns, that Grantor is lawfully seized of said lands, that Grantor has the right to sell and convey the same, that said lands are unencumbered, and that Grantor will forever warrant and defend the title to said lands against all lawful claims and demands whatsoever.

WITNESS my hand and seal as such Grantor this 8th day of August, 2013.

SEND TAX NOTICES TO:
 Patricia A. Sharp, Trustee
 Sharp Survivor's Trust
 2652 N. 59th Street
 Springdale, AR 72762

Patricia A. Sharp
 Patricia A. Sharp, Trustee of the Sharp
 Revocable Living Trust, w/d September 8, 2008

Warranty Deed by Trustee
 Sharp Revocable Living Trust
 to Sharp Survivor's Trust

Page 1 of 5

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.

Grantee: *Patricia A. Sharp*

ACKNOWLEDGEMENT

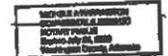
STATE OF ARKANSAS)
) ss.
 COUNTY OF WASHINGTON)

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, and appeared in person the within named Patricia A. Sharp to me personally known, who stated that he/she was Trustee of the Sharp Revocable Living Trust w/d September 8, 2008, a trust, and was duly authorized in such capacity to execute the foregoing Warranty Deed by Trustee for and in the name and behalf of said Trust, and further stated and acknowledged that he/she had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereto set my hand and official seal this 8th day of August 2013.

My Commission Expires:

Michelle A. Harrington
 Notary Public



Book 2013 Page 50942
 Recorded in the Above
 DEED Book & Fees
 09/12/2013

Prepared by: Michelle A. Harrington, Harrington, Miller, Yokel, Eichmann & Brown, P.A.
 113 E. Emma Avenue, Springdale, Arkansas 72764

Warranty Deed by Trustee
 Sharp Revocable Living Trust
 to Sharp Survivor's Trust

Page 2 of 5

Book 2013 Page 50943
 Recorded in the Above
 DEED Book & Fees
 09/12/2013

EXHIBIT "A"

Legal for parcel numbers 21-00167-020 and 21-00167-730

A part of the Northwest Quarter (NW 1/4 of Section Twenty-One (21); a part of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4); the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4); and a part of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section Twenty (20), Township Eighteen (18) North, Range Thirty (30) West, being more particularly described as follows: Starting at an iron pin at the Southeast Corner of the Northwest Quarter (NW 1/4), thence South 89 degrees 55 minutes 43 seconds West 1569.30 feet, to the point of beginning, thence South 89 degrees 55 minutes 43 seconds West 1811.70 feet, thence South 19 degrees 14 minutes 43 seconds West 645.00 feet, thence South 49 degrees 44 minutes 43 seconds West 391 feet, thence North 00 degrees 12 minutes 04 seconds West 2585.84 feet, thence along creek South 84 degrees 17 minutes 00 seconds East 127.15 feet, thence South 62 degrees 03 minutes 04 seconds East 254.35 feet, thence North 89 degrees 09 minutes 00 seconds East 188.10 feet, thence North 71 degrees 53 minutes 00 seconds East 183.10 feet, thence North 68 degrees 47 minutes 00 seconds East 172.35 feet, thence North 85 degrees 10 minutes 00 seconds East 77.85 feet, thence North 56 degrees 25 minutes 00 seconds East 184.85 feet, thence North 40 degrees 49 minutes 00 seconds East 236.65 feet, thence South 21 degrees 30 minutes 00 seconds East 150.00 feet, thence South 29 degrees 56 minutes 00 seconds East 172.25 feet, thence South 55 degrees 52 minutes 00 seconds East 350.00 feet, thence North 32 degrees 40 minutes 00 seconds East 432.44 feet, thence South 05 degrees 15 minutes 20 seconds East 1777.84 feet to the point of beginning.

LESS AND EXCEPT:

Located in part of the SE 1/4 of the NE 1/4 of Section 20, Township 18 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: From the SW corner of the SE 1/4 of the NE 1/4 of said Section 20, thence North 89 degrees 55 minutes 43 seconds East 518.83 feet, to the point of beginning, thence North 14 degrees 35 minutes East 618.50 feet, thence North 89 degrees 30 minutes East 25.00 feet to the centerline of a County Road; thence along said centerline South 12 degrees 15 minutes East 273.60 feet; thence South 27 degrees 38 minutes East 397.80 feet along said centerline; thence South 89 degrees 55 minutes 43 seconds West 415.17 feet to the point of beginning.

ALSO LESS AND EXCEPT:

Part of the Southeast Quarter of the Northeast Quarter of Section 20, Township 18 North, Range 30 West, described as beginning 285.38 feet West and 341.66 feet North from the Southeast corner of said Southeast Quarter of the Northeast Quarter, thence North 30 degrees 09 minutes 55 seconds West 208.71 feet, thence North 59 degrees 30 minutes 05 seconds East 208.71 feet, thence South 30 degrees 09 minutes 55 seconds East 208.71 feet, thence South 59 degrees 30 minutes 05 seconds West 208.71 feet to the place of beginning.

Page 3 of 5

PARENT TRACT LEGAL DESCRIPTION BEFORE TANDEM LOT SPLIT



TANDEM LOT SPLIT FOR: PATRICIA A. SHARP, TRUSTEE OF THE SHARP'S SURVIVOR'S TRUST		Project Data
	James Layout Services, LLC P.O. BOX 611 Farmingdale, Arkansas 72730 Telephone: (479) 458-9889 survcy@jlsnva.com	Drawing Name: 14-08/med.dwg Date: 4/24/2014 System: SPC (0301 AR N) Field Op.: M.D.J & L.F.G. Drawn By: M.D.J. Checked By: L.F.G.
		Scale AS NOTED
		Sheet 3 of 5
		PARENT TRACT LEGAL DESCRIPTION

P64

Book 209 L 3, Page 509-4-4
 RECD
 09/12/2013

Also LESS AND EXCEPT:
 Commencing at a nail nail stake being used at the section corner of Sections 16, 17, 20 and 21, thence South 01 degrees 18 minutes 29 seconds West along the East line of the Northwest Quarter of the Northwest Quarter of Section 20 a distance of 720.66 feet to a point on the Southwesterly 1/4th of way line of North 56° Street as established by AHTD Job 090236 for a point on the line of beginning; 2. thence South 55 degrees 13 minutes 07 seconds West along said right of way line a distance of 128.67 feet to a point; thence South 38 degrees 17 minutes 50 seconds West along said right of way line a distance of 432.2 feet to a point; thence South 27 degrees 34 minutes 27 seconds East along said right of way line a distance of 503.11 feet to a point; thence South 17 degrees 46 minutes 23 seconds East along said right of way line a distance of 473.41 feet to a point; thence South 20 degrees 15 minutes 15 seconds West along said right of way line a distance of 602.00 feet to a point on the Northwesterly 1/4th of way line of North 56° Street as established by AHTD Job 090236; thence North 52 degrees 20 minutes 15 seconds East along said right of way line a distance of 100.00 feet to a point; thence North 10 degrees 42 minutes 16 seconds East along said right of way line a distance of 16.90 feet, more or less to a point on the centerline of Spring Creek; thence South 78 degrees 22 minutes 26 seconds East along said centerline a distance of 52.17 feet more or less to a point on the centerline of 117.23 feet more or less to a point; thence North 20 degrees 40 minutes 21 seconds East along said centerline a distance of 1.88 feet more or less to a point on the Northwesterly 1/4th of way line of North 56° Street as established by AHTD Job 090236; thence North 88 degrees 19 minutes 35 seconds East along said right of way line a distance of 31.21 feet to a point; thence North 53 degrees 44 minutes 04 seconds East along said right of way line a distance of 75.88 feet to a point; thence South 35 degrees 42 minutes 11 seconds East along said right of way line a distance of 85.00 feet to the point of beginning.

