

**SPRINGDALE PLANNING COMMISSION
COUNCIL CHAMBERS**

**5:00 P.M.
201 SPRING**

Agenda

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

II. Call to Order

III. Roll Call

IV. Approval of Minutes (January, 2016)

PP 4-35

V. Public Hearing – Rezoning

**A. R16-03 Arkansas Children’s Hospital
SE corner of 56th Street & Watkins
From A-1 to P-1
Presented by McClelland Engineering**

PP 40-46

**B. R16-04 Nancy Ann Henderson for
Nancy Ann Henderson Trust
From SF-2 to MF-12
Presented by Skip Motsenbocker**

PP 47-54

**C. R16-05 Thomas J. Embach Revocable Trust
905 N. Mill Street
From SF-2 to PUD
Presented by Civil Design Engineers, Inc.**

**D. R16-06 Jennifer & Steven Turner
3066 Habberton Road
From A-1 to SF-1
Presented by Blew & Associates**

PP55-62

VI. Public Hearing – Conditional Use

**A. C16-01 Jennifer & Steven Turner
3066 Habberton Road
LS15-19 Tandem Lot Split
Presented by Blew & Associates**

PP63-64

PP 65

XI. Planning Director's Report

XII. Adjourn

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

Prior to the meeting being called to order, Chairman Kevin Parsley led the Pledge of Allegiance and Commissioner Mitch Miller 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
- Joe Dunn
- Charles Gaines
- Vivi Haney – Secretary
- Mitch Miller
- Kevin Parsley – Chairman
- Brian Powell

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

Ms. Haney moved to approve the regular December meeting of the Planning commission and the December 15, 2016 called special meeting. Mr. Miller seconded the motion. By a voice vote of all ayes and no nays the minutes were approved.

Public Hearing – Rezoning

A. R16-01 Joseph & Edna Wagy
1660 Butterfield Coach Road
From A-1 to C-2
Presented by Jorgensen & Associates

Mr. Dave Jorgensen of Jorgensen & Associates 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.

Ms. Haney called for the vote.

VOTE:

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

NO: None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Ordinance to go to Council on Tuesday, January 26, 2016 at 6:00 p.m.

B. R16-02 Stefan & Toni Cocklin
4715 W. Seaton Drive
From A-1 to C-5
Presented by Stefan Cocklin

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

Mr. Parsley asked for 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 comments or questions.

Ms. Eileen Zarowsky said that she is an adjacent property owner and had just recently had her property rezoned to C-5. She further stated that she was in favor of Mr. Cocklin's request for his rezoning.

Ms. Haney called for the vote.

VOTE:

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

NO: None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Ordinance to go to Council on Tuesday, January 26, 2016 at 6:00 p.m.

Public Hearing

- A. Public hearing for changes to the
Planning area boundary map
Presented by Patsy Christie

Because the notification in the paper stated the hearing was for 5:30 p.m. it was decided to continue with the agenda and come back to this item.

The discussion for this item on the agenda began at 6:12 p.m.

Ms. Christie said in the packet received by the commissioners is a drawing that shows the existing planning area boundary and a recommended revision to this area.

She further stated that 1053 of the regular session of the Arkansas legislature limited how much area the city could have inside of its planning area. What Staff is proposing is pulling the planning area back on the east side of the City and increasing it on the west side to accommodate the areas that have been annexed into the City. It reflects what is inside the City limits and pull it back in on the east side so that it doesn't go all the way to the lake.

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

Mr. Jeff (could not understand his last name) had a question. He wanted to know the purpose or reason for pulling back on one side and increasing on the other.

Ms. Christie said that the west side includes all the area that has been annexed into the City of Springdale so that would be in the planning area jurisdiction. She said on the east side, the previous state law allowed Springdale to go all the way out to the lake and the City is pulling it back to what state law allows.

He then wanted to know how this was going to affect the Master Land Use Plan for west Springdale.

Ms. Christie said that Staff and the Planning Commission will master plan for everything that is inside of the planning area boundaries. She said that the land use plan can show things outside the planning area boundary as a recommendation to an adjacent city or to the county so that they know what the city is looking at long range.

The city has no jurisdiction and there is no zoning outside the city limit.

She said this is to put Springdale in compliance with the state and it needs to move forward to council with a recommendation for approval.

Ms. Haney moved to recommend for approval to the city council. Mr. Miller seconded the motion.

VOTE:

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

NO: None

The motion was passed by a unanimous vote.

Large Scale Development

- A. L15-18 Lakeside at Har-Ber Meadows
E. side of Founder's Park Dr. at end of
& on n. side of Lynch's Prairie Court
- B16-04 A. Variance for modification of Multi-family
Design Standards
B. Variance for modification of perimeter landscaping
requirement
Presented by Bates & Associates

Mr. Evan Neihouse with Bates & Associates was present to answer any questions or comments. He said that they have talked with the Har-Ber POA and that the commission should have a letter from them that shows the support of the project. He further stated that when the Har-Ber PUD was created there were playgrounds and other amenities built into it. He said as far as this project is concerned they have built in

swales and additional landscaping that the POA had asked for. He said that Mike Pennington who is the owner/developer is also present to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Ms. Christie stated that the large scale is complicated in that it is a part of Har-Ber Meadows Planned Unit Development and as a result is subject to the covenants and restrictions that are in the Har-Ber Meadows PUD. She stated that she has a letter from the POA and the Architectural Review Committee that indicates the following.

The referenced subject, a proposed development by Mike Pennington, has been in review by the Architectural Review Committee (ARC) for several months and was presented to the Property Owners' Association (POA) this past week at its regular scheduled monthly meeting. Both the POA and ARC are in SUPPORT of the proposed project and APPROVE that it continue to move forward through the City's planning development stage.

Attached is a "Bill of Assurances and Declaration of Additional Covenants and Restriction" that have been adopted by the POA and ARC; and have been agreed to by the developer, Mr. Pennington. We would ask that this document be a recorded attachment to the development and referenced on the project's recorded Final Plat. We assume and look forward t this project becoming a reality. Should similar future developments come before the City for proposed development within Har-Ber Meadows, this document will represent our intended position.

There are however, certain conditions requested from the developer, Mr. Pennington. These conditions include a full formal application sub mitted to the ARC (to include – complete set of final plans with color and materials sample board, etc.). Also, the POA and ARC are concerned about any environmental impact that the project may have on the nearby lake (and lakes) and have requested a containment and treatment system for storm-water and waste runoff from the collective dumpster location and parking be provided. Mr. Pennington is fully aware of these remaining minor issues and details and has said he will work with the POA and ARC in achieving these.

The Har-Ber Meadows POA and ARC want to be certain that this concept plan moves forward to completion as it has been presented and represented by Mr. Pennington to us. The development of Har-Ber Meadows planned for the inclusion of these types of multi-unit residential structures and provides ample open green space; and amenities such as recreational play areas, pavilions, and pool among others that will be available to the residents of this development.

Please keep us posted on the progress of this proposed project's approval processing, through the City. We would like to have a representative to attend any meetings and discussion concerning this proposed project.

Thank you for your assistance and patient understanding in working with us.

Respectfully,

Hope Feiner,
POA President

Thomas M. Jefcoat, PLA
ARC Chairperson

is Instrument prepared by:
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BILL OF ASSURANCE AND DECLARATION
OF ADDITIONAL COVENANTS AND RESTRICTIONS OF AND
FOR THE "LAKESIDE AT HAR-BER "
CONDOMINIUM PROJECT AND PROPERTY

This "Bill of Assurance and Declaration on of Additional Covenants and Restrictions of and for the 'Lakeside at Har-Ber' Condominium Project and Property," which is referred to herein as the "Declaration", is made and executed as of the day of

_____, 201_ by Gateway Homes LLC, an Arkansas limited liability company which is sometimes referred to in this Declaration as the "Declarant." The Har-Ber Meadows Property Owners' Association, Inc., an Arkansas non-profit corporation (the "Har-Ber POA"), joins in the execution of this instrument for the purpose of consenting to its terms, more fully reflecting certain agreements between the Declarant and the Har-Ber POA, and to confirm that this instrument may not be amended or changed without its written consent, all as set forth herein.

WHEREAS, Declarant is the sole owner of certain real property located within the Har-Ber Meadows Planned Unit Development in the City of Springdale, Washington County, Arkansas, which is more particularly described on Exhibit "I" attached to this Additional Declaration and is incorporated by reference herein, and is referred to in this Additional Declaration as the "Property," and on that certain Plat of and for the Property dated as of ___, 2015, and filed with the Circuit Clerk and Ex-Officio Recorder of and for Washington County, Arkansas, on _____, 201_ as File _____; and

WHEREAS, Declarant desires to construct a building on the Property consisting of ten separate condominium units, and to construct certain other improvements thereon, as more particularly described and defined below as the "Condominium Project" and

WHEREAS, the Property is subject to that certain "Declaration of Covenants, Conditions, and Restrictions for Har-Ber Meadows Planned Unit Development," which was filed and recorded with the Circuit Clerk and Ex-Officio Recorder of and for Washington County, Arkansas, on June 6, 1996, as document or file# 96035530 through 96035576, and is referred to in this Declaration as the "Original Declaration," pursuant to that certain "Supplementary

Declaration of Covenants, Conditions, and Restrictions for Har-Ber Meadows Planned Unit Development to Annex Phases IX and XII," which was filed and recorded with the Circuit Clerk and Ex-Officio Recorder of and for Washington County, Arkansas, on May 10, 2004, as File 2004-00017694;and

WHEREAS , Declarant has submitted certain drawings, specifications, and other documentation and materials regarding the Condominium Project to the Architectural Review Committee (the "Har-Ber ARC") of the Har-Ber POA, as a part of the application and approval process set forth in the Original Declaration, and which the ARC has approved (collectively the "Approved Plans and Submittals"), conditioned upon Declarant properly executing and recording this Amended Declaration with the Circuit Clerk and Ex-Officio Recorder of and for Washington County, Arkansas; and

WHEREAS , pursuant to its efforts and desire to develop the Property and the Condominium Project, Declarant desires to (and hereby does) adopt a uniform plan of development, including assessments, conditions, covenants, easements, reservations, requirements and restrictions which are designed and intended to govern, control and preserve the values and amenities of the Property and Condominium Project, both as a whole and the individual Condominium Units located therein and thereon, for the development, improvement, sale, use and enjoyment thereof, and in accordance with Declarant's agreement with the ARC and Har-Ber POA; and

WHEREAS, Declarant hereby declares that the Property, and the Condominium Project (including without limitation all Condominium Units located thereon and therein from time to time) shall be developed, improved, altered, changed, sold, used and enjoyed in accordance with and subject to the following plan of development, including the assessments, conditions, covenants, easements, reservations, restrictions and requirements set forth in this Additional Declaration, all of which are adopted for and placed upon the Property, and which shall run with said Property and the Condominium Project (including without limitation all Condominium Units located thereon and therein from time to time), and shall be binding upon all parties who now or hereafter have or claim any right, title or interest in the Property, the Condominium Project, or any part thereof (including without limitation all Condominium Units), and on the heirs, executors, administrators, personal representatives, successors and assigns of such parties, regardless of the source or the manner in which any such right, title or interest is or may be acquired, and shall inure to the benefit of each owner of any part of the Property.

Now, therefore, it is agreed and declared as follows:

ARTICLE 1 - DEFINITIONS

The following words and phrases shall have the following meanings when used in this Additional Declaration:

"Additional Declaration" means this instrument, meaning this "Bill of Assurance and Declaration of Additional Covenants and Restrictions of and for the 'Lakeside at Har-Ber' Condominium Project and Property."

"Approved Plans and Submittals" means, collectively, all drawings, plans, specifications, landscaping plans, materials lists, and all other documentation: (i) submitted by Declarant (or others on Declarant's behalf) to the Har-Ber ARC regarding the Project, and which (ii) the Har-Ber ARC approved in writing.

"Condominium Building" means the structure the Declarant shall construct on the Property, as shown on the Plans and Submittals, which shall contain the Condominium Units and some Condominium Common Areas, and which must be constructed in strict accordance with the Approved Plans and Submittals.

"Condominium Common Areas" shall mean any and all common areas designated as such, or in which any Condominium Unit Owners own or otherwise have any interest, in any Condominium Horizontal Property Regime.

"Condominium Horizontal Property Regime" means any horizontal property regime established for the Condominium Project, or otherwise applicable to the Property from time to time, pursuant to the Arkansas Horizontal Property Act, codified at Ark. Code Ann. §18-13-101, et seq., as said Act may be amended from time to time.

"Condominium Project" means, collectively, the Condominium Building, the Condominium Units, the Condominium Common Areas, and all other Improvements located on the Property, and all structures located thereon from time to time, both as shown on the Approved Plans and Submittals, and on the Plat, and as may be changed from time to time.

"Condominium Unit" means an individual residence located within the Condominium Building, and "Condominium Units" means, collectively, all Condominium Units.

"Condominium Unit Owner" and "Condominium Unit Owners" means the record owner, whether one or more persons or entities, of the fee simple title in any Condominium Unit, but excluding those having such interest merely as security for the performance of an obligation.

"Declarant" means Gateway Homes LLC, an Arkansas limited liability company.

"Har-Ber ARC" means the Architectural Review Committee of the Har-Ber POA, which shall approve all Improvements prior to the commencement of any demolition, construction, or other efforts related thereto in accordance with the terms, requirements and procedures set forth in the Original Declaration and the rules and regulations of the Har-Ber POA in effect from time to time, it being understood that the requirement to approve all Improvements shall continue to apply to any and all change to the Condominium Project once its initial construction is completed.

"Har-Ber POA" means the Har-Ber Meadows Property Owners' Association, Inc., an Arkansas non-profit corporation, and its successors and assigns.

"Har-Ber POA Common Area" and "Har-Ber POA Common Areas" shall each have the

same meanings as the phrases and defined terms "Common Area" and "Common Areas," respectively, as set forth and defined in the Original Declaration, as the Original Declaration may be amended from time to time.

"Har-Ber POA Common Facilities" shall each have the same meaning as the phrase "Common Facilities," as set forth and defined in the Original Declaration, as the Original Declaration may be amended from time to time.

"Improvement" means the construction or installation of, or change to, any building, fence, wall, or other structure located anywhere on the Property (including without limitation the Condominium Building and all Condominium Units); any exterior addition to or change or alterations of any structure located on the Property, or the color thereof, including, without limitation, site landscaping visible from any part of the Property, grading plans, roofing and re-roofing materials, patio covers, trellises, parking Condominium Unit design, installation or changes, or any other change to the Property or any Condominium Unit, or any structure located thereon from time to time; or any other change to the Property or the Condominium Building or Condominium Unit of any kind which is visible from any part of the Property, it being understood that anything constituting an "Improvement" and which was not approved by the Har-Ber ARC in the Approved Plans and Submittals must be approved in advance by the Har-Ber ARC by following the procedures and requirements set forth in the Original Declaration and such other rules and regulations as the Har-Ber POA or the Har-Ber ARC have established, or may establish in the future, from time to time.

"Original Declaration" means that certain "Declaration of Covenants, Conditions, and Restrictions for Har-Ber Meadows Planned Unit Development," which was filed and recorded with the Circuit Clerk and Ex-Officio Recorder of and for Washington County, Arkansas on June 6, 1996, as document or file # 96035530 through 96035576, as the same may have been amended, or may be amended, from time to time.

"Owner" has the same meaning as set forth in Section 20 of Article I of the Original Declaration. "Owners" means more than one Owner.

"Plat" means that certain Plat of and for the Property dated as of ____, 2015, and filed with the Circuit Clerk and Ex-Officio Recorder of and for Washington County, Arkansas on _____, 201__ as File _____

"Property" means all real estate described on Exhibit "A" that is attached hereto and is incorporated by reference herein, on which the Declarant intends to construct the Condominium Project.

Other terms and phrases may be set forth below which have defined meanings.

**ARTICLE 2-RESERVATIONS, EXCEPTIONS,
and DEDICATIONS**

Section 1. Acknowledgment of Original Declaration. The Property is hereby acknowledged to be subject to the Original Declaration in all respects, the terms of which are hereby incorporated by reference into this Additional Declaration and deemed restated, in all respects, except to the extent this Additional Declaration explicitly conflicts with the Original Declaration. In the event of such irreconcilable conflict, the terms of this Additional Declaration shall control.

Section 2. Formal Dedication. The Property is hereby declared to be subject to this Additional Declaration and all assessments, conditions, covenants, easements, reservations, requirements and restrictions set forth herein and in any modification thereof or amendment hereto as provided for below.

Section 3. Incorporation of Plat. All dedications, limitations, streets, reservations and restrictions shown on the Plat as being applicable to the Property or any part thereof are hereby incorporated into this Declaration and made a part hereof as though set forth word for word, and the same shall be construed as being adopted and incorporated into each contract, deed, lease, mortgage and other conveyance of any kind which hereafter executed by Declarant or any Condominium Owner concerning any Condominium Unit.

ARTICLE 3-AGREEMENT BY DECLARANT TO CONSTRUCT

Section I. Agreement. Declarant agrees to cause the Condominium Project to be constructed and completed in strict accordance with the Approved Plans and Specifications. To the extent the Har-Ber ARC has not approved any aspect of the Condominium Project as of the date this Additional Declaration is signed, Declarant shall obtain the Har-Ber ARC's written approval for such matter or matters prior to commencing the construction of that particular Improvement.

**ARTICLE 4- RIGHTS AND OBLIGATIONS OF
CONDOMINIUM OWNERS;
ASSESSMENTS**

Section 1. Residential Purposes Only. "Condominium Owner," as used in this Additional Declaration, shall have the same meaning as "Condominium Owner" in Section 19 of Article I of the Original Declaration, except that no Condominium Unit located within the Condominium Building may be used as a commercial enterprise or for any commercial or business purpose whatsoever. All Condominium Units within the Condominium Building may only be owned and used for residential purposes.

Section 2. Owner-Occupied. Except for such times as a Condominium Unit is vacant, and subject to the exceptions set forth in Subsections 2.1, 2.2, 2.3 and 2.4 below, all Condominium Units must be at all times occupied only by the Owner or Owners of the Condominium Unit. Unless specifically permitted as set forth below, under no circumstances shall a Condominium Unit, or any portion thereof, be rented, leased, or otherwise occupied by

one or more persons who is not a Condominium Owner.

Subsection 2.1. Exception – Married Spouse. A person under age sixty may occupy a Condominium Unit as long as: (i) he or she is legally married to a Condominium Unit Owner age sixty or older; and (ii) such occupancy would not cause the Condominium Project to be in violation with Applicable Law.

Subsection 2.2. Exception for Bona-Fide Live-In Caretaker. Notwithstanding the foregoing, a Condominium Unit may be occupied by an unmarried bona-fide live-in caretaker of an Owner (a "Caretaker"), as long as: (i) the Caretaker is licensed or otherwise certified or credentialed by a bona-fide entity or agency to provide care to individuals over the age of sixty; (ii) all Owners of the Condominium Unit meet the minimum-age requirement set forth below; and (iii) such occupancy would not cause the Condominium Project to be in violation with Applicable Law.

Subsection 2.3. Exception for Temporary Visitors. Condominium Owners shall be entitled to have temporary visitors such as children, grandchildren, friends, and the like (regardless of age), stay in their Condominium Unit with them for short periods of time. However, any such person who stays in the Condominium Unit overnight for ten consecutive days or more than thirty cumulative days in any continuous 365-day period shall not be considered an authorized temporary visitor.

Subsection 2.4. Exception to Comply with Applicable Law. The requirements and prohibitions set forth in Section 2 of this Article 4 (and its Subsections) shall not apply to the extent that they violate, or would violate if enforced or permitted, "Applicable Law," as defined in Section 5 of Article 5 below.

Section 3. Minimum Age. Subject to the exceptions set forth in Subsections 3.1, 3.2, 3.3 and 3.4 below, Condominium Units may be occupied only by a person or persons who are sixty years old or older. Since Section 2 above generally requires that Condominium Units may only be occupied by an Owner, all Owners shall ordinarily be sixty years old or older, subject to the following exceptions:

Subsection 3.1. Exception – Married Spouse. A person under age sixty may be an Owner of a Condominium Unit as long as: (i) he or she is legally married to another Condominium Unit Owner age sixty or older; and (ii) such occupancy would not cause the Condominium Project to be in violation with Applicable Law.

Subsection 3.2. Exception – Estate Planning. Owners aged sixty or older may place one or more family members' names on the deed to a Condominium Unit who is under age sixty for estate planning purposes, and the said person(s) under age sixty may inherit a Condominium Unit or an interest therein as a result of the death of an Owner, provided that, notwithstanding such inheritance, the Condominium Unit may only be occupied by an Owner or Owners who are aged sixty or older, and at least 80% of all Condominium Units are occupied at all times by persons age sixty or older. The Condominium Unit must stay vacant for so long as its Owner or Owners are all under age

sixty. If there is more than one Owner of a Condominium Unit and one or more of the Owners is under sixty, that Owner or Owners may not occupy the Condominium Unit.

Subsection 3.3. Exception - Controller of Declarant. Declarant and the Har-Ber POA acknowledge that Mike Pennington is a principal member and the controller of the Declarant LLC. Mr. Pennington and his spouse shall be permitted to be Owners of one Condominium Unit without regard to the foregoing age restriction; provided, that all subsequent Owners of the Penningtons' Condominium Unit shall be subject to the foregoing age restriction.

Subsection 3.4. Exception to Comply with Applicable Law. The requirements and prohibitions set forth in Section 3 of this Article 4 (and its Subsections) shall not apply to the extent that they violate, or would violate if enforced or permitted, "Applicable Law," as defined in Section 5 of Article 5 below.

Section 4. Only Individuals as Owners. Subject to the exception in Subsection 4.1 below, only people may be Owners of Condominium Units, and no Condominium Units may be owned by corporations, limited liability companies, associations, or other entities.

Subsection 4.1. Exception - Grantor Living Trusts. Notwithstanding the foregoing restriction against entity ownership, a "Grantor Living Trust" may be the legal Owner of a Condominium Unit as long as it meets the requirements of this Section 4.1. For purposes of this Additional Declaration, "Grantor Living Trust" means a revocable trust created for estate planning purposes by one or more persons who otherwise meet the requirements set forth in this Additional Declaration to be Owners of a Condominium Unit (whether one or more, the "Grantors"), in which at least one of the Grantors is a trustee of the said trust when the trust is created. The Grantor Living Trust shall be permitted to remain an Owner of a Condominium Unit after the Grantor is no longer the trustee of said Trust (or the last surviving Grantor is no longer a trustee if there was more than one original Grantor), but the age and occupancy restrictions set forth above shall continue to apply to the Condominium Unit, meaning, for example but not by way of limitation, the Condominium Unit may not be occupied by a beneficiary of the Grantor Living Trust who is under age sixty unless such person is a live-in caretaker, or a spouse, of another Owner, as set forth above.

Section 5. Condominium Unit Owners as Members. Since Condominium Unit owners are "Owners" within the meaning of Section 20 of Article I of the Original Declaration, they shall also each be a "Member" of the Har-Ber POA within the meaning of Section 18 of Article I of the Original Declaration to the same extent, and for so long as, and subject to the same conditions and requirements as, any other Owner of a lot situated in the Har-Ber Meadows Planned Unit Development as set forth in the Original Declaration. Without limiting the foregoing, Condominium Unit Owners shall have the right to use the Har-Ber POA Common Areas and Har-Ber POA Common Facilities under the same conditions and requirements. Accordingly, each Condominium Unit Owner shall be entitled to the same rights and privileges as any other Member of the Har-Ber POA. Likewise, each Condominium Unit Owner shall observe all requirements of the Original Declaration and shall be subject to all enforcement

actions and other remedies for the failure or refusal to observe such requirements.

