

**SPRINGDALE PLANNING COMMISSION  
COUNCIL CHAMBERS  
5:00 P.M.  
201 SPRING  
MARCH 3, 2015  
March 3, 2015**

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

**II. Call to Order**

**III. Roll Call**

**IV. Approval of Minutes (February 3, 2015)**

**V. Public Hearing**

**A. Proposed update to the  
Master Trail Plan  
Presented by Patsy Christie**

**B. Proposed Amendment to the  
Master Street Plan to remove  
Extension off Electric Avenue  
as a minor collector from  
Butterfield Coach Road to  
Habberton Avenue  
Presented by Patsy Christie**

PP 20-22

**VI. Public Hearing – Rezoning**

**A. R15-07 B & J Family Limited Partnership  
2757 Lowell Road  
From C-2 to I-1  
Presented by Bob Wood**

PP 23-29

**B. R15-08 Temple Baptist Church  
2987 Cambridge  
From SF-2 to P-1  
Presented by Don Elmore**

PP 30-36

**C. R15-09 Elm Springs Center, LLC  
NW corner of Elm Springs Rd.  
and N. 40<sup>th</sup> Street  
From C-2 to C-5  
Presented by Crafton Tull**

PP 37-44

**VII. Public Hearing – Conditional Use**

- A. C15-01 Naan Eo Emman (Good News) PP 45-52  
3020 W. Huntsville Ave.  
Use Unit 42 (Church/synagogue) in C-2  
 Presented by Larry Graber
  
- B. C15-02 Smith Communications, LLC pp 53-57  
Grimsley Rd  
Use Unit 33 (Self supporting tower or  
antenna structure or monopole  
 Presented by David Reynolds
  
- C. C15-03 D&K Investments, LLC PP 58-61  
5299 Callahan Mountain Road  
 LS14-23 Tandem Lot Split  
5299 Callahan Mountain Road  
 Presented by Blew & Associates
  
- D. C15-04 Dusty & Veronica Graham PP62-67  
SW corner of 56<sup>th</sup> St. & Bob Mills Rd.  
 LS15-06 Tandem Lot Split  
SW corner of 56<sup>th</sup> St. & Bob Mills Rd.  
 Presented by Engineering Services, Inc.

**VIII. Preliminary Plats, Replats and Final Plats**

- A. RP15-02 Legendary Subdivision Phase I PP 68-69  
Lots 224 & 225  
SE corner of Devonshire & W. Miller Rd.  
 Presented by Engineering Services, Inc.

**IX. Lot Splits**

- A. LS14-23 D&K Investments, Inc. PP 70  
Tandem Lot Split  
5299 Callahan Mountain Road  
 Presented by Blew & Associates
  
- B. LS15-06 Dusty & Veronica Graham PP 71  
Tandem Lot Split  
SW corner of 56<sup>th</sup> St. & Bob Mills Rd.  
 Presented by Engineering Services, Inc.

**X. Large Scale Developments**

- A. L15-05 **Fig Tree Steel**  
**SE corner of Carondolet & County Line Road** PP 72-83  
**Concept of Detention**
- B15-10 A. **Variance** for reduction of required parking  
 Parking spaced from 93 to 50  
 B. **Variance** for overhead utilities to remain as is  
 C. **Variance** deletion of requirement that all storage  
 Areas be paved or chip sealed  
 D. **Variance** for deletion of requirement for screening  
 E. **Variance** to allow existing screening along residential  
 Properties to remain  
 Presented by Engineering Services, Inc.

**XI. Board of Adjustment**

- A. B15-05 **RC Eastview, LLC** PP 84-89  
**1945 Butterfield Coach Road**  
 Variance for off-site sign  
 Presented by Justin Williams
- B. B15-07 **Triple "T" Foods** PP 90-95  
**1013 N. Jefferson St.**  
 Variance for deletion of paved parking requirement  
 Presented by Glen Carter
- C. B15-08 **Charlene Simmons** PP 96-100  
**515 Park Street**  
 Variance for deletion of paved parking  
 requirement subject to a two year Bill  
 of Assurance  
 Presented by Charlene Simmons
- D. B15-09 **Nancy Kessler** PP 101-107  
**710 Mill Street**  
 A. Variance for reduction of side setback  
 from 8' to 5'  
 B. Variance for reduction of rear setback  
 from 20' to 15'  
 Presented by Nancy Kessler



The Springdale Planning Commission met in regular session on Tuesday, February 3, 2015 at 5:00 p.m. in the City Council Chambers.

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

The meeting was called to order by Chairman Parsley at 5:01 p.m.

Roll call was answered by:	Bob Arthur – Vice Chairman
	Roy Covert
	Vivi Haney – Secretary
	Mitch Miller
	Kevin Parsley – Chairman
	Brian Powell

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

Mr. Arthur moved to approve the minutes from the January 6, 2015 meeting. Mr. Powell seconded the motion.

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

There was also a called special meeting on January 26, 2015. Ms. Haney moved to approve the minutes from the January 26, 2015 special meeting. Mr. Arthur seconded the motion.

By a voice vote of all ayes and no nays the January 26, 2015 minutes were approved.

Commissioner Charles Gaines arrived at approximately 5:10 p.m.

Public Hearing

- A. Proposed Amendment to Section 110-136 of the code of Ordinances requirement of property's address numbers to be brought into compliance within seven (7) days of being notified of a violation  
Presented by Patsy Christie

Ms. Christie stated that currently the ordinance requires that the addresses be brought into compliance within fifteen (15) days and this proposed amendment is shortening it to seven (7) days.

She stated this would be a recommendation to Council for approval.

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

There were none.

Mr. Powell moved to forward to Council with a recommendation for approval. Mr. Miller seconded the motion.

**VOTE:**

**YES:** Arthur, Covert, Haney, Miller, Parsley, Powell

**NO:** None

The motion was approved by a unanimous vote.

At this time Commissioner Gaines had arrived.

- B. Proposed amendment to the Springdale Code of Ordinances Chapter 130 Zoning Ordinance to add Article 12-Ballpark/Southwest Springdale District Overlay  
Presented by Patsy Christie

Ms. Christie said this amendment sets up specific guidelines for the purpose of making this area a fully developed, active destination that will become a regional attraction. It will create an identifiable focal point and a unique brand for the area. It will establish new standards that are over and above what the city has now. It is more specific than what the general design standards are. The idea behind this amendment is to offer clear, quantitative review standards that will be easy to administer and to offer certainty to developers and citizens alike while maintaining a requisite degree of design flexibility to allow and encourage creative site and building design.

She further stated they had met with the large property owners for a couple of years and also had the opportunity to offer the draft to Sam's which they said they could work with.

The city also met with the smaller property owners who had some questions but overall didn't oppose it.

She said if the commission is agreeable, the proposal will go to the Ordinance committee on February 16 and then on to Council on February 24, 2015.

She said there are still a couple of tweaks that need to be made but overall it is ready for the Ordinance committee's review.

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

Mr. Odell Taylor asked what the parameters were of the site.

Ms. Christie said the boundary is Highway 412 (Sunset Avenue) on the north, I-49 on the east side, Highway 112 where the city limit is on the west and 660 feet south of the Don Tyson Parkway that is extended to Highway 112.

Mr. Sedberry was able to pull up a map showing the boundaries.

Mr. Arthur moved to forward it to City Council with a recommendation for approval. Mr. Miller seconded the motion.

**VOTE:**

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

**NO:** None

The recommendation to forward to Council for approval was approved by a unanimous vote.

Tabled Items

- A. LS15-01 Michael & Marlene Anderson  
Tandem Lot Split (Conditional Use  
approved 12-02-2014 PC meeting)  
Presented by Donna Stewart

Ms. Stewart was present on behalf of her client to answer any questions or comments. She stated that the easement will be granted in the Warranty deed. It will be granted as an access and utility easement.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

1. Access easement will need to be dedicated by separate document prior to approval by Staff.
2. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

Ms. Christie reiterated that the access easement must be on a separate document.

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

There were none.

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

**VOTE:**

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

**NO:** None

The lot split was approved by a unanimous vote.

Public Hearing – Rezoning

- A. R15-05 48<sup>th</sup> Street Office, LLC  
E. of I-49, W. of 48<sup>th</sup>, N. of Watkins  
From P-1 to C-2  
Presented by Engineering Services, Inc.

Mr. Jason Appel with Engineering Services was present on behalf of his client to answer any questions or comments. He stated that this is an addition to the rezoning that was approved in November of 2014. This portion was purchased after the rezoning approval in November. It will be for future expansion and/or parking on the north side of the building.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates regional commercial use.

The property is attached to the area rezoned to C-2 and 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 would like to comment.

There were none.

Mr. Miller called for the vote.

**VOTE:**

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

**NO:** None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record Staff would prepare the Ordinance to go to Council on Tuesday, February 24, 2015 at 6:00 p.m.

- B. R15-06 Tyson Shared Services, Inc.  
516 E. Emma Avenue  
From I-1 to C-2
- B15-06
  - a) Variance for reduction of required parking Spaces from 101 to 54
  - b) Variance for reduction of minimum radius for entrance driveway from 25' to 5'
  - c) Variance for reduction of front setback along Emma Avenue from 30'/50' to 0'
  - d) Variance for modification of landscaping requirements per Chapter 56
  - e) Variance for reduction of minimum distance between driveways from 150' to 6'
 Presented by Engineering Services, Inc.

Mr. Jason Appel with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments. He said this is the old Orschein Farm and Home building on Emma Avenue.

Mr. Parsley asked for the Staff comments on the rezoning.

Ms. Christie read the Staff comments.

The adoptive 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.

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

Promote the viability of older commercial properties as well as new commercial development.

Continue to develop the central business with a full range of cultural, government and professional services by maintaining and improving parking, circulation and other functions that provide a convenient, safe and attractive location for the activities that are unique to the downtown district.

Ms. Christie restated Mr. Appel's statement that Tyson was moving into this building. There is not a large scale development plan as the building is already in place.

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:** Miller, Parsley, Powell, Arthur, Covert, Gaines, Haney**NO:** None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record Staff would prepare the Ordinance to go to Council on Tuesday, February 24, 2015 at 6:00 p.m.

Ms. Christie stated that the drawing that was distributed to the Commission members tonight has sense be revised. She said it is still showing a drive off of Emma. It has been taken off. There will be no access off of Emma.

Mr. Appel stated he wasn't aware of the changes.

Ms. Christie said she had a discussion with Heather at Tyson and she thought Brian Moore had too and that there would be no parking lot access on the west side of the building off of Emma Avenue because it is too close to the intersection. She also stated they were not asking for a variance because the drive was too close to the intersection.

She said the reduction the number of parking spaces from 101 to 54 includes the parking on both sides of the building.

Mr. Appel said they tried to maximize the parking and they added curb islands.

Ms. Christie said the entrance driveway from 25' to 5' was so they could maximize the parking spaces however, if it is the one on Emma, it needs to go away.

Mr. Appel said it is also on Berry and on the other side of Emma. The driveways are existing driveways.

She said it would only be the one on the east side on Emma and the one on Berry Street.

Mr. Appel said that was correct.

Ms. Christie stated the reduction of the front setback along Emma from 30'/50' to 0' is because that is where the building is. It has been that way since the building was built.

She said they talked about taking the sidewalk out and put it back with pavers.

Ms. Christie said they were putting in tree islands and landscaping along the front of the building where there was room.

Mr. Appel said that was correct and they had also added some landscaping on the Water Street side; however, it is in the right-of-way instead of having the 10' landscape buffer from the right-of-way to the parking area.

Ms. Christie said the reduction of minimum distance between driveways from 150' to 6' is on the Water Street side. She said they were working with a structure that will have a major impact on the downtown area.

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

There were none.

Mr. Miller called for the vote.

**VOTE:**

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

**NO:** None

The variances were approved by a unanimous vote.

Large Scale Development

- A. L15-03 Bobby Hopper Park Improvements  
approximately 0.3 miles from Old  
Missouri Road, S. side of E. Emma Ave.  
 Presented by Engineering Services, Inc.

Mr. Jason Appel with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments. He said they were improving Bobby Hopper Park as the City had received a matching grant from the Parks and Tourism Board. He said they were proposing two (2) new soccer fields with paved parking and a new playground area.

Mr. Parsley asked for Staff comments.

Ms. Christie said the memo had quite a few additional comments but a lot of those have been addressed but didn't get taken off by the time packets went out.

Planning Comments

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

Additional Comments

- 1) Add contact information to cover sheet.
  - a. Engineer
  - b. City Representatives from all Departments effected by this project
- 2) Main sidewalk entrance should be minimum 8' to 10' wide **addressed**
- 3) All benches should be on concrete pads and connected by an accessible sidewalk for ADA requirements **addressed**
- 4) Trash receptacles should be on hard surface. **addressed**
- 5) No need to fence in the playground area. **addressed**

- 6) Spread out the accessible parking spaces on both sides of the main entrance. **addressed**
- 7) Provide a minimum of 4'-5' green space between parking and sidewalk. **addressed**
- 8) What happens to the storm water runoff from the parking lot? **addressed**
- 9) Extend sidewalk between the soccer fields to at least midway. Walk should be a minimum of 8' to 10' and could accommodate benches along it. **addressed**
- 10) Where is the playground layout, details, summary of events minimum fall zones and safety zones identified. **addressed**
- 11) What kind of safety surfacing for the playground.
- 12) What is the containment system for the playground?
- 13) Is there an under-drain in the playground area?
- 14) Where is the playground surfacing details?
- 15) What is the target age group for proposed playground? **addressed**
- 16) There should be direct access to the playground from the parking lot and the playground should be easily visible from all areas of the park.
- 17) Soccer fields typically are oriented North and South. **addressed**
- 18) No pavement details?
- 19) No striping details?
- 20) Any additional informational informational I or directional signage?
- 21) Do not use Pin Oak, change to Water Oak or Willow Oak.
- 22) Oak should be 2" caliper and Red bud should be 1 1/2" caliper.
- 23) What is the mulch made of and what depth and does it go everywhere there is hatching?
- 24) Handicap ramp should be two separate ramps not combined at intersection.
- 25) All fencing shall include mow strip.
- 26) Sod comes in 18" roll so update detail on E5 to reflect the standard width.
- 27) More information on Bike Rack, Finish, color to be powder coated, spacing between racks. Show detail of concrete pad and dimensions.
- 28) Metal edging detail.
- 29) Irrigation details and specifications.
- 30) What is planted within landscaped areas?

### Engineering Review

- 1) Sect 107 The site area of disturbance is greater than 1 acre. A storm Water Pollution Prevention Plan, Grading Permit Application and \$500.00 fee, in accordance with Chapter 107, must be submitted to the Planning Office prior to final approval of construction plans. See Applications & Forms / Grading at [http://www.springdalear.gov/department/planning and community development](http://www.springdalear.gov/department/planning%20and%20community%20development) /

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

Mr. David Phillips said several years ago the orientation of the soccer fields were north and south which created a nuisance for the adjacent property owners. On request they were re-orientated to the east and west which addressed the problem.

Mr. Parsley asked if there would be a connection to Upton Lane.

Mr. Appel said it would be the same connection but there will be no improvements from the park property around to the south.

Mr. Parsley asked if there would be any changes to the area based on the traffic. He wanted to know if there would be a crosswalk.

Ms. Christie said there is no proposal for a crosswalk on Huntsville because it would be a mid-block crossing and traditionally the City does not do those because it is so dangerous.

Ms. Christie said they would make a note of the Mr. Parsley's call out and have the traffic committee look at it.

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

**VOTE:**

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

**NO:** None

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

- B. L15-04 Northwest Health  
SW corner of N. 40<sup>th</sup> St. & Elm Springs Rd.  
 Concept of Detention  
 Presented by Jorgensen & Associates

Mr. Dave Jorgensen with Jorgensen and Associates was present on behalf of his client to answer any questions or comments. He stated it was a planned medical clinic which would be about 25,000 square feet with approximately 150 parking spaces.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

**Planning Comments**

- 2) Need State Plane Coordinates (NAD 83, Feet) for all fire hydrant locations.
- 3) Handicapped ramps shall be provided wherever a sidewalk crosses a curb at crosswalks, driveways, and street intersections.
- 4) Need to show details of handicapped ramps.
- 5) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.
- 6) This development must comply with the City Of Springdale Commercial Design Standards or a variance is required.

**Commercial Design Standards Comments**

- 1) Foundation landscaping is required.
- 2) Submit a unified lighting plan per Springdale Commercial Design Standards.

**Engineering Comments**

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

**VOTE:**

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

**NO:** None

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

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

**VOTE:**

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

**NO:** None

The concept of detention was approved by a unanimous vote.

**Planning Director's Report**

Ms. Christie said the work session would be Tuesday, February 17, 2015 at 5:30 p.m. in the multi-purpose room.

She said they would be discussing the Master Trail Plan revisions that the trail committee has been working on that coincides with the Regional Trail Plan. Since there will be two new members, the City Attorney will talk to the group about conflict issues. The school district will have a proposal they want to discuss with the commission.

There being no further business the meeting was adjourned at 5:35 p.m.