ALSO LESS AND EXCEPT:
 A Part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 20, Township 28 North, Range 30 West and being more particularly described as follows, to-wit: Beginning at a point which is North 01 degrees 00 minutes 20 seconds West 709.69 feet and North 89 degrees 23 minutes 28 seconds East 428.05 feet from the Southeast Corner of said forty acre tract and running thence North 89 degrees 23 minutes 18 seconds East 258.45 feet to the West right-of-way of North 56° Street; thence North 81 degrees 01 minutes 28 seconds West 200.00 feet; thence South 89 degrees 26 minutes 42 seconds East 238.00 feet to the point of beginning.

ALSO LESS AND EXCEPT:
 A part of the SE 1/4 of the NE 1/4 of Section 20, Township 18 North, Range 30 West, and a part of the SW 1/4 of Section 20, Township 18 North, Range 30 West and being more particularly described as follows: The point of beginning being the SW corner of the SW 1/4 of Section 21, in said Township and Range, and running thence East 124.00 feet; thence North 5 degrees 28 minutes 17 seconds East 203.5 feet; thence North 89 degrees 00 minutes 05 seconds West along a fence line for 244.82 feet; thence South 15 degrees 54 minutes 17 seconds East 24.00 feet; thence East 112.21 feet to the point of beginning.

Page 4 of 5

Parcel Number 21-00180-73A

Recorded in part of the Northwest Quarter (NW 1/4) of Section Twenty-One (21), Township Eighteen (18) North, Range Thirty (30) West, situated at the Northwest corner of the Southeast Quarter of the Southwest Quarter (SE 1/4, SW 1/4) of Section Sixteen (16), Township Eighteen (18) North, Range Thirty (30) West; thence West 262.20 feet and South 1554.00 feet to the point of beginning; thence South 01 degrees 40 minutes West 30.70 feet; thence South 04 degrees 08 minutes West 55.75 feet; thence South 21 degrees 35 minutes East 1500.00 feet; thence South 29 degrees 56 minutes East 172.25 feet; thence South 53 degrees 52 minutes East 160.00 feet; thence North 12 degrees 40 minutes East 128.00 feet; thence North 31 degrees 35 minutes East 374.50 feet; thence North 25 degrees 12 minutes East 135.70 feet; thence South 54 degrees 46 minutes East 46.00 feet; thence North 17 degrees 13 minutes East 30.00 feet; thence West 187.20 feet; thence North 57 degrees 15 minutes East 135.70 feet; thence West 370.00 feet; thence North 88 degrees 10 minutes West 782.27 feet, to the point of beginning.

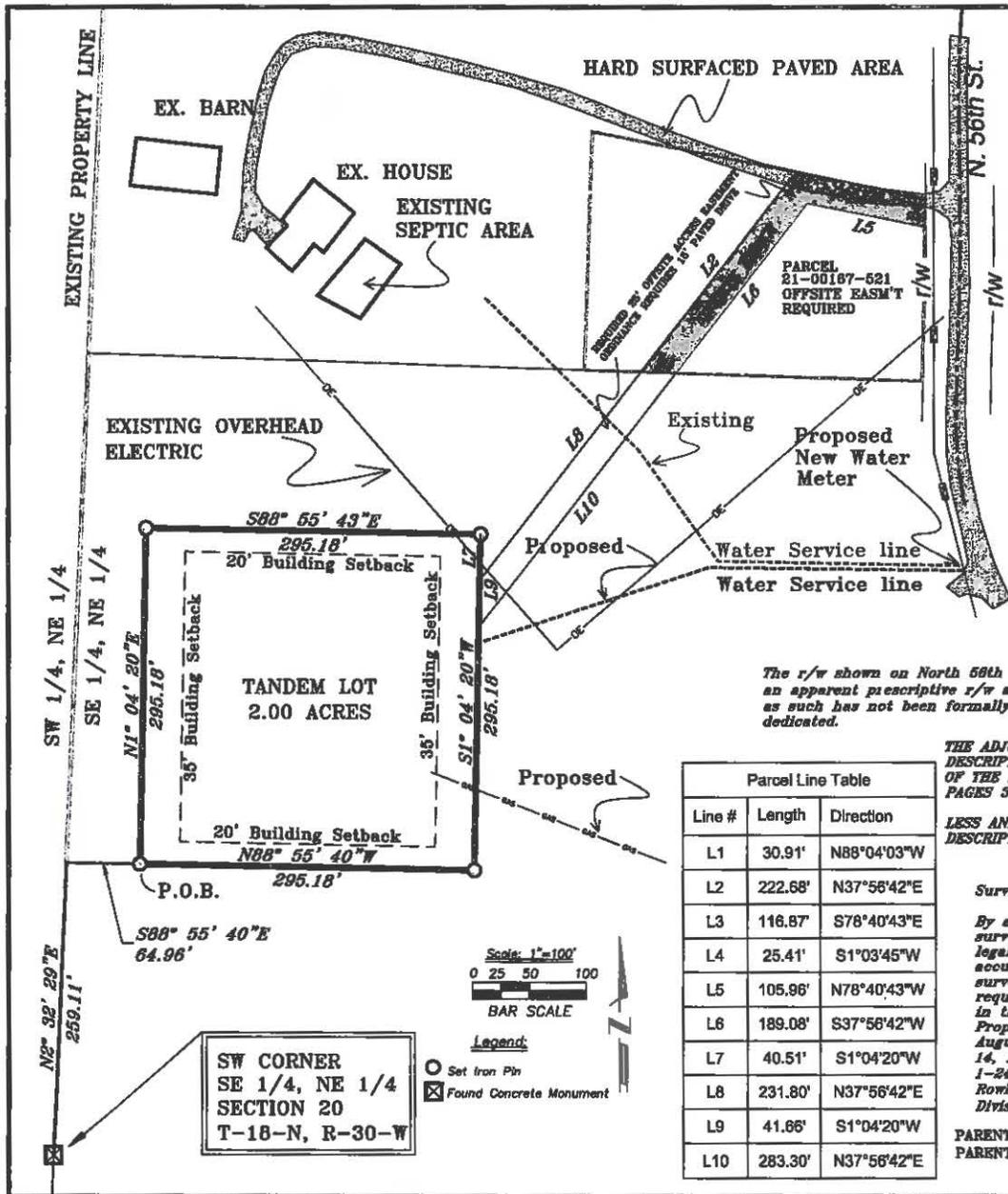
Book 209 L 3, Page 509-4-5
 RECD
 09/12/2013
 Public County #6
 The instrument was filed on
 09/12/2013 at 2:00 PM
 and recorded in Book 209 L 3, Page 509-4-5
 Public County #6
 Book 209 L 3, Page 509-4-5
 Public County #6

