I. Pre-Meeting Activities
   Pledge of Allegiance
   Invocation

II. Call to Order

III. Roll Call

IV. Approval of Minutes February 2, 2021

V. Public Hearings

   A. Proposed amendment to the Springdale Code of Ordinance Chapter 130 Zoning
      Ordinance to add Article 4 Section 5.5 SEED – Springdale Elective Enhancement
      District.

   B. Proposed amendment to the Springdale Code of Ordinance Chapter 32
      Downtown District Form-Based Code to amend Section 1.2 to add property to the
      Form Based Code District and to amend Section 2.1 Regulating Plan to revise
      the boundary of the Campus Type 1.

VI. Tabled Items

   A. R21-04  Brian & Melanie Moore Trust (Cadence Crossing)
             7655 West Gibbs Road
             From A-1 to PUD

   PP21-01  West side of Gibbs Road, between Har-Ber Avenue and Nichols Road

   B21-16  Variance for deviation of PUD size from 10 acres to 5 acres
            Presented by Engineering Services, Inc.

VII. Public Hearing – Rezoning

   A. R21-10  Chad Reed
             TABLED  560 West County Line Road
             From MF-12 to C-2
             Presented by Chad Reed

   B. R21-11  Luke Hammond
             3444 Wagon Wheel Road
             From A-1 to C-5
             Presented by Luke Hammond
C. R21-12  **Old Mo East, LLC**  
1609 Old Missouri Road  
From I-1 to I-2  
Presented by McClelland Consulting Engineers, Inc.

D. R21-13  **CCO Investments, LLC**  
2207 East Highway 264  
From A-1 to SF-1  
Presented by Blew and Associates

VIII. Public Hearing – Conditional Use

A. C21-06  **Dandy Oil Company, Inc.**  
701.5 North Thompson Street  
Tandem Lot in C-2  
Presented by Engineering Services, Inc.

IX. Preliminary Plats, Replats, & Final Plats

A. PP21-03  **Benedetto Subdivision Phase 2**  
SW of Gibbs Road and N of Har-ber Avenue  
Presented by Engineering Services, Inc.

B. RP21-05  **Mark and Clelia Black**  
**TABLED**  
4409 Bogey Drive  
Presented by Bates and Associates

C. RP21-06  **Vick Enterprises, LLC**  
Lot 7, Block 4, Howard Acres Subdivision  
Presented by Blew & Associates

X. Large Scale Developments

A. L21-10  **Twin City Produce**  
**TABLED** 2014 Turnbow Avenue  
Presented by Engineering Services, Inc.

B. L21-12  **Chick-Fil-A**  
5601 West Sunset Avenue  
Presented by Greyden Engineering

C. L21-13  **Plaza Tire Service**  
3049 East Robinson Avenue  
**B21-19 Variance for deviation of Commercial Design Standards**  
(A) Facades  
(B) Building Foundation Landscaping  
Presented by CEI Engineering
XI. Board of Adjustment

A. B20-14 Francisco & Adriana Saenz
294 Trevi Fontana Place
Variance for deviation of front setback from 30' to 16.5'
Presented by Francisco & Adriana Saenz / Joye Ryan Jones

B. B21-17 Victor Ortiz
1129 Jefferson Street
Variance for deviation of paving requirement with a two year Bill of Assurance
Presented by Victor and Rolando Ortiz

C. B21-18 Nelson Anaya
3611 Bueno Avenue
Deviation of rear setback from 20' to 10'
Presented by Nelson Anaya

D. B21-20 Mark & Laura Bazyk (All American Steakhouse)
3492 West Sunset Avenue
Variance for deviation of Commercial Design Standards
(A) Screening
Presented by Jim Reed

E. B21-21 DCSB Holdings, LLC (Blades Landscaping)
1380 Butterfield Coach Road
Variance for deviation of
(A) 8' fence height
(B) Paving requirement with two year Bill of Assurance
Presented by Derek Deaton

XII. Waivers

A. W21-02 Miguel and Dawn Jimenez
913 South Spring Creek Road
Request for sidewalk waiver
Presented by Miguel and Dawn Jimenez

XIII. Other

A. Expansion of a Legal Non-Conforming Use
1009 W Huntsville
Presented by Jose Victor Nunez

XIV. Planning Director’s Report

XV. Adjourn
The Springdale Planning Commission met in regular session on Tuesday, January 5, 2021 at 5:00 p.m. in Council Chambers. It should be noted at this time that the meeting was also via Zoom.

Prior to the meeting being called to order, Chairman Parsley led the Pledge of Allegiance and Commissioner Roy Covert gave the invocation.

The meeting was called to order by Chairman Parsley at 5:10 p.m.

Roll call was answered by: Howard Austin
Gary Compton
Roy Covert – Vice-chairman
James David
Shannon Mueller
Peyton Parker – via Zoom
Kevin Parsley – Chairman
Ben Peters – Secretary via Zoom
Dale Tyler

Also in attendance was Patsy Christie, Director of Planning and Community Development, Austin Thomas, Assistant Planning Director, Rick Berry, Senior Planner and Taylor Samples, Assistant City Attorney.

Mr. Covert moved to approved the January 5, 2021 Planning Commission minutes. Mr. James seconded the motion. By a voice vote of all ayes and no nays the January 2021 minutes were approved by a unanimous vote.

**Election of Officers**

Mr. Covert moved to re-appoint Mr. Parsley as Chairman. Mr. Tyler moved to re-appoint Mr. Covert as vice-chairman and Mr. Peters as secretary.

By a voice vote of all ayes and no nays Mr. Parsley, Mr. Covert and Mr. Peters were re-appointed to the respective offices.

**Tabled Items**

A. **C21-01** Adan Soto Rivera
   1210-1218 S. Thompson
   Use Unit 52 (Food Truck Court) in a C-5
   Presented by Adan Soto Rivera

Mr. Rivera was not present to address his request so it was tabled a second time. If he chooses to pursue this he will have to start over with the application process.
B. L21-03  Stronghold NW  
3095 Wagon Wheel Road  
B21-02  Variance for deviation of Commercial Design Standards  
(A) Multiple Buildings in Commercial Centers  
(B) Entryways & Architectural Features  
Presented by Gavin Smith, Civil Engineering

Mr. Gavin Smith with Civil Engineering was present on behalf of his client to answer any questions or comments. He said that they worked with Staff and got their variances down to a manageable number which are particular to this site.

Mr. Parsley asked for Staff comments.

Ms. Christie said that one of the changes made is to put on the plan the existing canopy as part of the landscaping. She said that the existing canopy is used to screen the vegetative screening requirements on the southern property line. It will be inspected at time of the Certificate of Occupancy to confirm compliance with the minimum standards. If they inadvertently get taken down, they will have to be put back.

Mr. Smith said he understood.

Ms. Christie continued with Staff comments.

Large-Scale Comments:

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

2. 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. (standard comment)

Landscaping Comments

Existing canopy used to satisfy vegetative screening requirements on the Southern property line will be inspected at time of COO to confirm compliance with minimum standards. (standard comment)

Commercial Design Comments (Architectural)

1. Each principal building on a site shall have clearly defined, highly visible customer entrances featuring any three (3) of the following: o Canopies or porticos o Overhangs o Recesses/projections or Arcades o Raised corniced parapets over the door o Peaked roof forms or Arches or Outdoor patios or Display windows or Architectural details such as tile work and moldings which
are integrated into the building structure and design or Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

(Variance Item)

**Engineering Comments**

1. **Chapter 107 – Stormwater Pollution**
   (Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220, § 1, 10-24-17)
   - 107.3
     - The site area of disturbance is greater than 0.5 acre. A Grading Permit Application, a SWPPP delineating all anticipated disturbed areas, a plan in those areas to achieve final stabilization (which at minimum must provide 80% grass coverage and 100% stabilization), a Dust Control Plan with appropriate BMPs designed to control dust, and an appropriate fee as shown on the application must be submitted to the City of Springdale Stormwater Manager for review prior to receiving final plan approval.

2. **Chapter 130 – Zoning Ordinance**
   (Ord. No. 3307, 3-25-03)
   - 130.7.6.1 ADA requirements.
     - Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.
       - This note is left in place throughout the design process to insure that access is maintained.

3. **Other:**
   - **Permitting** - Some development within the City of Springdale may require additional state or federal permits not administered by the City of Springdale to be granted prior to approval of the project. This includes, but may not be limited to, any work that is being proposed within rights-of-way and/or easements within the jurisdiction of the Arkansas Department of Transportation, the Arkansas Natural Resources Commission, the Arkansas Department of Environmental Quality, or the U.S. Army Corps of Engineers. Prior to final approval of this project, please provide a copy of any required Federal, State, and Local permits that are required. Final approval of this project does not waive or exempt any requirements by State or Federal laws.

   - **Construct-ability Review** – At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.

Mr. Smith said that they added some site amenities and brought one building up to code and added a principal entrance into a principal building. He said they have two out of three amenities with the plantings adjacent to the doors and the canopies over the doors. He said that these are employee entrances located the back of the buildings. They have a forward facing entrance on the existing building.

Ms. Christie said they are still asking for a variance on that because each of the buildings, Mr. Smith is saying, that there is only one principal building and the ones he mentioned are secondary buildings but they could be used for three separate uses.
Ms. Christie asked what materials were changed on the outside of the buildings.

Mr. Smith said that stucco was added in a changing pattern on the lower half of the building to meet the 51% threshold of metal paneling on the outside. They will have stucco on the bottom and metal paneling on top.

Ms. Christie said that the actual length of the building is 99.6 feet.

Mr. Smith said that is correct.

Ms. Christie asked Ms. Hollingshead with the Engineering Department if she was present.

Ms. Hollingshead said that they put in a detention pond that discharges to the creek on the south of the property. She said that was her only comment.

Ms. Christie said it looks as though they made a pedestrian access from the front of the building out to the sidewalk and landscaping was added around the parking lot on the principal building.

Ms. Christie asked what central features they added.

Mr. Smith said that they put a bench and bicycle rack in front of the building, adjacent to the right-of-way and between the entrance and the building. He further stated that the dumpster would be screened.

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

There were none.

It was decided to take both variances at one time.

Mr. Covert called for the vote on both variances.

**VOTE:**

**YES:** Austin, Covert, David, Mueller, Parker, Tyler  
**NO:** Compton, Parsley, Peters

The variances were approved by a vote of six (6) yes and three (3) no.

Mr. Covert moved to approve the large scale subject to Staff comments. Mr. Tyler seconded the motion.

**VOTE:**

**YES:** Covert, David, Mueller, Parker, Peters, Tyler, Austin  
**NO:** Compton, Parsley

The large scale was approved subject to Staff comments by a vote of seven (7) yes and two (2) no.
C. W21-01 Trey Thompson
4078 Carriage Crossing Lane
Waiver of sidewalk requirement
Presented by Trey Thompson and Conner Homes

Mr. Conner with Conner Homes was present via Zoom to answer any questions or comments. He said they are building a house and there is nothing to attach the sidewalk to.

Ms. Christie stated that Staff does not support the waiver.

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

There were none.

Mr. Covert recommended forwarding to Council with a recommendation for denial. Mr. David seconded the motion.

**VOTE:**

**YES:** Covert, David, Mueller, Parker, Parsley, Peters, Tyler, Austin, Compton

**NO:** None

The motion to forward to Council with a recommendation for denial was approved by a unanimous vote.

Ms. Christie stated for the record that this will go to Council on Tuesday, February 23, 2021 at 6:00 p.m. in Council Chambers.

**Public Hearing – Rezoning**

A. R21-03 Merry Lee Phillips Trust (Starbucks)
408 S. Thompson Street

B21-12 Variance for deviation of Commercial Design Standards
(A) Entrances

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 Hiway Liquor store on the corner of S. Thompson and Maple. He said that the variance, which goes with a non-large scale, is to have a drive-thru only for Starbucks. He said that there will be just one customer entrance rather than two.

Mr. Parsley asked for Staff comments.

Ms. Christie read the rezoning comments.

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

Protect the positive aspects of neighborhood character throughout the City.

She said that this is a commercial piece of property and is recommended because of the spaces in the downtown area.

Ms. Christie said that regarding the variance, this Starbucks will be a drive through only so it does not need two entrances.

She further stated that both the rezoning and the variance are recommended for approval.

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

There were none.

Mr. Compton called for the vote.

`VOTE:
YES:  David, Mueller, Parker, Parsley, Peters, Tyler, Austin, Compton, Covert
NO:  None

The rezoning was approved by a unanimous vote.

Mr. Covert called for the vote on the variance.

VOTE:
YES:  Mueller, Parker, Parsley, Peters, Tyler, Austin, Compton, Covert, David
NO:  None

The variance was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Ordinance for the rezoning that will go to Council on Tuesday, February 23, 2021 at 6:00 p.m.

B. R21-04  Brian & Melanie Moore Trust (Cadence Crossing)
7655 West Gibbs Road
From A-1 to PUD

PP12-01  West side of Gibbs Road, between Har-Ber Avenue & Nichols Road

B21-16  Variance for deviation of PUD size from 10 acres to 5 acres
Presented by Engineering Services, Inc.

These items were tabled per the applicant.
C. R21-05 Chancad, LLC (Rosedale Heights)
529 E. Don Tyson Parkway
Fromm A-1 to SF-3
PP21-02 SW corner of Don Tyson & S. Powell Street
Presented by Engineering Services, Inc.

Mr. Jason Appel with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

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

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

Protect the positive aspects of neighborhood character throughout the City.

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

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

Stabilize property values and maintain the integrity of neighborhoods by protecting residential neighborhoods from non-residential influences and providing buffers between residential and non-residential uses.

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

There were none.

Mr. Covert called for the vote.

VOTE:

YES: Parker, Parsley, Peters, Tyler, Austin, Compton, Covert, David, Mueller

NO: None

The rezoning was approved by a unanimous vote.

Mr. Parsley asked for Staff comments on the preliminary plat.

Ms. Christie said the only comment is there are some signature blocks on page two that need to be removed.
Ms. Hollingshead said it looked like there was a phase line on the site plan. She wanted to know the purpose of the phasing.

Mr. Appel said that eastern part has to be built first as Phase I and the rest will be Phase II. He said the intent is to get the first two lots available and proceed with the remainder of construction. He further stated the first two lots are located directly off of Powell Street. He said that to start on the west side they will have to build a road.

Ms. Christie asked if there was really a need for a phase line.

Mr. Appel said that he didn’t believe so.

Ms. Hollingshead's other comment is that a modified curb is needed at the drive and they will need to determine if there is an existing street light that will satisfy that requirement.

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

There were none.

Mr. Covert moved to approve the preliminary plat subject to Staff comments. Ms. Mueller seconded the motion.

**VOTE:**

**YES:** Parsley, Peters, Tyler, Austin, Compton, Covert, David, Mueller, Parker

**NO:** None

The preliminary plat was approved subject to Staff comments by a unanimous vote.

D. **R21-06** Saul and Deris Calderon
   From A-1 to C-1

   **L21-11** 3161 N. Thompson
   Presented by A Million miracles Surveying, Eric Heller

Mr. John Starnes who is the architect for this project was present along with Mr. Calderon, to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Ms. Christie read the rezoning Staff comments.

The adopted Comprehensive Land Use Plan indicates Regional Commercial use.

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

Improve the City's economic base and tax structure through the promotion of healthy, stable commercial concentrations
Assure adequate land allocation for commercial areas of sufficient size and in proper locations.

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

Mr. Parsley asked if there were those in the audience with questions or comment. There were none.

Ms. Mueller called for the vote.

VOTE:

YES: Tyler, Austin, Compton, Covert, David, Mueller, Parker, Parsley,
NO: None
RECUSE: Peters

The rezoning was approved by a vote of eight (8) yes and one (1) Recuse.

**Planning Comments**

Large-Scale Comments:

3. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans. (standard comment)
4. 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. (standard comment)

Landscaping Comments

1. Existing mature canopy shown to be preserved will be inspected at the time of COO to confirm compliance with minimum perimeter landscaping requirements. (standard comment)

Commercial Design (Site)

1. All internal walkways shall be distinguished from driving surfaces through the use of durable, low maintenances surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Signs shall be installed to designate pedestrian walkways. No material change shown, provide stamped or scored concrete.

Commercial Design Comments (Architectural)

1. Provide overall material percentage calculations to accompany elevations. The building as shown appears to meet all of the required breaks and articulations but we will need to know what the predominate materials are prior to PC.
Engineering Comments

1. Chapter 107 – Stormwater Pollution
   (Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220, § 1, 10-24-17)
   - 107.3
     - The site area of disturbance is greater than 0.5 acre. A Grading Permit Application, a SWPPP delineating all anticipated disturbed areas, a plan in those areas to achieve final stabilization (which at minimum must provide 80% grass coverage and 100% stabilization), a Dust Control Plan with appropriate BMPs designed to control dust, and an appropriate fee as shown on the application must be submitted to the City of Springdale Stormwater Manager for review prior to receiving final plan approval.

2. Chapter 110 – Streets, Sidewalks and Other Public Places
   (Ord. No. 3258, § 1, 11-12-02)
   - 110.31 - Sidewalks are required one-foot (1’) inside the right-of-way line.
     - Sidewalks shall be constructed with a minimum transverse slope of one-fourth inch (1/4") per foot.
     - The sidewalk shall have a minimum width of five feet (5’) and a minimum thickness of four inches (4”).
     - The sidewalk shall have expansion joints at each structure, curb and at minimum intervals of 200 feet. Transverse joints between expansion joints shall be scored at five-foot (5’) intervals.
     - Need to show details of sidewalks on the right-of-way.
       - Coordinate with ARDOT for driveway, they may require a DR-1 instead of our standard.

3. Chapter 130 – Zoning Ordinance
   (Ord. No. 3307, 3-25-03)
   - 130.7.6.1 ADA requirements.
     - Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.
       - This note is left in place throughout the design process to insure that access is maintained.

4. Other:
   - Add this disclaimer statement to the title page
     "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. The City of Springdale, however, reserves the right to require corrective action if any inadequacies are found after the improvements are constructed."
       - The disclaimer that is to be added to the cover sheet is only the paragraph above.

   - Permitting - Some development within the City of Springdale may require additional state or federal permits not administered by the City of Springdale to be granted prior to approval of the project. This includes, but may not be limited to, any work that is being
proposed within rights-of-way and/or easements within the jurisdiction of the Arkansas Department of Transportation, the Arkansas Natural Resources Commission, the Arkansas Department of Environmental Quality, or the U.S. Army Corps of Engineers. Prior to final approval of this project, please provide a copy of any required Federal, State, and Local permits that are required. Final approval of this project does not waive or exempt any requirements by State or Federal laws.

- Construct-ability Review – At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.

Ms. Hollingshead said that her only comment was regarding the driveways. Since this location is on 71B they will need to coordinate with ARDOT.

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

There were none.

Mr. Covert moved to approve the large scale subject to Staff comments. Mr. Compton seconded the motion.

VOTE:

YES: Tyler, Austin, Compton, Covert, David, Mueller, Parker, Parsley, Tyler
NO: None
RECUSE: Peters

The large scale development was approved by a vote of eight (8) yes and one (1) recuse.

Ms. Christie stated for the record that Staff would prepare the Ordinance that will go to Council on Tuesday, February 23, 2021 in Council Chambers at 6:00 p.m.

E.  R21-07 David & Natasha Harris
    964 North Maestri Road
    From A-1 to C-2
    Presented by Tyler Carter and Bob Downum

Both Mr. Carter and Mr. Downum were present along with the buyer, Don Peters, to answer any questions or comments.

Mr. Carter said that the site is a four (4) acre parcel. He said that with the expansion of 412 and the other areas around they would like to rezone it to a C-2 property rather than the A-1 one that it is currently. He said the property is for sale and is under contract.

Mr. Downum said that he was here representing the buyer who wants to put in an approximately 8,000 square foot office. It will have four units. One of the tenants will be Boone-Ritter Insurance and Don Peters (buyer) Construction. There will also be an electric company. He further stated that there is no sewer and septic cannot be put in because the ground has been excavated so Mr. Peters will put in sewer from Benadeto Subdivision all the way to the site.
Mr. Parsley asked for Staff comments.

Ms. Christie asked if they are proposing the property on the south side of Har-Ber to C-2 as well.

Mr. Downum said that it is all part of the same parcel.

Ms. Christie asked if they wanted to rezone the north portion of the tract and not the south portion.

Mr. Carter said that the south parcel will be taken up by a roundabout according to the documents that he has. He said that it appears that the City is looking at that area as commercial. It is on the trucking route within a 1/4 down the road there is a C-5 property.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan Low Density Residential Use.

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

A downgrade to an O-1 Neighborhood Office District would allow for the construction of a structure not to exceed 5000 square feet and in a design that compliments the surrounding developments and serves as a buffer. The rezoning of this property a commercial district would require concurrence by the City of Tontitown.

The discussion was concerning the electrical company that wanted to rent an office. If they store supplies there, the zoning would have to be a C-2 as it allows “Trades and Services” and an O-1 and C-1 do not, plus the latter does not allow for a building large enough for Mr. Peters’ needs.

Mr. Peters spoke. He said that what he is wanting is a 12,000 square foot building for office facilities. He further stated that he is willing to bring in sewer to the site.

Mr. Carter pointed out that his clients bought this property a couple of years ago as a future project. It is now becoming a place for people to illegally dump their trash and is quickly becoming an eyesore. He further stated that Mr. Peters would be cleaning up the area and making it a nice addition to the City of Springdale.

Ms. Christie said another option would be to request it to be a C-4 which is a Planned Commercial District. With this designation, it would be determined what use units could go into the site and only those use units would be allowed. It is very similar to a PUD in a residential setting.

She further stated that if they decide to go with a C-4 it couldn't be heard as it would need to be advertised in the paper and it would be at least March 2, 2021 before it could come back before the Planning Commission.

Mr. Downum said that the buyer wants to move forward with a C-2 zone.
Mr. Tyler called for the vote.

**VOTE:**
- **YES:** Compton, Covert, David, Mueller, Parsley, Peters, Tyler
- **NO:** Austin, Parker

The rezoning was approved by a vote of seven (7) yes and two (2) no.

Ms. Christie stated for the record that Staff would prepare the Ordinance that will go to Council on Tuesday, February 23, 2021 at 6:00 p.m. in Council Chambers.

F. R21-08 Bryan and Shannon Passmore
7132 Bur Oak Road
From A-1 to SF-1
C21-04 Tandem Lot in SF-1
B21-15 Variance for deviation of paved driveway requirement
Presented by Bryan and Shannon Passmore

Mr. Passmore was present to answer any questions or comments. He said that he and his wife are trying to give their daughter an acre of land so that she can build a house.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Low Density Residential Use.

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

Protect the positive aspects of neighborhood character throughout the City.

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

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

Ms. Christie then addressed the tandem lot split. Staff had no comments.

And regarding the variance she said that when talking with Mr. Passmore is that his concern is that if it is paved, it will look like an access to the lake. He felt that keeping it gravel would discourage traffic trying to access the lake.

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

There were none.
Mr. Covert called for the vote on the rezoning.

**VOTE:**
- **YES:** Compton, Covert, David, Mueller, Parker, Parsley, Peters, Tyler, Austin
- **NO:** None

The rezoning was passed by a unanimous vote.

Mr. Covert called for the vote on the tandem lot split.

**VOTE:**
- **YES:** Covert, David, Mueller, Parker, Parsley, Peters, Tyler, Austin, Compton
- **NO:** None

The tandem lot split was approved by a unanimous vote.

Mr. Covert called for the vote on the variance.

**VOTE:**
- **YES:** Mueller, Parker, Parsley, Peters, Tyler, Austin, Compton, Covert
- **NO:** David

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

Ms. Christie stated for the record that Staff will prepare the rezoning Ordinance that will go to Council on Tuesday, February 23, 2021 in Council Chambers at 6:00 p.m.