Section 6. Assessments. Each Condominium Unit shall be considered a "Lot", within the meaning of Section 13 of Article I of the Original Declaration. Accordingly, by acceptance of a deed of any Condominium Unit, the Owner or Owners thereof shall be deemed to have covenanted and agreed to pay to the Har-Ber POA all annual and special assessments or charges, together with interest, costs of collection and other amounts as may be set forth in the Original Declaration, whether or not such obligation is expressed in any deed to the Condominium Unit, just as any other Lot Owner, and the obligation and liens therefor shall also be enforceable by the Har-Ber POA against each Condominium Unit the same as any other Lot.

Section 7. Amount of Current Annual Assessments. Notwithstanding any language in Section 3 of Article V of the Original Declaration to the contrary, the annual assessments for each Condominium Unit shall be the same as any other residential Lot located within the Har-Ber Meadows Planned Unit Development. Declarant and the Har-Ber POA acknowledge that the current annual assessment for Lot Owners is \$500 per Lot per year, but they may be increased from time to time as set forth in the Original Declaration.

Section 8. Assessments are in Addition to Condominium Horizontal Property Regime Assessments or Requirements. The annual and special assessments arising and owing pursuant to the Original Declaration, as modified by this additional Declaration, are separate and distinct from, and in addition to, any and all assessments, charges, or amounts a Condominium Unit Owner may owe pursuant to, or arising out of, the Condominium Horizontal Property Regime.

ARTICLE 5 -GENERAL PROVISIONS

Section 1. Enforcement. The Har-Ber POA and any Owner (which term shall include Condominium Unit Owners and Owners of Lots located outside the Condominium Project but within the Har-Ber Meadows Planned Unit Development) shall have the right to enforce, by any proceedings at law or in equity, all restrictions, conditions, covenants, reservations, liens or charges now or hereafter imposed by the provisions of the Original Declaration and this Additional Declaration. Failure by the Har-Ber POA or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Section 2. Severability. Invalidation of any one of these covenants, conditions, or restrictions shall not affect any other provision, which shall remain in full force and effect.

Section 3. Duration: Amendment. Unless amended as set forth below, the provisions of this Additional Declaration shall run with and bind the Property until June 6, 2021, after which time they shall be automatically extended for successive periods of ten years. Deeds of conveyance of Condominium Units or any part thereof may contain the above restrictive covenants by reference to this Additional Declarations, but whether or not such referenced is made, each and all of such restrictive covenants shall be valid and binding upon all grantees. Notwithstanding the foregoing, but subject to the remaining terms of this Section 3, this

Additional Declaration may be amended prior to June 6, 2021 by an instrument signed by a sufficient number of Owners representing not less than two-thirds (2/3) of the votes in the Har-Ber POA (and not merely of Condominium Lot Owners), and thereafter by a sufficient number of Owners representing not less than fifty percent (50%) of the votes. It is expressly acknowledged and agreed that neither this entire Additional Declaration nor any part hereof may be repealed, amended or otherwise changed or affected by vote or action, or the recordation of any instrument, by the owner or all of the owners of the Property, or all Condominium Units. Instead, is expressly acknowledged and agreed that this Additional Declaration may only be repealed, amended, or otherwise changed in the manner set forth above, which shall require a vote or other consent of the Members of the Har-Ber POA. Further, any future amendment of the Original Declaration shall automatically be deemed incorporated by reference into this Additional Declaration as though set forth word for word.

Section 4. Notices. Any notice required or permitted to be sent to any Condominium Owner pursuant to the Original Declaration or this Additional Declaration shall be deemed to have been properly sent when mailed, postage prepaid, to the last known address of the person who appears as Owner on the records of the Har-Ber POA at the time of such mailing.

Section 5. Compliance with all Applicable Law. Declarant hereby acknowledges that certain federal and state laws and regulations may be applicable to the Property and the Condominium Project from time to time, including without limitation the Housing for Older Persons Act of 1995, codified at 42 U.S.C. §§ 3601 et seq. and all regulations thereunder, as may be amended from time to time, and the Arkansas Civil Rights Act, codified at Ark. Code Ann. §§16-123-101 et seq., and all regulations (if any) there under, as may be amended from time to time (collectively, "Applicable Law"). It is Declarant's specific intent that the Property and Condominium Project be owned and operated at all times in such a way as to be in compliance at all times with all Applicable Law, and it shall be the Condominium Horizontal Property Regime's responsibility (and not the Har-Ber ARC's or Har-Ber POA's responsibility) to ensure at all times that the Condominium Project complies at all times with all Applicable Law. To the extent that the terms of this Additional Declaration at any time conflicts (or would conflict if permitted to occur or continue) with any Applicable Law as applied to a particular situation, such provision shall be construed in such a way as to be in compliance wwith Applicable Law. In the event such provision cannot be construed in such a way as to be in compliance with applicable Law, such provision shall not apply to that particular situation.

Section 6. Indemnification and Hold-Harmless. The Condominium Horizontal Property Regime shall indemnify and hold harmless the Har-Ber POA and the Har-Ber ARC, and their respective members, board of directors members, volunteers, employees, and their respective heirs, administrators, personal representatives, executors, successors and assigns, for and from any and all actions, suits, payments, damages, claims and demands of whatsoever kind (including without limitation attorney's fees and costs), if such action, suit, payment, damage, claim, or demand arises out of, pertains to, or is related in any way to an allegation that this s Additional Declaration, or the terms or the enforcement thereof, violates any Applicable Law, including without limitation the Housing for Older Persons Act of 1995, or any successor thereto, or the Arkansas Civil Rights Act, or any successor thereto, or any regulations pertaining thereto.

The foregoing is hereby declared and shall be applicable and effective as of the date referenced above:

Gateway Homes LLC,
an Arkansas limited liability company,
"Declarant", by:

Mike Pennington, _____

The Har-Ber Meadows Property Owners' Association, Inc.,
an Arkansas non-profit corporation,
"Har-Ber POA," by:

Hope Feiner, Board President

EXHIBIT "A"

Legal Description of the "Property"

Ms. Christie stated that the Bill of Assurance and Declarations were submitted and indicates that the project will be for individuals 60 years of age and older.

Ms. Christie said she had the draft of the Bill of Assurance but she doesn't have a signed one. She said that it indicates that Mr. Pennington supports the contents but does not have any signatures on it.

Mr. Pennington said they are waiting on some final things but that the Bill of Assurance and Declarations state that all parties will abide by what is in them.

Ms. Christie asked if there are any substantial changes to what she has.

Mr. Pennington said there were not. He said they were minor things and that essentially it will be a retirement type project. It will be a two story structure and it is specifically for 60 and older; one must be 60 to live there, it cannot be rented. Each story is equivalent to a single story home, approximately 1200 square feet, two bedroom/two bathroom facility with an indoor storm shelter. It has elevators and a security system. It is for those that just want to lock the door and leave. Everything will be taken care of such as the maintenance, etc.

He further stated that they have found there is a need for this type of dwelling especially for the residents of Har-Ber who are getting to the age that they don't want to have to take care of the maintenance of a home, yard work, etc.

He said it is a ten unit structure and again the clientele must be sixty. If a person doesn't live there they either have to sell it or keep it empty. He said it will be very restrictive on the ownership and use of the property. It cannot be changed. The owners cannot come together as a group and say they want to change the covenants. It will be binding. It would take the whole PUD of Har-Ber to change it which would be very difficult to do.

Ms. Christie stated that the covenants indicate that if one spouse dies, if it is in an estate and someone inherits it and they are not sixty, they cannot live in it and they cannot rent it out. She said it is pretty comprehensive. The exception is that Mr. Pennington and his wife could live in one.

She further stated that it says that it expressly acknowledging that neither this entire additional declaration nor any part hereof may be repealed, amended or otherwise changed or affected by voter action or the recordation of any instrument by the owner or all of the owners of the property or all condominium units instead is expressly acknowledged and agreed that this additional declaration may only be repealed, amended or otherwise changed in the manner set forth above which shall require a vote of or other consented members of the Har-Ber POA.

Mr. Pennington stated that with all the amenities that Har-Ber already has, and with the clientele they are going after they could see no reason for an additional play ground or different green space because it isn't conducive for that and there is really no room for it.

He said the POA and the ARC understand that and are for it.

Ms. Christie said the only issue that remains is the variance for modification of Multi-family Design Standards. She said she is assuming he is building the units that look like the elevations that were submitted with the large scale.

She said that with the letter indicating one of the conditions is they need a formal application submitted to the ARC for a complete set of final plans with color and materials and sample boards, etc. She further stated that she has no indication that the POA/ARC have approved the elevations.

Mr. Pennington said that conceptually they have and what Ms. Christie has is what they have approved.

Ms. Christie said the only issue that she saw was that they are being asked to modify the multi-family design standards. She said any changes to the submitted elevations will need to come back to Staff for review.

She then read the Staff comments.

Planning Comments

- 1) Submit the approved authorization of representation form, if property owner will not be present at Planning Commission meeting.
- 2) Multi-family play area is required by Ordinance. 125 square feet per bedroom.
- 3) Perimeter landscaping is required in accordance with Chapter 56.
- 4) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

Multi-family Design Standards

- a. 20% Common Open Space
 - a. The following areas are not allowed as part of common open space:
 - i. Private lots, balconies and patios dedicated for use by a specific unit
 - ii. Public right-of-way or private streets and drives
 - iii. Open parking areas and driveways for dwellings
 - iv. Land covered by structures except for ancillary structures associated with the use of open space.
 - v. Designated outdoor storage areas
 - vi. Land areas between buildings of less than 40'.
 - vii. Strips along buildings, sidewalks, streets, parking lots and property lines less than 25' in any dimension.
 - viii. Required perimeter setbacks
 - ix. Detention/retention facilities, including drainage swales, except as permitted (on page 6).
 - b. Common open space shall contain at least three of the following features:
 - i. Seasonal planting areas
 - ii. Adequate large trees

- iii. Adequate seating
 - iv. Pedestrian-scaled lighting
 - v. Gazebos or other decorative shelters
 - vi. Adequate play structures for children
 - vii. On-site community recreation amenities.
- b. Amenities Required
- a. Multi-family developments with 5-25 dwelling units – 1 amenity; 25-150 dwelling units – 2 amenities; 150+ - 3 amenities, and an additional one (1) amenity for each 150 units.
 - b. Amenities cannot be duplicated until 3 different ones have been used.
 - c. See page 9 for approved amenities.

Engineering Comments

- 1) 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/

Note: All comments in red reflect variance requests.

Ms. Christie said that if they approve the large scale it would be subject to getting back from the POA/ARC their agreement to the colors and design of the buildings before an approved set of plans would be issued.

Mr. Parsley asked about the common open spaces.

Ms. Christie said that what they are saying that the open spaces provided in Har-Ber Meadows would meet the amenities already there and the three that would be added would be specifically for the large scale.

Mr. Neihouse said some of the amenities would address some of the run-off from the parking lot and the others were addressed in the variance.

Mr. Parsley asked if they had decided on three of the following: seasonal planting, adequate large trees, pedestrian scaled lighting, gazebos.

Mr. Neihouse said they do have pedestrian scale large trees.

Ms. Christie asked if he meant they are adding trees along one side of the property.

Mr. Neihouse there are trees along the south side and there are trees on the north side along with some seasonal plantings. The actual POA went through the plans and made suggestions for some of the plantings. There is also landscaping along the front and back of the building and some on the east of the parking lot.

Ms. Christie said the other issue is the environmental issues. The request to containment and treatment of storm water and waste runoff from the dumpster location. She said she hasn't seen anything that addresses that.

Mr. Pennington said they talked to the POA and Mr. Jefcoat specifically that they were looking into the cost of that and that as long as it was feasible, they would do that. He said that it is basically a small filter system. He said he spoke with an engineer and it looks like it will be a feasible thing to do. It isn't a huge item to address. As long as they are requesting it they will go ahead and proceed with it.

Ms. Christie said that her question is that the letter doesn't say that whatever was talked about was acceptable. It is still an issue to be addressed and the other condition that needs, if it is approved, is that Staff has to have the ARC's approval on what the buildings look like and Staff has to have a sign off from both the POA and the ARC.

Mr. Tom Jefcoat who is with the ARC Har-Ber committee spoke. He said that what they understood and what they are essentially saying is that the concept presented is supported and they want to see it move forward. The developer is asking for a variance for landscaping and open space; and those conditions for approval and not final approval of a submitted plat; if that is the case, we are in support of him moving forward with him developing elevations, bringing in material samples and the committee working through a set of development plans. This is a concept plan right now and we are in support of. He said the actual layout of the units, the material boards and the final set of construction plans have not been seen or approved.

Ms. Christie asked about the environmental impact issues that are raised with the containment and treatment system for storm water and waste runoff; that is part of a large scale plan, if he gets approval tonight it will go just like it is on the plan and it doesn't address that.

Mr. Jefcoat said that all they have not seen any plans as to how that is going to work and they have asked that there be one in the final set of plans. There is a lake and pond that is a first pond in a series of ponds and they look to protect the fish, lakes and ponds. He has a dumpster and a parking lot that runs directly off into the lake and there are environmental methods of controlling garbage runoff and that is what we are asking him to do; to install some system and until we see what the construction of that system is we have no idea of what he intends to put there other than he has agreed to put something.

Ms. Christie said that is why she raised that question. His answer was that if it is feasible he will do something. She further stated that doesn't address the issue.

Mr. Jefcoat said that until they see a final set of construction plans and that was not he understood in front of the planning commission; that you were going to grant him exceptions to the large scale development plan being landscaping, green areas, those sorts of exceptions and that's all you were doing.

Ms. Christie said the large scale has to address the drainage issues as well, that has always been a part of the large scale. That is again why it was brought up because that part about the environmental impact on those lakes has not been addressed.

Mr. Pennington said as far as the footprint of the structure; it really can't change. It is a really small lot and it is maxed out. The way it is laid out is the way it has to be for the project to work. He further said that as far as the environment, if anyone has met Mr. Jefcoat he is very detailed. The biggest issue with him is there was a dumpster and the parking lot. He said he has talked to an engineer and all they can do is put in a filter system that has been discussed.

Ms. Christie said that Staff has nothing showing that Mr. Pennington will put in that system.

Mr. Pennington said he just made a public statement that they will. He didn't realize that it was something that had to be addressed at the meeting.

Ms. Christie said it is in the letter. It is one of the two conditions that are still left for Har-Ber Meadows and part of the agreement is that they have to sign off on it before the large scale can move forward. She said the large scale can be approved subject to these items being addressed. She said Staff will not stamp a set of construction plans for approval until the issues are addressed.

Mr. Jefcoat said that as far as the Architectural Review Committee is concerned, they are fine with the Staff's decision. They do not have a formal application as yet; they don't have the final construction plans to approve and until they do we will not issue a final approval. Those conditions, if approved by the commission, the ARC is happy with that.

Ms. Haney stated that Mr. Pennington stated that it is a very small lot and it is maxed out. She said they are trying to put too much on a space and when looking at 60 and older, those people are at an age that walking to those amenities, perhaps driving to those amenities is an issue. She felt it is important to have something close by on the property as far as amenities are concerned. She said she is very concerned about not having an area where the owners can go out and not have a bench to sit on is doing a disservice to the people that will eventually be in there.

Mr. Powell said the concept or at least in his opinion is that the people want to live in a place without having a lot of other stuff. He feels the variances won't be a problem.

Mr. Pennington wanted to address Ms. Haney's concerns. He said based on his market studies, people do not want a lot of things to have to take care of. He said his are condominiums; people have to pay a maintenance fee for upkeep. Each condominium faces the pond. They all face to the west. They all have a private balcony. There is also a common space inside. When entering the facility, the area in the middle is a common space as well having a storm shelter which will handle up to 25 to 30 people. It is also secure; they have to have a code to get into the building and each unit has an alarm system. He said his target age is for active seniors. He said these people are empty

nesters who want to travel, be gone and not have to worry about the upkeep on a house.

Mr. Covert said he agreed with Mr. Powell. He said he thought there was a niche market for this type of living quarters. He said the thought the thought process behind it is for the owners to be able to come and go as they please; there's not a lot of upkeep to it. He further stated that he didn't feel that the commission needed to be in the business of designing the amenities behind it. He said based on what Mr. Pennington said he felt the amenities are adequate for the building and would recommend moving it forward based on receiving the two letters needed to finalize it.

Mr. Christie said they need to deal with the variance for the Modification of Multi-family design standards which would still be subject to the ARC signing off on it and the variance for the modification of the perimeter landscaping as shown on the large scale.

She said they can be taken together but they need to be voted on first.

Mr. Pennington said that each unit would be 1,000 to 1,200 square feet with two bedrooms and two bathrooms and an open living area and kitchen and a private balcony. He said they are initially going to try and pre-sale. He said it is for those whose children are grown and gone and they don't want the upkeep required by owning a house.

Mr. Gaines asked if there were similar projects that the commission might be able to reference.

Mr. Pennington stated that there is nothing like this locally. They are mostly in the large metro areas such as Dallas.

Mr. Arthur said it is a small piece of property but the key for him is if the Har-Ber groups are good with it then it helps him with his decision.

Mr. Arthur called for the vote on the two variances.

VOTE:

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

NO: Haney

The variances were approved by a vote of eight (8) yes and one (1) no.

Mr. Powell moved to approve the large scale subject to Staff comments and the issues outlined in the correspondence from the POA and ARC to be addressed. Mr. Miller seconded the motion.

VOTE:

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

NO: Haney

The large scale development was approved subject to Staff comments and the issues outlined in the correspondence from the POA and ARC to be address by a vote of eight (8) yes and one (1) no.

Ms. Christie stated for the record that they will not get an approved large scale until all the issues have been addressed and signed off by the POS and ARC.

B. L16-01 Star Mechanical
122 Randall Wobbe Road
Presented by Engineering Services, Inc.

Mr. Jason Appel was present on behalf of his client to answer any questions or comments. He said they were proposing a 36,000 square foot building to be constructed.

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.

Engineering Comments

- 1) **Parking**
 - a. All drives and parking areas are required to be paved.
- 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/departments/planning_and_community_development/

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

There were none.

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

VOTE:

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

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

Board of Adjustment

- A. B16-01 Darryl Hill
7943 W. Gibbs Road
Variance for reduction of side setback
From 20' to 6'
Presented by Darryl Hill

Mr. Hill was present to answer any questions or comments regarding his variance request.

Mr. Parsley asked for Staff comments.

Ms. Christie asked Mr. Hill what kind of structures he plans to put on the property that requires a side setback.

Mr. Hill it is a 40' shipping container that is retrofitted with hydroponic farming.

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

There were none.

Mr. Miller called for the vote.

VOTE:

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

The variance request was approved by a unanimous vote.

- B. B16-02 Blue Ribbon Properties, LLC
4149 N. Thompson
Variance for deletion of parking requirement
- W16-01 Waiver of sidewalk requirement
Presented by Charles Presley, P.E.

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

He said they were asking for the variance for the paved parking requirement and waiver of the sidewalk requirement. He further stated they were not opposed to a 2 year Bill of Assurance.

Mr. Parsley asked for Staff comments.

Ms. Christie asked if the 2 year Bill of Assurance would be for both the paving and the sidewalk.

Mr. Parsley answered in the affirmative.

Ms. Christie asked what the project was going to be.

Mr. Parsley stated that they were going to be selling portable buildings.

Ms. Christie asked if the portable buildings will be set where there is gravel.

Mr. Parsley said the buildings will be displayed on the west side of the chain link fence.

Mr. Sedberry stated that they will be doing a large scale development for this, so it will be seen on the submitted site plans.

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

There were none.

Mr. Covert asked if anyone else on the commission that received letters regarding the variance and waiver.

It was determined that the letters in question were included in everyone's packet.

Ms. Christie said that if they are coming back with a large scale development plan, that will show the area where the storage buildings will be, where the parking will be, etc.

It was determined that the commission would vote on the variance and the waiver at the same time with a two year Bill of Assurance.

Mr. Miller called for the vote.

VOTE:

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

NO: Dunn

Both the variance and the waiver were approved subject to a 2 year Bill of Assurance being signed by a vote of eight (8) yes and one (1) no.

- C. B16-03 Linda Burkhard
5423 Northern Dancer
Variance to increase height of auxiliary building from 16' to 22'6"
Presented by Linda Burkhard

Ms. Burkhard was present to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Ms. Christie said she didn't have anything. She asked if Mr. Chamlee had anything and he did not.

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

There were none.

Mr. Powell called for the vote.

VOTE:

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

The variance was approved by a unanimous vote.

- D. B16-04 Michael Pennington/Gateway Homes
A. Variance for modification of Multi-family Design Standards
B. Variance for modification of perimeter landscaping requirement
Presented by Bates & Associates

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

- E. B16-05 David Janes
4428 N. Thompson
Variance for deletion of paving requirement
Presented by David Janes

Mr. Janes was present to answer and questions or comments. Mr. Matt Brown was also in attendance on behalf of the property owner.

Mr. Parsley asked for Staff comments.

Ms. Christie asked if they could do a Bill of Assurance.

Mr. Janes and Mr. Brown both agreed to a 2 year Bill of Assurance.

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

There were none.

Mr. Miller called for the vote.

VOTE:

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

NO: Dunn

The variance was approved by a vote of eight (8) yes and one (1) no.

Waivers

- A. W16-01 Blue Ribbon Properties, LLC
4149 N. Thompson
 Waiver of sidewalk requirement
 Presented by Charles Presley, P.E.

The request was approved in conjunction with a variance on the same property.

- B. W16-02 Kevin Walker
2529 McRay
 Waiver of sidewalk requirement
 Presented by Kevin Walker

Mr. Walker was present to answer any comments or questions. He said that his house had burned down and that he rebuilt on the same lot. None of the other houses have sidewalks and felt to build one would look out of place.

Mr. Parsley asked for Staff comments.

Ms. Christie stated that Staff does not support a waiver of the sidewalk requirement.

Mr. Walker said that if the city puts in a sidewalk within the next ten (10) years that he would be more than happy to put one in front of his house.

Ms. Christie asked if he would be willing to do a Bill of Assurance until such time that when a sidewalk project by the city he would put in a sidewalk.

Mr. Walker said that he would.

Ms. Christie said that Staff would accept a Bill of Assurance but that there would be no time frame on it; that it would be indefinite. She said Staff would file on that property and if the property should be sold the Bill of Assurance would transfer with the sale.

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

There were none.

Mr. Covert called for the question to include a Bill of Assurance on the property.

VOTE:

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

NO: None

The variance with a Bill of Assurance was approved by a unanimous vote.

C. W16-03 Melvin Mounce
1329 N. Monitor Road
Waiver of sidewalk requirement
Presented by Melvin Mounce

D. W16-04 Joye and Terry Mounce
1417 N. Monitor Road
Waiver of sidewalk requirement
Presented by Joye or Terry Mounce

It was decided to take the two waivers together as it was for Melvin Mounce and his son Joye who have home sites on Monitor Road.

Mr. Joye spoke on behalf of himself and his father. He said that he bought the property while it was still zone agricultural. His father wanted to build out beside him so he had to rezone the property to residential.

He said he was told that he had to put a culvert in and in order to have the street department put it in he had to apply for a waiver of sidewalk requirement.

Mr. Parsley asked for Staff comments.

Ms. Christie stated she does not recommend waiver of sidewalk requirement.

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

There were none.

Ms. Haney asked if they were willing to do a Bill of Assurance. She said the houses would be located on the way to a school and there will be roads coming into the area.

Mr. Mounce that it is like a big road block. He said the road is eight feet high from the property and then there is a thirty foot road easement.

Ms. Haney said that with a Bill of Assurance it would be paying for the sidewalk when the road was improved.

