

**SPRINGDALE PLANNING COMMISSION  
 COUNCIL CHAMBERS  
 NOVEMBER 1, 2016  
 201 SPRING  
 5:00 P.M.  
 Tentative Agenda**

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

II. **Call to Order**

III. **Roll Call**

IV. **Approval of Minutes (October 4, 2016)**

V. **Public Hearing**

**A. Withdrawn per Staff**      **Revision to Chapter 112, Subdivision Regulations Section 112-6(b) reimbursement For payment in lieu of**  
 Presented by Patsy Christie

**B.**      **Proposed amendment Chapter 130 Zoning Ordinance Article 5 Section 20 Use Unit 17 eating places to expand Definition of limited indoor entertainment**      **Motion**  
 Presented by Patsy Christie

VI. **Tabled Items**

**A.    B16-59**      **Kevin Walker**      **Call for the vote**      **PP 32-38**  
**2529 McRay Ave.**  
 Variance for driveway expansion  
 Presented by Kevin Walker

**B.    C16-18**      **Christian Church Faith Without Limits**      **Call for the vote PP 39-44**  
**871 E. Robinson**  
 Use Unit 42 (Church/Synagogue) in C-2  
 Presented by Daniel Medrano

- C. L16-19**      **Pinkley Mini Storage**      **Motion**      **PP45-58**  
**South Downum Road**  
**North side County Line Road**  
**Concept of Detention**      **Motion**  
**B16-65**      **Variance for modification of Commercial**  
**Design Standards**      **Call for the vote**  
Presented by Leonard Gabbard, P.E.

Presented by Leonard Gabbard, P.E.
  
- D. L16-20**      **Towne Park Apartments**      **Motion**      **PP 59-103**  
**N. of West Sunset Avenue**  
**West side of Westside Drive**  
**Concept of Detention**      **Motion**  
**B16-66**      **Variance for reduction of open space from 20% to 15%**  
**B16-66**      **Variance for reduction of sidewalk**      **Call for the**  
**width from 7' to 5'**      **vote**  
Presented by Crafton Tull

**VII. Public Hearing – Rezoning      **Call for the vote****

- A. R16-41**      **Dan Runge**  
**1008 N. Gutensohn**  
**From SF-2 to A-1**  
Presented by Dan Runge
  
- B. R16-42**      **Diane Cook**  
**518 Holcomb**  
**From C-2 to O-1**  
Presented by Diane Cook
  
- C. R16-43**      **Shaun & Holly Sedrick**  
**Withdrawn**      **3193 Brandy Lane**  
**Per applicant**      **From A-1 to SF-2**  
Presented by Shaun Sedrick
  
- D. R16-44**      **CCO Investments, LLC**  
**NW corner of Sunset & Pleasant**  
**From C-2 to C-6**  
Presented by Survey 1, Inc.
  
- E. R16-45**      **Jesus Reyes**  
**266 E. Robinson Ave.**  
**From C-2 to C-5**  
Presented by Jesus Reyes

- F. R16-46 Mathias Shopping Centers, Inc.  
5240 W. Sunset Avenue  
From C-2 to C-5  
Presented by Engineering Services, Inc.
- G. R16-47 Thomas J. Embach, Revocable Trust  
905 Mill Street  
From SF-2 to PUD  
Presented by Civil Design Engineers, Inc.
- H. R16-48 Burr-Hein Properties, LLC  
2009 N. 48<sup>th</sup> Street  
From A-1 to C-2  
Presented by Dan Hein

**VIII. Lot Splits**

- A. LS16-37 Belinda McNabb  
Tandem Lot Split  
West side Wilson Cemetery Road  
North of Reed Ave.
- W16-19 Waiver of subdivision requirements  
Presented by Blew & Associates

**IX. Large Scale Developments**

- A. L16-22 Springdale Storage **Moiton**  
NW corner of Thompson & Cooper Dr.  
**Concept of Detention** **Motion**  
Presented by Blew & Associates

**X. Board of Adjustment **Call for the vote****

- A. B16-63 Joi R. Ball, Trustee of Ball Trust  
Lot 38 Silent Knoll SD. Par. #21-02576-00  
Variance of two front setbacks from 30' to 25'  
& from 30' to 13'  
Presented by Engineering Services, Inc.
- B. B16-64 Ethan & Michelle Pennington  
3460 Brian Street  
Variance for reduction of side setback from 8' to 3'  
Presented by Ethan Pennington

- C. B16-65**      **Terry Pinkley**  
**South of Downum Road**  
**North side of County Line**  
 Variance for modification of Commercial Design Standards  
 Presented by Leonard Gabbard, P.E.
- D. B16-66**      **Sprout Holdings**  
**W. side of Jones Road**  
**South of Brooklyn**  
 Variance for open space from 20% to 15%  
 Variance for reduction of sidewalk width from 7' to 5'  
 Presented by Crafton Tull
- E. B16-67**      **Rafael Calderon**  
**1504 W. Huntsville**  
 Variance to allow asphalt driveway to remain as is  
 Presented by Lorena Calderon
- F. B16-68**      **Barman & Crosno Construction**  
**Lots 47, 48, 49 & 50 Rossen Creek Subdivision**  
 Variance for reduction of front setback from 30' to 20'  
 Presented by Mike Baumann

**XI. Waivers      **Motion****

- A. W16-16**      **Bailey Brandon**  
**5014 Valhalla Street**  
 Waiver of sidewalk requirement  
 Presented by Engineering Services, Inc.
- B. W16-17**      **Brian & Melonie Moore**  
**2000 Westwood Avenue**  
 Waiver of sidewalk requirement  
 Presented by Engineering Services, Inc.
- C. W16-18**      **Carroll Marbury**  
**5876 Elm Springs Road**  
 Waiver of sidewalk requirement  
 Presented by Carroll Marbury

- D.    **W16-19**        Belinda McNabb  
                          W. side Wilson Cemetery Rd.  
                          N. of Reed Ave.  
                          Waiver of Subdivision requirements  
                          Presented by Blew & Associates

**XII.   Director's Report**

**XIII. Adjourn**

The Springdale Planning Commission met in regular session on Tuesday, October 4, 2016, at 5:00 p.m. in Council Chambers.

Prior to the meeting being called to order, Chairman Kevin Parsley led the Pledge of Allegiance and Commissioner Bob Arthur gave the invocation.

The meeting was called to order by Chairman Parsley at 5:00 p.m.

Roll call was answered by:

- Bob Arthur – Vice-chairman
- Gary Compton
- Roy Covert
- Payton Parker
- Charles Gaines
- Vivi Haney - Secretary
- Mitch Miller
- Kevin Parsley – Chairman
- Brian Powell

Also in attendance were Ms. Patsy Christie, Director, Planning and Community Development Division and Ms. Sarah Sparkman, Assistant City Attorney.

Ms. Haney moved to approve the September 2016 minutes. Mr. Powell seconded the motion. By a voice vote of all ayes and no nays the September 2016 minutes were approved by a unanimous vote.

Tabled Items

A. R16-37 Martin & Euginia Palma  
1911 W. Huntsville  
 From C-1 to C-2  
 Presented by Hazel Prinder(?)

There was no one present to present on behalf of the Palmas. This rezoning was tabled for a second time which means they will have to start the process all over.

B. C16-14 HELPS, LLC  
650 W. Highway 264  
Use Unit 33 (Cell tower) in C-2  
 Presented by James Cardinal

Mr. Cardinal had called Ms. Christie and said he was stuck in traffic and would be at the meeting as soon as he could get there.

Public Hearing – Rezoning

- A. R16-38      Larry & Nancy Runksmeier  
3426 Old Missouri Road  
From A-1 to C-2  
Presented by Greg Hughes or Rick Oliver

Mr. Rick Oliver was present on behalf of his clients to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Regional Commercial use.

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

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.

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

There were none.

Ms. Haney called for the vote:

**VOTE:**

**YES:** Arthur, Compton, Covert, Parker, Gaines, Haney, Miller Parsley, Powell

**NO:** None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff will prepare the Ordinance that will go to Council on Tuesday, October 25, 2016 at 6:00 p.m. in Council Chambers.

- B. R16-39 Elm Springs Center, LLC for Dunkin' Donuts  
Directly east of Whattaburger on the north side of Elm Springs Road  
From C-2 to C-5  
 Presented by CEI Engineering

Mr. Nate Batchlor with CEI Engineering was present on behalf of his client to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates commercial use.

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

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.

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

There were none.

Mr. Haney called for the vote.

**VOTE:**

**YES:** Compton, Covert, Parker, Gaines, Haney, Miller, Parsley, Powell, Arthur

**NO:** None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff will prepare the Ordinance to go to Council on Tuesday, October 25, 2016 at 6:00 p.m. in Council Chambers.

- C. R16-40 Jesus Gonzalez, Jr.  
1729 Hatcher Road  
From A-1 to SF-2  
 Presented by Norman A. Sanchez

Mr. Gonzalez was present on his own behalf to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Medium Density Residential use.

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

Assure adequate land allocation for residential purposes by providing lots of adequate size.

Encourage the development of a variety of housing types appropriate to the size and income of all households living and working in Springdale.

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

There were none.

Ms. Haney called for the vote.

**VOTE:**

**YES:** Covert, Parker, Gaines, Haney, Miller, Parsley, Powell, Arthur, Compton

**NO:** None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff will prepare the Ordinance to go to Council on Tuesday, October 25, 2016 at 6:00 p.m. in Council Chambers.

Public Hearing – Conditional Use

- A. C16-15 Kyle Patton  
Andrew Avenue Parcel #815-23273-010  
Tandem Lot split
- RP16-06 Replat of lot 3A of the replat of  
lot 2 & lot 3 – Lake Road Estates  
Presented by Kyle Patton

Mr. Tim West, with Atlas Surveying, was present on behalf of his client to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Ms. Christie said there were no comments on the conditional use. She read Staff comments for the replat.

1. Submit the approved authorization of representation form, if property owner will not be present at Planning Commission meeting.
2. Submit a copy of the warranty deed.
3. A conditional use for a tandem lot split will need to be applied for and granted prior to filing.
4. 15' paved (concrete) drive will need to be installed to lot 3C prior to filing.

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

There were none.

Ms. Haney called for the vote on the conditional use.

**VOTE:**

**YES:** Parker, Gaines, Haney, Miller, Parsley, Powell, Arthur, Compton, Covert

**NO:** None

The conditional use was approved by a unanimous vote.

Ms. Christie stated for the record that Staff will prepare the Resolution that will go to Council on Tuesday, October 25, 2016 at 6:00 p.m.

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

**VOTE:**

**YES:** Gaines, Haney, Miller, Parsley, Powell, Arthur, Compton, Covert, Parker

**NO:** None

Ms. Christie stated for the record that if Mr. West wants the replat to go to Council on Tuesday, October 11, 2016, he will need to have the Ordinance in the Mayor's office by noon on Thursday, October 6, 2016.

Ms. Christie further stated that normally the conditional use resolution goes to Council on the second meeting of the month, but it can go on October 11, 2016 along with the replat if Mr. West gets the Ordinance to the Mayor's office by Thursday.

- B. C16-16 William & Dorcas Johnson  
5018 Bob Mills Road
- LS16-34 Tandem lot split for conditional use  
Presented by Survey 1, Inc.
- B16-61 Keith & Susan Bell  
5018 Bob Mills Road  
Variance for modification of driveway requirement  
Presented by Survey 1, Inc.

Mr. Parsley decided to include the variance at this time as it is related to the conditional use and lot split.

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

Mr. Parsley asked for Staff comments regarding the lot split.

Ms. Christie read the Staff comments.

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

Ms. Christie asked they were requesting not to pave any of the driveway.

Mr. Buescher referred to the builder.

Mr. Gene Springston said that he is the builder for the Bells. He said all they wanted to do was pave the drive after construction.

Ms. Christie said that normally the paving isn't done until there is a Certificate of Occupancy issued.

Mr. Springston said they weren't for sure so they asked for the variance so that they would be able to pave after the Certificate of Occupancy was issued.

Ms. Christie said the Board of Adjustment would be to grant a waiver or a variance to allow not to be paved but has to be done prior to the occupancy of the structure.

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

There were none.

Ms. Haney called for the vote on the conditional use.

**VOTE:**

**YES:** Haney, Miller, Parsley, Powell, Arthur, Compton, Covert, Parker, Gaines

**NO:** None

The Conditional Use was approved by a unanimous vote.

Ms. Christie stated for the record that Staff will prepare the Resolution to go to Council on Tuesday, October 25, 2016 at 6:00 p.m.

Ms. Haney moved to approve the lot split subject to Staff comments. Mr. Miller seconded the motion.

**VOTE:**

- YES:** Miller, Parsley, Powell, Arthur, Compton, Covert, Parker, Gaines, Haney
- NO:** None

The lot split was approved subject to Staff comments by a unanimous vote.

Ms. Haney called for the vote on the variance noting that the driveway will be built after they receive a Certificate of Occupancy.

**VOTE:**

- YES:** Parsley, Powell, Arthur, Compton, Covert, Parker, Gaines, Haney, Miller
- NO:** None

The variance was approved as amended by a unanimous vote.

- C. C16-17 Eco-Site  
36' N. of American St. 650' W. of 71B  
Use Unit 33 (Cell Tower) in C-2  
Presented by James Cardinal
  
- C16-14 HELPS, LLC  
650 w. Highway 264  
Use Unit 33 (Cell Tower) in C-2  
Presented by James Cardinal

Mr. Cardinal was present for both conditional use requests to answer any questions or comments. He stated that the tower on American is being built for T-Mobile.

Ms. Christie asked for the height of the tower with the antennae on top.

Mr. Cardinal said that it will be 115' with the lightening rod.

Ms. Christie read the Staff comments.

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

**N/A** 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.

- N/A** Refuse and service areas, with particular reference to the item in 1 and 2 above.
- Acceptable** Utilities, with reference to locations, availability and compatibility.
- Acceptable** Screening and buffering with reference to type, dimension and character.
- N/A** Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.
- Acceptable** Yard requirements and other open space requirements.
- Acceptable** The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter.
- Acceptable** Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect.
- Acceptable** General compatibility with adjacent properties and other property in the general district.

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

Ms. Louise Lorenze who lives on S. Moreland spoke. She stated that she isn't necessarily against it but she did have a couple of questions. She wanted to know exactly where the tower would be in relation to her property.

Mr. Cardinal said that it was 173' from the edge of Ms. Lorenze's property to the tower location.

She wanted to know if there were any adverse effects that she needs to be concerned with.

Ms. Christie said that due to the distance from here property there should be not any ill effects.

Ms. Haney called for the vote.

**VOTE:**

- YES:** Powell, Arthur, Compton, Covert, Parker, Gaines, Haney, Miller, Parsley
- NO:** None

The conditional use was approved by a unanimous vote.

Ms. Christie stated for the record that Staff will prepare the Ordinance that will go to Council on Tuesday, October 25, 2016 at 6:00 p.m

Mr. Cardinal was prepared to answer any questions or comments regarding C16-14. He said that this is another tower being built for T-Mobile. He said the tower will be 130' tall with the lightening rod and they meet the setbacks.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

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

**N/A** 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.

**N/A** Refuse and service areas, with particular reference to the item in 1 and 2 above.

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

**Acceptable** Screening and buffering with reference to type, dimension and character.

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

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

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

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

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

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

There were none.

Ms. Haney called for the vote.

**VOTE:**

**YES:** Arthur, Compton, Covert, Parker, Gaines, Haney, Miller, Parsley,  
Powell

**NO:** None

The conditional use was approved by a unanimous vote.

Ms. Christie stated for the record that Staff will prepare the Resolution to go to Council on Tuesday, October 25, 2016 at 6:00 p.m.

- D. C16-18 Christian Church Faith Without Limits  
871 E. Robinson Ave.  
Use Unit 42 (Church/Synagogue) in C-2  
Presented by Daniel Porras Meddrano

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

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

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

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

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

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

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

**Unknown shown on site plan** Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.

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

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

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

**Unacceptable** General compatibility with adjacent properties and other property in the general district. **Inadequate parking available on site.**

Ms. Christie stated that it was difficult to determine from the submitted drawing exactly how many parking spaces are available. She further stated that there were no dimensions and what the uses of the other structures. She said he was proposing hours of operation only on Sunday from 11:00 a.m. to 1:00 p.m. and 7:00 p.m. to 8:00 p.m. and on Wednesdays from 7:00 p.m. to 8:30 p.m.

She asked if there would be any other activities on any other day of the week.

Mr. Meddrano said very seldom; maybe on Saturdays and Wednesdays.

Ms. Christie stated that maybe on Saturdays and Wednesdays is where there is a problem. If Staff is told those are the only days of operation then those are the only days that they can operate. She said the reason is there doesn't seem to be adequate parking on the site for the existing businesses to operate and operate the church.

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

There were none.

Mr. Powell asked about the Fire Department's concerns.

Mr. Duane Miller, the Fire Marshall said that all is required is two doors for access out of the building. He further stated that as long as they put the "panic" hardware in place, there will be no issues with the fire department.

Ms. Christie asked what the maximum occupancy would be.

Mr. Miller said it is 166.

Mr. Arthur stated they don't have parking for 166.

Ms. Christie said the drawing submitted is not real clear making it hard to assess what is available.

Mr. Gaines asked how large the congregation is.

Mr. Maddrano said at the present time there are about 30 people.

Mr. Powell asked if they could get parking agreements with the other businesses.

Ms. Christie said that was a possibility.

Mr. Powell asked if Mr. Maddrano would be willing to get parking agreements from his neighbors.

Mr. Maddrano said that he would.

Ms. Christie said that the parking agreements must be in writing.

Mr. Powell pointed out that unless the commission can see the parking agreements it would be difficult to vote for the conditional use.

Mr. Parsley said that Mr. Maddrano could request the conditional use to be tabled until he can get the signed parking agreements.

Ms. Christie said if it gets tabled, they would not be able to have church at that location until the conditional use is approved with the signed parking agreements.

Mr. Maddrano said that he will request his conditional use to be tabled until the November meeting.

Lot Splits

- A.     LS16-34     William & Dorcas Johnson  
                           5018 Bob Mills Road  
                           Presented by Survey 1, Inc.

This lot split was approved by a unanimous vote in conjunction with C16-16.

- B.     LS16-35     Elm Springs Center, LLC for  
                           Dunkin' Donuts  
                           Directly east of Whattaburger on  
                           the north side of Elm Springs Road  
                           W16-15     Elm Springs Center, LLC for  
                           Dunkin' Donuts  
                           Presented by CEI Engineering

Mr. Nate Batchlor with CEI Engineering was present on behalf of his client to answer any questions or comments. He said the intent is to construct a Dunkin' Donuts facility which requires a drive thru.

Ms. Christie stated that a commercial subdivision plat hasn't been filed so this would be a second split on that piece of property and the waiver of subdivision requirements is to allow the second split.

Mr. Parsley asked if there were any additional comments.

Ms. Christie read the Staff comments.

1.     Need authorization of representation if property owner will not be present.

2. All comments from the utility companies and other city departments must be addressed prior to approval.
3. A waiver of subdivision requirements will need to be requested and approved prior to approval for filing.

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

There were none.

Ms. Haney moved to approve the lot split subject to Staff comments. Mr. Miller seconded the motion and to approved the waiver of subdivision requirements.

**VOTE:**

**YES:** Compton, Covert, Parker, Gaines, Haney, Miller, Parsley, Powell, Arthur

**NO:** None

The lot split was approved subject to Staff comments by a unanimous vote as was the waiver.

Ms. Christie stated for the record that Staff would prepare the resolution that will go to Council on Tuesday, October 25, 2016 at 6:00 p.m.

Preliminary Plat, Replats, & Final Plats

- A. RP16-06 Replat of Lot 3A of the replat of Lot 2 & Lot 3-Lake Road Estates SE corner of E. Andrew Avenue  
Presented by Atlas Surveying

This replat was approved by a unanimous vote in conjunction with C16-15.

- B. RP16-07 Replat of Lot 1A & 1B of replat of Lot 1 Block 1 Dill Addition NW corner of Turner & Shoreline Dr.  
Presented by Atlas Surveying

Tim West with Atlas Surveying was present on behalf of his client to answer any questions or comments. He said there was a replat approved in 2006 between these two existing lots. There was never a land conveyance between the two neighbors; therefore their deeds were never updated to the replat. The current county assessor still recognizes the old lots from the existing deeds and not the replat from 2006. This replat is to reverse the replat that was approved in 2006 to match the current deeds as well as the tax records.

Ms. Christie read the Staff comments.

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

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

There were none.

Ms. Haney moved to approve the replat subject to Staff comments Mr. Arthur seconded.

**VOTE:**

**YES:** Covert, Parker, Gaines, Haney, Miller, Parsley, Powell, Arthur, Compton

**NO:** None

Ms. Christie said if Mr. West wants this to go to Council on Tuesday, October 11, 2016, he will need to have the Ordinance in the Mayor's office by Thursday, October 6, 2016 by noon.

Large Scale Developments

- A. L16-19 Pinkley Mini Storage, Phase I  
South Downum Road, N. of  
County Line Road  
Presented by Leonard Gabbard

This large scale was tabled by Staff.

- B. L16-20 Towne Park Apartments  
N. of West Sunset Avenue  
W. of Westside Drive  
Concept of Detention  
Presented by Crafton Tull

This large scale was tabled by Staff.

- C. L16-21 Dunkin' Donuts  
Directly west of Whattaburger  
on the north side of Elm Springs Road  
Concept of Detention  
Presented by CEI Engineering

Mr. Nate Batchlor with CEI Engineering was present on behalf of his client to answer any questions or comments. He said they would be replacing a regional detention pond with an underground system.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

### Planning Comments

1. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
2. This development must comply with the City of Springdale Commercial Design Standards or a variance is required. Front, side, and rear elevations, lighting plan, and a written response to design standards comments are required at the time of resubmission (3 copies). See attached design standard comments.

### Commercial Design Standards Comments

- 1) Need detailed drawings of enclosures and screening methods. The submitted detail does not meet the design standards or screening requirements. Please revise.
- 2) Trash containers, trash compactors, and recycling bins shall be screened from public view on all four sides with a solid fence, wall, or gate constructed of cedar, redwood, masonry, or other compatible building material, and shall be appropriately landscaped.
- 3) Submit a unified lighting plan per Springdale Commercial Design Standards.

### Engineering Comments

- a. Name, address, and zoning of all adjacent property. – **Address for Wattaburger**
- b. Driveway widths, radius, and distance from other property lines and street intersection. Detail of modified curb. – **Driveway widths on Site Plan**
- c. **Sect 9.6.7.** Minimum distance between driveways on adjoining properties is fifty feet (50') and 150' on a single tract.
- d. Need to obtain an AHTD permit for all work done on their right-of-way. **Submit a copy to City Staff.**
- e. **The concept of detention** must be approved by the Planning Commission.
- f. **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.
- g. Sect 107 The site area of disturbance is between 0.5 and 1 acre. A storm Water Pollution Prevention Plan, Grading Permit Application and \$250.00 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/](http://www.springdalear.gov/department/planning_and_community_development/)

- h. Please submit final design of new underground regional detention facilities. Need this location platted on site plan. – **Underground detention location, layout, & storm drainage piping need to be provided in addition to the details. Recommend an inset plan showing proposed detention.**

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

There were none.

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

**VOTE:**

**YES:** Arthur, Compton, Covert, Parker, Gaines, Haney, Miller, Parsley, Powell

**NO:** None

The concept of detention was approved by a unanimous vote.

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

**VOTE:**

**YES:** Compton, Covert, Parker, Gaines, Haney, Miller, Parsley, Powell, Arthur

**NO:** None

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

Board of Adjustment

- A. B16-58 Jason & Kerri Beyer  
7359 Blackburn Avenue  
Variance for reduction of rear setback  
From 20' to 10'  
Presented by Jason Beyer

Mr. Beyer was present to answer any questions or comments. He said they would like to put in a pool and need the reduction of the rear setback.

Ms. Christie asked if there was a utility easement.

Mr. Beyer said there is an electric utility easement but it is out of the way.

Ms. Christie said they can't vacate a portion of the utility easement without going through a different process.

Mr. Sedberry said there is a 10' utility easement in the rear of his property but it is west and he will be out of it.

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

There were none.

Ms. Haney called for the vote.

**VOTE:**

**YES:** Covert, Parker, Gaines, Haney, Miller, Parsley, Powell, Arthur, Compton

**NO:** None

The variance request was approved by a unanimous vote.

B. B16-59 Kevin Walker  
2529 McRay  
 Variance for driveway expansion  
 Presented by Kevin Walker

This variance was tabled per the applicant's request.

C. B16-60 Roger Bahena  
1463 Tumbleweed Dr.  
 Variance for reduction of front setback  
 from 25' to 11'  
 Presented by Roger Bahena

Ms. Gabriella Lopez was present on behalf of Mr. Bahena to answer any questions or comments. She said they built a shed and where they set it is encroaching on the setback.

Ms. Christie asked if a slab had been poured for it.

Ms. Lopez said it was on concrete blocks.

Ms. Christie asked if this was a code violation.

Ms. Haney asked if there was a height issues with it.

Ms. Lopez said they were not told there was.

Ms. Christie asked how tall the shed was.

Ms. Lopez said it is 12' feet high.

Mr. Chamlee, Director of Building Inspection, said it wasn't a code violation but they did not apply for a building permit. It is too large to not be a permitted structure. It can't be where it is because of the setbacks and the sides.

Ms. Christie said the variance is hard to read. She said the variance is for a setback and wanted to know if they were asking for a variance for the side as well.

Ms. Lopez said they were.

Mr. Chamlee said that if the commission chooses to approved the setback variances, they can get a building permit and bring it up to code, but they have to have the variances or the building will have to be torn down.

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

There were none.

Ms. Haney said it was located in a very visible area and comes way up over the fence. She said she felt that if they approve this, judging from the neighborhood, they will be seeing more requests.

Mr. Arthur asked if the location was the only place the shed could go.

Ms. Lopez said that it was.

Mr. Parker asked what the height limit was.

Mr. Chamlee said the maximum height is 10 feet and a portable structure can be no larger than 120 square feet on skids and can be placed in the rear two-thirds in easements or anyplace as long as it is 10' from any other structure on the property.

Mr. Arthur said the height of the building is over 10 feet. Ms. Haney concurred. She said that if some of the commissioners didn't have an opportunity to look at it, she took some pictures of it.

Ms. Haney called for the vote.

**VOTE:**

**YES:** Parker, Parsley, Powell, Covert

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

The variance was denied by a vote of five to four.

Ms. Christie stated for the record the only appeal is through the court system. She further stated they have thirty days to file the appeal.

- D. B16-61 Keith & Susan Bell  
51018 Bob Mills Road  
Variance for modification of  
driveway requirement  
Presented by Survey 1, Inc.

This variance was approved by a unanimous vote in conjunction with C16-61 and LS16-34.

- E. B16-62 Gordon Whitbeck  
441 Reinert Drive  
Variance for reduction of setback from  
30' to 24'  
Presented by Gordon Whitbeck

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

Ms. Christie said the wall he was extending was to cover ground equipment.

Mr. Whitbeck said the original large scale was supposed to have had it but it didn't get put in. He said the design is to match both wing walls.

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

There were none.

Mr. Arthur called for the vote.

**VOTE:**

- YES:** Powell, Arthur, Compton, Covert, Parker, Gaines, Haney, Miller  
Parsley
- NO:** None

The variance was approved by a unanimous vote.

Waivers

- A. W16-15 Elm Springs Center LLC for  
Dunkin' Donuts  
Directly east of Whattaburger on  
north side of Elm Springs Road  
Waiver of subdivision requirements  
Presented by CEI Engineering

This waiver was approved by a unanimous vote along with LS16-35.

Planning Director's Report

Ms. Christie thanked everyone for their prayers and support while she is going through Chemo treatments. She did announce that her recent MRI showed that she was cancer free.

She also said they need to have a work session for on the 18<sup>th</sup> of October. She wants to bring the commission up to date on the form base code that is being discussed downtown and to give the commission some ideas of what is going on.

She further stated that Backus Concrete would like to meet with them to discuss their non-conforming use and what they can and can't do.

It was decided to have the work session in December on the 20<sup>th</sup> and have it at the Market Place Grill.

There being no further business the meeting was adjourned at 5:55 p.m.

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**Kevin Parsley, Director**

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**Vivi Haney, Secretary**

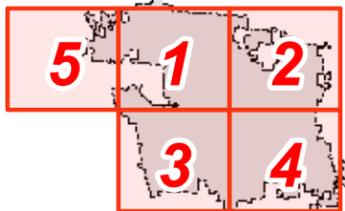
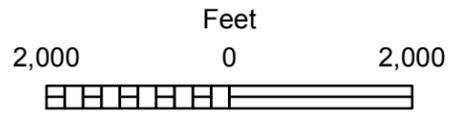
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**Patsy Christie, Director**  
**Planning and Community Development Division**

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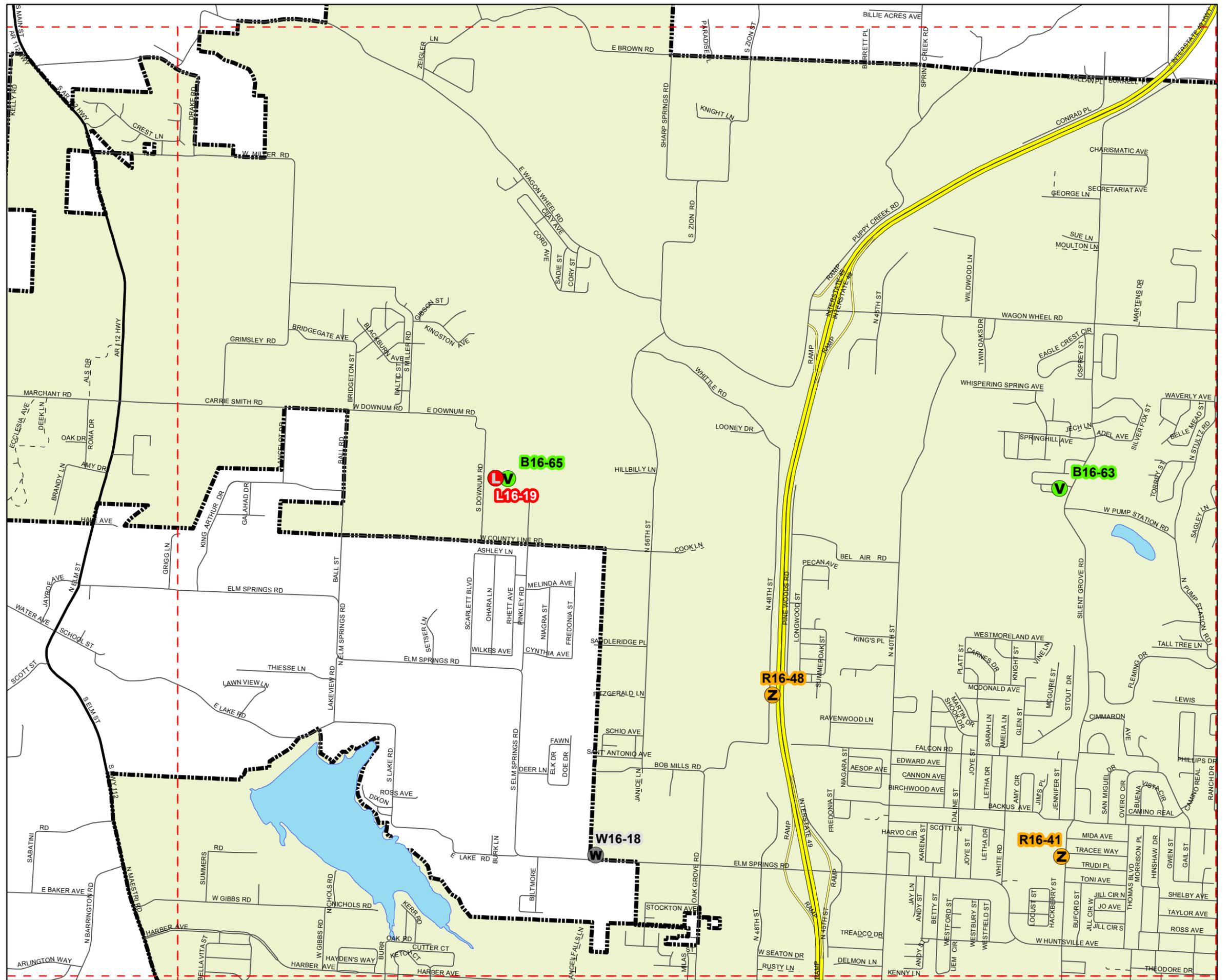
**Debbie Ponders, Recording Secretary**

**CITY OF SPRINGDALE  
PLANNING COMMISSION  
AGENDA ITEMS  
NOVEMBER 1ST, 2016**



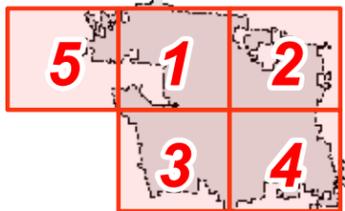
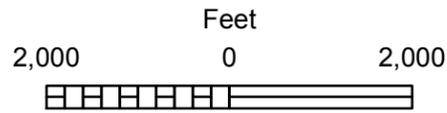
**SHEET 1**

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



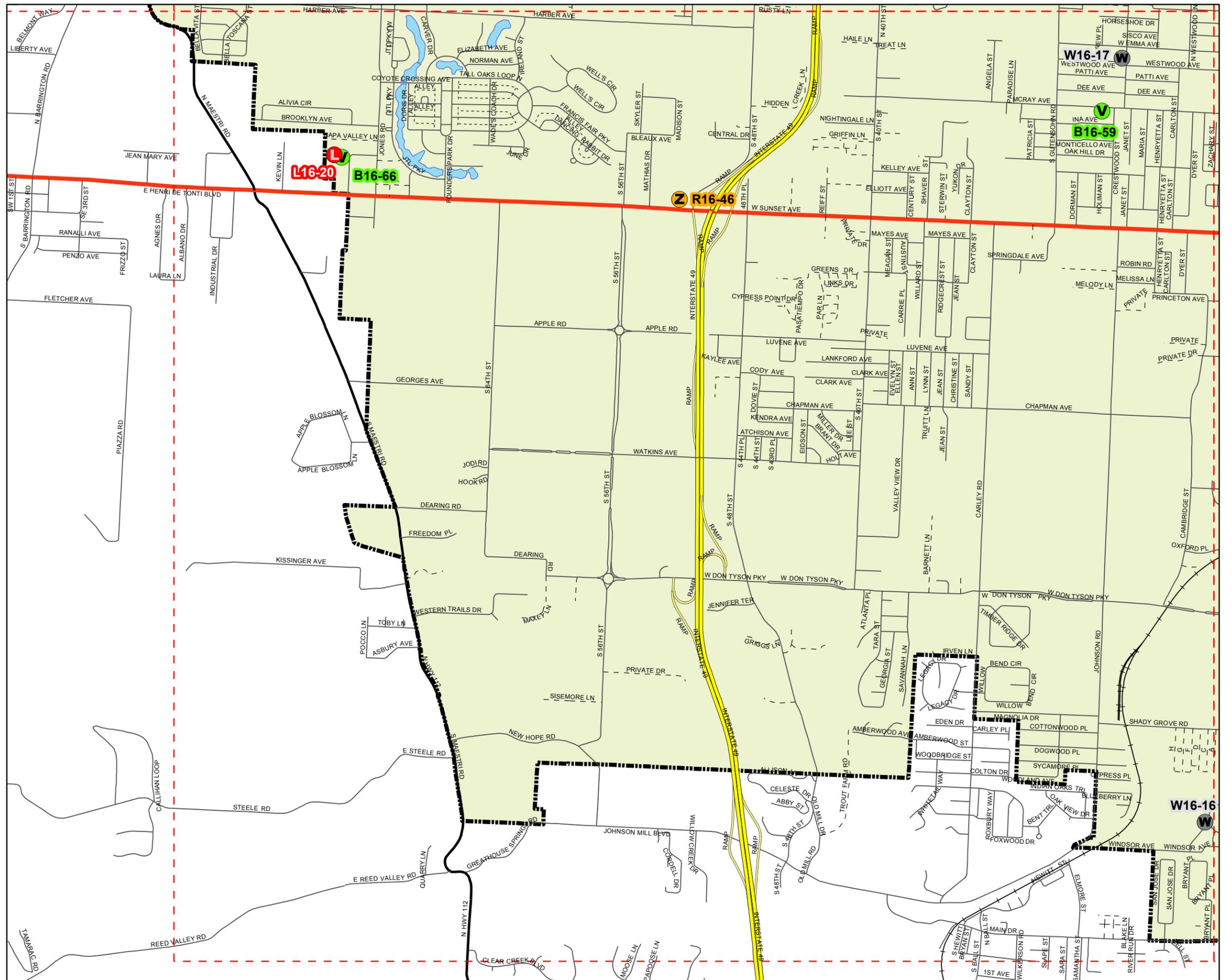


**CITY OF SPRINGDALE  
PLANNING COMMISSION  
AGENDA ITEMS  
NOVEMBER 1ST, 2016**

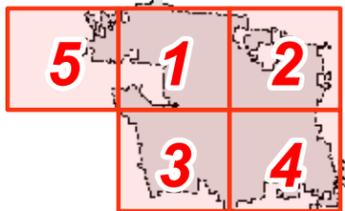
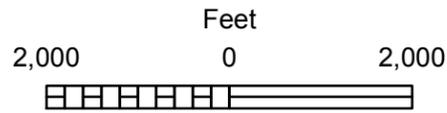


**SHEET 3**

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

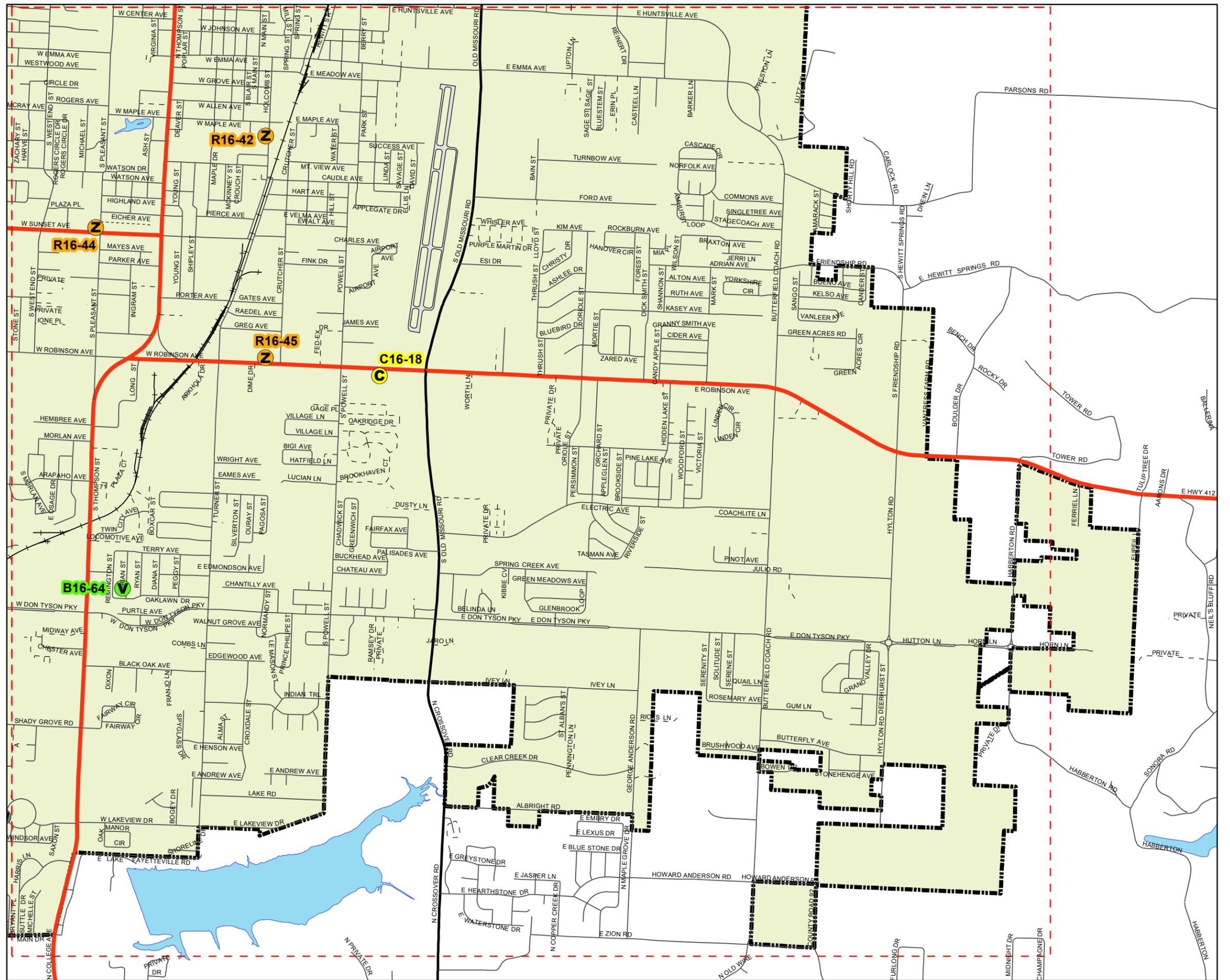


**CITY OF SPRINGDALE  
PLANNING COMMISSION  
AGENDA ITEMS  
NOVEMBER 1ST, 2016**



**SHEET 4**

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



That which is underlined is added.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ARTICLE 5 OF THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Article 5 of the Zoning Ordinance of the City of Springdale, Arkansas, contains the various use units which are allowed in the various zoning districts in Springdale, Arkansas;

**WHEREAS**, it is in the best interests of the City of Springdale, Arkansas, to amend Use Unit 17 (eating places) to allow limited forms of entertainment;

**WHEREAS**, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to amend Article 5 of the Zoning Ordinance of the City of Springdale, Arkansas, to address limited entertainment in a Use Unit 17; and

**WHEREAS**, a public hearing was held before the Springdale Planning Commission on November 1, 2016, after notice was given of said hearing as required by law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:**

**Section 1:** Article 5, Section 20 of the Zoning Ordinance of the City of Springdale, Arkansas, is hereby amended to read as follows:

Sec 20. – Unit 17: Eating places.