G. R21-09 Jackie and Sherry Moore
3300 Clyde Lane
From A-1 to SF-2
Presented by Engineering Services, Inc.

Mr. Jason Appel with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments.

Mr. Parsley asked for Staff comments.

The adopted Comprehensive Land Use Plan indicates Low Density Residential.

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

Protect the positive aspects of neighborhood character throughout the City.

Appropriate locations for single-family and multi-family residential development should be provided based on accessibility, site suitability, utility availability, neighborhood compatibility and environmental factors.
Assure adequate land allocation for residential purposes by providing lots of adequate size.

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

Ms. Marilyn Neal said that she has property adjacent to it. She said that she was never notified.

Ms. Christie looked in the folder and found where the letter had been sent to Ms. Neal.

Ms. Neal thought it was being rezoned to an SF-4.

Ms. Christie said that the request is for SF-2 which only allows for single family dwellings at four units per acre.

Ms. Neal asked if this was going to be a subdivision.

Ms. Christie said at this time it is just being rezoned to SF-2. There is no proposal for a subdivision. She said that if they did, at a later date; subdivide it they would have to provide the infrastructure for a subdivision.

Mr. Covert called for the vote.

**VOTE:**

**YES:** Mueller, Parker, Parsley, Peters, Tyler, Austin, Compton, Covert, David

**NO:** None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Ordinance that will go to Council on Tuesday, February 23, 2021 at 6:00 p.m. in Council Chambers.

**Public Hearing – Conditional Use**

A. C21-02 Isabelle and Dominik Maerki
   8727 East Wagon Wheel Road
   Use Unit 36 (Horses kept in residential area) in SF-1

B. B21-11 Variance for deviation of fence and acreage
   Presented by Isabelle and Dominik Maerki

Isabelle and Dominik Maerki were present to answer any questions or comments.

Ms. Maerki said that they would like to have their horse at their new home. She said the area surrounding them is mostly A-1. She said to meet the three (3) acre requirement they are asking for a variance as their lot is 1.4 acres but they are leasing 2.7 acres from the Springdale Water and Sewer Utilities.

Mr. Parsley asked for Staff comments.
Ms. Christie read the Staff comments. She said that it is a unique situation in that they are asking to be able to use the area owned by SWU along with their property to house their horse.

**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.

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

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

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

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

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

**Acceptable**  The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter. **Size of tract does not meet minimum requirements for keeping of horses; however the applicant has entered into a lease agreement with the Springdale Water & Sewer Commission for use of 2.7 acres of the Benton Farm Property to meet the required minimum lot size of 3 acres.**

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

**Acceptable**  General compatibility with adjacent properties and other property in the general district. **Subject to the terms of the lease agreement**

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

There were none.

Mr. Parker called for the vote.
VOTE:
YES: Parker, Parsley, Peters, Tyler, Austin, Compton, Covert, David, Mueller
NO: None

The conditional use was approved by a unanimous vote.

Ms. Christie asked them to talk about the variance they were requesting regarding the fence.

Ms. Maerki explained that part of the area where the horse will be is considered the front yard with a maximum height of a fence at 3 feet. They are requesting a variance to increase the height of the fence to 4.5 feet.

Mr. Covert called for the vote.

VOTE:
YES: Parsley, Peters, Tyler, Austin, Compton, Covert, David, Mueller, Parker
NO: None

The variance was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the resolution that will go to Council on Tuesday, February 23, 2021 at 6:00 p.m. in Council Chambers.

B. C21-03

<table>
<thead>
<tr>
<th>Maria Hernandez</th>
</tr>
</thead>
<tbody>
<tr>
<td>4409 South Thompson Street</td>
</tr>
<tr>
<td>Use Unit 44 (Mobile Vending) in C-2</td>
</tr>
</tbody>
</table>

B21-14

Variance for deviation of Food Truck size.
Presented by Carla Himenez

Ms. Himenez was present along with Ms. Hernandez to answer any questions or comments.

Ms. Christie said that it will sit in the middle of the parking lot at the above location. She further stated that there will be no utilities and will be full self-contained and that it is larger than the normal size allowed which is the reason for the variance.

The mobile vending will be located at 4407 South Thompson, but it is accessed by 4409 South Thompson.

Ms. Christie read the Staff comments.

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

Not shown  Refuse and service areas, with particular reference to the item in 1 and 2 above.

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

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

Not shown on site plan  Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.

Acceptable  Yard requirements and other open space requirements.

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

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

Acceptable  General compatibility with adjacent properties and other property in the general district with the following conditions:

a. May not operate between the hours of 7:00 a.m. to 10:00 p.m.
b. No obstruction of parking spaces required for the operation of any other use on the site.
c. Maintain on the site a minimum of three parking spaces designated for their use.
d. If a health certificate is required, display the health certificate in a manner visible to customers.
e. No obstruction of pedestrian or motor vehicle traffic flow.
f. No obstruction of traffic signals or regulatory signs.
g. No vending upon a public way.
h. Sound any device that produces a loud and raucous noise in violation of city ordinance or violate any other city ordinances in connection with the vending operation.
i. Keep vending sites clean and free of paper or refuse of any kind generated from the operation of their business. All trash or debris accumulating with twenty (20) feet of any vending stand collect and deposit into a trash container.
Mr. Parsley asked if there were those in the audience with questions or comments.

There were none.

Mr. Covert called for the vote.

**VOTE:**

YES: Tyler, Austin, Compton, Covert, David, Mueller, Parker, Parsley
NO: None

Mr. Peters wasn't able to hear the roll call so he was unable to vote. The conditional use was approved by a unanimous vote of 8.

Mr. Covert called for the vote for the variance.

**VOTE:**

YES: Tyler, Austin, Compton, Covert, David, Mueller, Parker, Parsley, Tyler
NO: None

Again Mr. Peters was unable to hear the roll call. The variance was approved by a unanimous vote of 8.

Ms. Christie stated for the record that Staff will prepare the resolution for the conditional use that will go to Council on Tuesday, February 23, 2021 at 6:00 p.m. in Council Chambers.

**Preliminary Plats, Replats, & Final Plats**

A. RP21-03 Nancy Hagen
   Lots 14 & 15, Block 2, Carter Addition
   Presented by Steve Butcher

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

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

**Planning Comments**

1. Please provide the legal description for all easements being dedicated via this plat.
2. Remove "Two Family" from the MF-4 building setbacks chart.
3. Submit a list of adjacent property owners certified by either a licensed abstractor or land surveyor within the past 60 days.
4. Need a resolution stating that _________ has authority to execute the Certificate of Transmittal, Ownership, and Ordinance.
**Engineering Comments**

- **Add required Signatures**

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

There were none.

Mr. Compton moved to approve the replat subject to Staff comments. Mr. David seconded the motion.

**VOTE:**

**YES:** Austin, Compton, Covert, David, Mueller, Parker, Parsley, Tyler

**NO:** None

Again Mr. Peters was unable to hear but the replat was approved subject to Staff comments by a unanimous vote.

Ms. Christie stated for the record that if Mr. Butcher wanted the replat to go to Council on Tuesday, February 9, 2021 he would need to have the Ordinance into the Planning Office by noon Thursday, February 4, 2021.

B. PP21-01 **Cadence Crossing**  
West side of Gibbs Road between  
Har-Ber Avenue and Nichols Road  
Presented by Engineering Services, Inc.

This was tabled per the applicant.

C. PP21-02 **Rosedale Heights**  
SW corner of Don Tyson and  
South Powell Street  
Presented by Engineering Services, Inc.

This was approved in conjunction with the rezoning.

**Large Scale Developments**

A. L21-05 **Electric Avenue Townhomes**  
NW corner of Electric Avenue and Oriole Street  
Presented by Engineering Services, Inc.

Mr. Jason Appel with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments.

Mr. Parsley asked for Staff comments.
**Planning Comments**

**Large-Scale Comments:**

5. Provide pdf files at time of resubmission. (standard comment)
6. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans. (standard comment)
7. 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. (standard comment)
8. This development has been given the number L21-05. This number should be placed on the plans and all future correspondence and plats pertaining to this development. (standard comment)

**Landscaping Comments**

1. Existing vegetation shown to be preserved and utilized towards perimeter landscaping requirements will be inspected at the time of COO to confirm compliance. (standard comment)
2. Provide shrub plantings at seven for every 25' linear ft. along frontage per Chapter 56.
3. Provide dumpster foundation landscaping.
4. Building foundations shall be planted with ornamental plant material, such as ornamental trees, flowering shrubs and perennials, and ground cover for a minimum width of three feet (3') to a hard surface with the exception of access points. (MFD)

**Multi-Family Design Comments**

1. Provide exhibit indicating which areas are being counted towards the provided common space percentage.
2. Provide sidewalk connectivity for the full length of Kingsley Circle.
3. Provide pedestrian connection to the ROW on the Eastern drive.
4. Minimum Width – all on-site pedestrian walkways and sidewalks shall be a minimum of five feet (5') wide, except walkways adjacent to a parking area, where cars may overhang the walkway, shall be a minimum of seven feet (7') wide. Provide dimensions.
5. Provide HVAC locations and screening methods.

**Engineering Comments**

1. **Chapter 106 – Stormwater Drainage**
   
   *(Ord. No. 2999, § 1, 6-27-00; Ord. No. 5245, § 1, 1-23-18)*

   - 106.1 - The Grading Plan & SWPPP and Specifications shall be prepared by the Engineer of Record, who is a licensed professional engineer of the State of Arkansas.
     - Requires a 1"=200’ minimum scale 2-foot contour map.
     - Show existing and proposed contours.
- **106.1.3.3**
  - Minimum floor elevations for other areas shall be a minimum of 1-foot above the calculated 100-year WSE of open channels, swales, or overland flow. (Show Minimum Finished Floor Elevation [FFE] on proposed structures)

2. **Chapter 106 – Stormwater Drainage**
   - 4 ft of greenspace should be maintained between sidewalk and back of curb
   - Trickle channel note shows up, but trickle channel itself is not shown
   - Determine whether energy dissipation is needed at Line 2 outlet to pond due to slope

3. **Chapter 107 – Stormwater Pollution**
   (Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220 , § 1, 10-24-17)
   - **107.1** - Show & Label all temporary construction stockpiles, parking, entrances, egress, roads, or access as "Temporary" on the Grading or Erosion Control Plan.
     - Add the word "Temporary" to all the items listed above, that are included in this project.
   - **107.3**
     - The site area of disturbance is greater than 0.5 acre. A Grading Permit Application, a SWPPP delineating all anticipated disturbed areas, a plan in those areas to achieve final stabilization (which at minimum must provide 80% grass coverage and 100% stabilization), a Dust Control Plan with appropriate BMPs designed to control dust, and an appropriate fee as shown on the application must be submitted to the City of Springdale Stormwater Manager for review prior to receiving final plan approval.
     - Phasing on larger construction sites 5 acres or more must be utilized to allow only disturbance on near term construction areas. Construction sites requiring cutting and filling must be seeded once the cutting and filling activity is finished.
   - **107.3** - The following note is required as a General Note on the Site Plan:
     "Stockpiling of construction spoil material at particular locations shall only be allowed for a limited time period, not to exceed (6) months. Prior to a final inspection of the Grading Permit, the following standards shall be achieved for Completion of Construction:
     a) development and grading within the disturbed area is complete and matches plans as approved by the Planning Commission, and
     b) the disturbed soil area is observed to have 80% grass coverage and 100% stability, and
     c) No slopes steeper than a 3:1 pitch unless otherwise approved in writing by the Director of Engineering, and
     d) Notice of Violations issued have all corrective actions approved with an inspection report signed by a representative of the Director of Engineering, and
     e) all heavy equipment, stockpiles, and construction site materials have been removed from the Construction Site."
     - Note is repeated twice on the plan, remove one.
- 107.3.D.c - A grading and drainage plan is required for all developments showing that each lot drains to the street right-of-way, a dedicated drainage easement with improvements, or an existing drainage way without flowing across a neighboring lot. No drainage from roof drains, landscaping, or lot runoff may be directed or diverted onto neighboring properties.

4. **Chapter 110 – Streets, Sidewalks and Other Public Places**
(Ord. No. 3258, § 1, 11-12-02)
- **110.31** - Sidewalks are required one-foot (1’) inside the right-of-way line.
  - Sidewalks shall be constructed with a minimum transverse slope of one-fourth inch (1/4”) per foot.
  - The sidewalk shall have a minimum width of five feet (5’) and a minimum thickness of four inches (4”).
  - The sidewalk shall have expansion joints at each structure, curb and at minimum intervals of 200 feet. Transverse joints between expansion joints shall be scored at five-foot (5’) intervals.
  - Need to show details of sidewalks on the right-of-way.
    - Sidewalks should extend the entire length of any property boundary that abuts a street R.O.W.
    - Sidewalks should adhere to all the items listed above.

- **110.111** - The developer is required to improve the abutting street to the City of Springdale standards and in accordance with the Master Street Plan, including constructing sidewalks, curb and gutter, pave or widen the existing street, or install or construct drainage facilities.

5. **Chapter 112 – Subdivisions**
(Code 1973, § 30-1)
- All streets within the subdivision boundaries shall be dedicated and constructed in conformance with the master street plan and chapter 110 of this Code, with right-of-way dedicated when such right-of-way is needed to conform to the master street plan.

- **112-4** - Streetlights are required at each intersection and along the street at intervals of 300 to 350 feet as measured along the centerline of the street.
  - The minimum initial rating for the streetlight shall be 6,800 lumens for a local street, 11,000 lumens for a collector street, or 20,000 lumens for an arterial street.
    - Label all lights as Proposed or Existing
    - Show the direction of the mast arm
    - Show the size and type of lights based on the location and classification of the street
    - Add note to determine if the light is designed for area parking lot lights or as a street illuminator
    - Include a note stating if the lights are public or private lights and who will be responsible for maintenance and billing

- **112.7 - Street Design Standards**
  - Sight Distance: 90 ft Ordinary / 70 ft hilly
  - Max grades w/in 100 ft of intersection: 4%
Min intersection angle: 75°
- Min curb radius 25-ft 28-ft minor St / 50-ft collector St
- The right-of-way must be graded so that the entire width slopes toward the street at a 2% slope toward the street centerline.
  - Include a sheet with dimensions.

6. Chapter 130 – Zoning Ordinance
(Ord. No. 3307, 3-25-03)
- 130.7.6.1 ADA requirements.
  - Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.
    - This note is left in place throughout the design process to insure that access is maintained.

7. Other:
- Permitting - Some development within the City of Springdale may require additional state or federal permits not administered by the City of Springdale to be granted prior to approval of the project. This includes, but may not be limited to, any work that is being proposed within rights-of-way and/or easements within the jurisdiction of the Arkansas Department of Transportation, the Arkansas Natural Resources Commission, the Arkansas Department of Environmental Quality, or the U.S. Army Corps of Engineers. Prior to final approval of this project, please provide a copy of any required Federal, State, and Local permits that are required. Final approval of this project does not waive or exempt any requirements by State or Federal laws.

- Construct-ability Review – At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.

Ms. Hollingshead said that it looked like the sidewalk along Electric Avenue that the green space kind of varied she said the Master Street Plan shows four foot; she wasn't sure why it got closer to the road in some spaces. She said the line to the pond is fairly steep and they may need some rip rap.

Mr. Appel said they were showing a line of trees along Electric; he said he didn't think that they were required and he was going to eliminate them.

Mr. Thomas said that it is considered the frontage landscaping and needs to remain as is.

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

There were none.

Mr. Covert moved to approve the large scale subject to Staff comments. Mr. Tyler seconded the motion.
VOTE:

YES: Covert, David, Mueller, Parker, Parsley, Peters, Tyler, Austin

NO: None

Mr. Compton did not vote as he had to leave.

The large scale was approved by a unanimous vote.

B. L21-07 Springdale Moose Lodge #877 (Ritter Fiber Shelter)
215 W. Apple Blossom Avenue
Presented by Ritter Communications & 356 Solutions

Mr. David Thornton was present via Zoom to answer any questions or comments. He said they are putting a fiber optic shelter at this location.

Mr. Parsley asked for Staff comments.

Planning Comments

Large-Scale Comments:

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

Engineering Comments

1. Chapter 106 – Stormwater Drainage
(Ord. No. 2999, § 1, 6-27-00; Ord. No. 5245, § 1, 1-23-18)
- 106.1.3.3
  o Minimum floor elevations for other areas shall be a minimum of 1-foot above the calculated 100-year WSE of open channels, swales, or overland flow. (Show Minimum Finished Floor Elevation [FFE] on proposed structures)

2. Other:
  - Permitting - Some development within the City of Springdale may require additional state or federal permits not administered by the City of Springdale to be granted prior to approval of the project. This includes, but may not be limited to, any work that is being proposed within rights-of-way and/or easements within the jurisdiction of the Arkansas Department of Transportation, the Arkansas Natural Resources Commission, the Arkansas Department of Environmental Quality, or the U.S. Army Corps of Engineers. Prior to final approval of this project, please provide a copy of any required Federal, State, and Local permits that are required. Final approval of this project does not waive or exempt any requirements by State or Federal laws.
- **Construct-ability Review** – At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.

Ms. Hollingshead said that Engineering would like to know the finished floor elevation for the structure.

Mr. Thornton said that the concrete pad would be approximately 18 inches above.

Ms. Hollingshead said that they liked to see that called out on the plans.

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

There were none.

Mr. David moved to approve the large scale subject to Staff comments. Mr. Covert seconded the motion.

**VOTE:**
- **YES:** David, Mueller, Parker, Parsley, Peters, Tyler, Austin, Covert
- **NO:** None

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

C. L21-08 Luther George Park

300 Park Street
Presented by Spackman Mossop Michaels/City of Springdale

Mr. Wes Michaels with Spackman, Mossop Michaels was present via Zoom. He said that it is a renovation of Luther George Park.

Mr. Parsley asked for Staff comments.

**Planning Comments**

**Large-Scale Comments:**

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

**Engineering Comments**

1. **Chapter 107 – Stormwater Pollution**
   
   *(Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220 , § 1, 10-24-17)*
- **107.3** - The following note is required as a General Note on the Site Plan:
"Stockpiling of construction spoil material at particular locations shall only be allowed for a limited time period, not to exceed (6) months. Prior to a final inspection of the Grading Permit, the following standards shall be achieved for Completion of Construction:

f) development and grading within the disturbed area is complete and matches plans as approved by the Planning Commission, and

g) the disturbed soil area is observed to have 80% grass coverage and 100% stability, and

h) No slopes steeper than a 3:1 pitch unless otherwise approved in writing by the Director of Engineering, and

i) Notice of Violations issued have all corrective actions approved with an inspection report signed by a representative of the Director of Engineering, and

j) all heavy equipment, stockpiles, and construction site materials have been removed from the Construction Site."

- I could not locate the note on Site Plan.

2. **Chapter 130 – Zoning Ordinance**

   (Ord. No. 3307, 3-25-03)

   - **130.7.6.1 ADA requirements.**
     
     o Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.

     ▪ This note is left in place throughout the design process to insure that access is maintained.

3. **Chapter 50 – Floods**

   (Ord. No. 4110, § 1, 9-11-07)

   ▪ Is any work proposed in the floodway? If so, please submit a No-Rise Certification.

4. **Other:**

   - **Permitting** - Some development within the City of Springdale may require additional state or federal permits not administered by the City of Springdale to be granted prior to approval of the project. This includes, but may not be limited to, any work that is being proposed within rights-of-way and/or easements within the jurisdiction of the Arkansas Department of Transportation, the Arkansas Natural Resources Commission, the Arkansas Department of Environmental Quality, or the U.S. Army Corps of Engineers. Prior to final approval of this project, please provide a copy of any required Federal, State, and Local permits that are required. Final approval of this project does not waive or exempt any requirements by State or Federal laws.

   - **Construct-ability Review** - At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.

Ms. Hollingshead said that they need a couple of documents one of which is a no rise certification for the work in the creek as well as a Corp of Engineers permit.
Ms. Jill Dabbs who is the Director of the Downtown Springdale Alliance spoke about all the work that has gone into this project. She said that it will be the largest outdoor greenspace in any town in Northwest Arkansas. It will also be on the top five list of places to visit. She further stated that it is midpoint of the greenway.

She said that they are hopeful to break ground by the end of this year.

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

There were none.

Mr. Covert moved to approve the large scale subject to Staff comments. Mr. David seconded the motion.

**VOTE:**

**YES:** Mueller, Parker, Parsley, Peters, Tyler, Austin, Covert, David

**NO:** None

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

D. L21-09 Edwards & J Landscaping, Inc.
   1186 Bulldog Avenue
   Presented by EDA

Mr. James Guertz with EDA was present via Zoom to answer any questions or comments.

Mr. Parsley asked for Staff comments.

**Planning Comments**

**Large-Scale Comments:**

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

2. 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. (standard comment)

**Commercial Design (Site)**

1. Provide pedestrian sidewalk connection to ROW.

**Engineering Comments**

1. **Chapter 106 – Stormwater Drainage**

   *(Ord. No. 2999, § 1, 6-27-00; Ord. No. 5245, § 1, 1-23-18)*

   - 106.1.3.3
o Minimum floor elevations for other areas shall be a minimum of 1-foot above the calculated 100-year WSE of open channels, swales, or overland flow. (Show Minimum Finished Floor Elevation [FFE] on proposed structures)
  ▪ Show the FFE.

2. Chapter 107 – Stormwater Pollution
   (Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220, § 1, 10-24-17)
   - 107.3
     o The site area of disturbance is greater than 0.5 acre. A Grading Permit Application, a SWPPP delineating all anticipated disturbed areas, a plan in those areas to achieve final stabilization (which at minimum must provide 80% grass coverage and 100% stabilization), a Dust Control Plan with appropriate BMPs designed to control dust, and an appropriate fee as shown on the application must be submitted to the City of Springdale Stormwater Manager for review prior to receiving final plan approval.

3. Chapter 130 – Zoning Ordinance
   (Ord. No. 3307, 3-25-03)
   - 130.7.6.1 ADA requirements.
     o Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.
       ▪ This note is left in place throughout the design process to insure that access is maintained.

4. Other:
   - Permitting - Some development within the City of Springdale may require additional state or federal permits not administered by the City of Springdale to be granted prior to approval of the project. This includes, but may not be limited to, any work that is being proposed within rights-of-way and/or easements within the jurisdiction of the Arkansas Department of Transportation, the Arkansas Natural Resources Commission, the Arkansas Department of Environmental Quality, or the U.S. Army Corps of Engineers. Prior to final approval of this project, please provide a copy of any required Federal, State, and Local permits that are required. Final approval of this project does not waive or exempt any requirements by State or Federal laws.

   - Construct-ability Review – At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.

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

There were none.

Mr. David moved to approve the large scale subject to Staff comments. Mr. Covert seconded the motion.

VOTE:
   YES: Parker, Parsley, Peters, Tyler, Austin, Covert, David Mueller
   NO: None
The large scale was approved by a unanimous vote.

Board of Adjustment

A. B21-06 Allen Hart
   365 Old Wire Road
   Variance for deviation of minimum lot width in an SF-2
   Presented by Allen Hart

Mr. Hart was present to answer any questions or comments. He said that they have a barn structure on their property and they would like to replace it with a new garage and add a guest suite or home office above it. He further stated that to do that they would have to make it a secondary structure. They meet all the requirements for a secondary structure except the minimum lot width.

Ms. Christie said they currently have 95 feet and two lots would have to have 140 feet. She said that it is a really neat structure that they would like to build and Staff recommends approval.

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

There were none.

Mr. Parker called for the vote.