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**Kevin Parsley, Chairman**

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**Vivi Haney, Secretary**

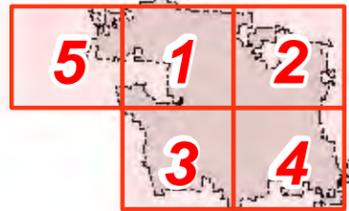
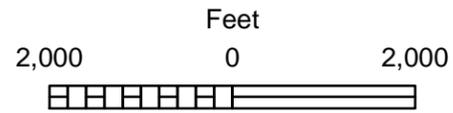
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**Patsy Christie, Director  
Planning and Community Development Division**

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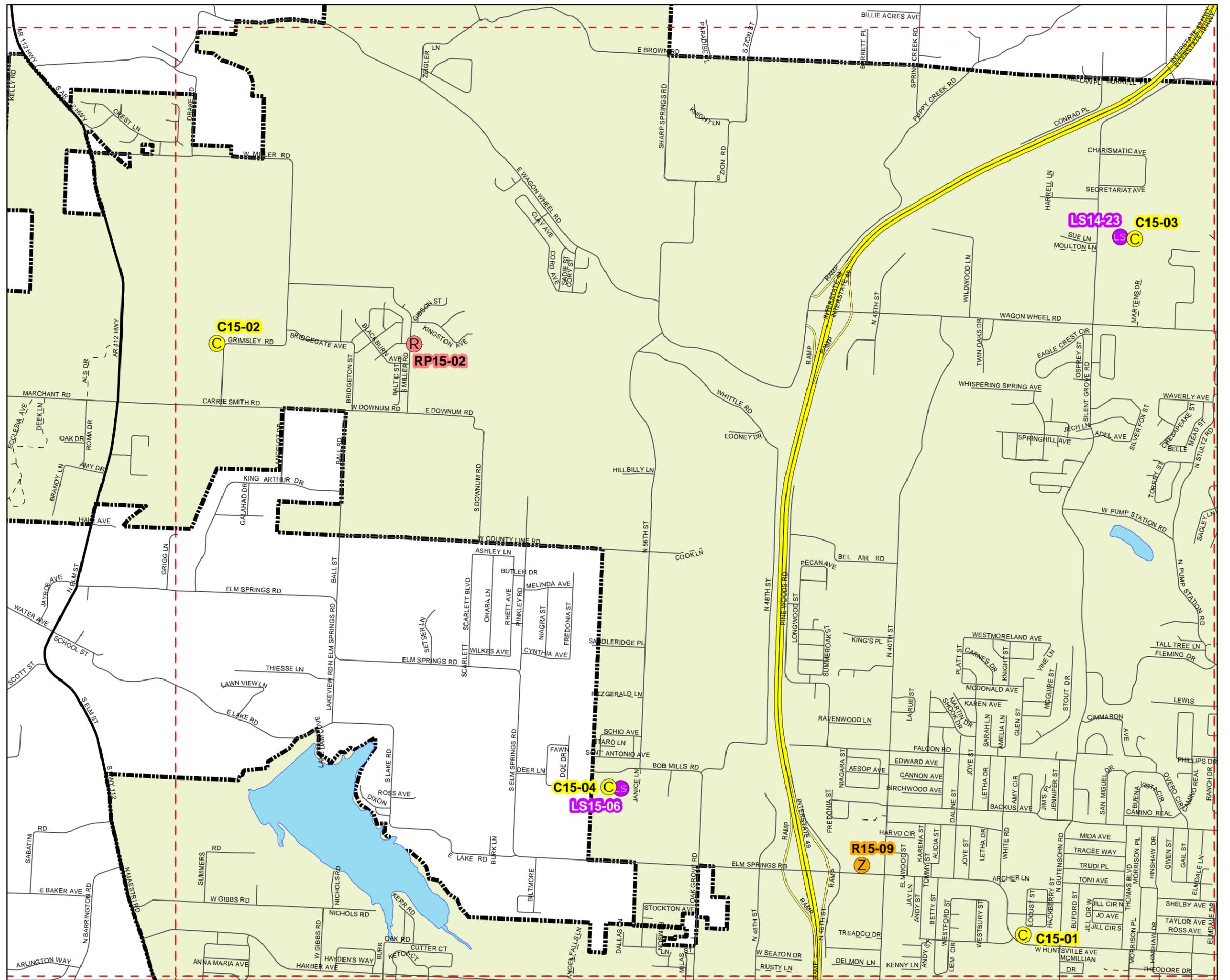
**Debbie Ponders, Recording Secretary**

**CITY OF SPRINGDALE  
PLANNING COMMISSION  
AGENDA ITEMS  
MARCH 3RD, 2015**



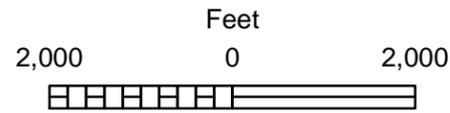
**SHEET 1**

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



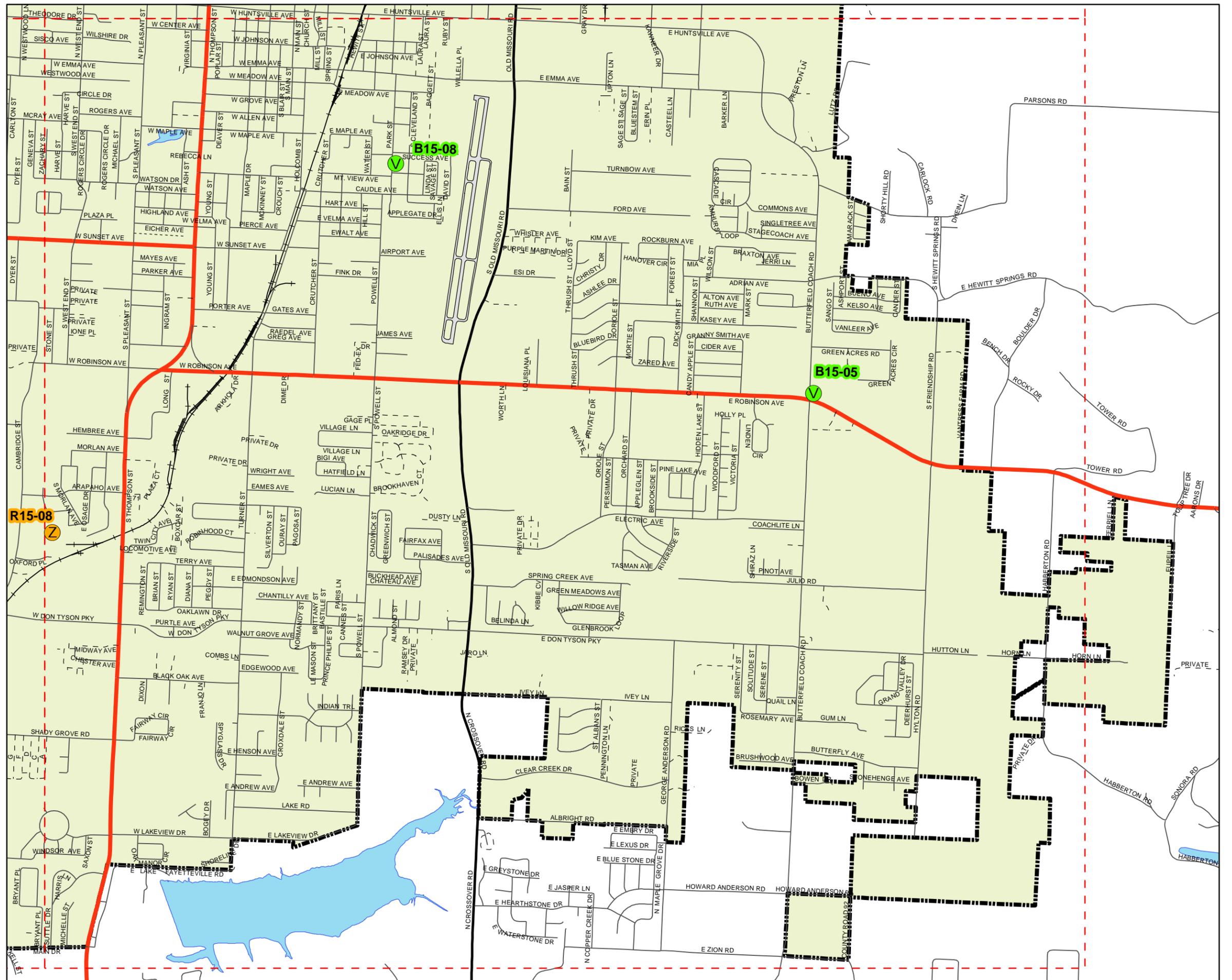


**CITY OF SPRINGDALE  
PLANNING COMMISSION  
AGENDA ITEMS  
MARCH 3RD, 2015**



**SHEET 4**

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



# Master Trail Plan

This will be handed  
out at the meeting

## Springdale Public Schools

February 2, 2015

Doug Sprouse, Mayor  
City of Springdale  
201 Spring Street  
Springdale, AR 72764

RE: Request for the City to Amend the Master Street Plan (MSP)

Mayor Sprouse,

Please accept this letter as a formal request from the Springdale School District to remove the unbuilt portion of Electric Ave. between Hylton Road and Habberton Road from the MSP so as to allow for the construction of the i-school / new high school. Electric Ave. currently stubs out at Butterfield Coach Road but is displayed on the MSP to extend further to the east, crossing Hylton and then running further east to Habberton Road. I have contracted with Ernie Peters to provide you with more scientific data in the form of a traffic study that I hope will lend credence to this request.

When the District purchased the land (perhaps in 2004) it was the intent of Dr. Rollins to someday build the third major high school in our community. In recent years - with Har-Ber out to the west and SHS located in the center of town - talk has centered around a new and different concept. The i-school (or School of Innovation) currently houses 200 students at the Jones Center and that number will grow to 600 for the opening of the new school in the Fall of 2016. Eventually, the i-school will grow to its capacity of 1,000 and then be joined on the same campus by what will become our third major, comprehensive high school. All of the designs are very different for us and, combined with athletic facilities, it seems clear that we will need the entire 80 acre site. Extending Electric Ave. further to the east essentially bisects our property.

I might suggest that with Don Tyson to the south and Hwy. 412 to the north, extending Electric Ave. further to the east beyond Hylton Road might not be necessary. Running Electric Ave. up to Hylton would be ideal as it would move traffic from the west right to the front door of the new i-school / high school.

I have asked that Mr. Peters provide you with up to date traffic data for the area and I hope that aids in your deliberations. It is my understanding that you will have the traffic study by the meeting scheduled for February 17<sup>th</sup>, 2015.

Thank you for your consideration.

Warmest Regards,

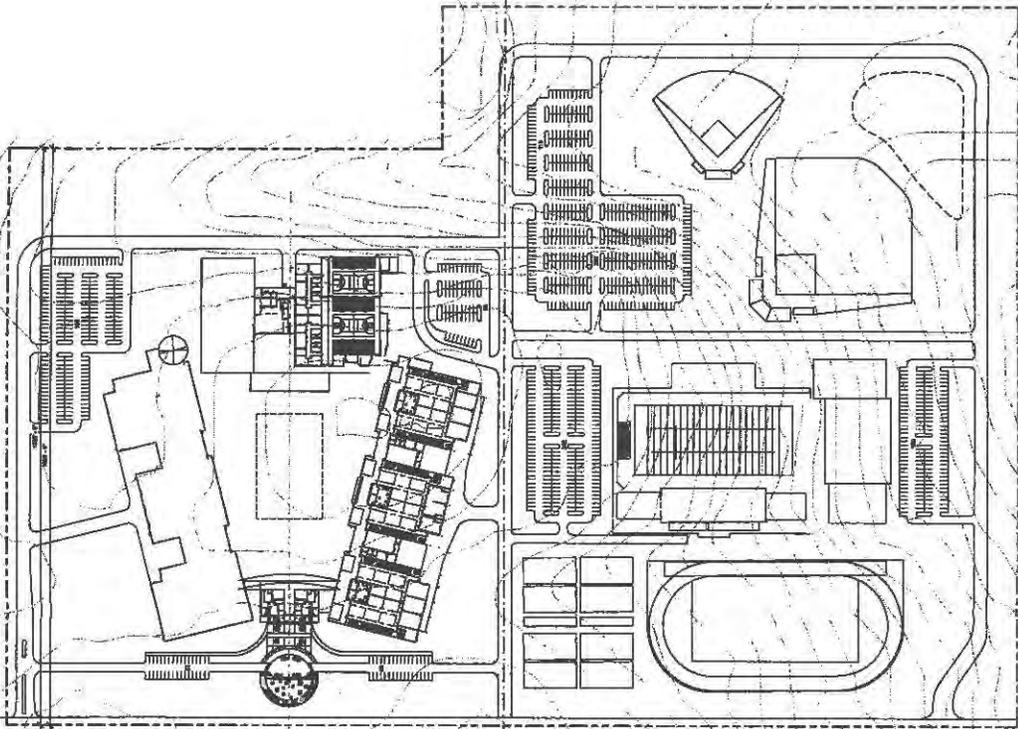


Gary Compton, Assistant Superintendent  
Springdale School District

Cc: Dr. Jim Rollins  
Ms. Patsy Christie  
Mr. Jack See  
Mr. Ernie Peters  
Mr. Clay Hendrix

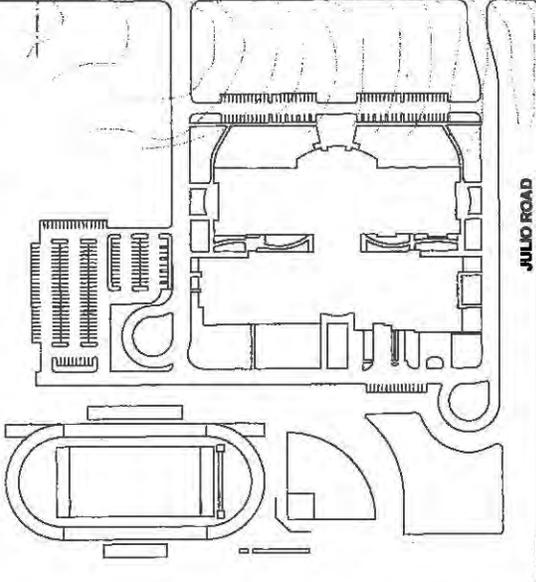
HIGHWAY 412

10 ACRE  
COMMERCIAL  
ZONE



HILTON ROAD

ELECTRIC AVE.



JULIO ROAD

1 SITE PLAN  
1/16/20

SPRINGDALE SCHOOL DISTRICT  
SCHOOL OF INNOVATION

WITTENBERG, DELONY & DAVIDSON ARCHITECTS  
WD&D

+++++

**PLANNING & COMMUNITY  
DEVELOPMENT DIVISION**

# Memo

**To:** PLANNING COMMISSION MEMBERS  
**From:** Patsy Christie, Planning Director  
**Date:** March 3, 2015  
**Re:** R15-07 Rezone

A request by B & J Family Limited Partnership, Bobby D. Wood for Planning Commission approval of a zone change from General Commercial District (C-2) to Light Industrial District (I-1) for a tract of land containing 3.0 acres.

## LOT LOCATION AND SIZE

The 3.0 acre tract is located at 2757 Lowell Road, east side of Lowell Road, across from Marigold Avenue.

A vicinity map is attached.

## EXISTING ZONING

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

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

**ACCESSORY USES**

See Article 6 Section 3.1 of this chapter.

**SITE PLAN REVIEW**

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

**HEIGHT REGULATIONS**

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

**AREA REGULATIONS**

**SETBACKS:**

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

**GREENSPACE**

Each developed lot shall provide and maintain:

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

**OFF-STREET PARKING**

See Article 7 of this chapter.

**REQUESTED ZONING**

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

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

**HEIGHT REGULATIONS**

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

**AREA REGULATIONS**

**SETBACKS:**

Front setback	30'
Front setback if parking is allowed between R-O-W and the building	50'
Side setback (subject to applicable fire and building codes)	0
Rear setback	25'
Setbacks adjacent to residential uses	50'

**GREENSPACE**

Each developed lot shall provide and maintain:

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

**OFF-STREET PARKING**

See Article 7 of this chapter.

**SURROUNDING ZONING AND LAND USE**

Zoning of the surrounded area is shown on the attached map. The tract contains a warehouse structure. The areas to the north, east and south contain industrial uses in I-1 zoning. The area to the west contains single family dwellings in C-2 zoning.

**LAND USE PLAN AND MASTER STREET PLAN**

The adopted Comprehensive Land Use Plan indicates Commercial use.

The Master Street Plan indicates Lowell Road as a local street.

**STAFF COMMENTS AND RECOMMENDATIONS**

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

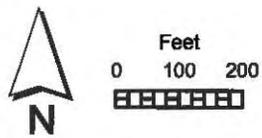
Encourage the development of industries that further diversify and stabilize the City's economic base that are compatible to the labor force, raw materials and industrial climate and provide space for new and expanding high technology industries with low environmental impact.

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



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

97d



**FILE NUMBER: R15-07**  
**APPLICANT: B & J FAMILY LIMITED PARTNERSHIP**  
**REZONING REQUEST: FROM C-2 TO I-1**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**3/3/2015**

File No. R 15-07

## 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 B+J Family Limited Partnership  
The record property owner(s), petitioning to rezone the following described area:

Legal Description:

See Exhibit A

Layman's Description: 2757 Lowell Road

The Petitioner hereby states by oath that:

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

The Petitioner requests the following zoning classification:

FROM (current zoning) C-2

TO (proposed zoning) I-1

The Petitioner's immediate intentions are to:

1. Sell the property NO (Yes or No), and if so, is the property subject to an offer and acceptance, escrow contract, option agreement, other contract for conveyance of title NO (Yes or No).
2. Develop the property NO (Yes or No), and if so, the proposed use is \_\_\_\_\_
3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: NONE

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

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

Authorized Representative: Bobby D. Wood

Address: 3474 Natchez Trace, Fayetteville, AR 72703

PETITIONER/OWNER: B+J Family Limited Partnership

MAILING ADDRESS: 3474 Natchez Trace Fayetteville, AR 72703

TELEPHONE: 601-5052 DATE: 2/2/15

## 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.

Bowly W. Wood  
(Property Owner)

Judy L Wood  
(Property Owner)

State of Arkansas            )  
  ) ss.  
County of Washington        )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 3 day of  
February, 2015.

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

Debbie A. Ponders  
Notary Public

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**PLANNING & COMMUNITY  
DEVELOPMENT DIVISION**

# Memo

**To:** PLANNING COMMISSION MEMBERS  
**From:** Patsy Christie, Planning Director  
**Date:** March 3, 2015  
**Re:** R15-08 Rezone

A request by Temple Baptist Church for Planning Commission approval of a zone change from Low/Medium Density Single Family Residential District (SF-2) to Institutional District (P-1) for a tract of land containing 19.468 acres.

## LOT LOCATION AND SIZE

The 19.468 acre tract is located at 2987 Cambridge Street, east side of Cambridge Street, north of Don Tyson Parkway.

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

Uses permitted: - 1, 4, 5

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

**HEIGHT REGULATIONS**

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

**AREA REGULATIONS**

**(1) SETBACKS:**

Front setback	30'
Front setback if parking is allowed between R-O-W and the building	50'
Side setback (subject to applicable fire and building codes)	0
Side setback when contiguous to a residential district	25'
Rear setback	25'

**GREENSPACE**

Each developed lot shall provide and maintain:

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

**OFF-STREET PARKING**

See Article 7 of this chapter.

**SURROUNDING ZONING AND LAND USE**

Zoning of the surrounded area is shown on the attached map. The tract contains a church facility. The area to the north contains single family dwellings in SF-2 zoning. The area to the east contains commercial uses in C-2 zoning. The area to the south contains single family dwellings in MF-12 zoning. Tyson World Headquarters is to the west in C-2 zoning.

**LAND USE PLAN AND MASTER STREET PLAN**

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

The Master Street Plan indicates Cambridge Street as a minor collector.

**STAFF COMMENTS AND RECOMMENDATIONS**

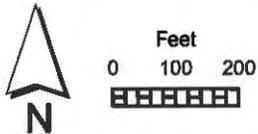
The rezoning request is in keeping with the following goals and policies of the Comprehensive Land Use Plan and is recommended for approval.

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



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

P33



**FILE NUMBER: R15-08**  
**APPLICANT: TEMPLE BAPTIST CHURCH**  
**REZONING REQUEST: FROM SF-2 TO P-1**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**3/3/2015**

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

**Legal Description:**

Part of Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of section Eleven (11) in Township Seventeen (17) North, of Range Thirty (30) West, described as follows: Beginning at the Southeast corner of said 40 acre tract, and running thence West 859.55 feet up to the east line of a county road; thence North 1° 44' East with the East Line of said road 782 feet; thence South 89° 38' East 200 feet; thence North 1° 44' East 198 feet; thence South 89° 38' East 265.1 feet; thence South 16° 40' East 45.7 feet; thence following a 35.81° curve 201.1 feet thence South 88° 40' East 222.4 feet; thence South 821.2 feet to the point of beginning, containing 17.468 acres, more or less.