Eating places, other than drive-ins, which do not provide dancing or entertainment – Sit down restaurants; cafés; restaurants, with carry out; and coffee houses where the principal use is the service of food for consumption on the premises, does not provide dancing and limited to acoustic music entertainment. Acoustic music is music that solely or primarily uses instruments that produce sound through acoustic means, as opposed to electric or electronic means. Performers of acoustic music may increase the volume of their output using electronic amplifiers. However, these amplification devices remains separate from the amplified instrument and reproduce its natural sound accurately. A microphone may be placed in front of an acoustic instrument which is then wired up to an amplifier. Facilities that provide acoustic music entertainment must have soundproofing that prohibits sound leakage to/from adjacent facilities and surrounding areas.

For the purposes of this use unit a restaurant, and café is an establishment in which food or beverages are cooked or prepared and offered for sale and where consumption of alcoholic beverages may be permitted on the premises. A restaurant, with carry out, is an eating establishment in which food or beverages are cooked and/or prepared and offered for sale, where consumption of alcoholic beverages may be permitted on the premises. Drive-up or walk-up service may be permitted and shall be integrally designed into the development with drive-thru lane and/or drive-thru window located adjacent to the public street network or drives. Exterior signage indicates a carry-out service or dedicated parking stalls for carry-out customer parking. A coffee house is an establishment providing coffee and tea as well as light snacks ranging from baked goods to soups and sandwiches, other casual meals, and light desserts.

Allowed in Zoning Districts as a permitted use: C-1; C-2; C-3; C-4; C-5; PUD

Allowed as a Conditional Use On Appeal: A-1

**Section 2:** All other provisions of Article 5 of the Zoning Ordinance of the City of Springdale, Arkansas, not specifically amended herein shall remain in full force and effect.

**Section 3: Emergency Clause.** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

**Staff Use Only**

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

File # BK-59

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: Kevin Walker

Applicant's Mailing Address:

2529 Mcray  
Street Address or P.O. Box  
Springdale, AR 72762  
City, State & Zip Code

479-601-4839  
Telephone Number

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

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

Same  
Street Address or P.O. Box

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
City, State & Zip Code

Address of Variance Request: 2529 Mcray

Zoning District: SF-2

**The following information should be attached to this application:**

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

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

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

**SETBACK VARIANCES:**

*Not Applicable*

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

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

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

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

**VARIANCES OTHER THAN SETBACK:**

*Not Applicable*

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

Driveway expansion  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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):**

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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):**

There are other U shaped driveways in  
the area on the same side as the front  
door. P.S with other houses with split driveways

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):**

We had the right to order the building permit  
to do the drive way as designed as what we  
are requesting now but do to lack of funds  
and waiting on insurance company to fully pay off  
they closed out the construction permit.

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

**VERIFICATION**

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

  
 \_\_\_\_\_  
 Applicant Signature\*

  
 \_\_\_\_\_  
 Property Owner Signature\*  
 (If different from Applicant)

\_\_\_\_\_  
 Applicant Signature\*

\_\_\_\_\_  
 Property Owner Signature\*  
 (If different from Applicant)

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

State of Arkansas                    )  
   ) ss.  
 County of Washington)

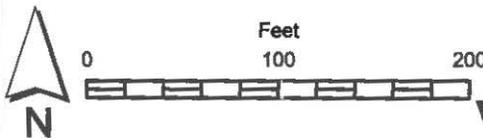
SUBSCRIBED AND SWORN TO before me, a Notary Public, this 6<sup>th</sup> day of September, 2016.

OMAR MORALES PEREZ  
 Notary Public - Arkansas  
 Washington County  
 Commission # 12894867  
 Commission EXP. 07/02/2025

  
 \_\_\_\_\_  
 Notary Public



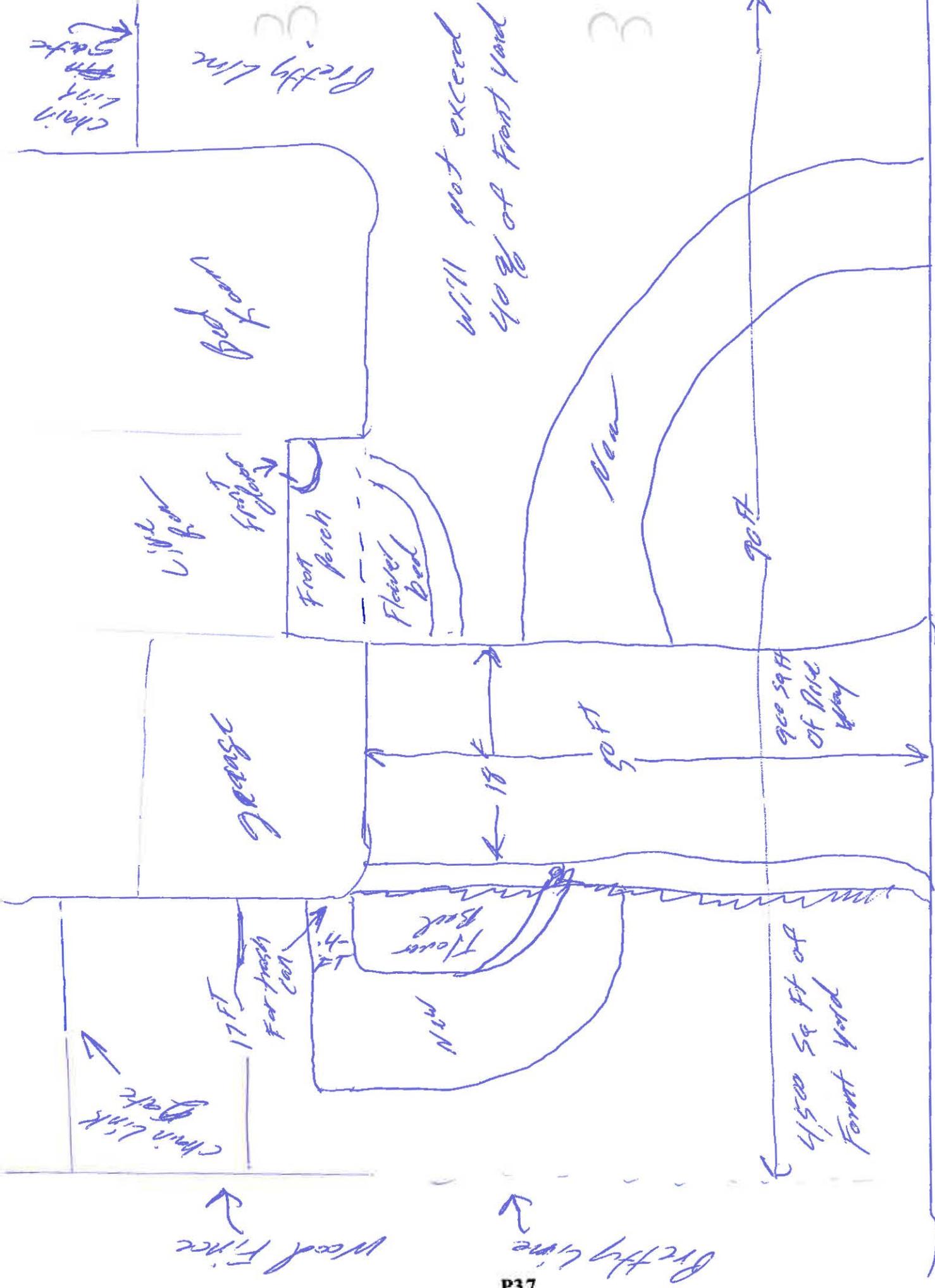
Public hearing sign posted: 9/23/2016  
Public hearing sign posted by: CS  
 Public Hearing Sign Location



**FILE NO. B16-59**  
**APPLICANT: KEVIN WALKER**  
**VARIANCE REQUEST: DRIVEWAY REQUIREMENTS**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
PLANNING COMMISSION MEETING  
OCTOBER 4TH, 2016

P36



will not exceed  
40% of front yard

3

Pretty Line

Backyard

Viper

Flower Bed

Front porch

Flower Bed

New

90 FT

Garage

18 FT

50 FT

900 sq ft  
of dirt  
way

17 FT

For trash  
can

Flower  
Bed

New

4500 sq ft of  
Front yard

McRay All

Chain Link  
Gate

Wood Fence

Pretty Line

Thursday, September 1, 2016

To whom it may concern,

We are trying to do a drive way expansion. I'm needing to change my drive way into an U/S shape for safety reasons. If you have any questions or concerns feel free to call me. If you could help us get this approved through the planning commission it would be greatly appreciated.

Thank You,

  
Kevin Walker

479-601-4839

2529 McRay Avenue

Springdale, AR 72762

*P.S. IF you <sup>are</sup> Not the Property owner  
Please Forward to them promptly  
Thank you*



# Memo

To: PLANNING COMMISSION MEMBERS  
From: Patsy Christie, Planning Director  
Date: October 4, 2016  
Re: C16-18 Conditional Use

A request by Christian Church Faith Without Limits for a Conditional Use Permitted on Appeal as a Use Unit 42 (Church/Synagogue) in a General Commercial District (C-2).

## LOCATION

871 E. Robinson

## EXISTING CONDITIONS

Commercial structure. Commercial uses surround the tract is C-2 and C-5 zoning.

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.

- |                     |  |
|---------------------|--|
| <b>Acceptable</b>   | 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.                                    |
| <b>Unacceptable</b> | 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. |
| <b>Acceptable</b>   | Refuse and service areas, with particular reference to the item in 1 and 2 above.  |
| <b>Acceptable</b>   | Utilities, with reference to locations, availability and compatibility.  |
| <b>N/A</b>          | Screening and buffering with reference to type, dimension and character.   |

**Unknown  
not shown  
On site plan**

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

**Acceptable**

Yard requirements and other open space requirements.

**Unacceptable**

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

**N/A**

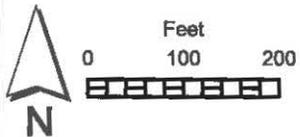
Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect.

**Unacceptable**

General compatibility with adjacent properties and other property in the general district. **Inadequate parking available on site.**



Public hearing sign posted: 9/23/2016  
 Public hearing sign posted by: CS  
 (S) Public Hearing Sign Location



**FILE NO. C16-18**  
**APPLICANT: CHRISTIAN CHURCH FAITH WITHOUT LIMITS**  
**CONDITIONAL USE REQUEST: USE UNIT 42**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**OCTOBER 4TH, 2016**

**APPLICATION FOR CONDITIONAL USE**  
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: CHRISTIAN CHURCH FAITH WITHOUT LIMITS  
Address: 1237 E. ROBINSON SPRINGDALE AR 72764  
Phone: 479 268 0664 Profit: Non-Profit
2. Property Location (street address or layman's description):  
871 E. ROBINSON
3. Record Title Holder of Property: FHISING BRIDGE INVESTMENT LLC  
(A copy of the warranty deed should be attached as Exhibit "A")
4. Use Unit requested 42 in C2 Zoning District.
5. Description of the conditional use sought and the reasons why it should be approved:  
BUILDING WILL BE USED FOR A PLACE OF WORSHIP  
WHERE CHRISTIAN VALUES WILL BE TAUGHT  
IT WILL BE A PLACE WHERE ALL CITIZENS OF NWA  
CAN RECEIVED SPIRITUAL GUIDANCE AND HELP
6. What effects would the proposed conditional use have on the character of the neighborhood and residents?  
NO NEGATIVE EFFECTS
7. If the conditional use is to only a portion of the land described on the warranty deed, then an accurate legal description provided by a copy of a recent survey certified by a registered land surveyor will be required.
8. The applicant shall be responsible for providing the name and address of all adjacent property owners. This must be a certified list by a licensed abstractor or licensed land surveyor within the past sixty (60) days.
9. All adjacent property owners are to be notified by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. The applicant must provide evidence in the form of a signed affidavit, that notice has been given to all adjacent property owners subject to the conditional use.

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

Signature of Record Property Owner(s)

Signature of Applicant

*[Handwritten Signature]*

*[Handwritten Signature]*

FOR: FISHING BOAT INVESTMENTS LLC

Date:

9-15-16

Date:

9/15/16

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.

*[Handwritten Signatures]*

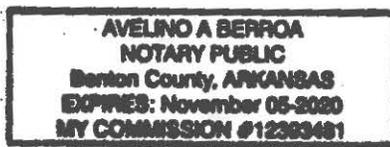
State of Arkansas )

County of Washington ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 19 day of Sept, 2016.

*[Handwritten Signature]*  
Notary Public

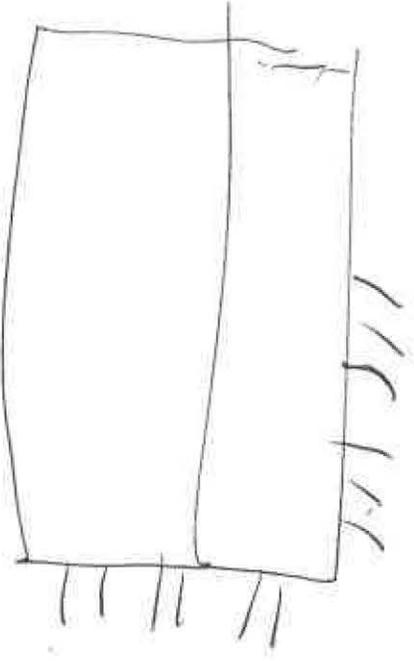
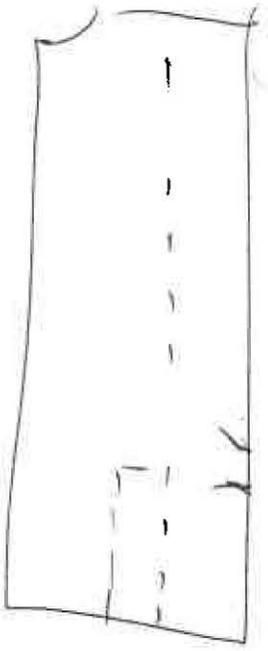
My commission expires: 11-05-2020



N

ROBINSON

|||||  
H



S

Hours of  
Operation

SUNDAYS 11 am  
to 1 pm

7 pm - 8 pm

WEDNESDAY

7 pm - 8:30 pm

# Memo

**To:** Planning Commission  
**From:** Staff  
**Date:** November 1, 2016  
**RE:** L16-19 Large Scale Development Pinkley Mini  
Storage, Phase I

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**Concept of Detention  
Variance (B16-65) Modification of Commercial Design Standards**

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## Planning Comments

1. The developer is required to dedicate right-of-way of an abutting street in conformance with the City of Springdale Master Street Plan. A separate dedication document shall be submitted to the City for filing.
2. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
3. This development must comply with the City of Springdale Commercial Design Standards or a variance is required

## Commercial Design Standards Comments

- 1) Where a façade faces adjacent residential uses or an area on the Comprehensive Land Use Plan designated for residential use an earthen berm shall be installed, no less than 6' in height containing at a minimum a double row of evergreen or deciduous trees planted at a 15' interval plus all landscaping requirements set forth in Chapter 56 of the Springdale Code of Ordinance.
- 2) Continuous internal pedestrian walkways, no less than 5' in width from the public sidewalk to the principal customer entrance of all principal buildings on the site are required. The walkway shown is in conflict with the proposed screen wall/fence. Please correct.

- 3) Predominant exterior building materials shall not be: smooth-faced concrete block, tilt-up concrete panels, or pre-fabricated steel panels.
- 4) Submit a unified lighting plan per Springdale Commercial Design Standards.

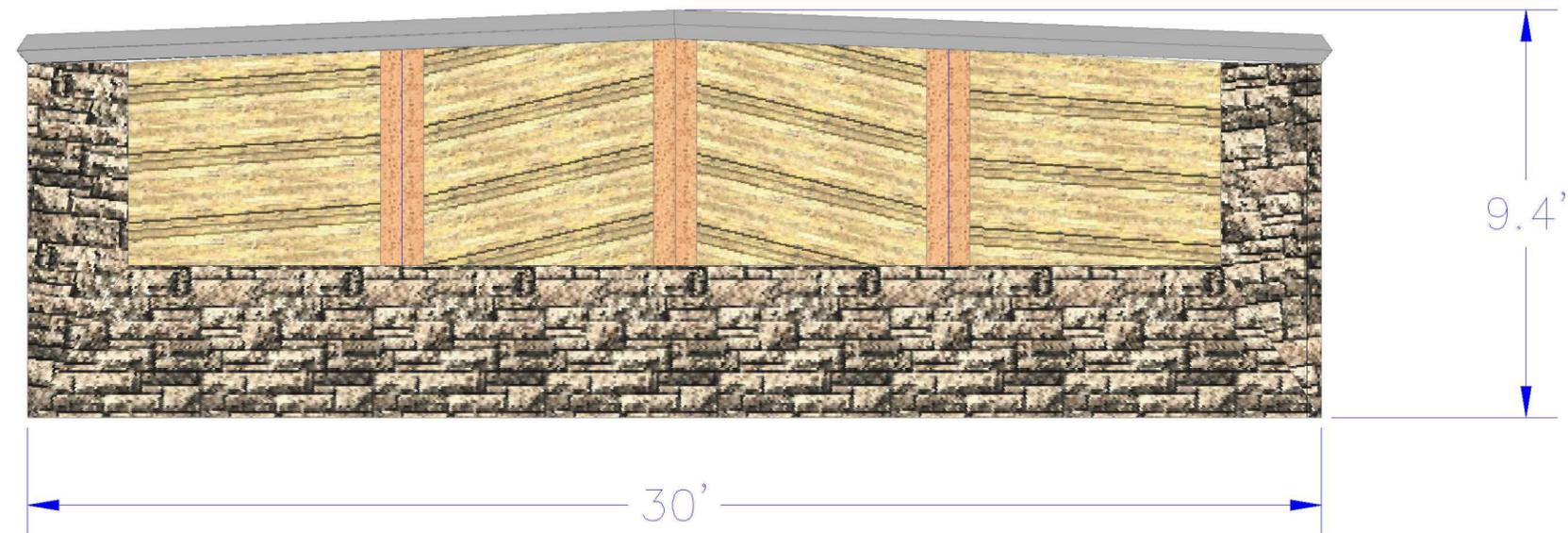
### Engineering Comments

- 1) Benchmark data, coordinate system and basis of bearing. We would prefer the survey coordinate to Arkansas State Plain and NAVD 88.
- 2) Location and size of utility lines, watercourses, bridges, culverts, lakes, floodplains and underground installations within or adjacent to the plat.
- 3) Location and size of utilities and drainage systems.
- 4) Show location and details of all handicapped ramps. **-Show locations on Site Plan.**
- 5) Set back lines. Distance from property lines to paving, curbs, buildings, etc. **-Show all Setback Lines on Site Plan.**
- 6) Show the size and location of all freestanding signs. Show distances from street right-of-way. **-Either show the location of a sign with appropriate dims, or add a note to the plat stating that there is not one proposed in the development.**
- 7) **Sect 110-31(b)** Handicapped ramps shall be provided wherever a sidewalk crosses a curb at crosswalks, driveways, and street intersections. **-Show on Site Plan.**
- 8) **Sect 110-111** The developer is required to improve the abutting street to the City of Springdale standards and in accordance with the Master Street Plan. **-Abutting street to be improved as a "Local" street per Standard Detail File No. SD-A-1, a copy of which is attached to these comments.**
- 9) **Chapter 56 Landscape and Buffers – Section 56-30 Submittal Requirements**
- 10) Plant lists or schedules with the botanical and common names, quantity, spacing and size of all proposed landscape material at the time of planting;
- 11) **Screening fence detail is a wood fence. Site plan does not reflect wood fence screening.**
- 12) **Correct plat showing location of HCAP Sign & Painted Markings.**
- 13) **The concept of detention must be approved by the Planning Commission.**
- 14) **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.

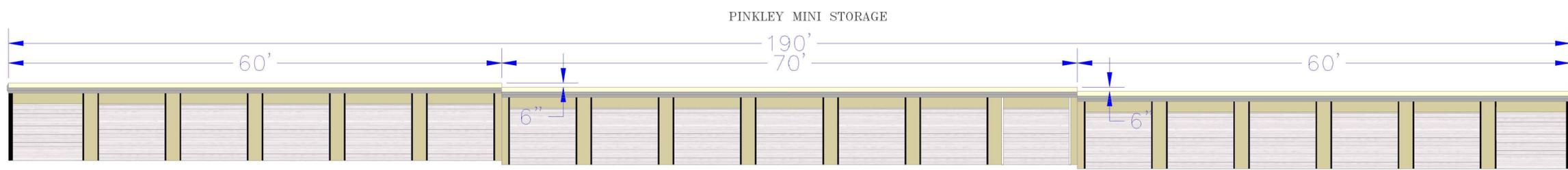


# PINKLEY MINI STORAGE



TYP WEST ENDWALL ELEVATION  
SIDE FACING DOWNUM ROAD

SCALE: 1"=4'



SIDE ELEVATION  
SCALE: 1"=10'

Staff Use Only

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

File #

B1665

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: ~~Leonard Gabbard~~ Terry Pinkley

Applicant's Mailing Address:

7521 W Wedington Drive

479-409-9259

Street Address or P.O. Box  
Fayetteville, AR 72704

Telephone Number

City, State & Zip Code

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

Terry Pinkley

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

3194 North Pinkley Road

479-530-2045

Street Address or P.O. Box

Telephone Number

Springdale, AR 72762-9229  
City, State & Zip Code

Address of Variance Request: Property not addressed (City Large Scale Dev. L 16-19)

Zoning District: C-2

**The following information should be attached to this application:**

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

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

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

**SETBACK VARIANCES:**

*Not Applicable*

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

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

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

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

**VARIANCES OTHER THAN SETBACK:**

*Not Applicable*

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

\_\_\_\_\_

Variance from the Design Standards to remove pedestrian access, bike rack, and bench, and to allow Storage Units to be made out of metal sheathing.

\_\_\_\_\_

\_\_\_\_\_

*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):**

---

Storage units are traditionally made out of metal siding

---

---

---

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

---

The literal interpretation of the ordinance would make the units unfeasable to build

---

---

---

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):**

---

By their very nature these buildings are construct exclusively this way unless climate controlled.

---

~~The developer will agree to erect instead a 6' high block wall which will give the curb appeal needed (See attached block wall examples as to how it will look)~~

---

(Option 4: A three-foot high wall made of brick, stone, or finished concrete along with five-foot buffer area including one shade tree per 25 linear feet along street frontage.) Chap56.Buffers

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\*

*Teen Rly*  
\_\_\_\_\_  
Property Owner Signature\*  
(If different from Applicant)

\_\_\_\_\_  
Applicant Signature\*

\_\_\_\_\_  
Property Owner Signature\*  
(If different from Applicant)

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

State of Arkansas )  
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 13 day of October, 2018.

*Debbie A. Pounders*  
\_\_\_\_\_  
Notary Public

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









Public hearing sign posted: 10/21/2016  
Public hearing sign posted by: CS  
**S** Public Hearing Sign Location

SF-2

SF-2

**S**

C-2

A-1

R-E

SIDNUM RD

NIPINKLEY RD

6957

3424

3194

P58



Feet  
0 50 100  
[Scale bar]

**FILE NO. B16-65**  
**APPLICANT: TERRY PINKLEY**  
**VARIANCE REQUEST: COMMERCIAL DESIGN STANDARDS**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
**PLANNING COMMISSION MEETING**  
**NOVEMBER 1ST, 2016**

# Memo

**To:** Planning Commission  
**From:** Staff  
**Date:** November 1, 2016  
**RE:** L16-20 Large Scale Development Towne Park Apartments

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**Concept of Detention**

**Variance (B16-66) for reduction of open space from 20% to 15%**

**Variance (B16-66) for reduction in wide of sidewalk from 7' to 5'**

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**Planning Comments**

1. The property line shown that separates the project from the undisturbed are to the southeast does not exist. A replat will be required to create that property line.
2. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
3. Sidewalk will need to be extended along the full length of the property along Westside village street unless a replat is submitted, approved and filed.
4. This development must comply with the City of Springdale Multi-family Design Standards.

**Multi-Family Design Standards**

1. **Maximum units permitted with minimum design standard requirements:**  
MF-16 12 units/acre
  - a. **20% Common Open Space – Provide a calculation on the drawing and identify the areas used in the calculation:**

- a. The following areas are not allowed as part of common open space:
  - i. Land covered by structures except for ancillary structures associated with the use of open space.
  - ii. Designated outdoor storage areas
  - iii. Land areas between buildings of less than 40'.
  - iv. Strips along buildings, sidewalks, streets, parking lots and property lines less than 25' in any dimension.
  - v. Detention/retention facilities, including drainage swales, except as permitted (on page 6).
- b. Pedestrian Access and control
  - a. All pedestrian walkways shall be 5' wide, except walkways adjacent to a parking area, where cars may overhang the walkway, shall be

### **Engineering Comments**

- 1) Show the size and location of all freestanding signs. Show distances from street right-of-way. – **Note on Site Plan that no signs are requested.**  
 Sect 98-60(c)(1) Front Set back = 2-feet (leading edge) from ROW  
 Sect 98-60(c)(2) = 10-ft side PL
- 2) **The concept of detention must be approved by the Planning Commission.**
- 3) **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.

Sect 107 The site area of disturbance is greater than 1 acre. A storm Water Pollution Prevention Plan, Grading Permit Application and \$500.00 fee, in accordance with Chapter 107, must be submitted to the Planning Office prior to final approval of construction plans. See Applications & Forms / Grading at [http://www.springdalear.gov/department/planning\\_and\\_community\\_development/](http://www.springdalear.gov/department/planning_and_community_development/)













































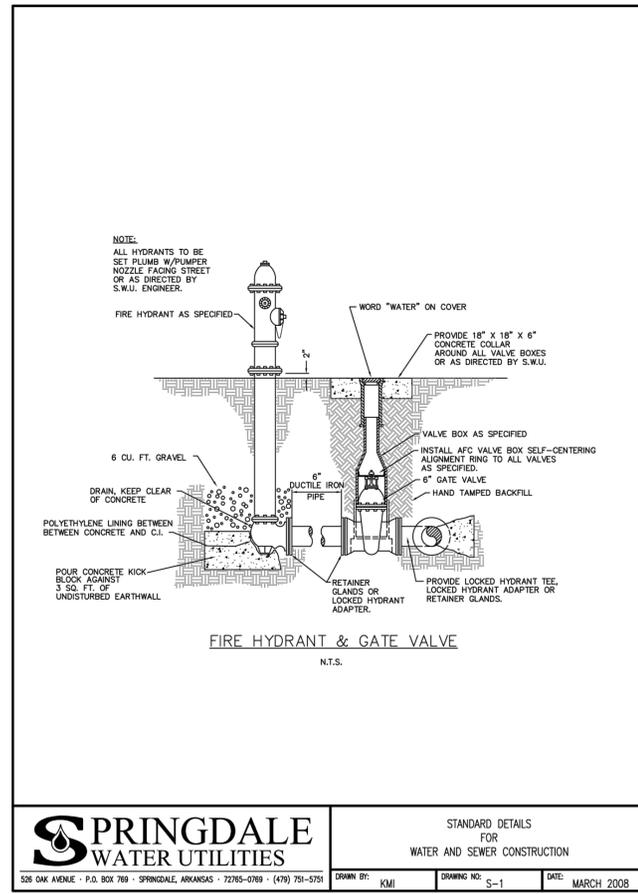










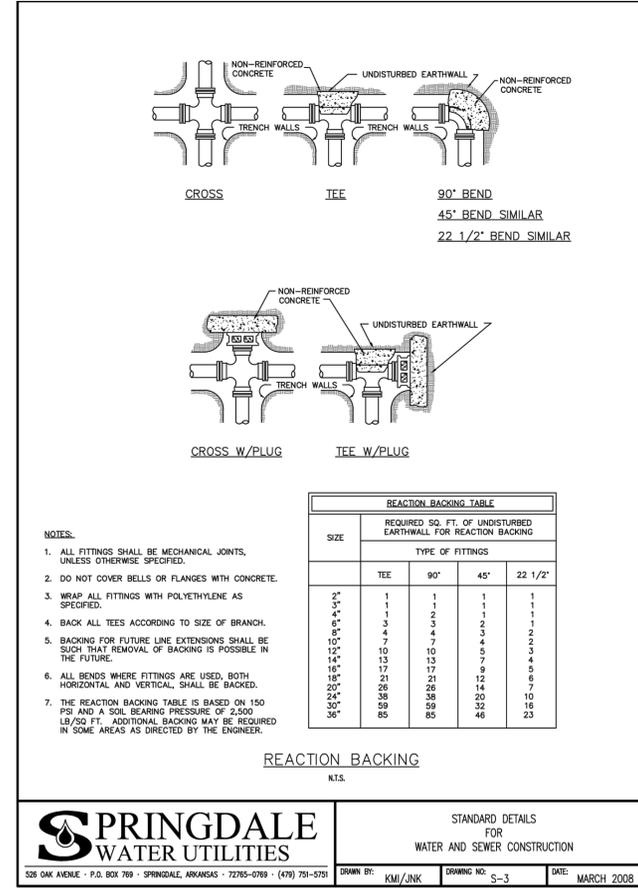


**SPRINGDALE WATER UTILITIES**

STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

528 OAK AVENUE - P.O. BOX 769 - SPRINGDALE, ARKANSAS - 72765-0769 - (479) 751-5751

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

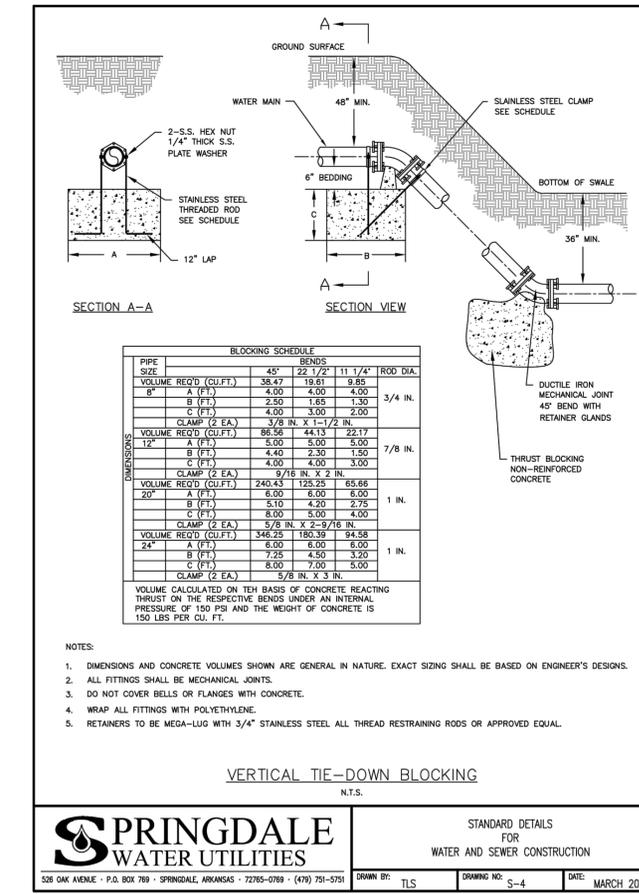


**SPRINGDALE WATER UTILITIES**

STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

528 OAK AVENUE - P.O. BOX 769 - SPRINGDALE, ARKANSAS - 72765-0769 - (479) 751-5751

DRAWN BY: KJM/JNK    DRAWING NO: S-3    DATE: MARCH 2008

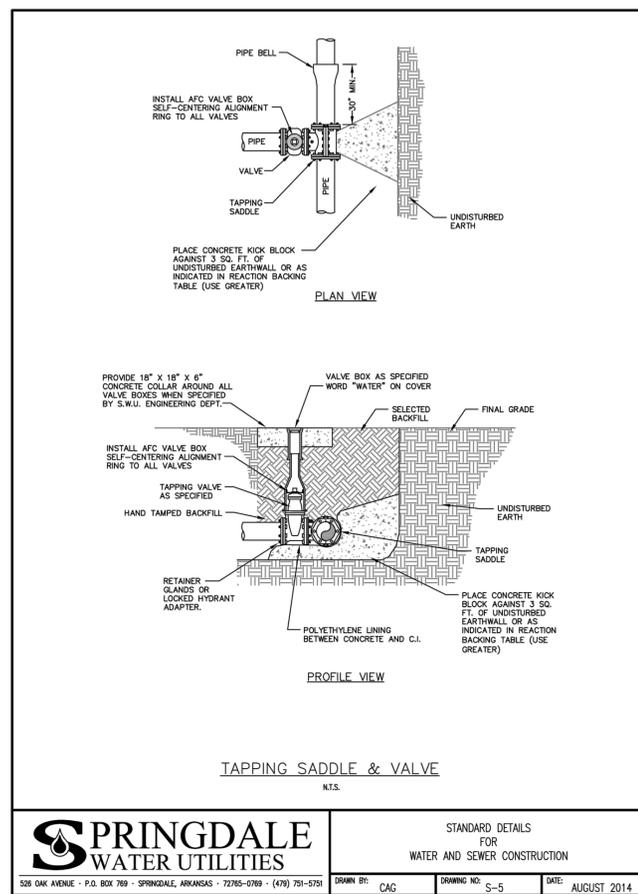


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DRAWN BY: TJS    DRAWING NO: S-4    DATE: MARCH 2008