   VOTE:
   YES: Parsley, Peters, Tyler, Austin, Covert, David, Mueller, Parker
   NO: None

The variance was approved by a unanimous vote.

B. B21-10 Karina Garcia Chavez (Gus Roofing)
   4211 Dixie Industrial Avenue
   Variance for deviation of pavement requirement
   Presented by Expedient Civil Engineering

Mr. Jason Ingalls with Expedient Civil Engineering was present via Zoom to answer any questions or comments. The construction manager, Joey Stevens was also present via Zoom. We were unable to hear Mr. Stevens so Mr. Ingalls had to make the presentation.

Mr. Ingalls said that some of the reasons they feel that they don’t need paved parking is that it is a roofing company with backhoes and skitsters and storage of asphalt shingles. He said there is room for three tenants and they could also bring in that type of materials.

Ms. Christie asked what kind of heavy equipment would a roofing company need.

Mr. Ingalls said that they would need skitsters and backhoes and that type of equipment.

It was determined that there would not be equipment with tracking wheels on them.
Mr. Ingalls said that sometimes skitsters have them.

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

There were none.

Mr. Parker said his issue is that there is a roofing company directly across the street and other businesses and they all have paved parking lots.

Mr. Covert concurred with Mr. Parker's assessment.

Mr. Covert called for the vote.

\[ \text{VOTE:} \]
\[ \text{YES: None} \]
\[ \text{NO: Peters, Tyler, Austin, Covert, David, Mueller, Parker, Parsley} \]

The variance was denied by a unanimous vote.

Ms. Christie said that they could appeal the Planning Commission's decision through Circuit Court.

C. B21-13 Juan Araujo
3187 Julio Road
Variance for deviation of the rear setback from 35' to 3'
Presented by Francisca and Juan Araujo

Ms. Francisca and Juan Araujo were present to answer any questions or comments.

Ms. Araujo said they were asking for a 3' variance for the rear setback. She said that they started building a storage unit and was told to stop by buildings.

Ms. Christie asked if they were asking for a variance within 3' feet of the rear setback or from 35' to 32'.

Ms. Araujo said it is from 35' to 3'.

Ms. Christie said that was very close to the rear property line.

Ms. Araujo said they didn't understand the zoning rules. She said they didn't ask for a permit because they didn't know that they were supposed to.

Ms. Christie said that within the last couple of years they have built a porch structure without a permit. She said the Building Inspection that there is an old shed and it needs to be completely removed. There is also an old shed that is missing a roof and is need of repair. The gazebo structure is the most recently built structure and is in the setback and this structure is to be completely removed.
Mr. Stith, with Building Inspection, said the primary issue is there is a five foot fire separation distance and no one is allowed to build within five feet of the property line per the fire code. The building that is built does not meet the closer but there has to be a one hour fire barrier and there is an overhang issue. He further stated that Building and Fire Department would oppose anything less than five feet they would still have to take it down because it is still too close.

It was determined that the porch structure and the gazebo has to be at least five foot.

Mr. Stith said that they would require a permit and they didn’t get one.

Ms. Christie said that according to the letter Staff received from the Building Department in December, there is a shed that is in need of repair and the porch structure to the west has been built without any permits and built in the setbacks. This structure needs to be completely removed and the gazebo structure west of the porch structure is the most recently built structure and is also in the setback and too close to the porch structure. This structure needs to be completely removed. She said that the only thing remaining are the two sheds that were already there.

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

There were none.

Mr. Covert called for the vote.

VOTE:

YES: None
NO: Tyler, Austin, Covert, David, Mueller, Parker, Parsley, Peters

The variance was denied by a unanimous vote.

Ms. Christie said that they could appeal through the Circuit Court.

Planning Director’s Report

Planning Director Report 2-2-21

✓ Council actions in January

- Approved
  - Replat – Lots 1A-2C Har-Ber Meadows PUD Phase XXIII
  - Final Plat – West Elm Estates
  - Replat of Lot Casey’s General Stores Commercial

- Approved Conditional Use for Mobile Vending Unit at 1386 E Emma Avenue

- Approved Rezonings
  - 4.7 acres – County Line Road – A-1 and SF-1 to MF-12
  - 1.01 acres – N 40th Street – A-1 to C-2
4.53 acres – SW corner Don Tyson Blvd/Parkway Circle – A-1 to C-2
7.2 acres – S 56th Street – A-1 to MF-24
Amendment to PUD District or Pure Springdale
901 Young Street – SF-2 to MF-4
7.58 acres – 13000 N Thompson – SF-2 to MF-4
106.7 acres – Hylton Road – A-1 & SF-2 to PUD

- Approved Sidewalk Waiver – Hwy 112 West Elm Estates
- Up held the Planning Commission's denial of the sidewalk waiver Bill Adams - 1000 Lowell Rd & 204 & 206 Sanders Ave
- Vacated utility easement
  - Lot 8 Parson Hills Commercial Subdivision – Casey's
  - Tract at 3306 E Robinson—Casey's

✔ Work Session
  Work Session – February 16th – 5:30 – Comprehensive Land Use Plan and Master Street Plan updates

✔ New iPads have been ordered for Planning Commission members and staff will notify when they are available for pickup

Adjourn

There being no further business the meeting was adjourned at 7:35 p.m.

Kevin Parsley, Chairman

Ben Peters, Secretary

Patsy Christie, Director
Planning and Community Development

Debbie Pounders, Recording Secretary
NOTICE OF PUBLIC HEARING

The Springdale Planning Commission will conduct a public hearing on a proposed amendment to the Springdale Code of Ordinance Chapter 130 Zoning Ordinance to add Article 4 Section 5.5 SEED – Springdale Elective Enhancement District on Tuesday, March 3, 2021 at 5:00 P.M. in the Council Chambers at the City Administration Building, 201 N. Spring, Springdale, Arkansas. All interested persons are cordially invited to attend. A copy of the proposed addition can be obtained through the Planning and Community Development office.

Ben Peters
Secretary
City of Springdale Elective Enhancement District (S.E.E.D)
I. Intent

The purpose of the Springdale Elective Enhancement District is to provide developers and property owners with the tools and creative flexibility found within the Downtown Springdale Form Based Code in areas of the city which are currently regulated under the traditional zoning boundaries. The goal of these elective districts is to provide for creative, high-quality development incorporating:

A. Meeting the growing need for a wide variety of housing options and overall housing affordability within the area.
B. Promoting quality infill which exhibits sustainable construction and excellence through architectural design.
C. Creating cohesive and engaging communities through the use of pedestrian oriented design elements.
D. To unify the outlying neighborhoods of the Downtown Springdale area into the thriving, livable community vision set forth within the Downtown Springdale Form Based Code by establishing a framework for incremental progress towards a comprehensive application of the Code in the outlined areas.
E. Preserving significant aspects of the natural character of the land.
F. Utilizing single or multiple land use activities organized in a comprehensive manner, designed to work together in common and in a synergistic manner to the benefit of both the project and the neighboring area.

II. Application

Applications will be reviewed for staff approval based on the following factors:

A. Evaluation of the existing structures of the area at the block or neighborhood level, specifically in regards to compatibility of typical bulk, form and architectural character.
B. Reference to the existing subdivision plat (if available) for historical context of the area.
C. Ability of the proposed development to function cohesively within the surrounding area or neighborhood to create quality place making based on the proposed building envelope type.
D. Location of the proposed development in relation to nearby amenities such as public parks, schools, and trail systems.

III. Administrative Procedures

Administrative procedures shall be regulated as outlined within (Chapter 1.0) of the Downtown Springdale Form Based code.

IV. Definitions

Definitions are as set forth within Chapter (5.0) of the Downtown Springdale Form Based Code.
Powell Street District

Mill Street District
NOTICE OF PUBLIC HEARING

The Springdale Planning Commission will conduct a public hearing on a proposed amendment to the Springdale Code of Ordinance Chapter 32 Downtown District Form-Based Code to amend Section 1.2 to add property to the Form Based Code District and to amend Section 2.1 Regulating Plan to revise the boundary of the Campus Type 1 Tuesday, March 2, 2021 at 5:00 P.M. in the Council Chambers at the City Administration Building, 201 N. Spring, Springdale, Arkansas. Three (3) copies of the proposed boundary change are available for inspection and view by the public in the office of the City Clerk. All interested persons are cordially invited to attend.

Ben Peters
Secretary
2.0 THE REGULATING PLAN
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: February 2, 2021
Re: R21-04 Rezone

A request by Brian and Melonie Moore Trust for Planning Commission approval of a zone change from Agricultural District (A-1) to Planned Unit Development (PUD) for a tract of land containing 4.95 acres.

LOT LOCATION AND SIZE

The 4.95 acre tract is located at 7655 W. Gibbs Road, west side of Gibbs Road, north of Har-Ber Avenue.

A vicinity map is attached.

EXISTING ZONING

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

Uses permitted: - 1, 6, 7, 8, 29
Conditional Uses Permitted on Appeal: - 2, 3, 4, 5, 9, 14, 17, 23, 28, 30, 33, 36, 37
Temporary Uses – 32, 34

ACCESSORY USES

The following accessory structures and land uses shall be permitted only where clearly incidental to the permitted primary use, except as otherwise permitted herein:
Accessory buildings, including private garages, storage facilities and children’s playhouses.

(2) Private greenhouses.

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

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

AREA REGULATIONS
(1) LOT AREA. There shall be a lot area of not less than two acres for both residential and non-residential use. In addition, there shall be a minimum lot width of not less than two hundred (200) feet on a public street at the front setback line.

(2) DENSITY. One (1) unit per two acres.

(3) FRONT SETBACK. There shall be a front setback having a depth of not less than thirty-five (35) feet. In keeping with the definition of a corner lot, all sides adjacent to streets shall be required to have front setbacks of thirty-five (35) feet.

(4) SIDE SETBACK. There shall be a side setback on each side of the lot having a width of not less than twenty (20) feet.

(5) REAR SETBACK. There shall be a rear setback having a depth of not less than thirty-five (35) feet.

<table>
<thead>
<tr>
<th>Widths</th>
<th>Area</th>
<th>Front</th>
<th>Back</th>
<th>Side</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>200</td>
<td>35</td>
<td>35</td>
<td>20/20</td>
</tr>
<tr>
<td>One Family</td>
<td>2 acre</td>
<td></td>
<td></td>
<td>20</td>
</tr>
</tbody>
</table>

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

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

(1) Facilitate and encourage a maximum of social and community interactions and activity among those who live, shop, play and work there.
(2) Provide open space not only for traditional private use in setbacks and yards surrounding structures, but also conveniently located with respect to points of residential and commercial concentration for the general benefit of the community and public as places for relaxation, recreation and social activity.

(3) Provide a comprehensive, multi-modal circulation system separated from vehicular roadways which links residential, non-residential and open space areas.

(4) Preserve the natural environment by minimizing the grading necessary for construction.

(5) Achieve a maximum of safety, convenience and amenity for both the residents of the PUD and the residents of neighboring areas and assure compatibility with existing and proposed surrounding land uses.

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

Uses permitted: - 1, 4, 8, 9,10, 11, 12, 13, 16, 17, 18, 19,20, 22, 27, 29
Conditional Uses Permitted on Appeal: - 2, 3, 6,7,15, 28

ACCESSORY USES

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

SITE PLAN REVIEW

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

DENSITY, BULK, AREA AND YARD REGULATIONS

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

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

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

OFF-STREET PARKING

See Article 7 of this chapter.

ENCLOSURE OF USES

All commercial uses shall be restricted to closed buildings except parking lots, plant nurseries, temporary farmers markets and craft fairs, promotional events, and normal pump island fuel services. In addition, outdoor display of merchandise is allowed in an area equal to one-half (1/2) of the façade area of the front of the building as long as said display of merchandise is stored inside the building or other completely enclosed structure after normal working hours.
SCREENING AND LANDSCAPING

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

OPEN SPACE

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

SURROUNDING ZONING AND LAND USE

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

LAND USE PLAN AND MASTER STREET PLAN

The adopted Comprehensive Land Use Plan indicates medium density residential.

The Master Street Plan indicates Gibbs 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:

Protect the positive aspects of neighborhood character throughout the City.

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

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

Encourage the development of a variety of housing types appropriate to the size and income of all households living and working in Springdale.
FILE NO. R21-04
APPLICANT: Brian and Melonie Moore
REQUEST: Rezone parcels from A-1 to PUD
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 Brian Moore & Melonie Trust

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

Legal Description:

SURVEY DESCRIPTION PARCEL NO. 815-33683-120:
PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4, N03°08'21"E A DISTANCE OF 659.28 FEET TO A FOUND 5/8 INCH REBAR IN WEST GIBBS ROAD AND THE POINT OF BEGINNING; THENCE LEAVING SAID EAST LINE AND WEST GIBBS ROAD, N86°26'38"W A DISTANCE OF 550.19 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP; THENCE N03°50'22"E A DISTANCE OF 394.00 FEET TO A FOUND 5/8 INCH REBAR; THENCE S86°26'00"E A DISTANCE OF 545.38 FEET TO A POINT ON THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4 IN SAID WEST GIBBS ROAD; THENCE ALONG SAID EAST LINE AND WEST GIBBS ROAD, S03°08'21"W A DISTANCE OF 393.91 FEET TO THE POINT OF BEGINNING, CONTAINING 4.95 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT OF WAY OF WEST GIBBS ROAD ON THE EAST SIDE THEREOF AND ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT.

Layman’s Description:

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

The Petitioner requests the following zoning classification:

FROM (current zoning) A-1

TO (proposed zoning) PUD
The Petitioner’s immediate intentions are to:

1. Sell the property _________ (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 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: No effect is anticipated due to the small size of this development. ____________________________________________________________________________.

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

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

Authorized Representative: Engineering Services, Inc. ________________________________

Address: P.O. Box 282, Springdale, AR 72765 ________________________________

PETITIONER/OWNER SIGNATURE ________________________________

MAILING ADDRESS: C/O P.O. Box 282, Springdale, AR 72765 ________________________________

TELEPHONE: C/O 479-318-7248 ________________________________ DATE: 12/24/2020
VERIFICATION

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

SIGNATURE
(Property Owner)

(Property Owner)

State of Arkansas     )
                     ) ss.
County of Washington )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 14th day of December, 2020.

Notary Public
Memo

To: Planning Commission
From: Staff
Date: March 2, 2021
RE: PP21-01 Preliminary Plat Cadence Crossing

Variance (B21-16) for deviation of PUD size from 10 acres to 5 acres

Planning Comments

1. Is the only proposed landscaping the one tree planting per lot as stated in the preliminary development plan? Will there be landscaping included on the POA lot to enhance the shown greenspace? Is it possible for the shown median to include greenspace for additional landscaping?
2. Final approval of the preliminary plat will be subject to resolution of all drainage items as they relate to Benedetto Subdivision Phase II.
3. Provide colored elevations in pdf format.
4. Provide finalized PUD documents for review.

Engineering Summary

R21-04 Brian & Melanie Moore Trust (Cadence Crossing)
7655 West Gibbs Road
From A-1 to PUD
PP21-01 West side of Gibbs Road, between Har-Ber Ave and Nichols Rd
B21-16 Variance for deviation of PUD size from 10 acres to 5 acres
Presented by Engineering Services, Inc.

Engineering comments:
- Show drainage easement, easements should be filed before final approval
- Detail for street section needs to be revised to show correct sidewalk and greenspace configuration

**Engineering Comments**

1. **Chapter 106 – Stormwater Drainage**
   (Ord. No. 2999, § 1, 6-27-00; Ord. No. 5245, § 1, 1-23-18)

   - **106.1** - The Grading Plan & SWPPP and Specifications shall be prepared by the Engineer of Record, who is a licensed professional engineer of the State of Arkansas.
     - Requires a 1"=200' minimum scale 2-foot contour map.
     - Show existing and proposed contours.
   - **106.1.3.3**
     - Minimum floor elevations for other areas shall be a minimum of 1-foot above the calculated 100-year WSE of open channels, swales, or overland flow. (Show Minimum Finished Floor Elevation [FFE] on proposed structures)

2. **Chapter 106 – Stormwater Drainage**
   - **106.1.2** - Submit a revised drainage report.
   - **106.5.3** - A concrete trickle channel with a minimum width of 4 feet and a minimum slope of 0.40% shall be required for all detention ponds other than permanent lakes
     - Show trickle channel in pond.
   - **106.5.4.10** - “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.
     - Show drainage easement around pond.
     - Show detention pond outlet structure detail.
     - Show 100 year WSE in pond.
   - **Erosion Control Plan:**
     - Show silt fence or wattle around entire perimeter of project.
     - For grated inlets in alley, use geotextile secured underneath the grates to catch sediment but let water run through.

   - **107.3**
     - The site area of disturbance is greater than 0.5 acre. A Grading Permit Application, a SWPPP delineating all anticipated disturbed areas, a plan in those areas to achieve final stabilization (which at minimum must provide 80% grass coverage and 100% stabilization), a Dust Control Plan with appropriate BMPs designed to control dust, and an appropriate fee as shown on the application
must be submitted to the City of Springdale Stormwater Manager for review prior to receiving final plan approval.

- Phasing on larger construction sites 5 acres or more must be utilized to allow only disturbance on near term construction areas. Construction sites requiring cutting and filling must be seeded once the cutting and filling activity is finished.

- 107.3.D.c - A grading and drainage plan is required for all developments showing that each lot drains to the street right-of-way, a dedicated drainage easement with improvements, or an existing drainage way without flowing across a neighboring lot. No drainage from roof drains, landscaping, or lot runoff may be directed or diverted onto neighboring properties.

3. Chapter 110 – Streets, Sidewalks and Other Public Places
(Ord. No. 3258, § 1, 11-12-02)

- 110.31 - Sidewalks are required one-foot (1') inside the right-of-way line.
  - Sidewalks shall be constructed with a minimum transverse slope of one-fourth inch (1/4") per foot.
  - The sidewalk shall have a minimum width of five feet (5') and a minimum thickness of four inches (4").
  - The sidewalk shall have expansion joints at each structure, curb, and at minimum intervals of 200 feet. Transverse joints between expansion joints shall be scored at five-foot (5') intervals.
  - Need to show details of sidewalks on the right-of-way.

- 110.111 - The developer is required to improve the abutting street to the City of Springdale standards and in accordance with the Master Street Plan, including constructing sidewalks, curb and gutter, pave or widen the existing street, or install or construct drainage facilities.
  - At the end of the street where does a vehicle go if both alleys are one way toward the street? Alley should be orientated the opposite direction.
  - R.O.W. for an alley is 30'.
  - Can you flip the sidewalk and green space on the parking side of the street? If the sidewalk remains next to the curb, the sidewalk needs to be 6' wide.
  - Access easement between lots 12 and 13 should extend to the property line or the R.O.W. line.

4. Chapter 112 – Subdivisions
(Code 1973, § 30-1)

- 112.3 (3) - Plans and specifications: After the approval of the preliminary plat but before improvements are started, the subdivider shall submit engineering plans, a final drainage report, and specifications for the streets, grading, and storm drainage improvements including, but not limited to, profiles, specifications, and cross-sections along with grading and storm drainage plans and computations, pursuant to and in compliance with chapter 106, Stormwater Drainage and chapter 107, Physical Alteration of Land, of this Code, as adopted or amended hereafter, to the director of the planning and
community development division for review and written approval prior to commencement of improvements. During the same period, the subdivider shall submit water and sewer plans and specifications to the water and sewer department. No work shall begin without prior approval of the director of the planning and community development division.

- All streets within the subdivision boundaries shall be dedicated and constructed in conformance with the master street plan and chapter 110 of this Code, with right-of-way dedicated when such right-of-way is needed to conform to the master street plan.
  - **Street section doesn’t match what is shown on plat.**

- **112-4** - Streetlights are required at each intersection and along the street at intervals of 300 to 350 feet as measured along the centerline of the street.
  - The minimum initial rating for the streetlight shall be 6,800 lumens for a local street, 11,000 lumens for a collector street, or 20,000 lumens for an arterial street.
  - Label all lights as Proposed or Existing
  - Show the direction of the mast arm
  - Show the size and type of lights based on the location and classification of the street
  - Add note to determine if the light is designed for area parking lot lights or as a street illuminator
  - Include a note stating if the lights are public or private lights and who will be responsible for maintenance and billing
  - Please add a note that the developer coordinates with the local utility provider for streetlight installation.

5. **Chapter 130 – Zoning Ordinance**
   (Ord. No. 3307, 3-25-03)
   - **130.7.6.1** ADA requirements.
     - Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.
       - **This note is left in place throughout the design process to insure that access is maintained.**

6. **Other:**
   - **Permitting** - Some development within the City of Springdale may require additional state or federal permits not administered by the City of Springdale to be granted prior to approval of the project. This includes, but may not be limited to, any work that is being proposed within rights-of-way and/or easements within the jurisdiction of the Arkansas Department of Transportation, the Arkansas Natural Resources Commission, the Arkansas Department of Environmental Quality, or the U.S. Army Corps of Engineers. Prior to final approval of this project, please provide a copy of any required Federal, State, and Local permits that are required. Final approval of this project does not waive or exempt any requirements by State or Federal laws.
- **Construct-ability Review** – At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.
PRELIMINARY PLAT PLANS

FOR

CADENCE CROSSING SUBDIVISION

IN THE CITY OF

SPRINGDALE, ARKANSAS

February 23, 2022

BY

ENGINEERING SERVICES INC.

CONSULTING ENGINEERS
SPRINGDALE, ARKANSAS
PHONE: 479-751-8733
FAX: 479-751-8746
WWW.ENGINEERINGSERVICES.COM
Development Plan for
CADENCE CROSSING P.U.D.
Planned Unit Development
February 17, 2021

NOTE: The approved final development plan shall be binding on all subsequent owners of the land until revised or repealed as authorized in Chapter 130 of the Springdale Code of Ordinances.

General Eligibility and Staging Requirements

1. Location: The intent is to apply the PUD district to the approximately 5.0 acres included in the project, all of which are within the municipal limits of Springdale. The Comprehensive Land Use Plan designates this area for Medium Density Residential.

2. Ownership: The property is owned by the Brian and Melonie Moore Trust, u/t/d March 5, 2010. Warranty deed 2014-14026 establishing current ownership is included in the application materials.

3. Project size: The subject property is 5.0 acres in size. A variance of the required 10 acre minimum size for a PUD is requested.

4. Staging: The 5.0 acres shown in the attached plans represents the entirety of the project. The developer does not anticipate bringing any additional/other properties into the PUD.

Project will be constructed as a single phase.

Developer intends to begin construction as quickly as is practical once construction plans are approved by all appropriate regulatory entities. Anticipated timeframe to complete infrastructure construction is eighteen months from City Council PUD approval.

APPLICATION REVIEW PROCEDURES

1. Three Phases:
   a. A preapplication conference with planning and community development staff. – A pre-application conference has been held with the planning department staff.

   b. The preliminary development plan is submitted for review and approval by the planning department staff along with the preliminary plat, rezoning application, and other supporting materials. Following staff review and revisions, revised application materials will be reviewed and potentially approved by Planning Commission and City
Council.

c. Final development plan approved as a whole or in phases by the planning commission and city council following its review for conformity with the preliminary development plan.

The final development plan shall be approved prior to the issuance of any building permits within any portion of the planned unit development and shall be recorded prior to the issuance of a building permit.

5. Civil Engineer & Land Surveyor: Engineering Services, Inc., 1207 South Old Missouri Road, Springdale, AR 72764, (479) 751-8733, bmurray@engineeringservices.com.