Mr. Mounce said that if his property were nearer to town he could understand the requirement, but he had to rezone the property from agricultural to residential in order to build the two houses and there is not another sidewalk in the area. He further stated it

made no sense to build the sidewalk from his property to his father's property because people would have to walk to his fence in order to get on the sidewalk.

Ms. Haney said she wasn't asking for the sidewalk today but instead sign off on a Bill of Assurance.

Mr. Mounce pointed out that the sidewalk would be seven hundred feet long which is a major cost; plus Monitor Road is going to be widened .

Mr. Melvin Mounce said that where he is going to build his house there is a huge embankment which would again make no sense to try and build a sidewalk.

Ms. Haney asked what the future plans were for Monitor Road.

Ms. Christie said that it is a major collector and there are no plans in the works in doing improvement to that portion of Monitor Road.

Mr. Parsley said he is one who likes to have a Bill of Assurance where it makes sense but without any future development of Monitor Road and because it is pretty rural he isn't sure that he would ask or vote for a Bill of Assurance.

Mr. Covert agreed with Mr. Parsley.

Mr. Powell called for the vote on both waiver requests.

VOTE:

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

NO: Haney,

The waiver request was approved by a unanimous vote and will move forward to Council for a recommendation of approval.

Ms. Christie stated for the record that Staff would prepare the Resolutions to go to Council on Tuesday, January 26, 2016 at 6:00 p.m.

Planning Director's Report

Ms. Christie said that Council approved the Downtown Master Plan. She said that within the next couple of weeks they will get into the implementation methods of the downtown plan.

She said this is the year that they review the Comprehensive Land Use Plan.

The work session will be on January 19, 2016 at 5:30 p.m. in the Multi-purpose room. She said there is a developer that has a proposal for a multi-family project on Butterfield Coach Road who would like to meet with the commission and discuss what he is looking at, at that location before he moves forward.

She said they need to really start looking at the northwest quadrant of the city. They need to talk about the future and how it will be moved forward in that area. They need to develop a public input process so those residents can come in and talk about what they feel is needed in that area and also meet with the water and sewer and the school district and find out what their plans are in that area.

There being no further business the meeting was adjourned at 6:26 p.m.

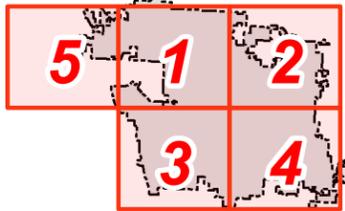
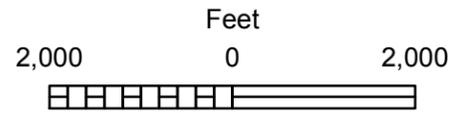
Kevin Parsley, Director

Vivi Haney, Secretary

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

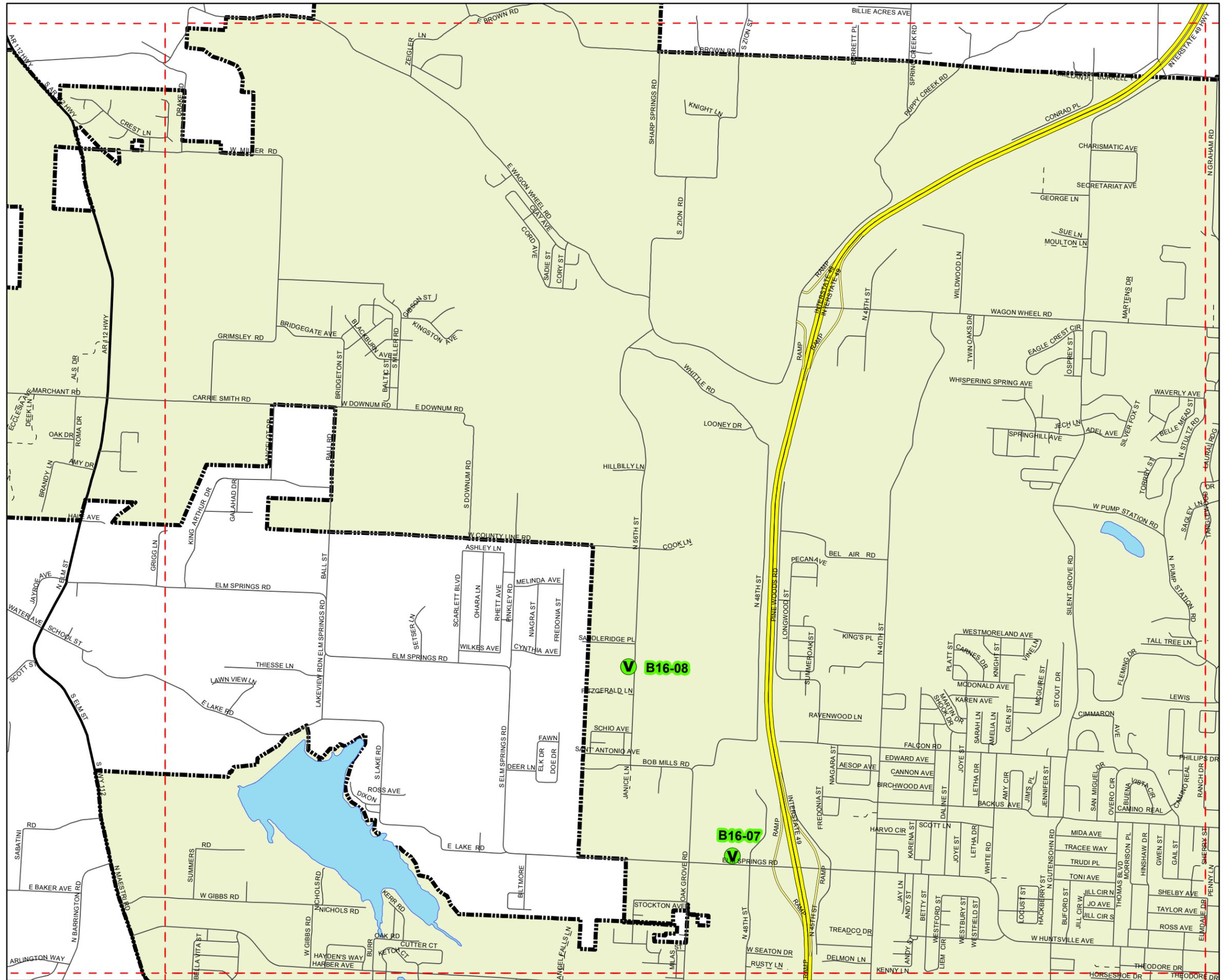
Debbie Ponders, Recording Secretary

**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
FEBRUARY 2ND, 2016**

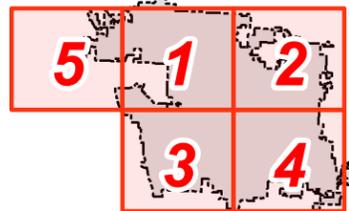
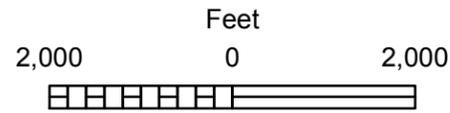


SHEET 1

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

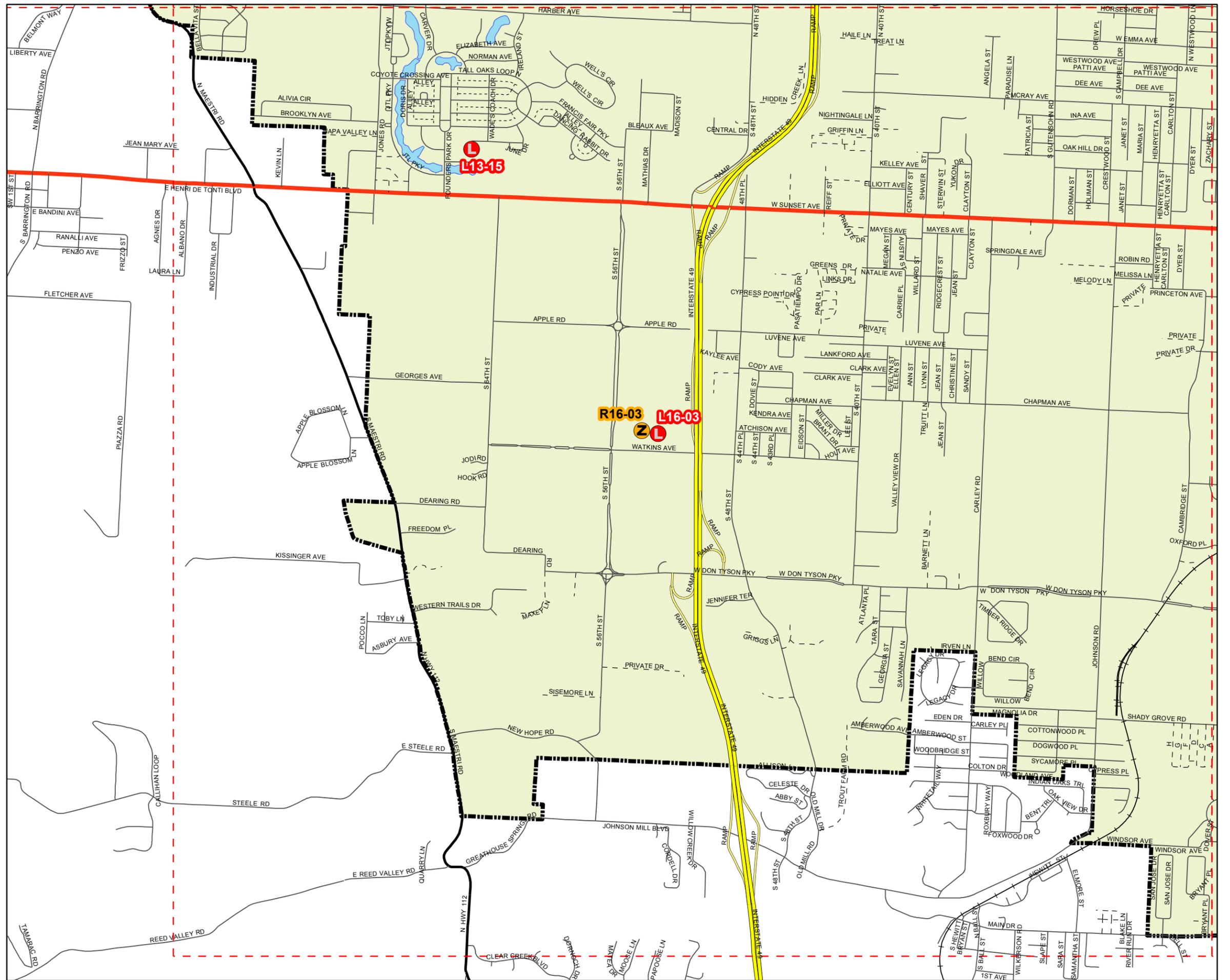


**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
FEBRUARY 2ND, 2016**

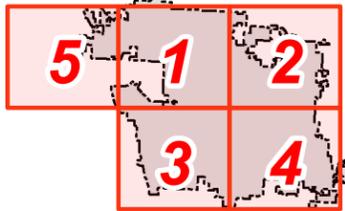
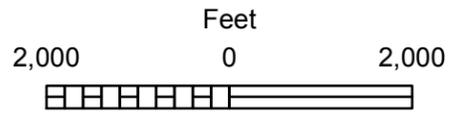


SHEET 3

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

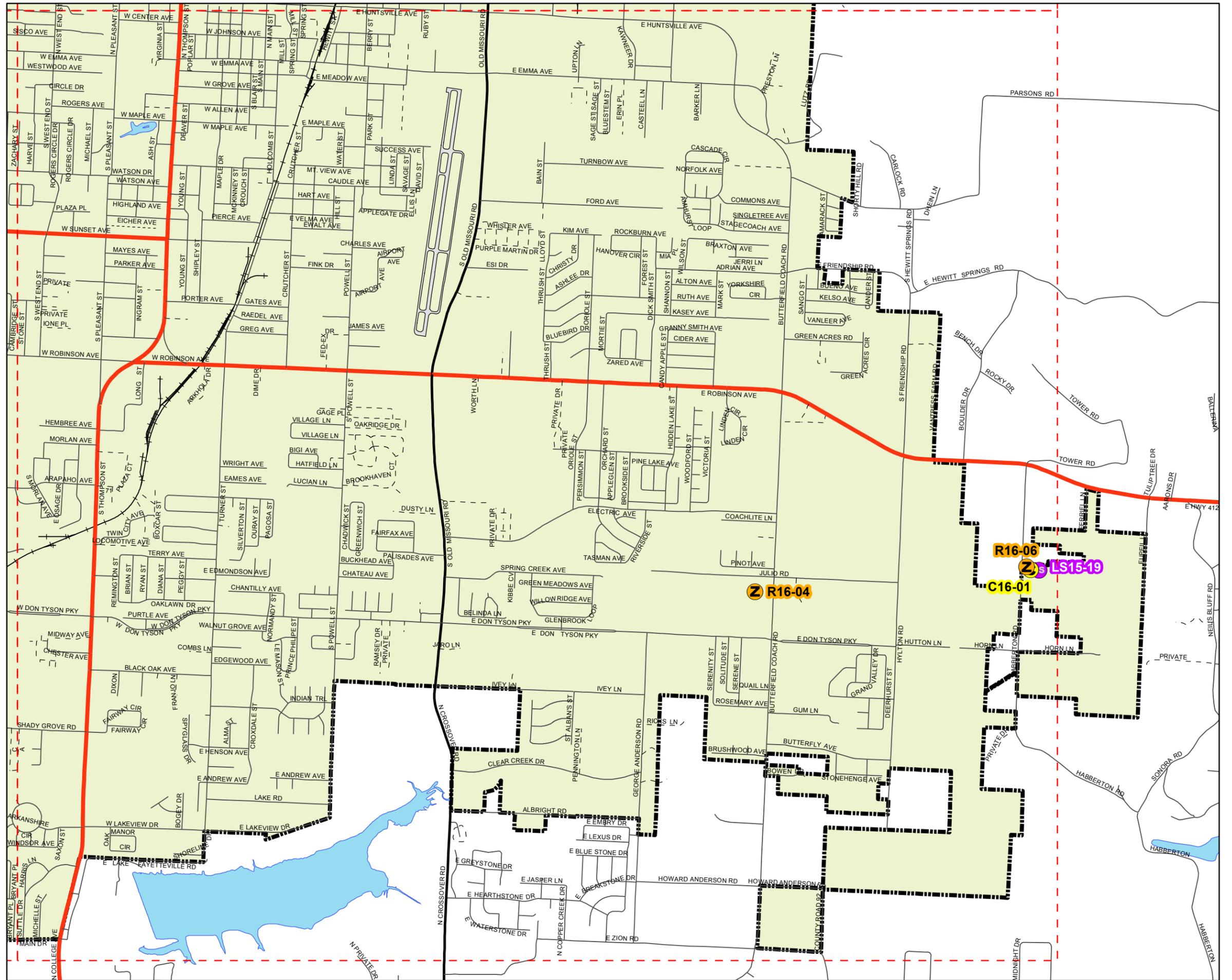


**CITY OF SPRINGDALE
PLANNING COMMISSION
AGENDA ITEMS
FEBRUARY 2ND, 2016**



SHEET 4

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



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**PLANNING & COMMUNITY
DEVELOPMENT DIVISION**

Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: February 2, 2015
Re: R16-03 Rezone

A request by Arkansas Children's Hospital Foundation, Inc. for Planning Commission approval of a zone change from Agricultural District (A-1) to Institutional District (P-1) for a tract of land containing 36 acres.

LOT LOCATION AND SIZE

The 36 acre tract is located at the northeast corner of the intersection of 56th Street and Watkins Avenue.

A vicinity map is attached.

EXISTING ZONING

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

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

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

Temporary Uses – 32, 34

ACCESSORY USES

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

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

SITE PLAN REVIEW

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

AREA REGULATIONS

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

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

REQUESTED ZONING

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

Uses permitted: - 1, 4, 5

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

HEIGHT REGULATIONS

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

AREA REGULATIONS

(1) **SETBACKS:**

- Front setback 30'
- Front setback if parking is allowed between R-O-W and the building 50'

Side setback	0
(subject to applicable fire and building codes)	
Side setback when contiguous to a residential district	25'
Rear setback	25'

GREENSPACE

Each developed lot shall provide and maintain:

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

OFF-STREET PARKING

See Article 7 of this chapter.

SURROUNDING ZONING AND LAND USE

Zoning of the surrounded area is shown on the attached map. The tract is undeveloped. The area to the north is undeveloped in A-1 zoning. I-49 is the east of the property. The area to the south contains single family dwellings and a commercial use in C-5, C-1 and A-1 zoning districts. Arvest Ballpark is to the southwest in a P-1 district. The area to the west is undeveloped in an A-1 district.

LAND USE PLAN AND MASTER STREET PLAN

The adopted Comprehensive Land Use Plan indicates commercial and regional commercial uses.

The Master Street Plan indicate4s 56th Street as a major collector and Watkins Avenue is a minor collector.

STAFF COMMENTS AND RECOMMENDATIONS

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

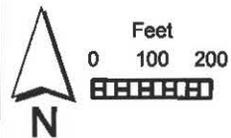
Acquisition of desirable sites well in advance of need.

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

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



P43



FILE NUMBER: R16-03
APPLICANT: ARKANSAS CHILDREN'S HOSPITAL
REZONING REQUEST: A-1 TO P-1

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING

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 Arkansas Children's Hospital Foundation, Inc.

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

Legal Description:

A part of Tract 1 of the Tract Split for C.L George and sons, Springdale, Washington County, Arkansas whose warranty deed is recorded as Washington County Land Records Document 465-65 Washington County Circuit Clerk Office, Fayetteville, Arkansas, and which is more particularly described as follows;

A part of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) and a part of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 9, Township 17 North, Range 30 West, Washington County, Arkansas, being more particularly described as follows: Commencing at the northwest corner of the SW 1/4 of said NW 1/4 Thence South 87 degrees 28 minutes 59 seconds East a distance of 861.52 feet to the POINT OF BEGINNING OF TRACT 1 B (P.O.B. TRACT 1 B); Thence South 87 degrees 28 minutes 59 seconds East a distance of 462.94 feet; Thence South 87 degrees 28 minutes 44 seconds East a distance of 220.40 feet to the west right of way line of Interstate 49; Thence along said west right of way line the following 6 courses: Thence South 29 degrees 33 minutes 50 seconds West a distance of 32.60 feet; Thence South 01 degrees 43 minutes 18 seconds East a distance of 300.04 feet; Thence South 01 degrees 42 minutes 44 seconds East a distance of 300.47 feet; Thence South 17 degrees 34 minutes 11 seconds East a distance of 262.13 feet; Thence South 09 degrees 07 minutes 16 seconds East a distance of 253.35 feet; Thence South 00 degrees 08 minutes 02 seconds East a distance of 109.65 feet to the north right of way line of Watkins Avenue; Thence along said north right of line the following 4 courses, North 87 degrees 51 minutes 39 seconds West a distance of 168.89 feet; Thence South 80 degrees 52 minutes 57 seconds West a distance of 152.76 feet; Thence North 87 degrees 43 minutes 41 seconds West a distance of 149.95 feet; Thence South 88 degrees 25 minutes 57 seconds West a distance of 150.15 feet; Thence leaving said north right of way line, South 02 degrees 14 minutes 17 seconds West a distance of 49.18 feet to the south line of the SW 1/4 of said NW 1/4; Thence along said south line North 87 degrees 21 minutes 24 seconds West a distance of 711.09 feet; Thence leaving said south line North 02 degrees 37 minutes 59 seconds East a distance of 57.78 feet to the north right of way line of Watkins Avenue; Thence along said north right of way line, North 87 degrees 34 minutes 05 seconds West a distance of 298.09 feet to a point of curvature; Thence, along a non-tangent curve to the right, an arc distance of 78.56 feet to the east right of way line of South 56th Street, said curve having a radius of 50.00 feet, and a chord bearing and distance of North 42 degrees 32 minutes 45 seconds West 70.73 feet; Thence leaving said curve and along said east right of way line the following courses: Thence North 02 degrees 15 minutes 38 seconds East a distance of 286.91 feet; Thence South 87 degrees 41 minutes 04 seconds East a distance of 5.01 feet; Thence North 02 degrees 23 minutes 15 seconds East a distance of 40.10 feet; Thence North 10 degrees 59 minutes 24 seconds East a distance of 295.14 feet; Thence, along a non-tangent curve to the left, an arc distance of 50.84 feet said curve having a radius of 541.14 feet and a chord bearing and distance of N 08°13'25" E - 50.82 feet; Thence, along a non-tangent curve to the right, an arc distance of 16.63 feet, said curve having a radius of 19.50 feet, and a chord bearing and distance of North 67 degrees 52 minutes 58 seconds East 16.13 feet; Thence leaving said curve, South 87 degrees 41 minutes 17 seconds East a distance of 16.11 feet; Thence North 02 degrees 18 minutes 43 seconds East a distance of 28.00 feet; Thence leaving said east right of way line, South 87 degrees 29 minutes 00 seconds East a distance of 735.35 feet; Thence North 02 degrees 30 minutes 04 seconds East a distance of 511.05 feet to the POINT OF BEGINNING OF TRACT 1 B (P.O.B. TRACT 1 B), containing 1585357 square feet, or 36.39 acres, as surveyed. And being subject to any easements, rights of ways, covenants and restrictions of record.

Layman's Description: Approximately 36 acres between S. 56th Street and I-49 on the north side of Watkins Avenue.

The Petitioner hereby states by oath that:

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

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

FROM (current zoning) A-1, Agricultural District

TO (proposed zoning) P-1, Institutional District

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

1. **Sell** the property No (Yes or No), and if so, is the property subject to an offer and acceptance, escrow contract, option agreement, other contract for conveyance of title No (Yes or No).
2. **Develop** the property Yes (Yes or No), and if so, the proposed use is Arkansas Children's Hospital.
3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: Improve children's healthcare across the region.

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.

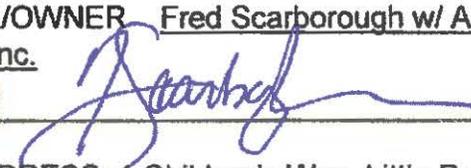
The **Petitioner** understands that he/she should be present at the meeting in order to answer questions. If the **Petitioner** is unable to attend, written authorization must be attached designating a representative and any decisions made by this individual shall be binding on the petitioner.

Authorized Representative: Nathan Streett w/ McClelland Consulting Engineers

Address: 1810 N. College Avenue, Fayetteville, AR. 72703

PETITIONER/OWNER: Fred Scarborough w/ Arkansas Children's Hospital Foundation, Inc.

SIGNATURE



MAILING ADDRESS: 1 Children's Way, Little Rock, AR. 72202-3591

TELEPHONE: 501-364-1419

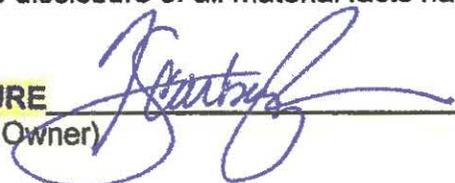
DATE: 12/29/15

VERIFICATION

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

SIGNATURE

(Property Owner)



Fred Scarborough w/ Arkansas Children's Hospital Foundation, Inc.
(Property Owner)

State of Arkansas)
) ss.
County of Saline)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 29th day of December, 2015.


Notary Public

LEANNE M. HOLT
NOTARY PUBLIC-STATE OF ARKANSAS
SALINE COUNTY
My Commission Expires 11/20/2017
Commission # 12363731

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**PLANNING & COMMUNITY
DEVELOPMENT DIVISION**

Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: February 2, 2016
Re: R16-04 Rezone

A request by Nancy Ann Henderson Trust for Planning Commission approval of a zone change from Medium Density Single Family Residential District (SF-2) to Medium Density Multi-family Residential District (MF-12) for a tract of land containing 11.22 acres.