Page 4 of 5

PARENT TRACT LEGAL DESCRIPTION BEFORE TANDEM LOT SPLIT

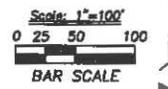


<p>TANDEM LOT SPLIT FOR: PATRICIA A. SHARP, TRUSTEE OF THE SHARP'S SURVIVOR'S TRUST</p>	
Project Data	<p>Drawing No: L16 Drawing Date: 4/24/2013 System: SPC (SPT) (N H) Plot Size: M.L. & L.L.S. Drawn By: JAS</p>
Scale AS NOTED	<p>Sheet 4 of 5 PARENT TRACT LEGAL DESCRIPTION</p>
James Layout Services, LLC	<p>1700 N. Main Street, Suite 111 Fayetteville, AR 72701 Telephone: (479) 438-9888 Email: jls@jlsurvey.com</p>



The r/w shown on North 58th is an apparent prescriptive r/w and as such has not been formally dedicated.

Line #	Length	Direction
L1	30.91'	N88°04'03"W
L2	222.68'	N37°56'42"E
L3	116.87'	S78°40'43"E
L4	25.41'	S1°03'45"W
L5	105.96'	N78°40'43"W
L6	189.08'	S37°56'42"W
L7	40.51'	S1°04'20"W
L8	231.80'	N37°56'42"E
L9	41.66'	S1°04'20"W
L10	283.30'	N37°56'42"E



Legend:
 Set Iron Pin
 Found Concrete Monument

SW CORNER
 SE 1/4, NE 1/4
 SECTION 20
 T-18-N, R-30-W

New Tract Surveyed Description:
 A Part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Eighteen (18) North, Range Thirty (30) West, Benton County, Arkansas being described as commencing at the Southwest Corner of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Eighteen (18) North, Range Thirty (30) West; thence North 02°32'29" East a distance of 259.11 feet to a point; thence South 88°55'40" East a distance of 64.96 feet to a Set Iron Pin for the POINT OF BEGINNING; thence North 01°04'20" East a distance of 295.18 feet to a Set Iron Pin; thence South 88°55'43" East a distance of 295.18 feet to a Set Iron Pin; thence South 01°04'20" West a distance of 295.18 feet to a point; thence North 88°55'40" West a distance of 295.18 feet to the POINT OF BEGINNING containing in all 87,131 square feet or 2.00 acres, more or less.

Twenty Five foot Offsite Easement Description on Parent Tract:
 A Part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Eighteen (18) North, Range Thirty (30) West, Benton County, Arkansas being described as commencing at the Southwest Corner of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Eighteen (18) North, Range Thirty (30) West; thence North 02°32'29" East a distance of 259.11 feet to a point; thence South 88°55'40" East a distance of 64.96 feet to a point; thence North 01°04'20" East a distance of 295.18 feet to a point; thence South 88°55'43" East a distance of 295.18 feet to a point; thence South 01°04'20" West a distance of 40.51 feet to the POINT OF BEGINNING; thence North 37°56'42" East a distance of 231.80 feet to a point; thence South 88°04'03" East a distance of 30.91 feet to a point; thence South 37°56'42" West a distance of 283.30 feet to a point; thence North 01°04'20" East a distance of 41.66 feet to the POINT OF BEGINNING containing in all 6,439 square feet or 0.148 acres, more or less.

Twenty Five foot Offsite Easement Description on Parcel 21-00167-521 owned by Tara Ann Simon:
 A Part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Eighteen (18) North, Range Thirty (30) West, Benton County, Arkansas being described as commencing at the Southwest Corner of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Eighteen (18) North, Range Thirty (30) West; thence North 02°32'29" East a distance of 259.11 feet to a point; thence South 88°55'40" East a distance of 64.96 feet to a point; thence North 01°04'20" East a distance of 295.18 feet to a point; thence South 88°55'43" East a distance of 295.18 feet to a point; thence South 01°04'20" West a distance of 40.51 feet to a point; thence North 37°56'42" East a distance of 231.80 feet to the POINT OF BEGINNING; thence continue North 37°56'42" East along said line, a distance of 222.68 feet to a point; thence South 78°40'43" East a distance of 116.87 feet to a point in the apparent prescriptive right of way of North 58th Street; thence along said right of way South 01°03'45" West a distance of 25.41 feet to a point; thence leaving said right of way North 78°40'43" West a distance of 105.96 feet to a point; thence South 37°56'42" West a distance of 189.08 feet to a point; thence North 88°04'03" West a distance of 30.91 feet to the POINT OF BEGINNING containing in all 7,934 square feet or 0.182 acres, more or less.

THE ADJUSTED PARENT TRACT LEGAL DESCRIPTION WILL BE THE LEGAL DESCRIPTION OF THE DEED WHICH IS ATTACHED HERETO IN PAGES 3 AND 4.

LESS AND EXCEPT THE NEW TRACT SURVEYED DESCRIPTION WHICH IS SHOWN ON THIS PAGE.

Surveyor's Certification to Accuracy:

By affixing my seal and signature to this survey plat I do hereby certify that the legal description shown hereon is true and accurate and furthermore that this plat and survey depicted herein meets the minimum requirements for Land Surveys As put forth in the Arkansas Standards of Practice For Property Boundary Surveys and Plats dated August 8, 1992 Rev. May 8, 1992 Rev. March 14, 1998 Rev (May 21, 2009) Updated 1-24-08 Updated 8-25-08 by Everett Rowland 'State Surveyor, Land Surveys Division'

PARENT TRACT SIZE BEFORE SPLIT 56.22 ACRES
 PARENT TRACT SIZE AFTER SPLIT 54.22 ACRES



TANDEM LOT SPLIT FOR: PATRICIA A. SHARP, TRUSTEE OF THE SHARP'S SURVIVOR'S TRUST	Project Data Drawing Name: 14-080mod.dwg Date: 4/24/2014 System: SPC (2001 AR 12) Field Op.: M.D.J. & L.F.C. Drawn By: M.D.J. Checked By: L.F.C.
	Scale AS NOTED Sheet 5 of 5 BOUNDARY OF TANDEM LOT



James Layout Services, LLC
 P.O. BOX 811
 Farmington, Arkansas 72708
 Telephone: (479) 456-2669
 survey@jlsma.com

**TECHNICAL PLAT REVIEW
UTILITY COMMENTS
TANDEM LOT SPLIT
SHARP'S SURVIVOR'S TRUST
LS14-09
May 15, 2014**

Utility: Duane Miller – Springdale Fire Department

Utility: Danny Wright – Springdale Police Department
No comments.

Utility: Michael Moore – Cox Communication

Utility: Rick Russell – Springdale Water Utility

Field locate and verify the location of existing water and sewer facilities. Indicate 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, lost 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.

Water service is not available for this property easements and dedication of rights-of-way maybe required for water service.

Utility: Tim Smith – SourceGas

Utility: Kenny Hartzell– AT&T

Utility: Mike Phipps – Ozarks Electric

Utility: Nancy Guisinger - SWEPCO
REA territory.