(See Typed copy attached)

Layman's Description: 2987 Cambridge Street (Across from Tyson Corporate)

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

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

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

**FROM** (current zoning) Residential SF2

**TO** (proposed zoning) P1 Rezoning

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

1. **Sell** the property NO (Yes or No), and if so, is the property subject to an offer and acceptance, escrow contract, option agreement, other contract for conveyance of title \_\_\_\_\_ (Yes or No).
2. **Develop** the property NO (Yes or No), and if so, the proposed use is \_\_\_\_\_.
3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: Opening a child care center  
Serving children infant through pre-school.

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: Pastor Don Elmore

Address: 2987 Cambridge, Springdale, 72764  
Street

PETITIONER/OWNER **SIGNATURE** Don Elmore  
Temple Baptist Church

MAILING ADDRESS: 2987 Cambridge, Springdale 72764

TELEPHONE: 479-751-4255 DATE: February 6<sup>th</sup>

# 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)

Temple Baptist Church

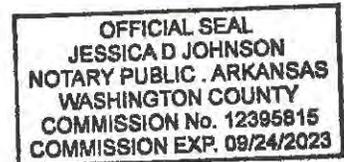
*Don Elmore*

(Property Owner)

State of Arkansas            )  
  ) ss.  
County of Washington        )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 9<sup>th</sup> day of February, 2015.

*Jessica Johnson*  
Notary Public



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**PLANNING & COMMUNITY  
DEVELOPMENT DIVISION**

# Memo

**To:** PLANNING COMMISSION MEMBERS  
**From:** Patsy Christie, Planning Director  
**Date:** March 3, 2015  
**Re:** R15-09 Rezone

A request by Elm Springs Center, LLC, John Pak for Planning Commission approval of a zone change from General Commercial District (C-2) to Thoroughfare Commercial District (C-5) for a tract of land containing 1.12 acres.

## LOT LOCATION AND SIZE

The 1.12 acre tract is located at the northwest corner of the intersection of Elm Springs Road and N. 40<sup>th</sup> Street.

A vicinity map is attached.

## EXISTING ZONING

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

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

**ACCESSORY USES**

See Article 6 Section 3.1 of this chapter.

**SITE PLAN REVIEW**

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

**HEIGHT REGULATIONS**

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

**AREA REGULATIONS**

**SETBACKS:**

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

**GREENSPACE**

Each developed lot shall provide and maintain:

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

**OFF-STREET PARKING**

See Article 7 of this chapter.

**REQUESTED ZONING**

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

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

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

Temporary Uses: - 32

**DEVELOPMENT CRITERIA**

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

**ACCESSORY USES**

See Article 6 Section 3.1 of this chapter.

**SITE PLAN REVIEW**

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

**HEIGHT REGULATIONS**

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

**AREA REGULATIONS**

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

**SETBACKS:**

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

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

### GREENSPACE

Each developed lot shall provide and maintain:

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

### OFF-STREET PARKING

See Article 7 of this chapter.

### SURROUNDING ZONING AND LAND USE

Zoning of the surrounded area is shown on the attached map. The tract has recently been cleared. The area to the north contains a single family structure and a commercial building in C-2 zoning. The area to the east contains commercial uses in A-1 and C-2 zoning. The area to the south and west contain commercial uses in C-2 and C-5 zoning.

### LAND USE PLAN AND MASTER STREET PLAN

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

The Master Street Plan indicates Elm Springs Road as a major collector.

### STAFF COMMENTS AND RECOMMENDATIONS

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

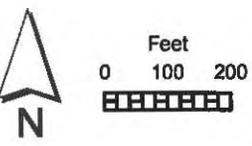
Improve the City's economic base and tax structure through the promotion of healthy, stable commercial concentrations

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

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



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



**FILE NUMBER: R15-09**  
**APPLICANT: ELM SPRINGS CENTER, LLC**  
**REZONING REQUEST: FROM C-2 TO C-5**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**3/3/2015**

File No. R15-09

### 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 Elm Springs Center, LLC

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

**Legal Description:**  
Legal Description:

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

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

Layman's Description: NW Corner of Elm Springs Road x N. 40th Street

The Petitioner hereby states by oath that:

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

The Petitioner requests the following zoning classification:

FROM (current zoning) C-2

TO (proposed zoning) C-5

The Petitioner's immediate intentions are to:

1. Sell the property 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 or No).
2. Develop the property yes (Yes or No), and if so, the proposed use is To build Whataburger.
3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: None.

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

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

Authorized Representative: \_\_\_\_\_

Address: \_\_\_\_\_

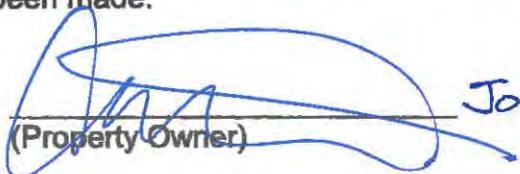
PETITIONER/OWNER: John Pak

MAILING ADDRESS: 3520 N Buckingham Dr Fay. 72703

TELEPHONE: 479-957-1590 DATE: Feb-11-15

## 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.

  
(Property Owner) John Pak

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

State of Arkansas        )  
                                  ) ss.  
County of Washington    )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 11 day of February, 2015.

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

  
Notary Public

**PLANNING & COMMUNITY  
DEVELOPMENT DIVISION**

# Memo

To: PLANNING COMMISSION MEMBERS  
From: Patsy Christie, Planning Director  
Date: March 3, 2015  
Re: **C15-01**

A request by Naan EO Emman (Good News) Marshallese Assembly of God, Inc. for a Conditional Use Permitted on Appeal as a Use Unit 42 (Church/synagogue) in a General Commercial District (C-2).

## LOCATION

3020 W. Huntsville Avenue, north side of Huntsville Avenue, west of Gutensohn Road.

## EXISTING CONDITIONS

Commercial structures. Commercial uses to the east, south, and west, single family dwellings to the north.

SITE PLAN REVIEW REQUIRED:  Yes  No

## DEVELOPMENT STANDARDS AND REVIEW GUIDELINES

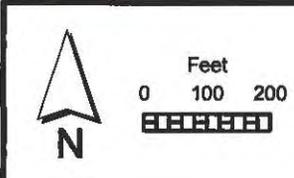
The following development standards and design specifications shall be applicable to the conditional use review and approval. The appropriateness of these standards shall be determined at the discretion of the planning commission and for each specific conditional use location.

- |                     |   |
|---------------------|---|
| <b>Acceptable</b>   | Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.   |
| <b>Unacceptable</b> | Off-street parking and loading areas where required, with particular attention to the items mentioned above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district.<br><b>Occupancy established by Fire Marshal 298. Requires 63 spaces, only 39 provided.</b> |
| <b>Acceptable</b>   | Refuse and service areas, with particular reference to the item in 1 and 2 above.   |

<b>Acceptable</b>	Utilities, with reference to locations, availability and compatibility.
<b>Acceptable</b>	Screening and buffering with reference to type, dimension and character.
<b>Unknown not shown</b>	Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.
<b>Acceptable</b>	Yard requirements and other open space requirements.
	The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter.
<b>Acceptable</b>	Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect.
	General compatibility with adjacent properties and other property in the general district. <b>Services to be as follows:</b>
	<b>Monday/Tuesday</b> 10:00 a.m.-11:00 a.m. 6:00 p.m. – 7:00 p.m.
	<b>Thursday</b> 6:00 p.m. – 7:00 p.m.
	<b>Friday</b> 6:00 p.m. – 7:00 p.m.
	<b>Saturday</b> 9:00 a.m. – 10:00 a.m.
	<b>Sunday</b> All Day
	<b>Must comply with sound ordinance &amp; must comply with building and Fire code requirements.</b>



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



**FILE NUMBER: C15-01**  
**APPLICANT: NAAN ED EMMAN**  
**CONDITIONAL USE REQUEST: USE UNIT 42 -**  
**CHURCH**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**3/3/2015**

WEST HUNTSVILLE AVE

90.41' SEWER EASEMENT

45.9'

32.27'

SHUBS  
trees

SHUBS

SHUBS  
trees

22 23 tree 24 25 26 27 28 29 30 31 32 33

10 11 12 13 14 15 16 17 18 19 20 21

34  
35  
36  
37  
38  
39

3

9 8 7 6 5 HC 4 HC 3 2

UTILITY EASEMENT

EXISTING BUILDING  
3000 WEST HUNTSVILLE  
SPRINGDLE, ARKANSAS

BUILDING SETBACK

209.88'

159.69'

162.11'

8'55"

Be  
Elev.

DRAINAGE EASEMENT

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

PROPERTY LOCATION: 3020 WEST HUNTSVILLE, SPRINGDALE, AR  
(street address or layman's description)

PROPERTY OWNER: LARRY + BONNIE GRABER

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

Zoning District of Property: C-2

Description of the Conditional Use sought: SUITCA - church

Use Unit Designation: 42 Church / Synagogue

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

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

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

Current Occupancy Classification A3 Church

Chief Building Official Michael D. Uhl Date: 1/2/15

Fire Marshal Chris J. T. Jones Date: \_\_\_\_\_

Occupancy Classification required for intended use A3 church

Chief Building Official Michael D. Uhl Date: 1/2/15

Fire Marshal Chris J. T. Jones Date: \_\_\_\_\_

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

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

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

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

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

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

I/We the undersigned do hereby recognize, by execution of this statement, that the structural alterations identified by the chief building official and fire marshal as stated below and attached and made a part of this statement are required in order for a Use Unit 42 in a C-2 zoning district to be considered as a Conditional Use on appeal for a structure located at 3020 WEST HUNTSVILLE, SPRINGDALE

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

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

  
\_\_\_\_\_  
Applicant

  
\_\_\_\_\_  
Property Owner

State of Arkansas )  
County of Washington

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

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

My commission expires: 12/10/2024

DEBBIE A. POUNDERS  
WASHINGTON COUNTY  
NOTARY PUBLIC - ARKANSAS  
My Commission Expires December 10, 2024  
Commission No. 12402008

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

1. APPLICANT: NAAN ED EMMAN  
Address: 3020 West Hamerville Rd  
Springdale AR 72762  
Phone: (479) 422-6917 Profit:  Non-Profit

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

3. Record Title Holder of Property: \_\_\_\_\_  
(A copy of the warranty deed should be attached as Exhibit "A")

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

5. Description of the conditional use sought and the reasons why it should be approved:  
REQUEST USE OF BUILDING FOR A CHURCH AND SINCE IT HAS  
BEEN IN USE BY A CHURCH, THERE REALLY ISN'T ANY CHANGE  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?  
SHOULD IMPROVE THE CHARACTER OF THE NEIGHBORHOOD  
\_\_\_\_\_  
\_\_\_\_\_

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)

Larry Grobe  
Bonnie Grobe

Signature of Applicant

[Signature]

Date: 1-8-15

Date: 1/9/15

**VERIFICATION**

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

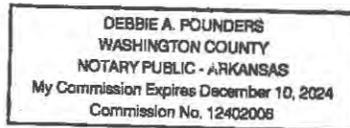
X [Signature]  
X [Signature]

State of Arkansas )  
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 9<sup>th</sup> day of January, 2015.

[Signature]  
Notary Public

My commission expires: 12/10/2024



# Memo

To: PLANNING COMMISSION MEMBERS  
From: Patsy Christie, Planning Director  
Date: March 3, 2015  
Re: **C15-02 Smith Communications, LLC**

A request by Smith Communications, LLC for a Conditional Use Permitted on Appeal as a Use Unit 33 (Self-supporting tower or antenna structure or monopole) in an Agricultural District (A-1).

LOCATION

North of 3952 Grimsley Road

EXISTING CONDITIONS

Agricultural area that has poultry houses removed.

SITE PLAN REVIEW REQUIRED:  Yes  No

**DEVELOPMENT STANDARDS AND REVIEW GUIDELINES**

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

- Acceptable**      Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.
  
- Acceptable**      Off-street parking and loading areas where required, with particular attention to the items mentioned above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district.
  
- N/A**                Refuse and service areas, with particular reference to the item in 1 and 2 above.
  
- Acceptable**      Utilities, with reference to locations, availability and compatibility.

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

Public hearing sign posted:    /    / 2015

Public hearing sign posted by: CS

 Public Hearing Sign Location



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0 100 200  


**FILE NUMBER: C15-02**  
**APPLICANT: SMITH COMMUNICATIONS**  
**CONDITIONAL USE REQUEST: USE UNIT 33 -**  
**SELF SUPPORTING TOWER OR MONOPOLE**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
**PLANNING COMMISSION MEETING**  
**3/3/2015**

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

1. APPLICANT: Smith Communications, LLC  
Address: 520 N. College Ave  
Fayetteville, AR  
Phone: 479.443.2222 Profit:  Non-Profit
2. Property Location (street address or layman's description):  
Grimsley Rd - Part frl. NW 1/4 NW 1/4 19.18.30
3. Record Title Holder of Property: Carl D. Bowling and Susan D. Bowling  
(A copy of the warranty deed should be attached as Exhibit "A")
4. Use Unit requested 33 in A1 Zoning District.
5. Description of the conditional use sought and the reasons why it should be approved:  
See Attached Letter  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. What effects would the proposed conditional use have on the character of the neighborhood and residents?  
See Attached Letter  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
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

David Reynolds  
Agent for Carl & Susan  
Bourling

David Reynolds  
Smith Communications

Date: 1-28-15

Date: 1-28-15

**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.

David Reynolds  
Smith Communications

State of Arkansas )  
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 28<sup>th</sup> day of January, 20 15.

Hollie L. Wentz  
Notary Public

My commission expires: 7/2/2023



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

1. APPLICANT: D4K INVESTMENTS L.L.C.  
Address: 2419 W. BORDEAUX PLACE  
FAYETTEVILLE, AR 72704  
Phone: 479-877-7768 Profit:  Profit  Non-Profit
2. Property Location (street address or layman's description):  
5299 CALLAHAN MOUNTAIN RD., 5270 CALLAHAN MOUNTAIN ROAD  
SPRINGDALE AR 72764
3. Record Title Holder of Property: D4K INVESTMENTS L.L.C.  
(A copy of the warranty deed should be attached as Exhibit "A")
4. Use Unit requested Tandem Lot in A-1 Zoning District.
5. Description of the conditional use sought and the reasons why it should be approved:  
WE ARE SPLITTING THE TRACT UNDER THE COMMUNICATIONS TOWERS  
FROM THE REMAINING 32 ACRES. NO NEW CONSTRUCTION. NO PHYSICAL  
CHANGES
6. What effects would the proposed conditional use have on the character of the neighborhood and residents?  
NONE. EVERYTHING REMAINS THE SAME AS BEFORE, ONLY SPLITTING  
TRACT OF LAND BY SURVEY.
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

David A. Carpenter  
Vanita A. Carpenter

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 2/04/2015

Date: \_\_\_\_\_

**VERIFICATION**

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

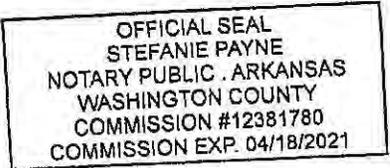
David Carpenter  
Vanita Carpenter

State of Arkansas )  
County of Washington ) ss.

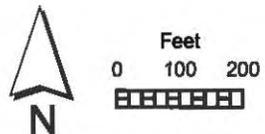
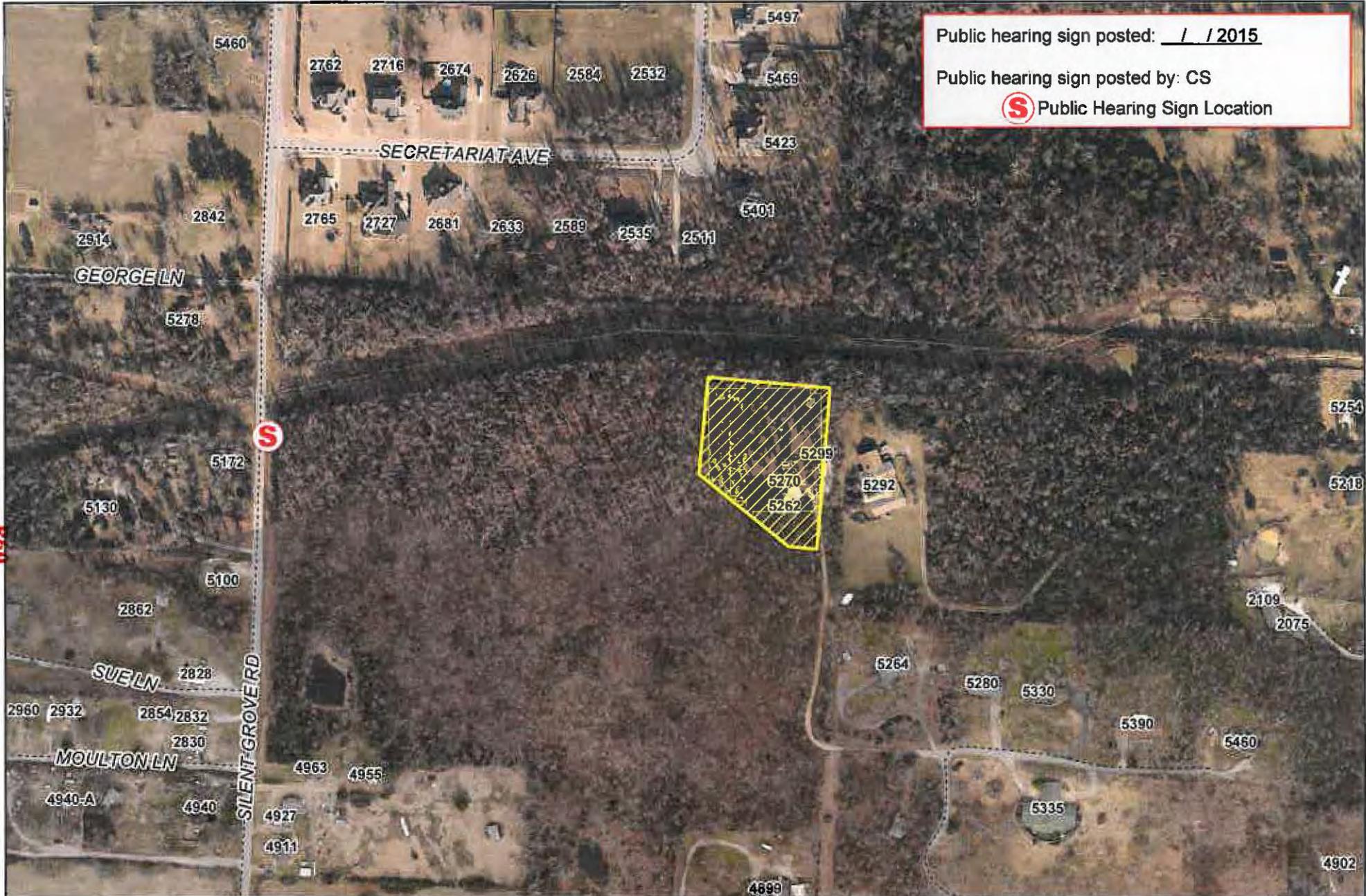
SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 4th day of Feb, 2015.