LOT LOCATION AND SIZE

The 11.22 acre tract is located at 3300 Butterfield Coach Road, east side of Butterfield Coach Road, south of Pinot 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 (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 a MF-12 Medium Density Multi-family Residential District. The district is established to provide areas for development allowing more units per structure and a higher density. Provides more compact residential development, and promotes more efficient use of land and utilities, and the development of less expensive housing on smaller lots.

Uses permitted: - 1, 8, 10, 11, 13, 29

Conditional Uses Permitted on Appeal: - 2, 3, 4, 9, 12, 28

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 MF-12 district, except for Use Unit 28 home occupation a site plan review shall be required. See Article 6, 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 six thousand (6,000) square feet for a single family dwelling; ten thousand five hundred (10,500) square feet for a duplex; fourteen thousand (14,000) for a triplex; twenty thousand (20,000) for a four-plex and twenty thousand (20,000) plus two thousand five hundred (2,500) for each unit over five. In addition, there shall be a minimum lot width of not less than sixty (60) feet for a one family; seventy (70) feet for a two family; eighty (80) feet for a three family or larger on a public street.
- (2) **DENSITY** - 12 units per acres
- (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		
						Interior	Corner	
							Interior	Exterior
One Family	60		6,000	30	20	8/8	8	30
Two Family	70		10,500	30	20	8/8	8	30
Three Family	80		14,000	30	20	8/8	8	30
Four Family	80		20,000	30	20	8/8	8	30
Four or more families	80		+20,000 2,500/unit					
Zero Lot Line	60		as above	30	20	16/0	16/0	30
Townhouse	Interior	Corner/end						
	20	50/28		30	20	8/0	8	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.

OFF-STREET PARKING

See Article 7 of this chapter.

LANDSCAPED OPEN SPACE

On any lot, there shall be a minimum of ten (10) percent of landscaped open space in accordance with Article 6 Section 2.16 of this chapter.

MULTIFAMILY PLAY AREAS

See Article 6 Section 2.17 of this chapter.

SURROUNDING ZONING AND LAND USE

Zoning of the surrounded are is shown on the attached map. The tract contains a single family dwelling. The area to the north contains single family dwellings in SF-2 and A-1 zoning. The area to the east and south contain single family dwellings in A-1 zoning. The area to the west is undeveloped in SF-2 zoning.

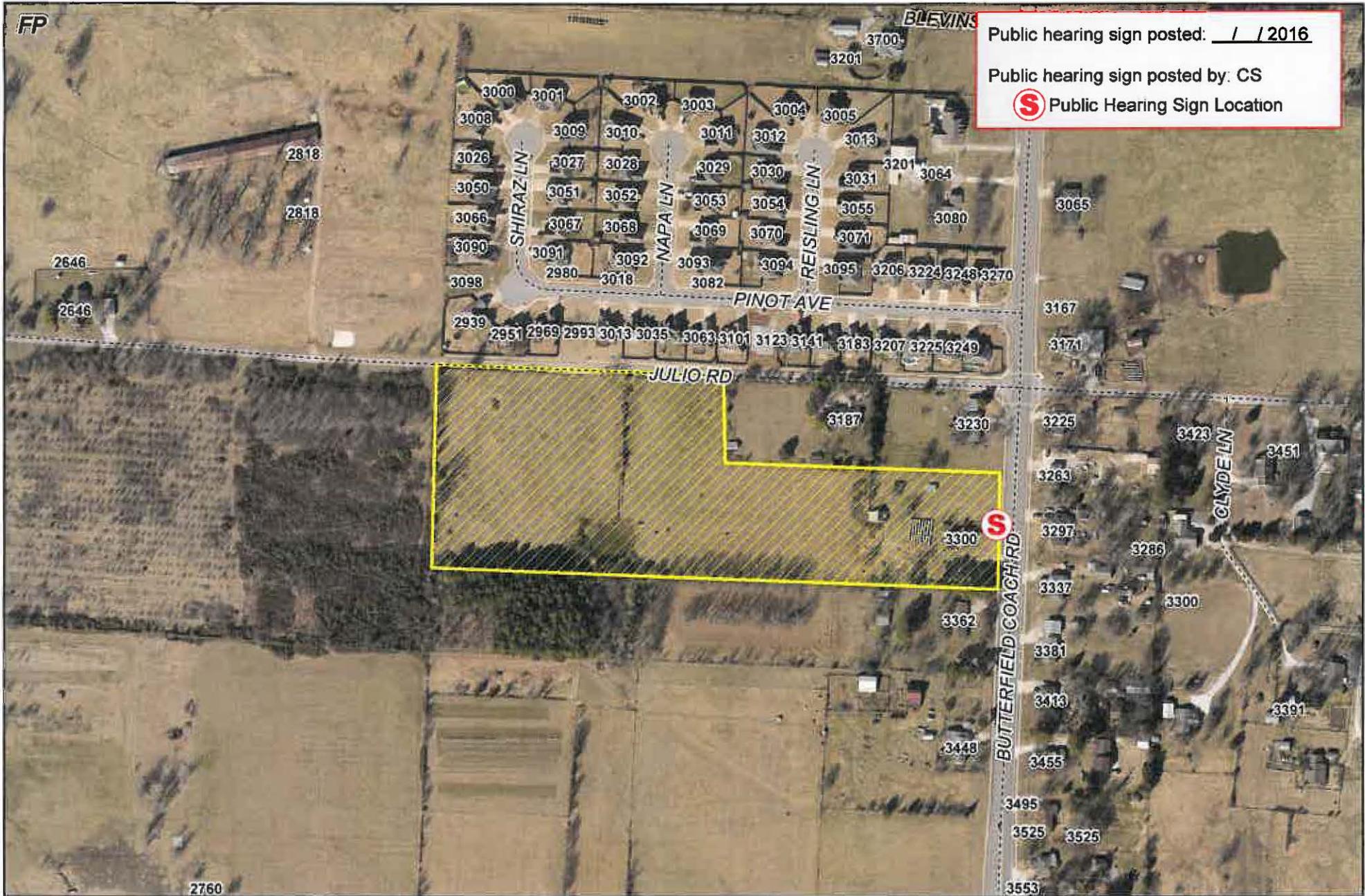
LAND USE PLAN AND MASTER STREET PLAN

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

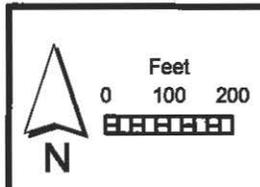
The Master Street Plan indicates Butterfield Coach road as a major collector.

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



FILE NUMBER: R16-04
APPLICANT: NANCY ANN HENDERSON TRUST
REZONING REQUEST: SF-2 TO MF-12

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING

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 Nancy Ann Henderson for Nancy Ann Henderson Trust

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

Legal Description:

As surveyed:
A part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 8, Township 17 North, Range 29 West, being more particularly described as follows to wit:
Beginning at a Northwest corner of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Said Section 8; thence South 87° 28' 13" East - 663.82 feet; thence South 02° 32' 02" West - 200.00 feet; thence South 87° 14' 16" East - 863.95 feet; thence South 02° 29' 51" West - 268.00 feet; thence North 87° 18' 41" West - 1328.24 feet; thence North 02° 34' 15" East - 467.40 feet to the POINT OF BEGINNING, containing 11.22 acres, more or less, subject to easements and/or Rights of Way.

Layman's Description:

3300 Butterfield Coach Co., 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) SF-2

TO (proposed zoning) MF-12

The Petitioner's Immediate Intentions are to:

1. Sell the property YES (Yes or No), and if so, is the property subject to an offer and acceptance, escrow contract, option agreement, other contract for conveyance of title YES (Yes or No).
2. Develop the property YES (Yes or No), and if so, the proposed use is MULTIFAMILY MODERATE INCOME QUADPLEX HOMES.
3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: PROVIDING AN AFFORDABLE ALTERNATIVE FOR FAMILIES, MORE STUDENTS AT LOCAL SCHOOLS, WORKFORCE HOUSING, ADDRESSING COMMUNITY NEEDS.

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: SKIP MORENBUCKER - Pointe Power Development, Inc.

Address: 205 W. WALNUT, Springfield, MO 65806

PETITIONER/OWNER: Nancy Ann Henderson for Nancy Ann Henderson Trust

MAILING ADDRESS: 1303 W. Callahan Dr, Rogers, AR 72758

TELEPHONE: 479-631-5843

DATE: 1-10-16

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.

Nancy Ann Henderson Trust
Nancy Ann Henderson Trustee
(Property Owner)

(Property Owner)

State of Arkansas)

County of Washington) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 11th day of January, 2016.



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**PLANNING & COMMUNITY
DEVELOPMENT DIVISION**

Memo

To: PLANNING COMMISSION MEMBERS

From: Patsy Christie, Planning Director

Date: February 2, 2016

Re: R16-06 Rezone

A request by Jennifer & Steven Turner for Planning Commission approval of a zone change from Agricultural District (A-1) to Low Density Single Family Residential District (SF-1) for a tract of land containing 1.72 acres.

LOT LOCATION AND SIZE

The 1.72 acre tract is located at 3066 Habberton Road, east side of Habberton Road, south of Highway 412 East.

A vicinity map is attached.

EXISTING ZONING

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

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

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

Temporary Uses – 32, 34

ACCESSORY USES

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

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

SITE PLAN REVIEW

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

AREA REGULATIONS

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

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

REQUESTED ZONING

The rezoning application requests a SF-1 Low Density Single Family Residential District. The district is established in order to provide areas in the city for development of single-family residences on lots not less than ten thousand (10,000) square feet in area with a minimum frontage on a public street of eighty (80) feet.

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-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. 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 ten thousand (10,000) square feet. In addition, there shall be a minimum lot width of not less than eighty (80) feet on a public street at the front setback line.
- (2) DENSITY. less than 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	80	10,000	30	20	8/8	8	30
Zero-lot line	80	10,000	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.

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 outside the city limits. The area to the east is undeveloped in PUD zoning. The area to the south contains a single family dwelling in A-1 zoning. The area to the west is outside the city limits.

LAND USE PLAN AND MASTER STREET PLAN

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

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

STAFF COMMENTS AND RECOMMENDATIONS

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

Protect the positive aspects of neighborhood character throughout the City.

Appropriate locations for single-family and multi-family residential development should be provided based on accessibility, site suitability, utility availability, neighborhood compatibility and environmental factors.

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: / / 2016

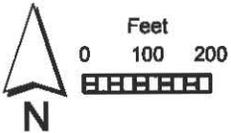
Public hearing sign posted by: CS

S Public Hearing Sign Location



FILE NUMBER: R16-06 & C16-01
APPLICANT: JENNIFER & STEVEN TURNER
REZONING REQUEST: A-1 TO SF-1
CONDITIONAL USE REQUEST: TANDEM LOT SPLIT

CITY OF SPRINGDALE
PLANNING OFFICE
 PLANNING COMMISSION MEETING



File No.

R16-06

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 Jennifer + Steven Turner

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

Legal Description:

Deed Book 2014 at page 18298
(attached)

Layman's Description: 3066 Hobberton Rd, 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) A-1

TO (proposed zoning) SF-1

The Petitioner's immediate intentions are to:

1. Sell the property yes (Yes or No), and if so, is the property subject to an offer and acceptance, escrow contract, option agreement, other contract for conveyance of title yes (Yes or No).
2. Develop the property NO (Yes or No), and if so, the proposed use is _____.
3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: we believe that the rezoning is a good fit and would have a positive effect on the neighborhood.

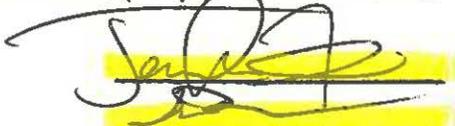
The Petitioner understands that he/she is responsible to send a notice of the public hearing to owners of adjacent properties in accordance with the requirements set forth in the instruction given with this application and that an affidavit must be submitted with supporting documents no later than seven (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: Heath Myers (Blewett Associates)

Address: 524 W. Sycamore St. Suite #24, Fayetteville AR 72703

PETITIONER/OWNER SIGNATURE



MAILING ADDRESS: _____

TELEPHONE: _____ DATE: _____

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)

[Handwritten Signature]

[Handwritten Signature]

(Property Owner)

State of Arkansas)
) ss.
County of Washington)

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



[Handwritten Signature]

Notary Public

File No. C 16-01

APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Jennifer + Steven Turner
Address: 3066 Hobbs Rd, Springdale AR 72764
Phone: _____ Profit: _____ Non-Profit
2. Property Location (street address or layman's description):
3066 Hobbs Rd, Springdale AR, 72764
3. Record Title Holder of Property: Jennifer + Steven Turner
(A copy of the warranty deed should be attached as Exhibit "A")
4. Use Unit requested Single Family in A-1 Zoning District.
dwelling
5. Description of the conditional use sought and the reasons why it should be approved:
The applicant requests a conditional use for a tandem lot split
as required by the City of Springdale.
6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
The tandem lot split would have no negative effects on the
neighborhood and we believe would be a good fit.
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

[Signature]
[Signature]

Date: 1/7/16

Date: 1/7/16

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.

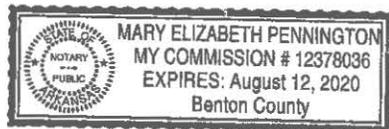
[Signature]

State of Arkansas)
County of Benton) ss.

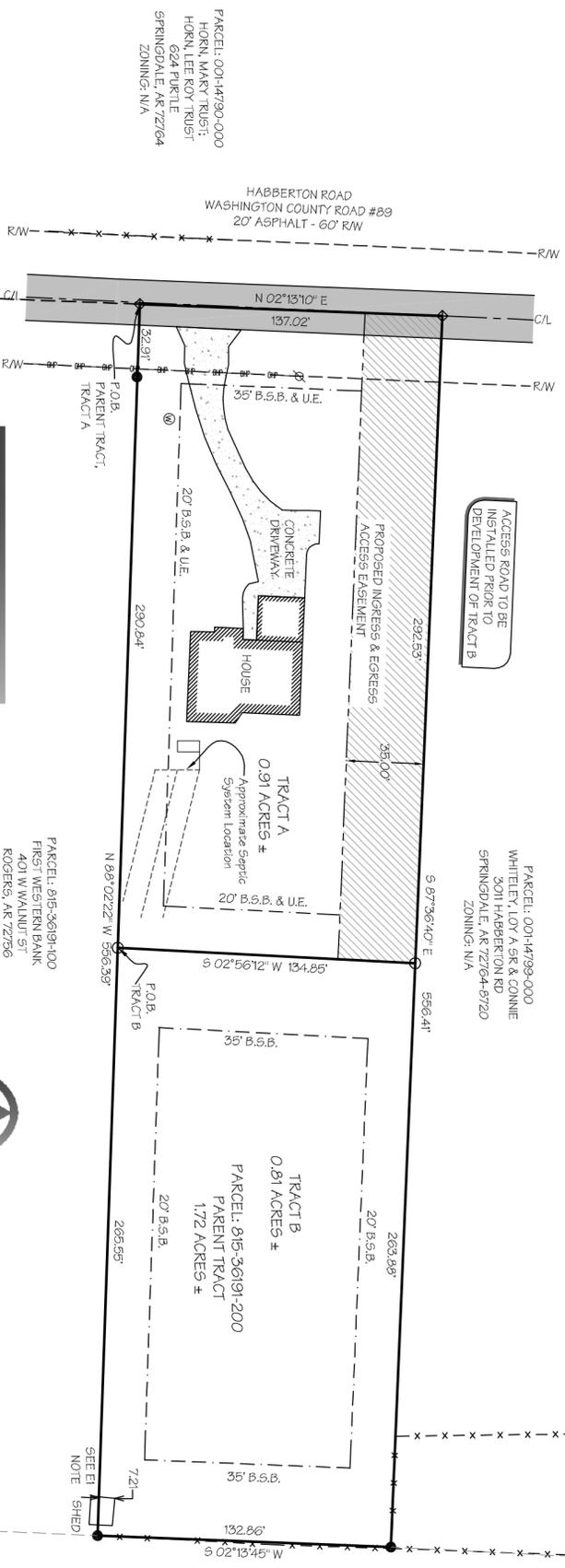
SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 7th day of January, 2016.

[Signature]
Notary Public

My commission expires: 08/12/2020



TRACT SPLIT



ACCESS ROAD TO BE INSTALLED PRIOR TO DEVELOPMENT OF TRACT B

PARCEL: 00144799-000
WHITELY, LOY A SR & CONNIE
3011 HABBERTON RD
SPRINGDALE, AR 72764-8720
ZONING: N/A

PARCEL: 815-36191-300
FIRST WESTERN BANK
401 W WALNUT ST
ROGERS, AR 72756
ZONING: A-1

Legend of Symbols & Abbreviations

- SET/ROUND 1/2" IRON NAIL
- ⊗ IRON CORNER 105°
- ROUND STONE
- ⬇ COMPTON POINT
- ⊙ POWER POLE
- ⊙ GAS METER
- ⊙ TELEPHONE RECEPTACLE
- ⊙ WATER METER
- ⊙ ROUNDER LINE
- FENCE LINE OF 80/40
- RIGHT-OF-WAY
- X — X — FENCE
- X — X — INGRESS & EGRESS EASEMENT
- — — BUILDING SETBACK
- — — UTILITY EASEMENT
- — — WATER LINE
- — — OVERHEAD POWER LINE

N 02°13'10" E 401.75'



Zoning & Seckack Information	
FRONT SETBACK	35 FEET
SIDE SETBACK	20 FEET
REAR SETBACK	35 FEET
CORNER SETBACK	20 FEET

Survey Description

PARENT TRACT:
A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 29 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT IN THE SOUTHEAST QUARTER OF SECTION 9 AND RUNNING THENCE ALONG SAID COUNTY ROAD #89 N02°13'10"E 137.02' THENCE S87°36'40"E 292.53' TO A SET IRON PIN, THENCE S02°56'12"W 134.85' TO A SET IRON PIN, THENCE N88°02'22"W 290.84' TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.91 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS-OF-WAYS OF RECORD, IF ANY.

TRACT A:
A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 29 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT IN THE SOUTHEAST QUARTER OF SECTION 9 AND RUNNING THENCE ALONG SAID COUNTY ROAD #89 N02°13'10"E 137.02' THENCE S87°36'40"E 292.53' TO A SET IRON PIN, THENCE S02°56'12"W 134.85' TO A SET IRON PIN, THENCE N88°02'22"W 290.84' TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.91 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS-OF-WAYS OF RECORD, IF ANY.

TRACT B:
A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 29 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N02°13'10"E 401.75' AND S88°02'22"E 290.84' FROM THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, SAID POINT BEING A SET IRON PIN AND RUNNING THENCE N02°56'12"E 134.85' TO A SET IRON PIN, THENCE S87°36'40"E 263.89' TO A ROUND IRON PIN, THENCE S02°56'12"W 132.86' TO A ROUND IRON PIN, THENCE N88°02'22"W 265.53' TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.81 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS-OF-WAYS OF RECORD, IF ANY.

PROPOSED INGRESS AND EGRESS EASEMENT:
A THIRTY-FIVE (35) FOOT WIDE ACCESS EASEMENT LYING SOUTH AND ADJACENT TO THE NORTH BOUNDARY LINE OF TRACT A.

Miscellaneous Notes

- STATE RECORDING NUMBER: 500-17N-29W-039-240-721532
- COMPLETED FIELD WORK: AUGUST 11, 2014
- BASIS OF BEARING: ARKANSAS STATE PLANE, NORTH ZONE, NAD 83
- REFERENCE DOCUMENTS: 1. WARRAKINITY DEED FILED IN DEED BOOK 2014 AT PAGE 18298, 2. SURVEY PLAT BY BLEW & ASSOCIATES, P.A. ON 06/14/2014, PROJECT NUMBER 14-456.
- SOME HEAT RES 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. 051430000R, WHICH BEARS AN EFFECTIVE DATE OF 5/16/2008 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.



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.



IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT IN FULL CONFORMANCE WITH THE PROVISIONS ASSUMED THAT THIS SEAL IS VALID, THE SIGNATURE AND CERTIFICATIONS SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 11TH DAY OF AUGUST, 2014.

BLEW & ASSOCIATES, PA

CIVIL ENGINEERS & LAND SURVEYORS
524 W. STYCAMORE ST, SUITE 4
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479.443.4506
FAX: 479.582.1883
www.BLEWINC.com

Certificate of Authorization: № 1534

DRAWN BY & DATE	REVIEWED BY	JOB NUMBER	SHEET NO.
CARP 07/27/2015	BILL		H.M.L.

LOCATIONS: SECTION 9, TOWNSHIP 17 NORTH, RANGE 29 WEST

FIRST WESTERN BANK

Memo

To: Planning Commission

From: Staff

Date: February 2, 2016

RE: L13-15 Tuscany Village, Inc. Large Scale Development E. side

**Founder's Parkway, N.
side of Lynch's Prairie
Cove**

Planning Comments

- 1) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 1) Submit a unified lighting plan per Springdale Commercial Design Standards.

PLANS FOR

LARGE SCALE DEVELOPMENT

TO SERVE

JLB REAL ESTATE HOLDINGS, LLC.



A COMMERCIAL DEVELOPMENT

IN THE CITY OF

SPRINGDALE, ARKANSAS

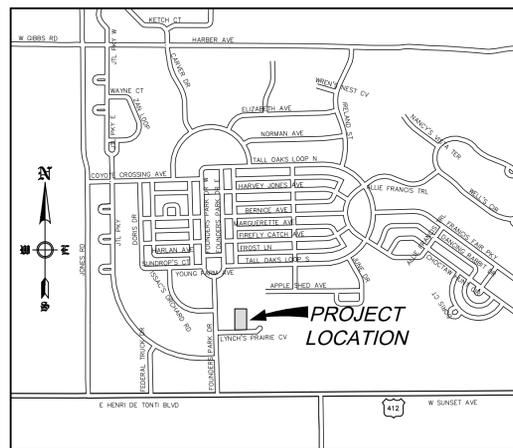
L13-15

January 20, 2016

BY
ENGINEERING SERVICES INC.