Utility: Levi Lane – Carroll Electric

Utility: Sam Goade – Street Department
No comment.

Utility: Tom Evers – Building Inspection Department
No comments at this time.

Utility: United States Postal Service
Comments not returned.

APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Fishing Bridge Investments, LLC
Address: P.O. Box 806129
Fayetteville, AR 72703
Phone: 479-243-4424 Profit: Non-Profit

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

3. Record Title Holder of Property: Fishing Bridge Investments, LLC
(A copy of the warranty deed should be attached as Exhibit "A")

4. Use Unit requested _____ in C-2 Zoning District. currently A-1, rezoning application filed

5. Description of the conditional use sought and the reasons why it should be approved:
Tandem lot split to provide for the best and most beneficial use of the property

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
Splitting the lot will be the most beneficial use for the neighborhood as the portion of the tract bordering a residential home will be used for residential and the larger portion can be used for commercial development in accordance with nearby commercial tracts.

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)

[Handwritten Signature]

Signature of Applicant

[Handwritten Signature]

Date:

5/16/14

Date:

5/16/14

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.

State of Arkansas)

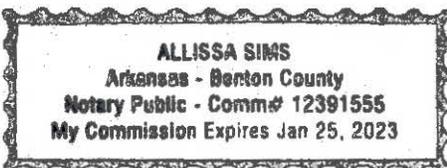
County of Washington) ss. *[Handwritten Signature]*

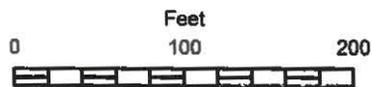
SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 16th day of May, 2014.

[Handwritten Signature]

Notary Public

My commission expires: 1-25-23





**APPLICANT: FISHING BRIDGE INVESTMENTS, LLC
GREG & SHARON BROWN
CONDITIONAL USE REQUEST:
TANDEM LOT SPLIT**

*CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
6/3/2014*

Memo

To: Planning Commission

From: Staff

Date: June 3, 2014

RE: LS14-10 Lot Split

Greg & Sharon Brown

1. A conditional use for a tandem lot must be applied for and approved by the Planning Commission and City Council.
2. A minimum 15' wide paved drive is required to the tandem lot.
3. Show setback lines.
4. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

MILHOLLAND ENGINEERS & SURVEYORS (MCO)

**205 West Center
Fayetteville, AR 72701
MCO Project #: S-2702

To: Springdale Planning Department

**Matter: TECHNICAL PLAT REVIEW
Project: LOT SPLIT
GREG & SHARON BROWN
LS14-10
May 15, 2014**

Submitted herein below are MCO's response to following comments: (Will be submitted to the City of Springdale planning office prior to May 21, 5 PM).

1. **Submit AutoCad and PDF files at time of resubmission**
Attached hereto are separate disks: One with AutoCad Format & one with PDF format, of the latest version of said project.
2. **A conditional use for a tandem lot must be applied for and approved by the Planning Commission and City Council.**
A Conditional Use application is being submitted by Mrs Allissa Sims, Project Atty.
3. **A 25' access easement with a minimum 15' wide paved drive is required to the tandem lot.**
An easement document to dedicate Tract A2 in its entirety as an Access Easement to Tract A4, is being prepared by Mrs Allissa Sims, Project Atty..
4. **Show setback lines.**
Setback lines according to present and Proposed zonings are depict on the plat, except areas where Variances are requested to start the setback line on a common boundary of the street right-of-way and the outside boundary of the long narrow planned access easements.
5. **All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.**
According to Springdale City Planning staff, there are no comments from either the utility companies nor the city departments
6. **Splitting the common area would require a replat to the Palisades Subdivision. Staff recommends keeping the common area as one tract and granting an access easement across the entire common area.**
In accord with City Planning Staff's recommendation, Mrs Allisssa Sims is preparing a document to provide said access easement, as described in Item (3) three above.

Attached hereto are five (5) sets of the project plat, revised per above comments. Building setbacks per proposed and existing zoning, easements and waiver requests are depicted on said plats.

Respectfully Submitted,

**Mel Milholland, PE, PLS
Milholland Engineers & Surveyors
205 West Center
Fayetteville, AR 72701**

Cc: file, Allissa Sims

RECEIVED

MAY 21 2014

**PLANNING OFFICE
CITY OF SPRINGDALE**

**TECHNICAL PLAT REVIEW
LOT SPLIT
GREG & SHARON BROWN
LS14-10
May 15, 2014**

- 1. Submit AutoCad and PDF files at time of resubmission
2. A conditional use for a tandem lot must be applied for and approved by the Planning Commission and City Council.
3. A 25' access easement with a minimum 15' wide paved drive is required to the tandem lot.
4. Show setback lines.
5. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
6. Splitting the common area would require a replat to the Palisades Subdivision. Staff recommends keeping the common area as one tract and granting an access easement across the entire common area.

**TECHNICAL PLAT REVIEW
UTILITY COMMENTS
TANDEM LOT SPLIT
FISHING BRIDGE INVESTMENTS, LLC
GREG & SHARON BROWN
LS14-05
May 15, 2014**

Utility: Duane Miller – Springdale Fire Department

No comments.

Utility: Danny Wright – Springdale Police Department

No Comments.

Utility: Michael Moore – Cox Communication

No Comments.

Utility: Rick Russell – Springdale Water Utility

Field Locate and verify the location of existing water and sewer facilities. Indicate 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.

Please indicate on this lot split the exact location of the private water meter services lines and sanitary sewer service lines for these lots. Also be advised that private water meter service lines cannot cross adjacent properties in order to access service or be located and running parallel within a public utility easement. Based on the drawing provided, please make arrangements to connect to the sanitary sewer on the north side of Palisades Ave.

Springdale Water Utilities records indicate an existing 12-inch water line and 12-inch sanitary sewer line along Highway 265. Please show these facilities on this lot split along with the easement documentation.

Utility: Tim Smith – SourceGas

No comments.

Utility: Kenny Hartzell– AT&T

No comments.

Utility: Mike Phipps – Ozarks Electric

No comments.

Utility: Nancy Guisinger - SWEPCO

Overhead electric facilities located on south side of property and underground street light facilities are located on the north side of property.

Utility: Levi Lane – Carroll Electric

No comments.

Utility: Sam Goade – Street Department

No comments

Utility: Tom Evers – Building Inspection Department

No comments

Utility: United States Postal Service

No comments

APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: White River Bancshares Company
Address: 3878 N. Crossover Road, Suite 30
Fayetteville, AR 72703
Phone: 479-684-3700 Profit: Non-Profit
2. Property Location (street address or layman's description):
N/A
3. Record Title Holder of Property: White River Bancshares Company
(A copy of the warranty deed should be attached as Exhibit "A")
4. Use Unit requested _____ in C-2 Zoning District.
5. Description of the conditional use sought and the reasons why it should be approved:
Tandem lot split to provide for the best and most beneficial use of the property.
6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
Splitting the lot will be most beneficial for the neighborhood as the portion of the tract bordering residential will be used for residential and the larger portion can be used as commercial in accordance with nearby commercial tracts.
7. If the conditional use is to only a portion of the land described on the warranty deed, then an accurate legal description provided by a copy of a recent survey certified by a registered land surveyor will be required.
8. The applicant shall be responsible for providing the name and address of all adjacent property owners. This must be a certified list by a licensed abstractor or licensed land surveyor within the past sixty (60) days.
9. All adjacent property owners are to be notified by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. The applicant must provide evidence in the form of a signed affidavit, that notice has been given to all adjacent property owners subject to the conditional use.