Stefanie Payne  
Notary Public

My commission expires: 4-18-21



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



**FILE NUMBER: C15-03**  
**APPLICANT: D & K INVESTMENTS**  
**CONDITIONAL USE REQUEST: TANDEM LOT SPLIT**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**3/3/2015**

# Memo

**To:** Planning Commission  
**From:** Staff  
**Date:** March 3, 2015  
**Re:** **LS14-23 Lot Split D & K Investments**

---

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

File No. C15-04

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

1. **APPLICANT:** Dustin J. & Veronica Graham  
**Address:** 1500 N. 56<sup>th</sup> Street, Springdale, AR 72762  
  
**Phone:** (479) 530-5529 **Profit:**  Profit  Non-Profit
2. **Property Location (street address or layman's description):**  
Parcel Numbers 815-30928-000 and 750-00828-000 -
3. **Record Title Holder of Property:** Dustin J. & Veronica Graham (Recently Purchased)  
(A copy of the warranty deed should be attached as Exhibit "A")
4. **Use Unit requested** Use Unit 8 - Single Springdale : A1  
Family Dwellings in Elm Springs : RA Zoning District.
5. **Description of the conditional use sought and the reasons why it should be approved:**  
Conditional Use requested to allow a Tandem Lot Split. The request will allow an 11 acre tract to be split  
into three large tracts, all in excess of three acres in size. All tracts will have access to Janice Lane via an  
access easement and asphalt driveway, as shown on the enclosed Tract Split.  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. **What effects would the proposed conditional use have on the character of the neighborhood and residents?**  
No adverse effects are anticipated. The lots are adjacent to residential subdivisions and tracts created will  
be large, attractive properties. There is already an existing gravel drive in the location of the proposed  
asphalt drive providing access to the property from Janice Lane.  
  
\_\_\_\_\_
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)

V. Graham  
OS 1

Signature of Applicant

V. Graham  
OS 1

Date: 2-18-15 2-18-15

Date: 2-18-15 2-18-15

### 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.

V. Graham  
OS 1

State of Arkansas )  
County of Benton ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 18 day of February, 2015.

[Signature]  
Notary Public

My commission expires: March 13, 2016





Public hearing sign posted.    /    / 2015

Public hearing sign posted by: CS

**S** Public Hearing Sign Location



Feet  
0 100 200  
[Scale bar]

**FILE NUMBER: C15-04**  
**APPLICANT: DUSTY & VERONICA GRAHAM**  
**CONDITIONAL USE REQUEST: TANDEM LOT SPLIT**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**3/3/2015**

# Memo

**To:** Planning Commission

**From:** Staff

**Date:** March 3, 2015

**Re:** LS15-06 Lot Split Dusty & Veronica Graham

---

1. Submit \$50.00 fee.
2. A conditional use for a tandem lot must be applied for and approved by the Planning Commission and City Council.
3. A 25' access easement with a minimum 15' wide paved drive is required to the tandem lot.
4. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

# TRACT SPLIT

FOR

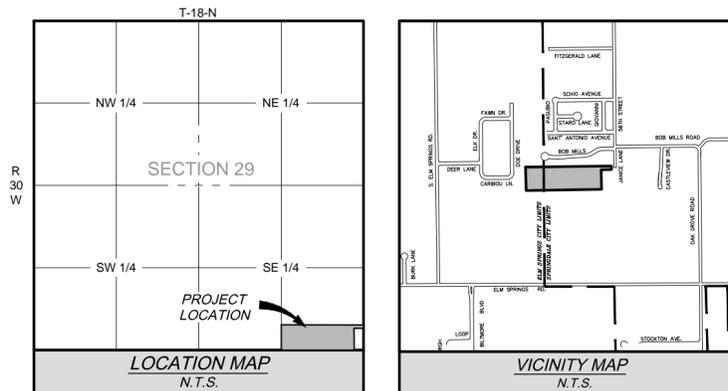
# DUSTIN & VERONICA GRAHAM

IN THE CITY OF

# ELM SPRINGS & SPRINGDALE, ARKANSAS

WORK ORDER #

# 15010



**OWNER/DEVELOPER :**

DUSTIN J. & VERONICA GRAHAM  
1500 N. 56TH STREET  
SPRINGDALE, AR 72762

**SURVEYOR :**

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

**WORK ORDER # :**

15010

**SPRINGDALE ZONING :**

A-1

**SETBACKS :**

FRONT 35'  
REAR 35'  
SIDE 20'

**ELM SPRINGS ZONING :**

R-A

**SETBACKS :**

FRONT 50'  
REAR 25'  
SIDE 10'

BY

ENGINEERING SERVICES INC.



CONSULTING ENGINEERS  
SPRINGDALE, ARKANSAS

PHONE: 479-751-8733

FAX: 479-751-8746

WWW.ENGINEERINGSERVICES.COM

**PARENT TRACT SURVEY DESCRIPTION - (PARCEL NO. 750-00828-000 & 815-30928-000)**

A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP EIGHTEEN NORTH (T-18-N), RANGE THIRTY WEST (R-30-W) OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE SE CORNER OF THE SE ¼ OF THE SE ¼, BEING A FOUND ALUMINUM MONUMENT STAMPED "RLS 263 1976 ADC"; THENCE ALONG THE SOUTH LINE OF SAID FORTY ACRE TRACT, N87°06'22"W A DISTANCE OF 150.78 FEET TO THE **POINT OF BEGINNING**, A FOUND ½" IRON PIN BEARS S02°44'53"W A DISTANCE OF 0.52 FEET FROM SAID POINT; THENCE CONTINUING ALONG SAID SOUTH LINE, N87°06'22"W A DISTANCE OF 1168.72 FEET TO A FOUND ½" REBAR; THENCE LEAVING SAID SOUTH LINE, N02°30'19"E A DISTANCE OF 405.06 FEET TO A POINT COMMON WITH THE SOUTHWEST CORNER OF MILLS QUARTER SUBDIVISION, A FOUND 1" PINCHED PIPE BEARS S86°59'56"E A DISTANCE OF 1.53 FEET FROM SAID POINT; THENCE ALONG THE SOUTH LINE OF SAID SUBDIVISION, S86°59'56"E A DISTANCE OF 1281.03 FEET TO THE WEST RIGHT OF WAY OF JANICE LANE PER THE FINAL PLAT OF MILL'S QUARTER SUBDIVISION RECORD FILE NUMBER 023A-365, BEING A SET IRON PIN WITH CAP "PLS 1439"; THENCE CONTINUING ALONG SAID SOUTH LINE, S86°59'56"E A DISTANCE OF 40.00 FEET TO THE EASTERN RIGHT OF WAY OF JANICE LANE PER SAID FINAL PLAT AND THE EAST LINE OF SAID FORTY ACRE TRACT, A FOUND IRON PIN WITH CAP "BLEW PLS" NUMBER UNREADABLE BEARS N86°59'56"W A DISTANCE OF 0.30 FEET; THENCE LEAVING THE SOUTH LINE OF SAID SUBDIVISION AND FOLLOWING SAID EAST LINE, S02°43'16"W A DISTANCE OF 52.63 FEET TO A POINT, A FOUND 5/8" REBAR BEARS S87°17'41"E A DISTANCE OF 1.90 FEET FROM SAID POINT; THENCE LEAVING SAID EAST LINE, N86°59'56"W A DISTANCE OF 150.61 FEET TO A POINT, A FOUND 5/8" REBAR BEARS S02°44'53"W A DISTANCE OF 0.78 FEET FROM SAID POINT; THENCE S02°44'53"W A DISTANCE OF 350.24 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINING 11.02 ACRES (480,450 SQ.FT.), MORE OR LESS.

**TRACT 1 SURVEY DESCRIPTION -**

A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP EIGHTEEN NORTH (T-18-N), RANGE THIRTY WEST (R-30-W) OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE SE CORNER OF THE SE ¼ OF THE SE ¼, BEING A FOUND ALUMINUM MONUMENT STAMPED "RLS 263 1976 ADC"; THENCE ALONG THE SOUTH LINE OF SAID FORTY ACRE TRACT, N87°06'22"W A DISTANCE OF 150.78 FEET TO A POINT, A FOUND ½" IRON PIN BEARS S02°44'53"W A DISTANCE OF 0.52 FEET FROM SAID POINT; THENCE CONTINUING ALONG SAID SOUTH LINE THE FOLLOWING THREE CALLS: N87°06'22"W A DISTANCE OF 512.17 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE N87°06'22"W A DISTANCE OF 327.98 FEET TO THE **POINT OF BEGINNING**, BEING A SET IRON PIN WITH CAP "PLS 1439"; THENCE N87°06'22"W A DISTANCE OF 328.57 FEET TO A FOUND ½" REBAR; THENCE LEAVING SAID SOUTH LINE, N02°30'19"E A DISTANCE OF 405.06 FEET TO A POINT COMMON WITH THE SOUTHWEST CORNER OF MILLS QUARTER SUBDIVISION, A FOUND 1" PINCHED PIPE BEARS S86°59'56"E A DISTANCE OF 1.53 FEET FROM SAID POINT; THENCE ALONG THE SOUTH LINE OF SAID SUBDIVISION, S86°59'56"E A DISTANCE OF 328.90 FEET TO A FOUND IRON PIN IN CONCRETE WITH CAP "L. PAYA AR 1380"; THENCE LEAVING THE SOUTH LINE OF SAID SUBDIVISION, S02°33'04"W A DISTANCE OF 404.44 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINING 3.05 ACRES (133,071 SQ.FT.), MORE OR LESS.

**TRACT 2 SURVEY DESCRIPTION -**

A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP EIGHTEEN NORTH (T-18-N), RANGE THIRTY WEST (R-30-W) OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE SE CORNER OF THE SE ¼ OF THE SE ¼, BEING A FOUND ALUMINUM MONUMENT STAMPED "RLS 263 1976 ADC"; THENCE ALONG THE SOUTH LINE OF SAID FORTY ACRE TRACT, N87°06'22"W A DISTANCE OF 150.78 FEET TO A POINT, A FOUND ½" IRON PIN BEARS S02°44'53"W A DISTANCE OF 0.52 FEET FROM SAID POINT; THENCE CONTINUING ALONG SAID SOUTH LINE THE FOLLOWING TWO CALLS: N87°06'22"W A DISTANCE OF 512.17 FEET TO THE **POINT OF BEGINNING**, BEING A SET IRON PIN WITH CAP "PLS 1439"; THENCE N87°06'22"W A DISTANCE OF 327.98 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE LEAVING SAID SOUTH LINE, N02°33'04"E A DISTANCE OF 404.44 FEET TO A POINT COMMON WITH THE SOUTH LINE OF MILLS QUARTER SUBDIVISION BEING A FOUND IRON PIN IN CONCRETE WITH CAP "L. PAYA AR 1380"; THENCE ALONG THE SOUTH LINE OF SAID SUBDIVISION, S86°59'56"E A DISTANCE OF 327.98 FEET TO A FOUND IRON PIN WITH CAP "L. PAYA AR 1380"; THENCE LEAVING THE SOUTH LINE OF SAID SUBDIVISION, S02°33'04"W A DISTANCE OF 403.83 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINING 3.04 ACRES (132,562 SQ.FT.), MORE OR LESS.

**TRACT 3 SURVEY DESCRIPTION -**

A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP EIGHTEEN NORTH (T-18-N), RANGE THIRTY WEST (R-30-W) OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE SE CORNER OF THE SE ¼ OF THE SE ¼, BEING A FOUND ALUMINUM MONUMENT STAMPED "RLS 263 1976 ADC"; THENCE ALONG THE SOUTH LINE OF SAID FORTY ACRE TRACT, N87°06'22"W A DISTANCE OF 150.78 FEET TO THE **POINT OF BEGINNING**, A FOUND ½" IRON PIN BEARS S02°44'53"W A DISTANCE OF 0.52 FEET FROM SAID POINT; THENCE CONTINUING ALONG SAID SOUTH LINE, N87°06'22"W A DISTANCE OF 512.17 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE LEAVING SAID SOUTH LINE, N02°33'04"E A DISTANCE OF 403.83 FEET TO THE SOUTH LINE OF MILL'S QUARTER SUBDIVISION BEING A FOUND IRON PIN WITH CAP "L. PAYA AR 1380"; THENCE ALONG THE SOUTH LINE OF SAID SUBDIVISION, S86°59'56"E A DISTANCE OF 624.15 FEET TO THE WEST RIGHT OF WAY OF JANICE LANE PER THE FINAL PLAT OF MILL'S QUARTER SUBDIVISION RECORD FILE NUMBER 023A-365, BEING A SET IRON PIN WITH CAP "PLS 1439"; THENCE ALONG THE NEW RIGHT OF WAY OF JANICE LANE, S02°43'16"W A DISTANCE OF 52.63 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE LEAVING SAID NEW RIGHT OF WAY, N86°59'56"W A DISTANCE OF 110.61 FEET TO A POINT, A FOUND 5/8" REBAR BEARS S02°44'53"W A DISTANCE OF 0.78 FEET FROM SAID POINT; THENCE S02°44'53"W A DISTANCE OF 350.24 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINING 4.88 ACRES (212,711 SQ.FT.), MORE OR LESS.

**RIGHT OF WAY DEDICATION SURVEY DESCRIPTION -**

A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP EIGHTEEN NORTH (T-18-N), RANGE THIRTY WEST (R-30-W) OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE SE CORNER OF THE SE ¼ OF THE SE ¼, BEING A FOUND ALUMINUM MONUMENT STAMPED "RLS 263 1976 ADC"; THENCE ALONG THE SOUTH LINE OF SAID FORTY ACRE TRACT, N87°06'22"W A DISTANCE OF 150.78 FEET TO A POINT, A FOUND ½" IRON PIN BEARS S02°44'53"W A DISTANCE OF 0.52 FEET FROM SAID POINT; THENCE N02°44'53"E A DISTANCE OF 350.24 FEET TO A POINT, A FOUND 5/8" REBAR BEARS S02°44'53"W A DISTANCE OF 0.78 FEET FROM SAID POINT; THENCE S86°59'56"E A DISTANCE OF 110.61 FEET TO THE **POINT OF BEGINNING** BEING A SET IRON PIN WITH CAP "PLS 1439"; THENCE ALONG THE NEW RIGHT OF WAY OF JANICE ROAD, N02°43'16"E A DISTANCE OF 52.63 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE ALONG THE EXISTING RIGHT OF WAY OF JANICE ROAD, S86°59'56"E A DISTANCE OF 40.00 FEET TO A POINT, A FOUND IRON PIN WITH CAP "BLEW PLS" NUMBER UNREADABLE BEARS N86°59'56"W A DISTANCE OF 0.30 FEET; THENCE LEAVING SAID EXISTING RIGHT OF WAY, S02°43'16"W A DISTANCE OF 52.63 FEET TO A POINT, A FOUND 5/8" REBAR BEARS S87°17'41"E A DISTANCE OF 1.90 FEET FROM SAID POINT; THENCE N86°59'56"W A DISTANCE OF 40.00 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.05 ACRES (2,105 SQ.FT.), MORE OR LESS.

**SURVEYOR'S NOTES:**

THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR. THE ORIGINAL SIGNATURE, IF NOT BLUE IN COLOR, IS NOT VALID.

ACCORDING TO ARKANSAS LAW (A.C.A. § 16-56-112 (2014)), YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN FIVE YEARS AFTER FIRST DISCOVERY OF SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN FIVE YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

**PUBLIC ROADWAY ACCESS:**

THE SUBJECT TRACT HAS DIRECT ACCESS TO JANICE LANE, A PUBLIC ROADWAY.

**SURVEY EQUIPMENT AND METHODS:**

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

**HORIZONTAL DATUM, BASIS OF BEARINGS & DISTANCES, STATE PLANE COORDINATES, AND CONVERSIONS:**

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

THE COORDINATE POSITIONS SHOWN HEREON WERE CONSTRAINED (MODELED) TO THE ARKANSAS HIGHWAY TRANSPORTATION DEPARTMENT (AHTD) STATION MARK "720021A". REAL TIME KINEMATIC (RTK) GPS RELATIVE POSITIONING METHODS WERE UTILIZED EITHER BY DIRECT MODELING AND OCCUPATION OF THE STATION OR BY MODELING THE STATION UTILIZING ESI'S GPS BASE STATION.

THE BOUNDARY INFORMATION SHOWN HEREON REFLECTS GRID BEARINGS AND GRID DISTANCES. THE POINT OF COMMENCEMENT WAS USED FOR THE COMPUTED CONVERGENCE ANGLE AND COMBINED FACTOR.

POC LATITUDE: 36°11'49.89624"N LONGITUDE: 094°11'31.55860"W

POC STATE PLANE: NORTHING (US FT): 685,629.68 EASTING (US FT): 665,560.00

CONVERGENCE ANGLE (DMS) = - 01°16'32" (GRID NORTH IS WEST OF TRUE NORTH)

COMBINED FACTOR = 0.99999305

THE SEA LEVEL FACTOR (ORTHOMETRIC VERTICAL SCALE) IS BASED ON THE TRACT'S AVERAGE ORTHOMETRIC ELEVATION OF 1,305 FT, NAVD83 (NORTH AMERICAN VERTICAL DATUM OF 1988).

TO CONVERT GRID DISTANCES TO GROUND DISTANCES USE THE INVERSE COMBINED FACTOR: 1.00000695.

THE ACREAGE SHOWN HEREON WAS COMPUTED FROM GRID COORDINATES THEN SCALED TO GROUND ACREAGE BY THE INVERSE COMBINED FACTOR SQUARED 1.0001389.

**PLAT CLOSURE CERTIFICATION:**

PARENT TRACT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 416,367 FEET.

TRACT 1 HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 495,788 FEET.

TRACT 2 HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 258,143 FEET.

TRACT 3 HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 279,189 FEET.

**FLOOD PLAIN ZONING:**

THIS PROPERTY IS WITHIN THE FLOOD PLAIN ZONE 'X', DESIGNATED AS AN AREA DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE F.I.R.M. MAP # 05143C0055 F, PANEL 55 OF 575, WASHINGTON COUNTY, ARKANSAS & INCORPORATED AREAS. EFFECTIVE DATE: MAY 16, 2008.

**UTILITIES:**

THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS PROVIDED BY THE SURVEYOR AND IS BASED ON ABOVE GROUND FEATURES ONLY.

THE DESIGNATIONS AND LOCATIONS OF THESE UTILITY FEATURES SHOWN HEREON ARE NOT TO BE CONSTRUED AS ALL INCLUSIVE OR ABSOLUTE AND ARE PROVIDED WITHOUT WARRANTY.

THERE MAY BE OTHER BURIED UTILITIES OR STRUCTURES THAT COULD BE IN SERVICE OR ABANDONED.

THERE MAY BE UTILITY FEATURES OBSCURED BY GROUND COVER, DEBRIS AND/OR ASPHALT.

THE LOCATIONS OF UNDERGROUND STORM AND SANITARY SEWERS, IF ANY SHOWN HEREON, ARE BASED ON SURFACE FEATURES. PIPE SIZE, MATERIAL AND DEPTH INFORMATION WERE GATHERED FROM THE TOP OF THE STRUCTURES. THE SURVEYOR HAS TAKEN CARE TO IDENTIFY THESE FEATURES BUT PIPE SIZE AND MATERIAL TYPE VARIATIONS MAY EXIST.

NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO PHYSICALLY LOCATE BURIED UTILITIES OR STRUCTURES. PRIOR TO EXCAVATION THE ASSOCIATED UTILITY COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE, LOCATION AND DEPTH.

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF OVERHEAD OR UNDERGROUND CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

**CITY OF SPRINGDALE UTILITY NOTES:**

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

**REFERENCES:**

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

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

**A. QUITCLAIM DEED:** RICHARD S. FARRIS, DATED MAY 4, 2000, RECORDED MAY 8, 2000, DOCUMENT FILE NO. 2000-36345.

**B. FINAL PLAT:** BY PAYA LAND SURVEYING, INC., LAZARO G. PAYA, AR PLS 1380, OF MILL'S QUARTER SUBDIVISION, DATED FEBRUARY 10, 2009, RECORDED JULY 27, 2009, PLAT BOOK 023A, PAGE 365.

**C. REPLAT:** BY PAYA LAND SURVEYING, INC., LAZARO G. PAYA, AR PLS 1380, OF TRACT 1, DATED FEBRUARY 15, 2008, RECORDED FEBRUARY 29, 2008, DOCUMENT FILE NO. 2008-6734.

**D. REPLAT:** BY ENGINEERING SERVICES, INC., DAVID A. WILKINS, AR PLS 1439, OF LOTS 6, 7 & 8 IN MILL'S QUARTER SUBDIVISION, DATED NOVEMBER 4, 2014, RECORDED NOVEMBER 17, 2014, PLAT BOOK 0240, PAGE 52.

**E. WATER & SEWER EASEMENT:** IN FAVOR OF CITY OF TONTITOWN WATER AND SEWER COMMISSION, DATED MARCH 14, 2006, RECORDED MARCH 27, 2006, DOCUMENT FILE NO. 2006-12143.

THE FIELD WORK WAS COMPLETED ON: JANUARY 15, 2015

DATE OF PLAT OR MAP: JANUARY 27, 2015

**OWNER'S CERTIFICATION:**

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

\_\_\_\_\_

OWNER/AUTHORIZED REPRESENTATIVE

\_\_\_\_\_

DATE

SUBSCRIBED AND SWORN BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015

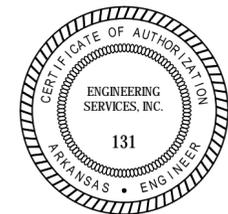
MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_

NOTARY PUBLIC

**SURVEYOR'S CERTIFICATE OF ACCURACY:**

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED ON THIS PLAT IS A TRUE AND CORRECT SURVEY AND THAT THE MONUMENTS HAVE BEEN PLACED AS STATED AND AS REQUIRED BY THE SUBDIVISION REGULATIONS OF THE CITY OF SPRINGDALE.

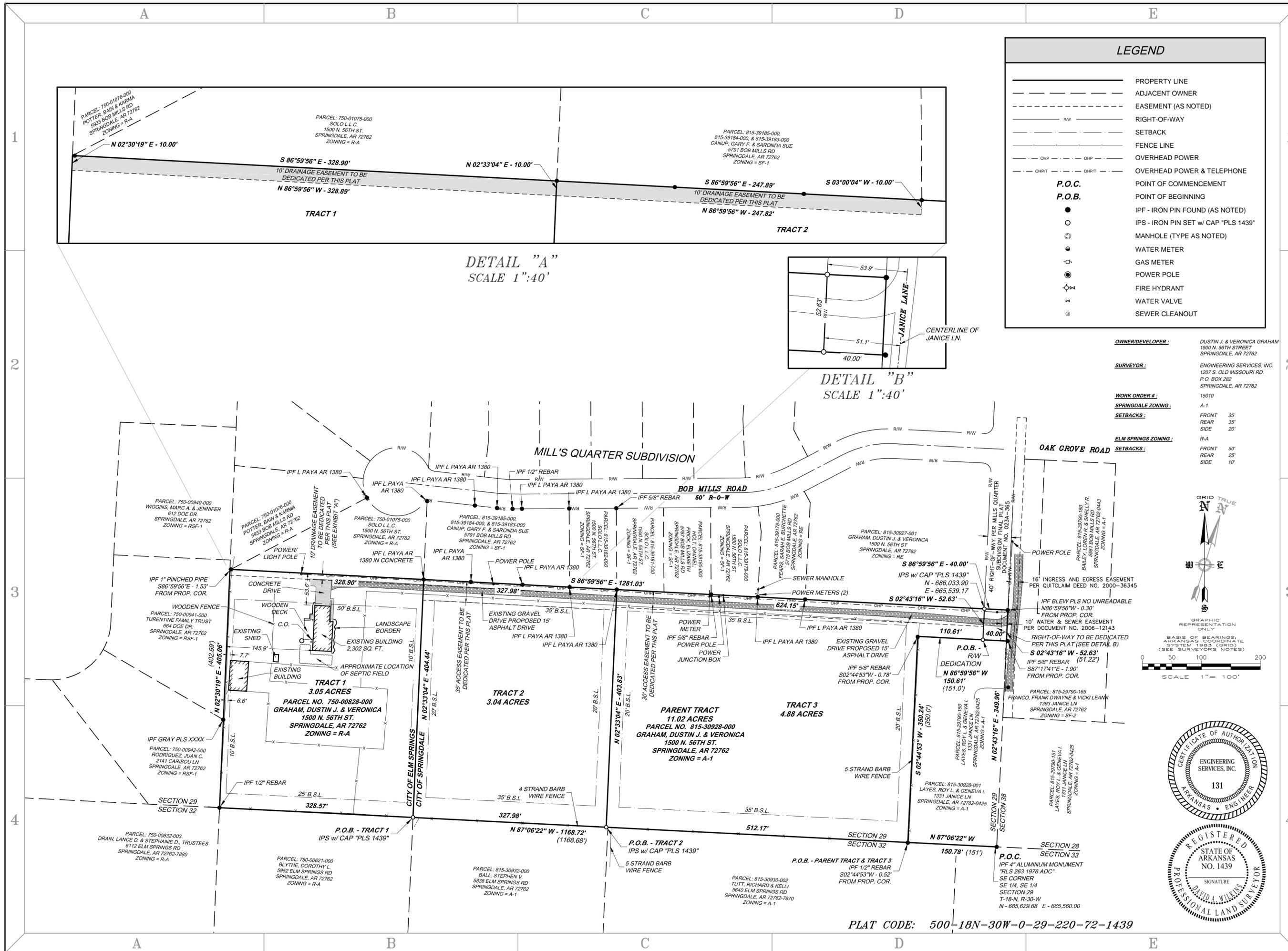


NOTE: SHEET 1 INCOMPLETE WITHOUT SHEET 2

SHEET 1 of 2

PLAT CODE: 500-18N-30W-0-29-220-72-1439

REVISION	DATE	DESCRIPTION



**LEGEND**

- PROPERTY LINE
- ADJACENT OWNER
- EASEMENT (AS NOTED)
- RIGHT-OF-WAY
- SETBACK
- FENCE LINE
- OVERHEAD POWER
- OVERHEAD POWER & TELEPHONE
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- IPF - IRON PIN FOUND (AS NOTED)
- IPS - IRON PIN SET w/ CAP "PLS 1439"
- MANHOLE (TYPE AS NOTED)
- WATER METER
- GAS METER
- POWER POLE
- FIRE HYDRANT
- WATER VALVE
- SEWER CLEANOUT

**P.O.C.**  
**P.O.B.**

- 
- 
- ⊙
- ⊕
- ⊗
- ⊘
- ⊙

**OWNER/DEVELOPER:** DUSTIN J. & VERONICA GRAHAM  
1500 N. 56TH STREET  
SPRINGDALE, AR 72762

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

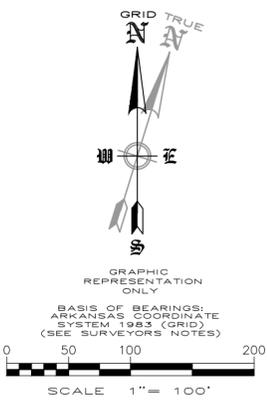
**WORK ORDER #:** 15010

**SPRINGDALE ZONING:** A-1

**SETBACKS:** FRONT 35'  
REAR 35'  
SIDE 20'

**ELM SPRINGS ZONING:** R-A

**SETBACKS:** FRONT 50'  
REAR 25'  
SIDE 10'



# Memo

**To:** Planning Commission

**From:** Staff

**Date:** March 3, 2015

**Re:** RP15-02 Replat                      **Legendary Subdivision Phase I**  
   **Lots 224 & 225**

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

**SURVEYOR'S NOTES:**  
THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR. THE ORIGINAL SIGNATURE, IF NOT BLUE IN COLOR, IS NOT VALID.  
ACCORDING TO ARKANSAS LAW (A.C.A. § 16-56-112 (2)(14)), YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN FIVE YEARS AFTER FIRST DISCOVERY OF SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN FIVE YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

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

**HORIZONTAL DATUM, BASIS OF BEARINGS & DISTANCES, STATE PLANE COORDINATES, AND CONVERSIONS:**  
THE MAP PROJECTION IS REFERENCED TO THE HORIZONTAL CONTROL DATUM OF MADS3 (NORTH AMERICAN DATUM OF 1983). STATE PLANE COORDINATE SYSTEM, ARKANSAS NORTH ZONE (8001), AND IS THE BASIS FOR THE BEARINGS SHOWN HEREON.  
THE COORDINATE POSITIONS SHOWN HEREON WERE CONstrained (MODELED) TO THE ARKANSAS HIGHWAY TRANSPORTATION DEPARTMENT (AHTD) STATION MARK "408084", REAL TIME KINEMATIC (RTK) GPS RELATIVE POSITIONING METHODS WERE UTILIZED EITHER BY DIRECT MODELING AND OCCUPATION OF THE STATION OR BY MODELING THE STATION UTILIZING ERS GPS BASE STATION.

THE BOUNDARY INFORMATION SHOWN HEREON REFLECTS GRID BEARINGS AND GRID DISTANCES. THE SOUTHEAST CORNER BEING A FOUND IRON PIN WITH CAP PLS 1499 WAS USED FOR THE COMPUTED CONVERGENCE ANGLE AND COMBINED FACTOR.  
SE CORNER LATITUDE: 36°12'33.448927" N, LONGITUDE: 094°12'31.486917" W  
SE CORNER STATE PLANE: NORTHING (US FT.): 695,197.31; EASTING (US FT.): 680,863.27  
CONVERGENCE ANGLE (GMS) = -0°1'17.07" (GRID NORTH IS WEST OF TRUE NORTH)  
COMBINED FACTOR = 0.9999895  
THE SCALE FACTOR (ORTHOMETRIC VERTICAL SCALE) IS BASED ON THE TRACTS AVERAGE ORTHOMETRIC ELEVATION OF 1,282.00 FT. MAVD88 (NORTH AMERICAN VERTICAL DATUM OF 1988).

TO CONVERT GRID DISTANCES TO GROUND DISTANCES USE THE INVERSE COMBINED FACTOR: 1.0000635.  
THE AVERAGE SHOWN HEREON WAS COMPUTED FROM GRID COORDINATES THEN SCALED TO GROUND ACRES BY THE INVERSE COMBINED FACTOR SQUARED: 1.0001289.

**UTILITIES:**  
THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS PROVIDED BY THE SURVEYOR AND IS BASED ON ABOVE GROUND FEATURES ONLY.  
THE DESIGNATIONS AND LOCATIONS OF THESE UTILITY FEATURES SHOWN HEREON ARE NOT TO BE CONSTRUED AS ALL INCLUSIVE OR ABSOLUTE AND ARE PROVIDED WITHOUT WARRANTY.  
THERE MAY BE OTHER BURIED UTILITIES OR STRUCTURES THAT COULD BE IN SERVICE OR ABANDONED.  
THERE MAY BE UTILITY FEATURES OBTAINED BY GROUND COVER, DEBRIS AND/OR ASPHALT.  
THE LOCATIONS OF UNDERGROUND STORM AND SANITARY SEWERS, IF ANY SHOWN HEREON, ARE BASED ON SURFACE FEATURES, PIPE SIZE, MATERIAL, AND DEPTH INFORMATION GATHERED FROM THE TOP OF THE STRUCTURES. THE SURVEYOR HAS TAKEN CARE TO IDENTIFY THESE FEATURES BUT PIPE SIZE AND MATERIAL TYPE VARIATIONS MAY EXIST.

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

**PLAT CLOSURE CERTIFICATION:**

LOT 224 HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 82,747 FEET.  
LOT 225 HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 137,074 FEET.  
COMBINED LOT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 202,485 FEET.

**PUBLIC ROADWAY ACCESS:**

THE SUBJECT TRACT HAS DIRECT ACCESS TO W. MILLER ROAD & DEVONSHIRE AVENUE, PUBLIC ROADWAYS.

**FLOOD PLAIN ZONING:**

THIS PROPERTY IS WITHIN THE FLOOD PLAIN ZONE "X", DESIGNATED AS AN AREA DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE F.I.R.M. MAP # 08020430 J, PANEL 430 OF 560, BENTON COUNTY, ARKANSAS & INCORPORATED AREAS. EFFECTIVE DATE: SEPTEMBER 28, 2007.

**CITY OF SPRINGDALE UTILITY NOTES:**

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

**REFERENCES:**

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

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

- A. **WARRANTY DEED (LOT 224):** ABREH, L.L.C., DATED OCTOBER 18, 2010, RECORDED OCTOBER 20, 2010, DOCUMENT FILE NO. 2010-63794.
- B. **WARRANTY DEED (LOT 225):** PATRICIA JOANNE MORGAN, DATED JANUARY 15, 2015, RECORDED JANUARY 21, 2015, DOCUMENT FILE NO. 2015-2852.
- C. **FINAL PLAT:** BY ENGINEERING SERVICES, INC., CHARLES H. ANDERSON, AR PLS 1498, OF LEGENDARY SUBDIVISION, PHASE I, TO THE CITY OF SPRINGDALE, ARKANSAS, DATED SEPTEMBER 20, 2007, RECORDED SEPTEMBER 24, 2007, DOCUMENT FILE NUMBER 2007-791.

THE FIELD WORK WAS COMPLETED ON: JANUARY 28, 2015

DATE OF PLAT OR MAP: JANUARY 28, 2015

**OWNER:** PATRICIA JOANNE MORGAN  
7155 DEVONSHIRE AVE.  
SPRINGDALE, AR 72762

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

**WORK ORDER #:** 15015

**CITY ZONING:** SF-2

**SETBACKS:** FRONT - 30'  
SIDE - 8'  
REAR - 20'

**CERTIFICATE OF ACCEPTANCE:**

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

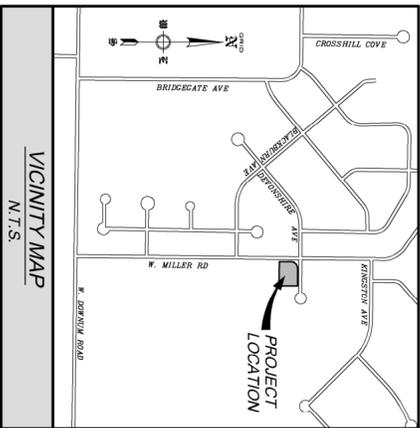
STREETS AND DRAINAGE	DATE	SIGNATURE
PATSY CHRISTIE, DIRECTOR PLANNING AND COMMUNITY DEVELOPMENT		
RICK FULLINWILT, ENGINEER SPRINGDALE WATER UTILITIES		
VIVI HANEY, SECRETARY, PLANNING		
JOEL WELSEY, CHAIRMAN PLANNING COMMISSION		
DEWIS PEARCE, CITY CLERK CITY OF SPRINGDALE		
DOUG SPRUIELL, MAYOR CITY OF SPRINGDALE		

**APPROVAL FOR RECORDING**

STREETS AND DRAINAGE: \_\_\_\_\_  
PLANNING AND COMMUNITY DEVELOPMENT: \_\_\_\_\_  
SPRINGDALE WATER UTILITIES: \_\_\_\_\_  
VIVI HANEY, SECRETARY, PLANNING: \_\_\_\_\_  
JOEL WELSEY, CHAIRMAN, PLANNING COMMISSION: \_\_\_\_\_  
DEWIS PEARCE, CITY CLERK, CITY OF SPRINGDALE: \_\_\_\_\_  
DOUG SPRUIELL, MAYOR, CITY OF SPRINGDALE: \_\_\_\_\_

**ACCEPTANCE OF DEDICATIONS**

STREETS AND DRAINAGE: \_\_\_\_\_  
PLANNING AND COMMUNITY DEVELOPMENT: \_\_\_\_\_  
SPRINGDALE WATER UTILITIES: \_\_\_\_\_  
VIVI HANEY, SECRETARY, PLANNING: \_\_\_\_\_  
JOEL WELSEY, CHAIRMAN, PLANNING COMMISSION: \_\_\_\_\_  
DEWIS PEARCE, CITY CLERK, CITY OF SPRINGDALE: \_\_\_\_\_  
DOUG SPRUIELL, MAYOR, CITY OF SPRINGDALE: \_\_\_\_\_



**SURVEY DESCRIPTION - PARCEL NUMBER 21-02036-000 (LOT 224)**

LOT 224, LEGENDARY SUBDIVISION, PHASE I, TO THE CITY OF SPRINGDALE, ARKANSAS, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 2007 AT PAGES 791, 792 AND 794. PLAT RECORD OF BENTON COUNTY, ARKANSAS.

**SURVEY DESCRIPTION - PARCEL NUMBER 21-02036-000 (LOT 225)**

LOT 225, LEGENDARY SUBDIVISION, PHASE I, TO THE CITY OF SPRINGDALE, ARKANSAS, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 2007 AT PAGES 791, 792 AND 794. PLAT RECORD OF BENTON COUNTY, ARKANSAS.