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



VICINITY MAP
NTS

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

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

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

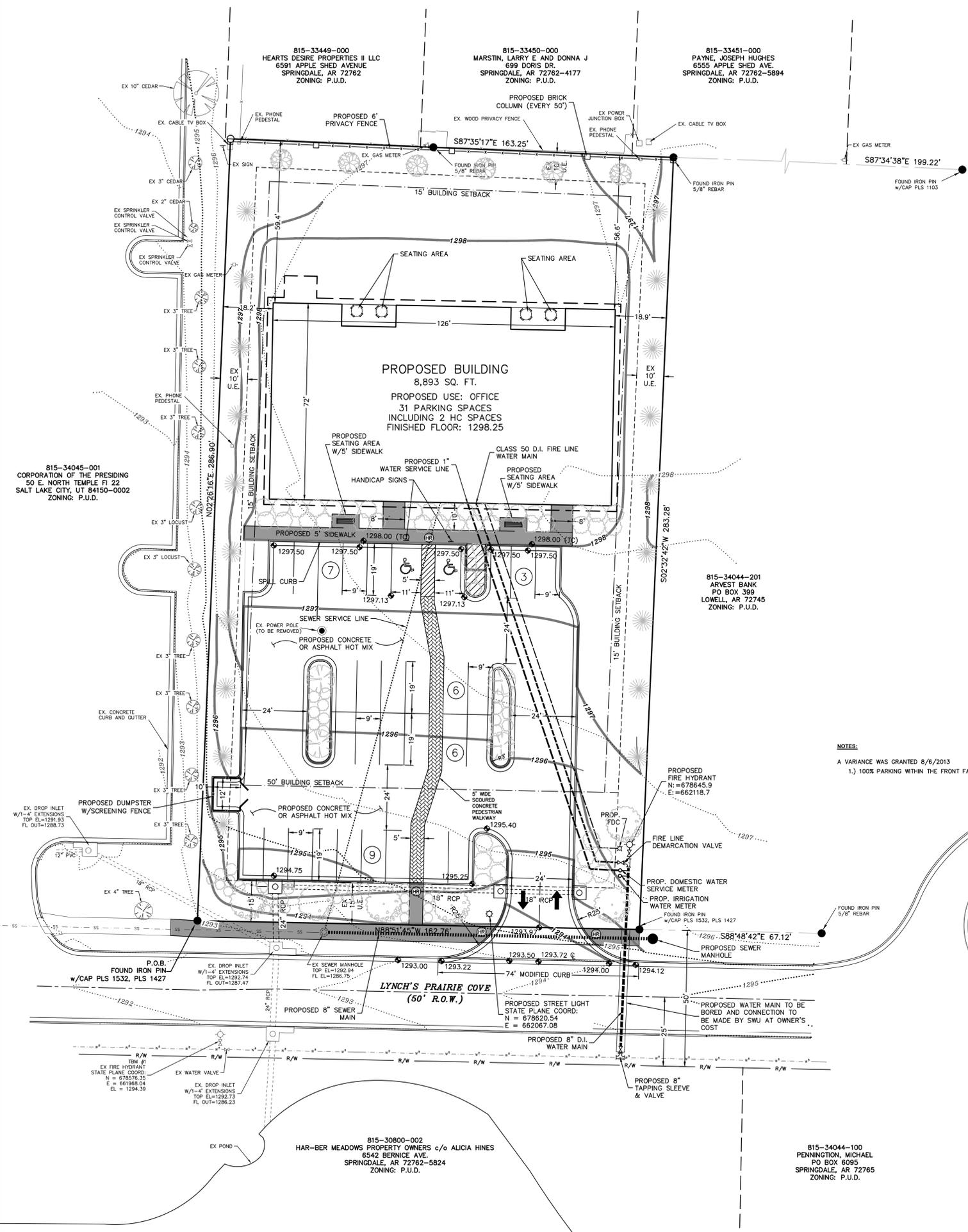
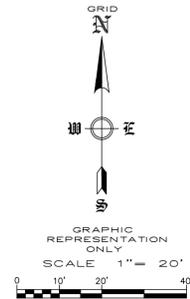
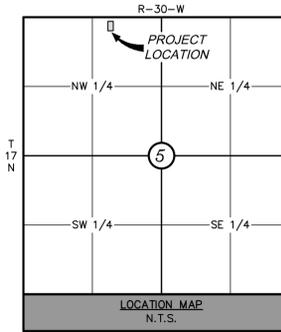
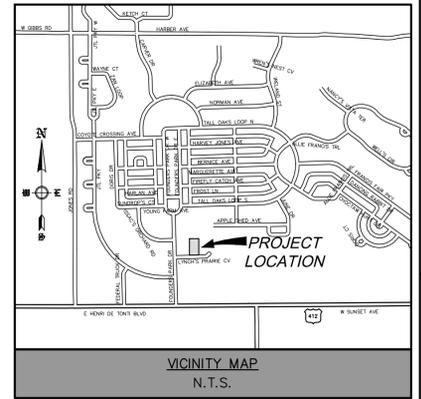
NOTES :

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

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

REVISION	DATE	DESCRIPTION

SCALE: 1"=20'
DATE: JULY 2013
ENGINEER: TJA
DRAWN BY: XXX
W.O. #: 13927



LEGEND

●	IRON PIN FOUND
—	PROPERTY LINE
- - -	ADJACENT PROPERTY LINE
R/W	RIGHT-OF-WAY
816	EXISTING CONTOURS
---	EXISTING BACK OF CURB
---	EXISTING CENTERLINE
---	EXISTING FENCE
SS	EXISTING SEWER LINE
W	EXISTING WATERLINE
⊙	EXISTING SEWER MANHOLE
⊙	EXISTING FIRE HYDRANT
⊙	EXISTING WATER VALVE
---	PROPOSED BACK OF CURB
321	PROPOSED CONTOURS
---	PROPOSED WATER MAIN
⊙	PROPOSED STORM BOX
---	PROPOSED STORM PIPE
⊙	PROP. HANDICAP RAMP
⊙	PROPOSED STREET LIGHT

OWNER/DEVELOPER: JLB REAL ESTATE HOLDINGS LLC
4700 S. THOMPSON, STE B101
SPRINGDALE, AR 72764

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

ZONING: P.U.D.

GROSS AREA: 1.07 ACRES

NET AREA: 1.07 ACRES

PROPOSED BUILDING SIZE: 8,893 SQ. FT.

PARKING SPACES REQUIRED: 30 (INCLUDING 2 A.D.A. ACCESSIBLE)
(OFFICE=8,893 SQ. FT. ● 1 PER 300 SQ. FT. =30 SPACES)

PARKING SPACES PROVIDED: 31 (INCLUDING 2 A.D.A. ACCESSIBLE)

PARCEL NUMBER: 815-34044-200

LEGAL DESCRIPTION - LOT 3A:
A PART OF LOT 3, BLOCK 43 IN HAR-BER MEADOWS PLANNED UNIT DEVELOPMENT, PHASE IX, IN THE CITY OF SPRINGDALE, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT FOUND IRON PIN AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE N02°26'16"E A DISTANCE OF 286.90 FEET; THENCE S87°35'17"E A DISTANCE OF 163.25 FEET TO A FOUND IRON PIN; THENCE S02°32'42"W A DISTANCE OF 283.28 FEET TO A FOUND IRON PIN; THENCE N88°51'45"W A DISTANCE OF 162.76 FEET TO THE POINT OF BEGINNING SAID TRACT OR PARCEL OF LAND CONTAINING 1.07 ACRES AND SUBJECT TO EASEMENTS, RIGHT-OF-WAYS, PROTECTIVE COVENANTS OF RECORD, IF ANY AND SUBJECT TO PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES.

SURVEYOR'S NOTES:
THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR.
DECLARATION IS MADE TO THE ORIGINAL PURCHASER(S) OF THE SURVEY AND IS NOT TRANSFERABLE TO ANY ADDITIONAL INSTITUTIONS, SUBSEQUENT OWNER OR ASSIGNS.
THE GLOBAL POSITIONING SYSTEM (GPS) AND CONVENTIONAL TERRESTRIAL SURVEYING PROVIDED THE RELATIVE POSITIONING FOR THE PLANIMETRIC AND BOUNDARY LOCATIONS SHOWN HEREON.
THE MAP PROJECTION IS REFERENCED TO THE HORIZONTAL CONTROL DATUM OF NAD83, (NORTH AMERICAN DATUM OF 1983). STATE PLANE COORDINATE SYSTEM, ARKANSAS NORTH ZONE (0301)
THE BOUNDARY INFORMATION SHOWN HEREON REFLECTS GRID BEARINGS AND GRID DISTANCES.

THE POINT OF BEGINNING (POB) WAS USED FOR THE COMPUTED CONVERGENCE ANGLE AND COMBINED FACTOR.
COMBINED FACTOR FOR THIS PROJECT IS 0.999928134.
CONVERGENCE ANGLE IS -01°16'56.5". (GRID NORTH IS WEST OF TRUE NORTH)

THE SEA LEVEL FACTOR (ORTHOMETRIC VERTICAL SCALE) IS BASED ON THE TRACT'S AVERAGE ORTHOMETRIC ELEVATION OF 1332 FT, NAVD88 (NORTH AMERICAN VERTICAL DATUM OF 1988)
TO CONVERT GRID DISTANCES TO HORIZONTAL DISTANCES USE THE INVERSE COMBINED FACTOR: 1.000071866.
THE ACREAGE SHOWN HEREON WAS COMPUTED FROM THE GRID COORDINATES THEN SCALED TO GROUND ACREAGE BY THE INVERSE COMBINED FACTOR SQUARED.

PLAT OF SURVEY CLOSURE CERTIFICATION:
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 468,837 FEET.

UTILITIES:
THE UTILITY INFORMATION SHOWN HEREON IS PROVIDED BY THE SURVEYOR AND IS BASED ON ABOVE GROUND UTILITY FEATURES. THE DESIGNATIONS AND LOCATIONS OF THESE UTILITY FEATURES ARE NOT TO BE CONSTRUED AS ALL INCLUSIVE OR ABSOLUTE AND ARE PROVIDED WITHOUT WARRANTY.
1. THERE MAY BE OTHER BURIED UTILITIES OR STRUCTURES THAT COULD BE IN SERVICE OR ABANDONED.
2. THERE MAY BE ABOVE GROUND FEATURES OBTAINED BY GROUND COVER, DEBRIS AND/OR ASPHALT.

NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO PHYSICALLY LOCATE BURIED UTILITIES OR STRUCTURES. PRIOR TO EXCAVATION THE ASSOCIATED UTILITY COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE, LOCATION AND DEPTH.
SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF OVERHEAD OR UNDERGROUND CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

REFERENCES:
EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED BELOW. A TITLE COMMITMENT BY COMMONWEALTH LAND TITLE INSURANCE COMPANY, FILE NO. 0801536-960 WAS PROVIDED THE SURVEYOR. NO OTHER SEARCH FOR ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR AN OTHER FACTS WAS MADE BY THE SURVEYOR.

WASHINGTON COUNTY RECORDS:
1.) WARRANTY DEED - DEED BOOK 2008, PAGE 30122
2.) WARRANTY DEED - DEED BOOK 2005, PAGE 20250
3.) PLAT OF SUBDIVISION - PLAT BOOK 23, PAGE 89
4.) REPLAT OF SUBDIVISION - PLAT BOOK 23A, PAGE 158
5.) WATER & SEWER EASEMENT - DEED BOOK 2002, PAGE 3234 - TITLE COMPANY EXCEPTION # 6 DOES NOT AFFECT THIS PROPERTY.

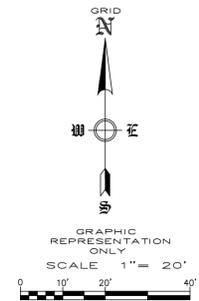
FLOOD PLANNING ZONING:
THIS PROPERTY IS NOT WITHIN THE 100 YEAR FLOOD ZONE AS SHOWN ON THE F.I.R.M. MAP # 05143C0065F, PANEL 65 OF 575, WASHINGTON COUNTY, ARKANSAS & INCORPORATED AREAS. EFFECTIVE DATE: MAY 16, 2008.

- NOTES:**
- ALL PARKING LOT DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED (EXAMPLE: 15'BC) AS TO BACK OF CURB.
 - ALL PROPOSED CURBING SHALL BE 6" WIDE X 6" HIGH.
 - A.D.A. ACCESSIBLE RAMPS TO HAVE A MAXIMUM INCLINATION RATIO OF 12:1.
 - ANY COST OF ADJUSTMENTS, RELOCATION OR DAMAGE OF EXISTING UTILITIES WILL BE THE RESPONSIBILITY OF THE OWNERS/DEVELOPERS.
 - THE MINIMUM INITIAL RATING FOR THE STREETLIGHTS SHALL BE 6,800 LUMENS FOR A LOCAL STREET, 11,000 LUMENS FOR A COLLECTOR STREET, OR 20,000 LUMENS FOR AN ARTERIAL STREET. FIXTURES SHALL BE BY LSI LIGHTING MODEL CROSSOVER XRM, #SPL-XXM3-119W/LED/UE-MSV-IPC-PC-COS.
 - MODIFIED CURB REQUIRED AT ALL DRIVES.
 - ALL UTILITY WIRES, LINES, AND/OR CABLE UTILIZED BY ELECTRIC AND/OR TELECOMMUNICATIONS COMPANIES SHALL BE PLACED UNDERGROUND, EXCLUDING 12KV AND ABOVE.
 - INTERNAL PEDESTRIAN WALKWAYS MUST BE DISTINGUISHABLE FROM DRIVING SURFACES THROUGH THE USE OF LOW MAINTENANCE SURFACE MATERIAL SUCH AS PAVERS, BRICKS, OR SCORED CONCRETE.
 - OUTDOOR STORAGE, TRASH COLLECTION, AND LOADING AREAS MUST BE LANDSCAPED, SO THAT THEIR FUNCTIONS ARE FULLY CONTAINED AND OUT OF VIEW OF THE ADJACENT PROPERTY AND THE PUBLIC RIGHT-OF-WAY.
 - EXTERIOR GROUND-MOUNTED OR BUILDING-MOUNTED EQUIPMENT INCLUDING, BUT NOT LIMITED TO, MECHANICAL EQUIPMENT, UTILITIES AND BANKS OF METER SHALL BE SCREENED FROM PUBLIC VIEW WITH LANDSCAPING OR WITH AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE BUILDING ARCHITECTURE.
 - ALL ROOFTOP EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW WITH AN ARCHITECTURAL TREATMENT THAT IS COMPATIBLE WITH THE BUILDING ARCHITECTURE.
 - WHEN A COMMERCIAL DEVELOPMENT INCLUDES A FENCE OR WALL, THE FOLLOWING GUIDELINES AND STANDARDS APPLY:
 - MAXIMUM HEIGHT OF A FENCE OR WALL SHALL BE 8'.
 - CONSTRUCTED OF HIGH QUALITY MATERIALS SUCH AS DECORATIVE BLOCKS, BRICK, STONE, CYPRESS, CEDAR, REDWOOD, AND/OR WROUGHT IRON.
 - MAXIMUM LENGTH OF A CONTINUOUS, UNBROKEN, AND UNINTERRUPTED FENCE OR WALL SHALL BE 50'. BREAKS SHALL BE PROVIDED THROUGH THE USE OF COLUMNS, LANDSCAPING POCKETS, TRANSPARENT SECTIONS, AND/OR A CHANGE TO DIFFERENT MATERIALS.

**REVISED
L13-15**

REVISION	DATE	DESCRIPTION

SCALE: 1"=20'
DATE: JAN 2016
ENGINEER: TJA
DRAWN BY: XXX
W.O. #: 13927



OWNER/DEVELOPER: JLB REAL ESTATE HOLDINGS, LLC.
4700 S THOMPSON, STE B101
SPRINGDALE, AR 72764

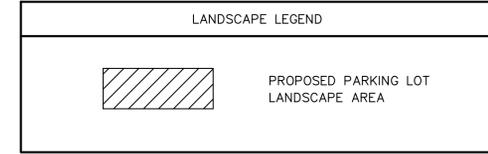
ENGINEER/SURVEYOR: ENGINEERING SERVICES, INC.
1207 S. OLD MISSOURI RD.
P.O. BOX 282
SPRINGDALE, AR 72762

ZONING: P.U.D.
GROSS AREA: 1.07 ACRES
NET AREA: 1.07 ACRES

LANDSCAPING NOTES:

- 1) ALL LANDSCAPING SHALL MEET OR EXCEED THE SPECIFICATIONS OF THE CITY OF SPRINGDALE LANDSCAPE ORDINANCE # 3306.
- 2) ALL TREES, SHRUBS, AND PLANTS USED IN THE PROPOSED LANDSCAPING SHALL BE SELECTED BY THE OWNER FROM THE RECOMMENDED LISTS IN SAID LANDSCAPE ORDINANCE # 3306.
- 3) ALL TREES TO BE MINIMUM 8' TALL WITH MINIMUM 2" CALIPER
- 4) LANDSCAPING SHALL BE GUARANTEED FOR TWO YEARS.
- 5) AN AUTOMATIC SPRINKLER SYSTEM SHALL BE INSTALLED TO MEET LANDSCAPING REQUIREMENTS.
- 6) ALL LANDSCAPING TO BE DRESSED WITH 4" OF PINE BARK MULCH AFTER INSTALLATION.
- 7) ALL DISTURBED AREAS TO BE SODED.
- 8) METAL EDGING TO BE PLACED AROUND ALL PLANTING BEDS, AS SHOWN ON PLANS.

INTERIOR PARKING LOT LANDSCAPING PROVIDED:
TOTAL PARKING LOT AREA: ±13,770 SQ. FT. TOTAL
TOTAL LANDSCAPE AREA REQUIRED: 8% OF TOTAL PARKING LOT AREA = 1,101 SQ. FT.
TOTAL LANDSCAPING PROVIDED = ±1,488 SQ. FT.
% TOTAL AREA OF LOT: 1,488 / 13,770 = ±10.08 %

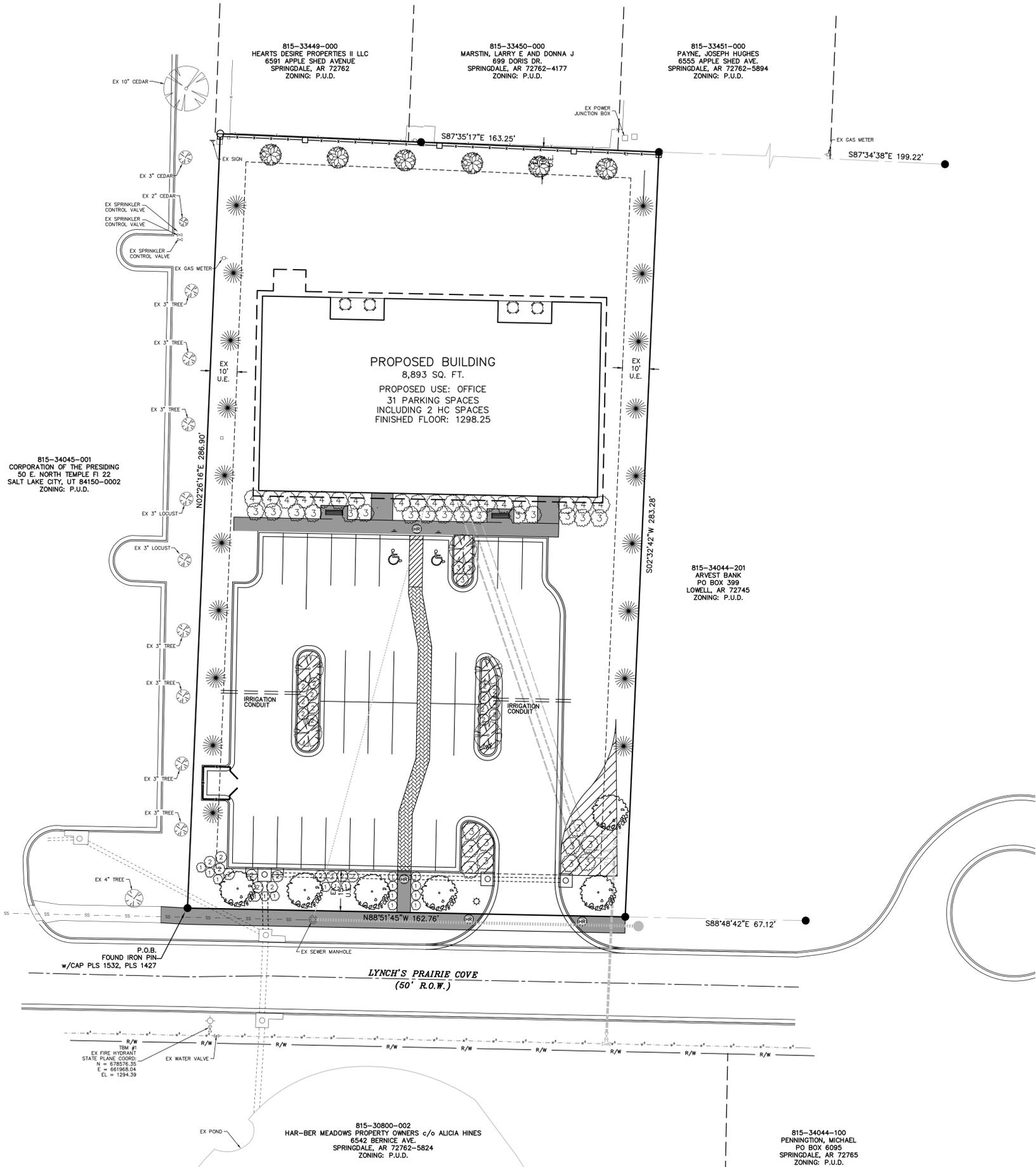


INDEX OF TREES

TREE SYMBOL	COMMON NAME	BOTANICAL NAME	TOTAL # TREES	SIZE
	RIVER BIRCH	Prunus cerasifera	6	B & B
	SUGAR MAPLE	Acer saccharum	6	B & B
	JAPANESE BLACK PINE	Pinus thunbergii	19	B & B

INDEX OF PLANTS

PLANT SYMBOL	COMMON NAME	BOTANICAL NAME	TOTAL # PLANTS	SIZE
①	DWARF SPIREA	Spiraea 'x' bumalda	17	2 GAL.
②	FOSTER'S HOLLY	Ilex 'x' attenuata	26	2 GAL.
③	MUGO PINE	Pinus mugo Pumilio	29	2 GAL.
④	GLOSSY ABELIA	Abelia 'x' grandiflora	18	2 GAL.