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

Signature of Record Property Owner(s)

Signature Bank of Arkansas
by [Signature], CEO

Signature of Applicant

Signature Bank of Arkansas
by [Signature], CEO

Date:

5/16/14

Date:

5/16/14

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.

State of Arkansas)

County of *Washington* ss.

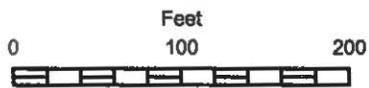
SUBSCRIBED AND SWORN TO before me, a Notary Public, this the *16th* day of *May*, 20 *14*.

Allissa Sims
Notary Public

My commission expires: *1/25/23*

ALLISSA SIMS
Arkansas - Benton County
Notary Public - Comm# 12391555
My Commission Expires Jan 25, 2023

ALLISSA SIMS
Arkansas - Benton County
Notary Public - Comm# 12391555
My Commission Expires Jan 25, 2023



**APPLICANT: SIGNATURE BANK
CONDITIONAL USE REQUEST:
TANDEM LOT SPLIT**

*CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
6/3/2014*

Memo

To: Planning Commission

From: Staff

Date: June 3, 2014

RE: LS14-11 Lot Split

Signature Bank of Ark

1. A conditional use for a tandem lot must be applied for and approved by the Planning Commission and City Council.
2. A minimum 15' wide paved drive is required to the tandem lot.
3. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

MILHOLLAND ENGINEERS & SURVEYORS (MCO)

**205 West Center
Fayetteville, AR 72701
MCO Project #: S-2674-2

To: Springdale Planning Department

**Matter: TECHNICAL PLAT REVIEW
Project: TANDEM LOT SPLIT
SIGNATURE BANK OF ARKANSAS
LS14-11
May 15, 2014**

Submitted herein below are MCO's response to following comments: (Will be submitted to the City of Springdale planning office prior to May 21, 5 PM).

1. **Submit AutoCad and PDF files at time of resubmission:**
Attached hereto are separate disks: One with AutoCad Format & one with PDF format, of the latest version of said project.
2. **A conditional use for a tandem lot must be applied for and approved by the Planning Commission and City Council.**
A Conditional Use application is being submitted by Mrs Allissa Sims, Project Atty.
3. **A 25' access easement with a minimum 15' wide paved drive is required to the tandem lot.**
An easement document to dedicate Tract A2 in its entirety as an Access Easement to Tract A4, is being prepared by Mrs Allissa Sims, Project Atty.
4. **Need zoning of property; tract A4.**
According to the City of Springdale's Webb site, Tract A4 is presently zoned SF-2, and said zoning is depicted on the attached plat.
5. **All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.**
According to Springdale City Planning staff, there are no comments from either the utility companies nor the city departments.
6. **Staff recommends making the entire common area tract an access easement.**
In accord with City Planning Staff's recommendation, Mrs Allissa Sims is preparing a document to provide said access easement, as described in Item (3) three above.

Attached hereto are five (5) sets of the project plat, revised per above comments. Building setbacks per proposed and existing zoning, easements and waiver requests are depicted on said plats.

Respectfully Submitted,

**Mel Milholland, PE, PLS
Milholland Engineers & Surveyors
205 West Center
Fayetteville, AR 72701**

Cc: file, Allissa Sims

**RECEIVED
MAY 21 2014
PLANNING OFFICE
CITY OF SPRINGDALE**

**TECHNICAL PLAT REVIEW
TANDEM LOT SPLIT
SIGNATURE BANK OF ARKANSAS
LS14-11
May 15, 2014**

1. Submit AutoCad and PDF files at time of resubmission
2. A conditional use for a tandem lot must be applied for and approved by the Planning Commission and City Council.
3. A 25' access easement with a minimum 15' wide paved drive is required to the tandem lot.
4. Need zoning of property; tract A4.
5. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
6. Staff recommends making the entire common area tract an access easement.

Memo

To: Planning Commission
From: Staff
Date: June 3, 2014
RE: L14-16 Large Scale Development 71B Auto Auction

Planning Comments

- 1) **The concept of detention must be approved by the Planning Commission.**
- 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) Need a landscape plan that shows the details of the landscaped areas including type, size and location of plants.
- 5) An automatic or other irrigation system shall be required for all landscaped areas. Show irrigation system or location of hose bibs.
- 6) Landscaping must be guaranteed for two years.
- 7) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

Engineering Comments

- 1) **Sect 112-8(i)** Need to show
 - a. Parcel number.
 - b. Set back lines. Distance from property lines to paving, curbs, buildings, etc.
- 2) **Parking Ch130-Art 7 Sect 3.1.** Show the typical dimensions for regular parking, (9'x19').

- a. **Sect 3.3.c. (2)** No off-street parking area, exclusive of access drives, shall be located within three feet (3') of any property line.
 - b. **Sect 3.6.** The perimeter of the parking area adjacent to the side or rear lot line shall be provided with wheel guards, bumper guards or curbs when the parking area is located ten feet (10') or less from the lot line.
- 3) **Sect 106 Drainage**
- a. Provide a construction detail for the pond outlet structure
 - b. Include calculations of the exit velocity of the 18" RCP to ensure it doesn't exceed the maximum 8 fps allowed. Otherwise, include scour protection at the end of the pipe.
- 4) **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 .
- 5) 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/.
- 6) 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/.

CIVIL PLANS

71B AUTO AUCTION

4635 N. THOMPSON

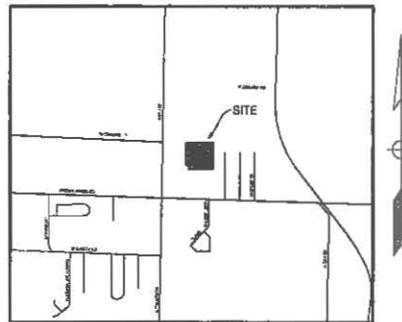
SPRINGDALE, ARKANSAS

GENERAL NOTES:

- A. TOPOGRAPHY, EXISTING ELEVATION, EXISTING PROPERTY LINES, LOCAL JURISDICTION, UTILITIES, ETC., (CORRESPONDING WITH ANY AVAILABLE, DATA REGARDING PHYSICAL FEATURES AND EXISTING UTILITIES LOCATIONS) SHALL BE PROVIDED BY THE FOLLOWING COMPANY, AS A CONTRACTOR TO THE DEVELOPER.