6. Size: Subject property is 5.0 acres in size. Legal description of the property is included below:

SURVEY DESCRIPTION PARCEL NO. 815-33683-120:

PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4, N03°08'21"E A DISTANCE OF 659.28 FEET TO A FOUND 5/8 INCH REBAR IN WEST GIBBS ROAD AND THE POINT OF BEGINNING; THENCE LEAVING SAID EAST LINE AND WEST GIBBS ROAD, N86°26'38"W A DISTANCE OF 550.19 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP; THENCE N03°50'22"E A DISTANCE OF 394.00 FEET TO A FOUND 5/8 INCH REBAR; THENCE S86°26'00"E A DISTANCE OF 545.38 FEET TO A POINT ON THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4 IN SAID WEST GIBBS ROAD; THENCE ALONG SAID EAST LINE AND WEST GIBBS ROAD, S03°08'21"W A DISTANCE OF 393.91 FEET TO THE POINT OF BEGINNING, CONTAINING 4.95 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT OF WAY OF WEST GIBBS ROAD ON THE EAST SIDE THEREOF AND ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT.

7. Project Name: Cadence Crossing Planned Unit Development

8. Site Plan: Drawings are attached illustrating the subdivision layout, typical setbacks, connectivity, green space, and landscaping.

1. Development Strategy – Intent is to develop a 5.0 acre site as a PUD with twenty-six single-family residential lots. The entire subdivision will be residential with no commercial uses proposed or allowed. Developer intends to build and sell or lease homes on all lots. However, developer reserves the right to sell lots as market conditions warrant.

All homes will face either the central primary street or toward Gibbs Road and all will include
rear load garages with driveway access from the alleyways which run along the rear of the lots.

Typical lot size is 35’ wide by 100’-110’ feet long.

2. Permitted Uses: The entire development will be strictly residential in nature. No commercial or industrial uses are proposed or allowed for this development. Specific Use Units allowed in Cadence Crossing PUD are:

   Use Unit 1 – Citywide Public Uses by Right
   Use Unit 4 – Cultural, Recreational, and Health Facilities
   Use Unit 8 – Single Family Dwellings
   Use Unit 9 – Zero Lot Line
   Use Unit 34 – Model Home/Temporary Marketing Office

3. Site Development Requirements

A) Density, Bulk, Area and Yard Regulations

Density – 26 Single Family Lots / 5.0 Acres = 5.2 Units / Acre

Green Space (15% Minimum by City Code)
   1.0 Acres Provided / 5.0 Acres = 20% Provided

Lot size - Single Family Residential: 35' Wide x 100’-110’ Deep Typical

B) Building Setbacks

   Front Setback: 10 Feet
   Side Setback: 10 Feet on One Side and 0 Feet on Other Side
   Rear: 15 Feet
Applicant proposes a Planned Unit Development (PUD) with 26 single family residential lots on 5.0 acres in northwest Springdale. The subject property is 7655 West Gibbs Road, Washington County Parcel 815-33683-120, which is situated along the west side of West Gibbs Road and approximately 600 feet north of Har-Ber Avenue.

This property is designated for Medium Density Residential use on the City’s Comprehensive Land Use Plan.

The intent of the development is to provide twenty-six rear load, single family homes along a central, primary street. The development includes a large open green space area at the south end with parking, a play structure, picnic benches, and barbecue grill.

The project is being proposed as a Planned Unit Development to provide a style of housing not widely available in the area. The lots and houses in this development will be similar to those found along the west end of Har-Ber Meadows PUD between Jones Road and JTL Parkway. These houses feature an attractive streetscape due to the reduced front building setback and absence of front load garages, with utility pedestals, trash collection, and driveways out of sight behind the homes. Developer is seeking to create a similar aesthetic in the proposed development. The proposed PUD will include houses with a single side yard and with rear load garages accessing rear alleyways in a similar configuration to the Har-Ber Meadows houses. The spacing of houses, reduced front yards, and absence of driveways along the primary street will create an inviting space with a strong sense of community. It is difficult to achieve this concept within the City’s standard zoning districts.

It is not anticipated the development will strain public services or infrastructure in the area. This area includes multiple schools, shopping, eating, health care, and other services a short distance from the proposed development. Fire Station 7 is located less than half a mile from the subject property. Har-Ber Avenue, Jones Road, Highway 112, and Highway 412 are all major vehicular corridors near the development. An existing 8” gravity sewer main is located at the southeast corner of the development, and an existing 6” water main runs along the east side of Gibbs Road. Due to the relatively small number of new homes proposed, the abundance of services available in the area, and level of infrastructure present, the proposed development is not anticipated to strain City services or adversely impact surrounding properties.

Proposed building setbacks within the PUD are not typical of standard residential zoning districts in the City. The proposed setbacks will allow the single family homes to be built on the lots as shown in the Preliminary Plat with a single side yard on one side and reduced front yards to emulate the look and feel of the Har-Ber Meadows homes discussed above.

The front building setback is proposed to be ten feet, which is significantly less than the typical Springdale residential setback of thirty feet. However, since the homes all feature rear load garages, one of the primary reasons for needing a large front setback (sufficient driveway length to avoid vehicles in driveways blocking sidewalks/streets) is removed in this development. The
proposed setbacks will still allow for a substantial front yard and landscaping for these units and provide space for water and sewer infrastructure.

Each lot will have a zero foot side setback along one side and a ten foot side setback along the other. The plat will indicate which side of each lot is subject to the ten foot wide side setback. This will allow for homes to be built on the proposed lots with a zero lot line configuration on one side and provide at least a ten foot wide yard on the other side, which is an important element of the overall concept for this development.

Rear setbacks are proposed to be fifteen feet, which is identical to the rear setback for lots 24 through 35 in Har-Ber Meadows, Phase XVIII.

Each home is required to have a rear load garage with capacity for at least two vehicles. Front loading garages or direct driveway access to West Gibbs Road or the central street are prohibited. The covenants will provide requirements regarding any accessory structures to be placed on the lots.

Primary use of the development is single family homes, with no commercial or industrial use units allowed in the development. The following specific use units will be allowed in the development:

Use Unit 1 – Citywide Public Uses by Right
Use Unit 4 – Cultural, Recreational, and Health Facilities
Use Unit 8 – Single Family Dwellings
Use Unit 9 – Zero Lot Line
Use Unit 34 – Model Home/Temporary Marketing Office

Covenants shall specify exterior building material requirements, all of which will be required to be high quality materials. Primary building materials will include brick, stone, manufactured stone, wood, and concrete siding (such as Hardy brand).

Developer intends to build then sell or lease homes on all lots. However, depending on market demand, developer reserves the right to sell lots. Plans and elevations of sample single family homes, which are similar in appearance/materials to the types of homes developer will build in this subdivision are enclosed with this development plan. To facilitate marketing and selling homes, developer may operate a temporary sales office and up to two model homes at a time in the development.

Covenants shall include various provisions to ensure the pleasing appearance of the neighborhood is maintained and which are typical of many developments. These shall include, but not be limited to, requirements related to fences, yard maintenance, and storing trash cans out of sight from the road.

The residents of the PUD will have access to several amenities. The development will have sidewalks along the central street and along Gibbs Road. 20% of the property will be reserved as a large open POA lot with parking, a tot-lot with play structure, picnic benches, and barbecue
An access easement between lots mid-block will allow pedestrians to access the POA lot from the central street without having to walk to the end of the development.

Home builder will be responsible for installation of one tree per lot during house construction. Installation of the tree is a requirement prior to issuance of Certificate of Occupancy. Developer will install trees and landscaping in common areas as shown on landscape plans. Builder and developer shall provide a standard one year warranty for each tree they install. All trees installed by developer and/or home builder shall be one of the following species:

- Allel Elm (Ulmus americana)
- Northern Red Oak (Quercus rubra)
- Shumard Oak (Quercus shumardii)
- Sugar Maples (Acer saccharum)
- Chinese Pistache (Pistacia chinensis)

There are three types of street sections proposed to be constructed in the subdivision.

A) East Section of Street A: The portion of Street A between Gibbs Road and the first intersection with the alleyways has no lots fronting it and includes a median with curb and gutter through the middle of the street. This portion of the street will have a 60’ wide right-of-way and measure 50’ from back of curb to back of curb. Sidewalk will be installed along both sides of the street.

B) West Section of Street A: The portion of Street A between the two intersections with alleyways has lots fronting the street and does not include a median. This portion of the street will have a 51’ wide right-of-way and measure 29’ from back of curb to back of curb. Sidewalk will be installed along both sides of the street.

C) Alley A and Alley B: The proposed alleys will be 15’ wide and have a 20’ wide right-of-way. No curb and gutter or sidewalks are proposed for the alleys.

In addition to the interior streets, the project will also include improving the west side of West Gibbs Road to master street plan requirements. This will include dedicating right-of-way, widening the street, adding curb and gutter, installing sidewalk, and installing drainage improvements where necessary.

Project includes a single street connection to West Gibbs Road.

Signage for the subdivision will consist of a single monument sign at the intersection of Street A with Gibbs Road. The exterior of the sign will be constructed with primarily stone, brick, and/or metal and developer will install landscaping along the sign in accordance with the landscape plan.

Developer intends to begin construction as quickly as possible once the PUD and construction plans are approved. It is anticipated that construction of subdivision infrastructure will be complete within eighteen months of City Council approval of the PUD.
The property is in the A-1 zoning district, as are the adjacent properties to the west, north, and east. The adjacent property to the south is SF-2, and the adjacent property diagonally to the southeast is SF-1.

The proposed development is compatible with existing and future land uses in this area. The development consists of single family residential lots, which is the dominant land use in this area. There are several existing residential developments in the vicinity, most of which are in the SF-2 district. It is compatible with the nearby institutional uses, which include Hellstern Middle School and Har-Ber High School. Other nearby properties that have not been developed and remain in the A-1 district appear to be primarily single family as well.
KNOW ALL MEN BY THE PRESENTS:

WITNESS:

WHEREAS, the undersigned is the owner of all of property referenced in Exhibit A, attached hereto and incorporated herein, which property has been subdivided into the lots of Cadence Crossing Subdivision to the City of Springdale and is reflected upon a plat of said subdivision which plat, on _____________ was recorded and filed in the Plat Records of Washington County, Arkansas, in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, and bears document number __________, and which plat is made a part of this Declaration, by reference, and this Declaration is likewise made a part by reference of said plat; and,

NOW, THEREFORE, the Developer declares that the real property described herein, and the soon-to-be-created lots on such property and in said Cadence Crossing Subdivision, are and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens hereinafter set forth or as hereinafter changed or amended.

ARTICLE I

PROPERTY SUBJECT TO THIS DECLARATION

1.1. The real property which is, and shall be held, transferred, sold, conveyed and occupied subject to this Declaration, is located and situated in Washington County, Arkansas, and which subdivision is located on the following lands, to-wit:

SEE EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN.

ARTICLE II

DEFINITIONS

2.1. The following terms as used in this Declaration of Covenants of Assurance and Restrictions are defined as follows:

a. "Declaration" means this Declaration of Covenants of Assurance and Restrictions for Cadence Crossing Subdivision to the City of Springdale, Arkansas.

b. "Property" means the Cadence Crossing Subdivision to the City of Springdale, Arkansas, as the same may be shown on the plat referenced hereinafter and recorded in Washington County, Arkansas.
c. "Lot" means any numbered Lot designated on the Plat of the property, except as may be herein excepted.

d. "Plat" means the map of the plat of Cadence Crossing Subdivision to the City of Springdale, Arkansas, as it is recorded.

e. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any lot subject to this Declaration, except that such term shall not mean Developer regardless of whether Developer has a fee simple interest in any lot.

f. "Developer" shall mean and refer to Chancad, LLC.

g. "Subdivision" shall mean Cadence Crossing Subdivision to the City of Springdale, Arkansas, as per plat on file in the office of the Circuit Clerk, and Ex-Officio Recorder of Washington County, Arkansas.

h. "Association" shall mean and refer to Cadence Crossing Homeowners Association, organized and existing pursuant to the laws of the State of Arkansas.

i. "Common Properties" shall mean and refer to those real properties owned by or hereafter acquired by the Association including, but not limited to, any Detention Basins, as the same are shown on the Plat. Common properties are intended to be devoted to the common use and enjoyment of owners of the properties. The Association shall maintain all Common Properties.

j. “ARC” shall mean and refer to the Architectural Review Committee as established and maintained by the Association. Initially, the ARC shall consist of members of Chancad, LLC, who shall serve until their resignation. Should anyone from Chancad, LLC resign, the person to replace them shall be determined by a majority vote of Lot Owners with Developer having votes as provided in Section 3.18. The Association may change the number and composition of the ARC by a majority vote of Lot Owners with Developer having votes as provided in Section 3.18.

ARTICLE III

RESTRICTIONS ON RESIDENTIAL LOTS

3.1. Fences: Only fences constructed of wood or wrought iron may be installed. There shall be no other fences allowed. In no event shall any fence be built which would detract from the appearance or obstruct visibility of the entry signs to the Property. All privacy fences
shall be constructed so that the framing shall be toward the inside of the Owner's Lot and shall be
constructed at a height of six (6) feet to maintain uniformity. Any fence, once constructed, must
be maintained by the property owner who had it constructed or their successor-in-interest.

3.2. **Nuisances:** No noxious or offensive activities or nuisances shall be permitted
on any Lot or Parcel.

3.3. **Signs:** No person shall erect or maintain upon any Lot, or improvement thereto,
any sign or advertisement, except a real estate sign when the property is listed for sale, provided,
however, that this restriction shall not apply to Developer during development and construction
of the Subdivision.

3.4. **Animals:** No animals shall be kept or maintained on any Lot except the usual
household pets which shall be kept reasonably confined so as not to become a nuisance and all
Owners shall comply with applicable laws, ordinances and regulations concerning animals.

3.5. **Garbage and Refuse Disposal:** No Owner shall accumulate on his or her Lot
litter, refuse or garbage, except in approved receptacles. All Owners shall be required to have a
mandatory trash pick up as provided or required by the City of Springdale, Arkansas.

3.6. **Limited Access:** There shall be no access to any Lot on the perimeter except
from designated streets or roads within the Subdivision.

3.7. **Drilling and Mining:** No drilling, refining, quarrying or mining operations of any
kind shall be permitted on any Lot.

3.8. **Communication Towers and Satellite Dishes:** No communications mast,
tower, or structure may be installed on any Lot, except that satellite dishes may be installed only
on the rear roof of a dwelling and shall not exceed the height of the lowest roof ridge line of such
dwelling.

3.9. **Parking on the Streets:** Parking on the street is allowed, but only on one
side, as indicated on the Plat. No semi-trailer trucks or commercial vehicles shall be allowed to
park in the Subdivision, either on the streets or on the Lots, provided, however, that this
restriction shall not apply to Developer during construction and development of the Subdivision.
No vehicles may be parked in front yard at any time.

3.10. **Recreational Vehicles and Boats:** Recreational and camping vehicles, trailers
and boats may not be stored or parked on the Lots.

3.11. **Minimum Square Footage:** All Dwellings in the Subdivision shall have a
minimum of eight hundred (800) square feet of heated area on the first floor, and thirteen
hundred (1300) square feet overall, for all floors. The minimum square footage requirements is
exclusive of garages, porches, patios and decks. Irrespective of other provisions regarding
amendments of these covenants, the minimum square footage requirements cannot be amended
except with the express approval of the Developer and the City of Springdale.
3.12. **Restriction of Type of Dwelling:** There shall be no Dwellings erected on any Lot other than a detached single family dwelling having an enclosed garage.

3.13. **Approval of Plans by ARC:** All plans for improvements to be constructed on each Lot shall be first submitted for review and approval by the ARC. Approval by the ARC must be obtained in writing before construction of any improvement on any Lot begins and any variances to the improvement initially approved must be authorized in writing by the chairman of the ARC. Developer is exempt from this requirement to obtain written approval from the ARC.

3.14. **Exterior of Dwellings:** All exterior walls of all Dwellings erected on the Lots shall be finished with high quality materials. Primary building materials will include brick, stone, manufactured stone, wood, and concrete siding (such as Hardy brand). Soffits and fascia may be covered with steel, aluminum or concrete composition materials. All roof pitches shall be a minimum of 6/12 pitch. No metal roofs shall be permitted. Roofs shall be covered with shingles using architectural composition or better.

3.15. **Lot maintenance and sod:** All Lots shall be maintained, mowed and kept free of noxious weeds whether they be improved or unimproved. Further, upon construction of a dwelling, the Owner shall sod the entire Lot, provided, however, that this section shall not apply to Developer during construction and development of the Subdivision. If Owner allows grass to grow such that it is more than 4 inches high, Developer or Association, shall have the right, but not the obligation, to have it mowed without giving notice to the Owner and shall charge Seventy Five Dollars ($75.00) or the amount it costs Developer or Association to have it mowed, whichever is greater.

3.16. **Platted easements:** All Lots are subject to easements that are shown on the Plat, including, but not limited to, easements for fences and entry signs.

3.17. **Covenants to Run with the Land:** All covenants and restrictions set forth in this Declaration are to run with the land and shall be binding on all parties, their successors, heirs and assigns, for a period of thirty (30) years from the date this Declaration is recorded; provided, however, that any time after the date this Declaration is recorded, the covenants and restrictions may be amended at any time by the record owners of at least sixty (60) percent of the total Lots in the Subdivision. The Developer shall have four (4) votes per Lot which Developer owns. All other Lot owners shall have one (1) vote per Lot. Such amendments shall be made and executed by said record owners so as to be recorded with the registrar of deeds of Washington County, Arkansas. Any such amendments must be approved by the City of Springdale.

Provided, further, that after the expiration of the thirty (30) year period set forth above and any time within six (6) months from said expiration, a majority of the Lots, through their record owners, may express their intention, in writing, so drafted and executed as to be recorded with the registrar of deeds in Washington County, Arkansas, that they no longer care for the covenants, and the same shall then be terminated. Termination of covenants requires approval by the City of Springdale. In the event that no action is taken within the prescribed time, this Declaration shall continue for additional periods of ten years, and for any such ten year period, said covenants may be terminated in accordance with the terms for the original termination.

It is further provided that this Declaration may be amended after its execution, either by
adding to or taking from said Declaration in their present form, providing that said amendment or amendments shall be incorporated in a written instrument executed by no less than a majority of the Lots, through their record owners, and which instrument shall be capable of being recorded as above referred to under the same terms and conditions thereof. Any amendment to this Declaration requires approval by City of Springdale.

3.18. **Sex Offender Restriction:** No person who is required to register as a sex offender pursuant to the Sex Offender Registration Act of 1997, Arkansas Code Ann. §§12-12-901, et seq., as amended from time to time or any other similar federal, state or local law, regulation, or ordinance may rent, reside in, own or occupy any Lot or Dwelling in the subdivision either permanently or temporarily.

**ARTICLE IV**

**HOMEOWNERS ASSOCIATION AND COVENANT AND PLAN FOR MAINTENANCE AND OTHER ASSESSMENTS**

4.1. **Homeowners Association:** Cadence Crossing Homeowners Association (referred to herein as "Association") has been or will be formed as an unincorporated association. All Lot Owners must be members of the Association and each shall automatically become a member of the Association upon the conveyance of a lot to him or her. The Association shall be governed by By-Laws accepted and approved by the Association.

All association memberships will pass with Lot ownership in the Subdivision. All Lots will carry one (1) vote in the Association, except that the Developer shall have four (4) votes per Lot which Developer owns.

4.2. **Creation of Lien:** Each Owner of any Lot of the Subdivision, by acceptance of a deed therefore, whether or not it shall be so expressed in any such deed, contract of purchase, or other conveyance, shall be deemed to covenant and agree to pay to the Association: (1) Annual assessments or charges; (2) special assessments for capital improvements and other
purposes, such assessments to be fixed, established and corrected from time to time as hereinafter provided. The annual and special assessments, together with such interest thereon and costs of collection thereof as hereinafter provided, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. In no event shall an annual or special assessment be applicable at any time to any lot owned by the Developer and the Developer shall not be obligated to pay any annual or special assessment.

4.3. **Purpose of Assessments:** The assessments levied pursuant hereto by the Association shall be used for the purposes of acquisition, improvement and maintenance of the Common Properties, services and facilities devoted to this purpose and related to the use and enjoyment of the common properties, insurance thereon, and repair, replacement, and modifications thereto, and for the cost of labor, equipment, materials, management and supervision thereof. In addition, assessments may also be used for expenses related to the necessary and reasonable operation of the Association, including, but not limited to, collection of assessments and related costs and enforcement of the covenants and restrictions of the Subdivision.

4.4. **Basis and Maximum of Annual Assessments:** The annual assessment for each lot shall be $50.00. An Owner's first such assessment shall be prorated and paid to the Association at closing according to time of conveyance of a Lot to the Owner. The annual assessment may be increased, as hereinafter provided, by a majority vote of the votes entitled to be cast by the members of the Association for the next succeeding "assessment year" (beginning January 1) and at the end of each such period of one year for each succeeding period of one year. At no time shall the annual assessment per lot be increased more than twenty-five percent (25%) above the prior year's annual assessment. Said annual assessment shall be payable in advance on the 1st day of January each year. The Board of Directors may, after consideration of current maintenance costs and future needs of the Association, fix the actual assessment for any year at a lesser amount.

4.5. **Special Assessments for Capital Improvements:** In addition to the annual assessments authorized hereinabove, the Association may levy in any assessment year a special assessment, applicable to that year only, for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, unexpected repair or replacement of a described capital improvement upon the common properties, including the necessary fixtures and personal property related thereto, provided that any such assessment shall have the assent of 2/3 of the votes entitled to be cast by members of the Association who are voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be mailed to all members at the last known address of each member at least fifteen (15) days in advance and shall set forth the purpose of the meeting.

4.6. **Change in Basis of Maximum of Annual Assessments:** Subject to the limitations of other sections of this Article, and for the purposes therein specified, the Association may change the maximum and basis of the assessments fixed by this Article prospectively for any such period, provided that any such change shall have the assent of 2/3 of the votes entitled to be cast by members who are voting in person or by proxy, at a meeting duly called for this purpose, where a quorum is present, written notice of which shall be mailed to all members at the last known mailing address of each voting member at least fifteen (15) days in
advance and shall set forth the purpose of the meeting.

4.7. **Quorum for any Action Authorized Under This Article:** The quorum of any action authorized by this Article, the presence at the meeting of members, or of proxies, entitled to cast fifty percent (50%) of all votes of the membership shall constitute a quorum. If the required quorum is not forthcoming at any meeting, another meeting may be called, subject to the notice requirement set forth in this Article.

4.8. **Late Payment of Assessments:** As hereinabove provided, each annual assessment shall be due and payable on the 1st day of January of each year. In the event of default as to any payment (annual or special), and if the default is not remedied within ninety (90) days, the Association shall have the option of taking such action as permitted by law or equity and by this Declaration and the By-laws of the Association. An additional late charge of ten percent (10%) shall be assessed on any payment which is more than ninety (90) days delinquent. Costs of collection of the assessment, including reasonable attorney's fees therefor, shall also be assessed.

The due date of any special assessment under this Article shall be fixed in the resolution of the members of the Association authorizing such assessments, with the same option on the part of the Association in the event of default.

4.9. **Duties of the Board of Directors:** In addition to the other duties of the Board of Directors as may be set forth herein or in the By-laws of the Association, the said Board of Directors shall fix the date of any special assessment against each lot for any special assessment period at least thirty (30) days in advance of such special assessment, written notice of the special assessment shall thereupon be sent to every member subject thereto at the last known mailing address of such member.

The Secretary of the Association, upon demand at any reasonable time, shall furnish to any member liable for said assessment a certificate in writing signed by an officer of the Association, setting forth whether said assessments have been paid. Such certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid.