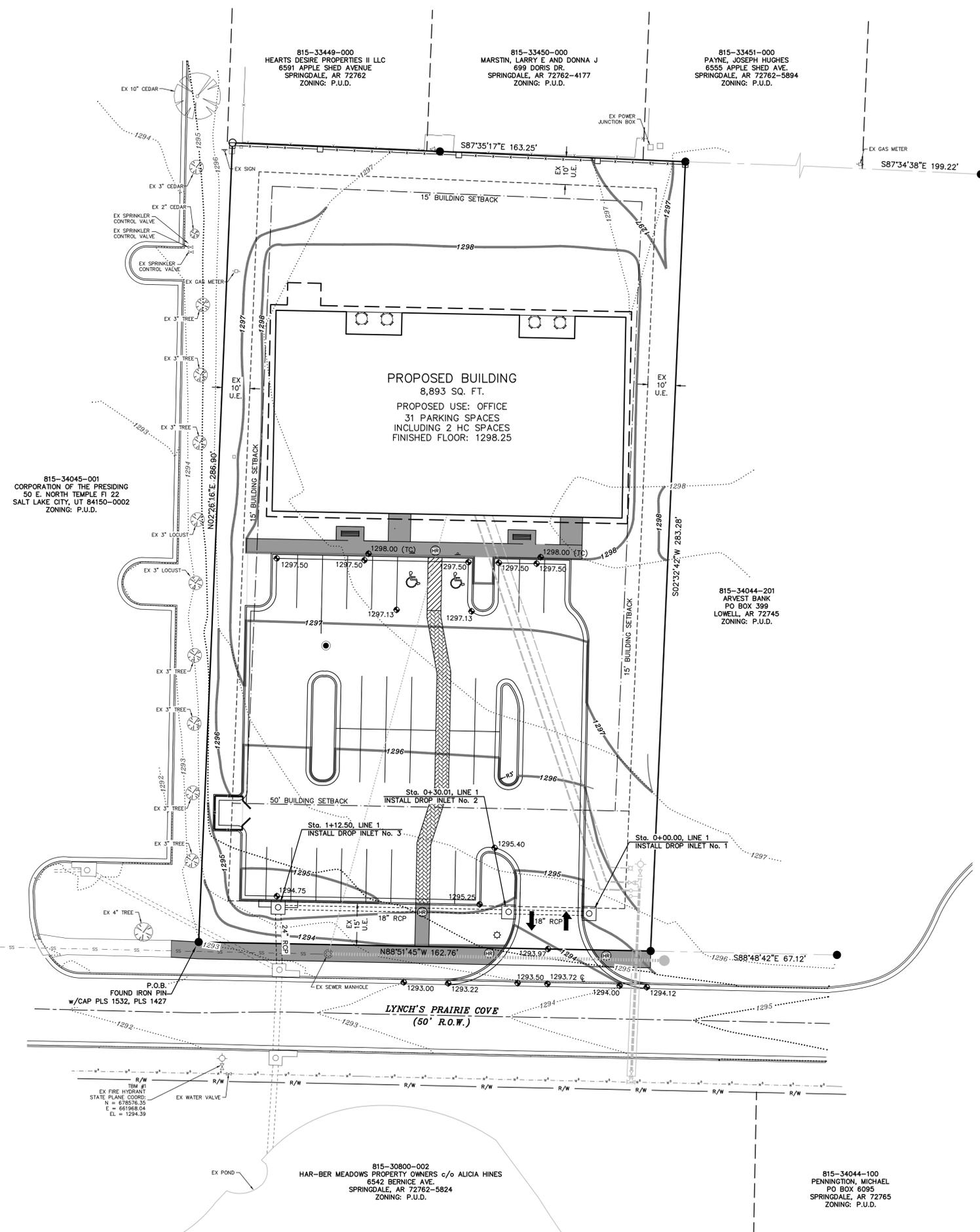


REVISED
L13-15

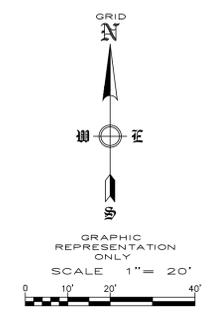
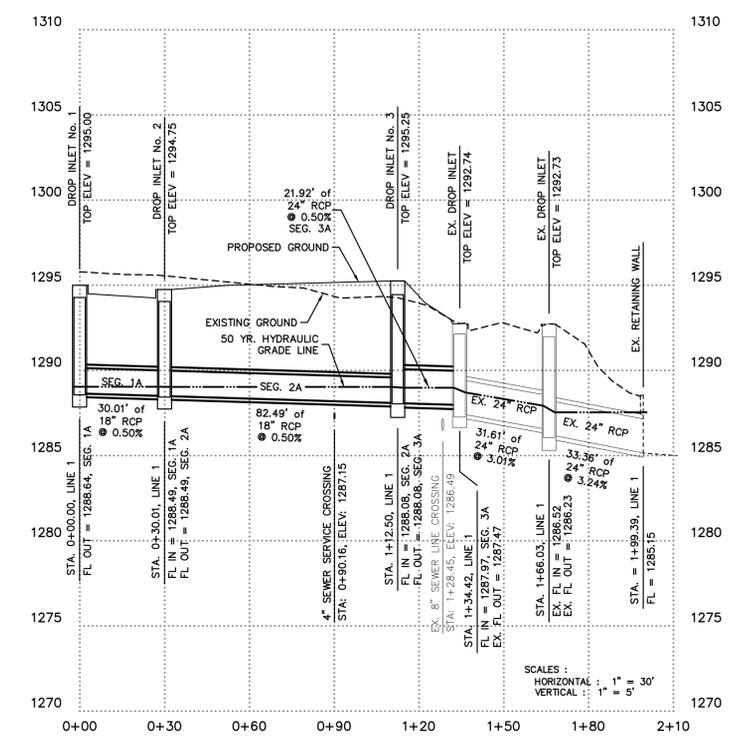
STORM LAYOUT
FOR JLB REAL ESTATE HOLDINGS, LLC.
SPRINGDALE, ARKANSAS

REVISION	DATE	DESCRIPTION

SCALE: 1"=20'
 DATE: JAN 2016
 ENGINEER: TJA
 DRAWN BY: XXX
 W.O. #: 13927



LINE 1



OWNER/DEVELOPER: JLB REAL ESTATE HOLDINGS, LLC
 4700 S THOMPSON, STE B101
 SPRINGDALE, AR 72764

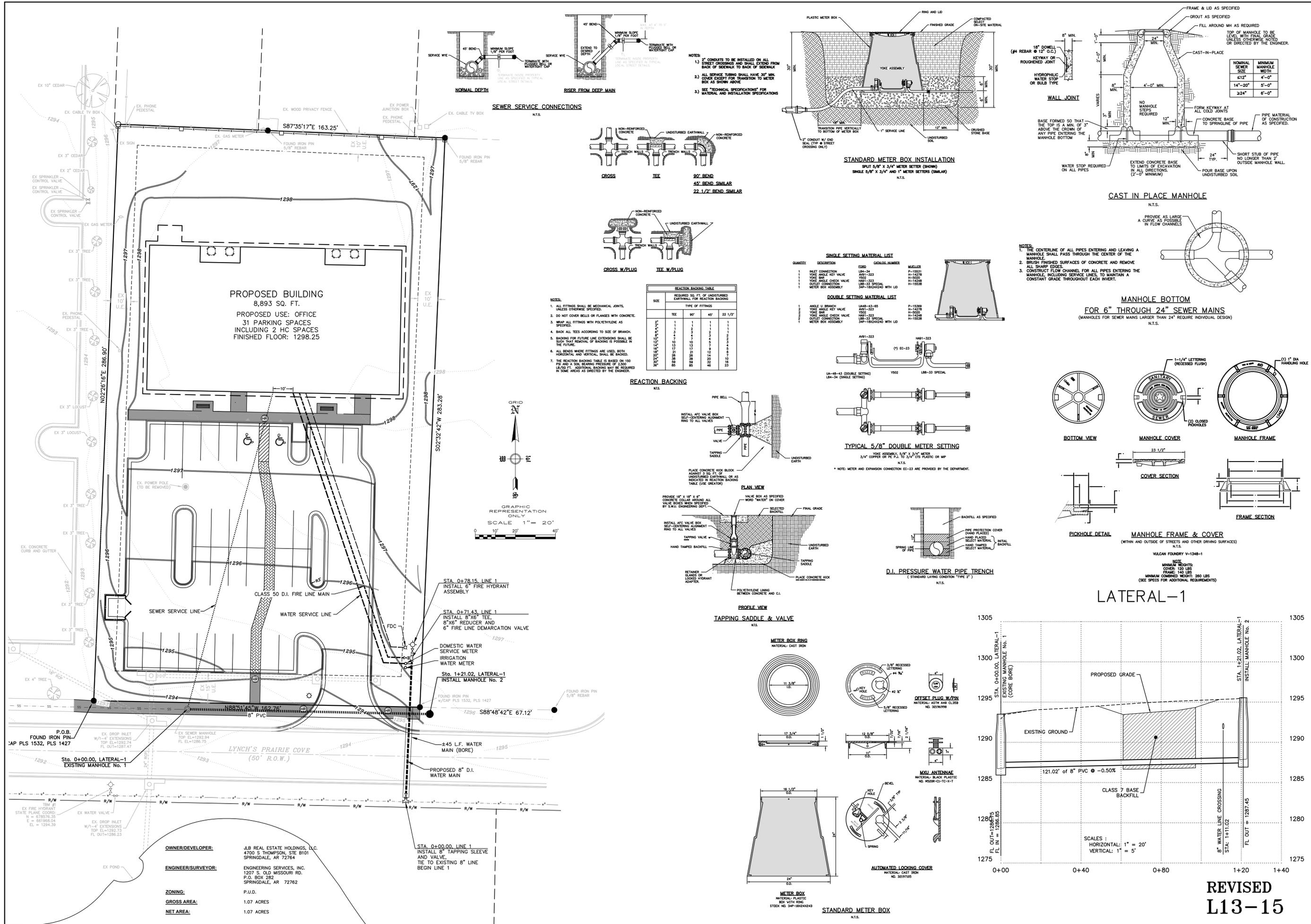
ENGINEER/SURVEYOR: ENGINEERING SERVICES, INC.
 1207 S. OLD MISSOURI RD.
 P.O. BOX 282
 SPRINGDALE, AR 72762

ZONING: P.U.D.

GROSS AREA: 1.07 ACRES

NET AREA: 1.07 ACRES

REVISED
L13-15



REVISION	DATE	DESCRIPTION

SCALE: 1" = 20'

DATE: JAN 2016

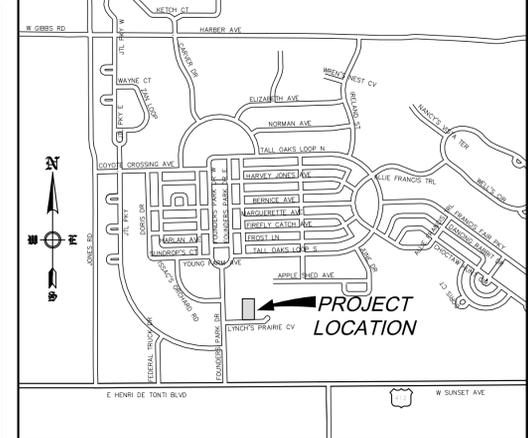
ENGINEER: TJA
DRAWN BY: XXX

W.O. #: 13927

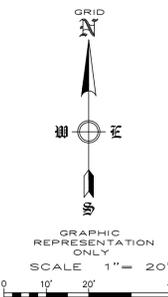
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REVISION	DATE	DESCRIPTION

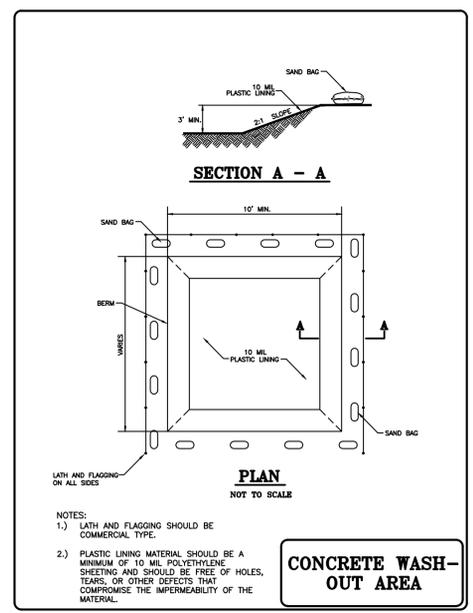
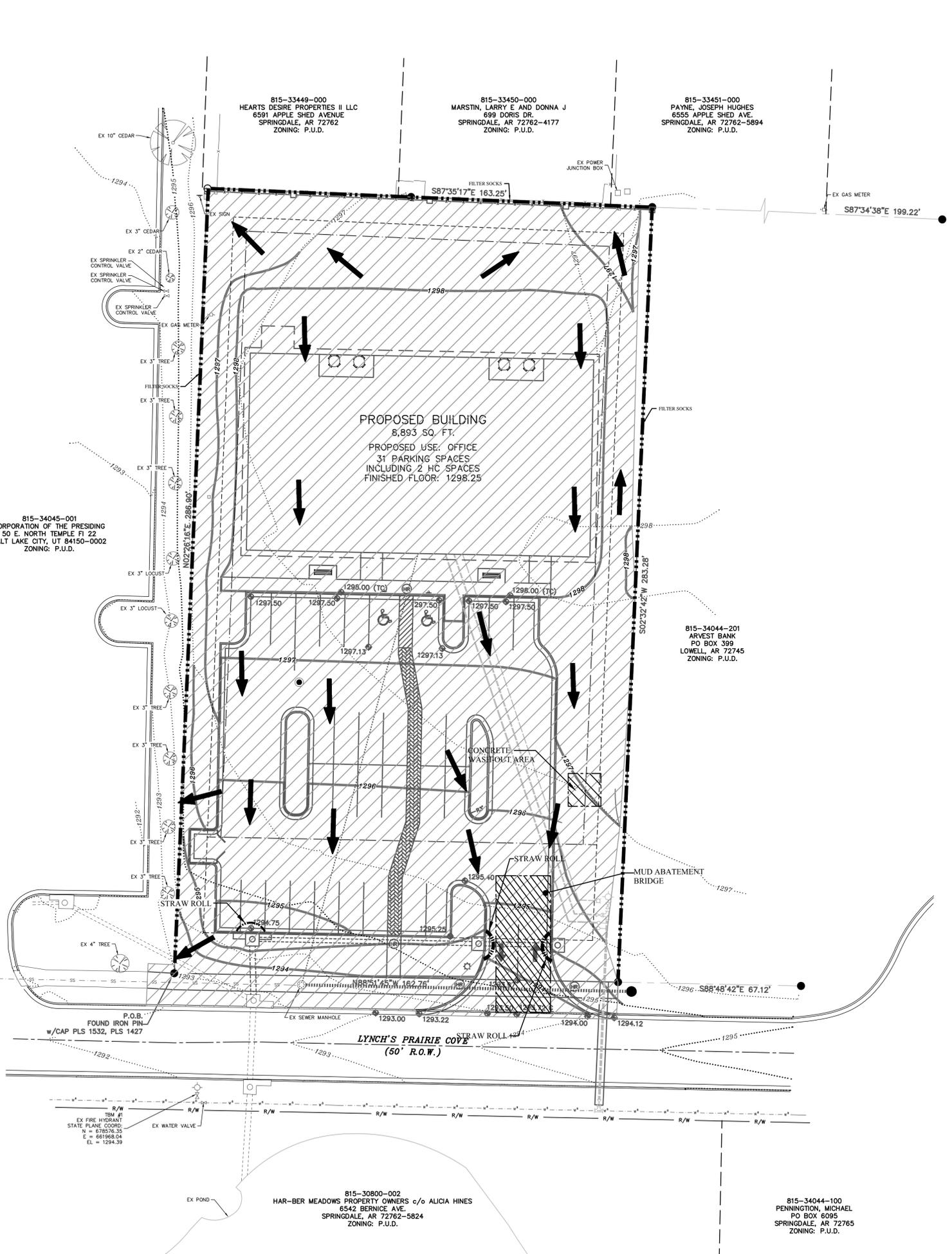
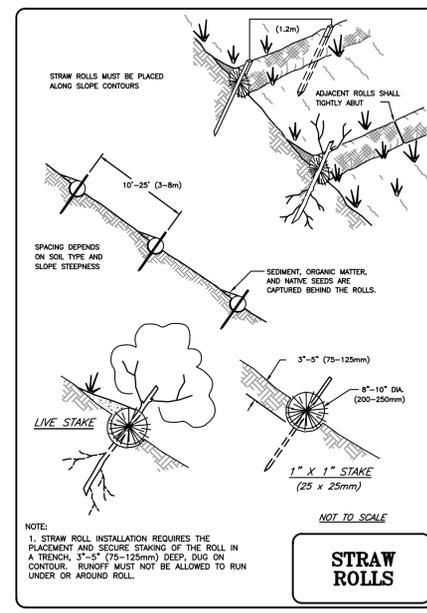
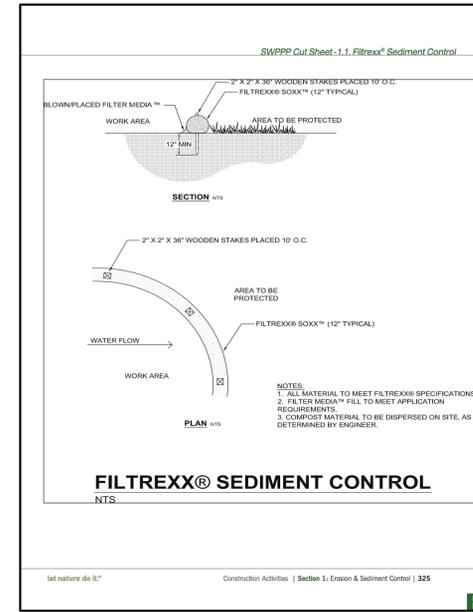
SCALE: 1"=20'
 DATE: JAN 2016
 ENGINEER: TJA
 DRAWN BY: XXX
 W.O. #: 13927



VICINITY MAP
 NTS



- NOTES:**
- 1) NATURAL VEGETATION SHALL BE RETAINED WHEREVER POSSIBLE.
 - 2) SEED AND MULCH SHALL BE PLACED (BY OWNER) IN ALL AREAS WHERE VEGETATION IS DISTURBED.
 - 3) STRAW AND WOOD CHIPS SHALL BE PLACED TO PROVIDE TEMPORARY PROTECTION WHILE FINAL GRADING IS BEING COMPLETED.
 - 4) PLACE FILTER FABRIC ON ALL CURB INLETS.
- *SAND BAGS ARE USED AS ENERGY DISSIPATION DEVICES
 *FILTER SOCKS, SAND BAGS, & STRAW BALES ARE USED TO CONTROL POLLUTANTS DURING STORM WATER DISCHARGE
 *FILTER SOCKS, SAND BAGS, & STRAW BALES MUST BE MAINTAINED UNTIL SITE IS PERMANENTLY STABILIZED
 TOTAL AREA OF SOIL DISTURBANCE = 1.10 ACRES



LEGEND

	PROPOSED FLOWLINE DIRECTION
	PROPOSED STORM PIPE
	PROPOSED STORM BOX
	FILTER SOCKS
	SANDBAG OR STRAW ROLL
	MUD ABATEMENT ENTRANCE
	EXISTING CONTOURS
	PROPOSED CONTOURS
	AREA OF SOIL DISTURBANCE

REVISED
L13-15

Memo

To: Planning Commission
From: Staff
Date: February 2, 2016
RE: L16-02 Large Scale Development Imperial
Vending Warehouse

Concept of Detention

Planning Comments

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

Engineering Comments

- 1) **The concept of detention must be approved by the Planning Commission.**
 - a. **Please provide clarification on the ownership of the detention pond. If it is on a different parcel, a drainage agreement is needed.**

Proposed Features:

Feature	Description
Property Line	Property Line
Onsite Property Line	Onsite Property Line
Offsite Property Line	Offsite Property Line
Right-Of-Way Line	Right-Of-Way Line
Easement Line	Easement Line
Zoning Limits	Street / Drive Centerline
Curb And Gutter	(See Site Plan For Size)
Thickened Edge Of Pavement	(See Site Plan For Size)
Edge Of Gravel	Asphalt Pavement (See Detail Sheet For Pavement Sections)
Concrete Pavement (See Detail Sheet For Pavement Sections)	Concrete Pavement (See Detail Sheet For Pavement Sections)
Concrete Sidewalk	(See Site Plan For Dimensions)
General Fence Line	(See Plan For Type)
Chain Link Fence Line	Board Fence Line
Storm Catch Basin(s)	Storm Type (See Grading Plan or Typical)
Retaining Wall	Retaining Wall
See Utility Plan For Line Sizes	Water Line
Tea, Cress, Berda, Gate Valve & Reducer	Fire Hydrant & Assembly
Water Meter - Single	Water Meter - Double
Sanitary Sewer Force Main	Sanitary Sewer Force Pipe
Sanitary Sewer Manhole	Gas Line
Overhead Electric Line	Underground Electric Line
Cable Television Line	Fiber Optic Line
Overhead Telephone Line	Underground Telephone Line
Utility Pole	Light Pole

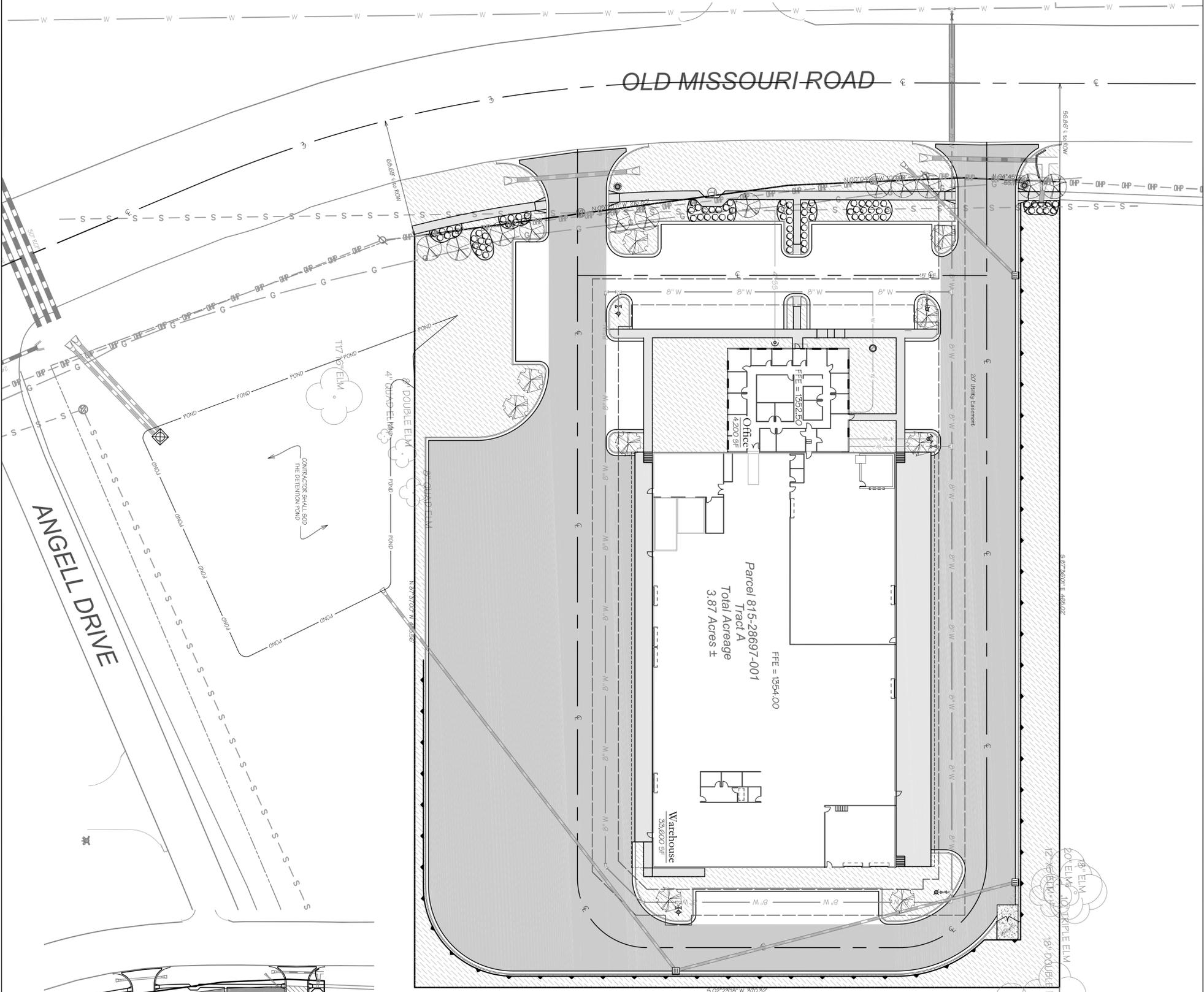
Note:
 Only Symbols That Appear On This Sheet Are Shown In This Legend.
 See Survey For Existing Features Legend.
 See Cover Sheet For Abbreviation List.