TOPOGRAPHY AND BOUNDARY:
 D.J. HARRISON AND ASSOCIATES, INC.
 3108 S.W. REGENCY PARKWAY
 BENTONVILLE, AR 72712
- B. ALL PURPOSES OF THIS WORK FOR THIS PROJECT SHALL ONLY BE ASSESS THE OWNER / DEVELOPER'S SITE WORK SPECIFICATIONS.
- C. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF UTILITIES, ETC., (AS REQUIRED), AND ANY OTHER EXISTING UTILITIES AS NOTED, SEE SITE WORK SPECIFICATIONS.
- D. CONTRACTOR IS TO REVIEW AND CORRECT OF ALL DESIGN, DESIGN AND OTHER UTILITIES, ETC., (AS REQUIRED) FROM PROVIDED AND CORRECTED UTILITIES, ETC., (AS REQUIRED) BEFORE CONSTRUCTION. DESIGN SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND/OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
- E. THE ORIGINAL CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR AND SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASE OF THIS PROJECT.
- F. **INDUSTRIAL/COMMERCIAL USE:** THE DESIGN REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH REGULATORY AGENCIES OF THE DESIGN PROFESSION AND ARE NOT INTENDED TO BE USED FOR ANY OTHER PURPOSES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND/OR FEDERAL AGENCIES BEFORE CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND/OR FEDERAL AGENCIES BEFORE CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND/OR FEDERAL AGENCIES BEFORE CONSTRUCTION.
- G. **SAFETY:** THE CONTRACTOR IS TO BE RESPONSIBLE FOR THE SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REPRESENTATIVE SHALL APPLY COMMON SENSE AND SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REPRESENTATIVE SHALL APPLY COMMON SENSE AND SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REPRESENTATIVE SHALL APPLY COMMON SENSE AND SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK.
- H. ALL CONSTRUCTION IS TO BE IN ACCORDANCE WITH THE DESIGN PROFESSION ENGINEER'S DESIGN. ALL CONSTRUCTION IS TO BE IN ACCORDANCE WITH THE DESIGN PROFESSION ENGINEER'S DESIGN. ALL CONSTRUCTION IS TO BE IN ACCORDANCE WITH THE DESIGN PROFESSION ENGINEER'S DESIGN.
- I. **PERMITS:** ALL DEVELOPMENT, EXPANSION, CONSTRUCTION, OR PLANS IN A U.S. COUNTY OF TRANSPORTATION SHALL BE SUBJECT TO LOCAL, STATE AND FEDERAL APPROVALS. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND/OR FEDERAL AGENCIES BEFORE CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND/OR FEDERAL AGENCIES BEFORE CONSTRUCTION.
- J. **DESIGN:** THE CONTRACTOR SHALL HOLD THE COMPLETE RESPONSIBILITY FOR THE DESIGN OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PROJECT.

LSD L-14-16



Vicinity Map

Not to Scale

CONTACT LIST:

OWNER:
 71B AUTO AUCTION
 4635 N. THOMPSON
 SPRINGDALE, AR 72762

DESIGNER:
 GEF Engineering Associates, Inc.
 3108 S.W. REGENCY PARKWAY, SUITE 2
 BENTONVILLE, AR 72712
 (479) 273-0472
 (479) 273-0444

Engineering Associates, Inc.
 ENGINEERS • PLANNERS • SURVEYORS
 LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS
 3108 S.W. REGENCY PARKWAY, SUITE 2 (479) 273-0472
 Bentonville, AR 72712 FAX (479) 273-0444

PLAN INDEX:

1. COVER SHEET
2. SITE PLAN
3. UTILITIES & FLOOD CONTROL PLAN
4. DETAIL SHEET



RESOURCE LIST:

CITY OF SPRINGDALE 515 SPRING STREET SPRINGDALE, AR 72762 PHONE: (479) 209-2800 FAX: (479) 209-2800 WWW: WWW.CITYOFSPRINGDALE.ORG	SPRINGDALE CITY ENGINEERING DEPARTMENT 100 WEST POLK STREET SPRINGDALE, AR 72762 PHONE: (479) 209-2800 FAX: (479) 209-2800 WWW: WWW.CITYOFSPRINGDALE.ORG	SPRINGDALE CITY ENGINEERING DEPARTMENT 100 WEST POLK STREET SPRINGDALE, AR 72762 PHONE: (479) 209-2800 FAX: (479) 209-2800 WWW: WWW.CITYOFSPRINGDALE.ORG
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NOTICE TO BIDDERS:

ALL BIDDERS MUST PROVIDE THE PREPARATION OF THE GENERAL CONTRACTOR'S BID SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE GENERAL CONTRACTOR'S BIDDING DOCUMENTS. THE BIDDING DOCUMENTS SHALL BE AVAILABLE TO ALL BIDDERS AT THE OFFICE OF THE DESIGN PROFESSION ENGINEER. THE BIDDING DOCUMENTS SHALL BE AVAILABLE TO ALL BIDDERS AT THE OFFICE OF THE DESIGN PROFESSION ENGINEER.

FLOOD CERTIFICATION:

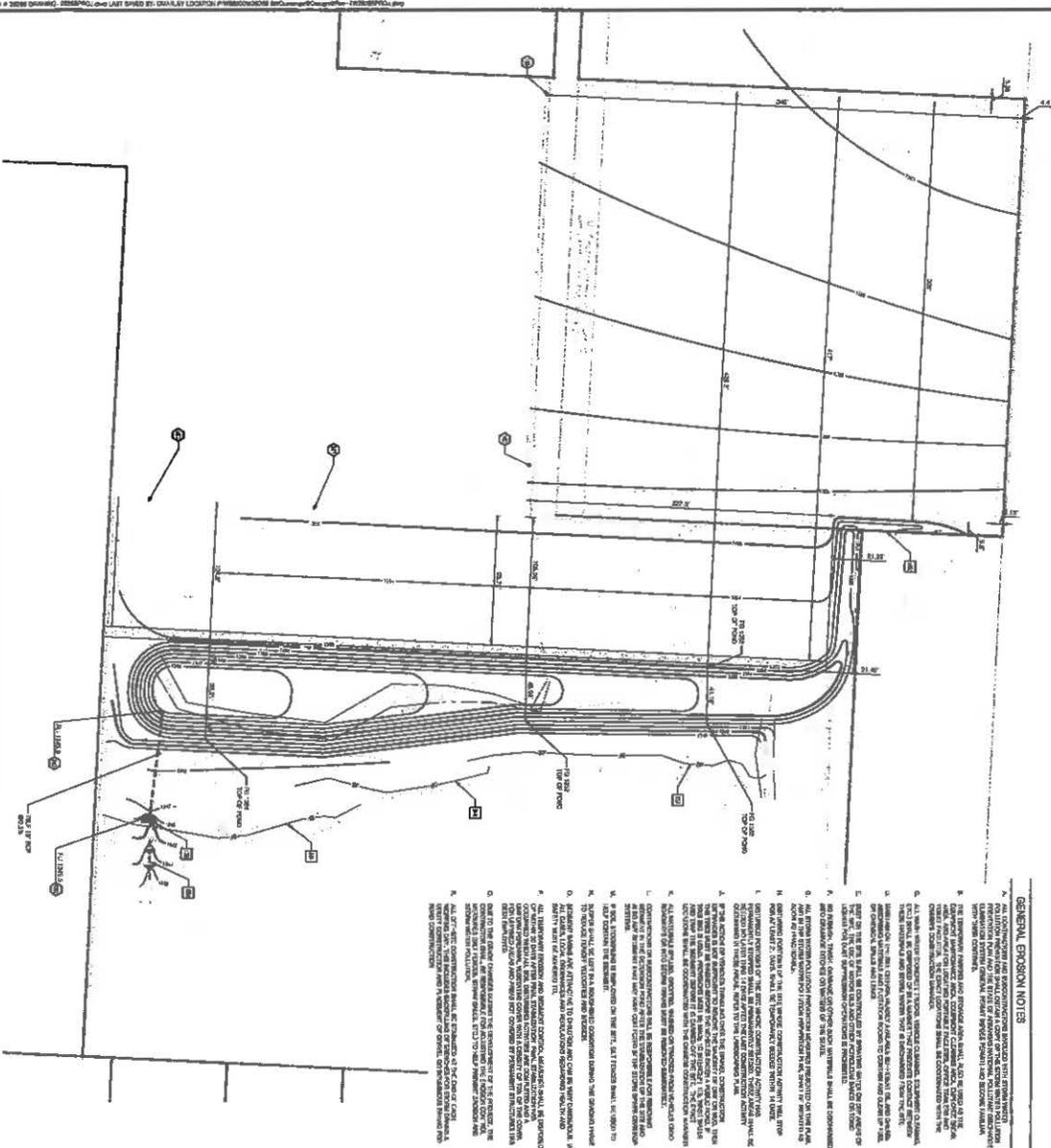
THIS PROPERTY IS NOT LOCATED WITHIN ANY PREVIOUSLY ESTABLISHED 100-YEAR FLOOD PLAIN AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS. 1984 FIRM, EFFECTIVE DATE: SEPTEMBER 16, 2007.