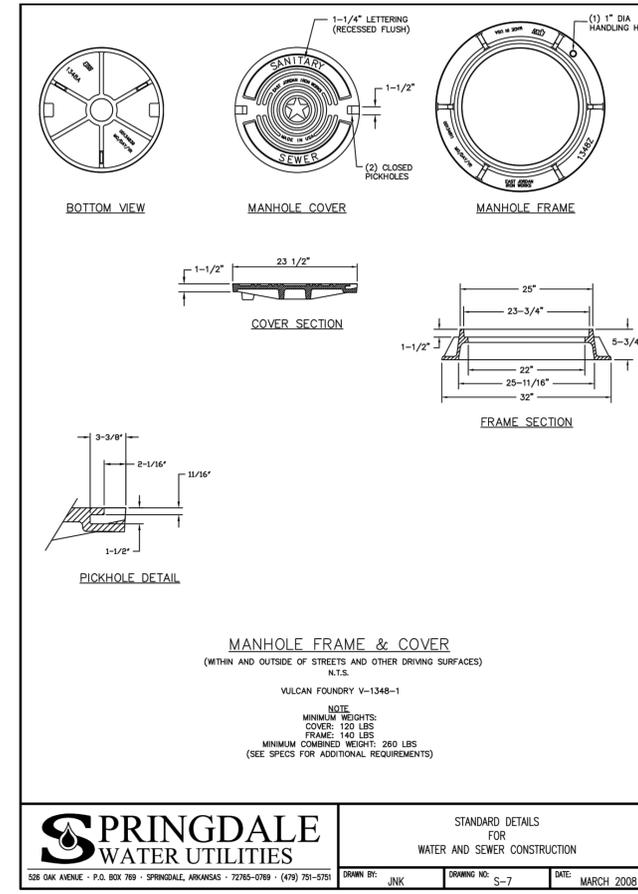


**SPRINGDALE WATER UTILITIES**

STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

528 OAK AVENUE - P.O. BOX 769 - SPRINGDALE, ARKANSAS - 72765-0769 - (479) 751-5751

DRAWN BY: CAG    DRAWING NO: S-5    DATE: AUGUST 2014

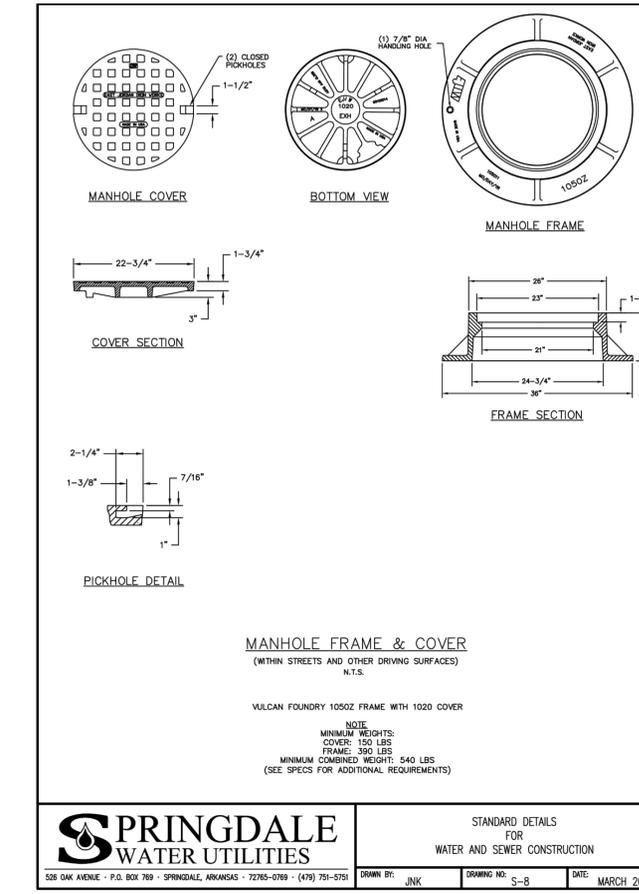


**SPRINGDALE WATER UTILITIES**

STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

528 OAK AVENUE - P.O. BOX 769 - SPRINGDALE, ARKANSAS - 72765-0769 - (479) 751-5751

DRAWN BY: JNK    DRAWING NO: S-7    DATE: MARCH 2008

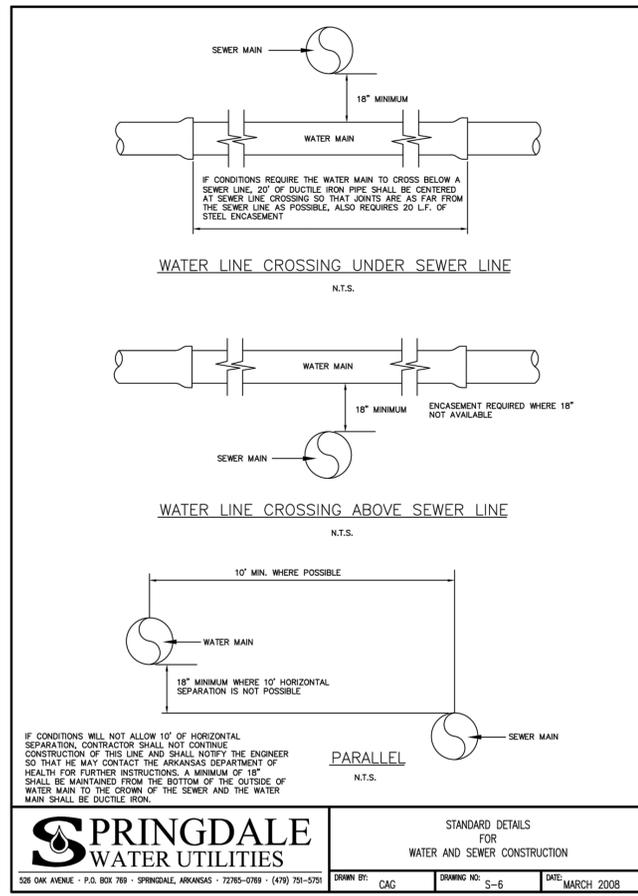


**SPRINGDALE WATER UTILITIES**

STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

528 OAK AVENUE - P.O. BOX 769 - SPRINGDALE, ARKANSAS - 72765-0769 - (479) 751-5751

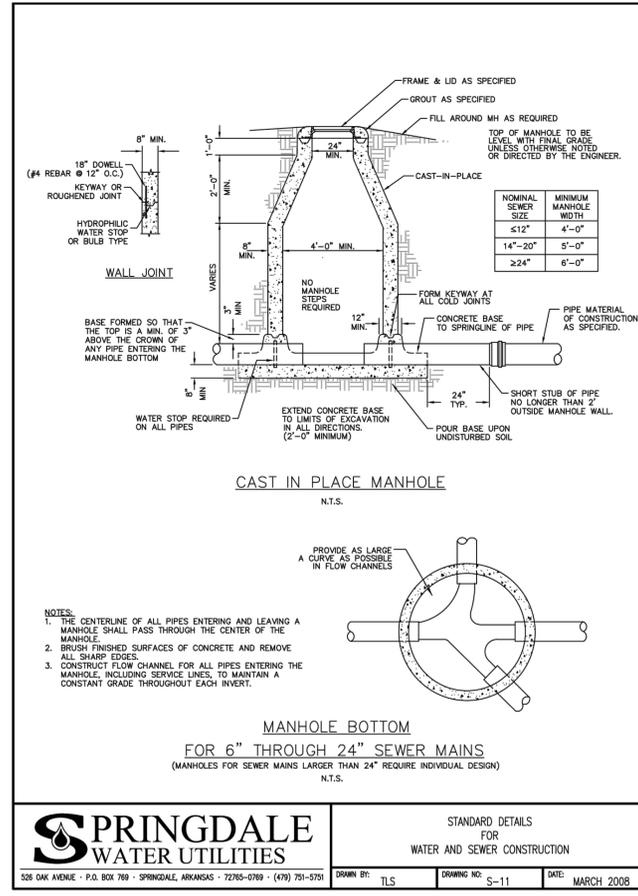
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STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

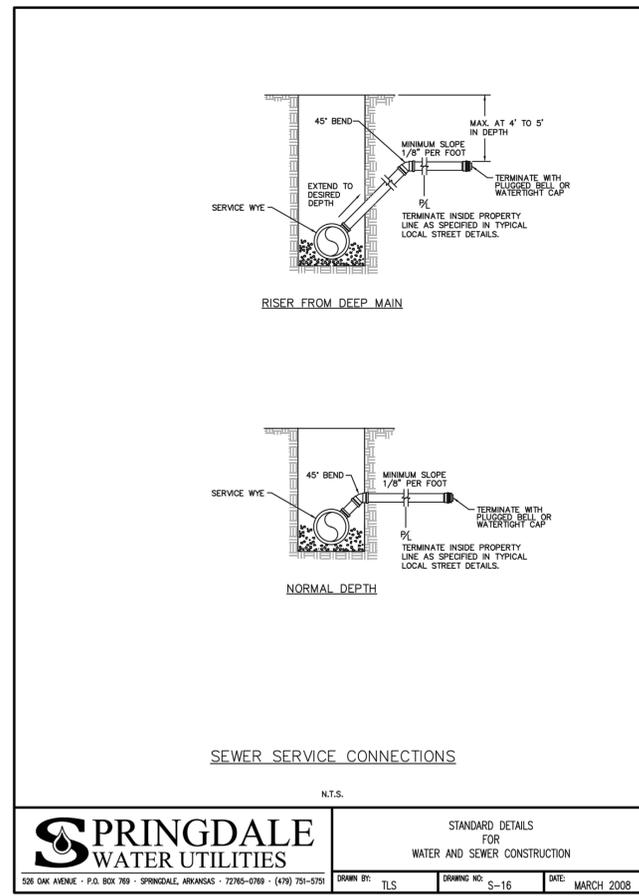
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STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

DRAWN BY: TLS DRAWING NO: S-11 DATE: MARCH 2008



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STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

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

NOMINAL PIPE DIAMETER	"B"
3" AND 4"	2'-4"
6"	2'-6"
8"	2'-8"
10"	2'-10"
12"	3'-0"
14"	3'-2"
16"	3'-4"
18"	3'-6"
20"	3'-8"
24"	4'-0"
27"	4'-4"
30"	4'-8"
36"	5'-0"
42"	5'-6"
48"	6'-0"

**TRENCH WIDTH SCHEDULE**

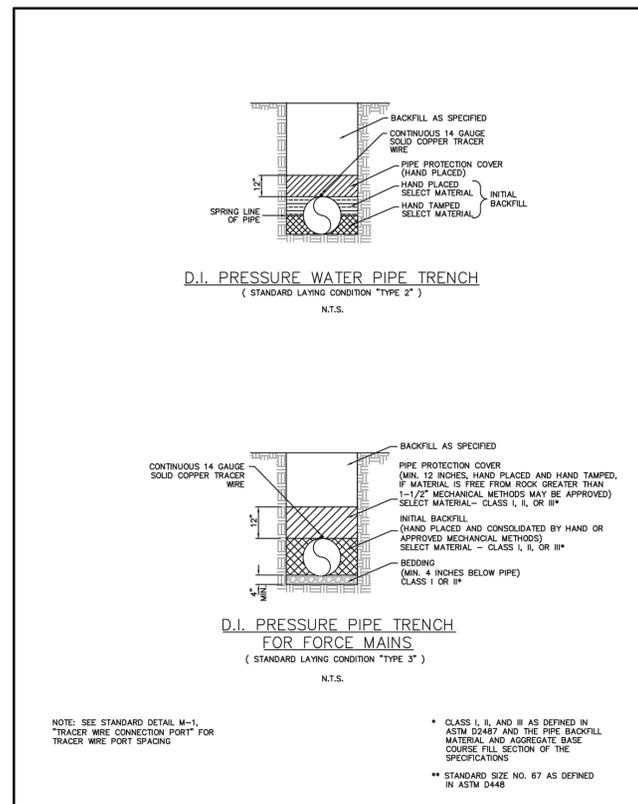
NOTES:  
TRENCH WIDTH SHALL BE AS SET FORTH IN ANSI/AWWA 600, INCLUDED AS THE TABLE ON THIS SHEET. LARGER TRENCH WIDTHS MAY BE NECESSARY FOR THE PLACEMENT OF A TRENCH SUPPORT SYSTEM OR AS OTHERWISE REQUIRED.

**TYPICAL PIPE TRENCH**  
N.T.S.

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STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

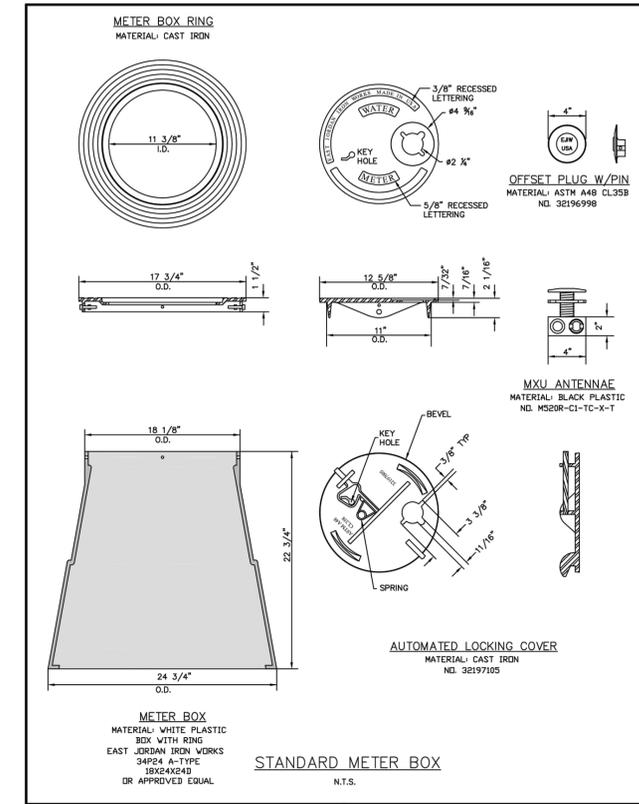
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STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

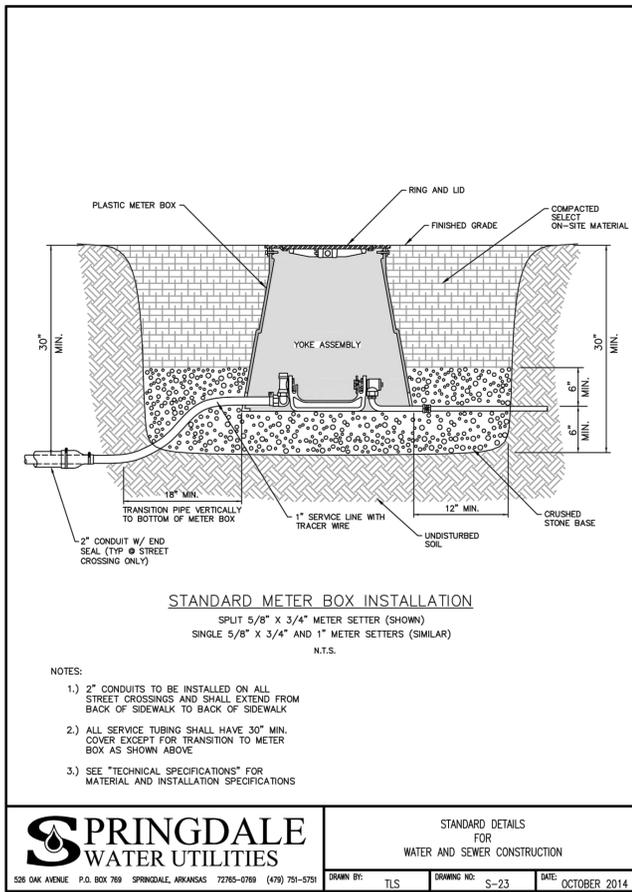
DRAWN BY: TLS DRAWING NO: S-18 DATE: AUGUST 2014



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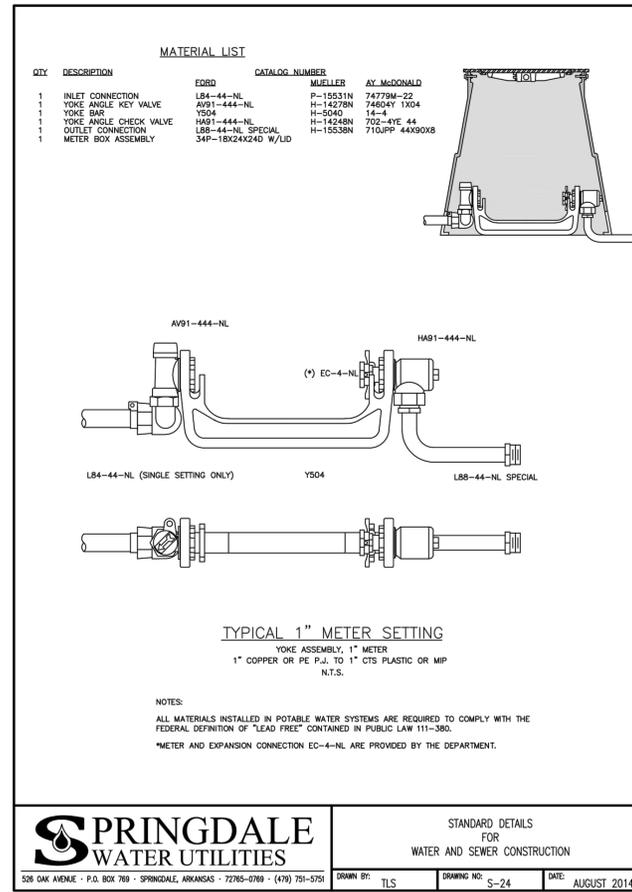
STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION

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



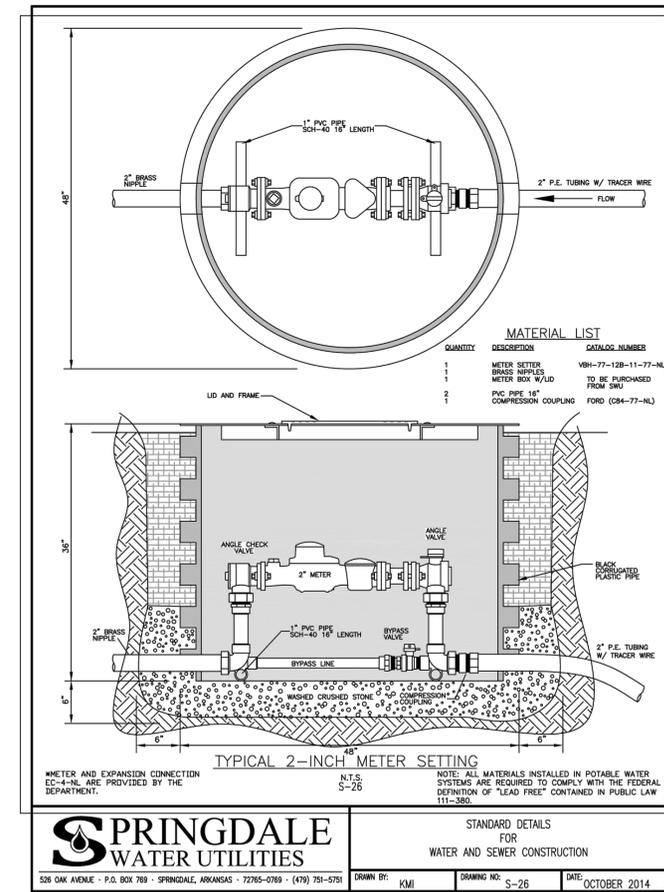
**SPRINGDALE**  
 WATER UTILITIES  
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STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION  
 DRAWN BY: TLS DRAWING NO: S-23 DATE: OCTOBER 2014



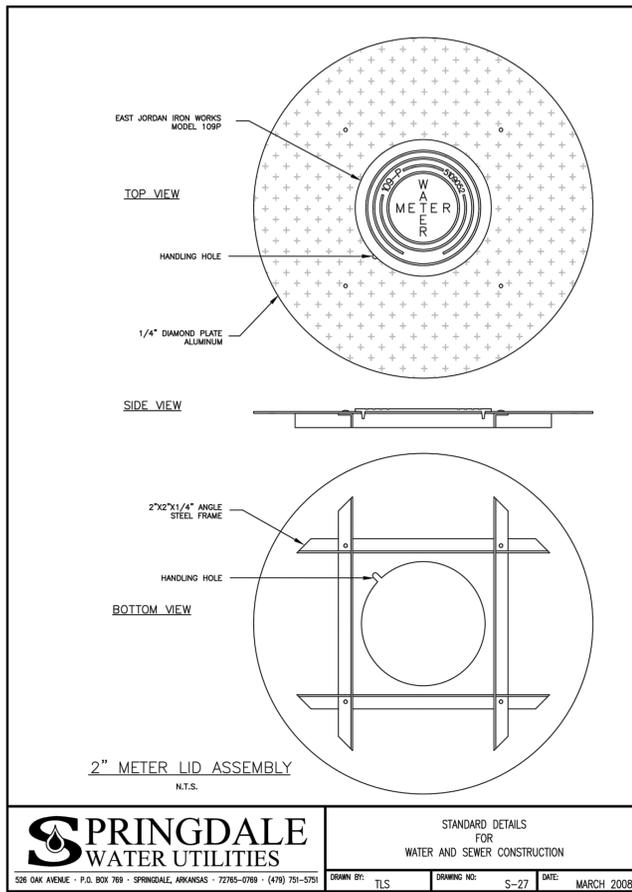
**SPRINGDALE**  
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 526 OAK AVENUE · P.O. BOX 769 · SPRINGDALE, ARKANSAS · 72765-0769 · (479) 751-5751

STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION  
 DRAWN BY: TLS DRAWING NO: S-24 DATE: AUGUST 2014



**SPRINGDALE**  
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STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION  
 DRAWN BY: KMI DRAWING NO: S-26 DATE: OCTOBER 2014



**SPRINGDALE**  
 WATER UTILITIES  
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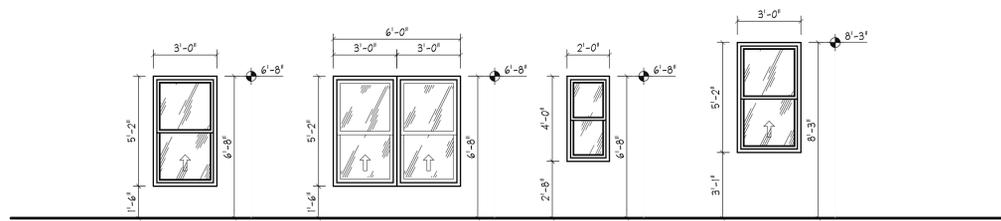
STANDARD DETAILS FOR WATER AND SEWER CONSTRUCTION  
 DRAWN BY: TLS DRAWING NO: S-27 DATE: MARCH 2008





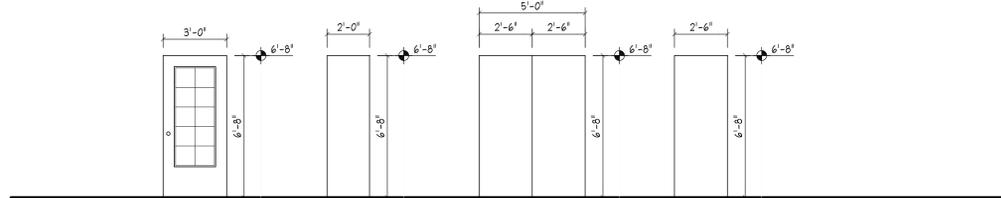




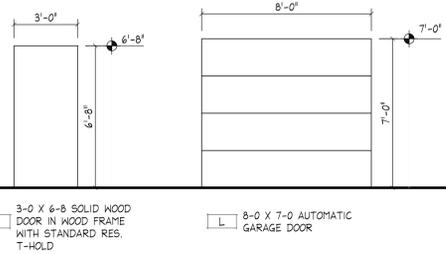


- A 3'-0" X 5'-2" OPERABLE SINGLE HUNG VINYL WINDOW WITH 1" INSULATED GLASS
- B 6'-0" X 5'-2" OPERABLE SINGLE HUNG VINYL TWIN WINDOW WITH 1" INSULATED GLASS
- C 2'-0" X 4'-0" OPERABLE SINGLE HUNG VINYL WINDOW WITH 1" INSULATED GLASS
- D 3'-0" X 5'-2" OPERABLE SINGLE HUNG VINYL WINDOW WITH 1" INSULATED GLASS

\* CONTRACTOR TO ENSURE THAT ALL BEDROOM UNITS MEET EGRESS CODE REQUIREMENTS  
 NOTE: ALL EXTERIOR ENTRY DOORS REQUIRE STANDARD RESIDENTIAL THRESHOLDS

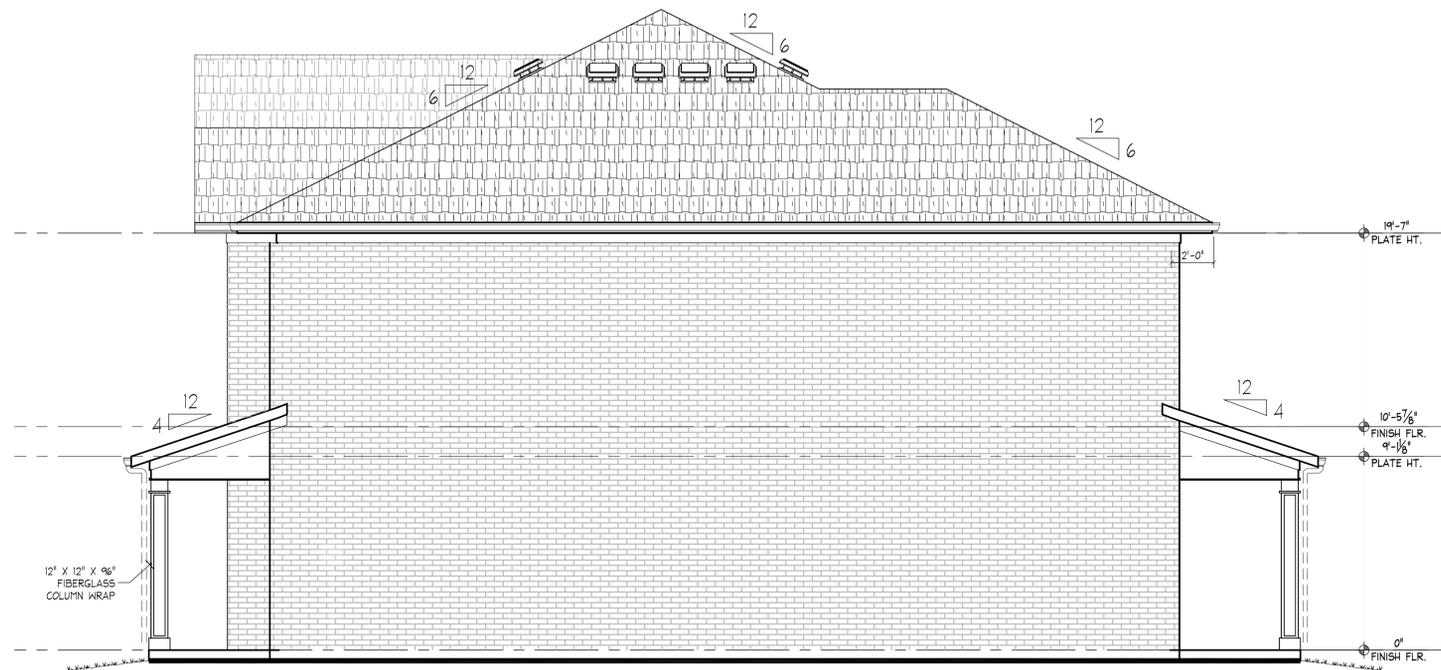


- A 3'-0" X 6'-8" FULL-LITE HOLLOW METAL EXTERIOR DOOR WITH THRESHOLD
- B 2'-0" X 6'-8" FLUSH PANEL MASONITE DOOR
- C 5'-0" X 6'-8" TWIN FLUSH PANEL MASONITE DOOR
- D 2'-6" X 6'-8" FLUSH PANEL MASONITE DOOR



- K 3'-0" X 6'-8" SOLID WOOD DOOR IN WOOD FRAME WITH STANDARD RES. T-HOLD
- L 8'-0" X 7'-0" AUTOMATIC GARAGE DOOR

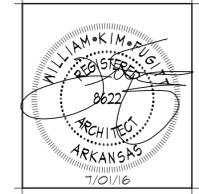
A-4.1 DOOR AND WINDOW SCHEDULE  
 Scale : NTS



A-4.1 EXTERIOR ELEVATION at SIDE  
 Scale : 1/4"=1'-0"

REV	DATE	DESCRIPTION
1		ISSUED
2		
3		
4		
5		
6		

Arch D (landscape)



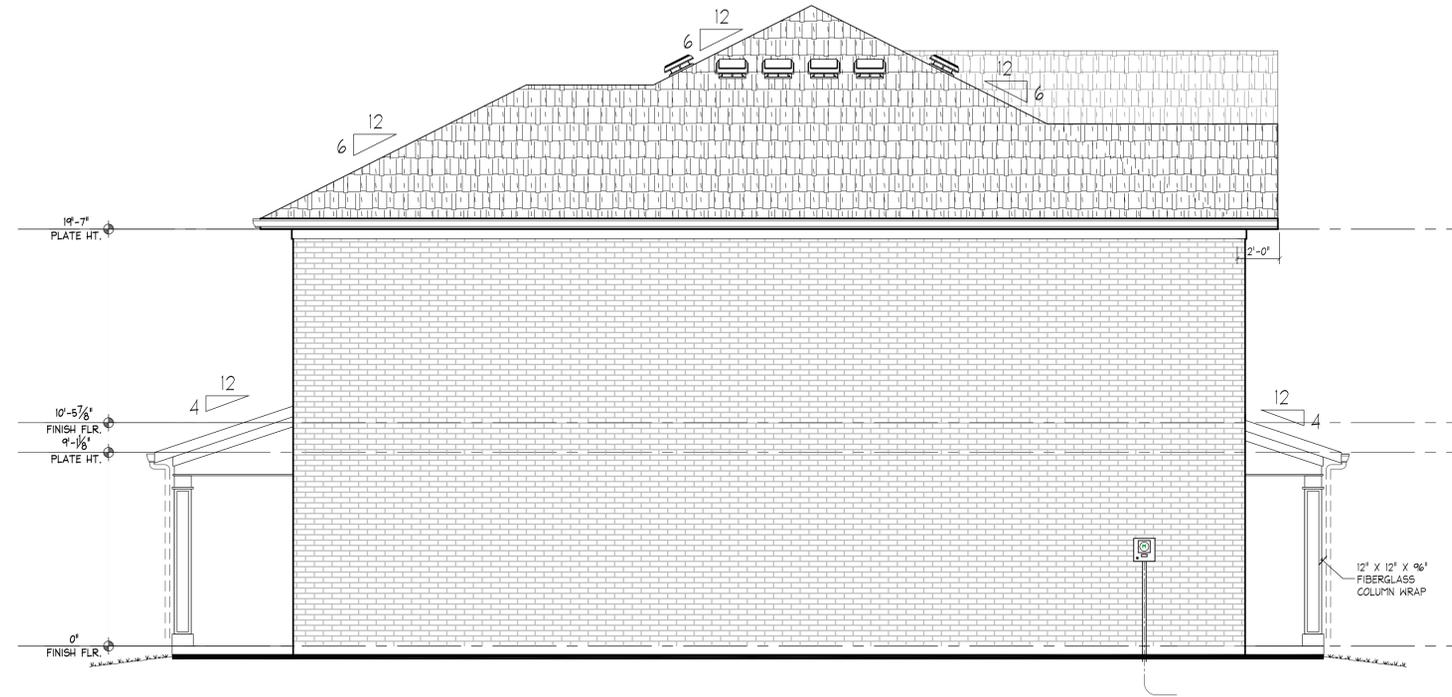
**FUGITT AND ASSOCIATES ARCHITECT**  
 WILLIAM KIM FUGITT AIA  
 1200 E. JOYCE BLVD  
 FAYETTEVILLE AR 72703  
 479.521.6688  
 KIM.FUGITT@FUGITTAR.COM



A-4.1 EXTERIOR ELEVATION at GARAGE  
 Scale : 1/4"=1'-0"

**TOWNE PARK PHASE III**  
**2-BED 2.5-BATH TOWNHOME WITH GARAGE**  
 ROGERS, AR

Description:	Towne Park Phase III
Location:	ROGERS, AR
Sheet Contents:	
Sheet:	A-4.1
Document Date:	July 26, 2016



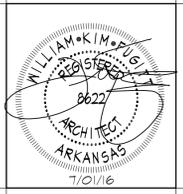
⊖  
A-4.2 EXTERIOR ELEVATION at SIDE  
Scale : 1/4"=1'-0"



⊖  
A-4.2 EXTERIOR ELEVATION at GARAGE  
Scale : 1/4"=1'-0"

REV	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

Arch D (landscape)



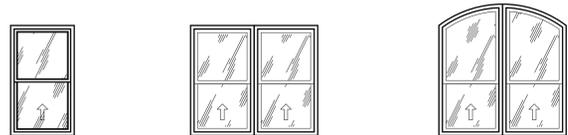
**FUGITT AND ASSOCIATES ARCHITECT**  
WILLIAM KIM FUGITT AIA

1200 E. JOYCE BLVD.  
FAYETTEVILLE AR 72703  
479.521.6686  
KIM.FUGITT@FUGITTARC.COM

**TOWNE PARK PHASE III**  
**2-BED 2.5-BATH TOWNHOME WITH GARAGE**  
ROGERS, AR

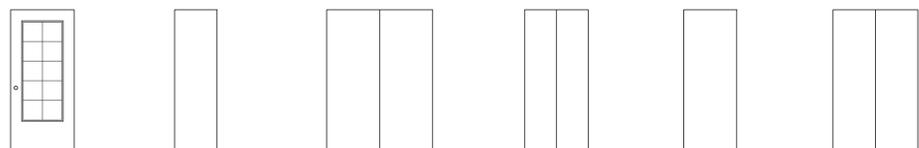
SUBMITTAL Date: --- / --- / ---

Description:	Towne Park Phase III
Location:	ROGERS, AR
Sheet Contents:	
Sheet:	<b>A-4.2</b>
Document Date:	July 26, 2016



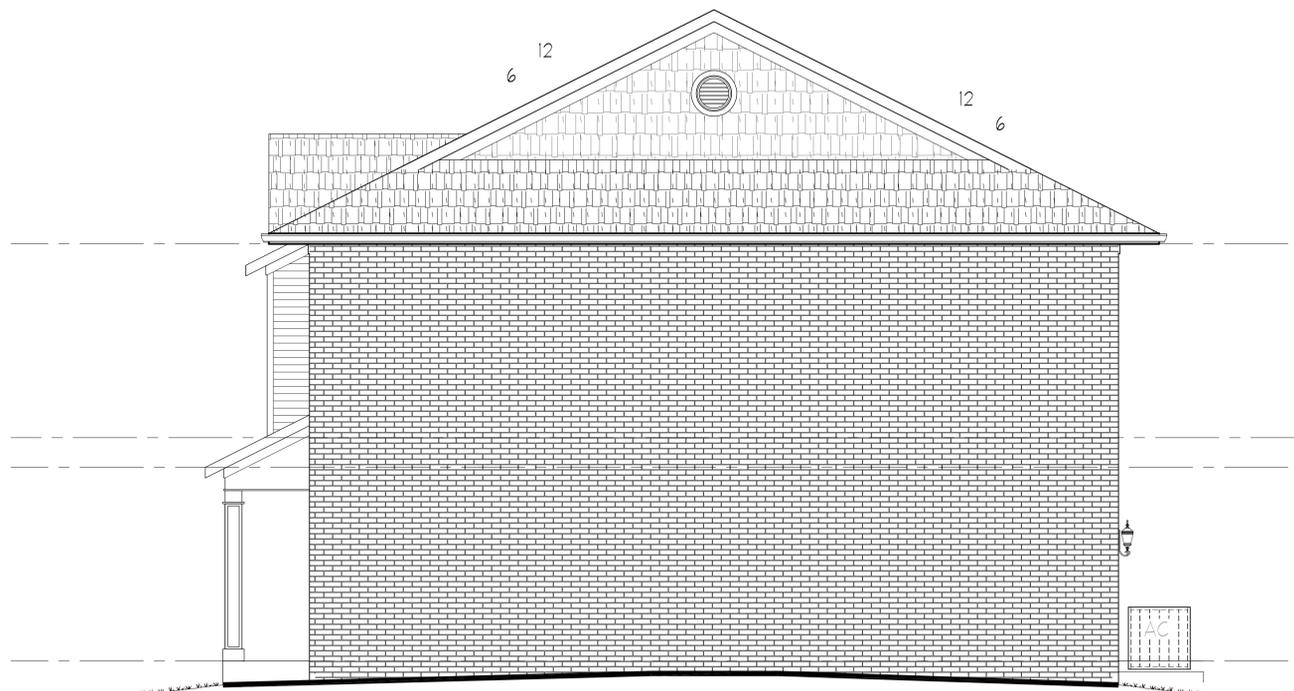
- A 3'-0" X 5'-2" OPERABLE SINGLE HUNG VINYL WINDOW WITH 1" INSULATED GLASS
- B 6'-0" X 5'-2" OPERABLE SINGLE HUNG VINYL TWIN WINDOW WITH 1" INSULATED GLASS
- C 6'-0" X 6'-2" OPERABLE SINGLE HUNG VINYL ARCH TOP TWIN WINDOW WITH 1" INSULATED GLASS

\* CONTRACTOR TO ENSURE THAT ALL BEDROOM UNITS MEET EGRESS CODE REQUIREMENTS  
 NOTE: ALL EXTERIOR ENTRY DOORS REQUIRE STANDARD RESIDENTIAL THRESHOLDS



- A 3'-0" X 6'-8" FULL-LITE HOLLOW METAL EXTERIOR DOOR WITH THRESHOLD
- B 2'-0" X 6'-8" FLUSH PANEL MASONITE DOOR
- C 5'-0" X 6'-8" TWIN FLUSH PANEL MASONITE DOOR
- D 3'-0" X 6'-8" TWIN FLUSH PANEL MASONITE DOOR
- E 2'-6" X 6'-8" FLUSH PANEL MASONITE DOOR
- F 3'-0" X 6'-8" TWIN FLUSH PANEL MASONITE DOOR

DOOR AND WINDOW SCHEDULE  
 Scale : 1/4"=1'-0"



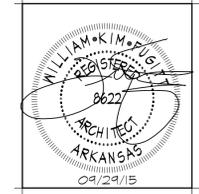
EXTERIOR ELEVATION at SIDES  
 Scale : 1/4"=1'-0"



EXTERIOR ELEVATION at FRONT  
 Scale : 1/4"=1'-0"

REV	DATE	DESCRIPTION
1		
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Arch D (landscape)

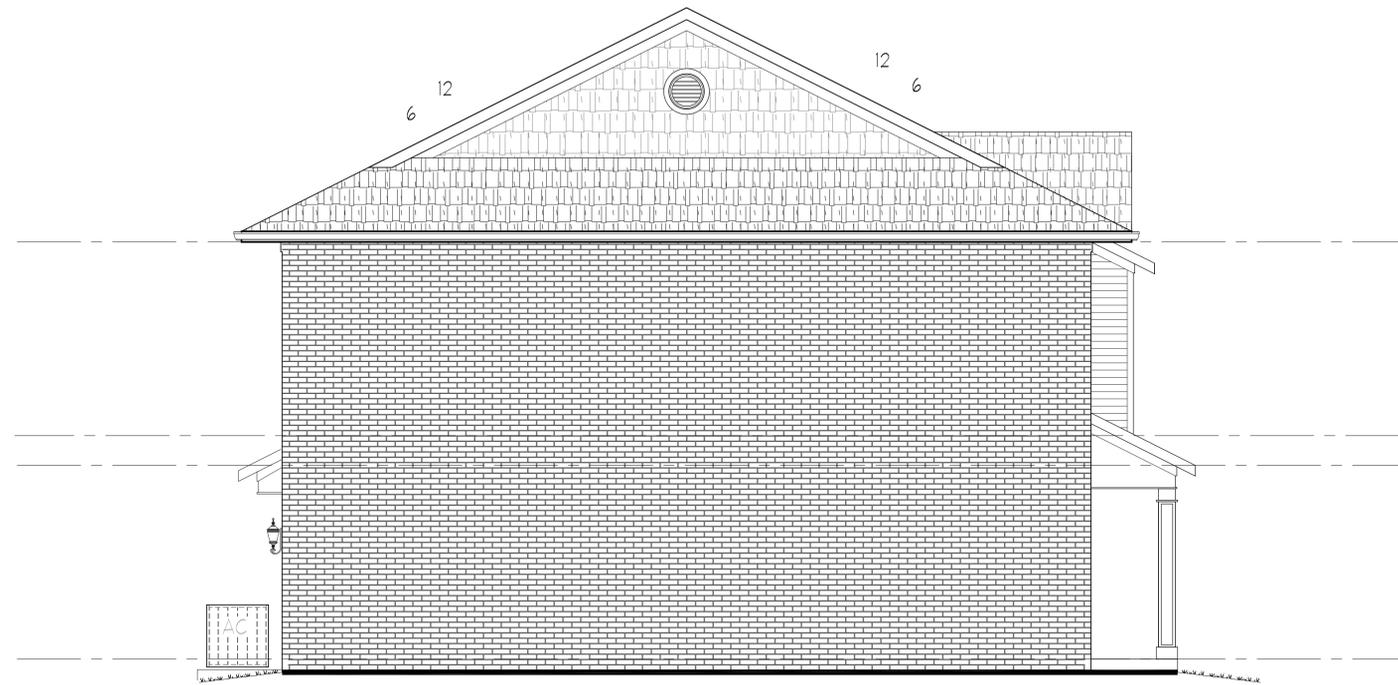


**FUGITT AND ASSOCIATES ARCHITECT**  
 WILLIAM KIM FUGITT AIA

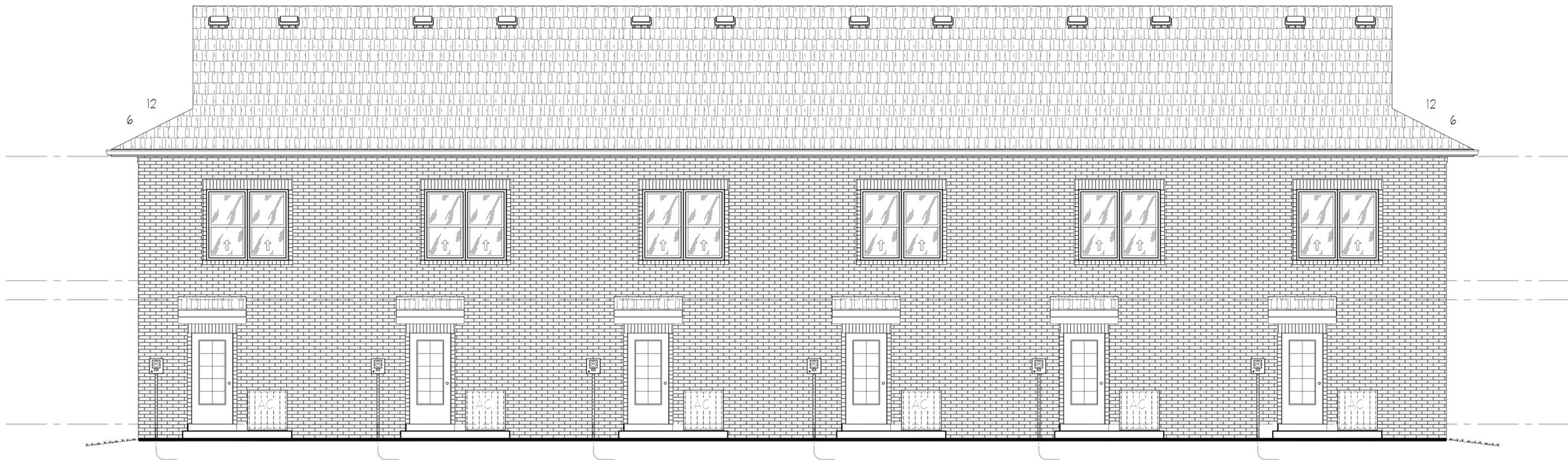
1200 E. JOYCE BLVD  
 FAYETTEVILLE AR 72703  
 479.521.6686  
 KIM.FUGITT@FUGITTAR.COM

**TOWNE PARK PHASE II**  
 2-BED 2.5 BATH TOWNHOME  
 SPRINGDALE, AR

Description:	TOWNE PARK PHASE II
Location:	SPRINGDALE, AR
Sheet Contents:	
Sheet:	A-4.1
Document Date:	August 1, 2016



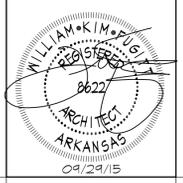
EXTERIOR ELEVATION at SIDE  
 Scale : 1/4"=1'-0"



EXTERIOR ELEVATION at REVERSE  
 Scale : 1/4"=1'-0"

REV	DATE	DESCRIPTION
1		
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5		
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9		
10		

Arch D (landscape)



**FUGITT AND ASSOCIATES ARCHITECT**  
 WILLIAM KIM FUGITT AIA

1200 E. JOYCE BLVD.  
 FAYETTEVILLE, AR 72703  
 479.521.6686  
 KIM.FUGITT@FUGITTARC.COM

**TOWNE PARK PHASE II**  
**2-BED 2.5 BATH TOWNHOME**  
 SPRINGDALE, AR

Description:	TOWNE PARK PHASE II
Location:	SPRINGDALE, AR
Sheet Contents:	
Sheet:	<b>A-4.2</b>
Document Date:	August 1, 2016

**Staff Use Only**

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

File # B16-60

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: Sprout Holdings, LLC

Applicant's Mailing Address:

PO Box 10620  
Street Address or P.O. Box  
Fayetteville, AR 72701  
City, State & Zip Code

479-283-7744  
Telephone Number

Property Owner's Name  
(if different from Applicant): \_\_\_\_\_

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

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

\_\_\_\_\_  
Telephone Number

Address of Variance Request: HWY 412

Zoning District: MF-12

**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 Part of LSD
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be

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

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

**SETBACK VARIANCES:**

*Not Applicable*

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

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

**Requested:**      **Front:** \_\_\_\_\_ **Side:** \_\_\_\_\_ **Back:** \_\_\_\_\_  
(if granted what the setback would be.)