**SURVEY DESCRIPTION - COMBINED LOT**

LOTS 224 AND 225, LEGENDARY SUBDIVISION, PHASE I, TO THE CITY OF SPRINGDALE, ARKANSAS, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 2007 AT PAGES 791, 792 AND 794. PLAT RECORD OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

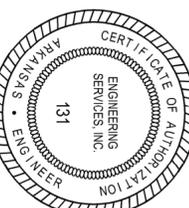
**BEGINNING** AT THE SOUTHEAST CORNER OF LOT 225 IN SAID SUBDIVISION, BEING A FOUND IRON PIN WITH CAP PLS 1498; THENCE ALONG THE SOUTH PROPERTY LINE OF LOT 225, N88°15'56" W A DISTANCE OF 69.88 FEET TO A FOUND IRON PIN WITH CAP PLS 1499; THENCE ALONG THE SOUTH PROPERTY LINE OF LOT 224 IN SAID SUBDIVISION, N88°15'56" W A DISTANCE OF 82.41 FEET TO A FOUND IRON PIN WITH CAP PLS 1499; THENCE ALONG THE EASTERN RIGHT-OF-WAY OF WEST MILLER ROAD (60 FOOT, 30 FEET EACH SIDE OF CENTERLINE) THE FOLLOWING TWO CALLS: N02°30'18" E A DISTANCE OF 73.54 FEET TO A POINT OF CURVATURE, BEING A FOUND 5/8" REBAR; THENCE 63.01 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 40.00 FEET SUBTENDED BY A CHORD BEARING OF N47°15'24" E AND A CHORD DISTANCE OF 63.01 FEET TO A FOUND IRON PIN WITH CAP PLS 1498; THENCE LEAVING SAID EASTERN RIGHT-OF-WAY AND FOLLOWING THE SOUTHERN RIGHT-OF-WAY OF DEVONSHIRE AVENUE (50 FOOT, 25 FEET EACH SIDE OF CENTERLINE) THE FOLLOWING TWO CALLS: S87°36'09" E A DISTANCE OF 41.97 FEET TO A FOUND IRON PIN WITH CAP PLS 1519; THENCE S87°36'09" E A DISTANCE OF 70.00 FEET TO A FOUND 5/8" REBAR; THENCE LEAVING SAID SOUTHERN RIGHT-OF-WAY AND FOLLOWING THE EAST PROPERTY LINE OF SAID LOT 225, S02°16'30" W A DISTANCE OF 111.28 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.40 ACRES (17.23 SQ. FT.), MORE OR LESS.  
**OWNER'S CERTIFICATION:**  
AS OWNER, I HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED TO BE SURVEYED, COMBINED, PLATTED, DEDICATED AND/OR ACCESS RIGHTS RESERVED AS REPRESENTED ON THIS PLAT.

OWNER/AUTHORIZED REPRESENTATIVE: \_\_\_\_\_ DATE: \_\_\_\_\_  
SUBSCRIBED AND SHOWN BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015  
MY COMMISSION EXPIRES: \_\_\_\_\_

**LEGEND**

- PROPERTY LINE
- ADJACENT OWNER
- EASEMENT (AS NOTED)
- SETBACK
- CENTERLINE OF ROAD
- CURB & GUTTER
- FENCE LINE
- WATER LINE
- SANITARY SEWER LINE
- IPF - IRON PIN FOUND (AS NOTED)
- WATER METER
- GAS METER
- SEWER CLEANOUT



PLAT CODE: 500-18N-30W-0-20-440-04-1439

REVISION	DATE	DESCRIPTION

SCALE: 1" = 20'  
DATE: JAN. 28, 2015  
PARTY CHIEF: SEH  
DRAWN BY: RWK  
W.O. #: 15015

1

REPLAT OF LOTS 224 & 225  
LEGENDARY SUBDIVISION, PHASE I  
SPRINGDALE, BENTON COUNTY, ARKANSAS



# Memo

**To:** Planning Commission

**From:** Staff

**Date:** March 3, 2015

**Re:** **LS14-23 Lot Split D & K Investments**

---

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

# Memo

**To:** Planning Commission

**From:** Staff

**Date:** March 3, 2015

**Re:** **LS15-06 Lot Split** **Dusty & Veronica Graham**

---

1. Submit \$50.00 fee.
2. A conditional use for a tandem lot must be applied for and approved by the Planning Commission and City Council.
3. A 25' access easement with a minimum 15' wide paved drive is required to the tandem lot.
4. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

# Memo

**To:** Planning Commission  
**From:** Staff  
**Date:** March 3, 2015  
**Re:** L15-05 Large Scale Development Fig Tree Steel

---

**Concept of Detention**

**Variance (B15-10)** for reduction of required parking spaces from 93, to 50

**Variance (B15-10)** for overhead utilities to remain as is

**Variance (B15-10)** for deletion of requirement that all storage areas be paved or chip sealed

**Variance (B15-10)** deletion of requirement for screening

**Variance (B15-10)** to allow existing screening along residential properties to remain on property

---

**Planning Comments**

- 1) Add additional parking stall to meet minimum requirements or a variance is required.
- 2) All storage areas are to be paved or chip sealed.
- 3) All open storage areas must be screened with an 8' opaque screening fence.
- 4) A screening fence is required in accordance with Chapter 56. Show trees associated with screen.
- 5) Landscape islands are required at a rate of 1 per 15 parking spaces, in accordance with Chapter 56.
- 6) Interior parking area landscaping is required in accordance with Chapter 56. Show the total area of the parking lot, the percentage of landscaping required and the percentage of landscaping provided. Include a drawing that identifies all areas included in the calculations.
- 7) All comments from the utility companies and other city departments must be addressed prior to approval of construction plans.

- 8) In all residential, commercial and industrial developments submitted after August 30, 2007, all utility wires, lines, and/or cable in said developments utilized by electric and/or telecommunications companies shall be placed underground. Excluding 12Kv and above.

### **Engineering Comments**

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

PLANS FOR

# LARGE SCALE DEVELOPMENT

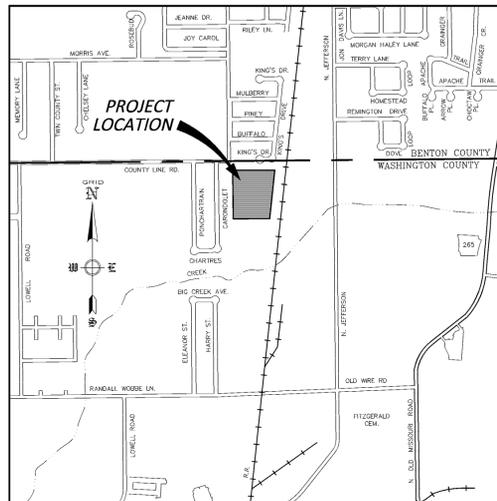
TO SERVE

## FIG TREE STEEL

A COMMERCIAL DEVELOPMENT  
IN THE CITY OF  
SPRINGDALE, ARKANSAS



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



VICINITY MAP  
NTS

L15-05

February 18, 2015

BY  
ENGINEERING SERVICES INC.



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

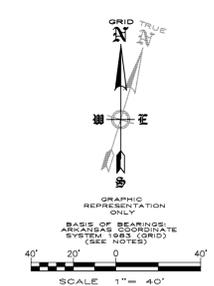
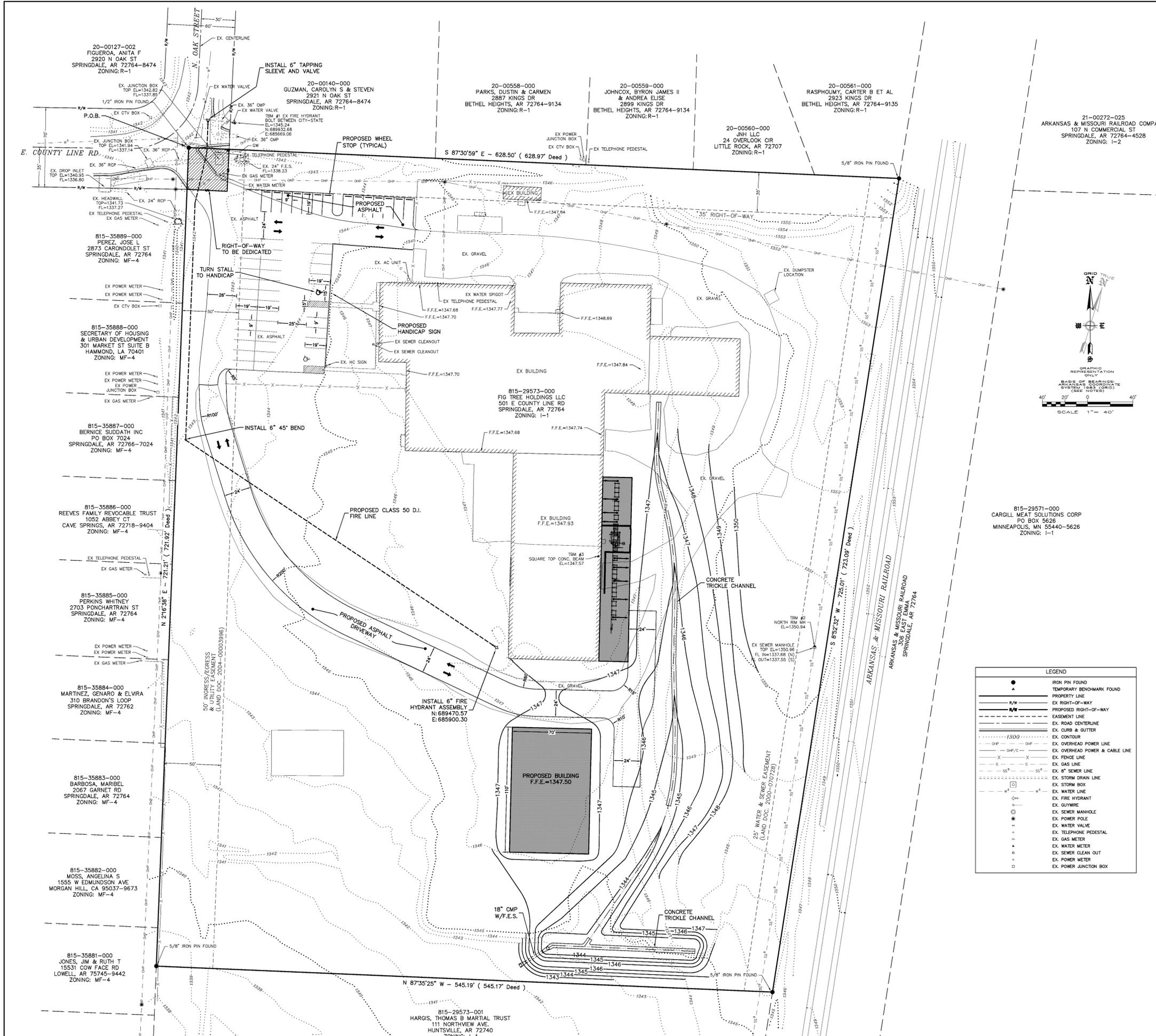
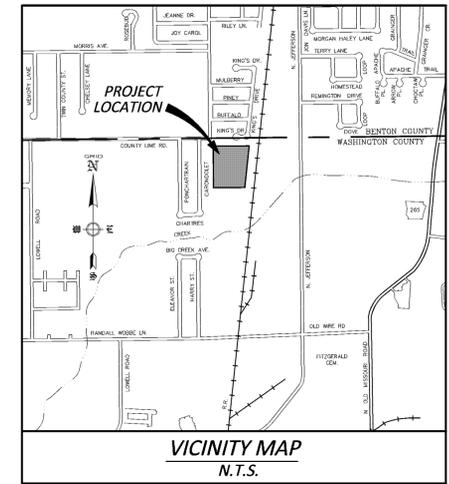
REVIEW OF THESE PLANS IS LIMITED TO COMPLIANCE WITH CITY CODES AND REGULATIONS. BY REVIEWING AND APPROVING THESE PLANS THE REVIEWER AND THE CITY OF SPRINGDALE ASSUME NO RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS IN THE PLANS. THE ADEQUACY OF THE PLANS IS THE SOLE RESPONSIBILITY OF THE DESIGN ENGINEER.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

BO B. WILKINS, P.E. No. 14528  
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.



**OWNER/DEVELOPER:** FIG TREE HOLDINGS LLC  
 501 E COUNTY LINE ROAD  
 SPRINGDALE, AR 72764

**ENGINEER:** ENGINEERING SERVICES, INC.  
 1207 S. OLD MISSOURI RD.  
 P.O. BOX 282  
 SPRINGDALE, AR 72765-0282

**ZONING:** I-1

**GROSS AREA:** 9.71 ACRES  
**NET AREA:** 9.71 ACRES

**EXISTING BUILDING SIZE:** 44,374.02 SQ. FT.  
 ( OFFICE - 3,489.06 S.F. @ 1 PER 300 S.F.=12 SPACES )  
 ( MANUFACTURE - 40,884.96 S.F. @ 1 PER 600 S.F.=68 SPACES )

**PROPOSED BUILDING SIZE:** 7,680.00 SQ. FT. ( MANUFACTURE @ 1 PER 600 S.F.=13 SPACES )

**PARKING SPACES REQUIRED:** 93 ( INCLUDING 4 A.D.A. ACCESSIBLE )  
 ( OFFICE @ 1 PER 300 SQ. FT. )  
 ( MANUFACTURE @ 1 PER 600 SQ. FT. )

**PARKING SPACES PROVIDED:** 50 ( INCLUDING 2 A.D.A. ACCESSIBLE )

**LEGAL DESCRIPTION (PARCEL No. 815-29573-000):**  
 A PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 30 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT A FOUND 1/2 INCH DIAMETER IRON PIN, SAID PIN USED AND ACCEPTED AS THE NORTHWEST CORNER OF SAID 40 ACRE TRACT; THENCE S021°06'W 721.92 FEET TO A SET 5/8" DIAMETER IRON PIN; THENCE S87°34'45"E 545.17 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF THE ARKANSAS AND MISSOURI RAILROAD AND A SET 5/8" DIAMETER IRON PIN; THENCE ALONG SAID RIGHT OF WAY LINE N08°57'19"E 723.09 FEET TO A SET 5/8" DIAMETER IRON PIN; THENCE LEAVING SAID RIGHT OF WAY LINE N87°15'27"W A DISTANCE OF 628.97 FEET TO THE POINT OF BEGINNING, AND SUBJECT TO A 35 FOOT RIGHT OF WAY ALONG THE NORTH BOUNDARY, AND ALSO SUBJECT TO A 50 FOOT INGRESS/EGRESS EASEMENT ALONG THE WEST BOUNDARY, AND BEING SUBJECT TO ANY OTHER EASEMENTS, RIGHT OF WAY, COVENANTS AND RESTRICTIONS OF RECORD.

**LEGEND**

●	IRON PIN FOUND
▲	TEMPORARY BENCHMARK FOUND
—	PROPERTY LINE
---	EX. RIGHT-OF-WAY
---	PROPOSED RIGHT-OF-WAY
---	EASEMENT LINE
---	EX. ROAD CENTERLINE
---	EX. CURB & GUTTER
---	EX. CONTOUR
---	EX. OVERHEAD POWER LINE
---	EX. OVERHEAD POWER & CABLE LINE
---	EX. GUYWIRE
---	EX. GAS LINE
---	EX. 4" SEWER LINE
---	EX. STORM DRAIN LINE
---	EX. STORM BOX
---	EX. WATER LINE
---	EX. FIRE HYDRANT
---	EX. GUYWIRE
---	EX. SEWER MANHOLE
---	EX. POWER POLE
---	EX. WATER VALVE
---	EX. TELEPHONE PEDESTAL
---	EX. GAS METER
---	EX. WATER METER
---	EX. SEWER CLEAN OUT
---	EX. POWER METER
---	EX. POWER JUNCTION BOX

- NOTES:**
- ALL PARKING LOT DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED (EXAMPLE: 15'80) 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 ISI LIGHTING MODEL CROSSOVER XRM, #SPL-XRM3-119W/LED/UE-MSV-IPC-PCS.
  - 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.
  - THE GLOBAL POSITIONING SYSTEM (GPS) AND CONVENTIONAL TERRESTRIAL SURVEYING EQUIPMENT LOCATED THE RELATIVE POSITIONING FOR THE TOPOGRAPHIC, 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 BASIS OF BEARINGS FOR THIS PLAN ARE STATE PLANE GRID BEARING. THE VERTICAL DATUM IS REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). THREE TEMPORARY BENCHMARKS UTILIZING THIS DATUM ARE SHOWN HEREON.

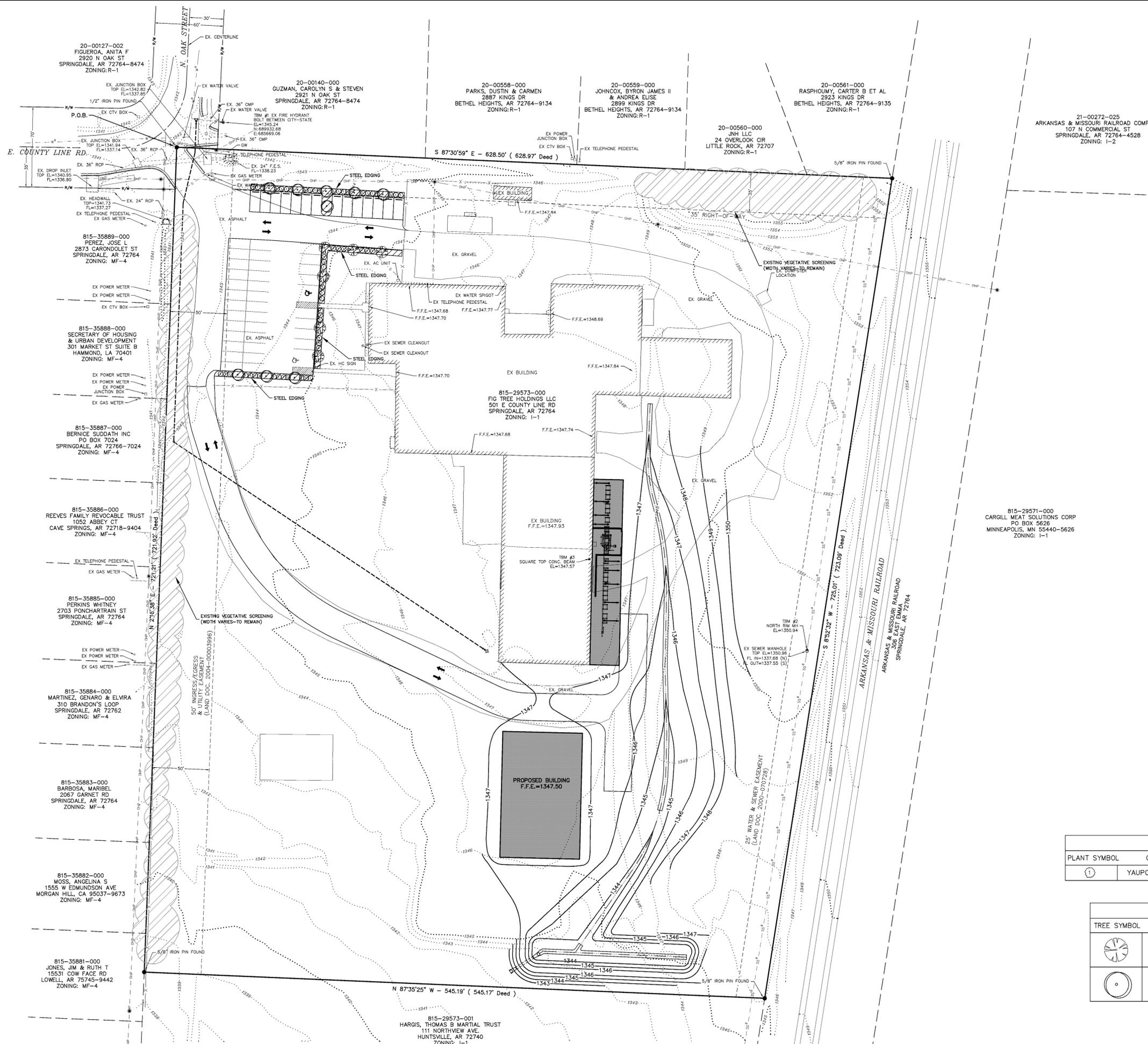
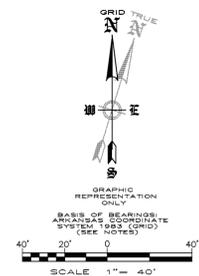
**FLOOD PLAIN ZONING:**  
 THIS PROPERTY IS NOT WITHIN THE FLOOD PLAIN ZONE, AS SHOWN ON THE F.I.R.M. MAP # 05143C0080 F, PANEL 80 OF 575, WASHINGTON COUNTY, ARKANSAS & INCORPORATED AREAS. EFFECTIVE DATE: MAY 16, 2008.