208 H&H ROAD
 BENTONVILLE, AR 72712
 DATE: 10/14/10
 TIME: 2:34 PM
 SHEET NO: 1 of 4

Horizontal - NAD83 based on GPS observations processed by OFUS
 Vertical - NAVD98 based on NGS monuments V26 and U309

LSD L-14-16



GENERAL EXCISION NOTES

1. ALL EXCISIONS SHALL BE ACCORDING TO THE EXISTING RECORD DRAWINGS AND FIELD SURVEY DATA.
2. THE EXISTING RECORD DRAWINGS AND FIELD SURVEY DATA SHALL BE USED TO DETERMINE THE EXISTING CONDITIONS AND TO LOCATE ALL EXCISIONS.
3. ALL EXCISIONS SHALL BE ACCORDING TO THE EXISTING RECORD DRAWINGS AND FIELD SURVEY DATA.
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GENERAL EXCISION NOTES CONT'D

1. EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AT ALL TIMES.
2. ALL EXCISIONS SHALL BE ACCORDING TO THE EXISTING RECORD DRAWINGS AND FIELD SURVEY DATA.
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LEGEND

EXISTING	PROPOSED
EXISTING PAVEMENT	PROPOSED PAVEMENT
EXISTING CONCRETE	PROPOSED CONCRETE
EXISTING ASPHALT	PROPOSED ASPHALT
EXISTING GRAVEL	PROPOSED GRAVEL
EXISTING SAND	PROPOSED SAND
EXISTING SOIL	PROPOSED SOIL
EXISTING UTILITIES	PROPOSED UTILITIES
EXISTING EROSION CONTROL	PROPOSED EROSION CONTROL
EXISTING FENCE	PROPOSED FENCE
EXISTING SIGNAGE	PROPOSED SIGNAGE
EXISTING LIGHTING	PROPOSED LIGHTING
EXISTING TREES	PROPOSED TREES
EXISTING PLANTS	PROPOSED PLANTS
EXISTING STRUCTURES	PROPOSED STRUCTURES
EXISTING DRIVEWAYS	PROPOSED DRIVEWAYS
EXISTING SIDEWALKS	PROPOSED SIDEWALKS
EXISTING STAIRS	PROPOSED STAIRS
EXISTING RAMP	PROPOSED RAMP
EXISTING CURB	PROPOSED CURB
EXISTING GUTTER	PROPOSED GUTTER
EXISTING DRAINAGE	PROPOSED DRAINAGE
EXISTING EROSION CONTROL	PROPOSED EROSION CONTROL
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EXISTING DRAINAGE	PROPOSED DRAINAGE

PROPOSED LEGEND

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GENERAL GRADING NOTES

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GRADING DETAILS

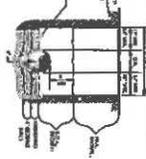
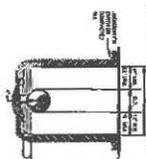
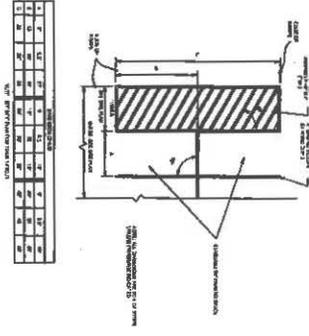
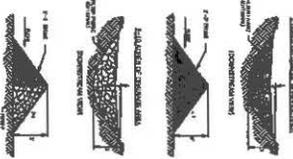
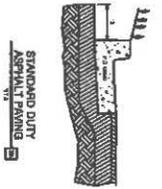
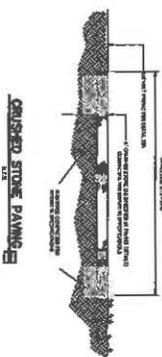
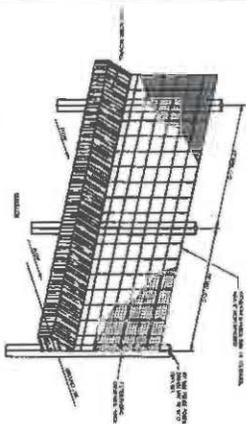
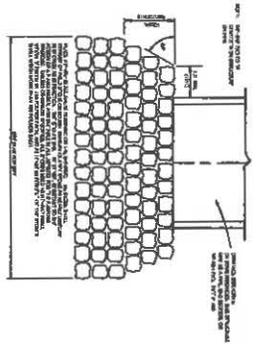
718 AUTO AUCTION
NE PARKING EXTENSION
GRADING & EXCISION CONTROL

100% COMPLETE

DATE: 10/15/2014
 TIME: 10:00 AM
 LOCATION: 718 AUTO AUCTION
 PROJECT: NE PARKING EXTENSION

BY: [Signature]
 TITLE: [Title]

SCALE: AS SHOWN



Engineering Associates, Inc.

718 AUTO AUCTION
NE PARKING EXTENSION
STONORLE ARKANSAS

DETAILS

DATE: 10/1/14
SCALE: AS SHOWN
SHEET NO: 1 OF 1



CEI Engineering Associates, Inc.

ENGINEERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS ■ PLANNERS

3108 SW Regency Parkway, Suite 2
Bentonville, AR 72712
(479) 273-9472 Fax (479) 273-0844
www.ceieng.com

May 21, 2014

Debbie Pounders
City of Springdale
Planning Department
201 Spring St.
Springdale, Arkansas 72764

RECEIVED

MAY 21 2014

PLANNING OFFICE
CITY OF SPRINGDALE

Dear Ms Pounders,

**RE: Technical Plat Review Responses
71B Auto Auction, Thompson Avenue.
Large Scale Development**

Below are responses to city comments received on May 15, 2014. The original comments are included in italics.