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

**VARIANCES OTHER THAN SETBACK:**

*Not Applicable*

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

Reduction of Open Space from 20% to 15%

Reduction of Sidewalk width adjacent to parking from 7' to 5'

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

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

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

The site exists as a Phase II of a larger multifamily development. However, Phase I resides in the City of Tontitown. Although the amenities, greenspace, and other accommodations will be available to all residents within the development, Phase II will be judged as a "standalone" project for the City of Springdale. This inhibits the counting of certain open space (i.e. open within the western setback although still present) from ordinance calculations.

The ownership group would also like 5' sidewalks within the development in order to match the aesthetic present in Phase I.

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

The overall development will meet the spirit of the Springdale 20% open space if looked at as a whole. However, considering Phase II can only be judged on merit for the Springdale portion, an excess amount of open space will be required that would restrict the overall design of Phase II.

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

The special condition exists due to the city boundary between a comprehensive multifamily development.

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

**VERIFICATION**

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

*[Handwritten Signature]*  
 Applicant Signature\*  
*FRONT HOLDINGS LLC*  
*Zak Johnston*  
 Applicant Signature\*

\_\_\_\_\_  
 Property Owner Signature\*  
*(If different from Applicant)*

\_\_\_\_\_  
 Property Owner Signature\*  
*(If different from Applicant)*

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

State of Arkansas )  
 County of Benton ) ss.

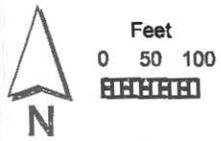
SUBSCRIBED AND SWORN TO before me, a Notary Public, this 11<sup>th</sup> day of October, 2016.



*Kerri Pingel*  
 Notary Public



Public hearing sign posted: 10/21/2016  
 Public hearing sign posted by: CS  
 S Public Hearing Sign Location



**FILE NO. B16-66**  
**APPLICANT: SPROUT HOLDINGS, LLC**  
**VARIANCE REQUEST: MULTI-FAMILY DESIGN STANDARDS**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
 PLANNING COMMISSION MEETING  
 NOVEMBER 1ST, 2016

P103

# Memo

**To:** PLANNING COMMISSION MEMBERS  
**From:** Patsy Christie, Planning Director  
**Date:** November 1, 2016  
**Re:** R16-41 Rezone 1008 Gutensohn

A request by Dan Runge for Planning Commission approval of a zone change from Low/Medium Density Single Family Residential District (SF-2) to Agricultural District (A-1) for a tract of land containing 2.02 acres.

LOT LOCATION AND SIZE

The 2.02 acre tract is located at 1008 N. Gutensohn Road, west side of Gutensohn Road, south of Tracee Way.

A vicinity map is attached.

EXISTING ZONING

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

Uses permitted: - 1, 8, 29  
Conditional Uses Permitted on Appeal: - 2, 3, 4, 9, 28, 36  
Temporary Uses – 34

ACCESSORY USES

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

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

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

**SITE PLAN REVIEW**

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

**HEIGHT REGULATIONS**

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

**AREA REGULATIONS**

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

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

**BUILDING AREA**

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

**REQUESTED ZONING**

The rezoning application requests 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

**SURROUNDING ZONING AND LAND USE**

Zoning of the surrounded area is shown on the attached map. The tract contains a single family dwelling and an accessory structure. The area to the north and east contain single family dwellings in SF-1 and A-1 zoning. The area to the south contains a church in A-1 zoning. The area to the west contains single family swellings in A-1 zoning.

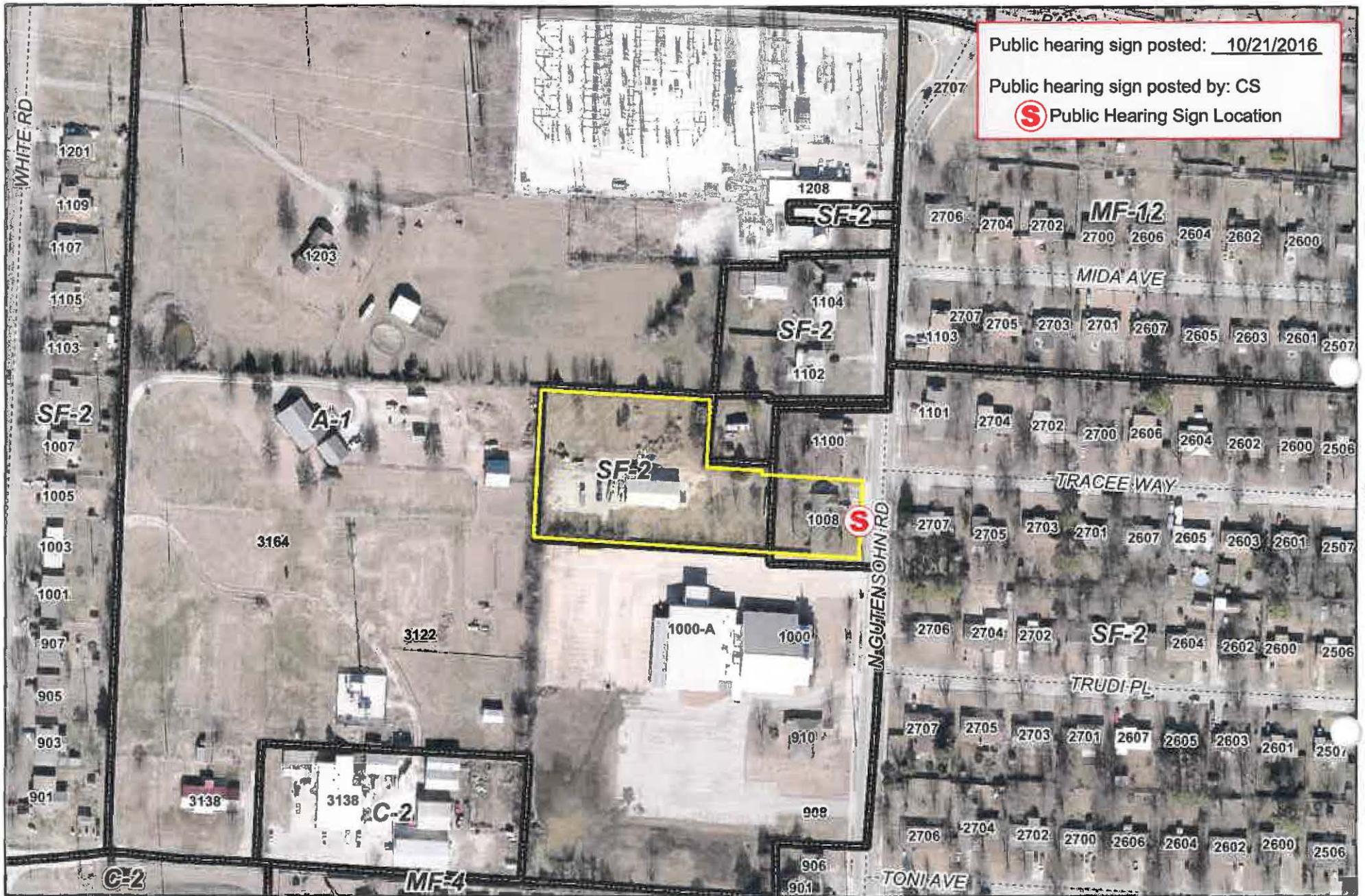
**LAND USE PLAN AND MASTER STREET PLAN**

The adopted Comprehensive Land use Plan indicates Medium Density Residential use.

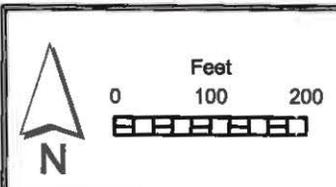
The Master Street Plan indicates Gutensohn Road as a minor collector.

STAFF COMMENTS AND RECOMMENDATIONS

The rezoning request is not in keeping with the Comprehensive Land Use Plan and is not recommended for approval.



P108



**FILE NO. R16-41**  
**APPLICANT: DAN RUNGE**  
**REZONING REQUEST: SF-2 TO A-1**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
 PLANNING COMMISSION MEETING  
 NOVEMBER 1ST, 2016

File No. \_\_\_\_\_

R16-41

### 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 Dan Runge

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

**Legal Description:**

A PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 34, SAID POINT BEING A FOUND ALUMINUM MONUMENT RLS 852; THENCE S87°24'20"E A DISTANCE OF 1142.60 FEET TO A POINT; THENCE S02°22'50"W A DISTANCE OF 683.89 FEET TO THE POINT OF BEGINNING; THENCE S02°22'50"W A DISTANCE OF 119.45 FEET TO A POINT; THENCE N86°55'11"W PASSING THROUGH A SET IRON PIN WITH CAP "PLS 1156" AT A DISTANCE OF 14.01 FEET FOR A TOTAL DISTANCE OF 498.97 FEET TO A FOUND IRON PIN WITH CAP "PLS 1214"; THENCE N02°32'59"E A DISTANCE OF 227.88 FEET TO A FOUND 1/2 INCH PINCHED PIPE; THENCE S87°15'49"E A DISTANCE OF 258.12 FEET TO A FOUND 5/8 INCH REBAR; THENCE S02°18'51"W A DISTANCE OF 105.35 FEET TO A FOUND 5/8" REBAR; THENCE S87°30'35"E A DISTANCE OF 85.09 FEET TO A FOUND IRON PIN WITH CAP (UNREADABLE); THENCE S03°31'53"W A DISTANCE OF 6.90 FEET TO A FOUND 1/2 INCH REBAR; THENCE S87°25'48"E PASSING THROUGH A SET IRON PIN WITH CAP "PLS 1156" AT A DISTANCE OF 142.02 FEET FOR A TOTAL DISTANCE OF 155.08 FEET TO THE POINT OF BEGINNING, CONTAINING 2.02 ACRES (88,126 SQUARE FEET), MORE OR LESS. SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT.

**Layman's Description:**

100 8 N Gutwiler Cruten

**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) \_\_\_\_\_

Residential SF-2

**TO** (proposed zoning) \_\_\_\_\_

Agriculture A-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 effect will be in congruence or have the same zoning as the surrounding property owners.

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: Dan Runge

MAILING ADDRESS: 736 Holcomb St.

TELEPHONE: 479 856-1321 DATE: 10-7-16

## VERIFICATION

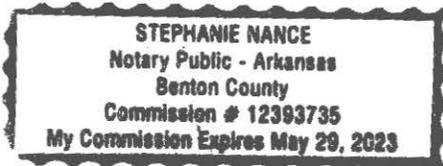
I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts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

*Dan Ringer*  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

State of Arkansas        )  
                                  ) ss.  
County of Washington    )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 7 day of October, 2016.



*Stephanie Nance*  
Notary Public

# Memo

**To:** PLANNING COMMISSION MEMBERS  
**From:** Patsy Christie, Planning Director  
**Date:** November 1, 2016  
**Re:** R16-42 Rezone 518 Holcomb Street

A request by Diane Cook for Planning Commission approval of a zone change from General Commercial District (C-2) to Neighborhood Office District (O-1) for a tract of land containing 0.37 acres.

LOT LOCATION AND SIZE

The 0.37 acre tract is located at 518 Holcomb Street, west side of Holcomb Street, south of Maple Avenue.

A vicinity map is attached.

EXISTING ZONING

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

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

## ACCESSORY USES

See Article 6 Section 3.1 of this chapter.

## SITE PLAN REVIEW

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

## HEIGHT REGULATIONS

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

## AREA REGULATIONS

### SETBACKS:

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

## GREENSPACE

Each developed lot shall provide and maintain:

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

## OFF-STREET PARKING

See Article 7 of this chapter.

## REQUESTED ZONING

The rezoning application requests an O-1 Neighborhood Office district. The district is designed to provide for an orderly conversion of older structures that are no longer useful, serviceable or desirable in their present uses to office use. It anticipates that office uses will be located in established areas of the city and in close proximity to apartments and other residential uses with limits to a maximum structure size of five thousand (5000) square feet. New construction designed to reinforce existing desirable characteristics of the neighborhood and not detrimental to the continued use of surrounding properties for residential purposes may also be accommodated in this district.

Uses permitted: - 1, 8, 10, 11, 16, 28, 29

Conditional Uses Permitted on Appeal: - 2, 3, 9, 27

## ACCESSORY USES

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

1. Accessory buildings, including private garages, storage facilities and children's playhouses as set for in Article 6, Section 2.7 of this chapter.
2. Private greenhouses and horticultural collections.
3. Flower and vegetable gardens.
4. Swimming pools, tennis courts and similar recreation facilities.

## SITE PLAN REVIEW

When a conditional use is proposed in an O-1 district a site plan review shall be required. See Article 2, Section 13 of this chapter for the procedure and requirements of a site plan review.

## HEIGHT REGULATIONS

No building hereafter erected or structurally altered shall exceed two stories.

## AREA REGULATIONS

### a. Residential uses

1. LOT AREA. There shall be a lot area of not less than seven thousand (7,000) square feet for a single family dwelling and twelve thousand (12,000) square feet for a duplex. In addition, there shall be a minimum lot width of not less than sixty (60) feet on a public street at the front setback line for a single family dwelling, and seventy (70) feet on a public street at the front setback line for a duplex. .
2. FRONT SETBACK. There shall be a front setback having a depth of not less than thirty (30) feet. In keeping with the definition of a corner lot, all sides adjacent to streets shall be required to have front setbacks of thirty (30) feet.
3. SIDE SETBACK. There shall be a side setback on each side of the building having a width of not less than ten (10) feet. The side setback shall be subject to applicable fire and building codes.
4. REAR SETBACK. There shall be a rear setback having a depth of not less than twenty (20) feet.

### 1. Office Uses

#### (1) SETBACKS:

Front setback	30'
Front setback if parking is allowed between R-O-W and the building	50'
Side setback (subject to applicable fire and building codes)	10'
Side setback when contiguous to a residential district	20'
Rear setback	20'

## GREENSPACE

Each developed lot (nonresidential use only) shall provide and maintain:

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

### OFF-STREET PARKING

See Article 7 of this chapter.

### SURROUNDING ZONING AND LAND USE

Zoning of the surrounded area is shown on the attached map. The tract contains a single family dwelling. The area to the north contains a single family dwelling in O-1 zoning. The area to the east contains commercial structures in C-2 zoning. The area to the south contains residential uses in MF-12 zoning. The area to the west contains residential uses in SF-2 zoning.

### LAND USE PLAN AND MASTER STREET PLAN

The adopted Comprehensive Land Use Plan indicates Downtown District.

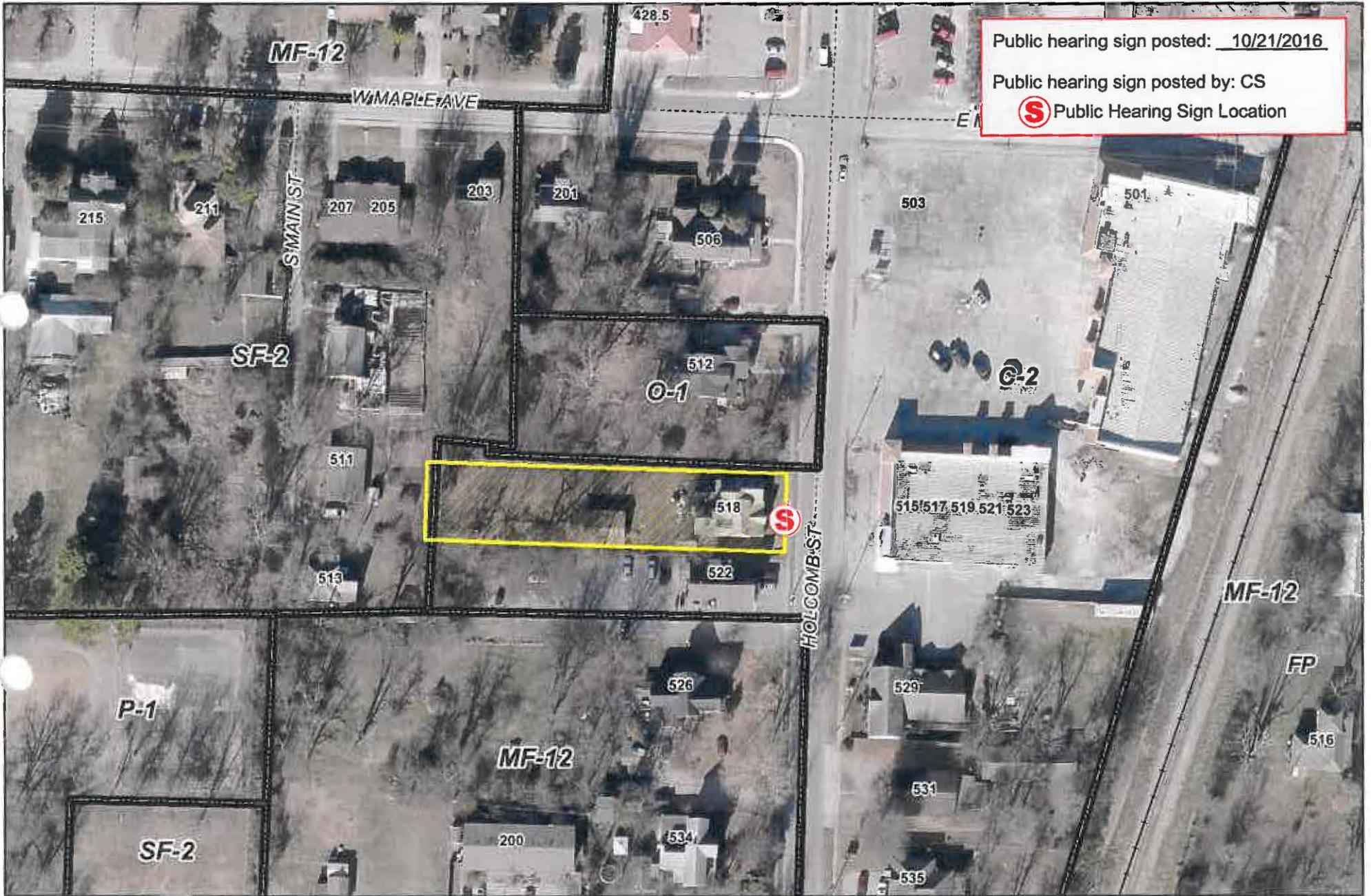
The Master Street Plan indicates Holcomb Street as a local street.

### 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.

Protect the positive aspects of neighborhood character throughout the City.

Allow the development of residential-office uses between residential and commercial/industrial areas to stabilize and buffer the limits of each type of development.



Public hearing sign posted: 10/21/2016  
Public hearing sign posted by: CS  
**S** Public Hearing Sign Location

P116



**FILE NO. R16-42**  
**APPLICANT: DIANE COOK**  
**REZONING REQUEST: C-2 TO O-1**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
**PLANNING COMMISSION MEETING**  
**NOVEMBER 1ST, 2016**

File No. R16-42

### 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 DIANE COOK

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

**Legal Description:**

Part of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section One (1), Township Seventeen (17) North, Range Thirty (30) West, Washington County, Arkansas, described as follows: Beginning at a point which is 66 feet North of a point 24 rods South of a point which is 30 rods and 15 feet West of the Southeast Corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Thirty-Six (36), Township Eighteen (18) North, Range Thirty (30) West, and running thence West 241 feet; thence North 73 feet and 8 inches; thence East bearing North 241 feet to a point on the West line of Holcomb Street in the town of Springdale, Arkansas, 81 feet and 8 inches North of the Beginning corner; thence South with the West line of said Street 81 feet and 8 inches to the place of beginning.

ALSO that part of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section One (1), Township Seventeen (17) North, Range Thirty (30) West described as follows, to-wit: Commencing 45 rods and 6 and 3/4 feet West of the middle line of Section 36 on the Township line common between Townships 18 & 17 and running thence South 330 feet for a beginning corner of the lands, hereby intended to be conveyed, thence running West 60 feet; thence running North 73 feet and 8 inches; thence running East 60 feet; thence running South 73 feet and 8 inches to the place of beginning.

Subject to easements, right-of-ways, and protective covenants of record, if any.

Subject to all prior mineral reservations and oil and gas leases, if any.

Layman's Description: 518 Holcomb St. Springdale AR 72764

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) O-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 Yes (Yes or No), and if so, the proposed use is my residence.
3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: \_\_\_\_\_  
\_\_\_\_\_

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: Diane Cook  
MAILING ADDRESS: 522 Success Ave Spgdale  
TELEPHONE: 479-236-9792 DATE: 10/10/16 12764

**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.

*Diane Cook*  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

State of Arkansas     )  
                                  ) ss.  
County of Washington    )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 23<sup>rd</sup> day of September, 2016.



*Ana Deras*  
Notary Public  
*this notary signature is for Diane Cook only.*

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**PLANNING & COMMUNITY  
DEVELOPMENT DIVISION**

# Memo

**To:** PLANNING COMMISSION MEMBERS  
**From:** Patsy Christie, Planning Director  
**Date:** November 1, 2016  
**Re:** R16-12 Rezone NW corner of Sunset Ave. & Pleasant St.

A request by CCO Investments, LLC (Cruz Ortiz) for Planning Commission approval of a zone change from General Commercial District (C-2) to Large Product Retail Sales District (C-6) for a tract of land containing .52 acres.

## LOT LOCATION AND SIZE

The .52 acre tract is located at 1324 W. Sunset Avenue, northeast corner of the intersection of W. Sunset Avenue and Pleasant Street.

A vicinity map is attached.

## EXISTING ZONING

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

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

## ACCESSORY USES

See Article 6 Section 3.1 of this chapter.

## SITE PLAN REVIEW

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

## HEIGHT REGULATIONS

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

## AREA REGULATIONS

### SETBACKS:

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

## GREENSPACE

Each developed lot shall provide and maintain:

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

## OFF-STREET PARKING

See Article 7 of this chapter.

## REQUESTED ZONING

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

## DEVELOPMENT CRITERIA

- i. All yards unoccupied by buildings or merchandise or used as traffic ways shall be

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

**ACCESSORY USES**

See Article 6 Section 3.1 of this chapter.

**SITE PLAN REVIEW**

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

**HEIGHT REGULATIONS**

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

**AREA REGULATIONS**

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

**SETBACKS:**

Front setback	30'
Front setback if parking is allowed between R-O-W and the building	50'
Side setback	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, or a minimum of ten percent of the total surface area of the lot or development.

### **OFF-STREET PARKING**

See Article 7 of this chapter.

### **SURROUNDING ZONING AND LAND USE**

Zoning of the surrounded area is shown on the attached map. The tract contains 2 commercial structures. The area to the north contains a single family dwelling, the areas to the east and west contain commercial uses all in C-2 zoning. The area to the south contains a commercial use in C-6 zoning.

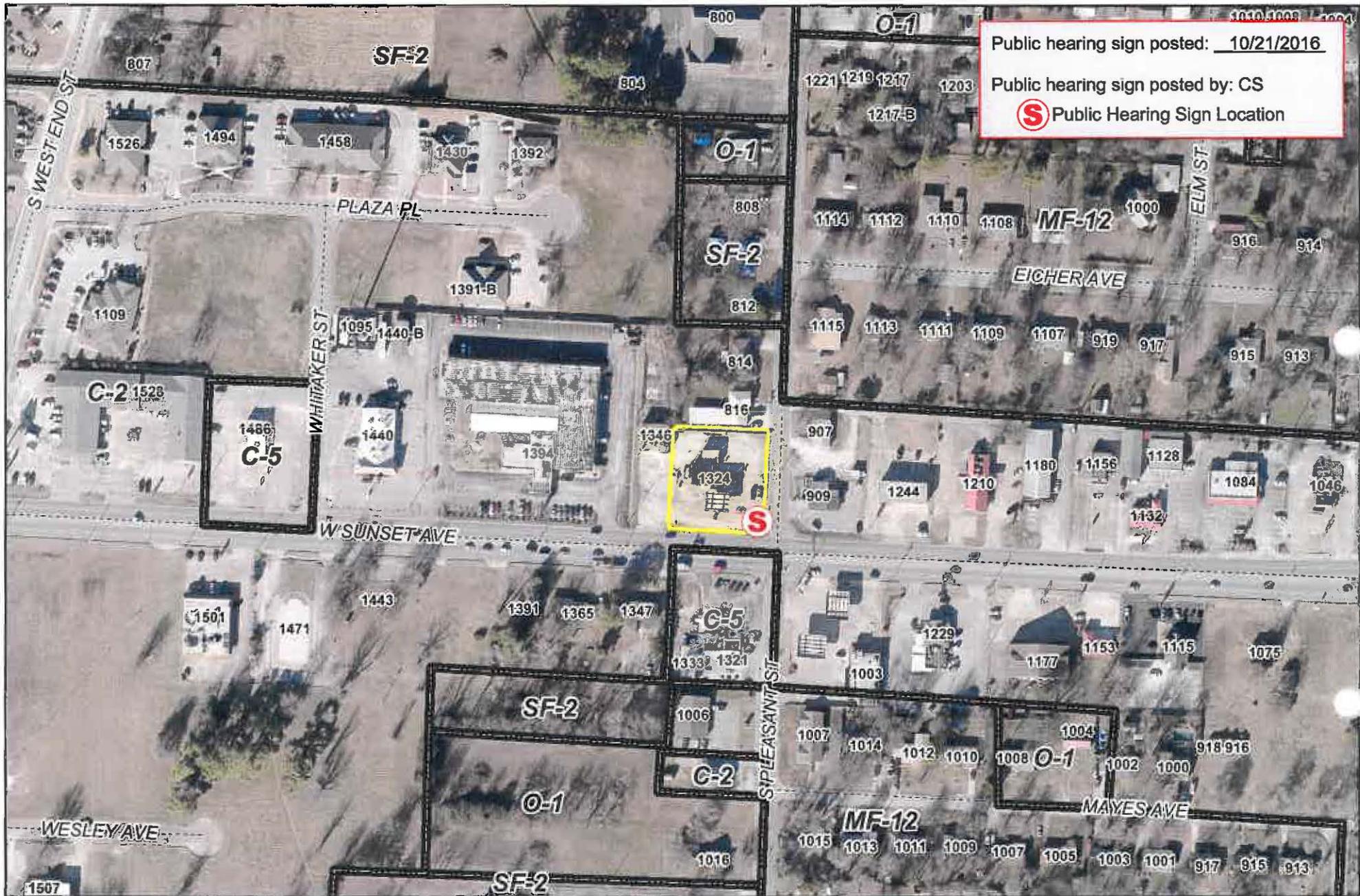
### **LAND USE PLAN AND MASTER STREET PLAN**

The adopted Comprehensive Land Use Plan indicates commercial use.

The Master Street Plan indicates Sunset Avenue as a principal arterial and Pleasant Street as a minor collector.

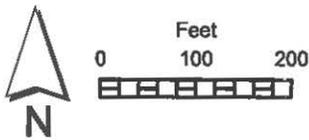
### **STAFF COMMENTS AND RECOMMENDATIONS**

The rezoning request current zoning classification is in keeping with the Comprehensive Land Use Plan and the rezoning request is not recommended for approval.



Public hearing sign posted: 10/21/2016  
 Public hearing sign posted by: CS  
 (S) Public Hearing Sign Location

P124



**FILE NO. R16-44**  
**APPLICANT: CCO INVESTMENTS, LLC.**  
**REZONING REQUEST: C-2 TO C-6**

*CITY OF SPRINGDALE*  
 PLANNING OFFICE  
 PLANNING COMMISSION MEETING  
 NOVEMBER 1ST, 2016

### 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 CCO INVESTMENTS, LLC (CRUZ ORTIZ)

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

**Legal Description:**

PART OF THE SW/4 OF THE NE/4 OF SECTION 2, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID SW/4 OF THE NE/4, THENCE ALONG THE SOUTH LINE OF SAID SW/4 OF THE NE/4 N 87°08'53" W 220.00 FEET, THENCE N 02°51'46" E 31.71 FEET TO THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 412, THENCE ALONG SAID RIGHT OF WAY S 87°14'30" E 52.12 FEET TO THE POINT OF BEGINNING, THENCE N 02°06'35" E 150.87 FEET TO THE INTERSECTION OF THE EAST WALL OF AN OFFICE BUILDING AND THE NORTH SIDE OF A RETAINING WALL, THENCE ALONG SAID RETAINING WALL S 87°15'05" E 4.89 FEET, THENCE N 02°46'44" E 5.20 FEET, THENCE S 87°54'33" E 140.41 FEET TO THE WEST RIGHT-OF-WAY OF SOUTH PLEASANT STREET, THENCE ALONG SAID RIGHT-OF-WAY S 02°30'34" W 142.86 FEET TO THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 412, THENCE ALONG SAID RIGHT-OF-WAY S 55°46'13" W 24.66 FEET, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY N 87°14'30" W 124.50 FEET TO THE POINT OF BEGINNING, CONTAINING 0.52 ACRES AND SUBJECT TO ANY AND ALL OTHER EASEMENTS OF RECORD OR FACT.

Layman's Description: NW CORNER OF PLEASANT ST. & W. SUNSET AVE.

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) C-6

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: VERY SLIGHT

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: GENE BUESCHER

Address: 2606 MELODY LANE, SPRINGDALE, AR

PETITIONER/OWNER: CRUZ ORTIZ

MAILING ADDRESS: 2207 E. HWY. 264, SPRINGDALE

TELEPHONE: 479-799-8271 DATE: OCT. 7, 2016

# 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.

Cam Cam  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

State of Arkansas        )  
                                  ) ss.  
County of Washington    )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 7<sup>th</sup> day of OCTOBER, 2016.

**GENE E. BUESCHER**  
**NOTARY PUBLIC**  
**WASHINGTON COUNTY, AR**  
**COMM. EXP. NOV. 1, 2024**  
**COMMISSION NO. 12401405**

Gene E. Buescher  
Notary Public

+++++

**PLANNING & COMMUNITY  
DEVELOPMENT DIVISION**

# Memo

**To:** PLANNING COMMISSION MEMBERS  
**From:** Patsy Christie, Planning Director  
**Date:** November 1, 2016  
**Re:** R16-45 Rezone 266 E. Robinson

A request by Jesus Reyes for Planning Commission approval of a zone change from General Commercial District (C-2) to Thoroughfare Commercial District (C-5) for a tract of land containing .99 acres.

## LOT LOCATION AND SIZE

The .99 acre tract is located at 266 E. Robinson Avenue, north side of Robinson Avenue, west of Crutcher Street.

A vicinity map is attached.

## EXISTING ZONING

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

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

**ACCESSORY USES**

See Article 6 Section 3.1 of this chapter.

**SITE PLAN REVIEW**

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

**HEIGHT REGULATIONS**

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

**AREA REGULATIONS**

**SETBACKS:**

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

**GREENSPACE**

Each developed lot shall provide and maintain:

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

**OFF-STREET PARKING**

See Article 7 of this chapter.

**REQUESTED ZONING**

The requested zoning of this tract is a C-5 Thoroughfare Commercial District. The district is established in order to provide adequate locations for retail uses which serve the needs of the motoring public and are characterized by a high level of vehicular ingress and egress. Among these uses, transient sleeping accommodations and eating and drinking establishments. Such uses are not generally compatible with pedestrian-oriented commercial districts and shopping centers since they tend to obstruct and interfere with pedestrian movement. Appropriate locations for this district are along heavily traveled major traffic arterials.

Uses permitted: - 1, 4, 5, 16, 17, 18, 19, 20, 21, 22, 27, 31, 38  
Conditional Uses Permitted on Appeal: - 2, 3, 12, 23,24, 30, 33, 35  
Temporary Uses: - 32

DEVELOPMENT CRITERIA

- i. All yards unoccupied by buildings or merchandise or used as traffic ways shall be landscaped with grass and shrubs and maintained in an orderly condition.
- ii. All of the lot used for the parking of vehicles, for the storage and display of merchandise shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.
- iii. All servicing of vehicles and assembly of equipment carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.
- iv. No article or material stored or offered for sale in connection with the permitted or conditional uses listed herein shall be stored or displayed outside the confines of the building unless it is so screened by a permanent opaque screening fence or wall so that is cannot be seen from an adjoining lot. The following screening and display criteria shall apply to uses located in the C-5 open display district:
  - b. Automobile, truck, tractor, mobile home, boat or motorcycle sales areas are not required to screen fully assembled merchandise that is ready for sale.
  - c. No permanent open display will be permitted on sidewalks, or public right-of-way.
  - d. Automobile service stations shall be permitted open display of merchandise commonly sold by such operations as long as the area of said display is not taller than the building nor larger than an area equal to one-half of the façade areas of the front of the building.
  - e. Automobile service stations may be used for the storage of rental trucks or trailers, provided, however, the storage space shall be paved, shall not exceed four thousand (4,000) square feet in area and the above screening requirements are met.
- v. There shall be no open display of any kind whatsoever in the first twenty (20) feet of the required front yard setback.

ACCESSORY USES

See Article 6 Section 3.1 of this chapter.

SITE PLAN REVIEW

When a conditional use is proposed in a C-5 district a site plan review shall be required. See Article 2, Section 13 of this chapter for the procedure and requirements of a site plan review.