4.10. **Effect of Non-Payment of Assessment and the Lien Remedies of the Association:** If the assessments (annual or special) are not paid on the date when due, then such assessment shall be come delinquent as provided in this Article and shall, together with such interest, late charges thereon and costs of collection thereof as herein provided, thereupon become a continuing lien on the lot which shall bind such lot in the hands of the then owner, its successors, heirs, devisees, personal representatives and assigns. If the assessment is not paid as provided herein, it shall bear interest from date of delinquency at the maximum rate of interest allowed by law, not to exceed ten percent (10%) per annum, and the Association may foreclose the lien against said lot, and there shall be added to the amount of such assessment the cost of attorney fees in connection with any court proceedings arising therefrom, together with all court costs, late charges and expenses incurred by the Association.

4.11. **Subordination of the Lien or Mortgages:** The lien of the assessments provided for herein shall be subordinate to the lien of any first mortgage or first deed of trust now or
hereafter placed upon the lots subject to assessment; provided however, that such subordination shall apply only to the assessments which have become due and payable prior to a sale or transfer of such lot pursuant to a Decree of Foreclosure, or any other proceeding in lieu of foreclosure. Such sale or transfer shall not relieve such lot from liability for any assessments thereafter becoming due, nor from the lien of any such subsequent assessment.

4.12. Suspension of Rights of Membership: Prior to the foreclosure of any lien upon any lot subject to this Declaration, the Board of Directors of the Association may elect to suspend all membership rights of any member or members of the Association who are delinquent in any payment due to the Association for more than thirty (30) days, with such suspension to continue for so long as any such delinquency exists. Further, the Board of Directors may suspend membership rights for a period not to exceed thirty (30) days for the infraction of any rules or regulations by the member, family of the member or guest of the member, relating to the use of any of the common properties. Suspension of membership rights shall be effective from the date that notice of suspension is mailed to the member via U.S. Certified mail, return receipt requested, postage prepaid, to the last known address of the said member.

4.13. Cancellation and Hearing: The said Board of Directors may elect to permanently cancel the membership and all membership rights of any member who is delinquent in any payment due to the Association for more than ninety (90) days or when such member, family of the member, or guest of the member are guilty of repeated or flagrant violation(s) after a hearing conducted by said Board of Directors, which notice of such hearing mailed to such member at least thirty (30) days in advance of said hearing date, and further provided that such member may appeal any such decision of said Board of Directors to the membership of the Association by such affected member calling a special meeting of the membership of the Association by notice mailed to each member at least ten (10) days in advance of the desired special meeting date, and said notice setting forth the time, date, place and purpose of said meeting. A majority vote of the votes entitled to be cast by the members of the Association attending such special meeting shall be necessary to override the decision of the Board of Directors, and all votes shall be by secret ballot. Notice shall be mailed by the member via U.S. Certified mail, postage prepaid, return receipt requested.

4.14 Detention Ponds: The Association shall have the responsibility of maintaining any Detention Ponds situated on the Common Properties and shall use assessments as provided in this Article IV for such purpose.

ARTICLE V

PROPERTY RIGHTS OF THE COMMON PROPERTIES

51. Members’ Easement for Enjoyment: Subject to the provision of this article and related provisions set forth elsewhere herein, every member shall have a right of enjoyment in and to the Common Properties, subject to the rules and regulations governing such use as promulgated, from time to time, by the Association. Such right and easement shall be appurtenant to and shall pass with the conveyance of title to every lot.

52.Extent of Members’ Rights of Enjoyment: The rights of easements of
enjoyment created hereby shall be subject to the following:

a. The right of the Association to borrow money for the purpose of acquiring, constructing, improving and maintaining the common properties and in aid thereof to mortgage said properties or execute a deed of trust or other instrument covering said properties. In the event of default upon any such mortgage, the lender shall have a right, after taking possession of such properties, to charge service or use charges, admission and other fees as a condition to continued enjoyment by the members, and if necessary to have other relief as permitted by law; and,

b. The right of the Association to take such steps as are reasonably necessary to protect the above-described properties against foreclosure; and,

c. The right of the Association to suspend or permanently cancel the rights of any member and membership in the Association; and,

d. The right of the Association to charge reasonable service or use charges, admission and other fees for the use, service and enjoyment of the common properties; and,

e. The right of the Association to limit the number of members per lot who may be entitled to the benefit of the easement of enjoyment as to the common properties by reason of ownership of a lot; and

f. The right of individual members to have exclusive use of any of the common properties as from time to time may be granted by the Board or its designate;

g. The right of the Association to pass and enforce rules and regulations related to use, control and maintenance of the common properties and the areas situate thereon.

ARTICLE VI

MISCELLANEOUS

6.1 Violations: If the parties hereto, or their heirs, successors or assigns or any other person shall violate or attempt to violate any of the covenants or restrictions herein while said covenants or restrictions are still in force, it shall be lawful for any person or persons owning any interest in any Lot or Lots in the Subdivision, as well as the Association, to prosecute any violation or attempted violation of any such covenant or restriction, either to prevent the person from doing so or to recover damages or other penalties and costs, including reasonable attorney's fees for such violation.

6.2 Notices: Any notice required to be sent to any Owner under the provisions
of this Declaration shall be deemed to have been properly sent when mailed, postpaid, to the last known address of the person who appears as Owner on the records of the Association at the time of such mailing.

6.3 Severance: Invalidation of any one of these covenants by judgment or court order shall, in no way, affect any other provisions herein contained.

6.4 Waiver: Failure of any of the parties, their heirs, successors or assigns, to exercise any of the options contained herein upon breach by the other party, its heirs, successors or assigns, subject to this Declaration, shall not constitute a waiver of that party's right to exercise such option upon future breach.

6.5 Any changes to these covenants shall require City Council approval.

IN WITNESS WHEREOF, the undersigned has set its hand and seal this ____________ day of __________________, 2021.

DEVELOPER:

____________________________________

By: __________________________________

__________________________, Member

ACKNOWLEDGMENT

STATE OF ARKANSAS  )
) ss.
COUNTY OF WASHINGTON  )

10
BE IT REMEMBERED, That on this day came before the undersigned, a Notary Public within and for the County aforesaid, duly commissioned and acting, appeared in person the within named________________________, to me personally known, who stated that he was a Member of __________________________, an Arkansas limited liability company, and was duly authorized in such capacity to execute the foregoing instrument for and in the name and behalf of said company, and further stated and acknowledged that he had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

Witness my hand and seal as such Notary Public this______ day of April, 2020.

My Commission Expires: __________________________

________________________________
Notary Public
SURVEY DESCRIPTION PARCEL NO. 815-33683-120:
PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4, N03°08’21”E A DISTANCE OF 659.28 FEET TO A FOUND 5/8 INCH REBAR IN WEST GIBBS ROAD AND THE POINT OF BEGINNING; THENCE LEAVING SAID EAST LINE AND WEST GIBBS ROAD, N86°26’38”W A DISTANCE OF 550.19 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP; THENCE N03°50’22”E A DISTANCE OF 394.00 FEET TO A FOUND 5/8 INCH REBAR; THENCE S86°26’00”E A DISTANCE OF 545.38 FEET TO A POINT ON THE EAST LINE OF SAID NW 1/4 OF THE SE 1/4 IN SAID WEST GIBBS ROAD; THENCE ALONG SAID EAST LINE AND WEST GIBBS ROAD, S03°08’21”W A DISTANCE OF 393.91 FEET TO THE POINT OF BEGINNING, CONTAINING 4.95 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT OF WAY OF WEST GIBBS ROAD ON THE EAST SIDE THEREOF AND ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT.
From: Trey Bergeret <tjbergeret@aep.com>
Sent: Thursday, February 18, 2021 4:01 PM
To: Blake Murray <bmurray@engineeringservices.com>
Cc: Brian Moore <bmoore@engineeringservices.com>; Jason Appel <jappel@engineeringservices.com>; Richard C Sauceda <rsauceda@aep.com>; Ronald Bertram <rrbertram@aep.com>
Subject: FW: 20975 - Cadence Crossing Plat.pdf

Blake,

Your proposed plans provided to AEP / SWEPCO on February 16, 2021 (see attached) have been approved based on the following provisions:

1. Land Owner & Developer understand that any metallic structure located within the AEP / SWEPCO Transmission ROW may be subject to the effects of induced voltage and they accept liability for any issues that may result.
2. Land Owner & Developer agree that AEP / SWEPCO will have permanent unrestricted access to its transmission facilities. At no time will anything located within the Easement restrict that access.
3. Land Owner & Developer agree that if AEP / SWEPCO determines that any improvements or facilities located within the ROW pose a risk to public safety, the reliability of AEP / SWEPCO transmission facilities, or AEP / SWEPCO’s ability to safely access those facilities, the Land Owner & Developer will remedy the situation within 10 days.

Thanks for working with us on your plans. We wish you the best with your impending development. Stay safe and warm!
Good Afternoon Trey,

Please see attached for the revised plans. We have removed the pavilion altogether, and relocated the playground to be on the farthest edge of your easement. Additionally, we have revised the pond so that you are able to have access on the south side of the lot.

Do you have time to discuss this afternoon?

Thanks!

Blake Murray, P.E., C.F.M.
Engineering Services, Inc.
Office: (903) 793-7597
Cell: (479) 318-7248
www.engineeringservices.com

From: Trey Bergeret <tbergeret@aep.com>
Sent: Wednesday, February 10, 2021 9:31 AM
To: Blake Murray <bmurray@engineeringservices.com>; Ronald Bertram <rrbertram@aep.com>
Cc: Brian Moore <bmoore@engineeringservices.com>; Jason Appel <jappel@engineeringservices.com>; Richard C Sauced <rsauceda@aep.com>
Subject: RE: 20975 - Cadence Crossing Plat.pdf

Blake,

Our engineering team has reviewed your plans and here’s what we need:

- The pavilion and playground need to be moved to the far edges of our right-of-way. We would prefer that these items be completely outside of the right-of-way. This is because of safety concerns we have about them. These items also need to be less than 14 feet tall in overall height. Again, this is for safety reasons.
- The proposed pond covers the entire width of our right-of-way, which isn’t ideal. While this is an acceptable use of our right-of-way, it creates access issues for us. We will need you to provide us with an alternate route through the property to get to our line in case repairs or emergency work is needed. Access will be need to the line on both sides of the pond. If there’s a way to shift the pond or reshape it in order to give us a 25 foot access path along one side of it, that would be best.

Please let me know if you have any additional questions. At this point, we are not able to provide you with the approval you’re seeking until these issues are resolved. Thanks.
From: Blake Murray <bmurray@engineeringservices.com>
Sent: Thursday, January 28, 2021 11:45 AM
To: Trey Bergeret <tbergeret@aep.com>; Ronald Bertram <rrbertram@aep.com>
Cc: Brian Moore <bmoore@engineeringservices.com>; Jason Appel <jappel@engineeringservices.com>
Subject: [EXTERNAL] RE: 20975 - Cadence Crossing Plat.pdf

This is an EXTERNAL email. STOP. THINK before you CLICK links or OPEN attachments. If suspicious please click the 'Report to Incidents' button in Outlook or forward to incidents@aep.com from a mobile device.

Trey,

Thank you for the quick response on this. I am available anytime from 1-5 this afternoon, should you or Engineering wish to discuss further over the phone.

1. We are happy to move the pavilion and playground/tot lot around to achieve maximum distance away from power poles, or in such a way that they are not directly under your overhead lines.
2. As for the pond, we are approximately 275 feet away from the nearest pole with the detention pond.

What we are after with regards to these items is a letter stating the SWEPCO is okay with these items in their easements, but that SWEPCO reserves the right to continue coordination with the Project Engineer on the exact location of amenities/pond within their easement during the construction plan process.

Thanks,

Blake Murray, P.E., C.F.M.
Engineering Services, Inc.
Office: (903) 793-7597
Cell: (479) 318-7248
www.engineeringservices.com

From: Trey Bergeret <tbergeret@aep.com>
Sent: Thursday, January 28, 2021 11:40 AM
To: Ronald Bertram <rrbertram@aep.com>
Cc: Blake Murray <bmurray@engineeringservices.com>
Subject: RE: 20975 - Cadence Crossing Plat.pdf

Thanks for passing this along Ron. I’m going to also forward it to T-Line Engineering.

I also see a pavilion and playground inside of our easement. These are not compatible uses and cause me concern.

We will review and get back with you. Thanks.
From: Ronald Bertram <rrbertram@aep.com>
Sent: Thursday, January 28, 2021 11:27 AM
To: Trey Bergeret <tbergeret@aep.com>
Cc: Blake Murray <bmurray@engineeringservices.com>
Subject: FW: 20975 - Cadence Crossing Plat.pdf

Trey,

Please take a look at this plat that shows a proposed detention pond under the transmission line north of HarBer Ave in Springdale, AR.

Please respond to Blake and the contact below.

Thanks,
Ron

Blake, Trey's number is 918-599-2581

From: Blake Murray <bmurray@engineeringservices.com>
Sent: Thursday, January 28, 2021 11:17 AM
To: Ronald Bertram <rrbertram@aep.com>
Subject: [EXTERNAL] 20975 - Cadence Crossing Plat.pdf

This is an EXTERNAL email. STOP, THINK before you CLICK links or OPEN attachments. If suspicious please click the 'Report to Incidents' button in Outlook or forward to incidents@aep.com from a mobile device.

Blake Murray, P.E., C.F.M.
Engineering Services, Inc.
Phone: (479) 318-7248
www.engineeringservices.com
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant’s Name:        Brian and Melonie Moore Trust, u/t/d March 5, 2010

Applicant’s Mailing Address:

P.O. Box 282
Street Address or P.O. Box
Springdale, AR 72765
City, State & Zip Code

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

Brian and Melonie Moore Trust, u/t/d March 5, 2010

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

6033 Nancy’s Vista Terrace
Street Address or P.O. Box
Springdale, AR 72762
City, State & Zip Code

Address of Variance Request: 7655 West Gibbs Road – Parcel No. 815-33683-120

Zoning District: Current: A-1 – Agricultural District    Proposed: PUD – Planned Unit Development

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: [X] 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: [X] 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.

Applicant requests a variance requirement in Chapter 130, Article 6, Section 5.1, Item 3, that a minimum of 10 acres is required for a Planned Unit Development to allow proposed PUD on approximately 5.0 acre tract.

The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board's opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds ALL of the following:
*The Applicant must respond to items 1, 2, and 3.*

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

   The proposed concept for this development would be extremely difficult to achieve through rezoning to a conventional zoning district. Property being developed is smaller than required for PUD. In all other respects the proposed development is in line with PUD requirements and will be an attractive, valuable addition to this portion of the City.

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):

   Applicant has owned the property for several years and has not altered the size or shape of the property subsequent to purchasing it.
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  ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 13th day of January, 2021.

Notary Public
FILE NO. R21-10
APPLICANT: Chad Reed
REQUEST: Rezone - MF-12 to C-2
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 (Signature)

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

Legal Description:

560 W. County Line Road, Springdale, AR, 72764
Part of parcel 21-00205-000 (3.02 acres)

See following page.

Layman's Description:

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

1. The Petitioner is the record title holder of the above described property evidenced by the attached copy of a **Warranty Deed** as Exhibit A.

2. A **scaled drawing** showing accurate dimensions, lot lines, surrounding zoning, adjacent owners, north arrow and graphic scale is attached as Exhibit B.

3. The names and address of all adjacent owners of the above described property **certified by a licensed abstractor or licensed land surveyor** within the past sixty (60) days are attached as evidenced by Exhibit C.

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

**FROM** (current zoning) **MF-12**

**TO** (proposed zoning) **L-2**
The Petitioner's immediate intentions are to:

1. **Sell** the property [N or Y] (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 [N or Y] (Yes or No).

2. **Develop** the property [Y or N] (Yes or No), and if so, the proposed use is:

   Fenced boat/ RV parking and single-story storage units.

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: [N or Y] ____________________________

   ____________________________

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: [N or Y] ____________________________

Address: [N or Y] ____________________________

PETITIONER/OWNER SIGNATURE ____________________________

MAILING ADDRESS: 2202 E Elaine Ave, Fayetteville, AR 72703

TELEPHONE: 573.429.6902 DATE: 2/13/21
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)

[Signature]
(Property Owner)

State of Arkansas  
) ss.
County of Washington  
)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 3rd day of February, 2021.

[Notary Stamp]
[Notary Signature]
Notary Public
Memo

To: PLANNING COMMISSION MEMBERS

From: Patsy Christie, Planning Director

Date: March 2, 2021

Re: R21-11 Rezone

A request by Luke Hammond for Planning Commission approval of a zone change from Agricultural District (A-1) to Thoroughfare Commercial District (C-5) for a tract of land containing 2.5 acres.

LOT LOCATION AND SIZE
The 2.5 acre tract is located at 3444 Wagon Wheel Road, north side of Wagon Wheel Road, east of Acuff Drive.

A vicinity map is attached.

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

Uses permitted: - 1, 6, 7, 8, 29
Conditional Uses Permitted on Appeal: - 2, 3, 4, 5, 9, 14, 17, 23, 28, 30, 33, 36, 37
Temporary Uses – 32, 34

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

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

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

AREA REGULATIONS
(1) LOT AREA. There shall be a lot area of not less than two acres for both residential and non-residential use. In addition, there shall be a minimum lot width of not less than two hundred (200) feet on a public street at the front setback line.

(2) DENSITY. One (1) unit per two acres.

(3) FRONT SETBACK. There shall be a front setback having a depth of not less than thirty-five (35) feet. In keeping with the definition of a corner lot, all sides adjacent to streets shall be required to have front setbacks of thirty-five (35) feet.

(4) SIDE SETBACK. There shall be a side setback on each side of the lot having a width of not less than twenty (20) feet.

(5) REAR SETBACK. There shall be a rear setback having a depth of not less than thirty-five (35) feet.

<table>
<thead>
<tr>
<th>LOT MINIMUMS</th>
<th>SETBACKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Widths</td>
<td>Area</td>
</tr>
<tr>
<td>One Family</td>
<td>200</td>
</tr>
</tbody>
</table>

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 center since they tend to obstruct and interfere with pedestrian movement. Appropriate locations for this district are along heavily traveled major traffic arterials.

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

DEVELOPMENT CRITERIA
i. All yards unoccupied by buildings or merchandise or used as traffic ways shall be landscaped with grass and shrubs and maintained in an orderly condition.

ii. All of the lot used for the parking of vehicles, for the storage and display of merchandise shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.
iii. All servicing of vehicles and assembly of equipment carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.

iv. No article or material stored or offered for sale in connection with the permitted or conditional uses listed herein shall be stored or displayed outside the confines of the building unless it is so screened by a permanent opaque screening fence or wall so that is cannot be seen from an adjoining lot. The following screening and display criteria shall apply to uses located in the C-5 open display district:
   b. Automobile, truck, tractor, mobile home, boat or motorcycle sales areas are not required to screen fully assembled merchandise that is ready for sale.
   c. No permanent open display will be permitted on sidewalks, or public right-of-way.
   d. Automobile service stations shall be permitted open display of merchandise commonly sold by such operations as long as the area of said display is not taller than the building nor larger than an area equal to one-half of the façade areas of the front of the building.
   e. Automobile service stations may be used for the storage of rental trucks or trailers, provided, however, the storage space shall be paved, shall not exceed four thousand (4,000) square feet in area and the above screening requirements are met.

i. There shall be no open display of any kind whatsoever in the first twenty (20) feet of the required front yard setback.

ACCESSORY USES
See Article 6 Section 3.1 of this chapter.

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

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

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

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

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

OFF-STREET PARKING
See Article 7 of this chapter.

SURROUNDING ZONING AND LAND USE
Zoning of the surrounded area is shown on the attached map. The tract contains a single family dwelling. The area to the north and east is undeveloped in an A-1 zoning. The area to the south contains a mixture of commercial and residential uses in A-1. The area to the west contains a residential dwelling and a commercial use in a C-2 zoning.

LAND USE PLAN AND MASTER STREET PLAN
The adopted Comprehensive Land Use Plan indicates commercial.

The Master Street Plan indicates Wagon Wheel Road as a principal arterial.

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

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

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

Encourage the development of a wide range of commercial development for the residents and tourist to include neighborhood, community and regional centers.
FILE NO. R21-11
APPLICANT: Luke Hammond
REQUEST: Rezone - A-1 to C-5
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

Luke Hammond

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

Legal Description:
Apart of the East 1/2 of the Southeast 1/4 of the Southwest 1/4 of section 15, Township 18 North, Range 30 West; Beginning at the Southwest Corner of said Half, Quarter, Quarter Section; running thence North upon and along the West Line of said Half, Quarter, Quarter Section a distance of 364.0 feet; running thence East parallel with the South Line of said Half, Quarter, Quarter Section a distance of 300.0 feet thence South parallel, with the West Line of said Half, Quarter, Quarter Section a distance of 364.0 feet to the South Line of said Half, Quarter, Quarter Section; thence West upon and along said South Line a distance of 300.0 feet to the point or place of beginning.

Layman's Description: 3444 Wagon Wheel Rd

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 abstracter or licensed land surveyor within the past sixty (60) days are attached as evidenced by Exhibit C.

The Petitioner requests the following zoning classification:

FROM (current zoning) A-1

TO (proposed zoning) C-5
The Petitioner’s immediate intentions are to:

1. **Sell** the property **NO** (Yes or No), and if so, is the property subject to an offer and acceptance, escrow contract, option agreement, other contract for conveyance of title **NO** (Yes or No).

2. **Develop** the property **Yes** (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: wagon wheel road is a high traffic area, with a mix of commercial and residential properties and little to no effect is anticipated.

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

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

Authorized Representative: ________________________________________

Address: __________________________________________________________

**PETITIONER/OWNER SIGNATURE**

MAILING ADDRESS: 8027 Olive Lane Rogers AR 72756

TELEPHONE: 501-581-9448 DATE: 10/2020

Coach. Hammond 0216@gmail.com
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)

[Signature]
(Property Owner)

State of Arkansas  
    Benton  )  ss.
County of Washington  )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 20th day of October, 2020.

[Notary Public]

IVAN BALDERAMA  
Notary Public - Arkansas  
Benton County  
Commission # 12707246  
My Commission Expires Apr 24, 2029
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: March 2, 2021
Re: R21-12 Rezone

A request by Old Mo East, LLC for Planning Commission approval of a zone change from Light Industrial District (I-1) to General Industrial District (I-2) for a tract of land containing 11.65 acres.

LOT LOCATION AND SIZE
The 11.65 acre tract is located at 1609 Old Missouri Road, east side of Old Missouri Road, north of Angell Drive.

A vicinity map is attached.

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

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

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

AREA REGULATIONS
SETBACKS:
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-2 General Industrial district. The District is designed to accommodate an industrial uses which involve potentially objectionable uses and hazards, and which, therefore, cannot be reasonably expected to conform to a high level of performance standards, but which are essential to the economic viability of the city.

Uses permitted: - 1, 21, 24, 25, 26, 27, 32, 33, 35
Conditional Uses Permitted on Appeal: - 2, 3

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

AREA REGULATIONS
SETBACKS:
Front setback 30'
Front setback if parking is allowed between R-O-W 50' and the building
Side setback 0 (subject to applicable fire and building codes)
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 is undeveloped. The area to the north contains an industrial use in I-1 zoning. The area to the east contains residential structure in an MF-4 zoning. The area to the south contains an industrial use in an undeveloped area in an I-1 zoning. The area to the west contains an industrial use in an I-2 zoning.

LAND USE PLAN AND MASTER STREET PLAN
The adopted Comprehensive Land Use Plan indicates Heavy Industrial.

The Master Street Plan indicates Old Missouri Road as a principal arterial.

STAFF COMMENTS AND RECOMMENDATIONS

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

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.