Site Information:

PROPERTY INFORMATION	
Gross Site Area:	1,087,220 SF
Proposed Dedicated R.O.W.:	0.00 acres
Net Site Area:	1,087,220 SF
Zoning:	L-1, Light Industrial
SITE INFORMATION	
Total Paved Area:	84,113.33 SF
Total Sidewalk Area:	10,101.53 SF
Total Building Area:	3,780,000 SF
Total Impervious Area:	1,320,148.66 SF
Total Permeous Area:	36,707.34 SF
Total Porosity:	21.8%
FRONTAGE LANDSCAPE BUFFER REQUIREMENTS	
Frontage Length:	297.33 LF
Req'd (1 Shade Tree & 7 Shrubs / 25 lf):	12 Trees
Provided:	12 Trees
Req'd (1 Shade Tree & 7 Shrubs / 25 lf):	83 Shrubs
Provided:	83 Shrubs
INTERIOR LANDSCAPE REQUIREMENTS	
Parking Lot Area:	34,133 SF
Req'd (10%):	3,418 SF
Provided:	6,955 SF

Landscape Legend

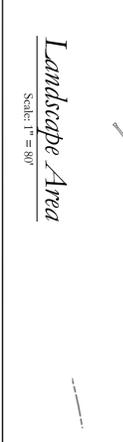
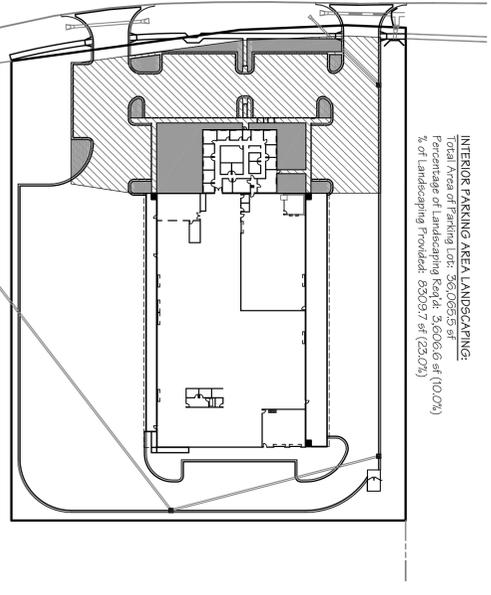
Symbol	Qtr.	Botanical	Common	Size	Comments
○	10	Pinas Shrubae	White Pine	2" Cal	Ballad & Bulbaged
○		Limay parviflora	Lacchari Elm	2" Cal	Landed 6 ft. from the ground
○		Japanese Zelkova	Zelkova Scrub	2" Cal	
○		Chinese Pears	Pearsa Chinesa	2" Cal	
FRONTAGE SHRUBS:					
○	83	Hibisc Hybrid	Red Camelia hybrid	3 Cal	12" in Height
		Eucornium	Eucornium Alata	3 Cal	
		Golden Nipple	Redbud	3 Cal	
		Basswood	Fraxinus nigra	3 Cal	
PARKING LOT TREES:					
○	7	Acer Rubra	Red Maple	2" Cal	Ballad & Bulbaged
		Pinas Shrubae	White Pine	2" Cal	Landed 6 ft. from the ground
		Japanese Zelkova	Zelkova Scrub	2" Cal	
		Chinese Pears	Pearsa Chinesa	2" Cal	
GRASS:					
		Staked / Sodded Grass Area (93,900 sf)			



GRAPHIC SCALE
1 inch = 30 ft

Know what's below.
Call before you dig.

- #### Landscape Notes:
- × Dimensions are measured from the face of curb, the face/corner of the building (e) or the center of strip.
 - × Landscape contractor shall contact Arkansas One Call for utility locations.
 - × Landscape prior to beginning landscape work shall be a mixture of 70% Zoysia and 30% Bluegrass at a rate of 204 lbs / 1000 sq ft.
 - × If grassed area is hydroseeded, a mulch emulsifier shall be added (not containing asphalt) and applied per manufacturer's instructions.
 - × All landscape beds are to be mulched with either tanned hardwood bark or redwood mulch, with a thickness of 6" over entire bed.
 - × Soil within landscape beds is to be amended with equal parts of peatite (or equate substitute), peat moss and clean top soil. All landscape beds are to be secured between the landscape prior to construction.
 - × Irrigation contractor to design and install automatic irrigation system. All plant materials shall meet requirements established by the American standard of nursery stock.
 - × All plant and landscape materials shall be installed per city's landscape manual.



REVISIONS:	DESCRIPTION	DATE:
No:		

Landscape Plan
Springdale LSD Project: L16-02
 Large Scale Development for:
Imperial Vending Warehouse
 N. Old Missouri Road
Imperial
 5437 Hailey Avenue
 Springdale, AR 72762
 (479) 751-9955

NOT FOR CONSTRUCTION FOR REVIEW ONLY!!!

C2-1

15-1404 Civil (02).dwg

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 De Quense	DRAWN BY: AS Nard
CHECKED BY: J De Quense	SCALE: AS Shown
DATE: 2016/01/20	

Memo

To: Planning Commission
From: Staff
Date: February 2, 2016
RE: L16-03 Large Scale Development Arkansas
Children's
Hospital

Concept of Detention

Planning Comments

1. This property must be rezoned.
2. Need a landscape plan that shows the details of the landscaped areas including type, size and location of plants.
3. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
4. This development must comply with the City of Springdale Commercial Design Standards or a variance is required. 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) Front, side, and rear elevations are required. Elevations shall include type and color of materials used, foundation landscaping, and any architectural features used to comply with the Commercial Design Standards.
- 2) All sides of a principal building that directly faces an abutting public right-of-way shall feature at least one customer entrance unless, the principal building directly faces more than 2 abutting rights-of-way then only 2 entrances are required, one along the primary street and one along a secondary street.
- 3) Foundation landscaping is required.

- 4) Provide at least two of the items listed under Central Feature and Community Spaces in the Springdale Commercial Design Standard.
- 5) Outdoor storage, trash collection, and loading areas must not be visible from the public right-of-way.
- 6) Outdoor storage, trash collection, and loading areas must be landscaped so that their functions are fully contained and out of view of the adjacent property and the public right-of-way.
- 7) Façades over 100' in linear length shall incorporate wall projections and/or recesses per Springdale Commercial Design Standard.
- 8) Building façades shall include a repeating pattern with no less than three of the following: color change; texture change; material module change; expressions of architectural or structural bay through a change in plane no less than 12 inches in with, such as an offset, reveal, or projecting rib. At least one element must repeat horizontally and no element shall repeat at intervals of greater than 30' horizontally or vertically.
- 9) Roof lines shall be varied with a change in height every 100 linear feet in the building length.
- 10) Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and roof top equipment from public view.
- 11) Predominate exterior building materials shall be high quality materials including, without limitation, the following: brick, native/natural stone, synthetic stone, concrete masonry units (smooth face units with integral color), synthetic stucco/EFS, architectural precast concrete, decorative face concrete tilt-up panels, glass, wood (natural or composite).\
- 12) Predominant exterior building materials shall not be: smooth-faced concrete block, tilt-up concrete panels, or pre-fabricated steel panels.
- 13) Façade colors shall be low reflectance, subtle, neutral, or earth tone colors.
- 14) Need a detailed drawings of enclosures and screening methods.
- 15) 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.
- 16) Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities and banks of meter shall be screen from public view with landscaping or with an architectural treatment compatible with the building architecture.
- 17) All rooftop equipment shall be screened from public view with an architectural treatment that is compatible with the building architecture.

Engineering Comments

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

L16-03

ARKANSAS CHILDREN'S HOSPITAL

S. 56th ST. & WATKINS AVE.

SPRINGDALE, ARKANSAS

CONTACTS

OWNER
Arkansas Children's Hospital
Leslie Swaim Director of Facilities Planning and Design
1 Children's Way, Slot 803
Little Rock, AR. 72202
(501)364-2733 direct | (501)786-6436 cell
(501)364-1580 fax

CITY OF SPRINGDALE
Patsie Christie, Director of Planning & Community Development
201 Spring St.
Springdale, AR. 72764
(479)750-8588

FIRE DEPARTMENT
SPRINGDALE FIRE DEPARTMENT
Duane Miller Springdale Fire Marshal
417 Holcomb, 2nd Floor
Springdale, AR. 72764

WATER AND SANITARY SEWER
Springdale Water Utilities
Rick Pulvirenti, P.E., C.O.D., & Director of Engineering
526 Oak Avenue-P.O. Box 769
Springdale, AR. 72764

PHONE SERVICE
Layne Rhodes AT&T Design Engineer
Northwest Arkansas
(479)442-1977

CIVIL ENGINEERS
McClelland Consulting Engineers, Inc.
Nathan Streets, PLA Land Development Department Head
1810 N. College Ave.
Fayetteville, AR. 72702
(479)443-2377 x 1018 office | (479)443-9241 fax
(479)621-3762 cell

WETLAND NOTE

THERE ARE NO WETLAND AREAS THAT EXIST WITHIN THE PROPERTY BOUNDARIES OF THIS SITE.

FLOOD CERTIFICATION

THIS ENTIRE PROPERTY IS LOCATED WITHIN FLOOD ZONE "X" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR WASHINGTON COUNTY, ARKANSAS. (FIRM PANEL #05143C0065F)

CONSTRUCTION TYPE:

HOSPITAL= 1B
CENTRAL ENERGY PLANT= 2B

BUILDING CODES:

2012 AR FIRE PREVENTION CODE
2010 AR MECHANICAL CODE
2006 AR PLUMBING CODE
2006 AR FUEL GAS CODE
2014 NATIONAL ELECTRIC CODE
1998 ANSI



VICINITY MAP

PARCEL # 815-29107-201

A PART OF TRACT 1 OF THE TRACT SPLIT FOR C.L. GEORGE AND SONS, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS WHOSE WARRANTY DEED IS RECORDED AS WASHINGTON COUNTY LAND RECORDS DOCUMENT 486-85 WASHINGTON COUNTY CIRCUIT CLERK OFFICE, FAYETTEVILLE, ARKANSAS, AND WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) AND A PART OF THE WEST HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SW 1/4 OF SAID NW 1/4 THENCE SOUTH 87 DEGREES 28 MINUTES 59 SECONDS EAST A DISTANCE OF 861.52 FEET TO THE POINT OF BEGINNING OF TRACT 1 B (P.O.B. TRACT 1 B); THENCE SOUTH 87 DEGREES 28 MINUTES 59 SECONDS EAST A DISTANCE OF 402.84 FEET; THENCE SOUTH 87 DEGREES 28 MINUTES 59 SECONDS EAST A DISTANCE OF 220.40 FEET TO THE WEST RIGHT OF WAY LINE OF INTERSTATE 49; THENCE ALONG SAID WEST RIGHT OF WAY LINE THE FOLLOWING 6 COURSES: THENCE SOUTH 29 DEGREES 33 MINUTES 50 SECONDS WEST A DISTANCE OF 32.60 FEET; THENCE SOUTH 01 DEGREES 43 MINUTES 18 SECONDS EAST A DISTANCE OF 300.04 FEET; THENCE SOUTH 01 DEGREES 42 MINUTES 44 SECONDS EAST A DISTANCE OF 300.47 FEET; THENCE SOUTH 17 DEGREES 34 MINUTES 11 SECONDS EAST A DISTANCE OF 262.13 FEET; THENCE SOUTH 09 DEGREES 07 MINUTES 16 SECONDS EAST A DISTANCE OF 253.39 FEET; THENCE SOUTH 01 DEGREES 28 MINUTES 02 SECONDS EAST A DISTANCE OF 109.85 FEET TO THE NORTH RIGHT OF WAY LINE OF WATKINS AVENUE; THENCE ALONG SAID NORTH RIGHT OF WAY LINE THE FOLLOWING 4 COURSES, NORTH 87 DEGREES 51 MINUTES 39 SECONDS WEST A DISTANCE OF 168.89 FEET; THENCE SOUTH 80 DEGREES 52 MINUTES 57 SECONDS WEST A DISTANCE OF 152.76 FEET; THENCE NORTH 87 DEGREES 43 MINUTES 41 SECONDS WEST A DISTANCE OF 149.95 FEET; THENCE SOUTH 88 DEGREES 25 MINUTES 57 SECONDS WEST A DISTANCE OF 150.25 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, SOUTH 02 DEGREES 14 MINUTES 17 SECONDS WEST A DISTANCE OF 49.18 FEET TO THE SOUTH LINE OF THE SW 1/4 OF SAID NW 1/4; THENCE ALONG SAID SOUTH LINE NORTH 87 DEGREES 21 MINUTES 24 SECONDS WEST A DISTANCE OF 711.09 FEET; THENCE LEAVING SAID SOUTH LINE NORTH 02 DEGREES 37 MINUTES 59 SECONDS EAST A DISTANCE OF 17.78 FEET TO THE NORTH RIGHT OF WAY LINE OF WATKINS AVENUE; THENCE ALONG SAID NORTH RIGHT OF WAY LINE, NORTH 87 DEGREES 34 MINUTES 59 SECONDS WEST A DISTANCE OF 286.09 FEET TO A POINT OF CURVATURE; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 78.56 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTH 56TH STREET; SAID CURVE HAVING A RADIUS OF 80.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 42 DEGREES 22 MINUTES 45 SECONDS WEST 70.79 FEET; THENCE LEAVING SAID CURVE AND ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING COURSES: THENCE NORTH 02 DEGREES 15 MINUTES 15 SECONDS EAST A DISTANCE OF 286.91 FEET; THENCE SOUTH 87 DEGREES 41 MINUTES 04 SECONDS EAST A DISTANCE OF 5.03 FEET; THENCE NORTH 02 DEGREES 23 MINUTES 15 SECONDS EAST A DISTANCE OF 40.10 FEET; THENCE NORTH 10 DEGREES 59 MINUTES 24 SECONDS EAST A DISTANCE OF 295.14 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 50.84 FEET SAID CURVE HAVING A RADIUS OF 541.14 FEET AND A CHORD BEARING AND DISTANCE OF N 08° 32' E, 50.82 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 16.63 FEET, SAID CURVE HAVING A RADIUS OF 19.50 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 67 DEGREES 52 MINUTES 58 SECONDS EAST 16.33 FEET; THENCE LEAVING SAID CURVE, SOUTH 87 DEGREES 41 MINUTES 17 SECONDS EAST A DISTANCE OF 16.11 FEET; THENCE NORTH 02 DEGREES 17 SECONDS EAST A DISTANCE OF 38.00 FEET; THENCE LEAVING SAID EAST RIGHT OF WAY LINE, SOUTH 87 DEGREES 29 MINUTES 00 SECONDS EAST A DISTANCE OF 735.35 FEET; THENCE NORTH 02 DEGREES 30 MINUTES 04 SECONDS EAST A DISTANCE OF 511.05 FEET TO THE POINT OF BEGINNING OF TRACT 1 B (P.O.B. TRACT 1 B), CONTAINING 1588557 SQUARE FEET, OR 36.89 ACRES, AS SURVEYED, AND BEING SUBJECT TO ANY EASEMENTS, RIGHTS OF WAYS, COVENANTS AND RESTRICTIONS OF RECORD.

JANUARY 1, 2016
MCE PROJECT NO. FY152113

MCE McCLELLAND
CONSULTING
ENGINEERS, INC.
DESIGNED TO SERVE

900 West Markham Little Rock, Arkansas 72201
PH# 501.371.0272
PH# 501.371.9932
Fax # 501.371.9932

1810 N. College Fayetteville, Arkansas 72702
PH# 479.443.2377
PH# 479.443.9241
Fax # 479.443.9241

501 E. Alliance Blvd. Sand Springs, OK 74063
PH# 918-246-0355

HTTP://WWW.MCCLELLAND-ENGRS.COM

SHEET INDEX:

- C0.0 COVER
- TS-1 TOPOGRAPHIC SURVEY
- TS-2 TOPOGRAPHIC SURVEY
- C2.0 DEMOLITION PLAN
- C3.0 EROSION AND SEDIMENT CONTROL PLAN
- C3.1 EROSION AND SEDIMENT CONTROL PLAN
- C4.0 SITE PLAN
- C5.0 GRADING PLAN
- C6.0 UTILITY PLAN
- C6.1 UTILITY PLAN
- C7.0 DETAILS
- C7.1 DETAILS
- C7.2 DETAILS

Design Architect
FKP Architects
8 Greenway, Suite 300
Houston, Texas 77046
713.621.2100 office
713.621.2178 fax
www.fkp.com

Architect of Record
Polk Stanley Wilcox Architects
2222 Cottondale Lane | Suite 100
Little Rock, AR 72202
501.378.0878 office
501.372.7629 fax

509 W. Spring St. | Suite 150
Fayetteville, AR 72701
479.444.0473 office
479.251.7216 fax
polkstanleywilcox.com

Structural / MEP / FP Engineer
TME, LLC Consulting Engineers
1 Allied Dr Suite 2400
Little Rock, AR 72202

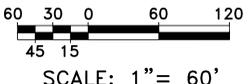
Landscape Architect
Landscape Architecture Incorporated
2300 Cottondale Lane, Suite 202
Little Rock, AR 72202

Contractor
Nabholz Construction
612 Garland St
Conway, AR 72032



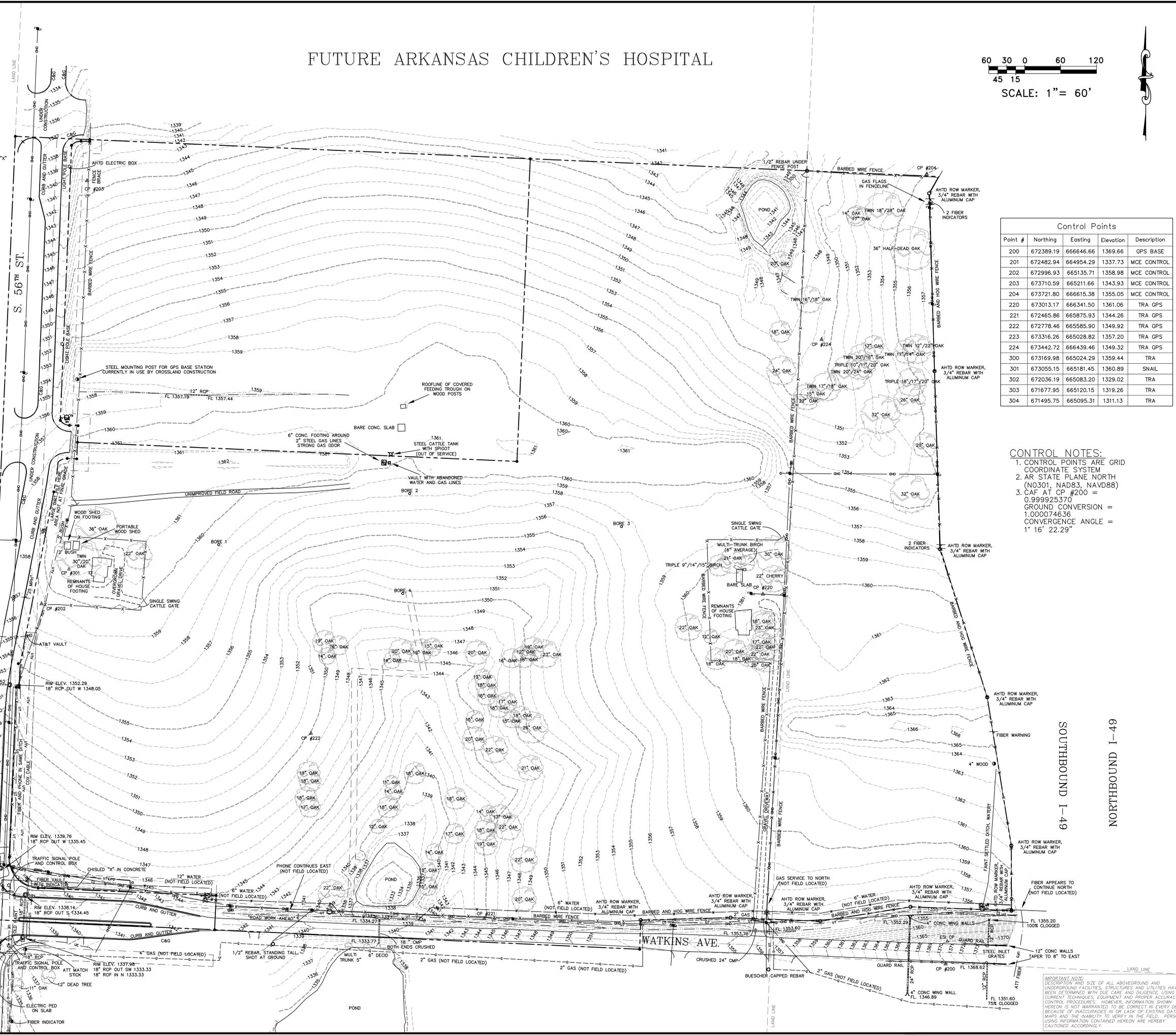
Know what's below.
Call before you dig.

FUTURE ARKANSAS CHILDREN'S HOSPITAL



LEGEND

---	PROPERTY LINE
- - -	EASEMENT LINE
---	LAND LINE
---	WATER LINE
---	GAS LINE
---	UNDERGROUND CABLE
---	OVERHEAD ELECTRIC
---	FENCE
---	ROAD CENTERLINE
---	DITCH CENTERLINE
○	FIRE HYDRANT
○	WATER VALVE
○	WATER FAUCET
○	DRAINAGE MH
○	POWER POLE
○	GUY WIRE WITH ANCHOR
○	GAS METER
○	GAS RISER
○	STREET LIGHT POLE
○	TELEPHONE PEDESTAL
○	CABLE TV PEDESTAL
○	SIGN (AS NOTED)
○	POST (AS NOTED)
○	FOUND IRON PIN (AS NOTED)
○	CONTROL POINT
○	BUSH
○	TREE



Control Points

Point #	Northing	Easting	Elevation	Description
200	672389.19	66646.66	1369.66	GPS BASE
201	672482.94	664954.29	1337.73	MCE CONTROL
202	672996.93	665135.71	1358.98	MCE CONTROL
203	673710.59	665211.66	1343.93	MCE CONTROL
204	673721.80	666615.38	1355.05	MCE CONTROL
220	673013.17	666341.50	1361.06	TRA GPS
221	672465.86	665875.93	1344.26	TRA GPS
222	672778.46	665885.90	1349.92	TRA GPS
223	673316.26	665028.82	1357.20	TRA GPS
224	673442.72	666439.46	1349.32	TRA GPS
300	673169.98	665024.29	1359.44	TRA
301	673055.15	665181.45	1360.89	SNAIL
302	672036.19	665083.20	1329.02	TRA
303	671677.95	665120.15	1319.26	TRA
304	671495.75	665095.31	1311.13	TRA

CONTROL NOTES:

- CONTROL POINTS ARE GRID COORDINATE SYSTEM
- AR STATE PLANE NORTH (N0301, NAD83, NAVD88)
- CAF AT CP #200 = 0.999925370
GROUND CONVERSION = 1.000074636
CONVERGENCE ANGLE = 1' 16" 22.29"

MCE CONSULTING ENGINEERS, INC.
 REGISTERED PROFESSIONAL ENGINEERS
 STATE OF ARKANSAS
 LICENSE NO. 1214
 1000 LEXINGTON BLVD., SUITE 200
 SPRINGDALE, AR 72762
 PHONE: 479-771-2222
 FAX: 479-771-2222
 WWW.MCCLELLANDENGINEERS.COM

REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF ARKANSAS
 LICENSE NO. 24
 J. WALLACE
 ORIGINAL SIGNATURE ON FILE

REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF ARKANSAS
 LICENSE NO. 24
 J. WALLACE
 ORIGINAL SIGNATURE ON FILE