HEIGHT REGULATIONS

There shall be no maximum height limits in C-5 district; provided, however, that any building which exceeds the height of twenty (20) feet shall be set back from any boundary line of any residential district a distance of one (1) foot for each foot of height in excess of twenty (20) feet.

AREA REGULATIONS

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

SETBACKS:

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

**GREENSPACE**

Each developed lot shall provide and maintain:

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

**OFF-STREET PARKING**

See Article 7 of this chapter.

**SURROUNDING ZONING AND LAND USE**

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

**LAND USE PLAN AND MASTER STREET PLAN**

The adopted Comprehensive Land Use Plan indicates regional commercial uses.

The Master Street Plan indicates Robinson Avenue as a principal 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.

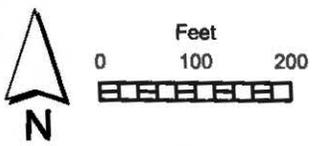
Improve the City's economic base and tax structure through the promotion of healthy, stable commercial concentrations

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.



Public hearing sign posted: 10/21/2016  
Public hearing sign posted by: CS  
**S** Public Hearing Sign Location



**FILE NO. R16-45**  
**APPLICANT: JESUS REYES**  
**REZONING REQUEST: C-2 TO C-5**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
**PLANNING COMMISSION MEETING**  
**NOVEMBER 1ST, 2016**

File No. R16-45

**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 JESUS REYES

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

**Legal Description:**

0.99 AC LOCATED IN S1, T17N,  
R30W IN SPRINGDALE, AR.

Layman's Description: 266 E ROBINSON

**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) C-5

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 A COMERCIAL BUILDING.
3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: MORE APPEALING VIEW OF THE PROPERTY, AND PROVIDE MORE SERVICES

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: \_\_\_\_\_

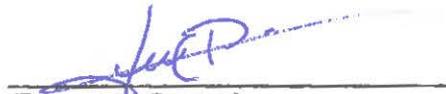
PETITIONER/OWNER: JESUS REYES

MAILING ADDRESS: 4100 B TURNER ST. SPRINGDALE

TELEPHONE: 479-200-1034 DATE: 9-26-2016

**VERIFICATION**

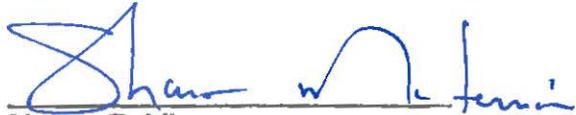
I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts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

  
\_\_\_\_\_  
(Property Owner)  
**JESUS B. REYES**

\_\_\_\_\_  
(Property Owner)

State of Arkansas        )  
                                  ) ss.  
County of Washington    )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 23rd day of September, 2016.

  
\_\_\_\_\_  
Notary Public



+++++

**PLANNING & COMMUNITY  
DEVELOPMENT DIVISION**

# Memo

**To:** PLANNING COMMISSION MEMBERS  
**From:** Patsy Christie, Planning Director  
**Date:** November 1, 2016  
**Re:** R16-46 Rezone 5240 W. Sunset Avenue

A request by Mathias Shopping Centers, Inc. for Planning Commission approval of a zone change from General Commercial District (C-2) to Thoroughfare Commercial District (C-5) for a tract of land containing 1.72 acres.

## LOT LOCATION AND SIZE

The 1.7 acre tract is located at 5240 W. Sunset Avenue, north side of Sunset Avenue, west of 48<sup>th</sup> Street.

A vicinity map is attached.

## EXISTING ZONING

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

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

**ACCESSORY USES**

See Article 6 Section 3.1 of this chapter.

**SITE PLAN REVIEW**

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

**HEIGHT REGULATIONS**

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

**AREA REGULATIONS**

**SETBACKS:**

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

**GREENSPACE**

Each developed lot shall provide and maintain:

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

**OFF-STREET PARKING**

See Article 7 of this chapter.

**REQUESTED ZONING**

The requested zoning of this tract is a C-5 Thoroughfare Commercial District. The district is established in order to provide adequate locations for retail uses which serve the needs of the motoring public and are characterized by a high level of vehicular ingress and egress. Among these uses, transient sleeping accommodations and eating and drinking establishments. Such uses are not generally compatible with pedestrian-oriented commercial districts and shopping centers since they tend to obstruct and interfere with pedestrian movement. Appropriate locations for this district are along heavily traveled major traffic arterials.

Uses permitted: - 1, 4, 5, 16, 17, 18, 19, 20, 21, 22, 27, 31, 38  
Conditional Uses Permitted on Appeal: - 2, 3, 12, 23,24, 30, 33, 35  
Temporary Uses: - 32

**DEVELOPMENT CRITERIA**

- i. All yards unoccupied by buildings or merchandise or used as traffic ways shall be landscaped with grass and shrubs and maintained in an orderly condition.
- ii. All of the lot used for the parking of vehicles, for the storage and display of merchandise shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.
- iii. All servicing of vehicles and assembly of equipment carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.
- iv. No article or material stored or offered for sale in connection with the permitted or conditional uses listed herein shall be stored or displayed outside the confines of the building unless it is so screened by a permanent opaque screening fence or wall so that is cannot be seen from an adjoining lot. The following screening and display criteria shall apply to uses located in the C-5 open display district:
  - b. Automobile, truck, tractor, mobile home, boat or motorcycle sales areas are not required to screen fully assembled merchandise that is ready for sale.
  - c. No permanent open display will be permitted on sidewalks, or public right-of-way.
  - d. Automobile service stations shall be permitted open display of merchandise commonly sold by such operations as long as the area of said display is not taller than the building nor larger than an area equal to one-half of the façade areas of the front of the building.
  - e. Automobile service stations may be used for the storage of rental trucks or trailers, provided, however, the storage space shall be paved, shall not exceed four thousand (4,000) square feet in area and the above screening requirements are met.
- i. There shall be no open display of any kind whatsoever in the first twenty (20) feet of the required front yard setback.

**ACCESSORY USES**

See Article 6 Section 3.1 of this chapter.

**SITE PLAN REVIEW**

When a conditional use is proposed in a C-5 district a site plan review shall be required. See Article 2, Section 13 of this chapter for the procedure and requirements of a site plan review.

**HEIGHT REGULATIONS**

There shall be no maximum height limits in C-5 district; provided, however, that any building which exceeds the height of twenty (20) feet shall be set back from any boundary line of any residential district a distance of one (1) foot for each foot of height in excess of twenty (20) feet.

**AREA REGULATIONS**

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

**SETBACKS:**

Front setback	30'	
Front setback if parking is allowed between R-O-W and the building	50'	
Side setback	0	(subject to applicable fire and building codes)

Side setback when contiguous to a residential district 20'  
Rear setback 20'

### GREENSPACE

Each developed lot shall provide and maintain:

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

### OFF-STREET PARKING

See Article 7 of this chapter.

### SURROUNDING ZONING AND LAND USE

Zoning of the surrounded area is shown on the attached map. The tract contains a restaurant. The property is surrounded by commercial uses in C-2 and C-5 zoning.

### LAND USE PLAN AND MASTER STREET PLAN

The adopted Comprehensive Land Use Plan indicates regional commercial uses.

The Master Street Plan indicates Sunset Avenue as a principal 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.

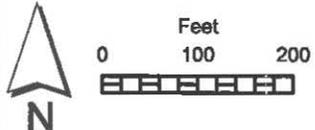
Improve the City's economic base and tax structure through the promotion of healthy, stable commercial concentrations

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.



Public hearing sign posted: 10/21/2016  
Public hearing sign posted by: CS  
**S** Public Hearing Sign Location



**FILE NO. R16-46**  
**APPLICANT: MATHIAS SHOPPING CENTERS, INC.**  
**REZONING REQUEST: C-2 TO C-5**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
**PLANNING COMMISSION MEETING**  
**NOVEMBER 1ST, 2016**

P140

File No. \_\_\_\_\_

*R16-46*

### 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 Mathias Shopping Centers, Inc., the record property owners, petitioning to rezone the following described area:

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

Layman's Description: Approximately 1.7 acres comprising the southeast corner of parcel 815-30054-250 east of the access driveway into Ozark Center Point Place from Sunset Avenue/Highway 412, west of Today's Bank, north of Highway 412, and south of Hobby Lobby. Jose's Southwest Grille restaurant is located on the subject property.

*5240 W Sunset Ave.*

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

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

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

FROM (current zoning) C-2 (General Commercial District)

TO (proposed zoning) C-5 (Thoroughfare Commercial District)

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

1. **Sell** the property No (Yes or No), and if so, is the property subject to an offer and acceptance, escrow contract, option agreement, or other contract for conveyance of title n/a (Yes or No).
2. **Develop** the property Yes (Yes or No), and if so, the proposed use is Restaurant.

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: None anticipated – there is already a restaurant on the property, the property is already in a commercial zoning district, the property is within an existing commercial development, the property is located along high volume streets, and is located in an area dominated by commercial uses.

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

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

Authorized Representative: Engineering Services, Inc.

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

PETITIONER/OWNER: MATHIAS SHOPPING CENTERS, INC.  
By: , PRESIDENT  
(Signature) ARTHUR THURMAN

MAILING ADDRESS: PO Box 6485, Springdale, AR 72766-6485

TELEPHONE: (479) 750-9100

DATE: October 12, 2016

**VERIFICATION**

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

MATHIAS SHOPPING CENTERS, FNC.  
By: [Signature], PRESIDENT  
ARTHUR THURMAN

(Property Owner Signature)

\_\_\_\_\_  
(Property Owner Signature)

State of Arkansas            )  
  ) ss.  
County of Washington        )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 12<sup>th</sup> day of October, 2016.

[Signature]  
Notary Public

TEREASA L VICKERS  
NOTARY PUBLIC  
WASHINGTON COUNTY, ARKANSAS  
COMMISSION # 12693670  
COMMISSION EXP. APRIL 21, 2025

+++++

**PLANNING & COMMUNITY  
DEVELOPMENT DIVISION**

# Memo

**To:** PLANNING COMMISSION MEMBERS  
**From:** Patsy Christie, Planning Director  
**Date:** November 1, 2016  
**Re:** R16-47 Rezone 905 N. Mill Street

A request by Thomas J. Embach, Revocable Trust for Planning Commission approval of a zone change from Medium Density Single Family Residential District (SF-2) to Planned Unit Development (PUD) for a tract of land containing 21.10 acres.

## LOT LOCATION AND SIZE

The 21.10 acre tract is located at 905 N. Mill Street, east side of Mill Street, north of Plum Avenue.

A vicinity map is attached.

## EXISTING ZONING

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

Uses permitted: - 1, 8, 29

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

Temporary Uses – 34

## ACCESSORY USES

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

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

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

**SITE PLAN REVIEW**

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

**HEIGHT REGULATIONS**

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

**AREA REGULATIONS**

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

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

**BUILDING AREA**

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

**REQUESTED ZONING**

The rezoning application requests a PUD Planned Unit Development district. The District is established to permit the subdivision of land and zoning review into one process. The combination review permits a development proposal to be acted upon simultaneously by the developer and the city. This system is advantageous when the developer that plats the land and provides access and utilities also provides the amenities that make the overall project marketable. An additional advantage is that the approved PUD plan remains intact even if transfer in ownership occurs. The approved PUD plan represents a commitment by both the developer and the city.

The PUD process permits more flexibility in the choice of building types, the arrangement of varied land uses, and the use of generalized rather than specific development regulation. By permitting and encouraging the use of such procedures the planning commission and the city council will be able to make more informed land use

decisions and thereby guide development more effectively in the best interest of the city. The PUD should:

- (1) Facilitate and encourage a maximum of social and community interactions and activity among those who live, shop, play and work there.
- (2) Provide open space not only for traditional private use in setbacks and yards surrounding structures, but also conveniently located with respect to points of residential and commercial concentration for the general benefit of the community and public as places for relaxation, recreation and social activity.
- (3) Provide a comprehensive, multi-modal circulation system separated from vehicular roadways which links residential, non-residential and open space areas
- (4) Preserve the natural environment by minimizing the grading necessary for construction.
- (5) Achieve a maximum of safety, convenience and amenity for both the residents of the PUD and the residents of neighboring areas and assure compatibility with existing and proposed surrounding land uses.

The development plan may be submitted in conjunction with the rezoning of the site or prior to the development of the site.

Uses permitted: - 1, 4, 8, 9,10, 11, 12, 13, 16, 17, 18, 19,20, 22, 27, 29

Conditional Uses Permitted on Appeal: - 2, 3, 6,7,15, 28

## **ACCESSORY USES**

See Article 6, Section 2.7 of this chapter for residential uses and Article 6, Section 3.1 for commercial uses.

## **SITE PLAN REVIEW**

When a proposal is made to develop a Planned Unit Development, a PUD Site Plan review shall be required. See Article 6, Section 5 of this chapter for the Planned Unit Development application review procedure.

## **DENSITY, BULK, AREA AND YARD REGULATIONS**

*Density.* PUD densities may be determined on the basis of any and all of the following considerations; the densities designated by the land use plan, the densities of surrounding development, the densities allowed under the various zoning districts, the urban development goals and other policies of the city, topography and character of the natural environment and the impact of a given density on the specific site and adjacent properties. The city also has the discretion to consider any other relevant factors.,

*Lot size.* There shall be no minimum standards for lot size although existing standards of zoning and subdivision regulations may be used as a guide.

*Setback.* There shall be no minimum standard although existing standards of the zoning and subdivision regulations will be used as a guide.

## **OFF-STREET PARKING**

See Article 7 of this chapter.

## **ENCLOSURE OF USES**

All commercial uses shall be restricted to closed buildings except parking lots, plant nurseries, temporary farmers markets and craft fairs, promotional events, and normal pump island fuel services. In addition, outdoor display of merchandise is allowed in an area equal to one-half (1/2) of the façade area of the front of the building

as long as said display of merchandise is stored inside the building or other completely enclosed structure after normal working hours.

## **SCREENING AND LANDSCAPING**

In order to enhance the integrity and attractiveness of the development, and when deemed necessary to protect adjacent properties, the planning commission shall require landscaping and screening as part of a PUD. The nature and extent of screening and landscaping shall be determined by the planning commission in relation to the overall character of the development and its specific location. The required screening shall be submitted to the planning commission as part of the final development plan. Landscape plans shall show the general location, type and quality (size/age) of plant material. Screening plans shall include typical details of fences, berms and plant material to be used.

## **OPEN SPACE**

Due to the flexibility allowed in development density, well-designed open space is an important factor in providing for innovative design and visual attractiveness. A minimum of fifteen (15) percent of gross residential areas shall be designated as common usable open space.

## **SURROUNDING ZONING AND LAND USE**

Zoning of the surrounded area is shown on the attached map. The tract contains single family dwellings. The area to the north contains a single family dwelling and undeveloped area in SF-2 zoning. The area to the south contains multi-family dwellings in PUD zoning. The railroad is to the west and single family dwellings are in the area to the east in SF-2 zoning.

## **LAND USE PLAN AND MASTER STREET PLAN**

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

The Master Street Plan indicates Mill Street as a local street.

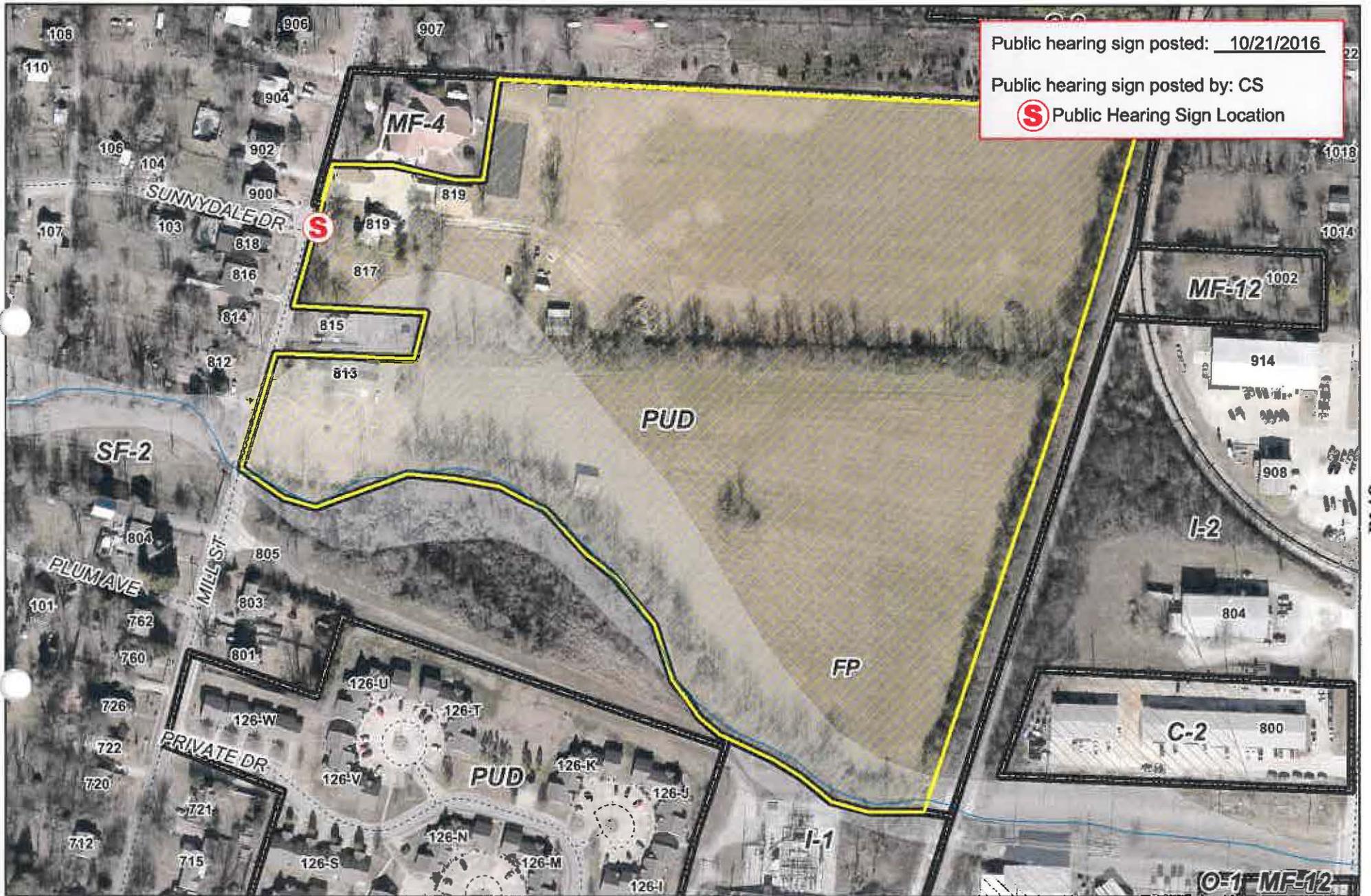
## **STAFF COMMENTS AND RECOMMENDATIONS**

The rezoning request is in keeping with the following goals and policies of the Comprehensive Land Use Plan and is recommended for approval; subject to the conditions set forth on the site plan and development plan. The restriction of an area to 55 and older has no effect on the project as previously approved.

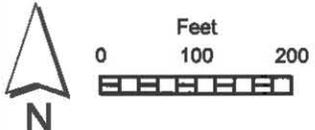
Protect the positive aspects of neighborhood character throughout the City.

Assure adequate land allocation for residential purposes by providing lots of adequate size.

Encourage the development of a variety of housing types appropriate to the size and income of all households living and working in Springdale.



Public hearing sign posted: 10/21/2016  
 Public hearing sign posted by: CS  
 (S) Public Hearing Sign Location



**FILE NO. R16-47**  
**APPLICANT: THOMAS J. EMBACH REVOCABLE TRUST**  
**REZONING REQUEST: PUD TO PUD**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
 PLANNING COMMISSION MEETING  
 NOVEMBER 1ST, 2016

### 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 THOMAS J. EMBACH, REVOCABLE TRUST

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

**Legal Description:**

A PART OF THE NW ¼ OF THE NE ¼ AND PART OF THE NE ¼ OF THE NE ¼ OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 30 WEST, IN THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, DESCRIBED AS COMMENCING AT A 1-1/4-INCH FOUND PIPE FOR THE NW CORNER OF THE THE NW ¼ OF THE NE ¼ OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 30 WEST; THENCE ALONG THE NORTH LINE OF SAID SECTION 36, S87°56'05"E A DISTANCE OF 104.25 FEET TO A POINT IN MILL STREET; THENCE LEAVING SAID NORTH LINE AND RUNNING S15°41'50"W IN THE PRESCRIPTIVE RIGHT OF WAY OF MILL STREET A DISTANCE OF 544.98 FEET TO A SET COTTON PICKER SPINDLE; THENCE S88°32'15"E 211.02 FEET TO THE POINT OF BEGINNING; THENCE N88°32'15"W 205.08-FEET; THENCE N15°34'00"E 76.37-FEET; THENCE N15°34'00"E 77.00-FEET; THENCE N15°13'35"E 76.97-FEET; THENCE N14°27'48"E 72.00-FEET; THENCE N14°27'49"E 142.87-FEET; THENCE S87°40'14"E 30.82-FEET; THENCE S87°40'10"E 184.05-FEET; THENCE S87°40'15"E 983.60-FEET; THENCE S15°01'30"W 232.50-FEET; THENCE S15°49'38"W 193.38-FEET; THENCE S60°59'01"E 2.98-FEET; THENCE S18°02'39"W 465.80-FEET; THENCE S18°02'39"W 224.20-FEET; THENCE S89°44'18"W 87.20-FEET; THENCE N74°29'00"W 56.00-FEET; THENCE N51°29'00"W 60.00-FEET; THENCE N58°46'00"W 50.00-FEET; THENCE N65°28'00"W 90.00-FEET; THENCE N50°41'00"W 40.00-FEET; THENCE N36°55'00"W 70.00-FEET; THENCE N18°12'00"W 90.00-FEET; THENCE N40°11'00"W 90.00-FEET; THENCE N51°44'00"W 60.00-FEET; THENCE N43°06'00"W 90.00-FEET; THENCE N63°42'00"W 80.00-FEET; THENCE N80°00'00"W 70.00-FEET; THENCE N85°16'00"W 70.00-FEET; THENCE N02°19'29"E 186.17-FEET TO THE POINT OF BEGINNING AND CONTAINING 915,323 SQUARE FEET OR 21.01 ACRES MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR FACT.

**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)                     SF-2                    

**TO** (proposed zoning)                     PUD (PLANNED UNIT DEVELOPMENT)

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 YES (Yes or No), and if so, the proposed use is MULTI-FAMILY RESIDENTIAL WITH UP TO 6 UNITS/ACRE.
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.

FERDI FOURIE, P.E.

Authorized Representative: CIVIL DESIGN ENGINEERS, INC.

Address: 4847 KAYLEE AVENUE SUITE A, SPRINGDALE, AR 72762

LEISURE HOMES CORP.

PETITIONER/OWNER **SIGNATURE** ATTN : TOM EMBACH

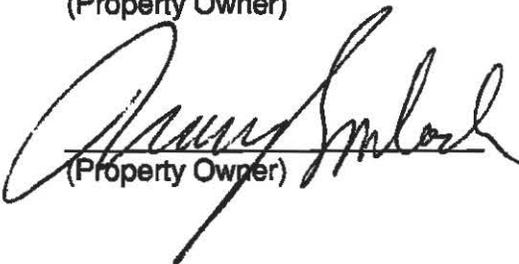
MAILING ADDRESS: 351 E. 4TH STREET SUITE 2  
MOUNTAIN HOME, AR 72653

TELEPHONE: 870-424-7460 DATE: 10-12-2016

# VERIFICATION

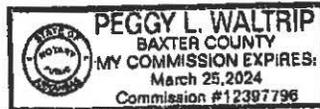
I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for rezoning and that all the facts, statements, and allegations therein contained are true and correct to the best of my knowledge and belief and that complete disclosure of all material facts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

**SIGNATURE**  
(Property Owner)

  
(Property Owner)

State of Arkansas )  
County of Baxter ) ss.  
~~Washington~~ )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 11<sup>th</sup> day of January, 202016



  
Notary Public

+++++

**PLANNING & COMMUNITY  
DEVELOPMENT DIVISION**

# Memo

**To:** PLANNING COMMISSION MEMBERS  
**From:** Patsy Christie, Planning Director  
**Date:** November 1, 2016  
**Re:** R16-48 Rezone 2009 N. 48<sup>th</sup> Street

A request by Burr-Hein Properties, LLC (Dan Hein) 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 .83 acres.

## LOT LOCATION AND SIZE

The .83 acre tract is located at 2009 N. 48<sup>th</sup> Street, east side of 48<sup>th</sup> Street.

A vicinity map is attached.

## EXISTING ZONING

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

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

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

Temporary Uses – 32, 34

## ACCESSORY USES

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

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

**SITE PLAN REVIEW**

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

**AREA REGULATIONS**

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

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

**REQUESTED ZONING**

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

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

**ACCESSORY USES**

See Article 6 Section 3.1 of this chapter.

**SITE PLAN REVIEW**

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

**HEIGHT REGULATIONS**

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

**AREA REGULATIONS**

**SETBACKS:**

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

**GREENSPACE**

Each developed lot shall provide and maintain:

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

**OFF-STREET PARKING**

See Article 7 of this chapter.

**SURROUNDING ZONING AND LAND USE**

Zoning of the surrounded area is shown on the attached map. The tract is undeveloped. The area to the north contains a non-conforming commercial use in A-1 zoning. Interstate 49 borders the property on the east. The area to the south and west contains residential and agricultural uses in A-1 zoning.

**LAND USE PLAN AND MASTER STREET PLAN**

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

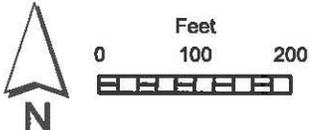
The Master Street Plan indicates 48<sup>th</sup> Street as a minor collector.

STAFF COMMENTS AND RECOMMENDATIONS

The rezoning request is not in keeping with the Comprehensive Land Use Plan and is not recommended for approval.



Public hearing sign posted: 10/21/2016  
Public hearing sign posted by: CS  
**S** Public Hearing Sign Location



**FILE NO. R16-48**  
**APPLICANT: BURR HEIN PROPERTIES, LLC**  
**REZONING REQUEST: A-1 TO C-2**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
PLANNING COMMISSION MEETING  
NOVEMBER 1ST, 2016

File No. R16-48

### 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 Burr-Hein Properties, LLC - DAN HEIN Co-Manager  
The record property owner(s), petitioning to rezone the following described area:

Legal Description:  
2009 N. 48<sup>th</sup> (SEE ATTACHED LEGAL DESCRIPTION)

**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) A1  
TO (proposed zoning) C2

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 Yes (Yes or No), and if so, the proposed use is Real Estate Branch Office - Retail activity - Warehouse
3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: Add value to adjacent property owners

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: \_\_\_\_\_

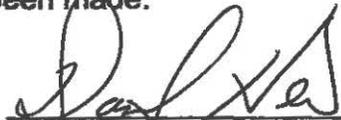
PETITIONER/OWNER: Dan Hein - Frank Burr Burr-Hein Properties LLC

MAILING ADDRESS: 3500 N.E. A<sup>st</sup> Bentonville, AR 72712

TELEPHONE: 479-876-1400 DATE: Oct 12, 2016

**VERIFICATION**

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

  
\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

State of Arkansas        )  
                                  ) ss.  
County of Washington    )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 13 day of October, 2016.

  
\_\_\_\_\_  
Notary Public

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

# Memo

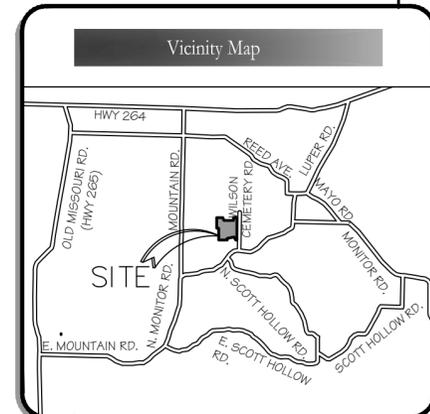
**To:** Planning Commission  
**From:** Staff  
**Date:** November 1, 2016  
**RE:** LS16-37 Lot Split Belinda McNabb

---

## Planning Comments

1. Need authorization of representation if property owner will not be present.
2. Need scale. Scale shall be no smaller than 1"-100'.
3. A waiver of the subdivision requirements will need to be requested and approved prior to approval for filing.
4. All requested easements will need to be dedicated by separate document.

# TRACT SPLIT



## Miscellaneous Notes

STATE RECORDING NUMBER:  
500-18N-29W-0-29-110-72-1532  
COMPLETED FIELD WORK:  
MAY 27, 2016  
BASIS OF BEARING:  
ARKANSAS STATE PLANE, NORTH ZONE, NAD 83  
REFERENCE DOCUMENTS:  
1. WARRANTY DEED FILED IN DEED BOOK 2004 AT PAGE 30366.  
2. SURVEY PLAT FILED 09-06-2005 WITH REFERENCE NUMBER 511735.  
3. PLAT BY BUCKLEY D. BLEW, BLEW & ASSOCIATES, DATED JUNE 7TH, 2016.

SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY

DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.

BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY IS IN ZONE "A" OR "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 0500700455J, WHICH BEARS AN EFFECTIVE DATE OF 09/28/2007 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

10' UTILITY EASEMENT AT ALL OVERHEAD ELECTRIC LINES AS PER CHRIS BYRD, COX COMMUNICATIONS.

30' UTILITY EASEMENT AT ALL OVERHEAD ELECTRIC LINES AS PER MIKE PHIPPS, OZARKS ELECTRIC.

SPRINGDALE FIRE DEPARTMENT NOTE:  
IF AN ADDITIONAL STRUCTURE IS PLANNED TO BE CONSTRUCTED, A FIRE APPARATUS TURNAROUND WILL NEED TO MEET THE MINIMUM STANDARDS OF APPENDIX D OF THE AFPC FOR WEIGHT AND ALL-WEATHER DRIVING SURFACE. WIDTH MAY BE MINIMUM ALLOWED BY CITY OF SPRINGDALE WITH NO LESS THAN AN 8' TURNING RADIUS. THIS COULD BE NEW DRIVEWAY OR DRIVEWAY NORTH OF TRACT 2, AS PER DUANE MILLER.

SPRINGDALE WATER UTILITY, AS PER LARRY PECKHAM:  
1. 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.  
2. PUBLIC SANITARY SEWER IS NOT CONTIGUOUS OR DIRECTLY AVAILABLE.

SERVICE WATERLINE DRAWN PER LANDOWNERS DESCRIPTION.

## Owner/Developer

MCNABB, BELINDA J.  
2730 BARRON LANE  
SPRINGDALE, AR 72764  
PARCEL #815-28652-100

## Zoning & Setback Information

ZONING: A1

BUILDING SETBACKS:  
FRONT: 35'  
BACK: 35'  
SIDE: 20'

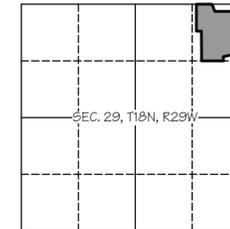
## Survey Description

PARENT TRACT (PARCEL #815-28652-100)  
A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 29 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT, THENCE N87°16'03"W 24.96' TO THE TRUE POINT OF BEGINNING BEING A FOUND IRON PIN AND RUNNING THENCE S02°37'29"W 737.00' TO A FOUND IRON PIN, THENCE N87°58'29"W 511.33' TO A FOUND IRON PIN, THENCE S02°28'57"W 69.78' TO A FOUND IRON PIN, THENCE N87°09'19"W 203.51' TO A FOUND IRON PIN, THENCE N03°30'44"W 188.06' TO A FOUND IRON PIN, THENCE N87°24'26"W 345.85' TO A FOUND IRON PIN, THENCE N87°11'32"E 364.51' TO A FOUND IRON PIN, THENCE N02°29'52"E 627.11' TO A FOUND IRON PIN, THENCE S87°16'03"E 559.72' TO A FOUND IRON PIN, THENCE S18°43'43"E 177.25' TO A FOUND IRON PIN, THENCE S87°16'03"E 559.72' TO A FOUND IRON PIN, THENCE N02°43'25"E 165.25' TO A FOUND COTTON PICKER SPINDLE, THENCE S87°16'03"E 208.25' TO THE POINT OF BEGINNING AND CONTAINING 17.21 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

TRACT 1:  
A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 29 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N87°15'32"W 24.96', THENCE S02°37'29"W 418.26' TO A SET IRON PIN, SAID POINT BEING THE TRUE POINT OF BEGINNING AND RUNNING THENCE S02°37'29"W 318.74' TO A SET IRON PIN, THENCE N87°58'29"W 511.33' TO A SET IRON PIN, THENCE S02°28'57"W 69.78' TO A SET IRON PIN, THENCE N87°09'19"W 203.51' TO A SET IRON PIN, THENCE N03°30'44"W 188.06' TO A SET IRON PIN, THENCE N87°24'44"W 461.18' TO A FOUND IRON PIN, THENCE N02°29'52"E 627.11' TO A FOUND IRON PIN, THENCE S87°11'32"E 364.51' TO A FOUND IRON PIN, THENCE S18°43'43"E 177.25' TO A FOUND IRON PIN, THENCE S87°16'03"E 559.72' TO A FOUND IRON PIN, THENCE S02°43'25"W 253.00' TO A SET IRON PIN, THENCE S87°16'03"E 208.98' TO THE POINT OF BEGINNING, CONTAINING 15.21 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD

TRACT 2:  
A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 29 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N87°15'32"W 24.96' TO A FOUND IRON PIN, SAID POINT BEING THE TRUE POINT OF BEGINNING AND RUNNING THENCE S02°37'29"W 418.26' TO A SET IRON PIN, THENCE N87°16'03"W 208.98' TO A SET IRON PIN, THENCE N02°43'25"E 418.25' TO A FOUND COTTON PICKER SPINDLE, THENCE S87°16'00"E 208.25' TO THE POINT OF BEGINNING, CONTAINING 2.00 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

## Section Map



## Legend of Symbols & Abbreviations

- FORTY LINE
- PROPERTY LINE
- - - ADJACENT PROPERTY LINE
- CENTERLINE OF ROAD
- - - RIGHT OF WAY
- x - x - FENCE LINE
- - - BUILDING SETBACK
- - - ACCESS EASEMENT
- OP - OP - OVERHEAD POWER LINE
- - - CENTERLINE OF CREEK
- FOUND IRON PIN
- SET IRON PIN
- ▲ FOUND RAILROAD SPIKE
- ◆ FOUND COTTON PICKER SPINDLE
- ⊙ POWER POLE
- ⊕ SEPTIC CLEAN OUT
- Ⓣ TELEPHONE PEDESTAL
- Ⓜ WATER VALVE

## Utility Notes

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.

BEFORE DIGGING IN THIS AREA, CALL "ONE CALL" 811 FOR FIELD LOCATIONS (REQUEST FOR GROUND MARKINGS) OF UNDERGROUND UTILITY LINES



I HEREBY CERTIFY THIS IS THE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS DATE OF SEPTEMBER 2016



IF THE SIGNATURE ON THIS SEAL IS NOT IN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BE IN ORIGINAL SEAL AND SIGNATURE.

FIRM:

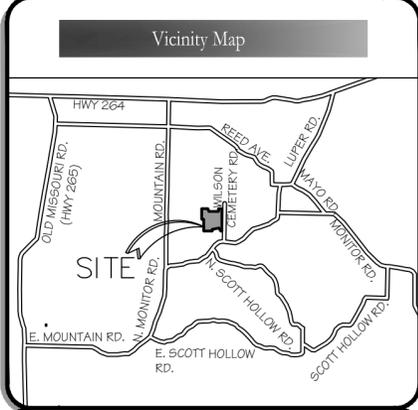
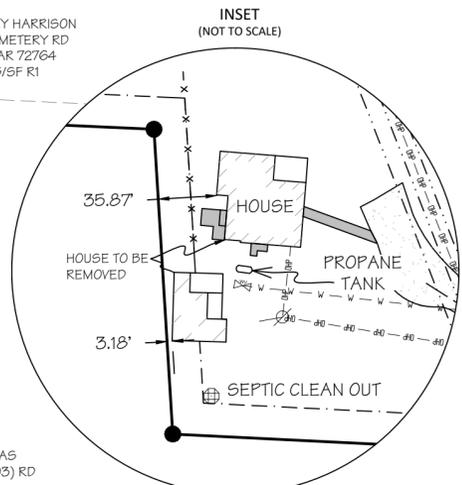
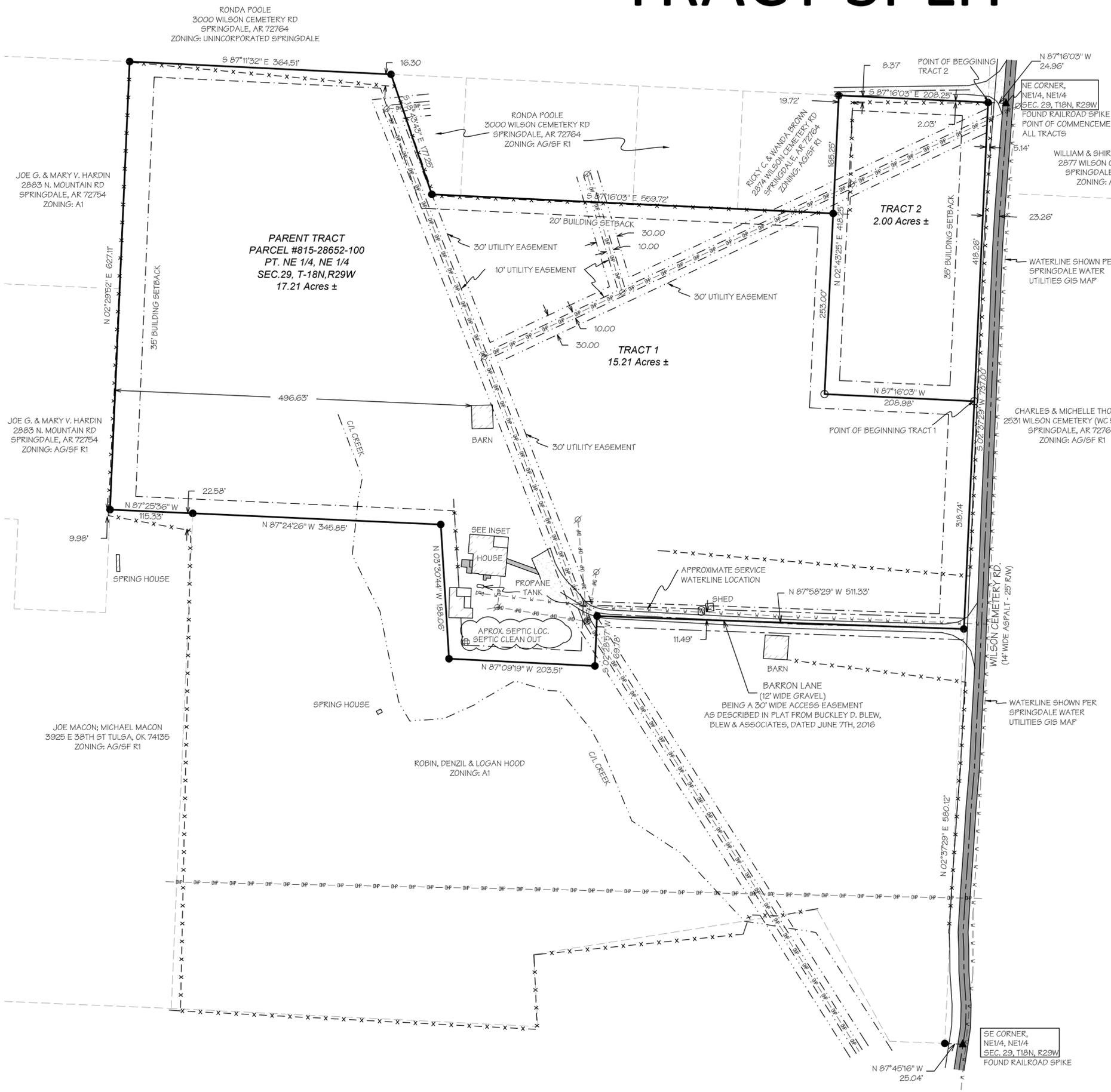
**BLEW & ASSOCIATES, PA**  
CIVIL ENGINEERS & LAND SURVEYORS

524 W. SYCAMORE ST, SUITE 4  
FAYETTEVILLE, ARKANSAS 72703  
OFFICE: 479.443.4506  
FAX: 479.582.1883  
www.BLEWINC.com

Certificate of Authorization No 1534

DRAWN BY & DATE: T.K.S. & J.H. 9-27-16	REVIEWED BY: M.S.	SURVEYED BY: R.S.
COUNTY & STATE: WASHINGTON COUNTY, AR	JOB NUMBER: 16-563	
LOCATION: 2730 BARRON LANE SPRINGDALE, AR		
FOR THE USE AND BENEFIT OF:  BELINDA J. MCNABB		

# TRACT SPLIT



**Utility Notes**

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.