**LARGE SCALE DEVELOPMENT  
 FIG TREE STEEL  
 SPRINGDALE, ARKANSAS**

REVISION	DATE	DESCRIPTION

SCALE: 1"=40'  
 DATE: Jan-15  
 ENGINEER: BEM  
 DRAWN BY:  
 W.O. #: 15905





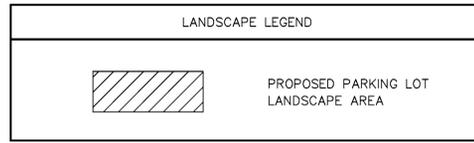
**OWNER/DEVELOPER:** FIG TREE HOLDINGS LLC  
 501 E COUNTY LINE ROAD  
 SPRINGDALE, AR 72764

**ENGINEER:** ENGINEERING SERVICES, INC.  
 1207 S. OLD MISSOURI RD.  
 P.O. BOX 282  
 SPRINGDALE, AR 72765-0282

**ZONING:** I-1

**GROSS AREA:** 9.71 ACRES

**NET AREA:** 9.71 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) HOSE BIBS 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 SEEDED.
  - 8) METAL EDGING TO BE PLACED AROUND ALL PLANTING BEDS, AS SHOWN ON PLANS

NOTE: EXISTING TREES AND SHRUBS SHOWN ON NORTH & WEST PROPERTY LINE PLAN SHALL REMAIN AND SERVE AS PERIMETER LANDSCAPE FOR THE SITE.

**INTERIOR PARKING LOT LANDSCAPING PROVIDED:**

TOTAL REQUIRED: 8% OF TOTAL PARKING LOT AREA = 947 SQ. FT.  
 TOTAL PROVIDED = 2,112 SQ. FT.  
 PARKING LOT AREA: 11,834 SQ. FT. TOTAL  
 % TOTAL AREA OF LOT: 2,112 / 11,834 = 17.85 %

INDEX OF PLANTS				
PLANT SYMBOL	COMMON NAME	BOTANICAL NAME	TOTAL # PLANTS	SIZE
①	YAUPON HOLLY	Ilex vomitoria	54	2 GAL.

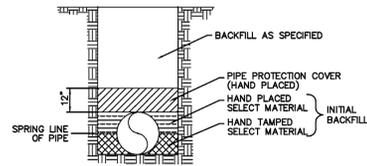
INDEX OF TREES				
TREE SYMBOL	COMMON NAME	BOTANICAL NAME	TOTAL # TREES	SIZE
	REDBUD	Cercis canadensis	6	B & B
	WATER OAK	Quercus nigra	9	B & B

**LANDSCAPING PLAN**  
**FIG TREE STEEL**  
**SPRINGDALE, ARKANSAS**

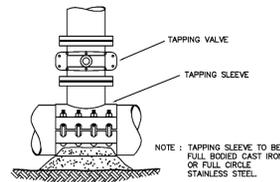
REVISION	DATE	DESCRIPTION

SCALE: 1"=40'  
 DATE: Jan-15  
 ENGINEER: BSW  
 DRAWN BY: ---  
 W.O. #: 15905

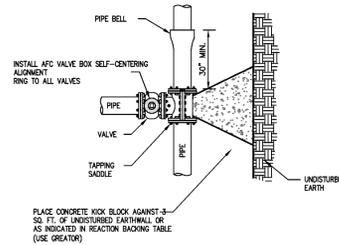
**L15-05**



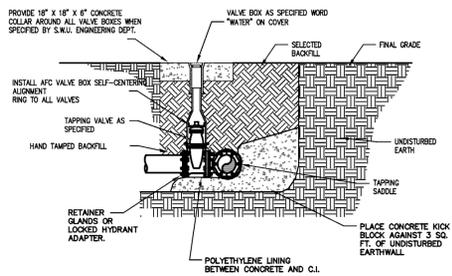
**D.I. PRESSURE WATER PIPE TRENCH**  
( STANDARD LAYING CONDITION "TYPE 2" )  
N.T.S.



**TYPICAL DETAIL OF TAPPING VALVE AND SLEEVE**

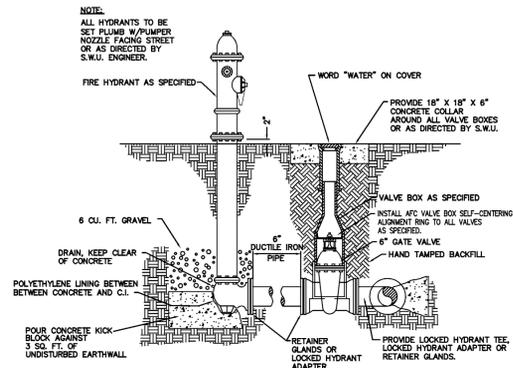


PLAN VIEW



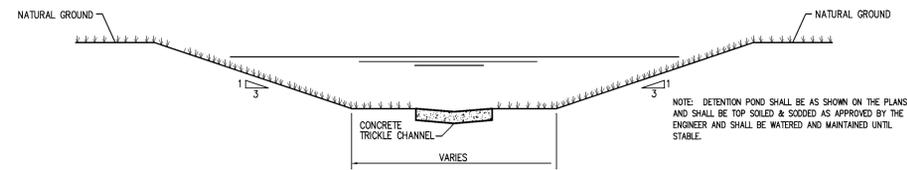
PROFILE VIEW

**TAPPING SADDLE & VALVE**



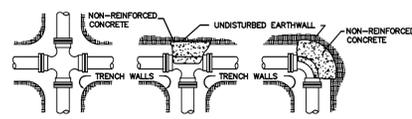
**FIRE HYDRANT & GATE VALVE**

N.T.S.

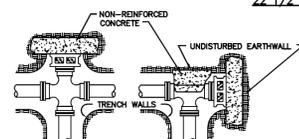


**TYPICAL SECTION DETENTION POND**

NOTE: DETENTION POND SHALL BE AS SHOWN ON THE PLANS AND SHALL BE TOP SOLED & SOOSED AS APPROVED BY THE ENGINEER AND SHALL BE WATERED AND MAINTAINED UNTIL STABLE.



CROSS TEE 90° BEND 45° BEND SIMILAR 22 1/2" BEND SIMILAR

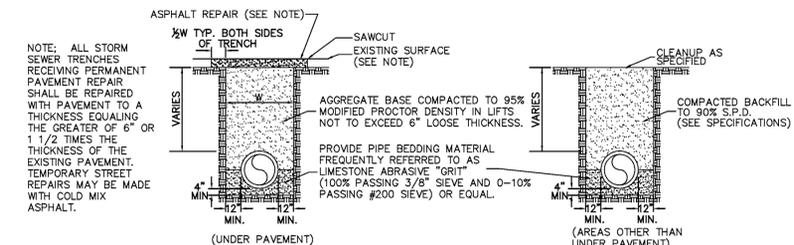


CROSS W/PLUG TEE W/PLUG

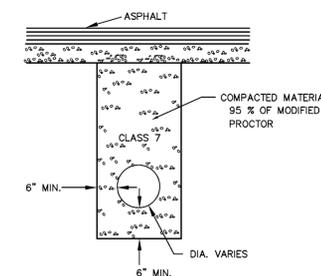
- NOTES:
- ALL FITTINGS SHALL BE MECHANICAL JOINTS, UNLESS OTHERWISE SPECIFIED.
  - DO NOT COVER BELLS OR FLANGES WITH CONCRETE.
  - WRAP ALL TIES WITH POLYETHYLENE AS SPECIFIED.
  - BACK ALL TIES ACCORDING TO SIZE OF BRANCH.
  - BACKING FOR FUTURE LINE EXTENSIONS SHALL BE SUCH THAT REMOVAL OF BACKING IS POSSIBLE IN THE FUTURE.
  - ALL BENDS WHERE FITTINGS ARE USED, BOTH HORIZONTAL AND VERTICAL, SHALL BE BACKED.
  - THE REACTION BACKING TABLE IS BASED ON 150 PSF AND A SOIL BEARING PRESSURE OF 2,500 LB/SQ. FT. ADDITIONAL BACKING MAY BE REQUIRED IN SOME AREAS AS DIRECTED BY THE ENGINEER.

SIZE	REACTION BACKING TABLE			
	REQUIRED SQ. FT. OF UNDISTURBED EARTH WALL FOR REACTION BACKING			
	TYPE OF FITTINGS			
	TEE	90°	45°	22 1/2"
2"	1	1	1	1
3"	1	1	1	1
4"	1	1	1	1
6"	3	3	2	2
8"	4	4	3	3
10"	7	7	4	4
12"	10	10	5	5
14"	13	13	7	7
16"	17	17	9	9
18"	21	21	12	12
20"	26	26	14	14
24"	38	38	20	20
30"	59	59	32	32
36"	85	85	46	46

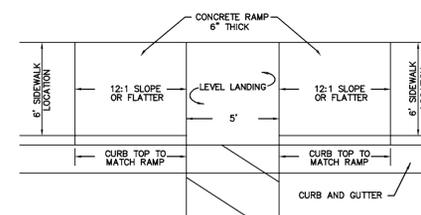
**REACTION BACKING**  
N.T.S.



**STORM SEWER BEDDING AND BACKFILL**  
NOT TO SCALE



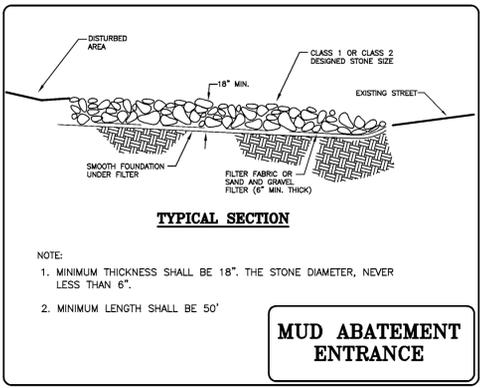
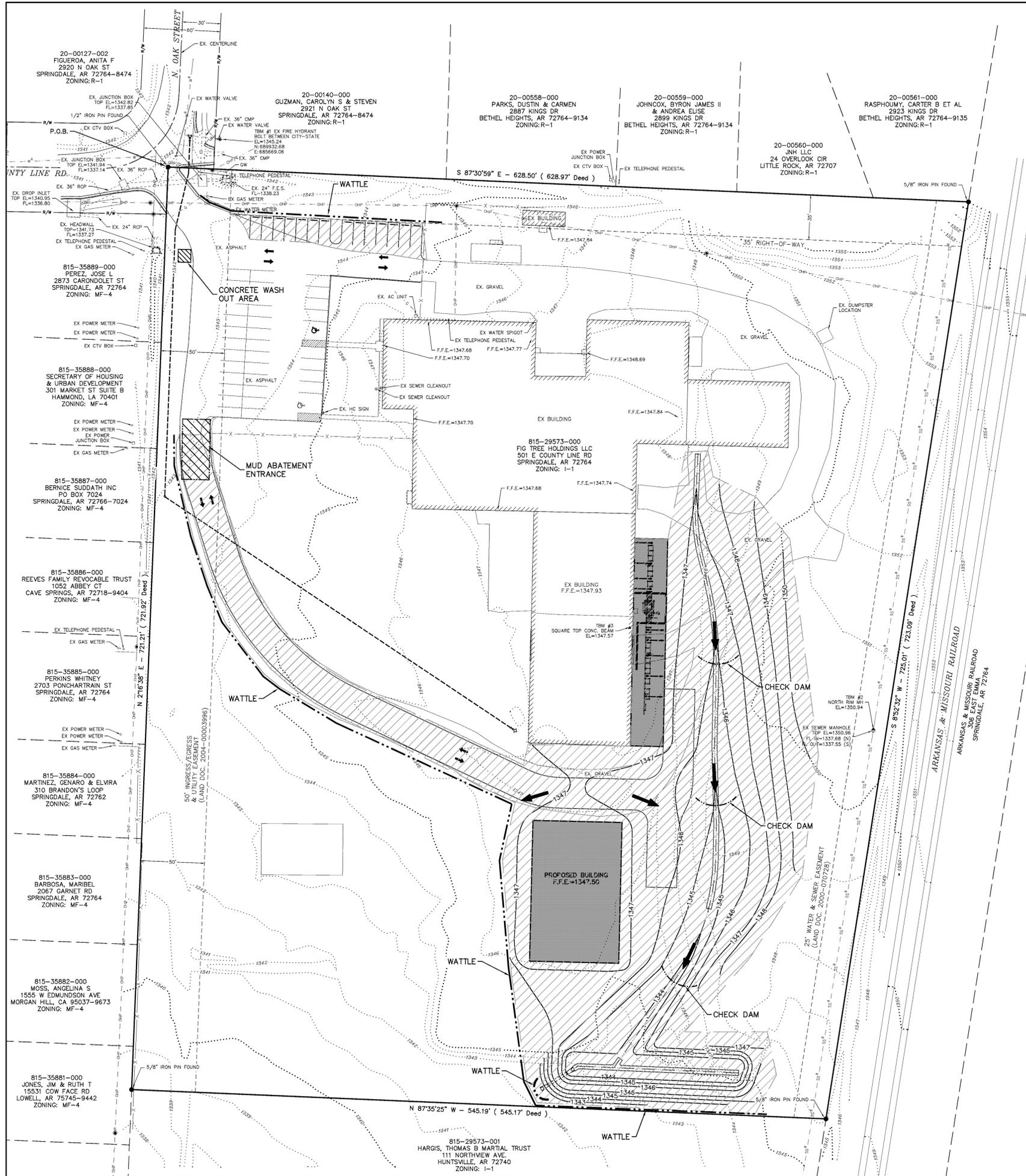
**STORM SEWER PIPE BEDDING IN ROAD**



**HANDICAPPED RAMP DETAIL**  
(TO BE PLACED AT LOCATIONS SHOWN BY (H) ON PLAN)

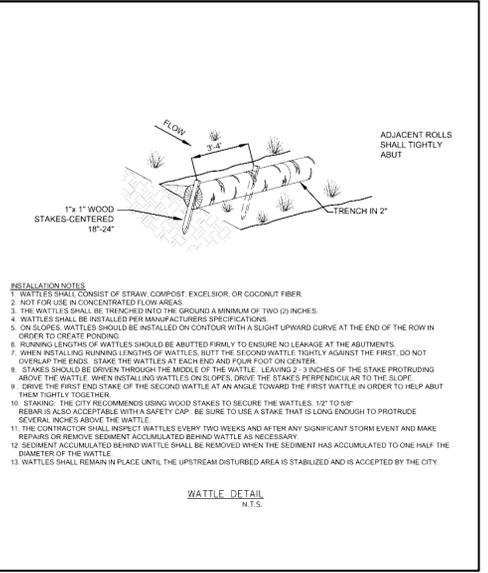
REVISION	DATE	DESCRIPTION

SCALE: 1"=40'  
DATE: Jan-15  
ENGINEER: SEM  
DRAWN BY: ---  
W.O. #: 15905



- NOTE:
1. MINIMUM THICKNESS SHALL BE 18". THE STONE DIAMETER, NEVER LESS THAN 6".
  2. MINIMUM LENGTH SHALL BE 50'

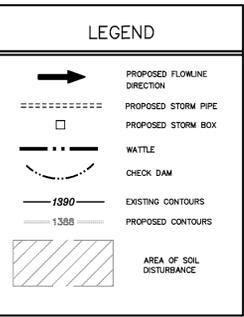
**MUD ABATEMENT ENTRANCE**



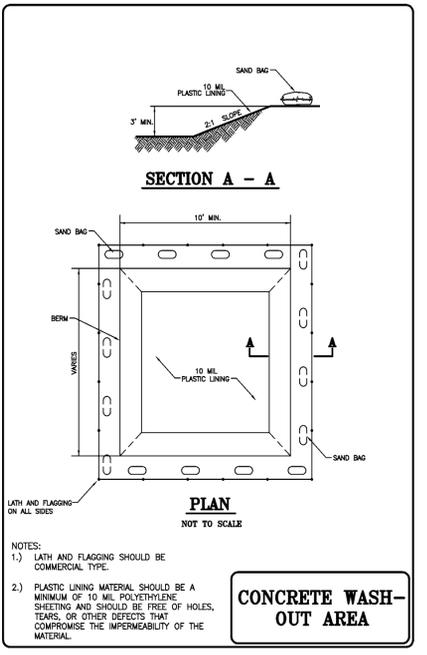
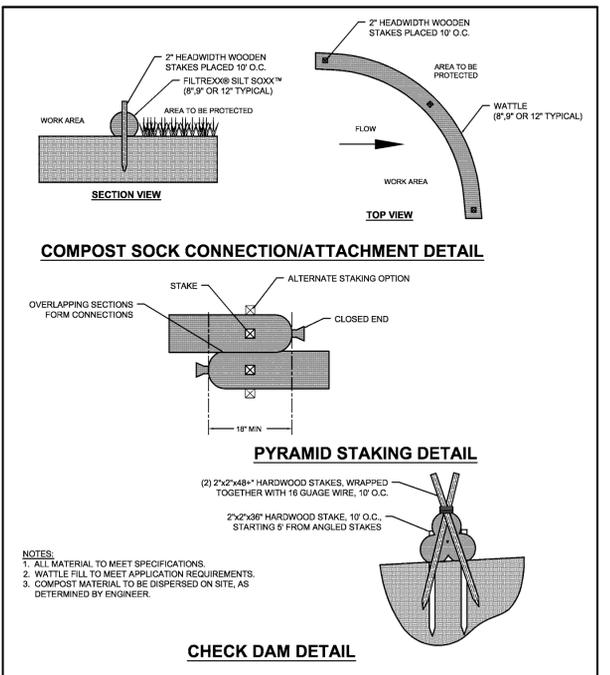
- NOTES:
- 1) NATURAL VEGETATION SHALL BE RETAINED WHEREVER POSSIBLE.
  - 2) SEED AND MULCH SHALL BE PLACED (BY OWNER) IN ALL AREAS WHERE VEGETATION IS DISTURBED.
  - 3) STRAW AND WOOD CHIPS SHALL BE PLACED TO PROVIDE TEMPORARY PROTECTION WHILE FINAL GRADING IS BEING COMPLETED.
  - 4) PLACE FILTER FABRIC ON ALL CURB INLETS.