Consolidate industrial areas near traffic arteries and collectors, rail and air facilities and major utility trunk lines.
FILE NO. R21-12
APPLICANT: Old Mo East, LLC
REQUEST: Rezone - I-1 to I-2

PLANNING COMMISSION MEETING
March 2, 2021
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 Old MO East, LLC

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

Legal Description: See attachment = "Exhibit A / Tract 2"

Southern 11.65 acres of the Parent Tract located at 1609 Old Missouri Road, Springdale, AR.

Layman's Description: 1609 Old Missouri Road, Springdale, AR.

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) I-1 Light Industrial
TO (proposed zoning) I-2 General Industrial
The **Petitioner's** immediate intentions are to:

1. **Sell** the property ________ (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 or No), and if so, the proposed use is Future owner would like to install a trash transfer / recycling center ________.

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: Negligible ________.

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.

**Chris Bakunas / McClelland Consulting Engineers, Inc.**

Authorized Representative: __________________________

Address: 1580 E. Stearns Street, Fayetteville, AR., 72703
cbakunas@mce.us.com

**PETITIONER/OWNER SIGNATURE** __________________________

Chris Bakunas, McClelland Consulting Engineers, Inc.

MAILING ADDRESS: 1580 East Stearns Street, Fayetteville, AR., 72703

TELEPHONE: (479) 443-2377 DATE: 2/10/2021
VERIFICATION

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

SIGNATURE
(Property Owner)

(Property Owner)

State of Arkansas       )
County of Washington   ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 9 day of Feb, 2021.

TERRIE CRAFT
Notary Public-Arkansas
Benton County
Commission Expires 01-27-24
Commission #12397290
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: March 2, 2021
Re: R21-13 Rezone

A request by CCO Investments, LLC – Cruz Ortiz for Planning Commission approval of a zone change from Agricultural District (A-1) to Low Density Single Family Residential District (SF-1) for a tract of land containing 1 acre.

LOT LOCATION AND SIZE
The 1 acre tract is located at 2207 East Highway 264, south side of Highway 264, east of Primrose Rd.

A vicinity map is attached.

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

Uses permitted: - 1, 6, 7, 8, 29
Conditional Uses Permitted on Appeal: - 2, 3, 4, 5, 9, 14, 17, 23, 28, 30, 33, 36, 37
Temporary Uses – 32, 34

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

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

Swimming pools, tennis courts and similar recreation facilities.

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

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

<table>
<thead>
<tr>
<th>LOT MINIMUMS</th>
<th>SETBACKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Widths</td>
<td>Area</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>One Family</td>
<td>200</td>
</tr>
</tbody>
</table>

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

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

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

(1) Accessory buildings, including private garages, storage facilities and children’s playhouses as set for in Article 6, Section 2.7 of this chapter.
(2) Private greenhouses and horticultural collections.
(3) Flower and vegetable gardens.
(4) Swimming pools, tennis courts and similar recreation facilities.
(5)
SITE PLAN REVIEW
When a conditional use is proposed in an SF-1 district, except for Use Unit 28 home occupation and Use Unit 36, horses kept in residential areas; a site plan review shall be required. For Use Unit 36, See Article 2, Section 13 of this chapter for the procedure and requirements of a site plan review.

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

AREA REGULATIONS
1. LOT AREA. There shall be a lot area of not less than ten thousand (10,000) square feet. In addition, there shall be a minimum lot width of not less than eighty (80) feet on a public street at the front setback line.
2. DENSITY. Less than four (4) units per acre.
3. FRONT SETBACK. There shall be a front setback having a depth of not less than thirty (30) feet. In keeping with the definition of a corner lot, all sides adjacent to streets shall be required to have front setbacks of thirty (30) feet.
4. SIDE SETBACK. There shall be a side setback on each side of the lot having a width of not less than eight (8) feet.
5. REAR SETBACK. There shall be a rear setback having a depth of not less than twenty (20) feet.

<table>
<thead>
<tr>
<th></th>
<th>LOT MINIMUMS</th>
<th>SETBACKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Widths</td>
<td>Area (sq. ft.)</td>
<td>Front</td>
</tr>
<tr>
<td>One Family</td>
<td>80</td>
<td>10,000</td>
</tr>
<tr>
<td>Zero-lot line</td>
<td>80</td>
<td>10,000</td>
</tr>
</tbody>
</table>

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

SURROUNDING ZONING AND LAND USE
Zoning of the surrounded area is shown on the attached map. The tract contains a single family dwelling with accessory structures. The area to the north contains agricultural uses and a single family dwelling in A-1 zoning. The areas to the east and south contain residential uses in A-1 zoning. The area to the west contains a commercial use in A-1 zoning.

LAND USE PLAN AND MASTER STREET PLAN
The adopted Comprehensive Land Use Plan indicates Low Density Residential.

The Master Street Plan indicates Highway 264 as a principal arterial.

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

Protect the positive aspects of neighborhood character throughout the City.

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

Encourage the development of a variety of housing types appropriate to the size and income of all households living and working in Springdale.
FILE NO. R21-13
APPLICANT: CCO Investments, LLC
REQUEST: Rezone - A-1 to SF-1

PLANNING COMMISSION MEETING
March 2, 2021
PETITION FOR REZONING

Petition is hereby made to the City Council of the City of Springdale, through the Springdale Planning Commission, pursuant to the provisions of Act 186 of 1957, as amended, and Chapter 130 of the City of Springdale Code of Ordinances, as amended, by

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

Legal Description:

Layman’s Description:

The Petitioner hereby states by oath that:

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

The Petitioner requests the following zoning classification:

FROM (current zoning)  A-1  
TO (proposed zoning) SF-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 ___________ (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: Rezoning to SF-1 won’t effect the adjacent properties since _____________.

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: 3625 N. Shiloh Dr., Fayetteville, AR

PETITIONER/OWNER SIGNATURE: __________________________

MAILING ADDRESS: 2307 E Hwy 264, Springdale, AR

TELEPHONE: 479-799-8271 DATE: 2/10/21
VERIFICATION

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

SIGNATURE
(Property Owner)

(Property Owner)

State of Arkansas )
) ss.
County of Washington )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 10 day of Feb, 2021.

Amanda Nicole Hallmark
Notary Public

Notary Public Seal
FILE NO. C21-06
APPLICANT: Dandy Oil Company, Inc
REQUEST: Conditional Use - Tandem Lot in C-2 zoning

PLANNING COMMISSION MEETING
March 2, 2021
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Dandy Oil Company, Inc.
   Address: P.O. Box 242, Springdale, AR 72765
   Phone: (479) 387-1633 Profit: ☑ Non-Profit

2. Property Location (street address or layman’s description):
   702 N. Thompson Street

3. Record Title Holder of Property: Bryan K. Passmore and Shannon R. Passmore
   (A copy of the warranty deed should be attached as Exhibit “A”)

4. Use Unit requested Tandem Lot in C-2 Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   Applicant requests a conditional use allowing a tandem lot as shown in the Informal Plat. Tandem lot will
   have access to N. Thompson Street/Highway 71B via an access easement.

6. What effects would the proposed conditional use have on the character of the
   neighborhood and residents?
   No proposed impact is anticipated. The surrounding properties are all commercial uses.

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.

N:\Planning\Sue\Sue\Hand Outs-Forms to copy\APPLICATION FOR CONDITIONAL USE.doc
Revised 3/24/06
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

Date: ____________________________ 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.

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

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 11th day of
February ________, 20__.

My commission expires: 4-18-2030

SHARON CHRISTINE TRUMBURG
Notary Public - Arkansas
Washington County
Commission # 12710492
My Commission Expires Apr 18, 2030

Revised 3/24/05
Memo

To: Planning Commission
From: Staff
Date: March 2, 2021
RE: PP21-03 Preliminary Plat Benedetto Subdivision Phase 2

Planning Comments

Engineering Comments

1. Chapter 106 – Stormwater Drainage
   (Ord. No. 2999, § 1, 6-27-00; Ord. No. 5245, § 1, 1-23-18)
   - **106.1** - The Grading Plan & SWPPP and Specifications shall be prepared by the Engineer of Record, who is a licensed professional engineer of the State of Arkansas.
     - Requires a 1"=200' minimum scale 2-foot contour map.
     - Show existing and proposed contours.

2. Chapter 130 – Zoning Ordinance
   (Ord. No. 3307, 3-25-03)
   - **130.7.6.1** ADA requirements.
     - Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.
       - This note is left in place throughout the design process to insure that access is maintained.

3. Other:
   - **Permitting** - Some development within the City of Springdale may require additional state or federal permits not administered by the City of Springdale to be granted prior to
approval of the project. This includes, but may not be limited to, any work that is being proposed within rights-of-way and/or easements within the jurisdiction of the Arkansas Department of Transportation, the Arkansas Natural Resources Commission, the Arkansas Department of Environmental Quality, or the U.S. Army Corps of Engineers. Prior to final approval of this project, please provide a copy of any required Federal, State, and Local permits that are required. Final approval of this project does not waive or exempt any requirements by State or Federal laws.

- **Construct-ability Review** – At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.
CONSTRUCTION PLANS FOR

STREET AND STORM DRAINAGE IMPROVEMENTS

WE SERVE

PHASE 2

BY THE CITY OF

A RESIDENTIAL SUBDIVISION

SPRINGDALE, ARKANSAS

February 18, 2021

BY

ENGINEERING SERVICES INC.

CONSULTING ENGINEERS
SPRINGDALE, ARKANSAS
PHONE: 479-751-8733
FAX: 479-751-8746
WWW.ENGINNEERINGSERVICES.COM
CONSTRUCTION PLANS FOR

WATER AND SANITARY SEWER IMPROVEMENTS

PHASE 2
A RESIDENTIAL SUBDIVISION
IN THE CITY OF
SPRINGDALE, ARKANSAS

February 18, 2021

BY
ENGINEERING SERVICES INC.

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

OWNER/DEVELOPER: TUSCANY VILLAGE INC. 5100 S. THOMPSON SPRINGDALE, AR 72764-6933
ENGINEER/SURVEYOR: ENGINEERING SERVICES, INC. 1207 S. OLD MISSOURI RD. P.O. BOX 282 SPRINGDALE, AR 72762

ACREAGE:
TOTAL 31.88 ACRES
PHASE 2 14.16 ACRES

EXISTING ZONING:
SF-2

PROPOSED USE:
SINGLE-FAMILY RESIDENTIAL SUBDIVISION

No. OF LOTS (PHASE 2):
40

CERTIFICATE OF ACCURACY:
TYPICAL HAMMERHEAD DETAIL
TYPICAL SECTION
LOCAL STREET - 30'
*ALL STREET SECTIONS TO BE VERIFIED BY A GEOTECHNICAL ENGINEER
 Memo

To: Planning Commission
From: Staff
Date: March 2, 2021
RE: RP21-05 Replat Mark & Clelia Black Grandview Subdivision Lots 9 & 10

Planning Comments
1. Submit AutoCAD and PDF files at time of resubmission.
2. Submit a list of adjacent property owners certified by either a licensed abstractor or land surveyor within the past 60 days.
3. Notice to all adjacent property owners must be sent by certified mail, return receipt requested at the time of resubmission. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, shall be submitted. Please return white mail receipts and affidavit to the Planning Office. Green return cards must be submitted to the Planning Office prior to the Planning Commission meeting.
4. Need to identify the ownership, address and zoning of all the adjacent properties.
5. Need to show the legal descriptions of all properties being impacted by this replat.
6. Will need to include signature lines for ownership of all properties impacted by this replat.
7. Need the lot areas of all properties impacted by this replat.
8. Will all involved lots have sufficient frontage upon completion of this plat?
9. Need the Certification of Transmittal, Ownership, and Ordinance to read as follows:

   The undersigned hereby transmit this plat to the City of Springdale for approval and acceptance and certify to be the owner of the property described and hereby dedicate all streets, alleys, easements, parks, and other open spaces to public or private use as noted. The undersigned certify that the platting as filed on record cannot be changed unless
vacated pursuant to applicable local or other law. The Undersigned further certify that the required ordinance of acceptance is in order having been approved by the City Attorney on ___________________.

10. Need a resolution stating that _________ has authority to execute the Certificate of Transmittal, Ownership, and Ordinance.

11. Need Certificates of Acceptance as follows:

   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.

<table>
<thead>
<tr>
<th>Date</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>City Clerk</td>
</tr>
<tr>
<td></td>
<td>Mayor</td>
</tr>
<tr>
<td></td>
<td>Director, Planning and Community Development Division</td>
</tr>
<tr>
<td></td>
<td>Secretary, Planning Commission</td>
</tr>
<tr>
<td></td>
<td>Chairman, Planning Commission</td>
</tr>
<tr>
<td></td>
<td>Engineer, Springdale Water Utilities</td>
</tr>
<tr>
<td></td>
<td>Director of Engineering &amp; Public Works</td>
</tr>
</tbody>
</table>

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

To: Planning Commission
From: Staff
Date: March 2, 2021
RE: RP21-06 Replat Vick Enterprises, LLC

Planning Comments

1. Submit AutoCAD and PDF files at time of resubmission.
2. Please provide completed plat application.
3. Submit the approved authorization of representation form, if property owner will not be present at Planning Commission meeting.
4. Submit the review fee.
5. Submit a copy of the warranty deed.
6. Please provide copies of both sides of certified mail receipt slips (currently only provided one side).
7. Please provide evidence of these lots passing perc test or that they are able to connect to sewer.
8. Please remove all instances of "(To be Removed)"
9. Need the Certification of Transmittal, Ownership, and Ordinance to read as follows:

   The undersigned hereby transmit this plat to the City of Springdale for approval and acceptance and certify to be the owner of the property described and hereby dedicate all streets, alleys, easements, parks, and other open spaces to public or private use as noted. The undersigned certify that the platting as filed on record cannot be changed unless vacated pursuant to applicable local or other law. The Undersigned further certify that the required ordinance of acceptance is in order having been approved by the City Attorney on ________________.

10. Need a resolution stating that __________ has authority to execute the Certificate of Transmittal, Ownership, and Ordinance.
11. **Need Certificates of Acceptance as follows:**

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.

<table>
<thead>
<tr>
<th>Acceptance of Dedications</th>
<th>Date</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>City Clerk</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Approval for Recording</th>
<th>Date</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Mayor</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commission</th>
<th>Date</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Director, Planning and Community Development Division</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Water and Sewer</th>
<th>Date</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Secretary, Planning Commission</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Streets and Drainage</th>
<th>Date</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Chairman, Planning Commission</td>
</tr>
</tbody>
</table>

|                           |      | Engineer, Springdale Water Utilities          |

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

To: Planning Commission
From: Staff
Date: March 2, 2021
RE: L21-10 Large Scale Development Twin City Produce

Planning Comments

Engineering Comments

1. Chapter 106 – Stormwater Drainage
   (Ord. No. 2999, § 1, 6-27-00; Ord. No. 5245, § 1, 1-23-18)
   - 106.1 - The Grading Plan & SWPPP and Specifications shall be prepared by the Engineer of Record, who is a licensed professional engineer of the State of Arkansas.
     o Requires a 1”=200’ minimum scale 2-foot contour map.
     o Show existing and proposed contours.
       ▪ It does not appear that all the existing contours are shown on the plan?

2. Chapter 106 – Stormwater Drainage
   - Drop inlet detail shown on page 2, should be area inlet?
     Please clarify phasing plan, will all drainage improvements and parking lot be completed with Phase 1?
   - Show silt fence or wattle around disturbed area as perimeter control
   - STAA required for work in Spring Creek – submit to Engineering Department
   - 404 Permit may be required – submit to Engineering Department if applicable
3. **Chapter 107 – Stormwater Pollution**  
(Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220, § 1, 10-24-17)  
- **107.3**  
  o The site area of disturbance is greater than 0.5 acre. A Grading Permit Application, a SWPPP delineating all anticipated disturbed areas, a plan in those areas to achieve final stabilization (which at minimum must provide 80% grass coverage and 100% stabilization), a Dust Control Plan with appropriate BMPs designed to control dust, and an appropriate fee as shown on the application must be submitted to the City of Springdale Stormwater Manager for review prior to receiving final plan approval.  
  ▪ Remove the silt fence shown next to the trail if the drainage work was removed in that area. If it remains it needs to be pulled back from the edge of trail at least 3’.

4. **Chapter 112 – Subdivisions**  
(Code 1973, § 30-1)  
- **112.4**  
  Streetlights are required at each intersection and along the street at intervals of 300 to 350 feet as measured along the centerline of the street.  
  ▪ The minimum initial rating for the streetlight shall be 6,800 lumens for a local street, 11,000 lumens for a collector street, or 20,000 lumens for an arterial street.  
  ▪ Label all lights as Proposed or Existing  
  ▪ Show the direction of the mast arm  
  ▪ Show the size and type of lights based on the location and classification of the street  
  ▪ Add note to determine if the light is designed for area parking lot lights or as a street illuminator  
  ▪ Include a note stating if the lights are public or private lights and who will be responsible for maintenance and billing  
  ▪ Public Street Lights need to be located within the R.O.W.  
  ▪ Include a note that the streetlight installation costs by the developer and light selection with coordination of the utility company, then ongoing maintenance and usage charges are by the City.

5. **Chapter 130 – Zoning Ordinance**  
(Ord. No. 3307, 3-25-03)  
- **130.76.1**  
  ▪ ADA requirements.  
  o Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.  
  ▪ This note is left in place throughout the design process to insure that access is maintained.

6. **Other:**

● Page 2
- **Permitting** - Some development within the City of Springdale may require additional state or federal permits not administered by the City of Springdale to be granted prior to approval of the project. This includes, but may not be limited to, any work that is being proposed within rights-of-way and/or easements within the jurisdiction of the Arkansas Department of Transportation, the Arkansas Natural Resources Commission, the Arkansas Department of Environmental Quality, or the U.S. Army Corps of Engineers. Prior to final approval of this project, please provide a copy of any required Federal, State, and Local permits that are required. Final approval of this project does not waive or exempt any requirements by State or Federal laws.

- **Construct-ability Review** - At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.
PLANS FOR A
LARGE SCALE DEVELOPMENT
SERVING
TWIN CITY PRODUCE OF SPRINGDALE
IN THE CITY OF
SPRINGDALE, ARKANSAS
121-10

February 18, 2021
BY
ENGINEERING SERVICES INC.

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

1) PAVING SECTIONS ARE TO BE DETERMINED BY A GEOENGINEERING ENGINEER. SECTIONS SHOWN SHALL BE MODIFIED TO THE GEOENGINEERING ENGINEER RECOMMENDATIONS.

2) ALL STRIPING AND SYMBOLS SHALL BE COORDINATED WITH OWNER PRIOR TO INSTALLATION.

3) CONTRACTOR IS TO SUBMIT A PLAN SHOWING JOINTS FOR OWNER APPROVAL AS PART OF THE PAVING SUBMITTAL.
Memo

To: Planning Commission
From: Staff
Date: March 2, 2021
RE: L21-12 Large Scale Development Chick-fil-A

Planning Comments
Large-Scale Comments:

1. Provide pdf files at time of resubmission. (standard comment)
2. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans. (standard comment)
3. 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. (standard comment)
4. This development has been given the number L21-12. This number should be placed on the plans and all future correspondence and plats pertaining to this development. (standard comment)

Commercial Design Comments (Site)

1. No pedestrian scaled lighting fixtures shown.

Engineering Comments

   (Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220 ; § 1, 10-24-17)
   - 107.1 - Show & Label all temporary construction stockpiles, parking, entrances, egress, roads, or access as “Temporary” on the Grading or Erosion Control Plan.
Add the word “Temporary” to all the items listed above, that are included in this project.

If the word temporary is not added to the items that will be removed once construction is completed and the site is stabilized, please add a note that all these temporary structures will be removed prior to the project being complete.

2. **Chapter 110 – Streets, Sidewalks and Other Public Places**  
   (Ord. No. 3258, § 1, 11-12-02)
   - 110.31 - Sidewalks are required one-foot (1’) inside the right-of-way line.
     - The bike racks and seating area should be placed on private property and out of the R.O.W.

3. **Chapter 130 – Zoning Ordinance**  
   (Ord. No. 3307, 3-25-03)
   - 130.7.6.1 ADA requirements.
     - Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.
     - This note is left in place throughout the design process to insure that access is maintained.

4. **Other:**
   - **Permitting**: Some development within the City of Springdale may require additional state or federal permits not administered by the City of Springdale to be granted prior to approval of the project. This includes, but may not be limited to, any work that is being proposed within rights-of-way and/or easements within the jurisdiction of the Arkansas Department of Transportation, the Arkansas Natural Resources Commission, the Arkansas Department of Environmental Quality, or the U.S. Army Corps of Engineers. Prior to final approval of this project, please provide a copy of any required Federal, State, and Local permits that are required. Final approval of this project does not waive or exempt any requirements by State or Federal laws.
   - **Construct-ability Review**: At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.
HYDROLOGY STATEMENT

Chick-fil-A parcel included in overall hydrology report by McClelland Consulting Engineers, Inc. Site was designed at a 90% allowable impervious cover. Proposed site is at a 71% impervious cover falling well below the design allowance.
THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.

EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.

ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14-DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.
Information contained on this drawing and in all digital files produced for above named project may not be reproduced in any manner without express written or verbal consent from authorized project representatives.

CHICK-FIL-A
5675 W. SUNSET AVE.
Springdale, AR 72762

REVISION SCHEDULE

FSU# 04310

C-3.5
Information contained on this drawing and in all digital files produced for above named project may not be reproduced in any manner without express written or verbal consent from authorized project representatives.
2. PARKING STALL DIMENSIONING SHALL BE IN ACCORDANCE WITH APPLICABLE GOVERNING AUTHORITIES & LOCAL, STATE, OR ADA CODES DIFFER, IN WHICH GENERAL CONTRACTOR IT IS DETERMINED THAT

5. CONTRACTOR SHALL USE 4" WIDE YELLOW REFLECTIVE PAINT FOR STRIPING ON CONCRETE PARKING LOTS. ALL DIMENSIONS ARE TO CENTERLINE OF STRIPE UNLESS NOTED OTHERWISE.

8. ALL DIMENSIONS ARE TO CENTERLINE OF STRIPE UNLESS NOTED OTHERWISE.

60° ANGLED PARKING STRIPING

90° PARKING STRIPING

NOTE:

CIRCLE BUILDINGS OR CIRCLES PAVING FORMS (REFER TO SIGN PACKAGE)

LEFT HAND ONLY SIGN (REFER TO SIGN PACKAGE)

RIGHT HAND ONLY SIGN (REFER TO SIGN PACKAGE)

CIRCULAR STRIPES OR CIRCLES PAVING FORMS (REFER TO SIGN PACKAGE)

ACCESSIBLE PARKING SIGN

DIRECTIONAL SIGNAGE

BOLLARD MOUNTED SIGN

ACCESSIBLE PARKING SIGN

STOP

NOTE:

STOP SIGNS & STANDARD MOUNTING POST MATERIAL 1-1/2"
1. The surface of the ramp shall have detectable warnings as shown. Detectable warnings shall exceed 5% at landing area.

2. Construct per A.D.A. standards.

3. Refer to plans for adjacent slopes.


5. Construction of the ramp shall match adjoining sidewalk details.

6. Concrete shall be P.C.C. 3500 PSI. Unless pavers are required, contractor to verify that curb & gutter shall be removed to the nearest joint beyond the curb transitions or to the extent that transition slopes are not to have detectable warnings. Contractor shall confirm local codes are met.

7. Gutter slope shall not exceed 5% at landing area.

8. Detectable warning device shall be 24 inches in the direction of travel and extend the full width of the ramp or flush surface.

9. Detectable warning surfaces shall be constructed by texturing products conforming to PROWAG R304.

10. Transition slopes are not to have detectable warnings. Contractor shall confirm local codes are met.
**CLEAN-OUT OUTSIDE OF BUILDING**

1. Cuts are to be made in a manner to facilitate removal of materials.
2. Material shall be replaced with suitable material.