BEFORE DIGGING IN THIS AREA, CALL "ONE CALL" 811 FOR FIELD LOCATIONS (REQUEST FOR GROUND MARKINGS) OF UNDERGROUND UTILITY LINES



I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE \_\_\_\_\_ DAY OF SEPTEMBER \_\_\_\_\_



IF THE SIGNATURE ON THIS SEAL IS NOT ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR ORIGINAL SEAL AND SIGNATURE.

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COUNTY & STATE: WASHINGTON COUNTY, AR	JOB NUMBER: 16-563	
LOCATION: 2730 BARRON LANE SPRINGDALE, AR		
FOR THE USE AND BENEFIT OF: BELINDA J. MCNABB		

**BLEW & ASSOCIATES, PA**  
**CIVIL ENGINEERS & LAND SURVEYORS**

10/19/2016

To: Springdale Planning Commission

Re: Belinda McNabb

To whom it may concern;

Ms. Belinda McNabb would like to request a waiver of Subdivision Requirements for her tract split project that is currently under review by the City of Springdale Planning Commission. Her desire to split off the 2 acre tract being reviewed is that she may build a house and move to that parcel and sell the remainder of the parent tract. This will conclude her land splitting on that parcel and the next owner would be the appropriate party to develop the land in accordance with the Subdivision requirements the City of Springdale requires for development. Ms. McNabb prays that you will grant her this waiver so that she can move forward with the next chapter in her life, here in Springdale.

Thank you for time.

Sincerely,

Mike Sebo  
Project Manager

W16-19

---

524 W. SYCAMORE ST, SUITE 4 • FAYETTEVILLE / ARKANSAS • 72703  
PHONE: 479-443-4506 • FAX: 479-582-1883

# Memo

**To:** Planning Commission  
**From:** Staff  
**Date:** November 1, 2016  
**RE:** L16-13, 2016 Large Scale Development Springdale Storage

---

## Concept of Detention

---

### Planning Comments

1. Handicapped ramps shall be provided wherever a sidewalk crosses a curb at crosswalks, driveways, and street intersections.
2. Minimum distance between driveways on adjoining properties is fifty feet (50') and 150' on a single tract. Show distances to adjoining driveway.
3. Handicapped parking sign is in the wrong locations.
4. All requested easements will need to be dedicated by separate document prior to approval for construction. All required easement vacations will need to be complete prior to approval for construction.
5. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

### Engineering Comments

- 1) Need to obtain an AHTD permit for all work done on their right-of-way. Submit a copy to City Staff.
- 2) Guarantee from the developer that all plant materials will be warranted for a period of 24 months from the time of installation. If any of the material should fail to survive during that period it would be replaced during the appropriate planting season **-Add note to the Landscape Plan sheet.**

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



### Proposed Features:

Feature	Description
	Property Line
	On-site Property Line
	Right-Of-Way Line
	Easement Line
	Zoning Limits
	Street / Drive Centerline
	Curb And Gutter
	General Edge Of Pavement
	Asphalt Pavement
	Concrete Pavement
	Concrete Sidewalk
	General Fence Line
	Chain Link Fence Line
	Board Fence Line
	Parking Counter
	Storm Catch Basin(s)
	Retaining Wall

- ### Site General Notes:
- Dimensions are measured from the Face of Curb, the Edge of Pavement, the Edge of Strip, or the Face of the Building (O) or the Centerline of Strip.
  - All radii shall be 4 feet or Curb unless otherwise specified.
  - Layout of Site Plan is based on and limited to survey information.
  - All Curb & Gutter shall be 24" wide per detail sheet.
  - All Pavements Marking shall be applied in accordance with the requirements outlined in the most current edition of the Manual on Uniform Traffic Control Devices (MUTCD).
  - All Signs, Traffic Control Devices, etc. shall follow the guidelines of the Manual on Uniform Traffic Control Devices (MUTCD).
  - The Contractor shall refer to the Architectural drawings for Building Floor Plans and Dimensions, Wall Sections, Door Openings, Building Utility Entrance Points, etc. The Contractor shall immediately notify the Architect and Engineer in the event that the Call Site Plans Building Layout does not match the Architectural drawings.
  - All hand-drawn notes shall be stamped with the contractor's name and date.
  - All paving materials shall be installed in accordance with the manufacturer's specifications.
  - It is the Contractor's responsibility to calculate construction staking coordinates according to the dimensions shown on these plans. The Contractor shall verify the accuracy of the coordinates shown on the plans and notify the Engineer of any irregularities before construction starts.
  - All ramps shall have detectable truncated dome panels per A.D.A. and city standards and the detail sheet.

### Site Information:

PROPERTY INFORMATION	
Gross Site Area:	319,950.18 sq ft
Proposed Dedicated R.O.W.:	73,908.14 sq ft
Net Site Area:	246,051.04 sq ft
Zoning:	L-1, Light Industrial

ZONING REGULATIONS	
Front Setback:	30 ft
Front Setback (with Parking):	50 ft
Side Setback:	0 ft
Rear Setback:	25 ft
Setback (Adjacent to Residential):	50 ft

SITE INFORMATION	
Total Parcel Area:	89,983.71 sq ft
Total Sidewalk Area:	2,600.00 sq ft
Total Building Area:	76,450.00 sq ft
Office Area:	1,200.00 sq ft
Auto Storage Area:	75,250.00 sq ft
Total Impervious Area:	166,693.71 sq ft
Total Pervious Area:	79,357.32 sq ft

PARKING REGULATIONS	
Required Spaces Ratio:	1 Space / 300 sq ft (Office)
Required Spaces (Total):	4
Provided Spaces (Total):	5
Required Accessible Spaces:	1
Provided Accessible Spaces:	1

### Sign Legend

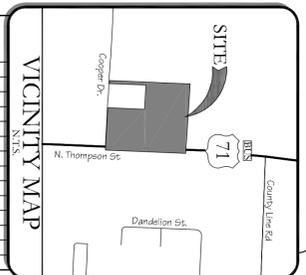
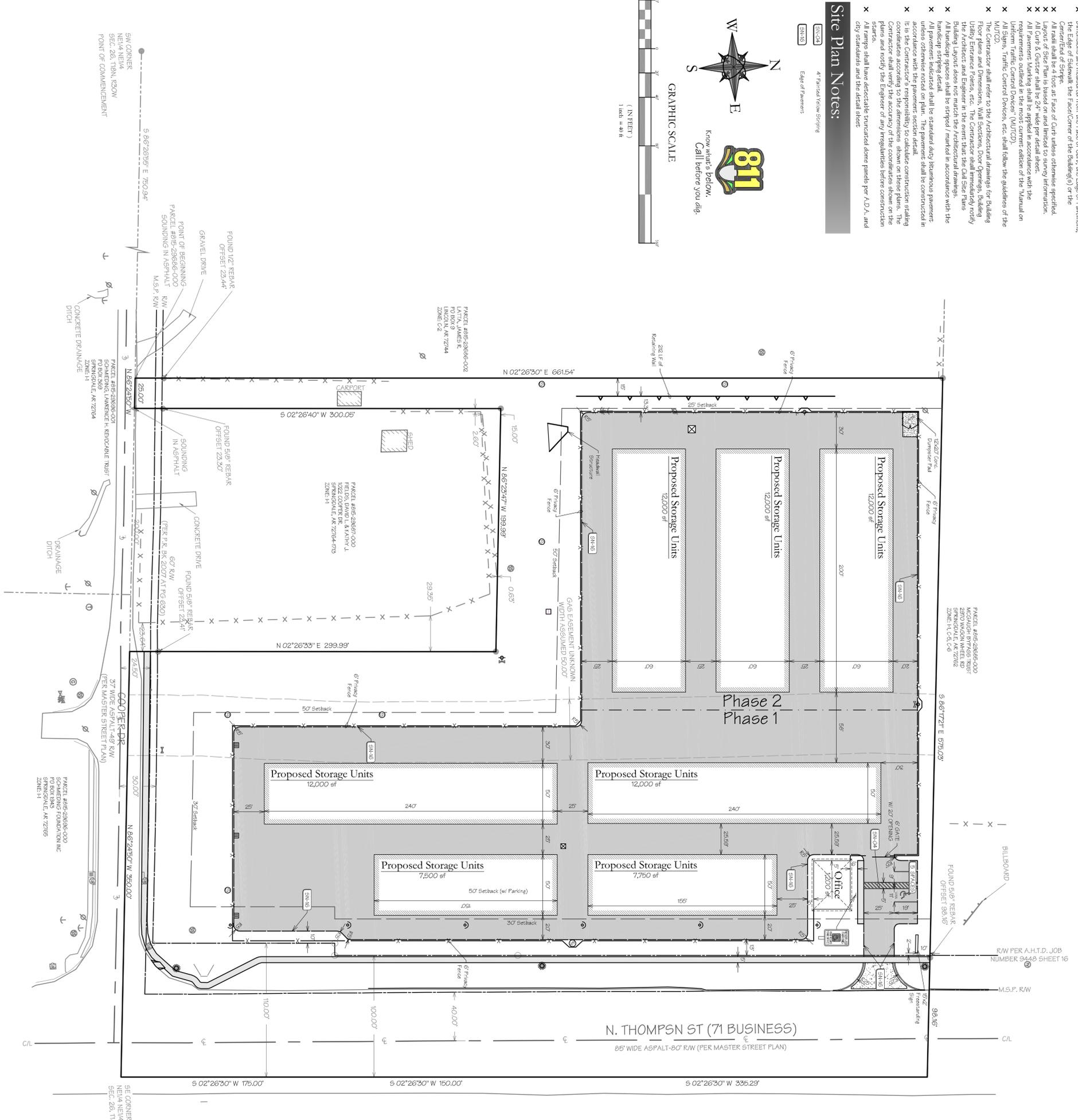
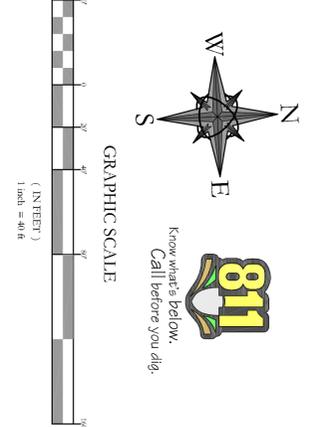
Symbol Code	Description	Size	Post Type
	Handicap Sign	12 x 18	U-Column

### Flood Statement:

BY GRAPHIC PLOTTING ONLY. NO PORTION OF THIS PROPERTY IS IN ZONE X, OR Y, OR VE, OR THE FLOOD INSURANCE RATE MAP. CONSULT THE FLOOD INSURANCE RATE MAP, WHICH BEGINS ON PAGE 1 OF THE FLOOD INSURANCE RATE MAP AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

### Site Plan Notes:

- 4' Paraded View Striping
- Edge of Pavement



REVISIONS:	DESCRIPTION	DATE
No.		

Site Plan  
L16-22

Large Scale Development for:

**Springdale Storage**  
N. Thompson St. and Cooper Dr.

**Henry Jordan**  
First Delta Development  
PO Box 242900 Little Rock, AR 72223  
(501) 821-6641

**NOT FOR CONSTRUCTION FOR REVIEW ONLY!!!**

**BLEW & ASSOCIATES, PA**  
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524 W. SYCAMORE ST. SUITE 4  
FAVETTEVILLE, ARKANSAS 72703  
OFFICE: 479.443.4506  
FAX: 479.582.1883  
www.blewinc.com

Certificate of Authorization No. 1534

PROJECT: 16-1226 Civil 003.dwg  
SCALE: As Shown  
DATE: 2016.10.19

DESIGNED BY: J. Remick  
CHECKED BY: [Signature]

DATE: 16-1226

PROJECT: 16-1226 Civil 003.dwg

SCALE: As Shown

DATE: 2016.10.19

DESIGNED BY: J. Remick

PROJECT: 16-1226 Civil 003.dwg

SCALE: As Shown

DATE: 2016.10.19

DESIGNED BY: J. Remick





### Proposed Features:

Feature	Description
	Property Line
	Onsite Property Line
	Right-of-Way Line
	Easement Line
	Street / Drive Centerline
	Curb and Gutter
	Concrete Sidewalk For Slope
	Thick Edge of Pavement
	Thin Edge of Pavement
	Asphalt Pavement (see Detail Sheet For Pavement Section)
	Concrete Pavement (see Detail Sheet For Pavement Section)
	Concrete Sidewalk (see Site Plan For Dimensions)
	General Erosion Line
	Erosion Plan For Type
	Chain Link Fence Line
	Board Fence Line
	Storm Catch Basin(s)
	Ditch Line
	Fallo Line / Grate Change Plan
	Storm Pipe (See Detail Sheet)
	Resolving Wall
	See Utility Plan For Line Sizes
	Water Line
	Tea, Cress, Berda, Gate Valve
	K&Reducer
	Fire Hydrant & Assembly
	Single Water Meter
	Double Water Meter
	Sanitary Sewer Main
	Sanitary Sewer Line
	Sanitary Sewer Manhole
	Utility Pole
	Light Pole

Note:  
See Survey For Existing Features Legend.  
See Cover Sheet For Abbreviation List.

### Erosion General Notes:

- A. The Storm Water Pollution Prevention Plan (SWPPP) is comprised of the Erosion Plan and the Construction Plan. The standard details and any related documents including the SWPPP, Erosion Plan, and Construction Plan shall be implemented as indicated by the notes on this drawing.
- B. Additional best management practices shall be implemented as dictated by conditions at the additional cost of owner or contractor at the discretion of the contractor.
- C. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.
- D. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.
- E. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.
- F. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.
- G. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.
- H. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.
- I. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.
- J. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.
- K. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.
- L. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.
- M. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.
- N. The contractor shall be responsible for obtaining all necessary permits, including any local requirements or municipal ordinances, and for obtaining all necessary approvals.

### Temp & Perm Controls:

Feature	Key	Description
	ENTK	Temporary Gravel Construction
	ENTW	Entrance
	STWV	Straw Bale Barrier
	SIFL	Silt Fence
	GRAS	Existing Grass (See Plan For Width)
	INLE	Inlet
	RIPR	Rip-rap (See Plan For Size)
	RCKD	Road Check Dams
	AVD	Anti-vertex Device

Note:  
Only symbols that appear on this sheet are shown in this legend.

### Sequence of Construction:

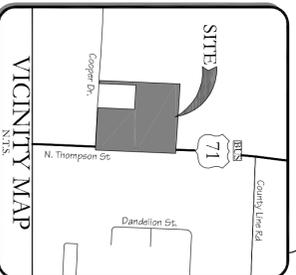
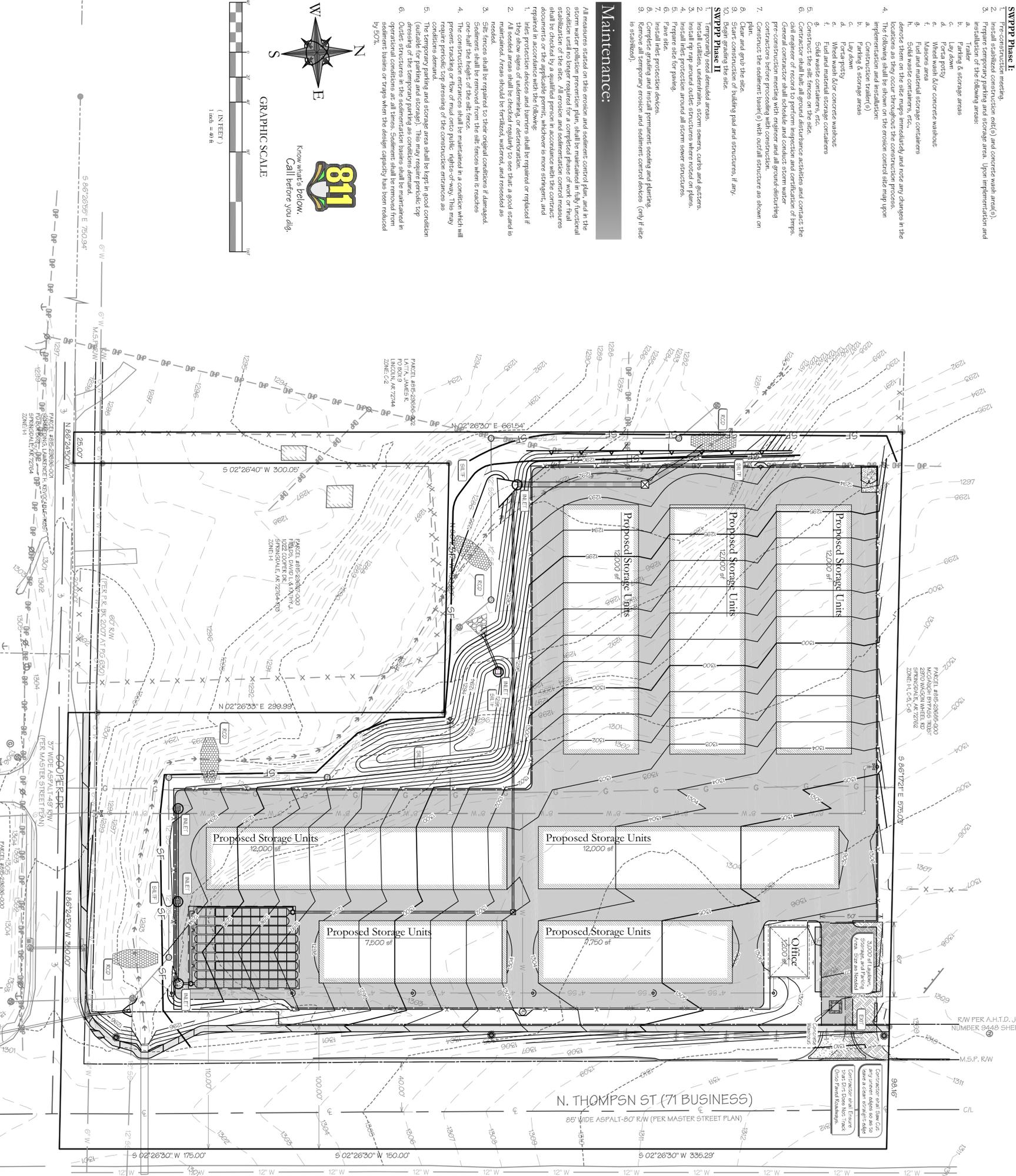
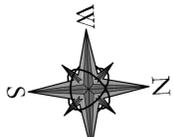
- SWPPP Phase I:**
1. Pre-construction meeting.
  2. Install stabilized construction exit(s) and concrete wash area(s).
  3. Prepare temporary parking and storage area. Upon implementation and installation of the following areas:
    - a. Trailer
    - b. Parking & storage areas
    - c. Port potty
    - d. Wheel wash &/or concrete washout
    - e. Mason area
    - f. Fuel and material storage containers
    - g. Solid waste containers, etc.
    - h. Denote them on the site maps immediately and note any changes in the location as they occur throughout the construction process.
  4. The following shall be shown on the erosion control site map upon implementation:
    - a. Construction trailer(s)
    - b. Parking & storage areas
    - c. Lay down
    - d. Port potty
    - e. Wheel wash &/or concrete washout
    - f. Fuel and material storage containers
    - g. Solid waste containers, etc.
  5. Construct the silt fences on the site.
  6. Implement the SWPPP Phase I measures and activities and contact the local engineer or official to perform inspection and certification of pre-construction meeting with engineer and conduct storm water pre-construction meeting with engineer and all ground-disturbing contractors before proceeding with construction.
  7. Construct the sediment basin(s) with outfall structure as shown on plan.
  8. Clear and grub the site.
  9. Start construction of building pad and structures, if any.
- SWPPP Phase II:**
1. Temporarily seed denuded areas.
  2. Install utilities, underground storm sewers, curbs and gutters.
  3. Install rip around outlet structures where noted on plans.
  4. Install their protection around all storm sewer structures.
  5. Prepare site for paving.
  6. Pave site.
  7. Install their protection devices.
  8. Complete grading and install permanent seeding and planting.
  9. Remove all temporary erosion and sediment control devices (only if site is stabilized).

### Maintenance:

- All measures started on this erosion and sediment control plan, and in the storm water pollution prevention plan, shall be maintained in fully functional condition until no longer required for a completed phase of work or final stabilization of the site. All erosion and sedimentation control measures shall be checked by a qualified person in accordance with the contract documents or the applicable permit, whichever is more stringent, and repaired in accordance with the following:
1. Silt fences shall be repaired or replaced if they show signs of undermining, or debris on top.
  2. All silt fences shall be maintained so that a good stand is maintained. Areas should be fertilized, watered, and mowed as needed.
  3. Silt fences shall be repaired to their original conditions if damaged. One-half the height of the silt fence.
  4. The construction entrance shall be maintained in a condition which will prevent tracking or flow of mud onto public right-of-way. This may require periodic top dressing of the construction entrance as needed.
  5. The temporary parking and storage area shall be kept in good condition (suitable for parking and storage). This may require periodic top dressing of the temporary parking and storage area as needed.
  6. Outlet structures in the sedimentation basins shall be maintained in operational conditions at all times. Sediment shall be removed from sediment basins or traps when the design capacity has been reduced by 50%.



GRAPHIC SCALE  
1 inch = 40 ft



REVISIONS:	PRE-REV	REV. NO.	DATE:
No.			

Erosion Control Plan Ph II  
L16-22

Large Scale Development for:

**Springdale Storage**  
N. Thompson St. and Cooper Dr.  
**Henry Jordan**  
First Delta Development  
PO Box 242900 Little Rock, AR 72223  
(501) 821-6641

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FAVETTEVILLE, ARKANSAS 72703  
OFFICE: 479.443.4506  
FAX: 479.582.1883  
www.blewinc.com

Certificate of Authorization No. 1534

DESIGNED BY: J. Rameck  
DATE: 2016.10.19  
SCALE: As Shown

PROJECT NO: 16-1226 Civil 003.dwg  
SHEET NO: C3-1



### Proposed Features:

Feature	Description
Property Line	Property Line
Onsite Property Line	Onsite Property Line
Right-of-Way Line	Right-of-Way Line
Easement Line	Easement Line
Street / Drive Centerline	Street / Drive Centerline
Curb and Gutter	Curb and Gutter
Tree Spacing (See Sheet)	Tree Spacing (See Sheet)
Thick Edge of Pavement	Thick Edge of Pavement
Edge of Pavement	Edge of Pavement
Appliable Pavement	Appliable Pavement (See Detail)
Concrete Pavement	Concrete Pavement (See Detail)
Sheet For Pavement Section	Sheet For Pavement Section
Concrete Sidewalk	Concrete Sidewalk (See Sheet Plan For Dimensions)
General Erosion Line	General Erosion Line (See Plan For Type)
Chain Link Fence Line	Chain Link Fence Line
Board Fence Line	Board Fence Line
Storm Catch Basin(s)	Storm Catch Basin(s)
Ditch Line	Ditch Line
Final Line / Grade Change Plan	Final Line / Grade Change Plan
Storm on Street (See Sheet)	Storm on Street (See Sheet)
Regrading Wall	Regrading Wall
See Utility Plan For Line Sizes	See Utility Plan For Line Sizes
Water Line	Water Line
Gas, Sewer, Bends, Gate Valve	Gas, Sewer, Bends, Gate Valve
Fire Hydrant & Assembly	Fire Hydrant & Assembly
Single Water Meter	Single Water Meter
Double Water Meter	Double Water Meter
Sanitary Sewer Main	Sanitary Sewer Main
Sanitary Sewer Line	Sanitary Sewer Line
Sanitary Sewer Manhole	Sanitary Sewer Manhole
Utility Pole	Utility Pole
Light Pole	Light Pole

Note:  
 Spot Survey For Existing Features Legend.  
 Spot Cover Sheet For Abandonment List.

### Grading Notes:

- PRE-CONSTRUCTION:**
- From start of site grading, erosion control measures shall be installed in accordance with the erosion control plan. These erosion control measures, as a minimum, shall include all site fencing, temporary sediment ponds, temporary construction entrance, and any other measures necessary to ensure that sediment does not leave the site.
  - Contractor shall notify the appropriate Utility Companies and the State One-Call System a minimum of 48 hours prior to any excavation for the location of any underground utilities. All utilities shall be marked by the contractor. If any utilities are not marked, the contractor shall be held liable for any damage to these utilities. All utilities located with all available information and that exact location of utility lines may not be accurate.
  - A pre-construction meeting shall be held on site once ALL Erosion Control Measures have been installed and prior to any site grading / construction demolition.
- GENERAL:**
- Contractor shall install all required equipment so as to comply with all Regulations.
  - Contractor shall coordinate with appropriate Utility Company as listed on the cover sheet for adjustment of utility lines affected by cut and fill.
  - Areas to be graded shall be cleared and grubbed so as to remove all organic material including but not limited to vegetation, trees, roots, debris or other materials that would affect the stability of the fill. If uncertainty exists as to the suitability of any material, the contractor shall have a Registered Geotechnical Engineer make the final determination.
  - Contractor shall ensure that the fill material be free of organic materials, frozen material, much, highly compressible materials, rocks, rubbish, timber, brush, stumps, building debris, and other materials that would negatively affect the fill material.
  - Contractor shall stock pile and maintain all good top soil removed from areas to be graded and filled for use in final grading all critical / unpaved areas.
  - Contractor shall proof roll subgrade of all areas to be paved prior to paving.
  - Contractor shall proof roll subgrade of all areas to be paved and replaced with select fill and compacted as noted in the pavement section shown on the detail sheets.
  - Contractor shall employ a Geotechnical Engineering / Inspection Firm registered with the State of Arkansas for inspection and testing of subgrade for proper compaction (95% standard proctor).
- STORM SYSTEM:**
- All drainage structures under paved areas and / or areas expecting heavy traffic loading shall be designed to meet 1.5 (S110) Heavy Duty (HD) Storm pipe / box shall be bedded in accordance with the bedding detail and in accordance with the specifications of ASTM D2231 (Latest edition available at <http://www.astm.org>).
  - Storm system is measured from the center of the box and from the end of the tapered end sections.
  - Drainage structures shall be constructed so that the appropriate section of the box, such as the gasket for curb inlets, the grate for drop inlets, is as close to the ground surface as possible. The contractor shall ensure that the contractor shall notify the engineer of record in the event of a discrepancy.
  - All drainage structures located within the State or Local Right of Way shall be constructed in accordance with the specifications and details of the Appropriate Governing Agency.

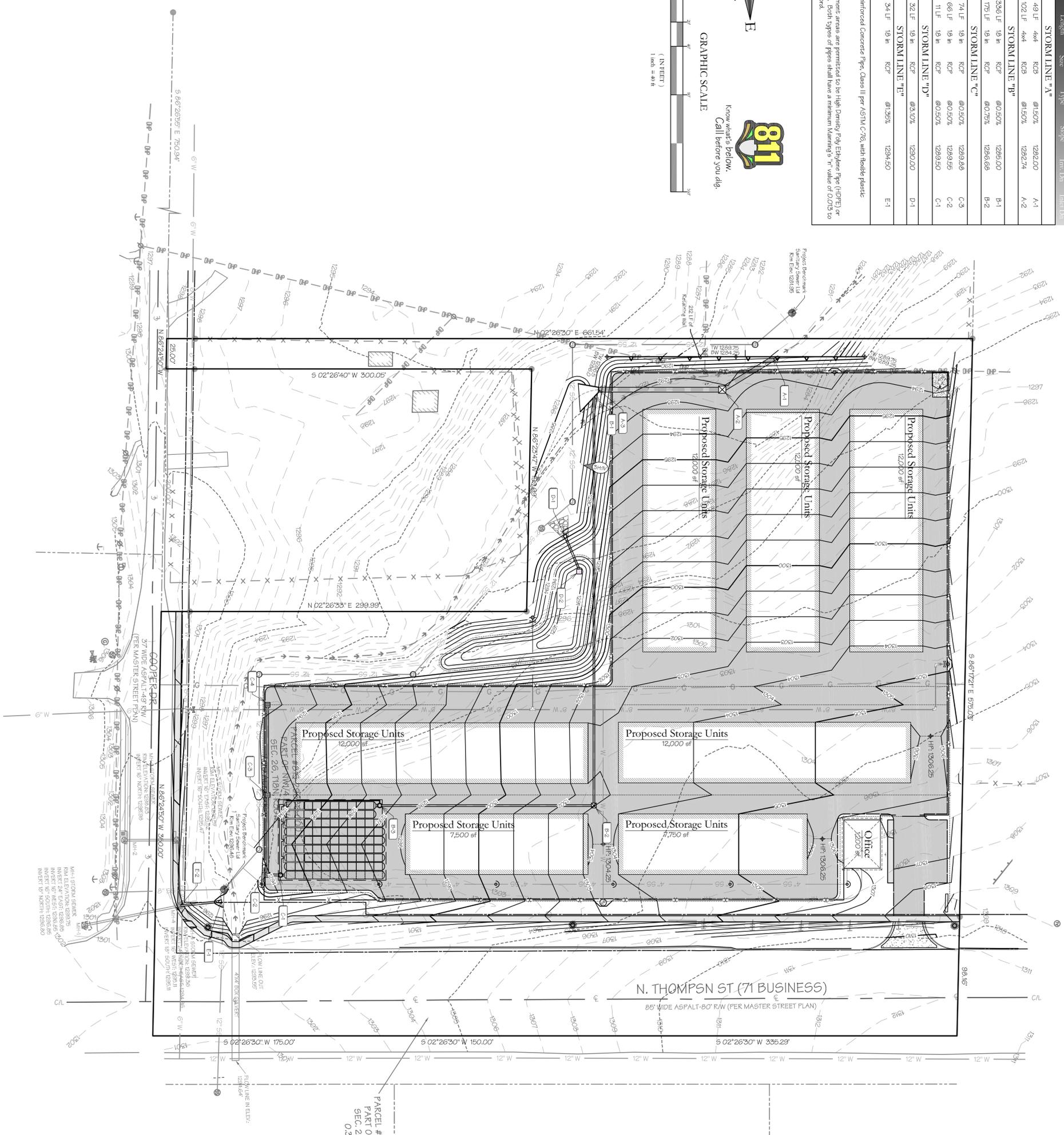
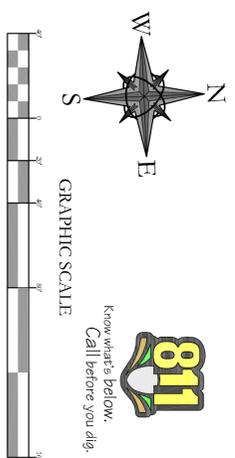
### POST-CONSTRUCTION:

- Contractor shall notify any area to receive top soil to a min. depth of 3".
- All areas receiving top soil shall be seeded and / or sodded in accordance with the landscape plan. The area shall be watered until a heavy cover of grass has been established and 80% of the site has been stabilized in accordance with ADEC'S Construction General Permit (ARR50000).
- Once the site has reached final stabilization in accordance to the requirements set forth in a city's construction general permit, the contractor shall file a notice of termination.

### Storm Sewer Schedule 12

Inlet Elev.	Top Elev.	Inlet Elev.	Length	Type	Slope	Inlet Dia.	Inlet Dia.
<b>STORMLINE "A"</b>							
A-2	1292.74	49 LF	R2B	R2B	@1.50%	1292.00	A-1
A-3	1292.50	1294.27	102 LF	R2B	@1.50%	1292.74	A-2
<b>STORMLINE "B"</b>							
B-2	1293.00	1296.68	336 LF	R2P	@0.50%	1295.00	B-1
B-3	1296.50	1297.99	175 LF	R2P	@0.75%	1296.68	B-2
<b>STORMLINE "C"</b>							
C-4	1292.50	1293.26	74 LF	R2P	@0.50%	1293.88	C-3
C-3	1293.50	1299.88	66 LF	R2P	@0.50%	1299.55	C-2
C-2	1293.75	1293.55	11 LF	R2P	@0.50%	1293.50	C-1
<b>STORMLINE "D"</b>							
D-2	1291.00	32 LF	R2P	R2P	@3.00%	1290.00	D-1
<b>STORMLINE "E"</b>							
E-2	1299.36	1294.96	34 LF	R2P	@1.35%	1294.50	E-1

1 - Storm Sewer Pipes shall be Reinforced Concrete Pipe, Class III per ASTM C-76, with flexible plastic bottom gaskets as joints.  
 2 - Pipes not located under pavement areas are permitted to be High Density Polyethylene Pipe (HDPE) or Smooth Lined Metal Pipe (SLMP). Both types of pipes shall have a minimum Manning's "n" value of 0.015 to be verified by the Engineer of Record.