\*WATTLES & CHECK DAMS ARE USED AS ENERGY DISSIPATION DEVICES  
 \*WATTLES & CHECK DAMS ARE USED TO CONTROL POLLUTANTS DURING STORM WATER DISCHARGE  
 \*WATTLES & CHECK DAMS MUST BE MAINTAINED UNTIL SITE IS PERMANENTLY STABILIZED

TOTAL AREA OF SOIL DISTURBANCE = 2.24 ACRES



815-29571-000  
 CARGILL MEAT SOLUTIONS CORP  
 PO BOX 5626  
 MINNEAPOLIS, MN 55440-5626  
 ZONING: I-1



**CONCRETE WASH-OUT AREA**

REVISION	DATE	DESCRIPTION

SCALE: 1"=40'  
 DATE: Jan-15  
 ENGINEER: BSW  
 DRAWN BY: ---  
 W.O.#: 15905

Staff Use Only

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

File # **B15-10**

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

**L 15-05**

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

Applicant's Name: Fig Tree Holdings, LLC

Applicant's Mailing Address:

501 E. County Line Road PO Box 344

(479) 751-3647

Street Address or P.O. Box

Telephone Number

Springdale, AR 72764

City, State & Zip Code

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

Hunter Wheeler

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

PO Box 344

479-751-3647

Street Address or P.O. Box

Telephone Number

Springdale, AR 72765

City, State & Zip Code

Address of Variance Request: 501 E. County Line Road

Zoning District: F-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. **Any attachments must be labeled as "Exhibit A, B, C" etc.***

1. Applicant requests a variance of the parking requirement to allow 50 spaces instead of the required 93.
2. Applicant requests a variance of the requirement that all overhead utilities be relocated underground to allow existing overhead utilities remain as is.
3. Applicant requests a variance of the requirement that all storage areas be paved or chip sealed to allow gravel storage.
4. The applicant requests a variance of the requirement that the storage areas must be screened with an opaque fence to allow no fence due to access issues with the railroad.
5. The applicant requests a variance of the requirement that screening is required along residential properties to allow the existing screening to provide separation.

*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):**

1. This facility currently has 36 parking spaces with 50 total spaces proposed. This is enough parking to accommodate this facility. 2. The facility currently has overhead power serving the site, and it is not feasible to put these lines underground. 3. The storage areas are currently gravel. 4. The storage area is adjacent to the train tracks, so a fence would inhibit on/off loading of materials. 5. There is currently existing vegetation that screens this development from the adjacent residential properties.

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):**

1. Current number of spaces has been sufficient to serve the facility previously, and number of spaces is being substantially increased. 2. No new overhead lines are proposed, variance is for existing lines. 3. No new gravel areas are proposed, variance will allow existing area to remain. 4. Fence would hinder loading/unloading of rail cars and impact functionality of site. 5. There is existing vegetation to screen property from adjacent residential uses, variance would allow this existing screen to remain in place in lieu of replacing with new screening materials.

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.

*Hunter Wheeler*  
 \_\_\_\_\_  
 Applicant Signature\*

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

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

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

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

State of Arkansas            )  
   ) ss.  
 County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 18<sup>th</sup> day of February, 2015.

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

Staff Use Only

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

File #

B15-05

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

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

Applicant's Name: RC Eastview, LLC

Applicant's Mailing Address:

P.O. Box 10560  
Street Address or P.O. Box

479-361-8834  
Telephone Number

Fayetteville, AR 72703  
City, State & Zip Code

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

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

\_\_\_\_\_  
Street Address or P.O. Box

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

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

Address of Variance Request: 1945 Butterfield Coach Rd, S-dale, AR

Zoning District: SF-2

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

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

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

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

**SETBACK VARIANCES:**

*Not Applicable*

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

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

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

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

**VARIANCES OTHER THAN SETBACK:**

*Not Applicable*

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

*Variance request regarding Section 98-63*

- a) *Residential Districts, 2a denoting name of subdivision. Sample of 4x8 community sign attached*

**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):**

Subdivision is not located on  
thorough fare. Additional signage is  
needed to direct traffic in order to  
sale homes.

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 builder is not a Real Estate  
Broker, however, is limited to Real Estate  
Sign Ordinance.

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):**

Traffic and calls reduced  
once a temporary sign was removed.

(a) *Residential districts R-E, SF-1, SF-2, SF-3, SF-4, MF-2, MF-4, MF-12, MF-16, MF-24, O-1, MHP.*

(1) All residential districts:

- a. All signs shall be displayed without lighting having a primary purpose or primary effect of lighting the sign.
- b. All signs shall be located on premises currently used and controlled by the person having use and control of the sign message.

(2) R-E, SF-1, SF-2, SF-3 districts:

- a. No signs shall be erected, used or maintained except exempt signs as provided by section 98-36 and except one sign per parcel denoting the name of a subdivision, which sign (one per use unit) shall not exceed 128 square feet in sign face area and except signs denoting uses per use units 2, 3 or 4, which signs shall not exceed 32 square feet in total sign area.
- b. No home occupation signs are allowed.

(3) SF-4, MF-2, MF-4, MF-12, MF-16, MF-24, MHP:

- a. No signs are permitted except those exempt per section 98-36 and as to each public right-of-way abutted by any lot or parcel:
  1. Any sign type denoting only the name and address of an apartment building, housing complex, subdivision or mobile home park, which shall not exceed a sign area of 128 square feet and a height of 12 feet, except any freestanding sign located on property abutting the "Don Tyson Parkway," on property abutting Wagon Wheel Road from 40<sup>th</sup> Street to Robins Road, on property abutting Huntsville Avenue from Harris Street east to Butterfield Coach Road, or on property abutting Butterfield Coach Road from Huntsville Avenue to the "Don Tyson Parkway," shall meet those requirements set out in section 98-63(c)(1)(b);
  2. Any sign type located on business premises, which sign does not exceed six square feet per sign-face area and 12 square feet in sign area and 12 feet in height, except any freestanding sign located on property abutting the "Don Tyson Parkway," on property abutting Wagon Wheel Road from 40<sup>th</sup> Street to Robins Road, on property abutting Huntsville Avenue from Harris Street east to Butterfield Coach Road, or on property abutting Butterfield Coach Road from Huntsville Avenue to the "Don Tyson Parkway," shall meet those requirements set out in section 98-63(c)(1)(b); and
- b. No more than one temporary sign or banner shall be displayed per each public right-of-way abutted by the lot or parcel of any business, park, housing complex or subdivision.
- c. No home occupation signs are allowed.

(b) *Neighborhood office O-1; neighborhood commercial C-1; and agricultural A-1.* No signs are permitted except those exempt per section 98-36 (subject to section 98-61), and:

- (1) Each lot or parcel shall contain, for each separately licensed business located thereon, no more than:
  - a. One nonflashing wall or projecting sign per building frontage. The sign area shall not exceed 32 square feet. Sign height shall not exceed 40 feet,
  - b. One real estate sign. The sign area shall not exceed 32 square feet. Any billboard, wall sign or projecting sign duly permitted hereunder may advertise real estate.
- (2) Each lot or parcel shall contain no more than one billboard per every 1,320 feet of frontage on a public thoroughfare or fraction thereof, except that no billboards shall be allowed in any O-1 or A-1 district.
- (3) Each lot or parcel shall contain no more than one temporary sign or banner.

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.**

*Mark O. [Signature]*  
 Applicant Signature\*

FIRST SECURITY BANK  
 BY: *[Signature]*  
 Property Owner Signature\*  
 (If different from Applicant)

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

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

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

State of Arkansas            )  
   ) ss.  
 County of Benton         )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 14<sup>th</sup> day of January, 2015.

*Falinda Duncan*  
 Notary Public



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VILLAS



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- Warranty Deed
- Authorization of Representation
- Drawing/Photo or Other Exhibit

File #

B15-07

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: FRED KIRK

Applicant's Mailing Address:

1013 NORTH JEFFERSON  
Street Address or P.O. Box  
SPRINGDALE, AR 72764  
City, State & Zip Code

479-751-4506  
Telephone Number

Property Owner's Name  
(If different from Applicant): TRIPLE 'T' FOODS - ARKANSAS, INC

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

(SAME)  
Street Address or P.O. Box  
  
City, State & Zip Code

Telephone Number

Address of Variance Request: 1013 N. JEFFERSON ST; SPRINGDALE

Zoning District: I-2

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

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

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

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

**SETBACK VARIANCES:**

*Not Applicable*

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

Required: Front: 50'/30' Side: Ø' Back: 25'  
(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.*

*(See ATTACHMENT)*

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

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

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

*(See Attachment)*

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

*(See Attachment)*

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

*(See Attachment)*

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## **Attachment for Application for Variance**

### **For Triple "T" Foods-Arkansas, Inc.**

The applicant requests a variance of Article 7, Section 8, Surfaces of the Springdale Code to allow a temporary gravel parking lot while plans are underway to acquire the proper space and develop a permanent parking lot which meets the standards. The addition of a permanent parking facility will be an advantage to employee and community security in the Bio-terrorism prevention planning as indicated in Homeland Security guidelines.

The following items correspond to items 1, 2, and 3 of the Application for Variance.

1. Operational requirements require more maneuvering room for truck traffic within the facility grounds. Employee parking needs to be relocated out of these truck traffic areas in order to accommodate business in a safe, secure and efficient manner.
2. Without the immediate use of the property to the north the business will not be able to grow and operate efficiently. If a paving is required then the business would be required to duplicate that cost in the future when the plans for the permanent parking are complete. Other applicants are not required to construct two parking facilities to code.
3. This effort to construct a parking lot safely away from the building is an attempt to comply with Federal Guidelines in place to fight Bio-Terrorism. The plan is to create a restricted security entrance which would only allow authorized personnel to enter the building.

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.**

*Euel Kirk*  
Applicant Signature\*

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

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

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

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

State of Arkansas            )  
  ) ss.  
County of WASHINGTON

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 23rd day of January, 2015.



*Melissa Schultz*  
Notary Public



**Staff Use Only**

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

File # B15-08

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: Charlene June Simmons

Applicant's Mailing Address:

515 Park St  
Street Address or P.O. Box  
Springdale Ark 72764  
City, State & Zip Code

(cell)  
(479) 445-8139  
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: 515 - Park St Springdale Ark 72764

Zoning District: MF-12

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

1. \$75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
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: North 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.

Deletion of paved parking requirement subject to a 2 year bill of assurance.

Please allow me to put in a gravel driveway. Due to having Breast Cancer Surgery + Radiation. Also kidney stones blasted. My Medical Bills are devastating. So please let me put in gravel so we can have enough parking

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 I purchased my house we were allowed to park along the north side of the house. So I would like permission to put in a gravel driveway. So we can still park on the north side. I have vehicles and so do my family members - There is no parking on Park St. Please we need parking room!

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):**

With the new Ordinance there is not enough room to park our vehicles or family who comes to visit. There is no parking on Park St. so I'm asking for the permission to please put in enough parking

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):**

Please! I am requesting a gravel driveway. Because I have recently had lots of medical bills. I recently under went Surgery for breast cancer and still have to receive my Radiation Treatments. I also need to have Kidney Stones removed. So I'm in a financial situation over Medical Bills at the present time.

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

**VERIFICATION**

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

Charlene J. Simmons  
Applicant Signature\*

Charlene J. Simmons  
Property Owner Signature\*  
(If different from Applicant)

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

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

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

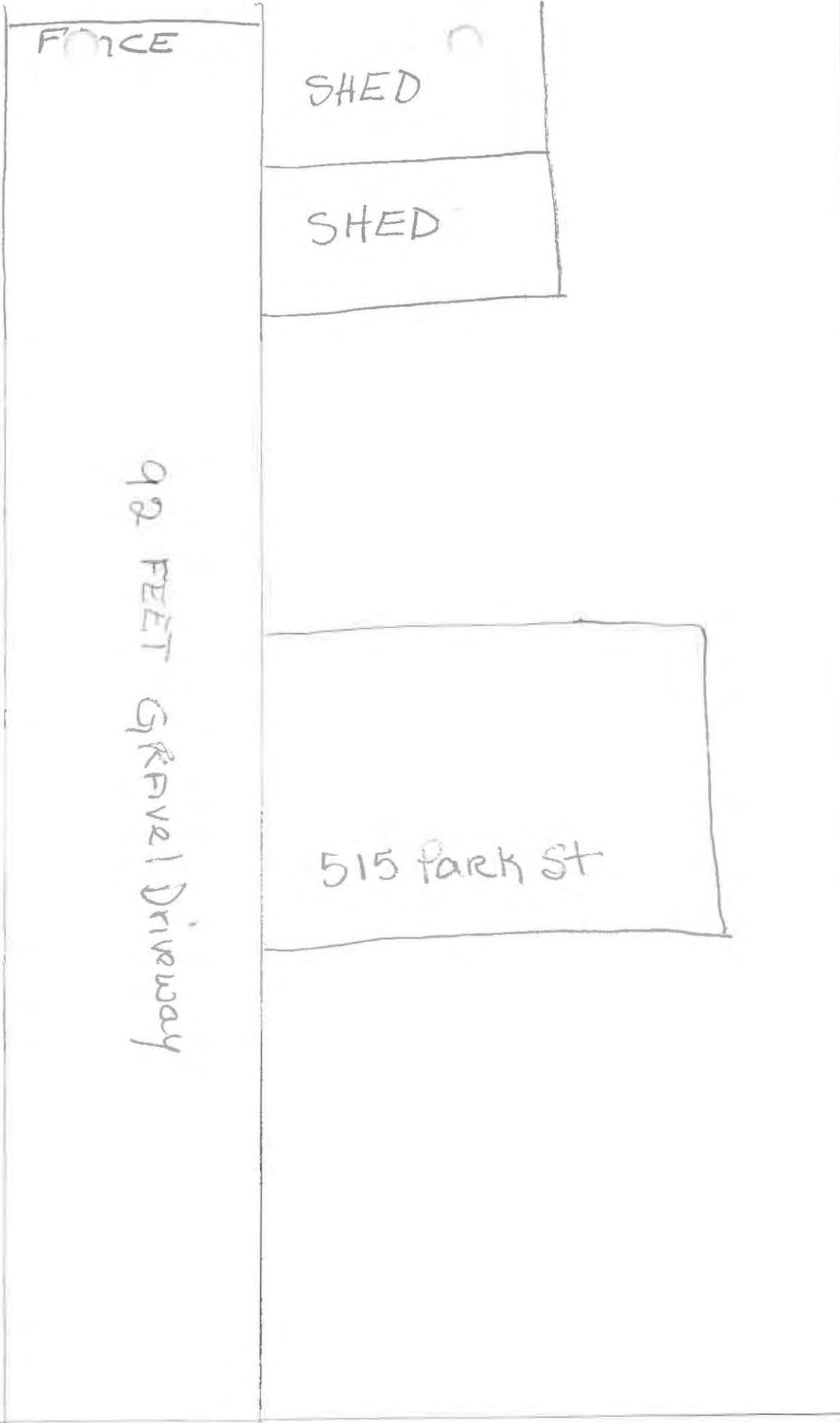
State of Arkansas            )  
  ) ss.  
County of Washington    )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 5 day of February, 2015.

Debbie A. Ponders  
Notary Public

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

I am requesting a variance to gravel my drive way to the fence on the North Side of my house. So we can please have enough parking. We have been parking there since we moved in 5 years ago. Please let us keep our parking for me and my family. There is no parking on Park St.



Staff Use Only

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

File # B15-09

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: Nancy Kessler

Applicant's Mailing Address:

710 Mill St  
Street Address or P.O. Box  
Springdale AR 72764  
City, State & Zip Code

Telephone Number

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

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

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

479-236-0422  
Telephone Number

Address of Variance Request: ∅

Zoning District: SF-2

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

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

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

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

**SETBACK VARIANCES:**

*Not Applicable*

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

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

Requested: Front: \_\_\_\_\_ Side: 5' Back: 15'  
(if granted what the setback would be.)

Variance: Front: \_\_\_\_\_ Side: 3' Back: 5'  
(The difference between the "Required" and the "Requested" setback)

**VARIANCES OTHER THAN SETBACK:**

*Not Applicable*

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

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

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

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

*A large Magnolia tree is in the way of building placement other than the 75' easement. Lot is long but not very wide - best location*

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

*Provides a place for hobbies and furniture storage. Altering location would significantly impede enjoyment and use of rest of property.*

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

*Downsizing significantly need storage for personal items collected antique and furniture for refinishing items hobby*

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

### VERIFICATION

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

  
 Applicant Signature\*

  
 Property Owner Signature\*  
 (If different from Applicant)

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

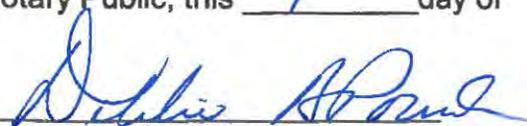
\_\_\_\_\_  
 Property Owner Signature\*  
 (If different from Applicant)

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

State of Arkansas            )  
   ) ss.  
 County of Washington    )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 9 day of February, 2015.

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

  
 Notary Public



(JUNK TO BE CLEARED)





Staff Use Only

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

File #

**B15-10**

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

**L 15-05**

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

**COPY**

Applicant's Name: Fig Tree Holdings, LLC

Applicant's Mailing Address:

501 E. County Line Road PO Box 344 (479) 751-3647  
 Street Address or P.O. Box Telephone Number  
Springdale, AR 72764  
 City, State & Zip Code

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

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

PO Box 344 479-751-3647  
 Street Address or P.O. Box Telephone Number  
Springdale, AR 72765  
 City, State & Zip Code

Address of Variance Request: 501 E. County Line Road

Zoning District: I-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. Any attachments must be labeled as "Exhibit A, B, C" etc.*

1. Applicant requests a variance of the parking requirement to allow 50 spaces instead of the required 93.
2. Applicant requests a variance of the requirement that all overhead utilities be relocated underground to allow existing overhead utilities remain as is.
3. Applicant requests a variance of the requirement that all storage areas be paved or chip sealed to allow gravel storage.
4. The applicant requests a variance of the requirement that the storage areas must be screened with an opaque fence to allow no fence due to access issues with the railroad.
5. The applicant requests a variance of the requirement that screening is required along residential properties to allow the existing screening to provide separation.

*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):**

1. This facility currently has 36 parking spaces with 50 total spaces proposed. This is enough parking to accommodate this facility. 2. The facility currently has overhead power serving the site, and it is not feasible to put these lines underground. 3. The storage areas are currently gravel. 4. The storage area is adjacent to the train tracks, so a fence would inhibit on/off loading of materials. 5. There is currently existing vegetation that screens this development from the adjacent residential properties.

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):**

1. Current number of spaces has been sufficient to serve the facility previously, and number of spaces is being substantially increased. 2. No new overhead lines are proposed, variance is for existing lines. 3. No new gravel areas are proposed, variance will allow existing area to remain. 4. Fence would hinder loading/unloading of rail cars and impact functionality of site. 5. There is existing vegetation to screen property from adjacent residential uses, variance would allow this existing screen to remain in place in lieu of replacing with new screening materials.

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.

Hunter Miller  
Applicant Signature\*

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

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

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

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

State of Arkansas            )  
  ) ss.  
County of Washington )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 18<sup>th</sup> day of February, 2015.

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