**BUILDING DOWNSPOUT CONNECTION**

1. Footing collector drain shall be installed before the downsputs are installed on the building.
2. The collector drain shall be connected to the storm sewer system.

**ALUMINUM HANDRAIL**

1. Handrails shall be installed in accordance with the applicable standards.
2. Handrails shall be secured to the structure with appropriate fasteners.

**MULTI-LANE DIRECTIONAL GRAPHICS**

1. Arrow markers shall be painted reflective white.
2. Reflective paint on asphalt & yellow lines shall be used.

**CONCRETE BOLLARD**

1. Bollards shall be installed in accordance with the specifications.
2. Bollards shall be secured to the structure with appropriate fasteners.

**CROSSWALK MARKINGS**

1. Crosswalk markings shall be painted reflective white.
2. These markings are to be painted reflective white.

**Typical Section at Manhole**

1. Manholes shall be installed in accordance with the specifications.
2. Manholes shall be secured to the structure with appropriate fasteners.

**Typical Section at Infiltration Basin**

1. Infiltration basins shall be installed in accordance with the specifications.
2. Infiltration basins shall be secured to the structure with appropriate fasteners.

**Typical ADA Ramp & Handrail**

1. Handrails shall be installed in accordance with the applicable standards.
2. Handrails shall be secured to the structure with appropriate fasteners.

**Typical HMAC Pavement Section**

1. Pavement shall be installed in accordance with the specifications.
2. Pavement shall be secured to the structure with appropriate fasteners.

**Concrete Pavement Drive-Thru Lane**

1. Pavement shall be installed in accordance with the specifications.
2. Pavement shall be secured to the structure with appropriate fasteners.

**Longitudinal Butt Joint**

1. Joints shall be installed in accordance with the specifications.
2. Joints shall be secured to the structure with appropriate fasteners.

**Notes:**

1. The use of commercial grade aluminum fencing with enamel powder coat finish is required.
2. Use only commercial grade aluminum fencing with dark bronze powder coat finish.
3. Use only commercial grade aluminum fences with dark bronze powder coat finish.
4. Use only commercial grade aluminum fences with dark bronze powder coat finish.
5. Use only commercial grade aluminum fences with dark bronze powder coat finish.

**General:**

1. General contractor shall be responsible for all work including the rodent screen.
2. The downsput collector drain shall be installed before the downsputs are installed on the building.
3. The downsput collector drain shall be installed before the downsputs are installed on the building.
4. The downsput collector drain shall be installed before the downsputs are installed on the building.
5. The downsput collector drain shall be installed before the downsputs are installed on the building.

**Per the Site Plan:**

1. Per the site plan.
2. Per the site plan.
3. Per the site plan.
4. Per the site plan.
5. Per the site plan.

**NOTES:**

1. See note #1.
2. See note #2.
3. See note #3.
4. See note #4.
5. See note #5.

**Permit:**

1. Permit.
2. Permit.
3. Permit.
4. Permit.
5. Permit.

**Construction Details:**

1. Construction details are to be used in conjunction with the specifications.
2. Construction details are to be used in conjunction with the specifications.
3. Construction details are to be used in conjunction with the specifications.
4. Construction details are to be used in conjunction with the specifications.
5. Construction details are to be used in conjunction with the specifications.
**Not**

1. Tree can be used for the width of the bed.
2. Tree can be used for the width of the bed.
3. Do not measure the bed at the base of the tree.
4. Do not use the tree trunk for the width of the bed.
5. Do not use the tree trunk for the width of the bed.
6. Do not use the tree trunk for the width of the bed.
7. Do not use the tree trunk for the width of the bed.
8. Do not use the tree trunk for the width of the bed.
9. Do not use the tree trunk for the width of the bed.
10. Do not use the tree trunk for the width of the bed.
11. Do not use the tree trunk for the width of the bed.
12. Do not use the tree trunk for the width of the bed.
13. Do not use the tree trunk for the width of the bed.
14. Do not use the tree trunk for the width of the bed.
15. Do not use the tree trunk for the width of the bed.
16. Do not use the tree trunk for the width of the bed.
17. Do not use the tree trunk for the width of the bed.
18. Do not use the tree trunk for the width of the bed.
19. Do not use the tree trunk for the width of the bed.
20. Do not use the tree trunk for the width of the bed.
21. Do not use the tree trunk for the width of the bed.
22. Do not use the tree trunk for the width of the bed.
23. Do not use the tree trunk for the width of the bed.
24. Do not use the tree trunk for the width of the bed.
25. Do not use the tree trunk for the width of the bed.
26. Do not use the tree trunk for the width of the bed.
27. Do not use the tree trunk for the width of the bed.
28. Do not use the tree trunk for the width of the bed.
29. Do not use the tree trunk for the width of the bed.
30. Do not use the tree trunk for the width of the bed.
31. Do not use the tree trunk for the width of the bed.
32. Do not use the tree trunk for the width of the bed.
33. Do not use the tree trunk for the width of the bed.
34. Do not use the tree trunk for the width of the bed.
35. Do not use the tree trunk for the width of the bed.
36. Do not use the tree trunk for the width of the bed.
37. Do not use the tree trunk for the width of the bed.
38. Do not use the tree trunk for the width of the bed.
39. Do not use the tree trunk for the width of the bed.
40. Do not use the tree trunk for the width of the bed.
41. Do not use the tree trunk for the width of the bed.
42. Do not use the tree trunk for the width of the bed.
43. Do not use the tree trunk for the width of the bed.
44. Do not use the tree trunk for the width of the bed.
45. Do not use the tree trunk for the width of the bed.
46. Do not use the tree trunk for the width of the bed.
47. Do not use the tree trunk for the width of the bed.
48. Do not use the tree trunk for the width of the bed.
49. Do not use the tree trunk for the width of the bed.
50. Do not use the tree trunk for the width of the bed.
51. Do not use the tree trunk for the width of the bed.
52. Do not use the tree trunk for the width of the bed.
53. Do not use the tree trunk for the width of the bed.
54. Do not use the tree trunk for the width of the bed.
55. Do not use the tree trunk for the width of the bed.
56. Do not use the tree trunk for the width of the bed.
57. Do not use the tree trunk for the width of the bed.
58. Do not use the tree trunk for the width of the bed.
59. Do not use the tree trunk for the width of the bed.
60. Do not use the tree trunk for the width of the bed.
61. Do not use the tree trunk for the width of the bed.
62. Do not use the tree trunk for the width of the bed.
63. Do not use the tree trunk for the width of the bed.
64. Do not use the tree trunk for the width of the bed.
65. Do not use the tree trunk for the width of the bed.
66. Do not use the tree trunk for the width of the bed.
67. Do not use the tree trunk for the width of the bed.
68. Do not use the tree trunk for the width of the bed.
69. Do not use the tree trunk for the width of the bed.
70. Do not use the tree trunk for the width of the bed.
71. Do not use the tree trunk for the width of the bed.
72. Do not use the tree trunk for the width of the bed.
73. Do not use the tree trunk for the width of the bed.
74. Do not use the tree trunk for the width of the bed.
75. Do not use the tree trunk for the width of the bed.
76. Do not use the tree trunk for the width of the bed.
77. Do not use the tree trunk for the width of the bed.
78. Do not use the tree trunk for the width of the bed.
79. Do not use the tree trunk for the width of the bed.
80. Do not use the tree trunk for the width of the bed.
81. Do not use the tree trunk for the width of the bed.
82. Do not use the tree trunk for the width of the bed.
83. Do not use the tree trunk for the width of the bed.
84. Do not use the tree trunk for the width of the bed.
85. Do not use the tree trunk for the width of the bed.
86. Do not use the tree trunk for the width of the bed.
87. Do not use the tree trunk for the width of the bed.
88. Do not use the tree trunk for the width of the bed.
89. Do not use the tree trunk for the width of the bed.
90. Do not use the tree trunk for the width of the bed.
91. Do not use the tree trunk for the width of the bed.
92. Do not use the tree trunk for the width of the bed.
93. Do not use the tree trunk for the width of the bed.
94. Do not use the tree trunk for the width of the bed.
95. Do not use the tree trunk for the width of the bed.
96. Do not use the tree trunk for the width of the bed.
97. Do not use the tree trunk for the width of the bed.
98. Do not use the tree trunk for the width of the bed.
99. Do not use the tree trunk for the width of the bed.
100. Do not use the tree trunk for the width of the bed.
101. Do not use the tree trunk for the width of the bed.
102. Do not use the tree trunk for the width of the bed.
103. Do not use the tree trunk for the width of the bed.
104. Do not use the tree trunk for the width of the bed.
105. Do not use the tree trunk for the width of the bed.
106. Do not use the tree trunk for the width of the bed.
107. Do not use the tree trunk for the width of the bed.
108. Do not use the tree trunk for the width of the bed.
109. Do not use the tree trunk for the width of the bed.
110. Do not use the tree trunk for the width of the bed.
111. Do not use the tree trunk for the width of the bed.
112. Do not use the tree trunk for the width of the bed.
113. Do not use the tree trunk for the width of the bed.
114. Do not use the tree trunk for the width of the bed.
115. Do not use the tree trunk for the width of the bed.
116. Do not use the tree trunk for the width of the bed.
117. Do not use the tree trunk for the width of the bed.
118. Do not use the tree trunk for the width of the bed.
119. Do not use the tree trunk for the width of the bed.
120. Do not use the tree trunk for the width of the bed.
121. Do not use the tree trunk for the width of the bed.
122. Do not use the tree trunk for the width of the bed.
123. Do not use the tree trunk for the width of the bed.
124. Do not use the tree trunk for the width of the bed.
125. Do not use the tree trunk for the width of the bed.
126. Do not use the tree trunk for the width of the bed.
127. Do not use the tree trunk for the width of the bed.
128. Do not use the tree trunk for the width of the bed.
129. Do not use the tree trunk for the width of the bed.
130. Do not use the tree trunk for the width of the bed.
LANDSCAPE SPECIFICATIONS

PART - GENERAL

DESCRIPTION

1. Site Description:
   - The site is a commercial area located at the intersection of Sunset Ave. and Springdale Blvd.
2. Site Conditions:
   - The site is currently undeveloped and is bordered by existing buildings and streets.
3. Site Access:
   - Access to the site is provided by existing streets.

SITE SELECTION

1. The site shall be selected on the basis of its location, size, shape, contour, and accessibility.
2. The site shall be selected to provide a visually appealing landscape.

DESIGN

1. The design shall be developed to meet the needs of the site and the demands of the users.
2. The design shall be developed to enhance the site's natural beauty.

PLANTING MATERIAlS

1. The plant materials shall be selected to provide a visually appealing landscape.
2. The plant materials shall be selected to enhance the site's natural beauty.

LAWN MAINTENANCE

1. The lawn shall be maintained to provide a visually appealing landscape.
2. The lawn shall be maintained to enhance the site's natural beauty.

PRUNING

1. The shrubs shall be pruned to provide a visually appealing landscape.
2. The shrubs shall be pruned to enhance the site's natural beauty.

BLOOMING PLANTS

1. The flowering plants shall be maintained to provide a visually appealing landscape.
2. The flowering plants shall be maintained to enhance the site's natural beauty.

GENERAL CLEAN UP

1. The site shall be cleaned to provide a visually appealing landscape.
2. The site shall be cleaned to enhance the site's natural beauty.

SUMMARY OF MAINTENANCE

LAWNCARE

1. The lawn shall be maintained annually to determine pH. 5.0 pH does not fall within specified range.
2. The site shall be maintained to provide a visually appealing landscape.
3. The site shall be maintained to enhance the site's natural beauty.

DISEASE & INSECT CONTROL: TREES, SHRUBS & GROUND COVER

1. The trees, shrubs, and ground cover shall be maintained to provide a visually appealing landscape.
2. The trees, shrubs, and ground cover shall be maintained to enhance the site's natural beauty.

SEASONAL COLOR MAINTENANCE

1. The site shall be maintained to provide a visually appealing landscape.
2. The site shall be maintained to enhance the site's natural beauty.

GENERAL

1. The site shall be maintained to provide a visually appealing landscape.
2. The site shall be maintained to enhance the site's natural beauty.

PERMIT

1. The site shall be maintained to provide a visually appealing landscape.
2. The site shall be maintained to enhance the site's natural beauty.
Memo

To: Planning Commission
From: Staff
Date: March 2, 2021
RE: L21-13 Large Scale Development

Planning Comments

Large-Scale Comments:

1. Provide pdf files at time of resubmission. (standard comment)
2. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans. (standard comment)
3. 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. (standard comment)
4. This development has been given the number L21-13. This number should be placed on the plans and all future correspondence and plats pertaining to this development. (standard comment)

Landscaping Comments

1. Provide 24 month guarantee for all landscaping.

Commercial Design Comments (Site)

1. Sidewalks, no less than five (5) feet in width, shall be provided along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas. Such sidewalk shall be located at least six (6) feet from the
façade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the façade. (Variance Request)

Commercial Design Comments (Architectural)

1. Provide integral color for CMU masonry.
2. Developments with façade over one hundred (100) feet in linear length shall incorporate wall projections or recesses a minimum of three (3) foot depth and a minimum of twenty (20) contiguous feet within each one hundred (100) feet of façade length and shall extend over twenty (20) percent of the façade. Developments shall use articulating features such as arcades; display windows, entry areas, or awnings along at least sixty (60) percent of the façade. (West Elevation) (Variance Request)
3. Building façades shall include a repeating pattern that shall include no less than three (3) of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically. o Color change o Texture change o Material module change o Expressions of architectural or structural bay through a change in plane no less than twelve (12) inches in width, such as an offset, reveal, or projecting rib. (West Elevation) (Variance Request)

Engineering Comments

1. Chapter 106 – Stormwater Drainage
   (Ord. No. 2999, § 1, 6-27-00; Ord. No. 5245 , § 1, 1-23-18)
   - 106.1 - The Grading Plan & SWPPP and Specifications shall be prepared by the Engineer of Record, who is a licensed professional engineer of the State of Arkansas.
     o Requires a 1”=200’ minimum scale 2-foot contour map.
     o Show existing and proposed contours.
2. Chapter 106 – Stormwater Drainage
   106.5.4.10** - Easements
     - Easements shall be filed before acceptance and approval of plans.
3. Chapter 107 – Stormwater Pollution
   (Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220 , § 1, 10-24-17)
   - 107.C3
     o The site area of disturbance is greater than 0.5 acre. A Grading Permit Application, a SWPPP delineating all anticipated disturbed areas, a plan in those areas to achieve final stabilization (which at minimum must provide 80% grass coverage and 100% stabilization), a Dust Control Plan with appropriate BMPs designed to control dust, and an appropriate fee as shown on the application must be submitted to the City of Springdale Stormwater Manager for review prior to receiving final plan approval.
4. Chapter 130 – Zoning Ordinance
   (Ord. No. 3307, 3-25-03)
   - 130.7.6.1 ADA requirements.
Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.

- This note is left in place throughout the design process to insure that access is maintained.

5. Other:

- **Permitting** - Some development within the City of Springdale may require additional state or federal permits not administered by the City of Springdale to be granted prior to approval of the project. This includes, but may not be limited to, any work that is being proposed within rights-of-way and/or easements within the jurisdiction of the Arkansas Department of Transportation, the Arkansas Natural Resources Commission, the Arkansas Department of Environmental Quality, or the U.S. Army Corps of Engineers. Prior to final approval of this project, please provide a copy of any required Federal, State, and Local permits that are required. Final approval of this project does not waive or exempt any requirements by State or Federal laws.

- **Construct-ability Review** – At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.
© 2021 CEI ENGINEERING ASSOCIATES, INC.

14. ACTIVITY.

3. PAVE SITE.

PREPARE TEMPORARY PARKING AND STORAGE AREA.

COMPLETE GRADING AND INSTALL PERMANENT SEEDING AND PLANTING.

START CONSTRUCTION OF BUILDING PAD AND STRUCTURE.

GENERAL EROSION NOTES

NO SLOPES STEEPER THAN A 3:1 PITCH UNLESS OTHERWISE APPROVED IN WRITING BY THE DIRECTOR OF ENGINEERING, SITE.

ALL HEAVY EQUIPMENT, STOCKPILES, AND CONSTRUCTION MATERIALS HAVE BEEN REMOVED FROM THE CONSTRUCTION AND EXCAVATION VIA A PUMPED FILTER BAG. THE PUMPED FILTER BAG MUST DISCHARGE ONTO A STABILIZED SURFACE AND ROAD CONSTRUCTION.

FOR ADJUSTING THE EROSION CONTROL MEASURES (SILT FENCES, WATTLES, ETC.) TO HELP PREVENT EROSION AND INFRASTRUCTURE. ALL OTHER DISCHARGES ARE STRICTLY PROHIBITED UNLESS AN APPLICABLE PERMIT HAS BEEN OBTAINED PRIOR TO THE DISCHARGE BY THE CONTRACTOR.

SILT FENCES AND WATTLES SHALL BE REPAIRED TO THEIR ORIGINAL CONDITIONS IF DAMAGED. SEDIMENT SHALL BE CARRIED OFF THE SITE. THE EXACT LOCATIONS SHALL BE COORDINATED WITH THE OWNER'S CONSTRUCTION REPRESENTATIVE OF THE DIRECTOR OF ENGINEERING, AND SUPERINTENDENT.

ALL MATERIALS SPILLED, DROPPED, WASHED OR TRACKED FROM VEHICLES ONTO ROADWAYS OR INTO STORM DRAINS IS CARRIED OFF THE SITE. THE EXACT LOCATIONS SHALL BE COORDINATED WITH THE OWNER'S CONSTRUCTION REPRESENTATIVE OF THE DIRECTOR OF ENGINEERING, AND SUPERINTENDENT.

1. *DENOTES THE INTERIOR DIMENSION.

2. INSTALL TRANSITION MAT OVER TRM OR SOD.

3. USE OF 8 OZ. GEOTEXTILE ANCHOR CONFIGURATION FOR TRANSITION MATS OVER A MIN. OF 2" INTO TRENCH.

4. INSTALL CONCRETE WASHOUT AREAS.

5. REMOVE SEDIMENT FROM ALL SURFACES OF THE TRENCH TO A DEPTH OF 2" TO 6" BY 6" AND FOLDED.

6. INSTALLATION.

7. LEGEND:

8. POSTS: STEEL EITHER T OR U TYPE OR 2"x2" HARDWOOD WASHOUT

9. CONCRETE WASHOUT AREAS MUST BE BUILT IN TWO LAYERS (MIN. 14 1/2 GAUGE, BLACK LETTERS 6"

10. FILTER FABRIC

11. INSTALL FLOW AND EROSION CONTROL MEASURES IN THE FOLLOWING ORDER:

12. SWP-CI "Big Red" Carb Inlet Protector

By ASP Enterprises and Storm Water Products

- Resilient Carb Inlet Protection
- Environmentally friendly
- Does not admit by discharging the storm water.

"Big Red" Filter Advantages:

- Easy to install
- Reliable and Proven in use
- Made from 100% Recycled Materials

"Big Red" Filter spun-bonded, nonwoven, filter media that has been treated to provide a high flow rate and high efficiency. The filter media is attached to a geotextile fabric that allows water to pass through while trapping debris.

- High Flow Rate
- Made of durable High-Strength Geotextile
- Fully Washable
- Made of Recycled Materials
1. The contractor shall be responsible for locating and relocating utility lines and adjacent to the work area
2. To protect all prior to construction, the contractor shall be responsible for locating relocated trees shall be maintained until such point as the tree is four inches of topsoil applied. If adequate topsoil is not available on site, positive drainage and no ponding of water at the root area.
3. Irrigation during rain events. Contractor shall ensure that there is erosion control.
4. Contractor is responsible for verification of all plant and landscape material.
5. Planting and installation of plant and landscape material in accordance with plans, details, specifications (if applicable) and outside landscape improvements. See civil plans for soil stabilization for container grown stock should have grown in a container long enough for such species, quantity, and size and meeting all plant list specifications. Trees & shrubs shall be planted as soon as possible after delivery.
6. All trees must be straight-trunked, full-headed and meet all requirements specified.
7. All slopes and areas disturbed by construction shall be graded smooth and any rope or wire binding the ball shall be cut prior to prevent girling of the tree. Remove wire, twine, and burlap from the top half of all B&B plant material.
8. All planting bed soils shall be amended with 2" of organic compost applied per manufacturer's recommendations and shall occur after topsoil placement and prior to seeding/sodding, fertilizing, and mulching.
9. Contract for any SWPPP plan is provided this plan is to be implemented cooperatively with landscape architect.
10. The landscape plantings adjacent to public roads and pedestrian sidewalks shall be pruned sufficiently to avoid visual blocks to intersecting vehicular access or interference with pedestrian walkways.
11. All rocks 3/4" diameter and larger, dirt clods, sticks, concrete spoils, construction waste, etc. shall be removed from the site and all rock bed area with mulch; all grass areas to achieve a smooth, even surface, free from unnatural undulations.
12. All sodded area with mulch; ground cover plantings a minimum of 2' from walks, structures, etc. Locate ground cover plantings a minimum of 2' from walks, structures, etc.
13. All trees and shrubs to be planted in such a manner as to ensure their survival.
14. All trees and shrubs shall be protected by a tree shield at the time of planting.
15. All trees and shrubs shall be staked with steel stakes driven into the ground below the top of the header.
16. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
17. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
18. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
19. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
20. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
21. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
22. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
23. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
24. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
25. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
26. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
27. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
28. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
29. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
30. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
31. All trees and shrubs shall be staked with steel stakes driven from the tree to a point below the top of the header.
FILE NO. B21-19
APPLICANT: Rhodes Development Company, LLC
REQUEST: Variance - Deviation of Commercial Design Standards
APPLICATION FOR VARIANCE
COMMERCIAL DESIGN STANDARDS
BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Street Address/Location of Request: 3049 E Robinson Ave

Applicant Name: Rhodes Development Company, LLC

Address: 2075 Corporate Circle

City: Cape Girardeau State: MO Zip: 63703

Phone: 573-339-1300 Fax: Email:

☐ Property Owner ☑ Owner’s Representative ☐ Contract Purchaser

Represented by: CEI Engineering - Nate Bachelor

Address: 3108 SW Regency Okwy

City: Bentonville State: AR Zip: 72712

Phone: 479-273-9472 Fax: Email: nbachelor@ceieng.com

Legal Description: ☑ (Check if attached)
The Planning Commission may approve variances to depart from the literal requirements of the Commercial Design Standards where strict enforcement of said requirements would cause undue hardship due to circumstances unique to the individual property under consideration, and the granting of such variance is demonstrated to be within the spirit and intent of the provisions of the design standards.