Planning Comments

1. *Submit AutoCad and PDF files at time of resubmission.*
Will be provided via e-mail unless City indicates other preference.
2. *A written response to all comments is required with resubmission.*
Noted.
3. *This Large Scale Development Plan has been given the number L14-16. This number should be placed on the plat and all future correspondence and plats pertaining to this large-scale development.*
Plans so indicate number.
4. *Landscape islands are required at a rate of 1 per 15 parking spaces, in accordance with Chapter 56.*
See variance request.

5. *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.*
6. See variance request.
7. *Need a landscape plan that shows the details of the landscaped areas including type, size and location of plants.*
See variance request.
8. *An automatic or other irrigation system shall be required for all landscaped areas. Show irrigation system or location of hose bibs.*
See variance request.
9. *Landscaping must be guaranteed for two years.*
See variance request.
10. *Show all utility lines.*
No utility lines presently on the site.
11. *Show all existing easements.*
A powerline easement is shown on the plans
12. *All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.*
No comments submitted by utility companies.
13. *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.*
Not applicable.

Engineering Comments

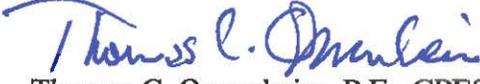
1. *Sect 112-8(i) Need to show:*
 - a. *Parcel number.*
Shown on plans.
 - b. *Set back lines. Distance from property lines to paving, curbs, buildings, etc.*
Distances shown.

2. *Parking Ch130-Art 7 Sect 3.1. Show the typical dimensions for regular parking, (9'x19').*
Shown.
 - a. *Sect 3.3.c. (2) No off-street parking area, exclusive of access drives, shall be located within three feet (3') of any property line.*
Layout revised to meet requirement.
 - b. *Sect 3.6. The perimeter of the parking area adjacent to the side or rear lot line shall be provided with wheel guards, bumper guards or curbs when the parking area is located ten feet (10') or less from the lot line.*
See variance request.
3. *Section106 Drainage*
 - a. *Provide a construction detail for the pond outlet structure.*
Discharge is controlled by reduced-size culvert; no separate control structure required.
 - b. *Include calculations of the exit velocity of the 18" RCP to ensure it doesn't exceed the maximum 8 fps allowed. Otherwise, include scour protection at the end of the pipe.*
Attached hereto.
4. *The concept of detention must be approved by the Planning Commission.*
Noted.
5. *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.*
An easement will be dedicated as required and is delineated on the drawings.
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/http://www.springdalear.gov/departments/planning_and_community_development/
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_and_community_development/
Noted.

Debbie Ponders
71B Auto LSD
5-21-14

I believe the above responses adequately address the City's concerns. If you need additional information, please let me know.

Sincerely,
CEI Engineering


Thomas C. Oppenheim, P.E., CPESC
Project Manager

**TECHNICAL PLAT REVIEW
UTILITY COMMENTS
LARGE SCALE DEVELOPMENT
71B AUTO AUCTION
L14-16
May 15, 2014**

Utility: Duane Miller – Springdale Fire Department

No comments

Utility: Danny Wright – Springdale Police Department

No Comments.

Utility: Michael Moore – Cox Communication

No comment.

Utility: Rick Russell – Springdale Water Utility

No comments at this time.

Utility: Tim Smith – SourceGas

No comments

Utility: Kenny Hartzell– AT&T

No comments

Utility: Mike Phipps – Ozarks Electric

Not Ozarks territory.

Utility: Nancy Guisinger - SWEPCO

No comments at this time.

Utility: Levi Lane – Carroll Electric

Not Carroll Electric territory.

Utility: Sam Goade – Street Department

No comments

Utility: Tom Evers – Building Inspection Department

No comments at this time.

Utility: United States Postal Service

No Comments

**TECHNICAL PLAT REVIEW
LARGE SCALE DEVELOPMENT
71B AUTO AUCTION
L14-16
May 15, 2014**

Planning Comments

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- 2) A written response to all comments is required with resubmission.
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- 12) 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.

Engineering Comments

- 1) **Sect 112-8(i)** Need to show
 - a. Parcel number.
 - b. Set back lines. Distance from property lines to paving, curbs, buildings, etc.
- 2) **Parking Ch130-Art 7 Sect 3.1.** Show the typical dimensions for regular parking, (9'x19').
 - a. **Sect 3.3.c. (2)** No off-street parking area, exclusive of access drives, shall be located within three feet (3') of any property line.
 - b. **Sect 3.6.** The perimeter of the parking area adjacent to the side or rear lot line shall be provided with wheel guards, bumper guards or curbs when the parking area is located ten feet (10') or less from the lot line.
- 3) **Sect 106** Drainage

- a. Provide a construction detail for the pond outlet structure
- b. Include calculations of the exit velocity of the 18" RCP to ensure it doesn't exceed the maximum 8 fps allowed. Otherwise, include scour protection at the end of the pipe.

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

5) **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 .

6) 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/.

7) 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/

Staff Use Only

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

File # B14-35

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: EVERETT CHRYSLER DODGE JEEP RAM

Applicant's Mailing Address:

3709 SOUTH THOMPSON
Street Address or P.O. Box

479-751-4563
Telephone Number

SPRINGDALE, AR 72764
City, State & Zip Code

Property Owner's Name
(If different from Applicant): Everett CDJR Land Co. LLC

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: 3709 SOUTH THOMPSON

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.

TO INSTALL A MONUMENT SIGN AT THE EXISTING DREWEWAY EAST OF THE
BODY SHOP ON THE SOUTH SIDE OF DON TYSONS PARKWAY.

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):**

TO INSTALL A MONUMENT SIGN AT THE EXISTING DRIVEWAY EAST OF THE

BOOY SHOP ON THE SOUTH SIDE OF DON TYSONS PARKWAY SINCE IT IS

A CORNER LOT WITH TWO FRONTAGES

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):**

SINCE DON TYSONS PARKWAY WAS BUILT THE ROAD RIGHT OF WAY IS

CLOSE TO THE BOOY SHOP AND BLOCKS THE VIEW OF THE EXISTING

SIGNS ON SOUTH THOMPSON

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):**

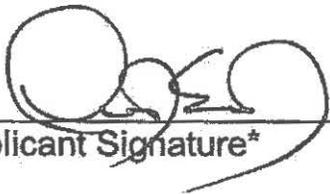
DON TYSONS PARKWAY HAS CHANGED THE FLOW OF TRAFFIC AROUND

THE DEDELSHIP

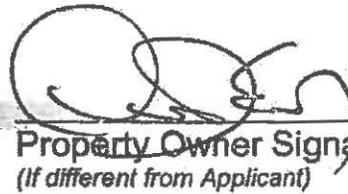
4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or 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 Madison) ss.

HEATHER LEWALLEN
NOTARY PUBLIC
MADISON COUNTY, ARKANSAS
COMM. EXP. 06/04/22
COMMISSION NO. 12388494

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 14 day of May, 2014.


Notary Public



W DON TYSON PKY

S THOMPSON ST

MIDWAY AVE

P102



PURTLE AVE

W DON TYSON PKY

DIANA ST

SCHWARTZ LN

PRIVATE DR