**REVISIONS:**

No.	DESCRIPTION	DATE

**VICINITY MAP**

Grading & Drainage Plan  
 L16-22

Large Scale Development for:

**Springdale Storage**  
 N. Thompson St. and Cooper Dr.  
**Henry Jordan**  
 First Delta Development  
 PO Box 242900 Little Rock, AR 72223  
 (501) 821-6641

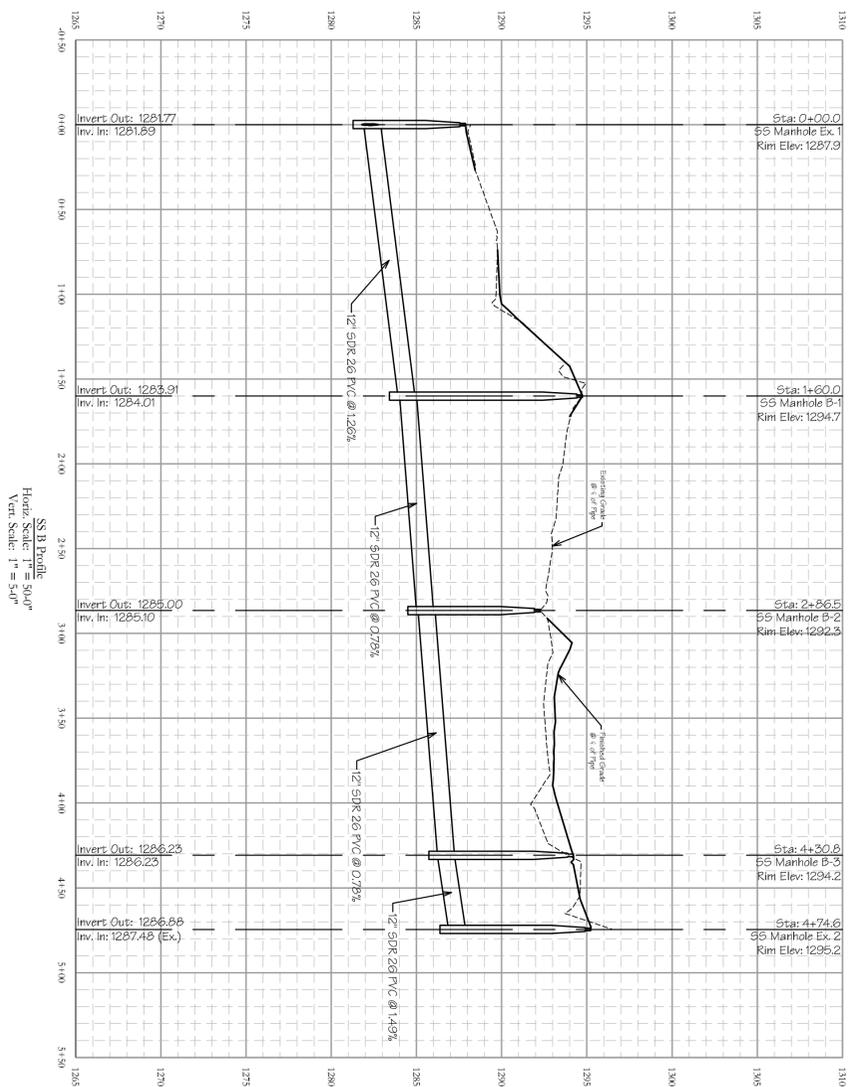
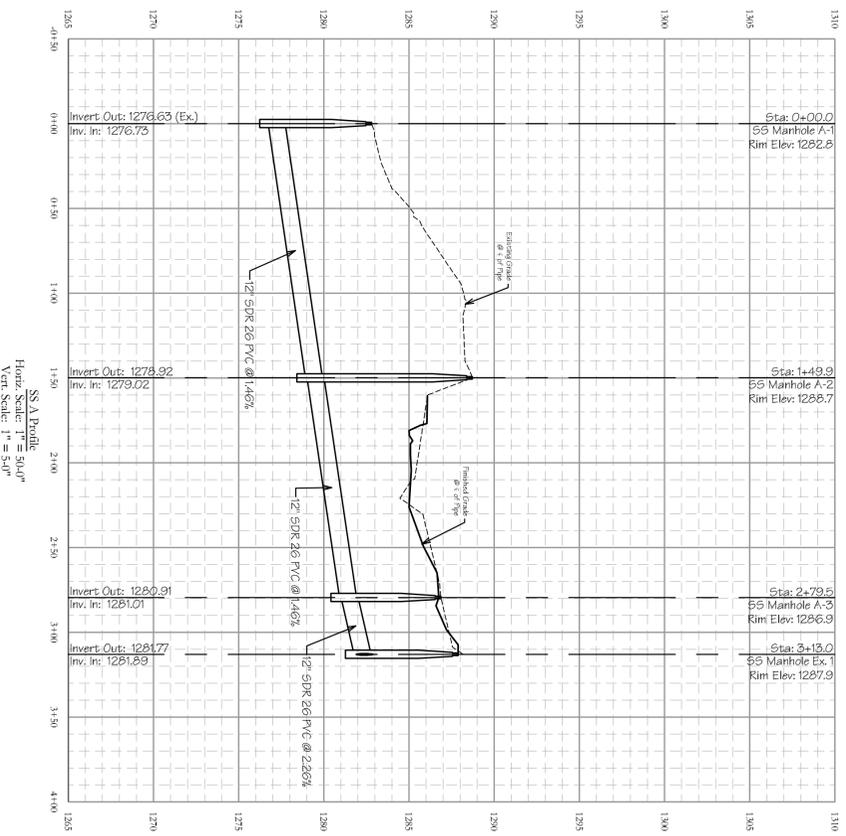
**NOT FOR CONSTRUCTION FOR REVIEW ONLY!**

**BLEW & ASSOCIATES, PA**  
 CIVIL ENGINEERS & LAND SURVEYORS  
 524 W. ST. CAMORE ST. SUITE 4  
 FAYETTEVILLE, ARKANSAS 72703  
 OFFICE: 479.443.4506  
 FAX: 479.582.1883  
 www.blewinc.com

Certificate of Authorization No. 1534

PROJECT NO: J. Rannick  
 DATE: 2016-10-19  
 SCALE: As Shown  
 DRAWING NO: 16-1226  
 SHEET NO: C4





**BLEW & ASSOCIATES, PA**  
 CIVIL ENGINEERS & LAND SURVEYORS  
 524 W. SYCAMORE ST. SUITE 4  
 FAYETTEVILLE, ARKANSAS 72703  
 OFFICE: 479.443.4506  
 FAX: 479.582.1883  
 WWW.BLEWINC.COM

Certificate of Authorization No. 1534

DESIGNED BY: J. Rannick  
 DATE: 2016.10.19  
 SCALE: As Noted

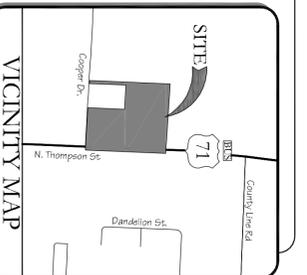
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 SHEET: C5-1

**NOT FOR CONSTRUCTION FOR REVIEW ONLY!!!**

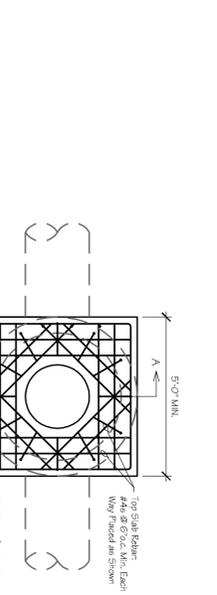
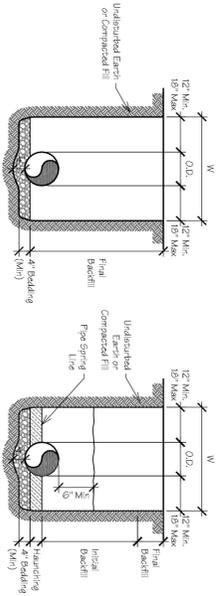
Sanitary Sewer Plan & Profiles  
 L16-22

Large Scale Development for:  
**Springdale Storage**  
 N. Thompson St. and Cooper Dr.  
**Henry Jordan**  
 First Delta Development  
 PO Box 242900 Little Rock, AR 72223  
 (501) 821-6641

REVISIONS:	DESCRIPTION	DATE
No:		





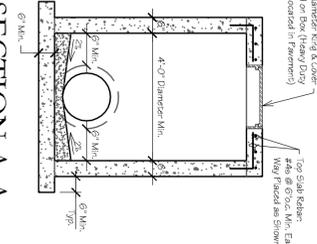
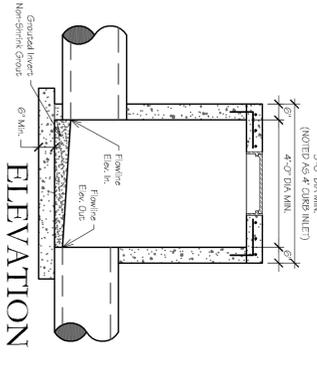


**Rigid Pipe**  
NOT TO SCALE

**Flexible Pipe**  
NOT TO SCALE

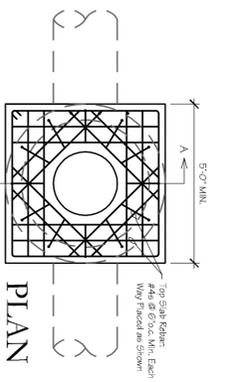
- GENERAL NOTES**
- BEDDING SHALL BE CLASS I-A WORKED BY HAND IF SO INDICATED. ALL AREAS CAN BE CLASS I-A OR CLASS I-B OR CLASS I-C COMPACTED TO 95% STANDARD PROCTOR. SEE SPECIFICATIONS FOR GRADATION.
  - HAUNCHING SHALL BE WORKED AROUND THE PIPE BY HAND TO ELIMINATE VOIDS AND SHALL BE CLASS I-A OR CLASS I-B OR CLASS I-C COMPACTED TO 95% STANDARD PROCTOR.
  - INITIAL BACKFILL SHALL BE CLASS I-A WORKED TO 95% STANDARD PROCTOR.
  - INITIAL BACKFILL NOT UNDER PAVED AREAS SHALL BE CLASS I-A OR CLASS I-B OR CLASS I-C COMPACTED TO 95% STANDARD PROCTOR.
  - FINAL BACKFILL SHALL BE CLASS I-C OR I-B COMPACTED TO 95% STANDARD PROCTOR. COMPACTED AS NOTED IN NOTES 1, 3, AND 4.
  - CONTRACTOR SHALL REFER TO THE GEOTECHNICAL REPORT FOR THE SOIL TYPES LOCATED ON THE SITE AND SHALL FOLLOW THE GEOTECH RECOMMENDATIONS.

**Storm Sewer Trench and Bedding**  
NOT TO SCALE

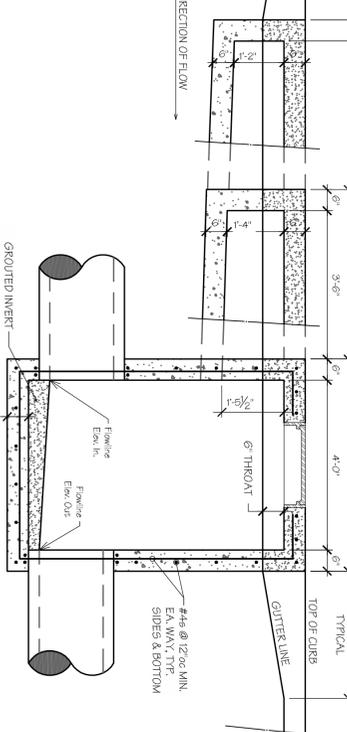
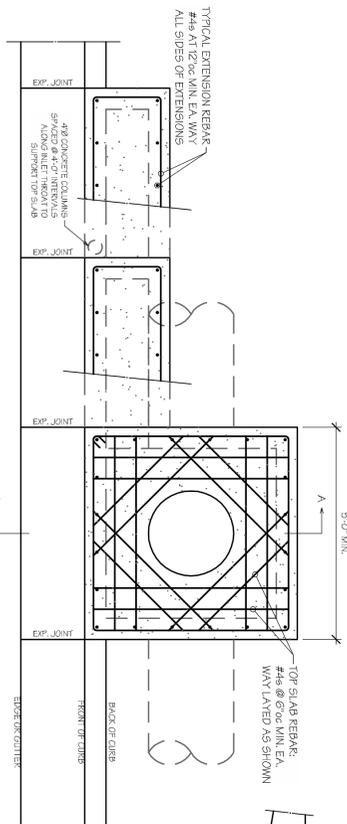


**Junction Box**  
Scale: 1/2" = 1'-0"

**SECTION A-A**  
Scale: 1/2" = 1'-0"



- NOTES**
- Reinforcing bars shall be cut to clear openings by 1/2"
  - 3,000 PSI and 20# mesh
  - All reinforcing bars shall have 1/2" minimum cover.

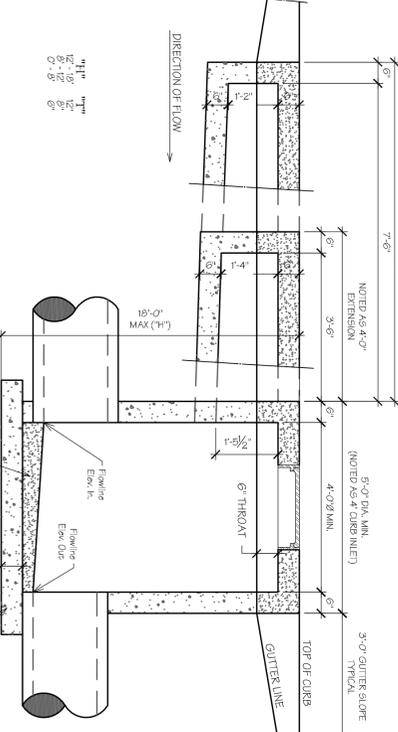
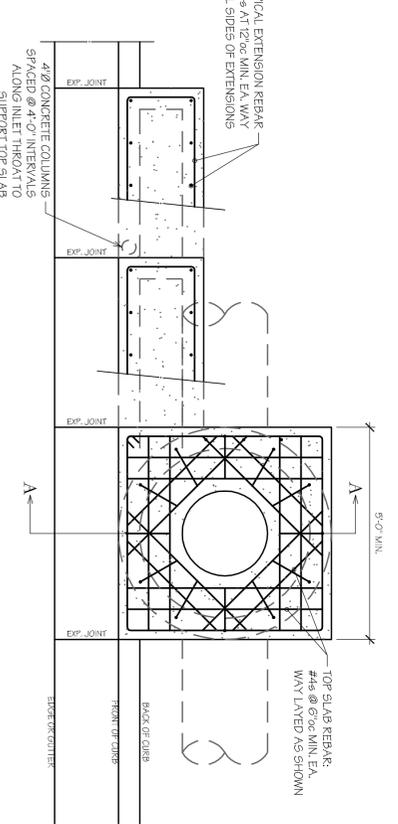


- NOTES**
- REINFORCING BARS SHALL BE CUT TO CLEAR OPENINGS BY 1/2"
  - PROVIDE 3/4" CHAMFER ON ALL EXPOSED CORNERS.
  - ALL REINFORCING BARS SHALL HAVE 1/2" MINIMUM COVER.

**Curb Inlet Type I**  
Scale: 1/2" = 1'-0"

- NOTES**
- REINFORCING BARS SHALL BE CUT TO CLEAR OPENINGS BY 1/2"
  - PROVIDE 3/4" CHAMFER ON ALL EXPOSED CORNERS.
  - ALL REINFORCING BARS SHALL HAVE 1/2" MINIMUM COVER.

**SECTION A-A**  
Scale: 1/2" = 1'-0"

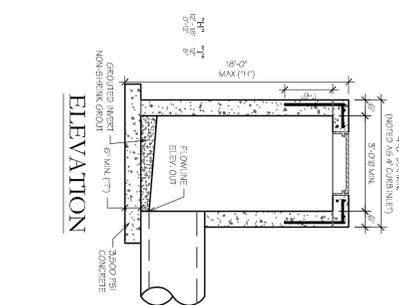
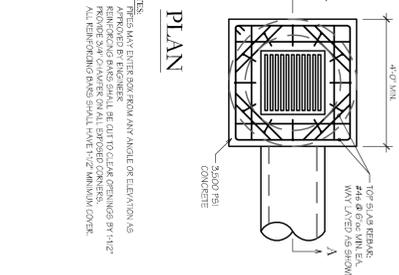


- NOTES**
- REINFORCING BARS SHALL BE CUT TO CLEAR OPENINGS BY 1/2"
  - PROVIDE 3/4" CHAMFER ON ALL EXPOSED CORNERS.
  - ALL REINFORCING BARS SHALL HAVE 1/2" MINIMUM COVER.

**Curb Inlet Type II**  
Scale: 1/2" = 1'-0"

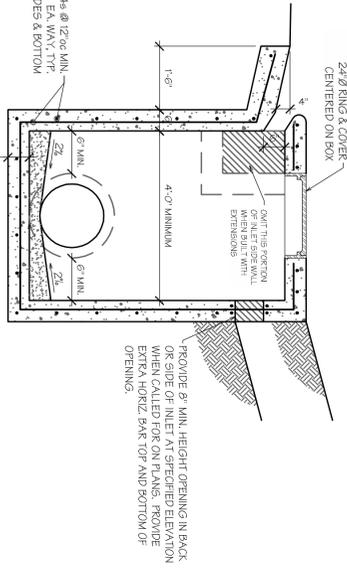
- NOTES**
- REINFORCING BARS SHALL BE CUT TO CLEAR OPENINGS BY 1/2"
  - PROVIDE 3/4" CHAMFER ON ALL EXPOSED CORNERS.
  - ALL REINFORCING BARS SHALL HAVE 1/2" MINIMUM COVER.

**SECTION A-A**  
Scale: 1/2" = 1'-0"

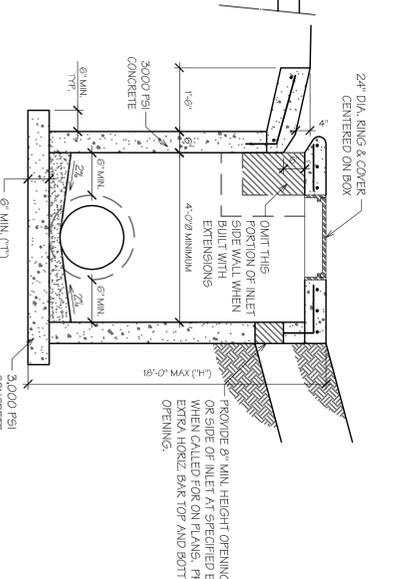


- NOTES**
- REINFORCING BARS SHALL BE CUT TO CLEAR OPENINGS BY 1/2"
  - PROVIDE 3/4" CHAMFER ON ALL EXPOSED CORNERS.
  - ALL REINFORCING BARS SHALL HAVE 1/2" MINIMUM COVER.

**Grated Inlet**  
Scale: 1/2" = 1'-0"



**SECTION A-A**  
Scale: 1/2" = 1'-0"



**SECTION A-A**  
Scale: 1/2" = 1'-0"

**NOT FOR CONSTRUCTION FOR REVIEW ONLY!!!**

Details

Large Scale Development for:

**Springdale Storage**  
N. Thompson St. and Cooper Dr.  
**Henry Jordan**  
First Delta Development  
PO Box 242900 Little Rock, AR 72223  
(501) 821-6641

REVISIONS:

NO.	DESCRIPTION	DATE

**SITE**

**BLEW & ASSOCIATES, PA**  
CIVIL ENGINEERS & LAND SURVEYORS  
524 W. SYCAMORE ST., SUITE 4  
FAVETTEVILLE, ARKANSAS 72703  
OFFICE: 479.443.4606  
FAX: 479.582.1883  
www.blewinc.com

Certificate of Authorization No. 1534

PROJECT NO: 16-1226  
DATE: 2016-10-19  
SCALE: AS SHOWN

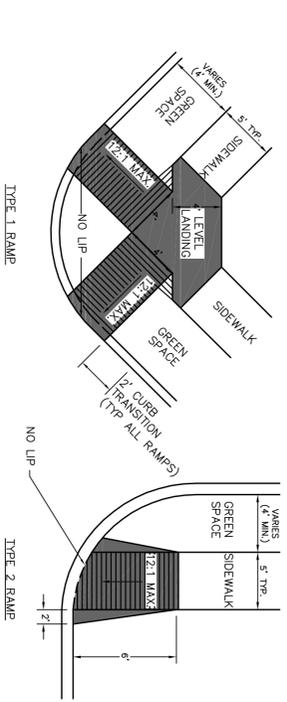
DATE: 16-1226  
BY: J. Rasmick

16-1226 Details 002.dwg

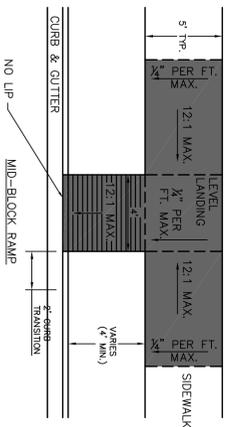
**C6-1**





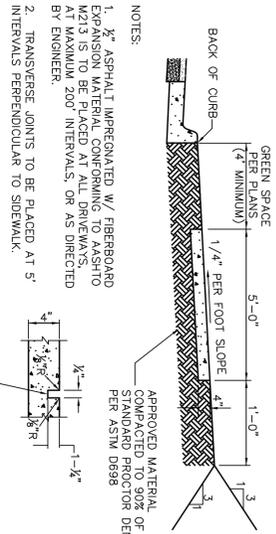


- NOTES:
1. THE LENGTH OF THE RAMP SHALL BE SUCH THAT THE SLOPE DOES NOT EXCEED 12:1.
  2. THE NORMAL GUTTER SHALL BE MAINTAINED THROUGH THE AREA OF THE RAMP.
  3. THE MINIMUM THICKNESS FOR THE RAMP, WALK, & LANDING SHALL BE 4".



**WHEELCHAIR RAMP DETAILS**

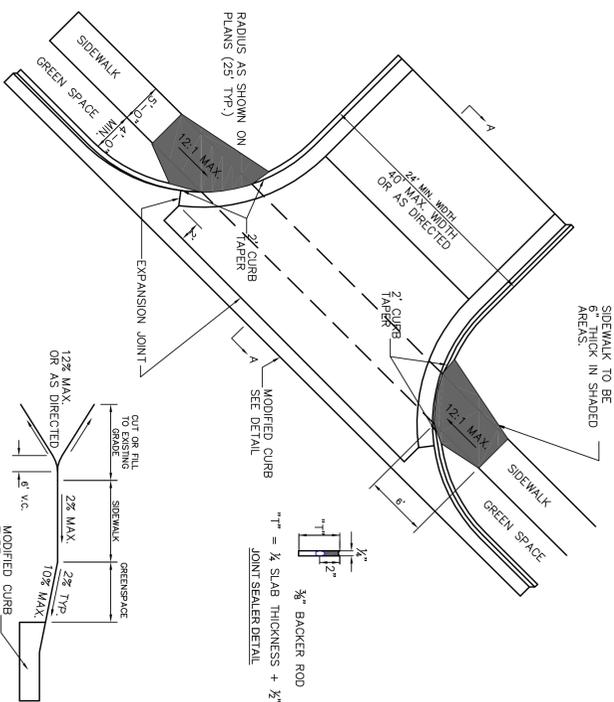
NOT TO SCALE



- NOTES:
1. 1/2" ASPHALT IMPREGNATED W/ FIBERGLASS EXPANSION MATERIAL CONFORMING TO AASHTO M213 IS TO BE PLACED AT ALL DRIVEWAYS, AT MAXIMUM 200' INTERVALS, OR AS DIRECTED BY ENGINEER.
  2. TRANSVERSE JOINTS TO BE PLACED AT 5' INTERVALS PERPENDICULAR TO SIDEWALK.
  3. SAWED JOINTS MAY BE USED INSTEAD OF TOOLED JOINTS. ALL SAWED JOINTS SHALL BE SEALED USING AN APPROVED SEALANT.
  4. OTHER JOINTS MAY BE REQUIRED IF DIRECTED BY THE ENGINEER.
  5. CONCRETE FOR SIDEWALK TO BE CLASS A, 3000 PSI, 5/8" 4-7/8" AIR ENTRAINMENT.

**SIDEWALK DETAIL**

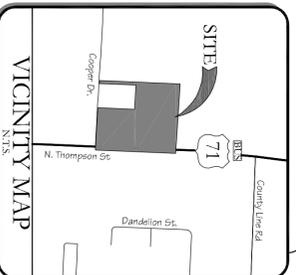
NOT TO SCALE



- NOTES:
1. DRIVEWAY TO BE CONSTRUCTED TO THE RADIUS TANGENT POINTS AND ALSO TO STREET R/W AS DIRECTED, IF NEEDED.
  1. 1/2" PRE-FORMED EXPANSION MATERIAL CONFORMING TO AASHTO M213, ASTM-D-1752, TYPE 1 OR REDWOOD SHALL BE PLACED AS SHOWN, OR AS DIRECTED BY THE ENGINEER.
  2. CONCRETE CURB TO BE SAWCUT AT 15' INTERVALS PERPENDICULAR TO THE GUTTER LINE AND SEALED SEE DETAIL.
  3. HANDICAP RAMP COMPLYING WITH A.D.A. REQUIREMENTS TO BE CONSTRUCTED AT ALL COMMERCIAL DRIVEWAYS.
  4. CONTRACTION JOINTS TO BE PLACED IN CONCRETE DRIVEWAY SO THAT NO SLAB DIMENSION IS MORE THAN 15'.
  5. DRIVEWAY SECTION TO BE 3" ASPHALT WITH 6" AGGREGATE BASE COURSE UNLESS OTHERWISE SPECIFIED.

**COMMERCIAL DRIVEWAY DETAIL**

NOT TO SCALE



REVISIONS:	DESCRIPTION	DATE
PRE-REV		
REV-REV		

City of Springdale Details

Large Scale Development for:

**Springdale Storage**  
 N. Thompson St. and Cooper Dr.  
**Henry Jordan**  
 First Delta Development  
 PO Box 242900 Little Rock, AR 72223  
 (501) 821-6641

**NOT FOR CONSTRUCTION FOR REVIEW ONLY!!!**

**BLEW & ASSOCIATES, PA**  
 CIVIL ENGINEERS & LAND SURVEYORS  
 524 W. SYCAMORE ST. SUITE 4  
 FAYETTEVILLE, ARKANSAS 72703  
 OFFICE: 479.443.4606  
 FAX: 479.582.1883  
 www.blewinc.com

Certificate of Authorization No. 1534

DESIGNED BY: J. Rasmick  
 DRAWN BY: J. Rasmick  
 CHECKED BY: J. Rasmick  
 DATE: 2016.10.19  
 SCALE: As Noted  
 PROJECT: 16-1226 Details 002.dwg  
 SHEET NUMBER: C6-4

Staff Use Only

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

File #

B16-63

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: Joi R Ball Trustee

Applicant's Mailing Address:

P.O. Box 205

Street Address or P.O. Box

Eureka Springs, AR 72632-0205

City, State & Zip Code

870-420-2298

Telephone Number

Property Owner's Name

(If different from Applicant): Same as Applicant

Property Owner's Mailing Address:

(If different from Applicant):

Street Address or P.O. Box

Telephone Number

City, State & Zip Code

Address of Variance Request: Lot 38 in the Silent Knoll Subdivision (Parcel ID: 21-02576-000)

Zoning District: SF-2 (Low/Medium Density Single Family Residential District)

**The following information should be attached to this application:**

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

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

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

**SETBACK VARIANCES:**

Not Applicable

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

Required: Front: 30' Side: 8' Back: 20'  
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: Variable\* Side: 8' Back: 20'  
(if granted what the setback would be.)

Variance: Front: Variable\* Side: 0' Back: 0'  
(The difference between the "Required" and the "Requested" setback)

\*Variance request is for a corner lot. See Attached Exhibit A

**VARIANCES OTHER THAN SETBACK:**

Not Applicable

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

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Setback variance only. Exhibit drawings are attached which graphically illustrate location and size of the

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requested variance for Lot 38. Exhibit A – Building Setback Detail for Lot 38

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Exhibit B – Vicinity Map

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

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

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

The special condition is the shape of this corner lot. The property line is rounded and narrowed at the

southeast corner which renders it practically unbuildable with a residential structure that conforms with

general size, appearance, and style of existing homes in the development. Variance is for a corner lot which

has three front setbacks. The variance will only apply to the front setbacks to the south and east -- which

will actually be the back and side of the house, respectively.

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

The right to develop the property.

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

The special condition is a result of the size and shape of the lot as created when the subdivision Final

Plat was filed. Applicant was not the developer of the subdivision and not responsible for the creation

of the unusually shaped and narrow lot.

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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.

The Ball Trust dated 9/8/05  
 Joe R. Ball - trustee  
 \_\_\_\_\_  
 Applicant Signature\*

\_\_\_\_\_  
 Property Owner Signature\*  
 (If different from Applicant)

\_\_\_\_\_  
 Applicant Signature\*

\_\_\_\_\_  
 Property Owner Signature\*  
 (If different from Applicant)

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

State of Arkansas )  
 ) ss.  
 County of Carroll )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 11<sup>th</sup> day of October, 2016.

JULIE CLARK  
 NOTARY PUBLIC-STATE OF ARKANSAS  
 CARROLL COUNTY  
 My Commission Expires 04-24-2018  
 Commission # 12366139

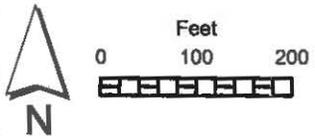
Julie Clark  
 Notary Public



Public hearing sign posted: 10/21/2016

Public hearing sign posted by: CS

**S** Public Hearing Sign Location



**FILE NO. B16-63**  
**APPLICANT: JOI R. BALL, TRUSTEE OF BALL TRUST**  
**VARIANCE REQUEST: REDUCTION OF FRONT SETBACK**  
**30' TO 25'**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**NOVEMBER 1ST, 2016**

48

PARCEL# 21-02586-000  
TRIO HOLDINGS LLC  
1800 S OSAGE SPRINGS DR STE 200  
ROGERS AR 72758-8325

49

PARCEL# 21-02587-000  
TRIO HOLDINGS LLC  
1800 S OSAGE SPRINGS DR STE 200  
ROGERS AR 72758-8325

50A

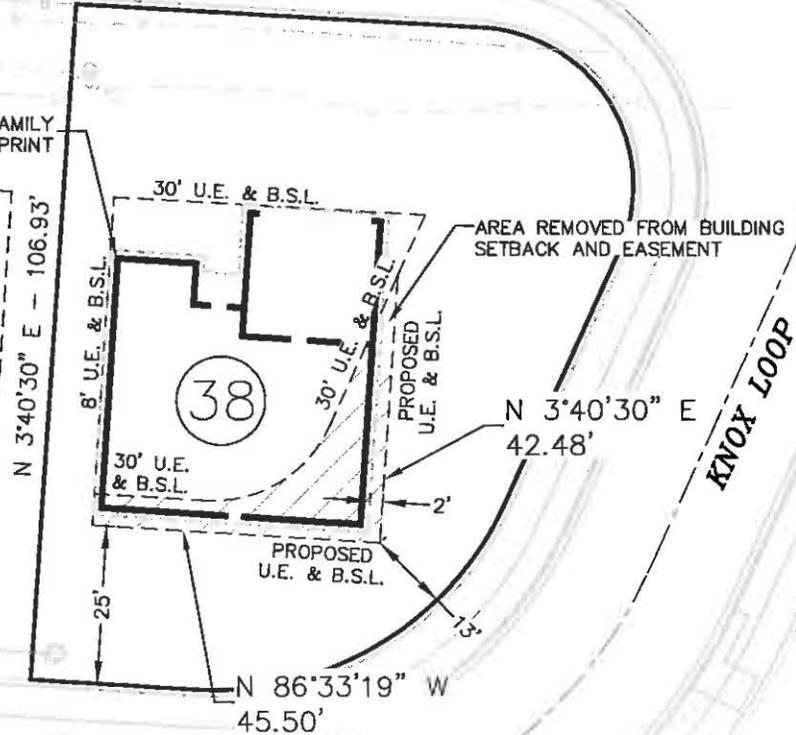
PARCEL# 21-02588-000  
TRIO HOLDINGS LLC  
1800 S OSAGE SPRINGS DR STE 200  
ROGERS AR 72758-8325

CHERRY KNOLL CIRCLE

PROPOSED SINGLE FAMILY HOME FOOTPRINT  
30' U.E. & B.S.L.

PARCEL# 21-02577-000  
TRIO HOLDINGS LLC  
2468 N 56TH ST  
SPRINGDALE AR 72762-0169

39



KNOX LOOP

37

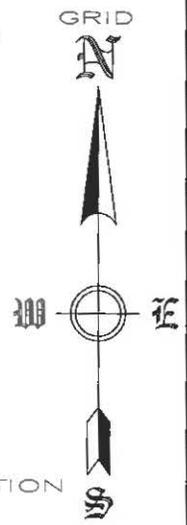
PARCEL# 21-02575-000  
TRIO HOLDINGS LLC  
2468 N 56TH ST  
SPRINGDALE AR 72762-0169

25' U.E. & B.S.L.

KNOX LOOP

35

PARCEL# 21-02574-000  
TRIO HOLDINGS LLC  
2468 N 56TH ST  
SPRINGDALE AR 72762-0169



34

PARCEL# 21-02573-000  
TRIO HOLDINGS LLC  
2468 N 56TH ST  
SPRINGDALE AR 72762-0169

PARCEL# 21-02571-000  
TRIO HOLDINGS LLC  
2468 N 56TH ST  
SPRINGDALE AR 72762-0169

32

33

PARCEL# 21-02572-000  
TRIO HOLDINGS LLC  
2468 N 56TH ST  
SPRINGDALE AR 72762-0169

BUILDING SETBACK TABLE	
FRONT	30'
REAR	20'
SIDE	8'

NOTES:

1. DIMENSIONS ARE PERPENDICULAR TO PROPERTY LINES.
2. THIS PLOT DEPICTS FUTURE CONSTRUCTION IMPROVEMENTS AS SHOWN.
3. THIS IS NOT A BOUNDARY SURVEY, IT IS NOT INTENDED FOR THE TRANSFER OF TITLE.
4. ALL DIMENSIONS MEASURED TO BLOCK LINE OF HOUSE.
5. CURRENT ZONING: SF-2

**EXHIBIT A** SCALE 1" = 30'

**UTILITY EASEMENT & BUILDING SET BACK EXHIBIT**

Knox Loop / Cherry Knoll Circle  
Lot 38 - Silent Knoll Subdivision  
Springdale, Benton County, Arkansas

DWG: Z:\Subd\13930-Silent Knoll\Lot 38 Plot Plan.dwg  
DATE: Oct. 3, 2016  
SCALE 1" = 30'

ENGINEERING SERVICES, INC.  
CONSULTING ENGINEERS AND SURVEYORS  
1207 S. OLD MISSOURI ROAD  
SPRINGDALE, ARKANSAS

Staff Use Only

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

File #

B16-64

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: Ethan and Michelle Pennington

Applicant's Mailing Address:

3460 Brian ST  
Street Address or P.O. Box  
Springdale, AR 72764  
City, State & Zip Code

479-750-3088  
Telephone Number

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

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

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

\_\_\_\_\_  
Telephone Number

Address of Variance Request: 3460 Brian ST Springdale, AR 72764

Zoning District: SF-2

**The following information should be attached to this application:**

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

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

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

**SETBACK VARIANCES:**

*Not Applicable*

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

Required: Front: \_\_\_\_\_ Side: 8' Back: \_\_\_\_\_  
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: \_\_\_\_\_ Side: 3' Back: \_\_\_\_\_  
(if granted what the setback would be.)

Variance: Front: \_\_\_\_\_ Side: 5' 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.*

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**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):**

We have enclosed, with a permit, an existing roofed patio. This patio and roof were part of the home when we bought it in 2005 and it was not new construction at that time, and so we believed it was original to the home.

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):**

When we applied for a permit, measurements and drawings were submitted. We were granted a permit, and only learned about the setback issue from the building inspector after we had invested a large amount of money and construction was nearly complete.

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):**

When we began the process of enclosing the patio, we tried to do everything properly. We regret and are sorry that this patio is encroaching in the setback, but hope the city will grant us a variance. \*see attachment

We believed that when we were granted a permit, that it meant the patio enclosure met all city requirements. Because the city inspection did not occur until construction was nearly complete, we will suffer a huge financial loss if we are not granted a variance.

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

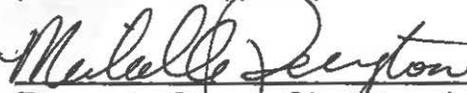
**VERIFICATION**

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

\_\_\_\_\_  
Applicant Signature\*

  
\_\_\_\_\_  
Property Owner Signature\*  
(If different from Applicant)

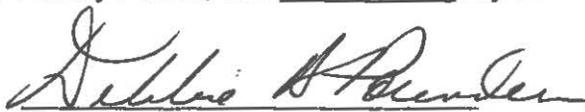
\_\_\_\_\_  
Applicant Signature\*

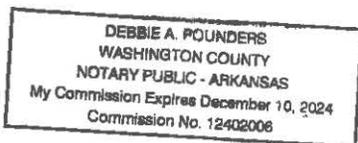
  
\_\_\_\_\_  
Property Owner Signature\*  
(If different from Applicant)

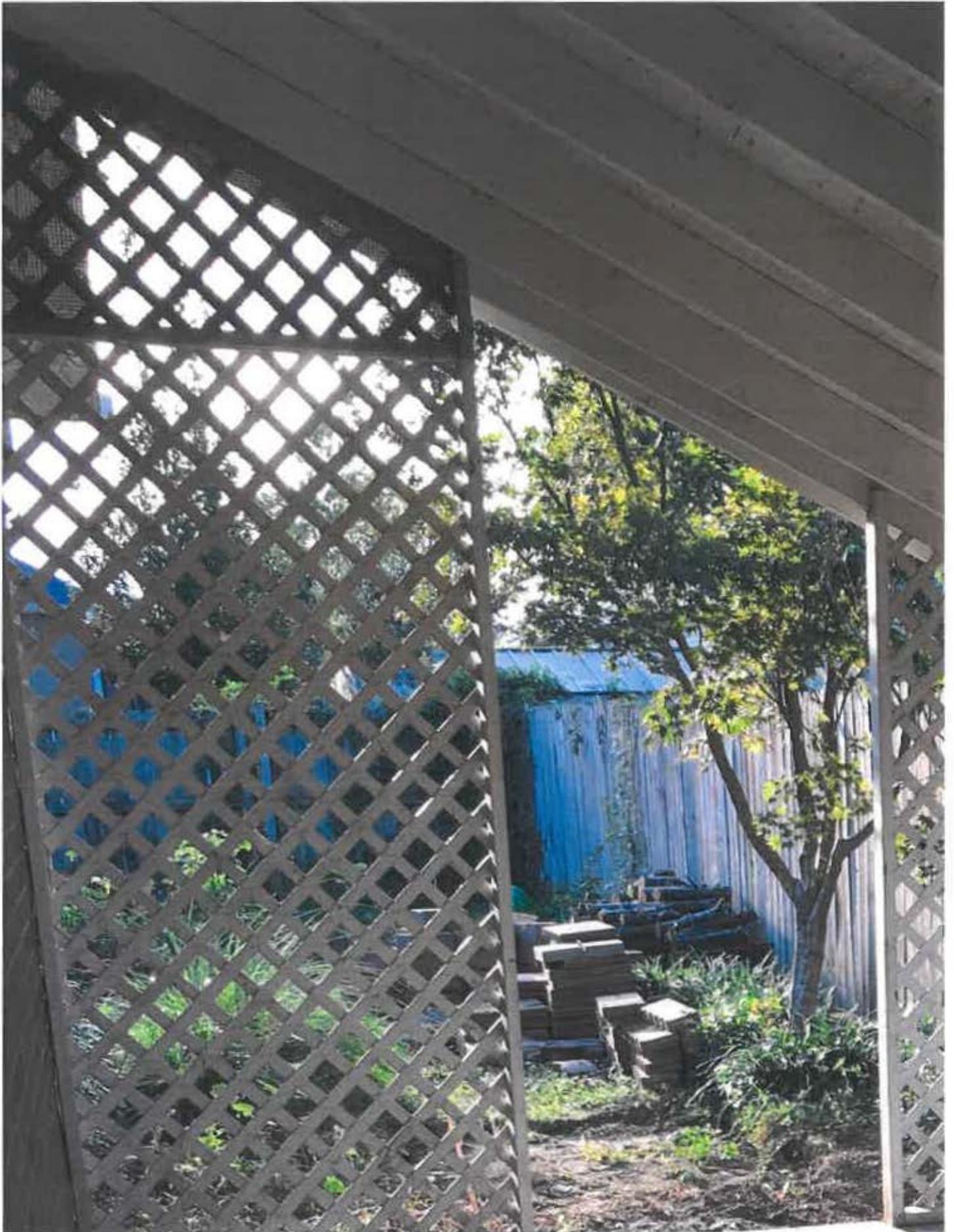
\*If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.