Check item(s) for which variance is requested:

☐ ENTRANCES – one customer entrance on all sides of principal building directly facing abutting public right-of-way

☐ PARKING LOT ORIENTATION – no more than 60% of off-street parking area located between the front façade within the front yard of the principal building

☐ STRUCTURE BACK AND SIDES
  ☐ Minimum setback according to zoning district requirements
  ☐ Earthen berm installed with trees and landscaping for façade facing adjacent residential uses or area on Comprehensive Land Use Plan

☐ PEDESTRIAN FLOW
  ☐ 5’ sidewalk along all sides of lot abutting public right-of-way
  ☐ 5’ continuous internal pedestrian walkways from public sidewalk to principal customer entrance of all principal building on site
  ☐ 5’ sidewalk along the full length of building on façade featuring customer entrance an façade abutting public parking areas 6’ from façade of building
  ☐ Weather protection features within 30’ of all customer entrances, constructed parallel to building façade
  ☐ Internal walkway distinguished from driving surface through use of durable, low maintenance surface materials to enhance safety and comfort

☐ CENTRAL FEATURES AND COMMUNITY SPACES
  ☐ Provision of at least 2 central features
  ☐ Direct access to public sidewalk network

☐ MULTIPLE BUILDINGS IN COMMERCIAL CENTERS
  ☐ Use of similar building materials
  ☐ Use of similar architectural styles or theme

☐ OUTDOOR STORAGE, TRASH COLLECTION AND LOADING AREAS
  ☐ Not visible from public right-of-way, located within 20’ of any public street, sidewalk or internal pedestrian way
  ☐ Incorporated into the overall design of the building
  ☐ Screening material similar to principal materials of the building and landscape
  ☐ Landscaped so that visual and acoustic impacts fully contained and out of view of adjacent property and public streets
  ☐ Landscaped so not attention is attached to the function by the use of screening material an no attention is attached to the function by the use
FACADES AND EXTERIOR WALLS – face over 100' in linear length incorporate wall projections or recesses
- Minimum 3' depth
- Minimum of 20 contiguous feet within each 100' of façade length
- Extends 20% of the façade

DETAIL FEATURES
- Facades include a repeating pattern with no less than 3 elements (color change, texture change, material change)
- At least one element repeating horizontally
- Elements repeat at intervals of more than 30' horizontally or vertically
- Change in plane no less than 12" in width (offset, reveal or projecting rib)

ROOFS – change in height every 100 liner feet in building length

MATERIALS AND COLORS
- Predominate exterior materials high quality materials
- Façade color – low reflectance, subtle, neutral or earth tone

ENTRYWAYS – 3 defined, highly visible customer entrances

LANDSCAPING
- Entryway landscaping
- Parking lot landscaping
- Perimeter parking area landscaping
- Building foundation landscaping

SCREENING
- Trash containers, trash compactor, and recycling bins screened from public view 4 sides
- Exterior ground-mounted or building-mounted equipment
- Rooftop equipment
- Solid fence or wall not less than 6' in height along all rear and side property lines common to property zoned for residential purposes
- Required screening fence or wall maximum height 8', high quality materials
- Required screening fence or wall maximum continuous length of 50'

LIGHTING
- Pedestrian walkway lighting – 4' maximum height for bollard-type lighting, pedestrian areas illuminated a minimum of 1 footcandle
- Parking lot lighting – 35' maximum mounting fixture height with all parking areas maintaining 3 footcandles
- Parking lot lighting – maximum maintained vertical footcandle at any adjoining residential property line 0.5 footcandle measured at 5' above grade
- Uniformity ratios throughout parking – not more than a 8:1 ratio of average to minimum illumination and not more than 20:1 maximum to minimum
- Canopy lighting – 35 footcandles maximum average maintained footcandles under canopy
- Canopy lighting fixtures lens cover recessed or flush with bottom surface (ceiling) of canopy
☐ Canopy indirect light beamed upward and then reflected down shielded focused exclusively on the underside of canopy

**FOR EACH ITEM CHECKED**

<table>
<thead>
<tr>
<th>Variance requested: (attach visual representation of request)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Variance requested from the requirement to provide 6 feet of greenspace along the foundation of the building on the east and west sides, providing 3 feet instead. North side of the building provides the required 6 feet of greenspace.</td>
</tr>
<tr>
<td>2) Variance requested from facade articulation requirement to provide 3 feet of recess/projection being 20 contiguous feet on walls exceeding 100 feet.</td>
</tr>
<tr>
<td>Reference site / landscape drawings and color elevations submitted as part of the Large Scale Development plan.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The geometry of the property creates a hardship meeting this requirement due to the narrow and long nature of the lot. In the east/west dimension the project complies with the perimeter greenspace requirement and provides 3 feet of the 6 feet required on each east and west face of the structure.</td>
</tr>
<tr>
<td>2) Along the east facade of the building there are 8 vehicular bay doors required for entry into the service areas. Configuring the facade with the required 3 feet of articulation would result in an unsafe traffic condition for vehicles entering and leaving these bay doors.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Reducing the required greenspace from 6 feet to the proposed 3 feet on each side will allow the building and site elements to fit within the narrow site while not providing special privilege to the applicant.</td>
</tr>
<tr>
<td>2) Allowing the variance for the required 3 feet of articulation in the facade will provide a safer means of egress from the service bays compared to strict compliance of the standards. Providing multiple brick piers on the building creates more visual appeal than one longer area due to the comparable short length of the building.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Harmony with intended purpose of the standards: (how the proposed develop will remain in harmony with the intended purpose of the commercial design standards with the approval of the variance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) By reducing the required 6 feet of foundation greenspace to 3 feet the project is still able to provide foundation plantings around the entry as required by code. It would remain in harmony with the design standards while allowing the required building and site elements to fit within the property.</td>
</tr>
<tr>
<td>2) In lieu of the articulation required, the development proposes to provide brick accent piers staggered along the building wall to accent the building and meet the intent of the standards while allowing safe, efficient operation of the facility.</td>
</tr>
</tbody>
</table>
The Applicant 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 Applicant.

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

APPLICANT SIGNATURE(S)  

[Signature]  

Nate Bachelor, Representative

DATE: 2/21/21
FILE NO. B20-14
APPLICANT: Francisco and Adriana Saenz
REQUEST: Variance - Deviation of Front Setback (Gibbs Rd.) 30' to 16.5'
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: Francisco Saenz + Adriana Saenz

Applicant's Mailing Address:

294 Trevi Fontana Pl.
Street Address or P.O. Box
Springdale AR 72762
City, State & Zip Code

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

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

Street Address or P.O. Box

City, State & Zip Code

Address of Variance Request: 294 Trevi Fontana Pl. Springdale AR 72762

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
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):
   Corner lot with utility easements on 2 sides the north & west. The lot is small with regard to the house size.

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):
   Denied adequate use of my property in the pergola or movable shed were torn down. Because these 2 easements consider yard is small.

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):
   Due to a misunderstanding and a language barrier, the rules for the shed & pergola construction were misinterpreted.
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:

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: 17.0  
Side: 12  
Back: 17
(if granted what the setback would be.)

Variance: 
Front: 13.5  
Side:  
Back: 3
(The difference between the "Required" and the "Requested" setback)

VARIANCES OTHER THAN SETBACK:

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.

we misunderstood the rules for placement of the shed and pergola, unfortunately this resulted in shed placement too close to the easements and the house.

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:
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.

[Signatures]

Applicant Signature

Property Owner Signature

[Name]

Property Owner Signature

[Name]

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

State of Arkansas

County of [Washington]

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 11th day of March, 2020.

[Notary Public]

[Stamp]

223
FILE NO. B21-17
APPLICANT: Victor Ortiz
REQUEST: Variance - Deviation of paved parking requirements with two year bill of assurance
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: Victor Ortiz

Applicant's Mailing Address:
7216 N. Thompson St., Ste. C
SANDAL, AR 72716
Telephone Number: 479-530-9391

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

Address of Variance Request: 1129 Jefferson

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: 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 for deviation of paving requirement

with a two (2) year Bill of Assurance.

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):

   Variance for deviation of paving requirement with a two year Bill of Assurance.

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):

   Will be able to pave within two years.

3. That the special conditions and circumstances do not result from the actions of the applicant. Use the space below to explain how the special conditions or circumstances occurred (attach a separate sheet if necessary):
4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.

6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

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

[Signature]
Applicant Signature*

[Signature]
Property Owner Signature*
(If different from Applicant)

[Signature]
Applicant Signature*

[Signature]
Property Owner Signature*
(If different from Applicant)

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

State of Arkansas )
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 18th day of January, 2021.

[Signature]
Notary Public
FILE NO. B21-18
APPLICANT: Nelson Anaya
REQUEST: Variance - Deviation of Rear Setback (20' to 10')
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: Nelson Anaya

Applicant's Mailing Address:
3611 Buono Ave
Springdale, AR 72764

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

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

Address of Variance Request: 3611 Buono Ave, Springdale, AR 72764

Zoning District:

The following information should be attached to this application:

1. $75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be
sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

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

SETBACK VARIANCES:  

<table>
<thead>
<tr>
<th>Required:</th>
<th>Front:</th>
<th>Side:</th>
<th>Back:</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(This is the minimum required by the Springdale Code of Ordinance)

<table>
<thead>
<tr>
<th>Requested:</th>
<th>Front:</th>
<th>Side:</th>
<th>Back:</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(if granted what the setback would be.)

<table>
<thead>
<tr>
<th>Variance:</th>
<th>Front:</th>
<th>Side:</th>
<th>Back:</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(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.

Reduce Rear Setback to 10'

The Zoning Board of Adjustment, after a hearing, may vary the application of certain provisions of the Springdale Code of Ordinance. The variance can be granted when, in the Board’s opinion, the specific case will not be contrary to public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, and also finds ALL of the following:
The Applicant must respond to items 1, 2, and 3.

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

   The back of my house was built at an angle where it receives rain damage. My back door is currently damaged due to rain ruining the door that leads to my backyard.

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 deprived is to protect the back of my property from weather damage.

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

   The special conditions and circumstances do not result from any of my actions.
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.

[Signatures]

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

State of Arkansas )
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 15th day of January, 2021.
FILE NO. B21-20
APPLICANT: Mark and Laura Bazyk
REQUEST: Variance - Deviation
of Commercial Design Standards

PLANNING COMMISSION MEETING
March 2, 2021

For Location Reference Only

FILE NO. B21-20
APPLICANT: Mark and Laura Bazyk
REQUEST: Variance - Deviation
of Commercial Design Standards

PLANNING COMMISSION MEETING
March 2, 2021

For Location Reference Only
CITY OF SPRINGDALE, ARKANSAS

APPLICATION FOR VARIANCE
COMMERICAL DESIGN STANDARDS
BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

FILE NUMBER: B21-20
DATE: 1-29-21

Street Address/Location of Request: 3492 W. Sunset Ave.

Applicant Name: Mark & Laura Bazyk (All American Steakhouse)
Address: 5502 Bryant Place
City: Springdale State: AR Zip: 72764
Phone: 479.751.3663 Fax: 479.751.892 Email: mabazyk@gmail.com

Property Owner □ Owner's Representative □ Contract Purchaser

Represented by: Jim Reed
Address: PO Box 7434
City: Springdale State: AR Zip: 72764
Phone: 479.790.0137 Fax: 479.751.8972 Email: JReed7035@gmail.com

Legal Description: (Check if attached)
The Planning Commission may approve variances to depart from the literal requirements of the Commercial Design Standards where strict enforcement of said requirements would cause undue hardship due to circumstances unique to the individual property under consideration, and the granting of such variance is demonstrated to be within the spirit and intent of the provisions of the design standards.

Check item(s) for which variance is requested:

☐ ENTRANCES – one customer entrance on all sides of principal building directly facing abutting public right-of-way

☐ PARKING LOT ORIENTATION – no more than 60% of off-street parking area located between the front façade within the front yard of the principal building

☐ STRUCTURE BACK AND SIDES
  ☐ Minimum setback according to zoning district requirements
  ☐ Earthen berm installed with trees and landscaping for façade facing adjacent residential uses or area on Comprehensive Land Use Plan

☐ PEDESTRIAN FLOW
  ☐ 5' sidewalk along all sides of lot abutting public right-of-way
  ☐ 5' continuous internal pedestrian walkways from public sidewalk to principal customer entrance of all principal building on site
  ☐ 5' sidewalk along the full length of building on façade featuring customer entrance an façade abutting public parking areas 6' from façade of building
  ☐ Weather protection features within 30' of all customer entrances, constructed parallel to building façade
  ☐ Internal walkway distinguished from driving surface through use of durable, low maintenance surface materials to enhance safety and comfort

☐ CENTRAL FEATURES AND COMMUNITY SPACES
  ☐ Provision of at least 2 central features
  ☐ Direct access to public sidewalk network

☐ MULTIPLE BUILDINGS IN COMMERCIAL CENTERS
  ☐ Use of similar building materials
  ☐ Use of similar architectural styles or theme

☐ OUTDOOR STORAGE, TRASH COLLECTION AND LOADING AREAS
  ☐ Not visible from public right-of-way, located within 20' of any public street, sidewalk or internal pedestrian way
  ☐ Incorporated into the overall design of the building
  ☐ Screening material similar to principal materials of the building and landscape
  ☐ Landscaped so that visual and acoustic impacts fully contained and out of view of adjacent property and public streets
  ☐ Landscaped so not attention is attached to the function by the use of screening material an no attention is attached to the function by the use
- **Facades and Exterior Walls** – face over 100' in linear length incorporate wall projections or recesses
  - Minimum 3' depth
  - Minimum of 20 contiguous feet within each 100' of façade length
  - Extends 20% of the façade

- **Detail Features**
  - Facades include a repeating pattern with no less than 3 elements (color change, texture change, material change)
  - At least one element repeating horizontally
  - Elements repeat at intervals of more than 30' horizontally or vertically
  - Change in plane no less than 12" in width (offset, reveal or projecting rib)

- **Roofs** – change in height every 100 linear feet in building length

- **Materials and Colors**
  - Predominate exterior materials high quality materials
  - Façade color – low reflectance, subtle, neutral or earth tone

- **Entryways** – 3 defined, highly visible customer entrances

- **Landscaping**
  - Entryway landscaping
  - Parking lot landscaping
  - Perimeter parking area landscaping
  - Building foundation landscaping

- **Screening**
  - Trash containers, trash compactor, and recycling bins screened from public view 4 sides
  - Exterior ground-mounted or building-mounted equipment
  - Rooftop equipment
  - Solid fence or wall not less than 6' in height along all rear and side property lines common to property zoned for residential purposes
  - Required screening fence or wall maximum height 8', high quality materials
  - Required screening fence or wall maximum continuous length of 50'

- **Lighting**
  - Pedestrian walkway lighting – 4' maximum height for bollard-type lighting, pedestrian areas illuminated a minimum of 1 footcandle
  - Parking lot lighting – 35' maximum mounting fixture height with all parking areas maintaining 3 footcandles
  - Parking lot lighting – maximum maintained vertical footcandle at any adjoining residential property line 0.5 footcandle measured at 5' above grade
  - Uniformity ratios throughout parking I – not more than a 6:1 ratio of average to minimum illumination and not more than 20:1 maximum to minimum
  - Canopy lighting – 35 footcandles maximum average maintained footcandles under canopy
  - Canopy lighting fixtures lens cover recessed or flush with bottom surface (ceiling) of canopy
☐ Canopy indirect light beamed upward and then reflected down shielded focused exclusively on the underside of canopy

FOR EACH ITEM CHECKED

Variance requested: (attach visual representation of request)

[Attached]

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)

Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

Harmony with intended purpose of the standards: (how the proposed develop will remain in harmony with the intended purpose of the commercial design standards with the approval of the variance)
The Applicant 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 Applicant.

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

APPLICANT SIGNATURE(S)

DATE: Jan 29, 2021
B21-20

REFER TO MECHANICAL FOR EROU LOCATIONS

REPLACEMENT OPTIMUM STANDING SEAM METAL ROOF AND REPLACE WITH SPIRAL WOOL
FILE NO. B21-21
APPLICANT: DCSB Holdings, LLC
REQUEST: Variance - Deviation of Paved Parking Requirements, Deviation of Maximum Fence Height
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: Derek Deaton

Applicant's Mailing Address:

7203 Aspen Dr
Fayetteville, AR 72703

Telephone Number

479-387-8720

City, State & Zip Code

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

Property Owner's Mailing Address:
(If different from Applicant):
P.O. Box 4837
Fayetteville, AR 72703

Telephone Number

479-387-8720

City, State & Zip Code

Address of Variance Request: 1380 Butterfield coach Rd Springdale, AR

Zoning District: C-2

The following information should be attached to this application:

1. $75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be
sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

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

**SETBACK VARIANCES:**

☑️ Not Applicable

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

**Required:**

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

**Requested:**

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

**Variance:**

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

**VARIANCES OTHER THAN SETBACK:**

☐ Not Applicable

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

We are needing more time to complete raising the fence to 8 ft and also to add the parking spaces for the employees and trucks.

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):**
   
   Our property located at 1380 Butterfield Coach Rd. is zoned as a C2 property. Although in the past, it has been used for residential purposes, we need to extend the fence from 10 feet to 8 feet and add asphalt for parking to bring the property up to the Springdale Code of Ordinance.

2. That the literal interpretation of the provision of the Springdale Code of Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. **Use the space below to explain the rights of which the applicant is being deprived (attach a separate sheet if necessary):**
   
   There are numerous businesses located in close proximity to 1380 Butterfield Coach Rd; therefore we feel using this property for commercial capacity is warranted with the requested variance.

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):**
   
   Although the property has been used for residential purposes in the past, the area along this section of Butterfield Coach Rd. is increasingly commercial properties. When we purchased this property it was because it was zoned C2 and this is our intended use of this property.
4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.

6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

I/We, the undersigned, herewith state on solemn oath that we have read the above and foregoing application for reozoning 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.

[Signatures]

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

State of Arkansas  )
County of	

SUBSCRIBED AND SWORN TO before me, a Notary Public, this _2_ day of February, 20_21.

[Notary Public Signature]
FILE NO. W21-02
APPLICANT: Dawn Jiminez
REQUEST: Waiver - Sidewalk Improvements

For Location Reference Only
Sent from my iPhone

Begin forwarded message:

From: Dawn jimenez <isaac5jimenez@att.net>
Date: February 9, 2021 at 11:02:28 AM CST
To: stromburg@springdale.gov
Subject: Sidewalk waiver

Hi this is Miguel and Dawn Jimenez. We are emailing you to get a sidewalk waiver for 913 S Spring creek rd Springdale

Thanks
Isaac5jimenez@att.net

Sent from my iPhone
Requesting Expansion

Address: 1009 W. Huntsville ave
Springdale Ar. 72764

Expanding the porch:
8' to the north
2' to the East
3'6" to the South
319 Additional square feet

# 479 214 5208

Jesús Víctor Núñez
**Washington County Report**

**Property Owner**
Name: NUNEZ, JOSE VICTOR

Mailing Address: 1009 W HUNTSVILLE AVE
SPRINGDALE, AR 72764

Type: (RI) Res. Improv.
Tax Dist: (501) SPRINGDALE SCH, SPG
Millage Rate: 52.70

Extended Legal: Lot 5B Replat Lot 5 Block 1

**Property Information**
Physical Address: 1009 W HUNTSVILLE AVE
1009 W HUNTSVILLE AVE

Subdivision: HOUTS ADD
Block / Lot: 001 / 005
S-T-R: 35-18-30

**Size (Acres):**

**Market and Assessed Values**

<table>
<thead>
<tr>
<th></th>
<th>Estimated Market Value</th>
<th>Full Assessed (20% Mkt Value)</th>
<th>Taxable Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>$20,000</td>
<td>$4,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>Building</td>
<td>67950</td>
<td>13590</td>
<td>11664</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$87,950</td>
<td>$17,590</td>
<td>$15,664</td>
</tr>
</tbody>
</table>

**Taxes**

<table>
<thead>
<tr>
<th></th>
<th>Estimated Taxes:</th>
<th>Homestead Credit:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$450</td>
<td>$375</td>
</tr>
</tbody>
</table>

Note: Tax amounts are estimates only. Contact the county/parish tax collector for exact amounts.

**Special Assessments**

<table>
<thead>
<tr>
<th>Assessment</th>
<th>Tax Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vol Fire</td>
<td>$23.50</td>
</tr>
<tr>
<td>Vol Library</td>
<td>$15.66</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$39.16</td>
</tr>
</tbody>
</table>

**Land**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Size</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1.000</td>
<td>House Lot</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>1.000</td>
</tr>
</tbody>
</table>

Not a Legal Document.
Subject to terms and conditions.
[www.actDataScout.com](http://www.actDataScout.com)
## Deed Transfers

<table>
<thead>
<tr>
<th>Deed Date</th>
<th>Book</th>
<th>Page</th>
<th>Deed Type</th>
<th>Stamps</th>
<th>Est. Sale</th>
<th>Grantee</th>
<th>Code</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/17/2012</td>
<td>2012</td>
<td>31764</td>
<td>Warr. Deed</td>
<td>287.10</td>
<td>$87,000</td>
<td>NUNEZ, JOSE VICTOR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4/2/2003</td>
<td>2003</td>
<td>19917</td>
<td>CommDeed</td>
<td></td>
<td></td>
<td>ALISCH, EDWARD &amp; LOUISE</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>7/23/2002</td>
<td>2002</td>
<td>110854</td>
<td>Redem Deed</td>
<td>0.00</td>
<td>$0</td>
<td>BENARD, ALFRED D JR &amp; AMANDA L</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>11/11/1994</td>
<td>94</td>
<td>69567</td>
<td>Warr. Deed</td>
<td>224.40</td>
<td>$68,000</td>
<td>BENARD, ALFRED D JR &amp; AMANDA L</td>
<td>Additiona l Propertie s</td>
<td>N/A</td>
</tr>
<tr>
<td>10/27/1994</td>
<td>94</td>
<td>69565</td>
<td>Warr. Deed</td>
<td>0.00</td>
<td>$0</td>
<td>ALISCH, EDWARD &amp; LOUISE</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>11/15/1991</td>
<td>93</td>
<td>58432</td>
<td>N/A</td>
<td>0.00</td>
<td>$0</td>
<td>CARPENTER, PAULA (CONT)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/1/1985</td>
<td>1112</td>
<td>281</td>
<td>N/A</td>
<td>0.00</td>
<td>$0</td>
<td>ALISCH, EDWARD &amp; LOUISE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Reappraisal Value History

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Total Value</th>
<th>Total Assessed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>$71,200.00</td>
<td>$14,240.00</td>
</tr>
<tr>
<td>2016</td>
<td>$71,200.00</td>
<td>$14,240.00</td>
</tr>
<tr>
<td>2017</td>
<td>$71,200.00</td>
<td>$14,240.00</td>
</tr>
<tr>
<td>2018</td>
<td>$71,200.00</td>
<td>$14,240.00</td>
</tr>
<tr>
<td>2019</td>
<td>$71,200.00</td>
<td>$14,240.00</td>
</tr>
<tr>
<td>2020</td>
<td>$87,950.00</td>
<td>$14,952.00</td>
</tr>
</tbody>
</table>
Details for Residential Card 1

Occupancy | Story | Construction | Total Liv | Grade | Year Built | Age | Condition | Beds
--- | --- | --- | --- | --- | --- | --- | --- | ---
Single Family | ONE | Frame Siding Std. | 1,222 | 5 | 1955 | 65 | Average | 

Exterior Wall: FS  
Foundation: Closed Piers  
Floor Struct: Wood with subfloor  
Floor Cover: Carpet & Tile  
Insulation: Ceilings Walls  
Roof Cover: Asphalt Shingle  
Roof Type: Gable  
Plumbing: Full: 2  
Fireplace: N/A  
Heat / Cool: None  
Basement: N/A  
Basement Area:  
Year Remodeled: 2005  
Style: 

DataScout, LLC

Base Structure

<table>
<thead>
<tr>
<th>Item</th>
<th>Label</th>
<th>Description</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>MN</td>
<td>Main Living Area</td>
<td>1222</td>
</tr>
<tr>
<td>B</td>
<td>OP</td>
<td>Porch, open</td>
<td>326</td>
</tr>
</tbody>
</table>

Outbuildings and Yard Improvements

<table>
<thead>
<tr>
<th>Item</th>
<th>Type</th>
<th>Size/Dim</th>
<th>Unit Multi.</th>
<th>Quality</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility Bldg, Low, Std Class</td>
<td>20x20</td>
<td></td>
<td></td>
<td></td>
<td>2005</td>
</tr>
<tr>
<td>Fence, split rail 2</td>
<td>300</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Driveway, concrete</td>
<td>12x32</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Not a Legal Document.  
Subject to terms and conditions.  
www.acDataScout.com