ARKANSAS CHILDREN'S HOSPITAL
 WATKINS AVE & S. 56TH ST.
 SPRINGDALE, ARKANSAS

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

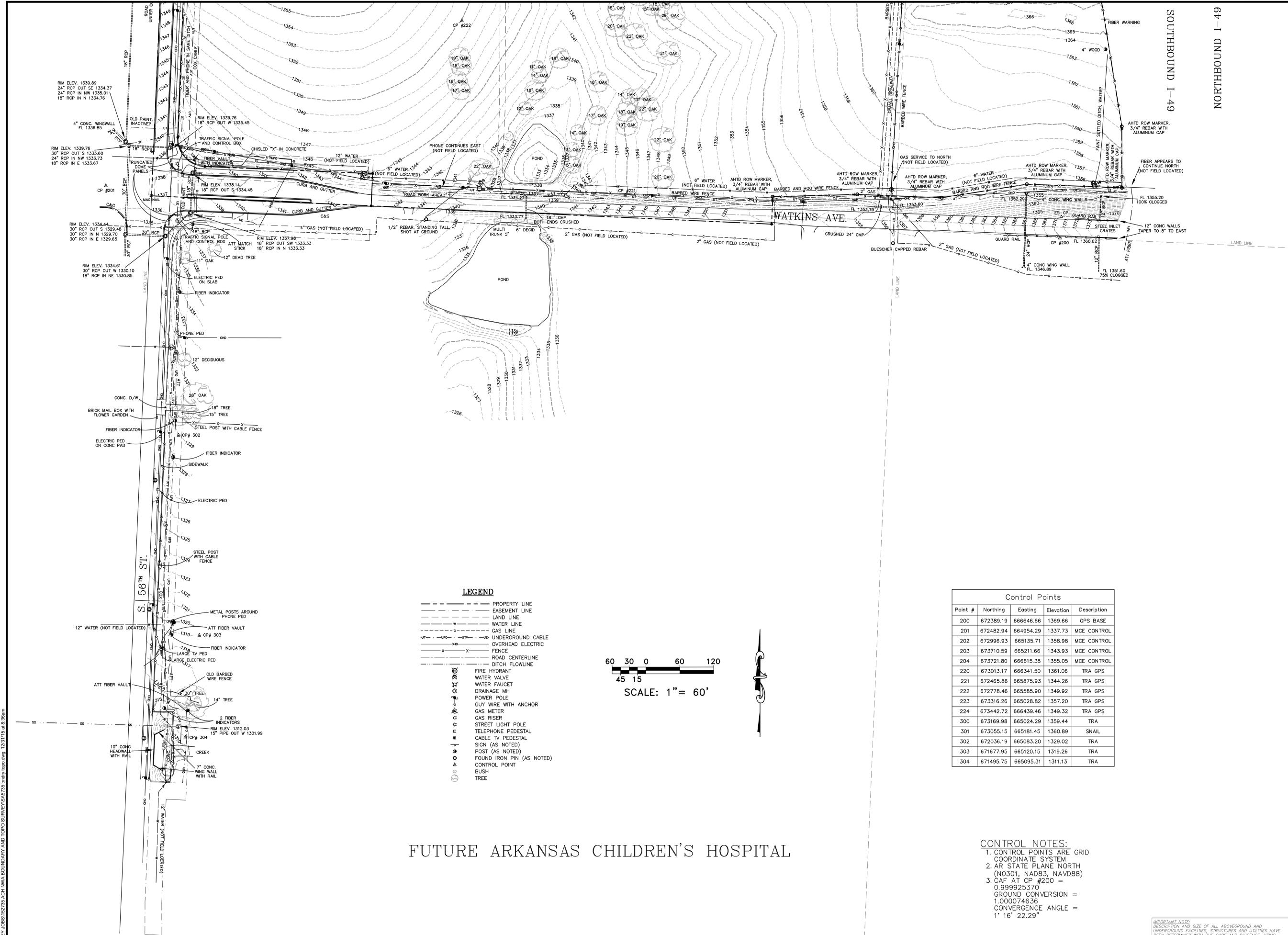
NO.	DATE	REVISIONS	DESCRIPTION

TOPOGRAPHIC SURVEY SHEET 1

PROJECT MGR: PJW
 DRAWN BY: JMT
 DATE: DECEMBER 2015
 SCALE: 1"=60'
 JOB NUMBER: FY152735

TS-1

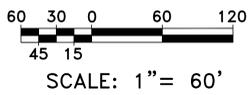
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K:\2015\SURVEY\JOBS\152725\ACT\NVA BOUNDARY AND TOPO SURVEY\152725.dwg 12/31/15 at 8:38am

LEGEND

- PROPERTY LINE
- EASEMENT LINE
- LAND LINE
- WATER LINE
- GAS LINE
- UNDERGROUND CABLE
- OVERHEAD ELECTRIC
- FENCE
- ROAD CENTERLINE
- DITCH FLOWLINE
- ⊙ FIRE HYDRANT
- ⊙ WATER VALVE
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- ⊙ CONTROL POINT
- ⊙ BUSH
- ⊙ TREE



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CONTROL NOTES:
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 3. CAF AT CP #200 = 0.999925370
 GROUND CONVERSION = 1.000074636
 CONVERGENCE ANGLE = 1° 16' 22.29"

IMPORTANT NOTE: DESCRIPTION AND SIZE OF ALL ABOVEGROUND AND UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN DETERMINED WITH DUE CARE AND DILIGENCE USING CURRENT TECHNIQUES, EQUIPMENT AND PROPER ACCURACY CONTROL PROCEDURES. HOWEVER, INFORMATION SHOWN HEREON IS NOT WARRANTED TO BE CORRECT IN EVERY DETAIL BECAUSE OF INACCURACIES IN OR LACK OF EXISTING DATA OR MAPS AND THE INABILITY TO VERIFY IN THE FIELD. PERSONS USING INFORMATION CONTAINED HEREON ARE HEREBY CAUTIONED ACCORDINGLY.

MCE McCLELLAND CONSULTING ENGINEERS, INC.
ESTABLISHED 1972

REGISTERED PROFESSIONAL ENGINEER
 No. 24
 STATE OF ARKANSAS

REGISTERED PROFESSIONAL LAND SURVEYOR
 No. 124
 STATE OF ARKANSAS

ORIGINAL SIGNATURE ON FILE

ARKANSAS CHILDREN'S HOSPITAL
 WATKINS AVE & S. 56TH ST.
 SPRINGDALE, ARKANSAS

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

NO.	DATE	REVISIONS	DESCRIPTION

PROJECT MGR: **PJW** DRAWN BY: **JMT**
 DATE: **DECEMBER 2015**
 SCALE: **1"=60'** JOB NUMBER: **FY152735**

TS-2



Arkansas Children's Hospital
SPRINGDALE CAMPUS
 Springdale, Arkansas

Design Architect
 FKP Architects
 8 Greenway, Suite 300
 Houston, Texas 77046
 713.621.2100 office
 713.621.2178 fax
 www.fkp.com

Architect of Record
 Polk Stanley Wilcox Architects
 2222 Cotonsdale Lane | Suite 100
 Little Rock, AR 72202
 501.378.0878 office
 501.372.7629 fax
 polkstanleywilcox.com

Contractor
 Nabholz Construction
 612 Garland St.
 Conway, AR 72032

Civil Engineer
 McClelland Consulting Engineers, Inc.
 1810 N. College Ave
 Fayetteville, AR 72703

Structural / MEP / FP Engineer
 TME, LLC Consulting Engineers
 1 Allied Dr Suite 2600
 Little Rock, AR 72202

Landscape Architect
 Landscape Architecture Inc.
 2300 Cotonsdale Lane, Suite 202
 Little Rock, AR 72202

Seal:

Issue Package:

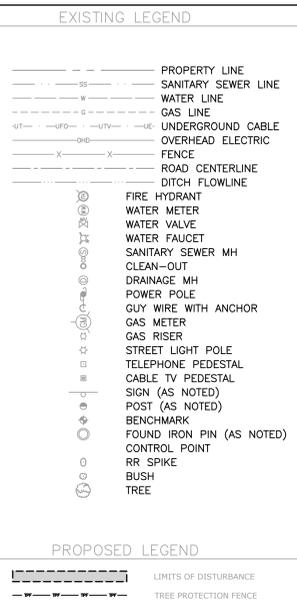
LARGE SCALE DEVELOPMENT PLANS

Package Issue Date:
1.20.16

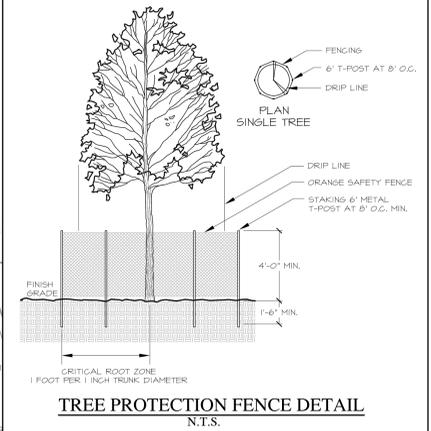
REVISIONS		
Number	Date	Description

PSW Job Number:
574 D
 MCE Job Number:
FY152141
 Sheet Issue Date:
12.31.15
 Sheet Title:
DEMOLITION PLAN

C2.0



- DEMOLITION NOTES:**
- ALL WITHIN THE LIMITS OF DISTURBANCE TO BE DEMOLISHED AND REMOVED UNLESS OTHERWISE NOTED ON THIS PLAN.
 - THE CONTRACTOR IS REQUIRED TO NOTIFY THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS PRIOR TO DIGGING IN ORDER THAT UNDERGROUND UTILITIES IN THE AREA CAN BE LOCATED.
 - THIS PLAN SHOULD BE USED IN CONJUNCTION WITH THE TOPOGRAPHICAL SURVEY FOR REFERENCE. THE LOCATION OF KNOWN SUBSURFACE STRUCTURES, PIPES, POWER, GAS, PHONE, ETC. ARE SHOWN ON THE PLANS. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING INFORMATION AND SATISFYING HIMSELF TO AS TO THE LOCATION OF THE AFORESAID ITEMS, SHOWN AND NOT SHOWN, ALL REPAIRS OR RELOCATIONS NECESSARY SHALL BE MADE AS REQUIRED BY THE OWNER OF THE UTILITY OR STRUCTURE. THE COST OF SUCH REPAIRS OR RELOCATIONS NECESSARY SHALL BE BORNE BY THE CONTRACTOR.
 - CONTRACTOR SHALL DISPOSE OF ALL MATERIALS RESULTING FROM DEMOLITION IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL REGULATIONS THAT GOVERN SUCH OPERATIONS.
 - ALL ABANDONED SERVICE LINES SHALL BE DISCONNECTED AND CAPPED PER UTILITY COMPANIES REQUIREMENTS. COORDINATE ALL DISCONNECTIONS WITH UTILITY COMPANIES.
 - CONTRACTOR IS TO BRING TO THE ATTENTION OF THE CIVIL ENGINEER ANY AREA OF DEMOLITION IN QUESTION BEFORE PROCEEDING WITH WORK.
 - CONTRACTOR TO REVIEW AND COORDINATE DEMOLITION LIMITS WITH NEW CONSTRUCTION PLANS.
 - EXISTING CLEAN TOPSOIL TO BE STOCKPILED FOR FUTURE USE ON THIS SITE, TO BE COORDINATED BY THE GENERAL CONTRACTOR.



K:\2015\152141-Arkansas Children's Hospital\Drawings\Sheets\2141-DEMOL.dwg 1/20/16 at 1:43pm

Staff Use Only

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

File # B16-07

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: Roger Dale & Diane Douglas

Applicant's Mailing Address:

2142 N. 56th St.
Street Address or P.O. Box
Springdale, Ar 72762
City, State & Zip Code

501-804-7512 Dale
501-804-7511 Diane
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: 2142 N. 56th St. State, Ar 72762

Zoning District: SF-1

The following information should be attached to this application:

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

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

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

SETBACK VARIANCES:

Not Applicable

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

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

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

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

VARIANCES OTHER THAN SETBACK:

Not Applicable

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

Height of SHOP Bldg at Back of 1 Ac Lot.
We built it 21' High. From 16' to 21'

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):**

When Looking at Lot, it was zoned

(A-1) Agricultural. Upon Purchase, it was rezoned to

(SFI) Single Family. Going by the setbacks on our Lot split survey, nothing is mentioned regarding height. Building is completed + we have personal belongings in it. Have passed all inspections up to Now.

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):**

Within sight distance, there is a red Metal Barn higher than ours. This is located North of S Addleridge. We have an open field on the South + West side of Bldg. The Bldg is shorter than the roof line of our home.

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

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

VERIFICATION

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

Deane Douglas
Applicant Signature*

Property Owner Signature*
(If different from Applicant)

Roan Dale Douglas
Applicant Signature*

Property Owner Signature*
(If different from Applicant)

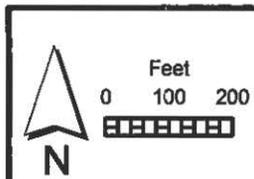
**If the Applicant or Property Owner is a Trust (Living, Revocable, etc.) or a corporation (Inc., LLC, LLP, etc) or another type organization provide staff with documentation stating that the person signing the application is authorized to do so.*

State of Arkansas)
County of Washington) ss.



SUBSCRIBED AND SWORN TO before me, a Notary Public, this 12th day of January, 2016.

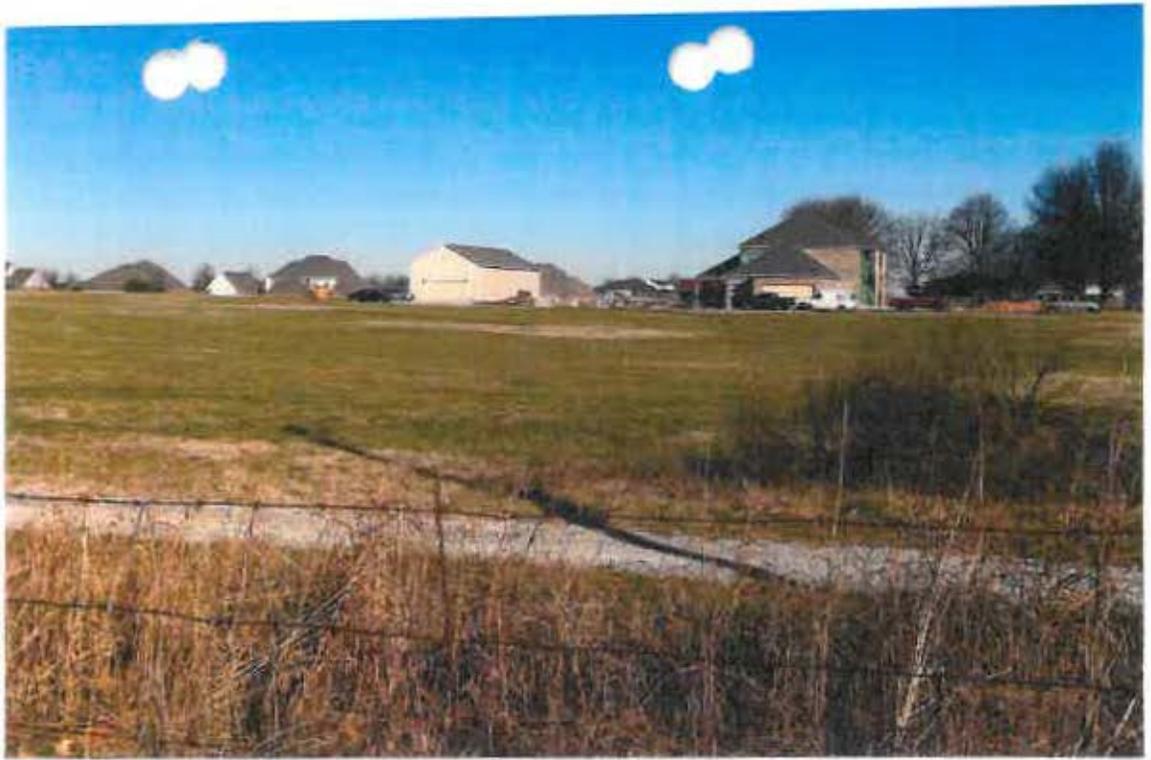
Jessica D. Johnson
Notary Public



FILE NUMBER: B16-07
APPLICANT: ROGER DALE & DIANE DOUGLAS
VARIANCE REQUEST: AUXILLARY BUILDING HEIGHT

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING





Staff Use Only

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

File # B16-08

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: Arvest Bank

Applicant's Mailing Address:

P.O. Box 399 (866) 952-9523
Street Address or P.O. Box Telephone Number
Lowell, AR 72745
City, State & Zip Code

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

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

P.O. Box 5000 479-756-7090
Street Address or P.O. Box Telephone Number
Springdale AR 72765
City, State & Zip Code

Parcel 815-39267-000-Lot 4 of Hall Crossing Subd. Property is located at
Address of Variance Request: the northwest corner of Elm Springs Road and 48th Street in Springdale.

Zoning District: C-5 (Thoroughfare Commercial)

The following information should be attached to this application:

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

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Not Applicable

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(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

Not Applicable

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

A) Applicant requests a variance of the requirement that the building have a customer entrance facing both public street rights-of-way to allow a single customer entrance on the east side of the building.

B) Applicant requests a variance allowing a modified landscape plan with a different arrangement/spacing of plants than what is specified by code.

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

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

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

A) Special condition is the additional security requirements inherent to the operation of a bank. These

security requirements are best achieved by providing a single customer entrance.

B) Special condition is the provision of an alternate landscape plan which will provide the required

number of trees and plants, but in a different arrangement/spacing than what is specified by code.

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

The right to develop the property.

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

A) Security requirements are inherent to the operation of a bank, and are not a result of any actions taken by
the applicant.

B) Alternate landscape plan, as shown in the submitted drawings, will provide the required amount of
landscaping, but the spacing and grouping of the individual plants will be altered from what is allowed by code.

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.

Euva Phillips
Applicant Signature*

Euva Phillips
SVP-Security/Property Mgr.
Applicant Signature*

Property Owner Signature*
(If different from Applicant)

Property Owner Signature*
(If different from Applicant)

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

State of Arkansas)
) ss.
County of Washington)

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

January, 2016.

Lisa G. Hinds
Notary Public



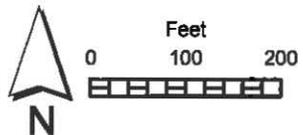
Public hearing sign posted: / / 2016

Public hearing sign posted by: CS

 Public Hearing Sign Location



P103



FILE NUMBER: B16-08
APPLICANT: ARVEST BANK
VARIANCE REQUEST: COMMERCIAL DESIGN STANDARDS

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING



Patsy Christie

From: Danny McGinley <dannymcginley@crainteam.net>
Sent: Tuesday, January 19, 2016 9:34 AM
To: pchristie@SpringdaleAR.gov
Cc: Chris Crain; Mike Tinnon, Jr.
Subject: Request for extension

Patsy,

Thank you for taking my call the other day and responding. On behalf of Crain Buick GMC of Springdale I would like to make a formal request for an extension on our Letter of Assurance that expires in February 2016. We have come into some issues with drainage and lighting requirements that were unexpected. I have spoken with Mayor Sprouse and Councilman Mike Lawson regarding this issue and they advised me to email you. If there are any questions I need to answer please call me or email me at any time.

Thank You,

Danny McGinley
N.W.A. IT Systems Admin.
Crain Buick GMC Of Springdale
6372 West Sunset Ave.
Springdale, Ar. 72762

479-361-4654 - Work
479-236-2184 - Cell
501-542-6137 -E-Fax



GMC

of Springdale

Copy



Doc ID: 016064630003 Type: REL
KInd: MISC
Recorded: 01/23/2015 at 11:00:28 AM
Fee Amt: \$25.00 Page 1 of 3
Washington County, AR
Kyle Sylvester Circuit Clerk

File 2015-00001865

BILL OF ASSURANCE

This declaration of a Bill of Assurance made and published on this 7th day of January, 2014 by SMITH PROPERTIES, LLC., owners of real estate located in the City of Springdale, Washington County, Arkansas, and more particularly described as follows:

LEGAL DESCRIPTION:

Parcel No. 815-30817-000

Part of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Five (5) in Township Seventeen (17) North, Range Thirty (30) West, Washington County, Arkansas, described as beginning at the Southeast corner of said Twenty Acre tract, and running thence West 210 feet; thence North 420 feet; thence East 210 feet; thence South 420 feet to the place of beginning. Less and except that portion along the South side that lies within the right of way of the public road.

Parcel No. 815-30816-000

A part of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 5, Township 17 North, Range 30 West, and being more particularly described as follows, to-wit: Beginning on the South line of said twenty (20) acre tract at a point 30 feet North 89 degrees 51' East of the Southwest corner of said 20 acre tract, and running thence North 834.90 feet along a line parallel to the West side of said 20 acre tract; thence South 87 degrees 47' East 633.48 feet to a point on the East line of said 20 acre tract, which is 807.49 feet North of the South line thereof; thence South 807.49 feet to the South line of said 20 acre tract; thence South 89 degrees 51' West 632.30 feet along the South line of said 20 acre tract to the point of beginning, and containing 12 acres, more or less.

LESS AND EXCEPT a part of the W 1/2 of the SW 1/4 of the NE 1/4 of section 5, Township 17 North, Range 30 West, and being more particularly described as follows, to-wit: Beginning at the Southeast corner of said 20 acre tract, and running South 89 Degrees 51' West 210 feet; thence North 420 feet; thence North 89 degrees 51' East 210 feet, thence South 420 feet to the place of beginning, containing 2.0 acres, more or less.

Copy

AND ALSO LESS AND EXCEPT part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 5, Township 17 North, Range 30 West, Washington County, Arkansas, more particularly described as follows: Starting at the Northwest corner of the SW 1/4 of the NE 1/4 of Section 5; thence South 02 degrees 25'00" West along the West line thereof a distance of 1262.30 feet to a point on the Northerly existing right-of-way line of State Highway 68; thence South 87 degrees 45'11" East along said existing right-of-way line a distance of 452.29 feet for the point of beginning; thence North 02 degrees 25'00" East a distance of 14.72 feet to a point on the Northerly proposed right-of-way line of State Highway 68; thence South 83 degrees 10'44" East along said proposed right-of-way line a distance of 121.94 feet to a point; thence South 87 degrees 45'11" East along said proposed right-of-way line a distance of 88.42 feet to a point; thence South 02 degrees 25'00" West a distance of 5.0 feet to a point on the Northerly existing right-of-way line of State Highway 68; thence North 87 degrees 45'11" West along said existing right-of-way line a distance of 210.0 feet to the point of beginning, and containing 0.04 acres, more or less.

AND ALSO LESS AND EXCEPT part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 5, Township 17 North, Range 30 West, Washington County, Arkansas, more particularly described as follows: Starting at the Northwest corner of the SW 1/4 of the NE 1/4 of Section 5; thence South 02 degrees 25'00" West along the West line thereof a distance of 1262.30 feet to a point on the Northerly existing right-of-way line of State Highway 68; thence South 87 degrees 45'11" East along said existing right-of-way line a distance of 30.0 feet from the point of beginning; thence North 02 degrees 25'00" East a distance of 5.0 feet to a point on the Northerly proposed right-of-way line of State Highway 68; thence South 87 degrees 45'11" East along said proposed right-of-way line a distance of 93.87 feet to a point; thence North 86 degrees 32'10" East along said proposed right-of-way line a distance of 201.00 feet to a point; thence South 83 degrees 10'44" East along said proposed right-of-way line a distance of 128.86 feet to a point; thence South 02 degrees 25'00" West a distance of 14.72 feet to a point on the Northerly existing right-of-way line of State Highway 68; thence North 87 degrees 45'11" West along said existing right-of-way line a distance of 422.29 feet to the point of beginning and containing 0.14 acres, more or less.

WHEREAS: the aforesaid owners of the real property have secured from the City of Springdale a temporary waiver of the requirements of certain Improvements in connection with following proposed development in the City of Springdale, Arkansas: 6372 W. SUNSET AVE.

It is hereby agreed that all parties hereto are desirous of making a declaration in the form of this Bill of Assurance of the intention of guaranteeing the preservation of certain values and amenities in the community and binding the owners of the real estate described in the Bill of Assurances, and all subsequent owners of said real estate, concerning the obligations and restriction set forth herein, as such shall be covenants running with the land.

It is further agreed that the above described real property shall be developed, transferred, sold, conveyed, and occupied subject to the following covenants and restrictions:

1. The owners shall construct at their expense the following improvements:
 - a. Paving of the current gravel parking/vehicle storage area and any additional improvements required by the Springdale City Code of Ordinances to specifications set forth therein.
2. All said improvements shall be constructed no later than January 7th, 2016.