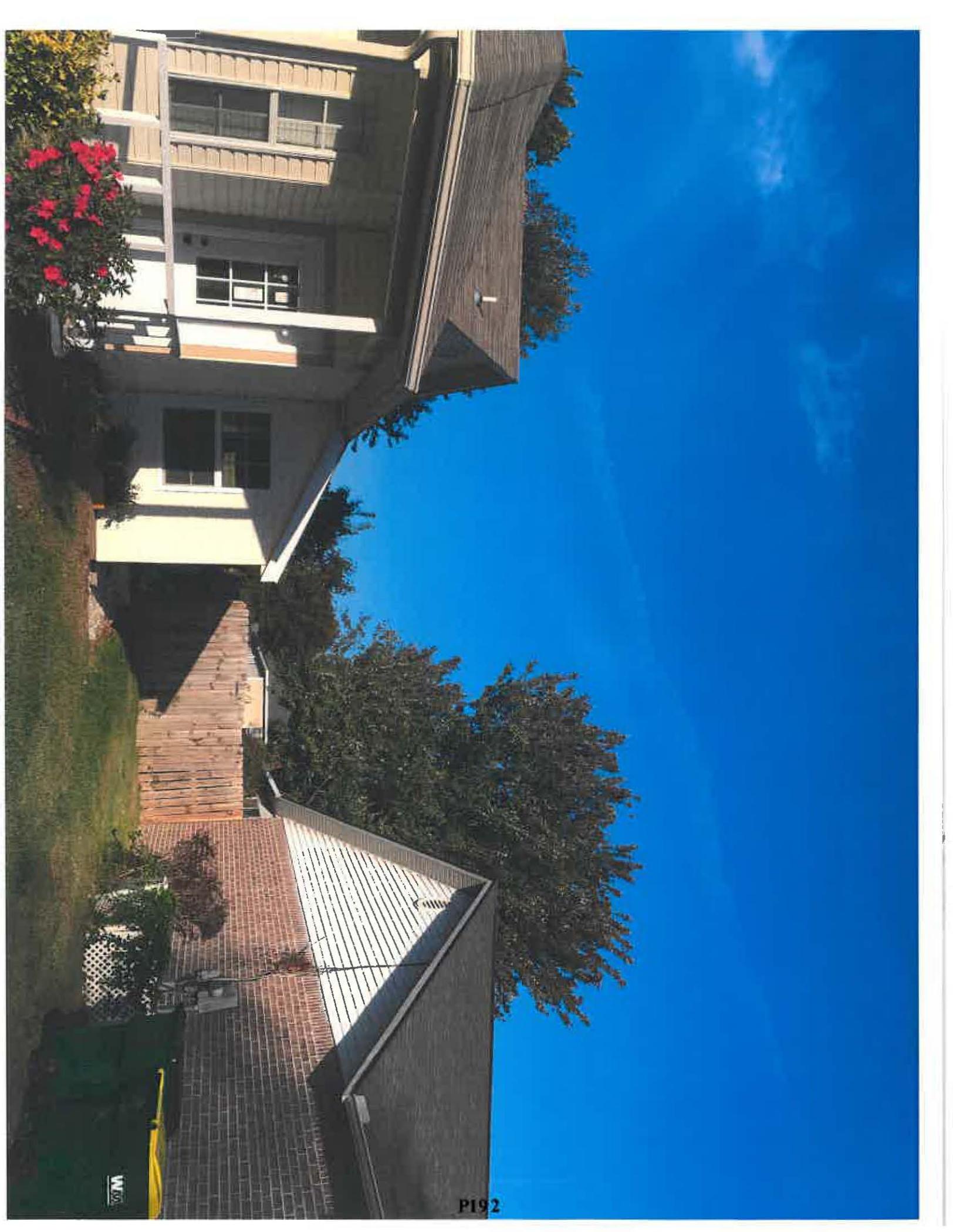
State of Arkansas )  
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 10 day of October, 2016.

  
\_\_\_\_\_  
Notary Public

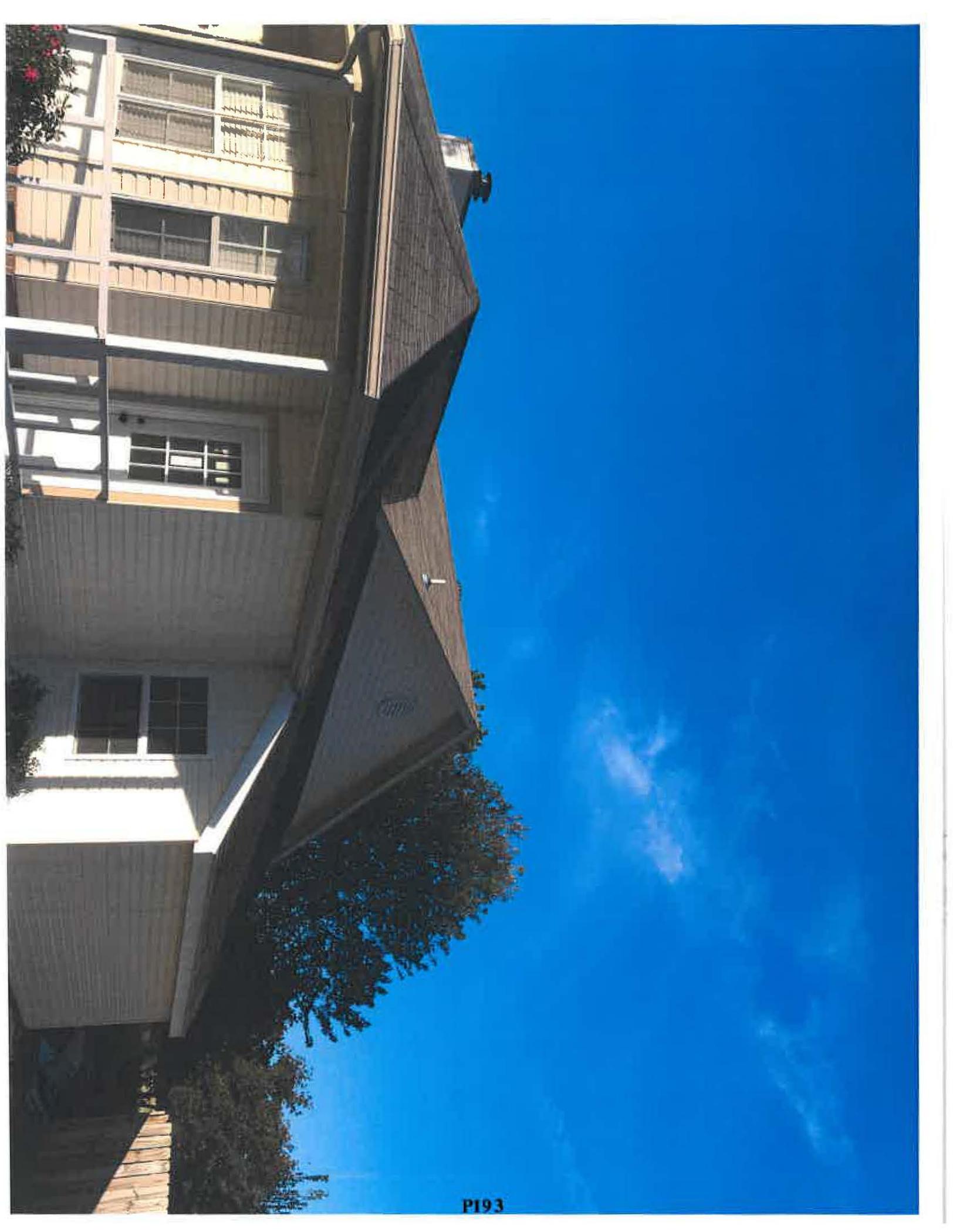




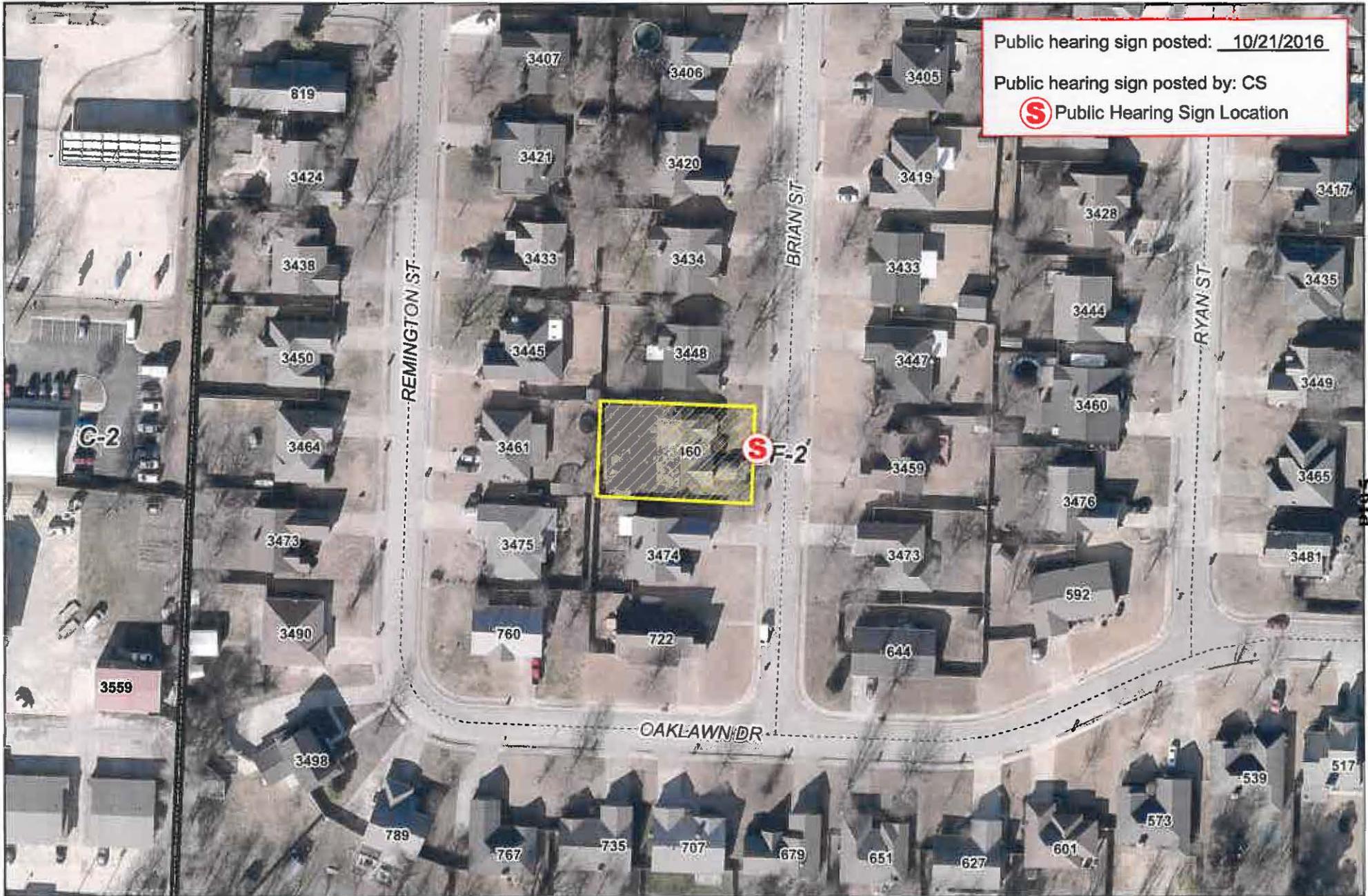


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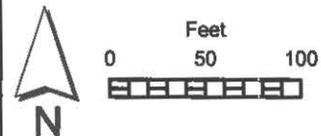
P192







Public hearing sign posted: 10/21/2016  
Public hearing sign posted by: CS  
**S** Public Hearing Sign Location



**FILE NO. B16-64**  
**APPLICANT: ETHAN & MICHELLE PENNINGTON**  
**VARIANCE REQUEST: REDUCTION OF SIDE SETBACK**  
**8' TO 3'**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
PLANNING COMMISSION MEETING  
NOVEMBER 1ST, 2016

Staff Use Only

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

File #

*B1665*

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: ~~Leonard Gabbard~~ *Terry Pinkley*

Applicant's Mailing Address:

7521 W Wedington Drive

479-409-9259

Street Address or P.O. Box  
Fayetteville, AR 72704

Telephone Number

City, State & Zip Code

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

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

3194 North Pinkley Road

479-530-2045

Street Address or P.O. Box

Telephone Number

Springdale, AR 72762-9229  
City, State & Zip Code

Address of Variance Request: Property not addressed (City Large Scale Dev. L 16-19)

Zoning District: C-2

**The following information should be attached to this application:**

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

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

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

**SETBACK VARIANCES:**

*Not Applicable*

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

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

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

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

**VARIANCES OTHER THAN SETBACK:**

*Not Applicable*

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

Variance from the Design Standards to remove pedestrian access, bike rack, and bench, and to allow Storage Units to be made out of metal sheathing.

*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):**

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Storage units are traditionally made out of metal siding

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---

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

---

The literal interpretation of the ordinance would make the units unfeasable to build

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---

---

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):**

---

By their very nature these buildings are construct exclusively this way unless climate controlled.

---

~~The developer will agree to erect instead a 6' high block wall which will give the curb appeal needed (See attached block wall examples as to how it will look)~~

---

(Option 4: A three-foot high wall made of brick, stone, or finished concrete along with five-foot buffer area including one shade tree per 25 linear feet along street frontage.) Chap56.Buffers

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\*

*Terry Kelly*  
\_\_\_\_\_  
Property Owner Signature\*  
(If different from Applicant)

\_\_\_\_\_  
Applicant Signature\*

\_\_\_\_\_  
Property Owner Signature\*  
(If different from Applicant)

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

State of Arkansas )  
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 13 day of October, 2013.

*Debbie A. Ponder*  
\_\_\_\_\_  
Notary Public

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









**FILE NO. B16-65**  
**APPLICANT: TERRY PINKLEY**  
**VARIANCE REQUEST: COMMERCIAL DESIGN STANDARDS**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
 PLANNING COMMISSION MEETING  
 NOVEMBER 1ST, 2016

Staff Use Only

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

File # BK-66

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: Sprout Holdings, LLC

Applicant's Mailing Address:

PO Box 10620 479-283-7744  
Street Address or P.O. Box Telephone Number  
Fayetteville, AR 72701  
City, State & Zip Code

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

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

\_\_\_\_\_  
Street Address or P.O. Box Telephone Number  
\_\_\_\_\_  
City, State & Zip Code

Address of Variance Request: HWY 412

Zoning District: MF-12

**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 Part of LSD
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be

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

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

**SETBACK VARIANCES:**

*Not Applicable*

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

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

Requested: Front: \_\_\_\_\_ Side: \_\_\_\_\_ Back: \_\_\_\_\_  
(If granted what the setback would be.)

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

**VARIANCES OTHER THAN SETBACK:**

*Not Applicable*

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

Reduction of Open Space from 20% to 15%

Reduction of Sidewalk width adjacent to parking from 7' to 5'

\_\_\_\_\_

\_\_\_\_\_

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

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

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

The site exists as a Phase II of a larger multifamily development. However, Phase I resides in the City of Tontitown. Although the amenities, greenspace, and other accommodations will be available to all residents within the development, Phase II will be judged as a "standalone" project for the City of Springdale. This inhibits the counting of certain open space (i.e. open within the western setback although still present) from ordinance calculations.

The ownership group would also like 5' sidewalks within the development in order to match the aesthetic present in Phase I.

---

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

The overall development will meet the spirit of the Springdale 20% open space if looked at as a whole. However, considering Phase II can only be judged on merit for the Springdale portion, an excess amount of open space will be required that would restrict the overall design of Phase II.

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

The special condition exists due to the city boundary between a comprehensive multifamily development.

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---

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

**VERIFICATION**

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

*[Handwritten Signature]*  
 Applicant Signature\*  
*[Handwritten Signature]*  
 Applicant Signature\*

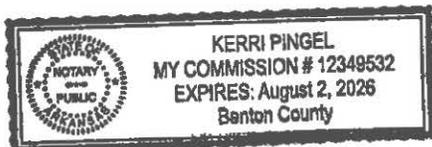
\_\_\_\_\_  
 Property Owner Signature\*  
 (If different from Applicant)

\_\_\_\_\_  
 Property Owner Signature\*  
 (If different from Applicant)

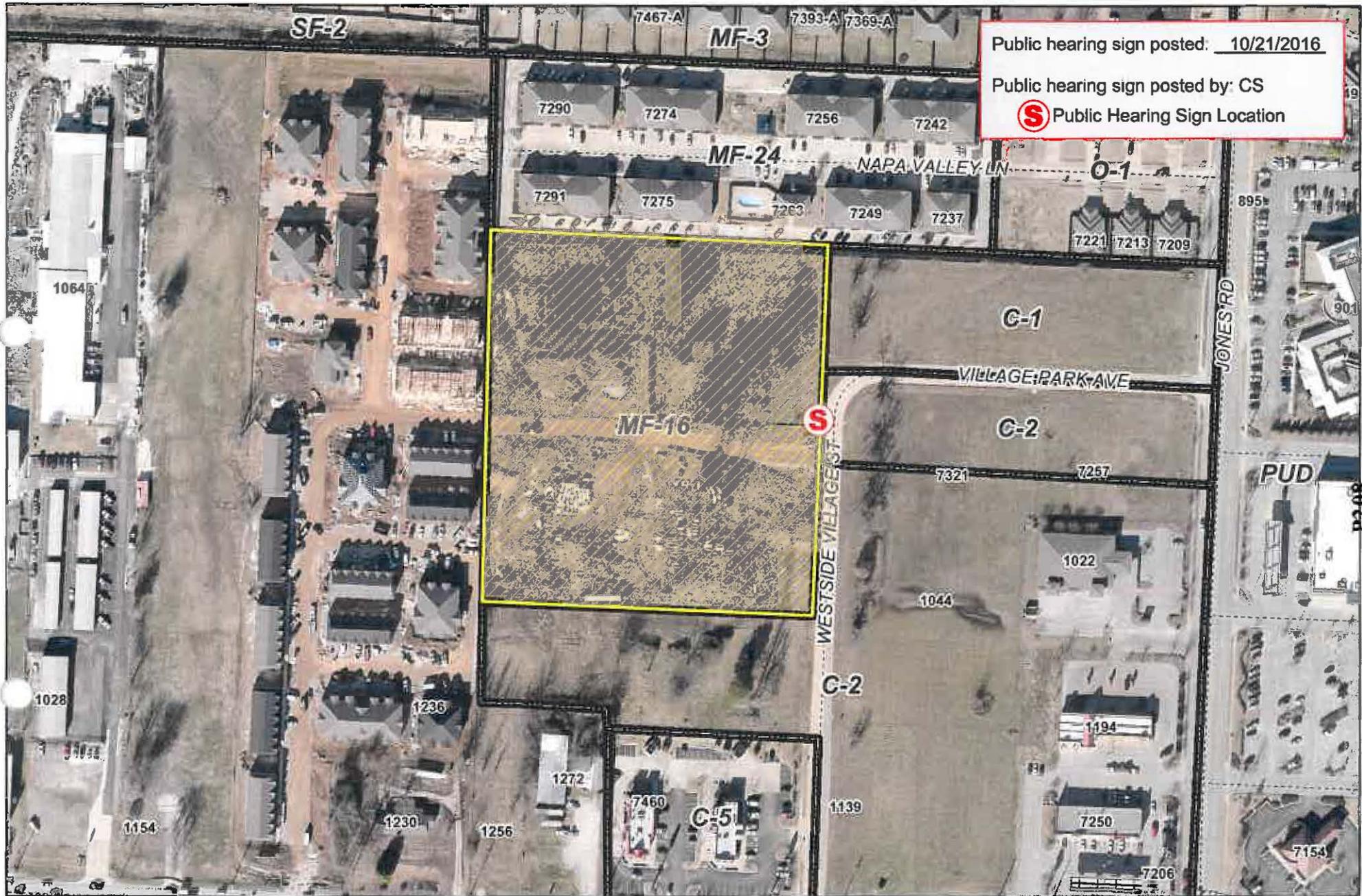
*\*If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.*

State of Arkansas )  
 County of Benton ) ss.

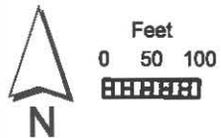
SUBSCRIBED AND SWORN TO before me, a Notary Public, this 11<sup>th</sup> day of October, 2016.



*[Handwritten Signature]*  
 Notary Public



Public hearing sign posted: 10/21/2016  
Public hearing sign posted by: CS  
**S** Public Hearing Sign Location



**FILE NO. B16-66**  
**APPLICANT: SPROUT HOLDINGS, LLC**  
**VARIANCE REQUEST: MULTI-FAMILY DESIGN STANDARDS**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
**PLANNING COMMISSION MEETING**  
**NOVEMBER 1ST, 2016**

**Staff Use Only**

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

File #

BK667

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: Rafael Calderon

Applicant's Mailing Address:

1702 Edgar Jones Ln  
Street Address or P.O. Box

479-445-0827  
Telephone Number

Springdale, AR 72762  
City, State & Zip Code

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

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

\_\_\_\_\_  
Street Address or P.O. Box

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
City, State & Zip Code

Address of Variance Request: 1504 W. Huntsville Ave

Zoning District: C1

**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.

Allow asphalt <sup>driveway</sup> to remain to the single family dwelling for a period of 5 years. At that time it will be either converted to commercial or the asphalt will be removed, and returned to its original state which was gravel.

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):**

My property is zoned C1, but has a conditional single family dwelling use. At any time this property can be reverted to C1, which allows for asphalt driveways.

---

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):**

There are several residential homes in Springdale that either have all asphalt or a combination of asphalt and concrete driveways. A list/examples have been attached.

---

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):**

I hired Sharp Surface Solutions and they didn't follow proper procedures to ensure that this type of material could be used. I was advised by them that this was acceptable in my property.

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

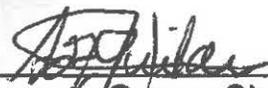
**VERIFICATION**

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

X   
 Applicant Signature

\_\_\_\_\_  
 Applicant Signature\*

\_\_\_\_\_  
 Property Owner Signature\*  
 (If different from Applicant)

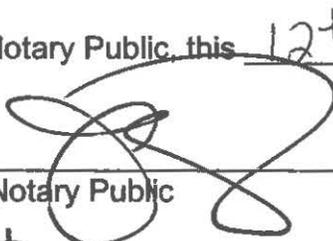
  
 Property Owner Signature\*  
 (If different from Applicant)

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

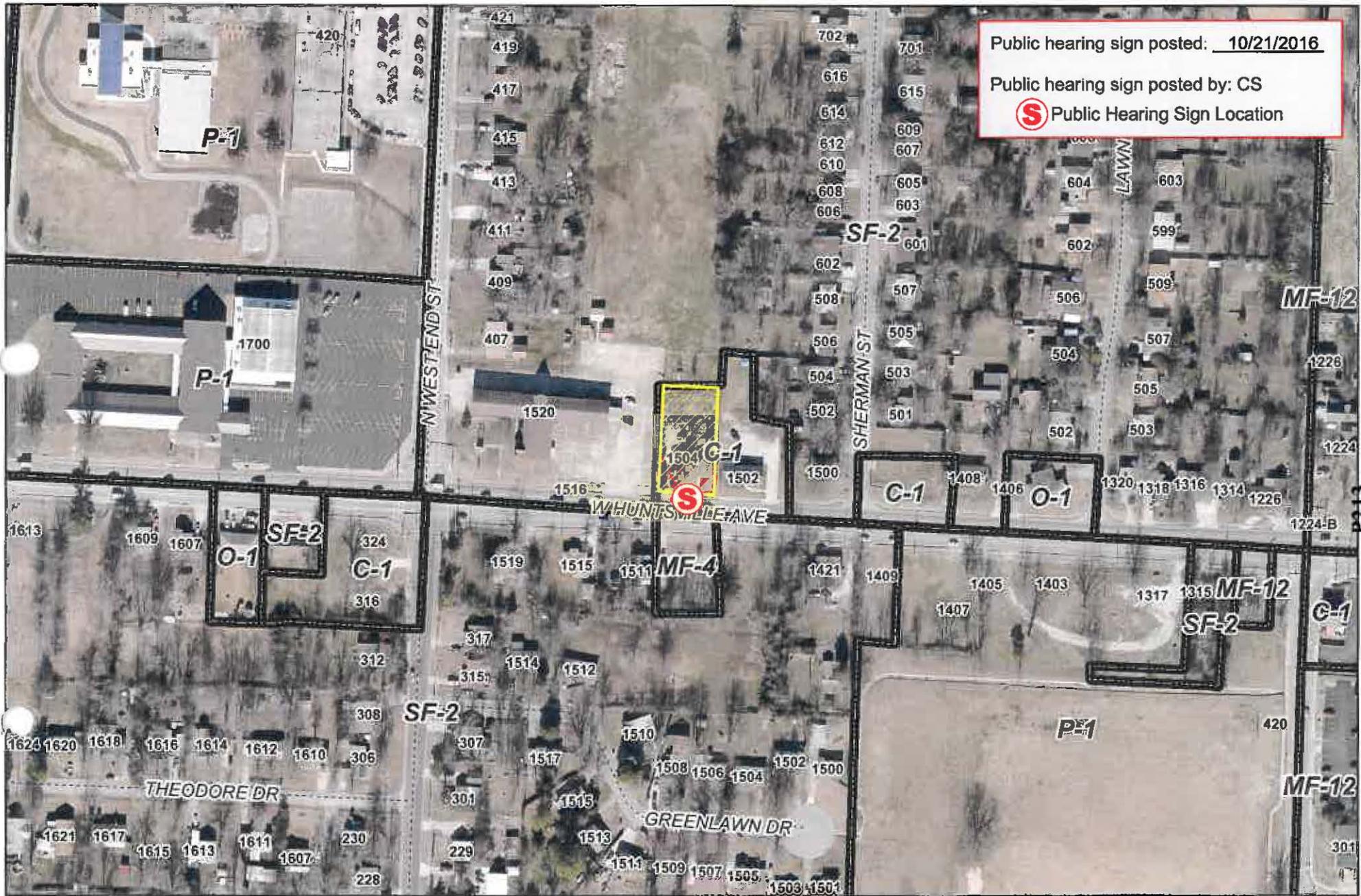
State of Arkansas )  
 County of Benton ) ss.

VALERIE VALLEJO-WILCOXSON  
 NOTARY PUBLIC  
 COUNTY OF BENTON  
 COMMISSION NO. 12364430  
 COM. EXPIRES JANUARY 18, 2018

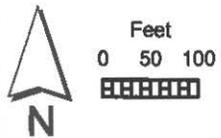
SUBSCRIBED AND SWORN TO before me, a Notary Public, this 12<sup>th</sup> day of October, 2016.

  
 Notary Public

# P2112364430, exp 1/18/2018



Public hearing sign posted: 10/21/2016  
 Public hearing sign posted by: CS  
 Public Hearing Sign Location



**FILE NO. B16-67**  
**APPLICANT: RAFAEL CALDERON**  
**VARIANCE REQUEST: ALLOW ASPHALT PAVING**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
 PLANNING COMMISSION MEETING  
 NOVEMBER 1ST, 2016

2013



Fri Jul 15 2016 02:22:13 PM.



7-15-16



Staff Use Only

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

File # BK68

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: Baumann and Crosno Construction

Applicant's Mailing Address:

PO Box 4072 \_\_\_\_\_  
Street Address or P.O. Box  
Fayetteville AR 72701 \_\_\_\_\_  
City, State & Zip Code

479-799-4616  
Telephone Number

Property Owner's Name  
(If different from Applicant): Baumann & Crosno Construction

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

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

Telephone Number

Address of Variance Request: Lots 47 / 48 / 49 / 50 / ~~53~~ in Rosson Creek  
Subdivision

Zoning District: SF- 2

**The following information should be attached to this application:**

1. \$75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit

5. The applicant shall be responsible for providing the name and address of all adjacent property owners. This must be a certified list by a licensed abstractor or licensed land surveyor within the past sixty (60) days. The notice to all adjacent property owners must be sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.
6. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.

**SETBACK VARIANCES:**

Not Applicable

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

Required: Front: 30 Side: 8 Back: 20  
(This is the minimum required by the Springdale Code of Ordinance)

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

Variance: Front: 10 Side: 8 Back: 20  
(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 – Please find our application requesting a front setback variance reduction of 10' to place these 5 homes on the attached lots within 20' of the back of the right of way to allow the construction of a single family detached home on said lots. This variance will allow the construction of a single family home without relocating the stream at the Western side of the lots and will allow the home to move forward on the lots removing these homes from the floodplain. Additionally, this will allow the end user to have a somewhat level backyard, and will further allow our company to elevate these pads to a height in keeping with the rest of the homes within the community. Meaning they will not be 6 to 8' below the curb.*

*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):**

---

These lots are 6 to 8 foot below the curb and have a floodplain influence on the back of the lots. These are the only lots within the Rosson Creek Subdivision that have this feature. Without the variance the homes will have no back yards and will sit in a substantially lowered position on the low side of the street.

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):**

---

Homes built on lots 47 / 48 / 49 / 50 / ~~23~~ will have a poor streetscape, steep downward sloping driveways, and no usable backyard as the entire lot will be on a 3 to 1 slope. This will create a unique hardship for the sales and utility associated with the homes.

---

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

The natural topography is the reason for the creek, fall on these, and general conditions found on these lots.

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)

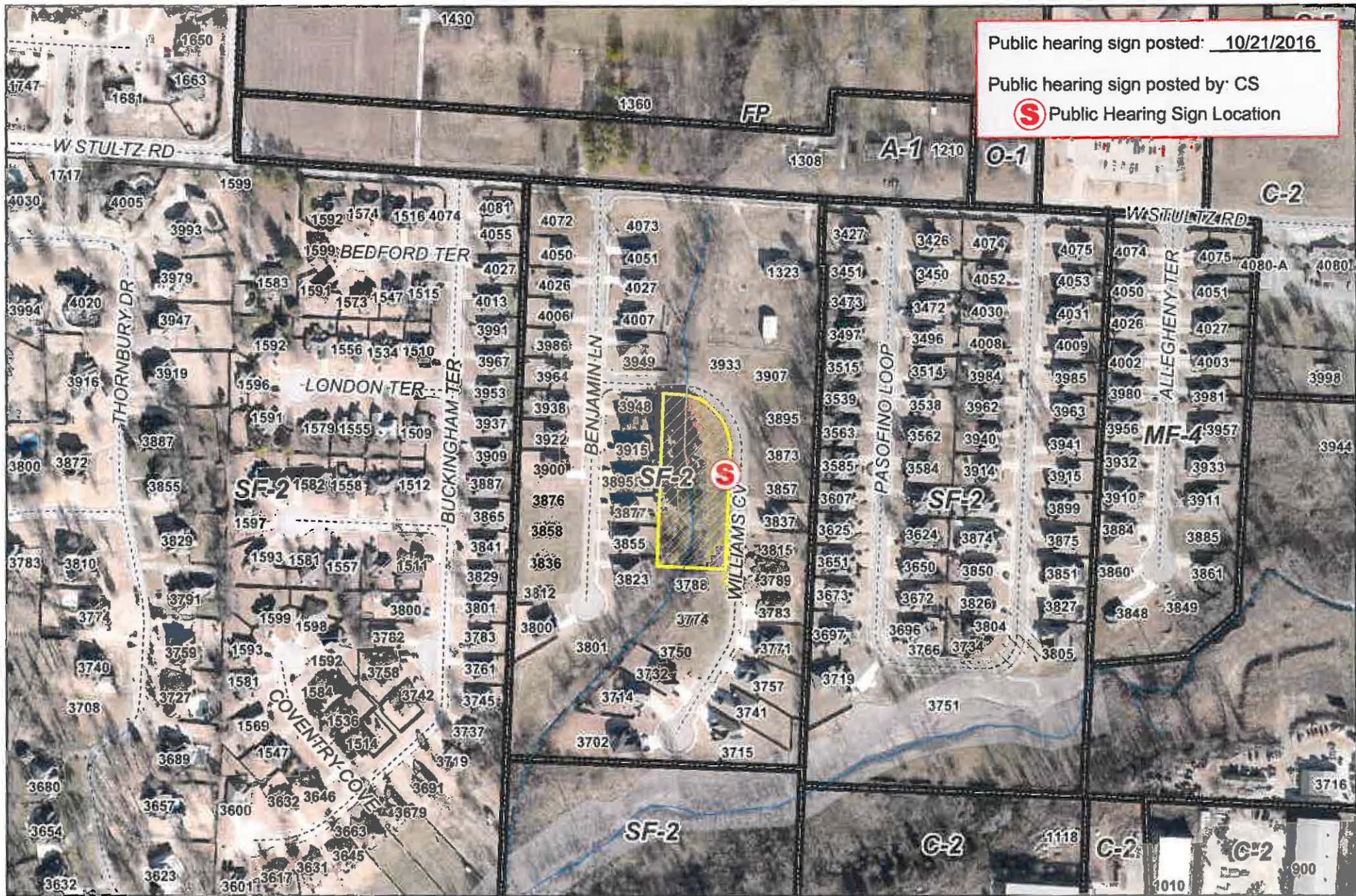
\*If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.

State of Arkansas            )  
  ) ss.  
County of Washington )

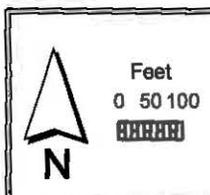
SUBSCRIBED AND SWORN TO before me, a Notary Public, this 13<sup>th</sup> day of October, 2016.

**SHANNON RIDDLE**  
**NOTARY PUBLIC**  
**WASHINGTON COUNTY, ARKANSAS**  
**COMM. EXP. OCTOBER 10, 2024**  
**COMMISSION NO. 12401360**

Shannon Riddle  
Notary Public



Public hearing sign posted: 10/21/2016  
 Public hearing sign posted by: CS  
**S** Public Hearing Sign Location



**FILE NO. B16-68**  
**APPLICANT: BAUMAN & CROSNO CONSTRUCTION**  
**VARIANCE REQUEST: REDUCTION OF FRONT SETBACK**  
**30' TO 20'**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**NOVEMBER 1ST, 2016**

**From:** Trail Rogers [mailto:TROGERS@arvest.com]  
**Sent:** Thursday, October 20, 2016 12:39 PM  
**To:** [ecate@springdalear.gov](mailto:ecate@springdalear.gov)  
**Cc:** Trail Rogers  
**Subject:** Rosson Creek Subdivision Variance Issue

Earnest,

You may not remember me, but we met many years ago when I was still practicing law at the Lisle Law Firm, now Lisle Rutledge. 10 years ago I went to work for Arvest Bank as a Vice President and Trust Compliance Officer. I have a question.

I live at 3783 Williams Cove, in the Rosson Creek Subdivision. I understand there is a request for a variance to the required setbacks set to be heard by the planning commission on November 1. Unfortunately, I will be out of town and unable to attend the meeting.

My question is if there is any way to voice my objection to the granting of this variance without being there? I purchased my home in February 2016. The variance being sought involves about 4 lots across the street from my home. This was originally set up to be a common area. I also understand the builder wants to obtain a variance to the setbacks because he cannot otherwise fit houses in the space. There is a creek that runs behind those lots and as the area between the creek and Williams Cove narrows there is not enough room for a house that fits into the neighborhood like all the other homes. The neighborhood is two streets, both cul-de-sacs, and has sidewalks and nice front yards. This variance as I understand it will significantly change the look of the neighborhood if several houses are very close to the street, with no yard to speak of and possibly not even a sidewalk.

I am opposed to this change and fear it will reduce the value of my property. I want to be certain the commission knows that I have raised this objection. Thank you for anything you can tell me on this matter.

Thanks,

Trail Rogers, JD, CFIRS™  
Vice President and Trust Compliance Officer  
TRUST & WEALTH MANAGEMENT | ARVEST  
P.O. Box 1515  
921 W. Monroe Ave.  
Lowell, AR 72745  
(479) 770-1858 Work  
(479) 426-0104 Cell

October 10, 2016

Springdale Planning Commission  
201 Spring Street  
Springdale, AR 72764

RE: Sidewalk Waiver  
5014 Valhalla Street

Dear Sir or Ma'am:

On behalf of our client, we hereby request a waiver of sidewalk improvements along the west side of Arkanshire Circle associated with construction of a new home at 5014 Valhalla Street. Our client proposes to construct sidewalk along Valhalla Street as required by ordinance. The property north of this lot is owned by the Springdale Country Club and is not likely to have a sidewalk constructed along it. In addition, none of the properties along the outside of Arkanshire Circle north of the subject property have sidewalks, which greatly reduces any potential benefit to constructing a sidewalk along the east side of the subject property.

If you have any questions regarding this request, please do not hesitate to contact me.

Sincerely,



Brian Moore, P.E.  
President

W16-16

October 10, 2016

Springdale Planning Commission  
201 Spring Street  
Springdale, AR 72764

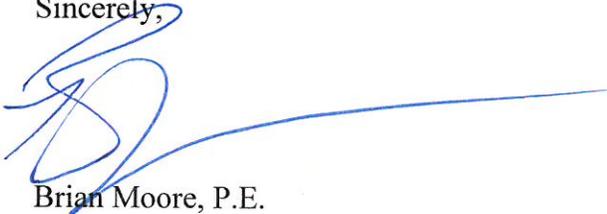
RE: Sidewalk Waiver  
2000 Westwood Avenue

Dear Sir or Ma'am:

I respectfully request a waiver of sidewalk improvements along the north side of Westwood Avenue associated with construction of a new home at 2000 Westwood Avenue. There are no sidewalks on the adjacent properties for the sidewalk to connect to, no sidewalks across the street from the property, and virtually no sidewalks at all in this neighborhood. In addition, there are two mature trees located close to the street along Westwood Avenue which could be adversely impacted by sidewalk construction. Sidewalk will be constructed along the west side of Campbell Drive.

If you have any questions regarding this request, please do not hesitate to contact me.

Sincerely,



Brian Moore, P.E.  
President

W16-17

**Debbie Pounders**

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**From:** Carroll Marbury <carrollmarbury@me.com>  
**Sent:** Saturday, October 15, 2016 5:44 PM  
**To:** dpounders@springdalear.gov  
**Subject:** Waiver of Sidewalk Requirement: 5876 Elm Springs Road, Springdale, AR 72762

Debbie,

Thank you for taking the time to visit with me on Friday concerning our new house that is currently under construction at 5876 Elm Springs Road.

Our lot is the last piece of property before going into the city limits of Elm Springs. On the Springdale side, there are currently no sidewalks for ½ mile (to the new Walmart) and on the Elm Springs side, there are no sidewalks at all. It is my understanding that there are plans of widening Elm Springs Road and when that takes place, any sidewalk I construct will be taken out.

So, I respectfully request a waiver for constructing the sidewalk. I understand there may be a bill of assurance requiring me to build the sidewalk at some point in the future.

If there is anything else I need to supply, please let me know and I will get it to you quickly. I'm currently living in South Florida but you can call me on my cell phone 479-200-2181.

**David Carroll Marbury**

*Sir Speedy Printing CEO | Camar Enterprises President*



1900-A South Pleasant St. | Springdale, AR 72764  
Phone: 479.872.9500 Fax: 479.872.1166 Cell: 479-200-2181

*WK-18*



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[www.avast.com](http://www.avast.com)

**BLEW & ASSOCIATES, PA**  
**CIVIL ENGINEERS & LAND SURVEYORS**

10/19/2016

To: Springdale Planning Commission

Re: Belinda McNabb

To whom it may concern;

Ms. Belinda McNabb would like to request a waiver of Subdivision Requirements for her tract split project that is currently under review by the City of Springdale Planning Commission. Her desire to split off the 2 acre tract being reviewed is that she may build a house and move to that parcel and sell the remainder of the parent tract. This will conclude her land splitting on that parcel and the next owner would be the appropriate party to develop the land in accordance with the Subdivision requirements the City of Springdale requires for development. Ms. McNabb prays that you will grant her this waiver so that she can move forward with the next chapter in her life, here in Springdale.

Thank you for time.

Sincerely,

Mike Sebo  
Project Manager

416-19

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524 W. SYCAMORE ST, SUITE 4 • FAYETTEVILLE / ARKANSAS • 72703  
P H O N E : 4 7 9 - 4 4 3 - 4 5 0 6 • F A X : 4 7 9 - 5 8 2 - 1 8 8 3